



Development Review Team Comments- 1st Review

Date: October 13, 2021

Project Number: PLT2021-00028

Project Name: Grasslands at Comanche, Filing No. 6

Note to Applicant:

The following review comments and information from the Development Review Team is based on the information you submitted for the Major Subdivision Preliminary Plat Application. The Development Review Team review comments may change if you provide different information during a land use submittal/ building permit. Please contact the case manager if you have any questions.

Also, please note where “Section” is referenced, it is referring to the appropriate section of the Adams County Development Standards and Regulations.

Commenting Division: Development Services, Planning

Name of Reviewer: Layla Bajelan, Planner II- Long Range Planning

Email: LBajelan@adcogov.org / 720-523-6863

PLN01: Per the Grasslands at Comanche FDP, all lots are subject to the dimensional standards of the A-1 zone district, which include a minimum lot size of 2.5 acres and a minimum lot width of 150 feet if the parcel is serviced by public water and sewer.

Please demonstrate that Block 1, Lot 4 will meet the minimum lot width at the front setback line (30 feet into the property) is a minimum of 150 feet in width. Adams County has recently required in our subdivision design standards Section 5-03-08, that all public facilities, including drainage ponds, be put into a tract and not an easement. Lot 4 will need to be 2.5 acres after the acreage for the pond is placed into a tract.

NOTED, LOT 4 AREA DOES NOT INCLUDE POND.
TRACT B HAS BEEN CREATED FOR EXISTING POND.

SECTION 5-03-08 LOCATION OF PUBLIC IMPROVEMENTS/ INFRASTRUCTURE

All public improvements and/or infrastructure shall be located on nonresidential tract(s) that are to be owned and maintained by an association of owners. Tract(s) shall have common ownership by the association of owners, as to not place the responsibility on any single property owner within the subdivision. Prior to recording the final plat of any subdivision utilizing tracts for public improvements or infrastructure, an association of owners shall be created and in place. Public improvements and infrastructure can include, but are not limited to, drainage infrastructure, required landscaping, trails, and private roads. NOTED

In the event that proper maintenance is not being performed, the County has the authority to enter the property to perform required maintenance. All costs incurred by the County will then be assessed to the association of owners NOTED

PLN02: Block 1, Lots 2, 3, and 4. Block 2, Lots 2 and 3 Please confirm that the lot width at the front setback line (30 feet into the property) is a minimum of 150 feet in width.

MINOR PUD AMENDMENT #6 HAS BEEN SUBMITTED FOR LOT WIDTH AT SETBACK LINE.

PLN03: A waiver from the subdivision design standards will be required, as there are several double frontage lots within this filing. It is preferred to have a landscape tract along one "front" to prevent the double frontage situation, however if it cannot be done, a waiver will need to be approved by the BoCC.

WAIVER HAS BEEN SUBMITTED

PLN04: The DWR has documented that the comments from a previous letter dated March 21, 2007 (copy enclosed) regarding the water supply for this subdivision still apply unless the Applicant has since amended the water demands or water supplies. If the Applicant has amended the water demands or water supplies such information should be provided to their office for further review.

WATER DEMANDS/SUPPLIES HAVE NOT BEEN AMENDED

PLN05: A waiver from the subdivision design standards will be required, as the lot to depth ratio appears to be more than or equal to 3:1 for several lots. The waiver is approved by the BoCC and can run concurrent with the plat.

WAIVER HAS BEEN SUBMITTED

PLN06: Please change all reference to tracts or outlots to be tracts for consistency. All public facilities will need to be within a tract.

TEXT UPDATED TO ONLY TRACTS.

PLN07: It appears that no school impact report was submitted. Please provide the documentation in your next submittal.

SCHOOL IMPACT REPORT HAS NOT BEEN RECEIVED, SEE ATTACHED CORRESPONDANCE

PLN08: Please address the comments from TCHD as it pertains to the Management Program. "TCHD requests that the applicant provide a copy of the covenants to TCHD in order to review the Management Program. Upon receipt of the covenants, TCHD will review the language pertaining to the management plan and discuss an implementation plan with the applicant."

SEE INCLUDED COVENANTS

PLN09: Will temporary access easement for the cul-de-sac be vacated?

CUL-DE-SAC TEMPORARY ACCESS EASEMENT IS TO BE VACATED

Commenting Division: Development Services, Right-of-Way Agent

Name of Review: David Dittmer

Email: DDittmer@adcogov.org / 720-523-6811

ROW1: Add ownership information by vesting deed in opening statement within the OWNERSHIP AND DEDICATION STATEMENT

SEE UPDATED OWNERSHIP AND DEDICATION STATEMENT

ROW2: Provide closure statement within Plat Notes.

CLOSURE STATEMENT ADDED

ROW3: Number Plat Notes sequentially.

PLAT NOTES NUMBERED

ROW4: Correct owners signature block: By _____ As _____ for

BLOCK UPDATED

ROW5: Add case number to top right-hand corner of all sheets PLT2021-00028

CASE NUMBER ADDED

ROW6: Need complete name of HOA as registered with the state for ownership and maintenance of easements, etc.

HOA NAME ADDED

ROW7: Add notice to prospective buyers as to oil and gas operations

NOTICE ADDED

ROW8: Revise Planning Commission acceptance block to read "CHAIR"

BLOCK TEXT UPDATED

ROW9: Correct incorrect call within the legal description as shown on redlines

REVISED AS REQUESTED

ROW10: Need to add Tracts in dedication statement as the permanent drainage easement and show lot lines between it and the lot

TRACTS UPDATED

ROW11: Provide match lines for sheets

MATCH LINES ADDED

ROW12: Place address below lot label and ac/sq. ft. information

TEXT REVISED

ROW13: Put curve data on it's own sheet and in a table to reduce clutter and make plats easier to read

SEE UPDATED PLAT SHEET 5 OF 5.

ROW14: Have two addresses shown on outlot A and Lot 1. House will have to face E. 73rd place so remove incorrect secondary address. (who assigned the addresses???)

SECONDARY ADDRESS REMOVED, ADDRESSES ARE FROM THE GRASSLANDS AT COMANCHE PRELIMINARY PLAT

ROW15: See comments on plat

NOTED

Commenting Division: Development Services, Engineering:

Name of Review: Steve Krawczyk, Development Review Engineer

Email: SKrawczyk@adcogov.org / 720-523-6854

The Preliminary Plat should include the following:

ENG1. Label all streets/roads as public or public. LABELS ADDED

ENG2. The recordation information, names, locations, Rights-of-Way, existing widths of adjoining streets/roads and highways, proposed vacations of street/road Rights-of-Way, and the centerlines of existing streets/roads. RECORD INFO ADDED

ENG3. The footprint of and planned disposition for existing buildings.

NONE CURRENTLY ON SITE

ENG4. The location of all major rock outcroppings and wooded areas.

N/A

ENG5. The location of mineral resource areas, old wells, natural hazard areas, areas containing or having significant impact upon historical, archaeological or paleontological resources.

RESOURCE AREAS LABELED

ENG6. The approximate widths and locations of all existing or proposed easements.

EASEMENT LABELS ADDED

ENG7. The location and ownership of Rights-of-Way and other rights of all irrigation ditches and laterals.

RIGHT-OF-WAY LABELS ADDED

ENG8. All proposed and existing fire hydrant or cistern locations.

NO EXISTING/PROPOSED HYDRANTS/CISTERNS ON SITE

ENG9. A statement of the water source, including the well permit number and/or water court decree for any well or surface right to be used, and including an estimate of the total number of gallons per day of water system requirements when a distribution system is proposed.

WATER SOURCE INCLUDED

ENG10. A statement of provisions for sewage collection/treatment, including the estimated total number of gallons per day of sewage to be treated when utilizing central sewage.

SEWAGE TO BE TREATED ON INDIVIDUAL LOT BASIS BY OWTS

ENG11. A table of estimated data tabulating the following, when applicable:

- a. Number of lots. **TABLE ADDED**
- b. Size of smallest lot.
- c. Number of dwelling units.
- d. Population generated as determined by the Park and School Requirements
- e. Acreage of area to be subdivided.
- f. Acreage of public Right-of-Way.
- g. Acreage of public areas. h. Acreage of common area tracts.

ENG12: The engineering plans will be approved as part of EGR2021-00037. See the EGR case for more information. **NOTED**

Commenting Division: Environmental Programs

Name of Review: Greg Dean, Oil and Gas Liaison

Email: GDean@adcogov.org / 720-523-6991

ENV1: There is an abandoned well on this property, the Brummel 1-33, located near Lot 3 in Block 1

NOTED & LABELED ON SHEET 5 OF 5.

ENV2: Per Section 4-11-02-03-03-05 of ACDS&R - on every final plat there shall be a dedicated well maintenance and workover setback around the plugged and abandoned well of 50-feet by 100-feet. No structures are allowed to be located within that setback and nothing can be built on top of the abandoned well. **SETBACK ADDED & LABELED ON SHEET 5 OF 5.**

ENV3: The abandoned well must be located in the center of the setback and there shall be public ingress and egress to the setback of a least 20-feet.

INGRESS/EGRESS ADDED & LABELED ON SHEET 5 OF 5.

ENV4: See ACDS&R for other reporting requirements.

NOTED

Commenting Division: Building Safety Division, Chief Building Official

Name of Review: Justin Blair

Email: JBlair@adcogov.org / 720-523-6843

No Comment **NOTED**

COLORADO GEOLOGICAL SURVEY

1801 Moly Road
Golden, Colorado 80401



Karen Berry
State Geologist

October 11, 2021

Layla Bajelan
Adams County Community & Economic Development
4430 S. Adams County Parkway, Suite W2000A
Brighton, CO 80601

Location:
SE¼ Section 33,
T2S, R62W of the 6th P.M.
39.8265, -104.325

Subject: Grasslands at Comanche – Filing No. 6
Project Number PLT2021-00028; Adams County, CO; CGS Unique No. AD-22-0028-1

Dear Layla:

Colorado Geological Survey has reviewed the Grasslands at Comanche Filing No. 6 Major Subdivision Preliminary Plat referral. I understand the applicant proposes 15 residential lots of 2.5 acres each within the Grasslands at Comanche PUD.

CGS reviewed the Grasslands at Comanche PUD, including a soils report (Judith Hamilton, May 5, 2005), in 2005. The site does not contain steep slopes, is not undermined, and no geologic hazards are known or suspected to be present that would preclude the proposed residential use and density. **CGS therefore has no objection to plat approval.** NOTED

Mineral resource potential. According to the Atlas of Sand, Gravel, and Quarry Aggregate Resources, Colorado Front Range Counties (Schwochow et al, Colorado Geological Survey Special Publications 5-A, Plate 2, and 5-B, Roper School Quadrangle, 1974), a small portion of the Grasslands at Comanche Filing 6 property is within a mapped E4 (wind-deposited sand, unevaluated but “probable aggregate”) resource area. The NRCS Soil Survey for Adams County rates most of the site soils as “Poor” sources of sand.

A determination of whether the property contains an economically viable mineral resource is outside the scope of CGS review. A site-specific investigation would be required to verify the presence or absence of a mineral resource. However, the site’s relatively remote location and the marginal quality of the resource (due to high fines content) likely preclude economic extraction.

Potential development constraints that will need to be addressed on an individual lot basis, prior to building permit application, include:

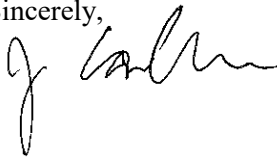
Collapsible soils. The site is underlain by relatively low density, low strength, eolian (wind-deposited) silts, clays and sands. Some of the soils are calcareous. Eolian soils, especially those containing soluble calcareous minerals, tend to be loose, fine-grained, and hydrocompactive, meaning they can lose strength, settle, compress, or collapse when water infiltrates the soils. Thick columns of compressible or collapsible soils can result in significant settlement and structural damage. Alternatively, clay minerals and clayey pockets within the surficial soils may exhibit structurally damaging volume changes (shrink-swell) in response to changes in water content. Potentially highly expansive Denver Formation claystones and shales are present at unknown depths beneath the surficial soils. If claystone layers capable of producing

high swell pressures are present within a few feet of foundation bearing depths, they can cause structural damage if not properly characterized and mitigated.

Lot-specific geotechnical investigations consisting of drilling, sampling, lab testing and analysis will be needed, once building locations have been finalized and prior to issuance of building permits, to: determine the thickness and extent to which the soils beneath each proposed home are subject to collapse under loading and/or wetting; characterize soil and bedrock engineering properties such as density, strength, water content, swell/consolidation potential and bearing capacity; determine depths to groundwater, bedrock, and any impermeable layers that might lead to development of a perched water condition; verify the feasibility of full-depth basements, if planned; and provide earthwork, foundation, floor system, subsurface drainage, and pavement recommendations for design purposes. It is imperative that grading, surface drainage, and subsurface drainage are correctly designed, constructed and maintained to prevent wetting of potentially collapsible soils in the immediate vicinity of foundation elements.

Thank you for the opportunity to review and comment on this project. If you have questions or require additional review, please call me at (303) 384-2643, or e-mail carlson@mines.edu.

Sincerely,

A handwritten signature in black ink, appearing to read "Jill Carlson". The signature is fluid and cursive, with a large initial "J" and "C".

Jill Carlson, C.E.G.
Engineering Geologist

From: [Brooks Kaufman](#)
To: [Layla Bajelan](#)
Subject: RE: Request for Comments- PLT2021-00028; Grasslands at Comanche, Filing No. 6
Date: Friday, October 1, 2021 9:48:54 AM
Attachments: [image002.png](#)
[image004.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)

Please be cautious: This email was sent from outside Adams County

Dear Mrs. Bajelan

CORE has no comments, the applicant provide the easements as required for the development.

NOTED

Respectfully

Brooks Kaufman

Lands and Rights of Way Manager

800.332.9540 MAIN
720.733.5493 DIRECT
303.912.0765 MOBILE

IREA is now **CORE Electric Cooperative**. Learn more at www.core.coop.



From: Layla Bajelan <LBajelan@adcogov.org>
Sent: Friday, September 17, 2021 3:46 PM
To: Layla Bajelan <LBajelan@adcogov.org>
Subject: Request for Comments- PLT2021-00028; Grasslands at Comanche, Filing No. 6

CAUTION:

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

Request for Comments



October 5, 2021

Layla Bajelan, Long Range Planner II
Adams County Department of Community and Economic Development
LBajelan@adcogov.org

RE: Grasslands at Comanche, 6th Filing, PLT2021-00028
SE1/4 of Section 33, T2S, R62W, 6th P.M.
Water Division 8, Water District 1
Kiowa-Bijou Designated Basin

Dear Layla Bajelan:

We have reviewed your September 17, 2021 submittal concerning the above referenced proposal for the development of 45.85 acres into 16 residential lots located within the Grasslands at Comanche subdivision.

A Water Supply Information Summary Sheet or water supply plan report was not submitted therefore, the water supply demand and proposed uses for this filing are unknown. However, this office previously commented on the Grasslands at Comanche subdivision in our letter dated March 21, 2007. Therefore, please refer to our letter dated March 21, 2007 concerning the proposal for a subdivision of a 402.2-acre parcel into 119 residential lots, and other future associated facilities consisting of a school and a firehouse.

NOTED

As mentioned above the 45.85 acres are located within the Grassland of Comanche Subdivision, therefore the comments from our previous letter dated March 21, 2007 (copy enclosed) regarding the water supply for this subdivision still apply unless the Applicant has since amended the water demands or water supplies. If the Applicant has amended the water demands or water supplies such information should be provided to our office for further review.

WATER DEMANDS OR WATER RIGHTS HAVE NOT BEEN AMENDED

If you, or the applicant, have any questions, please contact Ioana Comaniciu at 303-866-3581 ext. 8246.

Sincerely,

Joanna Williams, P.E.
Water Resource Engineer

Attachment: March 21, 2007 letter

Ec: Subdivision file: 28887



STATE OF COLORADO

OFFICE OF THE STATE ENGINEER

Division of Water Resources
Department of Natural Resources

1313 Sherman Street, Room 818
Denver, Colorado 80203
Phone (303) 866-3581
FAX (303) 866-3589

<http://www.water.state.co.us>

March 21, 2007

Chris LaRue
Adams County Planning and Development Department
12200 Pecos St.
Westminster, CO 80234

RE: **The Grasslands at Comanche – PRJ2007-00004**
Section 33, T2S, R62W, 6th P.M.
Kiowa-Bijou Designated Ground Water Basin
Water Division 1, Water District 1

Dear Mr. LaRue:

We have reviewed your January 23, 2007 submittal in conjunction with amendments from the applicant dated March 15, 2007, concerning the above referenced proposal to subdivide 402.2 acres into 119 residential lots, and other future associated facilities consisting of a school and a firehouse. In light of the applicant's approved replacement plan, this response modifies our previous position stated in our letters dated July 18, 2005 through July 25, 2006.

Water Supply Demand

According to the current submittal, the estimated water requirements total 61.55 acre-feet annually. This estimated amount covers two categories of lots each with their own specific water requirement, which are as follows:

1. "Area A" lots, which according to the plat map are those lots associated with Filing 5. The water supply plan would support all 18 lots shown. The proposed annual water demand for these 18 lots (operating independently of the replacement plan) totals 9.9 acre-feet, or 0.55 acre-feet per lot. This breaks down to 0.30 acre-feet for in house use and 0.25 acre-feet/year for irrigation of up to 3,900 square feet of home gardens and lawns.
2. "Area B" lots, which, according to the plat map, would occur in the area of Filings 1 through 4. Of the 102 lots occurring in the east half of Section 33, the water supply plan provides for 101 lots. The one remaining lot (Lot 1, Block 6, Filing 2) is not covered in this water supply plan, and is the future garage sight of the volunteer fire department. The proposed annual water demand totals 45.45 acre-feet, or 0.45 acre-feet per lot. This breaks down to 0.30 acre-feet for in house use and 0.15 acre-feet for irrigation of up to 2,300 square-feet of home gardens and lawns.

The estimated demand for the school is 6.20 acre-feet per year. The proposal contains no estimate of water demand for the lot anticipated to contain fire department. An existing irrigation well may be re-permitted for fire station use. In all of the above mentioned 101 Area B

residential lots, waste water disposal must occur through individual on-lot septic systems as required by the applicant's replacement plan.

Source of Water Supply

The proposed source of water for the entire subdivision consists of using an Arapahoe and a Laramie-Fox Hills aquifer allocation pursuant to Determinations of Water Right Nos. 601-BD and 600-BD. Because the Arapahoe aquifer allocation under 601-BD is effectively divided by two differing not-nontributary classifications, the portion of the allocation serving the above-mentioned Area B, Lots must be operated under a Commission approved replacement plan. The applicant proposes several for source of water supply for a three hundred year period. These sources are detailed as follows:

1. For all 18 of the Area A Lots (Filing 5, Block 8, lots 1-13 and Block 9, lots 1-5), the proposed source of water for **all uses**, for a 300-year period, will be provided by individual on-lot wells producing from the not-nontributary Arapahoe aquifer (requiring 4% return flows) pursuant to Determination of Water Right No. 601-BD. Pumping will not exceed 0.55 acre-feet/yr per lot for a total of 9.9 acre-feet/yr.
2. For years 1 through 100, all 101 Area B Lots (Filings 1 through 4, Block 1 - lots 1-14, Block 2 - lots 1-7, Block 3 - lots 1-6, Block 4 - lots 1-27, Block 5 - 1-24, Block 6 - lots 2-17 and Block 7 - lots 1-7), the proposed source of water for **all uses** will be provided by individual on-lot wells producing from the not-nontributary Arapahoe aquifer (operating under the replacement plan for Determination of Water Right 601-BD). Pumping will not exceed 0.45 acre-feet/yr per lot for a total of 45.45 acre-feet/yr.
3. For Years 101 through 300, for 69 of the 101 Area B Lots, the proposed source of water for **all uses** will be provided by individual on-lot wells producing from the nontributary Laramie-Fox Hills aquifer pursuant to Determination of Water Right 600-BD, pumping will not exceed 0.45 acre-feet/yr per lot for a total of 31.05 acre-feet/yr.
4. For Years 101 through 300, for the remaining 32 Area B Lots, the proposed source of water for **in-house use only** is individual on lot wells producing from the nontributary Laramie-Fox Hills aquifer pursuant to Determination of Water Right 600-BD. Irrigation needs will be provided by an individual well located in Area A, producing not-nontributary (4%) water from the Arapahoe aquifer pursuant to Determination of Water Right No. 601-BD. Pumping for in-house use only will not exceed 0.3 acre-feet/yr for all Laramie-Fox Hills wells, totaling 9.6 acre-feet/yr. Pumping for irrigation needs, supplied by the individual Area A well, will not exceed 0.15 acre-feet/yr for the 32 Area B Lots, totaling 4.8 acre-feet.
5. Approximately 1,860 acre-feet of Arapahoe aquifer ground water (equivalent to 6.20 acre-feet per year for 300 years), pursuant to 601-BD (from Area A) will be reserved for use in a school.
6. The submittals mention a potential water supply for the lot (Lot 1, Block 6, Filing 2) that would require approval for a change of use on an irrigation well, where the fire department is anticipated to be located. However, the irrigation well can not be viewed as a viable source of water until the change of use is approved. Any approval of this subdivision should restrict this lot to uses that have no water demand until an acceptable source of water is approved or obtained.

The allowed average annual amount of withdrawal provided for in Determination of Water Right No. 601-BD, for that portion of the allocation that can be used independent of a replacement plan (Area A), is 57.9 acre-feet. The allowed average annual amount of withdrawal allowed for in Determination of Water Right No. 601-BD for the remaining portion of the allocation is 112 acre-feet. The replacement plan approved for Determination of Water Right 601-BD allows for an average diversion of 47.65 acre-feet annually for a maximum of 100 years. The allowed average annual amount of withdrawal provided for in Determination of Water Right No. 600-BD is 81.5 acre-feet. The subdivision lies within the allowed place of use for Determinations of Water Right Nos. 600-BD and 601-BD, and the proposed uses are uses allowed by those Determinations and the replacement plan.

The proposed source of water for this subdivision is a bedrock aquifer in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water. According to 37-90-107(7)(a), C.R.S., "Permits issued pursuant to this subsection (7) shall allow withdrawals on the basis of an aquifer life of 100 years." Based on this allocation approach, the annual amounts of water determined in 600-BD and 601-BD are equal to one percent of the total amount, as determined by rule 5.3.2.1 of the Designated Basin Rules, 2 CCR 410-1. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

In the *Adams County Development Standards and Regulations*, Effective April 15, 2002, Section 5-04-05-06-04 states:

"Prior to platting, the developer shall demonstrate that...the water supply is dependable in quantity and quality based on a minimum useful life of three-hundred (300) years. A minimum 300-year useful life means the water supply from both a static and dynamic basis will be viable for a minimum 300-year period. The static analysis shall include evaluation of the volume of water that is appropriable for the proposed subdivision. The dynamic analysis shall evaluate whether the appropriable water supply is sustainable for three-hundred (300) years, giving consideration to the location and extent of the aquifer, as well as impacts caused by both current and future pumping by others from the aquifer."

The State Engineer's Office does not have evidence regarding the length of time for which this source will be "dependable in quantity and quality." However, treating Adams County's requirement as an allocation approach based on three hundred years, the allowed average annual amount of withdrawal of 57.9 acre-feet/year and 129.15 acre-feet/year (47.65 acre-feet/yr + 81.5 acre-feet/yr) would be reduced to one third of that amount, or 19.3 acre-feet/year and 42.8, which is sufficient to meet the annual demand for this subdivision as proposed. As a result, the water may be withdrawn in that annual amount for a maximum of 300 years. The State Engineer's Office has no comment on the quality of the water supply or the required 'dynamic analysis' to evaluate whether the appropriable water supply is sustainable for three hundred years.

Applications for on lot well permits, submitted by an entity other than the current water right holder (Holly Investment Company.), must include evidence that the applicant has acquired the right to the portion of water being requested on the application. That evidence should include an indication, both explicitly and by identification of the amounts of water, which of the four sources listed on page 2 will be used by that individual lot.

State Engineer's Office Opinion

Based upon the above and pursuant to Section 30-28-136(1)(h)(I), C.R.S., subject to restricting the fire department lot to uses that have no water demand, it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights.

Our opinion that the water supply is **adequate** is based on our determination that the amount of water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

Our opinion that the water supply can be **provided without causing injury** is based on our determination that the amount of water that is legally available on an annual basis, according to the statutory **allocation** approach, for the proposed uses on the subdivided land is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision.


Our opinion is qualified by the following:

The Ground Water Commission has retained jurisdiction over the final amount of water available pursuant to the above-referenced Determinations, pending actual geophysical data from the aquifer.

The amounts of water in the Denver Basin aquifer, and identified in this letter, are calculated based on estimated current aquifer conditions. For planning purposes the county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 100 years (or 300 years) used for **allocation** due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.

Should you have any questions, please contact Eric B. Thoman of this office.

Sincerely,



Kevin G. Rein, P.E.
Chief of Water Supply

KGR/EBT:Grasslands5.doc

cc: Jim Hall, Division 1
North K-B GWMD
Designated Basins
Records

RECEIVED

MAR 15 2007

WATER
STATE

AMENDED
WATER SUPPLY PLAN
THE GRASSLANDS AT COMANCHE
SECTION 33, T2S, R62W, 6TH P.M.
ADAMS COUNTY, COLORADO

March 15, 2007

Water supply will be from Arapahoe and Laramie-Fox Hills aquifers. Pumping periods from the aquifers will be different for Area A (greater than 1 mile from the subcrop) and Area B (within 1 mile of the Arapahoe subcrop underlying stream alluvium). Quantity of water in the Arapahoe aquifer underlying the land has been determined by the Colorado Ground Water Commission to be 5,794 acre-feet for Area A (213 acres) and 11,235 acre-feet for Area B (426.38 acres). On a 100-year basis, this is 57.9 acre-feet per year for Area A and 112 acre-feet for Area B (Water Right No. 601-BD). Quantity of water in the Laramie-Fox Hills aquifer underlying the land (639.38 acres) has been determined to be 8,152 acre-feet. On a 100-year basis, this is 81.5 acre-feet per year (Water Right No. 600-BD).

Area A

Water supply for the 18 lots in Area A will be from the Arapahoe aquifer. In this area, 4% of the water pumped must be returned to the shallow aquifer system. Stream depletions will be made up through return flows from irrigation. Annual water availability from the Arapahoe for Area A for this time period is 19.31 acre-feet (5,794 acre-feet/300 years). Annual water requirements for the residential lots in Area A are 0.3 acre-feet per lot for in-house use and .25 acre-feet per year for irrigation on 3900 square feet per lot, or a total of 0.9 acre-feet per year. The total water use from the Arapahoe for 300 years is 2,970 acre-feet..

Area B

Water supply for Area B (101 2-1/2-acre lots) for the first 100 years will be from individual wells in the Arapahoe aquifer. Water supply for years 101-300 for in-house use and for irrigation use on some of the lots will be from individual Laramie-Fox Hills. Irrigation water for remaining lots will be from an Arapahoe well in Area A which will distribute water to these lots.

Arapahoe aquifer - Water usage from an individual Arapahoe well for each of the 101 2-1/2-acre lots in Area B will be limited to 0.45 acre-feet per lot per year. The total maximum pumped for these lots will be 45.45 acre-feet per year.

In Area B actual stream depletions from pumping the Arapahoe must be made up. Stream depletions will be made up through return flows from irrigation and leaching fields, based on the replacement plan approved by the Ground Water Commission on January 9, 2007. Each well's required replacement obligation will be supplied by its own return flows. Replacements will be required even if pumping for in-house use from that

RECEIVED

MAR 15 2007

WATER RESOURCES
STATE ENGINEER
CDJR

well ceases within the 100-year period. Such replacements will be supplied by continued pumping of the well for replacement purposes unless an amended or alternate replacement plan is approved.

Permanent records of all Arapahoe wells will be maintained and updated annually. The information will include a listing of all well permits issued and wells constructed pursuant to the replacement plan, the annual and cumulative amounts of water diverted by each individual well and by all wells in total, information on whether each individual well is serving an occupied dwelling and irrigated landscaping, and if the latter, the amount of land being irrigated, and the return flows occurring from use of each well, assuming 90% return for in-house use and 15% return for irrigation. A property owners' association shall be formed to assure operation of the replacement plan, and each lot owner shall be required to be a member of the association. The association shall be responsible for the operation of the plan, shall prepare all notices and required reports and provide them to the Ground Water Commission., and shall assure that replacement water is provided to the alluvium on an annual bases, as required by the replacement plan. The association shall also record and maintain permanent records of all totalizing flow meter readings and other required data.

Laramie-Fox Hills - Water requirements for Area B for years 101-300 for in-house use for 101 lots at 0.3 acre-feet per lot per year are 30.3 acre-feet per year, or a total of 6060 acre-feet for the 200 years. Water availability from the Laramie-Fox Hills for the entire property is 8152 acre-feet; thus 2092 acre-feet remain for irrigation, or 10.45 acre-feet per year for 200 years. At irrigation requirements of 0.15 per lot per year for the 2-1/2 acre lots, 69 lots could be supplied. The remaining 32 2-1/2-acre lots would require 4.8 acre-feet per year, or a total 960 acre-feet for 200 years. This will be supplied from an Arapahoe well in Area A which will distribute water to these lots for irrigation purposes.

Other matters

A share of the water right, 601-BD shall be transferred to each lot owner, in an annual amount of 0.45 acre-feet each for the 101 2-1/2 acre lots and 0.55 acre-feet each for the 18 four to five acre lots.

Deed and covenant restrictions will be provided limiting area irrigated from individual wells to 2300 square feet per lot for the 101 2-1/2 acre lots and to 3900 square feet per lot for the 18 larger lots. The covenants shall include a description of the replacement plan and how the plan is to be administered. A copy of the Findings and Order for the Replacement Plan for Determination No. 601-BD will be recorded in the real property records of Adams County

Lot 1, Block 6, Filing 2 will be used to house fire trucks for a volunteer fire department.. No water service will be provided to the buildings. An application will be made to convert existing alluvial well permit 134964 on this property, which presently is for domestic use, to exempt use for fire protection only.

Eighteen hundred sixty acre-feet (1860 A-ft) of Arapahoe water in Area A will be transferred to the school site if and when a school is built on the site.

RECEIVED

MAR 15 2007

WATER RESOURCES
STATE ENGINEER
COLO

RECEIVED

JAN 29 2007

WATER SUPPLY PLAN
THE GRASSLANDS AT COMANCHE
SECTION 33, T2S, R62W, 6TH P.M.
ADAMS COUNTY, COLORADO

WATER RESOURCES
STATE ENGINEER
COLO.

January 17, 2007

Water supply will be from Arapahoe and Laramie-Fox Hills aquifers. Pumping periods from the aquifers will be different for Area A (greater than 1 mile from the subcrop) and Area B (within 1 mile of the Arapahoe subcrop underlying stream alluvium). Quantity of water in the Arapahoe aquifer underlying the land has been determined by the Colorado Ground Water Commission to be 5,794 acre-feet for Area A (213 acres) and 11,235 acre-feet for Area B (426.38 acres). On a 100-year basis, this is 57.9 acre-feet per year for Area A and 112 acre-feet for Area B (Water Right No. 601-BD). Quantity of water in the Laramie-Fox Hills aquifer underlying the land (639.38 acres) has been determined to be 8,152 acre-feet. On a 100-year basis, this is 81.5 acre-feet per year (Water Right No. 600-BD).

Area A

Water supply for the 14 lots in Area A will be from the Arapahoe aquifer. In this area, 4% of the water pumped must be returned to the shallow aquifer system. Stream depletions will be made up through return flows from irrigation. Annual water availability from the Arapahoe for Area A for this time period is 19.31 acre-feet (5,794 acre-feet/300 years). Annual water requirements for the residential lots in Area A are 0.3 acre-feet per lot for in-house use and .25 acre-feet per year for irrigation on 5000 square feet per lot, or a total of 7.7 acre-feet per year. The total water use from the Arapahoe for 300 years is 2,310 acre-feet.

14 Lots
Ka well
300 years
Tot 7.7 AF/yr
5000B
[0.3Hs, 0.25Irr]

Area B

Water supply for Area B (101 2-1/2-acre lots and four 5-acre lots) for the first 100 years will be from individual wells in the Arapahoe aquifer. Water supply for years 101-300 for in-house use and for irrigation use on some of the lots will be from individual Laramie-Fox Hills. Irrigation water for remaining lots will be from an Arapahoe well in Area A which will distribute water to these lots.

25 Ac Wk
[101 + 5]
105-Lots
100 yrs
Ka wells
200 yr + beyond
- Kif wells

Arapahoe aquifer - Water usage from an individual Arapahoe well for each of the 101 2-1/2-acre lots in Area B will be limited to 0.45 acre-feet per lot per year. The total maximum pumped for these lots will be 45.45 acre-feet per year. Water supply from an Arapahoe well for each of the 4 four-to-five-acre lots will be limited to 0.55 acre-feet per year, or a total of 2.2 acre-feet per year. Thus estimated maximum total annual usage from the Arapahoe for Area B is 47.65 acre-feet.

101 Lots
0.45 AF/yr/lot
Tot = 45.45
4 Lots
0.55 AF/yr
Tot 2.2 AF/yr

In Area B actual stream depletions from pumping the Arapahoe must be made up. Stream depletions will be made up through return flows from irrigation and leaching

fields, based on the replacement plan approved by the Ground Water Commission on January 9, 2007. Each well's required replacement obligation will be supplied by its own return flows. Replacements will be required even if pumping for in-house use from that well ceases within the 100-year period. Such replacements will be supplied by continued pumping of the well for replacement purposes unless an amended or alternate replacement plan is approved.

Permanent records of all Arapahoe wells will be maintained and updated annually. The information will include a listing of all well permits issued and wells constructed pursuant to the replacement plan, the annual and cumulative amounts of water diverted by each individual well and by all wells in total, information on whether each individual well is serving an occupied dwelling and irrigated landscaping, and if the latter, the amount of land being irrigated, and the return flows occurring from use of each well, assuming 90% return for in-house use and 15% return for irrigation. A property owners' association shall be formed to assure operation of the replacement plan, and each lot owner shall be required to be a member of the association. The association shall be responsible for the operation of the plan, shall prepare all notices and required reports and provide them to the Ground Water Commission, and shall assure that replacement water is provided to the alluvium on an annual bases, as required by the replacement plan. The association shall also record and maintain permanent records of all totalizing flow meter readings and other required data.

Laramie-Fox Hills - Water requirements for Area B for years 101-300 for in-house use for 105 lots at 0.3 acre-feet per lot per year are 31.5 acre-feet per year, or a total of 6300 acre-feet for the 200 years. Water availability from the Laramie-Fox Hills for the entire property is 8152 acre-feet; thus 1852 acre-feet remain for irrigation, or 9.26 acre-feet per year for 200 years. At irrigation requirements of 0.15 per lot per year for the 2-1/2- acre lots, 61 lots could be supplied. The remaining 50 2-1/2 -acre lots and the four 5-acre lots would require 8.5 acre-feet per year, or a total 1700 acre-feet for 200 years. This will be supplied from an Arapahoe well in Area A which will distribute water to these lots for irrigation purposes.

Other matters

A share of the water right, 601-BD shall be transferred to each lot owner, in an annual amount of 0.45 acre-feet each for the 101 2-1/2 acre lots and 0.55 acre-feet each for the 4 four to five acre lots.

Deed and covenant restrictions will be provided limiting area irrigated from individual wells to 3000 square feet per lot for the 101 2-1/2 acre lots and to 5000 square feet per lot for the 18 larger lots. The covenants shall include a description of the replacement plan and how the plan is to be administered. A copy of the Findings and Order for the Replacement Plan for Determination No. 601-BD will be recorded in the real property records of Adams County

STATE OF COLORADO

OFFICE OF THE STATE ENGINEER
Division of Water Resources
Department of Natural Resources

1313 Sherman Street, Room 818
Denver, Colorado 80203
Phone (303) 866-3581
FAX (303) 866-3589

<http://www.water.state.co.us>



January 10, 2007

Bill Ritter, Jr.
Governor

Harris D. Sherman
Executive Director

Hal D. Simpson, P.E.
State Engineer

Holly Investment Company
D/B/A Comanche Livestock Company
PO Box 557
Strasburg, CO 80136

RE: Replacement Plan - Determination No. 601-BD

Dear Mr. Losh:

Enclosed is a copy of the Colorado Ground Water Commission's Findings and Order for a replacement plan to allow withdrawals from the Arapahoe aquifer in accordance with the conditions of Determination of Water Right No. 601-BD. This Findings and Order are the Commission's approval of your application for a replacement plan. This Order contains important information about your water right and should be reviewed and retained for your records.

Paragraphs 16 through 33 in the above Order represent the terms and conditions of the replacement plan.

As required in paragraph 31 of the Order, a copy of this document must be recorded by the applicant in the public records of the county – in which the claimed overlying land is located – so that a title examination of the overlying land described in the Order, or any part thereof, shall reveal this plan. A copy of this Findings and Order is enclosed for this purpose.

The allowed annual amount of withdrawal and uses for each well permitted under the plan are described in paragraphs 18 and 19 of the Order. Paragraph 26 requires that the applicant form a property owners association to assure operation of the plan. As mentioned in paragraph 27, to facilitate control of the subject water right by the lot owners in the future subdivision, and allow for each lot owner to obtain a well permit, the staff recommends that the applicant transfer an equally apportioned share of the water right and annual allocation amount to each lot owner.

The replacement plan must be fully operational and all required measuring devices must be in place and functioning prior to pumping of any wells permitted in accordance with the terms and conditions of the plan. If you have any questions, please call this office.

Sincerely,

Jay Bloomfield
Designated Basins Branch

enclosures: a/s
cc: North Kiowa Bijou GWMD
Judith Hamilton

COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER

IN THE MATTER OF AN APPLICATION FOR REPLACEMENT PLAN TO ALLOW THE
WITHDRAWAL OF GROUND WATER FROM THE ARAPAHOE AQUIFER IN THE KIOWA-
BIJOU DESIGNATED GROUND WATER BASIN.

APPLICANT: HOLLY INVESTMENT COMPANY DBA COMANCHE LIVESTOCK COMPANY

REPLACEMENT PLAN - DETERMINATION OF WATER RIGHT NO. 601-BD

In compliance with Section 37-90-107.5, CRS, and the Designated Basin Rules, 2 CCR 410-1, Holly Investment Company DBA Comanche Livestock Company (referred to hereinafter as "applicant") submitted an application for a replacement plan to allow the withdrawal of ground water from the Arapahoe Aquifer in accordance with Determination of Water Right No. 601-BD.

FINDINGS

1. Pursuant to Section 37-90-107(7), CRS, in the Findings and Order dated December 15, 2004, the Ground Water Commission (hereinafter "Commission") approved a Determination of Water Right, No. 601-BD, for Holly Investment Company. In the Findings and Order, dated December 29, 2005, the Commission amended the allowed uses of 601-BD. This determination of water right allows the allocation of ground water from the Arapahoe Aquifer (hereinafter "aquifer"), underlying 639.38 acres, generally described as Section 33, Township 2 South, Range 62 West of the 6th Principal Meridian, in Adams County.
2. The allowed average annual amount of ground water to be withdrawn from the aquifer, in accordance with the conditions of the above determination of water right, shall not exceed 57.9 acre-feet for the not-nontributary (4% replacement) portion of the allocation and 112 acre-feet from the not-nontributary (actual impact replacement) portion of the allocation.
3. a. In accordance with Rule 5.3.6 of the Designated Basin Rules, the replacement water requirement status for the ground water in the aquifer underlying the above described 639.38 acre land area consists of two different requirements, which effectively divides the claimed land into two areas:

Area A - 213 acres, generally described as the westerly portion of the applicant's claimed overlying land area in Section 33, Township 2 South, Range 62 West of the 6th Principal Meridian.

Area B - 426.38 acres, generally described as the easterly portion of the applicant's claimed overlying land area in Section 33, Township 2 South, Range 62 West of the 6th Principal Meridian.

The replacement requirements for the two areas were determined to be as follows: not-nontributary (4% replacement) for Area A, and not-nontributary (actual impact replacement) for Area B. Withdrawal of ground water from the aquifer underlying Area B, a description of which is attached hereto as State's Exhibit A, would impact the Kiowa-Bijou Designated Ground Water Basin Alluvial Aquifer, which has been determined by the Commission to be over-appropriated.

- b. Commission approval of a replacement plan, providing for replacement of actual depletions to the Kiowa-Bijou Designated Ground Water Basin Alluvial Aquifer and adequate to prevent any material injury to existing water rights, is required prior to approval of well permits for wells that would withdraw the allocation of ground water from the aquifer underlying Area B, in accordance with the conditions of the subject determination of water right.
4. In accordance with Rule 5.3.6.2(C) of the Designated Basin Rules, the amount of replacement water shall provide for the replacement of depletions of alluvial water for the first 100 years due to all previous pumping - and if pumping continues beyond 100 years, shall replace actual impact until pumping ceases.
5. The above-described 639.38-acre land area is located within the boundaries of the Kiowa-Bijou Designated Ground Water Basin and within the North Kiowa-Bijou Ground Water Management District. The Commission has jurisdiction.
6. The subject application for replacement plan was received complete by the Commission on May 23, 2006.
7.
 - a. In accordance with Rule 5.6.1 of the Designated Basin Rules, the replacement plan must be adequate to prevent any material injury to water rights of other appropriators. More specifically, the applicant's plan must replace any depletions to the affected alluvial aquifers located within designated ground water basins and must prevent injury to the rights of appropriators that are withdrawing ground water from such alluvial aquifers.
 - b. As proposed by the applicant, a total of 119 on-lot wells will be constructed for use within a subdivision, which will span both the above-mentioned Area A and Area B. The replacement plan would allow for 105 individual on-lot wells within the above-mentioned Area B, to use a total annual amount of 47.65 acre-feet of water for 100 years. The use for each well for 101 of the 105 lots, which will be 2½ acres in size, would be limited to an annual withdrawal of 0.45 acre-feet, of which 0.3 acre-feet is designated for use in one single family dwelling, and 0.15 acre-feet is designated for the irrigation. The use of each well for the 4 remaining lots, which will be greater than 2½ acres in size, would be limited to an annual withdrawal of 0.55 acre-feet, of which 0.3 acre-feet is designated for use in one single family dwelling, and 0.25 acre-feet is designated for the irrigation.
 - c. The Applicant's submittal estimated an irrigation requirement of 0.05 acre-feet per 1,000 square feet (2.18 acre-feet per acre). Consumptive use estimates computed by staff, based on the Modified Blaney-Criddle methodology, and assuming lawns are planted with bluegrass, show a consumptive irrigation requirement 2.35 acre-feet per acre. An irrigation efficiency of 85%, results in a pumping irrigation requirement of 2.75 acre-feet per acre.
 - d. The applicant calculated actual depletions to the alluvial aquifers of both Kiowa Creek and Bijou Creek for the proposed withdrawals with a ground water flow model (AUG 3) using the Colorado State Engineer's (SEO) Dawson aquifer AR02 data file, the results of which are attached hereto as Applicant's Exhibit A. The maximum combined depletions to both aquifers caused by the pumping of 47.65 acre-feet per year will start at 1.9% of pumping in the first year and increase to 40.0% of pumping in the 100th year (equivalent to 19.1 acre-feet).

- e. Replacements for depletions are to be made to the Kiowa-Bijou Designated Ground Water Basin Alluvial Aquifer described in Designated Basins Rule 5.2.4.1. The applicant plans to aggregate replacement water to the alluvium of Comanche Creek, a tributary of Kiowa Creek.
- f. The source of replacement water is to be septic system return flows and deep percolation of lawn and garden irrigation water from the 105 lots within Area B.
 - i. The applicant estimates that each lot will contribute 90% of water used in-house and 15% of water used for lawn and garden irrigation. If each lot uses the total annual per-lot allocation (0.45 acre-feet for the 2½ acre and 0.55 acre-feet for the larger lots), these per lot contributions amount to 0.29 acre-feet and 0.31 acre-feet, respectively. According to the applicant's calculations, at full build out, replacements will total 30.77 acre-feet per year, which exceeds calculated depletions in any calendar year for the duration of the plan. These applicant's calculations are attached hereto as Applicant's Exhibit B.
 - ii. A totalizing flow meter will be installed on each well and kept in good working order.
 - iii. The subject property overlies the Kiowa-Bijou Designated Ground Water Basin Alluvial Aquifer as defined in Rule 5.2.4.1 of the Designated Basin Rules. Return flows will percolate directly to the underlying alluvial material at a rate to sufficiently offset calculated depletions.
 - iv. A homeowner's association will be established to administer the replacement plan.
 - v. The approved replacement plan will be recorded in the real property records of Adams County.
- h. Operation of the replacement plan involves constructing the septic systems in compliance with State and County health department standards and, as a result, shall not cause unreasonable impairment of water quality of the receiving aquifer.
8. Records in this office indicate that the applicant controls the water right to be used as a source of replacement water, Determination No. 601-BD.
9. In accordance with Rule 5.6.2 of the Designated Basin Rules, on August 2, 2006, a letter was sent to the North Kiowa-Bijou Ground Water Management District requesting written recommendations concerning this application. No written recommendations from the district were received in response to this request.
10. In accordance with Sections 37-90-107.5 and 37-90-112, CRS, the application was published in The Eastern Colorado News newspaper on August 11 and 18, 2006.
11. No objections to the application were received within the time limit set by statute.
12. The Commission Staff has evaluated the application pursuant to Section 37-90-107.5, CRS, and the requirements of Rule 5.3.6.2(C) and Rule 5.6 of the Designated Basin Rules.

13. a. According to Rule 5.6.2 of the Designated Basin Rules, the applicant has the burden of proving the adequacy of the plan in all respects.
 - b. The Commission Staff shall propose any additional terms and conditions or limitations, which are necessary to prevent material injury and to ensure that the plan is administrable and enforceable. Any such terms and conditions or limitations are incorporated into the following Order of the Commission.
14. Upon Commission approval of this replacement plan, well permits for wells to withdraw the authorized amount of water from the aquifer shall be available upon application, subject to the terms and conditions of the replacement plan and the conditions for well permit issuance in Determination of Water Right No. 601-BD, and subject to approval by the Commission.
15. Based on data and information supplied by the applicant, the subject replacement plan, if operated under the conditions of the following Order, will prevent material injury from occurring to the existing appropriators within the Kiowa-Bijou Designated Ground Water Basin, or any other designated basin as a result of withdrawing ground water from the Arapahoe aquifer allocation underlying Area B pursuant to Determination of Water Rights 601-BD.

ORDER

In accordance with Section 37-90-107.5, CRS, and the Designated Basin Rules, the Colorado Ground Water Commission orders that the application for replacement plan, to allow the withdrawal of ground water from the Arapahoe Aquifer underlying a 426.38 acre portion of 639.38 acres, generally described as the easterly portion of the applicant's property in Section 33, Township 2 South, Range 62 West of the 6th Principal Meridian, referred herein as Area B, in accordance with Determination of Water Right No. 601-BD, is approved subject to the following conditions:

16. Well permits for 105 individual on-lot wells within Area B shall be available upon application subject to approval by the Commission and the conditions for well permit issuance in the Commission's Findings and Order of December 15, 2004 and December 29, 2005, for Determination of Water Right No. 601-BD, and subject to the following terms and conditions of this replacement plan.
17. A totalizing flow meter or a Commission approved water flow measuring device shall be installed on each well. The well owners shall maintain the meters in good working order. Permanent records of annual withdrawal of ground water shall be maintained by each well owner and provided to the Commission or the North Kiowa-Bijou Ground Water Management District upon request.
18. The allowed annual amount of ground water to be withdrawn from the aquifer by each permitted well shall not exceed 0.45 acre-feet for 101 of the 105 on-lot wells occurring within Area B. These wells will supply water to 2½ acre parcels. For the four remaining wells within Area B, the allowed annual amount of ground water to be withdrawn from the aquifer by each permitted well shall not exceed 0.55 acre-feet. The total combined withdrawals by 105 wells may not exceed 47.65 acre-feet annually.

19. The allowed use of ground water for each well under this plan is indoor needs for one single-family dwelling, irrigation of lawn and gardens and replacement supply. Place of use for each well shall be limited to the lot on which the well is located. For the 2½ acre lots, outside irrigation is limited to 2,300 square feet of lawn and gardens. For the larger lots, irrigation is limited to 3,900 square feet of lawn and garden.
20. Return flows from in-house use of ground water within the 105 lots shall occur through both individual on lot non-evaporative septic systems and deep percolation of water used for lawn and garden irrigation, all located within Area B. To prevent unreasonable impairment of water quality, the septic systems shall be constructed to state and county health department standards.
21. To insure that sufficient replacements reach the Kiowa-Bijou Designated Ground Water Basin Alluvial Aquifer described in Designated Basins Rules 5.2.4.1, the replacement water return flows must occur over saturated alluvium or a continuous shallow water table on top of bedrock in hydraulic connection with the alluvial aquifer of Comanche Creek or its tributaries. The applicant must provide adequate proof of such underlying conditions upon Commission request.
22. Pumping under this plan is limited to a period of 100 years. The year of first use of this replacement plan shall be the calendar year of construction of a well permitted pursuant to this plan or permitting of an existing well pursuant to the plan.
23. A table showing net depletions to the affected alluvial aquifer in acre-feet per year is attached hereto as State's Exhibit B, based on an assumption of a continuous annual withdrawal from the aquifer of 47.65 acre-feet by all 105 wells. Should all 105 wells begin pumping simultaneously, replacement of depletions would have to be provided in the acre-feet amounts shown in State's Exhibit B.
24. The replacement plan shall provide for the required annual amount of replacement water for the first 100 years. All individual wells may not begin pumping concurrently. So long as each individual well continues to pump and supply an occupied dwelling, that well's required replacement obligation, equal to 1/105 of the acre-feet per year amounts shown on State's Exhibit B, will be replaced by its own return flows. Each well may operate as an independent point of diversion and source of replacement water. Each well's replacement water requirements must be provided even if pumping for residential use ceases within the first 100 years of first use of this replacement plan. Should any well cease pumping for in-house use within the first 100 years, that well must either maintain pumping for its replacement purposes, or an amended or alternate replacement plan must be applied for that will make the required replacement deliveries.
25. The applicant must maintain permanent records, updated annually, containing the following items:
 - a. A listing of all well permits issued and wells constructed pursuant to this plan.
 - b. The annual and cumulative amounts of water diverted by each individual well, and by all wells in total.
 - c. Whether each individual well is serving an occupied dwelling.
 - d. Whether each individual well is serving irrigated landscaping, and amount of land being irrigated.
 - e. The return flows occurring from use of each well, assuming the following rates: 90% for in-house use and 15% for irrigation use.

26. The applicant shall form a property owners association to assure operation of the replacement plan. Each lot owner in the above-described future subdivision shall be a member of the association. This association shall be responsible for the operation of the plan, and shall prepare all notices and reports required by the plan and provide these to the Commission with any other information related to the operation of the replacement plan that may be requested by the Commission.
27. The property owners association shall assure that replacement water is provided to the alluvium as required by this plan. The amount of replacement water shall be calculated and reported on the applicant's submitted reporting form for the Grasslands at Comanche. The replacement water must equal or exceed the depletions to the alluvium on a yearly basis, and the replacement must prevent any material injury to the water rights of other appropriators. No credit shall be claimed by the applicant for an oversupply of replacement water provided to the alluvium during previous years.
28. The property owners association shall record and maintain permanent records of all totalizing flow meter readings and data concerning all other operations associated with the replacement plan which are necessary to document compliance with this plan and to submit this information to the Commission and the North Kiowa-Bijou Ground Water Management District on an annual basis for the calendar year just concluded by **February 15th** of the following year.
29. To insure appropriate control of the subject water right and source of replacement water by the lot owners in the future subdivision, and allow for each lot owner to obtain a well permit, the applicant should transfer a sufficient share of the water right and annual allocation amount to each lot owner, or to the property owners association if the association plans to apply for the permits under this plan. Such transfers shall be by recorded deed, in accordance with the conditions of paragraph 24 of the Commission's Order for Determination No. 601-BD.
30. Any covenants adopted for the future subdivision should contain a description of the replacement plan and how the plan is to be administered, including the required limitations on water use for each lot.
31. A copy of this Findings and Order shall be recorded by the applicant in the real property records of Adams County, so that a title examination of the above described 639.38 acre property, or any part thereof, shall reveal to all future purchasers the existence of this replacement plan. The terms and conditions of this replacement plan shall be considered to be a covenant on and running with the subject property.
32. In the event the permitted wells are not operated in accordance with the conditions of this replacement plan, they shall be subject to administration, including orders to cease diverting ground water.
33. The Commission retains jurisdiction to modify or revoke approval of this replacement plan, if monitoring or operating experience reveals that the plan results in any material injury to water rights of other appropriators or in unreasonable impairment to water quality.

STATE OF COLORADO

OFFICE OF THE STATE ENGINEER
Division of Water Resources
Department of Natural Resources

1313 Sherman Street, Room 818
Denver, Colorado 80203
Phone (303) 866-3581
FAX (303) 866-3589

<http://www.water.state.co.us>

JAN 29 2007

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WATER RESOURCES
STATE ENGINEER
COLO.



