

AGENDA
MORGAN COUNTY BOARD OF COUNTY COMMISSIONERS
ASSEMBLY ROOM, ADMINISTRATION BUILDING
231 ENSIGN STREET, FORT MORGAN, CO 80701
TUESDAY, OCTOBER 6, 2020

The County Will Be Abiding By the Social Distancing Requirements in Public Health Order 20-28 for This Meeting. Due To Limited Space In The Assembly Room, Remote Attendance Is Encouraged. If You Have Any Questions Regarding Attending The Meeting, Please Contact Karla Powell at 970-542-3500.

To participate in the Citizen's Comment Period you must connect via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/88364673707> If you cannot connect via Zoom, you may submit written public comment to morgancountybcc@co.morgan.co.us by email by 4 p.m. on Monday October 5, 2020.

To participate in Public Hearings you may connect via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/88364673707> or to listen via phone, please dial: 1-312-626-6799, Meeting ID: 883 6467 3707

To watch and/or listen to the meeting but not participate, you may do so by connecting via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/88364673707> or to listen via phone, please dial: 1-312-626-6799, Meeting ID: 883 6467 3707

9:00 A.M.

A. WELCOME – CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL:

Commissioner Arndt
Commissioner Becker
Commissioner Zwetzig

B. PUBLIC HEARING

1. AGPROfessionals – Applicant

Innovative Properties LTD - Landowner

Legal Description - Located in the SW¼ of the SW¼ of Section 22, Township 3 North, Range 60 West of the 6th P.M. Morgan County, Colorado, and addressed as 14026 County Road 3, Wiggins, CO 80654. Parcel numbers 1223-220-00-007 and 1223-220-00-003

Reason - Use by Special Review to operate a commercial construction storage facility and associated offices on two parcels

Date of Application: June 24, 2020

*Any meeting or event scheduled to be held at the Commissioners' Offices (218 West Kiowa Avenue, Fort Morgan, CO) will be relocated to a site with handicapped access upon request. For special assistance for the Morgan County Board of Commissioners meeting, please notify us at least 48 hours before the scheduled agenda item. Please call (970)542-3500, extension 1410, to request accommodations for any of the two locations.

Prepared By: Karla Powell, Administrative Services Manager
Agenda Posted On Thursday October 1, 2020 @ 1:00 P.M.

C. CITIZEN'S COMMENT PERIOD

Citizens are invited to speak to the Commissioners on non-agenda items. There is a 3 minute time limit per person, unless otherwise noted by the Chairman. Please note that no formal action will be taken on these items during this time due to the open meeting law provision; however, they may be placed on future posted agenda if action is required.

D. ADOPTION OF THE AGENDA

E. CONSENT AGENDA

All matters under the consent agenda are considered to be routine by the Board of County Commissioners and will be enacted with a single vote. There will be no separate discussion of these items. If discussion is deemed necessary, any Board member may ask that the item be removed from the Consent Agenda and considered separately:

1. Ratify the Board of County Commissioners approval of meeting minutes dated September 14, 2020
1. Ratify the Board of County Commissioners approval of meeting minutes dated September 29, 2020
2. Ratify the Board of County Commissioners approval of BOE meeting minutes dated September 29, 2020
3. Ratify the Board of County Commissioners approval of Grant Application for Peace Officers Mental Health, signed September 28, 2020
4. Ratify Chairman Mark Arndt's signature on the CTO Marketing Matching Grant Letter of Support, signed September 29, 2020
5. Ratify Chairman Mark Arndt's signature on the Special Waste Acceptance Application, signed September 28, 2020
6. Ratify Chairman Mark Arndt's signature on the Great Copier Service and Supplies Contract signed September 28, 2020
7. Ratify the Board of County Commissioners approval on assignment of debt collections to Wakefield and Associates, Client #201043, #201134, #200427, #201244, #201077, #201088, #201089, #192036, #200409, #21108, #200666, #201126, #201138

F. GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

1. Consideration of Approval – **2020 BCC 30** A Resolution Conditionally Granting A Use By Special Review For A Hemp Oil Processing Facility And Laboratory On Lot 1 Of The Corrected Replat Of The Annan And Annan 2 Minor Subdivision

G. UNFINISHED BUSINESS

H. COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

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Prepared By: Karla Powell, Administrative Services Manager
Agenda Posted On Thursday October 1, 2020 @ 1:00 P.M.

1. Commissioners Calendar for week of October 2, 2020 through October 13, 2020
2. Road Report

I. ADJOURNMENT

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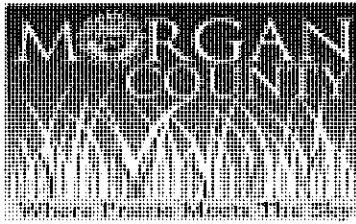
Prepared By: Karla Powell, Administrative Services Manager
Agenda Posted On Thursday October 1, 2020 @ 1:00 P.M.

BOCC Agenda-10/6/2020

File Summary-09/25/2020

Meeting Date- 10/6/2020

Minutes-08/10/2020



MORGAN COUNTY PLANNING AND BUILDING DEPARTMENT

October 6, 2020

TO: MORGAN COUNTY BOARD OF COMMISSIONERS
DATE: Tuesday, October 6, 2020
TIME: 9:00 AM
PLACE: Assembly Room – Basement (B) Level
Morgan County Administration Building
231 Ensign St., Fort Morgan, CO

A G E N D A

To participate in this Public Hearing you may connect via Zoom Conferencing Access Information at:

<https://us02web.zoom.us/j/88364673707>

Or iPhone one-tap :

US: +13462487799,,88364673707# or +16699009128,,88364673707#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782 or +1 312 626 6799 or
+1 646 558 8656 or +1 301 715 8592

Webinar ID: 883 6467 3707

International numbers available: <https://us02web.zoom.us/j/88364673707>

NEW BUSINESS:

1. AGPROfessionals – Applicant

Innovative Properties LTD - Landowner

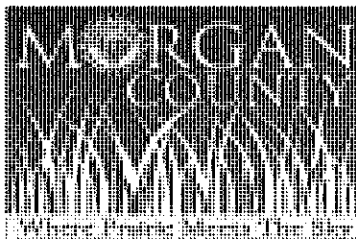
Legal Description - Located in the SW¼ of the SW¼ of Section 22, Township 3 North, Range 60 West of the 6th P.M. Morgan County, Colorado, and addressed as 14026 County Road 3, Wiggins, CO 80654. Parcel numbers 1223-220-00-007 and 1223-220-00-003

Reason - Use by Special Review to operate a commercial construction storage facility and associated offices on two parcels.

Date of Application: June 24, 2020

OTHER MATTERS:

ADJOURN:



**MORGAN COUNTY
PLANNING AND BUILDING DEPARTMENT**

BOARD OF MORGAN COUNTY COMMISSIONERS

FILE SUMMARY

September 25, 2020

October 6, 2020 (meeting date)

APPLICANTS: AGPROfessionals

LANDOWNERS: Innovative Properties, Ltd.

On August 10, 2020 Planning Commission considered this application for a special use to allow a commercial construction shop and storage facility. On a vote of 4 in favor and 2 opposed the Planning Commission recommends approval of this application. The August 10, 2020 minutes, as approved by Planning Commission, are included in the packet

There has been a complaint filed on the property for outside storage of construction equipment that is not permitted in the Agriculture Production zone district. That complaint is included in your packets. At the Planning Commission there were two people in attendance that spoke in opposition to the application. The concerns that were expressed:

1. Property values
2. Amount of construction equipment being stored outside
3. Tanks
4. Drainage in floodplain
5. Dirt work that has been occurring
6. Traffic
7. Property has been residential and agriculture use
8. Stormwater permits
9. Fuel tank storage
10. Noise
11. Assumption by applicant and brought in equipment

Applicant's consultant responded to concerns stating:

1. Noise is not an issue
2. Not aware that fill dirt has been brought onto the site
3. Moving equipment onto site was out of necessity
4. Visual screening of some sort for equipment would be considered
5. Floodplain permitting had not been started

Application Overview

Innovative Properties as landowner and AGPROfessionals as applicant's consultant have submitted an application for a Special Use Permit for approval of a commercial construction shop and storage facility. The application is for two adjacent parcels owned by Innovative Properties, 1223-322-00-007 (Parcel 1) and 1223-322-00-003 (Parcel 2).

The property is zoned Agriculture Production Parcel 1 is 38.48 acres, Parcel 2 is 1.5 acres both located in the SW¼ of the SW¼ of Section 22 Township 3 North, Range 60 West of the 6th P.M. Morgan County, Colorado addressed as 14026 County Road 3, Wiggins, CO 80654.

Parcel 1 will be used for outside storage and the existing gravel rock area to be used for storage will be expanded. Parcel 2 is a residential structure that will be used for an office and a fenced storage area. The applicant estimates a total of seven acres will be used for the facility.

- a. Pursuant to Section 2-325, any use, not designated as a Use by Right, Accessory Use, Conditional Use and Use by Special Review or not otherwise prohibited in a particular zone, may be approved as a Use by Special Review pursuant to the criteria and procedures as established by these Regulations.
- b. Pursuant to Section 3-175, Parcels smaller than 20 acres does not list storage of oil field equipment and maintenance as a Use by Right, Conditional Use or Use by Special Review.

Criteria – Special Use Permits

The following criteria are to be used by the Planning Commission and the Board of County Commissioners when reviewing an application for a Special Use Permit.

- (A) The use and its location as proposed are in conformance with the Morgan County Comprehensive Plan. The property is located in the southwest planning area of the west activity center.

Chapter 2

2.II.A - Economic Development

Goal – Diversify the economy in Morgan County to broaden business employment opportunities for residents and to further economic growth.

This project will support economic development by providing a location for equipment storage and service while providing an estimated six full-time employment positions.

2.II.C

Goal - To encourage development where it is in proximity to the activity centers, compatible with existing land use, and there is access to established public infrastructure.

Agriculture Production zoning is on all sides of the property. Morgan County REA operates a substation to the west of the property. The property is located adjacent to existing infrastructure, roads and Morgan County Quality Water.

Goal - The County will encourage the preservation of agriculture production lands in balance with pressure for land use changes to higher intensity development.
Because this project is adjacent to other similar uses and proposes to use the existing farm ground as buffer, this supports the preservation of agriculture.

- (B) All the application documents are complete and present a clear picture of how uses are to be arranged on the site or within Morgan County.
- (C) The Site Plan conforms to the district design standards of these Regulations.
The entire property is within the 100 year floodplain, floodplain permitting will be required for any development on the property. Make note of floodplain on the plans.
- (D) All on and off-site impacts have been satisfactorily mitigated either through agreement, public improvements, site plan requirements or other mitigation measures.
- (E) The special use proposed has been made compatible with the surrounding uses and adequately buffered as determined by the County.
The project proposes to preserve the adjacent farm ground of approximately 31 acres to provide a buffer to properties further north. County Road O provides a buffer to the agriculture uses to the south and east.
- (F) The special use poses only the minimum amount of risk to the public health, safety and welfare as set by federal, state or county regulation, whichever is the strictest.
- (G) The special use proposed is not planned to be developed on a non-conforming parcel.
This operation proposes the use of two properties, Parcel 1, is farm ground of approximately 38 acres of which approximately 6 acres will be permitted under this Special Use application for outside storage and equipment maintenance. Parcel 2 has an existing home on it that will be used as an office.
- (H) The applicant has adequately documented a public need for the project, all pertinent technical information, adequate financial resources to implement it, and has paid all fees and review costs levied by the County for application processing and review.
Storage is necessary for storage of this sort of equipment due to the recent economic decline.
- (I) For any special use requiring a supply of water that the applicant has demonstrated a source of water which is adequate for the proposed use in terms of quantity and reliability and in the case of human consumption, quantity, quality, and reliability.
There is an existing Morgan County Quality Water tap on the property that will be monitored for possible increase to a commercial tap.

Recommendation and conditions

Suggested conditions if Planning Commission recommends approval to the County Commissioners:

1. The applicant shall obtain necessary permits and comply with the requirements and conditions of those permits as determined by other governmental agencies with jurisdiction over this operation.

2. A surveyed drawing shall be required for recording purposes to delineate/define the boundary of the area to be used for storage on Parcel 1.

On August 10, 2020 Planning Commission considered this application for a special use to allow a commercial construction shop and storage facility. On a vote of 4 in favor and 2 opposed the Planning Commission recommends approval of this application.

Pam Cherry

Pam Cherry, MPA, CFM
Planning, Zoning and Floodplain Administrator

MORGAN COUNTY PLANNING COMMISSION
August 10, 2020 MINUTES
(SEE INNOVATIVE PROPERTIES MINUTES PAGE 3)

The Morgan County Planning Commission met on Monday, August 10, 2020, at 7:00 p.m. in the Assembly Room of the Morgan County Administration Building. Answering roll call was: Robert Pennington, Mike Erker and Allyn Wind were present; and Nathan Troudt, Terry Rutenbeck, and Clay Miller appeared remotely by the Zoom platform. Also present in person were Pam Cherry, Planning Administrator, and Jody Meyer, Planning Assistant. Jeff Parker, Morgan County Attorney attended remotely by Zoom. Also present in person was Karol Kopetsky, Morgan County IT Administrator.

The meeting was called to order by Chairman Nathan Troudt.

It is noted that this Planning Commission meeting for August 10, 2020 was held in person with an option to attend remotely through the Zoom platform.

Approval of Minutes: May 13, 2020

It was moved by Robert Pennington and seconded by Mike Erker to approve the July 13, 2020 minutes as presented. Motion carried 5-0 with Allyn Wind recusing himself as he was not in attendance on July 13, 2020.

Approval of Agenda:

It was moved by Mike Erker and seconded by Allyn Wind to approve the Agenda as presented. Motion carried 6-0.

Chairman Nathan Troudt read the review process for tonight's meeting.

NEW BUSINESS:

Applications:

APPLICANT: Lindsey Deganhart
LANDOWNER: Kimberlee Deganhart

Legal Description:

Deganhart Minor Subdivision in the S½ of Section 34, Township 5 North, Range 59 West of the 6th P.M. Morgan County, Colorado, addressed as 9681 County Road Y.

Request: Minor Subdivision to create 2 lots; Lot 1 is 112.83 acres with improvements and Lot 2 is vacant with 2.65 acres to be used as a residential building site.

Lindsey Deganhart was present to represent this application.

Pam Cherry read her file summary as follows:

This application is for the Deganhart Minor Subdivision in the S½ of Section 34, Township 5 North, Range 59 West of the 6th P.M. Morgan County, Colorado. The property is located north and west of the intersection of County Road 10 and County Road Y and addressed as 9681 County Road Y. The property is currently undeveloped and the lots will be residential and agricultural uses in the Agriculture Production zone district.

Lindsey Deganhart as applicant is requesting approval of a minor subdivision that will plat 115.48 acres into two lots, Lot 1 is 112.83 acres, Lot 2 is 2.65 acres, Assessor's parcel number 0973-340-00-019. There is an existing home with a small storage shed, lean-to and a 1-car garage on the proposed lot 1. All the existing structures exceed setback requirement from the lot lines to be created by this plat. There has been a series of five exemptions from the original parcel, which has resulted in the requirement for a subdivision process.

In reviewing an application for a minor subdivision the Planning Commission and the Board of County Commissioners shall apply the following criteria as listed from Section 8-195 of the Morgan County Subdivision Regulations:

- (A) Whether the application documents are complete and present a clear picture of how the subdivision is to be laid out including all infrastructure, easements, and access.
The application documents are complete

	Lot 1	Lot 2
Water	Quality Water Tap 1835	Quality Water Tap
Septic	NE Colo Health – no objection – existing septic	NE Colo Health – no objection – new septic
Access (3)	Road and Bridge – Existing	Road and Bridge -- ok new
Fire	Wiggins Rural Fire	Wiggins Rural Fire
Soil map	Provided	Provided
Ext Svc	No AU proposed at this time	2 AU proposed at this time
Minerals	Not severed	Not severed
R-T-F	Complete	Complete

- (B) Whether the proposed subdivision is consistent with the Morgan County Comprehensive Plan.
The subdivision is located in the northwest planning area.

Chapter 2.II.C. 1., County Wide

Goals: Encourage the development where the proposed development is compatible with existing land uses – other exempted properties, minor subdivisions and small acreage properties are in the area.

There is access to existing infrastructure, Quality Water and County Roads.

- C) Whether the proposed subdivision is compatible with surrounding land uses and is adequately buffered as needed.

There is Rural Community Residential lots that adjoin Lot 1 in the southwest corner of the property. The remainder of the adjacent properties are zoned Agriculture Production. The property will maintain the Agriculture Production zone district.

County Road Y borders the property on the south, County Road 10 on the east; County Road 9.5 to the west which is maintained by Road and Bridge south of a private road sign and is adjacent to proposed lot 2, to the south is a 150' buffer strip between Lot 2 and the smaller lots of a Rural Community Residential zone and the Town of Weldona.

All appropriate notice requirements have been completed with no comments received as of July 31, 2020. Forty-four property owners within 1,320 feet were notified of the application; there have not been comments, either in favor or opposed.

Comments from referral agencies:

Xcel Energy requests communication with them regarding possible easement needs.

Suggested conditions:

1. Prior to recording of the plat, the Morgan County Quality Water tap will be paid in full.
2. Applicant to coordinate with Xcel Energy on the need for easements.

Lindsey Deganhart, applicant, said she is currently living with her mom and the exemption is being created so she can have her own home. A minor subdivision is required as all exemptions on the property have

been used. Lindsey said she contacted the State regarding the well and hasn't heard back. She also contacted Xcel regarding a comment on the possible need for easements due to utility lines. Mr. Wind said she needed to be careful before they dig.

Lindsey Deganhart was asked why she was leaving a buffer to the south of the proposed new lot. She wanted to leave the buffer as an access back to the county road.

There was discussion of mineral rights and severed rights.

PUBLIC COMMENT OPEN

Those speaking in favor: None present or on Zoom line

Those speaking in opposition: None present or on Zoom line

PUBLIC COMMENT CLOSED

It was moved by Allyn Wind and seconded by Mike Erker to approve this application and send it on to the Board of Morgan County Commissioners with following conditions listed in Pam Cherry's File Summary:

1. Prior to recording of the plat, the Morgan County Quality Water tap will be paid in full.
2. Applicant to coordinate with Xcel Energy on the need for easements.

Motion carried 6-0.

APPLICANTS: AGPROfessionals LANDOWNERS: Innovative Properties, Ltd.

Legal Description:

The application is for two adjacent parcels owned by Innovative Properties, 1223-322-00-007 (Parcel 1) and 1223-322-00-003 (Parcel 2). Parcel 1 is 38.48 acres, Parcel 2 is 1.5 acres both located in the SW¼ of the SW¼ of Section 22 Township 3 North, Range 60 West of the 6th P.M. Morgan County, Colorado addressed as 14026 County Road 3, Wiggins, CO 80654.

Request: Application for a Special Use Permit for approval of a commercial construction shop and storage facility.

Shannon Toomey from AGPROfessionals representing Innovative Properties Ltd. was present through the Zoom platform to represent this application.

Application Overview

Pam Cherry, Planning Administrator, read her File Summary noting 2 conditions:

Innovative Properties as landowner and AGPROfessionals as applicant's consultant have submitted an application for a Special Use Permit for approval of a commercial construction shop and storage facility. The application is for two adjacent parcels owned by Innovative Properties, 1223-322-00-007 (Parcel 1) and 1223-322-00-003 (Parcel 2).

The property is zoned Agriculture Production Parcel 1 is 38.48 acres, Parcel 2 is 1.5 acres both located in the SW¼ of the SW¼ of Section 22 Township 3 North, Range 60 West of the 6th P.M. Morgan County, Colorado addressed as 14026 County Road 3, Wiggins, CO 80654.

Parcel 1 will be used for outside storage and the existing gravel rock area to be used for storage will be expanded. Parcel 2 is a residential structure that will be used for an office. The applicant estimates a total of seven acres will be used for the facility.

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- b. Pursuant to Section 3-175, Parcels smaller than 20 acres does not list storage of oil field equipment and maintenance as a Use by Right, Conditional Use or Use by Special Review.

Criteria – Special Use Permits

The following criteria are to be used by the Planning Commission and the Board of County Commissioners when reviewing an application for a Special Use Permit.

- (A) The use and its location as proposed are in conformance with the Morgan County Comprehensive Plan. The property is located in the southwest planning area of the west activity center.

Chapter 2

2.II.A - Economic Development

Goal – Diversify the economy in Morgan County to broaden business employment opportunities for residents and to further economic growth.

This project will support economic development by providing a location for equipment storage and service while providing an estimated six full-time employment positions.

2.II.C

Goal To encourage development where it is in proximity to the activity centers, compatible with existing land use, and there is access to established public infrastructure.

Agriculture Production zoning is on all sides of the property. Morgan County REA operates a substation to the west of the property. The property is located adjacent to existing infrastructure, roads and Morgan County Quality Water.

Goal The County will encourage the preservation of agriculture production lands in balance with pressure for land use changes to higher intensity development.

Because this project is adjacent to other similar uses and proposes to use the existing farm ground as buffer, this supports the preservation of agriculture.

- (B) All the application documents are complete and present a clear picture of how uses are to be arranged on the site or within Morgan County.

- (C) The Site Plan conforms to the district design standards of these Regulations.
The entire property is within the 100 year floodplain, floodplain permitting will be required for any development on the property. Make note of floodplain on the plans.
- (D) All on and off-site impacts have been satisfactorily mitigated either through agreement, public improvements, site plan requirements or other mitigation measures.
- (E) The special use proposed has been made compatible with the surrounding uses and adequately buffered as determined by the County.
The project proposes to preserve the adjacent farm ground of approximately 31 acres to provide a buffer to properties further north. County Road O provides a buffer to the agriculture uses to the south and east.
- (F) The special use poses only the minimum amount of risk to the public health, safety and welfare as set by federal, state or county regulation, whichever is the strictest.
- (G) The special use proposed is not planned to be developed on a non-conforming parcel.
This operation proposes the use of two properties, Parcel 1, is farm ground of approximately 38 acres of which approximately 6 acres will be permitted under this Special Use application for outside storage and equipment maintenance. Parcel 2 has an existing home on it that will be used as an office.
- (H) The applicant has adequately documented a public need for the project, all pertinent technical information, adequate financial resources to implement it, and has paid all fees and review costs levied by the County for application processing and review.
Storage is necessary for storage of this sort of equipment due to the recent economic decline.
- (I) For any special use requiring a supply of water that the applicant has demonstrated a source of water which is adequate for the proposed use in terms of quantity and reliability and in the case of human consumption, quantity, quality, and reliability.
There is an existing Morgan County Quality Water tap on the property that will be monitored for possible increase to a commercial tap.

Recommendation and conditions

Suggested conditions if Planning Commission recommends approval to the County Commissioners:

1. The applicant shall obtain necessary permits and comply with the requirements and conditions of those permits as determined by other governmental agencies with jurisdiction over this operation.
2. A surveyed drawing shall be required for recording purposes to delineate/define the boundary of the area to be used for storage on Parcel 1.

Pam Cherry said that three phone calls of opposition were received today; and pictures were taken which showed asphalt was being applied in the floodplain area without floodplain development permit.

Shannon Toomey of AGPROfessionals said they were operating out of the shop in the Town of Wiggins. Ms. Toomey said they brought in oil and gas equipment onto the property. There are 2 lots on this land. One being 1.5 acres and the other being 38.4 acres. They want to use the home as an office and expand the gravel area to cover about 3 more acres for a total of 6 to 7 acres to be used by the storage of equipment, shop and office. The remainder 33 acres will remain agriculture. This provides a buffer to the north, west and east. They will establish landscaping from Co Rd 3. The shop is for storage and repair; hours of business would be 7 am to 6 pm with 6 fulltime employees. There is an existing water tap and upgrade to a commercial tap may be required.

Mike Erker asked about where employees will be stationed: 2 in the field, 2 on site, and 1 owner. No need to enlarge shop at this time.

Nathan Troudt said this Special Use is not approved yet (referring back to having equipment on the parcel already). Shannon Toomey stated they moved equipment in there out of necessity and that the Special Use was already in the process. A floodplain permit would be obtained upon approval of the Special Use. The applicant purchased the property in January 2020.

Robert Pennington asked about runoff. Pam Cherry said they are not increasing impermeable area. Ms. Toomey said drainage runs to the north and be absorbed into the farm ground.

OPEN PUBLIC COMMENT:

Those in favor: No one present or on zoom line spoke.

Those in opposition:

Josh Dreier, 14506 Co Rd 3, Wiggins, CO, lives to the north of this parcel. Concerns were property value, 50 light towers – tanks, runoff will go to the east, dumping of dirt, traffic, site was sold as a residential site. There is an oilfield in Weld County and they started to move equipment on this parcel as soon as they bought it. This is not an agriculture business and the property is not zoned commercial.

Hannah Christen, Co Rd 3, Wiggins, CO, had the following concerns: Storm water permits, storage of fuel tanks on site, floodplain issues, and assuming it was ok to bring in equipment.

CLOSE OF PUBLIC COMMENT:

Shannon Toomey of AgPro addressed concerns: Noise isn't an issue, dirt fill was something Shannon didn't know, moving equipment onto the property was out of necessity. Visual screening of some sort for equipment.

Nathan Troudt asked if the landowner had contacted any of the neighbors first about this project. Shannon Toomey said no contact was made. Robert Pennington asked if the floodplain permitting process has even been started. Shannon Toomey said no. Pam Cherry said there was a preapplication meeting back in February and floodplain issues were discussed and they were encouraged to look into that matter.

Terry Rutenbeck said there are at least 6 different commercial businesses in the area -- you might assume it would be okay to have a commercial business on this parcel. Mike Erker agreed.

Clayton Miller asked for clarification and Pam Cherry said floodplain and potentially a Storm Water permit would be needed if you disturb more than an acre of ground.

Nathan asked why the applicant, Dennis Jackson, owner of Innovative Properties was not present at the meeting. Shannon had told the applicant that he was not necessary and could attend remotely.

It was moved by Mike Erker and seconded by Robert Pennington to recommend approval of this Special Use Application to the Board of County Commissioners with the following conditions:

1. The applicant shall obtain necessary permits and comply with the requirements and conditions of those permits as determined by other governmental agencies with jurisdiction over this operation.
2. A surveyed drawing shall be required for recording purposes to delineate/define the boundary of the area to be used for storage on Parcel 1.

Motion carried 4-2 with 4 in favor and 2 opposed.

There was discussion about whether ¼ mile is enough notification area.

It was moved by Allyn Wind and seconded by Mike Erker to adjourn this meeting. Motion carried 6-0.

Jody Meyer
Planning Assistant

New Information

Since September 14th

- Notices & Publication
- Concerns/Complaints
- Firmette Flood Map
- PowerPoint Presentation

NOTICE OF MORGAN COUNTY PLANNING COMMISSION'S
REVIEW OF LAND USE APPLICATION

Notice is hereby given that on Monday, August 10, 2020 at 7:00 p. m., or as soon as possible thereafter, a public hearing will be held, with an option to attend virtually, to consider the following application:

AGPROfessionals - Applicant

Innovative Properties LTD - Landowner

Legal Description - Located in the SW¼ of the SW¼ of Section 22, Township 3 North, Range 60 West of the 6th P.M., Morgan County, Colorado, and addressed as 14026 County Road 3, Wiggins, CO 80654. Parcel numbers 1223-220-00-007 and 1223-220-00-003

Reason - Use by Special Review to operate a commercial construction storage facility and associated offices on two parcels.

Date of Application: June 24, 2020

THE COUNTY WILL BE ABIDING BY THE SOCIAL DISTANCING REQUIREMENTS IN PUBLIC HEALTH ORDER 20-28 FOR THIS MEETING. DUE TO LIMITED SPACE IN THE ASSEMBLY ROOM, REMOTE ATTENDANCE IS ENCOURAGED. IF YOU HAVE ANY QUESTIONS REGARDING ATTENDING THE MEETING, PLEASE CONTACT PAM CHERRY AT 970-542-3526.

To attend remotely via the ZOOM platform:
<https://us02web.zoom.us/j/82069132720>

Or:

iPhone one-tap:

US: +16699009128, 82069132720# or +12532158702, 82069132720#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 9128 or +1 253 215 8702 or +1 346 248 7799 or +1 646 558 6656 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 820 6913 2720

International numbers available: <https://us02web.zoom.us/j/kckE>

Documents pertaining to the above identified matters are on file in the Planning Administrator's Office, 231 Ensign St., Fort Morgan, Colorado. You may email pcherry@co.morgan.co.us to request items in the file to be emailed to you.

At time of the meeting an opportunity will be given for presentation of evidence in support of or in opposition to the application.

/s/

Pam Cherry - Morgan County
Planning & Floodplain Administrator
Published: Fort Morgan Times July 24, 2020-1723161

Prairie Mountain Media, LLC

PUBLISHER'S AFFIDAVIT

County of Morgan
State of Colorado

The undersigned, Elizabeth Maes, being first duly sworn under oath, states and affirms as follows:

1. I am the legal Advertising Reviewer of Prairie Mountain Media LLC, publisher of the Fort Morgan Times.
2. The Fort Morgan Times is a newspaper of general circulation that has been published continuously and without interruption for at least fifty-two weeks in Morgan County and meets the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in the Fort Morgan Times in Morgan County on the following date(s):

Jul 24, 2020

Signature

Subscribed and sworn to me before me this

24th day of July, 2020

Notary Public

(SEAL)

SHAYLA NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20174031985
MY COMMISSION EXPIRES JULY 31, 2021

Account: 1062763
Ad Number: 1723161
Fee: \$63.36

Innovative Properties, LLC

AFFIDAVIT OF PUBLICATION

FORT MORGAN TIMES

State of Colorado
County of Morgan

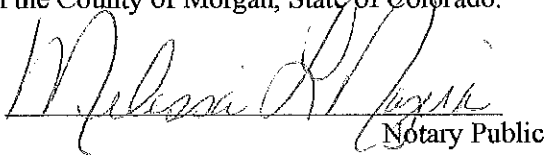
I, the undersigned agent, do solemnly swear that **THE FORT MORGAN TIMES** is a daily newspaper printed, in whole or in part, and published in the City of Fort Morgan, County of Morgan, State of Colorado, and which has general circulation therein and in parts of Logan and Morgan counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **August 24, 2020**.

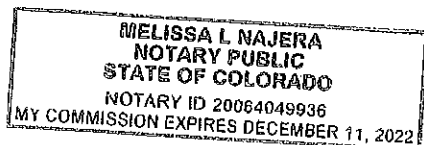


Agent

Subscribed and sworn to before me this 24th day of **August, 2020** in the County of Morgan, State of Colorado.


Notary Public

Account #1052763
Ad #1730159
Fee \$51.52



NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF MORGAN COUNTY COMMISSIONERS

Notice is hereby given that on **Tuesday, October 6, 2020 at 9:00 a.m.**, or as soon as possible thereafter, a public hearing will be held virtually to consider the following application:

AGPROfessionals - Applicant
Innovative Properties LTD. - Landowner
Legal Description - Located in the SW¼ of the SW¼ of Section 22, Township 3 North, Range 60 West of the 6th P.M. Morgan County, Colorado, and addressed as 14026 County Road 3, Wiggins, CO 80654. Parcel numbers 1223-220-00-007 and 1223-220-00-003
Reason - Use by Special Review to operate a commercial construction storage facility and associated offices on two parcels.
Date of Application: June 24, 2020

THE COUNTY WILL BE ABIDING BY THE SOCIAL DISTANCING REQUIREMENTS IN PUBLIC HEALTH ORDER 20-28 FOR THIS MEETING. DUE TO LIMITED SPACE IN THE ASSEMBLY ROOM, REMOTE ATTENDANCE IS ENCOURAGED. IF YOU HAVE ANY QUESTIONS REGARDING ATTENDING THE MEETING, PLEASE CONTACT PAM CHERRY AT 970-542-3526.

To participate in this Public Hearing you may connect via Zoom Conferencing Access Information at:
<https://us02web.zoom.us/j/88364673707>
Or iPhone one tap:
US: +1 346 248 7799, 88364673707 or +1 669 900 9128, 88364673707#
Or Telephone:
Dial (for higher quality, dial a number based on your current location):
US: +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782 or +1 312 626 6799 or +1 646 558 8650 or +1 301 715 8592
Webinar ID: 883 6467 3707
International numbers available:
<https://us02web.zoom.us/j/kev74T2gJk>

Please monitor the Morgan County website for any changes to the meeting format or phone the office at 970-542-3526 closer to the day of hearing.

