



Board of County Commissioners

Eva J. Henry - District #1
Charles "Chaz" Tedesco - District #2
Emma Pinter - District #3
Steve O'Dorisio - District #4
Lynn Baca - District #5

PUBLIC HEARING AGENDA

NOTICE TO READERS: The Board of County Commissioners' meeting packets are prepared several days prior to the meeting. This information is reviewed and studied by the Board members to gain a basic understanding, thus eliminating lengthy discussions. Timely action and short discussion on agenda items does not reflect a lack of thought or analysis on the Board's part. An informational packet is available for public inspection in the Board's Office one day prior to the meeting.

THIS AGENDA IS SUBJECT TO CHANGE

Tuesday
August 9, 2022
9:30 AM

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. MOTION TO APPROVE AGENDA

4. AWARDS AND PRESENTATIONS

- A.** Resolution Approving Open Space Grant Awards and Agreements on August 9, 2022
- B.** Open Space Sales Tax Grant Award Presentation

5. PUBLIC COMMENT

A. Citizen Communication

During this portion of the meeting, the board will hear public comment. The Chair will determine how much time is reserved for public comment and how much time is permitted for each speaker.

B. Elected Officials' Communication

6. CONSENT CALENDAR

- A.** Minutes of the Commissioners' Proceedings from August 2, 2022
- B.** Resolution Approving Adams County's Scientific and Cultural Facilities District Funding Distribution Plan for 2022-23
- C.** Resolution Approving Grant of Easement from Adams County to United Power, Inc., for Electrical Facilities Purposes

- D.** Resolution Approving the Lease Agreement between the Adams County Board of Commissioners on behalf of Adams County Head Start and the Gethsemane Lutheran Church 2022-2025
- E.** Resolution Accepting Warranty Deed Conveying Property from Welby Hill I Condominium Association, Inc., to Adams County for Right-of-Way Purposes
- F.** Resolution Accepting Quitclaim Deed Conveying Property from Michael W. Sunday and Dixie Sunday to Adams County for Right-of-Way Purposes
- G.** Resolution Accepting Quitclaim Deed Conveying Property from Ira Eugene Putman and Mary Ann Putman to Adams County for Right-of-Way Purposes
- H.** Resolution Accepting Warranty Deed Conveying Property from Julie A. Linebarger-Taylor to Adams County for Right-of-Way Purposes
- I.** Resolution Accepting Warranty Deed Conveying Property from Edgar Leon to Adams County for Right-of-Way Purposes
- J.** Resolution Accepting Warranty Deed Conveying Property from Welby Glen Owners Association, Inc., to Adams County for Right-of-Way Purposes
- K.** Resolution Accepting Warranty Deed Conveying Property from Devonshire Auto Wash, LLC, to Adams County for Right-of-Way Purposes
- L.** Resolution Approving Right-of-Way Agreement between Adams County and Henry Jaco Land, LLC, for Property Necessary for the Calhoun-Byers Road Bridge over West Bijou Creek Improvements Project in the Amount of \$6,150.00
- M.** Resolution Appointing Frederick Alfred to the Community Enrichment Grant Advisory Committee
- N.** Resolution Appointing Heather Catt to the Community Corrections Board as an At-Large Member
- O.** Resolution Appointing Ken Ciancio to the Community Enrichment Grant Advisory Committee as an Unincorporated Adams County Representative
- P.** Resolution Appointing Randall Cleveland to the Board of Fire Code Appeals as a Regular Member
- Q.** Resolution Appointing Richard Delaney to the Community Enrichment Grant Advisory Committee
- R.** Resolution Appointing Jessica Hulse to the Community Services Block Grant Advisory Council as a Public Sector Representative
- S.** Resolution Appointing Christopher Kemm to the Veterans Advisory Commission as a Veteran Representative
- T.** Resolution Appointing Susan McFaddin to the Planning Commission as an Alternate Member
- U.** Resolution Appointing Lisle Reed to the Veterans Advisory Commission as a Veteran Representative
- V.** Resolution Appointing Lisle Reed to the Community Services Block Grant Advisory Council as a Public Sector Representative
- W.** Resolution Appointing Jodie Schenck to the Community Enrichment Grant Advisory Committee
- X.** Resolution Appointing Tasha Vanmarter to the Community Services Block Grant Advisory Council as a Private Sector Representative

Y. Resolution Appointing Joann Vondracek to the Community Enrichment Grant Advisory Committee

Z. Resolution Approving Development Agreement between Adams County and 73rd Ave Properties, LLC

7. NEW BUSINESS

A. COUNTY MANAGER

1. Resolution Approving Amendment One to the Agreement between Adams County and US Foods in the Amount of \$177,000.00, for Nutritional Food Services

2. Resolution Approving an Agreement between Adams County and High Country Low Voltage in the Amount of \$379,505.45, for the Adams County Human Services Center Audio Visual System Upgrade

B. COUNTY ATTORNEY

8. LAND USE HEARINGS

A. Cases to be Heard

1. RCU2022-00015 Gutierrez Rezone

9. ADJOURNMENT

AND SUCH OTHER MATTERS OF PUBLIC BUSINESS WHICH MAY ARISE



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Spring 2022 Open Space Sales Tax Grant Awards
FROM: J. Byron Fanning, Jr., Director of POSCA, and Rae-Anne Reichow, Open Space Coordinator
AGENCY/DEPARTMENT: Parks, Open Space and Cultural Arts
HEARD AT STUDY SESSION ON: Presented by B. Fanning at Study Session on July 19, 2022
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the resolution to approve the Spring 2022 Open Space Grant Awards.

BACKGROUND:

Staff presented the Spring 2022 Grant Applications to the BOCC on July 19, 2022. During the Study Session, the BOCC agreed to fund grant requests as recommended by Staff and the Open Space Advisory Board. Listed below is a financial accounting of all grant requests and their overall impact on the fund.

On March 31st, 2022, the Open Space Program received 17 full grant applications and 10 mini grant applications for a total of 27 grant submissions. The total amount requested for open space grants in this cycle is \$18,925,173.93 which includes mini grants. The total amount available for distribution was \$18,390,689.17.

The Open Space Advisory Board (OSAB) recommended full funding of all mini grant applications. The OSAB recommended full funding for the regular applications which they scored highest, from 1 to 14. Partial funding was recommended for the project that scored 15 and no funding was recommended for the projects that scored 16 and 17. The fund will not carry a balance to the next cycle.

The projects are listed according to their ranking, with mini grants listed last.

A detailed list of projects and the Open Space Advisory Board’s recommendations for funding is below.

Ranking	Applicant	Project Name	Funding Request \$	Funding Recommendation \$
1	Adams County	Willow Bay Phase 2 Acquisition	\$ 986,000.00	\$ 986,000.00
2	City of Brighton	HSV Target Property # 1 - Additional Funding	\$ 2,812,000.00	\$ 2,812,000.00
3	City of Aurora	High Line Canal Trail Construction - Colfax Ave to I-70	\$ 1,600,000.00	\$ 1,600,000.00
4	Town of Bennett	Purple Pipe Phase II	\$ 960,000.00	\$ 960,000.00
5	City of Thornton	Aylor Open Lands	\$ 2,902,770.00	\$ 2,902,770.00
6	City of Northglenn	Kiwanas Pool Improvements Phase 2	\$ 1,000,000.00	\$ 1,000,000.00
7	Adams County	Riverdale Bluffs Trail System	\$ 1,733,069.00	\$ 1,733,069.00
8	City of Westminster	Swim & Fitness Center Front Entrance ADA Enhancements & U	\$ 1,000,000.00	\$ 1,000,000.00
9	City of Aurora	Sand Creek Trail System	\$ 261,170.00	\$ 261,170.00
10	City of Thornton	Trail Connections, Upgrades and Rehab 2022	\$ 651,231.00	\$ 651,231.00
11	Bird Conservancy of the Rockies	Bringing Nature Home	\$ 594,994.00	\$ 594,994.00
12	City of Commerce City	Fitness Court	\$ 100,000.00	\$ 100,000.00
13	Hyland Hills Park and Recreation District	Sherrelwood Playspace and Shelter	\$ 450,000.00	\$ 450,000.00
14	City of Westminster	Legacy Ridge Golf and Parks Reclaimed Irrigation Project	\$ 1,250,305.93	\$ 1,250,305.93
15	City of Commerce City	Second Creek Farm Park	\$ 2,000,000.00	\$ 1,895,515.24
16	Hyland Hills Park and Recreation District	Clear Creek Valley Large Event Shelter - Phase VI	\$ 360,000.00	\$ -
17	Town of Bennett	Trail Wayfinding Art Project	\$ 70,000.00	\$ -
MINI	Adams County	Ranger Patrol E-Motorcycle	\$ 12,000.00	\$ 12,000.00
MINI	Town of Bennett	Mountview Cemetery and Open Space	\$ 25,000.00	\$ 25,000.00
MINI	Hyland Hills Parks and Recreation District	Design and Planning of Hyland Hills Sports Complex	\$ 25,000.00	\$ 25,000.00
MINI	City of Thornton	Brandon Place Park Playground Swings	\$ 25,000.00	\$ 25,000.00
MINI	City of Commerce City	Park Ranger E Bikes	\$ 9,275.00	\$ 9,275.00
MINI	Sand Creek Regional Greenway Partnership	SCRGP Community Engagement Initiative	\$ 24,653.00	\$ 24,653.00
MINI	Strasburg Parks and Recreation District	North Field Batting Cages	\$ 24,139.00	\$ 24,139.00
MINI	Strasburg Parks and Recreation District	South Field Shade and Scoreboard	\$ 24,667.00	\$ 24,667.00
MINI	Barr Lake	Lake Appreciation Day 2022	\$ 3,900.00	\$ 3,900.00
MINI	City of Northglenn	Rotary Park Pavilion	\$ 20,000.00	\$ 20,000.00

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Open Space Advisory Board, Applicants

ATTACHED DOCUMENTS:

Resolution approving the award of Open Space Grant Awards.

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 28
Cost Center: 6202

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<hr/> <hr/>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	8810		\$18,390,689.17
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<hr/> <hr/> \$18,390,689.17

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

N/A

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING OPEN SPACE GRANT AWARDS AND GRANT
AGREEMENTS ON AUGUST 9, 2022

Resolution 2022 -

WHEREAS, Adams County voters approved an Open Space Sales Tax on November 3, 1999, to be used in accordance with Resolution 99-1; and,

WHEREAS, Resolution 99-1 specifies that the Board of County Commissioners shall appoint an Adams County Open Space Advisory Board to recommend projects to be funded through a grant program using 68% of the Open Space Sales Tax; and,

WHEREAS, Resolution 2020-480 was approved on November 3, 2020, and voters approved a resolution to authorize the permanent extension of an existing countywide sales tax of one-fourth of one percent (one-fourth penny per dollar) for the continued purpose of preserving open space and creating and maintaining parks and recreation facilities; setting the ballot title and text for the election; and providing the effective date of such resolution; and,

WHEREAS, the Adams County Open Space Advisory Board has received, and reviewed grant applications submitted on March 31, 2022, for tax funds collected in the second half of 2021; and

WHEREAS, the Adams County Open Space Advisory Board made the following recommendations to the Board of County Commissioners:

Adams County Open Space Grant Program			
Spring 2022 Grant Cycle			
Ranking	Applicant	Project Name	Funding Recommendation \$
1	Adams County	Willow Bay Phase 2 Acquisition	\$ 986,000.00
2	City of Brighton	HSV Target Property # 1 - Additional Funding	\$ 2,812,000.00
3	City of Aurora	High Line Canal Trail Construction - Colfax Ave to I-70	\$ 1,600,000.00
4	Town of Bennett	Purple Pipe Phase II	\$ 960,000.00
5	City of Thornton	Aylor Open Lands	\$ 2,902,770.00
6	City of Northglenn	Kiwanas Pool Improvements Phase 2	\$ 1,000,000.00
7	Adams County	Riverdale Bluffs Trail System	\$ 1,733,069.00
8	City of Westminster	Swim & Fitness Center Front Entrance ADA Enhancements & Upgrades	\$ 1,000,000.00
9	City of Aurora	Sand Creek Trail System	\$ 261,170.00
10	City of Thornton	Trail Connections, Upgrades and Rehab 2022	\$ 651,231.00
11	Bird Conservancy of the Rockies	Bringing Nature Home	\$ 594,994.00
12	City of Commerce City	Fitness Court	\$ 100,000.00
13	Hyland Hills Park and Recreation District	Sherrelwood Playspace and Shelter	\$ 450,000.00
14	City of Westminster	Legacy Ridge Golf and Parks Reclaimed Irrigation Project	\$ 1,250,305.93
15	City of Commerce City	Second Creek Farm Park	\$ 1,895,515.24
MINI	Adams County	Ranger Patrol E-Motorcycle	\$ 12,000.00
MINI	Barr Lake	Lake Appreciation Day 2022	\$ 3,900.00
MINI	City of Commerce City	Park Ranger E Bikes	\$ 9,275.00
MINI	City of Northglenn	Rotary Park Pavilion	\$ 20,000.00
MINI	City of Thornton	Brandon Place Park Playground Swings	\$ 25,000.00
MINI	Hyland Hills Parks and Recreation District	Design and Planning of Hyland Hills Sports Complex	\$ 25,000.00
MINI	Sand Creek Regional Greenway Partnership	SCRGP Community Engagement Initiative	\$ 24,653.00
MINI	Strasburg Parks and Recreation District	North Field Batting Cages	\$ 24,139.00
MINI	Strasburg Parks and Recreation District	South Field Shade and Scoreboard	\$ 24,667.00
MINI	Town of Bennett	Mountview Cemetery and Open Space	\$ 25,000.00

WHEREAS, the Board of County Commissioners has reviewed the recommendations by the Adams County Open Space Advisory Board; and,

WHEREAS, the Board of County Commissioners concurs with the recommendations of the Open Space Advisory Board and wishes to award grants in the amounts listed above; and,

WHEREAS, all grant awards are contingent upon the full execution of a grant agreement between the Grantee and the County; and,

WHEREAS, the signed grant agreement must be received no later than 45 days from the award date.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, County of Adams, State of Colorado, that the above grant awards for projects submitted March 31, 2022, be and hereby are approved.

BE IT FURTHER RESOLVED that the Chair is authorized to execute said grant agreements on behalf of Adams County.

BE IT FURTHER RESOLVED that the Director of Adams County Parks, Open Space and Cultural Arts has the authority to sign as “Grantee” for the above grant agreements awarded to Adams County.



**Board of County Commissioners
Minutes of Commissioners' Proceedings**

Eva J. Henry - District #1
Charles "Chaz" Tedesco - District #2
Emma Pinter - District #3
Steve O'Dorisio - District #4
Lynn Baca - District #5

**Tuesday
August 02, 2022
9:30 AM**

1. ROLL CALL

Rollcall

Present: 4 - Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Baca

Excused: 1 - Commissioner Henry

2. PLEDGE OF ALLEGIANCE

3. MOTION TO APPROVE AGENDA

A motion was made by Commissioner O'Dorisio, seconded by Commissioner Pinter, that this Agenda be approved with the removal of item 6C under the Consent Calendar. The motion carried by the following vote:

Aye: 4 - Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Baca

4. AWARDS AND PRESENTATIONS

5. PUBLIC COMMENT

A. Citizen Communication

During this portion of the meeting, the board will hear public comment. The Chair will determine how much time is reserved for public comment and how much time is permitted for each speaker.

B. Elected Officials' Communication

6. CONSENT CALENDAR

A motion was made by Commissioner O'Dorisio, seconded by Commissioner Pinter, that this Consent Calendar be approved. The motion carried by the following vote:

Aye: 4 - Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Baca

- A. List of Expenditures Under the Dates of July 18-22, 2022
- B. Minutes of the Commissioners' Proceedings from July 26, 2022
- C. Resolution Approving Development Agreement between Adams County and 73rd Avenue Properties, LLC
This item was removed
- D. Resolution Approving Abatement Petitions and Authorizing the Refund of Taxes for Account Numbers P0038109, R0204619, R0204620, R0204621, R0204622, P0038437, P0038110, R0005330, R0051396, and P0037735
- E. Resolution Accepting Warranty Deed Conveying Property from John C. Burgess and Daniel L. Whelan to Adams County for Road Right-of-Way
- F. Resolution Accepting Warranty Deed Conveying Property from William J. Rinkor to Adams County for Road Right-of-Way
- G. Resolution Accepting Special Warranty Deed Conveying Property from Juan M. Uribe to Adams County for Road Right-of-Way
- H. Resolution Accepting Warranty Deed Conveying Property from George Wilson and Sandra G. Skinner to Adams County for Road Right-of-Way
- I. Resolution Accepting Warranty Deed Conveying Property from The Angelina Helen Lucero Trust Dated January 8, 2009, to Adams County for Road Right-of-Way
- J. Resolution Accepting Quitclaim Deed Conveying Property from Andrew Miller to Adams County for Road Right-of-Way
- K. Resolution Accepting Special Warranty Deed Conveying Property from Katherine Goodman to Adams County for Road Right-of-Way
- L. Resolution Accepting Special Warranty Deed Conveying Property from Manuela O. Cocoa and Francisca Cocoa to Adams County for Road Right-of-Way
- M. Resolution Accepting Warranty Deed Conveying Property from Richard Kevin Schneider Trust to Adams County for Road Right-of-Way

- N. Resolution Accepting Special Warranty Deed Conveying Property from Guerrero Balbuena-Mendez to Adams County for Road Right-of-Way
- O. Resolution Accepting Special Warranty Deed Conveying Property from Cleper Homar Moreno to Adams County for Road Right-of-Way
- P. Resolution Accepting Warranty Deed Conveying Property from Dennis Gorham to Adams County for Road Right-of-Way
- Q. Resolution Accepting Warranty Deed Conveying Property from Declan Gallagher and Lauren V. Gallagher to Adams County for Road Right-of-Way
- R. Resolution Accepting Quitclaim Deed Conveying Property from Security Realty Company to Adams County for Right-of-Way Purposes
- S. Resolution Accepting Bargain and Sale Deed Conveying Property from Security Realty Company to Adams County for Right-of-Way Purposes
- T. Resolution Approving Development Agreement between Adams County and Trash Mahal Colorado, LLC and Receipt of Collateral in the Amount of \$229,096.71
- U. Resolution Approving Right-of-Way Agreement between Adams County and Central 62 Acquisitions, LLC, for Property Necessary for the 62nd Avenue Roadway and Drainage Improvements Project from Pecos Street to Washington Street
- V. Resolution Approving an Intergovernmental Agreement for the Provision of Law Enforcement and Administrative Records Support Services between Adams County and Commerce City Colorado
- W. Resolution Approving an Intergovernmental Agreement for the Provision of Law Enforcement and Administrative Records Support Services between Adams County and Brighton, Colorado
- X. Resolution Approving Intergovernmental Agreement between the E-470 Public Highway Authority, City of Brighton, and Adams County, Colorado Regarding E-470 and Sable Boulevard Interchange Funding and Construction
- Y. Order Terminating a Declaration of a Disaster in and for Adams County, Colorado
- Z. Resolution Approving the Project Funding Agreement for Globeville Improvements between Adams County, the City and County of Denver, and the Denver Urban Renewal Authority

7. NEW BUSINESS

A. COUNTY MANAGER

Present: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Baca

1. Resolution Approving Amendment One to the Agreement between Adams County and A-1 Chipseal Co., in the Amount of \$1,277,481.25, for 2022 Gravel Chip Seal

A motion was made by Commissioner Tedesco, seconded by Commissioner O'Dorisio, that this New Business be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Baca

B. COUNTY ATTORNEY

8. Motion to Adjourn into Executive Session Pursuant to C.R.S. 24-6-402(4)(b) for Legal Advice and Update Regarding Treasurer Litigation

A motion was made by Commissioner Henry, seconded by Commissioner Pinter, that this be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Baca

Motion to Adjourn into Executive Session Pursuant to C.R.S. 24-6-402(4)(b) and (e) for the Purpose of Receiving Legal Advice and Instructing Negotiators Regarding Aerotropolis Marketing Study

A motion was made by Commissioner Henry, seconded by Commissioner Tedesco, that this Executive Session be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Baca

Motion to Adjourn into Executive Session Pursuant to C.R.S. 24-6-402(4)(b) and (e) for the Purpose of Receiving Legal Advice and Instructing Negotiators Regarding Gomez-Ciprez Claim

A motion was made by Commissioner Henry, seconded by Commissioner Tedesco, that this Executive Session be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Baca

9. LAND USE HEARINGS

A. Cases to be Heard

1. RCU2022-00015 Gutierrez Rezone (Continuance)
A motion was made by Commissioner Pinter, seconded by Commissioner O'Doriso, that this Land Use Hearing be continued to August 9, 2022. The motion carried by the following vote:
Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Doriso, and Commissioner Baca

2. PLT2021-00012 Lefor Major Subdivision Preliminary Plat
A motion was made by Commissioner Pinter, seconded by Commissioner O'Doriso, that this Land Use Hearing be approved. The motion carried by the following vote:
Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Doriso, and Commissioner Baca

3. RCU2021-00023 GCSA Event Center
A motion was made by Commissioner Pinter, seconded by Commissioner O'Doriso, that this Land Use Hearing be approved. The motion carried by the following vote:
Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Doriso, and Commissioner Baca

10. ADJOURNMENT

AND SUCH OTHER MATTERS OF PUBLIC BUSINESS WHICH MAY ARISE



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Adams County's Scientific and Cultural Facilities District Funding Distribution Plan
FROM: Zoe Ocampo, Cultural Arts Liaison; Melvin Wardlow, Administrative Coordinator; Marc Pedrucci, Interim Director, Parks, Open Space & Cultural Arts
AGENCY/DEPARTMENT: Parks, Open Space and Cultural Arts
HEARD AT STUDY SESSION ON: July 12, 2022
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves Adams County's Scientific and Cultural Facilities District (SCFD) Funding Distribution Plan for 2022/2023

BACKGROUND:

SCFD distributes funds from a 1/10 of 1% sales and use tax to qualified cultural organizations throughout the seven-county Denver, Colorado metropolitan area. The funds support cultural facilities whose primary purpose is to enlighten and entertain the public through the production, presentation, exhibition, advancement and preservation of art, music, theatre, dance, zoology, botany, natural history, and cultural history.

The Adams County Cultural Council (ACCC) interviews and evaluates the qualified organizations each year to provide the recommendations to the Board of County Commissioners on how to distribute the annual SCFD allocation. The SCFD Board provided Adams County with \$2,232,503.84 for the 2022-23 funding allocation. The ACCC recommended funding to 74 organizations for 100 projects, 4 visual art projects, and 17 general operating support organizations within Adams County, for a total of \$2,232,463.75, with \$40.09 remaining to rollover.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Parks, Open Space, & Cultural Arts
Adams County Cultural Council

ATTACHED DOCUMENTS:

Adams County’s Scientific and Cultural Facilities District Funding Distribution Plan for 2022/2023 Resolution

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund:
Cost Center:

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<hr/> <hr/>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<hr/> <hr/>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

SCFD provides all the funding through the 1/10 of 1% sales tax revenue each year.

BOARD OF COUNTY COMMISSIONS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING ADAMS COUNTY'S SCIENTIFIC AND CULTURAL
FACILITIES DISTRICT FUNDING DISTRIBUTION PLAN FOR 2022-23

Resolution 2022

WHEREAS, \$2,232,503.84 is currently available from the Scientific and Cultural Facilities District tax for distribution to qualified organizations in Adams County; and,

WHEREAS, the Adams County Cultural Council solicited applications for said funds; and,

WHEREAS, after careful review of those applications, the Adams County Cultural Council has made recommendations to the Board of County Commissioners for distribution of \$2,232,503.84.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the recommendations on the Adams County Cultural Council's Funding Plan, which are attached hereto and incorporated herein, are hereby approved and adopted.

BE IT FURTHER RESOLVED, that the Chair of the Board of County Commissioners is hereby authorized to execute said Contracts and attending documents on behalf of Adams County.



SCFD 2022 Tier III Funding Plan - Adams County

From District Office		
	Previously Committed Funds	Available for Distribution
2022 Funds Available		\$ 2,202,649.19
Uncommitted/Returned Funds from Previous Years		\$ 29,854.65
Committed Visual Arts Yet To Be Distributed:		
Commerce City Cultural Council (The Path to Vitality)	\$ 3,580.75	
Northglenn Arts and Humanities Foundation (Arts on Parade 2018)	\$ 5,051.25	
Northglenn Arts and Humanities Foundaiton (Parsons Theatre Lobby Sculpture Project)	\$ 25,000.00	
Brighton Cultural Arts Commission	\$ 7,116.50	
Northglenn Arts and Humanities Foundation (Arts on Parade 2021)	\$ 5,875.00	
Thornton Arts, Sciences and Humanities Council (Outside the Box 2021)	\$ 6,880.29	
Total Available from District Office	\$ 53,503.79	\$ 2,232,503.84

Organization	General Operating Support	Amount Requested	Amount Recommended
A Child's Song	General Operating Support		\$ 40,000.00
Adams County Historical Society	General Operating Support		\$ 23,713.11
Adams County Visual Arts Commission	General Operating Support		\$ 40,000.00

Brighton Cultural Arts Commission	General Operating Support		\$ 30,543.65
Brightonmusic Choir and Orchestra	General Operating Support		\$ 1,402.79
Colorado Educational Theatre	General Operating Support		\$ 4,633.75
Commerce City Cultural Council	General Operating Support		\$ 4,240.00
Inside the Orchestra	General Operating Support		\$ 40,000.00
Kim Robards Dance	General Operating Support		Ineligible
Life/Art Dance Ensemble	General Operating Support		\$ 3,673.45
Northglenn Arts & Humanities Foundation	General Operating Support		\$ 40,000.00
Northland Fine Arts Association	General Operating Support		\$ 2,553.88
Paletteers Art Club	General Operating Support		\$ 1,028.16
Platte Valley Players	General Operating Support		\$ 4,169.49
Tango Colorado	General Operating Support		Ineligible
Thornton Arts, Sciences and Humanities Council	General Operating Support		\$ 9,511.38
Thornton Community Band	General Operating Support		\$ 1,225.30
Thornton Community Chorus	General Operating Support		\$ 1,754.78
Westminster Community Artist Series	General Operating Support		\$ 4,534.42
GOS TOTAL			\$ 252,984.16

Organization	Project	Amount Requested	Amount Recommended
A Child's Song	Musical Experiences for Educational Achievement	\$ 30,000.00	\$ 27,600.00
A Child's Song	Reach and Teach	\$ 30,000.00	\$ 27,600.00
Adams County Historical Society	Historic Holidays	\$ 21,265.00	\$ 17,394.77
Adams County Historical Society	School & Organized Youth Tours	\$ 7,495.00	\$ 5,996.00
Adams County Visual Arts Commission	Rotating Artist Showcase	\$ 3,371.00	\$ 3,033.90
Augustana Arts	Music Encounters	\$ 27,090.00	\$ 22,159.62
Aurora Symphony Orchestra	Adams County Concert Series	\$ 8,616.00	\$ 7,754.40
Ballet Ariel	Beauty and The Beast Fairy Tale Suite at Parsons Theatre	\$ 3,000.00	\$ 2,760.00

Bluff Lake Nature Center	Family, Education, and Outreach Program	\$ 37,000.00	\$ 37,000.00
Boulder Ballet	Educational Outreach	\$ 7,000.00	\$ 6,300.00
Boulder Metalsmithing Association	Enhancing Art through Metalsmithing	\$ 2,290.00	\$ 2,290.00
Boulder Museum of Contemporary Art	Exhibitions & Complementary Programming at Anythink Libraries	\$ 55,000.00	\$ 55,000.00
Boulder Museum of Contemporary Art	Contemporary Classroom	\$ 30,000.00	\$ 30,000.00
Boulder Philharmonic Orchestra	Boulder Philharmonic at Pinnacle Performing Arts Center	\$ 41,000.00	\$ 37,720.00
Boulder Philharmonic Orchestra	Discovery Concert Education Program	\$ 8,500.00	\$ 8,500.00
Brighton Cultural Arts Commission	Brighton "On Stage"	\$ 63,350.00	\$ 44,978.50
Brighton Cultural Arts Commission	C.O.R.E. (Community Outreach Recognition Education)	\$ 24,925.00	\$ 17,696.75
Brightonmusic Choir and Orchestra	Concert Season	\$ 5,400.00	\$ 4,860.00
Butterfly Effect Theatre of Colorado	BETC's Touring Theatre Truck Performances	\$ 10,573.00	\$ 9,727.16
Celebrate the Beat	Dance and Movement Classes for Adams County Students.	\$ 40,823.00	\$ 33,393.21
Centro Cultural Mexicano	Latin Beats: Sonidos de las Americas	\$ 12,500.00	\$ 10,396.00
Centro Cultural Mexicano	Empowering the Youth with Art	\$ 6,500.00	\$ 5,750.00
CMDance	School Dance and Music Programs	\$ 9,000.00	\$ 8,100.00
CMDance	Rocky Mountain Balboa Blowout	\$ 20,000.00	\$ 18,400.00
Colorado Bach Ensemble	CBE presents Bach's St. Matthew Passion & School Outreach Programs	\$ 30,100.00	\$ 24,621.80
Colorado Celebration of African American Arts and Culture	Colorado Black Arts Festival	\$ 15,000.00	\$ 13,800.00
Colorado Chamber Players	Musical Morsels in Adams County	\$ 3,200.00	\$ 2,880.00
Colorado Conservatory of Dance	CCD Performance Series at Pinnacle	\$ 136,053.00	\$ 136,053.00
Colorado Conservatory of Dance	CCD Community Education Adams County 2022-2023	\$ 57,645.00	\$ 57,645.00
Colorado Dragon Boat	Cultural EduTainment & ParticipAsian	\$ 15,000.00	\$ 15,000.00
Colorado Dragon Boat	Dragon Boats at Adams County	\$ 25,000.00	\$ 25,000.00
Colorado Fine Arts Association	CFAA Adams Eastern Classical Music Project	\$ 12,000.00	\$ 11,040.00

Colorado Fine Arts Association	CFAA Adams Eastern Classical Dance Project	\$ 15,500.00	\$ 14,260.00
Colorado Youth Symphony Orchestras	Outreach	\$ 10,000.00	\$ 5,085.00
Colorado Youth Symphony Orchestras	Fall Concert at Pinnacle	\$ 4,500.00	\$ 3,444.00
Commerce City Cultural Council	Music in the Park	\$ 8,000.00	\$ 6,544.00
Control Group Productions	In-School Performances of "Sojourners Project: Busing"	\$ 12,200.00	\$ 9,979.60
Control Group Productions	Sand Creek Dialogs	\$ 7,500.00	\$ 6,750.00
David Taylor's Zikr Dance Ensemble	Portals	\$ 20,000.00	\$ 18,400.00
Denver Children's Choir	Youth Choir Music Education Outreach - NW Initiative	\$ 10,000.00	\$ 8,180.00
Denver Municipal Band	Educational Services & Public Concert	\$ 6,000.00	\$ 5,400.00
Denver Municipal Band	Adams County Senior Center Concerts	\$ 3,200.00	\$ 2,880.00
Denver Young Artists Orchestra Association	DYAO Concert at Stanley Marketplace	\$ 8,000.00	\$ 7,200.00
Downtown Aurora Visual Arts	DAVA Youth: Building Bridges	\$ 23,000.00	\$ 23,000.00
Downtown Aurora Visual Arts	DAVA Outreach	\$ 12,000.00	\$ 11,040.00
Environmental Learning for Kids (ELK)	Commerce City Youth Naturally	\$ 25,000.00	\$ 25,000.00
Fiesta Colorado	El Dia de Los Muertos	\$ 6,000.00	\$ 5,400.00
Four Mile Historic Park	Field Trip & Outreach	\$ 24,000.00	\$ 17,924.02
Friends of Dinosaur Ridge	School/Organizational Guided Group Tours of Dinosaur Ridge	\$ 14,000.00	\$ 14,000.00
Golden Eagle Concert Band	Band Concerts in Adams County	\$ 844.71	\$ 760.24
Grand Design	New Century Jubilee Project	\$ 5,000.00	\$ 4,500.00
Historic Denver/Molly Brown House Museum	Community Education Programs	\$ 9,000.00	\$ 8,280.00
Inside the Orchestra	In-School, Homeschool, and Inside the Story Programming	\$ 16,000.00	\$ 16,000.00
Inside the Orchestra	Tiny Tots	\$ 25,000.00	\$ 25,000.00
Kantorei		\$ 5,500.00	\$ 4,950.00
Kim Robards Dance	Summer Intensive Company Project (SICP)	\$ 16,950.00	\$ 13,865.10
Kim Robards Dance	A Leg Up	\$ 20,000.00	\$ 18,400.00
Levitt Pavilion Denver	Adam's County Outreach for Levitt's Bilingual Concerts	\$ 13,730.00	\$ 11,231.14

Life/Art Dance Ensemble	Time. Place. Space.	\$ 4,200.00	\$ 3,780.00
Mirror Image	"Your Voice" - Theatre in Education	\$ 17,000.00	\$ 17,000.00
Mountain Chamber Music Society	Chamber Music School Concerts	\$ 1,950.00	\$ 1,755.00
Mountain Chamber Music Society	CMSGD Community Concerts	\$ 4,000.00	\$ 3,200.00
Museo de las Americas	Exhibits & Education Programs	\$ 30,000.00	\$ 27,600.00
New Dance Theatre	Adams County Performance Series	\$ 46,500.00	\$ 46,500.00
New Dance Theatre	Healing Power of Arts	\$ 48,500.00	\$ 48,500.00
Northglenn Arts & Humanities Foundation	Youth Theatre	\$ 57,450.00	\$ 57,450.00
Northglenn Arts & Humanities Foundation	Summer Concert and Movie Series	\$ 11,000.00	\$ 11,000.00
Northland Fine Arts Association	Pop Rock Festival	\$ 4,875.00	\$ 4,387.50
Northland Fine Arts Association	Musicals Galore: Broadway and More	\$ 5,054.00	\$ 4,548.60
Ocean First Institute	Plastic Pollution Solutions 2022	\$ 10,000.00	\$ 10,000.00
Paletteers Art Club	Community Art Shows	\$ 5,000.00	\$ 4,387.50
Paletteers Art Club	North Metro Artists Studio Tour	\$ 3,500.00	\$ 2,700.00
Phamaly Theatre Company	Musical at Parsons Theatre at Northglenn Arts	\$ 91,958.00	\$ 84,601.36
Phamaly Theatre Company	Dramatic Play at The People's Building	\$ 68,813.00	\$ 63,307.96
Platte Valley Players	Spring Play- Drama	\$ 10,050.00	\$ 8,220.90
Platte Valley Players	FALL MUSICAL	\$ 12,550.00	\$ 10,265.90
PlatteForum	ArtLab: Arts-education programming for youth from historically marginalized populations	\$ 19,512.00	\$ 19,512.00
Rocky Mountain Arts Association	Love: Something to Live For	\$ 3,200.00	\$ 2,880.00
Rocky Mountain Brassworks-A British Brass Band	Public School Collaborations	\$ 1,340.00	\$ 1,072.00
Shady Ladies of Central City	Unconventional Women of the West-Live Performance	\$ 700.00	\$ 630.00
St. Martin's Chamber Choir	SMCC Concerts & Student Choral Workshops	\$ 7,480.00	\$ 5,610.60
Stories on Stage	Stories on Stage Season Programming & "Cuentame un Cuentito"	\$ 6,000.00	\$ 4,800.00
Su Teatro	Celebrando Arte y Cultura	\$ 20,800.00	\$ 12,525.00
Su Teatro	Corridos y Encuentros Parte Segundo	\$ 12,525.00	\$ 20,800.00
Tesoro Foundation	Indian Market & Ceremonial Dance	\$ 7,000.00	\$ 6,440.00

Tesoro Foundation	1840 Rendezvous and Spanish Colonial Art Market	\$ 5,000.00	\$ 4,600.00
The Catamounts	Pride of the Farm	\$ 19,500.00	\$ 19,500.00
The Catamounts	The Estate Sale	\$ 18,000.00	\$ 18,000.00
The Denver Brass	Getting Down to Brass Tacks!	\$ 17,430.00	\$ 17,430.00
The Urban Farm	Traveling All Around the Farm: Adams County	\$ 10,000.00	\$ 10,000.00
Think 360 Arts for Learning	Arts for All: Schools, Communities and Beyond	\$ 16,000.00	\$ 14,720.00
Thorne Ecological Institute	In-School Nature Science Program	\$ 16,186.00	\$ 13,489.00
Thornton Arts, Sciences and Humanities Council	Arts in the Park	\$ 4,000.00	\$ 4,000.00
Thornton Arts, Sciences and Humanities Council	Dia de Los Muertos Mexican Cultural Celebration	\$ 6,000.00	\$ 6,000.00
Westminster Community Artist Series	Education in the Arts	\$ 19,000.00	\$ 13,312.95
Westminster Community Artist Series	Arts in the Community	\$ 17,000.00	\$ 11,861.00
WOW Children's Museum World of Wonder	WOW! Children's Museum experiences benefiting residents of Adams County	\$ 12,000.00	\$ 11,040.00
WOW Children's Museum World of Wonder	WOW! Children's Museum Outreach Programming to Adams County Sites	\$ 2,920.00	\$ 2,920.00
Young Voices of Colorado	East Adams County PrairieVoices	\$ 5,012.50	\$ 5,012.50
Young Voices of Colorado	West Adams 5th Grade Honor Choir	\$ 4,125.00	\$ 3,712.50
		\$ 1,802,751.21	\$ 1,656,995.48

Organization	Visual Arts Project	Amount Requested	Amount Recommended
Adams County Visual Arts Commission	Niver Creek Community Mural	\$ 131,649.00	\$ 118,484.10
Brighton Cultural Arts Commission	Eternal Flame of Life	\$ 40,000.00	\$ 28,000.00
Northglenn Arts & Humanities Foundation	City Hall Public Art Project	\$ 150,000.00	\$ 120,000.00
Thornton Arts, Sciences and Humanities Council	Latinx History and Heritage	\$ 70,000.00	\$ 56,000.00
		\$ 391,649.00	\$ 322,484.10

	Amount Requested	Amount Recommended
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General Operating Support	\$ -	\$ 252,984.16
Project	\$ 1,802,751.21	\$ 1,656,995.48
Visual Arts	\$ 391,649.00	\$ 322,484.10
TOTAL	\$ 2,194,400.21	\$ 2,232,463.74



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Resolution approving Grant of Easement from Adams County to United Power, Inc., for Electrical Facilities purposes
FROM: Brian Staley, P.E., PTOE, RSP, Director of Public Works Janet Lundquist, Deputy Director of Public Works
AGENCY/DEPARTMENT: Public Works
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the Grant of Easement for United Power's Electrical Facilities on County owned property

BACKGROUND:

Attached is a copy of a Grant of Easement from Adams County to United Power, Inc., for electrical facilities on County owned property near the round-a-bout at Park Blvd and Henderson Road. The attached resolution allows the County to approve the Grant of Easement needed for United Power Inc.'s electrical facilities.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Adams County Public Works, Office of the County Attorney and Adams County Board of County Commissioners.

ATTACHED DOCUMENTS:

Draft resolution
Grant of Easement

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 13
Cost Center: 3056

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<hr/>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<hr/>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

Draft Resolution

**BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO**

**RESOLUTION APPROVING GRANT OF EASEMENT FROM ADAMS COUNTY TO
UNITED POWER, INC., FOR ELECTRICAL FACILITIES PURPOSES**

Resolution 2022-

WHEREAS, Adams County owns fee parcels of land designated for the Adams County Riverdale Regional Park Complex located in the North Half of Section 34, Township 1 South, Range 67 West of the 6th Principal Meridian, County of Adams, State of Colorado (the "Property"); and,

WHEREAS, United Power, Inc. (United Power), has constructed electrical facilities near the Round-a-bout at Henderson Road and Park Boulevard; and,

WHEREAS, United Power requires the conveyance of the Grant of Easement over the County's property; and,

WHEREAS, granting of the easement on the County property will not impact the County's use of the property for the Projects.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, County of Adams, State of Colorado, that the Grant of Easement, copy of which is attached hereto, be and are hereby approved.

BE IT FURTHER RESOLVED, that the Chair of the Board of County Commissioners is hereby authorized to execute the Grant of Easement.

RECORDING INFORMATION ABOVE

GRANT OF EASEMENT

County of Adams, State of Colorado, GRANTOR (whether one or more), whose address is 4430 South Adams County Parkway, Brighton, CO 80601, in consideration of Ten and 00/100 Dollars (\$10.00) and other valuable consideration, receipt of which is hereby acknowledged, grants and conveys unto UNITED POWER, INC., GRANTEE, whose address is 500 Cooperative Way, Brighton, Colorado 80603, its successors and assigns, a perpetual easement and the right to construct, operate, maintain, replace, enlarge, reconstruct, improve, inspect, repair and remove utility, electrical and communications facilities and all fixtures and devices appurtenant thereto, as may from time to time be useful to, or required by Grantee, on, over, under, and across the following described property in the County of Adams, State of Colorado to-wit:

Easement description as set forth in Exhibit "A" attached hereto and incorporated herein by reference.

