

**MORGAN COUNTY  
PLANNING AND BUILDING DEPARTMENT**

**June 21, 2022**

**TO:** Morgan County Board of Adjustments  
**DATE:** Tuesday June 21, 2022  
**TIME:** 5:30 P.M.  
**PLACE:** Assembly Room – Option of remote attendance via ZOOM

To participate remotely may connect via Zoom Conferencing Access Information at:  
<https://us02web.zoom.us/j/82555242436>

Or Telephone:  
US: +1 669 900 9128  
Webinar ID: 825 5524 2436

All materials are available for inspection at the Planning Administrator's Office, 231 Ensign St., Fort Morgan, Colorado, during regular office hours. At time of the public hearing an opportunity will be given for presentation of evidence related to the application.

For handicapped access call 970-768-7197

**NOTICE**

Roll Call  
Minutes of February 16, 2021  
Approve the Agenda

**AGENDA**

**New Business:**

1. Parallel Infrastructure as applicant and Charlene Holzworth as landowner

A variance to the maximum tower height requirements in the Agricultural zone district. Said property is zoned "A" Agricultural Zone and is located northeast of the City of Brush.

**Legal Description:**

Parcel in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 21, Township 4 North, Range 55 West of the 6th P.M., Morgan County, Colorado, North of Hwy 76, aka 32784 Co Rd V, Brush, Colorado 80723.

**Legal Description:**

Parcel in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 21, Township 4 North, Range 55 West of the 6th P.M., Morgan County, Colorado, North of Hwy 76, aka 32784 Co Rd V, Brush, Colorado 80723.

**Variance Request:**

Variance to Table 1 of Appendix B, Zone District Bulk Requirements and Special Design Standards Chart of the Morgan County Zoning Regulations.

The request is to construct a new, 135-foot tower (138 feet at top of lightning rod) for AT&T's wireless services and to improve existing coverage along Interstate 76 north-east of the City of Brush.

**OTHER MATTERS:**

**ADJOURN:**

**Variance to the Morgan County Zone  
District Bulk Requirements**

**Board of Adjustment Hearing  
June 21, 2022**

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- **Technical**

- Cultural Resource Assessment



**BOA**

**BOA Agenda**

**BOA File Summary**

**BOA Minutes Previous Hearing**

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**MORGAN COUNTY  
PLANNING AND BUILDING DEPARTMENT**

**MORGAN COUNTY BOARD OF ADJUSTMENT  
FILE SUMMARY**

**June 13, 2022**

**June 21, 2022 – Hearing Date**

**OWNER: Charlene Holzworth**

**APPLICANT: Parallel Infrastructure**

Lin Reynolds, representing Parallel Infrastructure, has submitted this application for a variance to Section 3-650 Table 1 of Appendix B, Zone District Bulk Requirements of the Morgan County Zoning Regulations regarding maximum height in the Agriculture Production District which is 100 feet. The variance request is to increase the height of this free standing communications tower to 135 feet (138 feet at top of lightning rod). The subject parcel of land is located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 21, Township 4 North, Range 55 West of the 6<sup>th</sup> P.M., Morgan County, Colorado, North of Interstate 76, aka 32784 Co Rd V, Brush, Colorado 80723.

This new tower is required to improve existing coverage along Interstate north-east of the City of Brush

Five adjacent landowners were identified and notified of this request. Section 5-200(B) of the Morgan County zoning regulations states that adjacent owners shall be notified of the request prior to the hearing.

Parallel Infrastructure contacted the Federal Aviation Administration for comment on the project and the FAA has issued a "DETERMINATION OF NO HAZARD TO AIR NAVIGATION" finding.

Section 4-715(F) of the Morgan County zoning regulations states that "if, after completion of construction, the Wireless Service Facility ceases operation for any reason for twelve (12) consecutive months that the owner or operator shall remove the WSF within ninety (90) days of the end of the twelve-month period." Setbacks from towers to residential zone districts are addressed in Section 4-720(A)(1)(c) "The WSF facility height if the facility is adjacent to a residentially zoned parcel or if the WSF facility is within two hundred fifty (250) feet of an existing residential structure." The tower is approximately 185 feet from the nearest residence.

In reviewing this application, the Board of Adjustment is required to make a finding that the criteria for granting a variance in Section 5-220(B) of the Morgan County Zoning Regulations have been satisfied:

- (1) The strict application of the applicable regulation results in peculiar and exceptional practice difficulties or exception and undue hardship on the owner due to:

*Strict application of the regulations will result in continued reduced wireless service to the citizens of Morgan County creating a hardship for residents.*

- (2) Exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property; and

*There is an extraordinary situation throughout the county with many areas that lack sufficient wireless service. This tower will improve service for E911 calls as well as 5G technology service to this area of the county.*

- (3) The hardship is not self-imposed;
- (4) The variance, if granted, will not adversely affect the use of adjacent property as permitted under these Regulations;
- (5) That the variance, if granted, is in keeping with the intent of the Morgan County Zoning Regulations and the Morgan County Comprehensive Plan; and

Goals of the Morgan County Comprehensive Plan:

*Chapter 8. H. Goal –*

*To ensure that all developments in Morgan County have adequate infrastructure and plans to expand utilities for future growth.*

*Construction of this tower will provide the ability to expand wireless service in this area of Morgan County and infrastructure necessary to plan for future growth.*

- (6) That the variance, if granted, does not adversely affect the health, safety, and welfare of the citizens of Morgan County.

*The variance will not adversely affect the health, safety or welfare of the citizens of Morgan County.*

One condition is recommended that is in compliance with Section 4-715(F) of the Morgan County zoning regulations.

- (1) If, after completion of construction, the Wireless Service Facility ceases operation for any reason for twelve (12) consecutive months that the owner or operator shall remove the WSF within ninety (90) days of the end of the twelve month period.

This variance request meets the criteria for granting the variance.

Nicole Hay  
Morgan County Planning Administrator

## **Original Application**

TO: Morgan County Planning, Zoning & Building Dept.

RE: Variance From Section #4-715-G Zoning Regulations - Letter of justification for 135' tower. Morgan County, Colorado

Applicant: Parallel Infrastructure

Landowner: Charlene Holzworth, 32784 County Road V, Brush, CO 80723

Applicant is requesting a variance to height (135') for a new wireless communications facility. Current height is restricted to a maximum of 100'. The Carrier (AT&T) needs to improve existing coverage along Interstate 76 north-east of the town of Brush. Additionally, this new facility will give the town of Hillrose much improved service for E911 calls as well as new 5G technology.

Service along a stretch of U. S. 34 will also improve with this new tower at the requested height of 135 feet.

There will be no off-site impacts and no mitigation needed.

# Parallel

## INFRASTRUCTURE

November 9, 2021

Please allow this letter to serve as notice granting permission to 5C Pro Corporation, to file for permits on behalf of Parallel Towers III, INC. for the construction of wireless communication facilities.

**5C Pro Corporation:**

- Christy Cooke, Project Manager, 503-550-0000
- Ed Rodriquez, Construction Manager, 951-452-8109

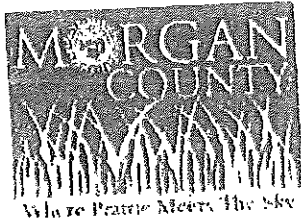
Respectfully,

*Chad Rumsey*

Chad Rumsey  
Director – Project Management  
Parallel Infrastructure  
15105 John J. Delaney Drive  
Suite D-3  
Charlotte, NC 28277  
[Chad.Rumsey@pitowers.com](mailto:Chad.Rumsey@pitowers.com) | [www.pitowers.com](http://www.pitowers.com)

**Parallel**  
INFRASTRUCTURE





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

PERMIT # ZV2022-0001

Date Received 4/28/22 Received By CB  
App Fee \$500.00 Ck CC 1452 Paid 4/28/22  
100 Year Floodplain Y/N Taxes Current Y/N

## VARIANCE TO ZONING REGULATIONS APPLICATION

Landowner **MUST** Sign Application and Right to Farm Policy

### APPLICANT

Name Parallel Infrastructure  
Address 15105 John J. Delaney Dr. Suite D-3  
Charlotte, NC 28277  
Phone ( 800 ) 929-5153  
Email lininhb@gmail.com 949-751-8605

### LANDOWNER

Name Chalene Holzworth  
Address 32784 County Road V  
Brush, Colorado 80723  
Phone ( 970 ) 380-6598  
Email Charlene.Holzworth@Zimbracloud.com

### PROPERTY LEGAL DESCRIPTION *\*If more space is necessary, attach an extra page to this application*

Job Site Address or General Location if not addressed:

S21 T:4 R:55 PARC NW 1/4 N OF HWY 1-76 B817 P 908

Parcel #: 1035 - 210 - 00 - 002

S: 21 T: 4 R: 55 1/2 1/4 1/4

Size of Property 2.5 ac (in sq. ft. or acres)

Zone District: A

Subdivision: \_\_\_\_\_

Lot #(s): \_\_\_\_\_

Is property located within 1320' (1/4) of a livestock confinement facility? Y/N

### TYPE OF VARIANCE

☐ Minimum Area of Lot (see list of additional attachments) from \_\_\_\_\_ to \_\_\_\_\_

☐ Minimum Width of Lot- from \_\_\_\_\_ to \_\_\_\_\_

☒ Maximum Height of Fence, Sign or Structure from \_\_\_\_\_ to \_\_\_\_\_

☐ Minimum Front Yard from \_\_\_\_\_ to \_\_\_\_\_

☐ Minimum Side Yard from \_\_\_\_\_ to \_\_\_\_\_

☐ Minimum Rear Yard from \_\_\_\_\_ to \_\_\_\_\_

☒ Other: Variance from Section # 4-715 G of Morgan County Zoning Regulations,

Notes: Max. allowed height in Zone A is 100'. Proposed tower to be 135'.

SEE REQUIRED ATTACHMENT LIST ON BACK OF THIS PAGE.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED OR PROCESSED.

# VARIANCE TO ZONING REGULATIONS APPLICATION REQUIRED ATTACHMENT LIST

## Fee:

- ☐ Non-Refundable Application Fee as determined by staff:  
☐ \$150 Administrative Review (variance of 10% or less)  
OR  
☒ \$500 Full Review

*\*Fee may be subject to change per section 2-160 of Morgan County Zoning Regulations*

- ☐ Recording fee for covenants made payable to Morgan County Clerk & Recorder  
☐ \$13.00 first page ☐ \$5.00 each additional page ☐ \_\_\_ pages x \$5 = \$\_\_\_

## Project Narrative:

☒ Narrative must include:

☐ Name and explain in detail the interpretation of the provisions of the Zoning Regulations that would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.

☐ Discuss fully the special conditions and circumstances that exist which are **peculiar** to the lot, structure, or building involved and which are **not** applicable to other lots, structures or buildings in the same zoning district.

☐ Explain how special conditions or circumstances do not result solely from the action of the applicant.

☐ Provide evidence that the variance requested is the minimum variance that will make possible the use of the lot, building, or structure.

☐ All off-site impacts and proposed mitigation measures

## Site Map & Plans:

☒ Site Plan must be drawn to scale and show the location of existing structures, fences, natural features, streets, rights-of-way, easements, greenbelt areas, boundary lines and lot lines. The site plan will graphically display the design standards, such as setbacks, which are the subject of application request, and other pertinent information required for the project, including widths per Morgan County Zoning Regulations, Section 2-420

Include any easements required-widths and other pertinent information.  
*May be required to supply copies of easement agreements*

☒ Construction Plans-detailed and thorough (**must be sent electronically**) *e-mail Sent with Application Pkg. to Planner.*

☐ **Drainage/Run-Off Control Plan** may be required prior to approval if the Planning Administrator determines that the use, building or structure meets one of the following criteria: (see Morgan County Zoning Regulations 3-130(G))

- (1) The accessory use or building may have a drainage impact on adjacent properties;
- (2) The accessory use or building may have a drainage impact on adjacent right of ways;
- (3) The accessory structure is 5000 square feet or larger.

**Proof of Ownership:** x Current title insurance commitment or Attorney's opinion (last 6 months)

**Utilities/Access:**

☒ **Driveway Permit** from CDOT or Morgan County Road and Bridge (new and existing driveways off county or state maintained roads)

☐ **Ditch Company**- Proof of contact if there is a ditch on or next to your property

☐ **Architecture Control Approval** (if applicable)

**Technical:**

☒ **Right to Farm Policy** signed by Landowner (attached)

☐ Names and addresses of all **mineral rights owners** and/or lessees

☐ Approval of project from adjoining landowners (administrative review only)

☐ **# Paper Application sets-**  
*One sided only please*

☐ **Digital Copy of Application**

☐ Additional information as required by staff: \_\_\_\_\_

**Additional Requirements for Minimum Lot Size or Lot Width Variances:** (Or as required by staff)

*See attached excerpt for more details*

☐ **Survey** per Sections 8-175 and 8-180 of the Morgan County Subdivision Regulations

☐ **Water**-must prove quality, quantity, & reliability (Quality Water Contract or current Permit from Colorado Department of Natural Resources)

<https://dnr.state.co.us/Tools/WaterPermits>

☐ **Sewer** (Septic Permit, Will Serve Letter from NCHD or proof of other public system)

☐ **Electric** (Electric bill or letter of commitment from electricity provider)

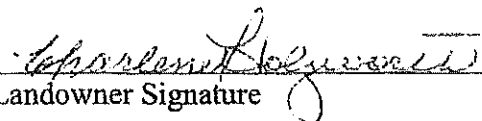
**APPLICANT'S STATEMENT**

Applications will **not** be accepted for properties which are not current in their property taxes.

It is acknowledged that any drainage associated with this property in the past, present or future is the responsibility of the landowner and not that of Morgan County. I/we certify that the information and exhibits I/we have submitted are true and correct to the best of my knowledge. Application must be signed by landowner.

  
Applicant Signature

4/4/2022  
Date

  
Landowner Signature

4/4/2022  
Date

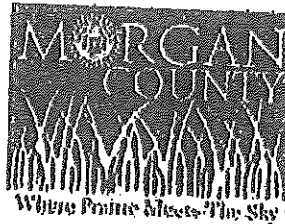
\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Landowner Signature

\_\_\_\_\_  
Date

949-  
751-  
8605  
Linda Reynolds



**Road and Bridge Department**  
**REQUEST FOR DRIVEWAY ACCESS LETTER**

Requested By: Name: Charlene Holzworth Date: \_\_\_\_\_

Address: 32784 County Road V

City/State/Zip: Brush, CO 80723

Phone: (970) 380-6598

Legal Description: S:2/ T:4 R:55 PARC NW 1/4 N OF HWY 1-76 B817 P908

*Parcel #*  
**103521000002**

(?) — Present Driveway Location: On the NE portion of the property just S of Morgan County Rd. V

New Driveway Location: On the NW portion of the property just S of Morgan County Rd. V

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

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

*\* She thinks  
maybe a open driveway  
but they are thinking  
that is a new Driveway!*

Submit this request to: **Morgan County Road and Bridge Department**  
**Attn: James Rehn - Bridge Manager**  
**17303 Co Rd 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: 40.305732

Longitude: 103.530419

Maximum Width of Driveway: 40 Feet

Culvert Required: YES (NO) If yes, Size: \_\_\_\_\_ Inch

Driveway Address Code: DRVV-0.9/511-SHG

Received by: [Signature]

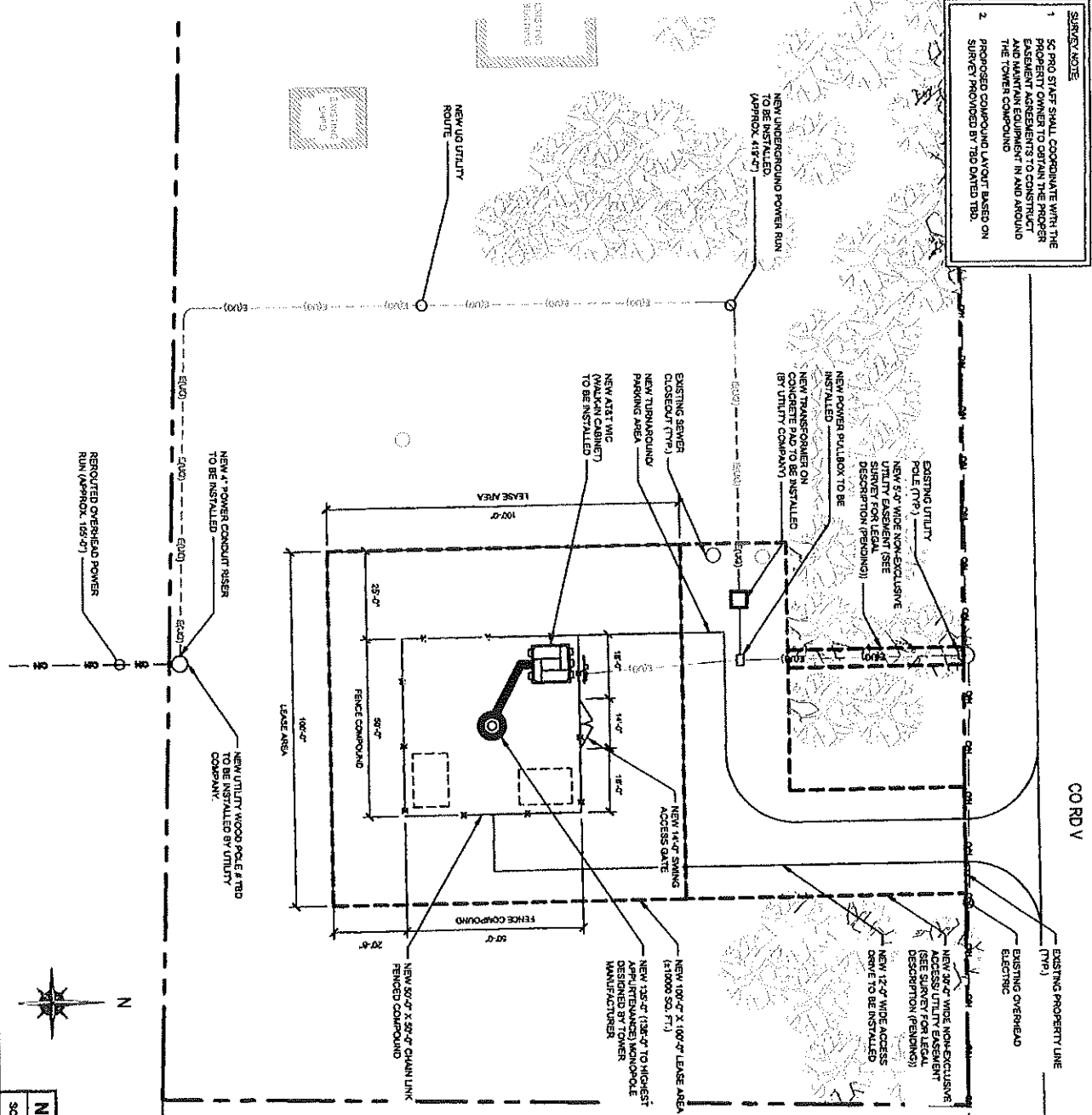
Date: 4-18-22

Completed by: \_\_\_\_\_

Date: \_\_\_\_\_

**SURVEY NOTE:**

1. SC PRO STAFF SHALL COORDINATE WITH THE PROPERTY OWNER TO OBTAIN THE PROPER EASEMENT AGREEMENTS TO CONSTRUCT AND MAINTAIN EQUIPMENT IN AND AROUND THE TOWER COMPOUND.
2. PROPOSED COMPOUND LAYOUT BASED ON SURVEY PROVIDED BY TBD DATED TBD.