Documents pertaining to the above identified matters are on file in the Planning Administrator's Office, 231 Ensign St., Fort Morgan, Colorado. You may email pcherry@co.morgan.co.us to request items in the file to be emailed to you.

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/s/

Pam Cherry - Morgan County
Planning & Floodplain Administrator

Published: Fort Morgan Times August 24, 2020 1730159

**NOTICE OF PUBLIC HEARING
BEFORE THE BOARD OF
MORGAN COUNTY COMMISSIONERS**

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<https://us02web.zoom.us/j/88364673707>

Or iPhone one-tap :

US: +13462487799,,88364673707# or +16699009128,,88364673707#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782 or +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592

Webinar ID: 883 6467 3707

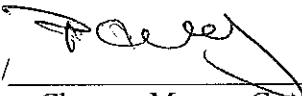
International numbers available: <https://us02web.zoom.us/j/kev74T2gJk>

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/s/


Pam Cherry – Morgan County
Planning & Floodplain Administrator

Published: August 24, 2020

sent



Jody Meyer <jmeyer@co.morgan.co.us>

Innovative Properties - Notice of Hrg for BCC

1 message

Jody Meyer <jmeyer@co.morgan.co.us>

Tue, Aug 18, 2020 at 9:49 AM

To: Fort Morgan Times <ecpclegals@dailycamera.com>

Cc: Pam Cherry <pcherry@co.morgan.co.us>

Good Morning:

Attached you will find a BCC notice of hearing on Innovative Properties for a Special Use with a publication date of August 24, 2020. Please bill P&Z. Thanks

Jody Meyer
Morgan County Planning Assistant
231 Ensign Street, Box 596
Fort Morgan, CO 80701
970-542-3526 office
970-542-3509 fax
jmeyer@co.morgan.co.us

**NOTICE for BCC- Innovative SU 9.00.20.doc**

29K

SIGN POSTING INSTRUCTIONS

Sign must be placed where readily visible to the public.

Sign must be posted for 15 days prior to hearing with Morgan County Board of Commissioners. BEFORE: 9-21-20

Place masking tape over the information areas and fill in as follows:

...~~Shall be considered for~~ _____

...^{Special}~~Conditional~~ Use Permit for to operate a commercial storage facility and associated offices on two parcels

...to be held on (date) Tues. 10-6-20 Time: 9:00 a.m.

...Name of Proposal Innovative Properties Ltd

...Project # SU 2020-0009

You must provide the Planning and Zoning office with photos (2) of the sign; one posted where it is visible to the public (distance) and a close-up that shows the words on the tape in the photo.

Please return the sign to the Planning and Zoning office as soon as possible after the 15 days at which time you will be asked to sign an affidavit.

Thank you.

Morgan County Zoning Resolution by (name of applicant) Dennis Jackson.

Project name and number: SU2020-0009

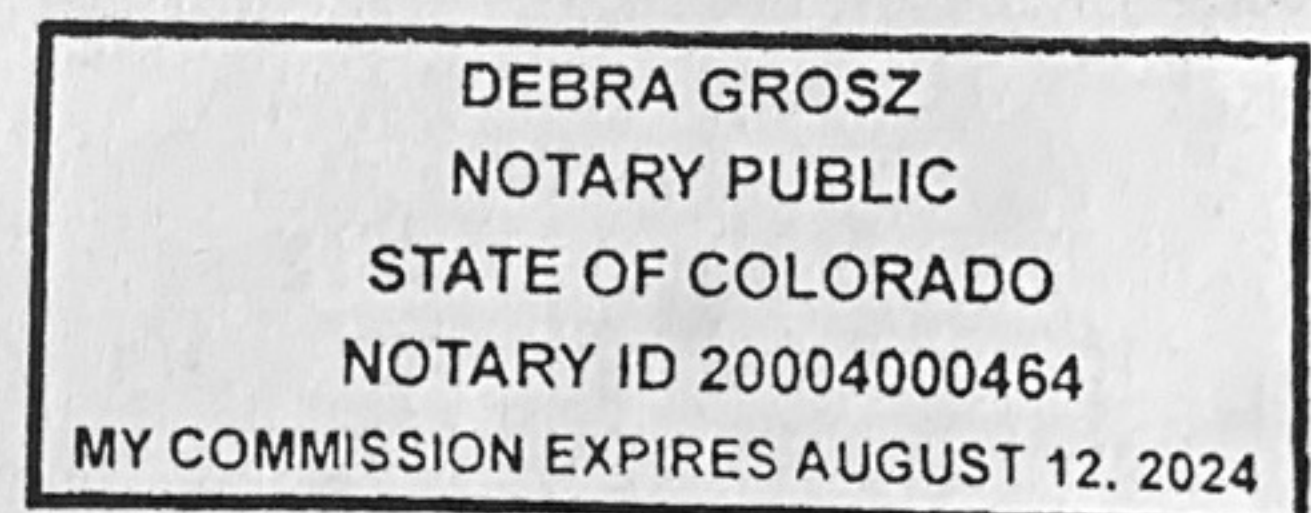
Signature of Applicant/Representative: J. J. Hall

STATE OF COLORADO)
) ss.
COUNTY OF MORGAN)


Signed before me this date: September 21 2020

My Commission expires: August 12, 2024

NOTARIZED BY: Helena Gursky



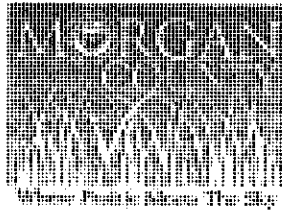
NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF COUNTY COMMISSIONERS

NOTICE IS HEREBY GIVEN THAT THE PROPERTY UPON WHICH THIS SIGN IS POSTED SHALL BE CONSIDERED FOR A SPECIAL USE PERMIT PURSUANT TO THE CURRENT MORGAN COUNTY ZONING REGULATIONS. FURTHER INFORMATION MAY BE OBTAINED BY CALLING THE MORGAN COUNTY PLANNING DEPARTMENT AT (970) 542-3526. THE PUBLIC HEARING IS TO BE HELD TUESDAY, 10-6-2020, IN THE COMMISSIONERS HEARING ROOM, 231 ENSIGN STREET, FORT MORGAN, COLORADO, AT 9:00 (AM) , OR AS SOON THEREAFTER AS POSSIBLE.

NAME OF PROPOSAL: INNOVATIVE PROPERTIES - COMMERCIAL STORAGE FACILITY
4 OFFICES ON 2 PARCELS

PROJECT#: SU2020-0009 DATE OF POSTING: 09-21-2020





MORGAN COUNTY
PLANNING AND BUILDING DEPARTMENT
CODE COMPLIANCE COMPLAINT FORM

Your Name: Josh Dreier
Your Address: 14506 CR 3
Your Phone & Email: 303 550 7994 bluedreier@gmail.com
Address of
Alleged Violation: 14206 CR 3 Wiggins
Nature of Alleged Violation:

operating a business without permit
dumping dirt without permit, is soil contaminate? flood plain
storing equipment before applying for permit
this property was sold as residential and ag, not commercial

How are you/your property impacted?

property value
taxes increase?
increased traffic
the view

Where is your property in relation to the alleged violation?

North of it

Have you discussed your concerns with the property occupant? Yes ☐ No ☒

If not, please explain why:

do not want any confrontation. They moved equipment
in day after purchased, I don't think they're
concerned about neighbors

Are you in a Subdivision which has covenants that prohibit the activity reported? Yes ☐ No ☒

If so, have you contacted the Homeowners Association for enforcement? Yes ☐ No ☐

May we contact you if needed? Yes ☒ No ☐

May we disclose your name to the alleged violator? Yes ☒ No ☐

It is the policy of Morgan County to maintain the anonymity and confidentiality of persons complaining of zoning violations, however, complainants should be aware that the county may be required to release this information under the Colorado Open Records Act, other laws, or by order of a court.

Signature: Josh Dreier

(Complaint will not be processed without signature)



Pam Cherry <pcherry@co.morgan.co.us>

(no subject)

Daniel Covelli <ccovelli@4riversequipment.com>
To: Pam Cherry <pcherry@co.morgan.co.us>

Mon, Aug 10, 2020 at 3:43 PM

I'm very concerned about the application for a special use permit in an area that has no commercial zoning anywhere near it. We built in a residential and agriculture area so we would not be burdened with traffic and noise. I don't want to live around a commercial zoned property and have to deal with the consequences of it. I also feel it will be detrimental to the value of my property. I do not know if the property owner was misled when they bought the property, but I'm confused as to why it would be allowed to be used as a commercial property already.

Sent from my iPhone

On Aug 10, 2020, at 3:24 PM, Pam Cherry <pcherry@co.morgan.co.us> wrote:

Caution: *This email originated from outside of The Rivers Companies.*

[Quoted text hidden]



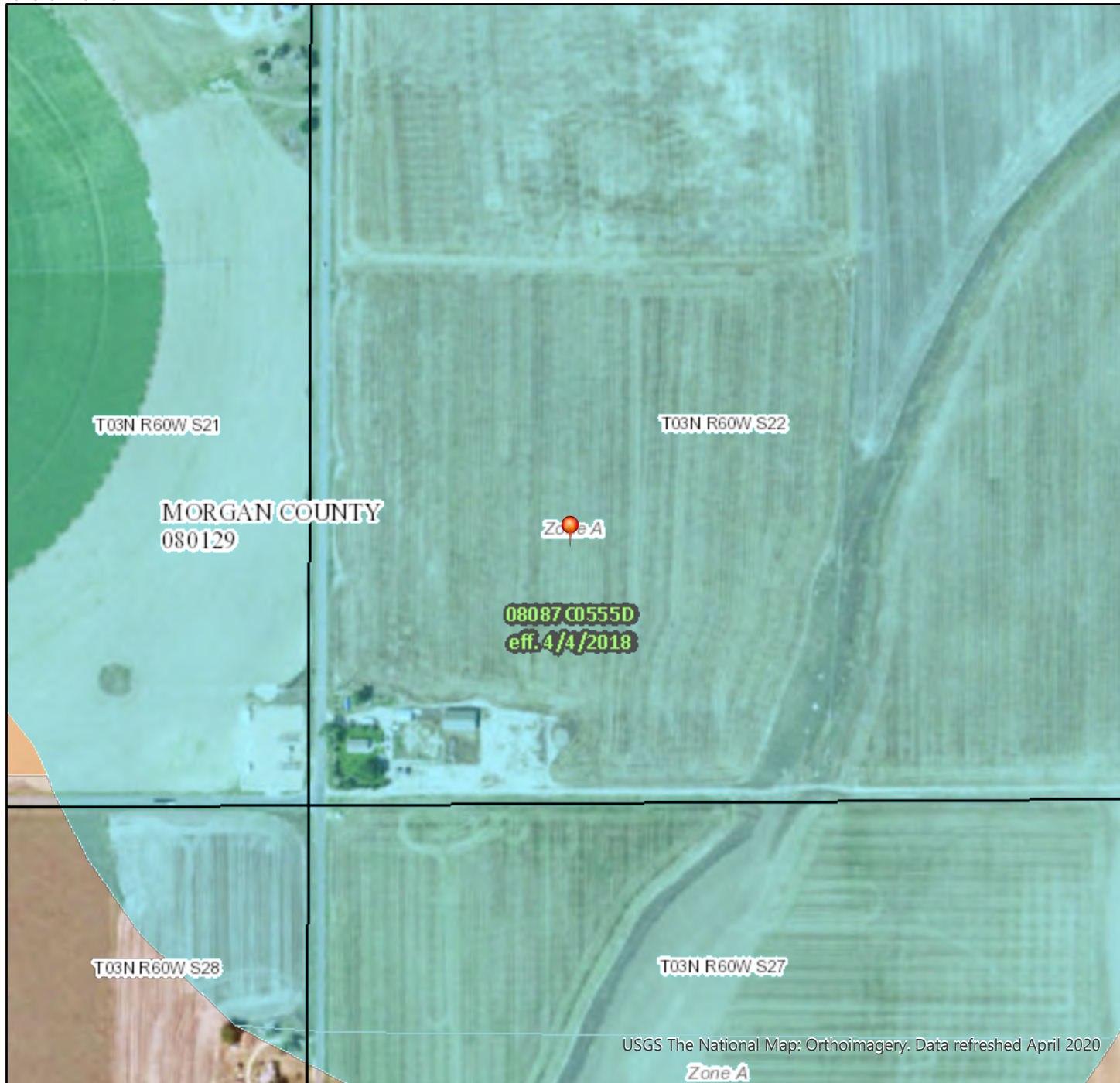




National Flood Hazard Layer FIRMette



104°5'48"W 40°12'34"N



0 250 500 1,000 1,500 2,000 Feet

Zone A

1:6,000

104°5'10"W 40°12'6"N

USGS The National Map: Orthoimagery. Data refreshed April 2020

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 9/28/2020 at 1:23 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



Special Use Permit

Applicants: Innovative Properties Ltd.

c/o AGPROfessionals, LLC
3050 67th Ave
Greeley, CO 80634

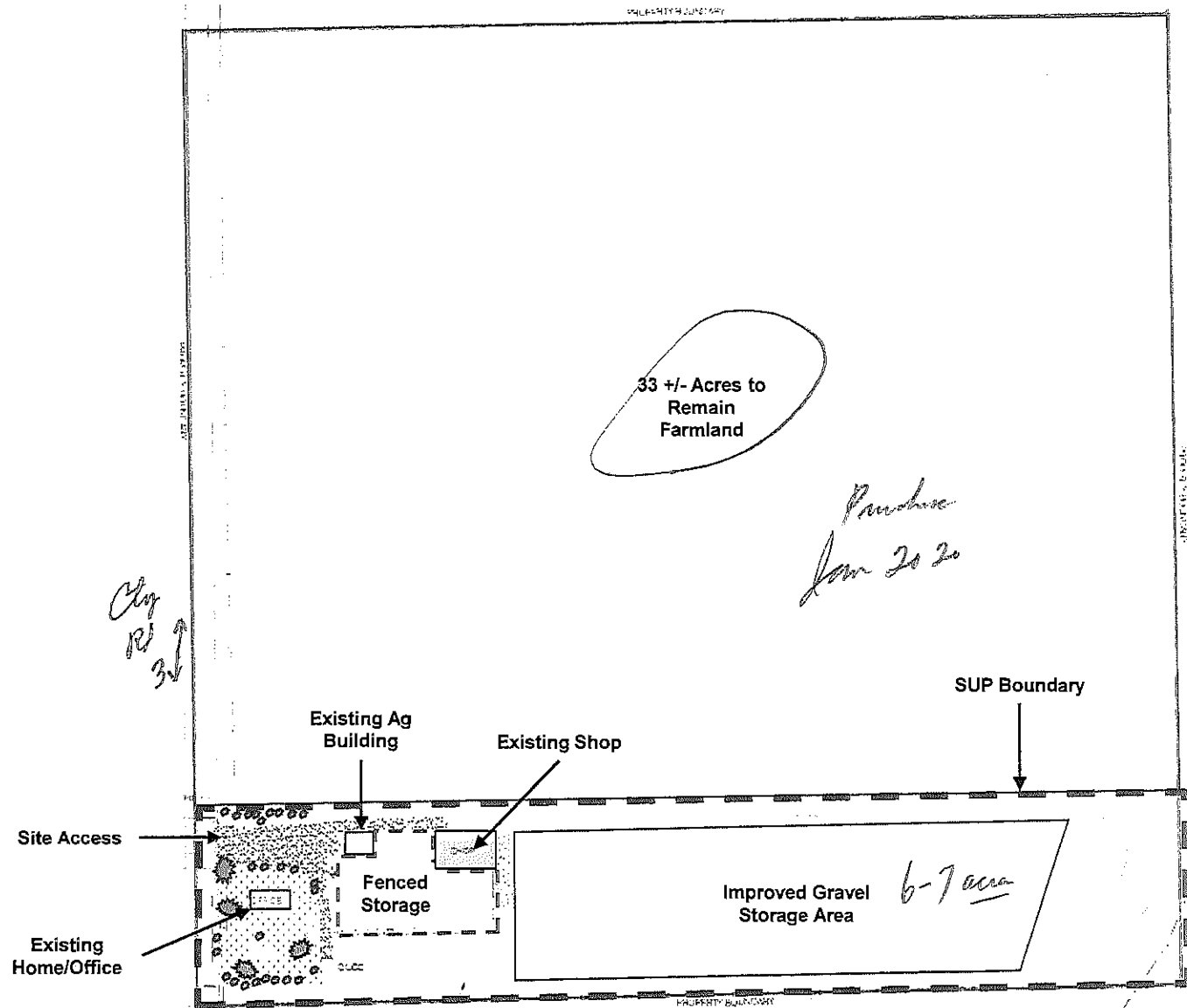
Request

- **Special Use Permit:**
 - Storage & maintenance of portable power equipment
 - Expansion of existing gravel area for outdoor storage
 - Existing home to be used as office

Vicinity Map



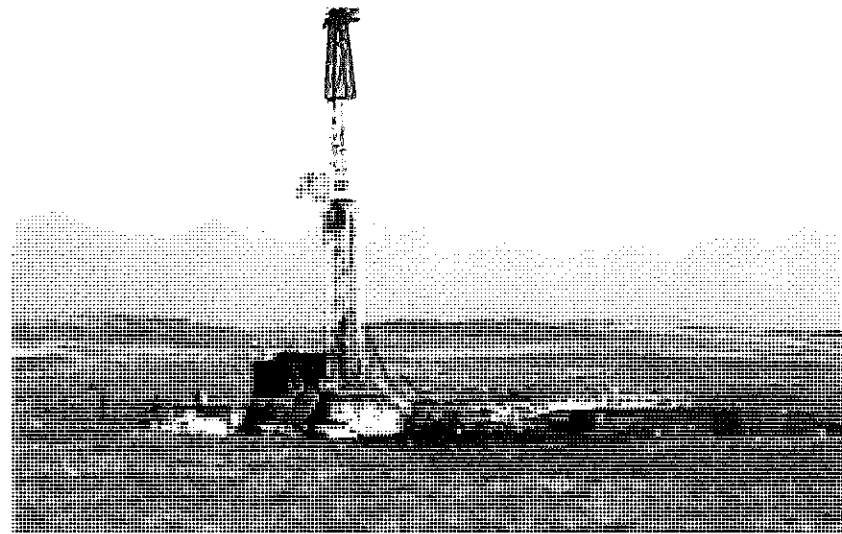
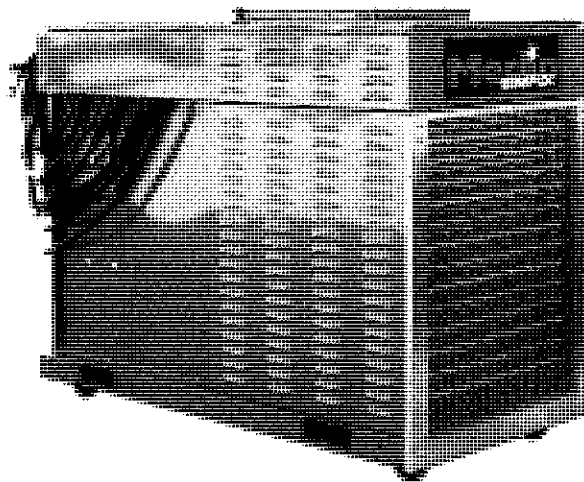
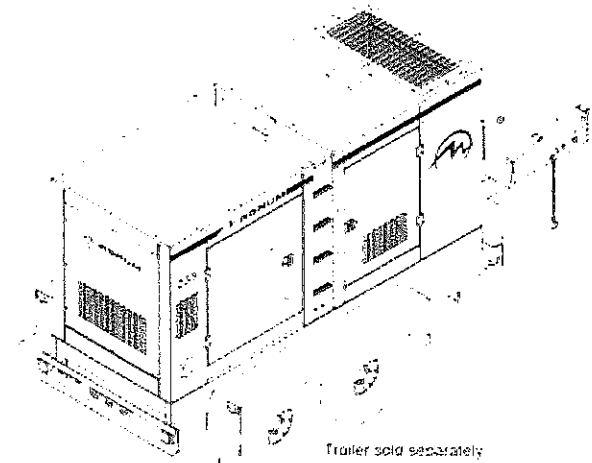
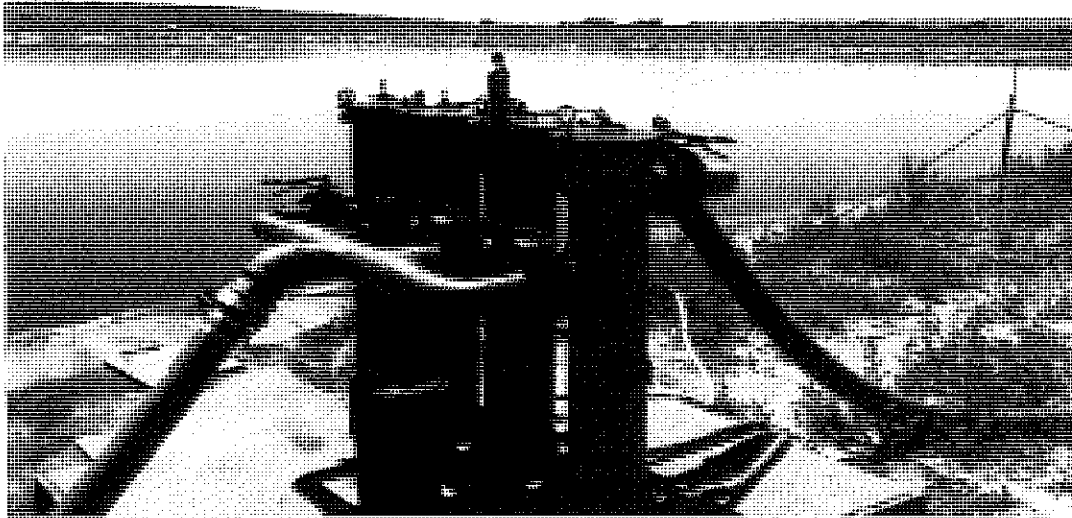
Site Overview



Operations

- Hours of Operation: 7 AM to 6 PM
- 6 full-time employees
- Water: Morgan County Quality Water
- Existing septic system
- Traffic:
 - Up to 8 passenger vehicle trips/day
 - 1 semi-truck trip/week, if any
 - Site not open to the public

Innovative Solutions Equipment



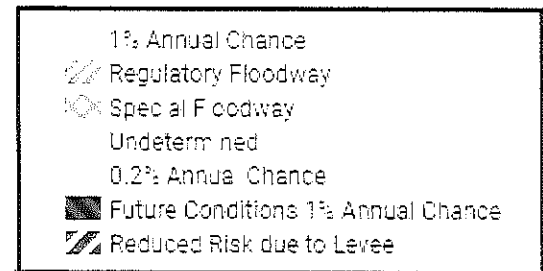
Floodplain – Zone A

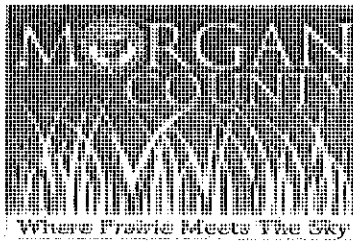
The map displays a floodplain area with several roads and flood zones. Roads shown include County Road 76, Frontage Rd, Central Ave, Wiggins, Elm St, County Road P, County Road Q, County Road R, and Road 2. A 'Subject Property' is highlighted with a black box and an arrow pointing to a small square on County Road Q. The legend indicates the following flood zones:

- 1% Annual Chance
- Regulatory Floodway
- Special Floodway
- Undetermined
- 0.2% Annual Chance
- Future Conditions 1% Annual Chance
- Reduced Risk due to Levee

AGPROfessionals
DEVELOPERS OF AGRICULTURE

Subject Property





**MORGAN COUNTY
PLANNING AND BUILDING DEPARTMENT
MORGAN COUNTY PLANNING COMMISSION**

**FILE SUMMARY
August 3, 2020
August 10, 2020 (meeting date)**

**APPLICANTS: AGPROfessionals
LANDOWNERS: Innovative Properties, Ltd.**

Application Overview

Innovative Properties as landowner and AGPROfessionals as applicant's consultant have submitted an application for a Special Use Permit for approval of a commercial construction shop and storage facility. The application is for two adjacent parcels owned by Innovative Properties, 1223-322-00-007 (Parcel 1) and 1223-322-00-003 (Parcel 2).

The property is zoned Agriculture Production Parcel 1 is 38.48 acres, Parcel 2 is 1.5 acres both located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 22 Township 3 North, Range 60 West of the 6th P.M. Morgan County, Colorado addressed as 14026 County Road 3, Wiggins, CO 80654.

Parcel 1 will be used for outside storage and the existing gravel rock area to be used for storage will be expanded. Parcel 2 is a residential structure that will be used for an office. The applicant estimates a total of seven acres will be used for the facility.

- a. Pursuant to Section 2-325, any use, not designated as a Use by Right, Accessory Use, Conditional Use and Use by Special Review or not otherwise prohibited in a particular zone, may be approved as a Use by Special Review pursuant to the criteria and procedures as established by these Regulations.
- b. Pursuant to Section 3-175, Parcels smaller than 20 acres does not list storage of oil field equipment and maintenance as a Use by Right, Conditional Use or Use by Special Review.

Criteria – Special Use Permits

The following criteria are to be used by the Planning Commission and the Board of County Commissioners when reviewing an application for a Special Use Permit.

- (A) The use and its location as proposed are in conformance with the Morgan County Comprehensive Plan. The property is located in the southwest planning area of the west activity center.

Chapter 2

2.II.A - Economic Development

Goal – Diversify the economy in Morgan County to broaden business employment opportunities for residents and to further economic growth.

This project will support economic development by providing a location for equipment storage and service while providing an estimated six full-time employment positions.

2.II.C

Goal - To encourage development where it is in proximity to the activity centers, compatible with existing land use, and there is access to established public infrastructure.

Agriculture Production zoning is on all sides of the property. Morgan County REA operates a substation to the west of the property. The property is located adjacent to existing infrastructure, roads and Morgan County Quality Water.

Goal - The County will encourage the preservation of agriculture production lands in balance with pressure for land use changes to higher intensity development.

Because this project is adjacent to other similar uses and proposes to use the existing farm ground as buffer, this supports the preservation of agriculture.

- (B) All the application documents are complete and present a clear picture of how uses are to be arranged on the site or within Morgan County.
- (C) The Site Plan conforms to the district design standards of these Regulations.
The entire property is within the 100 year floodplain, floodplain permitting will be required for any development on the property. Make note of floodplain on the plans.
- (D) All on and off-site impacts have been satisfactorily mitigated either through agreement, public improvements, site plan requirements or other mitigation measures.
- (E) The special use proposed has been made compatible with the surrounding uses and adequately buffered as determined by the County.
The project proposes to preserve the adjacent farm ground of approximately 31 acres to provide a buffer to properties further north. County Road O provides a buffer to the agriculture uses to the south and east.
- (F) The special use poses only the minimum amount of risk to the public health, safety and welfare as set by federal, state or county regulation, whichever is the strictest.
- (G) The special use proposed is not planned to be developed on a non-conforming parcel.

This operation proposes the use of two properties, Parcel 1, is farm ground of approximately 38 acres of which approximately 6 acres will be permitted under this Special Use application for outside storage and equipment maintenance. Parcel 2 has an existing home on it that will be used as an office.

- (H) The applicant has adequately documented a public need for the project, all pertinent technical information, adequate financial resources to implement it, and has paid all fees and review costs levied by the County for application processing and review.
Storage is necessary for storage of this sort of equipment due to the recent economic decline.
- (I) For any special use requiring a supply of water that the applicant has demonstrated a source of water which is adequate for the proposed use in terms of quantity and reliability and in the case of human consumption, quantity, quality, and reliability.
There is an existing Morgan County Quality Water tap on the property that will be monitored for possible increase to a commercial tap.

Recommendation and conditions

Suggested conditions if Planning Commission recommends approval to the County Commissioners:

1. The applicant shall obtain necessary permits and comply with the requirements and conditions of those permits as determined by other governmental agencies with jurisdiction over this operation.
2. A surveyed drawing shall be required for recording purposes to delineate/define the boundary of the area to be used for storage on Parcel 1.

Pam Cherry, MPA, CFM
Planning, Zoning and Floodplain Administrator



MORGAN COUNTY
PLANNING, ZONING & BUILDING DEPT.
231 Ensign, P.O. Box 596
Fort Morgan, Colorado 80701
PHONE (970) 542-3526 FAX (970) 542-3509
E-mail: pcherry@co.morgan.co.us

Filling Deadline_____

Meeting Date_____

USE BY SPECIAL REVIEW PERMIT APPLICATION

APPLICANT

Name AGPROfessionals
Address 3050 67th Avenue
Greeley, CO 8634
Phone (970) 535-9318
Email stoomey@agpros.com

LANDOWNERS

Name Innovative Properties LTD
Address 199 Paloma Avenue
Brighton, CO 80601
Phone (303) 909-1714
Email djackson@innovate-solve.com

TECHNICAL INFORMATION

Address of property or general location 14026 MCR 3, Wiggins, CO 80654 Zone District Ag

Size of property (Sq. Ft. or Acres) 40 acres Present Use of Property Ag & Res Proposed Use of Property Commercial
construction storage facility. Existing buildings to be used as office and shop. Expanded outdoor gravel storage area proposed.

Complete Legal Description of property. If not enough space, attach to application and label "Exhibit 2".
SW1/4 SW1/4 Section 22, Township 3N, Range 60W

Is property located within 1320' (1/4) of a livestock confinement facility? No

APPLICANT'S STATEMENT

I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge. Application must be signed by landowners as shown on title insurance/commitment.

Shannon Toomey 6/19/2020
Applicant Signature Date

[Signature] 06/18/20
Landowner Signature Date

Date Received _____ Received By _____ Fee Payment _____ Check # _____
Recording Fee _____ Check # _____
Fees Paid By _____

Comments _____



MORGAN COUNTY
PLANNING, ZONING & BUILDING DEPT.
231 Ensign, P.O. Box 596
Fort Morgan, Colorado 80701
PHONE (970) 542-3526 FAX (970) 542-3509
E-mail: pcherry@co.morgan.co.us

USE BY SPECIAL REVIEW APPLICATION CHECKLIST

- ☒ Exhibit A: Proof of ownership in the form of current title insurance or attorney's title opinion (within last 6 months).
- ☒ Exhibit B: Narrative describing project and purpose of request.
- ☒ Exhibit C: Narrative of how project will relate to or impact existing adjacent uses, including description of all off-site impacts. Include mitigation measures for off-site impacts.
- ☒ Exhibit D: Additional information to clearly show projects intent.
- ☒ Exhibit E: Narrative of compliance of this proposal with the Morgan County Comprehensive Plan and with the criteria for review of Special Use Permits.
- ☒ Exhibit F: Development or implementation schedule of project. If Vesting of Rights is desired additional application and fees are required.
- ☐ Exhibit G: Discussion of any public improvements required to complete the project and copies of pertinent improvements agreements.
- ☐ Exhibit H: Description of types of easements required for the project. May be required to supply copies of easement agreements.
- ☒ Exhibit I: Discussion of any environmental impacts the Special Use will have on the following:
- ☒ I1: Existing Vegetation
 - ☐ I2: Land Forms
 - ☒ I3: Water Resources
 - ☐ I4: Air Quality
 - ☐ I5: Wildlife
 - ☒ I6: Wetlands
 - ☒ I7: Dust
 - ☒ I8: Odor
 - ☒ I9: Noise
 - ☒ I10: Stormwater Runoff
 - ☒ I11: Visual Amenities
 - ☐ I12: _____



MORGAN COUNTY
PLANNING, ZONING & BUILDING DEPT.
231 Ensign, P.O. Box 596
Fort Morgan, Colorado 80701
PHONE (970) 542-3526 FAX (970) 542-3509
E-mail: pcherry@co.morgan.co.us

☒ Exhibit J: Letters of commitment from utility providers or other proof of service as required by staff:
☒ J1: Water
☒ J2: Sewer
☒ J3: Electricity

☒ Exhibit K: Legal Access - Copy of permit for access from Colorado Department of Transportation or Morgan County Road and Bridge. (Required for new and existing driveways)

☒ Exhibit L: Soil Map from Morgan County Soil Conservation District.

☒ Exhibit M: Impact statement from irrigation companies that have canals / laterals crossing area.

☒ Exhibit N: Documentation of adequate financial resources to implement the project.

☒ Exhibit O: Right to Farm Policy / Notice.

☒ Exhibit P: Site plans / map exhibits as per Morgan County Zoning Regulations, Section 2-515.

