Request for Comments

Case Name: Wadley Farms Subdivision - JRJK Dream Acres, 3rd Submittal
Project Number: PRC2018-00025

October 17, 2019

The Adams County Planning Commission is requesting comments on the following application: 1) a zoning change from A-3 to A-1 and 2) a preliminary plat to subdivide the existing 35-acre parcel into three lots. Lot 1 will consist of 27.614 acres, Lot 2 will consist of 7.332 acres, and Lot 3 will consist of 5.428 acres. An existing oil and gas easement is located on Lot 1. This request is located at 13830 FRANKLIN ST. The Assessor's Parcel Number is 0157323000010, 0157323002018, 0157323002019.

Applicant Information:

JAMES HILL
13830 FRANKLIN ST.
BRIGHTON, CO 80602

Please forward any written comments on this application to the Community and Economic Development Department at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 or call (720) 523-6800 by 10/24/2019 in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to LBajelan@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates may be forwarded to you upon request. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Layla Bajelan
Planner I
September 17, 2019

Re: Development Review Team Comments
PRC 2018-00025
Waddley Farms Subdivision - JRJK Dreams

Eng 1: Applicant agrees with comment

Eng 2: There is no construction involved with this project.

Eng 3: There is no proposal to install any impervious area on the project site. Therefore, no drainage report or drainage plans are required.

Eng 4: This property is currently approved by right of use for 1 single family home and the proposed use would only allow for 1 single family home so there will be no increase or change in traffic and will not generate over 20 vehicles per day.

Eng 5: There is no construction involved with this project (other than the future option to build a single family home on lot 3. Which is currently a right of use) There are no public improvements either on site or off site. As noted in Eng: 4. There are no traffic impacts. The subject property is flat with no drainage onto or off of the property. There are no plans or designs being applied for that would change this.

Eng 6: Applicant agrees with comment

Eng 7: & Eng 8: No public improvements either on site or off site are being proposed nor required. (Also see Eng: 6)
Development Review Team Comments

Date: 9/12/2019
Project Number: PRC2018-00025
Project Name: Wadley Farms Subdivision - JRJK Dreams
Commenting Division: Development Engineering Review 2nd Review

Name of Reviewer: Matthew Emmens

Date: 09/09/2019

Email: memmens@adcogov.org

Resubmittal Required

Applicant did not respond to comments made on previous submittal. All comments must be ‘closed’ to receive engineering approval. Applicant must respond to all comments.

ENG1: Flood Insurance Rate Map – FIRM Panel # (08001C0304H & 08001C0303), Federal Emergency Management Agency, March 5, 2007. According to the above reference, the project site is NOT located within a delineated 100-year flood hazard zone; A floodplain use permit will not be required.

ENG2: The applicant shall be responsible to ensure compliance with all Federal, State, and Local water quality construction requirements. The project site is within the County’s MS4 Stormwater Permit area. In the event that the construction activities disturb an area of 1 or more acre, or disturbing less than 1 acre but belonging to a larger subdivision (over 1 acre), the applicant shall be responsible to prepare the SWMP plan using the Adams County ESC Template, and obtain both a County SWQ Permit and State Permit COR-030000.

These lots are part of a larger common development. A SWQ permit will be required for construction of a single-family home on the newly created parcel.

ENG3: If the applicant is proposing to install over 3,000 square feet of impervious area on the project site, a drainage report and drainage plans in accordance to Chapter 9 of the Adams County Development Review Manual, are required to be completed by a registered professional engineer and submitted to Adams County for review and final approval.

ENG4: If the proposed development generates over 20 vehicles per day a traffic impact study is required to be submitted to Adams County for review and approval.

ENG5: Prior to scheduling the final plat/FDP BOCC hearing, the developer is required to submit for review and receive approval of all construction documents (construction plans and reports). Construction documents shall include, at a minimum, onsite and public improvements construction plans, drainage report, traffic impact study. All construction documents must meet the requirements of the Adams County Development Standards and Regulations. The developer shall submit to the Adams County Development Review Engineering division the following: Engineering Review Application, Engineering Review Fee, two (2) copies of all construction documents. The development review fee for an Engineering Review is dependent on the type of project and/or the size of the project. The Development Review fee can be found in the Development Services Fee Schedule, located on the following web page:


Although the size and scope of this subdivision may not require extensive or full engineering reports and construction drawings, the applicant must submit the items listed above and, they are required to be stamped and signed by a licensed engineer.
ENG6: Franklin Street is an existing roadway that is owned and maintained by Adams County. No roadway improvements are required for this subdivision.

