



## AGENDA

Logan County Board of Commissioners  
Logan County Courthouse, 315 Main Street, Sterling, Colorado  
Tuesday, December 3, 2019 - 9:30 a.m.

**Call to Order**  
**Pledge of Allegiance**  
**Revisions to Agenda**  
**Consent Agenda**

Approval of the Minutes of the November 19, 2019 meeting.

Acknowledgment of the receipt of the Clerk and Recorder's report for the month of October, 2019.

Acknowledgment of the receipt of the Veteran's Service Officer's report and Certification of Pay form for the month of November, 2019.

**Unfinished Business**  
**New Business**

Consideration of the approval of Resolution 2019-40 to amend the IRC Section 125 Flexible Benefits Plan to allow a participant to redirect on a non-tax basis, a portion of the gross compensation for reimbursement of health expenses to the extent that such expenses do not exceed \$2,750.00 per plan year.

Consideration of the approval of an agreement between Logan County and Cervi Championship Rodeo Company for the production, management and stock contract supply for the 2020 Logan County PRCA Rodeo and subsequent years to 2024.

The Board will open a public hearing for consideration of the approval of Resolution 2019-41 granting NextEra Wind Resources, LLC, on behalf of Peetz Table Wind, LLC, and Northern Colorado Wind, LLC, a Conditional Use Permit (Cup) for the construction, maintenance and operation of five Temporary Meteorological (Met) towers for measuring and recording weather conditions, to be located in Lots 1 & 2, and the South Half (S $\frac{1}{2}$ ) Section 23, Township 12 North, Range 55 West of the 6<sup>th</sup> Principal Meridian, Logan County, Colorado, and Section 29, Township 12 North, Range 54 West of the 6<sup>th</sup> Principal Meridian, Logan County, Colorado, and Lots One (1), Two (2), and the South Half (S $\frac{1}{2}$ ) Section 23, Township 12 North, Range 50 West of the 6<sup>th</sup> Principal Meridian, Logan County, Colorado, and the West Half (W $\frac{1}{2}$ ) Section 28, Township 12 North, Range 49 West of the 6<sup>th</sup> Principal Meridian, Logan County, Colorado, and Lots One (1), Two (2), Three (3) and Four (4), and the South Half of the South Half (S $\frac{1}{2}$ S $\frac{1}{2}$ ) of Section 23, Township 12 North, Range 49 West of the 6<sup>th</sup> Principal Meridian, Logan County, Colorado.



Consideration of the approval of Resolution 2019-42 approving the vacation of a Subdivision Exemption plat previously approved for Thomas J. Huss and Brenda S. Huss on December 4, 2018 and recorded at Book 1030, Page 712.

Consideration of the approval of Resolution 2019-43 approving a for Subdivision Exemption on behalf of Thomas J. Huss and Brenda S. Huss to create a 4.22-acre parcel from a 155-acre parcel in an Agricultural Zone located in the Northeast Quarter (NE¼) of Section 23, Township 10 North, Range 51 West of the Sixth Principal Meridian, Logan County, Colorado.

Consideration of the approval of an agreement between Logan County and Wagner's Carnival, LLC for operation of a complete carnival at the Logan County Fair Tuesday, August 4, 2020 through Sunday, August 9, 2020.

**Other Business**

**Miscellaneous Business/Announcements**

The next meeting will be scheduled for Tuesday, December 17, 2019, at 9:30 a.m. at the Logan County Courthouse.

**Executive Session as Needed**



November 19, 2019

The Logan County Board of Commissioners met in regular session with the following members present constituting a quorum of the members thereof:

Joseph A. McBride	Chairman
Jane Bauder	Commissioner
Byron Pelton	Commissioner

Also present:

Alan Samber	Logan County Attorney
Pamela M. Bacon	Logan County Clerk
Rachelle Stebakken	Logan County Deputy Clerk
Marilee Johnson	Tourist Information Center Director/County Public Information Officer
Jerry Casebolt	Emergency Management
Brett Powell	Sheriff
Ken Kimsey	Undersheriff
Dave Long	Logan County Department of Human Services
Shannan Graves	Logan County Department of Human Services
Dave Conley	Lodging Tax Board
Rick Cullip	Logan County Landfill
Matt Chrisp	Logan County Landfill
Karen Milner	Logan County Department of Human Services
Cynthia Mills	Heritage Center
Debbie Unrein	Logan County Finance
Yolanda Krueger	LMR Oil LLC
Larry Rogers	LMR Oil LLC
Jeff Rice	Journal Advocate

Chairman McBride called the meeting to order at 9:30 a.m. The meeting opened with the Pledge of Allegiance. Chairman McBride asked if there were any revisions for the agenda. None were indicated.

The Board continued with the Consent Agenda items:

- Approval of the Minutes of the October 29, 2019 meeting, Commissioner McBride abstained from, and November 5, 2019 meeting, Commissioner Pelton abstained from.
- Acknowledgment of the receipt of the Treasurer's report for the month of October, 2019.
- Acknowledgment of the receipt of the Landfill Supervisor's report for the month of October, 2019.
- Acknowledgment of the receipt of the Sheriff's Fee report for the month of October, 2019.

Commissioner Pelton moved to approve the Consent Agenda. Commissioner Bauder seconded and the motion carried 3-0.

Chairman McBride continued with New Business:

Chairman McBride opened a public hearing for the consideration of the approval of an application for a Beer and Wine License on behalf of LMR Oil, LLC dba Sinclair #3 at 4513 Highway 63, Atwood, CO 80722. There being no

further comment, Chairman McBride closed the public hearing.

- Larry Rogers, with LMR Oil, LLC, spoke in favor of the application and explained his work history with the stores.

Commissioner Bauder moved to approve an application for a Beer and Wine License on behalf of LMR Oil, LLC dba Sinclair #3 at 4513 Highway 63, Atwood, CO 80722. Commissioner Pelton seconded and the motion carried 3-0.

Chairman McBride opened a Budget Hearing for the consideration of the Proposed Logan County Budget for fiscal year 2020. There being no comment, Chairman McBride closed the public hearing.

Chairman McBride opened a Budget Hearing for the consideration of the Proposed Logan County Pest District Budget for fiscal year 2020. There being no comment, Chairman McBride closed the Budget hearing.

Consideration of the approval of the following Logan County Lodging Tax Board project:

- Visit USA Parks 2020 Marketing Campaign in the amount of \$8,250.00.

Commissioner Bauder moved to approve the Logan County Lodging Tax Board project Visit USA Parks 2020 Marketing Campaign in the amount of \$8,250.00. Commissioner Pelton seconded and the motion carried 3-0.

The Board opened proposals for Onsite and/or Remote Technical Support for Information Technology and Computer Support Services for Logan County Governmental Offices.

- Kentec Communications
- CherryRoad Technologies
- Platinum Technology
- Rocky Mountain Computer Solutions
- Zion Cloud Solutions
- Paramount Technologies
- Next Strategic Technologies

Commissioner Pelton moved to refer these bids to Commissioner Bauder and Jerry Casebolt with the Emergency Management for their review and recommendation to the Board of Logan County Commissioners. Chairman McBride seconded and the motion carried 3-0.

The Board opened bids for Security Camera System for Logan County Governmental Offices.

- DictoGuard Security Alarm Systems
- Tri-Tek Security
- Long Building Technologies
- DTI Security
- School Specialty
- Paramount Technologies

Commissioner Pelton moved to refer these bids to Jerry Casebolt with the Emergency Management for his recommendation. Commissioner Bauder seconded and the motion carried 3-0.

The next business meeting will be scheduled for Tuesday, December 10, 2019, at 9:30 a.m. at the Logan County Courthouse.

County Offices will be closed Thursday and Friday, November 28-29, 2019 for the Thanksgiving holiday weekend.

There being no further business to come before the Board, the meeting adjourned at 9:50 a.m.

Submitted by:

Rochelle Steballe  
Logan County Deputy Clerk

Approved: December 10, 2019

LOGAN COUNTY, COLORADO

(seal)

By: \_\_\_\_\_  
Joe McBride, Chairman

Attest:

\_\_\_\_\_  
Logan County Clerk & Recorder





# Clerk Fees Collected 2019

October

	<u>2018</u>	<u>2019</u>	
<u>Recording Fees Retained</u>	13,718.00	12,248.16	
<u>Motor Vehicle Fees Retained</u>	310,060.32	300,312.49	
Total	\$ 323,778.32	\$ 312,560.65	\$11,217.67

<u>Fees &amp; Taxes Distributed</u>			
State of Colorado	262,818.77	249,824.17	
City of Sterling	29,863.56	39,576.23	
Town of Fleming	-	1,427.89	
Total	\$ 292,682.33	\$ 290,828.29	\$1,854.04

Fees Retained Year to Date \$1,795,874.44





Colorado Department of Military and Veterans Affairs  
 County Veterans Service Officers Monthly Report and Certification of Pay

County of Logan Month of Nov. 2019

GENERAL INFORMATION		REQUEST FOR MEDICAL RECORDS	
Telephone Calls *	161	21-4142 & 21-4142a	2/2
Office Visits	7	MILITARY RECORDS/CORRECTIONS	
Home Visits	46	SF180	- 0 -
Outreach Visits	3	DD149	- 0 -
Community Events	- 0 -	DD293	- 0 -
Request for Medal	- 0 -	NA13075	- 0 -
Operation Recognition	- 0 -	Other	- 0 -
Correspondence Rec'd	2	NSC PENSION	
Correspondence Written	12	21-527EZ	1
Info/Referral/Inquiries	6	21-8416	1
VCAA Notice	- 0 -	WIDOWS PENSION	
State Benefits	- 0 -	21-534EZ	1
Income Verifications	- 0 -	21-8416	1
NEW CLAIMS INITIATED		DIC	
21-22 CVA	12	21-5234EZ	- 0 -
21-22 others	4	WAIVERS/COMPROMISE	
SC ENTITLEMENT		21-5655	- 0 -
21-526EZ	2	APPEALS	
21-0966 Informal	5	21-0985 NOD	- 0 -
21-4138	7	VA Form 9	- 0 -
21-526EZ Reinstate	- 0 -	20-0995	1
21-526EZ IU	- 0 -	20-0996	- 0 -
21-8940 IU	- 0 -	10182	- 0 -

SC ENTITLEMENT CONTINUED		INSURANCE CLAIMS	
21-4192 IU Employer	- 0 -	29-357	- 0 -
21-4138 SMC	- 0 -	29-4364	- 0 -
21-686c Dependency	- 0 -	29-336 Beneficiary	- 0 -
21-674 School Attendance	- 0 -	29-4125 Lump Sum	- 0 -
VA HEALTHCARE		VTF REQUESTS	
10-10EZ	2	Rental Assistance	- 0 -
CHAMPVA	- 0 -	Utilities Assistance	- 0 -
HOMELESS VETERANS CLAIMS		Prescription Assistance	- 0 -
Service Connection	- 0 -	Food Assistance	- 0 -
NSC Pension	- 0 -	Transportation Assistance	- 0 -
VOC REHAB		Clothing Assistance	- 0 -
28-1900 CH31	- 0 -	Other	- 0 -
MISC CLAIMS		VA HOME LOAN	
21-8678 Clothing Allow	- 0 -	26-1800	- 0 -
21-4502 Adaptive Equip.	- 0 -	26-1817	- 0 -
26-4555 Housing	- 0 -	SURVEYS	
10-0103 HISA Grant	- 0 -	County VSO Feedback and Comment Forms Submitted:	5
CRSC	- 0 -	OTHER	
BURIAL ALLOWANCE		* from vets/to vets/prof.	66/71/24
21P-530	- 0 -	Emails to vets/from vets/concerning	8/6/47/51
40-1330	- 0 -	21-2680/21-0779 <sup>prof.</sup>	1/2
21-2008	- 0 -	21-0969/20-5721	1/1
INCARCERATED VETERANS		text messages: to vets/ from vets	5/5
21-526EZ Reinstatement	- 0 -		
21-4138 Apportionment	- 0 -		

**Certification by County Veterans Service Officer**

I hereby certify, the above captioned monthly report is true and accurate. I have been paid the following amount(s) for the month of November, 2019 from Logan county.

Salary	\$ <u>2,002.00</u>
Expenses (maint. contract)	\$ <u>24.13</u>
Office Space	\$ <u>-0-</u>
Telephone	\$ <u>84.54</u>
Office Supplies	\$ <u>-0-</u>
Travel	\$ <u>-0-</u>
Training Conference	\$ <u>-0-</u>
Other Postage	\$ <u>12.40</u>
<b>TOTAL</b>	\$ <u>2,123.07</u>

[Signature]  
Signature of County Veterans Service Officer

11/27/2019  
Date

**Certification by County Commissioner or Designee**

In accordance with CRS 28-5-707, I hereby certify the accuracy of the Report CVA-26 revised 2-15-2019:

\_\_\_\_\_ County Commissioner or Designee of  
 \_\_\_\_\_ County  
 \_\_\_\_\_ Date

This certification, submitted monthly, properly signed and executed is considered as application for the monetary benefits to the County General Fund in accordance with 28-5-804 (2002) Colorado Revised State Statute.

Submit this form no later than the 15<sup>th</sup> day the following month.

Mail to:  
 Colorado Division of Veterans Affairs  
 Attention: Director  
 1355 South Colorado Blvd.  
 Building C, Suite 113  
 Denver, Colorado 80222



**RESOLUTION**

**NO. 2019-40**

**LOGAN COUNTY  
IRC SECTION 125 AMENDMENT**

WHEREAS, Logan County , a sponsor of an IRC Section 125 Flexible Benefits Plan, has the right, at any time, to amend this Plan;

And, in keeping with the IRS' regulations governing Section 125 of the Internal Revenue Code;

RESOLVED that effective January 1, 2020, the IRC Section 125 Flexible Benefits Plan shall be amended to allow a participant to redirect on a non-tax basis, a portion of the gross compensation for reimbursement of health expenses to the extent that such expenses do not exceed \$2,750.00 per plan year.

