



AGENDA
Logan County Board of Commissioners
Logan County Courthouse, 315 Main Street, Sterling, Colorado
Tuesday, May 2, 2023 - 9:30 a.m.

Call to Order
Pledge of Allegiance
Revisions to Agenda
Consent Agenda

Approval of the Minutes of the April 18, 2023, meeting.

Acknowledge the receipt of the Veteran's Service Officer's report and Certification of Pay form for the month of April, 2023.

Unfinished Business

Consideration of the approval of Resolution 2023-10 amending the Logan County Zoning Resolution by the adoption of regulations for the issuance of permits for Wind Energy Facilities in the unincorporated areas of Logan County, Colorado.

New Business

Consideration of the approval of a Letter of Commendation for Logan County Sheriff's Deputy AJ McGuffin.

Consideration of the approval of a Proclamation concerning Older Americans Month in May 2023.

Consideration of the approval of Resolution 2023-11 for a Subdivision Exemption on behalf of Schuppe Farms, LLC to create an 8.92-acre parcel from a 157-acre parcel located in the NE 1/4 of Section 19, Township 10 North, Range 50 West, of the 6th Principle Meridian, Logan County, Colorado in an Agricultural (A) zone district, for use as a residence.

Consideration of the approval of an agreement between Logan County and Xcel Energy and issuance of Right of Way Permit Number 2023-5 for use of the County Right of Way along County Roads 16.5, 27.5 and 18 for an electrical distribution.

Other Business

Miscellaneous Business/Announcements

The next regular meeting will be scheduled for Tuesday, May 16, 2023, at 9:30 a.m. at the Logan County Courthouse.

Executive Session as Needed
Adjournment

April 18, 2023

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

Jerry A. Sonnenberg	Chairman
Joseph A. McBride	Commissioner
Mike Brownell	Commissioner

Also present:

Alan Samber	Logan County Attorney
Pamela Bacon	Logan County Clerk
Marilee Johnson	Logan County Public Information Officer
Debbie Unrein	Logan County Finance
Rob Quint	Logan County Planning and Zoning
Lisa Williams	Logan County Planning and Zoning
Jerry Casebolt	EMS
Dave Conley	Logan County Lodging Tax Board
Megan Riylen	P&Z Regulations
Carol Schweiger	P&Z Regulations
Stephanie Blochowiak	ICF
Tony Gerk	P&Z Regulations
Gary Schlenz	P&Z Regulations
Walt Page	Resolution 2023-10
Aaron Huston	P&Z Regulations
Adam Schlenz	P&Z Regulations
Brook Mollohan Cook	P&Z Regulations
Suzanne Workman	P&Z Regulations
Alex Ingulsrud	National Resource Solutions
Tom Kiel	
Jeff Rice	Journal Advocate

Chairman Sonnenberg called the meeting to order at 9:30 a.m. and opened the meeting with the Pledge of Allegiance.

Chairman Sonnenberg asked if there were any revisions for the agenda besides the ones discussed in the work session. Hearing none, Chairman Sonnenberg continued with consent agenda.

The Board continued with the Consent Agenda items:

- Approval of the Minutes of the April 4, 2023, meeting.
- Acknowledge the receipt of the Sheriff's Fee report for the month of March 2023.
- Acknowledge the receipt of the Landfill Supervisor's report for the month of March 2023.
- Acknowledge the receipt of the Public Trustee's report for the first quarter of 2023.

Commissioner McBride moved to approve the Consent Agenda. Commissioner Brownell seconded, and the motion carried 3-0.

Chairman Sonnenberg continued with Unfinished Business:

Chairman Sonnenberg stated the award of the bid for the construction of an addition to the Logan County Fairgrounds Exhibit Center located at 1120 Pawnee Avenue, Sterling, CO to be used as a multi-purpose Community Center is tabled until May 16th Commissioner meeting.

Chairman Sonnenberg opened a public hearing testimony phase of the meeting for the approval of an agreement between Logan County and Westervelt Ecological Services, LLC allowing the purchase of 0.1 wetland mitigation credits from Front Range Mitigation Bank for a bridge replacement project which will permanently discharge fill material into 0.022-acres of the South Platte River and 0.2-acres of jurisdictional wetlands. Chairman Sonnenberg seeing no public comments, closed the public hearing testimony phase.

Commissioner Brownell moved to approve an agreement between Logan County and Westervelt Ecological Services, LLC allowing the purchase of 0.1 wetland mitigation credits from Front Range Mitigation Bank for a bridge replacement project which will permanently discharge fill material into 0.022-acres of the South Platte River and 0.2-acres of jurisdictional wetlands and authorize the Chairman to sign. Commissioner McBride seconded, and the motion carried 3-0.

Chairman Sonnenberg continued with New Business:

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

- Volunteer Appreciation Banquet - \$2,500.
- Explore Magazine - \$1,000.
- CBGA Region 5 Junior Show - \$2,500.

Chairman Sonnenberg opened a public hearing testimony phase of the meeting for the approval of the Logan County Lodging Tax Board Projects. Chairman Sonnenberg seeing no public comments, closed the public hearing testimony phase.

Commissioner McBride moved to approve the Logan County Lodging Tax Board Project Volunteer Appreciation Banquet in the amount of \$2,500, Explore Magazine in the amount of \$1,000 and CBGA Region 5 Junior Show in the amount of \$2,500 and authorize the Chairman to sign. Commissioner Brownell seconded, and the motion carried 3-0.

Chairman Sonnenberg opened a public hearing testimony phase of the meeting for the approval of Resolution 2023-9 extending the temporary moratorium on the issuance of permits related to the operation of community solar garden facilities in Logan County. Chairman Sonnenberg seeing no public comments, closed the public hearing testimony phase.

