



## **AGENDA**

**Logan County Board of Commissioners**  
**Logan County Courthouse, 315 Main Street, Sterling, Colorado**  
**Tuesday, October 1, 2019 - 9:30 a.m.**

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

Approval of the Minutes of the September 17, 2019 meeting.

Acknowledge receipt of the Veteran's Service Officer's monthly report and Certification of Pay form for the month of September, 2019.

Approval of an application for renewal of a Hotel & Restaurant Liquor License on behalf of L7BG LLC dba Northeastern 18 for 17408 Highway 14, Sterling, Colorado.

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

Consideration of the approval of Resolution 2019-38 to exempt from property tax business personal property used to manufacture wind turbines at the site where the wind turbines will be placed into service.

Consideration of the approval of an agreement between Logan County and Xcel Energy and issuance of ROW Permit #2019-13 for use of the County Right of Way boring under CR 35 for a 2" gas main and .75" gas service.

Consideration of the approval of a Motor Vehicle Lease (With Purchase Option) between Logan County and the Thirteenth Judicial District Attorney's Office for a 2018 Chevrolet Equinox VIN# 3GNAXSEV9JL124375 in the amount of \$20,000.00 plus interest.

### **Other Business** **Miscellaneous Business/Announcements**

The next meeting will be scheduled for Tuesday, October 15, 2019, at 9:30 a.m. at the Logan County Courthouse.

### **Executive Session as Needed**

September 17, 2019

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

Joseph A. McBride  
Jane Bauder  
Byron Pelton

Chairman  
Commissioner - Absent  
Commissioner

Also present:

Alan Samber  
Pamela M. Bacon  
Rachelle Stebakken  
Marilee Johnson  
Jerry Casebolt  
Dave Conley  
Rob Quint  
Debbie Unrein  
Darrell Smith  
Vicky Pollock  
Amanda Ritter  
Jeff Rice

Logan County Attorney  
Logan County Clerk  
Logan County Deputy Clerk  
Tourist Information Center Director/County Public  
Information Officer  
Lodging Tax Board  
Planning and Zoning  
Logan County Finance  
Sterling Concert Series  
  
Logan County Arts League  
Journal Advocate

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

The Board continued with the Consent Agenda items:

- Approval of the Minutes of the September 3, 2019 meeting.
- Acknowledgment of the receipt of the Landfill Supervisor's report for the month of August, 2019.
- Acknowledgment of the receipt of the Treasurer's report for the month of August, 2019.
- Acknowledgment of the receipt of the Clerk and Recorder's report for the month of August, 2019.
- Re-appointment of members to the Logan County Fair Board: John Korrey, Aaron Hettinger, and Alan Barton/Morgan Lulf.

Commissioner Pelton moved to approve the Consent Agenda. Chairman McBride seconded and the motion carried 2-0.

Chairman McBride continued with Unfinished Business:

Commissioner Pelton moved to award the proposal for the engagement of a firm to perform a financial and compliance audit for Logan County for the year ending December 31, 2019 to Lauer, Szabo & Associates P.C. Chairman McBride seconded and the motion carried 2-0.

Chairman McBride continued with New Business:

Chairman McBride opened a public hearing for the consideration of the approval of an application for Special Events Fermented Malt Beverage License on behalf of Logan County Arts League to operate a beer garden at an event to be held at the Logan County Courthouse, 315 Main Street, Sterling on October 12, 2019. There being no comment, the public hearing was closed.

Commissioner Pelton moved to approve an application for Special Events Fermented Malt Beverage License on behalf of Logan County Arts League to operate a beer garden at an event to be held at the Logan County Courthouse, 315 Main Street, Sterling on October 12, 2019 and allow the Chairman to sign. Chairman McBride seconded and the motion carried 2-0.

The Board signed a proclamation designating the week of September 17 through 23, 2019 as Constitution Week. Commissioner Pelton moved to proclaim Constitution Week as being September 17 through 23, 2019. Chairman McBride seconded and the motion carried 2-0.

- Commissioner Pelton commented: In my opinion, there are two areas of the U.S. Constitution that make it the greatest document ever written.

