

Coy Palmer
Minor Subdivision

PLANNING COMMISSION HEARING

January 8, 2024

7:00 p.m.

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MORGAN COUNTY PLANNING AND BUILDING DEPARTMENT

December 7, 2023

Coy Palmer
12012 Hwy 144
Weldona, CO 80653
Sent via email:

Dear Coy:

Your Application for a Minor Subdivision has been received by our office and will go to review and decision by the Planning Commission and the Board of County Commissioners. The hearing for the Planning Commission will be held on **January 8th, 2024 at 7:00 P.M.**

Mineral Right notifications need to be made by December 8th, 2023 and proof of mailing provided to our office no later than December 22nd, 2023 (at least 15 days prior to the above mentioned hearing date).

As per Section 2-390(B), notification sign postings need to occur no later than 10 days prior to each hearing and photographs accompanied by an affidavit to our office no later than 5 days prior to each hearing. One sign facing each public right-of-way adjacent to the property is required. The county will provide one sign for each hearing, for Highway 144, it is up to you to post it.

Planning Commission sign notice dates: **Posted by December 28th, 2023**
Pictures and Affidavit by January 3rd, 2024

We will have the sign ready to be picked up in our office on December 18th, 2023.

It is necessary that you be present at the hearing to answer any questions the Planning Commission may have. If you are unable to attend, a letter stating who will be representing you will be needed.

Do not hesitate to contact us at any time if you have questions.

Sincerely,

Nicole Hay

Nicole Hay
Planning Administrator

FILE SUMMARY



**MORGAN COUNTY
PLANNING AND ZONING DEPARTMENT**

**MORGAN COUNTY PLANNING COMMISSION
FILE SUMMARY**

January 8, 2024 Hearing date

APPLICANT and LANDOWNER: Coy Palmer

This application is for a 3-lot Minor Subdivision of 24.26 acres located in the W½ of Section 7, Township 4 North, Range 58 West of the 6th P.M., Morgan County, Colorado. Also known as 12012 Highway 144, Weldona, CO 80653. The property is zoned agricultural.

Lot 1 will be 6.39 acres, Lot 2 will be 6.77 acres and Lot 3 will be 11.10 acres. Lots 1 and 2 are currently vacant and Lot 3 has an existing residence.

Section 8-195 of the Morgan County Subdivision Regulations requires review of the listed criteria and compliance to be determined prior to approval of the proposed subdivision.

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

- (A) Whether the application documents are complete and present a clear picture of how the subdivision is to be laid out including all infrastructure, easements, and access.
The application documents are complete:
- 1) Northeast Colorado Health Department has issued a letter regarding onsite wastewater treatment systems on Lots 1 thru 3.
 - 2) One Morgan County Quality Water tap exists for Lot 3 and once the necessary extension are made, Morgan County Quality Water would be able to serve Lots 1 and 2.
 - 3) All lots will be accessed by an access easement from one permitted driveway off of State Highway 144.
 - 4) Property is located in the Morgan Fire District.
 - 5) Soil map was provided by the Natural Resources Conservation Service.
 - 6) The applicant notified the mineral rights owners.

7) Right to Farm notices were signed by the property owner and provided with the application.

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

Chapter 2, Plan Summary

Goal: Section 2.C.1- To encourage development where proposed development is compatible with existing land uses and access to public infrastructure is established.

Lot 3 has an existing residence and lots 1 and 2 are currently vacant with proposed development of single family homes. Other minor subdivisions and larger parcels used as single family home sites are in the area. There is access to State Highway 144, Morgan County Quality Water, and Xcel Energy service.

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

All properties adjoining this proposed subdivision are in the Agricultural Production District. To the north is a large parcel with a single family residence, Tomky Fish Farms, and Trace Tire shop. To the southwest there is a minor subdivision with larger parcels used as single family home sites, and pasture ground to the east. Buffer is created by the road and/or distance.

All appropriate notice requirements have been completed.

Nicole Hay
Morgan County Planning Administrator

ORIGINAL SUBMITTAL

Original Application

Right to Farm



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 # MS2023 - 0007

Date Received 11 / 13 / 23 Received By JS
Fee: ☐ Administrative Review \$300 ☒ Full Review \$ 600
☒ CC #: 2097 Paid 12 / 1 / 23
Recording Fee \$ Ck/CC #: Paid / /
PC Date: / / BOCC Date: / /
100 Year Floodplain? Y/N Taxes Current? Y/N

MINOR SUBDIVISION APPLICATION

Landowner MUST Sign Application and Right to Farm Policy

APPLICANT

Name Coy Palmer
Address 12012 Hwy 144
WELDONA, CO 80653
Phone
Email

LANDOWNER

Name Coy Palmer
Address 12012 Hwy 144
WELDONA, CO 80653
Phone
Email

SURVEYOR

Name ROBERT THOMAS Email bob@thomas^{LS}93.com
Address 2619 W 11th St Rd, Suite 24 Phone (710-) 222-3311
Creedley, CO 80634

Minimum Lot Size Requirements:

- Minimum lot size for parcels containing both a water well and septic system is 2.5 (two and one half) acres
- Minimum lot size for parcels without a water well and served by a public or private water system and septic system is 1 (one) acre

PROPERTY LEGAL DESCRIPTION AND TECHNICAL INFORMATION

Address of Property to be divided (or general location if not yet addressed): **Attach extra pages if needed*

12012 Hwy 144 Weldon, CO 80653

Parcel #: 104107000011 -

Zone District: A

S: 7 T: 4 R: 58 W 1/2 NW 1/4 1/4

Total acreage in parcel: 24.26

Number of lots to be created: 3

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

Distance and Direction to Nearest Community: Weldon, 3 miles to the Southeast.

PRESENT use of property residential

PROPOSED use of property Residential

SEE REQUIRED ATTACHMENT LIST ON BACK OF THIS PAGE

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED OR PROCESSED

MINOR SUBDIVISION APPLICATION REQUIRED ATTACHMENT LIST

Additional information may be required by staff

Application Fee:

☐ Non-Refundable Application Fee due with application as determined by staff:

-Made payable to Morgan County Planning & Zoning

☐ \$300 Administrative Review

OR

☐ \$_____ Full Review

Up to 10.90 acres..... \$550.00

11 - 20.9 acres \$575.00

21 - 30.9 acres \$600.00

31 - 40.9 acres \$625.00

41 - 60.0 acres \$650.00

60.0 acres+.....\$650.00 Plus \$15.00 per 40 acres or fraction therein of excess of 60 acres

For example: 99 acres property would be 99-60=39 acres in excess so: \$650+\$15=\$665 fee

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

Project Narrative:

☒ Narrative to include:

☐ Project Description

☐ Purpose of request, including minor subdivision criteria

☐ Additional information to show project's intent

☐ How project will relate to or impact existing adjacent uses

☐ All off-site impacts and proposed mitigation measures

☐ Development or implementation schedule of project

☐ General topography of land and potential hazards

☐ If property is in the floodplain, give Zone, panel number, and panel date

<https://msc.fema.gov/portal/home>

☐ Is proposed subdivision located within a Fire District?

Site Plans/Maps:

☒ Plat map (survey) per requirements set forth in the Morgan County Subdivision Regulations Section 6-170 -- **must show the original exempted parcel and the parcel being created through this amendment** (SUBMIT ELECTRONICALLY)

☐ Improvement location certificate, including setbacks of existing structures, wells and septic system (SUBMIT ELECTRONICALLY)

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

Proof of Ownership:

☒ Current title insurance commitment (within last 6 months)

☐ Names, addresses and phone numbers for all property owners

Utilities/Access

☒ Water- Must have "Will Serve Letter" for lots being subdivided

*will serve for 2 Taps
copy of QW B.11*

copy of permit for current house

☒ **Septic System**

- o Existing Septic System - Evaluation of adequacy in terms of today's regulations from local **Health Department**
- o Private System - "Will Serve Letter"
- o Proposed Septic System - "Will Serve Letter"
- o Public System - "Will Serve Letter"

will serve for 2 others

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

☐ **Driveway Permit** from CDOT or Morgan County Road and Bridge (If required by staff)

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

Technical:

☒ **Impact statement** from Morgan County Extension for determination of the number of animal units this land can sustain

☒ **Soil Map** from Morgan Conservation District showing suitability for sanitary facilities, and building site development for site specific soil

N/A ☐ **Revegetation Plan**

☐ **Notification to all mineral rights owners** and/or lessees
Provide names and addresses as well as a copy of a letter sent **30 days prior** to submission or if unable to locate, submit a list of owners/lessees showing 3 sources of attempts to locate.

Previous reserved the mineral rights

N/A ☐ **Declaration of restrictive covenants**

N/A ☐ **Homeowners Association agreement** and by-laws

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

☐ **Recording Fees:** *All recording fees will be collected at the conclusion of all hearings Made payable to Morgan County Clerk & Recorder*

☐ **Plat map recording fee**

\$13.00 first page

\$10.00 per page thereafter

___ # additional pages x 10 = \$___ + \$13 = \$___ Total Recording Cost

☐ **Covenants recording fee**

\$13.00 first page

\$ 5.00 per page thereafter

*Title to any or all of the Minor Subdivision **CANNOT** be transferred until all required documents have been recorded in the Morgan County Clerk and Records office.

☐ **Additional Information** required by staff: _____


☐ # Paper Application Sets ☐ Digital Copy of Complete Application
One sided only please

LANDOWNER AND APPLICANT STATEMENTS


Property taxes must be current prior to processing application.

I hereby certify that to the best of my knowledge, the information contained within this application package is true and correct.

Application must be signed by applicant and landowner as it appears in title insurance.



Applicant Signature 11-13-23
Date



Landowner Signature 11-13-23
Date

Applicant Signature Date

Landowner Signature Date

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 11-2-2023
Kay Palmer
Printed Name _____
12012 Hwy 144
Address _____
WELDONA, CO 80653

APPLICANT NARRATIVE

MID-WESTERN MILLWRIGHT

Industrial Contractors

111 S. Main St.
Fort Morgan, CO 80701

Office:

Fax: (970) 867-3452

Website: www.midwesternmillwright.com

E-mail:

To the people of Morgan County:

Our family has lived on our 24.26-acre property since the completion of our house in early 2009. Our boys are grown up. Brady has one daughter and one son on the way. Therefore, Jen and I wish to add two additional lots to accommodate our boys and benefit our grandchildren attending the Weldon Valley School.

In the southeast parcel, (Lot -1), Brady and his wife Tayler wish to build a house immediately. The other parcel (Lot-2) will be Trevor's, who has yet to make plans to build. These houses will be higher-end homes ranging from \$ 650,000 to \$ 750,000.00. This will help neighboring property owners to maintain higher property values. These homes are located in a non-flood plane area and will be built in a gated subdivision located within the Fort Morgan fire district, which also borders the Wiggans fire district. The plot map showing all easements is in the attachments.

Best Regards,



Coy Palmer

SITE PLAN / MAPS

THIS IS LIVING ESTATES MINOR SUBDIVISION

MINOR SUBDIVISION #MS2023-XXXX
LOCATED IN THE WEST HALF OF SECTION 7,
TOWNSHIP 4 NORTH, RANGE 58 WEST OF THE 6TH P.M.,
COUNTY OF MORGAN, STATE OF COLORADO

CERTIFICATE OF OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS THAT COY PALMER, BEING THE OWNER OF CERTAIN LANDS IN MORGAN COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

PARCEL 1:

(PROVIDED BY WARRANTY DEED RECORDED OCTOBER 2, 2006 AT RECEPTION NO. 838336, MORGAN COUNTY RECORDS)

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 58 WEST OF THE 6TH P.M., MORGAN COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 7, A FOUND #4 REBAR; THENCE NORTH 89°13'11" EAST ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 7, 30.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE INTERSECTION OF THE NORTH LINE OF SAID NORTHWEST QUARTER, THE CENTERLINE OF THE WELDON VALLEY CANAL, AND THE EASTERLY RIGHT OF WAY LINE OF COUNTY ROAD 12 (HIGHWAY 144); THENCE ON SAID EASTERLY RIGHT OF WAY LINE SOUTH 01°51'00" WEST 125.13 FEET; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE NORTH 89°13'11" EAST 115.39 FEET TO A POINT ON THE CENTERLINE OF THE WELDON VALLEY CANAL; THENCE ON SAID CENTERLINE THE FOLLOWING EIGHT COURSES: SOUTH 49°38'40" EAST 89.10 FEET; THENCE SOUTH 63°12'56" EAST 139.51 FEET; THENCE SOUTH 50°13'26" EAST 180.68 FEET; THENCE SOUTH 18°47'04" EAST 307.95 FEET; THENCE SOUTH 27°03'35" EAST 392.50 FEET; THENCE SOUTH 34°57'41" EAST 357.86 FEET; THENCE SOUTH 17°58'59" EAST 632.86 FEET; THENCE SOUTH 23°36'44" EAST 27.50 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 7; THENCE DEPARTING SAID CENTERLINE AND ON THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 7, NORTH 01°51'38" EAST 1,937.96 FEET TO THE WEST SIXTEENTH CORNER OF SAID SECTION 7, SET A #6 REBAR AND 3 1/4" ALUMINUM CAP STAMPED PLS #06070; THENCE SOUTH 89°13'11" WEST ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 7, 1,254.89 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

(PROVIDED BY QUIT CLAIM DEED RECORDED SEPTEMBER 23, 2023 AT RECEPION NO. 948243, MORGAN COUNTY RECORDS)

A PARCEL OF LAND IN THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 58 WEST OF THE 6TH PRINCIPAL MERIDIAN, MORGAN COUNTY, COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID EAST HALF, NORTHWEST QUARTER OF SECTION 7, SAID POINT BEING ALSO THE NORTHEAST CORNER OF A PARCEL OF LAND DESCRIBED OF LAND DESCRIBED IN RECEPTION NO. 838336; THENCE SOUTH 01°48'30" WEST ALONG THE WEST LINE OF SAID EAST HALF, NORTHWEST QUARTER OF SECTION 7, AND ALONG THE EAST LINE OF SAID PARCEL OF LAND DESCRIBED IN RECEPTION NO. 838336 A DISTANCE OF 38.96 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 01°48'30" WEST ALONG THE WEST LINE OF SAID EAST HALF, NORTHWEST QUARTER OF SECTION 7 AND ALONG THE EAST LINE OF SAID PARCEL OF LAND DESCRIBED IN RECEPTION NO. 838336 A DISTANCE OF 1,899.10 FEET; THENCE NORTH 69°35'30" EAST A DISTANCE OF 85.54 FEET; THENCE NORTH 20°43'35" WEST A DISTANCE OF 56.34 FEET; THENCE NORTH 02°14'40" EAST A DISTANCE OF 1,735.07 FEET; THENCE NORTH 68°03'05" WEST A DISTANCE OF 58.21 FEET; THENCE SOUTH 89°18'00" WEST A DISTANCE OF 15.68 FEET TO THE POINT OF BEGINNING.

THE PARCELS OF LAND DESCRIBED ABOVE CONTAINING 24.26 ACRES, MORE OR LESS, AND BEING SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED AS SHOWN ON THIS PLAT.

EXECUTED THIS ____ DAY OF _____, 20____.

OWNER:

COY PALMER _____

STATE OF COLORADO }
COUNTY OF MORGAN } SS.

THE FOREGOING CERTIFICATION WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY

OF _____, 20____, BY _____

WITNESS MY HAND AND OFFICAL SEAL.

MY COMMISSION EXPIRES _____.

NOTARY PUBLIC _____

COMMISSIONER'S CERTIFICATE:

APPROVED THIS ____ DAY OF _____, 2021, BOARD OF COUNTY COMMISSIONERS, MORGAN COUNTY COLORADO, THIS APPROVAL DOES NOT GUARANTEE THAT THE SIZE, SOIL CONDITIONS, SUBSURFACE GEOLOGY, GROUNDWATER CONDITIONS, OR FLOODING CONDITIONS OF ANY LOT SHOWN HEREON ARE SUCH THAT A BUILDING PERMIT, WELL PERMIT, OR SEWAGE DISPOSAL PERMIT WILL BE ISSUED. THIS APPROVAL IS WITH THE UNDERSTANDING THAT ALL EXPENSES INVOLVING IMPROVEMENTS FOR ALL UTILITY SERVICES, PAVING, GRADING, LANDSCAPING, CURBS, GUTTERS, SIDEWALKS, ROAD LIGHTING, ROAD SIGNS, FLOOD PROTECTION DEVICES, DRAINAGE STRUCTURES, AND ALL OTHER IMPROVEMENTS THAT MAY BE REQUIRED SHALL BE THE RESPONSIBILITY OF THE SUBDIVIDER AND NOT THE COUNTY OF MORGAN.

ATTEST: _____
CLERK OF BOARD CHAIRMAN

CLERK AND RECORDER'S CERTIFICATE:

STATE OF COLORADO }
COUNTY OF MORGAN } SS.

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____ O'CLOCK, ____ M., THIS ____ DAY OF _____.

20____, AND IS DULY RECORDED IN PLAT FILE _____, FEES _____ PAID

CLERK AND RECORDER _____ DEPUTY

NOTES:

1. MORGAN COUNTY IS NOT RESPONSIBLE FOR QUANTITY OR QUALITY OF WATER SUPPLIED TO THIS EXEMPTION.

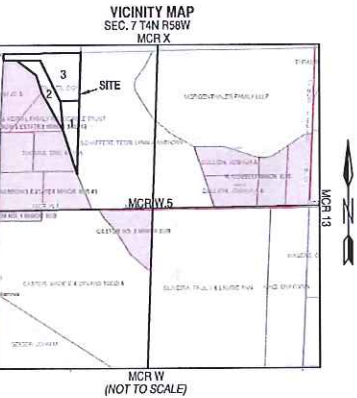
2. ANY PAST, PRESENT OR FUTURE DRAINAGE PROBLEMS ON THIS PROPERTY ARE THE RESPONSIBILITY OF THE LANDOWNER AND THEIR SUCCESSORS AND NOT THAT OF MORGAN COUNTY.

SURVEYOR'S CERTIFICATE:

I, ROBERT D. THOMAS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS MINOR SUBDIVISION WAS PREPARED BY ME, OR UNDER MY PERSONAL SUPERVISION, AND THAT THIS PLAT IS AN ACCURATE REPRESENTATION THEREOF, BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF. I FURTHER CERTIFY THAT THE SURVEY AND THIS PLAT COMPLY WITH ALL APPLICABLE RULES, REGULATIONS, AND LAWS OF THE STATE OF COLORADO, STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS, AND MORGAN COUNTY, AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESS OR IMPLIED.

ROBERT D. THOMAS
COLORADO PROFESSIONAL LAND SURVEYOR #38353

DATE _____



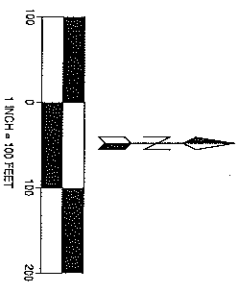
FLOODPLAIN CERTIFICATE

IT IS HEREBY CERTIFIED THAT THE ABOVE DESCRIBED PROPERTY IS NOT LOCATED WITHIN THE ZONE A FLOOD HAZARD BOUNDARY ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCIES FLOOD INSURANCE RATE MAP (NATIONAL FLOOD INSURANCE PROGRAM) COMMUNITY PANEL NO. 06087C0425E EFFECTIVE DATE: MAY 18, 2021.

SURVEYOR'S NOTES:

- THIS SURVEY WAS PREPARED WITH THE BENEFIT OF EQUITY ASSOCIATES II, TITLE COMMITMENT FILE NO. 56968, DATED SEPTEMBER 27, 2023 AND DOES NOT CONSTITUTE A TITLE SEARCH BY THOMAS LAND SURVEYING, LLC, TO DETERMINE EASEMENTS OR TITLE OF RECORD. THOMAS LAND SURVEYING, LLC, RELIED ON SAID COMMITMENT, EXCLUSIVELY, FOR ALL EASEMENTS AND RIGHTS-OF-WAY. THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND-USE REGULATIONS; AND ANY OTHER FACTS THAT SAID TITLE COMMITMENT MAY DISCLOSE.
- ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- THIS SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
- ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT AND/OR BOUNDARY MONUMENT OR ACCESSORY, COMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE, C.R.S. SEC 18-4-508, WHOEVER WILLFULLY DESTROYS, DEFACES, CHANGES, OR REMOVES TO ANOTHER PLACE ANY SECTION CORNER, QUARTER CORNER, OR MEANDER POST, ON ANY GOVERNMENT LINE OF SURVEY, OR WILLFULLY CUTS DOWN ANY WITNESS TREE OR ANY TREE BLAZED TO MARK THE LINE OF A BENCH MARK OF ANY GOVERNMENT SURVEY, SHALL BE FINED UNDER THIS TITLE OR IMPRISONED NOT MORE THAN SIX MONTHS, OR BOTH, 18 U.S.C. 1858 (2009).
- THE DISTANCE MEASUREMENTS SHOWN HEREON ARE U.S. SURVEY FOOT.
- (M) DENOTES FIELD MEASURED DISTANCES, (D) DENOTES DEEDED DISTANCES PER THOSE DEEDS RECORDED AT RECEPTION NOS. 838336 AND 948243.

MINOR SUBDIVISION #MS2023-XXXX
LOCATED IN THE WEST HALF OF SECTION 7,
TOWNSHIP 4 NORTH, RANGE 58 WEST OF THE 6TH P.M.,
COUNTY OF MORGAN, STATE OF COLORADO



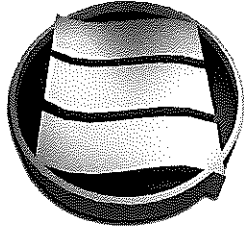
THE NORTH LINE OF THE WEST HALF OF SECTION 7,
TOWNSHIP 4 NORTH, RANGE 58 WEST OF THE 6TH P.M.,
HAS AN ASSUMED BEARING OF NORTH 89°09'47" EAST
AND IS MONUMENTED AS INDICATED.

PAGE 2 OF 2
PROJECT: 2209.010
DRAWING: PALMER MINOR SUB S7 T4N R56W

PROOF OF OWNERSHIP

Current Title Insurance Commitment

Any deeds or additional ownership documentation



EQUITY TITLE OF COLORADO

520 Sherman Street
Fort Morgan, CO 80701
Phone: (970) 867-0515 • Fax: (970) 867-2246

Date: October 5, 2023

Our File Number: 00056988 SB

C-3 – Adding Additional Parcel

Re: Coy Palmer / TBD

Property Address: 12012 Highway 144 Weldona, CO 80653

Escrow Officer: Title Only

Title Officer: Shelly Butt - (303) 563-4655 - shellyb@equitycol.com

Delivery List

Seller:

Coy Palmer

Buyer:

TBD

Copy to:

Thomas Land Surveying, PLS
2619 West 11th Street Road Suite 24

Greeley, CO 80634

Attn: Bob Thomas

Ph: Fax

Email:

SENT VIA EMAIL



ALTA COMMITMENT FOR TITLE INSURANCE

ISSUED BY
STEWART TITLE GUARANTY COMPANY - II

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 EXTRACONTRACTUAL 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, STEWART TITLE GUARANTY COMPANY - II, a Texas 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 six (6) months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

Countersigned:

Authorized Signature

Equity Title Associates II, LLC

Company Name

Fort Morgan, Colorado

City State

stewart
title guaranty company



Matt Morris
President and CEO

Denise Carraux
Secretary

For purposes of this form the "Stewart Title" logo featured above is the represented logo for the underwriter, Stewart Title Guaranty Company - II.

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

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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:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I - Requirements;
- (f) Schedule B, Part II - Exceptions; and
- (g) a countersignature 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:
 - (i) comply with the Schedule B, Part I - Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II - Exceptions; or
 - (iii) 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.

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- (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.
- (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 \$2,000,000 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>.

STEWART TITLE GUARANTY COMPANY - II

All notices required to be given the Company and any statement in writing required to be furnished the Company shall be addressed to it at P.O. Box 2029, Houston, Texas 77252-2029.

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**ALTA COMMITMENT FOR TITLE INSURANCE
SCHEDULE A**

ISSUED BY
STEWART TITLE GUARANTY COMPANY - II

Transaction Identification Data for reference only:

Issuing Agent: Equity Title Associates II, LLC
Issuing Office: 520 Sherman Street, Fort Morgan, CO 80701
Loan ID Number:
Issuing Office File Number: 00056988
Property Address: 12012 Highway 144, Weldona, CO 80653

1. Effective Date: **September 27, 2023 at 8:00 a.m.**

2. Policy to be issued:

(a) None
Proposed Insured: **TBD**
Proposed Policy Amount: **\$0.00**

(b) None
Proposed Insured:
Proposed Policy Amount: **\$0.00**

(c) None
Proposed Insured:
Proposed Policy Amount: **\$0.00**

3. The estate or interest in the Land described or referred to in this Commitment is:

FEE SIMPLE

4. The Title is, at the Commitment Date, vested in:

Coy Palmer (As to Parcels 1 and 2)

5. The Land is described as follows:

See Exhibit A attached hereto and made a part hereof.

STEWART TITLE GUARANTY COMPANY - II
Countersigned By



Authorized Signature

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TITLE PREMIUMS

TBD Commitment Fee	\$	300.00
Payment Received	\$	-300.00
Extra Parcel Search Fee	\$	150.00
TOTAL	\$	\$ 150.00

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EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

A parcel of land located in the NW ¼ of Section 7, Township 4 North, Range 58 West of the 6th P.M., Morgan County, Colorado, being more particularly described as follows: COMMENCING at the NW corner of said Section 7, a found #4 rebar;

THENCE North 89°13'11" East on the North line of the NW ¼ of said Section 7, 30.03 feet to the point of beginning, said point being the intersection of the North line of said NW ¼, the centerline of the Weldon Valley Canal, and the Easterly right of way line of County Road 12 (Highway 144);

THENCE on said Easterly right of way line South 01°51'00" West, 125.13 feet;

THENCE departing said easterly right of way line North 89°13'11" East 175.33 feet to a point on the centerline of the Weldon Valley Canal;

THENCE on said centerline the following eight (8) courses:

South 49°38'40" East 89.10 feet;

THENCE South 63°12'56" East 139.51 feet;

THENCE South 50°13'26" East 180.68 feet;

THENCE South 18°47'34" East 307.35 feet;

THENCE South 27°03'35" East 392.60 feet;

THENCE South 34°57'41" East 357.86 feet;

THENCE South 17°58'59" East 632.86 feet;

THENCE South 23°36'44" East 27.50 feet to a point on the East line of the W ½ NW ¼ of said Section 7;

THENCE departing said centerline and on the East line of the W ½ NW ¼ of said Section 7, North 01°51'38" East 1937.96 feet to the W 1/16 corner of said Section 7, a set #6 rebar and 3 ¼" aluminum cap stamped P.L.S. #36070;

THENCE South 89°13'11" West on the North line of the NW ¼ of said Section 7, 1254.89 feet to the point of beginning; County of Morgan, State of Colorado;

PARCEL 2:

A parcel of land in the East Half of the Northwest Quarter (E ½ NW ¼) of Section 7, Township 4 North, Range 58 West of the Sixth Principal Meridian, Morgan County, Colorado, said parcel being more particularly described as follows:

COMMENCING AS THE Northwest corner of said E ½ NW ¼ of Section 7, said point being also the Northeast corner of a parcel of land described in Reception No. [838336](#);

THENCE South 1°48'30" West along the West line of said E ½ NW ¼ of Section 7 and along the East line of said parcel of land described in Reception No. [838336](#), a distance of 38.96 feet to the true point of beginning;

THENCE Continuing South 1°48'30" West along the West line of said E ½ NW ¼ of Section 7 and along the East line of said parcel of land described in Reception No. [838336](#), a distance of 1899.10 feet;

THENCE North 69°35'30" East, a distance of 85.54 feet;

THENCE North 20°43'35" West, a distance of 56.34 feet;

THENCE North 2°14'40" East, a distance of 1795.07 feet;

THENCE North 68°03'05" West, a distance of 59.21 feet;

THENCE South 89°18'00" West, a distance of 15.68 feet to the point of beginning;

County of Morgan, State of Colorado.