Those facilities may be overhead, underground and/or at grade and may include, but shall not be limited to, poles, cables, conduits, wire, conductors, transformers, manholes and supports of whatever materials, including braces, guides, and other fixtures or devices used or useful in connection therewith.

Grantee shall have the right of ingress and egress 24 hours a day, 7 days a week, over and across the lands of the Grantor to and from the easement described in Exhibit "A" to survey, construct, operate, maintain, replace, enlarge, reconstruct, improve, inspect, repair and remove utility, electrical and communications facilities and all fixtures and devices appurtenant thereto, and the right to remove any objects interfering therewith, including but not limited to, the trimming of trees and bushes as may be necessary. Grantee shall have the right to use additional lands of Grantor for temporary workspace during construction, maintenance, replacement, enlargement, reconstruction, improvement, inspection, repairs and removal as may be required to permit the operation of standard utility construction or repair machinery or the operation of any other equipment within the boundaries of this easement.

Grantor reserves the right to occupy, use, and landscape said easement for all purposes not inconsistent with the rights granted to Grantee so long as said use does not damage or interfere with the Grantee's facilities or the construction, operation, maintenance, replacement, enlargement, reconstruction, improvement, inspection, repair and removal thereof. Grantor shall not plant any tree or bush within 5.0 feet of any existing Grantee facilities or within 10.0 feet of the opening side of any transformer or cabinet without the prior written approval of Grantee. Grantor shall not install, or permit the installation of, any buildings or permanent structures or facilities of any kind on, over, under, or across said easement without the prior written approval of Grantee.

Upon completion of construction, Grantee shall restore the surface of Grantor's property to substantially the same level and condition as existed prior to construction.

Each and every one of the benefits and burdens of this Grant of Easement shall run with the land and shall inure to and be binding upon the respective legal representatives, heirs, executors, administrators, successors and assigns of the parties hereto. The rights of Grantee hereunder may be exercised by its employees, licensees, contractors and permittees.

Grantor warrants that Grantor is the fee owner of the encumbered property and has the full right and lawful authority to make the grant contained herein and promises and agrees to defend Grantee in the exercise of the Grantee's rights hereunder against any defect in Grantor's title to the land involved or Grantor's right to make the grant contained herein.

Grantee shall defend, indemnify and hold harmless Grantor, its affiliates and the officers, directors, employees and agents of both, from any and all claims for personal injury to Grantor's personnel or damage to Grantor's property or to the property of Grantor's personnel, occurring as a result of Grantee's activities described herein, howsoever caused. Grantee shall not bring any hazardous substances onto the property or cause any environmental contamination. Grantee shall not allow any liens to be filed against the property. In the event Grantee violates these provisions, Grantee shall be solely responsible for all attorney fees and costs incurred by Grantor to remedy said environmental remediation or liens caused by Grantee, its employees, contractors, and agents.

The venue for any dispute arising from this Grant of Easement shall be in the courts of Adams County, Colorado.

Unless special provisions are listed below and/or attached, the above constitutes the entire agreement between the parties and no additional or different oral representation; promise or agreement shall be binding on any of the parties with respect to the subject matter of this Grant of Easement.

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Approved:

BOARD OF COUNTY COMMISSIONERS-COUNTY OF ADAMS, STATE OF COLORADO

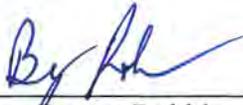
Chair

Date

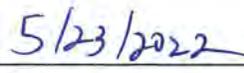
Approved as to Form:

County Attorney

UNITED POWER, INC.



By: Bryant Robbins
Title: Chief Operating Officer



Date

STATE OF COLORADO)
)
COUNTY OF Adams)

ACKNOWLEDGMENT

This record was acknowledged before me on May 23, 2022
By Bryant Robbins as Chief Operating Officer of United Power, Inc.

[Signature]
(Notary's official signature)

April 4, 2026
(Commission Expiration)

**ANA POLLACK
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20224013362
MY COMMISSION EXPIRES APRIL 4, 2026**

EXHIBIT "A"

DESCRIPTION

A PORTION OF THOSE PARCELS OF LAND OWNED BY ADAMS COUNTY, AS DESCRIBED IN A DEED, FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER AT RECEPTION NO. 618569, AS SHOWN ON ADAMS COUNTY REGIONAL PARK COMPLEX, FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER AT FILE 14, MAP 314, AND AS SHOWN ON ADAMS COUNTY VETERANS MEMORIAL PLAT CORRECTION, FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER AT RECEPTION NO. 2022000014375. SAID PARCELS OF LAND ARE LOCATED IN THE NORTH ONE-HALF OF SECTION 34, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

POCKET EASEMENT "A"

COMMENCING AT THE CENTER-NORTH ONE SIXTEENTH CORNER OF SAID SECTION 34, AS MONUMENTED BY A FOUND 1.5 INCH ALUMINUM CAP WITH ILLEGIBLE MARKINGS; THENCE NORTH 30°01'05" EAST, A DISTANCE OF 68.74 FEET, MORE OR LESS, TO THE **POINT OF BEGINNING**;

THENCE, OVER AND ACROSS SAID PARCELS OF LAND THE FOLLOWING FOUR (4) COURSES AND DISTANCES;

1. SOUTH 86°06'08" EAST, A DISTANCE OF 40.00 FEET;
2. SOUTH 02°41'42" WEST, A DISTANCE OF 15.00 FEET;
3. NORTH 86°06'08" WEST, A DISTANCE OF 40.00 FEET;
4. NORTH 02°41'42" EAST, A DISTANCE OF 15.00 FEET TO THE **POINT OF BEGINNING**.

THE TOTAL AREA OF THE ABOVE-DESCRIBED POCKET EASEMENT IS 0.014 ACRES (600 SQUARE FEET) OF LAND, MORE OR LESS.

POCKET EASEMENT "B"

COMMENCING AT THE CENTER-NORTH ONE SIXTEENTH CORNER OF SAID SECTION 34, AS MONUMENTED BY A FOUND 1.5 INCH ALUMINUM CAP WITH ILLEGIBLE MARKINGS; THENCE NORTH 78°53'03" WEST, A DISTANCE OF 305.62 FEET, MORE OR LESS, TO THE **POINT OF BEGINNING**;

THENCE, OVER AND ACROSS SAID PARCEL OF LAND THE FOLLOWING FOUR (4) COURSES AND DISTANCES;

1. NORTH 00°46'15" WEST, A DISTANCE OF 15.00 FEET;
2. NORTH 89°13'45" EAST, A DISTANCE OF 18.00 FEET;
3. SOUTH 00°46'15" EAST, A DISTANCE OF 15.00 FEET;
4. NORTH 89°13'45" EAST, A DISTANCE OF 18.00 FEET TO THE **POINT OF BEGINNING**.

THE TOTAL AREA OF THE ABOVE-DESCRIBED POCKET EASEMENT IS 0.006 ACRES (270 SQUARE FEET) OF LAND, MORE OR LESS.

POCKET EASEMENT "C"

COMMENCING AT THE CENTER-NORTH ONE SIXTEENTH CORNER OF SAID SECTION 34, AS MONUMENTED BY A FOUND 1.5 INCH ALUMINUM CAP WITH ILLEGIBLE MARKINGS; THENCE SOUTH 31°30'26" WEST, A DISTANCE OF 47.31 FEET, MORE OR LESS, TO THE SOUTH LINE OF AN EIGHTY (80) FOOT RIGHT-OF-WAY FOR HENDERSON ROAD, AND THE **POINT OF BEGINNING**;

THENCE, OVER AND ACROSS SAID PARCEL OF LAND THE FOLLOWING FIVE (5) COURSES AND DISTANCES;

1. SOUTH 32°41'38" WEST, A DISTANCE OF 21.76 FEET;
2. SOUTH 00°46'15" EAST, A DISTANCE OF 93.85 FEET;
3. SOUTH 89°13'45" WEST, A DISTANCE OF 26.00 FEET;
4. NORTH 00°46'15" WEST, A DISTANCE OF 112.00 FEET
5. NORTH 89°13'45" EAST, A DISTANCE OF 38.00 FEET TO THE **POINT OF BEGINNING**.

THE TOTAL AREA OF THE ABOVE-DESCRIBED POCKET EASEMENT IS 0.069 ACRES (3021 SQUARE FEET) OF LAND, MORE OR LESS.

REVISIONS

NO.	DATE	BY	DESCRIPTION

PROJ. NO. 226052
 PREPARED BY: JONAS M. COLLIER
 DATE PREPARED: 07/14/2022
 FOR AND ON BEHALF OF ACKLAM, INC.
 133 S. 27th AVENUE BRIGHTON, CO 80601
 303.659.6267
 WO_202110047_BOCC_ADAMS_COUNTY_DESC.docx
 PRINTED: 7/14/2022 8:24:00 AM Jonas Collier, PLS

EXHIBIT "A"

EASEMENT CENTERLINE "A"

A 10.00 FOOT WIDE STRIP, BEING 5.00 FEET, AS MEASURED PERPENDICULAR, LEFT AND RIGHT OF THE FOLLOWING DESCRIBED CENTERLINE;

COMMENCING AT THE CENTER-NORTH ONE SIXTEENTH CORNER OF SAID SECTION 34, AS MONUMENTED BY A FOUND 1.5 INCH ALUMINUM CAP WITH ILLEGIBLE MARKINGS; THENCE SOUTH 88°24'08" EAST, A DISTANCE OF 1130.59 FEET, MORE OR LESS, TO THE **POINT OF BEGINNING**;

THENCE, OVER AND ACROSS SAID PARCEL OF LAND THE FOLLOWING FOUR (4) COURSES AND DISTANCES;

1. SOUTH 26°07'04" WEST, A DISTANCE OF 145.40 FEET;
2. NORTH 75°05'19" WEST, A DISTANCE OF 294.02 FEET;
3. ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2863.16 FEET, AN ARC LENGTH OF 727.10 FEET, A CENTRAL ANGLE OF 14°33'01", AND A CHORD BEARING AND DISTANCE OF NORTH 79°54'07" WEST, 725.15 FEET;
4. NORTH 35°45'57" WEST A DISTANCE OF 1.90 TO THE **POINT OF TERMINUS**, FROM WHICH THE NORTH CENTER ONE-QUARTER CORNER OF SAID SECTION 34, BEING A #4 REBAR BEARS NORTH 03°31'22" WEST A DISTANCE OF 1278.58 FEET;

THE TOTAL LENGTH OF THE ABOVE-DESCRIBED EASEMENT CENTERLINE IS 1168.42 FEET, CONTAINING 1.201 ACRES (52318 SQUARE FEET) OF LAND, MORE OR LESS.

THE SIDELINES OF THE HEREIN DESCRIBED EASEMENT ARE SHORTENED OR LENGTHENED TO MEET AT ANGLE POINTS AND TO TERMINATE ON THE SOUTH AND EAST LINE OF SAID POCKET EASEMENT "A" AND ON A LINE PERPENDICULAR TO THE ABOVE-DESCRIBED EASEMENT CENTERLINE AT THE POINT OF BEGINNING. SAID STRIP BEING BOUND WITHIN THE LANDS OWNED BY THE PARTIES NAMED HEREON OR THEIR SUCCESSORS AND ASSIGNS.

EASEMENT CENTERLINE "B"

A 10.00 FOOT WIDE STRIP, BEING 5.00 FEET, AS MEASURED PERPENDICULAR, LEFT AND RIGHT OF THE FOLLOWING DESCRIBED CENTERLINE;

COMMENCING AT THE CENTER-NORTH ONE SIXTEENTH CORNER OF SAID SECTION 34, AS MONUMENTED BY A FOUND 1.5 INCH ALUMINUM CAP WITH ILLEGIBLE MARKINGS; THENCE NORTH 33°11'34" EAST, A DISTANCE OF 62.17 FEET, MORE OR LESS, TO THE **POINT OF BEGINNING**;

THENCE, OVER AND ACROSS SAID PARCEL OF LAND THE FOLLOWING TWO (2) COURSES AND DISTANCES;

1. THENCE NORTH 86°06'08" WEST A DISTANCE OF 78.47 FEET;
2. THENCE SOUTH 89°13'45" WEST A DISTANCE OF 255.59 FEET TO THE **POINT OF TERMINUS**, FROM WHICH THE NORTH CENTER ONE-QUARTER CORNER OF SAID SECTION 34, BEING A #4 REBAR BEARS NORTH 12°50'30" EAST A DISTANCE OF 1296.94;

THE TOTAL LENGTH OF THE ABOVE-DESCRIBED EASEMENT CENTERLINE IS 816.21 FEET, CONTAINING 0.007 ACRES (334 SQUARE FEET) OF LAND, MORE OR LESS.

THE SIDELINES OF THE HEREIN DESCRIBED EASEMENT ARE SHORTENED OR LENGTHENED TO MEET AT ANGLE POINTS AND TO TERMINATE ON THE WEST LINE OF SAID POCKET EASEMENT "A" AND A LINE PERPENDICULAR TO THE ABOVE-DESCRIBED EASEMENT CENTERLINE AT THE POINT OF TERMINUS. SAID STRIP BEING BOUND WITHIN THE LANDS OWNED BY THE PARTIES NAMED HEREON OR THEIR SUCCESSORS AND ASSIGNS.

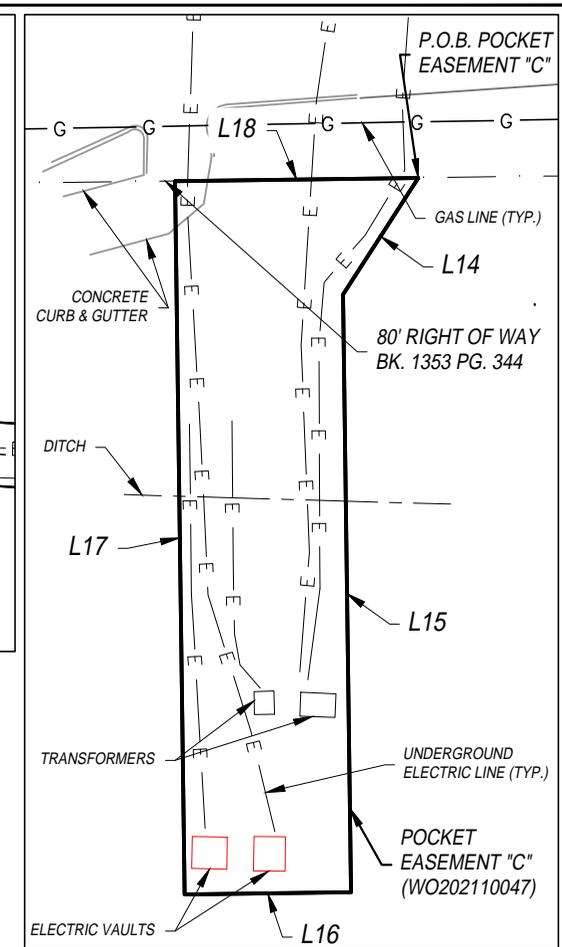
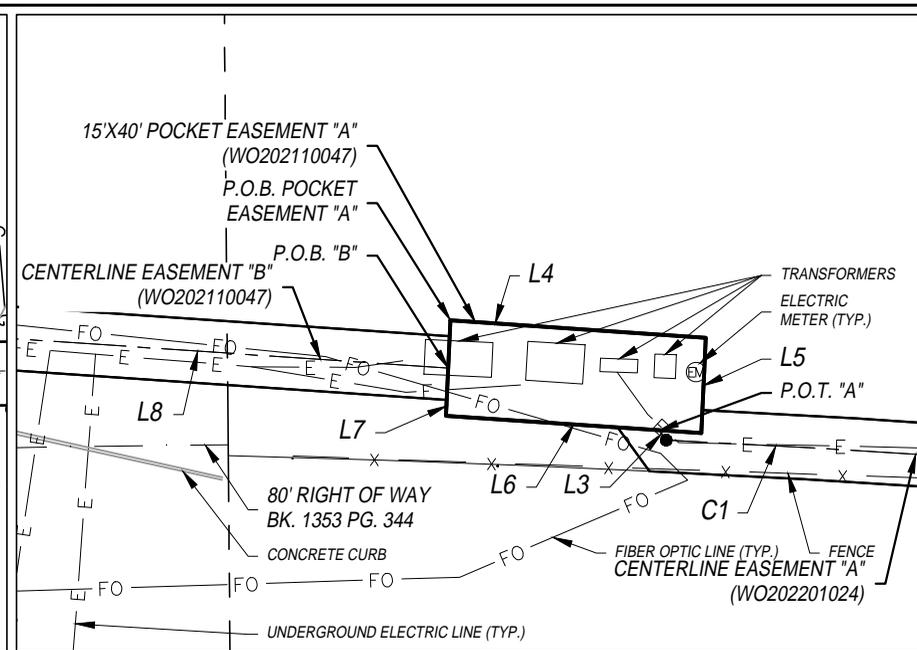
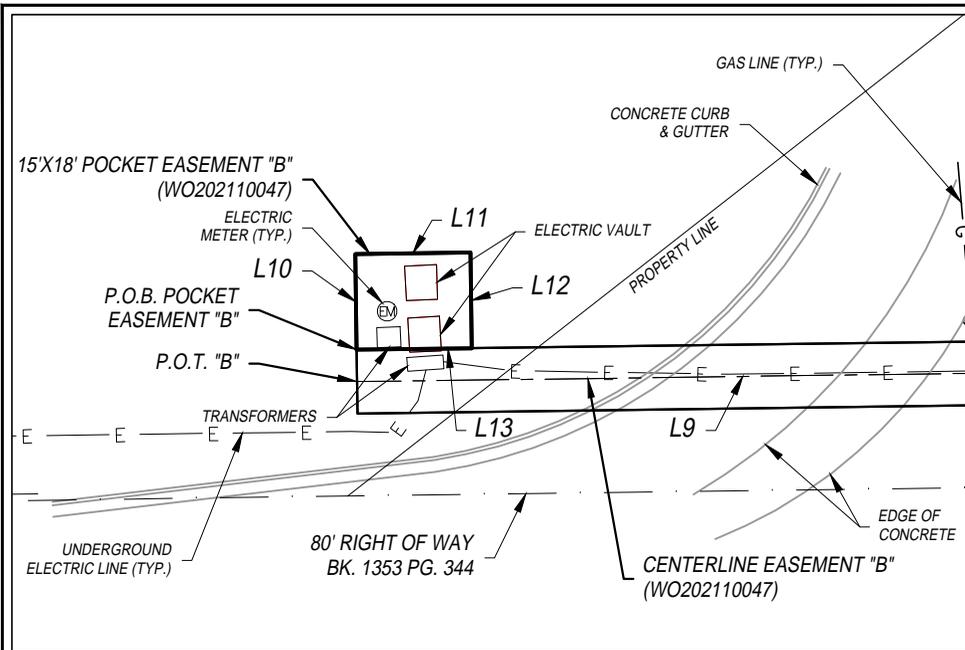
NOTES:

1. SEE THE ATTACHED ILLUSTRATION BY WHICH THIS REFERENCE IS MADE PART HEREOF.
2. THIS DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, THEREFORE ACKLAM, INC. HAS NOT RESEARCHED OR SHOWN ANY OTHER EASEMENTS, RIGHTS OF WAY, VARIANCES, AND OR AGREEMENTS OF RECORD EXCEPT AS SHOWN HEREON.
3. BEARINGS SHOWN HEREON ARE BASED ON GPS OBSERVATIONS VIA "VRS NOW" POSITIONING SYSTEM AND/OR THE ONLINE POSITIONING USER SERVICE OFFERED BY THE N.G.S. AND PROJECTED TO "COLORADO COORDINATE SYSTEM OF 1983 NORTH ZONE" (C.R.S. 38-52-105 & 106).
4. DISTANCES SHOWN HEREON ARE IN US SURVEY FEET GRID. THE COMBINED FACTOR USED TO OBTAIN THE GRID DISTANCES IS 0.999733069.
5. THE BASIS OF BEARINGS FOR THIS SURVEY IS THE WEST LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 34, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH P.M. SAID LINE BEING MONUMENTED ON THE NORTH BY THE NORTH ONE-QUARTER CORNER OF SAID SECTION 34, BEING A #4 REBAR, AND ON THE SOUTH BY THE CENTER-NORTH ONE-SIXTEENTH CORNER OF SAID SECTION 34, BEING A FOUND 1.5 INCH ALUMINUM CAP WITH ILLEGIBLE MARKINGS AND BEARS SOUTH 00°03'10" EAST.

REVISIONS

NO.	DATE	BY	DESCRIPTION

PROJ. NO. 226052
 PREPARED BY: JONAS M. COLLIER
 DATE PREPARED: 07/14/2022
 FOR AND ON BEHALF OF ACKLAM, INC.
 133 S. 27th AVENUE BRIGHTON, CO 80601
 303.659.6267
 WO_202110047_BOCC_ADAMS_COUNTY_DESC.docx
 PRINTED: 7/14/2022 8:24:00 AM Jonas Collier, PLS



CENTERLINE EASEMENT "A" & "B" LINE TABLE **DETAIL "A"**
1"=30'

LINE	BEARING	DISTANCE
L1	S 26°07'04" W	145.40'
L2	N 75°05'19" W	294.02'
L3	N 35°45'57" W	1.90'
L8	N 86°06'08" W	78.47'
L9	S 89°13'45" W	255.59'

CENTERLINE EASEMENT "A" CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CENTRAL ANGLE	CHORD BEARING	CHORD LENGTH
C1	2863.16'	727.10'	14°33'01"	N 79°54'07" W	725.15'

TOTAL CENTERLINE "A" & "B" LENGTH: 1502.48 FT

POCKET EASEMENT "A" LINE TABLE

LINE	BEARING	DISTANCE
L4	S 86°06'08" E	40.00'
L5	S 02°41'42" W	15.00'
L6	N 86°06'08" W	40.00'
L7	N 02°41'42" E	15.00'

POCKET EASEMENT "B" LINE TABLE

LINE	BEARING	DISTANCE
L10	N 00°46'15" W	15.00'
L11	N 89°13'45" E	18.00'
L12	S 00°46'15" E	15.00'
L13	S 89°13'45" W	18.00'

POCKET EASEMENT "C" LINE TABLE

LINE	BEARING	DISTANCE
L14	S 32°41'38" W	21.76'
L15	S 00°46'15" E	93.85'
L16	S 89°13'45" W	26.00'
L17	N 00°46'15" W	112.00'
L18	N 89°13'45" E	38.00'

TOTAL AREA: 0.014 ACRES (600 SQ. FT.)

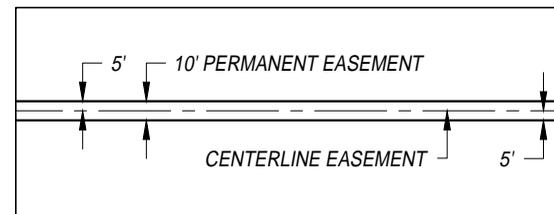
TOTAL AREA: 0.006 ACRES (270 SQ. FT.)

TOTAL AREA: 0.069 ACRES (3021 SQ. FT.)

NOTES

- LOCATIONS OF UTILITIES AND FOREIGN PIPELINES WERE DETERMINED FROM VISIBLE SURFACE EVIDENCE. THESE LOCATIONS IF SHOWN MAY NOT BE ACCURATE OR COMPLETE. OTHER UTILITIES MAY EXIST AND ARE TO BE FIELD LOCATED BY OTHERS PRIOR TO EXCAVATION.
- THIS EXHIBIT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, THEREFORE ACKLAM, INC. HAS NOT RESEARCHED OR SHOWN ANY OTHER EASEMENTS, RIGHTS OF WAY, VARIANCES AND OR AGREEMENTS OF RECORD EXCEPT AS SHOWN HEREON.
- THIS EXHIBIT IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT. EXCEPT FOR THE EASEMENT/RIGHT OF WAY DEPICTED HEREON IT IS NOT TO BE RELIED UPON FOR THE DIVISION OF LAND, ESTABLISHMENT OF ANY LAND BOUNDARY, FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES.
- BEARINGS SHOWN HEREON ARE BASED ON GPS OBSERVATIONS VIA "VRS NOW" POSITIONING SYSTEM AND/OR THE ONLINE POSITIONING USER SERVICE OFFERED BY THE N.G.S. AND PROJECTED TO "COLORADO COORDINATE SYSTEM OF 1983 NORTH ZONE" (C.R.S. 38-52-105 & 106). DISTANCES SHOWN HEREON ARE IN US SURVEY FEET GRID. THE COMBINED FACTOR USED TO OBTAIN THE GRID DISTANCES IS 0.999733069.
- NOTICE: 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 EXHIBIT WAS PREPARED BY JONAS M. COLLIER, PLS 38780, FOR AND ON BEHALF OF ACKLAM, INC. 133 S. 27TH AVENUE, BRIGHTON, CO 80601.
- SEE THE ATTACHED DESCRIPTION BY WHICH THIS REFERENCE IS MADE HEREOF.

DETAIL "B"
1"=30'



TYPICAL EASEMENT DETAIL
1"=100'



Acklam, Inc.

133 S. 27th Avenue
Brighton, CO 80601

11713 Shoreview Overlook
Austin, TX 78732
Texas Firm#10194171

UNITED POWER
EXHIBIT "A" ILLUSTRATION
N1/2 SECTION 34
T1S R67W 6TH PM, ADAMS COUNTY, COLORADO

SCALE: AS NOTED	
DATE: 06/08/22	RWC
JOB NO.: 226052 & 226053	
JOB NAME: ROAD WIDENING & ROUNDABOUT	
SHEET 4 OF 4	
REV: B	RWC 07/07/22
WORK ORDER NO.: 202110047 & 202201024	

Illustration



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Lease – Northglenn Head Start Agreement between Gethsemane Lutheran Church and Adams County Head Start for the period of August 3, 2022 – August 3, 2025
FROM: Katie McDougal, Director of Human Services Department
AGENCY/DEPARTMENT: Human Services Department
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: Board of County Commissioners to approve the resolution for Head Start to enter into a Lease Agreement between Gethsemane Lutheran Church and Head Start.

BACKGROUND:

Adams County Head Start (ACHS) is submitting a Lease Agreement between Adams County Head Start and the Gethsemane Lutheran Church who is providing classroom, office, kitchen, and playground space at the Northglenn Head Start Center located at 10675 Washington Street, Northglenn, CO 80233. The term of this lease will be from August 3, 2022 – August 3, 2025.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

U.S. Department of Health and Human Services
Adams County Attorney's Office
Facilities and Fleet Management

ATTACHED DOCUMENTS:

Resolution attached

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 31

Cost Center: Various

	Object Account	Subledger	Amount
Current Budgeted Revenue:	5230		\$79,203
Additional Revenue not included in Current Budget:			
Total Revenues:			<u>\$79,203</u>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	7000.9999		\$79,203
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u>\$79,203</u>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING THE LEASE AGREEMENT BETWEEN THE ADAMS
COUNTY BOARD OF COMMISSIONERS ON BEHALF OF ADAMS COUNTY HEAD
START AND THE GETHSEMANE LUTHERAN CHURCH 2022-2025

WHEREAS, The Adams County Board of Commissioners, on behalf of the Adams County Head Start Program, desires to enter into a Lease Agreement with the Gethsemane Lutheran Church; and,

WHEREAS, pursuant to the agreement, Gethsemane Lutheran Church will provide classroom, office, kitchen, and playground space for Head Start children at the agreed upon monthly rental rate.

NOW, THEREFORE, BE IT RESOLVED by the Adams County Board of Commissioners, that the Lease Agreement between Gethsemane Lutheran Church and Adams County Head Start for the term of August 3, 2022 – August 3, 2025 be approved.

BE IT FURTHER RESOLVED, that the Chair is authorized to execute said application on behalf of Adams County.

**ADAMS COUNTY, COLORADO
LEASE AGREEMENT**

THIS LEASE AGREEMENT ("Lease") is entered into this ____ day of _____ 2022, by and between the Gethsemane Lutheran Church ("Landlord") located at 10675 Washington St., Northglenn, CO 80233, and Board of County Commissioners of Adams County, State of Colorado, ("Tenant") located at 4430. S. Adams County Parkway, Brighton, Colorado 80601.

WHEREAS, Landlord agrees to lease a portion of the Church's premises located at 10675 Washington St., Northglenn, CO 80233 further described in section 1 below ("Premises") to Tenant; and,

WHEREAS, Landlord first leased this Premises to the Tenant on August 3, 2021 for a period of 12 months and that term ends on August 3, 2022; and,

WHEREAS, Tenant agrees to rent the Premises from Landlord for an additional term per the terms and conditions in this lease agreement; and,

NOW, THEREFORE, for the consideration hereinafter set forth, the parties agree as follows:

1. **Premises.** Landlord agrees to lease to Tenant, and Tenant agrees to lease from Landlord the Premises, a portion of 10675 Washington St., Northglenn, CO 80233. The Premises consists of the outdoor playground and 2968 square feet of interior space consisting of the classroom area (four classrooms with attached bathrooms, main floor kitchen) as shown in Exhibit A. Access to and use of the premises are detailed in paragraph 5 of this lease agreement.
2. **Term.** The initial term of this Lease is approximately three (3) years from the date this Lease is entered into above, and shall terminate August 3, 2025 at 11:59 PM. Thereafter, the County may elect to in writing to exercise two one-year extensions, totaling five years as described further in section 4.
3. **Rent.** Tenant agrees to pay to the Landlord monthly installments of \$6,600.25 payable in advance on the first day of each month through the initial term of the lease, for a total initial term payment of \$237,609 (\$79,203 annually). Said use of the Premises is a material term of this Lease and failure to use the Premises for said use is a material breach of this Lease.
4. **Renewal and Termination.** This Lease shall have two one-year renewal options, unless either party gives written notice of termination no later than 30 days prior to the end of the term or renewal term. The first extension term is 8/4/2025-8/3/2026, the second extension term is 8/4/2026-8/3/2027 and shall be exercised by advance notice from Tenant to the Landlord. Rent for the renewal terms will be the same monthly installments as outlined in Section 3 above unless otherwise agreed upon by both parties in writing.

This Lease is not intended to create a multi-year fiscal obligation and is subject to annual appropriation by Tenant. In the event funds are not appropriated in any year, Tenant may terminate this Lease or amend it accordingly by giving the Landlord thirty (30) days advance notice of the termination.

Tenant may terminate this lease for any reason by providing the landlord thirty (30) days advance notice of the termination. In the event of termination, the Tenant shall vacate the premises and no additional rental payments shall be due and owing.

If the lease is terminated under these conditions, the Tenant is obligated, and agrees to restore the building to the same condition as found at the time of lease inception, except for ordinary wear and tear. Improvements made to the premises in the form of fixtures may become the property of the landlord.

Landlord may terminate this agreement with 12-months advance notice to the other party.

5. **Security Deposit.** None.
6. **Use of the Property.** Tenant may use the Premises Monday through Friday from 7:30 AM to 10:00 PM and has exclusive use of the classroom area, consisting of four classrooms with an attached bathroom, and main floor kitchen ("Exclusive Space.") The Tenant and Landlord shall have access to the main floor restrooms near the kitchen, the lower kitchen, hallways, and playground at all times during the day ("Shared Space."). Tenant shall have priority in usage of the playground in the event a scheduling overlap may arise with the Landlord or other Tenants.

Additional permanent outside equipment for use of the Tenant may be installed and maintained by the Tenant after mutual consent in writing by both the Tenant and the Landlord. Non-permanent outside equipment will remain the property of the Tenant and will be removed when Tenant vacates.

Landlord will permit the Tenant to hold Parent-Teacher meetings and conferences after normal Tenant hours. Such meetings and conferences will be scheduled, and the Landlord must be notified in writing at least one month in advance so as not to interfere with other scheduled activities at the Landlord.

Upon request, the Landlord will permit the Tenant the use of the lower kitchen and staff kitchen for the use of Tenant special events, provided the area is properly cleaned, sanitized and maintained after each Tenant use. The Tenant will immediately notify the Landlord of damaged and/or broken appliances and will make no such replacement or repair until the Landlord has confirmed in writing that the Landlord will pay for such repair or replacement. To the extent repairable, the Tenant shall repair any appliances it solely uses and subsequently damages. The Tenant shall not be held liable to replace equipment. The Landlord reserves the right

to approve or disapprove the request of special events but shall not unreasonably withhold such approval(s) or disapproval(s).

Whenever the Tenant is using the property, a Tenant employee must be present who has been clearly designated to have responsibility over the Premises. The Tenant shall provide the Landlord with a written list of the designated persons in charge.

7. **Quiet Enjoyment.** Tenant shall be entitled to possession on the first day of the term of this lease and shall yield possession to the Landlord on the last day of the term of this Lease, unless otherwise agreed by both parties in writing. At the expiration of the term, Tenant shall remove its goods and effects from the building and landscaped areas and peaceably yield up the Premises to the Landlord in as good a condition as when delivered to the Tenant, except for ordinary wear and tear.
8. **Insurance.** The Tenant shall maintain liability insurance in an amount not less than one (1) million/three (3) million dollars, in accordance with Colorado state laws in conjunction with the Landlord's insurance carrier, which state that the Landlord must be listed as the additional insured on the Tenant's insurance policy. This cost is at the expense of the Tenant. Such coverage shall also cover losses due to damage or theft of Landlord's property, including personal property of Landlord employees, contractors or invitees, but only to the extent the theft is caused by an employee or invitee of Tenant. Such insurance shall cover the use of the facilities for the operation of the Tenant. Tenant shall be responsible for any liability resulting from Tenant's operation of the Head Start program on the property, and Tenant maintenance of the Exclusive Premises pursuant to this Agreement.

In addition, the Tenant shall maintain proper worker's compensation insurance covering anyone employed by the Tenant and working on the premises of the Landlord. The Tenant shall present a certificate of insurance to the Landlord. The certificate of insurance shall be filed with the Landlord. Further the Landlord shall be given thirty (30) days' notice of cancellation or any change to the Tenant's insurance coverage. In the event of a Tenant related accident, the Tenant's insurance shall be the primary insurance

If, as a result of the Tenant's occupancy of the premises, the insurance premiums on the Landlord should be increased, such increase shall be at the expense of the Tenant. However, Tenant may review Landlord's insurance policies and other documentation used to justify the increase and may object to any increase not reasonably attributable to the Tenant's use of the premises.

The Tenant shall be responsible for any damage done by the children of the Tenant and/or teachers, staff, or workers to that portion of the property used by the Tenant and for any damages that might result to other portions of the property due to the use of the same by the Tenant.

9. **Improvements.** The Tenant shall, at its own expense, make any necessary improvements for its use but, before so doing, shall submit to the Church Council of the Landlord a plan in writing and shall seek the approval of the Church Council, which shall not be withheld arbitrarily and which shall be rendered in writing. Tenant may terminate this Agreement in the event a Tenant improvement request is denied, and Tenant, in its sole discretion, deems the denial to negatively impact Head Start operations.

10. **Events and Furniture Arrangement in Shared Spaces.**

Tenant Events: The Tenant shall, at its expense, arrange for all setting up of rooms and furniture related to its use for a special event in the Shared Spaces. Tenant shall return all furniture as depicted in a Landlord posted diagram located in a conspicuous location of the room being used. The tenant shall sanitize any space it uses for any special event in the Shared Spaces immediately following the special event, if sanitization is required by the church. Tenant, at its cost, may pre-sanitize the special event space. Sanitizations shall include any space used by the Tenant for its special event, which shall include space used by its invitees, guests, and employees. Tenant may utilize any sanitization method that meets or surpasses local health department recommendations.

Landlord Events: The Landlord shall be responsible, at its cost, for making setups of furniture and arrangements for its own use. Such responsibility includes making sure organizations of the Landlord return the furniture as depicted in the written diagrams posted by the Landlord. Landlord shall be responsible for sanitizing rooms used for Landlord events. Tenant cannot authorize, in most cases, use of its Exclusive Premises.

The Landlord shall provide the Tenant with written procedures to be used in the for special services, including funerals, and other special events.

11. **Use of Furniture.** Chairs, tables and any other furniture mutually agreed upon in writing that is owned by either the Tenant or the Landlord may be mutually utilized by either party. Tables will be washed and sanitized during the week on a daily basis by the Tenant to be free of crayon, glue, and other marks. In the event of a mutual utilization, the party using the other's property shall ensure it is sanitized properly after each such event/use. If property is damaged, it is the responsibility of the user (including its guests and invitees) to repair to similar condition as was prior to the damage, or to replace the property with property that has similar or superior quality and grade of products/materials

12. **Cleaning.** The Tenant shall be responsible for cleaning and sanitizing the Exclusive Premises. This cleaning and sanitizing shall include sinks, toilets, walls and floors as required. The Tenant shall use their own cleaning service for the rooms exclusive to the Tenant. The Landlord shall allow the Tenant's janitorial services access to the Exclusive Premises. Landlord shall provide cleaning service

to the remainder of the property weekly, on Fridays, or on a different day of the week as later designated by the Landlord. The Tenant shall be responsible for maintaining commercially reasonable pest control for the Exclusive Premises and playground area.

13. Maintenance

Landlord's obligations for maintenance shall include the following and will be repaired as quickly as reasonably practicable:

- i. the roof, outside walls, and other structural parts of the building,
- ii. the parking lot, driveways, and sidewalks, including snow and ice removal,
- iii. landscaping and general care of outdoor area excluding the play area and playground equipment
- iv. the electrical wiring,
- v. heating and cooling systems,
- vi. plumbing maintenance will be the responsibility of the landlord unless the tenant is directly responsible for damage,
- vii. all other items of maintenance not specifically delegated to Tenant under this Lease.

Tenant's obligations for maintenance: The Tenant shall be permitted access to the building at all times for the purpose of routine maintenance and other matters pertaining to the ongoing function of the Tenant with the exception of times which conflict with a scheduled activity at the Landlord. If the Tenant requires access during the excepted times set forth above, it shall provide a two weeks' notice to the Landlord. The below are the Tenant's obligations for maintenance.

- i. the interior sewer lines, water pipes, and other matters related to plumbing if directly responsible for damage,
- ii. the tenant will be responsible for maintenance of all interior areas of the classroom, office area and kitchen area for which Tenant is exclusively responsible.
- iii. daily upkeep of the playground to include removal of trash, clothing, toys, or anything else left behind after its use of the playground.
- iv. the tenant will be responsible for maintenance of the play area, playground equipment, and ground cover.
- v. Any repair listed above under Landlord's obligations if the repair is required as a result of actions by the Tenant in which case repairs shall be at the expense of the Tenant.

14. Daily Care of the Premises. Tenant, or Tenant's Designated Representative is responsible for the following care of the premises at the end of each day:

- i. Performing a check of all Exclusive Premises doors before leaving the Exclusive Premises, including corridor and foyer doors outside the Exclusive Premises that are part of the Tenant's use, with the assurance that the doors are all securely locked;
- ii. Performing a check of all Exclusive Premises windows in classrooms to be sure they are closed and locked;

- iii. Performing a check of all Exclusive Premises lights, including bathrooms and closets to be sure they are off;
- iv. Placing all garbage, bagged, in the dumpster

15. Utilities and Services

Landlord shall be responsible for providing, at its cost, the following utilities and services in connection with the Premises:

- i. Electricity
- ii. Water and sewer
- iii. Gas
- iv. Heating and cooling
- v. Garbage and trash disposal

Tenant shall be responsible for providing, at its cost, the following utilities and services in connection with the Premises excluding areas designated as shared space:

- i. Janitorial services and supplies for Exclusive Use spaces
- ii. Telephone service
- iii. Internet service
- iv. Cable television service if desired

- 15. Signage.** Both the Tenant and Landlord will abide by any written regulations mutually agreed upon with the understanding that both parties have a role to keep the facility inside and outside neat and orderly at all times so that the best interests of both parties may be served. The Tenant shall not place or allow to be placed any signs of any kind whatsoever, upon, in or about said premises or any part thereof, except of a design and structure and in or at such places as may be indicated and consented to by the Landlord in writing. In case the Landlord or the Landlord's agents, employees, or representatives shall deem it necessary to remove any such signs in order to paint or make any repairs, alterations, or improvements in or upon said premises or any part thereof, they may be so removed, but shall be replaced at the Landlord's expense when the said repairs, alterations, or improvements shall have been completed. Any Tenant signs permitted by the Landlord shall at all times conform with all municipal ordinances or other laws and regulations applicable thereto and shall be maintained by the Tenant, including any lighting to Tenant signs, at the Tenant's sole cost and expense

- 16. Termination Upon Sale of Premises and Assignability.** This Lease shall run to all rightful successors and assigns of the Landlord. Any transfer of interest in the property by the Landlord shall not void this agreement. Landlord may assign any of its interest under this Lease to any subsequent owner of the premises leased herein with the prior approval of the Tenant upon no less than thirty (30) days prior written notice to the Tenant.