ENG7: If any public improvements are required, the developer shall enter into a Subdivision Improvements Agreement (SIA) with the County and provide a security bond for all public improvements. No building or construction permits will be issued until the BoCC has approved the SIA and the County has accepted the security bond.

ENG8: No building permits will be issued until all public improvements have been constructed, inspected and preliminarily accepted by the County's Transportation Dept.

Commenting Division: ROW Review 2nd Review
Name of Reviewer: Marissa Hillje
Date: 07/30/2019
Email: mhillje@adcogov.org

Resubmittal Required
ROW1: There are 3 different ownership deeds for this subdivision. To keep a clear title record, the owners of each lot should be specified on this plat. In addition, LOT 1 cannot have split ownership- James J Hill and Kathleen A Hill and Mountain View at Wadley Farms, LLC will need to be combined into one entity before approval, signing and recording the plat. Also, the County will need proof of recorded conveyance document as well as an updated title report.
ROW2: See redlines on plat attached.

Commenting Division: Addressing Review 2nd Review
Name of Reviewer: Marissa Hillje
Date: 07/30/2019
Email: mhillje@adcogov.org

Complete
Addresses will be reviewed and assigned on the final plat

Commenting Division: Application Intake 2nd Review
Name of Reviewer: Libby Tart-Schoenfelder
Date: 07/25/2019
Email:

Complete
Application was submitted in mid-July but this step was not pushed at the time of the document upload. Planner is triggering the start of the second review now.
JRJK DREAM ACRES
LOTS 1 AND 2, BENINATI SUBDIVISION AND THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO
CASE NO. PRC2018-00025
SHEET 1 OF 2

VICINITY MAP
SCALE: 1"=2000'

NOTARY PUBLIC
MY COMMISSION EXPRESSES:
MY ADDRESS IS:

JERRY NELSON
RHONDA NELSON
ACKNOWLEDGMENT:
STATE OF COLORADO
COUNTY OF ADAMS
THE FOREGOING Plat AND DEED WERE ACKNOWLEDGED BEFORE ME THIS DAY OF ______, 20___, BY JERRY NELSON AND RHONDA NELSON, AS OWNER OF LOT 2.

NOTARY PUBLIC
MY COMMISSION EXPRESS:
MY ADDRESS IS:

JAMES J. HILL
KATHLEENA HILL
ACKNOWLEDGMENT:
STATE OF COLORADO
COUNTY OF ADAMS
THE FOREGOING Plat AND DEED WERE ACKNOWLEDGED BEFORE ME THIS DAY OF ______, 20___, BY JAMES J. HILL AND KATHLEENA HILL, AS OWNER OF LOT 3.

NOTARY PUBLIC
MY COMMISSION EXPRESS:
MY ADDRESS IS:

JAMES J. HILL
MANAGER
ACKNOWLEDGMENT:
STATE OF COLORADO
COUNTY OF ADAMS
THE FOREGOING Plat AND DEED WERE ACKNOWLEDGED BEFORE ME THIS DAY OF ______, 20___, BY JAMES J. HILL, MANAGER, MOUNTAIN VIEW AT MANDY FARMS LLC, AS OWNER OF LOT 1.

NOTE:

1. THE POLICY OF THE COUNTY REQUIRES THAT MAINTENANCE ACCESS BE PROVIDED TO ALL STORM DRAINAGE FACILITIES TO ASSURE CONTINUOUS OPERATIONAL CAPABILITY OF THE SYSTEM. THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL STORM DRAINAGE FACILITIES INCLUDING SLIDES, FIBER, DUCTS, CHANNELS, DETECTORS, HYDRAULIC STRUCTURES, AND DETENTION BASINS LOCATED ON THE LAND LESS, UNLESS MODIFIED BY SUBDIVISION DEVELOPMENT AGREEMENT. SHOULD THE OWNER FAIL TO ADEQUATELY MAINTAIN SAID FACILITIES, THE COUNTY SHALL HAVE THE RIGHT TO MAINTAIN THE FACILITIES AT THE EXPENSE OF THE PROPERTY OWNER. ALL MAINTENANCE COSTS WILL BE ASSESSED TO THE PROPERTY OWNER.
2. THIS PARCEL OF LAND LIES WITHIN ZONE X AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL FLOODPLAIN AS DELINEATED IN THE P.F.W.A., FLOOD INSURANCE RATE MAP, MAP NUMBER 00501005046444, MAP REVISED JANUARY 20, 2016.
3. THE LIRALI UNITS USED AND SHOWN HEREIN IS A U.S. SURVEY UNIT.
4. UTILITY EASEMENTS MAY BE REQUIRED IN THE ABSENCE OF THE PERIMETER OF THE LOTS.
5. OIL AND GAS OPERATIONS: EACH OWNER OF A LOT IN THIS SUBDIVISION ACKNOWLEDGES AND AGREES THAT IF THEY REJECT ALL OIL AND GAS OPERATIONS IN AND AROUND THE EXISTING CONTINUING SIL AND GAS OPERATIONS IN AND AROUND THE EXISTING DRILL SITES [2] THERE MAY BE FUTURE HILLS AND PRODUCTION Sites DRILLING ASSOCIATED OIL AGREEMENTS ENTERED INTO WITH ENOSA CORPORATION AND KP KOPPINC INC.
6. THE PROPERTY MAY BE SUBJECT TO THE FOLLOWING ITEMS FROM SCHEDULE B EXCEPTIONS (NOT ALL EXCEPTIONS ARE LISTED):
First American Title Insurance Company
1125 17th Street, Suite 500
Denver, CO 80202
Telephone (303) 305-1300

OWNERSHIP & ENCUMBRANCE REPORT

<table>
<thead>
<tr>
<th>To: Kathleena Hill</th>
<th>From: Customer Service</th>
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<tr>
<td>Kathleena Hill</td>
<td>Direct: (303) 305-1300</td>
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<td></td>
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Date of Records: August 30, 2019
Date of Report: September 6, 2019

Address: Mountain View At Wadley Farms, CO
Current Owner: MOUNTAIN VIEW WADLEY FARMS LLC
County: ADAMS

LEGAL DESCRIPTION:

AS FOLS BEG AT THE CENT4 COR OF SD SEC 23 TH S 89D 42M 50S E 1331/07 FT TH S 00D
30M 07S E 400 FT TH S 00D 30M 07S E 924/88 FT TH N 89D 30M 56S W 861/33 FT TH 00D 38M
16S W 466

DOCUMENTS OF RECORD:

Vesting Documents:

- Warranty Deed recorded January 30, 2018 at Reception No. 2018000008790.

Encumbrances:

- None

Judgments and Liens:

The following Items were found using a general name search and may or may not belong to the owner of the property listed above.

- None

DISCLAIMER TO CLIENT:
This Property Report includes information from certain documents imparting constructive notice and appearing in the official records relating to the real property described. It does not directly or indirectly set forth or imply any opinion, warranty, guarantee, insurance, or other similar assurance as to the status of title to real property, and may not list all liens, defects, encumbrances and other matters affecting title thereto. This report has been prepared solely for the purpose of providing public record information. Accordingly, liability hereunder is strictly limited to the amount paid for this Report OR IF REQUIRED, TO STATUTORY LIMITS DEPENDING ON THE jurisdiction THAT THIS PROPERTY LIES WITHIN and no liability is assumed regarding the accuracy or completeness of this Report.
BENINATI SUBDIVISION

A PART OF THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 23, TOWNSHIP I SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.

SECTION 23, T1S, R.68W.

LOT 1

CONTAINS 2.50 ACRES MORE OR LESS

LOT 2

CONTAINS 2.50 ACRES MORE OR LESS

LEGEND

D DENOTES #2 HEARLEY & CAP BAYER

LEGAL DESCRIPTION:

STATE OF COLORADO
COUNTY OF ADAMS

THE FOREGOING PLAT AND DEDICATION WAS ACKNOWLEDGED BEFORE ME THE 26TH DAY OF APRIL, 1994

BY CONDA K. BENINATI

SURVEYOR'S CERTIFICATE:

I, RAYMOND W. BAYER, A REGISTERED LAND SURVEYOR, REGISTERED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THERE ARE NO ROADS, PIPELINES, IRRIGATION DITCHES, OR OTHER EASEMENTS IN EVIDENCE OR KNOWN TO EXIST OR ON OR ACROSS THE HEREINBOUND DESCRIBED PROPERTY EXCEPT AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT THE SURVEY WAS PERFORMED BY ME UNDER MY DIRECT RESPONSIBILITY, SUPERVISION AND CHECKING. I AGREE THAT THE PLAT ACCURATELY REPRESENTS SAID SURVEY, AND THAT ALL MONUMENTS EXIST AS SHOWN ON THE PLAT.