____ Exhibit Q: Additional information as required by staff:

____ Q1: _____

____ Q2: _____

____ Q3: _____

____ Q4: _____

____ Exhibit U: Non-refundable application fee of \$500.00, plus any additional deposits as required by staff.

To be provided after posting the property for future public hearing

____ Exhibit V: Notarized affidavit and photograph verifying sign(s) posting. Property posting takes places after Planning Commission hearing and prior to County Commissioners' hearing.

*Property taxes must be current at the time of processing.




May 7, 2020

To Whom It May Concern:

Innovative Properties Ltd. is contracted with AGPROfessionals to process work related to Morgan County, CO land use and permitting processes. AGPROfessionals is authorized to represent and request the release of all records necessary on behalf of Innovative Properties Ltd.

Sincerely,



Dennis Jackson

Date

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF DOCUMENT FILED

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office, the attached document is a true and complete copy of the

Articles of Organization

with Document # 20171103889 of
Innovative Properties Ltd.

Colorado Limited Liability Company

(Entity ID # 20171103889)

consisting of 3 pages.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 05/06/2020 that have been posted, and by documents delivered to this office electronically through 05/07/2020@09:38:38.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 05/07/2020 @ 09:38:38 in accordance with applicable law. This certificate is assigned Confirmation Number 12321591.



Jena Griswold

Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."



Document must be filed electronically.
Paper documents are not accepted.
Fees & forms are subject to change.
For more information or to print copies
of filed documents, visit www.sos.state.co.us.

Colorado Secretary of State
Date and Time: 02/06/2017 07:40 AM
ID Number: 20171103889
Document number: 20171103889
Amount Paid: \$50.00

ABOVE SPACE FOR OFFICE USE ONLY

Articles of Organization

filed pursuant to § 7-80-203 and § 7-80-204 of the Colorado Revised Statutes (C.R.S.)

1. The domestic entity name of the limited liability company is

Innovative Properties Ltd.

(The name of a limited liability company must contain the term or abbreviation "limited liability company", "lid. liability company", "limited liability co.", "ltd. liability co.", "limited", "l.l.c.", "llc", or "ltd.". See §7-90-601, C.R.S.)

(Caution: The use of certain terms or abbreviations are restricted by law. Read instructions for more information.)

2. The principal office address of the limited liability company's initial principal office is

Street address

199 Paloma Avenue

(Street number and name)

Brighton

(City)

CO

(State)

80601

(ZIP/Postal Code)

United States

(Country)

(Province – if applicable)

Mailing address

(leave blank if same as street address)

(Street number and name or Post Office Box information)

(City)

(State)

(ZIP/Postal Code)

(Province – if applicable)

(Country)

3. The registered agent name and registered agent address of the limited liability company's initial registered agent are

Name

(if an individual)

Jackson

(Last)

Dennis

(First)

L

(Middle)

(Suffix)

or

(if an entity)

(Caution: Do not provide both an individual and an entity name.)

Street address

199 Paloma Avenue

(Street number and name)

Brighton

(City)

CO

(State)

80601

(ZIP Code)

Mailing address

(leave blank if same as street address)

(Street number and name or Post Office Box information)

(City) CO (State) _____ (ZIP Code)

(The following statement is adopted by marking the box.)

☒ The person appointed as registered agent has consented to being so appointed.

4. The true name and mailing address of the person forming the limited liability company are

Name
(if an individual) Jackson Dennis Lynn
(Last) (First) (Middle) (Suffix)
or

(if an entity)
(Caution: Do not provide both an individual and an entity name.)

Mailing address 199 Paloma Ave
(Street number and name or Post Office Box information)

Brighton CO 80601
(City) (State) (ZIP/Postal Code)
United States
(Province – if applicable) (Country)

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

☐ The limited liability company has one or more additional persons forming the limited liability company and the name and mailing address of each such person are stated in an attachment.

5. The management of the limited liability company is vested in
(Mark the applicable box.)

☐ one or more managers.

or

☒ the members.

6. (The following statement is adopted by marking the box.)

☒ There is at least one member of the limited liability company.

7. (If the following statement applies, adopt the statement by marking the box and include an attachment.)

☐ This document contains additional information as provided by law.

8. (Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document is/are _____
(mm/dd/yyyy hour:minute am/pm)

Notice:

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is named in the document as one who has caused it to be delivered.

9. The true name and mailing address of the individual causing the document to be delivered for filing are

<u>Jackson</u>	<u>Dennis</u>	<u>Lynn</u>	
<small>(Last)</small>	<small>(First)</small>	<small>(Middle)</small>	<small>(Suffix)</small>
<u>199 Paloma Ave.</u>			
<small>(Street number and name or Post Office Box information)</small>			
<hr/>			
<u>Brighton</u>	<u>CO</u>	<u>80601</u>	
<small>(City)</small>	<small>(State)</small>	<small>(ZIP/Postal Code)</small>	
<u>United States</u>			
<small>(Province – if applicable)</small>		<small>(Country)</small>	

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

- ☐ This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

Disclaimer:

This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).

Exhibit A: Title Report

NORTHERN COLORADO TITLE SERVICES CO., INC.

130 W. KIOWA AVE., FORT MORGAN, COLORADO 80701

Phone No. 970-867-0233 Fax No. 970-867-7750

DATE: April 22, 2020

ORDER #: NCT22006

PROPERTY ADDRESS: 14026 COUNTY ROAD 3, WIGGINS, COLORADO, 80654

OWNER/PURCHASER: LESLIE D. WALTER
INNOVATIVE PROPERTIES LTD



PLEASE DELIVER TO THE FOLLOWING CUSTOMERS:

To: INNOVATIVE PROPERTIES LTD
199 PALOMA AVE
BRIGHTON, CO 80601

ATTN:

Fax#:

To:

ATTN:

Fax#:

To:

ATTN:

Fax#:

To:

ATTN:

Fax#:

To:

ATTN:

Fax#:

ATTACHED PLEASE FIND THE FOLLOWING ITEM(S) IN CONNECTION WITH THE ABOVE CAPTIONED ORDER. SHOULD YOU HAVE ANY QUESTIONS REGARDING THE ATTACHED DOCUMENTATION, PLEASE CONTACT LINDA, SHARON, LISA OR SHERYL. FOR CLOSING ASSISTANCE, PLEASE CONTACT LINDA OR LISA. WE APPRECIATE YOUR BUSINESS VERY MUCH AND LOOK FORWARD TO SERVING YOU IN THIS TRANSACTION.

E-MAIL ADDRESS FOR CLOSING DOCUMENTS: CLOSING@NCTS.COM

HAVE A WONDERFUL DAY!!!

COMMITMENT

AMT DUE IS ON SCHEDULE A (INVOICE)

OWNERS TITLE POLICY

PROPERTY REPORT

-AMT DUE IS ON PROPERTY REPORT (INVOICE)

MORTGAGEES TITLE POLICY

MORTGAGE/FORECLOSURE GUARANTY

DOCUMENTS

SURVEY/ILC

OTHER / INVOICE



NORTHERN COLORADO TITLE

SERVICES CO., INC.

130 WEST KIOWA AVENUE

FORT MORGAN, COLORADO 80701

TELEPHONE (970) 867-0233 * FAX (970) 867-7750**

April 22, 2020

File No: NCT22006

DEAR INNOVATIVE PROPERTIES LTD:

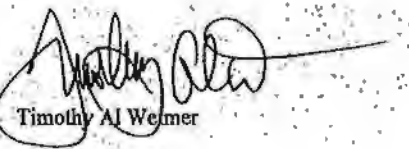
Enclosed is your Policy of Title Insurance. This policy contains important information about the Real Estate Transaction you have just completed, it is your guarantee of ownership. Please read it and retain it with your other valuable papers.

A complete and permanent file of the records concerning your transaction will be maintained in our office. These records will assure prompt processing of future title orders and save much valuable time should you wish to sell or obtain a loan on your property. Visit or call our office and simply give us your personal policy file number shown above.

We appreciate the opportunity of serving you and will be happy to assist you in any way with your future title service needs.

Very Truly Yours,

NORTHERN COLORADO TITLE SERVICES C O . , INC.



Timothy Al Weimer

President

ENCLOSURE

stewart title

ALTA OWNER'S POLICY OF TITLE INSURANCE

ISSUED BY

STEWART TITLE GUARANTY COMPANY

Any notice of claim and any other notice or statement in writing required to be given to the Company under this Policy must be given to the Company at the address shown in Section 18 of the Conditions.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS, STEWART TITLE GUARANTY COMPANY, a Texas corporation, (the "Company") insures, as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from
 - (a) A defect in the Title caused by
 - (i) forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
 - (ii) failure of any person or Entity to have authorized a transfer or conveyance;
 - (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
 - (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
 - (v) a document executed under a falsified, expired, or otherwise invalid power of attorney;
 - (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
 - (vii) a defective judicial or administrative proceeding.
 - (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
 - (c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
3. Unmarketable Title.
4. No right of access to and from the Land.
5. The violation or enforcement of any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (a) the occupancy, use, or enjoyment of the Land;
 - (b) the character, dimensions, or location of any improvement erected on the Land;
 - (c) the subdivision of land; or
 - (d) environmental protectionif a notice, describing any part of the Land, is recorded in the Public Records setting forth the violation or intention to enforce, but only to the extent of the violation or enforcement referred to in that notice.
6. An enforcement action based on the exercise of a governmental police power not covered by Covered Risk 5 if a notice of the enforcement action, describing any part of the Land, is recorded in the Public Records, but only to the extent of the enforcement referred to in that notice.
7. The exercise of the rights of eminent domain if a notice of the exercise, describing any part of the Land, is recorded in the Public Records.
8. Any taking by a governmental body that has occurred and is binding on the rights of a purchaser for value without Knowledge.

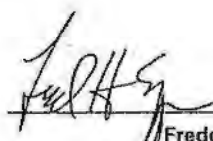
Countersigned by

Authorized Countersignature

Northern Colorado Title Services Co, Inc
Company Name

130 West Kiowa Avenue
Fort Morgan, CO 80701
City, State




Frederick H. Eppinger
President and CEO


Denise Carraux
Secretary

For coverage information or assistance resolving a complaint, call (800) 729-1902 or visit www.stewart.com. To make a claim, furnish written notice in accordance with Section 3 of the Conditions. For purposes of this form the "Stewart Title" logo featured above is the represented logo for the underwriter, Stewart Title Guaranty Company.

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File Number: NCT22006

9301 ALTA Owner's Policy (06-17-06)

Page 1 of 5 for Policy Number: O-0000467329248



COVERED RISKS - Continued

9. Title being vested other than as stated in Schedule A or being defective
- (a) as a result of the avoidance in whole or in part, or from a court order providing an alternative remedy, of a transfer of all or any part of the title to or any interest in the Land occurring prior to the transaction vesting Title as shown in Schedule A because that prior transfer constituted a fraudulent or preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws; or
 - (b) because the instrument of transfer vesting Title as shown in Schedule A constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws by reason of the failure of its recording in the Public Records
 - (i) to be timely, or
 - (ii) to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.
10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to Date of Policy and prior to the recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.
- The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this Policy, but only to the extent provided in the Conditions.

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

CONDITIONS

1. DEFINITION OF TERMS

The following terms when used in this policy mean:

- (a) "Amount of Insurance": The amount stated in Schedule A, as may be increased or decreased by endorsement to this policy, increased by Section 8(b), or decreased by Sections 10 and 11 of these Conditions.
- (b) "Date of Policy": The date designated as "Date of Policy" in Schedule A.
- (c) "Entity": A corporation, partnership, trust, limited liability company, or other similar legal entity.
- (d) "Insured": The Insured named in Schedule A.
 - (i) the term "insured" also includes
 - (A) successors to the Title of the Insured by operation of law as distinguished from purchase, including heirs, devisees, survivors, personal representatives, or next of kin;
 - (B) successors to an Insured by dissolution, merger, consolidation, distribution, or reorganization;
 - (C) successors to an Insured by its conversion to another kind of Entity;
 - (D) a grantee of an Insured under a deed delivered without payment of actual valuable consideration conveying the Title
 - (1) if the stock, shares, memberships, or other equity interests of the grantee are wholly-owned by the named Insured,
 - (2) if the grantee wholly owns the named Insured,
 - (3) if the grantee is wholly-owned by an affiliated Entity of the named Insured, provided the affiliated Entity and the named Insured are both wholly-owned by the same person or Entity, or
 - (4) if the grantee is a trustee or beneficiary of a trust created by a written instrument established by the Insured named in Schedule A for estate planning purposes.
 - (ii) with regard to (A), (B), (C), and (D) reserving, however, all rights and defenses as to any successor that the Company would have had against any predecessor Insured.
- (e) "Insured Claimant": An Insured claiming loss or damage.
- (f) "Knowledge" or "Known": Actual knowledge, not constructive knowledge or notice that may be imputed to an Insured by reason of the Public Records or any other records that impart constructive notice of matters affecting the Title.
- (g) "Land": The land described in Schedule A, and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is insured by this policy.



- (h) "Mortgage": Mortgage, deed of trust, trust deed, or other security instrument, including one evidenced by electronic means authorized by law.
- (i) "Public Records": Records established under state statutes at Date of Policy for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge. With respect to Covered Risk 5(d), "Public Records" shall also include environmental protection liens filed in the records of the clerk of the United States District Court for the district where the Land is located.
- (j) "Title": The estate or interest described in Schedule A.
- (k) "Unmarketable Title": Title affected by an alleged or apparent matter that would permit a prospective purchaser or lessee of the Title or lender on the Title to be released from the obligation to purchase, lease, or lend if there is a contractual condition requiring the delivery of marketable title.

2. CONTINUATION OF INSURANCE

The coverage of this policy shall continue in force as of Date of Policy in favor of an Insured, but only so long as the Insured retains an estate or interest in the Land, or holds an obligation secured by a purchase money Mortgage given by a purchaser from the Insured, or only so long as the Insured shall have liability by reason of warranties in any transfer or conveyance of the Title. This policy shall not continue in force in favor of any purchaser from the Insured of either (i) an estate or interest in the Land, or (ii) an obligation secured by a purchase money Mortgage given to the Insured.

3. NOTICE OF CLAIM TO BE GIVEN BY INSURED CLAIMANT

The Insured shall notify the Company promptly in writing (i) in case of any litigation as set forth in Section 5(a) of these Conditions, (ii) in case Knowledge shall come to an Insured hereunder of any claim of title or interest that is adverse to the Title, as insured, and that might cause loss or damage for which the Company may be liable by virtue of this policy, or (iii) if the Title, as insured, is rejected as Unmarketable Title. If the Company is prejudiced by the failure of the Insured Claimant to provide prompt notice, the Company's liability to the Insured Claimant under the policy shall be reduced to the extent of the prejudice.

4. PROOF OF LOSS

In the event the Insured is unable to determine the amount of loss or damage, the Company may, at its option, require as a condition of payment that the Insured Claimant furnish a signed proof of loss. The proof of loss must describe the defect, lien, encumbrance, or other matter insured against by this policy that constitutes the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage.

5. DEFENSE AND PROSECUTION OF ACTIONS

- (a) Upon written request by the Insured, and subject to the options contained in Section 7 of these Conditions, the Company, at its own cost and without unreasonable delay, shall provide for the defense of an Insured in litigation in which any third party asserts a claim covered by this policy adverse to the Insured. This obligation is limited to only those stated causes of action alleging matters insured against by this policy. The Company shall have the right to select counsel of its choice (subject to the right of the Insured to object for reasonable cause) to represent the Insured as to those stated causes of action. It shall not be liable for and will not pay the fees of any other counsel. The Company will not pay any fees, costs, or expenses incurred by the Insured in the defense of those causes of action that allege matters not insured against by this policy.
- (b) The Company shall have the right, in addition to the options contained in Section 7 of these Conditions, at its own cost, to institute and prosecute any action or proceeding or to do any other act that in its opinion may be necessary or desirable to establish the Title, as insured, or to prevent or reduce loss or damage to the Insured. The Company may take any appropriate action under the terms of this policy, whether or not it shall be liable to the Insured. The exercise of these rights shall not be an admission of liability or waiver of any provision of this policy. If the Company exercises its rights under this subsection, it must do so diligently.
- (c) Whenever the Company brings an action or asserts a defense as required or permitted by this policy, the Company may pursue the litigation to a final determination by a court of competent jurisdiction, and it expressly reserves the right, in its sole discretion, to appeal any adverse judgment or order.

6. DUTY OF INSURED CLAIMANT TO COOPERATE

- (a) In all cases where this policy permits or requires the Company to prosecute or provide for the defense of any action or proceeding and any appeals, the Insured shall secure to the Company the right to so prosecute or provide defense in the action or proceeding, including the right to use, at its option, the name of the Insured for this purpose. Whenever requested by the Company, the Insured, at the Company's expense, shall give the Company all reasonable aid (i) in securing evidence, obtaining witnesses, prosecuting or defending the action or proceeding, or effecting settlement, and (ii) in any other lawful act that in the opinion of the Company may be necessary or desirable to establish the Title or any other matter as insured. If the Company is prejudiced by the failure of the Insured to furnish the required cooperation, the Company's obligations to the Insured under the policy shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation, with regard to the matter or matters requiring such cooperation.
- (b) The Company may reasonably require the Insured Claimant to submit to examination under oath by any authorized representative of the Company and to produce for examination, inspection, and copying, at such reasonable times and places as may be designated by the authorized representative of the Company, all records, in whatever medium maintained, including books, ledgers, checks, memoranda, correspondence, reports, e-mails, disks, tapes, and videos whether bearing a date before or after Date of Policy, that reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Insured Claimant shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect, and copy all of these records in the custody or control of a third party that reasonably pertain to the loss or damage. All information designated as confidential by the Insured Claimant provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Insured Claimant to submit for examination under oath, produce any reasonably requested information, or grant permission to secure reasonably necessary information from third parties as required in this subsection, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this policy as to that claim.

7. OPTIONS TO PAY OR OTHERWISE SETTLE CLAIMS; TERMINATION OF LIABILITY

In case of a claim under this policy, the Company shall have the following additional options:

- (a) To Pay or Tender Payment of the Amount of Insurance. To pay or tender payment of the Amount of Insurance under this policy together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment or tender of payment and that the Company is obligated to pay. Upon the exercise by the Company of this option, all liability and obligations of the Company to the Insured under this policy, other than to make the payment required in this subsection, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.
- (b) To Pay or Otherwise Settle With Parties Other Than the Insured or With the Insured Claimant.
 - (i) to pay or otherwise settle with other parties for or in the name of an Insured Claimant any claim insured against under this policy. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay; or



- (ii) to pay or otherwise settle with the Insured Claimant the loss or damage provided for under this policy, together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay.

Upon the exercise by the Company of either of the options provided for in subsections (b)(i) or (ii), the Company's obligations to the Insured under this policy for the claimed loss or damage, other than the payments required to be made, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.

8. DETERMINATION AND EXTENT OF LIABILITY

This policy is a contract of indemnity against actual monetary loss or damage sustained or incurred by the Insured Claimant who has suffered loss or damage by reason of matters insured against by this policy.

- (a) The extent of liability of the Company for loss or damage under this policy shall not exceed the lesser of
- (i) the Amount of Insurance; or
 - (ii) the difference between the value of the Title as insured and the value of the Title subject to the risk insured against by this policy.
- (b) If the Company pursues its rights under Section 5 of these Conditions and is unsuccessful in establishing the Title, as insured,
- (i) the Amount of Insurance shall be increased by 10%, and
 - (ii) the Insured Claimant shall have the right to have the loss or damage determined either as of the date the claim was made by the Insured Claimant or as of the date it is settled and paid.
- (c) In addition to the extent of liability under (a) and (b), the Company will also pay those costs, attorneys' fees, and expenses incurred in accordance with Sections 5 and 7 of these Conditions.

9. LIMITATION OF LIABILITY

- (a) If the Company establishes the Title, or removes the alleged defect, lien, or encumbrance, or cures the lack of a right of access to or from the Land, or cures the claim of Unmarketable Title, all as insured, in a reasonably diligent manner by any method, including litigation and the completion of any appeals, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused to the Insured.
- (b) In the event of any litigation, including litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals, adverse to the Title, as insured.
- (c) The Company shall not be liable for loss or damage to the Insured for liability voluntarily assumed by the Insured in settling any claim or suit without the prior written consent of the Company.

10. REDUCTION OF INSURANCE; REDUCTION OR TERMINATION OF LIABILITY

All payments under this policy, except payments made for costs, attorneys' fees, and expenses, shall reduce the Amount of Insurance by the amount of the payment.

11. LIABILITY NONCUMULATIVE

The Amount of Insurance shall be reduced by any amount the Company pays under any policy insuring a Mortgage to which exception is taken in Schedule B or to which the Insured has agreed, assumed, or taken subject, or which is executed by an Insured after Date of Policy and which is a charge or lien on the Title, and the amount so paid shall be deemed a payment to the Insured under this policy.

12. PAYMENT OF LOSS

When liability and the extent of loss or damage have been definitely fixed in accordance with these Conditions, the payment shall be made within 30 days.

13. RIGHTS OF RECOVERY UPON PAYMENT OR SETTLEMENT

- (a) Whenever the Company shall have settled and paid a claim under this policy, it shall be subrogated and entitled to the rights of the Insured Claimant in the Title and all other rights and remedies in respect to the claim that the Insured Claimant has against any person or property, to the extent of the amount of any loss, costs, attorneys' fees, and expenses paid by the Company. If requested by the Company, the Insured Claimant shall execute documents to evidence the transfer to the Company of these rights and remedies. The Insured Claimant shall permit the Company to sue, compromise, or settle in the name of the Insured Claimant and to use the name of the Insured Claimant in any transaction or litigation involving these rights and remedies. If a payment on account of a claim does not fully cover the loss of the Insured Claimant, the Company shall defer the exercise of its right to recover until after the Insured Claimant shall have recovered its loss.
- (b) The Company's right of subrogation includes the rights of the Insured to indemnities, guaranties, other policies of Insurance, or bonds, notwithstanding any terms or conditions contained in those instruments that address subrogation rights.

14. ARBITRATION

Either the Company or the Insured may demand that the claim or controversy shall be submitted to arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("Rules"). Except as provided in the Rules, there shall be no joinder or consolidation with claims or controversies of other persons. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, any service in connection with its issuance or the breach of a policy provision, or to any other controversy or claim arising out of the transaction giving rise to this policy. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured. All arbitrable matters when the Amount of Insurance is in excess of \$2,000,000 shall be arbitrated only when agreed to by both the Company and the Insured. Arbitration pursuant to this policy and under the Rules shall be binding upon the parties. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court of competent jurisdiction.

15. LIABILITY LIMITED TO THIS POLICY; POLICY ENTIRE CONTRACT

- (a) This policy together with all endorsements, if any, attached to it by the Company is the entire policy and contract between the Insured and the Company. In interpreting any provision of this policy, this policy shall be construed as a whole.
- (b) Any claim of loss or damage that arises out of the status of the Title or by any action asserting such claim shall be restricted to this policy.
- (c) Any amendment of or endorsement to this policy must be in writing and authenticated by an authorized person, or expressly incorporated by Schedule A of this policy.
- (d) Each endorsement to this policy issued at any time is made a part of this policy and is subject to all of its terms and provisions. Except as the endorsement expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsement, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance.

16. SEVERABILITY

In the event any provision of this policy, in whole or in part, is held invalid or unenforceable under applicable law, the policy shall be deemed not to include that provision or such part held to be invalid, but all other provisions shall remain in full force and effect.

17. CHOICE OF LAW; FORUM

- (a) **Choice of Law:** The Insured acknowledges the Company has underwritten the risks covered by this policy and determined the premium charged therefor in reliance upon the law affecting interests in real property and applicable to the interpretation, rights, remedies, or enforcement of policies of title insurance of the jurisdiction where the Land is located. Therefore, the court or an arbitrator shall apply the law of the jurisdiction where the Land is located to determine the validity of claims against the Title that are adverse to the Insured and to interpret and enforce the terms of this policy. In neither case shall the court or arbitrator apply its conflicts of law principles to determine the applicable law.
- (b) **Choice of Forum:** Any litigation or other proceeding brought by the Insured against the Company must be filed only in a state or federal court within the United States of America or its territories having appropriate jurisdiction.

18. NOTICES, WHERE SENT

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at Claims Department at P.O. Box 2029, Houston, TX 77252-2029.



 stewart ® title guaranty company	Owners Policy of Title Insurance
	ISSUED BY Stewart Title Guaranty Company
Schedule A	POLICY NUMBER O-0000467329248

Policy No.: O-0000467329248	Date of Policy: January 29, 2020 at 4:00 p.m.	Premium: \$1,317.00	Amount of Insurance: \$425,000.00
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Agent's File No.:
NCT22006

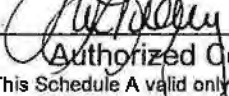
- Name of Insured:
INNOVATIVE PROPERTIES LTD
- The estate or interest in the land described in this Schedule and which is covered by this policy is:
Fee Simple
- Title to the estate or interest in the land is vested in:
INNOVATIVE PROPERTIES LTD
- The land referred to in this policy is described as follows:

PARCEL A:

A parcel of land in the SW1/4 SW1/4 of Section 22, Township 3 North, Range 60 West of the 6th P.M., Morgan County, Colorado, more particularly described as follows: Commencing at a point on the West line of the SW1/4 of Section 22 which bears North 90.0 feet from the Southwest corner of Section 22; thence N89°03'E 308.0 feet; thence North 215.0 feet; thence S89°03'W 308.0 feet to a point on the West line of the SW1/4 of Section 22; thence South 215.0 feet to the point of beginning. Said parcel shown on SUBDIVISION EXEMPTION recorded May 27, 1994 in Book 968 at Page 545.


PARCEL B:

The SW1/4SW1/4 of Section 22, Township 3 North, Range 60 West of the 6th P.M., Morgan County, Colorado, EXCEPT A parcel of land in the SW1/4 SW1/4 of Section 22, Township 3 North, Range 60 West of the 6th P.M., Morgan County, Colorado, more particularly described as follows: Commencing at a point on the West line of the SW1/4 of Section 22 which bears North 90.0 feet from the Southwest corner of Section 22; thence N89°03'E 308.0 feet; thence North 215.0 feet; thence S89°03'W 308.0 feet to a point on the West line of the SW1/4 of Section 22; thence South 215.0 feet to the point of beginning. Said parcel shown on SUBDIVISION EXEMPTION recorded May 27, 1994 in Book 968 at Page 545.

By: 
 Authorized Countersignature
 (This Schedule A valid only when Schedule B is attached)

ISSUED BY: NORTHERN COLORADO TITLE SERVICES CO., INC.
 130 W. KIOWA AVE.
 FORT MORGAN, COLORADO 80701
 TELEPHONE: 970-867-0233 - FACSIMILE: 970-867-7750

3-11-2020

 Schedule A	Owners Policy of Title Insurance
	ISSUED BY Stewart Title Guaranty Company
	POLICY NUMBER O-0000467329248

**SCHEDULE B – PART 1
EXCEPTIONS FROM COVERAGE**

Policy No: O-0000467329248

Order No: NCT22006

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

1. INTENTIONALLY DELETED.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be ascertained by persons in possession of the Land.
3. Easements, or claims of easements, not shown by the public records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. Any and all unpaid taxes, assessments and unredeemed tax sales.
7. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water; (d) Minerals of whatsoever kind, subsurface and surface substances, in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the Public Records or listed in Schedule B.

< **NOTE: ITEMS NUMBERED 2-5 ARE HEREBY OMITTED.** >

8. Reservation as contained in United States Patent recorded JUNE 29, 1920 in Book 155 at Page 223 as follows: Right of way for ditches or canals constructed by the authority of the United States.

9. Right of way for ROAD purposes as specified in ROAD PETITION recorded APRIL 16, 1912 in Book 73 at Page 40, said road to be not less than 60 feet in width.

10. Easement and right of way for ELECTRIC TRANSMISSION LINE purposes as granted by VIOLET HOLDEN to THE UNITED STATES OF AMERICA as contained in instrument recorded MARCH 11, 1940, in Book 382 at Page 207, the location of said easement and right of way are more specifically defined in said document.

11. Easements for utility and access purposes as shown on the recorded IMPROVEMENT SURVEY PLAT, recorded in Book 3 at Page 18.

12. Oil and Gas Lease between VIOLET HOLDEN and SUNDANCE OIL COMPANY, recorded AUGUST 26, 1971 in Book 724 at page 853, and any and all assignments thereof or interests therein. NOTE: The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.

13. Oil and Gas Lease between GARY A. WALTER and LESLIE D. WALTER and CHESAPEAKE EXPLORATION LLC, recorded SEPTEMBER 8, 2011 at Reception No. 870961, and any and all assignments thereof or interests therein. Said Lease was re-recorded SEPTEMBER 9, 2011 at Reception No. 870979. NOTE: The Company makes no representation as to

the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.

14. Easement and right of way for COMMUNICATION purposes as granted by GARY A. WALTER and LESLIE D. WALTER to WIGGINS TELEPHONE ASSOCIATION as contained in instrument recorded JANUARY 19, 2009 at Reception No. 853624, the location of said easement and right of way are more specifically defined in said document.

15. Burdens, obligations, terms, conditions, stipulations and restrictions of any and all unrecorded LEASES AND TENANCIES.

16. Right of way and rights incidental thereto for County Roads 30 feet on either side of Section and Township lines as established by the Board of County Commissioners of Morgan County, Colorado, in instrument recorded May 6, 1907 in Book 62 at page 109.

17. NOTE: The following notices pursuant to CRS 9-1.5 103 concerning underground facilities have been filed with the Clerk and Recorder. These statements are general and do not necessarily give notice of underground facilities within the subject property: (A) MOUNTAIN BELL TELEPHONE COMPANY RECORDED OCTOBER 2, 1981 IN BOOK 821 AT PAGE 502; (B) PUBLIC SERVICE COMPANY OF COLORADO RECORDED OCTOBER 2, 1981 IN BOOK 821 AT PAGE 514; (C) MORGAN COUNTY RURAL ELECTRIC ASSOCIATION RECORDED JANUARY 22, 1982 IN BOOK 825 AT PAGE 656; AND (D) WIGGINS TELEPHONE ASSOCIATION RECORDED OCTOBER 9, 1992 IN BOOK 947 AT PAGE 824.

ANTI-FRAUD STATEMENT: Pursuant to CRS 10-1-128(6)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado division of insurance within the department of regulatory agencies.

This anti-fraud statement is affixed to and made a part of this policy.

Exhibits B-I: Narrative

Special Use Permit

Prepared for Innovative Properties Ltd.

Exhibit A Proof of ownership

See Title Insurance included with the application materials.

Exhibit B Narrative describing project and purpose of request.

Innovative Solutions requests a Special Use Permit to allow for the operation of a commercial construction storage facility on a property located at 14026 County Road 3, Wiggins, CO 80654. The site is strategically located off Interstate 76 and Highway 34 in Wiggins, approximately 30 miles from Raymer, 35 miles from Greeley, and 35 miles from the Hudson/Brighton area. Innovative Solutions currently operates out of a shop in the Town of Wiggins and is seeking to use the subject property as additional storage space for the existing, growing business.

Innovative Solutions is a portable power (generators, electrical, power distribution panels, transformers) supplier for industrial, construction, and energy services. They have a fleet of all-electric LED "FracLyte" systems that are designed for green, energy efficient, quiet, and emissions-free use. The proposed facility contains a 1,742 sq. ft. residence, which will be used as an office, a 1,008 sq. ft. shed, and a 4,000 sq. ft. shop for repair, maintenance, and storage of their equipment. The existing corals on the property have been modified for semi-secure storage of high value equipment inside the pipe fence. Innovative Solutions is proposing to expand the improved gravel parking, staging, and storage lot for red (repair), yellow (in repair), or green (ready) tagged equipment. The expansion area is shown on the map.

The site will employ six (6) full-time personnel, two of which are assigned to the shop, three (3) of which are assigned to the field, and the owner who splits time between shop and field. The site will be operational between 7:00 AM and 6:00 PM Monday through Friday.

Daily traffic is expected to be light. Rented portable power units are heavy, expensive to move, and typically rented for a minimum of ninety (90) days. Because of this, movement of heavy equipment will occur infrequently and only at the start or end of a project. Typical daily traffic will be up to eight (8) passenger vehicles per day. The site will not be open for public access. Annually, approximately fifty (50) semi-truck trips are expected, or one (1) per week.