The first area is the Bill of Rights. The Bill Of Rights gave us the first amendment, which protects free speech. It protects freedom of the press, our right to peaceably assemble, and freedom of religion. It's the second amendment that protects our right to bear arms, and that right shall not be infringed. The fourth amendment protects you from unreasonable searches and seizures by the Government. Then there is the 10th amendment, which was the founders way of humbly saying that they weren't right all the time. They knew that the federal government didn't always know what was best for the country, and that it should be up to the states to decide what is in their best interest.

The second part of the constitution that is brilliant, again came from the founders. They knew that as our great country grew, developed, and changed; we would need to change the Constitution with Amendments. Perfect examples of those Amendments are the 13th, which abolished slavery and involuntary servitude, except as punishment for a crime; And the 19th amendment, which prohibits the states and the federal government from denying the right to vote to citizens of the United States on the basis of sex.

This Divine Document is, and always will be defined as the People's Document. Not because the constitution GIVES you your rights, but because it PROTECTS your rights from a tyrannical out-of-control government.

At the time the Constitution was written, someone asked Benjamin Franklin "What did you give us?" and he replied, "A Republic, if you can keep it." In the 1960's, it was Ronald Reagan who said in his "*Time for Choosing*" speech, "This idea that government is beholden to the people, that it has no other source of power except the sovereign people, is still the newest and the most unique idea in all the long history of man's relation to man."

On this, the 17th day of September, marks 231 years since the most influential set of American laws were enacted. As we celebrate the U.S. Constitution, every day we are fortunate to be guided by such a remarkable document.

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

- Interstates 80 & 76 Travel Guide - \$1,990.
- Tour Colorado @ Travel Adventure Show - \$2,350.
- International Sportsman's Expo - \$3,600.
- NADS In-Room Guest Directory - \$300.



- Colorado Life Magazine Advertisement - \$4,320.
- Miles Partnership/CTO Media - \$15,855.
- Sterling Concert Series - \$2,000.
- Colorado Governor's Conference on Tourism - \$765.

Commissioner Pelton moved to approve the Logan County Lodging Tax Board funding for Interstates 80 & 76 Travel Guide in the amount of \$1,990. Chairman McBride seconded and the motion carried 2-0.

Commissioner Pelton moved to approve the Logan County Lodging Tax Board funding for Tour Colorado @ Travel Adventure Show in the amount of \$2,350. Chairman McBride seconded and the motion carried 2-0.

Commissioner Pelton moved to approve the Logan County Lodging Tax Board funding for International Sportsman's Expo for \$3,600. Chairman McBride seconded and the motion carried 2-0.

Commissioner Pelton moved to approve the Logan County Lodging Tax Board funding for NADS In-Room Guest Directory in the amount of \$300. Chairman McBride seconded and the motion carried 2-0.

Commissioner Pelton moved to approve the Logan County Lodging Tax Board funding for Colorado Life Magazine Advertisement in the amount of \$4,320. Chairman McBride seconded and the motion carried 2-0.

Commissioner Pelton moved to approve Logan County Lodging Tax Board funding for Miles Partnership/CTO Media in the amount of \$15,855. Chairman McBride seconded and the motion carried 2-0.

Commissioner Pelton moved to approve the Logan County Lodging Tax Board funding for Sterling Concert Series in the amount of \$2,000. Chairman McBride seconded and the motion carried 2-0.

Commissioner Pelton moved to approve Logan County Lodging Tax Board funding for Colorado Governor's Conference on Tourism in the amount of \$765. Chairman McBride seconded and the motion carried 2-0.

Commissioner Pelton moved to approve an addendum to the Courthouse lighting maintenance contract between Logan County and Blazen Illuminations, LLC and allow the Chairman to sign. Chairman McBride seconded and the motion carried 2-0.

Commissioner Pelton moved to approve an agreement between Logan County and Highland Park Water Company and the issuance of ROW Permit # 2019-11 for use of the County Right of Way trenching along and across Park Circle Drive for a water pipeline. Chairman McBride seconded and the motion carried 2-0.

Commissioner Pelton moved to approve an agreement between Logan County and Pauley Construction on behalf of CenturyLink and the issuance of ROW Permit # 2019-12 for use of the County Right of Way trenching across County Road 8.5 for a 3 pair phone line. Chairman McBride seconded and the motion carried 2-0.