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**ALTA COMMITMENT FOR TITLE INSURANCE
SCHEDULE B PART I**

ISSUED BY
STEWART TITLE GUARANTY COMPANY - II

Requirements

File No.: 00056988

All of the following Requirements must be met:

- A. ~~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.~~
- B. ~~Pay the agreed amount for the estate or interest to be insured.~~
- C. ~~Pay the premiums, fees, and charges for the Policy to the Company.~~
- D. ~~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.~~
- i.
- ii.
- ~~=clause=~~
- E. ~~Evidence if any that all assessments for common expenses due under the Declaration referred to in Schedule B, Section 2 contained herein, have been paid.~~
- F. ~~Receipt by the Company of a satisfactory Final Affidavit, executed by Coy Palmer.~~
- G. ~~Receipt by the Company of a satisfactory Final Affidavit, executed by TBD.~~
- H. ~~Payment of all taxes and assessments now due and payable.~~

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**ALTA COMMITMENT FOR TITLE INSURANCE
SCHEDULE B PART II**

ISSUED BY
STEWART TITLE GUARANTY COMPANY - II

Exceptions

File No.: 00056988

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:

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 of which all of the Schedule B, Part I - Requirements are met.
NOTE: Provided Equity Title Associates II, LLC conducts the closing of this transaction, Exception 1 will be deleted.
2. Rights or claims of parties in possession not shown by the public records.
3. Easements or claims of easements, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortages in area, encroachments, and any facts which a correct survey and inspection of the premises would disclose and which are 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.
NOTE: Upon receipt of a satisfactory survey and final affidavits, as shown in Schedule B - Section 1, Exceptions 2 through 5 will not appear on the Lender's Policy (if any) to be issued hereunder.
6. Taxes and assessments which are a lien or are now due and payable; any tax, special assessment, charge or lien imposed for or by any special taxing district or for water or sewer service; any unredeemed tax sales.
NOTE: Upon payment of all taxes and assessments now due and payable, as shown in Schedule B - Section 2, Exception 6 will be amended to read as follows: "Taxes and assessments for the year 2022 and subsequent years, a lien, not yet due or payable."
7. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water; (d) Minerals of whatsoever kind, subsurface and surface substances, in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the Public Records or listed in Schedule B.

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SCHEDULE B, PART II

(Continued)

THE FOLLOWING EXCEPTIONS APPLY TO PARCEL 1:

8. The right of a proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to penetrate or intersect the premises, and a right of way for ditches and canals constructed by the authority of the United States, as reserved in United States Patent dated December 20, 1892, in [Volume 47 at Page 99](#). The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
9. Right of Way for Road purposes as specified in the Road Petition recorded November 22, 1918, in [Book 73 at Page 115](#), said road to be not less than 60 feet in width.
10. Terms and conditions as set forth in the Order, recorded May 6, 1907, as Reception No. [25157](#).
11. Right of Way for State Highway 144, as presently in existence.
12. Weldon Valley Ditch, as presently in existence.
13. The Weldon Valley Ditch and rights of way therefor, as evidenced by sworn Statement recorded on October 14, 1882 in book 4 at page 97.
14. The Reservoir Canal and rights of way therefor, as evidenced by map and sworn Statement filed August 8, 1895 in File No. 17.
15. The Weldon Valley Extension Canal and rights of way therefor, as evidenced by Map and Sworn Statement recorded June 25, 1907 in Map Book 1 at Page 29.
16. Any loss of or adverse claim to that portion of the legal description in Schedule A hereof adjoining the Weldon Valley Ditch based on an assertion that the channel and banks of said river, canal or ditch have been changed or altered other than by natural causes and in imperceptible degrees.
17. An Oil and Gas Lease, from Clifton H. Corcilus, as Lessor(s) to Donald Bolls, as Lessee(s), dated December 4, 1948, recorded December 16, 1948, as Reception No. [343241](#), and any and all assignments thereof or interests therein. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
18. Reservation of $\frac{1}{2}$ of all oil, gas and other minerals, as described in Deed recorded June 13, 1974, as Reception No. [588171](#). The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
19. Terms and conditions as set forth in the Grant of Right of Way of Easement, recorded November 22, 1976, as Reception No. [608418](#).
20. An Oil and Gas Lease, from Samuel A. Brunelli, Anthony P. Brunelli and Jackie Brunelli, as Lessor(s) to Energetics, Inc., as Lessee(s), dated February 4, 1982, recorded March 24, 1982, as Reception No. [660352](#), and any and all assignments thereof or interests therein. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.

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SCHEDULE B, PART II

(Continued)

21. Reservation of 50% of the mineral interest, as described in Deed recorded March 16, 1990, as Reception No. [718416](#). The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
22. Terms and conditions as set forth in the License Agreement for Crossing, recorded September 22, 2006, as Reception No. [838131](#).
23. Terms and conditions as set forth in the Exemption, recorded September 27, 2006, as Reception No. [838258](#).
24. Weldon Valley Canal, easements, notes, covenants, restrictions and rights-of-way as shown on the Subdivision Exemption, recorded September 28, 2006, as Reception No. [1601243](#) and re-recorded 1601244.
25. Terms and conditions as set forth in the Deed, recorded October 2, 2006, as Reception No. [838336](#).
26. Reservation of all oil, gas and other minerals, as described in Deed recorded October 2, 2006, as Reception No. [838336](#). The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
27. Terms and conditions as set forth in the License Agreement for Crossing, recorded March 29, 2007, as Reception No. [841724](#).
28. Terms and conditions as set forth in the Grant of Easement, recorded June 20, 2007, as Reception No. [843395](#).
29. Terms and conditions as set forth in the License Agreement for Crossing, recorded January 18, 2008, as Reception No. [847288](#).
30. Terms and conditions as set forth in the Easement, recorded May 27, 2008, as Reception No. [849560](#).
31. Weldon Valley Canal, fences, easements, notes, covenants, restrictions and rights-of-way as shown on the plat of Survey Plat, recorded May 19, 2022, as Reception No. [1602100](#).
32. The following notices pursuant to CRS 9-1.5-103 concerning underground facilities have been filed with the Clerk and Recorder. These statements are general and do not necessarily give notice of underground facilities within the subject property:
 - a.) Mountain Bell Telephone Company recorded October 2, 1981, in [Book 821 at Page 502](#).
 - b.) Public Service Company of Colorado recorded October 2, 1981, in [Book 821 at Page 514](#).
 - c.) Morgan County REA, recorded January 22, 1982, in [Book 825 at Page 656](#).
33. **Deed of Trust from Coy Palmer to the Public Trustee of Morgan County for the benefit of Bank of Colorado, to secure an indebtedness in the principal sum of \$692,000.00, and any other amounts and/or obligations secured thereby, dated January 25, 2018, and recorded January 31, 2018, as Reception No. [910138](#).**

THE FOLLOWING EXCEPTIONS APPLY TO PARCEL 2:

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SCHEDULE B, PART II
(Continued)

34. Right of way for ditches and canals constructed by the authority of the United States, as reserved in United States Patent dated October 9, 1911, as Patent No. [229069](#).
35. The Weldon Valley Ditch and rights of way therefor, as evidenced by sworn Statement recorded on October 14, 1882 in book 4 at page 97.
36. Weldon Valley Ditch, as presently in existence.
37. The apparent lack of access to and from the subject property via a public street, road or highway, or via a privately granted easement; the effect of the apparent lack of access upon the marketability of the title to the land.
(NOTE – this parcel only has access through the adjacent parcel, it does not have record access on its own.)
38. Terms and conditions as set forth in the Order, recorded May 6, 1907, as Reception No. [25157](#).
39. Reservation of mineral interests, as described in Deed recorded February 7, 1927, as Reception No. [166692](#). The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
40. Terms and conditions and reservations as set forth in the Contract for Sale of Real Estate, recorded October 4, 1930, as Reception No. [199654](#). The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
41. Conveyance of mineral interests as described in Royalty Deed – Oil and Gas, recorded October 14, 1930, as Reception No. [199892](#). The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
42. Conveyance of mineral interests as described in Royalty Deed – Oil and Gas, recorded October 18, 1930, as Reception No. [199987](#). The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
43. Conveyance of mineral interests as described in Deed recorded December 31, 1930, as Reception No. [202415](#). The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
44. Reservation of mineral interests, as described in Deed recorded December 31, 1930, as Reception No. [202416](#). The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
45. Conveyance of mineral interests as described in Deed recorded December 31, 1930, as Reception No. [202418](#). The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
46. Reservation of mineral interests, as described in Deed recorded February 27, 1933, as Reception No. [221142](#). The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.

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SCHEDULE B, PART II

(Continued)

47. Reservation of mineral interests, as described in Deed recorded March 26, 1936, as Reception No. [245861](#). The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
48. Reservation of mineral interests, as described in Deed recorded April 25, 1936, as Reception No. [245862](#). The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
49. Reservation of mineral interests, as described in Deed recorded May 4, 1936, as Reception No. [246060](#). The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
50. Reservation of mineral interests, as described in Deed recorded September 16, 1943, as Reception No. [306075](#). The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
51. Reservation of mineral interests, as described in Deed recorded August 27, 1964, as Reception No. [517777](#). The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
52. Terms and conditions as set forth in the Grant of Right of Way Easement, recorded August 27, 1973, as Reception No. [582086](#).
53. Terms and conditions as set forth in the Grant of Right of Way Easement, recorded August 27, 1973, as Reception No. [582087](#).
54. An Oil and Gas Lease, from Terry Covelli and Carol Covelli, as Lessor(s) to O.R. Weyrich, Jr., as Lessee(s), dated May 18, 1974, recorded August 16, 1974, as Reception No. [589535](#), and any and all assignments thereof or interests therein. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
55. An Oil and Gas Lease, from Terry S. Covelli and Carol J. Covelli, as Lessor(s) to Energetics, Inc., as Lessee(s), dated February 4, 1982, recorded March 15, 1982, as Reception No. [660025](#), and any and all assignments thereof or interests therein. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
56. Terms and conditions as set forth in the Easement in Riverside Weldon Valley Pipeline, recorded February 21, 1995, as Reception No. [747194](#).
57. An Oil and Gas Lease, from Terry S. Covelli and Carol J. Covelli, as Lessor(s) to Prima Exploration, Inc., as Lessee(s), dated May 27, 2010, recorded July 15, 2010, as Reception No. [862429](#), and any and all assignments thereof or interests therein. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
58. An Oil and Gas Lease, from Terry S. Covelli and Carol J. Covelli, as Lessor(s) to Bijou Creek Holdings, LLC, as Lessee(s), dated May 31, 2015, recorded March 16, 2016, as Reception No. [898607](#), and any and all assignments thereof or interests therein. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.

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

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SCHEDULE B, PART II

(Continued)

59. Conveyance of mineral interest as described in Deed recorded December 16, 2016, as Reception No. [903054](#). The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
60. All matters revealed and as shown on the Survey Plat, recorded May 19, 2022, as Reception No. [1602100](#).
61. The following notices pursuant to CRS 9-1.5-103 concerning underground facilities have been filed with the Clerk and Recorder. These statements are general and do not necessarily give notice of underground facilities within the subject property:
- a.) Mountain Bell Telephone Company recorded October 2, 1981, in [Book 821 at Page 502](#).
 - b.) Public Service Company of Colorado recorded October 2, 1981, in [Book 821 at Page 514](#).
 - c.) Morgan County REA, recorded January 22, 1982, in [Book 825 at Page 656](#).

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

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DISCLOSURES

Pursuant to C.R.S. 10-11-122, notice is hereby given that:

- A. THE SUBJECT REAL PROPERTY MAY BE LOCATED IN A SPECIAL TAXING DISTRICT;
- B. A CERTIFICATE OF TAXES DUE LISTING EACH TAXING JURISDICTION SHALL BE OBTAINED FROM THE COUNTY TREASURER OR THE COUNTY TREASURER'S AUTHORIZED AGENT;
- C. INFORMATION REGARDING SPECIAL DISTRICTS AND THE BOUNDARIES OF SUCH DISTRICTS MAY BE OBTAINED FROM THE BOARD OF COUNTY COMMISSIONERS, THE COUNTY CLERK AND RECORDER, OR THE COUNTY ASSESSOR

Note: Colorado Division of Insurance Regulations 8-1-2, Section 5, Paragraph G requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed." Provided that Equity Title Associates II, LLC conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 1 will not appear on the Owner's Title Policy and the Lender's Title Policy when issued.

Note: Affirmative Mechanic's Lien Protection for the Owner may be available (typically by deletion of Exception No. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- A. The land described in Schedule A of this commitment must be a single-family residence, which includes a condominium or townhouse unit.
- B. No labor or materials have been furnished by mechanics or materialmen for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
- C. The Company must receive an appropriate affidavit indemnifying the Company against unfilled Mechanic's and Materialmen's Liens.
- D. The Company must receive payment of the appropriate premium.
- E. If there has been construction, improvements or major repairs undertaken on the property to be purchased, within six months prior to the Date of the Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and/or the contractor; payment of the appropriate premium; fully executed Indemnity agreements satisfactory to the company; and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

To comply with the provisions of C.R.S. 10-11-123, the Company makes the following disclosure:

- a. That there is recorded evidence that a mineral estate has been severed, leased or otherwise conveyed from the surface estate and that there is a substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and
- b. That such mineral estate may include the right to enter and use the property without the surface owner's permission.

NOTE: THIS DISCLOSURE APPLIES ONLY IF SCHEDULE B, SECTION 2 OF THE TITLE COMMITMENT HEREIN INCLUDES AN EXCEPTION FOR SEVERED MINERALS.

Notice of Availability of a Closing Protection Letter: Pursuant to Colorado Division of Insurance Regulation 8-1-3, Section 5, Paragraph C (11)(f), a closing protection letter is available to the consumer.

NOTHING HEREIN CONTAINED WILL BE DEEMED TO OBLIGATE THE COMPANY TO PROVIDE ANY OF THE COVERAGES REFERRED TO HEREIN, UNLESS THE ABOVE CONDITIONS ARE FULLY SATISFIED.

**Orange Coast Title Family of Companies
PRIVACY POLICY**

We are committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information that you provide to us. Therefore, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information that you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information we receive from providers of services to us, such as appraisers, appraisal management companies, real estate agents and brokers and insurance agencies (this may include the appraised value, purchase price and other details about the property that is the subject of your transaction with us).
- Information about your transactions with us, our Affiliated Companies, or others; and
- Information we receive from a consumer reporting agency.

Your California Rights (see attachments) or you may visit our website at <https://www.titleadvantage.com/privacypolicy.htm> or call toll-free at (866) 241-7373. *Only applies to CA residents*

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Other Important Information

We reserve the right to modify or supplement this Privacy Policy at any time. If our Privacy Policy changes, we will post the updated Privacy Policy on our website and provide the ability to opt out (as required by law) before the new policy becomes effective.

If you have any questions or comments regarding our Privacy Policy you may contact us at our toll free number (866) 241-7373 or email us at dataprivacy@octitle.com.

Privacy Policy Last Revision 12/26/2019
Effective on 1/1/2020

Your California Rights

If you are a California resident, you may have certain rights under California law, including but not limited to the California Consumer Privacy Act ("CCPA"). All phrases used herein shall have the same meaning as those phrases used under relevant California law, including but not limited to the CCPA.

Right to Know

You have the right to know:

- The categories of personal information we have collected about or from you;
- The categories of sources from which we collected your personal information;
- The business or commercial purpose for collecting or sharing your personal information;
- The categories of third parties with whom we have shared your personal information; and
- The specific pieces of your personal information we have collected.

Process to Submit a Request. To submit a verified request for this information you may visit our website at <https://www.titleadvantage.com/privacypolicy.htm> or call toll-free at (866) 241-7373. You may also designate an authorized agent to submit a request on your behalf by visiting our website <https://www.titleadvantage.com/privacypolicy.htm> or calling toll-free at (866) 241-7373 and then also submitting written proof of such authorization via e-mail to dataprivacy@octitle.com.

Verification Method. In order to ensure your personal information is not disclosed to unauthorized parties, and to protect against fraud, we will verify your identity before responding to your request. To verify your identity, we will generally match the identifying information provided in your request with the information we have on file about you. Depending on the sensitivity of the personal information requested, we may also utilize more stringent verification methods to verify your identity, including but not limited to requesting additional information from you and/or requiring you to sign a declaration under penalty of perjury.

Right of Deletion

You have a right to request that we delete the personal information we have collected from or about you.

Process to Submit a Request. To submit a verified request to delete your information you may visit our website at <https://www.titleadvantage.com/privacypolicy.htm> or call toll-free at (866) 241-7373. You may also designate an authorized agent to submit a request on your behalf by clicking here or calling toll-free at (866) 241-7373 and then also submitting written proof of such authorization via e-mail to dataprivacy@octitle.com.

Verification Method. In order to ensure we do not inadvertently delete your personal information based on a fraudulent request, we will verify your identity before we respond to your request. To verify your identity, we will generally match the identifying information provided in your request with the information we have on file about you. Depending on the sensitivity of the personal information requested to be deleted, we may also utilize more stringent verification methods to verify your identity, including but not limited to requesting additional information from you and/or requiring you to sign a declaration under penalty of perjury.

Right to Opt-Out

We do not sell your personal information to third parties, and do not plan to do so in the future.

Right of Non-Discrimination

You have a right to exercise your rights under the CCPA without suffering discrimination. Accordingly, OC Title & family of Companies will not discriminate against you in any way if you choose to exercise your rights under the CCPA.

California Minors

If you are a California resident under the age of 18, California Business and Professions Code § 22581 permits you to request and obtain removal of content or information you have publicly posted on any of our Applications or Websites. To make such a request, please send an email with a detailed description of the specific content or information to dataprivacy@octitle.com. Please be aware that such a request does not ensure complete or comprehensive removal of the content or information you have posted and there may be circumstances in which the law does not require or allow removal even if requested.

Collection Notice

The following is a list of the categories of personal information we may have collected about California residents in the twelve months preceding the date this Privacy Notice was last updated, including the business or commercial purpose for said collection, the categories of sources from which we may have collected the personal information, and the categories of third parties with whom we may have shared the personal information:

Categories of Personal Information Collected

The categories of personal information we have collected include, but may not be limited to:

- | | | |
|--|------------------------------------|--|
| • real name | • address | • employment history |
| • signature | • telephone number | • bank account number |
| • alias | • passport number | • credit card number |
| • SSN | • driver's license number | • debit card number |
| • physical characteristics or description, including | • state identification card number | • financial account numbers |
| • protected characteristics under federal or state law | • IP address | • commercial information |
| | • policy number | • professional or employment information |
| | • file number | |

Categories of Sources

Categories of sources from which we've collected personal information include, but may not be limited to:

- the consumer directly
- public records
- governmental entities
- non-affiliated third parties
- affiliated third parties

Business Purpose for Collection

The business purposes for which we've collected personal information include, but may not be limited to:

- completing a transaction for our Products
- verifying eligibility for employment
- facilitating employment
- performing services on behalf of affiliated and non-affiliated third parties
- protecting against malicious, deceptive, fraudulent, or illegal activity

Categories of Third Parties Shared

The categories of third parties with whom we've shared personal information include, but may not be limited to:

- service providers
- government entities
- operating systems and platforms
- non-affiliated third parties
- affiliated third parties

Sale Notice

We have not sold the personal information of California residents to any third party in the twelve months preceding the date this Privacy Notice was last updated, and we have no plans to sell such information in the future. We also do not, and will not sell the personal information of minors under sixteen years of age without affirmative authorization.

Disclosure Notice

The following is a list of the categories of personal information of California residents we may have disclosed for a business purpose in the twelve months preceding the date this Privacy Notice was last updated.

- | | | |
|---|------------------------------------|--|
| • real name | • telephone number | • employment history |
| • Signature | • passport number | • bank account number |
| • Alias | • driver's license number | • credit card number |
| • SSN | • state identification card number | • debit card number |
| • physical characteristics or description, including protected characteristics under federal or state law | • IP address | • financial account numbers |
| • address | • policy number | • commercial information |
| | • file number | • professional or employment information |

If you have any questions and/or comments you may contact us:

Call Us at our toll free number (866) 241-7373

Email Us at dataprivacy@octitle.com

Revised on 1/24/2020 / Effective on 1/1/2020

STG Privacy Notice 1 (Rev 01/26/09) Stewart Title Companies

WHAT DO THE STEWART TITLE COMPANIES DO WITH YOUR PERSONAL INFORMATION?

Federal and applicable state law and regulations give consumers the right to limit some but not all sharing. Federal and applicable state law regulations also require us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand how we use your personal information. This privacy notice is distributed on behalf of the Stewart Title Guaranty Company - II and its affiliates (the Stewart Title Companies), pursuant to Title V of the Gramm-Leach-Bliley Act (GLBA).

The types of personal information we collect and share depend on the product or service that you have sought through us. This information can include social security numbers and driver's license number.

All financial companies, such as the Stewart Title Companies, need to share customers' personal information to run their everyday business—to process transactions and maintain customer accounts. In the section below, we list the reasons that we can share customers' personal information; the reasons that we choose to share; and whether you can limit this sharing.

Reasons we can share your personal information	Do we share?	Can you limit this sharing?
For our everyday business purposes — to process your transactions and maintain your account. This may include running the business and managing customer accounts, such as processing transactions, mailing, and auditing services, and responding to court orders and legal investigations.	Yes	No
For our marketing purposes — to offer our products and services to you.	Yes	No
For joint marketing with other financial companies	No	We don't share
For our affiliates' everyday business purposes — information about your transactions and experiences. Affiliates are companies related by common ownership or control. They can be financial and nonfinancial companies. <i>Our affiliates may include companies with a Stewart name; financial companies, such as Stewart Title Company</i>	Yes	No
For our affiliates' everyday business purposes — information about your creditworthiness.	No	We don't share
For our affiliates to market to you	Yes	No
For nonaffiliates to market to you. Nonaffiliates are companies not related by common ownership or control. They can be financial and nonfinancial companies.	No	We don't share

We may disclose your personal information to our affiliates or to nonaffiliates as permitted by law. If you request a transaction with a nonaffiliate, such as a third party insurance company, we will disclose your personal information to that nonaffiliate. We do not control their subsequent use of information, and suggest you refer to their privacy notices.

Sharing practices

How often do the Stewart Title Companies notify me about their practices?	We must notify you about our sharing practices when you request a transaction.
How do the Stewart Title Companies protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal and state law. These measures include computer, file, and building safeguards.
How do the Stewart Title Companies collect my personal information?	<p>We collect your personal information, for example, when you</p> <ul style="list-style-type: none"> request insurance-related services provide such information to us <p>We also collect your personal information from others, such as the real estate agent or lender involved in your transaction, credit reporting agencies, affiliates or other companies.</p>
What sharing can I limit?	Although federal and state law give you the right to limit sharing (e.g., opt out) in certain instances, we do not share your personal information in those instances.

Contact Us

If you have any questions about this privacy notice, please contact us at: Stewart Title Guaranty Company - II, 1980 Post Oak Blvd., Privacy Officer, Houston, Texas 77056

**THIS ADDENDUM IS MADE PART OF THE POLICY AND IS PERMANENTLY AFFIXED HERETO
COLORADO ANTI-FRAUD DISCLOSURE
PURSUANT TO C.R.S. 10-1-128 (6)**

"It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies."

UTILITIES / ACCESS

Septic

Water

Electric

Driveway Permit

Easement

Agreement



District Headquarters - 700 Columbine St., Sterling, CO 80751
(970) 522-3741 - 877-795-0646 - www.nchd.org

November 3, 2023

Coy Palmer
12012 HWY 144
Weldona, CO 80653

Dear Mr. Palmer:

Northeast Colorado Health Department (NCHD) has no objection to the This is Living Estates Minor Sub-division consisting of three lots, located in section 7, Township 4N, Range 58W of the 6th P.M., Morgan County, Colorado. Total acres involved are approximately 24.26.

Lot one will be approximately 6.39 acres and vacant. Potable water will be served by the Morgan County Quality Water District.

Lot two will be approximately 6.77 acres and vacant. Potable water will be served by the Morgan County Quality Water District.

Lot three will be approximately 11.10 acres, said property has an existing home located at 12012 Hwy 144 with an OWTS Permit # . Potable is served by the Morgan County Quality Water District.

Prior to building a residence on lots one or two, or if the system should fail on lot three the owner(s) shall obtain from this office an application to install or repair an OWTS, and remit the appropriate fee. **Construction of an OWTS shall conform to all Northeast Colorado Health Department Onsite Wastewater Treatment System Regulations. Including, but not limited to, setback distances from wells, creeks, irrigation ditches, property lines, buildings, high water, floodway and other septic systems.**

If there are any questions please call me at (970) 867-4918 ext. 2262

Sincerely,

A handwritten signature in black ink, appearing to read "Melvin Bustos". The signature is fluid and cursive, with a long, sweeping underline.

Melvin Bustos
Environmental Health Manager
Northeast Colorado Health Department

0N0002662

NORTHEAST COLORADO HEALTH DEPARTMENT

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

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

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

www.nchd.org

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

Owner Coy Palmer
Current Address 927 Alta Mae
City Fort Morgan State CO County Morgan Zip 80701
Phone _____
Address of Proposed System 12012 Hwy 144 Weldona CO
City Weldona State CO County Morgan Zip 80653
Subdivision: Lot _____ Block _____ Filing _____
Legal Description of Property: Points _____ Section 7 Township 4N Range 58W
Size of Property in acres 22.5
Type of Building: Residence: _____ 3 Number of bedrooms
Other: _____ Number of workers
New building: ☒ Yes ☐ No Replacement of existing septic tank or leach field: Yes ☐ No ☒
Basement Plumbing: Yes ☒ No ☐
Type of Water Supply: Public System Private Well

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

Owner's Signature or Agent with
Written Permission to Sign for Owner [Signature] Date 5-13-08

FOR OFFICE ONLY

Application Number 1708-019
New System ☒
Repair System _____

Fee \$100.00
Received by Selena
Date 5/13/08

Please attach a Plot Plan indicating
the location of the proposed system
and include where a replacement
system can be installed.

Permit No. 1108019

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

Owner Coy Palmer Date 10-16-08
Address of Property 12012 Hwy 146 Phone _____
(valid at this address)

From information submitted on the application and data from the site evaluation form, the following **minimum installation specifications** are required.