Commissioner Brownell moved to approve Resolution 2023-9 extending the temporary moratorium on the issuance of permits related to the operation of community solar garden facilities in Logan County. Commissioner McBride seconded, and the motion carried 3-0.

Chairman Sonnenberg opened a public hearing testimony phase of the meeting for the approval of a Letter of Gift and Bill of Sale of ambulance equipment consisting of one 2012 Autopulse Resuscitation System. Chairman Sonnenberg seeing no public comments, closed the public hearing testimony phase.

Commissioner McBride moved to approve a Letter of Gift and Bill of Sale of ambulance equipment consisting of one 2012 Autopulse Resuscitation System to Peetz Fire Protection District. Commissioner Brownell seconded, and the motion carried 3-0.

Commissioner McBride moved to make the corrections that were noted in the work session to Resolution 2023-10 amending the Logan County Zoning Regulations by the adoption of regulations for the issuance of permits for Wind Energy Facilities in the unincorporated areas of Logan County, Colorado. Commissioner Brownell seconded and the motion carried 3-0.

Chairman Sonnenberg opened a public hearing testimony phase of the meeting for the approval of Resolution 2023-10 amending the Logan County Zoning Resolution by the adoption of regulations for the issuance of permits for Wind Energy Facilities in the unincorporated areas of Logan County, Colorado.

- Tony Gerk addressed the board with concerns and suggestions for setbacks, task force, bonding decommission, CPW increase transparency and shadow flickering.
- Aaron Huston agreed with Tony Gerk on all the concerns brought up and he also was concerned about future property use.
- Gary Schlenz expressed his opinion about opposing more wind towers in Logan County.
- Carol Schweiger expressed her concerns with the proposed setbacks, would like more mitigation for shadow flickering and the noise.
- Adam Schlenz opposed the new regulations presented by the Planning and Zoning commission and would like to see further setbacks.
- Walt Page presented to the board a map and was in favor of the wind tower projects and the proposed setbacks.
- Brooke Mollohan Cook requested the board make amendments to the proposed setbacks to make them more than what is being proposed.
- Suzanne Workman spoke in opposition of the wind farms and suggested amendments to the zoning regulations.
- Alex Ingulsrud spoke in favor of the regulations and pointed out a few clarifications and corrections that he felt needed to be changed.
- Stephanie Blochowiak of ICF has been to every Planning and Zoning Commission meeting and is a certified land use planner. She spoke in favor of the draft wind regulations being proposed.

Commissioner McBride moved to adopt a resolution to extend the moratorium on wind until May 3, 2023, and table until May 2, 2023 Commissioner meeting Resolution 2023-10 amending the Logan County Zoning Resolution by the adoption of regulations for the issuance of permits for Wind Energy Facilities in the unincorporated areas of Logan County, Colorado. Commissioner Brownell seconded, and the motion carried 3-0.

- Tony Gerk followed up in closing about noise mitigation and leading-edge blades for noise reduction and studies can be done prior to contract being signed by the wind companies.
- Aaron Huston asked the board if the new regulations could be retroactive for people that have wind farms now?
- Brook Mollohan Cook appreciated all the people who voiced their concerns and the only people here in favor are the wind companies.

Chairman Sonnenberg seeing no public comments, closed the public hearing testimony phase.

Chairman Sonnenberg opened a public hearing testimony phase of the meeting for the approval of a Waiver of Annexation Impact Report on behalf of the City of Sterling for the 21st Century Land LLC, Addition. Chairman Sonnenberg seeing no public comments, closed the public hearing testimony phase.

Commissioner McBride moved to approve a Waiver of Annexation Impact Report on behalf of the City of Sterling for the 21st Century Land LLC, Addition. Commissioner Brownell seconded, and the motion carried 3-0.

Other Business

The next regular meeting will be scheduled for Tuesday, May 2, 2023, at 9:30 a.m. at the Logan County Courthouse.

There being no further business to come before the Board, the meeting adjourned at 11:52 a.m.

Submitted by:

Logan County Clerk

Approved: May 2, 2023

BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO

(seal)

By: _____
Jerry A. Sonnenberg, Chairman

Attest:

Logan County Clerk & Recorder



LETTER OF COMMENDATION

On April 17th, 2023, Logan County Deputy AJ McGuffin responded to an injury accident on I-76 at milepost 141. Deputy McGuffin arrived on scene to find a vehicle lodged under the overpass. The lone occupant, a female driver, was trapped in the burning vehicle.

Deputy McGuffin quickly addressed the situation and along with several bystanders, attempted to put out the fire using fire extinguishers. While attempting to rescue the driver and extinguish the flames, an explosion occurred. At this time, Deputy McGuffin began to display signs of respiratory distress. Sterling Fire Chief Lavon Ritter arrived on scene and observed Deputy McGuffin as having difficulty breathing. Deputy McGuffin was transported by ambulance for treatment. Unfortunately the driver of the vehicle did not survive her injuries and was pronounced deceased on scene.

Deputy McGuffin was transported to the Sterling Regional Medical Center. There, Deputy McGuffin was met by a full trauma team. He was later transported to Swedish Medical Center and admitted into the ICU. Luckily, and no doubt a testament to his strength and fortitude, Deputy McGuffin was able to recover.

Logan County should be proud to have such a dedicated deputy who is willing to put his life on the line to save others. The Board of Logan County Commissioners would like to thank all first responders involved in this incident, and want to publicly recognize Deputy McGuffin for his act of bravery, dedication, and heroism.

Jerry A. Sonnenberg
Logan County Commissioner, Chair

Joseph A. McBride
Logan County Commissioner

Mike Brownell
Logan County Commissioner

RESOLUTION

NO. 2023 - 10

A Resolution amending the Logan County Zoning Resolution by the adoption of regulations for the issuance of permits for Wind Energy Facilities in the unincorporated areas of Logan County, Colorado.

