

PLANNING COMMISSION

Carlos Barron
Lynne Derby
Kathy Kvasnicka

Mike Simone, Chairperson

Thomas Meyers
Paul Weber

Bushrod White, Vice-Chairperson
Mark Grajeda, Alternate

**Planning Commission Agenda
Regular Meeting
Virtual Meeting via GoToMeeting*
Thursday, January 28, 2021
6:00 P.M.**

(Order & Contents Subject to Change by Action of the Commission)

**This meeting will be held virtually only.
Login information on how to attend this virtual meeting is on the second page of this Agenda.*

Call to Order – Roll Call

Approval of Agenda

Consent Agenda – Consent Agenda items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda items unless a Commission member so requests, in which case the item may be removed from the Consent Agenda and considered at the end of the Consent Agenda.

- a. Approval of the Minutes of the January 14, 2021 Meeting

Public Comment – This portion of the Agenda is provided to allow members of the audience to present comments to the Planning Commission related to items not otherwise listed on the Agenda.

Action Items

- b. **P2021-003: Mericle RV Propane Tank Special Use Permit**
- c. **P2021-004: Been Annexation & Initial Zoning**

Discussion Items

- d. Review of Meeting Discussion
- e. Development Code Update

Future Business

- f. Next Meeting: February 11, 2021

Adjourn

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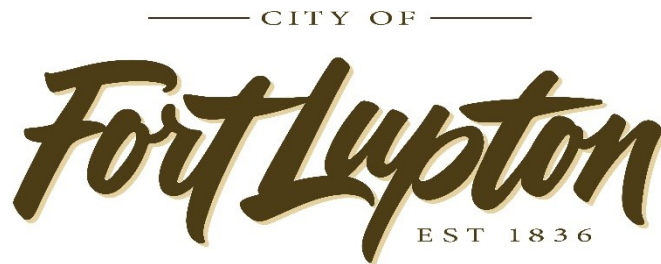
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Virtual Meeting Instructions

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When calling in, please be sure to mute your microphone on your computer, phone or tablet. Planning staff and/or the Chairman of the Planning Commission will provide instructions on when and how comments can be made by the public virtually.



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**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
January 14, 2021**

The Planning Commission of the City of Fort Lupton met in session virtually via GoToMeeting, on Thursday, January 14, 2020.

Chair Mike Simone called the meeting to order at 5:59 p.m.

ROLL CALL

Roll was taken and those present were Chair Mike Simone and Commission Members Carlos Barron, Lynne Derby, Kathy Kvasnicka, Thomas Meyers, Paul Weber. Also in attendance were Planning Director Todd Hodges, City Planner II Alyssa Knutson, City Planner I Maria Lancto, and Planning Assistant Magaly Morales-Tejada.

Chair Simone gave the following advisement:

Tonight's meeting shall be held virtually so as to ensure the health and safety of the general public and the City of Fort Lupton City Council, Planning Commission and staff.

The intent and purpose of the virtual appearance options is to allow the City to be innovative in providing the general public the most meaningful access possible in light of the current challenges present as a result of the Covid-19 pandemic.

An electronic link has been made available for tonight's meeting on the City's website and social media platforms and as posted at City Hall, so that the general public, Planning Commission and staff may participate electronically via the internet or on the phone.

APPROVAL OF AGENDA

Chair Simone called for a motion to approve the agenda. It was moved by Member Kathy Kvasnicka and seconded by Member Lynne Derby.

CONSENT AGENDA

Chair Simone called for a motion to approve the consent agenda. It was moved by Carlos Barron and seconded by Member Kathy Kvasnicka.

PUBLIC COMMENT

Chair Simone asked if there was anyone who would like to comment on an item not on the agenda tonight. There was one, JT Walker. Chair Simone explained how the public comment portion works and asked if the public had an item not on the agenda. JT Walker stated he didn't have a comment at the moment and was just curious as to what this meeting was about. Chair Simone closed Public Comment.

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
January 14, 2021**

ACTION ITEMS

Election of Officers

Chair Mike Simone stated that he is currently the Chairperson and Bushrod White is the Vice-Chair. He asked for a motion for the Chair of the Planning Commission.

Planner Alyssa Knutson explained that there may now be a nomination for who the Board feels should be Chair.

Chair Simone asked if there were any nominations.

Paul Weber asked if this included re-election.

Chair Simone stated yes.

Member Kathy Kvasnicka motioned to nominate Mike Simone as Chairperson. Member Thomas Meyers seconded.

Chair Simone asked if there were any other nominations, hearing none Chair Simone took a vote. The election passed unanimously.

Chair Simone then stated that Bushrod White is the current Vice-Chair and asked if there was a nomination for Vice-Chair.

Member Paul Weber nominated Bushrod White as Vice-Chair, Member Kathy Kvasnicka seconded.

Chair Simone asked if there were any other nominations for Vice-Chair, hearing none Chair Simone took a vote. The election passed unanimously.

P2021-001 Lupton Lakes Inlet/Outlet Facility & Pipeline Project Special Use Permit

Chair Mike Simone asked staff to introduce this item.

Planner Alyssa Knutson presented the proposal. She stated the pipeline would extend from Denver Water's Lupton Lakes Complex property which is located at the northwest corner of Denver Ave. and County Road 8, and just east of the McAda property. She stated the pipeline would continue to the river at the Hunt Brothers property, which will have an Inlet/Outlet structure built. The Hunt Brothers property is located east and adjacent to the river and north and adjacent to County Road 8. She stated there are some easements required that she will allow the applicant to explain further. She stated that a special use permit is required, because it is not a use listed in the Agricultural or I-2 Heavy Industrial zone districts, which

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
January 14, 2021

are the districts being impacted. She explained however that the Code allows for public utility facilities and staff has determined that it is a similar use. Ms. Knutson stated that notice was posted in three visible locations along the project site, published in the newspaper, and mailings to neighbors within 100 feet of the three parcels involved were sent out. Ms. Knutson then stated the applicant has a presentation.

Chair Simone asked the applicant for their name and address.

Applicant stated his name as Brad Piede. He provided the Denver Water address 1600 12th Ave Denver CO 80204.

Chair Simone asked if Mr. Piede if he understood that members of the Planning Commission may be appearing tonight via virtual connection and may not be appearing in-person.

Mr. Piede stated yes.

Chair Simone asked if he consented to the applicable members voting on their submittal, even though said members are not present in person.

Mr. Piede stated yes.

Chair Simone asked if he understood that he has the right to continue this public hearing to such a date to allow a full in-person public hearing.

Mr. Piede stated yes.

Chair Simone asked if he has agreed to voluntarily waive that right on behalf of the applicant or themselves by proceeding tonight electronically.

Mr. Piede stated yes.

Chair Simone asked if he voluntarily signed and submitted the written waiver and consent to proceed electronically tonight.

Mr. Piede stated yes.

Chair Simone asked if he waived his right to proceed in an in-person public hearing and have consented to proceed forward voluntarily tonight in this virtual planning commission meeting, is that correct.

Mr. Piede stated yes.

Mr. Piede introduced himself as the design project manager, and introduced his team. Mr. Piede explained that Lupton Lakes is the northern most incomplete gravel pit downstream

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
January 14, 2021**

reservoir system for Denver Water. He explained that Lupton Lakes is divided into 2 cells, with the North Cell being largely complete and the South Cell in the process of being mined. He provided more background on the complex. He stated that this project specifically is to get a pipeline from the reservoirs to the river. He stated that they have received approval from CDOT and an easement from McAda properties. Mr. Piede listed the permits that they have received or are currently in contact with from this project. He concluded the presentation by explaining why this pipeline is being built now. He stated that there was a lot of development in the Lupton Lakes area and Denver Water felt the need to get the pipe in the ground and worry about the aboveground installations later.

Chair Simone asked Mr. Piede if he has had a full and fair opportunity to present all facts, submittals, documents, testimony and presentations in support of his application before the Planning Commission tonight.

Mr. Piede stated yes.

Chair Simone opened up the public comment portion of the hearing.

JP Walker from the public stated he didn't think it affects his living situation and then stated he was curious if the North Cell would be open to the public.

Chair Simone closed the public hearing.

Brad Piede answered JP Walker by saying the other cells are not generally open to the public and he believes it is unlikely that it will be. Mr. Piede said there has been discussions about a potential trail through or adjacent to the reservoir. He stated the complex is very much still under development.

Chair Simone asked Mr. Piede if he felt he had a full and fair opportunity to participate in the public meeting tonight.

Mr. Piede stated yes.

Chair Simone asked the Commissioners if they had any questions; seeing none, he requested a motion to approve Resolution P2021-001.

It was moved by Member Paul Weber and Member Kathy Kvasnicka seconded.

Motion was approved unanimously.

P2021-002 Toews Annexation & Initial Zoning

Chair Simone asked staff to present.

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FORT LUPTON PLANNING COMMISSION
January 14, 2021

Planner Maria Lancto stated that this application was submitted by Leonard and Sherry Toews, known as the “Toews Annexation”, with initial zoning to the agricultural zone district. She stated the site is located on the northwest corner of Highway 52 and County Road 23 and adjacent to the city limits along its southern boundary. Ms. Lancto stated that the area to be annexed is approximately 33.77 acres. She explained that the applicant’s goal for annexation is to be able to work with the City for future development projects. Ms. Lancto stated that all notification requirements had been met including posting at the property, publishing in the newspaper, and mailing to adjacent properties. She stated that applicant Leonard Toews is present and would be happy to address any questions.

Chair Simone asked the applicant if he had a formal presentation.

Leonard Toews stated he did not but believed that Planner Maria Lancto did a great job presenting. He did add that his property is the first property on the north side of Highway 52 that comes out of the floodplain. He stated that the two properties to the west of his property annexed in to Fort Lupton a few years prior.

Member Carlos Barron asked if he was surrounded by annexed property.

Leonard Toews said they were not entirely surrounded.

Chair Simone asked Leonard Toews if he understood that Members of the Planning Commission may be appearing tonight via virtual connection and may not be appearing in-person.

Mr. Toews stated yes.

Chair Simone asked if he consented to the applicable members voting on their submittal, even though said members are not present in person.

Mr. Toews stated yes.

Chair Simone asked if he understood that he has the right to continue this public hearing to such a date to allow a full in-person public hearing.

Mr. Toews stated yes.

Chair Simone asked if he has agreed to voluntarily waive that right on behalf of the applicant or themselves by proceeding tonight electronically.

Mr. Toews stated yes.

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
January 14, 2021**

Chair Simone asked if he voluntarily signed and submitted the written waiver and consent to proceed electronically tonight.

Mr. Toews stated yes.

Chair Simone asked if he waived his right to proceed in an in-person public hearing and has consented to proceed forward voluntarily tonight in this virtual planning commission meeting, is that correct.

Mr. Toews stated yes.

Chair Simone asked Mr. Toews if he has had a full and fair opportunity to present all facts, submittals, documents, testimony and presentations in support of the Applicant's application before the Planning Commission tonight.

Mr. Toews stated yes.

Chair Simone asked Mr. Toews if he had anything he would have like to present in support of his application that he felt he was prevented from doing.

Mr. Toews stated no.

Chair Simone opened up the public comment portion of the hearing. Hearing no-one from the public wishing to speak, Chair Simone closed the public comment portion.

Chair Simone asked Mr. Toews if he has had a full and fair opportunity to participate in the public meeting.

Mr. Toews stated yes.

Chair Simone opened up the hearing to Planning Commissioners' comments and questions. Hearing none, he requested a motion to approve Resolution2021-0002. It was moved by Member Paul Weber and seconded by Member Carlos Barron.

Motion was approved unanimously.

DISCUSSION ITEMS

Review of Meeting Discussion

A review of meeting discussions took place.

Development Code Update

A discussion of the Development Code Update took place.

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
January 14, 2021**

FUTURE BUSINESS

Next Meeting of the Planning Commission

The next meeting of the Planning Commission is scheduled for January 28, 2021 at 6:00 PM.

ADJOURNMENT

Member Kathy Kvasnicka made a motion to adjourn.

Member Lynne Derby seconded.

Chair Mike Simone adjourned the meeting at 6:38 PM.

Magaly Morales-Tejada, Planning Assistant

Approved by Planning Commission

Mike Simone, Chair

RESOLUTION NO. P2021-003

A RESOLUTION OF THE PLANNING COMMISSION OF FORT LUPTON RECOMMENDING TO CITY COUNCIL APPROVAL OF MIKE MERICLE'S APPLICATION FOR A SPECIAL USE PERMIT FOR A 1,000 GALLON ABOVEGROUND FUEL TANK AT 1352 FACTORY DRIVE AND LOCATED IN THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF FORT LUPTON, COUTNY OF WELD, STATE OF COLORADO.

WHEREAS, the Planning Commission held a public hearing on January 28, 2021, for the purpose of reviewing Mike Mericle's special use permit application for the addition of a 1,000-gallon aboveground fuel tank; and

WHEREAS, after review of the application and supporting documentation, the Planning Commission finds the request for a special use permit generally conforms with City codes and requirements and policies therein; and

WHEREAS, all legal requirements for the public hearing have been met including publication of the legal notice in the Fort Lupton Press, mailing of public hearing notices to adjacent property owners within 100 feet and posting of the hearing on the site; and

NOW THEREFORE BE IT RESOLVED, the Planning Commission has considered the application and has taken into consideration all referral comments and any citizen testimony in response to this application. Based upon the facts presented on this date, the Planning Commission hereby recommends approval of Mike Mericle's special use permit for the addition of a 1,000-gallon aboveground fuel tank on a property at 1352 Factory Drive and located in the North Half of the Southeast Quarter of Section 31, Township 2 North, Range 66 West of the 6th P.M. in Fort Lupton, Colorado, with the following conditions:

- I. Prior to recording the special use permit map:
 - A. The title of the site plan and special use permit map shall include the Project No.: LUP2020-0037 & Plan No. SUP2020-0008.
 - B. Any redline comments provided by staff shall be made to the special use permit map.
 - C. Applicant shall provide written acknowledgement of the comments from United Power.
 - D. Applicant shall delineate on the Special Use Permit map a 20-foot fire department access through the property from gate to gate.
 - E. The following note shall be added:

1. Any future expansion of the site or addition of a buildings or other structures not shown on the special use permit map will require the review from the Planning Department, Building Department, Engineering Department and the Fire District to determine if additional requirements are necessary prior to release of building permits.

II. Prior to the release of building permits for the fuel and propane tanks:

- A. Written evidence shall be provided to show that any comments from the Fort Lupton Fire Protection District requirements have been adequately addressed.
- B. One set of Mylars of the map shall be submitted to the Planning Department for recording.

DONE THIS 28^h DAY OF JANUARY, 2021 BY THE PLANNING COMMISSION FOR THE CITY OF FORT LUPTON, COLORADO.

Chairman

ATTEST:

Planning Director

**MERICLE RV PROPANE TANK
SPECIAL USE PERMIT STAFF REPORT
Project No. LUP2020-0037 & Plan No. SUP2020-0008**

PROJECT DESCRIPTION

Project No.: LUP2020-0037 / Plan No. SUP2020-0008

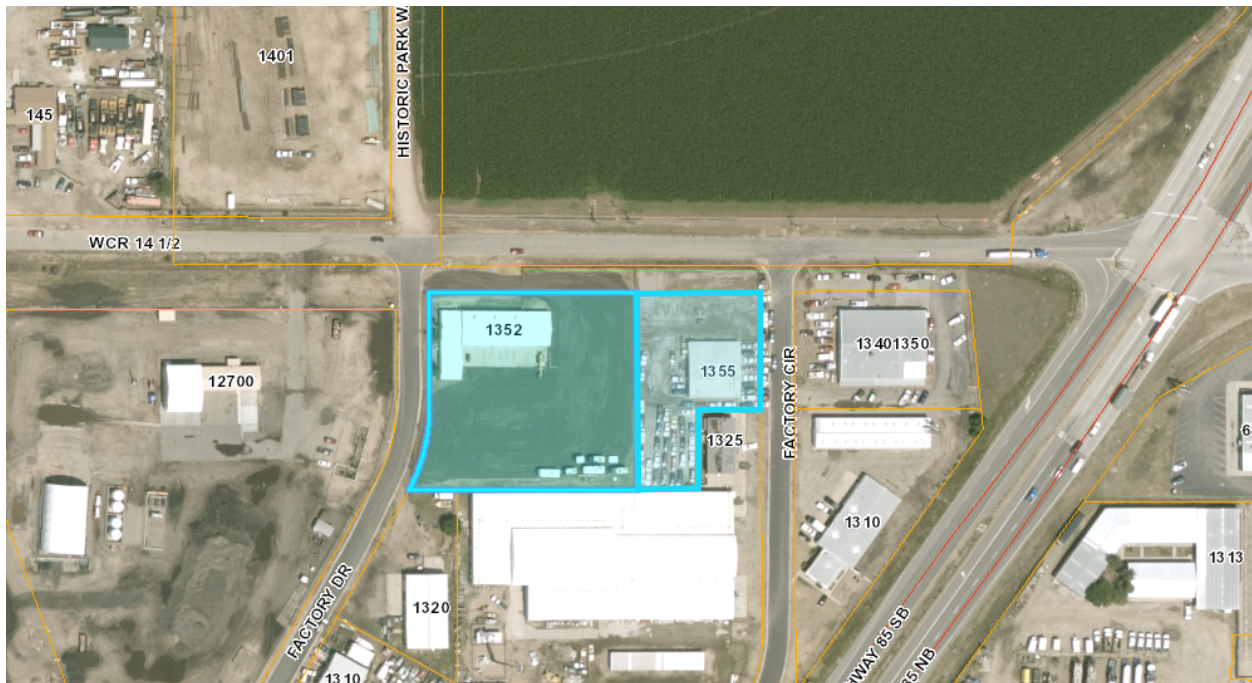
Project Name: Mericle RV Propane Tank Special Use Permit

Applicant's Name: Mike Mericle

Representative: Byron Smith with Amerigas and Kyle Ferguson with Mericle RV

Location of Request:

The site is located at 1352 Factory Drive in the North Half of the Southeast Quarter of Section 31, Township 2 North, Range 66 West of the 6th P.M. in Fort Lupton, Colorado. The site is situated at the southeast corner of County Road 14 ½ and Factor Drive.



Nature of Request:

The Applicant has submitted a request for a special use permit for the installation of a 1,000-gallon aboveground propane tank on their property located at 1352 Factory Drive. The tank will be used in conjunction with existing RV sales operations occurring at the site.

Site Size: The Property is 2.0 acres, more or less.

Zone District: 'I-1' Light Industrial

Proposed Use: The installation of an aboveground propane tank in conjunction with currently existing RV sales operation.

Existing Use: Sales of Recreational Vehicles (RVs). Existing use to continue.

Hearing Dates: Planning Commission: Thursday, January 28, 2021 at 6:00

City Council: Tuesday, February 16, 2021 at 7:00 PM

Hearing Location: Fort Lupton City Hall – Council Chambers, 130 S. McKinley Ave., Fort Lupton, Colorado, or virtually via GoToMeeting.

Staff Recommendation: Approval with conditions, as shown on the proposed resolution.

SUMMARY OF PREVIOUS APPLICATIONS

An Administrative Site Plan was approved for this property on September 14, 2020, known as the Mericle RV Administrative Site Plan; LUP2020-0025 & SPR2020-0009.

APPLICATION PROCESS

The Applicant is requesting approval of a special use permit for an aboveground storage tank. A special use permit application is processed under [Section 16-7](#) of the Code.

After required public notice of the special use permit application, the Planning Commission shall consider the application, referral comments and any public testimony at a public hearing and make a recommendation to City Council to approve, approve with conditions or deny the special use permit. The Planning Commission's comments shall be based on the evidence presented, conformance with the Comprehensive Plan and compliance with the City's standards, regulations and policies.

The City Council shall then conduct a public hearing and evaluate the application, referral agency comments, Planning Commission recommendation and any public testimony, and shall approve, conditionally approve, continue for additional information or for further study or deny the application based on the evidence presented and compliance with the City's standards, regulations and policies and other guidelines.

NOTIFICATION REQUIREMENTS

The Zoning Regulations require published notice of the hearings at least fifteen (15) days prior to the hearings. The Planning Commission and City Council hearings was published in the Greeley Tribune on January 13, 2021 and in the Fort Lupton Press on January 20, 2021.

Notice of the public hearings was posted on January 13, 2, 2020 at the Property, which is at least fifteen (15) days prior to the hearings, as required by the Zoning Regulations.

Notice was mailed to neighbors within one-hundred (100) feet of the Property on January 11, 2021, 2020, as required by the Zoning Regulations of the Code.

CONFORMANCE WITH CITY STANDARDS, REGULATIONS AND POLICIES

The property is located within the 'I-1' Light Industrial Zone District. The Municipal Code does not list an aboveground storage tank for propane and fuel as a use by right, but does specifically list it as being allowed with an approved special use permit. Section 16-7 states that it is the intent of the special use permit is to provide flexibility, to provide a means for setting performance standards for individual land uses and to help diversify uses within a zoning district. It furthers states that the list of permitted uses in each zone district is exclusive, meaning that uses not specifically described are not permitted, but similar uses and compatible uses, may be permitted as special uses as set forth in [Section 16-7].

Section 16-7(d) states that the City shall use the following criteria to evaluate the Applicant's request for a special use permit:

1. The special use shall satisfy all applicable provisions of the Code and shall be consistent with the intent of the Comprehensive Plan.

Staff Comment: Because the operations are an existing use that complies with the 'I-1' Light Industrial Zone District, the proposed addition of the aboveground tank satisfies the intent of the Code. The Comprehensive Plan designates this area as the Light Industrial and Office zone. The proposed aboveground storage tanks will be in conjunction with the existing RV sales operation on the site, and staff has determined the use is consistent with the intent of the Comprehensive Plan and will not interfere with a future potential transition to commercial.

2. The special use shall not substantially alter the character of the district or the neighborhood.

Staff Comment: The property is located adjacent to agricultural land to the north and industrial land uses to the east, south, and west. The proposed aboveground storage tank will have minimal impact to neighboring properties.

3. The special use will result in efficient on- and off-site traffic circulation, and will not have an adverse impact on adjacent uses or present hazardous conditions for pedestrians or vehicles.

Staff Comment: The proposed use does not add additional traffic from what currently exists from the RV sales operation.

4. Adequate conditions of approval shall address: traffic; activity levels; light; noise; odor; building type, style and scale; hours of operation; dust; erosion and other performance issues identified through the public hearing process.

Staff Comment: The aboveground propane tank will have minimal impact on these items. Conditions of approval will address any item that is impacted.

5. The term of the special use permit and any reporting and inspection requirements as might be reasonably necessary to ensure compliance with conditions of approval may also be specified by the City Council.

Staff Comment: A special use permit is non-transferable, and therefore if a new owner were to occupy the property the aboveground fuel tank approved through this application would no longer be permitted unless a new application were submitted and approved. Planning Department staff will ensure compliance with other conditions of approval, either as listed on the proposed Resolution or as added by City Council.

CONFORMANCE WITH THE COMPREHENSIVE PLAN

The Fort Lupton Comprehensive Plan designates this area as the Light Industrial and Office use type. The proposed use compliments this use type.

REFERRALS

Referrals were provided to the list below. Any comments received are enclosed with the Planning Commission packet.

Building / Grounds Manager	Building Inspector	OMI
City Attorney	GIS Specialist	Police Chief
Public Works Director	Finance Director	Fort Lupton Fire Protection District
CDOT	Division of Water Resources	United Power
Comcast	CenturyLink	Xcel Energy
Weld County Department of Planning		

STAFF RECOMMENDATION

Staff recommends conditional approval of the Mericle RV Propane Tank Special Use Permit. Conditions are listed under the proposed Resolution included with the Planning Commission packet.

For more information on this development, please refer to the Planning Commission packet provided. Additional documents are available for review at the Fort Lupton City Hall.



Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621

Phone: 303.857.6694
Fax: 303.857.0351

www.fortluptonco.gov

Project No. _____

Land Use Application Form

A. CONTACT INFORMATION

- 1) Property Owner Name: MIKE MERELLE
 Company: MERELLE RV
 Phone: 970.833.1395 Email: Mike.MERELLE@MerelleRV.com
 Address: 1352 FACTORY DRIVE Fort Lupton CO 80621
 Preferred method of contact? Email Phone: _____ Mail: _____
- 2) Representative Name: Byron Smith
 Company: Amerigas
 Phone: 303.349.0037 Email: Byron.Smith@Amerigas.com
 Address: 1036 SMITHFIELD DR. Fort Collins CO 80524
 Preferred method of contact? Email Phone: _____ Mail: _____
- 3) Billing Contact (where invoices should be directed to): Kyle FERGUSON
 Billing Company: Merelle R.V.
 Phone: 970.833.1395 Email: Kyle@MerelleRV.com
 Address: 1352 FACTORY DRIVE Fort Lupton CO 80621

B. SITE DESCRIPTION

Site Address: 1352 Factory Drive Fort Lupton CO 80621
 Parcel Number: _____
 Existing Zone Classification: I-1 Proposed Zone Classification: I-1
 Water Type: CITY Name: Fort Lupton
 Sewage Type: CITY District Name or Location Hauled to: _____

C. APPLICATION TYPE (CHECK ALL THAT APPLY)

Sketch Plat	Administrative Site Plan	PUD Plan (Preliminary & Final)
Preliminary Plat	<u>Special Use Permit</u>	Variance
Final Plat	Oil & Gas Permit	Administrative Variance
Minor Subdivision	Annexation & Initial Zone	Appeal
Amended Plat	Change of Zone	Other: _____
Site Plan	Comp Plan Amendment	

D. PROJECT DESCRIPTIONProject Name: PROPANE TANK

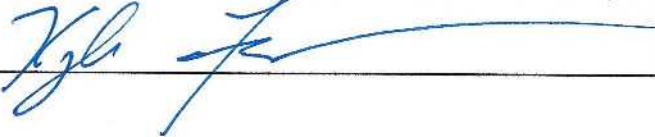
Please provide a short description of the proposed project in the space provided below:

WE ARE LOOKING TO ADD A 1,000 GALLON
L.P. TANK AND DISPENSER**E. REQUIRED DOCUMENTS**

For an application to be considered complete, and for planning staff to begin review and schedule any applicable public hearings, this Land Use Application Form must be fully completed and all required attachments included. Planning staff will review the application for completeness and will provide notice to the representative and/or owner whether the application has been deemed complete.

F. CERTIFICATIONS**Representative Certification**

By signing this application, I attest that I am acting with the knowledge and consent of all owners of the property that is the subject of this application, and that I have been designated to act as the representative for the project described in this land use application. I further certify that all information submitted with this application is true and accurate to the best of my knowledge.

Representative:  Date: 9/9/2020**Owner Certification**

I hereby certify that I am the legal owner of record of the property that is the subject of this application. I authorize the representative listed on this application, if any, to communicate directly with City officials and to submit documentation and information regarding this application on my behalf.

Owner:  Date: _____

For Office Use Only

Received Date: _____

If the application is not complete, state reasons why it is incomplete:

Deemed Complete Date: _____

Fees Submitted: _____ Escrow Submitted: _____

Instructions for Submitting the Land Use Application Form

DEFINITIONS

Words in the singular include the plural and words in the plural include the singular.

Application refers to the official submittal to the City of Fort Lupton's Planning Department for review of the proposed land use development identified in the land use application form. The application includes the form, all materials submitted for review of the project, including those documents required under the Land Use Regulations of the Municipal Code, and any additional information provided.

Project refers to the land use development identified on the land use application form and application materials.

Property refers to the land that is being proposed for development as described in the land use application form and application materials.

A. CONTACT INFORMATION

- 1) Provide contact information for all owners of any property that is the subject of the application. If the contact information for all property owners will not fit on the space provided, submit a separate sheet for the additional owners.
- 2) Provide contact information for all persons, firms or businesses that are authorized by the owners identified in Section A(1) to work on the land use application, including, but not limited to, discussing the project, submitting application materials, and attending meeting and hearings. If the contact information for all representatives will not fit on the space provided, submit a separate sheet for the additional representatives.
- 3) Provide contact and mailing information for the person that should receive all invoices for the project. If this person changes at any time, contact the Planning Department immediately to update this information.

B. SITE DESCRIPTION

Provide all information requested. Parcel numbers and address information may be found at the Weld County Property Portal at <https://www.co.weld.co.us/maps1/propertyportal/>. Current zoning can be found at <https://www.fortluptonco.gov/405/Zoning>.

C. APPLICATION TYPE

Select the land use application that is applicable to the project. If there are multiple land use application types being submitted to run concurrently, select all that apply. The land use application types will be identified during the required pre-application meeting. If you have any questions about this, please contact the Planning Department at 303.857.6694 or planningdept@fortluptonco.gov.

D. PROJECT DESCRIPTION

Please select a project name that will be referenced throughout the project and a description of what the project entails. If you need more space for the project description, please attach a separate sheet.

E. REQUIRED DOCUMENTS

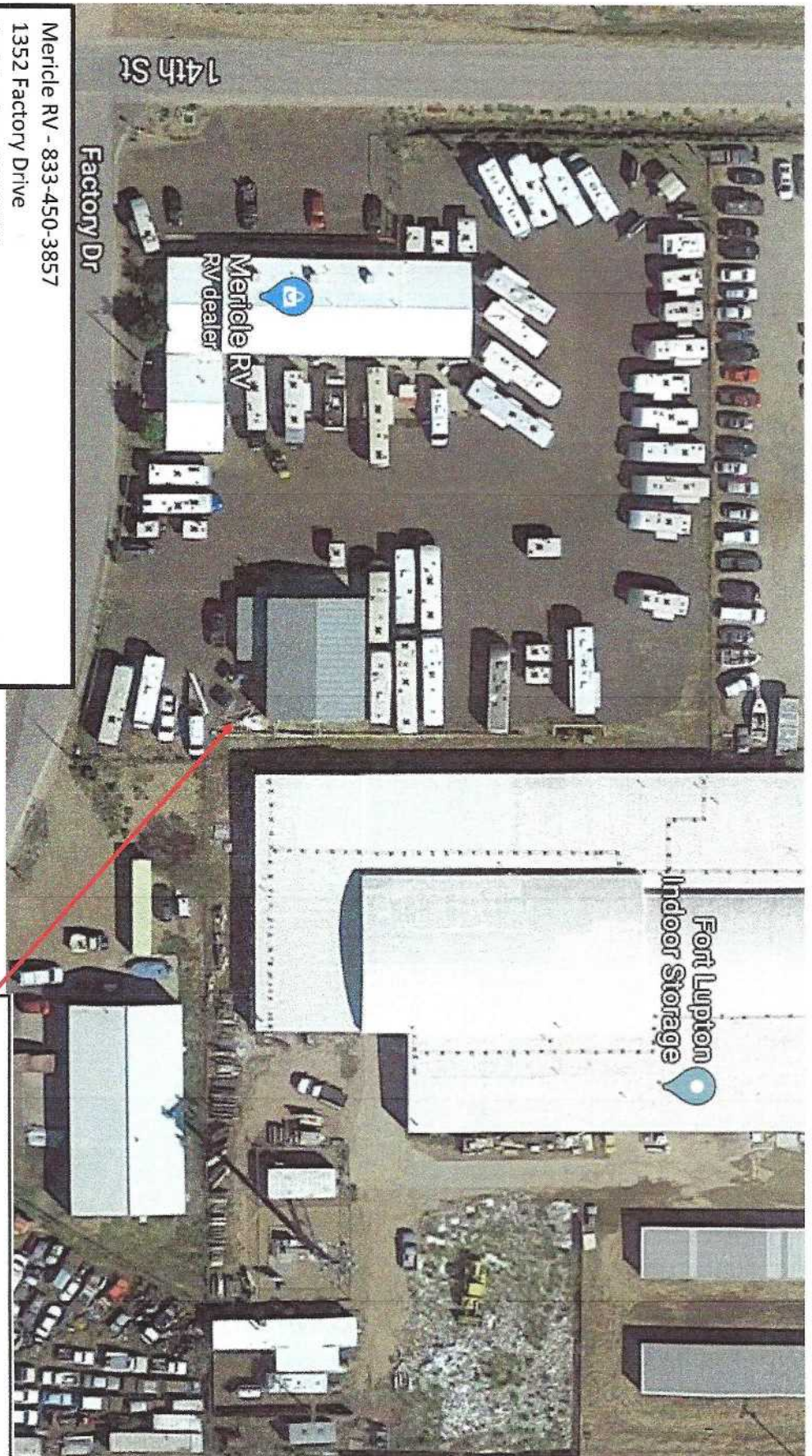
Required documents will be discussed during the pre-application meeting with the Planning Department. If any documents are missing, the acceptance of the application may be delayed until the submittal is complete.

F. CERTIFICATIONS

Representative Certification. Provide the signature of all authorized representatives in this section.

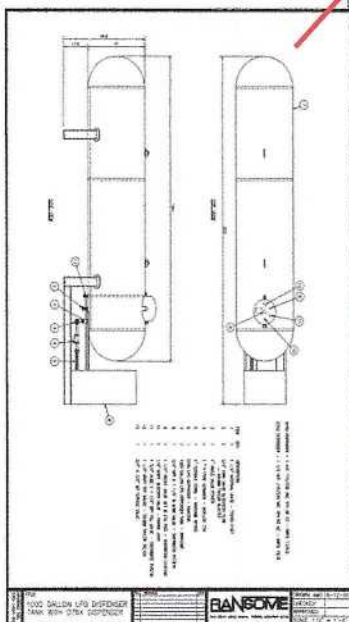
Owner Certification. Provide the signature of all owners of properties included in the application in this section.

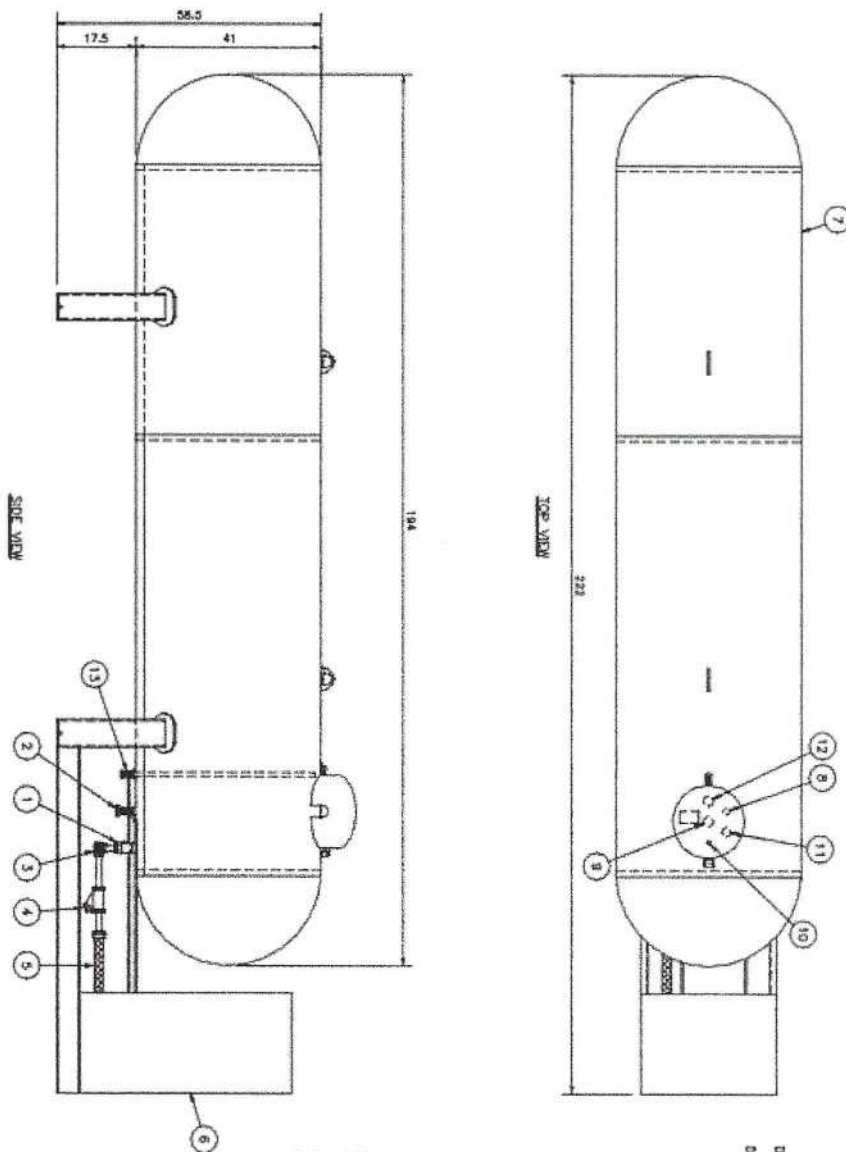
For any other questions, please contact the Planning Department at 303.857.6694 or planningdept@fortluptonco.gov.



Mericle RV - 833-450-3857
 1352 Factory Drive
 Fort Lupton, CO 80621

1,000 gallon tank & dispenser will be placed 25 feet from any buildable property line and 25 feet from any existing building. The dispenser will be protected from vehicle traffic with concrete bollards. The electrical supply will comply Class 1 Group D Division 1 or Division 2, and be equipped with all required seal off devices as required in NFPA 70.





