

Gene A. Meisner
Commissioner District One

Rocky L. Samber, Chairman
Commissioner District Two

David G. Donaldson
Commissioner District Three



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**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, October 25, 2016 - 9:00 a.m.**

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

Approval of the Minutes of the October 18, 2016 meeting.

**Unfinished Business
New Business**

Consideration of the approval of an agreement between Logan County and Pawnee Ridge Homeowners Association and the issuance of ROW Permit #2016-9, for use of the county right-of-way under CR 37 for construction of a de-watering pipeline.

Consideration of the approval of Resolution 2016-36 and an application on behalf of Darrell W. and Ellen E. Buckler for the vacation of a Subdivision Exemption plat previously approved for Allen Mitchek on August 3, 2004, and recorded at Book 953, Page 930.

Consideration of the approval of Resolution 2016-37 and an application on behalf of Allen Mitchek, Darrell W. Buckler and Ellen E. Buckler for a Subdivision Exemption to create a 8.25-acre tract from a 265.35-acre Agricultural parcel, in an "A" Agricultural District in the Southeast Quarter (SE1/4) of Section 10, Township 8 North, Range 52 West of the Sixth Principal Meridian, Logan County, Colorado also known as 21575 CR 34, Sterling, Colorado.

Consideration of the approval of Resolution 2016-38 and an application on behalf of Kyle McConnell for Subdivision Exemption to create a 5.39-acre tract from a 60.49-acre Agricultural parcel, in an "A" Agricultural District in the Northwest Quarter (NW1/4) of Section 14, Township 7 North, Range 48 West of the Sixth Principal Meridian, Logan County, Colorado also known as 46470 CR 22, Haxtun, Colorado.

**Other Business
Miscellaneous Business/Announcements**

The next regular business meeting will be scheduled for Tuesday, November 1, 2016, at 9:00 a.m. at the Logan County Courthouse.

**Executive Session as Needed
Adjournment**

October 18, 2016

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

Rocky L. Samber	Chairman
David G. Donaldson	Commissioner
Gene A. Meisner	Commissioner

Also present:

Alan Samber	Logan County Attorney
Pamela M. Bacon	Logan County Clerk
Marie Granillo	Logan County Deputy Clerk
Rob Quint	Logan County Planning and Zoning
Gene Thim	Pawnee Ridge Homeowners Association
Sanford St John	Pawnee Ridge Homeowners Association
Alan Gentz	Self
Julie Gentz	Self
Callie Jones	Journal Advocate

Chairman Samber called the meeting to order at 9:01 a.m. The meeting opened with the Pledge of Allegiance.

Chairman Samber asked if there were any revisions for the agenda. Commissioner Donaldson made a motion to postpone definitely all items on today's agenda until 3:00 p.m. today. Commissioner Meisner seconded and the motion carried 3-0.

Chairman Samber adjourned the meeting until 3:00 p.m.
Chairman Samber reconvened the meeting at 3:00 p.m.

Chairman Samber asked if there were any revisions for the agenda. None were indicated.

The Board continued with the Consent Agenda items:

- Approval of the Minutes of the October 11, 2016 meeting.
- Acknowledgement of the receipt of the Clerk and Recorder's report for the month of September, 2016.
- Appointment of members to the Logan County Fair Board, Aaron Hettinger – Livestock Exhibits, and Allan Barton – Commercial Exhibits and Parking.

Commissioner Meisner moved to approve the Consent Agenda for the October 18, 2016 business meeting. Commissioner Donaldson seconded and the motion carried

3-0.

Chairman Samber continued with Unfinished Business:

Consideration of the approval Resolution 2016-34 and an application for a Conditional Use Permit on behalf of Pawnee Ridge Homeowner's Association for the operation of a de-watering pipeline in the Northeast Quarter of the Southeast Quarter of Section 24, Township 8 North, Range 53 West of the 6th PM and the Northwest Quarter of the Southwest Quarter of Section 19, Township 8 North, Range 52 West of the 6th PM, Logan County, Colorado.

Chairman Samber is a member of the Pawnee Ridge Homeowners Association; Chairman Samber recused himself and turned the business meeting over to the Vice Chairman Commissioner Donaldson.

Vice Chairman Donaldson opened a second public hearing concerning Resolution 2016-34.

- Rob Quint from the Planning and Zoning Department addressed the Board with details regarding Resolution 2016-34.
- Sanford St John addressed the Board.
- Gene Thim addressed the Board.

Vice Chairman Donaldson closed the public hearing concerning Resolution 2016-34.

Commissioner Meisner moved to approve Resolution 2016-34 and an application for a Conditional Use Permit on behalf of Pawnee Ridge Homeowner's Association for the operation of a de-watering pipeline in the Northeast Quarter of the Southeast Quarter of Section 24, Township 8 North, Range 53 West of the 6th PM and the Northwest Quarter of the Southwest Quarter of Section 19, Township 8 North, Range 52 West of the 6th PM, Logan County, Colorado. Vice Chairman Donaldson seconded and the motioned carried 2-0.

Chairman Samber continued with New Business:

Commissioner Donaldson made a motion to approve Resolution 2016-35 and an application for Subdivision Exemption on behalf of Clinton and Nicole Fiscus to create a 6.80-acre tract from a 239-acre Agricultural parcel, in an "A" Agricultural District in the North Half of the Southeast Quarter (N2SE4) of Section 35 Township 6 North, Range 54 West of the Sixth Principal Meridian, Logan County, Colorado, also known as 10014 U.S. Highway 6, Merino, Colorado. Commissioner Meisner seconded and the motion carried 3-0.

Commissioner Meisner moved to approve the Solar Power Production Agreements between Logan County and Clean Energy Collective for participation in the community solar garden Solar Rewards Program and authorize the chairman to sign. Commissioner Donaldson seconded and the motion carried 3-0.

The Board moved on to Miscellaneous Business/Announcements:

The next regular business meeting is scheduled for Tuesday, October 25, 2016 at 9:00 a.m. in the hearing chambers at the Logan County Courthouse.

There being no further business to come before the Board the meeting was adjourned at 3:16 p.m.

Submitted by:


Logan County Deputy Clerk

Approved: October 25, 2016

BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO

seal)

By: _____
Rocky L. Samber, Chairman

Attest:

Logan County Clerk & Recorder

Name: Pawnee Ridge Homeowners Assn.
Address: E2SE4 24-5-53 and W2SW4 19-8-52
Row Permit # 2016-9

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

THIS AGREEMENT made this (County fills in) 25 day of Oct., 2016, by and between the County of Logan, State of Colorado, hereinafter called "County", and Pawnee Ridge Homeowners Assoc the undersigned easement holder or landowner, hereinafter called "Applicant".