Exhibit C *Narrative of how project will relate to or impact existing adjacent uses, including description of all off-site impacts. Include mitigation measures for off-site impacts.*

The subject property is located approximately 0.4 miles southwest of the Town of Wiggins. The area surrounding the site is primarily agricultural in nature. The proposed facility will be approximately 7 acres located in the southern portion of the approximately 40-acre property. The remaining approximately 33 acres of farmland will serve as a buffer between the proposed facility and the estate lots to the north and east. There is an existing Morgan County REA power station directly west of the property on MCR 3.

The site is expected to generate light traffic. Rented portable power units are heavy, expensive to move, and typically rented for a minimum of ninety (90) days. Because of this, movement of heavy equipment will occur infrequently and only at the start or end of a project. Typical daily traffic will be up to eight (8) passenger vehicles per day. Annually, approximately fifty (50) semi-truck trips are expected, or one (1) per week. Morgan County Road 3 is paved, minimizing the potential for dust or roadway damage resulting from site traffic.

Any outdoor lighting will be shielded and down directional so that light will not shine directly onto adjacent properties or roadways. All lighting will comply with Section 3-695 of the Morgan County zoning regulations. The agricultural portion of the property will serve as a buffer for any light or noise generated on-site. Existing trees along the west and south sides of the proposed facility will serve to partially screen the site from adjacent uses to the west and south.

Exhibit D *Additional information to clearly show project's intent.*

Maps, plans and designs are included in this application.

Exhibit E *Narrative of compliance of this proposal with the Morgan County Comprehensive Plan and with the criteria for review of Special Use Permits.*

The Morgan County Comprehensive Plan Chapter 2, County Wide Land Use Goal encourages development where "1) it is in proximity to the activity centers; 2) the proposed development is compatible with existing land uses; 3) there is access to established public infrastructure (primarily road and utilities); and 4) where in outlying areas of the county there is access to utilities and there is little additional burden on rural services."

The proposed facility is located within the West Activity Center and Planning Area centered around the Town of Wiggins. According to the Comprehensive Plan, this area is "primarily Agricultural with areas of Heavy Industrial, Commercial, Agribusiness and Rural Residential." The proposed use is compatible with these existing uses. The site has access to paved roadways and existing electrical (Morgan County REA), sewage

disposal (individual septic system), and water service (Morgan County Quality Water District).

The Morgan County Comprehensive Plan Chapter 6 includes a goal to "Help encourage development in the Wiggins area which will make it a viable alternative as a residential, commercial and industrial community." The proposed use is commercial and industrial in nature and will support the expansion of these uses in the Wiggins area. The proposed use will support Innovative Solutions' existing business located within the Town of Wiggins.

The property is located within the Three Mile Area Plan of the Town of Wiggins, which provides guidance for working with Morgan County to ensure the smooth transition of land uses from rural to urban in the area near the Town of Wiggins. Located within Quadrant IV of this plan, this area is defined by scattered homesteads, mobile homes, commercial, and industrial uses. The proposed facility is consistent with the uses identified in this planning area.

The proposed use is not specifically listed in the Morgan County Zoning Regulations as a Use by Special Review allowed in the A (Agricultural Production) zone district. According to Section 2-325, "Any use, not designated as a Use by Right, Accessory Use, Conditional Use, Use by Special Review or not otherwise prohibited in a particular zone, may be approved as Use by Special Review pursuant to the criteria and procedure as established by these Regulations." Therefore, the proposed use is conforming and is allowed by special review in the A zone district.

Exhibit F Development or implementation schedule of project. If Vesting of Rights is desired additional application and fees are required.

The schedule of this project is to begin construction upon approval of the Special Use Permit. Vesting of Rights is requested for the standard 3-year period.

Exhibit G Discussion of any public improvements required to complete the project and copies of pertinent improvements agreements.

No public improvements or additions are necessary for the operation and completion of this project.

Exhibit H Description of types of easements required for the project. May be required to supply copies of easement agreements.

Not applicable.

Exhibit I Discussion of any environmental impact the SUP will have on the following:

- Exhibit I-1* Existing Vegetation: As shown on the Site Plan included with this application, an improved gravel surface is proposed to replace a portion of the existing cropland east of the existing shop building. This gravel area will serve as the parking, staging, and storage yard. Vegetation removed from this area would be limited to agricultural crops. The existing trees lining the west and south sides of the facility will remain, partially screening the facility from adjacent uses to the west and south.
- Exhibit I-3* Water Resources: The property is currently served by an existing Morgan Quality Water District tap, which will be retrofitted with backflow prevention. No additional water is needed at this time.
- Exhibit I-6* Wetlands: Kiowa Creek crosses a small portion of the southwest corner of the property. This is the only area of the site classified as a wetland and is located outside of the proposed development area.
- Exhibit I-7* Dust: The property is located on paved Morgan County Road 3. No dust is anticipated as a result of off-site traffic on the paved road. The proposed gravel storage and staging yard can be watered to suppress any on-site nuisance dust conditions.
- Exhibit I-8* Odor: The repair, maintenance, and storage of the portable power equipment is not expected to generate nuisance odors.
- Exhibit I-9* Noise: As the site is primarily used for storage of portable power systems when they are not in use, nuisance noise is not anticipated. If systems are run on-site for repair and maintenance purposes, they will utilize sound attenuators to minimize noise generated, in compliance with Section 4-464 of the Morgan County Zoning Regulations. Generators offered by Innovative Solutions are equipped with aluminum, sound attenuated enclosures, limiting the noise level at prime power to 68 dB(A) measured at 23 feet. According to C.R.S. 25-12-103, a noise level of 68 dB(A) is permitted in light industrial zones between 7 AM and 7 PM. The property's approximately 33 acres of farmland to the north and east of the facility will further attenuate noise generated by the occasional operation of these power systems.
- Exhibit I-10* Stormwater runoff: A drainage narrative is included with the application materials addressing management of stormwater runoff.
- Exhibit I-11* Visual Amenities: As shown on the site plan included with the application materials, there are existing trees along the property frontage and interior to the property that will serve to partially screen the site from MCR 3 and adjacent properties to the west.

Exhibit J *Letters of commitment from utility providers or other proof of service as required by staff:*

Exhibit J-1 Water: The facility is currently served by a Morgan County Quality Water District tap. See attached Morgan County Quality Water District service contract. The quantity of water available through this tap is adequate for the facility's needs.

Exhibit J-2 Sewer: The building to be used as an office has an existing septic system permitted by Northeast Colorado Health Department under M-01-081. The permit is included with the application materials.

Exhibit J-3 Electricity: See attached electricity bill from Morgan County Rural Electric Association.

Exhibit K *Legal Access*

See attached approval of the existing access from the Morgan County Road and Bridge Department.

Exhibit L *Soil Map from Morgan County Soil Conservation District.*

See attached map.

Exhibit N *Documentation of adequate financial resources to implement the project.*

See attached letter.

Exhibit O *Right to Farm Policy*

A signed Right to Farm Policy is included in this application.

Exhibit P *Site plans / map exhibits as per Morgan County Zoning Regulations, Section 2-515.*

See attached site plan.

Exhibit I-10: Stormwater Runoff

Preliminary Drainage Report

For

Innovative Properties, Ltd.
Being the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 22,
Township 3N, Range 60W of the 6th P.M.



AGPROfessionals
3050 67th Avenue
Greeley, CO 80634
(970) 535-9318

06/10/2020

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Certifications

I hereby certify that this topographic survey and drainage/run off report for Innovative Properties, Ltd., was prepared under my direct supervision in accordance with the provisions of the Morgan County storm drainage criteria for the owners thereof.



Chad TeVelde, P.E.
AGPROfessionals

1.0 Introduction

1.1 Location

The proposed site is in part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 22, Township 3 North, and Range 60 West of the 6th P.M. This site is located east of Morgan County Road (MCR) 3, between MCR O and MCR P. The 40-acre site is approximately 0.4 miles southwest of the Town of Wiggins. The southeast corner of the property is crossed by Kiowa Creek. The properties surrounding the north, south, east and west sides of the property are zoned agricultural. A vicinity map is shown in **Appendix A**.

1.2 Description of Property

The proposed site is currently a non-urbanizing, agricultural property. The property contains a 1,742 sq. ft. residence, a 1,008 sq. ft. shed, and a 4,000 sq. ft. shop. There is an approximately 52,800 sq. ft. improved gravel area used for outdoor storage and staging of portable power equipment. This gravel area is proposed to be expanded to approximately 156,800 sq. ft.

Surrounding areas are irrigated farm fields with relatively flat slopes.

There are three main types of soil: Haverson Loam (0 to 1 percent slopes), Nunn Clay Loam (0 to 1 percent slopes), and Heldt Clay Loam (0 to 1 percent slopes). The soil across the entire property is well drained. The Haverson Loam is hydrologic soil group B, the Nunn Clay Loam is hydrologic soil group C, and the Heldt Clay Loam (0 to 1 percent slopes) is hydrologic soil group C. (See USDA-NRCS Custom Soil Resource Report in **Appendix B**).

Kiowa Creek crosses the southeast corner of the property. There are no other major open channels within the subject property.

2.0 Drainage Basin and Sub-Basins

2.1 Major Basin Description

The proposed site is non-urbanizing and is located in rural Morgan County. A Master Drainage Plan for the site area is not currently available. The proposed site was evaluated as one major drainage basin.

The site has a relatively flat topography with slopes ranging from approximately zero to one percent predominately towards the north. Water historically flows north across the property. Stormwater runoff from the existing structures and proposed gravel storage area will continue to flow north across the farm field and is not expected to flow toward Kiowa Creek or onto neighboring properties. A topographic map from the United States Geological Survey (USGS) website is shown in **Appendix C**. The owners are not aware of any historic drainage issues and there is no visible sign of any previous drainage issues on-site.

A Federal Emergency Management Administration (FEMA) map of the project area is included in **Appendix D**. The property is located on panel 08087C0555D, which shows the entire property as located within a Zone A floodplain. There is not a base flood elevation associated with the floodplain. The topographic survey revealed stormwater flows north across the farm field and away from the existing structures.

Offsite flows from the south will continue to flow east toward Kiowa Creek. Offsite flows from the north will continue to flow north. Offsite flows from the east will continue to flow west toward Kiowa Creek, where they are intercepted before reaching the site. Offsite flows from the west will continue to flow northeast and will be intercepted by the roadside ditch along MCR 3 before reaching the site. Additional flows from the neighboring properties are not anticipated.

2.2 Sub-Basin Description

The site was evaluated with the one major drainage basin.

3.0 Drainage Design Criteria

3.1 Development Criteria

The proposed site runoff was evaluated using the criteria set forth in the Urban Drainage and Flood Control District (UDFCD) Criteria Manual Volumes 1, 2 and 3 and Morgan County Code.

3.2 Hydrological Criteria

From NOAA Atlas 14 Wiggins, CO precipitation station, the estimated rainfall from the 100-year, 1-hour precipitation is 2.69 inches (see NOAA Atlas 14 Precipitation Data in **Appendix E**). This value was used for runoff calculations.

Percentage of imperviousness was determined using the recommended values from UDFCD Table 6-3. The overall percentage of imperviousness for the proposed site was determined to be approximately 6 percent. As this proposal is for the re-development of a property where drainage was previously not contained, historical imperviousness was calculated assuming no pre-existing development. The historical percentage of imperviousness was determined to be approximately 2 percent (see Percentage of Imperviousness Calculation in **Appendix F**).

Using the 10-year, 1-hour and the 100-year, 1-hour design storm and the UDFCD Detention Basin spreadsheet, the peak runoff flowrate was estimated using the Modified FAA method. The peak runoff flowrate was calculated using the time of concentration, runoff coefficient, and the precipitation depth in the UDFCD spreadsheet (see UDFCD Runoff Calculation in **Appendix G**).

The peak runoff flowrate for the developed parcel was determined to be approximately 134.86 cubic feet per second (cfs) for the entire parcel.

Table 1: Peak Runoff Flowrates

Peak Runoff	10 Year Peak Flowrate (cfs)	100 Year Peak Flowrate (cfs)
Historic -Total	36.96	132.26
Proposed -Total	39.80	134.86

cfs = cubic feet per second

3.3 Hydraulic Criteria

The existing and proposed improvements increase the 100-year peak flow by less than 2%. The project site is also located in a floodplain, which makes it difficult to detain the

storm event on-site as it would be inundated by the flooding from the river. Therefore, detention is typically not used in floodplains and is not recommended on this site. Runoff flows north through agriculture farmland and agriculture zoned land prior to leaving the property. The agricultural and vegetated land filters and reduces the energy of the flow off the existing buildings and proposed gravel area prior to the flow exiting the property. Therefore, an excess of historic flow is not anticipated, and a detention pond is not proposed. Should the percentage of imperviousness increase, farmland is taken out of production, or slopes of the land change, a new drainage study should be completed to ensure downstream users are not impacted and historic run-off patterns are maintained.

4.0 Drainage Facility Design

4.1 General Concept

Due to a minimal increase in percentage of imperviousness across the site, rural location, and shallow slopes across the site, a detention pond is not proposed. Runoff should generally sheet flow from the existing buildings and proposed gravel area toward the northern property boundary. Flows will continue to flow through irrigated farmland prior to exiting the property. Flows are not expected to travel east toward Kiowa Creek or south onto the adjacent property. A proposed site layout with the existing topography is in **Appendix H**.

4.2 Specific Details

Periodic inspection of the runoff patterns will be evaluated to ensure the existing buildings and proposed gravel area are not causing erosion and sedimentation. If the site is significantly impaired by run-off or percentage imperviousness is increased, the owner should assess the corrective action needed and have a licensed engineer re-evaluate the site and provide recommendations.

5.0 Conclusions

5.1 Compliance with Morgan County Code

The drainage design of Innovative Properties, Ltd. is consistent with the Morgan County Code. An increased risk of damage from storm runoff is not expected since the site is located in a non-urbanizing, agricultural zoned area with minimal increase in imperviousness anticipated.

List of References

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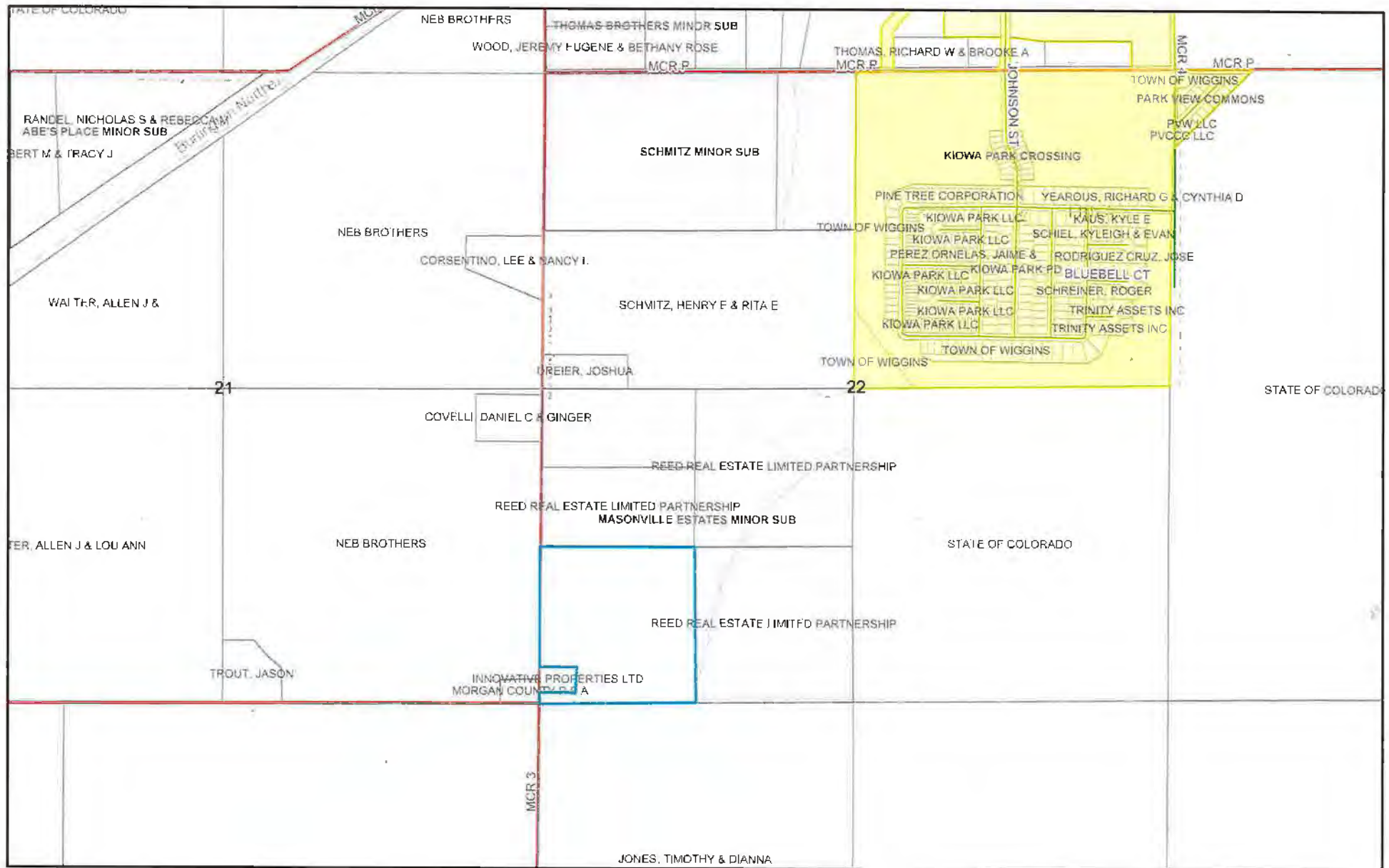
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- B. USDA-NRCS Soil Report
- C. USGS Topographic Map
- D. FEMA FIRMette Map
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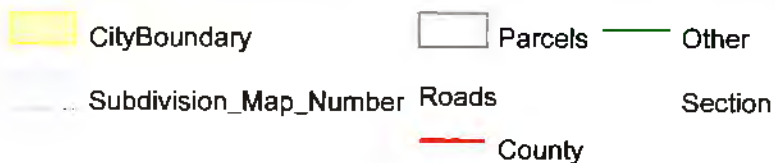
APPENDIX A

Vicinity Map

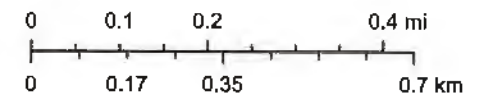
Vicinity Map



June 2, 2020



1:18,056



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS,

APPENDIX B

USDA-NRCS Soil Report



United States
Department of
Agriculture

NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for **Morgan County, Colorado**



May 7, 2020

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

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scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

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identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

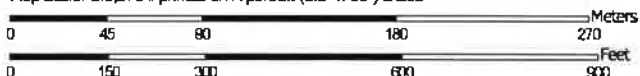
The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report Soil Map



Soil Map may not be valid at this scale.

Map Scale: 1:3,370 if printed on A portrait (8.5" x 11") sheet.




Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 13N WGS84

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MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Morgan County, Colorado

Survey Area Data: Version 20, Sep 13, 2019

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 19, 2018—Aug 10, 2018

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres In AOI	Percent of AOI
HeA	Haverson loam, 0 to 1 percent slopes	18.9	39.7%
HhC	Haverson sandy loam, 3 to 5 percent slopes	4.8	10.0%
HtA	Heldt clay loam, 0 to 1 percent slopes	11.1	23.4%
HvA	Heldt sandy loam, 0 to 1 percent slopes	0.9	1.8%
NcA	Nunn clay loam, 0 to 1 percent slopes	12.0	25.1%
Totals for Area of Interest		47.7	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

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The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Morgan County, Colorado

HeA—Haverson loam, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 3px8

Elevation: 3,500 to 6,000 feet

Mean annual precipitation: 12 to 17 inches

Mean annual air temperature: 46 to 54 degrees F

Frost-free period: 125 to 180 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Haverson and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Haverson

Setting

Landform: Distributaries

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Strongly calcareous loamy alluvium

Typical profile

H1 - 0 to 10 inches: loam

H2 - 10 to 60 inches: stratified sand to clay loam

Properties and qualities

Slope: 0 to 1 percent

Depth to restrictive feature: More than 80 inches

Natural drainage class: Well drained

Runoff class: Low

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 2.00 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum in profile: 15 percent

Gypsum, maximum in profile: 1 percent

Salinity, maximum in profile: Nonsaline to moderately saline (0.0 to 8.0 mmhos/cm)

Available water storage in profile: High (about 9.6 inches)

Interpretive groups

Land capability classification (irrigated): 3e

Land capability classification (nonirrigated): 4c

Hydrologic Soil Group: B

Ecological site: Loamy Plains (R067BY002CO)

Hydric soil rating: No

Minor Components

Bijou

Percent of map unit: 8 percent

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Hydric soil rating: No

Gilcrest

Percent of map unit: 7 percent

Hydric soil rating: No

HhC—Haverson sandy loam, 3 to 5 percent slopes

Map Unit Setting

National map unit symbol: 3pxd

Elevation: 3,500 to 6,000 feet

Mean annual precipitation: 12 to 17 inches

Mean annual air temperature: 46 to 54 degrees F

Frost-free period: 125 to 180 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Haverson and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Haverson

Setting

Landform: Distributaries

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Strongly calcareous loamy alluvium

Typical profile

H1 - 0 to 9 inches: sandy loam

H2 - 9 to 60 inches: stratified sand to clay loam

Properties and qualities

Slope: 3 to 5 percent

Depth to restrictive feature: More than 80 inches

Natural drainage class: Well drained

Runoff class: Low

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 2.00 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum in profile: 15 percent

Gypsum, maximum in profile: 1 percent

Salinity, maximum in profile: Nonsaline to moderately saline (0.0 to 8.0 mmhos/cm)

Available water storage in profile: High (about 9.2 inches)

Interpretive groups

Land capability classification (irrigated): 3e

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Land capability classification (nonirrigated): 4c
Hydrologic Soil Group: B
Ecological site: Sandy Plains (R067BY024CO)
Hydric soil rating: No

Minor Components

Vona

Percent of map unit: 9 percent
Hydric soil rating: No

Ascalon

Percent of map unit: 6 percent
Hydric soil rating: No

HtA—Heldt clay loam, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 2xst6
Elevation: 4,140 to 4,790 feet
Mean annual precipitation: 13 to 17 inches
Mean annual air temperature: 50 to 54 degrees F
Frost-free period: 130 to 165 days
Farmland classification: Not prime farmland

Map Unit Composition

Heldt and similar soils: 90 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Heldt

Setting

Landform: Paleoterraces, stream terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Fine textured alluvium derived from clayey shale

Typical profile

Ap - 0 to 4 inches: clay loam
Bw1 - 4 to 15 inches: clay
Bw2 - 15 to 26 inches: clay
Bk - 26 to 35 inches: clay
C - 35 to 80 inches: clay

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Runoff class: Medium

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Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum in profile: 14 percent
Gypsum, maximum in profile: 3 percent
Salinity, maximum in profile: Nonsaline to slightly saline (0.5 to 4.0 mmhos/cm)
Sodium adsorption ratio, maximum in profile: 5.0
Available water storage in profile: Moderate (about 8.9 inches)

Interpretive groups

Land capability classification (irrigated): 3s
Land capability classification (nonirrigated): 4c
Hydrologic Soil Group: C
Ecological site: Clayey Plains (R067BY042CO)
Hydric soil rating: No

Minor Components

Nunn

Percent of map unit: 10 percent
Landform: Paleoterraces, stream terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: Clayey Plains (R067BY042CO)
Hydric soil rating: No

HvA—Heldt sandy loam, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 3pxn
Elevation: 4,000 to 6,200 feet
Mean annual precipitation: 11 to 15 inches
Mean annual air temperature: 46 to 59 degrees F
Frost-free period: 110 to 150 days
Farmland classification: Not prime farmland

Map Unit Composition

Heldt and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Heldt

Setting

Landform: Stream terraces
Down-slope shape: Linear
Across-slope shape: Linear

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Parent material: Clayey alluvium

Typical profile

H1 - 0 to 12 inches: sandy loam

H2 - 12 to 22 inches: clay

H3 - 22 to 35 inches: clay

H4 - 35 to 60 inches: clay

Properties and qualities

Slope: 0 to 1 percent

Depth to restrictive feature: More than 80 inches

Natural drainage class: Well drained

Runoff class: Low

Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum in profile: 10 percent

Gypsum, maximum in profile: 1 percent

Salinity, maximum in profile: Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)

Sodium adsorption ratio, maximum in profile: 10.0

Available water storage in profile: Moderate (about 8.6 inches)

Interpretive groups

Land capability classification (irrigated): 3e

Land capability classification (nonirrigated): 4e

Hydrologic Soil Group: C

Ecological site: Sandy Plains (R067BY024CO)

Hydric soil rating: No

Minor Components

Nunn

Percent of map unit: 8 percent

Hydric soil rating: No

Limon

Percent of map unit: 7 percent

Hydric soil rating: No

NcA—Nunn clay loam, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 2t1ng

Elevation: 4,100 to 5,700 feet

Mean annual precipitation: 14 to 15 inches

Mean annual air temperature: 48 to 52 degrees F

Frost-free period: 135 to 152 days

Farmland classification: Prime farmland if irrigated

Custom Soil Resource Report

Map Unit Composition

Nunn and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Nunn

Setting

Landform: Terraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Pleistocene aged alluvium and/or eolian deposits

Typical profile

Ap - 0 to 6 inches: clay loam

Bt1 - 6 to 10 inches: clay loam

Bt2 - 10 to 26 inches: clay loam

Btk - 26 to 31 inches: clay loam

Bk1 - 31 to 47 inches: loam

Bk2 - 47 to 80 inches: loam

Properties and qualities

Slope: 0 to 1 percent

Depth to restrictive feature: More than 80 inches

Natural drainage class: Well drained

Runoff class: Medium

Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum in profile: 7 percent

Salinity, maximum in profile: Nonsaline (0.1 to 1.0 mmhos/cm)

Sodium adsorption ratio, maximum in profile: 0.5

Available water storage in profile: High (about 9.1 inches)

Interpretive groups

Land capability classification (irrigated): 3e

Land capability classification (nonirrigated): 4e

Hydrologic Soil Group: C

Ecological site: Clayey Plains (R067BY042CO)

Hydric soil rating: No

Minor Components

Heldt

Percent of map unit: 10 percent

Landform: Terraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Ecological site: Clayey Plains (R067BY042CO)

Hydric soil rating: No

Custom Soil Resource Report

Wages

Percent of map unit: 5 percent

Landform: Terraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Ecological site: Loamy Plains (R067BY002CO)

Hydric soil rating: No

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Custom Soil Resource Report

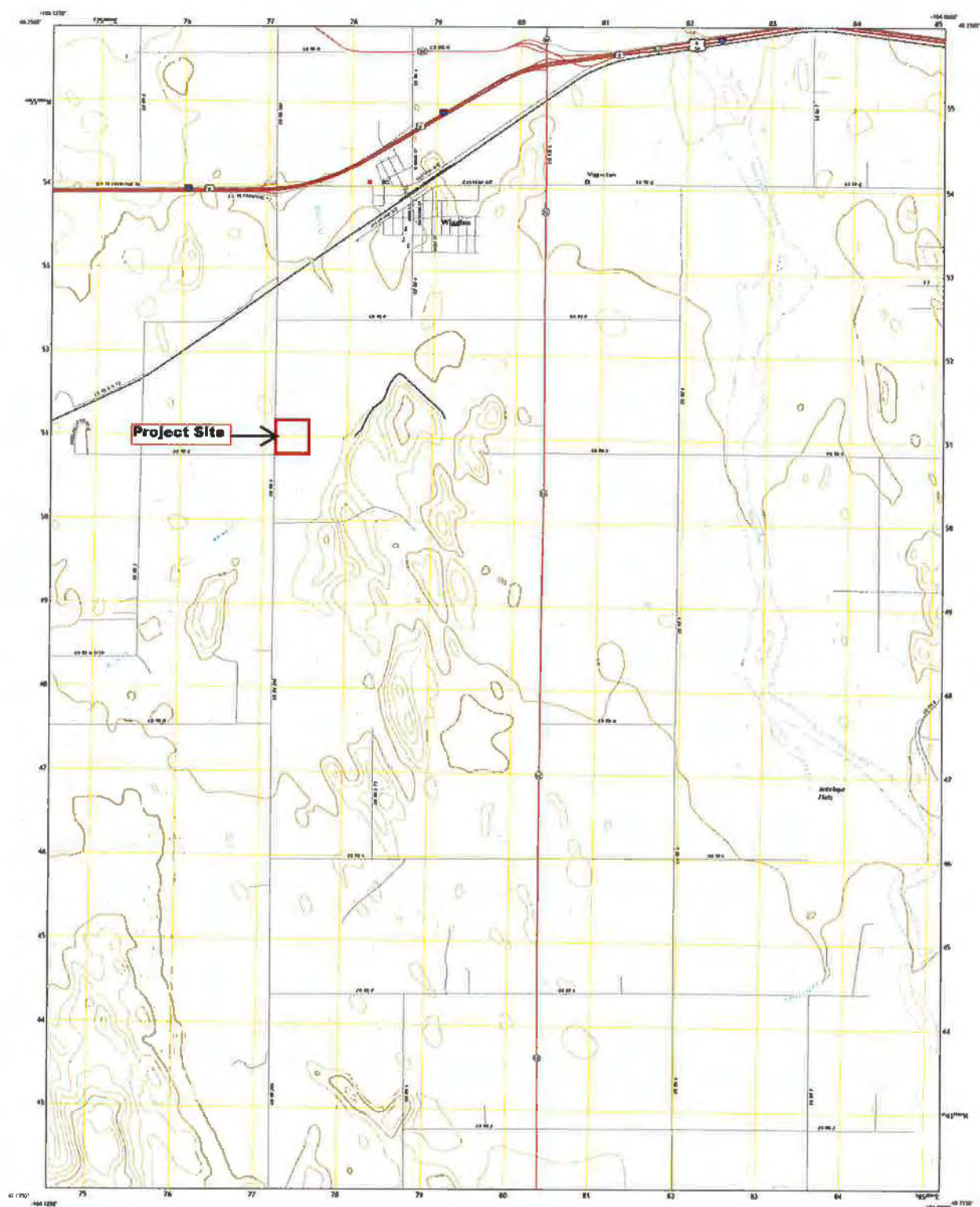
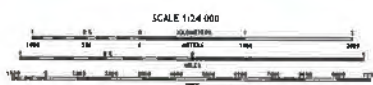
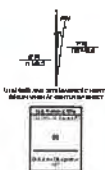
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APPENDIX C

USGS Topographic Map

[illegible]

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Depressure Local Circulation
 Secondary Wave  Local Flood 
 Surge Tide