D76X DISPENSER - 1 HP, 115/230 VAC 1PH 60 HZ - AMP'S 15/6.4
D76X DISPENSER - 1 1/2 HP, 115/230 VAC 1PH 60 HZ - AMP'S 16/8

ITEM	QTY.	DESCRIPTION
1	1	1 1/4" INTERNAL VALVE - FISHER C407
2	2	3/4" HAWK VALVE W/EXCESS FLOW - SOLARB TAYLOR KALOTED
3	1	1" ANGLE VALVE FISHER
4	1	1" Y-TYPE STRAINER - WETTER 774
5	1	1" FLEXIBLE CONVL. - RANSOME W1000
6	1	D76X LPG DISPENSER - RANSOME
7	1	1000 GALLON LPG DISPENSER TANK - RANSOME
8	1	3/4" NPT X 1 1/4" N ANGLE VALVE - SHERWOOD P1878
9	1	1 1/4" RELIEF VALVE SET @ 275 PSIG - SHERWOOD L14534C
10	1	1/4" NPT, BLIND VALVE - FISHER J400
11	1	1 3/4" ANGLE X 1 1/4" NPT TAIL VALVE - SHERWOOD P1823A
12	1	1 1/4" NPT TOP GAUGE - SOLARB TAYLOR T4010A
13	1	3/4" X 3/8" WP SERVICE VALVE

DRAWING NO.
D20-1000-00

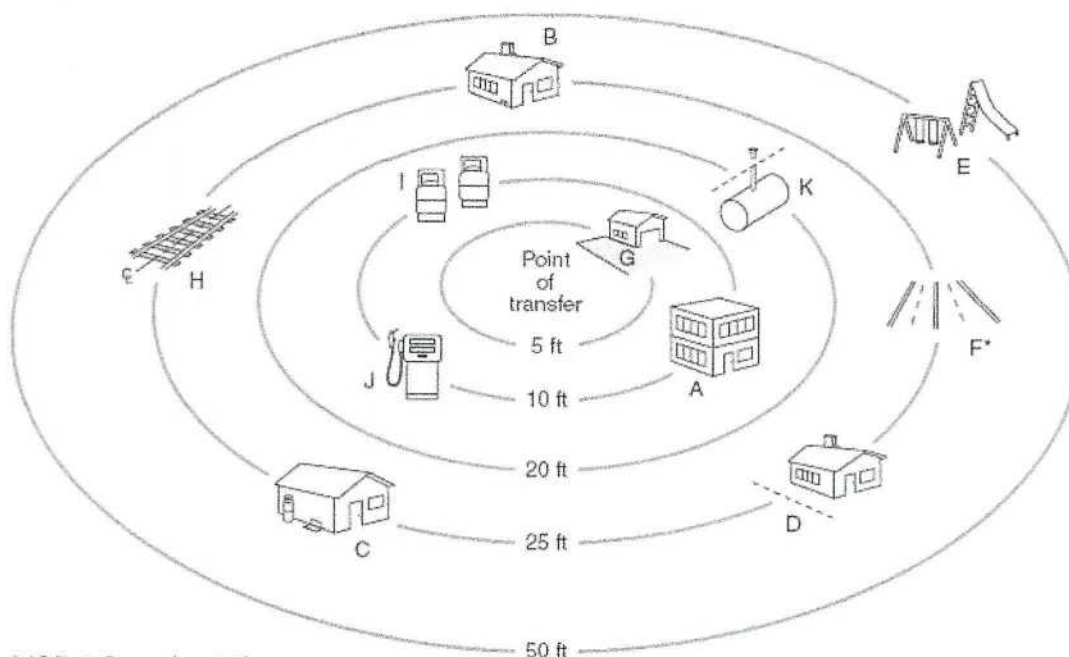
TITLE:
1000 GALLON LPG DISPENSER
TANK WITH D76X DISPENSER

NO.	REVISION	DATE

RANSOME
3901 SOUTH MAPLE AVENUE FREEMONT, CALIFORNIA 94720

DRAWN: AMD 5-12-00
CHECKED:
APPROVED:
SCALE: 1/2" = 1'-0"

Dispenser Installation Points of Transfer To Exposures



* 10 ft at dispensing stations

TABLE 6.5.3 Distance Between Point of Transfer and Exposures

Part	Exposure	Minimum Horizontal Distance	
		ft	m
A	Buildings, ^a mobile homes, recreational vehicles, and modular homes with fire-resistive walls ^b	10 ^c	3.1
B	Buildings ^a with other than fire-resistive walls ^b	25 ^c	7.6 ^c
C	Building wall openings or pits at or below the level of the point of transfer	25 ^c	7.6 ^c
D	Line of adjoining property that can be built upon	25 ^c	7.6 ^c
E	Outdoor places of public assembly including schoolyards, athletic fields, and playgrounds	50 ^c	15 ^c
F	Public ways including public streets, highways, thoroughfares, and sidewalks		
	(1) From points of transfer in LP-Gas dispensing stations and at vehicle fuel dispensers	10	3.1
	(2) From other points of transfer	25 ^c	7.6 ^c
G	Driveways ^d	5	1.5
H	Mainline railroad track centerlines	25	7.6
I	Containers ^e other than those being filled	10	3.1
J	Flammable and Class II combustible liquid ^f dispensers and the fill connections of containers	10 ^c	3.1 ^c
K	Flammable and Class II combustible liquid containers, above-ground containers, and containers underground	20	6.1

^aFor the purpose of the table, buildings also include structures such as tents and box trailers at construction sites.

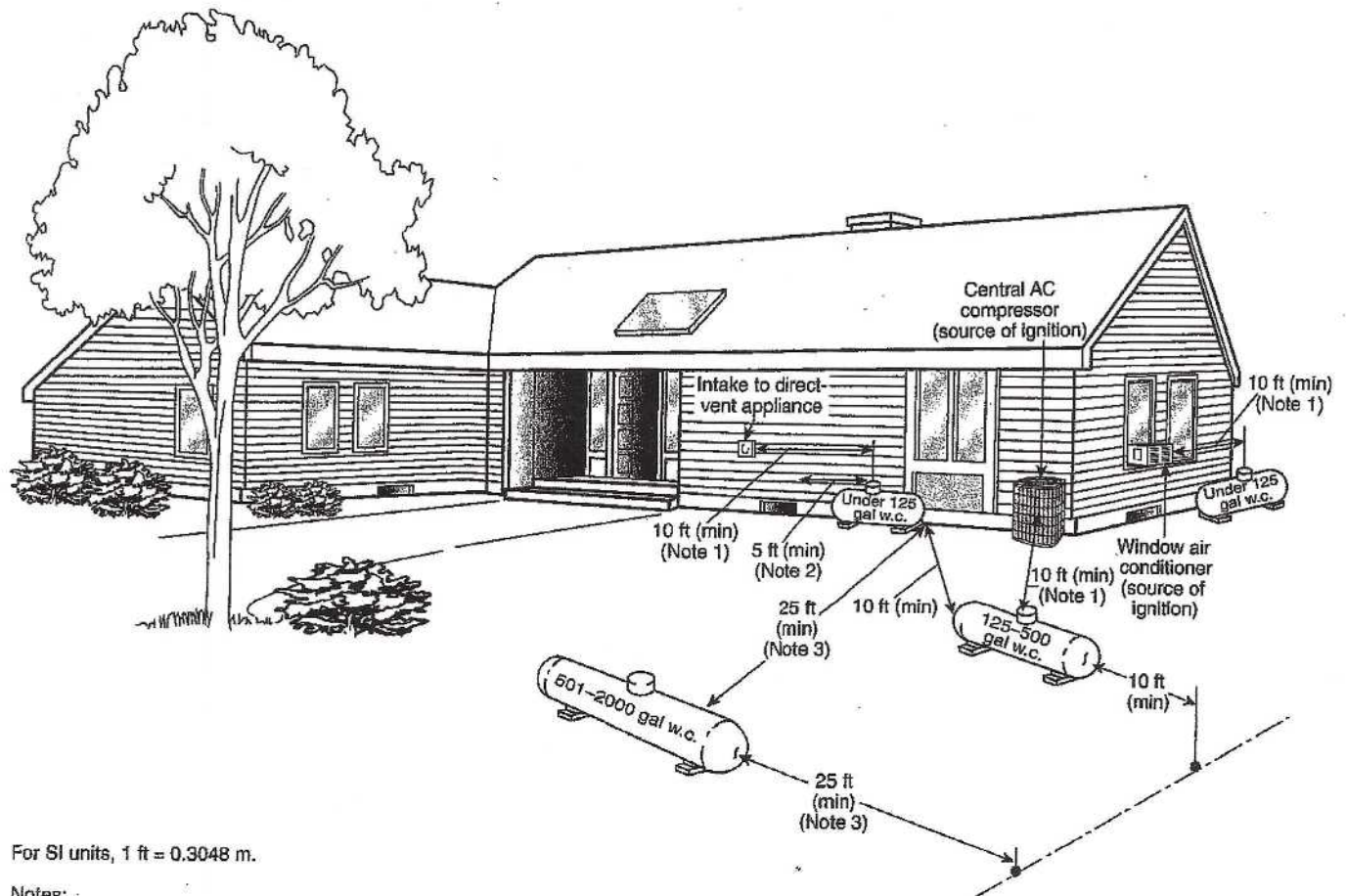
^bWalls constructed of noncombustible materials having, as erected, a fire resistance rating of at least 1 hour as determined by NFPA 251, *Standard Methods of Tests of Fire Endurance of Building Construction and Materials*.

^cSee 6.5.4.4.

^dNot applicable to driveways and points of transfer at vehicle fuel dispensers.

^eNot applicable to filling connections at the storage container or to dispensing vehicle fuel dispenser units of 2000 gal (7.6 m³) water capacity or less when used for filling containers not mounted on vehicles.

^fNFPA 30, *Flammable and Combustible Liquids Code*, defines these as follows: Flammable liquids include those having a flash point below 100°F (37.8°C) and having a vapor pressure not exceeding 40 psia (276 kPa) at 100°F (37.8°C). Class II combustible liquids include those having a flash point at or above 100°F (37.8°C) and below 140°F (60°C).



For SI units, 1 ft = 0.3048 m.

Notes:

- (1) Regardless of its size, any ASME container filled on site must be located so that the filling connection and fixed maximum liquid level gauge are at least 10 ft from any external source of ignition (e.g., open flame, window AC, compressor), intake to direct-vented gas appliance, or intake to a mechanical ventilation system. Refer to 6.3.4.4.
- (2) Refer to 6.3.4.3.
- (3) This distance can be reduced to no less than 10 ft for a single container of 1200 gal (4.5 m³) water capacity or less, provided such container is at least 25 ft from any other LP-Gas container of more than 125 gal (0.5 m³) water capacity. Refer to 6.3.1.3.

FIGURE I.1(b) Aboveground ASME Containers. (Figure for illustrative purposes only; code compliance required.)

Annex J Sample Ordinance Adopting NFPA 58

This annex is not a part of the requirements of this NFPA document but is included for informational purposes only.

J.1 The following sample ordinance is provided to assist a jurisdiction in the adoption of this code and is not part of this code.

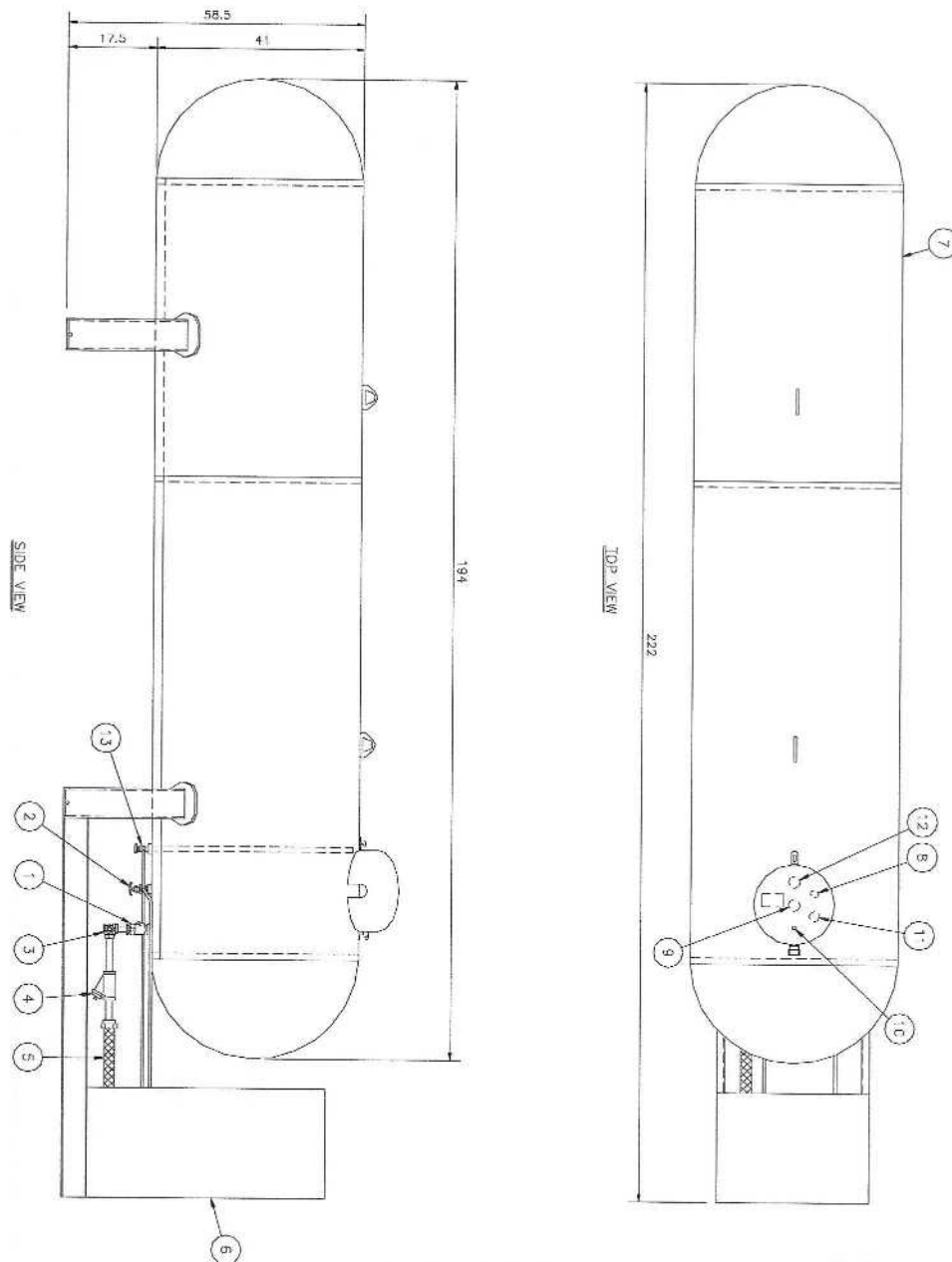
ORDINANCE NO. _____

An ordinance of the [jurisdiction] adopting the 2014 edition of NFPA 58, *Liquefied Petroleum Gas Code*, documents listed in Chapter 2 of that code; prescribing regulations governing conditions hazardous to life and property from fire or explosion; providing for the issuance of permits and collection of fees; repealing Ordinance No. _____ of the [jurisdiction] and all other ordinances and parts of ordinances in conflict therewith; providing a penalty; providing a severability clause; and providing for publication; and providing an effective date.

BE IT ORDAINED BY THE [governing body] OF THE [jurisdiction]:

SECTION 1 That the *Liquefied Petroleum Gas Code* and documents adopted by Chapter 2, three (3) copies of which are on file and are open to inspection by the public in the office of the [jurisdiction's keeper of records] of the [jurisdiction], are hereby adopted and incorporated into this ordinance as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the [jurisdiction]. The same are hereby adopted as the code of the [jurisdiction] for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion and providing for issuance of permits and collection of fees.

SECTION 2 Any person who shall violate any provision of this code or standard hereby adopted or fail to comply therewith; or who shall violate or fail to comply with any order made thereunder; or who shall build in violation of any detailed



D76X DISPENSER - 1 H.P. 115/230 VAC 1PH 60 HZ - AMPS 13/6.5		
D76Z DISPENSER - 1 1/2 H.P. 115/230 VAC 1PH 60 HZ - AMPS 16/8		
ITEM	QTY.	DESCRIPTION
1	1	1 1/4" INTERNAL VALVE - FISHER C407
2	2	3/4" TANK VALVE W/EXCESS FLOW - SQUIBB TAYLOR ALLOYED
3	1	1" ANGLE VALVE FISHER
4	1	1" T-TYPE STRAINER - MUELLER 774
5	1	1" FLEXIBLE CONN. - RANSOME M100U
6	1	D76X LPG DISPENSER - RANSOME
7	1	1000 GALLON LPG DISPENSER TANK - RANSOME
8	1	3/4" NPT X 1 1/4" M ADJ. VALVE - SHERWOOD P41876
9	1	1 1/4" RELIEF VALVE SET @ 275 PSIG - SHERWOOD UH453AC
10	1	1/4" NMPT. BLEEDER VALVE - FISHER J400
11	1	1 3/4" ADJ. X 1 1/4" NPT FILL VALVE - SHERWOOD 19623A
12	1	1 1/4" NMPT TOP GAUGE - SQUIBB TAYLOR TA217CA
13	1	3/4" X 3/8" WP SERVICE VALVE

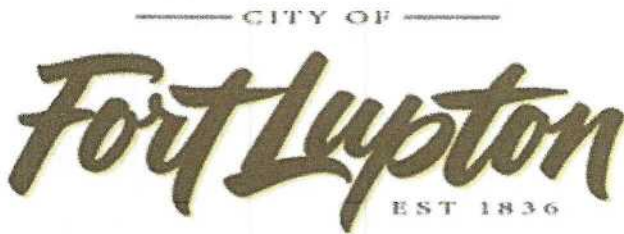
DRAWING NO.
D20-1506-20

TITLE:
1000 GALLON LPC DISPENSER
TANK WITH D76X DISPENSER

NO.	REVISION	DATE

RANSOME
3495 SOUTH MAPLE AVENUE FRESNO, CALIFORNIA 93720

DRAWN: AMD 5-12-00
CHECKED:
APPROVED:
SCALE: 1/2" = 1'-0"



Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621

Phone: 303-857-6694
Fax: 303.857.0351

www.fortluptonco.gov

APPLICATION FOR SPECIAL USE PERMIT

A pre-application conference and site visit may be required prior to submitting the Special Use Permit Application. The applicant may meet with representatives from the Planning Department to discuss the applicant's intended submittal, the City's application requirements and processes and other information relevant to the proposed application. Please contact the Planning Department at 303-857-6694.

Applicant should provide the following:

1. Plat of area with proposed zoning with vicinity map identifying site and surrounding area. If you are constructing a new building or adding to an existing building as part of this application, you must also submit a plot plan, construction plans, and a drainage plan. Approval of the special use permit will be based upon the drawings submitted unless changes are recommended by the engineer, planning commission, or city council.
2. Information as requested.

The applicant is responsible for the following:

1. Posting a hearing notice on the property 15 days prior to the hearing.

Name of Property Owner(s): MIKE MERIUC Phone: 970-833-1395

Address: 1352 Factory Drive Fort Lupton CO 80621

Applicant (if different from owner): _____

Address: _____

Home Phone: _____ Cell Phone: _____

Address or location of Property for which Special Use Permit is being requested:

Legal Description Lot 9 AND The west 1/4 of Lot 3 (See Attached)

Current Zoning: _____

Reason for Request:

100 GAL LP TANK 3 DISBUR

Please answer the following questions in detail.

1. What is the proposed use?

Sell PROPANE to our Customers

2. How will the proposed use impact the surrounding properties as it relates to the following areas:

Noise - NONE

Dust - NONE

Odor - NONE

Safety - NONE

Traffic - NONE

Light - NONE

3. What are the proposed hours of operation?

8-5 MON-SAT.

4. Are you required to obtain any special licenses or permits through any other government agency? If yes, what types of licenses and permits are required?

Yes FIRE PROTECTION

5. If this application is for a daycare, how many children will you be caring for?

N/A

6. If this application is for an assisted living facility, how many units will you have in the facility?

N/A

7. How many employees will work at the proposed facility?

NO NEW employees Required.

The applicant hereby certifies that the above information, along with the attached plans and project descriptions, is correct. The applicant agrees to comply with the provisions of the zoning ordinances, building code and all other applicable sections of the City Code, Land Use Code, City Plan and all other laws and ordinances affecting the construction and occupancy of the proposed building.

Signature(s):



Date:

9/9/2020

Exhibit A
to
Special Warranty Deed

Legal Description of Property

Lot 9 and the West 66.74 feet of Lot 3,
Industrial Park West – Filing No. 2
County of Weld,
State of Colorado.

with a street address of 1352 Factory Drive, Fort Lupton, CO 80621

MERICLE RV PROPANE TANK SPECIAL USE PERMIT

Part of the North 1/2 of the Southeast 1/4 of Section 31,
Township 2 North, Range 66 West of the 6th P.M.,
City of Fort Lupton, County of Weld, State of Colorado

Sheet 1 of 2

GENERAL NOTES:

- 1) ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTIONS BASED UPON A 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.
- 2) PROPERTY BOUNDARY INFORMATION AND EASEMENT INFORMATION SHOWN HEREON IS BASED UPON ALTA/NSPS LAND TITLE SURVEY COMPLETED BY AMERICAN WEST LAND SURVEYING CO. DATED JUNE 17, 2020.
- 3) THIS SITE PLAN DOES NOT REPRESENT A MONUMENTED LAND SURVEY PLAT OR IMPROVEMENT SURVEY AND IS ONLY MEANT TO DEPICT THE NATURE AND CONDITION OF THE EXISTING IMPROVEMENTS LOCATED ON THE SUBJECT PROPERTY. NO TITLE COMMITMENT WAS PROVIDED TO AMERICAN WEST LAND SURVEYING CO. DURING THE PREPARATION OF THIS SITE PLAN AND NO FURTHER EASEMENT INFORMATION WAS REQUESTED BY THE CLIENT.
- 4) PARKING DETAILS/SCHEMATIC AND THE LOCATION OF PROPOSED IMPROVEMENTS WERE PROVIDED BY MERICLE RV.

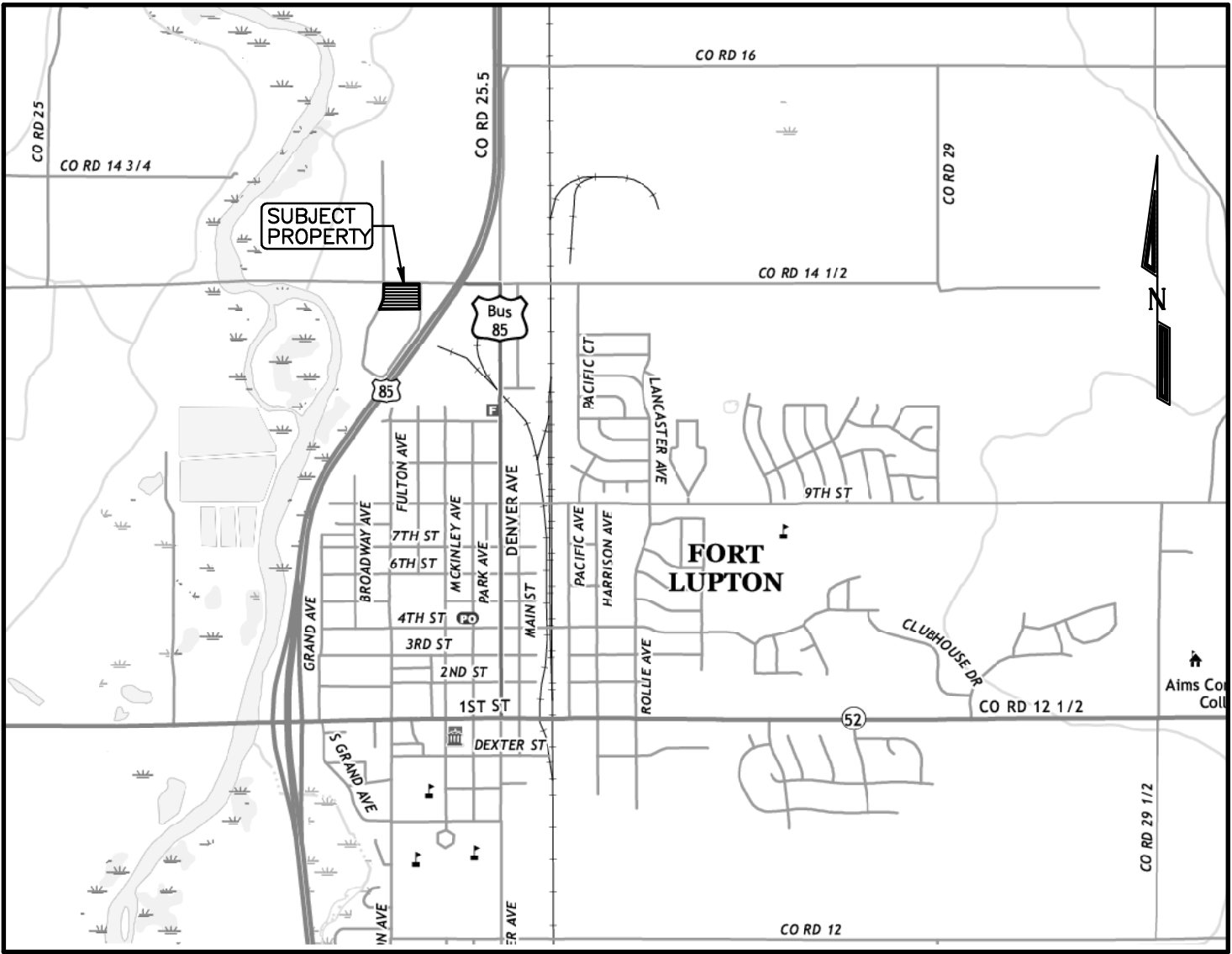
CITY OF FORT LUPTON NOTES:

- 1) ANY FUTURE EXPANSION OF THE SITE OR ADDITION OF BUILDINGS NOT SHOWN ON THE CURRENT SITE PLAN MAP WILL REQUIRE THE REVIEW OF THE PLANNING DEPARTMENT, BUILDING DEPARTMENT, ENGINEERING DEPARTMENT, AND THE FIRE DISTRICT TO DETERMINE IF ADDITIONAL REQUIREMENTS ARE NECESSARY PRIOR TO THE RELEASE OF BUILDING PERMITS.
- 2) THE PROPERTY SHALL BE MAINTAINED TO THE CURB, OR ROADWAY IF NO CURB EXISTS.
- 3) DEAD AND DYING LANDSCAPING MATERIAL SHALL BE REPLACED BY A DATE CHOSEN BY THE PLANNING DEPARTMENT STAFF.
- 4) ANY PARKING OR OTHER IMPROVEMENTS IN THE RIGHT-OF-WAY MUST BE REMOVED UPON REQUEST BY THE CITY.

SURVEYOR'S STATEMENT:

I, CURTIS D. HOOS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SITE PLAN REPRESENTED BY THIS PLAT WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THIS PLAT ACCURATELY REPRESENTS SAID SITE PLAN TO THE BEST OF MY KNOWLEDGE AND BELIEF.

CURTIS D. HOOS, PLS 37971
FOR AND ON BEHALF OF:
AMERICAN WEST LAND SURVEYING CO.
A COLORADO CORPORATION



VICINITY MAP: NTS

PROPERTY DESCRIPTION:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO, LOCATED IN THE NORTH 1/2 OF SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M. AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 9 AND THE WEST 66.74 FEET OF LOT 3, INDUSTRIAL PARK WEST SUBDIVISION, FILING NO. 2, A SUBDIVISION OF THE CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.

AND;

LOT 3, EXCEPT THE WEST 66.74 FEET THEREOF, INDUSTRIAL PARK WEST SUBDIVISION, FILING NO. 2, A SUBDIVISION OF THE CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.

OWNER'S APPROVAL:

KNOW ALL MEN BY THESE PRESENTS, THAT TWIN PEAKS AUTO & RV BROKERS, LLC, A COLORADO LIMITED LIABILITY COMPANY, BEING THE SOLE OWNERS OF THE LAND DESCRIBED HEREIN, AND ALL OF THE MORTGAGEES AND HOLDERS OF LIENS UPON THE PROPERTY, AND EACH AND ALL HEREBY CONSENT TO THIS PLAT AND JOIN THE CONVEYANCE AND DEDICATION OF ALL STREETS, ROADS, ALLEYS, EASEMENTS, PUBLIC WAYS AND PLACES SHOWN HEREON.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND SEALS THIS _____ DAY OF _____, 20____

OWNER: TWIN PEAKS AUTO & RV BROKERS, LLC., A COLORADO LIMITED LIABILITY COMPANY

MICHAEL J. MERICLE AS PRESIDENT

STATE OF COLORADO }
COUNTY OF WELD } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME

BY _____ ON THIS _____

DAY OF _____, 20____

WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

CITY ENGINEER'S APPROVAL:

APPROVED THIS ____ DAY OF _____, 20____

CITY ENGINEER

CITY WATER AND SEWER DEPARTMENT APPROVAL:

APPROVED THIS ____ DAY OF _____, 20____

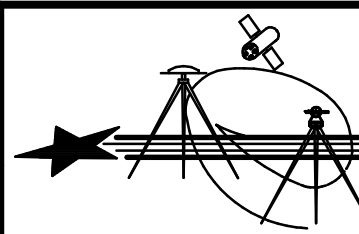
DIRECTOR OF PUBLIC WORKS

CITY ADMINISTRATOR'S APPROVAL:

APPROVED THIS ____ DAY OF _____, 20____

CITY ADMINISTRATOR

CLIENT:
MERICLE RV
1352 FACTORY DRIVE
FORT LUPTON, CO 80621
888-308-3639



American West
Land Surveying Co.
A Colorado Corporation

PO Box 129, Brighton, CO 80601 * P:303-659-1532 F:303-655-0575 * amwestls.com

SCALE 1" = 20' | DRAWN BY: CDH | CHECKED BY: MJH | DATE: OCT. 26, 2020

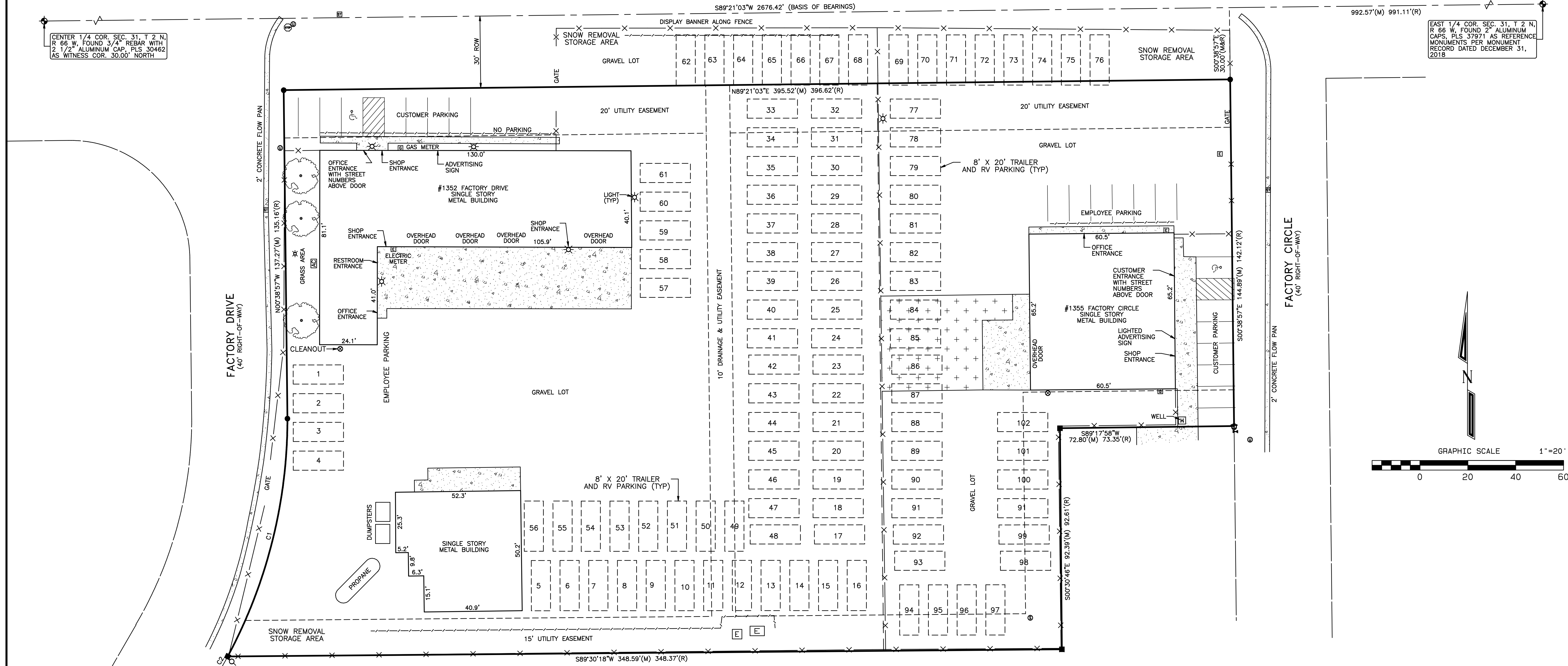
REVISIONS:
JOB NO: 20-405

MERICLE RV PROPANE TANK SPECIAL USE PERMIT

Part of the North 1/2 of the Southeast 1/4 of Section 31,
 Township 2 North, Range 66 West of the 6th P.M.,
 City of Fort Lupton, County of Weld, State of Colorado

Sheet 2 of 2

COUNTY ROAD 14 1/2 (14TH STREET)



LEGEND:

- ♦ = ALIQUOT MONUMENT, AS NOTED.
- = FOUND 5/8" REBAR WITH 2" ALUMINUM CAP, PLS 37971.
- = FOUND 1/2" REBAR WITH RED PLASTIC CAP, PLS 12330.
- = FOUND 5/8" REBAR WITH ORANGE PLASTIC CAP, PLS 25937.
- = FOUND 1/2" REBAR.
- ⚡ = OVERHEAD UTILITY POLE.
- ⚡ = LAMP POLE.
- ⚡ = ELECTRIC TRANSFORMER / METER.
- ⚡ = GAS METER.
- ⚡ = TELECOM PEDISTAL.
- ⚡ = FIRE HYDRANT.
- ⚡ = WATER VALVE.
- ⚡ = SEWER MAN HOLE.
- ⚡ = CLEANOUT.
- ⚡ = STORM SEWER GRATE.

- X—X—X— = EXISTING CHAIN LINK FENCE LINE.
- = EXISTING METAL RAILING.
- O—O—O— = OVERHEAD UTILITY LINE.
- [Pattern] = CONCRETE.
- [Pattern] = ASPHALT.
- (M) = AS MEASURED BY THIS SURVEY.
- (R) = MEASUREMENT OF RECORD.

LINE	RADIUS	ARC	DELTA	CHORD BEARING	CHORD
C1	210.00'(M)	103.56'(M)	28°15'19"(M)	N14°05'25"E	102.51'
C2	210.00'(M)	6.39'(M)	01°44'41"(M)	N29°05'25"E	6.39'

LINE	RADIUS	ARC	DELTA
C1	210.00'(R)	103.74'(R)	28°18'13"(R)
C2	210.00'(R)	6.22'(R)	01°41'47"(R)

American West
Land Surveying Co.

A Colorado Corporation

PO Box 129, Brighton, CO 80601 * P:303-659-1532 F:303-655-0575 * amwestlls.com

SCALE 1" = 20' | DRAWN BY: CDH | CHECKED BY: MJH | DATE: OCT. 26, 2020

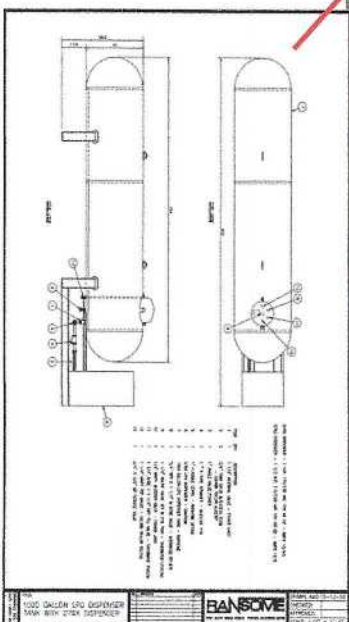
REVISIONS:

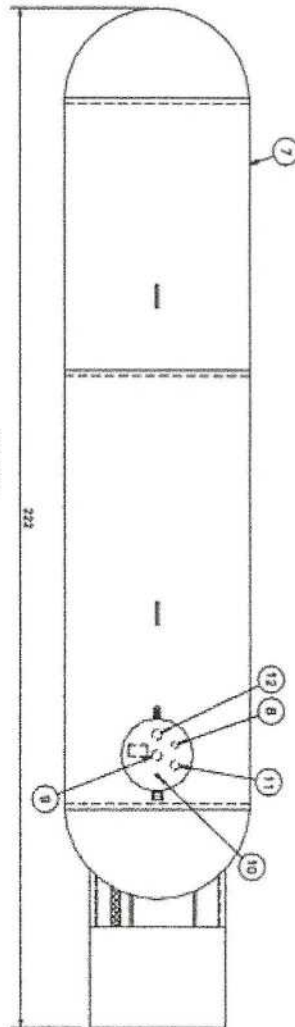
JOB NO: 20-405



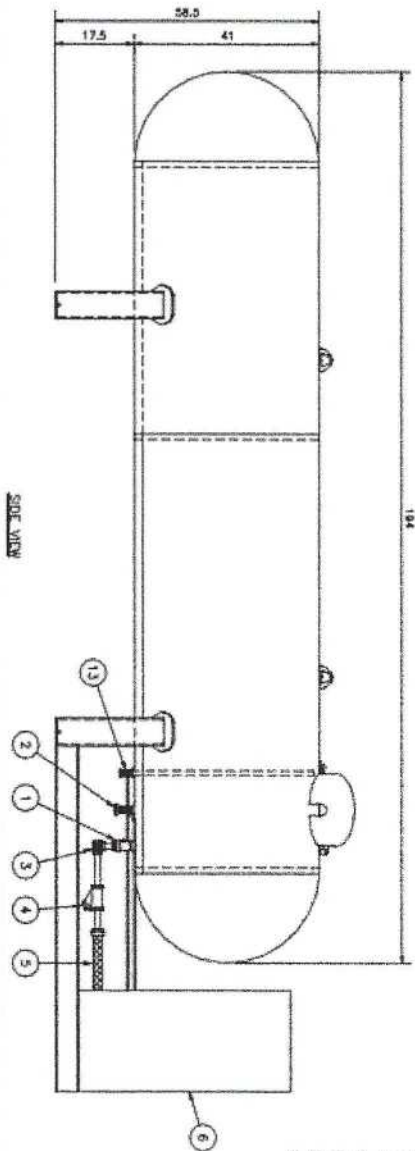
Mericle RV - 833-450-3857
 1352 Factory Drive
 Fort Lupton, CO 80621

1,000 gallon tank & dispenser will be placed 25 feet from any buildable property line and 25 feet from any existing building. The dispenser will be protected from vehicle traffic with concrete bollards. The electrical supply will comply Class 1 Group D Division 1 or Division 2, and be equipped with all required seal off devices as required in NFPA 70.





