

| **PLANNING COMMISSION 6:00 P.M. | APRIL 28, 2025 |**
BELLENDIR MINOR SUBDIVISION

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MORGAN COUNTY PLANNING AND ZONING DEPARTMENT

March 17, 2025

Timmy Bellendir and Bre Gilliland
21575 Co Rd W
Fort Morgan, CO 80701
Sent via email: [REDACTED]

Marva Bellendir
4 Lakeview Circle
Fort Morgan, CO 80701
[REDACTED]

Dear Applicant:

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. A special hearing for the Planning Commission will be held on **Monday, April 28, 2025 at 6:00 P.M.** The hearing for the Board of County Commissioners will be held on **Tuesday, May 6, 2025 at 9:00 A.M.**

Mineral Right notifications need to be made by March 28, 2025 and proof of mailing provided to our office no later than April 13, 2025.

As per Section 8-170 (I)(1) 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 (1) signs for each hearing, to be posted off of County Road 21. It is up to you to post it.

Planning Commission sign notice dates: **Posted by April 18, 2025**
Pictures and Affidavit by April 23, 2025

Board of County Commissioners sign notice dates: **Posted by April 25, 2025**
Pictures and Affidavit by May 1, 2025

We will have both PC and BCC signs ready to be picked up in our office on **Monday, April 14th, 2025.**

It is necessary that the landowners be present at the hearings to answer any questions the Planning Commission and Board of County Commissioners may have. If any of the landowners are unable to attend, a letter stating who will be representing them will be needed for each hearing. 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
April 24, 2025
Special Hearing date – April 28, 2025**

**APPLICANT: Timothy Bellendir and Bre Gilliland
LANDOWNER: Timothy and Marva Bellendir**

This application is for a 2-lot Minor Subdivision of 6.51 acres located in the NW¹/₄ of Section 10, Township 4 North, Range 57 West of the 6th P.M., Morgan County, Colorado. Also known as 22910 County Road 21, Fort Morgan, CO 80701. The property is zoned Agriculture Production.

Lot 1 will be 4 acres and Lot 2 will be 2.51 acres. There is an existing residence on the property, however the existing buildings will be removed except a well house on Lot 2. This will allow for new single family homes to be built.

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 and 2.
 - 2) Lot 1 will be served by Morgan County Quality Water and Lot 2 will be served by an existing well.
 - 3) Access for both lots is off of County Road 21. 30-foot access easements are created through the proposed minor subdivision and a shared access acknowledgment will be recorded if the proposed minor subdivision is approved.
 - 4) Property is located in the Fort Morgan Fire District.

- 5) Soil map was provided by the Natural Resources Conservation Service.
 - 6) The landowners own all of the mineral rights.
 - 7) Right to Farm notices were signed by the property owners 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.

All existing buildings, except the well house, on Lots 1 and 2 will be removed to allow for the building of single family homes on each lot. Large parcels used as single family home sites surrounded by farmland are in the area. There is access to County Road 21, Morgan County Quality Water, and Morgan County REA.

- (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. Farmland and pasture ground surrounds the proposed Minor Subdivision.

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 # MS2025 - 0001

Date Received 2 / 18 / 25 Received By JS
 Fee: Administrative Review \$ Full Review \$ 450.00
 CC #: 1548 Paid 2 / 18 / 25 Recording Fee \$ Ck/
 CC #: Paid / / P C 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 Timmy Bellandir and Bre Gilliland
 Address 21575 County Road W
Fort Morgan, CO 80701
 Phone [REDACTED]
 Email [REDACTED]

LANDOWNER

Name Marve Bellandir
 Address 4 LaRevue Circle
Fort Morgan, CO 80701
 Phone [REDACTED]
 Email [REDACTED]

SURVEYOR

Name Bob Thomas Email [REDACTED]
 Address 2419 W. 17th St & 2d Greeley CO 80634 Phone [REDACTED]

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
22410 County Road 21 Fort Morgan CO 80701

Parcel #: 1039-100-00-001 Zone District: A
 S: 10 T: 4 R: 57 $\frac{1}{2}$ $\frac{1}{4}$ NW $\frac{1}{4}$
 Total acreage in parcel: 209.25 Number of lots to be created: 2

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

Distance and Direction to Nearest Community: Fort Morgan

PRESENT use of property Farmground with existing home. (Abandoned house)
 PROPOSED use of property New build and separate from farmground.

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:
**Additional fees and charges may be required pursuant to Section 2-160 of Morgan County Zoning Regulations. Applicant will be responsible for any legal fees after the first 5 hours.*
- \$___ 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

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"

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

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

Technical:

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

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

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.

Declaration of **restrictive covenants**

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 Recorders 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.

 2-3-25

Applicant Signature

Date

 1-24-05

Landowner Signature

Date



Applicant Signature

Date

 1-24-05

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

Timothy Bellandri 1-24-05

Date

Printed Name

Marwa L. Bellandri

Address

4 Lakeview Circle Fort Morgan

CO 80701

RECEIPT

Morgan County

231 Ensign, Fort Morgan, CO 80701
(970) 542-3526



MS2025-0001 | Minor Subdivision Permit

Receipt Number: 545546

Payment Amount: \$650.00

February 18, 2025

<i>Transaction Method</i>	<i>Payer</i>	<i>Cashier</i>	<i>Reference Number</i>
Check	Marva Bellendir	Jenafer Santos	1548

Comments

Assessed Fee Items

Fee items being paid by this payment

<i>Assessed On</i>	<i>Fee Item</i>	<i>Account Code</i>	<i>Assessed</i>	<i>Amount Paid</i>	<i>Balance Due</i>
02/20/25	Minor Subdivision - Full Review		\$650.00	\$650.00	\$0.00
Totals:			\$650.00	\$650.00	
				Previous Payments	\$0.00
				Remaining Balance Due	\$0.00

Application Info

Property Address	Property Owner	Property Owner Address	Valuation
22910 CO RD 21 FORT MORGAN, CO 80701	BELLENDIR, TIMOTHY J & MARVA L	4 LAKEVIEW CIRCLE FORT MORGAN, CO 80701	

Description of Work

Minor subdivision to divide off 2 parcels of land for future home building sites.

APPLICANT NARRATIVE

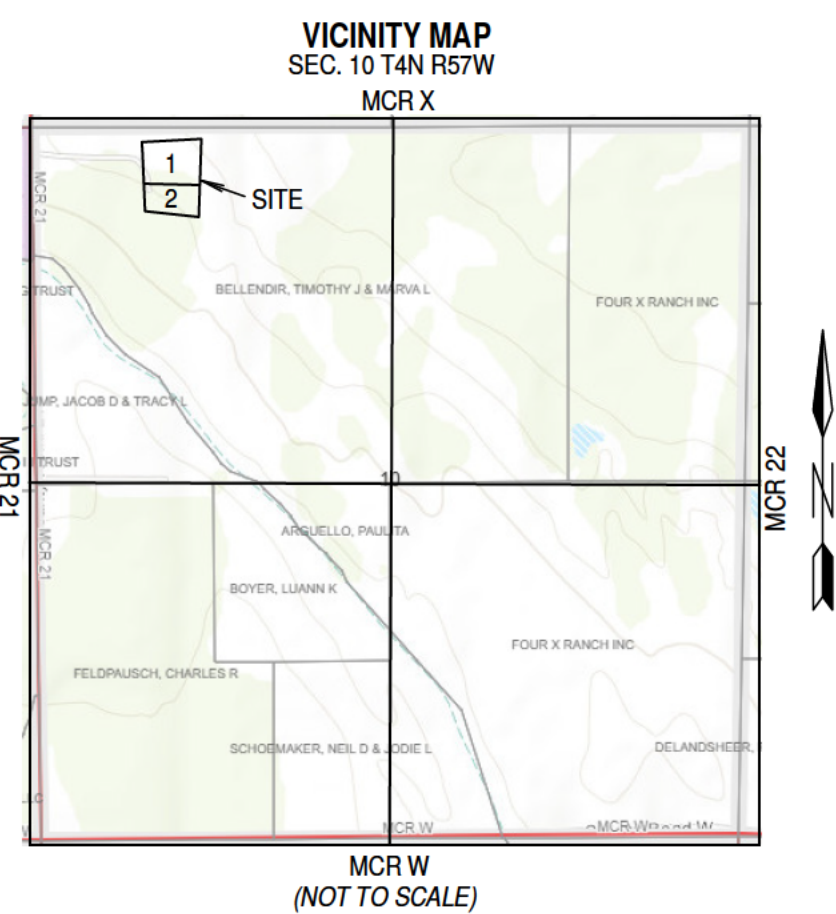
Project narrative:

We are requesting a minor subdivision so our family can build their own house on the property. This project will not impact adjacent uses nor off-site impacts due to it being house that replacing an abandoned house. No hazards just gradual hills and trees with pasture. This property is in a fire district.

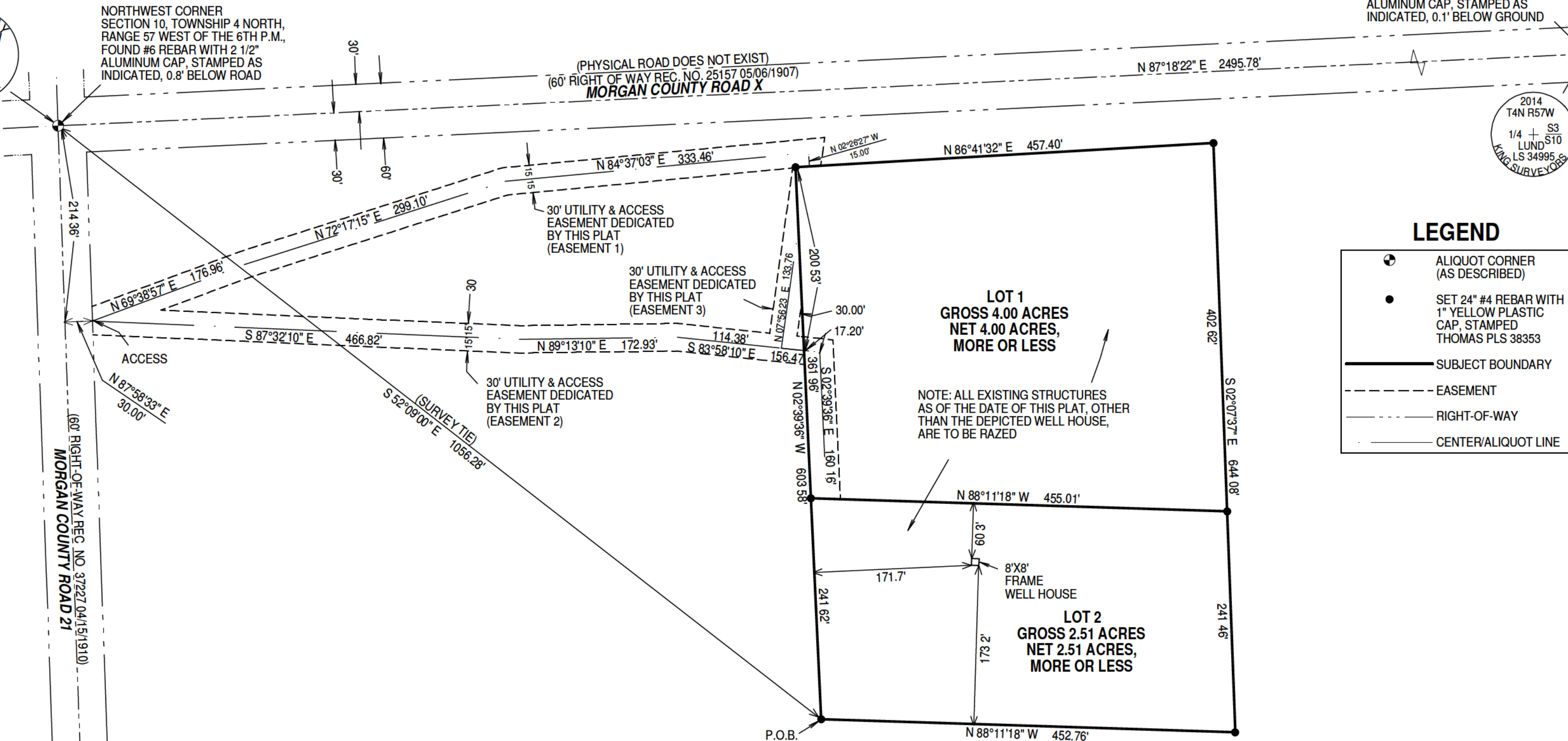
SITE PLAN / MAPS

BELLENDIR WEST MINOR SUBDIVISION

MINOR SUBDIVISION #MS2025-XXXX
LOCATED IN THE NORTHWEST QUARTER OF SECTION 10,
TOWNSHIP 4 NORTH, RANGE 57 WEST OF THE 6TH P.M.,
COUNTY OF MORGAN, STATE OF COLORADO



2014
T4N R57W
1/4
S9 S10
LUND
LS 34995



NORTH QUARTER CORNER
SECTION 10, TOWNSHIP 4 NORTH,
RANGE 57 WEST OF THE 6TH P.M.,
FOUND #6 REBAR WITH 3 1/4"
ALUMINUM CAP, STAMPED AS
INDICATED, 0.1' BELOW GROUND

2014
T4N R57W
1/4
S9 S10
LUND
LS 34995

LEGEND

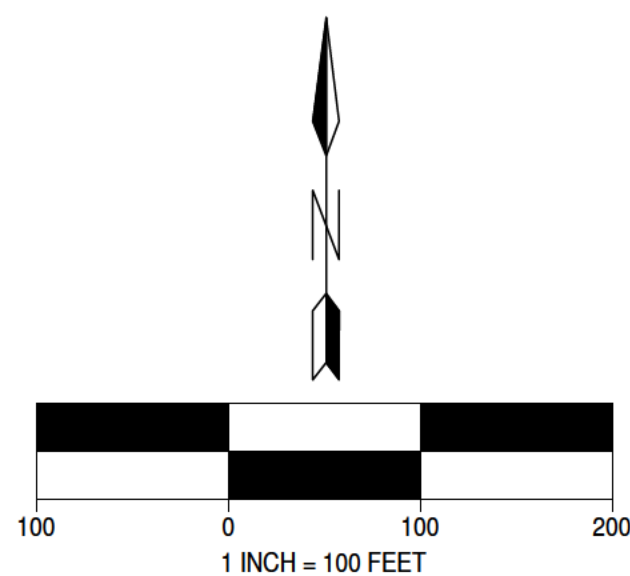
- ALIIQUOT CORNER (AS DESCRIBED)
- SET 24TH #4 REBAR WITH 1" YELLOW PLASTIC CAP, STAMPED THOMAS PLS 38353
- SUBJECT BOUNDARY
- EASEMENT
- RIGHT-OF-WAY
- CENTERALIIQUOT LINE

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 NOS. (NATIONAL FLOOD INSURANCE PROGRAM) COMMUNITY PANEL NO. 08087C0475E AND 08087C0450D EFFECTIVE DATE: MAY 18, 2021.

SURVEYOR'S NOTES:

- THIS SURVEY WAS PREPARED WITH THE BENEFIT OF EQUITY TITLE ASSOCIATES II, LLC TITLE COMMITMENT NO. 00057969-003-TO3-SB, DATED JANUARY 7, 2025, 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, COMMITS A CLASS TWO (2) MISDEMEANOR 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.



NOTES:

- MORGAN COUNTY IS NOT RESPONSIBLE FOR QUANTITY OR QUALITY OF WATER SUPPLIED TO THIS MINOR SUBDIVISION.
- 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.

THOMAS LAND SURVEYING, LLC
2619 W. 11th STREET ROAD, SUITE 24
GREELEY, COLORADO 80634
TELEPHONE 970-304-0984

EASEMENT 1 LEGAL DESCRIPTION

A 30.00 WIDE STRIP OF LAND BEING A PART OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 4 NORTH, RANGE 57 WEST OF THE 6TH P.M., COUNTY OF MORGAN, STATE OF COLORADO, BEING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 10 AND CONSIDERING THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10 TO BEAR SOUTH 02°01'27" WEST WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE SOUTH 00°00'00" WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10, A DISTANCE OF 214.36;

THENCE NORTH 87°58'33" EAST TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF MORGAN COUNTY ROAD 21, SAID POINT BEING THE POINT OF BEGINNING;

THENCE NORTH 69°38'57" EAST A DISTANCE OF 176.96 FEET;

THENCE NORTH 72°17'15" EAST A DISTANCE OF 299.10 FEET;

THENCE NORTH 84°37'03" EAST A DISTANCE OF 333.46 FEET;

THENCE SOUTH 02°26'27" WEST A DISTANCE OF 15.00 FEET TO THE POINT OF TERMINATION, WITH THE SIDES OF SAID STRIP OF LAND TO BE LENGTHENED, OR SHORTENED, AS NECESSARY.

EASEMENT 2 LEGAL DESCRIPTION

A 30.00 WIDE STRIP OF LAND BEING A PART OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 4 NORTH, RANGE 57 WEST OF THE 6TH P.M., COUNTY OF MORGAN, STATE OF COLORADO, BEING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 10 AND CONSIDERING THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10 TO BEAR SOUTH 02°01'27" WEST WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE SOUTH 02°01'27" WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10, A DISTANCE OF 214.36 FEET;

THENCE NORTH 87°58'33" EAST TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF MORGAN COUNTY ROAD 21, SAID POINT BEING THE POINT OF BEGINNING.

THENCE SOUTH 87°32'10" EAST A DISTANCE OF 466.82 FEET;

THENCE SOUTH 89°13'10" EAST A DISTANCE OF 172.93 FEET;

THENCE SOUTH 83°58'10" EAST A DISTANCE OF 156.47 FEET TO THE POINT OF TERMINATION, WITH THE SIDES OF SAID STRIP OF LAND TO BE LENGTHENED, OR SHORTENED, AS NECESSARY.

EASEMENT 3 LEGAL DESCRIPTION

A 30.00 WIDE STRIP OF LAND BEING A PART OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 4 NORTH, RANGE 57 WEST OF THE 6TH P.M., COUNTY OF MORGAN, STATE OF COLORADO, BEING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 10 AND CONSIDERING THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10 TO BEAR SOUTH 02°01'27" WEST WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE SOUTH 00°00'00" WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10, A DISTANCE OF 214.36 FEET;

THENCE NORTH 87°58'33" EAST TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF MORGAN COUNTY ROAD 21;

THENCE SOUTH 87°32'10" EAST A DISTANCE OF 466.82 FEET;

THENCE SOUTH 89°13'10" EAST A DISTANCE OF 172.93 FEET;

THENCE SOUTH 02°26'27" WEST A DISTANCE OF 15.00 FEET TO THE POINT OF TERMINATION, WITH THE SIDES OF SAID STRIP OF LAND TO BE LENGTHENED, OR SHORTENED, AS NECESSARY.

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

LEGAL DESCRIPTION - PROVIDED

(PROVIDED BY EQUITY TITLE ASSOCIATES II, LLC TITLE COMMITMENT NO. 00057969-003-TO3-SB, DATED JANUARY 7, 2025)

THE NORTHWEST QUARTER AND THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 4 NORTH, RANGE 57 WEST OF THE 6TH P.M.,

EXCEPT

PARCEL DEEDED IN BOOK 1117 AT PAGE 770, OF THE MORGAN COUNTY, COLORADO RECORDS; COUNTY OF MORGAN, STATE OF COLORADO

OWNERSHIP AND DEDICATION CERTIFICATE:

I, THE UNDERSIGNED, BEING THE OWNER OF THE FOLLOWING DESCRIBED PARCELS OF LAND,

A PARCEL OF LAND BEING A PART OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 4 NORTH, RANGE 57 WEST OF THE 6TH P.M., COUNTY OF MORGAN, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FROM WHICH THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 10 BEARS NORTH 52°09'00" WEST A DISTANCE OF 1,056.28 FEET, AND CONSIDERING THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10 TO BEAR NORTH 02°01'27" WEST WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE NORTH 02°39'36" WEST A DISTANCE OF 603.58 FEET;

THENCE NORTH 86°41'32" EAST A DISTANCE OF 457.40 FEET;

THENCE SOUTH 02°07'37" EAST A DISTANCE OF 644.08 FEET;

THENCE NORTH 88°11'18" WEST A DISTANCE OF 452.76 FEET TO THE POINT OF BEGINNING.

THE PARCEL OF LAND DESCRIBED ABOVE CONTAINS 6.51 ACRES, MORE OR LESS; HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED INTO LOTS, TRACTS, BLOCKS, STREETS/ROADS, AND EASEMENTS TO BE KNOWN AS THE PLAT OF BELLENDIR WEST MINOR SUBDIVISION, AND DO HEREBY GRANT AND CONVEY TO MORGAN COUNTY, AN EASEMENT OVER ANY AND ALL PRIVATE STREETS/ROADS

AND RIGHTS-OF-WAY FOR THE PURPOSE OF PASSAGE OF SERVICE VEHICLES AND PAGES OF ALL VEHICLES AND PEDESTRIANS DURING AN EMERGENCY SITUATION. IT IS EXPRESSLY UNDERSTOOD THAT THE ACCEPTANCE OF THE DEDICATION OF THIS EASEMENT IS NOT TO BE CONSTRUED AS AN ACCEPTANCE BY THE COUNTY OF MORGAN OF THE DEDICATION OF RIGHTS-OF-WAY FOR ANY OTHER PURPOSE INCLUDING MAINTENANCE PURPOSES. THE UTILITY EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED FOR PUBLIC UTILITIES AND CABLE COMMUNICATION SYSTEMS AND OTHER PURPOSES AS SHOWN HEREON. THE ENTITIES RESPONSIBLE FOR PROVIDING THE SERVICES FOR WHICH THE EASEMENTS ARE ESTABLISHED ARE HEREBY GRANTED PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AN ADJACENT PROPERTIES FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES.

EXECUTED THIS ___ DAY OF ___, 20__.

OWNER:

TIMOTHY J. BELLENDIR

STATE OF COLORADO } SS.

COUNTY OF MORGAN }

THE FOREGOING CERTIFICATION WAS ACKNOWLEDGED BEFORE ME THIS ___ DAY

OF ___, 20__, BY _____

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES _____.

NOTARY PUBLIC

OWNER:

MARVA L. BELLENDIR

STATE OF COLORADO } SS.

COUNTY OF MORGAN }

THE FOREGOING CERTIFICATION WAS ACKNOWLEDGED BEFORE ME THIS ___ DAY

OF ___, 20__, BY _____

WITNESS MY HAND AND OFFICIAL 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 } SS.

COUNTY OF MORGAN }

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT

___ O'CLOCK ___ M., THIS ___ DAY OF ___,

20___, AND IS DULY RECORDED IN PLAT FILE ___, FEES ___ PAID

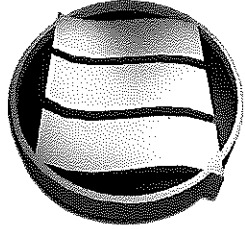
CLERK AND RECORDER

DEPUTY

PROJECT: 2501.009
DRAWING: BELLENDIR WEST S10 T4N R57W
MINOR SUB

PROOF OF OWNERSHIP

Current Title Insurance Commitment



EQUITY TITLE OF COLORADO

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

Date: January 15, 2025

Our File Number: 00057969 SB

C-1 – New TBD Commitment

Re: Timothy J. Bellendir and Marva L. Bellendir / TBD

Property Address: 22910 County Road 21 Fort Morgan, CO 80701

Escrow Officer: *Title Only*

Title Officer: *Shelly Butt*

(303) 563-4655

shellyb@equitycol.com

[Delivery List]

Seller:

Timothy J. Bellendir and Marva L. Bellendir

Buyer:

TBD

Copy to:

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

Greeley, CO 80634

Attn: Bob Thomas

Ph: (970) 222-3311

Email: bob@thomasls.com

SENT VIA EMAIL



ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)
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 EXTRACTIONAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

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

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Stewart Title Guaranty Company - II, a Texas (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 Amount of Insurance and the name of the Proposed Insured.

If all of the Schedule B, Part I—Requirements have not been met within six months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

Countersigned by:

Shelly R Butt

Authorized Countersignature

Equity Title Associates II, LLC

Company Name

Fort Morgan, CO 80701

City, State



Frederick H. Eppinger

Frederick H. Eppinger
President and CEO

David Hisey

David Hisey
Secretary

This page is only a part of a 2021 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.

010-UN ALTA Commitment for Title Insurance Schedule A (07-01-2021)

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COMMITMENT CONDITIONS

1. DEFINITIONS

- a. "Discriminatory Covenant": Any covenant, condition, restriction, or limitation that is unenforceable under applicable law because it illegally discriminates against a class of individuals based on personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or other legally protected class.
- b. "Knowledge" or "Known": Actual knowledge or actual notice, but not constructive notice imparted by the Public Records.
- c. "Land": The land described in Item 5 of Schedule A and improvements located on that land that by law constitute real property. The term "Land" does not include any property beyond that described in Schedule A, nor any right, title, interest, estate, or easement in any abutting street, road, avenue, alley, lane, right-of-way, body of water, or waterway, but does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- d. "Mortgage": A mortgage, deed of trust, trust deed, security deed, or other real property security instrument, including one evidenced by electronic means authorized by law.
- e. "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.
- f. "Proposed Amount of Insurance": Each dollar amount specified in Schedule A as the Proposed Amount of Insurance of each Policy to be issued pursuant to this Commitment.
- g. "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- h. "Public Records": The recording or filing system established under state statutes in effect at the Commitment Date under which a document must be recorded or filed to impart constructive notice of matters relating to the Title to a purchaser for value without Knowledge. The term "Public Records" does not include any other recording or filing system, including any pertaining to environmental protection, planning, permitting, zoning, licensing, building, health, public safety, or national security matters.
- i. "State": The state or commonwealth of the United States within whose exterior boundaries the Land is located. The term "State" also includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and Guam.
- j. "Title": The estate or interest in the Land identified in Item 3 of 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; and
- f. Schedule B, Part II—Exceptions; and
- g. a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

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

This page is only a part of a 2021 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 counter-signature by the Company or its issuing agent that may be in electronic form.

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 is not 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 is only liable 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 does not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Condition 5.a. or the Proposed Amount of Insurance.
- e. The Company is not liable for the content of the Transaction Identification Data, if any.
- f. The Company is not 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. The Company's liability is further limited by the terms and provisions of the Policy to be issued to the Proposed Insured.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT; CHOICE OF LAW AND CHOICE OF FORUM

- 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 is restricted to the terms and provisions of this Commitment.
- c. 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 IS 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. PROFORMA POLICY

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

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9. CLAIMS PROCEDURES

This Commitment incorporates by reference all Conditions for making a claim in the Policy to be issued to the Proposed Insured. This Commitment Condition does not modify the limitations of liability in Commitment Conditions 5 and 6.

10. CLASS ACTION

ALL CLAIMS AND DISPUTES ARISING OUT OF OR RELATING TO THIS COMMITMENT, INCLUDING ANY SERVICE OR OTHER MATTER IN CONNECTION WITH ISSUING THIS COMMITMENT, ANY BREACH OF A COMMITMENT PROVISION, OR ANY OTHER CLAIM OR DISPUTE ARISING OUT OF OR RELATING TO THE TRANSACTION GIVING RISE TO THIS COMMITMENT, MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS OR REPRESENTATIVE PROCEEDING. ANY POLICY ISSUED PURSUANT TO THIS COMMITMENT WILL CONTAIN A CLASS ACTION CONDITION.

11. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Amount of Insurance is \$2,000,000 or less may be arbitrated at the election 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: Stewart Title Guaranty Company - II, P.O. Box 2029, Houston, Texas 77252-2029.

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010-UN ALTA Commitment for Title Insurance Schedule A (07-01-2021)

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Transaction Identification Data, for which the Company assumes no liability as set forth in Commitment Condition 5.e.:

Issuing Agent: Equity Title Associates II, LLC
Issuing Office: 520 Sherman Street, , Fort Morgan, CO 80701
ALTA® Universal ID: None
Loan ID Number:
Issuing Office File Number: 00057969-003-TO3-SB
Property Address: 22910 County Road 21, Fort Morgan, CO 80701

SCHEDULE A

AMERICAN LAND TITLE ASSOCIATION COMMITMENT

1. Effective Date: **January 7, 2025**
2. Policy to be issued:
 - (a) **None**

Proposed Insured:	[TBD]
Proposed Amount of Insurance:	\$0.00
The estate or interest to be insured:	[FEE SIMPLE]
 - (b) **None**

Proposed Insured:	NONE
Proposed Amount of Insurance:	\$0.00
The estate or interest to be insured:	[FEE SIMPLE]
 - (c) **None**

Proposed Insured:	[]
Proposed Amount of Insurance:	
The estate or interest to be insured:	[]
3. The estate or interest in the Land at the Commitment Date is:
[FEE SIMPLE]
4. The Title is, at the Commitment Date, vested in:
[Timothy J. Bellendir and Marva L. Bellendir]
5. The Land is described as follows:
See Exhibit A attached hereto and made a part hereof.

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TITLE PREMIUMS

TBD Commitment Search Fee	\$	300.00
TOTAL	\$	\$ 300.00

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010-UN ALTA Commitment for Title Insurance Schedule A (07-01-2021)

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**EXHIBIT A
LEGAL DESCRIPTION**

The Northwest Quarter (NW ¼) and the West Half of the Northeast Quarter (W ½ NE ¼) of Section 10, Township 4 North, Range 57 West of the 6th P.M.,

EXCEPT parcel deeded in Book 1117 at Page 770, of the Morgan County, Colorado records;

County of Morgan, State of Colorado.

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010-UN ALTA Commitment for Title Insurance Exhibit A (07-01-2021)

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**SCHEDULE B – PART I
REQUIREMENTS**

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 Timothy J. Bellendir and Marva L. Bellendir.~~
- G. ~~Receipt by the Company of a satisfactory Final Affidavit, executed by TBD.~~
- H. ~~Payment of all taxes and assessments now due and payable.~~

END OF SCHEDULE B – Part I

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010-UN ALTA Commitment for Title Insurance Schedule BI (07-01-2021)

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SCHEDULE B – PART II EXCEPTIONS

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.

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

1. Rights or claims of parties in possession not shown by the public records.
2. Easements or claims of easements, not shown by the public records.
3. 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.
4. 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 1 through 4 will not appear on the Lender's Policy (if any) to be issued hereunder.
5. 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 5 will be deleted.
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 2024 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.
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 January 28, 1910, Patent No. [107739](#). 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 ditches and canals constructed by the authority of the United States, as reserved in United States Patent dated June 8, 1911, as Patent No. [203942](#).
10. Riverside Intake Canal, as presently in existence.

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010-UN ALTA Commitment for Title Insurance Schedule BI (07-01-2021)

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SCHEDULE B
PART II – EXCEPTIONS
(Continued)

11. Pond and Creek, as presently in existence.
12. Right of Way for Road purposes as specified in the Road Petition recorded April 15, 1910, in [Book 73 at Page 20](#), said road to be not less than 60 feet in width.
13. Right of way and rights incidental thereto for County Roads 30 feet on either side of Section and Township lines as established by the Board of County Commissioners of Morgan County, as set forth in the Order, recorded May 6, 1907, as Reception No. [25157](#).
14. Morgan County Road 21, as presently in existence.
15. An Oil and Gas Sub-Lease, from The Northwestern Oil Fields Corporation, as Lessor(s) to C.W. Brubeck, as Lessee(s), dated January 13, 1925, recorded January 17, 1925, as Reception No. [147422](#), 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.
16. An Oil and Gas Lease, from Paul M. Miller, as Lessor(s) to The Northwestern Oil Fields Corporation, as Lessee(s), dated January 8, 1925, recorded February 4, 1925, as Reception No. [147836](#), 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.
17. An Oil and Gas Lease, from Paul Miller, as Lessor(s) to Indian Territory Company $\frac{3}{4}$ interest and Osage Development Company $\frac{1}{4}$ interest, as Lessee(s), dated November 1, 1928, recorded September 11, 1929, as Reception No. [189730](#), 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. Terms and conditions as set forth in the Agreement, recorded October 3, 1932, as Reception No. [218212](#). 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. Reservation of mineral interests, as set out and described in Deed, recorded October 16, 1945, as Reception No. [318071](#). 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.
20. An Oil and Gas Lease, from Tony Baltasar and Maria Baltasar, as Lessor(s) to Donald Bolls, as Lessee(s), dated March 10, 1949, recorded July 9, 1949, as Reception No. [348115](#), 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 – EXCEPTIONS
(Continued)

21. An Oil and Gas Lease, from The Federal Land Bank of Wichita, as Lessor(s) to Lion Oil Company, as Lessee(s), dated November 27, 1950, recorded December 14, 1950, as Reception No. [363414](#), 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.
22. Terms and conditions as set forth in the Notice of County Zoning Resolution, recorded July 20, 1972, as Reception No. [573931](#).
23. Terms and conditions as set forth in the Lease, recorded December 6, 1972, as Reception No. [576563](#).
24. An Oil and Gas Lease, from Nicholas Baltazar, Administrator of the the Tony Baltazar Estate, as Lessor(s) to Edward Mike Davis, as Lessee(s), dated December 22, 1973, recorded January 31, 1974, as Reception No. [585040](#), 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.
25. An Oil and Gas Lease, from The Federal Land Bank of Wichita, as Lessor(s) to Edward Mike Davis, as Lessee(s), dated October 1, 1975, recorded November 3, 1975, as Reception No. [598909](#), 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.
26. Terms and conditions as set forth in the Agreement, recorded February 13, 1980, as Reception No. [639585](#).
27. An Oil and Gas Lease, from The Federal Land Bank of Wichita, as Lessor(s) to Wiepking-Fullerton Exploration, Inc., as Lessee(s), dated May 7, 1981, recorded May 18, 1981, as Reception No. [651668](#), 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.
28. Terms and conditions as set forth in the Easement Grant and Maintenance Agreement, recorded October 31, 1996, as Reception No. [758317](#).
29. Terms and conditions as set forth in the Deed, recorded June 27, 2002, as Reception No. [800802](#).
30. Terms and conditions as set forth in the Deed, recorded November 1, 2004, as Reception No. [822137](#).
31. Reservation of mineral interests, as set out and described in Deed, recorded November 1, 2004, as Reception No. [822137](#). 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.
32. Terms and conditions as set forth in the Severance Agreement, recorded September 7, 2005, as Reception No. [829809](#).

