

#### AGENDA Logan County Board of Commissioners Logan County Courthouse, 315 Main Street, Sterling, Colorado Tuesday, July 5, 2022 - 9:30 a.m.

Call to Order Pledge of Allegiance Revisions to Agenda Consent Agenda

Approval of the Minutes of the July 5, 2022 meeting.

Acknowledge the receipt of the Veteran's Service Officer's Monthly Report and Certification of Pay form for the month of June 2022.

#### Unfinished Business New Business

The Board will open a public hearing to consider the approval of an application submitted by the Knights of Sterling for a Special Events Liquor License for the Logan County Fair to be held at the Logan County Fairgrounds, Sterling, Colorado on August 2, 3, 4, 5, 6 and 7, 2022.

Consideration of the approval of Resolution 2022-25 amending Resolution 2021-41 by awarding Private Activity Bond Volume Cap for the Northeast Plaza Apartment Homes Project.

Consideration of the approval of the award of the Ticket Takers and Usher Services Bid for the 2022 Logan County Fair & Rodeo to the Caliche After Prom Committee and Basketball sponsors in the amount of \$5,000.00.

Consideration of the approval of Resolution 2022-26 and an application on behalf of Bohler Real Estate, LLC to vacate the plat for Horizon Re-subdivision of Lot 1, Block 1, KMW Industrial Park.

Consideration of the approval of Resolution 2022-27 and an application on behalf of Bohler Real Estate, LLC for Re-subdivision and Replat of Lots 1 and 2, Horizon Re-subdivision of Lot 1, Block 1, KMW Industrial Park, a part of the E1/2NE1/4 of Section 34, Township 8 North, Range 53 West of the 6" P.M., Logan County, Colorado.

Consideration of the approval of an agreement between Logan County and Viaero Fiber Networks, LLC and issuance of Right of Way Permit #2022-6 for use of the County Right of Way along County Road 50, and East side of County Road 37 for conduit, hand holes and fiber optic cable.

Consideration of the approval of an agreement between Logan County and Viaero Fiber Networks, LLC and issuance of Right of Way Permit #2022-7 for use of the County Right of Way along West Side of County Road 43, Railroad Avenue McKinley Street in Padroni, Colorado for conduit, hand holes and fiber optic cable.

Consideration of the approval of a Letter of Gift and Bill of Sale for the donation of 280 linear feet of 6' chain link fence to Northeastern Junior College.

#### Other Business Miscellaneous Business/Announcements

The next meeting will be scheduled for Tuesday, July 19, 2022, at 9:30 a.m. at the Logan County Courthouse.

Executive Session as Needed Adjournment

#### June 21, 2022

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

Byron H. Pelton	Chairman
Jane E. Bauder	Commissioner
Joseph A. McBride	Commissioner
Also present:	
Alan Samber	Logan County Attorney
Pamela Bacon	Logan County Clerk & Recorder-Absent
Debbie Unrein	Logan County Finance
Marilee Johnson	Logan County Public Information Officer
Dave Long	Human Services
Jennifer Crow	Administrative Support Specialist
Dave Conley	Lodging Tax Board

Chairman Pelton called the meeting to order at 9:31 a.m. and opened the meeting with the Pledge of Allegiance.

Chairman Pelton asked if there were any revisions for the agenda. Hearing none, Chairman Pelton continued with consent agenda.

The Board continued with the Consent Agenda items:

- Approval of the Minutes of the June 7, 2022, meeting.
- Acknowledge the receipt of the Treasurer's Report for the month of May 2022.
- Acknowledge the receipt of the Sheriff's Fee Report for the month of May 2022.
- Acknowledge the receipt of the Clerk and Recorder's Report for the month of May 2022.
- Acknowledge the receipt of the Landfill Supervisor's Report for the month of May 2022.

Commissioner Bauder moved to approve the Consent Agenda. Commissioner McBride seconded, and the motion carried 2-0 with Commissioner Pelton abstaining.

Chairman Pelton continued with Old Business:

The Board opened a public hearing to consider the approval of an application submitted by the Logan County Chamber of Commerce for a Special Events Liquor License for events to be held at the Logan County Courthouse Square, 315 Main Street, Sterling, Colorado on July 1,2,8,15,22,29, 2022.

Hearing no public comment Chairman Pelton closed the public hearing.

Commissioner McBride moved to approve the application submitted by the Logan County Chamber of Commerce for a Special Events Liquor License for events to be held at the Logan County Courthouse Square, 315 Main Street, Sterling, Colorado on July 1,2,8,15,22,29, 2022. Commissioner Bauder seconded, and the motion carried 3-0.

Commissioner Bauder moved to approve the proposal for the EC Community Center Building Addition Phase I Design Services to provide architectural/design services for a building addition to the existing Exhibit Center located at the County fairgrounds to Cairn Design LLC in the amount of \$74.055.00. Commissioner McBride seconded, and the motion carried 3-0.

Chairman Pelton continued with New Business:

Commissioner McBride moved to approve the Logan County Lodging Tax Board project on behalf of Sugar Beet Days in the amount of \$2,500 for advertising. Commissioner Bauder seconded, and the motion carried 3-0.

Commissioner Bauder moved to approve a Memorandum of Understanding between Logan County and The Colorado Department of Human Services regarding the County's duties and responsibilities in implementing the Colorado Works Program in Logan County and authorize the Chairman to sign. Commissioner McBride seconded, and the motion carried 3-0.

#### **Other Business**

County offices will be closed on Monday, July 4, 2022, in Observance of Independence Day.

The next meeting will be scheduled for Tuesday, July 5, 2022, at 9:30 a.m. at the Logan County Courthouse.

There being no further business to come before the Board, the meeting adjourned at 9:53 a.m.

Submitted by:

Logan County Clerk

Approved: July 5, 2022

(seal)

BOARD OF COUNTY COMMISSIONERS LOGAN COUNTY, COLORADO

By:

Byron Pelton, Chairman

Attest:

Logan County Clerk & Recorder

	Military and Veterans Affairs rs Monthly Report and Certification of Pay				
County of 69an	Month of June 2022				
Telephone Calls to vets: 98 concering vets: 27	Total calls => 2310				
Appointments office: 52 home: 16	Total visits => 62				
Outreach					
Total Served	Total Served =7288				
Surveys Submitted 07	Total surveys=>07				
Certification by County Veterans Service Officer					
I hereby certify that the above monthly report is true and accura employed as a county veteran service officer at a rate of:	ite to the best of my knowledge and belief. I have been				
34 hours per week or fewer 35 hours per week or more					
For the month of June, 2022 from Logo	<u>in</u> county.				
Signature of County Veterans Service Officer					
Certifications by County Commissioner or Designee ✓ In accordance with CRS 28-5-802, I hereby certify the appointment of our county veterans service officer. ✓ In accordance with CRS 28-5-707, I hereby certify the accuracy of the Report CVA-26 revised September 2021.					
	County Commissioner or Designee of				
	County				
	Date				
This certification, submitted monthly, properly signed and execu	ited 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 to: Colorado Division of Veterans Affairs cdvainfo@dmva.state.co.us

DR 8439 (06/28/06) COLORADO DEPARTMENT OF REVENUE LIQUOR ENFORCEMENT DIVISION 1075 SHERMAN STREET DENVER CO 80261 (303) 205-2300		EVENTS		AL	Departm	ent Use Only
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SIGNATORE LA MARTIN	$\sum$		Event Ma	nager		DATE 6-15-22
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DR 8439 (06/28/06) COLORADO DEPARTMENT OF REVENUE LIQUOR ENFORCEMENT DIVISION 1375 SHERMAN STREET DENVER CO 80261 (303) 205-2300	AFFLICATI		OR A SPE PERMIT	CIA	L	De	partment Use Only
IN ORDER TO QUALIFY FOR A SPECIAL EVENTS PERMIT, YOU MUST BE NONPROFIT AND ONE OF THE FOLLOWING (see back for details.) SOCIAL ATHLETIC PHILANTHROPIC INSTITUTION FRATERNAL CHARTERED BRANCH, LODGE OR CHAPTER POLITICAL CANDIDATE OF A NATIONAL ORGANIZATION OR SOCIETY MUNICIPALITY OWNING ARTS POLITICAL RELIGIOUS INSTITUTION FACILITIES							
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SIGNATURE	$\sim$		Event N	land	a ger		DATE 6-15-22
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DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY							
LIABILITY INFORMATION							
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(Instructions on Reverse Size)

# Logan County Fairgrounds

## Alcohol Permit area righlighted in Yellow

Mines.

#### RESOLUTION

#### NO. <u>2022-25</u>

#### A RESOLUTION OF LOGAN COUNTY, COLORADO AMENDING RESOLUTION NO. 21-41 BY AWARDING PRIVATE ACTIVITY BOND VOLUME CAP FOR THE NORTHEAST PLAZA APARTMENT HOMES PROJECT

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

WHEREAS, Logan County, Colorado (the "County"), is a legally and regularly created, established, organized and existing body politic and corporate of the State of Colorado (the "State"); and

WHEREAS, the County is authorized by the County and Municipality Development Revenue Bond Act, constituting Article 3, Title 29, Colorado Revised Statutes, as amended (the "Act") and the Colorado Supplemental Public Securities Act, constituting Article 57, Title 11, Section 201 et seq., Colorado Revised Statutes, as amended (the "Supplemental Public Securities Act"), to finance and refinance one or more projects (which includes any land, building or other improvement and real and personal properties) to the end that residential facilities for low- and middle-income persons or families may be provided which promote the public health, welfare, safety, convenience and prosperity; and

WHEREAS, the County is further authorized by the Act and the Supplemental Public Securities Act to issue revenue bonds for the purpose of defraying the cost of financing any project, including the payment of principal and interest on such revenue bonds for not exceeding three years, the funding of any reserve funds which the County may deem advisable to establish in connection with the retirement of such revenue bonds or the maintenance of the project and all incidental expenses incurred in issuing such revenue bonds, and to secure payment of such revenue bonds as provided in the Act; and

WHEREAS, the Board of County Commissioners of the County (the "Board") previously adopted Resolution No. 21-41 (the "Initial Resolution") declaring the intent of the Board to authorize the issuance of its multifamily housing revenue bonds, in one or more series (the "Bonds"), in an aggregate principal amount not to exceed \$3,500,000, to finance the acquisition, rehabilitation, construction, improvement and equipping of the Northeast Plaza Apartment Homes Project (or such other name as the Developer may elect for this property, the "Project"), an affordable multifamily housing facility, consisting of approximately 47 units containing complete residential facilities, and the Project will be owned and operated by FishPond Living at Sterling, LP, including any subsidiaries, affiliates, successors or assigns (but only if such subsidiaries, affiliates, successors or assigns are acceptable to the County) (the "Developer"); and

WHEREAS, in the Initial Resolution, the County agreed to apply for private activity bond volume cap allocation from the Colorado Department of Local Affairs for the Project; and

WHEREAS, the County has \$1,183,380 of 2022 private activity bond volume cap allocation that was directly allocated to the County and an award of \$1,214,420 of 2021 private activity bond cap allocation Statewide Balance from the Department of Local Affairs; and

WHEREAS, the Board desires to award private activity bond volume cap allocation to the Project;

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

**Section 1.** The Board hereby awards the Project up to \$2,397,800 of its private activity bond volume cap allocation. The Developer and the Board will use their best effort to obtain private activity bond volume cap allocation in the amount of \$1,102,200; and, upon the County receiving such private activity bond volume cap allocation, the Board will award the Project up

to \$1,102,200 of its private activity volume cap allocation, for a total private activity volume cap allocation of \$3,500,000.

**Section 2.** All actions not inconsistent with the provisions of this Resolution heretofore taken by the Board or any officer or employee of the County in furtherance of the issuance of the Bonds are hereby ratified, approved and confirmed.

Section 3. All prior acts, orders, resolutions, ordinances or parts thereof of the County in conflict with this Resolution are hereby repealed, except that this repealer shall not be construed to revive an act, order, resolution, ordinance, or part thereof, heretofore repealed.

**Section 4.** If any section, paragraph, clause or provision of this Resolution shall be adjudged to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining sections, paragraphs, clauses or provisions of this Resolution.

All bylaws, orders, resolutions, ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency, and if so repealed, no other bylaw, order, resolution, ordinance, or part thereof, shall be revived. This repealer shall not be construed as reviving any bylaw, order, resolution or ordinance, or part thereof.

INTRODUCED AND ADOPTED at a regular meeting of the Board of County Commissioners of the County on July 5, 2022.

BOARD OF COUNTY COMMISSIONERS OF LOGAN COUNTY, COLORADO

Byron H. Pelton, Chairman

Joseph A. McBride

Jane E. Bauder

#### ATTEST:

I, Pamela M. Bacon, County Clerk and Recorder in and for the County of Logan, State of Colorado, hereby attest that the foregoing resolution was duly adopted by the Board of County Commissioners of Logan County, sitting in regular session, this 5th day of July, 2022.

Pamela M. Bacon Logan County Clerk and Recorder Fair Manager, Guy McEndaffer mandmfarms@aol.com



Fair Administrative Assistant, Faith Blankenship blankenshipf@logancountyco.gov

970-522-0888 Ext 222

315 Main Street | Sterling, CO 80751

July 5, 2022

Caliche After Prom Committee and Basketball Attn: Kristy Willis and Dave Huss 26308 Buffalo Blvd Iliff, CO 80736

Dear Ms. Willis and Mr. Huss,

We are pleased to announce that the Board of County Commissioners has awarded the Ticket Takers & Usher Services bid for the 2022 Logan County Fair & Rodeo to the Caliche After Prom and Basketball for the bid price of \$5,000.00.

Please note we have made a change to the age requirement for Ticket Takers & Ushers-instead of 18 years of age or older we have listed the individuals can be 16 years old or older. Please complete the following sign-up sheet before July 15, 2022.

The County is requiring the Americans with Disability Act (ADA) training for those working our events and it is mandatory. Currently we have two days scheduled for July 18, 2022, and July 21, 2022, at 6 p.m. Each person working the event will need to sign a "County Volunteer Notification and Waiver of Liability".

Thank you for your bid and we look forward to working with you. If you have any questions, please feel free to contact Faith Blankenship at 970-522-0888 X 222, or Guy McEndaffer, Fair Manager at 970-520-1180.

Sincerely,

BOARD OF COMMISSIONERS LOGAN COUNTY, COLORADO

Byron Pelton, Chairman

Joe McBride, County Commissioner

Jane Bauder, County Commissioner

Fair Manager, Guy McEndaffer

MandMFarms@aol.com

315 Main Street | Sterling, CO 80751



Fair Administrative Assistant, Faith Blankenship BlankenshipF@logancountyco.gov

970-522-0888 ext 222

## 2022 Ticket Takers & Usher Services

This page must accompany proposal.

DH

#### Please initial each item that you have read and understood.

The services provided will include taking tickets at the gate, ushering ticket holders to the seats noted on the ticket stub, assisting with handicapped seating and other duties that may be deemed necessary by the Fair Board – Event Seating Chairperson. This proposal will include the grandstand gates, cowboy drive thru gate, and the cowboy walk through gate.

DA IN persons will be 18 years of age or older. 16 years of age or older.

Each will provide a flashlight for their use, and will be prepared for wet weather and able to work with the public.

Be there at allotted times prior to event (shown below in table).

Stay until one half hour (30 minutes) after the end of the event.

Proposer shall provide no fewer than the number of people noted (shown below in table).

Proposer will appoint one member of the organization to perform continual supervision for group members and who will serve as liaison between workers performing services and County officials. Ticket takers and ushers will work in close cooperation with the Fair Board – Event Seating Chairperson. Supervisor, ticket takers and ushers will not be employees of Logan County.

By July 1, the supervisor for the group will complete and provide a copy of the signup sheet to the Fair Coordinator, Sign up Sheet and guidelines will be provided to Proposer upon acceptance of proposal.

Upon a successful proposal, applicants will meet with the Fair Board – Event Seating Chairperson to clarify the details of the contract.

