TOWN OF ERIE
BOARD OF TRUSTEES REGULAR MEETING [1]
Tuesday, June 23, 2015
STUDY SESSION START TIME 5:45 PM
REGULAR MEETING START TIME 6:30 PM
Erie Town Hall, 645 Holbrook Street, Erie, CO 80516

STUDY SESSION 5:45 PM IN THE COMMUNITY ROOM
AGENDA FOR THE STUDY SESSION IS A DISCUSSION OF THE REGULAR MEETING AGENDA BELOW

REGULAR MEETING 6:30 PM IN THE BOARD ROOM

I. CALL MEETING TO ORDER

II. PLEDGE OF ALLEGIANCE AND ROLL CALL

III. APPROVAL OF THE AGENDA

IV. CONSENT AGENDA (The consent agenda is intended to contain items that are prepared to be decided without discussion. Any Board member may request removal of any item they do not want to consider without discussion or wish to vote no on, without jeopardizing the approval of other items on the consent agenda. Items removed will be placed under IX. General Business, a. in the order they appear on the Agenda.) (This should be done prior to the motion to approve.)

Roll Call Vote

a. Approval of the June 2, 2015 Special Meeting Minutes

b. Approval of the June 9, 2015 Meeting Minutes

c. Approval of the June 15, 2015 Special Meeting Minutes

d. Resolution 15-81; A Resolution Approving the Acquisition of a Temporary Construction Easement for Repairing the County Road 5 Bridge North of State Highway 52

e. Resolution 15-82; A Resolution Awarding a Contract for the Airport Pavement Marking Project

f. Resolution 15-83; A Resolution Approving the Colorado Department of Transportation Grant Extension

g. Ordinance 13-2015; An Ordinance of the Town of Erie Denying Front Range Landfill's Application for a 1st Amendment to Planned Development Allowing Liquid Solidification (SECOND READING)

Roll Call Vote

V. PUBLIC COMMENT (This agenda item provides the public an opportunity to discuss items other than ordinances on second reading, public hearings and consent agenda items that are not on the agenda. The Board of Trustees is not prepared to decide on matters brought up at this time, but if warranted, will place them on a future agenda.)

[1] FOR MORE INFORMATION ON THE AGENDA ITEMS LISTED OR FOR INDIVIDUALS WITH DISABILITIES NEEDING AUXILIARY AIDS OR TO REQUEST ASSISTANCE, PLEASE CONTACT THE TOWN CLERK'S OFFICE AT 645 HOLBROOK STREET, P.O. BOX 750, 303-926-2731.

VI. PROCLAMATIONS AND PRESENTATIONS (This agenda item is intended to contain Presentations to the Board that do not require any Board action. Presentations are limited to fifteen (15) minutes.

Presentation of 2014 Audit Report and Comprehensive Annual Financial Report.-Mark Elmshauser with CliftonLarsonAllen LLP

VII. LAND DEVELOPMENT RESOLUTIONS AND ORDINANCES

WISE FARMS
PUBLIC HEARING (Continued from June 9, 2015 Meeting

a. Ordinance 15-2015: An Ordinance Of The Town Of Erie, Colorado, Rezoning The Wise Farms Property Pursuant To The Petition Of The Owner Thereof, From RR– Rural Residential To AG/OS – Agriculture/Open Space; LR - Low Density Residential; And, RR– Rural Residential; And, Providing For The Effective Date Of This Ordinance; And, Setting Forth Details In Relation Thereto. (SECOND READING)

b. Ordinance 16-2015 An Ordinance Regarding The Wise Farms PUD Zoning Map Overlay Rezoning, Adopting Certain Findings Of Fact And Conclusions Favorable To The Planned Unit Development Overlay Rezoning. Wise Farms Preliminary Plat Resolution (SECOND READING)

c. Resolution 15-66 A Resolution Making Certain Findings Of Fact And Conclusions Favorable To The Wise Farms Preliminary Plat; Imposing Conditions Of Approval; Approving The Wise Farms Preliminary Plat With Conditions; And Setting Forth Details In Relation Thereto

CLOSE PUBLIC HEARING

VIII. RESOLUTIONS (This agenda item is for all matters that should be decided by resolutions.)

NONE SCHEDULED

IX. ORDINANCES (To adopt an Ordinance of the First Reading, a Motion/Second/Approval is required to suspend Resolution 02-44 and adopt the Ordinance on the First Reading.

PUBLIC HEARING

OPEN PUBLIC HEARING

a. Ordinance 19-2015; An Ordinance Of The Town Of Erie, Colorado, Repealing The November 2013 Title 10 Unified Development Code; Adopting By Reference The June 2015 Title 10 Unified Development Code; Providing For The Effective Date Of This Ordinance; And, Setting Forth Details In Relation Thereto. (FIRST READING)

CLOSE PUBLIC HEARING

X. GENERAL BUSINESS (This agenda item is reserved for matters that are ready for Board action, and do not fit into other categories, i.e. resolutions, ordinances…)

a. Authority for Staff to Negotiate CBT Lease

XI. STAFF REPORTS (This agenda item is reserved for specific items from Staff requiring Board direction or just relaying important information.)

XII. BOARD OF TRUSTEES REPORTS & APPOINTMENTS (This agenda item is for all Board of Trustees reports, Board & Commission Appointment, and items of information as well as Board discussion items, not listed on the agenda.)

a. BOT Reports

XIII. EXECUTIVE SESSION

a. For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e), specifically to discuss **specifically,** to discuss negotiations regarding potential and ongoing economic development within the Town.

XIV. ADJOURNMENT (The Board's Goal is that all meetings be adjourned by 10:30pm. An agenda check will be conducted at or about 10:00 p.m., and no later than at the end of the first item finished after 10:00 p.m. Items not completed prior to adjournment will generally be taken up at the next regular meeting.)

TOWN OF ERIE
BOARD OF TRUSTEES SPECIAL MEETING
Tuesday, June 2, 2015
6:00 p.m.
Board Room, Erie Town Hall, 645 Holbrook, Erie, CO 80516

I. CALL MEETING TO ORDER

Mayor Harris called the June 2, 2015 Special Meeting of the Board of Trustees to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE AND ROLL CALL

Roll Call: Trustee Carroll – present
Mayor Pro Tem Gruber – present
Trustee Charles – present
Trustee Moore – late arrived at 6:03p.m.
Trustee Woog – present
Trustee Schutt – present
Mayor Harris – present

III. APPROVAL OF THE AGENDA

Action: Mayor Pro Tem Gruber moved to approve the June 2, 2015 agenda; the motion, seconded by Trustee Schutt. The motion carried with all present voting in favor thereof. (Trustee Moore did not vote arrived at 6:03 p.m.)

IV. EXECUTIVE SESSION

Action: Trustee Carroll moved to go into Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e); specifically, to discuss negotiation of new Memorandums of Understanding with oil and gas companies; the motion was seconded by Trustee Schutt. The motion carried with all present voting in favor thereof. (Trustee Moore did not vote arrived at 6:03 p.m.)

It's Tuesday June 2, 2015, and the time is 6:05 p.m. For the record, I am the presiding officer, Mayor Tina Harris. As required by the Open Meetings Law, this executive session is being electronically recorded. Also present at this executive session are the following persons:

Mayor Pro Tem Mark Gruber; Trustees Janice Moore, Dan Woog, Scott Charles, Waylon Schutt and Jennifer Carroll; Special Counsel John Sullivan and Town Attorney Mark Shapiro.

EXECUTIVE SESSION (continued)

This is an executive session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e); specifically, to discuss negotiation of new Memorandums of Understanding with oil and gas companies

Upon completion of the Executive Session, Mayor Harris announced that the time is now 6:55 p.m., and the executive session has been concluded. The participants in the executive session were:

Mayor Tina Harris; Mayor Pro Tem Mark Gruber; Trustees Janice Moore, Dan Woog, Scott Charles, Waylon Schutt and Jennifer Carroll; Special Counsel John Sullivan and Town Attorney Mark Shapiro

For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record.
Seeing none, the next agenda item is adjournment.

V. ADJOURNMENT

Action: Trustee Charles moved to adjourn the June 2, 2015 Town of Erie Board of Trustees Special Meeting; the motion was seconded by Trustee Schutt. The motion carried with all present voting in favor thereof.

Action: Mayor Harris adjourned the June 2, 2015 Town of Erie Board of Trustee Special Meeting at 8:03 p.m.

Respectfully Submitted,

_____ _____

Nancy J. Parker, CMC, Town Clerk Tina Harris, Mayor

TOWN OF ERIE
BOARD OF TRUSTEES REGULAR MEETING [1]
Tuesday, June 9, 2015
6:30 p.m.
Board Room, Erie Town Hall, 645 Holbrook, Erie, CO 80516

I. CALL MEETING TO ORDER

Mayor Pro Tem Gruber called the June 9, 2015 Regular Meeting of the Board of Trustees to order at 6:30 p.m.

II. PLEDGE OF ALLEGIANCE AND ROLL CALL

Roll Call: Trustee Carroll –present
Trustee Charles – present
Trustee Moore – present
Trustee Woog – present
Trustee Schutt – absent/excused
Mayor Harris – absent/excused
Mayor Pro Tem Gruber - present

III. APPROVAL OF THE AGENDA

Action: Trustee Moore moved to approve the June 9, 2015 Meeting Agenda; the motion was seconded by Trustee Charles. The motion carried with all voting in favor thereof.

IV. CONSENT AGENDA

a. Approval of the May 26, 2015 Meeting Minutes
b. Resolution 15-69; A Resolution Authorizing Award of a Contract to Children's Play Structures and Recreation for the Playground Replacement at Longs Peak Park

Action: Trustee Charles moved to approve the June 9, 2015 Consent Agenda; the motion was seconded by Trustee Moore. The motion carried with the following Roll Call vote:

Trustee Carroll –yes
Trustee Charles – yes
Trustee Moore – yes
Trustee Woog – yes
Mayor Pro Tem Gruber - yes

V. PUBLIC COMMENT

David Thieking, 7868 Greenleaf Lane, Denver, CO spoke in regards to the costs of Solar Photovoltaic permits.

Tyler Ward, 3468 W. Gill Place, Denver, CO spoke in regards to the costs of Solar Photovoltaic permits.

VI. PROCLAMATIONS AND PRESENTATIONS

None Scheduled.

VII. LAND DEVELOPMENT RESOLUTIONS AND ORDINANCES

a. Ordinance 15-2015; An Ordinance Of The Town Of Erie, Colorado, Rezoning The Wise Farms Property Pursuant To The Petition Of The Owner Thereof, From RR-Rural Residential To AG/OS-Agricultural/Open Space; LR-Low Density Residential; And, RR-Rural Residential; And, Providing For The Effective Date Of This Ordinance; And Setting Forth Details In Relation Thereto.

b. Ordinance 16-2015; An Ordinance Regarding The Wise Farms PUD Zoning Map Overlay Rezoning, Adopting Certain Findings Of Fact And Conclusions Favorable To The Planned Unit Development Overlay Rezoning. Wise Farms Preliminary Resolution.

c. Resolution 15-66; A Resolution Making Certain Findings Of Fact And Conclusions Favorable To The Wide Farms Preliminary Plat; Imposing Conditions Of Approval; Approving The Wise Farms Preliminary Plat With Conditions; And Setting Forth Details In Relation Thereto.

Action: Trustee Charles moved to continue the Public Hearing on the Wise Farms to the June 23, 2015 Regular Meeting; the motion was seconded by Trustee Woog; with all voting in favor thereof.

VIII. RESOLUTIONS

a. Resolution 15-78; A Resolution Of The Town Of Erie Authorizing Award Of A Construction Contract For The Collection System Rehabilitation – Historic Downtown-Phase 3 Project.

Russell Pennington, Deputy Director of Public Works presented staff recommendations for the approval of Resolution 15-78 awarding a contract for $278,432.00 to Insituform Technologies, LLC for the Collection System Rehabilitation in Historic Downtown. The rehabilitation procedure installs a lining inside the current sanitary sewer system pipes to restore integrity of the system.

Action: Trustee Moore moved to approve Resolution 15-78; the motion was seconded by Trustee Charles. The motion carried with the following Roll Call vote:

Trustee Carroll –yes
Trustee Charles – yes
Trustee Woog – yes
Trustee Moore – yes
Mayor Pro Tem Gruber – yes

PUBLIC HEARING

b. Resolution 15-74; A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Approving The Colliers Hill Filing No. 3A Final Plat With Conditions; Accepting Dedications As Shown On The Colliers Hill Filing No. 3A Final Plat; Authorizing The Appropriate Town Official To Sign The Colliers Hill Filing No. 3A Development Agreement; Adopting Certain Findings Of Fact And Conclusions Favorable To Approving The Final Plat, Accepting The Dedications Contained Therein And Approving The Development Agreement.

c. Resolution 15-75; A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Approving The Colliers Hill Filing No. 3B Final Plat With Conditions; Accepting Dedications As Shown On The Colliers Hill Filing No. 3B Final Plat; Authorizing The Appropriate Town Official To Sign The Colliers Hill Filing No. 3B Development Agreement; Adopting Certain Findings Of Fact And Conclusions Favorable To Approving The Final Plat, Accepting The Dedications Contained Therein And Approving The Development Agreement.

d. Resolution 15-76; A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Approving The Colliers Hill Filing No. 3C Final Plat With Conditions; Accepting Dedications As Shown On The Colliers Hill Filing No. 3C Final Plat; Authorizing The Appropriate Town Official To Sign The Colliers Hill Filing No. 3C Development Agreement; Adopting Certain Findings Of Fact And Conclusions Favorable To Approving The Final Plat, Accepting The Dedications Contained Therein And Approving The Development Agreement.

e. Resolution 15-77; A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Approving The Colliers Hill Filing No. 3D Final Plat With Conditions; Accepting Dedications As Shown On The Colliers Hill Filing No. 3D Final Plat; Authorizing The Appropriate Town Official To Sign The Colliers Hill Filing No. 3D Development Agreement; Adopting Certain Findings Of Fact And Conclusions Favorable To Approving The Final Plat, Accepting The Dedications Contained Therein And Approving The Development Agreement.

Action: Mayor Pro Tem Gruber opened the Public Hearing for Resolution 15-74, Resolution 15-75, Resolution 15-76, and Resolution 15-77 at 6:49 p.m.

Todd Bjerkaas, Senior Planner presented the applications for the Colliers Hill Filings 3A, 3B, 3C and 3D Final Plat with Conditions; Accepting Dedications As Shown; Authorizing the Mayor To Sign Said Development Agreements and Adopting Certain Findings Of Fact and Conclusions Favorable To Approving The Final Plat, Accepting Dedications Contained Therein and Approving The Development Agreements by approving Resolutions 15-74, 15-75, 15-76 and 15-77.

Jon Lee, applicant for Community Development Group of Erie, Inc., 2500 Arapahoe Road, Boulder, CO also spoke in regards to Colliers Hill Filings 3A, 3B, 3C and 3D.

Action: Hearing no requests to make public comment, Mayor Pro Tem Gruber went to questions of the Board.

Action: Mayor Pro Tem Gruber closed the Public Hearing for Resolution 15-74, Resolution 15-75, Resolution 15-76, and Resolution 15-77 at 7:31 p.m.

Action: Trustee Charles moved to approve Resolution 15-74; the motion was seconded by Trustee Carroll; with all voting in favor thereof.

Action: Trustee Charles moved to approve Resolution 15-75; the motion was seconded by Trustee Woog; with all voting in favor thereof.

Action: Trustee Woog moved to approve Resolution 15-76; the motion was seconded by Trustee Carroll; with all voting in favor thereof.

Action: Trustee Carroll moved to approve Resolution 15-77; the motion was seconded by Trustee Charles; with all voting in favor thereof.

f. Resolution 15-79; A Resolution By The Board of Trustees Of The Town Of Erie, Colorado Accepting A Grant Of Permanent Access And Utilities Easement Agreement For Sanitary Sewer Improvements

Todd Bjerkaas, Senior Planner presented the application for Resolution 15-79 to accept a sanitary sewer utility easement in Daybreak Filing 1B. The applicant is Community Development Group of Erie, Inc. represented by Jon Lee. Staff recommends acceptance of the grants of permanent access and utilities easement agreement for the sanitary sewer line improvements by approving Resolution 15-79.

