



**AGENDA**  
**TOWN OF PARACHUTE**  
**BOARD OF TRUSTEES REGULAR MEETING**  
**OCTOBER 9, 2014**

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**(A) ROLL CALL**

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**(B) PLEDGE OF ALLEGIANCE**

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**(C) CONSENT AGENDA:**

**MINUTES FROM THE SEPTEMBER REGULAR AND SPECIAL MEETINGS WILL BE PRESENTED AT THE NOVEMBER 13<sup>TH</sup> BOARD MEETING.**

**(1) EXPENDITURES FROM SEPTEMBER**

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**(D) COMMENTS FROM CITIZENS NOT ON THE AGENDA**

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**(E) APPOINT BOARD MEMBER FROM LETTERS OF INTEREST:**

**Linda J. Ford**

**Norman Feck**

**Michael C. Berry**

**STAFF: S. DENISE CHIARETTA**

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**(F) SWEAR-IN NEW BOARD MEMBER**

**STAFF: S. DENISE CHIARETTA**

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**(G) JOINT MEETING WITH GARFIELD BOARD OF COUNTY COMMISSIONERS:**

**ITEMS FOR DISCUSSION JOINT WORK SESSION:**

**1. ELECTED OFFICIALS:**

**a. TOM JANKOVSKY, GARFIELD COUNTY COMMISSIONER**

**i. To consider authorizing the Chair to sign a resolution supporting a fair and equitable solution for the settlement of the Roan Plateau litigation – Commissioner Tom Jankovsky and Fred Jarman**

**2. BRIDGE OVER COLORADO RIVER (County Road 300)**

**3. WEST INTERCHANGE – Loop from Battlement Mesa to West Parachute Interchange**

**4. SENIOR CENTER**

- 5. COUNTY ROAD 215
- 6. COUNTY APPROVALS OF DEVELOPMENT OUTSIDE TOWN OF PARACHUTE TOWN LIMITS

**(H) WILLIAMS PRESENTATION REGARDING MITIGATION OF THE SPILL:**

**PRESENTED BY: MICHELE SWANER**

**(I) PUBLIC HEARING BEFORE THE BOARD OF TRUSTEES FOR RE-ZONING:**

**APPLICANT/ OWNER: B & V DEVELOPER, LLP**  
**ADDRESS: 259 COUNTY ROAD 320**  
**RIFLE, CO 81650**

**PROJECT NAME: SPRING LAKE ESTATES RE-ZONE**

**PROJECT LOCATION: SPRING LAK ESTATES, PARACHUTE, CO**

**LEGAL DESCRIPTION: SECTION; 7, TOWNSHIP; 7 RANGE 95, SUBDIVISION:**  
**SPRING LAKE ESTATES, PHASE II LOTS: 18, 19, AND 20.**

**A RE-SUB OF LOTS 1, 2 & 3, SEC A; LOTS 1, 2, & 3, SEC D; LOT 1, SEC B; & LOTS 1-A 7 3, SEC C**

**(J) BOARD APPROVAL OF ORD. NO. 676**

**AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, AMENDING THE ZONE DISTRICT MAP OF THE TOWN OF PARACHUTE BY REZONING CERTAIN PROPERTY DESCRIBED AS LOTS 18, 19 AND 20, SPRING LAKE ESTATES-PHASE II WITH IN THE TOWN OF PARACHUTE, COLORADO.**

**(K) REQUEST BOARD APPROVAL OF MAYOR'S SIGNATURE ON AN AGREEMENT WITH STEVEN A. NOFZIGER FOR THE PROCESSING AND SALE OF ABANDONED VEHICLES.**

**STAFF: CARY PARMENTER**

**(L) DISCUSSION 2015 PROPOSED BUDGET**

**STAFF: STUART MCARTHUR, TOWN MANAGER**

**(M) DEPARTMENTAL REPORTS:**

- (1) Mayor and Board of Trustees.....Mayor and Trustees
- (2) Town Manager Monthly Update..... Stuart McArthur, Town Manager
- (3) Police Department Monthly Update..... Cary Parmenter, Police Chief
- (4) Public Works Monthly Update..... Mark King, Director of Public Works
- (5) Code Enforcement Update..... Derek Wingfield, Community Development Specialist

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**(N) CORRESPONDENCE:**

**PUBLIC NOTICES GARFIELD COUNTY**

**The Puckett Land Co. has applied to Garfield County Director of Community Development, to request a Land Use Change Permit to allow an Injection Well, Small to be located on the subject property located on the subject property located in the County of Garfield, State of Colorado**

**WPX Energy Rocky Mountain, LLC, has applied to the Board of County Commissioners, Garfield County, State of Colorado, to request approval of a Land Use Change Permit on a property situated in the County of Garfield, State of Colorado**

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**(P) OTHER MATTERS:**

**THANK YOU:**

**Battlement Mesa Service Association, Movies under the Stars**

**Grand Valley Leadership Class of 2016 for Helping Make Homecoming a Success**

**Note from of John Sidey and Picture of his jump.**



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## **AGENDA ITEM**

### **CONSENT AGENDA:**

**MINUTES FROM THE SEPTEMBER REGULAR AND SPECIAL MEETINGS WILL BE PRESENTED AT THE NOVEMBER 13<sup>TH</sup> BOARD MEETING.**

- (1) EXPENDITURES FROM SEPTEMBER**

Payee or Description	Check Amount
State Withholding	\$1,308.00
HRA Reimbursement Ref. #21	\$60.08
CDM REF # 27 Paylocity Admin. Fees	\$96.00
Payflex HRA CDM Ref/#22	\$69.00
Wells Fargo Federal Tax Dep. CDM Ref. #17	\$8,585.03
Paylocity 9/30 Payroll CDM Ref. #28	\$125.00
Colo. Dept. of Labor & Employment CDM Ref. 4	\$16.76
Colo. Dept of Labor & Employment CDM Ref. # 14	\$24.31
Federal Tax Deposit / CDM Ref #18	\$9,591.52
Payflex Health Hub CDM Ref. # 23	\$581.92
Colo. Dept. Of Revenue CDM Ref. #11	\$1,446.00
Payflex Health Hub CDM Ref. # 24	\$514.38
AFLAC	\$803.72
CENTURY LINK	\$918.47
DEPENDABLE WASTE SERVICES	\$4,625.00
FILTER TECH SYSTEMS, INC.	\$978.95
FIRE AND POLICE PENSION ASSOC.	\$2,086.44
GALLS, AN ARAMARK CO., LLC	\$250.01
KANSAS CITY LIFE INS.	\$2,377.64
KONICA MINOLTA	\$729.83
LAW ENFORCEMENT ALLIANCE FOR DEFENSE	\$28.00
LIBERTY NATIONAL LIFE INSURANCE CO.	\$151.78
MICRO PLASTICS	\$80.80
ORCHARD TRUST COMPANY, LLC	\$2,536.29
PAYFLEX SYSTEMS, USA INC.	\$150.00
RICOH USA, INC.	\$148.96
RIFLE TOWING	\$161.00
ROCKY MT. HEALTH PLANS	\$19,464.65
STUART S. MCARTHUR	\$172.21
VISION SERVICE PLAN - (CONNECTICUT)	\$299.52
WELLS FARGO BUSINESS	\$532.26
WELLS FARGO BUSINESS	\$2,300.10
WELLS FARGO BUSINESS	\$722.12
WELLS FARGO BUSINESS CARD	\$648.64
EXTREME KIDS LLC	\$5,200.00
WALK ON WATER	\$2,300.00
AUSTIN CIVIL GROUP, INC.	\$4,760.00
GARFIELD CO. CLERK & RECORDER	\$107.00
PARACHUTE/BM PARKS & REC	\$225.00
A COUPLE OF STICTCHES, EMBROIDERY	\$40.50
AIRGAS USA, LLC	\$50.08
ALSCO	\$121.48
APRENDI, INC.	\$123.45
AUSTIN CIVIL GROUP, INC.	\$4,690.00
BATTLEMENT MESA HARDWARE LLC	\$223.16
BATTLEMENT MESA METROPOLITAN DISTRICT	\$14,085.00
CANDLEWOOD SUITES	\$78.09
CASELLE INC	\$525.33
CDPHE	\$465.00
CENTURY EQUIPMENT COMPANY	\$92.58
CIRSA	\$100.00
COLORADO MT. NEWS MEDIA	\$61.73
DAZZIO & PLUTT, LLC	\$9,500.00
DENISE CHIARETTA	\$345.00
DESKTOP CONSULTING, INC.	\$430.30
ECOS ENVIRONMENTAL & DISASTER RESTORATIO	\$1,200.00
EMEDCO INC.	\$802.32
FIKES WEST, INC.	\$89.00
FIRE AND POLICE PENSION ASSOC.	\$2,086.50

FRONTIER PAVING INC.	\$205,428.60
GARFIELD & HECHT, P.C.	\$192.00
GARFIELD CO. SHERIFFS AUXILIARY	\$360.00
GRAND JUNCTION PIPE & SUPPLY	\$15,189.94
HOLY CROSS ENERGY	\$66.11
HUDDLESTON-BERRY ENGINEERING & TESTING	\$3,235.00
MESA COUNTY HEALTH DEPT.	\$40.00
MICRO PLASTICS	\$79.50
MOUNTAIN PEST CONTROL	\$104.00
NEVE'S UNIFORMS, INC.	\$1,007.24
ORCHARD TRUST COMPANY, LLC	\$2,536.09
P AND K AUTO BODY	\$476.00
PARACHUTE AUTO PARTS & SUPPLY	\$224.33
PARACHUTE RADIO SHACK	\$139.98
PARACHUTE SERVICE	\$62.90
PATTON PRINTING CO.	\$132.00
PAYFLEX SYSTEMS, USA INC.	\$150.00
PINNACOL ASSURANCE	\$6,779.00
QUILL CORPORATION	\$456.39
R & S SALES & WELDING SERVICE	\$12.00
RICOH USA, INC	\$50.32
RICOH USA, INC.	\$148.96
SALARIES	\$60,446.22
SAM'S CLUB	\$18.75
SANDS LAW OFFICE, LLC	\$5,552.82
SWALLOW OIL COMPANY	\$2,666.57
T/J COMMUNICATIONS	\$492.25
THE CITIZEN TELEGRAM	\$20.00
TRI COUNTY FIRE EXTINGUISHERS	\$220.00
TRU GREEN	\$290.85
TWO-WAY COMMUNICATIONS	\$170.00
U. S. TRACTOR & HARVEST, INC.	\$1,099.27
UNCC	\$58.14
UNIVAR USA INC.	\$601.50
USA BLUE BOOK	\$278.73
VALLEY LUMBER	\$184.43
VERIZON WIRELESS	\$899.43
WAGNER RENTS INC.	\$458.03
WESTERN SLOPE CONSULTING, LLC	\$6,777.34
WILLY WANNA JUMP	\$1,710.00
XCEL ENERGY	\$7,845.77
<b>TOTAL</b>	<b>\$436,946.37</b>



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## **AGENDA ITEM**

### **APPOINT BOARD MEMBER FROM LETTERS OF INTEREST:**

**Linda J. Ford**

**Norman Feck**

**Michael C. Berry**

**STAFF: S. DENISE CHIARETTA**

**Linda Jean Ford**

1 Saint John Circle Parachute Co.  
Phone: 970-274-2817

► **Town Manager Stuart McArthur**

And members of the board

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**Good Evening;**

I am interested in filling the vacancy on the board of trustees because I have purchased a home here and plan to live the rest of my life here. I am very interested in the future growth of Parachute and would like to be a part of this.

Thank you for considering me.

  
Linda Jean Ford



TOWN OF PARACHUTE  
PO Box 100  
222 Grand Valley Way, Parachute CO 81635



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Telephone: (970) 285-7630  
Facsimile: (970) 285-0292  
E-mail: [depden@parachutecolorado.com](mailto:depden@parachutecolorado.com)

Town Clerk  
S. Denise Chiaretta CMC

October 3, 2014

Linda J. Ford  
001 St. John Circle  
Parachute, CO 81635

Ms. Ford,

The Board of Trustees will be making a decision regarding appointing a new board member from the letters of interest received.

Please be present Thursday October 9, 2014 at 6:30 p.m. at the Parachute Town Hall, at this time the Board will be asking questions of the interested candidates.

Sincerely,

A handwritten signature in cursive script that reads "S. Denise Chiaretta".

S. Denise Chiaretta  
Town Clerk CMC

09/09/2014

Dear Town of Parachute,

I would like to be a Board of Trustees member. I am a Parachute resident and a responsible citizen. I enjoy living here and I would enjoy a role where I could serve this community.

Norman Feck  
8968 County Road 300  
Parachute, CO 81635

720-350-0561



TOWN OF PARACHUTE  
PO Box 100  
222 Grand Valley Way, Parachute CO 81635



Telephone: (970) 285-7630  
Facsimile: (970) 285-0292  
E-mail: [depden@parachutecolorado.com](mailto:depden@parachutecolorado.com)

Town Clerk  
S. Denise Chiaretta CMC

October 3, 2014

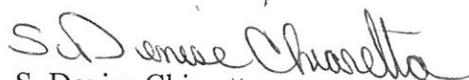
Norman Feck  
8968 County Road 300  
Parachute, CO 81635

Mr. Feck,

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Please be present Thursday October 9, 2014 at 6:30 p.m. at the Parachute Town Hall, at this time the Board will be asking questions of the interested candidates.

Sincerely,

  
S. Denise Chiaretta  
Town Clerk CMC

# Michael C Berry

135 W 1st Street  
Parachute, CO  
81635  
(970) 623-0702  
mcb@ironxfer.com



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September 8, 2014

To: Town of Parachute Board  
Subject: Application for Board Position

I would like to formally apply for the open board position.

I've lived in Parachute since January 10, 2013 at 135 W 1st Street. I am a registered voter and a native Coloradoan.

I would like to see this community get on track in terms of civic pride and image.

Thank you for your consideration.

Sincerely,

Michael C. Berry

TOWN OF PARACHUTE  
PO Box 100  
222 Grand Valley Way, Parachute CO 81635



Telephone: (970) 285-7630  
Facsimile: (970) 285-0292  
E-mail: [depden@parachutecolorado.com](mailto:depden@parachutecolorado.com)

Town Clerk  
S. Denise Chiaretta CMC

October 3, 2014

Michael C. Berry  
P.O. Box 734  
Parachute, CO 81635

Mr. Berry,

The Board of Trustees will be making a decision regarding appointing a new board member from the letters of interest received.