If agreement is not fulfilled, payment will be withheld.

Event	Date of Event	# of Ticket Takers	# of Ushers	Time of Event	Time to be there
Bull Riding	Tuesday, Aug 2	16	4	7 p.m.	5:30 p.m.
Thursday Rodeo	Thursday, Aug 4	13	4	7 p.m.	5:30 p.m.
Friday Rodeo	Friday, Aug 5	13	4	7 p.m.	5:30 p.m.
Concert	Saturday, Aug 6	4 - Walk Thru Gate	0	6 p.m.	5:30 p.m.
Concert	Saturday, Aug 6	12	6	8 p.m.	6:30 p.m.
Demo Derby	Sunday, Aug 7	2 - Walk Thru Gate	0	3 p.m.	2:30 p.m.
Demo Derby	Sunday, Aug 7	16	6	5:30 p.m.	4 p.m.

Fair Manager, Guy McEndaffer

MandMFarms@aol.com

315 Main Street | Sterling, CO 80751



Fair Administrative Assistant, Faith Blankenship

BlankenshipF@logancountyco.gov

970-522-0888 ext 222

	Dull Diding	Thursday Deduc			
	Bull Riding	Thursday Rodeo	Friday Rodeo	Concert	Demo Derby
	Aug 2 @ 5:30 p.m.	Aug 4 @ 5:30 p.m.	Aug 5 @ 5:30 p.m.	Aug 6 @ 6:30 p.m.	Aug 7 @ 4 p.m.
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Need 2 people at Walk Thru Gate at 3 p.m.

XIF

\*\*Need 2 people at Walk Thru Gate at 5:30 p.m.

Submit your proposal to the Logan County Fair Board by **5 p.m. on April 8, 2022.** All proposals should be submitted in a sealed envelope and marked with "Ticket Takers & Usher Service". The Fair Board will be opening the Proposals on **April 14**, at the Fair Board meeting. Notification will be **April 19**, after the Commissioners have approved the proposal. Supporting paperwork should include name of organization, address, supervising agent, telephone number and proposed amount, and if required proof of insurance.

The Board of Commissioners reserve the right to reject any or all bids and to accept the proposal deemed to be in the best interest of Logan County.  $20 \times 5 = 100$   $17 \times 5 = 85$   $22 \times 5 = 110$ 

This proposal is submitted to the Commissioners of Logan County for the bi	d of \$ \$5,000
Caliche High School - Afterpress	ion and Basketball
Kristy Willis - 970-520-2444 Supervising Agent	Dave Ituss Phone Number at Fair Time (cell phone)
Z6308 Buffalo Blud Iliff, Co Address	80736 970-522-8200 Phone Number
each event averages 5 hours, tota 500 hours × \$15=\$7500 500 hours × \$10 =\$5000	1 g 500 hours of labor nucle

#### RESOLUTION NO. <u>2022-26</u>

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

A Resolution approving the application of Bohler Real Estate, LLC to vacate the plat for Horizon Re-subdivision of Lot 1, Block 1, KMW Industrial Park, recorded at Book 945, Page 736, of the records of the Logan County Clerk and Recorder.

WHEREAS, Bohler Real Estate, LLC, current property owner, requests to vacate the plat for Horizon re-subdivision of Lot 1, Block 1, KMW Industrial Park, consisting of Lots 1 and 2, which was originally approved by resolution and plat recorded at Book 945, Page 736 of the records of the Logan County Clerk and Recorder and is located in a portion of Section 34, Township 8 North, Range 53 West of the Sixth Principal Meridian, Logan County, Colorado; and

WHEREAS, the vacation of the plat, currently consisting of Lots 1 and 2, is requested so that the applicant may adjust the lot lines between Lots 1 and 2, which will result in a Lot 1 containing 1.95 acres and Lot 2 containing 4.09 acres;

WHEREAS, Section 6.2.1 of the Logan County Subdivision Regulations provides that the owners of lots in any approved subdivision may petition the Planning Commission to vacate the plat with respect to their properties; and

**WHEREAS**, the Logan County Planning Commission approved the application to vacate the plat for Horizon Re-subdivision of Lot 1, Block 1, KMW Industrial Park, on May 17, 2022.

**FINDINGS**: The Board finds that the applicant is the legal owner of Lots 1 and 2, Horizon Re-subdivision of Lot 1, Block 1, KMW Industrial Park, and further finds that vacation of Lots 1 and 2, as platted therein, will not materially injure the rights of any non-consenting property owner or any rights in public improvements.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Logan County, Colorado, that the application is GRANTED. The Plat for Horizon Resubdivision of Lot 1, Block 1, KMW Industrial Park, which is recorded at Book 945, Page 736, of the records of the Logan County Clerk and Recorder, is hereby vacated.

Adopted and signed this 5th day of July, 2022.

#### BOARD OF COUNTY COMMISSIONERS OF LOGAN COUNTY, COLORADO

(Aye)(Nay)

Byron H. Pelton, Chairman

(Aye)(Nay)

Joseph A. McBride, 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 duly adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session on the 5th day of July, 2022.

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: QuarterSection_34 Township_8 Range_53
LotBlockAddress
Description of Vacation: <u>Pesub</u> <u>divide</u> <u></u>
Reason for Vacation:
NEW building on pont of other land.

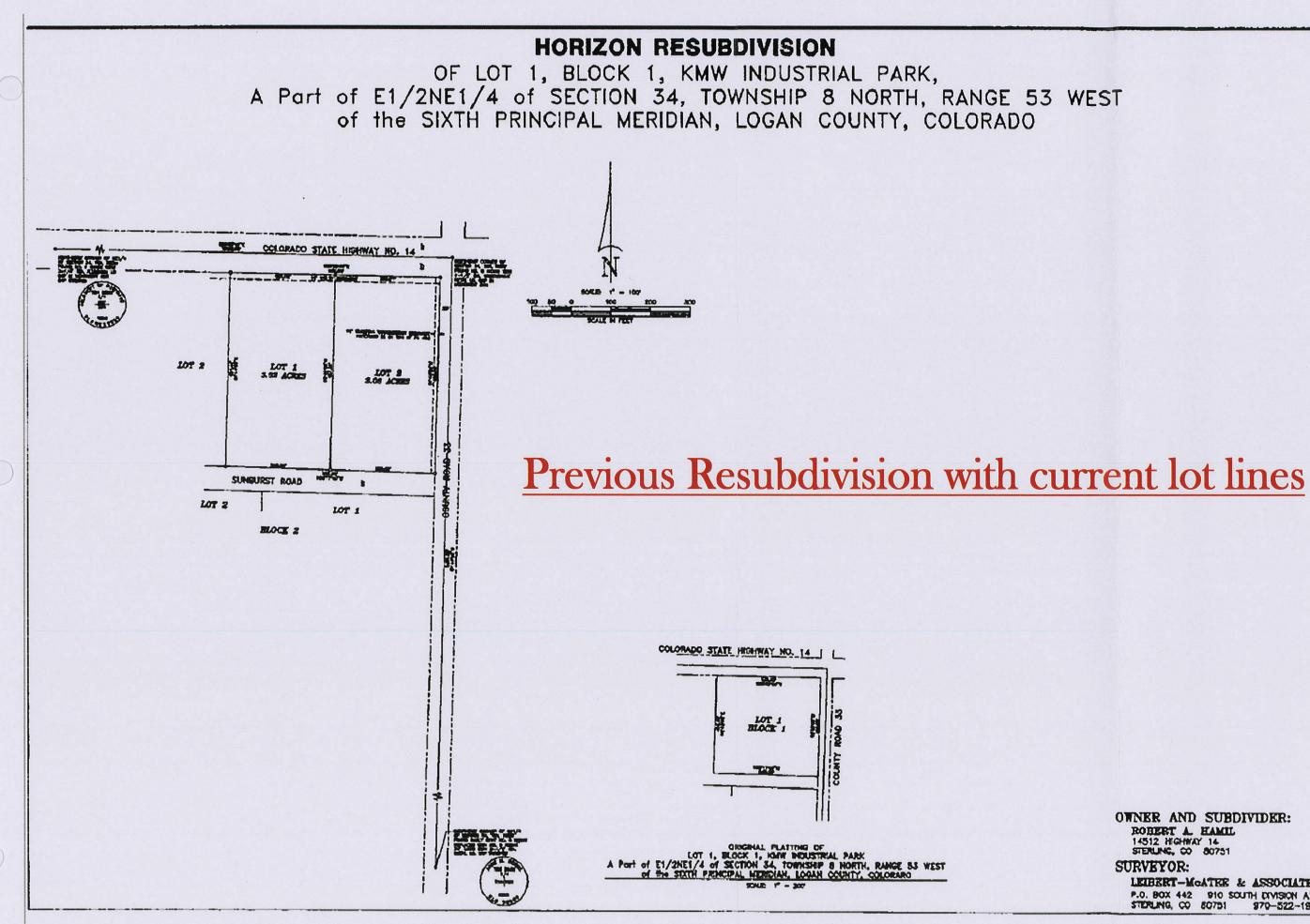
### **PETITION FOR VACATION**

### TO: THE BOARD OF COUNTY COMMISSIONERS LOGAN COUNTY, COLORADO

Applicant: BOHLER KEAL ESTATE	Phone: 970.580-2653
Address: P.O BOX 986 STERUNG Applicant's Signature: Mary Bunlen	(0 8075)
Applicant's Signature: Mary Bunlen	Date: <u>4.25.2022</u>
Landowner: BOWEN Real Estate	Phone: 970-577-2653
Address: 50 mg	( 1 Camby Road
Address: <u>Sound</u> Landowner's Signature: <u>Markey</u> BTWLW	Date: <u>4-25-2022</u>
Landowner:	
Address:	and an Constant
Landowner's Signature:	Date:
Landowner:	Phone:
Address:	
Landowner's Signature:	Date:
Landowner:	Phone:
Address:	
Landowner's Signature:	
Landowner:	Phone:
Address:	
Landowner's Signature:	Date:
Landowner:	
Address:	
Landowner's Signature:	Date:
Landowner:	Phone:

## FOR COUNTY USE

Application Fee: One Hundred Dollars (\$100.00)			
Recording Fee: Thirteen Dollars (\$13.00)			
Date of Planning Commission:			
Recommendation of Planning Commission: Approv	valDenial		
Recommended Conditions of Vacation:		-	
			-
	Mart Akh	1	
	Chairperson, Plannin	ng Commission	
COUNTY COMMISSIONERS ACTION:			
COUNTY COMMISSIONERS ACTION: Conditions of Vacation:			
Conditions of Vacation:			
Conditions of Vacation:			
Conditions of Vacation:			
Conditions of Vacation:			
Conditions of Vacation:			6
Conditions of Vacation:			0
Conditions of Vacation:			0
Conditions of Vacation:		(Ayc) (Nay)	
Conditions of Vacation:			



LEIBERT-MOATER & ASSOCIATES, INC. P.0. BOX 442 910 SOUTH DIVISION AVE STERLING, CO 80751 970-522-1980

#### RESOLUTION NO. 2022-27

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

A Resolution approving the Re-subdivision and Replat of Lots 1 and 2, Horizon Resubdivision of Lot 1, Block 1, KMW Industrial Park, a part of the E1/2NE1/4 of Section 34, Township 8 North, Range 53 West of the 6" P.M., Logan County, Colorado.

WHEREAS, Bohler Real Estate, LLC, owner, has petitioned the Board of County Commissioners of Logan County, Colorado, to re-subdivide and replat the following legally described property:

**IN RE**: Re-subdivision and Replat of Lots 1 and 2, Horizon Re-subdivision of Lot 1, Block 1, KMW Industrial Park, a part of the E1/2NE1/4 of Section 34, Township 8 North, Range 53 West of the 6<sup>th</sup> P.M., Logan County, Colorado.

WHEREAS, the proposed re-subdivision will adjust lot lines between Lot 1 and Lot 2, Horizon Re-subdivision of Lot 1, Block 1, KMW Industrial Park, all as more fully described on Official Subdivision Plat No. 2022- 27, attached hereto and fully incorporated herein; and

WHEREAS, the Logan County Planning Commission, after reviewing the application and conducting a public hearing on the application, recommended the approval of the proposed re-subdivision and replat of Lots 1 and 2, Horizon Re-subdivision of Lot 1, Block 1, KMW Industrial Park, Second Filing, at it regular meeting on May 17, 2022.

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

1. The application of Bohler Real Estate, LLC for re-subdivision and replat of Lots 1 and 2, Horizon Re-subdivision of Lot 1, Block 1, KMW Industrial Park, as shown on Official Subdivision Plat No. 2022 - 27, is hereby GRANTED, subject to the following conditions:

- A. The applicant shall be responsible for complying with all conditions or requirements set forth in the Logan County Zoning Resolution and Subdivision Regulations.
- B. The applicant shall be responsible for complying with all conditions or requirements of any applicable homeowner's association covenants.

All supporting information submitted by the applicant for consideration of the application forms part of the basis of the approval of the application.

DONE on Tuesday, this 5<sup>th</sup> day of July, 2022.

BOARD OF COUNTY COMMISSIONERS LOGAN COUNTY, COLORADO

(Aye)(Nay) Byron H. Pelton, Chairman

(Aye)(Nay)

Jane E. Bauder, Commissioner

(Aye)(Nay) Joseph A. McBride, 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 5th day of July, 2022.

County Clerk and Recorder

#### LOGAN COUNTY RESUBDIVISION APPLICATION BOARD OF COUNTY COMMISSIONERS DEPARTMENT OF PLANNING & ZONING 315 MAIN STREET, STERLING, CO 80751

Applicant: Bohler Real ESTATE LLC Phone: 970-580-2653
Address: P.O BOX 986 STERUNG. CO BOTSI
Landowner: <u>Same</u> Phone:
Address:
Legal Description of total Parcel: Lot I Horizon RESUB OF Lot I BLK ]
Legal Description of Parcel to be re-subdivided: <u>Same</u>
Total Acreage of parcel to be divided: <u>3.02</u>
Number of Parcels that would be created:
Acreage of proposed parcels:
Date that parcel was acquired by owners:
If Deed is recorded in Torrens System: Number
If Deed is recorded in General System: Book Page
Existing zoning classification:
Proposed use of each parcel:
Proposed water and sewer facilities:
Existing water and sewer facilities:
Proposed access to each new lot:
Existing access to each new lot:
Reason for request:
Each do works) Santawa to not source and
6. Proposod water applyc
T Explain how existing wells will be used after land is divided. Six out, [304].
3. Intended rate of new wellie).

Date of certificate stating that all property taxes have been paid:

## Bohler Real Estate LLC Resubdivide RSUB2022-1 May 2022 34-8-53

## Bohler Real Estate LLC Resubdivide RSUB2022-1 May 2022 34-8-53

#### **INFORMATION ON WATER WELLS**

Is there an existing well on the proposed parcel?

Existing well on parcel to be created

(	Y	or	Ν
Well Permit No:		192	
Permitted Use:	Res	identi	al
Depth:	Shall!		and the second

#### WATER SUPPLY PLAN

The Division of Water Resources requires the following information. The information will assist the Division of Water Resources in their review and recommendation of this request for a Resubdivision Application.

1. Enclose a plat and description of the affected property.

2. Has a subdivision exemption on this parcel of land been granted since 1972? <u>NO</u>

3. Well Permit numbers on entire parcel:

4. If well permit numbers are not available, please provide the following for all wells:

Names of previous owners:	JAMES	HAMIL	
Dates wells were constructed:		Chief Pharm	SD prima economica de
Depths of wells:			

#### 5. Indicate existing use of water:

c. Location of wells.d. Location of dwellings.

Location of dwellings. (Show on Plat.)