WHEREAS, Applicant owns the following described premises, or has an easement on, over or through said premises, to-wit (legal description): E2SE4 24-8-53 and
W2SW4 19-8-52; and

WHEREAS, Applicant desires to install and construct a DE-WATERING PIPELINE, which will be located (Circle One) along, bore under, or trench across CR 37, to benefit the above described premises; and

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

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

- Applicant agrees to furnish the County in writing in advance of installation the exact location and dimensions of said installation and construction.
- Buried installations must be at no less than 48 inches below the lowest level of any borrow ditch paralleling the County Road and an "Individual permit" must be submitted for each instance.
- Applicant shall have the right to install and construct _____, described above, in the right of way of _____, but such installation and construction shall be done only in the following manner. All work within the county ROW shall be performed only during regular business hours of the Logan County Road & Bridge Department to enable supervision and inspection of the work.
- All work authorized by this Agreement shall be completed no later than March 31, 2017.
- It is understood that no paved or oil-surfaced road shall be cut and will be crossed by boring only. For other roads and crossings of County property after installation, Applicant shall restore the surface to the same condition as existed prior to such construction.
- All cost and expense of installation, construction, maintenance, removal, or replacement is to be paid by the Applicant.
- The traveling public must be protected during this installation with proper warning signs or signals both day and night. Warning signs and signals shall be installed by and at the expense of Applicant.

PAWNEE HOMEOWNERS
Dewatering Project ROW 2016-9
E2SE4 Section 24-8-53 and
W2SW4 Section 19-8-52

Name: Pawnee Ridge Homeowners Assn
Address: E2SE4 24-5-53 and W2SW4 19-8-52
Row Permit # 2016-9

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

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

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

Other Provisions: ① Cottonwoods, Inc ⑧ Sterling Irrigation Ditch Company

Owner #1

Printed name

① David Hammer

⑤ Glenn Thum

Signature

Owner #2

see attached

Printed Name

③ Dennis Boren

⑥ Sandy St. John.

Signature

④ Alan Gentz

Individual Right-of-Way Permit Applicant:

Pawnee Ridge Homeowners Assoc. by Sanford St. John

Printed name

X Sanford St John

Signature

Address: _____

Application Fee Paid _____

Date _____

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

THE BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO

Rocky Samber (Aye) (Nay)

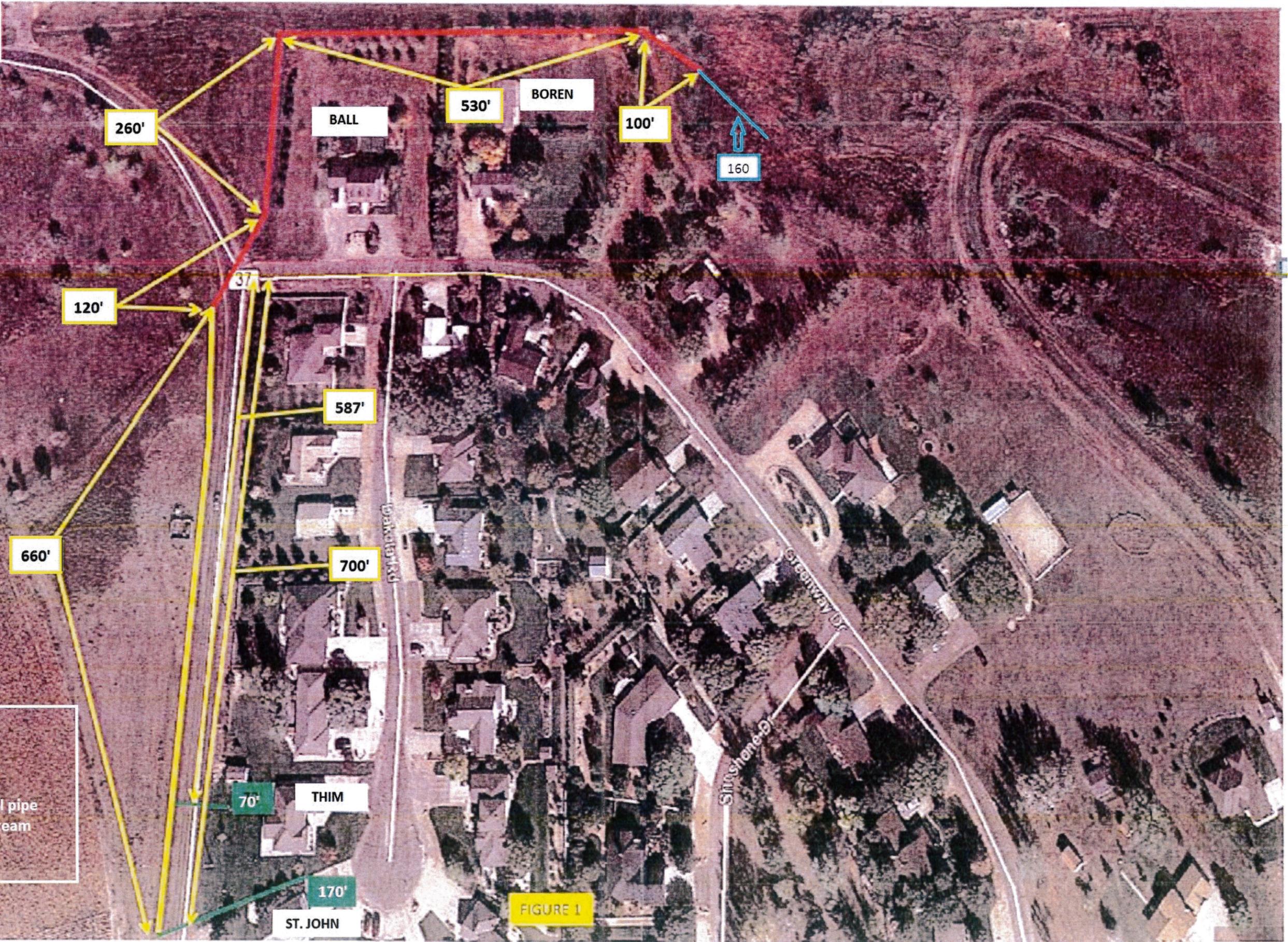
Gene Meisner (Aye) (Nay)

David G Donaldson (Aye) (Nay)

Rev. 5/2015

PAWNEE HOMEOWNERS
Dewatering Project ROW 2016-9
E2SE4 Section 24-8-53 and
W2SW4 Section 19-8-52

PAWNEE RIDGE
HOMEOWNERS
DE-WATERING CUP 230



Green = 4" Bore
Yellow = Trench
Red = 6" Bore
Blue = 6" additional pipe
to live stream

FIGURE 1

RESOLUTION

NO. 2016-36

ALLEN MITCHEK SUBDIVISION EXEMPTION VACATION

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LOGAN COUNTY, COLORADO, APPROVING THE VACATION OF A SUBDIVISION EXEMPTION PLAT PREVIOUSLY APPROVED FOR ALLEN MITCHEK ON AUGUST 3, 2004, AND RECORDED AT BOOK 953, PAGE 930.