Action: Trustee Charles moved to approve Resolution 15-79; the motion was seconded by Trustee Carroll; with all voting in favor thereof.

g. Resolution 15-80; A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Authorizing The Appropriate Town Official To Sign The Colliers Hill Metropolitan District No. 2 Development Agreement; Adopting Certain Findings Of Fact And Conclusions Favorable To Approving The Development Agreement

Todd Bjerkaas, Senior Planner presented Resolution 15-80; authorization of Colliers Hill Metropolitan District No. 2 Development Agreement. The applicant is Community Development Group of Erie, Inc. represented by Jon Lee. Staff recommends approving this resolution with the noted condition: A Letter Agreement shall be entered into by the Town, Community Development Group of Erie, Inc. and Oakwood Homes, LLC for the coordination of construction improvements to Erie Parkway prior to recordation of the Colliers Hill Metropolitan District No. 2 Development Agreement.

Action: Trustee Woog moved to approve Resolution 15-80; the motion was seconded by Trustee Carroll; with all voting in favor thereof.

IX. ORDINANCES

a. Ordinance 17-2015; An Ordinance of the Town of Erie Approving a Sanitary Sewer Easement Vacate; Colliers Hill Filing 2E.

Todd Bjerkaas, Senior Planner presented Ordinance 17-2015; the vacation of a portion of a sanitary sewer easement in Daybreak Filing 2E. The applicant is Community Development Group of Erie, Inc. represented by Jon Lee. The applicant requests vacation of a portion of a sanitary sewer easement that was dedicated to the Town by separate instrument. The portion of the sanitary sewer in this section of the easement has been relocated to allow for future development. The applicant has submitted an easement in Tract B of Daybreak Filing No. 1B and a final plat for Colliers Hill Filing 3A, both of which will establish easements for the relocated section of sanitary sewer.

Action: Trustee Charles moved to approve Ordinance 17-2015; the motion was seconded by Trustee Carroll; with all voting in favor thereof.

b. Ordinance 18-2015; An Ordinance of the Town of Erie Approving the Vacate of a Portion of Colliers Parkway

Todd Bjerkaas, Senior Planner presented Ordinance 18-2015; a vacation of a portion of Colliers Parkway. The applicant is Community Development Group of Erie, Inc. represented by Jon Lee. The applicant requests vacation of a portion of Colliers Parkway, a road right-of-way dedicated to the Town through the Bridgewater Master Subdivision Final Plat in 2011. The portion being vacated does not contain roadway or utilities and was platted to provide access to subdivision filings to its south. The proposed final plat for Colliers Hill Filing 3C shows this access point from Colliers Parkway shifting approximately 48 feet to the west. The Colliers Hill Filing 3C Final Plat will dedicate the new entrance right-of-way and easements.

Action: Trustee Charles moved to approve Ordinance 18-2015; the motion was seconded by Trustee Carroll; with all voting in favor thereof.

c. Ordinance 13-2015; An Ordinance of the Town of Erie Denying Front Range Landfill's Application for a 1st Amendment to Planned Development Allowing Liquid Solidification.

This was a first reading and no action was taken.

X. GENERAL BUSINESS

Nothing Scheduled.

XI. STAFF REPORTS

Nothing to report.

XII. BOARD OF TRUSTEES REPORTS & APPOINTMENTS

Trustee Carroll – Regarding this evening's public comment, Trustee Carroll addressed solar PV fees and stated that she did not support repealing Ordinance No. 08-2014 as she wanted to see Erie become a solar friendly community. At the time, it seemed the Board wanted to learn more about this and she would like to go back and look at what it would take to get the Solar Community Designation. Trustee Carroll was supported by Trustee Charles and Trustee Moore regarding this issue.
Trustee Woog – Asked Director of Parks & Recreation, Farrell Buller to give an update on the dog park. Mrs. Buller gave an update on the dog park at Reliance Park and noted that they were finishing up seeding but had some setbacks due to weather. There are currently 7 members compromising a citizen committee for the dog park and their next meeting is at the end of June.
Trustee Moore – Encouraged residents to attend the concerts in the park as well as the movies in the park and reminded everyone of the Erie Brewfest taking place this weekend.
Trustee Charles – Nothing to report.

Mayor Pro Tem Gruber – Stated that there is a new group called North Metro Partners. It's a new public-private interest group that is looking at funding the end of the line for fast tracks at Highway 7, but not at Colorado, at I-25. This is one of the first moves in a public-private partnership to make Highway 7 and I-25 a major transportation hub. If this comes to fruition, it will be good for Erie.

XII. ADJOURNMENT

Action: Trustee Moore moved to adjourn the June 9, 2015 Regular Meeting of the Board of Trustees. The motion was seconded by Trustee Charles. The motion carried with all voting in favor thereof.

Action: Mayor Pro Tem Gruber adjourned the June 9, 2015 Regular Meeting of the Town of Erie Board of Trustees at 7:57 p.m.

Respectfully Submitted,

_____ _____

Melinda Helmer, CMC, Deputy Town Clerk Mark Gruber, Mayor Pro Tem

TOWN OF ERIE
BOARD OF TRUSTEES SPECIAL MEETING
Tuesday, June 15, 2015
6:00 p.m.
Board Room, Erie Town Hall, 645 Holbrook, Erie, CO 80516

I. CALL MEETING TO ORDER

Mayor Harris called the June 15, 2015 Special Meeting of the Board of Trustees to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE AND ROLL CALL

Roll Call: Trustee Carroll – present
Mayor Pro Tem Gruber – present
Trustee Charles – present
Trustee Moore – present
Trustee Woog – present
Trustee Schutt – present
Mayor Harris – present

III. APPROVAL OF THE AGENDA

Action: Trustee Charles moved to approve the June 15, 2015 agenda; the motion, seconded by Trustee Schutt. The motion carried with all present voting in favor thereof.

IV. EXECUTIVE SESSION

Action: Trustee Charles moved to go into Executive Session for a conference with the Town Attorney and Special Litigation Counsel for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); specifically, to receive legal advice regarding litigation; and, for a discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. The motion was seconded by Trustee Carroll. The motion carried with all present voting in favor thereof.

It's Tuesday June 15, 2015, and the time is 6:00 p.m. For the record, I am the presiding officer, Mayor Tina Harris. As required by the Open Meetings Law, this executive session is being electronically recorded. Also present at this executive session are the following persons:

Mayor Pro Tem Mark Gruber; Trustees Janice Moore, Jennifer Carroll, Waylon Schutt, Dan Woog, Scott Charles; Town Administrator A.J. Krieger; Special Litigation Counsel Andy Nathan; and, Town Attorney Mark Shapiro

EXECUTIVE SESSION (continued)

This is an executive session for a conference with the Town Attorney and Special Litigation Counsel for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); specifically, to receive legal advice regarding litigation; and, for a discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees

Upon completion of the Executive Session, Mayor Harris announced that the time is now 9:50 p.m., and the executive session has been concluded. The participants in the executive session were:

Mayor Pro Tem Mark Gruber; Trustees Janice Moore, Jennifer Carroll, Waylon Schutt, Dan Woog, Scott Charles; Town Administrator A.J. Krieger; Special Litigation Counsel Andy Nathan; and, Town Attorney Mark Shapiro

For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record.
Seeing none, the next agenda item is adjournment.

V. ADJOURNMENT

Action: Trustee Schutt moved to adjourn the June 15, 2015 Town of Erie Board of Trustees Special Meeting; the motion was seconded by Trustee Charles. The motion carried with all present voting in favor thereof.

Action: Mayor Harris adjourned the June 15, 2015 Town of Erie Board of Trustee Special Meeting at 9:51 p.m.

Respectfully Submitted,

_____ _____

Nancy J. Parker, CMC, Town Clerk Tina Harris, Mayor

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM

Board Meeting Date: June 23, 2015

SUBJECT:	**CONSENT AGENDA** Consideration of Resolution 15-81: A Resolution For The Purpose Of Acquiring A Temporary Construction Easement for Repairing the County Road 5 Bridge North of State Highway 52, And Setting Forth Details In Relation Thereto.
DEPARTMENT:	Public Works
PRESENTER/PREPARER:	**Gary Behlen, Director of Public Works** **Russell Pennington, Deputy Director of Public Works** **Wendi Palmer, Civil Engineer**
FISCAL INFORMATION:	Cost as Recommended: **$1,040** Balance Available: $160,350 Fund: General Fund - Streets Budget Line Item Number: 100 . 70 . 710 . 605000 . 100116 New Appropriation Required: ☐ Yes ☒ No
STAFF RECOMMENDATION:	Approving Resolution 15-81 Authorizing the Mayor to sign and execute said temporary construction easement and Town Staff to execute said memorandum of agreement.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

On September 16, 2011, the Town received notification that the Special Highway Committee is accepting applications for bridge funds for rehabilitation or replacement of substandard bridges. The funding requires the Town of Erie to fund a minimum of 20% of the project cost, with Federal funding for the remaining 80%. On November 7, 2011 the Town was informed that the Town's application for funding the rehabilitation of the County Road 5 bridge over the Sullivan Ditch was approved. The funding was scheduled for Fiscal year 2014. The funds will be administered through the Colorado Department of Transportation (CDOT). Town Staff has worked with CDOT Staff to create the Inter-Governmental Agreement for **Project: CR5 at Sullivan Ditch (19743) (BRO M400-007).**

At the August 26, 2014 Town of Erie Board of Trustees meeting Resolution 14-96, A resolution accepting Federal Funds in the amount of $159,000 for a bridge rehabilitation project, was approved. The Colorado Department of Transportation (CDOT) signed the agreement on September 18, 2014. The Town received the signed agreement from CDOT on September 29, 2014.

At the November 11, 2014 Town of Erie Board of Trustees meeting Resolution 14-126, a resolution authorizing award of a design contract for the bridge repair to J-U-B Engineers, Inc. was approved.

During the design of the bridge repair, it was determined that a temporary construction easement would be required for the construction of the repair.

Before you tonight is a memorandum of agreement and a grant of temporary construction easement agreement.

Staff is recommending approving the acquisition of the easement and authorizing the Mayor to execute said temporary construction easement, and Town Staff to execute said memorandum of agreement.

Town Staff plans to advertise this project for bid later this summer. The bridge is over an active irrigation ditch. Construction activities in the ditch are not allowed between April and November.

Staff Review:

_____ **Town Attorney**
_____ **Town Clerk**
_____ **Community Development Director**
_____ **Finance Director**
_____ **Police Chief**
_____ **Director of Public Works**

Approved by:

A.J. Krieger
Town Administrator

ATTACHMENTS:

a. Resolution 15-81
b. Grant of Temporary Construction Easement Agreement
c. Memorandum of Agreement
d. Vicinity Map

RESOLUTION NO. 15-81

A RESOLUTION OF THE TOWN OF ERIE, COLORADO FOR THE PURPOSE OF ACQUIRING A TEMPORARY CONSTRUCTION EASEMENT FOR REPAIRING THE COUNTY ROAD 5 BRIDGE NORTH OF STATE HIGHWAY 52; AND SETTING FORTH DETAILS IN RELATION THERETO

WHEREAS, the Town of Erie Board of Trustees approved accepting grant funds and approved the award of a design contract for repair of the County Road 5 Bridge North of State Highway 52; and

WHEREAS, it has been determined that a temporary construction easement is required for the construction of the repair; and

WHEREAS, the Board of Trustees of the Town of Erie believes it is in the best interest of the Town to acquire such a temporary construction easement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, AS FOLLOWS:

Section 1. That acquiring the temporary construction easement is found to be reasonable and acceptable.

Section 2. That the Town of Erie be, and is hereby authorized and directed to acquire the temporary construction easement or the repair of the County Road 5 Bridge North of State Highway 52.

Section 3. That acquisition of this temporary construction easement is found to be in the best interest of the Town of Erie, and necessary for the preservation of the public health and safety.

ADOPTED AND APPROVED THIS 23rd DAY OF JUNE, 2015, BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO.

TOWN OF ERIE,
a Colorado Municipal Corporation

By: _____
Tina Harris, Mayor

ATTEST:

By: _____
Nancy Parker, CMC, Town Clerk

GRANT OF TEMPORARY CONSTRUCTION EASEMENT AGREEMENT

THIS GRANT OF TEMPORARY CONSTRUCTION EASEMENT AGREEMENT ("Agreement"), made and entered into this ____day of _____, 2015, by and between **Jeremy Layer and Dawn Layer**, whose address is 6069 County Road 5, Erie, Colorado 80516, hereinafter referred to as the "Grantor," and the **TOWN OF ERIE**, a Colorado municipal corporation, whose address is 645 Holbrook Street, Erie, Colorado 80516, hereinafter referred to as the "Grantee."

WITNESSETH:

WHEREAS, Grantor owns the real property (the "Property") on which the Grantee wishes to acquire a Temporary Construction Easement (as defined in paragraph 1, below) for the construction and installation of the Improvements, defined and described in paragraph 1, below; and,

WHEREAS, the Improvements defined and described in paragraph 1, below, are being constructed by the Grantee, and once completed such Improvements shall become the property of the Grantee; and,

WHEREAS, the Grantor and the Grantee have agreed to terms and conditions for the grant of the Temporary Construction Easement to the Grantee and the Grantee's use and operation on the Property and within the Temporary Construction Easement; and,

WHEREAS, the Grantor and the Grantee hereby wish to set forth their agreement and enter into this Grant of Temporary Construction Easement Agreement.

NOW, THEREFORE, in consideration of Ten and 00/100 Dollars ($10.00) and other good and valuable consideration and the foregoing recitals and the obligations, covenants and agreements herein set forth, the legal sufficiency of which the parties do hereby acknowledge, the parties hereto agree as follows:

1. *Grant of Temporary Construction Easement.* Grantor hereby grants and conveys to Grantee, its successors and assigns, a Temporary Construction Easement to enter, occupy, locate, construct and repair the Sullivan Bridge, including, but not limited to excavation, backfilling, concrete work, asphalt pavement, any electric cables, wires, connections, conduits, and surface appurtenances and all necessary appurtenances thereto (the "Improvements") in, through, over, across, under and above the Property in the locations as set forth on **Exhibit "A"** attached hereto and incorporated herein by this reference (the "Temporary Construction Easement").

2. *Ingress and Egress.* The Grantee, its employees, agents, contractors, representatives, successors and assigns shall have and exercise the right of ingress and egress in, to, through, over, under, above and across the Property for access to and from the Temporary Construction Easement in order to perform construction and installation of the Improvements.

3. *Term of Temporary Construction Easement.* The Temporary Construction Easement granted herein shall expire and be of no further force or effect one (1) year from the date of construction acceptance by the Town of Erie commencing on the subject property

4. *No Structures or Buildings to interfere with the Temporary Construction Easement.* The Grantor shall not construct or place any structure or building, yard light, shrub, tree, woody plant or nursery stock, whether temporary or permanent, of any kind or nature situated on the Temporary Construction Easement or the Property that will interfere with or obstruct the access or Temporary Construction Easement granted herein. Any such structure or item placed on the Temporary Construction Easement or Property may be removed by the Grantee without liability for damages arising there from. Grantor shall retain the right to make use of the servient property of the Temporary Construction Easement, except for such prohibitions as are contained herein, and except for such use as might endanger or interfere with the rights of the Grantee in its use of the Temporary Construction Easement. If Grantor constructs or places any structure or building or item prohibited herein on the Temporary Construction Easement or Property, Grantor shall reimburse the Grantee for Grantee's expenses in removing such structure or prohibited item from the Temporary Construction Easement or Property.

5. *Grantor's Warranty.* Grantor warrants that it has full right and lawful authority to make the grant of the Temporary Construction Easement herein contained, and promises and agrees to defend against any defect in title to the Property or the right to make the grant of the Temporary Construction Easement as herein contained.