BE IT UNDERSTOOD that the passage of this amendment is in all respects legal and that this amendment is in full force and effect.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature & Title





## AGREEMENT FOR SERVICE - PRCA RODEO PRODUCTION

This Agreement is entered into as of the 11<sup>th</sup> day of November, 2019, by and between the LOGAN COUNTY FAIR & RODEO, c/o Board of County Commissioners of Logan County, a political subdivision of the State of Colorado, whose address is 315 Main Street, Suite 2, Sterling, CO 80751 (hereinafter "Logan County"), and CERVI CHAMPIONSHIP RODEO COMPANY, c/o Binion Cervi, 30130 County Road 49, Greeley, CO 80631 (hereinafter "Contractor").

### RECITALS

WHEREAS, the Logan County Fair & Rodeo is an annual event conducted at the Logan County Fairgrounds in the City of Sterling, County of Logan, State of Colorado; and

WHEREAS, among the events held annually at the Logan County Fair & Rodeo is a PRCA rodeo; and

WHEREAS, Contractor has proposed to produce, manage and supply rodeo stock for the PRCA rodeo performances at the 2020, 2021, 2022, 2023 and 2024 Logan County Fairs.

### AGREEMENT

In consideration of the above recitals and the mutual agreements stated below, the parties agree as follows:

1. Dates. Logan County agrees to provide Contractor the use of the arena, sound system and grandstands at Logan County Fairgrounds on dates approximately occurring during the first full week in August, annually, for the production of two PRCA rodeo events, one performance to occur on Thursday night and one performance on Friday night. To the extent that this is a five year contract, Contractor shall be provided the use of the arena and grandstands for two PRCA rodeo events during each of the 2020, 2021, 2022, 2023 and 2024 Logan County Fairs, dates and times to be determined by Logan County.
2. Responsibilities of Contractor. The Contractor shall be responsible, at its own cost, for supplying all rodeo stock, personnel, equipment, supplies and services, and for complete production of the PRCA-sanctioned Rodeo events, all as more particularly described in the Contractor's written proposal, attached hereto as Exhibit A and fully incorporated herein by reference.
3. Responsibilities of Logan County: Logan County shall be responsible for the following at its sole cost:
  - a. Providing and printing Event admission tickets, and providing ticket sellers and ticket takers, prior to and during the Event;
  - b. Preparing the grandstand seating areas and arena, and removing trash and debris from all stadium areas;

- c. Providing reasonable security prior to, during and after the Event;
  - d. On-site ambulance services provided during performances and slack time;
  - e. PRCA Judges, prize money, sanction fees, and WPRA and PRCA dues;
  - f. Advertising through Logan County Fair & Rodeo's general fair advertising;
  - g. All arena maintenance equipment, including tractor;
  - h. Rodeo secretary office;
  - i. Scoreboard and/or video board (and technician); and
  - j. Grass hay/grain for all rodeo livestock.
4. Term and Compensation: The term of this agreement shall be for five years. In consideration for the services provided hereunder each year, Logan County agrees to pay Contractor a fee of Thirty Thousand Five Hundred Ninety Six Dollars (\$30,596.00) for the services provided at the 2020 Logan County Fair; Thirty One Thousand Five Hundred Fourteen Dollars (\$31,514.00) for the 2021 Logan County Fair; Thirty Two Thousand Four Hundred Fifty Nine Dollars (\$32,459.00) for the 2022 Logan County Fair; Thirty Three Thousand One Hundred Nine Dollars (\$33,109.00) for the 2023 Logan County Fair; and Thirty Three Thousand Seven Hundred Seventy One (\$33,771.00) for the 2024 Logan County Fair. Such sums shall be payable in full upon completion of both rodeo performances each year. Logan County shall be obligated to pay such fees only if the Events are fully completed as scheduled, and shall not be obligated to pay any sums, nor shall Contractor be obligated to perform this Agreement, if the Events are cancelled as a consequence of inclement weather, war, embargoes, strikes, governmental restrictions, riots, fires, floods, earthquakes, or other acts of God.
5. Termination: This agreement may be terminated by either party, with or without cause and with no resulting obligation whatsoever, by providing written notice to the other party no later than December 31 of the year prior to the year in which services are to be performed. The financial obligations of Logan County, as a governmental entity, are subject to and conditioned upon a prior appropriation of sufficient funds to enable Logan County to perform the agreement in any ensuing fiscal year, as provided by law.
6. Independent Contractors. The parties acknowledge that the Contractor and any staff provided by the Contractor, or other individuals associated with Contractor in carrying out its responsibilities under this Agreement, are NOT employees of Logan County and will, at all times, be considered and treated as independent contractors.
7. Indemnification and Hold Harmless. Contractor agrees to indemnify and hold harmless Logan County, including its agents and employees, from and against all claims, damages, losses, injuries, and expenses of whatever nature, arising out of or resulting from any acts or omissions of the Contractor, its agents, employees, or assigns.

8. Insurance. At all times while performing the services required hereunder, Contractor shall maintain in full force and effect, at its own expense, comprehensive general liability insurance coverage with a minimum coverage of \$1,000,000 each occurrence, \$1,000,000 general aggregate. Such insurance shall name “Logan County, Colorado, a body corporate and politic,” as an additional insured and certificates of insurance for each participating organization shall be provided to Logan County no later than 3 days prior to the commencement of the event. In addition, Contractor shall provide Worker’s Compensation insurance for its employees in the amounts required by Colorado law.

9. Notices. Any notice, request, demand, waiver, or other communication required or permitted to be given under this Agreement will be in writing and will be deemed to have been duly given only if delivered in person or by first class, prepaid, registered or certified mail, sent to the following persons:

To Logan County:            Board of County Commissioners  
   315 Main Street, Suite 2  
   Sterling, CO 80751

With a copy to:            County Attorney  
   508 S. Tenth Ave.  
   Sterling, CO 80751

To Contractor:            Binion Cervi  
   Cervi Chamionshop Rodeo Company  
   30130 County Road 49  
   Greeley, CO 80631

10. Waiver. This Agreement or any of its provisions may not be waived except in writing. The failure of any party to enforce any right arising under this Agreement on one or more occasions will not operate as a waiver of that or any other right on that or any other occasion.

11. No Third Party Beneficiaries. None of the terms, conditions or covenants in this Agreement shall give or allow any claim, benefit, or right of action by any third person not a party hereto. Any person other than Contractor or Logan County receiving services or benefits under this Agreement shall be only an incidental beneficiary.

12. No Joint Venture: Nothing contained in this agreement shall be construed to imply that a joint venture or partnership is created by and between the parties.

13. Entire Agreement. This Agreement contains the entire agreement of the parties and supersedes all prior oral or written agreements and understandings with respect to the subject matter. This Agreement may not be amended or modified except by a writing signed by the parties.

14. Severability. Any term or provision of this Agreement which is invalid or unenforceable will be ineffective to the extent of such invalidity or unenforceability without rendering invalid or unenforceable the remaining rights of the person intended to be benefitted by such provision or any other provisions of this Agreement.
15. Construction. This Agreement has been negotiated by the parties and, if desired, their respective legal counsel, and legal or equitable principles that might require the construction of this Agreement or any provision of this Agreement against the party drafting this Agreement will not apply in any construction or interpretation of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first set forth above.

BOARD OF COUNTY COMMISSIONERS OF  
LOGAN COUNTY, COLORADO

By:

Joseph A. McBride, Chairman

By:

Byron H. Pelton, Commissioner

By:

Jane E. Bauder, Commissioner

CERVI CHAMPIONSHIP RODEO COMPANY

  
\_\_\_\_\_  
Binion Cervi, Executive Director

Exhibit A



Presented to:

Logan County PRCA Rodeo

Sterling, CO

January 30, 2019



January 30, 2019

Logan County PRCA Rodeo  
315 Main Street  
Sterling, CO 80751

Dear Logan County PRCA Rodeo Committee:

Cervi Championship Rodeo Co. is pleased to submit this proposal and would be honored to again work alongside the Logan County PRCA Rodeo Committee and volunteers to produce an outstanding rodeo and to be a part of the Logan County PRCA Rodeo for years to come.

We appreciate the opportunity to present this information for your consideration. As always, we welcome any and all conversations and pride ourselves in transparency and an open working relationship with our committees. If we may be able to provide further insight about our company or proposal, please do not hesitate to reach out.

Please let us know if you have any questions, concerns, or would like to visit further.

Respectfully,

*Binion Cervi*

Binion Cervi  
Executive Director, Cervi Championship Rodeo Co.  
(970) 324-1644  
binioncervi@yahoo.com  
www.cervirodeo.com  
PRCA Card Number: 3161 & 19253

## INFORMATION FOR RODEO STOCK CONTRACTOR

Presented to:  
Logan County PRCA Rodeo  
315 Main Street  
Sterling, CO 80751

Presented by:  
Cervi Championship Rodeo  
30130 County Road 49, Greeley, CO, 80631

January 30, 2019

### I. INTRODUCTION

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#### **Why does Cervi Championship Rodeo want to work for the Logan County PRCA Rodeo?**

Cervi Championship Rodeo would consider it a great honor to continue to serve the Logan County Fair as your stock contracting firm. We take great pride in being affiliated with this great hometown rodeo and look forward to assisting the board, committee, and volunteers in continuing to grow this historic rodeo into an even more prosperous event. We are grateful to have been a part of your team for many years now and will continue to strive to exceed your expectations for years to come.

#### **Why should the Logan County PRCA Rodeo choose Cervi Championship Rodeo?**

We are committed to always bringing the Logan County PRCA Rodeo the very best of award-winning bucking stock, a high level of entertainment value, as well as professionalism and appreciation for your many strong traditions. Should you choose for Cervi Rodeo to serve as your stock contractor again in 2020 through 2022, we would anticipate sitting down together with your committee to learn from you what components of your current production you love, what items you hope to preserve and what/if any components that you would envision differently moving forward.

We take great pride in the fact that we are not only in the rodeo business; we are in the entertainment business. We have watched our fan base grow and change throughout the years and strive to constantly improve the entertainment value of every performance that we produce. Since our father's early beginnings in the rodeo business, he has insisted and instilled in us that rodeo is just as much about entertainment and captivating the crowd as it is about cowboys competing in the sport that they love.

## II. CONTRACTOR

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### a. Primary Contractor Awards Won in The Past 3 Years

- 2015 – Won 2 Go-Rounds at the WNFR
- 2016 – Won 3 Go-Rounds Won at the WNFR
- 2017– Won 2 Go-Rounds at the WNFR
- 2018– Won 1 Go-Round at the WNFR

For the last 50 years, CERVI has had more stock selected for the Wrangler National Finals Rodeo than any other stock contractor in the business. CERVI has been awarded numerous honors, including more than 280 individual awards for its rodeo stock. Past accomplishments include:

- Holds the Record for Most Stock Sent to the WNFR In One Year
- Have Won Ten Rounds at the WNFR in the Last Five Years
- 4 times Bareback Horse of the Year
- 8 times Saddle Bronc Horse of the Year
- 3 times Bucking Bull of the Year
- 2 times Fighting Bull of the Year
- 2 times Stock Contractor of the Year
- Numerous WNFR honors of top stock of the WNFR, including but not limited to: 2010/2011 high marked horse of the WNFR, 2010 bucking bull of the WNFR and several high marked horses within rounds at the WNFR over the last few years

b. CERVI produces 7 of the top 50 rodeos in the PRCA (based on total PRCA combined purse standings).

c. Proof of rodeos currently under contract along with the number of each type of stock provided for each rodeo is provided in **Attachment A**.

## III. STOCK

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a. Cervi Championship Rodeo (hereinafter referred to as “CERVI”), shall provide all working stock, stock and management personnel required to conduct a PRCA sanctioned rodeo for the Logan County PRCA Rodeo (hereinafter referred to as “LCR”) in 2020 through 2024 in Sterling, Colorado (exact dates TBD; approximately first full week of August).

b. CERVI will ensure all working stock be as fresh as possible for all events specified below. CERVI shall provide a sufficient quantity of livestock to ensure a comfortable margin of livestock for each event as specified by PRCA/WPRA rules.