Septic Tank 1000 gallons Type of Absorption Int. Holes # of infiltrators 60 # of trenches 3

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

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

[Signature] Date 10-16-08
Northeast Colorado Health Department Representative

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

System Specifications as installed

Septic Tank 1500 gallons Type of Absorption Int. Holes # of infiltrators 60 # of trenches 3

Final Inspection Approval [Signature] Date 10-16-08
NCHD Representative

Certification of Installation by Brent M. Naton License # 35700 Date 10-16-08
Engineer

GPS Locations:

Center of Septic Tank

Center of Leach Field

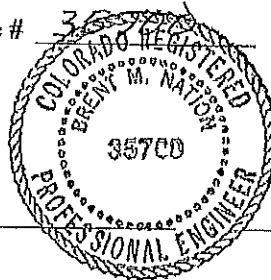
Well

40° 19.985 N

40° 19.974 N

103° 55.070 W

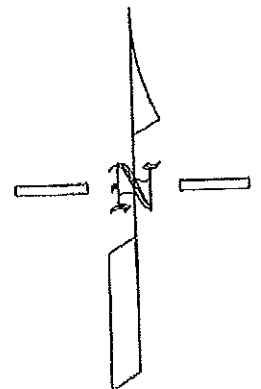
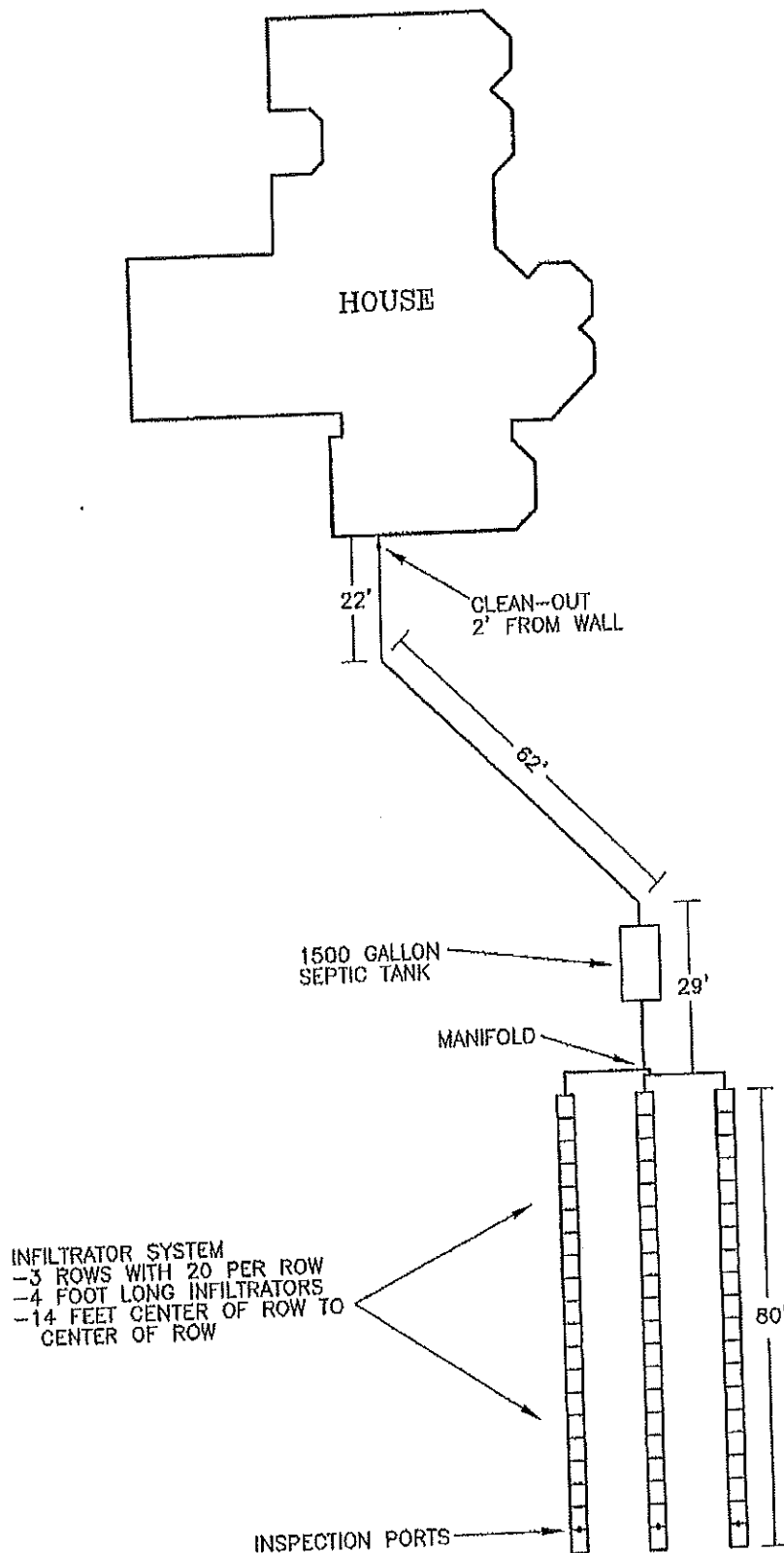
103° 55.070 W



The issuance of this permit does not imply compliance with other state, country, or local regulatory or building requirements, nor shall it act to certify that the subject system will operate in compliance with applicable state, county, and local regulations adopted pursuant to Article 10, Title 25, CRS 1973, as amended, except for the purpose of establishing final approval of an installed system for issuance of a local occupancy permit pursuant to CRS 1973.25-10-111 (2).

AS - BUILT

ISDS for 12012 Highway 144, Weldona



SCALE: 1" = 30'

P L O T P L A N

INFILTRATOR SYSTEM
 -3 ROWS WITH 20 PER ROW
 -6 FEET BETWEEN ROWS
 -INSPECTION PORT EACH ROW
 -PLACE BOTTOM INFILTRATOR
 BETWEEN 24" & 40" DEEP

1500 GALLON
 SEPTIC TANK

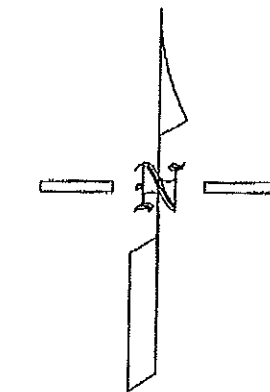
D-BOX(or manifold)

HOUSE

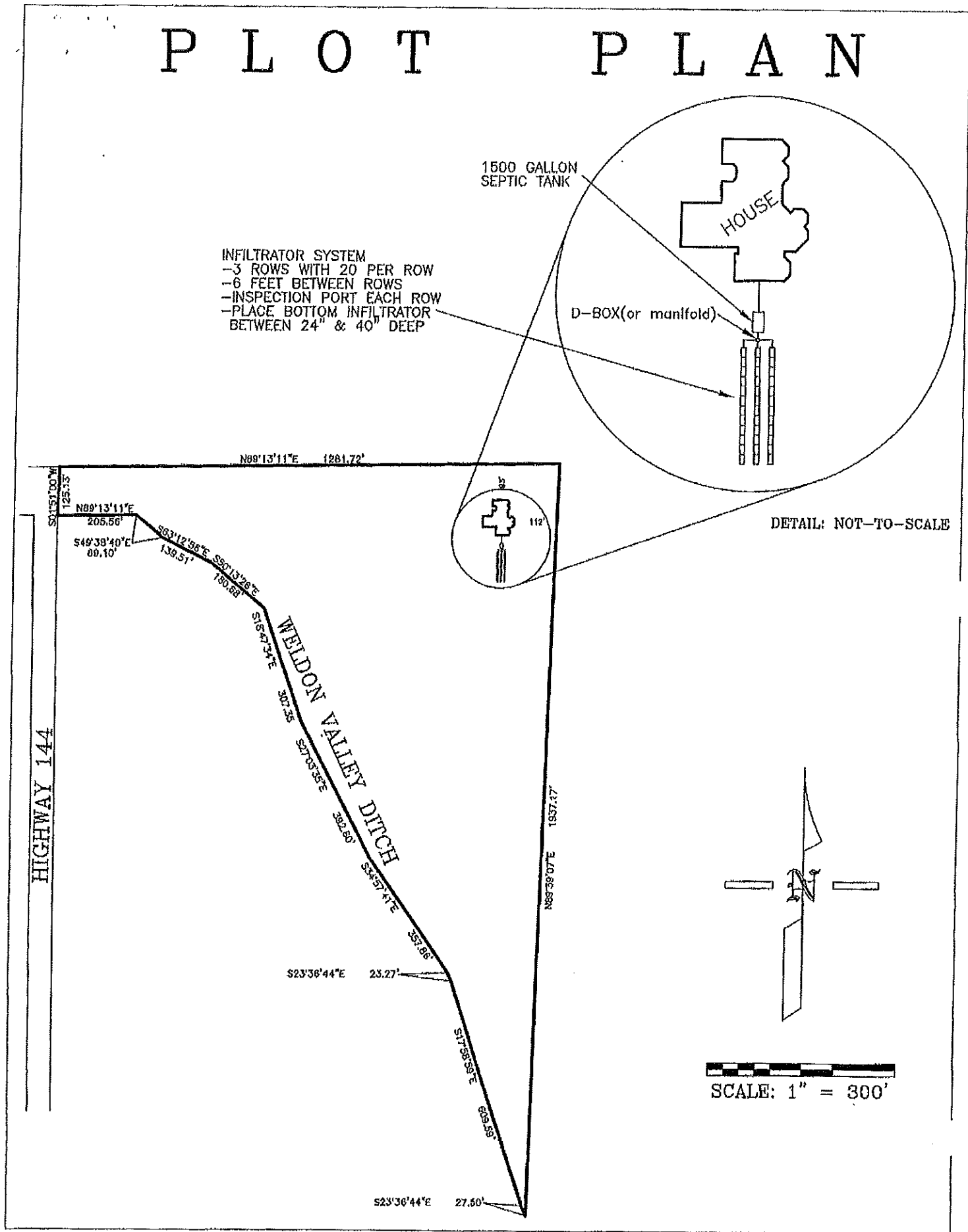
DETAIL: NOT-TO-SCALE

HIGHWAY 144

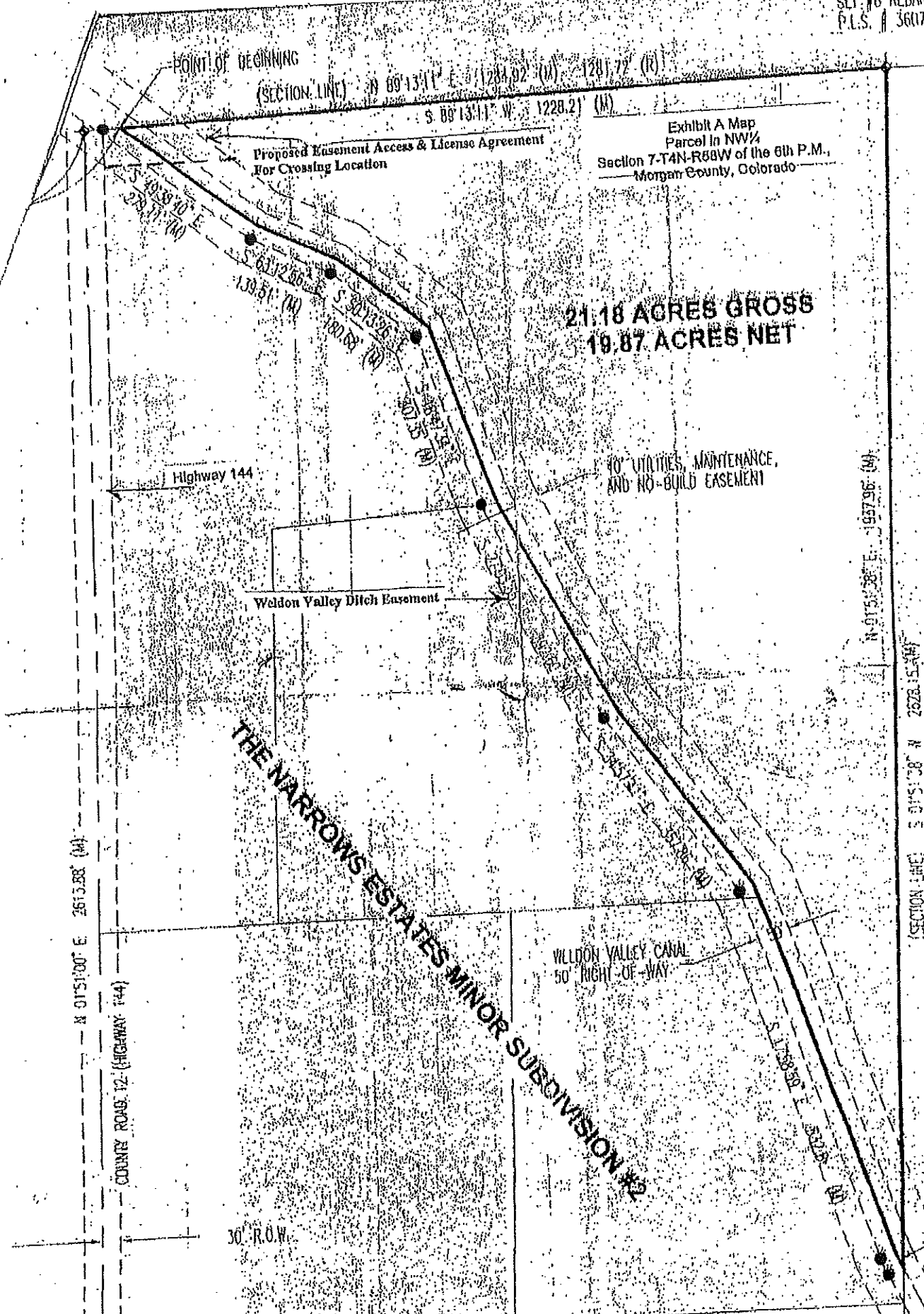
WELDON VALLEY DITCH

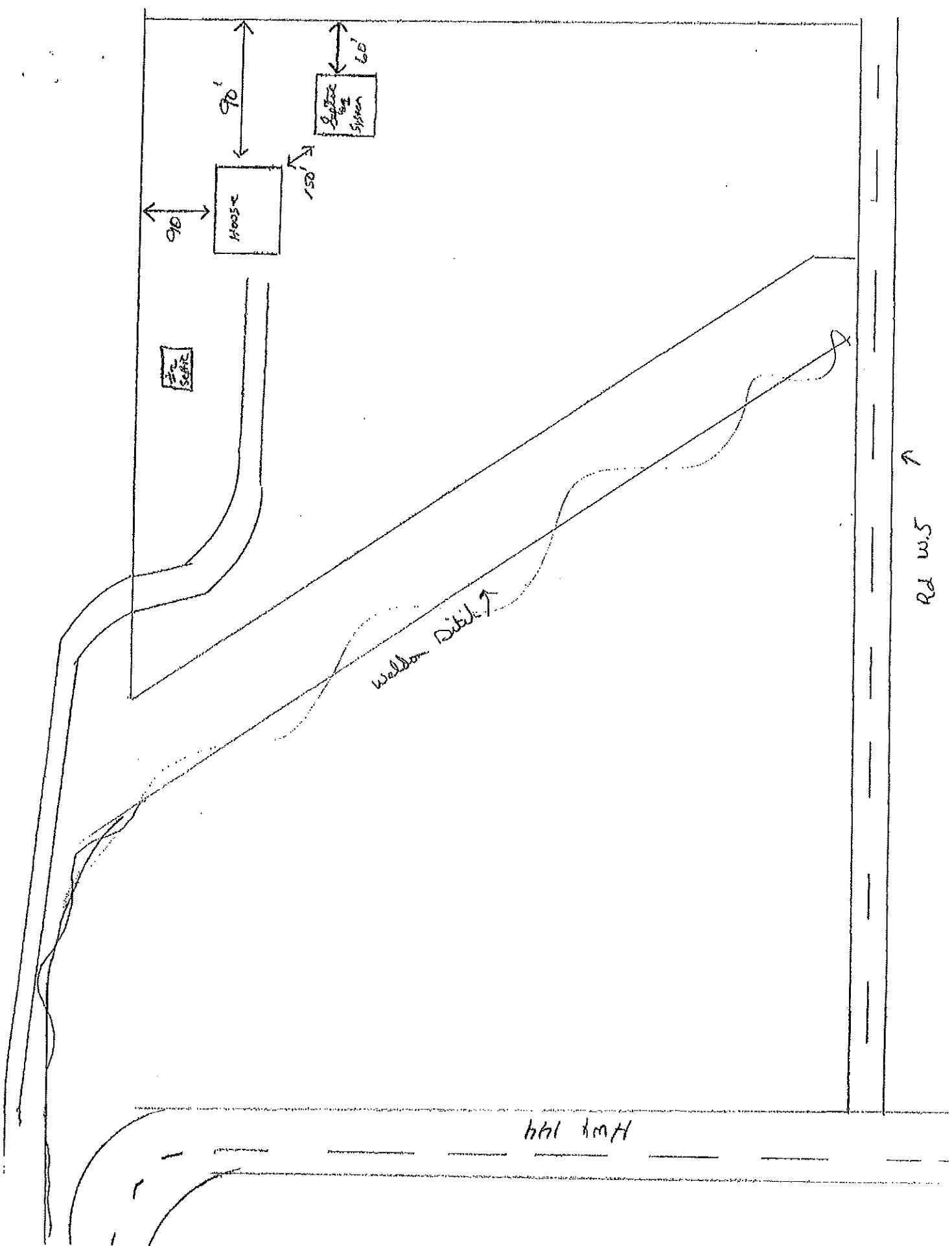


SCALE: 1" = 300'



SET 16 REBAR AND 3
P.L.S. # 36070





MOR COUNTY QUALITY WATER

P.O. BOX 1218
FORT MORGAN, CO 80701
(970)867-3054

www.mcqwd.org

SRVC	PRESENT RDG	PREVIOUS RDG	USED	AMOUNT
PB	3,168	3,143	25,000	7,737.30 CR
WAT				99.07

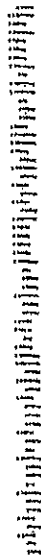
Happy Thanksgiving
You can view or pay your bill at www.mcqwd.org.

ELECTRONIC PAYMENT - DO NOT PAY

SRVC ADDR	12012 Hwy 144
NOW DUE	DUE DATE
7,638.23 CR	11/10/2023

ACCOUNT #	5047.00
REMIT AFTER DUE DATE	7,638.23 CR

Coy Palmer
PO BOX 605
Weldona CO 80653



ESURIED
-CLASS MAIL
US POSTAGE PAID
Permit #19
Fort Morgan CO 80701


ACCOUNT #	ROUTE
5047.00	6
SERVICE FROM	SERVICE TO
09/26/2023	10/26/2023
DATE BILLED (MAILED)	DAYS USED
10/30/2023	30
DUE DATE	NOW DUE
11/10/2023	7,638.23 CR
RETURN SERVICE REQUESTED	REMIT AFTER DUE DATE
	7,638.23 CR


 Delete

 Archive


 Report ▾

 Reply ▾

 Read / Unread

 Categorize ▾

 Flag / ▾

Fwd: Quality water Will Serve  ▾

From: Kent Pflager

Date: November 3, 2023 at 3:37:01 PM MDT

To: Brady Piepho

, Coy Palmer

Subject: Will Serve

To whom it may concern:

Once the necessary line extensions are made Morgan County Quality Water would have the ability to serve water to two additional homes on the land located at 12012 Hwy 144 owned by Coy Palmer

Kent A Pflager

General Manager

Morgan County Quality Water District

P.O. Box 1218 17586 MCR 20

Fort Morgan, CO 80701

Phone: 970-867-3054

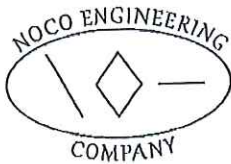
Fax: 970-867-3055

Cell:

Email:

 Reply

 Forward



Expires
11/14/23
\$56,000

11323 Coal Mine Street
Firestone, CO 80504
Phone: 720-324-3625
www.nec-engrs.com

File No: 23-006.05

☐ Commercial Request

May 12, 2023

☒ Secondary Plat Review Required

Morgan County Quality Water District
P.O. Box 1218
Fort Morgan, CO 80701

5-18-23
OK
KRM

ATTN: Kent Pflager, Manager

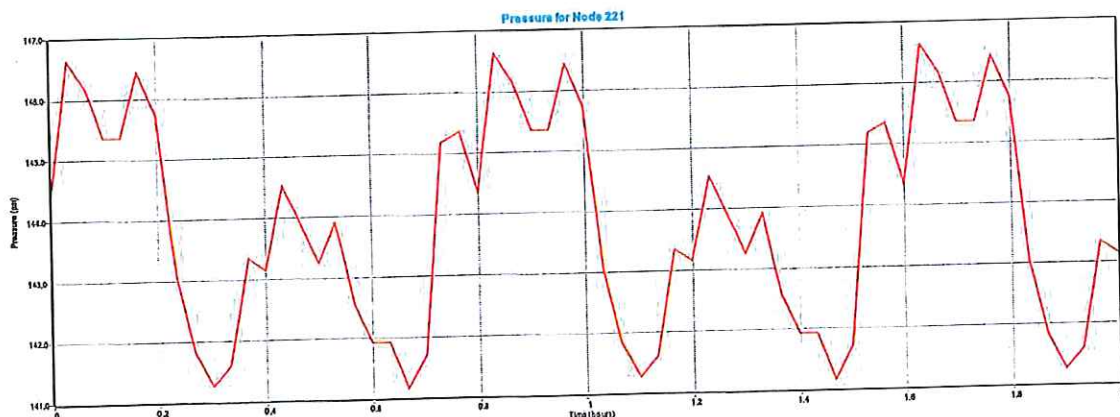
RE: Tap Request 2023-12 – Node 221

Dear Kent:

The analysis for the following tap request has been completed:

Applicant	No. of Requested Taps	Location
Coy Palmer	1-5/8" Tap	HWY 144 and MCR X

The tap request is for one (1) 5/8" tap for a proposed residence. It is our understanding the existing lot will be divided into two lots and the proposed residence will be constructed south of the existing house. To serve the proposed residence, a line extension will be required to the proposed property line located within a utility easement. The existing pressures in this area are between 141 psi and 146 psi. With the proposed tap request the pressures will be between 141 and 146 psi as shown in the graph below.



The following table indicates the impact of this request on the peak-hour pressures at critical areas within the District without any improvements.

Location	Pressure Before Proposed Taps Added (psi)	Pressure After Proposed Taps Added (psi)
Wiggins Pump Station Inlet (#1140)	41	41
Road 23 (North End #2110)	74	74
North of Jackson Lake (#1921)	27	27
Northeast End of District (#2230)	87	87
Adams Co. (#1250)	33	33

* Spreadsheet was modified which changes the values 2/3/22

System Improvements required to serve this request:

They will need a four-inch (4") line extension and appurtenances to serve the proposed property. The proposed line will have to cross under a ditch and will require a twenty-foot (20') wide utility easement. The length of the line extension at this time cannot be determine as the proposed lot lines are not shown in the application.

Engineer's Recommendation:

NEC recommends conditional approval of this application; Engineer's recommendation is solely based on the pressures observed from the water model; official/final approval will be from the District in which the District will ensure the application meets all of the District's rules and regulations before issuing final approval. Commercial taps are required to be Board approved.

Secondary Plat Review Requirement:

If the applicant is dividing the property into multiple lots and does not have the proposed subdivision platted and stamped by a licensed surveyor or engineer registered in the State of Colorado on the initial review, a secondary review will be required once the plat is complete. The plat shall show all lot lines, designated utility easements, and right-of-ways as required by the District to serve the proposed subdivision. The location of the meter shall be located on the parcel it is serving. The secondary tap review is required to be completed and approved within six months from application, otherwise a new application may be required.

Master Plan Improvements recommended:

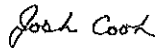
None.

The applicant is responsible for the construction of any main extensions from the existing line to serve the proposed tap, in accordance with current District Construction Guidelines, and for providing easements for the main extensions located on private property and obtaining permits from the County and other permits that are required. The applicant should make arrangements for the implementation of this request, or express Intent to Proceed, within 90 days of the date of this correspondence. Otherwise, the proposed request will be removed from the model. If the applicant decides to proceed with the installation anytime thereafter, additional analysis may be necessary.

If this request is to serve a commercial tap, and if the Applicant's total water use in any two years out of three consecutive years exceeds 0.7 acre feet times the number of tap equivalents purchased, then the District may require Applicant to purchase additional tap equivalents to cover the additional demand, and the volumetric limits shall be modified to reflect the additional tap equivalents.

If you have any questions, please do not hesitate to call.

Sincerely,



Josh Cook, P.E.
President
NOCO Engineering Company

Attachment



MAILING ADDRESS	ACCOUNT NUMBER	DUE DATE
COY PALMER PO BOX 605 WELDONA CO 80653-0605	53-8240979-8	11/06/2023
	STATEMENT NUMBER	STATEMENT DATE
	848417630	10/10/2023
		CREDIT AMOUNT
		-\$4,694.60 CR

QUESTIONS ABOUT YOUR BILL?

See our website: xcelenergy.com

Call Mon - Fri 7 a.m.-7 p.m. or Sat 9 a.m.-5 p.m.

Please Call: 1-800-895-4999

Español: 1-800-687-8778

Or write us at: XCEL ENERGY
PO BOX 8
EAU CLAIRE WI 54702-0008



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Follow us on Twitter



ACCOUNT BALANCE (Balance de su cuenta)

Previous Balance	As of 09/12	-\$5,260.65 CR
No Payments Received		\$0.00
Balance Forward		-\$5,260.65 CR
Current Charges		\$566.05
Amount Due (Cantidad a pagar)		-\$4,694.60 CR

PREMISES SUMMARY

PREMISES NUMBER	PREMISES IDENTIFIER	PREMISES DESCRIPTOR	CURRENT BILL
304147410	12012 HIGHWAY 144		\$566.05
Total			\$566.05

INFORMATION ABOUT YOUR BILL

The Energy Assistance Charge is required by state law to fund programs that help income-qualified Coloradans pay their utility bills. This is reflected on your monthly bill (79 cents for electric service and 79 cents for natural gas service). You may opt out of these charges by calling 800-895-4999. Find out how to get help at 866-HEAT-HELP (866-432-8435). See the back of your bill for details.

No payment will be deducted this month through your automated bank payment plan.

RETURN BOTTOM PORTION WITH PAYMENT ONLY • PLEASE DO NOT INCLUDE OTHER REQUESTS • SEE BACK OF BILL FOR CONTACT METHODS



Please help our neighbors in need by donating to Energy Outreach Colorado. Please mark your donation amount on the back of this payment stub and CHECK THE RED BOX under your address below.

----- manifest line -----



COY PALMER
PO BOX 605
WELDONA CO 80653-0605

ACCOUNT NUMBER	DUE DATE	CREDIT AMOUNT	AMOUNT ENCLOSED
53-8240979-8	11/06/2023	-\$4,694.60 CR	Credit Do Not Pay

No payment will be deducted this month through your automated bank payment plan.

NOVEMBER						
S	M	T	W	T	F	S
			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		



XCEL ENERGY
P.O. BOX 9477
MPLS MN 55484-9477

31 53110623 82409798 00000056605*0000469460

094382 1/4



no inserts



WILL SERVE LETTER

November 6, 2023

12012 Highway 144
Weldona, CO 80653
(970) 370-1304

Re: Living Estates Minor Subdivision - Lot 1 & Lot 2

Dear Braeden Piepho,

This letter is to confirm that Xcel Energy is your utility provider for electric service. In accordance with our tariffs, on file with and approved by the Colorado Public Utilities Commission, electric facilities can be made available to serve the project at Living Estates Minor Subdivision Lot 1 & Lot 2. The cost, and whether any reinforcements or extensions are required, for the Company to provide those facilities will be determined by your designer upon receipt of application and project plans.

Your utility service(s) will be provided after the following steps are completed:

- *Application submitted to Xcel Energy's "Builders Call Line (BCL)"* – once your application is accepted you will be assigned a design department representative who will be your primary point of contact
- *Utility design is completed* – you must provide your design representative with the site plan, the one - line diagrams, and panel schedules for electric and gas loads if applicable
- *All documents provided by design representative are signed and returned*
- *Payment is received* (Residential Service Laterals if applicable)
- *Required easements are granted* - you must sign and return applicable easement documents to your Right-of-Way agent
- *Site is ready for utility construction* - the site ready information can be found on our website at may be viewed at [Construction and Inspection | Xcel Energy](https://www.xcelenergy.com/construction-and-inspection).

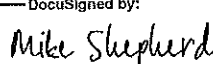
An estimated scheduled in-service date will be provided once these requirements have been met. It is important to keep in mind that the terms and conditions of utility service, per our tariffs, require that you provide adequate space and an easement on your property for all gas and electric facilities required to serve your project, including but not limited to gas and electrical lines and meters, transformers, and pedestals. General guidelines for requirements can be found on our website at [xcelenergy.com/InstallAndConnect](https://www.xcelenergy.com/InstallAndConnect).

Xcel Energy looks forward to working with you on your project and if I can be of further assistance, please contact me at the phone number or email listed below.

