Gene A. Meisner
Commissioner District One

Rocky L. Samber, Chairman
Commissioner District Two

David G. Donaldson
Commissioner District Three

Office Phone
970-522-0888
FAX 970-522-4018
TTY 970-526-5383

Web: www.colorado.gov/logan
E-mail:commissioners@logancountyco.gov

OFFICE OF THE BOARD
LOGAN COUNTY COMMISSIONERS

315 MAIN STREET SUITE 2
STERLING, COLORADO 80751

AGENDA
Logan County Board of Commissioners
Logan County Courthouse, 315 Main Street, Sterling, Colorado
Tuesday, May 5, 2015 - 9:00 a.m.

Call to Order
Pledge of Allegiance
Revisions/Corrections to Agenda
Consent Agenda

Approval of the Minutes of the April 28, 2015 meeting.

Unfinished Business

Consideration of the award of the proposal for the purchase of a 6-ton Slip-in style Hot Box on behalf of the Road and Bridge Department.

New Business

Consideration of the approval of Resolution 2015-12 and an application for Subdivision Exemption on behalf of Smart Brothers, Inc. to exempt a 2.50-acre parcel from a 266-acre tract in an "A" Agricultural Zone on property described as the West 1/2 Southwest 1/4 of Section 2, Township 6 North, Range 53 West of the 6th PM, Logan County, Colorado.

Other Business
Miscellaneous Business/Announcements

The next regular business meeting will be scheduled for Tuesday, May 12, 2015, at 9:00 a.m. at the Logan County Courthouse.

Executive Session as Needed
Adjournment

April 28, 2015

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

Rocky L. Samber	Chairman
David G. Donaldson	Commissioner
Gene A. Meisner	Commissioner
Alan Samber	Logan County Attorney
Pamela M. Bacon	Logan County Clerk
Marie Granillo	Logan County Clerk Deputy
Rob Quint	Logan County Planning & Zoning
Shay Fiegel	Tri-State Tactical LLC
Chris Fiegel	Tri-State Tactical LLC
Randy Pfeifer	Tri-State Tactical LLC
Daniel Bock	Commercial Dog Kennel/Dog Breeding
Kim Sellers	Chamber of Commerce
Callie Jones	Journal Advocate
Forrest Hershberger	South Platte Sentinel

Chairman Samber called the meeting to order at 9:16 a.m. The meeting opened with the Pledge of Allegiance.

Chairmen Samber asked if there were any revisions or corrections to today's agenda. Commissioner Donaldson commented none.

The Board continued with the Consent Agenda items:

- Approval of the Minutes of the April 14, 2015 meeting.
- Acknowledge the receipt of the Clerk and Recorder's Report for the month of March, 2015.

Commissioner Meisner moved for the approval of the Consent Agenda for Tuesday April 28, 2015 Board meeting. Commissioner Donaldson seconded and motion carried 3-0.

Chairman Samber continued with Unfinished Business:

Commissioner Donaldson made a motion to approve the bid subject to final approval of the written contract in the amount of $42,000.00. Commissioner Meisner seconded and the motion carried 3-0.

Chairman Samber continued with New Business:

Chairman Samber opened a Public Hearing concerning a Special Events Liquor License on behalf of the Logan County Chamber of Commerce for the sale of 3.2% Beer on June 20, 2015 at the Logan County Fairgrounds.

- Kim Sellers – Chamber of Commerce addressed and answered questions of the Board.

Commissioner Meisner made a motion to accept the Special Use License on behalf of the Logan County Chamber of Commerce for the sale of 3.2% Beer on June 20, 2015 at the Logan County Fairgrounds and authorize a Chairman to sign. Commissioner Donaldson seconded and motion carried 3-0.

The Board will open proposals for the purchase of a 6-ton Slip-in style Hot Box on behalf of the Road and Bridge Department.

- Step Manufacturing Company to the amount of $36,542.00.

Commissioner Donaldson made a motion to refer this bid to the Road and Bridge Department for their review and recommendation back to the Commissioners. Commissioner Meisner seconded and motion carried 3-0.

Commissioner Meisner moved to approve the agreement between Logan County Clerk and Recorder and Peetz Plateau School District RE-5 for administration of their respective duties concerning the conduct of the Coordinated Election to be held November 3, 2015 and authorize a Chairman to sign. Commissioner Donaldson seconded and the motion carried 3-0.

Chairman Samber opened a Public Hearing on the Resolution 2015-10 for a Special Use Permit on behalf of F & H Enterprises LLC dba Tri-State Tactical LLC for an Airsoft Course Shooting Range with Associated Training Classes on property described as Lot 1, Littlefield Minor Subdivision in the North ½ of Section 24, Township 8 North, Range 53 West also known as 17282 County Road 32 Sterling, Colorado.

- Chris Fiegel addressed the Board and answered questions by the Board.
- Randy Pfeifer addressed the Board.

Chairman Samber closed the Public Hearing.

Commissioner Donaldson made a motion to approve the Resolution 2015-10 for a Special Use Permit on behalf of F & H Enterprises LLC dba Tri-State Tactical LLC for an Airsoft Course Shooting Range with Associated Training Classes on property described as Lot 1, Littlefield Minor Subdivision in the North ½ of Section 24, Township 8 North, Range 53 West also known as 17282 County Road 32 Sterling, Colorado. Commissioner Meisner seconded and the motion carried 3-0.

Chairman Samber opened a Public Hearing on the Resolution 2015-11 for a Conditional Use Permit on behalf of Daniel and Koni Bock for the operation of a Commercial Dog Kennel/Dog Breeding facility in an Agricultural District in the Southeast ¼ of the Northeast ¼ of Section 11 and in the Northwest ¼ of Section 12, all in Township 8 North, Range 50 West of the 6th PM, Logan County, Colorado, also known as 34943 Highway 6, Fleming, Colorado.

- Daniel Bock addressed the Board and answered questions.

