Community & Economic Development Department

adcogov.org



4430 South Adams County Parkway 1st Floor, Suite W2000B Brighton, CO 80601-8218

phone 720.523.6800

EMAIL epermitcenter@adcogov.org

## **Request for Comments**

Case Name: Xcel Green Valley Substation Fence Variance

Case Number: VSP2025-00001

January 14, 2025

The Adams County Board of Adjustment is requesting comments on the following application: Xcel Energy is proposing to replace the existing eight-foot-tall chain-link fence around the perimeter of the Substation with 1,970 linear feet of ten-foot tall, expanded metal/mesh fencing as a necessary security measure. Additionally, Xcel Energy proposes to install one new automatic expanded metal cantilever gate to replace the existing twenty-foot manual swing gate at the main site entrance and implement various other security improvements. This request is located at 0. The Assessor's Parcel Number is 0156534300001.

Owner Information: PUBLIC SERVICE COMPANY OF COLORAD( C/O AUDREY QUINTANA 1123 W 3RD AVE DENVER, CO 802231351

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 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 BMarin@adcogov.org.

Once comments have been received and the staff report written, the staff report will be forwarded to you. 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.

Si usted tiene preguntas, por favor escribanos un correo electrónico a cedespanol@adcogov.org para asistencia en español. Por favor incluya su dirección o número de caso para poder ayudarle major.

Thank you for your review of this case.

Brayan Marin 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



## GREEN VALLEY SUBSTATION

ADAMS COUNTY, COLORADO VARIANCE APPLICATION

PHYSICAL SECURITY PROJECT

**JANUARY 2025** 

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## ATTACHMENTS

Attachment A: Development Application Form

Attachment B: Vicinity Map

Attachment C: Site Plan

Attachment D: Fence Details

Attachment E: Proof of taxes

Attachment F: Proof of Ownership

Attachment G: Example of New Fencing

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## LIST OF ACRONYMS AND ABBREVIATIONS

kV	Kilovolt
Xcel Energy	Public Service Company of Colorado, a Colorado corporation conducting business as Xcel Energy
FERC	Federal Energy Regulatory Commission
Substation	Green Valley Substation

### **1. INTRODUCTION**

Public Service Company of Colorado, a Colorado corporation conducting business as Xcel Energy (Xcel Energy), is proposing to upgrade the physical security of the existing Green Valley Substation to continue to deliver reliable, safe, and economical electric power to Adams County and the surrounding communities. The Green Valley Substation is located at the intersection of Cavanaugh Road and East 124<sup>th</sup> Avenue, parcel ID 0156534300001 (the Substation). Xcel Energy owns the property, which is located within an Agricultural-Three (A-3) zone district. By this application, Xcel Energy is requesting a variance from the Adams County Development Standards and Regulations (Adams County DSR) Section 4-08-01-02-02-01, which stipulates a maximum fence height of eight (8) feet for institutional uses in the A-3 Zone District. Xcel Energy seeks approval to construct a new security fence with a height of ten (10) feet. This Application is submitted pursuant to Adams County DSR Section § 2-02-23, and requests approval by the Adams County Board of Adjustment of a variance to allow a 10-foot-tall security fence around the Substation.

Xcel Energy is proposing to replace the existing eight-foot-tall chain-link fence around the perimeter of the Substation with 1,970 linear feet of ten-foot tall, expanded metal/mesh fencing as a necessary security measure. Additionally, Xcel Energy proposes to install one new automatic expanded metal cantilever gate to replace the existing twenty-foot manual swing gate at the main site entrance; one new manual pedestrian gate adjacent to the automatic cantilever gate; one new 20-foot chain link manual swing gate; two new camera towers, to be installed in the northwest and southeast corners of the site; perimeter lighting on the new fence; two new lighting transformers for perimeter lighting; and new company-standard "No Trespassing" signage. In addition to these security upgrades, Xcel Energy also plans to improve the drainage facilities at the Substation by installing two new approximately 450' long concrete flumes on the north and south sides of the property.

The fence will be rebuilt in its current location. The construction will be done within the property boundary, while utilizing an area outside of the fence on Substation property for temporary storage of construction material and equipment. This project is expected to start in Fall 2024 and take approximately six months to complete. No land acquisition is necessary for the proposed work, and the proposed equipment additions do not change the use of the land or expand the site boundaries. No new buildings or transmission equipment are planned.

Xcel Energy determined the proposed physical security upgrades are necessary pursuant to its internal grid security and reliability program, which was developed in accordance with applicable federal regulations. The improvements are intended to deter and prevent theft and vandalism, while also protecting this infrastructure that is important to Xcel Energy's ability to provide reliable electricity to Adams County and the surrounding community.

## 2. VARIANCE APPLICATION COMPONENTS

The following sections outline the components of the Variance Application.

## 2.1 Completed Application

A completed Development Application Form is included as Attachment A.

## 2.2 Legal Description

A portion of the Southwest Quarter of Section 34, Township 1 South, Range 64 West of the 6th Principal Meridian, Adams County, Colorado, being more particularly described as follows:

BEGINNING at the Northwest Corner of said Southwest Quarter of Section 34, whence the Southwest Corner of said Southwest Quarter of Section 34 bears S01°18'37"E a distance of 2636.70 feet;

THENCE S89°47'30"E along the northerly line of said Southwest Quarter of Section 34 a distance of 1030.01 feet;

THENCE S01°18'37"E a distance of 1631.67 feet;

THENCE N89°47'30"W a distance of 1030.01 feet;

THENCE N01°18'37"W along said westerly line of Southwest Quarter of Section 34 a distance of 1631.67 feet to the POINT OF BEGINNING.