Please be present Thursday October 9, 2014 at 6:30 p.m. at the Parachute Town Hall, at this time the Board will be asking questions of the interested candidates.

Sincerely,

A handwritten signature in cursive script that reads "S. Denise Chiaretta".

S. Denise Chiaretta  
Town Clerk CMC



**AGENDA  
GARFIELD COUNTY BOARD OF COUNTY COMMISSIONERS  
JOINT WORK SESSION WITH TOWN OF PARACHUTE**

222 Grand Valley Way  
Parachute, CO 81635

**Thursday, October 9, 2014  
6:00 p.m.**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**JOINT WORK SESSION:**

1. Elected Officials:
  - a. Tom Jankovsky, Garfield County Commissioner
    - i. To consider authorizing the Chair to sign a resolution supporting a fair and equitable solution for the settlement of the Roan Plateau litigation - Commissioner Tom Jankovsky and Fred Jarman
2. Bridge over Colorado River (County Road 300)
3. West Interchange – Loop from Battlement Mesa to West Parachute Interchange
4. Senior Center
5. County Road 215
6. County approvals of development outside Town of Parachute town limits.

**CITIZEN COMMENTS**

**ADJOURNMENT**

Posted date:  
Posted by:



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## **AGENDA ITEM**

### **PUBLIC HEARING BEFORE THE BOARD OF TRUSTEES FOR RE-ZONING:**

**APPLICANT/ OWNER:** B & V DEVELOPER, LLP  
**ADDRESS:** 259 COUNTY ROAD 320  
RIFLE, CO 81650

**PROJECT NAME:** SPRING LAKE ESTATES RE-ZONE

**PROJECT LOCATION:** SPRING LAK ESTATES, PARACHUTE, CO

**LEGAL DESCRIPTION:** SECTION; 7, TOWNSHIP; 7 RANGE 95,  
SUBDIVISION: SPRING LAKE ESTATES, PHASE  
II LOTS: 18, 19, AND 20.

A RE-SUB OF LOTS 1, 2 & 3, SEC A; LOTS 1, 2, &  
3, SEC D; LOT 1, SEC B; & LOTS 1-A 7 3, SEC C

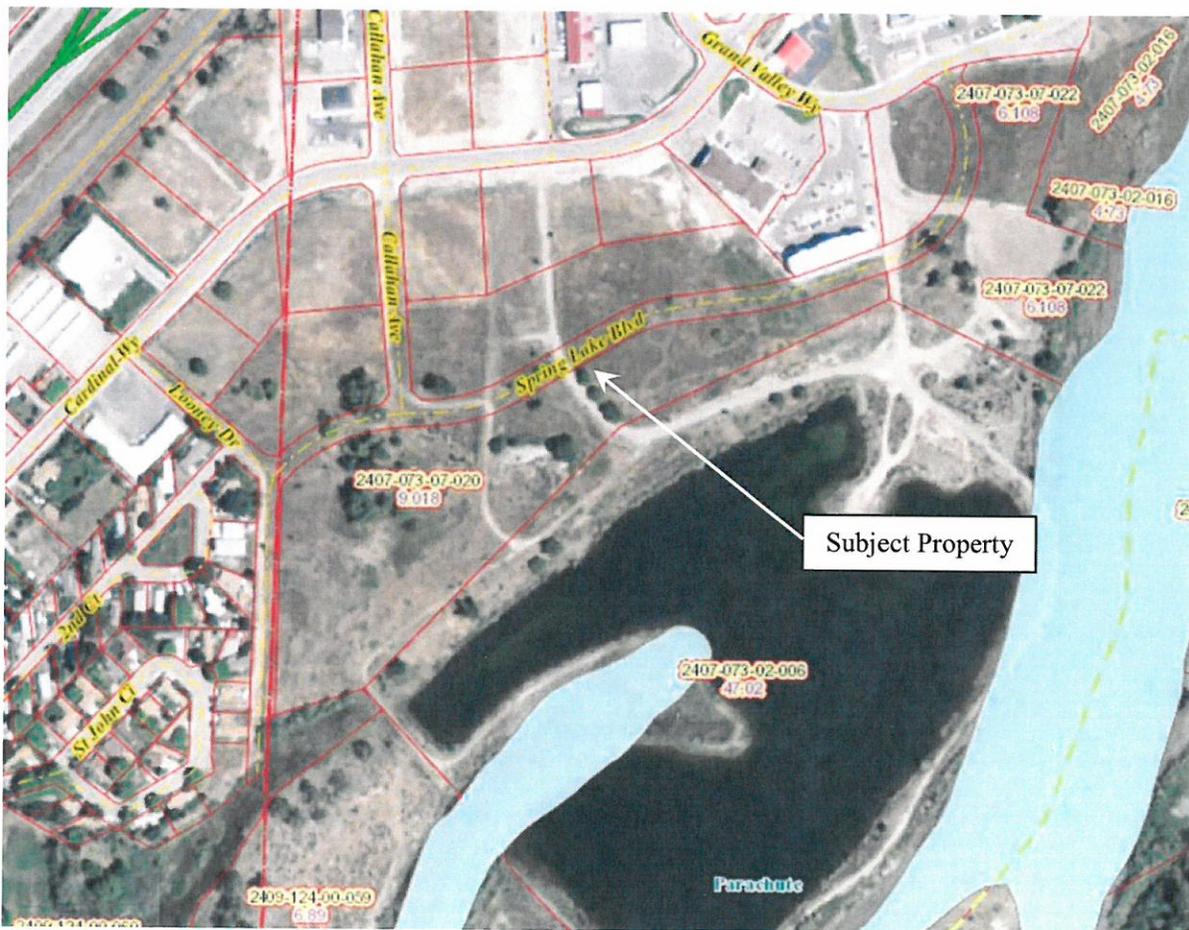
**Town of Parachute Board of Trustee Meeting  
 Thursday October 2, 2014  
 Rezoning Application  
 Staff Report**

Report Date - 9/26/14

PROJECT INFORMATION	
<b>Name of Project:</b>	Spring Lake Estates Rezoning
<b>Type of Request:</b>	Rezoning
<b>Name of Applicant:</b>	B&V Developers, LLLP c/o Ted Vaughan - Applicant
<b>Parcel Number(s)</b>	2407-073-07-019, 2407-073-07-020, 2407-073-07-018
<b>Address:</b>	0259 County Rd. 320, Rifle, CO 81650
<b>Phone:</b>	970-379-0504
<b>Property Owner:</b>	Same as above
<b>Property Owner Address/Phone:</b>	Same as above
<b>Existing Zoning</b>	Residential High Density
<b>Requested Rezoning:</b>	Service Commercial
<b>Surrounding Zoning:</b>	<i>North</i> - Residential Medium Density, Neighborhood Commercial, Service Commercial, <i>East</i> - Service Commercial, <i>South</i> - Rural Agriculture, <i>West</i> - Residential Medium Density, Rural Agriculture.
<b>Existing Land Use:</b>	Vacant Land
<b>Proposed Use:</b>	Commercial Development, COGCC Approved Ursa Drill Pad Site and Associated Facilities
<b>Lot Size</b>	9.018 acres, 2.047 acres & 3.456 acres = 14.521 Acres
<b>Minimum Lot Size</b>	Service Commercial 6,000 ft. <sup>2</sup> , High Density Residential 5,000 ft. <sup>2</sup> to 10,000 ft. <sup>2</sup> .

<b>Property Legal Description</b>	Parcel # - 2407-073-07-018: Section: 7 Township: 7 Range: 95 Subdivision: SPRING LAKE ESTATES, PHASE II Lot: 18 A RESUB OF LOTS 1,2 &3, SEC A;LOTS 1,2 & 3, SEC D;LOT 1, SEC B;& LOTS 1-A & 3, SEC C Parcel # - 2407-073-07-019: Section: 7 Township: 7 Range: 95 Subdivision: SPRING LAKE ESTATES, PHASE II Lot: 19 A RESUB OF LOTS 1,2 &3, SEC A;LOTS 1,2 & 3, SEC D;LOT 1, SEC B;& LOTS 1-A & 3, SEC C Parcel # - 2407-073-07-020: Section: 7 Township: 7 Range: 95 Subdivision: SPRING LAKE ESTATES, PHASE II Lot: 20 A RESUB OF LOTS 1,2 &3, SEC A;LOTS 1,2 & 3, SEC D;LOT 1, SEC B;& LOTS 1-A & 3, SEC C
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**Project Location:** South of Cardinal Way, east of Loony Drive and north of the pond adjacent to the Colorado River.



**I. Description of Application:**

This application is a request to rezone the subject property from Residential High Density to Service Commercial.

## II. Applicable land-use code sections:

*The following language from the zoning regulations.*

### **15.03.185 Rezoning**

The Town may, from time to time, amend the number shape or boundaries of any zone district. Such an amendment to a zone district boundary is known as rezoning. Rezoning applications are reviewed by the Planning Commission and Board of Trustees pursuant to the provisions of §15.05.

In addition to the review criteria of §15.05, the Planning Commission and Board of Trustees may consider the following evaluation criteria for the analysis of Rezoning applications:

- (a) The compatibility of the rezoning proposal with the surrounding zone districts and land uses in the vicinity of the site of the rezoning including the characteristics of the existing neighborhood, the applicable area and bulk requirements, and the suitability of the site for development in terms of on-site characteristics;
- (b) The impacts of the rezoning upon expected traffic generation and road safety, availability of on-site and off-site parking and the availability of adequate utility services and street access to the site;
- (c) The impacts of the land uses of the proposed rezoning upon expected environmental quality including air and water quality; and
- (d) The community need for the proposed rezoning and the relationship of the proposed rezoning to the goal of overall community balance.

### **15.05.206 Review Criteria and Planning Commission Recommendation.**

A. **Review Criteria.** The Planning Commission shall consider all the evidence presented by the applicant and other interested parties, comments of review agencies, recommendations of the Town Administrator, and comments from the public. At a minimum, the Planning Commission shall also consider the following criteria:

1. Conformance of the proposal with the Town of Parachute Municipal Code;
2. The compatibility of the proposal with the character of the surrounding area including, but not limited to the architectural character of the neighborhood;
3. The desirability for the proposed use in the specific area of the Town;
4. The potential for adverse environmental effects that might result from the proposed use;
5. Compatibility of the proposed use and the site (or subdivision) plan with the Parachute Plan; and
6. Conformance of any plan with the requirements of the Town of Parachute Public Works Improvements Manual.
7. Additional criteria set forth for rezoning applications in Section 15.03.185.

### **Zoning Regulations**

**15.03.204 HDR - High Density Residential Zone District.** The High Density Residential Zone District is primarily a residential district intended to accommodate higher density residential housing types, including townhouses, condominiums and apartment units. Few nonresidential uses are permitted in the High Density Residential Zone District.

**15.03.208 SC - Service Commercial Zone District.** The Service Commercial Zone District is intended to provide areas for wholesale and service commercial uses located near major highway intersections away from residential uses.

*The following information comes from the schedule of uses table in the existing zoning regulations and identifies uses allowed under the Town regulations.*

**15.03.215 Schedule of Uses - HDR Zone District.**

<b>Land Use</b>	<b>HDR</b>
One-family dwelling (single family dwelling)	P
Two-family dwelling (duplex)	P
Multiple-family dwelling and townhouses	S
Bed and Breakfast accommodations	S
Mobile homes	S
Mobile home parks	S
Agricultural uses	
Agricultural-related business	
Campgrounds	
Cemeteries	S
Equestrian training facility	
Firewood storage and sales excluding splitting, sawing, and other processing	
Government facilities	S
Group homes for the developmentally disabled or for persons sixty (60) years of age or older	S
Outfitter/guide business	
Parks, public	P
Public utility facilities - above ground	S
Public utility facilities - underground	P
Religious assembly and worship - indoor	P
Riding stable - commercial	
Rodeo grounds	
Sand and gravel, stone, mineral - extraction and processing - excluding asphalt production	
Schools - public	P
Schools - private	S
State licensed day care facilities	S
Tree and flower nurseries	
Uses Not Itemized (see §15.03.175)	S

**P = Permitted use**  
**S = Special Review Use**  
**Uses not designated as “P” or “S” are not allowed**

**15.03.216 Schedule of Uses - SC, Zone District.**

Land Use	SC
One-family dwelling (single family dwelling)	S
Dwelling unit accessory to a permitted business use	S
Dwelling unit accessory to permitted uses and located in the same building or on the same lot as the principal use	
Bed and Breakfast accommodations	
Bakeries - commercial	S
Campgrounds	
Car washes	P
Truck washes	S
Clubs and lodges, fraternal organizations	
Commercial parking lots or garages	S
Contractors (carpentry, machine, electrical, plumbing) shops	S
Contractor yards - heavy equipment	
Convenience retail stores with or without motor vehicle fuel sales provided there are not more than four (4) fuel pumps	S
Convenience retail stores with more than four (4) fueling stations	S
Drive-in banks	S
Restaurants - fast food type with drive through pick-up facilities	S
Dry cleaning - plants	S
Dry cleaning - retail drop-off and pick-up	
Eating and/or drinking establishments excluding fast food restaurants	P
Educational facilities	S
Employee housing (temporary) provided employees are in the employ of property owner	
Equipment (heavy equipment) sales and service and storage	S
Financial institutions	
Food and beverage processing	
Frozen food lockers	P
Government facilities	S

Land Use	SC
Grocery stores	P
Hotels and motels	S
Indoor commercial recreation facilities	P
Laundromats and dry cleaning (retail) facilities	P
Laundry - commercial	
Manufacturing, fabrication and assembly operations or industrial uses subject to limitations of subsection 15.03.209(D)	S
Medical and dental clinics	S
Mixed-use commercial uses and multiple commercial uses in the same building	P
Mixed industrial uses and multiple uses in the same building or on the same lot	
Manufactured and modular home sales	S
Natural gas production and warehousing	
Offices for the conduct of a business or profession	P
Oil/petroleum product production, warehousing and storage	
Open sales yards	
Outside storage	S
Paint and body shops	
Personal service establishments	P
Personal storage units	S
Printing and bookbinding - commercial	S
Public assembly - indoor	S
Public utility facilities - above ground	S
Public utility facilities - underground	P
Recreational vehicle (motorized) sales and service	P
Religious assembly and worship - indoor	S
Retail sales establishments	P
Salvage operations	
Sand and gravel, stone, and mineral extraction and processing	
Truck stops	S
Vehicle fueling facilities with minor repair	S
Vehicle (automobiles and trucks) repair	S
Vehicle sales and service	S