WHEREAS, the applicants, Darrell W. and Ellen E. Buckler, current owners, have submitted an application to vacate a subdivision exemption previously approved to create a 5.35 acre parcel, more or less, from a 268.95 acre tract in the AG Agricultural Zone, which parcel is described as follows:

A PARCEL OF LAND IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION 10, TOWNSHIP 8 NORTH, RANGE 52 WEST OF THE SIXTH PRINCIPAL MERIDIAN, LOGAN COUNTY, COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SE1/4 OF SECTION 10; THENCE NORTH 1°12'25" EAST ALONG THE WEST LINE OF SAID SE1/4 OF SECTION 10 A DISTANCE OF 333.3 FEET; THENCE SOUTH 87°33'55" EAST A DISTANCE OF 103.0 FEET; THENCE NORTH 2°28'10" EAST A DISTANCE OF 59.5 FEET; THENCE SOUTH 88°34'15" EAST A DISTANCE OF 557.7 FEET; THENCE SOUTH 13°59'55" WEST A DISTANCE OF 392.6 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 10; THENCE NORTH 89°20'55" WEST ALONG THE SOUTH LINE OF SAID SECTION 10 A DISTANCE OF 575.0 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.35 ACRES, MORE OR LESS, SUBJECT TO COUNTY ROAD RIGHTS-OF-WAY ALONG THE SOUTH AND WEST LINES OF SAID SE1/4 OF SECTION 10; AND

WHEREAS, the Resolution approving the Subdivision Exemption for such parcel was recorded at Book 953, Page 930 of the records of the Logan County Clerk and Recorder; and

WHEREAS, the vacation of the approved subdivision exemption is sought to enable the applicant to create a new parcel by separate subdivision exemption, larger in size, involving the above-described parcel and a contiguous parcel; and

WHEREAS, the Logan County Planning Commission approved the application for vacation of the above-described subdivision exemption on October 18, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Logan County, Colorado, that the application is GRANTED. The subdivision exemption represented by the Resolution and Subdivision Exemption, recorded at Book 953, Page 930 of the records of the Logan County Clerk and Recorder, is hereby vacated.

Adopted and Signed this 25th day of October 2016.

BOARD OF COUNTY COMMISSIONERS
OF LOGAN COUNTY, COLORADO

(Aye)(Nay)
Rocky L. Samber, Chairman

(Aye)(Nay)
Gene A. Meisner, Commissioner

(Aye)(Nay)
David G. Donaldson, Commissioner

I, Pamela M. Bacon, County Clerk and Recorder in and for the County of Logan, State of Colorado, hereby certifies that the foregoing Resolution was duly adopted by the Board of County Commissioners of the Logan and State of Colorado, in regular session on the 25th day of October, 2016.

County Clerk and Recorder

LOGAN COUNTY VACATION APPLICATION
BOARD OF COUNTY COMMISSIONERS
DEPARTMENT OF PLANNING & ZONING
315 MAIN STREET, STERLING, CO 80751
(970) 522-7879

Type of Vacation:

- Alley
- Platted Street
- County Road
- Subdivision Exemption
- Subdivision

Location of Vacation:

Legal: Quarter SW4SE4 Section 10 Township 8 Range 52

Lot _____ Block _____ Address _____

Description of Vacation:

Resolution Dated August 3, 2004
allowing Allen Mitchek to subdivide a parcel
of 5.35 Acres for Sale
Book 953 Page 930

Reason for Vacation:

Owners of 5.35 sub div. exempt:
Darrel W. and Ellen E. Buckler would like to
add another 3 acres to existing piece

MITCHEK/BUCKLER 2016
SUBDIV. EX. Vacate 5.35 Acres
21575 CR 34, Sterling
SW4SE4 Section 10-08-52

PETITION FOR VACATION

TO: THE BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO

Applicant: Darrel W. Buckler Phone: _____

Address: 21575 C.R. 34, Sterling, Co 80751

Applicant's Signature: _____ Date: _____

Landowner: Darrel W. Buckler Phone: _____

Address: _____

Landowner's Signature: _____ Date: _____

Landowner: _____ Phone: _____

Address: _____

Landowner's Signature: _____ Date: _____

Landowner: _____ Phone: _____

Address: _____

Landowner's Signature: _____ Date: _____

Landowner: _____ Phone: _____

Address: _____

Landowner's Signature: _____ Date: _____

Landowner: _____ Phone: _____

Address: _____

Landowner's Signature: _____ Date: _____

Landowner: _____ Phone: _____

Address: _____

Landowner's Signature: _____ Date: _____

Landowner: _____ Phone: _____

MITCHEK/BUCKLER 2016
SUBDIV. EX. Vacate 5.35 Acres
21575 CR 34, Sterling
SW4SE4 Section 10-08-52

FOR COUNTY USE

Application Fee: One Hundred Dollars (\$100.00) *pd 9-6-2016 ✓ #8344 Rct. 195*

Date of Planning Commission: *October 18, 2016*

Recommendation of Planning Commission: Approval Denial

Recommended Conditions of Subdivision Exemption: _____

David R. White

Chairperson, Planning Commission

COUNTY COMMISSIONERS ACTION:

Conditions of Subdivision Exemption: _____

Date Granted: _____
Date Denied: _____

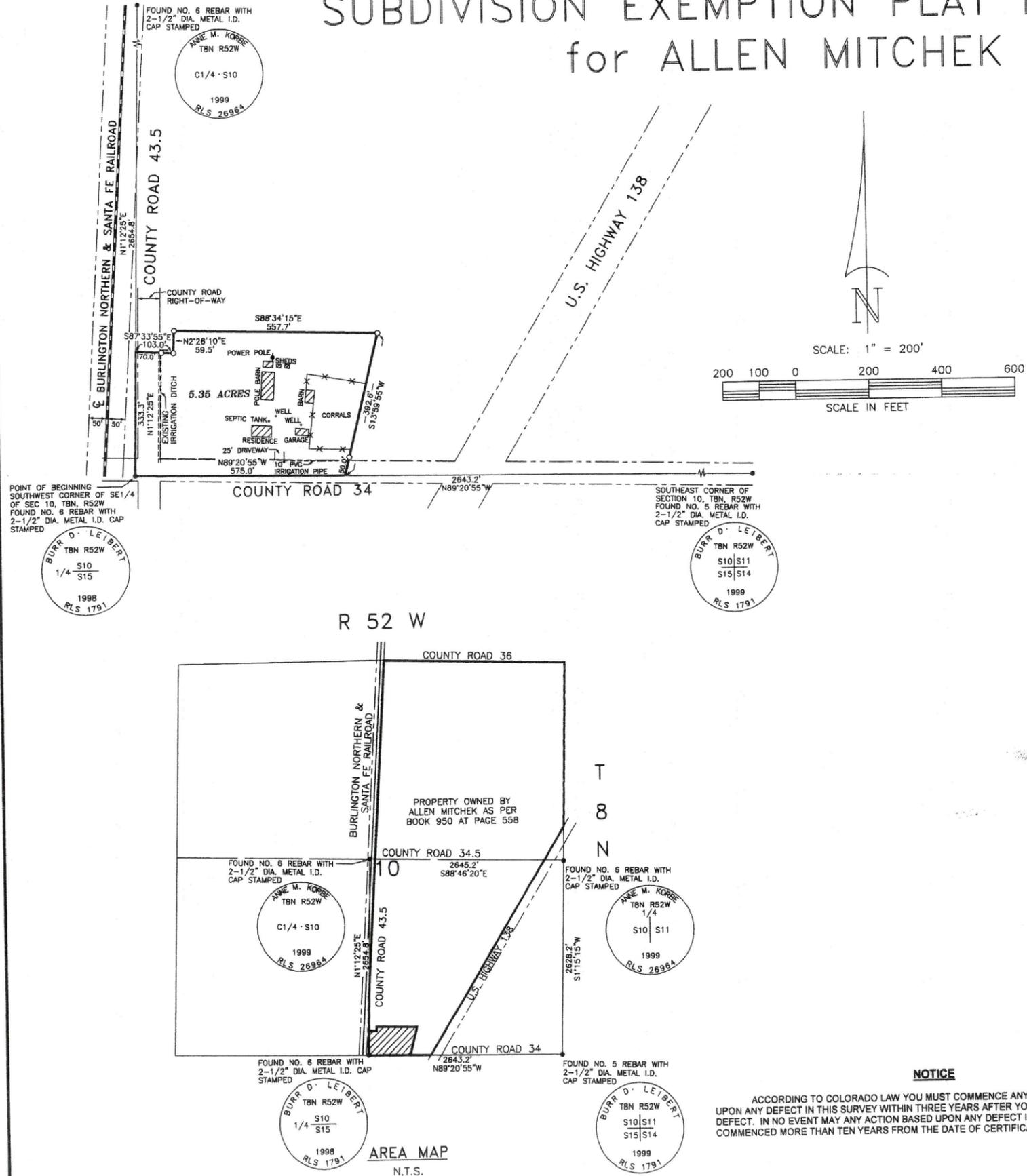
Rocky L Samber (Aye) (Nay)