**NEW ENLARGED SITE PLAN**

SCALE: 1" = 35'-0"

1

**GENERAL NOTES:**

1. ALL MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE DRAWINGS AND SPECIFICATIONS OF THE STATE, LOCAL, AND NATIONAL CODES, ORDINANCES, AND OR REGULATIONS APPLICABLE TO THIS PROJECT.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE WORK OF ALL PROVIDERS AND SHALL CHECK ALL DIMENSIONS OF THE SC PRO CONSTRUCTION MANAGER AND/OR ENGINEER AND BE RESPONSIBLE BEFORE PROCEEDING WITH WORK. WHERE THERE IS A CONFLICT BETWEEN DRAWING AND PARALLEL SPECIFICATIONS, THE SC PRO CONSTRUCTION MANAGER SHOULD BE CONTACTED FOR CLARIFICATION.
3. ALL INFORMATION SHOWN ON THE DRAWINGS RELATIVE TO EXISTING CONDITIONS IS GIVEN AS THE BEST PRESENT KNOWLEDGE, BUT WITHOUT GUARANTEES OF ACCURACY. WHERE ACTUAL CONDITIONS CONFLICT WITH THE DRAWINGS, THEY SHALL BE REPORTED TO THE SC PRO CONSTRUCTION MANAGER AND/OR ENGINEER SO THAT THE CONTRACTOR MAY BE MADE AWARE OF ANY DISCREPANCIES. REVISIONS SHALL BE MADE WITHOUT WRITTEN APPROVAL OF THE CONSTRUCTION MANAGER AND/OR ENGINEER.
4. CONTRACTOR SHALL REVIEW AND BE FAMILIAR WITH SITE CONDITIONS AS SHOWN ON THE ATTACHED SITE PLAN AND/OR SURVEY DRAWINGS.
5. ALL FINISHED GRADES SHALL SLOPE MINIMUM 1/4" IN 1' AWAY FROM EQUIPMENT IN ALL DIRECTIONS. CONTRACTOR SHALL SLOPE SWALES AS REQUIRED ALONG EXISTING TERRAIN TO DRAIN AWAY FROM COMPOUND AND ACCESS DRIVE.
6. THE PROPOSED TOWER AND TOWER FOUNDATIONS WERE DESIGNED BY OTHERS. TOWER INFORMATION PROVIDED ON THESE PLANS ARE PROVIDED FOR REFERENCE PURPOSES ONLY. TOWER DIMENSIONS SHOWN ON THIS PLAN ARE FOR TOWER CENTER LOCATION PURPOSES ONLY. TOWER FOUNDATIONS SHALL BE DESIGNED BY THE SC PRO CONSTRUCTION MANAGER AND/OR ENGINEER. THE SC PRO CONSTRUCTION MANAGER OF ANY CONSULTANTS OR DISCREPANCIES, CONTRACTOR TO OBTAIN COPY OF TOWER DESIGN DRAWINGS FROM SC PRO CONSTRUCTION MANAGER TO CONSIDER CABLE ROUTING AND ANTENNA MOUNT INFORMATION.
7. THE CONTRACTOR SHALL PROVIDE ADEQUATE EXCAVATION SLOPING, SHORING, BRACING, AND CUTS IN ACCORDANCE WITH ALL NATIONAL, STATE, AND LOCAL SAFETY ORDINANCES.
8. UPON COMPLETION OF CONSTRUCTION, CONTRACTOR IS RESPONSIBLE FOR RESTORATION OF ANY DAMAGE CAUSED BY CONSTRUCTION ACTIVITIES TO THE EXISTING ACCESS ROAD AND COMPOUND GRAVEL AREAS. ANY NEW FILL MATERIALS SHALL BE COMPACTED.
9. THE CONTRACTOR IS HEREBY NOTIFIED THAT PRIOR TO COMMENCING CONSTRUCTION, THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING THE NECESSARY EASEMENTS AND SHALL REQUEST A VERIFICATION AT THE CONSTRUCTION SITE OF THE LOCATIONS OF THEIR UNDERGROUND UTILITIES AND WHERE THEY MAY POSSIBLY CONFLICT WITH THE PLACEMENT OF IMPROVEMENTS AS SHOWN ON THE CONTRACT WILL BE OBTAINED TO NOTIFY STATE 417-2 NUMBER OF HOURS IN ADVANCE OF PERFORMING ANY WORK BY CALLING THE TOLL FREE NUMBER 817-744-1000. ANY UTILITIES DAMAGED BY CONSTRUCTION ACTIVITIES SHALL BE REPAIRED BY THE CONTRACTOR AT NO EXPENSE TO THE OWNER.
10. CONTRACTOR TO PROVIDE DUMPSTER AND PORTABLE TOILET FACILITY DURING CONSTRUCTION.
11. CONTRACTOR TO PROVIDE STRIKE LOCK OR EQUIVALENT AS APPROVED BY PARALLEL CONSTRUCTION MANAGER.
12. THE PROJECT WILL COMPLY WITH THE COUNTY OF IMPERIAL, ORDINANCE SECTION 8264.01-GENERAL REQUIREMENTS AS WELL AS THE PROVISIONS OF TITLE 9 AND ALL OTHER APPLICABLE FEDERAL, STATE OR LOCAL LAWS.
13. THE APPLICANT IS REQUESTING RELIEF FROM LANDSCAPING REQUIREMENTS DUE TO THE ZONING DISTRICT AND SURROUNDING USES OF THE AREA.

**SOAK NOTE:**

1. ROUTE COOK UP TOWER PER TOWER DESIGN DRAWING BY TOWER OWNER.

ARCHITECT \ DESIGN & PROGRAM MANAGEMENT  
CIVIL \ TELECOMMUNICATION \ MECHANICAL  
PLUMBING \ ELECTRICAL \ LAND SURVEYING  
ACCESSIBILITY CONSULTING \ STRUCTURAL

**C-2.1**

NEW ENLARGED SITE PLAN

CHECK FOR  
DATE  
04/04/2025  
JTB: TTB:146

**NOT TO BE USED FOR CONSTRUCTION**

**REVISIONS**

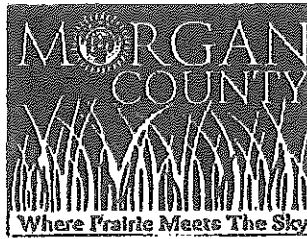
NO.	DATE	BY	REASON
1	04/04/2025	JTB	INITIALS
2	04/04/2025	JTB	CLIENT COMMENTS
3	04/04/2025	JTB	CLIENT COMMENTS
4	04/04/2025	JTB	CLIENT COMMENTS
5	04/04/2025	JTB	CLIENT COMMENTS
6	04/04/2025	JTB	CLIENT COMMENTS
7	04/04/2025	JTB	CLIENT COMMENTS

**Parallel**  
INFRASTRUCTURE

PICO423  
CO-BRUSH-LOWER PLATTE  
37164 CO RD V  
BRUSH, CO 80723

**WT GROUP**  
Engineering with Precision, Price and Passion.  
420 N. TWO DAKS VALLEY RD. SUITE 1478  
SAN MARINO, CA 91767  
TEL: (909) 464-7417  
FAX: TBD  
EMAIL: TBD

**WT GROUP**  
Engineering with Precision, Price and Passion.  
800 S. LAMAR AVE. SUITE 100  
LOS ANGELES, CA 90007  
TEL: (213) 412-7500  
FAX: (213) 412-7500  
EMAIL: info@wtgroup.com



**Road & Bridge Department**

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4-18-2022

Charlene Holzworth  
32784 County Road V  
Brush, CO. 80723

Charlene,

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

**Property Legal Description**

North West ¼ of Section 21, Township 4 North, Range 55 West of the 6<sup>th</sup> P.M.

Parcel # 1035210000002

GPS Coordinates taken using a Jamar RAC Geo II Counter

GPS Coordinates at the centerline of the driveway: 40.305732 Latitude

-103.530419 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,



James Rehn  
Bridge Manager  
Morgan County Government

## 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

Printed Name

Address

Charlene Holzworth  
Charlene Holzworth  
32784 Morgan County Road V  
Brush CO 80723

Adopted by the Morgan County Board of County Commissioners by Resolution #96BCC41 on July 23, 1996 and amended by Resolution 2008 BCC 34 on September 2, 2008.

# ACCESSORY STRUCTURE PERMIT APPLICATION REQUIRED ATTACHMENTS LIST

*Additional information may be required by staff*

**Fee:**

☒ \$50 Non-Refundable Application Fee

*\*Fees may be subject to change per section 2-160 of Morgan County Zoning Regulations*

**Access & Permits:**

☒ Driveway Permit from CDOT or Morgan County Road and Bridge (new driveways)

☐ Ditch Company- Proof of contact if there is a ditch on or next to your property

☐ Architecture Control Approval (if applicable)

**Plans:**

☒ Site Plan must show all existing/proposed structures and setbacks from all property lines as per Morgan County Zoning Regulations, Section 2-515, 2-480

☐ Detailed Construction Plans- (ELECTRONIC HIGHLY ENCOURAGED) *Sent with original PKG. to Planning*

☐ Drainage/Run-Off Control Plan may be required if the Planning Administrator determine that the accessory use or building meets one of the following criteria: (see Morgan County Zoning Regulations 3-130(G))

- (1) The accessory use or building may have a drainage impact on adjacent properties;
- (2) The accessory use or building may have a drainage impact on adjacent right of ways;
- (3) The accessory structure is 5000 square feet or larger.

**Technical:**

☒ Right to Farm Policy signed by Landowner (attached)

☐ Additional Information required by staff: \_\_\_\_\_

Is your property currently in compliance with the Morgan County Zoning Regulations?

☒ YES ☐ NO

**Landowner must sign application on the next page!**





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

PERMIT # \_\_\_\_\_

Date Received \_\_\_\_/\_\_\_\_/\_\_\_\_ Received By \_\_\_\_\_  
App Fee \$50.00 Ck/CC #: \_\_\_\_\_ Paid \_\_\_\_/\_\_\_\_/\_\_\_\_  
100 Year Floodplain? Y/N Taxes Current Y/N

## ACCESSORY STRUCTURE PERMIT APPLICATION- (NOT A DWELLING)

Landowner MUST Sign Application & Right to Farm Policy

### LANDOWNER

Name: Charlene Holzworth  
Address: 32784 Couty Road V  
  
Phone: (970) 380-6598  
Email: charlene.holzworth@zimbracloud.com

### JOB SITE ADDRESS & LEGAL DESCRIPTION

32784 County Road V  
S:21 T:4 R:55 PARC NW 1/4 N OF HWY I-76  
Parcel #: 1035-210-00-002  
S: 21 : 4 R: 55 Zone District: A  
Subdivision: \_\_\_\_\_ Lot #(s): \_\_\_\_\_  
Property Size 2.5 (in sq. ft. or acres)

CONTRACTOR \*Contractor MUST carry a current Morgan County Contractor's License

Contractor Name: TBD -If Homeowner is Contractor- write SELF  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### PROPOSED PROJECT DESCRIPTION & PURPOSE OF STRUCTURE: \_\_\_\_\_

Project Dimensions: Length: 9'5" Width: 6'8" Height: \_\_\_\_\_ Square Footage: \_\_\_\_\_

Building Material: ☐ Wood Frame ☐ Masonry ☐ Structural Steel ☐ Other: \_\_\_\_\_

Cost of Project: \$ \_\_\_\_\_

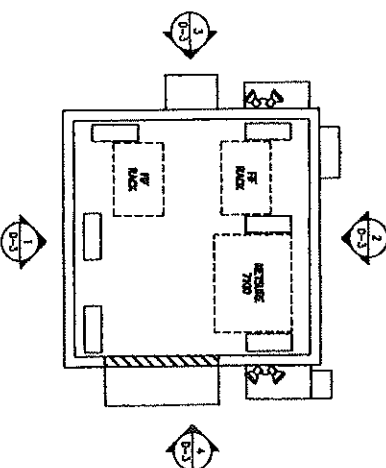
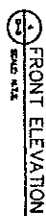
Required Setbacks: Front \_\_\_\_\_ Side L \_\_\_\_\_ Side R \_\_\_\_\_ Rear \_\_\_\_\_

Actual Setbacks: Front \_\_\_\_\_ Side L \_\_\_\_\_ Side R \_\_\_\_\_ Rear \_\_\_\_\_

Permit must be issued PRIOR to moving any dirt, or beginning construction.

SEE REQUIRED ATTACHMENT LIST ON BACK OF THIS PAGE.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED OR PROCESSED.



DETAIL  
3  
6-3  
SCALE 1/4" = 1'-0"

CONDITIONS IN FIELD MAY VARY SLIGHTLY. PLEASE REFER TO MANUFACTURER'S SPECIFICATIONS SUBMITTED WITH THESE DRAWINGS TO CORRELATE ALL EQUIPMENT LAYOUTS AND DESIGN.



**Parade**  
INFRASTRUCTURE  
1505 10th Avenue Drive,  
Suite D3  
Chattanooga, TN 37408

**AC PRO**  
CORPORATION  
1700 10th Avenue  
Suite 1000  
Brentwood, TN 37027

**CORE ONE**  
500 SECOND AVE SUITE 1200  
SEATTLE, WA 98104

**PROJECT NAME:** US VEHICLES  
**DRAWN BY:** AF  
**RELEASED BY:** LC

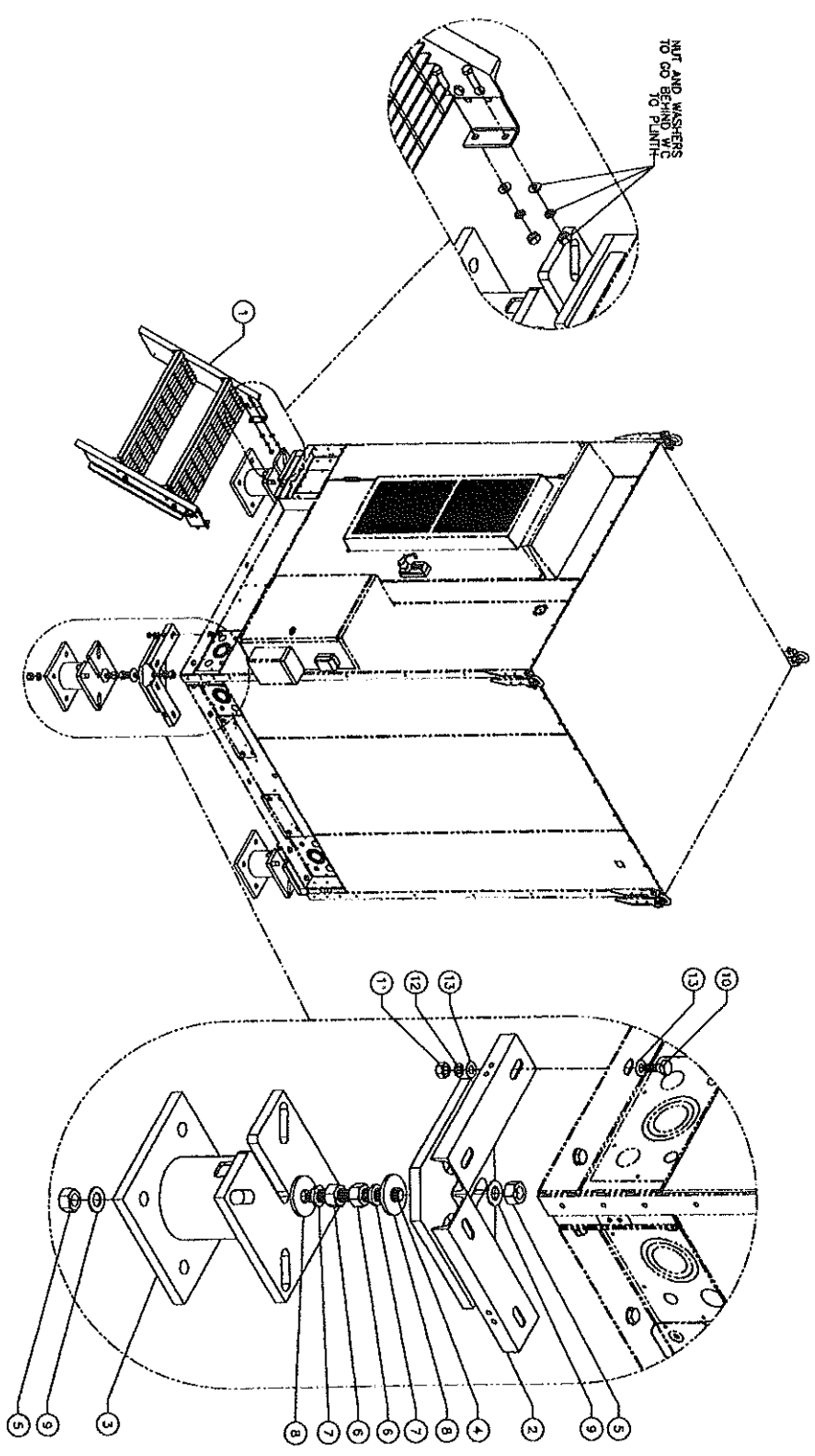
**SUBMITTALS**  
1. MATERIALS  
2. FABRICATOR  
3. FINISHES  
4. INSTALLATION  
5. MAINTENANCE  
6. TESTING  
7. INSPECTION  
8. RECORDS  
9. TRAINING  
10. SUPPORT

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

NMLO1281  
COPY HERE FOR  
ARCHITECTS, ENGINEERS,  
CONSULTANTS  
CLASS COUNTY

NO HELICAL  
FOUNDATION

0-6



W.C. HELICAL FOUNDATIONS  
SCALE: 1/2" = 1'-0"

## **Landowner MUST Sign Application**

Landowner agrees to contract the project in accordance to the plans and specifications submitted herewith and in strict compliance with the provisions of the Morgan County Zoning Regulations and the Morgan County Building Code. Buildings MUST conform to the submitted and approved plans. Any changes of plans or layout must be approved prior to the changes being made.