Commissioner Pelton moved to approve Resolution 2019-37 concerning the Authorization of the Colorado New Energy Improvement District to Conduct its New Energy Improvement Program, called Colorado Commercial Property Assessed Clean Energy (C-PACE), within Logan County ("County") and allow the Chairman to sign. Chairman McBride seconded and the motion carried 2-0.

Commissioner Pelton moved to approve and Agreement between Logan County and the Colorado New Energy Improvement District to participate in the Colorado New Energy Improvement Program called Colorado Commercial


Property Assessed Clean Energy (C-PACE) and allow the Chairman to sign. Chairman McBride seconded and the motion carried 2-0.

Commissioner Pelton moved to approve First Amendment to Lease between Logan County and the State of Colorado acting by and through the Department of Higher Education for the use and benefit of Northeastern Junior College relating to the leasing of the Logan County Fairgrounds for the NJC Equine Program and related activities and allow the Chairman to sign. Chairman McBride seconded and the motion carried 2-0.

The next business meeting will be scheduled for Tuesday, October 1, 2019 at 9:30 a.m. at the Logan County Courthouse.

There being no further business to come before the Board, the meeting adjourned at 10:03 a.m.

Submitted by:

  
\_\_\_\_\_  
Logan County Deputy Clerk

Approved: October 1, 2019

LOGAN COUNTY, COLORADO

(seal)

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

Attest:

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





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

County of Logan Month of Sept. 2019

GENERAL INFORMATION		REQUEST FOR MEDICAL RECORDS	
Telephone Calls*	109	21-4142 & 21-4142a	05/04
Office Visits	38	MILITARY RECORDS/CORRECTIONS	
Home Visits	12	SF180	- 0 -
Outreach Visits	01	DD149	01
Community Events	- 0 -	DD293	- 0 -
Request for Medal	- 0 -	NA13075	- 0 -
Operation Recognition	- 0 -	Other	- 0 -
Correspondence Rec'd	03	NSC PENSION	
Correspondence Written	11	21-527EZ	- 0 -
Info/Referral/Inquiries	03	21-8416	- 0 -
VCAA Notice	- 0 -	WIDOWS PENSION	
State Benefits	- 0 -	21-534EZ	- 0 -
Income Verifications	- 0 -	21-8416	- 0 -
NEW CLAIMS INITIATED		DIC	
21-22 CVA	05	21-5234EZ	- 0 -
21-22 others	- 0 -	WAIVERS/COMPROMISE	
SC ENTITLEMENT		21-5655	- 0 -
21-526EZ	05	APPEALS	
21-0966 Informal	10	21-0985 NOD	02
21-4138	03	VA Form 9	- 0 -
21-526EZ Reinstate	- 0 -	20-0995	- 0 -
21-526EZ IU	- 0 -	20-0996	- 05 -
21-8940 IU	- 0 -	10182	- 0 -



SC ENTITLEMENT CONTINUED		INSURANCE CLAIMS	
21-4192 IU Employer	- 0 -	29-357	- 0 -
21-4138 SMC	- 0 -	29-4364	- 0 -
21-686c Dependency	- 0 -	29-336 Beneficiary	- 0 -
21-674 School Attendance	- 0 -	29-4125 Lump Sum	- 0 -
VA HEALTHCARE		VTF REQUESTS	
10-10EZ <sup>R</sup>	- 0   -	Rental Assistance	- 0 -
CHAMPVA		Utilities Assistance	- 0 -
HOMELESS VETERANS CLAIMS		Prescription Assistance	- 0 -
Service Connection	- 0 -	Food Assistance	- 0 -
NSC Pension	- 0 -	Transportation Assistance	- 0 -
VOC REHAB		Clothing Assistance	- 0 -
28-1900 CH31	- 0 -	Other	- 0 -
MISC CLAIMS		VA HOME LOAN	
21-8678 Clothing Allow	- 0 -	26-1800	- 0 -
21-4502 Adaptive Equip.	- 0 -	26-1817	- 0 -
26-4555 Housing	- 0 -	SURVEYS	
10-0103 HISA Grant	- 0 -	County VSO Feedback and Comment Forms Submitted:	- 04 -
CRSC		OTHER	
BURIAL ALLOWANCE		21-686C	02
21P-530	01	20-572	01
40-1330	- 0 -	SF 1174	01
21-2008	- 0 -	CVA 6 (Janesville)	10
INCARCERATED VETERANS		CVA 6 (Denver)	04
21-526EZ Reinstatement	- 0 -	* from vets / to vets / professional	45 / 40 / 24
21-4138 Apportionment	- 0 -	from vets / to vets / concerning professional	05 / 03 / 81 / 70