WHEREAS, the Board of County Commissioners of Logan County is authorized pursuant to C.R.S. §30-28-116 and section 11.1 of the Logan County Zoning Resolution to adopt zoning regulations and to amend existing zoning regulations; and

WHEREAS, the Board of County Commissioners of Logan County has determined that the adoption of more detailed regulations for the approval of wind energy facilities in Logan County is desirable and necessary to provide more uniform guidelines and standards for the planning and approval of wind energy projects in the County; and

WHEREAS, amendment of the Logan County Zoning Resolution by the establishment of uniform standards and guidelines will serve the best interests of Logan County and will promote the public health, safety and welfare; and

WHEREAS, the proposed regulations for Wind Energy Facilities have been studied and reviewed by the Logan County Planning Commission extensively, and were approved with a recommendation for adoption at its public meeting on March 21, 2023; and

WHEREAS, as required by law, legal notice was published on March 28, 2023, concerning a Public Hearing of the Logan County Board of County Commissioners on April 18, 2023 to consider adoption of the proposed Wind Energy Facility Regulations; and

WHEREAS, the draft of the proposed regulations, as recommended for adoption by the Logan County Planning Commission, has been made available for inspection by the public in the Logan County Planning and Zoning Department and all required notices concerning the proposed adoption of the Wind Energy Facility Regulations have been given.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Logan County, Colorado, that:

1. The Wind Energy Facility Regulations, in the form attached hereto, **ARE HEREBY ADOPTED** and same shall become incorporated into the Logan County Zoning Resolution and shall become effective immediately from and after the date hereof.
2. Logan County Zoning Resolution, Section 3.1 - Use Schedules for Zoning Districts, is hereby amended by the addition of the following:

Section 3.1 - Use Schedules for Zoning Districts

Agricultural Zone

Wind Energy Facilities

Conditional Use (C)

3. Resolution 2023-6, which extended the moratorium on the issuance of permits for wind power generating facilities until May 1, 2023, is hereby repealed.

ADOPTED this 2nd day of May, 2023.

BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO

(Aye)(Nay)
Jerry A. Sonnenberg, Chairman

(Aye)(Nay)
Joseph A. McBride

(Aye)(Nay)
Mike Brownell

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 the 2nd day of May, 2023.

County Clerk and Recorder

Proclamation



OLDER AMERICANS MONTH

MAY 2023

Whereas, Logan County includes a growing number of older Americans who contribute their time, wisdom, and experience to our community; and

Whereas, communities benefit when people of all ages, abilities, and backgrounds have the opportunity to participate and live independently; and

Whereas, Logan County recognizes the need to create a community that offers the services and supports older adults may need to make choices about how they age; and

Whereas, Logan County can work to build an even better community for our older residents by:

- Not limiting our thinking about aging,
- Exploring and combating stereotypes,
- Emphasizing the many positive aspects of aging,
- Inspiring older adults to push past traditional boundaries, and
- Embracing our community's diversity.

Now, Therefore, We, The Logan County Board of County Commissioners, of Logan County, Colorado do hereby proclaim May 2023 to be Older Americans Month. We urge every resident to celebrate our older citizens, help to create an inclusive society, and accept the challenge of flexible thinking around aging.

DONE this the **2nd** day of **May, 2023**.

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

Jerry A. Sonnenberg

Joseph A. McBride

Mike Brownell

RESOLUTION

NO. 2023-11

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

SUBDIVISION EXEMPTION FOR SCHUPPE FARMS LLC

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, Schuppe Farms LLC, 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 tract of land located in the NE 1/4 of Section 19, Township 10 North, Range 50 West, of the 6th Principle Meridian, Logan County, Colorado, being more particularly described as follow:

Commencing at the Northeast Corner of Section 19, Township 10 North, Range 50 West, of the 6th Principle Meridian, Logan County, Colorado; thence South 02°04'04" East on the East line of the Northeast Quarter (NE1/4) of Section 19, 916.88 feet to the Point of Beginning; thence South 02°04'04" East on said east line, 531.63 feet; thenceforth 86°57'42" West 1249.04 feet; thence North 64°22'17" East 1034.57 feet; thence North 86°35'29" East 295.83 feet to the Point of Beginning containing 8.92 +/- acres, more or less.

(As represented on official Subdivision Exemption Plat 2023-11); and

WHEREAS, Schuppe Farms LLC, intend to create a parcel, consisting of 8.92 acres, more or less, subdivided from a 157 acre parcel in an Agricultural (A) zone district, for use as a residence; and

WHEREAS, the Logan County Planning Commission Chairman recommended approval of the application after reviewing the application, studying the staff review, and reviewing the proposed plat on April 28, 2023; and

WHEREAS, a public hearing was held by the Board of County Commissioners on May 2, 2023 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 Schuppe Farms LLC, for a Subdivision

Exemption for the creation of a 8.92 acre parcel, more or less, in the unincorporated area of Logan County, as described above and as represented on official Subdivision Plat 2023-11, 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 2nd day of May, 2023.

BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO

(Aye)(Nay)
Jerry A. Sonnenberg, Chairman

(Aye)(Nay)
Joseph A. McBride, Commissioner

(Aye)(Nay)
Mike Brownell, 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 2nd day of May, 2023.