6. *Damage, Maintenance of Grantor's Improvements.* The Grantor, at its expense, shall be solely responsible for the maintenance of all Grantor improvements which may be located within the Temporary Construction Easement. In the event said Grantor improvements are damaged due solely to Grantee's negligence, the Grantee will repair and or replace the said improvements at Grantee's expense.

7. *Ownership, Maintenance of Grantee's Improvements, Damage.* Following completion of the construction and installation of the Improvements, the Improvements shall be the property of the Grantee and shall be owned by the Grantee. The Grantee, at its expense, shall be solely responsible for the maintenance and repair of the Improvements, once installed by the Grantee. Repair and or replacement of the said Improvements shall be at Grantee's sole expense.

8. *Inurement.* Each and everyone of the benefits and burdens of this Agreement shall inure to and be binding upon the respective legal representatives, executors, administrators, successors and assigns of the parties hereto.

9. *Complete Agreement.* This Agreement represents the complete agreement between the parties hereto, and supersedes any and all other prior agreements, written and oral, between the parties.

10. *Headings for Convenience Only.* The paragraph headings of this Agreement are for convenience only and the substantive portions hereof control without regard to the headings.

11. *Cooperation.* The Grantor shall cooperate with the Grantee and shall not impair the Grantee's construction of the Improvements.

12. *Modification.* This Agreement shall be modified by a writing only, which writing must be only executed by the parties hereto in order to be effective.

13. *Controlling Law.* This Agreement shall be governed under, and construed pursuant to, the laws of the State of Colorado, and the parties hereto agree to jurisdiction in the Courts of Weld County, Colorado.

14. *Terms of Agreement Shall Survive Termination.* The terms of this Agreement and the provisions herein shall survive the Termination of the Temporary Construction Easement as provided for herein.

15. *Recordation of Agreement.* This Agreement shall be recorded by the Grantee in the real property records of the County of Weld, State of Colorado.

Signatures on next page

IN WITNESS WHEREOF, the parties hereto have executed this GRANT OF TEMPORARY CONSTRUCTION EASEMENT AGREEMENT as of the day and year first above written.

GRANTOR:

_____

Jeremy Layer

_____

Dawn Layer

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2015, by Jeremy Layer.

WITNESS my hand and official seal.

My commission expires:_____

_____
Notary Public

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ___ day of _____, 2015, by Dawn Layer .

WITNESS my hand and official seal.

My commission expires:_____

_____
Notary Public

GRANTEE: TOWN OF ERIE, a Colorado municipal corporation

By: _____
Tina Harris, Mayor

ATTEST:

By: _____
Nancy Parker, Town Clerk

TOWN OF ERIE
REAL PROPERTY

TO BE ACQUIRED

Parcel Number: TE1

STA: 10+14.75 Left to STA: 11+23.32 Left (WCR5 Centerline Alignment)

FROM

Jeremy and Dawn Layer
6069 County Road 5
Erie, CO 80516

FOR

Project Code: 19743
Project Number: BRO-M400-007
Location: WCR #5 Bridge Repair-Sullivan Ditch

COLORADO LICENSED
MICHAEL CHAD DILKA
38106
4-10-2015
PROFESSIONAL LAND SURVEYOR

EXHIBIT "A"

PROJECT CODE: 19743
PROJECT NUMBER: BRO-M400-007
PARCEL NUMBER: TE1
DATE: APRIL 10, 2015

PROPERTY DESCRIPTION

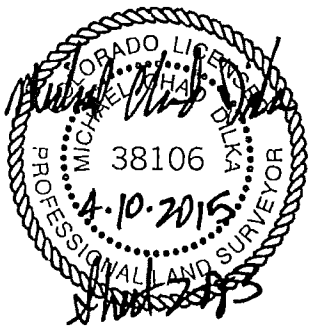
A tract or parcel of land No. TE1 of the Town of Erie Project Code 19743, Project Number BRO-M400-007, containing 5,204 square feet (0.119 acre), more or less, being part of Lot A, Recorded Exemption No. 1313-32-4-RE2673, recorded June 2, 2000 as Reception No. 2772140 of the records of the Weld County Clerk and Recorder, located in the Southeast Quarter (SE1/4) of Section Thirty-two (32), Township Two North (T.2N.), Range Sixty-eight West (R.68W.) and also located in the Northeast Quarter (NE1/4) of Section Five (5), Township One North (T.1N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado, and being more particularly described as follows:

COMMENCING at the Southeast corner of said Section 32, said point also being a Southeasterly corner of said Lot A, being monumentalized by a 2 3/8" diameter pipe with a 3 ¼" diameter aluminum cap stamped "LS10385, 1992;" THENCE North 89°53'46" West along the South line of the Southeast Quarter (SE1/4) of said Section 32, also being along the Southerly line of said Lot A, also being along the Northerly Right-of-way line of State Highway No. 52 as established by that Special Warranty Deed recorded April 4, 1963 in Book 1643 at Page 58 of the records of the Weld County Clerk and Recorder, a distance of 30.00 feet to the West Right-of-way line of Weld County Road No. 5, said West Right-of-way line of Weld County Road No. 5 being Thirty (30) feet, as measured at a right angle, West of and parallel with the East line of the Southeast Quarter (SE1/4) of said Section 32, said point being the **POINT OF BEGINNING**;

1. The following Three (3) courses and distances are along the Southerly lines of said Lot A and along said Northerly Right-of-way line of State Highway No. 52:

2. THENCE continuing North 89°53'46" West along the South line of the Southeast Quarter (SE1/4) of said Section 32 a distance of 2.20 feet;

3. THENCE South 00°01'09" West a distance of 80.98 feet to the beginning point of a curve, said curve being non-tangent to aforesaid line;



4. THENCE along the arc of said curve which is concave to the North a distance of 47.12 feet, said curve having a radius of 11,400.00 feet, a central angle of 00°14'13" and a long chord bearing North 89°29'08" West a distance of 47.12 feet;

5. THENCE North 00°27'56" West, non-tangent to aforesaid line, a distance of 107.75 feet;

6. THENCE North 89°32'04" East a distance of 50.00 feet to said West Right-of-way line of Weld County Road No. 5;

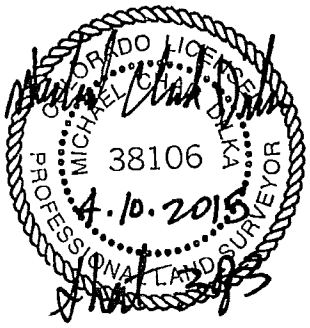
7. THENCE South 00°27'56" East along said West Right-of-way line of Weld County Road No. 5 a distance of 27.60 feet to the **POINT OF BEGINNING**.

The above-described parcel contains 5,204 square feet (0.119 acre), more or less.

Basis of Bearings: The basis of bearings for project reference is the East line of the Southeast Quarter (SE1/4) of Section Thirty-two (32), Township Two North (T.2N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado, being monumentalized by a 2 3/8" diameter pipe with a 3 ¼" diameter aluminum cap stamped "LS10385, 1992" at the South end and by a 2" diameter pipe with a 3 ½" diameter brass cap stamped "Bureau of Land Management, 1952" at the North end, bearing North 00°27'56" West, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983, a distance of 2683.15 feet, with all other bearings contained herein relative thereto.

Lineal Unit Definition: The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

For and on the behalf of the
Colorado Department of Transportation
Michael Chad Dilka, PLS 38106
King Surveyors (Job # 2014839)
650 East Garden Drive
Windsor, CO 80550
(970) 686-5011



Town of Erie	Project Code: 19743	Parcel No: TE-1
MEMORANDUM OF AGREEMENT	Project No: BRO-M400-007	
	Location: Weld County Road 5 Bridge Repair-Sullivan Ditch	
TEMPORARY EASEMENT	County: Weld	Jeremy Layer and Dawn Layer

This agreement made on (date) June 11, 20 15 is between **Jeremy Layer and Dawn Layer** (Grantor) for the use and benefit of the **TOWN OF ERIE**, a Colorado Municipal Corporation, (GRANTEE) for the purchase of the parcel(s) listed above.

Just compensation was prepared in accordance with Colorado state laws and regulations. The amount of money and/or compensation listed below is full consideration for the following Temporary Easement(s), improvements, and damages of any kind.

Temporary Easement (shown in attached exhibit A)	5204 square feet	$ 1,040.00
Improvements:		$
Damages:		$
	Gross Total	$ 1,040.00
	Less Credit	$
	Net Total	$ 1, 040.00

Other conditions: The execution of this agreement constitutes and grants unto the Town of Erie, its agents and contractors, a temporary easement(s) as described on the attached **Exhibit A** for the purpose of a temporary work area and shall commence no sooner than ten days after the grantor receives notice of the department's intention to occupy the temporary easement(s). The temporary work area will be rehabilitated to the condition prior to the Town or Erie's occupancy, however no work will be done that could be considered a betterment to the property.

The GRANTOR and GRANTEE agree that:
-with the exception of any Relocation Agreement (CDOT Form #591) there are no promises, terms, conditions, or obligations other than those listed on this agreement.
-this contract is binding on both the GRANTOR and GRANTEE and their heirs, devisees, executors, administrators, legal representatives, successors, assigns, and designees, but only after approval by one of the following on behalf of the Town of Erie as indicated below.
-the compensation shown on this agreement is for the temporary easement(s) described and damages of any kind.

The GRANTOR:
-has entered into this agreement only because the GRANTEE has the power of eminent domain and requires the property for public purposes.

The GRANTEE:
-will be entitled to specific performance of this agreement upon tender of the agreed consideration.
-will be held harmless from any claims against the property or to any interest in the property, except for any benefits due under relocation law.
-will take possession of the parcel(s) when it tenders payment to the GRANTOR unless other arrangements are made that follow Title III of the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended.
-will restore the premises as close as is reasonably possible to the condition in which the property existed on the date on which the agreed consideration is paid to the Grantor.

Order Warrant $ 1,040.00	Payable to: Jeremy Layer and Dawn Layer	
Real Estate Specialist	Grantor signature Dawn Layer	Attach form W-9
Project Manager (Town of Erie)	Grantor signature	Attach form W-9

Form **W-9**
(Rev. October 2007)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Give form to the requester. Do not send to the IRS.

Print or type
See Specific Instructions on page 2.

Name (as shown on your income tax return)
Jeremy Layer

Business name, if different from above

Check appropriate box: ☑ Individual/Sole proprietor ☐ Corporation ☐ Partnership
☐ Limited liability company. Enter the tax classification (D=disregarded entity, C=corporation, P=partnership) ▶
☐ Other (see instructions) ▶

☐ Exempt payee

Address (number, street, and apt. or suite no.)
6069 County Road 5

Requester's name and address (optional)

City, state, and ZIP code
Erie, CO 80516

List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number
193 66 9137

or

Employer identification number

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. See the instructions on page 4.

Sign Here | **Signature of U.S. person ▶** | **Date ▶** June 11, 2015

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),

2. Certify that you are not subject to backup withholding, or

3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,

VICINITY MAP FOR
WELD COUNTY ROAD 5 BRIDGE REPAIR

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM

Board Meeting Date: June 23, 2015

SUBJECT:	**CONSENT** Consideration of Resolution 15-82: A Resolution Authorizing Award Of A Pavement Marking Contract To Road Safe Traffic Systems, Inc. For the Erie Municipal Airport Project In The Amount of $21,415.00; And Setting Forth Details In Relation Thereto.
DEPARTMENT:	Public Works
PRESENTER/PREPARER:	**Gary Behlen, Director of Public Works** **Russell Pennington, Deputy Director of Public Works**
FISCAL INFORMATION:	Cost as Recommended: **$25,500** Balance Available: $44,445 (with supplemental approval) Budget Line Item Number: 530 . 70 . 110 . 605000 . 100168 Fund: Airport Fund New Appropriation Required: ☐ Yes ☒ No
STAFF RECOMMENDATION:	Approving Resolution 15-82 awarding said contract, authorizing the Mayor to execute said contract, authorizing Staff to expend contracted and contingency funds.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

In 2012, the Town performed a Runway Repair Project (12-EIK-01) and received a grant from the Colorado Division of Aeronautics (CDOA). Costs for that project were lower than expected and $40,862 of the grant was not spent.

During recent inspections of the airport, the markings for the north end of the runway were observed to be in poor condition. The lack of clear, distinct runway and taxiway markings that safely guide pilots to and from the runway is a safety issue and contributes to ground incursions. After discussions with the CDOA, the CDOA agreed to allow the Town to use the remaining funds in the 2012 grant to perform this pavement marking work.

At the January 13, 2015 Regular Board of Trustees Meeting, a street striping contract was awarded to Road Safe Traffic Systems, Inc. for the 2015 Street Striping Project. Along with street striping, Road Safe also performs striping for airports.

Staff has worked with Road Safe to obtain a bid to perform pavement marking work at the Erie Municipal Airport.

Staff is recommending awarding the service contract for the Pavement Marking Project to Road Safe Traffic Systems, Inc. in the amount of $21,415.00.

Project Budget Summary

Contract	$	21,415.00
Contingency (20%)	$	4,085.00
Total	$	25,500.00

Project	FAA	CDOA	Town	Total
Pavement Marking Project	$ -	$ 22,950.00	$ 2,550.00	$ 25,500.00
Total	**$ -**	**$ 22,950.00**	**$ 2,550.00**	**$ 25,500.00**

The project will cost the Airport Enterprise Fund a maximum of $2,550.00. Although this project was not in the 2015 budget, the Town has funds allocated towards a Snow Removal Equipment building that will not be constructed this year. A new budget line item will be included in the supplemental budget if the project is approved by the Board of Trustees.

Project Schedule

Notice of Award	June 23, 2015
Notice to Proceed	June 30, 2015
Construction Complete	July 2015

Staff Review:

_____ **Town Attorney**
_____ **Town Clerk**
_____ **Community Development Director**
_____ **Finance Director**
_____ **Police Chief**
_____ **Public Works Director**

Approved by:

A.J. Krieger
Town Administrator

ATTACHMENTS:

a. Resolution 15-82

RESOLUTION NO. 15-82

A RESOLUTION OF THE TOWN OF ERIE, COLORADO AUTHORIZING THE AWARD OF A PAVEMENT MARKING CONTRACT TO ROAD SAFE TRAFFIC SYSTEMS INC FOR THE ERIE MUNICPAL AIRPORT PROJECT IN THE AMOUNT OF $21,415.00; AND, SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, in 2012 the Town performed Runway Repair Project (12-EIK-01) and received a grant from the Colorado Division of Aeronautics (CDOA); and

WHEREAS, CDOA has agreed to allow the Town to use remaining funds to perform needed pavement marking work; and

WHEREAS, the Board of Trustees of the Town of Erie believes it is in the best interest of the Town to complete this work.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, AS FOLLOWS:

Section 1. That the award of a contract to Road Safe Traffic Systems, Inc. for Pavement Marking at the Erie Municipal Airport, is found to be a reasonable and acceptable contract.

Section 2. That the Town of Erie be and is hereby authorized and directed to award the contract to Road Safe Traffic Systems, Inc. and appropriate Town Officers are hereby authorized and directed to execute the agreement and expenditures of funds in the amount of $21,415.00.

Section 3. That entering into this contract is found to be in the best interest of the Town of Erie and necessary for the preservation of the public health and safety.

ADOPTED AND APPROVED THIS 23RD DAY OF JUNE, 2015 BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO.

TOWN OF ERIE,
a Colorado Municipal Corporation

By _____
Tina Harris, Mayor

ATTEST:

_____
Nancy J. Parker, CMC, Town Clerk

Agreement For Services

THIS AGREEMENT FOR SERVICES ("Agreement") is made and entered into this _____ day of _____ _____, 2015, by and between **Road Safe Traffic Systems**, whose address is **3537 Delgany Street, Denver, Colorado 80216** (hereinafter referred to as "Contractor") and the TOWN OF ERIE, COLORADO, a Colorado municipal corporation, whose address is 645 Holbrook Street, P.O. Box 750, Erie, Colorado 80516 (hereinafter referred to as "Town" or "Erie").