January 10, 2007

Bill Ritter, Jr.
Governor

Harris D. Sherman
Executive Director

Hal D. Simpson, P.E.
State Engineer

Holly Investment Company
D/B/A Comanche Livestock Company
PO Box 557
Strasburg, CO 80136

RE: Replacement Plan - Determination No. 601-BD

Dear Mr. Losh:

Enclosed is a copy of the Colorado Ground Water Commission's Findings and Order for a replacement plan to allow withdrawals from the Arapahoe aquifer in accordance with the conditions of Determination of Water Right No. 601-BD. This Findings and Order are the Commission's approval of your application for a replacement plan. This Order contains important information about your water right and should be reviewed and retained for your records.

Paragraphs 16 through 33 in the above Order represent the terms and conditions of the replacement plan.

As required in paragraph 31 of the Order, a copy of this document must be recorded by the applicant in the public records of the county – in which the claimed overlying land is located – so that a title examination of the overlying land described in the Order, or any part thereof, shall reveal this plan. A copy of this Findings and Order is enclosed for this purpose.

The allowed annual amount of withdrawal and uses for each well permitted under the plan are described in paragraphs 18 and 19 of the Order. Paragraph 26 requires that the applicant form a property owners association to assure operation of the plan. As mentioned in paragraph 27, to facilitate control of the subject water right by the lot owners in the future subdivision, and allow for each lot owner to obtain a well permit, the staff recommends that the applicant transfer an equally apportioned share of the water right and annual allocation amount to each lot owner.

The replacement plan must be fully operational and all required measuring devices must be in place and functioning prior to pumping of any wells permitted in accordance with the terms and conditions of the plan. If you have any questions, please call this office.

Sincerely,

Jay Bloomfield
Designated Basins Branch

enclosures: a/s
cc: North Kiowa Bijou GWMD
Judith Hamilton

From: [PlatReview](#)
To: [Layla Bajelan](#)
Cc: [Benson, William](#)
Subject: RE: Request for Comments- PLT2021-00028; Grasslands at Comanche, Filing No. 6
Date: Friday, October 1, 2021 12:53:48 PM

Please be cautious: This email was sent from outside Adams County

Requester,

Our engineer has reviewed this plat and their comments are: "I have no objections to this plat." NOTED
If you require signatures, you can contact the engineer CC'd on this email and if you have any further questions, please don't hesitate to reach out.

Thank you!

From: Layla Bajelan <LBajelan@adcogov.org>
Sent: Tuesday, September 21, 2021 5:18 PM
To: PlatReview <PlatReview@lumen.com>
Subject: RE: Request for Comments- PLT2021-00028; Grasslands at Comanche, Filing No. 6

Good afternoon,

The planner who updates the website has not had the chance to upload them to the website yet. He will do so tomorrow morning. The files are too large to email or I would just send them over.

Thanks,

[Layla Bajelan](#)

Long Range Planner II, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, 1st Floor, Suite W2000A
Brighton, CO 80601
720.523.6863 | LBajelan@adcogov.org | www.adcogov.org

** New Schedule: Tuesday-Friday 7 a.m. to 5:30 p.m.**

County operating hours: Tuesday through Friday, 7 a.m. to 5:30 p.m.

From: PlatReview <PlatReview@lumen.com>
Sent: Tuesday, September 21, 2021 9:55 AM
To: Layla Bajelan <LBajelan@adcogov.org>
Subject: FW: Request for Comments- PLT2021-00028; Grasslands at Comanche, Filing No. 6

Please be cautious: This email was sent from outside Adams County

Layla,

This was forwarded to our team, but I'm not seeing any documents. Did those get lost along the way?

Thanks for your help!

From: Easement, Nre <Nre.Easement@centurylink.com>

Sent: Friday, September 17, 2021 6:14 PM

To: PlatReview <PlatReview@lumen.com>

Subject: Fwd: Request for Comments- PLT2021-00028; Grasslands at Comanche, Filing No. 6

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From: Layla Bajelan <LBajelan@adcogov.org>

Sent: Friday, September 17, 2021 4:46:02 PM

To: Layla Bajelan <LBajelan@adcogov.org>

Subject: Request for Comments- PLT2021-00028; Grasslands at Comanche, Filing No. 6

Request for Comments

September 17th, 2021

Case Name: Grasslands At Comanche - Filing No. 6

Case Number: PLT2021-00028

The Adams County Planning Commission is requesting comments on the following application: Major Subdivision Preliminary Plat to create 15 residential lots within the Grasslands at Comanche Planned Unit Development. The Assessor's Parcel Number is 0173133400009.

Applicant Information: Dave Rebol
Grasslands at Comanche LLC.
412 West Platte St.
Fort Morgan, Colorado 80701

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 10/11/2021 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, Long Range Planner II
Case Manager

Thanks,

[Layla Bajelan](#)

Long Range Planner II, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

720.523.6863 | LBajelan@adcogov.org | www.adcogov.org

**** New Schedule: Tuesday-Friday 7 a.m. to 5:30 p.m.****

County operating hours: Tuesday through Friday, 7 a.m. to 5:30 p.m.

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From: [Monica Johnson](#)
To: [Layla Bajelan](#)
Subject: Re: Request for Comments- PLT2021-00027; Grasslands at Comanche, Filing No.5
Date: Monday, September 20, 2021 11:41:49 AM
Attachments: [Outlook-pth0004r.png](#)

Please be cautious: This email was sent from outside Adams County

Layla,

Thanks for sending this. I didn't see (probably just missed it), but if there is impact on the District, we request cash in Lieu of land. We will consistently take that position on all residential development. NOTED

Let me know if I need to submit this in a different format.

Monica

Monica Johnson
Superintendent
Strasburg 31J
303-622-9211



From: Layla Bajelan <LBajelan@adcogov.org>
Sent: Friday, September 17, 2021 3:41 PM
To: Layla Bajelan <LBajelan@adcogov.org>
Subject: Request for Comments- PLT2021-00027; Grasslands at Comanche, Filing No.5

Request for Comments

September 17th, 2021

Case Name: Grasslands At Comanche - Filing No. 5
Case Number: PLT2021-00027

The Adams County Planning Commission is requesting comments on the following application: Major Subdivision Preliminary Plat to create 19 residential lots within the Grasslands at Comanche Planned Unit Development. The Assessor's Parcel Number is 0173133300010.

From: [Patrick Conroy](#)
To: [Layla Bajelan](#)
Subject: Re: Request for Comments- PLT2021-00028; Grasslands at Comanche, Filing No. 6
Date: Wednesday, September 22, 2021 4:32:19 PM

Please be cautious: This email was sent from outside Adams County

No comments from Strasburg Fire.

NOTED

Patrick Conroy, CFEI
ICC Certified Building Official
ICC Certified Fire Marshal
Colorado Fire Plans Examiner
Division Chief - Fire Prevention and Life Safety
Strasburg Fire Protection District
Station: 303-622-4444
Cell: 720-775-8515

On Fri, Sep 17, 2021 at 3:46 PM Layla Bajelan <LBajelan@adcogov.org> wrote:

Request for Comments

September 17th, 2021

Case Name: Grasslands At Comanche - Filing No. 6

Case Number: PLT2021-00028

The Adams County Planning Commission is requesting comments on the following application: Major Subdivision Preliminary Plat to create 15 residential lots within the Grasslands at Comanche Planned Unit Development. The Assessor's Parcel Number is 0173133400009.

Applicant Information: Dave Rebol

Grasslands at Comanche LLC.

412 West Platte St.

Fort Morgan, Colorado 80701



STRASBURG PARKS & RECREATION DISTRICT

1932 BURTON STREET • STRASBURG, CO 80136
303.622.4260 phone • www.StrasburgParks.org

Tuesday, September 22, 2021

Layla Bajelan
Long Range Planner II, Community and Economic Development
4430 S. Adams County Parkway, 1st Floor, Suite W2000A
Brighton, CO 80601

Case Name: Grasslands at Comanche - Filing No. 5
Case Number: PLT2021-00027

Ms. Bajelan:

These comments are submitted on behalf of the Board of Directors and Staff of the Strasburg Metropolitan Parks and Recreation District (the "District"), in response to a referral of request for comments on the above-described development.

1. The proposed development and its resultant population increase will in turn increase the need for parks and recreation services provided by the District, therefore we ask that the Developer be held to the maximum appraised cash-in-lieu dedication requirements allowed under current County development regulations. **NOTED**
2. The District urges the County not to consider any land dedication contributions. The District currently holds sufficient real property to carry out its functions. Dedication of additional land, which cannot be developed or adequately maintained, provides zero benefit to local citizens and does not offset any of the impacts created by this new phase of development. **NOTED**
3. In addition, this phase of development should be considered on its own merits in determining the cash-in-lieu contribution required. We ask that no credits be given to the Developer from previous dedications or earlier phases of this overall development, especially if the dedications involved areas granted to homeowner associations or other organizations, and thus are not available for general public use. **NOTED**

If you have any questions or need additional information, please contact the Strasburg Metropolitan Parks & Recreation District office. Thank you.

Respectfully submitted,

Angela Graf
District Manager, Strasburg Metro Parks & Rec District
303-622-4260
angie@strasburgparks.org



October 11, 2021

Layla Bajelan
Adams County Community and Economic Development
4430 South Adams County Parkway, Suite W2000A
Brighton, CO 80601

RE: Grasslands at Comanche, Filing No. 6, PLT2021-00028
TCHD Case No. 7247

Dear Ms. Bajelan,

Thank you for the opportunity to review and comment on the Major Subdivision Preliminary Plat to create 15 residential lots within the Grasslands at Comanche Planned Unit Development. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations and principles of healthy community design. After reviewing the application, TCHD has the following comments.

On-Site Wastewater Treatment Systems (OWTS)

Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment. TCHD has no objection to the property being served by an OWTS provided that the system is permitted, inspected and operated in accordance with TCHD's current OWTS Regulation. NOTED

At the time of our review of the original subdivision, it was TCHD's expectation that the Grasslands at Comanche would actively monitor the water quality of the alluvial aquifer underlying Section 33, Township 2 South, Range 62 West, to assess the possible impacts to groundwater from the use of OWTS as outlined in the attached *ISDIS Groundwater Program at Grasslands at Comanche PUD (March 27, 2006) Groundwater Monitoring Program Sampling Analysis Plan* (Groundwater Monitoring Plan). This monitoring program was never implemented. Due to water quality concerns TCHD would like to explore options with the Applicant to monitor groundwater for possible impacts of OWTS from this subdivision. Moreover, the Groundwater Monitoring Program Plan, included an ISDS Management Program specified in the covenants of the Grasslands at Comanche. TCHD requests that the applicant provide a copy of the covenants to TCHD in order to review the Management Program. Upon receipt of the covenants, TCHD will review the language pertaining to the management plan and discuss an implementation plan with the applicant.

Please contact Michael Weakley, Water Program Supervisor, at 720-200-1593 or by email at mweakley@tchd.org to discuss further.

Active Oil and Gas Facilities

The Colorado Oil and Gas Conservation Commission (COGCC) regulates the setback requirements of oil and gas wells and production facilities in order to eliminate, minimize, or mitigate potential adverse impacts to public health. It appears that future oil and gas wells are located within the subject property. COGCC regulations require that oil and gas sites be located at least 2000 feet from residential development. TCHD recommends the applicant adhere to the 2000-foot residential setback. More information is available here <https://cogcc.state.co.us/reg.html#/overview> .

NOTED

Abandoned Oil and Gas Facilities

Inadvertent spills at oil and gas operation sites are possible, resulting in soil and groundwater contamination. Additionally, abandoned oil and gas wells and flowlines have the potential to leak oil and gas, contaminate soils and groundwater, and can pose an explosion risk. To help ensure residents are not exposed to harmful contaminants, TCHD recommends the applicant conduct an Environmental Site Assessment to better determine the environmental condition of the property. Moreover, the applicant should identify the location of flowlines and ensure they have been properly abandoned.

NOTED

Domestic Well

Drinking water contaminated with pathogens can cause a variety of illnesses in humans. It is important to protect source water from contamination, and to treat drinking water to eliminate pathogens before it is provided for human consumption. Individual well owners have primary responsibility for the safety of the water drawn from their own wells. Well owners with questions about wells or well water can call the Wellcare® Hotline operated by the Water Systems Council, a national organization focused on well systems not regulated under the Safe Drinking Water Act., at 888-395-1033 or online at www.wellcarehotline.org. Well owners may also contact Jennifer Charles, Water Quality Specialist, at (720) 200-1583 with water quality questions.

The applicant may want to consider having the well water analyzed for a number of contaminants as a baseline of the water quality. A baseline water quality analysis is valuable for future reference in the case of possible contamination. Certain parameters such as coliform bacteria and nitrate, pH and Total Dissolved Solids (TDS) are recommended to be analyzed annually as these can indicate possible breaches in the well. The Colorado Department of Public Health and Environment (CDPHE), Laboratory Services Division can assist you with water analyses. The CDPHE offers individual water tests as well as testing packages to choose from depending on your needs. The CDPHE laboratory web site is located at: <https://www.colorado.gov/pacific/cdphe/water-testing>. NOTED

Mosquito Control - Stormwater Facilities

The site plan indicates that a retention pond is proposed. Retention ponds can become

Grasslands at Comanche

October 11, 2021

Page 3 of 3

sites for mosquito breeding. To reduce the potential for human exposures to West Nile and other mosquito-borne viruses, TCHD recommends that the applicant prepare a mosquito control plan. Elements of the plan should include proper design, construction and regular inspection and maintenance of stormwater quality facilities, and mosquito larvaciding if the insects become a problem. The applicant may submit the mosquito control plan to TCHD for review. More information is available here <http://www.tchd.org/276/Mosquitoes-West-Nile-Virus>. A guidance document is attached.

NOTED

Please feel free to contact me at 720-200-1585 or aheinrich@tchd.org if you have any questions.

Sincerely,



Annemarie Heinrich Fortune, MPH/MURP
Land Use and Built Environment Specialist

cc: Sheila Lynch, Keith Homersham, Michael Weakley, TCHD

ISDS GROUNDWATER PROGRAM
at
GRASSLANDS AT COMANCHE PUD

March 27, 2006

**GROUNDWATER MONITORING PROGRAM
SAMPLING ANALYSIS PLAN
WELL INSTALLATION SPECIFICATIONS**

Prepared for:
Grasslands at Comanche
P.O. Box
Strasburg, CO

Prepared by:
Molen & Associates, LLC
2090 E. 104th Ave, #205
Thornton, CO 80233

GRASSLANDS AT COMANCHE PUD
GROUNDWATER MONITORING

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Alluvial Aquifer Groundwater Monitoring Program

1. PURPOSE

To actively monitor the water quality of the alluvial aquifer underlying Section 33, Township 2 South, Range 62 West, to assess the possible impacts to groundwater from the use of Individual Sewage Disposal Systems (ISDS) in the Section.

Establish a groundwater monitoring program to ensure that the quality of the water in the alluvial aquifer, as such quality relates to possible contaminants from ISDS, is maintained at a level that is at or below the state drinking water standard for nitrates.

2. APPLICABILITY OF MONITORING PROGRAM

- A This monitoring program shall apply to all Residential Estate property within Sections 33 of Township 2 South, Range 62 West of the Grasslands at Comanche (GAC) Preliminary PUD, Case # PRJ 2005-00040 to be addressed by the Adams County Board of County Commissioners in the near future.
- B The program shall begin following Final Plat approval to collect baseline data and continue for a minimum of 2 years. After 2 years the plan may discontinue if no more than seventeen residences or 15% (excluding model homes) exist on the PUD and will resume after more than seventeen or 15% of residences exist on the PUD.
- C The program will have duration of a maximum of 10 years or until such time that the TCHD approves to discontinue the program or until such time that an alternative to an ISDS is available.

3. STANDARDS

- A The Colorado Primary Drinking Water Regulations establish drinking water standards. The current regulation sets the Maximum Contaminant Level (MCL) for total nitrate plus nitrite at 10 milligrams per Liter (mg/L) (as Nitrogen).
- B Nitrate concentrations in the alluvial groundwater has been recorded many times in the immediate vicinity of the PUD and are known to fluctuate considerably.

4. NUMBER OF WELLS, WELL LOCATIONS, AND WELL CONSTRUCTION

- A Based upon typical environmental monitoring for contaminants in groundwater, the size of property and number of residences planned, and the determination of the hydraulic gradient across the site, three groundwater-monitoring wells are suggested. The three wells will be placed, two upgradient and one downgradient at locations described below and as shown on the Final Plat.

- 1) Well #1: Upgradient. Approximately 2700 feet north of the SW corner of the section at the intersection of Piggott Mile Rd (county road 38N) and East 72nd Avenue.
 - 2) Well #2: Upgradient. Approximately 3000 feet east of the SW corner of the section located near the intersection of and East 72nd Avenue and Ulmer St. An easement will be provided on Lot 4, Filing 1 for the monitoring well.
 - 3) Well #3: Downgradient. An existing well owned by the City of Westminster and known as MW6 located approximately 300 feet north of the intersection of Strasburg Mile Road and county road 80. Written permission from the City of Westminster authorizing the use of this well for monitoring purposes will be obtained prior to Final Plat approval for GAC. In the event that GAC is unable to obtain permission from the City of Westminster, GAC will drill their own well on the GAC property at a location to be approved by Adams County and TCHD.
- B Prior to well construction a plan for construction of the monitoring wells will be provided to TCHD, for review and approval. Well construction will occur prior to land development; i.e., grading. Monitoring will begin as soon as reasonably possible after the wells have been constructed.
- C In the event that the monitoring program identifies nitrates in the alluvial aquifer at or above the 10 mg/l standard, it may be necessary to construct additional or utilize existing monitoring wells to determine if the source of nitrate contamination is from an upgradient offsite location, or if the contamination is moving downgradient offsite. The proposal for a demonstration addressed in Section 8.B. will identify the methods for determining well installation locations and/or sampling. Specific language and lot easements will be provided in the Final Plat to allow for construction and monitoring of additional monitoring wells on individual lots.

5. MONITORING PARAMETERS

The following parameters will be analyzed in the laboratory: nitrate/nitrite, chloride and total coliform. The following parameters will be analyzed in the field: dissolved oxygen (DO), pH, total dissolved solids (TDS), and specific conductance. Any changes to the monitoring parameters will need written approval from TCHD.

6. QUALITY CONTROL AND QUALITY ASSURANCE OF MONITORING

A sampling and analysis plan (SAP) has been developed that will assure that the sampling methodology conforms to accepted industry standards. The SAP will be submitted for review and approval by TCHD. A certified lab shall be utilized for the laboratory analysis of the above parameters.

7. PROPOSED FREQUENCY OF MONITORING

Quarterly groundwater samples will be taken and sent for analysis. The quarterly sampling will cover the seasonality of the groundwater. Total coliform and chlorides will be analyzed annually. After the fifth consistent year, if the data does not show the presence of contaminants at consistently increasing concentrations, samples may be taken semiannually in alternating seasons.

8. CONTINGENCY PLAN

- A If the nitrate level of any well meets or exceeds 10 mg/L nitrate plus nitrite (as Nitrogen) for a period of 3 consecutive monitoring events, and verification resampling and statistical trend analysis confirms an increasing trend, remedial action shall be taken. To determine what remedial action will be implemented, a mediation committee will be formed.
- B Prior to establishing the remedial action mediation committee the developer may take action to demonstrate that the nitrate is not a result of the ISDS on the property. The proposal for the demonstration shall be submitted to Tri-County Health Department (TCHD) and Adams County for review and approval. If approved, this demonstration will be done within 12 months from the time the increasing concentrations are confirmed.
- C The remedial action mediation committee will be comprised of 3 professional actively working hydrologists. These hydrologists shall be selected as follows: one chosen by the developer, one chosen by Tri-County Health Department and one chosen by Adams County Board of County Commissioners.
- D The committee shall make a recommendation for remedial action for review and final approval by the Adams County Board of County Commissioners.
- E If statistically significant changes from background levels are noted for chloride, DO or total coliform, the frequency of monitoring for all parameters shall be increased to monthly. If, after a period of six months, no significant change in the level of nitrate is noted, the monitoring may be reduced back to quarterly.

9. REPORTING OF MONITORING RESULTS

Copies of the analytical results from each sampling event will be sent to the Tri-County Health Department's Public Health Engineer and the Adams County Planning Department within 30 days of receipt from the laboratory.

10. RECORDKEEPING

The Grasslands at Comanche and TCHD shall maintain a copy of the sampling and analysis plan and a complete record of all monitoring program data.

11. TERMINATION OF MONITORING

When, after 10 years following the installation and use of 75 percent of the ISDS systems located in the GAC properties, the prior 8 quarters of monitoring data for nitrate will be evaluated. If the data does not exhibit a statistically significant increase in nitrate concentration, all monitoring functions shall cease. However, if the data does exhibit a statistically significant increase in nitrate concentration, monitoring shall continue until the data exhibits no statistically significant increasing trend for 8 successive quarters.

12. ISDS MANAGEMENT PROGRAM

The Grasslands at Comanche will establish an ISDS management program that will include the residences within the development. This essential program is specified in the Covenants of the GAC and can prevent failures of systems that may result in surfacing sewage or backups into homes. It may also significantly extend the life of systems. All ISDS systems are required to be pumped a minimum of once every four years.

ISDS SAMPLING AND ANALYSIS PLAN

1. PURPOSE

The Grasslands at Comanche (GAC) is located approximately 6 miles north of Strasburg, Colorado at the intersection of Strasburg Mile Road and 72nd Avenue. Farming property surrounds the GAC with Wolf Creek approximately to ½ miles to the west and Comanche Creek approximately one-mile east.

Samples will be taken using standard ground water protocols with samples delivered to a commercial analytical laboratory capable of analyzing for the analytes. Samples will be delivered to the commercial analytical laboratory the same day of sampling using chain of custody procedures and custody seals.

2. APPLICABILITY OF SAMPLING PLAN

- A This sampling and analysis plan will apply to the Groundwater Monitoring Program for the residential estate property within Sections 33 of Township 2 South, Range 62 West of the Grasslands at Comanche (GAC) Preliminary PUD, Case # PRJ 2005-00040 to be addressed by the Adams County Board of County Commissioners in the near future.
- B Groundwater monitoring will be completed according to the Grasslands at Comanche Alluvial Aquifer Groundwater Monitoring Program.
- C Samples will be taken using standard ground water protocols with samples delivered to a commercial analytical laboratory capable of analyzing for the analytes. Samples will be delivered to the commercial analytical laboratory the same day of sampling using chain of custody procedures and custody seals.

3. SAMPLING METHODS

- A Depth to water will be measured prior to purging. The elevation and coordinates of the reference point from which water depths are measured will be established by topographic survey of the ground water monitoring wells.
- B The wells will be purged and sampled using disposable polyethylene bailers or dedicated polyethylene, PVC or Teflon bailers or commercially available purge pumps (i.e. GeoTech Squirt Pumps or similar). Disposable bailers will be used with new polypropylene rope. Dedicated bailers may be suspended on dedicated polypropylene rope. Alternatively, at the owner's option, dedicated pumps may be installed in the wells and used for purging and sampling. Low flow pumps may be used instead of bailers and traditional pumps for low flow sampling.
- C If bailers are used to purge and sample the wells, the wells will be purged of one to three wellbore storage volumes (the volume standing inside the casing at the start of purging) or to dryness, whichever occurs first.
- D Periodic field analysis of pH, temperature, and specific conductance will be taken and recorded prior to collecting the sample. Purging will continue until these

parameters have stabilized to within 0.2 pH units, 2 degrees C or F, and 10 percent of the specific conductance reading.

- E Samples will then be collected as soon as possible after purging, but no longer than 24 hours after purging.
- F Purge waters will be disposed of on the ground by the well from which the fluid was purged.
- G If dedicated pumps are used, the wells will be purged of three pump and tubing volumes at a flow rate of 100 milliliters per minute or less and sampled immediately after purging; the flow rate during sampling will also be 100 milliliters per minute or less.
- H Samples will be transferred directly from the bailers or pump discharge tubing into sample bottles provided by the laboratory.
- I Sample bottles and preservation will be as specified in the analytical methods employed. Sample bottles will be placed in a cooler or other shipping container and shipped to the laboratory as soon as possible after collection.

4. CHAIN OF CUSTODY

- A Chain-of-custody procedures will be used to track the sample from the time of collection to the laboratory.
- B A chain-of-custody form will be initiated at the time that the samples leave the site.
- C The sampling personnel will complete all applicable sections of the form.
- D The chain-of-custody forms will be protected from moisture by encasing them in plastic (e.g., Ziplock plastic bags) and placed inside the shipping containers or carried separately.
- E The chain-of-custody forms will accompany the containers during shipment to the laboratory.
- F The shipping containers will be sealed with custody seals.
- G Sampling personnel will be responsible for custody until the samples are delivered to the laboratory.

5. QUALITY ASSURANCE AND QUALITY CONTROL

- A Fieldwork will be performed by qualified and trained personnel including the developer-owner or outside sampling consultant. Persons performing the sampling will be trained by a professional qualified in ground water sampling.
- B A qualified laboratory will analyze samples. The laboratory will use appropriate chain of custody, analytical, and QA/QC procedures.
- C Equipment blanks and field duplicates will not be collected on a routine basis because disposable or dedicated sampling equipment will be used; however, they may be prepared and analyzed if questions arise relative to the quality of the analytical data.
- D The laboratory results will be validated using standard methods.

6. MONITORING PARAMETERS

The following parameters will be analyzed in the laboratory: nitrate/nitrite, chloride and total coliform. The following parameters will be analyzed in the field: dissolved oxygen (DO), pH, total dissolved solids (TDS), and specific conductance. Any changes to the monitoring parameters will need written approval from TCHD.

7. WELL MAINTENANCE

- A Monitoring wells will be periodically inspected. The inspection will include:
 - 1) Inspection of pipe bollards making sure that the pipe has not been moved or damaged by a vehicle, mower or other equipment,
 - 2) Inspection of well casing making sure that the plastic (PVC) piping has not been damaged, bent, cracked or broken,
 - 3) Inspection of the well casing plastic (PVC) to see that it is not damaged,
 - 4) Inspection of the dedicated bailer or pump to make certain that it is not damaged and is functioning properly,
 - 5) Inspection of the well cap lock making certain that it is functioning properly
- B The results of the inspection will be documented and any deficiencies will be remedied within 60 days of the inspection or at a later date as approved by TCHD.
- C If deficiencies, malfunctions or deterioration are observed at other times, such deficiencies will also be documented and remedied within 60 days of discovery or at a later date as approved by TCHD.

8. REPORTING

- A The monitoring results will be submitted to TCHD within 60 days of receipt of the laboratory results in the form of a brief letter-report and/or raw data.
- B Reports will be prepared periodically and no less than one per four sampling events.
- C The report will include a tabulation of the data (including water level data), statistical evaluations as appropriate, the results of the system inspection, and a description of any maintenance performed.
- D Analytical methods will be as specified in EPA SW-846 or other appropriate sources and the laboratory results will be validated using standard methods.

GROUNDWATER MONITORING WELLS INSTALLATION SPECIFICATIONS

1. GENERAL

- A Groundwater well permits will be obtained from the State Engineer's Office prior to the installation of new wells.
- B All geophysical data for each well will be logged and recorded.
- C Wells will be drilled using the standard methods provided by the driller.
- D The outer well bore diameter will be 6 inches.
- E The monitoring wells will have an inside diameter of approximately 2 inches. Surface casing of the wells will be larger.
- F Wells will be completed a minimum of 15 feet into the uppermost saturated zone of alluvial aquifer.
- G The alluvial aquifer is determined to be the first water encountered with continuity.
- H Locking covers will be used to complete each well above ground.
- I Pipe bollards will be installed around the aboveground portions of the well.
- J Well completion reports will be provided.

2. SURFACE CASING

- A Six-inch steel surface casing will be installed to a minimum depth of 4 feet below ground surface.
- B Neat cement will be used to grout the annular space of the surface casing.

3. CONSTRUCTION OF WELLS BELOW SURFACE CASING

- A All pipe joints shall be flush-joint threaded couplings.
- B The PVC pipe shall be installed in the center of the boring with semi-circular centralizers.
- C The annular space between the solid PVC pipe and the boring shall be sealed with a 30% high solids bentonite grout from the surface casing to a depth of five feet.
- D The wells will be screened across all penetrated saturated intervals.
- E The well screens will be factory slotted with "10-20" slots per inch screen.
- F The filter pack will be installed over the entire screened portion of the well and for an additional two feet above the saturated zone of the alluvial aquifer.
- G The filter pack shall consist of 10-20 Colorado Silica Sand.
- H The bentonite grout and filter pack shall be placed with a tremmie.

4. WELL DEVELOPMENT

- A The bentonite grout will be allowed to cure for a minimum of 24 hours prior to well development.
- B The wells will be properly developed to remove turbidity from the groundwater.



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

September 21, 2021

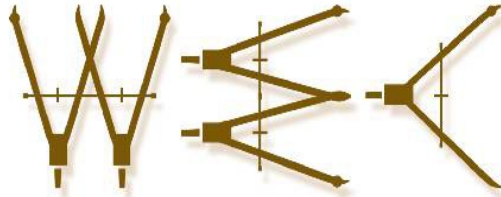
Adams County Community and Economic Development Department
4430 South Adams County Parkway, 3rd Floor, Suite W3000
Brighton, CO 80601

Attn: Layla Bajelan

Re: Grasslands at Comanche Filing No. 6, Case # PLT2021-00028

Public Service Company of Colorado's Right of Way & Permits Referral Desk has reviewed the plat for **Grasslands at Comanche F6** and has **no apparent conflict**. No resubmittals necessary. NOTED

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



WESTERN ENGINEERING CONSULTANTS, Inc. LLC

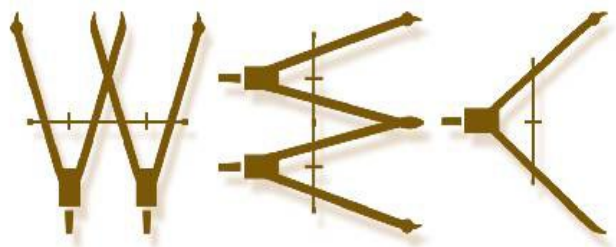
GRASSLANDS AT COMANCHE FILING 6

Preliminary Plat Rev. 1

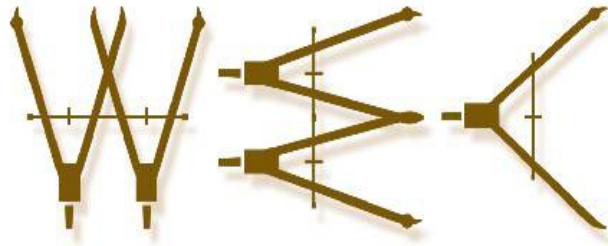
April 6, 2022

Attachments:

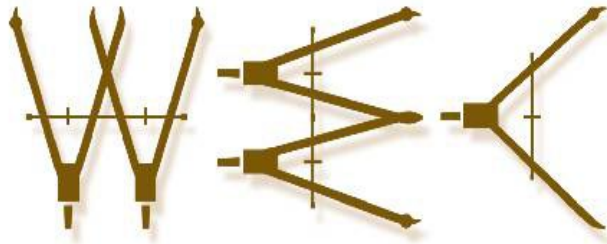
- **Plat redlines- Response to comments**
- **Staff Review- Response to comments**
- **School Impact response (Email from Monica Johnson)**
- **Preliminary Plat Updated**
- **Covenants**
- **Filing 6 Closure**



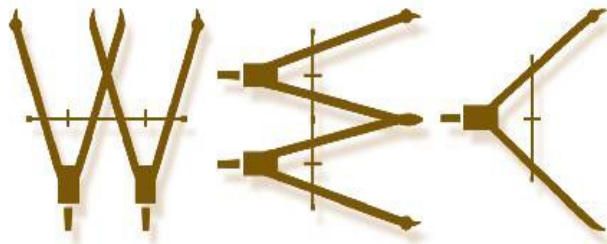
WESTERN ENGINEERING CONSULTANTS, Inc. LLC



WESTERN ENGINEERING CONSULTANTS, Inc. LLC



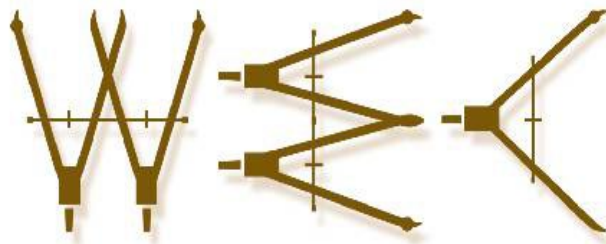
WESTERN ENGINEERING CONSULTANTS, Inc. LLC



WESTERN ENGINEERING CONSULTANTS, Inc. LLC

**MC PAVING 13200 WCR 10, FORT LUPTON, CO
SITE PLAN AND SPECIAL USE PERMIT SUBMITTAL**

ITEM 04- Proof of Ownership

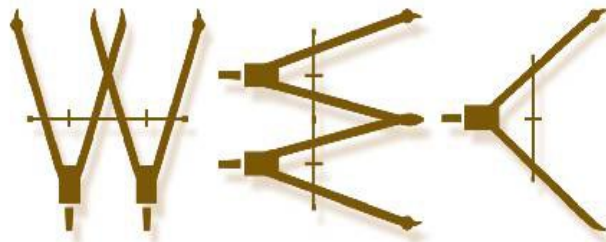


WESTERN ENGINEERING CONSULTANTS, Inc. LLC

MC PAVING 13200 WCR 10, FORT LUPTON, CO

SITE PLAN AND SPECIAL USE PERMIT SUBMITTAL

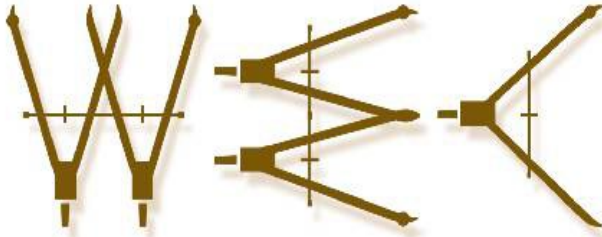
ITEM 05- Electronic copy (USB)



WESTERN ENGINEERING CONSULTANTS, Inc. LLC

**MC PAVING 13200 WCR 10, FORT LUPTON, CO
SITE PLAN AND SPECIAL USE PERMIT SUBMITTAL**

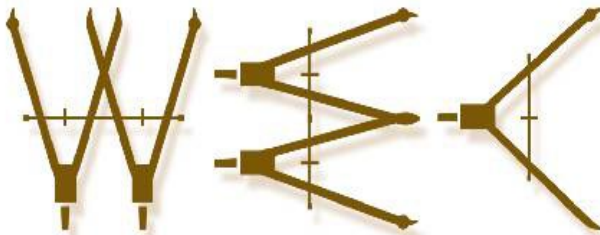
ITEM 06- Application for Special Use Permit



WESTERN ENGINEERING CONSULTANTS, Inc. LLC

MC PAVING 13200 WCR 10, FORT LUPTON, CO
SITE PLAN AND SPECIAL USE PERMIT SUBMITTAL

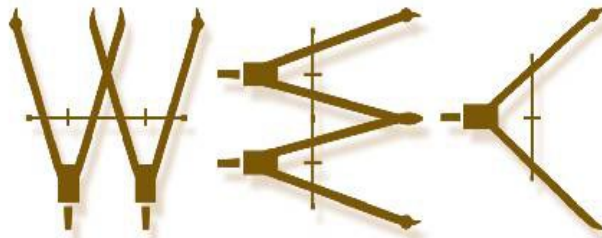
SITE ENGINEERING CONSTRUCTION PLANS



WESTERN ENGINEERING CONSULTANTS, Inc. LLC

**MC PAVING 13200 WCR 10, FORT LUPTON, CO
SITE PLAN AND SPECIAL USE PERMIT SUBMITTAL**

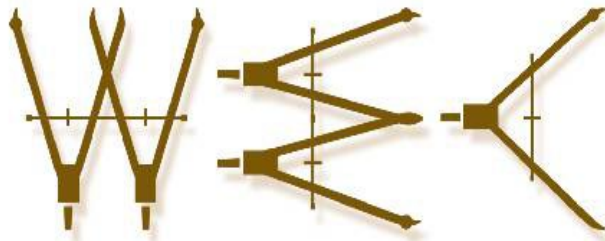
ITEM 08- Written Explanation of the Project



WESTERN ENGINEERING CONSULTANTS, Inc. LLC

**MC PAVING 13200 WCR 10, FORT LUPTON, CO
SITE PLAN AND SPECIAL USE PERMIT SUBMITTAL**

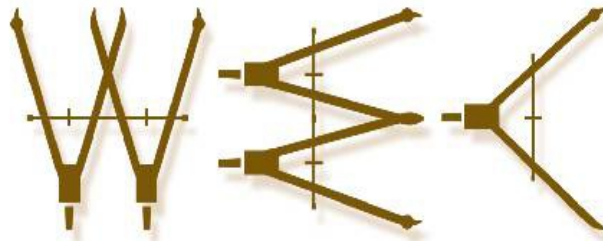
ITEM 09- Legal Description



WESTERN ENGINEERING CONSULTANTS, Inc. LLC

**MC PAVING 13200 WCR 10, FORT LUPTON, CO
SITE PLAN AND SPECIAL USE PERMIT SUBMITTAL**

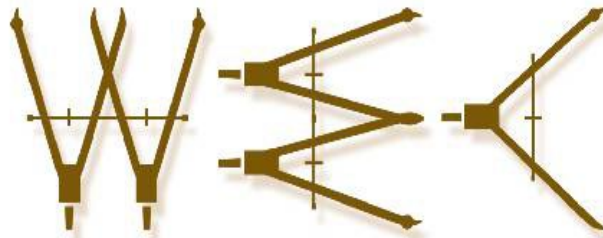
ITEM 10- Traffic letter



WESTERN ENGINEERING CONSULTANTS, Inc. LLC

**MC PAVING 13200 WCR 10, FORT LUPTON, CO
SITE PLAN AND SPECIAL USE PERMIT SUBMITTAL**

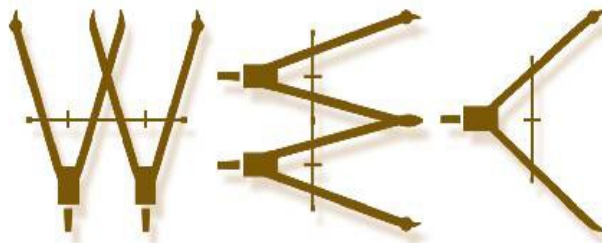
ITEM 11- Landscape Plan



WESTERN ENGINEERING CONSULTANTS, Inc. LLC

**MC PAVING 13200 WCR 10, FORT LUPTON, CO
SITE PLAN AND SPECIAL USE PERMIT SUBMITTAL**

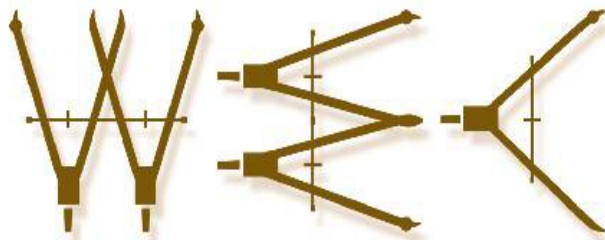
ITEM 12- Photometric Plan



WESTERN ENGINEERING CONSULTANTS, Inc. LLC

**MC PAVING 13200 WCR 10, FORT LUPTON, CO
SITE PLAN AND SPECIAL USE PERMIT SUBMITTAL**

ITEM 13- Drainage Report



WESTERN ENGINEERING CONSULTANTS, Inc. LLC

**MC PAVING 13200 WCR 10, FORT LUPTON, CO
SITE PLAN AND SPECIAL USE PERMIT SUBMITTAL**

ITEM 14- Stamped Envelopes

**MASTER DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS OF
THE GRASSLANDS AT COMANCHE**

RECORDED AS RECEIVED

THIS MASTER DECLARATION of Covenants, Conditions and Restrictions of The Grasslands at Comanche is made this 15th day of October, 2013, by Holly Investment Company (hereinafter "Declarant").

RECITALS

A. Declarant is the owner of the real property in the County of Adams, State of Colorado, which is more particularly described on Exhibit "A" attached hereto and by this reference incorporated herein.

B. In addition, Declarant, or an entity granted written permission by the Declarant, without the necessity of approval of any other lot or property owner, may also record a "Notice of Applicability" of this Master Declaration with a legal description of such additional real property contained in Exhibit B (the "Expansion Properties") that the Declarant intends to be subject to this Master Declaration.

C. Submission of Property. The Declarant hereby submits the real estate described in Exhibit A and such additional real property as may be subsequently added, pursuant to the expansion rights reserved in this Declaration, together with and subject to all easements, rights, and appurtenances thereto and the buildings and improvements erected or to be erected thereon (collectively, the "**Property or Properties**"), to the provisions of the Colorado Common Interest Ownership Act, C.R.S. § 38-33.3-101, *et seq.*, as it may be amended from time to time (the "**Act**") and to the terms and conditions of this Declaration. In the event the Act is repealed, the Act on the effective date of this Declaration shall remain applicable. Declarant hereby declares that all of the Property described in Exhibit A, and as added by expansion, shall be held or sold, and conveyed subject to the following easements, restrictions, covenants, and conditions. Declarant further declares that this Declaration is made for the purpose of protecting the value and desirability of the Property, that this Declaration shall run with the Property and shall be binding on all parties having any right, title or interest in the Property or any part thereof, their heirs, legal representatives, successors, and assigns and shall inure to the benefit of each Lot Owner thereof.

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D. Any "outlot(s)" and/or "easement(s)" on any Final Plat(s) subsequently designated for conveyance to the Association for open space, drainage, common fencing, common signage, and/or other purposes shall be accepted by the Association, subject to any improvements being installed by the Declarant, or an entity granted written permission by the Declarant, prior to such conveyance.

E. The Properties are areas of unique natural beauty. It is the desire and intent of Declarant to develop the Properties as a common interest community and to create a community in which such beauty shall be substantially preserved and for the enjoyment and convenience of the persons living on the Properties. These covenants, conditions and restrictions, all of which are hereinafter included in the term "Master Declaration", are intended to secure such objectives.

DECLARATION

NOW, THEREFORE, Declarant hereby declares that the Properties, including any property annexed to and made subject to this Declaration, are and shall henceforth be owned, held, conveyed, encumbered, leased, improved, used, occupied, and enjoyed, subject to the following uniform covenants, conditions, restrictions and equitable servitudes in furtherance of, and the same shall constitute a general plan for the subdivision, ownership, improvement, sale, use and occupancy of the Properties, and to enhance the value, desirability and attractiveness of the Properties. This Master Declaration shall run with the Properties and all parts thereof; shall be binding upon all persons having or acquiring any interest in the Properties or any part thereof; shall inure to the benefit of and be binding upon every part of the Properties and every interest therein; and shall inure to the benefit of, be binding upon, and be enforceable by Declarant, its successors in interest, each Owner and his successors in interest, and the Master Association and its successors in interest.

ARTICLE I - DEFINITIONS

Unless the context otherwise specifies or requires, the following words and phrases when used in the Master Declaration shall have the meanings hereinafter specified.

ACT shall mean the Colorado Common Interest Ownership Act, C.R.S. § 38-33.3-101, *et seq.*, as it may be amended from time to time.

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ALLOCATED INTERESTS shall mean the undivided interest in the Common Elements, the Common Expense liability and the votes in the Association.

ARCHITECTURAL REVIEW COMMITTEE (hereinafter sometimes "Committee or ARC") shall mean the committee created pursuant to Article VI hereof.

ARCHITECTURAL REVIEW COMMITTEE RULES (hereinafter sometimes "Committee or ARC Rules") shall mean the rules adopted by the Architectural Committee pursuant to Section 6.03 hereof.

ARTICLES shall mean the Articles of Incorporation of the Grasslands at Comanche Association, Inc., which have been or will be filed in the office of the Secretary of State of Colorado, as the same may from time to time be amended.

ASSESSMENTS shall mean assessments of the Association and includes both regular and special general assessments to all Association Lots, or an assessment against an individual lot owner for a specific purpose.

ASSOCIATION, herein after referred to as the "Association", or sometimes as the "Homeowners Association" or the "HOA", shall mean the Grasslands at Comanche Association, Inc., a non-profit corporation described in Article V hereof, and/or its successors.

BENEFICIARY shall mean a first mortgagee under a mortgage or a beneficiary under a deed of trust, as the case may be.

BOARD shall mean the Board of Directors of the Association.

BYLAWS shall mean the Bylaws of the Association, which may be adopted by the Board, which may be amended from time to time.

COMMUNITY shall mean the Grasslands at Comanche Community.

COMMON ELEMENTS shall mean the property within this Community other than the Lots but shall include the Major Recreation Facilities, which portion of the Properties shall be owned by the Association and shall be as designated in a recorded Map and in this Declaration.

COMMON EXPENSE shall mean any expenditure made a liability received by or on behalf of the Association which is attributable to all Lots, (except the Non-Assessment Lots) regardless of class, together with any allocations to reserves.

DECLARANT shall mean Holly Investment Company, Inc. and its successors by corporate merger or dissolution.

"DEVELOPMENT RIGHTS" or **"SPECIAL DECLARANT RIGHTS"** shall mean those rights set forth in this Declaration and those rights set forth in the Act.

DEED OF TRUST shall mean a mortgage or a deed of trust, as the case may be.

DEVELOPER shall mean any person or persons designated as such by Declarant. A developer shall only have those rights specifically assigned to the Developer by Declarant.

DRAINAGE FACILITIES shall mean those improvements constructed upon a Lot for drainage purposes, which include but may not be limited to ponds, ditches, culverts, pipes or other improvements incidental thereto.

DWELLING shall mean a single family residence constructed upon a Lot.

EQUESTRIAN CENTER shall mean the Major Recreational Facility constructed as a common element for use by the Owners and their guests.

GOVERNING DOCUMENTS shall mean this Declaration, the Articles of Incorporation and the Bylaws of the Grasslands at Comanche.

IMPROVEMENT shall mean every structure and all appurtenances thereto of every type and kind, including, but not limited to, buildings, outbuildings, patios, tennis courts, swimming pools, garages, doghouses, mailboxes, aerials, antennas, roads, driveways, parking areas, fences, screening walls, retaining walls, stairs, decks, landscaping, hedges, windbreaks, plantings, planted trees and shrubs, poles, signs, exterior air conditioning, water softener fixtures or

equipment, and poles, pumps, wells, tanks, reservoirs, pipes, lines, meters, towers and other facilities used in connection with water, sewer, gas, electric, telephone, regular or cable television or other utilities.

IREA shall mean the Intermountain Rural Electric Association who shall provide electric service to the Lots and Common Elements.

LOT shall mean any unit of land which is designed on any recorded Subdivision plat, whether or not improved, for a single family residence.

LOTS THAT MAY BE INCLUDED shall mean the total number of Lots upon completion of the subdivision that may be included in the Community. The total number of Lots that may be Included shall be 200.

MANAGER shall mean any person, firm, or corporation employed by the Association, and designated duties, powers, or functions of the Association.

MAJOR RECREATIONAL FACILITIES shall mean the Equestrian Center constructed upon Lot 12, Block 1, Filing 2 which shall be maintained by the Association and shall be a common element.

NON ASSESSMENT LOT shall mean either the Strasburg Fire Protection Lot or the Utility Lot which shall not be assessed but shall be subject to this Declaration of Covenants, Conditions and Restrictions.

MASTER DECLARATION (herein sometimes "Declaration") shall mean this instrument as it may be amended from time to time.

NOTICE OF APPLICABILITY shall mean a recorded notice with an attached Exhibit B legal description recorded by the Declarant to add property to the Community and make such property subject to the conditions and restrictions as outlined in the Master Declaration with exceptions and/or additional restrictions that are only applicable to the property described on the Notice of Applicability. Any additional exceptions and/or restrictions shall be considered as being added to the Master Declaration and the property subject to these additional exceptions and/or restrictions shall be enforceable to the Association. Each Notice of Applicability shall constitute a supplemental Declaration.

OCCUPANCY AND OCCUPIED LOT shall be defined as a lot with a home for which a Certificate of Occupancy has been issued by Adams County.

OWNER/MEMBER shall mean the person or persons, including Declarant, holding an aggregate fee simple interest in a Lot.

OWS shall mean On-Site Wastewater Systems (OWS) consisting of a septic tank, leach field, and various other appurtenances.

PERSON shall mean a natural individual or any other entity with the legal right to hold title to real property.

PLANS AND SPECIFICATIONS shall mean any and all documents designed to guide or control the improvement or other proposal in question, including, but not limited to, those indicating size, shape, configuration or materials, all site plans, excavation and grading plans, foundation plans, drainage plans, landscaping and fencing plans, elevation drawings, floor plans, specifications on all building products and construction techniques, samples of exterior colors, plans for utility services, and all other documentation or information relevant to the improvement or proposal in question.

PLAT or PLATS shall mean the plat map for Grasslands at Comanche subdivision.

PROPERTIES shall mean all that real property described on Exhibit A and any property annexed into the Community by recordation of a Notice of Applicability.

RECORD, RECORDED AND RECORDATION shall mean, with respect to any document, the recordation of such document in the Office of the Clerk and Recorder of the County wherein the land lies.

RULES shall mean the rules adopted pursuant to Section 6.03 hereof, as they may be amended from time to time.

SUPPLEMENTAL DECLARATION shall mean any Declaration of Covenants, Conditions and Restrictions which may be hereafter recorded by Declarant.

STRASBURG FIRE PROTECTION LOT shall mean Lot 14, Block 1, Filing 2 which has been conveyed to the Strasburg Fire Protection District. The Strasburg Fire Protection Lot shall be subject to all covenants and restrictions contained herein but shall not be allocated a vote in the Association and shall not be required to pay Assessments. In the event the Strasburg Fire Protection Lot is conveyed to a third party purchaser for the development of a Dwelling the Strasburg Fire Protection Lot shall be allocated a vote and shall be required to pay assessments.

UTILITY LOT shall mean Lot 1, Block 6, Filing 2 on which a natural gas or propane delivery system has been or will be constructed for the purpose of providing natural gas/propane to the community. The Utility Lot shall be subject to all covenants and restrictions contained herein but shall not be allocated a vote in the Association and shall not be required to pay Assessments. In the event the Utility Lot is conveyed to a third party purchaser for the development of a Dwelling the Utility Lot shall be allocated a vote and shall be required to pay assessments.

ARTICLE II - DEVELOPMENT OF THE GRASSLANDS AT COMANCHE

Section 2.01 - Subdivision and Development by Declarant. It is contemplated that the Properties will be developed pursuant to the subdivision plan, as it may from time to time be amended or modified, in which the development of, and restrictions upon, each portion thereof benefit each other portion and the whole thereof. It is also contemplated that any and all property described on Exhibit B recorded with a "Notice of Applicability" of this Master Declaration, shall also be developed pursuant to a subdivision plan by the Declarant, or by written consent of the Declarant to another property owner.

Section 2.02 – On-Site Wastewater Systems (OWS). Lot owners are required to install the OWS on their lot in accordance with a permit issued from Tri-County Health, and shall provide inspection and maintenance access to all OWS facilities on their Lot to representatives of Tri-County Health and the Association. The Association shall be responsible for annual inspection of each Lot's OWS. Owners shall be responsible for inspection of the OWS between each annual inspection (if needed), all maintenance activities, including normal pumping of the septic tank (at least once every three years), and all repair and replacement activities of the OWS. Lot owners shall not modify, alter, or repair the OWS on their Lot without written permission of the Tri-County Health Association.

The septic tank, mechanical components (pumps, etc.) for engineered systems (if applicable), observation pipes in the absorption area, and any other visible appurtenances shall be inspected every year by the Association's representative to determine the need to pump the septic tank and the need for repair and/or replacement of the OWS's components. The meter on the Owner's well shall also be read and recorded to determine the amount of annual water consumption. Depending upon use, some OWS tanks may require pumping more frequently than every three years, and some less frequently. Regular inspections of sludge and scum layers can determine that most appropriate pumping interval.

Other components of the OWS may also require maintenance, repair, and/or replacement. By December 31st of each year, the Association shall submit a report to Tri-County Health Department for each occupied home. A copy of the report shall be available to all owners upon request. At a minimum, the report shall contain the following:

1. Addresses of homes in the subdivision(s) that have received a Certificate of Occupancy during the calendar year or the previous calendar year, and the date of issuance of the Certificate of Occupancy.
2. The current year's inspection report for each OWS.
3. A notation either that no problems were found at the time the system was inspected or pumped, or a description of the problems identified when the system was inspected or pumped, actions taken to correct the problem, and the outcome.
4. The annual water use, as determined from the well meter. If applicable, this information may also be supplied to other regulatory agencies (State Engineer, etc.).

5. The name, address, phone/fax numbers and e-mail addresses of the Association, and the Association's representative (if applicable).

The Association shall cause to be performed inspections and reporting activities of the OWS's. Any maintenance, pumping, repair, and/or replacement activities for each lot's OWS shall be responsibility of the Owner. The Association shall transmit a copy of the report to all occupied Lot Owners, where additional maintenance, pumping, repair, and replacement of an OWS's components are required, along with a time schedule for completion of the requirements. The Report may also require changes in the excessive use and/or abusive practices of the OWS that is requiring more than normal pumping of the septic tank. In the event an occupied Lot Owner fails to perform the required activities, including termination of excessive use and/or abusive practices of their OWS, within the time period specified, the Association is empowered to perform these activities, including non-normal pumping of the septic tank, and to assess the costs of these activities to the occupied Lot Owner.