Emails:  
 (

### Certification by County Veterans Service Officer

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

Salary	\$ <u>1,961.14</u>
Expenses (maint. contract)	\$ <u>24.93</u>
Office Space	\$ <u>-0-</u>
Telephone	\$ <u>84.49</u>
Office Supplies	\$ <u>10.01</u>
Travel	\$ <u>-0-</u>
Training Conference	\$ <u>-0-</u>
Other <u>Postage</u>	\$ <u>16.75</u>
TOTAL	\$ <u>2,097.32</u>

Wayne

Signature of County Veterans Service Officer

10-01-2019

Date

### Certification by County Commissioner or Designee

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

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

\_\_\_\_\_ County

\_\_\_\_\_ Date

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

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

Mail to:

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



**RETAIL LIQUOR OR 3.2 BEER  
LICENSE RENEWAL APPLICATION**

NORTHEASTERN 18  
17408 HIGHWAY 14  
STERLING CO 80751

Fees Due	
Renewal Fee	500.00
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$160 x _____	_____
Amount Due/Paid	

Make check payable to: **Colorado Department of Revenue**.  
The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

**PLEASE VERIFY & UPDATE ALL INFORMATION BELOW**

**RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE**

Licensee Name <b>L7BG LLC</b>		DBA <b>NORTHEASTERN 18</b>		
Liquor License # <b>03-03550</b>	License Type <b>Hotel &amp; Restaurant (county)</b>	Sales Tax License # <b>30167084</b>	Expiration Date <b>10/28/2019</b>	Due Date <b>09/13/2019</b>
Operating Manager <b>Brad Lebsock</b>	Date of Birth <b>7/24/1984</b>	Home Address <b>106 Juniper Dr.</b>		
Manager Phone Number <b>970 571 3418</b>		Email Address <b>brad@L7tradegroup.com</b>		
Street Address <b>17408 HIGHWAY 14 STERLING CO 80751</b>				Phone Number <b>9705805078</b>
Mailing Address <b>17408 HIGHWAY 14 STERLING CO 80751</b>				

1. Do you have legal possession of the premises at the street address above? ☒ YES ☐ NO  
Is the premises owned or rented? ☐ Owned ☐ Rented\* \*If rented, expiration date of lease \_\_\_\_\_
7. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. ☐ YES ☒ NO
- NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:** If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
3. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. ☐ YES ☒ NO
4. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation.  
☐ YES ☒ NO
5. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. ☐ YES ☒ NO

**AFFIRMATION & CONSENT**

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business <b>Bradley Lebsock</b>	Title <b>Manager</b>
Signature <i>Bradley Lebsock</i>	Date <b>9/10/19</b>

**REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY**

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. THEREFORE THIS APPLICATION IS APPROVED.

Local Licensing Authority For		Date
Signature	Title	Attest

**RESOLUTION**

**No. 2019-38**

**A RESOLUTION TO EXEMPT FROM PROPERTY TAX BUSINESS PERSONAL PROPERTY  
USED TO MANUFACTURE WIND TURBINES AT THE SITE WHERE THE WIND TURBINES  
WILL BE PLACED INTO SERVICE**

**WHEREAS**, Colorado Constitution Article X, Section 20(8)(b) authorizes Logan County, a Colorado local government, to enact cumulative uniform exemptions and credits to reduce or end business personal property taxes; and

**WHEREAS**, tall wind turbines capture more wind energy and produce more electricity than shorter wind turbines because wind speed increases at greater heights; and