W I T N E S S E T H

WHEREAS, the Town desires to engage the Vendor to render the services described in this Agreement and the Vendor is qualified and willing to perform such services in accordance with, and subject to the provisions of this Agreement; and,

WHEREAS, legal authority exists to engage the Vendor and sufficient funds have been budgeted and are available for the work to be performed by the Vendor under this Agreement, and other necessary approvals have been obtained.

NOW, THEREFORE, in consideration of the mutual promises, covenants and obligations of the parties hereto, the terms, covenants and conditions hereof, and intending to be legally bound, the Town and the Vendor agree as follows:

1. The Project. The Vendor's services are engaged under this Agreement for the following project: **2015 Erie Municipal Airport Pavement Marking (P15-723)** ("Project").

2. Vendor's Services. The Vendor shall, during the term of this Agreement, provide the services to the Town as set forth in Exhibit "A," attached hereto and incorporated herein by this reference (the "Services"). The Vendor shall perform the Services competently, efficiently, and in accordance with the highest standards of its profession. The Vendor shall perform the Services meeting all industry safety standards.

3. Additional Services. The Town may request the Vendor to perform additional work or phases of the Project in addition to the Services. The Vendor agrees to perform the additional work or phases of the Project if the Town so requests, either pursuant to an amendment to this Agreement or a new agreement in which the Town and the Vendor shall define the scope of, and additional payment for, the additional work..

4. Pricing. Pricing, including discounts, set forth in the bid shall remain in effect during the term of the Agreement.

5. Warranties. The Vendor warrants that all services supplied under the Agreement shall conform with applicable drawings, specifications, samples, and/or other descriptions given to the Town, and that they shall be free from defects. Without limitation of any rights which the Town may have by reason of any breach of warranty, services which are not as warranted may be rejected at the Vendor's sole expense within a reasonable time after performance, either for credit or reperformance as the Town may direct.

6. Compensation. In consideration for the performance of the Services, the Town shall pay to the Vendor in accordance with the payment schedule, as set forth in Exhibit "A," attached hereto and incorporated herein by this reference.

7. Inspection and Acceptance. The Town shall inspect the serviced area within a reasonable time after services have been performed by the Vendor. The Town shall not be deemed to have accepted the performance until it has inspected the serviced area and has found the area acceptable in its sole discretion and has indicated its acceptance in writing.

8. Commencement and Completion of Services. The Vendor understands and agrees that time is an essential requirement of this Agreement. The term of this Agreement shall commence on the date of this agreement and shall end on December 31, 2015. The Services shall be completed as soon as good practice and due diligence will permit.

9. Termination.

A. This Agreement may be terminated by either party upon Ten (10) days prior written notice to the other party in the event of a substantial failure by the other party to fulfill its obligations under this Agreement through no fault of the terminating party.

B. This Agreement may be terminated by the Town in its sole discretion upon Ten (10) days prior written notice to the Vendor.

C. In the event of termination as provided for in this paragraph, the Town shall pay the Vendor in full for Services performed to the date of notice of termination plus any Services the Town deems necessary during the notice period. Said compensation shall be paid upon the Contractor's delivering or otherwise making available to the Town all data, drawings, specifications, reports, estimates, summaries and such other information and materials as may have been accumulated by the Vendor in performing the Services included in this Agreement, whether completed or in progress.

10. Insurance.

10.1 Vendor shall procure and maintain, and shall cause any subvendor of Vendor to procure and maintain, the minimum insurance coverages listed below. Such coverages shall be procured and maintained with forms and insurers acceptable to the Town. All coverages shall be continuously maintained to cover all liability, claims, demands, and other obligations assumed by Vendor pursuant to paragraph 17 of this Agreement. In case of any claims made policy, the necessary retroactive dates and extended reporting periods shall be procured to maintain such continuous coverage.

A. Workmen's Compensation Insurance and Employer's Liability Insurance to cover obligations imposed by applicable laws for any employee of Contractor or a subcontractor engaged in the performance of work under this Agreement. In the event Vendor is a sole proprietor with no employees, the Workman's Compensation Insurance required herein may be waived.

B. General liability insurance with minimum combined single limits of One Million Dollars ($1,000,000) each occurrence and One Million Dollars ($1,000,000) aggregate. The policy shall be applicable to all premises and operations. The policy shall include coverage for bodily injury, broad form property damage (including completed operations), personal injury (including coverage for contractual and employees' acts), blanket contractual, products, and completed operations. The policy shall contain a severability of interests provision.

C. Comprehensive Automobile Liability insurance within single limits for bodily injury and property damage of not less than One Million Dollars ($1,000,000) each occurrence and One Million Dollars ($1,000,000) aggregate with respect to each of Contractor's owned, hired or non-owned vehicles assigned to or used in the performance of this Agreement. The policy shall contain a severability of interests provision.

The policies required by subparagraphs B and C, above shall be endorsed to include the Town and the Town's officers and employees as additional insureds. Every policy required above shall be primary insurance, and any insurance carried by the Town, its officers, or its employees, or carried by or provided through any insurance pool of the Town, shall be excess and not contributory insurance to that provided by the Contractor. The Vendor shall be solely responsible for any deductible losses under any policy require above.

A certificate of insurance shall be completed by the Vendor's insurance agent and provided to the Town as evidence that policies providing the required coverages, conditions, and minimum limits are in full force and effect, and shall be reviewed and approved by the Town prior to commencement of the Agreement. The certificate shall identify this Agreement and shall provide that the coverages afforded under the policies shall not be cancelled until at least thirty (30) days prior written notice has been given to the Town. Vendor shall notify the Town within ten (10) days if the coverages afforded under the policies are materially changed. The completed Certificate of Insurance shall be sent to:

Town Clerk
Town of Erie
PO Box 750
Erie, CO 80516

Notwithstanding any other portion of this Agreement, failure on the part of Vendor to procure or maintain policies providing the required coverages, conditions, and minimum limits shall constitute a material breach of this Agreement for which the Town may immediately terminate this Agreement, or, at its discretion, the Town may procure or renew any such policy or any extended reporting period thereto and may pay any and all premiums in connection therewith, and all money so paid by the Town shall be repaid by the Vendor to the Town upon demand, or the Town may offset the cost of the premiums against any money due to the Vendor from the Town.

The parties hereto understand and agree that the Town is relying on, and does not waive or intend to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, Section 24-10-101, et seq., C.R.S., as from time to time amended, or any other law, protection or limitation otherwise available to the Town, its officers, or its employees.

11. Payment of Subvendors. Vendor shall agreement with and pay any and all subvendors used by Vendor in the performance of the Services. The Town shall in no event have any liability to any subvendor, and Vendor shall hold the Town harmless with respect to any payments alleged to be due to Vendor's subvendor.

12. Compliance with Applicable Laws. In connection with the execution of this Agreement, the Contractor shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, or disability. Such actions shall include, but not be limited to the following: employment; upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Vendor shall comply with the Americans with Disabilities Act (Public Law 101-336), and all applicable regulations and rules promulgated by the Equal Employment Opportunity Commission and the Colorado Civil Rights Commission. At all times during the performance of the Agreement, Vendor shall strictly adhere to all applicable federal, state and Town laws that have been or may hereafter be established. This shall include, without limitation, the United States Department of Labor standards. As used in this paragraph, and hereafter, the term "laws" shall include, without limitation, all federal, state and Town codes, charters, ordinances, laws, standards, rules and regulations. The indemnification and termination provisions of this Agreement shall apply with respect to Vendor's failure to comply with all applicable laws or regulations.

12A. No Discrimination in Employment. In connection with the performance of work under this Agreement, VENDOR agrees not to refuse to hire, discharge, promote or demote, or to discriminate in matters of compensation against any person otherwise qualified on the basis of race, color, ancestry, creed, religion, national origin, gender, age, military status, sexual orientation, marital status, or physical or mental disability and further agrees to insert the foregoing provision in all subcontracts hereunder.

13. Prohibited Interest.

A. The Vendor agrees that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of its Services hereunder. The Vendor further agrees that in the performance of the Agreement, no person having any such interest shall be employed.

B. No official or employee of the Town shall have any interest, direct or indirect, in the Vendor, this Agreement or the proceeds therefrom.

14. Independent Vendor. The Vendor shall perform all Services as an independent Vendor, and nothing in this Agreement is intended to or shall create a relationship of employer-employee, joint venturers, or partners, between the parties. The Vendor shall be solely responsible for all federal and state income taxes attributable to the monies payable to the Vendor for the Services.

15. Obligation of Non-Disclosure. The Vendor agrees to keep confidential any and all drawings, reports, documents, memoranda, research, plans, analysis, maps, photographs, designs, information and work product either provided by the Town or generated by the Vendor pursuant to this Agreement, or provided to the Vendor by other Vendors. Vendor shall make use of the information or items set forth hereinabove for any purpose, including public hearings of the Town, as expressly directed by the Town, for the Town's benefit. Vendor shall not use the information or items set forth hereinabove for its own account, or another's account, or in any manner detrimental to the Town. The Town acknowledges the need to share said information and items referred to hereinabove with the Vendor's subvendors under this Agreement, and hereby approves such sharing and use.

16. Release of Liability. Acceptance by the Vendor of the last payment shall be a release to the Town and every officer and agent thereof from all claims and liability hereunder for anything done or furnished for or relating to the Agreement and the services provided thereunder or for any act or neglect of the Town or of any person relating to the Agreement and the services provided thereunder.

17. No Waiver of Rights. Neither the inspection by the Town or any of its officials, employees, or agents, nor any order by the Town for payment of money, or any payment for, or acceptance of, the whole or any part of the services by the Town, nor any extension of time, nor any possession taken by the Town or its employees, shall operate as a waiver of any provision of the Agreement, or of any power reserved to the Town therein, or any right to damages provided therein, nor shall any waiver of any breach in the Agreement be held to be a waiver of any other or subsequent breach.

18. Professional Liability. The Vendor shall exercise in its performance of the Services hereunder the standard of care required by Colorado law. The Vendor shall be liable to the Town for any loss, damages, or costs incurred by the Town for the repair, replacement or correction of any part of the Project which is deficient or defective as a result of any failure of the Vendor to comply with this standard.

19. Communications. All communications relating to the day-to-day Services shall be exchanged between the respective Project representatives of the Town and the Vendor who will be designated by the parties promptly upon commencement of the Services.

20. Indemnification. Vendor agrees to indemnify and save harmless the Town against any and all claims, debts, demands, damages or obligations which may be asserted against the Town arising by reason of, or in connection with, any alleged act or omission of Vendor or any person claiming under, by or through Vendor, at Vendor's own expense using those attorneys that the Town deems appropriate. If, however, it becomes necessary for the Town to defend any action arising by reason of, or in connection with, any alleged act or omission of Vendor or any person claiming under, by or through Vendor seeking to impose liability for such claim or demand, Vendor shall pay all court costs, witness fees, expert witness fees, and attorney's fees, incurred by the Town in effecting such defense in addition to any other sums which the Town may be called upon to pay by reason of the entry of any judgment, assessment, bond, writ or levy against the Town in the litigation in which such claims are asserted. Vendor shall be subrogated to any and all amounts paid by it on behalf of the Town to any claims that the Town may have as a result of said payments to any person or third persons which are the reason or cause of said payments.

21. Patent Guarantee. The Vendor shall, with respect to any device or composition of the Vendor's design or standard manufacture, indemnify and hold harmless the Town, its employees, officers and agents, from costs and damage as finally determined by any court of competent jurisdiction for infringement of any United Sates Letters Patent, by reason of the sale of normal use of such device or composition, provided that the Vendor is promptly notified of all such actual or potential infringement suits and is given an opportunity to participate in the defense there of by the Town.

22. No Assignment. Vendor's duties and obligations pursuant to this Agreement require a particular expertise and skill, and may not be assigned to any third party or agency without the express written consent of the Town, which consent may be withheld at the

sole discretion of the Town.

23. Notices. Any notices required or permitted hereunder shall be sufficient if personally delivered or if sent by certified mail, return receipt requested, addressed as follows:

If to the Town:	Director of Public Works Town of Erie P.O. Box 750 Erie, Colorado 80516
With a copy (which shall not constitute notice) to:	Mark R. Shapiro Mark R. Shapiro, P.C. 1650 38th Street, Suite 103 Boulder, Colorado 80301
If to the Contractor:	Robert Streno Road Safe Traffic Systems 3537 Delgany Street Denver, Colorado 80216

Notices personally delivered shall be effective upon delivery. Mailed notices shall be effective three (3) business days after mailing.

24. Agreement Subject to Annual Appropriation.

A. The parties hereto understand and agree that sufficient funds have been appropriated and budgeted for compensation for work done pursuant to this Agreement for the current fiscal year ending December 31, 2015. This is a full and lawful appropriation as required by appropriate statute for this project. In the event that the Town fails to appropriate sufficient funds to cover any compensation which may become due for the fiscal year beginning January 1, 2016, then, and in that event, this Agreement shall immediately terminate as of December 31, 2015, without further action of any party. The Town shall provide notice to Contractor prior to December 31, 2015, as to whether an appropriation has been made for further work anticipated following December 31, 2015.

B. The amount of money appropriated by the Town is sufficient to pay the Agreement amounts due herein for the current fiscal year.

C. The Town shall be prohibited from issuing any change order or other form of order or directive requiring additional compensable work to be performed, which work causes the aggregate amount payable under this Agreement to exceed the amount appropriated for the original Agreement, unless Vendor is given written assurance by the Town that lawful appropriations to cover the cost of the additional work have been made or unless such work is covered under a remedy-granting provision in this Agreement.

25. Prohibition Against Employment of Illegal Aliens.

A. By its signature on this Agreement, Consultant certifies that, as of the time of its signature, it does not knowingly employ or contract with an illegal alien and that, in order to verify that it does not employ any illegal aliens, the Consultant will participate in the E-Verify Program created in Public Law 104-208, as amended, and expanded in Public Law 108-156, as amended, administered by the United States Department of Homeland Security and the Social Security Administration.

B. Consultant agrees that it shall not knowingly employ or contract with an illegal alien to perform work under this Agreement; and that it shall not enter into a contract with a subcontractor that fails to certify to the Consultant that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this contract.

C. Consultant has verified through participation in the E-Verify Program that the Consultant does not employ any illegal aliens.

D. Consultant shall not use the E-Verify Program procedures to undertake preemployment screening of job applicants while work under this Agreement is being performed.

E. If Consultant obtains actual knowledge that a subcontractor performing work under this Agreement knowingly employs or contracts with an illegal alien, the Consultant shall: (1) notify the subcontractor and the Town within three days that the Consultant has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and (2) terminate the subcontract with the subcontractor if, within three days of receiving the notice required herein, the subcontractor does not stop employing or contracting with the illegal alien; except that the Consultant shall not terminate the contract with the subcontractor if during such three days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.

F. The Consultant shall comply with any reasonable request by the Colorado Department of Labor and Employment made in the course of an investigation that the Department is undertaking pursuant to the authority established in C.R.S. section 8-17.5-101(5).

G. If Consultant violates a provision of this Illegal Alien section, the Town may terminate this Agreement for breach of contract. If the Agreement is so terminated, the Consultant shall be liable for actual and consequential damages to the Town. Consultant understands that, in the event of such a termination, Town is required to notify the office of the Colorado Secretary of State.

26. Attorney's Fees; Interest. In any action brought to enforce the provision(s) of this Agreement, the prevailing party shall be entitled to an award of all reasonable attorney's fees and costs, including expert witness' fees, expended or incurred, to be recovered as part of the costs therein. Any fees and expenses not paid to Vendor by the Town when due shall earn interest at the rate of twelve percent (12%) per annum.

27. Waiver. Failure to insist upon strict compliance with any of the terms, covenants, and/or conditions hereof shall not be deemed a waiver of such terms, covenants or conditions, nor shall any waiver or relinquishment of any right or power hereunder at any one time or more times be deemed a waiver or relinquishment of such right or power at any other time or times.