 **Florida State**  **UNC Chapel Hill**  **State of Florida**

WIGGINS, CD
2019

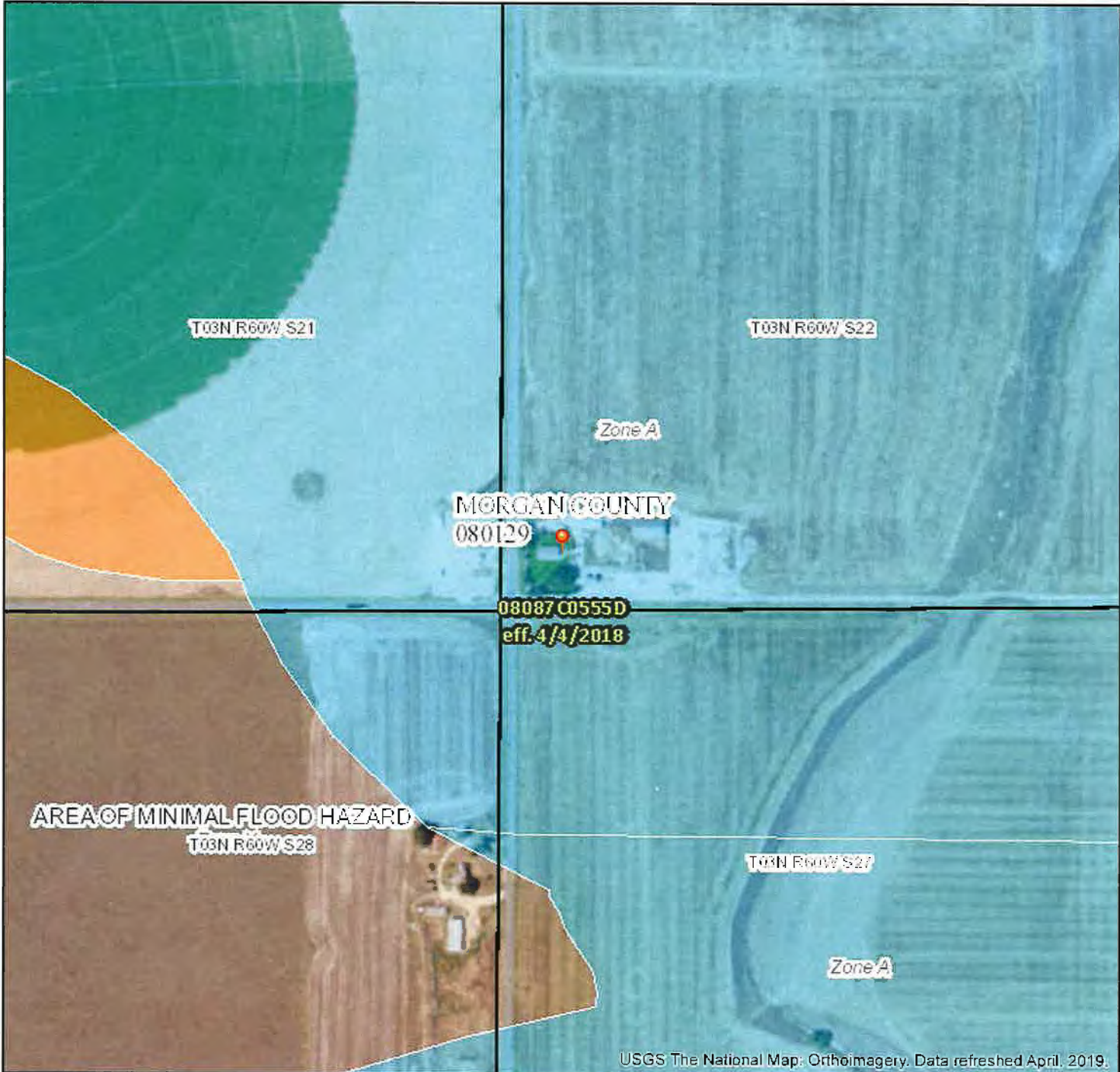
APPENDIX D

FEMA FIRMette Map

National Flood Hazard Layer FIRMMette



40°12'29.16"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, AG9
		With BFE or Depth Zone A, V, AG9, AH, VE, DF
		Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile
		Future Conditions 1% Annual Chance Flood Hazard
		Area with Reduced Flood Risk due to Levee. See Notes.
		Area with Flood Risk due to Levee

OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard

GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall

OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
MAP PANELS		Hydrographic Feature

MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 4/30/2020 at 1:32:14 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

APPENDIX E

NOAA Atlas 14 Rainfall Maps



NOAA Atlas 14, Volume 8, Version 2
Location name: Wiggins, Colorado, USA*
Latitude: 40.2048°, Longitude: -104.0908°
Elevation: 4565.38 ft**
 * source: ESRI Maps
 ** source: USGS



POINT PRECIPITATION FREQUENCY ESTIMATES

Sanja Perica, Deborah Martin, Sandra Pavlovic, Ishani Roy, Michael St. Laurent, Carl Trypaluk, Dale Unruh, Michael Yekta, Geoffrey Bonnin

NOAA, National Weather Service, Silver Spring, Maryland

[PF tabular](#) | [PF graphical](#) | [Maps & aerals](#)

PF tabular

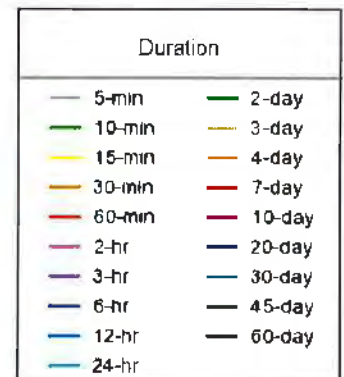
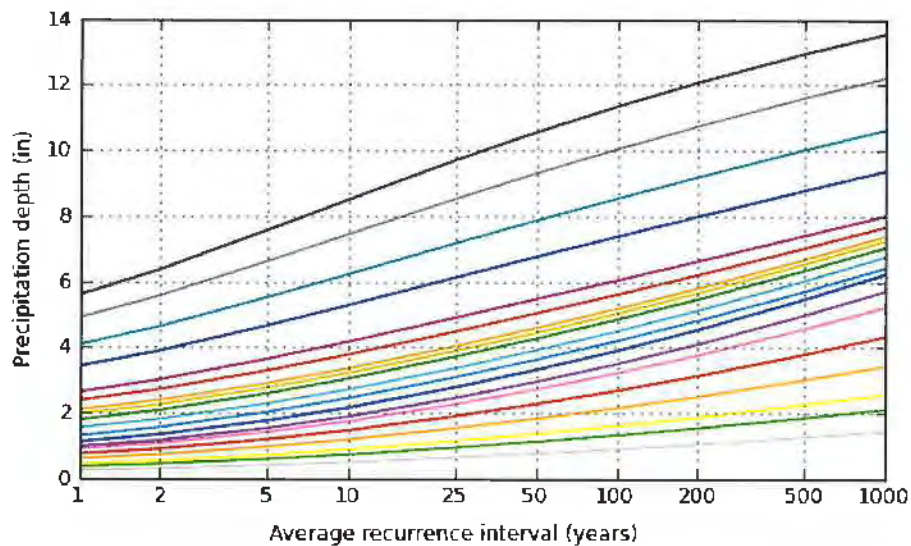
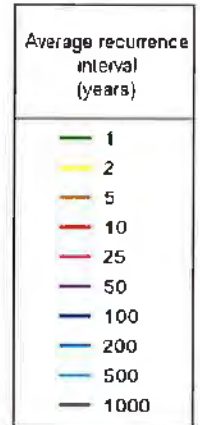
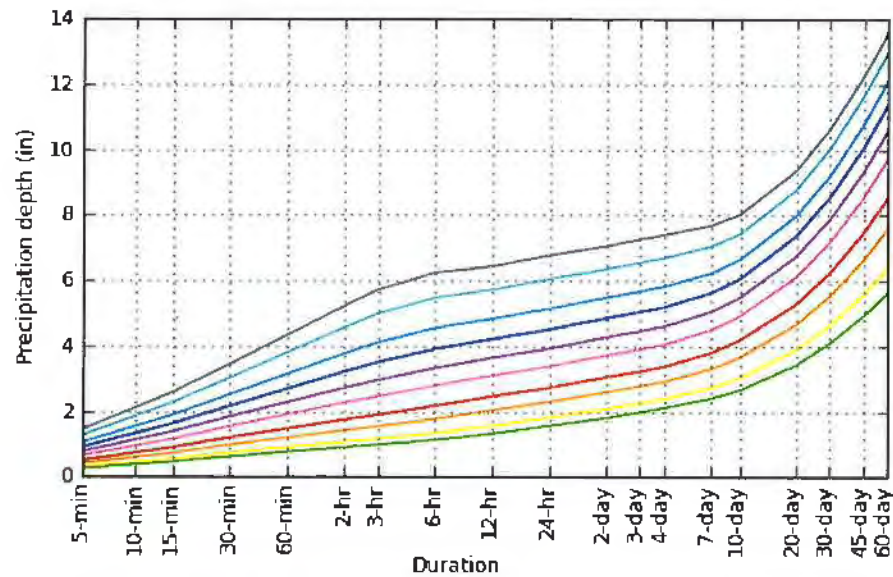
PDS-based point precipitation frequency estimates with 90% confidence intervals (in inches) ¹										
Duration	Average recurrence interval (years)									
	1	2	5	10	25	50	100	200	500	1000
5-min	0.260 (0.207-0.330)	0.313 (0.250-0.398)	0.412 (0.328-0.525)	0.505 (0.399-0.646)	0.650 (0.503-0.875)	0.774 (0.582-1.05)	0.909 (0.660-1.26)	1.06 (0.736-1.49)	1.27 (0.849-1.84)	1.45 (0.938-2.10)
10-min	0.380 (0.303-0.483)	0.459 (0.366-0.583)	0.604 (0.480-0.768)	0.740 (0.585-0.946)	0.952 (0.737-1.28)	1.13 (0.852-1.53)	1.33 (0.965-1.84)	1.55 (1.08-2.19)	1.86 (1.24-2.69)	2.12 (1.37-3.07)
15-min	0.464 (0.370-0.589)	0.559 (0.446-0.710)	0.736 (0.585-0.937)	0.903 (0.713-1.15)	1.16 (0.899-1.56)	1.38 (1.04-1.87)	1.62 (1.18-2.24)	1.89 (1.31-2.87)	2.27 (1.52-3.28)	2.58 (1.67-3.74)
30-min	0.620 (0.495-0.787)	0.747 (0.595-0.948)	0.981 (0.779-1.25)	1.20 (0.949-1.54)	1.54 (1.20-2.08)	1.84 (1.38-2.49)	2.16 (1.57-2.98)	2.51 (1.75-3.55)	3.02 (2.02-4.36)	3.44 (2.22-4.97)
60-min	0.763 (0.609-0.968)	0.916 (0.730-1.16)	1.20 (0.958-1.53)	1.48 (1.17-1.89)	1.91 (1.48-2.57)	2.28 (1.72-3.09)	2.69 (1.95-3.72)	3.14 (2.19-4.44)	3.79 (2.54-5.48)	4.33 (2.80-6.27)
2-hr	0.905 (0.728-1.14)	1.09 (0.872-1.37)	1.43 (1.14-1.80)	1.75 (1.40-2.22)	2.27 (1.78-3.04)	2.72 (2.07-3.66)	3.22 (2.36-4.41)	3.77 (2.65-5.28)	4.57 (3.08-6.54)	5.23 (3.41-7.49)
3-hr	0.985 (0.798-1.23)	1.18 (0.950-1.47)	1.54 (1.24-1.93)	1.90 (1.52-2.38)	2.46 (1.94-3.28)	2.95 (2.26-3.95)	3.50 (2.58-4.77)	4.10 (2.90-5.72)	4.99 (3.39-7.10)	5.71 (3.75-8.15)
6-hr	1.13 (0.920-1.40)	1.35 (1.10-1.68)	1.77 (1.44-2.20)	2.17 (1.75-2.70)	2.79 (2.21-3.68)	3.32 (2.58-4.38)	3.90 (2.90-5.26)	4.54 (3.24-6.26)	5.47 (3.75-7.71)	6.23 (4.13-8.80)
12-hr	1.31 (1.08-1.61)	1.57 (1.29-1.93)	2.04 (1.67-2.50)	2.46 (2.00-3.03)	3.09 (2.48-3.99)	3.63 (2.81-4.72)	4.20 (3.15-5.58)	4.83 (3.46-6.56)	5.71 (3.94-7.94)	6.42 (4.30-8.98)
24-hr	1.56 (1.29-1.89)	1.82 (1.51-2.21)	2.29 (1.89-2.79)	2.72 (2.23-3.32)	3.37 (2.70-4.30)	3.92 (3.06-5.04)	4.50 (3.40-5.91)	5.13 (3.72-6.90)	6.03 (4.21-8.30)	6.76 (4.57-9.36)
2-day	1.80 (1.51-2.16)	2.09 (1.75-2.51)	2.60 (2.16-3.13)	3.05 (2.53-3.68)	3.72 (3.00-4.67)	4.27 (3.36-5.42)	4.85 (3.69-6.29)	5.48 (4.00-7.27)	6.35 (4.46-8.63)	7.05 (4.82-9.66)
3-day	1.98 (1.66-2.36)	2.26 (1.90-2.70)	2.77 (2.32-3.32)	3.22 (2.68-3.87)	3.89 (3.16-4.86)	4.45 (3.52-5.61)	5.03 (3.85-6.49)	5.66 (4.16-7.47)	6.55 (4.63-8.84)	7.25 (4.99-9.88)
4-day	2.11 (1.78-2.50)	2.40 (2.02-2.85)	2.91 (2.44-3.47)	3.37 (2.81-4.03)	4.04 (3.29-5.02)	4.60 (3.65-5.76)	5.18 (3.98-6.64)	5.81 (4.29-7.82)	6.69 (4.75-8.99)	7.39 (5.10-10.0)
7-day	2.39 (2.03-2.82)	2.73 (2.32-3.22)	3.30 (2.79-3.90)	3.79 (3.19-4.49)	4.48 (3.66-5.49)	5.04 (4.02-6.24)	5.61 (4.34-7.11)	6.21 (4.61-8.08)	7.03 (5.03-9.35)	7.67 (5.34-10.3)
10-day	2.64 (2.26-3.10)	3.02 (2.59-3.55)	3.66 (3.10-4.29)	4.18 (3.53-4.93)	4.91 (4.01-5.95)	5.47 (4.38-6.72)	6.04 (4.68-7.59)	6.63 (4.94-8.53)	7.41 (5.32-9.77)	8.01 (5.61-10.7)
20-day	3.43 (2.95-3.98)	3.91 (3.36-4.53)	4.67 (4.00-5.43)	5.29 (4.51-6.18)	6.13 (5.05-7.32)	6.76 (5.45-8.18)	7.38 (5.76-9.13)	7.99 (6.00-10.1)	8.79 (6.38-11.4)	9.37 (6.63-12.4)
30-day	4.09 (3.54-4.71)	4.65 (4.02-5.36)	5.53 (4.76-6.38)	6.23 (5.35-7.23)	7.17 (5.93-8.49)	7.87 (6.38-9.45)	8.54 (6.71-10.5)	9.20 (6.94-11.6)	10.0 (7.30-13.0)	10.6 (7.57-14.0)
45-day	4.92 (4.28-5.63)	5.58 (4.85-6.39)	6.63 (5.74-7.61)	7.45 (6.42-8.59)	8.53 (7.08-10.0)	9.31 (7.58-11.1)	10.0 (7.92-12.2)	10.7 (8.15-13.4)	11.6 (8.49-14.9)	12.2 (8.75-16.0)
60-day	5.60 (4.89-6.39)	6.38 (5.58-7.27)	7.57 (6.59-8.66)	8.51 (7.36-9.76)	9.70 (8.08-11.3)	10.6 (8.62-12.5)	11.3 (8.98-13.7)	12.1 (9.20-15.0)	13.0 (9.51-16.5)	13.5 (9.75-17.6)

¹ Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS). Numbers in parenthesis are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and average recurrence interval) will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values. Please refer to NOAA Atlas 14 document for more information.

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PF graphical

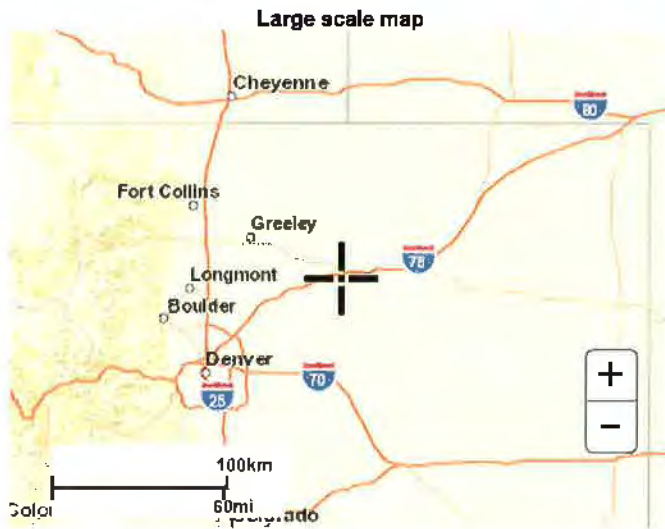
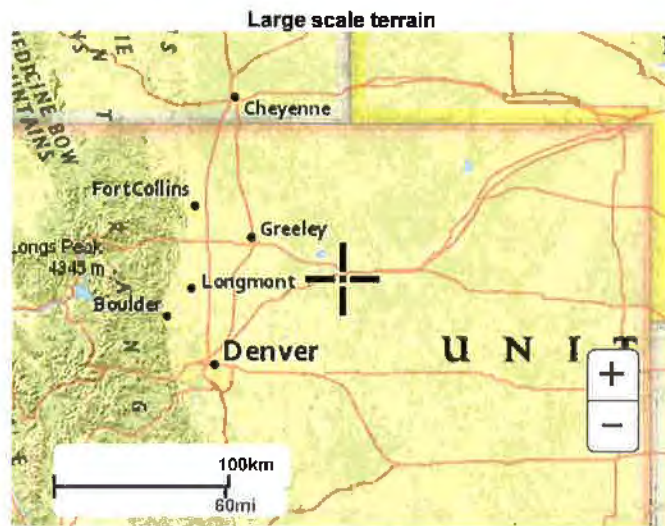
PDS-based depth-duration-frequency (DDF) curves
Latitude: 40.2048°, Longitude: -104.0908°



NOAA Atlas 14, Volume 8, Version 2

Created (GMT): Tue Jun 2 17:09:23 2020

[Back to Top](#)**Maps & aeriels****Small scale terrain**



Large scale aerial



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[National Weather Service](#)
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1325 East West Highway
Silver Spring, MD 20910
Questions?: HDSC.Questions@noaa.gov

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APPENDIX F

Percentage of Imperviousness



3050 67th Avenue, Suite 200

Greeley, CO 80634

Telephone (970) 535-9318

www.agpros.com

Project Number: 1907-01

Designed By: AGPROfessionals

Checked By: CTV

Subject: Impervious Area Calculation - Historical

Date: 6/10/20 10:41 AM

Sheet: of

= User Entry

Solving for the Percent Impervious (I):

Description per UDFCD Table 6-3	% Impervious	Total SqFt	Acres Impervious
Greenbelts, Agriculture	2%	1,742,400	0.80
None	0%		0.00
None	0%		0.00
None	0%		0.00
None	0%		0.00
None	0%		0.00
None	0%		0.00
None	0%		0.00
None	0%		0.00
None	0%		0.00
None	0%		0.00
None	0%		0.00
None	0%		0.00
None	0%		0.00
None	0%		0.00
None	0%		0.00
None	0%		0.00
None	0%		0.00
		1,742,400	0.80

	Square Feet	Acres
Total Impervious Acres	34,848	0.80
Total Development Acres	1,742,400	40.00

Development %I	Actual Design	2%
----------------	---------------	----



3050 67th Avenue, Suite 200

Greeley, CO 80634

Telephone (970) 535-9318

www.agpros.com

Project Number: 1907-01

Designed By: AGPROfessionals

Checked By: CTV

Subject: Impervious Area Calculation - Proposed

Date: 6/10/20 10:44 AM

Sheet: of

= User Entry

Solving for the Percent Impervious (I):

Description per UDFCD Table 6-3	% Impervious	Total SqFt	Acres Impervious
Roofs	90%	6,534	0.14
Paved Streets	100%	7,405	0.17
Greenbelts, Agriculture	2%	1,552,914	0.71
Gravel Road	40%	156,816	1.44
Lawns, clayey soil	0%	18,731	0.00
None	0%		0.00
None	0%		0.00
None	0%		0.00
None	0%		0.00
None	0%		0.00
None	0%		0.00
None	0%		0.00
None	0%		0.00
None	0%		0.00
None	0%		0.00
None	0%		0.00
None	0%		0.00
		1,742,400	2.46

Square Feet Acres

Total Impervious Acres	107,070	2.46
Total Development Acres	1,742,400	40.00

Development %I Actual Design	6%
---------------------------------	----

APPENDIX G

UDFCD Runoff Calculations

DETENTION VOLUME BY THE MODIFIED FAA METHOD

Project: Innovative Properties Ltd.

Basin ID: Historical Runoff

(For catchments less than 160 acres only. For larger catchments, use hydrograph routing method)
(NOTE: for catchments larger than 90 acres, CUHP hydrograph and routing are recommended)

Determination of MINOR Detention Volume Using Modified FAA Method

Design Information (Input):

Catchment Drainage Imperviousness $I_p = 2.00$ percent
 Catchment Drainage Area $A = 40.000$ acres
 Predevelopment NRCS Soil Group Type = C A, B, C, or D
 Return Period for Detention Control $T = 10$ years (2, 5, 10, 25, 50, or 100)
 Time of Concentration of Watershed $T_c = 13$ minutes
 Allowable Unit Release Rate $q = 0.00$ cfs/acre
 One-hour Precipitation $P_1 = 1.48$ inches
 Design Rainfall IDF Formula $I = C_1 \cdot P_1 / (C_2 + T_c) \cdot C_3$
 Coefficient One $C_1 = 28.50$
 Coefficient Two $C_2 = 10$
 Coefficient Three $C_3 = 0.789$

Determination of Average Outflow from the Basin (Calculated):

Runoff Coefficient $C = 0.26$
 Inflow Peak Runoff $Q_{p-in} = 35.96$ cfs
 Allowable Peak Outflow Rate $Q_{p-out} = 0.00$ cfs
 Mod. FAA Minor Storage Volume = 85,453 cubic feet
 Mod. FAA Minor Storage Volume = 1.96 acre-ft

Determination of MAJOR Detention Volume Using Modified FAA Method

Design Information (Input):

Catchment Drainage Imperviousness $I_p = 2.00$ percent
 Catchment Drainage Area $A = 40.000$ acres
 Predevelopment NRCS Soil Group Type = C A, B, C, or D
 Return Period for Detention Control $T = 100$ years (2, 5, 10, 25, 50, or 100)
 Time of Concentration of Watershed $T_c = 13$ minutes
 Allowable Unit Release Rate $q = 0.00$ cfs/acre
 One-hour Precipitation $P_1 = 2.70$ inches
 Design Rainfall IDF Formula $I = C_1 \cdot P_1 / (C_2 + T_c) \cdot C_3$
 Coefficient One $C_1 = 28.50$
 Coefficient Two $C_2 = 10$
 Coefficient Three $C_3 = 0.789$

Determination of Average Outflow from the Basin (Calculated):

Runoff Coefficient $C = 0.51$
 Inflow Peak Runoff $Q_{p-in} = 132.26$ cfs
 Allowable Peak Outflow Rate $Q_{p-out} = 0.00$ cfs
 Mod. FAA Major Storage Volume = 305,763 cubic feet
 Mod. FAA Major Storage Volume = 7.02 acre-ft

DETENTION VOLUME BY THE MODIFIED FAA METHOD

Project: **Innovative Properties Ltd.**

Basin ID: **Proposed Runoff**

(For catchments less than 160 acres only. For larger catchments, use hydrograph routing method)
(NOTE: for catchments larger than 90 acres, CUHP hydrograph and routing are recommended)

Determination of MINOR Detention Volume Using Modified FAA Method

Design Information (Input):

Catchment Drainage Imperviousness $I_p = 6.00$ percent
 Catchment Drainage Area $A = 40.000$ acres
 Predevelopment NRCS Soil Group Type = C A, B, C, or D
 Return Period for Detention Control $T = 10$ years (2, 5, 10, 25, 50, or 100)
 Time of Concentration of Watershed $T_c = 13$ minutes
 Allowable Unit Release Rate $q = 0.00$ cfs/acre
 One-hour Precipitation $P_1 = 1.48$ inches
 Design Rainfall IDF Formula $I = C_1 \cdot P_1 / (C_2 + T_c)^{C_3}$
 Coefficient One $C_1 = 28.50$
 Coefficient Two $C_2 = 10$
 Coefficient Three $C_3 = 0.789$

Determination of Average Outflow from the Basin (Calculated):

Runoff Coefficient $C = 0.28$
 Inflow Peak Runoff $Q_{p-in} = 39.80$ cfs
 Allowable Peak Outflow Rate $Q_{p-out} = 0.00$ cfs
 Mod. FAA Minor Storage Volume = 82,026 cubic feet
 Mod. FAA Minor Storage Volume = 2.11 acre-ft

Determination of MAJOR Detention Volume Using Modified FAA Method

Design Information (Input):

Catchment Drainage Imperviousness $I_p = 6.00$ percent
 Catchment Drainage Area $A = 40.000$ acres
 Predevelopment NRCS Soil Group Type = C A, B, C, or D
 Return Period for Detention Control $T = 100$ years (2, 5, 10, 25, 50, or 100)
 Time of Concentration of Watershed $T_c = 13$ minutes
 Allowable Unit Release Rate $q = 0.00$ cfs/acre
 One-hour Precipitation $P_1 = 2.70$ inches
 Design Rainfall IDF Formula $I = C_1 \cdot P_1 / (C_2 + T_c)^{C_3}$
 Coefficient One $C_1 = 28.50$
 Coefficient Two $C_2 = 10$
 Coefficient Three $C_3 = 0.789$

Determination of Average Outflow from the Basin (Calculated):

Runoff Coefficient $C = 0.52$
 Inflow Peak Runoff $Q_{p-in} = 134.86$ cfs
 Allowable Peak Outflow Rate $Q_{p-out} = 0.00$ cfs
 Mod. FAA Major Storage Volume = 311,796 cubic feet
 Mod. FAA Major Storage Volume = 7.18 acre-ft

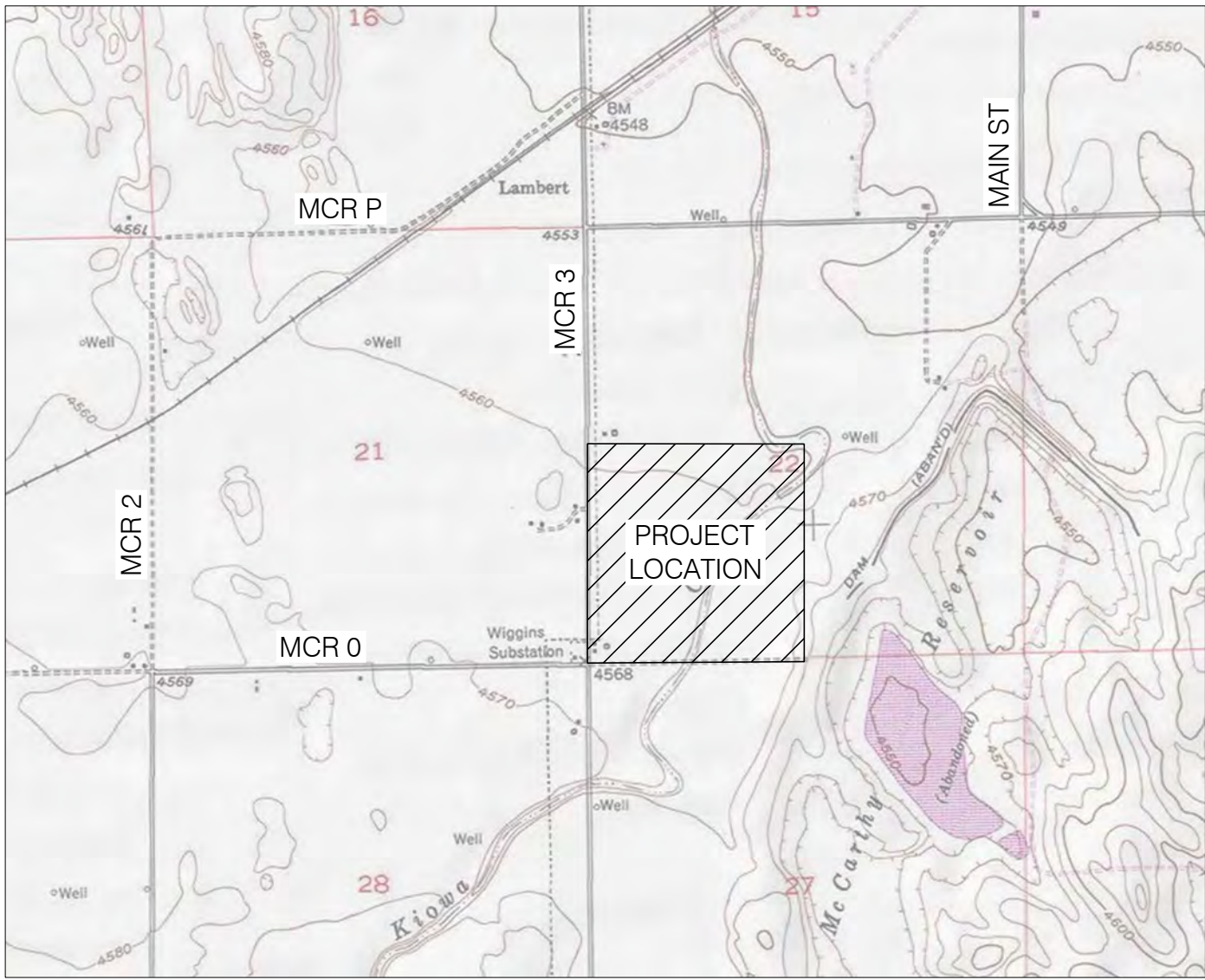
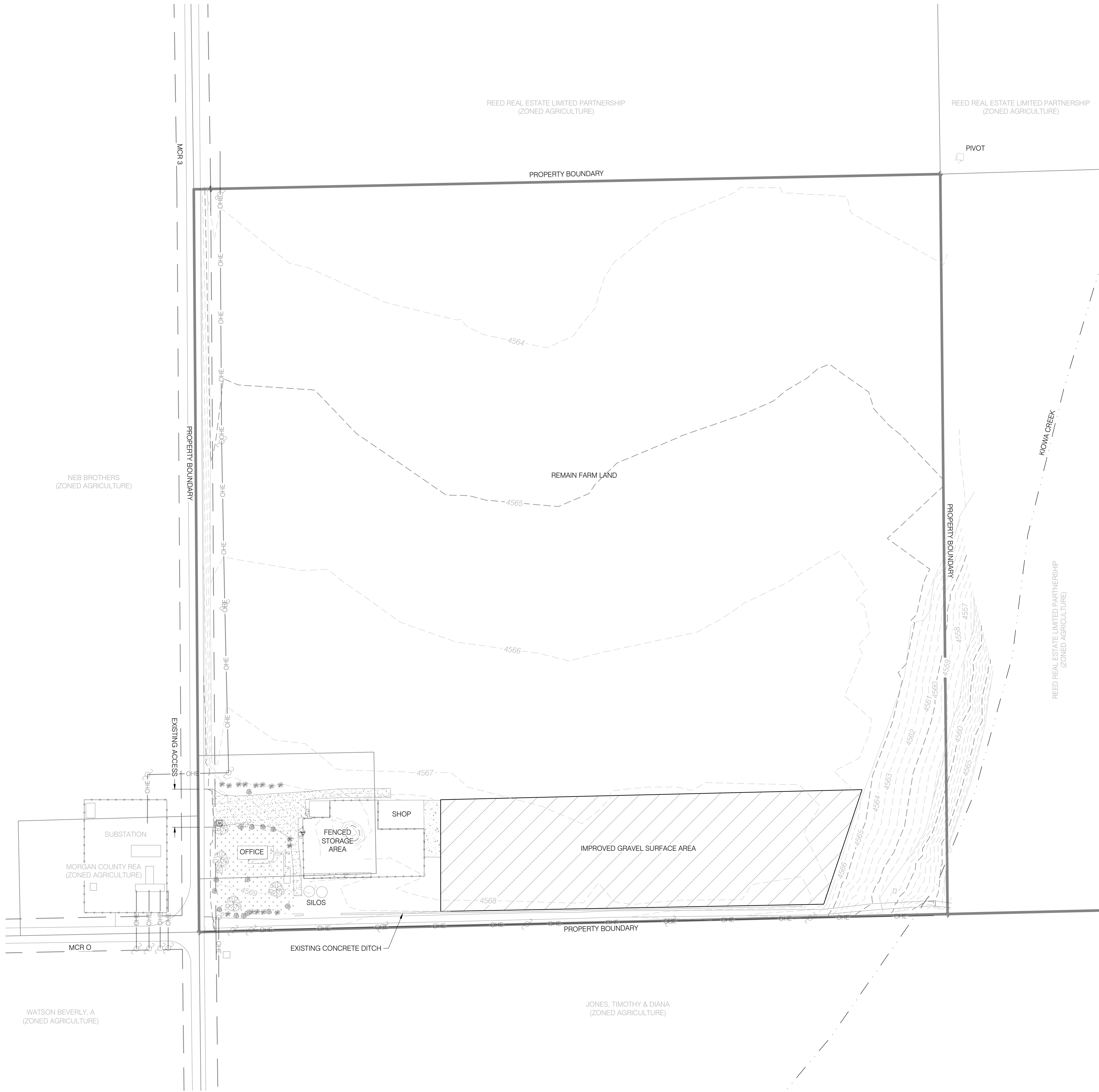
APPENDIX H

Site and Topographic Map

See Separate
Document

INNOVATIVE PROPERTIES, LTD SITE PLAN - SPECIAL USE PERMIT

IN THE SW 1/4 OF THE SW 1/4 OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 60 WEST OF THE 6TH P.M., MORGAN COUNTY, COLORADO



VICINITY MAP

SCALE: 1" = 2000'

LEGEND

	PROPERTY BOUNDARY		EXISTING GAS METER
	EXISTING GROUND CONTOUR		EXISTING WATER METER
	EXISTING RIGHT OF WAY R.O.W.		EXISTING YARD HYDRANT
	EXISTING METAL FENCE		EXISTING CONCRETE
	EXISTING OVERHEAD ELECTRIC		EXISTING GRAVEL
	EXISTING LIGHT POLE		EXISTING LANDSCAPE
	EXISTING UTILITY POLE		

PLANNING COMMISSION CERTIFICATE

The Morgan County Planning Commission has hereby reviewed the Site Plan No. _____
this ____ day of _____, 20__.