- 17. Destruction or Condemnation of Premises.** If the Premises are partially destroyed by fire or other casualty to an extent that prevents the conducting of Tenant's use of the Premises in a normal manner, and if the damage is reasonably repairable within 60 days after the occurrence of the destruction, and if the cost of repair is less than \$25,000.00, Landlord shall repair the Premises and a just proportion of the Lease payments shall abate during the period of the repair according to the extent to which the Premises have been rendered un-tenantable. However, if the damage is not repairable within 60 days, or if the cost of repair is \$25,000.00 or more, if Landlord is prevented from repairing the damage by forces beyond Landlord's control, or if the property is condemned, this Lease shall terminate upon 20 days written notice of such event or condition by either party and any unearned rent paid in advance by Tenant shall be apportioned and refunded. Tenant shall give landlord immediate notice of any damage to the Premises.
- 18. Defaults.** Tenant shall be in default of this Lease if Tenant fails to fulfill any lease obligation by which Tenant is bound. Subject to any governing provisions of law to the contrary, if Tenant fails to cure any financial obligation within 5 calendar days (or any other obligation within 10 calendar days) after written notice of such default is provided by Landlord to Tenant, Landlord may take possession of the Premises without further notice (to the extent permitted by law) and without prejudicing Landlord's rights to damages. In the alternative, Landlord may elect to cure any default and the cost of such action shall be added to Tenant's financial obligations under this Lease. Tenant shall pay all costs, damages, and expenses suffered by Landlord by reason of Tenant's defaults. All sums of money or charges required to be paid by Tenant under this Lease shall be additional rent, whether or not such sums or charges are designated as "additional rent." The rights provided by this paragraph are cumulative in nature and are in addition to any other rights afforded by law.
- 19. Dangerous Materials.** Tenant shall not keep or have on the premises any article or thing of a dangerous, flammable or explosive character that might substantially increase the danger of fire on the premises, or that might be considered hazardous by a responsible insurance company or fire department unless the prior written consent of Landlord is obtained, and proof of adequate insurance protection is provided by the Tenant to the Landlord.
- 20. Holdover.** If Tenant maintains possession of the Premises for any period after the termination of this Lease ("Holdover Period"), Tenant shall pay to Landlord lease payment(s) during the Holdover Period at a rate equal to the normal payment rate set forth in the Renewal Terms paragraph
- 21. Cumulative Rights.** The rights of the parties under this Lease are cumulative and shall not be construed as exclusive unless otherwise required by law

22. **Colorado Governmental Immunity.** Nothing in this Agreement shall be construed as a waiver by Adams County of the monetary limitations or any other rights, immunities, or protections provided by the Colorado Governmental Immunity Act, § 24-10-101, et seq., C.R.S
23. **Assignability/Subletting.** Tenant may not assign or sublease any interest in the Premises, nor effect a change in the majority ownership of the Tenant (from the ownership existing at the inception of this lease), nor assign, mortgage or pledge this Lease, without the prior written consent of Landlord, which shall not be unreasonably withheld.
24. **Notice.** Notices under this Lease shall not be deemed valid unless given or served in writing and forwarded by mail, postage prepaid, addressed as follows:

Landlord:

Gethsemane Church & School
10675 Washington Street
Northglenn, CO 80233
Attn: Ryan Oakes

Tenant:

Adams County Human Services
11860 Pecos St.
Westminster, CO 80234
Attn: Deputy Director of Operations
Attn: Head Start Administrator

Project Manager of Land & Assets, *Facilities & Fleet Management*
Adams County, Colorado
4430 S. Adams County Pkwy Suite C2436
Brighton, CO 80601

Such addresses may be changed from time to time by either party by providing notice as set forth above. Notices mailed in accordance with the above provisions shall be deemed received on the third day after posting.

25. **Governing Law.** This Lease shall be construed in accordance with the laws of the State of Colorado.
26. **Entire Agreement/Amendment.** This Lease Agreement contains the entire agreement of the parties and there are no other promises, conditions, understandings or other agreements, whether oral or written, relating to the subject matter of this Lease. This Lease may be modified or amended in writing, if the writing is signed by the party obligated under the amendment.

27. **Severability.** If any portion of this Lease shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this Lease is invalid or unenforceable, but that by limiting such provision, it would become valid and enforceable then such provision shall be deemed to be written, construed, and enforced as so limited.
28. **Waiver.** The failure of either party to enforce any provisions of this Lease shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of this Lease.
29. **Binding Effect.** The provisions of this Lease shall be binding upon and inure to the benefit of both parties and their respective legal representatives, successors and assigns.
30. **Paragraph Headings.** Paragraph headings are inserted for the convenience of reference only.
31. **Parties Interested Herein.** Nothing expressed or implied in this Lease is intended or shall be construed to confer upon or to give to any person other than the parties any right, remedy, or claim under or by reason of this Lease. All covenants, terms, conditions, and provisions in this Lease shall be for the sole and exclusive benefit of Tenant and Landlord.
32. **Authorization.** Each party represents and warrants that it has the power and ability to enter into this Lease, to grant the rights granted herein, and to perform the duties and obligations herein described.

IN WITNESS WHEREOF, the parties hereto have caused their names to be affixed hereto.

Landlord:

Robert Svenson
Gethesemane Lutheran Church and School

July 14, 2022
Date

Tenant:

BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY COLORADO

Chair

Date

ATTEST:
JOSH ZYGIELBAUM
CLERK AND RECORDER

APPROVED AS TO FORM

Ambrogio Melnyne

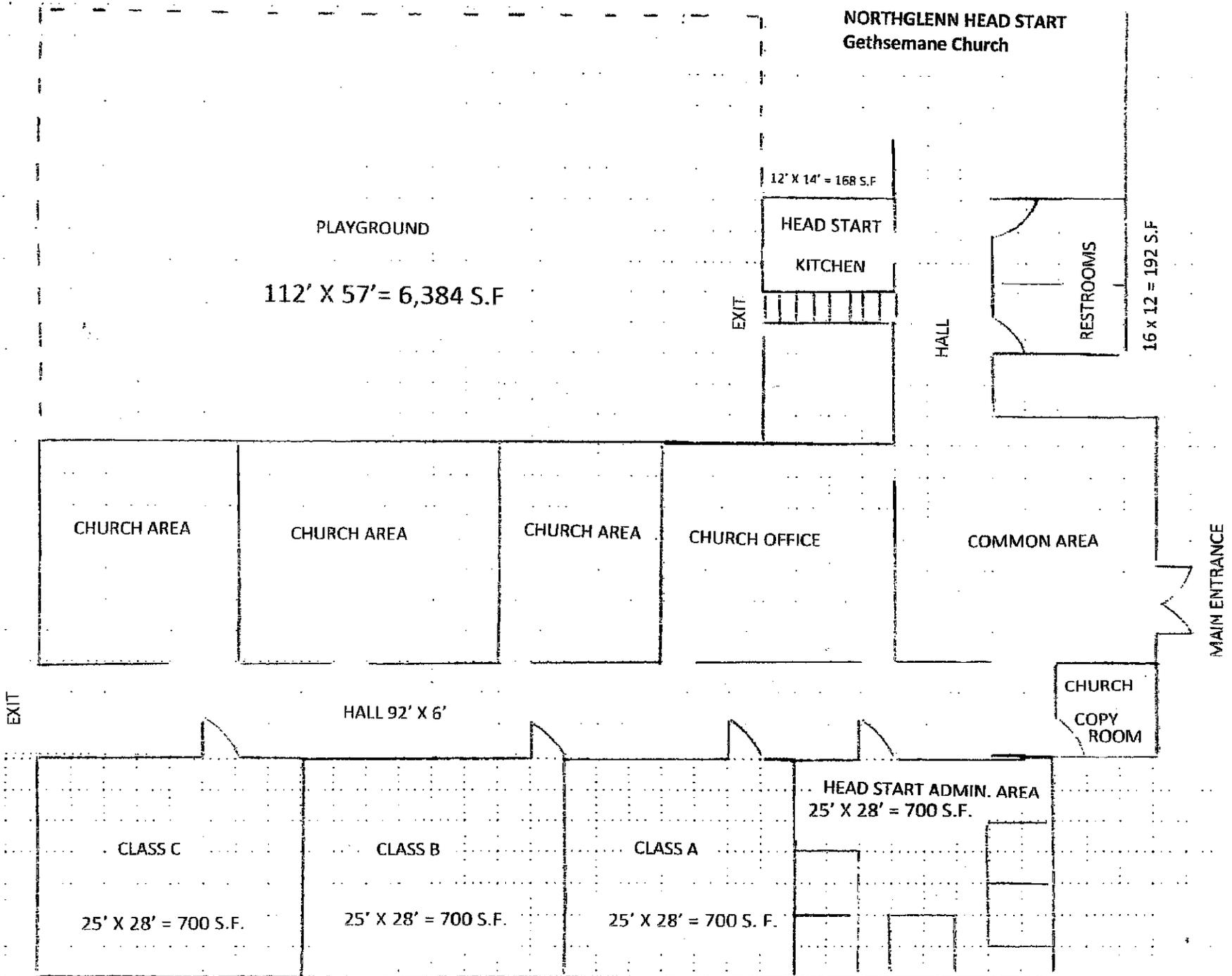
Deputy Clerk

Adams County Attorney's Office

d.c. *(SP)*
JS
7/21/22

**NORTHGLENN HEAD START
Gethsemane Church**

Exhibit A





PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Resolution accepting Warranty Deed conveying property from Welby Hill I Condominium Association, Inc., to Adams County for right-of-way purposes
FROM: Brian Staley, P.E., PTOE, RSP, Director of Public Works Janet Lundquist, Deputy Director of Public Works
AGENCY/DEPARTMENT: Public Works
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approve a resolution for accepting a Warranty Deed for the acquisition of property needed for road right-of-way.

BACKGROUND: Adams County is in the process of acquiring right-of-way and temporary construction easements along York Street from 78th Avenue to 88th Avenue for the York Street Improvement Project. Welby Hill I Condominium Association, Inc., has executed a Warranty Deed to Adams County for right-of-way purposes. The property is located in the Southwest Quarter of Section 25, Township 2 South, Range 68 West of the 6th Principal Meridian. The Warranty Deed will convey property needed for the York Street Phase 2 CIP project.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Adams County Public Works, Office of the County Attorney and Adams County Board of County Commissioners.

ATTACHED DOCUMENTS:

Warranty Deed
Draft resolution
Planning Commission Resolution

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 13
Cost Center: 3056

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<u> </u>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u> </u> \$

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION ACCEPTING WARRANTY DEED CONVEYING PROPERTY
FROM WELBY HILL I CONDOMINIUM ASSOCIATION, INC., TO ADAMS COUNTY
FOR RIGHT-OF-WAY PURPOSES

WHEREAS, Adams County is in the process of acquiring right-of-way for the York Street Capital Improvement Program Project - York Street from 78th Avenue to 88th Avenue (“Project”); and,

WHEREAS, the right-of-way parcel is from property at 8199 Welby Road, located in the Southwest Quarter of Section 25, Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado and is owned by Welby Hill I Condominium Association, Inc. (“Parcel RW-219”); and,

WHEREAS, Adams County requires ownership of the Parcel RW-219 for construction of the Project; and,

WHEREAS, Welby Hill I Condominium Association, Inc., has executed a Warranty Deed to convey Parcel RW-219 for road right-of-way purposes for York Street that complies with County standards and will benefit the citizens of Adams County; and,

WHEREAS, at a regular meeting of the Planning Commission for Adams County, Colorado, held at the County Government Center in Brighton on Thursday the 23rd day of June 2022, the Planning Commission recommended that the Board of County Commissioners accept said Warranty Deed.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, County of Adams, State of Colorado, that the Warranty Deed from Welby Hill I Condominium Association, Inc., a copy of which is attached hereto and incorporated herein by this reference, be and hereby is accepted.

WARRANTY DEED

THIS DEED, dated this 24 day of September 2021, between Welby Hill I Condominium Association, Inc., a Colorado nonprofit corporation, whose address is 8199 Welby Road, Thornton, CO 80229, grantor(s), and the **COUNTY OF ADAMS, State of Colorado**, whose legal address is 4430 South Adams County Parkway, Brighton, Colorado 80601 of the said County of Adams and State of Colorado, grantee(s):

WITNESS, that the grantor(s), for and in consideration of the sum of \$20,938.00, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents doth grant, bargain, sell, convey and confirm, unto the grantee(s), its successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the said County of Adams, State of Colorado, described as follows:

Legal description as set forth in Exhibit "A" attached hereto and incorporated herein by this reference.

Also known by street and number as: being a portion of 8199 Welby Road, Denver, CO 80229

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), 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 grantee(s), its successors and assigns forever. The grantor(s), for itself, its successors and assigns, do covenant, grant, bargain and agree to and with the grantee(s), its successors and assigns, that at the time of the ensembling and delivery of these presents, it is well seized of the premises above conveyed, have good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and have good right, full power and 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 soever, except interests of record.

The grantor(s) shall and will **WARRANT AND FOREVER DEFEND** the above bargained premises in the quiet and peaceable possession of the grantee(s), its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

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

Owner:

Welby Hill I Condominium Association, Inc., a Colorado nonprofit corporation

By: Ethan J. Richard
Print: Ethan J. Richard
Title: Welby Hill President

STATE OF Colorado)
County of Adams)§

The foregoing instrument was acknowledged before me this 24 day of September, 2021, by Ethan J. Richard, as President of Welby Hill I Condominium Association, Inc., a Colorado nonprofit corporation.

Witness my hand and official seal.
My commission expires:

TAWNI SANDOVAL
Notary Public
State of Colorado
Notary ID # 2003A019110
My Commission Expires 07-20-2023

Tawni Sandoval

Notary Public



EXHIBIT "A"
RIGHT-OF-WAY NUMBER: RW-219
PROJECT NUMBER: IMP-3056-1603
SECTION 25, TOWNSHIP 2 SOUTH, RANGE 68 WEST
SIXTH PRINCIPAL MERIDIAN
ADAMS COUNTY

DESCRIPTION

A tract or parcel of land No. RW-219 of Adams County Project Number IMP-3056-1603, containing 1,646 square feet, more or less, being Lot 1, Block 1, of the Welby Hill Condominium Subdivision, a subdivision recorded on August 18, 1981, at File 14, Map 773 of the records of the Adams County Clerk and Recorders Office, situated in the Southwest Quarter of Section 25 Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado, being more particularly described as follows:

COMMENCING at the Southwest corner of Section 25 whence the West Line of the Southwest quarter of Section 25 bears N00°04'09"E a distance of 2628.81 feet;
Thence N23°19'34"E a distance of 1343.75 feet to the Southeast corner of said Lot 1, Block 1, of the Welby Hill Condominium Subdivision, File 14, Map 773 and the
POINT OF BEGINNING PARCEL RW-219;

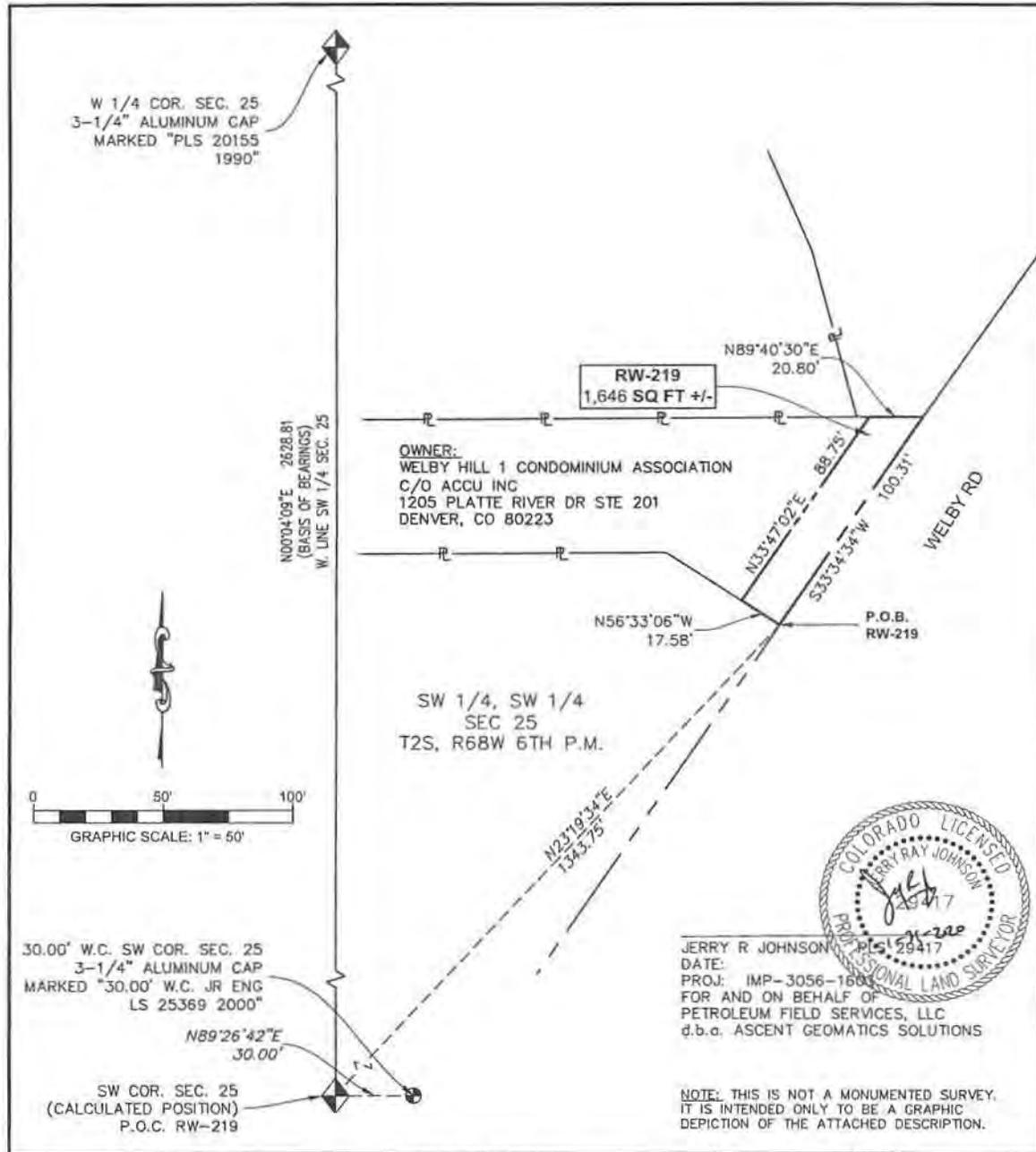
Thence N56°33'06"W along the southerly boundary of said parcel, a distance of 17.58 feet to a point on the westerly boundary of said portion of parcel;
Thence N33°47'02"E, a distance of 88.75 feet to a point on the northerly boundary of said parcel;
Thence N89°40'30"E along the northerly boundary of said parcel, a distance of 20.80 feet to a point on the easterly boundary of said parcel;
Thence S33°34'34"W along the easterly boundary of said parcel, a distance of 100.31 feet to the
POINT OF BEGINNING PARCEL RW-219.

Containing 1,646 sq. ft. +/-

I, Jerry R. Johnson, Colorado Professional Surveyor in the State of Colorado, do hereby certify that this easement description and the field survey on the ground upon which it is based were performed by me or under my direct supervision.

Jerry R. Johnson, PLS 29417
Date:
For and on Behalf of
Petroleum Field Services, LLC
d.b.a. Ascent Geomatics Solutions





<p>ADAMS COUNTY COLORADO</p>	<p>Ascent Geomatics Solutions 8620 Wolff Court Westminster, CO 80031 (303) 928-7128</p>	<p>RockSol Consulting Group, Inc.</p>	<p>12076 Grant Street Thornton, CO 80241 Ph: (303) 962-9300 Fax: (303) 962-9350</p>	<p>EXHIBIT "B"</p>	<p>RW-219</p>
				<p>YORK ST - 78TH AVE TO 88TH AVE</p>	<p>WELBY HILL 1 CONDOMINIUM ASSOCIATION</p>
<p>File Name: RCG_B180001-RW-219</p>				<p>Project No. IMP-3056-1603</p>	
<p>Print Date: 01-20-2020</p>				<p>Sheet: 2 of 2</p>	

PLANNING COMMISSION FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION RECOMMENDING ACCEPTANCE OF A WARRANTY DEED FROM
WELBY HILL I CONDOMINIUM ASSOCIATION, INC., TO ADAMS COUNTY
FOR RIGHT-OF-WAY PURPOSES

At the regular meeting for the Planning Commission for Adams County, Colorado, held at County Government Center in Brighton on Thursday the 23rd day of June 2022, the following proceedings and others were had and done, to wit:

WHEREAS, the Adams County Planning Commission has considered the advisability of acceptance by the Board of County Commissioners of a Warranty Deed from Welby Hill I Condominium Association, Inc., for right-of-way purposes on the following described land to wit:

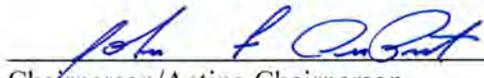
Legal description as set forth in Exhibit "A" attached hereto and incorporated herein by this reference.

WHEREAS, this Warranty Deed is in conjunction with the York Street Capital Improvement Program Project – York Street from 78th Avenue to 88th Avenue, for a portion of 8199 Welby Road, located in the Southwest Quarter of Section 25, Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado.

NOW, THEREFORE, BE IT RESOLVED, that the Adams County Planning Commission recommends to the Board of County Commissioners that said Warranty Deed from Welby Hill I Condominium Association, Inc., be accepted by the Board of County Commissioners.

Upon a motion duly made and seconded, the foregoing resolution was adopted.

I, John F. DuPriest, Chairperson/Acting Chairperson of the Adams County Planning Commission do hereby certify that the annexed foregoing resolution is a true and correct record of the proceedings of the Adams County Planning Commission.



Chairperson/Acting Chairperson
Adams County Planning Commission



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Resolution accepting Quitclaim Deed conveying property from Michael W. Sunday and Dixie Sunday to Adams County for right-of-way purposes
FROM: Brian Staley, P.E., PTOE, RSP, Director of Public Works Janet Lundquist, Deputy Director of Public Works
AGENCY/DEPARTMENT: Public Works
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approve a resolution for accepting a Quitclaim Deed for the acquisition of property needed for road right-of-way.

BACKGROUND: Adams County is in the process of acquiring right-of-way and temporary construction easements along York Street from 78th Avenue to 88th Avenue for the York Street Improvement Project. Michael W. Sunday and Dixie Sunday have executed a Quitclaim Deed to Adams County for right-of-way purposes. The property is located in the Southwest Quarter of Section 25, Township 2 South, Range 68 West of the 6th Principal Meridian. The Quitclaim Deed will convey property needed for the York Street Phase 2 CIP project.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Adams County Public Works, Office of the County Attorney and Adams County Board of County Commissioners.

ATTACHED DOCUMENTS:

Quitclaim Deed
Draft resolution
Planning Commission Resolution

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 13
Cost Center: 3056

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<u> </u>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u> </u> \$

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION ACCEPTING QUITCLAIM DEED CONVEYING PROPERTY
FROM MICHAEL W. SUNDAY AND DIXIE SUNDAY TO ADAMS COUNTY FOR
RIGHT-OF-WAY PURPOSES

WHEREAS, Adams County is in the process of acquiring right-of-way for the York Street Capital Improvement Program Project - York Street from 78th Avenue to 88th Avenue (“Project”); and,

WHEREAS, the right-of-way parcel is from property at 8248 Clayton Court, located in the Southwest Quarter of Section 25, Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado and is owned by Michael W. Sunday and Dixie Sunday (“Parcel RW-223”); and,

WHEREAS, Adams County requires ownership of the Parcel RW-223 for construction of the Project; and,

WHEREAS, Michael W. Sunday and Dixie Sunday have executed a Quitclaim Deed to convey Parcel RW-223 for road right-of-way purposes for York Street that complies with County standards and will benefit the citizens of Adams County; and,

WHEREAS, at a regular meeting of the Planning Commission for Adams County, Colorado, held at the County Government Center in Brighton on Thursday the 23rd day of June 2022, the Planning Commission recommended that the Board of County Commissioners accept said Quitclaim Deed.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, County of Adams, State of Colorado, that the Quitclaim Deed from Michael W. Sunday and Dixie Sunday, a copy of which is attached hereto and incorporated herein by this reference, be and hereby is accepted.

QUITCLAIM DEED

THIS DEED, made this 14th day of December, 2021, between **Michael W. Sunday and Dixie Sunday**, whose legal address is 8240 Clayton Court, Denver, Colorado 80229, grantor, and **The County of Adams, State of Colorado**, grantee, whose legal address is 4430 South Adams County Parkway, Brighton, Colorado 80601.

WITNESS, that the grantor, for and in consideration of the sum of Two-Thousand Eight-Hundred Fifty and no hundredth (\$2,850.00) DOLLARS and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold and QUITCLAIMED, and by these presents does remise, release, sell and QUITCLAIM unto the grantee, its successors and assigns forever, all the right, title, interest, claim and demand which the grantor has in and to the real property, together with improvements, if any, situate, lying and being in the said County of Adams and State of Colorado, described as follows:

Legal description as set forth is Exhibit "A" attached hereto and incorporated herein by this reference.

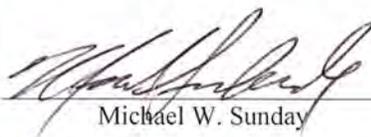
Also known by street and number as: a portion of 8248 Clayton Court
Assessor's schedule or parcel numbers: part of 0171925303076

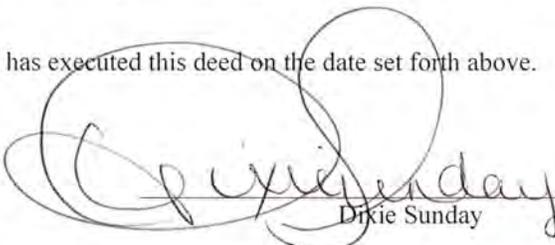
TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), either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

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the grantor, either in law or equity, to the only proper use, benefit and behoove of the grantee, its successors and assigns forever.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

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

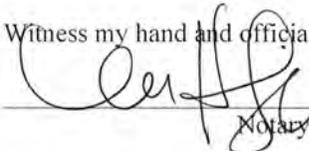

Michael W. Sunday


Dixie Sunday

STATE OF COLORADO)
County of Adams)§

The foregoing instrument was acknowledged before me this 14th day of December, 2021, by Michael W. Sunday and Dixie Sunday as owners.

My commission expires:

Witness my hand and official seal.

Notary Public

MARISSA HILLJE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20194046420
MY COMMISSION EXPIRES 12/12/2023

EXHIBIT "A"
RIGHT-OF-WAY NUMBER: RW-224
PROJECT NUMBER: IMP-3056-1603
SECTION 25, TOWNSHIP 2 SOUTH, RANGE 68 WEST
SIXTH PRINCIPAL MERIDIAN
ADAMS COUNTY

DESCRIPTION

A tract or parcel of land No. RW-224 of Adams County Project Number IMP-3056-1603, containing 190 square feet, more or less, being a portion of Lot 14A, Welby Hill Duplex, a subdivision recorded on December 14, 1999, in File 18, Map 151, of the records of the Adams County Clerk and Recorders Office, situated in the Southwest Quarter of Section 25 Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado, being more particularly described as follows:

COMMENCING at the West Quarter Corner of Section 25 whence the West Line of the Southwest quarter of Section 25 bears S00°04'09"W a distance of 2628.81 feet;
Thence S33°52'18"E a distance of 1316.24 feet to the Northeast corner of said Lot 14A and the **POINT OF BEGINNING PARCEL RW-224;**

Thence S34°19'33"W along the easterly boundary of said Lot 14A, a distance of 41.78 feet to a point on the southerly boundary of said Lot 14A;
Thence N62°33'39"W along the southerly boundary of said Lot 14A, a distance of 4.39 feet;
Thence N33°47'02"E, a distance of 41.66 feet to a point on the northerly boundary of said Lot 14A;
Thence S63°26'52"E along the northerly boundary of said Lot 14A, a distance of 4.79 feet to the **POINT OF BEGINNING PARCEL RW-224.**

Containing 190 sq. ft. +/-

I, Jerry R. Johnson, Colorado Professional Surveyor in the State of Colorado, do hereby certify that this easement description and the field survey on the ground upon which it is based were performed by me or under my direct supervision.

Jerry R. Johnson, PLS 29417
Date:
For and on Behalf of
Petroleum Field Services, LLC
d.b.a. Ascent Geomatics Solutions



W 1/4 COR. SEC. 25
 3-1/4" ALUMINUM CAP
 MARKED "PLS 20155 1990"
 P.O.C. RW-224

NW 1/4, SW 1/4
 SEC 25
 T2S, R68W 6TH P.M.

8248 CLAYTON CT
 DENVER, CO

S00°04'09"W 2628.81
 (BASIS OF BEARINGS)
 W. LINE SW 1/4 SEC. 25

S33°52'18"E
 1316.24'

S63°26'52"E 4.79'

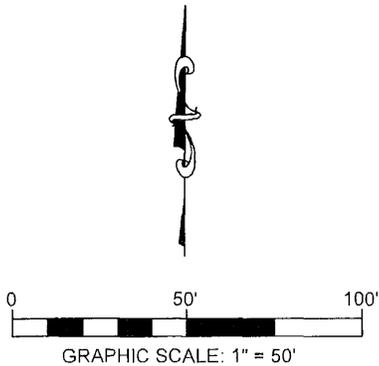
N33°47'02"E 41.66'

RW-224
 190 SQ FT +/-

N62°33'39"W 4.39'

P.O.B.
 RW-224

WELBY RD



30.00' W.C. SW COR. SEC. 25
 3-1/4" ALUMINUM CAP
 MARKED "30.00' W.C. JR ENG
 LS 25369 2000"

N89°26'42"E
 30.00'

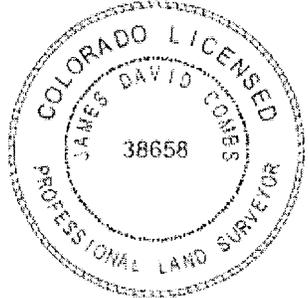
SW COR. SEC. 25
 (CALCULATED POSITION)

I, JAMES DAVID COMBS, COLORADO
 PROFESSIONAL SURVEYOR 38658 DO
 HEREBY CERTIFY THAT THIS EXHIBIT
 REPRESENTS THE ATTACHED LEGAL
 DESCRIPTION AND FINAL ROW PLANS
 TITLED YORK STREET PHASE II

James David Combs
 JAMES DAVID COMBS PLS 38658
 DATE: 4-23-21

PROJ: IMP-3056-1603
 FOR AND ON BEHALF OF
 PETROLEUM FIELD SERVICES, LLC
 d.b.a. ASCENT GEOMATICS SOLUTIONS

NOTE: THIS IS NOT A MONUMENTED SURVEY.
 IT IS INTENDED ONLY TO BE A GRAPHIC
 DEPICTION OF THE ATTACHED DESCRIPTION.



Ascent Geomatics Solutions
 8620 Wolff Court
 Westminster, CO 80031
 (303) 928-7128



RockSol
 Consulting Group, Inc.
 12076 Grant Street
 Thornton, CO 80241
 Ph: (303) 962-9300
 Fax: (303) 962-9350

EXHIBIT "B"
 YORK ST - 78TH AVE TO 88TH AVE

RW-224

IRA AND MARY PUTMAN

File Name: RCG_B180001-RW-224

Project No. IMP-3056-1603

Print Date: 04-23-2021

Sheet: 2 of 2

PLANNING COMMISSION FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION RECOMMENDING ACCEPTANCE OF A QUITCLAIM DEED FROM
MICHAEL W. SUNDAY AND DIXIE SUNDAY TO ADAMS COUNTY FOR
RIGHT-OF-WAY PURPOSES

At the regular meeting for the Planning Commission for Adams County, Colorado, held at County Government Center in Brighton on Thursday the 23rd day of June 2022, the following proceedings and others were had and done, to wit:

WHEREAS, the Adams County Planning Commission has considered the advisability of acceptance by the Board of County Commissioners of a Quitclaim Deed from Michael W. Sunday and Dixie Sunday for right-of-way purposes on the following described land to wit:

Legal description as set forth in Exhibit "A" attached hereto and incorporated herein by this reference.

WHEREAS, this Quitclaim Deed is in conjunction with the York Street Capital Improvement Program Project – York Street from 78th Avenue to 88th Avenue, for a portion of 8248 Clayton Court, located in the Southwest Quarter of Section 25, Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado.

NOW, THEREFORE, BE IT RESOLVED, that the Adams County Planning Commission recommends to the Board of County Commissioners that said Quitclaim Deed from Michael W. Sunday and Dixie Sunday be accepted by the Board of County Commissioners.

Upon a motion duly made and seconded, the foregoing resolution was adopted.

I, John F. DuPriest, Chairperson/Acting Chairperson of the Adams County Planning Commission do hereby certify that the annexed foregoing resolution is a true and correct record of the proceedings of the Adams County Planning Commission.



Chairperson/Acting Chairperson
Adams County Planning Commission



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Resolution accepting Quitclaim Deed conveying property from Ira Eugene Putman and Mary Ann Putman to Adams County for right-of-way purposes
FROM: Brian Staley, P.E., PTOE, RSP, Director of Public Works Janet Lundquist, Deputy Director of Public Works
AGENCY/DEPARTMENT: Public Works
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approve a resolution for accepting a Quitclaim Deed for the acquisition of property needed for road right-of-way.

BACKGROUND: Adams County is in the process of acquiring right-of-way and temporary construction easements along York Street from 78th Avenue to 88th Avenue for the York Street Improvement Project. Ira Eugene Putman and Mary Ann Putman have executed a Quitclaim Deed to Adams County for right-of-way purposes. The property is located in the Southwest Quarter of Section 25, Township 2 South, Range 68 West of the 6th Principal Meridian. The Quitclaim Deed will convey property needed for the York Street Phase 2 CIP project.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Adams County Public Works, Office of the County Attorney and Adams County Board of County Commissioners.

ATTACHED DOCUMENTS:

Quitclaim Deed
Draft resolution
Planning Commission Resolution

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 13
Cost Center: 3056

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<u> </u>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u> </u> \$

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION ACCEPTING QUITCLAIM DEED CONVEYING PROPERTY
FROM IRA EUGENE PUTMAN AND MARY ANN PUTMAN TO ADAMS COUNTY FOR
RIGHT-OF-WAY PURPOSES

WHEREAS, Adams County is in the process of acquiring right-of-way for the York Street Capital Improvement Program Project - York Street from 78th Avenue to 88th Avenue (“Project”); and,

WHEREAS, the right-of-way parcel is from property at 8240 Clayton Court, located in the Southwest Quarter of Section 25, Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado and is owned by Ira Eugene Putman and Mary Ann Putman (“Parcel RW-224”); and,

WHEREAS, Adams County requires ownership of the Parcel RW-224 for construction of the Project; and,

WHEREAS, Ira Eugene Putman and Mary Ann Putman have executed a Quitclaim Deed to convey Parcel RW-224 for road right-of-way purposes for York Street that complies with County standards and will benefit the citizens of Adams County; and,

WHEREAS, at a regular meeting of the Planning Commission for Adams County, Colorado, held at the County Government Center in Brighton on Thursday the 23rd day of June 2022, the Planning Commission recommended that the Board of County Commissioners accept said Quitclaim Deed.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, County of Adams, State of Colorado, that the Quitclaim Deed from Ira Eugene Putman and Mary Ann Putman, a copy of which is attached hereto and incorporated herein by this reference, be and hereby is accepted.

QUITCLAIM DEED

THIS DEED, made this 21 day of January, 2022, between **Ira Eugene Putman and Mary Ann Putman**, whose legal address is 8248 Clayton Court, Thornton, Colorado 80229, grantors, and **The County of Adams, State of Colorado**, grantee, whose legal address is 4430 South Adams County Parkway, Brighton, Colorado 80601.

WITNESS, that the grantor, for and in consideration of the sum of Two-Thousand Three-Hundred Fifty and no hundredth (\$2,350.00) DOLLARS and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold and QUITCLAIMED, and by these presents does remise, release, sell and QUITCLAIM unto the grantee, its successors and assigns forever, all the right, title, interest, claim and demand which the grantor has in and to the real property, together with improvements, if any, situate, lying and being in the said County of Adams and State of Colorado, described as follows:

Legal description as set forth is Exhibit "A" attached hereto and incorporated herein by this reference.

Also known by street and number as: a portion of 8240 Clayton Court
Assessor's schedule or parcel numbers: part of 0171925303077

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

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the grantor, either in law or equity, to the only proper use, benefit and behoove of the grantee, its successors and assigns forever.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantors have executed this deed on the date set forth above.


Ira Eugene Putman

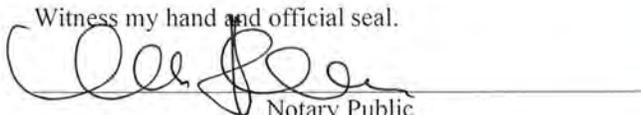

Mary Ann Putman

STATE OF COLORADO)
County of Adams)§

MARISSA HILLJE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20194046420
MY COMMISSION EXPIRES 12/12/2023

The foregoing instrument was acknowledged before me this 21 day of January, 2022 by Ira Eugene Putman and Mary Ann Putman as owners.

My commission expires:
12/12/2023

Witness my hand and official seal.

Notary Public

PLANNING COMMISSION FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION RECOMMENDING ACCEPTANCE OF A QUITCLAIM DEED FROM
IRA EUGENE PUTMAN AND MARY ANN PUTMAN TO ADAMS COUNTY FOR
RIGHT-OF-WAY PURPOSES

At the regular meeting for the Planning Commission for Adams County, Colorado, held at County Government Center in Brighton on Thursday the 23rd day of June 2022, the following proceedings and others were had and done, to wit:

WHEREAS, the Adams County Planning Commission has considered the advisability of acceptance by the Board of County Commissioners of a Quitclaim Deed from Ira Eugene Putman and Mary Ann Putman for right-of-way purposes on the following described land to wit:

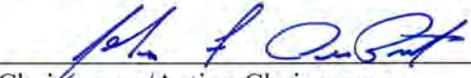
Legal description as set forth in Exhibit "A" attached hereto and incorporated herein by this reference.

WHEREAS, this Quitclaim Deed is in conjunction with the York Street Capital Improvement Program Project – York Street from 78th Avenue to 88th Avenue, for a portion of 8240 Clayton Court, located in the Southwest Quarter of Section 25, Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado.

NOW, THEREFORE, BE IT RESOLVED, that the Adams County Planning Commission recommends to the Board of County Commissioners that said Quitclaim Deed from Ira Eugene Putman and Mary Ann Putman be accepted by the Board of County Commissioners.

Upon a motion duly made and seconded, the foregoing resolution was adopted.

I, John F. DuPriest, Chairperson/Acting Chairperson of the Adams County Planning Commission do hereby certify that the annexed foregoing resolution is a true and correct record of the proceedings of the Adams County Planning Commission.



Chairperson/Acting Chairperson
Adams County Planning Commission



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Resolution accepting Warranty Deed conveying property from Julie A. Linebarger-Taylor to Adams County for right-of-way purposes
FROM: Brian Staley, P.E., PTOE, RSP, Director of Public Works Janet Lundquist, Deputy Director of Public Works
AGENCY/DEPARTMENT: Public Works
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approve a resolution for accepting a Warranty Deed for the acquisition of property needed for road right-of-way.

BACKGROUND: Adams County is in the process of acquiring right-of-way and temporary construction easements along York Street from 78th Avenue to 88th Avenue for the York Street Improvement Project. Julie A. Linebarger-Taylor has executed a Warranty Deed to Adams County for right-of-way purposes. The property is located in the Southwest Quarter of Section 25, Township 2 South, Range 68 West of the 6th Principal Meridian. The Warranty Deed will convey property needed for the York Street Phase 2 CIP project.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Adams County Public Works, Office of the County Attorney and Adams County Board of County Commissioners.

ATTACHED DOCUMENTS:

Warranty Deed
Draft resolution
Planning Commission Resolution

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 13
Cost Center: 3056

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<u> </u>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u> </u> \$

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION ACCEPTING WARRANTY DEED CONVEYING PROPERTY
FROM JULIE A. LINEBARGER-TAYLOR TO ADAMS COUNTY FOR
RIGHT-OF-WAY PURPOSES

WHEREAS, Adams County is in the process of acquiring right-of-way for the York Street Capital Improvement Program Project - York Street from 78th Avenue to 88th Avenue (“Project”); and,

WHEREAS, the right-of-way parcel is from property at 8260 Clayton Court, located in the Southwest Quarter of Section 25, Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado and is owned by Julie A. Linebarger-Taylor (“Parcel RW-226”); and,

WHEREAS, Adams County requires ownership of the Parcel RW-226 for construction of the Project; and,

WHEREAS, Julie A. Linebarger-Taylor has executed a Warranty Deed to convey Parcel RW-226 for road right-of-way purposes for York Street that complies with County standards and will benefit the citizens of Adams County; and,

WHEREAS, at a regular meeting of the Planning Commission for Adams County, Colorado, held at the County Government Center in Brighton on Thursday the 23rd day of June 2022, the Planning Commission recommended that the Board of County Commissioners accept said Warranty Deed.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, County of Adams, State of Colorado, that the Warranty Deed from Julie A. Linebarger-Taylor, a copy of which is attached hereto and incorporated herein by this reference, be and hereby is accepted.