6. Proposed water supply:

7. Explain how existing wells will be used after land is divided: <u>Supply</u> both <u>plats</u>

8. Intended use of new well(s):\_\_\_\_\_

9. Will new well be used by the applicant only or shared?

10. What aquifer will be used?

Depth of well:

Estimated cost:\_\_\_\_\_

11.	How much water will you need?				
12.	Water requirements for each of the proposed	lots:			
13.	Will more than one dwelling be allowed?	Y	or	N	Buollogg7
14.	Proposed area for lawn and garden for each le	ot: Square	e Feet	noomol7 seelig	ndib taking //
15.	Will horses or other livestock be allowed on a	new parcel	l? Y	or	N

DATED AT STERLING, COLORADO, this

day of

Signature of Landowner

le Signature of Applicant

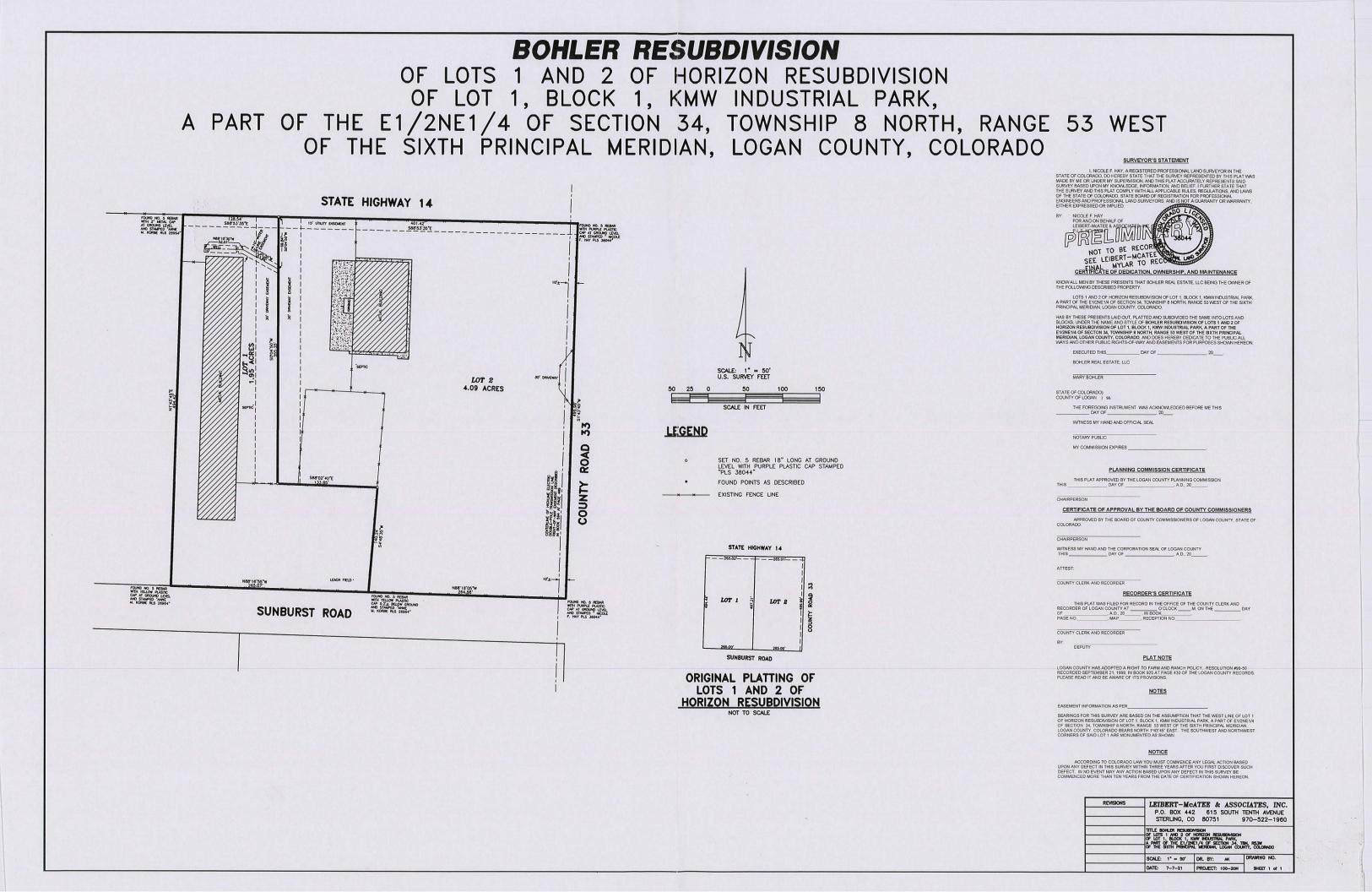
**Bohler Real Estate LLC** Resubdivide RSUB2022-1 May 2022 34-8-53

## FOR COUNTY USE

Application Fee: One Hundred Dollars (\$100.00)		
Recording Fee: Thirteen Dollars (\$13.00)		
Date of Planning Commission:		
Recommendation of Planning Commission:Approva	1Denial	
Recommended Conditions of Resubdivision:		
	Manth	May
	Chairperson, Plannir	ng Commission
COUNTY COMMISSIONERS ACTION:		
Conditions of Resubdivision:		
Date Granted:		
Date Denied:		-C
	Byron H. Pelton	(Aye) (Nay)
	Joseph A. McBride	(Aye) (Nay)
Bohler Real Estate LLC Resubdivide	Jane E. Bauder	(Aye) (Nay)

Resubdivide RSUB2022-1 May 2022 34-8-53

1 . .



#### AGREEMENT TO USE LOGAN COUNTY RIGHT OF WAY INDIVIDUAL PERMIT

WHEREAS, Applicant owns the following described premises, or has an easement on, over or through said premises, to-wit (legal description): South side of CR 50 and East side of CR 37 in Logan County; and

WHEREAS, Applicant desires to install and construct a Fiber optic line, which will be located (Circle One): along, bore under, or trench across <u>County Road 50 and County Road 37 in Logan County</u>, to benefit the above described premises; and

WHEREAS, the County is willing to allow such installation and construction by Applicant, but only upon the terms and covenants contained herein.

NOW, THEREFORE, in consideration of paying the County the sum of \$100.00 or \$200.00 and keeping of the terms and covenants contained herein, the parties agree as follows:

Applicant agrees to furnish the County in writing in advance of installation the exact location and dimensions of said installation and construction.

Buried installations must be at no less than 48 inches below the lowest level of any borrow ditch paralleling the County Road and an "Individual permit" must be submitted for each instance.

Applicant shall have the right to install and construct <u>conduit</u>, <u>hand holes and fiber optic cable</u>, described above, in the right of way of <u>CR 50 and CR 37</u>, but such installation and construction shall be done only in the following manner. All work within the county ROW shall be performed only during regular business hours of the Logan County Road & Bridge Department to enable supervision and inspection of the work.

All work authorized by this Agreement shall be completed no later than December 31, 2022.

It is understood that no paved or oil-surfaced road shall be cut and will be crossed by boring only. For other roads and crossings of County property after installation. Applicant shall restore the surface to the same condition as existed prior to such construction.

All cost and expense of installation, construction, maintenance, removal, or replacement is to be paid by the Applicant.

The traveling public must be protected during this installation with proper warning signs or signals both day and night. Warning signs and signals shall be installed by and at the expense of Applicant.

## Viaero Fiber Networks LLC Right of Way ROW2022-6 July 2022 Along County Road 50 & 37

	said <u>construction and installa</u> the County, or others, at any and indemnify the County	the County from any tion of fiber optic, whether ca time. Further, Applicant agre from and against all liabili posed against the County by a described improvement.	used by employees of es to protect, save and ty, loss, damages, p	or equipment of d hold harmless, ersonal injuries
	of said right-of-way interfer	the of way is granted by this in re with the County's use, or ocate the same upon demand o cation.	r intended use of sai	id right-of-way,
		ovenant running with the abov to, their heirs, successors, pers		
	Other Provisions:		<u></u>	
easem	Applicants in the process of ac ents containing signatures have wner signatures required below	e been obtained and are in han		
Owner	r #1	D 1 4 11		<b>G</b> '
Owner	r #2	Printed Name	The second s	Signature
Ron G Printer Signat	dual Right-of-Way Permit Appl hristensen, President Ingine ure ss: 1201 W Platte Ave	Printed Name licant:  	Foo Daid	Signature

Signed at Sterling, Colorado the day and year first above written.

#### THE BOARD OF COUNTY COMMISSIONERS LOGAN COUNTY, COLORADO

Jane E. Bauder

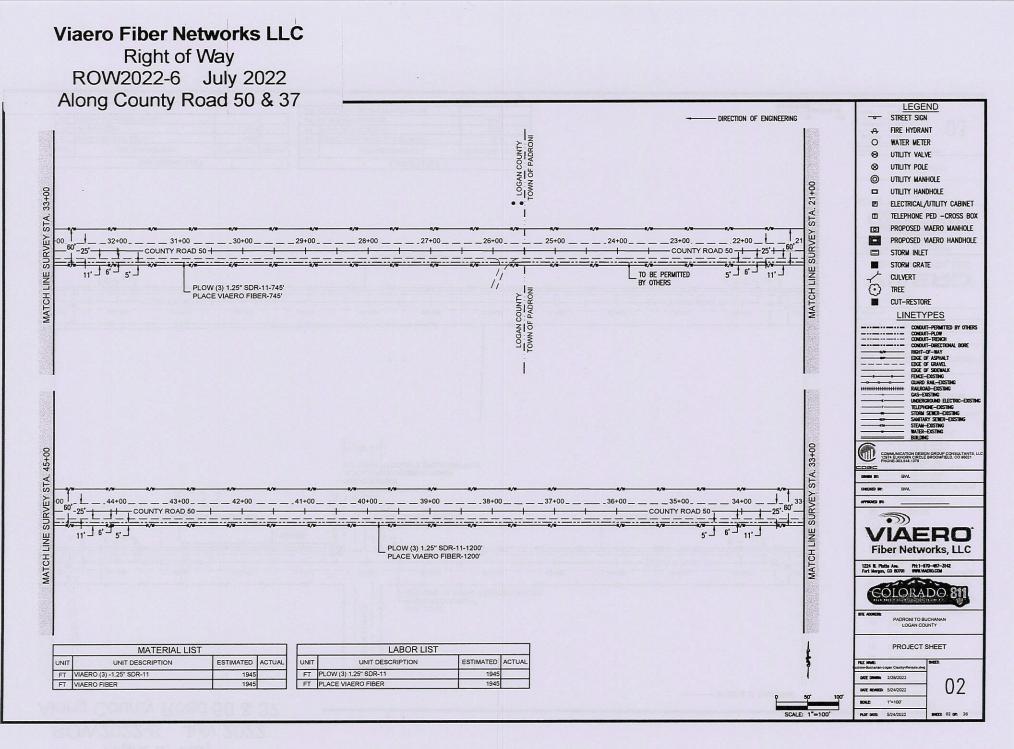
Byron H. Pelton	(Aye) (Nay)
Joseph A. McBride	(Aye) (Nay)

(Aye) (Nay)

Viaero Fiber Networks LLC Right of Way ROW2022-6 July 2022 Along County Road 50 & 37

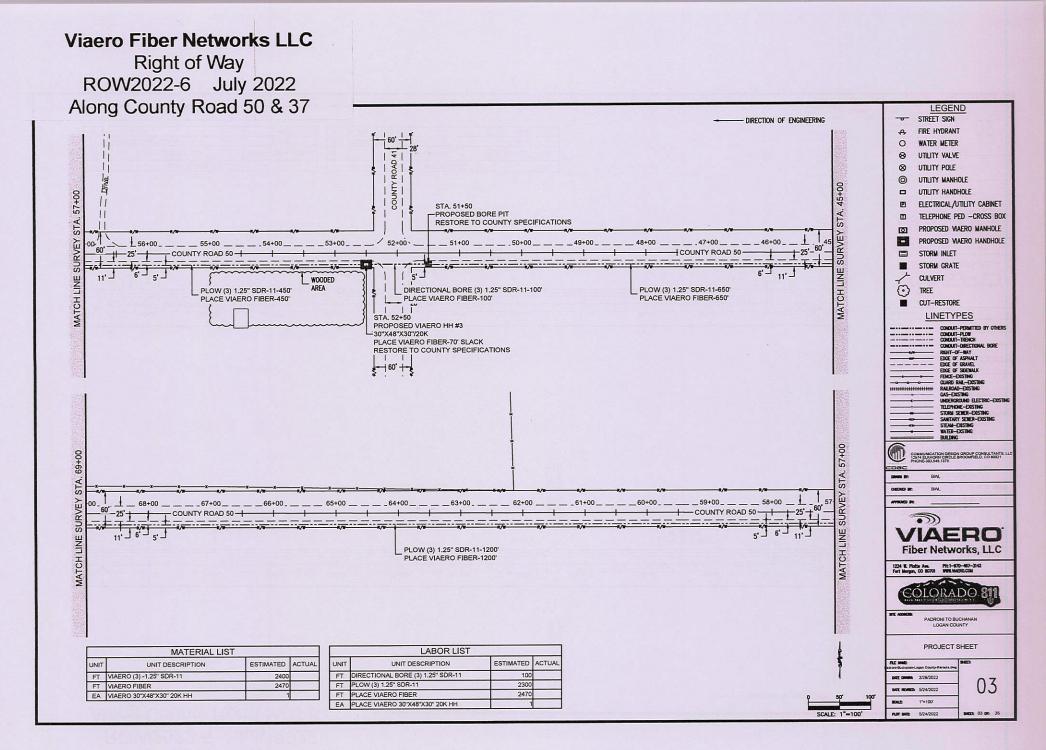
Right of Way ROW2022-6 July 2022 Along County Road 50 & 37