Sincerely,

Adrian Cardenas
Xcel Energy Planner
(970) 521-1844

Mailing address: Public Service Company of Colorado
502 S 8th Ave
Sterling, CO 80751

COLORADO DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ACCESS CODE NOTICE TO PROCEED		CDOT Permit No. <div style="text-align: center;">423129</div>
		State Highway/Mile Post/Side <div style="text-align: center;">144A / 19.63/Left</div>
		Local Jurisdiction <div style="text-align: center;">CDOT</div>
<div style="display: flex; justify-content: space-between;"> Permittee(s): Applicant: </div> <div style="margin-top: 10px;"> Coy Palmer Coy Palmer 12012 Highway 144 Weldona, Colorado 80653 </div>		
<p>The permittee is hereby authorized to proceed with access construction within state highway right-of-way in accordance with the above referenced State Highway Access Permit and this Notice to Proceed.</p> <p>This Notice to Proceed is valid only if the referenced Access Permit has not expired. Access Permits expire one year from date of issue if not under construction, or completed. Access Permits may be extended in accordance with Section 2.3(11)(d), of the Access Code.</p> <p>Adequate advance warning is required at all times during access construction, in conformance with the Manual on Uniform Traffic Control Devices for Streets and Highways.</p> <p>All construction shall be completed in an expeditious and safe manner and shall be finished within 45 days from initiation. The permittee or applicant shall notify the Department prior to commencing construction as indicated on the Access Permit.</p> <p>Both the Access Permit and this Notice To Proceed shall be available for review at the construction site.</p> <p>This Notice to Proceed is conditional. The following items shall be addressed prior to or during construction as appropriate.</p>		
Municipality or County Approval (When the appropriate local authority retains issuing authority)		
By (X)	Title	Date
This Notice is not valid until signed by a duly authorized representative of the Department Colorado Department of Transportation		
By (X)	DocuSigned by:  Assistant Access Manager	Date 12/6/2023 10:16 AM MST

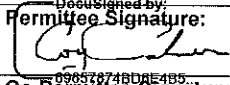
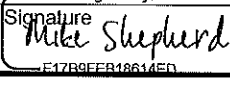
Copy distribution: Required:
 Region (original)

Make copies as necessary for:
 Local Authority Inspector

Form 1265 8/98, 6/99

COLORADO DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ACCESS PERMIT			CDOT Permit No. 423129
			State Highway No / Mp / Side 144A / 19.630 / Left
Permit Fee \$50.00	Date of Transmittal 12/04/2023	Region / Section / Patrol / Name 4 / 01 / 24 Wiggins	Local Jurisdiction CDOT

The Permittee(s): Coy Palmer 12012 Highway 144 Weldona, Colorado 80653 (970) 768-5937	The Applicant(s): 									
is hereby granted permission to have an access to the state highway at the location noted below. The access shall be constructed, maintained and used in accordance with this permit, including the State Highway Access Code and any attachments, terms, conditions and exhibits. This permit may be revoked by the Issuing Authority if at any time the permitted access and its use violate any parts of this permit. The issuing authority, the Department and their duly appointed agents and employees shall be held harmless against any action for personal injury or property damage sustained by reason of the exercise of the permit.										
Location: On Highway 144 North of county road W5/10 2,355 feet north of MM 18										
<table border="1"> <thead> <tr> <th>Access to Provide Service to: (Land Use Code)</th> <th>(Size)</th> <th>(Units)</th> </tr> </thead> <tbody> <tr> <td>210 - Single-Family Detached Housing drive way is shared</td> <td>20</td> <td>ADT</td> </tr> <tr> <td>1097 - Agricultural Field Approach</td> <td>2</td> <td>ADT</td> </tr> </tbody> </table>		Access to Provide Service to: (Land Use Code)	(Size)	(Units)	210 - Single-Family Detached Housing drive way is shared	20	ADT	1097 - Agricultural Field Approach	2	ADT
Access to Provide Service to: (Land Use Code)	(Size)	(Units)								
210 - Single-Family Detached Housing drive way is shared	20	ADT								
1097 - Agricultural Field Approach	2	ADT								
Additional Information: This access is to serve 2 separate residences on two parcels. Any redevelopment will require a new access permit.										

MUNICIPALITY OR COUNTY APPROVAL Required only when the appropriate local authority retains issuing authority.			
Signature	Print Name	Date	Title
Upon the signing of this permit the permittee agrees to the terms and conditions and referenced attachments contained herein. All construction shall be completed in an expeditious and safe manner and shall be finished within 45 days from Initiation. The permitted access shall be completed in accordance with the terms and conditions of the permit prior to being used.			
The permittee shall notify Bruce Barnett with the Colorado Department of Transportation, at (970) 381-1742 at least 48 hours prior to commencing construction within the State Highway right-of-way.			
The person signing as the permittee must be the owner or legal representative of the property served by the permitted access and have full authority to accept the permit and its terms and conditions.			
DocuSigned by: Permittee Signature: 	Print Name COY PALMER	Date 12/6/2023 9:49 AM MST	
DocuSigned by: Co-Permittee Signature: (if applicable)	Print Name	Date	
This permit is not valid until signed by a duly authorized representative of the Department.			
COLORADO DEPARTMENT OF TRANSPORTATION			
DocuSigned by: 	Print Name Mike Shepherd	Title Assistant Access Manager	Date (of issue) 12/6/2023 9:50 AM MST

Copy Distribution:

Required:

- 1.Region
- 2.Applicant

- 3.Staff Access Section
- 4.Central Files

Make copies as necessary for:

- Local Authority
- Inspector
- MTCE Patrol
- Traffic Engineer

Previous editions are obsolete and may not be used

Page 1 of 3 CDOT Form #101 5/07

**State Highway Access Permit
Form 101, Page 2**

The following paragraphs are excerpts of the State Highway Access Code. These are provided for your convenience but do not alleviate compliance with all sections of the Access Code. A copy of the State Highway Access Code is available from your local issuing authority (local government) or the Colorado Department of Transportation (Department). When this permit was issued, the issuing authority made its decision based in part on information submitted by the applicant, on the access category which is assigned to the highway, what alternative access to other public roads and streets is available, and safety and design standards. Changes in use or design not approved by the permit or the issuing authority may cause the revocation or suspension of the permit.

APPEALS

1. Should the permittee or applicant object to the denial of a permit application by the Department or object to any of the terms or conditions of a permit placed there by the Department, the applicant and permittee (appellant) have a right to appeal the decision to the [Transportation] Commission [of Colorado]. To appeal a decision, submit a request for administrative hearing to the Transportation Commission of Colorado within 60 days of transmittal of notice of denial or transmittal of the permit for signature. Submit the request to the Transportation Commission of Colorado, 4201 East Arkansas Avenue, Denver, Colorado 80222-3400. The request shall include reasons for the appeal and may include changes, revisions, or conditions that would be acceptable to the permittee or applicant.

2. Any appeal by the applicant or permittee of action by a local issuing authority shall be filed with the local authority and be consistent with the appeal procedures of the local authority.

3. In submitting the request for administrative hearing, the appellant has the option of including within the appeal a request for a review by the Department's internal administrative review committee pursuant to [Code] subsection 2.10. When such committee review is requested, processing of the appeal for formal administrative hearing, 2.9(5) and (6), shall be suspended until the appellant notifies the Commission to proceed with the administrative hearing, or the appellant submits a request to the Commission or the administrative law judge to withdraw the appeal. The two administrative processes, the internal administrative review committee, and the administrative hearing, may not run concurrently.

4. Regardless of any communications, meetings, administrative reviews or negotiations with the Department or the internal administrative review Committee regarding revisions or objections to the permit or a denial, if the permittee or applicant wishes to appeal the Department's decision to the Commission for a hearing, the appeal must be brought to the Commission within 60 days of transmittal of notice of denial or transmittal of the permit.

PERMIT EXPIRATION

1. A permit shall be considered expired if the access is not under construction within one year of the permit issue date or before the expiration of any authorized extension. When the permittee is unable to commence construction within one year after the permit issue date, the permittee may request a one year extension from the issuing authority. No more than two one-year extensions may be granted under any circumstances. If the access is not under construction within three years from date of issue the permit will be considered expired. Any request for an extension must be in writing and submitted to the issuing authority before the permit expires. The request should state the reasons why the extension is necessary, when construction is anticipated, and include a copy of page 1 (face of permit) of the access permit. Extension approvals shall be in writing. The local issuing authority shall obtain the concurrence of the Department prior to the approval of an extension, and shall notify the Department of all denied extensions within ten days. Any person wishing to reestablish an access permit that has expired may begin again with the application procedures. An approved Notice to Proceed, automatically renews the access permit for the period of the Notice to Proceed.

CONSTRUCTION

1. Construction may not begin until a Notice to Proceed is approved. (Code subsection 2.4)

2. The construction of the access and its appurtenances as required by the terms and conditions of the permit shall be completed at the expense of the permittee except as provided in subsection 2.14. All materials used in the construction of the access within the highway right-of-way or on permanent easements, become public property. Any materials removed from the highway right-of-way will be disposed of only as directed by the Department. All fencing, guard rail, traffic control devices and other equipment and materials removed in the course of access construction shall be given to the Department unless otherwise instructed by the permit or the Department inspector.

3. The permittee shall notify the individual or the office specified on the permit or Notice to Proceed at least two working days prior to any construction within state highway right-of-way. Construction of the access shall not proceed until both the access permit and the Notice to Proceed are issued. The access shall be completed in an expeditious and safe manner and shall be finished within 45 days from initiation of construction within the highway right-of-way. A construction time extension not to exceed 30 working days may be requested from the individual or office specified on the permit.

4. The issuing authority and the Department may inspect the access during construction and upon completion of the access to ensure that all terms and conditions of the permit are met. Inspectors are authorized to enforce the conditions of the permit during construction and to halt any activities within state right-of-way that do not comply with the provisions of the permit, that conflict with concurrent highway construction or maintenance work, that endanger highway property, natural or cultural resources protected by law, or the health and safety of workers or the public.

5. Prior to using the access, the permittee is required to complete the construction according to the terms and conditions of the permit. Failure by the permittee to abide by all permit terms and conditions shall be sufficient cause for the Department or issuing authority to initiate action to suspend or revoke the permit and close the access. If in the determination of the Department or issuing authority the failure to comply with or complete the construction requirements of the permit create a highway safety hazard, such shall be sufficient cause for the summary suspension of the permit. If the permittee wishes to use the access prior to completion, arrangements must be approved by the issuing authority and Department and included in the permit. The Department or issuing authority may order a halt to any unauthorized use of the access pursuant to statutory and regulatory powers. Reconstruction or improvement of the access may be required when the permittee has failed to meet required specifications of design or materials. If any construction element fails within two years due to improper construction or material specifications, the permittee shall be responsible for all repairs. Failure to make such repairs may result in suspension of the permit and closure of the access.

6. The permittee shall provide construction traffic control devices at all times during access construction, in conformance with the M.U.T.C.D. as required by section 42-4-104, C.R.S., as amended.

7. A utility permit shall be obtained for any utility work within highway right-of-way. Where necessary to remove, relocate, or repair a traffic control device or public or private utilities for the construction of a permitted access, the relocation, removal or repair shall be accomplished by the permittee without cost to the Department or issuing authority, and at the direction of the Department or utility company. Any damage to the state highway or other public right-of-way beyond that which is allowed in the permit shall be repaired immediately. The permittee is responsible for the repair of any utility damaged in the course of access construction, reconstruction or repair.

8. In the event it becomes necessary to remove any right-of-way fence, the posts on either side of the access shall be securely braced with an approved end post before the fence is cut to prevent any slacking of the remaining fence. All posts and wire removed are Department property and shall be turned over to a representative of the Department.

9. The permittee shall ensure that a copy of the permit is available for review at the construction site at all times. The permit may require the contractor to notify the individual or office specified on the permit at any specified phases in construction to allow the field inspector to inspect various aspects of construction such as concrete forms, subbase, base course compaction, and materials specifications. Minor changes and additions may be ordered by the Department or local authority field inspector to meet unanticipated site conditions.

10. Each access shall be constructed in a manner that shall not cause water to enter onto the roadway or shoulder, and shall not interfere with the existing drainage system on the right-of-way or any adopted municipal system and drainage plan.

11. By accepting the permit, permittee agrees to save, indemnify, and hold harmless to the extent allowed by law, the issuing authority, the Department, its officers, and employees from suits, actions, claims of any type or character brought because of injuries or damage sustained by any person resulting from the permittee's use of the access permit during the construction of the access.

CHANGES IN ACCESS USE AND PERMIT VIOLATIONS

1. It is the responsibility of the property owner and permittee to ensure that the use of the access to the property is not in violation of the Code, permit terms and conditions or the Act. The terms and conditions of any permit are binding upon all assigns, successors-in-interest, heirs and occupants. If any significant changes are made or will be made in the use of the property which will affect access operation, traffic volume and or vehicle type, the permittee or property owner shall contact the local issuing authority or the Department to determine if a new access permit and modifications to the access are required.

2. When an access is constructed or used in violation of the Code, section 43-2-147(5)(c), C.R.S., of the Act applies. The Department or issuing authority may summarily suspend an access permit and immediately order closure of the access when its continued use presents an immediate threat to public health, welfare or safety. Summary suspension shall comply with article 4 of title 24, C.R.S.

MAINTENANCE

1. The permittee, his or her heirs, successors-in-interest, assigns, and occupants of the property serviced by the access shall be responsible for meeting the terms and conditions of the permit, the repair and maintenance of the access beyond the edge of the roadway including any cattle guard and gate, and the removal or clearance of snow or ice upon the access even though deposited on the access in the course of Department snow removal operations. Within unincorporated areas the Department will keep access culverts clean as part of maintenance of the highway drainage system. However, the permittee is responsible for the repair and replacement of any access-related culverts within the right-of-way. Within incorporated areas, drainage responsibilities for municipalities are determined by statute and local ordinance. The Department will maintain the roadway including auxiliary lanes and shoulders, except in those cases where the access installation has failed due to improper access construction and/or failure to follow permit requirements and specifications in which case the permittee shall be responsible for such repair. Any significant repairs such as culvert replacement, resurfacing, or changes in design or specifications, requires authorization from the Department.

COLORADO DEPARTMENT OF TRANSPORTATION

Environmental Clearances Information Summary

PURPOSE - This summary is intended to inform entities external to CDOT that may be entering the state highway right-of-way to perform work related to their own facilities (such as Utility, Special Use or Access Permittees), about some of the more commonly encountered environmental permits/clearances that may apply to their activities. This listing is not all-inclusive—additional environmental or cultural resource permits/clearances may be required in certain instances. Appropriate local, state and federal agencies should be contacted for additional information if there is any uncertainty about what permits/clearances are required for a specific activity. **IMPORTANT: Please Review The Following Information Carefully – Failure to Comply With Regulatory Requirements May Result In Suspension or Revocation of Your CDOT Permit, Or Enforcement Actions By Other Agencies.**

CLEARANCE CONTACTS - As indicated in the permit/clearance descriptions listed below, the following agencies may be contacted for additional information:

- Colorado Department of Public Health and Environment (CDPHE): General Information – (303) 692-2000 Water Quality Control Division (WQCD): (303) 692-3500
Environmental Permitting Website <https://www.colorado.gov/pacific/cdphe/all-permits>
- CDOT Water Quality Program Manager: (303) 512-4053 <https://www.codot.gov/programs/environmental/water-quality>
- CDOT Asbestos Project Manager: (303) 512-5519
- Colorado Office of Archaeology and Historic Preservation: (303) 866-5216
- U.S. Army Corps of Engineers, District Regulatory Offices:
Omaha District (Northeastern CO), Denver Office (303) 979-4120
<http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/Colorado.aspx>
Sacramento District (Western CO), Grand Junction Office (970) 243-1199
<http://www.spk.usace.army.mil/Missions/Regulatory.aspx>
Albuquerque District (Southeastern CO), Pueblo Office (719) 543-9459
<http://www.spa.usace.army.mil/Missions/RegulatoryProgramandPermits.aspx>
- CDOT Utilities, Special Use and Access Permitting: (303) 757-9654 <https://www.codot.gov/business/permits>

Wildlife Resources - Disturbance of wildlife shall be avoided to the maximum extent practicable. Entry into areas of known or suspected threatened or endangered species habitat requires special authorization from the CDOT permitting office. If any threatened or endangered species are encountered during the progress of the permitted work, work in the subject area shall be halted and the CDOT Regional Permitting Office and Region Planning and Environmental Manager shall be contacted immediately. Authorization must be provided by CDOT prior to the continuation of work. Information about threatened or endangered species may be obtained from the CDOT website, <http://www.codot.gov/programs/environmental/wildlife/guidelines>, or the Colorado Parks and Wildlife (CPW) website, <http://www.cpw.state.co.us/learn/Pages/SOC-ThreatenedEndangeredList.aspx>.

Additional guidance may be provided by the appropriate Region Planning and Environmental Manager (RPEM).

Cultural Resources - The applicant must request a file search of the permit area through the Colorado Office of Archaeology and Historic Preservation (OAH), Denver, to ascertain if historic or archaeological resources have previously been identified (<https://www.historycolorado.org/file-access>; 303-866-5216). Inventory of the permit area by a qualified cultural resources specialist may be necessary, per the recommendation of CDOT. If archaeological sites/artifacts or historic resources are encountered as the project progresses, all work in the subject area shall be halted and the CDOT Regional Permitting Office and Region Planning and Environmental Manager shall be contacted immediately. Authorization must be provided by CDOT prior to the continuation of work. Additional guidance may be provided by the Regional Permitting Office and RPEM.

Paleontological Resources - The level of effort required for paleontological resources is dependent on the amount of ground disturbance, including rock scaling, digging, trenching, boring, ground leveling, and similar activities.

- If the permit will involve extensive ground disturbance (generally involving more than one mile of CDOT ROW), a full review will be required by a qualified paleontologist, including map, file, and locality searches, with final recommendations provided by the CDOT paleontologist upon receipt of the report. Based on results of the review, a survey or inventory of the permit area may be necessary.
- If the permit will involve a small amount of ground disturbance (less than one mile of ROW), the applicant must request a fossil locality search through the University of Colorado Museum of Natural History (<https://www.colorado.edu/cumuseum/research-collections/paleontology/policies-procedure>) and the Denver Museum of Nature and Science (<https://www.dmns.org/science/earth-sciences/earth-sciences-collections/>). The museum collections manager will provide information about localities in the project area. If there are no known localities, the permit requirement for paleontology is complete upon submitting that information to CDOT. If there are known localities, the CDOT paleontologist will be contacted by the museum with details, and additional recommendations will be made if necessary. Note that museum staff are not required to disclose the details of fossil localities to the permit applicant, nor is detailed locality information required for the permit application to proceed.
- If the permit involve no ground disturbance, no action is required for paleontological resources. If fossils are encountered during the permitted action, all work in the immediate area of the find should stop and the CDOT Staff Paleontologist and the Region Environmental Manager should be contacted immediately. Authorization must be provided by CDOT prior to the continuation of work. Additional guidance may be provided by the Regional Permitting Office in the Permit Special Provisions. Contact Information: See the museum websites listed above. The CDOT Paleontologist is not able to conduct locality searches independently. For further information contact CDOT Paleontologist Nicole Peavey at nicole.peavey@state.co.us or (303)757-9632.

CDOT UTILITY/RELOCATION/SPECIAL USE PERMIT STANDARD PROVISIONS

Hazardous Materials, Solid Waste - The Solid Wastes Disposal Sites and Facilities Act C.R.S. 30-20-100, et al, and Regulations Pertaining to Solid Waste Disposal Sites and Facilities (6 CCR 1007-2), prohibit solid waste disposal without an approved Certificate of Designation (a landfill permit). The Colorado Hazardous Waste Act C.R.S. 25-15-301 et al, and the Colorado Hazardous Waste Regulations (6 CCR 1007-3) prohibit the transfer, storage or disposal (TSD) of hazardous waste except at permitted TSD sites. There are no permitted landfills or TSD sites within the State Highway Right of Way. Therefore, all solid or hazardous wastes that might be generated by the activities of entities entering the State Highway Right of Way must be removed from the ROW and disposed of at a permitted facility or designated collection point (e.g., for solid waste, a utility or construction company's own dumpster). If pre-existing solid waste or hazardous materials contamination (including oil or petroleum contaminated soil, asbestos, chemicals, mine tailings, etc.) is encountered during the performance of work, the permittee shall halt work in the affected area and immediately contact the CDOT Regional Permitting Office for direction as to how to proceed.

Contact Information: Theresa Santangelo-Dreiling, CDOT Hazardous Materials Management Supervisor: (303) 512-5524.

Asbestos Containing Materials, Asbestos Contaminated Soil - All work on asbestos containing materials (ACM) must comply with the applicable requirements of the CDPHE Air Pollution Control Division's (APCD) Regulation 8. Disposal of ACM, and work done in asbestos-contaminated soil, must comply with the CDPHE Hazardous Materials and Waste Management Division's (HMWMD) Solid Waste Regulations. The application for any CDOT permit must specifically identify any ACM involved in the work for which authorization is being requested. Additional guidance or requirements may be specified in the permit special provisions. **Contact Info:** CDPHE APCD and HMWMD Regulations can be accessed via the CDPHE Environmental Permitting Website listed above. Additional information concerning clearance on CDOT projects is available from the CDOT Asbestos Project Manager

(303) 512-5519, or Theresa Santangelo-Dreiling, Hazardous Materials Management Supervisor: (303) 512-5524.

Transportation of Hazardous Materials - No person may offer or accept a hazardous material for transportation in commerce unless that person is registered in conformance with the United States Department of Transportation regulations at 49 CFR, Part 171. The hazardous material must be properly classed, described, packaged, marked, labeled, and in condition for shipment as required or authorized by applicable requirements, or an exemption, approval or registration has been issued. Vehicles requiring a placard, must obtain authorization and a State HAZMAT Permit from the Colorado Public Utilities Commission. **Contact Information:** For authorization and more info call the Federal Motor Safety Carrier Administration, US DOT for inter- and intra- state HAZMAT Registration (303) 969-6748. Colorado Public Utilities Commission: (303) 894-2868.

Discharge of Dredged or Fill Material – 404 Permits Administered By the U.S. Army Corps of Engineers, and Section 401 Water Quality

Certifications Issued by the CDPHE WQCD - Clean Water Act section 404 permits are often required for the discharge of dredged or fill material into waters of the U.S., including wetlands. Several types of section 404 permits exist, including nationwide, regional general, and individual permits. Nationwide permits are the most commonly authorized type for activities with relatively minor impacts. If an individual 404 permit is required, section 401 water quality certification from the CDPHE WQCD is also required. Contact the appropriate Corps District Regulatory Office for information about what type of 404 permit may be required (contact information above). Contact the CDPHE Water Quality Control Division at (303) 692-3500.

Working on or in any stream or its bank - In order to protect and preserve the state's fish and wildlife resources from actions that may obstruct, diminish, destroy, change, modify, or vary a natural existing stream or its banks or tributaries, it may be necessary to obtain a Senate Bill 40 certification from the Colorado Department of Natural Resources. A stream is defined as 1) represented by a solid blue line on USGS 7.5' quadrangle maps; and/or 2) intermittent streams providing live water beneficial to fish and wildlife; and/or 3) segments of streams supporting 25% or more cover within 100 yards upstream or downstream of the project; and/or 4) segments of streams having wetlands present within 200 yards upstream or downstream of the project measured by valley length. The CPW application, as per guidelines agreed upon by CDOT and CPW, can be accessed at <https://www.codot.gov/programs/environmental/wildlife/guidelines>.

Erosion and Sediment Control Practices - Any activities that disturb one or more acres of land require a Stormwater Construction Permit (SCP) from the CDPHE-WQCD. Erosion & sediment control requirements will be specified in that permit. In situations where a stormwater permit is not required, all reasonable erosion and sediment control measures should be taken to minimize erosion and sedimentation. Control practices should be in accordance with CDOT Standard Specifications 107.25, 208, 213 and 216 (<https://www.codot.gov/business/designsupport/cdot-construction-specifications>). The CDOT Erosion Control and Stormwater Quality Guide (website: <https://www.codot.gov/programs/environmental/landscape-architecture/erosion-storm-quality>) can also be used to design erosion/sediment controls. **Contact Information:** Contact the CDPHE-WQCD at (303) 692-3500.

Website: <https://www.colorado.gov/pacific/cdphe/wq-construction-general-permits>

Site Stabilization - All disturbances require a stabilization plan, native seeding or landscape design plan according to applicable CDOT Standard Specifications 212-217 and 623. The CDOT Erosion Control and Stormwater Quality Guide should also be used to plan restoration of disturbed vegetation. Website: <https://www.codot.gov/programs/environmental/landscape-architecture/erosion-storm-quality>

Stormwater Discharge From Industrial Facilities - Discharges of stormwater runoff from certain types of industrial facilities, such as concrete batch plants - require a CDPS Stormwater Permit. **Contact Information:** Contact the CDPHE-WQCD at (303) 692- 3500. Website: <https://colorado.gov/pacific/cdphe/wq-commerce-and-industry-permits>

Concrete Washout - Waste generated from concrete activities shall NOT be allowed to flow into the drainage ways, inlets, receiving waters, or in the CDOT ROW. Concrete waste shall be placed in a temporary concrete washout facility and must be located a minimum of 50 feet from state waters, drainageways, and inlets. Concrete washout shall be in accordance to CDOT specifications and guidelines at <https://www.codot.gov/business/designsupport/cdot-construction-specifications> and refer to the specifications and their revisions for sections 101, 107 and 208.

Construction Dewatering (Discharge or Infiltration) and Remediation Activities - Discharges of water encountered during excavation or work in wet areas may require a Construction Dewatering or Remediation Activities Discharge Permit. **Contact**

Information: Contact the CDPHE-WQCD at (303) 692-3500. For Applications and Instructions:
<https://www.colorado.gov/pacific/cdphe/wq-construction-general-permits>.

Municipal Separate Storm Sewer System (MS4) Requirements - When working in a MS4 area, discharges to the storm sewer system are subject to CDOT's or other municipalities' MS4 Permit. For activities within the boundaries of a municipality that has a MS4 permit, the owner of such activity should contact the municipality regarding stormwater related requirements. All discharges to the CDOT highway drainage system or within the Right of Way (ROW) must comply with the applicable provisions of the Colorado Water Quality Control Act, the Water Quality Control Commission (WQCC) Regulations (<https://www.colorado.gov/pacific/cdphe/wqcc-regulations-and-policies-and-water-quality-statutes>) and the CDOT MS4 Permit #COS-000005 (<https://www.codot.gov/programs/environmental/water-quality/documents>). Discharges are subject to inspection by CDOT and CDPHE. For CDOT-related MS4 programs and requirements, go to:
<https://www.codot.gov/programs/environmental/water-quality/stormwater-programs>.

Post-Construction Permanent Water Quality - When working in a CDOT MS4 area and the activity disturbs one or more acres, permanent water quality control measures may be required. Information on the requirements can be found under the CDOT Permanent Water Quality MS4 Program at: <https://www.codot.gov/programs/environmental/water-quality/stormwater-programs/pwq-permanent-water-quality>

Discharges to Storm Sewer Systems

Prohibited Discharges - All discharges are subject to the provisions of the Colorado Water Quality Control Act and the Colorado Discharge Permit Regulations. Prohibited discharges include, but are not limited to, substances such as wash water, paint, automotive fluids, solvents, oils or soaps and sediment.

Allowable Discharges - The following discharges to stormwater systems are allowed without a permit from the CDPHE-WQCD: landscape irrigation, diverted stream flows, uncontaminated ground water infiltration to separate storm sewers, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, uncontaminated springs, footing drains, water line flushing, flows from riparian habitats and wetlands, and flow from firefighting activities. **Contact Information:** Contact the CDPHE-WQCD at (303) 692-3500. Information can also be found in the CDOT Illicit Discharge MS4 Program PDD at: <https://www.codot.gov/programs/environmental/water-quality/stormwater-programs/idde.html>.

