

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, October 27, 2015 - 9:00 a.m.**

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

Approval of the Minutes of the October 20, 2015 meeting.

**Unfinished Business
New Business**

Consideration of the approval of Resolution 2015-35 on behalf of Kent S. and Vicki L. Adney and the Michael L. Baessler Beneficiary Estate approving the Re-subdivision and Replat of Lots 13 and 14, Skyline Heights Subdivision, Second Filing, located in Section 18, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado.

**Other Business
Miscellaneous Business/Announcements**

The next regular business meeting will be scheduled for Tuesday, November 3, 2015, at 9:00 a.m. at the Logan County Courthouse.

**Executive Session as Needed
Adjournment**

October 20, 2015

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
Marie Granillo	Logan County Deputy Clerk
Rob Quint	Logan County Planning and Zoning
Callie Jones	Journal Advocate
Forrest Hershberger	South Platte Sentinel

Chairman Samber called the meeting to order at 9:00 a.m. The meeting opened with the Pledge of Allegiance.

Chairman Samber asked if there were any revisions or corrections for today's agenda. Chairman Samber added one item which was the October 12, 2015 minutes to the consent agenda.

The Board continued with the Consent Agenda items:

- Approval of the Minutes of the October 12, 2015 meeting.
- Approval of the Minutes of the October 13, 2015 meeting.
- Acknowledgement of the receipt of the Veteran's Service Officer's reports for the months of July, August and September, 2015.

Commissioner Meisner moved to approve the Consent Agenda for October 20, 2015 Board of County Commissioner meeting. Commissioner Donaldson seconded and the motion carried 3-0.

Chairman Samber continued with New Business:

Commissioner Donaldson made a motion to approve Resolution 2015-33 concerning the statutory categorization of Logan County for the purpose of fixing the salaries of Logan County elected officers. Commissioner Meisner seconded and the motion carried 3-0.

Commissioner Meisner moved to approve Resolution 2015-34 Rescinding Resolution No. 2006-2 concerning the re-subdivision of Lots 30 and 31, Block 1, Sage Pointe Subdivision, Second Filing, Logan County, Colorado. Commissioner Donaldson seconded and the motion carried 3-0.

Commissioner Donaldson made a motion to approve an agreement between Logan County and Xcel Energy for use of the county right of way under CR 37 for 3/4" natural gas service. Commissioner Meisner 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 27, 2015 at 9 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 9:10 a.m.

Submitted by:



Logan County Clerk & Recorder Deputy

Approved: October 27, 2015

BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO

(seal)

By: _____
Rocky L. Samber, Chairman

Attest:

Logan County Clerk & Recorder

**RESOLUTION
NO. 2015-35**

A Resolution approving the Re-subdivision and Replat of Lots 13 and 14, Skyline Heights Subdivision, Second Filing, located in Section 18, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado.

WHEREAS, Kent S. and Vicki L. Adney and the Michael L. Baessler Beneficiary Estate, have petitioned the Board of County Commissioners of Logan County, Colorado, to re-subdivide and replat the following legally described property:

IN RE: Lots 13 and 14, Skyline Heights Subdivision, Second Filing, located in Section 18, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado.

WHEREAS, the Board of County Commissioners of Logan County met in regular session on October 27th, 2015 and approved an application to re-subdivide; and

WHEREAS, the proposed re-subdivision will adjust the lot line between Lots 13 and 14, Skyline Heights Subdivision, Second Filing, for the purpose of increasing the size of Lot 13, with the result being two lots to be known as Lot 13A (now consisting of .97 Acres) and Lot 14A (now consisting of 1.79 acres), all as more fully described in the Official subdivision Plat No. 2015-35, attached hereto and fully incorporated herein; and

WHEREAS, the Logan County Planning Commission, after reviewing the application and conducting a public hearing on the application, recommended the approval of the proposed re-subdivision and replat of Lots 13 and 14, Skyline Heights Subdivision, Second Filing at its regular meeting on October 20, 2015.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Logan County, Colorado, that the application of Kent S. and Vicki L. Adney and the Michael L. Baessler Beneficiary Estate for re-subdivision and replat of Lots 13 and 14, Skyline Heights Subdivision, Second Filing, into Lots 13A and 14B, Skyline Heights Subdivision, Second Filing, as shown on Official Subdivision Plat No. 2015 - 35, is hereby GRANTED, subject to the following conditions:

- a. The applicants shall be responsible for complying with all conditions or requirements set forth in the Logan County Zoning Resolution and Subdivision Regulations.
- b. The applicants shall be responsible for complying with all conditions or requirements of any applicable homeowner's association covenants.