Section 2.03 - External Fencing and Common Signage. External fencing and common entrance signage may be installed by the Declarant. If installed, the external fencing and common signage shall be a Common Element and shall be maintained by the Association. The costs of maintenance, repair, and/or replacement activities of the external fencing and common signage shall be a Common Expense except for damages to the external fencing and/or common signage by an Owner, their guests or invitees. In this event, the Association is empowered to perform repair and/or replacement activities on the damaged external fencing and/or common signage, and to assess the costs of these activities to the Owner.

Section 2.04 - Drainage. Drainage retention ponds and channels shall be constructed by the Declarant on portions of Lots in accordance with a Drainage Plan approved by the County. All Owners shall be required to allow maintenance access to all drainage facilities, but Owners shall be responsible for maintenance of all drainage facilities, including inlets, pipes, culverts, channels, ditches, hydraulic structures, and retention ponds located on their land, and shall not alter, modify, or obstruct drainage water flows to said facilities without written permission of the County and the Association. Within these drainage facilities, no structure, planting or material shall be placed or permitted to remain which may damage or interfere with the direction or volume of flow in drainage retention ponds and/or channels. Should the Owner fail to maintain said facilities, or alters, modifies, or obstructs drainage water flow to said facilities without written permission of the County and the Association, the Association is empowered to perform these activities and assess the costs of these activities to the Lot Owner.

Section 2.05 - Membership and Voting. Every person who is an Owner shall be a Member of the Association. Membership shall be appurtenant to and may not be separated from ownership of any Lot. Ownership of a Lot shall be the sole qualification for membership. Each Lot shall be entitled to cast one vote. Fractional and cumulative voting are prohibited.

Section 2.06 - Assessments. The Association shall bill all Lots within the Community in advance every year a fee for the Common Expenses which may include, but is not limited to, the operation, maintenance and upkeep of the Equestrian Center, the inspection of all OWS, the weekly removal of basic household trash (Refer to Section 3.04), and for other purposes such as maintenance of external fencing (if present) and common signage, general administration and operation of the Association, and for other legitimate activities of the Association. No Assessments shall be due until the Declarant conveys a Lot to an Owner other than the Declarant. Upon conveyance of the first Lot to an Owner other than the Declarant, the annual assessment shall be due for the balance of the calendar year and shall be paid in advance for the remainder of the calendar year in which the Lot was conveyed. The initial annual assessment shall be due and payable each year on January 1st for each subsequent year unless a different due date and payment interval is established by the Board of Directors. Common Expense Assessments may be made on an annual basis against all Lots and shall be based upon the Association's advance budget of the cash requirements needed by it to provide for the administration and performance of its duties during such Assessment year adopted pursuant to Section 2.08 below. The amount of Assessment due will be evaluated each year by the Board of Directors and notice given for any change in the amount of the annual Assessment. Assessments shall be allocated to each Lot equally. As of October 15, 2013, the monthly Assessment is \$50.00 per Lot.

Consolidated Lots pursuant to Section 3.20 does not eliminate the fee obligation of each Lot on the original plat map of the Properties.

Section 2.07 - Intentionally Left Blank

Section 2.08 - Annual Assessments. After the first fiscal year of operation, the budget for annual Assessments shall be submitted to the Owners for ratification pursuant to Section 303(4) of the Act and as set forth in the Bylaws, as

the Bylaws may be amended from time to time. The budget may be vetoed by a majority of the total Association vote. Assessments for Common Expenses shall be due and payable in monthly, quarterly, or annual installments, or in any other manner, as determined by the Board of Directors. The omission or failure of the Board of Directors to levy the Assessment for any period shall not be deemed a waiver, modification or a release of the Owners from their obligation to pay.

Section 2.09 - Special Assessments. In addition to other authorized Assessments, the Association may levy Special Assessments from time to time to cover previously unbudgeted expenses or expenses in excess of those budgeted, including, without limitation, the costs of any construction, restoration, or unbudgeted repairs or replacements of capital improvements that are not covered by the general reserve fund. The proposed Special Assessment shall be submitted to the Owners for ratification pursuant to Section 303(4) of the Act and as set forth in the Bylaws, as the Bylaws may be amended from time to time. The proposed Special Assessment may be vetoed by a majority of the total Association vote. Special Assessments may be payable in installments extending beyond the fiscal year in which the Special Assessment is approved. The Board shall have the right to require that Special Assessments be paid in advance of the provision of the subject services or materials.

Section 2.10 - Supplemental Assessments. The Association shall have the right to add to any Owner's Assessment as provided in this Article the following:

- (a) Those amounts expended by the Association for the benefit of any individual Lot or any occupant thereof, including but not limited to: improvement, repair, replacement or maintenance specific to a Lot;
- (b) Improvement, repair, replacement or maintenance caused by the negligent or willful acts of any Owner, his or her guest, employee, licensee, lessee or invitee as set forth in this Declaration;
- (c) All fines and costs assessed against an Owner pursuant to the Governing Documents; and
- (d) Any other expenditures or charges which the Board, in its sole discretion, chooses to allocate to a Lot and are reasonably determined to be allocable to a particular Lot.

Section 2.11 - Application of Payments. All sums collected on a delinquent account referred to an attorney shall be remitted to the Association's attorney until the account is brought current. All payments received on an account of any Owner or the Owner's Lot shall be applied to payment of any and all legal fees and costs (including attorney fees), expenses of enforcement and collection, late fees, returned check fees, lien fees and other costs owing or incurred with respect to such Owner pursuant to the Governing Documents, prior to application of the payment to any special or regular Assessments due or to become due with respect to such Owner.

Section 2.12 - Creation of Association Lien and Personal Obligation to Pay Assessments for Common Expenses. Each Owner, by acceptance of a deed for a Lot, whether or not it shall be so expressed in any such deed or other conveyance, shall be deemed to covenant and agree to pay to the Association annual Assessments for Common Expenses and such other Assessments as imposed by the Association. Such Assessments, including fees, charges, late fees, attorney fees, fines and interest charged by the Association and additional fees charged by the managing agent, including but not limited to, administration and witness fees, shall be the personal obligation of the Owner of such Lot at the time when the Assessment or other charges became or fell due. The Association annual Assessments for Common Expenses and such other Assessments as imposed by the Association, including fees, charges, late fees, attorney fees, fines and interest charged by the Association, shall be a charge on each Lot and shall be a continuing lien upon the Lot against which each such Assessment or charge is made. If any Assessment is payable in installments, the full amount of the Assessment is a lien from the time the first installment becomes due. The personal obligation to pay any past due sums due the Association shall not pass to a successor in title unless expressly assumed by them. No Owner may become exempt from liability for payment of the Assessments for Common Expenses by waiver of the use or enjoyment of the Common Area or by abandonment of the Lot against which the Assessments for Common Expenses are made. All Assessments shall be payable in the amounts specified in the levy thereof, and no offsets or reduction thereof, except as provided in this Declaration, shall be permitted by any reason including, without limitation, any claim that the Association or the Board of Directors is not properly exercising its duties and powers under this Declaration. Except as provided in this Declaration, all Assessments for Common Expenses shall be assessed against all Lots equally.

Section 2.13 – Effect of Non-payment of Assessment.

(a) Any Assessment, charge or fee provided for in this Declaration, or any monthly or other installment thereof, which is not fully paid within 10 days after the due date thereof, as established by the Board of Directors, shall bear interest at the rate established by the Board of Directors, on a per annum basis to accrue monthly from the due date, and the Association may assess a reasonable late fee thereon as determined by the Board of Directors.

(b) Failure to make payment within 45 days of the due date thereof shall cause the total amount of such Owner's Common Expense Assessment for the remainder of that fiscal year to become immediately due and payable at the option of the Board. The Board may, in its discretion, decelerate the Member's annual Assessment.

(c) Further, the Association may bring an action at law or in equity, or both, against any Owner personally obligated to pay such overdue Assessments, charges or fees, or monthly or other installments thereof, and may also proceed to foreclose its lien against such Owner's Lot. An action at law or in equity by the Association against an Owner to recover a money judgment for unpaid Assessments, charges or fees, or monthly or other installments thereof, may be commenced and pursued by the Association without foreclosing, or in any way waiving, the Association's lien therefore.

(d) Foreclosure or attempted foreclosure by the Association of its lien shall not be deemed to estop or otherwise preclude the Association from thereafter again foreclosing or attempting to foreclose its lien for any subsequent Assessment, charges or fees, or monthly or other installments thereof, which are not fully paid when due. The Association shall have the power and right to bid on or purchase any Lot at foreclosure or other legal sale, and to acquire and hold, lease, mortgage, convey or otherwise deal with the same. If a foreclosure action is filed to foreclose any Assessment lien, and an Owner abandons or leaves vacant his or her Lot, the Board may take possession and rent said Lot or apply for the appointment of a receiver for the Lot without prior notice to the Owner. The rights of the Association shall be expressly subordinate to the rights of any holder of a first lien security interest as set forth in its deed of trust or mortgage (including any assignment of rents), to the extent permitted under the Act.

Section 2.14 – Intentionally left blank.

ARTICLE III - GENERAL RESTRICTIONS

All real property within Properties shall be owned, held, conveyed, encumbered, eased, used, occupied and enjoyed subject to the following limitations and restrictions:

Section 3.01 - Zoning Regulation. No land within the Community shall be occupied, used by, or for any structure or purpose which is contrary to the zoning regulations of the County of Adams, Colorado other than the Utility Lot and the Fire Department Lot. No use shall be allowed on any Lot within the Community, other than the Utility Lot and the Fire Department Lot, which would increase the rate of insurance on any other Lot or property within the Community.

Section 3.02 - Signs. Except as otherwise permitted by the Act, only One (1) "For Rent" or "For Sale" sign shall be permitted to be displayed on a Lot, if not larger than six (6) square feet; otherwise, no advertising signs, billboards, unsightly objects, or nuisance shall be erected, altered or permitted on any tract or lot, except each residence may have one sign stating the name of the resident, and any occupation or trade name, if not larger than two hundred forty (240) square inches. In addition, until 95% of the Lots are sold within the GAC Subdivision, the Declarant may erect and maintain 5' X 10' temporary signs and other miscellaneous advertising signage for advertising of lot and home sales. For any area added by a "Notice of Applicability", the same allowance for this signage would also apply.

Section 3.03 - Household Pets. No domestic animals totaling more than five (5) generally recognized house or yard pets shall be maintained on any lot, not counting puppies and/or kittens kept no longer than three months after birth, unless a temporary exception is obtained from the ARC, in writing, for puppies and/or kittens kept longer than three months after birth. All yard pets must be provided shelter and shading from the elements. If an Owner chooses to keep house or yard pets, said Owner shall at all times have them under his or her control, whether within the Owner's lot or in any other location within the property. Animals shall not be permitted to roam at will, and steps may be taken to control any animals not under the immediate control of their Owners.

No kennel shall house more than five (5) dogs, no animal kennel or dog run shall exceed a maximum of 800

square feet in size, and shall be a minimum of a 100' set back from any street, within a 50' setback from the boundary line of any Equestrian Easement, within a 150' setback from any residence on another Lot and/or a 50' setback from any other property and/or Lot line. The ARC may recommend and the Board may grant variance(s) to all these setback requirements, except those related to the distance from any street or Equestrian Easement. For variance requests to adjacent Lot lines and/or to a residence on an adjacent Lot(s), the Board shall give prior notice and the opportunity to receive input from the owner(s) of adjacent Lots and residence(s) on adjacent lots, prior to rendering a decision.

The runoff and erosion from all kennel(s) and dog run(s) shall be controlled so the runoff of waste water, manure, and other materials from all kennel(s) and dog run(s) does not flow onto adjacent properties and/or Lots, and/or public streets, and the runoff of uncontaminated water does not violate the approved Drainage Report(s) and Grading Plan(s) for the Community. The Owner shall be responsible for installing and maintaining all runoff control measures. The location and other features of all kennel(s) and dog run(s), including fencing, shall receive ARC approval.

Section 3.04 - Service Yards and Trash. Service equipment, trash, woodpiles, or storage areas shall be screened by planting or fencing with a minimum height of 72 inches (6 feet) to conceal them from view of neighboring lots, drives and roads. The screening shall be complete within one year of the issuance of the Certificate of Occupancy. Weekly trash service covered by the HOA assessment shall be restricted to basic household trash and grass clippings and limited in amount to 3 (three) 35-40 gallon trash containers or 10 (ten) garbage bags. Trash containers must be provided by each homeowner and may be purchased from the contracted disposal service or any hardware store. Large item removal is available at homeowner's expense by contacting the contracted disposal service. NO DISPOSAL OF CONSTRUCTION MATERIAL, ELECTRONICS, TIRES, HAZARDOUS CHEMICALS, LANDSCAPING MATERIAL (DIRT, ROCKS AND SOD), LIVESTOCK FEED/MANURE IS ALLOWED THROUGH THE CONTRACTED DISPOSAL SERVICE.

Section 3.05 - Underground Utilities. All utility lines, water, gas, telephone lines, propane tanks, etc., serving a Dwelling within the limits of the GAC Community must be underground and may not be above ground, except transformers, meters or light standards.

Section 3.06 - Off Street Parking and Other Vehicle Restrictions. Each Lot shall be developed to provide for adequate off street hard surface parking area for at least two (2) automobiles per Dwelling, other than in the garage. No parking shall be allowed within the road right of way. Each Dwelling within the Community shall also have an all-weather drive.

Section 3.07 - Nuisances and Noise. No rubbish or debris of any kind shall be placed or permitted to accumulate anywhere within any Lot and no odor shall be emitted therefrom so as to render the property or any portion thereof unsanitary, unsightly, or offensive from any public or private street or from any other Lot. No noise or other nuisance shall be permitted upon any portion of a Lot so as to be offensive or detrimental to the occupants of any other Lot.

Section 3.08 - Exterior Maintenance and Repair. No Improvement shall be permitted to fall into disrepair and each Improvement shall at all times be kept in good condition and repair. No alteration, addition, and/or modification of the external appearance of any structure within the Community shall be allowed without prior ARC approval.

Section 3.09 - Restricted Use. No Lot shall be used for other than residential, single family purposes. "In-home" offices shall be allowed subject to compliance with the Adams County Development Manual and so long as no external appearance of such business use may be observed from the street or neighboring Lots. Warehousing, storage for hire, fabrication, or commercial operations are prohibited.

Section 3.10 - Restriction on Subdividing. No Lot shall be further subdivided except by the original Developer, his assigns or heirs, or except by the original Developer and/or another Developer on a property added by a "Notice of Applicability". Per Section 3.20, an Owner of two or more lots may consolidate the Lots into the one Lot through Adams County procedures in compliance with the Adams County Development Manual. At no time shall the number of Lots within the Community exceed the number of Lots that May be Included.

Section 3.11 - Livestock Maintenance. Owners of lots where livestock are allowed will be liable for the well-being, upkeep and cleanliness of the animals on their Lot. All livestock must be provided with shading and shelter from the elements within one month of the acquisition of said livestock. A manure management plan, to include collection and disposal, is to be submitted for approval to the HOA.

Section 3.12 - Lighting Restrictions. Lighting fixtures shall be installed so that glare is shielded and downcast as not to be directed or spill onto adjacent properties.

Section 3.13 - Drainage Facilities. Should the lot owner fail to maintain said drainage facilities, or alter, modify, or obstruct drainage water flows to said facilities without written permission of the County and the Association, the Association is empowered to perform these activities and assess the costs of the activities to the Owner.

Section 3.14 - Temporary Structures. No structure of a temporary character, including, but not limited to, a tent, shack, garage, barn or trailer or any other outbuilding shall be occupied and used as a residence temporarily or permanently. Any building must be completed within one year following issuance of a building permit.

Section 3.15 - Water Supply (Wells). The following requirements and specifications shall be the minimum for all water wells drilled for residential use on any building site. Any well may be of a larger diameter and proportionately heavier pipe than required.

- (a) All requirements of the Colorado Division of Water Resources permit must be met.
- (b) Well must be drilled by a State of Colorado licensed well driller.
- (c) Water well meters to be installed by individual lot Owner. All lot owners shall be required to allow reading of the meter to record water use by the HOA's representatives.
- (d) Outside irrigation shall be limited to a maximum of 2,300 square feet on all lots in filings 1, 2, 3, & 4 of The Grasslands at Comanche Subdivision, and 3,900 square feet on all lots in filing 5 of The Grasslands at Comanche Subdivision. For each 2 large animals (horses, llamas, or other livestock etc.) kept on a Lot, the maximum amount of irrigated area shall be reduced by 500 square feet on that Lot.

Section 3.16 - No Hazardous Activities. No activity shall be conducted on any portion of the Properties which is or might be unsafe or hazardous to any person or property. Without limiting the generality of the foregoing, no firearms shall be discharged upon any portion of the Properties and no open fires shall be lighted or permitted on any portion of the Properties except in a contained barbecue unit while attended and in use for cooking purposes or within a fireplace designed to prevent the dispersal of burning embers. All Common Element areas are also subject to these restrictions.

Section 3.17 - No Hunting Permitted. No hunting is permitted on any Lot or in any of the Common Elements.

Section 3.18 - No Off-Road Vehicles. No off-road motorized vehicles, either licensed or unlicensed, are permitted in the Common Elements.

Section 3.19 - Horses. Horses are permitted to be maintained upon a Lot upon satisfaction of the following:

- (a) Shelter. Shelter **must** be provided within one month of placement of horses on Lot.
- (b) Number of Horses. No more than two (2) horses will be allowed for each Lot less than 5 acres and no more than four (4) horses will be allowed for each Lot equal to or greater than 5 acres. A temporary exception may be obtained from the HOA, in writing, for foals of mares kept on the Lot.
- (c) Barn. A barn may be provided on each Lot only for use by horse(s), llamas or other permitted livestock such as 4-H projects and shall not include more than one stall for each allowable animal. The size of the outbuildings, including barns and detached garages, shall be limited to 1,000 square feet/acre of the lot, to a maximum of three thousand (3,000) square feet for Lots of less than 5 acres, whichever is less, and to a maximum of five thousand (5,000) square feet for Lots of 5 acres or more, not counting up to 2 sheds totaling 200 square feet or less. No building shall have a length three times more than the width. The maximum height of an outbuilding shall be 25' or the height of the home whichever is greater. The location, design, exterior appearance, and other features of all barns and outbuildings shall also receive approval of the ARC.
- (d) Paddock or Corral. An outdoor paddock or corral may be constructed on the Lot.
 - (i) Size. The paddock or corral shall not exceed two thousand (2,000) square feet. See section 3.20 for consolidated lots.
 - (ii) Location. The paddock or corral must be adjacent to the barn. The paddock or corral must be located on the rear of the Lot, between the rear Lot line and the nearest line or point of the residence on the Lot, a minimum of a 100' setback from any street, a minimum of a 50' setback from the boundary line of any Equestrian Easement, a minimum of a 50' setback from any other property and/or Lot line, and a

minimum of a 150' setback from a residence on any other Lot. The ARC may recommend and the Board may approve variance(s) to all these setback requirements, except those related to distance to any street or Equestrian Easement. For variance(s) requests to adjacent Lot lines and/or to a residence on any adjacent Lot(s), the Board shall provide notice to and receive input from the owner(s) of the adjacent Lot(s) prior to rendering a decision.

(iii) Use. Paddocks or corrals shall be used exclusively by livestock for exercising, roaming and walking purposes.

(iv) Paddock/Corral Fences. Paddock/corral fences shall be three to five rail fences constructed of a material which does not require painting, is appropriate to livestock and is essentially maintenance free. This fence may not exceed 72 inches or 6 feet in height.

(e) Runoff and Erosion Control. The runoff and erosion from all paddocks/corrals, barns, and any other structure and/or feature related to housing or controlling animals shall be controlled so the runoff of waste water, manure, and other materials from all paddocks/corrals does not flow onto adjacent properties and/or Lots, and/or public streets, and the runoff of uncontaminated water does not violate the approved Drainage Report(s) and Grading Plan(s) for the GAC Subdivision. The Owner shall be responsible for installing and maintaining all runoff control measures. The location and other features of all paddock/corral locations and fencing shall receive ARC approval.

Section 3.20 - Consolidation of Lots/Increase in Outbuilding and Barn Size and Allowable Horses. If an Owner owns two (2) or more adjacent lots and provides an affidavit to the Association verifying that only one Living Unit shall be constructed on the combined lots, that the lots shall be treated as one, and the Owner waives his rights to sell any one of the lots separately, or if an Owner proves to the Association an approved and recorded Replat approved by Adams County consolidating two (2) or more adjacent lots, then the Association may approve in writing that a proportionate increased number of horses only can be kept on the Lot(s), and that one consolidated barn and paddock/corral area, proportionately larger, may be constructed on the consolidated Lot(s) as follows:

(a) Horses. An Owner owning two (2) or more adjacent lots or consolidating two (2) or more adjacent lots by a Replat may keep four (4) horses upon the Lot(s). No Owner shall be permitted to keep more than four (4) horses, regardless of the size or the number of the Lot(s) consolidated. A temporary exception may be obtained from the Board, in writing, for foals of mares kept on the Lot(s).

(b) Barn (Outbuilding)s. An owner owning two (2) or more adjacent Lots consolidated by a Replat may construct up to a four stall barn, provided however, that the total square footage of Outbuildings on the consolidated Lot shall not exceed one thousand (1,000) square feet per acre or five thousand (5,000) square foot total, whichever is less, inclusive of any detached garage combined with the barn and all other outbuildings. The maximum height of an outbuilding shall be 25' or the height of the home whichever is greater.

(c) Paddock/Corral(s). An Owner owning two (2) or more adjacent lots or consolidating two (2) or more adjacent lots by a Replat may construct a larger paddock/corral, provided, however, that the paddock/corral area shall not exceed one thousand (1,000) square feet per acre or three thousand (3,000) square foot total, whichever is less.

(d) Feed/Animal Food Storage. Storage of feed and animal food is permitted, provided it is properly stacked, stored, and screened in accordance with a plan approved by the Association. If livestock feed or animal food becomes non-edible for livestock purposes, it must be removed immediately at Owner's expense.

The above may also be subject to separate approvals by Adams County as outlined in the Adams County Development Manual. The more restrictive shall govern, and proof of compliance with all appropriate County regulations and requirements shall be a requirement of all ARC and Board approvals. Once County approvals are obtained, the ARC or the Board shall also have the right to record a deed restriction describing in reasonable detail the building and other restrictions described in order to guarantee continuing compliance with the restrictions agreed to by the Lot Owner.

Section 3.21 - Corrective Actions, and Cease and Desist Orders.

(a) Every Owner and occupant of a Lot shall comply with the Governing Documents, and each Owner shall have the right to enforce the covenants and restrictions, as set forth in this Declaration.

(b) The Association may enforce all applicable provisions of this Declaration, and may impose sanctions for violation of the Governing Documents. Such sanctions may include, without limitation:

(i) imposing reasonable monetary fines, after notice and opportunity for a hearing, which fine shall constitute a lien upon the violator's Lot;

(ii) suspending the right to vote and the right to use Common Areas;

(iii) exercising self-help (including, but not limited to, performing such maintenance responsibilities which are the Owner's responsibility under this Declaration and assessing all costs incurred by the Association against the Lot and the Owner as an Assessment) or taking action to abate any violation of the Governing Documents;

(iv) requiring an Owner, at the Owner's expense, to remove any structure or improvement on such Owner's Lot in violation of the Governing Documents and to restore the Lot to its previous condition and, upon failure of the Owner to do so, the Board or its designee shall have the right to enter the property, remove the violation and restore the property to substantially the same condition as previously existed, at the Owner's expense, and any such action shall not be deemed a trespass, with all fees and costs in connection with such removal and restoration to be assessed to the Owner as an Assessment under the terms of this Declaration;

(v) without liability to any person, the Association precluding any contractor, subcontractor, agent, employee, or other invitee of an Owner who fails to comply with the terms and provisions of this Declaration from continuing or performing any further activities in the Community;

(vi) levying specific Assessments to cover costs incurred by the Association to bring a Lot into compliance with the Governing Documents; and

(vii) bringing suit at law or in equity to enjoin any violation or to recover monetary damages or both.

(c) In addition to any other enforcement rights, if an Owner fails to properly perform his or her maintenance responsibility, or otherwise fails to comply with the Governing Documents, the Association may record a notice of violation against the Owner and the Lot.

(d) All remedies set forth in the Governing Documents shall be cumulative of any remedies available at law or in equity. In any action to enforce the Governing Documents, the prevailing party shall be entitled to recover all costs, including, without limitation, attorney fees and court costs, reasonably incurred in such action.

(e) The decision of the Association to pursue enforcement action in any particular case shall be left to the Board's discretion, subject to the duty to exercise judgment and be reasonable, as provided for in this Declaration, and further restricted in that the Board shall not be arbitrary or capricious in taking enforcement action. A decision of the Association not to pursue enforcement action shall not be construed as a waiver of the Association's right to enforce such provisions at a later time under other circumstances or preclude the Association from enforcing any other covenant, restriction or rule.

ARTICLE IV - PERMITTED USES AND RESTRICTIONS RESIDENTIAL AREAS

Section 4.01 - Residential Areas. All property within any residential area, with the exception of the Equestrian Center and the Strasburg Fire Protection District Lot and Utility Lot, shall be improved and used solely for residential use. Until 95% of the Lots are sold within the Community, the Declarant may maintain up to 5 show/sales homes and may maintain up to two storage areas for storage of equipment and material necessary to conduct construction and maintenance activities, and to conduct lot and home sale activities. For any area added by a "Notice of Applicability", the same allowance for these uses would also apply.

Section 4.02 - Improvements and Use. Except as provided in Section 4.01 hereof, no Lot shall be improved or used except by a dwelling or structure designed to accommodate no more than a single family and occasional guests, plus a garage, fencing and such other Improvements as are necessary or customarily incident to a single-family

residence; provided, however, that a separate guest house and barns, stables and corrals may be erected on any Lot as permitted by the ARC and the applicable zoning.

Section 4.03 - Residential Use: Rentals. No residence on any Lot shall be used for any purpose other than single-family residential purposes. However, nothing in this Declaration shall prevent the rental of property within a residential area by the Owner thereof for residential purposes, on either a short or long-term basis subject to all the provisions of the Restrictions. No commune, cooperative or similar type living arrangement shall be permitted anywhere on Property. Either the Lot owner or the renter, but not both, shall have the right of use of all the Common Elements and Major Recreational Facilities.

Section 4.04 - Unsightly Articles. Except for up to Declarant storage areas as provided in Section 4.01 hereof, no unsightly article shall be permitted to remain on any Lot so as to be visible from adjoining property or public or private thoroughfares. Without limiting the generality of the foregoing, trailers, mobile homes, recreation vehicles, graders, trucks other than pickups, boats, tractors, campers, wagons, buses, sleighs, motorcycles, motor scooters, snowmobiles, snow removal equipment and garden and maintenance equipment shall be kept at all times, except when in actual use, in an enclosed structure or screened from view and no repair or maintenance work shall be done on any of the foregoing, or on any automobile, other than minor emergency repairs, except in an enclosed garage or other structure; refuse, garbage and trash shall be kept at all times in a covered, noiseless container and any such container shall be kept within an enclosed structure or appropriately screened from view; no lumber, grass, plant waste, shrub or tree clippings, metals, bulk materials or scrap or refuse or trash shall be kept, sorted or allowed to accumulate on any property, except within an enclosed structure or appropriately screened from view; oil and other exterior tanks shall be kept within an enclosed structure or permanently screened from view. All such unsightly articles must be for the personal use of the Lot Owner only, and structures and screening devices must be approved by the ARC. Animal feed may be stored, provided it is properly stacked, stored, and screened in accordance with a plan approved by the Association. If livestock feed or animal food becomes non-edible for livestock purposes, it must be removed immediately at Owner's expense, and the Association may immediately issue an order to cease and desist, impose fines, and take all other actions necessary to enforce this provision.

Section 4.05 - Outside Irrigation Restriction. Outside irrigation shall be limited to 2,300 square feet on all lots in filings 1, 2, 3 & 4 of The Grasslands at Comanche Subdivision, and 3,900 square feet on all lots in filing 5 of The Grasslands at Comanche Subdivision.

ARTICLE V – THE GRASSLANDS AT COMANCHE ASSOCIATION

Section 5.01 - Ownership. Only the Owners including Declarant shall be eligible to vote for committee members; provided, however, that no person shall be a member by reason of ownership of lands used for public school or governmental or quasi-governmental purposes, or by reason of ownership of any park, public land, road, easement, right of way, mineral interest, mortgage or deed of trust. Owner as defined in the preceding sentence shall automatically be eligible to vote on his part, and eligibility to vote shall be appurtenant to and shall run with the property interest ownership of which qualifies the Owner thereof. Voting eligibility may not be severed from, or in any way transferred, pledged, mortgaged, or alienated except together with the title to the property interest, ownership of which qualifies the Owner thereof, and then only to the transferee of title to said property interest. Any attempt to make a prohibited severance, transfer, pledge, mortgage or alienation shall be void.

Section 5.02 - General Purposes and Powers of the Association. The Association, through its Executive Board, shall perform functions and manage the Community as provided in this Declaration so as to: (a) protect the value and desirability of the Community; (b) to further the interests of the residents, occupants, tenants and guests of the Community and members of the Association; (c) to foster a vibrant, responsive and competent Association; and (d) to promote a harmonious community and responsible leadership. Any purchaser of a Lot shall be deemed to have assented to, ratified and approved such designations and management. The Association shall have all power necessary or desirable to effectuate such purposes.

Section 5.03 - Declarant Control. The Declarant shall have the reserved power, pursuant to Section 303(5) of the Act, to appoint and remove officers and members of the Executive Board, during the period of declarant control.

ARTICLE VI – ARCHITECTURAL REVIEW COMMITTEE (ARC)

Section 6.01 - Members of the Architectural Review Committee. The Architectural Committee is referred to in these restrictions as the Architectural Control Committee, the Architectural Committee, The Committee, or the ARC. The initial ARC shall be appointed by the Declarant. It shall consist always of either three members or five members, as determined by the Declarant, or the Board as the successor to the Declarant. Each member of the ARC shall hold office

until such time as he has resigned, has been removed with or without cause, or his successor has been appointed, as provided herein. Members of the ARC may be appointed or reappointed by the Declarant or the Board as the successor to the Declarant annually, or after each Annual Meeting, or after removal of an ARC member with or without cause by the Board or the Board as successor to the Declarant.

Section 6.02 - Declarant's ARC Powers. The Declarant may act and have the powers of the ARC over all lots owned by the Declarant, including the granting of variance(s), in the GAC subdivision until more than 85% of the Lots that may be included are owned by persons other than the Declarant. In the exercise of these powers, the Declarant shall provide the ARC with a copy of all Declarant's approvals. The Declarant may, at its' option, relinquish at any time part or all of these powers to the ARC of ARC's approvals within the Community prior to 85% of the lots within the Community being owned by persons other than the Declarant.

Section 6.03 - Review of Proposed Construction/Right to Issue Rules. Whenever in this Declaration the approval of the ARC is required, it shall have the right to consider all of the Plans and Specifications for the Improvement or proposal in question and all other facts which in its sole discretion are relevant. Prior to the commencement of any construction of an Improvement on any residential lot, the Plans and Specifications thereof shall be submitted to the ARC, and construction thereof may not commence unless and until the ARC has approved such Plans and Specifications in writing within 30 days of application. The ARC shall consider and act upon any and all Plans and Specifications submitted for its approval pursuant to the Declaration, and perform such other duties assigned to it by the Declaration or as from time to time shall be assigned to it by the ARC, including the inspection of construction in progress to assure its conformance with Plans and Specifications approved by the ARC. The ARC shall approve Plans and Specifications submitted for its approval only if it deems that the construction, alterations, or additions contemplated thereby in the locations indicated will not be detrimental to the surrounding area as a whole, and that the appearance of any structure affected thereby will be in harmony with the surrounding structures. The ARC may condition its approval of Plans and Specifications or such changes therein as it deems appropriate, and may require submission of additional Plans and Specifications or other information prior to approving or disapproving the material submitted. The ARC may also issue Rules or guidelines regarding anything relevant to its function, including, but not limited to, minimum standards and procedures for the submission of Plans and Specifications for approval. The ARC may require a reasonable fee to accompany each application for approval. The ARC may require such detail in Plans and Specifications submitted for its review and such other information as it deems proper, including, without limitation, environmental impact statements. Until receipt by the ARC of all required Plans and Specifications and other information, the ARC may postpone review of anything submitted for approval.

Section 6.04 - Meeting of the ARC. The ARC shall meet from time to time as necessary to perform its duties hereunder. The ARC may from time to time by resolution unanimously adopted in writing designate one of its members to make any action or perform any duties for and on behalf of the ARC, except the granting of variances pursuant to Section 6.09. In the absence of such designation, the vote of a majority of all of the members of the ARC, or the written consent of a majority of all of the members of the ARC taken without a meeting, shall constitute an act of the ARC.

Section 6.05 - No Waiver of Future Approvals. The approval or consent of the ARC to any Plans or Specifications for any work done or proposed or in connection with any other matter requiring the approval or consent of the ARC, shall not be deemed to constitute a waiver of any right to withhold approval or consent as to any Plans or Specifications or other matter whatever subsequently or additionally submitted for approval or consent by the same or a different person.

Section 6.06 - Compensation of Members. The members of the ARC shall not be entitled to compensation from the Declarant or Owners for services rendered, but shall be entitled to reimbursement for expenses incurred by them in the performance of their duties hereunder. Such reimbursement shall be determined by Declarant while it has the right to approve or disapprove the members of the ARC and thereafter by the Owners.

Section 6.07 - Inspection of Work.

(a) **Completed Work.** Inspection of completed work and correction of defects therein shall proceed as follows:

(i) Upon the completion of any Improvement for which approved Plans or Specifications are required under this Declaration, the Owner shall give written notice of completion to the ARC at the time a Certificate of Occupancy has been issued.

(ii) Within such reasonable time as the ARC may set in its Rules, but not to exceed fifteen (15) days thereafter, the ARC or its duly authorized representative may inspect such Improvement. If the ARC finds that such work was not done in strict compliance with all approved Plans and Specification submitted or required to be submitted for its prior approval, it shall notify the Owner of the Association's

Covenant Enforcement Policy in writing. The notice shall specify in reasonable detail the particulars of noncompliance, and shall require the Owner to remedy the same within a specified time period not to exceed thirty (30) days.

(iii) If, upon the expiration of the specified time period from the date of such notification, the Owner shall have failed to remedy such noncompliance, the ARC shall notify the Board and the Owner in writing of such failure by U.S. mail.

(iv) If, upon the expiration of thirty (30) days from the date of such notification, the Owner shall have failed to remedy such noncompliance, the Board shall hold a hearing with at least ten (10) days notice to the Owner and the ARC per the Associations Covenant Enforcement Policy to determine if there is a noncompliance. Upon conclusion of the hearing at which both the Lot Owner and the ARC may present other relevant evidence, the Board shall determine if there is noncompliance, and if so, the nature thereof and the estimated cost of correcting or removing the same. If noncompliance exists, the Owner shall remedy or remove the same within a period of not more than forty-five (45) days from the date of announcement of the Board's determination. If the Owner does not comply with the Board's ruling within such period, the Board, at its option, may impose fines, remove the non-complying Improvement, and/or remedy the noncompliance, and the Owner shall reimburse the Board upon demand for all expenses incurred in connection therewith. If such expenses are not promptly repaid by the Owner to the Board, the Board shall levy an assessment against such Owner, and may impose further fines against the Improvement in question and the land upon which the same is situated for reimbursement and payment of fines, and the same shall constitute a lien upon such land and Improvement and be enforced as in this Declaration provided.

(v) If, for any reason after receipt of said written notice of completion from the Owner, the Board fails to notify the Owner of any noncompliance within the period provided above in subparagraph (iv) of Section 6.07 (a), the improvement shall be deemed to be in accordance with said approved plans and specifications.

(b) Work in Progress. The ARC shall inspect all work in progress and give notice of noncompliance as provided above in subparagraph (ii) and (iii) of Section 6.07 (a). If the Owner denies that such noncompliance exists, the procedures set out in subparagraph (iv) of Section 6.07 (a) shall be followed, except that no further work shall be done, pending resolution of the dispute, which would hamper correction of the noncompliance if the ARC shall find that such noncompliance exists. If the procedures set out in subparagraph (iv) of Section 6.07 (a) are initiated, the Board shall also have the right to inspect the work in progress to determine compliance and noncompliance.

Section 6.08 - Non-liability of ARC Members. Neither the ARC nor any member thereof shall be liable to the ARC or to any Owner or to any other Person for any loss, damage, or injury arising out of or in any way connected with the performance of the ARC's duties under this Master Declaration unless due to the willful misconduct or bad faith of the ARC or its member, as the case may be. The ARC shall review and approve or disapprove all Plans and Specifications submitted to it for any proposed Improvement including the construction, alteration, or addition thereof or thereto, solely on the basis of aesthetic considerations and the overall benefit or detriment which would result to the surrounding area and the Property generally. The ARC shall take into consideration the aesthetic aspects of the architectural designs, placement of buildings, landscaping, color schemes, exterior finishes, and materials and similar features, but shall not be responsible for reviewing, nor shall its approval of any Plans or Specifications be deemed approval thereof from the standpoint of structural safety, engineering soundness, or conformance with building or other codes.

Section 6.09 - Variance. The ARC may recommend to the Board variances from any of the architectural provisions of this Declaration, including restrictions on heights, bulk, size, shape, floor area, land area, placement of structures, set-backs, colors, materials, or similar restrictions when circumstances such as topography, natural obstructions, hardship, or aesthetic or environmental considerations may, in its sole and absolute discretion, warrant. The Board may, in whole or in part, concur with the proposed variance. If for any reason, the Board fails to approve or deny the variance after receipt by the Board of the ARC's approval recommendation, and no written objections are received from the owner(s) of the adjacent lots after at least ten (10) days of written notice, the variance shall be considered approved. If an objection is received, the Board may consider and grant in whole or in part, or deny a variance, after a hearing with at least ten (10) days written notice. If such a variance is granted, no violation of the covenants, conditions, or restrictions contained in this Declaration shall be deemed to have occurred with respect to the matter for which the variance was granted. The granting of this variance shall not operate to waive any of the terms and provisions of this Declaration for any other purpose, except as to the particular property, the particular provision, and in the particular

circumstance(s) covered by the variance.

Section 6.10 - Obligations With Respect to Zoning and Subdivisions. The ARC shall require all Persons to comply fully with the Planning and Zoning Department Regulations enacted by the County of Adams, Colorado, as outlined in the County's Development Manual, insofar as the same is applicable and as the same may hereafter be amended. Where an ARC approval and the County's Regulations conflict, the more restrictive shall govern.

ARTICLE VII - ARCHITECTURAL REQUIREMENTS

Section 7.01 - Minimum Structure Size. Residential structures shall have a minimum square footage requirement as measured by the outside wall dimensions. Porches, decks, garages, patios or breezeways shall not be utilized in the calculation of the square footage requirements. The minimum size requirements shall be as follows:

- (a) Ranch: at least 1,800 square feet finished main floor.
- (b) Two-story or Bi-level: 1,500 square feet finished main floor and 600 square feet additional minimum where 50 percent (50%) wall area minimum is exposed.
- (c) Tri-level: 1,500 square feet ground floor and one adjacent level finished combined; 2,100 square feet total combined finished minimum.
- (d) Full or partial basement required. Slab on grade construction not allowed.
- (e) Attached minimum 2 car garages with a concrete floor shall be required for all residences. Said garage shall be a minimum of 400 square feet.
- (f) All houses shall have a covered front porch with a minimum size of 60 square feet.
- (g) The maximum height of the home shall be 35', and the maximum height of an outbuilding shall be 25' or the height of the home whichever is greater.

Section 7.02 - Integrity of Materials. Certain material standards shall be required to assure consistent and long-term property values within the subdivision. These shall be as follows:

- (a) Wood frame, ¾" glass vinyl clad frame or fiberglass style windows shall be required. A minimum of dual pane construction is required. New technology shall be allowed as it becomes available if it meets the intent of the above.
- (b) Insulation shall be a minimum of R-19 exterior walls and R-38 attic insulation.
- (c) No vinyl exterior siding allowed.

Section 7.03 - Exterior Appearance.

(a) Exterior paint or stain colors shall be approved by the ARC prior to construction. Generally, earth tones shall be required. Lot owners shall be responsible for the timely upkeep and maintenance of exterior surfaces.

(b) All roof lines shall have a minimum of 24" eave overhang, a 6/12 pitch, and a minimum of 16" dormer and gable ends. All homes shall have roofing material with a minimum of 30 year guarantee.

(c) Prohibited: Mobile, earthen, A-frame, dome style, and other home styles which the ARC feels would detract substantially from the architectural quality of the adjacent lots.

(d) Fences. All fencing is subject to approval by the ARC. Fencing may be built along and to a Lot's property lines, except to those property lines with an Equestrian Easement. Along these Lot property lines, fences may only be constructed up to the boundary line of the Equestrian Easement. Other standards and restrictions on fencing are as follows:

- (i) Privacy fences shall be permitted to a maximum of 72 inches (6 feet), and shall not extend

past the front of the residence. The area to be enclosed shall be approved by the ARC and shall not be allowed as perimeter fencing.

(ii). Chain link over 48 inches (4 feet) in height is prohibited, except dog runs by ARC approval and the two temporary storage areas as outlined in Section 4.01 hereof shall be allowed up to a maximum of 72 inches (6 feet) in height chain link fencing.

(iii) All fencing shall require the approval of the ARC of its design, type, and location.

(e) Landscaping. All homes shall have at least 2-two-inch caliper deciduous trees and 2 evergreen trees. All homes shall have a minimum 1, 200 square feet of landscaped area, including natural grass, between the front property lines and front of the residence with low water landscape consumption planting being encouraged, unless a detailed xeriscape plan is approved by the ARC. An approved xeriscape plan, or landscaping conforming to the above standards, shall be completed within 12 months of occupancy. All other non-irrigated areas, where the natural grass has been compromised, shall be reseeded with non-irrigated native grasses within 6 months of occupancy to minimize soil and water erosion. All irrigated, xeriscape (if approved), and non-irrigated areas shall be kept in an attractive weed free condition, and replanting shall occur as needed to maintain an attractive weed free appearance. Non-irrigated grass areas shall also be mowed whenever grasses exceed 12" in height to minimize fire danger.

(f) Setbacks:

Front Lot Line – 50 feet minimum

Side Lot Line – 30 feet minimum (50 feet abutting a street)

Rear Lot Line – 50 feet minimum (50 feet from an Equestrian Easement)

(g) Decks, roof overhangs and building appurtenances may extend into setbacks 4 feet maximum.

(h) Horizontal off-set: On all homes, the surface of the wall from one corner of the building to the next shall be broken at least once on a minimum of two of the facades or elevations of the building by a change in direction and then a return to the original direction.

(i) All homes shall have at least three of the following qualities:

1. Architectural detail around all windows.
2. Provision of covered walkways.
3. Provision of bay windows.
4. Provision of dormer windows.
5. The use of textured concrete, exposed aggregate or flagstone for all walks.
6. At least one roof break (roofs that turn a corner or change elevation.)
7. Provisions of a covered patio containing a minimum of 120 square feet.
8. Twenty percent (20%) brick, decorative rock, stucco, or some other similarly decorative wall surface visible from front Lot line (and abutting street side for a corner lot).

(j) Outbuildings, Detached Garages, and Barns. Two (2) maximum, not counting up to two (2) sheds totaling 200 square feet or less:

1. Must have exterior color similar to residence.
2. Must be located a minimum of 20 feet behind the farthest rear point of the residence and a minimum of 25 feet from any property line or Equestrian Easement.
3. Outside storage around outbuildings is prohibited except feed for animals, covered and/or screened in a manner approved by the ARC.

4. 1,000 square feet/acre of the lot maximum for all outbuildings, including barns and detached garages, to a maximum of three thousand (3,000) square feet for Lots of less than 5 acres, whichever is less, and to a maximum of 5,000 square feet for Lots of 5 acres or more, not counting up to 2 sheds totaling 200 square feet or less. The maximum height of an outbuilding shall be 25 feet or the height of the home whichever is greater. No building shall have a length three times more than the width.

(k) Vehicles parked outside shall be licensed and operable. Boats, campers, etc., except to unload or hook-up, shall not be parked/stored on driveway or other area in front of the home, but shall be stored behind a screened fence with a minimum height of 72 inches (6 feet) or within an outbuilding.

ARTICLE VIII – SPECIAL AND RESERVED DECLARANT RIGHTS

Section 8.01 - Development Rights and Special Declarant Rights. The Declarant reserves, through seven years after the recording of this Declaration, the following Development Rights and Special Declarant Rights:

(a) the right to redesignate uses, to relocate boundaries between Lots, enlarge the Common Elements, reduce or diminish the size of areas of the Common Elements, subdivide Lots or complete or make improvements, as the same may be indicated on Maps or plats filed of record or filed with the Declaration;

(b) the right to create or construct additional Lots, Common Elements and Limited Common Elements, to subdivide Lots and to convert Lots into Common Elements or to convert Common Elements into Lots;

(c) the right to add Lots and to subject all or any part of the property described in Exhibit A and Exhibit B attached hereto and hereby incorporated by reference and additional unspecified real estate to the provisions of this Declaration upon the substantial completion of improvements on any portion of that property;

(d) the right to amend the use restrictions included in this Declaration, together with the right to add new use restrictions;

(e) the right to withdraw all or any part of the Property from the Community, provided portions of the Property included within a building cannot be withdrawn once the Lot(s) is conveyed to an owner other than the Declarant;

(f) the right to make amendments to the Declaration or other Governing Documents to meet or comply with any requirements of FHA or VA;

(g) the right to exercise any development rights reserved or allowed in the Act;

(h) the right to use, and to permit others to use, easements through the Common Elements, as may be reasonably necessary;

(i) the right to appoint or remove any officer of the Association or any director during the Declarant Control period;

(j) the right to exercise any additional reserve right created by any other provision of this Declaration;

(k) the right to amend the Declaration in connection with the exercise of any development right; and

(l) the right to amend the Maps or plat in connection with the exercise of any development right.

Section 8.02 - Additional Reserved Rights. In addition to the rights set forth above, Declarant also reserves the following additional rights:

(a) **Sales.** The right to maintain mobile and other sales offices, parking lots, management offices and models in the Community or on the Common Elements.

(b) **Signs.** The right to maintain signs and advertising Lots within the Community for sale.

(c) **Dedications.** The right to establish, from time-to-time, by dedication or otherwise, public streets, utility and other easements for purposes including, but not limited to, public access, access paths, walkways, drainage, recreation areas, parking areas, ducts, shafts, flues, conduit installation areas, and to create other

reservations, exceptions and exclusions.

(d) **Use Agreements.** The right to enter into, establish, execute, amend, and otherwise deal with contracts and agreements for the use, lease, repair, maintenance or regulations of parking and/or recreational facilities and/or Common Elements, which may or may not be a part of the Community.

(e) **Construction Easement.** Declarant and its assignees expressly reserve the right to perform warranty work, and repairs and construction work, and to store materials in secure areas, and in Common Elements, and the future right to control such work and repairs and the right of access thereto, until completion. All work may be performed without the consent or approval of any Owner or holder of a security interest. Declarant and its assignees have such an easement through the Common Elements as may be reasonably necessary for exercising reserved rights in this Declaration. Such easement includes the right to construct underground utility lines, pipes, wires, ducts, conduits, and other facilities across the Property.

(f) **Access Easement.** Declarant and its successors and assigns shall have an access easement to and from and real property accessible through the Community.

(g) **Other Rights.** The right to exercise any additional reserved right created by any other provision of this Declaration.

Section 8.03 - Rights Transferrable/Rights Transferred . Any rights created or reserved under this Article or the Act for the benefit of Declarant may be transferred to any person by an instrument describing the rights transferred recorded in the real property records of Adams County. Such instrument shall be executed by the transferor Declarant and the transferee. The rights transferred may then be exercised in compliance with the requirements of C.R.S. § 38-33.3-210 and C.R.S. § 38-33.3-209(6) without the consent of the Association, any Owners or any holders of a security interest in a Lot. Any rights created or reserved under this Article or the Act for the benefit of Declarant may also be transferred to the Association by an instrument describing the rights transferred recorded in the real property records of Adams County. Such instrument shall be executed by the transferor Declarant and the Association as transferee. The rights transferred may then be exercised by the Association in compliance with the requirements of C.R.S. § 38-33.3-210 and C.R.S. § 38-33.3-209(6) with the consent of the appropriate Owner or any holders of a security interest(s) on the Lot.

Section 8.04 - No Further Authorizations Needed . The consent of Owners or holders of security interests shall not be required for exercise of any reserved rights, and Declarant or its assignees may proceed without limitation at its sole option. Declarant or its assignees may exercise any reserved rights on all or any portion of the property in whatever order determined. Declarant or its assignees shall not be obligated to exercise any reserved rights or to expand the Community beyond the number of Lots initially submitted.

Section 8.05 - Amendment of the Declaration or Map. If Declarant or its assignees elect to exercise any reserved rights with respect to amendments of the Declaration and/or Map, that party shall comply with the Act.

Section 8.06 - Interpretation. Recording of amendments to the Declaration and the Map or plat pursuant to reserved rights in this Declaration shall automatically effectuate the terms and provisions of that amendment. Further, upon the recording of an amendment to the Declaration, the definitions used in this Declaration shall automatically be extended to encompass and to refer to the Community as expanded and to any Additional Improvements, and the same shall be added to and become a part of the Community for all purposes. All conveyances of Lots after such amendment is recorded shall be effective to transfer rights in all Common Elements, whether or not reference is made to any Amendment of the Map. Reference to the Declaration and Map in any instrument shall be deemed to include all Amendments to the Declaration, and the Map without specific reference thereto.

Section 8.07 - Construction. Subsequent to the initial Property and improvements made subject to this Declaration, any additional buildings, structures and types of improvements to be placed on the Property or any part thereof may be of such quality and type as the persons developing the same may determine, and those improvements need not be of the same quality or type as the Improvements previously constructed on the Property, nor of the same size, style or configuration. The improvements may be located anywhere in the Common Elements of the Community, the same being reserved for future development, or on the additional Property as may be added or as shown on the Map.

Section 8.08 - Termination of Reserved Rights. The rights reserved to Declarant, for itself, its successors and assigns, shall expire as set forth above or in the Act, unless (i) reinstated or extended by the Association, subject to whatever terms, conditions, and limitations the Executive Board may impose on the subsequent exercise of the expansion rights by Declarant, (ii) extended as allowed by law or, (iii) terminated by written instrument executed by the Declarant, recorded in the records of the Clerk and Recorder of Adams County, State of Colorado.

Section 8.09 - Additions by Others. Additions of Lots to the Community may be made by others than the Declarant, upon approval of the Association pursuant to a vote of a majority of a quorum of its members and upon approval of 2/3 of the Eligible Holders of first lien security interests. Such approval by the members and Eligible Holders of first lien security interests shall be evidenced by a certified copy of such resolution of approval and a supplement or amendment to this Declaration, both recorded in records of the Clerk and Recorder of Adams County, State of Colorado.

ARTICLE IX - EASEMENTS

Section 9.01 - Maintenance Easement. An easement is hereby granted to the Association, its officers, agents, and employees to enter in or to cross over the Common Area and any Lot to perform the duties of operation, installation, maintenance, repair and replacement of the Lot, Drainage Facilities or Common Elements provided for in this Declaration.

Section 9.02 - Utilities. Easements for installations and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat(s) of the Community and on the approved drainage study. All utilities shall be installed underground, except for those noted in Section 3.05 above. Within these easements, no structure, planting or material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may change the direction of flow of drainage channels in the easements, or which may obstruct or retard the flow of water through drainage channels in the easements. The easement area of each Lot and all improvements in it shall be maintained continuously by the Owner of the Lot, except for those improvements for which the public authority or utility company is responsible

ARTICLE X - MISCELLANEOUS

Section 10.01 - Term. This Declaration shall be covenants running with the land and have perpetual duration unless terminated pursuant to the terms of the Act.

Section 10.02 - Notices. Any notice permitted or required by the Master Declaration shall be in writing and may be delivered either personally or by mail. If delivery is made by mail, it shall be deemed to have been delivered on the third day after, a copy of the same has been deposited in the United States Mail, postage prepaid, addressed to the Person at the address given by such Person to the Master Association for the purpose of service of notices, or to the residence of such person if no address has been given to the Association. Such address may be changed from time to time by notice in writing given by such person to the Association.

Section 10.03 - Interpretation. The provisions of this Master Declaration shall be liberally construed to effectuate their purposes of creating a uniform plan for the development and operation of the property and of promoting and effectuating the fundamental concepts of Declarant, as set forth in the Recitals and Declaration of this Master Declaration. This Declaration shall be construed and governed under the laws of the State of Colorado.

Section 10.04 - Enforcement and Non-Waiver.

(a) Right of Enforcement. Except as otherwise provided herein, any Owner at his own expense, Declarant, and the Committee shall have the right to enforce all of the provisions of restrictions against any property within The Grasslands at Comanche Subdivision and the owners thereof. Such right of enforcement shall include both damages, including legal fees and costs for, and injunction relief against the breach of any such provision. The right of any Owner to so enforce such provisions shall be equally applicable without regard to whether the land (or other interest) of the Owner seeking such enforcement or the land (or other interest) whereon or with respect to which a violation of such provisions is determined to exist. Fines may only be imposed after adoption by the Board of a Fine Schedule to include a procedure for imposition of fines.