WARRANTY DEED

THIS DEED, dated this 22 day of November 2021, between Julie A. Linebarger-Taylor, whose address is 8260 Clayton Court, Thornton, CO 80229, grantor(s), and the **COUNTY OF ADAMS, State of Colorado**, whose legal address is 4430 South Adams County Parkway, Brighton, Colorado 80601 of the said County of Adams and State of Colorado, grantee(s):

WITNESS, that the grantor(s), for and in consideration of the sum of \$2,870.00, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents doth grant, bargain, sell, convey and confirm, unto the grantee(s), its successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the said County of Adams, State of Colorado, described as follows:

Legal description as set forth in Exhibit "A" attached hereto and incorporated herein by this reference.

Also known by street and number as: being a portion of 8260 Clayton Court, Thornton, CO 80229
Assessor's schedule or parcel number: part of 0171925303075

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), 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 grantee(s), its successors and assigns forever. The grantor(s), for itself, its successors and assigns, do covenant, grant, bargain and agree to and with the grantee(s), its successors and assigns, that at the time of the ensembling and delivery of these presents, it is well seized of the premises above conveyed, have good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and have good right, full power and 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 soever, except interests of record.

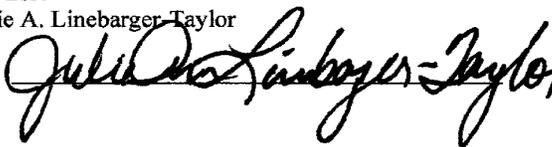
The grantor(s) shall and will **WARRANT AND FOREVER DEFEND** the above bargained premises in the quiet and peaceable possession of the grantee(s), its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

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

Owner:

Julie A. Linebarger-Taylor

By:



STATE OF Colorado)

County of Adams) §

The foregoing instrument was acknowledged before me this 22 day of November, 2021, by Julie A. Linebarger-Taylor

Witness my hand and official seal.

My commission expires: June 14, 2023



Notary Public

IAN WOOD
NOTARY PUBLIC - STATE OF COLORADO
NOTARY ID 20194022389
MY COMMISSION EXPIRES JUN 14, 2023

EXHIBIT "A"
RIGHT-OF-WAY NUMBER: RW-226
PROJECT NUMBER: IMP-3056-1603
SECTION 25, TOWNSHIP 2 SOUTH, RANGE 68 WEST
SIXTH PRINCIPAL MERIDIAN
ADAMS COUNTY

DESCRIPTION

A tract or parcel of land No. RW-226 of Adams County Project Number IMP-3056-1603, containing 191 square feet, more or less, being a portion of Lot 13B, Welby Hill Duplex, a subdivision recorded on December 14, 1999, in File 18, Map 151, of the records of the Adams County Clerk and Recorders Office, situated in the Southwest Quarter of Section 25 Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado, being more particularly described as follows:

COMMENCING at the West Quarter Corner of Section 25 whence the West Line of the Southwest quarter of Section 25 bears S00°04'09"W a distance of 2628.81 feet;
Thence S33°52'18"E a distance of 1316.24 feet to the Northeast corner of said Lot 13B and the **POINT OF BEGINNING PARCEL RW-226;**

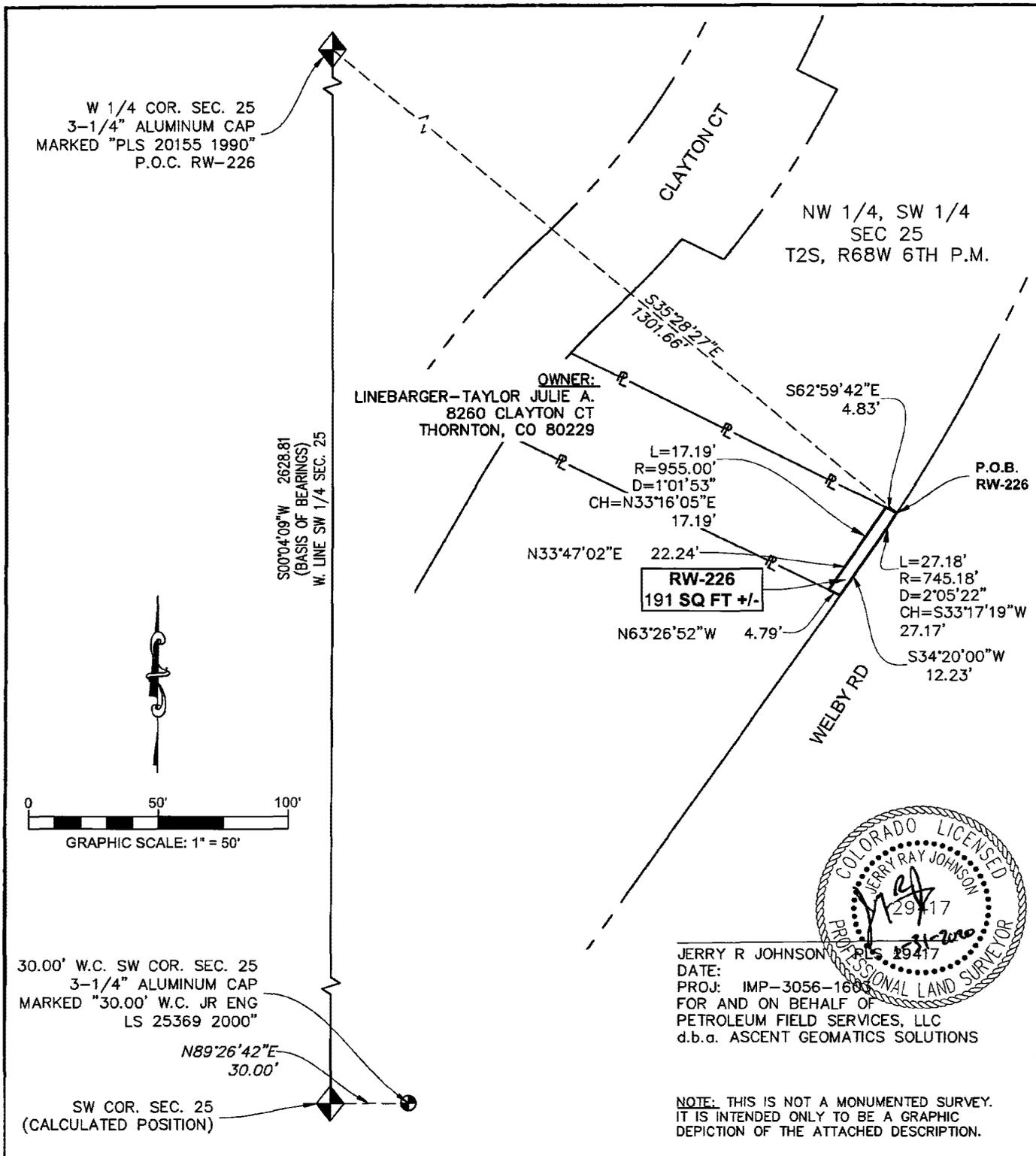
Thence Southwesterly along the easterly boundary of said Lot 13B, a distance of 27.18 feet along a non-tangent curve to the right, said arc having a radius of 745.18 feet and a central angle of 02°05'22", and being subtended by a chord with a bearing of S33°17'19"W and a distance of 27.17 feet;
Thence S34°20'00"W along the easterly boundary of said Lot 13B, a distance of 12.23 feet to a point on the southerly boundary of said Lot 13B;
Thence N63°26'52"W along the southerly boundary of said Lot 13B, a distance of 4.79 feet;
Thence N33°47'02"E, a distance of 22.24 feet;
Thence Northeasterly, a distance of 17.19 feet along a curve to the left, said arc having a radius of 955.00 feet and a central angle of 01°01'53", and being subtended by a chord with a bearing of N33°16'05"E and a distance of 17.19 feet to a point on the northerly boundary of said Lot 13B;
Thence S62°59'42"E along the northerly boundary of said Lot 13B, a distance of 4.83 feet to the **POINT OF BEGINNING PARCEL RW-226.**

Containing 191 sq. ft. +/-

I, Jerry R. Johnson, Colorado Professional Surveyor in the State of Colorado, do hereby certify that this easement description and the field survey on the ground upon which it is based were performed by me or under my direct supervision.

Jerry R. Johnson, PLS 29417
Date:
For and on Behalf of
Petroleum Field Services, LLC
d.b.a. Ascent Geomatics Solutions





PLANNING COMMISSION FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION RECOMMENDING ACCEPTANCE OF A WARRANTY DEED FROM
JULIE A. LINEBARGER-TAYLOR TO ADAMS COUNTY FOR
RIGHT-OF-WAY PURPOSES

At the regular meeting for the Planning Commission for Adams County, Colorado, held at County Government Center in Brighton on Thursday the 23rd day of June 2022, the following proceedings and others were had and done, to wit:

WHEREAS, the Adams County Planning Commission has considered the advisability of acceptance by the Board of County Commissioners of a Warranty Deed from Julie A. Linebarger-Taylor for right-of-way purposes on the following described land to wit:

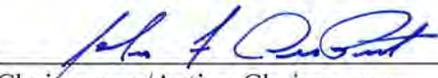
Legal description as set forth in Exhibit "A" attached hereto and incorporated herein by this reference.

WHEREAS, this Warranty Deed is in conjunction with the York Street Capital Improvement Program Project – York Street from 78th Avenue to 88th Avenue, for a portion of 8260 Clayton Court, located in the Southwest Quarter of Section 25, Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado.

NOW, THEREFORE, BE IT RESOLVED, that the Adams County Planning Commission recommends to the Board of County Commissioners that said Warranty Deed from Julie A. Linebarger-Taylor be accepted by the Board of County Commissioners.

Upon a motion duly made and seconded, the foregoing resolution was adopted.

I, John F. DuPriest, Chairperson/Acting Chairperson of the Adams County Planning Commission do hereby certify that the annexed foregoing resolution is a true and correct record of the proceedings of the Adams County Planning Commission.



Chairperson/Acting Chairperson
Adams County Planning Commission



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Resolution accepting Warranty Deed conveying property from Edgar Leon to Adams County for right-of-way purposes
FROM: Brian Staley, P.E., PTOE, RSP, Director of Public Works Janet Lundquist, Deputy Director of Public Works
AGENCY/DEPARTMENT: Public Works
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approve a resolution for accepting a Warranty Deed for the acquisition of property needed for road right-of-way.

BACKGROUND: Adams County is in the process of acquiring right-of-way and temporary construction easements along York Street from 78th Avenue to 88th Avenue for the York Street Improvement Project. Edgar Leon has executed a Warranty Deed to Adams County for right-of-way purposes. The property is located in the Southwest Quarter of Section 25, Township 2 South, Range 68 West of the 6th Principal Meridian. The Warranty Deed will convey property needed for the York Street Phase 2 CIP project.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Adams County Public Works, Office of the County Attorney and Adams County Board of County Commissioners.

ATTACHED DOCUMENTS:

Warranty Deed
Draft resolution
Planning Commission Resolution

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 13
Cost Center: 3056

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<u> </u>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u> </u> \$

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION ACCEPTING WARRANTY DEED CONVEYING PROPERTY
FROM EDGAR LEON TO ADAMS COUNTY FOR
RIGHT-OF-WAY PURPOSES

WHEREAS, Adams County is in the process of acquiring right-of-way for the York Street Capital Improvement Program Project - York Street from 78th Avenue to 88th Avenue (“Project”); and,

WHEREAS, the right-of-way parcel is from property at 8268 Clayton Court, located in the Southwest Quarter of Section 25, Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado and is owned by Edgar Leon (“Parcel RW-227”); and,

WHEREAS, Adams County requires ownership of the Parcel RW-227 for construction of the Project; and,

WHEREAS, Edgar Leon has executed a Warranty Deed to convey Parcel RW-227 for road right-of-way purposes for York Street that complies with County standards and will benefit the citizens of Adams County; and,

WHEREAS, at a regular meeting of the Planning Commission for Adams County, Colorado, held at the County Government Center in Brighton on Thursday the 23rd day of June 2022, the Planning Commission recommended that the Board of County Commissioners accept said Warranty Deed.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, County of Adams, State of Colorado, that the Warranty Deed from Edgar Leon, a copy of which is attached hereto and incorporated herein by this reference, be and hereby is accepted.

WARRANTY DEED

THIS DEED, dated this 8th day of June, 2022, between Edgar Leon, whose address is 8268 Clayton Court, Thornton, CO, 80229, grantor(s), and the **COUNTY OF ADAMS, State of Colorado**, whose legal address is 4430 South Adams County Parkway, Brighton, Colorado 80601 of the said County of Adams and State of Colorado, grantee(s):

WITNESS, that the grantor(s), for and in consideration of the sum of \$2,810.00, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents doth grant, bargain, sell, convey and confirm, unto the grantee(s), its successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the said County of Adams, State of Colorado, described as follows:

Legal description as set forth in Exhibit "A" attached hereto and incorporated herein by this reference.

Also known by street and number as: being a portion of 8268 Clayton Court
Assessor's schedule or parcel number: part of 0171925303074

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), 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 grantee(s), its successors and assigns forever. The grantor(s), for itself, its successors and assigns, do covenant, grant, bargain and agree to and with the grantee(s), its successors and assigns, that at the time of the ensealing and delivery of these presents, it is well seized of the premises above conveyed, have good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and have good right, full power and 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 soever, except interests of record.

The grantor(s) shall and will **WARRANT AND FOREVER DEFEND** the above bargained premises in the quiet and peaceable possession of the grantee(s), its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

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

Owner:

By: Edgar Leon
Edgar Leon

STATE OF colorado)
County of Adams) §

The foregoing instrument was acknowledged before me this 8th day of June, 2022, by Edgar Leon, as owner.

Witness my hand and official seal.
My commission expires:

MARISSA HILLJE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20194046420
MY COMMISSION EXPIRES 12/12/2023

[Signature]
Notary Public

EXHIBIT "A"
RIGHT-OF-WAY NUMBER: RW-227
PROJECT NUMBER: IMP-3056-1603
SECTION 25, TOWNSHIP 2 SOUTH, RANGE 68 WEST
SIXTH PRINCIPAL MERIDIAN
ADAMS COUNTY

DESCRIPTION

A tract or parcel of land No. RW-227 of Adams County Project Number IMP-3056-1603, containing 187 square feet, more or less, being a portion of Lot 13A, Welby Hill Duplex, a subdivision recorded on December 14, 1999, in File 18, Map 151, of the records of the Adams County Clerk and Recorders Office, situated in the Southwest Quarter of Section 25 Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado, being more particularly described as follows:

COMMENCING at the West Quarter Corner of Section 25 whence the West Line of the Southwest quarter of Section 25 bears S00°04'09"W a distance of 2628.81 feet;
Thence S37°08'44"E a distance of 1285.62 feet to the Northeast corner of said Lot 13A and the **POINT OF BEGINNING PARCEL RW-227;**

Thence Southwesterly, a distance of 41.01 feet along a non-tangent curve to the right, said arc having a radius of 744.88 feet and a central angle of 03°09'16", and being subtended by a chord with a bearing of S30°40'00"W and a distance of 41.00 feet to a point on the southerly boundary of said Lot 13A;
Thence N62°59'42"W along the southerly boundary of said Lot 13A, a distance of 4.83 feet;
Thence Northeasterly, a distance of 41.02 feet along a non-tangent curve to the left, said arc having a radius of 955.00 feet and a central angle of 02°27'39", and being subtended by a chord with a bearing of N31°31'19"E and a distance of 41.01 feet to a point on the northerly boundary of said Lot 13A;
Thence S63°26'52"E along said northerly boundary, a distance of 4.22 feet to the **POINT OF BEGINNING PARCEL RW-227.**

Containing 187 sq. ft. +/-

I, Jerry R. Johnson, Colorado Professional Surveyor in the State of Colorado, do hereby certify that this easement description and the field survey on the ground upon which it is based were performed by me or under my direct supervision.

Jerry R. Johnson, PLS 29417
Date:
For and on Behalf of
Petroleum Field Services, LLC
d.b.a. Ascent Geomatics Solutions



W 1/4 COR. SEC. 25
 3-1/4" ALUMINUM CAP
 MARKED "PLS 20155 1990"
 P.O.C. RW-227

NW 1/4, SW 1/4
 SEC 25
 T2S, R68W 6TH P.M.

OWNER:
 LEON EDGAR
 8268 CLAYTON CT
 THORNTON, CO 80229

S00°04'09"W 2628.81
 (BASIS OF BEARINGS)
 W. LINE SW 1/4 SEC. 25

L=41.02'
 R=955.00'
 D=2°27'39"
 CH=N31°31'19"E
 41.01'

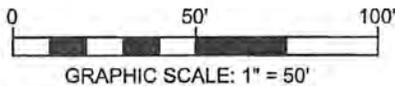
S63°26'52"E
 4.22'
 P.O.B.
 RW-227

RW-227
 187 SQ FT +/-

N62°59'42"W
 4.83'

L=41.01'
 R=744.88'
 D=3°09'16"
 CH=S30°40'00"W
 41.00'

WELBY RD



30.00' W.C. SW COR. SEC. 25
 3-1/4" ALUMINUM CAP
 MARKED "30.00' W.C. JR ENG
 LS 25369 2000"

N89°26'42"E
 30.00'

SW COR. SEC. 25
 (CALCULATED POSITION)



JERRY R. JOHNSON
 DATE:
 PROJ: IMP-3056-1603
 FOR AND ON BEHALF OF
 PETROLEUM FIELD SERVICES, LLC
 d.b.a. ASCENT GEOMATICS SOLUTIONS

NOTE: THIS IS NOT A MONUMENTED SURVEY.
 IT IS INTENDED ONLY TO BE A GRAPHIC
 DEPICTION OF THE ATTACHED DESCRIPTION.



Ascent Geomatics Solutions
 8620 Wolff Court
 Westminster, CO 80031
 (303) 928-7128



RockSol
 Consulting Group, Inc.

12076 Grant Street
 Thornton, CO 80241
 Ph: (303) 962-9300
 Fax: (303) 962-9350

RW-227	
LEON EDGAR	
File Name:	RCG_B180001-RW-227
Project No.	IMP-3056-1603
Print Date:	01-20-2020
Sheet:	2 of 2

PLANNING COMMISSION FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION RECOMMENDING ACCEPTANCE OF A WARRANTY DEED FROM
EDGAR LEON TO ADAMS COUNTY FOR RIGHT-OF-WAY PURPOSES

At the regular meeting for the Planning Commission for Adams County, Colorado, held at County Government Center in Brighton on Thursday the 23rd day of June 2022, the following proceedings and others were had and done, to wit:

WHEREAS, the Adams County Planning Commission has considered the advisability of acceptance by the Board of County Commissioners of a Warranty Deed from Edgar Leon for right-of-way purposes on the following described land to wit:

Legal description as set forth in Exhibit "A" attached hereto and incorporated herein by this reference.

WHEREAS, this Warranty Deed is in conjunction with the York Street Capital Improvement Program Project – York Street from 78th Avenue to 88th Avenue, for a portion of 8268 Clayton Court, located in the Southwest Quarter of Section 25, Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado.

NOW, THEREFORE, BE IT RESOLVED, that the Adams County Planning Commission recommends to the Board of County Commissioners that said Warranty Deed from Edgar Leon be accepted by the Board of County Commissioners.

Upon a motion duly made and seconded, the foregoing resolution was adopted.

I, John F. DuPriest, Chairperson/Acting Chairperson of the Adams County Planning Commission do hereby certify that the annexed foregoing resolution is a true and correct record of the proceedings of the Adams County Planning Commission.



Chairperson/Acting Chairperson
Adams County Planning Commission



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Resolution accepting Warranty Deed conveying property from Welby Glen Owners Association, Inc., to Adams County for right-of-way purposes
FROM: Brian Staley, P.E., PTOE, RSP, Director of Public Works Janet Lundquist, Deputy Director of Public Works
AGENCY/DEPARTMENT: Public Works
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approve a resolution for accepting a Warranty Deed for the acquisition of property needed for road right-of-way.

BACKGROUND: Adams County is in the process of acquiring right-of-way and temporary construction easements along York Street from 78th Avenue to 88th Avenue for the York Street Improvement Project. Welby Glen Owners Association, Inc. has executed a Warranty Deed to Adams County for right-of-way purposes. The property is located in the Southwest Quarter of Section 25, Township 2 South, Range 68 West of the 6th Principal Meridian. The Warranty Deed will convey property needed for the York Street Phase 2 CIP project.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Adams County Public Works, Office of the County Attorney and Adams County Board of County Commissioners.

ATTACHED DOCUMENTS:

Warranty Deed
Draft resolution
Planning Commission Resolution

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 13
Cost Center: 3056

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<u> </u>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u> </u> \$

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION ACCEPTING WARRANTY DEED CONVEYING PROPERTY
FROM WELBY GLEN OWNERS ASSOCIATION, INC., TO ADAMS COUNTY FOR
RIGHT-OF-WAY PURPOSES

WHEREAS, Adams County is in the process of acquiring right-of-way for the York Street Capital Improvement Program Project - York Street from 78th Avenue to 88th Avenue (“Project”); and,

WHEREAS, the right-of-way parcels are from property located in the Southwest Quarter of Section 25, Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado and owned by Welby Glen Owners Association, Inc. (“Parcels RW-228, RW-229 & RW-230”); and,

WHEREAS, Adams County requires ownership of the Parcels RW-228, RW-229 & RW-230 for construction of the Project; and,

WHEREAS, Welby Glen Owners Association, Inc. has executed a Warranty Deed to convey Parcels RW-228, RW-229 & RW-230 for road right-of-way purposes for York Street that complies with County standards and will benefit the citizens of Adams County; and,

WHEREAS, at a regular meeting of the Planning Commission for Adams County, Colorado, held at the County Government Center in Brighton on Thursday the 23rd day of June 2022, the Planning Commission recommended that the Board of County Commissioners accept said Warranty Deed.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, County of Adams, State of Colorado, that the Warranty Deed from Welby Glen Owners Association, Inc., a copy of which is attached hereto and incorporated herein by this reference, be and hereby is accepted.

TRANSFER TAX EXEMPT

WARRANTY DEED

THIS DEED, dated this 3rd day of May 2022, between Welby Glen Owners Association, Inc., a Colorado non-profit corporation, whose address is 2323 S Troy Street, Suite 5-310, Aurora, CO 80014, grantor(s), and the COUNTY OF ADAMS, State of Colorado, whose legal address is 4430 South Adams County Parkway, Brighton, Colorado 80601 of the said County of Adams and State of Colorado, grantee(s):

WITNESS, that the grantor(s), for and in consideration of the sum of \$40,600.00, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents doth grant, bargain, sell, convey and confirm, unto the grantee(s), its successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the said County of Adams, State of Colorado, described as follows:

Legal description as set forth in Exhibit "A" attached hereto and incorporated herein by this reference.

Also known by Assessor's schedule or parcel number: part of 0171925303024 and 0171925303094

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), 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 grantee(s), its successors and assigns forever. The grantor(s), for itself, its successors and assigns, do covenant, grant, bargain and agree to and with the grantee(s), its successors and assigns, that at the time of the ensembling and delivery of these presents, it is well seized of the premises above conveyed, have good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and have good right, full power and 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 soever, except interests of record.

The grantor(s) shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the grantee(s), its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

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

Owner:

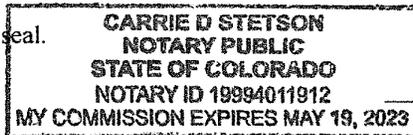
Welby Glen Owners Association, Inc., a Colorado non-profit corporation

By: [Signature]
Print: Kristin Boyd
Title: Managing Agent

STATE OF Colorado)
County of Adams)§

The foregoing instrument was acknowledged before me this 3rd day of May, 2022, by Kristin Boyd, as Managing Agent, of Welby Glen Owners Association, Inc., a Colorado non-profit corporation.

Witness my hand and official seal. My commission expires: 5/19/23



[Signature]
Notary Public

EXHIBIT "A"
RIGHT-OF-WAY NUMBER: RW-228A
PROJECT NUMBER: IMP-3056-1603
SECTION 25, TOWNSHIP 2 SOUTH, RANGE 68 WEST
SIXTH PRINCIPAL MERIDIAN
ADAMS COUNTY

DESCRIPTION

A tract or parcel of land No. RW-228A of Adams County Project Number IMP-3056-1603, containing 271 square feet, more or less, being a portion of Pond B, Welby Hill Duplex, a subdivision recorded on December 14, 1999, in File 18, Map 151, of the records of the Adams County Clerk and Recorders Office, situated in the Southwest Quarter of Section 25 Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado, being more particularly described as follows:

COMMENCING at the West Quarter Corner of Section 25 whence the West Line of the Southwest quarter of Section 25 bears $S00^{\circ}04'09''W$ a distance of 2628.81 feet;
Thence $S41^{\circ}44'05''E$ a distance of 1236.79 feet to the North corner of said Pond B and the **POINT OF BEGINNING PARCEL RW-228A**;

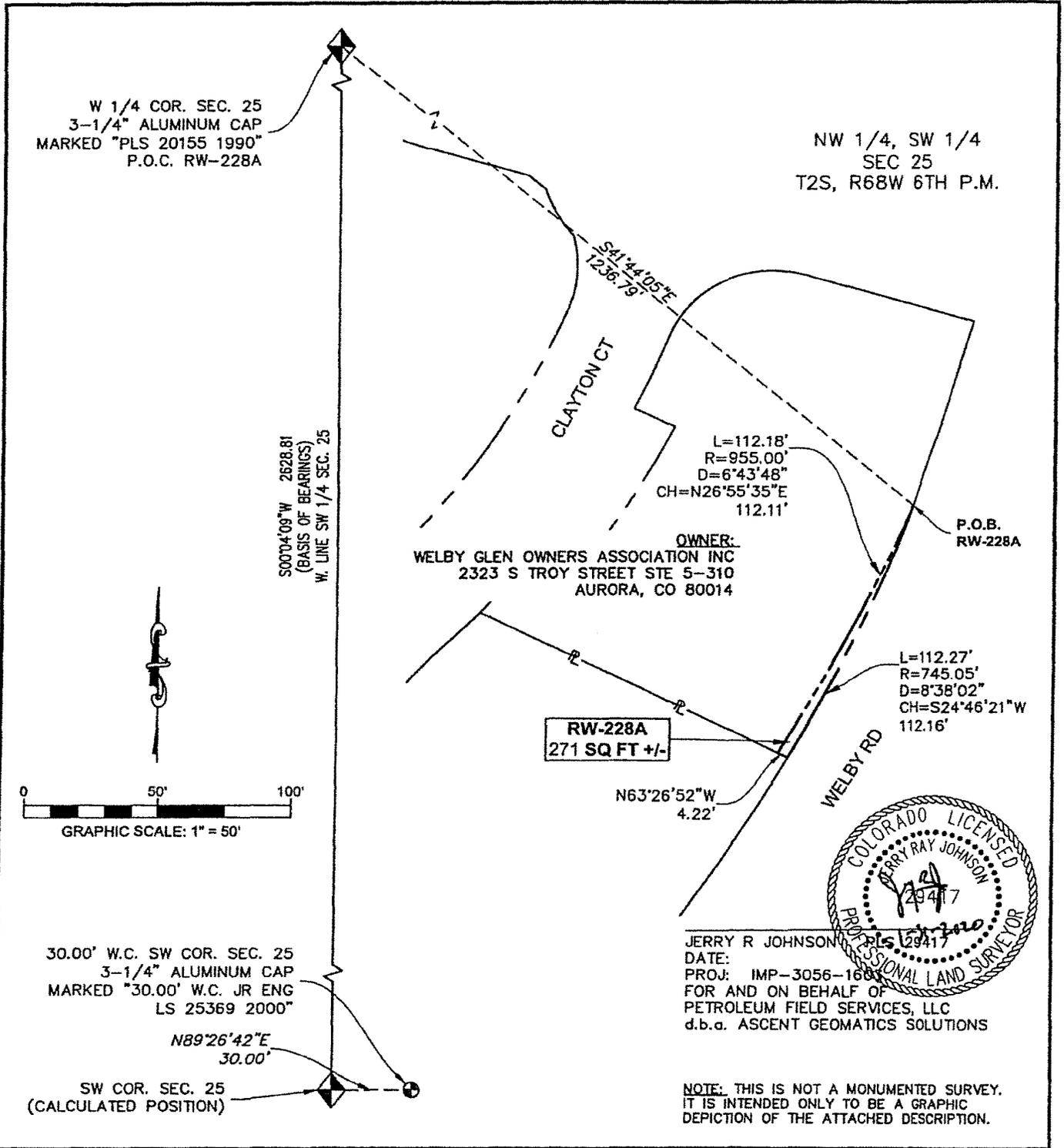
Thence Southwesterly along the easterly boundary of said Pond B, a distance of 112.27 feet along a non-tangent curve to the right, said arc having a radius of 745.05 feet and a central angle of $08^{\circ}38'02''$, and being subtended by a chord with a bearing of $S24^{\circ}46'21''W$ and a distance of 112.16 feet to a point on the southerly boundary of said Pond B;
Thence $N63^{\circ}26'52''W$ along the southerly boundary of said Pond B, a distance of 4.22 feet;
Thence Northeasterly, a distance of 112.18 feet along a non-tangent curve to the left to a point on said easterly boundary, said arc having a radius of 955.00 feet and a central angle of $06^{\circ}43'48''$, and being subtended by a chord with a bearing of $N26^{\circ}55'35''E$ and a distance of 112.11 feet to the **POINT OF BEGINNING PARCEL RW-228A**.

Containing 271 sq. ft. +/-

I, Jerry R. Johnson, Colorado Professional Surveyor in the State of Colorado, do hereby certify that this easement description and the field survey on the ground upon which it is based were performed by me or under my direct supervision.

Jerry R. Johnson, PLS 29417
Date:
For and on Behalf of
Petroleum Field Services, LLC
d.b.a. Ascent Geomatics Solutions





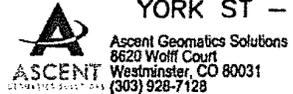
		EXHIBIT "B" YORK ST - 78TH AVE TO 88TH AVE			12076 Grant Street Thornton, CO 80241 Ph: (303) 962-9300 Fax: (303) 962-9350	RW-228A	
		WELBY GLEN OWNERS ASSOCIATION INC File Name: RCG_B180001-RW-228A Project No. IMP-3056-1603 Print Date: 01-20-2020				Sheet: 2 of 2	

EXHIBIT "A"
RIGHT-OF-WAY NUMBER: RW-228B
PROJECT NUMBER: IMP-3056-1603
SECTION 25, TOWNSHIP 2 SOUTH, RANGE 68 WEST
SIXTH PRINCIPAL MERIDIAN
ADAMS COUNTY

DESCRIPTION

A tract or parcel of land No. RW-228B of Adams County Project Number IMP-3056-1603, containing 398 square feet, more or less, being a portion of Pond B, Welby Hill Duplex, a subdivision recorded on December 14, 1999, in File 18, Map 151, of the records of the Adams County Clerk and Recorders Office, situated in the Southwest Quarter of Section 25 Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado, being more particularly described as follows:

COMMENCING at the West Quarter Corner of Section 25 whence the West Line of the Southwest quarter of Section 25 bears S00°04'09"W a distance of 2628.81 feet;
Thence S44°57'14"E a distance of 1198.84 feet to the Northeast corner of said Pond B and the **POINT OF BEGINNING PARCEL RW-228B;**

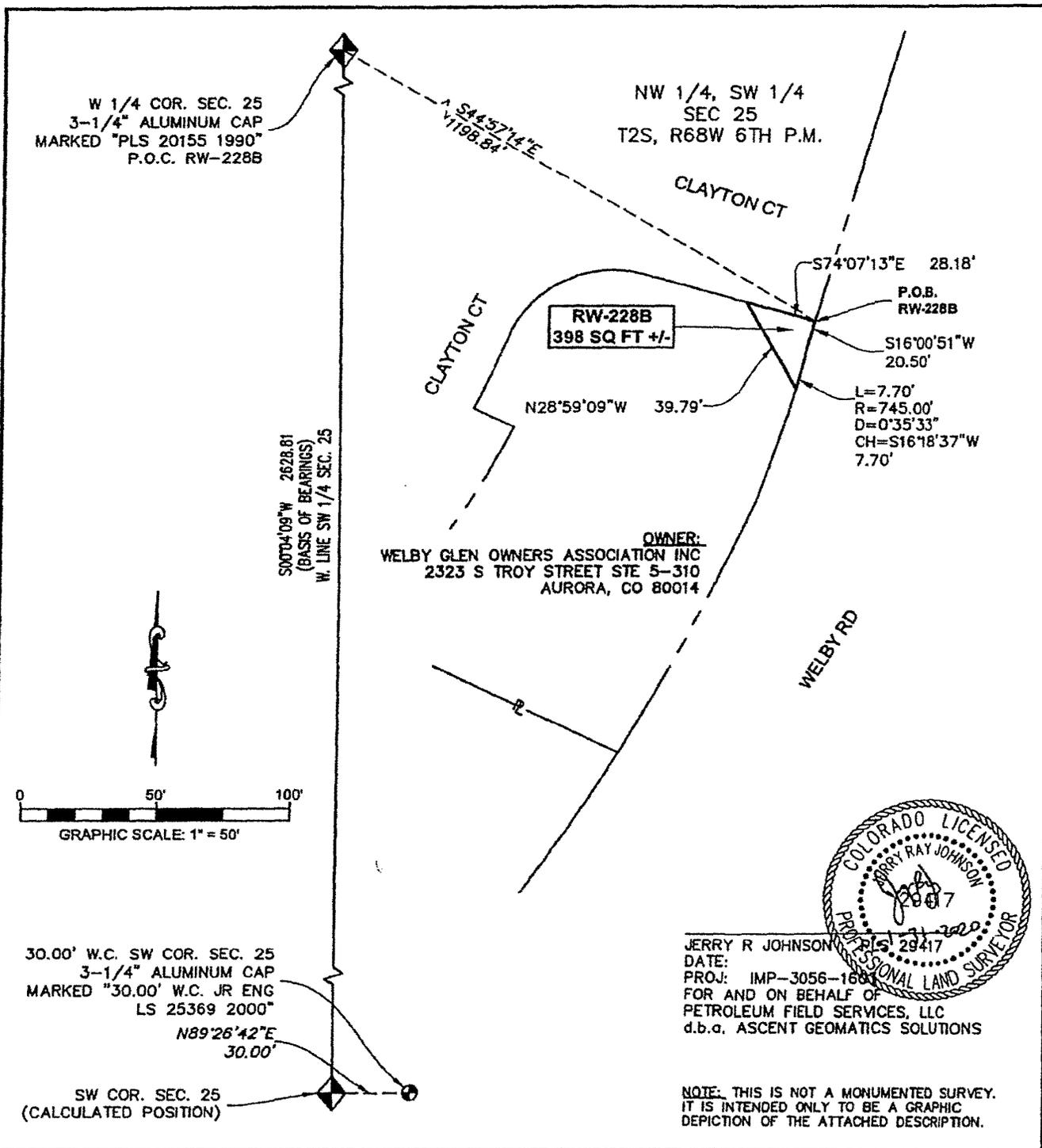
Thence S16°00'51"W along the easterly boundary of said Pond B, a distance of 20.50 feet;
Thence Southerly along the easterly boundary of said Pond B, a distance of 7.70 feet along a curve to the right, said arc having a radius of 745.00 feet and a central angle of 00°35'33", and being subtended by a chord with a bearing of S16°18'37"W and a distance of 7.70 feet;
Thence N28°59'09"W, a distance of 39.79 feet to a point on the northerly boundary of said Pond B;
Thence S74°07'13"E along the northerly boundary of said Pond B, a distance of 28.18 feet to the **POINT OF BEGINNING PARCEL RW-228B.**

Containing 398 sq. ft. +/-

I, Jerry R. Johnson, Colorado Professional Surveyor in the State of Colorado, do hereby certify that this easement description and the field survey on the ground upon which it is based were performed by me or under my direct supervision.

Jerry R. Johnson, PLS 29417
Date:
For and on Behalf of
Petroleum Field Services, LLC
d.b.a. Ascent Geomatics Solutions





JERRY R JOHNSON
 DATE:
 PROJ: IMP-3056-1603
 FOR AND ON BEHALF OF
 PETROLEUM FIELD SERVICES, LLC
 d.b.a. ASCENT GEOMATICS SOLUTIONS

EXHIBIT "A"
RIGHT-OF-WAY NUMBER: RW-229
PROJECT NUMBER: IMP-3056-1603
SECTION 25, TOWNSHIP 2 SOUTH, RANGE 68 WEST
SIXTH PRINCIPAL MERIDIAN
ADAMS COUNTY

DESCRIPTION

A tract or parcel of land No. RW-229 of Adams County Project Number IMP-3056-1603, containing 1,934 square feet, more or less, being a portion of 83rd Ave, a private road, Welby Hill Duplex, a subdivision recorded on December 14, 1999, in File 18, Map 151, of the records of the Adams County Clerk and Recorders Office, situated in the Southwest Quarter of Section 25 Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado, being more particularly described as follows:

COMMENCING at the West Quarter Corner of Section 25 whence the West Line of the Southwest quarter of Section 25 bears S00°04'09"W a distance of 2628.81 feet;
Thence S47°57'42"E a distance of 1166.48 feet to the Northeast corner of said 83rd Ave Right-of-Way and the
POINT OF BEGINNING PARCEL RW-229;

Thence S16°00'51"W along the easterly boundary of Said 83rd Ave, a distance of 70.00 feet to a point on the southerly boundary of said 83rd Ave;
Thence N74°07'13"W along the southerly boundary, a distance of 28.18 feet;
Thence N16°54'49"E, a distance of 70.01 feet to a point on the northerly boundary of said 83rd Ave;
Thence S74°07'13"E along the northerly boundary of said 83rd Ave, a distance of 27.08 feet to the
POINT OF BEGINNING PARCEL RW-229.

Containing 1,934 sq. ft. +/-

I, Jerry R. Johnson, Colorado Professional Surveyor in the State of Colorado, do hereby certify that this easement description and the field survey on the ground upon which it is based were performed by me or under my direct supervision.