TOP VIEW



SIDE VIEW

D76X DISPENSER - 1 HP, 115/230 VAC 1PH 60 HZ - AMP'S 15/6.5
D76X DISPENSER - 1 1/2 HP, 115/230 VAC 1PH 60 HZ - AMP'S 18/8

ITEM	QTY.	DESCRIPTION
1	1	1 1/4" INTERNAL VALVE - FISHER C407
2	2	3/4" TANK VALVE W/KEYLESS FLTM - SOLIDB TANKER ALLOY
3	1	1" ANGLE VALVE FISHER
4	1	1" Y-TYPE STRAINER - MUELLER 774
5	1	1" FLEXIBLE CONN. - PINGSONE W1000
6	1	D76X LPG DISPENSER - BANSOME
7	1	1000 GALLON LPG DISPENSER TANK - BANSOME
8	1	3/4" NPT X 1 1/4" M ANGLE VALVE - SHERWOOD PV1878
9	1	1 1/4" RELIEF VALVE SET @ 275 PSIG - SHERWOOD LVN100C
10	1	1/4" NPTL BLEEDER VALVE - FISHER J400
11	1	1 3/4" ANGLE X 1 1/4" NPT FILL VALVE - SHERWOOD PV203A
12	1	1 1/4" NPT TOP GAUGE - SOLIDB TANKER TANK
13	1	3/4" X 3/8" NPT SERVICE VALVE

DRAWING NO.
D00-1606-00

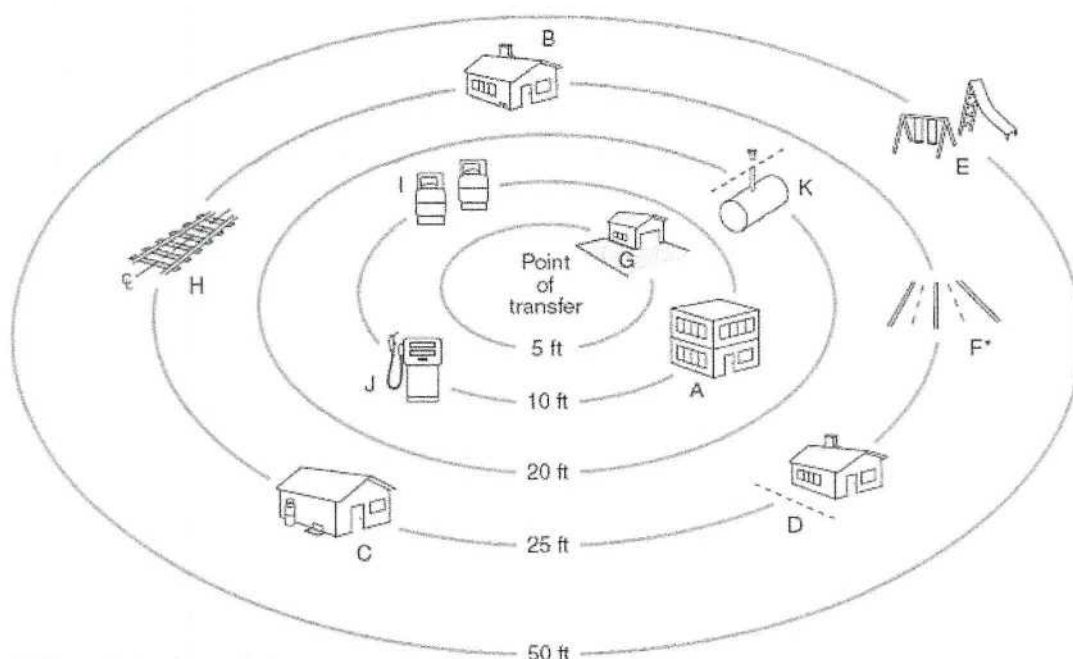
TITLE:
1000 GALLON LPG DISPENSER
TANK WITH D76X DISPENSER

NO.	REVISION	DATE

BANSOME
8405 SOUTH MAPLE AVENUE, FRESNO, CALIFORNIA 93725

DRAWN: AMD 5-12-00
CHECKED:
APPROVED:
SCALE: 1/2" = 1'-0"

Dispenser Installation Points of Transfer To Exposures



* 10 ft at dispensing stations

TABLE 6.5.3 Distance Between Point of Transfer and Exposures

Part	Exposure	Minimum Horizontal Distance	
		ft	m
A	Buildings, ^a mobile homes, recreational vehicles, and modular homes with fire-resistive walls ^b	10 ^c	3.1
B	Buildings ^a with other than fire-resistive walls ^b	25 ^c	7.6 ^c
C	Building wall openings or pits at or below the level of the point of transfer	25 ^c	7.6 ^c
D	Line of adjoining property that can be built upon	25 ^c	7.6 ^c
E	Outdoor places of public assembly including schoolyards, athletic fields, and playgrounds	50 ^c	15 ^c
F	Public ways including public streets, highways, thoroughfares, and sidewalks		
	(1) From points of transfer in LP-Gas dispensing stations and at vehicle fuel dispensers	10	3.1
	(2) From other points of transfer	25 ^c	7.6 ^c
G	Driveways ^d	5	1.5
H	Mainline railroad track centerlines	25	7.6
I	Containers ^e other than those being filled	10	3.1
J	Flammable and Class II combustible liquid ^f dispensers and the fill connections of containers	10 ^c	3.1 ^c
K	Flammable and Class II combustible liquid containers, above-ground containers, and containers underground	20	6.1

^aFor the purpose of the table, buildings also include structures such as tents and box trailers at construction sites.

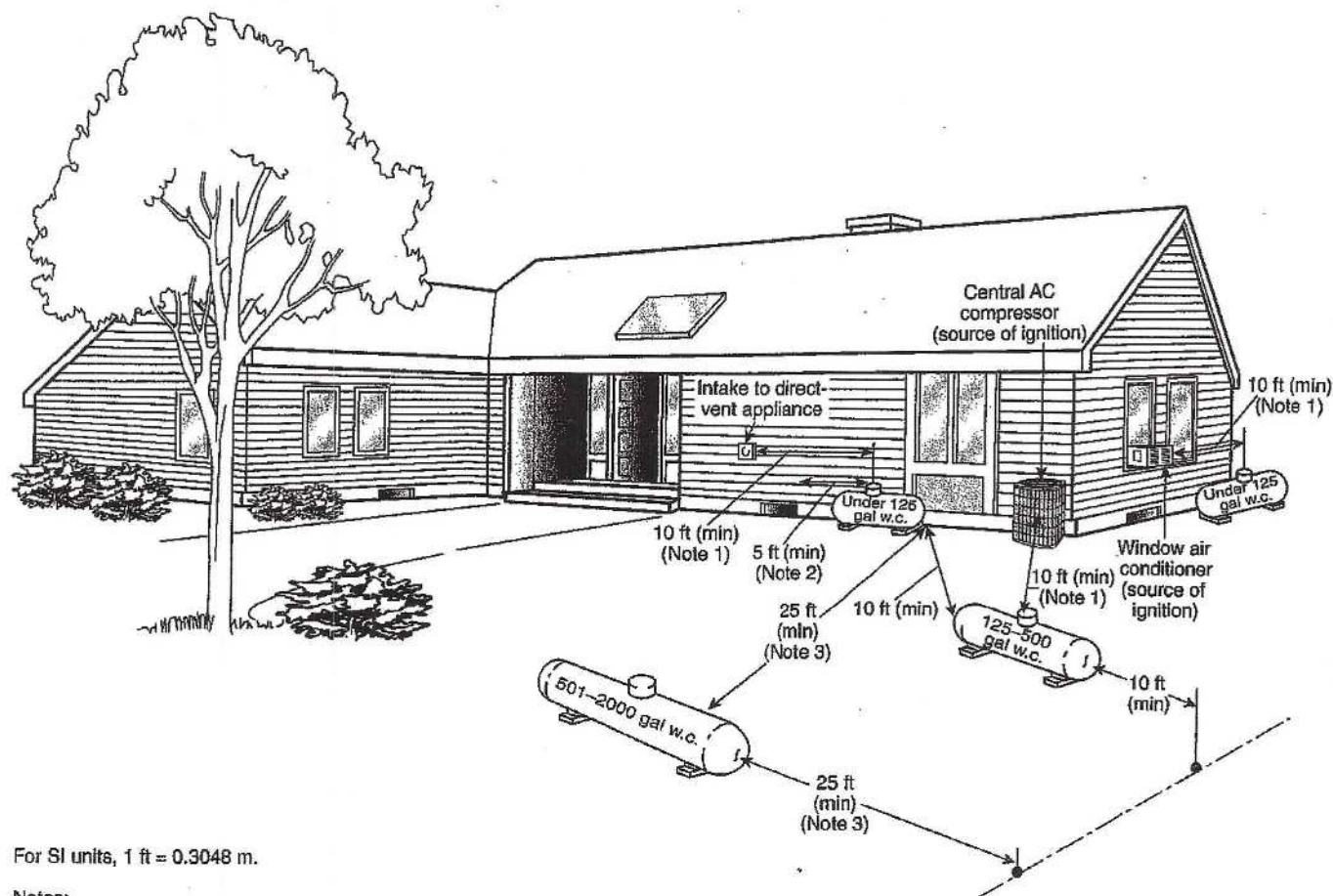
^bWalls constructed of noncombustible materials having, as erected, a fire resistance rating of at least 1 hour as determined by NFPA 251, *Standard Methods of Tests of Fire Endurance of Building Construction and Materials*.

^cSee 6.5.4.4.

^dNot applicable to driveways and points of transfer at vehicle fuel dispensers.

^eNot applicable to filling connections at the storage container or to dispensing vehicle fuel dispenser units of 2000 gal (7.6 m³) water capacity or less when used for filling containers not mounted on vehicles.

^fNFPA 30, *Flammable and Combustible Liquids Code*, defines these as follows: Flammable liquids include those having a flash point below 100°F (37.8°C) and having a vapor pressure not exceeding 40 psia (276 kPa) at 100°F (37.8°C). Class II combustible liquids include those having a flash point at or above 100°F (37.8°C) and below 140°F (60°C).



Notes:

(1) Regardless of its size, any ASME container filled on site must be located so that the filling connection and fixed maximum liquid level gauge are at least 10 ft from any external source of ignition (e.g., open flame, window AC, compressor), intake to direct-vented gas appliance, or intake to a mechanical ventilation system. Refer to 6.3.4.4.

(2) Refer to 6.3.4.3.

(3) This distance can be reduced to no less than 10 ft for a single container of 1200 gal (4.5 m³) water capacity or less, provided such container is at least 25 ft from any other LP-Gas container of more than 125 gal (0.5 m³) water capacity. Refer to 6.3.1.3.

FIGURE I.1(b) Aboveground ASME Containers. (Figure for illustrative purposes only; code compliance required.)

Annex J Sample Ordinance Adopting NFPA 58

This annex is not a part of the requirements of this NFPA document but is included for informational purposes only.

J.1 The following sample ordinance is provided to assist a jurisdiction in the adoption of this code and is not part of this code.

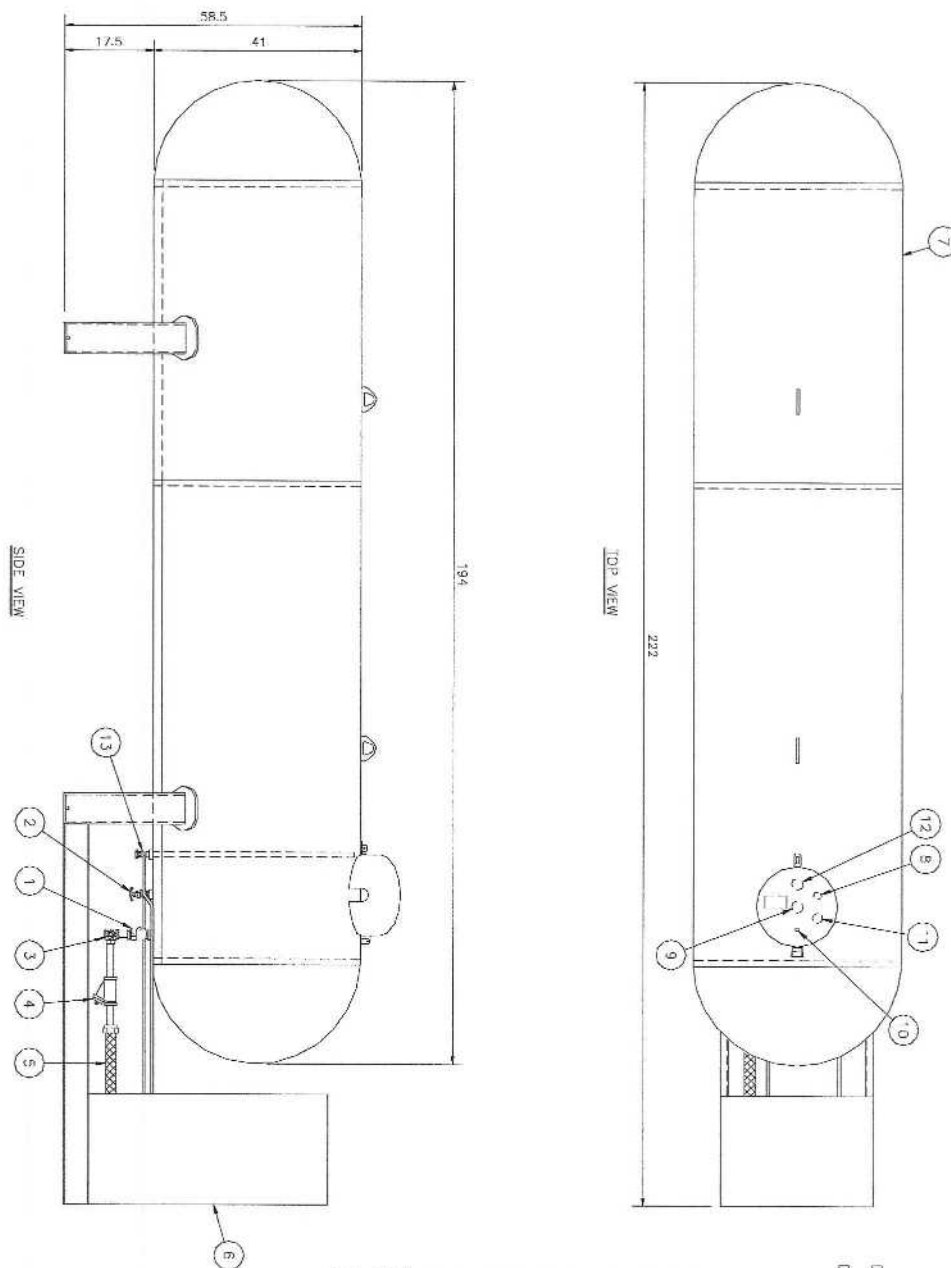
ORDINANCE NO. _____

An ordinance of the [jurisdiction] adopting the 2014 edition of NFPA 58, *Liquefied Petroleum Gas Code*, documents listed in Chapter 2 of that code; prescribing regulations governing conditions hazardous to life and property from fire or explosion; providing for the issuance of permits and collection of fees; repealing Ordinance No. _____ of the [jurisdiction] and all other ordinances and parts of ordinances in conflict therewith; providing a penalty; providing a severability clause; and providing for publication; and providing an effective date.

BE IT ORDAINED BY THE [governing body] OF THE [jurisdiction]:

SECTION 1 That the *Liquefied Petroleum Gas Code* and documents adopted by Chapter 2, three (3) copies of which are on file and are open to inspection by the public in the office of the [jurisdiction's keeper of records] of the [jurisdiction], are hereby adopted and incorporated into this ordinance as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the [jurisdiction]. The same are hereby adopted as the code of the [jurisdiction] for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion and providing for issuance of permits and collection of fees.

SECTION 2 Any person who shall violate any provision of this code or standard hereby adopted or fail to comply therewith; or who shall violate or fail to comply with any order made thereunder; or who shall build in violation of any detailed



ITEM	QTY.	DESCRIPTION
1	1	1 1/4" INTERNAL VALVE - FISHER C407
2	2	3/4" TANK VALVE W/EXCESS FLOW - SQUIBB TAYLOR AL407P
3	1	1" ANGLE VALVE FISHER
4	1	1" Y-TYPE STRAINER - MUELLER 77A
5	1	1" FLEXIBLE CONUL - RANSOME M100U
6	1	D/EX LPG DISPENSER - RANSOME
7	1	1000 GALLON LPG DISPENSER TANK - RANSOME
8	1	3/4" NPT X 1 1/4" M ADOME VALVE - SHERWOOD P41576
9	1	1 1/4" RETURN VALVE SET @ 275 PSIG - SHERWOOD D44524C
10	1	1/4" NPT. BLEEDER VALVE - FISHER 1400
11	1	1 3/4" ADOME X 1 1/4" NPT FILL VALVE - SHERWOOD P4623A
12	1	1 1/4" NPT TOP GAUGE - SQUIBB TAYLOR 1A210A
13	1	3/4" X 3/8" MP SERVICE VALVE

D76X DISPENSER - 1 H.P. 115/230 VAC 1PH 60 HZ - AMPS 13/6.5
D76X DISPENSER - 1 1/2 H.P. 115/230 VAC 1PH 60 HZ - AMPS 16/8

DRAWING NO. 1220-1608-00	TITLE:	1000 GALLON LPG DISPENSER TANK WITH D76X DISPENSER	RANSOME 3490 SOUTH MAPLE AVENUE FRESNO, CALIFORNIA 93725	DRAWN: AMD	5-12-00
	NO.	REVISION		CHECKED:	
	DATE:			APPROVED:	
	SCALE: 1/2" = 1'-0"				



Fort Lupton Fire Protection District

1121 Denver Avenue • Fort Lupton, Colorado 80621

Office: (303)857-4603 • Fax: (303)857-6619 • Website: www.forthluptonfire.org

Date: 08/27/2020

Project name: Mericle RV, Propane Tank

Project address: 1352 Factory Dr., Fort Lupton, CO

FLFPD Project # 2020-034

Plan reviewer: Taw Tamlin, Fire Marshal

The Fire District has reviewed the submitted plans for the new **Mericle RV, Propane Tank** located at **1352 Factory Dr.**, Fort Lupton, CO. The submittal was reviewed for compliance with *2012 International Fire Code (IFC)* and National Fire Protection Association (NFPA) standards as adopted by the Fort Lupton Fire Protection District, the City Council of Fort Lupton and the Weld County Commissioners. The plans are approved with the following specific requirements and conditions.

Specific Requirements

1. Distances from buildings and property lines shall meet the requirements of the most current NFPA 58, Liquefied Petroleum Gas Code standard.
2. Electrical wiring and equipment shall be installed and maintained in accordance with NFPA 70. *2012 IFC 5703.1*
3. Dispensing of LP-gas shall be performed by a qualified attendant. *2012 IFC 6106.1*
4. LP-gas containers shall not be filled or maintained with LP-gas in excess of either the volume determined using the fixed liquid-level gauge installed by the manufacturer or the weight determined by the required percentage of the water capacity marked on the container. Portable LP-gas containers shall not be refilled unless equipped with an overfilling prevention device (OPD) where required by Section 5.7.3 of NFPA 58. *2012 IFC 6106.2*
5. Safety devices on LP-gas containers, equipment and systems shall not be tampered with or made ineffective. *2012 IFC 6107.1*
6. "No Smoking" signs complying with Section 310 shall be posted when required by the fire code official. Smoking within 25 feet (7620 mm) of a point of transfer, while filling operations are in progress at LP-gas containers or vehicles, shall be prohibited. *2012 IFC 6107.2*

Control of other sources of ignition shall comply with Chapter 3 of this code and Section 6.22 of NFPA 58.

7. Weeds, grass, brush, trash and other combustible materials shall be kept a minimum of 10 feet (3048 mm) from LP-gas tanks or containers. *2012 IFC 6107.3*

- 8.** Where exposed to vehicular damage due to proximity to alleys, driveways or parking areas, LP-gas containers, regulators and piping shall be protected in accordance with Section 312. *2012 IFC 6107.4*

- a. Vehicle impact protection required by this code shall be provided by posts that comply with Section 312.2 or by other approved physical barriers that comply with Section 312.3.

Guard posts shall comply with all of the following requirements:

1. Constructed of steel not less than 4 inches (102 mm) in diameter and concrete filled.
 2. Spaced not more than 4 feet (1219 mm) between posts on center.
 3. Set not less than 3 feet (914 mm) deep in a concrete footing of not less than a 15-inch (381 mm) diameter.
 4. Set with the top of the posts not less than 3 feet (914 mm) above ground.
 5. Located not less than 3 feet (914 mm) from the protected object.
- 9.** Portable fire extinguishers complying with Section 906 shall be provided as specified in NFPA 58. *2012 IFC 6108.2*
- 10.** Portable fire extinguishers shall be located in conspicuous locations where they will be readily accessible and immediately available for use. These locations shall be along normal paths of travel, unless the fire code official determines that the hazard posed indicates the need for placement away from normal paths of travel. *2012 IFC 906.5*
- 11.** Hand-held portable fire extinguishers, not housed in cabinets, shall be installed on the hangers or brackets supplied. Hangers or brackets shall be securely anchored to the mounting surface in accordance with the manufacturer's installation instructions. *2012 IFC 906.7*
- 12.** There shall be a minimum 20-foot fire department access through property from gate to gate. See attached map for notes.

Required inspections

- Final fire code inspection shall be required.

It shall be the duty of the holder of the permit or their duly authorized agent to notify the fire code official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

Please contact Fire Marshal, Taw Tamlin at 303-857-4603 one week in advance to schedule final inspection or if you have questions or need further assistance.

Stamped plans need to be onsite at time of inspection.

MERICLE RV PROPANE TANK SPECIAL USE PERMIT

Part of the North 1/2 of the Southeast 1/4 of Section 31,
Township 2 North, Range 66 West of the 6th P.M.,
City of Fort Lupton, County of Weld, State of Colorado

Sheet 1 of 2

GENERAL NOTES:

- 1) ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTIONS BASED UPON A 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.
- 2) PROPERTY BOUNDARY INFORMATION AND EASEMENT INFORMATION SHOWN HEREON IS BASED UPON ALTA/NSPS LAND TITLE SURVEY COMPLETED BY AMERICAN WEST LAND SURVEYING CO. DATED JUNE 17, 2020.
- 3) THIS SITE PLAN DOES NOT REPRESENT A MONUMENTED LAND SURVEY PLAT OR IMPROVEMENT SURVEY AND IS ONLY MEANT TO DEPICT THE NATURE AND CONDITION OF THE EXISTING IMPROVEMENTS LOCATED ON THE SUBJECT PROPERTY. NO TITLE COMMITMENT WAS PROVIDED TO AMERICAN WEST LAND SURVEYING CO. DURING THE PREPARATION OF THIS SITE PLAN AND NO FURTHER EASEMENT INFORMATION WAS REQUESTED BY THE CLIENT.
- 4) PARKING DETAILS/SCHEMATIC AND THE LOCATION OF PROPOSED IMPROVEMENTS WERE PROVIDED BY MERICLE RV.

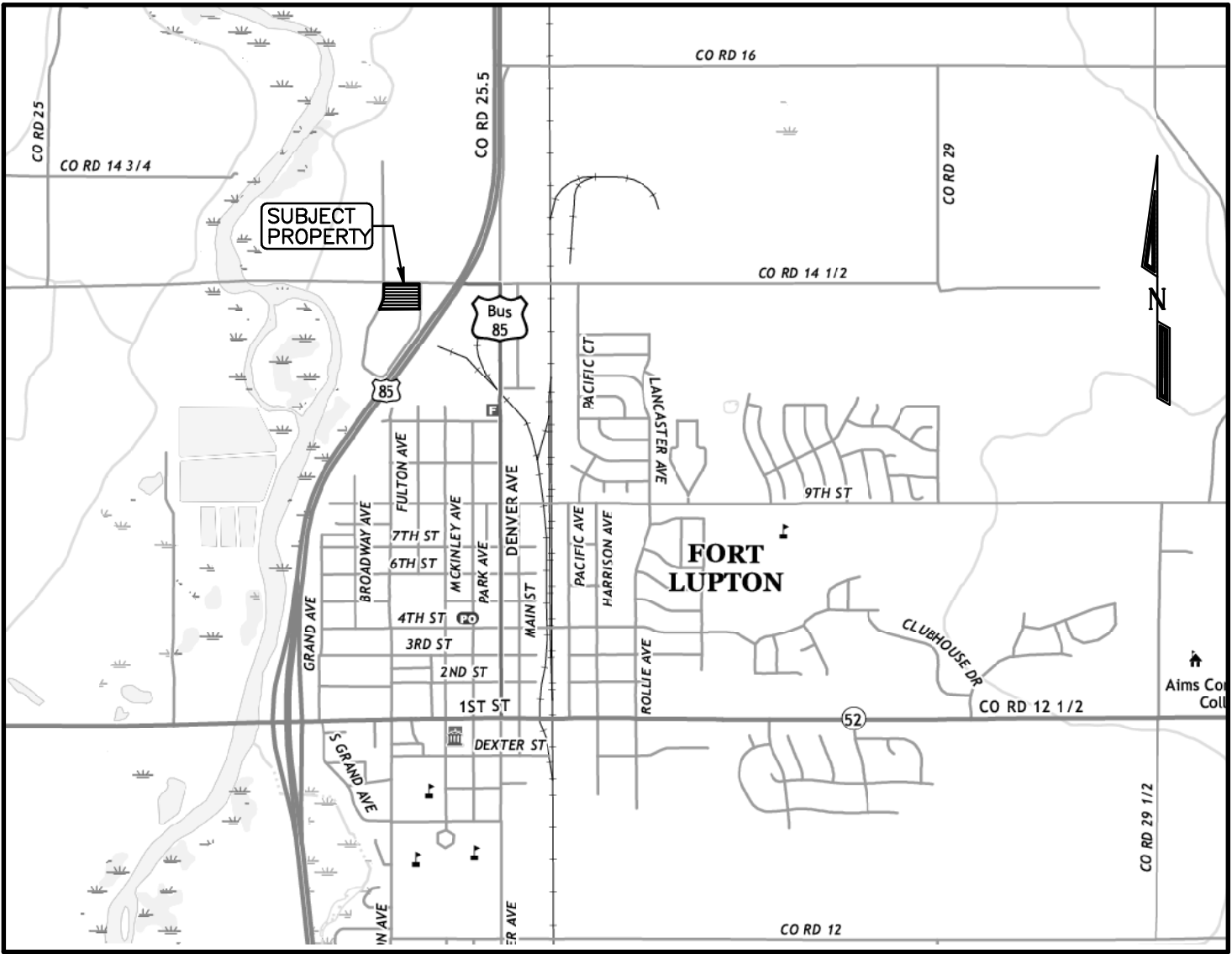
CITY OF FORT LUPTON NOTES:

- 1) ANY FUTURE EXPANSION OF THE SITE OR ADDITION OF BUILDINGS NOT SHOWN ON THE CURRENT SITE PLAN MAP WILL REQUIRE THE REVIEW OF THE PLANNING DEPARTMENT, BUILDING DEPARTMENT, ENGINEERING DEPARTMENT, AND THE FIRE DISTRICT TO DETERMINE IF ADDITIONAL REQUIREMENTS ARE NECESSARY PRIOR TO THE RELEASE OF BUILDING PERMITS.
- 2) THE PROPERTY SHALL BE MAINTAINED TO THE CURB, OR ROADWAY IF NO CURB EXISTS.
- 3) DEAD AND DYING LANDSCAPING MATERIAL SHALL BE REPLACED BY A DATE CHOSEN BY THE PLANNING DEPARTMENT STAFF.
- 4) ANY PARKING OR OTHER IMPROVEMENTS IN THE RIGHT-OF-WAY MUST BE REMOVED UPON REQUEST BY THE CITY.

SURVEYOR'S STATEMENT:

I, CURTIS D. HOOS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SITE PLAN REPRESENTED BY THIS PLAT WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THIS PLAT ACCURATELY REPRESENTS SAID SITE PLAN TO THE BEST OF MY KNOWLEDGE AND BELIEF.

CURTIS D. HOOS, PLS 37971
FOR AND ON BEHALF OF:
AMERICAN WEST LAND SURVEYING CO.
A COLORADO CORPORATION



VICINITY MAP: NTS

PROPERTY DESCRIPTION:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO, LOCATED IN THE NORTH 1/2 OF SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M. AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 9 AND THE WEST 66.74 FEET OF LOT 3, INDUSTRIAL PARK WEST SUBDIVISION, FILING NO. 2, A SUBDIVISION OF THE CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.

AND;

LOT 3, EXCEPT THE WEST 66.74 FEET THEREOF, INDUSTRIAL PARK WEST SUBDIVISION, FILING NO. 2, A SUBDIVISION OF THE CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.

OWNER'S APPROVAL:

KNOW ALL MEN BY THESE PRESENTS, THAT TWIN PEAKS AUTO & RV BROKERS, LLC, A COLORADO LIMITED LIABILITY COMPANY, BEING THE SOLE OWNERS OF THE LAND DESCRIBED HEREIN, AND ALL OF THE MORTGAGEES AND HOLDERS OF LIENS UPON THE PROPERTY, AND EACH AND ALL HEREBY CONSENT TO THIS PLAT AND JOIN THE CONVEYANCE AND DEDICATION OF ALL STREETS, ROADS, ALLEYS, EASEMENTS, PUBLIC WAYS AND PLACES SHOWN HEREON.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND SEALS THIS _____ DAY OF _____, 20____

OWNER: TWIN PEAKS AUTO & RV BROKERS, LLC., A COLORADO LIMITED LIABILITY COMPANY

MICHAEL J. MERICLE AS PRESIDENT

STATE OF COLORADO }
COUNTY OF WELD } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME

BY _____ ON THIS _____

DAY OF _____, 20____

WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

CITY ENGINEER'S APPROVAL:

APPROVED THIS ____ DAY OF _____, 20____

CITY ENGINEER

CITY WATER AND SEWER DEPARTMENT APPROVAL:

APPROVED THIS ____ DAY OF _____, 20____

DIRECTOR OF PUBLIC WORKS

CITY ADMINISTRATOR'S APPROVAL:

APPROVED THIS ____ DAY OF _____, 20____

CITY ADMINISTRATOR

CLIENT:
MERICLE RV
1352 FACTORY DRIVE
FORT LUPTON, CO 80621
888-308-3639



American West
Land Surveying Co.
A Colorado Corporation

PO Box 129, Brighton, CO 80601 * P:303-659-1532 F:303-655-0575 * amwestls.com

SCALE 1" = 20' | DRAWN BY: CDH | CHECKED BY: MJH | DATE: OCT. 26, 2020

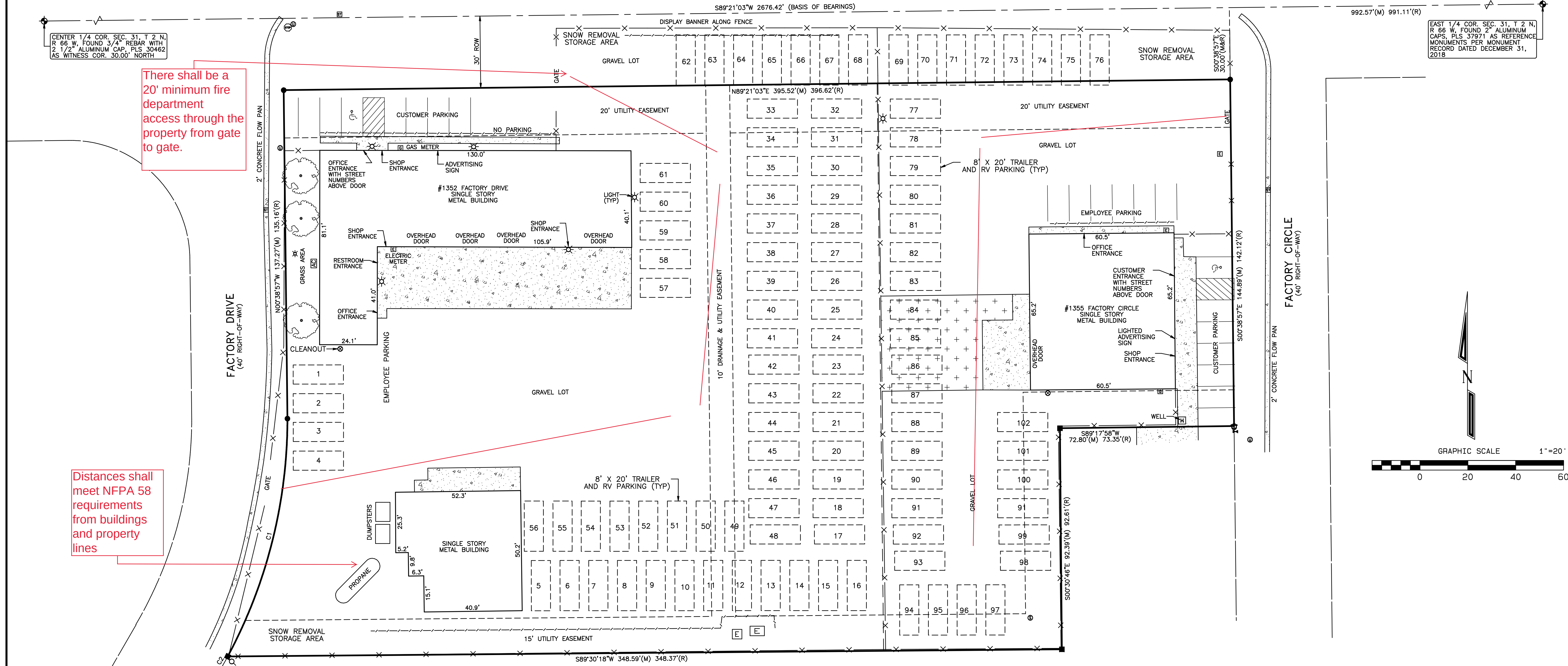
REVISIONS:
JOB NO: 20-405

MERICLE RV PROPANE TANK SPECIAL USE PERMIT

Part of the North 1/2 of the Southeast 1/4 of Section 31,
Township 2 North, Range 66 West of the 6th P.M.,
City of Fort Lupton, County of Weld, State of Colorado

Sheet 2 of 2

COUNTY ROAD 14 1/2 (14TH STREET)



There shall be a 20' minimum fire department access through the property from gate to gate.

Distances shall meet NFPA 58 requirements from buildings and property lines

LEGEND:

- ◆ = ALIQUOT MONUMENT, AS NOTED.
- = FOUND 5/8" REBAR WITH 2" ALUMINUM CAP, PLS 37971.
- = FOUND 1/2" REBAR WITH RED PLASTIC CAP, PLS 12330.
- = FOUND 5/8" REBAR WITH ORANGE PLASTIC CAP, PLS 25937.
- = FOUND 1/2" REBAR.
- ⊕ = OVERHEAD UTILITY POLE.
- ⊗ = LAMP POLE.
- ⊞ = ELECTRIC TRANSFORMER / METER.
- ⊠ = GAS METER.
- ⊡ = TELECOM PEDISTAL.
- ⊣ = FIRE HYDRANT.
- ⊥ = WATER VALVE.
- ⊙ = SEWER MAN HOLE.
- ⊚ = CLEANOUT.
- ⊛ = STORM SEWER GRATE.

- X—X—X— = EXISTING CHAIN LINK FENCE LINE.
- - - - - = EXISTING METAL RAILING.
- O—O—O—O— = OVERHEAD UTILITY LINE.
- [Pattern] = CONCRETE.
- [Pattern] = ASPHALT.
- (M) = AS MEASURED BY THIS SURVEY.
- (R) = MEASUREMENT OF RECORD.

LINE	RADIUS	ARC	DELTA	CHORD BEARING	CHORD
C1	210.00'(M)	103.56'(M)	28°15'19"(M)	N14°05'25"E	102.51'
C2	210.00'(M)	6.39'(M)	01°44'41"(M)	N29°05'25"E	6.39'

LINE	RADIUS	ARC	DELTA
C1	210.00'(R)	103.74'(R)	28°18'13"(R)
C2	210.00'(R)	6.22'(R)	01°41'47"(R)

American West
Land Surveying Co.
A Colorado Corporation

PO Box 129, Brighton, CO 80601 * P:303-659-1532 F:303-655-0575 * amwestlls.com

SCALE 1" = 20' | DRAWN BY: CDH | CHECKED BY: MJH | DATE: OCT. 26, 2020

REVISIONS:

JOB NO: 20-405

January 15, 2021

City of Fort Lupton Planning Department
130 South McKinley Ave.
Fort Lupton, CO 80621

Re: LUP2020-0037 / SUP2020-0008 - Mericle RV Propane Tank Special Use Permit

Dear Maria Lancto:

On behalf of United Power, Inc., thank you for inviting us to review and comment on the Mericle RV Propane Tank Special Use Permit. After review of the information, United Power has no concerns or objection to the proposed 1000-gallon propane tank; 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 document(s). Obtaining easements via a separate document 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, wing walls, 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,



Samantha Riblett
United Power, Inc.
Right of Way Administrative Assistant
O: 303-637-1324 | Email: platreferral@unitedpower.com

Maria Lancto

From: Hice-Idler - CDOT, Gloria <gloria.hice-idler@state.co.us>
Sent: Tuesday, December 29, 2020 11:43 AM
To: Maria Lancto; Todd Hodges; Alyssa Knutson; Magaly Morales-Tejada
Cc: Timothy Bilobran - CDOT; Allyson Mattson - CDOT
Subject: Mericle Propane

Follow Up Flag: Follow up
Flag Status: Flagged

CDOT has no comment regarding this proposal.

Gloria Hice-Idler
Rocksol Consulting

(970) 381-8629



10601 W. 10th Street, Greeley, CO 80634

gloria.hice-idler@state.co.us | www.codot.gov | www.cotrip.org



Maria Lancto

From: Thyne - DNR, Ailis <ailis.thyne@state.co.us>
Sent: Wednesday, January 20, 2021 9:37 AM
To: Williams - DNR, Joanna; Maria Lancto
Subject: Re: Referral Response Request: Mericle RV Propane Tank Special Use Permit; Project No.: LUP2020-0037; Plan No.: SUP2020-0008

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Maria Lancto,

The referral does not contain information regarding water supply for the proposed propane tank, appears to obtain water from the City of Fort Lupton and there are no permitted water wells on the subject property. Therefore, this office has no comments regarding this proposal.

If you have any questions, please contact me at 303-866-3581 ext. 8216.