#### LEGEND VIAERO FIBER NETWORKS, LLC CONSTRUCTION PLANS STREET SIGN FIRE HYDRANT A PADRONI TO BUCHANAN WATER METER 0 0 UTILITY VALVE LOGAN COUNTY CONSTRUCTION NOTES: UTILITY POLE 8 1. CONTRACTOR MUST HAVE A COPY OF THE APPROVED PERMIT 0 UTILITY MANHOLE WORK PLAN INDEX FROM THE APPROPRIATE AGENCIES ON THE JOBSITE AT ALL UTILITY HANDHOLE \* TIMES SHEET DRAWING NAME ELECTRICAL/UTILITY CABINET ALL WORK IS TO BE IN ACCORDANCE WITH ALL AUTHORITIES P 2 01 COMER SHEET PROJECT HAVING JURISDICTION IN THE WORK ZONE. TELEPHONE PED -CROSS BOX 02-23 PROJECT SHEET m CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS, 3. 24-25 PROJECT NOTES QUANTITIES, AND EXISTING CONDITIONS PRIOR TO STARTING PROPOSED VIAERO MANHOLE 101 25 PROJECT DETAILS CONSTRUCTION. PROPOSED VIAERO HANDHOLE VIAERO CONTRACTOR MUST OBTAIN LOCATES AND POTHOLE ALL TOWER UTILITIES ALONG THE PLANNED RUNNING LINE PRIOR TO STORM INLET CONSTRUCTION. STORM GRATE THE UTILITY SIZE AND EXACT LOCATION CROSSING THE 5. PROPOSED RUNNING LINE SHALL BE DETERMINED DURING THE CULVERT POTHOLE PROCESS AND NOTED ON THE CONSTRUCTION $\odot$ TREE DRAWINGS CONTRACTOR IS RESPONSIBLE FOR DETERMINING LOCATION CUT-RESTORE 6. AND AVOIDING ALL CONFLICTS WITH EXISTING UTILITIES. LINETYPES ALL CABLE IS TO BE PLACED AT THE VIAERO STANDARD MINIMUM DEPTH OF 48" CONDUIT-PERMITTED BY OTHERS -ANY DISTURBED LANDSCAPING IS TO BE REPLACED TO EQUAL 8 CONDUIT-PLOW CONDUIT-TRENCH Sol 1 PROJECT OR BETTER THAN THAT WHICH EXISTED PRIOR TO WORK. CONNUT\_DIRECTIONA ALL WORK IS TO BE PROPERLY BACKFILLED PRIOR TO END OF 9. LINDO RICHT-OF-WAY WORKDAY, NO OPEN TRENCHES ARE ALLOWED OVERNIGHT. EDGE OF ASPHALT 10. NO CONSTRUCTION ON PRIVATE PROPERTY IS TO COMMENCE 113 -----FDGE OF GRAVEL PROJECT BEGIN EDGE OF SIDEWALK FENCE-EXISTING UNTIL EASEMENT IS GRANTED IN WRITING BY VIAERO. 11. IN AREAS WHERE PROPOSED WORK IS IN CLOSE PROXIMITY TO GUARD RAIL-EXISTING EXISTING RIGHTS-OF-WAYS AND/OR PROPERTY LINES, 113 STR. 70 CAS-EQISTING UNDERGROUND ELECTRIC-EDISTING CONTRACTOR IS RESPONSIBLE FOR LOCATING SAID LINES AND AVOIDING ENCROACHMENT ONTO UNAUTHORIZED PROPERTY. -12. THESE PLANS ARE PRESENTED IN A PERFORMANCE STORM SEWER-EXISTING SIGNAL SENER-EASING SANITARY SENER-EASING STEAM-EASING WATER-EXSTING COUNTY ROAD 50 SPECIFICATION FORMAT. BIDDING CONTRACTORS ARE ADVISED T TO CONTACT VIAERO FIBER NETWORKS, LLC FOR ANY ADDITIONAL INFORMATION OR CLARIFICATION CONCERNING BUILDING SCOPE OF WORK OR THE REQUIREMENTS NECESSARY FOR 113 Vicinity Map PROJECT COMPLETION. COMMUNICATION DESIGN GROUP CONSULTANTS, 12974 ELKHORN CIRCLE BROOMFIELD, CO 80021 DHONE 303 544 1379 13. CONTRACTORS ARE ADVISED TO CONTACT VIAERO FIBER NOT TO SCALE NETWORKS, LLC FOR ANY ADDITIONAL INFORMATION OR CLARIFICATION CONCERNING SCOPE OF WORK OR THE BW ----REQUIREMENTS NECESSARY FOR PROJECT COMPLETION. BWL CHECKED IN Project Map NOT TO SCALE 5 CONTACT INFORMATION: MATERIAL LIST LABOR LIST VIAERO VIAERO FIBER NETWORKS, LLC ESTIMATED ACTUAL UNIT UNIT DESCRIPTION ESTIMATED ACTUAL UNIT UNIT DESCRIPTION RON CHRISTENSEN PH: 970-467-3142 Fiber Networks, LLC FT VIAERO (3) -1.25" SDR-11 FT DIRECTIONAL BORE (3) 1.25" SDR-11 4960 51055 FT PLOW (3) 1.25" SDR-11 45535 1224 E. Plotta Ave. PH: 1-970-467-3142. Fart Manage. CO 80701 WWW.WAERO.COM FT VIAERO FIBER 52305 PH: 303-548-1379 FT TRENCH (3) 1.25" SDR-11 560 EA VIAERO 30"X48"X24"/20K HH EA VIAERO 30"X48"X36"/20K SP HH FT PLACE VIAERO FIBER 52305 GENERAL NOTES: ÓLORADO 81 PLACE VIAERO 30"X48"X24"/20K HH EA RUNNING LINE PLAN COLOR INDICATES: EA VIAERO 30"X48"X36"/20K SP HH VICINITY MAP: BLACK = FOR ROUTE ONLY PLAN SHEETS' RED = DIRECTIONAL BORE PADRONI TO BUCHANAN PLAN SHEETS: GREEN = PLOW LOGAN COUNTY PLAN SHEETS: ORANGE = TRENCH COVER SHEET PROJECT APPROVAL SIGN-OFFS: SCOPE OF WORK: THIS PROJECT IS PROPOSED TO CONSTRUCT CONDUITS UNDERGROUND WITHIN LOGAN COUNTY. FILE NAME LOGAN COUNTY STARTING AT THE PADRONI COUNTY LINE ON COUNTY ROAD 50 HEAD WEST TO COUNTY ROAD 37 THEN DATE DATE DAMES 2/28/2022 NORTH THE THE VIAERO TOWER. PLEASE REFERENCE PROJECT MAP THIS SHEET FOR CLARITY. THIS 0 VIAERO FIBER NETWORKS, LLC PROPOSED PROJECT IS APPROXIMATELY 51055' IN LENGTH. DATE SCALE -

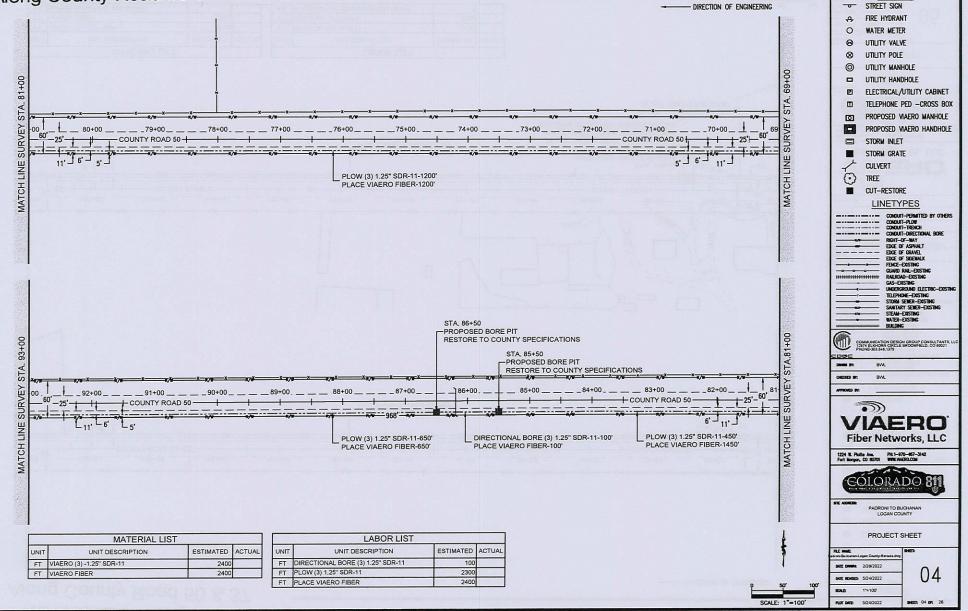


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Virgens Filmer Mailworks LLC



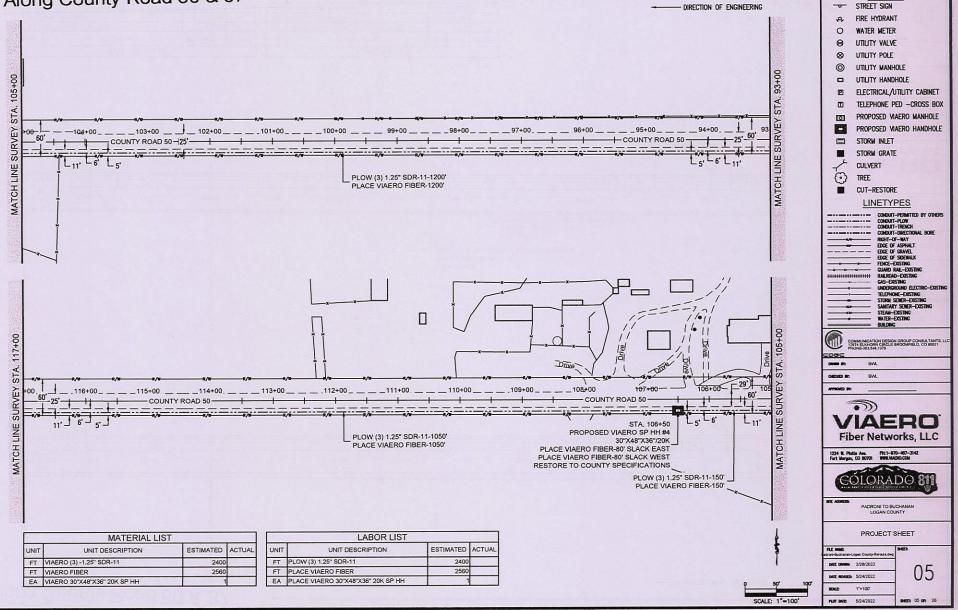
Right of Way ROW2022-6 July 2022 Along County Road 50 & 37



LEGEND

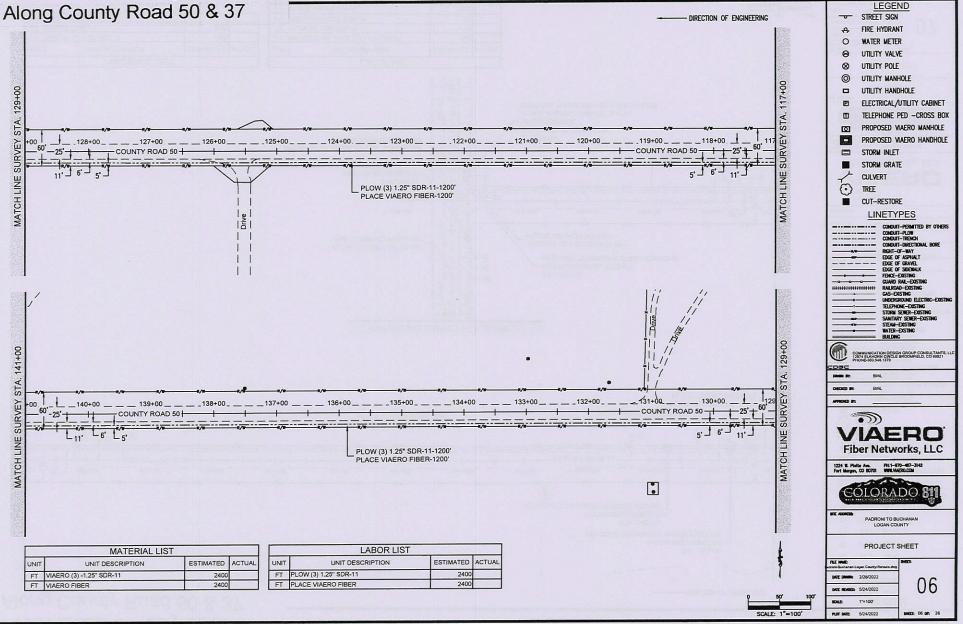
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Right of Way ROW2022-6 July 2022 Along County Road 50 & 37



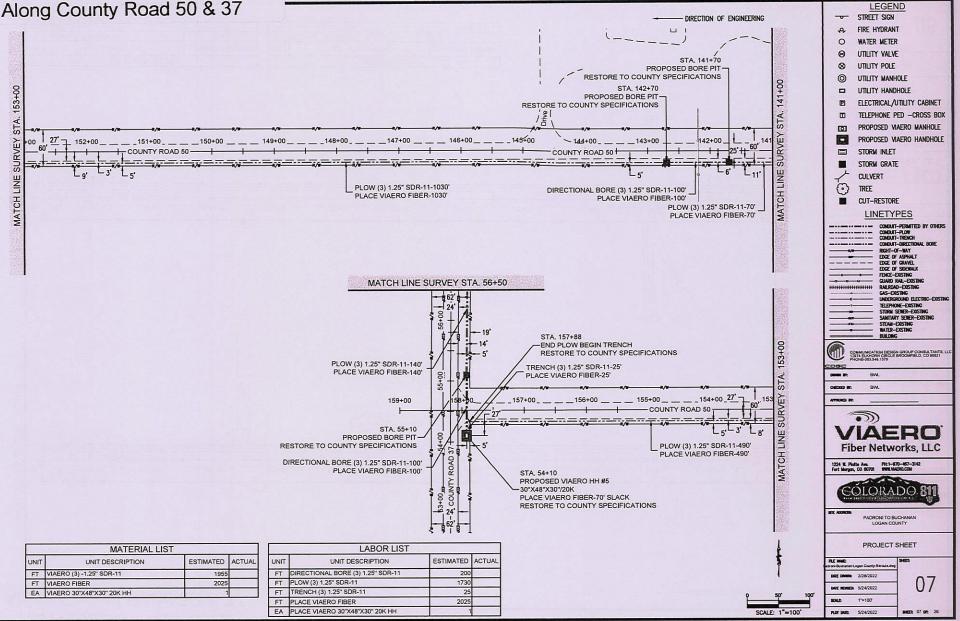
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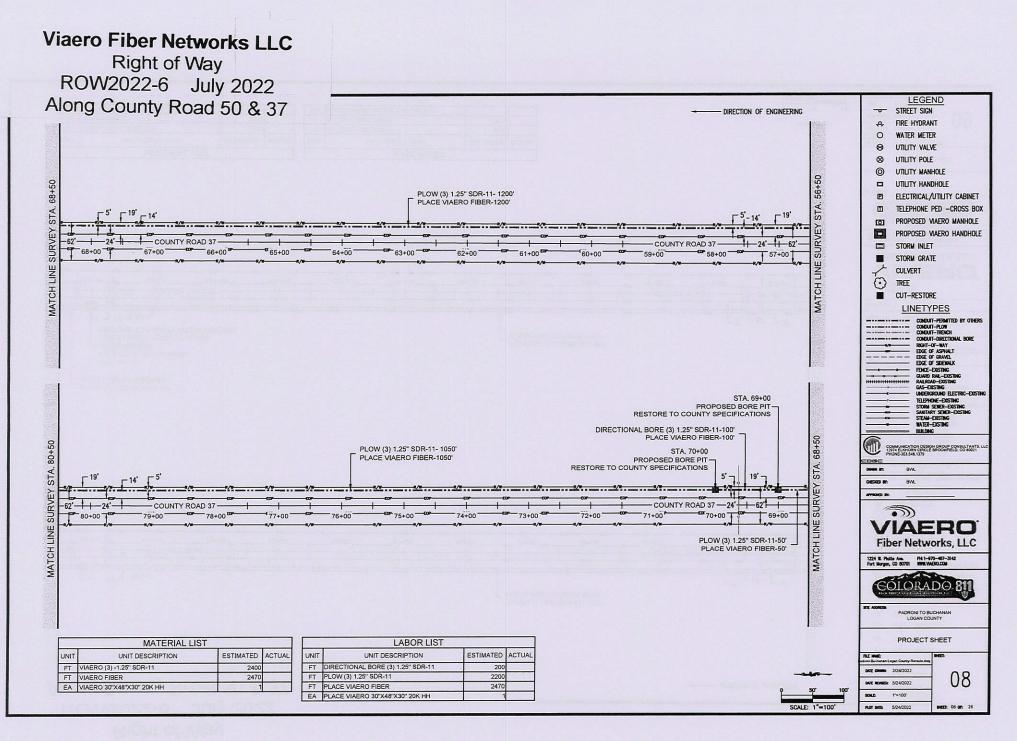
Right of Way ROW2022-6 July 2022 Along County Road 50 & 37



Algero Fiber Networks LLC

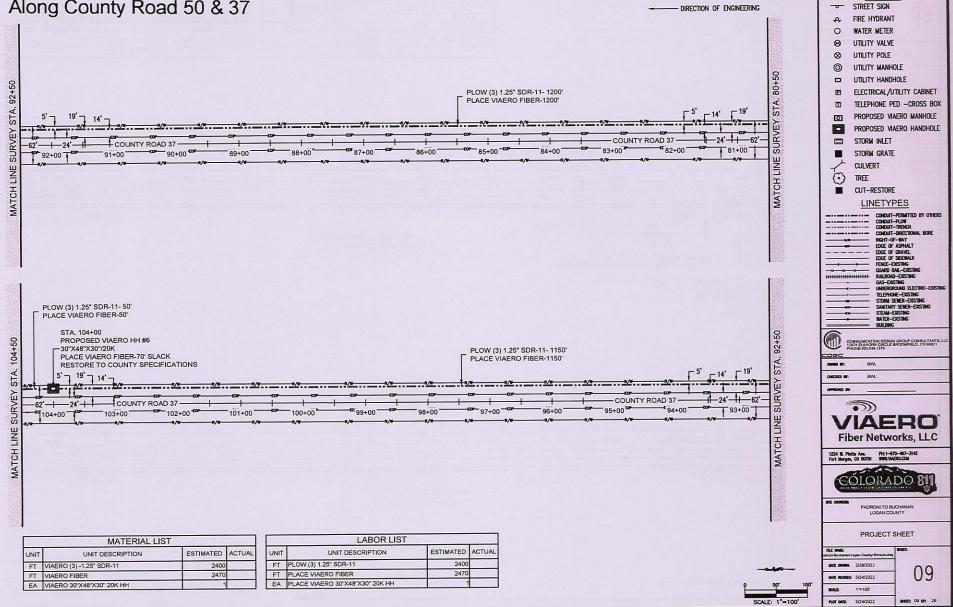
Right of Way ROW2022-6 July 2022 Along County Road 50 & 37