Jerry R. Johnson, PLS 29417
Date:
For and on Behalf of
Petroleum Field Services, LLC
d.b.a. Ascent Geomatics Solutions



EXHIBIT "A"
RIGHT-OF-WAY NUMBER: RW-230
PROJECT NUMBER: IMP-3056-1603
SECTION 25, TOWNSHIP 2 SOUTH, RANGE 68 WEST
SIXTH PRINCIPAL MERIDIAN
ADAMS COUNTY

DESCRIPTION

A tract or parcel of land No. RW-230 of Adams County Project Number IMP-3056-1603, containing 366 square feet, more or less, being a portion of Pond A, Welby Hill Duplex, a subdivision recorded on December 14, 1999, in File 18, Map 151, of the records of the Adams County Clerk and Recorders Office, situated in the Southwest Quarter of Section 25 Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado, being more particularly described as follows:

COMMENCING at the West Quarter Corner of Section 25 whence the West Line of the Southwest quarter of Section 25 bears $S00^{\circ}04'09''W$ a distance of 2628.81 feet;
Thence $S49^{\circ}09'58''E$ a distance of 1154.88 feet to the Northeast corner of said Pond A and the **POINT OF BEGINNING PARCEL RW-230**;

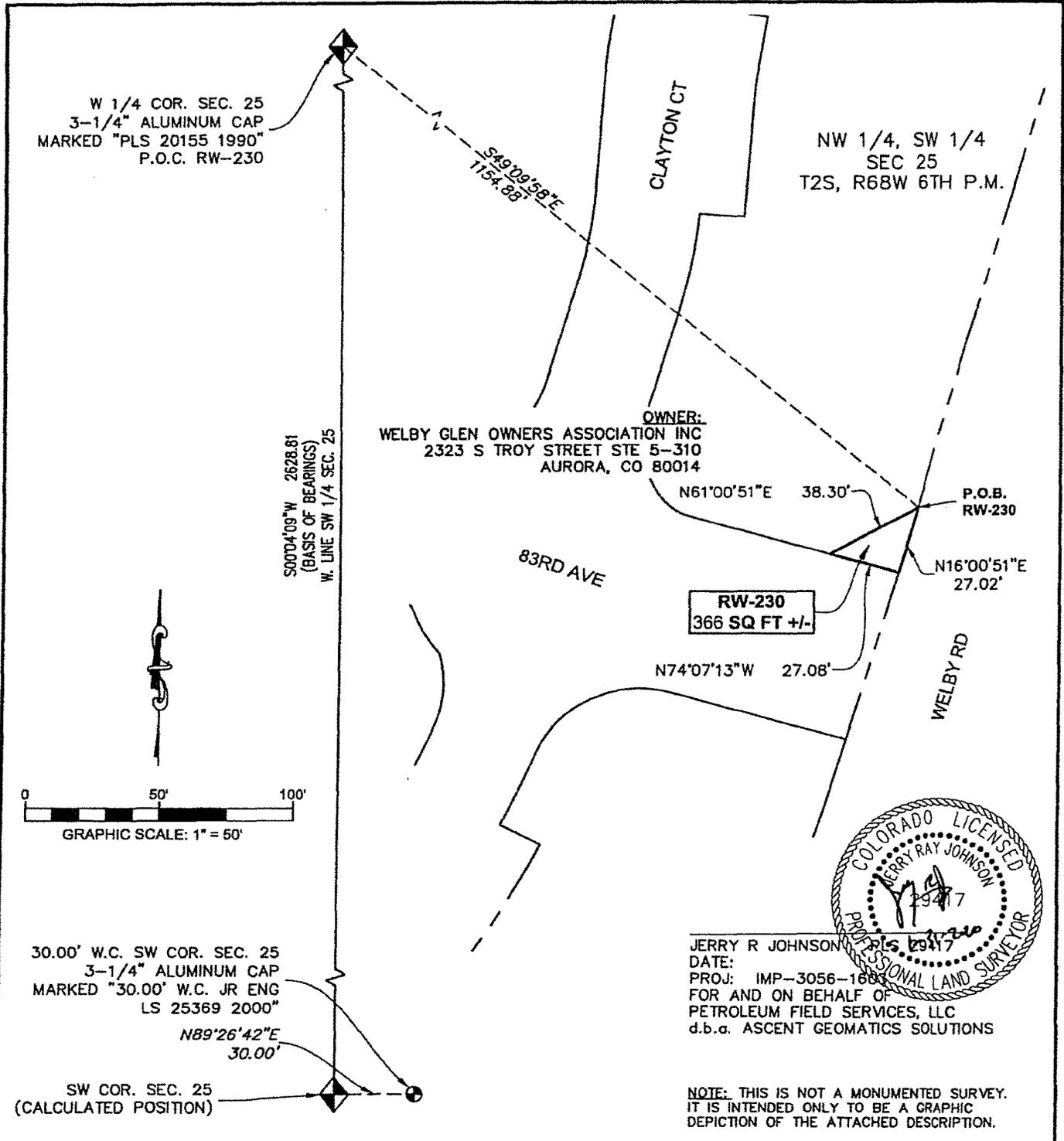
Thence $S16^{\circ}00'51''W$ along the easterly boundary of said Pond A, a distance of 27.02 feet to a point on the southerly boundary of said Pond A;
Thence $N74^{\circ}07'13''W$ along said southerly boundary, a distance of 27.08 feet;
Thence $N61^{\circ}00'51''E$, a distance of 38.30 feet to the **POINT OF BEGINNING PARCEL RW-230**.

Containing 366 sq. ft. +/-

I, Jerry R. Johnson, Colorado Professional Surveyor in the State of Colorado, do hereby certify that this easement description and the field survey on the ground upon which it is based were performed by me or under my direct supervision.

Jerry R. Johnson, PLS 29417
Date:
For and on Behalf of
Petroleum Field Services, LLC
d.b.a. Ascent Geomatics Solutions





PLANNING COMMISSION FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION RECOMMENDING ACCEPTANCE OF A WARRANTY DEED FROM
WELBY GLEN OWNERS ASSOCIATION, INC. TO ADAMS COUNTY FOR
RIGHT-OF-WAY PURPOSES

At the regular meeting for the Planning Commission for Adams County, Colorado, held at County Government Center in Brighton on Thursday the 23rd day of June 2022, the following proceedings and others were had and done, to wit:

WHEREAS, the Adams County Planning Commission has considered the advisability of acceptance by the Board of County Commissioners of a Warranty Deed from Welby Glen Owners Association, Inc. for right-of-way purposes on the following described land to wit:

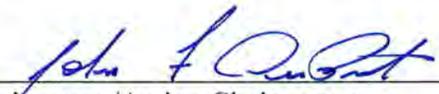
Legal description as set forth in Exhibit "A" attached hereto and incorporated herein by this reference.

WHEREAS, this Warranty Deed is in conjunction with the York Street Capital Improvement Program Project – York Street from 78th Avenue to 88th Avenue, for a portion of property located in the Southwest Quarter of Section 25, Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado.

NOW, THEREFORE, BE IT RESOLVED, that the Adams County Planning Commission recommends to the Board of County Commissioners that said Warranty Deed from Welby Glen Owners Association, Inc. be accepted by the Board of County Commissioners.

Upon a motion duly made and seconded, the foregoing resolution was adopted.

I, John F. DuPiest, Chairperson/Acting Chairperson of the Adams County Planning Commission do hereby certify that the annexed foregoing resolution is a true and correct record of the proceedings of the Adams County Planning Commission.



Chairperson/Acting Chairperson
Adams County Planning Commission



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Resolution accepting Warranty Deed conveying property from Devonshire Auto Wash, LLC, to Adams County for right-of-way purposes
FROM: Brian Staley, P.E., PTOE, RSP, Director of Public Works Janet Lundquist, Deputy Director of Public Works
AGENCY/DEPARTMENT: Public Works
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approve a resolution for accepting a Warranty Deed for the acquisition of property needed for road right-of-way.

BACKGROUND: Adams County is in the process of acquiring right-of-way and temporary construction easements along York Street from 78th Avenue to 88th Avenue for the York Street Improvement Project. Devonshire Auto Wash, LLC, has executed a Warranty Deed to Adams County for right-of-way purposes. The property is located in the Northwest Quarter of Section 25, Township 2 South, Range 68 West of the 6th Principal Meridian. The Warranty Deed will convey property needed for the York Street Phase 2 CIP project.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Adams County Public Works, Office of the County Attorney and Adams County Board of County Commissioners.

ATTACHED DOCUMENTS:

Warranty Deed
Draft resolution
Planning Commission Resolution

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 13
Cost Center: 3056

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<u> </u>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u> </u> \$

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION ACCEPTING WARRANTY DEED CONVEYING PROPERTY
FROM DEVONSHIRE AUTO WASH, LLC TO ADAMS COUNTY FOR
RIGHT-OF-WAY PURPOSES

WHEREAS, Adams County is in the process of acquiring right-of-way for the York Street Capital Improvement Program Project - York Street from 78th Avenue to 88th Avenue (“Project”); and,

WHEREAS, the right-of-way parcel is from property at 8760 Devonshire Blvd, located in the Northwest Quarter of Section 25, Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado and owned by Devonshire Auto Wash, LLC (“Parcels RW-273”); and,

WHEREAS, Adams County requires ownership of the Parcel RW-273 for construction of the Project; and,

WHEREAS, Devonshire Auto Wash, LLC has executed a Warranty Deed to convey Parcel RW-273 for road right-of-way purposes for York Street that complies with County standards and will benefit the citizens of Adams County; and,

WHEREAS, at a regular meeting of the Planning Commission for Adams County, Colorado, held at the County Government Center in Brighton on Thursday the 23rd day of June 2022, the Planning Commission recommended that the Board of County Commissioners accept said Warranty Deed.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, County of Adams, State of Colorado, that the Warranty Deed from Devonshire Auto Wash, LLC, a copy of which is attached hereto and incorporated herein by this reference, be and hereby is accepted.

WARRANTY DEED

THIS DEED, dated this 18 day of April 2022, between **Devonshire Auto Wash, LLC**, whose address is 933 Taylor Lane, Erie, CO 80516, grantor(s), and the **COUNTY OF ADAMS, State of Colorado**, whose legal address is 4430 South Adams County Parkway , Brighton, Colorado 80601 of the said County of Adams and State of Colorado, grantee(s):

WITNESS, that the grantor(s), for and in consideration of the sum of \$20,308.00, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents doth grant, bargain, sell, convey and confirm, unto the grantee(s), its successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the said County of Adams, State of Colorado, described as follows:

Legal description as set forth in Exhibit "A" attached hereto and incorporated herein by this reference.

Also known by street and number as: being a portion of 8760 Devonshire Blvd
Assessor's schedule or parcel number: part of 01719252019

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), 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 grantee(s), its successors and assigns forever. The grantor(s), for itself, its successors and assigns, do covenant, grant, bargain and agree to and with the grantee(s), its successors and assigns, that at the time of the ensembling and delivery of these presents, it is well seized of the premises above conveyed, have good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and have good right, full power and 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 soever, except interests of record.

The grantor(s) shall and will **WARRANT AND FOREVER DEFEND** the above bargained premises in the quiet and peaceable possession of the grantee(s), its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

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

Devonshire Auto Wash, LLC
a Colorado limited liability company

By: [Signature]
Print: Troy M. Dunlap
Title: Managing Member

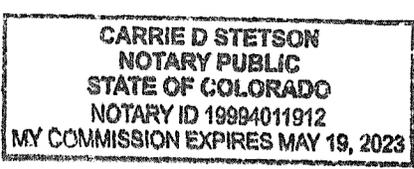
By: [Signature]
Print: Madelyn Pohl-Dunlap
Title: Member

STATE OF Colorado)
County of Adams)§

The foregoing instrument was acknowledged before me this 18 day of April, 2022, by Troy Dunlap, as Managing Member and Madely Pohl-Dunlap Member of Devonshire Auto Wash, LLC.

Witness my hand and official seal.
My commission expires: 5/19/23

[Signature]
Notary Public



201822

EXHIBIT "A"
RIGHT-OF-WAY NUMBER: RW-273
PROJECT NUMBER: IMP-3056-1603
SECTION 25, TOWNSHIP 2 SOUTH, RANGE 68 WEST
SIXTH PRINCIPAL MERIDIAN
ADAMS COUNTY

DESCRIPTION

A tract or parcel of land No. RW-273 of Adams County Project Number IMP-3056-1603, containing 363 square feet, more or less, being a portion of Lot 1, Devonshire Square Third Filing, a subdivision recorded on January 10, 2000, at File 18, Map 162, of the records of the Adams County Clerk and Recorders Office, situated in the Northwest Quarter of Section 25 Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado, being more particularly described as follows:

COMMENCING at the Northwest corner of Section 25 whence the West Line of the Northwest quarter of Section 25 bears S01°03'26"E a distance of 2637.47 feet;

Thence S87°09'36"E, a distance of 1019.98 feet to the Northwest corner of said Lot 1, Devonshire Square Third Filing and the

POINT OF BEGINNING PARCEL RW-273;

Thence S89°29'27"E along the northerly boundary of said parcel, a distance of 20.07 feet to a point on the easterly boundary of said Lot 1;

Thence S30°41'04"W, a distance of 41.90 feet to a point on the westerly boundary of said Lot 1;

Thence N02°04'33"E along the westerly boundary of said parcel, a distance of 36.23 feet to the

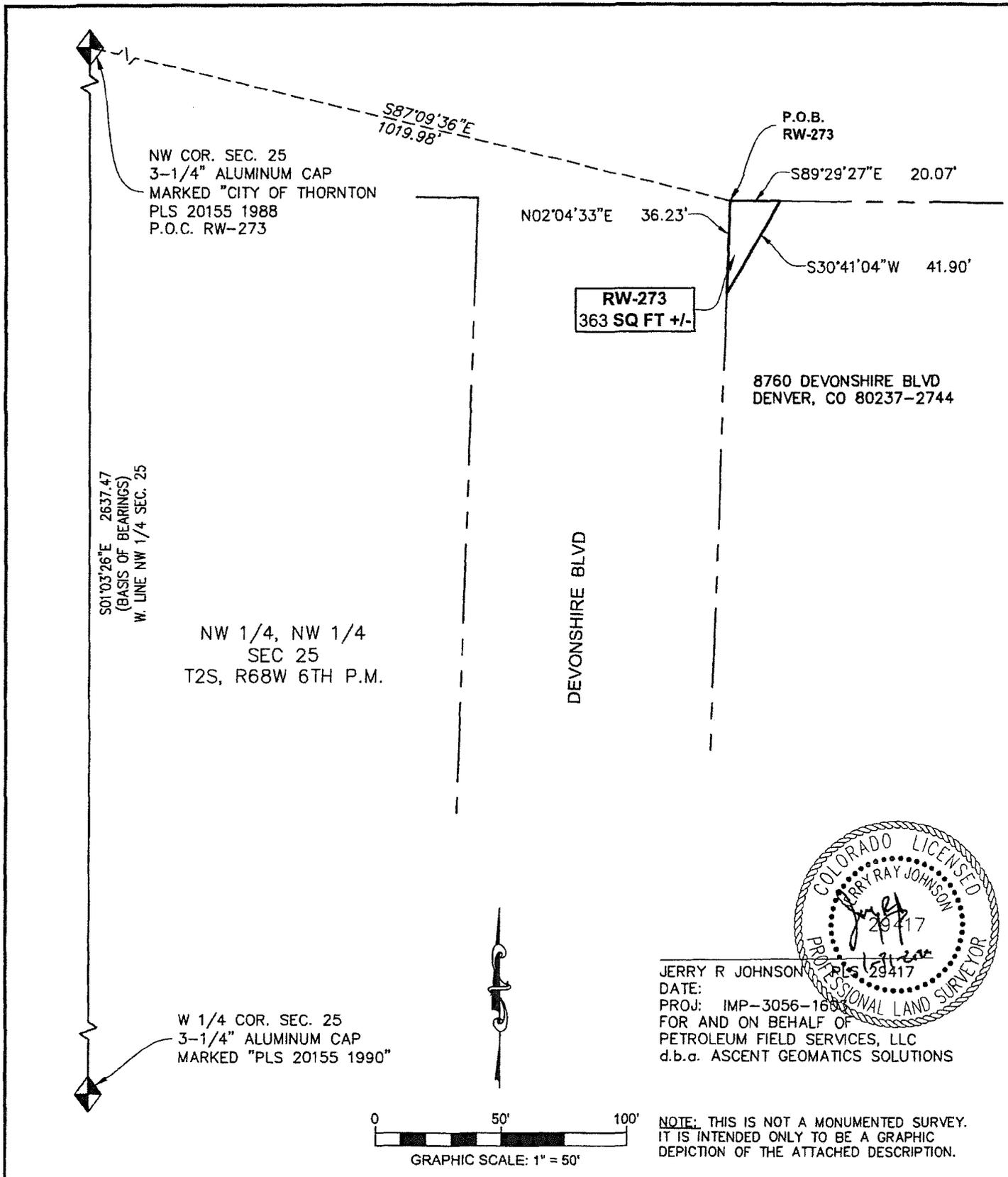
POINT OF BEGINNING PARCEL RW-273.

Containing 363 sq. ft. +/-

I, Jerry R. Johnson, Colorado Professional Surveyor in the State of Colorado, do hereby certify that this easement description and the field survey on the ground upon which it is based were performed by me or under my direct supervision.

Jerry R. Johnson, PLS 29417
Date:
For and on Behalf of
Petroleum Field Services, LLC
d.b.a. Ascent Geomatics Solutions





JERRY R JOHNSON PLS 29417
DATE:
PROJ: IMP-3056-1603
FOR AND ON BEHALF OF
PETROLEUM FIELD SERVICES, LLC
d.b.a. ASCENT GEOMATICS SOLUTIONS

NOTE: THIS IS NOT A MONUMENTED SURVEY.
IT IS INTENDED ONLY TO BE A GRAPHIC
DEPICTION OF THE ATTACHED DESCRIPTION.

PLANNING COMMISSION FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION RECOMMENDING ACCEPTANCE OF A WARRANTY DEED FROM
DEVONSHIRE AUTO WASH, LLC TO ADAMS COUNTY FOR
RIGHT-OF-WAY PURPOSES

At the regular meeting for the Planning Commission for Adams County, Colorado, held at County Government Center in Brighton on Thursday the 23rd day of June 2022, the following proceedings and others were had and done, to wit:

WHEREAS, the Adams County Planning Commission has considered the advisability of acceptance by the Board of County Commissioners of a Warranty Deed from Devonshire Auto Wash, LLC for right-of-way purposes on the following described land to wit:

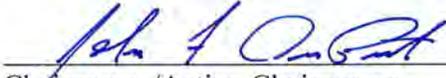
Legal description as set forth in Exhibit "A" attached hereto and incorporated herein by this reference.

WHEREAS, this Warranty Deed is in conjunction with the York Street Capital Improvement Program Project – York Street from 78th Avenue to 88th Avenue, for a portion of 8760 Devonshire Blvd, located in the Northwest Quarter of Section 25, Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado.

NOW, THEREFORE, BE IT RESOLVED, that the Adams County Planning Commission recommends to the Board of County Commissioners that said Warranty Deed from Devonshire Auto Wash, LLC be accepted by the Board of County Commissioners.

Upon a motion duly made and seconded, the foregoing resolution was adopted.

I, John F. DuPriest, Chairperson/Acting Chairperson of the Adams County Planning Commission do hereby certify that the annexed foregoing resolution is a true and correct record of the proceedings of the Adams County Planning Commission.



Chairperson/Acting Chairperson
Adams County Planning Commission



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Resolution approving Right-of-Way Agreement between Adams County and Henry Jaco Land, LLC, for property necessary for the Calhoun-Byers Road Bridge over West Bijou Creek Improvements Project in the amount of \$6,150.00
FROM: Brian Staley, P.E., PTOE, RSP, Director of Public Works Janet Lundquist, Deputy Director of Public Works
AGENCY/DEPARTMENT: Public Works
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the right-of-way agreement for acquisition of property interests needed for the Calhoun-Byers Road Bridge over West Bijou Creek Improvements Project.

BACKGROUND:

Adams County is in the process of acquiring property interests Calhoun-Byers Road Bridge over West Bijou Creek Improvements Project. The intention of this Project is to identify and improve the overall bridge and associated infrastructure including channel improvements, roadside improvements, scour mitigation, and floodplain impacts in the area. Attached is a copy of the right-of-way agreement between Adams County and Henry Jaco Land, LLC, for acquisition of the property interests in the amount of \$6,150.00. The attached resolution allows the County to acquire ownership of the property interests needed for the use of the public and provide the necessary documents to close on the property.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Adams County Public Works, Office of the County Attorney and Adams County Board of County Commissioners.

ATTACHED DOCUMENTS:

Draft resolution
Right-of-Way Agreement

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 13
Cost Center: 3056

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<u> </u>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:	9135		\$15,000,000
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u>\$15,000,000</u>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING RIGHT-OF-WAY AGREEMENT BETWEEN
ADAMS COUNTY AND HENRY JACO LAND, LLC,
FOR PROPERTY NECESSARY FOR THE CALHOUN-BYERS ROAD BRIDGE OVER
WEST BIJOU CREEK IMPROVEMENTS PROJECT IN THE AMOUNT OF \$6,150.00

WHEREAS, Adams County is in the process of acquiring right-of-way and easements for the Calhoun-Byers Road Bridge over West Bijou Creek Improvements Project (“Project”); and,

WHEREAS, the intention of this Project is to identify and improve the overall bridge and associated infrastructure including channel improvements, roadside improvements, scour mitigation, and floodplain impacts in the area (“Improvements”); and,

WHEREAS, this right-of-way acquisition is a portion of Assessor Parcel Number 1733-34-1-00-001 located in the Southeast Quarter of the Northeast Quarter of Section 34, Township 2 South, Range 61 West of the 6th Principal Meridian, County of Adams, State of Colorado, and owned by Henry Jaco Land, LLC, (“Parcel 2”); and,

WHEREAS, Adams County requires ownership of Parcel 2 for construction of the street improvements; and,

WHEREAS, Henry Jaco Land, LLC, is willing to sell Parcel 2 to Adams County under the terms and conditions of the attached Right-of-Way Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, County of Adams, State of Colorado, that the attached Right-of-Way Agreement between Adams County and Henry Jaco Land, LLC, a copy of which is attached hereto and incorporated herein by this reference, be and hereby is approved.

BE IT FURTHER RESOLVED that the Chair of the Board of County Commissioners is hereby authorized to execute said Right-of-Way Agreement on behalf of Adams County.

Right-of-Way Agreement

This Agreement is made and entered into by and between **HENRY JACO LAND, LLC, a Colorado limited liability company** whose address is 48921-A East 12th Avenue, Bennett, Colorado 80102, County of Adams and State of Colorado, (“Owner”), and **THE COUNTY OF ADAMS**, State of Colorado, a body politic, who address is 4430 South Adams County Parkway, Brighton, Colorado, 80601 (“County”) for the conveyance of rights-of-way on property located at **Southeast Quarter of the Northeast Quarter of Section 34, Township 2 South, Range 61 West of the 6th P.M. (Assessor Parcel No. 1733-34-1-00-001)**, hereinafter (the “Property”) for the Calhoun-Byers Road Bridge over West Bijou Creek Project (the “Project”). The legal description and conveyance documents for the interests on said Property are set forth in **Exhibit A** attached hereto and incorporated herein by this reference.

The compensation agreed to by the Owner and the County for the acquisition of the Property interests described herein is **SIX THOUSAND ONE HUNDRED FIFTY AND NO/100 DOLLARS (\$6,150.00)**, including the performance of the terms of this Agreement, the sufficiency of which is hereby acknowledged. The parties further agree that the consideration shall consist of \$6,150.00 for the conveyance of road right-of-way. This consideration has been agreed upon and between the parties as the total just compensation due to the Owner and the consideration shall be given and accepted in full satisfaction of this Agreement.

In consideration of the above premises and the mutual promise and covenants below, the Owner and the County agree to the following:

1. The Owner hereby warrants that the Owner is the sole Owner of the Property, that the Owner owns the Property in fee simple subject only to matters of record and that the Owner has the power to enter into this Agreement.
2. The Owner agrees to execute and deliver to the County the attached conveyance documents on the property upon tender by the County of a warrant (check) for the compensation agreed upon as soon as possible following the execution of this agreement.
3. The Owner hereby irrevocably grants to the County possession and use of the property interests on the Property upon execution of this Agreement by the Owner and the County. This grant of possession shall remain in effect with respect to the Property until such time as the County obtains from the Owner the attached conveyance documents.
4. The Owner agrees to pay all taxes due on the Property (pro-rated through the date the Property is conveyed to the County for the current tax year) prior to tender by the County.
5. The County through its contractor shall assure that reasonable access shall be maintained to the Owner’s property at all times for ingress and egress. If necessary,

any full closure of access shall be coordinated between the contractor and the Owner and/or its agent.

6. The Owner has entered into this Agreement acknowledging that the County has the power of eminent domain and required the Property for a public purpose.
7. If the Owner fails to consummate this agreement for any reason, except the County's default, the County may at its option, enforce this agreement by bringing an action against the Owner for specific performance.
8. This Agreement contains all agreements, understandings and promises between the Owner and the County, relating to the Project and shall be deemed a contract binding upon the Owner and County and extending to the successors, heirs and assigns.
9. The Owner shall be responsible for reporting proceeds of the sale to taxing authorities, including the submittal of Form 1099-S with the Internal Revenue Service, if applicable.
10. This Agreement has been entered into in the State of Colorado and shall be governed according to the laws thereof.

Owner: HENRY JACO LAND, LLC, a Colorado limited liability company

By: Jeffrey D. Kalcevic

Name: Jeffrey D. Kalcevic

Title: President

Date: 06-21-2022

Approved:

BOARD OF COUNTY COMMISSIONERS-COUNTY OF ADAMS, STATE OF COLORADO

Chair

Date

Approved as to Form:

D. Ernst
County Attorney

EXHIBIT " A "

**RIGHT-OF-WAY: RW-2
DATE: OCTOBER 28, 2021**

DESCRIPTION

A tract or parcel of land No. RW-2 containing 0.353 acres, more or less, located in the Northeast Quarter of Section 34, Township 2 South, Range 61 West of the 6th Principal Meridian, County of Adams, State of Colorado; said tract or parcel of land being more particularly described as follows:

BEGINNING at the East Quarter Corner of said Section 34;

1. Thence along the south line of the Northeast Quarter of said Section 34, South 88°47'58" West, a distance of 60.00 feet to a point being 60.00 feet distant westerly by perpendicular measurement from the east line of the Northeast Quarter of said Section 34;
2. Thence parallel with the east line of the Northeast Quarter of said Section 34, North 00°37'46" West, a distance of 143.98 feet;
3. Thence North 10°40'50" East, a distance of 152.97 feet to a point being 30.00 feet distant westerly by perpendicular measurement from the east line of the Northeast Quarter of said Section 34;
4. Thence North 89°22'14" East, a distance of 30.00 feet to the east line of the Northeast Quarter of said Section 34;
5. Thence along the east line of the Northeast Quarter of said Section 34, South 00°37'46" East, a distance of 293.38 feet to the POINT OF BEGINNING.

The above described tract or parcel of land contains 15,371 sq. ft. (0.353 Ac), more or less.

All lineal distances are represented in U.S. Survey Feet.

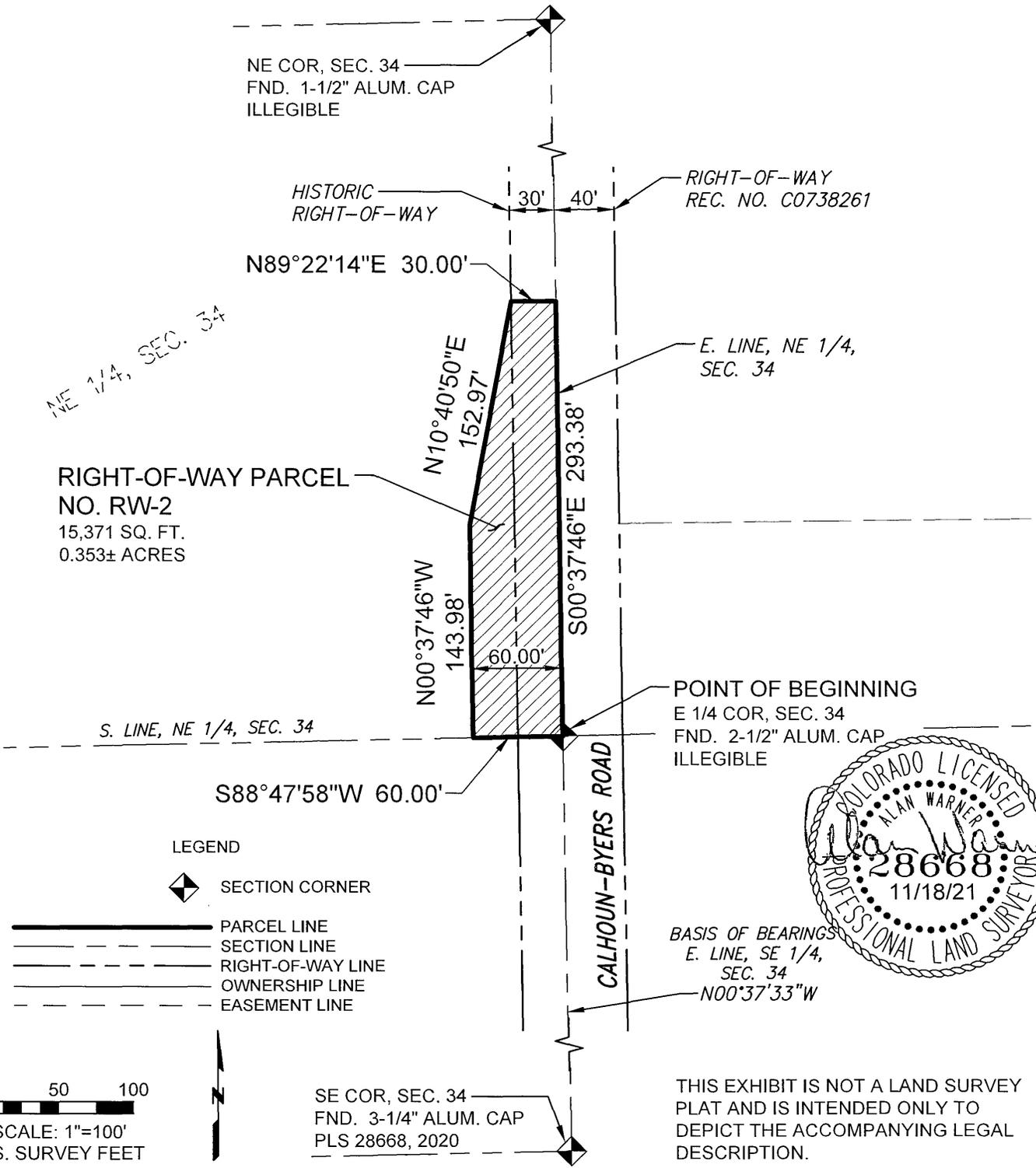
Basis of Bearings: Bearings are based on a grid bearing of N 00°37'33" W, from the Southeast Corner of Section 34, Township 2 South, Range 61 West of the 6th P.M., being a 3-1/4 inch Aluminum Cap marked PLS 28668, 2020, to the East Quarter Corner of Section 35, Township 2 South, Range 61 West of the 6th P.M., being a 2-1/2 inch illegible Aluminum Cap.

Prepared by:
Alan Warner, PLS No. 28668
For and on behalf of Farnsworth Group, Inc.
5613 DTC Pkwy, Suite 1100, Greenwood Village, CO 80111
303-692-8838



EXHIBIT "A"

J:\2020\0200825.00 - Calhoun-Byers Road\Survey\07_Drawings\ROW PLANS\LEGAL DESCRIPTIONS\RW-2 - 0200825.00.dwg | 10/21/2021 4:47 PM |

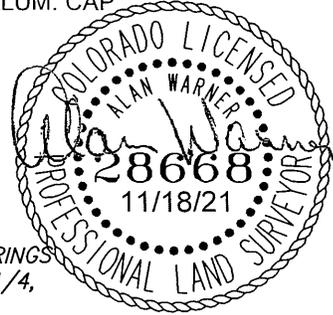


NE 1/4, SEC. 34

**RIGHT-OF-WAY PARCEL
NO. RW-2**
15,371 SQ. FT.
0.353± ACRES

- LEGEND**
- SECTION CORNER
 - PARCEL LINE
 - SECTION LINE
 - RIGHT-OF-WAY LINE
 - OWNERSHIP LINE
 - EASEMENT LINE

0 50 100
SCALE: 1"=100'
U.S. SURVEY FEET



BASIS OF BEARINGS
E. LINE, SE 1/4,
SEC. 34
N00°37'33"W

THIS EXHIBIT IS NOT A LAND SURVEY
PLAT AND IS INTENDED ONLY TO
DEPICT THE ACCOMPANYING LEGAL
DESCRIPTION.

Farnsworth
GROUP
5613 DTC PARKWAY, SUITE 1100
GREENWOOD VILLAGE, COLORADO 80111
(303) 692-8838 / info@f-w.com

RIGHT-OF-WAY PARCEL NO. RW-2
NE 1/4, SEC. 34, T. 2 S., R. 61 W., 6TH P.M.
ADAMS COUNTY, COLORADO

Project No: 0210825.00
Drawn by: DJM
Approved: DAB/AGW
Date: 10/06/2021
Revised: 10/28/2021



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Boards and Commissions Appointments
FROM: Erica Hannah, Clerk to the Board of County Commissioners
AGENCY/DEPARTMENT: County Manager's Office
HEARD AT STUDY SESSION ON: July 28, 2022 Interviews
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the resolutions for the boards and commissions appointments.

BACKGROUND:

The attached resolutions are to formally approve the appointments to the boards and commissions accordingly.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

ATTACHED DOCUMENTS:

Resolutions

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund:
Cost Center:

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<hr/>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<hr/>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPOINTING FREDERICK ALFRED TO THE COMMUNITY
ENRICHMENT GRANT ADVISORY COMMITTEE

WHEREAS, a vacancy currently exists for a member for the Community Enrichment Grant Advisory Committee; and,

WHEREAS, Frederick Alfred has expressed an interest in serving on the Community Enrichment Grant Advisory Committee; and,

WHEREAS, the Board of County Commissioners have reviewed all candidates deemed qualified; and,

WHEREAS, the Board of County Commissioners selected Frederick Alfred to fill this vacancy.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that Frederick Alfred is hereby appointed as a member of the Community Enrichment Grant Advisory Committee for the term as listed below:

Frederick Alfred

Term Expires
January 31, 2025



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Boards and Commissions Appointments
FROM: Erica Hannah, Clerk to the Board of County Commissioners
AGENCY/DEPARTMENT: County Manager's Office
HEARD AT STUDY SESSION ON: July 28, 2022 Interviews
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the resolutions for the boards and commissions appointments.

BACKGROUND:

The attached resolutions are to formally approve the appointments to the boards and commissions accordingly.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

ATTACHED DOCUMENTS:

Resolutions

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

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Additional Revenue not included in Current Budget:			
Total Revenues:			<hr/>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<hr/>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPOINTING HEATHER CATT TO THE COMMUNITY CORRECTIONS
BOARD AS AN AT-LARGE MEMBER

WHEREAS, a vacancy currently exists for a member for the Community Corrections Board; and,

WHEREAS, Heather Catt has expressed an interest in serving on the Community Corrections Board; and,

WHEREAS, the Board of County Commissioners has reviewed all candidates deemed qualified; and,

WHEREAS, the Board of County Commissioners selected Heather Catt to fill this vacancy as an At-Large Member.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that Heather Catt is hereby appointed as a member of the Community Corrections Board as an At-Large Member for the term as listed below:

Heather Catt

Term Expires
January 31, 2023



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Boards and Commissions Appointments
FROM: Erica Hannah, Clerk to the Board of County Commissioners
AGENCY/DEPARTMENT: County Manager's Office
HEARD AT STUDY SESSION ON: July 28, 2022 Interviews
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the resolutions for the boards and commissions appointments.

BACKGROUND:

The attached resolutions are to formally approve the appointments to the boards and commissions accordingly.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

ATTACHED DOCUMENTS:

Resolutions

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund:
Cost Center:

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<hr/> <hr/>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<hr/> <hr/>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPOINTING KEN CIANCIO TO THE COMMUNITY ENRICHMENT
GRANT ADVISORY COMMITTEE AS AN UNINCORPORATED ADAMS COUNTY
REPRESENTATIVE

WHEREAS, a vacancy currently exists for a member for the Community Enrichment Grant Advisory Committee; and,

WHEREAS, Ken Ciancio has expressed an interest in serving on the Community Enrichment Grant Advisory Committee; and,

WHEREAS, the Board of County Commissioners have reviewed all candidates deemed qualified; and,

WHEREAS, the Board of County Commissioners selected Ken Ciancio to fill this vacancy as an Unincorporated Adams County Representative.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that Ken Ciancio is hereby appointed as a member of the Community Enrichment Grant Advisory Committee as an Unincorporated Adams County Representative for the term as listed below:

Ken Ciancio

Term Expires
January 31, 2025



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Boards and Commissions Appointments
FROM: Erica Hannah, Clerk to the Board of County Commissioners
AGENCY/DEPARTMENT: County Manager's Office
HEARD AT STUDY SESSION ON: July 28, 2022 Interviews
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the resolutions for the boards and commissions appointments.

BACKGROUND:

The attached resolutions are to formally approve the appointments to the boards and commissions accordingly.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

ATTACHED DOCUMENTS:

Resolutions

FISCAL IMPACT:

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Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<hr/> <hr/>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPOINTING RANDALL CLEVELAND TO THE BOARD OF FIRE CODE
APPEALS AS A REGULAR MEMBER

WHEREAS, a vacancy currently exists for a member for the Board of Fire Code Appeals; and,

WHEREAS, Randall Cleveland has expressed an interest in serving on the Board of Fire Code Appeals; and,

WHEREAS, the Board of County Commissioners have reviewed all candidates deemed qualified; and,

WHEREAS, the Board of County Commissioners selected Randall Cleveland to fill this vacancy as a Regular Member.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that Randall Cleveland is hereby appointed as a member of the Board of Fire Code Appeals as a regular member for the term as listed below:

Randall Cleveland

Term Expires
January 31, 2025



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Boards and Commissions Appointments
FROM: Erica Hannah, Clerk to the Board of County Commissioners
AGENCY/DEPARTMENT: County Manager's Office
HEARD AT STUDY SESSION ON: July 28, 2022 Interviews
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the resolutions for the boards and commissions appointments.

BACKGROUND:

The attached resolutions are to formally approve the appointments to the boards and commissions accordingly.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

ATTACHED DOCUMENTS:

Resolutions

FISCAL IMPACT:

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Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<hr/> <hr/>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPOINTING RICHARD DELANEY TO THE COMMUNITY
ENRICHMENT GRANT ADVISORY COMMITTEE

WHEREAS, a vacancy currently exists for a member for the Community Enrichment Grant Advisory Committee; and,

WHEREAS, Richard Delaney has expressed an interest in serving on the Community Enrichment Grant Advisory Committee; and,

WHEREAS, the Board of County Commissioners have reviewed all candidates deemed qualified; and,

WHEREAS, the Board of County Commissioners selected Richard Delaney to fill this vacancy.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that Richard Delaney is hereby appointed as a member of the Community Enrichment Grant Advisory Committee for the term as listed below:

Richard Delaney

Term Expires
January 31, 2025



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Boards and Commissions Appointments
FROM: Erica Hannah, Clerk to the Board of County Commissioners
AGENCY/DEPARTMENT: County Manager's Office
HEARD AT STUDY SESSION ON: July 28, 2022 Interviews
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the resolutions for the boards and commissions appointments.

BACKGROUND:

The attached resolutions are to formally approve the appointments to the boards and commissions accordingly.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

ATTACHED DOCUMENTS:

Resolutions

FISCAL IMPACT:

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Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<hr/>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPOINTING JESSICA HULSE TO THE COMMUNITY SERVICES
BLOCK GRANT ADVISORY COUNCIL AS A PUBLIC SECTOR REPRESENTATIVE

WHEREAS, a vacancy currently exists for a member for the Community Services Block Grant Advisory Council; and,

WHEREAS, Jessica Hulse has expressed an interest in serving on the Community Services Block Grant Advisory Council; and,

WHEREAS, the Board of County Commissioners have reviewed all candidates deemed qualified; and,

WHEREAS, the Board of County Commissioners selected Jessica Hulse to fill this vacancy as a Public Sector Representative.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that Jessica Hulse is hereby appointed as a member of the Community Services Block Grant Advisory Council as a Public Sector Representative for the term as listed below:

Jessica Hulse

Term Expires
January 31, 2023



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Boards and Commissions Appointments
FROM: Erica Hannah, Clerk to the Board of County Commissioners
AGENCY/DEPARTMENT: County Manager's Office
HEARD AT STUDY SESSION ON: July 28, 2022 Interviews
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the resolutions for the boards and commissions appointments.

BACKGROUND:

The attached resolutions are to formally approve the appointments to the boards and commissions accordingly.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

ATTACHED DOCUMENTS:

Resolutions

FISCAL IMPACT:

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Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<hr/> <hr/>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPOINTING CHRISTOPHER KEMM TO THE VETERANS ADVISORY
COMMISSION AS A VETERAN REPRESENTATIVE

WHEREAS, a vacancy currently exists for a member for the Veterans Advisory Commission; and,

WHEREAS, Christopher Kemm has expressed an interest in serving on the Veterans Advisory Commission; and,

WHEREAS, the Board of County Commissioners have reviewed all candidates deemed qualified; and,

WHEREAS, the Board of County Commissioners selected Christopher Kemm to fill this vacancy as a Veteran Representative.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that Christopher Kemm is hereby appointed as a member of the Veterans Advisory Commission as a Veteran Representative for the term as listed below:

Christopher Kemm

Term Expires
January 31, 2025



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Boards and Commissions Appointments
FROM: Erica Hannah, Clerk to the Board of County Commissioners
AGENCY/DEPARTMENT: County Manager's Office
HEARD AT STUDY SESSION ON: July 28, 2022 Interviews
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the resolutions for the boards and commissions appointments.

BACKGROUND:

The attached resolutions are to formally approve the appointments to the boards and commissions accordingly.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

ATTACHED DOCUMENTS:

Resolutions

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund:
Cost Center:

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Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<hr/>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<hr/>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPOINTING SUSAN MCFADDIN TO THE PLANNING COMMISSION AS
AN ALTERNATE MEMBER

WHEREAS, a vacancy currently exists for a member for the Planning Commission; and,

WHEREAS, Susan McFaddin has expressed an interest in serving on the Planning Commission;
and,

WHEREAS, the Board of County Commissioners has reviewed all candidates deemed qualified;
and,

WHEREAS, the Board of County Commissioners selected Susan McFaddin to fill this vacancy as
an Alternate Member.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of
Adams, State of Colorado, that Susan McFaddin is hereby appointed as a member of the Planning
Commission as an Alternate Member for the term as listed below:

Susan McFaddin

Term Expires
January 31, 2023



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Boards and Commissions Appointments
FROM: Erica Hannah, Clerk to the Board of County Commissioners
AGENCY/DEPARTMENT: County Manager's Office
HEARD AT STUDY SESSION ON: July 28, 2022 Interviews
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the resolutions for the boards and commissions appointments.

