Commenting Division: Development Services, Planning **Resubmittal Required**
Name of Reviewer: Holden Pederson
Email and Phone Number: HPederson@adcogov.org / 720-523-6847

PLN1: Applicant must provide a response to the Colton Limited Liability Company's public referral comment. The access issue must be resolved prior to scheduling this case for a public hearing.

a. Applicant can either contact the commenting member of the public directly in order to address their comments and provide written confirmation from the commenting member of the public that the access issue has been resolved, or the applicant can provide a response through the application resubmittal that staff will forward to the commenting member of the public through a second request for comments letter.
b. Staff recommends that a private access easement is granted to the Colton Limited Liability Company or other operator. Please contact the County's Right-of-Way Agent Marissa Hillje for more information regarding the process for establishing private access easements.

PLN2: This request cannot leave any land adjoining the roadway without an established public road or private access easement connecting said land with another established public road. All properties impacted by this request are owned by the Colorado Rifle Club, including the property on which the Colton Limited Liability Company is operating.

Commenting Division: Development Services, Engineering **Resubmittal Required**
Name of Reviewer: Matt Emmens
Email and Phone Number: MEmmens@adcogov.org / 720-523-6826

ENG1: Vacation of the E 112th Ave ROW would create a land locked parcel (Parcel #0173500000009). The County cannot create a land locked parcel through a vacation. The applicant will need to either file a land survey plat to combined parcels (Parcel #0173500000009 and #0173500000008) or file a quit claim deed to remove the common property line.

Commenting Division: Development Services, Right-of-Way **Resubmittal Required**
Name of Reviewer: Marissa Hillje
Email and Phone Number: mhillje@adcogov.org / 720-523-6837

ROW1: A Copy of a vacation plat was not submitted. Please revisit the application checklist and documents for more information on what is required for this case.

ROW2: Submit a title commitment which should be used to depict the applicable recordings on the plat. Send Adams County a copy of the title commitment with your application dated no later than 30 days to review in order to ensure that any other party's interests are not encroached upon. All applicable easements/exceptions should be accurately shown and labeled on the plat.

Commenting Division: Development Services, Addressing **Complete**
Name of Reviewer: Marissa Hillje
Email and Phone Number: mhillje@adcogov.org / 720-523-6837

No comment.

Commenting Division: Development Services, Environmental Analyst **Complete**
Name of Reviewer: Katie Keefe
Email and Phone Number: KKeefe@adcogov.org / 720-523-6986

No comment.

Commenting Division: Development Services, Building and Safety **Complete**
Name of Reviewer: Justin Blair
Email and Phone Number: jblair@adcogov.org / 720-523-6843

No comment.

Commenting Division: Neighborhood Services **Complete**
Name of Reviewer: Gale Moon
Email and Phone Number: GMoon@adcogov.org / 720-523-6833

No comment.

Commenting Division: Parks and Open Space **Complete**
Name of Reviewer: Aaron Clark
Email and Phone Number: AClark@adcogov.org / 720-523-8005

No comment.

External Agency Referral Comments:

Xcel Energy℠
PUBLIC SERVICE COMPANY

Right of Way & Permits
1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

December 17, 2019

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

Attn: Holden Pederson

Re: Colorado Rifle Club Roadway Vacation, Case # VAC2019-00004

Public Service Company of Colorado's Right of Way & Permits Referral Desk has reviewed the documentation for **Colorado Rifle Club Roadway Vacation** and has **no conflict** with the vacation of a portion of East 112th Avenue.

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

Public Referral Comments:

COLTON LIMITED LIABILITY COMPANY

P.O. Box 900, Denver, Colorado, 80201, 303-297-0347

December 23, 2019

Adams County
Community & Economic
Development Department
4430 South Adams County Parkway
Suite W2000A
Brighton CO 80601-8216

HPederson@adcogov.org

Re: **Colorado Rifle Club Roadway Vacation**
Case Number: VAC2019-00004

This comment letter is written in response to your letter dated December 5, 2019 regarding the captioned application. **Colton Limited Liability Company** ("Colton") is the operator of the following described oil and gas well which requires that portion of East 112th Avenue between Rector Leader Road and its lease road which exits 112th Avenue north through sec. 3 to its battery and well site for access:

Linnebur #21-3 well
Location: T2S-R60W
Sec 3: NE1/4NW1/4
API #05-001-08151

Colton makes the following points against the proposed vacation application:

1. There is no alternate access available to Colton if this portion of 112th Avenue were to be vacated. If this vacation application is approved Colton will be forced to abandon the well which will cause substantial economic loss not only to Colton but also to the royalty owners which own the minerals under the NE1/4NW1/4 of section 3.

2. I would like to mention that Colton did not receive proper notice of this application when it is apparent from both the real property records of Adams County and the Colorado Oil & Gas Conservation Commission that Colton is the operator and owner of the well. It appears that notice was given to Koch Industries and Anadarko Land Corporation only.

3. The Warranty Deed dated June 24, 2014 from Linnebur Farms Corporation, as grantor, to Colorado Rifle Club, as grantee, conveying the W1/2 of section 3, recorded at reception #2014-00041136, and included in the vacation application, specifically states that the property is conveyed subject to the rights of third parties not shown in the public records and of which grantee has actual knowledge. The Colorado Rifle Club had actual knowledge of the existence of the well because they noticed both Koch and Anadarko. By virtue of the oil and gas leases, Colton as lessee, has the right to use that much of the surface as required to operate and access the well.

COLTON LIMITED LIABILITY COMPANY

P.O. Box 900, Denver, Colorado, 80201, 303-297-0347

Colton respectfully requests that Adams County consider these comments. If you need anything additional do not hesitate to contact me at 720-272-8616 or by e-mail at bmills@bsegllc.com .

Colton Limited Liability Company

By: William G. Mills II

William G. Mills II
Land Manager