Chairman Samber closed the Public Hearing.
Commissioner Meisner moved to approve Resolution 2015-11 for a Conditional Use Permit on behalf of Daniel and Koni Bock for the operation of a Commercial Dog Kennel/Dog Breeding facility in an Agricultural District in the Southeast ¼ of the Northeast ¼ of Section 11 and in the Northwest ¼ of Section 12, all in Township 8 North, Range 50 West of the 6th PM, Logan County, Colorado, also known as 34943 Highway 6 Fleming, Colorado. Commissioner Donaldson seconded and the motion carried 3-0.

The Board moved on under Miscellaneous Business/Announcements:

The next regular business meeting of the Logan County Board of County Commissioner's is scheduled for Tuesday, May 5, 2015 at 9:00 a.m., here at the Commissioner's Hearing Room at the Logan County Courthouse.

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

Submitted by:

Marie T. Granillo
Logan County Clerk & Recorder

Approved: May 5, 2015

BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO

(seal)

By: _____
Rocky L. Samber, Chairman

Attest:

_____
Logan County Clerk & Recorder

LOGAN COUNTY ROAD AND BRIDGE DEPARTMENT

Minimum Specifications for One (1) New 6 Ton Slip-in Style Hot Box.

Minimum Specifications	Comply/Exception to be Completed by Proposer
1. 6 Ton Slip-in Premix Heater	✓
2. Spark Ignition with Auto Temp Controls for LP Burner	✓
3. LED Flush Mount Strobe Lights	✓
4. Unit will be equipped with a 200,000 BTU Hand Torch with shutoff Valve and 25' of LP hose.	✓
5. Hopper shall have a capacity of 6 tons. Triple wall constructed of 10 gauge material. Air jacketed chamber to be constructed of 12 gauge material, and insulated with 2" of 11/2# density hi-temperature fiberglass insulation. Hopper shall be covered with two (2) 16 gauge double wall insulated steel, hydraulically operated doors	✓
6. Shovel Platform shall be constructed of 7 gauge material, located under the discharge end of the hopper, shall folding to allow material to dispense onto the ground	✓
8. Sub-Frame shall be constructed of 2x8 rectangular steel tubing with solid round rollers and telescopic legs for loading and unloading onto vehicle. Front telescopic legs move up and down and will fold under the sub-frame for loading. Rear legs telescope up and down for loading and adjust for different heights of vehicles	✓
9. Hydraulic controls shall be provided for hopper doors, discharge door, and shovel plate. The hydraulic valves will be located on rear curb side of unit. Valves to be a directional valve, with each section having pressure compensation suited for operation being performed. All hydraulic lines to be run in steel tubing with compression fittings	✓
10. All surfaces to be primed with red oxide and painted black.	✓
11. One (1) set of shop and operational manuals will be furnished with unit	✓

12. One (1) year warranty on parts and workmanship. Component parts manufacturers warranty prevails	✓
13. Price of total unit, delivered to Logan County Road & Bridge Dept.	$36,547.00

14. Proposals must be submitted to the Logan County Commissioners Office in a Sealed envelope marked " 6 Ton Slip-in Style Hot Box Proposal" by 5:00 p.m. Monday April 27, 2015. Proposals will be opened at 9 a.m. on Tuesday April 28, 2015.

15. Equipment must include all applicable OSHA required equipment and meet all applicable OSHA regulations at time of manufacture.

16. Proposers are requested to include appropriate literature for model bid.

17. Proposers must notify Commissioners Office of any irregularities or any inability to meet the suggested minimum specifications no later than two business days before proposal opening.

18. The Logan County Board of Commissioners reserves the right to reject any or all Proposals and to accept the proposal which is deemed to be in the best interest of Logan County.

Company:	Stepp Manufacturing Co., Inc.
Salesman:	Jason Stepp / Brenda Jacobson
Address:	12385 River Road / North Branch MN 55056
Telephone:	651-674-4491
Fax:	651-674-4271

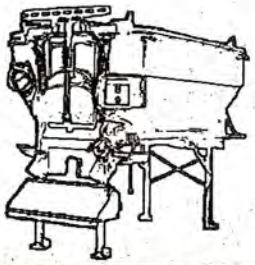
STEPP MFG™

QUOTE SSPH 15-09

12325 River Road
North Branch MN 55056
Phone: 651-674-4491 ~ Fax: 651-674-4221
Email: jason@steppmfg.com ~ branda@steppmfg.com
www.steppmfg.com ~ facebook.com/steppmfg

Bid

TO Logan County Commissioners
COMPANY Logan County Commissioners
ADDRESS 315 Main Street, Suite 2
CITY/STATE/ZIP Sterling CO 80751
PHONE/FAX
EMAIL



DATE	EARLIEST SHIP	FOB	SALES REPRESENTATIVE
4/21/2015	90-120 Days	Factory	Jason Stepp

ITEM #	DESCRIPTION	QTY	UNIT TOTAL	LINE TOTAL
SSPH-5.0	Stepp Slip-in Style Premix Heater 5.0cy 6ton	1	$ 31,653.00	$ 31,653.00
	Standard LP Burner System	1	0.00	0.00
	Spark Ignition w/ Auto Temp Controls for LP Burner	1	2,075.00	2,075.00
	Flush Mounted Strobe Light	1	311.00	311.00
	LP Hand Torch	1	403.00	403.00
	Black			
	Options to Consider			
	Hose Reel for LP Hand Torch +721			

We are pleased to submit the above quote for your consideration. Should you place an order, be assured it will receive our prompt attention. Price does not include local, state, or federal tax unless otherwise noted.

***Please note: This quote is valid for 60 days from the above date. There after it is subject to change.**

Subtotal	$ 34,442.00
Freight	2,100.00
Total Due	$ 36,542.00

THANK YOU FOR YOUR BUSINESS!