Containing 38.568 Acres, more or less.

## 2.3 Application Fee

Xcel Energy will pay the \$700.00 Application Fee when invoiced in accordance with the County's variance application instructions.

## 2.4 Site Plan

A Vicinity Map, Site Plan, and Fence Details showing the proposed security and drainag e upgrades are included as Attachments B, C, and D.

## 2.5 Certificate of Taxes Paid

Because Xcel Energy is a public utility, its property taxes are state-assessed and then apportioned to the County by the State Division of Taxation. A current Statement of Taxes Due, showing a \$0.00 balance, is attached as Exhibit E.

### 2.6 **Proof of Ownership**

The Special Warranty Deed evidencing Xcel Energy's ownership of the Substation is included as Attachment G.

### 2.7 **Proof of Water and Sewer Services**

No water or sewer services are required at the Substation.

## 3. VARIANCE REVIEW CRITERIA

The Adams County DSR establishes approval criteria for a variance as follows:

The Board of Adjustment in approving a variance shall consider:

- a. Special physical requirements or circumstances exist which are peculiar to the land, the lot, or some aspect inherent in the land causes the hardship and are not applicable to other lands in the same district.
- b. The literal interpretation of the provisions of these standards and regulations would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of these standards and regulations.
- c. Granting of the variance requested will not confer on the applicant any special privilege denied by these standards and regulations for other land in the same zone district.
- d. Because of physical circumstances or conditions, the property cannot reasonably be developed in conformity with the provisions of the physical requirements of these standards and regulations.
- e. The special circumstances applicable to the property have not been created by voluntary action or negligence by any person presently having an interest in the property.
- f. The granting of the variance will be in harmony with the general purpose and intent of these standards and regulations and with the Adams County Comprehensive Plan.
- g. The granting of a variance from strict application of these standards and regulations will not cause substantial detriment to the public good or impair the intent of these standards and regulations.
- h. The variance would not allow a use which (a) is not otherwise permitted in the zone district in which the property is located, (b) would result in the extension of a non-

conforming use, or (c) would change the zone classification of any or all of the subject property.

The following sections demonstrate how the Project conforms with the approval criteria for a variance.

## 3.1 Special Physical Requirements or Circumstances Peculiar to the Land

The particular physical surrounding condition of the Substation property creates a particular and unique hardship, as distinguished from a mere inconvenience if the strict letter of the regulations were carried out, because the Substation is located in an isolated location, bordered by vacant and agricultural land. This physical surrounding enhances the risk that trespassers and other criminals may target the Substation. Xcel Energy has recently experienced an increase in criminal activity targeting its unmanned infrastructure, including increases in theft, vandalism, and trespassing. These conditions and threats create a particular and unique hardship warranting the approval of a variance for a 10-foot-tall security fence.

## 3.2 Variance Will Not Confer Any Special Privilege

The variance will not confer any special privilege because it does not grant rights or advantages beyond what other properties in the same district could similarly request or receive due to similar hardship and necessity for enhanced security. The variance allows a fence height increase from 8 to 10 feet, which is solely to address specific security needs due to the Substation's unique location and character.

This adjustment does not introduce a new use, extend a non-conforming use, or alter the property's zoning classification. Rather, it addresses legitimate security concerns aligned with both county standards and federal requirements, ensuring public safety and reliable electric service without disadvantaging other properties or introducing special zoning privileges.

## 3.3 Special Circumstances Not Created by Voluntary Action or Negligence by Person with Interest in Property

Xcel Energy has not created the special circumstances applicable to the property warranting the variance for a 10-foot-tall perimeter security fence.

## 3.4 Granting Variance in Harmony with Purpose and Intent of Adams County DSR and Adams County Comprehensive Plan

Xcel Energy believes the granting of the variance is in harmony with the purpose and intent of the DSR and Comprehensive Plan because the proposed wire mesh fence is

more aesthetically pleasing than the existing chain link and barbed wire fence. Furthermore, the proposed fence's purpose - increased physical security - is in harmony with the intent of the Adams County DSR and Comprehensive Plan to secure public safety and welfare.

### 3.5 Granting Variance Will Not Cause Substantial Detriment to Public Good or Impair Intent of Adams County DSR

The Green Valley Substation has existed for years in harmony with the surrounding community and the granting of an administrative variance increasing the current fence height by only two feet will not substantially or permanently impair the appropriate use or development of adjacent property, adjacent property values, or the adequate supply of light and air to adjacent property. Likewise, the proposed fence will not increase the congestion in public streets, increase the danger of fire, or endanger public safety. In fact, the approved aesthetic of the proposed 10-foot-tall fence, and the increased security it will provide, will serve to further harmonize the Substation with adjacent properties while reducing fire danger associated with potential damage caused by trespassers and improving public safety.

# 3.6 Variance Would Not Allow Use Which (A) is Not Permitted in Zone District, (B) Would Result in Extension of Non-Conforming Use, or (C) Would Change Zone Classification

The variance requested in this Application in no way changes the use of the already permitted Substation, would not result in the extension of a non-conforming use, and would not change the zone classification.