28. Amendments to Agreement. No changes, alterations or modifications to any of the provisions hereof shall be effective unless contained in a written agreement signed by both parties.

29. Entire Agreement. This Agreement shall constitute the entire agreement between the parties hereto and shall supersede all prior contracts, proposals, representations, negotiations and letters of intent, whether written or oral, pertaining to the Services.

30. Situs, Venue and Severability. The laws of the State of Colorado shall govern the interpretation, validity, performance and enforcement of this Agreement. For the resolution of any dispute arising hereunder, venue shall be in the Courts of the County of Weld, State of Colorado. If any provision of this Agreement shall be held to be invalid or unenforceable, the validity and enforceability of the remaining provisions of this Agreement shall not be affected thereby.

31. Paragraph Headings. Paragraph headings are inserted for convenience only and in no way limit or define the interpretation to be placed upon this Agreement.

32. Binding Agreement. This Agreement shall be binding upon and for the benefit of the parties hereto, their successors and assigns.

33. Renewal Amendment. The Town may require continued performance for a period of one year of any services and terms specified in the contract. The Town may exercise the option by written notice to the Vendor deposited in the mail before the end of the performance period of the contract using a form substantially equivalent to the Town's option to Exercise Renewal Amendment. The Town shall give the Vendor thirty (30) days' preliminary written notice of its intent to execute the amendment. Preliminary notice does not commit the Town to an extension. If the Town exercises this option, the extended contract shall be considered to include this option provision. The total duration of this contract, including the exercise of any options under this clause, shall not exceed three (3) years. Financial obligations of the Town payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available. In the event funds for that purpose are not appropriated, budgeted, or otherwise made available, then, in that event, there shall be no extension of this Agreement/Contract, and this Agreement/Contract shall immediately terminate as of the end of the current year.

34. Price Increases. Prices shall remain firm through December 31, 2015. The Vendor may seek a price increase, not to exceed 2% of the then current price, in any succeeding period, by submitting detailed written justification to the Town's representative as designated in the "Notices" section of this contract. This increase shall be negotiated with the Vendor provided the Town executes the Renewal Option. In the event the negotiations do not result in any agreement between both parties, this contract may be canceled and may be rebid with no penalty to the Town.

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

TOWN:

TOWN OF ERIE,
a Colorado municipal corporation

By:_____
Tina Harris, Mayor

ATTEST:

By:_____
Nancy Parker, Town Clerk

CONTRACTOR: RoadSafe Traffic Systems, Inc.

By: _____ **Robert Streno**
Estimator

ATTEST:

By:_____

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: June 23, 2015

SUBJECT:	**CONSENT AGENDA** Consideration of Resolution 15-83: A Resolution Accepting Colorado Discretionary Aviation Grant Agreement Amendment; And, Setting Forth Details in Relation Thereto.
DEPARTMENT:	Public Works
PRESENTER:	**Gary Behlen, Director of Public Works** **Russell Pennington, Deputy Director Public Works**
FISCAL INFORMATION:	Cost as Recommended: **$ 0** Balance Available: $ 0 Budget Line Item Number: 000 . 00 . 000 . 000000 . 000000 New Appropriation Required: ☐ Yes ☒ No
STAFF RECOMMENDATION:	**Approve Resolution 15-83, accepting Colorado Discretionary Aviation Grant Agreement Amendment, authorizing the Mayor to sign the said agreement.**

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The Colorado Division of Aeronautics (CDOA) has requested that the Town execute the attached Grant Agreement Amendment. This amendment extends the current agreement's timeframe with the CDOA for the grant for the Airport Master Plan and the Runway Repair Project. The new agreement deadline will be 06/30/2016.

It is anticipated that the Airport Master Plan will be completed later this year. The Runway Repair Project consists of striping of the north end of the runway and should be completed in July if approved by the Board of Trustees.

Also attached to this agreement is a Letter of Attestation. Since the Mayor has changed since the original agreement was executed, this Letter of Attestation is required to be executed to allow the current Mayor to sign the agreement amendment.

Staff Review:

_____ **Town Attorney**
_____ **Town Clerk**
_____ **Community Development Director**
_____ **Finance Director**
_____ **Police Chief**
_____ **Director of Public Works**

Approved by:

A.J. Krieger
Town Administrator

ATTACHMENTS:

a. Resolution 15-83
b. CDOT Colorado Aeronautical Board Grant Agreement Amendment (3)
c. Letter of Attestation

RESOLUTION NO. 15-83

A RESOLUTION ACCEPTING A COLORADO DISCRETIONARY AVIATION GRANT AMENDMENT FROM THE COLORADO DEPARTMENT OF TRANSPORTATION – DIVISION OF AERONAUTICS EXTENDING THE DEADLINE FOR THE GRANT FOR THE AIRPORT MASTER PLAND AND RUNWAY REPAIR PROJECT; AND SETTING FOR THE DETAILS IN RELATION THERETO.

WHEREAS, on March 9, 2012 the Town of Erie Board of Trustees and the Colorado Division of Aeronautics (CDOA) executed a grant for the Airport Master Plan Update; and

WHEREAS, CDOA has requested that the Town execute an amendment to extend this grant to June 30, 2016; and

WHEREAS, the Town of Erie Board of Trustees believes that it is in the best interest of the Town to accept this Grant Amendment;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, AS FOLLOWS:

Section 1. That the Grant Amendment Agreement between the Town of Erie and the Colorado Division of Aeronautics (CDOA) is found to be a reasonable and acceptable amendment.

Section 2. That the Town of Erie be and is hereby authorized and directed to enter into the Grant Amendment Agreement with the CDOA, and the appropriate Town officers are hereby authorized and directed to sign and bind the Town of Erie to said Agreement.

Section 3. That entering into the Grant Amendment Agreement is found to be in the best interest of the Town of Erie, and necessary for the preservation of the public health and safety.

ADOPTED AND APPROVED THIS 23RD DAY OF JUNE, 2015, BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO.

TOWN OF ERIE
a Colorado municipal corporation

By: _____
Tina Harris, Mayor

ATTEST:

By: _____
Nancy J. Parker, C.M.C., Town Clerk

LETTER OF ATTESTATION

I, _____ hereby certify that I am the
(Name of Officer)

_____ of _____
(Attesting Officer) (Legal Name)

named in the foregoing document with the State of Colorado; that said enterprise

is organized under the laws of the State of Colorado; that _____
(Name of Officer)

who signed said document was then _____
(Title of Officer)

of said enterprise, binding said enterprise to terms therein.

Subscribed and sworn to before me in the county of _____, State of Colorado, this _____ day of _____, 20____.

_____
(Notary's official signature)

_____
(Commission Expiration)

Notary
Seal

AERONAUTICS CONTRACT AMENDMENT

Amendment No. 2	Original Contract No. 12 HAV 39747	New Contract No. 14-HAA-ZL-00817-M0003
CDAG No. 12-EIK-01	SRM PO No. 491000062	Legacy PO No.

1) **PARTIES**
This Amendment to the above-referenced original Contract, (hereinafter called the "**Grant**"), is entered into by and between TOWN OF ERIE (hereinafter called "**Grantee**"), and the STATE OF COLORADO (hereinafter called the "**State**"), acting by and through the Department of Transportation, (hereinafter called "**CDOT**").

2) **EFFECTIVE DATE AND ENFORCEABILITY**
This Amendment shall not be effective or enforceable until it is approved and signed by the Colorado State Controller or designee, (hereinafter called the "**Effective Date**"). The State shall not be liable to pay or reimburse Contractor for any performance hereunder including, but not limited to, costs or expenses incurred, or be bound by any provision hereof prior to the Effective Date.

3) **FACTUAL RECITALS**

a. The Parties entered into the Grant for/to Participate in Federally-Funded Master Plan Update, Runway Repair, Realign RW33 Guidance Hold Sign for the Erie Municipal Airport.

b. The Parties now desire to do the following:

Extend Term Date 365 days to 06/30/2016.

4) **LIMITS OF EFFECT**
This Amendment is incorporated by reference into the Grant, and the Grant and all prior amendments thereto, if any, remain in full force and effect except as specifically modified herein.

5) **MODIFICATIONS**
The Grant and all prior amendments thereto, if any, are modified as follows:

Section 5A is hereby deleted in its entirety and replaced with the following language:

5. TERM

Exhibit A is hereby deleted in its entirety and replaced with Exhibit A-1.

A. Initial Term-Work Commencement

The Parties respective performances under this Grant shall commence on the Effective Date. This Grant shall terminate on 06/30/2016 unless sooner terminated or further extended as specified elsewhere herein.

Section 6B is hereby deleted in its entirety and replaced with the following language:

6. STATEMENT OF WORK

B. Completion

Grantee shall complete the Work and its other obligations as described herein and in Exhibit A-1 and in the plans and specifications for this project as approved by the FAA or Division on or before 06/30/2016. The State shall not be liable to compensate Grantee for and Work performed prior to the Effective Date or after the termination of this Grant.

6) **START DATE**
This Amendment shall take effect upon the date of the State Controller's signature.

7) **ORDER OF PRECEDENCE**
Except for the Special Provisions, in the event of any conflict, inconsistency, variance, or contradiction between the provisions of this Amendment and any of the provisions of the Grant, the provisions of this Amendment shall in all respects supersede, govern, and control. The most recent version of the Special Provisions incorporated into the Grant or any amendment shall always control other provisions in the Grant or any amendments.

8) **AVAILABLE FUNDS**
Financial obligations of the state payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted, or otherwise made available.

THE PARTIES HERETO HAVE EXECUTED THIS AGREEMENT

*** Persons signing for The Local Agency hereby swear and affirm that they are authorized to act on The Local Agency's behalf and acknowledge that the State is relying on their representations to that effect.**

THE GRANTEE TOWN OF ERIE	STATE OF COLORADO John W. Hickenlooper, GOVERNOR
By: Tina Harris Title: Mayor	Department of Transportation Shailen Bhatt, Executive Director
_____ *Signature	_____ By: Stanley J. Buck, Aeronautics Division Director
Date: _____	**Date:** _____

ALL AGREEMENTS REQUIRE APPROVAL BY THE STATE CONTROLLER

CRS §24-30-202 requires the State Controller to approve all State Agreements. This Agreement is not valid until signed and dated below by the State Controller or delegate. The Local Agency is not authorized to begin performance until such time. If The Local Agency begins performing prior thereto, the State of Colorado is not obligated to pay The Local Agency for such performance or for any goods and/or services provided hereunder.

STATE CONTROLLER
Robert Jaros, CPA, MBA, JD

By:_____
Colorado Department of Transportation

Date:_____

Colorado Division of Aeronautics
Discretionary Aviation Grant Application

Printed On: May 6, 2015

APPLICANT INFORMATION		
APPLICANT SPONSOR: Town of Erie	**AIRPORT:** Erie Municipal Airport	**IDENTIFIER:** EIK
PROJECT DIRECTOR: Russell Pennington		
MAILING ADDRESS: PO Box 750 Erie, CO 80516	**EMAIL ADDRESS:** rpennington@erieco.gov	
	PHONE NUMBER: (303) 926-2878	

PROJECT SUMMARY AND GRANT PROPOSAL

	TERMS	
12-EIK-01	Execution Date: March 9, 2012	Expiration Date: June 30, 2016

PROJECT SUMMARY
1. Master Plan Update
2. Rehabilitate Asphalt Ramp (Phase II)
3. Realign Runway 33/Taxiway A1 Guidance Sign and Hold Line

A copy of the most recently submitted CIP is included with this application.

IDENTIFY THE EXISTING PROBLEM
1. The existing Master Plan is approximately 10 years old and needs to be updated to reflect recent Airport Activity.

2. The asphalt ramp to the north and west of the FBO/Terminal Building is failed and desperately needs replacing. FOD is a continual problem on the apron as the asphalt is falling apart across the entire ramp.

3. The existing Runway 33 hold line at Txy A1 does not meet FAA Standards.

DEFINE THE PROPOSED PROJECT AND ESTIMATED SCHEDULE IN DETAIL
1. The primary objective of the airport master plan is to generate an attainable phased development plan concept that will satisfy the airport needs in a safe, efficient, economical and environmentally sound matter. The project will consist of inventory, forecasts, facility requirements, development alternatives, airport development, financial plans, and the airport layout plan.

2. Due to the size of the existing asphalt ramp that requires reconstruction (approximately 15K square yards), the project will need to be constructed over a three year period. Phase II of the ramp will take place in 2012 and will

rebuild approximately 5,200 square yards of the ramp. The project will consist of removing the existing asphalt to full depth, excavation to subgrade, over excavation, base course, asphalt paving, and pavement striping.

3. Realignment of the existing Runway 33 hold line at Txy A1 was originally part of the 2011 project. However, the FAA also wanted the adjacent guidance sign to be realigned as well and there was not enough money in the project budget to realign the guidance sign in the 2011 project. It has been added as a 2012 project. The existing hold line will be obliterated and then repainted perpendicular to the centerline of Txy A1. In addition, the existing guidance sign will be realigned to match the new hold line alignment, with will require conduit, wire, a new base for the sign and a new junction box.

FUNDING SUMMARY

Funding Source	Awarded	Remaining
State Aviation Grant:	$404,386.00	$130,703.26
Local Cash:	$52,338.00	$15,226.21
Local In-Kind:	$0.00	$0.00
Federal Aviation Grant:	$150,000.00	$14,326.10
Total Project Funding:	$606,724.00	$160,255.57

BUDGET SUMMARY

Participate in Federally funded master plan update

State	State %	Local	Local %	In Kind	Federal	Total
$8,333.00	5.00	$8,333.00	5.00		$150,000.00	$166,666.00

Runway repair

State	State %	Local	Local %	In Kind	Federal	Total
$306,408.00	90.00	$34,045.00	10.00		$0.00	$340,453.00

Re-align RW 33 guidance hold sign

State	State %	Local	Local %	In Kind	Federal	Total
$6,750.00	90.00	$750.00	10.00		$0.00	$7,500.00

Overmatch - Master plan update

State	State %	Local	Local %	In Kind	Federal	Total
$82,895.00	90.00	$9,210.00	10.00		$0.00	$92,105.00

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: June 23, 2015

SUBJECT:	**CONSENT:**
	Consideration of Ordinance 13-2015 (2nd Reading): An Ordinance Of The Town Of Erie, Colorado, Adopting Certain Findings Of Fact And Conclusions Unfavorable To The Application Of Waste Connections Of Colorado, Inc. For An Amendment To The "PD-Planned Development" To Allow A Liquid Waste Bulking Facility At The Front Range Landfill; Denying The Application For An Amendment To The "PD-Planned Development"; And, Setting Forth Details In Relation Thereto.
CODE:	Town of Erie Municipal Code, Title 10
DEPARTMENT:	Community Development
PRESENTER:	R. Martin Ostholthoff, Director

FISCAL INFORMATION:	Cost as Recommended:	na
	Balance Available:	na
	Budget Line Item Number:	000 . 00 . 000 . 000000 . 000000
	New Appropriation Required:	☐ Yes ☒ No

SUMMARY AND BACKGROUND OF SUBJECT MATTER

On May, 23, 2015 the Board of Trustees considered Ordinance 13-2015 and recommended denial of an amendment to the PD-Planned Development zoning to allow liquid waste bulking at the Front Range Landfill. Staff has provided a revised Ordinance 13-2015 denying the proposed PD-Planned Development Amendment for not being in compliance with three Approval Criteria of Section 7.6.D.9; Rezoning's – Planned Unit Developments (PUD), of Title 10 of the Municipal Code.