STEPP MFG™
ASPHALT MAINTENANCE EQUIPMENT

Warranty Claim Authorization Number: _____
Call Customer Service at 651-674-4491 to obtain prior approval or warranty will be denied.
Date of Authorization Request _____

Equipment Owner		Warranty to be Performed by	
Customer Name		Company Name	
Street Address		Address	
City/State/Zip		City/State/Zip	
Equipment Model #		Contact Name	
Equipment VIN		Contact Phone #	
Hour Meter Read			
Purchase Date		Date of Malfunction	
Dealer Purchased Form		Date of Repair	

Warranty Authorization		Signature for Authorization
Date of Malfunction		X
Date of Repair		

Symptoms / Diagnostics / Action

Symptoms	Diagnostics	Action
Describe the symptoms in detail, be as specific as possible. Ex: Burner ignites and runs for 35 seconds, then goes out.	*Describe issues found, be as specific as possible. Ex: Part failed due to loose connection, resulting in misalignment and premature wear.*	*Describe action taken, be as specific as possible. Ex: Removed damaged section of wire harness, soldered new leads in place, and insulated splices w/ heat shrink tubing.*

Parts and Labor

Labor Time to Correct Problem (reimbursed at $55/hour)		Parts Used to Correct Problem		
Labor Time (in hours)	Repair Made	Part Number	Description	Qty

Parts Return

All parts returned must be tagged with the warranty authorization number and a copy of this claim. Retain all parts until credit is received from the factory. When requested, return the parts, along with this claim, to:

Stepp Manufacturing Co., Inc.
Attn: Warranty Department
12325 River Road
North Branch MN 55056

***Note**: If defective parts are not returned within 10 days, or this warranty claim does not accompany the returned parts, the claim will be denied.

Office Use Only

Date Claim/Parts Received?		Is this a warrantable claim?	Yes	No
Claim Reviewed By:		Original Invoice # for Parts		
Date of Review:				

Warranty Totals

STEPP MFG™
ASPHALT MAINTENANCE EQUIPMENT

Introduction

Congratulations on your purchase of equipment built by Stepp Manufacturing for your asphalt maintenance needs. Your equipment has been designed and constructed to give you the most in performance, ease of use, and reliability. It is our desire that you will find operating the equipment both productive and profitable.

Warranty Procedures Through A Dealer

If your equipment requires repair, or needs parts for repair, please contact your area dealer. For repairs, the unit must be brought to the dealer for warranty. The dealer will require purchase date information, where the machine was purchased, and the Vehicle Identification Number (VIN) of the equipment. This information is needed so the dealer can submit a warranty claim. The dealer will repair your equipment, once warranty is approved, at no charge to you under the provisions of the warranty policy.

Warranty Procedures Direct Through The Factory *(when no servicing dealer is available in your area)*

Contact Stepp Manufacturing's Customer Service Department at (651) 674-4491.

In this situation, it may be advantageous for you to repair the machine and be reimbursed direct from the factory for warranty repairs. If you do not have the facilities, or the technicians, to perform the repair, the unit can be brought to a local repair facility. In either case, Stepp Manufacturing ***MUST*** be contacted and authorize the warranty repair ***PRIOR*** to any work being performed. If work is done prior to authorization, the warranty will not be honored.

If parts are required for the warranty repair, contact Customer Service at Stepp Manufacturing for replacements. When warranty replacement parts are shipped to you, a Warranty Authorization Number will be issued. If asked to return the defective parts, "tag" the defective parts with the Warranty Authorization Number, then package them in the same box the new parts were shipped in. Ten (10) business days will be allowed for return of the defective parts. If the defective part is not received back at the factory within this allotted time, the warranty will not be honored.

You will be billed for all parts shipped that require returning of defective parts. However, when the defective parts are returned and evaluated, you will receive credit for the cost of the part only. Thus, it is important that all defective parts are turned to Stepp Manufacturing in the allotted ten (10) day period.

Engine Warranty Claims

When a warranty issue develops with the engine, bring the unit to the engine manufacturer nearest authorized service center for repair. Be prepared to supply them with proof of purchase information with purchase dates.

Stepp Manufacturing cannot process engine warranty claims. However, we will be happy to offer assistance in locating the nearest service center.

Equipment Owner Responsibilities

As the equipment owner, you are responsible for:

- Using the equipment in accordance with the correct operating procedures as shown in the operators manual.
- Assuring all maintenance items are completed in accordance with the operators/maintenance manuals.
- Transporting the equipment to the place where warranty repairs can be completed.
- Supplying purchase date and VIN information to establish warranty coverage.

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ASPHALT MAINTENANCE EQUIPMENT

Consumer Warranty Guide

12325 River Road, North Branch, MN 55056~ Phone: 651-674-4491~ Fax: 651-674-4221 www.steppmfg.com

Twelve (12) Month Pro-Rata Limited Warranty
Heated Asphalt Hose and Heating Elements

Effective for Equipment Delivered After 5/1/2012

Stepp Manufacturing Co., Inc. hereby warrants to the original purchaser, on a pro-rated basis, that the heated asphalt hose and heating elements installed on NEW Stepp Manufacturing's equipment shall be free from defects in material and workmanship for period of twelve (12) months for the heated asphalt hose and six (6) months for the heating element.

In the event that a heated asphalt material hose or a heating element fails under normal use during the warranty period, Stepp Manufacturing will supply a replacement heated asphalt hose or heating element, along with one-half (0.5) hour for installation labor on a pro-rated adjustment basis.

- If the failure occurs under normal use within the first three (3) months from date of purchase, Stepp Manufacturing will supply a replacement, and provide for one-half (0.5) hour installation labor at no charge to the customer.
- If the failure occurs under normal use within the fourth (4th) through twelfth (12th) months, Stepp Manufacturing will supply a replacement, and provide for one-half (0.5) hour installation labor on a pro-rata basis.