## REFERENCES

Adams County Colorado. 2023. Adams County Municipal Code. Available online at: <u>Adams County : Development Standards and Regulations (municipalcodeonline.com)</u>. Accessed Aug 2024. ATTACHMENT A: APPLICATION FORM



Community & Economic Development Department Planning & Development 4430 S. Adams County Pkwy., 1st Floor, Suite W2000B Brighton, CO 80601-8218 Phone: 720.523.6800

Website: adcogov.org

A variance is a means whereby the literal terms of these standards and regulations need not be applied if there are practical difficulties or unnecessary hardships associated with the subject site. In granting a variance, the spirit of these standards and regulations shall be observed, public safety and welfare secured, and substantial justice done.

Please include this page with your submittal. Submittal instructions and more information about checklist items can be found on page 2.

Development Application Form (pg. 3) Written Narrative Site Plan Proof of Ownership (warranty deed or title policy) Proof of Water and Sewer Services Legal Description

Statement of Taxes Paid

### Number of Variance Requests:

A variance may only be approved from the dimensional requirements, performance standards, and other special physical requirements contained in the Adams County development standards and regulations.

Type of Variance Request:	# of Requests:
Setback:	
Height:	
Lot Coverage:	
Other:	

Application Fees:	Amount:		
Variance	\$500-residential \$700-non-residential		
	*\$100 per each additional request		

Accela Case Type - VSP

## **Guide to Development Application Submittal**

This application shall be submitted electronically to epermitcenter@adcogov.org. If the submittal is too large to email as an attachment, the application may be sent as an unlocked Microsoft OneDrive link. Alternatively, the application may be delivered on a flash drive to the One-Stop Customer Service Center. All documents should be combined in a single PDF, although you may provide multiple PDFs to ensure no file exceeds 100 MB. Once a complete application has been received, fees will be invoiced and payable online at www.permits.adcogov.org.

### Written Explanation:

• Answer the two questions on the attached Written Explanation for Variance Request form. Please answer these questions on a separate document and attach to your submittal.

### Scaled Site Plan:

• A site plan prepared to-scale showing at minimum: the request, any existing or proposed structures, existing and proposed setbacks of structures, any hardship, location of well, location of septic field, location of easements, surrounding rights-of-way, north arrow.

• Site plan may be hand-drawn.

### Proof of Ownership (warranty deed or title policy):

- A deed may be found in the Office of the Clerk and Recorder; or
- A title commitment is prepared by a professional title company

### **Proof of Water and Sewer:**

• Public utilities - A written statement from the appropriate water & sanitation district indicating that they will provide service to the property OR a copy of a current bill from the service provider.

• Private utilities - Well permit(s) information can be obtained from the Colorado State Division of Water Resources at (303) 866-3587. A written statement from Adams County Health Department indicating the viability of obtaining Onsite Wastewater Treatment Systems.

### Legal Description:

• Geographical description used to locate and identify a property.

### **Statement of Taxes**

• All taxes on the subject property must be paid in full. Please contact the Adams County Treasurer's Office.

• Or adcotax.com

Community & Economic Development Department www.adcogov.org



4430 South Adams County Parkway 1st Floor, Suite W2000 Brighton, CO 80601-8204 рноме 720.523.6800 гах 720.523.6998

### **DEVELOPMENT APPLICATION FORM**

### APPLICANT

Name(s):	Phone #:	
Address:		
City, State, Zip:		
2nd Phone #:	Email:	
OWNER		
Name(s):	Phone #:	
Address:		
City, State, Zip:		
2nd Phone #:	Email:	

### TECHNICAL REPRESENTATIVE (Consultant, Engineer, Surveyor, Architect, etc.)

Name:	Phone #:
Address:	
City, State, Zip:	
2nd Phone #:	Email:

### **DESCRIPTION OF SITE**

Address:	
City, State, Zip:	
Area (acres or square feet):	
Tax Assessor Parcel Number	
Existing Zoning:	
Existing Land Use:	
Proposed Land Use:	
Have you attended	a Conceptual Review? YES NO
If Yes, please list F	PRE#:

I hereby certify that I am making this application as owner of the above-described property or acting under the authority of the owner (attached authorization, if not owner). I am familiar with all pertinent requirements, procedures, and fees of the County. I understand that the Application Review Fee is non-refundable. All statements made on this form and additional application materials are true to the best of my knowledge and belief.