**Attachment B. List of Accredited Cervi Livestock****National Finals Rodeo 2016**

<b>Barebacks</b>	<b>Saddlebrons</b>	<b>Bulls</b>
S48 William Wallace	P16 Hell's Fire Hostage	458 Slim Kitty
R22 Control Freak	T54 2 Cookies	164 Big Time
P49 Gander Goose	R57 Alpha Dog	

**National Finals Rodeo 2017**

<b>Barebacks</b>	<b>Saddlebrons</b>	<b>Bulls</b>
S48 William Wallace	P16 Hell's Fire Hostage	164 Big Time
R22 Control Freak	T54 2 Cookies	-1 White Smoke
	R57 Alpha Dog	
	T10 On Fire	

**National Finals Rodeo 2018**

<b>Barebacks</b>	<b>Saddlebrons</b>	<b>Bulls</b>
S48 William Wallace	P16 Hell's Fire Hostage	164 Big Time
R22 Control Freak	T54 2 Cookies	
T82 Ain't No Angel	R57 Alpha Dog	
	U82 Hitman	

**Mountain States Circuit Finals 2016**

<b>Barebacks</b>	<b>Saddlebrons</b>	<b>Bulls</b>
N16 Fire's Easy	G16 High Life Gal	C38 Happy Hooker
M27 Little Bo Peep	P35 Exploding Springs	J4 Rank Frank
-815 High Roller	T10 On Fire	G13 Vitalix Big Lick
	T12 Fly Me To The Moon	H2 Freckled Fire
	T73 Any Given Sunday	
	T56 Sip It Slow	
	T26 Sucker Punch	

**Mountain States Circuit Finals 2017**

<b>Barebacks</b>	<b>Saddlebrons</b>	<b>Bulls</b>
O13 Lonestar	P35 Exploding Springs	H12 Hooky
-815 High Roller	U22 Bossy Brad	J8 Back in Black
N16 Fire's Easy	U26 Fancy Frank	J88 Hurricane
U7 Tory's Boyfriend	U38 MomBo	E20 Mad Money
P30 Lil Buckler	U72 Richie's High	K5 Hammer Time

U46 Lunatic Sister\*  
F37 Blood Bath\*

U36 Banger Main  
U90 Going Yard  
U64 Wicked Woman\*  
U4 Redial\*

G13 Big Lick\*

**\*Denotes Alternates**

### Mountain States Circuit Finals 2018

#### Barebacks

O13 Lonestar  
N16 Fire's Easy  
P30 Lil Bucker  
V24 Lunatic Fletch  
U53 Oil Held Hostage  
V7 Liberator  
V10 Wyatt Earp  
V28 Altered State  
V37 Soul Train  
V65 Check Please

#### Saddlebrons

U39 Lunatick Street  
V19 Hostage Negotiator  
V26 Vanquisher  
V57 Hell On Wheels  
V69 Mood Swings  
V70 End Of The Line\*

#### Bulls

H12 Hooky  
J21 Sink Hole  
K3 Jack Hammer  
K10 Chunky Monkey  
K9 It's Complicated\*  
J88 Hurricane\*

**\*Denotes Alternates**

### Great Lakes Circuit Finals 2016

#### Barebacks

M22 Spotted Pup  
R47 Longshot  
R86 Justified  
S21 Migraine Mistress  
S9 Guiding Light  
R58 Gold Buckle  
Q38 Tino's Juarez  
Q39 Grease Monkey  
Q63 Last Pet  
S103 Dust Storm  
F42 Hostage  
Q68 Up & Away

#### Saddlebrons

J17 Fire Bomb  
Q24 Forked Up  
S39 Drug War  
N25 Sunday Special  
Q59 Roller Coaster

#### Bulls

7X Smoke Wagon  
458 Slim Kitty  
164 Big Time  
111 Live Action  
-1 White Smoke  
1825 High Jacker  
172 Slider  
O1 Upper Deck  
650 Download  
738 Hot Wired

**Great Lakes Circuit Finals 2017**

Barebacks	Saddlebrons	Bulls
R40 Backlash	Q24 Forked Up	243 Big Sexy
F16 Rose Puff	S39 Drug War	40 Midlife Crisis
Q21 Lucky Lady	Q59 Roller Coaster	458 Slim Kitty
R49 Sugar Daddy	204 Sacred Sacrifice	7X Smoke Wagon
S37 Southern Comfort	S11 Night Watch	164Y Muddy Waters
R58 Gold Buckle	L23 Hello Dolly	B96 Smoking Armadillo
Q57 Backfire	R93 Shot Glass*	324 Kryptonite
R86 Justified		-1 White Smoke
Q38 Tino's Juarez	<b>*Denotes Alternates</b>	164 Big Time
163 Rockstar*		3236 Bearded Paradise

**Great Lakes Circuit Finals 2018**

Barebacks	Saddlebrons	Bulls
U7 Tory's Boyfriend		82A Getting' It
S8 Monkey Mistress		466 Gun Powder
T15 Grin & Bare It		458 Slim Kitty
U34 Blow Torch		7X Smoke Wagon
Q38 Tino's Juarez		164Y Muddy Waters
R49 Sugar Daddy		B96 Smoking Armadillo
S37 Southern Comfort		324 Kryptonite
R40 Backlash		-1 White Smoke
S44 Dream Machine		164 Big Time
R47 Longshot		3 Dark Horse
Q52 Baby Face		49 Old Crow
Q57 Backfire		929 Bingo*
R58 Gold Buckle		
U72 Richie's High		
U73 Collision Course		
R86 Justified		
S103 Dust Storm		
Q63 Last Pet*	<b>*Denotes Alternates</b>	

**All American Finals 2016****Barebacks**

G3 Salsa Verde  
Q68 Up & Away  
S103 Dust Storm  
J50 Grakel Roan  
R12 Restless Heart  
S21 Migraine Mistress  
S8 Monkey Mistress  
S37 Southern Comfort  
Q63 Last Pet  
R40 Backlash  
R47 Longshot  
Q21 Lucky Lady  
S31 Titanium  
U53 Oil Held Hostage  
163 Rockstar  
T78 Living the High Life

**Saddlebrons**

R73 Pyro  
S39 Drug War  
T31 Tasmanian Devil  
204 Sacred Sacrifice  
S25 Paybacks  
P31 Silence of the Lamb  
S84 Buckin Crazy  
Q64 Grand Canyon  
T54 Two Cookies  
L23 Hello Dolly  
S56 The Natural  
Q10 Bare Naked  
O19 Insider  
R57 Alpha Dog

**Bulls**

G13 Big Lick  
E20 Mad Money  
J8 Back in Black  
J3 Hangin Ten  
C38 Happy Hooker  
H2 Freckled Fire

**All American Finals 2017****Barebacks**

R40 Backlash  
R49 Sugar Daddy  
T82 Ain't No Angel  
R58 Gold Buckle  
S44 Dream Machine  
R86 Justified  
S37 Southern Comfort  
Q38 Tino's Juarez  
Q39 Grease Monkey  
Q68 Up & Away  
163 Rockstar  
Q57 Backfire  
S8 Monkey Mistress  
T15 Grin & Bare It  
U34 Blowtorch

**Saddlebrons**

204 Sacred Sacrifice  
G16 High Life Gal  
S39 Drug War  
S11 Night Watch  
S56 The Natural  
J17 Firebomb  
S84 Buckin Crazy  
L23 Hello Dolly  
T31 Tasmanian Dolly  
U39 Lunatic Street  
U82 Hit Man  
R83 Face off  
Q65 Bath Bubbles  
T51 Family Tradition

**Bulls**

E20 Mad Money  
K9 It's Complicated  
H12 Hooky  
J4 Rank Frank  
K5 Hammer Time  
K7 Po-Boy  
J8 Back in Black

c. CERVI will provide livestock and oversee the following rodeo events: Bareback Riding, Saddle Bronc Riding, Tie Down Roping, Steer Wrestling, Team Roping, Barrel Racing, and Bull Riding.

d. A list of our accredited livestock that have been selected to perform at the 2016 - 2018 Circuit Finals, All American Finals and the Wrangler National Finals Rodeo are included in **Attachment B.** (CERVI has 754 head of bucking horses, 48 saddle horses, and 139 bulls.)

#### **IV. PERSONNEL & SERVICES**

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a. CERVI shall provide PRCA personnel with top accreditation.

- Arena Director/Chute Boss
- PRCA Pickup Men (2)
- Flankman/Livestock Superintendent
- Bullfighters (2)
- Announcer
- Secretary
- Timers (2)
- Barrelman with Act
- Specialty Act (subject to approval of the Rodeo Committee)
- Sound personnel
- Freight/ Transportation for all Rodeo livestock
- All rodeo livestock equipment needed to perform a PRCA rodeo (barriers, flags, electric eye, etc.)
- Opening/Closing Ceremony (if requested)
- Officials Horses (as needed)
- Proof of spectator liability insurance

b. CERVI also agrees to provide the following for the Justin Boots Mutton Bustin:

- Sheep
- Helmets and vests
- Prizes for all contestants (Bandanas and Buckles for each child)
- Provide the winner of each performance with a pair of Justin boots

c. Logan County PRCA Rodeo Committee shall provide the following:

- PRCA Judges (2)
- Sound System
- Rodeo arena, ambulance service and all arena equipment for maintenance, including tractor
- Rodeo Secretary Office
- Scoreboard and/or video board (& technician)

- PRCA/WPRA Dues, Sanction Fees and Prize Money
- Grass Hay/Grain for All Rodeo Livestock

CERVI also always commits to the following promises:

- CERVI considers animal care and welfare issues in regards to LCR of the utmost importance and will make this matter a number one priority in its handlings.
- CERVI will see that all phases and all parts of the rodeo production are completely handled without any problems to LCR.
- CERVI will coordinate and handle all problems arising out of contestants and contestants' animals.
- CERVI employees will be professional and good representatives of the company and the sport of rodeo.
- CERVI will provide consultation and professional services throughout the calendar year, including attending any/all meetings in preparation for the rodeo.

## V. REFERENCES

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National Western Stock Show and Rodeo - Produced Since 1967  
Paul Andrews, President & CEO  
(720) 987-3001  
pandrews@nationalwestern.com

San Antonio Livestock Show and Rodeo – Produced Since 1974  
Darci Owens, Rodeo Director  
(210) 287-9468  
darci@sarodeo.com

Houston Livestock Show and Rodeo – Produced Since 1974  
Mr. Joel Cowley, President and CEO  
(713) 819-4782  
cowley@hlsr.com

Rooftop Rodeo – Produced Since 2015  
Mr. Mark Purdy, Chairman  
(970) 481-9512  
chairman@rooftoprodeo.com

## Attachment A. Rodeos Currently Under Contract and Stock Provided

Rodeos Under Contract with 2018 Actual Stock Numbers									
Rodeo	Location	# of Perfs	BB	SB	BR	TD	SW	TR	Total Stock
National Western Stock Show	Denver, CO	29	157	169	141				467
San Antonio Rodeo	San Antonio, TX	21	186	186	10				382
RODEO HOUSTON	Houston, TX	20	258	258	258	166	178	166	1,284
National Finals Rodeo	Las Vegas, NV	10	4	8	4				16
Heart O' Texas Fair & Rodeo	Waco, TX	7	33	34	14				81
New Mexico State Fair	Albuquerque, NM	7	42	56	96	122	118	80	514
Rooflop Rodeo	Estes Park, CO	6	72	84	102	144	130	97	629
Snake River Stampede	Nampa, ID	6	86	97	110	216	224	184	917
Central Wyoming Fair & Rodeo	Casper, WY	5	68	71	83	118	121	186	647
Iowa's Championship Rodeo	Sidney, IA	5	36	55	62	52	66	54	325
Dayton Championship Rodeo	Dayton, IA	4	26	56	45	80	76	48	331
Tri State Rodeo	Fort Madison, IA	4	52	68	62	58	55	46	341
Sikeston Jaycee Bootheel Rodeo	Sikeston, MO	4	39	44	64	88	90	94	419
Cave Creek Pro Rodeo	Cave Creek, AZ	3	24	36	49	33	33	33	208
Skyline Stampede	Fort Collins, CO	3	29	46	45				120
All-Star Rodeo Weekend	Denver, CO	3	33	33	8				74
Annual Flint Hills Rodeo	Strong City, KS	3	41	34	48	68	58	45	294
Pioneer Days Rodeo	Clovis, NM	3	21	17	23	38	12	27	138
Flagstaff Rodeo	Flagstaff, AZ	3	37	32	38	54	30	36	227
Western Stampede	West Jordan, UT	3	46	55	50	66	81	55	353
Mountain States Circuit Finals	Loveland, CO	3	5	7	5				17
Great Lakes Circuit Finals	Louisville, KY	3	9	6	9				24
Texas Tech College Rodeo	Lubbock, TX	3	38	39	50	108	62	135	432
JEFFCO High School Rodeo	Golden, CO	2	8	12	42				62
ADCO High School Rodeo	Keenesburg, CO	2	8	12	38				58
Evergreen Rodeo	Evergreen, CO	2	23	22	44	26	29	25	169
Yuma County Fair & Rodeo	Yuma, CO	2	13	27	30	32	35	34	171
Logan County Fair & Rodeo	Sterling, CO	2	12	9	16	29	32	38	136
Kimball County Fair & Rodeo	Kimball, NE	2	12	23	14	17	19	22	107
Mission Viejo Rodeo	San Juan Capistrano, CA	2	36	36	34				106
Omaha River City Rodeo	Omaha, NE	2	30	30	36	75	75	75	321
<b>Totals Per Event</b>		<b>174</b>	<b>1,484</b>	<b>1,662</b>	<b>1,630</b>	<b>1,515</b>	<b>1,449</b>	<b>1,405</b>	<b>9,370</b>

### Notes:

For rodeos that have not yet occurred for the year of 2018, the 2017 stock numbers were used  
 Texas Tech College Rodeo is a new contract - numbers are based off of contractual obligations  
 Sikeston Jaycee Bootheel Rodeo is a new contract - numbers are based off of contractual obligations  
 Omaha Rodeo did not hold a rodeo in 2017 - numbers are based off of contractual obligations  
 Albuquerque is no longer under contract

All American Finals 2018

Barebacks

U53 Oil Held Hostage  
U7 Tory's Boyfriend  
O13 Lonestar  
N16 Fire's Easy  
O30 Daisy Duke  
S37 Southern Comfort  
Q39 Grease Monkey  
R47 Longshot  
Q63 Last Pet  
S103 Dust Storm  
U46 Lunatic Sister  
U72 Rickie's High  
V7 Liberator  
V65 Check Please  
V96 Hope Floats

Saddlebrones

V16 Street With Fringe  
U39 Lunatic Street  
Q10 Bare Naked  
S11 Night Watch  
L23 Hello Dolly  
U26 Fancy Frank  
P31 Silence of the Lambs  
T31 Tasmanian Devil  
L46 Flying Fletch  
S56 The Natural Vitalix  
Q59 Roller Coaster  
S60 The Scandal  
U83 Fistful of Dollars  
U85 Assassin  
V57 Hell On Wheels

Bulls

J1 Sink Hole  
J8 Back in Black  
J88 Hurricane  
K3 Jack Hammer  
K9 It's Complicated  
K10 Chunky Monkey  
H12 Hooky

**VI. PROPOSED BID**

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2020 - \$30,596 (3% cost of living increase)

2021 - \$31,514 (3% cost of living increase)

2022 - \$32,459 (3% cost of living increase)

2023 - \$33,109 (2% cost of living increase)

2024 - \$33,771 (2% cost of living increase)