Chairman

Attest: _____

Secretary

(c)

BOARD OF COUNTY COMMISSIONERS CERTIFICATE

Rezone Case No. _____

Approved this ____ day of _____, 20__, Board of County Commissioners, Morgan County, Colorado.

Attest: _____

Clerk to the Board

Chairman

CLERK AND RECORDER'S CERTIFICATE

State of Colorado)

) ss.

County of Morgan)

I hereby certify that this instrument was filed in my office at ____ o'clock __m., this ____ day of _____, 20__, and is duly recorded in _____.

Recording Fees of _____ are paid.

Clerk and Recorder

Deputy

INNOVATIVE PROPERTIES, LTD
SITE PLAN - SPECIAL USE PERMIT

MORGAN COUNTY, CO

SHEET:

ST-1



AGPROfessionals
DEVELOPERS OF AGRICULTURE

3050 67th Avenue, Suite 200, Greeley, CO 80634
(970) 535-9318 • Fax: (970) 535-9854



DATE: June 5, 2020

DRAWN BY: AGPRO

REVISIONS:

R1 DISC

R2 DISC

R3 DISC

R4 DISC

R5 DISC

Exhibit J-1: Water

CONTRACT FOR SERVICE

NAME Gary Walter BILL TO #1463
ADDRESS 14026 Road 3
Wiggins, CO PHONE _____ PHONE _____

The undersigned requests service and contracts for service with MORGAN COUNTY QUALITY WATER DISTRICT as follows:

A. Base Tap Fee and Charge

SIZE	COST	BASE NUMBER
<input checked="" type="checkbox"/> 3/4 x 5/8"	\$ 1,500	1
<input type="checkbox"/> 3/4"	2,250	2
<input type="checkbox"/> 1"	4,500	4
<input type="checkbox"/> 1 1/2"	11,500 (must be approved by Board)	9
<input type="checkbox"/> 2"	23,000 (must be approved by Board)	

* The above base tap fee and charge includes installation of meter pit, meter and one service line not to exceed 100 feet in length.

- B. Additional charges: A surcharge of \$500 will be assessed in addition to the tap fee for additional taps in excess of base. Any additions to furnish service other than those included in "A" will be charged to the undersigned at actual cost plus 10%.
- C. All Base Charges and additional charges shall be payable by the undersigned upon approval and billing by the District prior to construction.

The Owner upon the execution hereof shall pay and deposit with the District the sum of \$50.00 as the fee for processing this application which is non-refundable. However, it will be credited to all charges hereunder upon approval of this application by the Board.

That the undersigned is the Owner of the following described real estate and the legal description (within a one hundred sixty acre tract) upon which tap location or dwelling are situated as follows: 1.52 acres in the SW/4 SW/4 of Section 22, Township 3 North, Range 60 West of the 6th P.M.

That in consideration for the District furnishing said service, the undersigned further agrees as follows:

- 1) The undersigned hereby grants unto the MORGAN COUNTY QUALITY WATER DISTRICT, a right of way and easement over and across the lands of the undersigned within said district for the purpose of construction, maintenance and repair of a pipeline for distribution and service of said quality water to the land of the undersigned and others within said district. Where necessary, the undersigned shall furnish for District any other required easements.
- 2) That the undersigned agrees to transfer to the MORGAN COUNTY QUALITY WATER DISTRICT, upon the request of said district, water or water rights presently existing upon the above described premises of a quantity and type equal to the quantity and type of service furnished to said premises by said district as determined by the amount of the meter reading.
- 3) That the undersigned will comply with the rules and regulations as from time to time are promulgated by the directors of the MORGAN COUNTY QUALITY WATER DISTRICT.
- 4) The undersigned agrees to continually accept and pay for water service under this contract for a period of four years from the date hereof. In the event of a violation of the undersigned's agreement to accept and pay for said services for said period of time, the undersigned agrees to pay unto the District the sum of \$500 as liquidated damages for said violation plus reasonable attorneys' fees of the District in the event any action is necessary for the collection thereof.
- 5) The District does not guarantee pressure in excess of twenty-five pounds per square inch for customer use at the main line.
- 6) This agreement and contract may not be transferred or assigned without the written approval of the District.

This agreement is binding upon the heirs, legal representatives and assigns of the undersigned, provided, however, this contract is not binding upon the District until approved by the Board of Directors of the District.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals the 8th day of June, A.D., 1994.

APPROVED:
MORGAN COUNTY QUALITY WATER DISTRICT

By Lecore B. Ward

Gary Walter
OWNER/APPLICANT

Exhibit J-2: Septic

FM File

ON 0000860

NORTHEAST COLORADO HEALTH DEPARTMENT

700 Columbine Street
Sterling, CO 80751
Phone: 970/522-3741

340 Birch
Wray, CO 80758
Phone: 970/332-4422

228 West Railroad Avenue
Fort Morgan, CO 80701
Phone: 970/867-4918

APPLICATION FOR A PERMIT TO INSTALL OR REPAIR
AN INDIVIDUAL SEWAGE DISPOSAL SYSTEM
(please print or type)

Owner Gary Walter
Current Address 14026 Rd 3
City Wiggins State Co County Morgan Zip 80654
Phone (970) 483-6448
Address of Proposed System 14026 Rd 3
City Wiggins State Co County Morgan Zip 80654
Subdivision: Lot _____ Block _____ Filing _____
Legal Description of Property: Points _____ Section 22 Township 3N Range 60
Size of Property in acres 40 total
Type of Building: Residence: ☒ 3 Number of bedrooms 4.25
Other: _____ Number of workers _____
New building: Yes ☐ No ☒ Replacement of existing septic tank or leach field: ☒ Yes ☐ No
Basement Plumbing: Yes ☐ No ☒
Type of Water Supply: ☒ Public System ☐ Private Well

Applicant certifies all information to be true and correct to the best of their knowledge.

Owner's Signature or Agent with
Written Permission to Sign for Owner Gary Walter Date 7-5-01

FOR OFFICE ONLY

Application Number 11-01-081
New System _____
Repair System ☒

Fee \$250.00
Received by KRIS
Date 7/5/01

f:\office\wp60\rob\isds\apply

Permit No. 11-01-881

BUILDING PERMIT No. _____

NORTHEAST COLORADO HEALTH DEPARTMENT
PERMIT
TO INSTALL, ALTER, REPAIR OR MODIFY AN
INDIVIDUAL SEWAGE DISPOSAL SYSTEM

Owner GARY WALTER
Address of Property 14026 MCR 3 (Diggins)
(valid at this address)

Date July 5, 2001
Phone _____

From information submitted on the application and data from the site evaluation form, the following installation specifications are agreed upon between the applicant and the Northeast Colorado Health Department and shall be located and installed as proposed and accepted in the plot plan drawing.

Septic Tank Existing gallons Type of Absorption Trench # of infiltrators 20 # of trenches 2

In addition, this permit is subject to the following terms and condition, (1) maximum depth to the bottom of the excavated trench is 36 inches for leach system: _____

This permit is granted temporarily to allow construction to commence. This permit may be revoked or suspended by the Northeast Colorado Health Department for reasons set forth in the Northeast Colorado Health Department Individual Sewage Disposal System Regulations, including failure to meet any term or condition imposed thereon during temporary or final approval. The issuance of this permit does not constitute assumption by the Department or its employees of liability for the failure or inadequacy of the sewage disposal system.

K.R. Pat Bayne
Northeast Colorado Health Department Representative

Date 7-3-01

This permit is not transferable and shall become void if system construction has not commenced within one year of its issuance. Before issuing final approval of this permit, the Northeast Colorado Health Department reserves the right to impose additional terms and conditions required to meet our regulations on a continuing basis. Final permit approval is contingent upon the final inspection of the completed system by the Northeast Colorado Health Department (NCHD); or when authorized by NCHD, the System Contractor or Engineer may certify installation of the system as set forth in the permit conditions.

Final Inspection Approval K.R. Pat Bayne Date 7-5-01
NCHD Representative

Certification Authorized by M. W. 881 Date _____ Time _____
NCHD Representative

Certification of Installation by:

Systems Contractors/Engineer

License Number _____

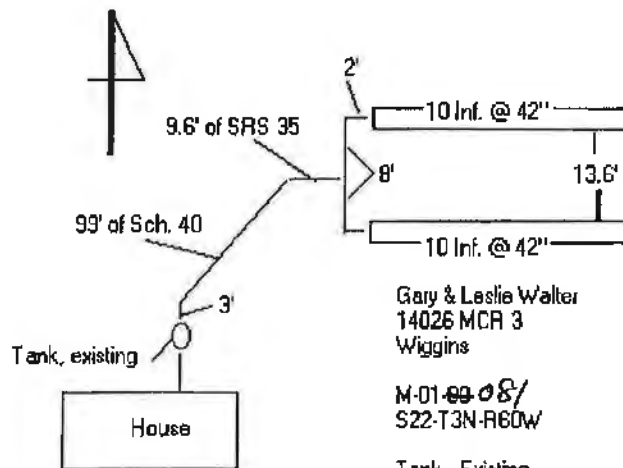
The issuance of this permit does not imply compliance with other state, county, or local regulatory or building requirements, nor shall it act to certify that the subject system will operate in compliance with applicable state, county, and local regulations adopted pursuant to Article 10, Title 25, CRS 1973, as amended, except for the purpose of establishing final approval of an installed system for issuance of a local occupancy permit pursuant to CRS 1973. 25-10-111 (2).

OWNER NAME: GARY WALKERADDRESS: 14026 CR3 WigginsLEGAL DESCRIPTION: PT: 3NS: 22T: 3NR: 62WLSDS APP. NO.: M-01-80TESTED BY: TRBDATE: 7/3/01WEATHER: Hot dry

Hole		H1 Depth <u>36</u>		H2 Depth <u>86</u>		H3 Depth	
Time	Time Interval (min)	Depth to water (in)	Draw in water level (in)	Depth to water (in)	Draw in water level (in)	Depth to water (in)	Draw in water level (in)
1:20	10	<u>194</u>	232	232	32	NO TEST	
1:30	10	<u>223+4</u>	<u>22</u>	<u>276+1</u>	<u>32</u>		
1:40	10	<u>240+5</u>	<u>13</u>	<u>326</u>	<u>30</u>		
1:50	10	<u>141</u>	202	202	23		
1:50	10	<u>164</u>	<u>23</u>	<u>225</u>	<u>23</u>		
2:00	10	<u>183+4</u>	<u>13</u>	<u>245</u>	<u>20</u>		
2:10	10	<u>195</u>	<u>13</u>	<u>261</u>	<u>22</u>		
2:20	10	<u>202</u>	<u>11</u>	<u>301+1</u>	<u>32</u>		
2:30	10	<u>221+2</u>	<u>13</u>	<u>325</u>	<u>24</u>		
2:31	10	<u>202</u>	193	193	15		
2:40	9	<u>173</u>	<u>11</u>	<u>210+5</u>	<u>15</u>		
2:50	10	<u>184</u>	<u>11</u>	<u>221</u>	<u>11</u>		
3:00	10	<u>194</u>	<u>10</u>	<u>233</u>	<u>12</u>		
Total Draw Over Final 30 Minutes (in)		<u>3.25</u>		<u>4.1</u>			
Permeation Rate (in/min)		<u>0.108</u>		<u>0.133</u>			
Average Permeation Rate <u>0.120</u> in/min				Permeation Time <u>8</u> min/in			

Plot Plot	36dcm	Depth (in)	Soil Description
	Tank - Existing	0 - 35	Clay Loam
	Int - 20	35 - 83	Sandy Clay
		83 - 96	Sand w/ gravel

MCR 3



Gary & Leslie Walter
14026 MCR 3
Wiggins

M-01-08-08/
S22-T3N-R60W

Tank - Existing
20 Infiltrators

MCR 0

Exhibit J-3: Electricity



Morgan County Rural Electric Association
PO Box 738
Fort Morgan, CO 80701-0738

MORGAN COUNTY REA

Your solutions begin with us, they end with you.

Contact us via phone at: 970-867-5688 or 800-867-5688
Or via the web at: www.mcrea.org

This institution is an equal opportunity provider and employer.

INNOVATIVE SOLUTIONS, LTD
992 S 4TH AVE
BRIGHTON CO 80601-6802

4 1101



Account Number 2569000

Statement Date 05/01/2020 Due Date 05/15/2020

Billing Summary

Previous Balance	268.67
Payment Received 04/15/20	268.67 CR
Balance Forward	0.00
Current Charges	251.27
Amount Due By 05/15/20	251.27

2019 Patronage Capital Allocation

Morgan County REA	\$74.03
Tri-State G&T	\$18.99
Total 2019 Allocation	\$93.02

See reverse of bill for more information

Messages

Please refer to the back of this page for important information regarding the Patronage Capital Allocation!
The net amount will be paid from your credit card on 05/15/2020.

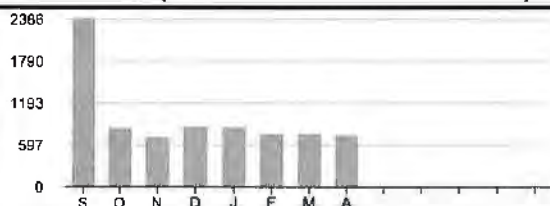
Location 0360104800 Service Add. MC ROAD 4 & CENTRAL Service Desc. SMALL POWER - TXD Rate 041

Meter Reading Details	Meter 137612731
Current KWH Reading	05/01/20 22542
Previous KWH Reading	04/01/20 21813
Total KWH Usage(Multiplier: 1)	729
Days Served 30	
Current KW Reading	4.090
Billing Demand(Multiplier: 1)	4.090

Detail of Charges

Base Charges:		
Facility Charge		67.00
Energy Charges:		
Energy Charge per kWh	729 @ .095000	69.26
Wiggins Tax		2.73
Wiggins Flat Tax		1.00
Total This Service		139.99

KWH Used (SMALL POWER - THREE PHASE)



	Days Srvd	KWH/Day	Cost/Day
This Month	30	24	\$4.54
Last Month	31	24	\$4.48
Last Year	0	0	\$0.00

Please Return This Stub With Your Payment

Account#: 2569000
Due Date: 05/15/2020
Amount Due: 251.27
Autopay - Do Not Send Payment

INNOVATIVE SOLUTIONS, LTD
992 S 4TH AVE
BRIGHTON CO 80601-6802

MORGAN COUNTY REA
PO BOX 738
FORT MORGAN CO 80701-0738

01



2019 Patronage Capital Allocation

If you look at the front of this statement you will see a field titled "2019 Patronage Capital Allocation". This amount represents your share of MCREA's revenue in excess of expenses (profits) for the year ended 12/31/2019.

Please Note: The Patronage Capital shown on the front of this statement CANNOT be used to pay electric bills or any other debt owed to MCREA.

Patronage capital is refunded based on a decision that rests solely with your Board of Directors. It is dependent on the financial condition of the Cooperative and the provisions in our By-Laws. Refunds are also subject to USDA—Rural Utilities Service, National Rural Utilities Cooperative Finance Corporation and CoBank regulations as well.

Please retain this statement for your records.



MORGAN COUNTY RURAL ELECTRIC ASSOCIATION
P.O. BOX 738
FORT MORGAN, COLORADO 80701-0738
TELEPHONE: (970) 867-5688
COLORADO TOLL FREE: 1-800-867-5688
PAY-BY-PHONE: 877-495-6487

The charges shown are net, due and payable on or before the due date shown. If not paid on or before this date, service may be discontinued. To resolve any dispute with respect to amount or due date, and/or violation of any rule, write or call the above address or telephone numbers.

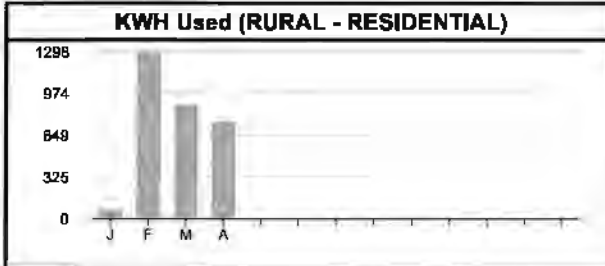
MCREA – SERVING YOUR NEEDS SINCE 1937

Location 0360225100	Service Add. 14026 COUNTY ROAD 3	Service Desc. RURAL - RESIDENTIAL	Rate 001
---------------------	----------------------------------	-----------------------------------	----------

Meter Reading Details	Meter 136830138	
Current KWH Reading	05/01/20	27482
Previous KWH Reading	04/01/20	26729
Total KWH Usage(Multiplier: 1)		753
Days Served 30		

Detail of Charges

Base Charges:		
Facility Charge		28.00
Energy Charges:		
Energy Charge per kWh	753 @ .110600	83.28
Total This Service		111.28

KWH Used (RURAL - RESIDENTIAL)

	Days Srvd	KWH/Day	Cost/Day
This Month	30	25	\$3.71
Last Month	31	29	\$4.06
Last Year	0	0	\$0.00



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Exhibit K: Access



Road & Bridge Department

6-11-2020

Innovative Properties LTD
199 Paloma Avenue
Brighton, CO. 80601

Dear Innovative Properties LTD

Morgan County Highway Department has no objection to the use of the present driveway located onto Morgan County Road 3 as access to the property located at:

Southwest ¼ Southwest ¼ Section 22 Township 3 North Range 60 West

GPS Coordinates taken using a Jamar RAC Geo II Counter

GPS Coordinates at the centerline of the driveway: 40.203870 Latitude

-104.093650 Longitude

The maximum width allowed for this driveway is 40 feet. At this time no culvert is required. If at a future date, Morgan County determines a culvert is needed for drainage, or any existing culvert needs repaired. The landowner will assume all costs; and driveway must meet Morgan County specifications. Such parties may acquire the culvert and installation from anyone they wish, but the culvert must be pre-approved by the County. Culverts that meet Morgan County specifications may be purchased directly from the County, however; Morgan County cannot complete the installation.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce Bass". The signature is written in a cursive, flowing style.

Bruce Bass
Director of Public Works
Morgan County Government



Road and Bridge Department
REQUEST FOR DRIVEWAY ACCESS LETTER

Requested By: Name: Innovative Properties LTD Date: 6-10-20
Address: 189 Paloma Avenue
City/State/Zip: Brighton, Co., 80601
Phone: 303-909-1714
Legal Description: SW 1/4 SW 1/4 Sec 22, T3N, R60W
Present Driveway Location: 14026 MCR3
~~New~~ Driveway Location: _____

If this letter is to be mailed to an address different from above indicate:

Name: Shannon Toomey SToomey@a9pros.com
Address: 3050 67th Avenue
City/State/Zip: Greeley, CO 80634
Phone: 970-535-9318

Submit this request to: Morgan County Road and Bridge Department
Attn: Richard Early - Bridge Manager
17303 Road S
P.O. Box 516
Fort Morgan, CO. 80701
(970) 542-3560 Fax (970) 542-3569

For office use only

Determination: _____

GPS Coordinates, Centerline of Driveway in relation to road. Latitude: 40.203870
Longitude: -104.093650

Maximum Width of Driveway: 40 Feet
Culvert Required: YES (NO) If yes, Size: _____ Inch.
Driveway Address Code: DRU3-0.1-E1-0

Received By: _____ Date: _____

Completed By: _____ Date: _____



Road & Bridge Department

6-11-2020

Innovative Properties LTD
199 Paloma Avenue
Brighton, CO. 80601

Dear Innovative Properties LTD

Morgan County Highway Department has no objection to the use of the present driveway located onto Morgan County Road 3 as access to the property located at:

Southwest $\frac{1}{4}$ Southwest $\frac{1}{4}$ Section 22 Township 3 North Range 60 West
GPS Coordinates taken using a Jamar RAC Geo II Counter
GPS Coordinates at the centerline of the driveway: 40.204390 Latitude
- 104.093648 Longitude

The maximum width allowed for this driveway is 40 feet. At this time no culvert is required. If at a future date, Morgan County determines a culvert is needed for drainage, or any existing culvert needs repaired. The landowner will assume all costs; and driveway must meet Morgan County specifications. Such parties may acquire the culvert and installation from anyone they wish, but the culvert must be pre-approved by the County. Culverts that meet Morgan County specifications may be purchased directly from the County, however; Morgan County cannot complete the installation.

Sincerely,

Bruce Bass
Director of Public Works
Morgan County Government



Road and Bridge Department
REQUEST FOR DRIVEWAY ACCESS LETTER

Requested By: Name: Innovative Properties LTD Date: 6-10-20
Address: 199 Paloma Avenue
City/State/Zip: Brighton, Co., 80601
Phone: 303-909-1714

Legal Description: SW 1/4 SW 1/4 Sec 22, T3N, R60W

Present Driveway Location: 14026 MCR 3

New Driveway Location: _____

If this letter is to be mailed to an address different from above indicate:

Name: Shannon Toomey SToomey@a9Pros.com
Address: 3050 67th Avenue
City/State/Zip: Greeley, CO 80634
Phone: 970-535-9318

Submit this request to: Morgan County Road and Bridge Department
Attn: Richard Early - Bridge Manager
17303 Road S
P.O. Box 516
Fort Morgan, CO, 80701
(970) 542-3560 Fax (970) 542-3569

For office use only

Determination: _____

GPS Coordinates, Centerline of Driveway in relation to road. Latitude: 40.204390
Longitude: 104.093648

Maximum Width of Driveway: 40 Feet
Culvert Required: YES (NO) If yes, Size: _____ Inch.
Driveway Address Code: DRV 3-0.1-E2-0

Received By: _____ Date: _____

Completed By: _____ Date: _____

Exhibit L: Soil Map



United States
Department of
Agriculture

NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for Morgan County, Colorado



May 7, 2020

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

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scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

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identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report Soil Map



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MAP LEGEND

Area of Interest (AOI)		Spoil Area
Area of Interest (AOI)		Stony Spot
Soils		Very Stony Spot
Soil Map Unit Polygons		Wet Spot
Soil Map Unit Lines		Other
Soil Map Unit Points		Special Line Features
Special Point Features		Water Features
Blowout		Streams and Canals
Borrow Pit		Transportation
Clay Spot		Rails
Closed Depression		Interstate Highways
Gravel Pit		US Routes
Gravelly Spot		Major Roads
Landfill		Local Roads
Lava Flow		Background
Marsh or swamp		Aerial Photography
Mine or Quarry		
Miscellaneous Water		
Perennial Water		
Rock Outcrop		
Saline Spot		
Sandy Spot		
Severely Eroded Spot		
Sinkhole		
Slide or Slip		
Sodic Spot		

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Morgan County, Colorado
Survey Area Data: Version 20, Sep 13, 2019

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 19, 2018—Aug 10, 2018

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
HeA	Haverson loam, 0 to 1 percent slopes	18.9	39.7%
HhC	Haverson sandy loam, 3 to 5 percent slopes	4.8	10.0%
HtA	Heldt clay loam, 0 to 1 percent slopes	11.1	23.4%
HvA	Heldt sandy loam, 0 to 1 percent slopes	0.9	1.8%
NcA	Nunn clay loam, 0 to 1 percent slopes	12.0	25.1%
Totals for Area of Interest		47.7	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

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The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Morgan County, Colorado

HeA—Haverson loam, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 3px8
Elevation: 3,500 to 6,000 feet
Mean annual precipitation: 12 to 17 inches
Mean annual air temperature: 46 to 54 degrees F
Frost-free period: 125 to 180 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Haverson and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Haverson

Setting

Landform: Distributaries
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Strongly calcareous loamy alluvium

Typical profile

H1 - 0 to 10 inches: loam
H2 - 10 to 60 inches: stratified sand to clay loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 2.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum in profile: 15 percent
Gypsum, maximum in profile: 1 percent
Salinity, maximum in profile: Nonsaline to moderately saline (0.0 to 8.0 mmhos/cm)
Available water storage in profile: High (about 9.6 inches)

Interpretive groups

Land capability classification (irrigated): 3e
Land capability classification (nonirrigated): 4c
Hydrologic Soil Group: B
Ecological site: Loamy Plains (R067BY002CO)
Hydric soil rating: No

Minor Components

Bijou

Percent of map unit: 8 percent

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Hydric soil rating: No

Gilcrest

Percent of map unit: 7 percent

Hydric soil rating: No

HhC—Haverson sandy loam, 3 to 5 percent slopes

Map Unit Setting

National map unit symbol: 3pxd

Elevation: 3,500 to 6,000 feet

Mean annual precipitation: 12 to 17 inches

Mean annual air temperature: 46 to 54 degrees F

Frost-free period: 125 to 180 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Haverson and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Haverson

Setting

Landform: Distributaries

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Strongly calcareous loamy alluvium

Typical profile

H1 - 0 to 9 inches: sandy loam

H2 - 9 to 60 inches: stratified sand to clay loam

Properties and qualities

Slope: 3 to 5 percent

Depth to restrictive feature: More than 80 inches

Natural drainage class: Well drained

Runoff class: Low

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 2.00 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum in profile: 15 percent

Gypsum, maximum in profile: 1 percent

Salinity, maximum in profile: Nonsaline to moderately saline (0.0 to 8.0 mmhos/cm)

Available water storage in profile: High (about 9.2 inches)

Interpretive groups

Land capability classification (irrigated): 3e

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Land capability classification (nonirrigated): 4c
Hydrologic Soil Group: B
Ecological site: Sandy Plains (R067BY024CO)
Hydric soil rating: No

Minor Components

Vona

Percent of map unit: 9 percent
Hydric soil rating: No

Ascalon

Percent of map unit: 6 percent
Hydric soil rating: No

HtA—Heldt clay loam, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 2xst6
Elevation: 4,140 to 4,790 feet
Mean annual precipitation: 13 to 17 inches
Mean annual air temperature: 50 to 54 degrees F
Frost-free period: 130 to 165 days
Farmland classification: Not prime farmland

Map Unit Composition

Heldt and similar soils: 90 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Heldt

Setting

Landform: Paleoterraces, stream terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Fine textured alluvium derived from clayey shale

Typical profile

Ap - 0 to 4 inches: clay loam
Bw1 - 4 to 15 inches: clay
Bw2 - 15 to 26 inches: clay
Bk - 26 to 35 inches: clay
C - 35 to 80 inches: clay

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Runoff class: Medium

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Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum in profile: 14 percent
Gypsum, maximum in profile: 3 percent
Salinity, maximum in profile: Nonsaline to slightly saline (0.5 to 4.0 mmhos/cm)
Sodium adsorption ratio, maximum in profile: 5.0
Available water storage in profile: Moderate (about 8.9 inches)

Interpretive groups

Land capability classification (irrigated): 3s
Land capability classification (nonirrigated): 4c
Hydrologic Soil Group: C
Ecological site: Clayey Plains (R067BY042CO)
Hydric soil rating: No

Minor Components

Nunn

Percent of map unit: 10 percent
Landform: Paleoterraces, stream terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: Clayey Plains (R067BY042CO)
Hydric soil rating: No

HvA—Heldt sandy loam, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 3pxn
Elevation: 4,000 to 6,200 feet
Mean annual precipitation: 11 to 15 inches
Mean annual air temperature: 46 to 59 degrees F
Frost-free period: 110 to 150 days
Farmland classification: Not prime farmland

Map Unit Composition

Heldt and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Heldt

Setting

Landform: Stream terraces
Down-slope shape: Linear
Across-slope shape: Linear

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Parent material: Clayey alluvium

Typical profile

H1 - 0 to 12 inches: sandy loam

H2 - 12 to 22 inches: clay

H3 - 22 to 35 inches: clay

H4 - 35 to 60 inches: clay

Properties and qualities

Slope: 0 to 1 percent

Depth to restrictive feature: More than 80 inches

Natural drainage class: Well drained

Runoff class: Low

Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum in profile: 10 percent

Gypsum, maximum in profile: 1 percent

Salinity, maximum in profile: Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)

Sodium adsorption ratio, maximum in profile: 10.0

Available water storage in profile: Moderate (about 8.6 inches)

Interpretive groups

Land capability classification (irrigated): 3e

Land capability classification (nonirrigated): 4e

Hydrologic Soil Group: C

Ecological site: Sandy Plains (R067BY024CO)

Hydric soil rating: No

Minor Components

Nunn

Percent of map unit: 8 percent

Hydric soil rating: No

Limon

Percent of map unit: 7 percent

Hydric soil rating: No

NcA—Nunn clay loam, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 2t1ng

Elevation: 4,100 to 5,700 feet

Mean annual precipitation: 14 to 15 inches

Mean annual air temperature: 48 to 52 degrees F

Frost-free period: 135 to 152 days

Farmland classification: Prime farmland if irrigated

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Map Unit Composition

Nunn and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Nunn

Setting

Landform: Terraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Pleistocene aged alluvium and/or eolian deposits

Typical profile

Ap - 0 to 6 inches: clay loam

Bt1 - 6 to 10 inches: clay loam

Bt2 - 10 to 26 inches: clay loam

Btk - 26 to 31 inches: clay loam

Bk1 - 31 to 47 inches: loam

Bk2 - 47 to 80 inches: loam

Properties and qualities

Slope: 0 to 1 percent

Depth to restrictive feature: More than 80 inches

Natural drainage class: Well drained

Runoff class: Medium

Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum in profile: 7 percent

Salinity, maximum in profile: Nonsaline (0.1 to 1.0 mmhos/cm)

Sodium adsorption ratio, maximum in profile: 0.5

Available water storage in profile: High (about 9.1 inches)

Interpretive groups

Land capability classification (irrigated): 3e

Land capability classification (nonirrigated): 4e

Hydrologic Soil Group: C

Ecological site: Clayey Plains (R067BY042CO)

Hydric soil rating: No

Minor Components

Heldt

Percent of map unit: 10 percent

Landform: Terraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Ecological site: Clayey Plains (R067BY042CO)

Hydric soil rating: No

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Wages

Percent of map unit: 5 percent

Landform: Terraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Ecological site: Loamy Plains (R067BY002CO)

Hydric soil rating: No

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Exhibit N: Financial Resources



FIRSTBANK

2100 N. BROADWAY ST. BOULDER, COLORADO 80302 303-440-6500

June 1, 2020

Dennis & Heidi Jackson
199 Paloma Ave
Brighton, CO 80601

To whom it may concern,

This letter confirms that Dennis and Heidi Jackson and their related business entities are customers in good standing with FirstBank. Dennis and Heidi have been customers at FirstBank for the past four years. Over this period, they have operated their accounts as agreed. During the period of our relationship credit has been approved and the repayment history has been handled as agreed. Additionally, Dennis, Heidi, and their related business entities have adequate credit facilities and liquidity to fund their project. If you have any questions, please contact me at 720-406-4580.

Sincerely,

Zac A. Clark
Assistant Vice President – Boulder
NMLS#: 1543613

Exhibit O: Right to Farm Policy



MORGAN COUNTY
PLANNING, ZONING & BUILDING DEPT.
231 Ensign, P.O. Box 596
Fort Morgan, Colorado 80701
PHONE (970) 542-3526 FAX (970) 542-3509

MORGAN COUNTY RIGHT TO FARM POLICY / NOTICE

Morgan County is one of the most productive agricultural counties in Colorado. Ranching, farming, animal feeding, and all other manner of agricultural activities and operations in Morgan County are integral and necessary elements of the continued vitality of the county's economy, culture, landscape and lifestyle. Morgan County specifically recognizes the importance of agricultural operations as necessary and worthy of recognition and protection.

Landowners, residents and visitors must be prepared to accept as normal the effects of agriculture and rural living. These may include noise from tractors, equipment, and aerial spraying sometimes at night or in the early morning; dust from animal pens, field work, harvesting, and gravel roads; odor from animal confinement operations, silage and manure; smoke from ditch burning; flies and mosquitoes; the use of pesticides and fertilizers, including aerial spraying; and movement of livestock or machinery on public roads. Under the provisions of the State of Colorado's "Right to Farm" law (Section 35-3.5-101 and following, C.R.S.), all normal and non-negligent agricultural operations may not be considered nuisances.