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010-UN ALTA Commitment for Title Insurance Schedule BI (07-01-2021)

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SCHEDULE B
PART II – EXCEPTIONS
(Continued)

33. Terms and conditions as set forth in the Subscription Agreement, recorded September 27, 2007, as Reception No. [845383](#).
34. The interest of the Timothy J. and Marva L. Bellendir Trust, created by Beneficiary Deed from Timothy J. Bellendir, recorded July 17, 2009, as Reception No. [856783](#) under the provisions of C.R.S. 15-15-401, et seq.
NOTE: This exception will be deleted upon the conveyance of the subject property from the grantor to the grantee as shown in Schedule A, or upon the recording of a revocation of the beneficiary deed.
35. The interest of the Timothy J. and Marva L. Bellendir Trust, created by Beneficiary Deed from Marva L. Bellendir, recorded July 17, 2009, as Reception No. [856784](#) under the provisions of C.R.S. 15-15-401, et seq.
NOTE: This exception will be deleted upon the conveyance of the subject property from the grantor to the grantee as shown in Schedule A, or upon the recording of a revocation of the beneficiary deed.
36. Terms and conditions as set forth in the Severance Agreement, recorded April 15, 2015, as Reception No. [892859](#).
- Discharge of Severance Agreement, recorded December 20, 2021, as Reception No. [937499](#)
37. Terms and conditions as set forth in the Affidavit of Name Change, recorded October 25, 2022, as Reception No. [943386](#). 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.
38. Burdens, obligations, terms, conditions, stipulations and restrictions of any and all unrecorded Leases and Tenancies.
39. 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](#).
40. **Deed of Trust from [Timothy J. Bellendir and Marva L. Bellendir] to the Public Trustee of [Morgan] County for the benefit of Premier Farm Credit, FLCA, to secure an indebtedness in the principal sum of \$425,000.00, and any other amounts and/or obligations secured thereby, dated April 1, 2013, and recorded April 2, 2013, as Reception No. [881329](#).**
41. **Release of the Deed of Trust from [Timothy J. Bellendir and Marva L. Bellendir] to the Public Trustee of [Morgan] County for the benefit of Premier Farm Credit, FLCA, to secure an indebtedness in the principal sum of \$250,000.00, and any other amounts and/or obligations secured thereby, dated December 6, 2013, and recorded December 6, 2013, as Reception No. [885533](#).**

This page is only a part of a 2021 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 counter-signature by the Company or its issuing agent that may be in electronic form.

**SCHEDULE B
PART II – EXCEPTIONS**
(Continued)

END OF SCHEDULE B – PART II

This page is only a part of a 2021 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 counter-signature by the Company or its issuing agent that may be in electronic form.

010-UN ALTA Commitment for Title Insurance Schedule BI (07-01-2021)

Page 8

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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
- signature
- alias
- SSN
- physical characteristics or description, including
- protected characteristics under federal or state law
- address
- telephone number
- passport number
- driver's license number
- state identification card number
- IP address
- policy number
- file number
- employment history
- bank account number

- credit card number
- debit card number
- financial account numbers
- commercial information
- professional or employment information

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

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."

UTILITY / ACCESS

Water

Septic

Electric

Driveway



Cheryl Brindisi <cbrindisi@co.morgan.co.us>

Bellendir tap

2 messages

Cheryl Brindisi <cbrindisi@co.morgan.co.us>
To: MCQW - Kent Pflager <kpflager@mcqwd.org>

Fri, Feb 14, 2025 at 10:19 AM

Good Morning Kent!

I received an application from, Marva Bellendir for a Minor Subdivision. She turned in a Quality Water bill to our office for proof for their tap for their proposed lot 1 of their Minor Sub. The bill is account number 5366.00 in the amount of \$29.00. Can you tell me if that is just for the tap payment each month? I dont show an address on it. Marva says that it is for the tap and that the line hasn't been run yet. Just looking for clarification please. Please see the attached bill for reference.

Thank you

Cheryl Brindisi, Planning and Zoning Administrative Assistant
Morgan County Planning and Zoning
231 Ensign St.
PO Box 596
Fort Morgan, CO 80701
970-542-3526

CBrindisi@co.morgan.co.us**Quality Water Bill-Bellendir.pdf**
29K

Kent Pflager [REDACTED]
To: Cheryl Brindisi <cbrindisi@co.morgan.co.us>

Fri, Feb 14, 2025 at 10:26 AM

That is the monthly billing with no usage for tap #3003 owned by Tim Bellendir for the property located at 22910 RD 21.

Kent A Pflager

General Manager

Morgan County Quality Water District

P.O. Box 1218 17586 MCR 20

Fort Morgan, CO 80701

Phone: [REDACTED]

Fax: 970-867-3055

Cell: [REDACTED]

Email: [REDACTED]

[Quoted text hidden]

MORGAN COUNTY QUALITY WATER

P.O. BOX 1218

FORT MORGAN, CO 80701

(970)867-3054

www.mcqwd.org

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

SRVC	PRESENT RDG	PREVIOUS RDG	USED	AMOUNT
PB WAT	0	0		29.00

Happy New Year!
You can view or pay your bill at www.mcqwd.org

ACCOUNT #	ROUTE
0000100	00
SERVICE FROM	SERVICE TO
03/01/2022	
DATE BILL MAILED	DAYS USED
12/14/2021	
DUE DATE	NOW DUE
01/10/2023	29.00
RETURN SERVICE REQUESTED	REMIT AFTER DUE DATE 29.00

THIS FORM MUST BE SUBMITTED PRIOR TO THE EXPIRATION OF THE PERMIT. TYPE OR PRINT IN BLACK INK. COPY OF ACCEPTED STATEMENT MAILED ON REQUEST.

COLORADO DIVISION OF WATER RESOURCES

300 Columbine Bldg., 1845 Sherman St.
Denver, Colorado 80203

RECEIVED
AUG 18 1975
WATER RESOURCES
STATE ENGINEER
COLO.

STATE OF COLORADO

COUNTY OF Morgan

SS.

AFFIDAVIT

X STATEMENT OF BENEFICIAL USE OF GROUND WATER
AMENDMENT OF EXISTING RECORD

PERMIT NUMBER 79561-X

LOCATION OF WELL

THE AFFIANT(S) Nick Baltazar
whose mailing address is 327 Hospital Rd.
City Brush, Colo. 80723
(STATE) (ZIP)

County <u>Morgan</u>	
<u>NW</u>	<u>1/4</u> of the <u>NW</u> <u>1/4</u> , Section <u>10</u>
Twp. <u>4</u>	<u>N</u> Rng. <u>57</u> <u>W</u> <u>6th</u> P.M. (N OR S) (E OR W)

being duly sworn upon oath, deposes and says that he (they) is (are) the owner(s) of the well described hereon; the well is located as described above, at distances of 516 feet from the North section line and 1110 feet from the West section line; water from this well was first applied to a beneficial use for the purpose(s) described herein on the 26th day of June, 19 75; the maximum sustained pumping rate of the well is 15 gallons per minute, the pumping rate claimed hereby is 15 gallons per minute; the total depth of the well is 61 feet; the average annual amount of water to be diverted is 1 acre-feet; for which claim is hereby made for Domestic & Livestock

purpose(s); the legal description of the land on which the water from this well is used is

NW 1/4 & W 1/2-NE-Sec.10 & S 1/2-SW 1/4-Sec.3-T4N-R57W-Morgan Co. which totals

320 acres and which is illustrated on the map on the reverse side of this form; that this well was completed in compliance with the permit approved therefor; this statement of beneficial use of ground water is filed in compliance with law; he (they) has (have) read the statements made hereon; knows the content thereof; and that the same are true of his (their) knowledge.

Signature(s) Nickolas Baltazar

Subscribed and sworn to before me on this 15th day of August, 1975

My Commission expires: August 31, 1976

Gerald Ruess
NOTARY PUBLIC

ACCEPTED FOR FILING BY THE STATE ENGINEER OF COLORADO PURSUANT TO THE FOLLOWING CONDITIONS:

FOR OFFICE USE ONLY	
Court Case No.	_____
Prior.	Mo. Day Yr.
Div. <u>1</u>	Cty. <u>44</u>
Sec.	1/4, 1/4, 1/4
Well Use <u>3</u>	_____
Dist. <u>01</u>	Basin Man. Dis.

Well drilled by Canfield Drilling Co. Lic. No. 764

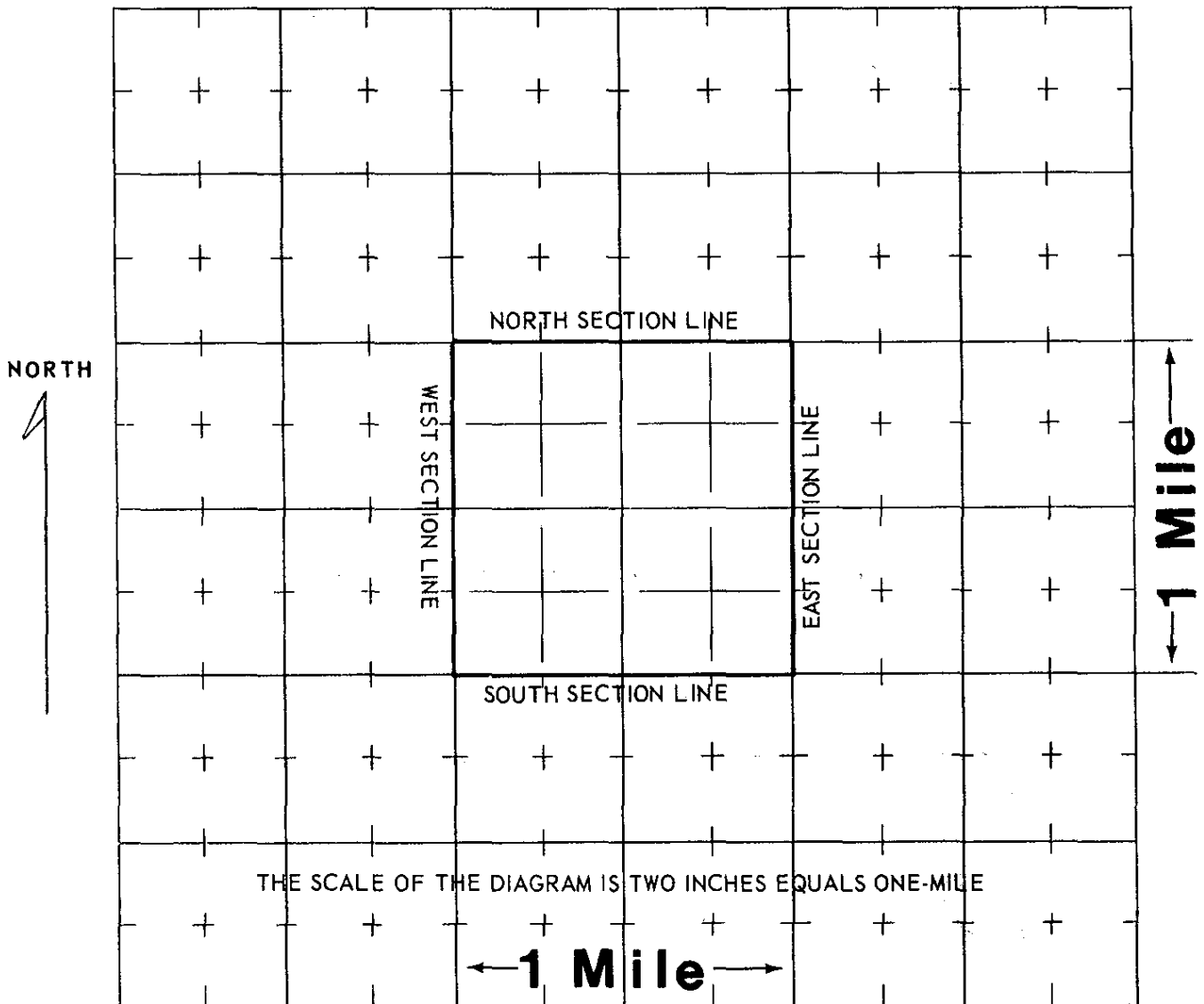
Pump installed by Canfield Drilling Co. Lic. No. 7

Meter Serial No. _____ Flow Meter Date Installed _____

Owner of land on which water is being used Nick Baltazar

THE LOCATION OF THE WELL MUST BE SHOWN AND THE AREA ON WHICH THE WATER IS USED MUST BE SHADED OR CROSS-HATCHED ON THE DIAGRAM BELOW.

This diagram represents nine (9) sections. Use the **CENTER SQUARE** (one section) to indicate the location of the well, if possible.



WATER EQUIVALENTS TABLE (Rounded Figures)

- An acre-foot covers 1 acre of land 1 foot deep.
- 1 cubic foot per second (cfs) . . . 449 gallons per minute (gpm).
- 1 acre-foot . . . 43,560 cubic feet . . . 325,900 gallons.
- 1,000 gpm pumped continuously for one day produces 4.42 acre-feet.
- 100 gpm pumped continuously for one year produces 160 acre-feet.

COLORADO DIVISION OF WATER RESOURCES

THIS FORM MUST BE SUBMITTED
WITHIN 60 DAYS OF COMPLETION
OF THE WORK DESCRIBED HERE-
ON. TYPE OR PRINT IN BLACK
INK.

300 Columbine Bldg., 1845 Sherman St.
Denver, Colorado 80203

WELL COMPLETION AND PUMP INSTALLATION REPORT

PERMIT NUMBER 79561-A

RECEIVED

AUG 15 '75

WATER RESOURCES
STATE ENGINEER
COLO.

WELL OWNER Nick Baltazar

NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 10

ADDRESS 327 Hospital Rd., Brush, Colo. 80723

T. 4 N, R. 57 W, 6th P.M.

DATE COMPLETED June 19, 1975

HOLE DIAMETER

12 in. from 0 to 61 ft.

_____ in. from _____ to _____ ft.

_____ in. from _____ to _____ ft.

DRILLING METHOD _____

CASING RECORD: Plain Casing

Size 5" & kind Plastic from + 1 to 35 ft.

Size _____ & kind _____ from _____ to _____ ft.

Size _____ & kind _____ from _____ to _____ ft.

Perforated Casing

Size 5" & kind Plastic from 35 to 61 ft.

Size _____ & kind _____ from _____ to _____ ft.

Size _____ & kind _____ from _____ to _____ ft.

GROUTING RECORD

Material Cement

Intervals 6-16

Placement Method Spill Tube

GRAVEL PACK: Size _____

Interval _____

TEST DATA

Date Tested June 19, 1975

Static Water Level Prior to Test 35' ft.

Type of Test Pump Bailed

Length of Test 2 hrs.

Sustained Yield ~~(metered)~~ 15 gpm

Final Pumping Water Level 40'

WELL LOG

From	To	Type and Color of Material	Water Loc.
0	2 $\frac{1}{2}$	Top	35'
2 $\frac{1}{2}$	27 $\frac{1}{2}$	sand, fine sand	
27 $\frac{1}{2}$	41	clay	
41	43 $\frac{1}{2}$	gravel	
43 $\frac{1}{2}$	61	shale blossom	
		TOTAL DEPTH <u>61'</u>	

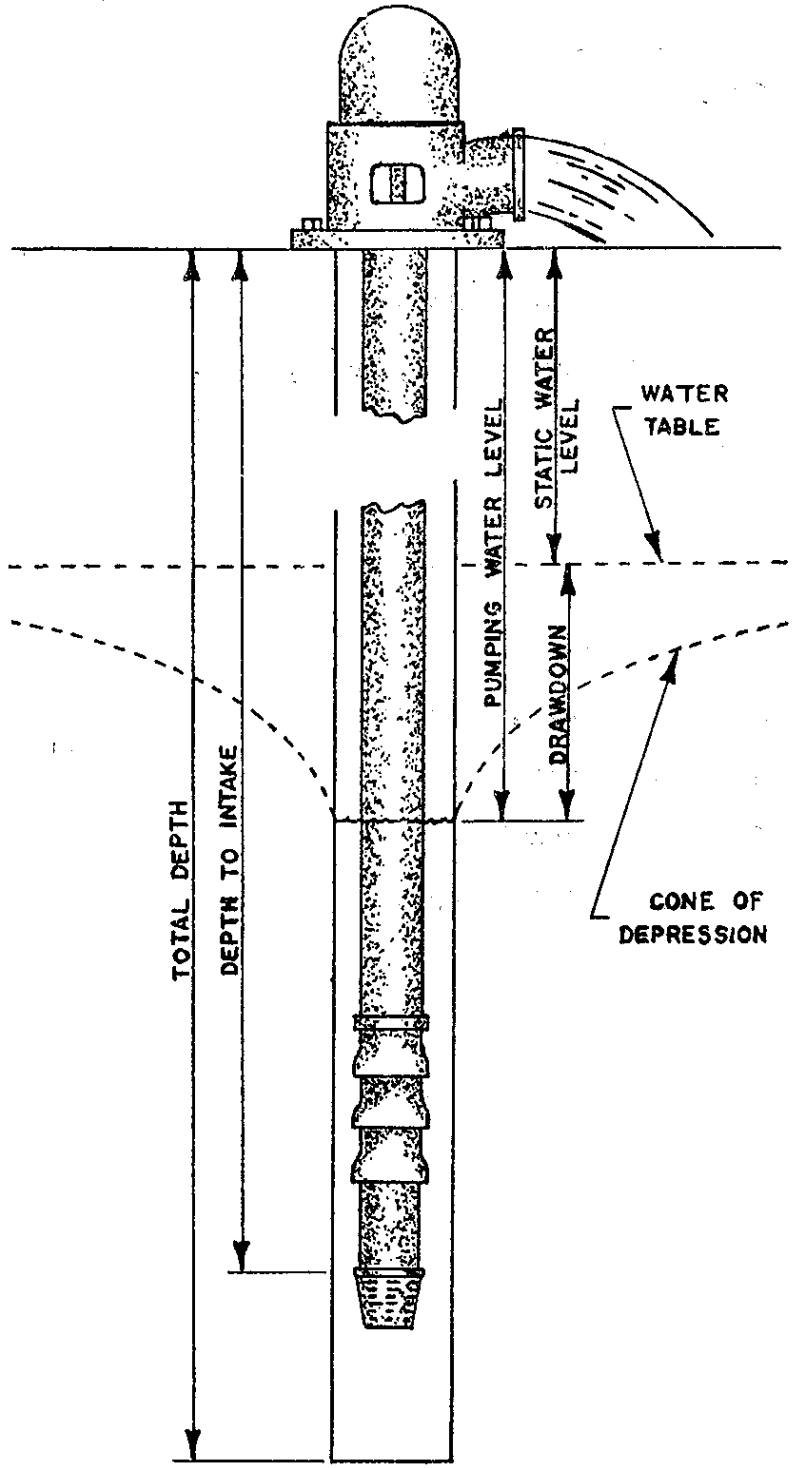
Use additional pages necessary to complete log.

PUMP INSTALLATION REPORT

Pump Make Jacuzzi
 Type Submersible
 Powered by Electric HP 1/2
 Pump Serial No. 4K7-143093
 Motor Serial No. 334258-904
 Date Installed June 26, 1975
 Pump Intake Depth 51'
 Remarks _____

WELL TEST DATA WITH PERMANENT PUMP

Date Tested _____
 Static Water Level Prior to Test _____
 Length of Test _____ Hours
 Sustained yield (Metered) _____ GPM
 Pumping Water Level _____
 Remarks _____
NO TEST MADE



CONTRACTORS STATEMENT

The undersigned, being duly sworn upon oath, deposes and says that he is the contractor of the well or pump installation described hereon; that he has read the statement made hereon; knows the content thereof, and that the same is true of his own knowledge.

Signature D. Robert Hennes III License No. 764
 State of Colorado, County of Adams SS
 Subscribed and sworn to before me this 14th day of August, 1975.
 My Commission expires: August 31, 1976.
 Notary Public Gerald Purvis

COLORADO DIVISION OF WATER RESOURCES
101 Columbine Bldg., 1845 Sherman St., Denver, Colorado 80203

PERMIT APPLICATION FORM

RECEIVED

JUN 09 '75

Application must be complete where applicable. Type or print in BLACK INK. No overstrikes or erasures unless initialed.

- A PERMIT TO USE GROUND WATER
- A PERMIT TO CONSTRUCT A WELL
- FOR: A PERMIT TO INSTALL A PUMP

cm

- REPLACEMENT FOR NO. Old Domestic & Livestock Well
- OTHER _____

WATER RESOURCES
STATE ENGINEER
COLO.

(1) APPLICANT - mailing address

NAME Nick Baltazar

STREET 327 Hospital Rd.

CITY Brush, Colo. 80723
(State) (Zip)

TELEPHONE NO. [REDACTED]

FOR OFFICE USE ONLY: DO NOT WRITE IN THIS COLUMN

Receipt No. 5-00 61800 1

Basin _____ Dist. _____

CONDITIONS OF APPROVAL

This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.

(2) LOCATION OF PROPOSED WELL

County Morgan

NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 10

Twp. 4 N, Rng. 57 W, 6th P.M.

APPROVED AS A REPLACEMENT OF WELL NO. 79561.
THE EXISTING WELL MUST BE PLUGGED AND ABANDONED
ACCORDING TO THE REVISED AND AMENDED RULES AND
REGULATIONS FOR WATER WELL AND PUMP INSTALLATION
CONTRACTORS. THE ENCLOSED AFFIDAVIT MUST BE
SUBMITTED WITHIN SIXTY (60) DAYS AFTER THE
CONSTRUCTION OF THE NEW WELL, AFFIRMING THAT
WELL NO. 79561 WAS PLUGGED AND ABANDONED.

(3) WATER USE AND WELL DATA

Proposed maximum pumping rate (gpm) 15

Average annual amount of ground water to be appropriated (acre-feet): 1

Number of acres to be irrigated: Less than 1

Proposed total depth (feet): 70

Aquifer ground water is to be obtained from:
Alluvial

Owner's well designation # 1

GROUND WATER TO BE USED FOR:

- HOUSEHOLD USE ONLY - no irrigation (0)
- DOMESTIC (1) INDUSTRIAL (5)
- LIVESTOCK (2) IRRIGATION (6)
- COMMERCIAL (4) MUNICIPAL (8)
- OTHER (9) _____

APPLICATION APPROVED

(4) DRILLER

Name Canfield Drilling Co.

Street 111 West St., Box 519

City Ft. Morgan, Colo. 80701
(State) (Zip)

Telephone No. [REDACTED] Lic. No. 7

PERMIT NUMBER 79561-A

DATE ISSUED JUN 16 1975

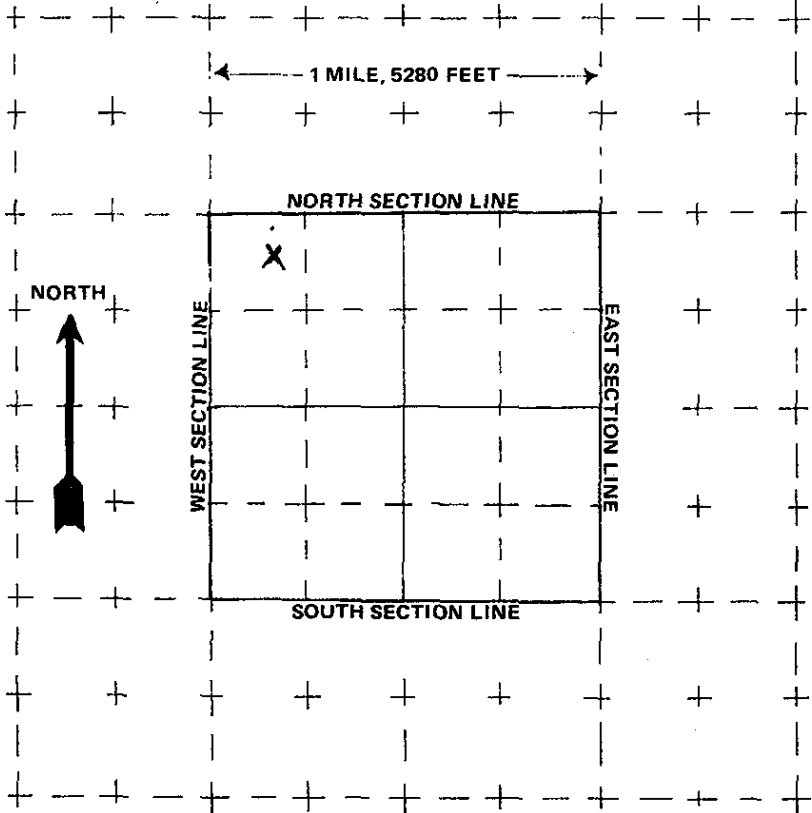
EXPIRATION DATE JUN 16 1977

Bruce E. DeBrije
DEPUTY (STATE ENGINEER)

BY [Signature]

I.D. 1-01 COUNTY 44

(5) **THE LOCATION OF THE PROPOSED WELL** and the area on which the water will be used must be indicated on the diagram below. Use the CENTER SECTION (1 section, 640 acres) for the well location.



The scale of the diagram is 2 inches = 1 mile
Each small square represents 40 acres.

WATER EQUIVALENTS TABLE (Rounded Figures)

An acre-foot covers 1 acre of land 1 foot deep
1 cubic foot per second (cfs) . . . 449 gallons per minute (gpm)
A family of 5 will require approximately 1 acre-foot of water per year.
1 acre-foot . . . 43,560 cubic feet . . . 325,900 gallons.
1,000 gpm pumped continuously for one day produces 4.42 acre-feet.

(6) **THE WELL MUST BE LOCATED BELOW** by distances from section lines.

516 ft. from North sec. line
(north or south)

1110 ft. from West sec. line
(east or west)

LOT _____ BLOCK _____ FILING # _____

SUBDIVISION _____

(7) **TRACT ON WHICH WELL WILL BE LOCATED** Owner: Nick Baltazar

No. of acres 40 . Will this be the only well on this tract? Yes

(8) **PROPOSED CASING PROGRAM**

Plain Casing

5 in. from + 1 ft. to 50 ft.

_____ in. from _____ ft. to _____ ft.

Perforated casing

5 in. from 50 ft. to 70 ft.

_____ in. from _____ ft. to _____ ft.

(9) **FOR REPLACEMENT WELLS** give distance and direction from old well and plans for plugging it:

10' East of Old Well

Old Well to be filled according to

State Regulations

(10) **LAND ON WHICH GROUND WATER WILL BE USED:**

Owner(s): Nick Baltazar No. of acres: 320

Legal description: NW $\frac{1}{4}$ & W $\frac{1}{2}$ -NE-Sec.10-T1N-R57W & S $\frac{1}{2}$ -SW $\frac{1}{4}$ -Sec.3-T1N-R57W-Morgan Co.

(11) **DETAILED DESCRIPTION** of the use of ground water: Household use and domestic wells must indicate type of disposal system to be used.

House, Lawn, Livestock

Septic Tank & Leach Field

(12) **OTHER WATER RIGHTS** used on this land, including wells.

Type or right	Used for (purpose)	Description of land on which used
<u>None</u>		

(13) **THE APPLICANT(S) STATE(S) THAT THE INFORMATION SET FORTH HEREON IS TRUE TO THE BEST OF HIS KNOWLEDGE.**

Nick Baltazar
SIGNATURE OF APPLICANT(S)

THIS FORM MUST BE SUBMITTED PRIOR TO THE EXPIRATION OF THE PERMIT. TYPE OR PRINT IN BLACK INK. COPY OF ACCEPTED STATEMENT MAILED ON REQUEST.

COLORADO DIVISION OF WATER RESOURCES

300 Columbine Bldg., 1845 Sherman St. Denver, Colorado 80203

RECEIVED

AFFIDAVIT JUN 09 1975

WATER RESOURCES STATE ENGINEER COLO.

STATE OF COLORADO

COUNTY OF Morgan

SS.

STATEMENT OF BENEFICIAL USE OF GROUND WATER AMENDMENT OF EXISTING RECORD

PERMIT NUMBER Late Registration

79561-A

LOCATION OF WELL

THE AFFIANT(S) Nick Baltazar whose mailing address is 327 Hospital Rd. City Brush, Colo. 80723

County Morgan NW 1/4 of the NW 1/4, Section 10 Twp. 4 N, Rng. 57 W, 6th P.M.

being duly sworn upon oath, deposes and says that he (they) is (are) the owner(s) of the well described hereon; the well is located as described above, at distances of 516 feet from the North section line and 1100 feet from the West section line; water from this well was first applied to a beneficial use for the purpose(s) described herein on the 28th day of July, 1947; the maximum sustained pumping rate of the well was 15 gallons per minute, the pumping rate claimed hereby is 15 gallons per minute; the total depth of the well was 70 feet; the average annual amount of water to be diverted is 1 acre-feet; for which claim is hereby made for Domestic & Livestock purpose(s); the legal description of the land on which the water from this well is used is NW 1/4 & W 1/4 NE-Sec.10-T4N-R57W & S 1/4 SW 1/4-Sec.3-T4N-R57W-Morgan Co. which totals

320 acres and which is illustrated on the map on the reverse side of this form; that this well was completed in compliance with the permit approved therefor; this statement of beneficial use of ground water is filed in compliance with law; he (they) has (have) read the statements made hereon; knows the content thereof; and that the same are true of his (their) knowledge.

Signature(s) X Nicholas Baltazar

Subscribed and sworn to before me on this 7th day of June, 1975

My Commission expires: August 31, 1976 (SEAL) Gerald Ruini NOTARY PUBLIC

ACCEPTED FOR FILING BY THE STATE ENGINEER OF COLORADO PURSUANT TO THE FOLLOWING CONDITIONS:

FOR OFFICE USE ONLY Court Case No. Prior. Mo. Day Yr. Div. Cty. Sec. Well Use Dist. Basin Mon. Dis.

5.00 61800

Bruce E. DeBune DEPUTY STATE ENGINEER

Handwritten signature

JUN 16 1975 DATE

BY

Well drilled by _____ Lic. No. _____

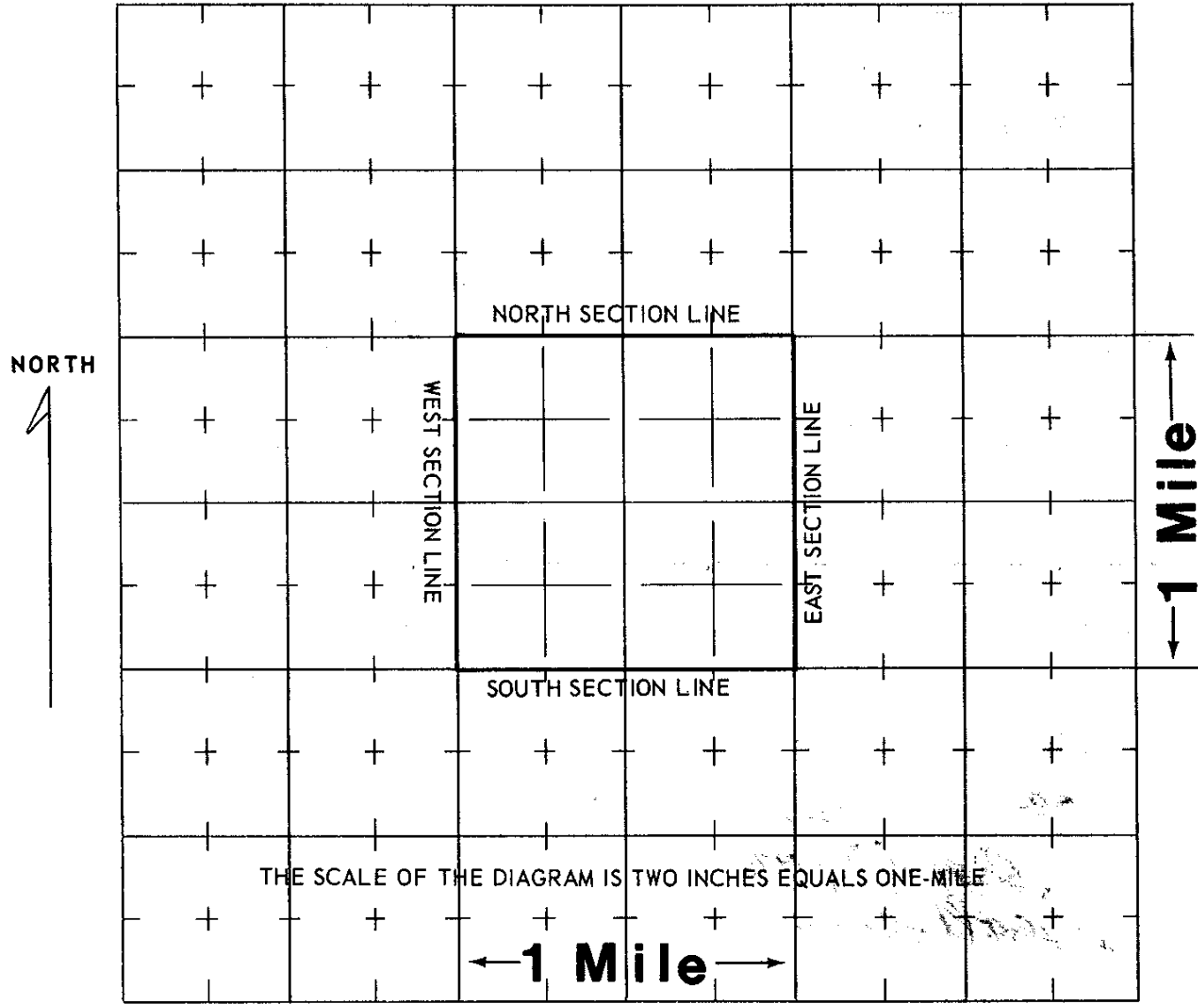
Pump installed by _____ Lic. No. _____

Meter Serial No. _____ Flow Meter Date Installed _____

Owner of land on which water is being used _____

THE LOCATION OF THE WELL MUST BE SHOWN AND THE AREA ON WHICH THE WATER IS USED MUST BE SHADED OR CROSS-HATCHED ON THE DIAGRAM BELOW.

This diagram represents nine (9) sections. Use the **CENTER SQUARE** (one section) to indicate the location of the well, if possible.



WATER EQUIVALENTS TABLE (Rounded Figures)

- An acre-foot covers 1 acre of land 1 foot deep.
- 1 cubic foot per second (cfs) . . . 449 gallons per minute (gpm).
- 1 acre-foot . . . 43,560 cubic feet . . . 325,900 gallons.
- 1,000 gpm pumped continuously for one day produces 4.42 acre-feet.
- 100 gpm pumped continuously for one year produces 160 acre-feet.



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

January 29, 2025

Tim Bellendir III
21575 CO RD W
FORT MORGAN

Dear Mr. Bellendir,

Northeast Colorado Health Department (NCHD) has no objection to the Bellendir Minor Sub-division consisting of two lots located in the NW 1/4 of Section 10, Township 4N, Range 57W of the 6th P.M., Morgan County, Colorado. Total acres involved are approximately 6.51.

Lot one will be approximately 4.0 acres and vacant. Potable water will be served by the Morgan County Quality Water District.

Lot two will be approximately 2.51 acres and vacant with a frame well house. Potable water maybe served by the Morgan County Quality Water District or a private well.