Staff Review:

_____ **Town Attorney**
_____ **Town Clerk**
_____ **Community Development Director**
_____ **Finance Director**
_____ **Police Chief**
_____ **Public Works Director**

Approved by:

A.J. Krieger
Town Administrator

ATTACHMENTS:

A. Ordinance 13-2015

ORDINANCE NO. 13-2015

Series of 2015

AN ORDINANCE OF THE TOWN OF ERIE, COLORADO, ADOPTING CERTAIN FINDINGS OF FACT AND CONCLUSIONS UNFAVORABLE TO THE APPLICATION OF WASTE CONNECTIONS OF COLORADO, INC. FOR AN AMENDMENT TO THE "PD - PLANNED DEVELOPMENT" TO ALLOW A LIQUID WASTE BULKING FACILITY AT THE FRONT RANGE LANDFILL; DENYING THE APPLICATION FOR AN AMENDMENT TO THE "PD - PLANNED DEVELOPMENT"; AND, SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, following a legally noticed and duly conducted Public Hearing held on May 12, 2015 and May 26, 2015, the Board of Trustees of the Town of Erie, Colorado ("Board"), considered the application of Waste Connections of Colorado, Inc., 1830 Weld County Road 5, Erie, Colorado 80516, for an Amendment to the Planned Development ("PD – Planned Development") zoning to allow a liquid waste bulking facility at the Front Range Landfill, located upon the following real property; to wit:

THE NORTHEAST QUARTER AND THE WEST HALF OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH P.M., TOWN OF ERIE, COUNTY OF WELD, STATE OF COLORADO

(the "Front Range Landfill"); and

WHEREAS, the Board finds that the Amendment to the PD – Planned Development will not preserve the health, safety, welfare and is not in the best interest of the citizens of the Town of Erie, Colorado.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, AS FOLLOWS:

Section 1. Findings of Fact.

1. Following a legally noticed and duly conducted Public Hearing, the Board found and determined that the application to amend the PD – Planned Development zoning to allow the liquid waste bulking facility on the Front Range Landfill is not in compliance with the following required approval criteria in Municipal Code Title 10, Section 7.6.D.9 – Approval Criteria, and specifically that:

   a. The planned Amendment to the PD – Planned Development zoning will not promote the public health, safety and general welfare.

   b. The planned Amendment to the PD – Planned Development zoning is likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, and such impacts will not be substantially mitigated.

c. The planned Amendment to the PD – Planned Development zoning is likely to result in significant adverse impacts upon other property in the vicinity of the subject property.

Section 2. Conclusions and Order Denying the application for an Amendment to the PD – Planned Development zoning for the Front Range Landfill.

Based upon the Findings of Fact, the Board finds and concludes that the application to amend the PD – Planned Development zoning to allow the liquid waste bulking facility on the Front Range Landfill is not in compliance with the required approval criteria found in Municipal Code Title 10, Section 7.6.D.9 – Approval Criteria, and based thereon, hereby denies the application for Amendment to the PD - Planned Development.

Section 3. Severance Clause. If an article, section, paragraph, sentence, clause or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees of the Town of Erie, Colorado hereby declares that it would have passed this Ordinance and each part or parts thereof, irrespective of the fact that any one part or parts may be declared invalid or unconstitutional.

Section 4. Repeal. All other ordinances, or parts of any ordinances or other Code provisions in conflict herewith are hereby repealed.

Section 5. Effective Date. This ordinance shall take effect thirty (30) days after publication following final passage.

INTRODUCED, PASSED, ADOPTED AND ORDER PUBLISHED IN FULL BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE THIS 9TH DAY OF JUNE, 2015.

PUBLISHED IN FULL ON THE _____ DAY OF _____, 2015.

TOWN OF ERIE, COLORADO, a Colorado municipal corporation

By: _____
Tina Harris, Mayor

ATTEST:

By: _____
Nancy Parker, Town Clerk

6/1/15

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: June 23, 2015

SUBJECT:	**PROCLAMATIONS/PRESENTATIONS** Presentation of 2014 Audit Report and Comprehensive Annual Financial Report.	
DEPARTMENT:	Finance	
PRESENTER:	**Steve Felten, Finance Director**	
FISCAL INFORMATION:	Cost as Recommended:	**N/A**
	Balance Available:	
	Budget Line Item Number:	000 . 00 . 000 . 000000 . 000000
	New Appropriation Required:	☐ Yes ☐ No
STAFF RECOMMENDATION:	**No action required – information purposes only**	

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The Comprehensive Annual Financial Report (CAFR) is the Town's official annual financial report. The audit of the financial statements for the year ended December 31, 2014, was performed by CliftonLarsonAllen (CLA). The Town received a favorable report (i.e., an unqualified opinion). A copy of the Town's CAFR is attached.

As part of the audit of the financial statements, CLA reviewed the Town's internal controls. CLA has provided a draft of their findings and recommendations, a copy of which is attached to this report. There were three findings. The first finding (see Attachment C) was related to approvals of requisitions in the absence of the Finance Director. The auditors noted three instances where the Deputy Finance Director approved requisitions while the Finance Director was on vacation. Our current policy (written in 2004) predates the creation of the Deputy Finance Director position, so does not provide for this authority, although such authority has been given to the deputy position by the Town Administrator and the Finance Director. Staff plans to update the purchasing policy in 2015 and will address this omission at that time.

The other two findings (see pages 141 and 142 of the CAFR) related to controls related to payroll activities. The first relates to lack of segregation of duties. Now that we have largely completed the installation of the new ERP system and NeoGov (the new employee recruiting and hiring system), we will revise our procedures to fully utilize the additional control features in the ERP system. We will also shift certain activities to Human Resources, greatly improving controls. The second finding relates to errors in the entry of pay rates. Both errors were minor and occurred when a staff position was temporarily open. However, as with the finding above, with the completion of the implementation of the new systems, we will be changing procedures and roles to reduce the risk of error.

Following is a brief commentary on the annual audit report. Representatives from CLA will also provide comments on the audit and internal control findings at the Board meeting and will be available for questions.

Comprehensive Annual Financial Report Summary:

The CAFR consists of four sections, as follows: the introductory section, the financial section, the statistical section, and the compliance section.

The introductory section includes a table of contents, a letter of transmittal, and a list of town officials. The auditors' opinion, management's discussion and analysis (MD&A), financial statements, and notes to the financial statements are found in the financial section. Also included in this section are schedules for those funds considered nonmajor (as defined by accounting standards), combining schedules, and budget variance schedules for the various funds. The statistical section includes required and optional statistical tables containing various types of information related to the Town's financial trends, revenue and debt capacity, demographic and economic data, and operating information. The compliance section consists of required disclosures related to certain outstanding bonds and the Local Highway Finance Report.

The CAFR is prepared in accordance with generally accepted accounting principles (GAAP) as issued by the Governmental Accounting Standards Board (GASB). The objective of the audit performed by CLA was to provide assurance that the CAFR is in conformity with those standards in all material respects. CLA issued an unqualified opinion on the Town's financials for 2014, a so-called "clean" opinion.

The Town also strives to prepare the CAFR to meet the standards of the Government Finance Officers Association's (GFOA) Certificate of Achievement for Excellence in Financial Reporting award program. This program encourages preparers of CAFR's to go beyond the minimum requirements of GAAP and strive for transparency and full disclosure in their CAFR. The Town has received this award for the years 2004-2013 and will submit the 2014 CAFR to GFOA for consideration for the award.

For readers new to CAFR's, reading MD&A (pages 17-29) provides a good starting point. MD&A provides an analysis and overview of the financial statements and results of operations. It also provides explanations of the various sections of the CAFR. In addition to the financial statements themselves, the footnotes are also a critical part of the CAFR. The footnotes (pages 47-70) provide information on accounting policies followed by the Town in preparation of the CAFR, details on specific financial statement items (e.g., deposits and investments), along with other important disclosures.

Audit Adjustments:

There were no audit adjustments to the 2014 financial results.

Action Required:

Presentation of the CAFR to the Board, which also serves as the Town's Audit Committee, is strictly for information purposes. No formal action or acceptance is required.

Staff Review:

_____ **Town Attorney**
_____ **Town Clerk**
_____ **Community Development Director**
_____ **Finance Director**
_____ **Police Chief**
_____ **Public Works Director**

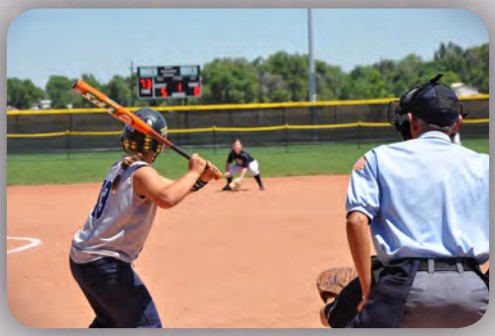
Approved by:

A.J. Krieger
Town Administrator

ATTACHMENTS:

a. Comprehensive Annual Financial Report for the year ended December 31, 2014.
b. Required Auditor Communication to Board – Letter to Those Charged with Governance
c. Auditors' Report on Internal Controls

TOWN OF ERIE | COLORADO



Comprehensive Annual Financial Report

TOWN OF ERIE
1874

For The Year Ended December 31, 2014

WWW.ERIECO.GOV

Town of Erie, Colorado

Comprehensive Annual Financial Report
For the fiscal year ended
December 31, 2014

Prepared by the Finance Department:

Steve Felten, CPA – Finance Director
Christine M. Morrison – Deputy Finance Director

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Town of Erie, Colorado

Comprehensive Annual Financial Report
For the fiscal year ended December 31, 2014

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Introductory Section

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June 18, 2015

To the Honorable Mayor, Members of the Board of Trustees, and Citizens of the Town of Erie:

State Law requires that all general-purpose local governments publish within six months of the close of each fiscal year a complete set of audited financial statements. Pursuant to that requirement, we hereby issue this comprehensive annual financial report of the Town of Erie (the Town) for the fiscal year ended December 31, 2014.

This report is management's representation concerning the Town's finances. Management assumes full responsibility for the completeness and reliability of the information presented in this report. To provide a reasonable basis for making these representations, Town management has established a comprehensive internal control framework designed both to protect the Town's assets from loss, theft, or misuse and to compile sufficient reliable information for the preparation of the Town's financial statements in conformity with Generally Accepted Accounting Principles (GAAP). Because the cost of internal controls should not outweigh their benefits, the Town's internal controls have been designed to provide reasonable rather than absolute assurance that the financial statements are free from material misstatement. As management, we assert that, to the best of our knowledge and belief, this financial report is complete and reliable in all material respects.

CliftonLarsonAllen LLP, a firm of licensed certified public accountants, has audited the Town's financial statements. The goal of the independent audit was to provide reasonable assurance that the financial statements of the Town for the fiscal year ended December 31, 2014, are free of material misstatement. The independent audit involved examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; assessing the accounting principles used and significant estimates made by management; and evaluating the overall financial statement presentation. The independent auditor concluded, based upon the audit, that there was a reasonable basis for rendering an unqualified opinion that the Town of Erie's financial statements for the fiscal year ended December 31, 2014, are fairly presented in conformity with GAAP. The independent auditors' report is presented at the beginning of the financial section of this report.

GAAP requires that management provide Management's Discussion and Analysis (MD&A), a narrative introduction, overview, and analysis to accompany the basic financial statements. This letter of transmittal should be read in conjunction with the MD&A. It is designed to complement the MD&A. The MD&A follows the independent auditors' report.

Profile of the Town

Erie was platted on January 25, 1871, and incorporated as the Town of Erie on November 16, 1874. It is the second oldest municipality in Weld County. Founded as a rural coal mining town, Erie is now located on the northern fringe of the Denver-Boulder Metropolitan Area. The estimated population of the Town at December 31, 2014, is approximately 22,000, with a planning area that includes 46 square miles in Boulder and Weld Counties. The Town levies property tax on real properties located within its boundaries, has a municipal sales and use tax, and is empowered by state statute to extend its corporate limits by annexation. Annexation occurs periodically when deemed appropriate by the governing Board and voters.

The Town has operated under the Trustee-Administrator form of government since its first meeting on November 16, 1874, as a statutory town. Policy-making and legislative authority are vested in the Board of Trustees (the Board) consisting of the mayor and six trustees. The Town's board is responsible for passing ordinances, adopting the budget, appointing committees, and hiring the Town's administrator, clerk, treasurer, and attorney. The Town's administrator is responsible for carrying out the goals, policies, and ordinances of the Board, for overseeing the day-to-day operations of the Town, and for appointing the heads of the various departments. The Board is elected on a nonpartisan basis. The mayor is elected for a two-year term and three trustees are elected for four-year terms at each biennial election. The mayor and trustees are elected at-large.

The Town provides a full range of services, including administration and finance; planning and building; police protection; public works, engineering, and street maintenance; and parks, trails, open space, and recreational activities. The Town also offers business-type services from its water, sewer, and storm drainage utilities; and the municipal airport. In addition, although they are separate legal entities, the Town has established the Town of Erie Urban Renewal Authority (URA) and the Town of Erie Housing Authority.

Other traditional municipal services such as fire protection and library services are provided to Erie's citizens by outside special districts not affiliated with the Town. Other utility services, such as electricity, gas, and trash services, are provided by private companies not affiliated with the Town. Since these organizations are not affiliated with the Town, their financial information is not reported in the Town's financial statements.

The annual budget serves as the foundation for the Town's financial planning and control. All departments submit requests for appropriation to the finance director on or before the last day of August each year. The finance director and Town administrator use these requests to begin developing a proposed budget. The budget is presented to the Board for review prior to October 15. The Board is required to hold public hearings on the proposed budget and to adopt a final budget no later than December 15. The Town's fiscal year ends on December 31. The appropriated budget is prepared by fund (e.g., general), department (e.g., police), and division (e.g., patrol). Department heads may transfer appropriations within a department. Transfers of appropriations between departments and funds, and appropriations increasing the budget, require Board of Trustee approval.

Budget-to-actual comparisons are provided in this report for each individual fund for which an appropriated annual budget has been adopted. For the General Fund and the Trails and Natural Areas Fund, budgetary comparisons are presented on pages 40 and 41, as part of the basic financial statements for the governmental funds. For all other governmental funds, these comparisons are presented in the nonmajor governmental funds subsection of this report, which begins on page 80. Budgetary comparisons for the proprietary funds begin on page 99.

Factors Affecting Financial Condition

A government's finances are related to the local and national economies. For example, a downturn in the local economy may reduce the government's revenues as well as increase the demand for services from its citizens. The information presented in the financial statements is perhaps best understood when it is considered from a broader perspective.

Local Economy

Until the mid-1990's the Town experienced very slow population growth. But since 2000 the Town's population has more than tripled, reflecting growth in single-family residential homes. To support that growth, the Town assesses permit, impact, and tap fees and uses this revenue to pay for improvements such as parks, recreation facilities, and transportation infrastructure. In addition, these fees are used to develop water resources and water, wastewater, and storm drainage infrastructure.

Town sales tax revenues, representing approximately 25% of General Fund revenues and other sources of funds, grew steadily through 2007. After experiencing a decline in sales tax revenues in 2008, sales tax revenues have increased each year since then, growing by 11% in 2014 compared to 2013 and exceeding the pre-recession high of by 44%. The Town expects that sales tax revenues will continue to grow as residential and commercial development occurs in and around the community. In particular, the opening of a King Soopers on Highway 7, currently expected in 2016, will significantly increase the Town's sales tax revenues. The Town continues to work on increasing the number of businesses throughout the community, including initiatives to enhance Historic Downtown Erie, Four Corners, Highway 287 and Arapahoe, and the Highway 7 corridor, among other areas of potential development.

Residential construction activity continued to show strength in 2014, with 291 permits issued compared to 248 in 2013. In preparing the Town's 2015 budget it was assumed that 400 residential permits would be issued. It is anticipated that building activity over the next few years will be significantly higher than in the 2009-2013 timeframe, barring an economic downturn. Currently five large developments with a planned total of approximately 5,400 dwelling units are under construction, with additional developments expected to begin construction activities in 2015.

The immediate vicinity, including the Town, Boulder County, and Weld County, has an employed labor force of about 300,000. The Town's major employers range from retail to engineering to education to light manufacturing. At December 31, 2014, the Town government had 166 full-time equivalent employees, making it one of Erie's top five employers. As indicated above, the community is expected to maintain strong growth of quality residential construction, leading to an expected doubling of population over the next 10 years or so. This growth should translate into corresponding growth in the number and variety of businesses expected in the community in the future.