Spill Reporting - Spills shall be contained and cleaned up as soon as possible. Spills shall NOT be washed down into the storm drain or buried. All spills shall be reported to the CDOT Illicit Discharge Hotline at (303) 512-4426 (4H20), as well as the Regional Permitting Office and Regional Maintenance Supervisor. Spills on highways, into waterways, any spill in the highway right-of-way exceeding 25 gallons, or that may otherwise present an immediate danger to the public shall be reported by calling 911, and shall also be reported to the CDPHE at 1-877-518-5608. More information can be found at <https://www.colorado.gov/pacific/cdphe/emergency-reporting-line>.

Disposal of Drilling Fluids - Drilling fluids used in operations such as Horizontal Directional Drilling may be classified as "discharges" or "solid wastes," and in general, should be pumped or vacuumed from the construction area, removed from the State Highway Right of Way, and disposed of at permitted facilities that specifically accept such wastes. Disposal of drilling fluids into storm drains, storm sewers, roadside ditches or any other type of man-made or natural waterway is prohibited by Water Quality Control and/or Solid Waste regulations. Small quantities of drilling fluid solids (less than 1 cubic yard of solids) may be left on-site after either being separated from fluids or after infiltration of the water, provided: 1) the drilling fluid consists of only water and bentonite clay, or, if required for proper drilling properties, small quantities of polymer additives that are approved for use in drinking water well drilling; 2) the solids are fully contained in a pit, and are not likely to pose a nuisance to future work in the area, 3) the solids are covered and the area restored as required by CDOT permit requirements (Utility, Special Use, or Access Permits, etc.). **Contact Information:** Contact CDPHE (telephone #'s listed above).

Noxious Weeds and Invasive Species Management Plan - Noxious Weeds and Invasive Species guidance can be found by contacting the Colorado Department of Agriculture (<https://www.colorado.gov/pacific/agconservation/noxiousweeds>) and the Colorado Division of Parks and Wildlife (<http://cpw.state.co.us/aboutus/Pages/RS-NoxiousWeeds.aspx>). In either case, management plans involving the control of noxious weeds associated with the permitted activity and cleaning of equipment will be required.

What is stormwater runoff?

Stormwater runoff occurs when precipitation from rain or snowmelt flows over the ground. Impervious surfaces like roads and sidewalks prevent stormwater from naturally soaking into the ground

Why is stormwater runoff a problem?

Stormwater can pick up debris, chemicals, dirt and other pollutants and flow into CDOT's storm drain system or directly into a stream, river, lake, wetland or reservoir. Anything that enters CDOT's storm drain system is discharged untreated into the waterways we use for fishing, swimming, and providing drinking water.



Dredged spoil, dirt, slurry, solid waste, incinerator residue, sewage, sewage sludge, garbage, trash, chemical waste, biological nutrient, biological material, radioactive material, heat, pH, wrecked or discarded equipment, rock, sand, any industrial, municipal, or agricultural waste.

Tips for Reporting an Illicit Discharge

Call the illicit discharge hotline at (303) 512-4426
 From a safe distance try to estimate the amount of the discharge.

Identify characteristics of the discharge (color, odor, algae, etc.).

Obtain information on the vehicle dumping the waste (if applicable).

Do not approach!

Call *CSP for illicit dumping.

If possible, take a photo, record a license plate.

REMEMBER:

Never get too close to the illicit discharge, it may be dangerous!!!

For more information on CDOT Utility Permits:

<https://www.codot.gov/business/permits/utilities/specialuse>

For more information on CDOT Access Permits:

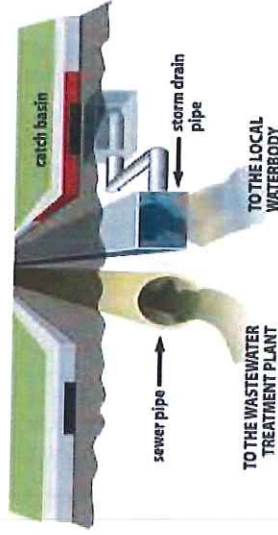
<https://www.codot.gov/business/permits/access/permits>

For more information on CDOT Water Quality Program:

Water Quality Program Manager
 4201 E. Arkansas Ave.
 Shumate Building
 Denver, Colorado 80222
 303-757-9343

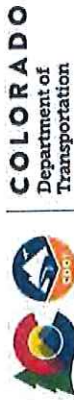
Water Quality Program Industrial Facilities Program

CDOT has a Municipal Separate Storm Sewer System permit, otherwise known as (MS4) from the Colorado Department of Public Health and Environment. The permit states that only stormwater can be discharged from CDOT's storm drain system



As part of the permit, CDOT has several different programs to prevent pollutants from entering into the storm drain system:

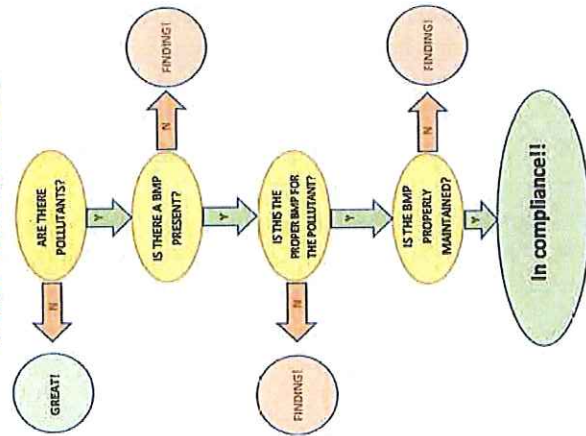
- Construction Site Program
- New Development Redevelopment Program
- Illicit Discharge Program
- Industrial Facilities Program
- Public Education and Outreach Program
- Pollution Prevention and Good Housekeeping Program
- Wet Weather Monitoring Program



Control Measures for Industrial Facilities

Industrial facilities can use control measures (CM) otherwise known as Best Management Practices (BMP) during the construction of a facility and when operating the facility. Control measures are schedules of activities, maintenance procedures, and other management practices to prevent and reduce pollution entering into CDOT's storm drain system. Control Measures also include treatment, operating procedures, and practices to control site run off which can include structural and non-structural controls.

THE GAUNTLET



CDOT defines a utility, or utility facility as any privately, publicly, or cooperatively owned line, facility, or system producing, transmitting or distributing the following:

- ✓ Communications
- ✓ Cable television
- ✓ Power
- ✓ Electricity
- ✓ Light
- ✓ Heat Gas
- ✓ Oil
- ✓ Crude Products
- ✓ Water
- ✓ Stream
- ✓ Waste
- ✓ Stormwater not connected with highway drainage
- ✓ Similar Commodity



Industrial Facilities Program Elements:

1. Educate and outreach to owners or operators that have potential to contribute substantial pollutant to water.
2. Report and include information on discharge and water quality concerns. Provide written notification within 15 days of discovery to CDPHE.
3. Submit an annual report to CDPHE containing the number of informational brochures distributed; name and title of each individual trained.

Education

There are instances when a utility company or other entity doing work in the state highway right-of-way will require some type of environmental permit or clearance for that work. CDOT has put together an Environmental Clearances Information Summary for those applying for a CDOT Utility and Special Use Permit or Access Permit to obtain all required clearances. This fact sheet is given to each permittee and is available at:

<http://www.coloradodot.info/programs/environmental/resources/guidance-standards/Environmental%20Clearances%20Info%20Summary.pdf>

State Highway Access Permit

Attachment to Permit No. 423129 - Additional Terms and Conditions

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1. If there are any questions regarding this permit, please contact Mike Shepherd at 970-324-4823.
2. The Permittee or the contractor shall notify Bruce Barnett at (970) 381-1742 at least two working days prior to beginning any access improvements or construction of any kind within the State Highway right-of-way. Failure to comply with this requirement may result in revocation of this permit.
3. The Permittee shall request final inspection by Bruce Barnett at (970) 381-1742 within 10 days following the completion of access construction, and prior to authorized use. The Permittee or their representative shall be present.
4. A fully executed complete copy of this permit must be on the job site with the contractor at all times during construction. Failure to comply with this or any other construction requirement may result in the immediate suspension of work by order of the Department inspector or the issuing authority.
5. The Permittee shall refer to all additional standard requirements included with this permit and any enclosed additional terms, conditions, exhibits, and noted attachments.
6. All communications related to the deliberative process are considered to be part of the permit.
7. Incorporated as part of this permit are the following:
 - Application for Access Permit (CDOT Form No. 137)
 - Permit (CDOT Form No. 101) and its attachments
 - Exhibits:
 - "A" – Access Plan
 - "B" – Vicinity Map
8. This permit is issued in accordance with the State Highway Access Code (2 CCR 601-1), and is based upon the information submitted by the Permittee. This permit is only for the use and purpose stated in the Application and Permit. Any changes in traffic volumes or type, drainage, or other operation aspects may render this permit void, requiring a new permit to be applied for based upon the existing and anticipated future conditions.
9. All work is to conform to the plans referenced by this permit on file with the Department or as modified by this permit. (If discrepancies arise, this permit shall take precedence over the plans.) The Department plan review is only for the general conformance with the Department's design and code requirements. The Department is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and any other elements which shall be confirmed and correlated at the work site. The Department, through the approval of this document, assumes no responsibility for the completeness and/or accuracy of the plans.
10. The Permittee is responsible for obtaining any necessary additional federal, state, and/or city/county permits or clearances required for construction of the access. Approval of this access permit does not constitute verification of this action by the Permittee.

State Highway Access Permit
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11. The Permittee is responsible for the resolution of any unforeseen circumstances.
12. The State requires a Certificate of Insurance prior to commencing any work on the State Highway right-of-way. Policies shall name the State of Colorado as additional insured party. All vendors, contractors, and utility companies shall procure, at their own expense, and maintain for the duration of the work period, the following minimum insurance coverages:
 - A. Standard workman's compensation and employer's liability, including occupational disease, covering all employees engaged in performance of the work at the site, in the amount required by State Statutes.
 - B. Comprehensive general liability in the amount of \$600,000 combined single limit bodily injury and property damage, each occurrence and \$2,000,000 annual aggregate.
 - C. Automobile liability in the amount of \$1,000,000 combined single limit bodily injury and property damage, for each accident.

Certificates of insurance showing compliance with these provisions shall be attached to and made a part of this permit and be available on the site during construction.

13. All costs associated with the installation of this access are the responsibility of the Permittee. This includes design, construction, signing and striping, utility relocation, testing of materials, and inspections. In the event a signal is warranted in the future, CDOT will not participate in any fashion with that signal installation, including financially.
14. The Department will not participate in any costs related to the design and installation of a traffic signal, should one be warranted or approved at this access location or any other serving this development.
15. The development of this property shall not negatively impact adjacent nearby properties. Correction of the problem and cost resulting from damages shall be borne by the Permittee.
16. It is the responsibility of the Permittee to determine which environmental clearances and/or regulations apply to the project, and to obtain any clearances that are required directly for the appropriate agency prior to commencing work. Please refer to or request a copy of the "CDOT Environmental Clearance Information Summary" (ECIS) for details. The ECIS may be obtained from the CDOT Permitting Offices or may be accessed via the CDOT Planning/Construction-Environmental Guidance webpage at <http://www.dot.state.co.us/environmental/Forms/asp>. FAILURE TO COMPLY WITH REGULATORY REQUIREMENTS MAY RESULT IN THE SUSPENSION OR REVOCATION OF YOUR CDOT PERMIT, OR ENFORCEMENT ACTIONS BY OTHER AGENCIES.

ALL discharges are subject to the provisions of the Colorado Water Quality Act and the Colorado Discharge Permit Regulations. Prohibited discharges include substances such as: wash water, paint, automotive fluids, solvents, oils or soaps.

State Highway Access Permit

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Unless otherwise identified by CDOT or the Colorado Department of Public Health and Environmental (CDPHE) Water Quality Control Division (WQCD) as significant sources of pollutants to the waters of the State, the following discharges to storm water systems are allowed without a Colorado Discharge Permit System Permit: landscape irrigation, diverted stream flows, uncontaminated ground water infiltration to separate storm sewers, discharges from potable water sources, foundation drains, air condition condensation, irrigation water, springs, footing drains, waterline flushing, flows from riparian habitats and wetlands, and flow from fire-fighting activities.

ANY OTHER DISCHARGES, including storm water discharges from industrial facility or construction sites, may require Colorado Discharge Permit System permits from CDPHE before work begins. For additional information and forms, go to the CHPHE website at: <http://cdphe.state.co.us/wq/PermitsUnit/wqu>.

17. Should any excavation encounter plant or animal fossils, the remains of historic or prehistoric structures, artifacts, (pottery, stone tools, arrowheads, etc.), the work shall be stopped and the Permittee shall notify the Department inspector.
18. Survey markers or monuments must be preserved in their original positions. Notify the Department at (970) 350-2173 immediately upon damage to or discovery of such markers or monuments at the work site. Any survey markers or monuments disturbed during the permitted work shall be repaired and/or replaced immediately at the expense of the Permittee.
19. Landscaping and site construction shall not obstruct sight distance at any State Highway access point. Landscaping within the State Highway right-of-way requires the Permittee to obtain a CDOT Landscaping Permit from the Traffic/Access Section. The access permit does not authorize that activity. Irrigation of features within the right-of-way may require the Permittee to install a subsurface drain in accordance with CDOT Standard M-605-1 or other approved system. The Permittee shall contact Allyson Young at the Greeley Traffic Office, (970) 381-8995, to obtain the Landscaping Permit.
20. This permit is subject to revocation due to: 1) Noncompliance with the provisions of this permit; 2) Abandonment; 3) Supersededure by new permit covering the same installation; or 4) Conflict with necessary planned highway construction and/or improvements. The permittee shall promptly terminate occupancy upon notice of cancellation of the permit from the Department, unless a new permit is applied for and granted.
21. The Department inspector may suspend work due to: 1) Noncompliance with the provisions of this permit; 2) Adverse weather or traffic conditions; 3) Concurrent highway construction or maintenance in conflict with permit work; 4) Any condition deemed unsafe for workers or the general public. The work may be resumed upon notice from the Department Inspector.

State Highway Access Permit
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22. If necessary, minor changes, corrections, and/or additions to this permit may be ordered by the Department inspector, other Department representative or local authority to meet unanticipated site conditions. Changes may not be in violation of the State Highway Access Code. All major changes to the plan must be approved in writing by the Department prior to commencement of any work on or within the State Highway right-of-way.
23. Reconstruction and improvements to the access may be required when the Permittee has failed to meet the required design and/or material specifications. If any construction element fails within two years due to improper construction or material specifications, the Permittee is responsible for all such repairs.
24. The Department retains the right to perform any necessary maintenance work in this area.
25. Routine, periodic maintenance and emergency repairs may be performed within the State Highway right-of-way, under general terms and conditions of the permit. Any significant repairs such as culvert replacement, resurfacing, or changes in design or specifications, will require written authorization from the Department. The Department shall be given proper advance notice whenever maintenance work will affect the movement or safety of traffic on the State Highway. In an emergency, the Department Region Office and the State Patrol shall immediately be notified of possible hazards.
26. Access construction methods and materials shall conform to the Colorado Department of Transportation Standard Specifications for Road and Bridge Construction (current edition).
27. All materials, equipment, installation, construction, and design, including the auxiliary lane(s) and intersection improvement(s) within the State Highway shall be in accordance with the following Department standard references as applicable.
 - A. State Highway Access Code, 2 CCR601-1
 - B. Roadway Design Manual
 - C. Materials Manual
 - D. Construction Manual
 - E. Standard Specifications for Road and Bridge Construction, latest edition
 - F. Standard Plans (M&S Standards)
 - G. Manual on Uniform Traffic Control Devices (M.U.T.C.D.) for Streets and Highways and the Colorado Supplement thereto
 - H. A Policy on Geometric Design of Highways and Streets, American Association of State Highway and Transportation Officials (AASHTO), latest edition
 - I. AASHTO Roadside Design Guide
 - J. Institute of Transportation Engineer's Trip Generation Manual, 6th Edition

Some of the reference materials listed above (A through E) may be purchased from:
Colorado Department of Transportation
Bid Plans Room

State Highway Access Permit
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4201 East Arkansas Avenue
Denver, CO 80222-3400
(303) 757-9313

The State Highway Access Code may be purchased from:
The Public Records Corporation
1666 Lafayette Street
PO Box 18186
Denver, CO 80218
(303) 832-8262

The website address is: www.cdott.gov

28. All workers within the State Highway right-of-way shall comply with their employer's safety and health policies/procedures, and all applicable U.S. Occupational Safety and Health Administration (OSHA) regulations – including, but not limited to, the applicable sections of 29 CFR Part 1910 – Occupational Safety and Health Standards and 29 CFR Part 1926 – Safety and Health Regulations for Construction.

At a minimum, all workers in the State Highway right-of-way, except when in their vehicles, shall wear the following personal protective equipment:

- Head protection that complies with the ANSI Z89.1-1997 standard;
- At all construction sites or whenever there is danger of injury to feet, protective footwear that complies with the ANSI Z41-1999 standard will be worn
- High visibility apparel as specified in the Traffic Control provision of this permit (at such a minimum ANSI/ISEA 107-1999, Class 2).

Where any of the above referenced ANSI standards have been revised, the most recent version of the standard shall apply.

29. No work will be allowed at night, or on Saturdays, Sundays, and legal holidays without prior authorization from the Department. The Department may also restrict work within the State Highway right-of-way during adverse weather conditions.
30. No construction vehicles shall be parked, or construction materials/equipment stored, on the State Highway right-of-way overnight.
31. Backing maneuvers within and into the State Highway right-of-way are strictly prohibited. All vehicles shall enter and exit the highway right-of-way in forward movement. Backing into the right-of-way shall be considered a violation of the terms and conditions of the access permit and may result in revocation of the permit by the Department and/or the issuing authority.
32. Traffic detours or lane closures will not be allowed, unless pre-approved by the Department.

State Highway Access Permit
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33. Two-way traffic shall be maintained throughout the work area at all times unless specific written authorization is obtained from the Department. Construction traffic control devices, when not in use, shall be removed or turned away from traffic. Devices must be stored outside of the roadway clear zone per the latest AASHTO guidelines.

34. Cattle guards are not permitted in State Highway right-of-way.

35. Any fencing modifications should follow the included Standard M-607-1 sheets 1 through 3. Permittee will be required to obtain a highway right-of-way fence agreement for a special fence if the Permittee desires to remove the existing standard highway fencing in this area.

When it is necessary to remove any highway right-of-way fence, the posts on either side of the access entrance shall be securely braced with approved end posts and in conformance with the Department's M-607-1 standard, before the fence is cut to prevent slacking of the remaining fence. All posts and wire removed shall be returned to the Department.

36. All required access improvements shall be installed prior to the herein authorized use of this access. Failure to do so will result in the appropriate legal action from the Department, up to Permit Revocation.

37. The access shall be maintained as per Exhibit "A".

38. The access shall be constructed perpendicular to the travel lanes of the State Highway for a minimum distance of 40 feet, and shall slope down and away from the adjacent pavement edge at a rate of 2% grade for a minimum of 20 feet.

39. Surfacing of the access shall be completed as per Exhibit "A".

40. No paved surface shall be cut unless specified in this permit. Asphalt removal shall be saw cut to assure a straight edge for patching. Full panel concrete replacement is required for any concrete work.

41. The new State Highway pavement shall slope on the same plane as the present pavement surface.

42. If frost, water, or moisture is present in the subgrade, no surfacing materials shall be placed until all frost, water, or moisture is gone or removed.

43. The access shall be maintained in such a manner that will not cause water to enter onto the roadway, and will not interfere with the existing drainage system within the State Highway right-of-way. Drainage to the State Highway right-of-way shall not exceed historical rate of flow.

COLORADO DEPARTMENT OF TRANSPORTATION

STATE HIGHWAY ACCESS PERMIT APPLICATION

Issuing authority application
acceptance date:

Instructions:

**Please print
or type**

- Contact the Colorado Department of Transportation (CDOT) or your local government to determine your issuing authority.
- Contact the issuing authority to determine what plans and other documents are required to be submitted with your application.
- Complete this form (some questions may not apply to you) and attach all necessary documents and Submit It to the issuing authority.
- Submit an application for each access affected.
- If you have any questions contact the Issuing authority.
- For additional information see CDOT's Access Management website at <https://www.codot.gov/business/permits/accesspermits>

1) Property owner (Permittee) Coy PALMER		2) Applicant or Agent for permittee (if different from property owner) SAME	
Street address 12012 Hwy 144		Mailing address	
City, state & zip WELDONA, CO	Phone #	City, state & zip	Phone # (required)
E-mail address		E-mail address if available	
3) Address of property to be served by permit (required) .com 12012 Hwy 144, WELDONA, CO 80653			
4) Legal description of property: If within jurisdictional limits of Municipality, city and/or County, which one? county Morgan subdivision block lot section 7 township 4N range 58W section 64			
5) What State Highway are you requesting access from? Highway 144		6) What side of the highway? <input checked="" type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W P.M.	
7) How many feet is the proposed access from the nearest mile post? feet <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W from:		How many feet is the proposed access from the nearest cross street? feet <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W from:	
8) What is the approximate date you intend to begin construction? Immediately after approval			
9) Check here if you are requesting a: <input type="checkbox"/> new access <input type="checkbox"/> temporary access (duration anticipated:) <input type="checkbox"/> improvement to existing access <input checked="" type="checkbox"/> change in access use <input type="checkbox"/> removal of access <input type="checkbox"/> relocation of an existing access (provide detail)			
10) Provide existing property use Residence			
11) Do you have knowledge of any State Highway access permits serving this property, or adjacent properties in which you have a property interest? <input checked="" type="checkbox"/> no <input type="checkbox"/> yes, if yes - what are the permit number(s) and provide copies: and/or, permit date:			
12) Does the property owner own or have any interests in any adjacent property? <input checked="" type="checkbox"/> no <input type="checkbox"/> yes, if yes - please describe:			
13) Are there other existing or dedicated public streets, roads, highways or access easements bordering or within the property? <input checked="" type="checkbox"/> no <input type="checkbox"/> yes, if yes - list them on your plans and indicate the proposed and existing access points.			
14) If you are requesting agricultural field access - how many acres will the access serve? N/A			
15) If you are requesting commercial or industrial access please indicate the types and number of businesses and provide the floor area square footage of each.			
business/land use	square footage	business	square footage
16) If you are requesting residential development access, what is the type (single family, apartment, townhouse) and number of units?			
type	number of units	type	number of units
17) Provide the following vehicle count estimates for vehicles that will use the access. Leaving the property then returning is two counts.			
Indicate if your counts are <input type="checkbox"/> peak hour volumes or <input type="checkbox"/> average daily volumes.		# of passenger cars and light trucks at peak hour volumes	# of multi unit trucks at peak hour volumes
# of single unit vehicles in excess of 30 ft.	# of farm vehicles (field equipment)	Total count of all vehicles 0	

18) Check with the issuing authority to determine which of the following documents are required to complete the review of your application.

- | | |
|--|---|
| a) Property map indicating other access, bordering roads and streets. | e) Subdivision, zoning, or development plan. |
| b) Highway and driveway plan profile. | f) Proposed access design. |
| c) Drainage plan showing impact to the highway right-of-way. | g) Parcel and ownership maps including easements. |
| d) Map and letters detailing utility locations before and after development in and along the right-of-way. | h) Traffic studies. |
| | i) Proof of ownership. |

1- It is the applicant's responsibility to contact appropriate agencies and obtain all environmental clearances that apply to their activities. Such clearances may include Corps of Engineers 404 Permits or Colorado Discharge Permit System permits, or ecological, archeological, historical or cultural resource clearances. The CDOT Environmental Clearances Information Summary presents contact information for agencies administering certain clearances, information about prohibited discharges, and may be obtained from Regional CDOT Utility/Special Use Permit offices or accessed via the CDOT Planning/Construction-Environmental-Guidance webpage: <https://www.codot.gov/programs/environmental/resources/guidance-standards/environmental-clearances-info-summary-august-2017/view>

2- All workers within the State Highway right of way shall comply with their employer's safety and health policies/procedures, and all applicable U.S. Occupational Safety and Health Administration (OSHA) regulations - including, but not limited to the applicable sections of 29 CFR Part 1910 - Occupational Safety and Health Standards and 29 CFR Part 1926 - Safety and Health Regulations for Construction.

Personal protective equipment (e.g. head protection, footwear, high visibility apparel, safety glasses, hearing protection, respirators, gloves, etc.) shall be worn as appropriate for the work being performed, and as specified in regulation. At a minimum, all workers in the State Highway right of way, except when in their vehicles, shall wear the following personal protective equipment: High visibility apparel as specified in the Traffic Control provisions of the documentation accompanying the Notice to Proceed related to this permit (at a minimum, ANSI/ISEA 107-1999, class 2); head protection that complies with the ANSI Z89.1-1997 standard; and at all construction sites or whenever there is danger of injury to feet, workers shall comply with OSHA's PPE requirements for foot protection per 29 CFR 1910.136, 1926.95, and 1926.96. If required, such footwear shall meet the requirements of ANSI Z41-1999.


Where any of the above-referenced ANSI standards have been revised, the most recent version of the standard shall apply.

3- The Permittee is responsible for complying with the Revised Guidelines that have been adopted by the Access Board under the American Disabilities Act (ADA). These guidelines define traversable slope requirements and prescribe the use of a defined pattern of truncated domes as detectable warnings at street crossings. The new Standards Plans and can be found on the Design and Construction Project Support web page at: <https://www.codot.gov/business/civilrights/ada/resources-engineers>


If an access permit is issued to you, it will state the terms and conditions for its use. Any changes in the use of the permitted access not consistent with the terms and conditions listed on the permit may be considered a violation of the permit.

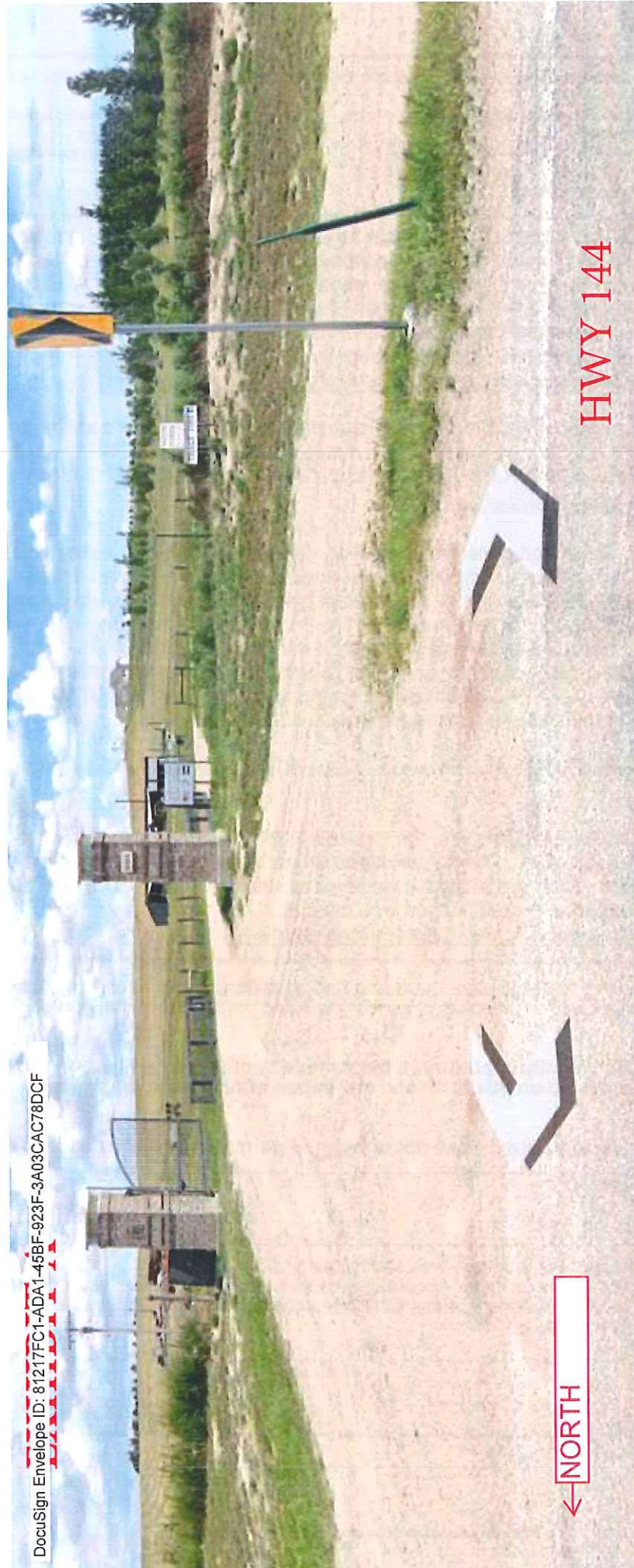
The applicant declares under penalty of perjury in the second degree, and any other applicable state or federal laws, that all information provided on this form and submitted attachments are to the best of their knowledge true and complete.