Prior to building a residence on lots one and two, 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.**

Sincerely,

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".

Melvin Bustos
Environmental Health Manager
Northeast Colorado Health Department



Morgan County Rural Electric Association

734 Barlow Road · P.O. Box 738 · Fort Morgan, Colorado 80701

(970) 867-5688 · FAX: (970) 867-3277 · e-mail: memberservices@mcrea.org



A Touchstone Energy[®] Cooperative
The power of human connections[®]

February 12, 2025

TIM BELLENDIR
4 LAKEVIEW CIR
FORT MORGAN, CO 80701-4701-04

**RE: Certification of Electric Power
NW ¼, Sec 103, T04N, R57W
Bellendir West Minor Subdivision Lot 2
Parcel Number: 103910000001
TIM BELLENDIR**

This letter is in regard to a request to provide certification to the Morgan County Planning and Zoning Commission, that we can provide sufficient electric power for Tim Bellendir in the Northwest Quarter of Section 103, Township 04 North, Range 57 West.

Morgan County REA presently has electric distribution lines near this property, and will be able to provide electric service to the proposed site.

We hope this letter will suffice. If we can be of any further assistance, please feel free to contact the office.

Sincerely,

Brent Kliesen

Field Engineer
Morgan County REA
734 Barlow Road
PO Box 738
Fort Morgan, CO 80701
970-867-5688 (Office)



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

**TOTAL
AMOUNT DUE**
\$80.21
Due Date
01/15/2025

* IMPORTANT * This is an optional annual prepayment plan. If you would like to prepay on your account simply add this amount to 'AMOUNT DUE' shown on this statement. \$731.16

See next page for bill details.

Account Information		Balance Summary	
Account #:	1789201	Previous Balance	\$78.60
Customer Name:	TIM BELLENDIR	Payment(s)	-\$78.60
Statement Date:	01/01/2025	Balance Before Current Charges	\$0.00
Current Bill Due Date:	01/15/2025	Total Current Charges	\$80.21
Mailing Address:	C/O MARVA BELLENDIR 4 LAKEVIEW CIR FORT MORGAN CO 80701-4701	Total Amount Due	\$80.21

IMPORTANT CUSTOMER INFORMATION

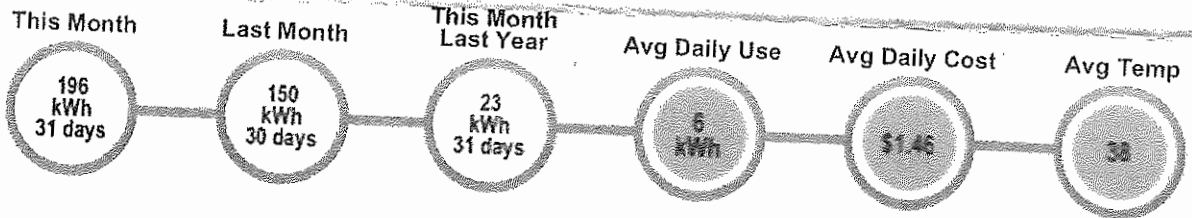
Did you know that Morgan County REA offers scholarships for local students? See the back of this bill for more information!

#1326

1-14-25

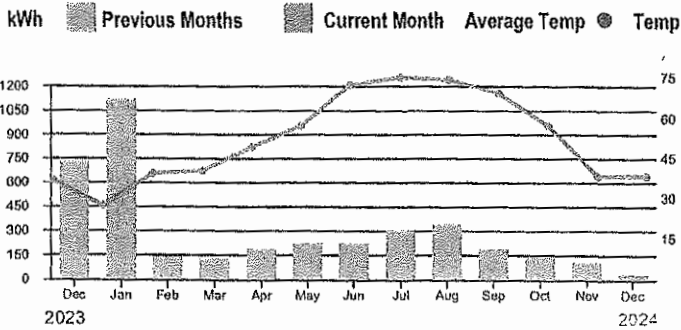
477.02

**Energy
Usage
Comparison**



Statement Date | 1789201 | 01/01/2025

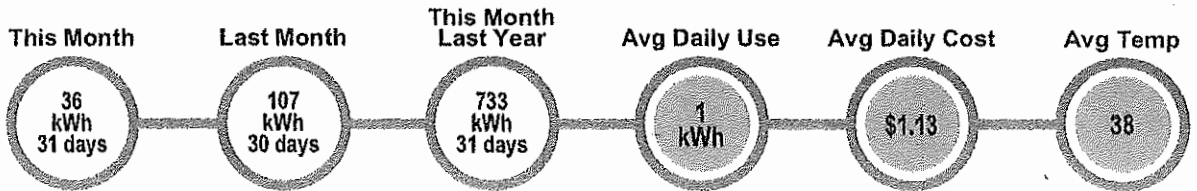
Location: 0457107600	Service Desc: RURAL - RESIDENTIAL	Service Address: 22910 COUNTY ROAD 21
Rate Class: 001	Meter No.: 136830588	Reading Dates: From 12/01/2024 To 01/01/2025
Days Served: 31	Previous Reading: 15121	Present Reading: 15157
Multiplier: 1.0	kWh Usage: 36	Demand Reading: 2.508



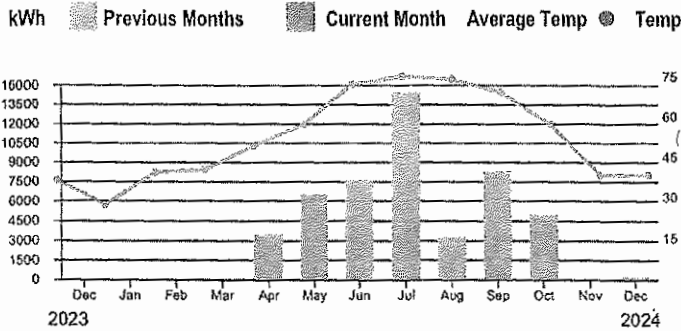
Current Service Detail

Facility Charge		\$31.00
Energy Charge	36 kWh @ .113800	\$4.10
Total Current Charges		\$35.10

Energy Usage Comparison



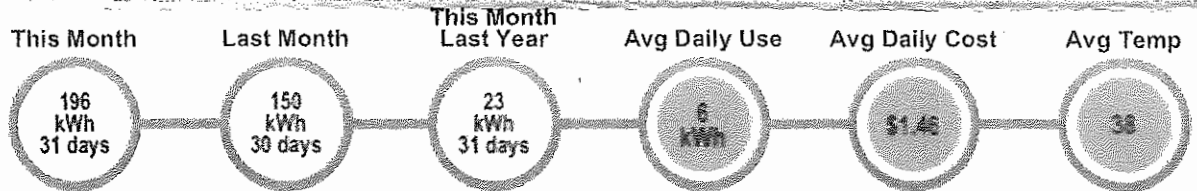
Location: 0457110200	Service Desc: IRRIGATION	Service Address: WELL
Rate Class: 130	Meter No.: 137613108	Reading Dates: From 12/01/2024 To 01/01/2025
Days Served: 31	Previous Reading: 32208	Present Reading: 32404
Multiplier: 1.0	kWh Usage: 196	Demand Reading: 1.642



Current Service Detail

Energy Charge	196 kWh @ .067800	\$13.29
Demand Charge	1.642 kW @ 19.39	\$31.82
Total Current Charges		\$45.11
2024 Total KWH 49,164		
2024 Total Revenue \$8,752.94		

Energy Usage Comparison



M



Approved Driveway Access Permit
Morgan County, Colorado

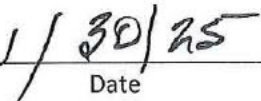
Driveway Access Code:	DRV21-0.972-E-W	Date:	1-29-25
Property Owner (Permittee):			
Name:	Tim Bellendir		
Address:	4 Lakeview Drive		
Address:			
City:	Fort Morgan	State:	CO
		Zip Code:	80701
Phone:	[REDACTED]	Email:	[REDACTED]
Agent of Property Owner (If Applicable)			
Name:			
Address:			
Address:			
City:		State:	
		Zip Code:	
Phone:		Email:	
Parcel Number:	103910000001		
Legal Description:	S: 10 T: 4 R: 57 NW ¼ EX B1117 P770 & W ½ NE ¼ West of the 6 pm.		
GPS Coordinates at the Centerline of Driveway:		Latitude:	40.333227
		Longitude:	-103.753887
Access onto County Road:	MCR 21		
Driveway Type:	<input type="checkbox"/> New	<input checked="" type="checkbox"/> Existing	
Maximum Width of Approved Driveway is:	40	FEET	
Culvert Required:	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<i>If Yes, Required Size is:</i> <input type="text"/> Inch

If a culvert is not required at the time of permit issuance but future conditions deem one necessary, the cost of said culvert may be at the property owner's expense.

The above identified driveway has been approved by Morgan County Road and Bridge Department pursuant to all terms and conditions outlined in the Application for Driveway Access Permit are adhered to. Failure to comply with these term and conditions may result in this permit being revoked and/or the driveway being removed at permittee's expense. This permit is valid only for the one driveway access identified above. Construction of said driveway may proceed.

Morgan County, Colorado
Public Works Department


Bruce Bass *Authorized Morgan County Agent Signature*


Date



Application for Driveway Access Permit
Morgan County, Colorado

Instructions for Completing and Submitting Application

1. **Property Owner (Permittee):** Please provide the full name, mailing address, telephone number and email address *(if available)* of the legal property owner. The provided telephone number should be one where the Permittee can be reached during business hours Monday through Friday, 8:00 a.m. to 4:00 p.m. MDT.
2. **Agent of Permittee:** If the applicant *(person or company completing this application)* is different from the legal property owner *(Permittee)*, provide entity name *(if applicable)*, the full name of the person serving as the agent, mailing address, telephone number, and email address *(if available)*. The provided telephone number should be one where the Agent can be reached during business hours Monday through Friday, 8:00 a.m. to 4:00 p.m. MDT. *Please provide documentation you are an agent of property owner.*
3. **Legal Description of property:** Provide the legal description to the full extent that applies for the property to be accessed by the requested driveway. Include the Assessor parcel number. This information is available through the County Assessor or Clerk and Records office or on your property deed(s).
4. **Road Access:** Complete the information on the County Road that will be accessed by this proposed driveway.
5. **New or Existing Driveway:** Complete the information for the driveway type.
 - New Driveways:**
 - In determining location for the proposed driveway, take into account: line of site distances, relationship to road intersections, and relationship to crests of hills.
 - Please indicate the desired width of the new requested driveway.
 - If possible, provide a map showing the desired location of the proposed driveway.
 - ***The proposed area for the new driveway must be clearly marked with flagged stakes on each side of the proposed area. Please have the location marked as indicated prior to submitting application.***
6. Initial the bottom of page two (2) in the provided location indicating that you have read and understand the terms and conditions.
7. Signature Section must be signed and dated by the property owner or agent. *Applications will not be processed until they are fully completed, initialed, signed and submitted, along with any additional required documents.*
8. **Submittal of Application:** Please submit application and all corresponding paperwork to:
 - By mail or in person: Morgan County Road and Bridge Department
P.O. Box 516
17303 County Road S
Fort Morgan, CO 80701
 - By Email to: rbmorganc@co.morgan.co.us

Application for Driveway Access Permit
Morgan County, Colorado

Terms and Conditions

1. The granting of this permit application is for one (1) property access across the county right of way onto a county road. The access must not exceed the approved width defined on the approved permit. Additional accesses crossing the right of way must be applied for separately.
2. If this access is to be onto an access/travelling easement, then a copy of the easement, recorded plat or use agreement must accompany this application.
3. The granting of a driveway access permit by Morgan County is only for the purpose of crossing the right of way under the counties jurisdiction. It is the permittee's responsibility to identify and obtain permissions to cross any other easements, covenants, right of ways or private agreements that may exist.
4. If the access request is onto any Federal or State lands, you must provide the names and contact information for the relevant agencies and attach a copy of the authorization for the property use.
5. All property owners/agents are responsible for any damages that may occur to the county road or right of way during installation of said driveway.
6. The construction and all costs associated with the construction of the driveway are the responsibility of the property owner/agent. The construction cannot exceed the defined width and must include any specified culverts required as defined in the approved permit. Culverts may be purchased from anywhere, however they must be approved by the county prior to installation. Culverts may also be purchased from Morgan County Road and Bridge.
7. If a culvert is required, it is for use by Morgan County to protect the road and right of way. Morgan County retains the right to utilize the culvert in any way it deems necessary.
8. If a culvert is not required at the time of permit issuance, however, in the future a culvert is deemed necessary, the cost of said culvert may be at the property owner's expense.
9. Inside the county right of way, the driveway may only consist of the travelling surface to access the property. No other structures or appurtenances may be placed in the right of way (*examples: columns, walls, fencing, large rocks, etc.*). The only exception to this requirement is mailboxes.
10. During the construction of an approved driveway, it is the responsibility of the property owner/agent and/or their contractor to insure safety to the travelling public. This could include the use of signs, cones and/or traffic control as necessary.
11. All repairs, maintenance and costs associated with said driveway are the responsibility of the property owner/agent.
12. Morgan County is not responsible for any damages to the driveway caused by normal maintenance operations, including but not limited to mowing, grading, and snowplowing.
13. The property owner/agent agrees to hold harmless, indemnify, and defend Morgan County from any claim of any person arising from the installation, use, maintenance, or removal of the driveway in the county right of way.
14. The terms, conditions and requirements defined in this application and subsequent approved permit will remain valid through any future sales, transfer of ownership or assignments of the property defined in this driveway application.

TB

Please Initial that you have read and understand the terms and conditions outlined on this page.

Application for Driveway Access Permit
Morgan County, Colorado

1. **Property Owner (Permittee):**
Name: Tim Bellend
Address: 4 Lakeview Drive Fort Morgan, CO
City/State/Zip Code: _____
Phone: _____ Email: _____
2. **Agent of Property Owner (If Applicable)**
Company/Individual Name _____
Contact Name (If Applicable) _____
Address: _____
City/State/Zip Code: _____
Phone () _____ Email: _____
3. **Legal Description:**
Located in the Northwest Quarter of section 10 Township 4
North, Range 57 west of the 6th P.M. N64°38'57"E 176.96'
Parcel Number: _____
4. **Road Access:**
Access onto County Road 21 (Circle Direction) North / South West / East of County Road W
5. **Driveway Type:** (Check One) **New Driveway Existing Driveway
Desired width of New Driveway _____ Feet.
****If this is a new driveway location, please place flagged stake marker on each side of the requested driveway location.**

I have read the instructions, terms and conditions outlined in this Driveway Access Permit Application, and agree to all terms and conditions outlined therein, furthermore, I understand no liability is assumed by the County of Morgan, Colorado or its agents by issuance of a permit for this application and all costs, present and future, associated with the access provided by an Approved Driveway Access Permit are the responsibility of the property owner/agent and or any future assignees. The applicant declares the information provided are true and complete to the best of their knowledge.

Tim Bellend

Property Owner/Agent Signature

1-27-25

Date

Submit Completed Application and All Supporting Documents to:

Morgan County Road and Bridge Department
P.O. Box 516
17303 County Road S
Fort Morgan, CO 80701
Or by Email to: rbmorgan@co.morgan.co.us
Phone: (970) 542-3560 Fax: (970) 542-3569

For Office Use only below this line

Determination: Approved Denied (Reason for Denial): _____

GPS Coordinates, Centerline of Driveway in relation to road: Latitude: 40.333227

Maximum Width of Driveway: 40 Feet Longitude: -103.753887

Culvert Required: YES NO If Yes, Size: _____

Closest Intersecting Road W Measurement from Closest Intersecting Road 5132 Feet

Driveway Access Code: DRV21-0.972-E-W

Completed By: Tim Bellend Date: 1-29-25

Morgan County Property Card

Parcel Number:1039-100-00-001

Account Number:R009123

Property

Address

22910 CO RD 21
FORT MORGAN, CO 80701

Physical

Acres: 209.2500019 Land Sq Ft: 176,620

Property Class SPRINKLER IRRIGATED LAND,
FLOOD IRRIGATED LAND, GRAZING
LAND, FARM/RANCH WASTE LAND,
FARM/RANCH RESIDENCE,
FARM/RANCH SUPPORT IMPS

Zoning

Value

Planning: A	Assessed	Actual
Assessor: 4107, 4117,	Land: \$21,010	\$79,580
4147, 4167,	Imp: \$6,540	\$97,040
4277, 4279		

Legal Description

Block: Lot:
PLSS: 04N 57W 010
Boundary: NW1/4 EX B1117 P770 & W1/2NE1/4
Legal: S: 10 T: 4 R: 57 NW1/4 EX B1117 P770 &
W1/2NE1/4

Owner

Name: BELLENDIR, TIMOTHY J & MARVA L
Address: 4 LAKEVIEW CIRCLE
FORT MORGAN, CO 80701

District 247

Taxing Authorities

School District: School District RE-3
Water Districts: Quality Water, Northern Colorado Water
Fire Protection District: Fort Morgan Fire
Special Districts:

Voting Districts

House District: 63 Congressional District: 4 Precinct: 11
Sentate District 1 Commissioner District: 3 Town: --

Other

Subdivision: Neighborhood: INNER RR RESD Condo:

Sales

Most Recent Sale

Sale Date: 10/29/2004 Document Type: JOINT TENANCY Deed Type: SWD
Sale Price: 400000 Document Number: 822137
Grantor: ACOSTA, JESSIE ET AL
Grantee: BELLENDIR, TIMOTHY J & MARVA L
Remarks:

ADDITIONAL APPLICATION INFORMATION

Impact Statement

Ditch Company Notification

Soil Map

Mineral Ownership

Statement of Taxes

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

Tim Bellendir is applying for a Minor Subdivision or Planned Development
(landowner)

consisting of two lots totaling 6.5 acres. Landowner is Proposing to allow 1 animal units
per acre, or 2 animal units per lot.

Location and/or address of site: Near 22960 County Road 21,
Fort Morgan, CO 80701.

Driving direction from Fort Morgan: North of Fort Morgan
on the East side of County Road 21

Date application is due in Planning Dept.: _____

Copy of soils map must accompany this request.

Copy of site plan must accompany this request.

It is the landowners/applicants responsibility to provide a stamped, self-addressed envelope for return of this form
or to make arrangements to pick it up at the Extension Office.

EXTENSION AGENT USE ONLY:	
Approval of animal units as proposed: <u>yes</u>	Recommended maximum animal units: <u>2 AU per lot</u>
Comments: _____	

Signature: <u>Martin Eisenach</u>	Date: <u>2/3/2025</u>



RIVERSIDE

221 E. Kiowa Ave. Fort Morgan, CO 80701 (970) 867-6586

IRRIGATION DISTRICT

January 30, 2025

Mr. Tim Bellendir

Via email

RE: Bellendir West Sub

Dear Tim,

The proposed subdivision listed in 'Bellendir West S10 T4N 57W Minor Sub' presents no problems for the Riverside Irrigation District.

Good luck with your project.

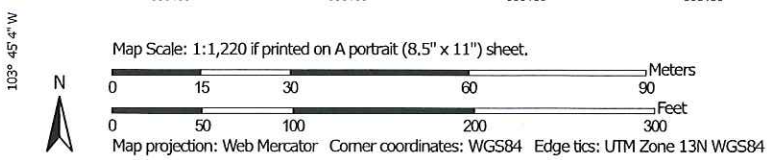
Sincerely,

Don Chapman,
Superintendent





































Soil Map—Morgan County, Colorado



Soil Map may not be valid at this scale.



MAP LEGEND

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

MAP INFORMATION

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

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

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

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

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

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

Soil Survey Area: Morgan County, Colorado
 Survey Area Data: Version 25, Aug 29, 2024

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.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
VmC	Vona loamy sand, 3 to 5 percent slopes	0.9	11.9%
VmD	Vona-Dwyer loamy sands, 5 to 9 percent slopes	6.4	88.1%
Totals for Area of Interest		7.2	100.0%

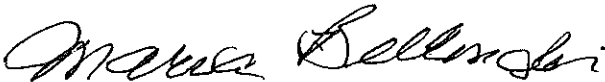
February 6, 2025

TO WHOM IT MAY CONCERN:

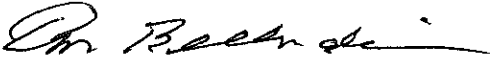
Tim and Marva Bellendir own all of the mineral rights on the farm with address 22910 County Road 21.

Sincerely,

Marva Bellendir



Tim Bellendir



CCOUNT # R009123
 ARCEL # 103910000001
 AX DISTRICT: 247

REAL ESTATE PROPERTY TAX NOTICE
2024 TAXES DUE IN 2025

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

AUTHORITY	TAX LEVY	TEMP TAX CREDIT	GENERAL TAX	VALUATION	ACTUAL	ASSESSED
COUNTY GENERAL FUND	19.53600	0.00000	\$538.23	LAND	79580	21010
ROAD AND BRIDGE FUND	7.50000	0.00000	\$206.63	IMPROVEMENTS	97040	6540
SOCIAL SERVICES FUND	2.00000	0.00000	\$55.10	TOTAL	176620	27550
FORT MORGAN RURAL FIRE DIST	2.99600	0.03700	\$82.54			
MORGAN SOIL CONSERVATION	0.00000	0.00000	\$0.00			
FORT MORGAN PEST CONTROL	0.29300	0.00600	\$8.07	NET TOTAL	176620	27550
MORGAN CO QUALITY WATER	0.82400	0.00000	\$22.70			
NORTHERN COLO WATER CD	1.00000	0.00000	\$27.55			
IE 3 F M GENERAL FD	27.07900	0.00000	\$746.03			
IE 3 F M M/L OVRD	1.53700	0.00000	\$42.34			
IE 3 F M BOND RED	7.66200	0.00000	\$211.09			
TOTAL	NET LEVY-> 70.42700		\$1,940.28			
	RIVERSIDE IRRIGATION		\$220.00			
	GRAND TOTAL		\$2,160.28			

MESSAGES

*View online or make payments at
<https://morgancounty.colorado.gov>
 *To receive notices electronically,
 enter the key below in 'Verify My Email'
 VERIFICATION KEY: Y3VY55TY
 PRIOR YEAR TAX CHARGE 2173.24
 S B 25 - In absence of State Legislative Funding, your
 School General Fund mill levy would have been
 94.3770

UNPAID PRIOR YEAR TAXES

No

Contact Treasurer's Office Immediately If a number appears above.

LEGAL DESCRIPTION OF PROPERTY	PAYMENT	DUE DATE	AMOUNT
SECTION 10 T: 4 R: 57 NW1/4 EX B1117 P770 & N1/2NE1/4	FIRST HALF	FEB 28, 2025	\$1,080.14
	SECOND HALF	JUNE 15, 2025	\$1,080.14
	FULL PAYMENT	APRIL 30, 2025	\$2,160.28

R009123

BELLENDIR, TIMOTHY J & MARVA L
 4 LAKEVIEW CIRCLE
 FORT MORGAN, CO 80701

Make Checks Payable To:
MORGAN COUNTY TREASURER

SEE IMPORTANT INFORMATION ON BACK.
 THE TREASURER'S OFFICE IS REQUIRED BY LAW TO
 SEND THE TAX NOTICE TO THE OWNER OF RECORD.
 KEEP THIS NOTICE FOR YOUR RECORDS.

RETAIN TOP PORTION FOR YOUR RECORDS

2024 TAXES DUE IN 2025

UNPAID PRIOR TAXES

No

Contact Treasurer's Office Immediately If a number appears above.

RETURN THIS COUPON FOR SECOND HALF PAYMENTS

If you cancelled check is
 your best receipt and saves
 you tax dollars. To obtain a
 receipt, you must return
 this copy and check here.

2nd Half Coupon - Due June 15th

2

PROPERTY LOCATION
 22910 CO RD 21

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

ACCOUNT NUMBER
 R009123

Check this box for change of address and complete the back of this form.

087111 **R009123**

PROPERTY OWNER RECORD
 BELLENDIR, TIMOTHY J & MARVA L
 4 LAKEVIEW CIRCLE
 FORT MORGAN, CO 80701

11008

SECOND HALF DUE BY JUNE 15, 2025 \$1,080.14

PAYMENTS MUST BE MADE IN U.S. FUNDS

UNPAID PRIOR TAXES

No

2024 TAXES DUE IN 2025

LANDOWNER LETTERS, REFERRALS & RESPONSES

Landowner Letter Sent & Responses Received

Referral Sent & Responses Received

Notification

Sign Posting Pictures & Affidavit



MORGAN COUNTY PLANNING AND ZONING DEPARTMENT

April 9, 2025

Dear Neighboring Landowners:

Timothy Bellendir and Bre Gilliland as applicants and Marva Bellendir as landowner have submitted an application to our office for a 2-Lot Minor Subdivision. The total acreage being divided into 2 Lots is 6.51 acres. Lot 1 will be 4 acres; Lot 2 will be 2.51 acres.

Legal Description: A parcel of land located in the NW¼ of Section 10, Township 4 North, Range 57 West of the 6th P.M., Morgan County, Colorado. Also known as 22910 Co Rd 21, Fort Morgan, CO 80701.

This application is scheduled to be heard by the Planning Commission at a special meeting on **Monday, April 28, 2025 at 6:00 P.M.** and the Board of County Commissioners on **Tuesday, May 6, 2025 at 9:00 A.M.** to be held in the Assembly Room of the Morgan County Administration Building, 231 Ensign St., (Basement Level) Fort Morgan, Colorado. Landowners within 1,320 feet 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 **April 23, 2025**.

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.

BELLENDIR, TIMOTHY J & MARVA L
4 LAKEVIEW CIRCLE
FORT MORGAN, CO 80701

D & S REVOCABLE LIVING TRUST
22801 CO RD 21
FORT MORGAN, CO 80701

ARGUELLO, PAULITA
P O BOX 732
FORT MORGAN, CO 80701

FOUR X RANCH INC
22915 CO RD 23
FORT MORGAN, CO 80701

MOTA-RODRIGUEZ, IGNACIO
P O BOX 663
HUDSON, CO 80642

BOYER, LUANN K
22500 CO RD 21
FORT MORGAN, CO 80701

LEBSOCK 13 FARMS LLLP
23250 CO RD 21
FORT MORGAN, CO 80701

WOOD, CAROLYN I
19534 CO RD R.7
FORT MORGAN, CO 80701

FELDPAUSCH, CHARLES R
34600 CO RD 31
GREELEY, CO 80631

GOEDERT, HAROLD E
22941 CO RD 21
FORT MORGAN, CO 80701

JUMP, JACOB D & TRACY L
22506 CO RD 21
FORT MORGAN, CO 80701

WOOD, NAOMI I TRUST
21415 CO RD 22
FORT MORGAN, CO 80701

3 SONS LLC
20433 CO RD W
FORT MORGAN, CO 80701



MORGAN COUNTY PLANNING AND ZONING DEPARTMENT

TO REFERRAL AGENCIES:

Century Link
Colorado Parks and Wildlife
Fort Morgan Fire Department
Morgan County Assessor
Morgan County Communications
Morgan County Emergency Mgmt.
Morgan County Quality Water
Morgan Conservation District

Morgan County Road and Bridge
Morgan County Rural Electric Assoc
Morgan County Sheriff Department
Morgan County Weed & Pest Advisory Board
Northeast Colorado Health Department
Riverside Irrigation District
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: April 9, 2025

RE: Land Use Application–2-Lot Minor Subdivision

The following Minor Subdivision application is submitted to you for review and comments. The application is scheduled to be heard by the Planning Commission at a special meeting on **Monday, April 28, 2025 at 6:00 P.M.** and the Board of County Commissioners on **Tuesday, May 6, 2025 at 9:00 A.M.** **You are encouraged to provide comments to this application by April 23, 2025.** Failure to comment will be viewed as a favorable review.

Applicants: Timothy Bellendir and Bre Gilliland

Landowner: Marva Bellendir

Legal Description: A parcel of land located in the NW¼ of Section 10, Township 4 North, Range 57 West of the 6th P.M., Morgan County, Colorado. Also known as 22910 Co Rd 21, Fort Morgan, CO 80701.

Request: 2-Lot Minor Subdivision. The total acreage being divided into 2 Lots is 6.51 acres. Lot 1 will be 4 acres; Lot 2 will be 2.51 acres.

Sincerely,

Cheryl Brindisi,

Morgan County Planning and Zoning Administrative Assistant



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: [REDACTED]

April 15, 2025

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

Attn: Cheryl Brindisi, Nicole Hay, Jenafer Santos

Re: Bellendir West Minor Subdivision

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plan for **Bellendir West Minor Subdivision** and currently has **no apparent conflict**.

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

Violeta Ciocanu (Chokanu)
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: [REDACTED] – Email: [REDACTED]

**NOTICE OF SPECIAL PUBLIC HEARING
MORGAN COUNTY PLANNING COMMISSION
APRIL 28, 2025 AT 6:00 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 Applications**:

- 1.) **Applicants:** Timothy Bellendir and Bre Gilliland
Landowner: Marva Bellendir
Legal Description: A parcel of land in the NW¼ of Section 10, Township 4 North, Range 57 West of the 6th P.M., Morgan County, Colorado. Also known as 22910 Co Rd 21, Fort Morgan, CO 80701.
Request: A 2-Lot Minor Subdivision. The total acreage being divided into 2 Lots is 6.51 acres. Lot 1 will be 4 acres; Lot 2 will be 2.51 acres.
Date of Application: February 18, 2025

- 2.) **Applicant:** Jay Greener
Landowner: Buck Creek LandCO, LLC
Legal Description: A parcel of land in the SE¼ of Section 11, Township 2 North, Range 60 West of the 6th P.M., Morgan County, Colorado.
Request: A 4-Lot Minor Subdivision. The total acreage being divided into 4 Lots is 24.43 acres. Lot 1 will be 3.46 acres, Lot 2 will be 8 acres, Lot 3 will be 7.23 acres and Lot 4 will be 5.74 acres.
Date of Application: February 18, 2025

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/89345385960>

Join via audio:

+1 719 359 4580 US

Webinar ID: 893 4538 5960

Documents pertaining to the above identified matters are on file in the Planning Administrator's Office, 231 Ensign St., Fort Morgan, Colorado. Twenty-four hours prior to the meeting, the Planning Commission meeting packet is available here: 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

Posted to website: April 14, 2025

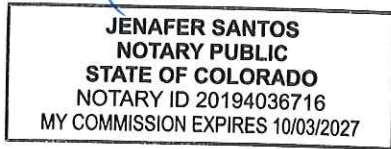
For special assistance for the mentioned hearing, please notify us at least 48 hours before the scheduled agenda item. Please call (970) 542-3526 to request any ADA accommodations.

The above sign was posted on (date) 4/17/25, pursuant to the
Morgan County Zoning Resolution by (name of applicant) Tim Bellendir & Bre Gilliland

Project name and number: MS2025-0001 Bellendir/Greener


Signature of Applicant/Representative:  

STATE OF COLORADO)
) ss.
COUNTY OF MORGAN)



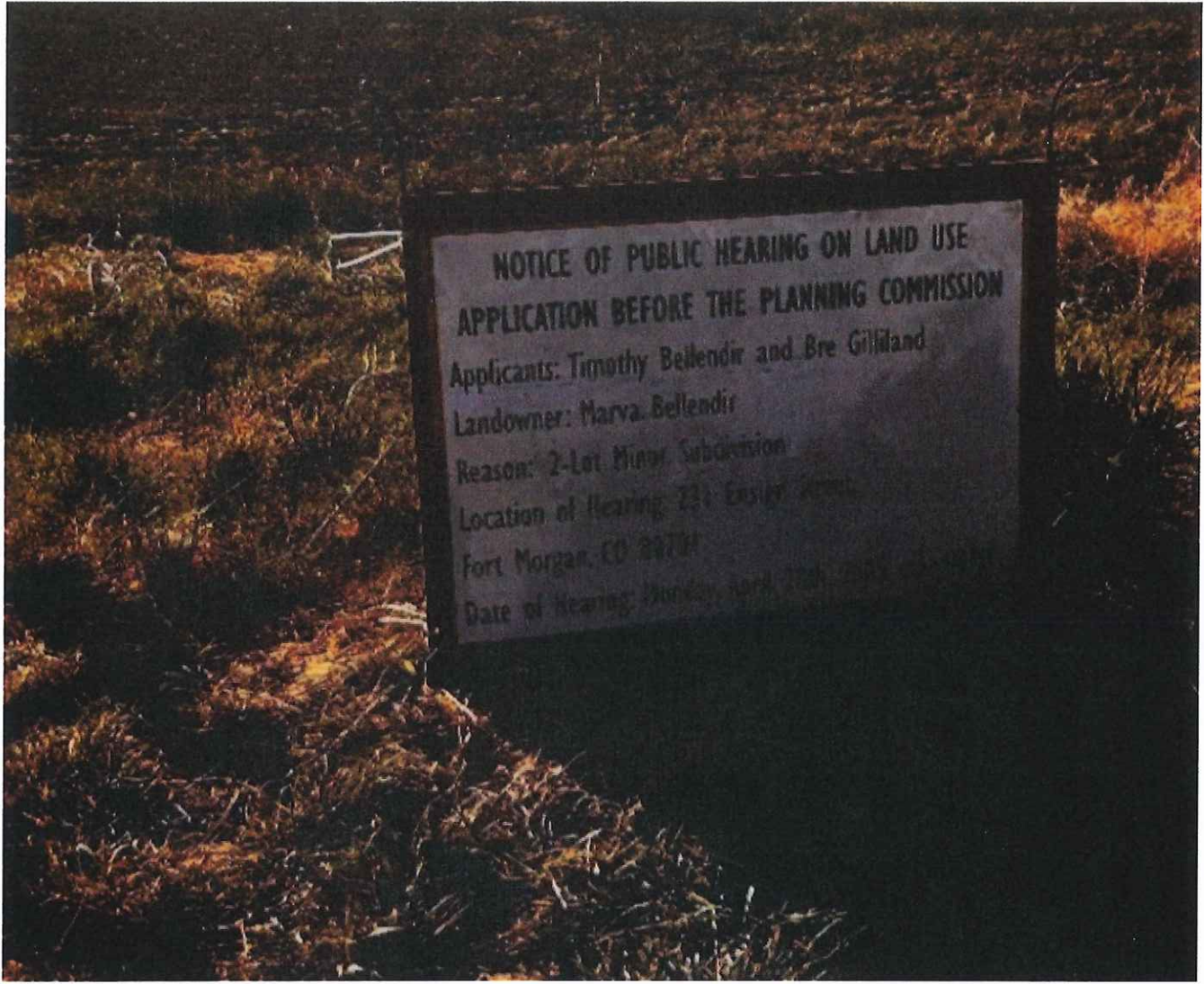
Signed before me this date: 4/23/25

My Commission expires: 10/03/2027

NOTARIZED BY: 

NOTICE OF PUBLIC HEARING ON LAND USE
APPLICATION BEFORE THE PLANNING COMMISSION
Applicants: Timothy Bellendir and Bre Gilliland
Landowner: Marva Bellendir
Reason: 2-Lot Minor Subdivision
Location of Hearing: 231 Ensign Street,
Fort Morgan, CO 80701
Date of Hearing: Monday, April 7th, 2003 at 6:00 PM





**NOTICE OF PUBLIC HEARING ON LAND USE
APPLICATION BEFORE THE PLANNING COMMISSION**
Applicants: Timothy Bellendir and Bre Gilliland
Landowner: Marva Bellendir
Reason: 2-Lot Minor Subdivision
Location of Hearing: 731 East [unclear]
Fort Morgan, CO 80701
Date of Hearing: Sunday, April 24, 2011

| PLANNING COMMISSION 6:00 P.M. | APRIL 28, 2025 |
GREENER MINOR SUBDIVISION

TABLE OF CONTENTS

- **File Summary**
- **Original Submittal**
 - Application
 - Right to Farm
- **Applicant Narrative**
- **Revegetation Plan**
- **Site Plan / Maps**
- **Proof of Ownership**
 - Current Title Insurance Commitment
- **Utilities / Access**
 - Water
 - Septic
 - Electric
 - Driveways
- **Additional Application Information**
 - Ditch Company
 - Impact Statement
 - Soil Map
 - Mineral Notification
 - Statement of Taxes
- **Landowner Letters, Referrals & Responses**
 - Landowner Letter sent & Responses Received
 - Referral Sent & Responses Received
 - Notification
 - Sign Posting Pictures & Affidavit



MORGAN COUNTY PLANNING AND ZONING DEPARTMENT

March 17, 2025

Jay Greener, Buck Creek LandCO, LLC
PO Box 652
Erie, CO 80516
Sent via email: [REDACTED]

Dear Applicant:

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. A special hearing for the Planning Commission will be held on **Monday, April 28, 2025 at 6:00 P.M.** The hearing for the Board of County Commissioners will be held on **Tuesday, May 6, 2025 at 9:00 A.M.**

Mineral Right notifications need to be made by March 28, 2025 and proof of mailing provided to our office no later than April 13, 2025.