All supporting information submitted by the applicants for consideration of the application forms part of the basis of the approval of the application.

ADOPTED and SIGNED this 27th day of October, 2015.

BOARD OF COUNTY COMMISSIONERS OF
LOGAN COUNTY, COLORADO

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

(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 duly adopted by the Board of County Commissioners of the county of Logan and State of Colorado, in regular session on the 27th day of October, 2015.

County Clerk and Recorder

LOGAN COUNTY RESUBDIVISION APPLICATION
BOARD OF COUNTY COMMISSIONERS
DEPARTMENT OF PLANNING & ZONING
315 MAIN STREET, STERLING, CO 80751

Applicant: Kent S & Vicki L Adney Phone: 970.520-7316

Address: 18805 Cherry Lane, Sterling, Co. 80751

Landowner: Same Phone: _____

Address: Same

Legal Description of total Parcel: Lots 13 & 14, Skyline Heights Subdivision, 2nd Filing 18-8-52

Legal Description of Parcel to be re-subdivided: _____

Total Acreage of parcel to be divided: _____

Number of Parcels that would be created: n/a

Acreage of proposed parcels: _____

Date that parcel was acquired by owners: June 9, 2000

If Deed is recorded in Torrens System: Number n/a

If Deed is recorded in General System: Book 929 Page 53

Existing zoning classification: Commercial center - residential use

Proposed use of each parcel: residential

Proposed water and sewer facilities: Same

Existing water and sewer facilities: _____

Proposed access to each new lot: Ridge Rd lot 13 Cherry Lane lot 11 & 14

Existing access to each new lot: same

Reason for request: readjust lot lines for access purposes on lot 13A

Date of certificate stating that all property taxes have been paid: 10/14/2015

ADNEY - BAESSLER REPLAT
Lots 13 & 14
Skyline Heights Subdivision
2nd Filing 18-8-52

INFORMATION ON WATER WELLS

Is there an existing well on the proposed parcel?

Y or N

Existing well on parcel to be created

Well Permit No: n/a

Permitted Use: _____

Depth: _____

WATER SUPPLY PLAN

The Division of Water Resources requires the following information. The information will assist the Division of Water Resources in their review and recommendation of this request for a Resubdivision Application.

No change

- 1. Enclose a plat and description of the affected property.
- 2. Has a subdivision exemption on this parcel of land been granted since 1972? _____
- 3. Well Permit numbers on entire parcel: _____
- 4. If well permit numbers are not available, please provide the following for all wells:

Names of previous owners: Daniel Allen lot 14 // Michael Schneider
 Dates wells were constructed: _____ lot 11
 Depths of wells: _____

- 5. Indicate existing use of water:
 - a. Number of wells: _____
 - b. Existing Use: Domestic: _____
 Livestock: _____
 Garden/Lawn: _____
 Irrigation: _____
 Other Uses: _____
 - c. Location of wells. (Show on Plat.)
 - d. Location of dwellings. (Show on Plat.)

6. Proposed water supply: Same

7. Explain how existing wells will be used after land is divided: no change

8. Intended use of new well(s): n/a

9. Will new well be used by the applicant only or shared? n/a

10. What aquifer will be used? no change

Depth of well: _____ Estimated cost: _____

ADNEY - BAESSLER REPLAT
Lots 13 & 14
Skyline Heights Subdivision

11. How much water will you need? no change
12. Water requirements for each of the proposed lots: no change
13. Will more than one dwelling be allowed? Y or (N)
14. Proposed area for lawn and garden for each lot: Square Feet no change
15. Will horses or other livestock be allowed on new parcel? Y or (N)

DATED AT STERLING, COLORADO, this 19 day of October, 2015

x Niki Adney
Signature of Landowner

x Niki Adney
Signature of Applicant

ADNEY - BAESSLER REPLAT
Lots 13 & 14
Skyline Heights Subdivision
2nd Filing 18-8-52

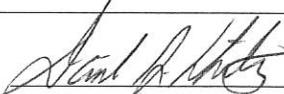
FOR COUNTY USE

Application Fee: One Hundred Dollars (\$100.00) *pd 10/19/15 ✓ #5612 receipt # 221308*