**Any change in the use or occupancy MUST be approved PRIOR to commencement of construction.**

The applicant, his agents and employees of, shall comply with all the rules, regulations and requirements of the County Zoning Regulations and Building Codes governing all aspects of the above proposed work for which the permit is granted. The County or its agents are authorized to order the immediate cessation of construction, at any time, if a violation of the codes or regulations appears to have occurred. Issuance of a building or zoning permit does not guarantee your project is in compliance with covenants that may be in place on your property. Landowner is notified that any past, existing or future drainage associated with this property is the responsibility of the landowner and not that of Morgan County.

Construction not commenced within 180 days of permit issuance voids this permit. Cessation of work for periods of 180 continuous days shall also void this permit, unless an extension is requested. Morgan County and any of its contractors are not liable for workmanship. Permits are NOT transferable.

**Signing this application gives the Building Inspector and/or his agent express permission to enter permitted property for the purpose of conducting inspections as required by Morgan County Zoning Regulations and Morgan County Building Code.**

Additional fees may be charged if this inspection is not conducted prior to start of construction.

-See Morgan County Zoning Regulations 1-315

Failure to comply with inspection may result in additional fees and/or denial of a Morgan County Contractor's license.

**Applications completed for properties not current in their property taxes will NOT be accepted.**

**Violation of any of the codes and applicable regulations may result in the revocation of this permit.**

Landowner Signature: Charles H. Hargrave Date: 4/4/2022

Contractor Signature: TBD Date: \_\_\_\_\_

Recorded at 800 Oct 11 1975  
Exception No. 598922 Clifford D. Garver, Jr. Recorder

THIS DEED, Made this Thirtieth day of October  
1975, between LeeRay J. Needens and Eunice E. Needens,  
husband and wife

RECORDER'S STAMP

BOOK 755 PAGE 327

of the County of Morgan and State of  
Colorado, of the first part, and Robert Owen Holzworth and  
Charlene Holzworth, husband and wife

State Documentary Fee  
Date NOV 5 1975  
\$ 3.20

of the County of Morgan and State of Colorado, of the second part:  
WITNESSETH, that the said parties of the first part, for and in consideration of the sum of Ten and  
no/100 ----- DOLLARS,

on the said parties of the first part to hand paid by the said parties of the second part, the receipt whereof is  
hereby confirmed and acknowledged, have granted, bargained, sold and conveyed, and by these presents do  
grant, bargain, sell, convey and confirm unto the said parties of the second part, their heirs and assigns forever, not  
in tenancy in common but in joint tenancy, all the following described lot or parcel of land, situate, lying and  
being in the County of Morgan and State of Colorado, to wit: A  
parcel of land in the NE 1/4 Section 21, Township 4 North, Range 55 West of the  
6th P.M., described as commencing at a point on the South R.O.W. line of the  
County road running East and West along the North side of said NE 1/4 of Sec. 21,  
450 feet West and 10 feet South of the NE corner of said Sec. 21 as determined by  
the intersection of the center lines of the County road running North and West  
from said NE corner; thence West along said South R.O.W. line of the County road  
495 feet; thence South 220 feet to a point which is 915 feet West of the West  
R.O.W. line of a county road along the East side of said NE 1/4 of Sec. 21; thence  
East parallel to the said South R.O.W. line of the county road 495 feet; thence  
North 220 feet to the point of beginning. (Known as 12784 County Road V, Morgan  
County, Colorado)

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise  
appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the  
rights, title, interest, claim and demand whatsoever of the said parties of the first part, either in law or  
equity, of, in and to the above described premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the said  
parties of the second part, their heirs and assigns forever. And the said parties of the first part, for these  
causes, their heirs, executors, and administrators do covenant, grant, bargain and agree to and with the  
said parties of the second part, their heirs and assigns, that at the time of the conveying and delivery of these pre-  
sents they are well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible  
estate of inheritance, in law, in fee simple, and have good right, full power and lawful authority to grant, bar-  
gain, sell and convey the same in manner and form aforesaid, and that the same are free and clear from all former  
and other grants, bargains, sales, leases, tenements, encumbrances and encumbrances of whatever kind or nature, except  
except lien for taxes for 1975; Special improvement districts of record.

and the above bargained premises in the quiet and peaceful possession of the said parties of the second part, their  
heirs and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof,  
the said part of the first part shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF the said parties of the first part have hereunto set their hand and  
seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

LeeRay J. Needens  
Eunice E. Needens  
[SEAL]  
[SEAL]  
[SEAL]

STATE OF COLORADO,  
County of MORGAN

This instrument was acknowledged before me this Thirtieth day of October  
1975, by LeeRay J. Needens and Eunice E. Needens, husband and wife

Notary Public  
My Comm. Expires May 30, 1978. Witness my hand and official seal.  
Donald R. Miller  
Notary Public

# CERTIFICATION OF VITAL RECORD

## STATE OF COLORADO COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT HOLD TO LIGHT TO VIEW WATERMARK

\*\*2nd Amendment 09.19.2011  
#4 per mortuary records  
spcstate

### STATE OF COLORADO CERTIFICATE OF DEATH

STATE FILE NUMBER  
**2011005629**

Amended

1 DECEASED'S NAME (First, Middle, Last)  
**Robert O. HOLZWORTH**

2 SEX  
**Male**

3 DATE OF DEATH (Month, Day, Year)  
**March 2, 2011**

4 SOCIAL SECURITY NUMBER  
**62-65-2331**

5a AGE - Last Birthday (Years)  
**66**

5b UNDER 1 YEAR  
**Mo**

5c UNDER 1 DAY  
**Mo**

6 DATE OF BIRTH (Month, Day, Year)  
**November 25, 1944**

7 BIRTHPLACE (City and State or Foreign Country)  
**Snyder, Colorado**

8a PLACE OF DEATH (Check one)  
☒ Hospital ☐ Home ☐ ER/Outpatient ☐ Other

8b PLACE OF DEATH (Check one)  
☐ Hospital ☐ Home ☐ ER/Outpatient ☐ Other

9a FACILITY NAME (If not institution, give street and number)  
**32784 MCR V**

9b CITY, TOWN, OR LOCATION OF DEATH  
**Brush**

9c COUNTY OF DEATH  
**Morgan**

10a DECEASED'S USUAL OCCUPATION (Give kind of work done during most of working life. Do not use "Retired")  
**Self-Employed**

10b KIND OF BUSINESS/INDUSTRY  
**Building Contractor**

11 MARITAL STATUS (Married, Never Married, Widowed, Divorced) (Specify)  
**Married**

12 SPOUSE (If wife, give maiden name)  
**Charlene K. Houston**

13a RESIDENCE - STATE  
**Colorado**

13b COUNTY  
**Morgan**

13c CITY, TOWN OR LOCATION  
**Brush**

13d STREET AND NUMBER  
**32784 MCR V**

14 ZIP CODE  
**80723**

15 WAS DECEASED OF HISPANIC ORIGIN? (Specify No or Yes - If yes, specify Cuban, Mexican, Puerto Rican, etc.)  
**No**

16 RACE - American Indian, Black, White, etc. (Specify)  
**White**

17 DECEASED'S EDUCATION (Specify only highest grade completed) Elementary or secondary 0 through 12; College (13 through 16 or 17)  
**12**

18 FATHER'S NAME (First, Middle, Last)  
**Vern Holzworth**

19 MOTHER'S NAME (First, Middle, Last)  
**Viola Smith**

20a METHOD OF DISPOSITION  
☐ Burial ☒ Cremation ☐ Removal from State ☐ Donation ☐ Other (Specify)

20b PLACE OF DISPOSITION (Name of cemetery, crematory, or other place)  
**Heer & Dahl Crematory**

20c LOCATION - City, Town, State  
**Brush, Colorado 80723**

21a SIGNATURE OF FUNERAL DIRECTOR OR PERSON ACTING AS SUCH  
*[Signature]*

21b NAME AND ADDRESS OF FACILITY  
**Heer & Dahl Mortuaries & Crematory  
222 Cameron Street  
Brush, CO**

22a REGISTRAR'S SIGNATURE  
*[Signature]*

22b DATE FILED (Month, Day, Year)  
**March 4, 2011**

23 TIME OF DEATH  
**7:15 A M March 02 2011**

24 DATE PRONOUNCED DEAD  
**March 02 2011**

25 WAS CORONER NOTIFIED? (Yes or No)  
**Yes**

26 TO BE COMPLETED ONLY BY CERTIFYING PHYSICIAN  
Signature *[Signature]*  
DATE SIGNED (Month, Day, Year)  
**March 4, 2011**

27 TO BE COMPLETED BY CORONER  
Signature *[Signature]*  
DATE SIGNED (Month, Day, Year)  
**March 4, 2011**

28 NAME, TITLE AND MAILING ADDRESS OF CERTIFIER/CORONER (Type/Print)  
**Scott J. Johnson M.D., Box 564, Brush, CO Brush CO**

29 NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type/Print)  
**ZIP 80723**

30 MANNER OF DEATH  
☒ Natural ☐ Pending Investigation ☐ Accident ☐ Undetermined ☐ Suicide ☐ Homicide

31 DATE OF INJURY (Month, Day, Year)  
**March 2, 2011**

32 TIME OF INJURY  
**M**

33 INJURY AT WORK?  
☐ Yes ☒ No

34 DESCRIBE HOW INJURY OCCURRED

35 PLACE OF INJURY - At home, farm, street, factory office building, etc. (Specify)  
**Home**

36 LOCATION (Street and Number or Rural Route Number, City, County, State)

37 IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), (c). Do not enter mode of dying, e.g. Cardiac or Respiratory Arrest)  
**Pneumonia**

38 CONDITIONS IF ANY WHICH GAVE RISE TO IMMEDIATE CAUSE  
**Due to OR as a consequence of**

39 STATING THE UNDERLYING CAUSE LAST (c)  
**Due to OR as a consequence of**

40 OTHER SIGNIFICANT CONDITIONS - Conditions contributing to death but not related to cause in PART 37 (e.g., alcohol abuse, obesity, smoker)

41 AUTOPSY (Yes or No)  
**No**

42 IF YES were findings considered in determining cause of death?

SEP 19 2011

DATE ISSUED

THIS IS A TRUE CERTIFICATION OF NAME AND FACTS AS RECORDED IN THIS OFFICE. Do not accept unless prepared on security paper with engraved border displaying the Colorado state seal and signature of the Registrar. PENALTY BY LAW, Section 25-2-118, Colorado Revised Statutes, 1982, if a person alters, uses, attempts to use or furnishes to another for deceptive use any vital statistics record, NOT VALID IF PHOTOCOPIED.

*Ronald S. Hyman*  
RONALD S. HYMAN  
STATE REGISTRAR



# ALTA COMMITMENT FOR TITLE INSURANCE

Issued By:



**Fidelity National Title**  
Insurance Company

Commitment Number:

**34810789**

## NOTICE

**IMPORTANT - READ CAREFULLY:** THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACTIONAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

## COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and the Commitment Conditions, Fidelity National Title Insurance Company, a Florida corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

if all of the Schedule B, Part I-Requirements have not been met within one hundred eighty (180) days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

**Fidelity National Title Insurance Company**

By:

Michael J. Nolan, President

Attest:

Marjorie Nemzura, Secretary

Countersigned By:

Authorized Officer or Agent  
Walter A. Wilson, III

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Fidelity National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

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**Transaction Identification Data for reference only:**

<b>ISSUING OFFICE:</b>
Strategic Market Services-FNT 7130 Glen Forest Drive, Suite 300 Richmond, VA 23226 Main Phone: (866)552-0129 Email: <a href="mailto:sms-commercial@fnf.com">sms-commercial@fnf.com</a>

**Order Number: 34810789****Prepared For:** PI Tower Development, LLC**Customer Ref.:** 21950.1062**SCHEDULE A**

1. Commitment Date: March 28, 2022
2. Policy to be issued:
  - (a) ALTA Owner's Policy 2006  
Proposed Insured: Parallel Towers III LLC, a Delaware limited liability company  
Proposed Policy Amount: \$0.00
  - (b)  
Proposed Insured:  
Proposed Policy Amount: \$0.00
3. The estate or interest in the Land described or referred to in this Commitment is:  
Leasehold Estate
4. The Title is, at the Commitment Date, vested in:  
Charlene Holzworth, individually and surviving joint tenant of Robert Owen Holzworth, deceased
5. The Land is described as follows:  
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

**END OF SCHEDULE A**

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**EXHIBIT "A"**  
**Legal Description**

... interest in land, said interest being over a portion of the following described parent parcel:

All the following described lot or parcel of land, situate, lying and being in the County of Morgan and State of Colorado, to wit: A parcel of land in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  Section 21, Township 4 North, Range 55 West of the 6th P.M., described as commencing at a point on the South R.O.W. line of the County road running East and West along the North side of said NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Sec. 21, 450 feet West and 30 feet South of the NE corner of said Sec. 21 as determined by the intersection of the center lines of the County road running North and West from said NE corner; thence West along said South R.O.W. line of the County road 495 feet; thence South 220 feet to a point which is 915 feet West of the West R.O.W. line of a County road along the East side of said NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Sec. 21; thence East parallel to the said South R.O.W. line of the County road 495 feet; thence North 220 feet to the point of beginning. (Known as 32784 County Road V, Morgan County, Colorado)

LESS AND EXCEPT that portion conveyed to Richard L. Cox and Dianne G. Cox from Robert Owen Holzworth and Charlene Holzworth by Warranty Deed dated March 27, 1986 and recorded March 28, 1986 in Deed Book 878, Page 270.

AND BEING a portion of the same property conveyed to Robert Owen Holzworth and Charlene Holzworth from LeeRoy J. Needens and Eunice E. Needens by Deed dated October 30, 1975 and recorded November 5, 1975 in Deed Book 755, Page 327; Said Robert O. Holzworth having departed this earth on or about March 2, 2011 leaving said Charlene Houston his surviving joint tenant.

Tax Parcel No. 1035-210-00-002

Said interest being over land more particularly described by the following description:

Insert metes and bounds description of area

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AMERICAN  
LAND TITLE  
ASSOCIATION



**SCHEDULE B, PART I  
REQUIREMENTS**

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. The Company must be provided with the executed Owner's Affidavit and Agreement relating to, among other items, bankruptcy, mechanics' liens, and parties in possession.
6. Instrument(s) satisfactory to create the estate or interest to be insured must be properly executed (see Document(s) Requirement Note below), delivered and duly filed for record, including any Recorder of Deeds' or Clerks' required Cover Sheets, Affidavits or Forms:

A. Memorandum of Lease from Charlene Holzworth, individually and surviving joint tenant of Robert Owen Holzworth, deceased to Parallel Towers III LLC, a Delaware limited liability company.

- i. Each document submitted for recording must be executed before an FNF approved Notary for acknowledgement. Properly completed and executed attached Affidavit of Notary will be sufficient evidence of compliance with FNF approved Notary requirement.
  - ii. Each document involving an entity as a party, must include a statement of the state of formation for the entity and must correctly recite any mergers, name changes, fictitious names or erroneous names appearing in the title to clarify the record.
  - iii. Power of Attorney ("POA") - We will not accept documents signed by an agent without prior review and approval by this office. Additional requirements will be added upon approval of a POA.
  - iv. Each document received by this office for recording must be dated and executed no more than five (5) days before we receive it. In some cases a document received by our office more than five (5) days after execution, may be subject to fines or additional fees imposed by the Clerk's office. FNF-SMS is not responsible for payment or fronting of any fine or fee for tardy submission of a document and we may hold such document until we receive funds sufficient to cover the cost of recording plus the fine or fee.
7. In order to insure this transaction, we will require our AFFIDAVIT OF UNDERSTANDING AND INDEMNITY AND HOLD HARMLESS AGREEMENT DUE TO CORONAVIRUS PANDEMIC to be signed by all parties.

NOTE: Due to office closures related to COVID-19, we may be temporarily unable to record documents in the normal course of business.

8. The actual value of the estate or interest to be insured must be disclosed to the Company, and subject to approval

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**SCHEDULE B, PART I  
REQUIREMENTS**  
(continued)

by the Company, entered as the amount of the policy to be issued. Until the amount of the policy to be issued shall be determined, and entered as aforesaid, it is agreed that as between the Company, the applicant for this Company, and every person relying on this Commitment, the Company cannot be required to approve any such evaluation in excess of \$100,000.00 and the total liability of the Company on account of this Commitment shall not exceed said amount.

9. The Company will require a survey of the subject Land, which is in compliance with minimum technical standards, prepared by a duly registered and licensed surveyor. If the owner of the Land the subject of this transaction is in possession of a survey, the Company will require that said survey be submitted for review and approval; otherwise, a new survey, satisfactory to the Company, must be submitted to the Company for examination. In order to prevent delays, please furnish the survey at least 10 days prior to the close of this transaction.

If an existing survey is to be relied upon, an affidavit from the seller(s)/mortgagor(s) must be furnished to the Company stating that no improvements have been made on the Land the subject of this transaction or adjacent thereto subsequent to the survey presented to the Company.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

10. Marital status of individuals needs to be disclosed and for a married individual, or more than one individual not married to one another, the following must be complied with {document must recite marital status in spousal/homestead state}: Non-vested spouse must sign if property in: AK, AZ, AR, CA, IA, KS, KY, LA, MN, MO, NC, NE, NV, NH, NM, OH, OK, PA (only if pending divorce or action involving equitable distribution), SD, TN, UT, WA, or WY; or Non-vested spouse must sign if property is homestead property and in: AL, CO, FL, ID, IL, MA, MI, MS, MT, NJ (referred to as "joint possession of the principal matrimonial residence"), ND, TX (non-vested spouse must sign Homestead Affidavit or insured document), VT or WI (unless purchase money mortgage); or Non-vested spouse not required to transfer to a bona fide purchaser if property in: CT, DE, DC, GA, HI, IN, ME, MD, NY, OR, RI, SC, VA, or WV.
11. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance from the entity named below.

Limited Liability Company: Parallel Towers III LLC, a Delaware limited liability company

- a. A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member.
- b. If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendment thereto with the appropriate filing stamps.
- c. If the Limited Liability Company is member-managed a full and complete current list of members certified by the appropriate manager or member.