**WHEREAS**, as the height of the tower of a wind turbine increases, the diameter of the tower must also increase to give the tower sufficient structural strength to safely support the wind turbine; and

**WHEREAS**, until recently, physical limits on the diameter of wind turbine towers that can be transported over state highways have limited the height of wind turbines placed into service at Colorado wind farms; and

**WHEREAS**, new technology that allows wind turbine towers to be manufactured at the site where wind turbines will be placed into service allows taller wind turbines that produce more electricity and are worth more money to be placed into service at Colorado wind farms; and

**WHEREAS**, in order to allow Colorado wind farms to produce more electricity, earn more money, and provide larger amounts of property tax and lease revenue to taxing jurisdictions and landowners for the duration of the operating lives of the wind farms, it is necessary, appropriate, and in the best interest of the County to encourage the on-site manufacture of wind turbine towers by temporarily exempting from property taxation, for ten years, business personal property used to manufacture wind turbines and components of wind turbines at the site where the turbines will be placed into service.

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

For property tax years beginning on or after January 1, 2020, but before January 1, 2030, all business personal property used to manufacture wind turbines or components of wind turbines at the site where the wind turbines will be put into service is exempt from the levy and collection of property tax so long as the property is used exclusively for that purpose.

ADOPTED on Tuesday, the 1st day of October, 2019.

BOARD OF COUNTY COMMISSIONERS  
LOGAN COUNTY, COLORADO

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

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

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

I, Pamela M. Bacon, County Clerk and Recorder in and for the County of Logan, State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session on this 1st day of October, 2019.

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



**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): 17010 County Road 20.5 \_\_\_\_\_

\_\_\_\_\_ ; and

WHEREAS, Applicant desires to install and construct a 2" gas main & .75" gas service \_\_\_\_\_, which will be located (Circle One): along, ~~bore under~~ or trench across \_\_\_\_\_ County Road 35 \_\_\_\_\_, to benefit the abovedescribed 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 2" gas main & .75" gas service \_\_\_\_\_, described above, in the right of way of \_\_\_\_\_ County Road 35 \_\_\_\_\_, 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, 2019 \_\_\_\_\_.
- ☒ 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.
- ☒ Applicant hereby releases the County from any liability for damages caused by said gas line construction, whether caused by employees or equipment of

ROW2019-13 XCEL ENERGY  
Utility access for NW4SW4 13-07-53  
17010 C.R. 20.5, MERINO

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: \_\_\_\_\_

Owner #1

\_\_\_\_\_  
Signature Printed name

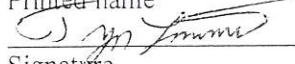
Owner #2

\_\_\_\_\_  
Signature Printed Name

Individual Right-of-Way Permit Applicant:

Tyson Lambert

Printed name

  
Signature

Address: 502 S 8th Ave, Sterling, CO

Application Fee Paid \$150

Date 9-16-2019

Signed at Sterling, Colorado the day 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)