BACKGROUND:

The attached resolutions are to formally approve the appointments to the boards and commissions accordingly.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

ATTACHED DOCUMENTS:

Resolutions

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund:
Cost Center:

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<hr/>

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Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<hr/>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPOINTING LISLE REED TO THE VETERANS ADVISORY
COMMISSION AS A VETERAN REPRESENTATIVE

WHEREAS, a vacancy currently exists for a member for the Veterans Advisory Commission; and,

WHEREAS, Lisle Reed has expressed an interest in serving on the Veterans Advisory Commission; and,

WHEREAS, the Board of County Commissioners have reviewed all candidates deemed qualified; and,

WHEREAS, the Board of County Commissioners selected Lisle Reed to fill this vacancy as a Veteran Representative.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that Lisle Reed is hereby appointed as a member of the Veterans Advisory Commission as a Veteran Representative for the term as listed below:

Lisle Reed

Term Expires
January 31, 2025



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Boards and Commissions Appointments
FROM: Erica Hannah, Clerk to the Board of County Commissioners
AGENCY/DEPARTMENT: County Manager's Office
HEARD AT STUDY SESSION ON: July 28, 2022 Interviews
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the resolutions for the boards and commissions appointments.

BACKGROUND:

The attached resolutions are to formally approve the appointments to the boards and commissions accordingly.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

ATTACHED DOCUMENTS:

Resolutions

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund:
Cost Center:

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<hr/> <hr/>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<hr/> <hr/>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPOINTING LISLE REED TO THE COMMUNITY SERVICES BLOCK
GRANT ADVISORY COUNCIL AS A PUBLIC SECTOR REPRESENTATIVE

WHEREAS, a vacancy currently exists for a member for the Community Services Block Grant Advisory Council; and,

WHEREAS, Lisle Reed has expressed an interest in serving on the Community Services Block Grant Advisory Council; and,

WHEREAS, the Board of County Commissioners have reviewed all candidates deemed qualified; and,

WHEREAS, the Board of County Commissioners selected Lisle Reed to fill this vacancy as a Public Sector Representative.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that Lisle Reed is hereby appointed as a member of the Community Services Block Grant Advisory Council as a Public Sector Representative for the term as listed below:

Lisle Reed

Term Expires
January 31, 2023



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Boards and Commissions Appointments
FROM: Erica Hannah, Clerk to the Board of County Commissioners
AGENCY/DEPARTMENT: County Manager's Office
HEARD AT STUDY SESSION ON: July 28, 2022 Interviews
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the resolutions for the boards and commissions appointments.

BACKGROUND:

The attached resolutions are to formally approve the appointments to the boards and commissions accordingly.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

ATTACHED DOCUMENTS:

Resolutions

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund:
Cost Center:

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<hr/>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<hr/>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPOINTING JODIE SCHENCK TO THE COMMUNITY ENRICHMENT
GRANT ADVISORY COMMITTEE

WHEREAS, a vacancy currently exists for a member for the Community Enrichment Grant Advisory Committee; and,

WHEREAS, Jodie Schenck has expressed an interest in serving on the Community Enrichment Grant Advisory Committee; and,

WHEREAS, the Board of County Commissioners have reviewed all candidates deemed qualified; and,

WHEREAS, the Board of County Commissioners selected Jodie Schenck to fill this vacancy.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that Jodie Schenck is hereby appointed as a member of the Community Enrichment Grant Advisory Committee for the term as listed below:

Jodie Schenck

Term Expires
January 31, 2024



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Boards and Commissions Appointments
FROM: Erica Hannah, Clerk to the Board of County Commissioners
AGENCY/DEPARTMENT: County Manager's Office
HEARD AT STUDY SESSION ON: July 28, 2022 Interviews
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the resolutions for the boards and commissions appointments.

BACKGROUND:

The attached resolutions are to formally approve the appointments to the boards and commissions accordingly.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

ATTACHED DOCUMENTS:

Resolutions

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund:
Cost Center:

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<hr/>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<hr/>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPOINTING TASHA VANMARTER TO THE COMMUNITY SERVICES
BLOCK GRANT ADVISORY COUNCIL AS A PRIVATE SECTOR REPRESENTATIVE

WHEREAS, a vacancy currently exists for a member for the Community Services Block Grant Advisory Council; and,

WHEREAS, Tasha Vanmarter has expressed an interest in serving on the Community Services Block Grant Advisory Council; and,

WHEREAS, the Board of County Commissioners have reviewed all candidates deemed qualified; and,

WHEREAS, the Board of County Commissioners selected Tasha Vanmarter to fill this vacancy as a Private Sector Representative.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that Tasha Vanmarter is hereby appointed as a member of the Community Services Block Grant Advisory Council as a Private Sector Representative for the term as listed below:

Tasha Vanmarter

Term Expires
January 31, 2024



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Boards and Commissions Appointments
FROM: Erica Hannah, Clerk to the Board of County Commissioners
AGENCY/DEPARTMENT: County Manager's Office
HEARD AT STUDY SESSION ON: July 28, 2022 Interviews
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the resolutions for the boards and commissions appointments.

BACKGROUND:

The attached resolutions are to formally approve the appointments to the boards and commissions accordingly.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

ATTACHED DOCUMENTS:

Resolutions

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund:
Cost Center:

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<hr/>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<hr/>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPOINTING JOANN VONDRACEK TO THE COMMUNITY
ENRICHMENT GRANT ADVISORY COMMITTEE

WHEREAS, a vacancy currently exists for a member for the Community Enrichment Grant Advisory Committee; and,

WHEREAS, Joann Vondracek has expressed an interest in serving on the Community Enrichment Grant Advisory Committee; and,

WHEREAS, the Board of County Commissioners have reviewed all candidates deemed qualified; and,

WHEREAS, the Board of County Commissioners selected Joann Vondracek to fill this vacancy.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that Joann Vondracek is hereby appointed as a member of the Community Enrichment Grant Advisory Committee for the term as listed below:

Joann Vondracek

Term Expires
January 31, 2025



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Development Agreement with 73 rd Ave Properties, LLC
FROM: Jenni Hall, Director; Chase Evans, Deputy Director; Jen Rutter, Planning & Development Manager; Greg Labrie, Senior Engineer
AGENCY/DEPARTMENT: Community and Economic Development
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approve the Development Agreement with 73 rd Avenue Properties, LLC which includes a cash-in-lieu payment of \$84,670 for public improvements and a cash escrow deposit or other acceptable collateral in the amount of \$584,854.20 for on-site drainage improvements.

BACKGROUND:

The developer is the owner of the properties located at 1253, 1161, and 1051 E. 73rd Avenue in Adams County. Per the terms of the Development Agreement, the developer is responsible for paying cash-in-lieu for the public street improvements along the project site frontage on 73rd Avenue and to provide collateral to guarantee compliance with the Development Agreement and construction of the on-site drainage improvements.

The on-site drainage improvements consist of storm drainage infrastructure as described in Exhibit "B" of the Development Agreement. The public improvements consist of curb, gutter, and sidewalk along 73rd Avenue adjacent to the project site as described in Exhibit "C" of the Development Agreement. The developer is providing cash-in-lieu for the public improvements on 73rd Avenue as the County already has plans to widen and improve 73rd Avenue and is currently in the design phase for the 73rd Avenue Project.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

County Attorney's Office
Community and Economic Development Department.

ATTACHED DOCUMENTS:

Development Agreement with 73rd Avenue Properties, LLC
Resolution

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund:
Cost Center:

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<hr/> <hr/>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<hr/> <hr/>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

RESOLUTION APPROVING DEVELOPMENT AGREEMENT BETWEEN
ADAMS COUNTY AND 73rd AVE PROPERTIES, LLC

Resolution 2022-XXX

WHEREAS, the Adams County Development Standards and Regulations of the County of Adams, State of Colorado, require a developer to enter into a Development Agreement for the construction of certain public and private improvements; and,

WHEREAS, 73rd Ave Properties, LLC (“Developer”), is owner of certain real property located at 1253 E. 73rd Avenue, 1161 E. 73rd Avenue and 1051 E. 73rd Avenue, Denver, CO, 80229, Parcel Numbers: 0171935302053, 0171935302052, and 0171935302058 (the “Properties”); and,

WHEREAS, the County and the Developer desire to enter into the attached Development Agreement for site and public improvements at the Properties, Case No. EGR2022-00017; and,

WHEREAS, in accordance the Development Agreement, the Developer shall pay cash in lieu for the public street improvements along the project site frontage on 73rd Avenue and the Developer will provide collateral for the on-site drainage improvements; and,

WHEREAS, the Adams County Community and Economic Development Department recommends approval of the attached Development Agreement for Case No. EGR2022-00017.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Development Agreement between Adams County and 73rd Ave Properties, LLC, a copy of which is attached hereto and incorporated herein by this reference, be approved.

BE IT FURTHER RESOLVED that the Chair of the Board of County Commissioners be authorized to execute said Agreement on behalf of the County of Adams, State of Colorado.

DEVELOPMENT AGREEMENT

THIS AGREEMENT ("Agreement") is made and entered into this 7 day of July, 2022, between 73rd Ave Properties, LLC, a limited liability company eligible to conduct business in the State of Colorado ("Developer"), whose address is 433 Camden Drive, Suite 1000, Beverly Hills, CA 90210, and the Board of County Commissioners of the County of Adams, State of Colorado ("County"), whose address is 4430 S. Adams County Parkway, Brighton, CO 80601.

The purpose of this Development Agreement is to specify certain improvements to be constructed by Developer pursuant to the terms and conditions of this Agreement.

WITNESSETH:

WHEREAS, Developer is the owner of real property in the County of Adams, State of Colorado, as described in Exhibit A attached hereto, and by this reference made a part hereof (the "Property").

WHEREAS, the County is in the planning phases for a capital improvement road widening project for 73rd Avenue abutting the Property (the "73rd Avenue Project").

WHEREAS, it is provided by resolution of the Board of County Commissioners, County of Adams, State of Colorado, that where designated the Developer shall have entered into a written agreement with the County to install certain improvements.

WHEREAS, in light of the upcoming 73rd Avenue Project and otherwise, the County has determined that the Developer shall provide cash-in-lieu rather than construct the improvements on 73rd Avenue adjacent to the Property.

WHEREAS, to construct the 73rd Avenue Project, the County may require additional right of way along 73rd Avenue to be obtained pursuant the procedures and requirements in the applicable Colorado Revised Statutes.

NOW, THEREFORE, in consideration of the foregoing, the parties hereto promise, covenant, and agree as follows:

1. **Engineering Services.** Developer shall furnish, at its own expense, all engineering and other services in connection with the design and construction of the improvements described and detailed on Exhibit B attached hereto, and by this reference made a part hereof (the "On-Site Improvements").
2. **Drawings and Estimates.** The Developer shall furnish drawings and cost estimates for all On-Site Improvements described and detailed on Exhibit B for approval by the County.
3. **Construction.** Developer shall furnish and construct, at its own expense and in accordance with drawings and materials approved by the County, the On-Site Improvements described and detailed on Exhibit B.
4. **Cash-in-Lieu.** Developer shall furnish to the County a cash escrow deposit with sufficient funds to make all cash-in-lieu payments required pursuant to this Agreement and Developer will furnish evidence of such cash escrow deposit to the County. Said cash escrow deposit shall be sufficient to satisfy the cost of the improvements described in Exhibit C in the amount of \$84,670.
5. **Time for Completion.** The On-Site Improvements shall be completed according to the terms of this Agreement within "construction completion date" appearing in Exhibit B. The Director of Community and Economic Development Department may for good cause grant extension of time for completion of any part or all of the On-Site Improvements appearing on said Exhibit B. Any extension greater than 180 days may be approved only by the Board of County Commissioners. All extensions of time shall be in written form only.
6. **Guarantee of Compliance.** Developer shall furnish to the County a cash escrow deposit or other acceptable collateral, releasable only by the County, to guarantee compliance with this agreement with respect to the On-Site Improvements. Said collateral shall be in the amount

of \$584,854.20, including twenty percent (20%) to cover administration and five percent (5%) per year for the term of the Agreement to cover inflation. Upon completion of said improvements constructed according to the terms of this Agreement and inspection by the County, the collateral shall be released.

Collateral shall be furnished in an amount required and in a form acceptable to the County prior approval of building permit applications BDP22-0651 and BDP22-0652. No certificates of occupancy shall be issued until the On-Site Improvements have been inspected by the County and payment of the cash-in-lieu has been made.

7. **Successors and Assigns.** This Agreement shall be binding upon the heirs, executors, personal representatives, successors, and assigns of the Developer, and shall be deemed a covenant running with the real property as described in **Exhibit A** attached hereto.
8. **Improvements.** The undersigned developer hereby agrees to provide the following improvements, and to dedicate described property.

A. On-Site Improvements

The On-Site improvements include construction of a detention pond and associated facilities. See **Exhibit B** for description, estimated quantities, and estimated construction costs.

9. **Default by Developer.** A default by the Developer shall exist if: (a) Developer fails to construct the On-Site Improvements in substantial compliance with the Plans and the other requirements of this Agreement; (b) Developer fails to complete construction of the On-Site Improvements by the Completion Date provided herein as the same may be extended; (c) Developer fails to cure any noncompliance specified in any written notice of noncompliance within a reasonable time after receipt of the notice of noncompliance; or (d) Developer otherwise breaches or fails to comply with any obligation of Developer under this Agreement.

- A. **Remedies of County.** If the County, after written notice, determines that a default by Developer exists and if Developer fails to cure such default within the time specified by the County the County shall be entitled to: (a) make a draw on the collateral for the amount reasonably determined by the County to be necessary to cure the default in a manner consistent with the approved Plans up to the face amount of the Collateral; and (b) sue the Developer for recovery of any amount necessary to cure the default over and above the amount available in the Collateral provided.

- B. **County Right to Completion of the On-Site Improvements.** The right of the County to complete or cause completion of the On-Site Improvements as herein provided shall include the following rights:

- a. The County shall have the right to complete the On-Site Improvements, in substantial accordance with the plans, the estimated costs, and other requirements of this Agreement, either itself or by contract with a third party or by assignment of its rights to a successor developer who has acquired the Property by purchase, foreclosure, or otherwise.
- b. The County, any contractor under the County, or any such successor developer, their agents, subcontractors and employees shall have the non-exclusive right to enter upon the streets and easements shown on the final plat of the Subdivision and upon any part of the Subdivision owned by Developer for the purpose of completing the On-Site Improvements.

- C. **Use of Funds by County.** Any funds obtained by the County through Collateral, or recovered by the County from Developer by suit or otherwise, shall be used by the County to pay the costs of completion of the On-Site Improvements substantially in accordance with the Plans and the other requirements of this Agreement and to pay the

reasonable costs and expenses of the County in connection with the default by Developer, including reasonable attorneys' fees.

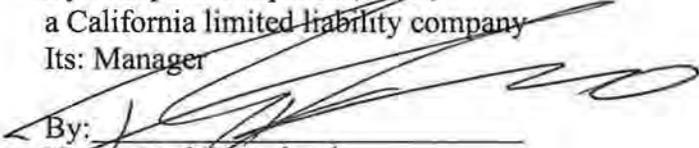
10. **73rd Avenue Project.** The County is planning to widen and improve 73rd Avenue adjacent to this Property through the 73rd Avenue Project, which is currently in the design phase. The Developer and the County have worked together to align the design of the 73rd Avenue Project with the improvements to the Property. The design phase is currently 30% complete. In accordance with the 30% complete design plans, the County does not anticipate needing additional Right-of-Way for 73rd Avenue at the Property.

[Signature pages follow]

Developer: 73rd Ave Properties, LLC
a Colorado limited liability company

By: StarPoint Fund Manager, LLC,
a Delaware limited liability company
Its: Manager

By: Starpoint Properties, LLC,
a California limited liability company
Its: Manager

By: 
Name: Paul Daneshrad
Title: Manager

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

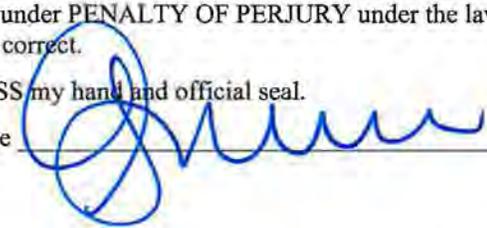
State of California

County of Los Angeles

On July 7, 2022, before me, Ana C. Limon, Notary Public, personally appeared Paul Daneshrad, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)



APPROVED BY resolution at the meeting of _____, 20__.

Collateral to guarantee compliance with this agreement and construction of the On-Site Improvements shall be required in the amount of \$584,854.20. Cash-in-lieu in the amount of \$84,670, is required to satisfy the cost of improvements on 73rd Avenue. No certificates of occupancy shall be issued until said collateral and cash-in-lieu amount is furnished in the amount required and in a form acceptable to the Board of County Commissioners.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, COLORADO

Clerk of the Board

Chair

Approved as to form

County Attorney

EXHIBIT A
Legal Description

 Exhibit A	ISSUED BY First American Title Insurance Company File No: 5506-3745224
---	---

Property Address: 1253 East 73rd Avenue, Denver, CO 80229

File No.: 5506-3745224

The Land referred to herein below is situated in the County of Adams, State of Colorado, and is described as follows:

WEST 1/2 OF BLOCK 16, NORTH SIDE GARDENS,

EXCEPT THE FOLLOWING DESCRIBED PARCEL CONVEYED BY DEED RECORDED AT BOOK 4686, PAGE 640 ADAMS COUNTY RECORDS:

THAT PORTION OF THE WEST 1/2 OF BLOCK 16, NORTH SIDE GARDENS, IN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 68 WEST, 6TH PRINCIPLE MERIDIAN, MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID BLOCK 16: THENCE N 00°04'59" E 363.03 FEET; THENCE N 89°36'39" E 120.02 FEET; THENCE S 00°04'39" E 362.98 FEET; THENCE S 89°35'16" W 119.99 FEET TO THE POINT OF BEGINNING; COUNTY OF ADAMS, STATE OF COLORADO.

 Exhibit A	ISSUED BY First American Title Insurance Company File No: 5506-3746007
---	---

Property Address: 1051 East 73rd Avenue, Denver, CO 80229

File No.: 5506-3746007

The Land referred to herein below is situated in the County of Adams, State of Colorado, and is described as follows:

LOT 2, MC. SUBDIVISION, COUNTY OF ADAMS, STATE OF COLORADO.

 Exhibit A	ISSUED BY First American Title Insurance Company File No: 5506-3745217
---	---

Property Address: 1161 East 73rd Avenue, Denver, CO 80229

File No.: 5506-3745217

The Land referred to herein below is situated in the County of Adams, State of Colorado, and is described as follows:

THAT PORTION OF THE W1/2 OF BLOCK 16, NORTH SIDE GARDENS, IN THE SW1/4 OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 68 WEST, 6TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID BLOCK 16:
THENCE N00°04'59"E, 363.03 FEET,
THENCE N89°36'39"W, 120.02 FEET,
THENCE S00°04'39"E, 362.98 FEET,
THENCE S89°35'16"W, 119.99 FEET TO THE TRUE POINT OF BEGINNING, COUNTY OF ADAMS, STATE OF COLORADO.

EXHIBIT B
On-Site Improvements

Date: 6/6/2022

ENGINEER'S ESTIMATE
73rd & Washington
Detention Pond

ITEM NO.	DESCRIPTION	QNTY	UNIT	UNIT COST	TOTAL COST
I. PUBLIC IMPROVEMENTS					
2032	BLOCK RETAINING WALLS	11,200	SF	\$30.00	\$ 336,000.00
2036	HAND/SAFETY RAIL	1,320	LF	\$60.00	\$ 79,200.00
2033	TYPE M RIP-RAP	20	CY	\$200.00	\$ 4,000.00
2054	TYPE D OUTLET STRUCTURE	1	EA	\$20,000.00	\$ 20,000.00
2011	18" RCP STORM SEWER	20	LF	\$75.00	\$ 1,500.00
2021	18" RCP FLARED END SECTION	1	EA	\$900.00	\$ 900.00
2051	POND ACCESS DRIVE	950	SF	\$3.00	\$ 2,850.00
2060	CONCRETE FOREBAY	1	LS	\$10,000.00	\$ 10,000.00
2062	CONCRETE TRICKLE CHANNEL	540	LF	\$18.00	\$ 9,720.00
TOTAL				\$	464,170.00

	Collateral
Cost Estimate from Exhibit "B"	464,170.00
Additional 20% for Administration	92,834.00
Total Cost with 20% Admin	557,004.00
Additional 5% per year of Total Cost with 20% Admin	27,850.20
Total Cost Per Year	<u>584,854.20</u>

Construction Completion Date: December 1, 2023 _____

EXHIBIT C

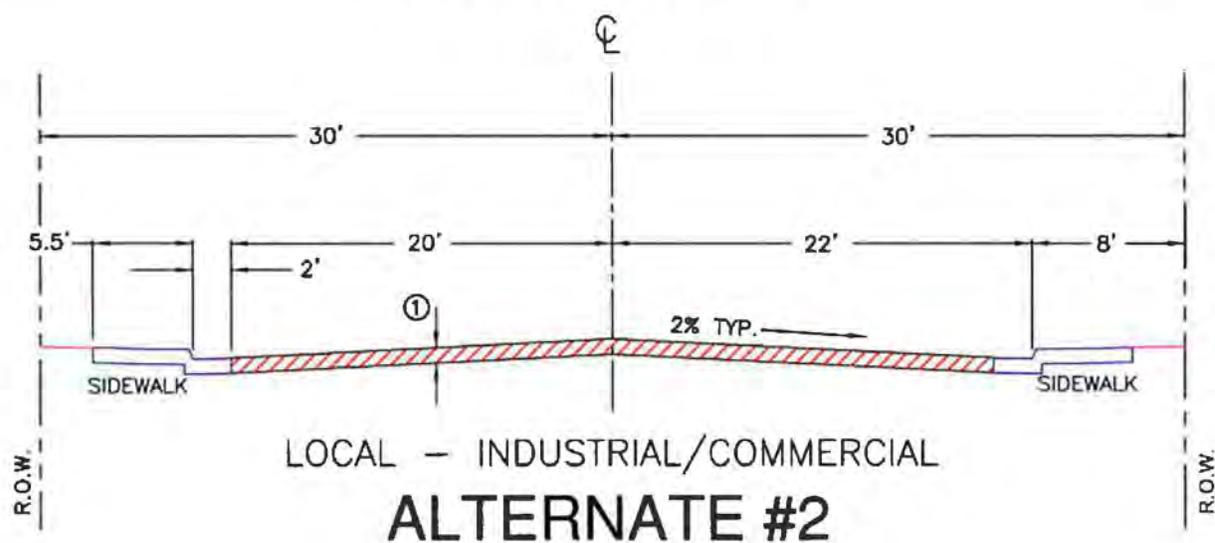
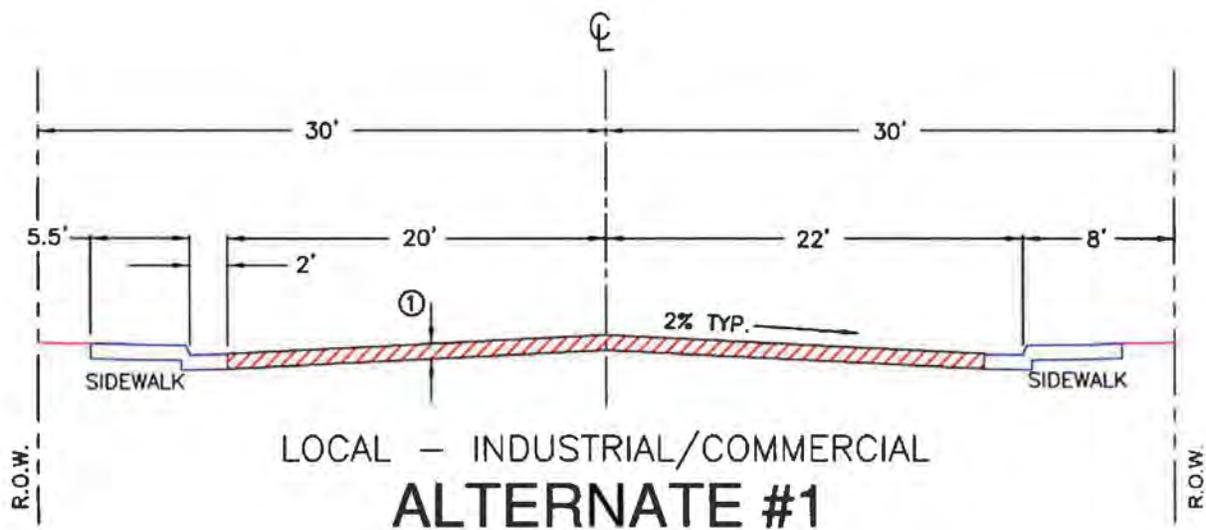
Cash in Lieu for 73rd Avenue Improvements

Date: 11/10/2021

**ENGINEER'S PRELIMINARY ESTIMATE
73rd & Washington
73rd Avenue - Fee in Lieu**

<u>ITEM NO.</u>	<u>DESCRIPTION</u>	<u>QNTY</u>	<u>UNIT</u>	<u>UNIT COST</u>	<u>TOTAL COST</u>
<u>I. STREET IMPROVEMENTS</u>					
1001	6 INCH VERTICAL CURB WITH 2 FT. GUTTER	560	LF	\$13.50	\$ 7,560.00
1005	5 FT. ATTACHED WALK (6")	560	LF	\$17.00	\$ 9,520.00
1009	CURB RETURNS W/ HCR'S (LOCAL - 1 RAMP)	6	EA	\$1,500.00	\$ 9,000.00
1017	FULL DEPTH ASPHALT (7.0" est.)	1,110	SY	\$38.00	\$ 42,180.00
1020	SUBGRADE PLACEMENT (12" est.)	1,110	SY	\$13.00	\$ 14,430.00
1029	SAWCUT EXISTING PAVING	660	LF	\$3.00	\$ 1,980.00
			SUBTOTAL I		\$ 84,670.00

EXHIBIT D
73rd Avenue Project Design





PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Nutritional Food Services
FROM: Noel Bernal, County Manager Byron Fanning, Interim Deputy County Manager Nancy Duncan, Budget & Finance Director Jennifer Tierney Hammer, Procurement and Contracts Manager
AGENCY/DEPARTMENT: Adams County Human Services Department, Head Start Program
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves Amendment One to the Agreement with US Foods to provide Nutritional Food Services.

BACKGROUND:

Adams County’s Human Services Department, Head Start Program currently provides comprehensive health and nutrition services for families and children in Adams County. The Head Start Program provides over 250 meals and snacks each day to children enrolled and in attendance during the school year (August through May). The goal of the program is to continue to provide high quality, culturally appropriate and nutritious meals/snacks to children while they are enrolled in pre-school.

A formal Request for Proposal was completed on February 12, 2021, and an Agreement was awarded to US Foods in July of 2021, for nutritional food services for the Head Start Program. Staff is pleased with US Foods and wishes to extend the Agreement until July 31, 2023.

The Agreement breaks down as follows:

Agreement	Approval Date	Amount	Cumulative Amount
Original Agreement 2021.606	7/29/2021	\$166,000.00	\$166,000.00
Requested Amendment One		\$177,000.00	\$343,000.00

Head Start receives a per meal/snack reimbursement from the Child and Adult Food Program (CACFP) to assist with the goals of the Head Start program. The meal reimbursement rate received from CACFP provides approximately ninety percent (90%) percent of the meals and snacks provided to Head Start children in attendance. The additional ten percent (10%) of the funding is derived from the Office of Head Start Federal grant.

The recommendation is to approve Amendment One to the Agreement with US Foods to provide Nutritional Food Services in the not to exceed amount of \$177,000.00.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Human Services Department, Head Start Program

ATTACHED DOCUMENTS:

Resolution

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 15			
Cost Center: 99915, Various			
	Object Account	Subledger	Amount
Current Budgeted Revenue:	99915.5755		\$54,214,095
Additional Revenue not included in Current Budget:			
Total Revenues:			<u>\$54,214,095</u>
	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	Various.7645		\$9,652,600
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u>\$9,652,600</u>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING AMENDMENT ONE TO THE AGREEMENT BETWEEN
ADAMS COUNTY AND
US FOODS IN THE AMOUNT OF \$177,000.00, FOR NUTRITIONAL FOOD SERVICES

WHEREAS, on July 29, 2021, an Agreement was approved with US Foods to provide Nutritional Food Services for the Human Services Department, Head Start Program; and,

WHEREAS, Adams County Human Services Department, would like to extend the Agreement for one additional year; and,

WHEREAS, US Foods agrees to provide the services in the amount of \$177,000.00, for a total not to exceed Agreement amount of \$343,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that Amendment One to the Agreement between Adams County and US Foods in the amount of \$177,000.00, to provide Nutritional Food Services; is hereby approved.

BE IT FURTHER RESOLVED, that the Chair is hereby authorized to sign Amendment One to the Agreement with US Foods on behalf of Adams County, after negotiation and approval as to form is completed by the County Attorney's Office.



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 9, 2022
SUBJECT: Human Services Center Audio Visual System Upgrade
FROM: Noel Bernal, County Manager Alisha Reis, Deputy County Manager Nancy Duncan, Budget & Finance Director Jennifer Tierney Hammer, Procurement & Contracts Manager
AGENCY/DEPARTMENT: Human Services Department
HEARD AT STUDY SESSION ON: 8/2/2022
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves an Agreement with High Country Low Voltage for the Human Services Center Audio Visual System Upgrade project.

BACKGROUND:

The Human Services Department needs to enhance the audio/visual capabilities of all the rooms located in the Pete Mirelez Human Services Building to meet the need of increased virtual meetings due to the new hybrid work schedules platform. These improvements will provide added features for those working remotely and will add technology to host various community gatherings to meet the needs of the residents that utilize Adams County Services.

The Adams County Finance Department, Purchasing Division in collaboration with the Human Services, Fleet & Facilities, and the Information Technology & Innovation Departments released RFP 2022.526 to find providers to provide A/V upgrades to the Human Services Center conference rooms.

The Request for Proposal (RFP) was posted on BidNet on March 30, 2022. Proposals were opened on April 26, 2022. One proposal was received. The proposal was evaluated on the following criteria:

- Similar Project Experience/Past Performance
- Project Approach, Technical solution useability, scalability and maintenance.
- Physical Modification Extent
- Timeline
- References

After a thorough evaluation, it was determined that High Country Low Voltage provided a responsive and responsible proposal.

The recommendation is to approve an Agreement between Adams County and High Country Low Voltage in the not to exceed amount of \$379,505.64.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Human Services Department
 Information Technology and Innovation Department
 Fleet and Facilities Department

ATTACHED DOCUMENTS:

Resolution

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 15
Cost Center: 201032001210

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<u><u> </u></u>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	7645		\$5,000,000
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u><u>\$5,000,000</u></u>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING AN AGREEMENT BETWEEN ADAMS COUNTY AND HIGH
COUNTRY LOW VOLTAGE IN THE AMOUNT OF \$379,505.45, FOR THE ADAMS
COUNTY HUMAN SERVICES CENTER AUDIO VISUAL SYSTEM UPGRADE

WHEREAS, on April 26, 2022, High Country Low Voltage submitted a proposal for the Adams County Human Services Center Audio Visual System Upgrade Project; and,

WHEREAS, after review, High County Low Voltage is determined to be the most responsive and responsible proposer; and,

WHEREAS, High County Low Voltage agrees to provide Audio Visual System Upgrade in the not to exceed amount of \$379,505.45.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that an Agreement between Adams County and High County Low Voltage in the amount of \$379,505.45, for the Adams Count Human Services Center Audio Visual System Upgrade; is hereby approved.

BE IT FURTHER RESOLVED, that the Chair is hereby authorized to sign the Agreement with High County Low Voltage, on behalf of Adams County, after negotiation and approval as to form is completed by the County Attorney's Office.



**COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT**

**CASE NO.: RCU2022-00015
CASE NAME: GUTIERREZ REZONE**

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**COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT STAFF REPORT**

Board of County Commissioners

August 9th, 2022

CASE No.: RCU2022-00015 CASE NAME: Gutierrez Rezone	
Owner's Name:	Monica Gutierrez
Applicant's Name:	Richard White
Applicant's Address:	2121 Highway 7, Brighton, Colorado 80602
Parcel Number:	0157302000060
Nature of Request:	Rezone from Agricultural-3 (A-3) to Agriculture 1 (A-1)
Zone District:	Agricultural-3 (A-3)
Comprehensive Plan:	Residential
Site Size:	7.023 acres
Existing Primary Use:	Residential
Proposed Use:	Residential
Hearing Date(s):	PC: July 14, 2022 / 6:00 p.m.
	BoCC: August 9, 2022 / 9:30 a.m.
Report Date:	July 22, 2022
Case Manager:	Lia Campbell, Planner I
Staff Recommendation:	APPROVAL with 4 Findings-of-Fact and 2 Notes

SUMMARY OF APPLICATION

Background

The applicant, Richard White, is requesting a rezone from Agriculture-3 (A-3) to Agriculture-1 (A-1) with the intent to demolish the existing home and accessory structures and construct a new single-family dwelling on the property. The subject parcel is located west of the York Street and Highway 7 intersection. When the applicant contacted the County about obtaining building permits for this new dwelling, staff advised them that the property is an illegally created parcel and will need to go through a subdivision process to come into compliance.

A criterion for approval for a subdivision is conformance with the zone district standards. This property is approximately seven acres and zoned A-3, which has a minimum lot size of 35 acres, making it nonconforming. A rezone is required to be in compliance with the zone district standards.

Development Standards and Regulations:

Section 2-02-15-06-02 of the County’s Development Standards and Regulations outlines the approval criteria for rezoning a property. The criteria include that the Zoning Map amendment (1) is consistent with the Adams County Comprehensive Plan; (2) is consistent with the purposes of these standards and regulations; (3) will comply with the requirements of these standards and regulations; and (4) is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.

The subject property is designated as Agricultural-3 (A-3) on the County’s zoning map. Per Section 3-10-01 of the County’s Development Standards and Regulations the purpose of the A-3 zone district is to provide land primarily in holdings of at least thirty-five (35) acres for dryland or irrigated farming, pasturage, or other related food production uses. The subject property currently contains a single-family home and some accessory buildings.

Section 3-08-01 of the County’s Development Standards and Regulations states that the purpose of the Agricultural-1 (A-1) zone district is to provide a rural single-family dwelling district where the minimum lot area for a home site is intended to provide for a rural living experience. Limited farming uses are permitted including the keeping of a limited number of animals for individual homeowner’s use. This district is primarily designed for the utilization and enjoyment of the County’s rural environment. The conceptual site plan shows a new single-family home in the same place the current home is located, as well as accessory structures.

The subject property also conforms to the dimensional requirements for the A-1 zone district. Per Section 3-08-06 of the County’s Development Standards and Regulations, the minimum lot size shall be 2.5 acres and the minimum lot width for a lot with a well and on-site wastewater treatment system shall be 150 feet. The subject lot is roughly 7.023 acres and has about 330 feet of lot width.

Future Land Use Designation/Goals of the Comprehensive Plan for the Area

The future land use designation of the property, and all the surrounding properties, is Urban Residential. Per Chapter 5 of the Adams County Comprehensive Plan, the purpose of the Urban Residential future land use designation is for single and multiple family housing, typically at urban densities of one dwelling per acre or greater. These areas are intended to provide for development of residential neighborhoods with a variety of housing types, with adequate urban services and transportation facilities. Urban Residential areas may include supporting neighborhood commercial uses designed to serve the needs of nearby residents.

As this property is not served by public water or sewer, the rezone to A-1 will bring the property more into alignment with the Urban Residential vision than it is currently and will ensure the property meets the lot dimension requirements when the owners go through the required subdivision process. Strategy 19.2.c. discourages rezoning land to more intense residential uses if such would be incompatible with surrounding community character. This

proposed rezone to A-1 is in context with the surrounding properties, which are primarily zoned A-1, A-2, or A-3.

All applicable zoning and building regulations will be evaluated at the time the applicant applies for building permits. The applicant, or any future owners, who develop the property will have to submit building permits to the County and will have to comply with all the current Adams County Development Standards and Regulations.

Site Characteristics

The subject parcel has street frontage along Highway 7. It contains a single-family home and several outbuildings. The parcel directly to the south is zoned Commercial-5 and has a commercial use on it. The majority of the surrounding parcels are zoned A-3. Most properties within this area are being used residentially.

Surrounding Zoning Designations and Existing Use Activity:

Northwest A-2 Single-Family	North A-3 Single-Family	Northeast A-3 Single-Family
West A-3 Single-Family	Subject Property A-3 Single-Family	East A-3 Single-Family
Southwest A-3 Single-Family	South C-5 Commercial	Southeast A-3 Agriculture

Compatibility with the Surrounding Land Uses:

The surrounding properties are primarily zoned Agricultural-3 (A-3). These properties are developed with single-family dwellings with some agricultural/livestock uses. The applicant plans to scrape and rebuild the existing single-family home on the subject property, as well as build a new barn. The subject request would be compatible with the surrounding area, as the area consists primarily of properties zoned A-1, A-2, and A-3. Almost all the properties zoned A-3 are legal nonconforming, in that they don't meet the minimum 35 acres required for that zone district in the Adams County Development Standards and Regulations and are used as the subject property is used: single-family residential with some agricultural and or livestock uses. The application is compatible with the overall area and is not detrimental to the public health and safety. Approval of this request will be consistent with the character of the current land uses in the area.

Planning Commission Update:

This case was heard at the Planning Commission (PC) hearing on July 14th, 2022. The PC voted to recommend Approval (5-0) with 4 findings-of-fact and 2 notes to the applicant. The applicant was present at the hearing and had no concerns with the staff report or presentation. One member of the public was in attendance and spoke at the meeting in support of the subject request stating that the house on the property is old and run down and he would like to see it cleaned up. The PC asked about the City of Thornton's comment of concern and if the property was in Thornton's

growth area. Staff responded that yes, the property is in the City’s growth area, but the City has not annexed the property and it is therefore within Adams County jurisdiction and development review area.

Staff Recommendation:

Based upon the application, the criteria for approval for a rezoning, and a recent site visit, staff recommends Approval of this request with 4 findings-of-fact and 2 notes:

RECOMMENDED FINDINGS OF FACT REZONING

1. The Zoning Map amendment is consistent with the Adams County Comprehensive Plan.
2. The Zoning Map amendment is consistent with the purposes of these standards and regulations.
3. The Zoning Map amendment will comply with the requirements of these standards and regulations.
4. The Zoning Map amendment is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.

Note to Applicant

1. Approval of the rezone request is not an approval of the conceptual site plan. Applicant must obtain building permits for any building construction they wish to do on the property.
2. The applicant shall comply with all building, zoning, fire, engineering, and health codes and regulations during the development of the subject site.

CITIZEN COMMENTS

Notifications Sent	Comments Received
43	1

All property owners and occupants within 1000 feet of the subject property were notified of the request. As of writing this report, staff has received one public comment regarding this case. This comment was in general support of the request but gave no supporting reasons.

REFERRAL AGENCY COMMENTS

Responding with Concerns:

City of Thornton - The City of Thornton is concerned that the A-1 zone district is not in conformance with the City’s Comprehensive Plan. City of Thornton’s Comprehensive Plan

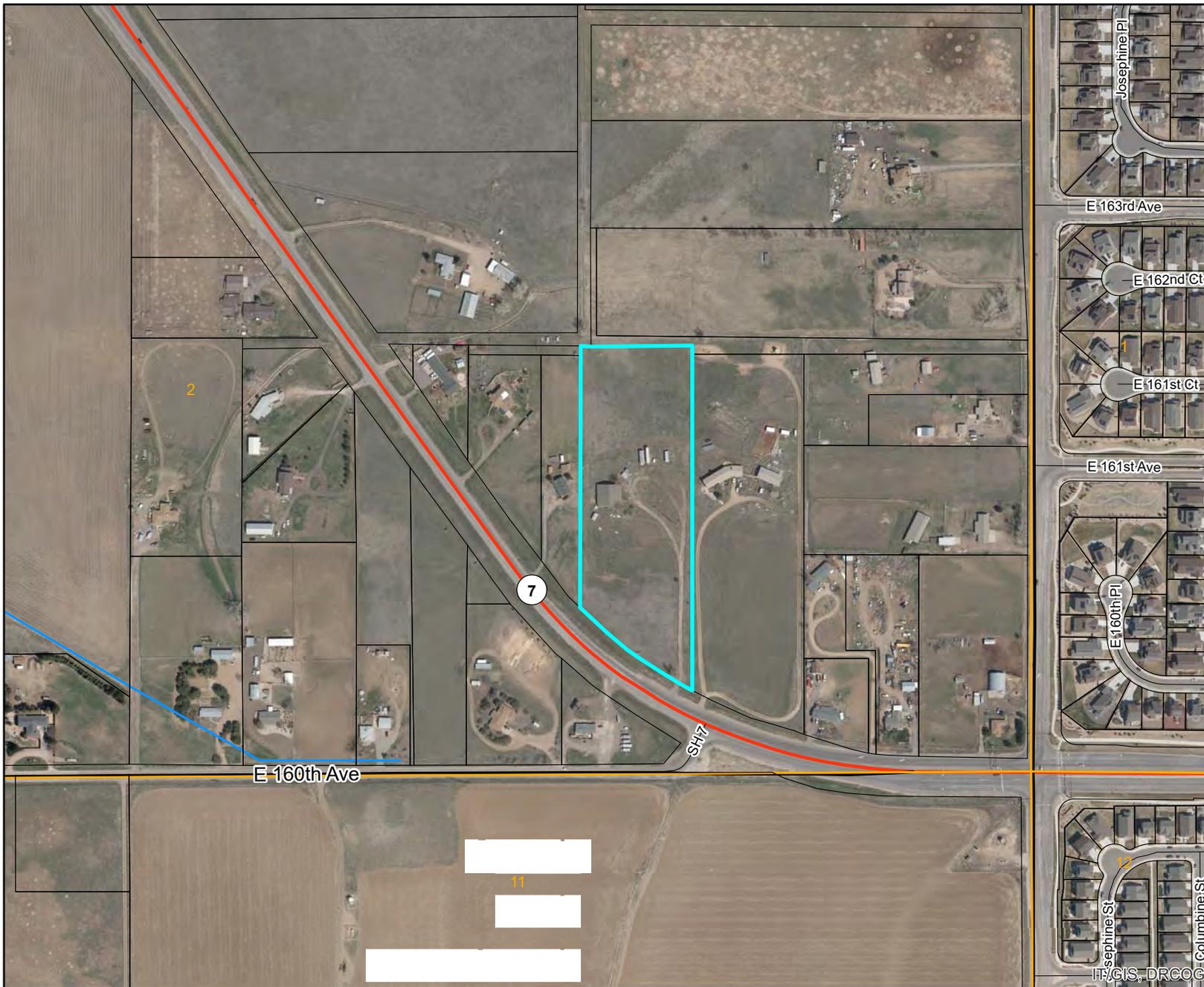
designates this area as “Mixed-Use Neighborhood” which envisions neighborhoods with a spectrum of housing types and a range of conveniently located services.