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**SCHEDULE B, PART I  
REQUIREMENTS**  
(continued)

- d. A current dated certificate of good standing from the proper governmental authority of the state in which the entity was created
- e. If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

**END OF REQUIREMENTS**

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**SCHEDULE B, PART I**  
(continued)**NOTES**

**Note A:** The Company must be furnished proof of payment of all real property taxes and assessments that are due and payable.

Type of Tax: County

For the period: 2021

In the amount of: \$1,233.00 annually

Tax parcel ID #: 1035-210-00-002

Paid through: 2020

Total Assessment: \$20,090.00

Any tax delinquencies noted above must be paid at closing, plus penalties and interest.

**Note B:** Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.

**Note C:** For transactions this office is not acting as closing agent please send the recording package, instructions, and all documents related to the herein described transaction to the following mailing address within 24 hours prior to the anticipated closing date:

Attn: Post-Closing Department  
Strategic Market Services  
Fidelity National Title Insurance Company  
7130 Glen Forest Drive, Suite 300  
Richmond, VA 23228  
Email: SMS-PostClosing@fnf.com

**END OF SCHEDULE B, PART I**

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**SCHEDULE B, PART II  
EXCEPTIONS**

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

**[CLICK HERE TO ACCESS DOCUMENT IMAGES](#)****General Exceptions:**

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.
2. Rights or claims of parties in possession not shown by the Public Records.
3. 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.
4. Easements, or claims of easements, 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. Taxes or special assessments which are not shown as existing liens by the Public Records.

**Special Exceptions:**

7. Taxes for the year 2021 and subsequent years, a lien not yet due and payable.

**END OF SCHEDULE B, PART II**

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## COMMITMENT CONDITIONS

## 1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "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 to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.
2. If all of the Schedule B, Part I-Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.
3. The Company's liability and obligation is limited by and this Commitment is not valid without:
- the Notice;
  - the Commitment to Issue Policy;
  - the Commitment Conditions;
  - Schedule A;
  - Schedule B, Part I-Requirements;
  - Schedule B, Part II-Exceptions; and
  - a counter-signature by the Company or its issuing agent that may be in electronic form.

## 4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

## 5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
- comply with the Schedule B, Part I-Requirements;
  - eliminate, with the Company's written consent, any Schedule B, Part II-Exceptions; or
  - acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I-Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

## 6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.

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(continued)

- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II-Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

**7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT**

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

**8. PRO-FORMA POLICY**

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

**9. ARBITRATION**

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is Two Million And No/100 Dollars (\$2,000,000.00) or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

**END OF CONDITIONS**

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# FIDELITY NATIONAL TITLE INSURANCE COMPANY

## OWNER'S AFFIDAVIT AND AGREEMENT

STATE OF COLORADO  
COUNTY OF MORGAN

File No.: 34810789

Charlene Holzworth, individually and surviving joint tenant of Robert Owen Holzworth, deceased ("Owner"), being the entity in ownership, which is represented by the individual(s) signing below in their representative capacity, or the individual owner(s) who are signing below individually; who, being duly sworn according to the law, deposes and says as follows (as the "Affiant"):

1. That Affiant, as entity representative, either has personal knowledge of the facts sworn to this affidavit, or has made statements based on reasonable inquiry of the entity personnel and agents and on a reasonable review of the entity records, and the statements are made on behalf of the entity and said Affiant is fully authorized to make this affidavit; or Affiant, as individual owner, has personal knowledge of the facts sworn to this Affidavit.
2. That Owner is the Owner of the premises described in the Commitment listed above ("the Property") and shown in Exhibit "A" of said Commitment. Ownership shall mean that interest held by the Owner in the Property, whether a fee, leasehold or easement estate, and all statements below are in reference to said interest in said Property.
3. That, to the Affiant's knowledge, there has been no work, services or labor performed or material furnished in connection with repairs or improvements on the Property within four (4) months (herein after referred to as "Mechanics' Lien Filing Period") prior to the date of this Affidavit; or, that in the event work has been performed, services rendered, or materials furnished in connection with construction, repair, or improvement on the Property during such Mechanics' Lien Filing Period, that all such work performed, services rendered, or materials furnished have been completed and are acceptable to the Owner(s); the Owner(s) have paid in full all contractors, laborers, and materialmen for such work performed, services rendered, or material furnished in connection with constructions, repairs, or improvements on the Property during such Mechanics' Lien Filing Period, except as shown on exhibit attached hereto.

NONE, unless specified on attached exhibit (checked box indicates an attached exhibit ☐)

4. That, to the Affiant's knowledge there are no unrecorded tenancies, leases or other occupancies on the Property except as listed below, and that if any such unrecorded leases, tenancies or other occupancies are listed below, they contain no options to purchase, rights of renewal, or other unusual provisions except as shown on exhibit attached hereto.

NONE, unless specified on attached exhibit (checked box indicates an attached exhibit ☐)

5. That, to the Affiant's knowledge, no other person has possession or any right to possession of the Property or any interest therein, including oil, gas or other minerals, other than those shown in Commitment referenced above.
6. I represent to Fidelity National Title Insurance Company that, to the Affiant's knowledge, the Property is now free and clear of all delinquent taxes, liens, mortgages/deeds of trust/deeds to secure debt, judgments, decrees, or other encumbrances; that, to the Affiant's knowledge, there are no unemployment compensation, federal social security, alcoholic beverage law or other delinquent state or federal taxes due and owing from the company; that, to the Affiant's knowledge, there are no unpaid or delinquent real estate taxes or assessments or unpaid or delinquent water or sewer service charges against said premises; and that, to the Affiant's knowledge, there are no unpaid or delinquent homeowner/condominium association dues (if applicable); EXCEPT THAT the matters specifically identified in the Commitment and those, if any, listed on exhibit attached hereto.

NONE, unless specified on attached exhibit (checked box indicates an attached exhibit ☐)

7. That, to the Affiant's knowledge there are no unrecorded easements or claims of easement; no disputes, discrepancies or encroachments affecting a setback or boundary line; and no contracts, options or rights to purchase other than in the transaction for which this affidavit is given.
8. That there is not currently a proceeding in bankruptcy instituted by or against the Owner (and if a partnership, against the general partner(s) thereof), nor does the Owner currently have outstanding assignment for the benefit of creditors.
9. That, to the Affiant's knowledge, there is no action or proceeding relating to the Property in any state or federal court in the United States nor any state or federal judgment or any federal lien of any kind or nature whatsoever which now constitutes a lien or charge upon the Property.
10. That the Affiant has not received notice of any delinquent state, county, city, school district, water district, or other governmental agency taxes
  - A. due or owing against said Property and that
  - B. to the Affiant's knowledge, no tax suit has been filed by any state, county, city, school district, water district, or other governmental agency for taxes levied against the Property.

## AFFIDAVIT OF NOTARY

STATE OF \_\_\_\_\_

Our File No.: 34810789

COUNTY OF \_\_\_\_\_

Customer Ref. No.: 21950.1062

I, \_\_\_\_\_ (please print name as commissioned), the undersigned Notary Public, do hereby affirm and attest to Strategic Market Services-FNT one (1) of the following (please check one (1)) is an accurate statement:

- ☐ I am a Bancserv notary (and by checking this box I certify I was assigned by Bancserv for this notary service); or
- ☐ I am an FNF approved notary on the FNTG Field Compliance Approved Third Party list; or
- ☐ I am a licensed attorney or a notary working under the supervision of a licensed attorney. Insert lawyer or law firm: \_\_\_\_\_; or

- ☐ I am a notary working in a bank or credit union (this option is only applicable for notaries at banks {FDIC insured} and credit unions {NCUA insured} and is not applicable for notaries at mortgage companies or mortgage brokers).

Bank or credit union name: \_\_\_\_\_

Bank/credit union employee title: \_\_\_\_\_

Branch name or street address: \_\_\_\_\_

Telephone number of bank or credit union: \_\_\_\_\_

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

\_\_\_\_\_  
Notary Public Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Notary No. or Seal for identification purposes

Phone: \_\_\_\_\_

**FIDELITY NATIONAL TITLE INSURANCE COMPANY  
OWNER'S AFFIDAVIT AND AGREEMENT**

(continued)

1. That there has been no notice nor does Affiant have any knowledge of any
- A. recent or future planned improvements (such as street paving, sidewalks, street lights, etc.) that would result in a special assessment against the Property
  - B. any proceeding which could result in an increase tax or assessment liability against the Property.
12. That all management fees, if any, are fully paid, except as shown on exhibit attached hereto.

NONE, unless specified on attached exhibit (checked box indicates an attached exhibit ☐)

Owner, recognizing that funding may occur prior to the Deed, Lease, MOL, Easement, Mortgage, Deed to Secure Debt, Deed of Trust, or any Assignment being officially filed for record in the appropriate Clerk's Office, represents that there will be no further encumbrances or change of title pending the issuance of the title insurance policy which this affidavit is made to support and agrees that in consideration of Fidelity National Title Insurance Company (hereinafter "Company") issuing a policy without exception to any matters which may arise between the effective date of the commitment for title insurance and the date of the documents creating the interest being insured are filed for record, which matters may constitute an encumbrance on or affect the title (the "GAP"), to promptly defend, remove, bond or otherwise dispose of any encumbrance, lien or objectionable matter to title which may arise or be filed, as the case may be, against said Property during the GAP. Owner further agrees to hold harmless and indemnify Company against all losses, expenses, costs and fees, including, but not limited to, attorney fees, which arise out of Owner's failure to so remove, bond or otherwise dispose of any said liens, encumbrances or objectionable matters. This Affidavit is given to induce Company to issue its policy or policies of title insurance with full knowledge that the Company will rely upon the accuracy of same. The Owner does hereby indemnify and hold Company harmless of and from any and all loss, cost, damage, and expense of every kind, including attorney's fees, which Company shall suffer or incur or become liable under its said policy or policies directly or indirectly, due to its reliance on the accuracy of the statements contained herein or in connection with its enforcement of its rights under this Agreement. The undersigned agrees to fully cooperate with the Company in correcting any errors in the execution and acknowledgment of the Insured Instrument.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

\_\_\_\_\_  
Charlene Holzworth

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_.

By \_\_\_\_\_

\_\_\_\_\_  
Notary Public



7130 Glen Forest Drive, Suite 300  
Richmond, VA 23226  
Phone: (866)552-0129  
Email: sms-commercial@fnf.com

## **ADDITIONAL INFORMATION**

THIS INFORMATION IS PROVIDED AS A CONVENIENCE AND COURTESY AND IS NOT CONSIDERED TO BE PART OF THE TITLE PRODUCT.

**The following real estate tax information deemed reliable and is provided for informational purposes only.**

Real Estate Tax Type: County  
Taxes are Paid: Semi-Annual  
Due Date(s): February 28th, June 15th  
Tax Authority Name: Morgan County Treasurer  
Phone: 970-542-3518

### **Additional notes regarding taxes, documents and/or special recordation requirements:**

·Real Property Transfer Declaration form (TD1000) is required for all conveyance documents.

## FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE

Effective January 1, 2021

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF," "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary's website and this Privacy Notice does not apply.

### **Collection of Personal Information**

FNF may collect the following categories of Personal Information:

- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- identity information (e.g. Social Security Number, driver's license, passport, or other government ID number);
- financial account information (e.g. loan or bank account information); and
- other personal information necessary to provide products or services to you.

We may collect Personal Information about you from:

- information we receive from you or your agent;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

### **Collection of Browsing Information**

FNF automatically collects the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

### **Other Online Specifics**

**Cookies.** When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

**Web Beacons.** We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

**Do Not Track.** Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.

**Links to Other Sites.** FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

### **Use of Personal Information**

FNF uses Personal Information for three main purposes:

- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you about our, our affiliates', and others' products and services, jointly or independently.

### **When Information Is Disclosed**

We may disclose your Personal Information and Browsing Information in the following circumstances:

- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
- to nonaffiliated third party service providers with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law. We may share your Personal Information with affiliates (other companies owned by FNF) to directly market to you. Please see "Choices with Your Information" to learn how to restrict that sharing.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

### **Security of Your Information**

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Fidelity National Financial, Inc.  
601 Riverside Avenue,  
Jacksonville, Florida 32204  
Attn: Chief Privacy Officer



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
10101 Hillwood Parkway  
Fort Worth, TX 76177

Aeronautical Study No.  
2021-ANM-5095-OE

Issued Date: 08/04/2021

Mary Lou Boscardin  
Parallel Infrastructure III, LCC  
15105 John J. Delaney Drive  
Suite D-3  
Charlotte, NC 28277

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Monopole PICO423
Location:	Brush, CO
Latitude:	40-18-19.08N NAD 83
Longitude:	103-31-49.73W
Heights:	4198 feet site elevation (SE) 155 feet above ground level (AGL) 4353 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

☐ At least 10 days prior to start of construction (7460-2, Part 1)  
☒ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

This determination expires on 02/04/2023 unless:

- the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- extended, revised, or terminated by the issuing office.
- the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.



NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (816) 329-2525, or [natalie.schmalbeck@faa.gov](mailto:natalie.schmalbeck@faa.gov). On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2021-ANM-5095-OE.

**Signature Control No: 488306381-490447227**

( DNE )

Natalie Schmalbeck  
Technician

Attachment(s)  
Frequency Data  
Map(s)

cc: FCC

# Frequency Data for ASN 2021-ANM-5095-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
6	7	GHz	55	dBW
6	7	GHz	42	dBW
10	11.7	GHz	55	dBW
10	11.7	GHz	42	dBW
17.7	19.7	GHz	55	dBW
17.7	19.7	GHz	42	dBW
21.2	23.6	GHz	55	dBW
21.2	23.6	GHz	42	dBW
614	698	MHz	1000	W
614	698	MHz	2000	W
698	806	MHz	1000	W
806	901	MHz	500	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
929	932	MHz	3500	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1670	1675	MHz	500	W
1710	1755	MHz	500	W
1850	1910	MHz	1640	W
1850	1990	MHz	1640	W
1930	1990	MHz	1640	W
1990	2025	MHz	500	W
2110	2200	MHz	500	W
2305	2360	MHz	2000	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W
2496	2690	MHz	500	W

Verified Map for ASN 2021-ANM-5095-OE



## **Referrals & Responses:**

Landowner Letter

Landowner Letter Responses

Public Comments or Concerns Received

Notifications



**MORGAN COUNTY  
PLANNING AND BUILDING DEPARTMENT**

May 24<sup>th</sup> 2022,

Dear Neighboring Landowner:

Parallel Infrastructure, as applicant, and Charlene Holzworth, as landowner, have submitted an Application to our office for a Variance to lift the current height restriction of 100 feet maximum to 135 feet for a proposed new wireless communications facility. The Carrier (AT&T) would like to improve existing coverage along Interstate 76 north-east of the town of Brush.

The subject parcel of land is located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 21, Township 4 North, Range 55 West of the 6<sup>th</sup> P.M., Morgan County, Colorado, North of Hwy 76, aka 32784 Co Rd V, Brush, Colorado 80723.

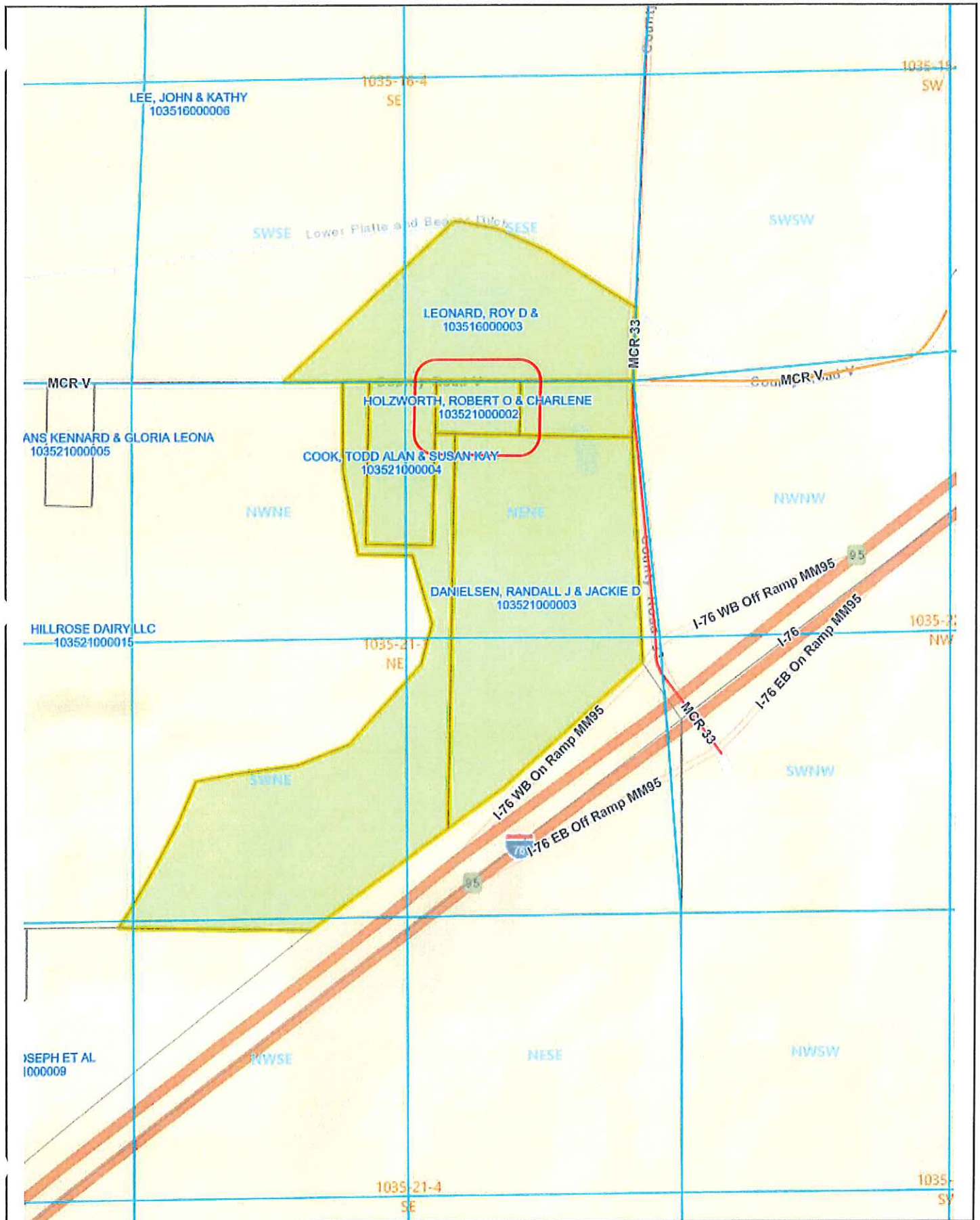
This application will be heard by the Morgan County Board of Adjustments on **Tuesday, June 21st, 2022 at 5:30 P.M.** This hearing will be held in the Assembly Room of the Morgan County Administration Building, 231 Ensign St., (Basement Level, elevator entrance) Fort Morgan, Colorado.