Sincerely,

Ailis Thyne, P.E.
Water Resource Engineer



P 303.866.3581 x 8216
1313 Sherman Street, Room 818, Denver, CO 80203
ailis.thyne@state.co.us | www.colorado.gov/water

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

From: Maria Lancto <MLancto@fortluptonco.gov>
Date: Tue, Dec 29, 2020 at 8:17 AM
Subject: Referral Response Request: Mericle RV Propane Tank Special Use Permit; Project No.: LUP2020-0037; Plan No.: SUP2020-0008
To:
Cc: Alyssa Knutson <AKnutson@fortluptonco.gov>, Todd Hodges <thodges@fortluptonco.gov>, Magaly Morales-Tejada <MMTejada@fortluptonco.gov>

Good Afternoon,

The documentation located at the following link is submitted to you for review and recommendation for a special use permit being reviewed by the City of Fort Lupton. The application documents can be reviewed at the following link: [Mericle RV Propane Tank Special Use Permit](#).

Any comments you consider relevant to this request would be appreciated. Please reply by **January 18, 2021**, so that we may give full consideration to your recommendation. Any response not received before or on this date may be deemed to be a favorable response to the Planning & Building Department.

The Public Hearings for this matter are scheduled for:

Planning Commission: Thursday, January 28, 2021 at 6:00 PM; and

City Council: Tuesday, February 16, 2021 at 7:00 PM

Your time in this matter is greatly appreciated.

Thank you,

Maria Lancto

Planner I

130 S. McKinley Ave.

Fort Lupton, CO 80621

Office: 303.857.6694

Extension: 6107

Cell: 303.718.0172



The information transmitted is intended only for the person or entity to which it is addressed and may contain CONFIDENTIAL material. If you receive this information in error, please delete or destroy the information.

Maria Lancto

From: John Fryar
Sent: Tuesday, December 29, 2020 8:34 AM
To: Maria Lancto
Subject: RE: Referral Response Request: Mericle RV Propane Tank Special Use Permit; Project No.: LUP2020-0037; Plan No.: SUP2020-0008

Follow Up Flag: Follow up
Flag Status: Flagged

I don't see any law enforcement issues. Happy Holidays.



Committment rather than Compliance
Remember "Find a Way to Help"

John Fryar, Chief of Police
130 S. McKinley Ave
Fort Lupton, CO 80621

Work (303) 857-4011
Cell (303) 210-0100

From: Maria Lancto
Sent: Tuesday, December 29, 2020 8:17 AM
Cc: Alyssa Knutson <AKnutson@Fortluptonco.gov>; Todd Hodges <thodges@Fortluptonco.gov>; Magaly Morales-Tejada <MMTejada@Fortluptonco.gov>
Subject: Referral Response Request: Mericle RV Propane Tank Special Use Permit; Project No.: LUP2020-0037; Plan No.: SUP2020-0008

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Thank you,

Maria Lancto

Planner I

130 S. McKinley Ave.
Fort Lupton, CO 80621
Office: 303.857.6694
Extension: 6107
Cell: 303.718.0172



Maria Lancto

From: Roy Vestal
Sent: Thursday, December 31, 2020 2:06 PM
To: Maria Lancto
Cc: Alyssa Knutson; Todd Hodges; Magaly Morales-Tejada
Subject: RE: Referral Response Request: Mericle RV Propane Tank Special Use Permit; Project No.: LUP2020-0037; Plan No.: SUP2020-0008

Follow Up Flag: Follow up
Flag Status: Flagged

PW has no concerns regarding this SUP

RoyV

Roy L. Vestal, P.E.
Public Works Director / City Engineer



130 S. McKinley, Fort Lupton, CO 80621
Office: 720.466.6109
Mobile: 720.966.3613

From: Maria Lancto
Sent: Tuesday, December 29, 2020 8:17 AM
Cc: Alyssa Knutson <AKnutson@Fortluptonco.gov>; Todd Hodges <thodges@Fortluptonco.gov>; Magaly Morales-Tejada <MMTejada@Fortluptonco.gov>
Subject: Referral Response Request: Mericle RV Propane Tank Special Use Permit; Project No.: LUP2020-0037; Plan No.: SUP2020-0008

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Thank you,

Maria Lancto

Planner I

130 S. McKinley Ave.

Fort Lupton, CO 80621

Office: 303.857.6694

Extension: 6107

Cell: 303.718.0172



**CITY OF FORT LUPTON
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Fort Lupton is in receipt of an application submitted by Mike Mericle for a special use permit for a property located 1352 Factory Drive in the I-1 Light Industrial Zone District, pursuant to the City of Fort Lupton Municipal Code Notice Requirements.

The public hearings are to be held before the Planning Commission on Thursday, January 28, 2021, at 6:00 P.M., and before the City Council on Tuesday, February 16, 2021, at 7:00 P.M. or as soon as possible thereafter.

The public hearings shall be held in the City Hall, 130 South McKinley Avenue, Fort Lupton, Colorado, or at such other time or place in the event this hearing is adjourned. Further information is available through the Planning & Building Department at (303) 857-6694.

LEGAL DESCRIPTION

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO, LOCATED IN THE NORTH 1/2 OF SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M. AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 9 AND THE WEST 66.74 FEET OF LOT 3, INDUSTRIAL PARK WEST SUBDIVISION, FILING NO. 2, A SUBDIVISION OF THE CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.
AND;

LOT 3, EXCEPT THE WEST 66.74 FEET THEREOF, INDUSTRIAL PARK WEST SUBDIVISION, FILING NO. 2, A SUBDIVISION OF THE CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.

First Publication: January 20, 2021
Published In: Fort Lupton Press
Legal Order No. FLP222223



CITY OF FORT LUPTON
NOTICE OF PUBLIC HEARING

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The public hearings shall be held in the City Hall, 130 South McKinley Avenue, Fort Lupton, Colorado, or at such other time or place in the event this hearing is adjourned. Further information is available through the Planning & Building Department at (303) 857-6694.

LEGAL DESCRIPTION

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO, LOCATED IN THE NORTH 1/2 OF SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M. AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 9 AND THE WEST 66.74 FEET OF LOT 3, INDUSTRIAL PARK WEST SUBDIVISION, FILING NO. 2, A SUBDIVISION OF THE CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO. AND;

LOT 3, EXCEPT THE WEST 66.74 FEET THEREOF, INDUSTRIAL PARK WEST SUBDIVISION, FILING NO. 2, A SUBDIVISION OF THE CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.

Published: Greeley Tribune January 13, 2021-1768774

Prairie Mountain Media, LLC

PUBLISHER'S AFFIDAVIT

County of Weld
State of Colorado

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

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

Jan 13, 2021

Melissa Najera
Signature

Subscribed and sworn to me before me this

13th day of January, 2021.

Shayla Najera
Notary Public

(SEAL)

SHAYLA NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20174031965
MY COMMISSION EXPIRES JULY 31, 2021

Account: 1102365
Ad Number: 1768774
Fee: \$30.80

Sign Posting Affidavit

Lupton Lakes Inlet/Outlet Facility Project
Project No. LUP2020-0033 / Plan No. SUP2020-0006



I, _____ hereby acknowledge that the aforementioned property was posted in accordance with City Codes. Said public hearing notice was posted on this ____ day of _____, 2021.

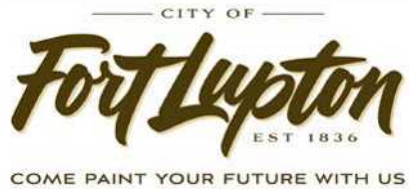
Signature of Owner or Owner's Representative

The foregoing instrument was acknowledged before me by _____, this _____ day of _____, 2021. Witness my hand and seal.

My commission expires _____.

Notary Public

(SEAL)



CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 11th day of January, 2021, a true and correct copy of the foregoing Notice of Public Hearings and Special Use Permit map for the Mericle RV Propane Tank Special Use Permit was sent via U.S. Mail, postage pre-paid, to the following addresses:

SAKATA LAND CO
PO BOX 508
BRIGHTON, CO 80601

SOUTH PLATTE VALLEY HISTORICAL SOCIETY
PO BOX 633
FORT LUPTON, CO 80621

COLORADO – DEPT OF HIGHWAYS
4201 E ARKANSAS AVE
DENVER, CO 80222

TWIN PEAKS AUTO & RV BROKERS LLC
1352 FACTORY DR
FORT LUPTON, CO 80621

FORT LUPTON STORAGE LLC
1325 FACTORY CIR
FORT LUPTON, CO 80621

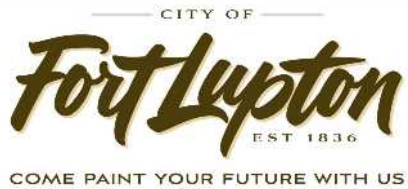
CIRIACO ELEANOR C
CIRIACO ANTHONY G
PO BOX 420
ERIE, CO 80516

EVAN CATHERINE M
EVANS RANDY B
PO BOX 964
FORT LUPTON, CO 80621

PLATT PAULA F
2760 COUNTY ROAD 21
FORT LUPTON, CO 80621

Maria Lando

City Official



**CITY OF FORT LUPTON
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Fort Lupton is in receipt of an application submitted by Mike Mericle for a special use permit for a property located 1352 Factory Drive in the I-1 Light Industrial Zone District, pursuant to the City of Fort Lupton Municipal Code Notice Requirements.

The public hearings are to be held before the Planning Commission on Thursday, January 28, 2021, at 6:00 P.M., and before the City Council on Tuesday, February 16, 2021, at 7:00 P.M. or as soon as possible thereafter.

The public hearings shall be held in the City Hall, 130 South McKinley Avenue, Fort Lupton, Colorado, or at such other time or place in the event this hearing is adjourned. Further information is available through the Planning & Building Department at (303) 857-6694.

LEGAL DESCRIPTION

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO, LOCATED IN THE NORTH 1 /2 OF SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M. AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 9 AND THE WEST 66.74 FEET OF LOT 3, INDUSTRIAL PARK WEST SUBDIVISION, FILING NO. 2, A SUBDIVISION OF THE CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.
AND;

LOT 3, EXCEPT THE WEST 66.74 FEET THEREOF, INDUSTRIAL PARK WEST SUBDIVISION, FILING NO. 2, A SUBDIVISION OF THE CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.

ADDITIONAL INFORMATION AND DOCUMENTS ON THIS APPLICATION CAN BE FOUND AT [BIT.LY/FLDEVELOPMENT](https://bit.ly/FLDEVELOPMENT)
AND SCROLLING DOWN TO THE ROWS TITLED: MERICLE RV PROPANE TANK SPECIAL USE PERMIT.

MERICLE RV PROPANE TANK SPECIAL USE PERMIT

Part of the North 1/2 of the Southeast 1/4 of Section 31,
Township 2 North, Range 66 West of the 6th P.M.,
City of Fort Lupton, County of Weld, State of Colorado

Sheet 1 of 2

GENERAL NOTES:

- 1) ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTIONS BASED UPON A 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.
- 2) PROPERTY BOUNDARY INFORMATION AND EASEMENT INFORMATION SHOWN HEREON IS BASED UPON ALTA/NSPS LAND TITLE SURVEY COMPLETED BY AMERICAN WEST LAND SURVEYING CO. DATED JUNE 17, 2020.
- 3) THIS SITE PLAN DOES NOT REPRESENT A MONUMENTED LAND SURVEY PLAT OR IMPROVEMENT SURVEY AND IS ONLY MEANT TO DEPICT THE NATURE AND CONDITION OF THE EXISTING IMPROVEMENTS LOCATED ON THE SUBJECT PROPERTY. NO TITLE COMMITMENT WAS PROVIDED TO AMERICAN WEST LAND SURVEYING CO. DURING THE PREPARATION OF THIS SITE PLAN AND NO FURTHER EASEMENT INFORMATION WAS REQUESTED BY THE CLIENT.
- 4) PARKING DETAILS/SCHEMATIC AND THE LOCATION OF PROPOSED IMPROVEMENTS WERE PROVIDED BY MERICLE RV.

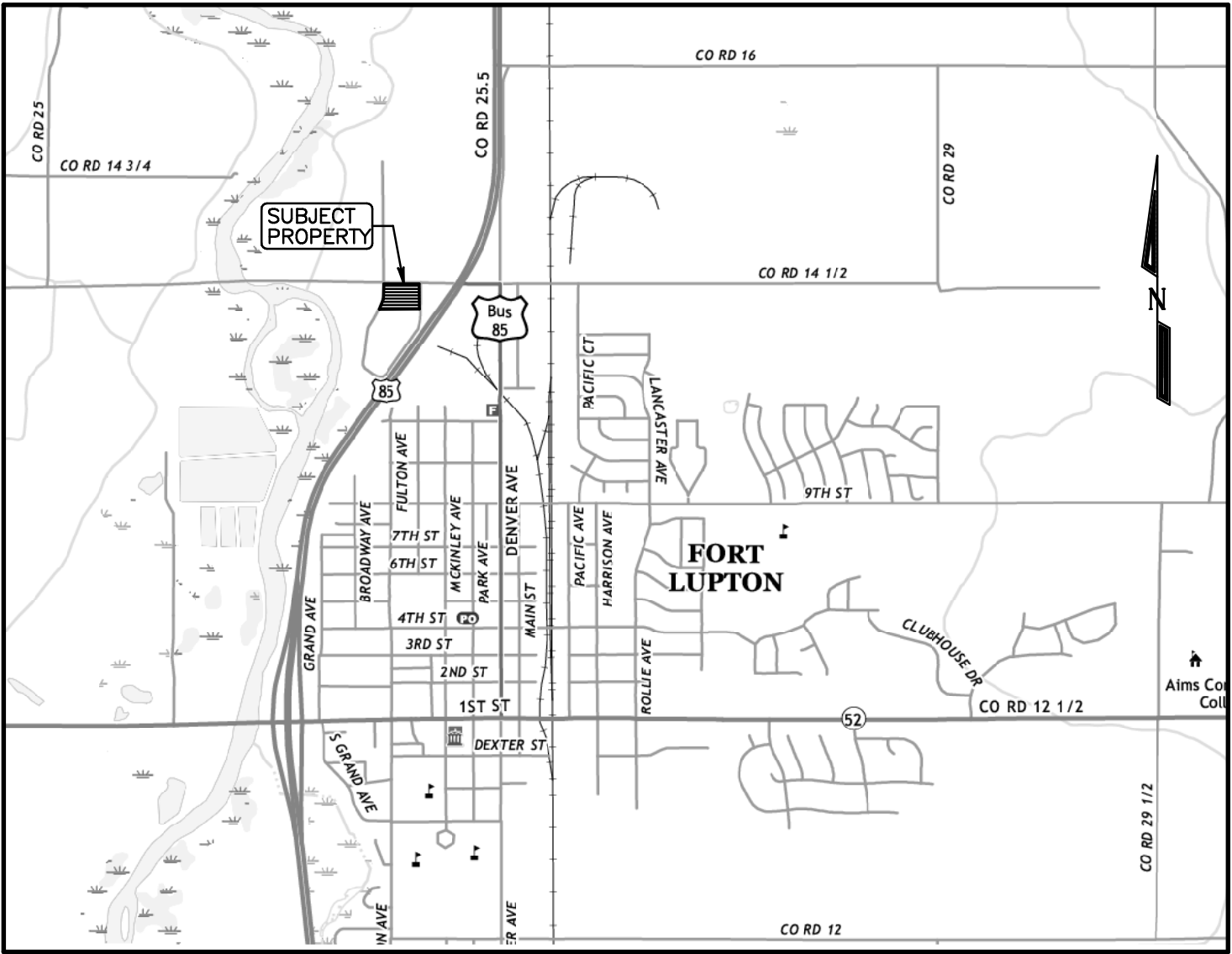
CITY OF FORT LUPTON NOTES:

- 1) ANY FUTURE EXPANSION OF THE SITE OR ADDITION OF BUILDINGS NOT SHOWN ON THE CURRENT SITE PLAN MAP WILL REQUIRE THE REVIEW OF THE PLANNING DEPARTMENT, BUILDING DEPARTMENT, ENGINEERING DEPARTMENT, AND THE FIRE DISTRICT TO DETERMINE IF ADDITIONAL REQUIREMENTS ARE NECESSARY PRIOR TO THE RELEASE OF BUILDING PERMITS.
- 2) THE PROPERTY SHALL BE MAINTAINED TO THE CURB, OR ROADWAY IF NO CURB EXISTS.
- 3) DEAD AND DYING LANDSCAPING MATERIAL SHALL BE REPLACED BY A DATE CHOSEN BY THE PLANNING DEPARTMENT STAFF.
- 4) ANY PARKING OR OTHER IMPROVEMENTS IN THE RIGHT-OF-WAY MUST BE REMOVED UPON REQUEST BY THE CITY.

SURVEYOR'S STATEMENT:

I, CURTIS D. HOOS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SITE PLAN REPRESENTED BY THIS PLAT WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THIS PLAT ACCURATELY REPRESENTS SAID SITE PLAN TO THE BEST OF MY KNOWLEDGE AND BELIEF.

CURTIS D. HOOS, PLS 37971
FOR AND ON BEHALF OF:
AMERICAN WEST LAND SURVEYING CO.
A COLORADO CORPORATION



VICINITY MAP: NTS

PROPERTY DESCRIPTION:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO, LOCATED IN THE NORTH 1/2 OF SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M. AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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AND;

LOT 3, EXCEPT THE WEST 66.74 FEET THEREOF, INDUSTRIAL PARK WEST SUBDIVISION, FILING NO. 2, A SUBDIVISION OF THE CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.

OWNER'S APPROVAL:

KNOW ALL MEN BY THESE PRESENTS, THAT TWIN PEAKS AUTO & RV BROKERS, LLC, A COLORADO LIMITED LIABILITY COMPANY, BEING THE SOLE OWNERS OF THE LAND DESCRIBED HEREIN, AND ALL OF THE MORTGAGEES AND HOLDERS OF LIENS UPON THE PROPERTY, AND EACH AND ALL HEREBY CONSENT TO THIS PLAT AND JOIN THE CONVEYANCE AND DEDICATION OF ALL STREETS, ROADS, ALLEYS, EASEMENTS, PUBLIC WAYS AND PLACES SHOWN HEREON.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND SEALS THIS _____ DAY OF _____, 20____

OWNER: TWIN PEAKS AUTO & RV BROKERS, LLC., A COLORADO LIMITED LIABILITY COMPANY

MICHAEL J. MERICLE AS PRESIDENT

STATE OF COLORADO }
COUNTY OF WELD } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME

BY _____ ON THIS _____

DAY OF _____, 20____

WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

CITY ENGINEER'S APPROVAL:

APPROVED THIS ____ DAY OF _____, 20____

CITY ENGINEER

CITY WATER AND SEWER DEPARTMENT APPROVAL:

APPROVED THIS ____ DAY OF _____, 20____

DIRECTOR OF PUBLIC WORKS

CITY ADMINISTRATOR'S APPROVAL:

APPROVED THIS ____ DAY OF _____, 20____

CITY ADMINISTRATOR

CLIENT:
MERICLE RV
1352 FACTORY DRIVE
FORT LUPTON, CO 80621
888-308-3639



ADDITIONAL INFORMATION AND DOCUMENTS ON THIS APPLICATION CAN BE FOUND AT [BIT.LY/FLDEVELOPMENT](https://bit.ly/fldevelopment) AND SCROLLING DOWN TO THE ROWS TITLED: MERICLE RV PROPANE TANK SPECIAL USE PERMIT.

Sheet 2 of 2

S89°21'03"W 2676.42' (BASIS OF BEARINGS)



RESOLUTION NO. P2021-004

A RESOLUTION OF THE PLANNING COMMISSION OF FORT LUPTON RECOMMENDING TO CITY COUNCIL APPROVAL OF AN ANNEXATION KNOWN AS THE BEEN ANNEXATION NOS. 1 – 4 AND INITIAL ZONING TO THE ‘A’ AGRICULTURAL ZONE DISTRICT FOR LAND LEGALLY DESCRIBED IN EXHIBIT A.

WHEREAS, the Planning Commission held a public hearing on January 28, 2021, for the purpose of reviewing an application submitted by Sheryl Been for an annexation, known as the Been Annexation and Initial Zoning to the ‘A’ Agricultural Zone District; and

WHEREAS, after review of the application and supporting information, the Planning Commission finds that the annexation and initial zoning conforms to Colorado Revised Statutes and City codes and policies therein, and

WHEREAS, all legal requirements for the public hearing have been met including publication of the legal notice in the Fort Lupton Press, mailing of public hearing notices to adjacent property owners within 500 feet, and posting of the hearing on the site.

NOW THEREFORE BE IT RESOLVED, the Planning Commission has taken into consideration all referral comments and any citizen testimony in response to this application. Based upon the facts presented on this date, the Planning Commission hereby recommends approval of the annexation known as the Been Annexation and Initial Zoning to the ‘A’ Agricultural Zone District, conditional upon the following:

- I. Prior to recording the annexation map:
 - A. The title of the annexation and initial zoning map shall include the Project No. LUP2020-0034, and Plan Nos. ANX2020-0004 and COZ2020-0007.
 - B. Any redline comments provided by City Staff shall be made to the annexation map.
- II. The Mylar map shall be submitted within 120 days from the date of City Council approval.

DONE THIS 28th DAY OF JANUARY, 2021, BY THE PLANNING COMMISSION FOR THE CITY OF FORT LUPTON, COLORADO.

Chairman

ATTEST:

Planning Director

EXHIBIT A
LEGAL DESCRIPTION

DESCRIPTION OF BEEN ANNEXATION NO. 1

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

BEGINNING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472769 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 12°24'49" EAST, A DISTANCE OF 140.00 FEET TO THE EAST LINE OF THE NORTH- EAST 1/4 OF SAID SECTION 16; THENCE NORTH 12°19'56" EAST, A DISTANCE OF 140.02 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON; THENCE SOUTH 89°56'40" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6, A DISTANCE OF 60.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 4103 SQUARE FEET OR 0.09 ACRES, MORE OR LESS.

DESCRIPTION OF BEEN ANNEXATION NO. 2

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

BEGINNING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472769 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 12°24'49" EAST, A DISTANCE OF 140.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 12°19'56" EAST, A DISTANCE OF 140.02 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON; THENCE SOUTH 02°27'07" WEST, A DISTANCE OF 690.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 02°38'42" WEST, A DISTANCE OF 660.05 FEET TO THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 10 AND THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19; THENCE NORTH N00°02'24" WEST, COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD NO. 10, A DISTANCE OF 29.97 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 17,027 SQUARE FEET OR 0.39 ACRES, MORE OR LESS.

DESCRIPTION OF BEEN ANNEXATION NO. 3

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472769 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 00°02'24" EAST, COINCIDENT WITH THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19, A DISTANCE OF 29.97 FEET TO THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 10 AND THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19 AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°02'24" EAST, COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 700.00 FEET; THENCE S01°50'59" EAST, A DISTANCE OF 950.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; TENCE NORTH 01°46'10" EAST, A DISTANCE OF 950.00 FEET TO THE EAST RIGHT-OF-WAY OF COUNTY ROAD NO. 19; THENCE NORTH 00°02'24" WEST, COINCIDENT WITH SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 729.98 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6; THENCE SOUTH 02°27'07" WEST, A DISTANCE OF 690.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 02°38'42" WEST, A DISTANCE OF 660.05 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 51,155 SQUARE FEET OR 1.17 ACRES, MORE OR LESS.

DESCRIPTION OF BEEN ANNEXATION NO. 4

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472769 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 00°02'24" EAST, COINCIDENT WITH THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19, A DISTANCE OF 729.97 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°02'24" EAST, COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 864.43 FEET TO THE NORTH LINE OF LOT A, RECORDED EXEMPTION NO. RE-4223 AS SHOWN ON THE PLAT RECORDED NOVEMBER 23, 2005 AS RECEPTION NO. 3342371 IN THE

RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE COINCIDENT WITH SAID NORTH LINE THE FOLLOWING ELEVEN (11) COURSES AND DISTANCES:

- 1) NORTH 70°29'49" WEST, A DISTANCE OF 48.75 FEET;
- 2) NORTH 76°52'39" WEST, A DISTANCE OF 461.68 FEET;
- 3) NORTH 74°47'30" WEST, A DISTANCE OF 66.09 FEET;
- 4) NORTH 72°36'36" WEST, A DISTANCE OF 384.13 FEET;
- 5) SOUTH 89°59'19" WEST, A DISTANCE OF 10.07 FEET;
- 6) SOUTH 49°07'04" WEST, A DISTANCE OF 244.82 FEET;
- 7) SOUTH 50°18'30" EAST, A DISTANCE OF 340.62 FEET;
- 8) SOUTH 47°52'20" WEST, A DISTANCE OF 299.39 FEET;
- 9) SOUTH 55°57'49" WEST, A DISTANCE OF 88.08 FEET;
- 10) SOUTH 65°00'00" WEST, A DISTANCE OF 80.60 FEET;
- 11) SOUTH 77°14'08" WEST, A DISTANCE OF 107.46 FEET TO THE SOUTHWEST CORNER OF SAID LOT A; THENCE NORTH 86°23'22" EAST, COINCIDENT WITH THE SOUTH LINE OF SAID LOT A, A DISTANCE OF 1920.13 FEET TO THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19; THENCE NORTH 00°02'24" WEST, COINCIDENT WITH SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1176.07 FEET; THENCE SOUTH 01°46'10" WEST, A DISTANCE OF 950.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 01°50'59" WEST, A DISTANCE OF 950.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 729,846 SQUARE FEET OR 16.75 ACRES, MORE OR LESS.

BEEN ANNEXATION & INITIAL ZONING STAFF REPORT
PROJECT NO. LUP2020-0034 / PLAN NOS. ANX2020-0004 & COZ2020-0007

PROJECT DESCRIPTION

Project No.: LUP2020-0034 / Plan Nos. ANX2020-0004 & COZ2020-0007

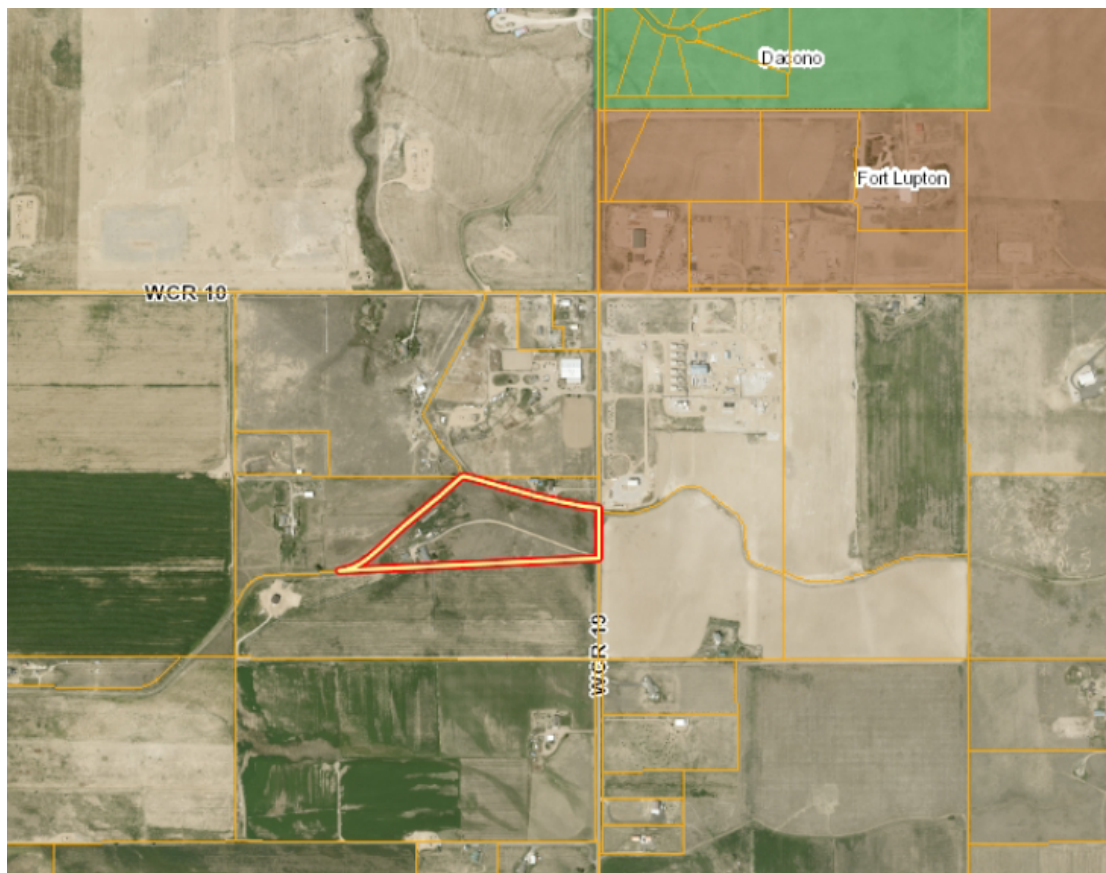
Project name: Been Annexation & Initial Zoning

Owner's Name: Sheryl A. Been ("Applicant")

Representative: Chadwin F. Cox with Western Engineering Consultants, inc. LLC

Location of Request:

The site consists of a parcel of land located west and adjacent to County Road 19 and approximately 0.29 miles south from County Road 10 in Weld County, Colorado (Parcel No. 146916100006) (the "Property"). The annexation is located in the Northeast Quarter of Section 16, and the Northwest Quarter of Section 15, Township 1 North, Range 67 West of the 6th P.M., County of Weld, State of Colorado. The Property is approximately 0.29 miles south of City Limits.



The Property is primarily surrounded by agricultural and rural residential land uses. Additionally, nearby to the northeast exists an oil and gas tank and battery assembly. Unincorporated Weld County surrounds the property on all sides. This is a flagpole annexation and the annexation will connect to City Limits via County Road 10 from the Zadel Annexation located north and adjacent to County Road 10 and east and adjacent to County Road 19, which was approved by City Council in 2018.

Nature of Request:

The Applicant has submitted a request for annexation of the parcel of land with initial designation to the 'A' Agricultural Zone District. There is an existing rural residence on-site. The application mentions a conceptual future land use for an RV park, an addition residence, as well as potential commercial. These land uses are not part of this application, and any proposals for any future land use would come before the Planning Commission for further review and consideration.

Site Size: Subject Property: 16.75 acres, more or less; Total Acreage of Property to be Annexed (including County road 10 right of way): 18.40 acres, more or less.

Proposed Zone District: 'A' Agricultural

Concept Land Use Plan: The Applicant has submitted a conceptual plan for the annexation, which includes an RV park, future additional residence, and potential commercial node for the Property. These land uses, or any other proposed land uses not mentioned, will require separate land use processes prior to being approved.

Existing Use: The Property currently contains an existing rural residence on the Property.

Hearing Dates: Planning Commission – January 28, 2021 at 6:00 PM; and
City Council – February 16, 2021 at 7:00 PM.

Hearing Location: Fort Lupton City Hall – Council Chambers, 130 S. McKinley Ave., Fort Lupton, Colorado.

Staff Recommendation: Approval with conditions, as listed in the proposed resolution.

SUMMARY OF PREVIOUS APPLICATIONS

To staff's knowledge, there are no prior applications for these properties through the City of Fort Lupton.

APPLICATION PROCESS

The Applicants are requesting approval of an annexation and initial zoning to the 'A' Agricultural Zone District.

An annexation is processed under [Chapter 15: Annexation](#) of the Fort Lupton Municipal Code ("Code").

After required public notice of annexation and initial zoning, the Planning Commission shall review the annexation map, the concept land use plan and the zoning request at a public hearing, and shall submit a written recommendation to City Council.

The City Council shall then conduct a public hearing and consider the approval of an ordinance annexing the property to the City without election if it finds that the annexation is in compliance with the

requirements of the Colorado Municipal Annexation Act of 1965, as amended, and the Fort Lupton Municipal Code. The City Council shall then either:

1. Approve, or approve with conditions, the ordinances for annexation and initial zoning. Approval may be contingent upon specific changes to the zoning or to the annexation agreement provided to the City Council prior to the public hearing.
2. Disapprove the ordinances to annex and initially zone the Property. If the City Council disapproves annexation, no similar request may be heard for a period of one year from the date of denial.

NOTIFICATION REQUIREMENTS

All notification requirements were met, including posting notice of the hearings on the property at least 15 days prior to this public hearing, mailing notice to property owners within 500 feet of the site, and the publishing notice of the hearing in the Fort Lupton Press for four consecutive weeks, with the first publication being at least 30 days prior to the City Council public hearing.

In addition, notice of the public hearings, as well as the resolution and petition, was sent to the Weld County Commissioners and Weld County Attorney, the school district and all special districts on January 21, 2021 by certified mail, return-receipt requested. The annexation impact report will be sent on or before January 27, 2021 to the Weld County Commissioners by certified mail, return-receipt requested. Finally, a flagpole notification was sent to property owners along the flagpole on January 6, 2021.

CONFORMANCE WITH CITY STANDARDS, REGULATIONS AND POLICIES

This annexation meets the requirements set forth by the Municipal Annexation Act of 1965, as amended and by [Chapter 15 of the Municipal Code](#) relating to Annexation. The Planning Department staff has determined that the applicant has submitted all required documents pursuant to the Code.

Section 15-3 of the Municipal Code outlines the Annexation Policy, which is:

- a) The City Council shall have the sole discretion in the annexation of territory proposed for annexation to the City, and the City is under no obligation to approve any annexation petition.

Staff Comment: On January 5, 2021, the City Council accepted the annexation petition and set the public hearing date for this matter on February 16, 2021.

- b) Land to be annexed shall conform to the goals, policies and strategies of the City.

Staff Comment: The Planning Department finds that the annexation meets the goals, policies and strategies of the City, specifically in relation to the Comprehensive Plan, which is further explained later in this Staff Report.

- c) The petitioner for annexation of land to the City shall be responsible for paying all required fees and for all related costs and overhead incurred by the City in reviewing and processing the annexation petition.

Staff Comment: The Applicant has paid all required land use fees, and has a fee deposit established to cover any costs related to the project.

- d) Annexation shall not divide tracts of land in such a way as to prevent annexation of adjoining land.

Staff Comment: The proposed annexation will not prevent future annexation of land.

- e) All annexations shall be accompanied by an [annexation] agreement between the petitioner and the City, stating conditions related to municipal services or other terms of annexation that are not specifically provided for in the Code.

Staff Comment: The Applicant and City Attorney are working in good faith to finalize an annexation agreement. A draft will be provided to the Fort Lupton City Council for consideration prior to the public hearing.

- f) Unless specifically deferred by the City Council, zoning of the property shall occur concurrently with the annexation. Proposed zoning shall conform to a concept land use plan submitted with the annexation petition. In the event that sufficient planning has not been done to define zoning boundaries at the time of annexation, the City may zone the property “A,” Agricultural, as an interim zoning classification.

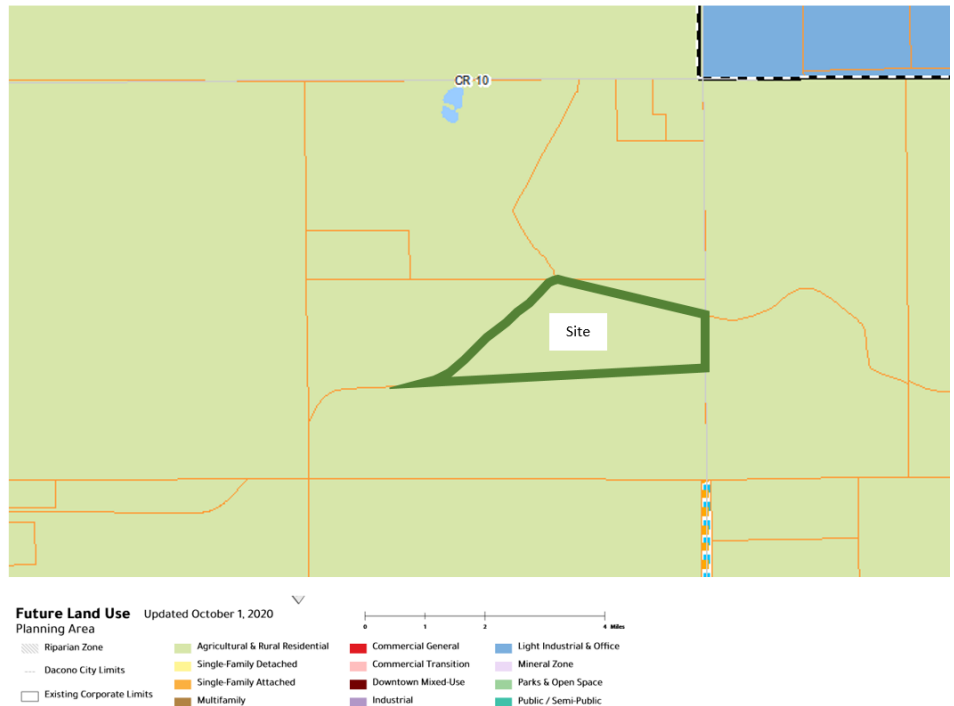
Staff Comment: The Applicant is requesting zoning to the ‘A’ Agricultural Zone District.

- g) Required contiguity of noncontiguous parcels proposed for annexation may be achieved by annexation of one (1) or more portions of street right-of-way or other public way, a process commonly referred to as “flagpole” annexation.

Staff Comment: The proposed annexation meets the required contiguity through a flagpole annexation.

CONFORMANCE WITH THE COMPREHENSIVE PLAN

The Property is located within the Fort Lupton Comprehensive Plan area. The Fort Lupton Comprehensive Plan designates this area as the Agricultural & Rural Residential land use type. This designation allows for agricultural and related uses as well as low density residential on the periphery of the planning area, intended to preserve a generally rural character. This also includes a variety of miscellaneous uses, such as isolated industrial businesses and semi-rural properties located under Estate Zoning. Given the availability of viable land for development in more appropriate districts, commercial or residential investment within agricultural areas should be discouraged. This will help limit unnecessary loss of agricultural lands and reduce the potential of suburban sprawl. The proposed zoning to the ‘A’ Agricultural Zone District conforms to this land use designation.



REFERRALS

Referrals were provided to the list below. Any comments received are enclosed with the Planning Commission packet.

City Attorney	Police Chief	Public Works Director
Water Treatment Plant Manger	GIS Specialist	Fort Lupton Fire Protection District
CDOT	Colorado DRMS	Division of Water Resources
United Power	Comcast	CenturyLink
Xcel Energy	Postmaster	Weld County Department of Planning
Weld Cty. Dpt. of Public Health & Env.	Weld County Public Works	Weld County School District RE-8
NCWCD	Town of Frederick	City of Dacono
Bull Canal	Central Weld County Water District	

RECOMMENDATION

Staff recommends conditional approval of the Been Annexation and Initial Zoning to 'A' Agricultural. Conditions are listed on the proposed Resolution provided to Planning Commission.