(b) Violation a Nuisance. Every act or omission whereby any provision of the restrictions is violated in whole or in part is hereby declared to be a nuisance and may be enjoined or abated by any Owner at his own expense or the Association at their expense, whether or not the relief sought is for negative or affirmative action. However, only Declarant, and the Association and the duly authorized agents of either of them may enforce by self-help any of the provisions of the restrictions, and then only if such self-help is preceded by reasonable notice to the Owner in question.

(c) Violation of Law. Any violation of any Federal, State or local law, ordinance, or regulation pertaining to the ownership, occupancy or use of any property within The Grasslands at Comanche Subdivision is hereby declared to be a violation of the restrictions and subject to all of the enforcement procedures set forth in said restrictions.

(d) Remedies Cumulative. Each remedy provided by the restrictions is cumulative and not exclusive.

EXHIBIT A

Part of Section 33, Township 2 South, Range 62 West of the sixth principal meridian, County of Adams, State of Colorado, also known as The Grasslands at Comanche Subdivision.

UNOFFICIAL COPY

**EXHIBIT B
EXPANSION PROPERTIES**

Part of Section 28, Township 2 South, Range 62 West of the sixth principal meridian, County of Adams,
State of Colorado.

UNOFFICIAL COPY

EXHIBIT C

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UNOFFICIAL COPY

**EXHIBIT D
GRASSLANDS AT COMANCHE PRESERVE**

Part of Section 33, Township 2 South, Range 62 West of the sixth principal meridian, County of Adams,
State of Colorado, also known as The Grasslands at Comanche Subdivision.

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**EXHIBIT E
EASEMENTS**

Part of Section 33, Township 2 South, Range 62 West of the sixth principal meridian, County of Adams, State of Colorado, also known as The Grasslands at Comanche Subdivision.

UNOFFICIAL COPY

Name: Property : 1 PARCEL D (SIXTH FILING) CLOSURE 12-31-2015

North: 717.0667' East: 5889.2835'

✓ Segment #1 : Line Course: N00°05'51"E Length: 290.890' ✓
North: 1007.9562' East: 5889.7785'

✓ Segment #2 : Line Course: N89°54'09"W Length: 40.000' ✓
North: 1008.0243' East: 5849.7786'

✓ Segment #3 : Line Course: N59°07'18"W Length: 688.832' ✓
North: 1361.5444' East: 5258.5823'

Segment #4 : Curve Length: 195.333' Radius: 190.000' Delta: 058°54'14" Tangent:
107.287'

✓ Chord: 186.844' Course: S60°19'49"W
Course In: N59°07'18"W Course Out: S00°13'04"E
RP North: 1459.0556' East: 5095.5131'
End North: 1269.0570' East: 5096.2353'

✓ Segment #5 : Line Course: S89°46'56"W Length: 134.999'
North: 1268.5438' East: 4961.2372'

✓ Segment #6 : Line Course: N00°13'04"W Length: 358.916'
North: 1627.4572' East: 4959.8730'

✓ Segment #7 : Line Course: S89°46'56"W Length: 309.002'
North: 1626.2827' East: 4650.8733'

✓ Segment #8 : Line Course: S00°13'04"E Length: 358.916' ✓
North: 1267.3693' East: 4652.2375'

✓ Segment #9 : Line Course: S89°46'56"W Length: 134.999' ✓
North: 1266.8562' East: 4517.2394'

Segment #10 : Curve Length: 142.042' Radius: 190.000' Delta: 042°50'02" ✓ Tangent:
74.525'

✓ Chord: 138.758' Course: N68°48'03"W
Course In: N00°13'04"W Course Out: S42°36'58"W
RP North: 1456.8548' East: 4516.5173'
End North: 1317.0326' East: 4387.8715'

✓ Segment #11 : Line Course: S42°36'58"W Length: 621.896'
North: 859.3751' East: 3966.7964'

✓ Segment #12 : Line Course: N00°13'04"W Length: 252.815'
North: 1112.1883' East: 3965.8354'

Segment #13 : Line Course: S89°46'56"W Length: 278.013' ✓
North: 1111.1316' East: 3687.8244'

Segment #14 : Line Course: N00°13'04"W Length: 450.726' ✓
North: 1561.8543' East: 3686.1112'

Segment #15 : Line Course: N89°46'56"E Length: 308.503' ✓
North: 1563.0269' East: 3994.6120'

Segment #16 : Line Course: N00°13'04"W Length: 401.846' ✓
North: 1964.8700' East: 3993.0846'

Segment #17 : Line Course: S89°46'56"W Length: 43.503' ✓

North: 1964.7047' East: 3949.5819'

Segment #18 : Line Course: N00°13'04"W Length: 60.000'
North: 2024.7042' East: 3949.3539'

Segment #19 : Curve Length: 113.858' Radius: 325.000' Delta: 020°04'21" Tangent:
57.518'

Chord: 113.276' Course: S79°44'45"W
Course In: S00°13'04"E Course Out: N20°17'25"W
RP North: 1699.7066' East: 3950.5892'
End North: 2004.5396' East: 3837.8868'

Segment #20 : Line Course: N20°17'25"W Length: 231.568'
North: 2221.7383' East: 3757.5845'

Segment #21 : Line Course: N20°17'25"W Length: 310.943'
North: 2513.3866' East: 3649.7568'

542.511'

Segment #22 : Line Course: S52°55'29"W Length: 463.948'
North: 2233.6892' East: 3279.5986'

Segment #23 : Line Course: S00°13'24"W Length: 1526.573'
North: 707.1278' East: 3273.6482'

Segment #24 : Line Course: N89°46'56"E Length: 2615.656'
North: 717.0697' East: 5889.2853'

Perimeter: 10333.774' Area: 2013511.93 Sq. Ft. 46.223874 AC
Error Closure: 0.0035 Course: N29°38'07"E
Error North: 0.00304 East: 0.00173
Precision 1: 2952507.714

GRASSLANDS AT COMANCHE - SIXTH FILING, PRELIMINARY PLAT

A PART OF THE SOUTH ONE-HALF OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.

CASE NO: PLT2021-00028

SHEET 1 OF 5
VICINITY MAP

OWNERSHIP AND DEDICATION CERIFICATE:

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BEING THE OWNER OF THAT PART OF THE SOUTH ONE-HALF OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 33, THENCE S89°46'56"W ALONG THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 33, A DISTANCE OF 30.00 FEET; THENCE N00°05'51"E PARALLEL WITH THE EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 33, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N00°05'51"E A DISTANCE OF 290.89 FEET; THENCE N89°54'09"W A DISTANCE OF 40.00 FEET; THENCE N59°07'18"W A DISTANCE OF 688.83 FEET TO A POINT ON A CURVE TO THE RIGHT, THE DELTA OF SAID CURVE IS 58°54'14", THE RADIUS OF SAID CURVE IS 190.00 FEET; THE CHORD OF SAID CURVE BEARS S60°19'49"W, 186.84 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 195.33 FEET TO THE END OF SAID CURVE, THENCE S89°46'56"W A DISTANCE OF 135.00 FEET; THENCE N00°13'04"W A DISTANCE OF 358.92 FEET; THENCE S89°46'56"W A DISTANCE OF 309.00 FEET; THENCE S00°13'04"E A DISTANCE OF 358.92 FEET; THENCE S89°46'56"W A DISTANCE OF 135.00 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, THE DELTA OF SAID CURVE IS 42°50'02", THE RADIUS OF SAID CURVE IS 190.00 FEET; THE CHORD OF SAID CURVE BEARS N68°48'03"W, 138.76 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 142.04 FEET; THENCE S42°36'58"W A DISTANCE OF 621.90 FEET; THENCE N00°13'04"W A DISTANCE OF 252.81 FEET; THENCE S89°46'56"W A DISTANCE OF 278.01 FEET; N00°13'04"W A DISTANCE OF 450.73 FEET THENCE N89°46'56"E A DISTANCE OF 308.50 FEET; THENCE N00°13'04"W A DISTANCE OF 401.85; THENCE S89°46'56"W A DISTANCE OF 43.50 FEET; THENCE N00°13'04"W A DISTANCE OF 60.00 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THE DELTA OF SAID CURVE IS 20°04'21", THE RADIUS OF SAID CURVE IS 325.00 FEET; THE CHORD OF SAID CURVE BEARS S79°44'45"W, 113.28 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 113.86 FEET; THENCE N20°17'25"W A DISTANCE OF 542.51 FEET; THENCE S52°55'29"W A DISTANCE OF 463.95 FEET; THENCE S00°13'24"W A DISTANCE OF 1526.57 FEET TO A POINT ON A LINE 30.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 33; THENCE N89°46'56"E PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 2615.66 FEET TO THE POINT OF BEGINNING. CONTAINS 46.224 ACRES MORE OR LESS.

HAS BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS, TRACTS, BLOCKS, STREETS AND EASEMENTS, AS SHOWN ON THIS PLAT, UNDER THE NAME AND STYLE OF GRASSLANDS AT COMANCHE - SIXTH FILING - PRELIMINARY PLAT AND DO HEREBY DEDICATE TO THE COUNTY OF ADAMS, STATE OF COLORADO, FOR THE USE OF THE PUBLIC, ALL STREETS, AND OTHER PUBLIC WAYS AND LANDS AS SHOWN ON THIS PLAT, FOREVER, AND ALSO GRANT THE EASEMENTS AS SHOWN, LABELED AS UTILITY EASEMENTS ON THIS PLAT, FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES, INCLUDING BUT NOT LIMITED TO ELECTRIC LINES, GAS LINES, TELEPHONE LINES, SEWER LINES, WATER LINES; TOGETHER WITH A RIGHT TO TRIM INTERFERING TREES AND BRUSH, TOGETHER WITH A PERPETUAL RIGHT INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF SUCH LINES; SAID EASEMENTS AND RIGHTS TO BE UTILIZED IN A RESPONSIBLE AND PRUDENT MANNER. EXECUTED THIS _____ DAY OF _____, 20_____.

DAVE REBOL, AS MANAGER FOR GRASSLANDS AT COMANCHE LLC, A COLORADO LIMITED LIABILITY COMPANY

ACKNOWLEDGEMENT:

COUNTY OF ADAMS)
)SS
STATE OF COLORADO)

THE FOREGOING WAS ACKNOWLEDGED BY ME THIS _____ DAY OF _____, 20_____, BY DAVE REBOL, MANAGER, GRASSLANDS AT COMANCHE LLC, A COLORADO LIMITED LIABILITY COMPANY.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

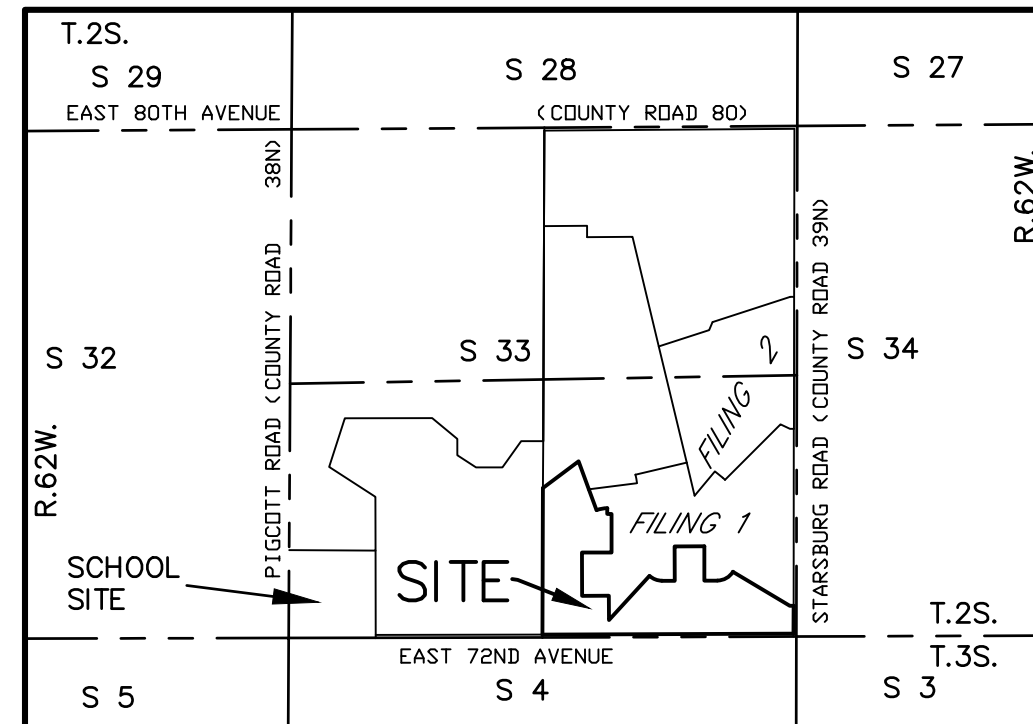
BASIS FOR BEARINGS:

THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER (THE SOUTH ¼ CORNER IS A 2" ALUMINUM CAP, P.L.S. 18475 AND THE SOUTHEAST CORNER IS A 3-1/4" ALUMINUM CAP, L.S. 23519, IN RANGE BOX) OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, IS ASSUMED TO BEAR SOUTH 89°46'56" WEST. ALL BEARINGS DESCRIBED HEREIN ARE RELATIVE THERETO.

NOTICE:

ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATED OF THE CERTIFICATION SHOWN HEREON.

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY R.W. BAYER & ASSOCIATES, INC. OF THE PROPERTY SHOWN AND DESCRIBED HEREIN TO DETERMINE OWNERSHIP OF THE TRACT OF LAND, COMPATIBILITY OF THIS DESCRIPTION WITH THOSE OF ADJACENT TRACTS OF LAND OR RIGHTS-OF-WAY, EASEMENTS OR ENCUMBRANCES OF RECORD AFFECTING THIS TRACT OF LAND. R.W. BAYER & ASSOCIATES, INC. HAS RELIED UPON FIDELITY NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. F0721209-340-KH7, DATED JULY 28, 2021, FOR OWNERSHIP AND FOR THE PURPOSE OF SHOWING RECORDED EASEMENTS AND RIGHT-OF-WAY THAT CAN BE PLOTTED ACROSS THE PREMISES. THE PREMISES IS SUBJECT TO THE EXCEPTIONS CONTAINED IN SCHEDULE B - SECTION 2 OF THE TITLE COMMITMENT.



PLAT NOTES:

- AS SHOWN ON THIS PLAT: TEN-FOOT (10') WIDE UTILITY (FIVE FOOT ON EACH SIDE) EASEMENTS ARE HEREBY GRANTED ON PRIVATE PROPERTY ALONG COMMON SIDE AND REAR LOT LINES. THESE EASEMENTS ARE DEDICATED FOR THE INSTALLATION, MAINTENANCE AND REPLACEMENT OF ELECTRIC, GAS, TELEVISION CABLE, AND TELECOMMUNICATIONS FACILITIES. UTILITIES SHALL ALSO BE PERMITTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS IN THE SUBDIVISION. PERMANENT STRUCTURES AND WATER METERS SHALL NOT BE PERMITTED WITHIN SAID EASEMENTS.
- AS SHOWN ON THIS PLAT: FIFTEEN FOOT WIDE (15') WIDE DRY UTILITY AND DRAINAGE EASEMENTS ADJOINING ALL EXTERIOR AND INTERIOR STREETS ARE DEDICATED FOR THE INSTALLATION, MAINTENANCE AND REPLACEMENT OF ELECTRIC, TELEVISION CABLE, AND TELECOMMUNICATIONS AND DRAINAGE FACILITIES, ADDITIONALLY, THE DRY UTILITY AND DRAINAGE EASEMENTS ARE DEDICATED ALONG ALL SIDE AND REAR LOT LINES UNLESS SAID LOT LINE IS COMMON TO MORE THAN ONE LOT.
- 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 OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE FACILITIES INCLUDING INLETS, PIPES, CULVERTS, CHANNELS, DITCHES HYDRAULIC STRUCTURES, AND DETENTION BASINS LOCATED ON THEIR LAND UNLESS MODIFIED BY SUBDIVISION DEVELOPMENT AGREEMENT. REFER TO THE APPROVED DRAINAGE FACILITIES MAINTENANCE PLAN, RECEPTION NO. 2017000017306, ADAMS COUNTY RECORDS. SHOULD THE OWNER FAIL TO ADEQUATELY MAINTAIN SAID FACILITIES, THE COUNTY SHALL HAVE THE RIGHT TO ENTER SAID LAND FOR THE SOLE PURPOSE OF OPERATIONS AND MAINTENANCE. ALL SUCH MAINTENANCE COSTS WILL BE ASSESSED TO THE PROPERTY OWNER.
- THIS PLAN HAS BEEN APPROVED BY ADAMS COUNTY AND CREATES A VESTED PROPERTY RIGHT PURSUANT TO C.R.S. 24-68-101, ET SEQ., AS AMENDED, AND THE ADAMS COUNTY DEVELOPMENT STANDARDS AND REGULATIONS.
- ADAMS COUNTY SHALL BE GRANTED ACCESS EASEMENTS FOR TEMPORARY CUL-DE-SACS AS SHOWN ON THIS PLAT, WITHIN PORTIONS OF LOTS DEPICTED HEREIN. TERM OF THE ACCESS EASEMENTS SHALL BE UNTIL ROADWAY INFRASTRUCTURE IS CONSTRUCTED BEYOND THE TEMPORARY TERMINUS OF THE ACCESS EASEMENT/TEMPORARY CUL-DE-SAC AND HAS RECEIVED FINAL ACCEPTANCE FROM ADAMS COUNTY.
- THE FIRST AMENDMENT TO SURFACE USE AGREEMENT AS RECORDED 01-20-2021 IN RECEPTION NO. 2021000005800, ADAMS COUNTY RECORDS, QUITCLAIMED ALL INTEREST ANADARKO MAY HAVE UNDER THE SUA (RECORDED IN RECEPTION NO. 2007000052861) TO THE OIL AND GAS OPERATIONS AREAS. ADDITIONALLY, THE SUA IS AMENDED TO DELETE ALL OIL AND GAS OPERATIONS AREAS WITHIN THE SW4, NE4, AND SE4 OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62 WEST OF THE 61H P.M., COUNTY OF ADAMS, STATE OF COLORADO.

Prepared By:

R. W. BAYER & ASSOCIATES, INC.
2090 East 104th Avenue, S-200
Thornton, Colorado 80233
303-452-4433 rwbysurveying@hotmail.com
CAD FILE: 21161-6P/21161-6P.DWG

Date Prepared: AUGUST 06, 2021
REVISED: 11-02-21 1ST COUNTY COMMENTS

PLAT NOTES CONTINUED:

- THE 300' WAVIER AREA, 250' BUILDING EXCLUSION ZONE, 200' OPERATIONS EASEMENT, 30' ACCESS EASEMENT, 50' TEMPORARY CONSTRUCTION EASEMENT AND 30' PIPELINE EASEMENT AS SHOWN IN THE SUA DOCUMENT AND IN GRASSLANDS AT COMANCHE - FIRST FILING, RECORDED IN RECEPTION NO. 2017000080372, ADAMS COUNTY RECORDS, NO LONGER HAVE AFFECT AND HAVE BEEN REMOVED FROM THIS PLAT FILING.
- IN THE EVENT THAT AN EXISTING WELL IS PLUGGED AND ABANDONED, THE TWO-HUNDRED-FIFTY (250) FOOT EASEMENT MAY BE REMOVED FROM THE PLAT THROUGH AN AMENDMENT TO THE SUBDIVISION. A COPY OF THE WELL ABANDONMENT REPORT SHALL BE PROVIDED ALONG WITH A RECORDED COPY OF THE OIL & GAS WELL WAIVER.
 - THE AMOUNT OF WATER IN THE DENVER BASIN AQUIFER, AND IDENTIFIED IN THE REFERENCED LETTER, ARE CALCULATED BASED ON ESTIMATED CURRENT AQUIFER CONDITIONS. FOR PLANNING PURPOSES PROPERTY OWNERS SHOULD BE AWARE THAT THE ECONOMIC LIFE OF A WATER SUPPLY BASED ON WELLS IN A GIVEN DENVER BASIN AQUIFER MAY BE LESS THAN THE 300 YEAR USED FOR ALLOCATION DUE TO ANTICIPATED WATER LEVEL DECLINES.
 - IT SHOULD BE KNOWN THE CITY OF WESTMINSTER OWNS THE AGRICULTURAL LAND EAST (ACTUALLY NORTHEAST) OF THE COMANCHE PUD. THE CITY USES THIS PROPERTY FOR CATTLE GRAZING, CROP PRODUCTION, AND THE APPLICATION OF BIOSOLIDS. BIOSOLIDS ARE HIGHLY TREATED, NUTRIENT RICH, SOLIDS RECOVERED FROM THE MUNICIPAL WASTEWATER TREATMENT PROCESS.
 - THE PARCEL DESCRIBED HEREIN IS ENTIRELY WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 2% ANNUAL CHANCE FLOOD) AS SHOWN ON THE F.E.M.A., FLOOD RATE INSURANCE MAP, MAP NUMBER 08001C0730H, EFFECTIVE DATE: MARCH 5, 2007.
 - THE LOTS WITHIN THIS FILING ARE SUBJECT TO THE NOTES AND RESTRICTIONS CONTAINED IN THE GRASSLANDS AT COMANCHE PLANNED UNIT DEVELOPMENT, CASE NO. PRJ2007-00004, RECORDED IN RECEPTION NO. 2008000005062.
 - THIS SUBDIVISION FILING IS SUBJECT TO THE MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTION OF THE GRASSLANDS AT COMANCHE/BIJOU PRESERVE RECORDED IN RECEPTION NO. 2009000009415, ADAMS COUNTY RECORDS.
 - TRACT A IS DESIGNATED FOR DRAINAGE AND DETENTION POND BY THIS PLAT. IT SHALL BE OWNED AND MAINTAINED BY THE HOA.
 - TRACT B IS DESIGNATED FOR DRAINAGE AND DETENTION POND BY THIS PLAT. IT SHALL BE OWNED AND MAINTAINED BY THE HOA.

PLAT NOTES CONTINUED ON SHEET 5 OF 5.

SURVEYOR'S CERTIFICATE:

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

RAYMOND W. BAYER,
REG P.L.S. NO. 6973

DATE: _____

PLANNING COMMISSION APPROVAL:

APPROVED BY THE ADAMS COUNTY PLANNING COMMISSION THIS _____ DAY OF _____, 20_____.

CHAIR

BOARD OF COUNTY COMMISSIONERS APPROVAL:

APPROVED BY THE ADAMS COUNTY BOARD OF COUNTY COMMISSIONERS THIS _____ DAY OF _____, 20_____.

CHAIR

CERTIFICATE OF CLERK AND RECORDER

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER IN THE STATE OF COLORADO AT _____:_____. M. ON THE _____ DAY OF _____, A.D., 20_____.

By: _____ DEPUTY _____ COUNTY CLERK AND RECORDER

RECEPTION NO: _____

GRASSLANDS AT COMANCHE - SIXTH FILING, PRELIMINARY PLAT

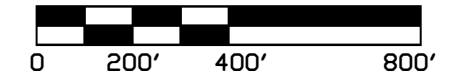
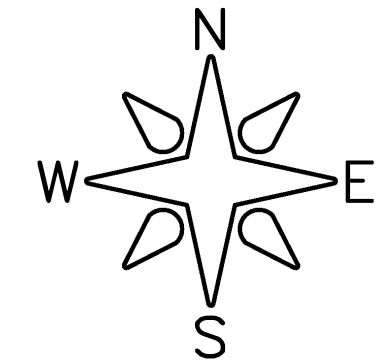
A PART OF THE SOUTH ONE-HALF OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.
SHEET 2 OF 5

CASE NO: PLT2021-00028

N. W. COR.
SEC. 33,
T. 2S.,
R. 62W.

N. ¼ COR.
SEC. 33,
T. 2S.,
R. 62W.

N. E. COR.
SEC. 33,
T. 2S.,
R. 62W.

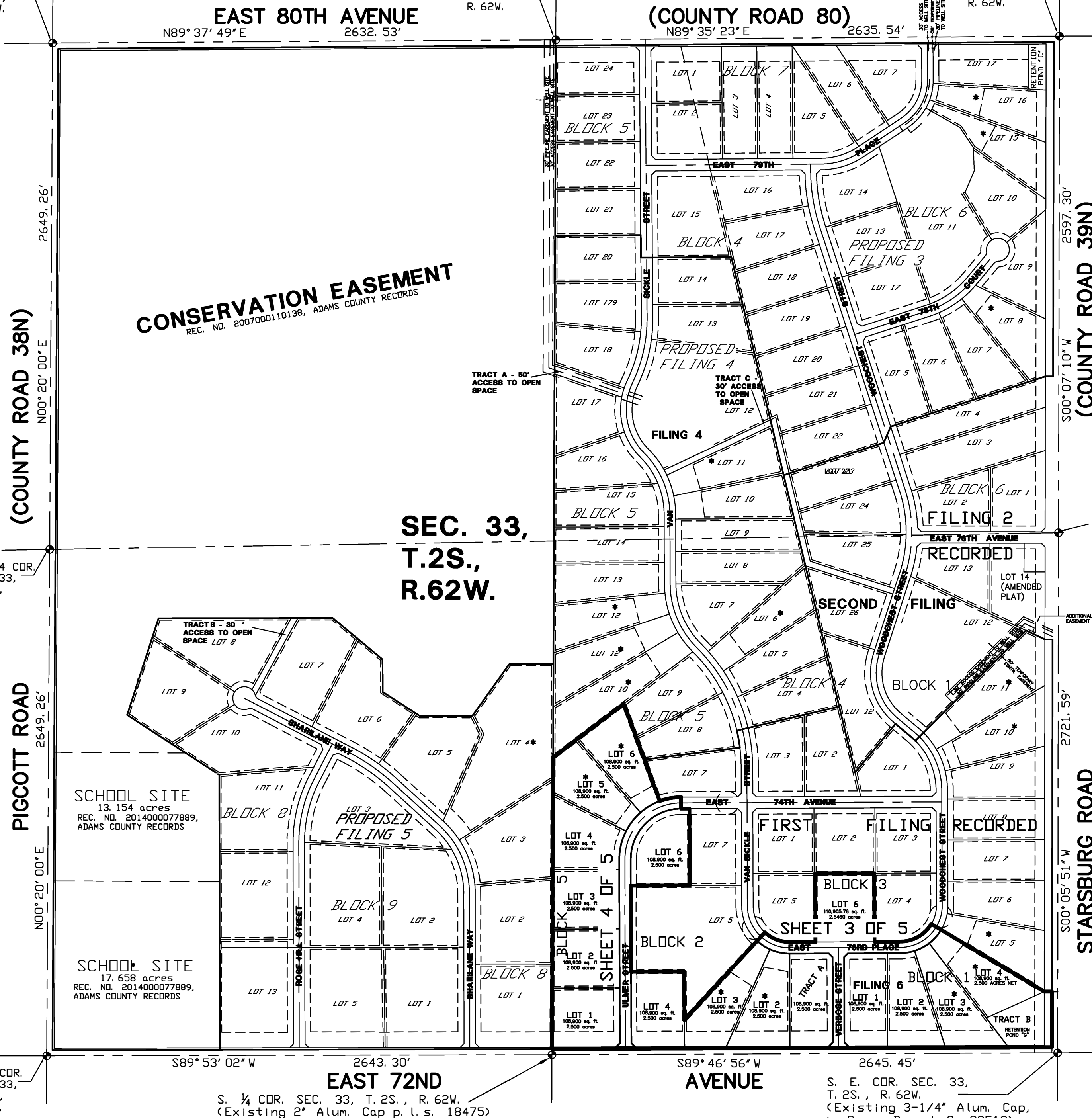


SCALE: 1"=400'

FILING NO. 1 (RECORDED) - 18 LOTS
 FILING NO. 2 (RECORDED) - 11 LOTS
 FILING NO. 2 (AMENDED) - 1 LOT
 FILING NO. 3 (PROPOSED) - 32 LOTS
 FILING NO. 4 (PROPOSED) - 24 LOTS
 FILING NO. 5 (PROPOSED) - 19 LOTS
 FILING NO. 6 (PROPOSED) - 14 LOTS
 TOTAL - 119 LOTS

* LOTS WHERE FRONT BUILDING SETBACK DETERMINED BY REQUIREMENT OF 150' LOT WIDTH AT BUILDING LINE.

GRASSLANDS AT COMANCHE - SECOND FILING IN RECEPTION NO. 200800005063
 AFFIDAVIT OF CORRECTION (SECOND FILING) IN RECEPTION NO. 2013000048277
 GRASSLANDS AT COMANCHE - SECOND FILING - AMENDED PLAT IN RECEPTION NO. 2008000071020



E. ¼ COR. SEC. 33, T. 2S., R. 62W.
 (Existing 3-¼" Alum Cap, in Range Box, P. L. S. 23519)

LAND USE CHART				
	ACREAGE	USE	OWNERSHIP	MAINTAINED BY
14 LOTS	35.547	RESIDENTIAL		
TRACT A	2.500	DRAINAGE & POND	HOA	HOA
TRACT B	1.300	DRAINAGE & POND	HOA	HOA
RIGHT-OF-WAY/ E. 72ND AVE. & STRABURG ROAD	0.858	ACCESS & UTILITY	ADAMS CO.	ADAMS CO.
RIGHT-OF-WAY/ INTERIOR STREETS	4.019	ACCESS & UTILITY	ADAMS CO.	ADAMS CO.
TOTAL ACREAGE:	46.224			

* HOA - HOMEOWNERS ASSOCIATION (NAME TBD)

Prepared By:
 R. W. BAYER & ASSOCIATES, INC.
 2090 East 104th Avenue, S-200
 Thornton, Colorado 80233
 303-452-4433 rwbysurveying@hotmail.com
 CAD FILE: 21161-6P/21161-6PA.DWG

Date Prepared: AUGUST 06, 2021
 REVISED: 11-02-21 1ST COUNTY COMMENTS
 REVISED: 03-22-22 REMOVED OIL/GAS EASE

W. 1/4 COR.
SEC. 33,
T. 2S.,
R. 62W.

S. W. COR.
SEC. 33,
T. 2S.,
R. 62W.

S. ¼ COR. SEC. 33, T. 2S., R. 62W.
 (Existing 2" Alum. Cap p. l. s. 18475)

S. E. COR. SEC. 33,
T. 2S., R. 62W.
(Existing 3-1/4" Alum. Cap,
in Range Box, L. S. 23519)

GRASSLANDS AT COMANCHE - SIXTH FILING, PRELIMINARY PLAT

A PART OF THE SOUTH ONE-HALF OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62
WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.

CASE NO: PLT2021-00028

SHEET 3 OF 5

LEGEND

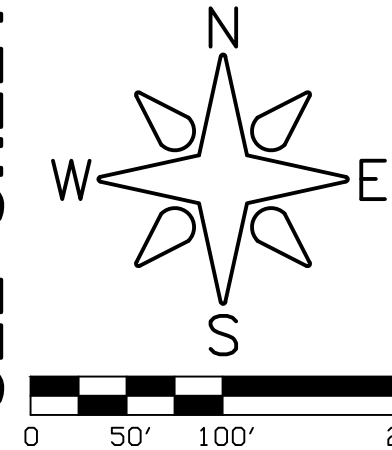
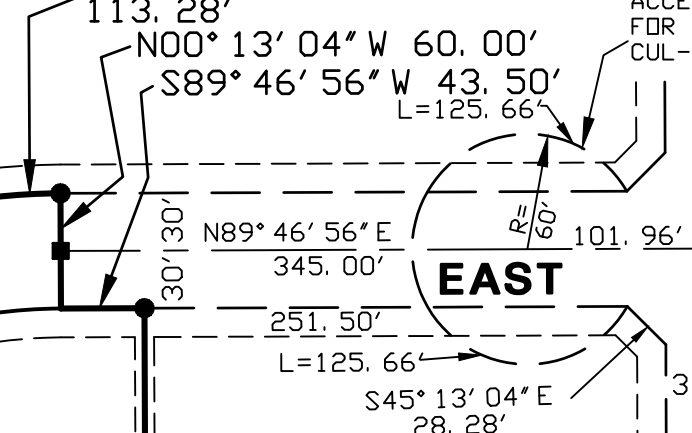
- DENOTES: FOUND #5 REBAR & CAP, BAYER - P. L. S. 6973, FLUSH WITH GROUND
- DENOTES: FOUND #5 REBAR & CAP, BAYER - P. L. S. 6973, IN MONUMENT BOX (SET AFTER CONSTRUCTION OF ROAD)
- * LOTS WHERE FRONT BUILDING SETBACK DETERMINED BY REQUIREMENT OF 150' LOT WIDTH AT BUILDING LINE.

CURVE CHART FOR DRAINAGE EASEMENT

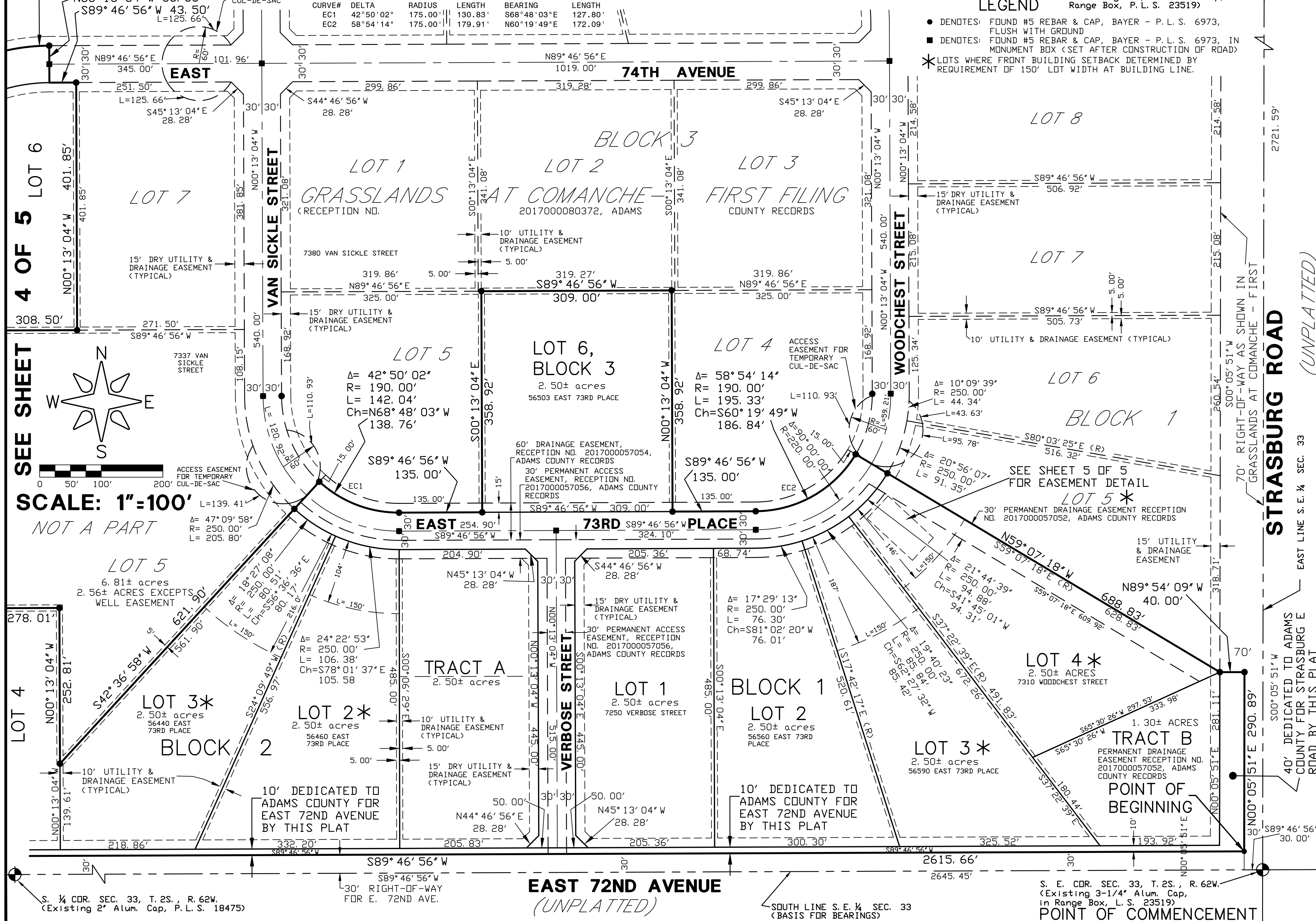
CURVE#	DELTA	RADIUS	CURVE LENGTH	CHORD	CHORD BEARING	CHORD LENGTH
EC1	42°50'02"	175.00'	130.83'	S68°48'03"E	127.80'	
EC2	58°54'14"	175.00'	179.91'	N60°19'49"E	172.09'	

E. ¼ CDR. SEC. 33, T. 2S., R. 62W.
(Existing 3-¼" Aluminum Cap, in Range Box, P. L. S. 23519)

Δ= 20°04'21"
R= 325.00'
L= 113.86'
Ch=S79°44'45"W



SCALE: 1"=100'
NOT A PART



LOT 8

BLOCK 3

GRASSLANDS AT COMANCHE - FIRST FILING
COUNTY RECORDS

LOT 7

BLOCK 1

LOT 6, BLOCK 3
2.50± acres
56503 EAST 73RD PLACE

SEE SHEET 5 OF 5 FOR EASEMENT DETAIL

LOT 5*

LOT 5

6.81± acres
2.56± ACRES EXCEPTS WELL EASEMENT

TRACT A
2.50± acres

LOT 1
2.50± acres
7250 VERBOSE STREET

BLOCK 1

LOT 2
2.50± acres
56560 EAST 73RD PLACE

LOT 4*

2.50± ACRES
7310 WOODCHEST STREET

LOT 3*

2.50± acres
56440 EAST 73RD PLACE

LOT 2*

2.50± acres
56460 EAST 73RD PLACE

LOT 3*

2.50± acres
56590 EAST 73RD PLACE

POINT OF BEGINNING

TRACT B
1.30± ACRES
PERMANENT DRAINAGE EASEMENT RECEPTION NO. 2017000057052, ADAMS COUNTY RECORDS

EAST 72ND AVENUE
(UNPLATTED)

STRASBURG ROAD
(UNPLATTED)

EAST LINE S. E. ¼ SEC. 33

40' DEDICATED TO ADAMS COUNTY FOR STRASBURG ROAD BY THIS PLAT

S. E. CDR. SEC. 33, T. 2S., R. 62W.
(Existing 3-¼" Alum. Cap, in Range Box, P. L. S. 23519)

POINT OF COMMENCEMENT

S. ¼ CDR. SEC. 33, T. 2S., R. 62W.
(Existing 2" Alum. Cap, P. L. S. 18475)

SOUTH LINE S. E. ¼ SEC. 33
(BASIS FOR BEARINGS)

GRASSLANDS AT COMANCHE - SIXTH FILING, PRELIMINARY PLAT

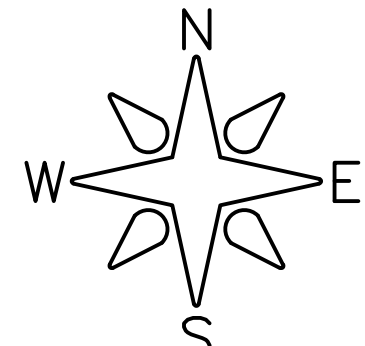
A PART OF THE SOUTH ONE-HALF OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62
WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.
SHEET 5 OF 5

CASE NO: PLT2021-00028

PLAT NOTES CONTINUED:

15. NOTICE TO PROSPECTIVE BUYERS: THE OWNER SHALL DISCLOSE TO PROSPECTIVE BUYERS OF LOTS WITHIN A RADIUS OF 200 FEET OF THE PLUGGED AND ABANDONED WELL OF (1) THE LOCATION OF THE OF THE PLUGGED AND ABANDONED WELL, (2) THE LOCATION OF THE MAINTENANCE AND WORKOVER SETBACK, AND (3) THE PURPOSE FOR THE WELL MAINTENANCE AND WORKOVER SET BACK. THERE IS A 50 FT X 100 FT BUFFER AROUND THE ABANDONED WELLHEAD DEDICATED AS A WELL MAINTENANCE AND WORKOVER SETBACK. NO STRUCTURES SHALL BE LOCATED WITHIN THIS SETBACK. THERE IS A 20FT ACCESS SHOWN ON THIS PLAT FOR THE PURPOSES OF PUBLIC ACCESS FOR INGRESS AND EGRESS TO THE SETBACK AREA. NO UTILITY LINES SHALL BE PERMITTED WITH TEN (10') FEET OF THE ABANDONED WELL AND NO DWELLINGS SHALL BE PERMITTED WITHIN FIFTY (50') OF THE ABANDONED WELL.

THE 20' ACCESS SHOWN ON LOT 4, BLOCK 1 IS THE DESIGNATED ACCESS AREA OVER PRIVATE LAND FOR INGRESS AND EGRESS BY THE WELL OPERATOR OR ITS DESIGNATED REPRESENTATIVE OR CONTRACTOR IN THE EVENT ANY FUTURE WORK IS REQUIRED TO THE PLUGGED AND ABANDONED WELL. THE 50' X 100' WELL WORKOVER SETBACK AND THE 20' ACCESS AREA ARE DESIGNATED AS "NO BUILD" AREAS.



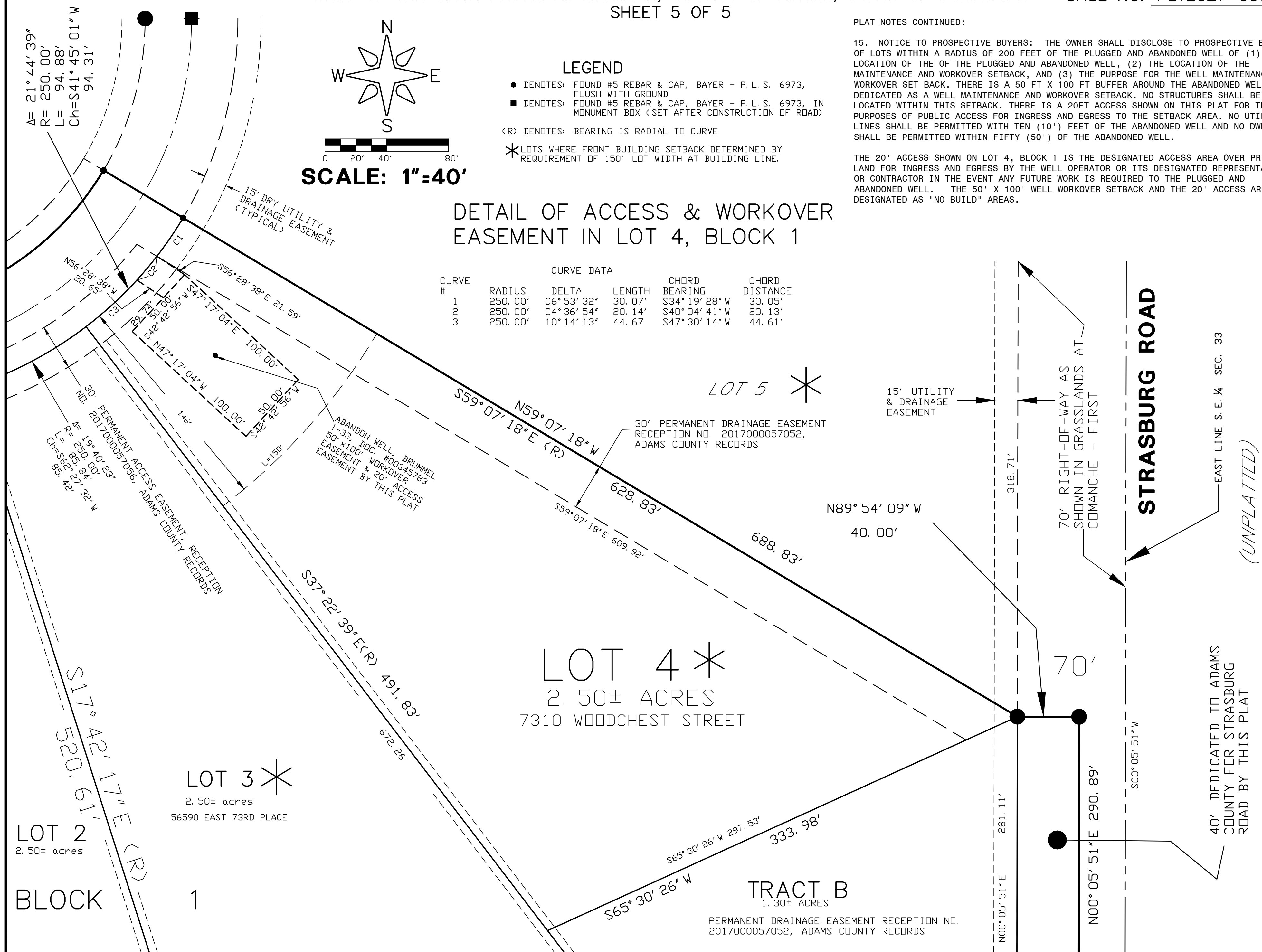
SCALE: 1"=40'

LEGEND

- DENOTES: FOUND #5 REBAR & CAP, BAYER - P. L. S. 6973, FLUSH WITH GROUND
- DENOTES: FOUND #5 REBAR & CAP, BAYER - P. L. S. 6973, IN MONUMENT BOX (SET AFTER CONSTRUCTION OF ROAD)
- (R) DENOTES: BEARING IS RADIAL TO CURVE
- * LOTS WHERE FRONT BUILDING SETBACK DETERMINED BY REQUIREMENT OF 150' LOT WIDTH AT BUILDING LINE.

DETAIL OF ACCESS & WORKOVER EASEMENT IN LOT 4, BLOCK 1

CURVE DATA					
CURVE #	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD DISTANCE
1	250.00'	06° 53' 32"	30.07'	S34° 19' 28" W	30.05'
2	250.00'	04° 36' 54"	20.14'	S40° 04' 41" W	20.13'
3	250.00'	10° 14' 13"	44.67'	S47° 30' 14" W	44.61'



STRASBURG ROAD

(UNPLATTED)

40' DEDICATED TO ADAMS COUNTY FOR STRASBURG ROAD BY THIS PLAT

LOT 4*
2.50± ACRES
7310 WOODCHEST STREET

LOT 3*
2.50± acres
56590 EAST 73RD PLACE

LOT 2
2.50± acres
BLOCK 1

TRACT B
1.30± ACRES
PERMANENT DRAINAGE EASEMENT RECEPTION NO. 2017000057052, ADAMS COUNTY RECORDS

GRASSLANDS AT COMANCHE - SIXTH FILING, PRELIMINARY PLAT

A PART OF THE SOUTH ONE-HALF OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.

CASE NO:

PLT2021-00028

SHEET 1 OF 4
VICINITY MAP

OWNERSHIP AND
DEDICATION CERTIFICATE
REVISED AS REQUESTED

Add ownership by vesting
deed in opening statement
STATEMENTS ADDED

CASE NO. ADDED

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BEING THE OWNER OF THAT PART OF THE SOUTH ONE-HALF OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 33, THENCE S89°46'56"W ALONG THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 33, A DISTANCE OF 30.00 FEET; THENCE N00°05'51"E PARALLEL WITH THE EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 33, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N00°05'51"E A DISTANCE OF 290.89 FEET; THENCE N89°54'09"W A DISTANCE OF 40.00 FEET; THENCE N59°07'18"W A DISTANCE OF 688.83 FEET TO A POINT ON A CURVE TO THE RIGHT, THE DELTA OF SAID CURVE IS 58°54'14", THE RADIUS OF SAID CURVE IS 190.00 FEET; THE CHORD OF SAID CURVE BEARS S60°19'49"W, 186.84 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 195.33 FEET TO THE END OF SAID CURVE; THENCE S89°46'56"W A DISTANCE OF 135.00 FEET; THENCE N00°13'04"W A DISTANCE OF 358.92 FEET; THENCE S89°46'56"W A DISTANCE OF 305.00 FEET; THENCE S00°13'04"E A DISTANCE OF 358.92 FEET; THENCE S89°46'56"W A DISTANCE OF 135.00 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, THE DELTA OF SAID CURVE IS 42°50'02", THE RADIUS OF SAID CURVE IS 190.00 FEET; THE CHORD OF SAID CURVE BEARS N68°48'03"W, 138.76 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 142.04 FEET; THENCE S42°36'58"W A DISTANCE OF 621.90 FEET; THENCE N00°13'04"W A DISTANCE OF 252.81 FEET; THENCE S89°46'56"W A DISTANCE OF 278.01 FEET; N00°13'04"W A DISTANCE OF 450.73 FEET; THENCE N89°46'56"E A DISTANCE OF 308.50 FEET; THENCE N00°13'04"W A DISTANCE OF 401.85; THENCE S89°46'56"W A DISTANCE OF 43.50 FEET; THENCE N00°13'04"W A DISTANCE OF 60.00 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THE DELTA OF SAID CURVE IS 20°04'21", THE RADIUS OF SAID CURVE IS 325.00 FEET; THE CHORD OF SAID CURVE BEARS S79°44'45"W, 113.28 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 113.86 FEET; THENCE N20°17'25"W A DISTANCE OF 542.51 FEET; THENCE S52°55'29"W A DISTANCE OF 463.95 FEET; THENCE S00°13'24"W A DISTANCE OF 1526.57 FEET TO A POINT ON A LINE 30.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 33; THENCE N89°46'56"E PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 2615.66 FEET TO THE POINT OF BEGINNING. CONTAINS 46.224 ACRES MORE OR LESS.

Does not match
call on following
sheet
CALL UPDATED

Correct Typos
TYPUS CORRECTED

TRACTS, BLOCKS

HAS BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO REVISED AS REQUESTED EASEMENTS, AS SHOWN ON THIS PLAT, UNDER THE NAME AND STYLE OF GRASSLANDS AT COMANCHE - SIXTH FILING AND DO HEREBY DEDICATE TO THE COUNTY OF ADAMS, STATE OF COLORADO, FOR THE USE OF THE PUBLIC, ALL STREETS, AND OTHER PUBLIC WAYS AND LANDS AS SHOWN ON THIS PLAT, FOREVER, AND ALSO GRANT THE EASEMENTS AS SHOWN, LABELED AS UTILITY EASEMENTS ON THIS PLAT, FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES, INCLUDING BUT NOT LIMITED TO ELECTRIC LINES, GAS LINES, TELEPHONE LINES, SEWER LINES, WATER LINES; TOGETHER WITH A RIGHT TO TRIM INTERFERING TREES AND BRUSH, TOGETHER WITH A PERPETUAL RIGHT INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF SUCH LINES; SAID EASEMENTS AND RIGHTS TO BE UTILIZED IN A RESPONSIBLE AND PRUDENT MANNER. EXECUTED THIS _____ DAY OF _____, 20_____.

FOR GRASSLANDS AT COMANCHE LLC, A COLORADO LIMITED LIABILITY COMPANY:

BY _____ AS _____ OF _____

XXX, MANAGER

REVISED AS REQUESTED

ACKNOWLEDGEMENT:

COUNTY OF ADAMS)
)SS
STATE OF COLORADO)

THE FOREGOING WAS ACKNOWLEDGED BY ME THIS _____ DAY OF _____, 20_____, BY _____, MANAGER, GRASSLANDS AT COMANCHE LLC, A COLORADO LIMITED LIABILITY COMPANY.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

Number Plat Notes
Sequentially

REVISED AS REQUESTED

Update Title
Commitment
Dateand
information NOTED

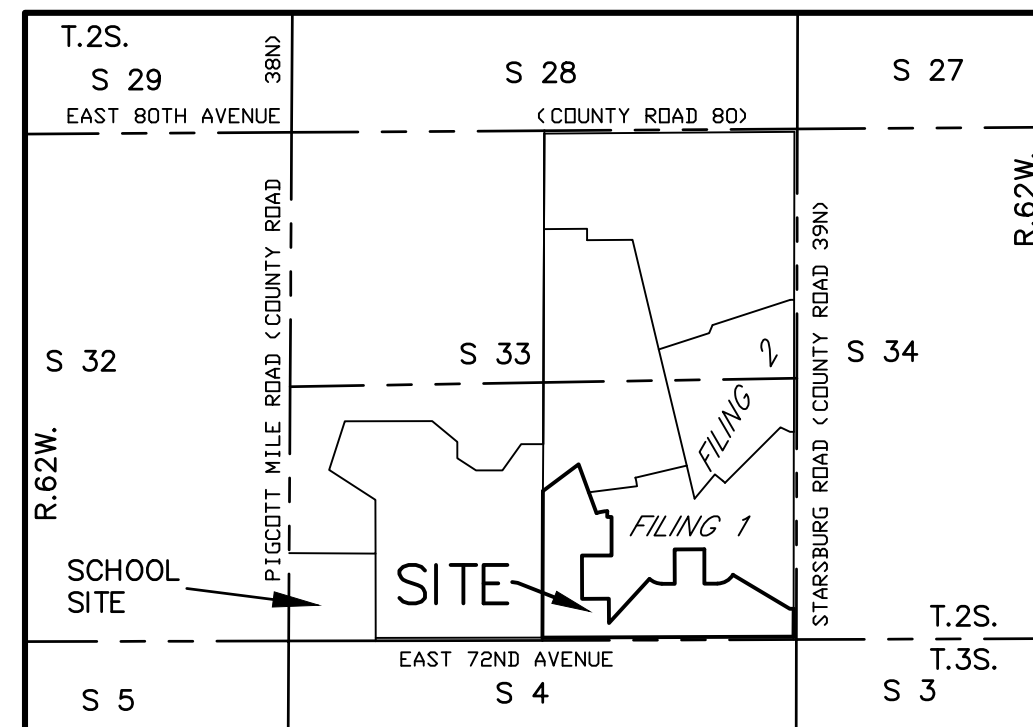
BASIS FOR BEARINGS:

THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER (THE SOUTH 1/4 CORNER IS A 2" ALUMINUM CAP, L.S. 23519, IN RANGE BOX) OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, IS ASSUMED TO BEAR SOUTH 89°46'56" WEST. ALL BEARINGS DESCRIBED HEREIN ARE RELATIVE THERETO.