The pro-rated adjustment is based on the total number of months elapsed since the purchase date of the new equipment from Stepp Manufacturing. This rate is then applied to the one-half (0.5) hour labor rate and the current suggested retail price of the proper replacement heated asphalt hose or heating element supplied by Stepp Manufacturing. This is the amount the customer will have to pay. Freight will not be included in the reimbursement. If a new heated asphalt hose or heating element is needed prior to warranty inspection, you will be billed for all parts shipped that require returning of defective parts. However, when the defective parts are returned and evaluated, you will receive credit for the cost of the part only. **Thus, it is important that all defective parts are turned in to Stepp Manufacturing in the allotted ten (10) day period, or warranty will be denied.**

In no case will the warranty coverage extend beyond the six (6) month period for the heating element or the twelve (12) month period for the heated asphalt hose, from the original purchase date of the new equipment from Stepp Manufacturing. *Physical damage is not covered by this warranty*. Physical damage may include, but is not limited to:

- Broken heating element (typically caused by repeated bending to less than a one (1) foot radius).
- Heated asphalt hoses burnt from the inside (typically caused by operating the heating element in an empty hose).
- External cuts or abrasions on the heated asphalt hose (typically caused by dragging on the ground).

The chart below shows the pro-rated amount, by percentage, that will be allowed by warranty, pending examination of the heated asphalt hose or heating element.

Heated Asphalt Hose		
Failure Date	Warranty's Responsibility	Customer's Responsibility
0-3 Months *0-90 Days*	100%	0%
3-6 Months *91-180 Days*	70%	30%
6-7 Months *181-211 Days*	60%	40%
7-8 Months *212-242 Days*	50%	50%
8-9 Months *243-273 Days*	40%	60%
9-10 Months *274-304 Days*	30%	70%
10-11 Months *305-335 Days*	20%	80%
11-12 Months *336-365 Days*	10%	90%
After 12 Months	0%	100%

Heating Element		
Failure Date	Warranty's Responsibility	Customer's Responsibility
0-3 Months *0-90 Days*	100%	0%
3-4 Months *91-121 Days*	60%	40%
4-5 Months *122-152 Days*	40%	60%
5-6 Months *153-180 Days*	20%	80%
After 6 Months	0%	100%

STEPP MFG™
ASPHALT MAINTENANCE EQUIPMENT

General Warranty Statement
Stepp Manufacturing's One (1) Year Limited Warranty

Stepp Manufacturing Co., Inc. hereby warrants, to the original purchaser of new equipment, that products manufactured by Stepp Manufacturing will be free from defects in material and workmanship for a period of one (1) year from the date of purchase from Stepp Manufacturing.

Stepp Manufacturing, at is discretion, will provide for the repair or replacement of any part found, upon examination by Stepp Manufacturing, to be defective, except as noted below. Such repair or replacement shall be free of charge to the original purchaser of new equipment for a period of one (1) year from the date of purchase, except as noted below.

No warranty is extended to cover:

- Product pump wear or damage caused by foreign objects.
- Routine maintenance, cleaning, and adjustments.
- Parts or components that have been altered, misused, improperly adjusted, or improperly maintained.
- Transportation to and from the place of warranty repair.
- Removal of materials from equipment.

The following items are covered solely by their manufacturer's warranty:

- Engines
- Hydraulic components
- Burners
- Pumps
- Axles
- Tires
- Other component parts not solely manufactured by Stepp Manufacturing

The following items are covered by a pro-rata warranty:

- Hoses that carry heated materials
- Heating elements for material hoses and wands

Disclaimer of further warranty:

Stepp Manufacturing makes no warranty, expressed or implied, other than this warranty. The implied warranties of merchantability and fitness for a particular purpose are hereby disclaimed. Repair or replacement of products or parts proving to be defective in material or workmanship shall be the exclusive remedy for breach of this warranty.

Stepp Manufacturing shall not be liable for incidental or consequential damages. Including, but not limited to, damages for inconvenience, rental or purchase of replacement equipment, loss of profits, or other loss resulting from breach of this warranty.

Stepp Manufacturing reserves the right to incorporate any changes in design into its products without obligation to make such changes on products previously manufactured.

RESOLUTION
NO. 2015 - 12
Smart Brothers, Inc. Subdivision Exemption

WHEREAS, Carson Smart of Smart Brothers, Inc. has petitioned the Board of County Commissioners, Logan County, Colorado, to exempt the following legally described property:

A PARCEL OF LAND IN THE SOUTHWEST QUARTER (SW1/4) OF SECTION 2, TOWNSHIP 6 NORTH, RANGE 53 WEST OF THE SIXTH PRINCIPAL MERIDIAN, LOGAN COUNTY, COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 2; THENCE NORTH 89°18'15" EAST ALONG THE SOUTH LINE OF SAID SW1/4 OF SECTION 2 A DISTANCE OF 183.84 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN BOOK 1003 AT PAGE 650 OF THE LOGAN COUNTY RECORDS; THENCE NORTH 1°19'00" WEST ALONG THE EAST LINE OF SAID PARCEL OF LAND DESCRIBED IN BOOK 1003 AT PAGE 650 A DISTANCE OF 366.05 FEET TO THE NORTHEAST CORNER OF SAID PARCEL OF LAND DESCRIBED IN BOOK 1003 AT PAGE 650; THENCE SOUTH 87°54'10" EAST A DISTANCE OF 125.00 FEET; THENCE SOUTH 75°23'25" EAST A DISTANCE OF 196.33 FEET; THENCE SOUTH 2°08'05" EAST A DISTANCE OF 308.21 FEET TO A POINT ON THE SOUTH LINE OF SAID SW1/4 OF SECTION 2; THENCE SOUTH 89°18'15" WEST ALONG THE SOUTH LINE OF SAID SW1/4 OF SECTION 2 A DISTANCE OF 318.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.50 ACRES, MORE OR LESS, SUBJECT TO A COUNTY ROAD RIGHT-OF-WAY ALONG THE SOUTH LINE OF SAID SECTION 2.