Name:		Date:	
	Owner's Printed Name		
Name:			
	Owner's Signature		

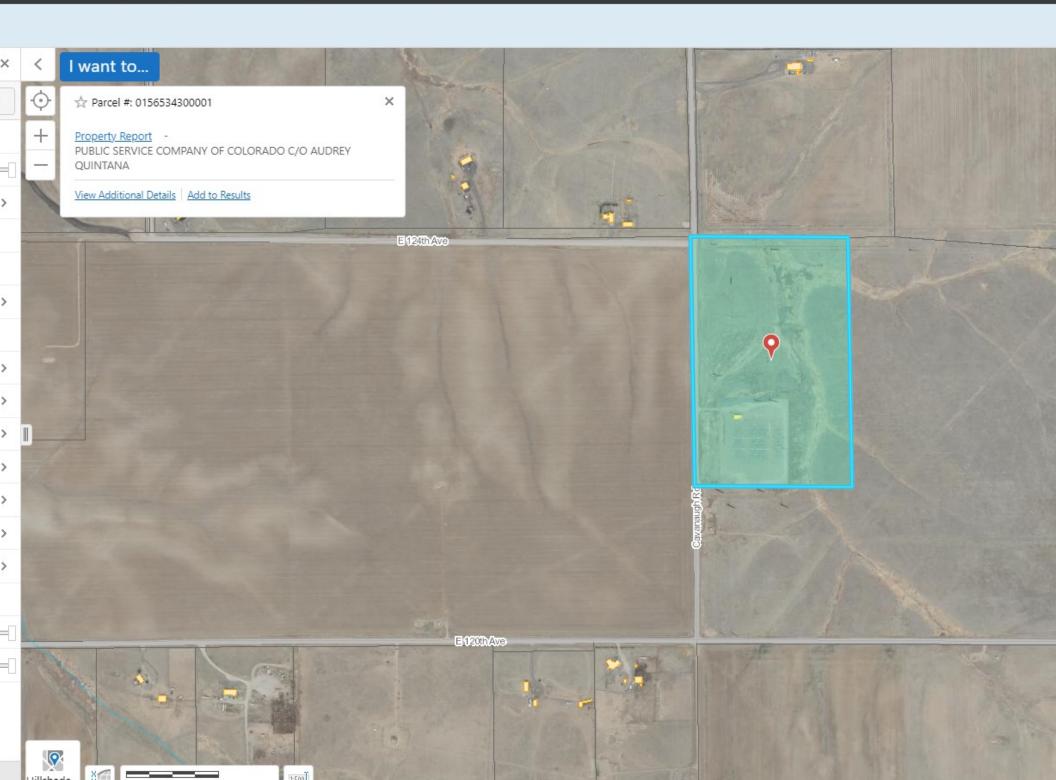
• Which dimensional standard(s), performance standard(s), or physical requirement(s) cannot be met? (Include code section reference from <u>Adams County Standards and Regulations</u>) Reach out to the Planner of the Day (cedd-plan@adcogov.org) if you have any questions.

Adams County Development Standards and Regulations (Adams County DSR) Section 4-08-01-02-02-01, which stipulates a maximum fence height of eight (8) feet for institutional uses in the A-3 Zone District.

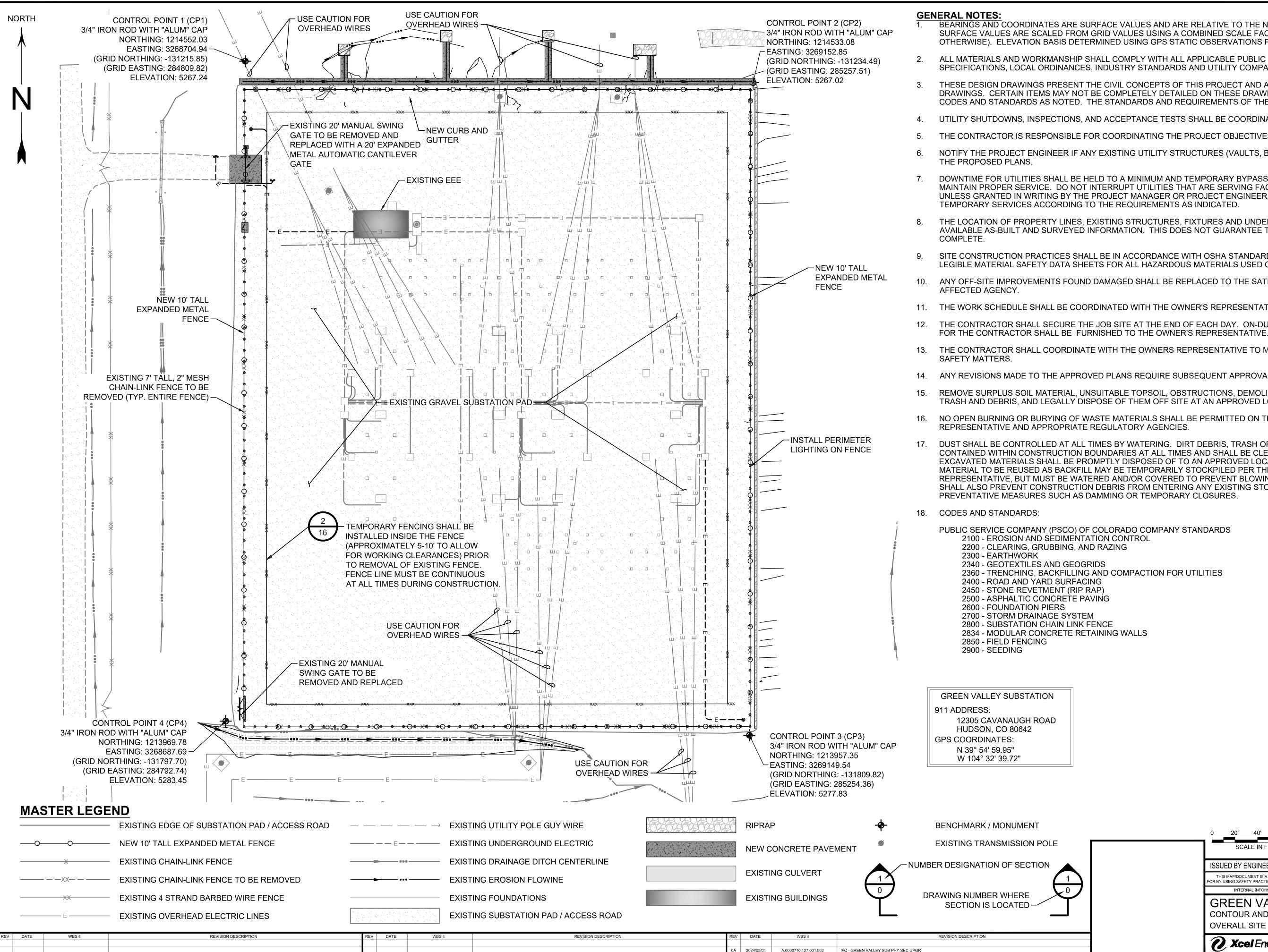
### • Why are you unable to meet this standard?