Gene Meisner (Aye) (Nay)

David G Donaldson (Aye) (Nay)

MITCHEK/BUCKLER 2016
SUBDIV. EX. Vacate 5.35 Acres
21575 CR 34, Sterling
SW4SE4 Section 10-08-52

SUBDIVISION EXEMPTION PLAT NO. 2004-09 for ALLEN MITCHEK



SURVEYOR'S STATEMENT
I, ANNE M. KORBE, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE SURVEY REPRESENTED BY THIS PLAT WAS MADE UNDER MY SUPERVISION, AND THE MONUMENTS SHOWN THEREON ACTUALLY EXIST, AND THIS PLAT ACCURATELY REPRESENTS SAID SURVEY TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY: ANNE M. KORBE
FOR AND ON BEHALF OF
LEIBERT-McATEE & ASSOCIATES, INC.
R.L.S. NO. 26964



DESCRIPTION

A PARCEL OF LAND IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION 10, TOWNSHIP 8 NORTH, RANGE 52 WEST OF THE SIXTH PRINCIPAL MERIDIAN, LOGAN COUNTY, COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF SAID SE1/4 OF SECTION 10; THENCE NORTH 11°12'25" EAST ALONG THE WEST LINE OF SAID SE1/4 OF SECTION 10 A DISTANCE OF 333.3 FEET; THENCE SOUTH 87°33'55" EAST A DISTANCE OF 103.0 FEET; THENCE NORTH 2°28'10" EAST A DISTANCE OF 59.5 FEET; THENCE SOUTH 88°34'15" EAST A DISTANCE OF 557.7 FEET; THENCE SOUTH 13°59'55" WEST A DISTANCE OF 392.6 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 10; THENCE NORTH 89°20'55" WEST ALONG THE SOUTH LINE OF SAID SECTION 10 A DISTANCE OF 575.0 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.35 ACRES, MORE OR LESS, SUBJECT TO COUNTY ROAD RIGHTS-OF-WAY ALONG THE SOUTH AND WEST LINES OF SAID SE1/4 OF SECTION 10.

OWNER'S CERTIFICATE

ALLEN MITCHEK BEING THE SOLE OWNER IN FEE OF THE ABOVE DESCRIBED PROPERTY, DOES HEREBY DIVIDE THE SAME AS SHOWN ON THIS MAP.

Allen Mitchek
ALLEN MITCHEK

THE FOREGOING CERTIFICATION WAS ACKNOWLEDGED BEFORE ME THIS
27th DAY OF July, 2004

MY COMMISSION EXPIRES Jan. 21, 2006

M. Louise Williams
NOTARY PUBLIC

BOARD OF COUNTY COMMISSIONER'S CERTIFICATE

THIS PLAT IS ACCEPTED AND APPROVED FOR FILING THIS 6th DAY OF August, 2004

Paul H. McLaughlin
CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS

ATTEST:
Barbara J. Perry
COUNTY CLERK AND RECORDER

PLAT NOTE

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

NOTES

- EASEMENT INFORMATION AS PER STEWART TITLE OF STERLING TITLE COMMITMENT NO. 25580.
- BEARINGS FOR THIS SURVEY ARE BASED ON THE ASSUMPTION THAT THE SOUTH LINE OF THE SE1/4 OF SECTION 10, T8N, R52W BEARS NORTH 89°20'55" WEST. THE SOUTHEAST AND SOUTHWEST CORNERS OF SAID SE1/4 ARE MONUMENTED AS SHOWN ABOVE.
- SET NO. 5 REBARS 24" LONG WITH YELLOW PLASTIC I.D. CAPS STAMPED "ANNE M. KORBE RLS 26964" AT THE POINTS SHOWN THUS ○, UNLESS OTHERWISE NOTED.
- FOUND POINTS SHOWN THUS ●.
- SEPTIC TANK LOCATION AS PER INFORMATION PROVIDED BY OWNER.

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.

REVISIONS	LEIBERT-McATEE & ASSOCIATES, INC. P.O. BOX 442 910 SOUTH DIVISION AVENUE STERLING, CO 80751 970-522-1960		
TITLE	SUBDIVISION EXEMPTION PLAT NO. _____ FOR ALLEN MITCHEK IN THE SE1/4 OF SECTION 10, T8N, R52W OF THE 6TH P.M., LOGAN COUNTY, COLORADO		
SCALE: 1" = 200'	DR. BY: NH	DRAWING NO.	
DATE: 3-15-04	CK'D. BY:	SHEET 1 OF 1	

R 52 W

T
8
N

AREA MAP
N.T.S.

RESOLUTION

NO. 2016 -37

Allen Mitchek, Darrell W. Buckler and Ellen E. Buckler Subdivision Exemption

WHEREAS, Allen Mitchek, Darrell W. Buckler and Ellen E. Buckler have petitioned the Board of County Commissioners, Logan County, Colorado, to exempt the following legally described property:

A parcel of land in the Southeast Quarter (SE1/4) of Section 10, Township 8 North, Range 52 West of the Sixth Principal Meridian, Logan County, Colorado, said parcel being more particularly described as follows:

Beginning at the Southwest corner of said SE1/4 of Section 10; thence North 1°12'30" East along the West line of said SE1/4 of Section 10 a distance of 333.34 feet; thence South 87°31'15" East a distance of 103.00 feet; thence North 2°19'05" East a distance of 59.52 feet; thence South 88°34'15" East a distance of 956.01 feet to a point on the Northwesterly Right-of-way line of U.S. Highway 138; thence South 31°18'40' West along the Northwesterly Right-of-way line of U.S. Highway 138 a distance of 437.75 feet to a point on the South line of said SE1/4 of Section 10; thence North 89°20'55" West along the South line of said SE1/4 of Section 10 a distance of 840.61 feet to the point of beginning and containing 8.25 acres, more or less, subject to a 25 foot public utility and access easement along the East line of the above described parcel and to County Road Rights-of-way along the South and West lines of said SE1/4 of Section 10. (Also known as 21575 County Road 34, Sterling, CO 80751).