I understand receipt of an access permit does not constitute permission to start access construction work.

Applicant or Agent for Permittee signature 	Print name Coy PALMER	Date November 7, 2023
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If the applicant is not the owner of the property, we require this application also to be signed by the property owner or their legally authorized representative (or other acceptable written evidence). This signature shall constitute agreement with this application by all owners-of-interest unless stated in writing. If a permit is issued, the property owner, in most cases, will be listed as the permittee.

Property owner signature 	Print name Coy PALMER	Date November 7, 2023
---	--------------------------	--------------------------



HWY 144

← NORTH

EXISTING
ACCESS

EXHIBIT - B

CONRAD WIS 10

20

144

144

144

144

9

Soil Map—Morgan County, Colorado

*this is where
our easment is
the entrance
to our property*

*our
house*

*our
son will
build here*

*Other
lot*

Soil Map may not be valid at this scale.

Map Scale: 1:3,380 if printed on A portrait (8.5" x 11") sheet.



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

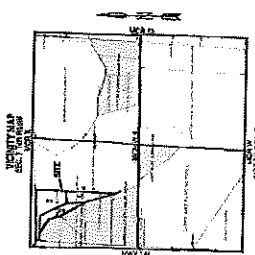


Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

THIS IS LIVING ESTATES MINOR SUBDIVISION

MINOR SUBDIVISION #MS2023-XXXX
LOCATED IN THE WEST HALF OF SECTION 7,
TOWNSHIP 4 NORTH, RANGE 58 WEST OF THE 6TH P.M.,
COUNTY OF MORGAN, STATE OF COLORADO



FLOODPLAIN CERTIFICATE

THE SURVEYOR HAS REVIEWED THE FLOODPLAIN MAPS AND HAS DETERMINED THAT THE SUBDIVISION IS NOT LOCATED IN A FLOODPLAIN AREA. THE SURVEYOR HAS REVIEWED THE FLOODPLAIN MAPS AND HAS DETERMINED THAT THE SUBDIVISION IS NOT LOCATED IN A FLOODPLAIN AREA.

SURVEYOR'S NOTES:

1. THIS SURVEY WAS PERFORMED UNDER THE SUPERVISION OF THE SURVEYOR, WHO HAS REVIEWED THE FLOODPLAIN MAPS AND HAS DETERMINED THAT THE SUBDIVISION IS NOT LOCATED IN A FLOODPLAIN AREA.
2. THE SURVEYOR HAS REVIEWED THE FLOODPLAIN MAPS AND HAS DETERMINED THAT THE SUBDIVISION IS NOT LOCATED IN A FLOODPLAIN AREA.
3. THE SURVEYOR HAS REVIEWED THE FLOODPLAIN MAPS AND HAS DETERMINED THAT THE SUBDIVISION IS NOT LOCATED IN A FLOODPLAIN AREA.
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6. THE SURVEYOR HAS REVIEWED THE FLOODPLAIN MAPS AND HAS DETERMINED THAT THE SUBDIVISION IS NOT LOCATED IN A FLOODPLAIN AREA.

COMMISSIONER'S CERTIFICATE:

I, THE COMMISSIONER, HAVE REVIEWED THE SURVEY AND HAVE DETERMINED THAT THE SUBDIVISION IS NOT LOCATED IN A FLOODPLAIN AREA. THE COMMISSIONER HAS REVIEWED THE SURVEY AND HAVE DETERMINED THAT THE SUBDIVISION IS NOT LOCATED IN A FLOODPLAIN AREA.

ATTEST:

CLERK AND RECORDERS CERTIFICATE:

I, THE CLERK AND RECORDERS, HAVE REVIEWED THE SURVEY AND HAVE DETERMINED THAT THE SUBDIVISION IS NOT LOCATED IN A FLOODPLAIN AREA. THE CLERK AND RECORDERS HAVE REVIEWED THE SURVEY AND HAVE DETERMINED THAT THE SUBDIVISION IS NOT LOCATED IN A FLOODPLAIN AREA.

NOTE: MICHIGAN COUNTY IS NOT RESPONSIBLE FOR QUANTITY OR QUALITY OF SURVEY. SURVEY IS THE PROPERTY OF THE SURVEYOR.

SURVEYOR'S CERTIFICATE:

I, THE SURVEYOR, HAVE REVIEWED THE SURVEY AND HAVE DETERMINED THAT THE SUBDIVISION IS NOT LOCATED IN A FLOODPLAIN AREA. THE SURVEYOR HAS REVIEWED THE SURVEY AND HAVE DETERMINED THAT THE SUBDIVISION IS NOT LOCATED IN A FLOODPLAIN AREA.

NOTE: MICHIGAN COUNTY IS NOT RESPONSIBLE FOR QUANTITY OR QUALITY OF SURVEY. SURVEY IS THE PROPERTY OF THE SURVEYOR.

CERTIFICATE OF OWNERSHIP

THE FOLLOWING IS A LIST OF THE OWNERS OF THE SUBDIVISION, AS OF THE DATE OF THIS CERTIFICATE.

NAME

THE SURVEYOR HAS REVIEWED THE SURVEY AND HAVE DETERMINED THAT THE SUBDIVISION IS NOT LOCATED IN A FLOODPLAIN AREA. THE SURVEYOR HAS REVIEWED THE SURVEY AND HAVE DETERMINED THAT THE SUBDIVISION IS NOT LOCATED IN A FLOODPLAIN AREA.

NAME

THE SURVEYOR HAS REVIEWED THE SURVEY AND HAVE DETERMINED THAT THE SUBDIVISION IS NOT LOCATED IN A FLOODPLAIN AREA. THE SURVEYOR HAS REVIEWED THE SURVEY AND HAVE DETERMINED THAT THE SUBDIVISION IS NOT LOCATED IN A FLOODPLAIN AREA.

NAME

THE SURVEYOR HAS REVIEWED THE SURVEY AND HAVE DETERMINED THAT THE SUBDIVISION IS NOT LOCATED IN A FLOODPLAIN AREA. THE SURVEYOR HAS REVIEWED THE SURVEY AND HAVE DETERMINED THAT THE SUBDIVISION IS NOT LOCATED IN A FLOODPLAIN AREA.

NAME

Official Records of Morgan County, CO 838336
10/2/06 12:44 PM Pgs: 2
Doc ID: 111.00 D: \$4.25 Clerk - Connie Ingram
10/2/06 12:44 PM Pgs: 2
Doc ID: 111.00 D: \$4.25 Clerk - Connie Ingram

WARRANTY DEED

Grantor(s), **DELBERT D. CASTOR**, for the consideration of **Forty Two Thousand Five Hundred and 00/100** Dollars and other good and valuable consideration, in hand paid, hereby grant, bargain, sell and convey to **COY PALMER**, whose legal address is 111 S. MAIN ST, FORT MORGAN COLORADO 80701, the following real property in the County of Morgan, State of Colorado, to-wit:

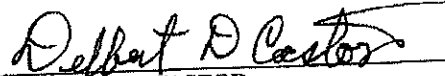
SEE ATTACHED EXHIBIT "A"

Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the said grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

To have and to hold the said premises above bargained and described, with the appurtenances, unto the said grantee, their heirs and assigns forever. And the said Grantor, for himself, his heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantee, their heirs and assigns, that at the time of the sealing and delivery of these presents, is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, 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, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, EXCEPT FOR TAXES FOR THE CURRENT YEAR, A LIEN BUT NOT PAYABLE, EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.

The grantor shall and will WARRANTY AND DEFEND the above bargained premises in the quiet and peaceable possession of the grantee his heirs and assigns, against all and every person or persons lawfully claiming the whole or part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

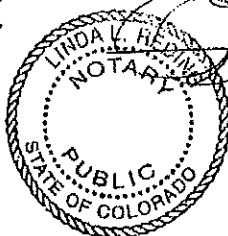
Signed this 29th day of September, 2006.

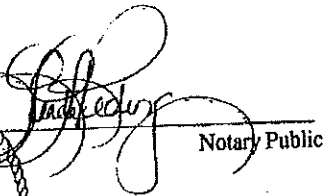

DELBERT D. CASTOR

STATE OF COLORADO)
)ss.
COUNTY OF Morgan)

The foregoing instrument was acknowledged before me, this 29th day of September, 2006
by **DELBERT D. CASTOR**.

My commission expires: 6/20/10
Witness my hand and official seal.




Notary Public



Return to: McFeeders Realty, 221 W. Battle Ave, Ft. Morgan, Co 80701

EXHIBIT "A"

A parcel of land located in the NW1/4 of Section 7, Township 4 North, Range 58 West of the 6th P.M., Morgan County, Colorado, being more particularly described as follows: Commencing at the NW corner of said Section 7, a found #4 rebar; thence N89°13'11"E on the North line of the NW1/4 of said Section 7, 30.03 feet to the point of beginning, said point being the intersection of the North line of said NW1/4, the centerline of the Weldon Valley Canal, and the easterly right of way line of County Road 12 (Highway 144); thence on said easterly right of way line S01°51'00"W, 125.13 feet; thence departing said easterly right of way line N89°13'11"E 175.33 feet to a point on the centerline of the Weldon Valley Canal; thence on said centerline the following eight (8) courses: S49°38'40"E 89.10 feet; thence S63°12'56"E 139.51 feet; thence S50°13'26"E 180.68 feet; thence S18°47'34"E 307.35 feet; thence S27°03'35"E 392.60 feet; thence S34°57'41"E 357.86 feet; thence S17°58'59"E 632.86 feet; thence S23°36'44"E 27.50 feet to a point on the East line of the W1/2NW1/4 of said Section 7; thence departing said centerline and on the East line of the W1/2NW1/4 of said Section 7, N01°51'38"E 1937.96 feet to the W1/16 corner of said Section 7, a set #6 rebar and 3 1/4" aluminum cap stamped P.L.S. #36070; thence S89°13'11"W on the North line of the NW1/4 of said Section 7, 1254.89 feet to the point of beginning.

Together with a perpetual right of way to install, maintain and care for pumps, pumping station and pipeline for the purpose of movement of water from the Weldon Valley Ditch to the Riverside Canal as now located in Section 7, Township 4 North, Range 58 West of the 6th P.M., being more particularly described and conveyed in instrument recorded November 22, 1976 in Book 766 at page 784.

AND together with all of Grantor's interest in the Weldon Valley Ditch Company License Agreement for Crossing recorded September 22, 2006 at Reception No. 838131, subject to the terms, conditions, covenants and agreements as set forth in said License Agreement.

* EXCEPTING AND RESERVING unto the Grantor, all oil, gas and other mineral interest currently owned, together with any reversionary interests grantor may own.

200

Official Records of Morgan County, CO 948243
09/26/2023 09:15:22 AM Pgs: 1 Rec Fee: 13.00
State Documentary Fee: \$8.38 Clerk: Kevin Strauch

QUIT CLAIM DEED

THIS DEED made this 11th day of September 2023, between **TERRI LYNN SCHAFFERT and ANTHONY SCHAFFERT**, whose legal address is 39137 CR 32, Otis, CO 80743, Grantor(s), to **COY PALMER** whose legal address is PO Box 605, Weldona, CO 80653, Grantee(s).

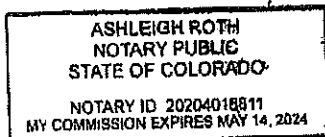
WITNESSETH, that the Grantor(s), for and in consideration of \$ 3864.00 and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has/have remised, released, sold, conveyed and QUIT CLAIMED, and by these presents does/do remise, release, sell, convey and QUIT CLAIM unto the Grantee(s), his/her/their heirs, successors and assigns forever, all the right, title, interest, claim and demand which the Grantor(s) has/have in and to the real property, together with improvements, if any, situate, lying and being in the County of Morgan, State of Colorado, described as follows:

A PARCEL OF LAND IN THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4) OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 58 WEST OF THE SIXTH PRINCIPAL MERIDIAN, MORGAN COUNTY, COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID E1/2NW1/4 OF SECTION 7, SAID POINT BEING ALSO THE NORTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN RECEPTION NO. 838338; THENCE SOUTH 1°48'30" WEST ALONG THE WEST LINE OF SAID E1/2NW1/4 OF SECTION 7 AND ALONG THE EAST LINE OF SAID PARCEL OF LAND DESCRIBED IN RECEPTION NO. 838338 A DISTANCE OF 38.98 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 1°48'30" WEST ALONG THE WEST LINE OF SAID E1/2NW1/4 OF SECTION 7 AND ALONG THE EAST LINE OF SAID PARCEL OF LAND DESCRIBED IN RECEPTION NO. 838338 A DISTANCE OF 1899.10 FEET; THENCE NORTH 89°35'30" EAST A DISTANCE OF 85.54 FEET; THENCE NORTH 20°43'35" WEST A DISTANCE OF 66.34 FEET; THENCE NORTH 2°14'40" EAST A DISTANCE OF 1795.07 FEET; THENCE NORTH 88°03'05" WEST A DISTANCE OF 69.21 FEET; THENCE SOUTH 89°18'00" WEST A DISTANCE OF 15.68 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.79 ACRES, MORE OR LESS.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the Grantor(s), either in law or equity, to the only proper use, benefit and behoof of the Grantee(s), his/her/their heirs and assigns forever. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the Grantor(s) has/have executed this deed on the date set forth above.



Terri Lynn Schaffert
Terri Lynn Schaffert
Anthony Schaffert
Anthony Schaffert

STATE OF COLORADO)
: ss
COUNTY OF Washington)

The foregoing instrument was acknowledged before me this 11th day of September 2023, by Terri Lynn Schaffert and Anthony Schaffert.

WITNESS my hand and official seal.

My commission expires: 05/14/2024

Ashleigh Roth
Notary Public

GRANT OF EASEMENT

The **Connie A. and Harvey D. Tomky Trust**, hereafter the Grantor, for good and valuable considerations, including the covenants of **Coy Palmer**, hereafter the Grantee, as set forth herein, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell and convey an easement to the Grantee over and across the following described property located in Morgan County, Colorado for the purposes herein enumerated and subject to the limitations and conditions set forth herein.

1. Property burdened by the Easement. The property of Grantor that shall be burdened by the easement is legally described as follows:

The SE¼ of Section 1, Township 4 North, Range 59 West of the 6th P.M. and the SW¼ of Section 6, Township 4 North, Range 58 West of the 6th P.M., Morgan County, Colorado (hereafter "the burdened parcel").

2. Property benefited by the Easement. The property of Grantee that shall be benefited by the easement is legally described as follows:

A parcel of land located in the NW¼ of Section 7, Township 4 North, Range 58 West of the 6th P.M., Morgan County, Colorado being more particularly described as follows: Commencing at the NW corner of said Section 7, a found #4 rebar; thence N89°13'11"E on the North line of the NW¼ of said Section 7, 30.03 feet to the point of beginning, said point being the intersection of the North line of said NW¼, the centerline of the Weldon Valley Canal, and the easterly right of way line of County Road 12 (Highway 144); thence on said easterly right of way line S01°51'00"W 125.13 feet; thence departing said easterly right of way line N89°13'11"E 175.33 feet to a point on the centerline of the Weldon Valley Canal; thence on said centerline the following eight (8) courses: S49°38'40"E 89.10 feet; thence S63°12'56"E 139.51 feet; thence S50°13'26"E 180.68 feet; thence S18°47'34"E 307.35 feet; thence S27°03'35"E 392.60 feet; thence S34°57'41"E 357.86 feet; thence S17°58'59"E 632.86 feet; thence S23°36'44"E 27.50 feet to a point on the East line of the W½NW¼ of said Section 7; thence departing said centerline and on the East line of the W½NW¼ of said Section 7, N01°51'38"E 1937.96 feet to the W1/16 corner of said Section 7, a set #6 rebar and ¾" aluminum cap stamped P.L.S. #36070; thence S89°13'11"W on the North line of the NW¼ of said Section 7, 1254.89 feet to the point of beginning (hereafter "the benefited parcel").

3. Description of Easement. The legal description of the location of the easement on the burdened parcel is as follows:

A portion of Section 1, Township 4 North, Range 59 West and a portion of Section 6, Township 4 North, Range 58 West of the 6th P.M., Morgan County, Colorado described as follows: Beginning at the SW corner of said Section 6; thence S 89°25'27"W along the south line of said Section 1 a distance of 42.30 feet; thence N00°34'33"W at right angles to said south line a distance of 55.80

feet; thence N41°14'56"E a distance of 121.06 feet; thence S55°07'51"E a distance of 78.90 feet; thence S50°21'23"E a distance of 147.81 feet to a point on the south line of said Section 6; thence S88°08'43"W along the south line of said Section 6 a distance of 215.63 feet to the point of beginning (hereafter "the easement").

4. Purpose of the Easement. The easement is granted to provide ingress and egress over and across the burdened parcel to the benefited parcel and to provide utilities, including water, natural gas and electricity, to the benefited parcel.

5. Covenants of Grantee. The use of the easement for the purpose stated herein shall be subject to the following covenants and conditions:

- a. The Grantee shall install and maintain a lawful fence as that term is defined by C.R.S. 35-46-101 on the exterior boundaries of the easement, excluding the south line of the easement between Section 6 and Section 7, Township 4 North, Range 58 West of the 6th P.M.
- b. The Grantee shall install and maintain an electric gate on the easement on the south line of Section 1, Township 4 North, Range 59 West of the 6th P.M. and provide to the Grantor a control to the same so that access from Highway 144 to the easement is available to both parties.
- c. The Grantee shall install and maintain a 16 foot manual gate on the NW line of the easement located in Section 1, Township 4 North, Range 59 West of the 6th P.M. so that Grantor may access their property to the North from Highway 144.
- d. The Grantee shall construct, install and maintain a new bridge across the Weldon Valley Canal at its present location in Section 1, Township 4 North, Range 59 West of the 6th P.M. for the use of the Grantor and the Grantee.

6. Easement and covenants run with land. The easement granted herein runs with the benefited parcel and shall be a part of the property rights that are conveyed with the fee title to the property. In like manner, this easement shall constitute a burden on the burdened parcel and any conveyance thereof shall be made subject to the rights granted herein to or for the benefit of the benefited parcel.

7. Breach of covenants. In the event of a substantial and continuing breach by the Grantee of any of the covenants and conditions upon which this easement is granted, Grantor shall provide Grantee written notice of the alleged breach by certified mail, return receipt requested, addressed to Grantee at his last known address. Grantee shall have 30 days from the receipt of said notice within which to correct the breach or to formally dispute the same in writing. If the breach is disputed or has not been corrected, as the case may be, then Grantor may request that this easement be terminated in any court of competent jurisdiction. The prevailing party in such litigation shall be entitled to recover reasonable attorney fees and costs from the non-prevailing party.

IN WITNESS WHEREOF, the Grantor has executed this Grant of Easement this 13th day of June, 2007.

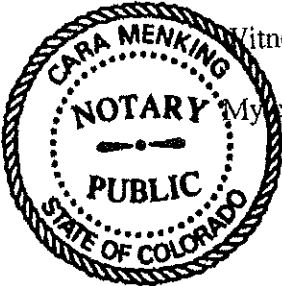
THE CONNIE A. AND HARVEY D. TOMKY TRUST:

By: Connie A. Tomky TRS
Connie A. Tomky, Trustee

By: Harvey D. Tomky Trs
Harvey D. Tomky, Trustee

STATE OF COLORADO)
) ss.
COUNTY OF MORGAN)

This instrument was acknowledged before me on this 13th day of June, 2007, by Connie A. Tomky and Harvey D. Tomky, Trustees of the Connie A. and Harvey D. Tomky Trust.



Witness my hand and official seal.

My commission expires: My Commission Expires 08/08/09

Cara Menking
Notary Public

ACKNOWLEDGEMENT

The undersigned Grantee of the within and foregoing easement acknowledges receipt of the same and agrees to be bound by the terms and conditions set forth therein.

Dated this 18th day of June, 2007

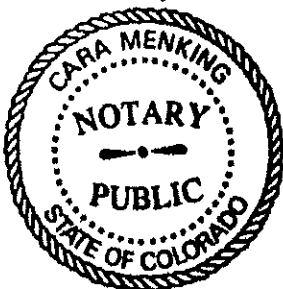
Coy Palmer
Coy Palmer

STATE OF COLORADO)
) ss.
COUNTY OF MORGAN)

This instrument was acknowledged before me on this 18th day of June, 2007, by Coy Palmer.

Witness my hand and official seal.

My commission expires: My Commission Expires 08/08/09



Cara Menking
Notary Public

WELDON VALLEY DITCH COMPANY
LICENSE AGREEMENT FOR CROSSING

1. PARTIES. The parties to this License Agreement are the Weldon Valley Ditch Company ("Ditch Company") and Cox Palmer ("Licensee"). The Ditch Company and Licensee are jointly referred to as the Parties.

2. RECITALS. The Licensee desires to obtain the permission of the Ditch Company to construct a bridge across the Weldon Valley Ditch at the location shown on the map attached as Exhibit A. The Ditch Company agrees to permit the proposed crossing, subject to the terms, conditions, covenants and agreements set forth in this License Agreement. Accordingly, in consideration of the mutual promises set forth in this License Agreement, the Parties covenant and agree as follows:

3. CONSTRUCTION.

- 3.1 Pursuant to the terms of this License Agreement, the Licensee is granted the license to construct a bridge ("the Installation") at the location described in the map attached as Exhibit A.
- 3.2 Plans for the construction of Licensee's facilities must be submitted to and approved by the Ditch Company in writing in advance of construction. Applicant shall provide a map identifying the location of the proposed facility by defining that location as specified in the attached specifications. Upon completion, Applicant shall provide a set of "as-builts" for the Ditch Company's files. The Ditch Company's review and approval, if approval is given, of the plans is for its benefit only, and creates no duty or obligations for the Ditch Company. The design and construction of the facilities in a workmanlike fashion and in a way that the facilities perform as intended is solely the responsibility of the Licensee.
- 3.3 All portions of the Ditch, bottoms, sides, banks, and all affected portions of the Ditch Company's easement which are disturbed by the Licensee's Installation shall be restored to their original condition so the flow of the water in the Ditch runs at the original amount and velocity. Any and all fencing and other facilities appurtenant to the Ditch Company's easement shall be replaced in a condition at least equal to the condition of such facilities and appurtenances prior to construction.
- 3.4 The Licensee shall not spill any dirt, debris or other foreign material into the Ditch. In the event that dirt, debris or other foreign material is spilled into the Ditch, the Licensee agrees to completely clean the affected portions of the Ditch.
- 3.5 The Licensee agrees that the Installation shall proceed expeditiously and with reasonable diligence from the commencement of construction to its completion. The Installation shall be completed by March 24, 2008. If the Installation is not completed by that date, this License Agreement expires and is of no force or effect.

- 3.6 If the Licensee's construction interrupts the Ditch Company's water supply for any reason, the Licensee shall pay as liquidated damages \$1,000.00 per day for any day that the Ditch Company has a request for water from a shareholder and cannot deliver water to that shareholder or shareholders as a result of the installation.

4. INSPECTION.

- 4.1 The Licensee shall notify the Ditch Company at least one (1) day prior to commencement of the installation, or replacement or repair of the installation permitted by this License Agreement, except for emergency repairs which are provided for in paragraph 7 of this License Agreement. The Ditch Company is permitted to inspect the installation or replacements and repairs during construction. Upon completion of the installation, the Ditch Company may inspect the installation.
- 4.2 The Ditch Company's right to inspect the Licensee's installation or replacement of the installation in no way relieves the Licensee of its liability for improper installation. The Ditch Company's inspection is solely for the benefit of the Ditch Company and creates no obligation to the Ditch Company.

- 4.2 The Ditch Company's right to inspect the Licensee's Installation or replacement of the Installation in no way relieves the Licensee of its liability for improper Installation. The Ditch Company's inspection is solely for the benefit of the Ditch Company and creates no obligation to the Ditch Company.

5. MAINTENANCE.

- 5.1 Licensee specifically agrees and pledges to maintain, repair and replace the Installation so as not to require the Ditch Company to maintain, repair or replace it. If Licensee fails to properly maintain, repair or replace any portion of the Installation for which it is responsible after ten days' notice of the need for same, Ditch Company may, at its own option, conduct its own maintenance, repair or replacement, and Licensee shall reimburse Ditch Company for the cost of such work within 30 days. In the event Licensee fails to maintain, repair or replace the Installation, it shall be held liable for any loss, damage or injury to Ditch Company. If the Ditch Company conducts its own maintenance, repair or replacement, it does not waive the right to hold Licensee liable for damages caused by Licensee's failure to maintain, repair or replace.

- 5.2 In the event of an emergency, Ditch Company or Licensee may conduct maintenance or repair immediately, giving notice to the other party as soon as possible at the emergency contacts identified in paragraph 11. If Ditch Company conducts emergency work, it shall be reimbursed for the cost of the work. Under no circumstances shall the Ditch Company be responsible or held liable for damages to the installation resulting from maintenance or repair to the Ditch.

6. WATER LOSS. The Licensee agrees that the installation will not increase carriage or transit loss over the loss which occurred historically. The Licensee agrees to compact earth materials so that such additional water losses will not occur. If the Licensee's installation increases carriage or transit loss in the Ditch, the Licensee agrees to repair the construction to prevent such additional loss.

7. LIABILITY AND INDEMNIFICATION.

- 7.1 By virtue of entering into this License Agreement, the Ditch Company: (1) assumes no liability for use, operation, or existence of the Licensee's Installation; and (2) assumes no additional responsibilities or obligations related to the Licensee's future or additional activities in the area described in EXHIBIT A which are required by this License Agreement.
- 7.2 The Licensee agrees to indemnify and hold harmless the Ditch Company, from all claims and liability for damage or injury to property or persons arising or caused directly or indirectly by the Licensee's construction, restoration, maintenance of, or failure to maintain, the Installation and the Licensee's occupancy and use of the area located in EXHIBIT A.

8. EASEMENT RIGHTS. The License granted to the Licensee herein in no way restricts the Ditch Company's right to the use of its easement to construct, operate, or maintain all existing structures and facilities of the Ditch.

9. NOTICES. Any notice required or permitted by this License Agreement shall be in writing and shall be deemed to have been sufficiently given for all purposes if sent by certified or registered mail, postage and fees prepaid, addressed to the party to whom such notice is intended to be given at the address set forth below, or at such other address as has been previously furnished in writing to the other party or parties. Such notice shall be deemed to have been given when deposited in the U.S. mail.

10. CONSIDERATION. As consideration for the Agreement, Licensee shall, upon execution hereof, pay to the Ditch Company the sum of Two Hundred Fifty Dollars (\$250.00) for said license.

DITCH COMPANY:

Weldon Valley Ditch Company
P. O. Box 626
Weldona, CO 80653

COPY TO:

Jeffrey J. Kahn, Esq.
Bernard, Lyons, Gaddis & Kahn, P.C.
P.O. Box 978
Longmont, CO 80502-0978

LICENSEE:

COPY TO:

11. WAIVER OF BREACH. The waiver by any party to this License Agreement of a breach of any term or provision of this License Agreement shall not operate or be construed as a waiver of any subsequent breach by any party.