Responding without Concerns:

Adams County Sheriff
City of Westminster
Colorado Department of Public Health and Environment
Colorado Department of Transportation (CDOT)
North Metro Fire Rescue District
Tri-County Health Department (TCHD)
United Power
Xcel Energy (Xcel)

Notified but not Responding / Considered a Favorable Response:

27J Schools
Adams 12 Five Star Schools
Century Link, Inc.
City of Commerce City
City of Federal Heights
Colorado Division of Wildlife
Comcast
Metro Wastewater Recovery
Regional Transportation District (RTD)
Thornton Fire Department
Union Pacific Railroad
Westminster Fire Department



Legend

- Railroad
- Major Water
- Zoning Line
- Sections

Conditions



AD. TY

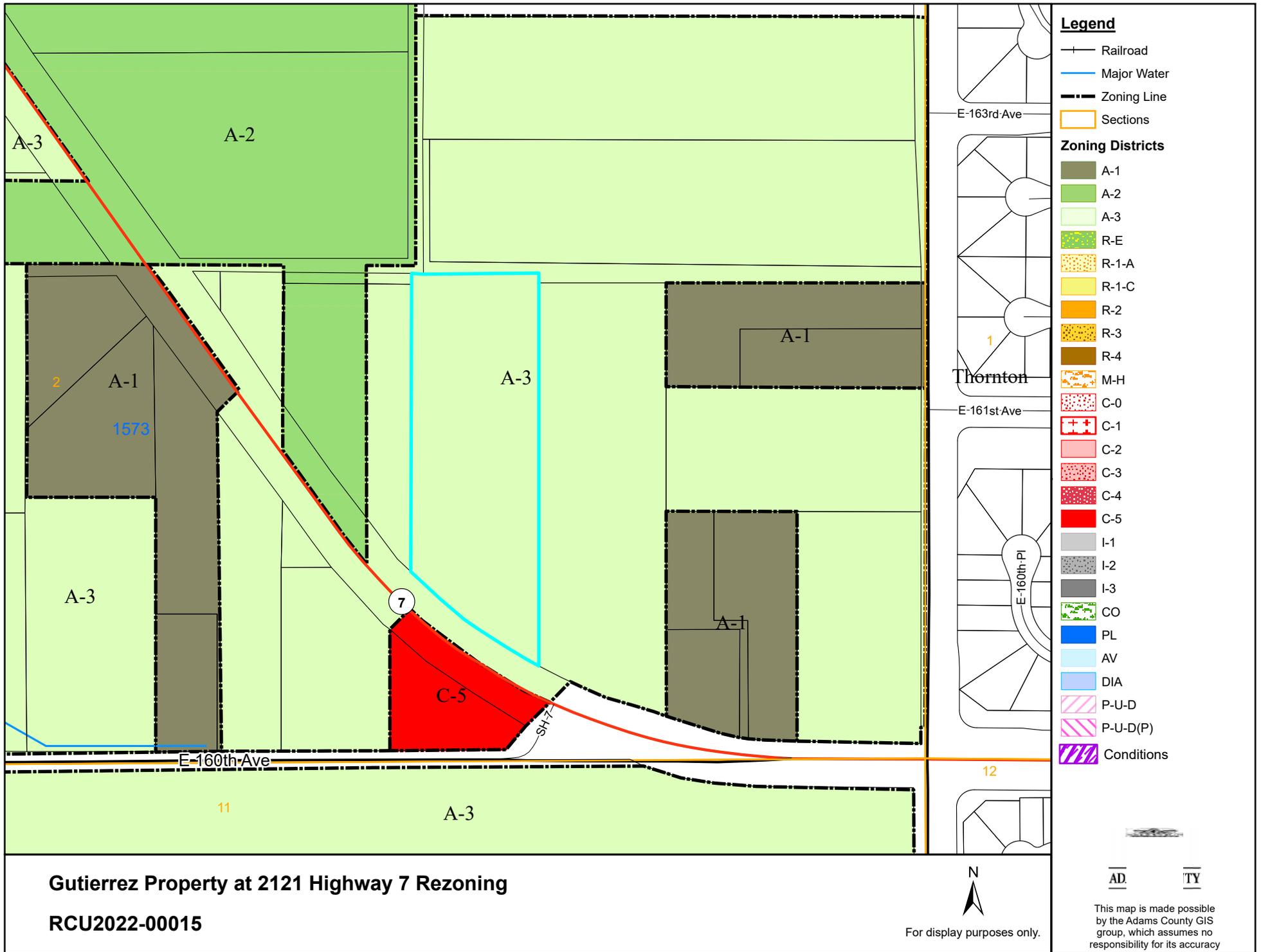
This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy

Gutierrez Rezone at 2121 Highway 7

RCU2022-00015



For display purposes only.



Legend

- +— Railroad
- Major Water
- - - Zoning Line
- Sections

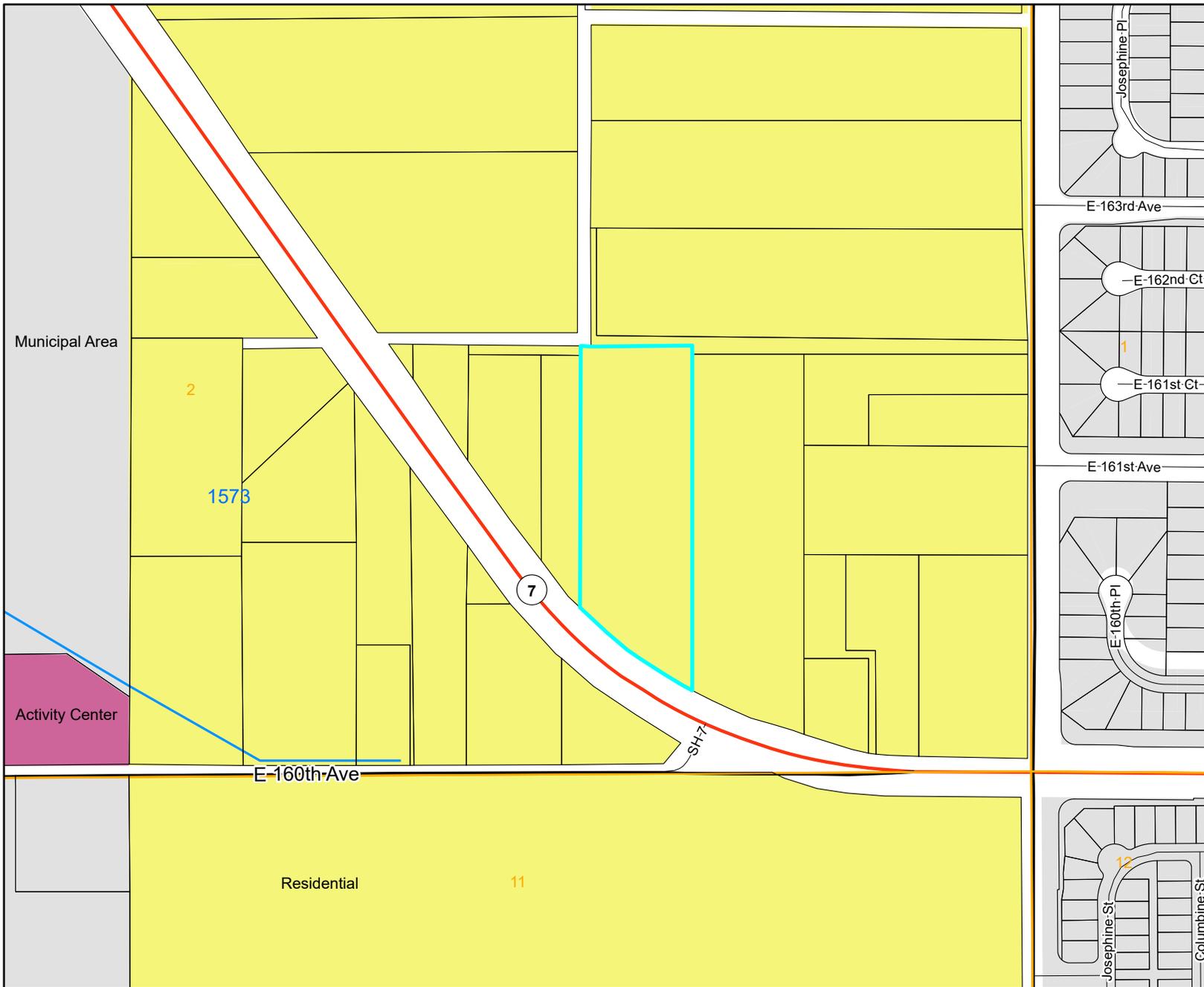
Zoning Districts

- A-1
- A-2
- A-3
- R-E
- R-1-A
- R-1-C
- R-2
- R-3
- R-4
- M-H
- C-0
- C-1
- C-2
- C-3
- C-4
- C-5
- I-1
- I-2
- I-3
- CO
- PL
- AV
- DIA
- P-U-D
- P-U-D(P)
- Conditions

Gutierrez Property at 2121 Highway 7 Rezoning
RCU2022-00015

N
 For display purposes only.

AD TY
 This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy



Legend

-  Railroad
-  Major Water
-  Zoning Line
-  Sections

 Conditions



AD TY

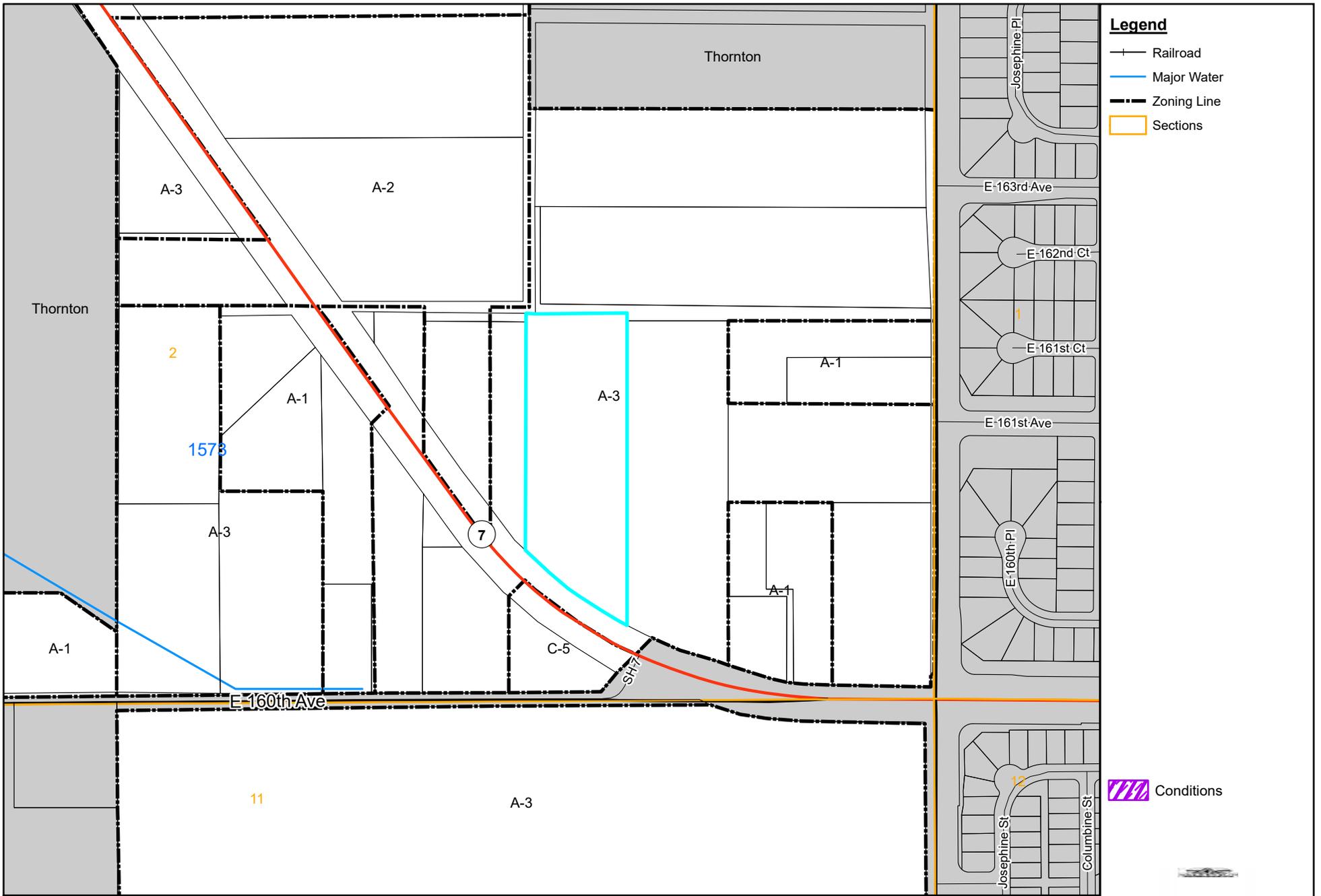
This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy

Gutierrez Rezone at 2121 Highway 7

RCU2022-00015



For display purposes only.



Legend

-  Railroad
-  Major Water
-  Zoning Line
-  Sections

 Conditions

AD TY

This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy

Gutierrez Rezone at 2121 Highway 7

RCU2022-00015



For display purposes only.

To: Community and Economic Development
Greg Barnes, Planner

From: Richard White, Consultant

4-8-2022

RE: Gutierrez Rezone

The following is submitted as an attachment to the Gutierrez Rezoning application for property located within Adams County.

Written explanation of Project:

The property currently contains 7.023 acres and is located at 2121 Highway 7 in Brighton. The property was purchased by the current owner in June of 2020. There is an existing old house and barns and sheds that are to be removed so that the owner can build a new house as a place of residence. Upon contacting Adams County to obtain building permits, the new owner of the property was informed by Adams County Planning that the property is currently zoned agriculture 3 (A-3), which typically requires a 35-acre minimum lot size. Since the property at some point was subdivided to create the current 7.023-acre lot, this would need to have been done prior to 1972 to be considered a non-conforming lot with A-3 zoning. Although the current lot at the referenced address was created prior to 1972, the new owner has been advised by Adams County that the property should be rezoned. In order to comply with Adams County Planning regulations an application to rezone the property from the current A-3 zoning to Agricultural 1 (A-1) is being submitted.

As required, the submittal includes a draft Site Plan. Coordination with the owner of the property at 2121 Highway 7 has taken place to determine there will not be a new lot configuration. The prior application which included a minor subdivision has changed to rezone only, due to the discovery that the existing well is not sufficient to serve two lots and meet the County's 300 year useful life requirement. The existing 7.023 acres is designated as Lot 1 on the Site Plan. The owner intends to reside on the lot 1 parcel. lot 1 conforms to the A-1 zoning requirements. By leaving the existing access to Highway 7 for the lot, there will not be any shared driveway issues.

Current (existing) Utilities:

- Water is supplied currently to the site by an existing well, see State Well Permit # 104171
- Electric Service is currently provided to the property by United Power Co.
- Gas Service is currently provided to the property by Excel Energy Co.
- Sewer Service is by a septic system

As part of the process of obtaining permits for removal of the existing house and construction of a new house, a new or updated well permit will be applied for as well as new permit for a new septic system.

GUTIERREZ MINOR SUBDIVISION

LEGAL DESCRIPTION:

THE WEST ONE-HALF OF THE WEST ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 2, T. 1 S., R. 69 W., 6TH P.M.; WEST OF THE 6TH PRINCIPAL MERIDIAN LING NORTH OF COLORADO STATE HIGHWAY NO. 7, COUNTY OF ADAMS, STATE OF COLORADO.

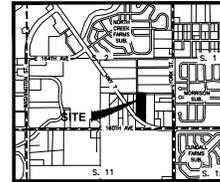
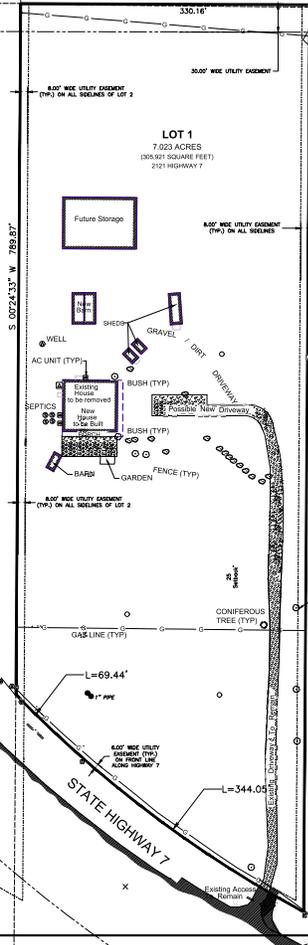
AKA

2121 HIGHWAY 7, BRIGHTON, CO. 80602

BASIS OF BEARINGS

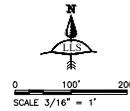
CONSIDERING THE BASIS OF BEARINGS TO BE THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 2, T. 1 S., R. 69 W., 6TH P.M.; HAVING A BEARING OF S89°34'58"E, BEING A GEODETIC BEARING AS DETERMINE BY GPS MEASUREMENTS.

WARRANTY DEED RECEPTION NO. 9223464



NOTES:

1. Intent is to rezone from A-3 to A-1 and construct a new house on the existing approximately 7-acre lot.
2. The owner will provide evidence that a sufficient water supply will be provided. A permit will be obtained from the State for a Water Well. All State and local water supply standards will be complied with.
3. The owner will provide evidence that a sufficient sewage treatment system will be provided. A permit will be obtained from the Health Department. All State and local onsite sewage system standards, laws and regulations will be complied with.
4. The owner will provide evidence that any soils and areas with hazardous soils requiring special conditions have been identified and all hazardous soil conditions will be eliminated.
5. The owner will provide evidence that all proposed drainage improvements are adequate and comply with State and local Standards and regulations.
6. The owner will obtain a new well permit from the state Water Resource office.



HJD CONSULTING

RICHARD WHITE, P.E.
570-969-2409
E: whitehowses@hotmail.com
4414 W 1ST ST.
GREELEY, CO 80634

PROPOSED DEVELOPMENT
2121 HWY 7 BRIGHTON, CO.

MONICA GUTIERREZ, OWNER
6801 FERN DRIVE
DENVER, CO

GUTIERREZ SITE PLAN



Development Review Team Comments

Date: 6/2/2022

Project Number: RCU2022-00015

Project Name: Gutierrez Rezone

Commenting Division: Neighborhood Services Review

Name of Reviewer: Gail Moon

Date: 06/02/2022

Email: gmoon@adcogov.org

Complete

There are no OPEN violations at this location at this time. NO COMMENT

Commenting Division: Environmental Analyst Review

Name of Reviewer: Katie Keefe

Date: 05/31/2022

Email:

Complete

ENV1. Please note that a temporary use permit for inert fill must be obtained before importing fill material for site development onto the property.

Commenting Division: Planner Review

Name of Reviewer: Greg Barnes

Date: 05/27/2022

Email: gjbarnes@adcogov.org

Complete

PLN01: Proposed zone district conforms to the County's dimensional standards for the zone district.

PLN02: Proposed zone district can be found in the surrounding area, which illustrates compatibility.

PLN03: Current A-3 zoning has rendered the property as a nonconforming lot, and rezoning will remedy this issue.

Commenting Division: Development Engineering Review

Name of Reviewer: Matthew Emmens

Date: 05/03/2022

Email: memmens@adcogov.org

Complete

ENG1: Flood Insurance Rate Map – FIRM Panel # (08001C0302H), Federal Emergency Management Agency, March 5, 2007. According to the above reference, the project site is NOT located within a delineated 100-year flood hazard zone; A floodplain use permit will not be required.

ENG2: The applicant shall be responsible to ensure compliance with all Federal, State, and Local water quality construction requirements. The project site is not within the County's MS4 Stormwater Permit area. The installation of erosion and sediment control BMPs are expected. The applicant will be required to obtain a State of Colorado COR-400000 Stormwater permit. The County requires that a copy of that permit be submitted to the County prior to issuance of any construction permits.

ENG3: Highway 7 is under the jurisdiction of the Colorado Department of Transportation (CDOT). CDOT requires access permit for all access to their roadways. If the applicant proposes any new access to the property, a CDOT access permit will be required.

ENG4: There are no engineering concerns for this proposed rezone.

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Emma Pinter
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Lynn Baca
DISTRICT 5

Greg Barnes

From: Rick Reigenborn
Sent: Monday, May 16, 2022 2:41 PM
To: Greg Barnes
Subject: RE: For Review: Gutierrez Rezone (RCU2022-00015)

Good afternoon Mr. Barnes,

The Sheriff's Office has no opposition to this request.



Richard A. Reigenborn
Sheriff
Adams County Sheriff's Office
4430 S. Adams County Parkway,
1st Floor, Suite W5400
Brighton, CO 80601
303-655-3218 | RReigenborn@adcogov.org

Character • Integrity • Transparency

From: Greg Barnes
Sent: Thursday, May 12, 2022 12:01 PM
To: Greg Barnes <GJBarnes@adcogov.org>
Subject: For Review: Gutierrez Rezone (RCU2022-00015)

The Adams County Planning Commission is requesting comments on the following application: **Zoning map amendment to change the designation from Agricultural-3 to Agricultural-1**. This case was previously sent to you with an associated subdivision to create two lots (PRC2020-00012). The minor subdivision portion of this case has been separated from the rezoning, and will be processed at a later time. This request is located at 2121 Highway 7. The Assessor's Parcel Number is 0157302000060.

Please forward any written comments on this application to the Community and Economic Development Department at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 or call (720) 523-6800 by June 2, 2022, in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to GJBarnes@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates may be forwarded to you upon request. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Thank you for contacting the Colorado Department of Public Health and Environment (CDPHE). Please note that the following requirements and recommendations apply to many but not all projects referred by local governments. Also, they are not intended to be an exhaustive list and it is ultimately the responsibility of the applicant to comply with all applicable rules and regulations. CDPHE's failure to respond to a referral should not be construed as a favorable response.

Hazardous and Solid Waste

The applicant must comply with all applicable hazardous and solid waste rules and regulations.

Hazardous waste regulations are available here:
<https://www.colorado.gov/pacific/cdphe/hwregs>.

Solid waste regulations are available here:
<https://www.colorado.gov/pacific/cdphe/swregs>.

Applicable requirements may include, but are not limited to, properly characterizing all wastes generated from this project and ensuring they are properly managed and disposed of in accordance with Colorado's solid and hazardous waste regulations.

If this proposed project processes, reclaims, sorts, or recycles recyclable materials generated from industrial operations (including, but not limited to construction and demolition debris and other recyclable materials), then it must register as an industrial recycling facility in accordance with Section 8 of the Colorado Solid Waste Regulations. The industrial recycling registration form is available here:

<https://www.colorado.gov/pacific/cdphe/sw-recycling-forms-apps>.

If you have any questions regarding hazardous and/or solid waste, please contact CDPHE's Hazardous Materials and Waste Management Division (HMWMD) by emailing comments.hmwm@state.co.us or calling 303-692-3320.

Water Quality

The applicant must comply with all applicable water quality rules and regulations. The Water Quality Control Division (WQCD) administers regulatory programs that are generally designed to help protect both Colorado's natural water bodies (the clean water program) and built drinking water systems. Applicants must comply with all applicable water quality rules and regulations relating to both clean water and drinking water. All water quality regulations are available here:

<https://cdphe.colorado.gov/water-quality-control-commission-regulations>.



Clean Water Requirements

Stormwater

Applicable clean water requirements may include, but are not limited to, obtaining a stormwater discharge permit if construction activities disturb one acre or more of land or if they are part of a larger common plan of development that will disturb one or more acres of land. In determining the area of construction disturbance, WQCD looks at the entire plan, including disturbances associated with utilities, pipelines or roads constructed to serve the facility.

Please use the Colorado Environmental Online Services (CEOS) to apply for new construction stormwater discharge permits, modify or terminate existing permits and change permit contacts.

For CEOS support please see the following WQCD website:

<https://cdphe.colorado.gov/cor400000-stormwater-discharge>

or contact:

Email: cdphe_ceos_support@state.co.us or cdphe_wqcd_permits@state.co.us

CEOS Phone: 303-691-7919

Permits Phone: 303-692-3517

Domestic Wastewater

Some projects with wastewater collection may have domestic wastewater treatment works (i.e., treatment plant, interceptor sewer, or lift station) with a design capacity to receive greater than 2,000 gallons per day (gpd) and are subject to state-wide site location, design, and permitting requirements implemented by the Water Quality Control Division. State review and approval of the site location application and design is required by the Colorado Water Quality Control Act (Act), Section 25-8-702, C.R.S. which states in part that:

“No person shall commence the construction of any domestic wastewater treatment works or the enlargement of the capacity of an existing domestic wastewater treatment works, unless the site location and the design for the construction or expansion have been approved by the division.”

State review may also be necessary for projects with multiple on-site wastewater treatment systems (OWTS) on a single property, unless the OWTS meet the requirements of division’s “Site Application Policy 6: Multiple On-Site Wastewater Treatment Systems” (Policy 6).

If applicable, the project would need to meet all applicable regulatory requirements including, but not limited to, site location and design review, discharge permitting, having a certified operator; and routine monitoring and reporting. For questions regarding domestic wastewater regulation applicability or other assistance and resources, visit these websites:

<https://cdphe.colorado.gov/design>

<https://cdphe.colorado.gov/clean-water-permitting-sectors>



Drinking Water Requirements

The definition of a public water system is self-implementing. It is the responsibility of all water systems in Colorado to assess whether their system is a public water system and to comply with the regulations accordingly. There is not a notification process whereby a system only becomes a public water system if the Department notifies that system. A system becomes subject to regulation as a public water system at the point the system begins operating a system meeting the definition of a public water system under Regulation 11.

Some projects may also need to address drinking water regulations if the proposed project meets the definition of a “Public Water System” per the Colorado Primary Drinking Water Regulations (Regulation 11):

A Public Water System means a system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if such system has at least fifteen service connections or regularly serves an average of at least 25 individuals daily at least 60 days per year. A public water system is either a community water system or a non-community water system. Such term does not include any special irrigation district. Such term includes:

(a) Any collection, treatment, storage, and distribution facilities under control of the supplier of such system and used primarily in connection with such system.

(b) Any collection or pretreatment storage facilities not under such control, which are used primarily in connection with such system.

If applicable, the project would need to meet all applicable requirements of Regulation 11 including, but not limited to, design review and approval; technical, managerial and financial review and approval; having a certified operator; and routine monitoring and reporting. If it is determined that your facility meets the definition of a public water system please submit a drinking water inventory update form to the department. For questions regarding drinking water regulation applicability or other assistance and resources, visit these websites:

<https://cdphe.colorado.gov/drinking-water>

<https://cdphe.colorado.gov/dwtrain>

If you have any other questions regarding either clean or drinking water quality, please contact CDPHE’s WQCD by emailing cdphe.commentswqcd@state.co.us or calling 303-692-3500.

Air Quality

The applicant must comply with all relevant state and federal air quality rules and regulations. Air quality regulations are available here:

<https://www.colorado.gov/pacific/cdphe/aqcc-regs>.



Air Pollutant Emissions Notices (APENs) and Permits

Applicable requirements may include, but are not limited to, reporting emissions to the Air Pollution Control Division (APCD) by completing an APEN. An APEN is a two in one form for reporting air emissions and obtaining an air permit, if a permit will be required. While only businesses that exceed the Air Quality Control Commission (AQCC) reporting thresholds are required to report their emissions, all businesses - regardless of emission amount - must always comply with applicable AQCC regulations.

In general, an APEN is required when uncontrolled actual emissions for an emission point or group of emission points exceed the following defined emission thresholds:

Table 1 APEN Thresholds		
Pollutant Category	UNCONTROLLED ACTUAL EMISSIONS	
	Attainment Area	Non-attainment Area
Criteria Pollutant	2 tons per year	1 ton per year
Lead	100 pounds per year	100 pounds per year
Non-Criteria Pollutant	250 pounds per year	250 pounds per year

Uncontrolled actual emissions do not take into account any pollution control equipment that may exist. A map of the Denver Metropolitan Ozone Non-attainment area can be found on the following website: http://www.colorado.gov/airquality/ss_map_wm.aspx.

In addition to these reporting thresholds, a Land Development APEN (Form APCD-223) may be required for land development. Under Colorado air quality regulations, land development refers to all land clearing activities, including but not limited to land preparation such as excavating or grading, for residential, commercial or industrial development. Land development activities release fugitive dust, a pollutant regulation by APCD. Small land development activities are not subject to the same reporting and permitting requirements as large land activities. Specifically, land development activities that are less than 25 contiguous acres and less than 6 months in duration do not need to report air emissions to APCD.

It is important to note that even if a permit is not required, fugitive dust control measures included the Land Development APEN Form APCD-223 must be followed at the site. Fugitive dust control techniques commonly included in the plan are included in the table below.

Control Options for Unpaved Roadways	
Watering	Use of chemical stabilizer
Paving	Controlling vehicle speed
Graveling	
Control Options for Mud and Dirt Carry-Out Onto Paved Surfaces	
Gravel entry ways	Washing vehicle wheels
Covering the load	Not overfilling trucks
Control Options for Disturbed Areas	



Watering	Application of a chemical stabilizer
Revegetation	Controlling vehicle speed
Compaction	Furrowing the soil
Wind Breaks	Minimizing the areas of disturbance
	Synthetic or Natural Cover for Slopes

Additional information on APENs and air permits can be found on the following website: <https://www.colorado.gov/pacific/cdphe/air/do-you-need-an-apen>. This site explains the process to obtain APENs and air quality permits, as well as information on calculating emissions, exemptions, and additional requirements. You may also view AQCC Regulation Number 3 at <https://www.colorado.gov/pacific/cdphe/aqcc-regs> for the complete regulatory language.

If you have any questions regarding Colorado’s APEN or air permitting requirements or are unsure whether your business operations emit air pollutants, please call the Small Business Assistance Program (SBAP) at 303- 692-3175 or 303-692-3148.

Asbestos and Lead-Based Paint

In Colorado there are regulations regarding the appropriate removal and handling of asbestos and lead-based paint as part of a demolition, renovation, or remodeling project. These regulations are presented in AQCC Number 8 (asbestos) and Number 19 (lead-based paint) which can be found on the following website: <https://www.colorado.gov/cdphe/aqcc-regs>.

These regulations may require the use of, or inspection by, companies or individuals that are certified to inspect or remove these hazards **prior to renovation or demolition**. APCD must also be notified of abatement or demolition activities prior to beginning any work in the case of asbestos. For additional guidance on these regulations and lists of certified companies and individuals please visit the following website for asbestos:

<https://www.colorado.gov/cdphe/categories/services-and-information/environment/asbestos>

and the following website for lead-based paint:

<https://www.colorado.gov/pacific/cdphe/categories/services-and-information/lead>.

If you have any questions about Colorado’s asbestos and lead-based paint regulations or are unsure whether you are subject to them please call the Indoor Environment Program at 303-692-3100.

If you have more general questions about air quality, please contact CDPHE’s APCD by emailing cdphe.commentsapcd@state.co.us or calling 303-692-3100.

Environmental Justice and Health Equity

CDPHE is dedicated to promoting and protecting the health and environment for all Coloradans. As part of those efforts, we strive to achieve health equity and environmental justice.



ENVIRONMENTAL JUSTICE is the fair treatment and meaningful involvement of all people regardless of race, color, national origin or income. Environmental justice recognizes that all people have a right to breathe clean air, drink clean water, participate freely in decisions that affect their environment, live free of dangerous levels of toxic pollution, experience equal protection of environmental policies, and share the benefits of a prosperous and vibrant pollution-free economy.

HEALTH EQUITY is when all people, regardless of who they are or what they believe, have the opportunity to attain their full health potential. Achieving health equity requires valuing all people equally with focused and ongoing efforts to address inequalities.

The Environmental Justice Act (HB21-1266) builds upon these efforts by declaring a statewide policy to advance environmental justice, defining disproportionately impacted communities, and creating an Environmental Justice Action Task Force, Environmental Justice Ombudsperson, and Environmental Justice Advisory Board. The Environmental Justice Act also directs the Air Quality Control Commission to promulgate certain rules to reduce emissions in disproportionately impacted communities, and to revise its approach to permitting actions in disproportionately impacted communities. The Environmental Justice Act further requires the Air Quality Control Commission to conduct enhanced outreach in disproportionately impacted communities for rulemakings and contested permitting actions.

The Environmental Justice Act's definition of disproportionately impacted communities includes low-income communities, communities of color, and housing cost-burdened communities, as well as communities that experience cumulative impacts and with a history of environmental racism. CDPHE's [Climate Equity Data Viewer](#) can be used to identify census block groups that meet those three criteria.

CDPHE notes that certain projects have potential to impact communities of color and low-income communities that are already disproportionately impacted by cumulative impacts across environmental media and challenges outside the environmental context. It is our strong recommendation that your organization consider the potential for disproportionate environmental and health impacts on specific communities within the project scope and take action to avoid, mitigate, and minimize those impacts.

To ensure the meaningful involvement of disproportionately impacted communities, we recommend that you interface directly with the communities in the project area to better understand community perspectives on the project to receive feedback on how it may impact them during development and construction as well as after completion. This feedback should be taken into account wherever possible, and reflected in changes made to the project plan to implement the feedback.

Additionally, to ensure the fair treatment of disproportionately impacted communities, we recommend that you consider substantive measures to avoid, minimize, and mitigate impacts to disproportionately impacted communities. This may include considering alternative facility siting locations, using best management practices to reduce impacts to air, water, soil, noise, light, or odor, or offsetting impacts by reducing impacts from other nearby facilities as appropriate.



We have included some general resources for your reference.

Resources:

[CDPHE Environmental Justice Website](#)

[CDPHE's Health Equity Resources](#)

[CDPHE's "Sweet" Tools to Advance Equity](#)

[EPA's Environmental Justice and NEPA Resources](#)





**City of
Thornton**

**OUTSIDE REFERRAL REVIEW
MEMORANDUM**

DATE: May 27, 2022
TO: Erinn Rogowski, Planner I
CC: Glenda Lainis, Policy Planning Manager
Martin Postma, Senior Policy Analyst
FROM: Thomas Dimperio, Policy Planner II
SUBJECT: Adams County Gutierrez Rezoning Outside Referral: PLOSR202200770
LOCATION: 2121 Highway 7 (0157302000060)

The proposal is to rezone the subject parcel from Agricultural-3 to Agricultural-1 within Adams County.

POLICY PLANNING

Policy Planner II (Thomas Dimperio 303 538 7381)

1. 2020 Thornton Comprehensive Plan
<https://www.thorntonco.gov/government/citydevelopment/planning/Pages/2020-Comprehensive-Plan.aspx>
 - a. The 2020 Comprehensive Plan Future Land Use designation for this site is "Mixed-Use Neighborhoods" (MUN). The intent and design of the MUN land use designation is to facilitate the design of neighborhoods that offer a spectrum of housing types and a range of services which are conveniently located and easily accessible to people who live in the immediate area.

A pre-application with the city was held for this property on February 9th, 2022. The subject of that pre-application was the subdivision of the subject property into two properties, with each being developed with a single-family home. The applicant was advised that due to the low density and type of development proposed, the project does not conform to Thornton's 2020 Comprehensive Plan. If annexation into Thornton is required, the property would be expected to comply with the Mixed-Use Neighborhoods land use designation.

Greg Barnes

From: McConnell, John <jmcconne@CityofWestminster.us>
Sent: Thursday, May 12, 2022 2:13 PM
To: Greg Barnes
Subject: RE: [EXTERNAL] For Review: Gutierrez Rezone (RCU2022-00015)

You don't often get email from jmcconne@cityofwestminster.us. [Learn why this is important](#)

Please be cautious: This email was sent from outside Adams County

Hi Greg,

Thank you for allowing us to review this referral. The Community Development Department has no comments or concerns related to this application.

Kind regards,
John

John McConnell, AICP | Interim Planning Manager
City of Westminster Community Development
V: 303.658.2474



4800 West 92nd Avenue, Westminster, CO 80031
Monday – Thursday, 7am to 6pm (Closed Friday)

Visit [eTRAKit](#) online to apply for projects and permits,
submit plans, make payments and schedule inspections

From: Planning <Planning@CityofWestminster.us>
Sent: Thursday, May 12, 2022 12:02 PM
To: McConnell, John <jmcconne@CityofWestminster.us>; Spurgin, Andrew <aspurgin@CityofWestminster.us>
Subject: FW: [EXTERNAL] For Review: Gutierrez Rezone (RCU2022-00015)



Jennifer Baden, APC
Associate Planner
City of Westminster Planning Division
Community Development Department
4800 West 92nd Avenue
Westminster, Colorado 80031
jbaden@cityofwestminster.us / 303.658.2097

*City Hall is open from 7:00AM to 6:00PM, Monday through Thursday.
City Hall is closed every Friday, Saturday, and Sunday.*

From: Greg Barnes <GJBarnes@adcogov.org>
Sent: Thursday, May 12, 2022 12:01 PM
To: Greg Barnes <GJBarnes@adcogov.org>
Subject: [EXTERNAL] For Review: Gutierrez Rezone (RCU2022-00015)

Greg Barnes

From: Gosselin, Steve <SGosselin@northmetrofire.org>
Sent: Thursday, May 12, 2022 1:01 PM
To: Greg Barnes
Cc: Homyak, Travis
Subject: RE: For Review: Gutierrez Rezone (RCU2022-00015)
Attachments: RFC.pdf

Please be cautious: This email was sent from outside Adams County

Hi Greg,

The Fire District has no comments regarding the proposed rezoning. If, however, there is any change in use of the existing buildings on the property or proposed additions to those buildings, or any new construction proposed, the Fire District reserves the right to review those proposals and issue comments at that time.

Have a great day!

Steven Gosselin
Division Chief - Fire Prevention
North Metro Fire Rescue District
101 Spader Way
Broomfield, CO 80020
Phone: (303) 252-3540
Fax: (720) 887-8336
E-mail: sgosselin@northmetrofire.org
Website: www.northmetrofire.org



"Excellence Through Each Individual Act."



Be safe. Stay healthy. Stay happy!

From: Greg Barnes <GJBarnes@adcogov.org>
Sent: Thursday, May 12, 2022 12:01 PM
To: Greg Barnes <GJBarnes@adcogov.org>
Subject: For Review: Gutierrez Rezone (RCU2022-00015)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

The Adams County Planning Commission is requesting comments on the following application: **Zoning map amendment to change the designation from Agricultural-3 to Agricultural-1**. This case was previously sent to you with an associated subdivision to create two lots (PRC2020-00012). The minor subdivision portion of this case has been separated from the rezoning, and will be processed at a later time. This request is located at 2121 Highway 7. The Assessor's Parcel Number is 0157302000060.

Please forward any written comments on this application to the Community and Economic Development Department at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 or call (720)

Greg Barnes

From: Clayton Woodruff <Clayton.Woodruff@RTD-Denver.com>
Sent: Thursday, June 2, 2022 7:46 AM
To: Greg Barnes
Subject: RE - RCU2022-00015

Please be cautious: This email was sent from outside Adams County

Greg,

The RTD has no comment on this project as it does not affect any RTD operations or facilities.