NOTICE:

ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATED OF THE CERTIFICATION SHOWN HEREON.

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY R.W. BAYER & ASSOCIATES, INC. OF THE PROPERTY SHOWN AND DESCRIBED HEREIN TO DETERMINE OWNERSHIP OF THE TRACT OF LAND, COMPATIBILITY OF THIS DESCRIPTION WITH THOSE OF ADJACENT TRACTS OF LAND OR RIGHTS-OF-WAY, EASEMENTS OR ENCUMBRANCES OF RECORD AFFECTING THIS TRACT OF LAND. R.W. BAYER & ASSOCIATES, INC. HAS RELIED UPON FIDELITY NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. 597-F0639221-340-KH7, DATED JULY 05, 2019, FOR OWNERSHIP AND FOR THE PURPOSE OF SHOWING RECORDED EASEMENTS AND RIGHT-OF-WAY THAT CAN BE PLOTTED ACROSS THE PREMISES. THE PREMISES IS SUBJECT TO THE EXCEPTIONS CONTAINED IN SCHEDULE B - SECTION 2 OF THE TITLE COMMITMENT.



PLAT NOTES:

AS SHOWN ON THIS PLAT: TEN-FOOT (10') WIDE UTILITY (FIVE FOOT ON EACH SIDE) EASEMENTS ARE HEREBY GRANTED ON PRIVATE PROPERTY ALONG COMMON SIDE AND REAR LOT LINES. THESE EASEMENTS ARE DEDICATED FOR THE INSTALLATION, MAINTENANCE AND REPLACEMENT OF ELECTRIC, GAS, TELEVISION CABLE, AND TELECOMMUNICATIONS FACILITIES. UTILITIES SHALL ALSO BE PERMITTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS IN THE SUBDIVISION. PERMANENT STRUCTURES AND WATER METERS SHALL NOT BE PERMITTED WITHIN SAID EASEMENTS.

AS SHOWN ON THIS PLAT: FIFTEEN FOOT WIDE (15') WIDE DRY UTILITY AND DRAINAGE EASEMENTS ADJOINING ALL EXTERIOR AND INTERIOR STREETS ARE DEDICATED FOR THE INSTALLATION, MAINTENANCE AND REPLACEMENT OF ELECTRIC, TELEVISION CABLE, AND TELECOMMUNICATIONS AND DRAINAGE FACILITIES, ADDITIONALLY, THE DRY UTILITY AND DRAINAGE EASEMENTS ARE DEDICATED ALONG ALL SIDE AND REAR LOT LINES UNLESS SAID LOT LINE IS COMMON TO MORE THAN ONE LOT.

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 OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE FACILITIES INCLUDING INLETS, PIPES, CULVERTS, CHANNELS, DITCHES HYDRAULIC STRUCTURES, AND DETENTION BASINS LOCATED ON THEIR LAND UNLESS MODIFIED BY SUBDIVISION DEVELOPMENT AGREEMENT. REFER TO THE APPROVED DRAINAGE FACILITIES MAINTENANCE PLAN, RECEPTION NO. 2017000017306, ADAMS COUNTY RECORDS. SHOULD THE OWNER FAIL TO ADEQUATELY MAINTAIN SAID FACILITIES, THE COUNTY SHALL HAVE THE RIGHT TO ENTER SAID LAND FOR THE SOLE PURPOSE OF OPERATIONS AND MAINTENANCE. ALL SUCH MAINTENANCE COSTS WILL BE ASSESSED TO THE PROPERTY OWNER.

THIS PLAN HAS BEEN APPROVED BY ADAMS COUNTY AND CREATES A VESTED PROPERTY RIGHT PURSUANT TO C.R.S. 24-68-101, ET SEQ., AS AMENDED, AND THE ADAMS COUNTY DEVELOPMENT STANDARDS AND REGULATIONS.

ADAMS COUNTY SHALL BE GRANTED ACCESS EASEMENTS FOR TEMPORARY CUL-DE-SACS AS SHOWN ON THIS PLAT, WITHIN PORTIONS OF LOTS DEPICTED HEREIN. TERM OF THE ACCESS EASEMENTS SHALL BE UNTIL ROADWAY INFRASTRUCTURE IS CONSTRUCTED BEYOND THE TEMPORARY TERMINUS OF THE ACCESS EASEMENT/TEMPORARY CUL-DE-SAC AND HAS RECEIVED FINAL ACCEPTANCE FROM ADAMS COUNTY.

IN COMPLIANCE WITH ADAMS COUNTY DEVELOPMENT STANDARDS AND REGULATIONS SECTION 4-10-02-03-05, EXISTING OIL AND GAS WELL LOCATIONS ARE DEPICTED ON THIS PLAT WITH A TWO-HUNDRED-FIFTY (250) FOOT BUFFER IN THE FORM OF AN EASEMENT. NO STRUCTURES MAY BE CONSTRUCTED WITHIN THE TWO-HUNDRED-FIFTY (250) FOOT EASEMENT AREA.

IN COMPLIANCE WITH ADAMS COUNTY DEVELOPMENT STANDARDS AND REGULATIONS, SECTION 4-06-01-02-01-12, WHEN A NEW HOME AND/OR OTHER PERMANENT STRUCTURE WITH PLUMBING IS CONSTRUCTED WITHIN THREE HUNDRED (300) FEET OF AN EXISTING OIL OR GAS WELL, THE PROPERTY OWNER SHALL SUBMIT A SIGNED WAIVER ACKNOWLEDGING THE EXISTENCE OF THE FACILITY PRIOR TO ISSUANCE OF A BUILDING PERMIT.

Prepared By:

R. W. BAYER & ASSOCIATES, INC.
2090 East 104th Avenue, S-200
Thornton, Colorado 80233
303-452-4433 rwbssurveying@hotmail.com
CAD FILE: 21161-6P/21161-6P.DWG

Date Prepared: AUGUST 06, 2021

PLAT NOTES CONTINUED:

IN THE EVENT THAT AN EXISTING WELL IS LOCATED WITHIN THE TWO-HUNDRED-FIFTY (250) FOOT EASEMENT MAY BE REMOVED FROM THE PLAT, THE WELL ABANDONMENT REPORT SHALL BE PROVIDED TO THE SUBDIVISION. A COPY OF THE WELL ABANDONMENT REPORT SHALL BE PROVIDED TO THE SUBDIVISION. A COPY OF THE OIL & GAS WELL WAIVER.

Does not appear
producing wells
located on the subject
lands NOTED

THE AMOUNT OF WATER IN THE DENVER BASIN AQUIFER, AND IDENTIFIED IN THE REFERENCED LETTER, ARE CALCULATED BASED ON ESTIMATED CURRENT AQUIFER CONDITIONS. FOR PLANNING PURPOSES PROPERTY OWNERS SHOULD BE AWARE THAT THE ECONOMIC LIFE OF A WATER SUPPLY BASED ON WELLS IN A GIVEN DENVER BASIN AQUIFER MAY BE LESS THAN THE 300 YEAR USED FOR ALLOCATION DUE TO ANTICIPATED WATER LEVEL DECLINES.

IT SHOULD BE KNOWN THE CITY OF WESTMINSTER OWNS THE AGRICULTURAL LAND EAST (ACTUALLY NORTHEAST) OF THE COMANCHE PUD. THE CITY USES THIS PROPERTY FOR CATTLE GRAZING, CROP PRODUCTION, AND THE APPLICATION OF BIOSOLIDS. BIOSOLIDS ARE HIGHLY TREATED, NUTRIENT RICH, SOLIDS RECOVERED FROM THE MUNICIPAL WASTEWATER TREATMENT PROCESS.

THE PARCEL DESCRIBED HEREIN IS ENTIRELY WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 2% ANNUAL CHANCE FLOOD) AS SHOWN ON THE F.E.M.A., FLOOD RATE INSURANCE MAP, MAP NUMBER 08001C0730H, EFFECTIVE DATE: MARCH 5, 2007.

THE LOTS WITHIN THIS FILING ARE SUBJECT TO THE NOTES AND RESTRICTIONS CONTAINED IN THE GRASSLANDS AT COMANCHE PLANNED UNIT DEVELOPMENT, CASE NO. PRJ2007-00004, RECORDED IN RECEPTION NO. 2008000005062.

OUTLOT A IS DESIGNATED A DRAINAGE EASEMENT BY THIS PLAT. IT SHALL BE OWNED AND MAINTAINED BY THE HOA.

Need full name of HOA as
recorded with the state
SEE UPDATED PLAT NOTE 12

Since needing to place all Drainage
location and Open Space area and others,
within a TRACT. Provide a Table providing
ownership and maintenance responsibility

REVISED AS REQUESTED

1. Closure Statement
2. Number Plat Notes
Sequentially

REVISED AS REQUESTED

SURVEYOR'S CERTIFICATE:

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

RAYMOND W. BAYER,
REG P.L.S. NO. 6973

DATE: _____

PLANNING COMMISSION APPROVAL:

APPROVED BY THE ADAMS COUNTY PLANNING COMMISSION THIS _____ DAY OF _____, 20_____.

CHAIRPERSON CHAIR REVISED AS REQUESTED

BOARD OF COUNTY COMMISSIONERS APPROVAL:

APPROVED BY THE ADAMS COUNTY BOARD OF COUNTY COMMISSIONERS THIS _____ DAY OF _____, 20_____.

CHAIR

CERTIFICATE OF CLERK AND RECORDER

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER IN THE STATE OF COLORADO AT _____:_____ M. ON THE _____ DAY OF _____, A.D., 20_____.

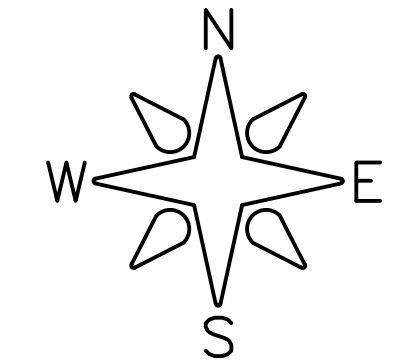
By: _____ DEPUTY COUNTY CLERK AND RECORDER

RECEPTION NO: _____

GRASSLANDS AT COMANCHE - SIXTH FILING, PRELIMINARY PLAT

A PART OF THE SOUTH ONE-HALF OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62
WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.
SHEET 2 OF 4

CASE NO: _____



SCALE: 1"=400'

FILING NO. 1 (RECORDED)	- 18 LOTS
FILING NO. 2 (RECORDED)	- 12 LOTS
FILING NO. 2 (AMENDED)	- 1 LOT
FILING NO. 3 (PROPOSED)	- 32 LOTS
FILING NO. 4 (PROPOSED)	- 30 LOTS
FILING NO. 5 (PROPOSED)	- 19 LOTS
FILING NO. 6 (PROPOSED)	- 14 LOTS
TOTAL	- 126 LOTS

* LOTS WHERE FRONT BUILDING SETBACK DETERMINED BY REQUIREMENT OF 150' LOT WIDTH AT BUILDING LINE.

GRASSLANDS AT COMANCHE - SECOND FILING IN RECEPTION NO. 200800005063
AFFIDAVIT OF CORRECTION (SECOND FILING) IN RECEPTION NO. 201300048277
GRASSLANDS AT COMANCHE - SECOND FILING - AMENDED PLAT IN RECEPTION NO. 2008000071020

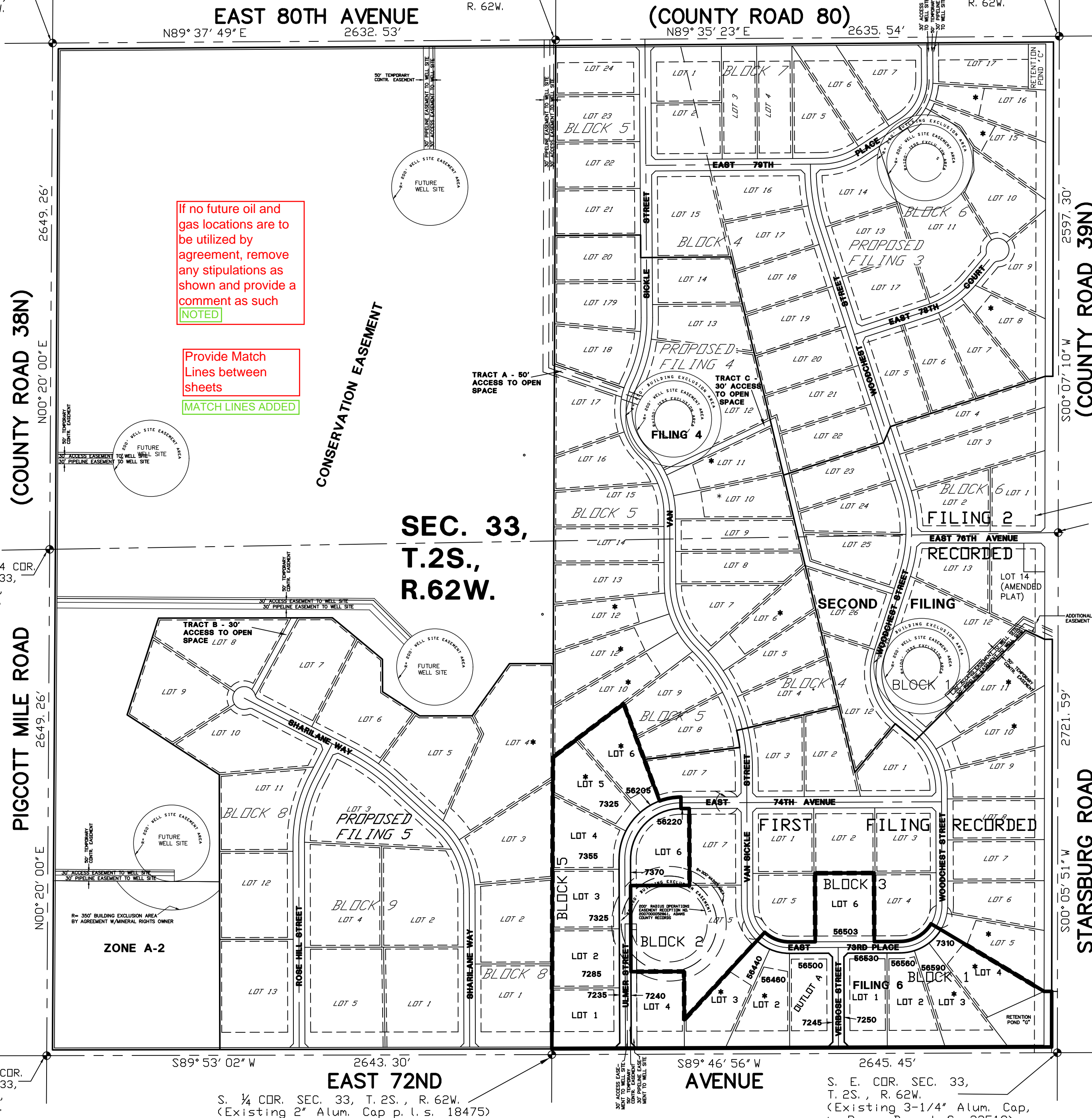
N. W. COR.
SEC. 33,
T. 2S.,
R. 62W.

N. ¼ COR.
SEC. 33,
T. 2S.,
R. 62W.

N. E. COR.
SEC. 33,
T. 2S.,
R. 62W.

W. ¼ COR.
SEC. 33,
T. 2S.,
R. 62W.

S. W. COR.
SEC. 33,
T. 2S.,
R. 62W.



If no future oil and gas locations are to be utilized by agreement, remove any stipulations as shown and provide a comment as such
NOTED

Provide Match Lines between sheets
MATCH LINES ADDED

**SEC. 33,
T.2S.,
R.62W.**

EXISTING RESIDENCES (FUTURE FIRE STATION SITE)
E. ¼ COR. SEC. 33, T. 2S., R. 62W.
(Existing 3-¼" Alum Cap, in Range Box, P. L. S. 23519)

Prepared By:
R. W. BAYER & ASSOCIATES, INC.
2090 East 104th Avenue, S-200
Thornton, Colorado 80233
303-452-4433 rwbysurveying@hotmail.com
CAD FILE: 21161-6P/21161-6PA.DWG
Date Prepared: AUGUST 06, 2021

GRASSLANDS AT COMANCHE - SIXTH FILING, PRELIMINARY PLAT

A PART OF THE SOUTH ONE-HALF OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.

CASE NO. ADDED

CASE NO:

SHEET 3 OF 4

LEGEND

- DENOTES: FOUND #5 REBAR & CAP, BAYER - P. L. S. 6973, FLUSH WITH GROUND
- DENOTES: SET #5 REBAR & CAP, BAYER - P. L. S. 6973, IN MONUMENT BOX (SET AFTER CONSTRUCTION OF ROAD)
- * LOTS WHERE FRONT BUILDING SETBACK DETERMINED BY REQUIREMENT OF 150' LOT WIDTH AT BUILDING LINE.

CURVE CHART FOR DRAINAGE EASEMENT

CURVE#	DELTA	RADIUS	CURVE LENGTH	CHORD BEARING	CHORD LENGTH
EC1	42°50'02"	175.00'	130.83'	S68°48'03"E	127.80'
EC2	58°54'14"	175.00'	179.91'	N60°19'49"E	172.09'

Place this on Sheet 2 or on sheet with curve table **NOTED**

Put all radius/curve calls in a table to reduce clutter on this page **SEE UPDATED PLAT SHEET 5 OF 5**

Place Address below lot # and ac information

ADDRESS INFORMATION REVISED

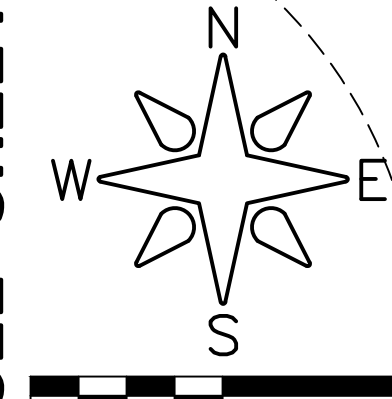
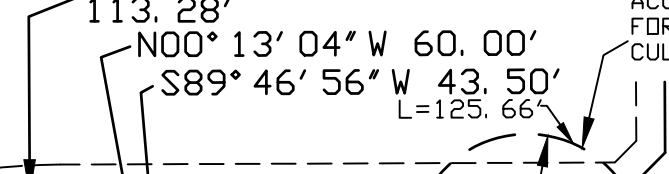
Does not match legal m/b description **REVISED AS REQUESTED**

This portion of the previously dedicated easement can remain as an easement per the original dedication and not affect the gr ac. **NOTED**

This will need to be shown as a TRACT with ownership and maintenance information provide by note Remove addressing - vacant lot Will need to provide limits of drainage easement within TRACT and by separate instrument **NOTED**

This will need to be a TRACT provide a lot line to remove owner of Lot 4 with any ownership and the easement is within the limits of the TRACT **TRACT AND LOT LINE ADDED**

A= 20°04'21"
R= 325.00'
L= 113.86'
Ch=S79°44'45"W



SCALE: 1"=100'
NOT A PART

SEE SHEET 4 OF 4

(UNPLATTED)

EAST LINE S. E. 1/4 SEC. 33

40' DEDICATED TO ADAMS COUNTY FOR STRASBURG ROAD BY THIS PLAT

SOUTH LINE S. E. 1/4 SEC. 33 (BASIS FOR BEARINGS)

S. E. CDR. SEC. 33, T. 2S., R. 62W. (Existing 3-1/4" Alum. Cap, in Range Box, L. S. 23519)

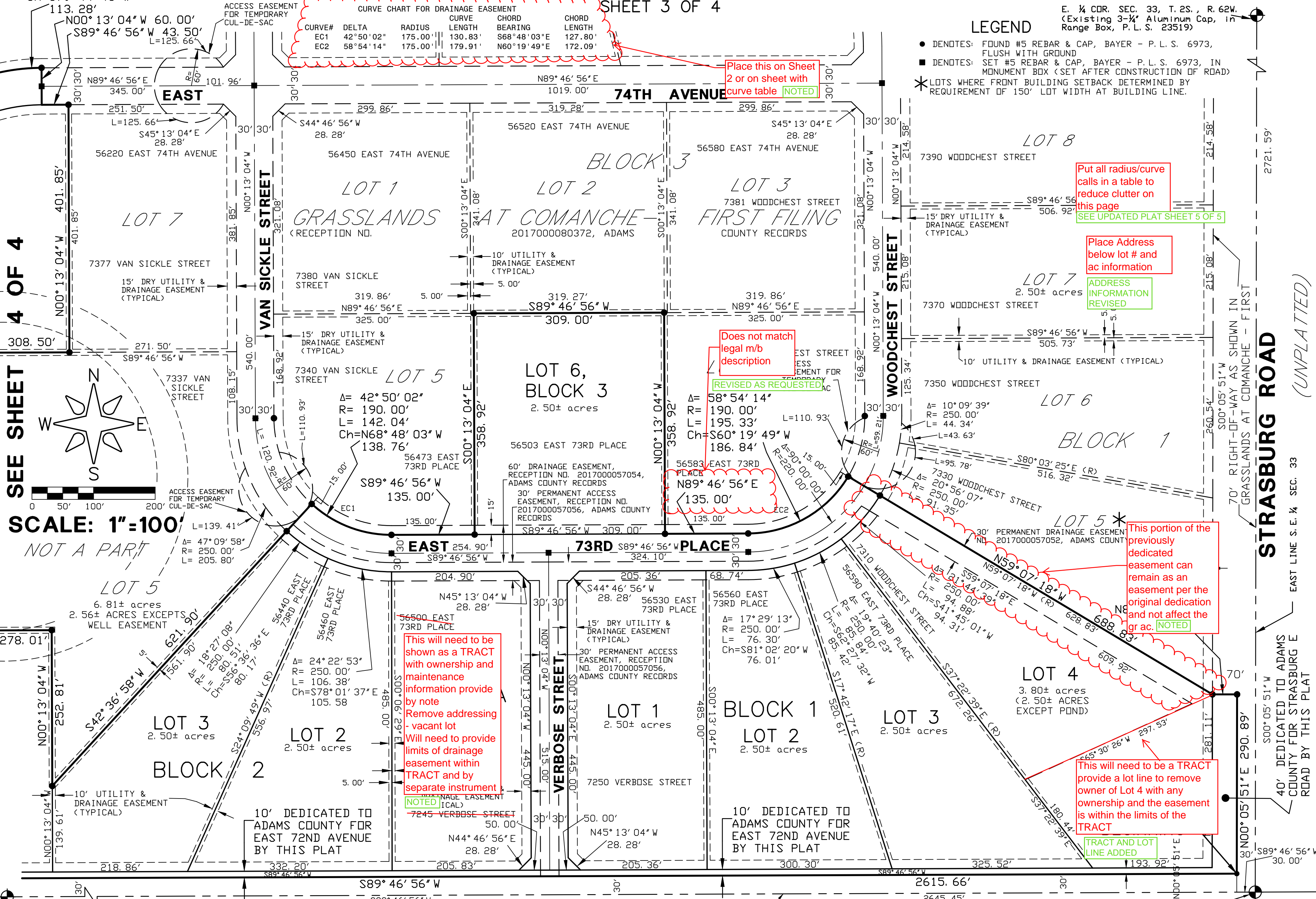
POINT OF COMMENCEMENT

S. 1/4 CDR. SEC. 33, T. 2S., R. 62W. (Existing 2" Alum. Cap, P. L. S. 18475)

EAST 72ND AVENUE (UNPLATTED)

STRASBURG ROAD

70' RIGHT-OF-WAY AS SHOWN IN GRASSLANDS AT COMANCHE - FIRST



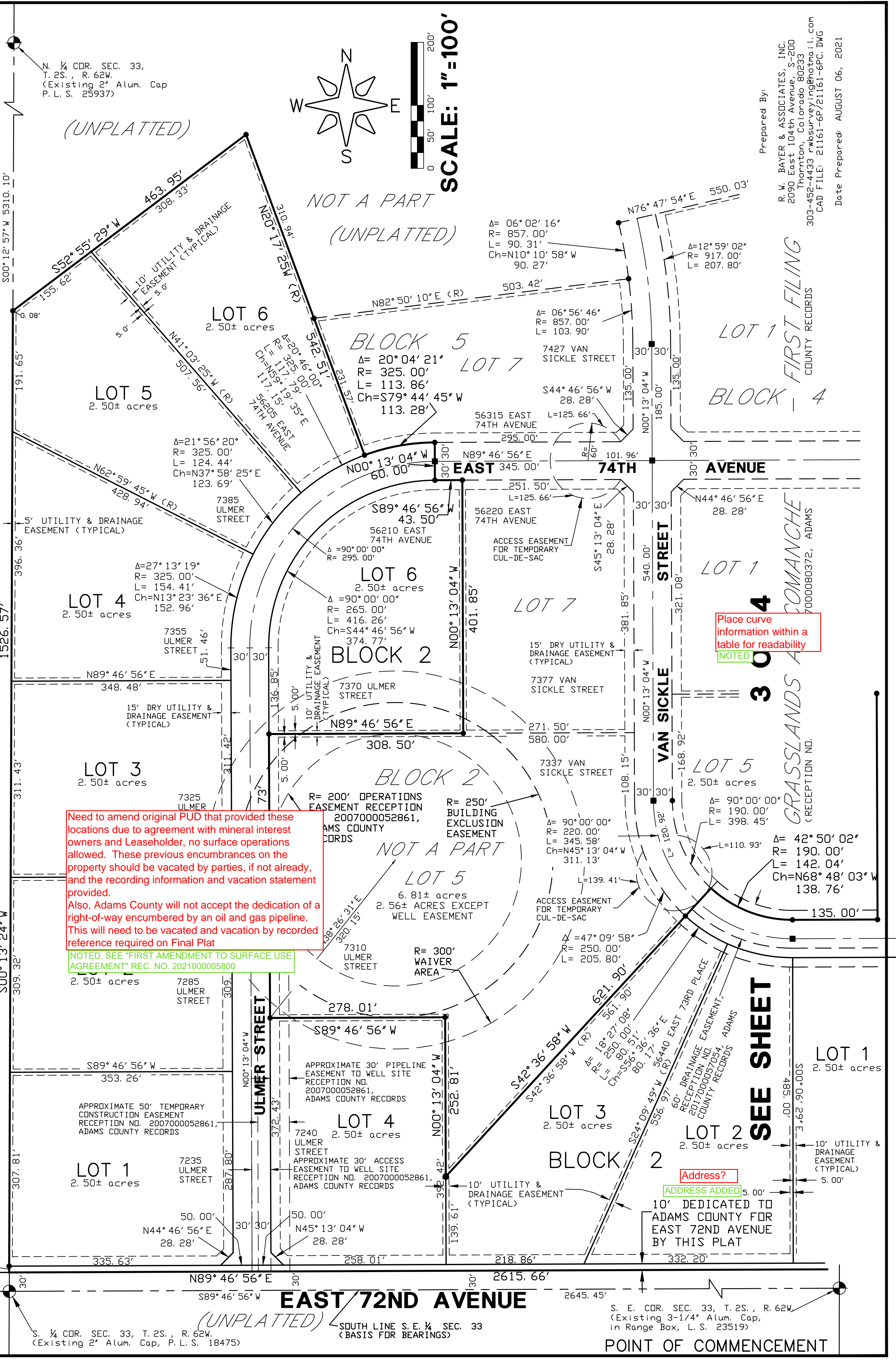
GRASSLANDS AT COMANCHE - SIXTH FILING, PRELIMINARY PLAT

A PART OF THE SOUTH ONE-HALF OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO. CASE NO. . SHEET 4 OF 4

LEGEND

- DENOTES: FOUND - #5 REBAR AND CAP, BAYER - P. L. S. 6973, FLUSH WITH GROUND
- DENOTES: #5 REBAR & CAP, BAYER - P. L. S. 6973 IN MONUMENT BOX (SET AFTER CONSTRUCTION OF ROAD)
- (R) DENOTES: BEARING IS RADIAL TO CURVE

(UNPLATTED)



Need to amend original PUD that provided these locations due to agreement with mineral interest owners and Leaseholder, no surface operations allowed. These previous encumbrances on the property should be vacated by parties, if not already, and the recording information and vacation statement provided. Also, Adams County will not accept the dedication of a right-of-way encumbered by an oil and gas pipeline. This will need to be vacated and vacation by recorded reference required on Final Plat

NOTED. SEE "FIRST AMENDMENT TO SURFACE USE AGREEMENT" REC. NO. 2021000005800

Place curve information within a table for readability

SEE SHEET

Address?
ADDRESS ADDED

Prepared By:
R. W. BAYER & ASSOCIATES, INC.
2090 East 104th Avenue, S-200
Thornton, Colorado 80233
303-452-4433 rwb@surveyinghotma.l.l.com
CAD FILE: 21161-6P/21161-6PC.DWG
Date Prepared: AUGUST 06, 2021

FIRST FILING
COUNTY RECORDS

COMANCHE
GRASSLANDS AT
(RECEPTION NO. 7000080372, ADAMS)

S. E. CDR. SEC. 33, T. 2S., R. 62W.
(Existing 3-1/4" Alum. Cap,
in Range Box, L. S. 23519)
POINT OF COMMENCEMENT

S. 1/4 CDR. SEC. 33, T. 2S., R. 62W.
(Existing 2" Alum. Cap, P. L. S. 18475)
SOUTH LINE S. E. 1/4 SEC. 33
(BASIS FOR BEARINGS)

Michael Trumpore

From: Jarrod Ashida <jarrod@ldicolorado.com>
Sent: Monday, February 14, 2022 2:16 PM
To: Chadwin Cox @ Western ECI; Monica Johnson; Nancy Taylor
Cc: Leticia Maldonado; Michael Trumpore; Jay Stoner
Subject: RE: Grasslands at Comanche - SCHOOL DISTRICT

Hi Chad and Monica,

Per the email from the School District Attorney, there is a small cash in lieu amount (\$332.15) when building permits are issued on each lot.

The same email from Mr. Bump speaks of the conveyance of the two parcels (17.2 Acres and 13 Acre School Site).

Monica – Let me know if you would like me to resend the email from the attorney we spoke about a few months ago.

Thanks,
Jarrod

From: Chadwin Cox @ Western ECI <chadwin.cox@westerneci.com>
Sent: Monday, February 14, 2022 2:10 PM
To: Monica Johnson <MJohnson@strasburg31j.com>; Nancy Taylor <ntaylor@strasburg31j.com>
Cc: Leticia Maldonado <leticia.maldonado@westerneci.com>; Michael Trumpore <michael.trumpore@westerneci.com>; Jay Stoner <jay@ldicolorado.com>; Jarrod Ashida <jarrod@ldicolorado.com>
Subject: RE: Grasslands at Comanche - SCHOOL DISTRICT
Importance: High

Monica,

It was already deeded to the District by the former owner so this formality legalizes the property.

I do not know how you could reverse a deeded parcel of land from a prior owner (not the current Owner) to achieve your desire for fees in lieu of from a different Owner.

I've copied Jay Stoner and Jarrod Ashida to reply to your request.

Thank you,

Chad

Chadwin F. Cox, PE
Senior Project Manager
WESTERN ENGINEERING CONSULTANTS inc LLC
127 South Denver Avenue – Ft. Lupton, CO 80621
2501 Mill St - Brush, CO 80723
Ft. Lupton Office 720-685-9951
Brush Cell 303-913-7341
Fax 720-294-1330
email: chadwin.cox@westerneci.com



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From: Monica Johnson <MJohnson@strasburg31j.com>

Sent: Monday, February 14, 2022 2:02 PM

To: Chadwin Cox @ Western ECI <chadwin.cox@westerneci.com>; Nancy Taylor <ntaylor@strasburg31j.com>

Cc: Leticia Maldonado <leticia.maldonado@westerneci.com>; Michael Trumpore <michael.trumpore@westerneci.com>

Subject: Re: Grasslands at Comanche - SCHOOL DISTRICT

Chad,

The District has been requesting cash in lieu of land, per the land development guidelines in both Adams and Arapahoe county. I'd like to visit with you and Nancy Taylor or CFO.

Please let me know when you're available.

Monica

Monica Johnson

Superintendent

Strasburg 31J

303-622-9211



From: Chadwin Cox @ Western ECI <chadwin.cox@westerneci.com>

Sent: Thursday, February 10, 2022 11:57 AM

To: Monica Johnson <MJohnson@strasburg31j.com>

Cc: Leticia Maldonado <leticia.maldonado@westerneci.com>; Michael Trumpore <michael.trumpore@westerneci.com>

Subject: FW: Grasslands at Comanche - SCHOOL DISTRICT

Hi Monica,

We got confirmation from the County that we have to include the school owned parcels for the County to recognize them as legal parcels (see Layla's email below Gary Bayers).

Can you confirm how the District will need to sign the plat – i.e the name and title and correct entity name RExxx?

Thank you!

Chad

Chadwin F. Cox, PE
Senior Project Manager
WESTERN ENGINEERING CONSULTANTS inc LLC
127 South Denver Avenue – Ft. Lupton, CO 80621
2501 Mill St - Brush, CO 80723
Ft. Lupton Office 720-685-9951
Brush Cell 303-913-7341
Fax 720-294-1330
email: chadwin.cox@westerneci.com



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From: R.W. Bayer Associates <rwbsurveying@hotmail.com>

Sent: Thursday, February 10, 2022 10:29 AM

To: Chadwin Cox @ Western ECI <chadwin.cox@westerneci.com>

Cc: Michael Trumpore <michael.trumpore@westerneci.com>; Leticia Maldonado <leticia.maldonado@westerneci.com>

Subject: RE: Grasslands at Comanche

We'll need the NAME/TITLE and ENTITY signing the plat for the School District. Gary

R.W. Bayer & Associates, Inc.
Westminster, CO 80234

12170 Tejon Street, Unit 700
303-452-4433

From: [Chadwin Cox @ Western ECI](#)
Sent: Wednesday, February 9, 2022 11:37 AM
To: [R.W. Bayer Associates](#)
Cc: [Michael Trumpore](#); [Leticia Maldonado](#)
Subject: FW: Grasslands at Comanche

Hey Gary,

FYI below – we will have to include the School District on the plat – please add their parcels and them as signatories for Filing 5.

Thank you,

Chad

Chadwin F. Cox, PE
Senior Project Manager
WESTERN ENGINEERING CONSULTANTS inc LLC
127 South Denver Avenue – Ft. Lupton, CO 80621
2501 Mill St - Brush, CO 80723
Ft. Lupton Office 720-685-9951
Brush Cell 303-913-7341
Fax 720-294-1330
email: chadwin.cox@westerneci.com



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From: Layla Bajelan <LBajelan@adcogov.org>
Sent: Wednesday, February 9, 2022 11:03 AM
To: Chadwin Cox @ Western ECI <chadwin.cox@westerneci.com>
Subject: Grasslands at Comanche

Good morning,

The preliminary plat for Grasslands at Comanche, Filing No 5 included the location of the school site. The State of Colorado requires that all subdivided land less than 35 acres go through the correct subdivision process. If the land was deeded off, it would not be considered a legally created parcel. The school site would need to be included in the final plat to allow for the appropriate approvals on the property.

Please let me know if you have any additional questions.

Thanks,

[Layla Bajelan](#)

Senior Long Range Planner, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

720.523.6863 | LBajelan@adcogov.org | www.adcogov.org

** New Schedule: Tuesday-Friday 7 a.m. to 5:30 p.m.**

County operating hours: Tuesday through Friday, 7 a.m. to 5:30 p.m.

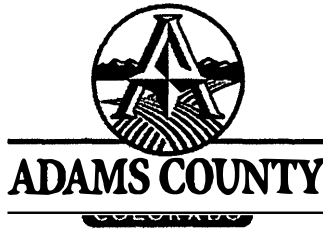


WAIVER FROM SUBDIVISION DESIGN STANDARDS

Application submittals must include all documents on this checklist as well as this page. Please use the reference guide (pg. 2) included in this packet for more information on each submittal item.

All submittals shall include one (1) hard copy of all documents and one (1) electronic copy with all documents combined in a single PDF. For hard copies, each document shall be labeled or tabbed with the corresponding checklist number.

1. Development Application Form (pg. 7)
2. Application Fees of \$500
3. Written Explanation of the Project
4. Site Plan Showing Proposed Development
5. Copy of Plat Prepared by Registered Land Surveyor (see guide pg. 4)
6. Proof of Ownership (title policy dated within 30 days of submittal)
7. Proof of Water and Sewer Services
8. Proof of Utilities (e.g. electric, gas)
9. Neighborhood Meeting Summary
10. Legal Description
11. Certificate of Taxes Paid
12. Certificate of Notice to Mineral Estate Owners/and Lessees (pg. 9)
13. Certificate of Surface Development (pg. 10)



DEVELOPMENT APPLICATION FORM

Application Type:

<input type="checkbox"/> Conceptual Review	<input type="checkbox"/> Preliminary PUD	<input type="checkbox"/> Temporary Use
<input checked="" type="checkbox"/> Subdivision, Preliminary	<input type="checkbox"/> Final PUD	<input type="checkbox"/> Variance
<input type="checkbox"/> Subdivision, Final	<input type="checkbox"/> Rezone	<input type="checkbox"/> Conditional Use
<input type="checkbox"/> Plat Correction/ Vacation	<input type="checkbox"/> Special Use	<input type="checkbox"/> Other: <small>Waiver from Subdivision Design Standards</small>

PROJECT NAME: GRASSLANDS AT COMANCHE- FILING No. 6

APPLICANT

Name(s): Dave Rebol Phone #: 970-867-9007

Address: 412 West Platte Street

City, State, Zip: Fort Morgan, CO, 80701

2nd Phone #: Email: daverebol@hotmail.com

OWNER

Name(s): GRASSLANDS AT COMANCHE LLC Phone #: 970-867-9007

Address: 412 West Platte Street

City, State, Zip: Fort Morgan, CO, 80701

2nd Phone #: 970-768-7064 Email: daverebol@hotmail.com

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

Name: CHADWIN F. COX Phone #: 720-685-9951

Address: 127 SOUTH DENVER AVE.

City, State, Zip: FORT LUPTON, CO, 80621

2nd Phone #: 303-913-7341 Email: chadwin.cox@westemeci.com

DESCRIPTION OF SITE

Address:

City, State, Zip:

Area (acres or square feet):

Tax Assessor Parcel Number:

Existing Zoning:

Existing Land Use:

Proposed Land Use:

Have you attended a Conceptual Review? YES NO

If Yes, please list PRE#:

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

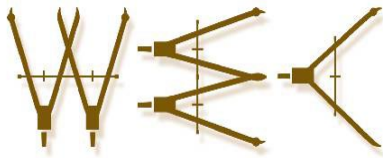
Name:

Date:

Owner's Printed Name

Name:

Owner's Signature



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

April 5, 2022

Adams County Community and Economic Development
4430 South Adams County Parkway
1st Floor, Suite W2000
Brighton, CO 80601-8216

RE: Grasslands at Comanche Filing No. 6 Waiver from the Subdivision Design Standards (Depth to Width)

Adams County Community and Economic Development:

Western Engineering Consultants Inc. LLC (WEC) has prepared this letter to summarize "Grasslands at Comanche Filing No. 6" request for a Waiver from Subdivision Design Standards.

This Waiver has been provided because the proposed lot geometry for Lots 2, 3, and 4 of Block 1 and Lots 2 and 3 of Block 2 cannot meet the Adams County A-1 requirements for the lot to depth ratio (Section 5-03-03-06 Lot Depth to Width Ratio).

The approved PUD established the current lot layout and quantity that met the Water Court approved water decree (March 21, 2007). Code 5-03-03-06 (Lot Depth to Width Ratio) was adopted January 22, 2007 but the approved PUD did not meet the 5-03-03-06 depth to width ratio.

Recorded Filing 1 (18 lots) was not done in its entirety per the approved PUD (i.e. 34 lots) and the current proposed Filing 6 (15 lots – is the remainder of the PUD labeled Filing 1). By virtue of a smaller recorded Filing 1 the remainder of PUD Filing 1 (current proposed Filing 6) has/had no ability for geometry revision to achieve the depth to width criteria after 2 new Tracts for storm drainage ponds were created as requested by County staff (that were not part of the approved PUD layout). in short there is no ability to revise Filing 6 without further loss of PUD approved lots.

The following is a documents checklist for the Waiver from Subdivision Design Standards Submittal:

- | | |
|--|---------------|
| 1. Development Application Form (Request for Waiver) | Enclosed |
| 2. Application Fees | Enclosed |
| 3. Written explanation of the project | This document |
| 4. Site Plan Showing Proposed Development | Enclosed |
| 5. Copy of the Plat Prepared by Surveyor | Enclosed |
| 6. Proof of ownership. | Enclosed |
| 7. Proof of Water and Sewer Services | Enclosed |
| 8. Proof of Utilities | |
| 9. Neighborhood Meeting Summary | Enclosed |
| 10. Legal Description | Enclosed |
| 11. Certificate of Taxes Paid | Enclosed |
| 12. Certificate of Notice of Mineral Estate Owners/ ad Lessees | Enclosed |
| 13. Certificate of Surface Development | Enclosed |

CLOSING

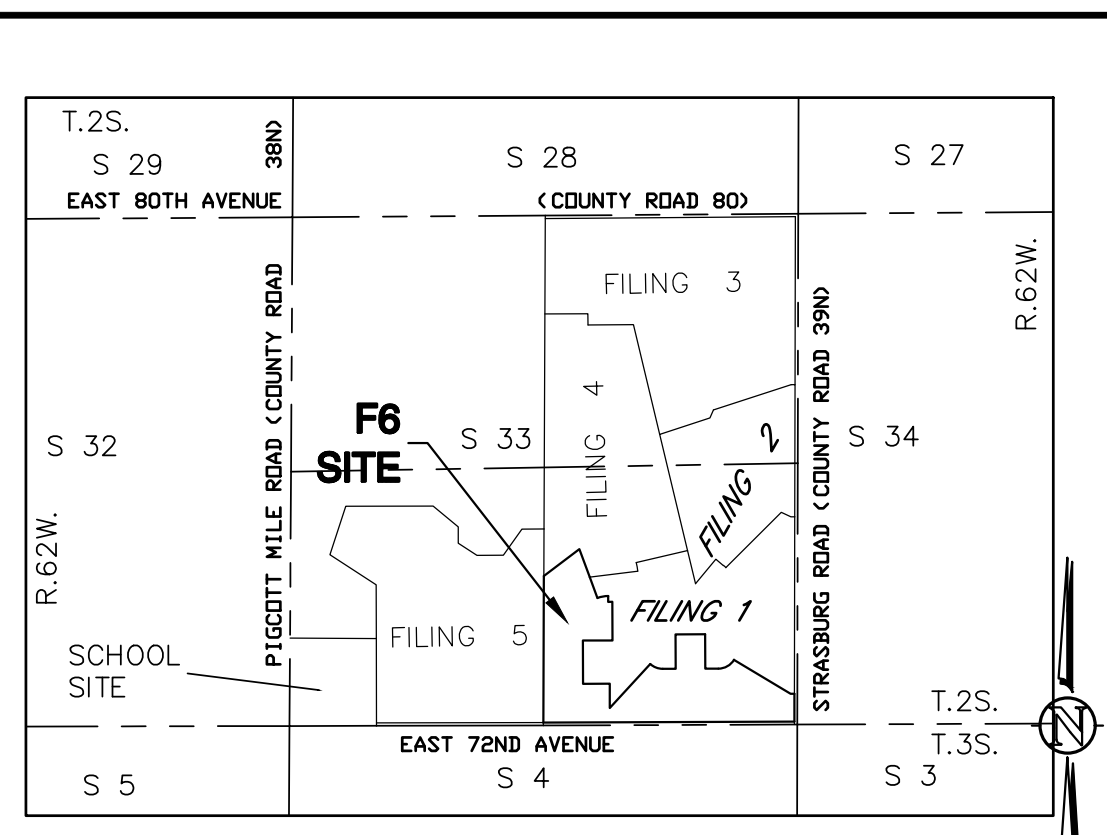
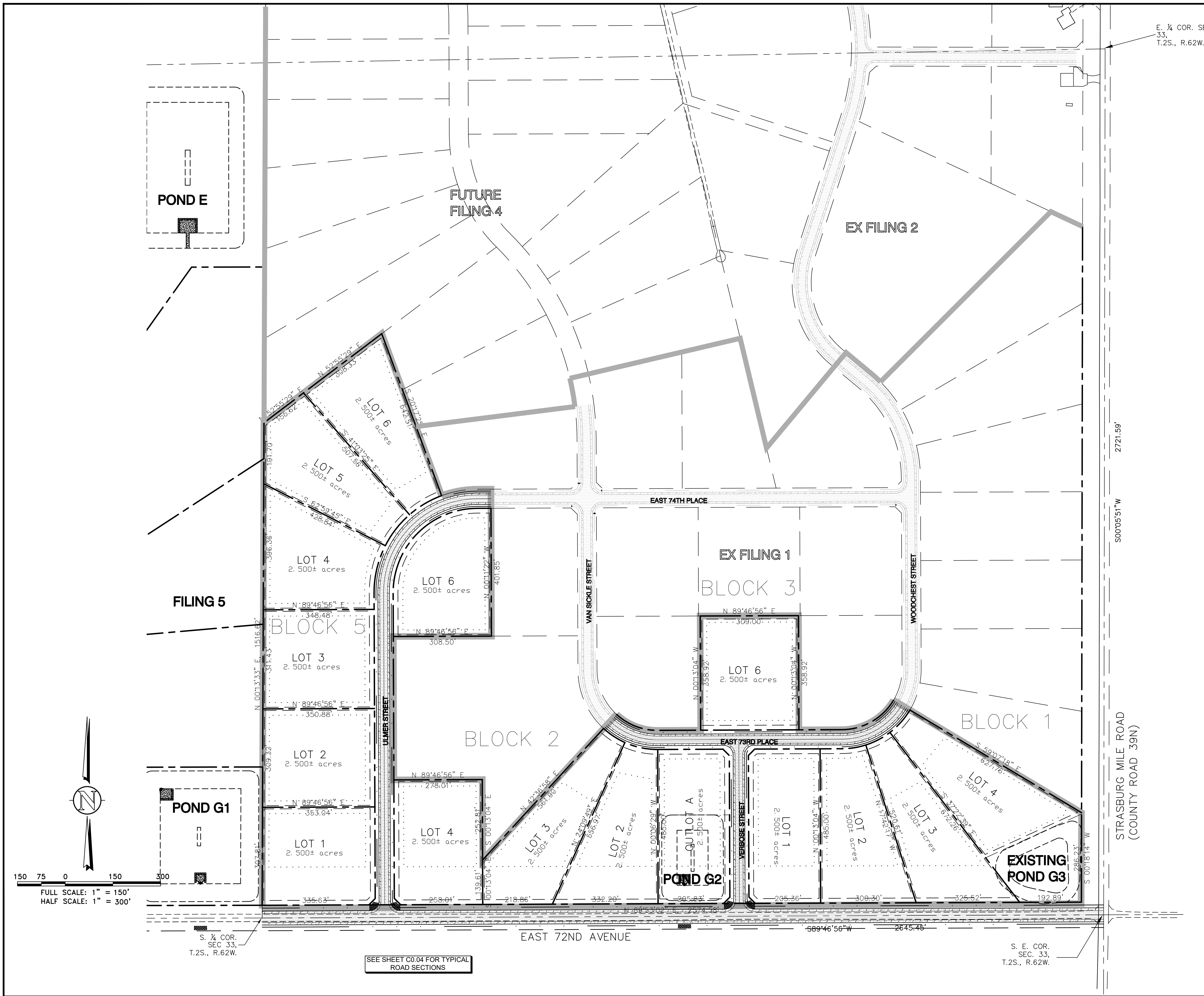
Please contact me with any questions or comments you may have on this Project letter of Waiver from Subdivision Design standards.

Sincerely,



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

\\WCSERVER1\Share\0320_00-GRASSLANDS-FILING-586\DWG\CAD\Filing 6 - 0320.00\0320-004-01-WEC-CDS-000-1.00.dwg, C:\00-SITE_9\2\2021\10456 PM_AutoCAD PDF (High Quality Print).pc3, WEC 24-36, WEC 24-36



VICINITY MAP SCALE 1" = 2,000'
 SE 1/4 SECTION 33 TOWNSHIP 2 SOUTH RANGE 62 WEST
 SHOWN VICINITY MAP TAKEN FROM USGS QUAD MAP -
 CO_Roper_School_20160901_TM_geo

NOTES

THIS PLAN IS INTENDED AS THE GENERAL SITE PLAN FOR GRASSLANDS AT COMANCHE-FILING 6.

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 ADAMS COUNTY RESPECTIVELY.

SEE COVER SHEET FOR BASIS OF BEARING & BENCHMARK.

ANY REFERENCE TO EASEMENTS, SURVEY POINTS, OR EXISTING UTILITIES AND FEATURES ARE BASED SOLELY FROM SURVEY INFORMATION PROVIDED BY R.W. BAYER & ASSOCIATES, INC. ON GRASSLANDS AT COMANCHE-SIXTH FILING PLAT, DATED AUGUST 6, 2021.

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.

LOT SETBACKS

Outer Roads	120 FT
Internal Roads	30 FT
Rear and Side Lot Lines	20 FT

SYMBOL LEGEND

	EXISTING CONC		PROPOSED GRAVEL
	EXISTING ASPHALT		PROPOSED CONC
	PROPOSED ASPHALT		PROPOSED ASPHALT

LINETYPE LEGEND

	LOT / PROPERTY / SECTION LINE
	RIGHT OF WAY LINE
	EASEMENT
	SETBACK
	TO BE ABANDONED LOT LINE
	EXISTING BUILDING, CURB
	EDGE OF ASPHALT or GRAVEL RD
	CHAINLINK FENCE
	WIRE FENCE
	POND W/S
	SWALE
	EXISTING OVERHEAD ELEC

127 S. DENVER AVE
 FT. LUPTON, CO 80621
 www.westerneci.com
 email@westerneci.com
 (720) 885-8951
 FAX (720) 294-1330

Western Engineering Consultants, Inc LLC

GRASSLANDS AT COMANCHE LLC
 CONTACT: JARROD ASHIDA
 1035 37th AVENUE CT
 GREELEY, CO 80643
 MOBILE (970)415-0228

**GENERAL SITE PLAN
 GRASSLANDS AT COMANCHE
 FILING 6
 ADAMS COUNTY, COLORADO**

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

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

INITIAL PLAN
 RELEASE: 03/02/21
 DESIGNED BY: CFC
 DRAWN BY: CFC
 CHECKED BY: CFC

PROJECT NO.
 01-0320.004.01
 DOC CON #
 C1.00-GEN-SITE

SHT C1.00

GRASSLANDS AT COMANCHE - SIXTH FILING, PRELIMINARY PLAT

A PART OF THE SOUTH ONE-HALF OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.

CASE NO: PLT2021-00028

SHEET 1 OF 5
VICINITY MAP

OWNERSHIP AND DEDICATION CERIFICATE:

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BEING THE OWNER OF THAT PART OF THE SOUTH ONE-HALF OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 33, THENCE S89°46'56"W ALONG THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 33, A DISTANCE OF 30.00 FEET; THENCE N00°05'51"E PARALLEL WITH THE EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 33, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N00°05'51"E A DISTANCE OF 290.89 FEET; THENCE N89°54'09"W A DISTANCE OF 40.00 FEET; THENCE N59°07'18"W A DISTANCE OF 688.83 FEET TO A POINT ON A CURVE TO THE RIGHT, THE DELTA OF SAID CURVE IS 58°54'14", THE RADIUS OF SAID CURVE IS 190.00 FEET; THE CHORD OF SAID CURVE BEARS S60°19'49"W, 186.84 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 195.33 FEET TO THE END OF SAID CURVE, THENCE S89°46'56"W A DISTANCE OF 135.00 FEET; THENCE N00°13'04"W A DISTANCE OF 358.92 FEET; THENCE S89°46'56"W A DISTANCE OF 309.00 FEET; THENCE S00°13'04"E A DISTANCE OF 358.92 FEET; THENCE S89°46'56"W A DISTANCE OF 135.00 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, THE DELTA OF SAID CURVE IS 42°50'02", THE RADIUS OF SAID CURVE IS 190.00 FEET; THE CHORD OF SAID CURVE BEARS N68°48'03"W, 138.76 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 142.04 FEET; THENCE S42°36'58"W A DISTANCE OF 621.90 FEET; THENCE N00°13'04"W A DISTANCE OF 252.81 FEET; THENCE S89°46'56"W A DISTANCE OF 278.01 FEET; N00°13'04"W A DISTANCE OF 450.73 FEET; THENCE N89°46'56"E A DISTANCE OF 308.50 FEET; THENCE N00°13'04"W A DISTANCE OF 401.85; THENCE S89°46'56"W A DISTANCE OF 43.50 FEET; THENCE N00°13'04"W A DISTANCE OF 60.00 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THE DELTA OF SAID CURVE IS 20°04'21", THE RADIUS OF SAID CURVE IS 325.00 FEET; THE CHORD OF SAID CURVE BEARS S79°44'45"W, 113.28 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 113.86 FEET; THENCE N20°17'25"W A DISTANCE OF 542.51 FEET; THENCE S52°55'29"W A DISTANCE OF 463.95 FEET; THENCE S00°13'24"W A DISTANCE OF 1526.57 FEET TO A POINT ON A LINE 30.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 33; THENCE N89°46'56"E PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 2615.66 FEET TO THE POINT OF BEGINNING. CONTAINS 46.224 ACRES MORE OR LESS.