**RESOLUTION**  
**No. 2019-41**

**A RESOLUTION GRANTING NEXTERA WIND RESOURCES, LLC, ON BEHALF OF PEETZ TABLE WIND, LLC, AND NORTHERN COLORADO WIND, LLC, A CONDITIONAL USE PERMIT (CUP) FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF FIVE TEMPORARY METEOROLOGICAL (MET) TOWERS FOR MEASURING AND RECORDING WEATHER CONDITIONS, TO BE LOCATED IN LOTS 1 & 2, AND THE SOUTH HALF (S½) SECTION 23, TOWNSHIP 12 NORTH, RANGE 55 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, LOGAN COUNTY, COLORADO, AND SECTION 29, TOWNSHIP 12 NORTH, RANGE 54 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, LOGAN COUNTY, COLORADO, AND LOTS ONE (1), TWO (2), AND THE SOUTH HALF (S½) SECTION 23, TOWNSHIP 12 NORTH, RANGE 50 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, LOGAN COUNTY, COLORADO, AND THE WEST HALF (W½) SECTION 28, TOWNSHIP 12 NORTH, RANGE 49 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, LOGAN COUNTY, COLORADO, AND LOTS ONE (1), TWO (2), THREE (3) AND FOUR (4), AND THE SOUTH HALF OF THE SOUTH HALF (S½S½) OF SECTION 23, TOWNSHIP 12 NORTH, RANGE 49 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, LOGAN COUNTY, COLORADO.**

**WHEREAS**, NextEra Energy Resources, LLC, on behalf of Peetz Table Wind, LLC, and Northern Colorado Wind, LLC, has applied for a Conditional Use Permit for the construction, maintenance and operation of five temporary Meteorological (MET) Towers; and

**WHEREAS**, the property locations of the Met Towers are described as:

Lots 1 & 2, and the South Half (S½) of Section 23, Township 12 North, Range 55 West of the 6<sup>th</sup> Principal Meridian, Logan County, Colorado; and

All of Section 29, Township 12 North, Range 54 West of the 6<sup>th</sup> Principal Meridian, Logan County, Colorado; and

Lots One (1), Two (2), and the South Half (S½) of Section Twenty-three (23), Township Twelve (12) North, Range Fifty (50) West of the 6<sup>th</sup> Principal Meridian, Logan County, Colorado; and

West Half (W½) of Section 28, Township 12 North, Range 49 West of the 6<sup>th</sup> Principal Meridian, Logan County, Colorado; and

Lots One (1), Two (2), Three (3) and Four (4), and the South Half of the South Half (S½S½) of Section 23, Township 12 North, Range 49 West of the 6<sup>th</sup> Principal Meridian, Logan County, Colorado; and

**WHEREAS**, the Logan County Planning Commission, after reviewing all materials, taking testimony of the applicant and surrounding property owners, and finding no issues that would limit or deny this application, recommended an approval of this application for the requested Conditional Use Permit at its regular meeting on November 19, 2019; and

**WHEREAS**, the applicant is requesting approval of Conditional Use Permit #242, for the construction, maintenance and operation of five temporary Meteorological (MET) Towers, with the period of the Conditional Use Permit to run for three (3) years, commencing on the date of the approval of the requested Conditional Use Permit.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LOGAN COUNTY, COLORADO:**

**I. APPROVAL:**

The application of NextEra Energy Resources, LLC, on behalf of Peetz Table Wind, LLC and Northern Colorado Wind, LLC, for the construction, maintenance and operation of five temporary Meteorological (MET) Towers is GRANTED, subject to the conditions set forth below.

**II. FINDINGS OF FACT:**

The use is compatible with existing land uses in the area, which is zoned Agricultural District.

**III. CONDITIONS:**

1. The location of each Meteorological Tower will be no less than two hundred sixty-three (263) feet from the edge of the county right-of-way.
2. Each Meteorological Tower is to be no higher than two hundred sixty-three (263) feet at it's highest point.
3. Each Meteorological Tower will be guyed structures with flashing sidelights installed along the side of the tower and a flashing beacon will be installed at the top of each tower, per Federal Aviation Administration requirements. Each tower will be powered by an underground electrical and fiber optic cable connecting the tower to the nearest wind turbine generator. A communications box will be installed at the base of each MET tower to collect data obtained by the tower monitoring equipment.
4. The permit term shall be for three (3) years on the identified and approved CUP. If any changes, such as alterations or enlargements, occur to the CUP identified and approved herein, the applicant shall be responsible for seeking and obtaining separate approval of a permit and term of approval for those proposed changes.

**NOW, THEREFORE, BE IT RESOLVED**, that Conditional Use Permit #242 is granted for the construction, maintenance and operation of five temporary Meteorological (MET) Towers, subject to the conditions set forth above and subject to application for renewal for continued permitted use after December 3rd, 2022. The Board of County Commissioners of Logan County retains continuing jurisdiction over the permit to address future issues concerning the sites and to insure compliance with the conditions of the permit. The applicant is responsible for complying with all of the forgoing conditions and all other county zoning or other land use regulations. Noncompliance with any of the conditions may be cause for revocation of the permit.

ADOPTED the 3rd day of December, 2019.

BOARD OF COUNTY COMMISSIONERS  
LOGAN COUNTY, COLORADO

\_\_\_\_\_  
(Aye)(Nay)  
Joseph A. McBride, Chairman

\_\_\_\_\_  
(Aye)(Nay)  
Byron H. Pelton, Commissioner

\_\_\_\_\_  
(Aye)(Nay)  
Jane E. Bauder, Commissioner

I, Pamela M. Bacon, County Clerk and Recorder in and for the County of Logan, State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session on this 3rd day of December, 2019.

\_\_\_\_\_  
County Clerk and Recorder

**LOGAN COUNTY CONDITIONAL USE PERMIT APPLICATION**  
AS REQUIRED BY THE LOGAN COUNTY ZONING RESOLUTION  
DEPARTMENT OF PLANNING & ZONING  
LOGAN COUNTY COURTHOUSE  
STERLING, COLORADO 80751

**Applicant**

Name: NextEra Energy Resources (Met 276) Phone: 561-691-7372  
Address: 700 Universe Blvd Juno Beach FL 33408

**Landowner**

Name: Elvin D. Kahl Phone: \_\_\_\_\_  
Address: 2016 Maple St Sidney, NE 69162

**Description of Property:**

Legal:  $\frac{1}{4}$  Section W 1/2 Section 28 Township 12 North Range 49 West

Address: \_\_\_\_\_ Access off CR or Hwy: \_\_\_\_\_

New Address Needed: Y or \_\_\_\_\_ Subdivision Name: \_\_\_\_\_

Filing \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_ Tract \_\_\_\_\_ Lot Size \_\_\_\_\_

Current Zoning: 4100 Current Land Use: Agriculture

Proposed Conditional Use: Install a temporary meteorological tower (80m height AGL) to measure weather for wind energy project

Terms of Conditional Use: Use of a temporary meteorological tower for up to 3 years to measure weather for wind energy project

Building Plans: \_\_\_\_\_

Names and addresses of all adjacent landowners within 500 feet of the above described property: None

I, (We), hereunto submit this application for a Conditional Use Permit to the Board of County Commissioners, together with such plans, details and information of the proposed conditional use. I, (We), further understand that the Board of Logan County Commissioners may, in addition to granting a Conditional Use Permit, impose additional conditions to comply with the purpose and interest of the Logan County Zoning Resolutions and Zoning Map.

Dated at Sterling, Colorado, this 24 day of October, 2019.

Signature of Applicant: [Signature]

Signature of Landowner: [Signature]

**NEXTERA ENERGY RESOURCES, LLC**  
**2019 CUP for 5 MET Towers**  
**Sections: 28-12-49 and 23-12-49 and**  
**23-12-50 and 29-12-54 and 23-12-55**

LOGAN COUNTY CONDITIONAL USE PERMIT APPLICATION  
AS REQUIRED BY THE LOGAN COUNTY ZONING RESOLUTION  
DEPARTMENT OF PLANNING & ZONING  
LOGAN COUNTY COURTHOUSE  
STERLING, COLORADO 80751

-----  
**Applicant**

Name: NextEra Energy Resources (Met 9) Phone: 561-691-7372  
Address: 700 Universe Blvd Juno Beach FL 33408

**Landowner**

Name: David and Deanna Ross Phone: \_\_\_\_\_  
Address: 1130 South 9th Ave. 108 Unit. Sterling CO 80751

**Description of Property:**

Legal:  $\frac{1}{4}$  Section \_\_\_\_\_ Section 23 Township 12 North Range 55 West

Address: \_\_\_\_\_ Access off CR or Hwy: East of CR 9

New Address Needed: Y or  Subdivision Name: \_\_\_\_\_

Filing \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_ Tract \_\_\_\_\_ Lot Size \_\_\_\_\_

**Current Zoning:** 4101 **Current Land Use:** Agriculture with dwelling

Proposed Conditional Use: Install a temporary meteorological tower (80m height AGL) to measure weather for wind energy project

Terms of Conditional Use: Use of a temporary meteorological tower for up to 3 years to measure weather for wind energy project

Building Plans: \_\_\_\_\_

Names and addresses of all adjacent landowners within 500 feet of the above described property: None

I, (We), hereunto submit this application for a Conditional Use Permit to the Board of County Commissioners, together with such plans, details and information of the proposed conditional use. I, (We), further understand that the Board of Logan County Commissioners may, in addition to granting a Conditional Use Permit, impose additional conditions to comply with the purpose and interest of the Logan County Zoning Resolutions and Zoning Map.

Dated at Sterling, Colorado, this 24 day of October.

Signature of Applicant: *David Ross*

Signature of Landowner: *Deanna L. Ross*

**NEXTERA ENERGY RESOURCES, LLC**  
**2019 CUP for 5 MET Towers**  
**Sections: 28-12-49 and 23-12-49 and**  
**23-12-50 and 29-12-54 and 23-12-55**

LOGAN COUNTY CONDITIONAL USE PERMIT APPLICATION  
AS REQUIRED BY THE LOGAN COUNTY ZONING RESOLUTION  
DEPARTMENT OF PLANNING & ZONING  
LOGAN COUNTY COURTHOUSE  
STERLING, COLORADO 80751

Applicant

Name: NextEra Energy Resources (Met 336) Phone: 561-691-7372  
Address: 700 Universe Blvd Juno Beach FL 33408

Landowner

Name: Nienhuesser Farms, C/O Eugene Hienhuesser Phone: 308-249-2755  
Address: 2458 El Rancho Rd. Sidney, NE 69162

Description of Property:

Legal: 1/4 Section \_\_\_\_\_ Section 23 Township 12 North Range 50 West

Address: \_\_\_\_\_ Access off CR or Hwy: South of Road 2

New Address Needed: Y or \_\_\_\_\_ Subdivision Name: \_\_\_\_\_

Filing \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_ Tract \_\_\_\_\_ Lot Size \_\_\_\_\_

Current Zoning: 4100 Current Land Use: Agriculture

Proposed Conditional Use: Install a temporary meteorological tower (80m height AGL) to measure weather for wind energy project

Terms of Conditional Use: Use of a temporary meteorological tower for up to 3 years to measure weather for wind energy project

Building Plans: \_\_\_\_\_

Names and addresses of all adjacent landowners within 500 feet of the above described property: Reker, Twayne - owns section to the West (Sec 22, T12N, R50W)

I, (We), hereunto submit this application for a Conditional Use Permit to the Board of County Commissioners, together with such plans, details and information of the proposed conditional use. I, (We), further understand that the Board of Logan County Commissioners may, in addition to granting a Conditional Use Permit, impose additional conditions to comply with the purpose and interest of the Logan County Zoning Resolutions and Zoning Map.

Dated at Sterling, Colorado, this 24 day of October 2019.

Signature of Applicant: [Signature]

Signature of Landowner: [Signature]

**NEXTERA ENERGY RESOURCES, LLC**  
**2019 CUP for 5 MET Towers**  
**Sections: 28-12-49 and 23-12-49 and**  
**23-12-50 and 29-12-54 and 23-12-55**

LOGAN COUNTY CONDITIONAL USE PERMIT APPLICATION  
AS REQUIRED BY THE LOGAN COUNTY ZONING RESOLUTION  
DEPARTMENT OF PLANNING & ZONING  
LOGAN COUNTY COURTHOUSE  
STERLING, COLORADO 80751

**Applicant**

Name: NextEra Energy Resources (Met 287) Phone: 561-691-7372  
Address: 700 Universe Blvd Juno Beach FL 33408

**Landowner**

Name: Glenda Ring Phone: \_\_\_\_\_  
Address: 40305 CR 78 Crook, CO 80726

**Description of Property:**

Legal:  $\frac{1}{4}$  Section \_\_\_\_\_ Section 23 Township 12 North Range 49 West

Address: \_\_\_\_\_ Access off CR or Hwy: North of CR 83

New Address Needed: Y or  Subdivision Name: \_\_\_\_\_

Filing \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_ Tract \_\_\_\_\_ Lot Size \_\_\_\_\_

**Current Zoning:** 4101 **Current Land Use:** Agriculture with dwelling

**Proposed Conditional Use:** Install a temporary meteorological tower (80m height AGL) to measure weather for wind energy project

**Terms of Conditional Use:** Use of a temporary meteorological tower for up to 3 years to measure weather for wind energy project

**Building Plans:** \_\_\_\_\_

Names and addresses of all adjacent landowners within 500 feet of the above described property: None

I, (We), hereunto submit this application for a Conditional Use Permit to the Board of County Commissioners, together with such plans, details and information of the proposed conditional use. I, (We), further understand that the Board of Logan County Commissioners may, in addition to granting a Conditional Use Permit, impose additional conditions to comply with the purpose and interest of the Logan County Zoning Resolutions and Zoning Map.

Dated at Sterling, Colorado, this 24th day of October.