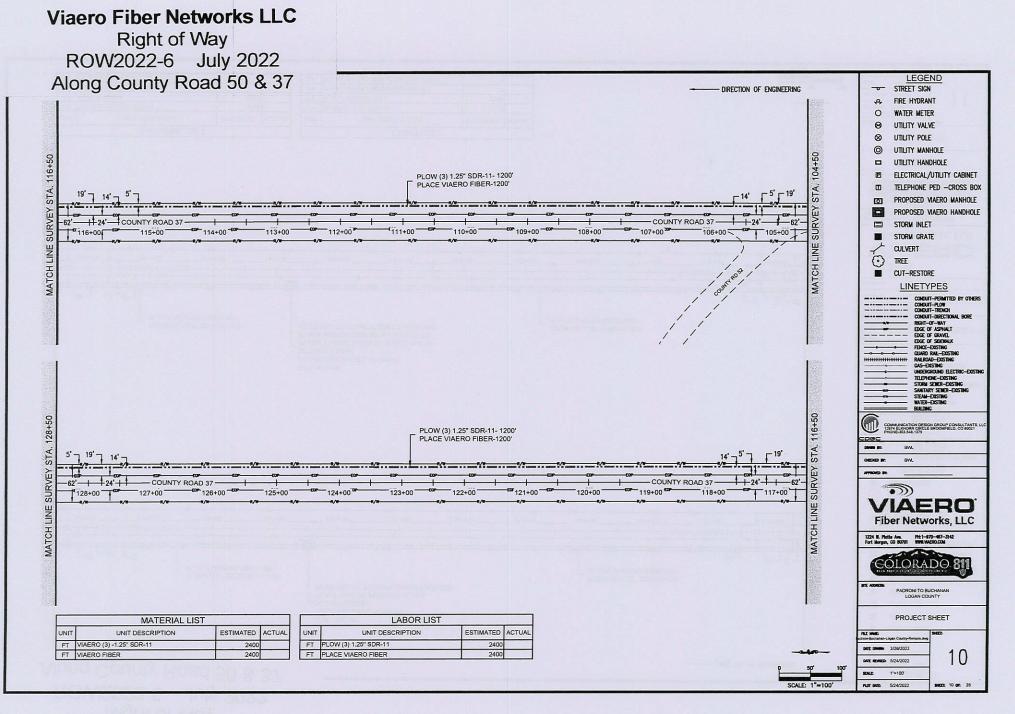


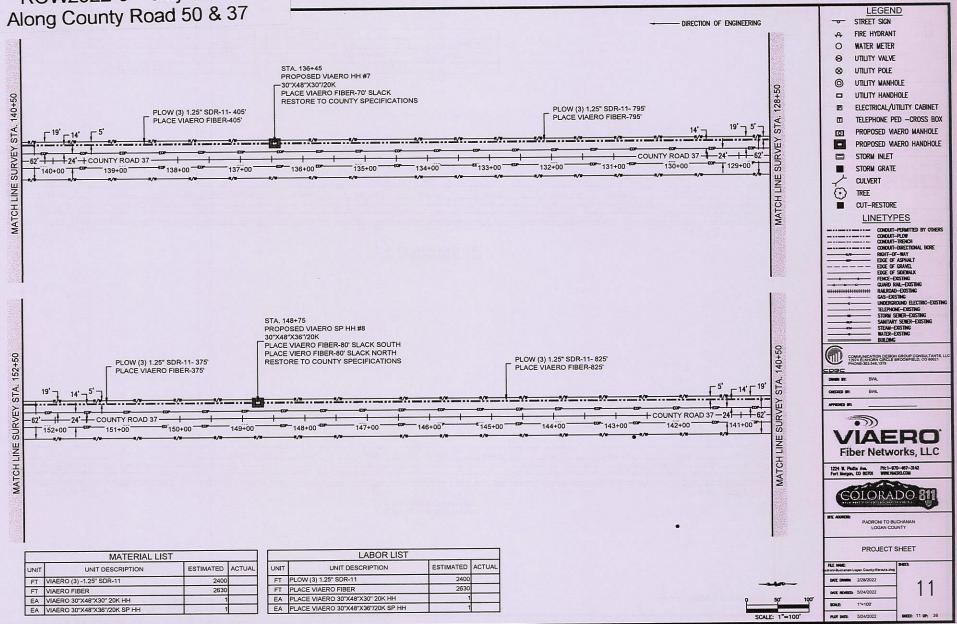
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Right of Way ROW2022-6 July 2022 Along County Road 50 & 37

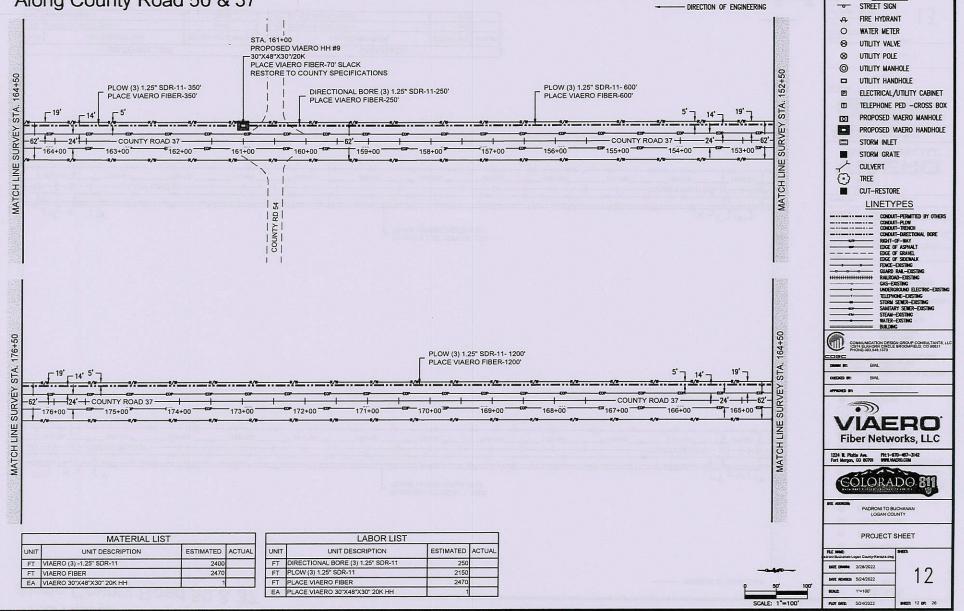


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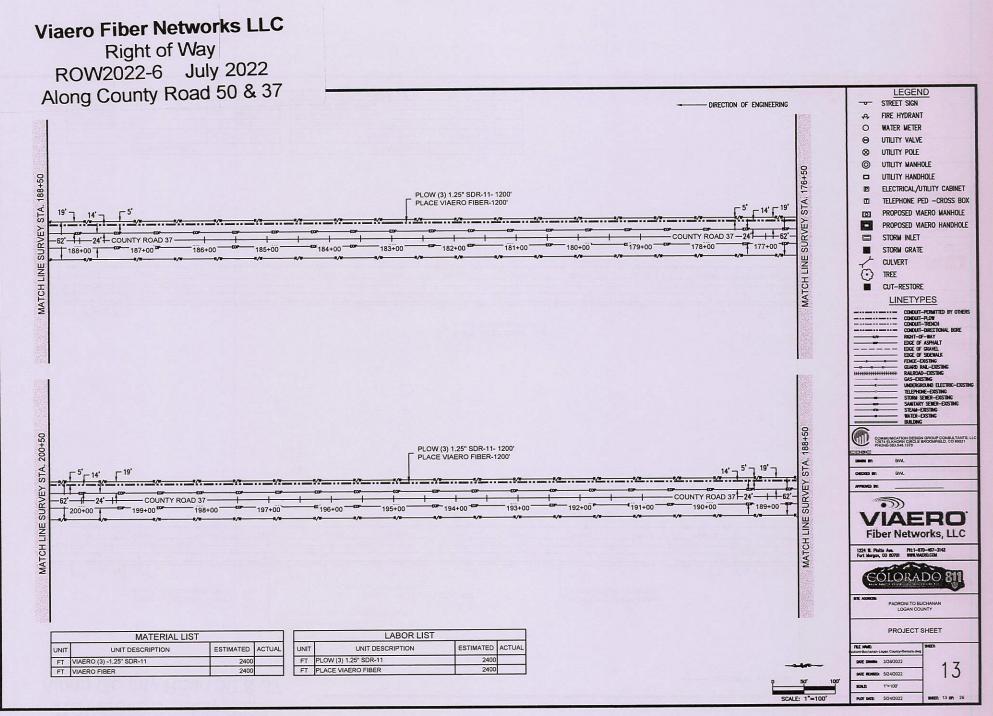
Right of Way ROW2022-6 July 2022 Along County Road 50 & 37

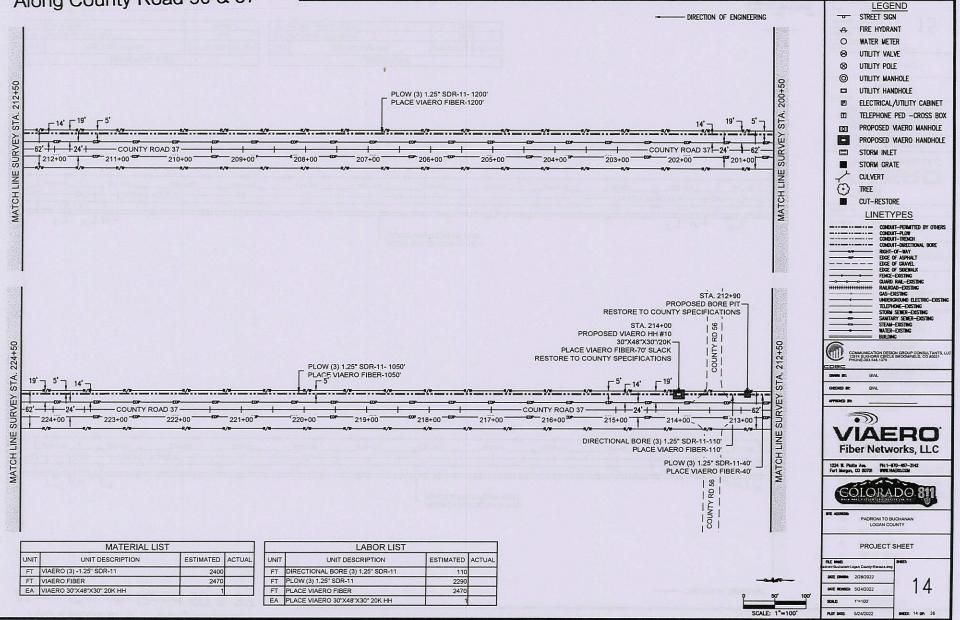


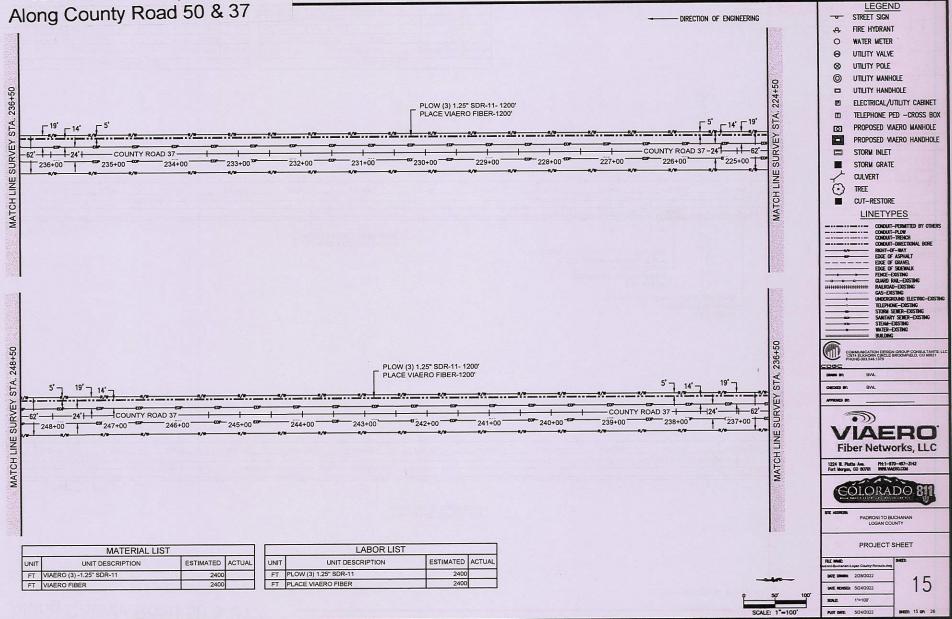
LEGEND

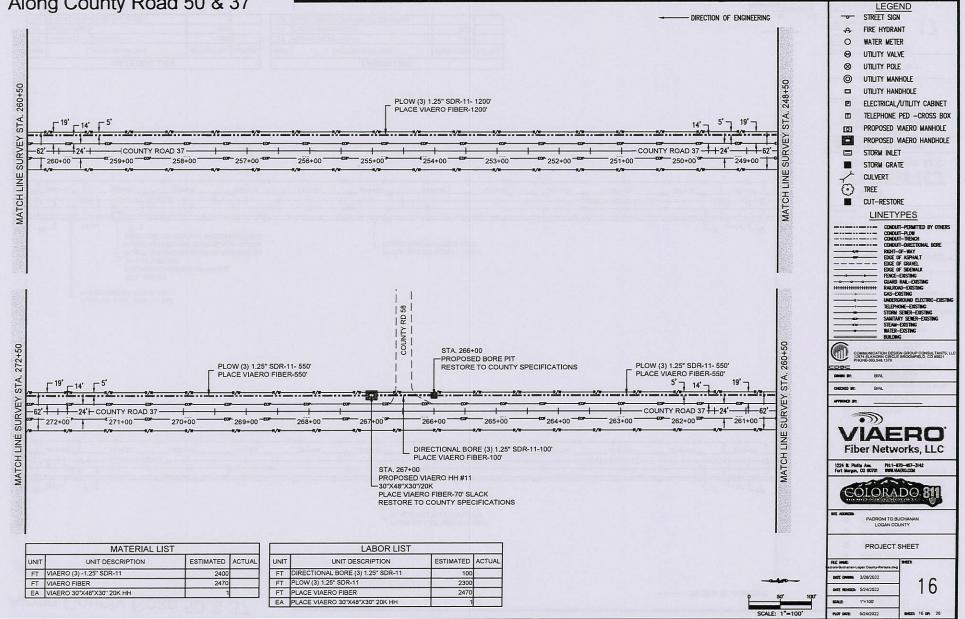
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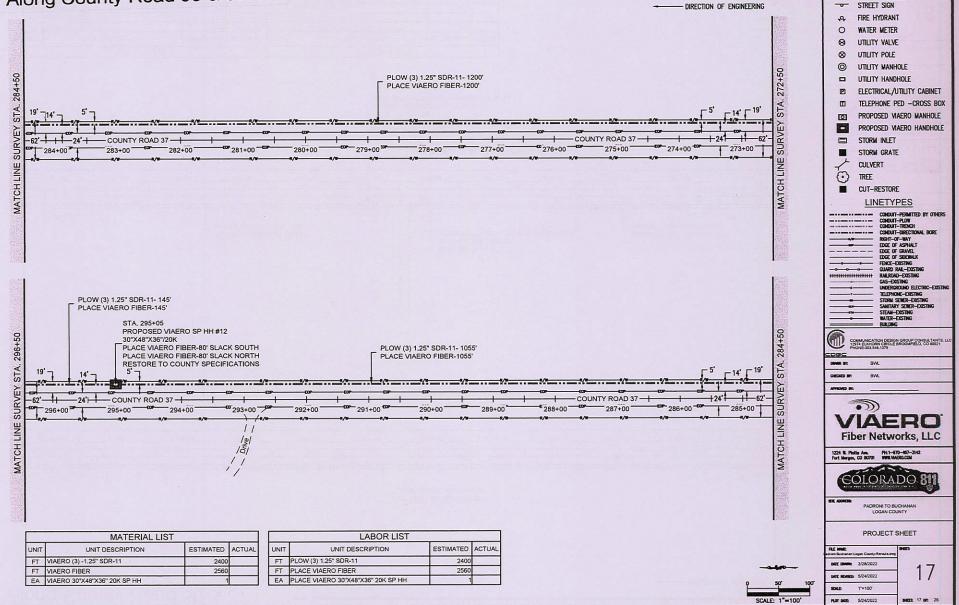