As per Section 8-170 (I)(1) 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 (2) signs for each hearing, one off of HWY 52 and one off of County Road K. It is up to you to post it.

Planning Commission sign notice dates: **Posted by April 18, 2025**
Pictures and Affidavit by April 23, 2025

Board of County Commissioners sign notice dates: **Posted by April 25, 2025**
Pictures and Affidavit by May 1, 2025

We will have both PC and BCC signs ready to be picked up in our office on **Monday, April 14th, 2025.**

It is necessary that the landowners be present at the hearings to answer any questions the Planning Commission and Board of County Commissioners may have. If any of the landowners are unable to attend, a letter stating who will be representing them will be needed for each hearing. 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
April 24, 2025
Special Hearing date – April 28, 2025**

**APPLICANT: Jay Greener
LANDOWNER: Buck Creek LandCO, LLC**

This application is for a 4-lot Minor Subdivision of 24.43 acres located in the SE $\frac{1}{4}$ of Section 11, Township 2 North, Range 60 West of the 6th P.M., Morgan County, Colorado. The property is zoned Agriculture Production.

Lot 1 will be 3.46 acres, Lot 2 will be 8 acres, Lot 3 will be 7.23 acres, and Lot 4 will be 5.74 acres. Currently, all 4 lots are vacant.

Included in the packets are referral responses from Xcel, Wiggins Fire District and CDOT.

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 4.
 - 2) Lots 1 thru 4 will be served by Morgan County Quality Water.
 - 3) Access for all four lots is off of County Road K. A 40-foot access easement is created through the proposed minor subdivision and a shared access acknowledgment will be recorded if the proposed minor subdivision is approved.
 - 4) Property is located in the Wiggins Fire District.
 - 5) Soil map was provided by the Natural Resources Conservation Service.

- 6) No mineral estate owner has filed a request for notice with the Morgan County Clerk & Recorder.
- 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 southwest 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.

Large parcels used as single family home sites and other minor subdivisions surrounded by farmland and pasture ground are in the area. There is access to County Road K, Morgan County Quality Water, and Morgan County REA.

- (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. There is pasture ground to the north, minor subdivisions to the west and south and larger parcels with single family homes sites are to the east.

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 # MS2025 - 0002

Date Received 2 / 25 / 25 Received By JS
 Fee: Administrative Review \$ Full Review \$ 650.00
 CC #: 1020 Paid 2 / 18 / 25 Recording Fee \$ (Ck/)
 CC #: Paid / / P C 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 Jay Greener
 Address PO Box 652, Erie, CO 80516
 Phone
 Email

LANDOWNER

Name Buck Creek LandCO, LLC
 Address PO Box 652, Erie, CO 80516
 Phone
 Email

SURVEYOR

Name Bob Thomas, Thomas Land Surveying Email
 Address 2619 W 11th Street Rd Ste 24, Greeley, CO 80634 Phone ()

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*
Property is northwest of the intersection of Hwy 52 and County Road K, south of Wiggins.

Parcel #: 1297-11000019 // -R022822 Zone District: A
 S: 11 T: 2N R: 60W 1/2 1/4 SE 1/4
 Total acreage in parcel: ~66ac Number of lots to be created: 4 + outlet
 Is property located within 1320' (1/4) of a livestock confinement facility? Y/N N
 Distance and Direction to Nearest Community: ~6mi south of Wiggins.

PRESENT use of property Pasture / Grass
PROPOSED use of property Single Family Residential, Recreational Agriculture.

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:
**Additional fees and charges may be required pursuant to Section 2-160 of Morgan County Zoning Regulations. Applicant will be responsible for any legal fees after the first 5 hours.*
- \$ ___ 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

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

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

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

Technical:

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

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

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.

Declaration of **restrictive covenants**

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 Recorders 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.



01/21/2025

Applicant Signature

Date



01/21/2025

Landowner Signature

Date

01/21/2025

Applicant Signature

Date

01/21/2025

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.



Signature

01/21/2025

Date

Printed Name

Jay Greener

Address

PO Box 652, Erie, CO

To Be Signed by Landowner

RECEIPT

Morgan County

231 Ensign, Fort Morgan, CO 80701

(970) 542-3526



MS2025-0002 | Minor Subdivision Permit

Receipt Number: 545568

Payment Amount: \$650.00

February 18, 2025

<i>Transaction Method</i>	<i>Payer</i>	<i>Cashier</i>	<i>Reference Number</i>
Check	Buck Creek	Jenafer Santos	1020

Comments

Assessed Fee Items

Fee items being paid by this payment

<i>Assessed On</i>	<i>Fee Item</i>	<i>Account Code</i>	<i>Assessed</i>	<i>Amount Paid</i>	<i>Balance Due</i>
02/28/25	Minor Subdivision - Full Review		\$650.00	\$650.00	\$0.00
<i>Totals:</i>			\$650.00	\$650.00	
				Previous Payments	\$0.00
				Remaining Balance Due	\$0.00

Application Info

Property Address	Property Owner	Property Owner Address	Valuation
Vacant Wiggins, CO 80654	Buck Creek LandCO LLC	PO Box 652 Erie, CO 80516	

Description of Work

4 lot minor subdivision off of HWY 52 and CK 5

STATEMENT OF AUTHORITY

1. This Statement of Authority relates to an entity¹ named BUCK CREEK LANDCO, LLC and is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.
2. The entity is a:

<input type="checkbox"/> corporation	<input type="checkbox"/> registered limited liability partnership
<input type="checkbox"/> nonprofit corporation	<input type="checkbox"/> registered limited liability limited partnership
<input checked="" type="checkbox"/> limited liability company	<input type="checkbox"/> limited partnership association
<input type="checkbox"/> general partnership	<input type="checkbox"/> government or governmental subdivision or agency
<input type="checkbox"/> limited partnership	<input type="checkbox"/> trust (Section 38-30-108.5, C.R.S.)
<input type="checkbox"/> other: _____	
3. The entity is formed under the laws of: Colorado
4. The mailing address for the entity is: 150 Wells St, #652, Erie, CO 80516
5. The name position of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is:
JAY D. GREENER, MGR/MBR
- 6.² The authority of the foregoing person(s) to bind the entity is not limited limited as follows:
NONE
7. Other matters concerning the manner in which the entity deals with interests in real property:

Executed this 13th day of December, 2024.

BUCK CREEK LANDCO, LLC

BY: *Jay D. Greener*
JAY D. GREENER
Mgr/Mbr

State of Colorado

County of Morgan

Signed and sworn to before me the 13th of December, 2024, by JAY D. GREENER, the Mgr/Mbr of BUCK CREEK LANDCO, LLC, on behalf of the Limited Liability Company.

Notary Public *Linda L Reding*

Affix stamp/seal:



Official Records of Morgan County, CO 954296
 12/13/2024 03:25:45 PM Pgs: 1 Rec Fee: 13.00
 State Documentary Fee: \$ Clerk: Kevin Strauch

¹ This form should not be used unless the entity is capable of holding title to real property.
² The absence of any limitation shall be prima facie evidence that no such limitation exists.
³ The statement of authority must be recorded to obtain the benefits of the statute.

Return to Buck Creek LandCo 150 Wells St # 652 Erie CO 80516

APPLICANT NARRATIVE

Greener Minor Subdivision Project Narrative

Parent Property: 66-acre parcel located approximately seven miles south of Wiggins, CO, Northwest Corner of Hwy 52 and County Road K. Maps approximately to: 4901 County Road K, Wiggins, CO. 40.14916678784421, -104.05717492830338

Parcel Number: 129711000019

Account Number: R022822

Applicant: Buck Creek LandCO, LLC, Jay Greener, Manager.

1. Project Description

This application seeks approval for a minor subdivision of a 66-acre parcel zoned AG (Agriculture) in Morgan County. The proposed subdivision will create four single-family residential lots ranging in size from 3.46 to 8.0 acres. This configuration allows for spacious homesites with ample acreage for recreational agricultural activities such as gardening, raising small livestock, or participating in 4-H projects. The lot sizes are as follows:

- **Lot 1:** 3.46 acres
- **Lot 2:** 8.0 acres
- **Lot 3:** 7.23 acres
- **Lot 4:** 5.74 acres

The remaining 41.7 acres of the parent parcel will be retained as an out-lot which may be held by the owner, sold as a single parcel, or further subdivided in the future. The property is currently vacant, with no existing structures.

2. Purpose of Request

This minor subdivision aligns with Morgan County regulations, which allow the creation of up to four lots in a minor subdivision without requiring a more complex major subdivision process. The project's purpose is to provide desirable rural residential lots that balance privacy with agricultural opportunities, while minimizing impacts on the surrounding area.

3. Project Intent

The intent of this project is to establish a small, low-impact residential development that harmonizes with the rural character of the area. The subdivision will enable residents to enjoy a rural lifestyle while preserving Morgan County's agricultural heritage. No additional covenants or restrictions beyond compliance with county land planning and zoning regulations are proposed.

4. Impacts on Adjacent Uses

The proposed subdivision is anticipated to have minimal impact on adjacent properties. The low density and large lot sizes will ensure the preservation of the area's rural character. The project does not involve any activities that would significantly alter the use or enjoyment of neighboring properties.

5. Off-Site Impacts and Mitigation

The primary off-site impact is a minor increase in traffic on County Road K and Highway 52. Given the limited number of proposed lots and the low expected traffic volumes, no traffic calming measures or additional road improvements are necessary at this time. Utility connections, including electricity and water, will be implemented with minimal disruption to the surrounding area.

6. Access and Driveway

Access to the subdivision will be provided via a new private driveway connecting to County Road K, approximately 500 feet west of Highway 52. The driveway will be 20 feet wide and approximately 1,300 feet long; this driveway will serve all 4 proposed lots and 41.7 acre out-lot. Lot 1, located at the corner of Highway 52 and County Road K, may seek an independent driveway permit in the future, subject to a traffic study and County approval.

7. Development Schedule

The anticipated project timeline is as follows:

- **December 2024 - February 2025:** Finalize the subdivision plat and submit the minor subdivision application to Morgan County Planning Department. Obtain all necessary permits and approvals. Construct the private driveway and install utilities.
 - **March 2025:** Begin marketing the individual lots for sale.
-

8. General Topography and Hazards

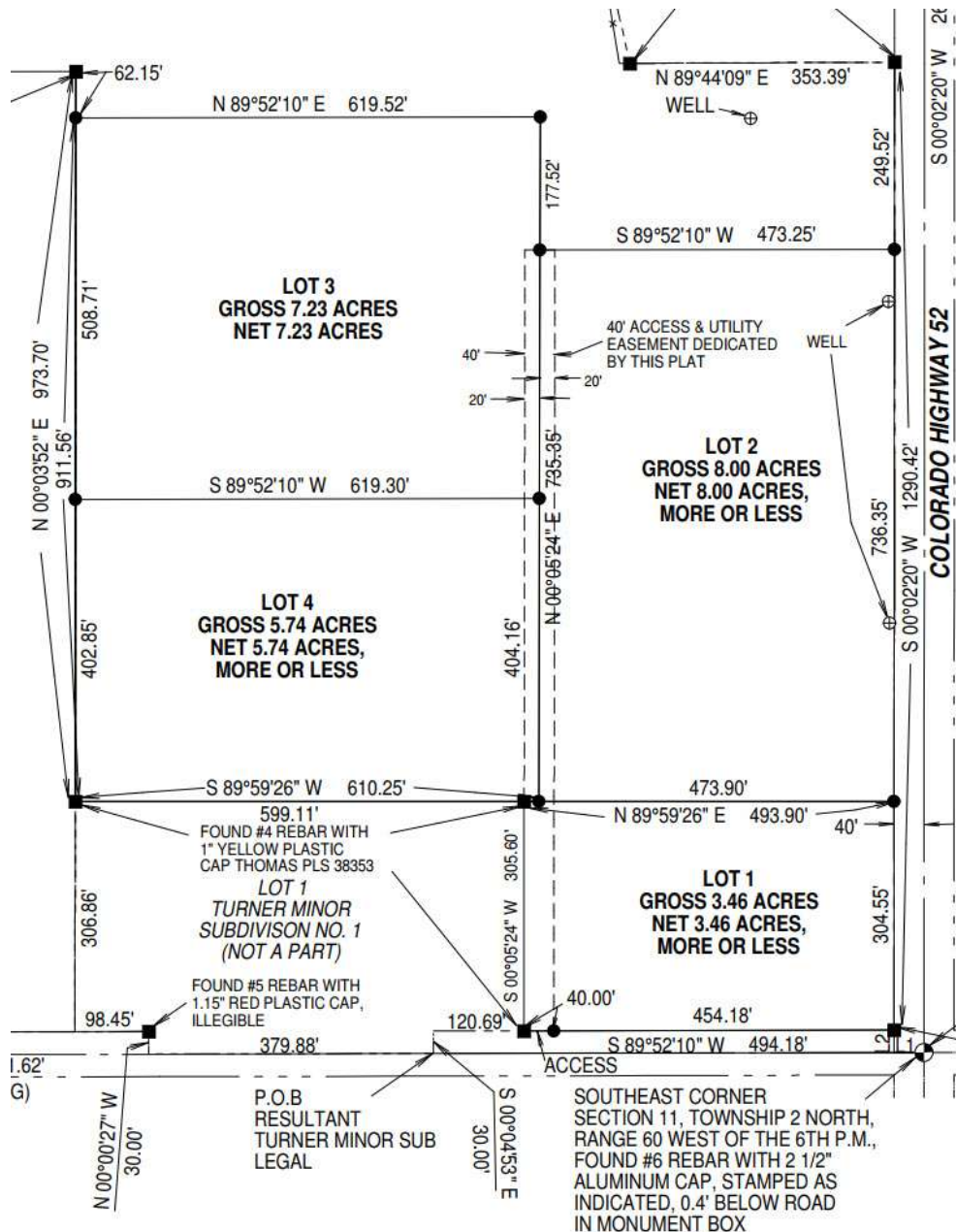
The property is generally flat and not located within a designated floodplain. No significant drainage features or environmental hazards exist. The property lies in **FEMA Flood Zone X**, as per flood map number **08087C0575D**, effective **April 4, 2018**.

9. Fire Protection

The property is located within the **Wiggins Rural Fire Protection District**, which provides fire safety coverage for the area.

10. Conclusion

This proposed minor subdivision represents a responsible and well-planned development that provides attractive rural residential opportunities while preserving the agricultural character of Morgan County. Designed with minimal impacts on surrounding properties and infrastructure, the project complies fully with Morgan County's regulations and contributes positively to the community.



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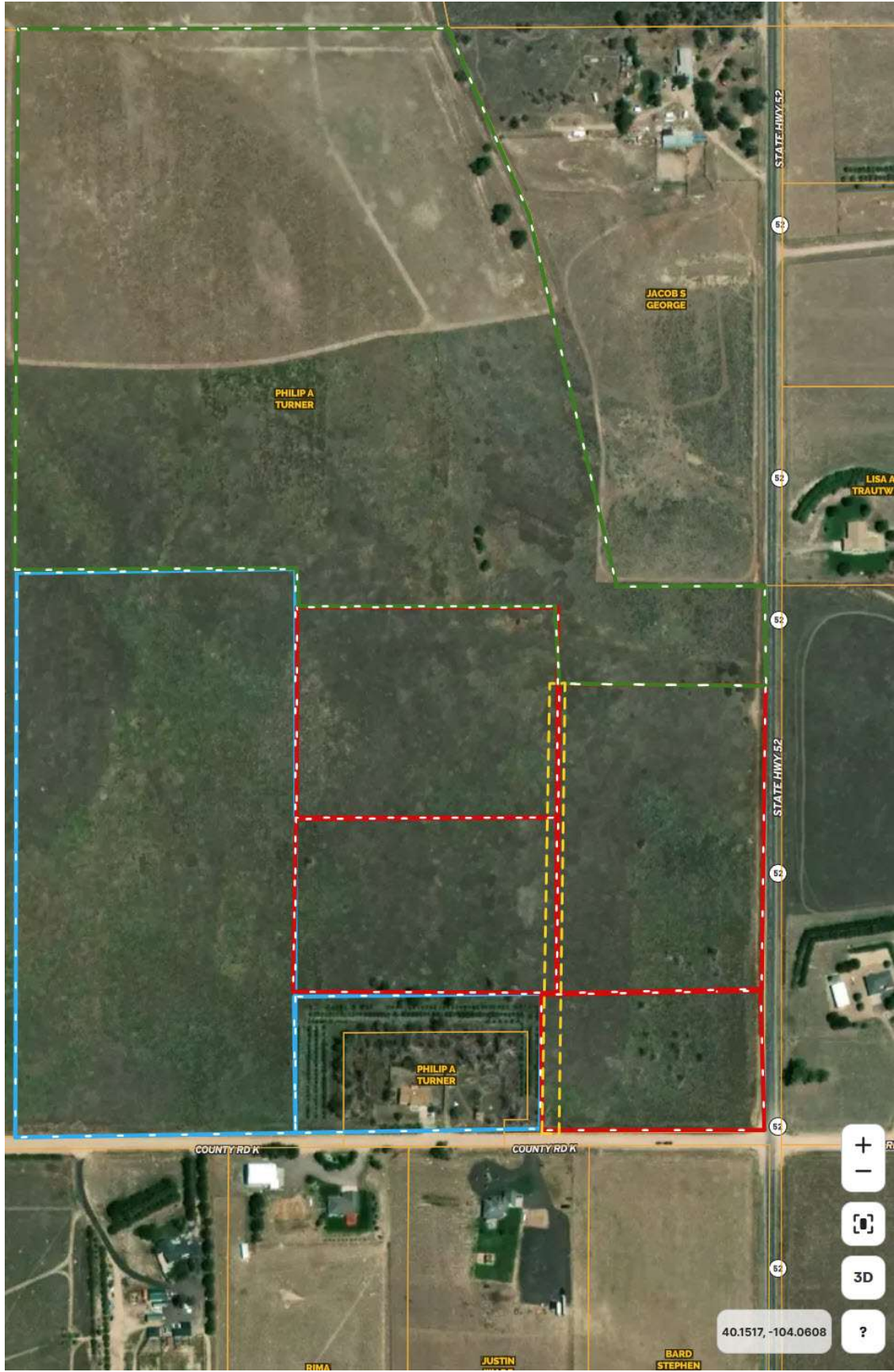
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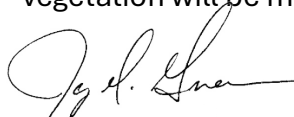


Revegetation Plan

The proposed minor subdivision will have minimal impact on existing vegetation. The only planned disturbance involves the construction of a private driveway approximately 1,300 feet in length and 20 feet in width. This driveway will be professionally constructed using recycled asphalt. Vegetation along the driveway route will be compacted and replaced with the recycled asphalt surface.

Additionally, a trench will be dug for the installation of a water line and subsequently backfilled with the original soil, allowing for natural regrowth of vegetation in this area. Above-ground power lines will be installed without additional ground disturbance.

No other vegetation on the property will be disturbed, and there will be no significant earth-moving activities beyond the described areas. The overall impact on the property's natural vegetation will be minimal.



Jay Greener

Owner

Covenants:

No additional covenants or restrictions beyond compliance with county land planning and zoning regulations are proposed.

Homeowner's Association Agreement:

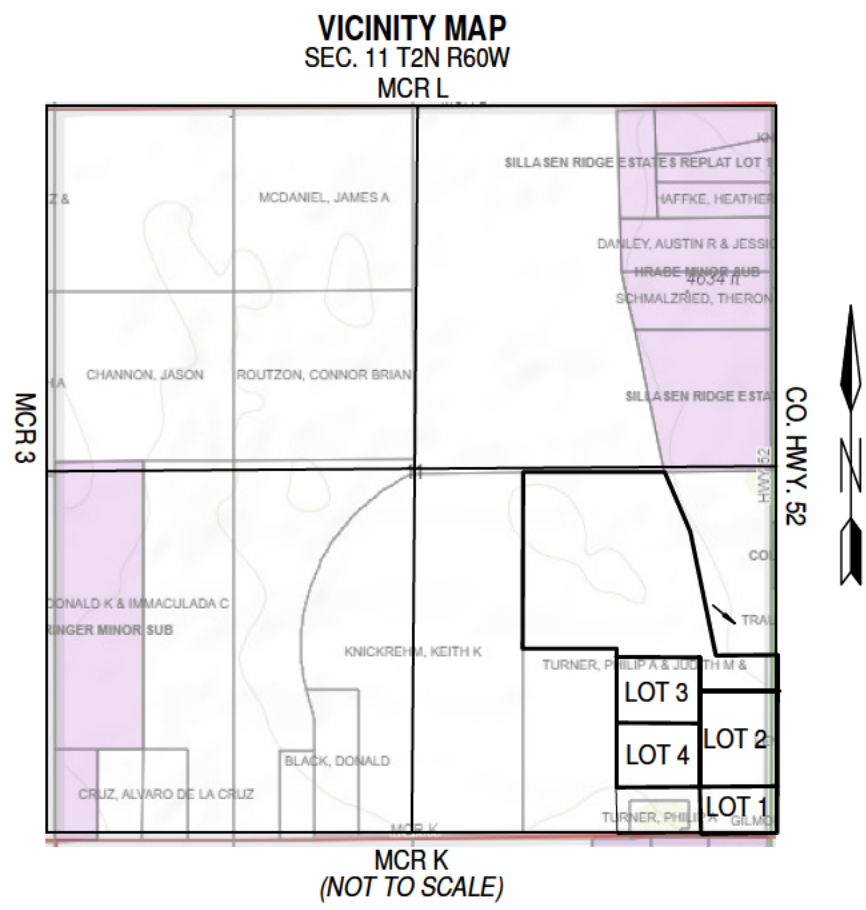
No homeowner's association will be formed. No covenants or restrictions beyond compliance with county land planning and zoning regulations are proposed.

SITE PLAN / MAPS

GREENER MINOR SUBDIVISION

MINOR SUBDIVISION #MS2025-XXXX

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 2 NORTH, RANGE 60 WEST OF THE 6TH P.M., COUNTY OF MORGAN, STATE OF COLORADO



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. 08087C0575D EFFECTIVE DATE: APRIL 4, 2016.

SURVEYOR'S NOTES:

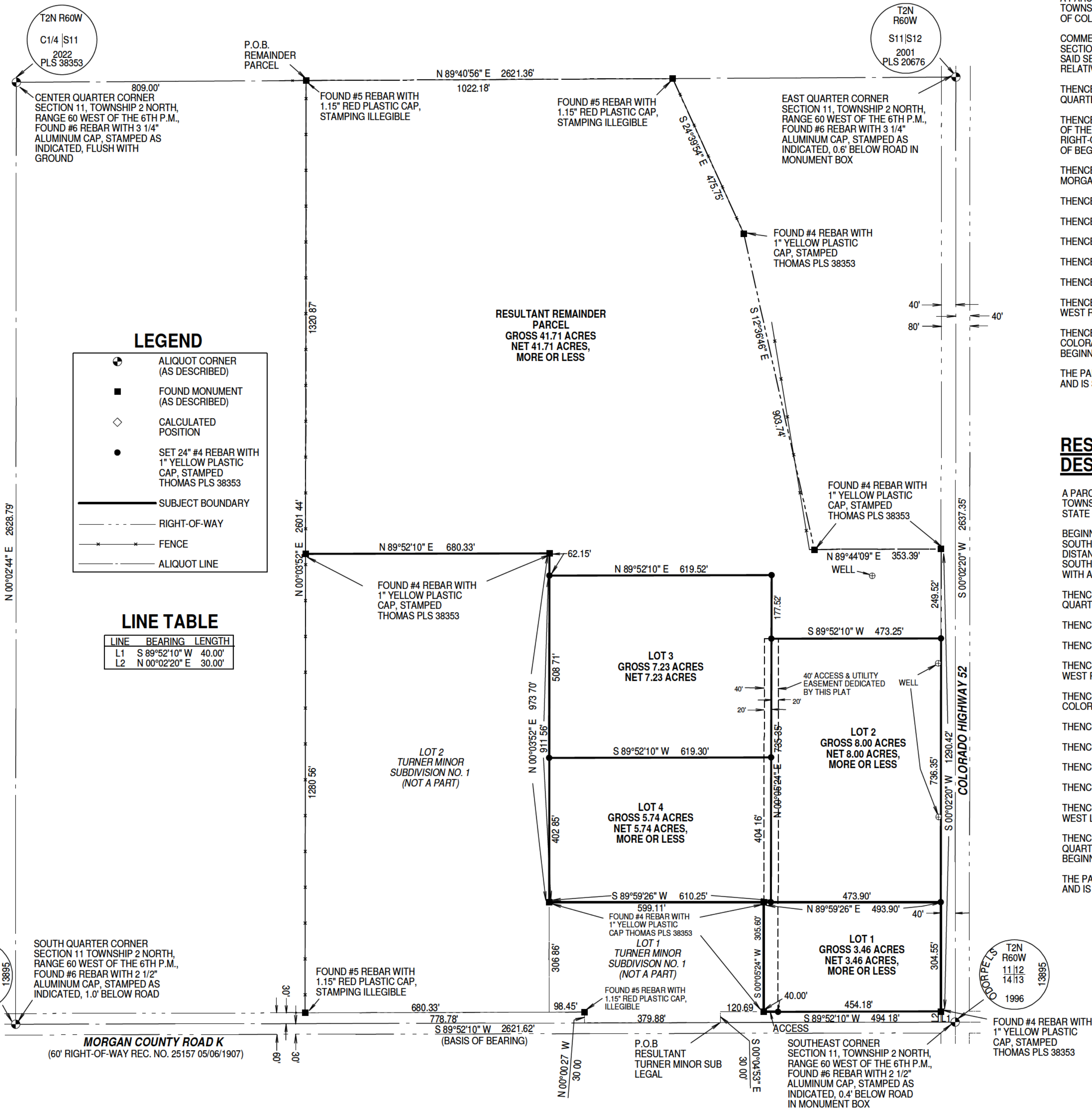
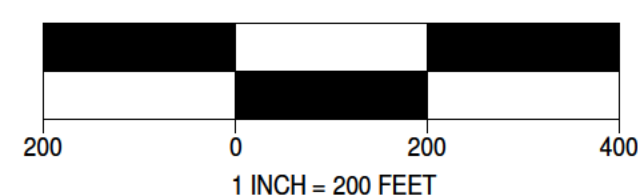
- THIS SURVEY WAS PREPARED WITH THE NORTHERN COLORADO TITLE SERVICES CO. TITLE COMMITMENT FILE NO. NCT25261 AND DATED NOVEMBER 6, 2024 AND DOES NOT CONSTITUTE A TITLE SEARCH BY THOMAS LAND SURVEYING, LLC. TO DETERMINE EASEMENTS OR TITLE OF RECORD. THOMAS LAND SURVEYING, LLC RELIED ON SAID COMMITMENT, 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 DEFACTS ANY PUBLIC LAND SURVEY MONUMENT AND/OR BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE, C.R.S. SEC 18-4-508. WHOEVER WILLFULLY DESTROYS, DEFACTS, 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.

NOTES:

MORGAN COUNTY IS NOT RESPONSIBLE FOR QUANTITY OR QUALITY OF WATER SUPPLIED TO THIS MINOR SUBDIVISION.
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

BASIS OF BEARINGS:

THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 2 NORTH, RANGE 60 WEST OF THE 6TH P.M., IS ASSUMED TO BEAR SOUTH 89°52'10" WEST, AND IS MONUMENTED AS INDICATED.



LEGEND

- ALLOT CORNER (AS DESCRIBED)
- FOUND MONUMENT (AS DESCRIBED)
- CALCULATED POSITION
- SET 24" #4 REBAR WITH 1" YELLOW PLASTIC CAP, STAMPED THOMAS PLS 38353
- SUBJECT BOUNDARY
- RIGHT-OF-WAY
- FENCE
- ALLOT LINE

LINE TABLE

LINE	BEARING	LENGTH
L1	S 89°52'10" W	40.00'
L2	N 00°02'20" E	30.00'

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 _____

RESULTANT METES AND BOUNDS LEGAL DESCRIPTION - TURNER MINOR SUBDIVISION

A PARCEL OF LAND BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 2 NORTH, RANGE 60 WEST OF THE 6TH P.M., COUNTY OF MORGAN, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 11, AND CONSIDERING THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 11 TO BEAR SOUTH 89°52'10" WEST WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE SOUTH 89°52'10" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 11, A DISTANCE OF 40.00 FEET;

THENCE NORTH 00°02'20" WEST A DISTANCE OF 30.00 FEET TO THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF COLORADO HIGHWAY 52 AND THE NORTH RIGHT-OF-WAY LINE OF MORGAN COUNTY ROAD K, SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH 89°52'10" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID MORGAN COUNTY ROAD K, A DISTANCE OF 494.18 FEET;

THENCE NORTH 00°05'24" EAST A DISTANCE OF 305.60 FEET;

THENCE SOUTH 89°59'26" WEST A DISTANCE OF 610.25 FEET;

THENCE NORTH 00°03'52" EAST A DISTANCE OF 911.56 FEET;

THENCE NORTH 89°52'10" EAST A DISTANCE OF 619.52 FEET;

THENCE SOUTH 00°05'24" WEST A DISTANCE OF 177.52 FEET;

THENCE NORTH 89°52'10" EAST A DISTANCE OF 473.25 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID COLORADO HIGHWAY 52;

THENCE SOUTH 00°02'20" WEST ALONG THE WEST RIGHT-OF-WAY LINE OF SAID COLORADO HIGHWAY 52, A DISTANCE OF 1,040.90 FEET TO THE POINT OF BEGINNING.

THE PARCEL OF LAND DESCRIBED ABOVE CONTAINS 24.43 ACRES, MORE OR LESS, AND IS SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

RESULTANT METES AND BOUNDS LEGAL DESCRIPTION - REMAINDER PARCEL

A PARCEL OF LAND BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 2 NORTH, RANGE 60 WEST OF THE 6TH P.M., COUNTY OF MORGAN, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FROM WHENCE THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 11 BEARS SOUTH 89°40'56" WEST A DISTANCE OF 809.00 FEET, AND CONSIDERING THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 11 TO BEAR NORTH 89°40'56" EAST WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE NORTH 89°40'56" EAST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 11, A DISTANCE OF 1,022.18 FEET;

THENCE SOUTH 24°39'54" EAST A DISTANCE OF 475.75 FEET;

THENCE SOUTH 12°36'46" EAST A DISTANCE OF 903.74 FEET;

THENCE NORTH 89°44'09" EAST A DISTANCE OF 353.39 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF COLORADO HIGHWAY 52;

THENCE SOUTH 00°02'20" WEST ALONG THE WEST RIGHT-OF-WAY OF SAID COLORADO HIGHWAY 52, A DISTANCE OF 249.52 FEET;

THENCE SOUTH 89°52'10" WEST A DISTANCE OF 473.25 FEET;

THENCE NORTH 00°05'24" EAST A DISTANCE OF 177.52 FEET;

THENCE SOUTH 89°52'10" WEST A DISTANCE OF 619.52 FEET;

THENCE NORTH 00°03'52" WEST A DISTANCE OF 62.15 FEET;

THENCE SOUTH 89°52'10" WEST A DISTANCE OF 680.33 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 11;

THENCE NORTH 00°03'52" EAST ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 11, A DISTANCE OF 1,320.87 FEET TO THE POINT OF BEGINNING.

THE PARCEL OF LAND DESCRIBED ABOVE CONTAINS 41.71 ACRES, MORE OR LESS, AND IS SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

OWNERSHIP AND DEDICATION CERTIFICATE:

I, THE UNDERSIGNED, BEING THE OWNER OF THE FOLLOWING DESCRIBED PARCELS OF LAND,

A PARCEL OF LAND BEING A PART OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 2 NORTH, RANGE 60 WEST OF THE 6TH P.M., COUNTY OF MORGAN, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

(PROVIDED BY WARRANTY DEED RECORDED DECEMBER 13, 2024 AT RECEPTION NO. 954295, MORGAN COUNTY RECORDS)

A PARCEL OF LAND BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 2 NORTH, RANGE 60 WEST OF THE 6TH P.M., COUNTY OF MORGAN, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 11, AND CONSIDERING THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 11 TO BEAR SOUTH 89°52'10" WEST WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE SOUTH 89°52'10" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 11, A DISTANCE OF 40.00 FEET;

THENCE NORTH 00°05'20" EAST A DISTANCE OF 30.00 FEET TO THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF MORGAN COUNTY ROAD K AND THE WEST RIGHT-OF-WAY LINE OF COLORADO HIGHWAY 52, SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH 89°52'10" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF MORGAN COUNTY ROAD K, A DISTANCE OF 494.18 FEET;

THENCE NORTH 00°05'24" EAST A DISTANCE OF 305.60 FEET;

THENCE SOUTH 89°59'26" WEST A DISTANCE OF 599.11 FEET;

THENCE NORTH 00°03'52" EAST A DISTANCE OF 973.70 FEET;

THENCE SOUTH 89°52'10" WEST A DISTANCE OF 680.33 FEET;

THENCE NORTH 00°03'52" EAST A DISTANCE OF 1,320.87 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 11;

THENCE SOUTH 24°39'54" EAST A DISTANCE OF 475.75 FEET;

THENCE SOUTH 12°36'46" EAST A DISTANCE OF 903.74 FEET;

THENCE NORTH 89°44'09" EAST A DISTANCE OF 353.39 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID COLORADO HIGHWAY 52;

THENCE SOUTH 00°02'20" WEST ALONG THE WEST RIGHT-OF-WAY LINE OF SAID COLORADO HIGHWAY 52, A DISTANCE OF 1,290.42 FEET TO THE POINT OF BEGINNING.