As explained in greater detail in the application narrative, Xcel Energy has determined the 8' fence height standard does not allow adequate security for the Substation in light of current threats, federal regulatory requirements, and other hardships identified in the narrative.

ATTACHMENT B: VICINITY MAP



ATTACHMENT C: SITE PLAN



REVISION DESCRIPTION	REV	DATE	WBS 4	REVISION DESCRIPTION
	0A	2024/05/01	A.0000710.127.001.002	IFC - GREEN VALLEY SUB PHY SEC UPGR

BEARINGS AND COORDINATES ARE SURFACE VALUES AND ARE RELATIVE TO THE NAD 83 COLORADO NORTH ZONE COORDINATE SYSTEM SURFACE VALUES ARE SCALED FROM GRID VALUES USING A COMBINED SCALE FACTOR OF 1.00027532 FROM THE ORIGIN (UNLESS NOTED OTHERWISE). ELEVATION BASIS DETERMINED USING GPS STATIC OBSERVATIONS PROCESSED USING NGS'S OPUS SERVICE.

ALL MATERIALS AND WORKMANSHIP SHALL COMPLY WITH ALL APPLICABLE PUBLIC SERVICE COMPANY (PSCO) STANDARDS, CODES, SPECIFICATIONS, LOCAL ORDINANCES, INDUSTRY STANDARDS AND UTILITY COMPANY REQUIREMENTS.

THESE DESIGN DRAWINGS PRESENT THE CIVIL CONCEPTS OF THIS PROJECT AND ARE NOT INTENDED TO SERVE AS CONTRACTOR'S SHOP DRAWINGS. CERTAIN ITEMS MAY NOT BE COMPLETELY DETAILED ON THESE DRAWINGS. SUCH ITEMS SHALL BE CONSTRUCTED TO THE CODES AND STANDARDS AS NOTED. THE STANDARDS AND REQUIREMENTS OF THE LOCAL JURISDICTION SHALL TAKE PRECEDENCE.

UTILITY SHUTDOWNS. INSPECTIONS, AND ACCEPTANCE TESTS SHALL BE COORDINATED IN ADVANCE WITH THE APPROPRIATE AGENCIES.

THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING THE PROJECT OBJECTIVES WITH ALL UTILITY COMPANIES.

NOTIFY THE PROJECT ENGINEER IF ANY EXISTING UTILITY STRUCTURES (VAULTS, BOXES, RIMS, CLEANOUTS, ETC.) ARE IN CONFLICT WITH

DOWNTIME FOR UTILITIES SHALL BE HELD TO A MINIMUM AND TEMPORARY BYPASSES SHALL BE PROVIDED WHERE NECESSARY TO MAINTAIN PROPER SERVICE. DO NOT INTERRUPT UTILITIES THAT ARE SERVING FACILITIES OCCUPIED BY THE OWNER OR BY OTHERS UNLESS GRANTED IN WRITING BY THE PROJECT MANAGER OR PROJECT ENGINEER, AND ONLY AFTER ARRANGING TO PROVIDE

THE LOCATION OF PROPERTY LINES, EXISTING STRUCTURES, FIXTURES AND UNDERGROUND UTILITIES ARE DRAWN FROM THE BEST AVAILABLE AS-BUILT AND SURVEYED INFORMATION. THIS DOES NOT GUARANTEE THAT THE LOCATION OF EXISTING ITEMS ARE EXACT OR

SITE CONSTRUCTION PRACTICES SHALL BE IN ACCORDANCE WITH OSHA STANDARDS. THE CONTRACTOR SHALL MAINTAIN ON-SITE, LEGIBLE MATERIAL SAFETY DATA SHEETS FOR ALL HAZARDOUS MATERIALS USED ON-SITE

ANY OFF-SITE IMPROVEMENTS FOUND DAMAGED SHALL BE REPLACED TO THE SATISFACTION OF THE INSPECTOR OR DIRECTOR OF THE

11. THE WORK SCHEDULE SHALL BE COORDINATED WITH THE OWNER'S REPRESENTATIVE AND WITH ANY LOCAL ORDINANCES.

THE CONTRACTOR SHALL SECURE THE JOB SITE AT THE END OF EACH DAY. ON-DUTY AND OFF-DUTY CONTACTS AND PHONE NUMBERS

13. THE CONTRACTOR SHALL COORDINATE WITH THE OWNERS REPRESENTATIVE TO MANAGE THE PROJECT'S IMPACT TO SECURITY AND

14. ANY REVISIONS MADE TO THE APPROVED PLANS REQUIRE SUBSEQUENT APPROVAL BY THE APPROPRIATE AGENCY.

REMOVE SURPLUS SOIL MATERIAL. UNSUITABLE TOPSOIL, OBSTRUCTIONS, DEMOLISHED MATERIALS, AND WASTE MATERIALS, INCLUDING TRASH AND DEBRIS, AND LEGALLY DISPOSE OF THEM OFF SITE AT AN APPROVED LOCATION.