Signature of Applicant: [Signature]

Signature of Landowner: Glenda Ring

**NEXTERA ENERGY RESOURCES, LLC**  
**2019 CUP for 5 MET Towers**  
**Sections: 28-12-49 and 23-12-49 and**  
**23-12-50 and 29-12-54 and 23-12-55**

LOGAN COUNTY CONDITIONAL USE PERMIT APPLICATION  
AS REQUIRED BY THE LOGAN COUNTY ZONING RESOLUTION  
DEPARTMENT OF PLANNING & ZONING  
LOGAN COUNTY COURTHOUSE  
STERLING, COLORADO 80751

**Applicant**

Name: NextEra Energy Resources (Met 37) Phone: 561-691-7372  
Address: 700 Universe Blvd Juno Beach FL 33408

**Landowner**

Name: Ayres-Shidler LTD - A Colorado Limited Partnership Phone: \_\_\_\_\_  
Address: Ayres-Shidler, 11804 West 76th Lane, Arvada CO 80005

**Description of Property:**

Legal: 1/4 Section \_\_\_\_\_ Section 29 Township 12 North Range 54 West

Address: \_\_\_\_\_ Access off CR or Hwy: South of CR 78

New Address Needed: Y or **N** Subdivision Name: \_\_\_\_\_

Filing \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_ Tract \_\_\_\_\_ Lot Size \_\_\_\_\_

Current Zoning: 4100 Current Land Use: Agriculture

Proposed Conditional Use: Install a temporary meteorological tower (80m height AGL) to measure weather for wind energy project

Terms of Conditional Use: Use of a temporary meteorological tower for up to 3 years to measure weather for wind energy project

Building Plans: \_\_\_\_\_

**NEXTERA ENERGY RESOURCES, LLC**  
**2019 CUP for 5 MET Towers**  
**Sections: 28-12-49 and 23-12-49 and**  
**23-12-50 and 29-12-54 and 23-12-55**

Names and addresses of all adjacent landowners within 500 feet of the above described property: None

I, (We), hereunto submit this application for a Conditional Use Permit to the Board of County Commissioners, together with such plans, details and information of the proposed conditional use. I, (We), further understand that the Board of Logan County Commissioners may, in addition to granting a Conditional Use Permit, impose additional conditions to comply with the purpose and interest of the Logan County Zoning Resolutions and Zoning Map.

Dated at Sterling, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_.

Signature of Applicant: *Keith Buntrod*

Signature of Landowner: *Robey Ayres*

FOR COUNTY USE:

Ref. # 929

Application Fee: One hundred dollars (\$100.00) West. Union Money Order 10/30/2019

Date of Planning Commission: November 19, 2019

Recommendation of Planning Commission:  Approval  Denial

Recommended Conditions of Conditional Use Permit: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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Chairman, Planning Commission

COUNTY COMMISSIONERS ACTION:

Conditions of Conditional Use Permit: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date Granted: \_\_\_\_\_

Date Denied: \_\_\_\_\_

\_\_\_\_\_  
Byron H. Pelton (Aye) (Nay)

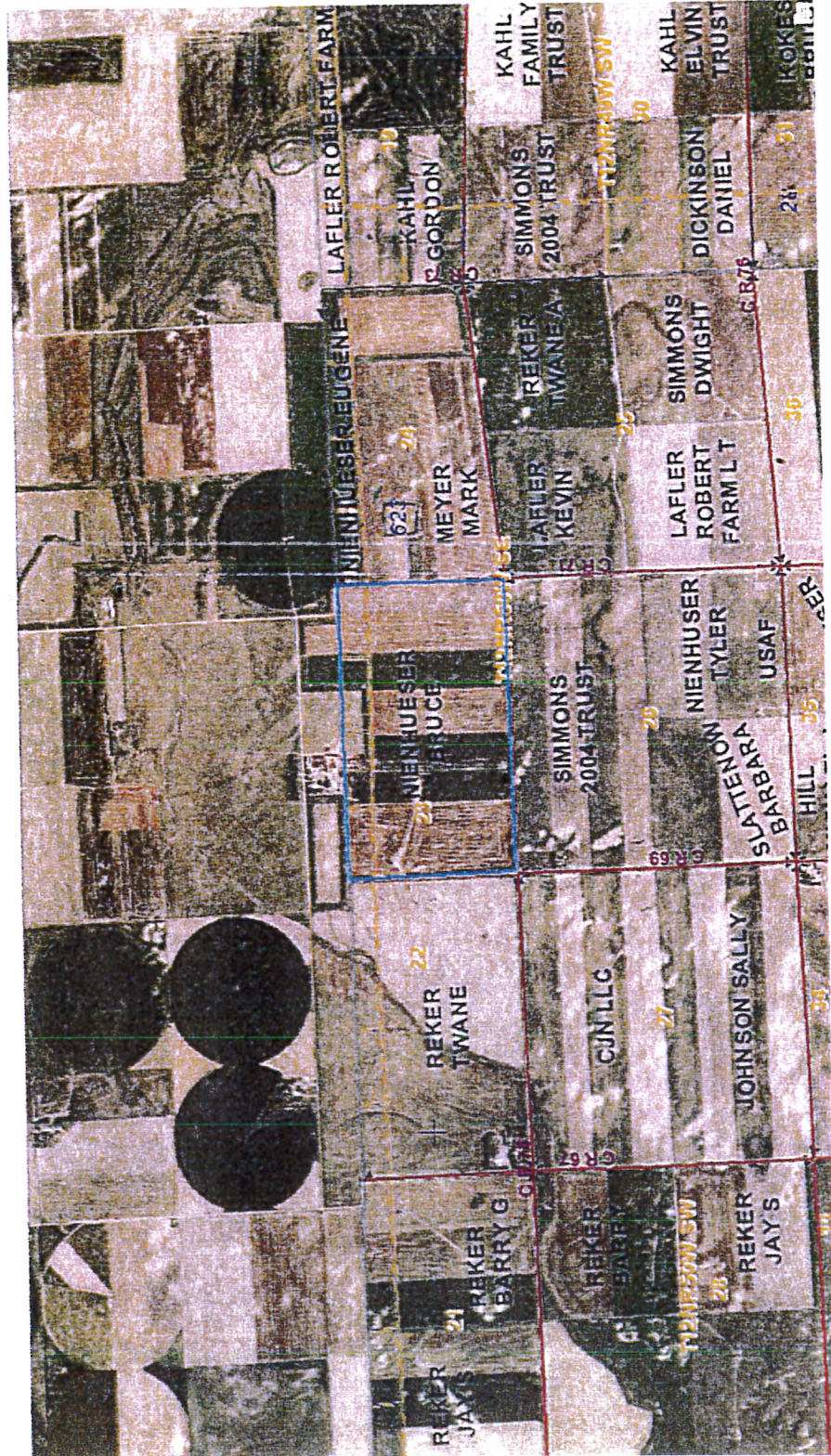
\_\_\_\_\_  
Joseph A. McBride (Aye) (Nay)

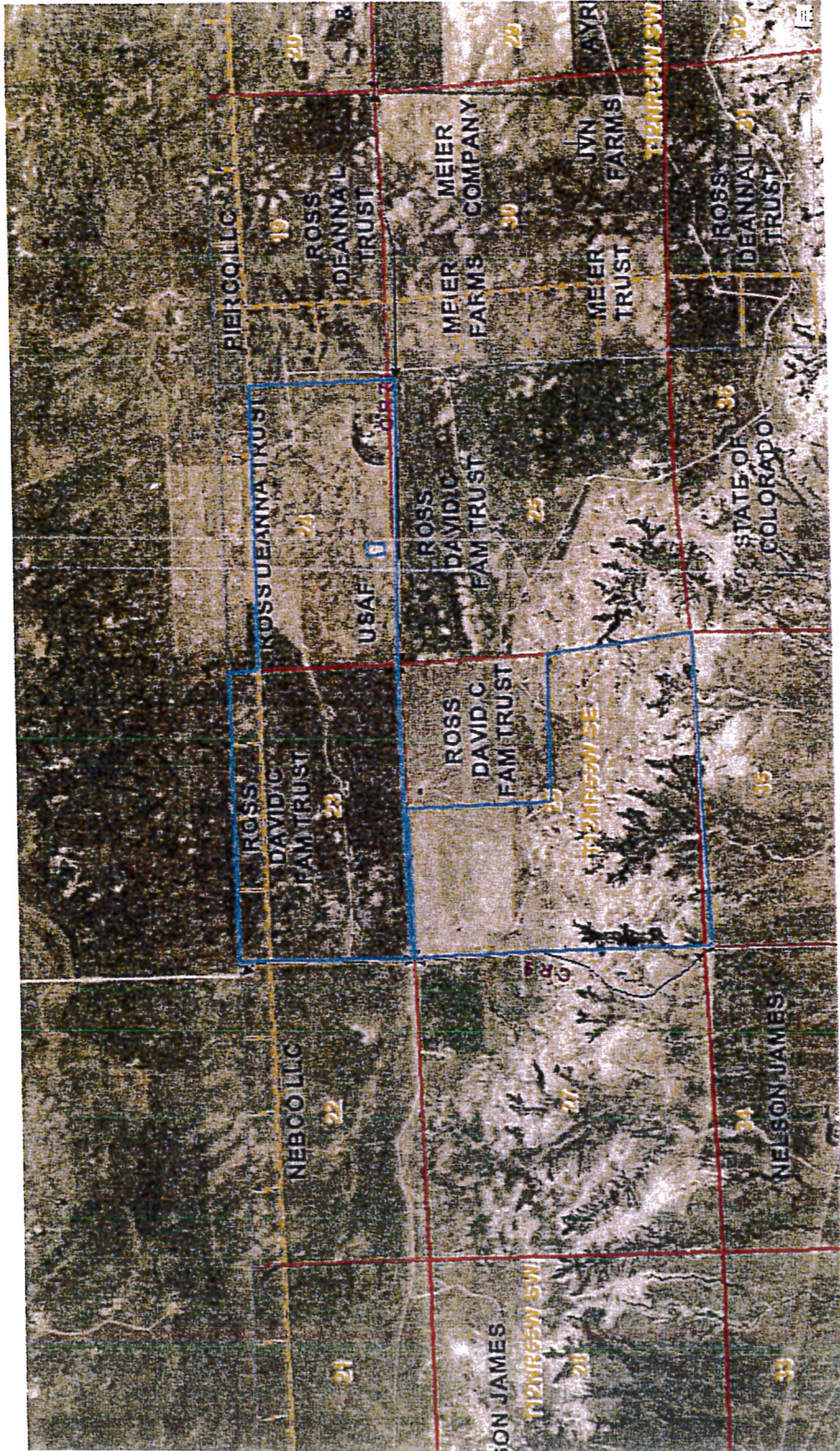
\_\_\_\_\_  
Jane E. Bauder (Aye) (Nay)

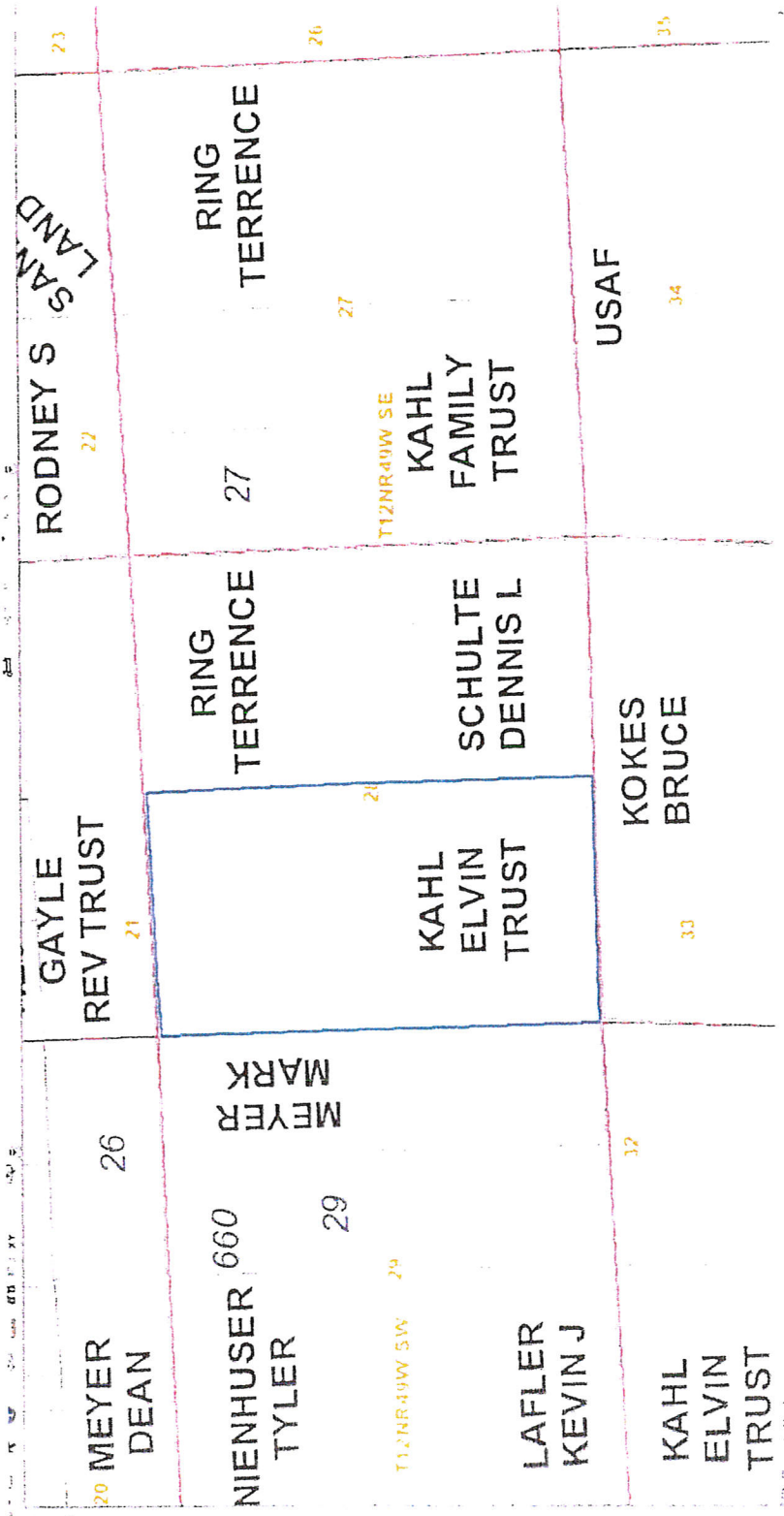
**NEXTERA ENERGY RESOURCES, LLC**  
**2019 CUP for 5 MET Towers**  
**Sections: 28-12-49 and 23-12-49 and**  
**23-12-50 and 29-12-54 and 23-12-55**











**RESOLUTION**

**NO. 2019 - 42**

**THOMAS J. HUSS AND BRENDA S. HUSS**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LOGAN COUNTY, COLORADO, APPROVING THE VACATION OF A SUBDIVISION EXEMPTION PLAT PREVIOUSLY APPROVED FOR THOMAS J. HUSS AND BRENDA S. HUSS ON DECEMBER 4, 2018, AND RECORDED AT BOOK 1030, PAGE 712.**

**WHEREAS**, the applicants Thomas J. Huss and Brenda S. Huss, have submitted an application to vacate a 4.17 acre parcel in the AG - Agricultural Zone, which parcel is described as follows:

A parcel of land in the Northeast Quarter (NE¼) of Section 23, Township 10 North, Range 51 West of the Sixth Principal Meridian, Logan County, Colorado, said parcel being more particularly described as follows: Beginning at the Northeast Corner of said Section 23; thence South 0°57'15" East along the East line of said NE¼ a distance of 265.00 feet; thence South 89°11'20" West a distance 585.00 feet; thence North 38°11'25" West a distance of 333.52 feet to a point on the North line of said NE¼; thence North 89°11'30" East along the North line of said NE¼ a distance of 786.82 feet to the point of beginning and containing 4.17 acres, more or less, subject to county road rights-of-way along the North and East lines of said Section 23.