**ROW2019-13 XCEL ENERGY**  
**Utility access for NW4SW4 13-07-53**  
**17010 C.R. 20.5, MERINO**

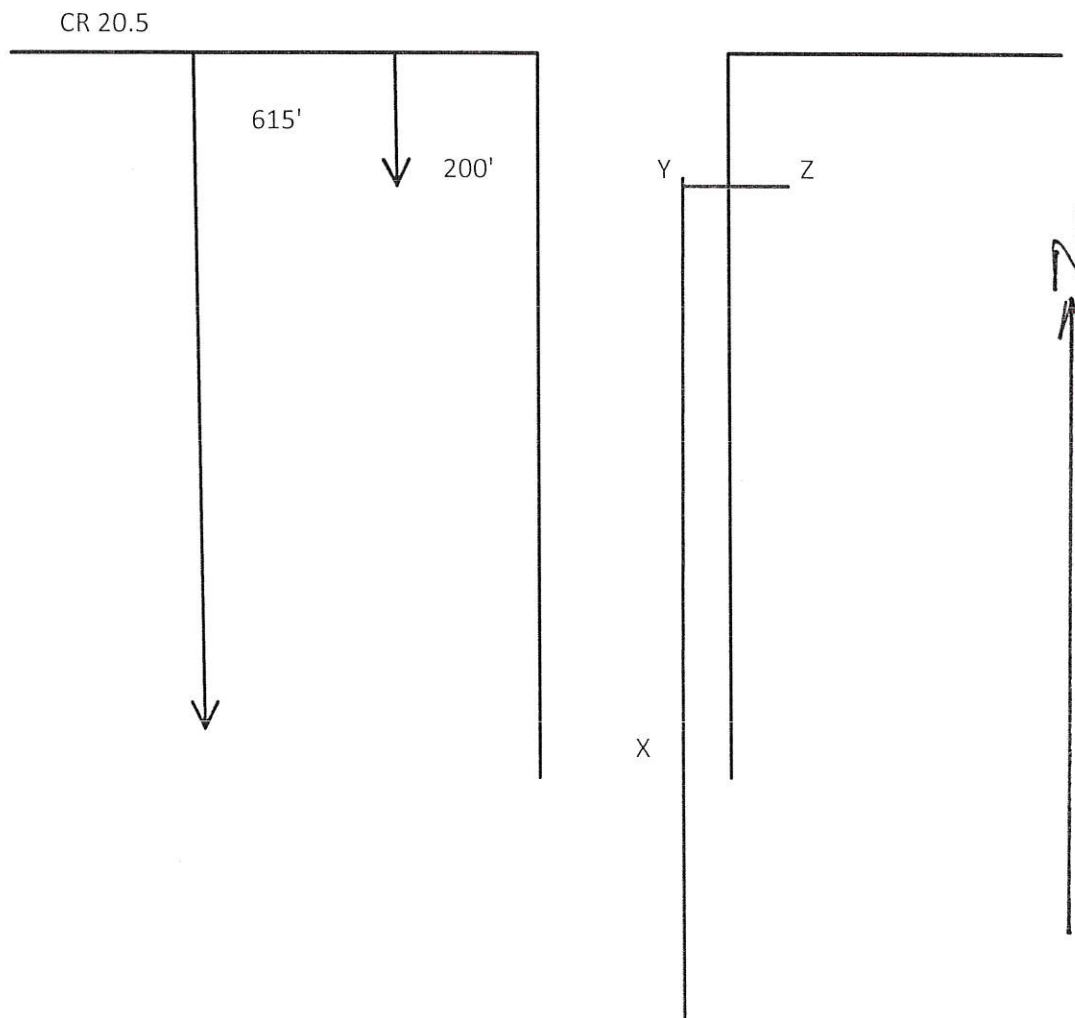


## Section 14-7-53

Work will begin at point X which is approximately 615' south of CR 20.5 and bore underground for approximately 415' to point Y. Then continue east to the property of 17010 CR 20.5

CR 35

Section 13  
7-53



**ROW2019-13 XCEL ENERGY**  
**Utility access for NW4SW4 13-07-53**  
**17010 C.R. 20.5, MERINO**

**MOTOR VEHICLE LEASE  
(WITH PURCHASE OPTION)**

The BOARD OF COUNTY COMMISSIONERS OF LOGAN COUNTY, COLORADO, whose address and principal place of business is 315 Main Street, Sterling, CO 80751, hereinafter called "Lessor," in consideration of rentals and the mutual covenants and provisions hereinafter set forth, does hereby lease and rent to the THIRTEENTH JUDICIAL DISTRICT ATTORNEY'S OFFICE, whose address is 400 Warner Street, P.O. Box 1337, Ft. Morgan, CO 80701, hereinafter called "Lessee," the following described motor vehicle:

2018 Chevrolet Equinox  
VIN# 3GNAXSEV9JL124375

As rental for the use and possession of the said vehicle, Lessee hereby agrees to pay to Lessor rent in the principal amount of \$20,000.00 plus interest at 4% per annum for the term of this Lease, payable in thirty-six consecutive monthly installments of \$590.20 each, due and payable on the first day of each month commencing on the 1st day of November, 2019, at Logan County Finance Office, 315 Main, Sterling, CO, or at such other place as the Lessor, or any assignee of the Lessor, may specify in writing by notice to Lessee at the address shown above.