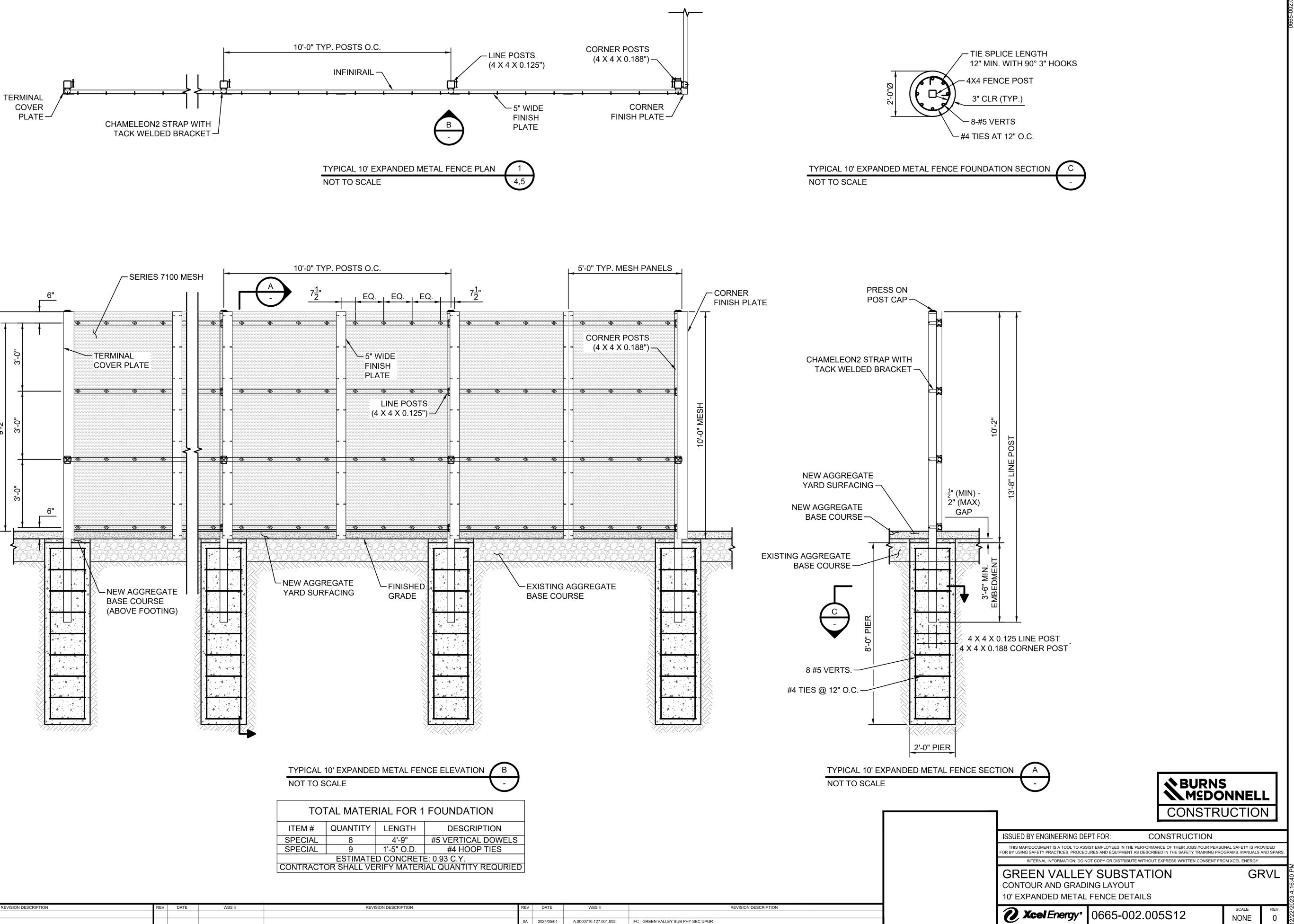
NO OPEN BURNING OR BURYING OF WASTE MATERIALS SHALL BE PERMITTED ON THE SITE WITHOUT APPROVAL FROM THE OWNERS