County Clerk and Recorder

**SUBDIVISION EXEMPTION APPLICATION
PLAT APPROVAL**

COPY

Date: 3-24-23

Name of Subdivision Exemption (as listed on plat): _____

Applicant:

Name: Schuppe Farms LLC Phone: _____

Address: 25653 County Road 63 Iliff, CO 80736

Email: meagan@schuppehay.com

Local Agent:

Name: _____ Phone: _____

Address: _____

Owner of Record:

Name: Schuppe Farms LLC Phone: _____

Address: 25653 County Road 63 Iliff, CO 80736

Prospective Buyer:

Name: Dalton and Meagan Schuppe Phone: 970-466-0197

Address: 26785 County Road 63 Iliff, CO 80736

Land Surveyor:

Name: Dickinson Land Surveyors, Inc Phone: 970-854-8440

Address: 218 E. Denver Street Holyoke, CO 80734

Attorney:

Name: _____ Phone: _____

Address: _____

Description of Property:

Subdivision Exemption Location: On the West side of County Road 63

_____ Feet _____ of _____ Street
Direction Street

Legal: 1/4 Section NE 4 Section 19 Township 10 Range 50

Total Acres 159.3 Number of Lots 2

Current Zoning: Ag Current Land Use: Ag

Postal Delivery Area: I liff School District: _____

If Deed is recorded in General System: Book _____ Page _____

Has the Board of Zoning Appeals granted Variance, Exception, or a Conditional Use Permit Concerning this property? Y or N

If yes, list Case No., and Name _____

Proposed use of each Parcel: _____

Proposed Water and Sewer Facilities: _____

Proposed Public Access to Each New Parcel: _____

Reason for Request of this Exemption (May use additional pages): _____

List all Contiguous Parcels in the same Ownership:

Section/ Township/ Range _____ Lot(s) _____

Attach an affidavit of ownership indicating the dates the respective parcels of land were acquired, together with the book and page of each conveyance to the present owner as recorded with the Logan County Clerk and Recorder. This affidavit shall indicate the current legal owner of the property; the contract owner of the property, and the date the deed was executed and delivered.

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).

I M Schuppe, hereby consent to the provisions of Article 8.2 A & B of the Logan County Subdivision Regulations.

I M Schuppe, hereby depose that all statements contained in this application submitted herewith are true.

Applicant Signature: M Schuppe Date: 3-24-23

FOR COUNTY USE

Application Fee: One Hundred (\$100.00) and Thirteen (\$13.00) separate check for recording fee. Date of Planning Commission: _____

Recommendation of Planning Commission: _____ Approval _____ Denial

Recommended Conditions of Subdivision Exemption:

Chairperson, Planning Commission

COUNTY COMMISSIONERS ACTION:

Conditions of Subdivision Exemption:

Date Granted: _____

Date Denied: _____

Jerry A. Sonnenberg (Aye) (Nay)

Joseph A. McBride (Aye) (Nay)

Mike Brownell (Aye) (Nay)

SUBDIVISION EXEMPTION PLAT No. _____ FOR SCHUPPE FARMS L.L.C.

LOCATED IN THE NE 1/4 OF SECTION 19, T.10 N., R.50 W. OF THE 6th P.M., LOGAN COUNTY, COLORADO

OWNER'S CERTIFICATE

SCHUPPE FARMS L.L.C. BEING THE SOLE OWNERS IN FEE OF THE ABOVE DESCRIBED PROPERTY, DO HEREBY DIVIDE THE SAME AS SHOWN ON THIS MAP.

Gordon A. Schuppe, Manager
GORDON A. SCHUPPE, MANAGER

(STATE OF COLORADO)
(COUNTY OF LOGAN)

THE FOREGOING CERTIFICATION WAS ACKNOWLEDGED BEFORE ME THIS 9th DAY OF March 2023

IN WITNESS WHEREOF, I HERETO SET MY HAND AND SEAL

Brenda S. Huss (SEAL)
MY COMMISSION EXPIRES 7-1-23

BRENDA S HUSS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19954009538
MY COMMISSION EXPIRES JULY 01, 2023

PLANNING COORDINATOR CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR CONFORMANCE TO ARTICLE 8 OF THE LOGAN COUNTY SUBDIVISION REGULATIONS AND APPEARS TO COMPLY WITH ALL REQUIREMENTS.

PLANNING COORDINATOR _____ DATE _____

CHAIRMAN-LOGAN COUNTY PLANNING COMMISSION CERTIFICATE

I HAVE REVIEWED THIS PLAT AND CONCUR WITH STAFF THAT THIS PLAT APPEARS TO BE IN CONFORMANCE WITH ALL THE REQUIREMENTS OF ARTICLE 8 OF THE LOGAN COUNTY SUBDIVISION REGULATIONS AND SUBMIT THIS TO THE BOARD OF COUNTY COMMISSIONERS FOR FINAL APPROVAL.

CHAIRMAN-LOGAN COUNTY PLANNING COMMISSION _____ DATE _____

BOARD OF COUNTY COMMISSIONER'S CERTIFICATE

THIS PLAT IS ACCEPTED AND APPROVED FOR FILING THIS _____ DAY OF _____, 20____.

CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS _____ DATE _____

ATTEST:
COUNTY CLERK AND RECORDER

BY _____
DATE _____

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THAT SCHUPPE FARMS L.L.C., IS THE OWNER OF LAND INCLUDED WITHIN THE PLAT SHOWN HEREON, THAT IT IS THE ONLY PERSON WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID LAND AND I HEREBY DEDICATE TO THE PUBLIC FOR USE AS SUCH, THE PUBLIC ROADWAYS, AND PUBLIC UTILITY EASEMENT SHOWN ON SAID PLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES:

IN WITNESS THIS DEDICATION IS EXECUTED THIS 9th DAY OF March 2023.