(As represented on official Subdivision Exemption Plat #2019-42); and

**WHEREAS**, the Resolution was recorded at Book 1030, Page 711 of the records of the Logan County Clerk and Recorder; and

**WHEREAS**, the vacation of the approved subdivision exemption is sought to enable the applicants to create a new parcel by separate subdivision exemption, larger in size, including the location of a newly permitted water well; and

**WHEREAS**, the Logan County Planning Commission approved the application for vacation of the above-described subdivision on November 19, 2019.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Logan County, Colorado, that the application is GRANTED. The subdivision exemption represented by the Resolution, recorded at Book 1030, Page 711 of the records of the Logan County Clerk and Recorder, is hereby vacated.

Adopted and signed this 3<sup>rd</sup> day of December 2019.

BOARD OF COUNTY COMMISSIONERS  
LOGAN COUNTY, COLORADO

\_\_\_\_\_  
(Aye)(Nay)  
Joseph A. McBride, Chairman

\_\_\_\_\_  
(Aye)(Nay)  
Byron H. Pelton, Commissioner

\_\_\_\_\_  
(Aye)(Nay)  
Jane E. Bauder, Commissioner

I, Pamela A. Bacon, County Clerk and Recorder in and for the County of Logan, State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session on this 3<sup>rd</sup> day of December, 2019.

\_\_\_\_\_  
County Clerk and Recorder



LOGAN COUNTY VACATION APPLICATION  
BOARD OF COUNTY COMMISSIONERS  
DEPARTMENT OF PLANNING & ZONING  
315 MAIN STREET, STERLING, CO 80751  
(970) 522-7879

Type of Vacation:

- Alley  
 Platted Street  
 County Road  
 Subdivision Exemption  
 Subdivision

Location of Vacation:

Legal: Quarter NE 4 Section 23 Township 10 Range 51  
Lot \_\_\_\_\_ Block \_\_\_\_\_ Address 28846 C.R. 56, Iliff

Description of Vacation: 4.17 acres more or less

Reason for Vacation: New well fell outside subex lot lines

Landowner's Signature: x Brenda S. Huss Date: 11-19-19

Landowner: Thomas J or Brenda S. Huss Phone: 970-520-7490

Address: 28846 C.R. 56, Iliff, Co 80736

**HUSS, Thomas & Brenda**  
**SE2019-7 Vacate & Sub Ex 4.22 acres**  
**NE4 Section 23-10-51**  
**28846 C.R. 56, Iliff**

PETITION FOR VACATION

TO: THE BOARD OF COUNTY COMMISSIONERS  
LOGAN COUNTY, COLORADO

Applicant: Brenda S. Huss Phone: 970.520-7490

Address: 28846 C.R. 56, Iliff, CO 80736

Applicant's Signature: X Brenda S. Huss Date: 11-19-19

Landowner: Brenda S. Huss Phone: 970.520-7490

Address: 28846 C.R. 56, Iliff, CO 80736

Landowner's Signature: X Brenda S. Huss Date: 11-19-19

Landowner: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Landowner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Landowner: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Landowner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Landowner: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Landowner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Landowner: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Landowner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Landowner: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Landowner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**HUSS, Thomas & Brenda**  
**SE2019-7 Vacate & Sub Ex 4.22 acres**  
**NE4 Section 23-10-51**  
**28846 C.R. 56, Iliff**



FOR COUNTY USE:

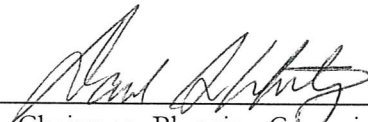
Application Fee: Waived One hundred dollars (\$100.00) Thirteen Dollar (\$13.00) one page OR

Twenty-three Dollar (\$23.00) two pages – Separate check for Recording fee

Date of Planning Commission: November 19, 2019

Recommendation of Planning Commission:  Approval  Denial

Recommended Conditions of Vacation: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
Chairman, Planning Commission

COUNTY COMMISSIONERS ACTION:

Conditions of Vacation: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date Granted: \_\_\_\_\_

Date Denied: \_\_\_\_\_

Byron H. Pelton (Aye) (Nay)

Joseph A. McBride (Aye) (Nay)

Jane E. Bauder (Aye) (Nay)

**HUSS, Thomas & Brenda**  
**SE2019-7 Vacate & Sub Ex 4.22 acres**  
**NE4 Section 23-10-51**  
**28846 C.R. 56, Iliff**



**RESOLUTION**

**NO. 2019-43**

**BOARD OF COUNTY COMMISSIONERS  
COUNTY OF LOGAN, STATE OF COLORADO**

**SUBDIVISION EXEMPTION FOR THOMAS J. HUSS AND BRENDA S. HUSS**

**WHEREAS**, Section 30-28-101 (10)(d), C.R.S., as amended, authorizes the Board of County Commissioners pursuant to resolution to exempt from the detailed requirements of the Logan County Subdivision Regulations any division of land if the Board of County Commissioners determines that such division is not within the purposes of the statutory provisions governing land division; and

**WHEREAS**, Thomas J. Huss and Brenda S. Huss, have applied for an exemption from the Logan County Subdivision Regulations with reference to a proposed parcel to be created which is legally described as follows:

A parcel of land in the Northeast Quarter (NE¼) of Section 23, Township 10 North, Range 51 West of the Sixth Principal Meridian, Logan County, Colorado, said parcel being more particularly described as follows:

Beginning at the Northeast Corner of said Section 23; thence South 0°57'15" East along the East line of said NE¼ a distance of 265.00 feet; thence South 89°11'20" West a distance of 592.55 feet; thence North 38°11'25" West a distance of 333.52 feet to a point on the North line of said NE¼; thence North 89°11'30" East along the North line of said NE¼ a distance of 794.37 feet to the point of beginning and containing 4.22 acres more or less, subject to county road rights-of-way along the North and East lines of said Section 23.

(As represented on official Subdivision Exemption Plat #2019-2019-43); and

**WHEREAS**, Thomas J. Huss and Brenda S. Huss, intend to create a parcel, consisting of 4.22 acres subdivided from a 155 acre parcel in an Agricultural (A) zone district, for use as a residence; and

**WHEREAS**, the Logan County Planning Commission recommended approval of the application after reviewing the application, studying the staff review, and reviewing the proposed plat on November 27, 2019; and

**WHEREAS**, a public hearing was held by the Board of County Commissioners on December 3, 2019, at which time the Board reviewed the application and any exhibits, and heard the comments of the staff and any interested parties; and

**WHEREAS**, based on the application, supporting information, comments of staff and testimony of any interested persons, the Board finds as follows:

1. That the exemption is consistent with and conforms to the Logan County Zoning Resolution and Subdivision Regulations.
2. That the exemption relates to a division of land that is determined not to be within the purpose of C.R.S. 30-28-101, et. seq.
3. That legal and physical access is provided to the parcel by enforceable public rights-of-way or recorded easements, and the size, location and availability of essential services to the proposed parcel are reasonable, appropriate and customary for the intended use.

**NOW THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Logan County, Colorado, that the application by Thomas J. Huss and Brenda S. Huss, for a Subdivision Exemption for the creation of 4.22 acre parcel in the unincorporated area of Logan

County, as described above and as represented on official Subdivision Plat 2019-43, is hereby approved, provided that no further subdividing of the above described parcel shall occur without the prior approval of the Board of County Commissioners.

**DONE** on Tuesday, this 3<sup>rd</sup> day of December, 2019.

BOARD OF COUNTY COMMISSIONERS  
LOGAN COUNTY, COLORADO

\_\_\_\_\_  
(Aye)(Nay)  
Joseph A. McBride, Chairman

\_\_\_\_\_  
(Aye)(Nay)  
Byron H. Pelton, Commissioner

\_\_\_\_\_  
(Aye)(Nay)  
Jane E. Bauder, Commissioner

I, Pamela M. Bacon, County Clerk and Recorder in and for the County of Logan, State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session on this 3<sup>rd</sup> day of December, 2019

\_\_\_\_\_  
County Clerk and Recorder

APPLICATION FOR SUBDIVISION EXEMPTION PLAT APPROVAL

(To be filed in duplicate)

(Incomplete Applications will not be accepted)

Date 10/22/2019

1. Name of Subdivision Exemption Thomas J. Huss and Brenda S. Huss

2. Name of Applicant Brenda Huss Phone 520-7490

Address 28846 C.R. 56, Iliiff 80736  
(Street No. and Name) (Post Office) (State) (Zip Code)

3. Name of Local Agent n/a Phone \_\_\_\_\_

Address \_\_\_\_\_  
(Street No. and Name) (Post Office) (State) (Zip Code)

4. Owner of Record Same Phone \_\_\_\_\_

Address \_\_\_\_\_  
(Street No. and Name) (Post Office) (State) (Zip Code)

5. Prospective Buyer \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_  
(Street No. and Name) (Post Office) (State) (Zip Code)

6. Land Surveyor Leibert MacAtee Phone 522-1960

Address \_\_\_\_\_  
(Street No. and Name) (Post Office) (State) (Zip Code)

7. Attorney n/a Phone \_\_\_\_\_

Address \_\_\_\_\_  
(Street No. and Name) (Post Office) (State) (Zip Code)

8. Subdivision Exemption Location: on the South side of C.R. 56

0 Feet West of CR 59  
(Direction) (Street)

9. Postal Delivery Area 80736 School District RE-1

10. Total Acreage 155 Zone Ag Number of Lots 2

11. Tax Map Designation: Section/Township/Range NE4 23-10-51 Lot(s) 2

12. Has the Board of Zoning Appeals granted variance, exception, or conditional permit concerning this property?

If so, list Case No. and Name n/a

13. Is Deed recorded in Torrens System: Number \_\_\_\_\_

14. Is Deed recorded in General System: Book 849 Page 228

15. Current Land Use: Ag / Residential

16. Proposed Use of Each Parcel: Same

email: tbfarm86@gmail.com

**HUSS, Thomas & Brenda**  
**SE2019-7 Vacate & Sub Ex 4.22 acres**  
**NE4 Section 23-10-51**  
**28846 C.R. 56, Iliiff**

17. Proposed Water and Sewer Facilities: well permit 311340 / non existing <sup>new/</sup>
18. Proposed Public Access to each new parcel: existing driveway
19. Reason for request of this exemption (may use additional pages): enlarge parcel so as to include new water well

List all contiguous holdings in the same ownership:

Section/Township/Range NE4NE4 23-10-51 Lot(s) \_\_\_\_\_

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the book and page of each conveyance into the present owner as recorded with the Logan County Clerk and Recorder. This affidavit shall indicate the legal owner of the property; the contract owner of the property, and the date the Contract of Sale was executed. IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers, and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached [this need only be provided if Developer is requesting special assessment financing, the formation of improvement district(s) or benefit district(s).

**The applicant hereby consents to the provisions of Article 8.2 A&B of the Logan County Subdivision Regulations.**

STATE OF COLORADO

) SS:

COUNTY OF LOGAN

Brenda Huss hereby depose and say that all of the above statements and the statements contained in the papers submitted herewith are true.