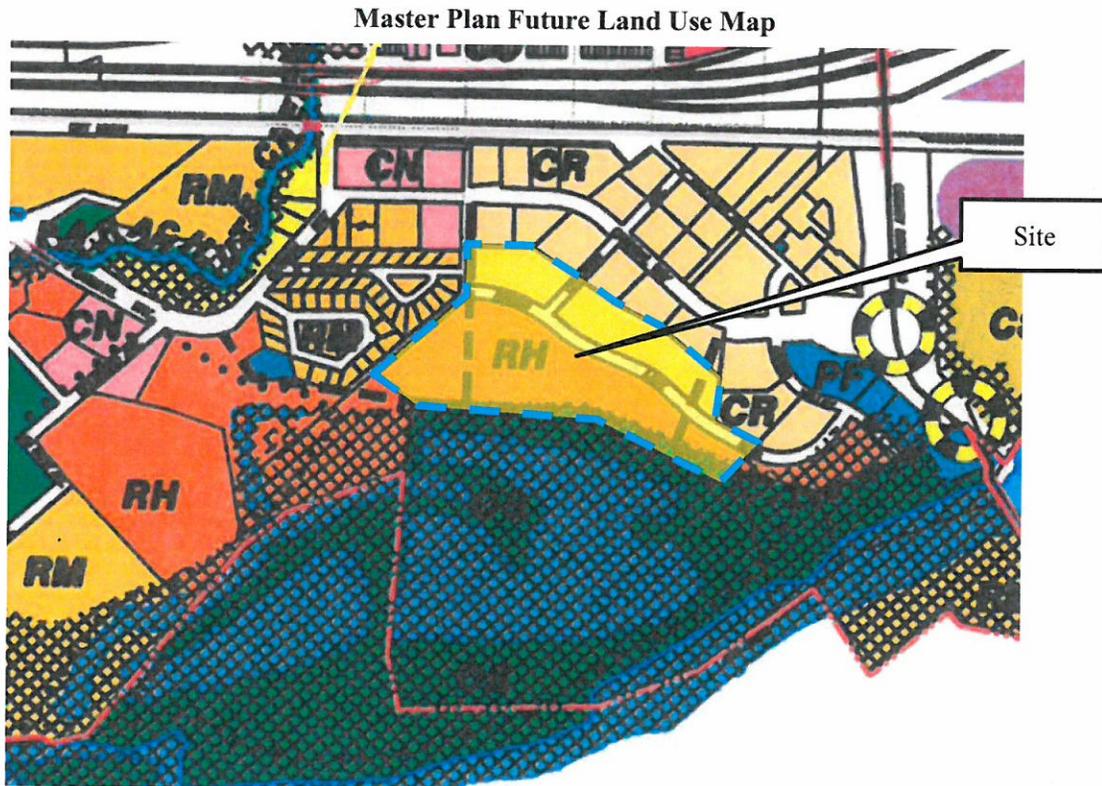
P = Permitted use

S = Special Review Use

Uses not designated as “P” or “S” are not allowed

### III. Relationship to master Plan:

The *Parachute Master Plan Future Land Use Map* shows the subject property as Residential High Density (RH) and Commercial Retail (CR).



“**Commercial Retail**” is described in the Plan as follows: “To provide a range of retail sales and personal service outlets, such as retail stores, offices, banks, eating and drinking establishments, tonsorial parlors, government offices and similar uses, but not including Highway oriented or repair services to serve primarily the Town and area residents.”

“**Residential High Density**” is described in the plan as follows: “To permit densities of up to 10 units per acre primarily in planned unit developments of townhouses and apartment dwellings. Mobile home parks may be permitted under limited guidelines.”

This area is described in the Master Plan as: “**New Commercial PUD’s in Residential Areas:** between County Road 300 and the pedestrian walkway (as extended south).”

#### 9.2.1 Goal:

That the large vacant areas be utilized in an efficient and appropriate manner to serve the current and future needs of the community; to have new uses developed on the large vacant lands developed in a coordinated and efficient manner respecting potential street access requirements and public access to the adjacent River.

#### 9.2.2 Actions:

- Do not allow scattered in piecemeal development.
- Encourage and support appropriate replanning of the large vacant areas; encourage mix of residential uses with less commercial development.

- Replan the intersection of Cardinal Way with County Road 300 for more safe and efficient traffic use.
- Plan for a new street passing through the south portion of the area from County Road 300 to Cardinal Way.
- Require adequate landscaping of developed areas.
- Locate neighborhood park sites.
- Plan for the expansion of the existing public facilities (library, Town Hall, fire station) if they are to remain in the area.
- Assist to locate a large commercial establishment, such as a large grocery/supermarket, wholesale outlet or hotel.
- Obtain and develop the riverside to an active public park and trail system.

The Master Plan is described as "... an official town policy document used to guide land-use decisions. To function as an effective decision-making document, the plan must be dynamic and flexible enough to respond to change and economic forces, legislative action, development technologies, new and unforeseen opportunities and public attitudes." The Master Plan notes that "an overall update (should be) conducted at least every five years." The existing Master Plan was completed in 2002 and is quite simplistic. There are portions of the plan document that are out of date and should be revised to reflect current conditions and community attitudes towards development.

**IV. Requested Action:**

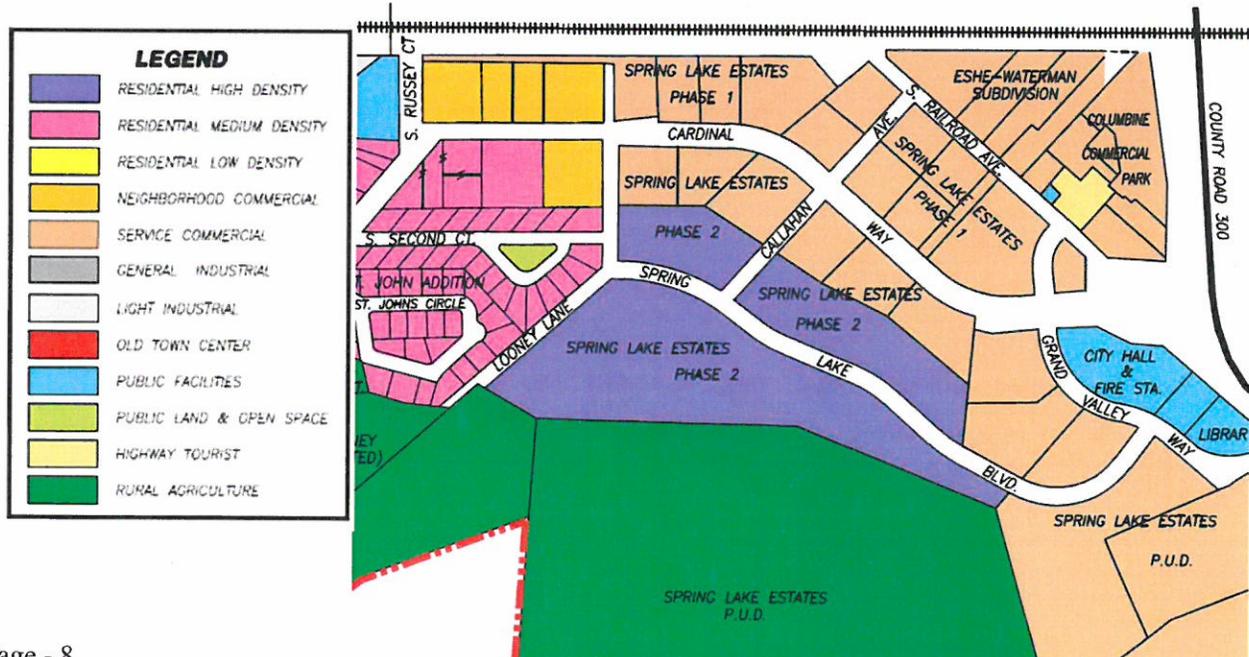
The applicant is requesting that the Town rezone the subject property from Residential High Density (RHD) to Service Commercial (SC).

**V. Application Comments:**

As noted previously, section 15.03.185 and 15.05.206 list evaluation criteria for rezoning applications. Staff delivered the following comments to the planning commission on those criteria that they evaluated at their September 18, 2014 meeting.

*The compatibility of the rezoning proposal with the surrounding zone districts and land uses in the vicinity of the site of the rezoning including the characteristics of the existing neighborhood, the applicable area and bulk requirements, and the suitability of the site for development in terms of on-site characteristics.*

**Staff Comment.** The surrounding zoning is shown on the following map.



**Staff Comment.** The subject property immediately adjoins Service Commercial, Residential Medium Density and the PUD Open Space of Spring Lake Estates. Service Commercial zoning offers an opportunity for commercial development that would serve the adjacent medium density residential development as well as other residential areas in Parachute. A rezoning would represent an expansion of the existing Service Commercial district. Traffic impacts from Residential High Density are comparable to traffic in commercially zoned areas. The existing Spring Lake Estates has dedicated roadways, but they are not constructed. The roadway alignments fit with the surrounding road configurations and should not conflict with access designs. The subject property has been zoned Residential High Density for a number of years and has not developed. This may be indicative of a lack of demand for high-density residential development. The proposed zoning will not conflict with the existing open space area along the river. The open space area provides a substantial buffer to other uses south of this property. Rezoning of the property to Service Commercial may assist with location of “a large commercial establishment, such as a large grocery/supermarket, wholesale outlet or hotel” as described on the Master Plan.

***The impacts of the rezoning upon expected traffic generation and road safety, availability of on-site and off-site parking and the availability of adequate utility services and street access to the site.***

**Staff Comment.** The existing property layout configuration was designed to accommodate high-density residential development. Traffic generation from high density residential can be significant and in many ways comparable to commercial development. Roads have not yet been constructed on the subject property and will be designed and constructed to conform to the needs of commercial development when the property is subdivided. Roadway design and construction will be addressed in the future when the property is subdivided. The staff and the town engineer will ensure that road safety, parking, access and utilities will be sufficient to serve anticipated future development.

***The impacts of the land uses of the proposed rezoning upon expected environmental quality including air and water quality.***

**Staff Comment.** Proper design and development of the site as well as compliance with the town regulations will ensure that there are no adverse impacts on environmental quality including but not limited to air and water. The required engineering and drainage will ensure that runoff will be maintained at historic levels. Air quality impacts from commercial development from traffic and the potential future uses will be comparable to that of high density residential.

***The community need for the proposed rezoning and the relationship of the proposed rezoning to the goal of overall community balance.***

**Staff Comment.** The high-density residential site has not been developed since the property was zoned. This may be indicative of a lack of demand for this type of residential use in this location. Rezoning the property to Service Commercial offers Parachute additional Service Commercial zoned acreage and a future opportunity for revenue-generating commercial development such as “a large grocery/supermarket, wholesale outlet or hotel.” An additional 14.5 acres of Service Commercial will maintain an overall balance of land uses in Parachute and the surrounding community. Commercial development opportunities will serve to draw residents from Battlement Mesa and other areas to Parachute where utility services, law enforcement, public works, administrative functions and other municipal services are staffed and intended to serve urban populations.

***Conformance of the proposal with the Town of Parachute Municipal Code***

**Staff Comment.** The proposed application conforms to the requirements of the Parachute Municipal Code. Future development of the property will be required by staff to conform to all development standards in the town’s regulations.

***The compatibility of the proposal with the character of the surrounding area including, but not limited to the architectural character of the neighborhood.***

**Staff Comment.** See previous comments. This is a rezoning application only and does not include a site-specific subdivision development proposal(s). Architectural character and compatibility with surrounding development

will be addressed at the time the property is subdivided and specific development proposals are submitted for review.

The desirability for the proposed use in the specific area of the Town

**Staff Comment.** The subject property has not been developed under the existing high-density residential zoning designation and remains vacant property. It is desirable for the town to see the property developed for appropriate and compatible uses under the town's regulations. The site adjoins existing Service Commercial zoning and expansion of that designation to the subject property is land-use consistent and desirable.

**Compatibility of the proposed use and the site (or subdivision) plan with the Parachute Plan.**

**Staff Comment.** See the previous section under Master Plan. The 2002 Parachute Master Plan is 12 years old and has not been updated/reviewed every five years as specified in the document. Circumstances in the community have changed since the plan was adopted and portions of that document are out of date and need to be made current.

**Conformance of any plan with the requirements of the Town of Parachute Public Works Improvements Manual**

**Staff Comment.** As noted previously, the application is a request for rezoning only. All future subdivision and development of the property will be required to comply with all town development standards including the Town of Parachute Public Works Improvements Manual.

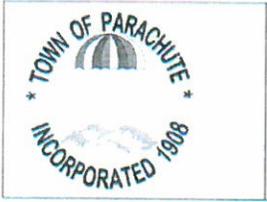
#### **VI. Planning Commission Recommendation to Board of Trustees:**

The Parachute Planning Commission at their September 18, 2014 meeting recommended **APPROVAL** of the rezoning from Residential High Density to Service Commercial. **Note:** zoning and rezoning typically do not include conditions of approval because they should stand on their own merits. Conditions attached to zoning or rezoning amount to contract zoning which is inappropriate.

#### **VII. Recommended Board of Trustee Motion:**

The recommended motion on this request is as follows.

**MOTION:** To adopt Ordinance \_\_\_\_ Series 2014 approving the zone district change on the subject Spring Lake Estates property to Service Commercial from High Density Residential.



**TOWN OF PARACHUTE**  
**PO BOX 100**  
**222 GRAND VALLEY WAY**  
**PARACHUTE, CO 81635**

**LAND USE APPLICATION**

Name of Applicant: B & V Developers, LLLP; 0259 C.R. 320, Rifle, CO 81650; (970) 379-0504  
(INCLUDE ADDRESS AND TELEPHONE NO.)