Gordon A. Schuppe, Manager
GORDON A. SCHUPPE, MANAGER

(STATE OF COLORADO)
(COUNTY OF LOGAN)

THE FOREGOING CERTIFICATION WAS ACKNOWLEDGED BEFORE ME THIS 9th DAY OF March 2023

IN WITNESS WHEREOF, I HERETO SET MY HAND AND SEAL

Brenda S. Huss (SEAL)
MY COMMISSION EXPIRES 7-1-23

BRENDA S HUSS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19954009538
MY COMMISSION EXPIRES JULY 01, 2023

LOGAN COUNTY HAS ADOPTED A RIGHT TO FARM AND RANCH POLICY, RESOLUTION #99-50 RECORDED SEPTEMBER 21, 1999, IN BOOK 925 AT PAGE 430 OF THE LOGAN COUNTY RECORDS. PLEASE READ IT AND BE AWARE OF ITS PROVISIONS.

RECORDER'S CERTIFICATE

I, _____ CLERK AND RECORDER OF LOGAN COUNTY, HEREBY CERTIFY THAT THE BOARD OF COUNTY COMMISSIONERS OF LOGAN COUNTY, COLORADO ON THE _____ DAY OF _____, 20____, ACCEPTED ON BEHALF OF THE PUBLIC THE FOREGOING DESCRIBED PARCEL OF REAL PROPERTY OFFERED FOR DEDICATION FOR PUBLIC USE, IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION.

CLERK AND RECORDER, LOGAN COUNTY, COLORADO (SEAL)

SURVEYOR'S NOTES

Basis of Bearings for this survey are based upon the east line of the NE 1/4. The east line of the NE 1/4 of Section 19, T.10 N., R.50 W. of the 6th P.M., as defined at the Northeast corner of said Section 19 by a #5 rebar with a 2 1/2" Aluminum cap; illegible and at the East Quarter corner by a #6 rebar with a 3 1/4" Aluminum cap stamped "P.L.S. 36571", bears S 02°04'04" E.

Set #4 rebar 24" long with yellow plastic I.D. caps stamped "Dickinson P.L.S. 36571" at the points shown thus *, unless otherwise noted.

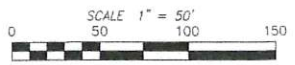
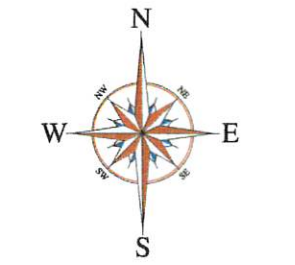
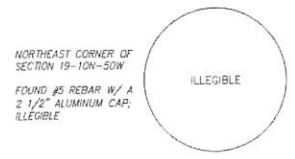
NOTICE

According to Colorado law, you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of certification shown hereon.

LEGAL DESCRIPTION FOR TRACT:

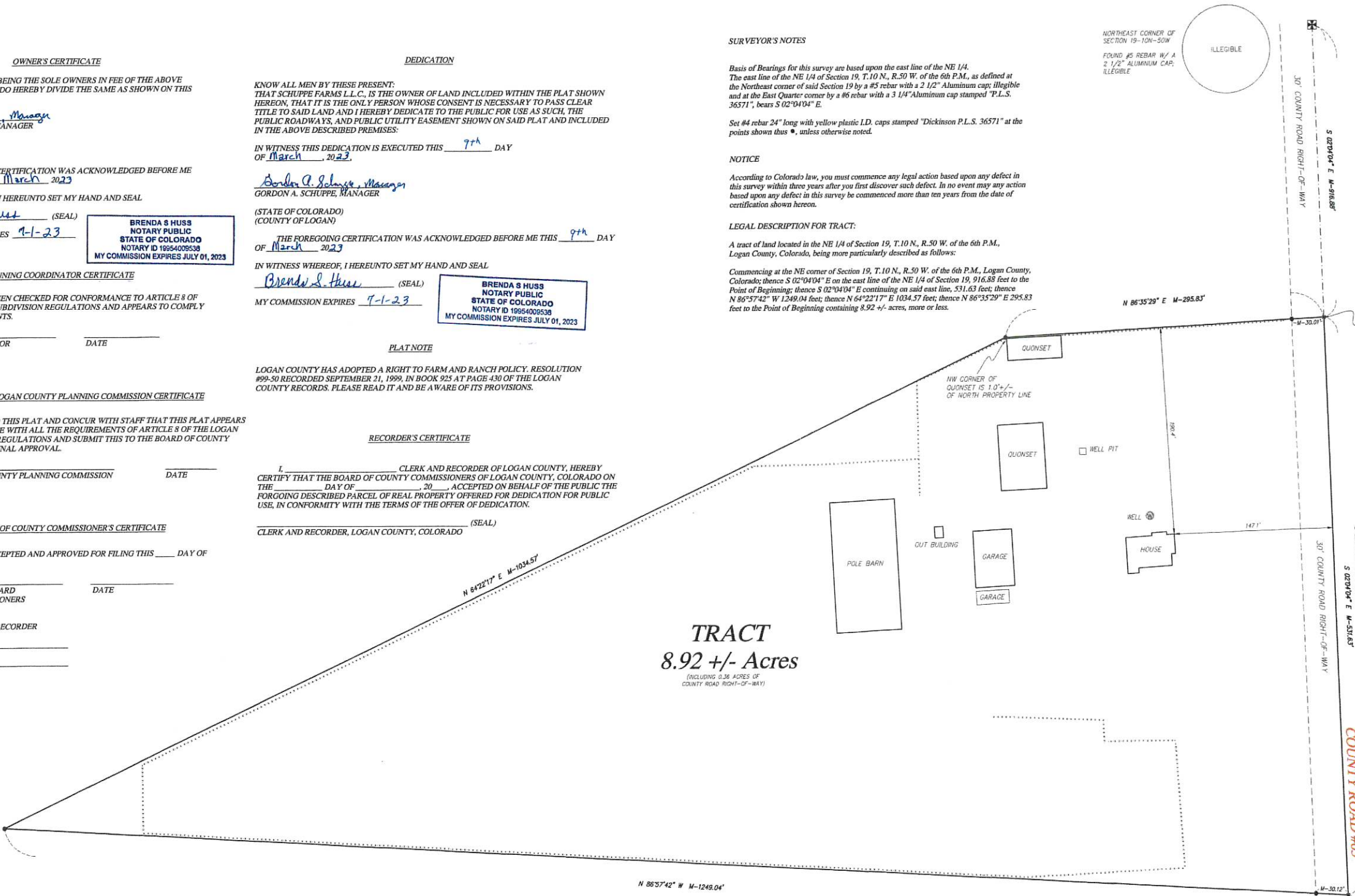
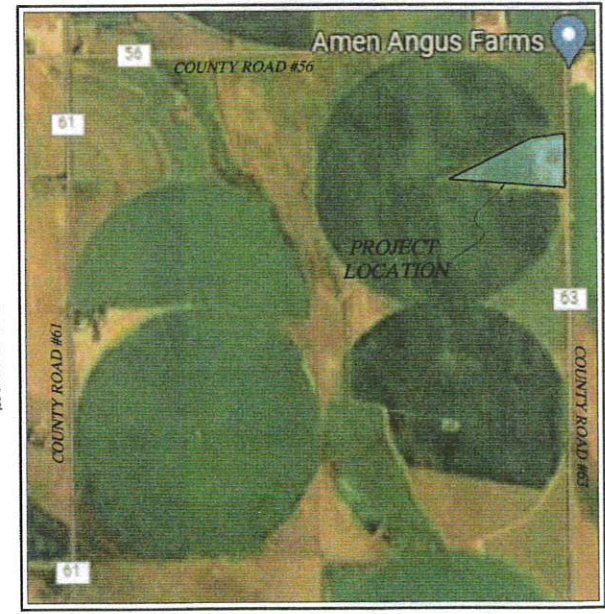
A tract of land located in the NE 1/4 of Section 19, T.10 N., R.50 W. of the 6th P.M., Logan County, Colorado, being more particularly described as follows:

Commencing at the NE corner of Section 19, T.10 N., R.50 W. of the 6th P.M., Logan County, Colorado; thence S 02°04'04" E on the east line of the NE 1/4 of Section 19, 916.88 feet to the Point of Beginning; thence S 02°04'04" E continuing on said east line, 531.63 feet; thence N 86°57'42" W 1249.04 feet; thence N 64°22'17" E 1034.57 feet; thence N 86°35'29" E 295.83 feet to the Point of Beginning containing 8.92 +/- acres, more or less.



- LEGEND
- FOUND SECTION & QUARTER CORNER MONUMENTS
- MONUMENT SET BY REBAR W/ PLASTIC CAP STAMPED P.L.S. 36571
- GLD- ORIGINAL GOVERNMENT DISTANCE
- M- MEASURED DISTANCE
- X- TEMPORARY POINT
- FENCE LINE

VICINITY MAP (NOT TO SCALE)



TRACT
8.92 +/- Acres
(INCLUDING 0.36 ACRES OF COUNTY ROAD RIGHT-OF-WAY)

EAST QUARTER CORNER OF SECTION 19-10N-50W
FOUND RR SPIKE WITH FLAGGING REPLACED WITH #5 REBAR W/ A 3 1/4" ALUMINUM CAP STAMPED "P.L.S. 36571"



SURVEYOR'S STATEMENT
I, Ryan E. Dickinson, a registered professional land surveyor in the state of Colorado, do hereby state that the survey represented by this plat was made under my supervision, and the monuments shown thereon actually exist, and this plat accurately represents said survey to the best of my knowledge and belief.
by: Ryan E. Dickinson
Colorado Professional Surveyor
Registration No. 36571

Dickinson Land Surveyors, Inc.
Nebraska and Colorado Certified
218 East Denver Street, Holyoke, Colorado 80734
Office: 970-854-8440 www.dickinsonlandsurveyors.com

CLIENT: DALTON SCHUPPE
DATE OF SURVEY: 19 APRIL 2022
PAGE 1 OF 1 PROJECT #: H22-028



COPY

AGREEMENT TO USE LOGAN COUNTY RIGHT OF WAY
INDIVIDUAL PERMIT

THIS AGREEMENT made this (County fills in) _____ day of _____, _____, by and between the County of Logan, State of Colorado, hereinafter called "County", and Xcel Energy the undersigned easement holder or landowner, hereinafter called "Applicant".

WHEREAS, Applicant owns the following described premises, or has an easement on, over or through said premises, to-wit (legal description): County Road 16.5 to CR 27.5 to CR 18 as shown in prints

T: 7N R: 53W S: 29; and

WHEREAS, Applicant desires to install and construct a Electrical Distribution, which will be located (**Circle One**) along bore under, or trench across County Roads 16.5, 27.5, 18, 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 Electrical Distribution, described above, in the right of way of County Roads 16.5, 27.5, 18, 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 6/30/23.
- 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.