X  
\_\_\_\_\_  
(Applicant Signature)

Mailing Address:

28846 C.R. 56  
\_\_\_\_\_  
Wiff, Co 80736  
\_\_\_\_\_

MY COMMISSION EXPIRES:

**HUSS, Thomas & Brenda**  
**SE2019-7 Vacate & Sub Ex 4.22 acres**  
**NE4 Section 23-10-51**  
**28846 C.R. 56, Wiff**

FOR COUNTY USE:

Application Fee: <sup>waived</sup> One hundred dollars (\$100.00) Thirteen Dollar (\$13.00) one page OR

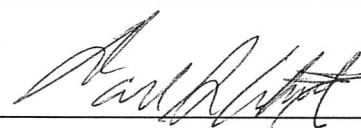
Twenty-three Dollar (\$23.00) two pages – Separate check for Recording fee

Date of Planning Commission: Nov. 19, 2019

Recommendation of Planning Commission:  Approval  Denial

Recommended Conditions of Subdivision Exemption Approval: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Chairman, Planning Commission

COUNTY COMMISSIONERS ACTION:

Conditions of Subdivision Exemption Approval: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date Granted: \_\_\_\_\_

Date Denied: \_\_\_\_\_

Byron H. Pelton (Aye) (Nay)

Joseph A. McBride (Aye) (Nay)

Jane E. Bauder (Aye) (Nay)

**HUSS, Thomas & Brenda**  
**SE2019-7 Vacate & Sub Ex 4.22 acres**  
**NE4 Section 23-10-51**  
**28846 C.R. 56, Iliff**





**RESOLUTION**

**NO. 2019-44**

**BOARD OF COUNTY COMMISSIONERS  
COUNTY OF LOGAN, STATE OF COLORADO**

**SUBDIVISION EXEMPTION FOR DUANE R. KUHN AND PATRICIA A. KUHN**

**WHEREAS**, Section 30-28-101 (10)(d), C.R.S., as amended, authorizes the Board of County Commissioners pursuant to resolution to exempt from the detailed requirements of the Logan County Subdivision Regulations any division of land if the Board of County Commissioners determines that such division is not within the purposes of the statutory provisions governing land division; and

**WHEREAS**, Duane R. Kuhn and Patricia A. Kuhn, have applied for an exemption from the Logan County Subdivision Regulations with reference to a proposed parcel to be created which is legally described as follows:

A parcel of land known as Parcel 1, containing 5.00 acres, more or less in the Northwest Quarter of Section 21, Township 8 North, Range 50 West, of the 6<sup>th</sup> Principal Meridian, in Logan County, Colorado, said parcel being more particularly described as follows:

Commencing at the Northwest corner of Section 21, Township 8 North, Range 50 West of the 6<sup>th</sup> Principal Meridian, thence along the North line of said Northwest Quarter, North 87°08'57" East, a distance of 1393.64 feet to the Point of Beginning; thence continuing along said North line of the Northwest Quarter, North 87°08'57" East a distance of 519.00 feet, to a point on the West line of a parcel surveyed by Professional Land Surveyor 26964, deposited in the Logan County Survey Records under land survey plat number 951; thence along said West line, South 00°44'58" West, a distance of 420 feet; thence departing said West line, South 87°08'57" West, a distance of 519.00 feet; thence North 00°44'58" East, a distance of 420 feet, more or less, to the Point of Beginning.

**30 FOOT ACCESS AND UTILITY EASEMENT NO. 1**

A 30 foot wide access and utility easement, containing 0.50 acres, more or less, in the Northwest Quarter of Section 21, Township 8 North, Range 50 West of the 6<sup>th</sup> Principal Meridian, in Logan County, Colorado, said easement being more particularly described as follows:

Commencing at the Northwest corner of Section 21, Township 8 North, Range 50 West of the 6<sup>th</sup> Principal Meridian; thence along the North line of said Northwest Quarter, North 87°08'57" East, a distance of 2,637.15 feet, to the North Quarter Corner of said Section 21, and to the end of Logan County Road 32 and to the Point of Beginning; thence along the East line of the Northwest Quarter of said Section 21, South 01°22'36" East a

distance of 30.00 feet; thence South 87°08'57" West a distance 725.63 feet to a point on the West line of a parcel of land surveyed by Professional Land Surveyor 26964 deposited in the Logan County Survey Records under land survey plat number 951; thence along said West line, North 00°44'58" East, a distance of 30.06 feet to a point on the North line of the Northwest Quarter of said Section 21; thence along said North line North 87°08'57" East a distance of 724.51 feet, more or less, to the Point of Beginning.

30 FOOT ACCESS AND UTILITY EASEMENT NO. 2

A 30 foot wide access and utility easement, containing 0.42 acres, more or less, in the Northwest Quarter of Section 21, Township 8 North, Range 50 West of the 6<sup>th</sup> Principal Meridian in Logan County, Colorado, said easement being more particularly described as follows:

Commencing at the Northwest corner of Section 21, Township 8 North, Range 50 West of the 6<sup>th</sup> Principal Meridian; thence along the North line of said Northwest Quarter North 87°08'57" East a distance of 2637.15 feet to the North Quarter Corner of said Section 21, and to the end of Logan County Road 32 and to the Point of Beginning; thence along the East line of the Northwest Quarter of said Section 21, South 01°22'36" East a distance of 616.02 feet to a point on the South line of a parcel of land surveyed by Professional Land Surveyor 26964 deposited in the Logan County Survey Records under land survey plat number 951; thence along said South line, South 88°15'08" West a distance of 30.00 feet; thence departing said South line, on a line parallel to the East line of the Northwest Quarter of said Section 21, North 01°22'36" West a distance of 615.25 feet, to a point on the North line of the Northwest Quarter of Said Section 21; thence along said North 87°08'57" East a distance of 30.01 feet, more or less, to the Point of Beginning.

(As represented on official Subdivision Exemption Plat #2019-44); and

**WHEREAS**, Duane R. Kuhn and Patricia A. Kuhn, intend to create a parcel, consisting of 5.00 acres subdivided from a 161 acre parcel in an Agricultural (A) zone district, for use as a residence; and

**WHEREAS**, the Logan County Planning Commission recommended approval of the application after reviewing the application, studying the staff review, and reviewing the proposed plat on November 27, 2019; and

**WHEREAS**, a public hearing was held by the Board of County Commissioners on December 3, 2019, at which time the Board reviewed the application and any exhibits, and heard the comments of the staff and any interested parties; and

**WHEREAS**, based on the application, supporting information, comments of staff and testimony of any interested persons, the Board finds as follows:

1. That the exemption is consistent with and conforms to the Logan County Zoning Resolution and Subdivision Regulations.

2. That the exemption relates to a division of land that is determined not to be within the purpose of C.R.S. 30-28-101, et. seq.

3. That legal and physical access is provided to the parcel by enforceable public rights-of-way or recorded easements, and the size, location and availability of essential services to the proposed parcel are reasonable, appropriate and customary for the intended use.

**NOW THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Logan County, Colorado, that the application by Duane R. Kuhn and Patricia A. Kuhn, for a Subdivision Exemption for the creation of 5.00 acre parcel in the unincorporated area of Logan County, as described above and as represented on official Subdivision Plat 2019-44, is hereby approved, provided that no further subdividing of the above described parcel shall occur without the prior approval of the Board of County Commissioners.

**DONE** on Tuesday, this 3<sup>rd</sup> day of December, 2019.

BOARD OF COUNTY COMMISSIONERS  
LOGAN COUNTY, COLORADO

\_\_\_\_\_  
(Aye)(Nay)  
Joseph A. McBride, Chairman

\_\_\_\_\_  
(Aye)(Nay)  
Byron H. Pelton, Commissioner

\_\_\_\_\_  
(Aye)(Nay)  
Jane E. Bauder, Commissioner

I, Pamela M. Bacon, County Clerk and Recorder in and for the County of Logan, State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session on this 3<sup>rd</sup> day of December, 2019.

\_\_\_\_\_  
County Clerk and Recorder



**RESOLUTION**

**NO. 2019-44**

**BOARD OF COUNTY COMMISSIONERS  
COUNTY OF LOGAN, STATE OF COLORADO**

**SUBDIVISION EXEMPTION FOR DUANE R. KUHN AND PATRICIA A. KUHN**

**WHEREAS**, Section 30-28-101 (10)(d), C.R.S., as amended, authorizes the Board of County Commissioners pursuant to resolution to exempt from the detailed requirements of the Logan County Subdivision Regulations any division of land if the Board of County Commissioners determines that such division is not within the purposes of the statutory provisions governing land division; and

**WHEREAS**, Duane R. Kuhn and Patricia A. Kuhn, have applied for an exemption from the Logan County Subdivision Regulations with reference to a proposed parcel to be created which is legally described as follows:

A parcel of land known as Parcel 1, containing 5.00 acres, more or less in the Northwest Quarter of Section 21, Township 8 North, Range 50 West, of the 6<sup>th</sup> Principal Meridian, in Logan County, Colorado, said parcel being more particularly described as follows:

Commencing at the Northwest corner of Section 21, Township 8 North, Range 50 West of the 6<sup>th</sup> Principal Meridian, thence along the North line of said Northwest Quarter, North 87°08'57" East, a distance of 1393.64 feet to the Point of Beginning; thence continuing along said North line of the Northwest Quarter, North 87°08'57" East a distance of 519.00 feet, to a point on the West line of a parcel surveyed by Professional Land Surveyor 26964, deposited in the Logan County Survey Records under land survey plat number 951; thence along said West line, South 00°44'58" West, a distance of 420 feet; thence departing said West line, South 87°08'57" West, a distance of 519.00 feet; thence North 00°44'58" East, a distance of 420 feet, more or less, to the Point of Beginning.

**30 FOOT ACCESS AND UTILITY EASEMENT NO. 1**

A 30 foot wide access and utility easement, containing 0.50 acres, more or less, in the Northwest Quarter of Section 21, Township 8 North, Range 50 West of the 6<sup>th</sup> Principal Meridian, in Logan County, Colorado, said easement being more particularly described as follows:

Commencing at the Northwest corner of Section 21, Township 8 North, Range 50 West of the 6<sup>th</sup> Principal Meridian; thence along the North line of said Northwest Quarter, North 87°08'57" East, a distance of 2,637.15 feet, to the North Quarter Corner of said Section 21, and to the end of Logan County Road 32 and to the Point of Beginning; thence along the East line of the Northwest Quarter of said Section 21, South 01°22'36" East a distance of 30.00 feet; thence South 87°08'57" West a distance 725.63 feet to a point on the West line of a parcel of land surveyed by Professional Land Surveyor 26964 deposited in the Logan County Survey Records under land survey plat number 951; thence along said West line, North 00°44'58" East, a distance of 30.06 feet to a point on the North line of the Northwest Quarter of said Section 21; thence along said North line North 87°08'57" East a distance of 724.51 feet, more or less, to the Point of Beginning.

**30 FOOT ACCESS AND UTILITY EASEMENT NO. 2**

A 30 foot wide access and utility easement, containing 0.42 acres, more or less, in the Northwest Quarter of Section 21, Township 8 North, Range 50 West of the 6<sup>th</sup> Principal Meridian in Logan County, Colorado, said easement being more particularly described as follows:

Commencing at the Northwest corner of Section 21, Township 8 North, Range 50 West of the 6<sup>th</sup> Principal Meridian; thence along the North line of said Northwest Quarter North 87°08'57" East a distance of 2637.15 feet to the North Quarter Corner of said Section 21, and to the end of Logan County Road 32 and to the Point of Beginning; thence along the East line of the Northwest Quarter of said Section 21, South 01°22'36" East a distance of 616.02 feet to a point on the South line of a parcel of land surveyed by Professional Land Surveyor 26964 deposited in the Logan County Survey Records under land survey plat number 951; thence along said South line, South 88°15'08" West a distance of 30.00 feet; thence departing said South line, on a line parallel to

the East line of the Northwest Quarter of said Section 21, North 01°22'36" West a distance of 615.25 feet, to a point on the North line of the Northwest Quarter of Said Section 21; thence along said North 87°08'57" East a distance of 30.01 feet, more or less, to the Point of Beginning.

(As represented on official Subdivision Exemption Plat #2019-44); and

**WHEREAS**, Duane R. Kuhn and Patricia A. Kuhn, intend to create a parcel, consisting of 5.00 acres subdivided from a 161 acre parcel in an Agricultural (A) zone district, for use as a residence; and

**WHEREAS**, the Logan County Planning Commission recommended approval of the application after reviewing the application, studying the staff review, and reviewing the proposed plat on November 27, 2019; and

**WHEREAS**, a public hearing was held by the Board of County Commissioners on December 3, 2019, at which time the Board reviewed the application and any exhibits, and heard the comments of the staff and any interested parties; and

**WHEREAS**, based on the application, supporting information, comments of staff and testimony of any interested persons, the Board finds as follows:

1. That the exemption is consistent with and conforms to the Logan County Zoning Resolution and Subdivision Regulations.
2. That the exemption relates to a division of land that is determined not to be within the purpose of C.R.S. 30-28-101, et. seq.
3. That legal and physical access is provided to the parcel by enforceable public rights-of-way or recorded easements, and the size, location and availability of essential services to the proposed parcel are reasonable, appropriate and customary for the intended use.

**NOW THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Logan County, Colorado, that the application by Duane R. Kuhn and Patricia A. Kuhn, for a Subdivision Exemption for the creation of 5.00 acre parcel in the unincorporated area of Logan County, as described above and as represented on official Subdivision Plat 2019-44, is hereby approved, provided that no further subdividing of the above described parcel shall occur without the prior approval of the Board of County Commissioners.

**DONE** on Tuesday, this 3<sup>rd</sup> day of December, 2019.

BOARD OF COUNTY COMMISSIONERS  
LOGAN COUNTY, COLORADO

\_\_\_\_\_  
(Aye)(Nay)  
Joseph A. McBride, Chairman

\_\_\_\_\_  
(Aye)(Nay)  
Byron H. Pelton, Commissioner

\_\_\_\_\_  
(Aye)(Nay)  
Jane E. Bauder, Commissioner

I, Pamela M. Bacon, County Clerk and Recorder in and for the County of Logan, State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session on this 3<sup>rd</sup> day of December, 2019.