Project Name: Spring Lake Estates Rezone

Project Location: Spring Lake Estates

LEGAL DESCRIPTION: Lots 18, 19, and 20 Spring Lake Estates - Phase II According to the plat thereof recorded November 11, 2007 as Reception No. 736910

Existing Zoning: Residential High Density Proposed Zoning: Service Commercial

**Type of Application (check all that apply):**

- SUBDIVISION:
- |   |                                      |                                |
|---|--------------------------------------|--------------------------------|
| <input type="checkbox"/> MINOR SUBDIVISION  | <input type="checkbox"/> PRELIMINARY | <input type="checkbox"/> FINAL |
| <input type="checkbox"/> MAJOR SUBDIVISION  | <input type="checkbox"/> PRELIMINARY | <input type="checkbox"/> FINAL |
| <input type="checkbox"/> RE-SUBDIVISION     | <input type="checkbox"/> PRELIMINARY | <input type="checkbox"/> FINAL |
| <input type="checkbox"/> P. U. D.           | <input type="checkbox"/> PRELIMINARY | <input type="checkbox"/> FINAL |
| <input type="checkbox"/> BUILDING DIVISIONS | <input type="checkbox"/> PRELIMINARY | <input type="checkbox"/> FINAL |
| <input type="checkbox"/> AMENDED PLAT       | <input type="checkbox"/> PRELIMINARY | <input type="checkbox"/> FINAL |
- 
- |   |  |
|---|--|
| <input type="checkbox"/> REZONING             | <input type="checkbox"/> SIGN VARIANCE                     |
| <input type="checkbox"/> ZONING VARIANCES     | <input type="checkbox"/> FLOOD PLAIN DEVELOPMENT           |
| <input type="checkbox"/> SPECIAL REVIEW USE   | <input type="checkbox"/> VACATION OF STREET, ALLEY, R.O.W. |
| <input type="checkbox"/> GEOLOGIC DEVELOPMENT | <input type="checkbox"/> ANNEXATIONS                       |
| <input type="checkbox"/> LOT CONSOLIDATION    | <input type="checkbox"/> WATERSHED PERMIT                  |

PROPERTY OWNER: B & V Developers, LLLP; 0259 C.R. 320, Rifle, CO 81650; (970) 379-0504  
(INCLUDE NAME, ADDRESS, AND TELEPHONE NO.)

PROJECT ENGINEER/SURVEYOR:  
N/A  
(INCLUDE NAME, ADDRESS, AND TELEPHONE NO.)

N/A  
(INCLUDE NAME, ADDRESS, AND TELEPHONE NO.)

Describe Land Dedication Proposal:  
N/A

Describe Water Rights Dedication Proposal:  
N/A

I Certify that the information and exhibits herewith are true and correct to the best of my knowledge, and that in filing this application, I am acting with knowledge and consent of those persons listed above without whose consent the requested action cannot lawfully be accomplished.

Name:(print) Ted L. Vaughan, Managing Partner of B & V Developers, LLLP

Address: 0259 C.R. 320, Rifle, CO 81650

Signature:  Date: July 23, 2014

INSTRUCTIONS:

1. **Read both sides of application thoroughly.**
2. **Complete all of the requested information.**
3. Descriptions of property and dedication proposals on this form should be general and brief.
4. All applications must include a **CURRENT TITLE POLICY**, indicating ownership and encumbrances.
5. All applications must include **PROOF OF TAXES PAID**.
6. Applicants should review the Town of Parachute Land Use Regulations 15.01, 15.03, 5.04, 15.05, 15.06, and any other sections specified for the proposed request.
7. **All applicants who are not property owners must present a Letter of Representation, signed and notarized by the property owners.**
8. **Applications not signed and lacking any of the requested information will be deemed incomplete and will not be scheduled for a Planning and Zoning Commission review.**

ADMINISTRATIVE PERSONNEL:

APPLICATION FEE: \_\_\_\_\_

APPLICATION RECEIVED DATE: \_\_\_\_\_

COMPLETE DATE: \_\_\_\_\_

PLANNING & ZONING HEARING: \_\_\_\_\_

BOT HEARING: \_\_\_\_\_

MAILINGS DATE: \_\_\_\_\_

PUBLICATION DATE: \_\_\_\_\_

P&Z APPROVAL DATE: \_\_\_\_\_

BOT APPROVAL DATE: \_\_\_\_\_

**Commonwealth Title Company of Garfield County, Inc.**

**127 E. 5th Street  
Rifle, CO 81650  
Phone (970) 625-3300 / Fax (970) 625-3305**

**1322 Grand Avenue  
Glenwood Springs, CO 81601  
Phone (970) 945-4444 / Fax (970) 945-4449**

---

**Date: July 21, 2014**

**File No. 1407036**

**Property Address. TBD, PARACHUTE**

B & V Developers, L.L.P., a Colorado limited liability limited partnership  
259 County Road 320  
Rifle, CO 81650  
Email: vaughanconsteo@aol.com

**File No. 1407036**

**SCHEDULE B - SECTION 1**

The Following are the requirements to be complied with prior to the issuance of said policy or policies. Any other instrument recorded subsequent to the date hereof may appear as an exception under Schedule B of the policy to be issued. Unless otherwise noted, all documents must be recorded to the office of the Clerk and Recorder of the County in which said property is located.

Note: When the details of this transaction are revealed, the Company reserves the right to make additional requirements and/or exceptions.

NM 6  
American Land Title Association Commitment  
Schedule B - Section 1 - Form 1004-5

**SCHEDULE B - SECTION 2**

Schedule B of the Policy or Policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the company:

1. Rights or claims of parties in possession not shown by the Public records.
2. Easements, or claims of easements, not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts, which a correct survey and inspection of the premises would disclose, and which are not shown by the public records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this commitment.
6. Any and all unpaid taxes, assessments and unredeemed tax sales.
7. Any lien or charge on account of the inclusion of subject property in an improvement district.
8. Any and all water rights, claims, or title to water, whether or not the matters excepted are shown by the public record.
9. Right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted and a right of way for ditches or canals as constructed by the authority of the United States, as reserved in United States Patent recorded December 10, 1901 in Book 12 at Page 579.
10. Right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted and a right of way for ditches or canals as constructed by the authority of the United States, as reserved in United States Patent recorded December 14, 1894 in Book 12 at Page 345.
11. Easements, rights of way and other matters disclosed on the Plat of Spring Lake Estates recorded December 16, 1980 as Reception No. 310227 and on the Spring Lakes Estates Updated Plat recorded March 21, 1997 as Reception No. 506062 and on the Plat recorded February 13, 2004 as Reception No. 646595.
12. Terms and conditions set forth in Agreement between the Town of Parachute and Edward H. Koch, Jr. recorded April 3, 1981 in Book 568 at Page 863.
13. Easements, rights of way and other matters disclosed on the Re-Plat of Lots 1 and 2, Section B and Lots 1, 2 and 3, Section C of Spring Lake Estates recorded February 3, 1982 as Reception No. 324392.
14. Storm sewer easement granted to the Town of Parachute as described in instrument recorded January 25, 2002 in Book 1323 at Page 980. (Affects Lot 2, Section C)
15. Apparent easements for overhead power lines, encroachment of fences, rights of way for ditches and roads, apparent easement for a gas line and all matters shown on the Koch Improvement Survey prepared by the Sexton Survey Company, Job No. 04198, dated January 7, 2005 as evidenced by Warranty Deed recorded April 14, 2005 in Book 1678 at Page 690.
16. Reservation of all mineral rights, interest in all oil, gas and other minerals, geothermal energy or water by Edward H. Koch and Billie Sue Koch in General Warranty Deed recorded January 19, 2006 in Book 1765 at Page 326 and any and all interests therein or assignments thereof.
17. Terms and conditions set forth in Town of Parachute Ordinance Numbers 571, 572 and 573 recorded November 7, 2007 as Reception Numbers 736911, 736912 and 736914.

(continued)

## COMMONWEALTH TITLE COMPANY PRIVACY POLICY

### **We Are Committed to Safeguarding Customer Information**

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, we have adopted this Privacy Policy to govern the use and handling of your personal information.

### **Applicability**

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity.

### **Types of Information**

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means.
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

### **Use of Information**

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

### **Former Customers**

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

### **Confidentiality and Security**

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy. We currently maintain physical, electronic and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

## Garfield County Treasurer Receipt of Tax Payment

Account R044751	Parcel Number 240707307018	Receipt Date Jun 16, 2014	Receipt Number 2014-06-16-CB-5145
--------------------	-------------------------------	------------------------------	--------------------------------------

B & V DEVELOPERS, LLC  
0259 COUNTY ROAD 320  
RIFLE, CO 81650

Situs Address

Payor

B & V DEVELOPERS, LLC  
0259 COUNTY ROAD 320  
RIFLE, CO 81650

Legal Description

Section: 7 Township: 7 Range: 95 Subdivision: SPRING LAKE ESTATES, PHASE II Lot: 18 A RESUB OF LOTS 1,2 & 3, SEC A; LOTS 1,2 & 3, SEC D; LOT 1, SEC B; & LOTS 1-A & 3, SEC C

Property Code

VACANT RESIDENTIAL LOTS - 0100

Actual

15,680

Assessed

4,550

Year

2013

Area

048

Mill Levy

50.831

Payments Received

Check

Check # 1273

Multi-Account Payment

Payments Applied

Year	Charges				
------	---------	--	--	--	--

2013	Tax				
------	-----	--	--	--	--

Billed

\$231.28

Prior Payments

\$115.64

New Payments

\$115.64

Balance

\$0.00

\$115.64

\$0.00

Balance Due as of Jun 16, 2014

\$0.00

ALL CHECKS ARE SUBJECT TO FINAL COLLECTION.

Thank you for your payment!

Garfield County Treasurer  
109 8th Street, Suite 204  
Glenwood Springs, Colorado 81601  
970-945-6382  
www.garfield-county.com

## Garfield County Treasurer Receipt of Tax Payment

Account R044760	Parcel Number 240707307022	Receipt Date Jun 16, 2014	Receipt Number 2014-06-16-CB-5145
--------------------	-------------------------------	------------------------------	--------------------------------------

B & V DEVELOPERS, LLC  
0259 COUNTY ROAD 320  
RIFLE, CO 81650

Situs Address

Payor

B & V DEVELOPERS, LLC  
0259 COUNTY ROAD 320  
RIFLE, CO 81650

Legal Description

Section: 7 Township: 7 Range: 95 Subdivision: SPRING LAKE ESTATES, PHASE II Lot: 22 A RESUB OF LOTS 1,2 & 3, SEC A; LOTS 1,2 & 3, SEC D; LOT 1, SEC B; & LOTS 1-A & 3, SEC C

Property Code

VACANT RESIDENTIAL LOTS - 0100

Actual	Assessed	Year	Area	Mill Levy
34,050	9,870	2013	048	50.831

Payments Received

Check

Check # 1273

Multi-Account Payment

Payments Applied

Year	Charges	Billed	Prior Payments	New Payments	Balance
2013	Tax	\$501.72	\$250.86	\$250.86	\$0.00
				<u>\$250.86</u>	<u>\$0.00</u>
			Balance Due as of Jun 16, 2014		\$0.00

ALL CHECKS ARE SUBJECT TO FINAL COLLECTION.

Thank you for your payment!

Garfield County Treasurer  
109 8th Street, Suite 204  
Glenwood Springs, Colorado 81601  
970-945-6382  
www.garfield-county.com

# Garfield County Treasurer

## Receipt of Tax Payment

Account R480048	Parcel Number 240707302016	Receipt Date Jun 16, 2014	Receipt Number 2014-06-16-CB-5145
--------------------	-------------------------------	------------------------------	--------------------------------------

B & V DEVELOPERS LLC  
0259 COUNTY ROAD 320  
RIFLE, CO 81650

Situs Address

Payor

B & V DEVELOPERS LLC  
0259 COUNTY ROAD 320  
RIFLE, CO 81650

Legal Description

Section: 7 Township: 7 Range: 95 Subdivision: SPRING LAKE ESTATE Lot: 2 SEC C

Property Code

VACANT COMMERCIAL LOTS - 0200

Actual	Assessed	Year	Area	Mill Levy
554,990	160,950	2013	048	50.831

Payments Received

Check

Check # 1273

Multi-Account Payment

Payments Applied

Year	Charges				
2013	Tax				

Billed	Prior Payments	New Payments	Balance
\$8,181.24	\$4,090.62	\$4,090.62	\$0.00
		\$4,090.62	\$0.00
Balance Due as of Jun 16, 2014			\$0.00

ALL CHECKS ARE SUBJECT TO FINAL COLLECTION.

Thank you for your payment!