(As represented on official Subdivision Exemption Plat # 2016-37)

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 8.25 acre tract is subdivided from a 265.35 acre Agricultural parcel, in an "A" Agricultural District, and,

WHEREAS, the Logan County Planning Commission recommended approval of this application after reviewing the application, studying the staff review, and reviewing the plat on October 18, 2016; and

WHEREAS, The Board of County Commissioners approved the recommendation on October 25, 2016.

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 25th day of October, 2016.

LOGAN COUNTY BOARD OF COMMISSIONERS
LOGAN COUNTY, COLORADO

Rocky L. Samber (Aye)(Nay)

Gene A. Meisner (Aye)(Nay)

David G. Donaldson (Aye)(Nay)

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 25th day of October, 2016.

County Clerk and Recorder

Applicant: Dick Dixon
Legal: SW4SE4 10-8-52

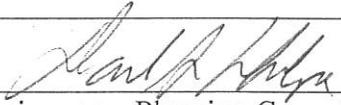
FOR COUNTY USE pd 9-6-2016
✓ # 8345 Rct # 195

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

Date of Planning Commission: Oct. 18, 2016

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: _____

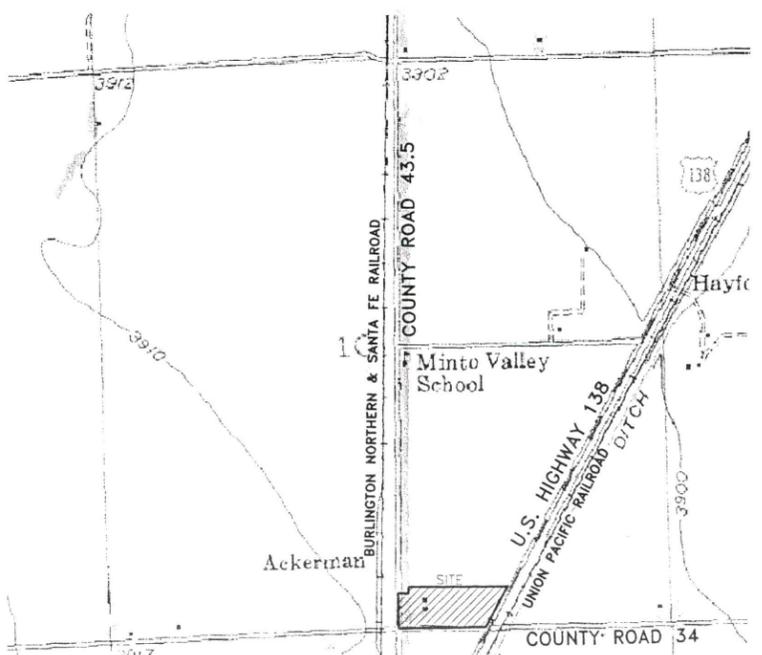
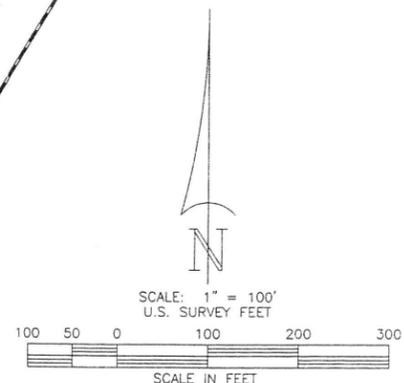
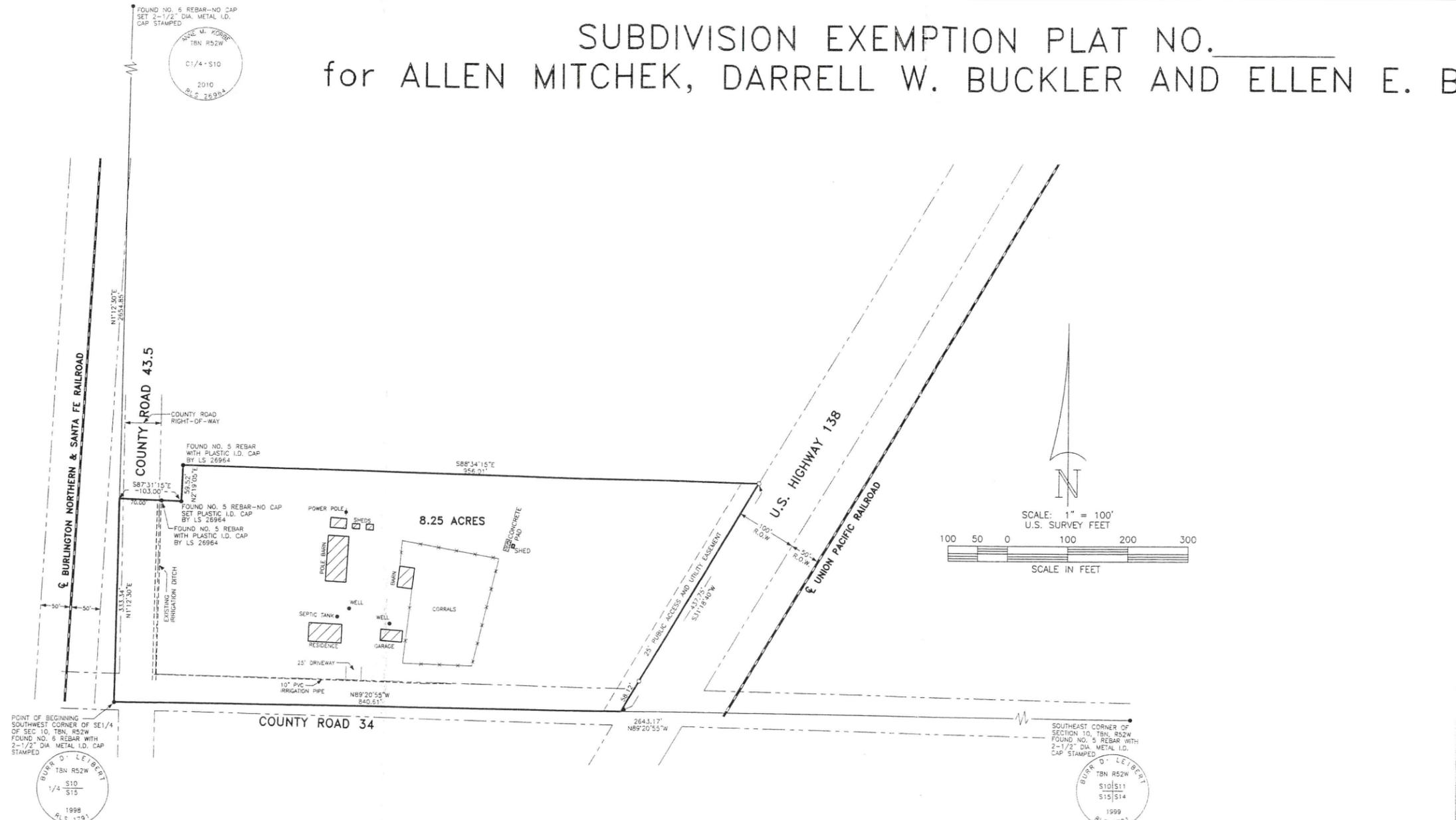
David G. Donaldson (Aye) (Nay)