Long-term Financial Planning

As discussed in more detail below, the Town continues to maintain strong fund balance positions in its various funds. The Board and management believes it is prudent to conserve its level of reserves as the Town experiences continued growth and expands and diversifies its commercial base. This growth can be expected to lead to increased levels of sales, use and property tax revenues, in addition to other revenue sources not directly dependent on residential development.

The Board and staff assess the need for additional capital improvements as part of its long-range planning process. As part of the annual budget process, staff updates projections of capital needs over the next five years. Projects currently in progress or under consideration include an expansion of and improvements to the Town's park system, various roadway projects, increases in the capacity of the water and wastewater systems, and additions to the Town's open space and trails. In addition, the Town is a participant in both the Windy Gap Project and the Northern Integrated Supply Project, parts of its efforts to ensure adequate water supplies as the Town grows.

Relevant Financial Policies

The Town adopted financial policies in 2003. These policies guide the financial operations of the Town and provide structure when developing the budget. The Town's budget policy provides that the fund balance in the General Fund will only be expended for one-time capital expenditures unless otherwise authorized by the Board of Trustees. The Town's operating reserve policy requires the Town to maintain a fund balance in the General Fund of 25% of the current year's budgeted operating expenditures, plus an additional reserve of $7.5 million to provide a funding source for services in the event of severe economic conditions. Enterprise funds must maintain a ninety-day operating and maintenance expense reserve. Total General Fund reserves at year-end 2014 were less than the policy goals described above due to advances to the URA to support its redevelopment efforts. These advances will be repaid as future urban renewal projects are undertaken and financed. But at almost 50% of related 2014 actual expenditures these reserve levels are very strong relative to similar towns. The strength of the Town's financial condition is evidenced by recent ratings of AA+ on its general obligation debt by Standard & Poor's.

Major Initiatives

The Town continues to provide necessary services to its residents. In 2014 the Town began construction of a public safety and municipal court building, acquired several open space properties, and began construction of a 4 million gallon water storage tank, in addition to several other projects to expand and improve the Town's infrastructure and amenities.

Awards and Acknowledgements

The Government Financial Officers Association of the United States and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the Town for its comprehensive annual financial report for the fiscal year ended December 31, 2013. This was the tenth consecutive year that the Town has received this prestigious award. In order to be awarded a Certificate of Achievement, a government must publish an easily readable and efficiently organized comprehensive annual financial report. This report must satisfy both generally accepted accounting principles and applicable legal requirements.

A Certificate of Achievement is valid for a period of one year only. We believe that our current comprehensive annual financial report continues to meet the Certificate of Achievement Program's requirements and we are submitting it to the GFOA to determine its eligibility for another certificate.

We would like to express our appreciation to all staff members who assisted and contributed to the preparation of this report. This report would not have been possible without the efficient and dedicated services of the entire staff of the finance and administration departments. Credit also must be given to the Mayor and the Board of Trustees for their unfailing support for maintaining the highest standards of professionalism in the management of the Town of Erie's finances.

Respectfully submitted,

A.J. Krieger
Town Administrator

Steve Felten, CPA
Finance Director

Government Finance Officers Association

Certificate of Achievement for Excellence in Financial Reporting

Presented to

Town of Erie

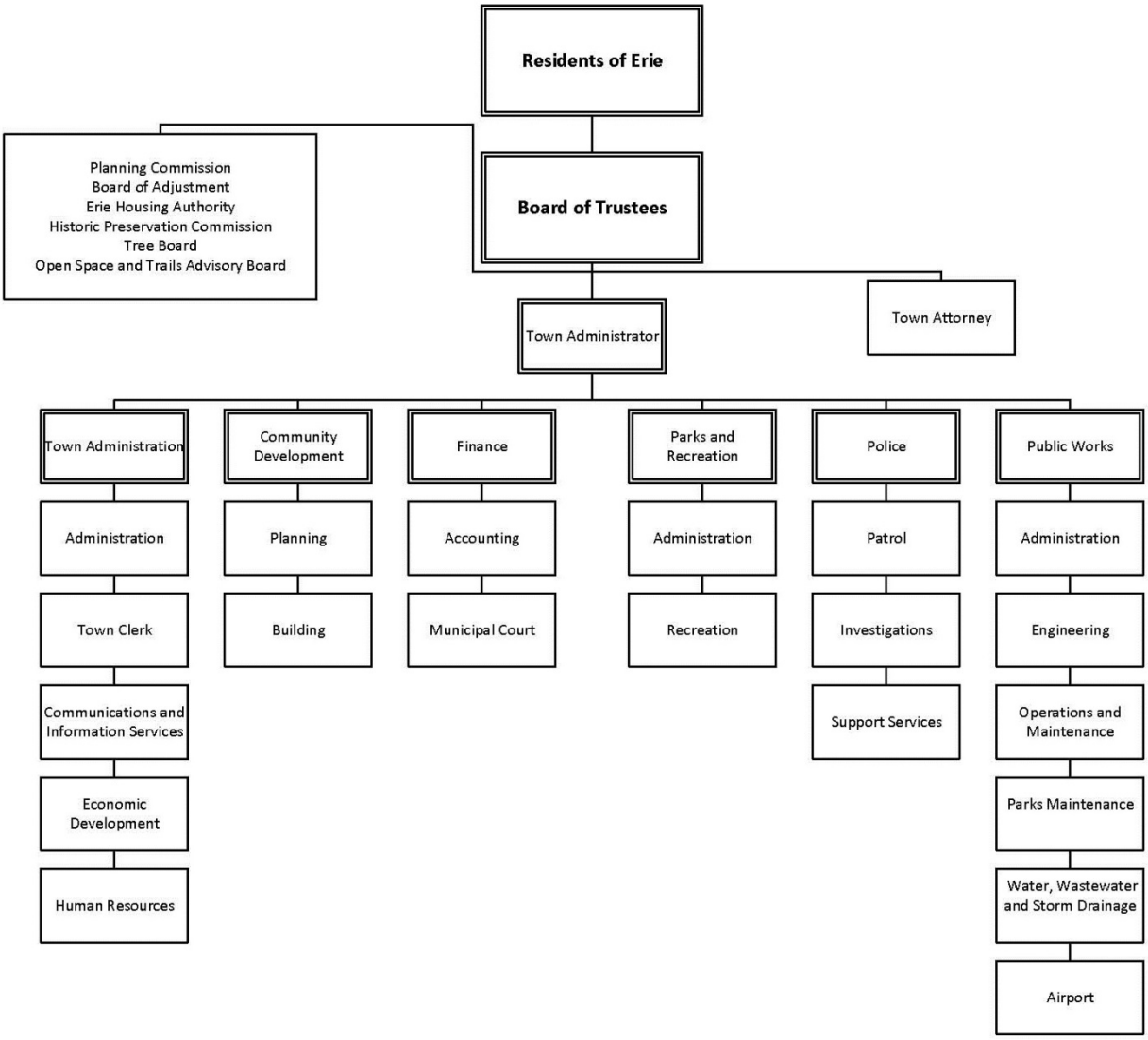
Colorado

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended

December 31, 2013

Executive Director/CEO

Organizational Chart



Town of Erie, Colorado
List of Town Officials

Elected Officials: Mayor and Board of Trustees

Tina Harris	Mayor
Mark Gruber	Mayor Pro-Tem
Jennifer Carroll	Trustee
Scott Charles	Trustee
Janice Moore	Trustee
Waylon Schutt	Trustee
Dan Woog	Trustee

Town Administration Officials

A.J. Krieger	Town Administrator
Mark Shapiro	Town Attorney
Nancy Parker	Town Clerk
Gary Behlen	Public Works Director
Farrell Buller	Parks and Recreation Director
Steve Felten	Finance Director
Marty Ostholthoff	Community Development Director
Marc Vasquez	Chief of Police

Note: List is as of the issuance date of this report.

Financial Section

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INDEPENDENT AUDITORS' REPORT

Board of Trustees
Town of Erie
Erie, Colorado

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Town of Erie, as of and for the year ended December 31, 2014, and the related notes to the financial statements, which collectively comprise the entity's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Town of Erie as of December 31, 2014, and the respective changes in financial position and, where applicable, cash flows thereof and the respective budgetary comparisons for the General Fund and the Trails and Natural Areas Fund for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages 17-29 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Town of Erie's basic financial statements. The combining and individual statements and schedules and Local Highway Finance Report are presented for purposes of additional analysis and are not a required part of the basic financial statements. The schedule of expenditures of federal awards, as required by U.S. Office of Management and Budget Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*, is also presented for purposes of additional analysis and is not a required part of the basic financial statements.

The combining and individual statements and schedules, Local Highway Finance Report, and the schedule of expenditures of federal awards are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

The introductory and statistical sections and the Water and Wastewater Enterprise Funds Continuing Disclosures have not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on them.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated June 18, 2015, on our consideration of the Town of Erie's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the result of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Town of Erie's internal control over financial reporting and compliance.

CliftonLarsonAllen LLP

CliftonLarsonAllen LLP

Greenwood Village, Colorado
June 18, 2015

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Management's Discussion and Analysis

The Town of Erie's (Town) management offers readers this narrative overview and analysis of the Town's financial activities for the fiscal year ended December 31, 2014. We encourage readers to consider the information presented here in conjunction with additional information furnished in the letter of transmittal, found earlier in this report. Amounts in this section are rounded for purposes of easier understanding.

Financial Highlights

- The Town's assets and deferred outflows of resources exceeded its liabilities and deferred inflows of resources at the end of 2014 by $277.5 million (net position). Of this amount, $30.8 million (unrestricted net position) may be used to meet the Town's ongoing obligations in accordance with financial policies.
- The Town's net position increased by $9.4 million, or 4%. Governmental net position increased by $3.2 million, or 3%, and business-type net position increased by $6.2 million, or 4%.
- At December 31, 2014, the Town's governmental funds reported combined ending fund balances of $31.7 million, an increase of $4.1 million from 2013.
- The General Fund, the Town's primary operating fund, reported unassigned fund balance of $7.9 million, representing 45% of actual 2014 expenditures.

Overview of the Financial Statements

This discussion and analysis is intended to serve as an introduction to the Town's basic financial statements. These consist of three components: (1) government-wide financial statements, (2) fund financial statements, and (3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements.

Government-wide financial statements. The *government-wide financial statements* are designed to provide readers with a broad overview of the Town's finances, in a manner similar to a private-sector business.

The *statement of net position* presents information on all of the Town's assets, deferred outflows of resources, liabilities, and deferred inflows of resources, with the difference between these categories reported as *net position*. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the Town is improving or deteriorating.

The *statement of activities* presents information showing how the Town's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., uncollected taxes and earned but unused vacation leave). One purpose of the design of the statement of activities is to show the financial reliance of the Town's distinct functions on revenues provided by the Town's taxpayers.

Both of the government-wide financial statements distinguish Town functions that are principally supported by taxes and intergovernmental revenues (governmental activities) from other functions that are intended to recover all or a significant portion of their costs through users fees and charges (business-type activities). The Town's governmental activities include general government (including the Town's urban renewal authority activities), public safety, public works, and parks and recreation. Business-type activities include the water system, wastewater system, storm drainage system, municipal airport, and the housing authority.

The government-wide financial statements can be found on pages 33-35 of this report.

Fund financial statements. A *fund* is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The Town, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the Town's funds can be divided into two categories: governmental funds and proprietary funds.

Governmental funds are used to account for essentially the same functions as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. This information may be useful in evaluating the Town's near term financing requirements.

Because the focus of governmental funds is narrower than that of government-wide financial statements, it is useful to compare the governmental funds information with similar information presented for governmental activities in the government-wide financial statements. By comparing the information, readers may better understand the long term impact of the Town's near term financing decisions. Both the governmental funds balance sheet and the governmental funds statement of revenues, expenditures, and changes in fund balances provide reconciliations to facilitate a comparison between governmental funds and governmental activities.

The Town has twelve individual governmental funds, including the Town's urban renewal authority (URA). The General Fund is considered a *major fund*, as is the Trails and Natural Areas Fund. Their fund information is presented separately in the governmental fund balance sheet and in the governmental fund statement of revenues, expenditures, and

changes in fund balances. The remaining individual governmental fund statements are provided in the form of combining statements in a later section of this report.

The Town adopts an annual appropriated budget for each of its governmental funds. Budgetary comparison statements for the General Fund and Trails and Natural Areas Fund are included in the basic financial statements to demonstrate compliance with the adopted budget.

The basic governmental fund financial statements can be found on pages 36-41 of this report.

Proprietary funds are used to account for essentially the same functions and information as business-type activities in the government-wide financial statements. The Town has five proprietary funds, also known as enterprise funds. Of these five funds, the Water Fund and Wastewater Fund are reported individually as major funds. Their fund information is presented separately in the proprietary funds statement of net position, statement of revenues, expenses, and changes in net position, and in the statement of cash flows. The remaining individual proprietary fund statements are provided in the form of combining statements in a later section of this report.

The Town adopts an annual appropriated budget for four of its proprietary funds. Budgetary comparisons for the proprietary funds are included in a later section of this report. An annual budget is not prepared for the housing authority.

The basic proprietary fund financial statements can be found on pages 42-44 of this report.

Notes to the Financial Statements. The accompanying notes to the financial statements provide information essential to a full understanding of the government-wide and fund financial statements. The notes to the financial statements can be found on pages 45-70 of this report.

Combining Statements for the nonmajor governmental funds and nonmajor proprietary funds (referred to earlier) are presented following the notes to the financial statements. In addition, budget schedules for nonmajor governmental funds and all of the proprietary funds other than the housing authority are also presented in this section. This information can be found on pages 71-102.

Government-wide Financial Analysis

Statement of Net Position. As noted above, over time net position may serve as a useful indicator of a government's financial position. As of December 31, 2014, the Town's net position (assets and deferred outflows of resources less liabilities and deferred inflows of resources) was $277.5 million, an increase of $9.4 million over the total at December 31, 2013. The Town reported positive balances in net position for both governmental and business-type activities. Net position increased by $3.2 million in its governmental activities and $6.2 million in its business-type activities.

The following table reflects the Town's condensed statement of net position.

Statement of Net Position as of December 31 *(in thousands)*

	Governmental Activities		Business-Type Activities		Total	
	2014	2013	2014	2013	2014	2013
Assets						
Current and other assets	$ 43,027	$ 38,633	$ 30,419	$ 30,452	$ 73,446	$ 69,085
Capital assets	97,531	92,939	218,831	217,086	316,362	310,025
Total Assets	140,558	131,572	249,250	247,538	389,808	379,110
Deferred Outflows of Resources	1,080	1,176	1,240	1,354	2,320	2,530
Liabilities						
Long-term liabilities	22,377	16,625	80,195	84,243	102,572	100,868
Other liabilities	6,584	6,914	1,262	1,817	7,846	8,731
Total Liabilities	28,961	23,539	81,457	86,060	110,418	109,599
Deferred Inflows of Resources	4,252	3,994	-	-	4,252	3,994
Net Position						
Net investment in capital assets	81,995	77,940	144,137	139,956	226,132	217,896
Restricted	18,522	19,769	1,960	1,699	20,482	21,468
Unrestricted	7,908	7,506	22,936	21,177	30,844	28,683
Total Net Position	$ 108,425	$ 105,215	$ 169,033	$ 162,832	$ 277,458	$ 268,047

The Town's net investment in capital assets represents 82% of its net position. These capital assets are used to provide necessary services to citizens and are therefore not available for future spending. It should be noted that the resources to repay the debt must be provided from other sources, since capital assets themselves cannot be liquidated to provide the resources.

Restricted net position accounts for 7% of its total net position, representing resources that are subject to external restrictions on how they may be used. The remaining component of net position is unrestricted, representing 11% of the Town's total net position and may be used to meet ongoing obligations to the Town's residents and creditors.