Garfield County Treasurer  
109 8th Street, Suite 204  
Glenwood Springs, Colorado 81601  
970-945-6382  
www.garfield-county.com

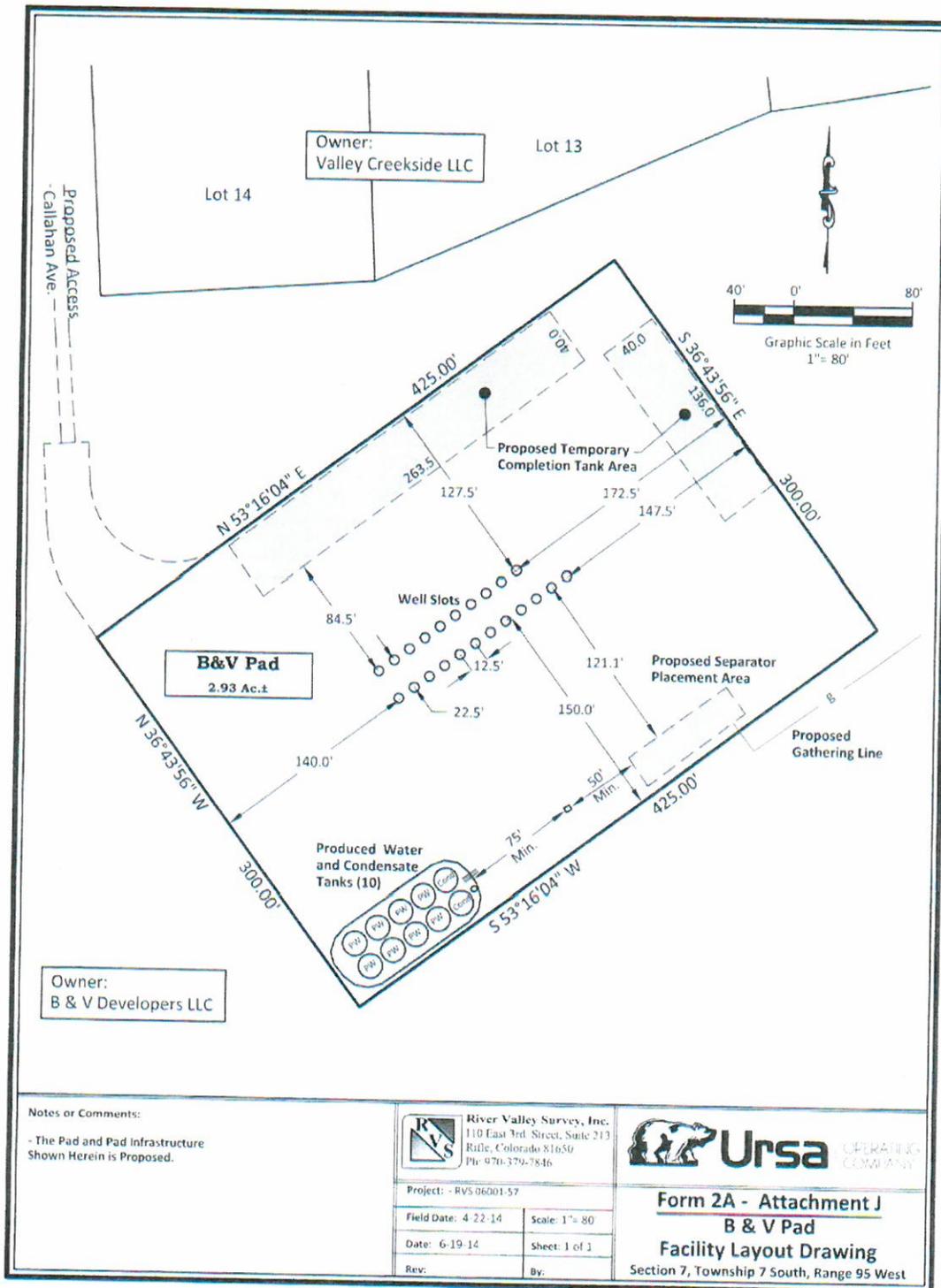


LABELS	PARCEL	NAME
1	240707307019	B & V DEVELOPERS, LLC
2	240707307020	B & V DEVELOPERS, LLC
3	240707302006	B & V DEVELOPERS, LLLP
4	240912400059	ERTL ENTERPRISES, LLC
5	240912400060	WISSLER TRUST
6	240912436011	FEDERAL HOME LOAN MORTGAGE CORPORATION
7	240912436010	TO, MARIA
8	240912436009	ANDERSON, JUSTIN
9	240912436008	COLONNA, PATRICIA & BERNARD
10	240912425016	RADEL, LOREN & EDITH
11	240912425015	STEIMEL, FRANK & KARMEN
12	240912425014	NELSON, ROBERT & DIANNE
13	240912425027	SADLER, LORRAINE
14	240912425026	ROMO, ARNOLDO
15	240912425009	JARRETT, RONALD & PAMELA
16	240707307018	B & V DEVELOPERS, LLC
17	240707307015	VALLEY CREEKSIDE, LLC
18	240707307014	VALLEY CREEKSIDE, LLC
19	240707307013	VALLEY CREEKSIDE, LLC
20	240707307012	VALLEY CREEKSIDE, LLC
21	240707306001	MOUNTAIN & LAKE SUITES, INC
22	240707306002	HIGH COUNTRY HOSPITALITY, LLC
23	240707307021	VALLEY CREEKSIDE, LLC
24	240707307022	B & V DEVELOPERS, LLC



ERTL Enterprises LLC
Wissler, Edward & Wanda
Federal Home Loan Mortgage Corporation
To, Maria M.
Anderson, Justin
Colonna, Patricia & Bernard
Radel, Edith
Steimel, Frank & Karmen
Nelson, Robert & Dianne
Sadler, Lorraine
Romo, Arnaldo
Jarrett, Ronald & Pamela
Valley Creekside LLC
Mountain & Lake Suites INC
High Country Hospitality

**Addresses were verified by Garfield Co**



Notes or Comments:  
- The Pad and Pad Infrastructure Shown Herein is Proposed.

**RVS** River Valley Survey, Inc.  
110 East 3rd Street, Suite 213  
Rifle, Colorado 81650  
Ph: 970-379-7846



Project: - RVS 06001-57	
Field Date: 4-22-14	Scale: 1" = 80'
Date: 6-19-14	Sheet: 1 of 1
Rev:	By:

**Form 2A - Attachment J**  
**B & V Pad**  
**Facility Layout Drawing**  
Section 7, Township 7 South, Range 95 West



1130 Francis Street #7159 Longmont, CO 80501
PO Box 42 Parachute, CO 81635
11 Saint Johns Circle Parachute, CO 81653
9421 Crosspointe Ave. Las Vegas, NV 89117
520 Ash Avenue Rifle, CO 81650
PO Box 1968 Rifle, CO 81650
173 S 2nd Court Parachute, CO 81635
175 South 2nd Court Parachute, CO 81635
177 S 2nd Court Parachute, CO 81635
179 S 2nd Court Parachute, CO 81635
183 S 2nd Parachute, CO 81635
184 S 2nd Court Parachute, CO 81635-9610
600 Cardinal Way Parachute, CO 81635
PO Box 6608 Lincoln, NE 68506
PO Box 6608 Lincoln, NE 68506

**ounty Assessor Website 7/22/2014**

## Dennie Chiaretta

---

**From:** Stuart McArthur  
**Sent:** Tuesday, September 02, 2014 7:29 AM  
**To:** Dennie Chiaretta  
**Subject:** FW: Message to Parachute Planning Committee

Include in packet for P&Z

---

**From:** Judith Hayward [mailto:[judi.heart@juno.com](mailto:judi.heart@juno.com)]  
**Sent:** Sunday, August 31, 2014 6:52 PM  
**To:** Stuart McArthur  
**Subject:** Message to Parachute Planning Committee

Dear Parachute Planning and Zoning Committee

I wish to express concern regarding the rezoning of the property for B & V Developers. My concern is the specific Lots and their location. This property is some of the most desirable for nicer homes in Parachute. The location of the lake and the Colorado River would be so desirable for homes rather than a gas well site. And the location by the River and Lake (the water) gives me concern. Isn't there some other location on their property that could be the well site and retain this property for development of homes? Parachute has not had home construction in the last 10 years except for one or two. The population of Parachute grew by no more than 10 persons since 2000 census. That is a real problem for the Town and this specific location could help. I am unable to attend the September 18, 2014 P & Z meeting because I will be on vacation but will plan to be at the October Town Council Meeting.

Thank you for considering my comments and hope we can come to a Win Win conclusion for B & V Developers and the Town of Parachute.

Sincerely

Judith Hayward  
180 S. 2nd Court  
Parachute, CO 81635

---

Total Control Panel

[Login](#)

To: [stuartmc@parachutecolorado.com](mailto:stuartmc@parachutecolorado.com) [Remove](#) this sender from my allow list  
From: [judi.heart@juno.com](mailto:judi.heart@juno.com)

*You received this message because the sender is on your allow list.*



U.S. Postal Service  
Certified Mail Receipt

ARTICLE NUMBER  
9407 1118 9956 1310 9465 38

ARTICLE ADDRESS TO:  
ERTL Enterprises LLC  
1130 Francis Street 7159  
Longmont CO 80501-3704

**FEES**

Postage per piece \$0.48  
Certified Fee 3.30  
Return Receipt Fee 2.70  
Total Postage & Fees \$6.48



Town of Parachute  
PO Box 100  
Parachute CO 81635

PS Form 3800 6/02

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature:  Addressee or  Agent

B. Received By: (Please Print Clearly)

C. Date of Delivery

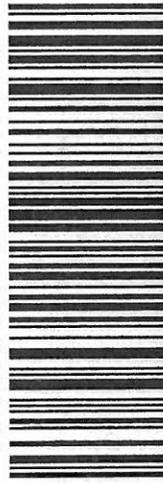
D. Addressee's Address (If Different From Address Used by Sender)

Secondary Address / Suite / Apt. / Floor (Please Print Clearly)

Delivery Address

City State ZIP + 4 Code

**CERTIFIED MAIL**



9407 1118 9956 1313 3962 62

RETURN RECEIPT REQUESTED

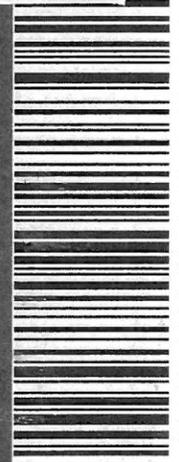
Article Addressed To:

Maria M. To  
9421 Crosspointe Avenue  
Las Vegas NV 89117-0227

01966-53918 00 etnuchraaD  
Court 2nd S 481  
Parachute CO 81635

Return Receipt Requested

Article Addressed To:



29 1904 01C1 9966 8111 4066

**CERTIFIED MAIL**

Town of Parachute  
PO Box 100  
Parachute CO 81635

PS Form 3800 6/02

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature: (  Addressee or  Agent )  
Received By: (Please Print Clearly)

Date of Delivery

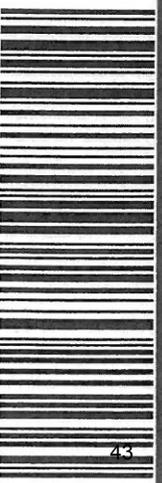
Addressee's Address (If Different From Address Used by Sender)

Secondary Address / Suite / Apt. / Floor (Please Print Clearly)

Delivery Address

City State ZIP + 4 Code

**CERTIFIED MAIL**



9407 1118 9956 1310 6200 32

RETURN RECEIPT REQUESTED

Article Addressed To:

Frank & Karmen Steimel  
175 S. 2nd Court  
Parachute CO 81635-9611

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature: (  Addressee or  Agent )

B. Received By: (Please Print Clearly)

C. Date of Delivery

D. Addressee's Address (If Different From Address Used by Sender)

Secondary Address / Suite / Apt. / Floor (Please Print Clearly)

Delivery Address

City State ZIP + 4 Code

Ronald R Jarrett

9/3/14

53918 00 etnuchraaD  
001 xox 00D  
Parachute CO 81635

PS Form 3800 6/02

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature: (  Addressee or  Agent )  
*X Wanda Wissler*

B. Received By: (Please Print Clearly)

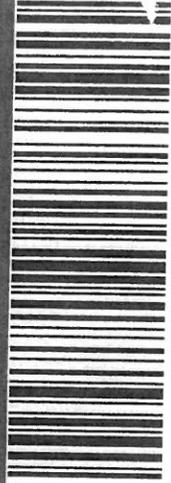
C. Date of Delivery 9-3-14

D. Addressee's Address (If Different From Address Used by Sender)  
 Secondary Address / Suite / Apt. / Floor (Please Print Clearly)  
 Delivery Address  
 City State ZIP + 4 Code

Town of Parachute  
 PO Box 100  
 Parachute CO 81635

PS Form 3800 6/02

**CERTIFIED MAIL**



9407 6669 01C1 9956 1310 6339 90

RETURN RECEIPT REQUESTED  
 Article Addressed To:

Robert & Dianne Nelson  
 177 S 2nd Court  
 Parachute CO 81635-9611

**RETURN RECEIPT REQUESTED**

Article Addressed To:  
 Edward & Wanda Wissler  
 P.O. Box 42  
 Parachute CO 81635-0042



9407 1118 9956 1310 9145 75

**CERTIFIED MAIL**

PS Form 3800 6/02

Town of Parachute  
 PO Box 100  
 Parachute CO 81635

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature: (  Addressee or  Agent )  
*X Dianne Nelson*

B. Received By: (Please Print Clearly)  
*Dianne Nelson*

C. Date of Delivery 9/3/14

D. Addressee's Address (If Different From Address Used by Sender)  
 Secondary Address / Suite / Apt. / Floor (Please Print Clearly)  
 Delivery Address  
 City State ZIP + 4 Code

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature: (  Addressee or  Agent )  
*X Wanda Wissler*

B. Received By: (Please Print Clearly)

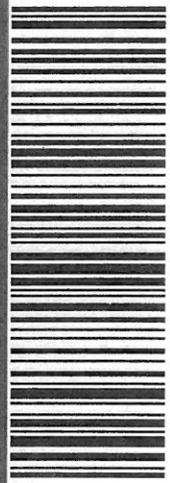
C. Date of Delivery Wanda Wissler

D. Addressee's Address (If Different From Address Used by Sender)  
 Secondary Address / Suite / Apt. / Floor (Please Print Clearly)  
 Delivery Address  
 City State ZIP + 4 Code

Town of Parachute  
 PO Box 100  
 Parachute CO 81635

PS Form 3800 6/02

**CERTIFIED MAIL**



9407 1118 9956 1310 4835 07

RETURN RECEIPT REQUESTED  
 Article Addressed To:

Valley Creekside LLC  
 600 Cardinal Way  
 Parachute CO 81635-9690

**RETURN RECEIPT REQUESTED**

Article Addressed To:  
 ERTL Enterprises LLC  
 1130 Francis Street 7159  
 Longmont CO 80501-3704



9407 1118 9956 1310 9465 38

**CERTIFIED MAIL**

PS Form 3800 6/02

Town of Parachute  
 PO Box 100  
 Parachute CO 81635

**COMPLETE THIS SECTION ON DELIVERY**

Signature: (  Addressee or  Agent )  
*Wanda Wissler*

Received By: (Please Print Clearly)

Date of Delivery 9-3-14  
 Addressee's Address (If Different From Address Used by Sender)  
 Secondary Address / Suite / Apt. / Floor (Please Print Clearly)  
 Delivery Address  
 City State ZIP + 4 Code

ARTICLE NUMBER  
9407 1118 9956 1310 9395 85

ARTICLE ADDRESS TO:  
Federal Home Loan Mortgage Corporation  
11 Saint Johns Circle  
Parachute CO 81635-9647

U.S. Postal Service  
Certified Mail Receipt

**FEES**  
Postage per piece \$0.48  
Certified Fee 3.30  
Return Receipt Fee 2.70  
Total Postage & Fees: \$6.48



ARTICLE NUMBER  
9407 1118 9956 1310 6872 95

ARTICLE ADDRESS TO:  
Particia & Bernard Colonna  
P.O. Box 1968  
Rifle CO 81650-1968