Gene A. Meisner (Aye) (Nay)

Rocky L. Samber (Aye) (Nay)

MITCHEK/BUCKLER 2016
SUBDIV. EX. 8.25 ACRES
21575 CR 34, Sterling
SW4SE4 Section 10-08-52

SUBDIVISION EXEMPTION PLAT NO. _____ for ALLEN MITCHEK, DARRELL W. BUCKLER AND ELLEN E. BUCKLER



SURVEYOR'S STATEMENT

I, ANNE M. KORBE, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE SURVEY REPRESENTED BY THIS PLAT WAS MADE UNDER MY SUPERVISION AND THE MONUMENTS SHOWN THEREON ACTUALLY EXIST, AND THIS PLAT ACCURATELY REPRESENTS SAID SURVEY TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY: ANNE M. KORBE
FOR AND ON BEHALF OF
LEIBERT-McATEE & ASSOCIATES, INC.
R.L.S. NO. 26964

PRELIMINARY

DESCRIPTION

A PARCEL OF LAND IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION 10, TOWNSHIP 8 NORTH, RANGE 52 WEST OF THE SIXTH PRINCIPAL MERIDIAN, LOGAN COUNTY, COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF SAID SE1/4 OF SECTION 10; THENCE NORTH 11°12'30" EAST ALONG THE WEST LINE OF SAID SE1/4 OF SECTION 10 A DISTANCE OF 333.34 FEET; THENCE SOUTH 87°31'15" EAST A DISTANCE OF 103.00 FEET; THENCE NORTH 2°19'05" EAST A DISTANCE OF 59.52 FEET; THENCE SOUTH 88°34'15" EAST A DISTANCE OF 956.01 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 138; THENCE SOUTH 31°18'40" WEST ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 138 A DISTANCE OF 437.75 FEET TO A POINT ON THE SOUTH LINE OF SAID SE1/4 OF SECTION 10; THENCE NORTH 89°20'55" WEST ALONG THE SOUTH LINE OF SAID SE1/4 OF SECTION 10 A DISTANCE OF 840.61 FEET TO THE POINT OF BEGINNING AND CONTAINING 8.25 ACRES, MORE OR LESS, SUBJECT TO A 25 FOOT PUBLIC UTILITY AND ACCESS EASEMENT ALONG THE SOUTH AND WEST LINES OF SAID SE1/4 OF SECTION 10.

OWNER'S CERTIFICATE

ALLEN MITCHEK, DARRELL W. BUCKLER AND ELLEN E. BUCKLER BEING THE SOLE OWNERS IN FEE OF THE ABOVE DESCRIBED PROPERTY, DO HEREBY DIVIDE THE SAME AS SHOWN ON THIS MAP.

ALLEN MITCHEK _____
DARRELL W. BUCKLER _____ ELLEN E. BUCKLER _____
THE FOREGOING CERTIFICATION WAS ACKNOWLEDGED BEFORE ME THIS
DAY OF _____, 20____.
MY COMMISSION EXPIRES _____

NOTARY PUBLIC _____

BOARD OF COUNTY COMMISSIONER'S CERTIFICATE

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

CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS _____

ATTEST:
COUNTY CLERK AND RECORDER _____

PLAT NOTE

LOGAN COUNTY HAS ADOPTED A RIGHT TO FARM AND RANCH POLICY. RESOLUTION #99-50 RECORDED SEPTEMBER 21, 1999, IN BOOK 325 AT PAGE 430 OF THE LOGAN COUNTY RECORDS. PLEASE READ IT AND BE AWARE OF ITS PROVISIONS.

NOTES

EASEMENT INFORMATION AS PER _____
BEARINGS FOR THIS SURVEY ARE BASED ON THE ASSUMPTION THAT THE SOUTH LINE OF THE SE1/4 OF SECTION 10, T8N, R52W BEARS NORTH 89°20'55" WEST. THE SOUTHEAST AND SOUTHWEST CORNERS OF SAID SE1/4 ARE MONUMENTED AS SHOWN ABOVE.
FOUND NO. 5 REBARS WITH YELLOW PLASTIC I.D. CAPS STAMPED 'ANNE M. KORBE RLS 26964' AT THE POINTS SHOWN THUS ●, UNLESS OTHERWISE NOTED.
SET NO. 5 REBARS 24" LONG WITH YELLOW PLASTIC I.D. CAPS STAMPED 'ANNE M. KORBE RLS 26964' AT THE POINTS SHOWN THUS ○, UNLESS OTHERWISE NOTED.

NOTICE

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

RESOLUTION

NO. 2016-38

Kyle McConnell Subdivision Exemption

WHEREAS, Kyle McConnell has petitioned the Board of County Commissioners, Logan County, Colorado, to exempt the following legally described property:

A parcel of land in the Northwest Quarter (NW1/4) of Section 14, Township 7 North, Range 48 West of the Sixth Principal Meridian, Logan County, Colorado, said parcel being more particularly described as follows:

Beginning at the Northeast corner of said NW1/4 of Section 14; thence South 0°17'50" East along the East line of said NW1/4 of Section 14 a distance of 394.78 feet; thence South 89°25'10" West a distance of 592.34 feet; thence North 0°23'20" West a distance of 398.00 feet to a point on the North line of said NW1/4 of Section 14; thence North 89°44'00" East along the North line of said NW1/4 of Section 14 a distance of 593.00 feet to the point of beginning and containing 5.39 acres, more or less, subject to a 100 foot access easement along the West line of the above described parcel, subject to a 50 foot access easement along the South line of the above described parcel, and subject to a county road right-of-way along the North line of said NW1/4 of Section 14.

(Also known as 46470 County Road 22, Haxtun CO 80731.)

(As represented on official Subdivision Exemption Plat # 2016-38)

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 5.39 acre tract is subdivided from a 60.49 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 October 18, 2016; and

WHEREAS, The Board of County Commissioners approved the recommendation on October 25, 2016.

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 25th day of October, 2016.

LOGAN COUNTY BOARD OF COMMISSIONERS
LOGAN COUNTY, COLORADO

Rocky L. Samber (Aye)(Nay)

Gene A. Meisner (Aye)(Nay)

David G. Donaldson (Aye)(Nay)

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 25th day of October, 2016.