Thanks,



C. Scott Woodruff

Engineer III

Regional Transportation District

1560 Broadway, Suite 700, FAS-73 | Denver, CO 80202

o 303.299.2943 | m 303-720-2025

clayton.woodruff@rtd-denver.com



May 25, 2022

Greg Barnes
Adams County Community and Economic Development
4430 South Adams County Parkway, Suite W2000A
Brighton, CO 80601

RE: Gutierrez Rezone, RCU2022-00015 (previously PRC2020-00012)
TCHD Case No. 7696

Dear Mr. Barnes,

Thank you for the opportunity to review and comment on the resubmittal of an application to rezone from A-3 to A-1 located at 2121 Highway 7. Tri-County Health Department (TCHD) staff previously reviewed the application for the Rezone and Minor Subdivision to divide the existing parcel into a 4.462-acre lot and a 2.561-acre lot and responded in a letter dated February 10, 2021 with the following comments. TCHD has no further comments.

On-Site Wastewater Treatment System (OWTS) – additional information required

Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment.

The case referral materials indicate an existing residence on proposed Lot 1. TCHD records indicate the location of the soil treatment area (STA) is on proposed Lot 2. A Use Permit was issued for the OWTS on June 16, 2020. However, it was noted that the house was vacant and the inspector was unable to determine if the system was functioning properly. OWTS records can be found by searching here <http://www.tchd.org/642/Septic-Systems-Property-Records-Search>.

The case referral materials indicate that the existing residence is to be removed and a new home built. TCHD requires the following additional information in order to evaluate the proposal.

- Clarify if the existing OWTS is proposed to be abandoned and a new one installed for the proposed new residence on Lot 1, or if the existing OWTS is proposed to be utilized for the new residence on Lot 1.
- Provide a site plan drawn to scale that includes the location of all existing and proposed OWTS components, and the proposed location of a water well for Lot 2.

TCHD will evaluate the proposal, once the requested information is provided.

Gutierrez Rezone
May 25, 2022
Page 2 of 2

TCHD has no objection to the rezoning of the property. However, the applicant should be aware that the location of the existing OWTS could impact their plans to divide the property. Please feel free to contact me at 720-200-1575 or kboyer@tchd.org if you have any questions about TCHD's comments.

Sincerely,

A handwritten signature in cursive script, appearing to read 'K Boyer', followed by a horizontal line.

Kathy Boyer, REHS
Land Use and Built Environment Specialist III

cc: Keith Homersham, TCHD



May 26, 2022

Community and Economic Development Department
4430 South Adams County Parkway, Suite W2000A
Brighton, CO 80601-8216

Re: Gutierrez Rezone (RC2022-00015)

Dear Greg Barnes,

On behalf of United Power, Inc., thank you for inviting us to review and comment on the Gutierrez Rezone. United Power has electrical distribution in the area that may or may not need to be upgraded depending on the requirements of the site, in order to provide safe, reliable power to the area. United Power has no concerns or objection to the proposed Zoning map amendment; contingent upon United Power's ability to maintain all existing rights, facilities/equipment, and existing easements. This request should not hinder our ability for future expansion, including all present and any future accommodations for electrical distribution.

Please note, the property owner/developer/contractor must submit an application along with CAD data for new electric service via <https://www.unitedpower.com/construction>. United Power would like to work with these persons early in the construction process on getting an electric design prepared so that we can request any additional easements needed and hopefully have those easements dedicated on the plat rather than obtaining separate instrument. Obtaining easements via a separate instrument can be time consuming and could cause delays.

As a Reminder: No permanent structures are acceptable within the dry utility easement(s); such as, window wells, wingwalls, retaining walls, basement walls, roof overhang, anything affixed to the house like decks, etc. United Power considers any structure that impedes the access, maintenance, and safety of our facilities a permanent structure. No exceptions will be allowed, and any encroachments could result in penalties.

Service will be provided according to the rules, regulations, and policies in effect by United Power at the time service is requested. We look forward to safely and efficiently providing reliable electric power and outstanding service.

Thank you,

Veronica L Garcia

Veronica L. Garcia
United Power, Inc.
Right of Way Agent III
O: 303-637-1344 | Email: platreferral@unitedpower.com



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

May 16, 2022

Adams County Community and Economic Development Department
4430 South Adams County Parkway, 3rd Floor, Suite W3000
Brighton, CO 80601

Attn: Greg Barnes

Re: Gutierrez Rezone, Case # PRC2020-00012

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the request for the **Gutierrez Rezone**. Please be advised that Public Service Company has existing natural gas distribution facilities along State Highway 7 and has no objection to this proposed rezone, contingent upon PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

Should the project require any new natural gas service or modification to existing facilities, the property owner/developer/contractor must complete the application process via xcelenergy.com/InstallAndConnect.

If additional easements need to be acquired by separate PSCo document, a Right-of-Way Agent will need to be contacted.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

Greg Barnes

From: Greg Barnes
Sent: Thursday, May 19, 2022 4:03 PM
To: Greg Barnes
Subject: Public Comment: Gutierrez Rezoning

Mr. Jenks at 1721 E. 160th Avenue is supportive of the request.



Greg Barnes

Planner III, *Community and Economic Development Dept.*

he/him/his

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601-8216

720.523.6853 gjbarnes@adco.gov

adco.gov

My work schedule is:

Monday: Alternating weeks of 7 am – 3:30 pm and off

Tuesday–Friday: 7 am – 4:30 pm



Request for Comments

Case Name: Gutierrez Rezone
Project Number: PRC2020-00012

May 12, 2022

The Adams County Planning Commission is requesting comments on the following application: **Zoning map amendment to change the designation from Agricultural-3 to Agricultural-1**. This request is located at 2121 HIGHWAY 7. The Assessor's Parcel Number is 0157302000060.

Applicant Information: RICHARD WHITE
4414 W 1ST STREET
GREELEY, CO 80634

Please forward any written comments on this application to the Community and Economic Development Department at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 or call (720) 523-6800 by June 2, 2022, in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to GJBarnes@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates may be forwarded to you upon request. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Greg Barnes

Greg Barnes
Planner III

BOARD OF COUNTY COMMISSIONERS

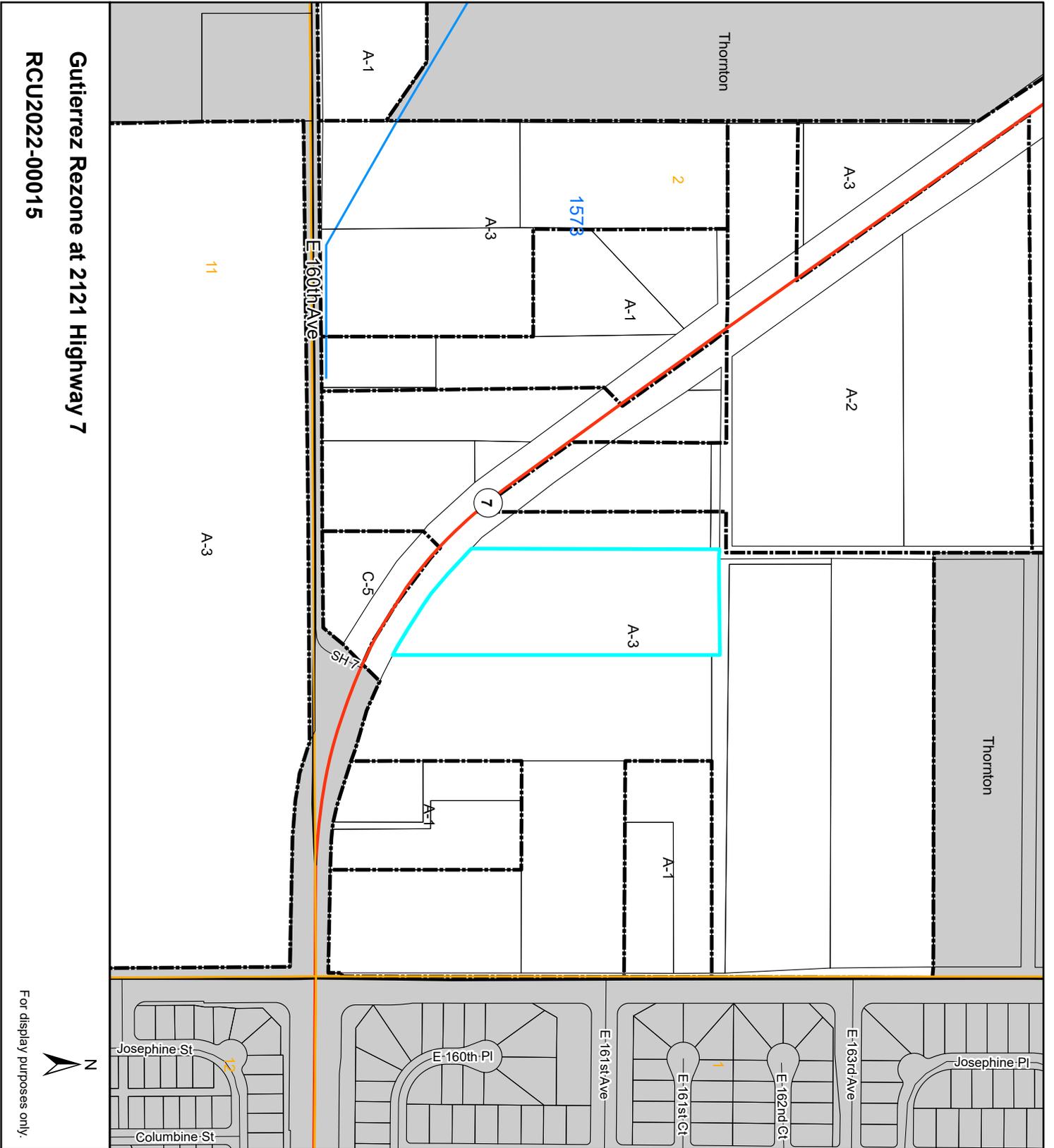
Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Emma Pinter
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Lynn Baca
DISTRICT 5



Gutierrez Rezone at 2121 Highway 7
RCU2022-00015

- Legend**
- Railroad
 - Major Water
 - Zoning Line
 - Sections

Conditions

AD TY

This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy.

For display purposes only.



Public Hearing Notification

Case Name:	Gutierrez Rezone
Case Number:	RCU2022-00015
Planning Commission Hearing Date:	07/14/2022 at 6:00 p.m.
Board of County Commissioners Hearing Date:	08/02/2022 at 9:30 a.m.

June 24, 2022

A public hearing has been set by the Adams County Planning Commission and the Board of County Commissioners to consider the following request:

**Zoning map amendment to change the designation from Agricultural-3 to Agricultural-1.
Case was formerly part of PRC2020-00012.**

The proposed use will be Residential. This request is located at 2121 HIGHWAY 7 on 7.023 acres.
The Assessor's Parcel Number(s) 0157302000060

Applicant Information:

RICHARD WHITE
4414 W 1ST STREET
GREELEY, CO 80634

The hearing will be held in the Adams County Hearing Room located at 4430 South Adams County Parkway, Brighton CO 80601-8216. This will be a public hearing and any interested parties may attend and be heard. The Applicant and Representative's presence at these hearings is requested. If you require any special accommodations (e.g., wheelchair accessibility, an interpreter for the hearing impaired, etc.) please contact the Adams County Community and Economic Development Department at (720) 523-6800 (or if this is a long distance call, please use the County's toll free telephone number at 1-800-824-7842) prior to the meeting date.

For further information regarding this case, please contact the Department of Community and Economic Development, 4430 S Adams County Parkway, Brighton, CO 80601, 720-523-6800. This is also the location where maps and/or text certified by the Planning Commission may be viewed.

The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Emma Pinter
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Lynn Baca
DISTRICT 5

PUBLICATION REQUEST

Case Name: Gutierrez Rezone

Case Number: RCU2022-00015

Planning Commission Hearing Date: July 14, 2022 at 6:00 p.m.

Board of County Commissioners Hearing Date: August 9, 2022 at 9:30 a.m.

Case Manager: Lia Campbell, Planner I, LCampbell@adcogov.org 720.523.6949

Request: Zoning map amendment to change the designation from Agricultural-3 to Agricultural-1

Address: 2121 Highway 7

Parcel Number (s): 0157302000060

Legal Description: SECT,TWN,RNG:2-1-68 DESC: W2 W2 SE4 SE4 N OF HIWAY 7/355A

Applicant: Richard White, 4414 W 1st Street, Greeley, CO 80634

Public Hearings Location: 4430 S. Adams County Pkwy., Brighton, CO 80601 Please visit <http://www.adcogov.org/bocc> for up to date information. The full text of the proposed request and additional colored maps can be obtained by accessing the Adams County Community and Economic Development Department website at www.adcogov.org/planning/currentcases.



Referral Listing
Case Number RCU2022-00015
Gutierrez Rezone

Agency	Contact Information
27J Schools	Kerrie Monti 1850 Egbert St Suite 140, Box 6 Brighton CO 80601 303-655-2984 kmonti@sd27j.net
ADAMS 12 FIVE STAR SCHOOLS	MATT SCHAEFER - PLANNING MANAGER 1500 E. 128TH AVENUE THORNTON CO 80241 720-972-4289 matt.schaefer@adams12.org
Adams County Attorney	Christine Fitch 4430 S Adams County Pkwy Brighton CO 80601 720-523-6352 CFitch@adcogov.org
Adams County CEDD Administrative	Gina Maldonado 4430 S Adams County Pkwy Brighton CO 80601 720-523-6823 gmaldonado@adcogov.org
Adams County CEDD Building Safety	Justin Blair 4430 S Adams County Pkwy Brighton CO 80601 720-523-6825 JBlair@adcogov.org
Adams County CEDD Engineer	Dev. Services Engineering 4430 S Adams County Pkwy Brighton CO 80601 720-523-6800 Contact Person May Vary Depending on Case
Adams County CEDD Environmental Services Division	Katie Keefe 4430 S Adams County Pkwy Brighton CO 80601 720-523-6986 kkeefe@adcogov.org
Adams County CEDD Right-of-Way	David Dittmer 4430 S Adams County Pkwy. Brighton CO 80601 720-523-6837 ddittmer@adcogov.org

AgencyContact Information

Adams County Constiuent Services	Matt Gorenc 4430 S Adams County Pkwy Brighton CO 80220 720.523.6997 mgorenc@adcogov.org
Adams County CSWB Code Compliance Officer	Rudy Martinez 4430 S Adams County Pkwy Brighton CO 80601 720.523.6833 rrmartinez@adcogov.org
Adams County CSWB Code Compliance Officer	Brooke Pettry 4430 S Adams County Pkwy Brighton CO 80601 720.523.6206 bpettry@adcogov.org
Adams County CSWB Neighborhood Services Division	Gail Moon 4430 S Adams County Pkwy Brighton CO 80601 720-523-6856 gmoon@adcogov.org
Adams County POSCA Deputy Director	Marc Pedrucci 9755 Henderson Rd Brighton CO 80601 303-637-8014 mpedrucci@adcogov.org
Adams County POSCA Natural Resource Specialist	Aaron Clark 9755 Henderson Rd Brighton CO 80601 (303) 637-8005 aclark@adcogov.org
Adams County Sheriff	Rick Reigenborn 4430 S Adams County Pkwy Brighton CO 80601 (303) 654-1850 rreigenborn@adcogov.org
Adams County Sheriff	Community Connections 4430 S Adams County Pkwy Brighton CO 80601 303-655-3283 CommunityConnections@adcogov.org
Century Link	Joseph Osbourne 303.518.3360 RCUs only: joseph.osborne@centurylink.com
Century Link	Network Real Estate Team 303.518.3360 VSPs ONLY: relocations@centurylink.com
Century Link	NRE Easement 303.518.3360 PLTs ONLY: nre.easement@centurylink.com

Agency

Contact Information

Century Link, Inc	Ken Miller 5325 Zuni St, Rm 728 Denver CO 80221 303.518.3360 RCUs ONLY: kenneth.r.miller@lumen.com
CITY OF THORNTON	JASON O'SHEA 9500 CIVIC CENTER DR THORNTON CO 80229 0
City of Thornton	Warren Campbell 9500 Civic Center Dr Thornton CO 80229 303-538-7670 developmentsubmittals@thorntonco.gov
City of Thornton	James Kaiser 12450 Washinton St Thornton CO 80241 720.977.6266 jim.kaiser@thorntonco.gov
City of Westminster	Alexander Gan Public Works & Utilities 4800 W 92nd Ave 303.658.2272 agan@cityofwestminster.us
CITY OF WESTMINSTER	Rita McConnell 4800 W 92ND AVE. WESTMINSTER CO 80031 303-658-2093 planning@cityofwestminster.us
Colorado Department of Public Health & Environment (CDPHE)	Sean Hackett 4300 S Cherry Creek Dr Denver CO 80246 303.692.3662 cdphe_localreferral@state.co.us 303.691.7702
Colorado Department of Public Health & Environment (CDPHE) - Waste Unit	SCaren Johannes 4300 Cherry Creek South Dr HMWMD-CP-B2 Denver CO 80246-1530 303.692.3347 cdphe_localreferral@state.co.us
Colorado Department of Public Health & Environment (CDPHE) - Quality Protection District	Bret Icenogle 4300 Cherry Creek Drive South WQCD-B2 Denver CO 80246-1530 303-692-3278 cdphe_localreferral@state.co.us

AgencyContact Information

Colorado Department of Transportation (CDOT)	Steve Loeffler 2829 W Howard Pl 2nd Floor Denver CO 80204 303-757-9891 steven.loeffler@state.co.us
Colorado Division of Wildlife	Hannah Posey 6060 Broadway St. Denver CO 80216-1000 303-947-1798 hannah.posey@state.co.us
COMCAST	JOE LOWE 8490 N UMATILLA ST FEDERAL HEIGHTS CO 80260 303-603-5039
Metro Wastewater Recovery	Craig Simmonds 6450 York St. Denver CO 80229 303-286-3338 simmonds@metrowaterrecovery.com
North Metro Fire District	Steve Gosselin 101 Spader Way Broomfield CO 80020 (303) 252-3540 sgosselin@northmetrofire.org
Public Service Company of Colorado (PSCo) dba Xcel Energy	Donna George 1123 W 3rd Ave DENVER CO 80223 303-571-3306 Donna.L.George@xcelenergy.com
Public Service Company of Colorado (PSCo) dba Xcel Energy	Donna George 1123 W 3rd Ave DENVER CO 80223 303-571-3306 Donna.L.George@xcelenergy.com
Public Service Company of Colorado (PSCo) dba Xcel Energy	-- 1123 W 3rd Ave Denver CO 80223 303.571.3306 bdrco@xcelenergy.com
Public Service Company of Colorado (PSCo) dba Xcel Energy	-- 1123 W 3rd Ave Denver CO 80223 303.571.3306 bdrco@xcelenergy.com
Regional Transportation District (RTD)	Paul Von Fay 1560 Broadway Suite 700 Denver CO 80202 303-299-2317 engineering@rtd-denver.com

Agency

Contact Information

Thornton Fire Department

Stephanie Harpring
9500 Civic Center Dr
Thornton CO 80229-4326
303-538-7602
firedept@cityofthornton.net

Tri-County Health Department

Sheila Lynch
6162 S Willow Dr
Suite 100
Greenwood Village CO 80111
720-200-1571
landuse@tchd.org

Tri-County Health: Mail CHECK to Sheila Lynch

Tri-County Health
landuse@tchd.org
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Union Pacific Railroad

Rod Carroll
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Omaha NE 68179
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rscarroll@up.com

United Power

Samantha Riblett
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Brighton CO 80603
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Westminster Fire Department

Lt. Jim Gagliano
9110 Yates St
Westminster CO 80031
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jgaglian@cityofwestminster.us

CARLSON CLAY
PO BOX 247
EASTLAKE CO 80614-0247

OESTMAN ELMER E JR TRUST AND
OESTMAN E DIANE TRUST THE
3620 W 10TH ST NO B 404
GREELEY CO 80634-1853

CARROLL VINCENT W AND
CARROLL CLAIRE ELAINE
2001 HWY 7
BRIGHTON CO 80602

PACE NORA L
2759 S QUITMAN STREET
DENVER CO 80236

CHAMEROY BRUCE H AND
CHAMEROY LAURI A
16151 HIWAY 7
BRIGHTON CO 80602

PACHECO JOSE P AND
PACHECO KARIN A
16225 YORK ST
BRIGHTON CO 80602

CRACCHIOLO NICHOLAS C AND
CRACCHIOLO MILDRED
2011 E 160TH AVE
BROOMFIELD CO 80020-9143

REHFELD KEITH
16200 HIGHWAY 7
BRIGHTON CO 80602

DUDIK NICHOLAS JR AND
MOULDS KATHLEEN A
PO BOX 52
GARDNER CO 81040-0052

REHFELD MICHAEL AND REHFELD SCOTT AND
REHFELD JUSTIN
11338 LOCUST ST
THORNTON CO 80233-5541

GUTIERREZ MONICA
6801 FERN DR
DENVER CO 80221-2504

REHFELD WILBUR 1/3 / REHFELD DONELDA AND REH
FELD RONALD 1/3
REHFELD MICHAEL AND REHFELD SCOTT 1/3 INT
5395 NEWTON ST
DENVER CO 80221-7329

KTN FAMILY TRUST THE
3678 S ZENO WAY
AURORA CO 80013-3538

THORNCO LAND HOLDINGS LLC
2285 S 67TH ST STE 250
OMAHA NE 68106-2845

LMB CAPITAL PARTNERS LLC
905 W 124TH AVE SUITE 200
WESTMINSTER CO 80234

WARREN W SCHWAB SR TRUST
2207 N SIOUX DR
GARDEN CITY KS 67846-3826

MORGAN ROBERT LIVING TRUST
16831 BUFFALO RUN DR
COMMERCE CITY CO 80022-9726

ALVAREZ AMALIA
OR CURRENT RESIDENT
16195 YORK ST
BRIGHTON CO 80602

OESTMAN ELMER E JR AND
OESTMAN E DIANE
3620 W 10TH ST NO B 404
GREELEY CO 80634-1853

DAVIS THOMAS S
OR CURRENT RESIDENT
2151 HIGHWAY 7
BRIGHTON CO 80602

JAKES LAWRENCE G AND JAKES ETHEL M TRUST
OR CURRENT RESIDENT
1721 E 160TH AVE
BROOMFIELD CO 80023-9115

CURRENT RESIDENT
1601 E 160TH AVE
BROOMFIELD CO 80023-9116

JOHNSON KENNETH L
OR CURRENT RESIDENT
16381 YORK ST
BRIGHTON CO 80602

CURRENT RESIDENT
1685 E 160TH AVE
BROOMFIELD CO 80023-9116

MORENO CHACON VICTOR MANUEL AND
MEDINA VILLARREAL NORMA PATRICIA
OR CURRENT RESIDENT
16199 YORK ST
THORNTON CO 80602-7620

CURRENT RESIDENT
2021 E 160TH AVE
BROOMFIELD CO 80023-9143

NGUYEN YEN AND
PHAM TRUNG
OR CURRENT RESIDENT
2241 E 160TH AVENUE
BRIGHTON CO 80602

CURRENT RESIDENT
2401 E 160TH AVE
BRIGHTON CO 80602-7602

PACHECO JOSE P AND
PACHECO KARIN A
OR CURRENT RESIDENT
16225 YORK ST
BRIGHTON CO 80602

CURRENT RESIDENT
16005 YORK ST
THORNTON CO 80602-7620

QUINTANA ANTHONY
OR CURRENT RESIDENT
16100 HIGHWAY 7
BRIGHTON CO 80602-7647

CURRENT RESIDENT
16275 YORK ST
THORNTON CO 80602-7620

SCHARES CRAIG L AND
SCHARES AMY M
OR CURRENT RESIDENT
1841 E 160TH AVE
BROOMFIELD CO 80020-9124

CURRENT RESIDENT
2001 HIGHWAY 7
BRIGHTON CO 80602-7626

SOSA JEREMIAS CASASOLA
MORALES EDIN ROLANDO CORDON
OR CURRENT RESIDENT
2201 E 160TH AVE
BRIGHTON CO 80602-7604

CURRENT RESIDENT
16200 HIGHWAY 7
BRIGHTON CO 80602-7630

THE LOIS M WHITTAKER LIVING TRUST
OR CURRENT RESIDENT
16111 YORK ST
BRIGHTON CO 80602-7620

CURRENT RESIDENT
16151 HIGHWAY 7
BRIGHTON CO 80602-7648

TRUJILLO CARLOS ANGELO AND
STONER STEPHANIE ANN
OR CURRENT RESIDENT
16150 HIGHWAY 7
BRIGHTON CO 80602-7647

CURRENT RESIDENT
16155 HIGHWAY 7
BRIGHTON CO 80602-7648

CURRENT RESIDENT
16201 HIGHWAY 7
BRIGHTON CO 80602-7648

CURRENT RESIDENT
2121 HIGHWAY 7
BRIGHTON CO 80602-7657

CURRENT RESIDENT
15791 YORK ST
THORNTON CO 80602-7779

CERTIFICATE OF POSTING



I, Lia Campbell, do hereby certify that I had the property posted at

2121 Highway 7 Denver, Colorado 80221

on June 29th, 2022

In accordance with the requirements of the Adams County Zoning Regulations

Lia Campbell

Lia Campbell

Gutierrez Rezone

RCU2022-00015

2121 Highway 7

Community & Economic Development
Department

August 9, 2022

Board of County Commissioners Public Hearing

Presented by: Lia Campbell, Planner I



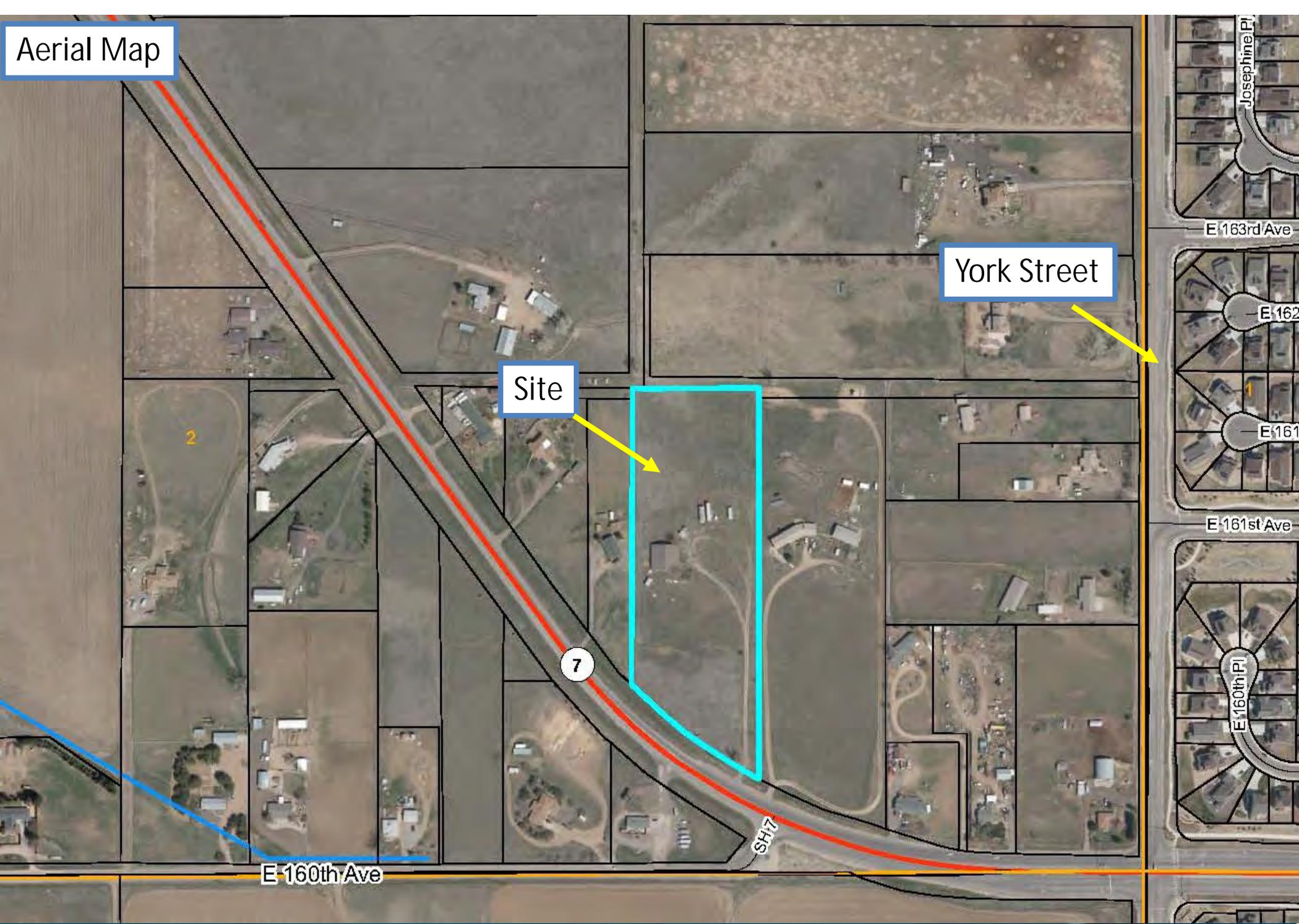
ADAMS COUNTY
COLORADO

Request

Rezoning:

- Current Zoning: Agricultural-3 (A-3)
- Proposed Zoning: Agricultural-1 (A-1)

Aerial Map



York Street

Site

E 160th Ave

SH17

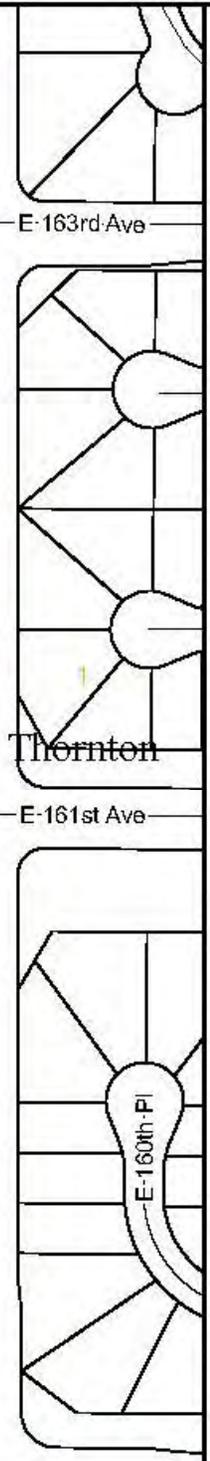
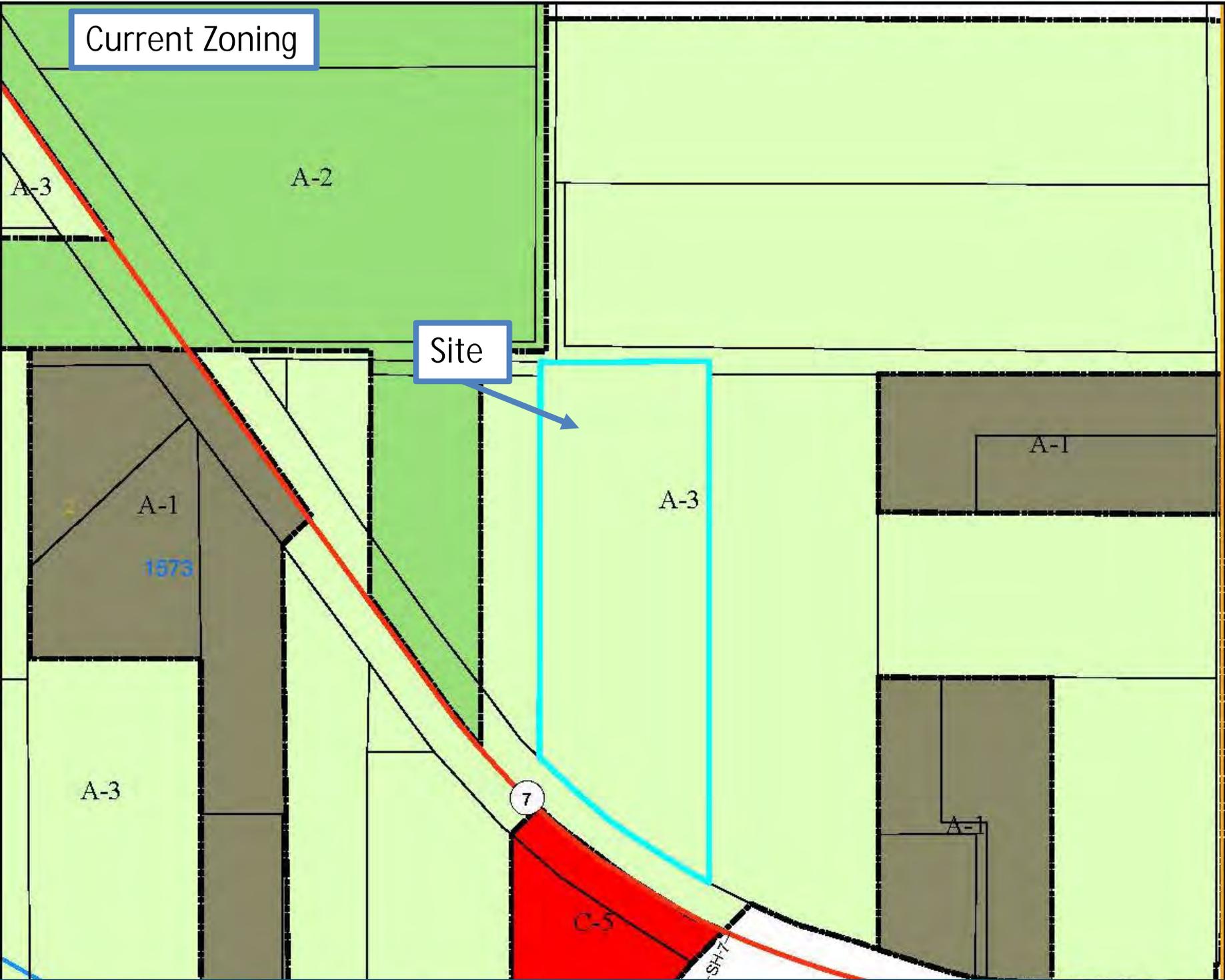
E 163rd Ave

E 162nd Ave

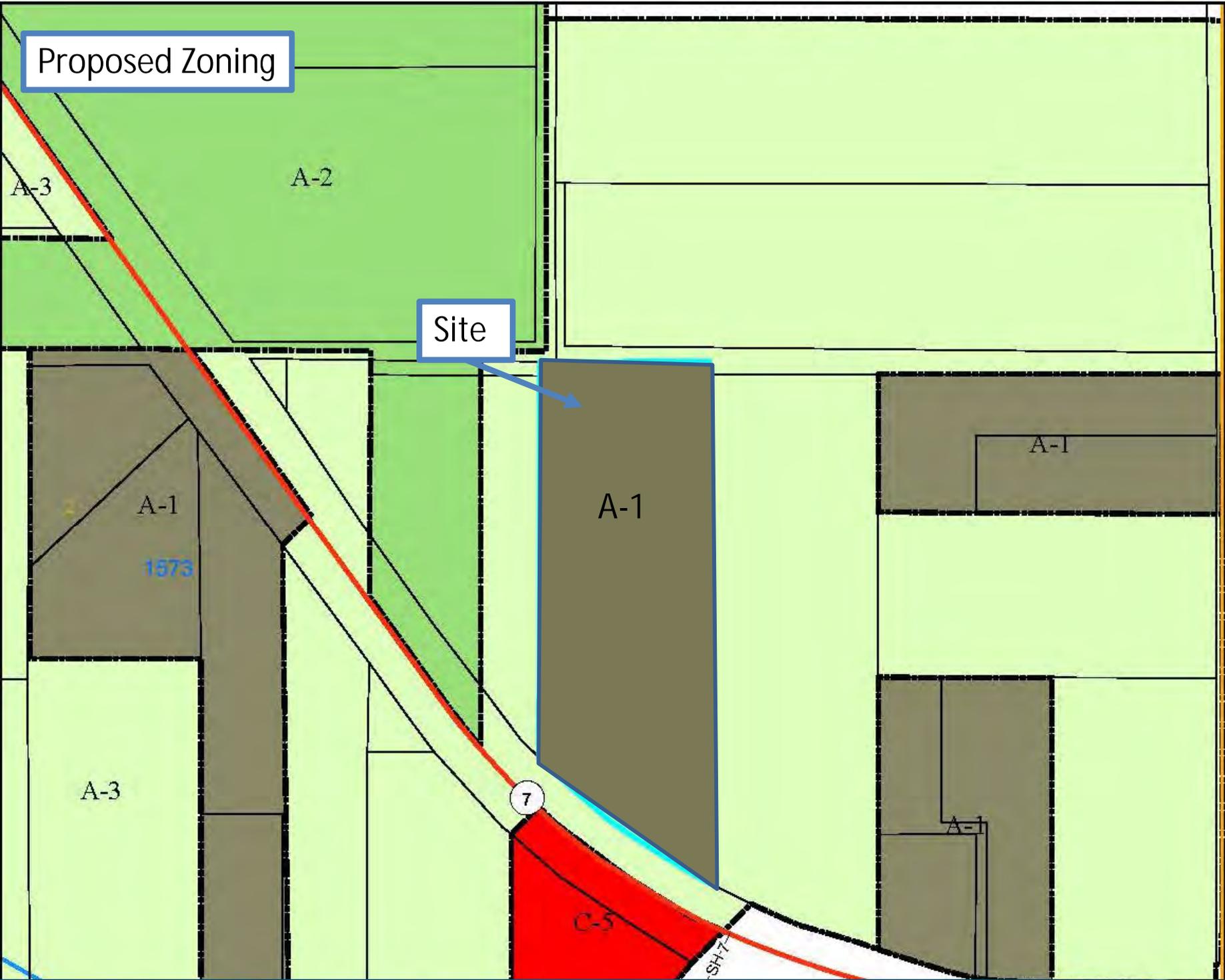
E 161st Ave

E 160th Pl

Current Zoning



Proposed Zoning



E-163rd Ave

Thornton

E-161st Ave

E-160th Pl

Future Land Use Map

Urban Residential

Site

Municipal Area

1573

7

SH 7

Josephine Pl

E-163rd Ave

E-162nd Ct

E-161st Ct

E-164th Ave

Urban residential areas are designated for single and multiple family housing, typically at urban densities of one dwelling per acre or greater.

Policy 19.2.c Compatibility – Do not rezone land to more intensive residential uses if such would be incompatible with surrounding community character in terms of scale of development, architectural design, street layout and design, setbacks, and other similar factors.

Criteria for Rezoning Approval

Section 2-02-15-06-02

1. Consistent with Comprehensive Plan
2. Consistent with Development Standards
3. Complies to Development Standards
4. Harmonious & Compatible to the surrounding area





South



West



East



Public Comment and Referral Agencies

Notifications Sent	# Comments Received
43*	1

* Property owners and occupants within 1000 ft

- 1 public comment of support: General support
- Responding with Concern: City of Thornton
- Responding without Concern: Adams County Sheriff, City of Westminster, Colorado Department of Public Health and Environment, Colorado Department of Transportation (CDOT), North Metro Fire Rescue District, Tri-County Health Department (TCHD), United Power, Xcel Energy (Xcel)

Recommendation / PC Update

PC Update:

- July 14, 2022
- 1 public comment
- Concerns: City of Thornton
- Approval (5-0) with 4 findings-of-fact and 2 notes to applicant

Staff Recommendation:

Staff recommends APPROVAL of the proposed Rezoning (RCU2022-00015) with 4 Findings-of-Fact and 2 Notes

Recommended Findings-of-Fact

1. The Zoning Map amendment is consistent with the Adams County Comprehensive Plan.
2. The Zoning Map amendment is consistent with the purposes of these standards and regulations.
3. The Zoning Map amendment will comply with the requirements of these standards and regulations
4. The Zoning Map amendment is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.

Notes

1. Approval of the rezone request is not an approval of the conceptual site plan. Applicant must obtain building permits for any building construction they wish to do on the property.
2. The applicant shall comply with all building, zoning, fire, engineering, and health codes and regulations during the development of the subject site.

Agricultural-3 VS Agricultural-1

Zone	Min Lot Size	Min Lot Width	Purpose
A-3	<ul style="list-style-type: none"> • 35 acres 	<ul style="list-style-type: none"> • 650 feet 	<ul style="list-style-type: none"> • To provide land primarily in holdings of at least thirty-five (35) acres for dryland or irrigated farming, pasturage, or other related food production uses.
A-1	<ul style="list-style-type: none"> • 2.5 acres 	<ul style="list-style-type: none"> • Well and septic: 150 feet • Public utilities: 100 feet 	<ul style="list-style-type: none"> • To provide a rural single-family dwelling district where the minimum lot area for a home site is intended to provide for a rural living experience. Limited farming uses are permitted including the keeping of a limited number of animals for individual homeowner's use. This district is primarily designed for the utilization and enjoyment of the County's rural environment.