U.S. Postal Service  
Certified Mail Receipt

**FEES**  
Postage per piece \$0.48  
Certified Fee 3.30  
Return Receipt Fee 2.70  
Total Postage & Fees: \$6.48



U.S. Postal Service  
Certified Mail Receipt

ARTICLE NUMBER  
9407 1118 9956 1310 9560 18

ARTICLE ADDRESS TO:  
Justin Anderson  
520 Ash Avenue  
Rifle CO 81650-2920

**FEES**  
Postage per piece \$0.48  
Certified Fee 3.30  
Return Receipt Fee 2.70  
Total Postage & Fees: \$6.48



U.S. Postal Service  
Certified Mail Receipt

ARTICLE NUMBER  
9407 1118 9956 1313 3454 44

ARTICLE ADDRESS TO:  
Mountain & Lake Suites INC  
P.O. Box 6608  
Lincoln NE 68506-0608

**FEES**  
Postage per piece \$0.48  
Certified Fee 3.30  
Return Receipt Fee 2.70  
Total Postage & Fees: \$6.48

Postmark  
Here



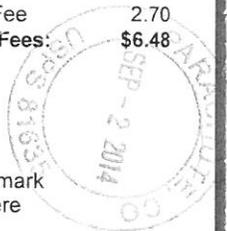
U.S. Postal Service  
Certified Mail Receipt

ARTICLE NUMBER  
9407 1118 9956 1310 4164 13

ARTICLE ADDRESS TO:  
High Country Hospitality  
P.O. Box 6608  
Lincoln NE 68506-0608

**FEES**  
Postage per piece \$0.48  
Certified Fee 3.30  
Return Receipt Fee 2.70  
Total Postage & Fees: \$6.48

Postmark  
Here



U.S. Postal Service  
Certified Mail Receipt

ARTICLE NUMBER  
9407 1118 9956 1310 9145 75

ARTICLE ADDRESS TO:  
Edward & Wanda Wissler  
P.O. Box 42  
Parachute CO 81635-0042

**FEES**  
Postage per piece \$0.48  
Certified Fee 3.30  
Return Receipt Fee 2.70  
Total Postage & Fees: \$6.48

Postmark  
Here

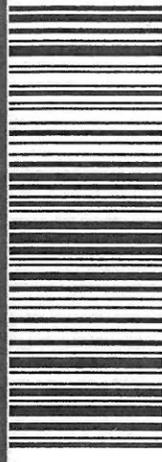


Signature: (  Addressee or  Agent )  
 Received By: (Please Print Clearly)  
*Jesse Johnson*  
 Date of Delivery  
 3 Sept. 2014  
 Addressee's Address (If Different From Address Used by Sender)  
 Secondary Address / Suite / Apt. / Floor (Please Print Clearly)  
 Delivery Address  
 State ZIP + 4 Code

Town of Parachute  
 PO Box 100  
 Parachute CO 81635

COMPLETE THIS SECTION ON DELIVERY

CERTIFIED MAIL



9407 1118 9956 1310 9560 18

PS Form 3800 6/02

Article Addressed To:  
 RETURN RECEIPT REQUESTED  
 Justin Anderson  
 520 Ash Avenue  
 Rifle CO 81650-2920

9407 1118 9956 1310 9560 18



CERTIFIED MAIL

Town of Parachute  
 PO Box 100  
 Parachute CO 81635

COMPLETE THIS SECTION ON DELIVERY

A. Signature: (  Addressee or  Agent )  
 Received By: (Please Print Clearly)  
*Jesse Johnson*

C. Date of Delivery  
 9-1-14

D. Addressee's Address (If Different From Address Used by Sender)

Secondary Address / Suite / Apt. / Floor (Please Print Clearly)

Delivery Address

City State ZIP + 4 Code

RETURN RECEIPT REQUESTED

Article Addressed To:

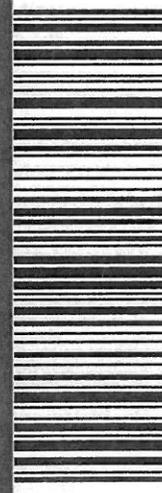
Arnoldo Romo  
 183 S 2nd Ct  
 Parachute CO 81635-9611

Signature: (  Addressee or  Agent )  
 Received By: (Please Print Clearly)  
*Edith Radel*  
 Date of Delivery  
 9/3/14  
 Addressee's Address (If Different From Address Used by Sender)  
 Secondary Address / Suite / Apt. / Floor (Please Print Clearly)  
 Delivery Address  
 State ZIP + 4 Code

Town of Parachute  
 PO Box 100  
 Parachute CO 81635

COMPLETE THIS SECTION ON DELIVERY

CERTIFIED MAIL

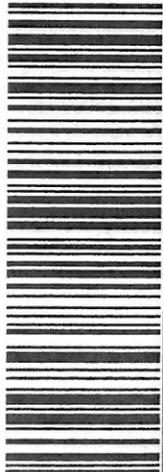


9407 1118 9956 1310 6583 94

PS Form 3800 6/02

Article Addressed To:  
 RETURN RECEIPT REQUESTED  
 Edith Radel  
 173 S. 2nd Court  
 Parachute CO 81635-9611

9407 1118 9956 1310 6583 94



CERTIFIED MAIL

Town of Parachute  
 PO Box 100  
 Parachute CO 81635

COMPLETE THIS SECTION ON DELIVERY

A. Signature: (  Addressee or  Agent )  
 Received By: (Please Print Clearly)  
*Lorraine Sadler*

C. Date of Delivery  
 9/3/14

D. Addressee's Address (If Different From Address Used by Sender)

Secondary Address / Suite / Apt. / Floor (Please Print Clearly)

Delivery Address

City State ZIP + 4 Code

RETURN RECEIPT REQUESTED

Article Addressed To:

Lorraine Sadler  
 179 S 2nd Court  
 Parachute CO 81635-9611

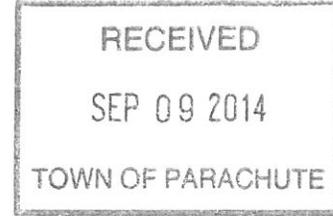
PS Form 3800 6/02

Town of Parachute  
222 Grand Valley Way  
PO Box 100  
Parachute CO 81635

970-285-7630

Receipt No: 3.027630

Sep 9, 2014



B & V DEVELOPERS, LLLP

Previous Balance:	.00
Planning & Zoning	
Planning & Zoning Fees	250.00
10-34-150	
PLANNING & ZONING FEES	

Total: -----  
250.00  
=====

Check  
Check No: 1288 250.00  
Total Applied: 250.00

Change Tendered: -----  
.00  
=====

09/09/2014 04:39PM

PUBLIC NOTICE

TAKE NOTICE that B&V Developers, LLC has applied to the Town of Parachute, State of Colorado, for approval of a rezoning on property within the Town of Parachute.

Legal Description:

Section: 7

Township: 7

Range: 95

Subdivision: SPRING LAKE ESTATES, PHASE II Lots: 18, 19, and 20

A RESUB OF LOTS 1,2 &3, SEC A;LOTS 1,2 & 3, SEC D;LOT 1, SEC B;& LOTS 1-A & 3, SEC C

Town of Parachute

County of Garfield

State of Colorado

Practical Description: Spring Lakes Estates Phase II

This application requests approval of a rezoning of property from Residential High Density to Service Commercial.

All persons affected by the proposed Land Use Application are invited to appear and state their views, protests, or support. If you cannot appear personally at such hearing, then you are urged to state your views by letter as the Board of Trustees will give consideration to the comments or surrounding property owners and the others affected in deciding whether to grant or deny the request. The application may be reviewed at the Town of Parachute offices located at 222 Grand Valley Way, Parachute, CO, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. 970-285-7630.

A public hearing on the application has been scheduled for October 9, 2014, at 6:30 p.m. before the Town of Parachute Board of Trustees in the Board of Trustees Room, 222 Grand Valley Way, Parachute, CO.

Denise Chiaretta, Town Clerk

Town of Parachute

Published on August 28, 2014 in the Citizen Telegram.

**SUGGESTED FINDINGS: (Applies to all elements of the Land Use Application before the Planning and Zoning Commission)**

- (1) Conformance of the proposal with the *Town of Parachute Municipal Code*;
- (2) The compatibility of the proposal with the character of the surrounding area including, but not limited to the architectural character of the neighborhood;
- (3) The desirability for the proposed use in the specific area of the Town;
- (4) The potential for adverse environmental effects that might result from the proposed use;
- (5) Compatibility of the proposed use and the site (or subdivision) plan with the *Parachute Plan*; and
- (6) Conformance of any plan with the requirements of the *Town of Parachute Public Works Improvements Manual*.

**ACTION:**

**Approve and forward to the Board of Trustees for their review, Approve with conditions and forward to the Board of Trustees for their consideration, Request to continue for more information or Deny**



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## AGENDA ITEM

### BOARD APPROVAL OF ORD. NO. 676

AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, AMENDING THE ZONE DISTRICT MAP OF THE TOWN OF PARACHUTE BY REZONING CERTAIN PROPERTY DESCRIBED AS LOTS 18, 19 AND 20, SPRING LAKE ESTATES-PHASE II WITH IN THE TOWN OF PARACHUTE, COLORADO.

**TOWN OF PARACHUTE  
ORDINANCE NO. 676**

---

**AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, AMENDING THE ZONE DISTRICT MAP OF THE TOWN OF PARACHUTE BY REZONING CERTAIN PROPERTY DESCRIBED AS LOTS 18, 19 AND 20, SPRING LAKE ESTATES-PHASE II WITHIN THE TOWN OF PARACHUTE, COLORADO.**

**WHEREAS**, the Town of Parachute has adopted comprehensive zoning and land use regulations for the Town; and

**WHEREAS**, the Board of Trustees has received an application from B & V Developers, LLP (the "Applicant") the owner of the property described in this Ordinance to amend the Town's Zone District Map as hereinafter set forth; and

**WHEREAS**, public notice has been given as required by Section 15.01.106 of the Parachute Municipal Code; and

**WHEREAS**, the Town of Parachute Planning & Zoning Commission recommended approval of the rezoning application following public notice as required by law and public hearing on September 18, 2014; and

**WHEREAS**, following public notice as required by law, a public hearing on said application was held on October 4, 2014 before the Board of Trustees, as required by Section 15.05.208 of the Parachute Municipal Code; and

**WHEREAS**, the Board of Trustees has reviewed the Planning & Zoning Commission recommendation and finds and determines that the Applicant has provided sufficient evidence that the proposed amendment is desirable based on the criteria set forth in Section 15.03.185 and Section 15.05.208 of the Parachute Municipal Code; and

**WHEREAS**, the Board of Trustees finds and determines that the Applicant has met its burden of providing evidence that area in question possesses geological, physiological, and other environmental conditions compatible with and characteristic of the zoning requested, and the advantages of the zoning requested outweigh the disadvantages of the zoning occasioned by the proposed amendment.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO:**

Section 1. The foregoing recitals are hereby incorporated in full as findings of fact and adopted by the Board of Trustees as part of this Ordinance.

Section 2. That Chapter 15.03 of the Parachute Municipal Code, as well as the Official Zoning Map of the Town of Parachute, Colorado, established by and incorporated into said Chapter, be and same hereby is, amended so as to provide that Lots 18, 19 and 20, Spring Lake Estates – Phase II Subdivision, situate in the Town of Parachute, County of Garfield, State of Colorado, be and the same hereby is rezoned as Service Commercial (SC).

Section 3. Upon adoption of this Ordinance, the zone amendment herein contained shall be entered upon the appropriate page of the Official Zoning Map, showing general location, effective date and the nature of the change. One copy of the approved application shall be retained in the office of the Town Clerk, and another copy of this Ordinance shall be retained in the records of the Town Building Official, in order to insure that use and development proceeds in accordance with the requirements of the approved Zone District designation and this Ordinance.

**INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY** by a vote of \_\_\_\_\_ to \_\_\_\_\_ of the Board of Trustees of the Town of Parachute, Colorado at its regular meeting held on the 9<sup>th</sup> day of October, 2014.

**BOARD OF TRUSTEES OF THE TOWN OF  
PARACHUTE, COLORADO**

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

Roy McClung, Mayor

**ATTEST:**

\_\_\_\_\_  
S. Denise Chiaretta, Town Clerk

**PUBLIC NOTICE**

Public notice is hereby given that an Ordinance entitled:

**AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, AMENDING THE ZONE DISTRICT MAP OF THE TOWN OF PARACHUTE BY REZONING CERTAIN PROPERTY DESCRIBED AS LOTS 18, 19 AND 20, SPRING LAKE ESTATES-PHASE II WITHIN THE TOWN OF PARACHUTE, COLORADO.**

was introduced before the Board of Trustees on October 9, 2014; and that the Ordinance was approved at a regular meeting of the Board of Trustees held on October 9, 2014, and approved by the Mayor on October 9, 2014.

Copies of the adopted ordinance are available for inspection at the Town Hall, Parachute, Colorado.

Dated this 9<sup>th</sup> day of October, 2014.

**TOWN OF PARACHUTE**

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S.Denise Chiaretta, Town Clerk



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## **AGENDA ITEM**

**REQUEST BOARD APPROVAL OF MAYOR'S SIGNATURE ON AN AGREEMENT WITH STEVEN A. NOFZIGER FOR THE PROCESSING AND SALE OF ABANDONED VEHICLES.**

**STAFF: CARY PARMENTER**

**AN AGREEMENT BETWEEN THE TOWN OF PARACHUTE, COLORADO  
AND STEVEN A. NOFZIGER FOR THE PROCESSING AND SALE OF  
ABANDONED VEHICLES**

**THIS AGREEMENT** is made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by and between the TOWN OF PARACHUTE, COLORADO, a home rule municipal corporation, (“Town”) and STEVEN A. NOFZIGER (“Contractor”), with a principal place of business at 648 Valley Road, Gypsum, Colorado 81637.