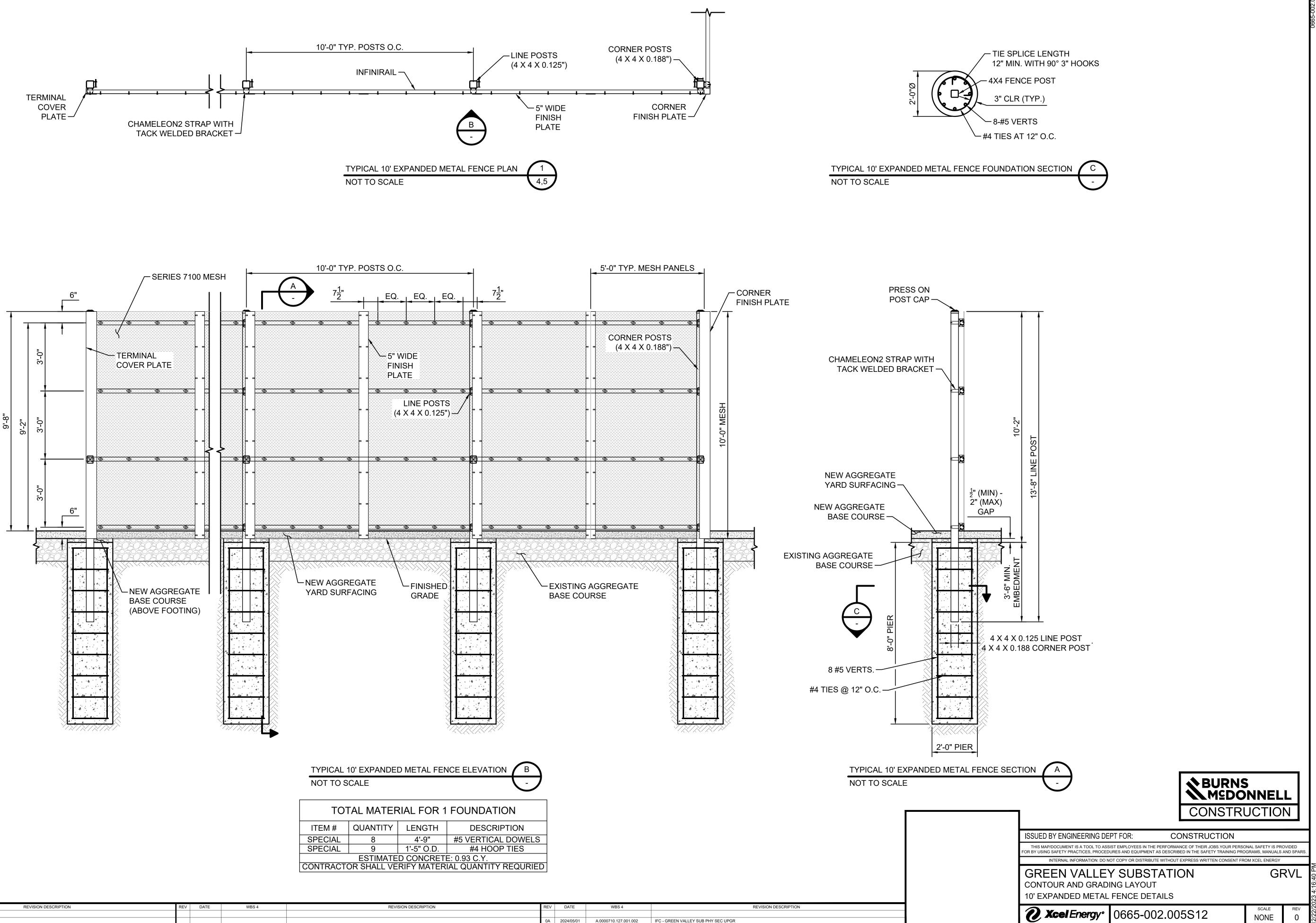
DUST SHALL BE CONTROLLED AT ALL TIMES BY WATERING. DIRT DEBRIS, TRASH OR OTHER CONSTRUCTION MATERIALS SHALL BE CONTAINED WITHIN CONSTRUCTION BOUNDARIES AT ALL TIMES AND SHALL BE CLEANED AND REMOVED DAILY AS NECESSARY. EXCESS EXCAVATED MATERIALS SHALL BE PROMPTLY DISPOSED OF TO AN APPROVED LOCATION AT THE CONTRACTOR'S EXPENSE. EXCAVATED MATERIAL TO BE REUSED AS BACKFILL MAY BE TEMPORARILY STOCKPILED PER THE DIRECTION OF THE ON-SITE COMPANY REPRESENTATIVE, BUT MUST BE WATERED AND/OR COVERED TO PREVENT BLOWING ONTO ADJACENT PROPERTIES. THE CONTRACTOR SHALL ALSO PREVENT CONSTRUCTION DEBRIS FROM ENTERING ANY EXISTING STORM DRAINAGE REACHES BY IMPLEMENTING

			NNELI	-		
	80'	CONSTRU	ICTION	1		
SCALE IN FEET						
ISSUED BY ENGINEERING DE	PT FOR:	CONSTRUCTION				
THIS MAP/DOCUMENT IS A TOOL TO ASS FOR BY USING SAFETY PRACTICES, PROCEDU						
INTERNAL INFORMATION: DO N	OT COPY OR DISTRIBUTE WITH	HOUT EXPRESS WRITTEN CONSENT FRO	OM XCEL ENERGY			
GREEN VALLEY SUBSTATION GRVL						
<b>O</b> Xcel Energy <sup>®</sup>	0665-002.	005S01	scale 1"=40'-0"	REV 0		

**N**BURNS

ATTACHMENT D: FENCE DETAILS





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ITEM #	C
SPECIAL	
SPECIAL	
CONTRACTO	DR

REV	DATE	WBS 4	REVISION DESCRIPTION	REV	DATE	WBS 4	

ATTACHMENT E: PROOF OF TAXES



## **Statement Of Taxes Due**

		Grand Total Due as of 07/24/2024					
Year	Tax	Interest	Fees	Payments	Balance		
	BEG AT NW COR SW4 SEC 34 WH SW C0 D 18M E 1631/67 FT TH W 1030/01 FT TH						
Legal Description			Situs Address				
		1123 W 3		1			
Assessed To		PUBLIC SERVICE COMPANY OF COLORADO C/O:C/O AUDREY QUINTANA					
Account Number R012247	2	Parcel 015	Parcel 0156534300001				

Tax amounts are subject to change due to endorsement, advertising, or fees. Please call the office to confirm amount due after August 1st.