12. RECORDATION. This License Agreement shall be recorded at the cost of Licensee and shall be binding on any successors of the Parties. The obligations and benefits of this License Agreement shall specifically run with the land described herein.

13. EXHIBITS. All exhibits referred to in this License Agreement are, by reference, incorporated in this License Agreement for all purposes.

Dated: 1-11-08

DITCH COMPANY

Signature

Name and Title

Rickey J. Lorenzini
Rickey J. Lorenzini President WVOC
Box 626 Weldana Co 80653.
Address

ATTEST

Eric Christensen
Eric Christensen, Secretary

LICENSEE

Signature

Name and Title

Coy Palmer - Owner
925 Alie Ave - Fort Morgan
12012 Hwy 144
Address

Exhibit A
To
Weldon Valley Ditch Company
License Agreement for Crossing between the Ditch Company & Delbert
Castor
Dated
Sept 22 2006

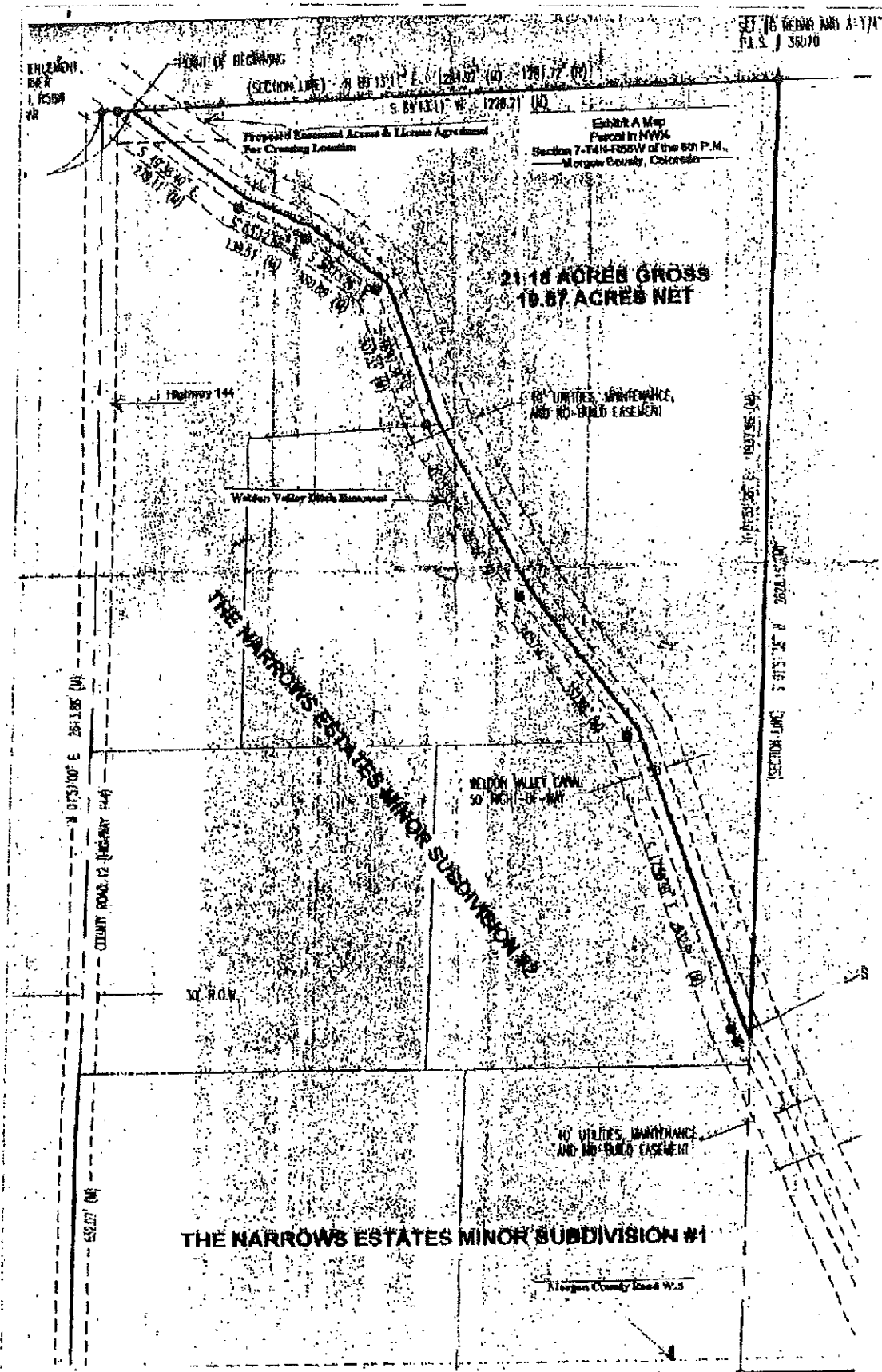
Legal Description

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 58 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF MORGAN, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 7, A FOUND #4 REBAR, THENCE N 89°13'11" E ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 7, 56.71 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE INTERSECTION OF THE NORTH LINE OF SAID NORTHWEST QUARTER, AND THE CENTERLINE OF THE WELDON VALLEY CANAL, AND THE POINT OF BEGINNING, THENCE ON THE CENTERLINE OF THE WELDON VALLEY CANAL THE FOLLOWING EIGHT (8) COURSES:

S 49°38'40" E	279.11 FEET, THENCE
S 63°12'56" E	139.51 FEET, THENCE
S 50°13'26" E	180.68 FEET, THENCE
S 18°47'34" E	307.35 FEET, THENCE
S 27°03'35" E	392.60 FEET, THENCE
S 34°57'41" E	357.86 FEET, THENCE
S 17°58'59" E	632.86 FEET, THENCE
S 23°36'44" E	27.50 FEET, THENCE, TO A POINT ON THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 7; THENCE DEPARTING SAID CENTERLINE AND ON THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 7, N 01°51'38" E, 1937.96 FEET TO THE WEST SIXTEENTH CORNER OF SAID SECTION 7, 4 SET #6 REBAR AND 3/4 ALUMINUM CAP STAMPED P.L.S. # 36070; THENCE S 89°13'11" N, ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 7, 122824 FEET TO THE POINT OF BEGINNING

CONTAINING A COMPUTED AREA OF 21.18 ACRES MORE OR LESS.



TECHNICAL

Mineral Notification

Ditch Company Contact

Soil Map

Impact Statement

Tax Account Statement

Application Fee Receipt

12/06/2023

Delbert D. Castor
22791 Hwy 39
Weldona, CO 80653

Sent via Certified Mail

Notice to Mineral Rights Owners and/or Lessees:

As required by Colorado State Statute 24-65.5-103, I am notifying you that I have submitted a Minor Subdivision application to the Morgan County Planning and Zoning Department for Coy Palmer located in Section 7, Township 4 North, Range 58 West of the 6th P.M., Morgan County, Colorado.

The application will be heard by the Morgan County Planning Commission in a public hearing on Monday, January 8th at 7:00 PM in the assembly room, 231 Ensign Street, Fort Morgan, Colorado. The Planning Commission will review the application and recommend approval or disapproval to the Board of County Commissioners.

Final approval or disapproval of the application will be considered by the Morgan County Commissioners on a date later to be determined in the assembly room, 231 Ensign Street, Fort Morgan, Colorado.

Sincerely,

Coy Palmer



(applicant/landowner)



FORT MORGAN
300 STATE ST
FORT MORGAN, CO 80701-9998
(800)275-8777

12/06/2023

02:08 PM

Product	Qty	Unit Price	Price
First-Class Mail® Letter	1		\$0.66
Weldona, CO 80653			
Weight: 0 lb 0.30 oz			
Estimated Delivery Date			
Fri 12/08/2023			
Certified Mail®			\$4.35
Tracking #:			
70220410000224849854			
Total			\$5.01

Grand Total: \$5.01

Credit Card Remit \$5.01

Card Name: VISA
Account #: XXXXXXXXXX6942
Approval #: 04971G
Transaction #: 613
AID: A0000000031010 Contactless
AL: VISA CREDIT
CHASE VISA

Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit www.usps.com USPS Tracking or call 1-800-222-1811.

Preview your Mail™
Track your Packages
Sign up for FREE @
<https://informedelivery.usps.com>

All sales final on stamps and postage.
Refunds for guaranteed services only.
Thank you for your business.

Tell us about your experience.
Go to: <https://postalexperience.com/ios>
or scan this code with your mobile device.



or call 1-800-410-7420.

UFN: 073258-0393
Receipt #: 840-58000181-2-6042190-2
Clerk: 10

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Weldona, CO 80653

Certified Mail Fee \$4.35

Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.66

Total Postage and Fees \$5.01

Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

Postmark
Here
DEC 06 2023

Weldon Valley Ditch Company Crossing

Eric Christensen

Mon 11/6/2023 8:36 AM

To: Brady Piepho

Cc:

📎 1 attachments (21 KB)

Utility crossing agreement 11-6-2023.docx;

Brady,

As discussed on the phone, the Ditch company has given initial approval of your proposed crossing/boring of a Quality Water line under the ditch north of road W.5.

There are three elements of this approval that need to be completed before construction can begin.

1. The Weldon Valley Ditch Company crossing agreement must be signed and returned.
2. The crossing fee of \$1,000 must be paid to the Weldon Valley Ditch Company.
3. A ditch company representative must inspect the exact site of the proposed bore.

I have attached a copy of the crossing agreement for your review.

Also, please note that the company has the following policy in place in regard to construction near the ditch:

Rule 6 Construction Setbacks

(5-23-2019)

The Company from time to time operates, maintains, repairs, and reconstructs its ditch as required by law, and in performing these duties, the Company requires access to a minimum of 60 feet from the cut of the ditch on the upper side and 60 feet from the bottom of the berm on the lower side at times on short or no notice. Accordingly, these zones above and below the ditch should remain clear of obstructions, and no temporary or permanent structures should be constructed and no trees should be planted within these zones.

Please let me know if you have any further questions.

Eric



Transparency, from pasture to plate

ERIC CHRISTENSEN

Call

Office 970.645.1339

Visit ChristensenRanch.com

Email

Follow [Facebook.com/ChristensenRanchBeef](https://www.facebook.com/ChristensenRanchBeef)
[Instagram.com/christensenranchbeef](https://www.instagram.com/christensenranchbeef)

From: [Brady Piepho](#)

Sent: Friday, November 3, 2023 4:11 PM

To:

Subject: Braeden Piepho test

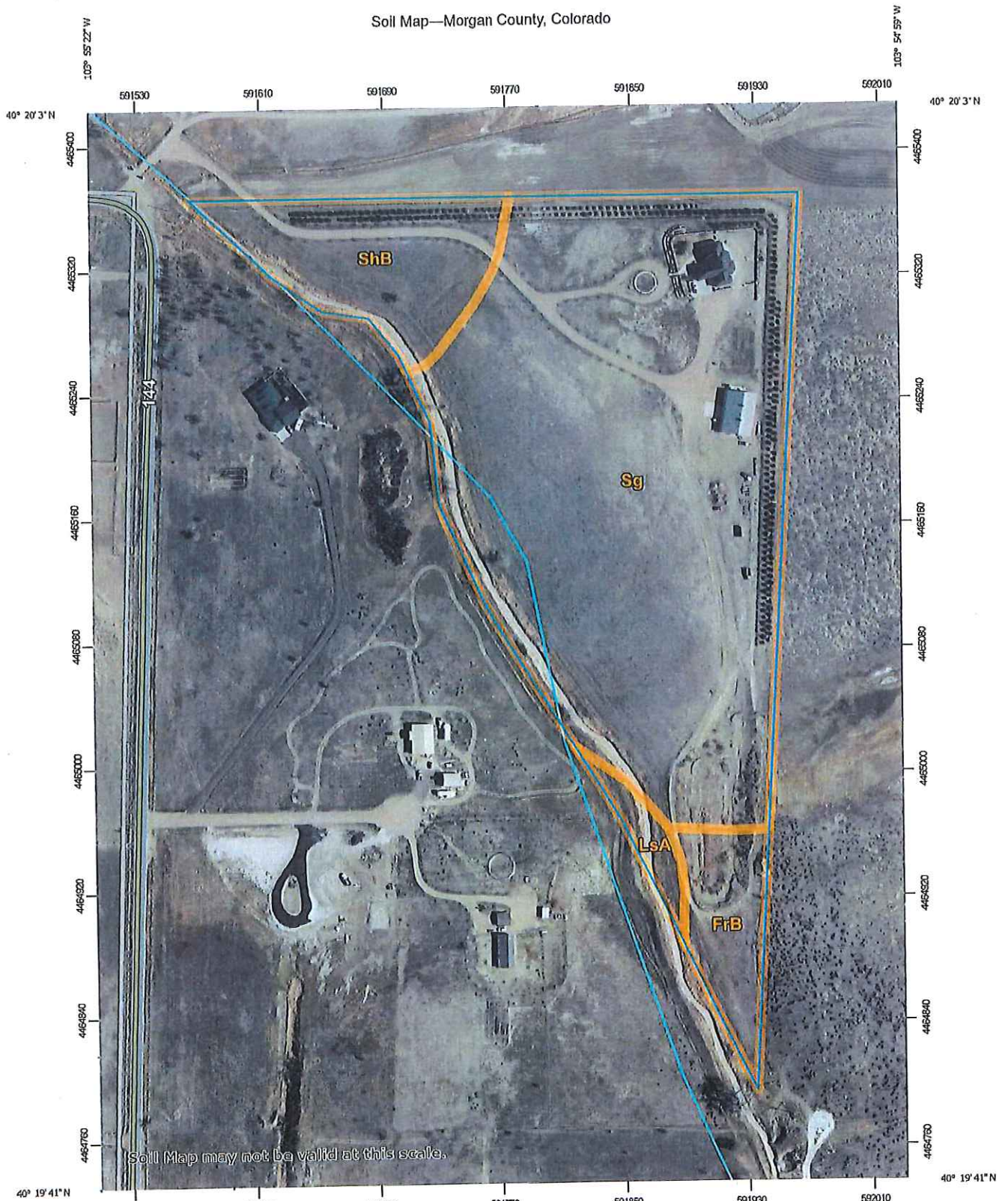
Thank you for taking my call.

Appreciate your help!

Please CC;

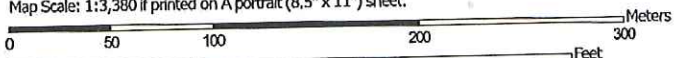
Braeden Piepho
Midwestern Millwright
Shop & Field Manager

Soil Map—Morgan County, Colorado



Soil Map may not be valid at this scale.

Map Scale: 1:3,380 if printed on A portrait (8.5" x 11") sheet.



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



Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

11/3/2023
Page 1 of 3

MAP LEGEND

MAP INFORMATION

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

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

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

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

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

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

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

Soil Survey Area: Morgan County, Colorado
Survey Area Data: Version 24, Aug 24, 2023

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

Date(s) aerial images were photographed: Apr 14, 2022—Jun 15, 2022

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

Area of Interest (AOI)

- Area of Interest (AOI)

Soils

- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features

- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot

Special Line Features

- Streams and Canals

Water Features

- Streams and Canals

Transportation

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

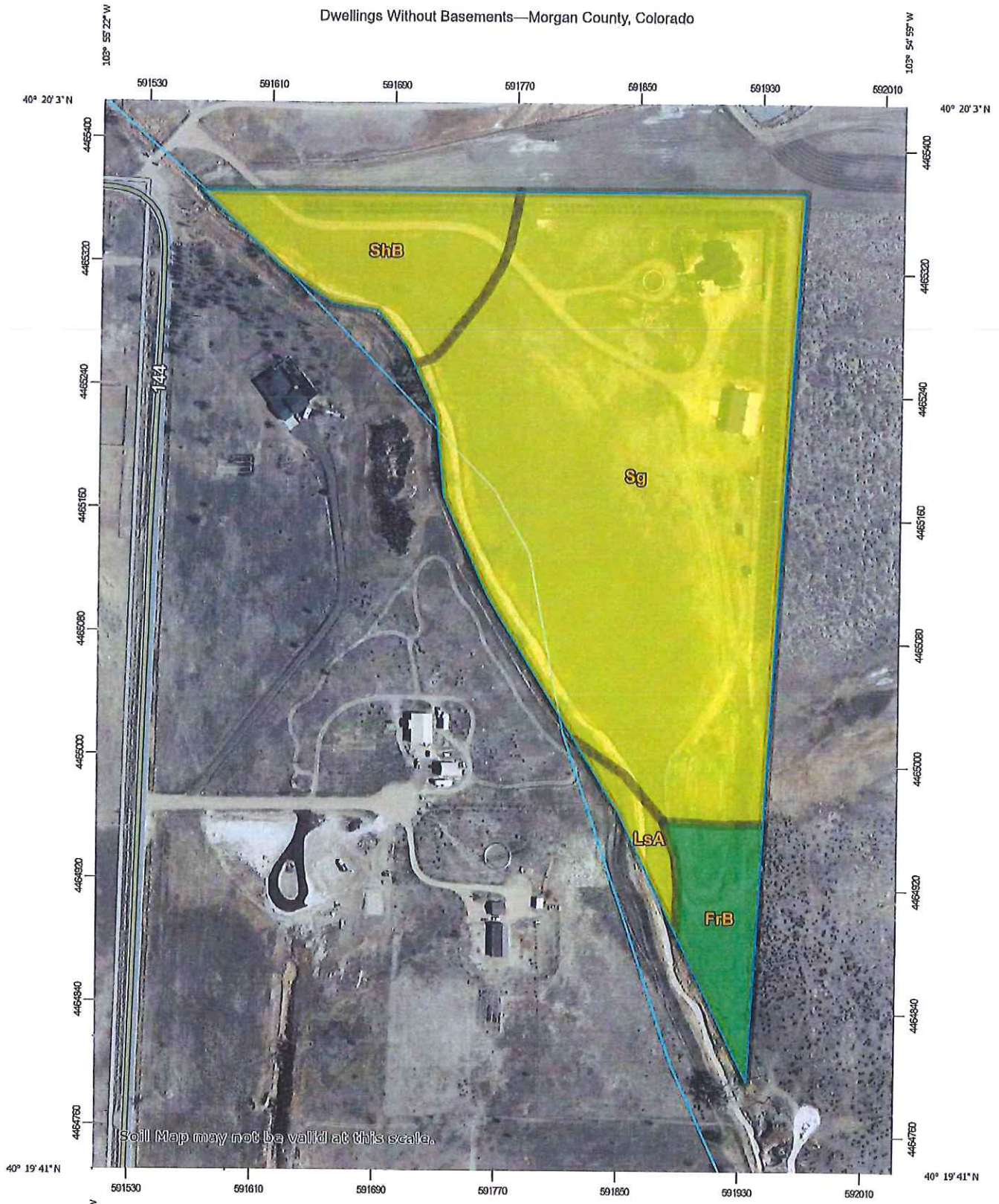
Background

- Aerial Photography

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
FrB	Fort Collins sandy loam, 0 to 3 percent slopes	1.6	6.6%
LsA	Limon clay, saline, 0 to 1 percent slopes	0.5	2.2%
Sg	Shingle soils	18.8	77.7%
ShB	Stoneham loam, 1 to 3 percent slopes	3.2	13.4%
Totals for Area of Interest		24.2	100.0%

Dwellings Without Basements—Morgan County, Colorado



Soil Map may not be valid at this scale.

Map Scale: 1:3,380 if printed on A portrait (8.5" x 11") sheet.

0 50 100 200 300 Meters

0 150 300 600 900 Feet

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

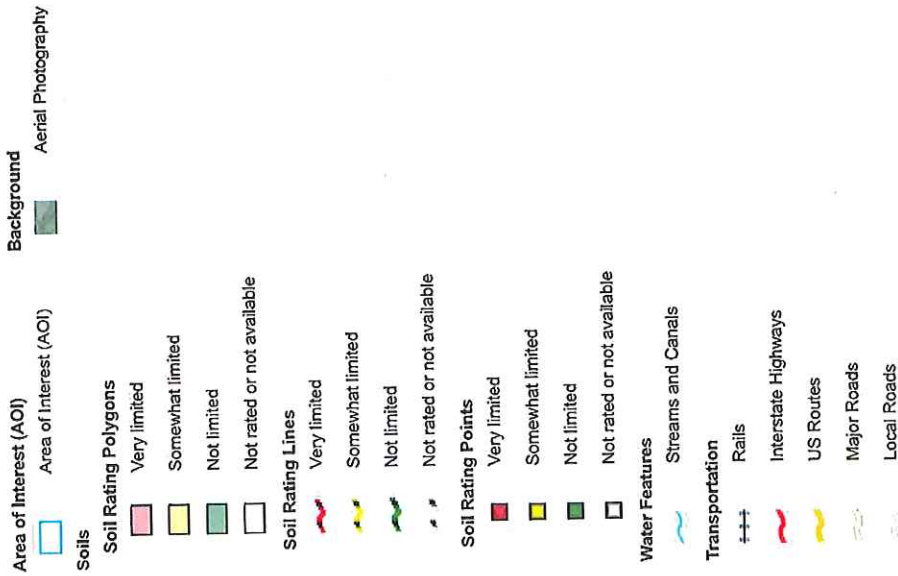


Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

11/3/2023
Page 1 of 5

MAP LEGEND



MAP INFORMATION

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

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

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

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

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

Soil Survey Area: Morgan County, Colorado
 Survey Area Data: Version 24, Aug 24, 2023

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

Date(s) aerial images were photographed: Apr 14, 2022—Jun 15, 2022

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

Dwellings Without Basements

Map unit symbol	Map unit name	Rating	Component name (percent)	Rating reasons (numeric values)	Acres in AOI	Percent of AOI
FrB	Fort Collins sandy loam, 0 to 3 percent slopes	Not limited	Fort Collins (85%)		1.6	6.6%
			Vona (10%)			
			Olneast (5%)			
LsA	Limon clay, saline, 0 to 1 percent slopes	Somewhat limited	Limon (80%)	Shrink-swell (0.50)	0.5	2.2%
Sg	Shingle soils	Somewhat limited	Shingle (80%)	Depth to soft bedrock (0.50)	18.8	77.7%
ShB	Stoneham loam, 1 to 3 percent slopes	Somewhat limited	Stoneham (90%)	Shrink-swell (0.25)	3.2	13.4%
Totals for Area of Interest					24.2	100.0%

Rating	Acres in AOI	Percent of AOI
Somewhat limited	22.6	93.4%
Not limited	1.6	6.6%
Totals for Area of Interest	24.2	100.0%

Description

ENG - Engineering

Dwellings are single-family houses of three stories or less. For dwellings without basements, the foundation is assumed to consist of spread footings of reinforced concrete built on undisturbed soil at a depth of 2 feet or at the depth of maximum frost penetration, whichever is deeper.

The ratings for dwellings are based on the soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs. The properties that affect the load-supporting capacity include depth to a water table, ponding, flooding, subsidence, linear extensibility (shrink-swell potential), and compressibility. Compressibility is inferred from the Unified classification of the soil. The properties that affect the ease and amount of excavation include depth to a water table, ponding, flooding, slope, depth to bedrock or a cemented pan, hardness of bedrock or a cemented pan, and the amount and size of rock fragments.

The ratings are both verbal and numerical. Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect the specified use. "Not limited" indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can be expected. "Somewhat limited" indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected. "Very limited" indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

Numerical ratings indicate the severity of individual limitations. The ratings are shown as decimal fractions ranging from 0.01 to 1.00. They indicate gradations between the point at which a soil feature has the greatest negative impact on the use (1.00) and the point at which the soil feature is not a limitation (0.00).

The map unit components listed for each map unit in the accompanying Summary by Map Unit table in Web Soil Survey or the Aggregation Report in Soil Data Viewer are determined by the aggregation method chosen. An aggregated rating class is shown for each map unit. The components listed for each map unit are only those that have the same rating class as listed for the map unit. The percent composition of each component in a particular map unit is presented to help the user better understand the percentage of each map unit that has the rating presented.

Other components with different ratings may be present in each map unit. The ratings for all components, regardless of the map unit aggregated rating, can be viewed by generating the equivalent report from the Soil Reports tab in Web Soil Survey or from the Soil Data Mart site. Onsite investigation may be needed to

validate these interpretations and to confirm the identity of the soil on a given site.