HAS BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS, TRACTS, BLOCKS, STREETS AND EASEMENTS, AS SHOWN ON THIS PLAT, UNDER THE NAME AND STYLE OF GRASSLANDS AT COMANCHE - SIXTH FILING - PRELIMINARY PLAT AND DO HEREBY DEDICATE TO THE COUNTY OF ADAMS, STATE OF COLORADO, FOR THE USE OF THE PUBLIC, ALL STREETS, AND OTHER PUBLIC WAYS AND LANDS AS SHOWN ON THIS PLAT, FOREVER, AND ALSO GRANT THE EASEMENTS AS SHOWN, LABELED AS UTILITY EASEMENTS ON THIS PLAT, FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES, INCLUDING BUT NOT LIMITED TO ELECTRIC LINES, GAS LINES, TELEPHONE LINES, SEWER LINES, WATER LINES; TOGETHER WITH A RIGHT TO TRIM INTERFERING TREES AND BRUSH, TOGETHER WITH A PERPETUAL RIGHT INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF SUCH LINES; SAID EASEMENTS AND RIGHTS TO BE UTILIZED IN A RESPONSIBLE AND PRUDENT MANNER. EXECUTED THIS _____ DAY OF _____, 20____.

DAVE REBOL, AS MANAGER FOR GRASSLANDS AT COMANCHE LLC, A COLORADO LIMITED LIABILITY COMPANY

ACKNOWLEDGEMENT:

COUNTY OF ADAMS)
)SS
STATE OF COLORADO)

THE FOREGOING WAS ACKNOWLEDGED BY ME THIS _____ DAY OF _____, 20____, BY DAVE REBOL, MANAGER, GRASSLANDS AT COMANCHE LLC, A COLORADO LIMITED LIABILITY COMPANY.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

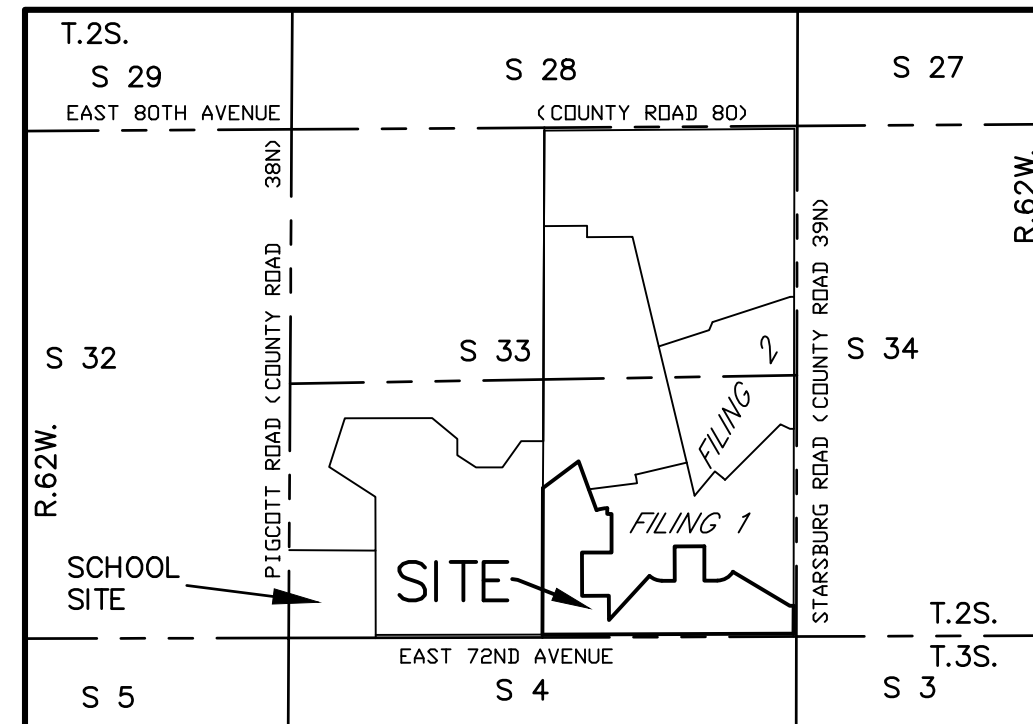
BASIS FOR BEARINGS:

THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER (THE SOUTH ¼ CORNER IS A 2" ALUMINUM CAP, P.L.S. 18475 AND THE SOUTHEAST CORNER IS A 3-1/4" ALUMINUM CAP, L.S. 23519, IN RANGE BOX) OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, IS ASSUMED TO BEAR SOUTH 89°46'56" WEST. ALL BEARINGS DESCRIBED HEREIN ARE RELATIVE THERETO.

NOTICE:

ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATED OF THE CERTIFICATION SHOWN HEREON.

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY R.W. BAYER & ASSOCIATES, INC. OF THE PROPERTY SHOWN AND DESCRIBED HEREIN TO DETERMINE OWNERSHIP OF THE TRACT OF LAND, COMPATIBILITY OF THIS DESCRIPTION WITH THOSE OF ADJACENT TRACTS OF LAND OR RIGHTS-OF-WAY, EASEMENTS OR ENCUMBRANCES OF RECORD AFFECTING THIS TRACT OF LAND. R.W. BAYER & ASSOCIATES, INC. HAS RELIED UPON FIDELITY NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. F0721209-340-KH7, DATED JULY 28, 2021, FOR OWNERSHIP AND FOR THE PURPOSE OF SHOWING RECORDED EASEMENTS AND RIGHT-OF-WAY THAT CAN BE PLOTTED ACROSS THE PREMISES. THE PREMISES IS SUBJECT TO THE EXCEPTIONS CONTAINED IN SCHEDULE B - SECTION 2 OF THE TITLE COMMITMENT.



PLAT NOTES:

- AS SHOWN ON THIS PLAT: TEN-FOOT (10') WIDE UTILITY (FIVE FOOT ON EACH SIDE) EASEMENTS ARE HEREBY GRANTED ON PRIVATE PROPERTY ALONG COMMON SIDE AND REAR LOT LINES. THESE EASEMENTS ARE DEDICATED FOR THE INSTALLATION, MAINTENANCE AND REPLACEMENT OF ELECTRIC, GAS, TELEVISION CABLE, AND TELECOMMUNICATIONS FACILITIES. UTILITIES SHALL ALSO BE PERMITTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS IN THE SUBDIVISION. PERMANENT STRUCTURES AND WATER METERS SHALL NOT BE PERMITTED WITHIN SAID EASEMENTS.
- AS SHOWN ON THIS PLAT: FIFTEEN FOOT WIDE (15') WIDE DRY UTILITY AND DRAINAGE EASEMENTS ADJOINING ALL EXTERIOR AND INTERIOR STREETS ARE DEDICATED FOR THE INSTALLATION, MAINTENANCE AND REPLACEMENT OF ELECTRIC, TELEVISION CABLE, AND TELECOMMUNICATIONS AND DRAINAGE FACILITIES, ADDITIONALLY, THE DRY UTILITY AND DRAINAGE EASEMENTS ARE DEDICATED ALONG ALL SIDE AND REAR LOT LINES UNLESS SAID LOT LINE IS COMMON TO MORE THAN ONE LOT.
- 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 OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE FACILITIES INCLUDING INLETS, PIPES, CULVERTS, CHANNELS, DITCHES HYDRAULIC STRUCTURES, AND DETENTION BASINS LOCATED ON THEIR LAND UNLESS MODIFIED BY SUBDIVISION DEVELOPMENT AGREEMENT. REFER TO THE APPROVED DRAINAGE FACILITIES MAINTENANCE PLAN, RECEPTION NO. 2017000017306, ADAMS COUNTY RECORDS. SHOULD THE OWNER FAIL TO ADEQUATELY MAINTAIN SAID FACILITIES, THE COUNTY SHALL HAVE THE RIGHT TO ENTER SAID LAND FOR THE SOLE PURPOSE OF OPERATIONS AND MAINTENANCE. ALL SUCH MAINTENANCE COSTS WILL BE ASSESSED TO THE PROPERTY OWNER.
- THIS PLAN HAS BEEN APPROVED BY ADAMS COUNTY AND CREATES A VESTED PROPERTY RIGHT PURSUANT TO C.R.S. 24-68-101, ET SEQ., AS AMENDED, AND THE ADAMS COUNTY DEVELOPMENT STANDARDS AND REGULATIONS.
- ADAMS COUNTY SHALL BE GRANTED ACCESS EASEMENTS FOR TEMPORARY CUL-DE-SACS AS SHOWN ON THIS PLAT, WITHIN PORTIONS OF LOTS DEPICTED HEREIN. TERM OF THE ACCESS EASEMENTS SHALL BE UNTIL ROADWAY INFRASTRUCTURE IS CONSTRUCTED BEYOND THE TEMPORARY TERMINUS OF THE ACCESS EASEMENT/TEMPORARY CUL-DE-SAC AND HAS RECEIVED FINAL ACCEPTANCE FROM ADAMS COUNTY.
- THE FIRST AMENDMENT TO SURFACE USE AGREEMENT AS RECORDED 01-20-2021 IN RECEPTION NO. 2021000005800, ADAMS COUNTY RECORDS, QUITCLAIMED ALL INTEREST ANADARKO MAY HAVE UNDER THE SUA (RECORDED IN RECEPTION NO. 2007000052861) TO THE OIL AND GAS OPERATIONS AREAS. ADDITIONALLY, THE SUA IS AMENDED TO DELETE ALL OIL AND GAS OPERATIONS AREAS WITHIN THE SW4, NE4, AND SE4 OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62 WEST OF THE 61H P.M., COUNTY OF ADAMS, STATE OF COLORADO.

Prepared By:

R. W. BAYER & ASSOCIATES, INC.
2090 East 104th Avenue, S-200
Thornton, Colorado 80233
303-452-4433 rwbysurveying@hotmail.com
CAD FILE: 21161-6P/21161-6P.DWG

Date Prepared: AUGUST 06, 2021
REVISED: 11-02-21 1ST COUNTY COMMENTS

PLAT NOTES CONTINUED:

- THE 300' WAVIER AREA, 250' BUILDING EXCLUSION ZONE, 200' OPERATIONS EASEMENT, 30' ACCESS EASEMENT, 50' TEMPORARY CONSTRUCTION EASEMENT AND 30' PIPELINE EASEMENT AS SHOWN IN THE SUA DOCUMENT AND IN GRASSLANDS AT COMANCHE - FIRST FILING, RECORDED IN RECEPTION NO. 2017000080372, ADAMS COUNTY RECORDS, NO LONGER HAVE AFFECT AND HAVE BEEN REMOVED FROM THIS PLAT FILING.
- IN THE EVENT THAT AN EXISTING WELL IS PLUGGED AND ABANDONED, THE TWO-HUNDRED-FIFTY (250) FOOT EASEMENT MAY BE REMOVED FROM THE PLAT THROUGH AN AMENDMENT TO THE SUBDIVISION. A COPY OF THE WELL ABANDONMENT REPORT SHALL BE PROVIDED ALONG WITH A RECORDED COPY OF THE OIL & GAS WELL WAIVER.
 - THE AMOUNT OF WATER IN THE DENVER BASIN AQUIFER, AND IDENTIFIED IN THE REFERENCED LETTER, ARE CALCULATED BASED ON ESTIMATED CURRENT AQUIFER CONDITIONS. FOR PLANNING PURPOSES PROPERTY OWNERS SHOULD BE AWARE THAT THE ECONOMIC LIFE OF A WATER SUPPLY BASED ON WELLS IN A GIVEN DENVER BASIN AQUIFER MAY BE LESS THAN THE 300 YEAR USED FOR ALLOCATION DUE TO ANTICIPATED WATER LEVEL DECLINES.
 - IT SHOULD BE KNOWN THE CITY OF WESTMINSTER OWNS THE AGRICULTURAL LAND EAST (ACTUALLY NORTHEAST) OF THE COMANCHE PUD. THE CITY USES THIS PROPERTY FOR CATTLE GRAZING, CROP PRODUCTION, AND THE APPLICATION OF BIOSOLIDS. BIOSOLIDS ARE HIGHLY TREATED, NUTRIENT RICH, SOLIDS RECOVERED FROM THE MUNICIPAL WASTEWATER TREATMENT PROCESS.
 - THE PARCEL DESCRIBED HEREIN IS ENTIRELY WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 2% ANNUAL CHANCE FLOOD) AS SHOWN ON THE F.E.M.A., FLOOD RATE INSURANCE MAP, MAP NUMBER 08001C0730H, EFFECTIVE DATE: MARCH 5, 2007.
 - THE LOTS WITHIN THIS FILING ARE SUBJECT TO THE NOTES AND RESTRICTIONS CONTAINED IN THE GRASSLANDS AT COMANCHE PLANNED UNIT DEVELOPMENT, CASE NO. PRJ2007-00004, RECORDED IN RECEPTION NO. 2008000005062.
 - THIS SUBDIVISION FILING IS SUBJECT TO THE MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTION OF THE GRASSLANDS AT COMANCHE/BIJOU PRESERVE RECORDED IN RECEPTION NO. 2009000009415, ADAMS COUNTY RECORDS.
 - TRACT A IS DESIGNATED FOR DRAINAGE AND DETENTION POND BY THIS PLAT. IT SHALL BE OWNED AND MAINTAINED BY THE HOA.
 - TRACT B IS DESIGNATED FOR DRAINAGE AND DETENTION POND BY THIS PLAT. IT SHALL BE OWNED AND MAINTAINED BY THE HOA.

PLAT NOTES CONTINUED ON SHEET 5 OF 5.

SURVEYOR'S CERTIFICATE:

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

RAYMOND W. BAYER,
REG P.L.S. NO. 6973

DATE: _____

PLANNING COMMISSION APPROVAL:

APPROVED BY THE ADAMS COUNTY PLANNING COMMISSION THIS _____ DAY OF _____, 20____.

CHAIR

BOARD OF COUNTY COMMISSIONERS APPROVAL:

APPROVED BY THE ADAMS COUNTY BOARD OF COUNTY COMMISSIONERS THIS _____ DAY OF _____, 20____.

CHAIR

CERTIFICATE OF CLERK AND RECORDER

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER IN THE STATE OF COLORADO AT _____:_____. M. ON THE _____ DAY OF _____, A.D., 20____.

By: _____ DEPUTY _____ COUNTY CLERK AND RECORDER

RECEPTION NO: _____

GRASSLANDS AT COMANCHE - SIXTH FILING, PRELIMINARY PLAT

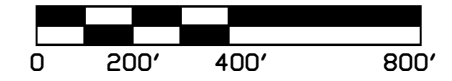
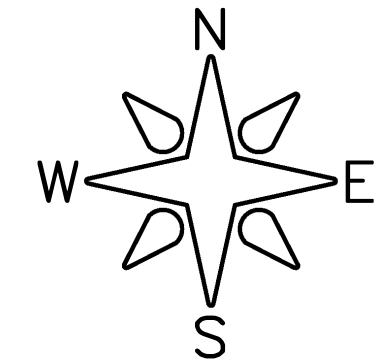
A PART OF THE SOUTH ONE-HALF OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.
SHEET 2 OF 5

CASE NO: PLT2021-00028

N. W. COR.
SEC. 33,
T. 2S.,
R. 62W.

N. ¼ COR.
SEC. 33,
T. 2S.,
R. 62W.

N. E. COR.
SEC. 33,
T. 2S.,
R. 62W.

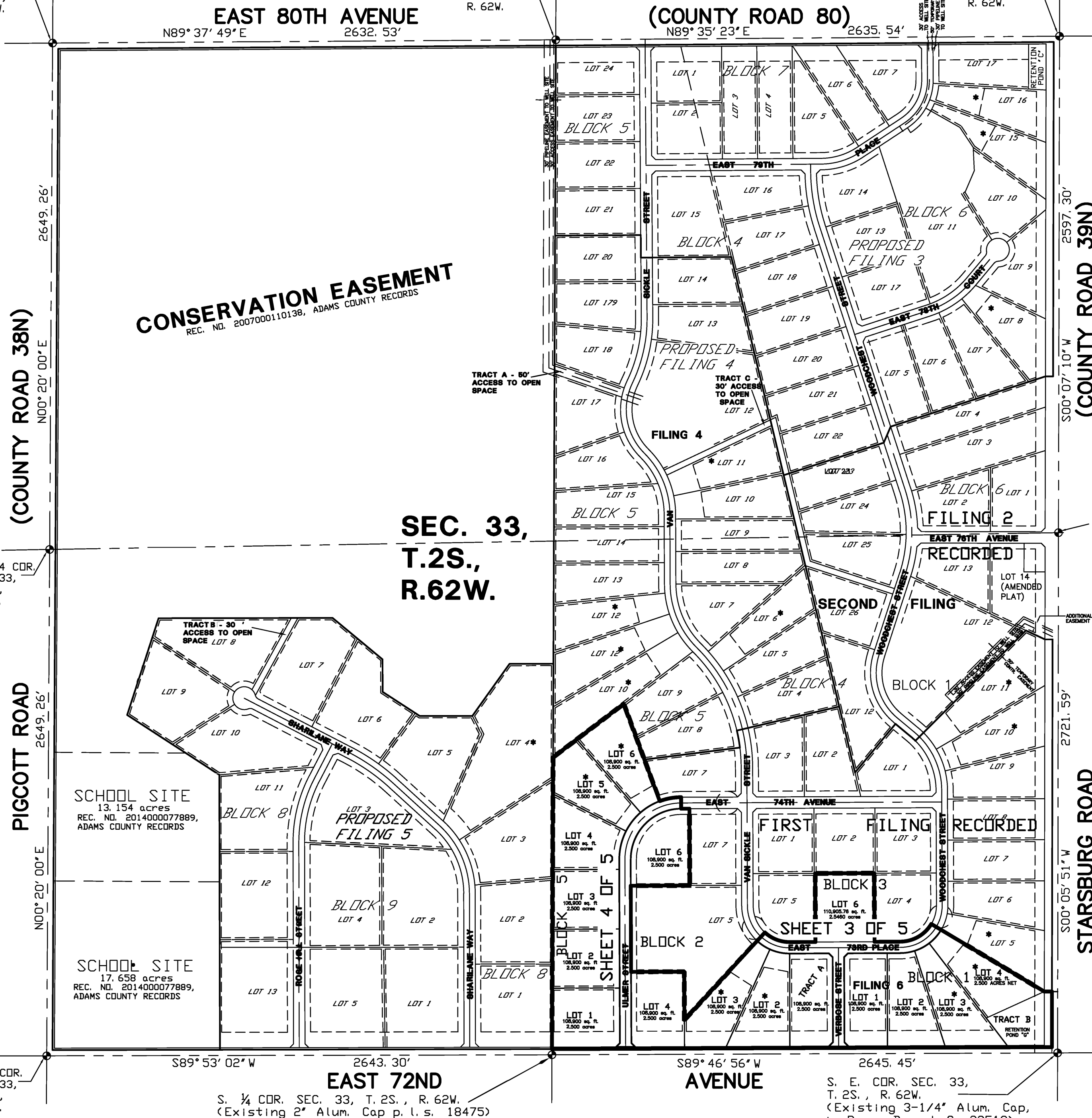


SCALE: 1"=400'

FILING NO. 1 (RECORDED) - 18 LOTS
 FILING NO. 2 (RECORDED) - 11 LOTS
 FILING NO. 2 (AMENDED) - 1 LOT
 FILING NO. 3 (PROPOSED) - 32 LOTS
 FILING NO. 4 (PROPOSED) - 24 LOTS
 FILING NO. 5 (PROPOSED) - 19 LOTS
 FILING NO. 6 (PROPOSED) - 14 LOTS
 TOTAL - 119 LOTS

* LOTS WHERE FRONT BUILDING SETBACK DETERMINED BY REQUIREMENT OF 150' LOT WIDTH AT BUILDING LINE.

GRASSLANDS AT COMANCHE - SECOND FILING IN RECEPTION NO. 200800005063
 AFFIDAVIT OF CORRECTION (SECOND FILING) IN RECEPTION NO. 2013000048277
 GRASSLANDS AT COMANCHE - SECOND FILING - AMENDED PLAT IN RECEPTION NO. 2008000071020



E. ¼ COR. SEC. 33, T. 2S., R. 62W.
 (Existing 3-¼" Alum Cap, in Range Box, P. L. S. 23519)

LAND USE CHART				
	ACREAGE	USE	OWNERSHIP	MAINTAINED BY
14 LOTS	35.547	RESIDENTIAL		
TRACT A	2.500	DRAINAGE & POND	HOA	HOA
TRACT B	1.300	DRAINAGE & POND	HOA	HOA
RIGHT-OF-WAY/ E. 72ND AVE. & STRABURG ROAD	0.858	ACCESS & UTILITY	ADAMS CO.	ADAMS CO.
RIGHT-OF-WAY/ INTERIOR STREETS	4.019	ACCESS & UTILITY	ADAMS CO.	ADAMS CO.
TOTAL ACREAGE:	46.224			

* HOA - HOMEOWNERS ASSOCIATION (NAME TBD)

Prepared By:
 R. W. BAYER & ASSOCIATES, INC.
 2090 East 104th Avenue, S-200
 Thornton, Colorado 80233
 303-452-4433 rwbysurveying@hotmail.com
 CAD FILE: 21161-6P/21161-6PA.DWG

Date Prepared: AUGUST 06, 2021
 REVISED: 11-02-21 1ST COUNTY COMMENTS
 REVISED: 03-22-22 REMOVED OIL/GAS EASE

W. 1/4 COR.
SEC. 33,
T. 2S.,
R. 62W.

S. W. COR.
SEC. 33,
T. 2S.,
R. 62W.

S. ¼ COR. SEC. 33, T. 2S., R. 62W.
 (Existing 2" Alum. Cap p. l. s. 18475)

S. E. COR. SEC. 33,
T. 2S., R. 62W.
(Existing 3-1/4" Alum. Cap,
in Range Box, L. S. 23519)

GRASSLANDS AT COMANCHE - SIXTH FILING, PRELIMINARY PLAT

A PART OF THE SOUTH ONE-HALF OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62
WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.

CASE NO: PLT2021-00028

SHEET 3 OF 5

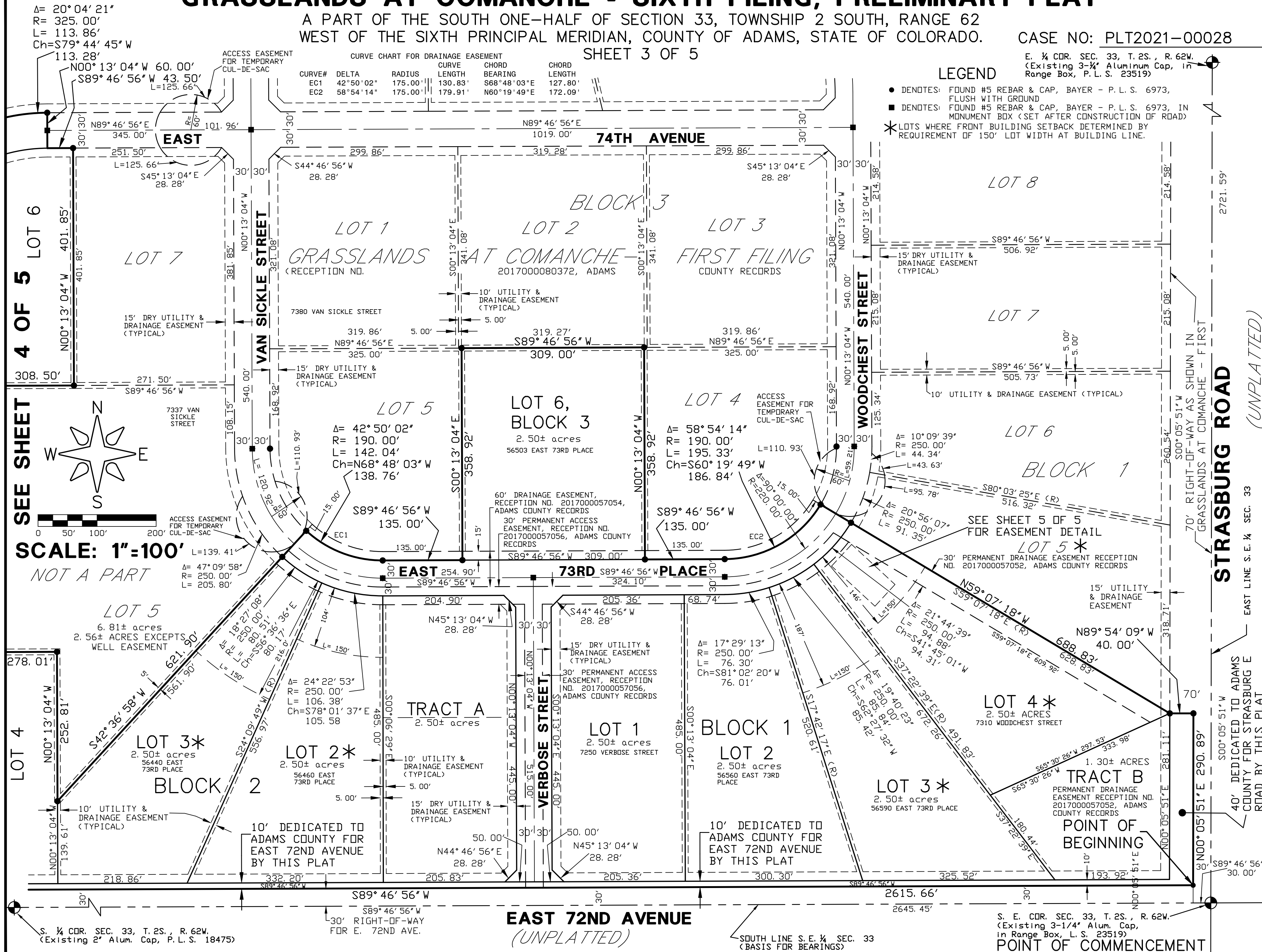
LEGEND

- DENOTES: FOUND #5 REBAR & CAP, BAYER - P. L. S. 6973, FLUSH WITH GROUND
- DENOTES: FOUND #5 REBAR & CAP, BAYER - P. L. S. 6973, IN MONUMENT BOX (SET AFTER CONSTRUCTION OF ROAD)
- * LOTS WHERE FRONT BUILDING SETBACK DETERMINED BY REQUIREMENT OF 150' LOT WIDTH AT BUILDING LINE.

CURVE CHART FOR DRAINAGE EASEMENT

CURVE#	DELTA	RADIUS	CURVE LENGTH	CHORD	CHORD BEARING	CHORD LENGTH
EC1	42°50'02"	175.00'	130.83'	S68°48'03"E	127.80'	
EC2	58°54'14"	175.00'	179.91'	N60°19'49"E	172.09'	

E. ¼ CDR. SEC. 33, T. 2S., R. 62W.
(Existing 3-¼" Aluminum Cap, in Range Box, P. L. S. 23519)



SEE SHEET 4 OF 5

SCALE: 1"=100'
NOT A PART

STRASBURG ROAD (UNPLATTED)
70' RIGHT-OF-WAY AS SHOWN IN GRASSLANDS AT COMANCHE - FIRST FILING

EAST LINE S. E. ¼ SEC. 33

40' DEDICATED TO ADAMS COUNTY FOR STRASBURG ROAD BY THIS PLAT

S. E. CDR. SEC. 33, T. 2S., R. 62W.
(Existing 3-¼" Alum. Cap, in Range Box, P. L. S. 23519)
POINT OF COMMENCEMENT

SOUTH LINE S. E. ¼ SEC. 33 (BASIS FOR BEARINGS)

EAST 72ND AVENUE (UNPLATTED)

S. ¼ CDR. SEC. 33, T. 2S., R. 62W.
(Existing 2" Alum. Cap, P. L. S. 18475)

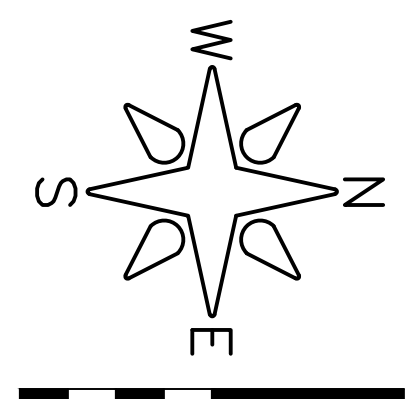
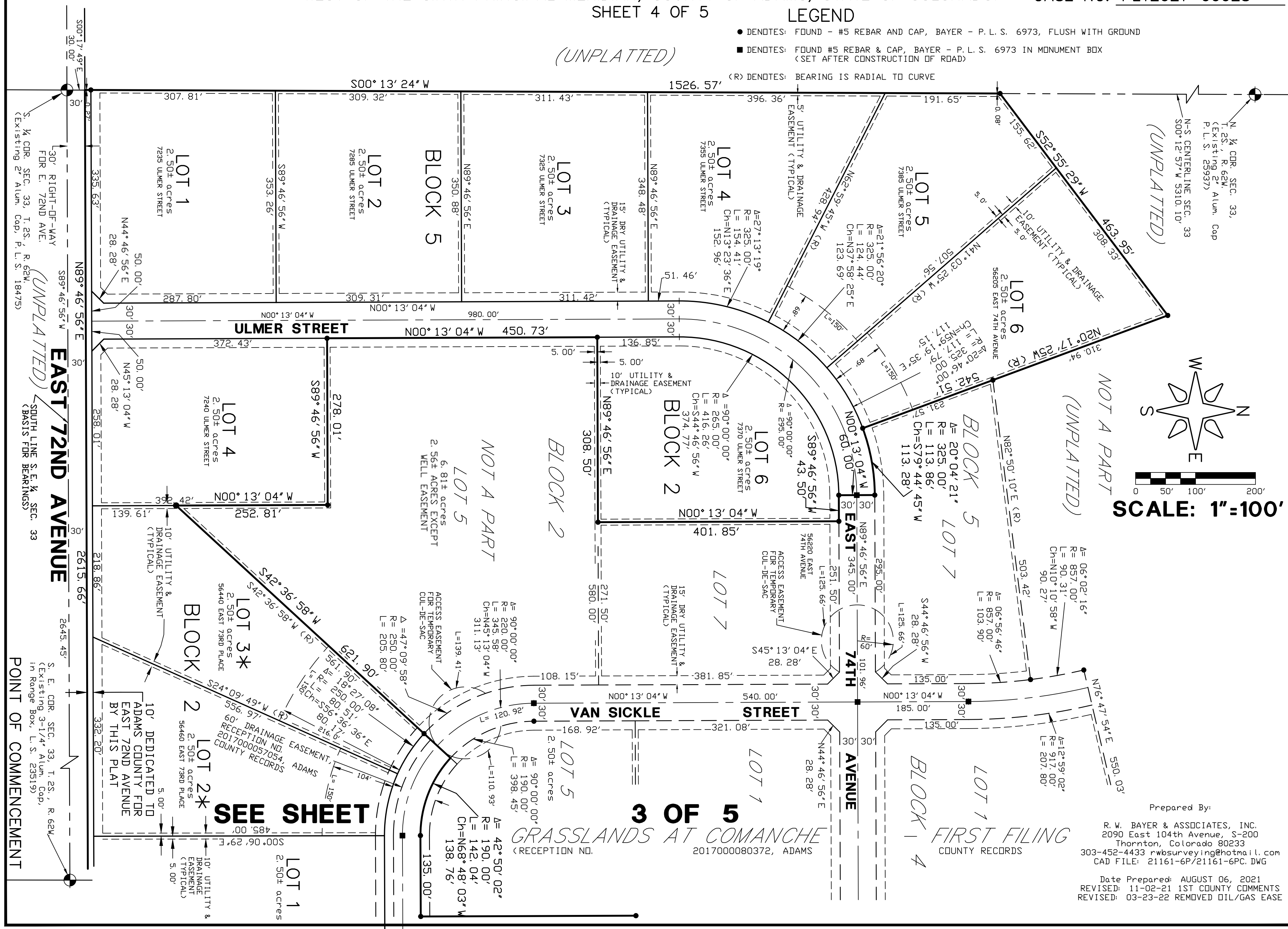
GRASSLANDS AT COMANCHE - SIXTH FILING, PRELIMINARY PLAT

A PART OF THE SOUTH ONE-HALF OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62
WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.
SHEET 4 OF 5

CASE NO: PLT2021-00028

(UNPLATTED)

- LEGEND**
- DENOTES: FOUND - #5 REBAR AND CAP, BAYER - P. L. S. 6973, FLUSH WITH GROUND
 - DENOTES: FOUND #5 REBAR & CAP, BAYER - P. L. S. 6973 IN MONUMENT BOX (SET AFTER CONSTRUCTION OF ROAD)
 - (R) DENOTES: BEARING IS RADIAL TO CURVE



3 OF 5
GRASSLANDS AT COMANCHE
(RECEPTION NO. 2017000080372, ADAMS)

Prepared By:
R. W. BAYER & ASSOCIATES, INC.
2090 East 104th Avenue, S-200
Thornton, Colorado 80233
303-452-4433 rwbysurveying@hotmail.com
CAD FILE: 21161-6P/21161-6PC.DWG

Date Prepared: AUGUST 06, 2021
REVISED: 11-02-21 1ST COUNTY COMMENTS
REVISED: 03-23-22 REMOVED OIL/GAS EASE

30° RIGHT-OF-WAY FOR E. 72ND AVE. (UNPLATTED)
S. 1/4 CDR. SEC. 33, T. 2S., R. 62W. (Existing 2" Alum. Cap, P. L. S. 18475)S. E. CDR. SEC. 33, T. 2S., R. 62W. (Existing 3-1/4" Alum. Cap, in Range Box, L. S. 23519)POINT OF COMMENCEMENT

SEE SHEET

60' DRAINAGE EASEMENT, RECEPTION NO. 2017000057054, COUNTY RECORDS
10' DEDICATED TO ADAMS COUNTY FOR EAST 72ND AVENUE BY THIS PLAT
S. E. CDR. SEC. 33, T. 2S., R. 62W. (Existing 3-1/4" Alum. Cap, in Range Box, L. S. 23519)POINT OF COMMENCEMENT

GRASSLANDS AT COMANCHE - SIXTH FILING, PRELIMINARY PLAT

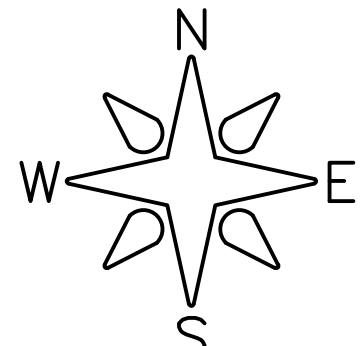
A PART OF THE SOUTH ONE-HALF OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62
WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.
SHEET 5 OF 5

CASE NO: PLT2021-00028

PLAT NOTES CONTINUED:

15. NOTICE TO PROSPECTIVE BUYERS: THE OWNER SHALL DISCLOSE TO PROSPECTIVE BUYERS OF LOTS WITHIN A RADIUS OF 200 FEET OF THE PLUGGED AND ABANDONED WELL OF (1) THE LOCATION OF THE OF THE PLUGGED AND ABANDONED WELL, (2) THE LOCATION OF THE MAINTENANCE AND WORKOVER SETBACK, AND (3) THE PURPOSE FOR THE WELL MAINTENANCE AND WORKOVER SET BACK. THERE IS A 50 FT X 100 FT BUFFER AROUND THE ABANDONED WELLHEAD DEDICATED AS A WELL MAINTENANCE AND WORKOVER SETBACK. NO STRUCTURES SHALL BE LOCATED WITHIN THIS SETBACK. THERE IS A 20FT ACCESS SHOWN ON THIS PLAT FOR THE PURPOSES OF PUBLIC ACCESS FOR INGRESS AND EGRESS TO THE SETBACK AREA. NO UTILITY LINES SHALL BE PERMITTED WITH TEN (10') FEET OF THE ABANDONED WELL AND NO DWELLINGS SHALL BE PERMITTED WITHIN FIFTY (50') OF THE ABANDONED WELL.

THE 20' ACCESS SHOWN ON LOT 4, BLOCK 1 IS THE DESIGNATED ACCESS AREA OVER PRIVATE LAND FOR INGRESS AND EGRESS BY THE WELL OPERATOR OR ITS DESIGNATED REPRESENTATIVE OR CONTRACTOR IN THE EVENT ANY FUTURE WORK IS REQUIRED TO THE PLUGGED AND ABANDONED WELL. THE 50' X 100' WELL WORKOVER SETBACK AND THE 20' ACCESS AREA ARE DESIGNATED AS "NO BUILD" AREAS.



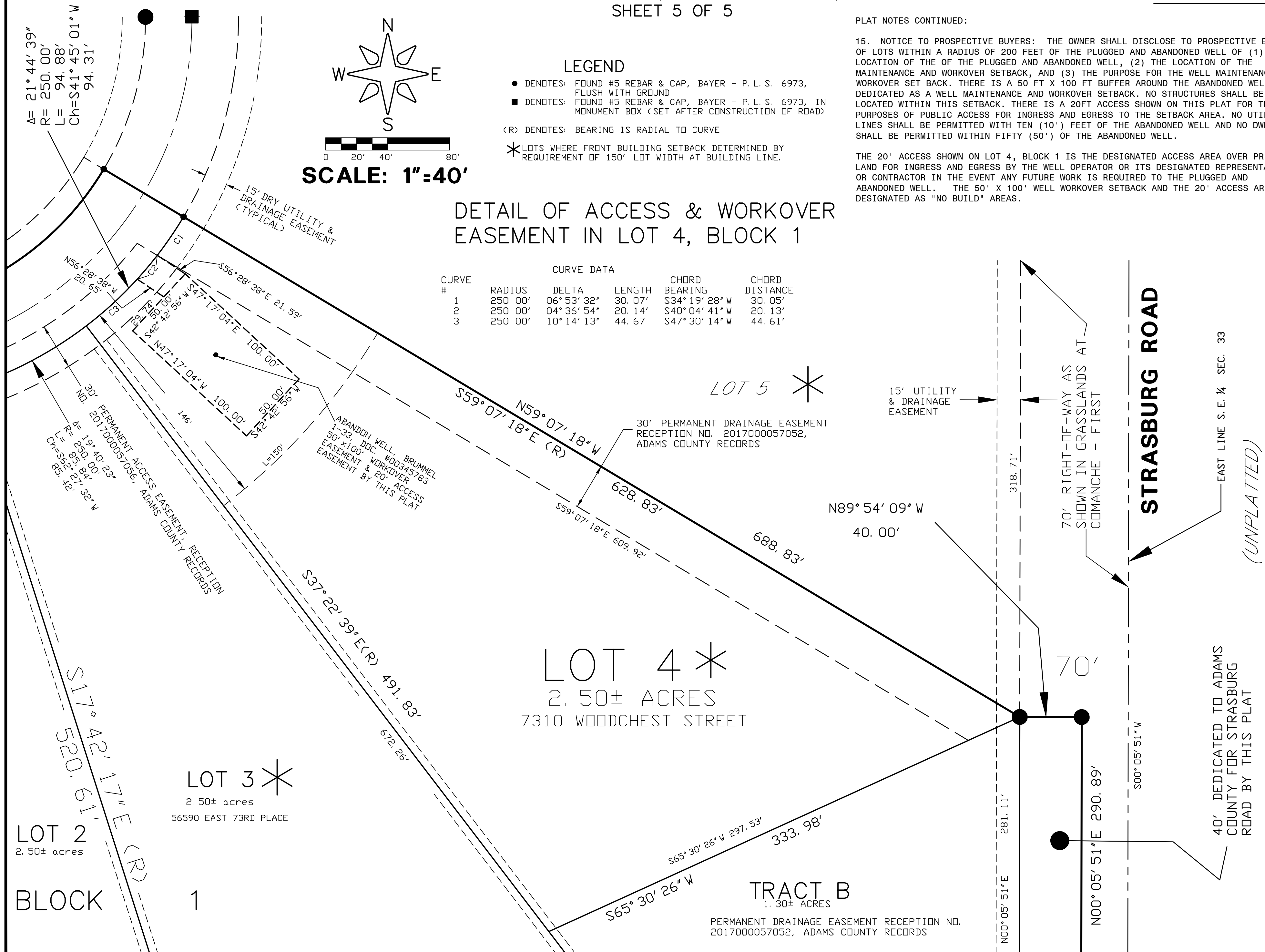
SCALE: 1"=40'

LEGEND

- DENOTES: FOUND #5 REBAR & CAP, BAYER - P. L. S. 6973, FLUSH WITH GROUND
- DENOTES: FOUND #5 REBAR & CAP, BAYER - P. L. S. 6973, IN MONUMENT BOX (SET AFTER CONSTRUCTION OF ROAD)
- (R) DENOTES: BEARING IS RADIAL TO CURVE
- * LOTS WHERE FRONT BUILDING SETBACK DETERMINED BY REQUIREMENT OF 150' LOT WIDTH AT BUILDING LINE.

DETAIL OF ACCESS & WORKOVER EASEMENT IN LOT 4, BLOCK 1

CURVE DATA					
CURVE #	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD DISTANCE
1	250.00'	06° 53' 32"	30.07'	S34° 19' 28" W	30.05'
2	250.00'	04° 36' 54"	20.14'	S40° 04' 41" W	20.13'
3	250.00'	10° 14' 13"	44.67'	S47° 30' 14" W	44.61'



(UNPLATTED)

40' DEDICATED TO ADAMS COUNTY FOR STRASBURG ROAD BY THIS PLAT

**SPECIAL WARRANTY DEED
(Water Rights)**

THIS SPECIAL WARRANTY DEED is made as of this 15th day of July, 2019, between **HOLLY INVESTMENT CO.**, a Colorado corporation (“Grantor”), of Adams County, Colorado and **GRASSLANDS AT COMANCHE LLC**, a Colorado limited liability company (“Grantee”), whose mailing address is 412 W. Platte Ave., Ft. Morgan, CO 80701.


GRANTOR, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, by these presents does hereby grant, sell, transfer, convey, warrant and assign unto Grantee and it’s successors and assigns, all of Grantor’s right, title, and interest in and to the following water rights and right to withdraw and use water (collectively “Water Rights”) located in Adams County, Colorado:

- (1) the Laramie-Fox Hills Aquifer pursuant to the Determination of Water Right No. 600-BD; (2) the Arapahoe Aquifer pursuant to the Determination of Water Right No. 601-BD; (3) the Replacement Plan for Determination of Water Right No. 601-BD; and (4) the well permit number 273671 issued May 21, 2007 drawing water from the alluvium of Kiowa Creek and its tributaries.

TO HAVE AND TO HOLD, the same together with any and all rights and appurtenances incident thereto, forever, and all the estate, right, title and interest of Grantor in the Water Rights and appurtenances. Grantor further represents that it has the authority to convey to Grantee all rights described herein. Grantor, for itself, its successors and assigns, covenants and agrees that it will warrant title and forever defend the Water Rights in the quiet and peaceable possession of Grantee, it’s successors and assigns, against all and every person or persons claiming the whole of any part thereof, by, through, or under Grantor, or against adverse claims arising by, through or under the acts or omissions of Grantor. The singular shall include the plural and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed on the date set forth above.

HOLLY INVESTMENT CO.

By: 

Loren L. Losh, President

[Acknowledgement on Following Page]

ACKNOWLEDGEMENT

STATE OF COLORADO)
)
COUNTY OF Weld) ss.

The foregoing Special Warranty Deed was acknowledged before me this 15th day of July, 2019, by Loren L. Losh, President, of Holly Investment Co., a Colorado Corporation.

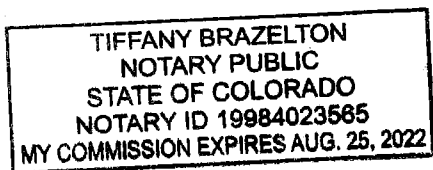
Witness my hand and official seal.

My commission expires on: _____

(seal)



Notary Public



STATE OF COLORADO

OFFICE OF THE STATE ENGINEER

Division of Water Resources
Department of Natural Resources

1313 Sherman Street, Room 818
Denver, Colorado 80203
Phone (303) 866-3581
FAX (303) 866-3589

www.water.state.co.us



Bill Owens
Governor

Russell George
Executive Director

Hal D. Simpson, P.E.
State Engineer

December 15, 2004

Holly Investment Company
Attn: Loren Losh
P.O. Box 557
Strasburg, CO 80136

RE: Determination of Water Right

Dear Mr. Losh:

Enclosed is a copy of the Colorado Ground Water Commission's Findings and Order for Determination of Water Right No. 600-BD, for the allocation of ground water in the Laramie-Fox Hills aquifer. This Findings and Order are the Commission's approval of your application for determination of rights to ground water in the above stated aquifer. This document contains important information about your water right and should be reviewed and retained for your records.

As indicated in the Order, a copy of this determination must be recorded by the applicant in the public records of the county – in which the overlying land is located – so that a title examination of the overlying land claimed in the application, or any part thereof, shall reveal this determination. An additional copy of the Findings and Order is enclosed for this purpose.

If you have any questions, please contact this office.

Sincerely,

Sarah K. Reinsel, E.I.T.
Water Resources Engineer
Designated Basins Branch

enclosures: a/s

cc: North Kiowa-Bijou GWMD

HOLLY Investments
PO Box 557 Strasburg CO 80136

7
6
2

**COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER**

IN THE MATTER OF AN APPLICATION FOR DETERMINATION OF WATER RIGHT TO
ALLOW THE WITHDRAWAL OF GROUND WATER IN THE KIOWA-BIJOU DESIGNATED
GROUND WATER BASIN

APPLICANT: HOLLY INVESTMENT COMPANY

AQUIFER: LARAMIE-FOX HILLS

DETERMINATION NO.: 600-BD

In compliance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Holly Investment Company (hereinafter "applicant") submitted an application for determination of water right to allow the withdrawal of designated ground water from the Laramie-Fox Hills Aquifer.

FINDINGS

1. The application was received complete by the Colorado Ground Water Commission on July 22, 2004.
2. The applicant requests a determination of right to designated ground water in the Laramie-Fox Hills Aquifer (hereinafter "aquifer") underlying 639.38 acres, generally described as Section 33, Township 2 South, Range 62 West of the 6th Principal Meridian, in Adams County. According to a signed statement dated July 21, 2004, the applicant owns the 639.38 acres of land, as further described in said affidavit which is attached hereto as Exhibit A, and claims control of the ground water in the aquifer underlying this land area.
3. The proposed annual amount of ground water to be allocated and withdrawn from the aquifer for intended beneficial uses is the maximum allowable amount.
4. The above described land area overlying the ground water claimed by the applicant is located within the boundaries of the Kiowa-Bijou Designated Ground Water Basin and within the North Kiowa-Bijou Ground Water Management District. The Colorado Ground Water Commission (hereinafter "Commission") has jurisdiction.
5. The applicant intends to apply the allocated ground water to the following beneficial use: domestic. The applicant's proposed place of use of the allocated ground water is the above-described 639.38-acre land area.
6. The quantity of water in the aquifer underlying the 639.38 acres of land claimed by the applicant is 8,152 acre-feet. This determination was based on the following as specified in the Designated Basin Rules:
 - a. The average specific yield of the saturated permeable material of the aquifer underlying the land under consideration that could yield a sufficient quantity of water that may be extracted and applied to beneficial use is 15 percent.

Holly Investment Company
Laramie-Fox Hills Aquifer
Determination No.: 600-BD

Page 2

- b. The average thickness of the saturated permeable material of the aquifer underlying the land under consideration that could yield a sufficient quantity of water that may be extracted and applied to beneficial use is 85 feet.
7. At this time, there is no substantial artificial recharge that would affect the aquifer within a one hundred year period.
 8. Pursuant to Section 37-90-107(7), C.R.S., and in accordance with the Designated Basin Rules, the Commission shall allocate ground water in the aquifer based on ownership of the overlying land and an aquifer life of one hundred years. Therefore, the maximum average annual amount of ground water in the aquifer that may be allocated for withdrawal pursuant to the data in the paragraphs above for the 639.38 acres of overlying land claimed by the applicant is 81.5 acre-feet.
 9. The ability of wells permitted to withdraw the authorized amount of water from this non-renewable aquifer may be less than the one hundred years upon which the amount of water in the aquifer is allocated, due to anticipated water level declines.
 10. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of ground water from the aquifer underlying the 639.38 acres of land claimed by the applicant will not, within one hundred years, deplete the flow of a natural stream or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the ground water is nontributary ground water as defined in Rule 4.2.19 of the Designated Basin Rules. No more than 98% of the amount of ground water withdrawn annually shall be consumed, as required by the Designated Basin Rules.
 11. A review of the records in the Office of the State Engineer has disclosed the presence of 15 permits for small-capacity wells to appropriate ground water from the aquifer located on or in the vicinity of the applicant's claimed overlying land area. The applicant has requested that these 15 small-capacity well permits, Permit Nos. 248283 through 248297, be canceled upon issuance of this determination of water right. Except for the above described cancelled permits, review of the records in the Office of the State Engineer finds no other previous allocations or permitted withdrawals from the aquifer underlying the claimed land area.
 12. Pursuant to Section 37-90-107(7)(c)(III), C.R.S., an approved determination of water right shall be considered a final determination of the amount of ground water so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.
 13. In accordance with Section 37-90-107(7), C.R.S., upon Commission approval of a determination of water right, well permits for wells to withdraw the authorized amount of water from the aquifer shall be available upon application, subject to the conditions of this determination and the Designated Basin Rules and subject to approval by the Commission.

Holly Investment Company
Laramie-Fox Hills Aquifer
Determination No.: 600-BD

Page 3

14. On September 9, 2004, in accordance with Rule 9.1 of the Designated Basin Rules, a letter was sent to the North Kiowa-Bijou Ground Water Management District requesting written recommendations concerning this application. No written recommendations from the district were received.
15. The Commission Staff has evaluated the application relying on the claims to control of the ground water in the aquifer made by the applicant.
16. In accordance with Sections 37-90-107(7) and 37-90-112, C.R.S., the application was published in the Eastern Colorado News on September 24 and October 1, 2004.
17. No objections to the determination of water right and proposed allocation of ground water were received within the time limit set by statute.
18. In order to prevent unreasonable impairment to the existing water rights of others within the Kiowa-Bijou Designated Ground Water Basin it is necessary to impose conditions on the determination of water right and proposed allocation of ground water. Under conditions as stated in the following Order, no unreasonable impairment of existing water rights will occur from approval of this determination of water right or from the issuance of well permits for wells to withdraw the authorized amount of allocated ground water from the aquifer.

ORDER

In accordance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, the Colorado Ground Water Commission orders that the application for determination of rights to designated ground water in the Laramie-Fox Hills Aquifer underlying 639.38 acres of land, generally described as Section 33, Township 2 South, Range 62 West of the 6th Principal Meridian, is approved subject to the following conditions:

19. The allocated average annual amount of ground water to be withdrawn from the aquifer shall not exceed 81.5 acre-feet. The allowed maximum annual amount of withdrawal may exceed the allowed average annual amount of withdrawal as long as the total volume of water withdrawn does not exceed the product of the number of years since the date of approval of this determination times the allowed average annual amount of withdrawal.
20. To conform to actual aquifer characteristics, the Commission may adjust the allocated average annual amount of ground water to be withdrawn from the aquifer based on analysis of geophysical logs or other site-specific data if such analysis indicates that the initial estimate of the volume of water in the aquifer was incorrect.
21. No more than 98% of the ground water withdrawn annually shall be consumed. The Commission may require well owners to demonstrate periodically that no more than 98% of the water withdrawn is being consumed.
22. The use of ground water from this allocation shall be limited to the following use: domestic. The place of use shall be limited to the above-described 639.38-acre land area.