If you have any questions pertaining to this application or if you would like to review the file, either contact us at (970)542-3526 or stop by our office prior to the hearing. If you have any comments or concerns, plan to attend this hearing.

Sincerely,

  
Nicole Hay  
Planning Administrator

# AT&T Tower



JOHNSON, ORVAL D & BARBARA E  
32866 CO RD V  
BRUSH, CO 80723

COOK, TODD ALAN & SUSAN KAY  
32734 CO RD V  
BRUSH, CO 80723

DANIELSEN, RANDALL J & JACKIE D  
20911 CO RD 33  
BRUSH, CO 80723

LEONARD, ROY D &  
ABLES, SHERRIE C  
32865 CO RD V  
BRUSH, CO 80723

CURTIS, CODY J & EMILY  
32702 CO RD V  
BRUSH, CO 80723



PUBLIC NOTICE OF HEARING BEFORE THE  
BOARD OF ADJUSTMENT MORGAN COUNTY, COLORADO

Notice is hereby given that on Tuesday, June 21, 2022 at 5:30 p.m., or as soon as possible thereafter, in the Hearing Room of the Morgan County Commissioners in Fort Morgan, Colorado, or at such other time and place as this hearing may be adjourned, a public hearing will be held upon an application on file with the Morgan County Planning Administrator, 231 Ensign Street, Fort Morgan, Colorado, (970) 542-3526, by Parallel Infrastructure, for a variance request to the Morgan County Zoning Regulations. The property is located North of Interstate 76, off of County Road V in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 21, Township 4 North, Range 55 West of the 6<sup>th</sup> P.M. Morgan County, Colorado.

Project Name and No.: Parallel Infrastructure – CO-Brush-Lower Platte ZV2022-0001 The request is to increase the maximum height of 100 feet to 135 feet for the construction of a communications tower in the Agriculture Production zone district.

**THE COUNTY WILL CONTINUE TO OFFER THE OPTION TO ATTEND MEETINGS REMOTELY VIA ZOOM. IF YOU HAVE ANY QUESTIONS REGARDING ATTENDING THE MEETING, PLEASE CONTACT THE PLANNING OFFICES AT 970-542-3526.**

To participate remotely you may connect via Zoom at:

<https://us02web.zoom.us/j/82555242436>

Or Telephone:

Dial:

US: +1 669 900 9128


Webinar ID: 825 5524 2436

Date of Application: April 28, 2022

Published in Fort Morgan Times on June 4, 2022.

Documents pertaining to the above identified matter are on file in the Planning Administrator's Office, 231 Ensign Street, basement, Fort Morgan and may be examined during regular office hours.

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

  
\_\_\_\_\_  
Nicole Hay, Morgan County Planning Administrator



# **Technical**

Cultural Resource Assessment

...----- Forwarded message -----

From: **Kerry Willoughby** <[kerrywilloughby@aceenvironmentalllc.com](mailto:kerrywilloughby@aceenvironmentalllc.com)>

Date: Fri, Jun 10, 2022 at 1:41 PM

Subject: PICO423

To: [morgancountybcc@co.morgan.co.us](mailto:morgancountybcc@co.morgan.co.us) <[morgancountybcc@co.morgan.co.us](mailto:morgancountybcc@co.morgan.co.us)>

Hello,

Please find attached the cultural report and drawings for this proposed 138' monopole. I am emailing this to you as a CLG, as of the Section 106 consultation process, to see if you have any specific concerns regarding potential impact to historic property if any, within this site's APE. This is solely for SHPO consultation/compliance purposes only, and not for permitting purposes.

Please let me know if you have any questions. Thank you.

Kerry Willoughby

Principal

Ace Environmental, LLC (WBE/WOSB)

phone [702-614-4431](tel:702-614-4431)

cell [702-506-1741](tel:702-506-1741)



9976 Peak Lookout Street, Las Vegas, Nevada, 89178  
Phone: 702-614-4431; Fax: 702-614-4171  
www.aceenvironmentalllc.com

## Cultural Resource Assessment



### **Parallel Infrastructure Wireless Site PICO423**

32784 County Road V  
Brush, Morgan County, Colorado 80723

ACE project no. 22-582-172-209

June 10, 2022

Prepared for:  
**5C Pro Corporation on behalf of Parallel Infrastructure**  
15105 John J. Delaney Dr., Suite D-3  
Charlotte, NC 28277

## PROJECT ABSTRACT SHEET

**Report Title:** *A Cultural Resource Assessment for the PICO42 Brush – Lower Platte Cellular Facility, Morgan County, Colorado*

**Project Description:** Parallel Infrastructure proposes to install a new AT&T cellular facility northeast of Brush, Morgan County, Colorado. The facility would include a 135-foot tall monopole tower (138 feet to top of lightning rod) and equipment shed within a 100-foot by 100-foot square lease area located on private lands near 32784 CO Road V. Ground disturbance for construction of the tower and installation of utilities would be necessary.

**Project Numbers:**

**Agency:** N/A

**State:** N/A

**Consultant:** PICO423, AE10

**Vicinity:** Brush, CO

**USGS Quad(s):** Brush East, CO

**Legal Location:** Tower – T. 4N, R. 55W, Sec. 21 (NE)

**Area of Potential Effects:**

**Direct Effects** – The direct effects APE encompasses the 100-foot by 100-foot square lease area, a 30-foot wide by 75 foot long access and utility easement, and a 5-foot wide by 80-foot long utility easement. The survey area for direct effects was defined as a 0.82-acre block encompassing all of these facilities and a minimum 25-foot buffer.

**Indirect Effects** – The indirect effects (visual) effects APE is determined based on tower height and is equal to a 1/2-mile radius around the proposed tower. This area encompasses approximately 503 acres.

**Acres Surveyed:** 0.82 (Direct Effects APE only)

**Date(s) of Fieldwork:** April 6, 2022

**# of Cultural Resources in Direct Effects APE:** 0

**# of Historic Properties in Visual Effects APE:** 0

**Author:** Sheri Murray Ellis

**Federal Agency:** Federal Communications Commission (FCC)

**Report Prepared for:** Ace Environmental, LLC

**Repository:** Certus Environmental Solutions, Salt Lake City, UT

**Principal Investigator:** Sheri Murray Ellis, MS

**Report Date:** 06/10/2022

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## LIST OF FIGURES

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## A. ADMINISTRATIVE INFORMATION

1. **Applicant:** Parallel Infrastructure
2. **Tower ID:** PICO423
3. **State Project No.:** N/A

## B. CONSULTANT INFORMATION

1. **Cultural Resource Consultant:** Certus Environmental Solutions, LLC; 655 7<sup>th</sup> Avenue, Salt Lake City, Utah, 84103; [sheri@certussolutionsllc.com](mailto:sheri@certussolutionsllc.com); (801) 230-7260
2. **Principal Investigator:** Sheri Murray Ellis, M.S., RPA
3. **Permit No./Expiration Date:** N/A
4. **Consultant Qualifications Meeting Secretary of the Interior's Professional Qualification Standards:** Archaeologist, Architectural Historian, and Historian

## C. SITE INFORMATION

1. **Type of Installation:**    ☒ New            ☐ Collocation
2. **Site Name:** Brush – Lower Platte
3. **Site Address:** 32784 CO Road V, Brush, CO 80723
4. **Nearest Crossroads:** CO Rd 3300/CO Rd V
5. **NAD 83 Latitude and Longitude(Geodetic NAD 83):**
  - a. Lat. 40°18'19.08" N
  - b. Long. 103°31'49.72.09" W
6. **T/R/S:** Tower—Township 4 North, Range 55 West, Section 21 (NE); 6<sup>th</sup> Principal Meridian (See **Figure 1**)
7. **USGS 7.5' Topographic Quadrangle:** Brush East, CO
8. **Tower Type:** Monopole
9. **Total Tower Height:** 135feet to top of tower (138 feet to top of lightning rod)
10. **Related Facilities, Easements, Etc.:**
  - a. Lease area (100 ft by 100 ft)
  - b. Utility & access easements (30 feet wide by 75 feet long & 5 feet wide by 80 feet long)

## D. AREA OF POTENTIAL EFFECTS (APE), SURVEY AREA, AND PROJECT SETTING

1. **APE:** The area of potential effects consists of two components—a direct effects APE (the DE-APE) and an indirect effects or visual effects APE (the VE-APE). The DE-APE encompasses all lands that could be subject to physical disturbance through subsurface excavation, grading of the ground surface, installation of structure footings and utilities, and construction workspace. The DE-APE for the current undertaking contains approximately 1.44 acres. The DE-APE for the current undertaking encompasses the 100-foot by 100-foot square lease area, a 30-foot wide by 75 foot long access and utility easement, and a 5-foot wide by 80-foot long utility easement.

The VE-APE encompasses those areas in which the visual intrusion of the proposed cell tower could have adverse effects. In accordance with the Federal Communication Commission (FCC) Programmatic Agreement (2004, as amended), the extent of the VE-APE is based upon the height of the pole or tower. For all poles/towers under 200 feet but in total height, which is the case for the tower discussed herein, the VE-APE is to extend 1/2-mile in all directions from the proposed pole location. This VE-APE contains approximately 503 acres.

See **Figures 1 and 2** for an illustration of the VE-APE, **Figure 3** for an illustration of the DE-APE, and **Attachment A** for photographs of the proposed facility location (i.e., the DE-APE).

2. **Area of Field Inspection/Survey Area:** Consistent with the FCC Programmatic Agreement, Certus undertook field survey for previously undocumented cultural resources only within the DE-APE. The survey area for direct effects was defined as a 0.82-acre block encompassing the entire DE-APE plus a minimum 25-foot buffer.
3. **Project Setting:** The proposed cellular facility is located in a rural area between the small communities of Brush and Hillrose, Colorado. The tower, lease area, and utility and access easements would all be located in an open, undeveloped field near a small cluster of single-family dwellings. Surrounding lands are dominated by agricultural fields and large farmsteads. Terrain in the immediate area is gently rolling. See **Attachment A** for photographs of the area surrounding proposed cellular facility.

## E. FILE SEARCH

Certus conducted a file search through the Colorado State Historic Preservation Office (SHPO) Compass online database on June 7, 2022. This search encompassed an area extending 1/2-mile in all directions from the center point for the proposed new tower (i.e., it encompassed the entire VE-APE). The file search included all resource types—prehistoric archaeology, historical archaeology, and architectural resources.

The file search indicated that no portion of the current DE-APE has been surveyed previously for cultural resources and that only two such surveys have occurred within the VE-APE. Both of these surveys occurred along Interstate 76, south of the proposed cell tower. The file search also



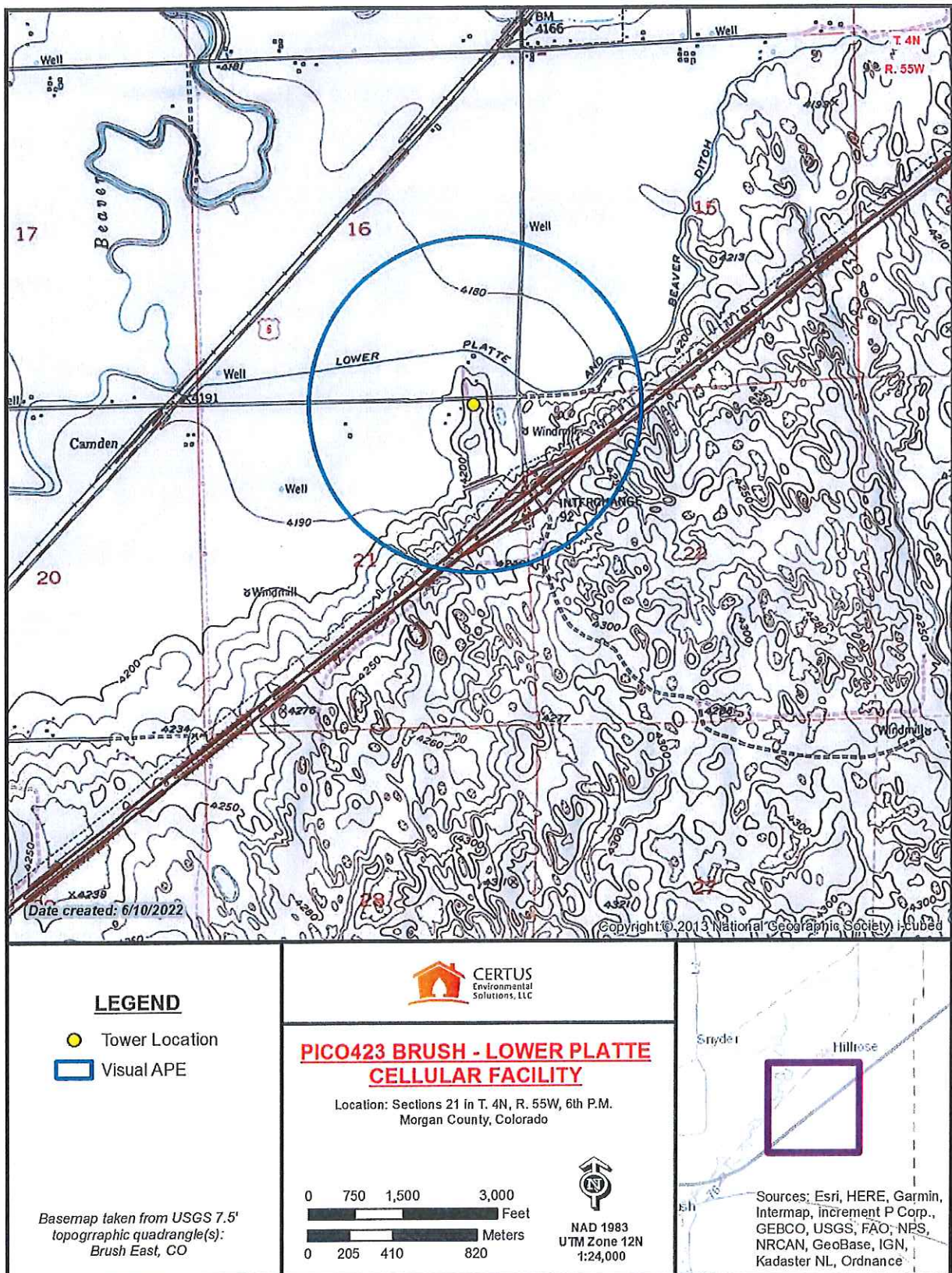


Figure 1. Location of proposed tower location and Visual Effects APE (VE-APE)





Figure 2. VE-APE and photo point locations



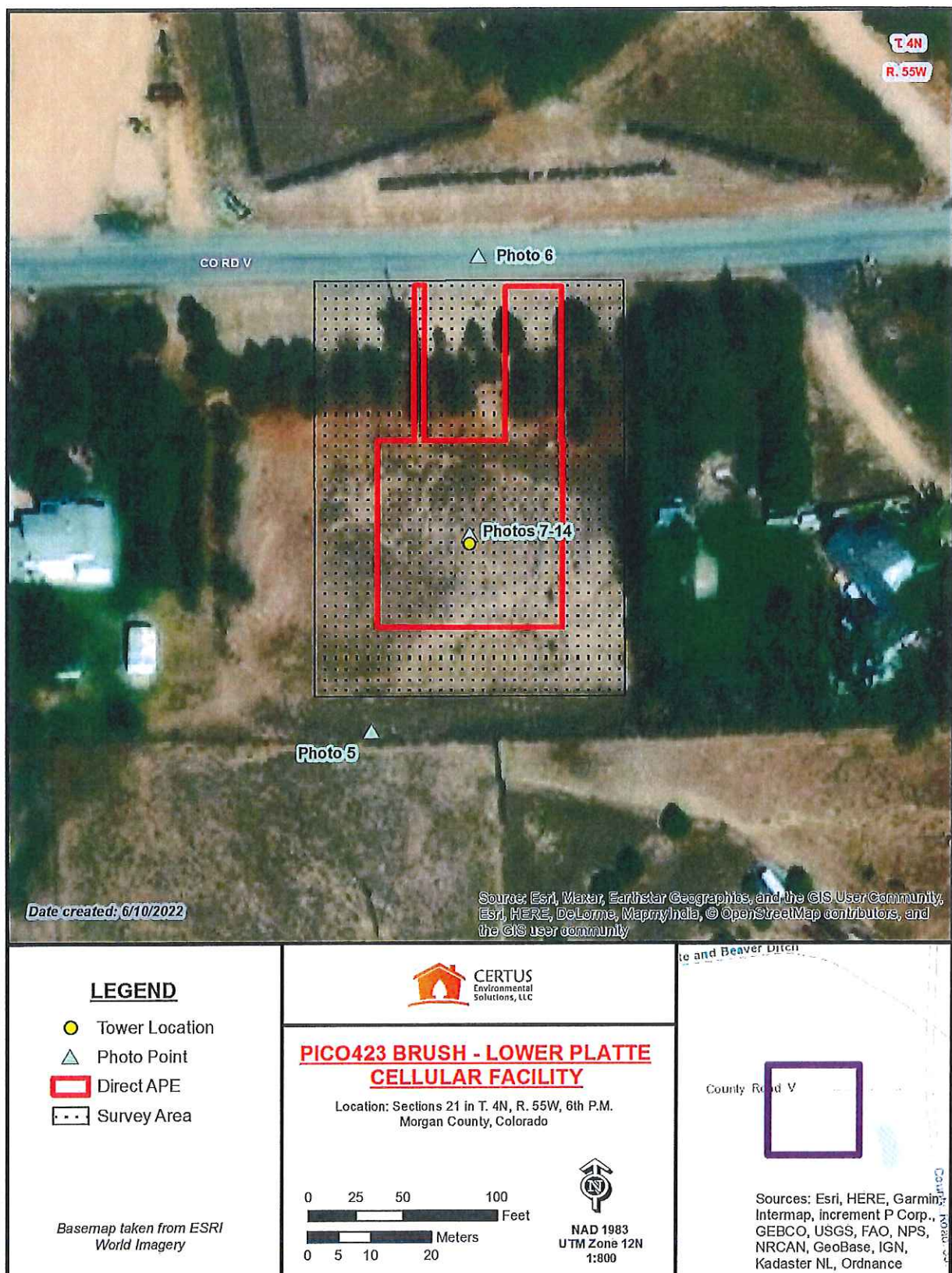


Figure 3. Direct Effects APE (DE-APE) and photo point locations

indicates that no cultural resource sites (i.e., no historic properties) have been documented in the DE-APE or VE-APE for the current undertaking.