***For more information on this development, please refer to the Planning Commission packet provided.
Additional documents are available for review at the Fort Lupton City Hall.***



Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621

Phone: 303.857.6694
Fax: 303.857.0351

www.fortluptonco.gov

Project No. _____

Land Use Application Form

A. CONTACT INFORMATION

- 1) Property Owner Name: BEEN SHERYL A
 Company: N/A
 Phone: 303-902-9262 Email: wereafrog@yahoo.com
 Address: 3647 County Road 19, Fort Lupton, CO 806218408
 Preferred method of contact? Email: ☒ Phone: ☐ Mail: ☐
- 2) Representative Name: CHADWIN F. COX
 Company: Western Engineering Consultants, inc. LLC
 Phone: 720-685-9951 Email: chadwin.cox@westerneci.com
 Address: 127 South Denver Ave. Fort Lupton, CO 80621
 Preferred method of contact? Email: ☒ Phone: ☒ Mail: ☐
- 3) Billing Contact (where invoices should be directed to): BEEN SHERYL A.
 Billing Company: N/A
 Phone: 303-902-9262 Email: wereafrog@yahoo.com
 Address: PO BOX 375, Fort Lupton, CO 80621

B. SITE DESCRIPTION

Site Address: 3647 County Road 19, Fort Lupton, CO 806218408
 Parcel Number: 146916100006
 Existing Zone Classification: AG Proposed Zone Classification: AG
 Water Type: Municipal Name: Central Weld County Water District
 Sewage Type: Septic system District Name or Location Hauled to: N/A

C. APPLICATION TYPE (CHECK ALL THAT APPLY)

Sketch Plat	Administrative Site Plan	PUD Plan (Preliminary & Final)
Preliminary Plat	Special Use Permit	Variance
Final Plat	Oil & Gas Permit	Administrative Variance
Minor Subdivision	Annexation & Initial Zone ☒	Appeal
Amended Plat	Change of Zone	Other: _____
Site Plan	Comp Plan Amendment	

D. PROJECT DESCRIPTION

Project No. _____

Project Name: BEEN RV PARK

Please provide a short description of the proposed project in the space provided below:

Been RV Park will be constructed over multiple phases on an approximate 10 acre site. Up to 2 (two) employees are expected at buildout to run day to day operations. The hours of operations are intended to be from 8:00 am to 10:00pm. Quiet hours are anticipated from 10:00pm to 6am. The number of overnight or long term RV vehicles will be based on the sewer system capacity. Initially 120 with OWTS and a total of 161 when connection to the future City sewer line is available.

E. REQUIRED DOCUMENTS

For an application to be considered complete, and for planning staff to begin review and schedule any applicable public hearings, this Land Use Application Form must be fully completed and all required attachments included. Planning staff will review the application for completeness and will provide notice to the representative and/or owner whether the application has been deemed complete.

F. CERTIFICATIONS**Representative Certification**

By signing this application, I attest that I am acting with the knowledge and consent of all owners of the property that is the subject of this application, and that I have been designated to act as the representative for the project described in this land use application. I further certify that all information submitted with this application is true and accurate to the best of my knowledge.

Representative: _____ Date: _____

Owner Certification

I hereby certify that I am the legal owner of record of the property that is the subject of this application. I authorize the representative listed on this application, if any, to communicate directly with City officials and to submit documentation and information regarding this application on my behalf.

Owner: Sheryl A. Bann Date: 8/5/2020

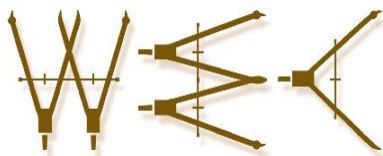
For Office Use Only

Received Date: _____

If the application is not complete, state reasons why it is incomplete:

Deemed Complete Date: _____

Fees Submitted: _____ Escrow Submitted: _____



WESTERN ENGINEERING CONSULTANTS,
127 S Denver Ave. Fort Lupton, CO 80621
2501 Mill Street, Brush, CO 80723
Office: 720-685-9951
Cell. 303-913-7341, Fax 720-294-1330
Email: chadwin.cox@westerneci.com

Inc LLC

October 23, 2020

City of Fort Lupton
130 South McKinley Ave.
Ft. Lupton, CO 80621

RE: BEEN RV PARK ANNEXATION, ZONING, & SKETCH NARRATIVE

City Design Review Committee:

Western Engineering Consultants Inc. Llc (WEC) has prepared this narrative letter to briefly summarize the "BEEN RV PARK" project and the proposed Annexation, Zoning, and Sketch Plan.

Sheryl Been wishes to annex approximately 16.75 acres into the City of Fort Lupton. The subject property is located primarily in the northeast quarter of section 16, township 1 north, range 67 west of the sixth principal meridian, County of Weld, State of Colorado.

The property has historically been farmland and its current Weld County zone is Agricultural.

The City of Fort Lupton limits are approximately 1,600 feet from the north boundary.

PURPOSE / BACKGROUND

Sheryl Been desires to Annex, Zone, and develop her property as two (2) single family residences (one existing and one proposed), a large acreage Recreational Vehicle Park for short or long term living, and a future 1.0 acre Commercial Lot adjacent to WCR 19.

Currently the Bull Canal runs along the North and West sides of the property and Weld County Road 19 exists along the eastern boundary.

ADJACENT USES

To the north agricultural land and one rural residence. To the east/northeast lies and Oil and Gas tank and battery assembly. To the south and west are agriculture crops and pastures.

RELATIONSHIP TO & IMPACT UPON ADJACENT USES

The existing residence in the southwest corner will remain as is. An additional single family residence is proposed north of the existing residence will complete the western boundary thus uses will remain consistent with current conditions along the west property line.

The center portion of the development is proposed as a residential (RV Park) that will be buffered (setback) from the north and south properties that are currently farmed.

The northeastern corner adjacent to WCR 19 will be a future commercial property and will be screened appropriately to the only neighbor to the north. Screening and buffering will occur on the north and west portions of the commercial lot. Landscaping per City code will be added along the commercial property frontage to WCR 19.

The City Comprehensive Plan show this area as Agricultural & Rural Residential - see Figure 1 below.

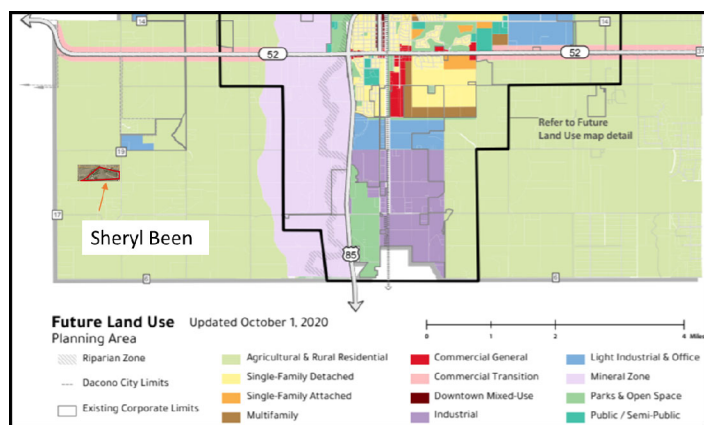


Fig. 1 Future Land Use

ACCESS LAYOUT

The project is proposing one main access from Weld County Road 19 located approximately 1,851 feet south of the WCR 19 and WCR 10 intersection. Highway 52 lies less than 2 miles north of this property.

On site will be 2 dedicated access easements (connected and looped within the RV Park Lot – Lot 3) in order to serve both Lots 1 and 2 (the existing and proposed single family residences) and provide acceptable emergency access to said Lots. A public ROW and cul de sac could be dedicated if necessary.

ZONING, USE, PHASING, and UTILITY DISTRICTS

The following summarizes the proposed specifics:

- | | |
|----------------------------------|--|
| • Zoning | Currently zoned Agriculture in Weld County |
| • Proposed Use | PUD |
| • Type of structures to be built | One single family residence and one Commercial Office building |
| • Phasing | The project is expected to be built as demand allows. |
| • Water source | Connect to Central Weld County Water District |
| • Sanitary Sewer source | Septic System until City Sewer is available |
| • Storm sewer | On Site Detention as coordinated with the City |
| • Gas & Electricity | Xcel and United Power |
| • Fire Protection | Ft. Lupton Fire Protection District |

WATER, SEWER, ELECTRICITY, & NATURAL GAS

The applicant has completed the Affidavit of historic water use and has applied for inclusion to the Northern Colorado Water Conservancy District. WEC has coordinated with and the Applicant has funded the Central Weld County Water District water demand and supply study. Currently CWCWD water main exists 1,850 feet +/- north of the site.

On site wastewater systems will be utilized until the City sanitary system is extended to the property frontage.

United Power electricity is immediately adjacent and available. It is unclear if natural gas exists near the Site.

MINERAL RIGHTS & ON SITE GAS/OIL FACILITIES

The Zeren mineral rights notification certification is attached. There are two leases identified.

There is also a gas line located within the center of the site (runs north-south) that has been determined to be abandoned (see attached email from DCP Pipeline). WEC will assist the Applicant to have said line removed and easement vacated.

STATEMENT ON COMMUNITY NEED FOR PROPOSED ANNEXATION & ZONING

The proposed annexation aligns with the intent of the City of Fort Lupton's Comprehensive and Zoning Plan. The proposed uses will complement the surrounding land uses currently adjacent to the property.

The proposed uses will not be detrimental to the public health, safety, or general welfare. A Recreational Vehicle Park provides affordable living options for temporary work force and long-term residency as well RV tourism that is not currently available in the area. The proposed uses will be required to conform to all applicable City of Fort Lupton zoning regulations and standards.

POTENTIAL IMPACT IN ADJACENT PROPERTIES

Negative impacts are not anticipated from this development on adjacent properties after construction has been completed. This project will enhance and extend City infrastructure for adjacent and neighboring properties.

Traffic is expected to be reasonable but won't occur until adjacent rights of way and transportation paths are improved in accordance with City Standards. Landscape and screening will further enhance the development and neighborhood.

ANNEXATION CHECKLIST

- | | |
|--|---------------------------|
| 1. Annexation Petition | Enclosed |
| 2. Land Use Application | Enclosed |
| 3. Completed Draft Annexation Agreement | Encl., to be negotiated |
| 4. Two full size paper copies and fifteen 11" by 17" Annexation map copies | Enclosed |
| 5. Completed application for zoning the property being annexed | Enclosed |
| 6. Two full size paper copies and fifteen 11" by 17" Concept Land use (sheet 4) | Enclosed |
| 7. Supporting info | |
| a. Soils description | NRCS Study included |
| b. Statement of known hazards and other important environmental hazards | Site Geotech underway |
| c. Preliminary Utility Plan | None known to exist |
| d. One set of No. 10 envelopes, stamped, addressed to property owners within 500 feet of property. Envelopes shall be return addressed to the City | Enclosed |
| e. In the case of "flagpole" annexation – separate envelopes required. | By City |
| f. Affidavit concerning the amount and historical use of all water rights owned | Not applicable this app |
| g. Vicinity map with 1-1/2 mile radius at a minimum scale of 1" = 2,000 feet | Enclosed |
| h. Statement on community need for proposed annexation and zoning | Enclosed |
| i. For annexations in excess of 10 acres – School impact letter | Incl. in narrative above |
| j. Draft Annexation Impact Report | Requested by email (encl) |
| | Enclosed |

ZONING CHECKLIST

- | | |
|---|---------------------|
| 1. Completed Land Use Application, Fees & Escrow Funds - total \$7,034.40 | Enclosed |
| 2. A detailed written description of the proposal with maps. | Herein and attached |
| 3. One set of No. 10 envelopes stamped, addressed to property owners within 100 feet of property. Envelopes shall be return addressed to the City | By City |
| 4. A copy of the recorded warranty deed and title commitment | Enclosed |
| 5. Any such additional descriptive materials as Planning may require | Noted |

CLOSING

The Applicant is excited to bring this project to the City of Fort Lupton!

The desired schedule is to achieve approvals and begin Construction within 60 days after receiving said approvals early 2021.

Please contact me with any questions or comments you may have on this Project Narrative.

Sincerely,



Western Engineering Consultants inc., LLC
Chadwin F. Cox, P.E.
Senior Project Manager

Encl. Annexation Submittal
 Zoning Submittal
 Sketch Plan Submittal

DCP Pipeline

Hagenlock, Lewis D <LHagenlock@dcpmidstream.com>

Wed 10/7/2020 7:59 AM

To: Leticia Maldonado <leticia.maldonado@westerneci.com>

 1 attachments (3 MB)

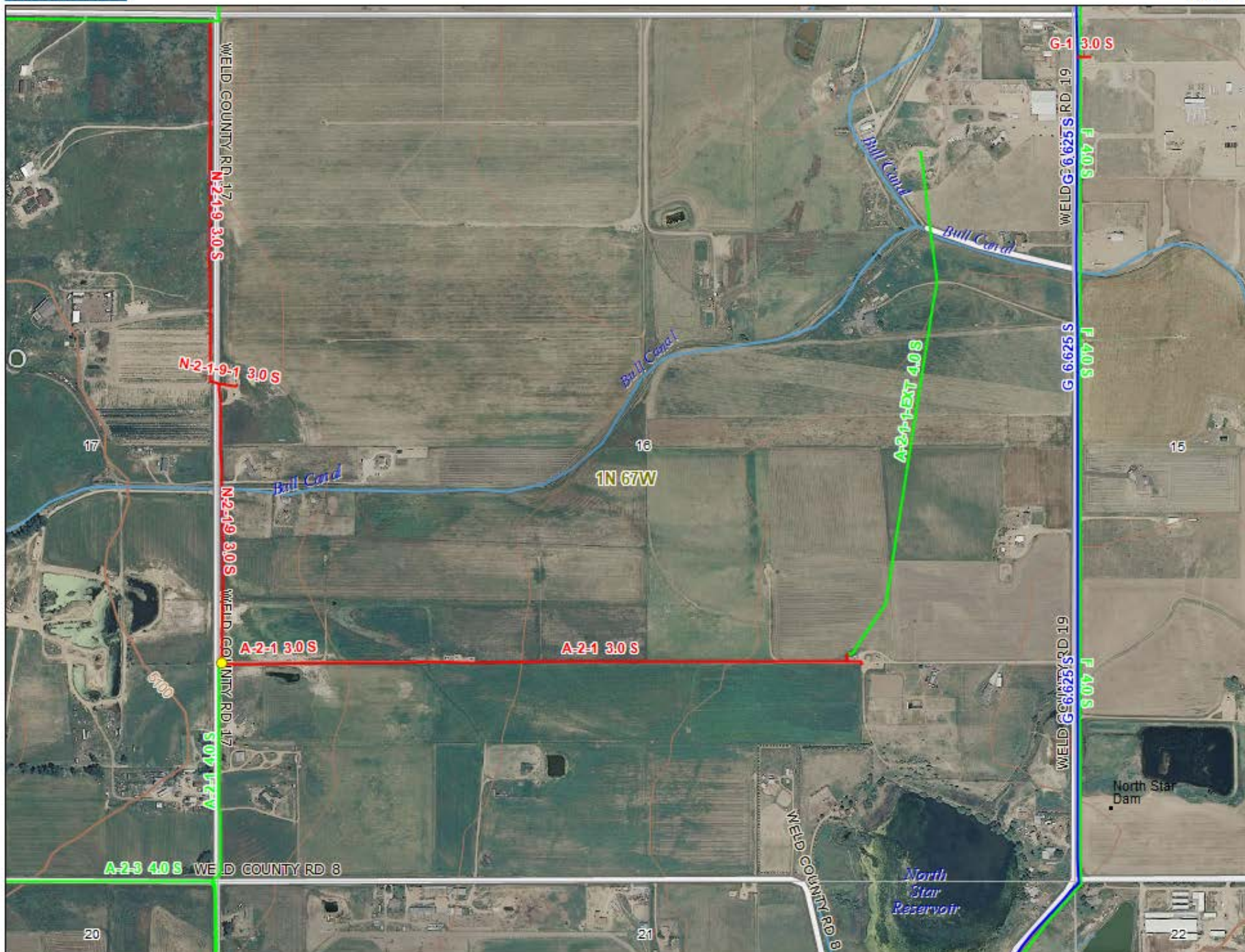
16-1N-67W.bmp;

Morning Leticia,

Attached map shows the approximate location of DCP's pipeline in the NE/4 of Sec. 16. I spoke with Operations and this line is currently abandoned in place. We can remove it at the developers expense and Release the easement after the pipe is removed.

Feel free to give me a call to discuss – 970-378-6351.

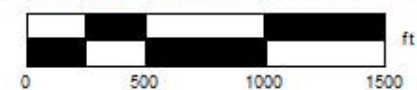
Lew Hagenlock
DCP Operating Company, LP



Data use subject to license.

© DeLorme. XMap® 8.

www.delorme.com



PETITION FOR ANNEXATION

TO: THE CITY COUNCIL OF FORT LUPTON, COLORADO

We, the undersigned landowners, in accordance with Colorado law, hereby petition the City of Fort Lupton and its City Council for annexation to the City of Fort Lupton of the unincorporated territory, the legal description of which is attached hereto as Exhibit A and incorporated herein by this reference, located in the County of Weld and the State of Colorado, and to be known as the SHERYL BEEN Annexation to the City of Fort Lupton.

As part of this petition, your petitioners further state to the City Council that:

1. It is desirable and necessary that the territory described in Exhibit A be annexed to the City of Fort Lupton.
2. The requirements of Sections 31-12-104 and 31-12-105, C.R.S., as amended, exist or have been met in that:
 - a. Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City of Fort Lupton or will be contiguous with the City of Fort Lupton within such time as required by Section 31-12-104.
 - b. A community of interest exists between the area proposed to be annexed and the City of Fort Lupton.
 - c. The area proposed to be annexed is urban or will be urbanized in the near future.
 - d. The area proposed to be annexed is integrated with or is capable of being integrated with the City of Fort Lupton.
 - e. No land within the boundary of the area proposed to be annexed which is held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, has been divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels were separated by a dedicated street, road, or other public way.
 - f. No land within the boundary of the area proposed to be annexed which is held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, comprises twenty acres or more, and, together with the buildings and improvements situated thereon, has an assessed value in excess of two hundred thousand dollars (\$200,000.00) for ad valorem tax purposes for the year next preceding the annexation, has been included within the area proposed to be annexed without the written consent of the landowner or landowners.
 - g. No annexation proceedings have been commenced for any portion of the area proposed to be annexed for the annexation of such area to another municipality. The area proposed to be annexed is not part of any incorporated city, city and county, or town.

- h. The territory proposed to be annexed does not include any area which is the same or substantially the same area in which an election for an annexation to the City of Fort Lupton was held within the twelve months preceding the filing of this petition.
 - i. The annexation of the area proposed to be annexed will not result in the detachment of said area from any school district.
 - j. The annexation of the territory proposed to be annexed will not have the effect of extending the boundary of the City of Fort Lupton more than three miles in any direction from any point of the boundary of the City of Fort Lupton in any one year.
 - k. The territory to be annexed is 18.40 acres, more or less, in total area.
 - l. Prior to completion of the annexation of the area proposed to be annexed, a plan will be in place, pursuant to Section 31-12-105 (1) (e), C.R. S., which generally describes the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation, and power to be provided by the City of Fort Lupton, and the proposed land uses for the area.
 - m. In establishing the boundary of the area proposed to be annexed, if a portion of a platted street or alley is to be annexed, the entire width of the street or alley has been included within the area annexed, and reasonable access will not be denied to any landowners, owners of any easement, or the owners of any franchise adjoining any platted street or alley which is to be annexed but is not bounded on both sides by the City of Fort Lupton.
 - n. If required, an impact report will be prepared and filed pursuant to Section 31-12-108.5, C.R.S..
3. The signer(s) of this petition comprise(s) more than fifty percent (50%) of the landowners and own more than fifty percent (50%) of the property, excluding public streets and alleys and any land owned by the annexing municipality, and are, in fact, owners of one hundred percent (100%) of the property set forth in Exhibit A attached hereto and incorporated herein by reference.
4. At least fifteen (15) days prior to the presentation of this petition to the Fort Lupton City Council, a minimum of fifteen (15) copies of an annexation map shall be submitted to the City, produced with an engineer's scale, minimum scale to be one (1) inch represents one hundred (100) feet, on a reproducible medium with outer dimensions of twenty-four (24) by thirty-six (36) inches, containing the following information:
- a. The date of preparation, the scale and a symbol designating true north.
 - b. The name of the annexation.
 - c. The names, addresses and phone numbers of the applicant and the firm or person responsible for preparing the annexation map.
 - d. The legal description.
 - e. Distinction of the boundary that is contiguous to the City and the length of same.
 - f. Lot and block numbers if the area is already platted.
 - g. Existing and proposed easements and rights-of-way.

- h. Existing and requested zoning and acreage of each requested zone.
 - i. Ownership of all parcels within and adjacent to the annexation.
 - j. Appropriate certification blocks as directed by the Planning Department.
- 5. At least fifteen (15) days prior to the presentation of this petition to the Fort Lupton City Council, a minimum of fifteen (15) copies of a master plan shall be submitted to the City of Fort Lupton, produced with an engineer's scale, minimum scale to be one (1) inch represents one hundred (100) feet, on a reproducible medium with outer dimensions of twenty-four (24) by thirty-six (36) inches, containing the following information.
 - a. The date of preparation, the scale and a symbol designating true north.
 - b. The name of the annexation.
 - c. The names, addresses and phone numbers of the applicant and the firm or person responsible for preparing the master plan.
 - d. Existing and proposed easements and rights-of-way.
 - e. Block numbers and lot numbers with approximate dimensions.
 - f. Proposed gross and net residential density.
 - g. Existing watercourses with adequate easements for flood control.
 - h. Designation of all public sites to be reserved and dedicated.
 - i. Existing two-foot contours.
 - j. Appropriate certification blocks as directed by the Planning Department.
- 6. At least fifteen (15) days prior to the presentation of this petition to the Fort Lupton City Council, a minimum of five (5) copies of all required supportive information shall be submitted to the City of Fort Lupton which shall include the following:
 - a. Soils description and limitation.
 - b. Preliminary utility plan.
 - c. Mailing addresses of all property owners within five hundred (500) feet of the annexation.
 - d. Affidavit concerning the amount and historical use of all water rights owned.
 - e. Vicinity map with one and one-half (1 ½) mile radius, at a minimum scale of one (1) inch represents two thousand (2,000) feet.
 - f. Statement on community need for proposed annexation and zoning.
 - g. For all annexations in excess of ten (10) acres, the applicant shall obtain from the school district governing the area to be annexed a statement of the effect of the annexation upon the school district, including an estimate of the number of students generated by the proposed annexation and the capital construction required to educate such students.
- 7. Upon the annexation ordinance becoming effective, all lands within the area proposed to be annexed will become subject to all ordinances, resolutions, rules, and regulations of the City of Fort Lupton, except for general property taxes of the City of Fort Lupton, which shall become effective as of the January 1 next ensuing.

8. The zoning classification requested for the area proposed to be annexed is 'A' Agricultural, as shown on the annexation map attached hereto and incorporated herein.
9. As required by the City of Fort Lupton, an annexation agreement has been or will be executed by the petitioners herein and the City relating to this annexation and the petitioners hereby expressly consent to the terms and conditions set forth in the annexation agreement.
10. As an expressed condition of annexation, landowner(s) consent(s) to petition for inclusion into the Northern Colorado Water Conservancy District and the municipal sub district pursuant to Section 37-45-136 (3.6) C.R.S. to pay the appropriate fees and costs associated with such inclusion. Landowner(s) acknowledge(s) that, upon inclusion into the district and subdistrict, landowner's(s') property will be subject to the same mill levies and special assessments as are levied or will be levied on other similarly situated property in the district and subdistrict at the time of inclusion of landowners(s') lands. Landowner(s) agree(s) to waive any right to an election which may exist to require an election pursuant to Article X, Section 20, of the Colorado Constitution before the district and subdistrict can impose such mill levies and special assessments as it has the authority to impose. Landowner(s) also agree(s) to waive, upon inclusion, any right which may exist to a refund pursuant to Article X, Section 20, of the Colorado Constitution.
11. The non-refundable annexation application fee of \$1,134.40 is tendered herewith.

THEREFORE, the undersigned respectfully petition(s) the City Council of the City of Fort Lupton, to annex the territory described and referred to in Exhibit A to the City of Fort Lupton in accordance with and pursuant to the statutes of the State of Colorado.

<u>Land Owner(s) Name(s) and Signature(s)</u>	<u>Mailing Address</u>	<u>Date of Signing</u>
<u>Sheryl Been Sheryl Been</u>	<u>2222 NW - 8th St</u> <u>Docu Refun #1 33486</u>	

EM

Florida
~~State of Colorado~~)
) ss
~~County of Weld~~)
Palm Beach

The foregoing instrument was acknowledged before me this 21st day of October, 2020 by Sheryl Been, Land Owner.

[Signature]
 Notary Signature

Seal



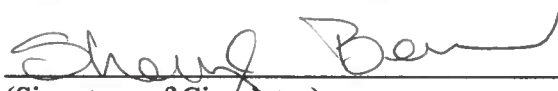
Land Owned

Lot A of Recorded Exemption No. 1469-16-1 RE-4223, recorded November 23, 2005 at Reception No. 3342371, being a part of the South Half of the Northeast Quarter of Section 16, Township 1 North, Range 67 West of the 6th P.M., County of Weld, State of Colorado.

AFFIDAVIT OF CIRCULATOR

STATE OF COLORADO)
)ss.
COUNTY OF WELD)

Sheryl Been, being first duly sworn, states upon oath that he/she is the circulator of the petition to which this Affidavit is attached and knows of his/her own knowledge that the signature of each land owner appearing on said petition is the signature of the person whose name it purports it to be.

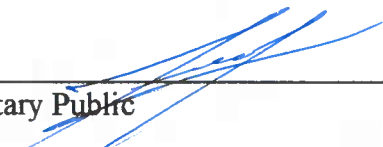

(Signature of Circulator)

The foregoing Affidavit was subscribed and sworn to before me this 21st day of October, 2020, by Sheryl Been.

Witness my hand and official seal.

My commission expires on 12-1-23.

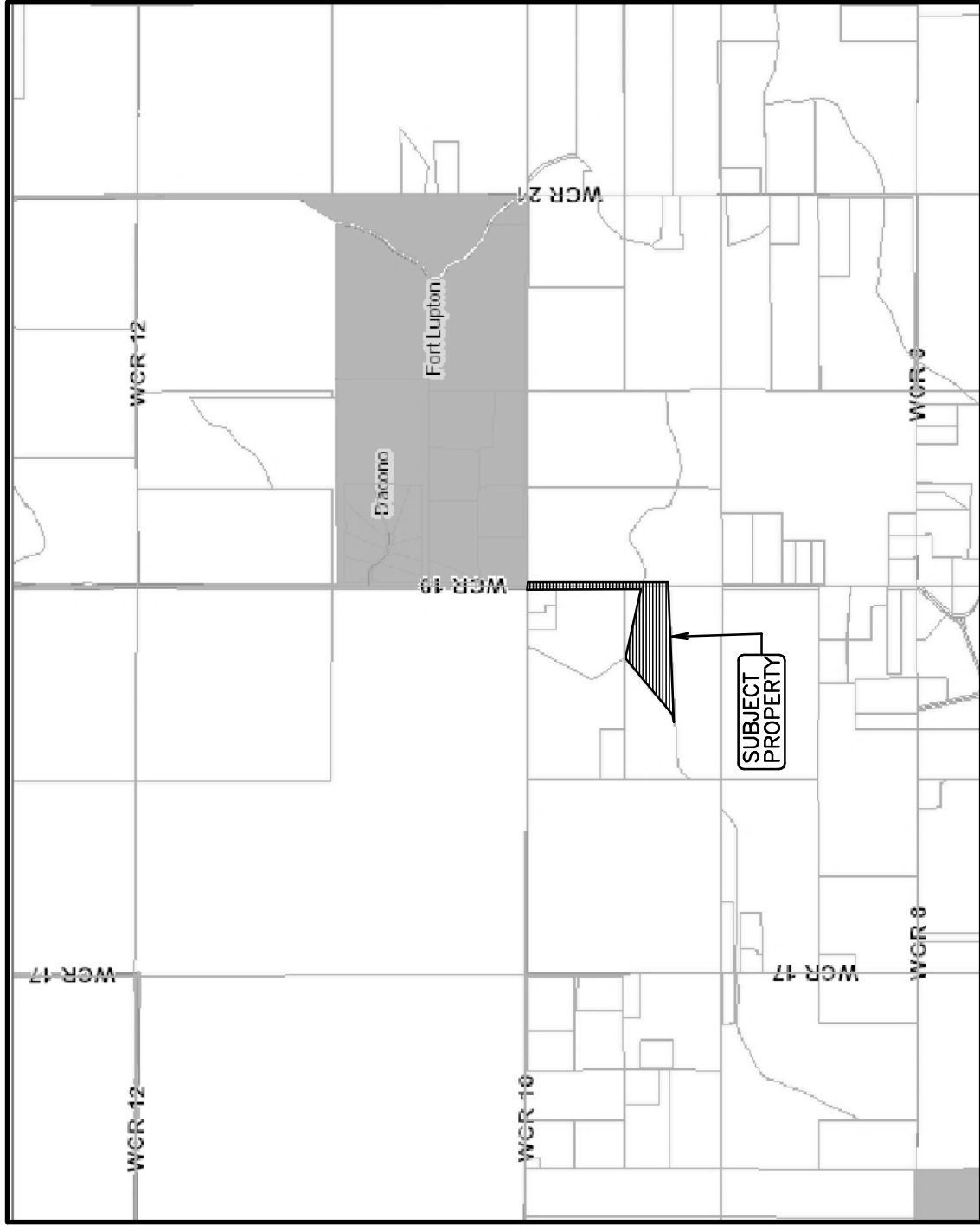



Notary Public

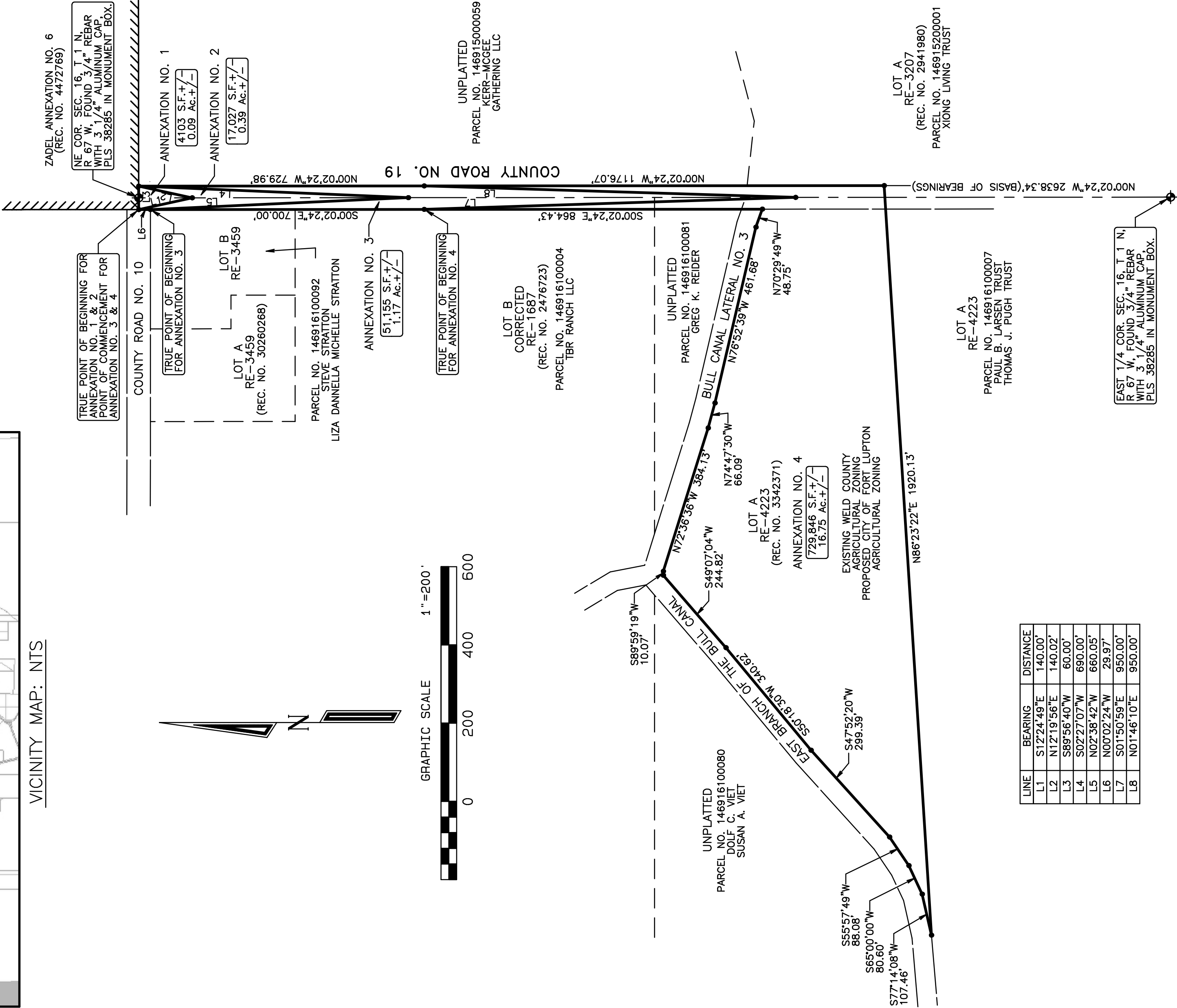
BEEN ANNEXATION NO. 1, 2, 3, & 4 TO THE CITY OF FORT LUPTON

Part of the Northwest 1/4 of Section 15, and the Northeast 1/4 of Section 16, Township 1 North, Range 67 West of the 6th P.M., City of Fort Lupton, County of Weld, State of Colorado

Sheet 1 of 1



VICINITY MAP: NTS



LINE	BEARING	DISTANCE
L1	S127°44'49"E	140.00'
L2	N121°51'56"E	140.00'
L3	S89°58'40"W	60.00'
L4	S02°27'07"W	690.00'
L5	N02°38'42"W	660.05'
L6	N00°02'24"W	29.97'
L7	S01°50'59"E	950.00'
L8	N01°46'10"E	950.00'

DESCRIPTION OF ANNEXATION NO. 1:

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

BEGINNING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472768 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 127°44'49" EAST, A DISTANCE OF 140.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 16; THENCE NORTH 121°51'56" EAST, A DISTANCE OF 140.00 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON; THENCE SOUTH 02°27'07" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6, A DISTANCE OF 60.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 4103 SQUARE FEET OR 0.09 ACRES, MORE OR LESS.

DESCRIPTION OF ANNEXATION NO. 2:

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

BEGINNING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472768 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 127°44'49" EAST, A DISTANCE OF 140.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 16; THENCE NORTH 121°51'56" EAST, A DISTANCE OF 140.00 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON; THENCE SOUTH 02°27'07" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6, A DISTANCE OF 60.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 17,027 SQUARE FEET OR 0.39 ACRES, MORE OR LESS.

DESCRIPTION OF ANNEXATION NO. 3:

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

BEGINNING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472768 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 127°44'49" EAST, A DISTANCE OF 140.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 16; THENCE NORTH 121°51'56" EAST, A DISTANCE OF 140.00 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON; THENCE SOUTH 02°27'07" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6, A DISTANCE OF 60.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 51,155 SQUARE FEET OR 1.17 ACRES, MORE OR LESS.

DESCRIPTION OF ANNEXATION NO. 4:

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

BEGINNING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472768 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 127°44'49" EAST, A DISTANCE OF 140.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 16; THENCE NORTH 121°51'56" EAST, A DISTANCE OF 140.00 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON; THENCE SOUTH 02°27'07" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6, A DISTANCE OF 60.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 729,846 SQUARE FEET OR 16.75 ACRES, MORE OR LESS.

ANNEXATION TABLE NO. 1:

TOTAL PERIMETER: 340.02 FEET
REQUIRED 1/6 CONTIGUOUS PERIMETER: 56.67 FEET
CONTIGUOUS BOUNDARY: 60.00 FEET

ANNEXATION TABLE NO. 2:

TOTAL PERIMETER: 1660.04 FEET
REQUIRED 1/6 CONTIGUOUS PERIMETER: 276.67 FEET
CONTIGUOUS BOUNDARY: 280.02 FEET

ANNEXATION TABLE NO. 3:

TOTAL PERIMETER: 4680.03 FEET
REQUIRED 1/6 CONTIGUOUS PERIMETER: 780.01 FEET
CONTIGUOUS BOUNDARY: 1350.05 FEET

ANNEXATION TABLE NO. 4:

TOTAL PERIMETER: 7992.32 FEET
REQUIRED 1/6 CONTIGUOUS PERIMETER: 1332.05 FEET
CONTIGUOUS BOUNDARY: 1900.00 FEET

OWNER'S APPROVAL

KNOW ALL MEN BY THESE PRESENTS, THAT SHERYL A. BEEN, BEING SOLE OWNER OF THE LAND DESCRIBED HEREIN, HAVE CAUSED SAID LAND TO BE ANNEXED UNDER THE NAME OF BEEN ANNEXATION NO. 1, 2, 3, &4, TO THE CITY OF FORT LUPTON.

OWNER — SHERYL A. BEEN
STATE OF COLORADO } SS
COUNTY OF WELD
THE FOREGOING CERTIFICATION WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20____
MY COMMISSION EXPIRES _____
WITNESS MY HAND AND SEAL.

NOTARY PUBLIC

PLANNING COMMISSION RECOMMENDATION

THIS IS TO CERTIFY THAT THE ANNEXATION MAP OF THE ABOVE-DESCRIBED PROPERTY WAS RECOMMENDED TO THE FORT LUPTON CITY COUNCIL VIA RESOLUTION NO. _____

RECOMMENDED THIS ____ DAY OF _____, 20____

CHAIRPERSON, FORT LUPTON PLANNING COMMISSION

CITY COUNCIL APPROVAL

THIS IS TO CERTIFY THAT THE ANNEXATION MAP OF THE ABOVE-DESCRIBED PROPERTY WAS APPROVED BY ORDINANCE NO. _____ OF THE CITY OF FORT LUPTON PASSED AND ADOPTED ON THE ____ DAY OF _____, 20____ AND THAT THE MAYOR AND THE CITY OF FORT LUPTON, AS AUTHORIZED BY ORDINANCE NO. _____ ON BEHALF OF THE CITY OF FORT LUPTON, HEREBY ACKNOWLEDGES AND ADOPTS THE SAID ANNEXATION MAP UPON WHICH THIS CERTIFICATE IS ENDORSED FOR ALL PURPOSES INDICATED THEREON.