The Lessee shall, at its own expense, make all repairs and replacements to said vehicle during the continuance of this lease necessary to keep and maintain it in good condition and repair, but Lessee has no authority to place, or permit to be placed, any lien, encumbrance or charge on said vehicle for repairs or replacements. Lessee agrees to keep said vehicle free from all liens, encumbrances and charges of any nature whatsoever, voluntary or involuntary, except the lien of any applicable taxes not delinquent.

Subject to the Lessee's right to redeem said vehicle after repossession thereof as hereinafter provided and unless Lessee's option to purchase has been previously exercised, at the termination of this lease the Lessee shall return said vehicle to the Lessor at 315 Main Street, Sterling, CO, in the same condition in which it was received by the Lessee, ordinary wear and tear and ordinary depreciation only excepted, and shall execute any and all papers necessary to effect the transfer of possession of said vehicle back to the Lessor free of all claims of the Lessee. Loss, injury or destruction of the vehicle shall not reduce or release the obligations of the Lessee hereunder.

Lessee agrees that all equipment, accessories, replacements, additions, or substitutions now or hereafter added to said vehicle shall immediately, by accession, become integral parts thereof.

The Lessee agrees to indemnify and save the Lessor harmless from any and all claims resulting from, or incidental to, the operation of the vehicle during the term of this lease.

The Lessee shall furnish the Lessor with insurance policies or certificates thereof insuring said vehicle to the full extent of its insurable value against fire and theft, and also providing for



comprehensive and collision insurance, such insurance policies to be kept effective during the entire term of this Lease, this insurance to be written in the name of the Lessee.

License plates used on the leased vehicle shall be issued in the name of the Lessee. The Lessee shall bear the cost of license plates and all other operating expenses incidental to the use of the leased vehicle, and in the operation of the vehicle the Lessee shall comply with all laws, regulations, rules and orders of lawfully constituted authorities. All taxes applicable to the vehicle which become effective during the term of this lease shall be paid by the Lessee.

Notwithstanding the issuance of a certificate of title or any other documents required by law to enable the Lessee to obtain license plates or operating rights, the title to the leased vehicle is retained by the Lessor.

In case of the Lessee's failure to pay any installment of rent or to fulfill or perform any other agreement or condition required to be fulfilled or performed by Lessee, the Lessee shall be in default and, at the option of the Lessor (exercised at any time thereafter and without notice to or demand on the Lessee), (a) the entire unpaid amount of the rent due and to become due hereunder and all other sums for which the Lessee is liable hereunder shall become immediately due and payable and the Lessor may institute proceedings to enforce any payment thereof, or (b) the Lessor may repossess said vehicle with or without legal process (Lessee hereby authorizing the peaceful entry for said purpose on any premises of Lessee) and may also exercise any and all other lawful remedies Lessor may have by reason of Lessee's default.

No waiver by Lessor of any default on the part of the Lessee hereunder or of any right and remedy consequent thereon shall constitute a continuing waiver or a waiver of any other default or of any right or remedy consequent thereon.

The Lessee is hereby given the right and privilege, at its option, but prior to the Lessor's lawful repossession, to purchase said vehicle upon full payment of the required thirty-six consecutive installments, for the sum of: One Dollar (\$1.00).

Upon payment of the full option price in cash upon the exercise of the option set forth above, this lease shall terminate, no further rents shall become due hereunder and the Lessor shall deliver to the Lessee a quit-claim bill of sale to the leased vehicle.

The Lessee shall not assign this lease or any rights of the Lessee without the prior written consent of the Lessor.

This lease shall be interpreted according to and governed by the laws of the State of Colorado.

In Witness Whereof this lease is executed effective this \_\_\_\_ day of October, 2019.

LESSOR:

BOARD OF COUNTY COMMISSIONERS  
OF LOGAN COUNTY, COLORADO

Attest:

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

\_\_\_\_\_  
Pamela M. Bacon  
Clerk and Recorder

LESSEE:

THIRTEENTH JUDICIAL DISTRICT  
DISTRICT ATTORNEY'S OFFICE

\_\_\_\_\_  
By: Brittny Lewton, District Attorney