(As represented on official Subdivision Exemption Plat # 2015 - 12) from the definitions of "Subdivision" or "Subdivision Land" and for a determination that the above premises are not within the purposes of C.R.S. § 30-28-101, and Senate Bill 35, adopted by the Colorado General Assembly in 1972; and

WHEREAS, this 2.50 acre tract is subdivided from a 266 acre Agricultural parcel, in an "A" Agricultural District, and,

WHEREAS, the Chairman of the Logan County Planning Commission recommended approval of this application after reviewing the application, studying the staff review, and reviewing the plat on April 16th, 2015; and

WHEREAS, The Board of County Commissioners approved the recommendation on May 5th, 2015.

NOW THEREFORE, BE IT RESOLVED pursuant to the authority set forth in C.R.S. § 30-28-101(10)(d), the above described property is exempt from the definition of "Subdivision" or "Subdivided Land" as set forth in C.R.S. § 30-28-101, provided that no further subdividing on the above described premises shall be made without the approval of the Board of County Commissioners.

DONE on Tuesday, this 5th day of May, 2015.

LOGAN COUNTY BOARD OF COMMISSIONERS
LOGAN COUNTY, COLORADO

_____ (Aye)(Nay)
Rocky L. Samber

_____ (Aye)(Nay)
Gene A. Meisner

_____ (Aye)(Nay)
David G. Donaldson

I, Pamela M. Bacon, County Clerk and Recorder in and for the County of Logan, State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session on the this 5th day of May, 2015.

_____
County Clerk and Recorder

SMART Brothers Inc
SE4 and SW4NE4
Section 3-6-53
Subdivision Ex 2.5 acres

Date Received in the Office of the Director of Planning or his/her designee to the Planning Commission:

_____

Application (is) (is not) complete as submitted.
Named individual reviewing the submitted application: _____

FORM 7. APPLICATION FOR SUBDIVISION EXEMPTION PLAT APPROVAL
(To be filed in duplicate)
(Incomplete Applications will not be accepted)

Date 1/9/15

1. Name of Subdivision Exemption _____
2. Name of Applicant Smart Brothers Inc Phone 970-466-0301
   Address 3254 CR31 Atwood Co. 80722
   (Street No. and Name) (Post Office) (State) (Zip Code)
3. Name of Local Agent Carson Smart Phone 970-466-0301
   Address _____
   (Street No. and Name) (Post Office) (State) (Zip Code)
4. Owner of Record Smart Brothers Inc Phone _____
   Address _____
   (Street No. and Name) (Post Office) (State) (Zip Code)
5. Prospective Buyer Albert Kaufman Phone 970 580-8070
   Address _____
   (Street No. and Name) (Post Office) (State) (Zip Code)
6. Land Surveyor Leibert-Meder Phone 970-523-1960
   Address P.O. Box 442 Sterling Co. 80722
   (Street No. and Name) (Post Office) (State) (Zip Code)
7. Attorney _____ Phone _____
   Address _____
   (Street No. and Name) (Post Office) (State) (Zip Code)
8. Subdivision Exemption Location: on the N side of CR. 12
   _____ Feet _____ of _____
   (Direction) (Street)
9. Postal Delivery Area Atwood School District RE-1
10. Total Acreage 2.60 A Zone _____ Number of Lots _____
11. Tax Map Designation: Section/Township/Range 03-06-53 Lot(s) _____
    SE4 & SW4NE4

parcel 38077903400163 Albert Kauffman

Applicant: _____
Legal: _____

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

    If so, list Case No. and Name _____

13. If Deed is recorded in Torrens System: Number _____

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

15. Current Land Use: ag

16. Proposed Use of Each Parcel : _____

17. Proposed Water and Sewer Facilities: _____

18. Proposed Public Access to each new parcel: _____

19. Reason for request of this exemption (may use additional pages): _____

List all contiguous holdings in the same ownership:

Section/Township/Range SE4 & SW4/NE4 Sect. 3-06-53 ~~Lot(s)~~ _____

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

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

STATE OF COLORADO)
) SS:
COUNTY 0F LOGAN)

I, _____ hereby depose and say that all of the above statements and the statements contained in the papers submitted herewith are true.

X Carson Smart
(Applicant Signature)

Mailing Address _____
(Street)

_____
(County) (State) (Zip Code)

Subscribed and sworn to before me this day of _____

SMART Brothers Inc
SE4 and SW4NE4
Section 3-6-53
Subdivision Ex. 2.5 acres

Applicant: _____
Legal: _____

MY COMMISSION EXPIRES:

FOR COUNTY USE

Application Fee: Ninety ($100.00) and Eleven ($11.00) separate check for recording fee.

pd 2-4-2015
✓# 3916
by Albert Kauffman

Date of Planning Commission: 4-16-2015

Recommendation of Planning Commission: ✓ Approval _____ Denial

Recommended Conditions of Subdivision Exemption:

_____
_____
_____
_____

Chairperson, Planning Commission

COUNTY COMMISSIONERS ACTION:

Conditions of Subdivision Exemption:

_____
_____
_____
_____

Date Granted: _____

Date Denied: _____

_____
David G Donaldson (Aye) (Nay)

_____
Gene Meisner (Aye) (Nay)

_____
Rocky Samber (Aye) (Nay)

SMART Brothers Inc
SE4 and SW4NE4
Section 3-6-53
Subdivision Ex. 2.5 acres

State Documentary Fee
Date 12/20/12
$ 107.78

712175 12/20/2012 03:01 PM B: 01000 P: 344 WD
Page: 1 of 2 R $16.00 D $107.78 T $123.78
Pamela M. Bacon Clerk & Recorder, Logan County, Co

WARRANTY DEED

State Doc Fee: $
Recording Fee: $16.00

THIS DEED is dated the 19 day of December, 2012, and is made between

Neno C. Datteri, as to an undivided 51.2% interest

(whether one, or more than one), the "Grantor" of the County of Logan and State of Colorado and

Smart Brothers, Inc., a Colorado Corporation

(whether one, or more than one), the "Grantee", whose legal address is 3254 County Road 31, Atwood, CO 80722 of the County of Logan and State of Colorado.