Holly Investment Company
Laramie-Fox Hills Aquifer
Determination No.: 600-BD

Page 4

23. The applicant, or subsequent persons controlling this water right, shall record in the public records of the county - in which the claimed overlying land is located - notice of transfer of any portion of this water right to another within sixty days after the transfer, so that a title examination of the above described 639.38 acre land area, or any part thereof, shall reveal the changes affecting this water right. Such notice shall consist of a signed and dated deed, which indicates the determination number, the aquifer, a description of the above, described land area, the annual amount of ground water (acre-feet) transferred, name of the recipient, and the date of transfer.
24. Subject to the above conditions, well permits for wells to withdraw the authorized annual amount of water from the aquifer shall be available upon application subject to approval by the Commission and the following conditions:
- a. The wells shall be located on the above described 639.38-acre overlying land area.
 - b. The wells must be constructed to withdraw water from only the Laramie-Fox Hills Aquifer. Upon application for a well permit to construct such a well, the estimated top and base of the aquifer at the proposed well location will be determined by the Commission and indicated on the approved well permit. Plain non-perforated casing must be installed, grouted and sealed to prevent diversion of ground water from other aquifers and the movement of ground water between aquifers.
 - c. The entire depth of each well must be geophysically logged prior to installing the casing as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
 - d. Each well shall be constructed within 200 feet of the location specified on the approved well permit and, *except for wells permitted under this determination, must be more than 600 feet from any existing large-capacity well completed in the same aquifer.*
 - e. The wells may withdraw the allowed average annual amount of water from the aquifer together in any combination. The total combined annual withdrawal of the wells shall not exceed the allowed average annual amount described in this Order.
 - f. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and maintained by the well owner and submitted to the Commission or the Lost Creek Ground Water Management District upon their request.
 - g. The well owner shall mark the well in a conspicuous place with the permit number and the name of the aquifer. The well owner shall take necessary means and precautions to preserve these markings.
25. A copy of this Findings and Order shall be recorded by the applicant in the public records of the county - in which the claimed overlying land is located - so that a title examination of the above described 639.38-acre overlying land area, or any part thereof, shall reveal the existence of this determination.

EXHIBIT A

Page 1 of 1

GWS 1
06/09/00

STATE OF COLORADO
OFFICE OF THE STATE ENGINEER
DIVISION OF WATER RESOURCES
1313 Sherman St. Room 821
Denver, CO 80203
(303) 866-3581 Fax (303) 866-3589

RECEIVED
JUL 23 2004

NONTRIBUTARY GROUND WATER LANDOWNERSHIP STATEMENT

I (We) HOLLY INVESTMENT COMPANY
(Name(s))

claim and say that I (we) am (are) the owner(s) of the following described property consisting of
639.38 acres in the County of Adams,
State of Colorado:

(Insert the property legal description)

Section 33, Township 2 South, Range 62 West of the sixth principal meridian

and, that the ground water sought to be withdrawn from the Laramie-Fox Hills
aquifer underlying the above-described land has not been conveyed to reserved to another, nor has
consent been given to its withdrawal by another.

Further, I (we) claim and say that I (we) have read the statements made herein; know the contents
hereof; and that the same are true to my (our) knowledge.

HOLLY INVESTMENT COMPANY, President

Signature

Date



7/21/04

Signature

Date

.....
INSTRUCTIONS:

Please type or print neatly in black ink. This form may be reproduced by photocopy or word
processing means. See additional information on the reverse side.

Holly Investment Company
Laramie-Fox Hills Aquifer
Determination No.: 600-BD

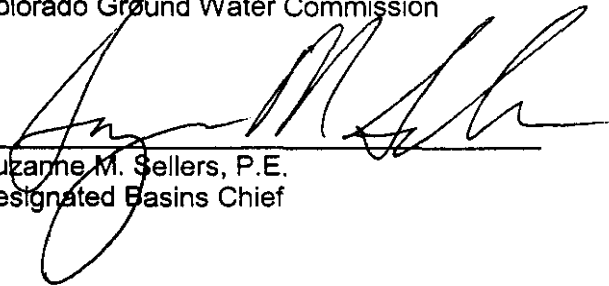
Page 5

Dated this 15th day of December, 2004.



Hal D. Simpson
Executive Director
Colorado Ground Water Commission

By:



Suzanne M. Sellers, P.E.
Designated Basins Chief

Prepared by: SKR

**COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER**

IN THE MATTER OF AN APPLICATION FOR CHANGE OF WATER RIGHT TO CHANGE THE ALLOWED BENEFICIAL USES OF GROUND WATER - FOR DETERMINATION OF WATER RIGHT NO. **601-BD**

APPLICANT: HOLLY INVESTMENT COMPANY

AQUIFER: ARAPAHOE

FINDINGS

In compliance with Section 37-90-111(1)(g), C.R.S., Holly Investment Company (hereinafter "applicant") submitted an application for a change of determination of water right to change the allowed beneficial uses of ground water under Determination of Water Right No. 601-BD. Based upon information provided by the applicant and the records of the Division of Water Resources, the Colorado Ground Water Commission (hereinafter "Commission") finds as follows:

1. Pursuant to Section 37-90-107(7), C.R.S., in a Commission Findings and Order dated December 15, 2004, the Commission approved a Determination of Water Right for Holly Investment Company, assigned Determination No. 601-BD. This determination of water right allows the withdrawal of ground water from the Arapahoe Aquifer (hereinafter "aquifer"), underlying 639.38 acres, generally described as Section 33, Township 2 South, Range 62 West of the 6th Principal Meridian, in Adams County. This area is more completely described in Exhibit A of the above described Findings and Order. The replacement water requirement for withdrawal of ground water from the aquifer underlying the 639.38 acres of overlying land claimed by the applicant consists of two different requirements, which effectively divides the claimed land into two areas. These areas are designated and described as follows:

Area A – 213 acres, generally described as the westerly portion of the applicant's claimed overlying land area in Section 33, Township 2 South, Range 62 West of the 6th Principal Meridian.

Area B – 426.38 acres, generally described as the easterly portion of the applicant's claimed overlying land area in Section 33, Township 2 South, Range 62 West of the 6th Principal Meridian.

These two areas are further described in Exhibit B of the above described Findings and Order.

2. In accordance with the above Order, the allowed average annual amount of ground water to be withdrawn from the aquifer shall not exceed 57.9 acre-feet for Area A and 112 acre-feet for Area B, to be used on the above described 639.38-acre land area for the following intended beneficial use: domestic.
3. Pursuant to Section 37-90-107(7)(c)(III), C.R.S., an approved determination of water right shall be considered a final determination of the amount of ground water so determined, subject to adjustment by the Commission to conform to actual site-specific aquifer characteristics.

*HOLLY INVESTMENT
P.O. BOX 557 STRASBURG, CO. 80136*

*10 3
B 3
S 1*

8 11

Applicant: Holly Investment Company
Aquifer: Arapahoe
Determination No.: 601-BD

Page 2

4. By an application for change of determination of water right received complete by the Commission on September 20, 2005, the applicant has requested to change the allowed beneficial uses in the subject determination of water right to the following: indoor domestic, typical residential outdoor uses, irrigation of lawns, gardens, and pasture, fire protection, recharge, replacement supply and augmentation, watering of domestic animals and horses, commercial, and school supply.
5. The above-described 639.38-acre land area is located within the boundaries of the Kiowa-Bijou Designated Ground Water Basin and within the North Kiowa-Bijou Ground Water Management District. The Colorado Ground Water Commission has jurisdiction.
6. In accordance with Section 37-90-112(1) and Section 37-90-111(1)(g), C.R.S., the requested change of determination of water right was published in the Eastern Colorado News newspaper on September 30 and October 7, 2005.
7. No objections to the proposed change were received within the time limit set by statute.
8. In accordance with Section 37-90-111(1)(g), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, the Colorado Ground Water Commission finds that the proposed change of determination of water right will not cause material injury to the existing rights of other appropriators within the Kiowa-Bijou Designated Ground Water Basin, subject to the conditions stated in the following Order.

ORDER

Now, therefore, the Colorado Ground Water Commission orders that the application for change of water right to change the allowed beneficial uses of ground water for Determination of Water Right No. 601-BD is approved, subject to the following conditions:

9. The use of ground water shall be limited to the following uses: indoor domestic, typical residential outdoor uses, irrigation of lawns, gardens, and pasture, fire protection, recharge, replacement supply and augmentation, watering of domestic animals and horses, commercial, and school supply.
10. The Commission's Findings and Order of December 15, 2004, for Determination of Water Right No. 601-BD, is hereby amended to incorporate the above change. All other terms and conditions in the Findings and Order for Determination of Water Right No. 601-BD shall remain in full force and effect.

Applicant: Holly Investment Company
Aquifer: Arapahoe
Determination No.: 601-BD

Page 3

Dated this 24th day of December, 2005.



Hal D. Simpson
Executive Director
Colorado Ground Water Commission

By: 

Suzanne M. Sellers, P.E.
Designated Basins Chief

Prepared by: SKR



Brooks Kaufman
Lands and Rights of Way Director

August 5, 2021

Western Engineering Consultants
c/o Leticia Maldonado
127 South Denver Avenue –
Ft. Lupton, CO 80621

Re: Grasslands at Comanche – Filing 5 and Filing 6

Lots 1 thru 14; Block 8 Filing 5
Lots 1 thru 5; Block 9 Filing 5
Lots 1 thru 4; Block 1 Filing 6
Lots 2 thru 4; Block 2 Filing 6
Lot 6; Block 6 Filing 6
Lot 6; Block 3 Filing 6

Dear Mrs. Maldonado;

We are an electric utility operating under the rules and regulations approved by our Board of Directors. The above-referenced parcel of land in Section 33, Township 2 South, and Range 62 West of the 6th P.M., County of Adams, State of Colorado, and containing 28 residential lots is located within our service area.

We are willing to extend our facilities to the proposed project in accordance with our extension policies. When you submit an application for service, the designer assigned will be able to answer any questions concerning the location of electric facilities and associated cost in relation to the project.

If you have any further questions, please feel free to contact me.

Sincerely,

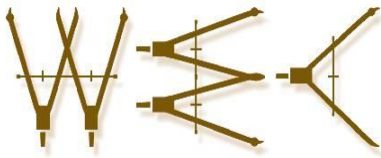
A handwritten signature in blue ink, appearing to read "Brooks Kaufman", is written over a light blue horizontal line.

Brooks Kaufman
Lands and Rights-of-Way Director

INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION

5496 N. U.S. Highway 85, P.O. Drawer A / Sedalia, Colorado 80135
Telephone (720)733-5493
bkaufman@irea.coop





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

**EXHIBIT A
REAL PROPERTY DESCRIPTION
According to Warranty Deed dated 15th day of July 2019,**

Parcel One:

(APN Nos. **01713133100007, 01713133100006**, 0173133400009, 0173133300010, 0173133200005, 0173133402004)

All of Section 33, Township 2 South, Range 62 West of the 6th P.M., County of Adams, State of Colorado.

EXCEPTING THEREFROM any portion lying within county and/or publically dedicated roads, ALSO EXCEPTING THEREFROM that parcel of land described as follows:

That part of the Southeast one-quarter of said Section 33, Township 2 South, Range 62 West of the 6th P.M., Described as: Beginning at the East-One Quarter of said Section 33;

Thence South Along the East line of said Southeast one-quarter a distance of 55.50 feet to the true point of beginning.

ALSO EXCEPTING THEREFROM those parcels conveyed by Warranty Deed recorded November 5, 2014 at Reception No. 2014000077889,

ALSO EXCEPTING THEREFROM those portions thereof described on the plat of Grasslands at Comanche – First Filing recorded September 14, 2007 at Reception No. 2007000080372, and the plat of Grasslands at Comanche – Second Filing recorded January 22, 2008000005063.

Parcel Two:

The lots and blocks as you described them in your email.

Also known as Assessor's Parcel Numbers:

0173133404002
0173133404001
0173133403001
0173133402007
0173133402006
0173133402005

0173133401005
0173133401006
0173133401007
0173133401008
0173133401009
0173133401010

0173133401011
0173133405001
0173133405002
0173133405003
0173133405004
0173133405005



Statement Of Taxes Due

Account Number R0190717

Parcel 0173133400009

Assessed To

GRASSLANDS AT COMANCHE LLC
412 W PLATTE AVE
FORT MORGAN, CO 80701-2650

Legal Description

Situs Address

SECT,TWN,RNG:33-2-62 DESC: PARCEL D PART OF THE S2 OF SEC 33 DESC AS COMMENCING AT THE SE COR OF SEC 33 0
TH S 89D 46M 56S W 30 FT TH N 00D 05M 51S E // WITH THE E LN OF THE SE4 OF SD SEC 33 A DIST OF 30 FT TO THE POB
TH CONT N 00D 05M 51S E 290/89 FT TH N 89D 54M 09S W 40 FT TH N 59D 07M 18S W 688/8... Additional Legal on File

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2020	\$162.32	\$0.00	\$0.00	(\$162.32)	\$0.00
Total Tax Charge					\$0.00
Grand Total Due as of 07/15/2021					\$0.00

Tax Billed at 2020 Rates for Tax Area 402 - 402

Authority	Mill Levy	Amount	Values	Actual	Assessed
RANGEVIEW LIBRARY DISTRICT	3.6700000	\$7.01	AG DRY FARMING	\$6,574	\$1,910
FIRE DISTRICT 8 - STRASBURG	7.7140000	\$14.73	LAND		
GENERAL	22.7730000	\$43.51	Total	\$6,574	\$1,910
NORTH KIOWA BIJOU GROUND WA	0.0230000	\$0.04			
RETIREMENT	0.3140000	\$0.60			
ROAD/BRIDGE	1.3000000	\$2.48			
DEVELOPMENTALLY DISABLED	0.2570000	\$0.49			
SD 31 BOND (Strasburg)	16.8700000	\$32.22			
SD 31 GENERAL (Strasburg)	29.8150000	\$56.94			
SOCIAL SERVICES	2.2530000	\$4.30			
Taxes Billed 2020	84.9890000	\$162.32			

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

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

Adams County Treasurer & Public Trustee
4430 S Adams County Parkway, Suite W1000
Brighton, CO 80601
720-523-6160

APPLICANT'S CERTIFICATION CONCERNING QUALIFYING SURFACE DEVELOPMENT,
PURSUANT TO C.R.S. §24-65.5-103.3 (1)(b)

I/We, DAVE REBOL

_____, (the "Applicant") by signing below, hereby declare and certify as follows:

Concerning the property located at:

Physical Address: Section 33, Strasburg CO

Legal Description: See attached sheet

Parcel #(s): 0173133400009 and 0173133300010

With respect to qualifying surface developments, that (PLEASE CHECK ONE):

_____ No mineral estate owner has entered an appearance or filed an objection to the proposed application for development within thirty days after the initial public hearing on the application; or

_____ The Applicant and any mineral estate owners who have filed an objection to the proposed application for development or have otherwise filed an entry of appearance in the initial public hearing regarding such application no later than thirty days following the initial public hearing on the application have executed a surface use agreement related to the property included in the application for development, the provisions of which have been incorporated into the application for development or are evidenced by a memorandum or otherwise recorded in the records of the clerk and recorder of the county in which the property is located so as to provide notice to transferees of the Applicant, who shall be bound by such surface use agreements; or

x _____ The application for development provides:

- (i) Access to mineral operations, surface facilities, flowlines, and pipelines in support of such operations existing when the final public hearing on the application for development is held by means of public roads sufficient to withstand trucks and drilling equipment or thirty-foot-wide access easements;
- (ii) An oil and gas operations area and existing well site locations in accordance with section 24-65.5-103.5 of the Colorado Revised Statutes; and
- (iii) That the deposit for incremental drilling costs described in section 24-65.5-103.7 of the Colorado Revised Statutes has been made.

Date: 8-11-21 Applicant: Dave Rebol

After Recording Return To:

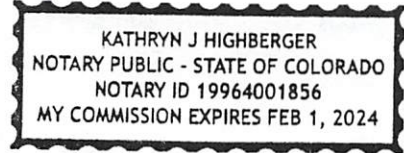
By: Dave Rebol
Print Name: Dave Rebol
Address: 412 W Platte Avenue
Fort Morgan, CO 80701-2650

STATE OF COLORADO)
 MORGAN)
COUNTY OF ~~ADAMS~~)

Subscribed and sworn to before me this 12th day of August, 2021, by
Dave Rebol.

Witness my hand and official seal.

My Commission expires: Feb. 1, 2024 Kathryn J. Highberger
Notary Public



Name and Address of Person Preparing Legal Description:

A recorded copy of this Certification shall be submitted to the Adams County Community and Economic Development Department within thirty days after the initial public hearing on all applicable land use applications.

APPLICANT'S CERTIFICATION CONCERNING QUALIFYING SURFACE DEVELOPMENT,
PURSUANT TO C.R.S. §24-65.5-103.3 (1)(b)

I, DAVE REBOL (the "Applicant") by signing below, hereby declare and certify as follows concerning the property located at:

Physical Address:

Legal Description: See attached sheet

Parcel # (s): 0173133400009 and 0173133300010

With respect to qualifying surface developments:

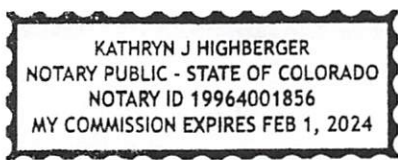
Access to existing and proposed mineral operations, surface facilities, flowlines, and pipelines in support of such existing and proposed operations for oil and gas exploration and production, including provisions for public roads sufficient to withstand trucks and drilling equipment or thirty-foot-wide access easements, were provided for in a "Approx. 17 acres" area as recorded in Reception # 2021000005800 on 1/20/2021.

Date: 8/11/2021 Applicant: *Dave Rebol*
By: Dave Rebol
Address: 412 W Platte Avenue, Fort Morgan, CO 80701-2650

STATE OF COLORADO)
MORGAN)
COUNTY OF ~~ADAMS~~)

Subscribed and sworn to before me this 12th day of August, 2021, by Dave Rebol.

Witness my hand and official seal.



My Commission expires: Feb. 1, 2024 *Kathryn J. Highberger*
Notary Public

After Recording Return To:

Name and Address of Person Preparing Legal Description:

A recorded copy of this Certification shall be submitted to the Adams County Community and Economic Development Department with all applicable land use applications.

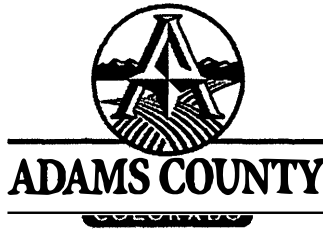


WAIVER FROM SUBDIVISION DESIGN STANDARDS

Application submittals must include all documents on this checklist as well as this page. Please use the reference guide (pg. 2) included in this packet for more information on each submittal item.

All submittals shall include one (1) hard copy of all documents and one (1) electronic copy with all documents combined in a single PDF. For hard copies, each document shall be labeled or tabbed with the corresponding checklist number.

1. Development Application Form (pg. 7)
2. Application Fees of \$500
3. Written Explanation of the Project
4. Site Plan Showing Proposed Development
5. Copy of Plat Prepared by Registered Land Surveyor (see guide pg. 4)
6. Proof of Ownership (title policy dated within 30 days of submittal)
7. Proof of Water and Sewer Services
8. Proof of Utilities (e.g. electric, gas)
9. Neighborhood Meeting Summary
10. Legal Description
11. Certificate of Taxes Paid
12. Certificate of Notice to Mineral Estate Owners/and Lessees (pg. 9)
13. Certificate of Surface Development (pg. 10)



DEVELOPMENT APPLICATION FORM

Application Type:

<input type="checkbox"/> Conceptual Review	<input type="checkbox"/> Preliminary PUD	<input type="checkbox"/> Temporary Use
<input checked="" type="checkbox"/> Subdivision, Preliminary	<input type="checkbox"/> Final PUD	<input type="checkbox"/> Variance
<input type="checkbox"/> Subdivision, Final	<input type="checkbox"/> Rezone	<input type="checkbox"/> Conditional Use
<input type="checkbox"/> Plat Correction/ Vacation	<input type="checkbox"/> Special Use	<input type="checkbox"/> Other: <small>Waiver from Subdivision Design Standards</small>

PROJECT NAME: GRASSLANDS AT COMANCHE- FILING No. 6

APPLICANT

Name(s): Dave Rebol Phone #: 970-867-9007

Address: 412 West Platte Street

City, State, Zip: Fort Morgan, CO, 80701

2nd Phone #: Email: daverebol@hotmail.com

OWNER

Name(s): GRASSLANDS AT COMANCHE LLC Phone #: 970-867-9007

Address: 412 West Platte Street

City, State, Zip: Fort Morgan, CO, 80701

2nd Phone #: 970-768-7064 Email: daverebol@hotmail.com

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

Name: CHADWIN F. COX Phone #: 720-685-9951

Address: 127 SOUTH DENVER AVE.

City, State, Zip: FORT LUPTON, CO, 80621

2nd Phone #: 303-913-7341 Email: chadwin.cox@westemeci.com

DESCRIPTION OF SITE

Address:

City, State, Zip:

Area (acres or square feet):

Tax Assessor Parcel Number:

Existing Zoning:

Existing Land Use:

Proposed Land Use:

Have you attended a Conceptual Review? YES NO

If Yes, please list PRE#:

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

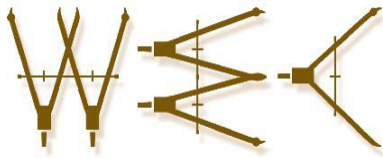
Name:

Date:

Owner's Printed Name

Name:

Owner's Signature



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

April 5, 2022

Adams County Community and Economic Development
4430 South Adams County Parkway
1st Floor, Suite W2000
Brighton, CO 80601-8216

RE: Grasslands at Comanche Filing No. 6 Waiver from the Subdivision Design Standards (Double Frontage)

Adams County Community and Economic Development:

Western Engineering Consultants Inc. LLC (WEC) has prepared this letter to summarize "Grasslands at Comanche Filing No. 6" request for a Waiver from Subdivision Design Standards.

This Waiver has been provided because the proposed Lots 1, 2, and 3 of Block 1 and Lots 2 and 3 of Block 2 are double frontage (Section 5-03-03-08-01 Double Fronting Lots).

The approved PUD established the current lot layout and quantity that met the Water Court approved water decree (March 21, 2007). Code 5-03-03-08 (Double Fronting Lots) was adopted January 22, 2007 but the approved PUD did not meet the 5-03-03-08 criteria.

Recorded Filing 1 (18 lots) was not done in its entirety per the approved PUD (i.e. 34 lots) and the current proposed Filing 6 (15 lots – is the remainder of the PUD labeled Filing 1). By virtue of a smaller recorded Filing 1 the remainder of PUD Filing 1 (current proposed Filing 6) has/had no ability for geometry revision to dedicate a landscape tract along the rear of lots that abut East 72nd Avenue (i.e. the existing lot acreages are at the bare minimum of 2.5 acres as required by the approved PUD). Available area was further constrained after 2 new Tracts for storm drainage ponds were created as requested by County staff (that were not part of the approved PUD layout). In short there is no ability to revise Filing 6 without further loss of PUD approved lots.

The following is a documents checklist for the Waiver from Subdivision Design Standards Submittal:

- | | |
|--|---------------|
| 1. Development Application Form (Request for Waiver) | Enclosed |
| 2. Application Fees | Enclosed |
| 3. Written explanation of the project | This document |
| 4. Site Plan Showing Proposed Development | Enclosed |
| 5. Copy of the Plat Prepared by Surveyor | Enclosed |
| 6. Proof of ownership. | Enclosed |
| 7. Proof of Water and Sewer Services | Enclosed |
| 8. Proof of Utilities | |
| 9. Neighborhood Meeting Summary | Enclosed |
| 10. Legal Description | Enclosed |
| 11. Certificate of Taxes Paid | Enclosed |
| 12. Certificate of Notice of Mineral Estate Owners/ ad Lessees | Enclosed |
| 13. Certificate of Surface Development | Enclosed |

CLOSING

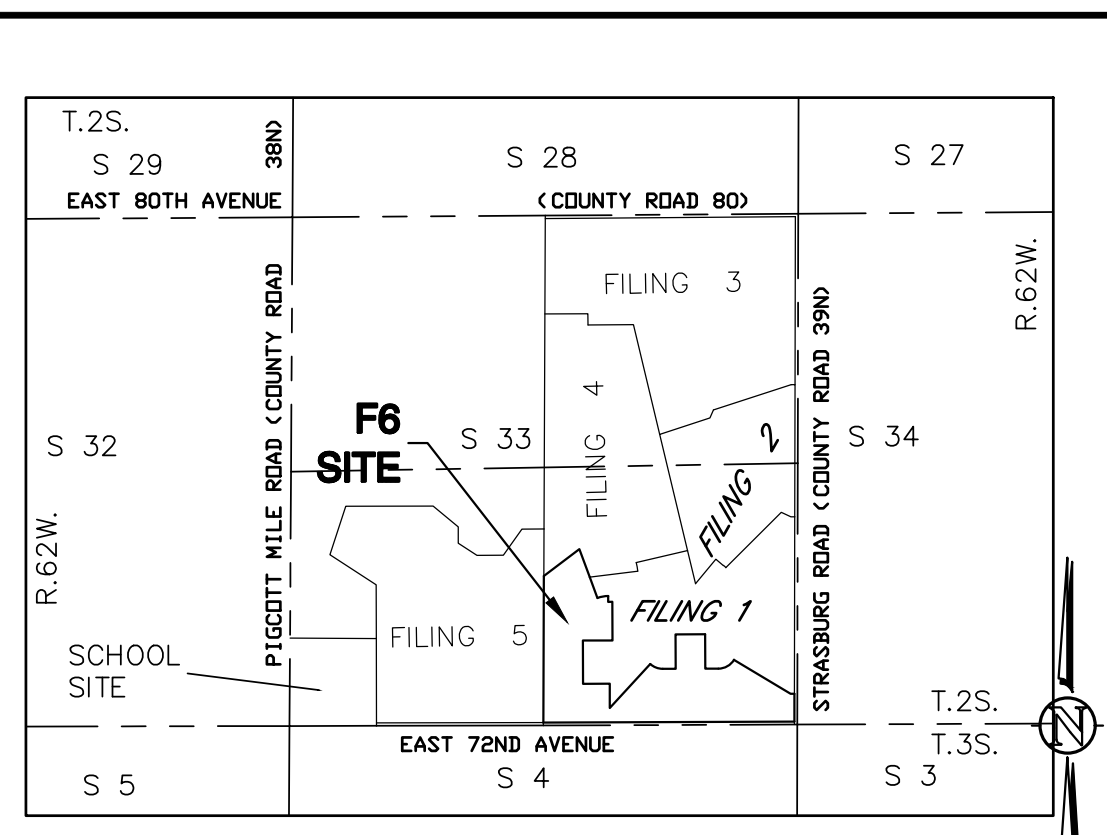
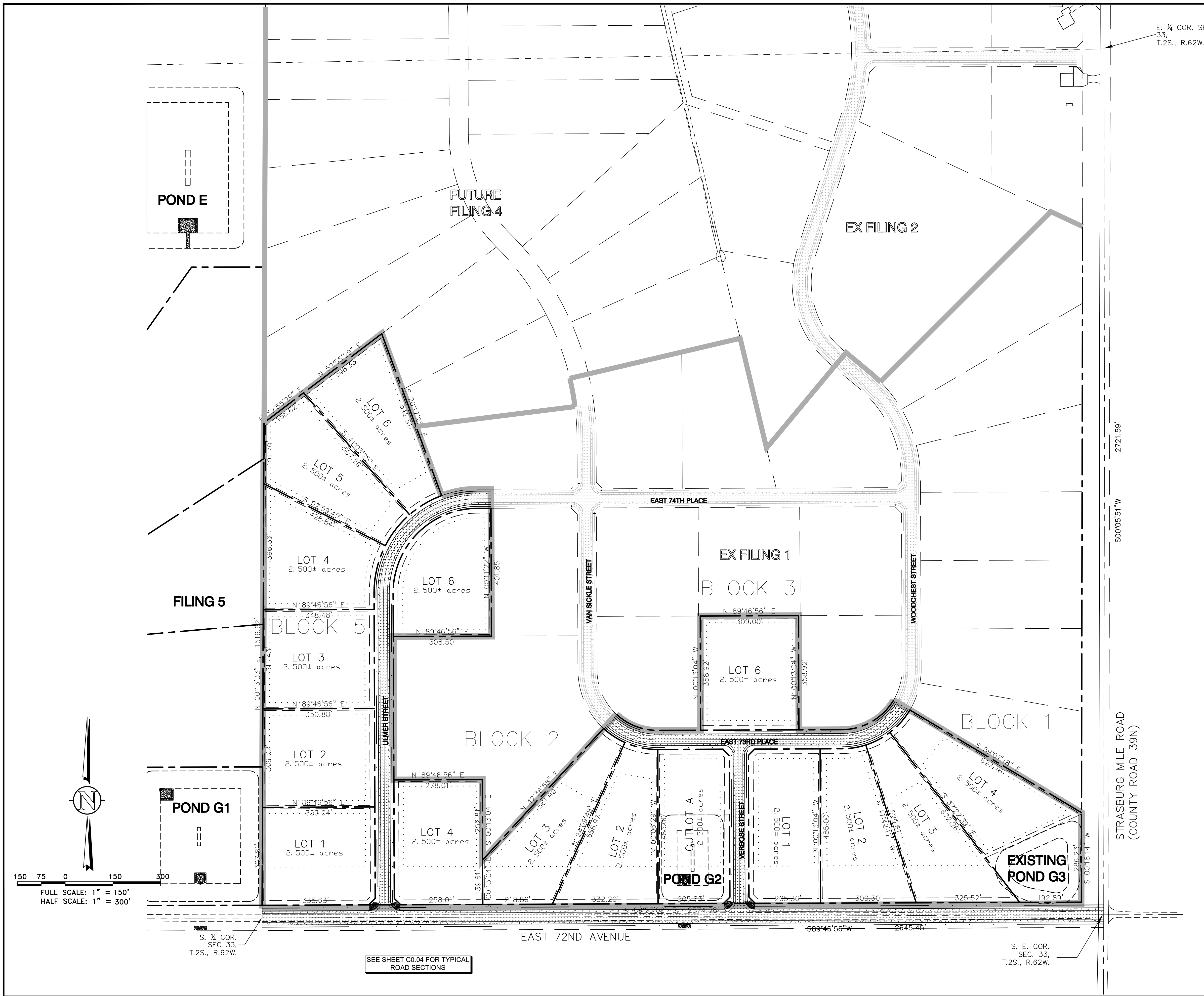
Please contact me with any questions or comments you may have on this Project letter of Waiver from Subdivision Design standards.

Sincerely,



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

\\WCSERVER1\Share\0320_00-GRASSLANDS-FILING-586\DWG\CAD\Filing 6 - 0320.00\0320-004-01-WEC-CDS-000-1.00.dwg, C:\00-SITE_9\2\2021\10456 PM_AutoCAD PDF (High Quality Print).pc3, WEC 24-36, WEC 24-36



NOTES

THIS PLAN IS INTENDED AS THE GENERAL SITE PLAN FOR GRASSLANDS AT COMANCHE-FILING 6.

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 ADAMS COUNTY RESPECTIVELY.

SEE COVER SHEET FOR BASIS OF BEARING & BENCHMARK.

ANY REFERENCE TO EASEMENTS, SURVEY POINTS, OR EXISTING UTILITIES AND FEATURES ARE BASED SOLELY FROM SURVEY INFORMATION PROVIDED BY R.W. BAYER & ASSOCIATES, INC. ON GRASSLANDS AT COMANCHE-SIXTH FILING PLAT, DATED AUGUST 6, 2021.

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.

Western Engineering Consultants, Inc LLC
127 S. DENVER AVE.
FT. LUTON, CO 80621
www.westerneci.com
email@westerneci.com
(720) 885-8951
FAX (720) 294-1330

GRASSLANDS AT COMANCHE LLC
CONTACT: JARROD ASHIDA
1035 37th AVENUE CT
Greeley, CO 80643
MOBILE (970)415-0228

**GENERAL SITE PLAN
GRASSLANDS AT COMANCHE
FILING 6
ADAMS COUNTY, COLORADO**

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

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

INITIAL PLAN
RELEASE: 09/02/21
DESIGNED BY: CFC
DRAWN BY: CFC
CHECKED BY: CFC

PROJECT NO.
01-0320.004.01
DOC CON #
C1.00-GEN-SITE

SHT C1.00

GRASSLANDS AT COMANCHE - SIXTH FILING, PRELIMINARY PLAT

A PART OF THE SOUTH ONE-HALF OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.

CASE NO: PLT2021-00028

SHEET 1 OF 5
VICINITY MAP

OWNERSHIP AND DEDICATION CERIFICATE:

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BEING THE OWNER OF THAT PART OF THE SOUTH ONE-HALF OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 33, THENCE S89°46'56"W ALONG THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 33, A DISTANCE OF 30.00 FEET; THENCE N00°05'51"E PARALLEL WITH THE EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 33, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N00°05'51"E A DISTANCE OF 290.89 FEET; THENCE N89°54'09"W A DISTANCE OF 40.00 FEET; THENCE N59°07'18"W A DISTANCE OF 688.83 FEET TO A POINT ON A CURVE TO THE RIGHT, THE DELTA OF SAID CURVE IS 58°54'14", THE RADIUS OF SAID CURVE IS 190.00 FEET; THE CHORD OF SAID CURVE BEARS S60°19'49"W, 186.84 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 195.33 FEET TO THE END OF SAID CURVE, THENCE S89°46'56"W A DISTANCE OF 135.00 FEET; THENCE N00°13'04"W A DISTANCE OF 358.92 FEET; THENCE S89°46'56"W A DISTANCE OF 309.00 FEET; THENCE S00°13'04"E A DISTANCE OF 358.92 FEET; THENCE S89°46'56"W A DISTANCE OF 135.00 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, THE DELTA OF SAID CURVE IS 42°50'02", THE RADIUS OF SAID CURVE IS 190.00 FEET; THE CHORD OF SAID CURVE BEARS N68°48'03"W, 138.76 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 142.04 FEET; THENCE S42°36'58"W A DISTANCE OF 621.90 FEET; THENCE N00°13'04"W A DISTANCE OF 252.81 FEET; THENCE S89°46'56"W A DISTANCE OF 278.01 FEET; N00°13'04"W A DISTANCE OF 450.73 FEET THENCE N89°46'56"E A DISTANCE OF 308.50 FEET; THENCE N00°13'04"W A DISTANCE OF 401.85; THENCE S89°46'56"W A DISTANCE OF 43.50 FEET; THENCE N00°13'04"W A DISTANCE OF 60.00 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THE DELTA OF SAID CURVE IS 20°04'21", THE RADIUS OF SAID CURVE IS 325.00 FEET; THE CHORD OF SAID CURVE BEARS S79°44'45"W, 113.28 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 113.86 FEET; THENCE N20°17'25"W A DISTANCE OF 542.51 FEET; THENCE S52°55'29"W A DISTANCE OF 463.95 FEET; THENCE S00°13'24"W A DISTANCE OF 1526.57 FEET TO A POINT ON A LINE 30.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 33; THENCE N89°46'56"E PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 2615.66 FEET TO THE POINT OF BEGINNING. CONTAINS 46.224 ACRES MORE OR LESS.

HAS BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS, TRACTS, BLOCKS, STREETS AND EASEMENTS, AS SHOWN ON THIS PLAT, UNDER THE NAME AND STYLE OF GRASSLANDS AT COMANCHE - SIXTH FILING - PRELIMINARY PLAT AND DO HEREBY DEDICATE TO THE COUNTY OF ADAMS, STATE OF COLORADO, FOR THE USE OF THE PUBLIC, ALL STREETS, AND OTHER PUBLIC WAYS AND LANDS AS SHOWN ON THIS PLAT, FOREVER, AND ALSO GRANT THE EASEMENTS AS SHOWN, LABELED AS UTILITY EASEMENTS ON THIS PLAT, FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES, INCLUDING BUT NOT LIMITED TO ELECTRIC LINES, GAS LINES, TELEPHONE LINES, SEWER LINES, WATER LINES; TOGETHER WITH A RIGHT TO TRIM INTERFERING TREES AND BRUSH, TOGETHER WITH A PERPETUAL RIGHT INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF SUCH LINES; SAID EASEMENTS AND RIGHTS TO BE UTILIZED IN A RESPONSIBLE AND PRUDENT MANNER. EXECUTED THIS _____ DAY OF _____, 20____.

DAVE REBOL, AS MANAGER FOR GRASSLANDS AT COMANCHE LLC, A COLORADO LIMITED LIABILITY COMPANY

ACKNOWLEDGEMENT:

COUNTY OF ADAMS)
)SS
STATE OF COLORADO)

THE FOREGOING WAS ACKNOWLEDGED BY ME THIS _____ DAY OF _____, 20____, BY DAVE REBOL, MANAGER, GRASSLANDS AT COMANCHE LLC, A COLORADO LIMITED LIABILITY COMPANY.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

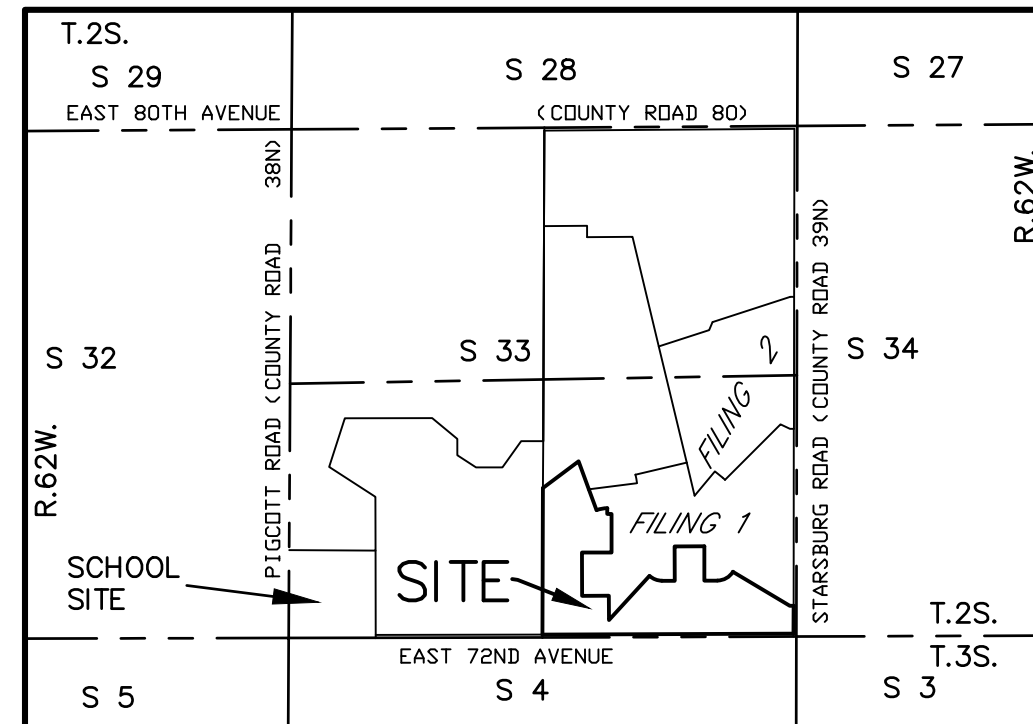
BASIS FOR BEARINGS:

THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER (THE SOUTH ¼ CORNER IS A 2" ALUMINUM CAP, P.L.S. 18475 AND THE SOUTHEAST CORNER IS A 3-1/4" ALUMINUM CAP, L.S. 23519, IN RANGE BOX) OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, IS ASSUMED TO BEAR SOUTH 89°46'56" WEST. ALL BEARINGS DESCRIBED HEREIN ARE RELATIVE THERETO.

NOTICE:

ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATED OF THE CERTIFICATION SHOWN HEREON.

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY R.W. BAYER & ASSOCIATES, INC. OF THE PROPERTY SHOWN AND DESCRIBED HEREIN TO DETERMINE OWNERSHIP OF THE TRACT OF LAND, COMPATIBILITY OF THIS DESCRIPTION WITH THOSE OF ADJACENT TRACTS OF LAND OR RIGHTS-OF-WAY, EASEMENTS OR ENCUMBRANCES OF RECORD AFFECTING THIS TRACT OF LAND. R.W. BAYER & ASSOCIATES, INC. HAS RELIED UPON FIDELITY NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. F0721209-340-KH7, DATED JULY 28, 2021, FOR OWNERSHIP AND FOR THE PURPOSE OF SHOWING RECORDED EASEMENTS AND RIGHT-OF-WAY THAT CAN BE PLOTTED ACROSS THE PREMISES. THE PREMISES IS SUBJECT TO THE EXCEPTIONS CONTAINED IN SCHEDULE B - SECTION 2 OF THE TITLE COMMITMENT.



PLAT NOTES:

- AS SHOWN ON THIS PLAT: TEN-FOOT (10') WIDE UTILITY (FIVE FOOT ON EACH SIDE) EASEMENTS ARE HEREBY GRANTED ON PRIVATE PROPERTY ALONG COMMON SIDE AND REAR LOT LINES. THESE EASEMENTS ARE DEDICATED FOR THE INSTALLATION, MAINTENANCE AND REPLACEMENT OF ELECTRIC, GAS, TELEVISION CABLE, AND TELECOMMUNICATIONS FACILITIES. UTILITIES SHALL ALSO BE PERMITTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS IN THE SUBDIVISION. PERMANENT STRUCTURES AND WATER METERS SHALL NOT BE PERMITTED WITHIN SAID EASEMENTS.
- AS SHOWN ON THIS PLAT: FIFTEEN FOOT WIDE (15') WIDE DRY UTILITY AND DRAINAGE EASEMENTS ADJOINING ALL EXTERIOR AND INTERIOR STREETS ARE DEDICATED FOR THE INSTALLATION, MAINTENANCE AND REPLACEMENT OF ELECTRIC, TELEVISION CABLE, AND TELECOMMUNICATIONS AND DRAINAGE FACILITIES, ADDITIONALLY, THE DRY UTILITY AND DRAINAGE EASEMENTS ARE DEDICATED ALONG ALL SIDE AND REAR LOT LINES UNLESS SAID LOT LINE IS COMMON TO MORE THAN ONE LOT.
- 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 OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE FACILITIES INCLUDING INLETS, PIPES, CULVERTS, CHANNELS, DITCHES HYDRAULIC STRUCTURES, AND DETENTION BASINS LOCATED ON THEIR LAND UNLESS MODIFIED BY SUBDIVISION DEVELOPMENT AGREEMENT. REFER TO THE APPROVED DRAINAGE FACILITIES MAINTENANCE PLAN, RECEPTION NO. 2017000017306, ADAMS COUNTY RECORDS. SHOULD THE OWNER FAIL TO ADEQUATELY MAINTAIN SAID FACILITIES, THE COUNTY SHALL HAVE THE RIGHT TO ENTER SAID LAND FOR THE SOLE PURPOSE OF OPERATIONS AND MAINTENANCE. ALL SUCH MAINTENANCE COSTS WILL BE ASSESSED TO THE PROPERTY OWNER.
- THIS PLAN HAS BEEN APPROVED BY ADAMS COUNTY AND CREATES A VESTED PROPERTY RIGHT PURSUANT TO C.R.S. 24-68-101, ET SEQ., AS AMENDED, AND THE ADAMS COUNTY DEVELOPMENT STANDARDS AND REGULATIONS.
- ADAMS COUNTY SHALL BE GRANTED ACCESS EASEMENTS FOR TEMPORARY CUL-DE-SACS AS SHOWN ON THIS PLAT, WITHIN PORTIONS OF LOTS DEPICTED HEREIN. TERM OF THE ACCESS EASEMENTS SHALL BE UNTIL ROADWAY INFRASTRUCTURE IS CONSTRUCTED BEYOND THE TEMPORARY TERMINUS OF THE ACCESS EASEMENT/TEMPORARY CUL-DE-SAC AND HAS RECEIVED FINAL ACCEPTANCE FROM ADAMS COUNTY.
- THE FIRST AMENDMENT TO SURFACE USE AGREEMENT AS RECORDED 01-20-2021 IN RECEPTION NO. 2021000005800, ADAMS COUNTY RECORDS, QUITCLAIMED ALL INTEREST ANADARKO MAY HAVE UNDER THE SUA (RECORDED IN RECEPTION NO. 2007000052861) TO THE OIL AND GAS OPERATIONS AREAS. ADDITIONALLY, THE SUA IS AMENDED TO DELETE ALL OIL AND GAS OPERATIONS AREAS WITHIN THE SW4, NE4, AND SE4 OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62 WEST OF THE 61H P.M., COUNTY OF ADAMS, STATE OF COLORADO.

Prepared By:

R. W. BAYER & ASSOCIATES, INC.
2090 East 104th Avenue, S-200
Thornton, Colorado 80233
303-452-4433 rwbysurveying@hotmail.com
CAD FILE: 21161-6P/21161-6P.DWG

Date Prepared: AUGUST 06, 2021
REVISED: 11-02-21 1ST COUNTY COMMENTS

PLAT NOTES CONTINUED:

- THE 300' WAVIER AREA, 250' BUILDING EXCLUSION ZONE, 200' OPERATIONS EASEMENT, 30' ACCESS EASEMENT, 50' TEMPORARY CONSTRUCTION EASEMENT AND 30' PIPELINE EASEMENT AS SHOWN IN THE SUA DOCUMENT AND IN GRASSLANDS AT COMANCHE - FIRST FILING, RECORDED IN RECEPTION NO. 2017000080372, ADAMS COUNTY RECORDS, NO LONGER HAVE AFFECT AND HAVE BEEN REMOVED FROM THIS PLAT FILING.
- IN THE EVENT THAT AN EXISTING WELL IS PLUGGED AND ABANDONED, THE TWO-HUNDRED-FIFTY (250) FOOT EASEMENT MAY BE REMOVED FROM THE PLAT THROUGH AN AMENDMENT TO THE SUBDIVISION. A COPY OF THE WELL ABANDONMENT REPORT SHALL BE PROVIDED ALONG WITH A RECORDED COPY OF THE OIL & GAS WELL WAIVER.
 - THE AMOUNT OF WATER IN THE DENVER BASIN AQUIFER, AND IDENTIFIED IN THE REFERENCED LETTER, ARE CALCULATED BASED ON ESTIMATED CURRENT AQUIFER CONDITIONS. FOR PLANNING PURPOSES PROPERTY OWNERS SHOULD BE AWARE THAT THE ECONOMIC LIFE OF A WATER SUPPLY BASED ON WELLS IN A GIVEN DENVER BASIN AQUIFER MAY BE LESS THAN THE 300 YEAR USED FOR ALLOCATION DUE TO ANTICIPATED WATER LEVEL DECLINES.
 - IT SHOULD BE KNOWN THE CITY OF WESTMINSTER OWNS THE AGRICULTURAL LAND EAST (ACTUALLY NORTHEAST) OF THE COMANCHE PUD. THE CITY USES THIS PROPERTY FOR CATTLE GRAZING, CROP PRODUCTION, AND THE APPLICATION OF BIOSOLIDS. BIOSOLIDS ARE HIGHLY TREATED, NUTRIENT RICH, SOLIDS RECOVERED FROM THE MUNICIPAL WASTEWATER TREATMENT PROCESS.
 - THE PARCEL DESCRIBED HEREIN IS ENTIRELY WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 2% ANNUAL CHANCE FLOOD) AS SHOWN ON THE F.E.M.A., FLOOD RATE INSURANCE MAP, MAP NUMBER 08001C0730H, EFFECTIVE DATE: MARCH 5, 2007.
 - THE LOTS WITHIN THIS FILING ARE SUBJECT TO THE NOTES AND RESTRICTIONS CONTAINED IN THE GRASSLANDS AT COMANCHE PLANNED UNIT DEVELOPMENT, CASE NO. PRJ2007-00004, RECORDED IN RECEPTION NO. 2008000005062.
 - THIS SUBDIVISION FILING IS SUBJECT TO THE MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTION OF THE GRASSLANDS AT COMANCHE/BIJOU PRESERVE RECORDED IN RECEPTION NO. 2009000009415, ADAMS COUNTY RECORDS.
 - TRACT A IS DESIGNATED FOR DRAINAGE AND DETENTION POND BY THIS PLAT. IT SHALL BE OWNED AND MAINTAINED BY THE HOA.
 - TRACT B IS DESIGNATED FOR DRAINAGE AND DETENTION POND BY THIS PLAT. IT SHALL BE OWNED AND MAINTAINED BY THE HOA.

PLAT NOTES CONTINUED ON SHEET 5 OF 5.

SURVEYOR'S CERTIFICATE:

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

RAYMOND W. BAYER,
REG P.L.S. NO. 6973

DATE: _____

PLANNING COMMISSION APPROVAL:

APPROVED BY THE ADAMS COUNTY PLANNING COMMISSION THIS _____ DAY OF _____, 20____.

CHAIR

BOARD OF COUNTY COMMISSIONERS APPROVAL:

APPROVED BY THE ADAMS COUNTY BOARD OF COUNTY COMMISSIONERS THIS _____ DAY OF _____, 20____.

CHAIR

CERTIFICATE OF CLERK AND RECORDER

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER IN THE STATE OF COLORADO AT _____:_____. M. ON THE _____ DAY OF _____, A.D., 20____.

By: _____ DEPUTY _____ COUNTY CLERK AND RECORDER

RECEPTION NO: _____

GRASSLANDS AT COMANCHE - SIXTH FILING, PRELIMINARY PLAT

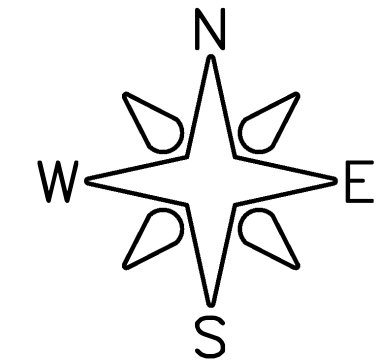
A PART OF THE SOUTH ONE-HALF OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.
SHEET 2 OF 5

CASE NO: PLT2021-00028

N. W. COR.
SEC. 33,
T. 2S.,
R. 62W.

N. ¼ COR.
SEC. 33,
T. 2S.,
R. 62W.

N. E. COR.
SEC. 33,
T. 2S.,
R. 62W.

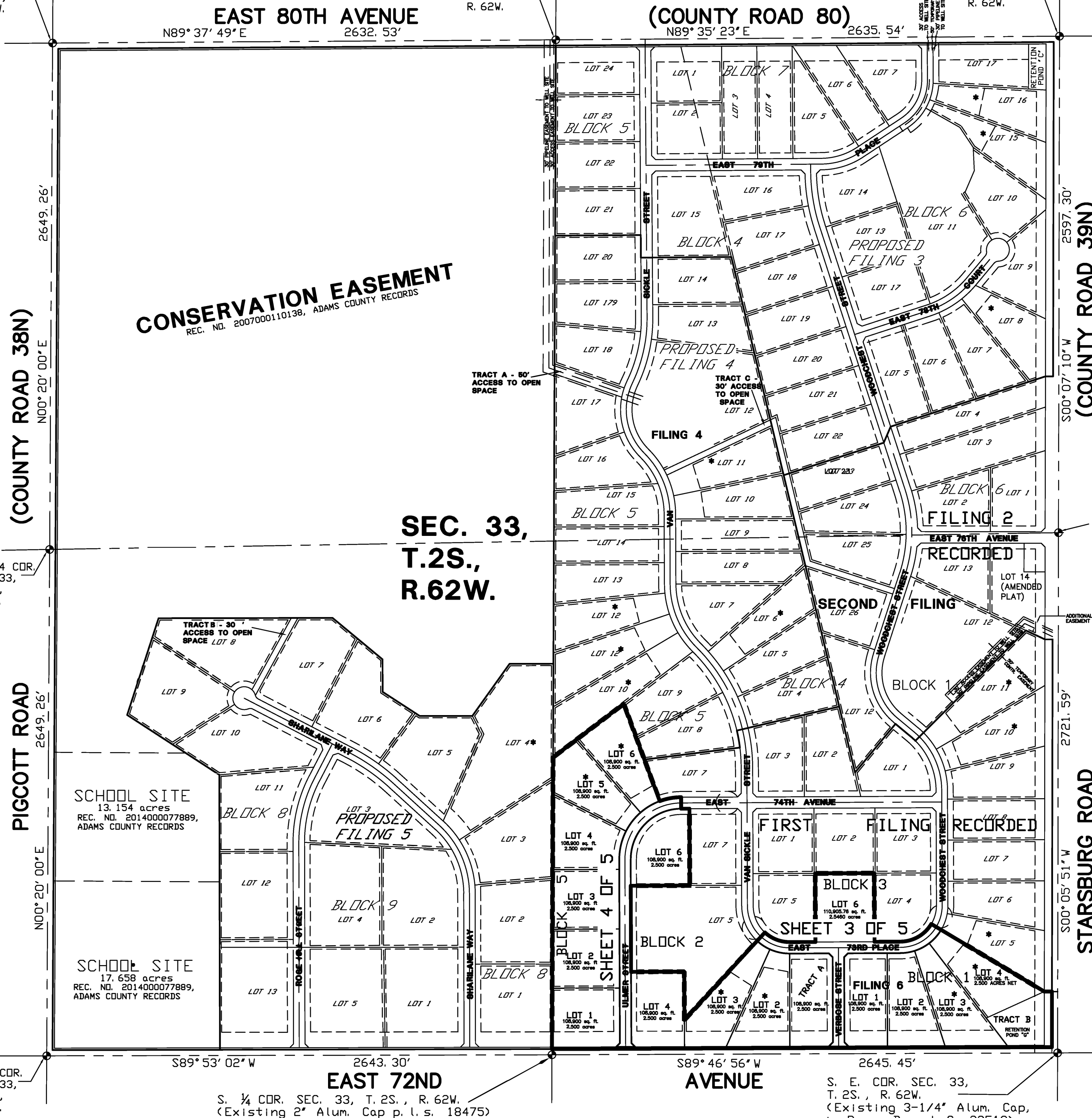


SCALE: 1"=400'

FILING NO. 1 (RECORDED) - 18 LOTS
 FILING NO. 2 (RECORDED) - 11 LOTS
 FILING NO. 2 (AMENDED) - 1 LOT
 FILING NO. 3 (PROPOSED) - 32 LOTS
 FILING NO. 4 (PROPOSED) - 24 LOTS
 FILING NO. 5 (PROPOSED) - 19 LOTS
 FILING NO. 6 (PROPOSED) - 14 LOTS
 TOTAL - 119 LOTS

* LOTS WHERE FRONT BUILDING SETBACK DETERMINED BY REQUIREMENT OF 150' LOT WIDTH AT BUILDING LINE.