Date of Planning Commission: Oct. 20-2015

Recommendation of Planning Commission: Approval Denial

Recommended Conditions of Resubdivision:


Chairperson, Planning Commission

COUNTY COMMISSIONERS ACTION:

Conditions of Resubdivision: _____

Date Granted: _____

Date Denied: _____

ADNEY - BAESSLER REPLAT
Lots 13 & 14
Skyline Heights Subdivision
2nd Filing 18-8-52

Rocky Samber (Aye) (Nay)

Gene Meisner (Aye) (Nay)

Dave G Donaldson (Aye) (Nay)

ADNEY-BAESSLER REPLAT

OF LOTS 13 AND 14 SKYLINE HEIGHTS SUBDIVISION, 2ND FILING LOGAN COUNTY, COLORADO

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



DESCRIPTION

LOTS 13 AND 14, SKYLINE HEIGHTS SUBDIVISION, 2ND FILING, LOGAN COUNTY, COLORADO.

OWNER'S CERTIFICATE

KENT S. ADNEY AND VICKI L. ADNEY AND MICHAEL L. BAESSLER BEING THE SOLE OWNERS IN FEE OF THE ABOVE DESCRIBED PROPERTY, DO HEREBY DIVIDE THE SAME AS SHOWN ON THE ATTACHED MAP.

KENT S. ADNEY _____ VICKI L. ADNEY _____

MICHAEL L. BAESSLER _____

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

MY COMMISSION EXPIRES _____

NOTARY PUBLIC _____ WITNESS MY HAND & SEAL _____

PLANNING COMMISSION CERTIFICATE

THE PLANNING COMMISSION HAS REVIEWED THIS PLAT AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE PLANNING AND ZONING ORDINANCES OF LOGAN COUNTY, COLORADO.

PLANNING COMMISSION CERTIFICATE

AS A RESULT OF THE PLANNING COMMISSION'S REVIEW OF THIS PLAT, THE PLANNING COMMISSION HAS DETERMINED THAT THE PLAT IS IN CONFORMANCE WITH THE PLANNING AND ZONING ORDINANCES OF LOGAN COUNTY, COLORADO.

DATE OF CERTIFICATION: _____

PLANNING COMMISSION MEMBER: _____

NOTES

EASEMENT INFORMATION AS PER STEWART TITLE - STERLING WRITTEN OWNERSHIP AND ENCUMBRANCE REPORT, ORDER NO. 01330-03398, DATED JULY 06, 2015.