THE PARCELS OF LAND DESCRIBED ABOVE CONTAIN 66.14 ACRES, MORE OR LESS, AND IS SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD; HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED INTO LOTS, TRACTS, BLOCKS, STREETS/ROADS, AND EASEMENTS TO BE KNOWN AS THE PLAT OF GREENER MINOR SUBDIVISION, AND DO HEREBY GRANT AND CONVEY TO MORGAN COUNTY, AN EASEMENT OVER ANY AND ALL PRIVATE STREETS/ROADS AND RIGHTS-OF-WAY FOR THE PURPOSE OF PASSAGE OF SERVICE VEHICLES AND PAGES OF ALL VEHICLES AND PEDESTRIANS DURING AN EMERGENCY SITUATION. IT IS EXPRESSLY UNDERSTOOD THAT THE ACCEPTANCE OF THE DEDICATION OF THIS EASEMENT IS NOT TO BE CONSTRUED AS AN ACCEPTANCE BY THE COUNTY OF SAID PRIVATE STREETS/ROADS AND RIGHTS-OF-WAY FOR ANY OTHER PURPOSE INCLUDING MAINTENANCE PURPOSES. THE UTILITY EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED FOR PUBLIC UTILITIES AND CABLE COMMUNICATION SYSTEMS AND OTHER PURPOSES AS SHOWN HEREON. THE ENTITIES RESPONSIBLE FOR PROVIDING THE SERVICES FOR WHICH THE EASEMENTS ARE ESTABLISHED ARE HEREBY GRANTED PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AN TO ADJACENT PROPERTIES FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES.

EXECUTED THIS ____ DAY OF _____, 20____.

OWNER:

BUCK CREEK LANDCO, LLC
BY:

STATE OF COLORADO }
COUNTY OF MORGAN } SS.

THE FOREGOING CERTIFICATION WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY

OF _____, 20____, BY _____

WITNESS MY HAND AND OFFICIAL 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 _____

PROOF OF OWNERSHIP

Current Title Insurance Commitment



ALTA OWNER'S POLICY OF TITLE INSURANCE (07-01-2021)

ISSUED BY
STEWART TITLE GUARANTY COMPANY

This policy, when issued by the Company with a Policy Number and the Date of Policy, is valid even if this policy or any endorsement to this policy is issued electronically or lacks any signature.

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at the address shown in Condition 17.

COVERED RISKS

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

1. The Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. Covered Risk 2 includes, but is not limited to, insurance against loss from:
 - a. a defect in the Title caused by:
 - i. forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
 - ii. the failure of a person or Entity to have authorized a transfer or conveyance;
 - iii. a document affecting the Title not properly authorized, created, executed, witnessed, sealed, acknowledged, notarized (including by remote online notarization), or delivered;
 - iv. a failure to perform those acts necessary to create a document by electronic means authorized by law;
 - v. a document executed under a falsified, expired, or otherwise invalid power of attorney;
 - vi. a document not properly filed, recorded, or indexed in the Public Records, including the failure to have performed those acts by electronic means authorized by law;
 - vii. a defective judicial or administrative proceeding; or
 - viii. the repudiation of an electronic signature by a person that executed a document because the electronic signature on the document was not valid under applicable electronic transactions law.
 - b. the lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
 - c. the effect on the Title of an encumbrance, violation, variation, adverse circumstance, boundary line overlap, or encroachment (including an encroachment of an improvement across the boundary lines of the Land), but only if the encumbrance, violation, variation, adverse circumstance, boundary line overlap, or encroachment would have been disclosed by an accurate and complete land title survey of the Land.
3. Unmarketable Title.
4. No right of access to and from the Land.

Countersigned by:

Authorized Countersignature

Northern Colorado Title Services Co, Inc
Company Name

205 W Kiowa Avenue
Fort Morgan, CO 80701
City, State

For coverage information or assistance resolving a complaint, call (800) 729-1902 or visit www.stewart.com. To make a claim, furnish written notice in accordance with Section 3 of the Conditions.


Frederick H. Eppinger
President and CEO
David Hisey
Secretary

5. A violation or enforcement of a law, ordinance, permit, or governmental regulation (including those relating to building and zoning), but only to the extent of the violation or enforcement described by the enforcing governmental authority in an Enforcement Notice that identifies a restriction, regulation, or prohibition relating to:
 - a. the occupancy, use, or enjoyment of the Land;
 - b. the character, dimensions, or location of an improvement on the Land;
 - c. the subdivision of the Land; or
 - d. environmental remediation or protection on the Land.
6. An enforcement of a governmental forfeiture, police, regulatory, or national security power, but only to the extent of the enforcement described by the enforcing governmental authority in an Enforcement Notice.
7. An exercise of the power of eminent domain, but only to the extent:
 - a. of the exercise described in an Enforcement Notice; or
 - b. the taking occurred and is binding on a purchaser for value without Knowledge.
8. An enforcement of a PACA-PSA Trust, but only to the extent of the enforcement described in an Enforcement Notice.
9. The Title being vested other than as stated in Schedule A, the Title being defective, or the effect of a court order providing an alternative remedy:
 - a. resulting from the avoidance, in whole or in part, of any transfer of all or any part of the Title to the Land or any interest in the Land occurring prior to the transaction vesting the Title because that prior transfer constituted a:
 - i. fraudulent conveyance, fraudulent transfer, or preferential transfer under federal bankruptcy, state insolvency, or similar state or federal creditors' rights law; or
 - ii. voidable transfer under the Uniform Voidable Transactions Act; or
 - b. because the instrument vesting the Title constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar state or federal creditors' rights law by reason of the failure:
 - i. to timely record the instrument vesting the Title in the Public Records after execution and delivery of the instrument to the Insured; or
 - ii. of the recording of the instrument vesting the Title in the Public Records to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.
10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to the Date of Policy and prior to the recording of the deed or other instrument vesting the Title in the Public Records.

DEFENSE OF COVERED CLAIMS

The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this policy, but only to the extent provided in the Conditions.

EXCLUSIONS FROM COVERAGE

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

1. a any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
 - i. the occupancy, use, or enjoyment of the Land;
 - ii. the character, dimensions, or location of any improvement on the Land;
 - iii. the subdivision of land; or
 - iv. environmental remediation or protection.
- b. any governmental forfeiture, police, regulatory, or national security power.
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.
Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
 - a. created, suffered, assumed, or agreed to by the Insured Claimant;
 - b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - c. resulting in no loss or damage to the Insured Claimant;
 - d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 9 or 10); or
 - e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser had been given for the Title at the Date of Policy.



4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction vesting the Title as shown in Schedule A is a:
 - a. fraudulent conveyance or fraudulent transfer;
 - b. voidable transfer under the Uniform Voidable Transactions Act; or
 - c. preferential transfer:
 - i. to the extent the instrument of transfer vesting the Title as shown in Schedule A is not a transfer made as a contemporaneous exchange for new value; or
 - ii. for any other reason not stated in Covered Risk 9.b.
5. Any claim of a PACA-PSA Trust. Exclusion 5 does not modify or limit the coverage provided under Covered Risk 8.
6. Any lien on the Title for real estate taxes or assessments imposed or collected by a governmental authority that becomes due and payable after the Date of Policy. Exclusion 6 does not modify or limit the coverage provided under Covered Risk 2.b.
7. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

CONDITIONS

1. DEFINITION OF TERMS

In this policy, the following terms have the meanings given to them below. Any defined term includes both the singular and the plural, as the context requires:

- a. "Affiliate": An Entity:
 - i. that is wholly owned by the Insured;
 - ii. that wholly owns the Insured; or
 - iii. if that Entity and the Insured are both wholly owned by the same person or entity.
- b. "Amount of Insurance": The Amount of Insurance stated in Schedule A, as may be increased by Condition 8.d. or decreased by Condition 10 or 11; or increased or decreased by endorsements to this policy.
- c. "Date of Policy": The Date of Policy stated in Schedule A.
- d. "Discriminatory Covenant": Any covenant, condition, restriction, or limitation that is unenforceable under applicable law because it illegally discriminates against a class of individuals based on personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or other legally protected class.
- e. "Enforcement Notice": A document recorded in the Public Records that describes any part of the Land and:
 - i. is issued by a governmental agency that identifies a violation or enforcement of a law, ordinance, permit, or governmental regulation;
 - ii. is issued by a holder of the power of eminent domain or a governmental agency that identifies the exercise of a governmental power; or
 - iii. asserts a right to enforce a PACAPSA Trust.
- f. "Entity": A corporation, partnership, trust, limited liability company, or other entity authorized by law to own title to real property in the State where the Land is located.
- g. "Insured":
 - i.
 - (a). The Insured named in Item 1 of Schedule A;
 - (b). the successor to the Title of an Insured by operation of law as distinguished from purchase, including heirs, devisees, survivors, personal representatives, or next of kin;
 - (c). the successor to the Title of an Insured resulting from dissolution, merger, consolidation, distribution, or reorganization;
 - (d). the successor to the Title of an Insured resulting from its conversion to another kind of Entity; or
 - (e). the grantee of an Insured under a deed or other instrument transferring the Title, if the grantee is:
 - (1). an Affiliate;
 - (2). a trustee or beneficiary of a trust created by a written instrument established for estate planning purposes by an Insured;
 - (3). a spouse who receives the Title because of a dissolution of marriage;
 - (4). a transferee by a transfer effective on the death of an Insured as authorized by law; or
 - (5). another Insured named in Item 1 of Schedule A.
 - ii. The Company reserves all rights and defenses as to any successor or grantee that the Company would have had against any predecessor Insured.
- h. "Insured Claimant": An Insured claiming loss or damage arising under this policy.
- i. "Knowledge" or "Known": Actual knowledge or actual notice, but not constructive notice imparted by the Public Records.
- j. "Land": The land described in Item 4 of Schedule A and improvements located on that land at the Date of Policy that by State law constitute real property. The term "Land" does not include any property beyond that described in Schedule A, nor any right, title, interest, estate, or easement in any abutting street, road, avenue, alley, lane, right-of-way, body of water, or waterway, but does not modify or limit the extent that a right of access to and from the Land is insured by this policy.

- k. "Mortgage": A mortgage, deed of trust, trust deed, security deed, or other real property security instrument, including one evidenced by electronic means authorized by law.
- l. "PACA-PSA Trust": A trust under the federal Perishable Agricultural Commodities Act or the federal Packers and Stockyards Act or a similar State or federal law.
- m. "Public Records": The recording or filing system established under State statutes in effect at the Date of Policy under which a document must be recorded or filed to impart constructive notice of matters relating to the Title to a purchaser for value without Knowledge. The term "Public Records" does not include any other recording or filing system, including any pertaining to environmental remediation or protection, planning, permitting, zoning, licensing, building, health, public safety, or national security matters.
- n. "State": The state or commonwealth of the United States within whose exterior boundaries the Land is located. The term "State" also includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and Guam.
- o. "Title": The estate or interest in the Land identified in Item 2 of Schedule A.
- p. "Unmarketable Title": The Title affected by an alleged or apparent matter that would permit a prospective purchaser or lessee of the Title or a lender on the Title to be released from the obligation to purchase, lease, or lend if there is a contractual condition requiring the delivery of marketable title.

2. CONTINUATION OF COVERAGE

This policy continues as of the Date of Policy in favor of an Insured, so long as the Insured:

- a. retains an estate or interest in the Land;
- b. owns an obligation secured by a purchase money Mortgage given by a purchaser from the Insured; or
- c. has liability for warranties given by the Insured in any transfer or conveyance of the Insured's Title.

Except as provided in Condition 2, this policy terminates and ceases to have any further force or effect after the Insured conveys the Title. This policy does not continue in force or effect in favor of any person or entity that is not the Insured and acquires the Title or an obligation secured by a purchase money Mortgage given to the Insured.

3. NOTICE OF CLAIM TO BE GIVEN BY INSURED CLAIMANT

The Insured must notify the Company promptly in writing if the Insured has Knowledge of:

- a. any litigation or other matter for which the Company may be liable under this policy; or
- b. any rejection of the Title as Unmarketable Title.

If the Company is prejudiced by the failure of the Insured Claimant to provide prompt notice, the Company's liability to the Insured Claimant under this policy is reduced to the extent of the prejudice.

4. PROOF OF LOSS

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

5. DEFENSE AND PROSECUTION OF ACTIONS

- a. Upon written request by the Insured and subject to the options contained in Condition 7, the Company, at its own cost and without unreasonable delay, will provide for the defense of an Insured in litigation in which any third party asserts a claim covered by this policy adverse to the Insured. This obligation is limited to only those stated causes of action alleging matters insured against by this policy. The Company has the right to select counsel of its choice (subject to the right of the Insured to object for reasonable cause) to represent the Insured as to those covered causes of action. The Company is not liable for and will not pay the fees of any other counsel. The Company will not pay any fees, costs, or expenses incurred by the Insured in the defense of any cause of action that alleges matters not insured against by this policy.
- b. The Company has the right, in addition to the options contained in Condition 7, at its own cost, to institute and prosecute any action or proceeding or to do any other act that, in its opinion, may be necessary or desirable to establish the Title, as insured, or to prevent or reduce loss or damage to the Insured. The Company may take any appropriate action under the terms of this policy, whether or not it is liable to the Insured. The Company's exercise of these rights is not an admission of liability or waiver of any provision of this policy. If the Company exercises its rights under Condition 5.b., it must do so diligently.
- c. When the Company brings an action or asserts a defense as required or permitted by this policy, the Company may pursue the litigation to a final determination by a court having jurisdiction. The Company reserves the right, in its sole discretion, to appeal any adverse judgment or order.

6. DUTY OF INSURED CLAIMANT TO COOPERATE

- a. When this policy permits or requires the Company to prosecute or provide for the defense of any action or proceeding and any appeals, the Insured will secure to the Company the right to prosecute or provide defense in the action or proceeding, including the right to use, at its option, the name of the Insured for this purpose.

When requested by the Company, the Insured, at the Company's expense, must give the Company all reasonable aid in:

- i. securing evidence, obtaining witnesses, prosecuting or defending the action or proceeding, or effecting settlement; and
- ii. any other lawful act that in the opinion of the Company may be necessary or desirable to establish the Title or any other matter, as insured.

If the Company is prejudiced by any failure of the Insured to furnish the required cooperation, the Company's liability and obligations to the Insured under this policy terminate, including any obligation to defend, prosecute, or continue any litigation, regarding the matter requiring such cooperation.

- b. The Company may reasonably require the Insured Claimant to submit to examination under oath by any authorized representative of the Company and to produce for examination, inspection, and copying, at such reasonable times and places as may be designated by the authorized representative of the Company, all records, in whatever medium maintained, including books, ledgers, checks, memoranda, correspondence, reports, e-mails, disks, tapes, and videos, whether bearing a date before or after the Date of Policy, that reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Insured Claimant must grant its permission, in writing, for any authorized representative of the Company to examine, inspect, and copy all the records in the custody or control of a third party that reasonably pertain to the loss or damage. No information designated in writing as confidential by the Insured Claimant provided to the Company pursuant to Condition 6 will be later disclosed to others unless, in the reasonable judgment of the Company, disclosure is necessary in the administration of the claim or required by law. Any failure of the Insured Claimant to submit for examination under oath, produce any reasonably requested information, or grant permission to secure reasonably necessary information from third parties as required in Condition 6.b., unless prohibited by law, terminates any liability of the Company under this policy as to that claim.

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

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

- a. *To Pay or Tender Payment of the Amount of Insurance*

To pay or tender payment of the Amount of Insurance under this policy. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment or tender of payment and that the Company is obligated to pay.

Upon the exercise by the Company of this option provided for in Condition 7.a., the Company's liability and obligations to the Insured under this policy terminate, including any obligation to defend, prosecute, or continue any litigation.

- b. *To Pay or Otherwise Settle with Parties other than the Insured or with the Insured Claimant*

i. To pay or otherwise settle with parties other than the Insured for or in the name of the Insured Claimant. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay; or

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

Upon the exercise by the Company of either option provided for in Condition 7.b., the Company's liability and obligations to the Insured under this policy for the claimed loss or damage terminate, including any obligation to defend, prosecute, or continue any litigation.

8. CONTRACT OF INDEMNITY; DETERMINATION AND EXTENT OF LIABILITY

This policy is a contract of indemnity against actual monetary loss or damage sustained or incurred by an Insured Claimant who has suffered loss or damage by reason of matters insured against by this policy. This policy is not an abstract of the Title, report of the condition of the Title, legal opinion, opinion of the Title, or other representation of the status of the Title. All claims asserted under this policy are based in contract and are restricted to the terms and provisions of this policy. The Company is not liable for any claim alleging negligence or negligent misrepresentation arising from or in connection with this policy or the determination of the insurability of the Title.

- a. The extent of liability of the Company for loss or damage under this policy does not exceed the lesser of:

- i. the Amount of Insurance; or
- ii. the difference between the fair market value of the Title, as insured, and the fair market value of the Title subject to the matter insured against by this policy.

- b. Except as provided in Condition 8.c. or 8.d., the fair market value of the Title in Condition 8.a.ii. is calculated using the date the Insured discovers the defect, lien, encumbrance, adverse claim, or other matter insured against by this policy.

- c. If, at the Date of Policy, the Title to all of the Land is void by reason of a matter insured against by this policy, then the Insured Claimant may, by written notice given to the Company, elect to use the Date of Policy as the date for calculating the fair market value of the Title in Condition 8.a.ii.

- d. If the Company pursues its rights under Condition 5.b. and is unsuccessful in establishing the Title, as insured:
 - i. the Amount of Insurance will be increased by 15%; and
 - ii. the Insured Claimant may, by written notice given to the Company, elect, as an alternative to the dates set forth in Condition 8.b. or, if it applies, 8.c., to use either the date the settlement, action, proceeding, or other act described in Condition 5.b. is concluded or the date the notice of claim required by Condition 3 is received by the Company as the date for calculating the fair market value of the Title in Condition 8.a.ii.
- e. In addition to the extent of liability for loss or damage under Conditions 8.a. and 8.d., the Company will also pay the costs, attorneys' fees, and expenses incurred in accordance with Conditions 5 and 7.

9. LIMITATION OF LIABILITY

- a. The Company fully performs its obligations and is not liable for any loss or damage caused to the Insured if the Company accomplishes any of the following in a reasonable manner:
 - i. removes the alleged defect, lien, encumbrance, adverse claim, or other matter;
 - ii. cures the lack of a right of access to and from the Land; or
 - iii. cures the claim of Unmarketable Title,all as insured. The Company may do so by any method, including litigation and the completion of any appeals.
- b. The Company is not liable for loss or damage arising out of any litigation, including litigation by the Company or with the Company's consent, until a State or federal court having jurisdiction makes a final, nonappealable determination adverse to the Title.
- c. The Company is not liable for loss or damage to the Insured for liability voluntarily assumed by the Insured in settling any claim or suit without the prior written consent of the Company.
- d. The Company is not liable for the content of the Transaction Identification Data, if any.

10. REDUCTION OR TERMINATION OF INSURANCE

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

11. LIABILITY NONCUMULATIVE

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

12. PAYMENT OF LOSS

When liability and the extent of loss or damage are determined in accordance with the Conditions, the Company will pay the loss or damage within 30 days.

13. COMPANY'S RECOVERY AND SUBROGATION RIGHTS UPON SETTLEMENT AND PAYMENT

- a. If the Company settles and pays a claim under this policy, it is subrogated and entitled to the rights and remedies of the Insured Claimant in the Title and all other rights and remedies in respect to the claim that the Insured Claimant has against any person, entity, or property to the fullest extent permitted by law, but limited to the amount of any loss, costs, attorneys' fees, and expenses paid by the Company. If requested by the Company, the Insured Claimant must execute documents to transfer these rights and remedies to the Company. The Insured Claimant permits the Company to sue, compromise, or settle in the name of the Insured Claimant and to use the name of the Insured Claimant in any transaction or litigation involving these rights and remedies.
- b. If a payment on account of a claim does not fully cover the loss of the Insured Claimant, the Company defers the exercise of its subrogation right until after the Insured Claimant fully recovers its loss.
- c. The Company's subrogation right includes the Insured's rights to indemnity, guaranty, warranty, insurance policy, or bond, despite any provision in those instruments that addresses recovery or subrogation rights.

14. POLICY ENTIRE CONTRACT

- a. This policy together with all endorsements, if any, issued by the Company is the entire policy and contract between the Insured and the Company. In interpreting any provision of this policy, this policy will be construed as a whole. This policy and any endorsement to this policy may be evidenced by electronic means authorized by law.
- b. Any amendment of this policy must be by a written endorsement issued by the Company. To the extent any term or provision of an endorsement is inconsistent with any term or provision of this policy, the term or provision of the endorsement controls. Unless the endorsement expressly states, it does not:
 - i. modify any prior endorsement,
 - ii. extend the Date of Policy,
 - iii. insure against loss or damage exceeding the Amount of Insurance, or
 - iv. increase the Amount of Insurance.



15. SEVERABILITY

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

16. CHOICE OF LAW AND CHOICE OF FORUM

a. *Choice of Law*

The Company has underwritten the risks covered by this policy and determined the premium charged in reliance upon the State law affecting interests in real property and the State law applicable to the interpretation, rights, remedies, or enforcement of policies of title insurance of the State where the Land is located.

The State law of the State where the Land is located, or to the extent it controls, federal law, will determine the validity of claims against the Title and the interpretation and enforcement of the terms of this policy, without regard to conflicts of law principles to determine the applicable law.

b. *Choice of Forum*

Any litigation or other proceeding brought by the Insured against the Company must be filed only in a State or federal court having jurisdiction.

17. NOTICES

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

18. CLASS ACTION

ALL CLAIMS AND DISPUTES ARISING OUT OF OR RELATING TO THIS POLICY, INCLUDING ANY SERVICE OR OTHER MATTER IN CONNECTION WITH ISSUING THIS POLICY, ANY BREACH OF A POLICY PROVISION, OR ANY OTHER CLAIM OR DISPUTE ARISING OUT OF OR RELATING TO THE TRANSACTION GIVING RISE TO THIS POLICY, MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS, REPRESENTATIVE, OR PRIVATE ATTORNEY GENERAL PROCEEDING.

19. ARBITRATION

a. All claims and disputes arising out of or relating to this policy, including any service or other matter in connection with issuing this policy, any breach of a policy provision, or any other claim or dispute arising out of or relating to the transaction giving rise to this policy, may be resolved by arbitration. If the Amount of Insurance is \$2,000,000 or less, any claim or dispute may be submitted to binding arbitration at the election of either the Company or the Insured. If the Amount of Insurance is greater than \$2,000,000, any claim or dispute may be submitted to binding arbitration only when agreed to by both the Company and the Insured. Arbitration must be conducted pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("ALTA Rules"). The ALTA Rules are available online at www.alta.org/arbitration. The ALTA Rules incorporate, as appropriate to a particular dispute, the Consumer Arbitration Rules and Commercial Arbitration Rules of the American Arbitration Association ("AAA Rules"). The AAA Rules are available online at www.adr.org.

b. ALL CLAIMS AND DISPUTES MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS, REPRESENTATIVE, OR PRIVATE ATTORNEY GENERAL PROCEEDING IN ANY ARBITRATION GOVERNED BY CONDITION 19. The arbitrator does not have authority to conduct any class action arbitration, private attorney general arbitration, or arbitration involving joint or consolidated claims under any circumstance.

c. *If there is a final judicial determination that a request for particular relief cannot be arbitrated in accordance with this Condition 19, then only that request for particular relief may be brought in court. All other requests for relief remain subject to this Condition 19.*

d. The Company will pay all AAA filing, administration, and arbitrator fees of the consumer when the arbitration seeks relief of \$100,000 or less. Other fees will be allocated in accordance with the applicable AAA Rules. The results of arbitration will be binding upon the parties. The arbitrator may consider, but is not bound by, rulings in prior arbitrations involving different parties. The arbitrator is bound by rulings in prior arbitrations involving the same parties to the extent required by law. The arbitrator must issue a written decision sufficient to explain the findings and conclusions on which the award is based. Judgment upon the award rendered by the arbitrator may be entered in any State or federal court having jurisdiction.



OWNER'S POLICY OF TITLE INSURANCE

ISSUED BY
STEWART TITLE GUARANTY COMPANY

File No.: NCT25261

Policy No.: O-9010-000315359

Transaction Identification Data, for which the Company assumes no liability as set forth in Condition 9.d.:

Issuing Agent: **Northern Colorado Title Services Co., Inc.**
Issuing Office: **205 W. Kiowa Avenue, Fort Morgan, CO 80701**
Issuing Office 's ALTA® Registry ID: **0044474**
Issuing Office File No.: **NCT25261**
Property Address: **VACANT, Wiggins, CO 80654**

SCHEDULE A

Name and Address of Title Insurance Company: **Stewart Title Guaranty Company**
9700 Bissonnet Street, Suite 150, Mail Code: Policies 187
Houston, TX 77036

Policy No.: **O-9010-000315359**

Premium: **\$933.00**

Amount of Insurance: **\$185,000.00**

Date of Policy: **December 13, 2024 at 04:00 PM**

1. The Insured is:

BUCK CREEK LANDCO, LLC

2. The estate or interest in the Land encumbered by this policy is:

Fee Simple

3. The Title is vested in:

BUCK CREEK LANDCO, LLC

4. The Land is described as follows:

A PARCEL OF LAND BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 2 NORTH, RANGE 60 WEST OF THE 6TH P.M., COUNTY OF MORGAN, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 11, AND CONSIDERING THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 11 TO BEAR SOUTH 89°52'10" WEST WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE SOUTH 89°52'10" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 11, A DISTANCE OF 40.00 FEET;

THENCE NORTH 00°05'20" EAST A DISTANCE OF 30.00 FEET TO THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF MORGAN COUNTY ROAD K AND THE WEST RIGHT-OF-WAY LINE OF

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OWNER'S POLICY OF TITLE INSURANCE

ISSUED BY
STEWART TITLE GUARANTY COMPANY

File No.: NCT25261

Policy No.: O-9010-000315359

SCHEDULE B

Policy No.: O-9010-000315359

EXCEPTIONS FROM COVERAGE

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This policy treats any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document are excepted from coverage.

This policy does not insure against loss or damage and the Company will not pay costs, attorneys' fees, or expenses resulting from the terms and conditions of any lease or easement identified in Schedule A, and the following matters:

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

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

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SCHEDULE B

(Continued)

8. Right of way for road purposes as specified in that road petition recorded July 30, 1909 in Book 73 at page 15, said road to be not less than 60 feet in width.
9. Right of way whether in fee or easement only, for all purposes connected with the construction, operation and maintenance of the lower Nile Lateral, as granted to The Nile Irrigation District by J. Casey, in instrument recorded November 28, 1915 in Book 108 at page 551.
10. Right of way for road purposes as specified in that road petition recorded February 6, 1913 in Book 73 at page 42, said road to be not less than 60 feet in width.
11. Reservation of right of way for ditches or canals constructed by the authority of the United States, in U.S. Patent recorded July 3, 1918 in Book 107 at page 475.
12. Right of way for road purposes as shown in Quit Claim Deed from ANNA C BAER and ROBERT A. BAER to the COUNTY OF MORGAN, recorded January 4, 1950 in Book 466 at page 258.
13. Undivided 1/4 interest in all oil, gas and other mineral rights, as conveyed by ROBERT A. BAER and ANNA C. BAER, the same person as ANNA BAER in Deed to EDWIN W. OLSON, TRUSTEE OF RUSSELL STATE BANK, RUSSELL, KANSAS, recorded July 16, 1954 in Book 536 at page 165, and any and all assignments thereof or interests therein.
14. Undivided 1/4 interest in all oil, gas and other mineral rights, together with the right of ingress for a period of 15 years, as reserved by ROBERT A. BAER and ANNA C. BAER in Deed to FRANKLIN L. WEINGARDT and RITA C. WEINGARDT, recorded December 30, 1974 in Book 748 at page 452, and any and all assignments thereof or interests therein.
15. Oil and gas lease between ESTATE OF ANNA C. BAER, by her Executor RAYMOND R. BAER and MICHAEL S. WEBSTER, recorded February 15, 1991 in Book 929 at page 540, and any and all assignments thereof or interests therein.
16. Undivided 1/2 interest in all oil, gas and other mineral rights, as reserved by RAYMOND R. BAER as Personal Representative of the Estate of ANNA C. BAER in Deed to JACKSON H. WITTJEN, recorded August 23, 1991 in Book 935 at page 492, and any and all assignments thereof or interest therein.
17. NOTE: The following notices pursuant to CRS 9-1.5 103 concerning underground facilities have been filed with the Clerk and Recorder. These statements are general and do not necessarily give notice of underground facilities within the subject property:
(A) MOUNTAIN BELL TELEPHONE COMPANY RECORDED OCTOBER 2, 1981 IN BOOK 821 AT PAGE 502;
(B) PUBLIC SERVICE COMPANY OF COLORADO RECORDED OCTOBER 2, 1981 IN BOOK 821 AT PAGE 514;
(C) WIGGINS TELEPHONE ASSOCIATION, RECORDED OCTOBER 9, 1992 IN BOOK 947 AT PAGE 824.

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UTILITIES / ACCESS

Water

Septic

Electric

Driveways



Jay Greener [REDACTED]

Water Service Availability Inquiry - Highway 52 and County Road K

13 messages

Jay Greener [REDACTED]
To: Kent Pflager [REDACTED]

Thu, Oct 24, 2024 at 9:32 AM

Hi Kent

I am writing to inquire about water service availability for a potential development at the corner of Highway 52 and County Road K, south of Wiggins. I am interested in obtaining four residential water taps for this location.

Before proceeding with a formal engineering study, I would appreciate any preliminary information you can provide:

1. Is there a main water line near this intersection?
2. Are water taps currently available in this service area, or is the system at capacity?
3. If an engineering study is required, what is the typical timeframe for completion?

I understand that a full engineering study would require payment and formal application. However, any preliminary guidance you can offer regarding service availability would be very helpful in my planning process.

Thank you for your assistance with this inquiry.

--

Jay Greener

[REDACTED] (text is best)



Kent Pflager [REDACTED]
To: Jay Greener [REDACTED]

Thu, Oct 24, 2024 at 10:35 AM

Thanks for the inquiry

1. Yes we have a mainline running down 52 and smaller lines running east and west on K
2. We are currently limited to the number of taps we can serve in this area and only have 8 taps left in the area south of road M. They will be sold on a first come first serve basis.
3. Engineering will be required for service; the cost is \$400.00 for the first tap and \$50.00 for each additional tap. This engineering will lock in the availability and price (currently \$63,000.00) for a term of six months. I have included the tap application and cross connection questionnaire if you want to begin this process which typically takes about two - Three weeks to complete.

Kent A Pflager

General Manager

Morgan County Quality Water District

P.O. Box 1218 17586 MCR 20

Fort Morgan, CO 80701

Phone: [REDACTED]


Fax: 970-867-3055

Cell: [REDACTED]

Email: [REDACTED]

[Quoted text hidden]

2 attachments

 Tap Application Template (3-15-18) (2) Accessible.pdf
963K

 Cross-Connection Backflow Prevention Questionnaire (2).pdf
242K

Jay Greener [REDACTED]
To: Kent Pflager [REDACTED]

Thu, Oct 24, 2024 at 11:00 AM

Kent thank you so much for the prompt and thorough response...exactly what I was looking for. I'll get back to you with this app as soon as possible...thx.j

[Quoted text hidden]

Jay Greener [redacted]
To: Kent Pflager [redacted]

Fri, Nov 1, 2024 at 7:34 AM

Hi Kent,

Please find attached application. Wet ink and check in the mail today, should see it next week...thx.j

On Thu, Oct 24, 2024 at 10:35 AM Kent Pflager [redacted] wrote:

[Quoted text hidden]

[Quoted text hidden]

 quality water tap application, signed, paid.pdf
1674K

Kent Pflager [redacted]
To: Jay Greener [redacted]

Fri, Nov 1, 2024 at 8:02 AM

Jay, Thanks so much for the application. Our district requires that the meter be installed on the property being served so we will need a plat map with utility easement showing each lot so that we can design the mainline extensions to each of the five lots. Please call me if you have any questions.

[Quoted text hidden]

[Quoted text hidden]

Jay Greener [redacted]
To: Kent Pflager [redacted]

Fri, Nov 1, 2024 at 8:20 AM

Hi Kent,

Thank you for your time this morning on the phone.

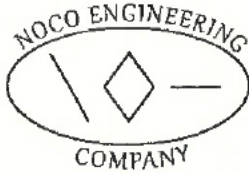
If you would, please follow up with a preliminary approval for the five taps. I will get you the final plat with meter locations as soon as I get the entry permits designed off of Highway 52 and County Road K. This will determine the lot shapes, and then we can get meter locations based on that plat.