## **F. FIELD METHODS**

Certus visually inspected the DE-APE and its buffer area for cultural resources by walking over the area using transect spacing no greater than 50 feet. Photographs were obtained of the DE-APE as well as looking in all directions from the proposed tower location and from representative locations on the edge of the VE-APE to the extent public access was available (see **Figures 2 and 3** for the locations of the photographs and **Attachment A** for the images themselves).

No new cultural resource survey was conducted in the VE-APE.

## **G. RESULTS**

No cultural resources were identified in the DE-APE as a result of the field inventory. As noted above, no historic properties are known to be present in the VE-APE.

## **H. SUMMARY AND RECOMMENDATIONS**

No historic properties are located in the DE-APE or VE-APE. As such, Certus recommends a finding of No Historic Properties Affected for this undertaking.

**PICO423 BRUSH – LOWER PLATTE CELLULAR FACILITY**

**ATTACHMENT A:  
PHOTOGRAPHS**





**Photo 1.** Looking south toward cell tower site from north edge of VE-APE



**Photo 2.** Looking west toward cell tower site from near east edge of VE-APE



**Photo 3.** Looking north toward cell tower site from near south edge of VE-APE



**Photo 4.** Looking east toward cell tower site from west edge of VE-APE





**Photo 5.** Overview of survey area/DE-APE looking north



**Photo 6.** Overview of survey area/DE-APE looking south



**Photo 7.** View to north from tower location



**Photo 8.** View to northeast from tower location





**Photo 9.** View to east from tower location



**Photo 10.** View to southeast from tower location



**Photo 11.** View to south from tower location



**Photo 12.** View to southwest from tower location





**Photo 13.** View to west from tower location



**Photo 14.** View to northwest from tower location





AQUATIC \ DESIGN & PROGRAM MANAGEMENT  
 CIVIL \ TELECOMMUNICATION \ MECHANICAL  
 PLUMBING \ ELECTRICAL \ LAND SURVEYING  
 ACCESSIBILITY CONSULTING \ STRUCTURAL

CHECK: JKT  
 DRAWN: RSL  
 JOB: T2102148

**T-1**  
 COVER SHEET



SETBACK TABLE	
	TOWER CENTER TO STRUCTURE
POWER LINE N.	±135'-0"
RESIDENTIAL E.	±189'-5"
SHED E.	±125'-1"
RESIDENTIAL W.	±185'-10"
SHED W.	±165'-11"

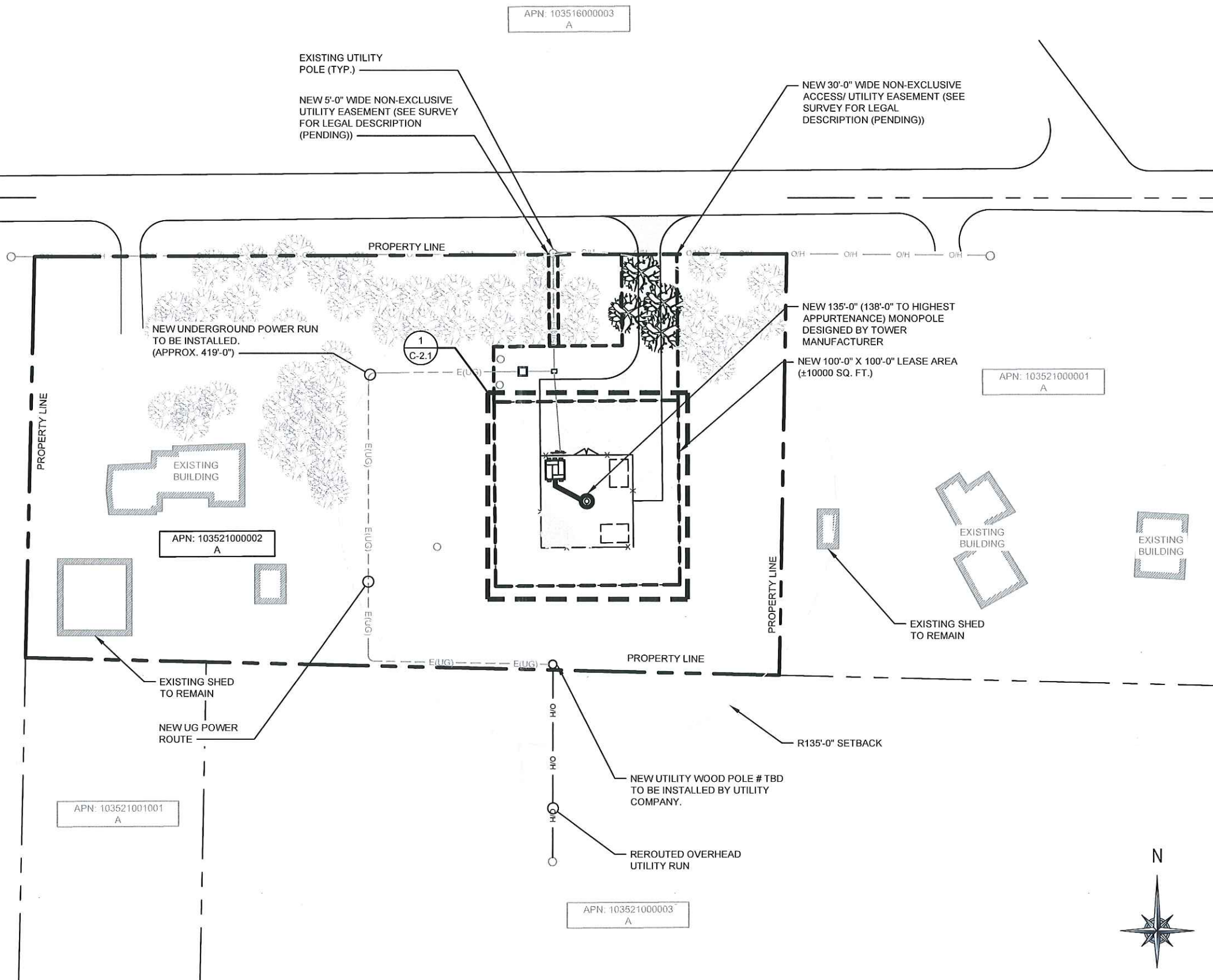
SETBACK TABLE	
	TOWER CENTER TO PROPERTY LINE
NORTH	±133'-10"
SOUTH	±91'-11"
WEST	±302'-5"
EAST	±106'-1"

#### SURVEY NOTE:

- 5C PRO STAFF SHALL COORDINATE WITH THE PROPERTY OWNER TO OBTAIN THE PROPER EASEMENT AGREEMENTS TO CONSTRUCT AND MAINTAIN EQUIPMENT IN AND AROUND THE TOWER COMPOUND.
- PROPOSED COMPOUND LAYOUT BASED ON SURVEY PROVIDED BY TBD DATED TBD.

#### IMPORTANT SITE NOTES:

- GENERAL CONTRACTOR WILL NOT START CONSTRUCTION UNTIL AFTER THEY HAVE RECEIVED THE PRE-CON PACKAGE AND HAVE A PRE-CON WALK WITH THE PROJECT MANAGER.
- GENERAL CONTRACTOR TO HIRE PUBLIC (811) AND PRIVATE LOCATING SERVICE IN ORDER TO LOCATE AND PROTECT ALL SURFACE UTILITIES. DO NOT SCALE OFF THESE PLANS FOR ANY BELOW GRADE UTILITIES
- CONTRACTOR SHALL VERIFY ALL EXISTING BURIED AND OVERHEAD UTILITIES PRIOR TO EXCAVATION. CONTRACTOR SHALL REPAIR ALL DAMAGED UTILITIES AT HIS OWN COST AND COORDINATE ANY REPAIRS WITH RESPECTIVE UTILITY COMPANY.
- CONTRACTOR TO VERIFY ALL HEIGHTS AND AZIMUTHS IN FIELD PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY 5C PRO AND ENGINEERING FIRM OF ANY DISCREPANCIES BEFORE PROCEEDING.
- CONTRACTOR SHALL RESTORE AND REPAIR ANY DAMAGED AREAS CAUSED BY CONSTRUCTION



**Parallel**  
INFRASTRUCTURE

PICO423  
CO-BRUSH-LOWER PLATTE  
32784 CO RD V  
BRUSH, CO 80723

REV.	ISSUED FOR	DATE	BY
1	PRELIM ZD'S	02/08/22	RSS
2	CLIENT COMMENTS	03/01/22	ERM
3	CLIENT COMMENTS	03/11/22	DYP
4	CLIENT COMMENTS	04/07/22	DYP
5	CLIENT COMMENTS	04/13/22	DYP

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PLUMBING \ ELECTRICAL \ LAND SURVEYING  
ACCESSIBILITY CONSULTING \ STRUCTURAL

CHECK: JKP  
DRAWN: R  
JOB: T2102148

**C-1**  
OVERALL SITE PLAN

5C PRO CORPORATION  
420 N TWIN OAKS VALLEY RD, SUITE 1476  
SAN MARCOS, CA 92079  
PH: (949) 464-7647  
FAX: TBD  
EMAIL: TBD

**WT GROUP**  
Engineering with Precision, Pace and Passion.  
8550 S. Eastern Ave. Ste. #220 Las Vegas, NV 89133  
T: 702.958.1012 F: 702.958.1010  
wtengineering.com  
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## OVERALL SITE PLAN

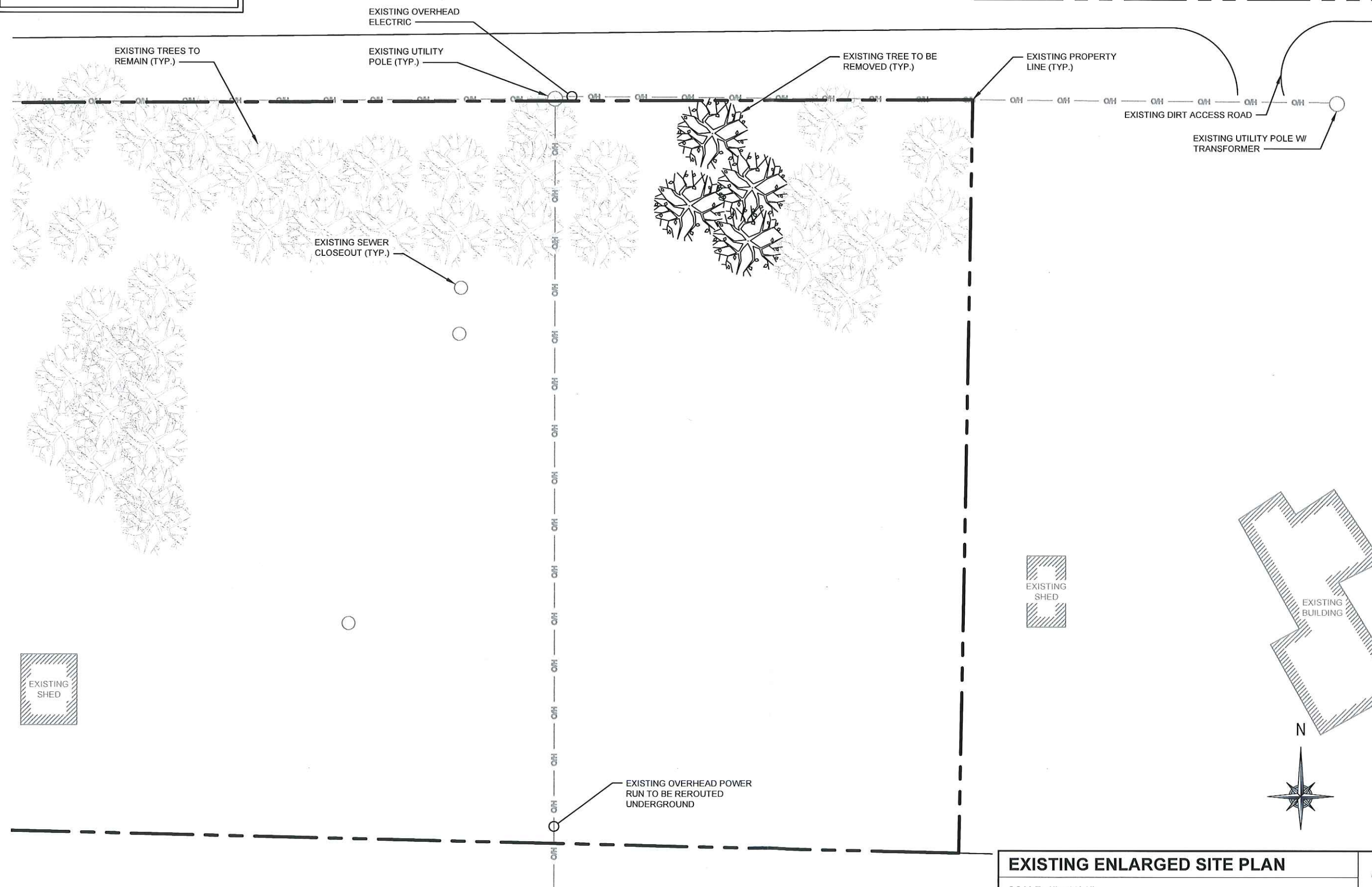
SCALE: 1" = 60'-0"

1



**SURVEY NOTE:**

1. SC PRO STAFF SHALL COORDINATE WITH THE PROPERTY OWNER TO OBTAIN THE PROPER EASEMENT AGREEMENTS TO CONSTRUCT AND MAINTAIN EQUIPMENT IN AND AROUND THE TOWER COMPOUND.
2. PROPOSED COMPOUND LAYOUT BASED ON SURVEY PROVIDED BY TBD DATED TBD.



**EXISTING ENLARGED SITE PLAN**

SCALE: 1" = 30'-0"

1

**Parallel**  
INFRASTRUCTURE

PICO423  
CO-BRUSH-LOWER PLATTE  
32784 CO RD V  
BRUSH, CO 80723

NOT TO BE USED  
FOR CONSTRUCTION

**REVISIONS**

REV.	ISSUED FOR	DATE	BY
1	PRELIM ZD'S	02/08/22	RSS
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PLUMBING \ ELECTRICAL \ LAND SURVEYING  
ACCESSIBILITY CONSULTING \ STRUCTURAL



CHECK: JKP  
DRAWN: RS  
JOB: T2102148

**C-2**

EXISTING ENLARGED  
SITE PLAN

SC PRO CORPORATION  
420 N TWIN OAKS VALLEY RD, SUITE 1476  
SAN MARCOS, CA 92079  
PH: (949) 464-7647  
FAX: TBD  
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T: 702.986.1012 F: 702.986.1010  
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**SURVEY NOTE:**

- 5C PRO STAFF SHALL COORDINATE WITH THE PROPERTY OWNER TO OBTAIN THE PROPER EASEMENT AGREEMENTS TO CONSTRUCT AND MAINTAIN EQUIPMENT IN AND AROUND THE TOWER COMPOUND.
- PROPOSED COMPOUND LAYOUT BASED ON SURVEY PROVIDED BY TBD DATED TBD.

CORD V

**GENERAL NOTES:**

- ALL MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE DRAWINGS AND SPECIFICATIONS. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE STATE, LOCAL AND NATIONAL CODES, ORDINANCES AND OR REGULATIONS APPLICABLE TO THIS PROJECT.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE WORK OF ALL TRADES AND SHALL CHECK ALL DIMENSIONS. ALL DISCREPANCIES SHALL BE CALLED TO THE ATTENTION OF THE 5C PRO CONSTRUCTION MANAGER AND/OR ENGINEER AND BE RESOLVED BEFORE PROCEEDING WITH WORK. WHERE THERE IS A CONFLICT BETWEEN DRAWING AND PARALLEL SPECIFICATIONS, THE 5C PRO CONSTRUCTION MANAGER SHOULD BE CONTACTED FOR CLARIFICATION.
- ALL INFORMATION SHOWN ON THE DRAWINGS RELATIVE TO EXISTING CONDITIONS IS GIVEN AS THE BEST PRESENT KNOWLEDGE, BUT WITHOUT GUARANTEE OF ACCURACY. WHERE ACTUAL CONDITIONS CONFLICT WITH THE DRAWINGS, THEY SHALL BE REPORTED TO THE 5C PRO CONSTRUCTION MANAGER AND/OR ENGINEER SO THAT PROPER REVISIONS MAY BE MADE. MODIFICATION OF DETAILS OF CONSTRUCTION SHALL NOT BE MADE WITHOUT WRITTEN APPROVAL OF THE CONSTRUCTION MANAGER AND/OR ENGINEER.
- CONTRACTOR SHALL REVIEW AND BE FAMILIAR WITH SITE CONDITIONS AS SHOWN ON THE ATTACHED SITE PLAN AND/OR SURVEY DRAWINGS.
- ALL FINISHED GRADES SHALL SLOPE MINIMUM 1/4 IN./FT. AWAY FROM EQUIPMENT IN ALL DIRECTIONS. CONTRACTOR SHALL SLOPE SWALES AS REQUIRED ALONG EXISTING TERRAIN TO DRAIN AWAY FROM COMPOUND AND ACCESS DRIVE.
- THE PROPOSED TOWER AND TOWER FOUNDATIONS WERE DESIGNED BY OTHERS. TOWER INFORMATION PROVIDED ON THESE PLANS ARE PROVIDED FOR REFERENCE PURPOSES ONLY. TOWER DIMENSIONS SHOWN ON THIS PLAN ARE FOR TOWER CENTER LOCATION. CAISSONS AND TOWER SHOWN ON THIS PLAN ARE ILLUSTRATIVE, SEE DESIGN DRAWINGS BY OTHERS. DO NOT SCALE. NOTIFY ENGINEER OR 5C PRO CONSTRUCTION MANAGER OF ANY CONFLICTS OR DISCREPANCIES. CONTRACTOR TO OBTAIN COPY OF TOWER DESIGN DRAWINGS FROM 5C PRO CONSTRUCTION MANAGER TO CONFIRM COAX ROUTING AND ANTENNA MOUNT INFORMATION.
- THE CONTRACTOR SHALL PROVIDE ADEQUATE EXCAVATION SLOPING, SHORING, BRACING, AND GUYS IN ACCORDANCE WITH ALL NATIONAL, STATE, AND LOCAL SAFETY ORDINANCES.
- UPON COMPLETION OF CONSTRUCTION, CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY DAMAGE CAUSED BY CONSTRUCTION ACTIVITIES TO THE EXISTING ACCESS ROAD AND COMPOUND GRAVEL AREAS. ANY NEW FILL MATERIALS SHALL BE COMPACTED.
- THE CONTRACTOR IS HEREBY NOTIFIED THAT PRIOR TO COMMENCING CONSTRUCTION, HE IS RESPONSIBLE FOR CONTACTING THE UTILITY COMPANIES INVOLVED AND SHALL REQUEST A VERIFICATION AT THE CONSTRUCTION SITE OF THE LOCATIONS OF THEIR UNDERGROUND UTILITIES AND WHERE THEY MAY POSSIBLY CONFLICT WITH THE PLACEMENT OF IMPROVEMENTS AS SHOWN ON THESE PLANS. THE CONTRACTOR OR ANY SUBCONTRACTOR FOR THIS CONTRACT WILL BE REQUIRED TO NOTIFY "STATE 811" 72 NUMBER OF HOURS IN ADVANCE OF PERFORMING ANY WORK BY CALLING THE TOLL FREE NUMBER (312)-744-7000. ANY UTILITIES DAMAGED BY CONSTRUCTION ACTIVITIES SHALL BE REPAIRED BY THE CONTRACTOR, AT NO EXPENSE TO THE OWNER.
- CONTRACTOR TO PROVIDE DUMPSTER AND PORTABLE TOILET FACILITY DURING CONSTRUCTION.
- CONTRACTOR TO PROVIDE STYMIE LOCK OR EQUIVALENT AS APPROVED BY PARALLEL CONSTRUCTION MANAGER.
- THE PROJECT WILL COMPLY WITH THE COUNTY OF IMPERIAL ORDINANCE SECTION 92404.01-GENERAL REQUIREMENTS, AS WELL AS THE PROVISIONS OF TITLE 9 AND ALL OTHER APPLICABLE FEDERAL, STATE OR LOCAL LAWS.
- THE APPLICANT IS REQUESTING RELIEF FROM LANDSCAPING REQUIREMENTS DUE TO THE ZONING DISTRICT AND SURROUNDING USES OF THE AREA

**COAX NOTE:**

- ROUTE COAX UP TOWER PER TOWER DESIGN DRAWING BY TOWER OWNER.