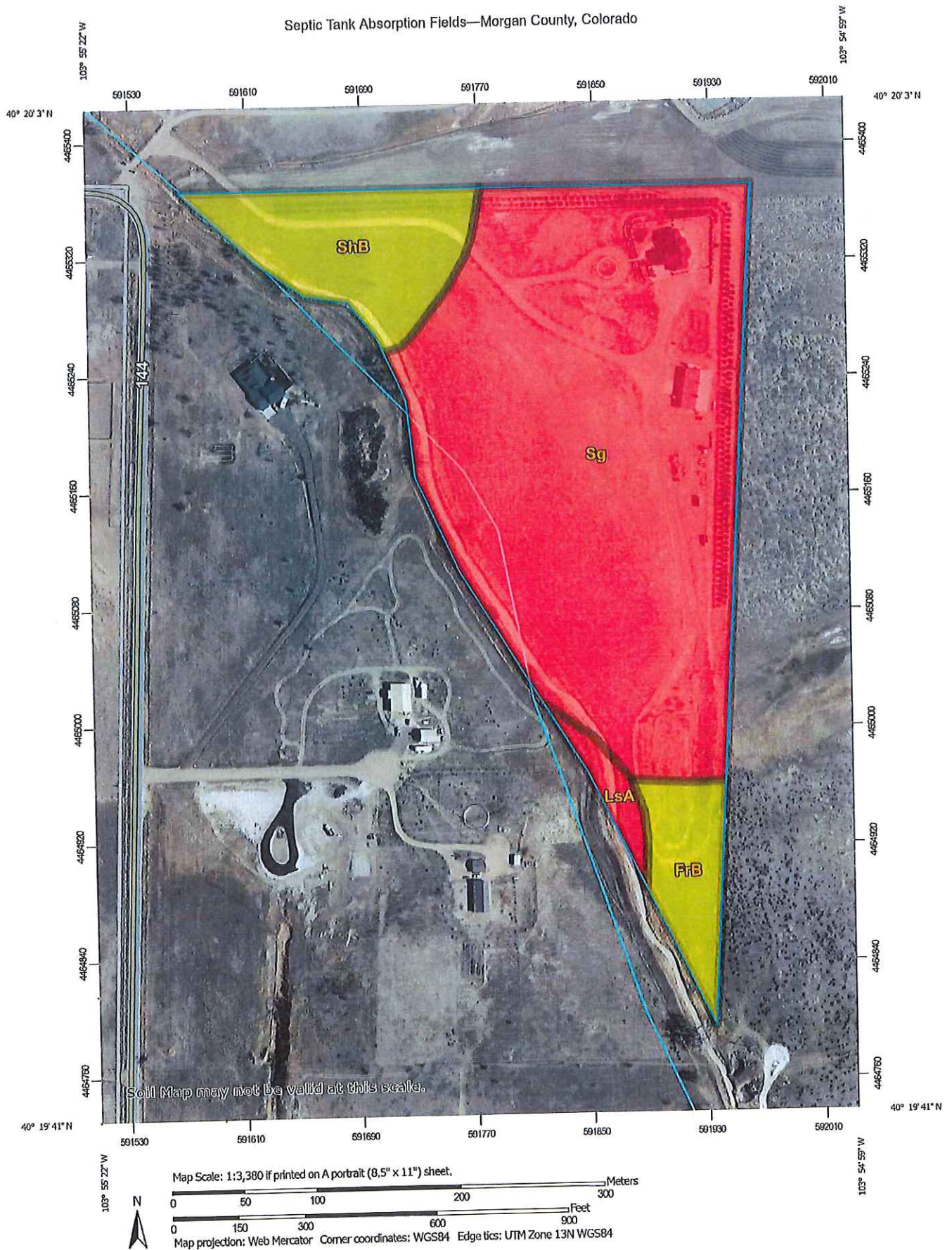
Rating Options

Aggregation Method: Dominant Condition

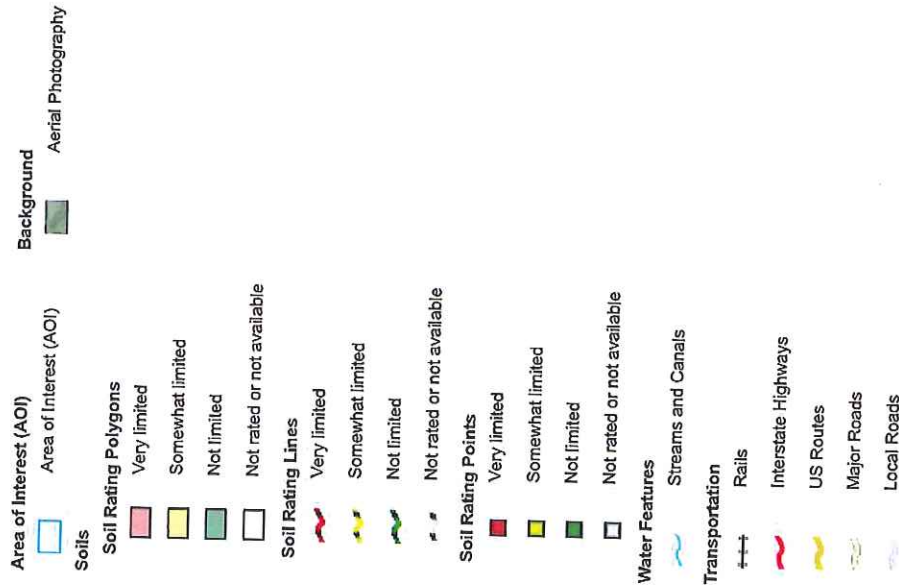
Component Percent Cutoff: None Specified

Tie-break Rule: Higher

Septic Tank Absorption Fields—Morgan County, Colorado



MAP LEGEND



MAP INFORMATION

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

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

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Soil Survey Area: Morgan County, Colorado
 Survey Area Data: Version 24, Aug 24, 2023

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

Date(s) aerial images were photographed: Apr 14, 2022—Jun 15, 2022

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

Septic Tank Absorption Fields

Map unit symbol	Map unit name	Rating	Component name (percent)	Rating reasons (numeric values)	Acres in AOI	Percent of AOI
FrB	Fort Collins sandy loam, 0 to 3 percent slopes	Somewhat limited	Fort Collins (85%)	Slow water movement (0.47)	1.6	6.6%
LsA	Limon clay, saline, 0 to 1 percent slopes	Very limited	Limon (80%)	Depth to saturated zone (1.00) Slow water movement (1.00)	0.5	2.2%
Sg	Shingle soils	Very limited	Shingle (80%)	Depth to bedrock (1.00)	18.8	77.7%
ShB	Stoneham loam, 1 to 3 percent slopes	Somewhat limited	Stoneham (90%)	Slow water movement (0.50)	3.2	13.4%
Totals for Area of Interest					24.2	100.0%

Rating	Acres in AOI	Percent of AOI
Very limited	19.3	79.9%
Somewhat limited	4.8	20.1%
Totals for Area of Interest	24.2	100.0%

Description

ENG - Engineering

Septic tank absorption fields are areas in which effluent from a septic tank is distributed into the soil through subsurface tiles or perforated pipe. Only that part of the soil between depths of 24 and 60 inches is evaluated. The ratings are based on the soil properties that affect absorption of the effluent, construction and maintenance of the system, and public health. Saturated hydraulic conductivity (Ksat), depth to a water table, ponding, depth to bedrock or a cemented pan, and flooding affect absorption of the effluent. Stones and boulders, ice, and bedrock or a cemented pan interfere with installation. Subsidence interferes with installation and maintenance. Excessive slope may cause lateral seepage and surfacing of the effluent in downslope areas.

Some soils are underlain by loose sand and gravel or fractured bedrock at a depth of less than 4 feet below the distribution lines. In these soils the absorption field may not adequately filter the effluent, particularly when the system is new. As a result, the ground water may become contaminated.

The ratings are both verbal and numerical. Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect the specified use. "Not limited" indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can be expected. "Somewhat limited" indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected. "Very limited" indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

Numerical ratings indicate the severity of individual limitations. The ratings are shown as decimal fractions ranging from 0.01 to 1.00. They indicate gradations between the point at which a soil feature has the greatest negative impact on the use (1.00) and the point at which the soil feature is not a limitation (0.00).

The map unit components listed for each map unit in the accompanying Summary by Map Unit table in Web Soil Survey or the Aggregation Report in Soil Data Viewer are determined by the aggregation method chosen. An aggregated rating class is shown for each map unit. The components listed for each map unit are only those that have the same rating class as listed for the map unit. The percent composition of each component in a particular map unit is presented to help the user better understand the percentage of each map unit that has the rating presented.

Other components with different ratings may be present in each map unit. The ratings for all components, regardless of the map unit aggregated rating, can be viewed by generating the equivalent report from the Soil Reports tab in Web Soil Survey or from the Soil Data Mart site. Onsite investigation may be needed to

validate these interpretations and to confirm the identity of the soil on a given site.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

MORGAN COUNTY EXTENSION
914 E. RAILROAD AVE
FORT MORGAN, CO 80701
970-542-3540
FAX: 970-542-3541

Coy Palmer is applying for a Minor Subdivision or Planned
(landowner)

Development consisting of 3 lots totaling 24.26 acres. Landowner is

Proposing to allow 3 animal units per acre, or 3 animal units per lot.

lot 1 3 animal units per lot lot 2 3 animal units per lot lot 3 3 animal units per lot
Location and/or address of site: _____

12012 Hwy 144, Weldona, CO 80653

Driving direction from Fort Morgan: Hwy 144 to W.S and 1/2
mile to Entrance

Date application is due in Planning Dept.: November 3, 2023

Copy of soils map must accompany this request. OK

Copy of site plan must accompany this request. OK

It is the landowners/applicants responsibility to provide a stamped, self addressed envelope. OK

For return of this form or make arrangements to pick it up at the Extension Office.

EXTENSION AGENT USE ONLY:

Approval of animal units as proposed: Yes Recommended maximum animal units: Yes

Comments: Lot 1 Lot 2 Lot 3 excepted 3 AU per lot

Signature: Marlin Eisenach Date: 11/3/2023

Morgan County Treasurer

Statement of Taxes Due

Account Number R019863

Assessed To

Parcel 104107000011

PALMER, COY
12012 HWY 144
WELDONA, CO 80653

Legal Description

S: 07 T: 4 R: 58 PARC W1/2NW1/4 N OF WELDON VALLEY DITCH

Situs Address

12012 HWY 144

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2022	\$3,975.80	\$0.00	\$0.00	(\$3,975.80)	\$0.00
Total Tax Charge					\$0.00
Grand Total Due as of 12/21/2023					\$0.00

Tax Billed at 2022 Rates for Tax Area 284 - 284 - RE 20J

Authority	Mill Levy	Amount	Values	Actual	Assessed
COUNTY GENERAL FUND	19.4830000	\$1,228.60	SINGLE FAMILY - LAND	\$87,350	\$6,070
ROAD AND BRIDGE FUND	7.5000000	\$472.95	SINGLE FAMILY - IMPS	\$820,020	\$56,990
SOCIAL SERVICES FUND	2.0000000	\$126.12			
FT MORGAN RURAL FIRE DIST	3.0330000	\$191.26	Total	\$907,370	\$63,060
FT MORGAN PEST CONTROL	0.2990000	\$18.85			
LOWER S PLATTE WATER CD	1.0000000	\$63.06			
MORGAN CO QUALITY WATER	0.8240000	\$51.96			
NORTHERN COLO WATER CD	1.0000000	\$63.06			
RE 20-J WELDONA GEN FD	27.3090000	\$1,722.10			
RE 20-J WELDONA BOND	0.6000000	\$37.84			
Taxes Billed 2022	63.0480000	\$3,975.80			

*****TAX LIEN SALE REDEMPTIONS MUST BE PAID BY CASH OR CASHIER'S CHECK*****

Special taxing districts and the boundaries of such districts may be on file with the County Commissioners, County Clerk, or County Assessor. Unless specifically mentioned, this statement does not include land or improvements assessed under a separate account number, personal property taxes, transfer tax or miscellaneous tax collected on behalf of other entities, special or local improvement district assessments, or manufactured homes.

ROBERT A SAGEL, MORGAN COUNTY TREASURER
231 Ensign St, PO Box 593, Fort Morgan, CO 80701
Phone: 970-542-3518, Email: esale@co.morgan.co.us
Website: morgancounty.colorado.gov

RECEIPT

Morgan County

31 Ensign, Fort Morgan, CO 80701

(970) 542-3526



MS2023-0007 | Minor Subdivision Permit

Receipt Number: 544623

December 5, 2023

Payment Amount: \$600.00

Transaction Method	Payer	Cashier	Reference Number
Check	Jennifer Palmer	Jenafer Santos	2097

Comments

Assessed Fee Items

Fee items being paid by this payment

Assessed On	Fee Item	Account Code	Assessed	Amount Paid	Balance Due
11/30/23	Minor Subdivision 21-30.9 acres		\$600.00	\$600.00	\$0.00
Totals:			\$600.00	\$600.00	
			Previous Payments		\$0.00
			Remaining Balance Due		\$0.00

Application Info

Property Address	Property Owner	Property Owner Address	Valuation
12012 HWY 144 WELDONA, CO 80653	PALMER, COY	12012 HWY 144 WELDONA, CO 80653	

Description of Work

Subdividing the current 24.26 acre parcel into 2 additional lots, creating a 3 lot minor subdivision. Lots 1 and 2 will be sold to the landowners son's with plans for a future build.

REFERRALS & RESPONSES

Referral Letter

Referral Responses

Landowner Letter

Landowner Letter Responses

Notifications

Public Comments or Concerns

Sign Posting Pictures & Affidavit

REFERRAL AGENCIES	RESPONSES RECEIVED
Century Link	
CDOT	
CDPHE	
Colorado Parks & Wildlife	
Morgan County Assessor	
Morgan County Communications Center	
Morgan Conservation District	
Morgan County Emergency Mgmt.	
Morgan County Fire District	
Morgan County Quality Water	
Morgan County Road & Bridge	
Morgan County Rural Electric Assoc.	
Morgan County Sheriff	
Northeast Colorado Health Department	
Riverside Canal	
Weldon Valley Ditch	
Xcel Energy	See Attached Letter



MORGAN COUNTY PLANNING AND BUILDING DEPARTMENT

TO REFERRAL AGENCIES:

Century Link
CDOT
CDPHE
Colorado Parks and Wildlife
Morgan County Assessor
Morgan County Communications Center
Morgan Conservation District
Morgan County Emergency Mgmt.

Morgan County Fire District
Morgan County Quality Water
Morgan County Road & Bridge
Morgan County Rural Electric Assoc.
Morgan County Sheriff
Northeast Colorado Health Department
Riverside Canal
Weldon Valley Ditch
Xcel Energy

FROM: Cheryl Brindisi, Morgan County Planning & Zoning Administrative Assistant
231 Ensign St, PO Box 596, Fort Morgan, CO 80701
970-542-3526 / 970-542-3509 fax / cbrindisi@co.morgan.co.us
DATE: December 7, 2023
RE: Land Use Application– **see attached file**

The following Application for a Minor Subdivision has been submitted to Morgan County. Please review and provide any comments you may have. The application will be reviewed administratively.

Applicant & Landowner: Coy Palmer

Legal Description: A parcel of land in the W½ of Section 7, Township 4 North, Range 58 West of the 6th P.M., Morgan County, Colorado. Also known as 12012 Highway 144, Weldona, CO 80653.

Request: For a 3-lot Minor Subdivision. The total acreage being divided into 3 Lots is 24.26 acres. Lot 1 will be 6.39 acres, Lot 2 will be 6.77 acres and Lot 3 will be 11.10 acres. Lots 1 and 2 are currently vacant and are intended for family to place 2 homes on at a later date. Lot 3 has an existing residence.

You are encouraged to provide comments to this application by December 22nd, 2023 or attend the Planning Commission meeting on Monday, January 8th, 2024.

Sincerely,
Cheryl Brindisi,
Morgan County Planning & Zoning Administrative Assistant



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.285.6612

December 8, 2023

Morgan County Planning and Building Department
231 Ensign / PO Box 596
Fort Morgan, CO 80701

Attn: Nicole Hay and Cheryl Brindisi

Re: This is Living Estates Minor Subdivision

Public Service Company of Colorado's (PSCo) Right of Way and Permits Referral Desk has reviewed the documents for **the above-mentioned project**. As always, thank you for the opportunity to take part in the review process. Please be aware that PSCo owns and operates both overhead and underground electric distribution facilities along north and east property lines. PSCo requests these to be shown on all current and future plans.

The property owner/developer/contractor must complete the application process for any new electric service, or modification to existing facilities via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details.

Additional easements may need to be acquired by separate document. The Designer must contact the appropriate Right-of-Way Agent.

As a safety precaution, PSCo would like to remind the developer to contact Colorado 811 for utility locates prior to construction.

Violeta Ciocanu (Chokanu)
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-285-6612 – Email:



MORGAN COUNTY PLANNING AND BUILDING DEPARTMENT

December 7, 2023

Dear Neighboring Landowners:

Coy Palmer as applicant and landowner has submitted an application to our office for a 3-Lot Minor Subdivision. The total acreage being divided into 3 Lots is 24.26 acres. Lot 1 will be 6.39 acres, Lot 2 will be 6.77 acres and Lot 3 will be 11.10 acres. Lots 1 and 2 are currently vacant. Lot 3 has an existing residence.

Legal Description: A parcel of land located in the W½ of Section 7, Township 4 North, Range 58 West of the 6th P.M., Morgan County, Colorado. Also known as 12012 Highway 144 Weldona, CO 80653.

This application is scheduled to be heard by the Planning Commission on **Monday, January 8th, 2024 at 7:00 p.m.** to be held in the Assembly Room of the Morgan County Administration Building, 231 Ensign St., (Basement Level) Fort Morgan, Colorado. Landowners within ¼ mile of the subject property are notified of the application and hearing date.

Documents pertaining to the above identified matters are on file in the Planning Administrator's Office located at 231 Ensign St., 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. You may attend the public hearing and provide comments on the application, or alternatively, if you are not able to attend you may submit written comments to our office no later than **December 22nd, 2023**.

Sincerely,

Nicole Hay

Nicole Hay
Planning Administrator

For special assistance for the mentioned hearing, please notify us at least 48 hours before the scheduled agenda item. Please call (970) 542-3526 to request any ADA accommodations.

MINOR SUBDIVISION #MS2023-XXXX
LOCATED IN THE WEST HALF OF SECTION 7,
TOWNSHIP 4 NORTH, RANGE 58 WEST OF THE 6TH P.M.,
COUNTY OF MORGAN, STATE OF COLORADO

[illegible][illegible]

STATE OF COLORADO _____
COUNTY OF MORGAN _____
SS.
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT
OCCURRING _____ M., THIS _____ DAY OF _____,
20____, AND IS NOW RECORDED IN PLAT FILE _____, PAGE _____.

DEPUTY AND RECORDER _____

"DEPUTY"

2. ANY PART, PRESENT OR FUTURE, OF THE PROJECT ON THIS PROPERTY ARE THE RESPONSIBILITY OF THE UNDERTAKEN AND THEIR SUCCESSORS AND NOT THAT OF INDIAN COUNTY.

NOTED TO HAVE A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO NOT BELIEVE THAT ANY PERSONS WERE EMPLOYED BY THE BUREAU OF REVENUE AND GENERAL INVESTIGATION FOR THE PURPOSE OF OBTAINING INFORMATION FROM THE ABOVE NAMED PERSONS CONCERNING THEIR KNOWLEDGE OF THE ABOVE NAMED PERSONS' EMPLOYMENT WITHIN THE STATE OF COLORADO. STATE DEPT OF REGISTRATION PERMITS AN ATTORNEY, ENGINEER OR ARCHITECT TO CONDUCT SUCH A SEARCH, BUT NOT A POLICE OFFICER, AND I AM NOT A POLICE OFFICER. MY INTERVIEW OF THE ABOVE NAMED PERSONS WAS LIMITED TO THE FACTS SET FORTH IN MY REPORT DATED APRIL TWENTY, ONE LAST.

ROBERT T. THOMAS
COLORADO PROFESSIONAL LAND SURVEYOR #22620

DATE _____

KNOW ALL MEN BY THESE PRESENTS THAT COY PALMER, BEING THE OWNER OF CERTAIN LANDS IN MADISON COUNTY, COLORADO, DECEASED AS FOLLOWS:

A NUMBER OF STUDIES HAVE BEEN CONDUCTED ON THE EFFECTS OF TEMPERATURE ON THE GROWTH OF *Salmonella* IN MEAT. IN A STUDY CONDUCTED BY HARRIS AND HARRIS (1960), THE EFFECTS OF TEMPERATURE ON THE GROWTH OF *Salmonella* IN MEAT WERE STUDIED. THE RESULTS OF THEIR STUDY INDICATED THAT THE GROWTH OF *Salmonella* IN MEAT WAS MOST RAPID AT 37°C. AND LEAST RAPID AT 4°C. IN A STUDY CONDUCTED BY HARRIS AND HARRIS (1960), THE EFFECTS OF TEMPERATURE ON THE GROWTH OF *Salmonella* IN MEAT WERE STUDIED. THE RESULTS OF THEIR STUDY INDICATED THAT THE GROWTH OF *Salmonella* IN MEAT WAS MOST RAPID AT 37°C. AND LEAST RAPID AT 4°C. IN A STUDY CONDUCTED BY HARRIS AND HARRIS (1960), THE EFFECTS OF TEMPERATURE ON THE GROWTH OF *Salmonella* IN MEAT WERE STUDIED. THE RESULTS OF THEIR STUDY INDICATED THAT THE GROWTH OF *Salmonella* IN MEAT WAS MOST RAPID AT 37°C. AND LEAST RAPID AT 4°C.

[illegible]

HAVE BY THEIR PUBLISHERS AND OUT, PLATTED AND SUBSCRIBED AS SHOWN ON THIS PLAT

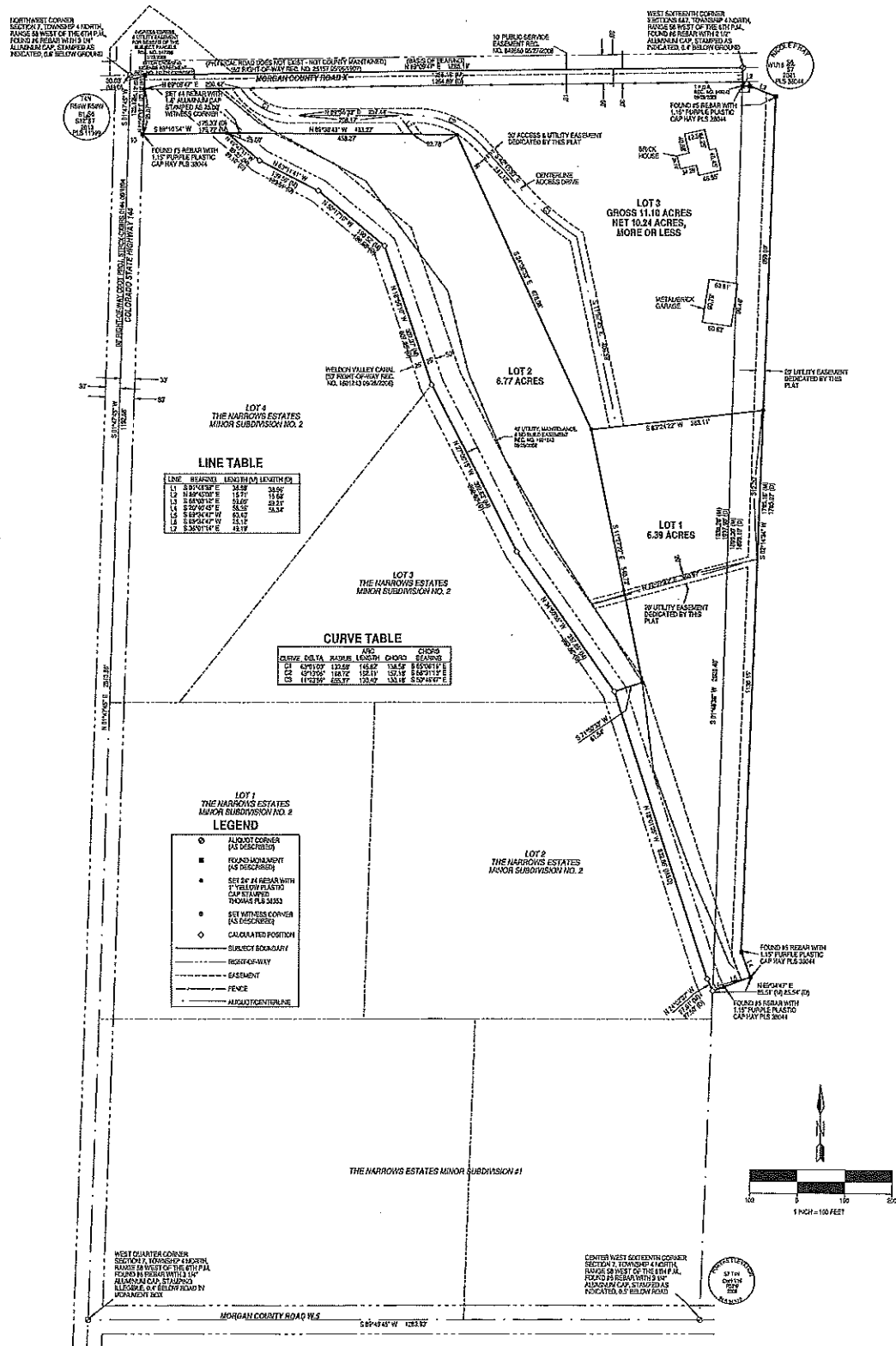
EXECUTED THIS 24 DAY OF SEP 1882

OWNER

STATE OF COLORADO)
COUNTY OF ARIZONA) SS.
THE FOREGOING CERTIFICATION HAS BEEN BEFORE ME THIS _____ DAY OF _____, 19____,
AT _____, BY _____,
NOTARIAL PUBLIC AND OFFICIAL SEAL.
MY COMMISSION EXPIRES _____
NOTARIAL PUBLIC _____

THIS IS LIVING ESTATES MINOR SUBDIVISION

MINOR SUBDIVISION #MS2023-XXXX
LOCATED IN THE WEST HALF OF SECTION 7,
TOWNSHIP 4 NORTH, RANGE 58 WEST OF THE 6TH P.M.,
COUNTY OF MORGAN, STATE OF COLORADO



PALMER, COY
12012 HWY 144
WELDONA, CO 80653

SCHAFFERT, TERRI LYNN & ANTHONY
39137 CO RD 32
OTIS, CO 80743

MORGENTHALER FAMILY LLLP
21377 ALTA DR
MORRISON, CO 80465

TOMKY, TRACY DOUGLAS & SABRINA LYNN
12190 CO RD X.5
WELDONA, CO 80653

CASTOR, KEVIN N
11924 CO RD X.5
WELDONA, CO 80653

CASTOR, DELAND TODD & JULIE L
25450 CO RD 10
WELDONA, CO 80653

MONTANA, SARAH JO &
GRIFFITH, ROBERT
11982 HWY 144
WELDONA, CO 80653

CASTOR, WADE E & DELAND TODD &
NULL, LORI TRUST
22199 HWY 39
WELDONA, CO 80653

CHILSON, ROBERT S & BRANDI
12412 CO RD W.5
WELDONA, CO 80653

COVELLI, REED A & KELLY L
11839 HWY 144
WELDONA, CO 80653

GORMAN, BRIAN E & STACEY L
12240 HWY 144
WELDONA, CO 80653

CHAVEZ, ARTHUR
1841 MARY AVE
FORT LUPTON, CO 80621

KALLWEIT, KRISTEN D & RANDY
12125 CO RD W.5
WELDONA, CO 80653

PARKHILL, BRYAN L
12223 CO RD W.5
WELDONA, CO 80653

BARNES, MARVELLA K
14930 BRIGHTON RD
BRIGHTON, CO 80601

THOMAS, ERIC & LISA
12104 DELL LN
WELDONA, CO 80653

MUTZ, ANN & KEITH L FAMILY REVOCABLE TRUST
12111 DELL LN
WELDONA, CO 80653

KEEFE, BRODIE & SYDNEY
12027 DELL LN
WELDONA, CO 80653

**NOTICE OF PUBLIC HEARING
MORGAN COUNTY PLANNING COMMISSION
JANUARY 8, 2024 AT 7:00 P.M.
VIRTUAL AND IN PERSON IN THE ASSEMBLY ROOM, MORGAN COUNTY
ADMINISTRATIVE BUILDING, 231 ENSIGN, FORT MORGAN, COLORADO**

Notice is hereby given that on the date and time above (or as soon as possible following the scheduled time) and at the location above, or at such time and place as this hearing may be adjourned, the Morgan County Planning Commission will conduct public hearings on the following proposed **Land Use Application**:

- 1.) **Applicant and Landowner:** Coy Palmer
Legal Description: A parcel of land in the W½ of Section 7, Township 4 North, Range 58 West of the 6th P.M., Morgan County, Colorado. Also known as 12012 Highway 144, Weldona, CO 80653.
Request: Minor Subdivision to subdivide approximately 24.26 acres into three lots.
Date of Application: December 5, 2023.

THE COUNTY WILL CONTINUE TO OFFER THE OPTION TO ATTEND MEETINGS REMOTELY. 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/86103627101>

Or Telephone:

Dial: +1 719 359 4580 US

Webinar ID: 861 0362 7101

Documents pertaining to the above identified matters are on file in the Planning Administrator's Office, 231 Ensign St., Fort Morgan, Colorado. Documents will also be available on the Morgan County Website <https://morgancounty.colorado.gov>

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

Nicole Hay

Nicole Hay
Morgan County Planning Administrator

Published: December 23, 2023

The above sign was posted on (date) 12/20/2023, pursuant to the
Morgan County Zoning Resolution by (name of applicant) Coy Palmer.

Project name and number: MS2023-0007

X Signature of Applicant/Representative: Jennifer Palmer

STATE OF COLORADO)
) ss.
COUNTY OF MORGAN)

Signed before me this date: 12/21/2023

My Commission expires: 10/03/2027

NOTARIZED BY: Jenifer Santos

JENA FER SANTOS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20194036716
MY COMMISSION EXPIRES 10/03/2027



NOTICE OF PUBLIC HEARING
MORGAN COUNTY PLANNING COMMISSION
JANUARY 8, 2024 AT 7:00 P.M.
VIRTUAL AND IN PERSON IN THE ASSEMBLY ROOM, MORGAN
COUNTY ADMINISTRATIVE BUILDING, 231 ENSIGN,
FORT MORGAN, COLORADO

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Dial: +1 719 359 4580 US
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/s/Nicole Hay
Nicole Hay
Morgan County Planning Administrator

Published: December 23, 2023

Published: Fort Morgan Times December 23, 2023-2024579

Prairie Mountain Media, LLC

PUBLISHER'S AFFIDAVIT

County of Morgan
State of Colorado

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

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

Dec 23, 2023

Melissa Najera
Signature

Subscribed and sworn to me before me this
26th day of December, 2023.

Shayla Najera
Notary Public

(SEAL)

SHAYLA NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20174031965
MY COMMISSION EXPIRES July 31, 2025

Account: 1052763
Ad Number: 2024579
Fee: \$43.24

ADDITIONAL INFORMATION