\_\_\_\_\_  
County Clerk and Recorder

APPLICATION FOR SUBDIVISION EXEMPTION PLAT APPROVAL

(To be filed in duplicate)

(Incomplete Applications will not be accepted)

Date 10-8-2019

1. Name of Subdivision Exemption Duane R. and Patricia A Kuhn
2. Name of Applicant Patty and Duane Kuhn Phone 303-589-9970  
 Address 32500 C.R. 32, Fleming, 80728  
(Street No. and Name) (Post Office) (State) (Zip Code)
3. Name of Local Agent n/a Phone \_\_\_\_\_  
 Address \_\_\_\_\_  
(Street No. and Name) (Post Office) (State) (Zip Code)
4. Owner of Record same Phone \_\_\_\_\_  
 Address \_\_\_\_\_  
(Street No. and Name) (Post Office) (State) (Zip Code)
5. Prospective Buyer n/a Phone \_\_\_\_\_  
 Address \_\_\_\_\_  
(Street No. and Name) (Post Office) (State) (Zip Code)
6. Land Surveyor Carl Gilbert Phone \_\_\_\_\_  
 Address \_\_\_\_\_  
(Street No. and Name) (Post Office) (State) (Zip Code)
7. Attorney \_\_\_\_\_ Phone \_\_\_\_\_  
 Address \_\_\_\_\_  
(Street No. and Name) (Post Office) (State) (Zip Code)
8. Subdivision Exemption Location: on the \_\_\_\_\_ side of \_\_\_\_\_  
 \_\_\_\_\_ Feet \_\_\_\_\_ of \_\_\_\_\_  
(Direction) (Street)
9. Postal Delivery Area 80728 School District RE 3
10. Total Acreage 162 Zone AG Number of Lots 2
11. Tax Map Designation: Section/Township/Range NW4 21-08-50 Lot(s) \_\_\_\_\_
12. Has the Board of Zoning Appeals granted variance, exception, or conditional permit concerning this property? NO  
 If so, list Case No. and Name \_\_\_\_\_
13. Is Deed recorded in Torrens System: Number \_\_\_\_\_
14. Is Deed recorded in General System: Book \_\_\_\_\_ Page \_\_\_\_\_
15. Current Land Use: pasture / AG residential
16. Proposed Use of Each Parcel : pasture / AG and residential

pattyann55@mesanetworks.net

**KUHN, Duane & Patricia**  
**SE2019-6 Sub Ex 5 acres**  
**NW4 Section 21-08-50**  
**C.R. 32, Fleming**

17. Proposed Water and Sewer Facilities: current residence-existing inhouse well for 5 acres & priv. septic
18. Proposed Public Access to each new parcel: CR. 32 & 30ft access easement for 5 acre lot
19. Reason for request of this exemption (may use additional pages): to sell to son

List all contiguous holdings in the same ownership:

Section/Township/Range n/a Lot(s) \_\_\_\_\_

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the book and page of each conveyance into the present owner as recorded with the Logan County Clerk and Recorder. This affidavit shall indicate the legal owner of the property; the contract owner of the property, and the date the Contract of Sale was executed. IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers, and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached [this need only be provided if Developer is requesting special assessment financing, the formation of improvement district(s) or benefit district(s).

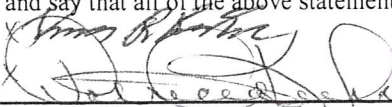
**The applicant hereby consents to the provisions of Article 8.2 A&B of the Logan County Subdivision Regulations.**

STATE OF COLORADO

) SS:

COUNTY OF LOGAN

\_\_\_\_\_ hereby depose and say that all of the above statements and the statements contained in the papers submitted herewith are true.

  
 \_\_\_\_\_  
 (Applicant Signature)

Mailing Address:

32500 C.R. 32, Fleming 80728

MY COMMISSION EXPIRES:

**KUHN, Duane & Patricia  
 SE2019-6 Sub Ex 5 acres  
 NW4 Section 21-08-50  
 C.R. 32, Fleming**



FOR COUNTY USE: pd 10/15/2019 ✓ #5563 Rct. #905

Application Fee: One hundred dollars (\$100.00) Thirteen Dollar (\$13.00) one page OR

Twenty-three Dollar (\$23.00) three pages - Separate check for Recording fee pd 10/15/2019 ck# 5564 Rct. #905

Date of Planning Commission: \_\_\_\_\_

Recommendation of Planning Commission: \_\_\_\_\_ Approval \_\_\_\_\_ Denial

Recommended Conditions of Subdivision Exemption Approval: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Chairman, Planning Commission

COUNTY COMMISSIONERS ACTION:

Conditions of Subdivision Exemption Approval: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date Granted: \_\_\_\_\_

Date Denied: \_\_\_\_\_

\_\_\_\_\_  
Joseph A. McBride (Aye) (Nay)

\_\_\_\_\_  
Byron H. Pelton (Aye) (Nay)

\_\_\_\_\_  
Jane E. Bauder (Aye) (Nay)

**KUHN, Duane & Patricia**  
**SE2019-6 Sub Ex 5 acres**  
**NW4 Section 21-08-50**  
**C.R. 32, Fleming**



## AGREEMENT

This Agreement is entered into effective the \_\_\_\_ day of December, 2019, by and between WAGNER'S CARNIVAL, LLC, whose address is P.O. Box 917, Aransas Pass, TX 78335, hereinafter referred to as "Amusement Contractor" and the BOARD OF COUNTY COMMISSIONERS OF LOGAN COUNTY, COLORADO, whose address is Logan County Courthouse, 315 Main Street, Suite 2, Sterling, CO 80751, hereinafter referred to as "County".

In consideration of the mutual promises, covenants, and conditions hereinafter set forth and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Commencing on Tuesday, August 4, 2020, through Sunday, August 9, 2020, (the "2020 Logan County Fair") Amusement Contractor shall set up and operate, at its own expense, a complete carnival at the Logan County Fairgrounds, Sterling, CO.
2. Amusement Contractor will be required to show that all carnival rides, including any operated by subcontractors, have passed the Colorado State Safety Inspection. Such proof shall be provided to County no later than July 15, 2020, and no later than July 15 in any succeeding year in which this contract is renewed, and the safety certification shall remain in effect at all times during which carnival rides are operated. All amusement rides and games shall be operated in accordance with all applicable laws and regulations, and in the event any ride or game is required to be shut down or otherwise rendered non-operational by an enforcement agency for safety, gambling, or other reason, said ride or game shall remain non-operational until the ride or game fully complies with the applicable law or regulation, but such act shall not excuse Amusement Contractor of its obligations under this Agreement.
3. County agrees to provide and make available, at no charge to Amusement Contractor, adequate space at the fairgrounds for the set up and operation of its games, rides, and concessions. The set up of all rides will be on pads and not stakes. County shall also provide electrical and water service at the site for camper hookups only, at no charge. Any alterations to electrical hookups shall have prior approval of the County's fairground personnel and be completed by a licensed electrician. County shall also advertise the Logan County Fair in the Sterling newspapers and local radio stations in advance of the fair.
4. Amusement Contractor, at its expense, agrees to furnish all tickets, ticket booths, carnival personnel, games, rides, concessions, music, lighting, and all other equipment or utilities, including electricity, needed to operate its carnival. Amusement Contractor shall provide, at its own expense and in addition to the general county fair advertising to be provided by County in section 3, above, additional advertising in Logan County newspapers and radio stations in the form of newspaper ads and radio spots that specifically advertises the "Mcga Pass" form of carnival ticketing. At the conclusion of the 2020 Logan County Fair and in each ensuing county fair during the term of this agreement, Amusement Contractor agrees to clean up the premises

and leave the premises in the same condition that existed at the time of set up and commencement of operation of its games, rides, and concessions. All garbage and refuse shall be deposited in such containers as provided by County for such purposes.

5. Amusement Contractor agrees to pay to County, in cash or certified funds, a percentage of its gross receipts from all rides, shows, and concessions (Gross Receipts) operated during the 2020 Logan County Fair and in each succeeding county fair during the term of this agreement. The percentage paid to County by Amusement Contractor shall be Fifteen Percent (15%) of the first Forty Thousand Dollars (\$40,000) of the Gross Receipts; and Twenty Five Percent (25%) of all Gross Receipts in excess of Forty Thousand Dollars (\$40,000). Amusement Contractor guarantees a minimum payment to County of Ten Thousand Dollars (\$10,000) in the event the total Gross Receipts are less than Fifty Two Thousand Dollars (\$52,000). At the close of business each day, Amusement Contractor shall pay to County a percentage of the day's Gross Receipts based on the percentages set forth above. No equipment may be removed from the Logan County Fairgrounds until County has been paid in full. Amusement Contractor agrees to allow a representative of County to examine Amusement Contractor's books, records, tickets, and ticket sales for each day.

6. On the date this Agreement is signed and on the date this Agreement renews for the next succeeding county fair, Amusement Contractor shall pay to County, in cash or certified funds, the sum of Five Thousand Dollars (\$5,000.00), which amount will be credited to the total amount owed by Amusement Contractor to County under this Agreement for each applicable county fair. For purposes of this paragraph 6, the date this Agreement is renewed shall be deemed to occur on the date the County provides the written notice of the dates for the successive county fair, as provided in paragraph 14, below.

7. In the event Amusement Contractor fails to pay any amounts owed under this Agreement, Amusement Contractor agrees to pay interest on the same at the rate of 18% per annum until paid and to pay all reasonable attorney's fees incurred by County in collecting such sums.

8. Amusement Contractor agrees to obtain and maintain in full force and effect for the entire period that it is setting up, operating or dismantling the amusement rides, games, and concessions, liability insurance in a sum of not less than one million (\$1,000,000) dollars. Said insurance policy shall name Logan County as an additional insured. Amusement Contractor shall deliver to the County an endorsement from the insurance company showing that such insurance is in effect and that County is covered by the same, no later than 60 days prior to the set up of any game, ride, or concession. Amusement Contractor shall also deliver to County proof of payment of the insurance premium. In the event Amusement Contractor hires any subcontractors to operate any rides, games or concessions, Amusement Contractor shall be responsible for providing evidence of subcontractor's liability insurance in a sum of not less than one million (\$1,000,000) dollars, which insurance shall also name Logan County as an additional insured. Evidence of a subcontractor's liability insurance and payment of premium shall be provided at the times specified in this paragraph for Amusement Contractor's performance.

9. Amusement Contractor agrees to save, indemnify, and hold harmless County from any claim or demand whatsoever, for any and all personal injuries or property damage arising out of or caused by the operation of any game, ride, or concession, including any game, ride or concession operated by any subcontractor hired by Amusement Contractor.

10. County agrees that it will not employ or enter into any contracts for any other carnival to operate during the 2020 Logan County Fair or, if this agreement renews as provided herein, during any applicable succeeding county fair.

11. Amusement Contractor agrees to have all equipment, games, rides, concessions and personnel in place and operating for the 2020 Logan County Fair commencing on TUESDAY, August 4, 2020, at 4:00 p.m. Amusement Contractor further agrees that it will not remove any equipment, games, rides, or concessions, and will continue operating same, until the fair ends at 10:00 p.m. on SUNDAY, August 9, 2020. Amusement contractor further agrees that its amusement rides will include, for the 2020 Logan County Fair and in any applicable succeeding county fair, a minimum of at least eleven (11) adult and seven (7) children's amusement rides, including a Ferris wheel in either category.

12. This Agreement shall be binding on the parties hereto, their heirs, successors and personal representatives. Assignment of the obligations of Amusement Contractor is prohibited without the prior written consent of County, which consent may be withheld at the sole discretion of County.

13. No amendment of this Agreement is valid unless in writing and signed by both parties. In the event of any dispute, this Agreement shall be construed in accordance with the laws of the State of Colorado, and if such dispute cannot be resolved between the parties, the same shall be submitted to the Logan County District Court for resolution. Amusement Contractor hereby consents to the jurisdiction of such court.

14. Provided that Amusement Contractor fully complies with all material obligations under this Agreement for the 2020 Logan County Fair, this Agreement shall automatically renew with identical terms and conditions for the 2021 Logan County Fair and 2022 Logan County Fair. Written notice setting forth the dates for the 2021 Logan County Fair and 2022 Logan County Fair, and the associated dates and times for operation of the carnival, shall be provided by County to Amusement Contractor within a reasonable amount of time after dates for the ensuing county fair are determined but in no event later than November 15 of the prior year. The parties acknowledge and mutually agree that the Amusement Contractor shall have all equipment, games, rides, concessions and personnel in place and operating from 4:00 p.m. on TUESDAY until 10:00 p.m. on SUNDAY, during the 2021 and 2022 Logan County Fairs, if this agreement renews as provided above. As required by law, the County's obligation to perform this Agreement as to the county fairs occurring in 2021 and 2022 is subject to a first and prior appropriation of sufficient funds by the governing board of Logan County as may be required for

the performance of this Agreement, failing which, this Agreement shall terminate without further liability or obligation of either party.

15. This contract represents the entire agreement of the parties hereto and incorporates all prior agreements. No modification shall be binding on either of the parties hereto unless in writing and executed by both parties.

16. No waiver of any provision of, or default under this Agreement will be considered valid unless in writing. No such waiver will be deemed a waiver of any subsequent default of the same or similar nature.

17. Without additional consideration, each party agrees to sign, acknowledge and deliver any further instruments and documents as may be reasonably necessary or desirable to carry out the specific terms and the intent of this Agreement.

18. If any provision of this Agreement is unenforceable or invalid for any reason, the remainder of this Agreement will continue in effect.

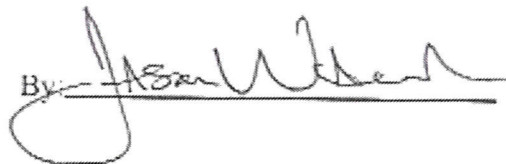
19. Amusement Contractor agrees to provide at its own expense the on-site services of a mutually acceptable representative of Amusement Contractor for management and supervision of all carnival operations during each applicable county fair.

WHEREFORE, this Agreement is entered into effective as of the date first written above.

BOARD OF COUNTY COMMISSIONERS  
LOGAN COUNTY, COLORADO

AMUSEMENT CONTRACTOR:  
WAGNER'S CARNIVAL, LLC

\_\_\_\_\_  
Joseph A. McBride, Chairman

By: \_\_\_\_\_

\_\_\_\_\_  
Byron H. Pelton

Name: Jason Wagner

Title: Member-Manager

\_\_\_\_\_  
Jane E. Bauder

ATTEST:

\_\_\_\_\_  
County Clerk & Recorder

(Seal)