RAYMOND W. BAYER

SURVEYOR, NO. 6773

DATE: MARCH 26, 1994

BOARD OF COUNTY COMMISSIONERS APPROVAL:

APPROVED BY THE ADAMS COUNTY BOARD OF COUNTY COMMISSIONERS THIS 15TH DAY OF MAY, 1994

BY:

Chairman

CERTIFICATE OF THE CLERK AND RECORDER:


R. J. WALTHER

CLERK AND RECORDER

Prepared By:

P.H. BAYER & ASSOCIATES
3500 EAST 14TH AVENUE, SUITE 300
THORNTON, COLORADO 80229-3626
(303) 458-4430

Dated of Preparation: September 13, 1993

FILE NO.: 17

MAP NO.: 288

RECEPTION NO.: 8100

SCALE: 1" = 100'
SPECIAL WARRANTY DEED

THIS DEED, Made this January 29, 2018, between WEP Operating CO, LLC, a Delaware limited liability company duly organized and existing under and by virtue of the laws of the State of Delaware, grantor, and Mountain View at Wadley Farms LLC, a Colorado limited liability company whose legal address is 13830 Franklin Street, Brighton, CO 80602 of the County of Adams and State of Colorado, grantee:

WITNESSETH, That the grantor, for and in consideration of the sum of FIVE HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS ($550,000.00), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, his heirs, successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Adams, State of Colorado, described as follows:

THE SURFACE ESTATE ONLY OF THE FOLLOWING DESCRIBED PROPERTY:

All of the Northwest Quarter of the Southeast Quarter of Section 23, Township 1 South, Range 68 West of the 6th P.M., EXCEPT that portion described as follows:

Beginning at the SW corner of the NW1/4SE1/4 of Section 23, thence Northerly along the Westerly boundary line of said NW1/4SE1/4 of Section 23 a distance of 466.69 feet to a point; thence Easterly and parallel with the southerly line of said NW1/4SE1/4 of Section 23 a distance of 466.69 feet to a point, thence Southerly and parallel with the Western boundary line of said NW1/4SE1/4 of Section 23, a distance of 466.69 feet to a point on the Southerly boundary line of said NW1/4SE1/4 of Section 23, thence Westerly and along the Southerly boundary line of the NW1/4SE1/4 of said Section 23, a distance of 466.69 feet to the Point of Beginning, County of Adams, State of Colorado.

ALSO DESCRIBED AS:

A parcel of land being a portion of the Southeast quarter of Section 23, Township 1 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado, more particularly described as follows:

Considering the North line of said parcel as bearing S 89°42'50" E from center quarter corner to East quarter corner of said Section 23, with all bearings contained herein relative thereto.

Commencing at the center quarter corner of said Section 23;
Thence S 89°42'50" E, 1331.07 feet;
Thence S 00°30'07" E, 400.00 feet;
Thence S 00°30'07" E, 924.88 feet;
Thence N 89°30'56" W, 861.33 feet;
Thence N 00°38'16" W, 466.69 feet;
Thence N 89°30'56" W, 466.69 feet;
Thence N 00°38'16" W, 523.74 feet; 
Thence N 00°38'16" W, 30.00 feet to the Point of Beginning.

County of Adams, 
State of Colorado.

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

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto the grantee his heirs, and assign forever. The grantor for his heirs and personal representatives or successors, does covenant and agree that they shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor but not otherwise except general taxes for the current year and subsequent years, and except easements, covenants, reservations, restrictions, leases, surface use agreements and right of way, if any, of record.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.
WEP Operating CO, LLC, a Delaware limited liability company

By: [Signature]

Name: William C. Ward
Title: President

State of Colorado
County of Adams

The foregoing instrument was acknowledged to before me this January 25, 2018 by William C. Ward, the President of WEP Operating CO, LLC, a Delaware limited liability company.

Witness my hand and official seal.
My commission expires: 8-23-21

[Signature]
Notary Public

[Notary Public Seal]