WITNESS, that the Grantor, for and in consideration of the sum of One Million Seventy-seven thousand seven hundred sixty and NO/100 (1,077,760.00), the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, conveys and confirms unto the Grantee and the Grantee's heirs and assigns forever, all the real property, together with any improvements thereon, located in the County of Logan and State of Colorado described as follows:

See Exhibit "A" attached hereto and made a part hereof

also known by street address as: 2 & 3-6-53 Ag Land, Logan County, CO

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, the reversions, remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantees, and the Grantees' heirs and assigns forever.

The Grantor, for the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree to and with the Grantee, and the Grantee's heirs and assigns: that at the time of the ensealing and delivery of these presents, the Grantor is well seized of the premises above described; has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, and in fee simple; and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid; and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except and subject to:

General taxes for the year 2012 and subsequent years; and those specific exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Grantee(s) in accordance with Section 8.1 (Title Review) of the Contract to Buy and Sell Real Estate relating to the above described real property; distribution utility easements (including, cable TV); those specifically described rights of third parties not shown by the public records of which Grantee(s) has actual knowledge and which were accepted by Grantee(s) in accordance with Section 8.2 (Matters Not Shown by the Public Records) and Section 8.3 (Survey Review) of the Contract to Buy and Sell Real Estate relating to the above described real property; inclusion of the Property within any special taxing district; the benefits and burdens and of any recorded declaration and party wall agreements, if any.

And the Grantor shall and will WARRANT THE TITLE AND DEFEND the above described premises, *but not any adjoining vacated street or alley*, if any, in the quiet and peaceable possession of the Grantees, and the heirs and assigns of the Grantees, against all and every person or persons lawfully claiming the whole or any part thereof.

IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.

Neno C. Datteri

Neno C. Datteri

State of Colorado
County of Logan

The foregoing instrument was acknowledged before me this 19 day of December, 2012 by Neno C. Datteri.

Witness my hand and official seal

KELLI FERKOVICH
NOTARY PUBLIC
STATE OF COLORADO

Notary Public
My commission expires: 4-7-14

SMART Brothers Inc
SE4 and SW4NE4
Section 3-6-53
Subdivision Ex. 2.5 acres

STEWART TITLE 08901

EXHIBIT "A"
LEGAL DESCRIPTION

The W1/2SW1/4 of Section 2, and the SE1/4 and the SW1/4NE1/4 of Section 3, all in Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado;

EXCEPT a tract in the W1/2SW1/4 of Section 2, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, described as follows: Beginning at the Southwest corner of said W1/2SW1/4; thence along the West line of said W1/2SW1/4, North 00°00'00" East 375.0 feet; thence South 86°50'46" East 182.2 feet; thence South 00°19'28" East 366.0 feet; thence along the South line of said W1/2SW1/4, North 89°40'57" West 184.0 feet to the point of beginning.

SMART Brothers Inc
SE4 and SW4NE4
Section 3-6-53
Subdivision Ex. 2.5 acres

LOGAN COUNTY
OFFICE OF THE COUNTY TREASURER
PATRICIA BARTLETT

CERTIFICATE OF TAXES DUE

315 MAIN ST. COURTHOUSE
P.O BOX 1151
STERLING, CO 80751

PHONE (970) 522-2462
FAX (970) 521-4179
WWW.LOGANCOUNTYCOAAT.COM

TAX CLASS	PARCEL NUMBER	ALTERNATE ID
R	38077903400163	38077903400163

If the MAILING address shown below is incorrect, please contact the Assessors Office at (970) 522-2797

CURRENT BILLING ADDRESS

SMART BROTHERS INC
3254 C R 31
ATWOOD CO 80722

I, the undersigned County Treasurer, do hereby certify that the entire amount of taxes due upon the following described parcel of real or personal property and all outstanding tax liens for unpaid taxes as shown by the records in my office from which the same may still be redeemed with the amount required for redemption if any, are as noted herein.

PROPERTY ADDRESS & LEGAL DESCRIPTION

Property Location: 5503 C R 33 STERLING
Total Acres: 266.0000
Legal Description: W2SW4 EXC A 1.56 AC TRACT OF LAND IN W2SW4 DESC AS FOLLOWS; BEG AT SW COR OF W2SW4; TH N00D00'00"E 375.0'; TH S86D50'46"E 182.2'; TH S00D19'28"E 366.0'; TH N89D40'57"W

Contact the Treasurer's Office for Additional Legal Information

TAX ENTITY	TAX LEVY PER 1000	TEMP TAX CREDIT	GENERAL TAX
0101 LOGAN COUNTY	29.943		1,536.40
0304 RE-4J BUFFALO SCHOOL D	36.591		1,877.50
0601 STERLING RURAL FIRE DI	2.486		127.58
0701 LOWER SOUTH PLATTE WAT	0.500		25.66
0702 NORTHERN COLORADO WATE	1.000		51.32
0704 LOGAN COUNTY WATER	1.000	0.139	44.18
0901 LOGAN COUNTY PEST	1.161	0.039	57.58
411 TOTAL LEVY	72.503		
TOTAL TAX			3,720.22
LID LOGAN IRRIGATION			83.20
IRR/WATER TAX			83.20
TOTAL DUE			3,803.42

TAX DIST.	VALUATION	ACTUAL	ASSESSED
411	LAND	121,800	35,320
	IMP OR PERS	106,360	15,990
	TOTAL	228,160	51,310

PAYMENT	DUE DATE	AMOUNT
FIRST HALF	Feb-28-2014	1,901.71
SECOND HALF	Jun-15-2014	1,901.71
FULL PAYMENT	Apr-30-2014	3,803.42

IMPORTANT PROPERTY MESSAGE

DATE OF CERTIFICATE	ORDERED BY:
Mar-10-2015	ALBERT KAUFFMAN

	TAXES	INTEREST/FEES	TOTAL
2013 TAX	3,720.22		3,720.22
LID LOGAN IRRIGATION	83.20	0.00	83.20
AMOUNT PAID	3,803.42		3,803.42
BALANCE DUE			0.00
GOOD THROUGH March 9, 2015			

This Certificate does not include land or improvements assessed under a separate parcel number, personal property taxes, transfer tax or miscellaneous tax collected on behalf of other entities, special or local improvement district assessments or mobile homes, unless specifically mentioned. Information regarding special taxing districts and the boundaries of such districts may be on file or deposit with the board of county commissioners, the county clerk and recorder, or the county assessor.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of my office, this 09th day of March 2015, and certify the same to be true and correct as of said date.