Xcel Energy
Right of Way
ROW2023-5 April 2023
County Roads 16.5, 27.5 & 18

Applicant hereby releases the County from any liability for damages caused by said Electrical Distribution _____, 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: N/A

Land Owner #1
Xcel Energy Printed name Brian Dillon

Signature _____

Land Owner #2 Printed Name _____

Signature _____

Individual Right-of-Way Permit Applicant:
Brian Dillon

Printed name _____

Signature 

Address: 502 S. 8th Ave Sterling, CO

Application Fee Paid _____

Date _____

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

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

Jerry A. Sonnenberg (Aye) (Nay)

Joseph A. McBride (Aye) (Nay)

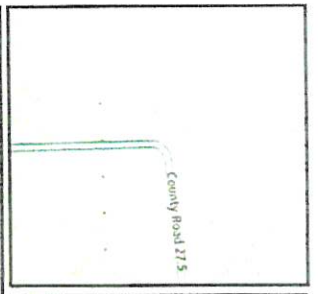
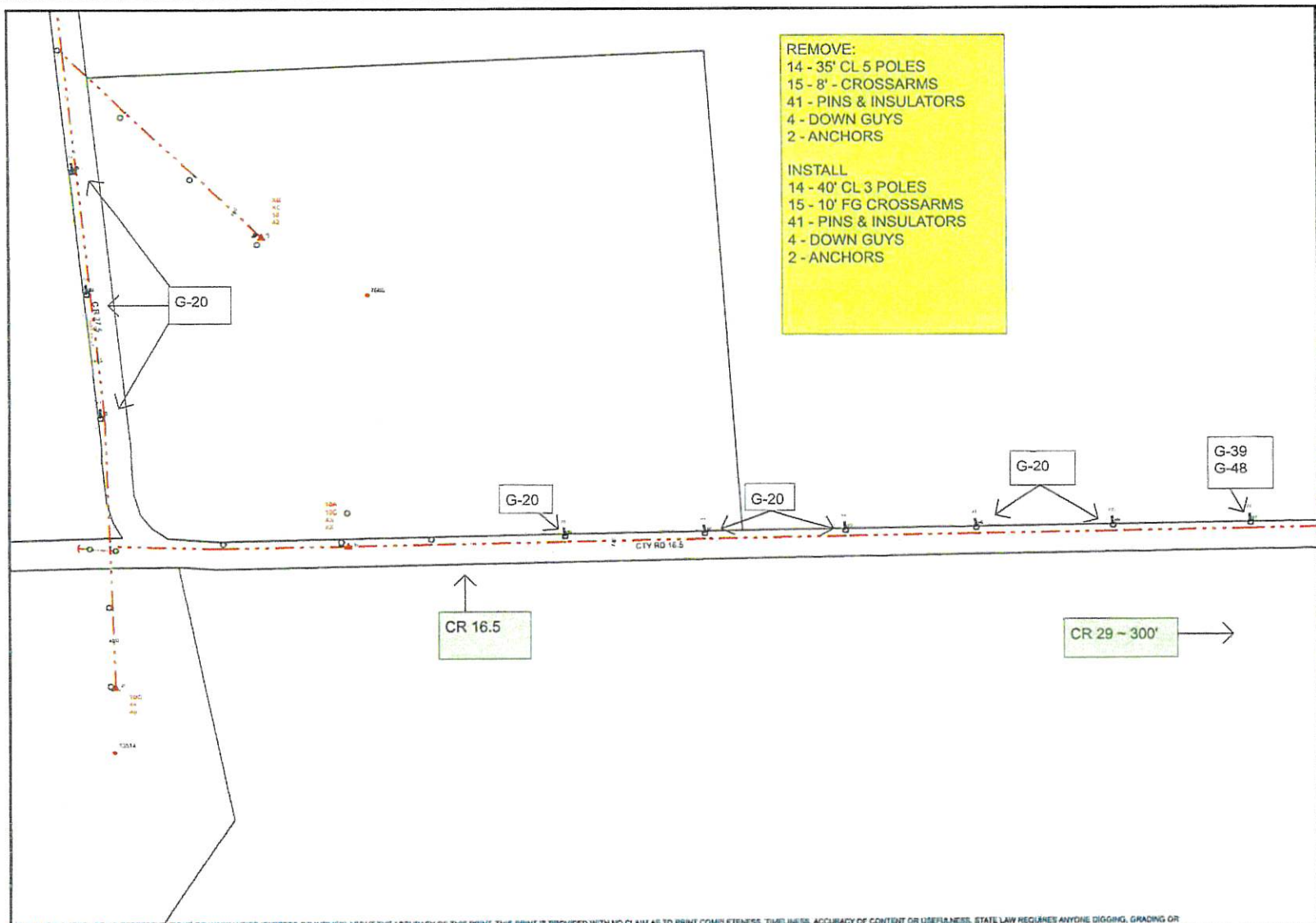
Mike Brownell (Aye) (Nay)



Xcel Energy
Right of Way
ROW2023-5 April 2023
County Roads 16.5, 27.5, & 18

REMOVE:
 14 - 35' CL 5 POLES
 15 - 8' - CROSSARMS
 41 - PINS & INSULATORS
 4 - DOWN GUYS
 2 - ANCHORS

INSTALL:
 14 - 40' CL 3 POLES
 15 - 10' FG CROSSARMS
 41 - PINS & INSULATORS
 4 - DOWN GUYS
 2 - ANCHORS



Work Order Information	
Service Request #	: 000012580906
Design Number	: 00001170840
Designer/Planner ID	: LMBT05
Designer/Planner Name	: TYSON LAMBERT
Designer/Planner Ph #	: 975-521-1835
Manager Approval	

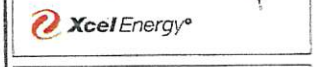
Joint Liability	
E:	G.
T:	C.