- EASEMENT AS GRANTED IN INSTRUMENT FROM CARL C. AND LORRAINE E. JOHNSTON TO HIGHLINE ELECTRIC ASSOCIATION, RECORDED AUGUST 4, 1984 IN BOOK 585 AT PAGE 317, ACROSS THE S1/2SE1/4 OF SECTION 18, TOWNSHIP 8 NORTH, RANGE 52 WEST OF THE 6TH P.M., AND AMENDED BY INSTRUMENT FROM HIGHLINE ELECTRIC ASSOCIATION TO CARL C. JOHNSTON AND LORRAINE E. JOHNSTON, RECORDED DECEMBER 30, 1984 IN BOOK 590 AT PAGE 349, QUITCLAIMING ALL LINE RIGHTS, BUT RESERVING ALL RIGHTS-OF-WAY AND EASEMENTS IT NOW OWNS.
- AGREEMENT BETWEEN LORRAINE E. JOHNSTON, MORRIS L. MCLAVEY, ESTELLE M. MCLAVEY, BOB J. PLANK (AKA BOB PLANK), NORMA J. PLANK (AKA NORMA PLANK), EDWARD F. FRITZLER, DONALD FRITZLER, ROBERT J. KIRCHER, JEAN E. KIRCHER, WILLIAM H. LOCK, FLORENCE G. LOCK, ALBERT E. YETTER, BETTY DARLENE YETTER, THOMAS A. DONOVAN AND PEGGY DONOVAN, RECORDED NOVEMBER 6, 1979 IN BOOK 852 AT PAGE 10, GRANTING A PERPETUAL EASEMENT OVER THE EAST 10 FEET OF SUBJECT PROPERTY FOR THE SOLE PURPOSES OF CONSTRUCTING PIPE LINES OR IRRIGATION LATERALS FROM AN IRRIGATION WELL LOCATED IN THE NORTHWEST CORNER OF THE W1/2SE1/4 OF SECTION 18, TOWNSHIP 8 NORTH, RANGE 52 WEST OF THE 6TH P.M.
- ALL WATER, DITCH AND LATERAL RIGHTS PERTAINING TO SUBJECT PROPERTY RESTRICTIONS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, AS CONTAINED IN INSTRUMENT RECORDED JULY 18, 1971 IN BOOK 659 AT PAGE 107.
- FINDINGS AND RULING OF THE REFEREE AND DECREE OF THE WATER COURT, DATED SEPTEMBER 24, 1975 AND RECORDED NOVEMBER 10, 1975 IN BOOK 697 AT PAGE 271.
- ALL OF THE OIL, GAS AND OTHER MINERALS AS RESERVED BY MORRIS L. MCLAVEY AND ESTELLE M. MCLAVEY IN WARRANTY DEED RECORDED NOVEMBER 6, 1970 IN BOOK 852 AT PAGE 16 AND ANY AND ALL ASSIGNMENTS THEREOF OR INTERESTS THEREIN.
- EASEMENT GRANT DATED DECEMBER 30, 1992 AND RECORDED DECEMBER 20, 1992 IN BOOK 868 AT PAGE 548. DANIEL W. ALLEN AND DIANNE R. ALLEN, AS GRANTORS AND JERRY L. HIBDELK, AS GRANTEE.
- EASEMENTS OF THE SUBJECT PROPERTY FOR UTILITIES AS SHOWN ON THE RECORDED PLAT THEREOF.
- PROTECTIVE COVENANTS RECORDED JULY 16, 1971 IN BOOK 659 AT PAGE 107.
- AFFIDAVIT OF DENIAL OF CORPORATION EXISTENCE RECORDED MAY 17, 2006 IN BOOK 964 AT PAGE 811.
- THE INTEREST OF LINDA KATHLEEN BAESSLER CREATED BY BENEFICIARY DEED FROM MICHAEL S. BAESSLER RECORDED MARCH 10, 2014 AT RECEPTION #718902, IN BOOK 1007 AT PAGE 75, UNDER THE PROVISIONS OF C.R.S. 15-11-401, ET SEQ.