**WHEREAS**, the Town is in need of an individual to perform administrative processing and appraisal services for abandoned vehicles seized by the Parachute Police Department pursuant to C.R.S. § 42-4-1801, *et. seq.*; and

**WHEREAS**, Contractor has experience and expertise necessary to provide said services to the Town, and

**WHEREAS**, the Town and Contractor intend by this Agreement to set forth the scope of the responsibilities of Contractor in connection with the services and related terms and conditions to govern the relationship between Contractor and the Town in connection with this Agreement.

**NOW, THEREFORE**, in consideration of the foregoing premises and the following promises, the Town and Contractor agree as follows:

**ARTICLE 1 – WORK**

1.1 In accordance with C.R.S. § 42-4-1801, *et. seq.*, the Town will engage a third party towing carrier to remove abandoned vehicles from public property and to place such vehicles in an impound lot maintained by the towing carrier. The Town’s Police Department will then refer the vehicle to Contractor by providing the information required by Article 2 below. Contractor will use his expertise, experience and skill to provide administrative processing and appraisal services for abandoned vehicles referred to him by the Town’s Police Department (the “Services”). In connection with the Services, for each vehicle referred to Contractor by the Town’s Police Department, Contractor will perform the following:

- A. Upon receipt of paperwork from the Town’s Police Department as provided in Article 2 below, Contractor will conduct a thorough appraisal of the vehicle, verifying the vehicle identification number and the condition and the mileage of the vehicle, in order to establish a true value of the vehicle based on the National Automobile Dealer’ Association (“NADA”) standards, as well as Contractor’s training and experience.
- B. Utilize the Integrated Data System (IDS) to retrieve a Master Search of the vehicle’s current registration.

- C. Within 10 days of the receipt of the required information (as described in Article 2 below) from the Town's Police Department, send a "Notice of Towed Vehicle" via first class mail to each address listed on the Master Search, as well as to any and all lien holders of record as required by C.R.S. § 42-4-1804.
- D. Complete and file form DR2008 ("Vehicle Registration Information") with the Colorado Department of Revenue.
- E. At least 30 days after the mailing of the "Notice of Towed Vehicle" (but no more than 60 days after), complete a form DR2173 ("Bill of Sale") and present it to the tow carrier for final signature.
  - i. If the appraised value of the vehicle is less than or equal to the charges incurred by the towing carrier for towing and storage of the vehicle, then the green copy of the DR2173 along with the Master Search will be given to the tow carrier to transfer ownership of the towed vehicle to the tow company as a sole source of compensation to the towing carrier for towing and storage.
  - ii. If the appraised value of the vehicle is greater than the charges incurred by the towing carrier for towing and storage, the towing carrier shall have the opportunity to purchase the vehicle by paying to the Town the difference between the value of the vehicle and charges incurred for towing and storage. If the towing carrier opts not to purchase the vehicle, the Town's Police Department will conduct a public auction in accordance with the terms of C.R.S. § 42-4-1801, *et. seq.*, with the proceeds being first used to satisfy reasonable towing and storage fees and the remainder to be paid to the Town.
- F. Provide the Town's Police Department with a complete packet containing copies of all forms, transactions, memos and correspondence completed or received, at which point, the vehicle will be considered fully processed by Contractor.

## **ARTICLE 2 – TOWN POLICE DEPARTMENT RESPONSIBILITIES**

- 2.1 For each vehicle referred to Contractor by the Town's Police Department, the Town's Police Department shall provide to Contractor the following information:
  - A. The "Tow Sheet or Report" containing a case number, location and time of tow, and the name of the tow carrier.

- B. Printouts of clearances and registration from dispatch.
- C. The make, model, year and VIN of the vehicle.
- D. The signature of a supervisor or towing Officer.

2.2 The Town's Police Department shall provide Contractor with access to the Integrated Data System ("IDS") for the purpose of performing the Services under this Agreement. Contractor shall not use IDS for any other purpose.

2.3 The Town acknowledges that in order for Contractor's Services to be performed accurately and in a timely manner, the information provided under this Article 2 by the Police Department must be accurate and that Contractor may rely on that information in the provision of the Services.

2.4 The Town authorizes Contractor to act on its behalf as a "Law Enforcement Agent" in issuing and signing the documents, filings and notifications required to accomplish performance of the Services hereunder.

### **ARTICLE 3 – TERM OF AGREEMENT**

3.1 This Agreement shall commence on \_\_\_\_\_, 201\_\_, and, subject to the provisions of Article 11 hereof, shall continue in full force and effect for a period of 1 year, commencing with the effective date of this Agreement. This Agreement may be extended for up to two additional term years beyond the time referred to in this Section 3.1 on terms and conditions as may be mutually agreed between the parties in writing.

### **ARTICLE 4 – COMPENSATION**

4.1 The Town shall pay Contractor one hundred dollars (\$100) for each vehicle fully processed by Contractor under this Agreement. The Town shall pay Contractor twenty five dollars (\$25) in cases where the Town's Police Department refers a vehicle to Contractor, Contractor responds to the tow storage area to appraise the vehicle, but the vehicle is retrieved by the owner before Contractor's appraisal and administrative processing services can be completed. The Town shall pay Contractor seventy five dollars (\$75.00) for cases where the vehicle was released after the Contractor has completed all functions of the Abandoned Vehicle processing but has not yet provided the Towing Company with a "Bill of Sale".

4.2 No travel expenses are anticipated or will be paid for by the Town.

4.3 Fees for Services satisfactorily performed will be paid within thirty (30) days of receipt of a proper and accurate invoice from Contractor respecting the Services. The invoice shall include a description of services performed. Upon request, Contractor shall provide the Town Finance Director with such other supporting information as the Finance Director may request.

4.4 The Town will not withhold any taxes from monies paid to the Contractor hereunder and Contractor agrees to be solely responsible for the accurate reporting and payment of any taxes related to payments made pursuant to the terms of this Agreement.

4.5 Notwithstanding anything to the contrary contained in this Agreement, no charges shall be made to the Town nor shall any payment be made to the Contractor in excess of the amount for any Services done without the written approval in accordance with a budget adopted by the Town in accordance with provisions of the Colorado Revised Statutes. Moreover, the parties agree that the Town is a governmental entity and that all obligations beyond the current fiscal year are subject to funds being budgeted and appropriated.

#### **ARTICLE 5- CONTRACTOR'S REPRESENTATIONS**

In order to induce the Town to enter into this Agreement, Contractor makes the following representations:

5.1 Contractor has familiarized himself with the nature and extent of the Services, locality, and with all local conditions, and federal, State, and local laws, ordinances, rules and regulations that in any manner affect cost, progress, or performance of the Services.

5.2 Contractor acknowledges that he understands that he will be acting as an independent contractor for the Town and while he will be working closely with the Parachute Police Department to perform the Services, he will not be deemed an employee of the Town for any purpose.

#### **ARTICLE 7 – ENTIRE AGREEMENT**

This Agreement represents the entire Agreement between the parties hereto. There are no Contract Documents other than this Agreement. The Agreement may only be altered, amended, or repealed in writing.

#### **ARTICLE 8 – HIRING OF ILLEGAL ALIENS PROHIBITED**

Addendum “A”, attached hereto, is incorporated herein as if set forth here verbatim.

#### **ARTICLE 9 - JURISDICTION AND CONFIDENTIALITY**

9.1 This Agreement shall be interpreted in accordance with the laws of the State of Colorado and the parties hereby agree to submit to the jurisdiction of the courts thereof. Venue shall be in the 9<sup>th</sup> Judicial District for the State of Colorado.

9.2 The Contractor and the Town acknowledge that, during the term of this Agreement and in the course of the Contractor rendering the Services, the Contractor may

acquire knowledge of the business operations of the Town's Police Department to the point that the general method of doing business, the pricing of products, the lists of customers and other aspects of the business affairs of the Town's Police Department will become generally known and the Contractor shall not disclose, use, publish or otherwise reveal, either directly or through another, to any person, firm or corporation, any knowledge, information or facts concerning any of the past or then business operations, of the Town's Police Department and shall retain all knowledge and information which he has acquired as the result of this Agreement in trust in a fiduciary capacity for the sole benefit of the Town, its successors and assigns during the term of this Agreement, and for a period of five (5) years following termination of this Agreement.

#### **ARTICLE 10 - INDEMNIFICATION**

Within the limits allowed by law, Contractor shall indemnify the Town for, and hold and defend the Town and its officials, boards, officers, principals and employees harmless from, all costs, claims and expenses, including reasonable attorney's fees, including legal assistant's fees, arising from claims of any nature whatsoever made by any person in connection with the wrongful intentional acts, or omissions of, or presentations by, the Contractor in violation of the terms and conditions of this Agreement. This indemnification shall not apply to claims by third parties against the Town to the extent that the Town is liable to such third party for such claim without regard to the involvement of the Contractor.

#### **ARTICLE 11 - OWNERSHIP OF DOCUMENTS AND EQUIPMENT**

11.1 All documents which are obtained during or prepared in the performance of the Services shall remain the property of the Town and are to be delivered to the Town before final payment is made to Contractor or upon earlier termination of this Agreement.

#### **ARTICLE 12 -TERMINATION**

The Town may terminate this Agreement, in whole or in part, for any reason, at any time, with or without cause. Any such termination shall be effected by delivery to Contractor of a written notice of termination specifying the reason and date upon which termination becomes effective. Upon termination, Contractor shall deliver all documents belonging to the Town. In such event, Contractor shall be compensated for all Services satisfactorily completed up to the date of termination for such Services.

#### **ARTICLE 13 – NOTICE**

Any notice required under this Agreement shall be personally delivered, mailed in the United States mail, first class postage prepaid, or sent via facsimile provided an original is also promptly delivered to the appropriate party at the following addresses:

The Town: Parachute Police Dept.  
P.O. Box 100  
Parachute, CO 81635  
(970) 285-7630 (office)  
(970) 285-9146 (fax)  
[cparmenter@parachutecolorado.com](mailto:cparmenter@parachutecolorado.com)

The Contractor: Steven A. Nofziger  
P.O. Box 1115  
Gypsum, CO 81637  
(970) 987-1504 (cell)  
(970) 524-2021 (fax)  
[nofziger@centurytel.net](mailto:nofziger@centurytel.net)

Notices shall be deemed given on the date of delivery; on the date a FAX is transmitted and confirmed received or, if transmitted after normal business hours, on the next business day after transmission, provided that a paper copy is mailed the same date; or three days after the date of deposit, first class postage prepaid, in an official depository of the U.S. Postal Service.

#### **ARTICLE 14 – INDEPENDENT CONTRACTOR**

14.1 It is expressly acknowledged and understood by the parties hereto that nothing contained in this Agreement shall result in, or be construed as establishing, an employment relationship between the PARACHUTE POLICE DEPARTMENT and Contractor. Contractor and its employees shall be, and shall perform as, an independent contractor. Contractor shall be solely and entirely responsible for the means and methods to carry out the Services under this Agreement. Contractor may act as a “Law Enforcement Agent” only in the completion of his contractual responsibilities to the Town.

14.2 Contractor shall have no claim against the Town for vacation pay, sick leave, retirement benefits, social security, worker’s compensation, health or disability benefits, unemployment insurance benefits or other employee benefits of any kind.

14.2 The Contractor will maintain auto coverage, general liability, unemployment and workman’s compensation insurance on his own behalf, as necessary.

#### **ARTICLE 15 -CONTRACTOR’S PROFESSIONAL LEVEL OF CARE**

Contractor shall be responsible for the completeness and accuracy of the Services, including all supporting data and other documents prepared or compiled in performance of the Services, and shall correct, at its sole expense, all significant errors and omissions therein. The fact that the Town has accepted or approved the Services shall not relieve

Contractor of any of its responsibilities. Contractor shall perform the Services in a skillful, professional and competent manner and in accordance with the standard of care, skill and diligence applicable to consultants, with respect to similar services, in this area at this time.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

TOWN OF PARACHUTE, COLORADO, a home rule municipal corporation

By: \_\_\_\_\_  
Roy McClung, Mayor

ATTEST:

\_\_\_\_\_  
S. Denise Chiaretta, Town Clerk

STEVEN A. NOFZIGER

By: \_\_\_\_\_  
*Steven A. Nofziger*  
Steven A. Nofziger

## ADDENDUM "A"

This Addendum is hereby made a part of the Agreement to which it is attached (the "Agreement"). In the event of a conflict between this Addendum and the Agreement this Addendum shall prevail.

A. As used in this Addendum, the following words or phrases shall have the following meanings:

1. Contractor means Steven A. Nofziger.
2. Town means the Town of Parachute, Colorado, a home rule municipal corporation.
3. E-Verify Program means the electronic employment verification program created in Public Law 104-208, as amended and expanded in Public Law 108-156, as amended and jointly administered by the United States Department of Homeland Security and the Social Security Administration, or its successor program.
4. Department Program means the employment verification program established pursuant to Section 8-17.5-102(5)(c), C.R.S.

B. The Contractor shall not:

Knowingly employ or contract with an illegal alien who will perform work under this Agreement; or

Enter into a contract with a subcontractor that fails to certify to the Contractor that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this Agreement.

C. The Contractor certifies that it does not knowingly employ or contract with an illegal alien who will perform work under this public contract for services, and that the Contractor will participate in the E-Verify Program or Department Program in order to confirm the employment eligibility of all employees who are newly hired for employment to perform work under this public contract for services. The Contractor has confirmed the employment eligibility of all employees who are newly hired for employment to perform work under this public contract for services through participation in either the E-Verify Program or the Department Program. The Contractor is prohibited from using either the E-Verify Program or the Department Program procedures to undertake pre-employment screening of job applicants while this public contract for services is being performed.

D. If the Contractor obtains actual knowledge that a subcontractor performing work under this public contract for services knowingly employs or contracts with an illegal alien, the Contractor shall:

1. Notify the subcontractor and the Town within three (3) days that the Contractor has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and
2. Terminate the subcontract with the subcontractor if within three (3) days of receiving the notice required pursuant to subparagraph (1) of this paragraph (D) the subcontractor does not stop employing or contracting with the illegal alien, except that the Contractor shall not terminate the contract with the subcontractor if during such three (3) days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.

E. The Contractor shall comply with any reasonable request by the Colorado Department of Labor and Employment ("Department") made in the course of an investigation that the Department is undertaking pursuant to the authority established in Section 8-17.5-101 *et seq.*, C.R.S.

F. If Contractor violates this Addendum, the Town may terminate the Agreement for breach of the contract. If so terminated, the Contractor shall be liable to the Town for actual and consequential damages.