GRASSLANDS AT COMANCHE - SECOND FILING IN RECEPTION NO. 200800005063
 AFFIDAVIT OF CORRECTION (SECOND FILING) IN RECEPTION NO. 2013000048277
 GRASSLANDS AT COMANCHE - SECOND FILING - AMENDED PLAT IN RECEPTION NO. 2008000071020



E. ¼ COR. SEC. 33, T. 2S., R. 62W.
 (Existing 3-¼" Alum Cap, in Range Box, P. L. S. 23519)

LAND USE CHART				
	ACREAGE	USE	OWNERSHIP	MAINTAINED BY
14 LOTS	35.547	RESIDENTIAL		
TRACT A	2.500	DRAINAGE & POND	HOA	HOA
TRACT B	1.300	DRAINAGE & POND	HOA	HOA
RIGHT-OF-WAY/ E. 72ND AVE. & STRABURG ROAD	0.858	ACCESS & UTILITY	ADAMS CO.	ADAMS CO.
RIGHT-OF-WAY/ INTERIOR STREETS	4.019	ACCESS & UTILITY	ADAMS CO.	ADAMS CO.
TOTAL ACREAGE:	46.224			

* HOA - HOMEOWNERS ASSOCIATION (NAME TBD)

Prepared By:
 R. W. BAYER & ASSOCIATES, INC.
 2090 East 104th Avenue, S-200
 Thornton, Colorado 80233
 303-452-4433 rwbysurveying@hotmail.com
 CAD FILE: 21161-6P/21161-6PA.DWG

Date Prepared: AUGUST 06, 2021
 REVISED: 11-02-21 1ST COUNTY COMMENTS
 REVISED: 03-22-22 REMOVED OIL/GAS EASE

W. 1/4 COR.
SEC. 33,
T. 2S.,
R. 62W.

S. W. COR.
SEC. 33,
T. 2S.,
R. 62W.

S. ¼ COR. SEC. 33, T. 2S., R. 62W.
 (Existing 2" Alum. Cap p. l. s. 18475)

S. E. COR. SEC. 33,
T. 2S., R. 62W.
(Existing 3-1/4" Alum. Cap,
in Range Box, L. S. 23519)

GRASSLANDS AT COMANCHE - SIXTH FILING, PRELIMINARY PLAT

A PART OF THE SOUTH ONE-HALF OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62
WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.

CASE NO: PLT2021-00028

SHEET 3 OF 5

E. ¼ CDR. SEC. 33, T. 2S., R. 62W.
(Existing 3-¼" Aluminum Cap, in
Range Box, P. L. S. 23519)

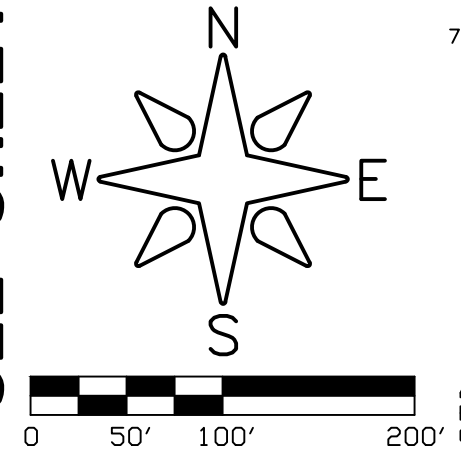
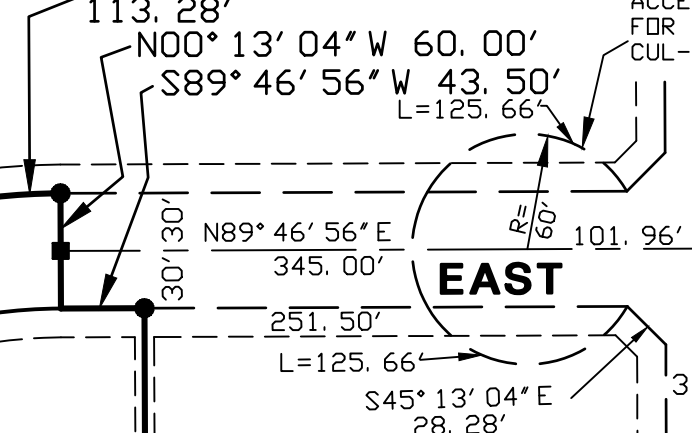
LEGEND

- DENOTES: FOUND #5 REBAR & CAP, BAYER - P. L. S. 6973, FLUSH WITH GROUND
- DENOTES: FOUND #5 REBAR & CAP, BAYER - P. L. S. 6973, IN MONUMENT BOX (SET AFTER CONSTRUCTION OF ROAD)
- * LOTS WHERE FRONT BUILDING SETBACK DETERMINED BY REQUIREMENT OF 150' LOT WIDTH AT BUILDING LINE.

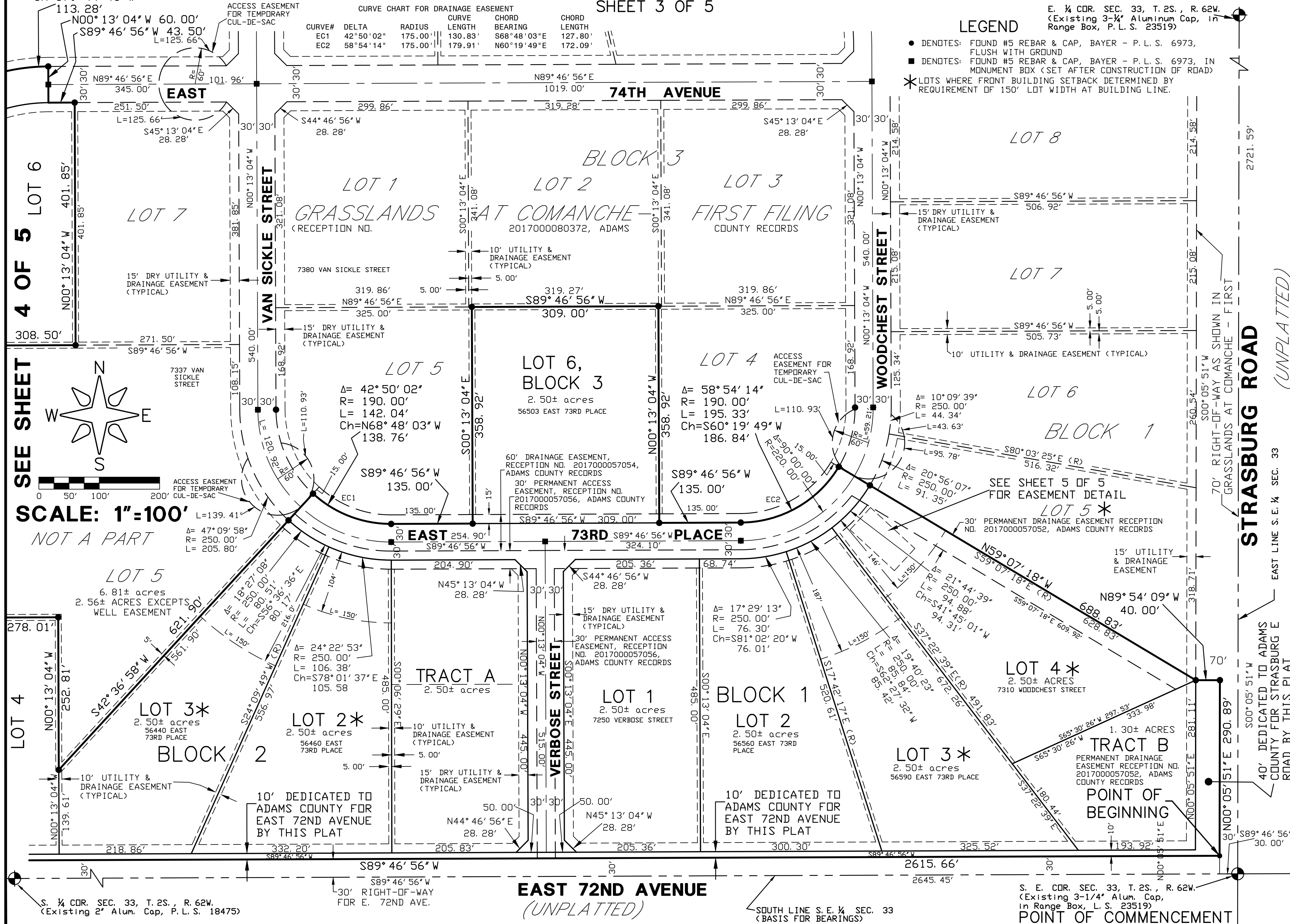
CURVE CHART FOR DRAINAGE EASEMENT

CURVE#	DELTA	RADIUS	CURVE LENGTH	CHORD	CHORD BEARING	CHORD LENGTH
EC1	42°50'02"	175.00'	130.83'	S68°48'03"E	127.80'	
EC2	58°54'14"	175.00'	179.91'	N60°19'49"E	172.09'	

Δ= 20°04'21"
R= 325.00'
L= 113.86'
Ch=S79°44'45"W



SCALE: 1"=100'
NOT A PART



STRASBURG ROAD
(UNPLATTED)
70' RIGHT-OF-WAY AS SHOWN IN GRASSLANDS AT COMANCHE - FIRST FILING

EAST LINE S. E. ¼ SEC. 33

40' DEDICATED TO ADAMS COUNTY FOR STRASBURG ROAD BY THIS PLAT

S. E. CDR. SEC. 33, T. 2S., R. 62W.
(Existing 3-¼" Alum. Cap, in Range Box, L. S. 23519)
POINT OF COMMENCEMENT

SOUTH LINE S. E. ¼ SEC. 33
(BASIS FOR BEARINGS)

EAST 72ND AVENUE
(UNPLATTED)

S. ¼ CDR. SEC. 33, T. 2S., R. 62W.
(Existing 2" Alum. Cap, P. L. S. 18475)

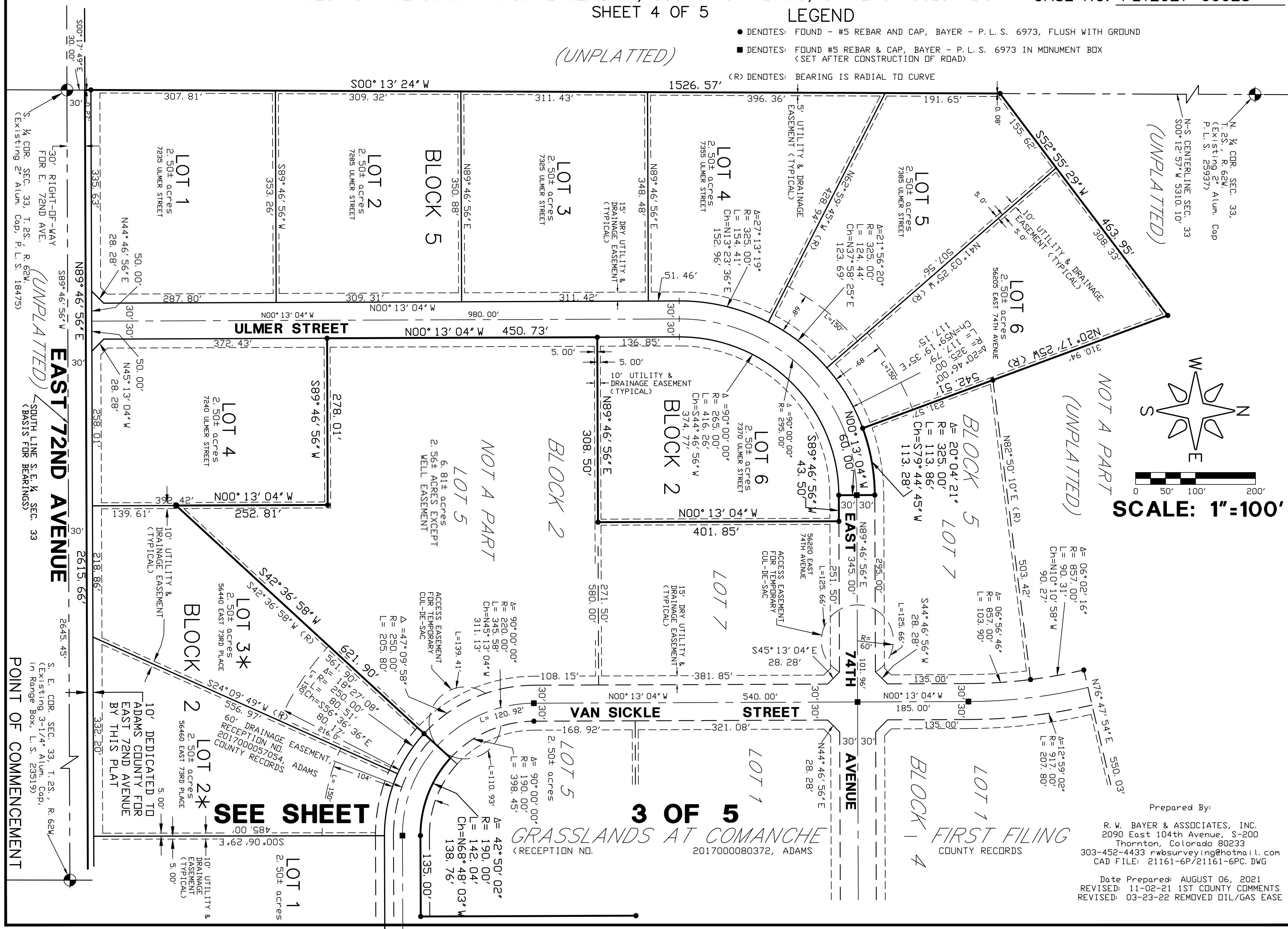
GRASSLANDS AT COMANCHE - SIXTH FILING, PRELIMINARY PLAT

A PART OF THE SOUTH ONE-HALF OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62
WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.
SHEET 4 OF 5

CASE NO: PLT2021-00028

(UNPLATTED)

- LEGEND**
- DENOTES: FOUND - #5 REBAR AND CAP, BAYER - P. L. S. 6973, FLUSH WITH GROUND
 - DENOTES: FOUND #5 REBAR & CAP, BAYER - P. L. S. 6973 IN MONUMENT BOX (SET AFTER CONSTRUCTION OF ROAD)
 - (R) DENOTES: BEARING IS RADIAL TO CURVE



3 OF 5
GRASSLANDS AT COMANCHE
(RECEPTION NO. 2017000080372, ADAMS)

Prepared By:
R. W. BAYER & ASSOCIATES, INC.
2090 East 104th Avenue, S-200
Thornton, Colorado 80233
303-452-4433 rwbysurveying@hotmail.com
CAD FILE: 21161-6P/21161-6PC.DWG

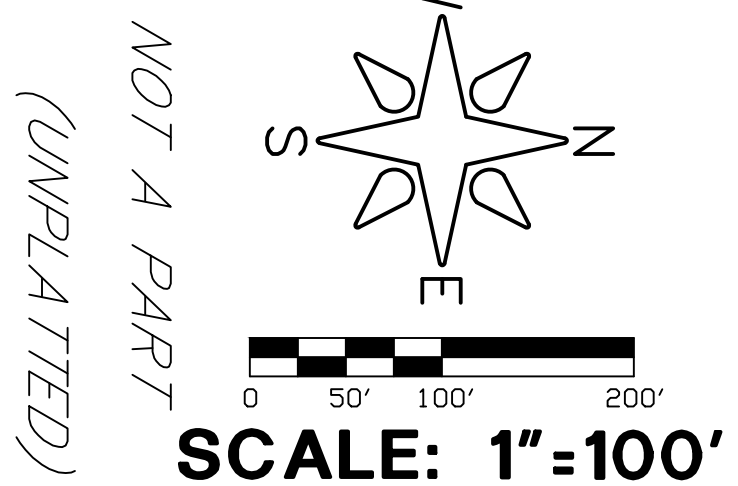
Date Prepared: AUGUST 06, 2021
REVISED: 11-02-21 1ST COUNTY COMMENTS
REVISED: 03-23-22 REMOVED OIL/GAS EASE

30° RIGHT-OF-WAY FOR E. 72ND AVE. (UNPLATTED)
S. 1/4 CDR. SEC. 33, T. 2S., R. 62W. (Existing 2" Alum. Cap, P. L. S. 18475)

EAST 72ND AVENUE (UNPLATTED)
SOUTH LINE S.E. 1/4 SEC. 33 (BASIS FOR BEARINGS)

POINT OF COMMENCEMENT

(UNPLATTED)
N. 1/4 CDR. SEC. 33, T. 2S., R. 62W. (Existing 2" Alum. Cap P. L. S. 25937)
N-S CENTERLINE SEC. 33 500' 12' 57" W 5310.10'



SEE SHEET 2
10' DEDICATED TO ADAMS COUNTY FOR EAST 72ND AVENUE BY THIS PLAT

60' DRAINAGE EASEMENT, RECEPTION NO. 2017000057054, COUNTY RECORDS

GRASSLANDS AT COMANCHE - SIXTH FILING, PRELIMINARY PLAT

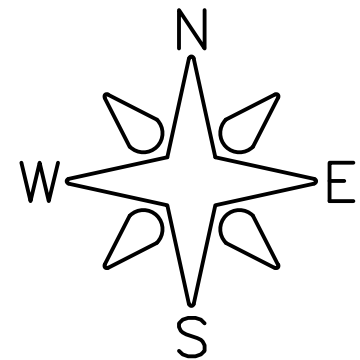
A PART OF THE SOUTH ONE-HALF OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62
WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.
SHEET 5 OF 5

CASE NO: PLT2021-00028

PLAT NOTES CONTINUED:

15. NOTICE TO PROSPECTIVE BUYERS: THE OWNER SHALL DISCLOSE TO PROSPECTIVE BUYERS OF LOTS WITHIN A RADIUS OF 200 FEET OF THE PLUGGED AND ABANDONED WELL OF (1) THE LOCATION OF THE OF THE PLUGGED AND ABANDONED WELL, (2) THE LOCATION OF THE MAINTENANCE AND WORKOVER SETBACK, AND (3) THE PURPOSE FOR THE WELL MAINTENANCE AND WORKOVER SET BACK. THERE IS A 50 FT X 100 FT BUFFER AROUND THE ABANDONED WELLHEAD DEDICATED AS A WELL MAINTENANCE AND WORKOVER SETBACK. NO STRUCTURES SHALL BE LOCATED WITHIN THIS SETBACK. THERE IS A 20FT ACCESS SHOWN ON THIS PLAT FOR THE PURPOSES OF PUBLIC ACCESS FOR INGRESS AND EGRESS TO THE SETBACK AREA. NO UTILITY LINES SHALL BE PERMITTED WITH TEN (10') FEET OF THE ABANDONED WELL AND NO DWELLINGS SHALL BE PERMITTED WITHIN FIFTY (50') OF THE ABANDONED WELL.

THE 20' ACCESS SHOWN ON LOT 4, BLOCK 1 IS THE DESIGNATED ACCESS AREA OVER PRIVATE LAND FOR INGRESS AND EGRESS BY THE WELL OPERATOR OR ITS DESIGNATED REPRESENTATIVE OR CONTRACTOR IN THE EVENT ANY FUTURE WORK IS REQUIRED TO THE PLUGGED AND ABANDONED WELL. THE 50' X 100' WELL WORKOVER SETBACK AND THE 20' ACCESS AREA ARE DESIGNATED AS "NO BUILD" AREAS.



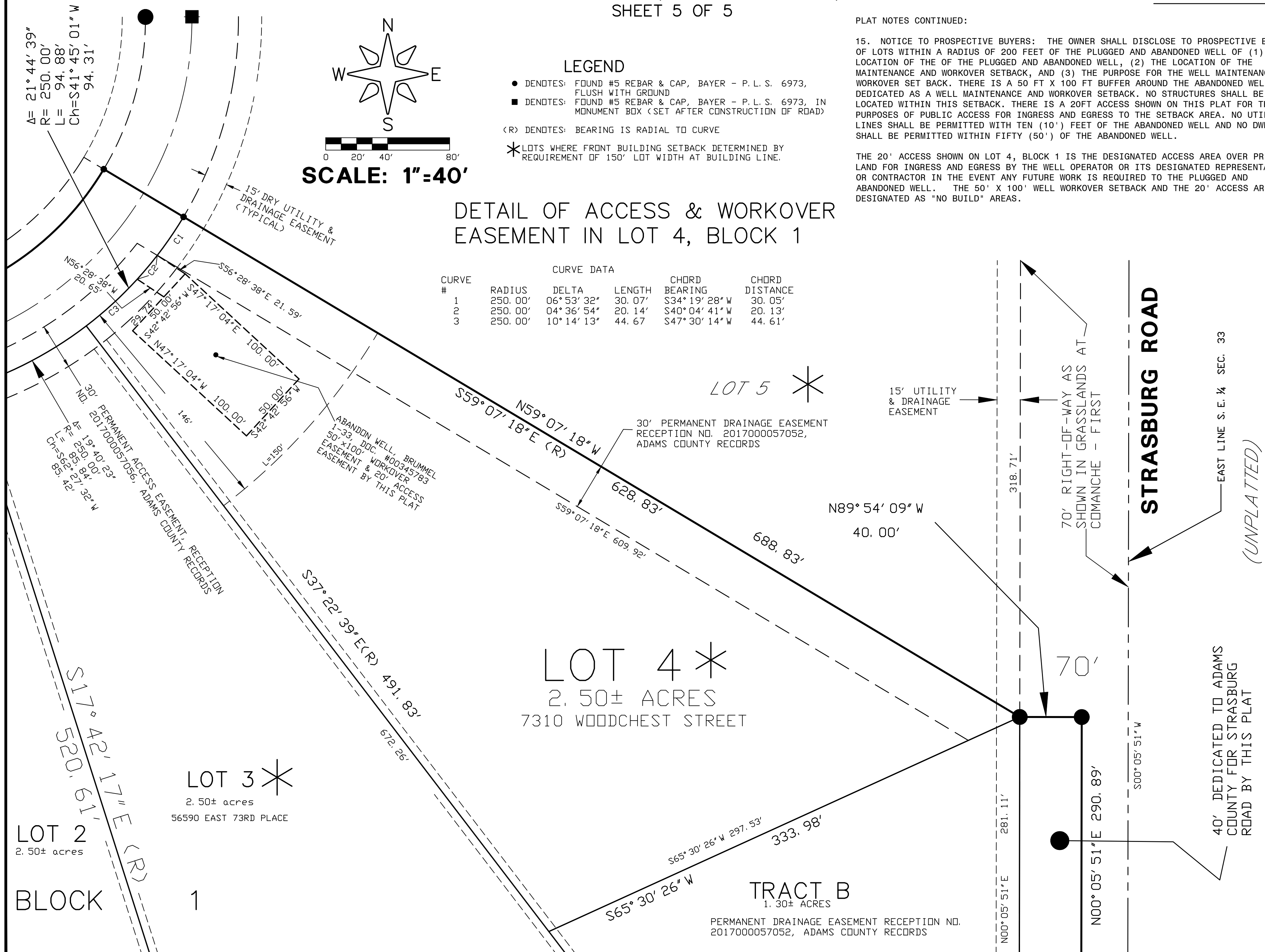
SCALE: 1"=40'

LEGEND

- DENOTES: FOUND #5 REBAR & CAP, BAYER - P. L. S. 6973, FLUSH WITH GROUND
- DENOTES: FOUND #5 REBAR & CAP, BAYER - P. L. S. 6973, IN MONUMENT BOX (SET AFTER CONSTRUCTION OF ROAD)
- (R) DENOTES: BEARING IS RADIAL TO CURVE
- * LOTS WHERE FRONT BUILDING SETBACK DETERMINED BY REQUIREMENT OF 150' LOT WIDTH AT BUILDING LINE.

DETAIL OF ACCESS & WORKOVER EASEMENT IN LOT 4, BLOCK 1

CURVE DATA					
CURVE #	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD DISTANCE
1	250.00'	06° 53' 32"	30.07'	S34° 19' 28" W	30.05'
2	250.00'	04° 36' 54"	20.14'	S40° 04' 41" W	20.13'
3	250.00'	10° 14' 13"	44.67'	S47° 30' 14" W	44.61'



STRASBURG ROAD

(UNPLATTED)

40' DEDICATED TO ADAMS COUNTY FOR STRASBURG ROAD BY THIS PLAT

LOT 4*
2.50± ACRES
7310 WOODCHEST STREET

LOT 3*
2.50± acres
56590 EAST 73RD PLACE

LOT 2
2.50± acres
BLOCK 1

TRACT B
1.30± ACRES
PERMANENT DRAINAGE EASEMENT RECEPTION NO. 2017000057052, ADAMS COUNTY RECORDS

**SPECIAL WARRANTY DEED
(Water Rights)**

THIS SPECIAL WARRANTY DEED is made as of this 15th day of July, 2019, between **HOLLY INVESTMENT CO.**, a Colorado corporation (“Grantor”), of Adams County, Colorado and **GRASSLANDS AT COMANCHE LLC**, a Colorado limited liability company (“Grantee”), whose mailing address is 412 W. Platte Ave., Ft. Morgan, CO 80701.

GRANTOR, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, by these presents does hereby grant, sell, transfer, convey, warrant and assign unto Grantee and it’s successors and assigns, all of Grantor’s right, title, and interest in and to the following water rights and right to withdraw and use water (collectively “Water Rights”) located in Adams County, Colorado:

- (1) the Laramie-Fox Hills Aquifer pursuant to the Determination of Water Right No. 600-BD; (2) the Arapahoe Aquifer pursuant to the Determination of Water Right No. 601-BD; (3) the Replacement Plan for Determination of Water Right No. 601-BD; and (4) the well permit number 273671 issued May 21, 2007 drawing water from the alluvium of Kiowa Creek and its tributaries.

TO HAVE AND TO HOLD, the same together with any and all rights and appurtenances incident thereto, forever, and all the estate, right, title and interest of Grantor in the Water Rights and appurtenances. Grantor further represents that it has the authority to convey to Grantee all rights described herein. Grantor, for itself, its successors and assigns, covenants and agrees that it will warrant title and forever defend the Water Rights in the quiet and peaceable possession of Grantee, it’s successors and assigns, against all and every person or persons claiming the whole of any part thereof, by, through, or under Grantor, or against adverse claims arising by, through or under the acts or omissions of Grantor. The singular shall include the plural and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed on the date set forth above.

HOLLY INVESTMENT CO.

By: 

Loren L. Losh, President

[Acknowledgement on Following Page]

ACKNOWLEDGEMENT


STATE OF COLORADO)
)
COUNTY OF Weld) ss.

The foregoing Special Warranty Deed was acknowledged before me this 15th day of July, 2019, by Loren L. Losh, President, of Holly Investment Co., a Colorado Corporation.

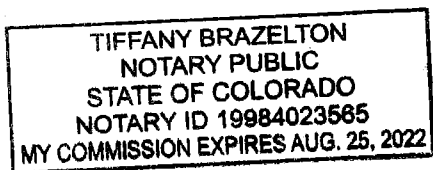
Witness my hand and official seal.

My commission expires on: _____

(seal)



Notary Public



STATE OF COLORADO

OFFICE OF THE STATE ENGINEER

Division of Water Resources
Department of Natural Resources

1313 Sherman Street, Room 818
Denver, Colorado 80203
Phone (303) 866-3581
FAX (303) 866-3589

www.water.state.co.us



Bill Owens
Governor

Russell George
Executive Director

Hal D. Simpson, P.E.
State Engineer

December 15, 2004

Holly Investment Company
Attn: Loren Losh
P.O. Box 557
Strasburg, CO 80136

RE: Determination of Water Right

Dear Mr. Losh:

Enclosed is a copy of the Colorado Ground Water Commission's Findings and Order for Determination of Water Right No. 600-BD, for the allocation of ground water in the Laramie-Fox Hills aquifer. This Findings and Order are the Commission's approval of your application for determination of rights to ground water in the above stated aquifer. This document contains important information about your water right and should be reviewed and retained for your records.

As indicated in the Order, a copy of this determination must be recorded by the applicant in the public records of the county – in which the overlying land is located – so that a title examination of the overlying land claimed in the application, or any part thereof, shall reveal this determination. An additional copy of the Findings and Order is enclosed for this purpose.

If you have any questions, please contact this office.

Sincerely,

Sarah K. Reinsel, E.I.T.
Water Resources Engineer
Designated Basins Branch

enclosures: a/s

cc: North Kiowa-Bijou GWMD

HOLLY Investments
PO Box 557 Strasburg CO 80136

7
6
2

**COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER**

IN THE MATTER OF AN APPLICATION FOR DETERMINATION OF WATER RIGHT TO
ALLOW THE WITHDRAWAL OF GROUND WATER IN THE KIOWA-BIJOU DESIGNATED
GROUND WATER BASIN

APPLICANT: HOLLY INVESTMENT COMPANY

AQUIFER: LARAMIE-FOX HILLS

DETERMINATION NO.: 600-BD

In compliance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Holly Investment Company (hereinafter "applicant") submitted an application for determination of water right to allow the withdrawal of designated ground water from the Laramie-Fox Hills Aquifer.

FINDINGS

1. The application was received complete by the Colorado Ground Water Commission on July 22, 2004.
2. The applicant requests a determination of right to designated ground water in the Laramie-Fox Hills Aquifer (hereinafter "aquifer") underlying 639.38 acres, generally described as Section 33, Township 2 South, Range 62 West of the 6th Principal Meridian, in Adams County. According to a signed statement dated July 21, 2004, the applicant owns the 639.38 acres of land, as further described in said affidavit which is attached hereto as Exhibit A, and claims control of the ground water in the aquifer underlying this land area.
3. The proposed annual amount of ground water to be allocated and withdrawn from the aquifer for intended beneficial uses is the maximum allowable amount.
4. The above described land area overlying the ground water claimed by the applicant is located within the boundaries of the Kiowa-Bijou Designated Ground Water Basin and within the North Kiowa-Bijou Ground Water Management District. The Colorado Ground Water Commission (hereinafter "Commission") has jurisdiction.
5. The applicant intends to apply the allocated ground water to the following beneficial use: domestic. The applicant's proposed place of use of the allocated ground water is the above-described 639.38-acre land area.
6. The quantity of water in the aquifer underlying the 639.38 acres of land claimed by the applicant is 8,152 acre-feet. This determination was based on the following as specified in the Designated Basin Rules:
 - a. The average specific yield of the saturated permeable material of the aquifer underlying the land under consideration that could yield a sufficient quantity of water that may be extracted and applied to beneficial use is 15 percent.

Holly Investment Company
Laramie-Fox Hills Aquifer
Determination No.: 600-BD

Page 2

- b. The average thickness of the saturated permeable material of the aquifer underlying the land under consideration that could yield a sufficient quantity of water that may be extracted and applied to beneficial use is 85 feet.
7. At this time, there is no substantial artificial recharge that would affect the aquifer within a one hundred year period.
 8. Pursuant to Section 37-90-107(7), C.R.S., and in accordance with the Designated Basin Rules, the Commission shall allocate ground water in the aquifer based on ownership of the overlying land and an aquifer life of one hundred years. Therefore, the maximum average annual amount of ground water in the aquifer that may be allocated for withdrawal pursuant to the data in the paragraphs above for the 639.38 acres of overlying land claimed by the applicant is 81.5 acre-feet.
 9. The ability of wells permitted to withdraw the authorized amount of water from this non-renewable aquifer may be less than the one hundred years upon which the amount of water in the aquifer is allocated, due to anticipated water level declines.
 10. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of ground water from the aquifer underlying the 639.38 acres of land claimed by the applicant will not, within one hundred years, deplete the flow of a natural stream or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the ground water is nontributary ground water as defined in Rule 4.2.19 of the Designated Basin Rules. No more than 98% of the amount of ground water withdrawn annually shall be consumed, as required by the Designated Basin Rules.
 11. A review of the records in the Office of the State Engineer has disclosed the presence of 15 permits for small-capacity wells to appropriate ground water from the aquifer located on or in the vicinity of the applicant's claimed overlying land area. The applicant has requested that these 15 small-capacity well permits, Permit Nos. 248283 through 248297, be canceled upon issuance of this determination of water right. Except for the above described cancelled permits, review of the records in the Office of the State Engineer finds no other previous allocations or permitted withdrawals from the aquifer underlying the claimed land area.
 12. Pursuant to Section 37-90-107(7)(c)(III), C.R.S., an approved determination of water right shall be considered a final determination of the amount of ground water so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.
 13. In accordance with Section 37-90-107(7), C.R.S., upon Commission approval of a determination of water right, well permits for wells to withdraw the authorized amount of water from the aquifer shall be available upon application, subject to the conditions of this determination and the Designated Basin Rules and subject to approval by the Commission.

Holly Investment Company
Laramie-Fox Hills Aquifer
Determination No.: 600-BD

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14. On September 9, 2004, in accordance with Rule 9.1 of the Designated Basin Rules, a letter was sent to the North Kiowa-Bijou Ground Water Management District requesting written recommendations concerning this application. No written recommendations from the district were received.
15. The Commission Staff has evaluated the application relying on the claims to control of the ground water in the aquifer made by the applicant.
16. In accordance with Sections 37-90-107(7) and 37-90-112, C.R.S., the application was published in the Eastern Colorado News on September 24 and October 1, 2004.
17. No objections to the determination of water right and proposed allocation of ground water were received within the time limit set by statute.
18. In order to prevent unreasonable impairment to the existing water rights of others within the Kiowa-Bijou Designated Ground Water Basin it is necessary to impose conditions on the determination of water right and proposed allocation of ground water. Under conditions as stated in the following Order, no unreasonable impairment of existing water rights will occur from approval of this determination of water right or from the issuance of well permits for wells to withdraw the authorized amount of allocated ground water from the aquifer.

ORDER

In accordance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, the Colorado Ground Water Commission orders that the application for determination of rights to designated ground water in the Laramie-Fox Hills Aquifer underlying 639.38 acres of land, generally described as Section 33, Township 2 South, Range 62 West of the 6th Principal Meridian, is approved subject to the following conditions:

19. The allocated average annual amount of ground water to be withdrawn from the aquifer shall not exceed 81.5 acre-feet. The allowed maximum annual amount of withdrawal may exceed the allowed average annual amount of withdrawal as long as the total volume of water withdrawn does not exceed the product of the number of years since the date of approval of this determination times the allowed average annual amount of withdrawal.
20. To conform to actual aquifer characteristics, the Commission may adjust the allocated average annual amount of ground water to be withdrawn from the aquifer based on analysis of geophysical logs or other site-specific data if such analysis indicates that the initial estimate of the volume of water in the aquifer was incorrect.
21. No more than 98% of the ground water withdrawn annually shall be consumed. The Commission may require well owners to demonstrate periodically that no more than 98% of the water withdrawn is being consumed.
22. The use of ground water from this allocation shall be limited to the following use: domestic. The place of use shall be limited to the above-described 639.38-acre land area.

Holly Investment Company
Laramie-Fox Hills Aquifer
Determination No.: 600-BD

Page 4

23. The applicant, or subsequent persons controlling this water right, shall record in the public records of the county - in which the claimed overlying land is located - notice of transfer of any portion of this water right to another within sixty days after the transfer, so that a title examination of the above described 639.38 acre land area, or any part thereof, shall reveal the changes affecting this water right. Such notice shall consist of a signed and dated deed, which indicates the determination number, the aquifer, a description of the above, described land area, the annual amount of ground water (acre-feet) transferred, name of the recipient, and the date of transfer.
24. Subject to the above conditions, well permits for wells to withdraw the authorized annual amount of water from the aquifer shall be available upon application subject to approval by the Commission and the following conditions:
- a. The wells shall be located on the above described 639.38-acre overlying land area.
 - b. The wells must be constructed to withdraw water from only the Laramie-Fox Hills Aquifer. Upon application for a well permit to construct such a well, the estimated top and base of the aquifer at the proposed well location will be determined by the Commission and indicated on the approved well permit. Plain non-perforated casing must be installed, grouted and sealed to prevent diversion of ground water from other aquifers and the movement of ground water between aquifers.
 - c. The entire depth of each well must be geophysically logged prior to installing the casing as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
 - d. Each well shall be constructed within 200 feet of the location specified on the approved well permit and, *except for wells permitted under this determination, must be more than 600 feet from any existing large-capacity well completed in the same aquifer.*
 - e. The wells may withdraw the allowed average annual amount of water from the aquifer together in any combination. The total combined annual withdrawal of the wells shall not exceed the allowed average annual amount described in this Order.
 - f. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and maintained by the well owner and submitted to the Commission or the Lost Creek Ground Water Management District upon their request.
 - g. The well owner shall mark the well in a conspicuous place with the permit number and the name of the aquifer. The well owner shall take necessary means and precautions to preserve these markings.
25. A copy of this Findings and Order shall be recorded by the applicant in the public records of the county - in which the claimed overlying land is located - so that a title examination of the above described 639.38-acre overlying land area, or any part thereof, shall reveal the existence of this determination.

EXHIBIT A

Page 1 of 1

GWS 1
06/09/00

STATE OF COLORADO
OFFICE OF THE STATE ENGINEER
DIVISION OF WATER RESOURCES
1313 Sherman St. Room 821
Denver, CO 80203
(303) 866-3581 Fax (303) 866-3589

RECEIVED
JUL 23 2004

NONTRIBUTARY GROUND WATER LANDOWNERSHIP STATEMENT

I (We) HOLLY INVESTMENT COMPANY
(Name(s))

claim and say that I (we) am (are) the owner(s) of the following described property consisting of
639.38 acres in the County of Adams,
State of Colorado:

(Insert the property legal description)

Section 33, Township 2 South, Range 62 West of the sixth principal meridian

and, that the ground water sought to be withdrawn from the Laramie-Fox Hills
aquifer underlying the above-described land has not been conveyed to reserved to another, nor has
consent been given to its withdrawal by another.

Further, I (we) claim and say that I (we) have read the statements made herein; know the contents
hereof; and that the same are true to my (our) knowledge.

HOLLY INVESTMENT COMPANY, President

Signature

Date



7/21/04

Signature

Date

.....
INSTRUCTIONS:

Please type or print neatly in black ink. This form may be reproduced by photocopy or word
processing means. See additional information on the reverse side.

Holly Investment Company
Laramie-Fox Hills Aquifer
Determination No.: 600-BD

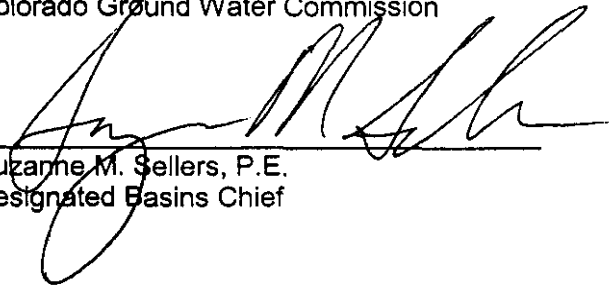
Page 5

Dated this 15th day of December, 2004.



Hal D. Simpson
Executive Director
Colorado Ground Water Commission

By:



Suzanne M. Sellers, P.E.
Designated Basins Chief

Prepared by: SKR

**COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER**

IN THE MATTER OF AN APPLICATION FOR CHANGE OF WATER RIGHT TO CHANGE THE ALLOWED BENEFICIAL USES OF GROUND WATER - FOR DETERMINATION OF WATER RIGHT NO. **601-BD**

APPLICANT: HOLLY INVESTMENT COMPANY

AQUIFER: ARAPAHOE

FINDINGS

In compliance with Section 37-90-111(1)(g), C.R.S., Holly Investment Company (hereinafter "applicant") submitted an application for a change of determination of water right to change the allowed beneficial uses of ground water under Determination of Water Right No. 601-BD. Based upon information provided by the applicant and the records of the Division of Water Resources, the Colorado Ground Water Commission (hereinafter "Commission") finds as follows:

1. Pursuant to Section 37-90-107(7), C.R.S., in a Commission Findings and Order dated December 15, 2004, the Commission approved a Determination of Water Right for Holly Investment Company, assigned Determination No. 601-BD. This determination of water right allows the withdrawal of ground water from the Arapahoe Aquifer (hereinafter "aquifer"), underlying 639.38 acres, generally described as Section 33, Township 2 South, Range 62 West of the 6th Principal Meridian, in Adams County. This area is more completely described in Exhibit A of the above described Findings and Order. The replacement water requirement for withdrawal of ground water from the aquifer underlying the 639.38 acres of overlying land claimed by the applicant consists of two different requirements, which effectively divides the claimed land into two areas. These areas are designated and described as follows:

Area A – 213 acres, generally described as the westerly portion of the applicant's claimed overlying land area in Section 33, Township 2 South, Range 62 West of the 6th Principal Meridian.

Area B – 426.38 acres, generally described as the easterly portion of the applicant's claimed overlying land area in Section 33, Township 2 South, Range 62 West of the 6th Principal Meridian.

These two areas are further described in Exhibit B of the above described Findings and Order.

2. In accordance with the above Order, the allowed average annual amount of ground water to be withdrawn from the aquifer shall not exceed 57.9 acre-feet for Area A and 112 acre-feet for Area B, to be used on the above described 639.38-acre land area for the following intended beneficial use: domestic.
3. Pursuant to Section 37-90-107(7)(c)(III), C.R.S., an approved determination of water right shall be considered a final determination of the amount of ground water so determined, subject to adjustment by the Commission to conform to actual site-specific aquifer characteristics.

*HOLLY INVESTMENT
P.O. BX 557 STRASBURG, CO. 80132*

*10 3
B 3
S 1*

8 11

Applicant: Holly Investment Company
Aquifer: Arapahoe
Determination No.: 601-BD

Page 2

4. By an application for change of determination of water right received complete by the Commission on September 20, 2005, the applicant has requested to change the allowed beneficial uses in the subject determination of water right to the following: indoor domestic, typical residential outdoor uses, irrigation of lawns, gardens, and pasture, fire protection, recharge, replacement supply and augmentation, watering of domestic animals and horses, commercial, and school supply.
5. The above-described 639.38-acre land area is located within the boundaries of the Kiowa-Bijou Designated Ground Water Basin and within the North Kiowa-Bijou Ground Water Management District. The Colorado Ground Water Commission has jurisdiction.
6. In accordance with Section 37-90-112(1) and Section 37-90-111(1)(g), C.R.S., the requested change of determination of water right was published in the Eastern Colorado News newspaper on September 30 and October 7, 2005.
7. No objections to the proposed change were received within the time limit set by statute.
8. In accordance with Section 37-90-111(1)(g), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, the Colorado Ground Water Commission finds that the proposed change of determination of water right will not cause material injury to the existing rights of other appropriators within the Kiowa-Bijou Designated Ground Water Basin, subject to the conditions stated in the following Order.

ORDER

Now, therefore, the Colorado Ground Water Commission orders that the application for change of water right to change the allowed beneficial uses of ground water for Determination of Water Right No. 601-BD is approved, subject to the following conditions:

9. The use of ground water shall be limited to the following uses: indoor domestic, typical residential outdoor uses, irrigation of lawns, gardens, and pasture, fire protection, recharge, replacement supply and augmentation, watering of domestic animals and horses, commercial, and school supply.
10. The Commission's Findings and Order of December 15, 2004, for Determination of Water Right No. 601-BD, is hereby amended to incorporate the above change. All other terms and conditions in the Findings and Order for Determination of Water Right No. 601-BD shall remain in full force and effect.

Applicant: Holly Investment Company
Aquifer: Arapahoe
Determination No.: 601-BD

Page 3

Dated this 24th day of December, 2005.



Hal D. Simpson
Executive Director
Colorado Ground Water Commission

By: 

Suzanne M. Sellers, P.E.
Designated Basins Chief

Prepared by: SKR



Brooks Kaufman
Lands and Rights of Way Director

August 5, 2021

Western Engineering Consultants
c/o Leticia Maldonado
127 South Denver Avenue –
Ft. Lupton, CO 80621

Re: Grasslands at Comanche – Filing 5 and Filing 6

Lots 1 thru 14; Block 8 Filing 5
Lots 1 thru 5; Block 9 Filing 5
Lots 1 thru 4; Block 1 Filing 6
Lots 2 thru 4; Block 2 Filing 6
Lot 6; Block 6 Filing 6
Lot 6; Block 3 Filing 6

Dear Mrs. Maldonado;

We are an electric utility operating under the rules and regulations approved by our Board of Directors. The above-referenced parcel of land in Section 33, Township 2 South, and Range 62 West of the 6th P.M., County of Adams, State of Colorado, and containing 28 residential lots is located within our service area.

We are willing to extend our facilities to the proposed project in accordance with our extension policies. When you submit an application for service, the designer assigned will be able to answer any questions concerning the location of electric facilities and associated cost in relation to the project.

If you have any further questions, please feel free to contact me.

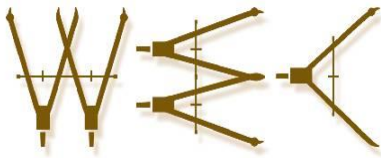
Sincerely,

A handwritten signature in blue ink, appearing to read "Brooks Kaufman", is written over a light blue horizontal line.

Brooks Kaufman
Lands and Rights-of-Way Director

INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION

5496 N. U.S. Highway 85, P.O. Drawer A / Sedalia, Colorado 80135
Telephone (720)733-5493
bkaufman@irea.coop



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

**EXHIBIT A
REAL PROPERTY DESCRIPTION
According to Warranty Deed dated 15th day of July 2019,**

Parcel One:

(APN Nos. **01713133100007, 01713133100006**, 0173133400009, 0173133300010, 0173133200005, 0173133402004)

All of Section 33, Township 2 South, Range 62 West of the 6th P.M., County of Adams, State of Colorado.

EXCEPTING THEREFROM any portion lying within county and/or publically dedicated roads, ALSO EXCEPTING THEREFROM that parcel of land described as follows:

That part of the Southeast one-quarter of said Section 33, Township 2 South, Range 62 West of the 6th P.M., Described as: Beginning at the East-One Quarter of said Section 33;

Thence South Along the East line of said Southeast one-quarter a distance of 55.50 feet to the true point of beginning.

ALSO EXCEPTING THEREFROM those parcels conveyed by Warranty Deed recorded November 5, 2014 at Reception No. 2014000077889,

ALSO EXCEPTING THEREFROM those portions thereof described on the plat of Grasslands at Comanche – First Filing recorded September 14, 2007 at Reception No. 2007000080372, and the plat of Grasslands at Comanche – Second Filing recorded January 22, 2008000005063.

Parcel Two:

The lots and blocks as you described them in your email.

Also known as Assessor's Parcel Numbers:

0173133404002
0173133404001
0173133403001
0173133402007
0173133402006
0173133402005

0173133401005
0173133401006
0173133401007
0173133401008
0173133401009
0173133401010

0173133401011
0173133405001
0173133405002
0173133405003
0173133405004
0173133405005



Statement Of Taxes Due

Account Number R0190717

Parcel 0173133400009

Assessed To

GRASSLANDS AT COMANCHE LLC
412 W PLATTE AVE
FORT MORGAN, CO 80701-2650

Legal Description

Situs Address

SECT,TWN,RNG:33-2-62 DESC: PARCEL D PART OF THE S2 OF SEC 33 DESC AS COMMENCING AT THE SE COR OF SEC 33 0
TH S 89D 46M 56S W 30 FT TH N 00D 05M 51S E // WITH THE E LN OF THE SE4 OF SD SEC 33 A DIST OF 30 FT TO THE POB
TH CONT N 00D 05M 51S E 290/89 FT TH N 89D 54M 09S W 40 FT TH N 59D 07M 18S W 688/8... Additional Legal on File

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2020	\$162.32	\$0.00	\$0.00	(\$162.32)	\$0.00
Total Tax Charge					\$0.00
Grand Total Due as of 07/15/2021					\$0.00

Tax Billed at 2020 Rates for Tax Area 402 - 402

Authority	Mill Levy	Amount	Values	Actual	Assessed
RANGEVIEW LIBRARY DISTRICT	3.6700000	\$7.01	AG DRY FARMING	\$6,574	\$1,910
FIRE DISTRICT 8 - STRASBURG	7.7140000	\$14.73	LAND		
GENERAL	22.7730000	\$43.51	Total	\$6,574	\$1,910
NORTH KIOWA BIJOU GROUND WA	0.0230000	\$0.04			
RETIREMENT	0.3140000	\$0.60			
ROAD/BRIDGE	1.3000000	\$2.48			
DEVELOPMENTALLY DISABLED	0.2570000	\$0.49			
SD 31 BOND (Strasburg)	16.8700000	\$32.22			
SD 31 GENERAL (Strasburg)	29.8150000	\$56.94			
SOCIAL SERVICES	2.2530000	\$4.30			
Taxes Billed 2020	84.9890000	\$162.32			

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

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

Adams County Treasurer & Public Trustee
4430 S Adams County Parkway, Suite W1000
Brighton, CO 80601
720-523-6160

APPLICANT'S CERTIFICATION CONCERNING QUALIFYING SURFACE DEVELOPMENT,
PURSUANT TO C.R.S. §24-65.5-103.3 (1)(b)

I/We, DAVE REBOL

_____, (the "Applicant") by signing below, hereby declare and certify as follows:

Concerning the property located at:

Physical Address: Section 33, Strasburg CO

Legal Description: See attached sheet

Parcel #(s): 0173133400009 and 0173133300010

With respect to qualifying surface developments, that (PLEASE CHECK ONE):

_____ No mineral estate owner has entered an appearance or filed an objection to the proposed application for development within thirty days after the initial public hearing on the application; or

_____ The Applicant and any mineral estate owners who have filed an objection to the proposed application for development or have otherwise filed an entry of appearance in the initial public hearing regarding such application no later than thirty days following the initial public hearing on the application have executed a surface use agreement related to the property included in the application for development, the provisions of which have been incorporated into the application for development or are evidenced by a memorandum or otherwise recorded in the records of the clerk and recorder of the county in which the property is located so as to provide notice to transferees of the Applicant, who shall be bound by such surface use agreements; or

x _____ The application for development provides:

- (i) Access to mineral operations, surface facilities, flowlines, and pipelines in support of such operations existing when the final public hearing on the application for development is held by means of public roads sufficient to withstand trucks and drilling equipment or thirty-foot-wide access easements;
- (ii) An oil and gas operations area and existing well site locations in accordance with section 24-65.5-103.5 of the Colorado Revised Statutes; and
- (iii) That the deposit for incremental drilling costs described in section 24-65.5-103.7 of the Colorado Revised Statutes has been made.

Date: 8-11-21 Applicant: Dave Rebol

After Recording Return To:

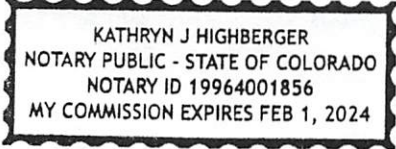
By: Dave Rebol
Print Name: Dave Rebol
Address: 412 W Platte Avenue
Fort Morgan, CO 80701-2650

STATE OF COLORADO)
 MORGAN)
COUNTY OF ~~ADAMS~~)

Subscribed and sworn to before me this 12th day of August, 2021, by
Dave Rebol.

Witness my hand and official seal.

My Commission expires: Feb. 1, 2024 Kathryn J. Highberger
Notary Public



Name and Address of Person Preparing Legal Description:

A recorded copy of this Certification shall be submitted to the Adams County Community and Economic Development Department within thirty days after the initial public hearing on all applicable land use applications.

APPLICANT'S CERTIFICATION CONCERNING QUALIFYING SURFACE DEVELOPMENT,
PURSUANT TO C.R.S. §24-65.5-103.3 (1)(b)

I, DAVE REBOL (the "Applicant") by signing below, hereby declare and certify as follows concerning the property located at:

Physical Address:

Legal Description: See attached sheet

Parcel # (s): 0173133400009 and 0173133300010

With respect to qualifying surface developments:

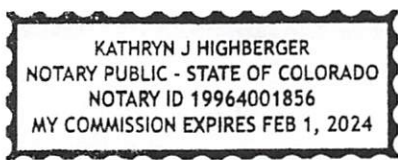
Access to existing and proposed mineral operations, surface facilities, flowlines, and pipelines in support of such existing and proposed operations for oil and gas exploration and production, including provisions for public roads sufficient to withstand trucks and drilling equipment or thirty-foot-wide access easements, were provided for in a "Approx. 17 acres" area as recorded in Reception # 2021000005800 on 1/20/2021.

Date: 8/11/2021 Applicant: *Dave Rebol*
By: Dave Rebol
Address: 412 W Platte Avenue, Fort Morgan, CO 80701-2650

STATE OF COLORADO)
MORGAN)
COUNTY OF ~~ADAMS~~)

Subscribed and sworn to before me this 12th day of August, 2021, by Dave Rebol.

Witness my hand and official seal.



My Commission expires: Feb. 1, 2024 *Kathryn J. Highberger*
Notary Public

After Recording Return To: _____ *Name and Address of Person Preparing Legal Description:* _____

A recorded copy of this Certification shall be submitted to the Adams County Community and Economic Development Department with all applicable land use applications.