APPROVED THIS ____ DAY OF _____, 20____

ATTEST: CITY CLERK _____ MAYOR _____

SURVEYOR'S STATEMENT

I, CURTIS D. HOODS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ANNEXATION MAP OF THE ABOVE-DESCRIBED PROPERTY WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A MEMBER IN GOOD STANDING OF THE COLORADO SURVEYORS ASSOCIATION. I HAVE CONDUCTED A TITLE SEARCH AND BELIEVE THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY ME TO DETERMINE OWNERSHIP. FURTHERMORE, THIS CERTIFIES THAT AT LEAST ONE-SIXTH (1/6) OF THE PROPERTY SHOWN HEREON IS CONTIGUOUS WITH THE MUNICIPAL BOUNDARY OF THE CITY OF FORT LUPTON, COLORADO.

CURTIS D. HOODS, PLS 37971
FOR AND ON BEHALF OF
AMERICAN WEST LAND SURVEYING CO.
A COLORADO CORPORATION

NOTES

- 1) BASIS OF BEARING: THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M. IN WELD COUNTY, COLORADO, TO BEAR NORTH 00°02'24" WEST, BEING MONUMENTED ON THE NORTH AND SOUTH LINES OF SAID SECTION 16, WITH ALL BEARINGS SHOWN HEREON RELATIVE THERETO, AND WITH ALL BEARINGS SHOWN HEREON RELATIVE THERETO.
- 2) ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFEACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
- 3) CERTIFICATION DEFINED: THE USE OF THE WORD "CERTIFY" OR "CERTIFICATION" BY A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE PRACTICE OF LAND SURVEYING, IMPLIES THAT THE SURVEYOR HAS CONDUCTED A TITLE SEARCH AND BELIEVES THOSE FACTS OF FINDINGS WHICH ARE SUBJECT OF THE CERTIFICATION, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESS OR IMPLIED.
- 4) ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTIONS BASED UPON A DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER THE DEFECT. ANY LEGAL ACTIONS BASED UPON A DEFECT IN THIS SURVEY MUST BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- 5) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY AMERICAN WEST LAND SURVEYING CO. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD.
- 6) ALL DISTANCES SHOWN HEREON ARE MEASURED GROUND DISTANCES REPORTED IN U.S. SURVEY FEET.

LEGEND:

- ◆ = ALIQUOT MONUMENT, AS NOTED.
- = CHANGE IN DIRECTION.
- ===== = EXISTING MUNICIPAL BOUNDARY, AS NOTED.



American West
Land Surveying Co.
A Colorado Corporation

PO Box 129, Brighton, CO 80601 • P-303-659-1532 F-303-655-0575 • amwestllc.com

SCALE 1" = 200' | DRAWN BY: CHH | CHECKED BY: MJH | DATE: DEC. 8, 2020

REVISIONS:
JOB NO. 20-____ | FILE: P:\SURVEYS\11-2\N\TIN_R67W\S16\LOT A_RE-4223_ANNEX_1.dwg

DESCRIPTION OF BEEN ANNEXATION NO. 1

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

BEGINNING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472769 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 12°24'49" EAST, A DISTANCE OF 140.00 FEET TO THE EAST LINE OF THE NORTH- EAST 1/4 OF SAID SECTION 16; THENCE NORTH 12°19'56" EAST, A DISTANCE OF 140.02 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON; THENCE SOUTH 89°56'40" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6, A DISTANCE OF 60.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 4103 SQUARE FEET OR 0.09 ACRES, MORE OR LESS.

DESCRIPTION OF BEEN ANNEXATION NO. 2

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

BEGINNING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472769 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 12°24'49" EAST, A DISTANCE OF 140.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 12°19'56" EAST, A DISTANCE OF 140.02 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON; THENCE SOUTH 02°27'07" WEST, A DISTANCE OF 690.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 02°38'42" WEST, A DISTANCE OF 660.05 FEET TO THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 10 AND THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19; THENCE NORTH N00°02'24" WEST, COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD NO. 10, A DISTANCE OF 29.97 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 17,027 SQUARE FEET OR 0.39 ACRES, MORE OR LESS.

DESCRIPTION OF BEEN ANNEXATION NO. 3

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472769 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 00°02'24" EAST, COINCIDENT WITH THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19, A DISTANCE OF 29.97 FEET TO THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 10 AND THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19 AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°02'24" EAST, COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 700.00 FEET; THENCE S01°50'59" EAST, A DISTANCE OF 950.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; TENCE NORTH 01°46'10" EAST, A DISTANCE OF 950.00 FEET TO THE EAST RIGHT-OF-WAY OF COUNTY ROAD NO. 19; THENCE NORTH 00°02'24" WEST, COINCIDENT WITH SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 729.98 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6; THENCE SOUTH 02°27'07" WEST, A DISTANCE OF 690.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 02°38'42" WEST, A DISTANCE OF 660.05 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 51,155 SQUARE FEET OR 1.17 ACRES, MORE OR LESS.

DESCRIPTION OF BEEN ANNEXATION NO. 4

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472769 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 00°02'24" EAST, COINCIDENT WITH THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19, A DISTANCE OF 729.97 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°02'24" EAST, COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 864.43 FEET TO THE NORTH LINE OF LOT A, RECORDED EXEMPTION NO. RE-4223 AS SHOWN ON THE PLAT RECORDED NOVEMBER 23, 2005 AS RECEPTION NO. 3342371 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE COINCIDENT WITH SAID NORTH LINE THE FOLLOWING ELEVEN (11) COURSES AND DISTANCES:

- 1) NORTH 70°29'49" WEST, A DISTANCE OF 48.75 FEET;
- 2) NORTH 76°52'39" WEST, A DISTANCE OF 461.68 FEET;
- 3) NORTH 74°47'30" WEST, A DISTANCE OF 66.09 FEET;
- 4) NORTH 72°36'36" WEST, A DISTANCE OF 384.13 FEET;
- 5) SOUTH 89°59'19" WEST, A DISTANCE OF 10.07 FEET;
- 6) SOUTH 49°07'04" WEST, A DISTANCE OF 244.82 FEET;
- 7) SOUTH 50°18'30" EAST, A DISTANCE OF 340.62 FEET;
- 8) SOUTH 47°52'20" WEST, A DISTANCE OF 299.39 FEET;
- 9) SOUTH 55°57'49" WEST, A DISTANCE OF 88.08 FEET;
- 10) SOUTH 65°00'00" WEST, A DISTANCE OF 80.60 FEET;
- 11) SOUTH 77°14'08" WEST, A DISTANCE OF 107.46 FEET TO THE SOUTHWEST CORNER OF SAID LOT A; THENCE NORTH 86°23'22" EAST, COINCIDENT WITH THE SOUTH LINE OF SAID LOT A, A DISTANCE OF 1920.13 FEET TO THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19; THENCE NORTH 00°02'24" WEST, COINCIDENT WITH SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1176.07 FEET; THENCE SOUTH 01°46'10" WEST, A DISTANCE OF 950.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 01°50'59" WEST, A DISTANCE OF 950.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 729,846 SQUARE FEET OR 16.75 ACRES, MORE OR LESS.

RESOLUTION NO. 2021R008

A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON INITIATING ANNEXATION PROCEEDINGS FOR THE ANNEXATION KNOWN AS THE BEEN ANNEXATION NOS. 1 – 4 AND SETTING THE PUBLIC HEARING FOR FEBRUARY 16, 2021

WHEREAS, the Fort Lupton City Council has reviewed the annexation petition submitted by Sheryl Been for 18.40 acres, more or less, and known as the Been Annexation Nos. 1 – 4; and

WHEREAS, the Fort Lupton City Council finds the annexation petition to be complete and in substantial conformance with the requirements of C.R.S. 31-12-107 (1) as amended:

NOW THEREFORE BE IT RESOLVED that the Fort Lupton City Council hereby approves this Resolution initiating annexation proceedings for the Been Annexation Nos. 1 – 4 and sets the hearing date for February 16, 2021, to determine if the proposed annexation complies with C.R.S. 31-12-104 and 31-12-105, or such parts thereof as may be required to establish eligibility for annexation under the terms of Part 1, Article 12, Title 31, C.R.S.

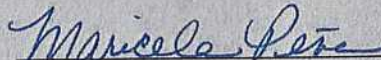
APPROVED AND ADOPTED BY THE FORT LUPTON CITY COUNCIL THIS 5th DAY OF JANUARY 2021.

City of Fort Lupton, Colorado



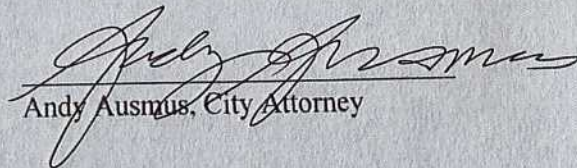
Zo Stieber, Mayor

Attest:



Maricela Peña, City Clerk

Approved as to form:

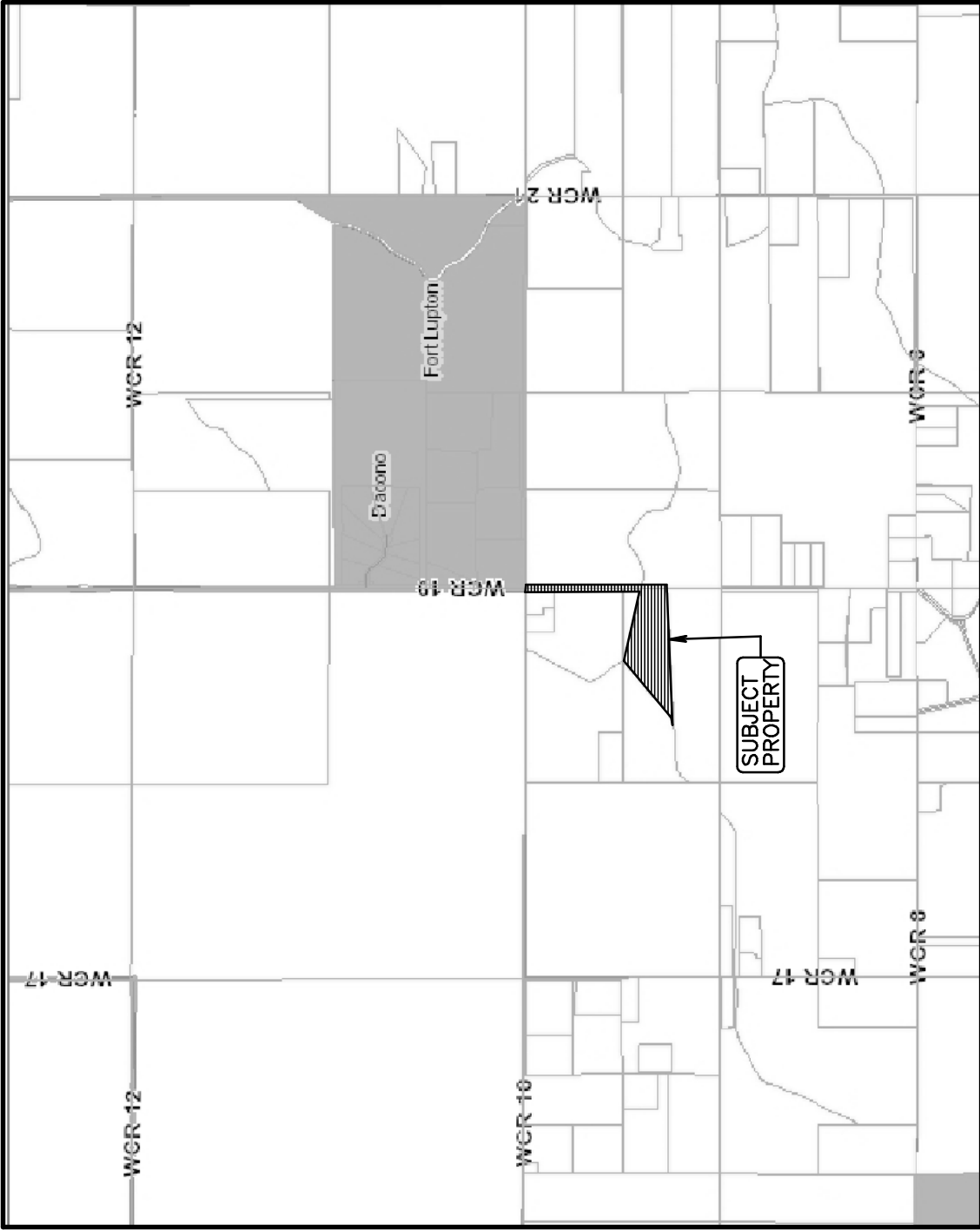


Andy Ausmus, City Attorney

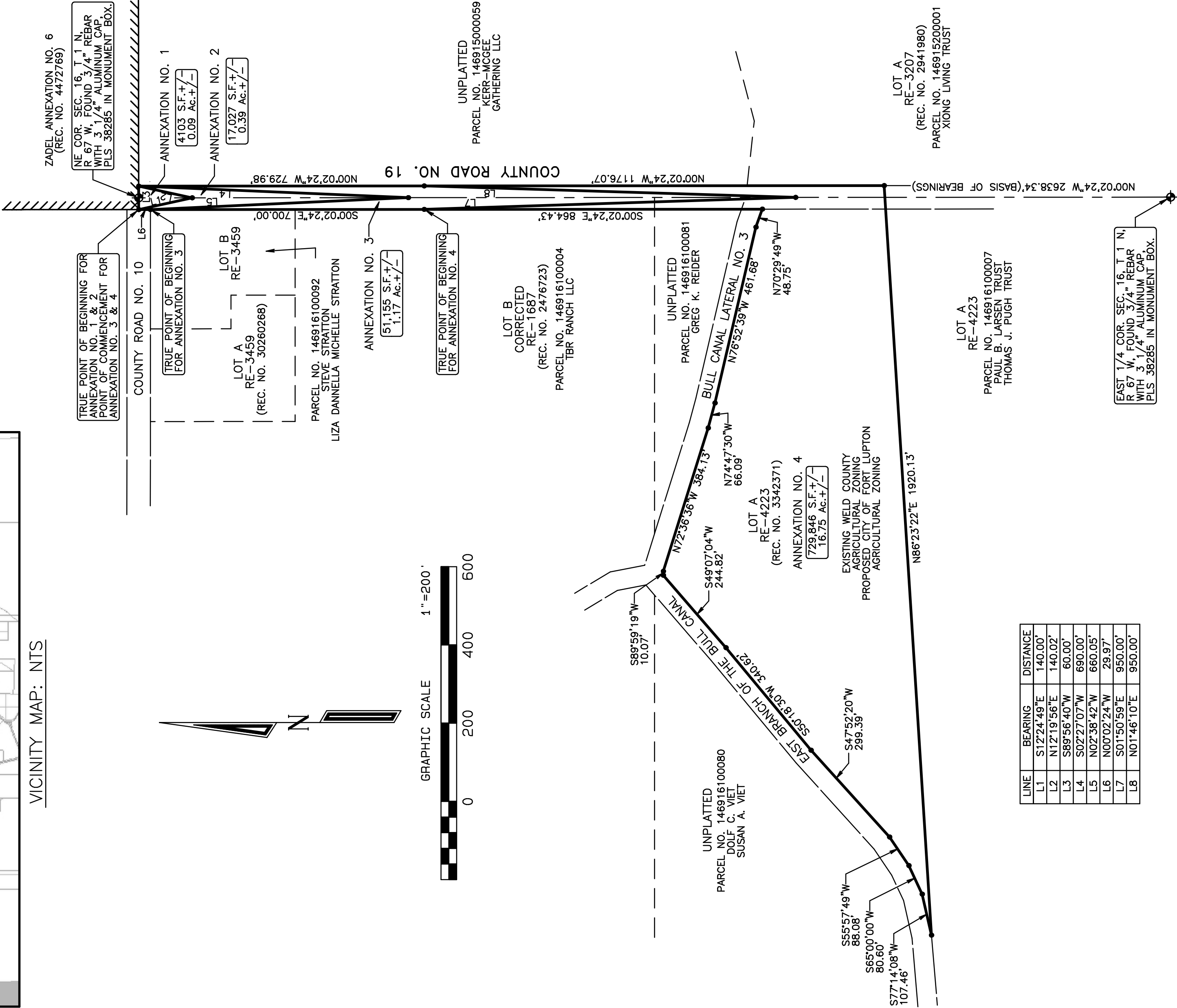
BEEN ANNEXATION NO. 1, 2, 3, & 4 TO THE CITY OF FORT LUPTON

Part of the Northwest 1/4 of Section 15, and the Northeast 1/4 of Section 16, Township 1 North, Range 67 West of the 6th P.M., City of Fort Lupton, County of Weld, State of Colorado

Sheet 1 of 1



VICINITY MAP: NTS



LINE	BEARING	DISTANCE
L1	S127°44'09"E	140.00'
L2	N121°51'56"E	140.00'
L3	S89°58'40"W	60.00'
L4	S02°27'07"W	690.00'
L5	N02°38'42"W	660.05'
L6	N00°02'24"W	29.97'
L7	S01°50'59"E	950.00'
L8	N01°46'10"E	950.00'

DESCRIPTION OF ANNEXATION NO. 1:

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:
CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;
BEGINNING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472768 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 127°44'09" EAST, A DISTANCE OF 140.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 16; THENCE NORTH 121°51'56" EAST, A DISTANCE OF 140.00 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON; THENCE SOUTH 02°27'07" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6, A DISTANCE OF 60.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 4103 SQUARE FEET OR 0.09 ACRES, MORE OR LESS.

DESCRIPTION OF ANNEXATION NO. 2:

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:
CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

BEGINNING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472768 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 127°44'09" EAST, A DISTANCE OF 140.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 16; THENCE NORTH 121°51'56" EAST, A DISTANCE OF 140.00 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON; THENCE SOUTH 02°27'07" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6, A DISTANCE OF 60.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 17,027 SQUARE FEET OR 0.39 ACRES, MORE OR LESS.

DESCRIPTION OF ANNEXATION NO. 3:

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:
CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

BEGINNING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472768 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 127°44'09" EAST, A DISTANCE OF 140.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 16; THENCE NORTH 121°51'56" EAST, A DISTANCE OF 140.00 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON; THENCE SOUTH 02°27'07" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6, A DISTANCE OF 60.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 51,155 SQUARE FEET OR 1.17 ACRES, MORE OR LESS.

DESCRIPTION OF ANNEXATION NO. 4:

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:
CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

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SAID PARCEL CONTAINS 729,846 SQUARE FEET OR 16.75 ACRES, MORE OR LESS.

ANNEXATION TABLE NO. 1:

TOTAL PERIMETER: 340.02 FEET
REQUIRED 1/6 CONTIGUOUS PERIMETER: 56.67 FEET
CONTIGUOUS BOUNDARY: 60.00 FEET

ANNEXATION TABLE NO. 2:

TOTAL PERIMETER: 1660.04 FEET
REQUIRED 1/6 CONTIGUOUS PERIMETER: 276.67 FEET
CONTIGUOUS BOUNDARY: 280.02 FEET

ANNEXATION TABLE NO. 3:

TOTAL PERIMETER: 4680.03 FEET
REQUIRED 1/6 CONTIGUOUS PERIMETER: 780.01 FEET
CONTIGUOUS BOUNDARY: 1350.05 FEET

ANNEXATION TABLE NO. 4:

TOTAL PERIMETER: 7992.32 FEET
REQUIRED 1/6 CONTIGUOUS PERIMETER: 1332.05 FEET
CONTIGUOUS BOUNDARY: 1900.00 FEET

OWNER'S APPROVAL

KNOW ALL MEN BY THESE PRESENTS, THAT SHERYL A. BEEN, BEING SOLE OWNER OF THE LAND DESCRIBED HEREIN, HAVE CAUSED SAID LAND TO BE ANNEXED UNDER THE NAME OF BEEN ANNEXATION NO. 1, 2, 3, &4, TO THE CITY OF FORT LUPTON.

OWNER — SHERYL A. BEEN
STATE OF COLORADO } SS
COUNTY OF WELD
MY COMMISSION EXPIRES _____ DAY OF _____, 20____
WITNESS MY HAND AND SEAL.

NOTARY PUBLIC

PLANNING COMMISSION RECOMMENDATION

THIS IS TO CERTIFY THAT THE ANNEXATION MAP OF THE ABOVE-DESCRIBED PROPERTY WAS RECOMMENDED TO THE FORT LUPTON CITY COUNCIL VIA RESOLUTION NO. _____

RECOMMENDED THIS _____ DAY OF _____, 20____

CHAIRPERSON, FORT LUPTON PLANNING COMMISSION

CITY COUNCIL APPROVAL

THIS IS TO CERTIFY THAT THE ANNEXATION MAP OF THE ABOVE-DESCRIBED PROPERTY WAS APPROVED BY ORDINANCE NO. _____ OF THE CITY OF FORT LUPTON PASSED AND ADOPTED ON THE _____ DAY OF _____, 20____ AND THAT THE MAYOR AND THE CITY OF FORT LUPTON, HEREBY ACKNOWLEDGES AND ADOPTS THE SAID ANNEXATION MAP UPON WHICH THIS CERTIFICATE IS ENDORSED FOR ALL PURPOSES INDICATED THEREON.

APPROVED THIS _____ DAY OF _____, 20____

ATTEST: CITY CLERK _____ MAYOR _____

SURVEYOR'S STATEMENT

I, CURTIS D. HOODS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ANNEXATION MAP OF THE ABOVE-DESCRIBED PROPERTY WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY ME TO DETERMINE OWNERSHIP. FURTHERMORE, THIS CERTIFIES THAT AT LEAST ONE-SIXTH (1/6) OF THE PROPERTY SHOWN HEREON IS CONTIGUOUS WITH THE MUNICIPAL BOUNDARY OF THE CITY OF FORT LUPTON, COLORADO.

CURTIS D. HOODS, PLS 37971
FOR AND ON BEHALF OF
AMERICAN WEST LAND SURVEYING CO.
A COLORADO CORPORATION

NOTES

- 1) BASIS OF BEARING: THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M. IN WELD COUNTY, COLORADO, TO BEAR NORTH 00°02'24" WEST, BEING MONUMENTED ON THE NORTH AND SOUTH SIDES OF SECTION 16, WITH ALL BEARINGS SHOWN HEREON RELATIVE THERETO.
- 2) ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFEACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
- 3) CERTIFICATION DEFINED: THE USE OF THE WORD "CERTIFY" OR "CERTIFICATION" BY A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE PRACTICE OF LAND SURVEYING, IMPLIES THAT THE SURVEYOR HAS CONDUCTED A REASONABLE SEARCH OF THOSE FACTS OF FINDINGS WHICH ARE SUBJECT OF THE CERTIFICATION, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESS OR IMPLIED.
- 4) ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTIONS BASED UPON A DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER THE DEFECT. ANY LEGAL ACTIONS BASED UPON A DEFECT IN THIS SURVEY MUST BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- 5) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY AMERICAN WEST LAND SURVEYING CO. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD.
- 6) ALL DISTANCES SHOWN HEREON ARE MEASURED GROUND DISTANCES REPORTED IN U.S. SURVEY FEET.

LEGEND:

- ◆ = ALIQUOT MONUMENT, AS NOTED.
- = CHANGE IN DIRECTION.
- ===== = EXISTING MUNICIPAL BOUNDARY, AS NOTED.

American West
Land Surveying Co.
A Colorado Corporation

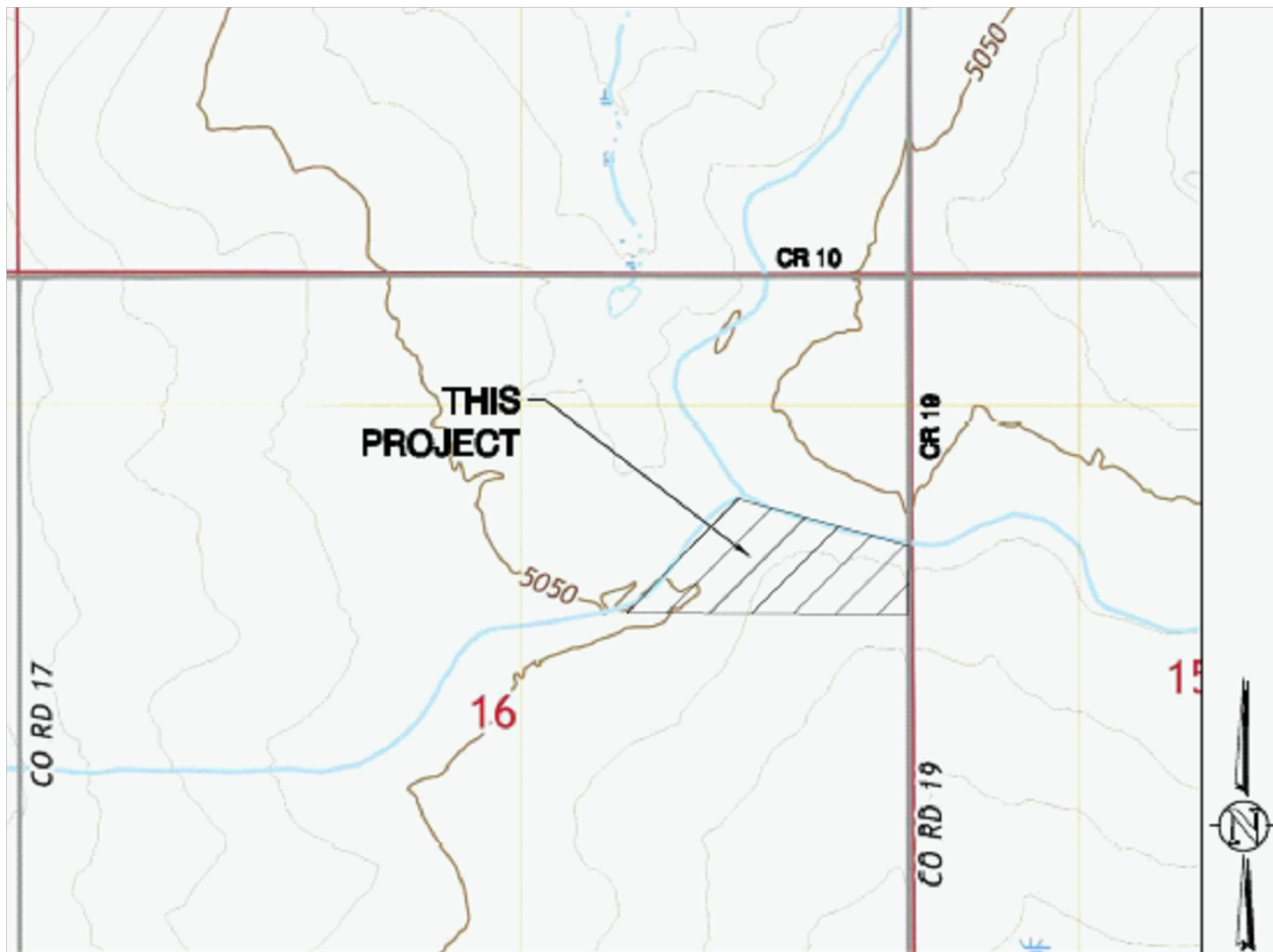
PO Box 129, Brighton, CO 80601 • P-303-659-1532 F-303-655-0575 • amwestllc.com

SCALE 1" = 200' DRAWN BY: CHH CHECKED BY: MJH DATE: DEC. 8, 2020

REVISIONS:

JOB NO: 20- FILE: F:\SURVEYS\11-2\N\TIN_R67W\S16\LOT A_RE-4223_ANNEX_1.dwg





VICINITY MAP

S 1/2, NE 1/4, S16, T1N, R67W, 6th P.M.

SHOWN VICINITY MAP TAKEN FROM USGS QUAD MAPS -FREDERICK, CO

SCALE 1' = 1,000'

NOTES

THIS PLAN IS INTENDED AS THE UTILITY PLAN – ON-SITE SEPTIC SYSTEM FOR BEEN RV PARK.

ALL IMPROVEMENTS ARE PROPOSED UNLESS NOTED AS EXISTING.

IT IS THE OWNER AND/OR THE CONTRACTOR'S RESPONSIBILITY TO ATTAIN ALL APPROPRIATE PERMITS AND REVIEW APPROVALS FROM THE STATE OF COLORADO AND WELD COUNTY RESPECTIVELY.

SEE "BEEN ANNEXATION NO. 1, 2, 3, & 4 TO THE CITY OF FORT LUPTON" COMPLETED BY AMERICAN WEST LAND SURVEYING CO. – DATED AUGUST 26, 2019 FOR WCR 19 R.O.W. INFORMATION

SEE COVER SHEET FOR LEGAL DESCRIPTION.

SEE COVER SHEET FOR BASIS OF BEARING & BENCHMARK.

ANY REFERENCE TO EASEMENTS, SURVEY POINTS, OR EXISTING UTILITIES AND FEATURES ARE BASED SOLELY FROM INFORMATION PROVIDED BY CES CONSULTANTS, LLC, DATED JUNE 29, 2020.

NOT ALL UNCC UTILITY LOCATES HAVE BEEN PERFORMED. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL UTILITIES ARE LOCATED AND SURVEY PROVIDED TO THE OWNER AND ENGINEER PRIOR TO CONSTRUCTION DRAWING RELEASE.

	45 DEG BEND		THRUST BLOCK TB
	22.5 DEG BEND		GATE VALVE GV
	RESTRAINED PLUG		RESTRAINED VALVE
	RESTRAINED TEE		FIRE HYDRANT
	WATER METER		PIPE CROSSING
	RESTRAINED CROSS		MANHOLE
	EXISTING CONC		PROPOSED GRAVEL
	EXISTING ASPHALT		PROPOSED CONC

LOT / PROPERTY / SECTION LINE

RIGHT OF WAY LINE

EASEMENT

SETBACK

EXISTING BUILDING, CURB

EDGE OF ASPHALT or GRAVEL RD

WIRE FENCE

6' SCREENED CHAINLINK FENCE

3' SPLIT RAIL FENCE

POND WQ W/S

SWALE

EXISTING OVERHEAD ELEC

OHE

SA SA

SS SS

ST ST

WA WA

WAS WAS

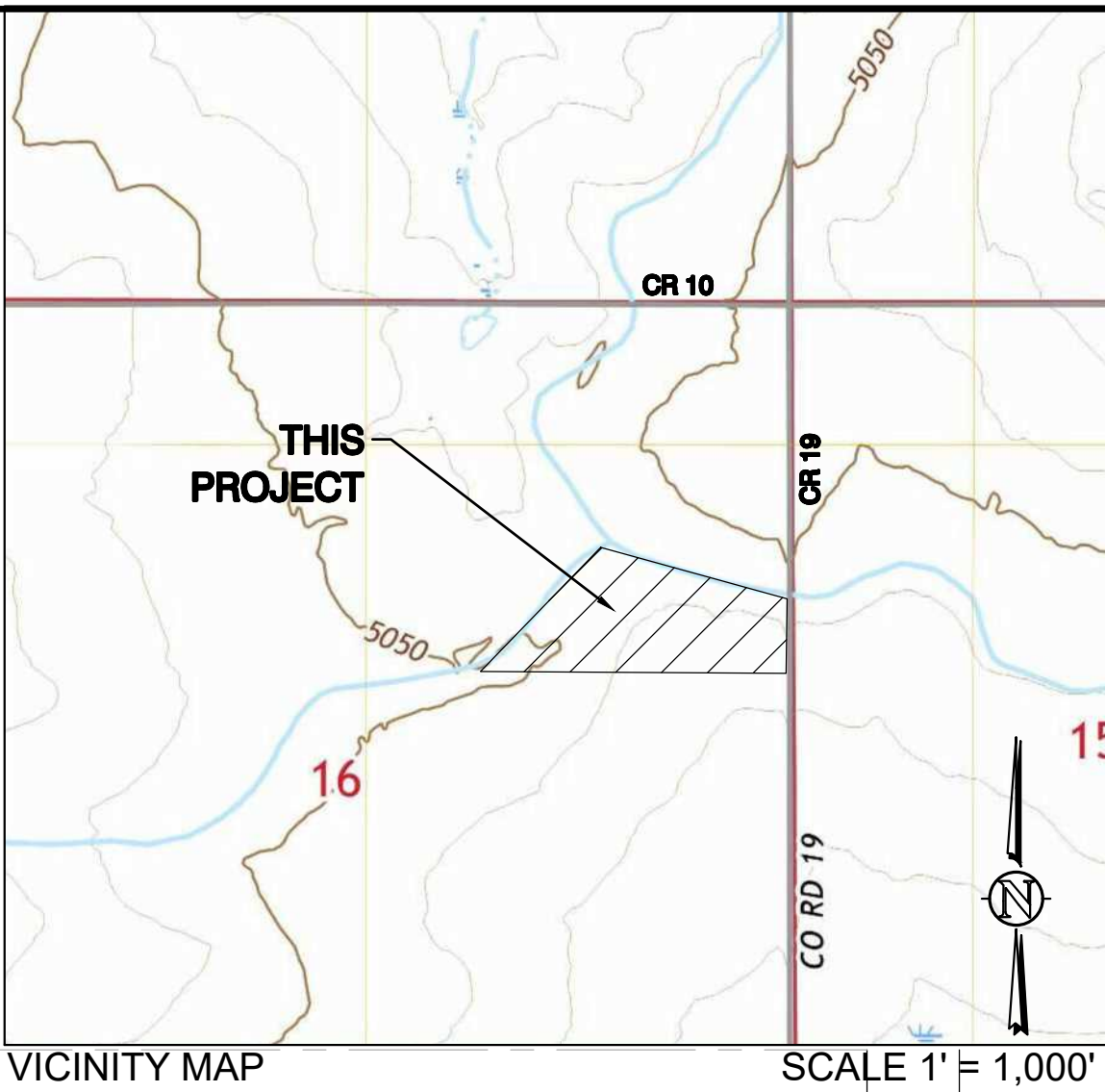
GA GA

EL EL

100 OWTS CAMPSITES

136 CITY SEPTIC CAMPSITES

OWTS SIZING TABLE			
AREA	DESIGN FLOW	DESIGN CAPACITY	ESTIMATED HORIZONTAL INFLUENCE AREA
L1	525 GPD	788 GPD	84 FT
L2	525 GPD	788 GPD	84 FT
L3-A	2,000 GPD	3,000 GPD	260FT
L3-B	2,000 GPD	3,000 GPD	260 FT
L3-C	1,000 GPD	1,500 GPD	140 FT
L3-D	1,000 GPD	1,500 GPD	140 FT
L4	500 GPD	750 GPD	80 FT



REIDER, GREG K
3863 COUNTY ROAD 19
FORT LUPTON, CO
PARCEL: 146916100081
ZONE: R

SCALE 1' = 1,000'

127 S. DENVER AVE
FT. LUPTON, CO 80621
www.westerneci.com
email@westerneci.com
(720) 685-9951
FAX (720) 294-1330

Western Engineering Consultants, inc LLC

No.	REVISION	DATE	BY
0	INITIAL RELEASE	06/07/20	GJC
1	ADDITIONAL DETAILS	10/23/20	GJC

BEEN RV PARK

CONTACT: SHERYL BEEN
 3647 COUNTY ROAD 19
 FORT LUTPON, CO 80621
 MOBILE: (303) 902-9262

UTILITY PLAN W/
ON-SITE SEPTIC LAYOUT
BEEN RV PARK - 3647 WCR 19
WELD COUNTY, COLORADO

Dig Safely.
CALL UNCC
THREE WORKING DAYS
BEFORE YOU DIG
1-800-922-1987
www.uncc.org
UTILITY NOTIFICATION
CENTER OF COLORADO

FOR APPROVAL

ONLY VALID FOR CONSTRUCTION
IF SEAL & ORIGINAL SIGNATURE
ARE ON EACH SHEET

INITIAL PLAN
RELEASE: 08/07/20
DESIGNED BY: CFC
DRAWN BY: CFC
CHECKED BY: CFC

PROJECT NO.
01-0342.001.00

DOC CON #
0005-UTIL SEPT

SHEET
5 OF 11

**IF GAS PIPELINE IS
ABANDONED - 32
ADDITIONAL CITY SEWER
SITES ARE AVAILABLE**

APPROXIMATE
PROPERTY LINE

~~DIAGONAL PARKING
(10' x 22' TYP.)~~

BULL CANAL LATERAL NO. 3
(50' RIGHT-OF-WAY)
S74°47'30"E 66.09'

**LOT 4 OFFICE/RETAIL
WAREHOUSE
COMMERCIAL TR
1.06 ACRES**

RAINAGE
ENT

COUNTY ROAD 19 ADD. 30' ROW
AREA = 0.30 ACRES /

LOT 3
9.88 ACRES
120 OWS CAMPSITES
161 CITY SEWER CAMPSITES (IF GAS PIPELINE IS ABANDONED)

PUGH, THOMAS JAMES
3503 COUNTY ROAD 19
FORT LUPTON, CO
PARCEL: 146916100007
ZONE: AG

AFFIDAVIT RE: WATER USAGE

STATE OF Florida,
COUNTY OF Palm Beach) ss:

I, Sheryl A. Been, being first duly sworn upon my Oath, depose and say as follows:

1. I am the owner of Lot A of Recorded Exemption No. 1469-16-1 RE-4223, recorded November 23, 2005 at Reception No. 3342371, being a part of the Northeast Quarter of Section 16, Township 1 North, Range 67 West of the 6th P.M., County of Weld, State of Colorado, also known as: 3647 County Road 19, Fort Lupton, CO 80621.

2. I purchased the Subject Property, along with my late Mother, Marleen Rosensweig, on November 29, 2005 and I am personally familiar with Water Usage upon the Subject Property.

3. The Subject Property is comprised of 16 acres of land, one 3,400 square foot residence, an 800 square foot utility building and a 300 square foot animal shelter.