PATRICIA BARTLETT
LOGAN COUNTY TREASURER

BY: [signature]

COUNTY TREASURER SEAL LOGAN COUNTY, CO.

SMART Brothers Inc
SE4 and SW4NE4
Section 3-6-53
Subdivision Ex. 2.5 acres

AFFIDAVIT OF PUBLICATION

STERLING JOURNAL ADVOCATE

State of Colorado
County of Logan

I, the undersigned agent, do solemnly swear that **THE STERLING JOURNAL ADVOCATE** is a daily newspaper printed, in whole or in part, and published in the City of Sterling, County of Logan, State of Colorado, and which has general circulation there in Logan county; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **February 24th, 2015**.

Agent of Publisher

Subscribed and sworn to before me this 24th day of **February, 2015** in the County of Logan, State of Colorado.

Rita Hanner Ward
Notary Public

Account # 5053528
Ad # 5640335
Fee $12.30

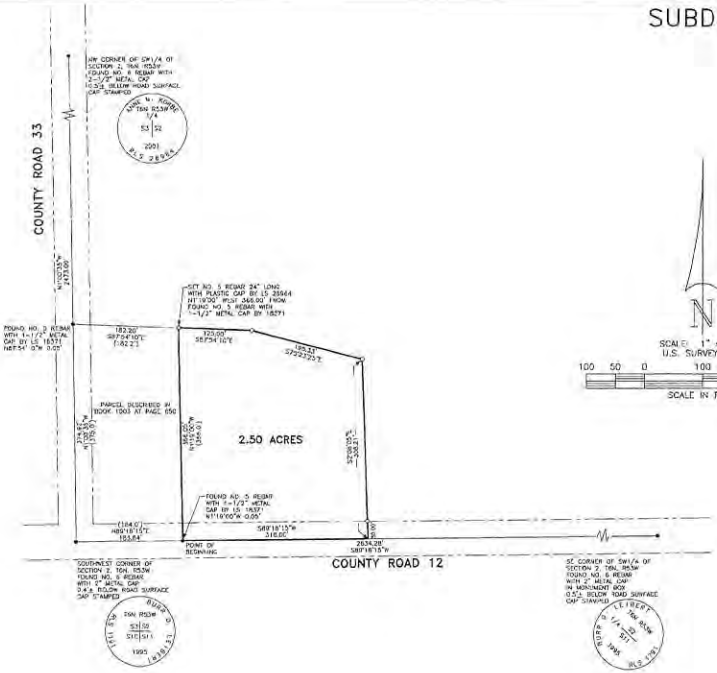
RITA MARIE HANNER WARD
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20144042768
MY COMMISSION EXPIRES NOVEMBER 4, 2018

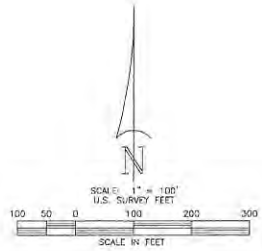
PUBLIC HEARING
NOTICE TO MINERAL RIGHTS ESTATE OWNERS

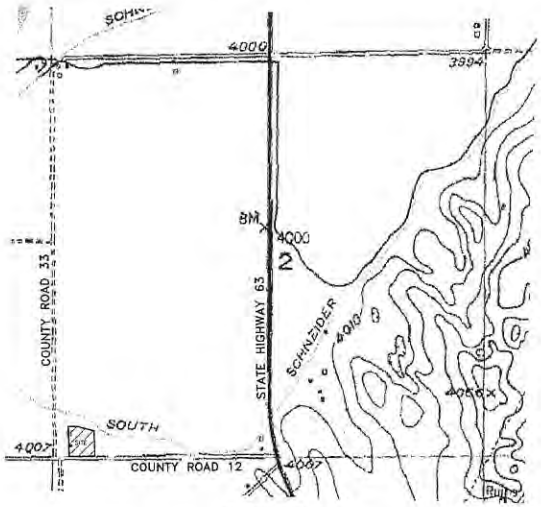
The Logan County Planning Commission is considering a Subdivision Exemption Application submitted by Carson Smart of Smart Brothers Inc. The applicant would like to exempt a 2.50 acre parcel, more or less, from a 266 acre tract in an AG Agriculture Zone, on property described as:
A TRACT OF LAND LOCATED IN THE W2SW4 OF SECTION 2, T6N, R53W OF THE 6TH PRINCIPAL MERIDAN, LOGAN COUNTY, COLORADO.
For information contact the LC Planning Dept. at 522-7879, 315 Main St., Sterling, CO.
Published: Sterling Journal-Advocate February 24, 2015.
5640335

SMART Brothers Inc
SE4 and SW4NE4
Section 3-6-53
Subdivision Ex. 2.5 acres

SUBDIVISION EXEMPTION PLAT NO. _____
FOR SMART BROTHERS, INC.







VICINITY MAP
N.T.S.