**Parallel**  
INFRASTRUCTURE

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ACCESSIBILITY CONSULTING \ STRUCTURAL

CHECK: JKR  
DRAWN: RS  
JOB: T2102148

**C-2.1**

NEW ENLARGED SITE PLAN

**NEW ENLARGED SITE PLAN**

SCALE: 1" = 30'-0"

1



NOTE:  
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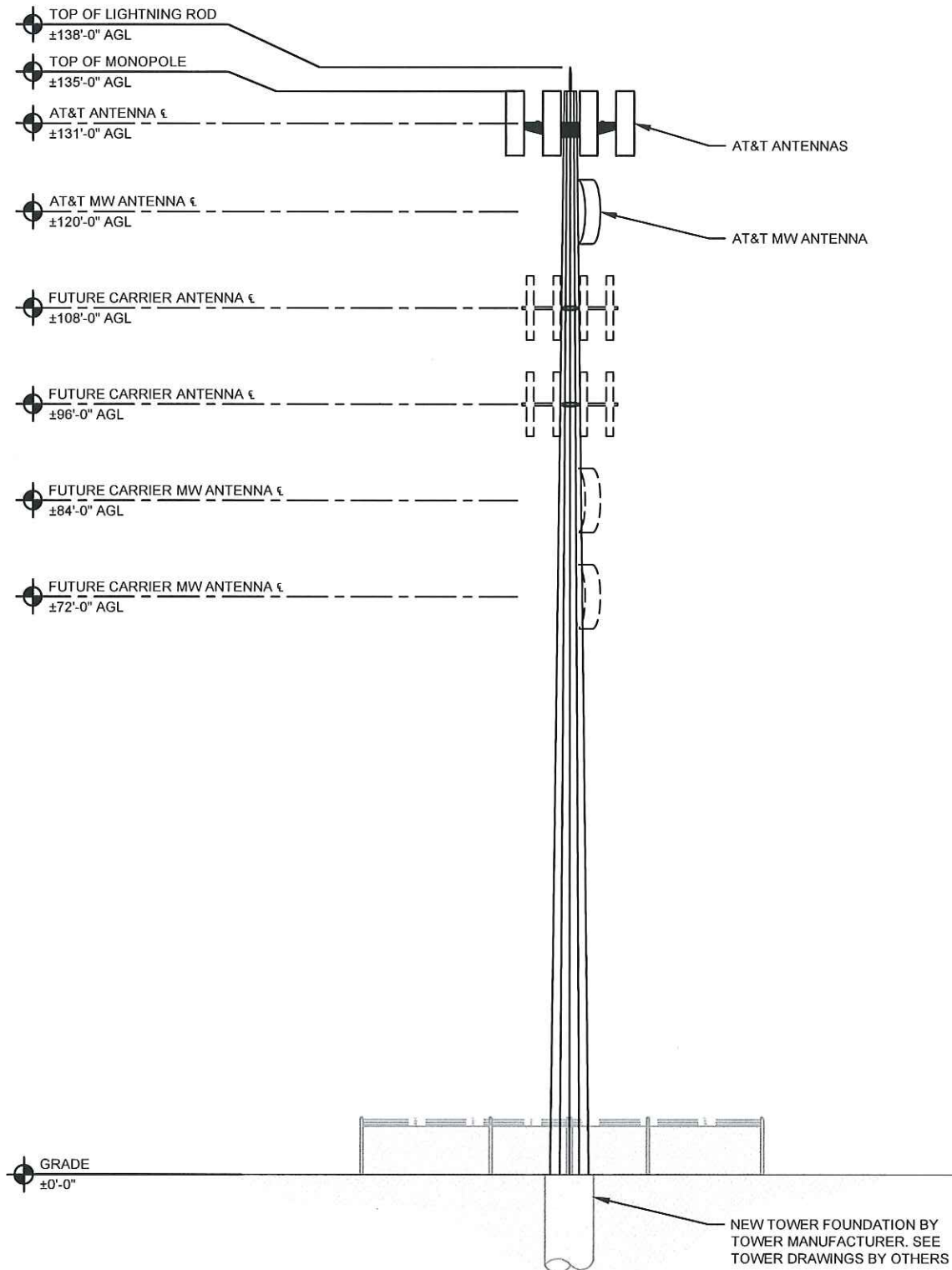
NOTE:  
WT'S SCOPE OF WORK DOES NOT INCLUDE A STRUCTURAL EVALUATION OF THIS TOWER OR STRUCTURE. NEW ANTENNAS AND EQUIPMENT SHOWN ON THIS PLAN HAVE NOT BEEN EVALUATED TO VERIFY THE TOWER OR STRUCTURE HAS THE CAPACITY TO ADEQUATELY SUPPORT THESE ANTENNAS. PRIOR TO ANY ANTENNA OR EQUIPMENT INSTALLATION, A STRUCTURAL EVALUATION OF THE TOWER OR STRUCTURE, INCLUDING ALL ANTENNA MOUNTING SYSTEMS & HARDWARE SHALL BE PERFORMED.

NOTE:  
CONTRACTOR TO USE PROPER TORQUE WRENCH WHEN INSTALLING AND TIGHTENING CONNECTORS TO INSURE PROPER FIT.

NOTE:  
THE PROPOSED TOWER IS NOT REQUIRED TO HAVE LIGHTING PER FAA REGULATIONS

NOTE:  
CONTRACTOR TO ARRANGE NEW MODULES/EQUIPMENT TO AVOID INTERFERING WITH SAFETY CLIMB.

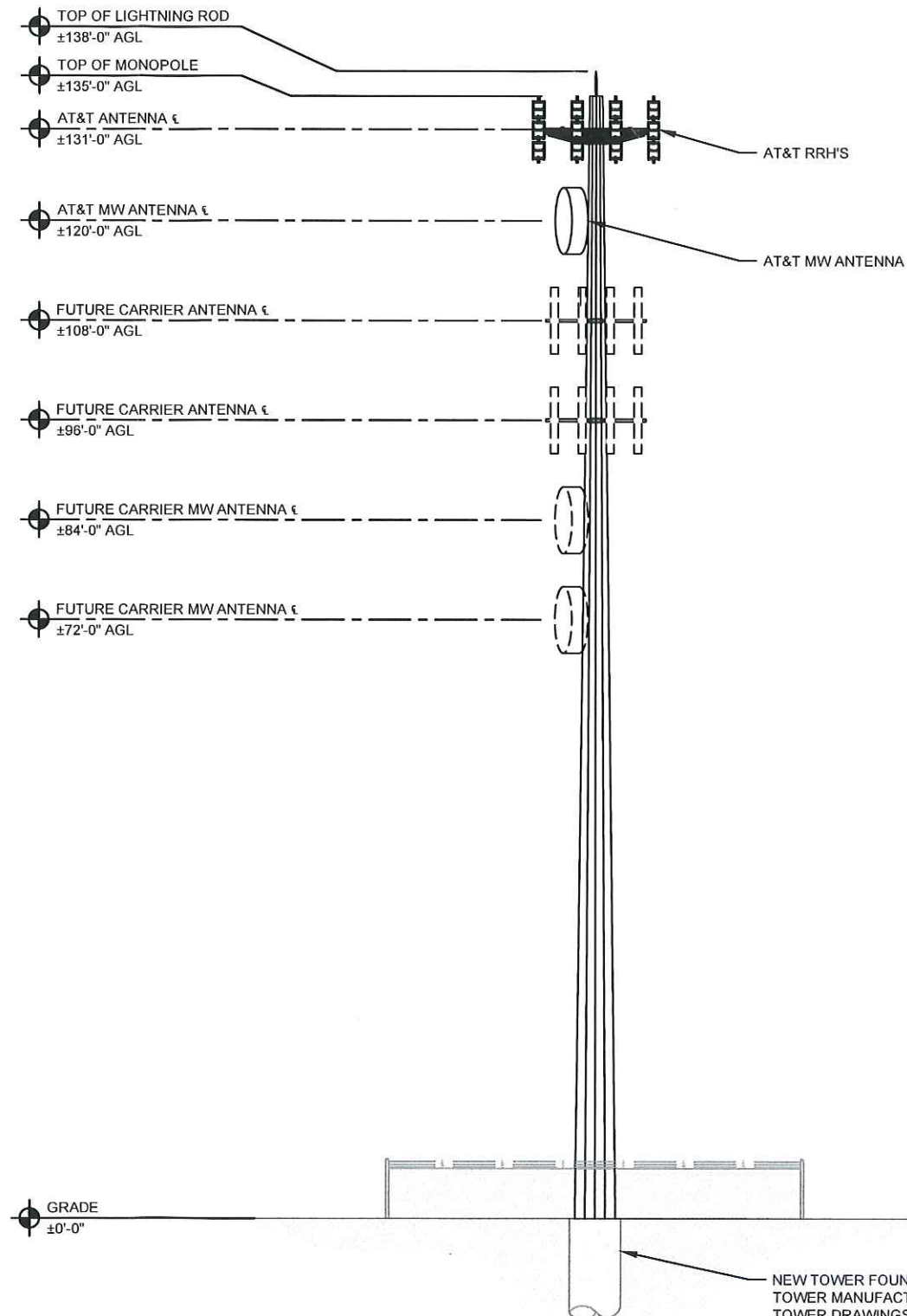
NOTE:  
THE PROPOSED TOWER WILL BE CONSTRUCTED TO ACCOMMODATE A MINIMUM OF THREE (3) COLLOCATIONS.



NORTH ELEVATION

SCALE: 1" = 20'-0"

1



SOUTH ELEVATION

SCALE: 1" = 20'-0"

2

5C PRO CORPORATION  
420 N TWIN OAKS VALLEY RD, SUITE 1476  
SAN MARCOS, CA 92079  
PH: (949) 464-7647  
FAX: TBD  
EMAIL: TBD

**Parallel**  
INFRASTRUCTURE

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CHECK: JKR  
DRAWN: RSS  
JOB: T2102148

C-3

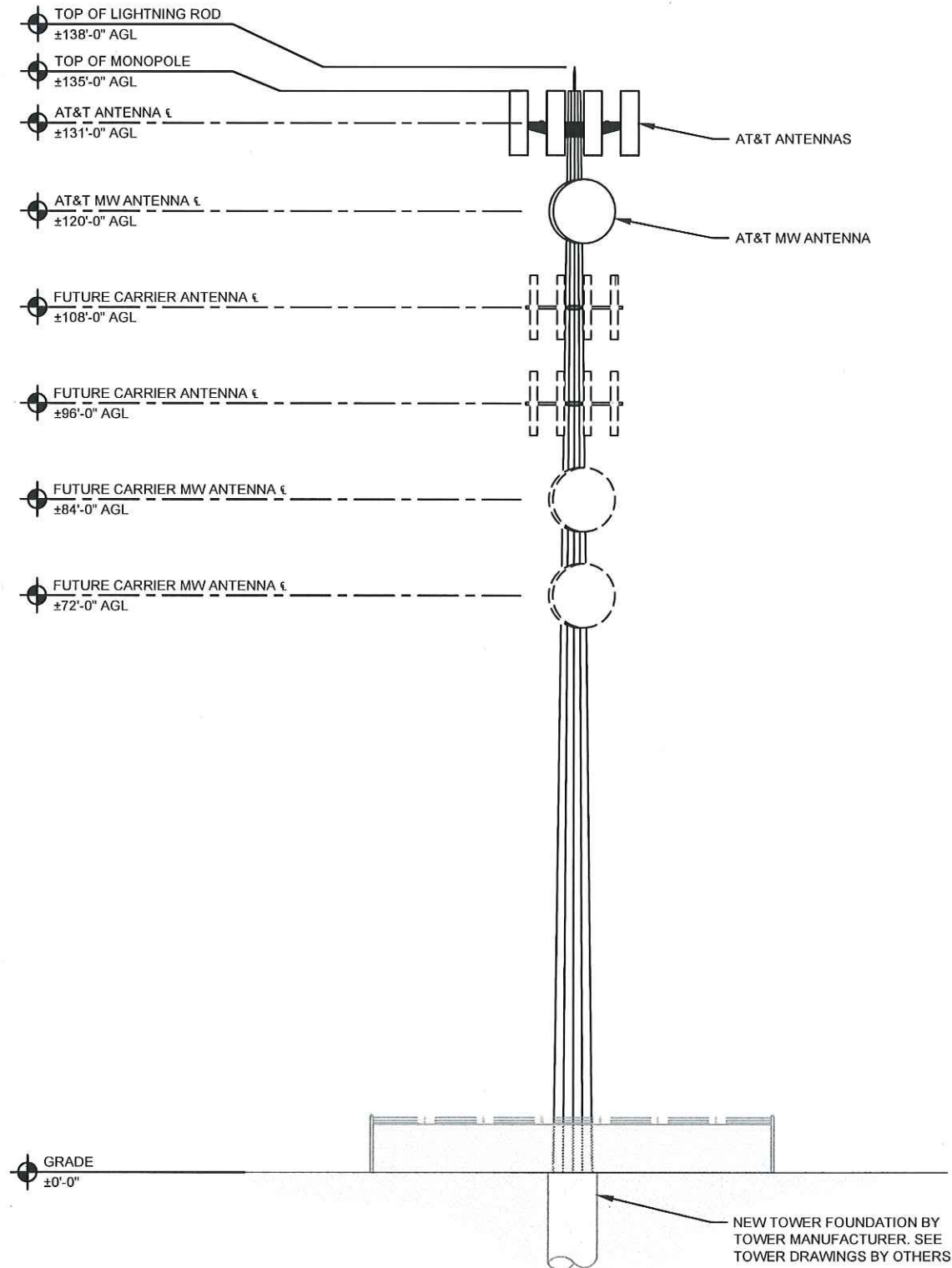
TOWER ELEVATIONS

**WT GROUP**  
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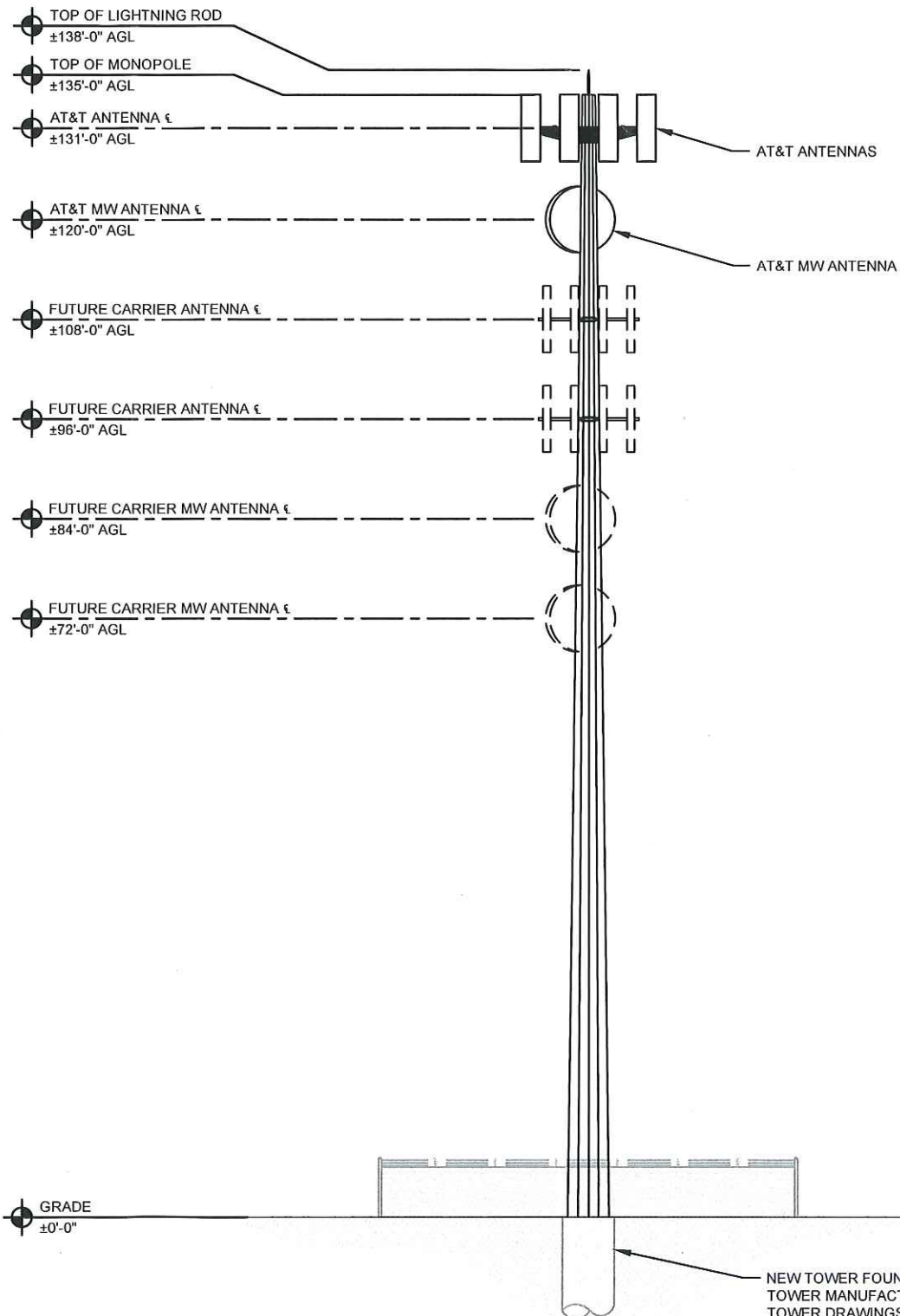
## WEST ELEVATION

SCALE: 1" = 20'-0"

1

NOTE:  
CONTRACTOR TO USE PROPER TORQUE WRENCH WHEN INSTALLING AND TIGHTENING CONNECTORS TO INSURE PROPER FIT.