Thanks again!

j
[Quoted text hidden]

Kent Pflager [redacted]
To: Jay Greener [redacted]

Fri, Nov 1, 2024 at 8:24 AM



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

File No: 24-006.05

Commercial Request

December 26, 2024

Secondary Plat Review Required

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

12-30-24
OK
km

ATTN: Kent Pflager, Manager

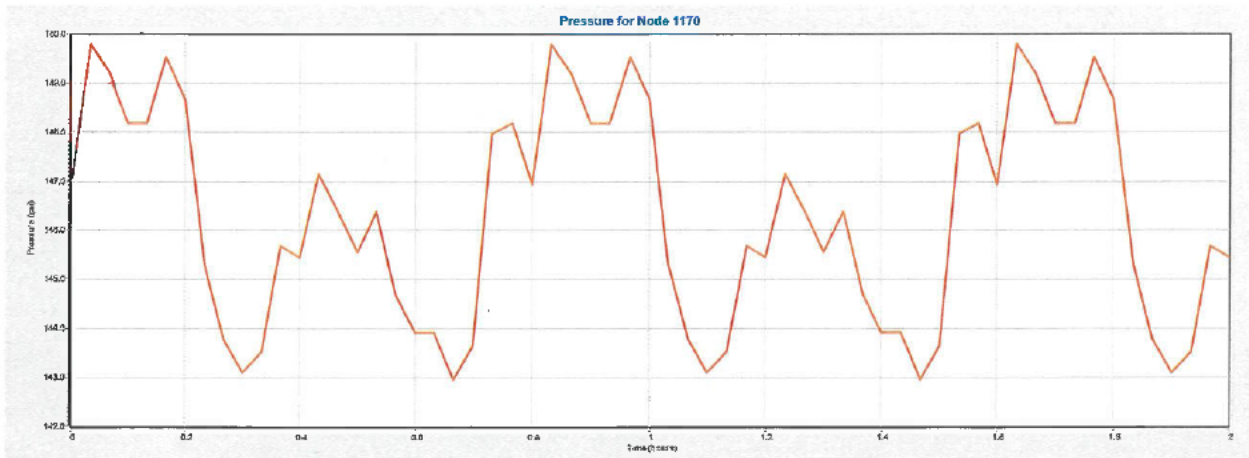
RE: Tap Request 2024-37 – Node 1170

Dear Kent:

The analysis for the following tap request has been completed:

Applicant	No. of Requested Taps	Location
Jay Greener	6 – 5/8" Taps	Highway 52 and MCR K

The original request (24-030) was for five (5) 5/8" taps for a proposed subdivision on the northwest corner of Highway 52 and MCR K. They would like to make this a total of six (6) 5/8" taps for a proposed subdivision on the northwest corner of Highway 52 and MCR K. There are two adjacent lines to the property an eight-inch (8") on Highway 52 and a two and half-inch (2.5") on MCR K. The existing pressures in the area are between 143 psi and 150 psi. With the proposed taps added to the model the system pressures will be 143 psi to 149 psi.



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)	41	41

* Spreadsheet was modified which changes the values 2/3/24

System Improvements required to serve this request:

A line extension will be required to serve the proposed property. Without having a plat of the proposed subdivision, it cannot be determined how much line extension is required. The line extension will be a four-inch (4") C900 DR 14 PVC with valving and a blow-off located at the end of the line. The extension can connect to either the two and half-inch (2.5") line on MCR K or the eight-inch (8") line on Highway 52. There are a limited number of taps in this area as it is south of the Wiggins Pump Station.

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 recorded through the county. The plat shall show all lot lines, designated utility easements, rights-of-way(s) and other items as determined by the District to serve the proposed subdivision. The location of the meter(s) 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 180 days of the date of this correspondence. Otherwise, the tap request will be removed from the model and the tap request will be considered to have expired and be cancelled unless the board approves an extension of the request. 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 0.7acre 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



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

February 19, 2025

Jay Greener
Buck Creek Land CO, LLC
P.O. Box 652 Erie, CO 80516

Dear Mr. Greener,

Northeast Colorado Health Department (NCHD) has no objection to the Greener Minor Sub-division consisting of four lots, located in the S/E 1/4 of section 11, Township 2N, Range 60W of the 6th P.M., Morgan County, Colorado. Total acres involved are approximately 24.74.

Lot one will be approximately 3.46 acres and vacant. Potable water will be served by the Morgan County Quality Water District.

Lot two will be approximately 8.00 acres and vacant. Potable water will be served by the Morgan County Quality Water District.

Lot three will be approximately 7.23 acres and vacant. Potable water will be served by the Morgan County Quality Water District.

Lot four will be approximately 5.74 acres and vacant. Potable water will be served by the Morgan County Quality Water District.

Prior to building a residence on lots one, two, three and four, 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.**

Sincerely,
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".

Melvin Bustos
Environmental Health Manager
Northeast Colorado Health Department

Rev 2/19/2025



Morgan County Rural Electric Association

734 Barlow Road · P.O. Box 738 · Fort Morgan, Colorado 80701

(970) 867-5688 · FAX: (970) 867-3277 · e-mail: customerservice@mcrea.org



A Touchstone Energy® Cooperative
The power of human connections®

November 14, 2024

Jay Greener
150 Wells Street
Erie, CO 80516

**RE: Certification of Electric Power
SW ¼, Sec 11, T02N, R60W
Jay Greener**

This letter is in regard to a request to provide certification to the Morgan County Planning and Zoning Commission, that we can provide sufficient electric power for Jay Greener in the Southwest Quarter of Section 11, Township 02 North, Range 60 West and any future divided parcels of current parcel 129711000019.

Morgan County REA presently has electric distribution lines near this property, and will be able to provide electric service to the proposed site.

We hope this letter will suffice. If we can be of any further assistance, please feel free to contact the office.

Sincerely,

Brent Kliesen
Field Engineer
Morgan County REA
734 Barlow Road
PO Box 738
Fort Morgan, CO 80701
970-867-5688 (Office)



Approved Driveway Access Permit
Morgan County, Colorado

Driveway Access Code:	DRVK-0.899-N-4	Date:	1-23-25
Property Owner (Permittee):			
Name:	Buck Creek Land CO, LLC (Jay Greener Manager)		
Address:	P.O. Box 652		
Address:			
City:	Erie	State:	CO Zip Code: 80541
Phone:	[REDACTED]	Email:	[REDACTED]
Agent of Property Owner (If Applicable)			
Name:			
Address:			
Address:			
City:		State:	Zip Code:
Phone:		Email:	
Parcel Number:	129711000019		
Legal Description:	S: 11 T:2 R:60 PARC SE ¼ B1009 P747 EX 1500627 West of the 6 th PM		
GPS Coordinates at the Centerline of Driveway:	Latitude:	40.146090	
	Longitude:	-104.058278	
Access onto County Road:	MCR K		
Driveway Type:	<input checked="" type="checkbox"/> New	<input type="checkbox"/> Existing	
Maximum Width of Approved Driveway is:	40 FEET		
Culvert Required:	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	If Yes, Required Size is: _____ Inch

If a culvert is not required at the time of permit issuance but future conditions deem one necessary, the cost of said culvert may be at the property owner's expense.

The above identified driveway has been approved by Morgan County Road and Bridge Department pursuant to all terms and conditions outlined in the Application for Driveway Access Permit are adhered to. Failure to comply with these term and conditions may result in this permit being revoked and/or the driveway being removed at permittee's expense. This permit is valid only for the one driveway access identified above. Construction of said driveway may proceed.

Morgan County, Colorado
Public Works Department

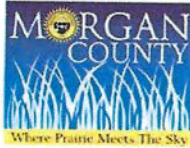


James Rehn

Authorized Morgan County Agent Signature

1-27-25

Date



Application for Driveway Access Permit
Morgan County, Colorado

Instructions for Completing and Submitting Application

1. **Property Owner (Permittee):** Please provide the full name, mailing address, telephone number and email address *(if available)* of the legal property owner. The provided telephone number should be one where the Permittee can be reached during business hours Monday through Friday, 8:00 a.m. to 4:00 p.m. MDT.
2. **Agent of Permittee:** If the applicant *(person or company completing this application)* is different from the legal property owner *(Permittee)*, provide entity name *(if applicable)*, the full name of the person serving as the agent, mailing address, telephone number, and email address *(if available)*. The provided telephone number should be one where the Agent can be reached during business hours Monday through Friday, 8:00 a.m. to 4:00 p.m. MDT. *Please provide documentation you are an agent of property owner.*
3. **Legal Description of property:** Provide the legal description to the full extent that applies for the property to be accessed by the requested driveway. Include the Assessor parcel number. This information is available through the County Assessor or Clerk and Records office or on your property deed(s).
4. **Road Access:** Complete the information on the County Road that will be accessed by this proposed driveway.
5. **New or Existing Driveway:** Complete the information for the driveway type.
New Driveways:
 - In determining location for the proposed driveway, take into account: line of site distances, relationship to road intersections, and relationship to crests of hills.
 - Please indicate the desired width of the new requested driveway.
 - If possible, provide a map showing the desired location of the proposed driveway.
 - ***The proposed area for the new driveway must be clearly marked with flagged stakes on each side of the proposed area. Please have the location marked as indicated prior to submitting application.***
6. Initial the bottom of page two (2) in the provided location indicating that you have read and understand the terms and conditions.
7. Signature Section must be signed and dated by the property owner or agent. *Applications will not be processed until they are fully completed, initialed, signed and submitted, along with any additional required documents.*
8. **Submittal of Application:** Please submit application and all corresponding paperwork to:
By mail or in person: Morgan County Road and Bridge Department
P.O. Box 516
17303 County Road S
Fort Morgan, CO 80701
By Email to: rbmorganc@co.morgan.co.us

Application for Driveway Access Permit
Morgan County, Colorado

Terms and Conditions

1. The granting of this permit application is for one (1) property access across the county right of way onto a county road. The access must not exceed the approved width defined on the approved permit. Additional accesses crossing the right of way must be applied for separately.
2. If this access is to be onto an access/travelling easement, then a copy of the easement, recorded plat or use agreement must accompany this application.
3. The granting of a driveway access permit by Morgan County is only for the purpose of crossing the right of way under the counties jurisdiction. It is the permittee's responsibility to identify and obtain permissions to cross any other easements, covenants, right of ways or private agreements that may exist.
4. If the access request is onto any Federal or State lands, you must provide the names and contact information for the relevant agencies and attach a copy of the authorization for the property use.
5. All property owners/agents are responsible for any damages that may occur to the county road or right of way during installation of said driveway.
6. The construction and all costs associated with the construction of the driveway are the responsibility of the property owner/agent. The construction cannot exceed the defined width and must include any specified culverts required as defined in the approved permit. Culverts may be purchased from anywhere, however they must be approved by the county prior to installation. Culverts may also be purchased from Morgan County Road and Bridge.
7. If a culvert is required, it is for use by Morgan County to protect the road and right of way. Morgan County retains the right to utilize the culvert in any way it deems necessary.
8. If a culvert is not required at the time of permit issuance, however, in the future a culvert is deemed necessary, the cost of said culvert may be at the property owner's expense.
9. Inside the county right of way, the driveway may only consist of the travelling surface to access the property. No other structures or appurtenances may be placed in the right of way (*examples: columns, walls, fencing, large rocks, etc.*). The only exception to this requirement is mailboxes.
10. During the construction of an approved driveway, it is the responsibility of the property owner/agent and/or their contractor to insure safety to the travelling public. This could include the use of signs, cones and/or traffic control as necessary.
11. All repairs, maintenance and costs associated with said driveway are the responsibility of the property owner/agent.
12. Morgan County is not responsible for any damages to the driveway caused by normal maintenance operations, including but not limited to mowing, grading, and snowplowing.
13. The property owner/agent agrees to hold harmless, indemnify, and defend Morgan County from any claim of any person arising from the installation, use, maintenance, or removal of the driveway in the county right of way.
14. The terms, conditions and requirements defined in this application and subsequent approved permit will remain valid through any future sales, transfer of ownership or assignments of the property defined in this driveway application.



Please Initial that you have read and understand the terms and conditions outlined on this page.

Application for Driveway Access Permit
Morgan County, Colorado

1. Property Owner (Permittee):

Name: Buck Creek LandCO, LLC Jay Greener, Manager

Address: PO Box 652

City/State/Zip Code: Erie, CO 805416

Phone: [REDACTED]

Email: [REDACTED]

2. Agent of Property Owner (If Applicable)

Company/Individual Name _____

Contact Name (If Applicable) _____

Address: _____

City/State/Zip Code: _____

Phone () _____

Email: _____

3. Legal Description:

Long Legal Att. Legal Summary S: 11 T: 2 R: 60 PARC SE1/4 B1009 P747 EX 1500627

Parcel Number: Account: R022822 Parcel: 1297-110-00-019

4. Road Access:

Access onto County Road K (Circle Direction) North / South / East West of County Road 5 aka Hwy 52

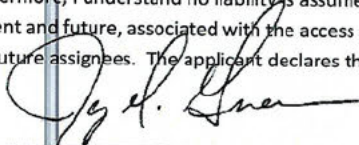
5. Driveway Type: (Check One) **New Driveway

Existing Driveway

Desired width of New Driveway 40 Feet.

****If this is a new driveway location, please place flagged stake marker on each side of the requested driveway location.**

I have read the instructions, terms and conditions outlined in this Driveway Access Permit Application, and agree to all terms and conditions outlined therein, furthermore, I understand no liability is assumed by the County of Morgan, Colorado or its agents by issuance of a permit for this application and all costs, present and future, associated with the access provided by an Approved Driveway Access Permit are the responsibility of the property owner/agent and or any future assignees. The applicant declares the information provided are true and complete to the best of their knowledge.



Property Owner/Agent Signature

01/16/2025

Date

Submit Completed Application and All Supporting Documents to:

Morgan County Road and Bridge Department
P.O. Box 516
17303 County Road S
Fort Morgan, CO 80701
Or by Email to: rbmorganc@co.morgan.co.us
Phone: (970) 542-3560 Fax: (970) 542-3569

For Office Use only below this line

Determination: Approved Denied (Reason for Denial): _____

GPS Coordinates, Centerline of Driveway in relation to road: Latitude: 40.146090

Maximum Width of Driveway: 40 Feet Longitude: -104.058278

Culvert Required: YES NO If Yes, Size: _____

Closest Intersecting Road 4 Measurement from Closest Intersecting Road 4749' Feet

Driveway Access Code: DRVK-0.899-N-4

Completed By: [Signature] Date: 1-23-25

Driveway Entry Permit Details:



SW Corner (at CR K) is ~ 40.14604591566874, -104.05843413306522.

This means center of driveway is 30' west of these coords = ~40.14608491673786, -104.05835112952467. (Note the driveway will serve 5-6 residential single family proposed vacant lots. Currently one 66 ac lot.)



WARRANTY DEED

THIS DEED is dated 12/13/24, and is made between **PHILIP A. TURNER** and **KATHLEEN F. NEWBOLD** (whether one, or more than one), the "Grantor", and **BUCK CREEK LANDCO, LLC** (whether one, or more than one), the "Grantee," whose mailing address is **150 Wells St, #652, Erie, Colorado 80516**.

WITNESS, that the Grantor, for and in consideration of the sum of **ONE HUNDRED EIGHTY-FIVE THOUSAND AND NO/100 Dollars (\$185,000.00)**, the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, conveys and confirms unto the Grantee and the Grantee's heirs and assigns forever, all the real property, together with any improvements thereon, located in the County of **Morgan** and State of **Colorado**, described as follows:

A PARCEL OF LAND BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 2 NORTH, RANGE 60 WEST OF THE 6TH P.M., COUNTY OF MORGAN, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 11, AND CONSIDERING THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 11 TO BEAR SOUTH 89°52'10" WEST WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE SOUTH 89°52'10" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 11, A DISTANCE OF 40.00 FEET;

THENCE NORTH 00°05'20" EAST A DISTANCE OF 30.00 FEET TO THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF MORGAN COUNTY ROAD K AND THE WEST RIGHT-OF-WAY LINE OF COLORADO HIGHWAY 52, SAID POINT BEING THE POINT OF THE BEGINNING;

THENCE SOUTH 89°52'10" WEST ALONG THE NORTH RIGHT OF WAY LINE OF MORGAN COUNTY ROAD K, A DISTANCE OF 494.18 FEET;

THENCE NORTH 00°05'24" EAST A DISTANCE OF 305.60 FEET;

THENCE SOUTH 89°59'26" WEST A DISTANCE OF 599.11 FEET;

THENCE NORTH 00°03'52" EAST A DISTANCE OF 973.70 FEET;

THENCE SOUTH 89°52'10" WEST A DISTANCE OF 680.33 FEET;

THENCE NORTH 00°03'52" EAST A DISTANCE OF 1,320.87 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 11;

THENCE NORTH 89°40'56" EAST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 11, A DISTANCE OF 1,022.18 FEET;

THENCE SOUTH 24°39'54" EAST A DISTANCE OF 475.75 FEET;

THENCE SOUTH 12°36'46" EAST A DISTANCE OF 903.74 FEET;

THENCE NORTH 89°44'09" EAST A DISTANCE OF 353.39 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID COLORADO HIGHWAY 52;

THENCE SOUTH 00°02'20" WEST ALONG THE WEST RIGHT-OF-WAY LINE OF SAID COLORADO HIGHWAY 52, A DISTANCE OF 1,290.42 FEET TO THE POINT OF THE BEGINNING.

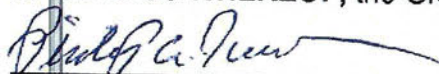
also known by street address as: **VACANT, Wiggins, CO 80654**

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversions, remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

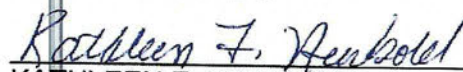
TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantees and the Grantees' heirs and assigns forever. The Grantor, for the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree to and with the Grantees, and the Grantees' heirs and assigns: that at the time of the ensembling and delivery of these presents, the Grantor is well seized of the premises above described; has good, sure, perfect, absolute and indefeasible estate of inheritance, in law and in fee simple; and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as 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 so ever, except taxes for the current year, a lien but not yet due and payable, subject to statutory exceptions as defined in CRS 38-30-113, revised.

And the Grantor shall and will **WARRANT THE TITLE AND DEFEND** the above described premises, *but not any adjoining vacated street or alley*, if any, in the quiet and peaceable possession of the Grantees and the heirs and assigns of the Grantees, against all and every person or persons claiming the whole or any part thereof.

IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.



PHILIP A. TURNER

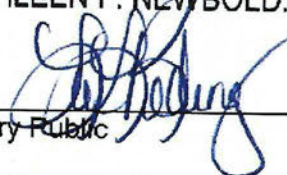


KATHLEEN F. NEWBOLD

State of Colorado

County of Morgan

Signed and sworn to before me the 13th of December, 2024, by PHILIP A. TURNER and KATHLEEN F. NEWBOLD.



Notary Public



Affix stamp/seal:

After Recording Return To:
BUCK CREEK LANDCO, LLC
150 Wells St, #652
Erie, CO 80516

STATEMENT OF AUTHORITY

1. This Statement of Authority relates to an entity¹ named BUCK CREEK LANDCO, LLC and is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.
2. The entity is a:
 - corporation
 - nonprofit corporation
 - limited liability company
 - general partnership
 - limited partnership
 - other:
 - registered limited liability partnership
 - registered limited liability limited partnership
 - limited partnership association
 - government or governmental subdivision or agency
 - trust (Section 38-30-108.5, C.R.S.)
3. The entity is formed under the laws of: Colorado
4. The mailing address for the entity is: 150 Wells St, #652, Erie, CO 80516
5. The name position of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is:
JAY D. GREENER, MGR/MBR
- 6.² The authority of the foregoing person(s) to bind the entity is not limited limited as follows:
NONE
7. Other matters concerning the manner in which the entity deals with interests in real property:

Executed this 13th day of December, 2024.

BUCK CREEK LANDCO, LLC

BY: 
JAY D. GREENER
Mgr/Mbr

State of Colorado

County of Morgan

Signed and sworn to before me the 13th of December, 2024, by JAY D. GREENER, the Mgr/Mbr of BUCK CREEK LANDCO, LLC, on behalf of the Limited Liability Company.

Notary Public 

Affix stamp/seal:



Official Records of Morgan County, CO 954296
12/13/2024 03:25:45 PM Pgs: 1 Rec Fee: 13.00
State Documentary Fee: \$ Clerk: Kevin Strauch


- 1 This form should not be used unless the entity is capable of holding title to real property.
- 2 The absence of any limitation shall be prima facie evidence that no such limitation exists.
- 3 The statement of authority must be recorded to obtain the benefits of the statute.

Driveway Entry Permit off County Rd K near Hwy 52, Wiggins.

Jay Greener

To: Whitney Machuca <wmachuca@co.morgan.co.us>

Thu, Jan 16, 2025 at 4:01 PM

Hey Whitney, the driveway entry proposal is marked with two green tea posts that I tied orange flags on and I painted the top of the post silver. Can't miss them. There is another green tea post to the west, which marks the corner, but the driveway is marked with silver paint.

Thx.j

Jay Greener

(970) 214-0597 (text is best)



[Quoted text hidden]

4 attachments**IMG_0996.jpeg**
2158K**IMG_0997.jpeg**
4537K



IMG_0999.jpeg
4499K



IMG_0998.jpeg
5434K

Morgan County Property Card

Parcel Number: 1297-110-00-019

Account Number: R022822

Property

Address

Physical

Acres: 66.13999938 Land Sq Ft: 147,120

Property Class VACANT LAND - 35A TO 99.9A

Zoning Value

Planning:	Assessed	Actual
Assessor: 0550	Land: \$41,050	\$147,120
	Imp: \$0	\$0

Legal Description

Block: Lot:
 PLSS: 02N 60W 011
 Boundary: PARC SE1/4 B1009 P747 EX 1500627
 Legal: S: 11 T: 2 R: 60 PARC SE1/4 B1009 P747 EX 1500627

Owner

Name: TURNER, PHILIP A & JUDITH M &
 Address: 4831 CO RD K
 WIGGINS, CO 80654

District 323

Taxing Authorities

School District: School District RE-50 Fire Protection District: Wiggins Fire
 Water Districts: Quality Water, No Kiowa Bijou Management Special Districts:

Voting Districts

House District: 63 Congressional District: 4 Precinct:
 Senate District 1 Commissioner District: Town: --

Other

Subdivision: Neighborhood: INNER RR RESD Condo:

Sales

Most Recent Sale

Sale Date: Document Type: Deed Type:
 Sale Price: Document Number:
 Grantor:
 Grantee:
 Remarks:

ADDITIONAL APPLICATION INFORMATION

Ditch Company

Impact Statement

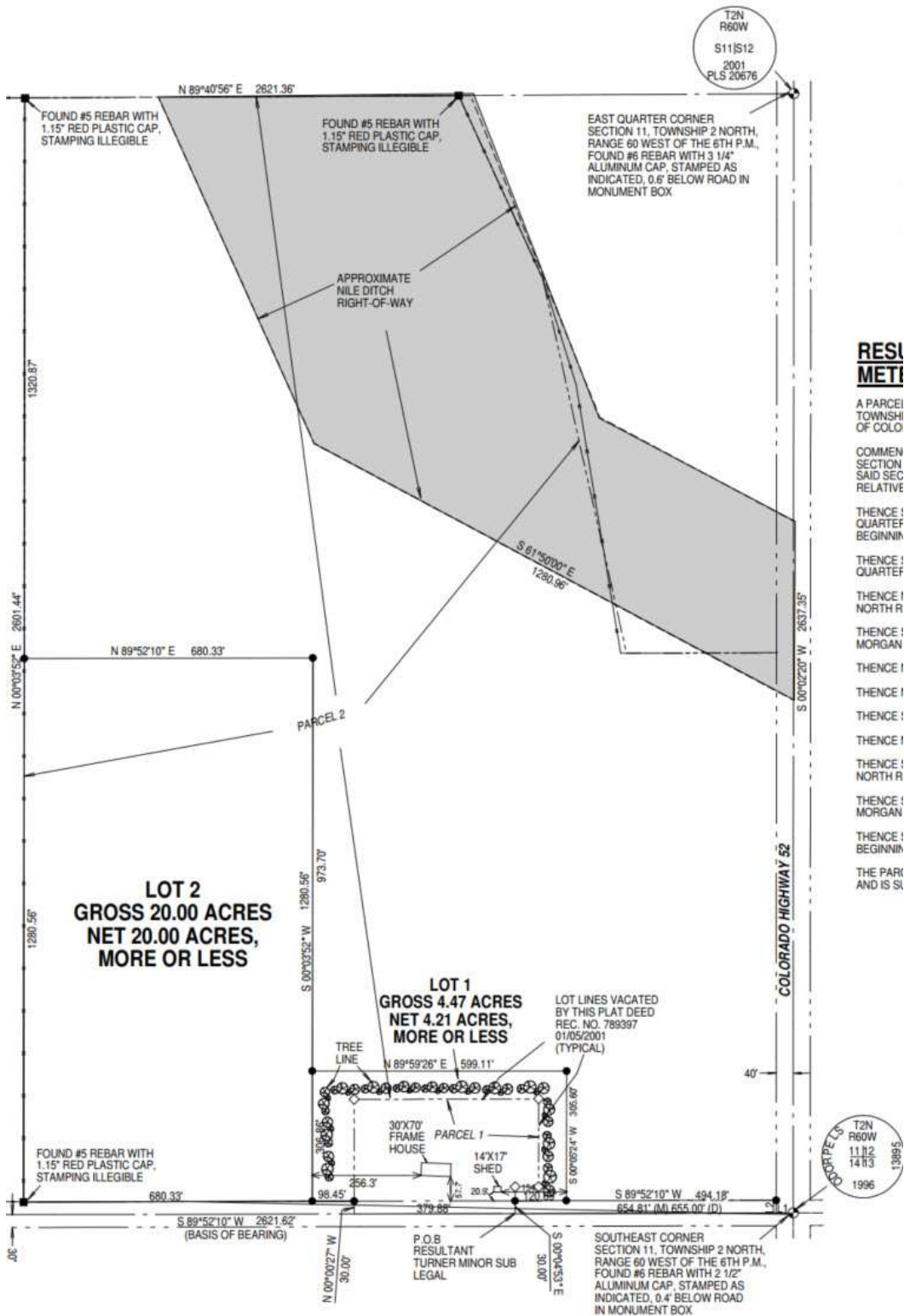
Soil Map

Mineral Notification

Statement of Taxes

Ditch Company:

None. There are no active ditches on the property. The "Nile Ditch" easement exists along the north side of the property. The Nile Ditch Company was dissolved in 1925. (Attached). Therefore, there are no active ditch or ditch company easements on the property.



**RESU
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of the covenants or conditions of said Deed of Trust, the holder of said indebtedness may declare the whole of said indebtedness due and payable and the premises may be sold with the same effect as if said indebtedness had matured, by reason whereof and of the default above mentioned, the undersigned has elected to declare, and does hereby declare, the entire indebtedness secured by said Deed of Trust due and payable, and does hereby request and demand that the premises in said Deed of Trust described be sold for the payment of such entire indebtedness, and interest thereon and the costs and expenses of sale.

NOW THEREFORE, you are hereby notified that as the owner and holder of the indebtedness secured by said above described Deed of Trust, does elect to declare that the covenants in said Deed have been and are violated, and to advertise the property therein described for sale, and do hereby demand that as public Trustee in the County of Morgan you do forthwith proceed as provided by law and according to the terms thereof, to give notice of, advertise for sale and sell all the premises and property in and by said Deed of Trust described and conveyed for the purpose of paying the indebtedness thereby secured and all costs and expenses of making such sale.

WITNESS, my hand and seal this 14th day of May, A.D. 1925.

Frances E Reed (SEAL)

May 18 1925

No. 150597

Filed for record May 18 1925 at 2:30 o'clock P.M.

A. H. Asmus, Recorder

COMPARED BY Paula

By H. D. Asmus, Deputy

No. 258. NOTICE OF ELECTION AND DEMAND FOR SALE BY PUBLIC TRUSTEE.

STATE OF COLORADO,)
County of Morgan) SS.

TO THE PUBLIC TRUSTEE IN THE COUNTY AFORESAID:

WHEREAS, on the 30th day of November, A.D. 1920 Emma Henry of the County of Arapahoe and State of Colorado, did make, execute and deliver to the Public Trustee in the County of Morgan, State of Colorado, her certain Deed of Trust to secure to Forest B. Dille the payment of the sum of One Thousand and no/100 Dollars upon the terms and conditions in said Deed of Trust contained:

AND WHEREAS, default has been made by the said Emma Henry in the payment of the said principal sum of One Thousand Dollars, and of the interest thereon from the 30th day of May, A.D., 1922; (and has also failed to pay the taxes on the said land for the years as follows, to-wit: 1922; 1923; and the first half of 1924 taxes, all of which are in default,) secured thereby, said Deed of Trust conveying the NW $\frac{1}{4}$ of Sec. 31, Twp 5 N, R 60W., and the covenants in said Deed of Trust have been violated:

AND WHEREAS, the undersigned is now the owner and holder of the indebtedness secured by said Deed of Trust;

AND WHEREAS, the said Deed of Trust provides that upon default of any of the payments of principal or interest secured thereby, or upon a breach or violation of any of the covenants or conditions of said Deed of Trust, the holder of said indebtedness may declare the whole of said indebtedness due and payable and the premises may be sold with the same effect as if said indebtedness had matured, by reason whereof and of the default above mentioned, the undersigned has elected to declare, and does hereby declare, the entire indebtedness secured by said Deed of Trust due and payable, and does hereby request and demand that the premises in said Deed of Trust described be sold for the payment of such entire indebtedness, and interest thereon and the costs and expenses of sale.

NOW THEREFORE, you are hereby notified that as the owner and holder of the indebtedness secured by said above described Deed of Trust, I elect to declare that the covenants in said Deed have been and are violated, and to advertise the property therein described for sale, and do hereby demand that as public Trustee in the County of Morgan, you do forthwith proceed as provided by law and according to the terms thereof, to give notice of, advertise for sale and sell all the premises and property in and by said Deed of Trust described and conveyed for the purpose of paying the indebtedness thereby secured and all costs and expenses of making such sale.

WITNESS, my hand and seal this 1st day of May, A.D. 1925.

Ruby F. Gaines (formerly Ruby F. Dille) (SEAL)
Owner and holder of the said note and deed of trust.

MAY 18 1925.

No. 150598

Filed for record May 18 1925 at 2:35 o'clock P.M.

A. H. Asmus, Recorder

COMPARED BY Paula

By H. D. Asmus, Deputy

CERTIFICATE OF PRESIDENT AND SECRETARY OF THE NILE IRRIGATION DISTRICT AS TO SPECIAL ELECTION HELD IN AND THROUGHOUT SAID NILE IRRIGATION DISTRICT ON MAY 11th, A. D., 1925, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF SAID IRRIGATION DISTRICT A PROPOSITION TO VOTE ON THE DISSOLUTION OF SAID DISTRICT.

A certificate of the result of the special election held in and throughout THE NILE IRRIGATION DISTRICT of Morgan County, Colorado, on Monday, May 11th, 1925, for the purpose of submitting to the qualified electors of said THE NILE IRRIGATION DISTRICT a proposition to vote on the dissolution of said District.

FIRST.

That on, to-wit, April 21st, A.D., 1925, there was filed with the Board of Directors of said District a petition signed by forty-three (43) qualified electors of said District, asking that a special election be called by said Board of Directors for the purpose of submitting to the qualified electors of said District a proposition to vote on the dissolution thereof, which said petition is in words and figures, as follows, to-wit:

"To the Board of Directors of The Nile Irrigation District, a public corporation:-

We the undersigned owners of the number of acres of land within The Nile Irrigation District set opposite our names, respectfully show and make known to your Honorable Body that all bills and claims of every nature whatsoever of The Nile Irrigation District, including all bonded and warrant indebtedness of said District, have been fully satisfied and paid and that, therefore, we, the undersigned owners of land,

respectfully ask that a special election be called by you for the purpose of submitting to the qualified electors of the said The Nile Irrigation District a proposition to vote on the dissolution of the said The Nile Irrigation District.

That said District has no assets.

	No. of Acres Owned.
"Land owner	
Josiah P. Smith	80
E. Salisbury Smith	40
Chas. Rump	40
Wm. A. Reef	80
Farms Securities Co.	1520
by Wm. A. Reef, Treas.	
by H. P. Davis, Sec'y.	
Sue E. Bruen	80
Chas. E. Bruen	80
I. W. Reed	160
L. F. Morrison	160
Elizabeth Dot Reed	320
W. H. Nickell	160
Earl Piercy	160
Geo. M. Morrow	35
Nora G. Morrow	124
E. E. Youngblut	80
H. & L. Live Stock Co.	240
J. D. Harshman	160
Merill Harshman	160
Clare A. Stewart, by G.L. Shaw	160
F. N. Harshman	160
G. L. Cobb	160
Hazel Neil	320
J. M. Shelton	160
William Kennish	160
Estates of Wm.A. & Elvora Conklin, Dec'd	440
by Johnson & Robison, its Att'ys.	
E. E. Williams	160
C. A. Axelson	160
Amand Axelson	80
W. L. Williams	160
Sid Donisthorpe	160
W. J. Gilbreath	320
Harriet N. English	160
Florence N. Hall	160
Sadie M. Bond	80
R. R. Keith	80
Ora Lovell	320
J. W. Noesen	160
H. O. Smith	160
3-Bar L. & S. Co.	
by W. J. Gilbreath	480
Gertrude Z. Trachta	160
Estate of Ass W. Kenney, Dec'd	
by Coen & Mallory, its attorneys	1120
Polly Allen Emigh	160
J. C. Law	160
J. A. M. Crouch	160"

SECOND.

That thereafter and on, to-wit, April 21st, A.D., 1925, at an adjourned regular meeting of the Board of Directors of the Nile Irrigation District the following resolution was unanimously adopted by said Board of Directors, to-wit:

"WHEREAS, a petition has been filed with the Board of Directors of this District reciting that all bills and claims of every nature whatsoever of The Nile Irrigation District, including all bonded and warrant indebtedness of said District, have been fully satisfied and paid and that this District has no assets, which petition asks that a special election be called by this Board of Directors for the purpose of submitting to the qualified electors of this District a proposition to vote on the dissolution of this The Nile Irrigation District, and,

WHEREAS, this Board of Directors has carefully examined said petition and the status of the signers thereof as owners of land within this District and it appearing that the recitals of said petition are true, that all bills and claims of every nature whatsoever of The Nile Irrigation District, including all bonded and warrant indebtedness, have been fully satisfied and paid and that this District has no assets, and

WHEREAS, it further appears that said petition is signed by a majority of the legally qualified electors of this District and by the holders of the legal title to a majority of the whole acreage of this District and that in all respects such petition is in conformity with the provisions of Sec. 2036 of the Compiled Statutes of Colorado of 1921.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Directors of THE NILE IRRIGATION DISTRICT, duly assembled,

First: That a special election be, and the same is hereby, called for the purpose of submitting to the qualified electors of The Nile Irrigation District, a proposition to vote on the dissolution of The Nile Irrigation District, which election shall be held on Monday, the 11th day of May, A.D., 1925.

Second: That at such special election the ballot shall contain the words, "Dissolution of the District - Yes" and "Dissolution of the District - No", or words equivalent thereto.

Third: That the divisions or voting precincts of THE NILE IRRIGATION DISTRICT shall, for the purpose of said special election to be held as aforesaid, be and remain as fixed by the Board of County Commissioners at the time of the organization of said District.