4. The Subject Property includes a tributary exempt well producing 10 gallons per minute, which well was approved by the State of Colorado, Division of Water Resources, as Well Permit #9930 on October 9, 1961 and which well has been continuously used since that date.

5. I have used Well Permit #9930 for all indoor domestic water demands, outdoor irrigation of one-half acre of lawn/garden and watering of six goats and one horse.

6. Based upon my personal knowledge of the use of Well Permit #9930, one to two acre feet of water per year have been used during my ownership of the Subject Property.

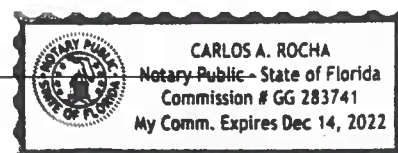
7. I also received non-tributary Well Permit #84713-F from the State of Colorado, Division of Water Resources on September 16, 2020, which well has yet to be drilled, but which well is permitted to withdraw 4.92 acre feet per year from the Laramie-Fox Hills aquifer and may be used for all domestic, livestock watering, industrial, irrigation and commercial purposes.

8. Further I sayeth naught.

Sheryl A. Been
Sheryl A. Been

SUBSCRIBED AND SWORN to before me, a Notary Public, by Sheryl A. Been this 13th day of October, 2020.

Witness my hand and official seal:





United States
Department of
Agriculture

NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for Weld County, Colorado, Southern Part

Been RV



Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

Custom Soil Resource Report

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features

 Blowout

 Borrow Pit

 Clay Spot

 Closed Depression

 Gravel Pit

 Gravelly Spot

 Landfill

 Lava Flow

 Marsh or swamp

 Mine or Quarry

 Miscellaneous Water

 Perennial Water

 Rock Outcrop

 Saline Spot

 Sandy Spot

 Severely Eroded Spot

 Sinkhole

 Slide or Slip

 Sodic Spot

 Spoil Area

 Stony Spot

 Very Stony Spot

 Wet Spot

 Other

 Special Line Features

Water Features

 Streams and Canals

Transportation

 Rails

 Interstate Highways

 US Routes

 Major Roads

 Local Roads

Background

 Aerial Photography

MAP INFORMATION

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

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

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

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

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

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

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

Soil Survey Area: Weld County, Colorado, Southern Part
Survey Area Data: Version 19, Jun 5, 2020

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

Date(s) aerial images were photographed: Jul 19, 2018—Aug 10, 2018

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

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
82	Wiley-Colby complex, 1 to 3 percent slopes	19.9	100.0%
Totals for Area of Interest		19.9	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Weld County, Colorado, Southern Part

82—Wiley-Colby complex, 1 to 3 percent slopes

Map Unit Setting

National map unit symbol: 3643
Elevation: 4,850 to 5,000 feet
Mean annual precipitation: 12 to 16 inches
Mean annual air temperature: 48 to 54 degrees F
Frost-free period: 135 to 170 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

Wiley and similar soils: 60 percent
Colby and similar soils: 30 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Wiley

Setting

Landform: Plains
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Calcareous eolian deposits

Typical profile

H1 - 0 to 11 inches: silt loam
H2 - 11 to 60 inches: silty clay loam
H3 - 60 to 64 inches: silty clay loam

Properties and qualities

Slope: 1 to 3 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 2.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum in profile: 15 percent
Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water storage in profile: High (about 11.7 inches)

Interpretive groups

Land capability classification (irrigated): 2e
Land capability classification (nonirrigated): 4e
Hydrologic Soil Group: B
Ecological site: Loamy Plains (R067BY002CO)
Hydric soil rating: No

Description of Colby

Setting

Landform: Plains
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Calcareous eolian deposits

Typical profile

H1 - 0 to 7 inches: loam
H2 - 7 to 60 inches: silt loam

Properties and qualities

Slope: 1 to 3 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 2.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum in profile: 15 percent
Available water storage in profile: High (about 10.6 inches)

Interpretive groups

Land capability classification (irrigated): 3e
Land capability classification (nonirrigated): 4e
Hydrologic Soil Group: B
Ecological site: Loamy Plains (R067BY002CO)
Hydric soil rating: No

Minor Components

Weld

Percent of map unit: 4 percent
Hydric soil rating: No

Heldt

Percent of map unit: 4 percent
Hydric soil rating: No

Keith

Percent of map unit: 2 percent
Hydric soil rating: No

References

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- American Society for Testing and Materials (ASTM). 2005. Standard classification of soils for engineering purposes. ASTM Standard D2487-00.
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- United States Army Corps of Engineers, Environmental Laboratory. 1987. Corps of Engineers wetlands delineation manual. Waterways Experiment Station Technical Report Y-87-1.
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- United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. <http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/landuse/rangepasture/?cid=stelprdb1043084>

United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2_054242

United States Department of Agriculture, Natural Resources Conservation Service. 2006. Land resource regions and major land resource areas of the United States, the Caribbean, and the Pacific Basin. U.S. Department of Agriculture Handbook 296. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053624

United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S. Department of Agriculture Handbook 210. http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_052290.pdf

From: [Maureen Welsh](#)
To: [Alyssa Knutson](#)
Subject: Referral Response Request: Been Annexation & Initial Zoning; Project No. LUP2020-0034 & Plan Nos. ANX2020-0004 & COZ2020-0007
Date: Tuesday, January 5, 2021 2:58:28 PM

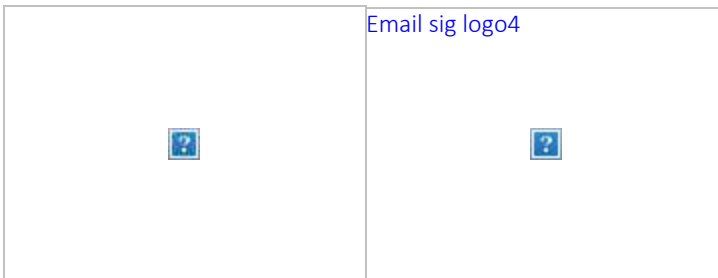
Alyssa,

Thank you for sending this referral to the Town of Frederick. We really appreciate you allowing us to provide comment on this proposal.

With that, this project proposal falls outside of the Town's Planning Area Boundary, therefore, the Town has no issues with this proposal.

Have a great day,

Maureen Welsh | Planner I
Town of Frederick | 720-382-5654
MWelsh@FrederickCO.gov | FrederickCO.gov



Click [here](#) to see what matters to us!

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Public Works

130 S. McKinley Avenue
Fort Lupton, CO 80621

Phone: 303.857.6694

Fax: 303.857.0351

www.fortluptonco.gov

MEMO

To: Todd Hodges
Alyssa Knutson
CC: Chadwin Cox (WEC)
From: Roy Vestal
Date: January 15, 2021
Subject: Been Annexation & Initial Zoning; Project No. LUP2020-0034 &
Plan Nos. ANX2020-0004 & COZ2020-0007
Public Works Review

Public Works has reviewed the submitted documents for the above referenced development project with the following comments for inclusion with the Annexation and Final Plat submittal. There may be additional concerns as this design develops.

1. **Annexation map** - Looks acceptable.
2. **Utilities**
 - a. **Water - Chapter 3**
 - i. City water system is not located in this area. Water service may be provided through Central Weld County Water District.
 - b. **Sanitary Sewer - Chapter 4**
 - i. The City's sanitary sewer main is not located in this area.
 - ii. Septic systems as proposed would be permitted through the county.
3. **Drainage**
 - a. Final Drainage Study is required.
4. **Transportation**
 - a. A Traffic Study needs revision to determine any required roadway improvements with CR 19.
 - b. CR 19 is designated as an arterial roadway in the City's Transportation Plan. Required additional Future ROW is only 25-feet. Dedication will be required by separate document prior to Plat.
5. **Landscape / Grading - Chapter 2 Design Standards**
 - a. A SWMP and Stormwater Discharge permit must be acquired from CDPH&E.



January 21, 2021

Fort Lupton Planning Department
130 S. McKinley Avenue
Fort Lupton, CO 80621
www.fortlupton.org

Re: Project No. LUP2020-0034 & Plan Nos. ANX2020-0004 & COZ2020-0007

Dear Mr. Hodges and Ms. Knutson:

On behalf of United Power, Inc., thank you for inviting us to review and comment on the BEEN RV PARK ANNEXATION and ZONING. After review of the information, United Power has no concerns or objection to the proposed Project No. LUP2020-0034 & Plan Nos. ANX2020-0004 & COZ2020-0007; 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 document(s). Obtaining easements via a separate document 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, wing walls, 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,

Amber Mendoza

Amber Mendoza
ROW Agent
720.249.9315 | platreferral@unitedpower.com

Alyssa Knutson

From: Lauren Light <llight@weldgov.com>
Sent: Thursday, January 14, 2021 11:09 AM
To: Alyssa Knutson
Cc: Todd Hodges; Maria Lancto; Magaly Morales-Tejada
Subject: RE: Referral Response Request: Been Annexation & Initial Zoning; Project No. LUP2020-0034 & Plan Nos. ANX2020-0004 & COZ2020-0007
Attachments: fort lupton.pdf

Weld County has a site by Dacono that allows on site camping and they put in a sewer package plant. That may be another option if the applicant can't connect to sewer at the start of the project. If you have any questions please let me know.

Lauren Light, M.B.S.
Program Manager/Environmental Planner, Environmental Health Services
Weld County Department of Public Health & Environment
1555 N. 17th Ave.
Greeley, CO 80631
llight@weldgov.com
970-400-2211 (office)



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From: Alyssa Knutson <AKnutson@Fortluptonco.gov>
Sent: Tuesday, January 05, 2021 2:28 PM
Cc: Todd Hodges <thodges@Fortluptonco.gov>; Maria Lancto <MLancto@Fortluptonco.gov>; Magaly Morales-Tejada <MMTejada@Fortluptonco.gov>
Subject: Referral Response Request: Been Annexation & Initial Zoning; Project No. LUP2020-0034 & Plan Nos. ANX2020-0004 & COZ2020-0007

Caution: This email originated from outside of Weld County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

The documentation located at the following link is submitted to you for review and recommendation for an annexation and initial zoning being reviewed by the City of Fort Lupton. The application documents can be reviewed at the following link: <https://www.fortlupton.org/DocumentCenter/Index/535>.

Any comments you consider relevant to this request would be appreciated. Please reply by **January 26, 2021**, so that we may give full consideration to your recommendation. Any response not received before or on this date may be deemed to be a favorable response to the Planning & Building Department.

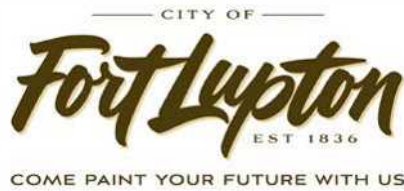
The Public Hearings for this matter are scheduled for:

- Planning Commission: Thursday, January 28, 2021 at 6:00 PM; and
- City Council: Tuesday, February 16, 2021 at 7:00 PM

Your time in this matter is greatly appreciated!

Thank you,
Alyssa Knutson, AICP
Planner II
City of Fort Lupton
Direct: (720) 466-6128

The information transmitted is intended only for the person or entity to which it is addressed and may contain CONFIDENTIAL material. If you receive this information in error, please delete or destroy the information.



FROM: Alyssa Knutson
 DATE: 01/05/21
 PROJECT: Been Annexation & Initial Zoning;
 Project No. LUP2020-0034 & Plan Nos. ANX2020-0004 & COZ2020-0007

INTERNAL DISTRIBUTION:

- | | | |
|--|--|---|
| ☐ Buildings/Grounds Manager | ☒ City Attorney | ☒ Police Chief |
| ☐ City Administrator | ☐ City Clerk | ☒ Public Works Director |
| ☐ Building Inspector | ☐ Recreation Manager | ☐ Golf Course Manager |
| ☒ OMI | ☒ GIS Specialist | ☐ Finance Director |

OUTSIDE DISTRIBUTION:

- | | |
|--|---|
| ☒ Fort Lupton Fire Protection District | ☒ Weld County Dept. of Public Health & Env. |
| ☒ CDOT | ☒ Weld County Public Works |
| ☒ Colorado DRMS | ☒ Weld County School District RE-8 |
| ☐ Colorado Parks and Wildlife | ☒ NCWCD |
| ☒ Division of Water Resources | ☐ Fulton Ditch Company |
| ☐ Army Corp of Engineers | ☐ Platteville Ditch Company |
| ☒ United Power | ☐ City of Brighton |
| ☒ Comcast | ☒ Town of Frederick |
| ☒ CenturyLink | ☐ Town of Platteville |
| ☒ Xcel Energy | ☒ City of Dacono |
| ☒ Postmaster | ☐ Town of Firestone |
| ☒ Weld County Department of Planning | ☒ Other: Bull Canal |
| | ☒ Other: Central Weld County Water District |

If you have comments, please respond by: **January 26, 2021**

Comments may be sent via mail, faxed to 303.857.0351 or emailed to planningdept@fortluptonco.gov. A non-response to this referral may be considered a favorable response.

COMMENTS:

Weld County Environmental Health Services; 120 camping units on a septic system will require a site application review from Colorado State department of public health and environment. Dust, waste and noise mitigation plans should be required. Lauren Light WC Env Planner



January 25, 2021

Alyssa Knutson
City of Fort Lupton
Transmitted via email:
aknutson@fortluptonco.gov

RE: Been Annexation and Initial Zoning
Project no. LUP2020-0034, & Plan Nos. ANX2020-0004, COZ2020-0007
Part of S ½ of the NE ¼, Sec. 16, T1N, R67W, 6th P.M.
Lot A, Recorded Exemption No. 1469-16-1 RE-4223
Water Division 1, Water District 2

Dear Ms. Knutson:

We have reviewed the information received by this office on January 5, 2021 regarding the above referenced referrals. The Applicant is proposing: to annex into Fort Lupton with initial zoning for an RV Park.

Pursuant to Section 30-28-136, C.R.S. the State Engineer's office will provide an opinion on water supply plans for new subdivisions regarding material injury to existing water rights or the adequacy of the proposed plan if a referral is submitted to this office by the board of county commissioners. This referral was submitted to this office from the City of Fort Lupton ("City") therefore, pursuant to the State Engineer's March 4, 2005 and March 11, 2011 memorandums to the county planning directors, this office will only perform a cursory review of the referral information and provide comments. The comments do not address the adequacy of the water supply plan for this project or the ability of the water supply plan to satisfy any County regulations or requirements.

The proposed water supply is a future water tap with Central Weld County Water District. Our office has no comments on Central Weld County Water District's ability to supply the proposed RV Park. The referral material also includes reference to an existing well under permit no. 9930 and well permit 84713-F, which has not been constructed.

Well permit no. 9930 was issued on October 9, 1961 for domestic use. The domestic use of the well is limited to the historic domestic uses in existence before May 8, 1972 that have continued since that time [provided such uses are no greater than those uses allowed for a well permit pursuant to section 37-92-602(5), C.R.S. (which are: fire protection, ordinary household purposes inside not more than three single-family dwellings, the watering of poultry, domestic animals and livestock on a farm or ranch and the irrigation of not more than one acre of home gardens and lawns)]. Should the existing well be used for the RV Park, the well should be re-permitted allowing such commercial uses.

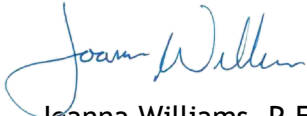
Well permit no. 84173-F was issued on September 16, 2020 pursuant to section 37-90-137(4) C.R.S., and the Findings of the State Engineer to construct a well in the Laramie-Fox Hills



aquifer. The well permit allows for the average annual withdrawal of 4.92 acre-feet per year from the nontributary Laramie-Fox Hills aquifer to be used for domestic, livestock watering, industrial, irrigation and commercial. This office has not received information that a well under permit no. 84173-F has been constructed. Well permit no. 84173-F will expire on September 16, 2021 unless this office receives information that the well was constructed and a pump was installed before the permit expired or the applicant applies for a one time one year expiration extension. Should the well be constructed, this office has no comments regarding the well being used for an RV Park.

Should you or the applicant have any questions, please contact Ailis Thyne at (303) 866-3581 x8216.

Sincerely,



Joanna Williams, P.E.
Water Resource Engineer

Ec: Subdivision File #27495



January 26, 2021

City of Ft. Lupton
Honorable Zo Stieber and Members of the City Council
130 S McKinley Avenue
Ft. Lupton, CO 80621

Honorable Mayor Stieber and City Council,

The City of Dacono submits this letter in response to Project No. LUP2020-0034 & Plan Nos. ANX2020-0004 & COZ2020-0007 (Been RV Park). The City of Dacono objects to the planned annexation and proposed use for an RV campground. Historically, Weld County Road 21 served as an agreed-upon boundary for both communities. This area encroaches into the City's adopted 3-Mile Plan Area. For many years, the City of Dacono has attempted to negotiate an Intergovernmental Agreement to establish mutually agreeable boundaries for future growth.

We believe in Weld County's economic momentum and opportunities within this region for more desirable land uses. In southwest Weld County all communities should be consistently raising the standards and expectations for development that adds value to the community through quality investment and creation of employment opportunities. This type of use encourages a transient population, adds little value to the community, and creates future land use compatibility issues. Additionally, the annexation of Weld County Road 19 creates confusion in road maintenance services for adjacent property owners.

The City of Dacono looks forward to resuming discussions regarding an IGA. We sincerely hope to work together to bring quality land development that genuinely benefits both communities through thoughtful planning and a shared vision.

Sincerely,

A handwritten signature in dark ink, appearing to read "Joe Baker". The signature is fluid and cursive, with the first name "Joe" and last name "Baker" clearly distinguishable.

Joe Baker, Mayor



Right of Way & Permits
1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303.571.3284
donna.l.george@xcelenergy.com

January 26, 2021

City of Fort Lupton Planning Department
130 South McKinley Avenue
Fort Lupton, CO 80621

Attn: Alyssa Knutson and Todd Hodges

Re: Been RV Park Annexation and Initial Zoning
Case #s LUP2020-0034 / ANX2020-0004 / COZ2020-0007

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plans for **Been RV Park Annexation and Initial Zoning** and has no objection to this proposed zoning, 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.

The City of Fort Lupton must send us notification after approval of the proposed annexation has been finalized. This notification should be sent to Jacob Van Laere (303-571-3818) at: Xcel Energy, 1123 West 3rd Avenue, Denver, Colorado 80223 or jacob.van.laere@xcelenergy.com. This will allow our mapping department to make the necessary updates to our mapping system.

Should the project require any natural gas service, the property owner/developer/contractor must complete the application process via xcelenergy.com/InstallAndConnect.

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



CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 6th day of January, 2021, a true and correct copy of the foregoing flagpole notification letter for the Been Annexation, with annexation map and legal description, was sent via U.S. Mail, postage pre-paid, to the following addresses:

Ker McGee Gathering
Attn: APC Property Tax
PO Box 173779
Denver, CO 80217

TBR Ranch LLC
C/O John Brunetti
13818 Harrison St
Thornton, CO 80602

Steve Stratton
3985 County Road 19
Fort Lupton, CO 80621

Greg K Reider
3863 County Road 19
Fort Lupton, CO 80621

Vega Hector Mario Medina
3506 County Road 19
Fort Lupton, CO 80621



City Official



Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621

Phone: 303.857.6694
Fax: 303.857.0351

www.fortlupton.org

January 6, 2021

Via U.S. Mail

Kerr-McGee Gathering LLC
Attn: APC Property Tax
PO Box 173779
Denver, CO 80217-3779

Re: Been Annexation Nos. 1 – 4 & Initial Zoning

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the Been Annexation Nos. 1 – 4, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

The public hearings will be held at City Hall, 130 S. McKinley Ave., Fort Lupton, Colorado and are scheduled for:

- **Planning Commission: Thursday, January 28, 2021 at 6:00 PM**
- **City Council: Tuesday, February 16, 2021 at 7:00 PM**

According to Weld County property records, you may own property along the roadway to be annexed by the City as a part of the Been Annexation Nos. 1 – 4. If you own property that abuts the portion of the land being proposed for annexation, you have a right pursuant to C.R.S. § 31-12-105(1)(e.3) to petition the City for annexation in accordance with the procedures set forth in C.R.S. § 31-12-107.

If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Alyssa Knutson

Planner

City of Fort Lupton

Enclosures



Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621

Phone: 303.857.6694
Fax: 303.857.0351

www.fortlupton.org

January 6, 2021

Via U.S. Mail

Vega Hector Mario Madrid
3506 County Road 19
Fort Lupton, CO 80621

Re: Been Annexation Nos. 1 – 4 & Initial Zoning

Dear Landowner:

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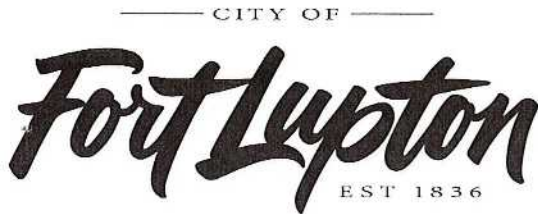
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If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Alyssa Knutson
Planner
City of Fort Lupton

Enclosures



Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621

Phone: 303.857.6694
Fax: 303.857.0351

www.fortlupton.org

January 6, 2021

Via U.S. Mail

TBR Ranch LLC
c/o John Brunetti
13818 Harrison Street
Thornton, CO 80602

Re: Been Annexation Nos. 1 – 4 & Initial Zoning

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the Been Annexation Nos. 1 – 4, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

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If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Alyssa Knutson
Planner
City of Fort Lupton

Enclosures



Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621

Phone: 303.857.6694
Fax: 303.857.0351

www.fortlupton.org

January 6, 2021

Via U.S. Mail

Greg K Reider
3863 County Road 19
Fort Lupton, CO 80621

Re: Been Annexation Nos. 1 – 4 & Initial Zoning

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the Been Annexation Nos. 1 – 4, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

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If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Alyssa Knutson
Planner
City of Fort Lupton

Enclosures



Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621

Phone: 303.857.6694
Fax: 303.857.0351

www.fortlupton.org

January 6, 2021

Via U.S. Mail

Steve Stratton
3985 County Road 19
Fort Lupton, CO 80621

Re: Been Annexation Nos. 1 – 4 & Initial Zoning

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the Been Annexation Nos. 1 – 4, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

The public hearings will be held at City Hall, 130 S. McKinley Ave., Fort Lupton, Colorado and are scheduled for:

- **Planning Commission: Thursday, January 28, 2021 at 6:00 PM**
- **City Council: Tuesday, February 16, 2021 at 7:00 PM**

According to Weld County property records, you may own property along the roadway to be annexed by the City as a part of the Been Annexation Nos. 1 – 4. If you own property that abuts the portion of the land being proposed for annexation, you have a right pursuant to C.R.S. § 31-12-105(1)(e.3) to petition the City for annexation in accordance with the procedures set forth in C.R.S. § 31-12-107.

If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Alyssa Knutson
Planner
City of Fort Lupton

Enclosures

Northwest 1/4 of Section 15, and the Northeast 1/4 of Section 16,
Township 1 North, Range 67 West of the 6th P.M.,
City of Fort Lupton, County of Weld, State of Colorado

DESCRIPTION OF ANNEXATION NO. 1:

[illegible][illegible]

SAC PAPER, CONTAINS 17872 SQUARE FEET OR 0.33 ACRE, MORE OR LESS.

[illegible]

ANNEXATION TABLE NO. 1:	
TOTAL PERIMETER:	340.02 FEET
REQUIRED 1/8 CONTIGUOUS PERIMETER:	56.67 FEET
CONTIGUOUS BOUNDARY	60.00 FEET

ANNEXATION TABLE NO. 2:-

TOTAL PERIMETER:	1660.04 FEET
REQUIRED 1/8 CONTIGUOUS PERIMETER:	276.87 FEET
CONTIGUOUS BOUNDARY:	288.02 FEET

ANNEXATION TABLE NO. 3:

ANNEXATION TABLE NO. 4:

VICINITY MAP: NTS

GRAPHIC SCALE 1"=200'

A horizontal graphic scale bar with alternating black and white segments. It is marked with the numbers 0, 200, 400, and 600, representing feet. The text "GRAPHIC SCALE" and "1"=200'" are printed vertically to the left of the bar.[illegible]

OWNER'S APPROVAL

KNOW ALL MEN BY THESE PRESENTS, THAT SHERIFF A. BROWN, SHERIFF OF THE LAND DESCRIBED HEREIN, HAVE CAUSED SAID LAND TO BE ANNEXED UNDER THE NAME OF BROWN ANNEXATION NO. 1, 2, 3, &c. TO THE CITY OF FORT LUDLOW.

OWNER - SHEILA A. BETH
STATE OF COLORADO } SS
COUNTY OF WELD }

2000

PLANNING COMMISSION RECOMMENDATION

THIS IS TO CERTIFY THAT THE ANNEXATION MAP OF THE ABOVE-DESCRIBED PROPERTY WAS RECOMMENDED TO THE PORT LUTHERN CITY COUNCIL AN RESOLUTION NO. _____ RECOMMENDED THIS _____ DAY OF _____, 20_____

CHALLENGES FOR LIFELONG LEARNING COMMISSION

CITY COUNCIL APPROVAL

THIS IS TO CERTIFY THAT THE ANNULMENT MAP OF THE ABOVE-DESCRIBED PROPERTY WAS APPROVED BY ORDINANCE NO. _____ OF THE CITY OF FORT LUDLOW PASSED AND ADOPTED ON THE _____ DAY OF _____, 20____, AND THAT THE MAPPER AND THE CITY OF FORT LUDLOW, AS AUTHORIZED BY ORDINANCE NO. _____ ON BEHALF OF THE CITY OF FORT LUDLOW, HEREBY ACKNOWLEDGES AND AGREES THE SAID ANNULMENT MAP UPON WHICH THIS CERTIFICATE IS DORCESED FOR ALL PURPOSES INDICATED THEREON.

WEST CITY CLUB

SURVEYOR'S STATEMENT

[illegible]

NOTES

[illegible]

LEGEND:

♦ = ALLOT MONUMENT, AS NOTED.
● = CHANGE IN POSITION

7 - DISTING MUNICIPAL BOUNDARY, AS NOTED.

American West
Land Surveying Co.
 A Colorado Corporation
 PO Box 129, Brighton, CO 80661 • 303-435-6573 • www.amw.com
 E-MAIL: "amw@amw.com" FAX: "303-435-6573" DATE: DEC. 8, 2013
 CLOSING: 12/11/13 12:00 PM

LEGAL DESCRIPTION

DESCRIPTION OF BEEN ANNEXATION NO. 1

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

BEGINNING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472769 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 12°24'49" EAST, A DISTANCE OF 140.00 FEET TO THE EAST LINE OF THE NORTH- EAST 1/4 OF SAID SECTION 16; THENCE NORTH 12°19'56" EAST, A DISTANCE OF 140.02 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON; THENCE SOUTH 89°56'40" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6, A DISTANCE OF 60.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 4103 SQUARE FEET OR 0.09 ACRES, MORE OR LESS.

DESCRIPTION OF BEEN ANNEXATION NO. 2

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

BEGINNING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472769 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 12°24'49" EAST, A DISTANCE OF 140.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 12°19'56" EAST, A DISTANCE OF 140.02 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON; THENCE SOUTH 02°27'07" WEST, A DISTANCE OF 690.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 02°38'42" WEST, A DISTANCE OF 660.05 FEET TO THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 10 AND THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19; THENCE NORTH N00°02'24" WEST, COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD NO. 10, A DISTANCE OF 29.97 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 17,027 SQUARE FEET OR 0.39 ACRES, MORE OR LESS.

DESCRIPTION OF BEEN ANNEXATION NO. 3

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472769 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 00°02'24" EAST, COINCIDENT WITH THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19, A DISTANCE OF 29.97 FEET TO THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 10 AND THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19 AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°02'24" EAST, COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 700.00 FEET; THENCE S01°50'59" EAST, A DISTANCE OF 950.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; TENCE NORTH 01°46'10" EAST, A DISTANCE OF 950.00 FEET TO THE EAST RIGHT-OF-WAY OF COUNTY ROAD NO. 19; THENCE NORTH 00°02'24" WEST, COINCIDENT WITH SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 729.98 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6; THENCE SOUTH 02°27'07" WEST, A DISTANCE OF 690.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 02°38'42" WEST, A DISTANCE OF 660.05 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 51,155 SQUARE FEET OR 1.17 ACRES, MORE OR LESS.

DESCRIPTION OF BEEN ANNEXATION NO. 4

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472769 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 00°02'24" EAST, COINCIDENT WITH THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19, A DISTANCE OF 729.97 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°02'24" EAST, COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 864.43 FEET TO THE NORTH LINE OF LOT A, RECORDED EXEMPTION NO. RE-4223 AS SHOWN ON THE PLAT RECORDED NOVEMBER 23, 2005 AS RECEPTION NO. 3342371 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE COINCIDENT WITH SAID NORTH LINE THE FOLLOWING ELEVEN (11) COURSES AND DISTANCES:

- 1) NORTH 70°29'49" WEST, A DISTANCE OF 48.75 FEET;
- 2) NORTH 76°52'39" WEST, A DISTANCE OF 461.68 FEET;
- 3) NORTH 74°47'30" WEST, A DISTANCE OF 66.09 FEET;
- 4) NORTH 72°36'36" WEST, A DISTANCE OF 384.13 FEET;

5) SOUTH 89°59'19" WEST, A DISTANCE OF 10.07 FEET;
6) SOUTH 49°07'04" WEST, A DISTANCE OF 244.82 FEET;
7) SOUTH 50°18'30" EAST, A DISTANCE OF 340.62 FEET;
8) SOUTH 47°52'20" WEST, A DISTANCE OF 299.39 FEET;
9) SOUTH 55°57'49" WEST, A DISTANCE OF 88.08 FEET;
10) SOUTH 65°00'00" WEST, A DISTANCE OF 80.60 FEET;
11) SOUTH 77°14'08" WEST, A DISTANCE OF 107.46 FEET TO THE SOUTHWEST CORNER OF SAID LOT A; THENCE NORTH 86°23'22" EAST, COINCIDENT WITH THE SOUTH LINE OF SAID LOT A, A DISTANCE OF 1920.13 FEET TO THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19; THENCE NORTH 00°02'24" WEST, COINCIDENT WITH SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1176.07 FEET; THENCE SOUTH 01°46'10" WEST, A DISTANCE OF 950.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 01°50'59" WEST, A DISTANCE OF 950.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 729,846 SQUARE FEET OR 16.75 ACRES, MORE OR LESS.



CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 11th day of January, 2021, a true and correct copy of the foregoing Notice of Public Hearings and Annexation maps for the Been Annexation was sent via U.S. Mail, postage pre-paid, to the following addresses:

ATTN: APC PROPERTY TAX
KERR-MCGEE GATHERING LLC
PO BOX 173779
DENVER, CO 80217

C/O JOHN BRUNETTI
TBR RANCH LLC
13818 HARRISON ST
THORNTON, CO 80602

JOLENE P JOHNS
H L II JOHNS
8690 COUNTY ROAD 10
FORT LUPTON, CO 80621

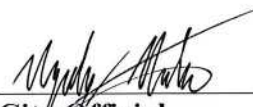
DOLF C VEIT
SUSAN A VEIT
8502 COUNTY ROAD 10
FORT LUPTON, CO 80621

GREG K REIDER
3863 COUNTY ROAD 19
FORT LUPTON, CO 80621

PAUL B LARSEN
3503 COUNTY ROAD 19
FORT LUPTON, CO 80621

THOMAS JAMES PUGH
MELESINA PUGH
THOMAS J JR. PUGH
3503 COUNTY ROAD 19
FORT LUPTON, CO 80621

VEGA HECTOR MARIO MADRID
3506 COUNTY ROAD 19
FORT LUPTON, CO 80621



City Official

**CITY OF FORT LUPTON
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Fort Lupton is in receipt of an application submitted by Sheryl Been for an annexation and initial zoning to the 'A' Agricultural Zone District for a property located west and adjacent to County Road 19 and approximately 0.29 miles south from County Road 10 in Weld County, Colorado, pursuant to the City of Fort Lupton Municipal Code Notice Requirements.

The public hearings are to be held before the Planning Commission on Thursday, January 28, 2021, at 6:00 P.M., and before the City Council on Tuesday, February 16, 2021, at 7:00 P.M. or as soon as possible thereafter.

The public hearings shall be held in the City Hall, 130 South McKinley Avenue, Fort Lupton, Colorado, or at such other time or place in the event this hearing is adjourned. In the event that City Hall is closed to the public at the time of the hearings due to COVID-19, the public hearings will be held remotely, accessible to the public by phone and internet. Information on how to attend the hearings will be provided in the agenda posted on the City's website, www.fortluptonco.gov.

Further information is available through the City Planning & Building Department at (303) 857-6694.

ALL INTERESTED PERSONS MAY ATTEND

LEGAL DESCRIPTION

DESCRIPTION OF BEEN ANNEXATION NO. 1

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

BEGINNING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472769 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 12°24'49" EAST, A DISTANCE OF 140.00 FEET TO THE EAST LINE OF THE NORTH- EAST 1/4 OF SAID SECTION 16; THENCE NORTH 12°19'56" EAST, A DISTANCE OF 140.02 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON; THENCE SOUTH 89°56'40" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6, A DISTANCE OF 60.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 4103 SQUARE FEET OR 0.09 ACRES, MORE OR LESS.

DESCRIPTION OF BEEN ANNEXATION NO. 2

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

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SAID PARCEL CONTAINS 17,027 SQUARE FEET OR 0.39 ACRES, MORE OR LESS.

DESCRIPTION OF BEEN ANNEXATION NO. 3

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

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SAID PARCEL CONTAINS 51,155 SQUARE FEET OR 1.17 ACRES, MORE OR LESS.

DESCRIPTION OF BEEN ANNEXATION NO. 4

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

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- 1) NORTH 70°29'49" WEST, A DISTANCE OF 48.75 FEET;
- 2) NORTH 76°52'39" WEST, A DISTANCE OF 461.68 FEET;
- 3) NORTH 74°47'30" WEST, A DISTANCE OF 66.09 FEET;
- 4) NORTH 72°36'36" WEST, A DISTANCE OF 384.13 FEET;
- 5) SOUTH 89°59'19" WEST, A DISTANCE OF 10.07 FEET;
- 6) SOUTH 49°07'04" WEST, A DISTANCE OF 244.82 FEET;
- 7) SOUTH 50°18'30" EAST, A DISTANCE OF 340.62 FEET;
- 8) SOUTH 47°52'20" WEST, A DISTANCE OF 299.39 FEET;
- 9) SOUTH 55°57'49" WEST, A DISTANCE OF 88.08 FEET;
- 10) SOUTH 65°00'00" WEST, A DISTANCE OF 80.60 FEET;
- 11) SOUTH 77°14'08" WEST, A DISTANCE OF 107.46 FEET TO THE SOUTHWEST CORNER OF SAID LOT A; THENCE NORTH 86°23'22" EAST, COINCIDENT WITH THE SOUTH LINE OF SAID LOT A, A DISTANCE OF 1920.13 FEET TO THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19; THENCE NORTH 00°02'24" WEST, COINCIDENT WITH SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1176.07 FEET; THENCE SOUTH 01°46'10" WEST, A DISTANCE OF 950.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 01°50'59" WEST, A DISTANCE OF 950.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 729,846 SQUARE FEET OR 16.75 ACRES, MORE OR LESS.

RESOLUTION NO. 2021R008

A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON INITIATING ANNEXATION PROCEEDINGS FOR THE ANNEXATION KNOWN AS THE BEEN ANNEXATION NOS. 1 - 4 AND SETTING THE PUBLIC HEARING FOR FEBRUARY 16, 2021

WHEREAS, the Fort Lupton City Council has reviewed the annexation petition submitted by Sheryl Been for 18.40 acres, more or less, and known as the Been Annexation Nos. 1 – 4; and

WHEREAS, the Fort Lupton City Council finds the annexation petition to be complete and in substantial conformance with the requirements of C.R.S. 31-12-107 (1) as amended.

NOW THEREFORE BE IT RESOLVED that the Fort Lupton City Council hereby approves this Resolution initiating annexation proceedings for the Been Annexation Nos. 1 – 4 and sets the hearing date for February 16, 2021, to determine if the proposed annexation complies with C.R.S. 31-12-104 and 31-12-105, or such parts thereof as may be required to establish eligibility for annexation under the terms of Part 1, Article 12, Title 31, C.R.S.

APPROVED AND ADOPTED BY THE FORT LUPTON CITY COUNCIL THIS 5th DAY OF JANUARY 2021.