All Tax Lien Redemption payments must be made with cash or cashier's check.

Adams County Treasurer &Public Trustee 4430 S Adams County Parkway, Suite W1000 Brighton, CO 80601 720-523-6160 ATTACHMENT F: PROOF OF OWNERSHIP

### SPECIAL WARRANTY DEED

THIS DEED, Made this January 12, 2000, between

The Leone Hosmer Trust and The Harold W. Hosmer Trust

of the County of ADAMS, State of Colorado, grantor(s), and

**Public Service Company of Colorado** 

whose legal address is 1225 17th Street, Denver, Colorado 80202-5533

of the County of Denver, State of Colorado, grantee(s):

### SEE EXHIBT "A" ATTACHED HERETO AND MADE A PART HEREOF

also known by street and number as VACANT LAND:

GRANTOR HEREBY EXCEPTS AND RESERVES ALL OF THE OIL, GAS, HYDROCARBONS AND OTHER MINERALS OF WHATSOEVER NATURE, IN AND UNDER THE LANDS CONVEYED HEREBY TOGETHER WITH ANY AND ALL PROCEEDS INCLUDING, BUT NOT LIMITED TO BONUSES, ROYALTIES AND RENTALS ACCRUING UNDER ANY PRESENTLY EXISTING OIL, GAS OR MINERAL LEASE OR LEASES COVERING SAID LANDS AND SHOWN OF RECORD IN THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE. IT IS EXPRESSLY UNDERSTOOD HOWEVER, THAT GRANTOR, ITS OR THEIR HEIRS, SUCCESSORS AND ASSIGNS SHALL HAVE NO FURTHER RIGHT OF ACCESS, WHICH RIGHT IS HEREBY RELINQUISHED TO GRANTEE, INCLUDING INGRESS AND EGRESS, OVER AND ACROSS THE SURFACE OF SAID LANDS FOR ANY PURPOSE RELATING TO THE EXTRACTION, EXPLORATION OR MINING OF SUCH OIL, GAS AND OTHER MINERALS HEREIN RESERVED BY GRANTOR.

**TOGETHER** with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the 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), their heirs and assigns forever. The grantor(s), for themselves, their heirs and personal representatives or successors, do covenant and agree that they shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee(s), their heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor(s).

IN WITNESS WHEREOF, The grantor(s) have executed this deed on the date set forth above. The Leone Hosmer Trust The Harold W. Hosmer Trust

The Leone Hosmer Trust Leone Bv:

Leone Hosmer, Trustee Havel & larold W. Hosmer, Trustee

The foregoing instrument was acknowledged before me on \_January 12, 2000

. Hosmer, Trustee ne Ito

Leone Hosmer, Trustee

MARILYN A. BITTERMAN NOTARY PUBLIC STATE OF COLORADO My Commission Expires 06/27/2000

by

Harold W. Hosmer and Leone Hosmer, as Trustees of The Harold W. Hosmer Trust and Harold W. Hosmer and Leone Hosmer, as Trustees of The Leone Hosmer Trust

Witness my hand and official seal.

STATE OF COLORADO

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

My commission expires: June 27, 2000

File No. 99-02-3297

Amas Notary Publi

C0636203 1/31/2000 11:44:42 BK: 6021 PG: 0739-0740 10.00 DOC FEE: CAROL SNYDER ADAMS COUNTY Date 6 0 State Doc. Fee 9.64



• 、

Mail: PO Box 22026 / Denver, CO / 80222 / USA Delivery: 2450 S. Peoria St./ Aurora, CO / 80014 303/751-0741 / Fax 303/751-2581

> Job No: 50012312-27 File: GREENV.txt Date: August 3, 1999

> > 7

EXHIBIT "A" <u>PROPERTY DESCRIPTION</u> GREENVALLEY SUBSTATION SITE

A portion of the Southwest Quarter of Section 34, Township 1 South, Range 64 West of the 6th Principal Meridian, Adams County, Colorado, being more particularly described as follows:

BEGINNING at the Northwest Corner of said Southwest Quarter of Section 34, whence the Southwest Corner of said Southwest Quarter of Section 34 bears SO1°18'37"E a distance of 2636.70 feet; THENCE S89°47'30"E along the northerly line of said Southwest Quarter of Section 34 a distance of 1030.01 feet; THENCE S01°18'37"E a distance of 1631.67 feet; THENCE N89°47'30"W a distance of 1030.01 feet; THENCE N01°18'37"W along said westerly line of Southwest Quarter of Section 34 a distance of 1631.67 feet to the POINT OF BEGINNING.

Containing 38.568 Acres, more or less.

WILLING REG 1 fu ames 13155 Date 999 Job on behalf For and STAAL LANO Merria ALL LANU

ATTACHEMENT G: EXAMPLES OF THE NEW PHYSICAL SECURTIY FENCING AND SCREENING