Fourth: That the following named electors, residents of the respective precincts of said THE NILE IRRIGATION DISTRICT, be, and they are hereby appointed Judges of said special election in the divisions or voting precincts hereinbefore referred to as follows:

In and for precinct No. 1, being the First Division of said District, I.W.Reed, Nora G. Morrow and Sid Donisthorpe.

In and for precinct No. 2, being the Second Division of said District, M. D. Harshman, J.C. Law and Ray Robertson.

In and for precinct No. 3, being the Third Division of said District, C.A. Axelson, J.M. Shelton and William Kennish.

One of the judges hereby appointed in each precinct shall act as Clerk of said election as provided by law.

Fifth: That the polling places in the several divisions or precincts of said THE NILE IRRIGATION DISTRICT are, for the purpose of said special election hereby fixed and designated by the Board of Directors as follows:

In and for precinct No. 1, being the First Division of said District at the residence of George M. Morrow on the Southwest Quarter (SW $\frac{1}{4}$) of Section Three (3) in Township Two (2), North of Range Sixty (60), West of the 6th P.M.

In and for precinct No. 2, being the Second Division of said District, at the store room of The Wiggins Mercantile Company in the Town of Wiggins, Morgan County, Colorado.

In and for precinct No. 3, being the Third Division of said District, at the residence of F.N. Harshman on the Southwest Quarter (SW $\frac{1}{4}$) of Section Three (3) in Township Three (3), North of Range Sixty (60) West of the 6th P.M.

Sixth: That the polling places of said special election for the purpose of receiving the ballots of the legal electors of said District, shall in each of the precincts thereof be opened at eight o'clock in the morning and be kept open until six o'clock P.M. of said 11th day of May, A.D., 1925.

BE IT FURTHER RESOLVED, That the Secretary of this Board of Directors is hereby directed and required to give due notice of said special election to be held on the 11th day of May, A.D., 1925, for the time and in the manner provided by Section 1966 and 2037 of the Compiled Statutes of Colorado of 1921."

THIRD.

A full, true and complete copy of the publication notice of said special election, as published by posting in the three several precincts and divisions of the said District by the Secretary of said District, as shown by his affidavit attached to said notice, which has been filed with the Board of Directors of THE NILE IRRIGATION DISTRICT, is as follows:

"Notice is Hereby Given, that a special election for the purpose of submitting to the qualified electors of THE NILE IRRIGATION DISTRICT of Morgan County, Colorado, a proposition to vote on the dissolution of said DISTRICT will be held on Monday, May 11, A.D., 1925.

That each division and voting precinct of said District, for the purpose of said election shall be and remain as heretofore fixed and designated by the Board of Commissioners of Morgan County, Colorado, at the organization of said District.

That the polling places in the several precincts and divisions of said District, for the purpose of said election, have been fixed and designated, and the judges for said election have been appointed by the Board of Directors of said District, as follows:-

IN AND FOR PRECINCT NUMBER 1, BEING THE FIRST DIVISION OF SAID DISTRICT, at the residence of George M. Morrow on the Southwest Quarter (SW $\frac{1}{4}$) of Section Three (3) in Township Two (2), North of Range Sixty (60), West: and the Judges of said election for said precinct, appointed as aforesaid, are I.W. Reed, Nora G. Morrow and Sid Donisthorpe.

IN AND FOR PRECINCT NUMBER 2, BEING THE SECOND DIVISION OF SAID DISTRICT, at the store room of the Wiggins Mercantile Company in the Town of Wiggins, Morgan County, Colorado; and the Judges of said election for said precinct, appointed as aforesaid, are N.D. Harshman, J.C. Law - Ray Robertson.

IN AND FOR PRECINCT NUMBER 3, BEING THE THIRD DIVISION OF SAID DISTRICT, at the residence of F.N. Harshman on the Southwest Quarter (SW $\frac{1}{4}$) of Section Three (3) in Township Two (2), North of Range Sixty (60), West; and the Judges of said election for said precinct, appointed as aforesaid, are C.A. Axelson, J.M. Shelton and William Kennish.

That in each of said voting precincts, one of the Judges shall be chairman of the Election Board, and one of the same shall act as Clerk of said Election.

That the polls shall be opened at Eight O'clock in the morning of said election day and shall be kept open until Six o'clock P.M., of said 11th day of May, A.D., 1925.

That at such election the ballot shall contain the words, "Dissolution of the District - Yes" and "Dissolution of the District - No," or words equivalent thereto.

Dated at the office of THE NILE IRRIGATION DISTRICT, at Fort Morgan, Morgan County, Colorado, this 21st day of April, A.D., 1925."

STATE OF COLORADO,)
COUNTY OF MORGAN,) SS.

"I, Omer T. Mallory, Secretary of the Board of Directors of THE NILE IRRIGATION DISTRICT, being first duly sworn on my oath, depose and say that fifteen (15) days prior to the special election of said District, held on the 11th day of May, A.D. 1925, I posted ten (10) notices of said special election to be held within and by said District, of which the above and foregoing is a full, true and complete copy. One of which notices being a general notice of said election, was posted on Tuesday the 21st day of April, A.D. 1925, in the office of the Board of Directors, of said THE NILE IRRIGATION DISTRICT, Room 213, Bank Block, Fort Morgan, Morgan County, Colorado.

Three (3) of said notices were posted on Thursday, April 23rd, A.D., 1925, in Precinct Number 1, of said District, as follows:

One (1) notice on the Southwest quarter (SW $\frac{1}{4}$) of Section Three (3), Township Two (2) North, Range Sixty (60) West of the 6th P.M.

One (1) notice on the Northeast quarter (NE $\frac{1}{4}$) of Section Eleven (11), Township Two (2) North, Range Sixty (60) West of the 6th P.M.

One (1) notice on the Northeast quarter (NE $\frac{1}{4}$) of Section Two (2), Township Two (2) North, Range Sixty (60) West of the 6th P.M.

Three (3) of said notices were posted on Thursday, April 23rd, A.D., 1925, in Precinct Number 2, of said District, as follows:

One (1) notice on the Northwest quarter (NW $\frac{1}{4}$) of Section Twenty-two (22), Township Three (3) North, Range Sixty (60) West of the 6th P.M.

One (1) notice on the Southeast quarter (SE $\frac{1}{4}$) of Section Thirty-five (35), Township Three (3) North, Range Sixty (60) West of the 6th P.M.

One (1) notice on the Northeast quarter (NE $\frac{1}{4}$) of Section Twenty-six (26), Township Three (3) North, Range Sixty (60) West of the 6th P.M.

Three (3) of said notices were posted on Thursday, April 23rd, A.D., 1925, in Precinct Number 3, of said District, as follows:

One (1) notice on the Northeast quarter (NE $\frac{1}{4}$) of Section Two (2), Township Three (3) North, Range Sixty (60) West of the 6th P.M.

One (1) notice on the Southwest quarter (SW $\frac{1}{4}$) of Section Three (3), Township Three (3) North, Range Sixty (60) West of the 6th P.M.

One (1) notice on the Southwest quarter (SW $\frac{1}{4}$) of Section Twelve (12), Township Three (3) North, Range Sixty (60) West of the 6th P.M.

That all of said notices herein referred to were signed by the Secretary of the Board of Directors of THE NILE IRRIGATION DISTRICT, and were posted in public places in said THE NILE IRRIGATION DISTRICT and Morgan County, Colorado."

(Signed) Omer T. Mallory.

Subscribed in my presence and sworn to before me by the said Omer T. Mallory, Secretary of the Board of Directors of the Nile Irrigation District, this 16th day of May, A.D., 1925.

My commission expires August 13, 1927.

(Signed) Ray White
Notary public.

(Notarial Seal)

FOURTH.

The names of the Judges of said election are as follows:

In precinct No. 1, I.W.Reed, Nora G. Morrow and Sid Donisthorpe.

In Precinct No. 2, M.D.Harshman, J.C.Law and Ray Robertson.

In Precinct No. 3, C.A.Axelsson, J.M.Shelton and William Kennish.

Sid Donisthorpe in Precinct No. 1, appointed as Judge of election, did not appear, and Ora Lovell was duly appointed, qualified and served as such Judge of Election in lieu of said Sid Donisthorpe.

FIFTH.

That the whole number of votes cast in the entire District, and in each precinct or division thereof, is as follows:

(a) The entire number of votes cast in the entire District was nineteen (19).

(b) In Precinct or Division No. 1, Eight (8).

In Precinct or Division No. 2, Four (4).

In Precinct or Division No. 3, Seven (7).

SIXTH.

That the following is a true copy of the ballot used by each voter, voting as said election:

Dissolution of the District--YES
Dissolution of the District--NO

SEVENTH.

That the result of the ballot in the entire District, and in each precinct or division thereof, was as follows:

(a) In the entire District nineteen (19) votes were cast "For Dissolution - Yes" and no (0) votes were cast "For Dissolution - No".

(b) In Precinct or Division No. 1, Eight (8) votes were cast "For Dissolution - Yes" and no (0) votes were cast "For Dissolution - No".

In Precinct or Division No. 2, Four (4) votes were cast "For Dissolution - Yes" and no (0) votes were cast "For Dissolution - No".

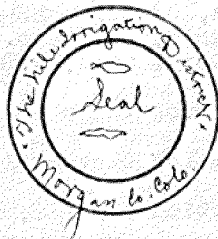
In Precinct or Division No. 3, Seven (7) votes were cast "For Dissolution - Yes" and no (0) votes were cast "For Dissolution - No".

EIGHTH.

That the Board of Directors of said THE NILE IRRIGATION DISTRICT of Morgan County, Colorado, at a meeting held at its office in Fort Morgan, Colorado, on Monday, May 18th, A.D., 1925, pursuant to law, canvassed the election returns of said special election and counted the votes cast thereat and having found that Nineteen (19) votes, being all the votes cast at said special election, having been "For Dissolution - Yes" and no (0) votes having been cast "For Dissolution - No", the said THE NILE IRRIGATION DISTRICT of Morgan County, Colorado was declared dissolved and the President and Secretary were directed to issue a CERTIFICATE OF SUCH SPECIAL ELECTION and file the same with the Clerk and Recorder of Morgan County, Colorado, to be by him recorded as provided by law.

We, E.E.Youngblut and Omer T. Mallory, President and Secretary, respectively, of THE NILE IRRIGATION DISTRICT aforesaid, hereby certify that the above and foregoing is a full, true and complete statement concerning the special election held within and by THE NILE IRRIGATION DISTRICT on May 11th, A.D., 1925, as required and contemplated by Section 2047 of the Compiled Laws of Colorado, 1921.

WITNESS OUR HANDS and the Seal of Said District at Fort Morgan, Morgan County, Colorado, this 18th day of May, A.D., 1925.



E. E. Youngblut
President of THE NILE IRRIGATION
DISTRICT.

Omer T. Mallory
Secretary of THE NILE IRRIGATION
DISTRICT.

No. 150600

Filed for record May 18, 1925 at 2:45 o'clock P.M.

COMPARED BY B. A. A.

By A. H. Asmus, Recorder
H. D. Asmus, Deputy

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

Jay Greener is applying for a Minor Subdivision or Planned
(landowner)

Development consisting of 4 lots totaling 24.4 acres. Landowner is

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

Location and/or address of site: Hwy 52 + CRD K

Driving direction from Fort Morgan: _____

Date application is due in Planning Dept.: _____

Copy of soils map must accompany this request.

Copy of site plan must accompany this request.

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

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

EXTENSION AGENT USE ONLY:

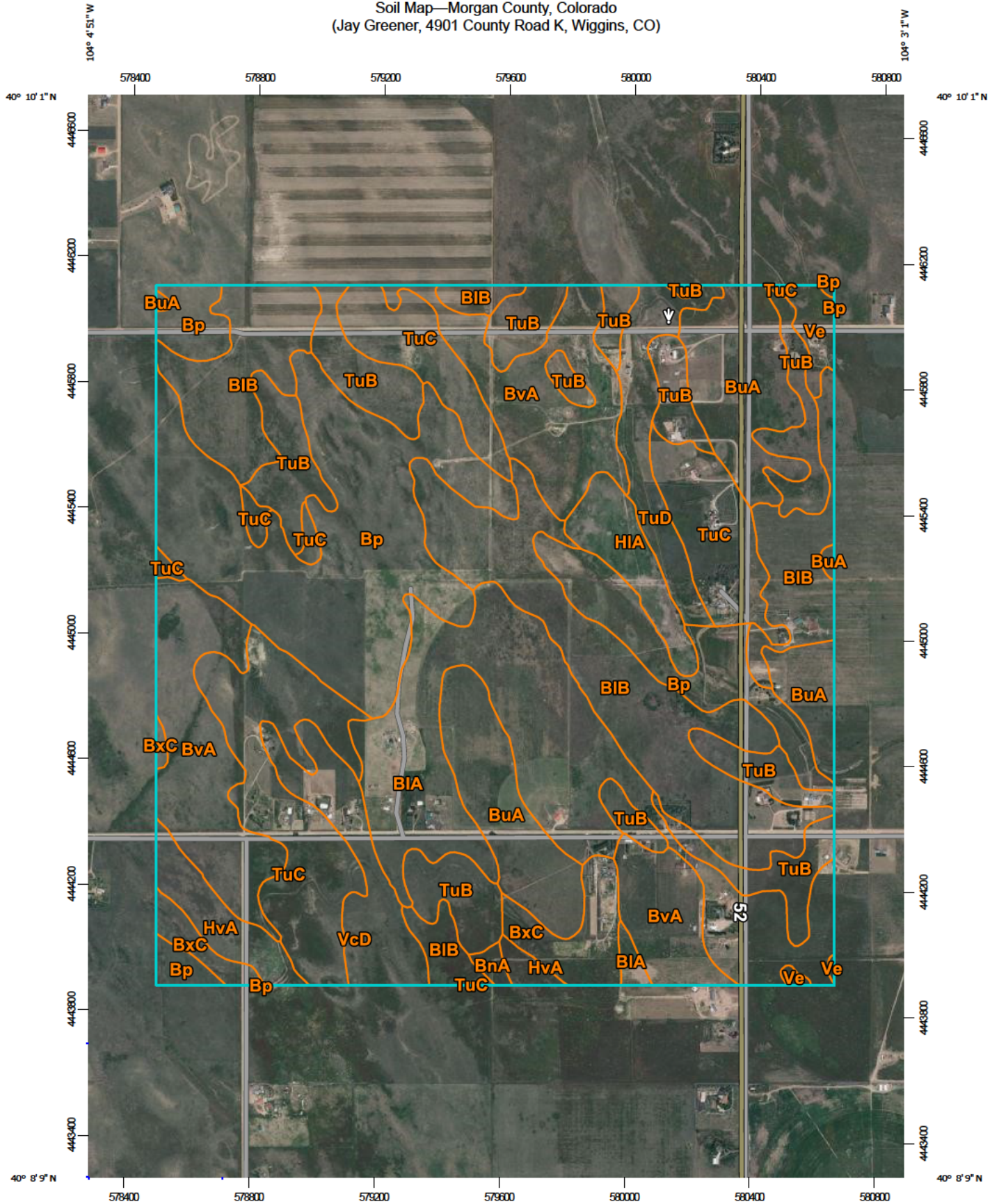
Approval of animal units as proposed: Revised Recommended maximum animal units: yes

Comments: Lot 1 = 3.46 Acres or 2 AU; Lot 2 = 8 Acres or 6 AU;
Lot 3 = 7.2 Acres or 5 AU; Lot 4 = 5.7 Acres or 3 AU

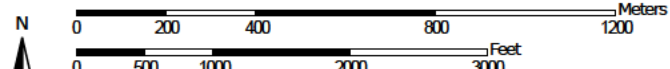
Signature: Marlin Eisenach

Date: 2/21/2025

Soil Map—Morgan County, Colorado
 (Jay Greener, 4901 County Road K, Wiggins, CO)



Map Scale: 1:16,800 if printed on A portrait (8.5" x 11") sheet.




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





MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)




















Soils







 Soil Map Unit Polygons

 Soil Map Unit Lines


 Soil Map Unit Points

Special Point Features






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

-  Spoil Area
-  Stony Spot
-  Very Stony Spot
-  Wet Spot
-  Other
-  Special Line Features


Water Features

 Streams and Canals

Transportation

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

Background

 Aerial Photography

MAP INFORMATION

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

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 25, Aug 29, 2024

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

Date(s) aerial images were photographed: Jun 8, 2021—Jun 12, 2021

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

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BIA	Bijou loamy sand, 0 to 1 percent slopes	144.8	12.1%
BIB	Bijou loamy sand, 1 to 3 percent slopes	184.0	15.4%
BnA	Bijou sandy loam, 0 to 1 percent slopes	2.4	0.2%
Bp	Valent loamy sand, 3 to 9 percent slopes	204.8	17.1%
BuA	Bresser loamy sand, 0 to 3 percent slopes	102.0	8.5%
BvA	Bresser sandy loam, 0 to 3 percent slopes	140.7	11.7%
BxC	Bresser soils, terrace, 3 to 5 percent slopes	29.2	2.4%
HIA	Heldt clay, 0 to 1 percent slopes	22.0	1.8%
HvA	Heldt sandy loam, 0 to 1 percent slopes	22.8	1.9%
TuB	Truckton loamy sand, 0 to 3 percent slopes	130.6	10.9%
TuC	Truckton loamy sand, 3 to 5 percent slopes	139.5	11.6%
TuD	Truckton loamy sand, 5 to 9 percent slopes	31.0	2.6%
VcD	Valent sand, 3 to 9 percent slopes	34.8	2.9%
Ve	Valent-Dwyer sands, terrace, 0 to 3 percent slopes	9.6	0.8%
Totals for Area of Interest		1,198.3	100.0%

RAYMOND M. LAWS, P.C.

ATTORNEY AT LAW

811 Main Street
Fort Morgan, CO 80701

February 3, 2025

Nicole Hay
Planning Administrator
Morgan County Planning & Zoning Department
231 Ensign St.
Fort Morgan, CO 80701

Re: Buck Creek LandCO, LLC Minor Subdivision Mineral Notification Requirement

Dear Ms. Hay,

My office has been retained to represent Buck Creek LandCO, LLC in support of a minor subdivision application on an approximately 66-acre tract of land located in the SE1/4 of Section 11, Township 2 North, Range 60 West of the 6th P.M in Morgan County, Colorado, also known as Morgan County Assessor Parcel Number 1297-110-00-019 (hereinafter the "Property"). State Statute requires that thirty days before an initial public hearing by a local government on a development application the applicant must send notice via registered mail to all mineral estate owners who are: a) identified as such in the County Assessor's records; or b) have filed a request for notice with the County Clerk & Recorder. *See generally*, C.R.S. § 24-65.5-103(1).

Please be advised that my office has examined the records of both the Morgan County Assessor as well as the Morgan County Clerk & Recorder as it relates to the mineral estate underlying the Property. No mineral estate owners on the Property are separately taxed by the Morgan County Assessor. Similarly, no mineral estate owner has filed a request for notice with the Morgan County Clerk & Recorder pursuant to C.R.S. § 24-65.5-103(3).

Please feel free to reach out to me at the phone number and email address below if you have any questions or concerns regarding the results of this limited mineral title examination.

Yours Very Truly,

/s/Raymond M. Laws

Raymond M. Laws

Morgan County Treasurer

Statement of Taxes Due

Account Number R022822

Parcel 129711000019

Assessed To

BUCK CREEK LANDCO LLC
150 WELLS ST #652
ERIE, CO 80516

Legal Description

Situs Address

S: 11 T: 2 R: 60 PARC SE1/4 B1009 P747 EX 1500627

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2024	\$3,052.88	\$0.00	\$0.00	\$0.00	\$3,052.88
Total Tax Charge					\$3,052.88
Grand Total Due as of 04/10/2025					\$3,052.88

Tax Billed at 2024 Rates for Tax Area 323 - 323 - RE 50J

Authority	Mill Levy	Amount	Values	Actual	Assessed
COUNTY GENERAL FUND	19.5360000	\$801.95	VACANT LAND - 35A	\$147,120	\$41,050
ROAD AND BRIDGE FUND	7.5000000	\$307.87	TO 99.9A		
SOCIAL SERVICES FUND	2.0000000	\$82.10	Total	\$147,120	\$41,050
WIGGINS RURAL FIRE DIST	7.0000000	\$287.35			
MORGAN CO QUALITY WATER	0.8240000	\$33.83			
N KIOWA BIJOU MGMT DIST	0.0200000	\$0.82			
WIGGINS PEST CONTROL	0.4150000*	\$17.04			
RE 50-J WIGGINS GENERAL	24.1770000	\$992.46			
RE 50-J WIGGINS BOND	12.5000000	\$513.12			
RE 50-J WIGGINS PROG RES FU	0.3980000	\$16.34			
Taxes Billed 2024	74.3700000	\$3,052.88			

* Credit Levy

*****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

LANDOWNER LETTERS, REFERRALS & RESPONSES

Landowner Letter Sent & Responses Received

Referral Sent & Responses Received

Notification

Sign Posting Pictures & Affidavit



MORGAN COUNTY PLANNING AND ZONING DEPARTMENT

April 9, 2025

Dear Neighboring Landowners:

Jay Greener as applicant and Buck Creek LandCO, LLC as landowner have submitted an application to our office for a 4-Lot Minor Subdivision. The total acreage being divided into 4 Lots is 24.43 acres. Lot 1 will be 3.46 acres, Lot 2 will be 8 acres, Lot 3 will be 7.23 acres and Lot 4 will be 5.74 acres.

Legal Description: A parcel of land located in the SE $\frac{1}{4}$ of Section 11, Township 2 North, Range 60 West of the 6th P.M., Morgan County, Colorado.

This application is scheduled to be heard by the Planning Commission at a special meeting on **Monday, April 28, 2025 at 6:00 P.M.** and the Board of County Commissioners on **Tuesday, May 6, 2025 at 9:00 A.M.** to be held in the Assembly Room of the Morgan County Administration Building, 231 Ensign St., (Basement Level) Fort Morgan, Colorado. Landowners within 1,320 feet 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 **April 23, 2025**.

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.

TURNER, PHILIP A & JUDITH M &
NEWBOLD, WILLIAM H R & KATHLEEN F
4831 CO RD K
WIGGINS, CO 80654

TRAUTWEIN, LISA A
10328 HWY 52
WIGGINS, CO 80654

LEONHARDT, JASON & TAMMY
4772 CO RD L
WIGGINS, CO 80654

LENTELL, RODNEY N & LAURA K &
LFT FBO RODNEY NEIL LENTELL
5005 CO RD K
WIGGINS, CO 80654

GEORGE, JACOB S &
MCCAMAN, SARA R
10475 HWY 52
WIGGINS, CO 80654

BLACK, DONALD
4387 CO RD K
WIGGINS, CO 80654

GROOTERS, RONALD D
1901 PTARMIGAN TRAIL - UNIT 202
ESTES PARK, CO 80517

BARD, STEPHEN L & ELLA R PROTECTION TRUST
9827 HWY 52
WIGGINS, CO 80654

DECARLO, NICK &
COPELAND, JAN L
4744 CO RD K
WIGGINS, CO 80654

PARKER, ROBERT L & VALERIE A
10476 HWY 52
WIGGINS, CO 80654

SCHMALZRIED, THERON &
ALLEN, PAMELA
10699 HWY 52
WIGGINS, CO 80654

BRUNELL, KARREN ANN
10695 HWY 52
WIGGINS, CO 80654

KNICKREHM, KEITH K
P O BOX 186
WIGGINS, CO 806540186

JOHNSON, JUSTIN WADE & ANGELLA
4832 CO RD K
WIGGINS, CO 806547815

IBRAHIM, RIMA & MUAATASEM MAMOUN
4828 CO RD K
WIGGINS, CO 80654

GALLEGOS, ABEL E NUNEZ
9807 HWY 52
WIGGINS, CO 80654

SICKLER, LEONARD M
5607 CO RD K
WIGGINS, CO 80654

GILMORE, LARRY C & KRISTEN M
5101 CO RD K
WIGGINS, CO 80654

ESKEW, BRANDON D & BRYONNA S
5182 CO RD K
WIGGINS, CO 806547806

ROUTZON, CONNOR BRIAN
302 BEATTIE ST
STERLING, CO 80751

TURNER, NICHOLAS & SADIE ANN
4775 CO RD K

WIGGINS, CO 80654

REFERRAL AGENCIES	RESPONSES RECEIVED
CenturyLink	
CDOT	See attached emails from 4/16/2025 and 4/21/2025 thru 4/22/2025
Colorado Parks and Wildlife	
Morgan County Assessor	
Morgan County Communications	
Morgan County Emergency Mgmt.	
Morgan Conservation District	
Morgan County Quality Water	
Morgan County Road & Bridge	
Morgan County Rural Electric Assoc.	
Morgan County Sheriff Department	
Morgan Weed & Pest Advisory Board	
Wiggins Fire Department	<p><u>Response received from Wiggins Fire via email on April 14, 2025</u> I have no issues with the proposed minor subdivision off Hwy 52. We would ask for the correct code with and sub base for the road to be installed.</p> <p>---</p> <p>Thank you, Dave Hinson Chief Wiggins Rural Fire District</p> <p><u>Response to Wiggins Fire sent via email on April 14, 2025</u> Dave, Can you clarify what you mean by "correct code" for the road to be installed? I will be passing your reply on to the landowner and I'm sure he may ask for clarification on this. Thank you Cheryl Brindisi, Planning and Zoning Administrative Assistant</p> <p><u>Response received from Wiggins Fire via email on April 14, 2025</u> If the county requires a 40' wide road, that the road be built to that width.</p> <p>---</p> <p>Thank you, Dave Hinson Chief Wiggins Rural Fire District</p>
Wiggins Telephone (Blue Lightning)	
Northeast Colorado Health Department	
Xcel Energy	See attached letter 4/15/2025



MORGAN COUNTY PLANNING AND ZONING DEPARTMENT

TO REFERRAL AGENCIES:

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

Morgan County Road & Bridge
Morgan County Rural Electric Assoc.
Morgan County Sheriff Department
Morgan Weed & Pest Advisory Board
Wiggins Fire Department
Wiggins Telephone (Blue Lightning)
Northeast Colorado Health Department
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: April 9, 2025

RE: Land Use Application–4-Lot Minor Subdivision

The following Minor Subdivision application is submitted to you for review and comments. The application is scheduled to be heard by the Planning Commission at a special hearing on **Monday, April 28, 2025 at 6:00 P.M.** and the Board of County Commissioners on **Tuesday, May 6, 2025 at 9:00 A.M.** **You are encouraged to provide comments to this application by April 23, 2025.** Failure to comment will be viewed as a favorable review.

Applicants: Jay Greener

Landowner: Buck Creek LandCO, LLC

Legal Description: A parcel of land located in the SE¼ of Section 11, Township 2 North, Range 60 West of the 6th P.M., Morgan County, Colorado.

Request: 4-Lot Minor Subdivision. The total acreage being divided into 4 Lots is 24.43 acres. Lot 1 will be 3.46 acres, Lot 2 will be 8 acres, Lot 3 will be 7.23 acres and Lot 4 will be 5.74 acres.

Sincerely,

Cheryl Brindisi,

Morgan County Planning & Zoning Administrative Assistant



Cheryl Brindisi <cbrindisi@co.morgan.co.us>

Minor Subdivision-Greener

Young - CDOT, Allyson [REDACTED] Wed, Apr 16, 2025 at 11:06 AM
To: Cheryl Brindisi <cbrindisi@co.morgan.co.us>, Timothy Bilobran - CDOT [REDACTED], Rose Valdes - CDOT [REDACTED]

Good Morning Cheryl,

CDOT will require a traffic impact study to be submitted for review. The study will need to identify the following:

- 1) Whether or not a new access permit is warranted at the County Road intersection per the requirements of the State Highway Access Code (SHAC). If traffic is either increasing by 20% or more or improvements are being made to the intersection, then the Access Permit will be required in order to obtain legal access. Based on what I am seeing, it is likely the permit will be required.
- 2) Whether or not any highway improvements including auxiliary lanes are required per the SHAC.
- 3) Long range (2045) and short range total (site and existing) traffic volumes for each turning movement at the County Road intersection must be included in the study. CDOT evaluates warrants based on the long range, total traffic volumes.

I did not see any new access being proposed, is that correct? Once the TIS is complete, CDOT will review and provide comments as to any revisions and potential next steps.

Thank you,
Ally

[Quoted text hidden]

--

Thank you,

Allyson Young
Region 4
Access Manager - Traffic



P [REDACTED]
10601 West 10th Street, Greeley, CO 80634
[REDACTED] | <http://codot.gov/> | www.cotrip.org



Cheryl Brindisi <cbrindisi@co.morgan.co.us>

Minor Subdivision-Greener

Cheryl Brindisi <cbrindisi@co.morgan.co.us>

Wed, Apr 16, 2025 at 12:47 PM

To: "Young - CDOT, Allyson" [REDACTED]

Cc: Timothy Bilobran - CDOT [REDACTED], Rose Valdes - CDOT [REDACTED] Nicole Hay <nhay@co.morgan.co.us>, Jenafer Santos <jsantos@co.morgan.co.us>

Hello and Good Day!

Just to clarify, the proposed access to this parcel for the Greener Minor Subdivision is off of County Road K. The property is abutting Highway 52.

Thank you**Cheryl Brindisi, Planning and Zoning Administrative Assistant***Morgan County Planning and Zoning**231 Ensign St.**PO Box 596**Fort Morgan, CO 80701**970-542-3526*CBrindisi@co.morgan.co.us

[Quoted text hidden]



Cheryl Brindisi <cbrindisi@co.morgan.co.us>

Minor Subdivision-Greener

Young - CDOT, Allyson [REDACTED]

Wed, Apr 16, 2025 at 12:59 PM

To: Cheryl Brindisi <cbrindisi@co.morgan.co.us>

Cc: Timothy Bilobran - CDOT [REDACTED], Rose Valdes - CDOT [REDACTED] Nicole Hay <nhay@co.morgan.co.us>, Jenafer Santos <jsantos@co.morgan.co.us>

Cheryl, yes that is understood. The site's traffic however will impact that County Road connection at the highway and therefore the study with the above listed requirements must be completed. Any connection, including county roads and city streets, are defined as "access points" in the State Highway Access Code.

Let us know when the study is complete and we will review in order to determine next steps.

Thanks,

Ally

[Quoted text hidden]



Cheryl Brindisi <cbrindisi@co.morgan.co.us>

Re: Greene rMinor Sub, Traffic Impact Study, Hwy 52/CR K Wiggins

3 messages

Valdes - CDOT, Rose [redacted] Tue, Apr 22, 2025 at 1:17 PM
To: Jay Greener [redacted]
Cc: Timothy Bilobran - CDOT [redacted], Cheryl Brindisi <cbrindisi@co.morgan.co.us>

Good Afternoon Mr. Greener,

I will be spearheading this from this point forward.

RE: 052A RB Highway Category Access

Please allow me to preface this by saying that I do not have the benefit of the original referral details.

State Highway Access Code (SHAC). I truly empathize with the limited resources of a small developer. That said, it is CDOT's mandate to implement state law without consideration for the property owner's financial limitations. The purpose of the Code is to make our highways safer and it must be applied uniformly in that pursuit.

Subdividing. If this is for subdividing-only without any specifically identified land uses, CDOT will not require a traffic assessment at this time. The total number of lots has no bearing.

Cheryl. CDOT will kindly ask Morgan County to refer any development of the subdivided lots at the Morgan County Planning phase for comments. At such time as the proposed Uses are identified, a Traffic Assessment will be required. The level of which to be determined at that time based upon the intended Use(s). If this is in the Planning Phase would you please send me a link to the associated documents? Please.

Jay, I am attaching the CDOT Traffic Assessment definitions as well as the CDOT Traffic Assessment Guidelines. These are new state-wide CDOT traffic assessment requirements that must be adhered to.

Indirect Highway 052A Access. This also requires conformance with State Highway Access Code.

I hope I have answered all your inquiries.

Kind Regards,

Rose Valdes
Assistant Access Manager



10601 West 10th Street, Greeley, CO 80634
[redacted] | <http://codot.gov/> | www.cotrip.or
Office Phone [redacted]

My working hours are Monday through Thursday 7am to 4:30pm and 7am to 11am on Fridays.

On Mon, Apr 21, 2025 at 9:54 AM Young - CDOT, Allyson <[redacted]> wrote:

----- Forwarded message -----

From: **Jay Greener** <[redacted]>
Date: Wed, Apr 16, 2025 at 4:31 PM
Subject: Greene rMinor Sub, Traffic Impact Study, Hwy 52/CR K Wiggins
To: <[redacted]>

Hi Allyson, Jay Greener here. I'm the owner of the property at County Road K and Highway 52 South of Wiggins. I'm proposing a minor subdivision resulting in four lots with a fifth out-lot, entering off of County Road K.

I've got an entry permit off of County Road K and am specifically putting in a private drive so that I don't enter off of Highway 52. I spoke with someone in your office regarding the incredible difficulty associated with obtaining an entry permit off of Highway 52.

My question at this point is, will the email attached from you suffice in terms of specifications for the engineering company that I will have quote the traffic study? Or is there something more that the engineering firm needs to understand in order to complete the study?

Secondly, I would implore you to reconsider this requirement. To be honest, I'm a small operation and am creating seven lots entering off the County Road out of strict deference to not wanting to enter off of 52 with utilities or access because I understand how expensive and onerous that's going to be. My thought was if I enter off of County Road K, I could avoid the traffic impact study. It appears that is not the case, is that right?

I'm just going to level with you; this may completely crush this project. I just need to know if there is any way around this. That is to say, do you have flexibility and the ability to reconsider this request? You understand I'm not entering off of 52, correct? Anything you can help with to enlighten me here would be very much appreciated.

Say I revise my proposal from 5-7 lots down to 2 or 3 with entry off K only - no entry off 52, would the State see that any differently?

Thank you.

j
--
Jay Greener
[redacted] (text is best)



--
Thank you,

Allyson Young
Region 4
Access Manager - Traffic



P [redacted]
10601 West 10th Street, Greeley, CO 80634
[redacted] | <http://codot.gov/> | www.cotrip.org

2 attachments

- a_cdot-traffic-assessment-guidelines-tag.pdf**
749K
- b_cdot-traffic-assessment-levels-tal.pdf**
187K

Valdes - CDOT, Rose [redacted] Tue, Apr 22, 2025 at 4:00 PM
To: Jay Greener [redacted]
Cc: Timothy Bilobran - CDOT [redacted], Cheryl Brindisi <cbrindisi@co.morgan.co.us>

Hi Jay,

I would recommend a traffic assessment, now, to determine the potential impact beyond a permit, if any, so that it does not fall unexpectedly upon your buyers.

CDOT would only require a Level 2 Traffic Assessment for several single family residences.