County Clerk and Recorder

Applicant: Kyle McConnell
Legal: NE4NW4 Section 14-07-48

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 09/14/2016

1. Name of Subdivision Exemption Kyle McConnell
2. Name of Applicant Kyle McConnell Phone (970) 571-1015
Address 34549 Highway 59 Haxton, CO 80731
(Street No. and Name) (Post Office) (State) (Zip Code)
3. Name of Local Agent _____ Phone _____
Address _____
(Street No. and Name) (Post Office) (State) (Zip Code)
4. Owner of Record Kyle McConnell Phone (970) 571-1015
Address 34549 Highway 59 Haxton, CO 80731
(Street No. and Name) (Post Office) (State) (Zip Code)
5. Prospective Buyer Brian Santistevens Phone (970) 590-8166
Address 24910 County Road 9 Haxton, CO 80731
(Street No. and Name) (Post Office) (State) (Zip Code)
6. Land Surveyor Leibert-McAtee Associates Phone _____
Address 615 South 10th Ave P.O. Box 442 Sterling, CO 80751
(Street No. and Name) (Post Office) (State) (Zip Code)
7. Attorney Colver, Killin, & Sprague Phone _____
Address _____
(Street No. and Name) (Post Office) (State) (Zip Code)
8. Subdivision Exemption Location: on the S side of CR Rd 22
_____ Feet _____ of _____
(Direction) (Street)
9. Postal Delivery Area Haxton - 80731 School District RE-25
10. Total Acreage 60.49 Zone Ag Number of Lots 1
11. Tax Map Designation: Section/Township/Range 14-7-48 Lot(s) 1

McCONNELL, KYLE
Subdiv. Exempt. 5.39 Acres
46470 CR 22, Haxton
NE4NW4 Section 14-07-48

Applicant: Kyle McConnell
Legal: NE4NW4 Section 14-07-48

MY COMMISSION EXPIRES:

FOR COUNTY USE

pd \$11 ✓ #6139 9/14/16 rept #201

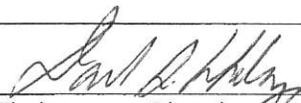
pd \$100 ✓ #6138 9/14/16 Rct #201

Application Fee: One Hundred Dollars (\$100.00) and Eleven Dollars (\$11.00) in a separate check for recording fee.

Date of Planning Commission: _____

Recommendation of Planning Commission: Approval _____ Denial

Recommended Conditions of Subdivision Exemption:



Chairperson, Planning Commission

COUNTY COMMISSIONERS ACTION:

Conditions of Subdivision Exemption:

Date Granted: _____

Date Denied: _____

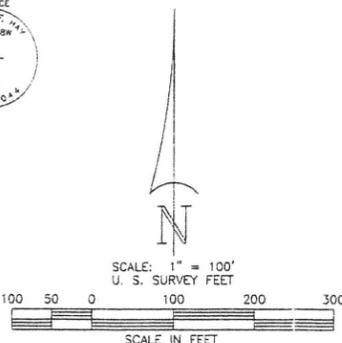
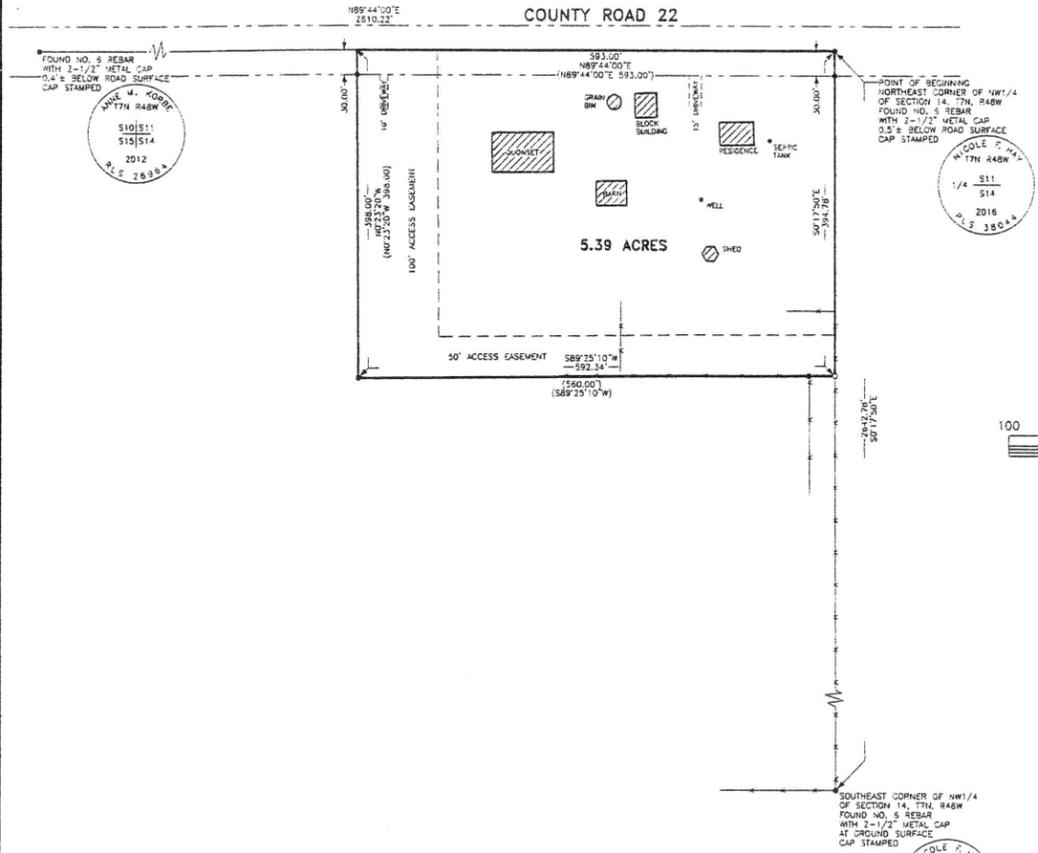
David G Donaldson (Aye) (Nay)

Gene Meisner (Aye) (Nay)

Rocky Samber (Aye) (Nay)

McCONNELL, KYLE
Subdiv. Exempt. 5.39 Acres
46470 CR 22, Haxtun
NE4NW4 Section 14-07-48

SUBDIVISION EXEMPTION PLAT NO. _____ FOR KYLE McCONNELL



SOUTHEAST CORNER OF NW1/4 OF SECTION 14, T7N, R48W FOUND NO. 5 REBAR WITH 2-1/2" METAL CAP AT GROUND SURFACE CAP STAMPED

NICOLE F. HAY
1/4 S11 S14
2016
P.L.S. NO. 38044

FOUND NO. 5 REBAR WITH 2-1/2" METAL CAP 0.4" BELOW ROAD SURFACE CAP STAMPED

NICOLE F. HAY
1/4 S11 S14
2016
P.L.S. NO. 38044

SURVEYOR'S STATEMENT

I, NICOLE F. HAY, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE SURVEY REPRESENTED BY THIS PLAT WAS MADE BY ME OR UNDER MY SUPERVISION, AND THIS PLAT ACCURATELY REPRESENTS SAID SURVEY BASED UPON MY KNOWLEDGE, INFORMATION, AND BELIEF. I FURTHER STATE THAT THE SURVEY AND THIS PLAT COMPLY WITH ALL APPLICABLE RULES, REGULATIONS, AND LAWS OF THE STATE OF COLORADO, STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS, AND IS NOT A WARRANTY OR WARRANTY EITHER EXPRESSED OR IMPLIED.