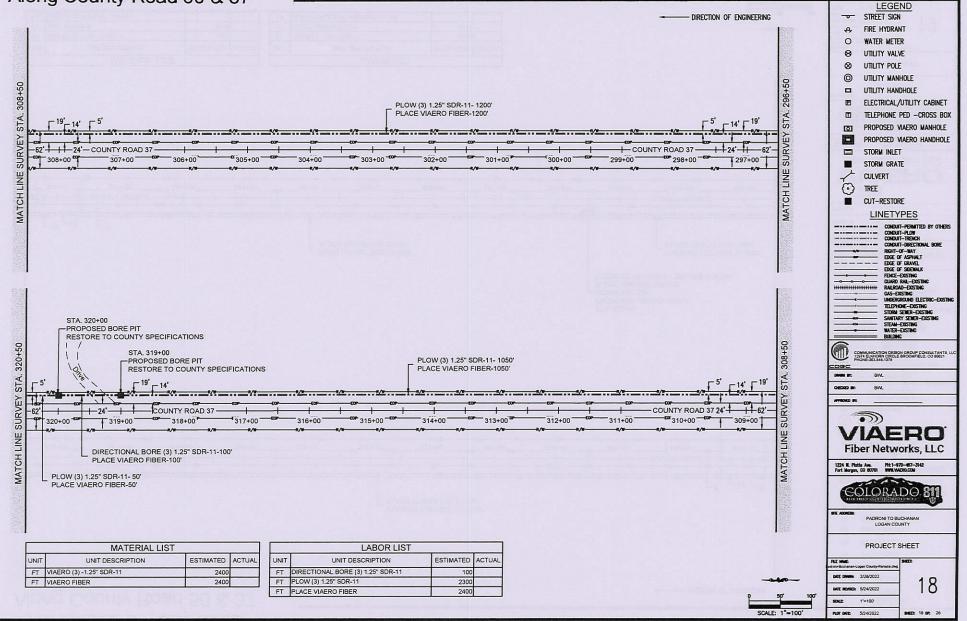
Right of Way ROW2022-6 July 2022 Along County Road 50 & 37



LEGEND

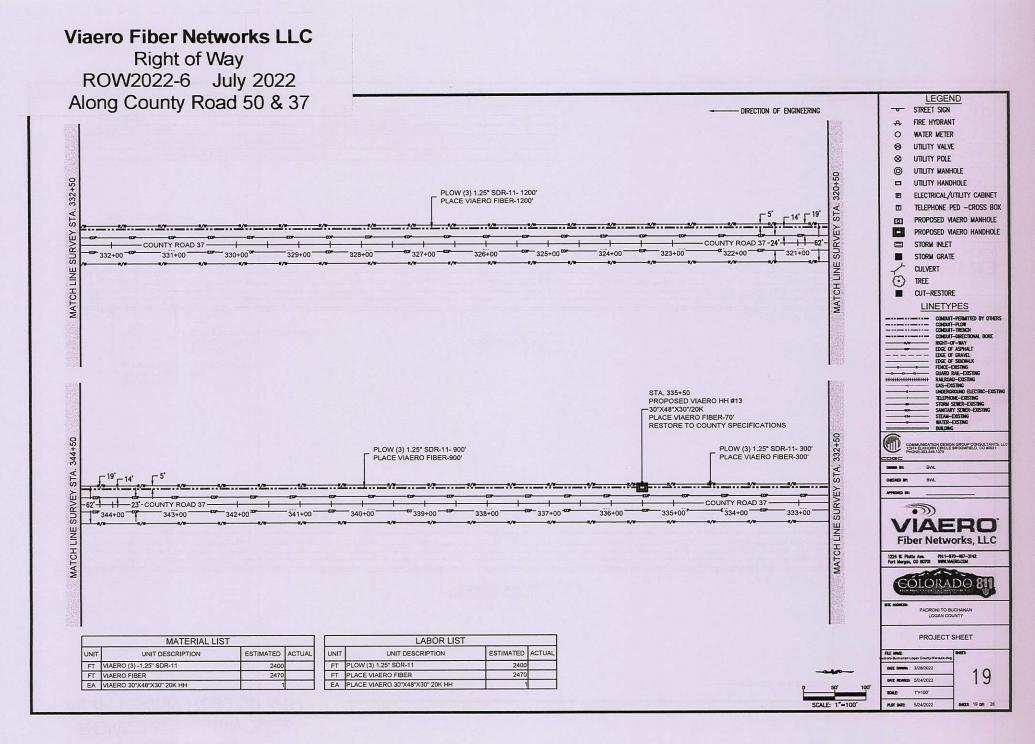
Markey Edges Astronys LLC

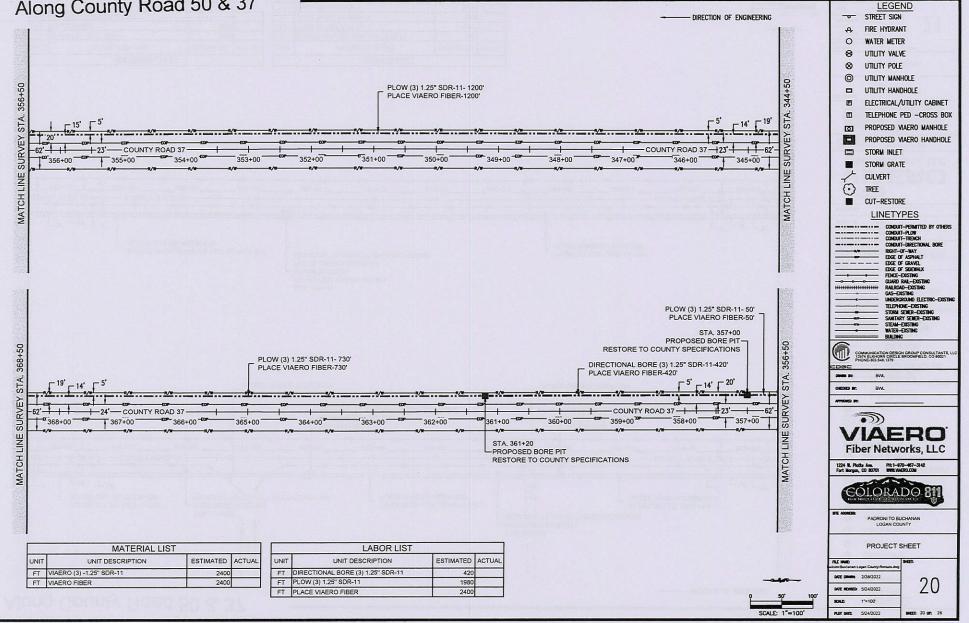
Right of Way ROW2022-6 July 2022 Along County Road 50 & 37

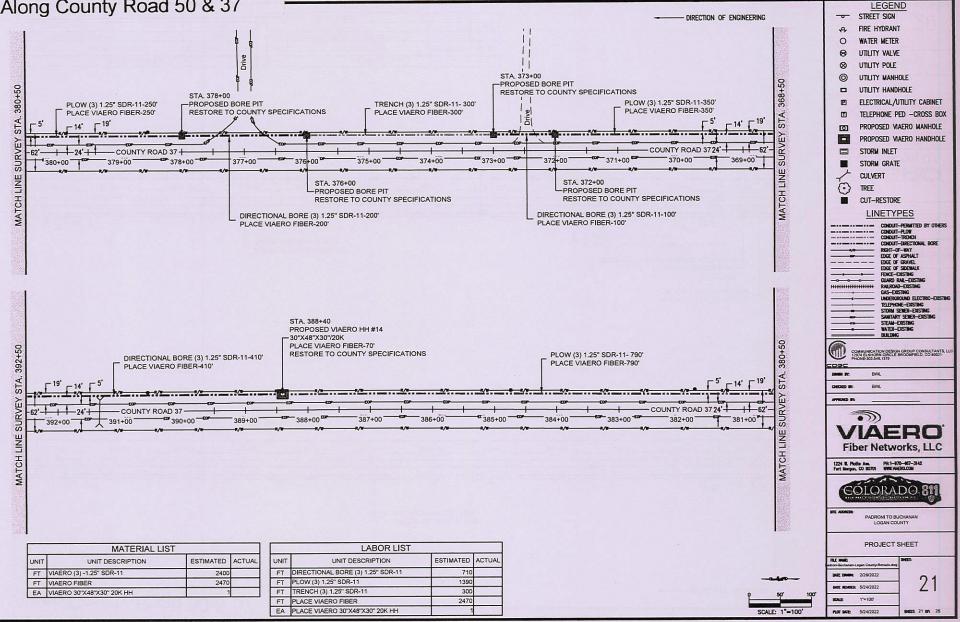


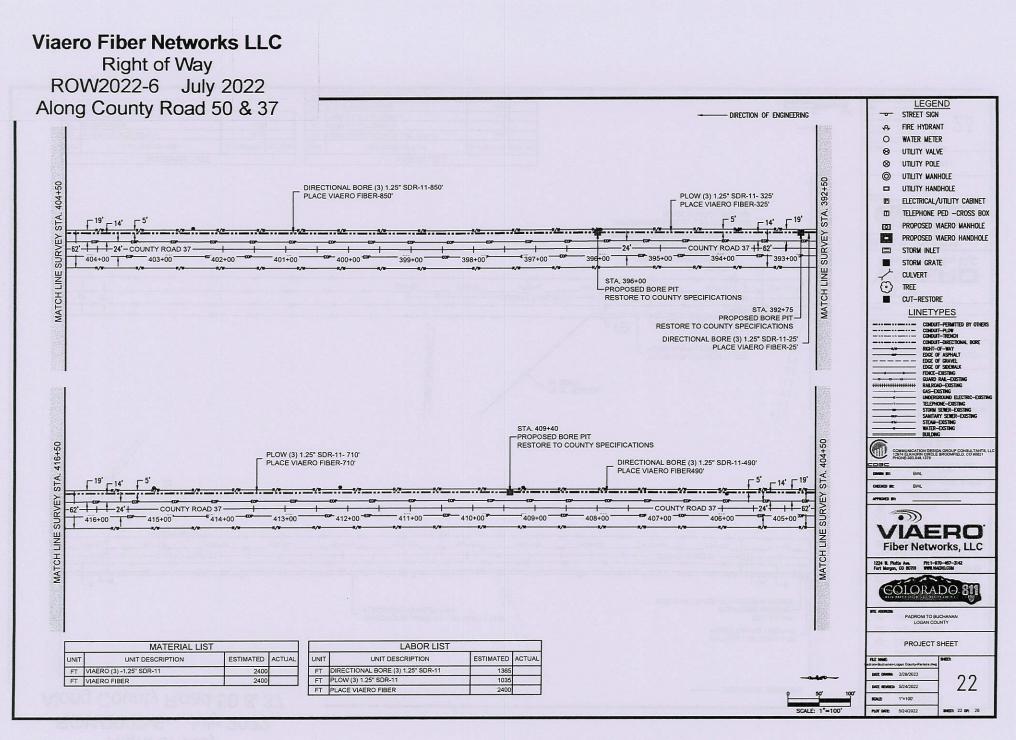
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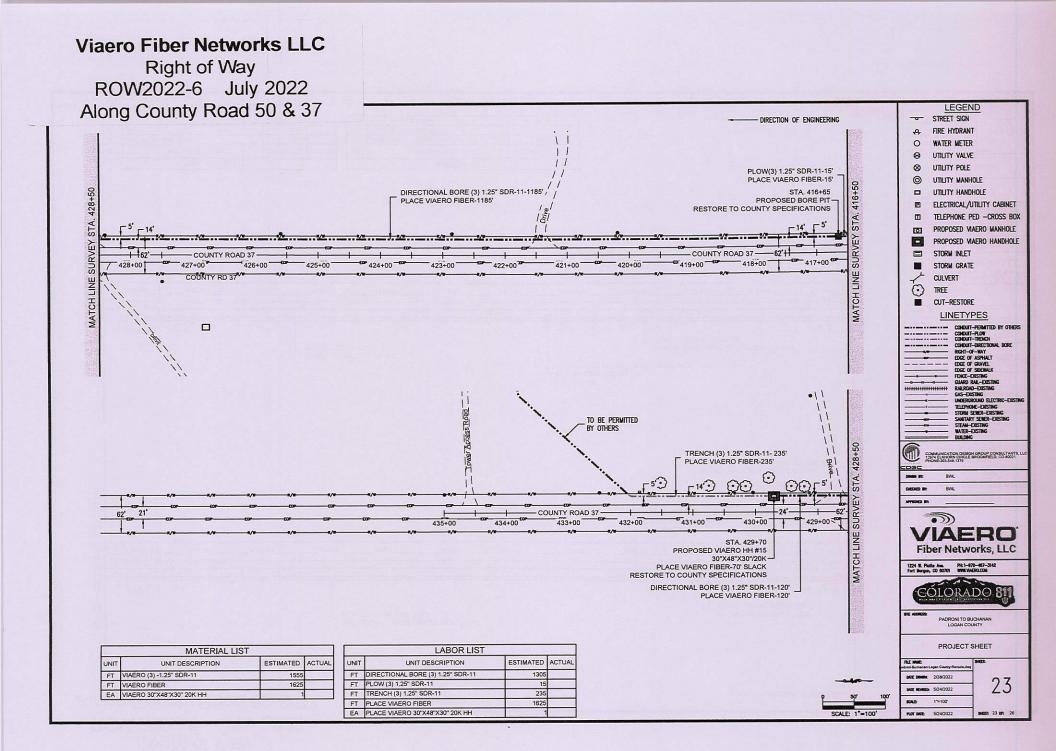
Fiber Manager 11 C











### Viaero Fiber Networks LLC Right of Way ROW2022-6 July 2022 Along County Road 50 & 37

All work shall be performed in accordance with the Design and Construction Standards of Logan County and shall be completed to the satisfaction of the County Engineer. In the event that a design element does not reflect County specifications the matter must immediately be brought to the attention of the Viaero Fiber Networks LLC and the County Engineer. The design engineer shall be responsible for recommending a solution or alternative solutions to the County for review and approval.

(A) The approval of an engineering construction drawing does not relieve the owner-developer-contractor of the responsibility of constructing workable public improvements. All revisions and/or corrections required will be solely the owner's-developer's-contractor's responsibility, and at their expense.

(B) These plans have been checked by the County only for conformance with the Design and Construction Standards, compliance with development agreement conditions and for general conceptual approval of public improvements as shown. No detailed mathematical check was made for the accuracy of existing or proposed dimensions, lines or grades shown, including all existing utilities shown or not shown.

(C)Utility locations shown reflect available record data. The contractor shall take precautionary measures to protect all utility lines shown and other utility lines otherwise located. The contractor shall notify the County Utilities Division and private utility companies 24 hours prior to beginning construction.