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## AGENDA ITEM

### DEPARTMENTAL REPORTS:

- (1) Mayor and Board of Trustees .....Mayor and Trustees
- (2) Town Manager Monthly Update ..... Stuart McArthur,  
Town Manager
- (3) Police Department Monthly Update ..... Cary Parmenter,  
Police Chief
- (4) Public Works Monthly Update ..... Mark King, Director  
of Public Works
- (5) Code Enforcement Update ..... Derek Wingfield,  
Community Development Specialist



# Town of Parachute

222 Grand Valley Way Parachute, Colorado 81635  
(970) 285-7630 Stuart S. McArthur, Town Administrator

**DATE:** October 9, 2014  
**TO:** Board of Trustees  
**FROM:** Stuart S. McArthur, Town Manager  
**SUBJECT:** TOWN MANAGER MONTHLY REPORT – OCTOBER 2014

The purpose of this memo is to report to the Board of Trustees the activities of the Town during the past month.

1. Sales tax report showing current month sales tax and comparing the last three years is a hand out. We did not receive sales tax figures from the State in time for this report.
2. The financial summaries cannot be provided this month. We are having issues with the General Ledger and I am still working to rectify the problem. I engaged an accountant to help us make necessary adjustments to the General Ledger.
3. I am working with the Battlement Mesa Company to make recommendations to the RREDC for its website update on how to better represent Parachute / Battlement Mesa Community.
4. Development of the new Town website is well underway. Derek is well ahead of schedule. We are working to include the Chamber of Commerce in the hosting by the State.
5. Octoberfest was a huge success. The Town and the Chamber of Commerce worked together to make it a big achievement. Derek will report on further details.
6. A draft Memo of Understanding regarding working together with Battlement Mesa Service Association on the comprehensive plan update has been completed by Ed Sands.
7. I have met with Garfield County to initiate a plan to work together on the Town's comprehensive plan update.
8. Mark and I attended a Water Forum in Glenwood Springs on the 17<sup>th</sup>. It is the initial meeting of a planned county-wide group that will meet to discuss mutual water issues.
9. An electric vehicle road rally was held on Friday, October 3<sup>rd</sup>. It was part of a rally where cars started in Grand Junction, Vail, and Aspen to highlight the EV charging stations on the I-70 corridor.

If you have any additional questions or concerns, please contact me.

***Parachute Police Department***  
***Office of the Chief***  
222 Grand Valley Way  
P.O. Box 100 Parachute, CO 81635-0100



**Chief of Police**  
**Cary L. Parmenter**

Telephone (970)285-7630 ext. 114  
Facsimile: (970)285-9146

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## September, 2014

Calls for service in September, 2013: **396**  
Calls for service in September, 2014: **577**

We made it through another successful summer with no major incidents. Officer Alex Graham is out on his own and is getting used to working in our Town. Alex has been busy writing some grants and has been awarded an “Impaired Driving Enforcement” grant which pays officers overtime for traffic enforcement and detection of impaired drivers.

We have also been awarded a grant to assist in paying for Drug Interdiction training in Alamosa. This grant reimburses the Town for the course, and officer’s salary while attending the class.

We purchased three “Toughbook” computers for the patrol cars; this will allow the officers to complete their reports and other computer related tasks remotely, like in the high school, The Center for Family Learning, or in their cars while parked. This will get them out of the office and in the Town and in the schools. We plan on added two more in 2015.

We continue to have bear activity in town with trash cans being knocked down and trash scattered in all the neighborhoods, however the number of calls coming in has dropped significantly. We have not heard of any bears acting aggressively towards people or other animals.

### **Liquor License:**

None

Thank You

*Cary L. Parmenter*

Cary Parmenter  
Police Chief

# PARACHUTE POLICE DEPARTMENT

## POLICE ACTIVITY BLOTTER FOR SEPTEMBER 2014

DATE	SUMMARY
09/02/14	<b>Warrant Arrest</b> Jacqueline Lacome-Gosnell, 52 of Parachute, was arrested for an outstanding warrant and transported to the Garfield County Jail.
09/05/14	<b>Traffic Accident</b> Adam Bradley, 29, of Grand Junction, CO, was issued a county summons for failing to obey a Traffic Control Signal and Careless Driving-Causing Bodily Injury.
09/05/14	<b>Sexual Exploitation</b> There is an ongoing investigation involving juveniles, the internet and illicit pictures.
09/10/14	<b>Warrant Arrest</b> Christian Carrillo Chavez, 22, of Glenwood Springs, CO, was arrested and transported to the Garfield County Jail.
09/12/14	<b>DUI</b> Cesar J Hernandez, 31, of Fruita, CO, was charged with Driving Under the Influence of Alcohol/Drugs and Driving a Defective or Unsafe Vehicle. He was transported to the Garfield County Jail.
09/13/14	<b>Warrant Arrest</b> Juan Carrasco-Corral, 39, of Parachute, was arrested during a routine traffic stop for an outstanding warrant and was transported to the Garfield County Jail.
09/13/14	<b>Traffic Accident</b> Jacob Hegwood, 17, of Battlement Mesa, was issued a summons for Unsafe Backing following a traffic accident at County Road 215 and I-70. There were no injuries reported.
09/17/14	<b>Disturbance</b> Daniel Patchett, 27, of Parachute, was issued a Disturbing the Peace summons for playing his vehicle's sound system above a peaceful level and disturbing the neighborhood.
09/19/14	<b>Fraud</b> A Parachute resident reported she received a phone call wanting her to send \$400 to them for PCH winning. The Officer investigated and found the call was coming from Jamaica and consulted her on how to report the fraud to the FBI.

# *PARACHUTE POLICE DEPARTMENT*

**09/19/14**

## **Driving Violation**

Wesley Hammett, 25, of DeBeque, was arrested during a routine traffic stop for Possession of a Controlled Substance, Open Marijuana Container in Vehicle and Defective/Missing Stop Light or Turn Signal.

**09/19/14**

## **Marijuana Violation**

A 17 year old Juvenile was issued a summons for the Possession of Marijuana Under 21 and Purchase/Possession of Tobacco Products by Minors.

**09/20/14**

## **Warrant Arrest**

Richard Leroy Richie, 38, of Parachute, was arrested for an outstanding warrant and transported to the Garfield County Jail.

**09/23/14**

## **Theft From Vehicle**

Sinclair Service Station in Parachute reported a theft of \$4000 to \$5000 cash from a vehicle on the property. During the investigation and with the help of Crimestoppers a suspect was identified and located. The Juvenile male was issued a Promise to Appear in Juvenile Court for Criminal Trespass-Vehicle and Theft \$2000-\$5000.

**09/24/14**

## **Elder Abuse**

The Police Department received a report and investigated a possible fraud involving elder abuse.

**09/24/14**

## **Harassment**

The Police Department received a report of harassment using Facebook. The victim was advised on what actions to take with Facebook account.

**09/25/14**

## **Obstructing a Peace Officer**

During a routine traffic stop Courtney Stark, 34, of Parachute, was arrested for Obstruction of a Peace Officer and Possession of Open Alcoholic Container in Vehicle and transported to the Garfield County Jail. Jeffrey Grant, 48, of Parachute was issued a summons for Open Alcoholic Container in Vehicle and Improper Signal.

**09/27/14**

## **Domestic Disturbance**

Jacob A Swindell, 24, of Parachute, was arrested and transported to the Garfield County Jail for Domestic Violence and Harassment (strikes, shoves, kicks).

**09/27/14**

## **Driving Violation**

Juan Carranza Cornejo, 22, of Battlement Mesa, was arrested and transported to the Garfield County Jail on charges of Driving a Vehicle While Revoked as a Habitual Traffic Offender and Missing/Defective Tail Lamp or Reflector.

# *PARACHUTE POLICE DEPARTMENT*

**09/27/14**

## **Driving Violation/Warrants**

Stanley Conard, 61, of Rifle, was arrested during a routine traffic stop for Driving Under Restraint; Defective/Unsafe Vehicle, Displayed/Possess/Sell Invalid Plate/Sticker/Title knowing such is Fictitious/Stolen, No Proof of Insurance and outstanding warrants. He was transported to the Garfield County Jail for the warrants and issued a summons for the driving violations.

**09/28/14**

## **Driving Violation**

Aubrey Hunter, 21, of Battlement Mesa, was issued a summons for Driving While Ability Impaired by Alcohol or Drugs, Driving Vehicle While License Under Restraint and Defective/Unsafe Vehicle.

**77 Traffic Citations were issued in September 2014**

**577 Calls for Incident Reports**



## Town of Parachute

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222 Grand Valley Way Parachute, Colorado 81635  
Phone: 970.285.7630 Fax: 970-285-0292  
Mark King Public Works Director  
[mking@parachutecolorado.com](mailto:mking@parachutecolorado.com)

### MONTHLY REPORT FOR SEPTEMBER 2014

Hello again-

The water leaks have slowed down, we have only had three this month. We replaced the line from the main to the curb stop on Cardinal Way so that is all new and shouldn't ever leak again. We will replace from the main to the meter on most of the water leaks that we have in the future.

The Parachute Park Blvd project is ahead of schedule. They plan on starting the asphalt portion on the 13<sup>th</sup> of October. It is anticipated to only take a week or two, then finish up a week or two after that.

Bud and the crew have been installing meters when they have time. We have started South Second Court and St John Circle. The meters are a different brand so we are replacing everything. It is taking more time than expected in those areas because of the off brand meters.

Terry and Dan have been working at the springs to ensure the runoff won't affect the springs. With all the rain this year it has been difficult to complete the work.

Farnsworth Group has started the master plan work. They are compiling data that is crucial for the completion of the study. I will have a schedule for them by the meeting.

If you have any questions you can call me at (970) 986-1821

Respectfully submitted,



Mark King

# TOWN OF PARACHUTE

PO Box 100  
222 Grand Valley Way, Parachute, CO 81635



*Telephone: (970) 285-7630*

*Facsimile: (970) 285-9146*

*Community Development*

*Derek Wingfield*

September 2014

- Code Enforcement
  - 20+ letters and post cards mailed
    - Weeds and sidewalks
    - Handbills
  - Final Draft of Public Nuisance filing was completed and being prepared to be served
- Development
  - Several building permits were issued and several are under review
    - Repair
    - Remodel
  - Cottonwood View project
    - Two meetings with developer and the project is on track
  - Website design and update
    - Working toward adding the content
  - Oktoberfest
    - Very busy on event

Derek Wingfield  
Community Development

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke, positioned below the typed name and title.



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## **AGENDA ITEM**

### **CORRESPONDENCE:**

#### **PUBLIC NOTICES GARFIELD COUNTY**

**The Puckett Land Co. has applied to Garfield County Director of Community Development, to request a Land Use Change Permit to allow an Injection Well, Small to be located on the subject property located on the subject property located in the County of Garfield, State of Colorado**

**WPX Energy Rocky Mountain, LLC, has applied to the Board of County Commissioners, Garfield County, State of Colorado, to request approval of a Land Use Change Permit on a property situated in the County of Garfield, State of Colorado**

PUBLIC NOTICE

TAKE NOTICE that the Puckett Land Co. (Caerus Piceance, LLC – Operator) has applied to the Garfield County Director of Community Development, to request a Land Use Change Permit to allow an Injection Well, Small to be located on the subject property located in the County of Garfield, State of Colorado; to-wit:

Legal Description:

SESE, Section 14, T7S, R96W, Garfield County, Colorado

Practical Description: Southwest of the Town of Parachute, south of I-70 and off the Highway 6 Frontage Road within the SESE, Section 14, T7S, R96W of the 6<sup>th</sup> PM, Garfield County.

Description of Request: Administrative Review to allow an Injection Well, Small with less than 5,000 barrels of appurtenant and accessory on-pad tanks.

All persons affected by the proposed Land Use Change Permit are invited to comment regarding the application. **You may state your views by letter, or you may call the Community Development Department at (970) 945-8212 regarding the application.** The Director will give consideration to the comments of surrounding property owners, and others affected, in deciding whether to grant or deny the request. The application may be reviewed at the office of the Planning Department located at 108 8th Street, Suite 401, Garfield County Administration Building, Glenwood Springs, Colorado between the hours of 8:30 a.m. and 5:00 p.m., Monday through Friday.

**The Director will issue a decision on this application on Friday October 10, 2014 therefore any comments to be considered must be received prior to that date.**

Planning Division, Community Development  
Garfield County

SEP 29 2014 14:59



## PUBLIC NOTICE

TAKE NOTICE that WPX Energy Rocky Mountain, LLC, has applied to the Board of County Commissioners, Garfield County, State of Colorado, to request approval for a Land Use Change Permit on a property situated in the County of Garfield, State of Colorado; to-wit:

### Legal Description:

Township 6 South, Range 96 West, 6<sup>th</sup> P.M.

Section 35: Lot 16.

Section 36: Lots 3,4,5,6, NE/4 SW/4, NW/4 SE/4.

Township 7 South, Range 96 West, 6<sup>th</sup> P.M.

Section 1: Lots 3, 4, SW1/4 NW1/4.

Section 2: Lot 1.

Garfield County, Colorado.

Practical Description: North and adjacent to the Town of Parachute and is part of a property known by Assessor's Parcel No. 2171-363-00-007.

Project Description: This is a Limited Impact Review Land Use Change Permit for Water Impoundment, Material Handling, Processing and Storage (Parachute Water Management Facility for WPX Energy) within a 37.62 acre portion of a larger 383.78 acre parcel. The Property is zoned Resource Lands – Gentle Slopes and Lower Valley Floor.

All persons affected by the proposed plan are invited to appear and state their views, protest or support. If you can not appear personally at such hearing, then you are urged to state your views by letter, as the Board of County Commissioners will give consideration to the comments of surrounding property owners, and others affected, in deciding whether to grant or deny the request. The application may be reviewed at the office of the Planning Department located at 108 8th Street, Suite 401, Garfield County Plaza Building, Glenwood Springs, Colorado between the hours of 8:30 a.m. and 5:00 p.m., Monday through Friday.

**A public hearing on the application has been scheduled for Monday, November 10, 2014 at 1:00 P.M.** in the in the County Commissioners Meeting Room, Garfield County Administration Building, 108 8th Street, Glenwood Springs, Colorado.

Planning Department  
Garfield County