BY: NICOLE F. HAY
FOR AND ON BEHALF OF
LEIBERT-McATEE & ASSOCIATES, INC.
P.L.S. NO. 38044

DESCRIPTION

A PARCEL OF LAND IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 14, TOWNSHIP 7 NORTH, RANGE 48 WEST OF THE SIXTH PRINCIPAL MERIDIAN, LOGAN COUNTY, COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID NW1/4 OF SECTION 14; THENCE SOUTH 01°17'50" EAST ALONG THE EAST LINE OF SAID NW1/4 OF SECTION 14 A DISTANCE OF 394.78 FEET; THENCE SOUTH 89°23'10" WEST A DISTANCE OF 592.34 FEET; THENCE NORTH 0°23'20" WEST A DISTANCE OF 398.00 FEET TO A POINT ON THE NORTH LINE OF SAID NW1/4 OF SECTION 14; THENCE NORTH 89°44'30" EAST ALONG THE NORTH LINE OF SAID NW1/4 OF SECTION 14 A DISTANCE OF 593.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.39 ACRES, MORE OR LESS, SUBJECT TO A 100 FOOT ACCESS EASEMENT ALONG THE SOUTH LINE OF THE ABOVE DESCRIBED PARCEL, AND SUBJECT TO A COUNTY ROAD RIGHT-OF-WAY ALONG THE NORTH LINE OF SAID NW1/4 OF SECTION 14.

OWNER'S CERTIFICATE

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

KYLE McCONNELL

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

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC _____ WITNESS MY HAND & SEAL _____

PLANNING COORDINATOR CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR CONFORMANCE TO ARTICLE 8 OF THE LOGAN COUNTY SUBDIVISION REGULATIONS AND APPEARS TO COMPLY WITH ALL 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 8 OF THE LOGAN COUNTY SUBDIVISION REGULATIONS AND SUBMIT THIS TO THE BOARD OF COUNTY COMMISSIONERS FOR FINAL APPROVAL.

CHAIRMAN-LOGAN COUNTY PLANNING COMMISSION _____ DATE _____

BOARD OF COUNTY COMMISSIONER'S CERTIFICATE

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

CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS _____ DATED _____

ATTEST:
COUNTY CLERK AND RECORDER _____
BY _____
DATE _____

DEDICATION

KNOWN ALL MEN BY THESE PRESENTS: THAT KYLE McCONNELL IS THE OWNER OF LAND INCLUDED WITHIN THE PLAT SHOWN HEREON THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID LAND AND I HEREBY DEDICATE TO THE PUBLIC FOR USE AS SUCH, THE PUBLIC ROADWAYS, 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____.

KYLE McCONNELL

STATE OF COLORADO)
COUNTY OF LOGAN) SS

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

IN WITNESS WHEREOF, I HEREBY SET MY HAND AND OFFICIAL SEAL _____ (SEAL)

MY COMMISSION EXPIRES _____

PLAT NOTE

LOGAN COUNTY HAS ADOPTED A RIGHT TO FARM AND RANCH POLICY. RESOLUTION #98-50 RECORDED SEPTEMBER 21, 1999, IN BOOK 925 AT PAGE 430 OF THE LOGAN COUNTY RECORDS. PLEASE READ IT AND BE AWARE OF ITS PROVISIONS.

RECORDER'S CERTIFICATE

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

CLERK AND RECORDER LOGAN COUNTY, COLORADO _____ (SEAL)

NOTES

EASEMENT INFORMATION AS PER _____

BEARINGS FOR THIS SURVEY ARE BASED ON THE ASSUMPTION THAT THE NORTH LINE OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 14, T7N, R48W BEARS NORTH 89°44'00" EAST. THE NORTHWEST AND NORTHEAST CORNERS OF SAID NW1/4 OF SECTION 14 ARE MONUMENTED AS SHOWN.

SET NO. 5 REBARS 24" LONG WITH PURPLE PLASTIC I.D. CAPS AT GROUND SURFACE STAMPED "NICOLE F. HAY PLS 38044" AT THE POINTS SHOWN THUS 3. UNLESS OTHERWISE NOTED.

FOUND POINTS SHOWN THUS *.

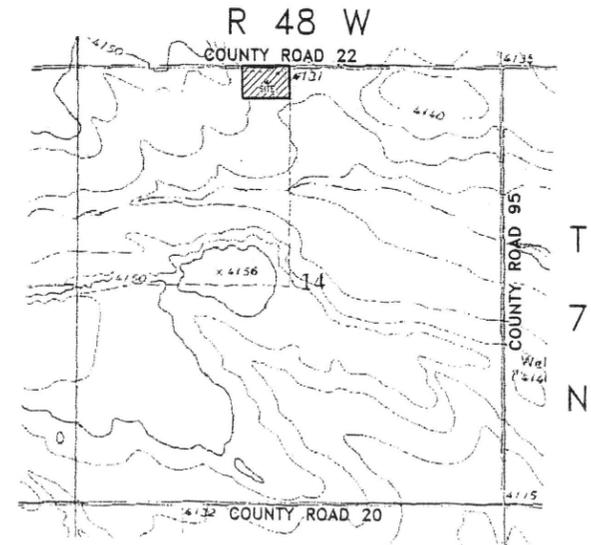
DISTANCES AND BEARINGS IN PARENTHESES ARE DEED DISTANCES AND BEARINGS.

--- INDICATES AN EXISTING FENCE LINE.

SIGNIFICANT VARIANCES IN THE LOCATION OF THE SUBDIVISIONAL LINES WITH CURRENT FENCE LINES ARE SHOWN ON THE ABOVE PLAT. SINCE THIS SURVEY HAS NO JURISDICTION OVER ADJOINING LAND OWNERS, ANY PERSON MOVING, REMOVING, OR REPLACING ANY OF THESE CURRENT FENCE LINES WILL BE DOING SO AT HIS OWN RISK.

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.



VICINITY MAP
NOT TO SCALE

REVISIONS	LEIBERT-McATEE & ASSOCIATES, INC. P.O. BOX 442 515 SOUTH TENTH AVENUE STERLING, CO 80751 970-522-1960
TITLE	SUBDIVISION EXEMPTION PLAT NO. _____ FOR KYLE McCONNELL IN THE NW1/4 OF SECTION 14, T7N, R48W OF THE 6TH P.M., LOGAN COUNTY, COLORADO
SCALE: 1" = 100'	DR. BY: NH DRAWING NO. _____
DATE: 8-31-16	PRCJ. NO.: 181-16 SHEET 1 OF 1