(D)Before work begins, the contractor shall obtain a permit to work in the right-of-way from County Engineering Support Services and must notify the County right-of-way inspection staff 24 hours in advance of commencing construction activities.

(E) The owner-developer shall provide the contractor with a complete and updated set of engineering construction drawings. These drawings, and any required permits, shall be at the site at all times and shall be make available to County staff upon request. If no plans appear on the project site, construction activities may be halted at the discretion of the County Engineer, or a designated representative.

(F) The contractor agrees to comply with the provisions of the ATSSA Guide for Work Area Traffic Control and the Manual of Uniform Traffic Control Devices for construction signage.

(G)All surplus materials, tools, and the temporary structures, furnished by the contractor, shall be removed from the project site by the contractor. All debris and rubbish caused by the operations of the contractor shall be removed, and the area occupied during construction activities shall be restored to its original condition, within 72 hours of project completion, unless otherwise directed by the County Engineer.

#### TELECOMMUNICATION FACILITY STANDARDS

(H) The following standards shall apply to all telecommunication related facilities constructed within the County's right-of-way including local telephone, long distance telephone, cable TV, and other telecommunication services franchised or otherwise permitted by the County. All telecommunications facilities constructed in the County's right-of-way shall be underground unless otherwise permitted by the County Engineer.

#### GENERAL

(I) All telecommunications facilities construction shall conform to the req-uirements of the following standards:

(1) American National Standards Institute, Inc. (ANSI), Electronic Industries Association (EIA), and Telecommunications Institute of America (TIA) Standards: EIA/TIA Standards Proposal No. 2840-A, Proposed Revision of EIA/TIA-568 (if approved to be published as EIA/TIA-568-A), EIA/TIA-569 Commercial Building Standard for Telecommunications Pathways and Spaces, and TIA/EIA-607 Commercial Building Grounding and Bonding Requirements for Telecommunications.

(2) 1993 National Electrical Safety Code (NESC) C2-1993, published by the Institute of Electrical and Electronics Engineers (IEEE), Inc.

(3) National Electrical Code (NEC), published by the National Fire Association (NFPA).

(4) Federal Communications Commission

(5) Nebraska Public Service Commission

(6) Williams-Steiger Occupational Safety and Health Act (OSHA)

(7) detailed 1 inch = 100 feet scale engineering drawings presenting the specific conduit routing and associated Hand-hole locations and specifications, shall be submitted to the County Engineer's office for review and approval. Underground Cable Protection

(8) All buried telecommunications cable, shall be installed in conduit, SDR/11 or equivalent

Depth of Cover

A. The minimum depth of cover over the conduit shall be 48 inches. Trench Specifications -Roadway and Other Paved Surfaces

B. All trenches shall be open cut unless otherwise permitted by the County.

C. Trenches shall have a minimum width of 6 inches.

D. Trench backfill shall be flowable fill specified as a 0.6 sack mix in these standards

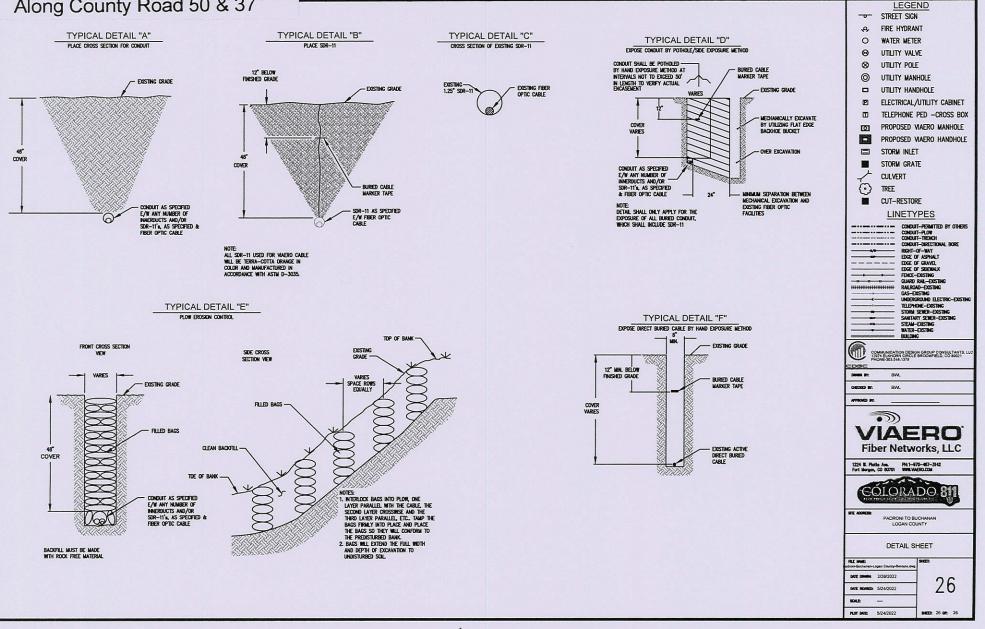
LEGEND ----STREET SIGN A FIRE HYDRANT 0 WATER METER UTILITY VALVE 8 0 UTILITY POLE UTILITY MANHOLE 0 UTILITY HANDHOLE ELECTRICAL/UTILITY CABINET P TELEPHONE PED -CROSS BOX m PROPOSED VIAERO MANHOLE 101 PROPOSED MAERO HANDHOLE STORM INLET STORM GRATE CUL VERT 0 TRFF CUT-RESTORE LINETYPES CONDUCT-PERMITTED BY OTHERS CONDUCT-PERMITTED CONDUCT-PLOW CONDUCT-TRENCH CONDUCT-DIRECTIONA RIGHT-OF-WAY FICE OF ASPHALT EDGE OF GRAVEL EDGE OF SIDEWALK FENCE-EXISTING GUARD RAIL-EXISTING RAILROAD-EXISTING GAS-EXISTING UNDERGROUND ELECTRIC-EXISTING TELEPHONE-EXISTING STORM SENER-EXISTING SANITARY SEVER-EXISTING STEAM-FOSTING WATER-EXSTING 60 COMMUNICATION DESIGN GROUP CONSULTANTS, 12974 ELKHORN CIRCLE BROOMFIELD, CO 80021 PHONE 303 514 1375 DBC -BW ----BM -5 VIAEBO Fiber Networks, LLC 1224 W. Platte Ave. PH: 1-970-457-3142 OLORADO PADRONI TO BUCHANA LOGAN COUNTY NOTE SHEET FILE MANE DATE DRAMMA 2/28/2022 24 

SOLE -

PLOT DATE 5/24/2022

INCE: 24 OF: 26

۷	iaero Fiber Networks LLC				
	Right of Way				
	ROW2022-6 July 2022		- Constant		
A	long County Road 50 & 37	DDO ISOT NOTEO	-0-	LEGEN STREET SIGN	
	Vertical and horizontal separations between telecommunications facilities and other facilities shall be r	PROJECT NOTES	\$	FIRE HYDRAN	
E	Vertical and horizontal separations between telecommunications facilities and other facilities shall be r telecommunications facilities shall be separated from conduit systems for power supply systems by:	namaineo as requireo by the NEOC Section 32 onnerground Conduit Systems. Conduit systems for	0	WATER METER	
1)	3 inches of concrete		8	UTILITY VALV	
2)	4 inches of masonry		0	UTILITY MANH	
					DHOLE TUTILITY CABINET
3)	12 inches of well-tamped earth Warning Tape			Contractive States	PED -CROSS BOX
A)	detectable orange colored cable warning tape shall be placed 12 to 18 inches above, the conduit in the	a trench.	Ø		MAERO MANHOLE
	Hand-Ho	les		PROPOSED V STORM INLET	TAERO HANDHOLE
1	All cavities required for cable pulling purpose shall be constructed as load bearing Hand-holes.			STORM GRAT	
2	Hand-holes shall be placed at a maximum spacing of 4200 feet in rural areas as specified by Viaero F Hand-Holes shall be installed at each street intersection when future growth is anticipated.	iber Networks LLC. In no case shall conduit bend radius exceed 180 degrees between Hand-holes.	6	CULVERT TREE CUT-RESTOR	
3	Handholes shall be 30"x48"x24"/20K or 30"x48"x36" precast composite concrete and shall be placed	Within 5' of the Logan County Right-of-Way.		LINETY	
A)	Parallel separations are required to satisfy standards for utility trenching excavations and to provide fo irrigation ditches, shall meet the following conditions:	r adequate maintenance operations. All crossings of natural and improved drainage ways, and		CONDUCT	IT-TRENCH IT-DIRECTIONAL BORE
B)	Telecommunications conduit shall be placed a minimum 48 inches below the invert of the drainage wa system or contained within a culvert.	y or ditch. This minimum depth of cover shall apply whether or not the drainage way is an open		EDGE 0	OF-WAY XF ASPHALT XF GRAVEL XF SIDEWALK -DISTING
C)	The telecommunications conduit shall consist of SDR/11 When the drainage way or ditch is an open s	ystem, contractor shall bore said drainage way or ditch at a 6' depth below the bottom of said		GUARD	RAIL-EXISTING AD-EXISTING
	drainage way or ditch and shall extend a minimum horizontal distance of 10 feet beyond each side of	the drainage way, measured from top of bank to top of bank.		UNDERG	GROUND ELECTRIC-EXISTING IONE-EXISTING SEMER-EXISTING
				SANITAR STEAN-	RY SEWER-EXISTING -Existing
				WATER-BUILDIN	-DISTING
			CDSC	COMMUNICATION DESIG 12974 ELKHORN CIRCLE PHONE-303.546,1379	GN GROUP CONSULTANTS, LL E BROOMFIELD, CO 80021
			APPROVED I		
				5	
					RO
			Autor Contract		orks, LLC
			1224 W. F Fort Morg	Platte Ave. PH: 1-9 an, CO 80701 WIRLW	170-467-3142 Aero.com
				ÓLORA	- A
			STE ACONCH	PADRONI TO BI LOGAN CO	UCHANAN JUNTY
				NOTE SH	
			FLE MME	an-Logan County-Rerouts.dwg	9 SHEL
				<ul> <li>2/28/2022</li> <li>5/24/2022</li> </ul>	25
			SONE	-	
			PLOT DATE	5/24/2022	SHOOT: 25 GPt 26



#### AGREEMENT TO USE LOGAN COUNTY RIGHT OF WAY INDIVIDUAL PERMIT

WHEREAS, Applicant owns the following described premises, or has an easement on, over or through said premises, to-wit (legal description): West side of CR 43 in Logan County, Railroad Avc and McKinley St in Town of Padroni; and

WHEREAS, Applicant desires to install and construct a Fiber optic line, which will be located (Circle One): along, bore under, or trench across <u>County Road 43 in Logan County</u>, Railroad Ave and <u>McKinley</u> <u>St in Town of Padroni</u>, to benefit the above described premises; and

WHEREAS, the County is willing to allow such installation and construction by Applicant, but only upon the terms and covenants contained herein.

NOW, THEREFORE, in consideration of paying the County the sum of \$100.00 or \$200.00 and keeping of the terms and covenants contained herein, the parties agree as follows:

Applicant agrees to furnish the County in writing in advance of installation the exact location and dimensions of said installation and construction.

Buried installations must be at no less than 48 inches below the lowest level of any borrow ditch paralleling the County Road and an "Individual permit" must be submitted for each instance.

Applicant shall have the right to install and construct <u>conduit</u>, <u>hand holes and fiber optic cable</u>, described above, in the right of way of <u>CR 43</u>, <u>Railroad Ave</u>, <u>McKinley St</u>, but such installation and construction shall be done only in the following manner. All work within the county ROW shall be performed only during regular business hours of the Logan County Road & Bridge Department to enable supervision and inspection of the work.

All work authorized by this Agreement shall be completed no later than December 31, 2022.

It is understood that no paved or oil-surfaced road shall be cut and will be crossed by boring only. For other roads and crossings of County property after installation. Applicant shall restore the surface to the same condition as existed prior to such construction.

All cost and expense of installation, construction, maintenance, removal, or replacement is to be paid by the Applicant.

The traveling public must be protected during this installation with proper warning signs or signals both day and night. Warning signs and signals shall be installed by and at the expense of Applicant.

Viaero Fiber Networks LLC Right of Way ROW2022-7 July 2022 Along County Road 43, Railroad Av. & McKinley St

Applicant hereby releases the County from any liability for damages caused by
said construction and installation of fiber optic, whether caused by employees or equipment of
the County, or others, at any time. Further, Applicant agrees to protect, save and hold harmless,
and indemnify the County from and against all liability, loss, damages, personal injuries
or expenses suffered by or imposed against the County by reason of the construction, installation
or maintenance of the above described improvement.

No perpetual easement or right of way is granted by this instrument and should Applicant's use of said right-of-way interfere with the County's use, or intended use of said right-of-way, Applicant will remove or relocate the same upon demand of the County. Applicant shall pay all costs of such removal or relocation.

This Agreement shall be a covenant running with the above-described real property and shall be binding upon the parties hereto, their heirs, successors, personal representatives, and assigns.

Other Provisions:

A----- #1

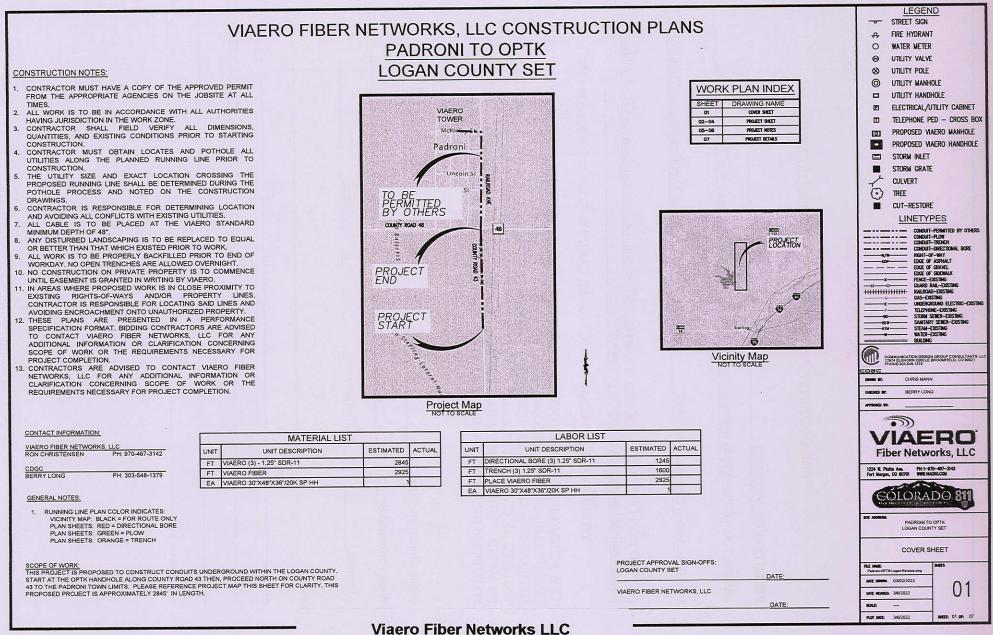
Note: Applicants in the process of acquiring a Conditional Use Permit or a Special Use Permit - If easements containing signatures have been obtained and are in hand for the appropriate permit, then the landowner signatures required below can be waived.

	Printed Name	Signature
Owner #2	Printed Name	Signature
Individual Right-of-Way Permit Applic Ron Christensen, President Printed name	cant:	
Signature Address: <u>1201 W Platte Ave</u> Fort Morgan, CO 80701	Application Fee Paid	
	Date 03/23/2022	
Signed at Sterling, Colorado the day a	and year first above written.	