Also public services in a rural area are not at the same level as in an urban or suburban setting. Road maintenance may be at a lower level, mail delivery may not be as frequent, utility services may be nonexistent or subject to interruption, law enforcement, fire protection and ambulance service will have considerably longer response times, snow may not be removed from county roads for several days after a major snow storm. First priority for snow removal is that school bus routes are normally cleared first.

Children are exposed to different hazards in a rural setting than they are in an urban or suburban area. Farm and oilfield equipment, ponds, and irrigation ditches, electrical service to pumps and oil field operations, high speed traffic, noxious weeds, livestock, and territorial farm dogs may present real threats to children. It is necessary that children's activities be properly supervised for both the protection of the children and protection of the farmer's livelihood.

All rural residents and property owners are encouraged to learn about their rights and responsibilities and to act as good neighbors and citizens of Morgan County. This includes but is not limited to obligations under Colorado State law and Morgan County Zoning Regulations regarding maintenance of fences, controlling weeds, keeping livestock and pets under control. There may be provisions of which you are unaware. For example, because Colorado is a Fence Law State, owners of property may be required to fence livestock out.

Information regarding these topics may be obtained from the Colorado State University Cooperative Extension Office, the County Planning and Zoning Department, and the County Attorney.

RECEIPT AND STATEMENT OF UNDERSTANDING

I hereby certify that I have received, read, and understood the Morgan County Statement of Policy and Notice regarding Right to Farm.

I further state that I am aware that the conditions of living in an unincorporated area are different than living in a town or city and that the responsibilities of rural residents are different from urban or suburban residents. I understand that under Colorado law that a pre-existing, non-negligent agricultural operation may not be considered a public or private nuisance.

To Be Signed by Landowner


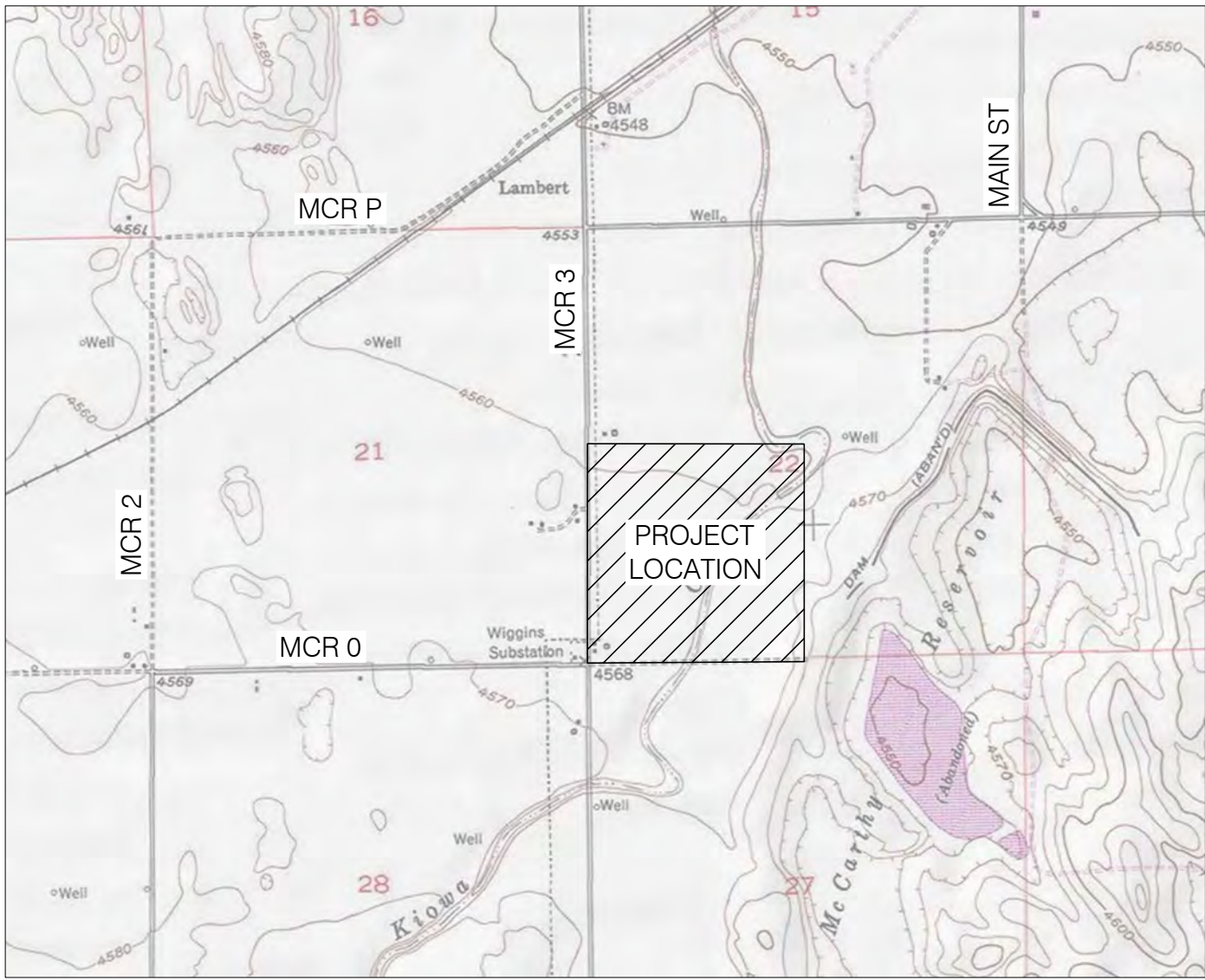
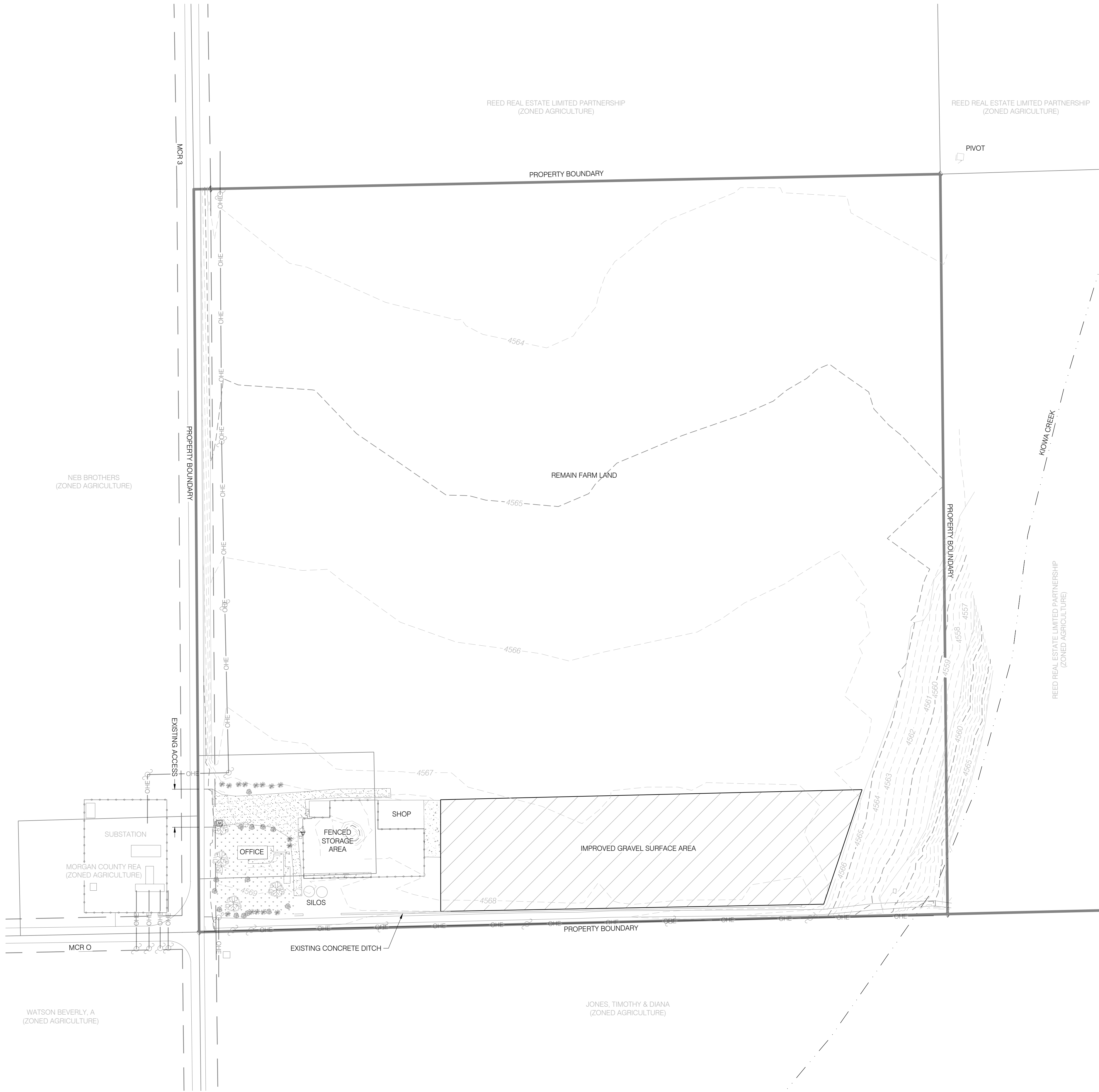

Signature _____ Date 5/5/20
Dennis Jackson F/Innovative Properties
Printed Name _____
14026 CR3
Address _____
Wilkins, CO 80654

Exhibit P: Site Plan

INNOVATIVE PROPERTIES, LTD SITE PLAN - SPECIAL USE PERMIT

IN THE SW 1/4 OF THE SW 1/4 OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 60 WEST OF THE 6TH P.M., MORGAN COUNTY, COLORADO



VICINITY MAP

SCALE: 1" = 2000'

LEGEND

	PROPERTY BOUNDARY		EXISTING GAS METER
	EXISTING GROUND CONTOUR		EXISTING WATER METER
	EXISTING RIGHT OF WAY R.O.W.		EXISTING YARD HYDRANT
	EXISTING METAL FENCE		EXISTING CONCRETE
	EXISTING OVERHEAD ELECTRIC		EXISTING GRAVEL
	EXISTING LIGHT POLE		EXISTING LANDSCAPE
	EXISTING UTILITY POLE		

PLANNING COMMISSION CERTIFICATE

The Morgan County Planning Commission has hereby reviewed the Site Plan No. _____
this ____ day of _____, 20__.

Chairman

Attest: _____

Secretary

(c)

BOARD OF COUNTY COMMISSIONERS CERTIFICATE

Rezone Case No. _____

Approved this ____ day of _____, 20__, Board of County Commissioners, Morgan County, Colorado.

Attest: _____

Clerk to the Board

Chairman

CLERK AND RECORDER'S CERTIFICATE

State of Colorado)

) ss.

County of Morgan)

I hereby certify that this instrument was filed in my office at ____ o'clock __m., this ____ day of _____, 20__, and is duly recorded in _____.

Recording Fees of _____ are paid.

Clerk and Recorder

Deputy

SITE PLAN - SPECIAL USE PERMIT

INNOVATIVE PROPERTIES, LTD
SITE PLAN - SPECIAL USE PERMIT

MORGAN COUNTY, CO

SHEET:

ST-1



AGPROfessionals
DEVELOPERS OF AGRICULTURE

3050 67th Avenue, Suite 200, Greeley, CO 80634
(970) 535-9318 • Fax: (970) 535-9854

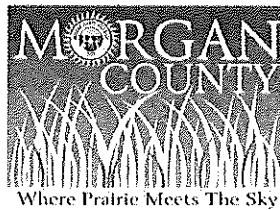


DATE: June 5, 2020

DRAWN BY: AGPRO

REVISIONS:

R1	DSC	~ / ~ / ~
R2	DSC	~ / ~ / ~
R3	DSC	~ / ~ / ~
R4	DSC	~ / ~ / ~
R5	DSC	~ / ~ / ~



MORGAN COUNTY PLANNING AND BUILDING DEPARTMENT

TO REFERRAL AGENCIES:

Farm Service Agency-Morgan County
Century Link
CDOT
DOW
Colorado Parks & Wildlife
Kinder Morgan, Inc.
Morgan County Assessor
Morgan County Communications Center
Morgan County Quality Water
Morgan County Road & Bridge

Morgan Soil Conservation District
NECHD
Xcel Energy
Colorado State Engineer
Northern Colorado Water Conservancy
Northside Lateral Irrigation
Wiggins Rural Fire
Town of Wiggins
Morgan County Sheriff
Morgan County Rural Electric Assoc.

FROM: Pam Cherry, Morgan County Planning Administrator
231 Ensign St, PO Box 596, Fort Morgan, CO 80701
970-542-3526 / 970-542-3509 fax / pcherry@co.morgan.co.us

DATE: July 16, 2020

RE: Use by Special Review Application from Innovative Properties, LTD to establish a commercial outdoor storage and maintenance facility.

Applicant: AGPROfessionals

Landowner: Innovative Properties, LTD

Legal Description: A parcel located in the SW¼, SW¼ of Section 22, Township 3 N, Range 60 West of the 6th p.m., Morgan County, Colorado. One parcel is addressed as 14026 County Road 3.

Request: Use by Special Review Application to establish a commercial maintenance and outside storage of construction equipment facility with associated offices and shop with gravel surface storage area on two parcels on the northeast corner of County Road O and County Road 3. The existing outside gravel storage area will be expanded.

You may review the files at the Planning and Zoning offices, appointments are encouraged or the file can be emailed to you. Please offer any comments or concerns you may have about this application within 14 days of the date of this letter by:

1. Calling this office: 970-542-3526 or
2. Email to pcherry@co.morgan.co.us or
3. Mail to:

Pam Cherry
Planning and Zoning Department, Basement level
231 Ensign St.
Fort Morgan, CO 80701



Pam Cherry <pcherry@co.morgan.co.us>

Use by Special Review application

1 message

Pam Cherry <pcherry@co.morgan.co.us>

Thu, Jul 16, 2020 at 3:00 PM

To: "To:" <jeff.rasmussen@co.usda.gov>, CDOT Timothy Bilobran <timothy.bilobran@state.co.us>, Century Link Brian Vance <brian.vance@centurylink.com>, DOW - Justin Morris <justin.morris@state.co.us>, DOW - Todd Cozad <todd.cozad@state.co.us>, Kinder Morgan - Jeff Voltattorni <Jeff.Voltattorni@elpaso.com>, Morgan County Emergency Management <rdoll@co.morgan.co.us>, Quality Water - Kay Zarbock <kzarbock@mcqwd.org>, Quality Water - Kent Pflager <kpflager@mcqwd.org>, REA - Kevin Martens <kmartens@mcrea.org>, Soil Conservation - Madeline Hagan Hagan <morganconservationdistrict@gmail.com>, Xcel - Donna George <Donna.L.George@xcelenergy.com>, Todd <Todd.schmidt@state.co.us>, Tim Amen <tamen@co.morgan.co.us>, Cathy Cole-Geist <ccole-geist@co.morgan.co.us>, Pam Allen <pallen@co.morgan.co.us>, Danette Martin <djmartin@co.morgan.co.us>, David Martin <dmartin@co.morgan.co.us>, Bruce Bass <bbass@co.morgan.co.us>, John Goodman <jgoodman@co.morgan.co.us>, Mel Bustos <melb@nchd.org>, Conner Gerken <connerg@nchd.org>, Colorado State Engineer - Sarah Brucker <sarah.brucker@state.co.us>, Eric Christensen <cbicattle@gmail.com>, Todd Schmidt - DNR <todd.schmidt@state.co.us>, Hope Becker <hbecker@wigginsco.com>, Wiggins <townmanager@wigginsco.com>, wigginsruralfire@gmail.com

Cc: Jody Meyer <jmeyer@co.morgan.co.us>

Attached is the preliminary site plan for a use by special review to allow outside storage of construction equipment and an associated shop and offices.

Please review and provide any comments prior to July 30.

Thank you
Pam Cherry, MPA, CFM
Morgan County Planning Administrator
Floodplain Administrator
231 Ensign Street, Box 596
Fort Morgan, CO 80701
970-542-3526
pcherry@co.morgan.co.us

3 attachments**Innovative Solutions Site Plan.pdf**

142K

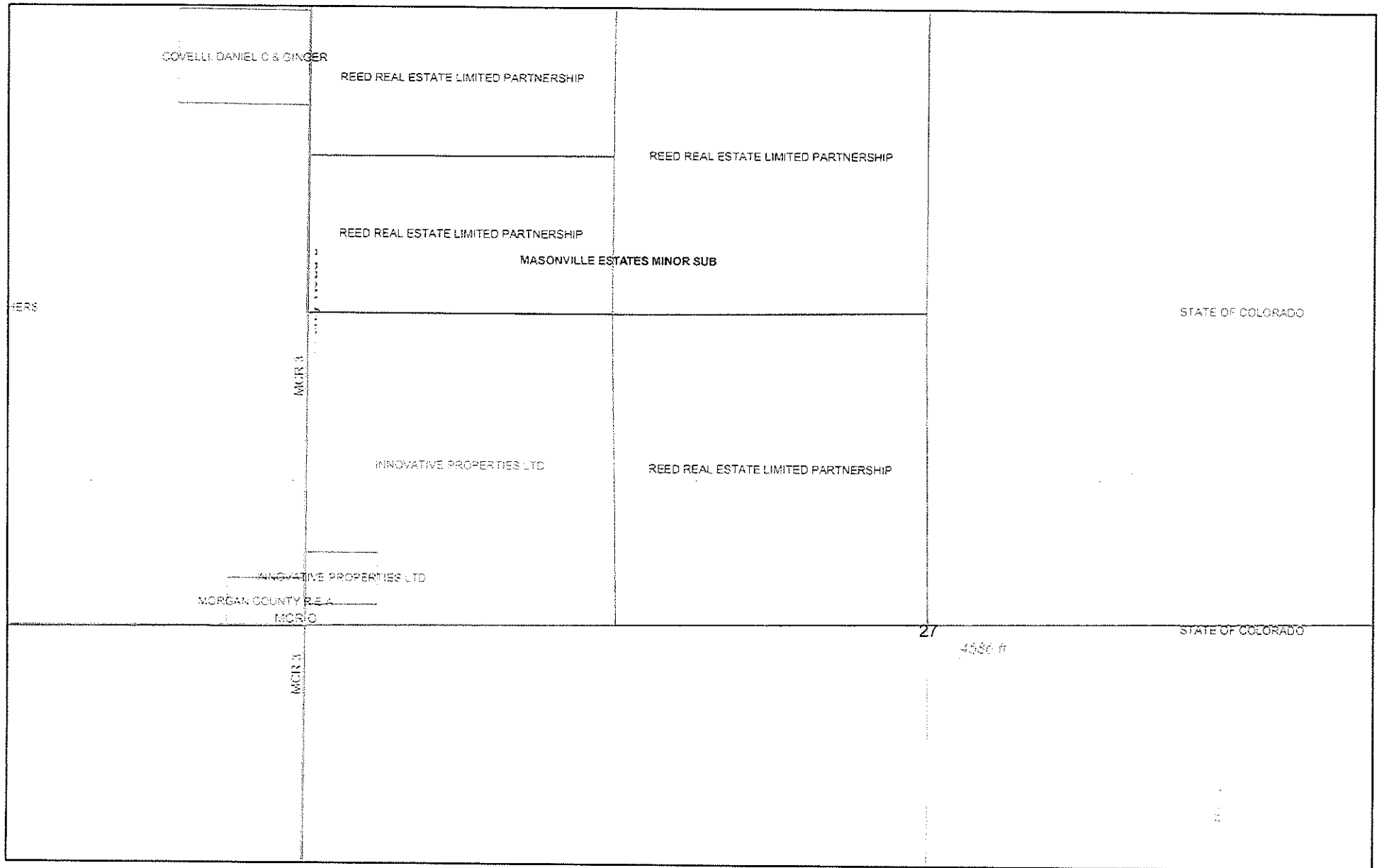
**MapPrint_PortraitLetter.pdf**

262K

**Referral Memo - PC - Innovative Storage SU 08-10-20.pdf**

260K

Innovative solutions



April 24, 2020

Subdivision_Map_Number Override 1 Section

Parcels

Roads

County

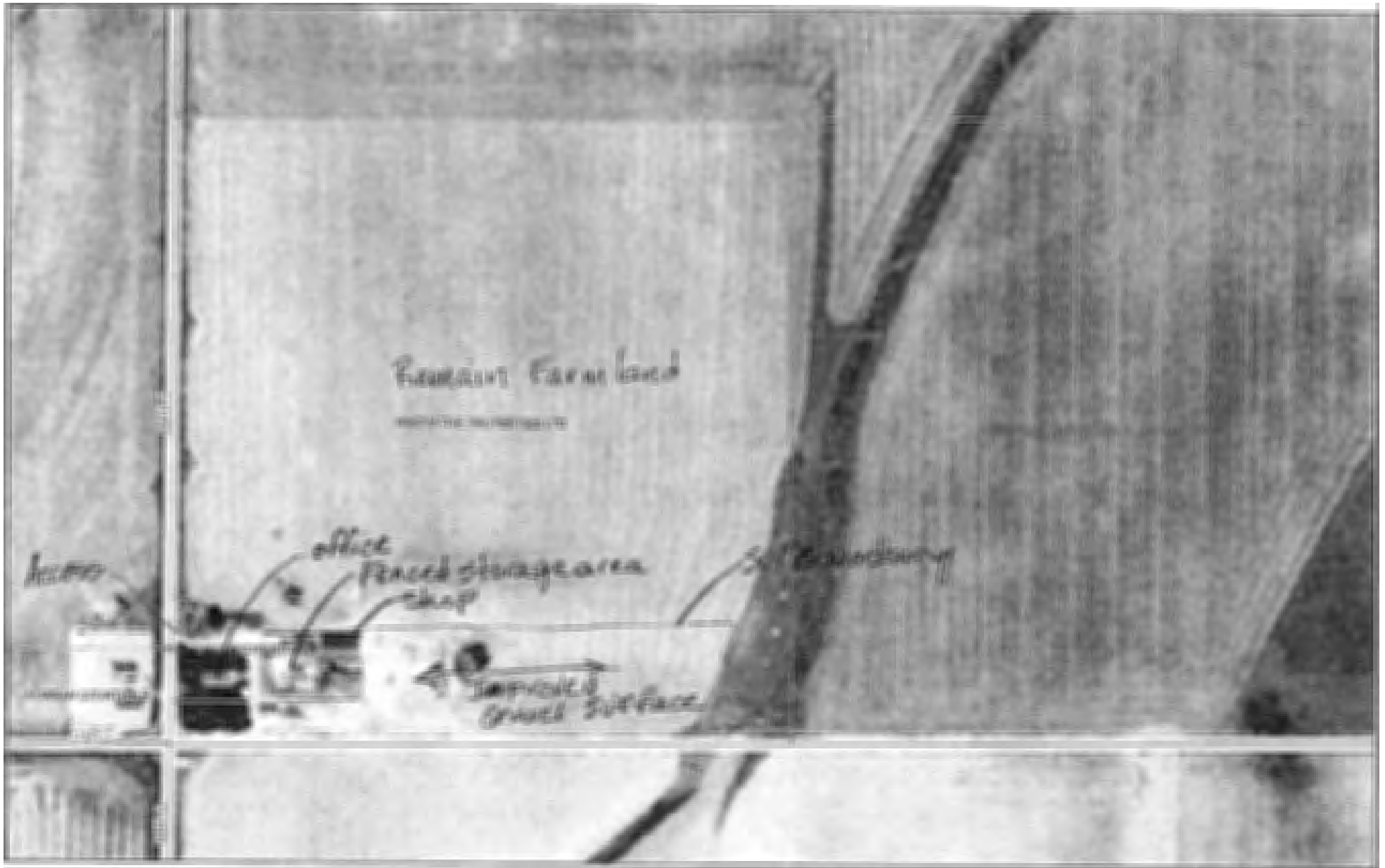
1:9,028

0 0.05 0.1 0.2 mi

0 0.07 0.15 0.3 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS,

Innovative solutions



April 24, 2020

Subdivision_Map_Number

Override 1

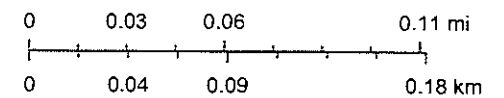
Section

Parcels

Roads

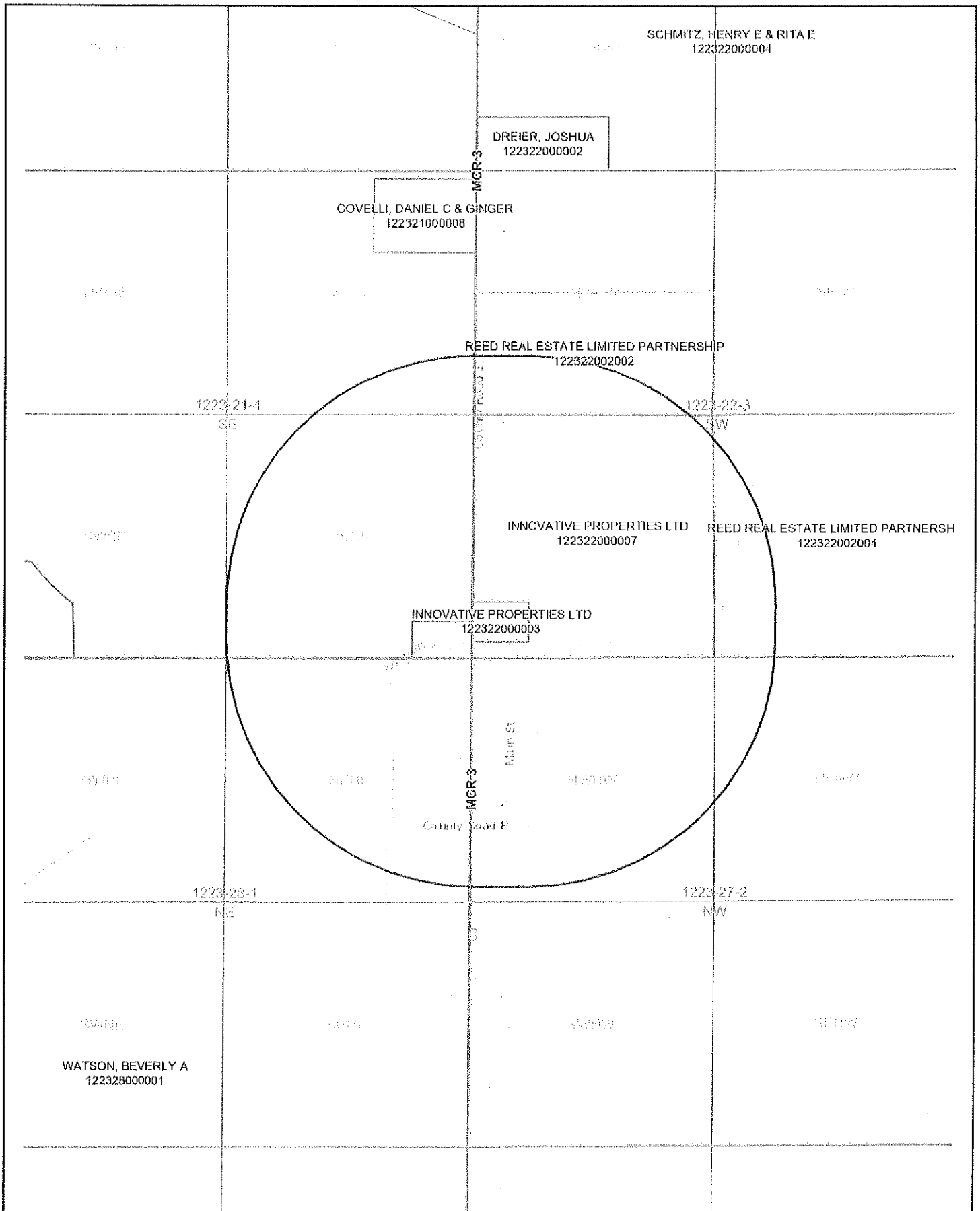
County

1:4,514



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user

Innovative Properties 1,320' buffer





**MORGAN COUNTY
PLANNING AND BUILDING DEPARTMENT**

July 16, 2020

Dear Neighboring Landowners:

AGPROfessionals as applicant and Innovative Properties LTD, as landowner have submitted an application to our office for a Special Use Permit to operate a commercial maintenance and outside storage of construction equipment facility with associated offices and shop on two parcels on the northeast corner of County Road O and County Road 3. The existing outside gravel storage area will be expanded. One of the parcels is addressed as 14026 County Road 3. The property is located in the SW¼, SW¼ of Section 22, Township 3 N, Range 60 West of the 6th p.m., Morgan County, Colorado.

This application will be considered by the Planning Commission at a public hearing on **August 10, 2020 at 7:00 P.M using the Zoom platform.**

THE COUNTY WILL BE ABIDING BY THE SOCIAL DISTANCING REQUIREMENTS IN PUBLIC HEALTH ORDER 20-28 FOR THIS MEETING. DUE TO LIMITED SPACE IN THE ASSEMBLY ROOM, REMOTE ATTENDANCE IS ENCOURAGED. IF YOU HAVE ANY QUESTIONS REGARDING ATTENDING THE MEETING, PLEASE CONTACT PAM CHERRY AT 970-542-3526.

<https://us02web.zoom.us/j/82069132720>

Or iPhone one-tap:

US: +16699009128, 82069132720# or +12532158782, 82069132720#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799

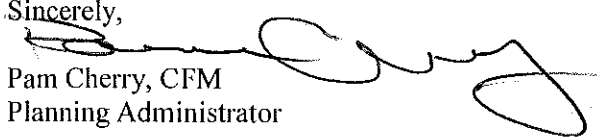
Webinar ID: 820 6913 2720

Or you may listen and participate via phone at 1-646-558-8656 Meeting ID: 989 3071 0846

Please monitor the Morgan County website for any changes to the meeting format or phone the office at 970-542-3526 closer to the day of the hearing. You can email questions or comments that you would like presented at the meeting to pcherry@co.morgan.co.us or call the office.

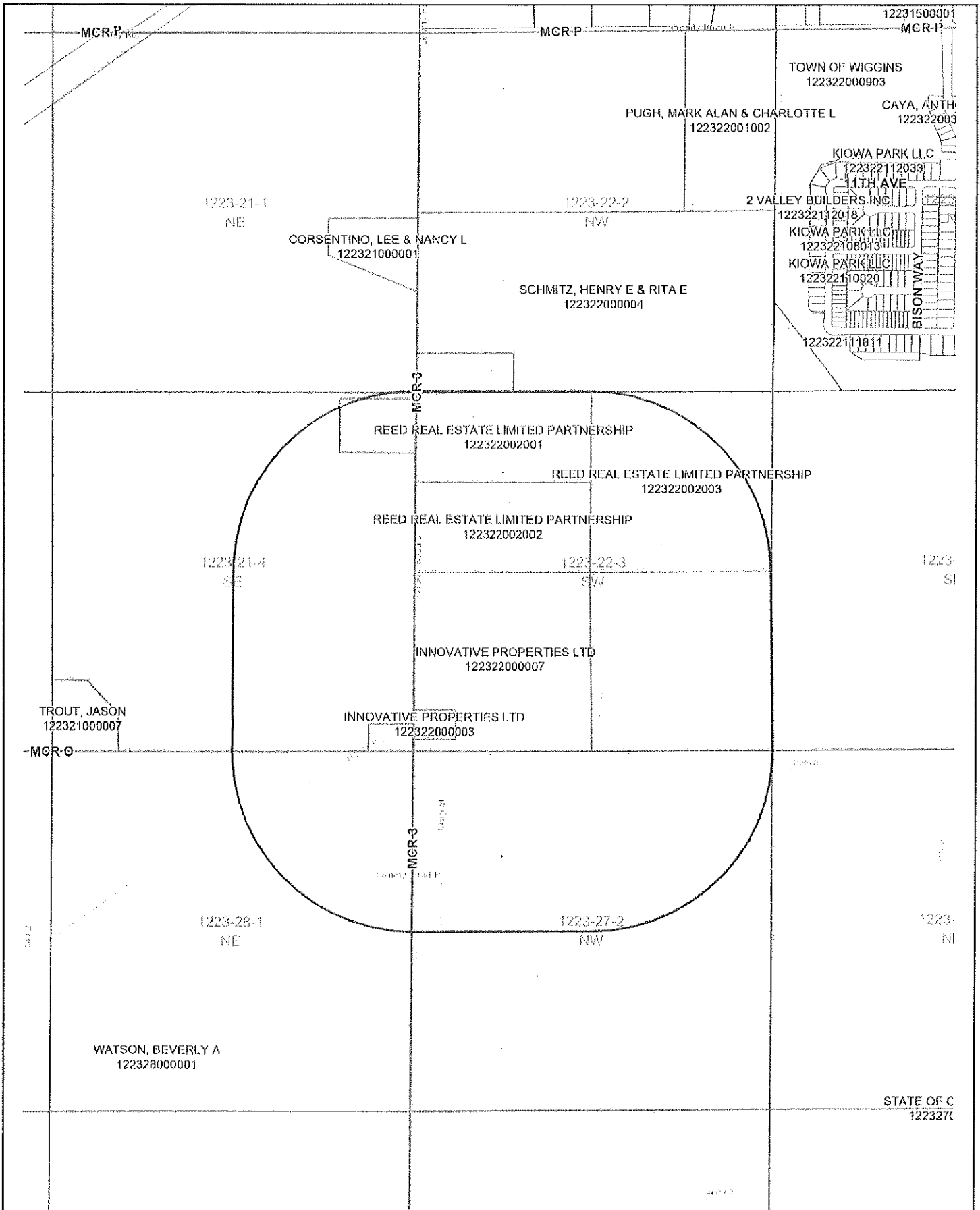
If you would like to review any of the documents that are part of this application or have any questions or concerns regarding this application, please contact the Morgan County Planning Department at (970) 542-3526.