SURVEYOR'S STATEMENT

I HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION AND THAT THE SAME IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY: ANNE M. KOREE
FOR AND ON BEHALF OF
LEIBERT-McATEE & ASSOCIATES, INC
R.L.S. NO. 25964

PRELIMINARY

DESCRIPTION

A PARCEL OF LAND IN THE SOUTHWEST QUARTER (SW1/4) OF SECTION 2, TOWNSHIP 6 NORTH, RANGE 53 WEST OF THE SIXTH PRINCIPAL MERIDIAN, LOGAN COUNTY, COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 2; THENCE NORTH 89°18'15" EAST ALONG THE SOUTH LINE OF SAID SW1/4 OF SECTION 2 A DISTANCE OF 183.84 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN BOOK 1003 AT PAGE 650 OF THE LOGAN COUNTY RECORDS; THENCE NORTH 1°19'30" WEST ALONG THE EAST LINE OF SAID PARCEL OF LAND DESCRIBED IN BOOK 1003 AT PAGE 650 A DISTANCE OF 358.05 FEET TO THE NORTHEAST CORNER OF SAID PARCEL OF LAND DESCRIBED IN BOOK 1003 AT PAGE 650; THENCE SOUTH 87°54'18" EAST A DISTANCE OF 125.00 FEET; THENCE SOUTH 75°23'25" EAST A DISTANCE OF 166.33 FEET; THENCE SOUTH 2°01'05" EAST A DISTANCE OF 308.21 FEET TO A POINT ON THE SOUTH LINE OF SAID SW1/4 OF SECTION 2; THENCE SOUTH 89°18'15" WEST ALONG THE SOUTH LINE OF SAID SW1/4 OF SECTION 2 A DISTANCE OF 318.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.50 ACRES, MORE OR LESS; SUBJECT TO A COUNTY ROAD RIGHT-OF-WAY ALONG THE SOUTH LINE OF SAID SECTION 2.

OWNER'S CERTIFICATE

SMART BROTHERS, INC. BEING THE SOLE OWNER IN FEE OF THE ABOVE DESCRIBED PROPERTY, DOES HEREBY DIVIDE THE SAME AS SHOWN ON THE ATTACHED MAP.

SMART BROTHERS, INC.

_____ _____

STATE OF COLORADO)
) SS
COUNTY OF LOGAN)

THIS FOREGOING CERTIFICATION WAS ACKNOWLEDGED BEFORE ME
THIS _____ DAY OF _____ 20____

IN WITNESS WHEREOF, I HUBEUNTO SET MY HAND AND OFFICIAL SEAL

_____ (SEAL)

MY COMMISSION EXPIRES _____

PLANNING COORDINATOR CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR CONFORMANDE TO ARTICLE 6 OF THE LOGAN COUNTY SUBDIVISION REGULATIONS AND APPEARS TO COMPLY WITH ALL THE REQUIREMENTS

_____ _____
PLANNING COORDINATOR DATE

CHAIRMAN-LOGAN COUNTY PLANNING COMMISSION CERTIFICATE

I HAVE REVIEWED THIS PLAT AND CONCUR WITH STAFF THAT THIS PLAT APPEARS TO BE IN CONFORMANCE WITH ALL THE REQUIREMENTS OF ARTICLE 6 OF THE LOGAN COUNTY SUBDIVISION REGULATIONS AND SUBMIT THIS TO THE BOARD OF COUNTY COMMISSIONERS FOR FINAL APPROVAL.

_____ _____
CHAIRMAN-LOGAN COUNTY PLANNING COMMISSION DATE

BOARD OF COUNTY COMMISSIONERS' CERTIFICATE

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

_____ _____
CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS DATED

ATTEST:
COUNTY CLERK AND RECORDER

BY _____

DATE _____

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:
THAT SMART BROTHERS, INC. IS THE OWNER OF LAND INCLUDED WITHIN THE PLAT SHOWN HEREON, THAT THEY ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID LAND AND WE HEREBY DEDICATE TO THE PUBLIC FOR USE AS SUCH, THE PUBLIC ROADWAYS, AND PUBLIC UTILITY EASEMENTS SHOWN ON SAID PLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES:

IN WITNESS WHEREOF THIS DEDICATION IS EXECUTED THIS _____ DAY OF _____ 20____

SMART BROTHERS, INC.

_____ _____

STATE OF COLORADO)
) SS
COUNTY OF LOGAN)

THIS DEDICATION WAS ACKNOWLEDGED BEFORE ME,
THIS _____ DAY OF _____ 20____

IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL

_____ (SEAL)

MY COMMISSION EXPIRES _____

PLAT NOTE

LOGAN COUNTY HAS ADOPTED A RIGHT TO FARM AND RANCH POLICY. RESOLUTION #99-53 RECORDED SEPTEMBER 21, 1999, IN BOOK 925 AT PAGE 430 OF THE LOGAN COUNTY RECORDS. PLEASE READ IT AND BE AWARE OF ITS PROVISIONS.

RECORDER'S CERTIFICATE

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

_____ (SEAL)
CLERK AND RECORDER, LOGAN COUNTY, COLORADO

NOTES

EASEMENT INFORMATION AS PER _____

BEARINGS FOR THIS SURVEY ARE BASED ON THE ASSUMPTION THAT THE SOUTH LINE OF THE SW1/4 OF SECTION 2, T6N, R53W BEARS SOUTH 89°18'15" WEST. THE SOUTHEAST AND SOUTHWEST CORNERS OF SAID SW1/4 ARE MONUMENTED AS SHOWN.

SET NO. 5 REBARS 24" LONG WITH YELLOW PLASTIC I.D. CAPS STAMPED "ANNE M. KOREE RLS 25964" AT THE POINTS SHOWN THUS ○, UNLESS OTHERWISE NOTED.

FOUND POINTS SHOWN THUS ●.

DISTANCES IN PARENTHESES ARE DEED DISTANCES

NOTICE

ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

SMART Brothers Inc
SE4 and SW4NE4
Section 3-6-53
Subdivision Ex. 2.5 acres

REVISIONS	LEIBERT-McATEE & ASSOCIATES, INC. P.O. BOX 442 615 SOUTH TENTH AVENUE STERLING, CO 80751 970-522-1960		
2-22-15			
	TITLE: SUBDIVISION EXEMPTION PLAT NO. _____ FOR SMART BROTHERS, INC. IN THE SW1/4 OF SECTION 2, T6N, R53W OF THE 6TH P.M., LOGAN COUNTY, COLORADO		
	SCALE: 1" = 100'	DR. BY: AM	DRAWING NO.
	DATE: 1-22-15	CHK'D. BY:	SHEET 1 OF 1