Kind Regards,

Rose Valdes
Assistant Access Manager



10601 West 10th Street, Greeley, CO 80634
[Redacted] | <http://codot.gov/> | www.cotrip.or
Office Phone [Redacted]

My working hours are Monday through Thursday 7am to 4:30pm and 7am to 11am on Fridays.

On Tue, Apr 22, 2025 at 3:49 PM Jay Greener [Redacted] wrote:

Hi Rose, can you please clarify to make sure I understand correctly:

RE: "Subdividing. If this is for subdividing-only without any specifically identified land uses, CDOT will not require a traffic assessment at this time."

My project consists of subdividing 66 acre into smaller lots, selling as land only. No improvements, but highest and best use is single family residence.

RE: " CDOT will kindly ask Morgan County to refer any development of the subdivided lots at the Morgan County Planning phase for comments. At such time as the proposed Uses are identified, a Traffic Assessment will be required. The level of which to be determined at that time based upon the intended Use(s)."

Would this mean that if a buyer of my vacant lot were to apply for a building permit to build a home, then a traffic study will be required, and in fact, every buyer, when they intend to build, would be required to furnish a traffic study?

If I were to procure a traffic study for 7 vacant lots at this location, will the buyers of the lot be able to utilize the study for the purposes of obtaining a building permit?

Thank you for the clarification and I'll review the code/pdfs provided as well.

Much appreciated. thx.j

[Quoted text hidden]

Cheryl Brindisi <cbrindisi@co.morgan.co.us>
To: Nicole Hay <nhay@co.morgan.co.us>

Wed, Apr 23, 2025 at 9:43 AM

Received yesterday.

Thank you
Cheryl Brindisi, Planning and Zoning Administrative Assistant
Morgan County Planning and Zoning
231 Ensign St.
PO Box 596
Fort Morgan, CO 80701
970-542-3526

CBrindisi@co.morgan.co.us

[Quoted text hidden]

2 attachments

 **a_cdot-traffic-assessment-guidelines-tag.pdf**
749K

 **b_cdot-traffic-assessment-levels-tal.pdf**
187K



Traffic Assessment Guidelines for CDOT Access Permits (in conformance with SHAC)

This document is supplemental to the “State Highway Access Code” (SHAC) and is intended to provide additional clarity to applicants regarding the required content of traffic assessments submitted as part of a CDOT access permit application. Refer to the “CDOT Traffic Assessment levels” (TAL) document (*Attachment A*) and coordinate with CDOT as needed to determine the appropriate level of assessment for a particular development. *Table 1* in this memo lists the specific traffic assessment items required for each level of traffic assessment and is applicable to most routine access permit applications. Some access permit applications may require additional analysis or discussion of other topics in addition to the items denoted in *Table 1*. It is required that the applicant arrange a pre-application meeting with CDOT to discuss application details and specific requirements for Level 2 and 3 traffic assessments. Refer to *Attachment B* for a sample Traffic Study Methodology Form that illustrates the items applicants should be ready to discuss during a pre-application meeting.

Traffic assessments should contain all items indicated in *Table 1* for the appropriate traffic assessment level (Level 1, 2, or 3) and should generally be presented in a similar order as in *Table 1*. Figures, maps, and tables shall be labeled, including a table or figure number, and presented in a legible scale. All levels of traffic assessments shall include an appendix with all relevant supporting documentation used to complete the traffic assessment report, including raw data collection records, trip generation pages and calculations, trip reduction justification and calculations, traffic modeling output files, copies of email correspondence, etc.

All proposed accesses and intersection improvement recommendations shall adhere to the requirements set forth in the SHAC. While not always specifically stated in *Table 1*, every traffic assessment should continuously reference applicable standards set forth in the SHAC such as the number of accesses per parcel, intersection spacing, auxiliary lane requirements, access width and radii, etc. The TIS may only identify any anticipated waivers from the design standards of the SHAC as described in Section 4.12 of the SHAC. Waivers cannot be issued for procedural requirements.

Deliverables required for a Level 2 (TripGen) and Level 3 (TIS) traffic assessment should be a formal report and include report elements such as a title page (include project name and number, date, company name, address and phone number and licensed engineer name, address, phone number, e-mail address, signed PE stamp and expiration date), list of figures, list of tables, executive summary, etc. All traffic and safety model files and output reports should also be included with the TIS submittal. Traffic modeling files should be dated and named in a clear, relevant, and consistent manner when transmitting to CDOT so that reviewers can easily navigate the submission folder. The list of files being transmitted to CDOT should be noted along with the list of attachments at the end of the traffic assessment report.

Table 1 begins on the following page and continues through page 7. The table outlines and clarifies the requirements for each level of traffic assessment in conformance with SHAC and applies to most CDOT’s routine access permit applications.

Table 1: Traffic Assessment Study Content Guidance

Category	Description	L 1	L 2	L 3
Pre-Application Meeting	Pre-Application Meeting – Discuss traffic assessment assumptions and proposed methodology with a CDOT representative. Local entities should be invited and other stakeholders may also attend pre-application meeting with CDOT.		X	X
Development Context	Location Map - Clear, scaled map showing development parcel(s) and relation to the surrounding roadway network and jurisdictional boundaries.	X	X	X
	Project Description - Detailed description of the existing land use and the proposed development.	X	X	X
	Development Buildout (Open Year) - Year that development is expected to open to traffic.	X	X	X
	Development Design Year (Horizon Year) - 20 years after the planned open year.		X	X
	Phasing Plan - CDOT recommends preparing the TIS for the full build-out condition or the most reasonable level of completion that the development will reach within 5 years. Phases that are expected to be completed more than 5 years from the application date should submit a new permit application when new phases are expected to be completed within 5 years. TISs that include a phasing plan should evaluate no more than two phases, an interim conditional and a full buildout condition.		if applicable	if applicable
	Site Plan - Figure should include driveway widths, radii, and show expected circulation of vehicles on site.		X	X
	Access Locations - Detailed description of existing and proposed access points to the development. Description should include mile point location, existing and proposed access configuration (full access, 3/4 access, RIRO, etc.), control type (signal, stop-controlled, roundabout, etc.), and status of the access point (existing - to remain, existing - to close, existing - to be modified, proposed, etc.)	X	X	X
	Access Point Spacing - Map should clearly identify existing and possible future access locations on both sides of the roadway within one-half mile of the development in each direction. Include distance between access point edges on the figure.		X	X
Study Area ¹	Study Intersections - List of all intersections in the study area. Include existing control type and lane configuration of intersection approaches including lane movement assignments and turn bay lengths.	X	X	X
	Road Names - Map or list with names of roadways in the study area. State highways should use route designation identified in OTIS in addition to local road names for the highway.	X	X	X



Table 1: Traffic Assessment Study Content Guidance

Category	Description	L 1	L 2	L 3
Study Area Cont.	Existing AADT - AADT of all roadways in the study area. AADT of State Highways can be found in CDOT OTIS and MS2SOFT.	X	X	X
	Roadway Classification - Functional classification and access control classification (for state highways) of all roadways in the study area.	X	X	X
	Posted Speed Limit - Existing posted speed limit within 1,000' in each direction of proposed development access points and study area intersections.	X	X	X
	Planned Improvements - All projects that are planned or funded within one-half mile of the study area. Review local and state plans for funded improvements and list any projects within one-half mile of the study area. Reference any approved Access Control Plans (ACP) within the study area.		X	X
Existing Volumes	Data Collection - Describe the data collection plan including date (must be collected within 2 years of TIS submittal), day of week, location, duration, and type of data collection.		X	X
	Peak Hours - List all peak hours to be analyzed. Analysis should include peak hours on the adjacent roadway and the peak hour of the generator.	X	X	X
	Existing Volume Data - Include Peak Hour Factor (PHF), truck percentage, and any other relevant data related to the existing conditions traffic.		X	X
	Adjustment Factors - Describe adjustment factors that were applied to the collected data to develop existing conditions turning movement volumes, including source data and calculations or describe why adjustment factors do not need to be applied to the existing conditions volumes. Note - Existing conditions peak hour volume should be adjusted as needed to reflect approximately the 30th highest hourly volume of the year (Design Hourly Volume, DHV).		X	X
	Existing Peak Hour Volume Diagram - Provide Figure showing peak hour turning movement counts (TMC) at all study intersections for all peak hours being analyzed. Volumes should be rounded up to the nearest whole number and balanced across intersections as outlined in CDOT "Traffic Analysis and Forecasting Guidelines".		X	X
Trip Generation ^{2,3}	Land Use - Describe land use code selection, or justification of alternative trip generation methodology ² .	X	X	X
	Trip Reductions - If applicable, describe all adjustments to trip generation that will be utilized for the development including internal capture, pass-by trips, mode split, or other adjustments. All adjustments must include supporting documentation in the report appendix.		if applicable	if applicable



Table 1: Traffic Assessment Study Content Guidance

Category	Description	L 1	L 2	L 3
Trip Generation <i>Cont.</i>	Trip Generation ³ - Include Table of trip generation calculations using ITE Trip Generation Manual (most recent edition at the time of submission). Use of CDOT table template ⁴ is highly encouraged. The table must include land use code, independent variable, development size (in relation to independent variable), total daily trips, and peak hour trips (total, entering, and exiting) for each peak hour being analyzed. If trip reductions are recommended, they should be separated into reductions that will reduce volumes at the driveways (such as internal capture) and reductions that will not reduce volumes at the driveways (pass-by or diverted). Volumes should be rounded up to the nearest whole number.	X	X	X
	Trip Distribution - Describe distribution of trips generated by the proposed development. Description should include assumptions and calculations and all relevant sources.		X	X
	Trip Distribution Figure - Provide a Figure showing percentage and directional distribution of individual movements entering and exiting the site. When a development contains multiple access points, a separate figure for distribution of entering and exiting traffic is recommended.		X	X
	Development/Site-Generated Volume Diagram - Provide a Figure showing peak hour turning movement volumes of ONLY development/site-generated traffic volumes at all study intersections for all peak hours being analyzed. When a development will contain multiple access points, a separate figure for distribution of entering and exiting traffic is highly encouraged. When pass-by or diverted trips are part of the analysis, separate volume diagrams for distribution of new trips generated by the development and reassignment of pass-by/diverted trip volumes should be included along with the final development/ site-generated volume diagram. Volumes should be rounded to the nearest whole number.		X	X
	Construction Traffic - When the construction of a development will generate at least 10 DHV (PCE) or a development will be under construction for one year or longer, an estimate of construction traffic volumes during analysis peak hours should be included and analyzed alongside development traffic to determine if auxiliary lanes or other mitigation measures are warranted due to construction traffic.			if applicable
Future Volumes Development	Growth Rate (GR) - List the applied growth rate(s) and describe the process used to determine the growth rate for developing future background traffic volumes. Include calculations, assumptions, and data sources.		X	X



Table 1: Traffic Assessment Study Content Guidance

Category	Description	L 1	L 2	L 3
Future Volumes Development Cont.	Build-out/Open Year Background Volume Diagram - Figure showing background peak hour turning movement volumes for the build-out/open year at all study intersections for all peak hours being analyzed. Volumes should be rounded up to the nearest whole number.		X	X
	Build-out/Open Year Total Volume Diagram - Figure showing total (build-out/open year background + development) peak hour turning movement volumes for the build-out/open year at all study intersections for all peak hours being analyzed.		X	X
	Design/Horizon Year Background Volume Diagram - Figure showing background peak hour turning movement volumes for the design/horizon year (build-out/open year + 20) at all study intersections for all peak hours being analyzed. Volumes should be rounded up to the nearest whole number.		X	X
	Design/Horizon Year Total Volume Diagram - Figure showing total (design/horizon year background + development) peak hour turning movement volumes for the design/horizon year at all study intersections for all peak hours being analyzed.		X	X
	Auxiliary Lane Analysis - Compare design/horizon year total passenger car equivalent (PCE) volumes with auxiliary lane requirements in the SHAC. Analysis should include a review of all study intersections and turning movements. Make a final descriptive or list of recommendations as to whether an auxiliary lane is or is not warranted. Where auxiliary lanes are warranted, specify the required lane length.		X	X
Traffic Operations Analysis 5,6,7,8,9,10	Traffic Analysis Methodology ^{5,6} - Describe the methodology for conducting traffic analysis including the type and version of the software used and measures of effectiveness (MOE) being evaluated. Required MOEs include control delay, level of service (LOS), volume-to-capacity ratio, and 95% queue lengths. MOEs should be reported by movement, approach, and for overall intersection as appropriate.		X	X
	Build-out/Open Year - Background Conditions Operations ⁷ - Results of traffic operation analysis for the build-out/open year with Background traffic volumes only. Planned improvements that will be in place by the year of analysis should be included.		X	X
	Build-out/Open Year - Total Conditions Operations without Mitigations ⁷ - Results of traffic operation analysis for the build-out/open year with Total traffic volumes (background + development/site-generated). This analysis should not assume any improvements associated with the development except those required to provide access to the site at driveway locations (i.e. driveway connection to the highway and required auxiliary lanes).		X	X



Table 1: Traffic Assessment Study Content Guidance

Category	Description	L 1	L 2	L 3
Traffic Operations Analysis <i>Cont.</i>	Design/Horizon Year - Background Conditions Operations⁷ - Results of traffic operation analysis for the design/horizon year with Background traffic volumes only. Planned improvements that will be in place by the year of analysis should be included.			X
	Design/Horizon Year - Total Conditions Operations without Mitigations⁷ - Results of traffic operation analysis for the design/horizon year with Total traffic volumes (background + development/site-generated). This analysis should not assume any improvements associated with the development except those required to provide access to the site at driveway locations (i.e. driveway connection to the highway and required auxiliary lanes).			X
	Operations Deficiency^{8,9} - Describe deficiencies that were identified in the traffic operations analysis, if any. These deficiencies trigger the need for mitigations and improvements.		X	X
	Alternatives Analysis⁷ - When improvements are determined to be needed based on the traffic analysis results, the TIS must analyze a range of reasonable alternatives including no build or no direct access alternatives. Innovative intersection alternatives should also be considered. A new traffic signal may only be included as an option in an alternatives analysis if a signal warrant study indicates a signal is warranted ^{5,10} . CDOT may request ICAT (or other tools) as part of the TIS deliverables. CDOT's ICAT (Intersection Control Assessment) Tool is developed to facilitate the screening, ranking, and prioritization of available ranges of alternatives (ICAT stage 1). It also facilitates benefit-cost analysis (BCA) for the top five alternatives, using output results from traffic, safety, and environmental analyses, along with vulnerable road user (VRU) opportunities and stakeholder support levels. These five alternatives are then ranked based on their overall BCA score (ICAT stage 2).			X
	Recommended Mitigations - Make final recommendations in mitigating the identified deficiencies based on the alternatives analysis results.			X
	Concept Plan - Provide a scaled concept plan of all proposed mitigations, including required auxiliary lanes.			X
	Safety Analysis	Historical Crash Data - Report crash data from the most recently available 5 years by severity and type of crash at study intersections. Historical crash data may be requested from CDOT during the pre-application meeting or by email. CDOT may provide additional information about existing crash patterns which should be addressed in the TIS if applicable.		if requested by CDOT
Safety Impacts and Potential Mitigations - Describe potential safety impacts of the proposed development including the impact caused by increased traffic, and new access points. Make recommended mitigations as applicable.			X	X



Table 1: Traffic Assessment Study Content Guidance

Category	Description	L 1	L 2	L 3
Multimodal Analysis (non-motorized modes)	Multimodal Infrastructure - Document location of existing and proposed multimodal (non-motorized) infrastructure within the study area. This may include crosswalks, bus stops, designated bike parking areas, micro-transit corrals, etc.	X	X	X
	Pedestrian - Analysis should address pedestrian access and circulation including the interface with bicycle and transit facilities. The analysis may include pedestrian level of service analysis and should clearly define the methodology used.		if requested by CDOT	if requested by CDOT
	Bicycle - Analysis should address bicycle access and circulation. The analysis may include bicycle level of service analysis and should clearly define the methodology used.		if requested by CDOT	if requested by CDOT
	Transit - Analysis should document existing and planned transit services servicing the development including expected frequency of service. The analysis may include transit level of service analysis and should clearly define the methodology used.		if requested by CDOT	if requested by CDOT
Measurements	Sight Distance - Include measured sight distance at all development access locations to the state highway, along with relevant photos. Development must meet adequate sight distance requirements per SHAC Section 4.3.	X	X	X
	Clear Zone - If applicable, provide evidence of available clear zones, including relative photos.	if applicable	if applicable	if applicable
Conclusions	Required Roadway Improvements - Clearly summarize roadway improvements, including auxiliary lanes, required to accommodate development traffic and describe when the improvement should be implemented and who will be responsible for completing the improvement.		X	X
	Conformance to State Highway Access Code – Clearly state that the recommended improvements are in compliance with all requirements set forth in the State Highway Access Code. If any improvements are not in compliance, include documentation of CDOT concurrence to the variance request.		X	X
	Summary of Driveway Volumes - Clearly summarize the Design Hourly Volume (DHV) to be used for each required access permit. The DHV is the anticipated highest total hourly traffic volume that will use the access point in the design/horizon year.	X	X	X
	Sealed Report: The Report must be Signed and Sealed by the Registered Colorado Professional Engineer.		X	X



Table Footnotes:

1. Refer to SHAC for determining how large a study area to include for each traffic assessment. The extent and contents of the study area depends on the location and size of the proposed development and conditions of the adjacent area and is defined in SHAC.
2. Engineering judgment should be used when selecting the proposed land use and independent variable for trip generation calculations. Note ITE guidance related to trip generation calculations:
 - a. Use Fitted Curve Equation, when:
 - A fitted curve equation is provided and the data plot has at least 20 data points, or
 - A fitted curve equation is provided, the curve has an R^2 of at least 0.75, the fitted curve falls within the data cluster, and the weighted standard deviation is more than 55% of the weighted average rate.
 - b. Use Weighted Average Rate, when:
 - The data plot has at least three data points (and preferably, six or more);
 - The R^2 value for the fitted curve is less than 0.75 or no fitted curve equation is provided;
 - The weighted standard deviation for the average rate is less than 55% of the weighted average rate; and
 - The weighted average rate is within data cluster in plot.
 - c. Collect Local Data, when:
 - Study site is not compatible with ITE Land Use Code definition;
 - Data plot has only one or two data points (and preferably, five or fewer);
 - The weighted standard deviation for the average rate is greater than 55% of the weighted average rate;
 - The independent variable value is not within range of data; or
 - Neither weighted average rate line or fitted curve is within data cluster at size of study site.
3. Some studies may need to provide separate trip-generation deliverables for passenger cars (PC) and trucks (HV).

When a proposed land use is not included in the most recent version of the ITE Trip Generation Manual the traffic assessment should propose a reasonable estimate of daily and design hourly volumes. The preferred methodology is to calculate trip generation rates based on peak period counts collected at a similar facility. Wedding and special event venues may reference the memo included in *Attachment C*.

4. See *Attachment D - CDOT Trip Generation Table Template*
5. When signalized intersections are part of the study area, the applicant should request existing signal timing data to use for analysis. TIS analysis should assume cycle length consistent with the existing corridor signal operation and function, and the same yellow and all red times as in the existing timing plan. When timing plans are not available, the analyst must calculate yellow and all red clearance times using a CDOT-approved methodology or assume a minimum 5-second yellow and 3-second all-red phase. The analysis should use the same cycle length as adjacent intersections if part of a coordinated corridor or may assume a cycle length from 60 to 140 seconds at isolated intersections. If the access is proposed to have a traffic signal, or will necessitate modifications to a traffic signal, additional analysis and documentation are required per SHAC.



6. When an intersection is adjacent to a railroad crossing, the study should include a description of train operations in the report. Ensure operations analysis accounts for the distance between crossbucks on approaches indicating the area where vehicles may not stop on tracks. If the intersection is signalized or is proposed to be signalized in the future, coordination should be made with the Region Traffic Engineer to determine if signal preemption is or will be used and if it may be incorporated into operations analysis.
7. Traffic operations analysis must use passenger car equivalent (PCE) volumes or accurately account for truck percentages in analysis.
8. At signalized intersections, all movements and the overall intersection should operate at LOS D or better in the peak hours, unless otherwise approved by CDOT prior to the TIS submittal. If LOS E and F cannot be avoided (due to long cycle lengths or other constraints agreed upon with the Region Traffic Engineer prior to TIS submittal), the operations analysis should ensure the intersection geometry can accommodate the anticipated queue and that the signal is able to process the entire queue during each cycle.
9. LOS E and F on a minor street approach at a two-way stop-controlled (TWSC) intersection should be further investigated. The developer should coordinate with the local agency if side street operations are a concern to determine the preferred course of action (no action, mitigation, etc.). Documentation of these conversations and recommended action should be included in the report.
10. Notes regarding signal warrant studies:
 - Signal warrant studies must be attached to the TIS and must include analysis of all 9 warrants.
 - An intersection that meets criteria for Warrant 3 (Peak Hour) or Warrant 8 (Roadway Network) must also meet at least one other warrant criteria (that is not Warrant 8 or 3) to recommend a new traffic signal unless specifically approved by the Region Traffic Engineer.
 - Where a dedicated right-turn lane exists or is planned, right-turn volumes on applicable approaches should be reduced by 50% if turning into a shared lane or by 100% if turning into a dedicated right-turn acceleration lane.
 - Study should indicate if the signal is warranted based on projected build-out/open volumes or design/horizon volumes. Note that some Regions may not permit signals based on design/horizon year volumes.
 - Note that satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic signal. The final decision regarding the approval of new traffic signals lies with the Region Traffic Engineer.

Attachments

- Appendix A. CDOT Traffic Assessment Levels (TAL) Memo
- Appendix B. Sample form for Traffic Study Methodology
- Appendix C. Example for Trip Generation and Distribution Rates - Special Event Venue, Wedding
- Appendix D. Template for CDOT Trip Generation Table

Attachment A

CDOT Levels of Traffic Assessment



CDOT Traffic Assessment Levels

Section 2.3(5) of the “State Highway Access Code” (SHAC) specifies the thresholds and general requirements of a traffic impact study (TIS). A TIS is required when the proposed land use will generate a Design Hourly Volume (DHV) of 100 vehicles or more, or when considered necessary or desirable by CDOT. This document is supplemental to the SHAC and describes three (3) levels of traffic assessments and the associated requirements for each.

The permit applicant should contact the appropriate CDOT Region to determine the appropriate traffic assessment level and the specific requirements for each application. Level 2 and 3 traffic assessments are required to arrange a pre-application meeting to discuss requirements and agree on a proposed methodology. The contact information for CDOT Regions’ access permit is listed at the end of this document.

Sections below list and summarize the CDOT Traffic Assessment Levels. For guidance on the content required for each Traffic Assessment Level, refer to *Table 1* in the “Traffic Assessment Guidelines” for CDOT Access Permits document.

Level 1 – Trip Generation Assessment (TripGen)

The purpose of a Level 1 Assessment is to document the project trip generation and to confirm if auxiliary turn lanes are not required at the proposed access point. A Level 1 Assessment is required for **all projects that generate less than DHV of 10 Passenger Car Equivalent (PCEs) at both the construction and after build-out**. For example, a single-family home usually generates one trip in the peak hour, so a project with nine or fewer homes would fit into this category. It is unlikely that any commercial or industrial development would fit into this category.

Level 2 – Auxiliary Turn Lane Assessment (TurnLn)

The purpose of a Level 2 Assessment is to document the project trip generation and to determine auxiliary turn lane requirements at the proposed access points within the immediate study area. The results of this assessment may reveal that no additional turn lanes are needed. The assessment may also reveal that a Traffic Impact Study is necessary (see Level 3), as determined by CDOT. It is strongly recommended that all assumptions be confirmed with the CDOT traffic engineer prior to completing the assessment. A Level 2 Assessment shall be required for **all projects that generate between 10 and 99 DHV trips in the peak hour**. A Professional Engineers seal is required for all traffic assessment submissions.

Level 3 – Traffic Impact Study (TIS)

The purpose of a Level 3 assessment or Traffic Impact Study (TIS) is to understand the full traffic impact of the proposed development, and to identify traffic mitigation measures. A TIS is **required when the proposed land use will generate a DHV of 100 vehicles or more, or when considered necessary or desirable by CDOT**. A Professional Engineers seal is required. It is strongly recommended that all assumptions be confirmed with the CDOT traffic engineer prior to completing the study.



CDOT Regions Access Permitting Contact Information:

- R1 access permitting (303-512-4272)
steven.loeffler@state.co.us
2829 W. Howard Pl., 2nd Floor, Denver, CO 80204
- R2 access permitting (719-562-5540)
cdot_r2_permits_access@state.co.us
5615 Wills Blvd, Suite A, Pueblo, CO 81008
- R3 access permitting (970-683-6284)
Brian.killian@state.co.us
222 South Sixth St, Room 100, Grand Junction, CO 81501
- R4 access permitting (970- 302-4022)
timothy.bilobran@state.co.us
10601 W. 10th St., Greeley, CO 80634
- R5 access permitting (970-385-3626)
cdot_region5accesspermits@state.co.us
3803 N. Main Ave, Suite 100, Durango, CO 81301

Attachment B

Traffic Impact Study (TIS) Methodology Form



Transportation Impact Study Methodology Form

Prior to starting a traffic impact study, a Methodology Form must be submitted for review and signed by the Region 3 Access Engineer. It shall be included as part of the study.

CONTACT INFORMATION	
Consultant:	Name: _____
	Telephone: _____
	Email: _____
	Developer/Owner Name: _____

PROJECT INFORMATION	
Project Name	_____
Project Location	_____
Project Description <i>(Attached proposed site plan)</i>	_____
State Highway	_____
County	_____
Mile Post	_____
Posted Speed Limit	_____

TIS ASSUMPTIONS			
Study Years	Current Year:	Buildout Year:	Long Term Year:
Traffic Assessment Level <i>(Provide justification)</i>	_____		
Study Intersections	1.	6.	
	2.	7.	
	3.	8.	
	4.	9.	
	5.	10.	
Future Growth Rate	<input type="checkbox"/> OTIS	<input type="checkbox"/> Regional TDM	<input type="checkbox"/> Other
Seasonal Adjustment Factor	_____		



ASSUMPTIONS CONTINUED			
Project Trip Distribution <i>(State assumptions and attach sketch that shows individual movements.)</i>			
Trip Reduction Percentage	Internal Capture:		Pass By:
	Multi-Modal:		Other:
Study Time Periods <i>(Check all that apply)</i>	<input type="checkbox"/> AM (7-9)	<input type="checkbox"/> PM (4-6)	<input type="checkbox"/> Weekday
	<input type="checkbox"/> SAT (Midday)	<input type="checkbox"/> Other	
Existing and Proposed ITE Trip Generation Land Use			
Analysis Methods <i>(Check all that apply)</i>	<input type="checkbox"/> Synchro or <input type="checkbox"/> HCS <i>(isolated intersections only)</i>		<input type="checkbox"/> SimTraffic or <input type="checkbox"/> Other <i>(closely spaced intersections or when known/expected queuing issue)</i>
	<input type="checkbox"/> Signal Warrants		<input type="checkbox"/> Pedestrian/Transit/Bicycle
	<input type="checkbox"/> Safety/Sight Distance		<input type="checkbox"/> Queuing and Storage
	<input type="checkbox"/> Other		
Notes and Other Assumptions			
Crash Data	CDOT will perform a crash data analysis for the highway in the vicinity of the proposed access and provide to the consultant. As a part of the study consultant shall recommend mitigation measures for any identified safety issues.		
Simulation Input Files	Consultant to provide computer files used for analysis with a signed and sealed copy of the study.		

CDOT INTERNAL USE ONLY	
Review Comments	
<input type="checkbox"/> Revise and Resubmit	
Engineer Signature/Date	<input type="checkbox"/> Approved

This is a sample Traffic Assessment Methodology form intended to illustrate the items that applicants should be ready to discuss during a pre-application meeting.

Attachment C

Wedding Venue Trip Generation Rate Memo



DATE: January 30, 2018
FROM: Kent Harbert, CDOT Region 3 Access Engineer
SUBJECT: Wedding venue trip generation and trip distribution

The ITE Trip Generation Guide does not include a land use category for wedding venues. It is, therefore, desirable to establish a standard methodology to project the trip generation rates and the trip distribution assumptions. The following is proposed:

Trip Generation

A wedding is a single event at a pre-established time. All of the wedding party and wedding guests will be in attendance at the ceremony. Therefore, the trip generation rate will be based on the capacity of the area within the venue to be used for the ceremony.

Typically, a wedding party will rent a venue with a capacity near the size of their wedding. Estimate that 75% of the venue capacity will be the typical size used for trip generation.

Estimate that the wedding party and vendors represent 10% of those attending the wedding and that they arrive more than one hour before the ceremony. The remaining 90% will arrive during the one-hour period prior to the ceremony.

Many of the wedding guest travel together as couples, families or groups of friends. Assume there will be 2 to 2.5 guests per vehicle.

Using the above factors gives a range of 0.27 to 0.33 for the trip generation factor as a function of the venue capacity. Use an average rate of 0.30 with 100% entering.

If the venue does not include a reception area use the same 0.30 rate for the exiting trips. If the venue has a reception area the exiting will be dispersed over a few hours. Use a rate of 0.12 ($0.30 \times 40\%$) for the peak hour of exiting vehicles.

Trip Distribution

Trip distribution for a wedding venue is not like other land uses where the traffic in one direction plus the traffic in the opposite direction totals to 100% of the design hour volume. For a wedding venue the majority of the traffic can be to and from one direction for one wedding and to and from the other direction for a different wedding. The two distributions need to be analyzed separately, not averaged.



Attachment D

CDOT Trip Generation Table Template

Table 1: Trip Generation Table Template (Project with No Proposed Trip Reductions)

Land Use	ITE LUC	Proposed Size	Weekd ay Daily	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Strip Retail Plaza (<40ksf)	822	23,000 SF	1,250	35	20	55	70	70	140
High-Turnover (Sit-Down) Restaurant	932	10,000 SF	1,070	50	45	95	55	35	90
Total Trips			2,320	85	65	150	125	105	230

Table 2: Trip Generation Template (Project with Proposed Trip Reductions)

Land Use	ITE LUC	Proposed Size	Weekd ay Daily	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Strip Retail Plaza (<40ksf)	822	23,000 SF	1,250	35	20	55	70	70	140
High-Turnover (Sit-Down) Restaurant	932	10,000 SF	1,070	50	45	95	55	35	90
Total Trips			2,320	85	65	150	125	105	230
Trip Reductions (Internal capture, linked trips, etc.)			-50	-5	0	-5	-5	0	-5
Total Driveway Trips¹			2,270	80	65	145	120	105	225
Pass-by Trips			-850	-30	-30	-60	-40	-40	-80
Net New Trips			1,420	50	35	85	80	65	145

¹Operations analysis shall be performed using the total vehicular volume experienced at an access point/driveway or study intersection which includes pass-by trips. Pass-by trips should be reassigned to the access point/driveway from the adjacent roadway network as needed.

These Trip Generation tables are examples. Actual project-specific trip generation and distribution data should be adequately obtained and presented similarly.



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: [REDACTED]

April 15, 2025

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

Attn: Cheryl Brindisi, Nicole Hay, Jenafer Santos

Re: Greener – 4-Lot Minor Subdivision

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plan for **Greener – 4-Lot Minor Subdivision** and currently has **no apparent conflict**.

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

Violeta Ciocanu (Chokanu)
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: [REDACTED] – Email: [REDACTED]

**NOTICE OF SPECIAL PUBLIC HEARING
MORGAN COUNTY PLANNING COMMISSION
APRIL 28, 2025 AT 6:00 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 Applications**:

- 1.) **Applicants:** Timothy Bellendir and Bre Gilliland
Landowner: Marva Bellendir
Legal Description: A parcel of land in the NW¼ of Section 10, Township 4 North, Range 57 West of the 6th P.M., Morgan County, Colorado. Also known as 22910 Co Rd 21, Fort Morgan, CO 80701.
Request: A 2-Lot Minor Subdivision. The total acreage being divided into 2 Lots is 6.51 acres. Lot 1 will be 4 acres; Lot 2 will be 2.51 acres.
Date of Application: February 18, 2025

- 2.) **Applicant:** Jay Greener
Landowner: Buck Creek LandCO, LLC
Legal Description: A parcel of land in the SE¼ of Section 11, Township 2 North, Range 60 West of the 6th P.M., Morgan County, Colorado.
Request: A 4-Lot Minor Subdivision. The total acreage being divided into 4 Lots is 24.43 acres. Lot 1 will be 3.46 acres, Lot 2 will be 8 acres, Lot 3 will be 7.23 acres and Lot 4 will be 5.74 acres.
Date of Application: February 18, 2025

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/89345385960>

Join via audio:

+1 719 359 4580 US

Webinar ID: 893 4538 5960

Documents pertaining to the above identified matters are on file in the Planning Administrator's Office, 231 Ensign St., Fort Morgan, Colorado. Twenty-four hours prior to the meeting, the Planning Commission meeting packet is available here: 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

Posted to website: April 14, 2025

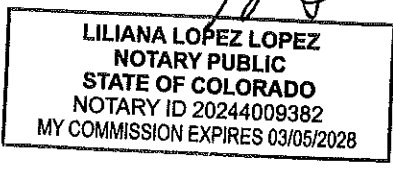
For special assistance for the mentioned hearing, please notify us at least 48 hours before the scheduled agenda item. Please call (970) 542-3526 to request any ADA accommodations.

The above sign was posted on (date) 4/15/2025, pursuant to the
Morgan County Zoning Resolution by (name of applicant) Buck Creek Land Co, LLC

Project name and number: Garner MS 2025-0002

Signature of Applicant/Representative: [Handwritten Signature]

STATE OF COLORADO)
) ss.
COUNTY OF MORGAN)



Signed before me this date: April 15, 2025
My Commission expires: 03/05/2028

NOTARIZED BY: [Handwritten Signature]



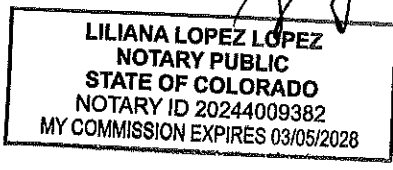


The above sign was posted on (date) 4/15/2025, pursuant to the
Morgan County Zoning Resolution by (name of applicant) Buck Creek Land LLC

Project name and number: Greener MS 1025-0002

Signature of Applicant/Representative: [Handwritten Signature]

STATE OF COLORADO)
) ss.
COUNTY OF MORGAN)



Signed before me this date: April 15, 2025

My Commission expires: 03/05/2028

NOTARIZED BY: [Handwritten Signature]





NOTICE TO PUBLIC RECORD IN JAN 02
APPLICANT BEING THE PLANNING DEPARTMENT
ADDRESS: 24 Street
CITY: ...
COUNTY: ...
PROJECT: ...
CONTACT: ...
PHONE: ...
FAX: ...