City of Fort Lupton, Colorado

s/Zo Stieber

Zo Stieber, Mayor

Attest:

s/Maricela Peña

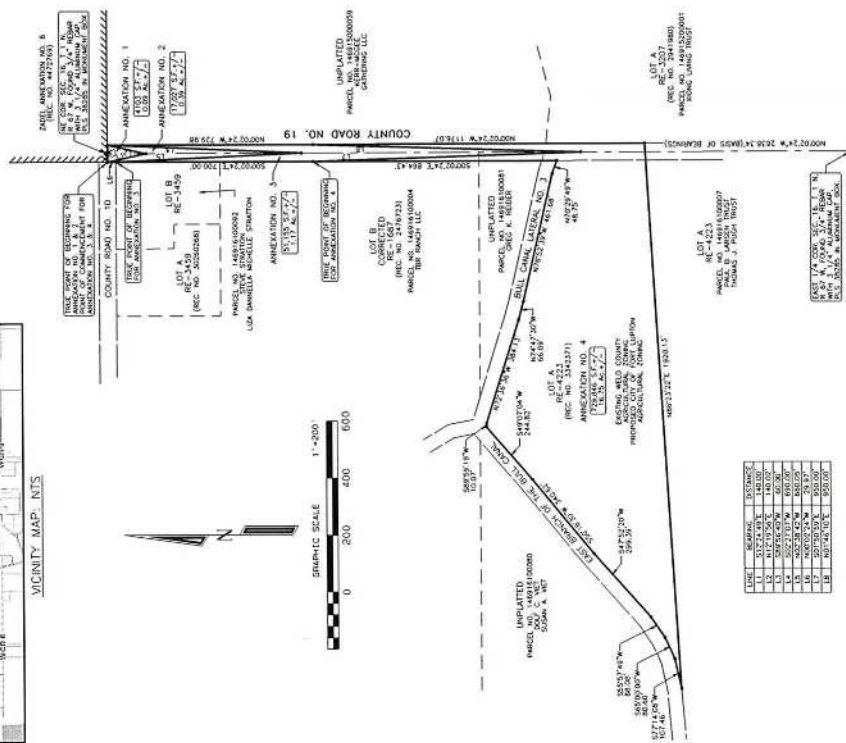
Maricela Peña, City Clerk

Approved as to form:

s/Andy Ausmus

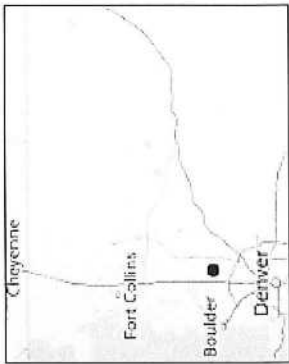
Andy Ausmus, City Attorney

Northwest 1/4 of Section 15, and the Northeast 1/4 of Section 16,
Township 1 North, Range 67 West of the 6th P.M.,
City of Fort Lupton, County of Weld, State of Colorado



ANNEXATION TABLE NO. 4	7992.35 FEET
TOTAL PERIMETER:	
REQUIRED 1/6 CONTIGUOUS PERIMETER:	1332.05 FEET

American West
Land Surveying Co.
A Colorado Corporation
PO Box 129, Brighton, CO 80601 • P.303-455-1332 F.303-455-0575 • amwest@com.net
S.4411 W. 200' STREET • DENVER, CO 80220 • FAX: 303-455-1332 • FAX: 303-455-0575



- Legend**
- Parcels
 - Address Label
 - Highway
 - County Boundary



1: 13,405

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

2,234.2 0 1,117.12 2,234.2 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Weld County Colorado



CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 21st day of January, 2021, a true and correct copy of the foregoing Notice of Public Hearings and Annexation Petition for the Been Annexation was sent via Certified Mail, Return-Receipt Requested, to the following addresses:

Aims Junior College
P.O. Box 69
Greeley, CO 80632

Longmont Conservation District
9595 Nelson Road
Box D
Longmont, CO 80501

Central Colorado Water Conservancy District
3209 W. 28th Street
Greeley, CO 80631

Weld County RE-8 School District
301 Reynolds Street
Fort Lupton, CO 80621

Fort Lupton Fire Protection District
1121 Denver Avenue
Fort Lupton, CO 80621

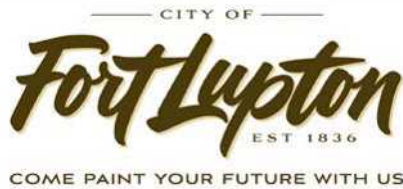
Weld County Commissioners
1150 O Street
PO Box 758
Greeley, CO 80631

High Plains Library
2650 W. 29th Street
Greeley, CO 80631

Weld County Attorney
1150 O Street
PO Box 758
Greeley, CO 80631



City Official



**CITY OF FORT LUPTON
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Fort Lupton is in receipt of an application submitted by Sheryl Been for an annexation and initial zoning to the 'A' Agricultural Zone District for a property located west and adjacent to County Road 19 and approximately 0.29 miles south from County Road 10 in Weld County, Colorado, pursuant to the City of Fort Lupton Municipal Code Notice Requirements.

The public hearings are to be held before the Planning Commission on Thursday, January 28, 2021, at 6:00 P.M., and before the City Council on Tuesday, February 16, 2021, at 7:00 P.M. or as soon as possible thereafter.

The public hearings shall be held in the City Hall, 130 South McKinley Avenue, Fort Lupton, Colorado, or at such other time or place in the event this hearing is adjourned. In the event that City Hall is closed to the public at the time of the hearings due to COVID-19, the public hearings will be held remotely, accessible to the public by phone and internet. Information on how to attend the hearings will be provided in the agenda posted on the City's website, www.fortluptonco.gov.

Further information is available through the City Planning & Building Department at (303) 857-6694.

ALL INTERESTED PERSONS MAY ATTEND

LEGAL DESCRIPTION

DESCRIPTION OF BEEN ANNEXATION NO. 1

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

BEGINNING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472769 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 12°24'49" EAST, A DISTANCE OF 140.00 FEET TO THE EAST LINE OF THE NORTH- EAST 1/4 OF SAID SECTION 16; THENCE NORTH 12°19'56" EAST, A DISTANCE OF 140.02 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON; THENCE SOUTH 89°56'40" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6, A DISTANCE OF 60.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 4103 SQUARE FEET OR 0.09 ACRES, MORE OR LESS.

DESCRIPTION OF BEEN ANNEXATION NO. 2

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

BEGINNING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472769 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 12°24'49" EAST, A DISTANCE OF 140.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 12°19'56" EAST, A DISTANCE OF 140.02 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON; THENCE SOUTH 02°27'07" WEST, A DISTANCE OF 690.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 02°38'42" WEST, A DISTANCE OF 660.05 FEET TO THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 10 AND THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19; THENCE NORTH N00°02'24" WEST, COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD NO. 10, A DISTANCE OF 29.97 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 17,027 SQUARE FEET OR 0.39 ACRES, MORE OR LESS.

DESCRIPTION OF BEEN ANNEXATION NO. 3

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472769 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 00°02'24" EAST, COINCIDENT WITH THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19, A DISTANCE OF 29.97 FEET TO THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 10 AND THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19 AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°02'24" EAST, COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 700.00 FEET; THENCE S01°50'59" EAST, A DISTANCE OF 950.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; TENCE NORTH 01°46'10" EAST, A DISTANCE OF 950.00 FEET TO THE EAST RIGHT-OF-WAY OF COUNTY ROAD NO. 19; THENCE NORTH 00°02'24" WEST, COINCIDENT WITH

SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 729.98 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6; THENCE SOUTH 02°27'07" WEST, A DISTANCE OF 690.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 02°38'42" WEST, A DISTANCE OF 660.05 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 51,155 SQUARE FEET OR 1.17 ACRES, MORE OR LESS.

DESCRIPTION OF BEEN ANNEXATION NO. 4

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472769 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 00°02'24" EAST, COINCIDENT WITH THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19, A DISTANCE OF 729.97 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°02'24" EAST, COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 864.43 FEET TO THE NORTH LINE OF LOT A, RECORDED EXEMPTION NO. RE-4223 AS SHOWN ON THE PLAT RECORDED NOVEMBER 23, 2005 AS RECEPTION NO. 3342371 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE COINCIDENT WITH SAID NORTH LINE THE FOLLOWING ELEVEN (11) COURSES AND DISTANCES:

- 1) NORTH 70°29'49" WEST, A DISTANCE OF 48.75 FEET;
- 2) NORTH 76°52'39" WEST, A DISTANCE OF 461.68 FEET;
- 3) NORTH 74°47'30" WEST, A DISTANCE OF 66.09 FEET;
- 4) NORTH 72°36'36" WEST, A DISTANCE OF 384.13 FEET;
- 5) SOUTH 89°59'19" WEST, A DISTANCE OF 10.07 FEET;
- 6) SOUTH 49°07'04" WEST, A DISTANCE OF 244.82 FEET;
- 7) SOUTH 50°18'30" EAST, A DISTANCE OF 340.62 FEET;
- 8) SOUTH 47°52'20" WEST, A DISTANCE OF 299.39 FEET;
- 9) SOUTH 55°57'49" WEST, A DISTANCE OF 88.08 FEET;
- 10) SOUTH 65°00'00" WEST, A DISTANCE OF 80.60 FEET;
- 11) SOUTH 77°14'08" WEST, A DISTANCE OF 107.46 FEET TO THE SOUTHWEST CORNER OF SAID LOT A; THENCE NORTH 86°23'22" EAST, COINCIDENT WITH THE SOUTH LINE OF SAID LOT A, A DISTANCE OF 1920.13 FEET TO THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19; THENCE NORTH 00°02'24" WEST, COINCIDENT WITH SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1176.07 FEET; THENCE SOUTH 01°46'10" WEST, A DISTANCE OF 950.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 01°50'59" WEST, A DISTANCE OF 950.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 729,846 SQUARE FEET OR 16.75 ACRES, MORE OR LESS.

RESOLUTION NO. 2021R008

A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON INITIATING ANNEXATION PROCEEDINGS FOR THE ANNEXATION KNOWN AS THE BEEN ANNEXATION NOS. 1 – 4 AND SETTING THE PUBLIC HEARING FOR FEBRUARY 16, 2021

WHEREAS, the Fort Lupton City Council has reviewed the annexation petition submitted by Sheryl Been for 18.40 acres, more or less, and known as the Been Annexation Nos. 1 – 4; and

WHEREAS, the Fort Lupton City Council finds the annexation petition to be complete and in substantial conformance with the requirements of C.R.S. 31-12-107 (1) as amended.

NOW THEREFORE BE IT RESOLVED that the Fort Lupton City Council hereby approves this Resolution initiating annexation proceedings for the Been Annexation Nos. 1 – 4 and sets the hearing date for February 16, 2021, to determine if the proposed annexation complies with C.R.S. 31-12-104 and 31-12-105, or such parts thereof as may be required to establish eligibility for annexation under the terms of Part 1, Article 12, Title 31, C.R.S.

APPROVED AND ADOPTED BY THE FORT LUPTON CITY COUNCIL THIS 5th DAY OF JANUARY 2021.

City of Fort Lupton, Colorado

s/Zo Stieber

Zo Stieber, Mayor

Attest:

s/Maricela Peña

Maricela Peña, City Clerk

Approved as to form:

s/Andy Ausmus

Andy Ausmus, City Attorney

PETITION FOR ANNEXATION

TO: THE CITY COUNCIL OF FORT LUPTON, COLORADO

We, the undersigned landowners, in accordance with Colorado law, hereby petition the City of Fort Lupton and its City Council for annexation to the City of Fort Lupton of the unincorporated territory, the legal description of which is attached hereto as Exhibit A and incorporated herein by this reference, located in the County of Weld and the State of Colorado, and to be known as the SHERYL BEEN Annexation to the City of Fort Lupton.

As part of this petition, your petitioners further state to the City Council that:

1. It is desirable and necessary that the territory described in Exhibit A be annexed to the City of Fort Lupton.
2. The requirements of Sections 31-12-104 and 31-12-105, C.R.S., as amended, exist or have been met in that:
 - a. Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City of Fort Lupton or will be contiguous with the City of Fort Lupton within such time as required by Section 31-12-104.
 - b. A community of interest exists between the area proposed to be annexed and the City of Fort Lupton.
 - c. The area proposed to be annexed is urban or will be urbanized in the near future.
 - d. The area proposed to be annexed is integrated with or is capable of being integrated with the City of Fort Lupton.
 - e. No land within the boundary of the area proposed to be annexed which is held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, has been divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels were separated by a dedicated street, road, or other public way.
 - f. No land within the boundary of the area proposed to be annexed which is held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, comprises twenty acres or more, and, together with the buildings and improvements situated thereon, has an assessed value in excess of two hundred thousand dollars (\$200,000.00) for ad valorem tax purposes for the year next preceding the annexation, has been included within the area proposed to be annexed without the written consent of the landowner or landowners.
 - g. No annexation proceedings have been commenced for any portion of the area proposed to be annexed for the annexation of such area to another municipality. The area proposed to be annexed is not part of any incorporated city, city and county, or town.

- h. The territory proposed to be annexed does not include any area which is the same or substantially the same area in which an election for an annexation to the City of Fort Lupton was held within the twelve months preceding the filing of this petition.
 - i. The annexation of the area proposed to be annexed will not result in the detachment of said area from any school district.
 - j. The annexation of the territory proposed to be annexed will not have the effect of extending the boundary of the City of Fort Lupton more than three miles in any direction from any point of the boundary of the City of Fort Lupton in any one year.
 - k. The territory to be annexed is 18.40 acres, more or less, in total area.
 - l. Prior to completion of the annexation of the area proposed to be annexed, a plan will be in place, pursuant to Section 31-12-105 (1) (e), C.R. S., which generally describes the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation, and power to be provided by the City of Fort Lupton, and the proposed land uses for the area.
 - m. In establishing the boundary of the area proposed to be annexed, if a portion of a platted street or alley is to be annexed, the entire width of the street or alley has been included within the area annexed, and reasonable access will not be denied to any landowners, owners of any easement, or the owners of any franchise adjoining any platted street or alley which is to be annexed but is not bounded on both sides by the City of Fort Lupton.
 - n. If required, an impact report will be prepared and filed pursuant to Section 31-12-108.5, C.R.S..
3. The signer(s) of this petition comprise(s) more than fifty percent (50%) of the landowners and own more than fifty percent (50%) of the property, excluding public streets and alleys and any land owned by the annexing municipality, and are, in fact, owners of one hundred percent (100%) of the property set forth in Exhibit A attached hereto and incorporated herein by reference.
4. At least fifteen (15) days prior to the presentation of this petition to the Fort Lupton City Council, a minimum of fifteen (15) copies of an annexation map shall be submitted to the City, produced with an engineer's scale, minimum scale to be one (1) inch represents one hundred (100) feet, on a reproducible medium with outer dimensions of twenty-four (24) by thirty-six (36) inches, containing the following information:
- a. The date of preparation, the scale and a symbol designating true north.
 - b. The name of the annexation.
 - c. The names, addresses and phone numbers of the applicant and the firm or person responsible for preparing the annexation map.
 - d. The legal description.
 - e. Distinction of the boundary that is contiguous to the City and the length of same.
 - f. Lot and block numbers if the area is already platted.
 - g. Existing and proposed easements and rights-of-way.

- h. Existing and requested zoning and acreage of each requested zone.
 - i. Ownership of all parcels within and adjacent to the annexation.
 - j. Appropriate certification blocks as directed by the Planning Department.
- 5. At least fifteen (15) days prior to the presentation of this petition to the Fort Lupton City Council, a minimum of fifteen (15) copies of a master plan shall be submitted to the City of Fort Lupton, produced with an engineer's scale, minimum scale to be one (1) inch represents one hundred (100) feet, on a reproducible medium with outer dimensions of twenty-four (24) by thirty-six (36) inches, containing the following information.
 - a. The date of preparation, the scale and a symbol designating true north.
 - b. The name of the annexation.
 - c. The names, addresses and phone numbers of the applicant and the firm or person responsible for preparing the master plan.
 - d. Existing and proposed easements and rights-of-way.
 - e. Block numbers and lot numbers with approximate dimensions.
 - f. Proposed gross and net residential density.
 - g. Existing watercourses with adequate easements for flood control.
 - h. Designation of all public sites to be reserved and dedicated.
 - i. Existing two-foot contours.
 - j. Appropriate certification blocks as directed by the Planning Department.
- 6. At least fifteen (15) days prior to the presentation of this petition to the Fort Lupton City Council, a minimum of five (5) copies of all required supportive information shall be submitted to the City of Fort Lupton which shall include the following:
 - a. Soils description and limitation.
 - b. Preliminary utility plan.
 - c. Mailing addresses of all property owners within five hundred (500) feet of the annexation.
 - d. Affidavit concerning the amount and historical use of all water rights owned.
 - e. Vicinity map with one and one-half (1 ½) mile radius, at a minimum scale of one (1) inch represents two thousand (2,000) feet.
 - f. Statement on community need for proposed annexation and zoning.
 - g. For all annexations in excess of ten (10) acres, the applicant shall obtain from the school district governing the area to be annexed a statement of the effect of the annexation upon the school district, including an estimate of the number of students generated by the proposed annexation and the capital construction required to educate such students.
- 7. Upon the annexation ordinance becoming effective, all lands within the area proposed to be annexed will become subject to all ordinances, resolutions, rules, and regulations of the City of Fort Lupton, except for general property taxes of the City of Fort Lupton, which shall become effective as of the January 1 next ensuing.

8. The zoning classification requested for the area proposed to be annexed is 'A' Agricultural, as shown on the annexation map attached hereto and incorporated herein.
9. As required by the City of Fort Lupton, an annexation agreement has been or will be executed by the petitioners herein and the City relating to this annexation and the petitioners hereby expressly consent to the terms and conditions set forth in the annexation agreement.
10. As an expressed condition of annexation, landowner(s) consent(s) to petition for inclusion into the Northern Colorado Water Conservancy District and the municipal sub district pursuant to Section 37-45-136 (3.6) C.R.S. to pay the appropriate fees and costs associated with such inclusion. Landowner(s) acknowledge(s) that, upon inclusion into the district and subdistrict, landowner's(s') property will be subject to the same mill levies and special assessments as are levied or will be levied on other similarly situated property in the district and subdistrict at the time of inclusion of landowners(s') lands. Landowner(s) agree(s) to waive any right to an election which may exist to require an election pursuant to Article X, Section 20, of the Colorado Constitution before the district and subdistrict can impose such mill levies and special assessments as it has the authority to impose. Landowner(s) also agree(s) to waive, upon inclusion, any right which may exist to a refund pursuant to Article X, Section 20, of the Colorado Constitution.
11. The non-refundable annexation application fee of \$1,134.40 is tendered herewith.

THEREFORE, the undersigned respectfully petition(s) the City Council of the City of Fort Lupton, to annex the territory described and referred to in Exhibit A to the City of Fort Lupton in accordance with and pursuant to the statutes of the State of Colorado.

<u>Land Owner(s) Name(s) and Signature(s)</u>	<u>Mailing Address</u>	<u>Date of Signing</u>
Sheryl Been <i>Sheryl Been</i>	2222 NW - 8 th St Docu Refur #1 33486	

EM
~~Florida~~
~~State of Colorado~~)
) ss
~~County of Weld~~)
 Palm Beach

The foregoing instrument was acknowledged before me this 21st day of October, 2020 by Sheryl Been, Land Owner.

[Signature]
 Notary Signature

Seal



Land Owned

Lot A of Recorded Exemption No. 1469-16-1 RE-4223, recorded November 23, 2005 at Reception No. 3342371, being a part of the South Half of the Northeast Quarter of Section 16, Township 1 North, Range 67 West of the 6th P.M., County of Weld, State of Colorado.

AFFIDAVIT OF CIRCULATOR

STATE OF COLORADO)
)ss.
COUNTY OF WELD)

Sheryl Been, being first duly sworn, states upon oath that he/she is the circulator of the petition to which this Affidavit is attached and knows of his/her own knowledge that the signature of each land owner appearing on said petition is the signature of the person whose name it purports it to be.

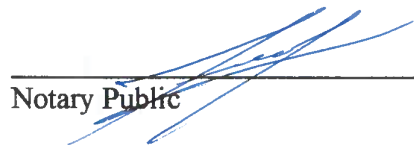

(Signature of Circulator)

The foregoing Affidavit was subscribed and sworn to before me this 21st day of October, 2020, by Sheryl Been.

Witness my hand and official seal.

My commission expires on 12-1-23.




Notary Public

Northwest 1/4 of Section 15, and the Northeast 1/4 of Section 16,
Township 1 North, Range 67 West of the 6th P.M.,
City of Fort Lupton, County of Weld, State of Colorado

DESCRIPTION OF ANNEXATION NO. 1:

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 18, TO BEAR NORTH
070°22'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN THEREON;

BEGINNING AT THE SOUTHWEST CORNER OF SAID ANNEXATION NO. 6 TO THE CITY OF FORT
LEWIS; THENCE N 89°00'00" E ALONG THE SOUTH LINE OF SAID ANNEXATION NO. 6 TO
THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH
17°22'49" EAST A DISTANCE OF 140.00 FEET TO THE EAST LINE OF THE NORTH-EAST 1/4 OF
SAID SECTION 18, BEARING NORTH 70°22'24" WEST, AND WITH ALL BEARINGS CONTAINED
HEREON; THENCE S 89°00'00" E ALONG THE EAST LINE OF SAID ANNEXATION NO. 6 TO THE
CITY OF FORT LEWIS; THENCE S 89°00'00" E ALONG THE SOUTH LINE OF SAID ANNEXATION NO. 6,
A DISTANCE OF 60.00 FEET TO THE TRUE POINT OF BEGINNING.

Said parcel contains 4103 square feet or 0.09 acres, more or less.

DESCRIPTION OF ANNEXATION NO. 2:

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

[illegible]

DESCRIPTION OF ANNEXATION NO. 3:

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

[illegible]

DESCRIPTION OF ANNEXATION NO. 4:

[illegible]

THE FOLLOWING ELEVEN (11) COURSES AND DISTANCES:

NORTH	7672.75 FEET
NORTH	7672.75 FEET
NORTH	7672.75 FEET
NORTH	7672.75 FEET
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NORTH	7672.75 FEET
NORTH	7672.75 FEET

TO THE NEAREST CORNER OF THE LOT WITH LINE OF ADJACENT TO THE SOUTH LINE OF LOT 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783,

ANNEXATION TABLE NO. 1:

TOTAL PERIMETER:	340.02 FEET
REQUIRED 1/6 CONTIGUOUS PERIMETER:	56.67 FEET
CONTIGUOUS BOUNDARY:	60.00 FEET

ANNEXYATION TABLE NO. 2:

TOTAL PERIMETER:	1660.04 FEET
REQUIRED 1/6 CONTIGUOUS PERIMETER:	276.67 FEET
CONTIGUOUS BOUNDARY:	280.02 FEET

CONTINUOUS DOCUMENT

ANNEXATION TABLE NO. 3:

TOTAL PERIMETER:	4680.03 FEET
REQUIRED 1/6 CONTIGUOUS PERIMETER:	780.01 FEET

ANNEXATION TABLE NO. 4

TOTAL PERIMETER:	7992.32 FEET
REQUIRED 1/6 CONTOUR PERIMETER:	1332.05 FEET

OWNER'S APPROVAL

KNOW ALL MEN BY THESE PRESENTS, THAT SHERYL A. BEEN, BEING SOLE OWNER OF THE LAND DESCRIBED HEREIN, HAVE CAUSED SAID LAND TO BE ANNEXED UNDER THE NAME OF BEEN ANNEXATION NO. 1, 2, 3, &4, TO THE CITY OF FORT LIJPTION.

OWNER - SHERYL A. BEEN }
STATE OF COLORADO }
COUNTY OF WELD }

WITNESSES: MEI TENG HING AND JOCK

NOTES PUBLIC

PLANNING COMMISSION RECOMMENDATION

THIS IS TO CERTIFY THAT THE ANNEXATION MAP OF THE ABOVE-DESCRIBED PROPERTY WAS RECOMMENDED TO THE PORT LUPTON CITY COUNCIL VIA RESOLUTION NO. _____, _____, 20____.

RECOMMENDED THIS _____ DAY OF _____, 20____.

CHAIRPERSON, FORT LUPTON PLANNING COMMISSION

CITY COUNCIL APPROVAL

THIS IS TO CERTIFY THAT THE ANIMATION MAP OF THE ABOVE-DESCRIBED PROPERTY WAS APPROVED BY ORDINANCE NO. _____ OF THE CITY OF FORT LIPSON PASSED AND ADOPTED ON THE _____ DAY OF _____, 20____, AND THAT THE MAYOR AND THE CITY OF FORT LIPSON, AS AUTHORIZED BY ORDINANCE NO. _____ ON BEHALF OF THE CITY OF FORT LIPSON, HEREBY ACKNOWLEDGES AND ADOPTS THE SAID ANIMATION MAP UPON WHICH THIS CERTIFICATE IS ENDORSED FOR ALL PURPOSES INDICATED THEREON. APPROVED THIS _____ DAY OF _____, 20____.

SURVEYOR'S STATEMENT

I, CURTIS D. HOGG, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ANNEXATION MAP REFERENCED BY THIS INSTRUMENT WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE ANNEXATION MAP REPRESENTS SAID ANNEXATION MAP TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY ME TO DETERMINE OWNERSHIP. FURTHERMORE, THIS CERTIFICATE THAT AT LEAST ONE-SIXTH (1/6) OF THE PROPERTY SHOWN BY MEON IS CONTIGUOUS WITH THE MUNICIPAL BOUNDARY OF THE CITY OF FORT LIPTON, COLORADO.

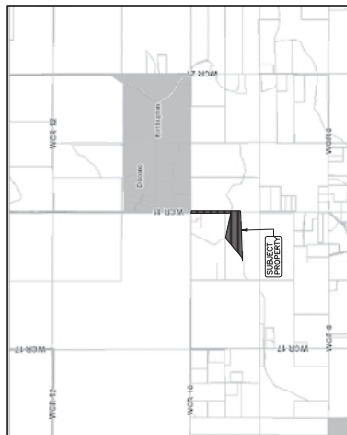
CURTIS D. HOOS, PLS. 37971
FOR AND ON BEHALF OF
AMERICAN WEST LAND SURVEYING
& COLORADO CORPORATION

NOTES

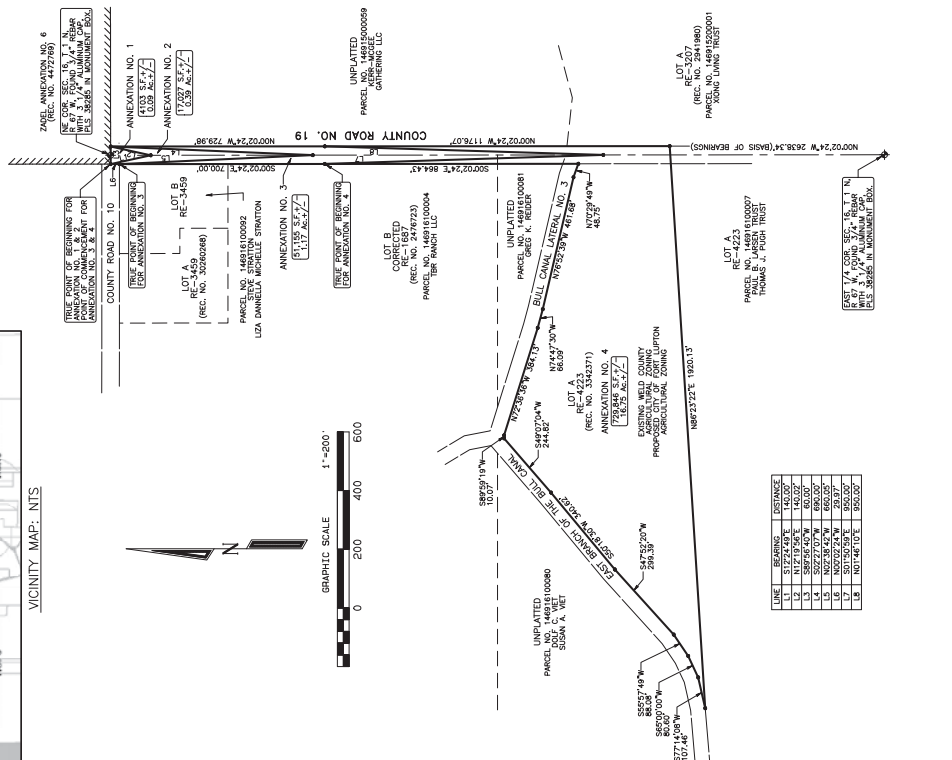
- [illegible]

LEGEND:

- ◆ = ALIQUOT MONUMENT, AS NOTED.
● = CHANGE IN DIRECTION.
— = EXISTING MUNICIPAL BOUNDARY, AS NOTED.



VICINITY MAP: NTS



LINE	BEARING	DISTANCE
L1	S12°24'48"E	140.00'
L2	N12°19'56"E	140.02'
L3	S89°56'40"W	60.00'
L4	S02°27'07"W	690.00'
L5	N02°38'42"W	660.05'
L6	N00°02'24"W	29.97'
L7	S01°50'59"E	950.00'
L8	N01°48'10"E	940.00'



American West
Land Surveying Co.

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DESCRIPTION OF BEEN ANNEXATION NO. 1

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

BEGINNING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472769 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 12°24'49" EAST, A DISTANCE OF 140.00 FEET TO THE EAST LINE OF THE NORTH- EAST 1/4 OF SAID SECTION 16; THENCE NORTH 12°19'56" EAST, A DISTANCE OF 140.02 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON; THENCE SOUTH 89°56'40" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6, A DISTANCE OF 60.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 4103 SQUARE FEET OR 0.09 ACRES, MORE OR LESS.

DESCRIPTION OF BEEN ANNEXATION NO. 2

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

BEGINNING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472769 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 12°24'49" EAST, A DISTANCE OF 140.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 12°19'56" EAST, A DISTANCE OF 140.02 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON; THENCE SOUTH 02°27'07" WEST, A DISTANCE OF 690.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 02°38'42" WEST, A DISTANCE OF 660.05 FEET TO THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 10 AND THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19; THENCE NORTH N00°02'24" WEST, COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD NO. 10, A DISTANCE OF 29.97 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 17,027 SQUARE FEET OR 0.39 ACRES, MORE OR LESS.

DESCRIPTION OF BEEN ANNEXATION NO. 3

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472769 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 00°02'24" EAST, COINCIDENT WITH THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19, A DISTANCE OF 29.97 FEET TO THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 10 AND THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19 AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°02'24" EAST, COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 700.00 FEET; THENCE S01°50'59" EAST, A DISTANCE OF 950.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; TENCE NORTH 01°46'10" EAST, A DISTANCE OF 950.00 FEET TO THE EAST RIGHT-OF-WAY OF COUNTY ROAD NO. 19; THENCE NORTH 00°02'24" WEST, COINCIDENT WITH SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 729.98 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6; THENCE SOUTH 02°27'07" WEST, A DISTANCE OF 690.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 02°38'42" WEST, A DISTANCE OF 660.05 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 51,155 SQUARE FEET OR 1.17 ACRES, MORE OR LESS.

DESCRIPTION OF BEEN ANNEXATION NO. 4

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472769 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 00°02'24" EAST, COINCIDENT WITH THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19, A DISTANCE OF 729.97 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°02'24" EAST, COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 864.43 FEET TO THE NORTH LINE OF LOT A, RECORDED EXEMPTION NO. RE-4223 AS SHOWN ON THE PLAT RECORDED NOVEMBER 23, 2005 AS RECEPTION NO. 3342371 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE COINCIDENT WITH SAID NORTH LINE THE FOLLOWING ELEVEN (11) COURSES AND DISTANCES:

- 1) NORTH 70°29'49" WEST, A DISTANCE OF 48.75 FEET;
- 2) NORTH 76°52'39" WEST, A DISTANCE OF 461.68 FEET;
- 3) NORTH 74°47'30" WEST, A DISTANCE OF 66.09 FEET;
- 4) NORTH 72°36'36" WEST, A DISTANCE OF 384.13 FEET;
- 5) SOUTH 89°59'19" WEST, A DISTANCE OF 10.07 FEET;
- 6) SOUTH 49°07'04" WEST, A DISTANCE OF 244.82 FEET;
- 7) SOUTH 50°18'30" EAST, A DISTANCE OF 340.62 FEET;
- 8) SOUTH 47°52'20" WEST, A DISTANCE OF 299.39 FEET;
- 9) SOUTH 55°57'49" WEST, A DISTANCE OF 88.08 FEET;
- 10) SOUTH 65°00'00" WEST, A DISTANCE OF 80.60 FEET;
- 11) SOUTH 77°14'08" WEST, A DISTANCE OF 107.46 FEET TO THE SOUTHWEST CORNER OF SAID LOT A; THENCE NORTH 86°23'22" EAST, COINCIDENT WITH THE SOUTH LINE OF SAID LOT A, A DISTANCE OF 1920.13 FEET TO THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19; THENCE NORTH 00°02'24" WEST, COINCIDENT WITH SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1176.07 FEET; THENCE SOUTH 01°46'10" WEST, A DISTANCE OF 950.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 01°50'59" WEST, A DISTANCE OF 950.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 729,846 SQUARE FEET OR 16.75 ACRES, MORE OR LESS.

**CITY OF FORT LUPTON
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Fort Lupton is in receipt of an application submitted by Sheryl Been for an annexation and initial zoning to the 'A' Agricultural Zone District for a property located west and adjacent to County Road 19 and approximately 0.29 miles south from County Road 10 in Weld County, Colorado, pursuant to the City of Fort Lupton Municipal Code Notice Requirements.

The public hearings are to be held before the Planning Commission on Thursday, January 28, 2021, at 6:00 P.M., and before the City Council on Tuesday, February 16, 2021, at 7:00 P.M. or as soon as possible thereafter.

The public hearings shall be held in the City Hall, 130 South McKinley Avenue, Fort Lupton, Colorado, or at such other time or place in the event this hearing is adjourned. In the event that City Hall is closed to the public at the time of the hearings due to COVID-19, the public hearings will be held remotely, accessible to the public by phone and internet. Information on how to attend the hearings will be provided in the agenda posted on the City's website, www.fortluptonco.gov.

Further information is available through the City Planning & Building Department at (303) 857-6694.

ALL INTERESTED PERSONS MAY ATTEND

LEGAL DESCRIPTION

DESCRIPTION OF BEEN ANNEXATION NO. 1

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

BEGINNING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472769 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 12°24'49" EAST, A DISTANCE OF 140.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 12°19'56" EAST, A DISTANCE OF 140.02 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON; THENCE SOUTH 89°56'40" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6, A DISTANCE OF 60.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 4103 SQUARE FEET OR 0.09 ACRES, MORE OR LESS.

DESCRIPTION OF BEEN ANNEXATION NO. 2

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

BEGINNING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472769 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD

COUNTY, COLORADO; THENCE SOUTH 12°24'49" EAST, A DISTANCE OF 140.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 12°19'56" EAST, A DISTANCE OF 140.02 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON; THENCE SOUTH 02°27'07" WEST, A DISTANCE OF 690.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 02°38'42" WEST, A DISTANCE OF 660.05 FEET TO THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 10 AND THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19; THENCE NORTH N00°02'24" WEST, COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD NO. 10, A DISTANCE OF 29.97 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 17,027 SQUARE FEET OR 0.39 ACRES, MORE OR LESS.

DESCRIPTION OF BEEN ANNEXATION NO. 3

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472769 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 00°02'24" EAST, COINCIDENT WITH THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19, A DISTANCE OF 29.97 FEET TO THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 10 AND THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19 AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°02'24" EAST, COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 700.00 FEET; THENCE S01°50'59" EAST, A DISTANCE OF 950.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 01°46'10" EAST, A DISTANCE OF 950.00 FEET TO THE EAST RIGHT-OF-WAY OF COUNTY ROAD NO. 19; THENCE NORTH 00°02'24" WEST, COINCIDENT WITH SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 729.98 FEET TO THE SOUTH LINE OF SAID ZADEL ANNEXATION NO. 6; THENCE SOUTH 02°27'07" WEST, A DISTANCE OF 690.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 02°38'42" WEST, A DISTANCE OF 660.05 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 51,155 SQUARE FEET OR 1.17 ACRES, MORE OR LESS.

DESCRIPTION OF BEEN ANNEXATION NO. 4

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, AND THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16 TO BEAR NORTH 00°02'24" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHWEST CORNER OF ZADEL ANNEXATION NO. 6 TO

THE CITY OF FORT LUPTON, AS SHOWN ON THE PLAT RECORDED MARCH 11, 2019 AS RECEPTION NO. 4472769 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 00°02'24" EAST, COINCIDENT WITH THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19, A DISTANCE OF 729.97 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°02'24" EAST, COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 864.43 FEET TO THE NORTH LINE OF LOT A, RECORDED EXEMPTION NO. RE-4223 AS SHOWN ON THE PLAT RECORDED NOVEMBER 23, 2005 AS RECEPTION NO. 3342371 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE COINCIDENT WITH SAID NORTH LINE THE FOLLOWING ELEVEN (11) COURSES AND DISTANCES:

- 1) NORTH 70°29'49" WEST, A DISTANCE OF 48.75 FEET;
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- 3) NORTH 74°47'30" WEST, A DISTANCE OF 66.09 FEET;
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- 9) SOUTH 55°57'49" WEST, A DISTANCE OF 88.08 FEET;
- 10) SOUTH 65°00'00" WEST, A DISTANCE OF 80.60 FEET;
- 11) SOUTH 77°14'08" WEST, A DISTANCE OF 107.46 FEET TO THE SOUTHWEST CORNER OF SAID LOT A; THENCE NORTH 86°23'22" EAST, COINCIDENT WITH THE SOUTH LINE OF SAID LOT A, A DISTANCE OF 1920.13 FEET TO THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 19; THENCE NORTH 00°02'24" WEST, COINCIDENT WITH SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1176.07 FEET; THENCE SOUTH 01°46'10" WEST, A DISTANCE OF 950.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE NORTH 01°50'59" WEST, A DISTANCE OF 950.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 729.846 SQUARE FEET OR 16.75 ACRES, MORE OR LESS.

RESOLUTION NO. 2021R008

A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON INITIATING ANNEXATION PROCEEDINGS FOR THE ANNEXATION KNOWN AS THE BEEN ANNEXATION NOS. 1 – 4 AND SETTING THE PUBLIC HEARING FOR FEBRUARY 16, 2021

WHEREAS, the Fort Lupton City Council has reviewed the annexation petition submitted by Sheryl Been for 18.40 acres, more or less, and known as the Been Annexation Nos. 1 – 4; and

WHEREAS, the Fort Lupton City Council finds the annexation petition to be complete and in substantial conformance with the requirements of C.R.S. 31-12-107 (1) as amended.

NOW THEREFORE BE IT RESOLVED that the Fort Lupton City Council hereby approves this Resolution initiating annexation proceedings for the Been Annexation Nos. 1 – 4 and sets the hearing date for February 16, 2021, to determine if the proposed annexation complies with C.R.S. 31-12-104 and 31-12-105, or such parts thereof as may be required to establish eligibility for annexation under the terms of Part 1, Article 12, Title 31, C.R.S.

APPROVED AND ADOPTED BY THE FORT LUPTON CITY COUNCIL THIS 5th DAY OF JANUARY 2021.

City of Fort Lupton, Colorado

/s/ Zo Stieber
Zo Stieber, Mayor

Attest:
s/Maricela Peña
Maricela Peña, City Clerk

Approved as to form:
s/Andy Ausmus
Andy Ausmus, City Attorney

Legal Notice No. FLP2222221
First Publication: January 13, 2021
Last Publication: February 3, 2021
Publisher: Fort Lupton Press

Sign Posting Affidavit
Sheryl Been Annexation
3467 County Road 19, Fort Lupton, CO



County Road 10

I, Sheryl Been hereby acknowledge that the aforementioned property was posted in accordance with City Codes. Said public hearing notice was posted on this 11th day of January 2021.

Sheryl Been

Signature of Owner or Owner's Representative

The foregoing instrument was acknowledged before me by Sheryl Been this 11th day of January, 2021. Witness my hand and seal.

My commission expires _____

(SEAL)

Carlos A. Rocha
Notary Public