NOTE:  
THE PROPOSED TOWER IS NOT REQUIRED TO HAVE LIGHTING PER FAA REGULATIONS



## EAST ELEVATION

SCALE: 1" = 20'-0"

2

NOTE:  
CONTRACTOR TO ARRANGE NEW MODULES/EQUIPMENT TO AVOID INTERFERING WITH SAFETY CLIMB.

NOTE:  
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5C PRO CORPORATION  
420 N TWIN OAKS VALLEY RD, SUITE 1476  
SAN MARCOS, CA 92079  
PH: (949) 464-7647  
FAX: TBD  
EMAIL: TBD

**Parallel**  
INFRASTRUCTURE

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CHECK: JKR  
DRAWN: RSS  
JOB: T2102148

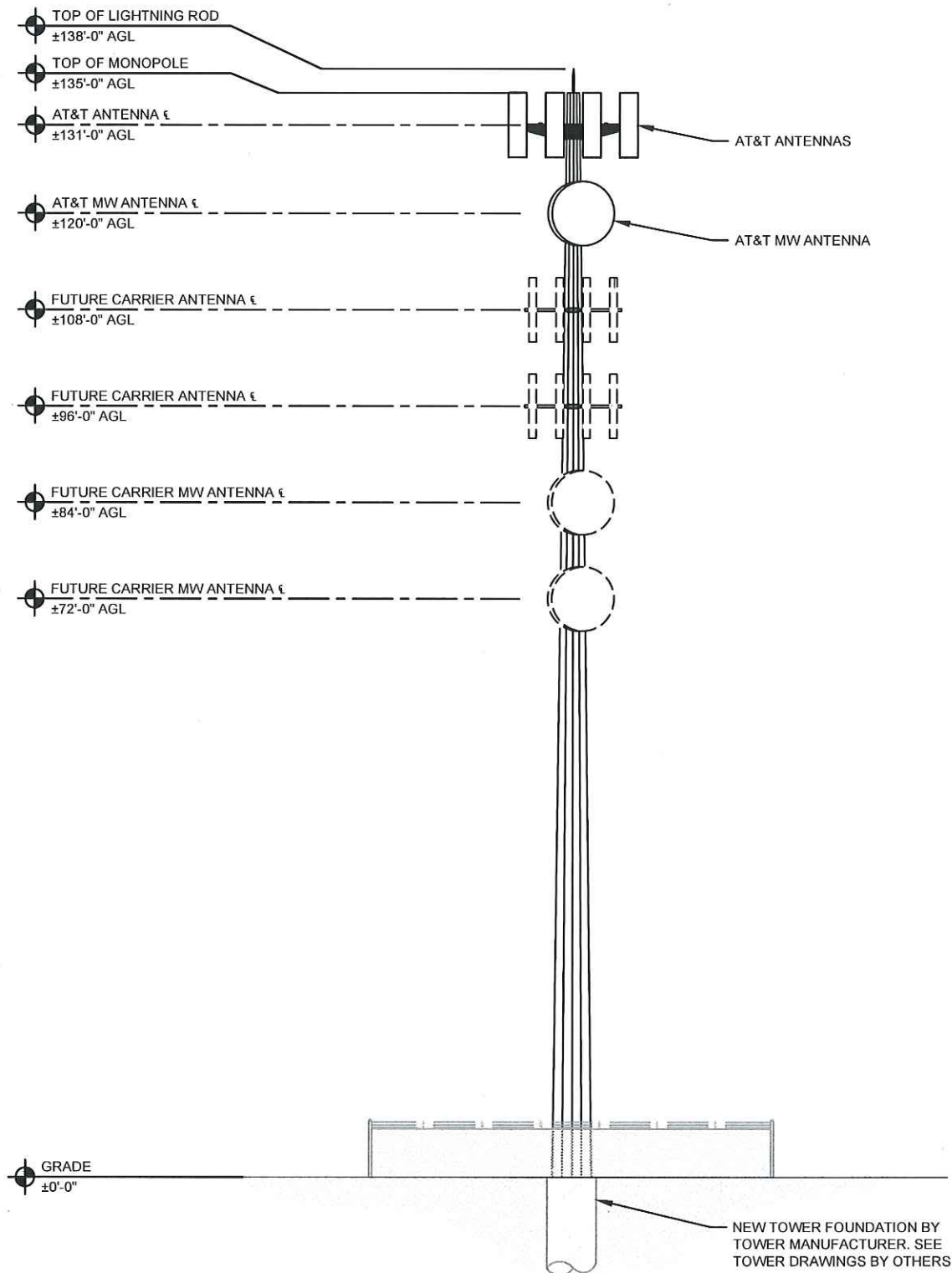
C-4

TOWER ELEVATIONS

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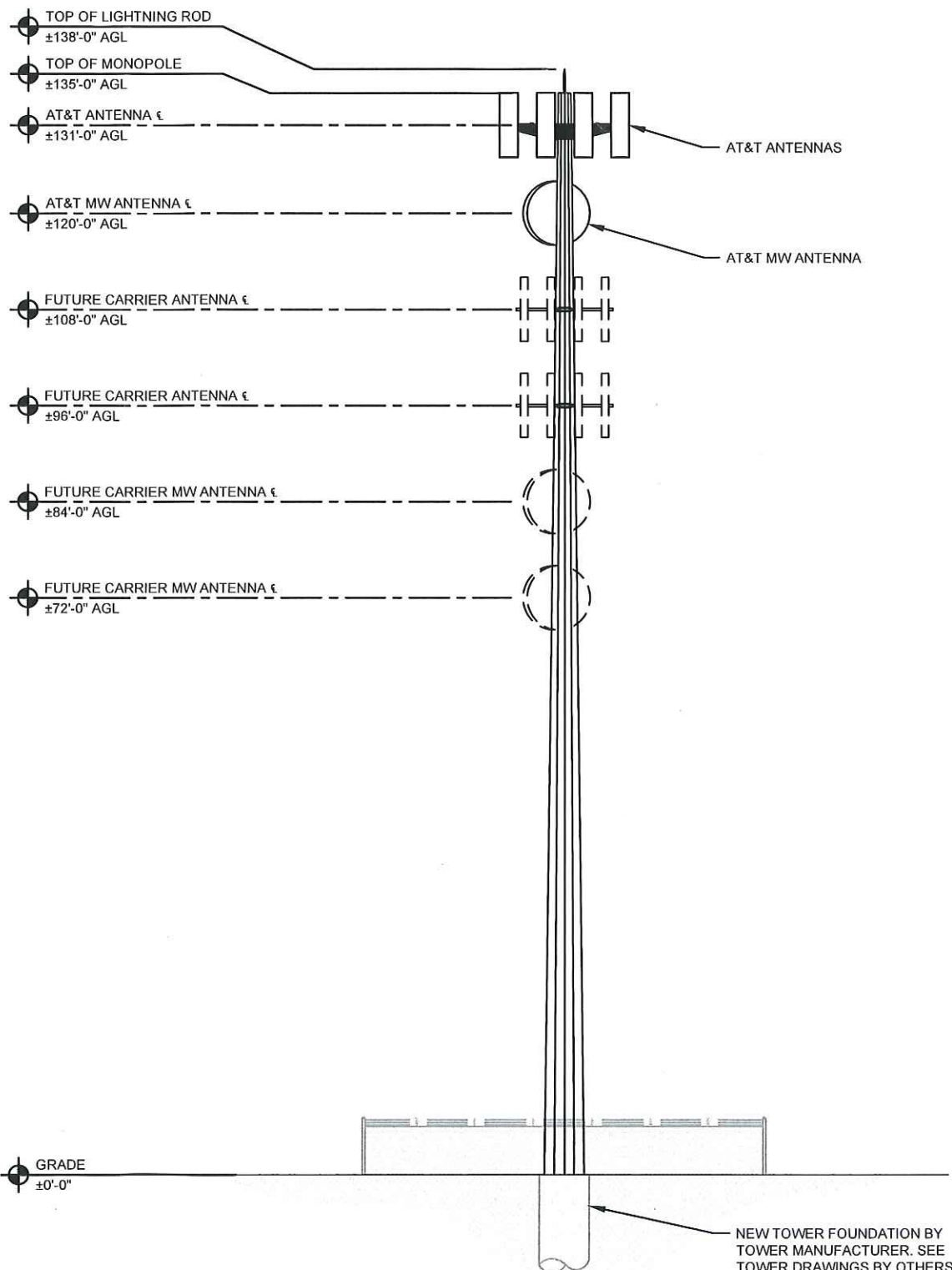
## WEST ELEVATION

SCALE: 1" = 20'-0"

1

NOTE:  
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NOTE:  
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## EAST ELEVATION

SCALE: 1" = 20'-0"

2

NOTE:  
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NOTE:  
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5C PRO CORPORATION  
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SAN MARCOS, CA 92079  
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EMAIL: TBD

**Parallel**  
INFRASTRUCTURE

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ACCESSIBILITY CONSULTING \ STRUCTURAL



CHECK: JKR

DRAWN: RSS

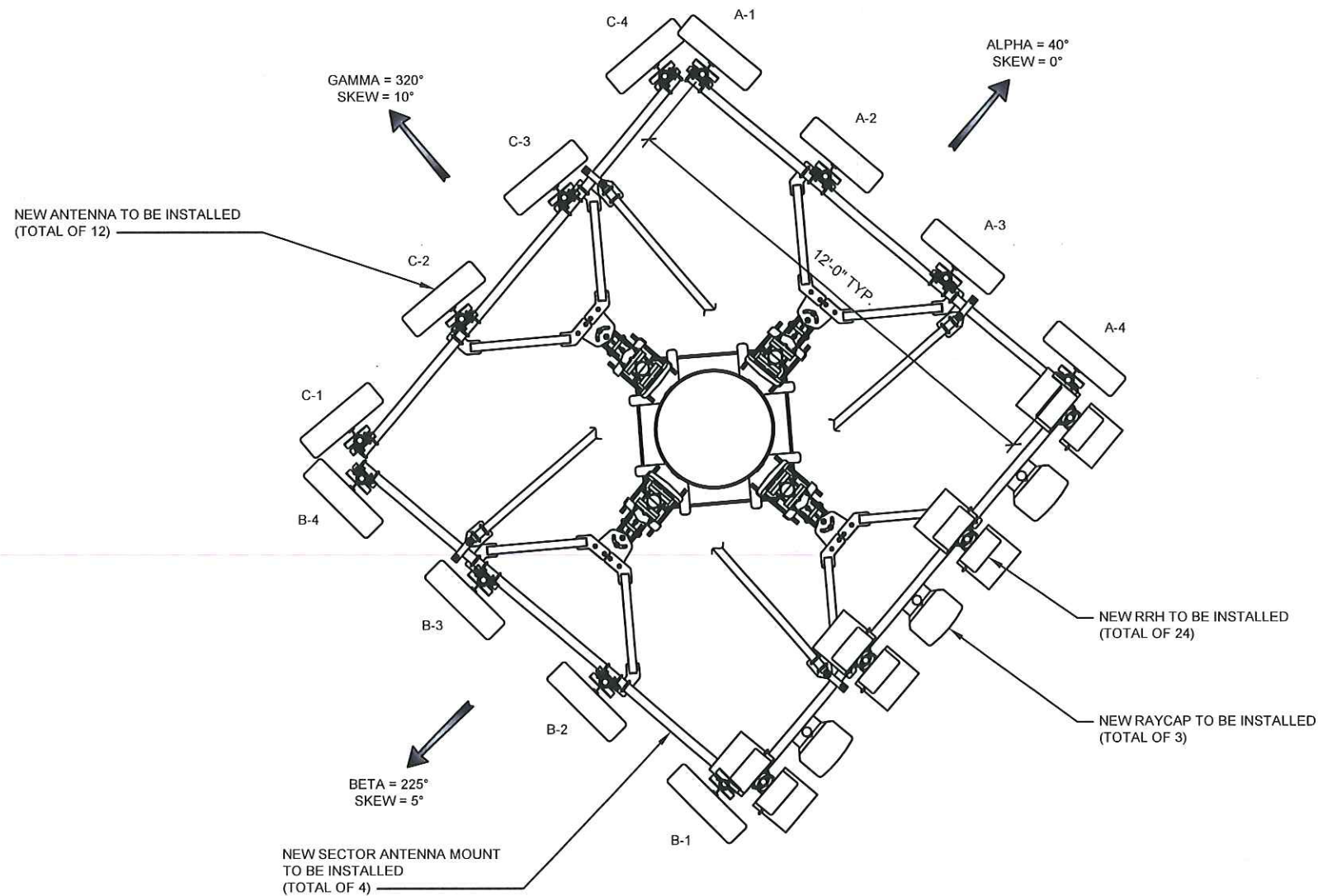
JOB: T2102148

**C-4**

TOWER ELEVATIONS

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NOTE:  
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NOTE:  
ALL PROPOSED EQUIPMENT TO BE PAINTED TO MATCH EXISTING STRUCTURE AND ANTENNAS.



## ANTENNA LAYOUT

SCALE: 1/4" = 1'-0"

2

**Parallel**  
INFRASTRUCTURE

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5C PRO CORPORATION  
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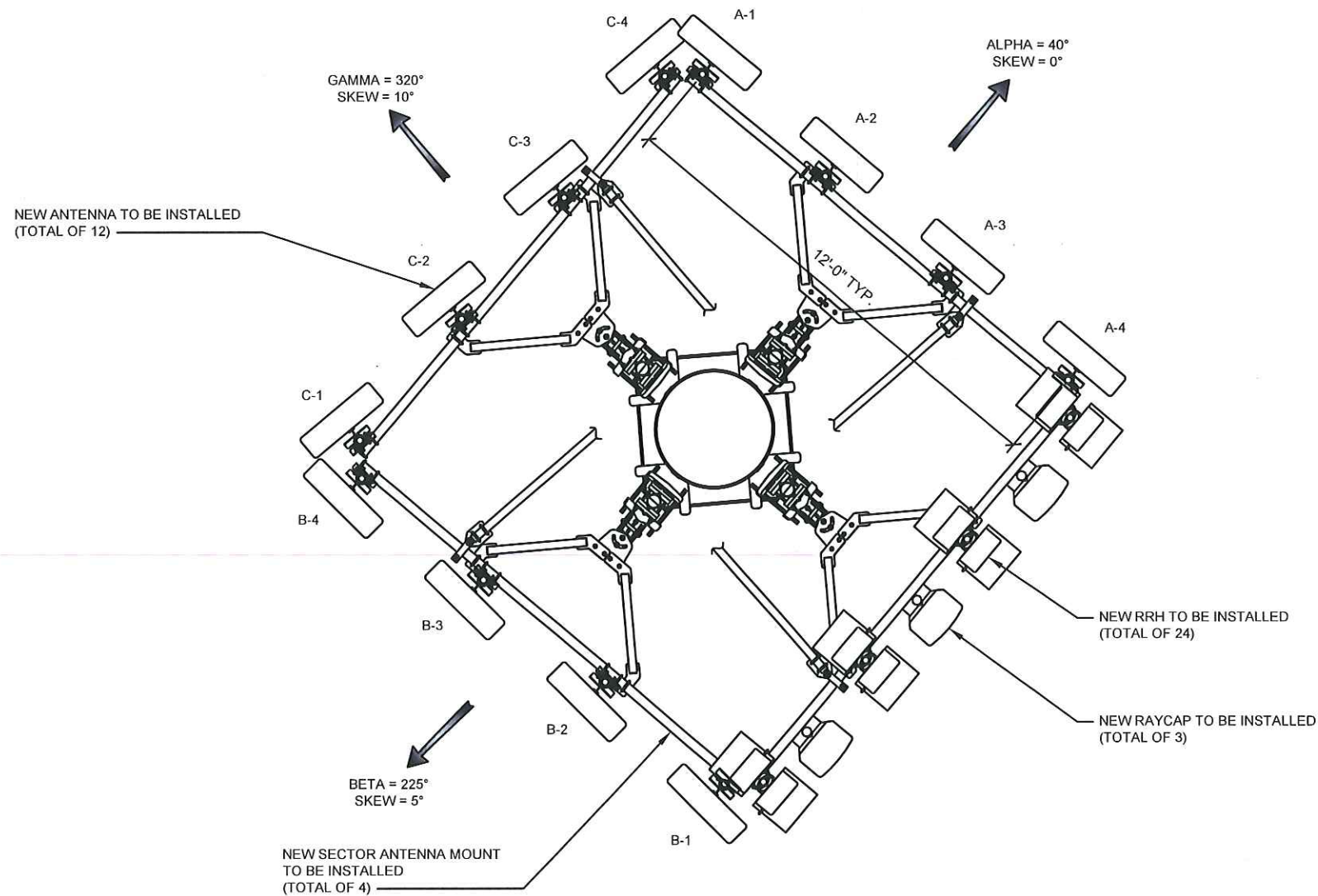
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ACCESSIBILITY CONSULTING \ STRUCTURAL

CHECK: JKR  
DRAWN: RSS  
JOB: T2102148

**C-5**  
ANTENNA LAYOUT



NOTE:  
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**C-5**  
ANTENNA LAYOUT