Design Location	
Division	: HIGH PLAINS REGION
County	: Logan
City	: ATWOOD
Address	: CR 16.5 & CR 29
T: 7N	R: S3W S: 29
Map #	: 26D4448 03 Permit

Electric	
Feeder	: ATW01332 Voltage: 15KV
Phase	: 3Ø Bus Dev ID:

Gas	
System	: Pressure
Size	: Material
Dead End	

Work Order #	
Date	: 04/13/2023
Sketch	: 2 OF 2
Scale	: 1" equals 200'



CONSTRUCTION USE ONLY

NO CHANGES (BUILT AS DESIGNED)

CHANGES MADE AS INDICATED
 (ALL LIND MUST HAVE ACTUAL MEASUREMENTS FROM THE FIELD SITE)

RFO: _____

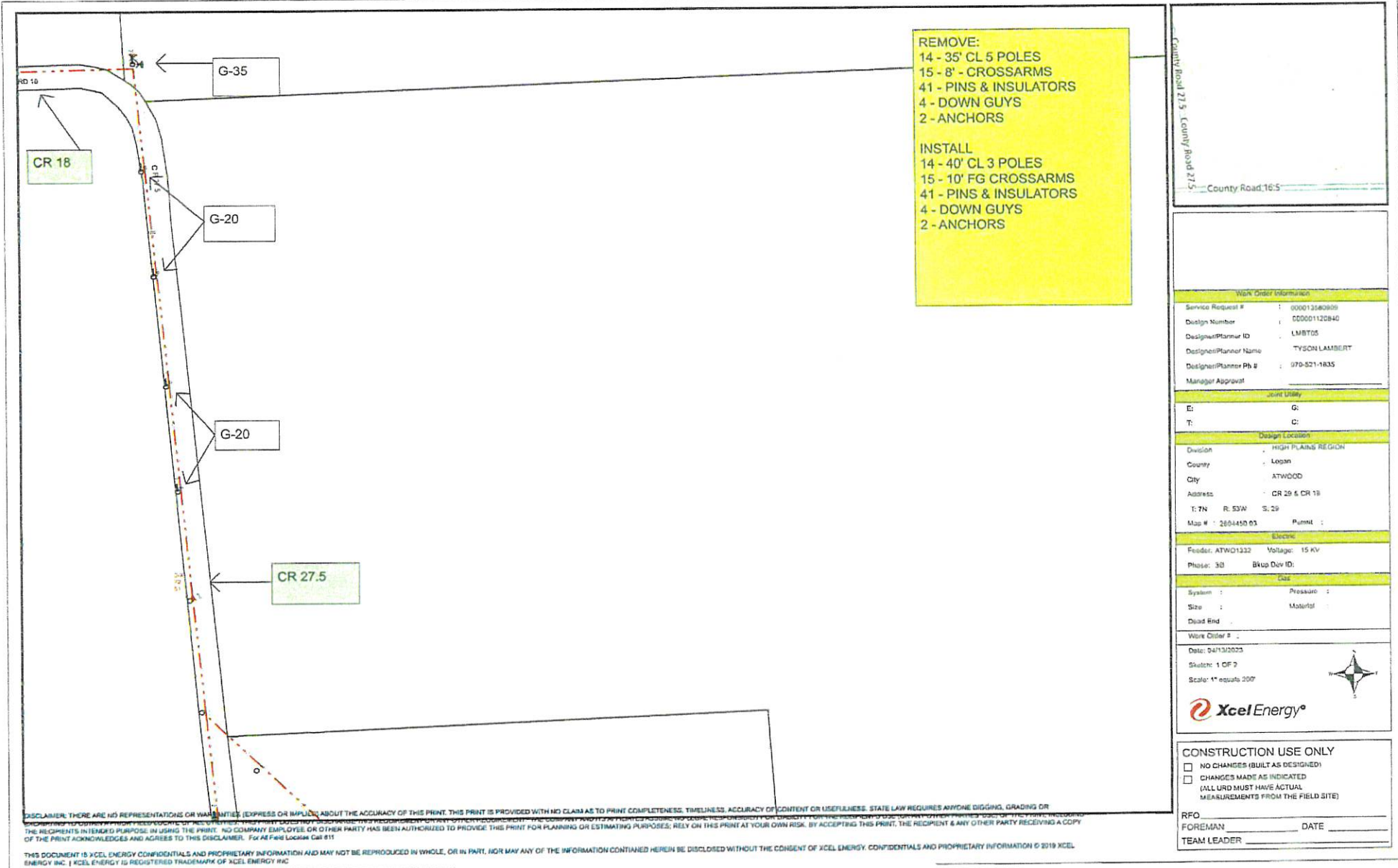
FOREMAN: _____ DATE: _____

TEAM LEADER: _____

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 Right of Way
 ROW2023-5 April 2023
 County Roads 16.5, 27.5 & 18



REMOVE:
 14 - 35' CL 5 POLES
 15 - 8' - CROSSARMS
 41 - PINS & INSULATORS
 4 - DOWN GUYS
 2 - ANCHORS

INSTALL
 14 - 40' CL 3 POLES
 15 - 10' FG CROSSARMS
 41 - PINS & INSULATORS
 4 - DOWN GUYS
 2 - ANCHORS

County Road 27.5, County Road 16.5
 County Road 16.5

Work Order Information	
Service Request #	: 000013580809
Design Number	: 000001120840
Designer/Planner ID	: LMBT05
Designer/Planner Name	: TYSON LAMBERT
Designer/Planner Ph #	: 970-521-1835
Manager Approval	

Joint Utility	
E:	G:
T:	C:

Design Location	
Division	: HIGH PLAINS REGION
County	: Logan
City	: ATWOOD
Address	: CR 29.5, CR 18
T: TN	R: S3W S: 29
Map #	: 2604450 03 Permit :

Electric	
Feeder	: ATW01322 Voltage: 15 KV
Phase	: 3Ø Backup Dev ID:

Gas	
System	: Pressure :
Size	: Material :
Dead End	:

Work Order #	:
Date	: 04/13/2023
Sketch	: 1 OF 2
Scale	: 1" equals 200'



CONSTRUCTION USE ONLY	
<input type="checkbox"/>	NO CHANGES (BUILT AS DESIGNED)
<input type="checkbox"/>	CHANGES MADE AS INDICATED (ALL URD MUST HAVE ACTUAL MEASUREMENTS FROM THE FIELD SITE)
RFO	:
FOREMAN	: DATE
TEAM LEADER	:

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