PLAT NOTE

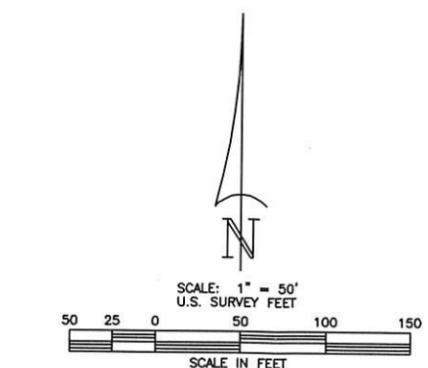
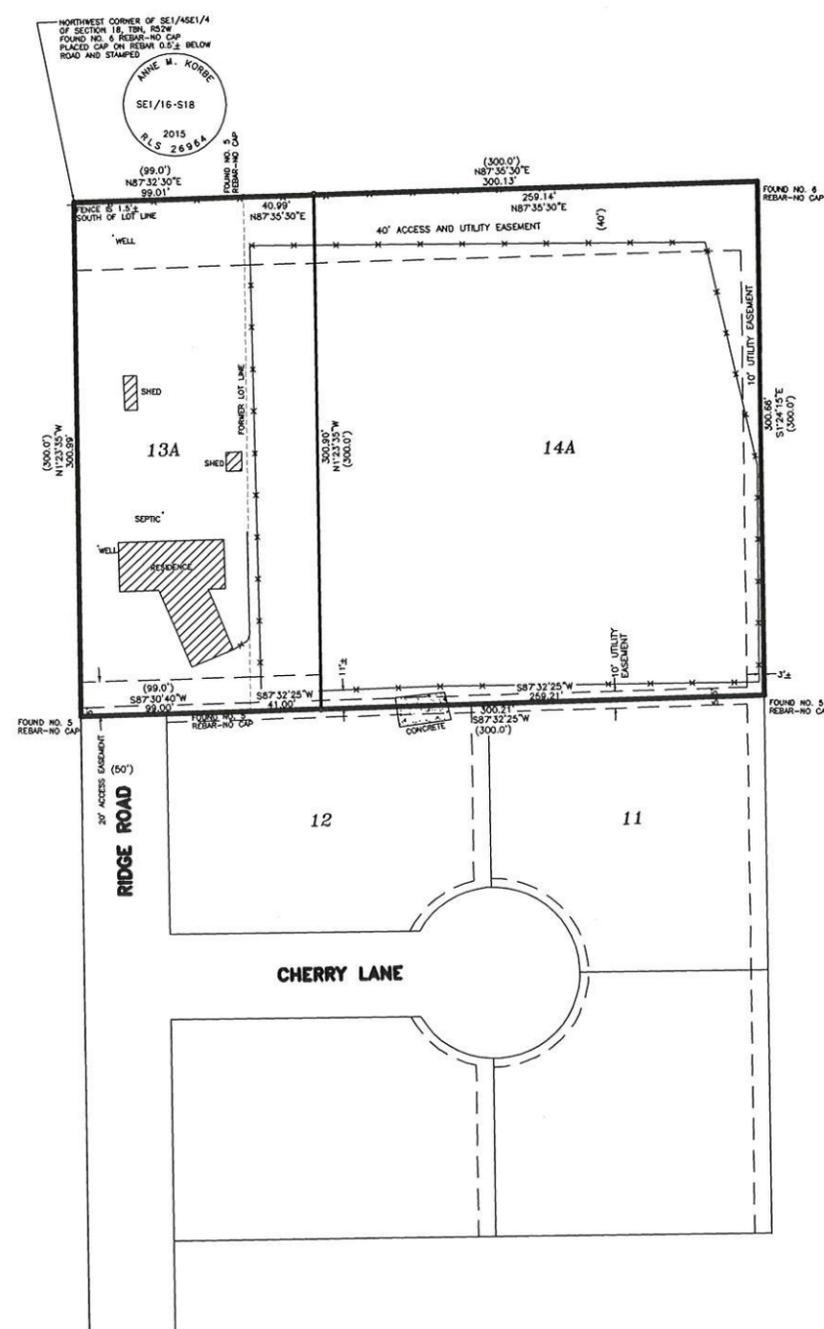
LOGAN COUNTY HAS ADOPTED A RIGHT-TO-FARM AND RANCH POLICY. RESOLUTION #99-60 RECORDED SEPTEMBER 21, 1999, IN BOOK 925 AT PAGE 430 OF THE LOGAN COUNTY RECORDS. PLEASE READ IT AND BE AWARE OF ITS PROVISIONS.

RECORDER'S CERTIFICATE

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

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

REVISIONS	LEIBERT-McATEE & ASSOCIATES, INC. P.O. BOX 442 815 SOUTH TENTH AVENUE STERLING, CO 80751 970-522-1960
TITLE	ADNEY-BAESSLER REPLAT OF LOTS 13 AND 14, SKYLINE HEIGHTS SUBDIVISION, 2ND FILING LOGAN COUNTY, COLORADO IN THE SE1/4 OF SECTION 18, T8N, R52W OF THE 6TH P.M., LOGAN COUNTY, COLORADO
SCALE: 1" = 50'	DR. BY: AK
DATE: 10-19-15	CK'D. BY: _____
	DRAWING NO. _____
	SHEET 1 of 1



VICINITY MAP
NOT TO SCALE

ADNEY - BAESSLER REPLAT
Lots 13 & 14
Skyline Heights Subdivision
2nd Filing 18-8-52

BEARINGS FOR THIS SURVEY ARE BASED ON THE ASSUMPTION THAT THE WEST LINE OF LOT 13 OF SKYLINE HEIGHTS SUBDIVISION, 2ND FILING BEARS NORTH 1°23'35" WEST. THE SOUTHWEST AND NORTHWEST CORNERS OF SAID LOT 13 ARE MONUMENTED AS SHOWN.

SET NO. 5 REBARS 24" LONG WITH YELLOW PLASTIC 1" CAPS STAMPED 'ANNE M. KORBE RLS 26964' AT THE POINTS SHOWN THIS ○ UNLESS OTHERWISE NOTED.

FOUND POINTS SHOWN THIS ●

— x — INDICATES AN EXISTING FENCE LINE

DISTANCES IN PARENTHESES ARE PLATTED 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.