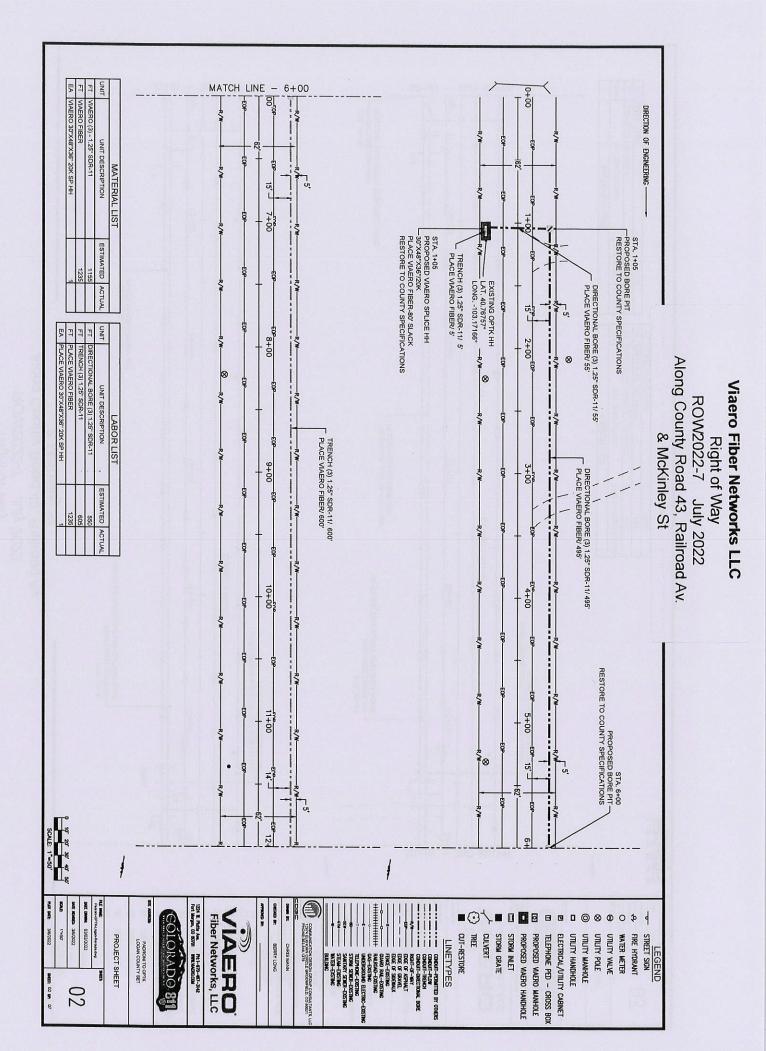
THE BOARD OF COUNTY COMMISSIONERS LOGAN COUNTY, COLORADO

Byron H. Pelton	(Aye) (Nay)
Joseph A. McBride	(Aye) (Nay)
Jane E. Bauder	(Aye) (Nay)

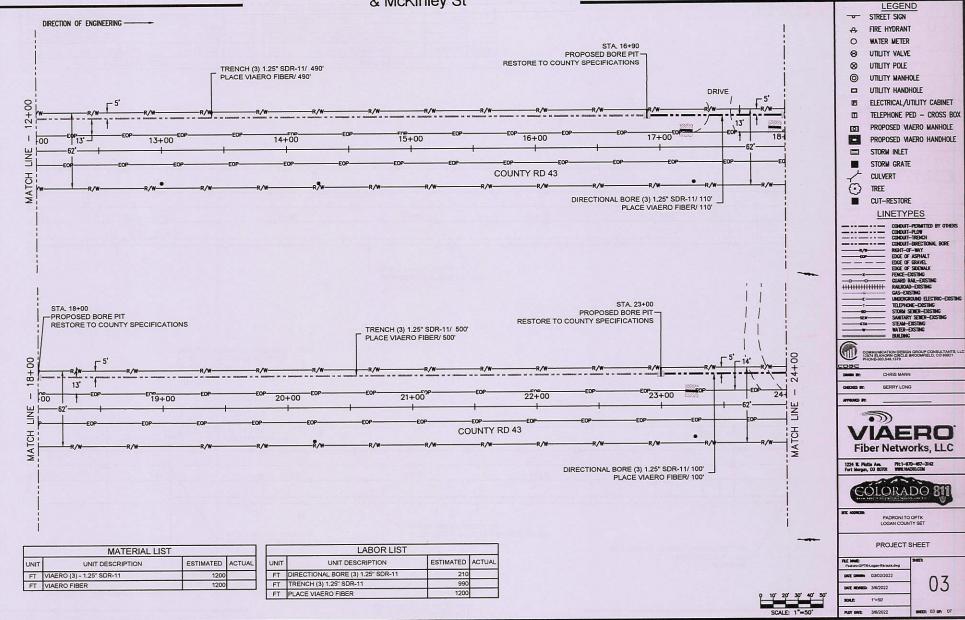
Viaero Fiber Networks LLC Right of Way ROW2022-7 July 2022 Along County Road 43, Railroad Av. & McKinley St

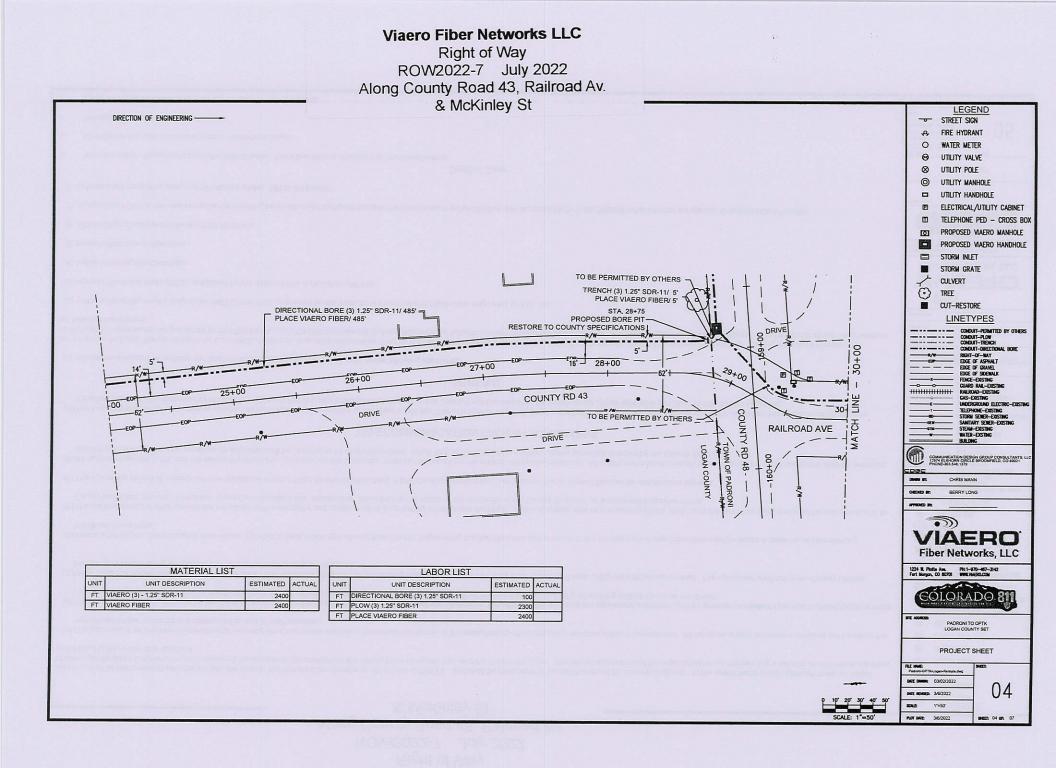


Right of Way ROW2022-7 July 2022 Along County Road 43, Railroad Av. & McKinlev St

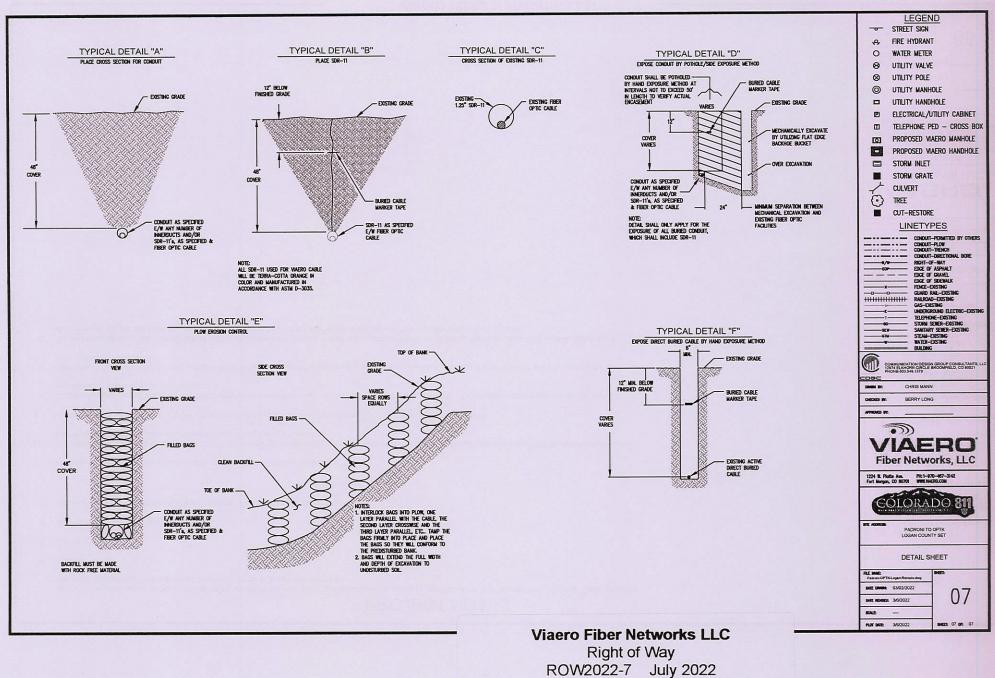


Right of Way ROW2022-7 July 2022 Along County Road 43, Railroad Av. & McKinley St





Viaero Fiber Networks LLC Right of Way				
Right of Way				
ROW2022-7 July 2022				
Along County Road 43, Railroad Av.				
& McKinley St				
	A FIRE HYDRANT			
All work shall be performed in accordance with the Design and Construction Standards of LOGAN COUNTY and shall be completed to the satisfaction of the County Engineer. In the event that a design element does not reflect	O WATER METER			
County specifications the matter must immediately be brought to the attention of the Viaero Fiber Networks LLC and the County Engineer. The design engineer, shall be responsible to respo				
to the County for review and approval.				
(A) The approval of an engineering construction drawing does not relieve the owner-developer-contractor of the responsibility of constructing workable public improvements. All revisions and/or corrections required will be solely the owner's-developer's-contractor's responsibility, and at their expense.				
(B) These plans have been checked by the County only for conformance with the Design and Construction Standards, compliance with development agreement conditions and for general conceptual approval of public improvements				
(B) I nese plans have been checked by the County only for control and control				
(C)Utility locations shown reflect available record data. The contractor shall take precautionary measures to protect all utility lines shown and other utility lines otherwise located. The contractor shall notify the County Utilities	PROPOSED WAERO HANDHOLE			
Division and private utility companies 24 hours prior to beginning construction.	STORM INLET STORM GRATE			
(D)Before work begins, the contractor shall obtain a permit to work in the right-of-way from County Engineering Support Services and must notify the County right-of-way inspection staff 24 hours in advance of commencing				
construction activities.	TREE			
(E) The owner-developer shall provide the contractor with a complete and updated set of engineering construction drawings. These drawings, and any required permits, shall be at the site at all times and shall be make available to	CUT-RESTORE			
(E) the owner-developer shall provide the contractor with a complete and updated set of angulation grant and the discretion of the County Engineer, or a designated representative.	LINETYPES			
(F) The contractor agrees to comply with the provisions of the ATSSA Guide for Work Area Traffic Control and the Manual of Uniform Traffic Control Devices for construction signage.	CONDUT-PLOW CONDUT-TRENCH			
(G)All surplus materials, tools, and the temporary structures, furnished by the contractor, shall be removed from the project site by the contractor. All debris and rubbish caused by the operations of the contractor shall be removed, and the area occupied during construction activities shall be restored to its original condition, within 72 hours of project completion, unless otherwise directed by the County Engineer.				
TELECOMMUNICATION FACILITY STANDARDS	EDGE OF SDEWALK			
	HIHHHHHHHH     RALROAD-EQSTING     GAS-EQSTING     UNDERGROUND ELECTRIC-EQSTING     T TELEPHONE-EQSTING			
(H) The following standards shall apply to all telecommunication related facilities constructed within the County's right-of-way including local telephone, long distance telephone, cable TV, and other telecommunication services franchised or otherwise permitted by the County. All telecommunications facilities constructed in the County's right-of-way shall be underground unless otherwise permitted by the County. All telecommunications facilities constructed in the County's right-of-way shall be underground unless otherwise permitted by the County.				
GENERAL				
(I) All telecommunications facilities construction shall conform to the req-uirements of the following standards:	COMMUNICATION DESIGN GROUP CONSULTANTS, LL 1574 ELXHORN CIRCLE BROOMFIELD, CO 80021			
(1) American National Standards Institute, Inc. (ANSI), Electronic Industries Association (EIA), and Telecommunications Institute of America (TIA) Standards: EIA/TIA Standards Proposal No. 2840-A, Proposed Revision of EIA/TIA-568 (if approved to be published as EIA/TIA-568-A), EIA/TIA-569 Commercial Building Standard for Telecommunications Pathways and Spaces, and TIA/EIA-607 Commercial Building Grounding and Bonding Requirements	CININI IN: CHRIS MANN			
EIA/TIA-568 (if approved to be published as EIA/TIA-568-A), EIA/TIA-569 Commercial Building Standard for Telecommunications Paulways and Spaces, and Travelle Commercial Building Standard for Telecommunications.	CHECKED IN: BERRY LONG			
(2) 1993 National Electrical Safety Code (NESC) C2-1993, published by the Institute of Electrical and Electronics Engineers (IEEE), Inc.				
(3) National Electrical Code (NEC), published by the National Fire Association (NFPA).	VIAERO			
(4) Federal Communications Commission	Fiber Networks, LLC			
(5) Nebraska Public Service Commission	1224 K. Plotts Ave. PH:1-970-467-3142 Fort Morgan, CO 80701 WWW.WAER0.COM			
(6) Williams-Steiger Occupational Safety and Health Act (OSHA)	COLORADO 811			
(7) detailed 1 inch = 100 feet scale engineering drawings presenting the specific conduit routing and associated Hand-hole locations and specifications, shall be submitted to the County Engineer's office for review and approval. Underground Cable Protection	STT. ADDRONI TO OPTK			
(8) All buried telecommunications cable, shall be installed in conduit, SDR/11 or equivalent	LOGAN COUNTY SET			
Depth of Cover	NOTE SHEET			
A. The minimum depth of cover over the conduit shall be 48 inches. Trench Specifications - Roadway and Other Paved Surfaces	RLE MARE			
B. All trenches shall be open cut unless otherwise permitted by the County.	DATE DIVINE 03/02/2022			
C. Trenches shall have a minimum width of 6 inches.	ыне иние сонотота 055			
D. Trench backfill shall be flowable fill specified as a 0.6 sack mix in these standards.	PLOT SHITE: 3/6/2022 30000: 05 DP: 07			



ROW2022-7 July 2022 Along County Road 43, Railroad Av. & McKinley St

#### LETTER OF GIFT AND BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, that the Board of County Commissioners of Logan County, Colorado, ("Grantor") whose legal address is 315 Main Street, Sterling, CO 80751, acting on behalf of Logan County, in the State of Colorado, hereby memorializes its donation and gift to the STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION, for the benefit of NORTHEASTERN JUNIOR COLLEGE, (Grantee") whose legal address is 100 College Avenue, Sterling, Colorado 80751, and grants and conveys to the Grantee, the following described personal property, to wit:

6' CHAIN LINK FENCE - 280 linear feet.

To Have and To Hold the same unto the Grantee and its successors and assigns, forever.

Grantor makes no warranties of any kind about the condition of the fence, which is conveyed in AS IS condition.

IN WITNESS WHEREOF, Grantor has hereunto signed this Letter of Gift and Bill of Sale this 5th day of July, 2022.

On behalf of Logan County:

Byron H. Pelton, Chairman

Joseph A. McBride, Commissioner

Jane E. Bauder, Commissioner