Sincerely,

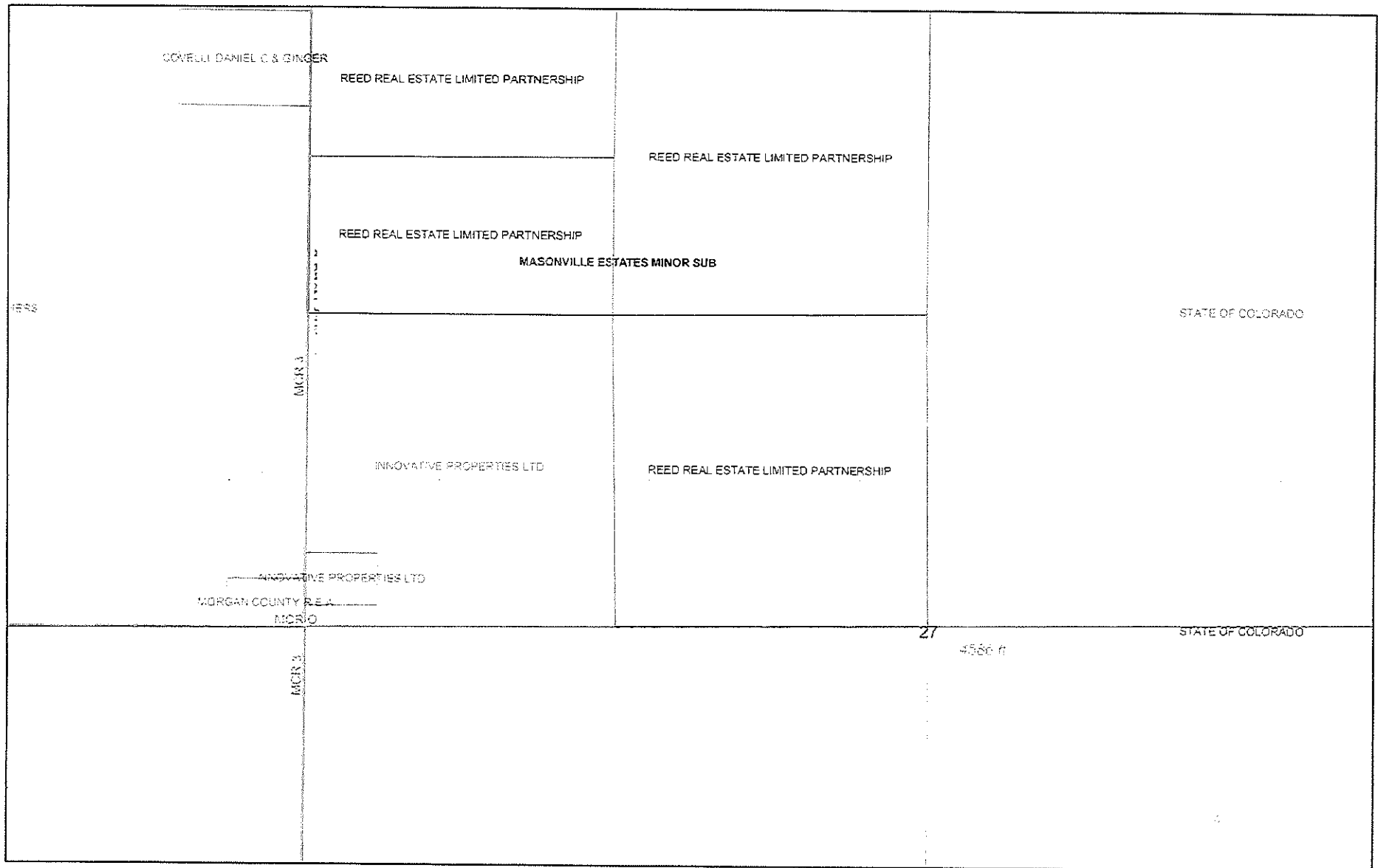

Pam Cherry, CFM
Planning Administrator

Enclosure

Innovative Properties Landowners



Innovative solutions



April 24, 2020

Subdivision_Map_Number

Override 1

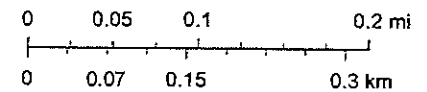
Section

Parcels

Roads

County

1:9,028



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS,

Innovative solutions



April 24, 2020

Subdivision_Map_Number Override 1 Section

----- Parcels

----- Roads

----- County

1:4,514

0 0.03 0.06 0.11 mi

0 0.04 0.09 0.18 km

Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user

INNOVATIVE PROPERTIES LTD
199 PALOMA AVE
BRIGHTON, CO 80601

INNOVATIVE PROPERTIES LTD L L C
301 CENTRAL AVE
WIGGINS, CO 80654

JONES, TIMOTHY & DIANNA
126 SW 57TH TER
CAPE CORAL, FL 339147136

WATSON, BEVERLY A
22958 CO RD R
FORT MORGAN, CO 80701

DREIER, JOSHUA
14506 CO RD 3
WIGGINS, CO 80654

NEB BROTHERS
2578 S I-76 FRONTAGE RD
WIGGINS, CO 80654

REED REAL ESTATE LIMITED PARTNERSHIP
P O BOX 594
BRIGHTON, CO 80601

SCHMITZ, HENRY E & RITA E
3050 CO RD P

WIGGINS, CO 80654

COVELLI, DANIEL C & GINGER
P O BOX 492
WIGGINS, CO 80654

MORGAN COUNTY R E A
P O BOX 738
FORT MORGAN, CO 80701

STATE OF COLORADO
BOARD OF LAND COMMISSIONERS
1313 SHERMAN ST - RM 620
DENVER, CO 80203

NOTICE OF MORGAN COUNTY PLANNING COMMISSION'S
REVIEW OF LAND USE APPLICATION

Notice is hereby given that on Monday, August 10, 2020 at 7:00 p. m., or as soon as possible thereafter, a public hearing will be held, with an option to attend virtually, to consider the following application:

AGPROfessionals - Applicant

Innovative Properties LTD - Landowner

Legal Description - Located in the SW¼ of the SW¼ of Section 22, Township 3 North, Range 60 West of the 6th P.M. Morgan County, Colorado, and addressed as 14026 County Road 3, Wiggins, CO 80654. Parcel numbers 1223-220-00-007 and 1223-220-00-003

Reason - Use by Special Review to operate a commercial construction storage facility and associated offices on two parcels.

Date of Application: June 24, 2020

THE COUNTY WILL BE ABIDING BY THE SOCIAL DISTANCING REQUIREMENTS IN PUBLIC HEALTH ORDER 20-28 FOR THIS MEETING. DUE TO LIMITED SPACE IN THE ASSEMBLY ROOM, REMOTE ATTENDANCE IS ENCOURAGED. IF YOU HAVE ANY QUESTIONS REGARDING ATTENDING THE MEETING, PLEASE CONTACT PAM CHERRY AT 970-542-3526.

To attend remotely via the ZOOM platform:
<https://us02web.zoom.us/j/82069132720>

Or

iPhone one-tap:

US: +16699009128, 82069132720# or +12532158782, 82069132720#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 820 6913 2720

International numbers available: <https://us02web.zoom.us/j/82069132720>

Documents pertaining to the above identified matters are on file in the Planning Administrator's Office, 231 Ensign St., Fort Morgan, Colorado. You may email pcherry@co.morgan.co.us to request items in the file to be emailed to you.

At time of the meeting an opportunity will be given for presentation of evidence in support of or in opposition to the application.

/s/

Pam Cherry - Morgan County
Planning & Floodplain Administrator

Published: Fort Morgan Times July 24, 2020-1723161

Prairie Mountain Media, LLC

PUBLISHER'S AFFIDAVIT

County of Morgan
State of Colorado

The undersigned, Elizabeth Maes, being first duly sworn under oath, states and affirms as follows:

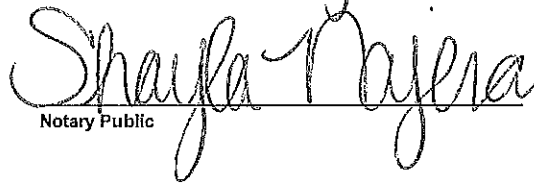
1. He/she is the legal Advertising Reviewer of Prairie Mountain Media LLC, publisher of the *Fort Morgan Times*.
2. The *Fort Morgan Times* is a newspaper of general circulation that has been published continuously and without interruption for at least fifty-two weeks in Morgan County and meets the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in the *Fort Morgan Times* in Morgan County on the following date(s):

Jul 24, 2020


Signature

Subscribed and sworn to me before me this

24th day of July, 2020


Notary Public

SHAYLA NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20174031965
MY COMMISSION EXPIRES JULY 31, 2021

(SEAL)

Account: 1052763
Ad Number: 1723161
Fee: \$53.36

ACCOUNT # R013303
PARCEL # 122322000003
TAX DISTRICT: 323

Real Estate PROPERTY TAX NOTICE
2019 TAXES DUE IN 2020

MORGAN COUNTY TREASURER
P.O. BOX 593, 231 ENSIGN STREET
FORT MORGAN, CO 80701

TAX AUTHORITY	TAX LEVY	TEMP TAX CREDIT	GENERAL TAX	VALUATION	ACTUAL	ASSESSED
COUNTY GENERAL FUND	19.45300	0.00000	\$408.52	LAND	\$250	\$80.00
ROAD AND BRIDGE FUND	7.50000	0.00000	\$157.50	BUILDINGS/IMPROVE	\$181,260	\$20,920.00
SOCIAL SERVICES FUND	2.00000	0.00000	\$42.00	PERSONAL	\$0	\$0.00
WIGGINS RURAL FIRE DIST	7.00000	0.00000	\$147.00	TOTAL	\$181,510	\$21,000.00
MORGAN SOIL CONS DIST	0.00000	0.00000	\$0.00	SRVET EXEMPTION	(\$0)	(\$0.00)
MORGAN CO QUALITY WATER	0.82400	0.00000	\$17.30	NET TOTAL	\$181,510	\$21,000.00
N KIOWA BIJOU MGMT DIST	0.02300	0.00000	\$0.48			
WIGGINS PEST CONTROL	0.45100	0.00000	\$9.47			
WIGGINS SCHOOL DIST RE 50	38.13600	0.00000	\$800.85			
MESSAGES						
Want your tax notice electronically? Visit morganco-eagle.com/treasurer/web Search for your tax account "Verify My Email" using the key below VERIFICATION KEY: MXVJLJ4G PRIOR YEAR TAX CHARGE: \$1,411.40						
In absence of State Legislative Funding, your School General Fund mill levy would have been 29.9360000						
UNPAID PRIOR YEAR TAXES:						
No						
LEGAL DESCRIPTION OF PROPERTY						
S: 22 T: 3 R: 60 PARC SW1/4SW1/4 B968 P545				PAYMENT	DUE DATE	AMOUNT
ACRES: 1.520 PROPERTY LOCATION: 14026 CO RD 3				PREPAYMENTS APPLIED		\$0.00
				FIRST HALF	FEB 28, 2020	\$791.56
				SECOND HALF	JUNE 15, 2020	\$791.56
				FULL PAYMENT	APRIL 30, 2020	\$1,583.12

Account #: R013303
WALTER, LESLIE D
14026 CO RD 3
WIGGINS, CO 80654

Make Checks Payable To:
MORGAN COUNTY TREASURER

SEE IMPORTANT INFORMATION ON BACK.

THE TREASURER'S OFFICE IS REQUIRED BY LAW
TO SENT THE TAX NOTICE TO THE OWNER OF
RECORD.

KEEP THIS NOTICE FOR YOUR RECORDS.

2019 TAXES DUE IN 2020

UNPAID PRIOR TAXES:

No

RETURN THIS COUPON FOR SECOND HALF PAYMENTS

2nd Half Coupon - Due June 15th

PROPERTY LOCATION
14026 CO RD 3

RETURN THIS COUPON WITH PAYMENT TO:
MORGAN COUNTY TREASURER
P.O. BOX 593, 231 ENSIGN STREET
FORT MORGAN, CO 80701

ACCOUNT NUMBER
R013303

Account #: R013303
WALTER, LESLIE D
14026 CO RD 3
WIGGINS, CO 80654

SECOND HALF DUE BY JUNE 15, 2020 \$791.56

2019 TAXES DUE IN 2020

UNPAID PRIOR TAXES:

No

RETURN THIS COUPON WITH FIRST HALF OR FULL PAYMENT

Full Payment or 1st Half Coupon

PROPERTY LOCATION
14026 CO RD 3

RETURN THIS COUPON WITH PAYMENT TO:
MORGAN COUNTY TREASURER
P.O. BOX 593, 231 ENSIGN STREET
FORT MORGAN, CO 80701

ACCOUNT NUMBER
R013303

Account #: R013303
WALTER, LESLIE D
14026 CO RD 3
WIGGINS, CO 80654

[] FIRST HALF DUE BY FEBRUARY 28, 2020 \$791.56

[] FULL PAYMENT DUE BY APRIL 30, 2020 \$1,583.12

**MORGAN COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS**

**RESOLUTION
2020 BCC 30**

**A RESOLUTION CONDITIONALLY GRANTING A USE BY SPECIAL
REVIEW FOR A HEMP OIL PROCESSING FACILITY AND
LABORATORY ON LOT 1 OF THE CORRECTED REPLAT OF THE
ANNAN AND ANNAN 2 MINOR SUBDIVISION**

WHEREAS, Beverly and Dexter Rice (the "Owners") own property located in the W1/2 of the SW1/4 of Section 4, Township 3 North, Range 56 West of the 6th P.M. in Morgan County, more particularly described as Lot 1 of the Corrected Replat of the Annan and Annan 2 Minor Subdivision, recorded at reception number 150280 in the records of the Morgan County Clerk and Recorder ("Property");

WHEREAS, Dexter Rice (the "Applicant") has applied for a special use permit for a hemp oil processing facility and laboratory (the "Application") to be located on the Property;

WHEREAS, on February 10, 2020, after holding a duly noticed public hearing, the Morgan County Planning Commission recommended that the Application be approved with certain conditions;

WHEREAS, on July 28, 2020 and August 24, 2020, the Board of County Commissioners held public hearings on the Application with an additional meeting on September 9, 2020;

WHEREAS, notice of the public hearings before the Board of County Commissioners was properly published and the notice was properly posted at the Property;

WHEREAS, during the public hearing the Board of County Commissioners received testimony and evidence from staff, the Applicant and the public; and

WHEREAS, after considering all relevant testimony and evidence, the Board of County Commissioners desires to approve the Application, subject to certain conditions set forth herein.

**NOW, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS
OF MORGAN COUNTY, COLORADO:**

1. APPROVAL.

The Application is hereby granted, subject to the conditions set forth herein. This Resolution shall constitute the special use permit (hereinafter referred to as this "Resolution" or the "Permit"). The Permit approved is as shown on **Exhibit A**, attached hereto and incorporated by this reference.

2. FINDING OF FACT.

Subject to the Owners meeting and complying with all conditions set forth herein, the following findings are made:

- a. The use and location are in conformance with the Morgan County Comprehensive Plan. Specifically:
 - i. The project will broaden the employment opportunities for residents and will further economic growth.
 - ii. The use will protect existing agriculture operations by allowing them to continue while not restricting private property rights.
 - iii. Promote economic growth and continue to support the County economic plan.
 - iv. Promotes the sustainability of crops through value-added crop development.
 - v. Encourage economic diversity through entrepreneurial development programs.
- b. The application is complete and presents a clear picture of how the use is to be arranged on the site.
- c. The site conforms to the district design standards of the Morgan County Zoning Regulations.
- d. All on and off-site impacts have been satisfactorily mitigated either through agreement, public improvements, site plan requirements or other mitigation measures.
- e. The special use is compatible with surrounding uses and is adequately buffered from any incompatible uses by distance and topography. The agricultural nature of the proposed Special Use is compatible with surrounding areas, buffering from adjacent Agricultural Production zoned property is not necessary and the fencing is currently in place to buffer from residential properties adjacent and near the Property.
- f. This special use poses only the minimum amount of risk to the public health, safety and welfare, subject to the conditions below. This operation will be required to obtain and maintain necessary permits from state and/or federal agencies with authority over the production of hemp oil and laboratory facilities. In addition, the applicant has represented that there is

sufficient area of the Property to allow for vehicles to turn around on the Property and avoid parking on the adjacent public right-of-way.

- g. The special use will not be located on a nonconforming parcel of land.
- h. The Applicant has adequately documented a public need for the project in the form of increased economic development. Expansion of agriculture related business in the County is necessary to increase and broaden the employment opportunities and the economy in Morgan County. The Applicant has submitted all pertinent technical information, has demonstrated that it has adequate financial resources to implement the project, and has paid all County fees and review costs.
- i. The Applicant has demonstrated a source of water which is adequate for the proposed use in terms of quantity and reliability. The applicant has water from Morgan County Quality Water.

3. CONDITIONS.

The approval of the use by special review is conditioned upon the following:

- a. No in-person retail sales may occur on the property.
- b. Hours of operation are from 8 a.m. to 6 p.m. However, one to two employees may be on the Property outside of the hours of operation to ensure the operation of the permitted use.
- c. Driveway to property should be widened up to 45 feet by December 31, 2020, to accommodate delivery vehicles, including but not limited to semi-trailers. As part of the driveway widening, Owners shall make sure that culvert under the driveway is upgraded accordingly to ensure the flow of water in the irrigation ditch.
- d. Vehicles, including but not limited to, delivery vehicles, associated with the uses granted under the Permit and the use granted under this Permit, may not park or stop on any public right-of-way adjacent to the property. Owners are responsible for ensuring third parties comply with this condition.
- e. Delivery vehicles must use the turn around located on the property as shown on **Exhibit B**, attached hereto and incorporated by this reference.
- f. The Owners must maintain all air filtering and ventilation systems located on the property and as represented in the application materials and public hearings.

- g. As shown on **Exhibit A**, the processing facility approved pursuant to this Permit is 4,368 square foot indoor space and 754 square feet of an outdoor equipment pad. Neither of these areas may be expanded without an amendment to this Permit, approved by the County.

4. GENERAL PROVISIONS.

- a. The Board of County Commissioners retains continuing jurisdiction over this Permit to ensure compliance with this Permit and the Morgan County Zoning Regulations. County Representatives are authorized to inspect the Property at any reasonable time upon notice to the Owners.
- b. This approval is conditioned on compliance with all information and representations contained in the Application and presented by the Applicant, which are incorporated into this Resolution.
- c. The Owners shall comply and ensure compliance by third parties with all requirements, conditions and design standards set forth herein. Noncompliance shall be grounds for revocation of this permit by the Morgan County Board of Commissioners after notice and hearing.

DATED this ___ day of _____, 2020.

**BOARD OF COUNTY COMMISSIONERS
MORGAN COUNTY, COLORADO**

Mark A. Arndt, Chair

Jon J. Becker, Commissioner

James P. Zwetzig, Commissioner

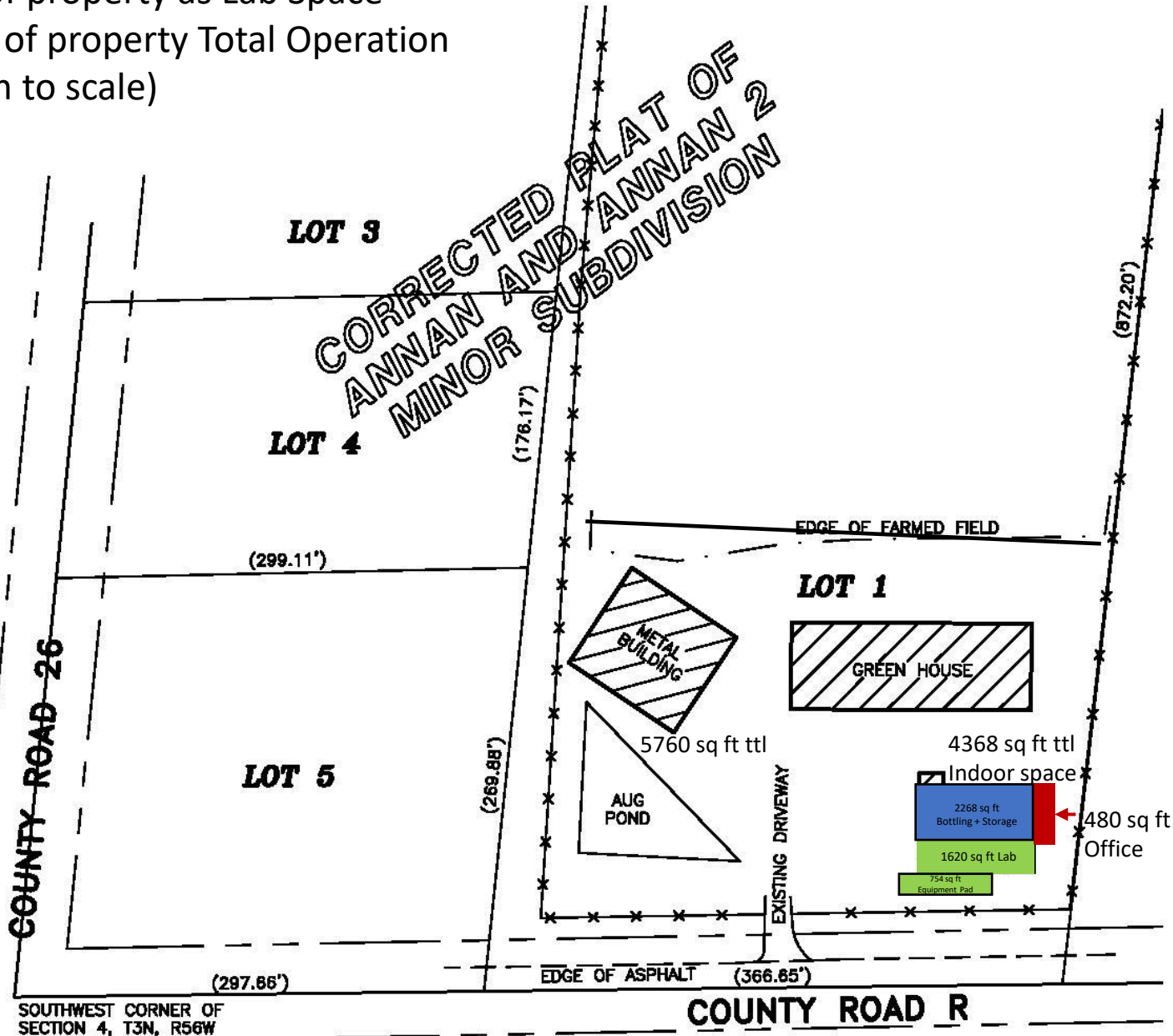
ATTEST:

Susan Bailey, Clerk to the Board

As Is Diagram
- .3% of property as Lab Space
- .65% of property Total Operation
(Drawn to scale)

EXHIBIT

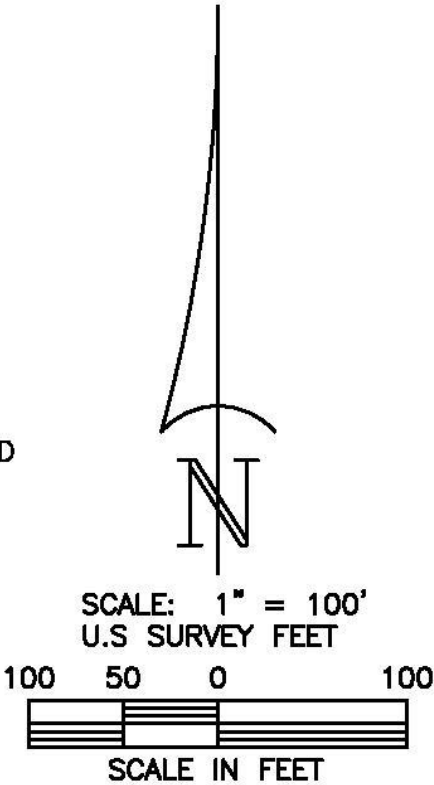
Exhibit A

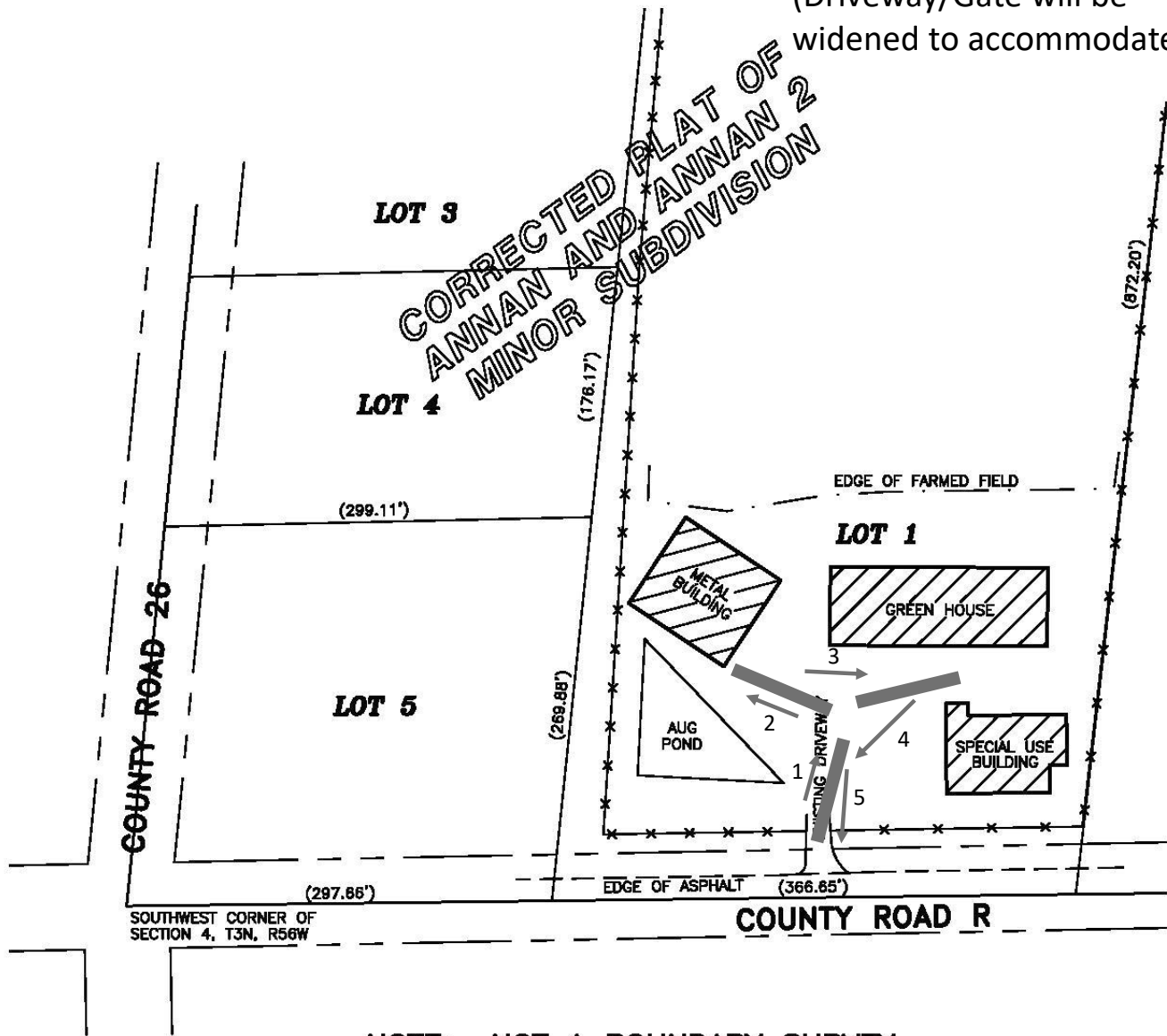


NOTE: NOT A BOUNDARY SURVEY

LEGEND

- (0.00) PLATTED DISTANCES
- x — x — EXISTING FENCE LINE
- — — — — EDGE OF ASPHALT
- . — . — . EDGE OF FARMED FIELD



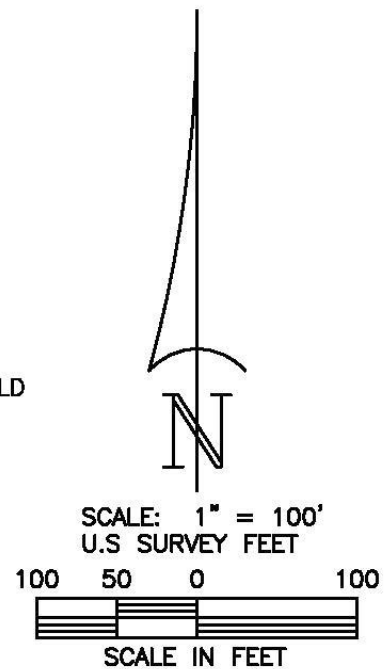


NOTE: NOT A BOUNDARY SURVEY

LEGEND

(0.00)	PLATTED DISTANCES
— x — x —	EXISTING FENCE LINE
----	EDGE OF ASPHALT
- . - . - .	EDGE OF FARMED FIELD

FULL SIZE Truck: 8.5' x 72'



COMMISSIONERS CALENDAR-Revised

October 2, 2020 through October 13, 2020

October 2, 2020		No Meetings Scheduled
October 5, 2020	10:30 a.m. 11:30 a.m. 12:30 p.m.	Building Maintenance Department Meeting HR Department Meeting Office Meeting
October 6, 2020	9:00 a.m. 9:00 a.m. <small>Following Hearing</small> 12:00 p.m. 1:00 p.m.	Planning & Zoning Hearing -Innovative Properties/AgPro Board of County Commissioners Meeting (Assembly Room) (Please check https://morgancounty.colorado.gov/ for meeting options.) Planning and Zoning Department Meeting Emergency Management Department Meeting
October 7, 2020	12:00 p.m.	Public Works Department Meeting
October 8, 2020		No Meetings Scheduled
October 9, 2020	9:00 a.m. 10:00 a.m.	STAC Meeting (Becker) CCI Legislative Committee Meeting (Zwetzig)
October 12, 2020		Morgan County Offices Closed in Observance of Columbus Day
October 13, 2020	9:00 a.m. 9:00 a.m. <small>Following Hearing</small> 11:00 a.m.	Planning and Zoning Hearing - Wagon Wheel Board of County Commissioners Meeting (Assembly Room) (Please check https://morgancounty.colorado.gov/ for meeting options.) HR Department Meeting

Unless otherwise noted, all meetings with department heads and other non-BOCC elected officials listed above may include an update on the status of the department, a general discussion of projects, any matters or concerns that the County needs to address, and activities and operations of the department.

Department meetings may be by conference call or virtual meeting upon request.

CALENDAR SUBJECT TO CHANGE DUE TO AGREEABLE CANCELLATIONS AND/OR WALK IN BUSINESS

****All meetings are held in the Commissioner's Office located at 218 West Kiowa Avenue, Fort Morgan unless otherwise noted**

Posted 10/02/2020 @ 1:00 P.M. by Karla Powell, Administrative Services Manager

*Any meeting or event scheduled to be held at the Commissioners' Offices (218 West Kiowa Avenue, Fort Morgan, CO) will be relocated to a site with handicapped access upon request. For special assistance for the Morgan County Board of Commissioners meeting, please notify us 48 hours before the scheduled agenda item. Please call (970)542-3500, extension 1410, to request accommodation.