Statement of Activities. The following table provides a summary of the Town's statement of activities.

Statement of Activities for the year ending December 31 *(in thousands)*

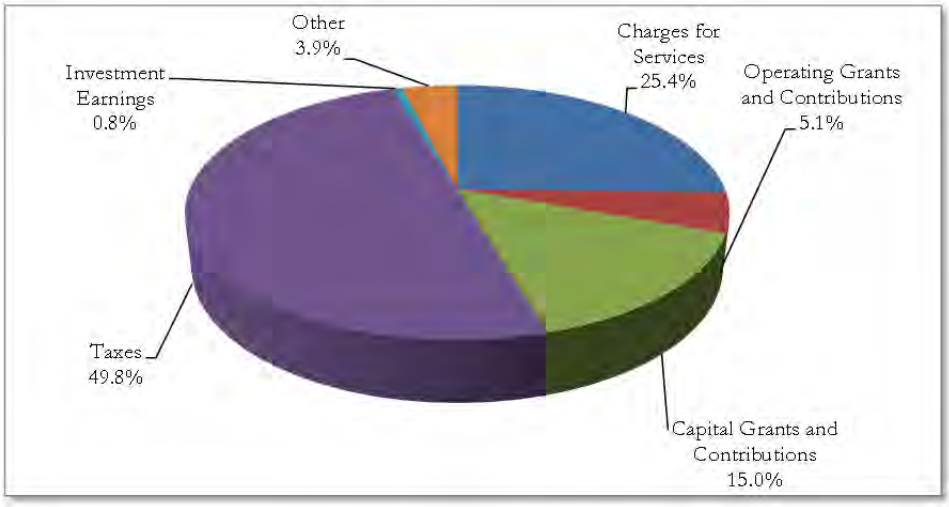
	Governmental Activities		Business-Type Activities		Total	
	2014	2013	2014	2013	2014	2013
Revenues						
Program revenues						
Charges for services	$ 5,405	$ 4,958	$ 11,292	$ 11,033	$ 16,697	$ 15,991
Operating grants and contributions	1,096	1,021	55	66	1,151	1,087
Capital grants and contributions	3,188	2,154	9,196	7,674	12,384	9,828
General revenues						
Taxes	10,621	9,816	-	-	10,621	9,816
Grants	208	104	-	-	208	104
Investment earnings	169	102	133	83	302	185
Other	614	213	61	376	675	589
Total revenues	21,301	18,368	20,737	19,232	42,038	37,600
Expenses						
General government	4,173	3,425	-	-	4,173	3,425
Public safety	2,811	2,563	-	-	2,811	2,563
Public works	5,607	5,365	-	-	5,607	5,365
Parks and recreation	4,591	4,528	-	-	4,591	4,528
Interest on long-term debt	681	649	-	-	681	649
Water	-	-	8,989	8,177	8,989	8,177
Wastewater	-	-	4,980	4,677	4,980	4,677
Storm drainage	-	-	413	447	413	447
Airport	-	-	263	446	263	446
Erie Housing Authority	-	-	119	111	119	111
Total expenses	17,863	16,530	14,764	13,858	32,627	30,388
Increase in net position before transfers	3,438	1,838	5,973	5,374	9,411	7,212
Transfers	(228)	(18)	228	18	-	-
Increase in net position	3,210	1,820	6,201	5,392	9,411	7,212
Net position - beginning - restated	105,215	103,395	162,832	157,440	268,047	260,835
Net position - ending	$ 108,425	$ 105,215	$ 169,033	$ 162,832	$ 277,458	$ 268,047

Governmental Activities – Revenues: During 2014, the Town's primary revenue sources for governmental operations were taxes, accounting for 50% of total governmental revenues. Charges for services made up 25% of total governmental revenues while capital grants and contributions represented 15%. Program revenues were $7.7 million less than expenses. This is an ordinary occurrence for governments and indicates that taxes provide a primary source of revenues to support governmental operations.

Taxes increased by $0.8 million, or 8%, due primarily to an increase of $0.7 million, or 15%, in sales and use taxes over 2013 amounts as the economy continued to improve and building activity increased. Capital grants and contributions increased $1.0 million, or 48%, primarily related to Federal and state grants for repairs due to the 2013 flood. Charges for services increased $0.4 million, or 9%, compared to 2013, reflecting increased levels of building permits and related development activity.

The following chart provides the breakdown of revenues by source for 2014:

2014 Revenues by Source – Governmental Activities



Governmental Activities – Expenses: Total governmental activities expenses were $17.9 million in 2014, an increase of $1.3 million, or 8%, compared to 2013. Public works expense represented the largest area of governmental expenses at 31% of total expenses in 2014. Parks and recreation expense made up 26% of the total, general government 23%, and public safety 16%, with interest expense accounting for the remaining 4% of total expenses. Contributing to the $1.3 million increase over 2013 was an increase of $0.5 million, or 7%, in personnel expense. This increase was due to positions added in 2013 and 2014 to support the Town's growth and annual pay increases. Positions added included two police officers, a planner, an engineer and a staff accountant. Also giving rise to the increase in expenses were litigation expense, repair costs related to the 2013 flood and higher depreciation expense.

The following chart provides a comparison of expenses by function compared to the related program revenues:

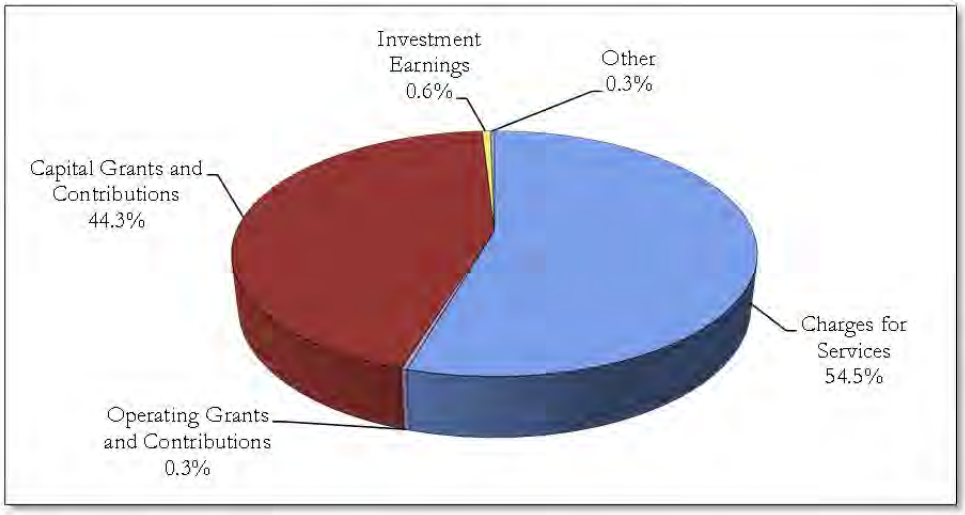
2014 Expenses and Offsetting Program Revenues – Governmental Activities

Business-type Activities – Revenues: Business-type activities primarily rely on charges for services to support related expenses. Charges for services of $11.3 million for business-type activities represented 54% of 2014 revenues, and increased $0.3 million, or 2%, compared to the prior year. This increase was due primarily to an increase in the number of customers.

The other primary source of revenue, representing 44% of revenues, comes primarily from capital contributions in the form of tap fees, developer-constructed donated capital and reimbursements, and grants. This source of revenue increased $1.5 million, or 20%, compared to 2013, due primarily to higher levels of tap fees and other related fees arising from the increase in residential building activity during 2014.

The following chart provides the breakdown of revenues by source for 2014:

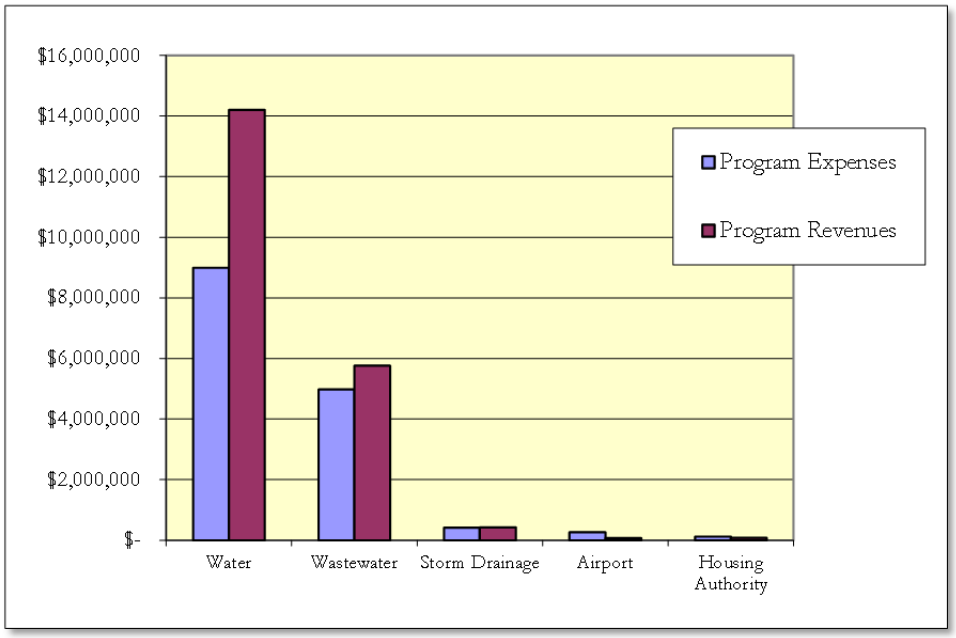
2014 Revenues by Source – Business-type Activities



Business-type Activities – Expenses: Business-type expenses were $14.8 million in 2014, an increase of $0.9 million, or 7%, compared to 2013. This increase was due in part to 2013 flood-related repairs and increased Colorado-Big Thompson assessment fees. In addition, personnel costs increased over 2013 due to staff additions in 2013 and 2014 to support the Town's growing water and wastewater infrastructure.

The following chart provides a comparison of expenses by function compared to the related program revenues:

2014 Program Expenses and Offsetting Program Revenues – Business-type Activities



Financial Analysis of the Town's Funds

As discussed earlier, the Town uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental Funds

The focus of the Town's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the Town's financing requirements. In particular, unassigned fund balance may serve as a useful measure of a government's net resources available for spending at the end of the fiscal year. Unassigned fund balance is one of five fund balance classifications, as follows: nonspendable, restricted, committed, assigned, and unassigned fund balance.

Fund balances are the differences between assets and deferred outflows of resources, and liabilities and deferred inflows of resources in a governmental fund. The nonspendable fund balance includes amounts that are not in spendable form, or amounts that are required to be maintained intact. Restricted fund balance includes amounts that can be spent only for the specific purposes stipulated by external providers, such as grant providers or bondholders, as well as amounts that are restricted constitutionally or through legislation. Committed fund balance includes amounts that can be used only for the specific purposes that are determined by a formal action of the government's highest level of decision making authority. Assigned fund balance applies to amounts that are intended for specific purposes as expressed by the

governing body and applies to remaining resources in any governmental fund other than the general fund. Unassigned fund balances include all amounts not contained in other classifications for the general fund, and deficit fund balances in any other governmental fund.

As of the end of the current fiscal year, the Town's governmental funds reported combined ending fund balances of $31.7 million. Of that amount, $4.6 million was nonspendable, $23.4 million was restricted, $0.2 million was committed $0.1 million was assigned, and $3.5 million was unassigned fund balance.

The General Fund, the primary operating fund of the Town, had a fund balance at December 31, 2014, of $19.8 million, of which $4.6 million was nonspendable, $7.2 million was restricted, and $0.1 million assigned. The remainder of the fund balance, or $7.9 million, was unassigned.

As just noted, the General Fund has $4.6 million in nonspendable fund balance. This amount primarily represents the noncurrent portion of advances to the urban renewal authority, used to fund operations and the acquisition of certain properties in planned urban renewal areas. This advance will be repaid by the URA as urban renewal projects are identified and tax increment bond financing related to these projects is obtained by the URA.

As a measure of the General Fund's liquidity, it is useful to compare unassigned fund balance to total fund expenditures. The unassigned fund balance of $7.9 million represents 45% of total General Fund expenditures for 2014. The Town has two General Fund reserve policies. The first is that a reserve of 25% of expenditures be maintained. Based on 2015 budgeted expenditures the required reserve is $3.9 million. In addition, the Board has established an additional reserve to allow the Town to maintain service levels during years when revenues decline due to economic conditions. This reserve was established at $7.5 million in 2010.

The General Fund unassigned fund balance of $7.9 million is less than the total of the two required policy reserves of $11.4 million. However, as noted above, at 45% of current expenditures, management considers the General Fund unassigned fund balance to be very strong in both absolute terms and in comparison to similar municipalities. In addition, repayment of the $4.6 million in advances to the URA will reduce the amount of nonspendable fund balance, increasing unassigned fund balance in an equal amount.

Providing additional strength to the General Fund are funds available in the Solid Waste/Streets Fund. Created in 2013, this fund originated through a transfer of $2.8 million in restricted funds from the General Fund. Permitted uses of these funds are expended through the General Fund, with the Solid Waste/Streets Fund transferring funds to the General Fund in an amount equal to these permitted expenditures. If the year-end fund balance of $2.1 million in this fund is added to the unassigned fund balance in the General Fund, the percentage of General Fund current expenditures covered grows to 64%.

Total fund balance of the General Fund increased $5.6 million for the current year. This increase reflected the receipt of proceeds from bonds issued in 2014 for the construction of

a new public safety and municipal court building, net of related construction expenditures on the building during 2014. Excluding the effect of the issuance of bonds for the new public safety building and related construction costs, General Fund total revenues and other sources of funds exceeded total expenditures and other uses of funds by approximately $0.8 million.

The other major governmental fund in 2014 was the Trails and Natural Areas Fund. The Trails and Natural Areas Fund's primary revenue source is property tax, arising from a 4 mill levy originally approved by voters in 2004. Revenues of the fund are used to acquire, construct and develop trails and open space. Revenues and other fund sources of the fund for 2014 were $1.3 million and expenditures were $2.4 million, resulting in a reduction in fund balance of $1.1 million. Expenditures for 2014 reflected the purchase of several open space parcels and trail construction.

Fund balances remain strong in the other governmental funds. Excluding the Town's urban renewal authority, a total of $13.5 million in fund balances are restricted or committed for future capital outlays and similar purposes.

See Note I.D.9. on pages 53-54, Note II.B. on page 55 and Note III.D. on page 61 for more information.

Proprietary Funds

The Town's proprietary fund financial statements provide the same type of information as found in the government-wide financial statements, but in more detail. All of the Town's proprietary funds are enterprise funds engaged in business-type activities.

The total net position of all enterprise funds as of December 31, 2014, was $169.0 million, of which $22.9 million was unrestricted net position. Total net position increased $6.2 million over the prior year.

The $6.2 million increase in total net position is largely attributable to an increase of $5.3 million in net position in the Water Fund. This favorable change was due to an increase in capital contributions of $1.6 million, or 27%, to $7.6 million in 2014. Operating revenues (charges for services) were $6.5 million, an increase of $0.1 million, or 2%, compared to 2013 due to an increase in the number of customers, partially offset by reduced demand. Operating expenses increased $0.7 million, or 13%, to $6.6 million, primarily due to 2013 flood-related expenses, most of which either have been or will be reimbursed through federal and state grants.

In the Wastewater Fund net position increased $0.8 million. Operating revenues (charges for services) were $4.3 million, a $0.1 million, or 3%, increase over 2013. This increase can be attributed to an increase in the number of customers. Capital contributions increased $0.2 million, or 15%, compared to 2013 for the reasons discussed above. Operating expenses increased $0.3 million, or 9%, to $4.0 million, primarily reflecting increases in system maintenance costs.

General Fund Budgetary Highlights

The 2014 General Fund final expenditure budget was $24.5 million, an increase of $7.6 million over the original budget. This increase was due primarily to supplemental appropriations of $7.2 million for various capital projects, of which the new public safety building represented $6.3 million and 2013 flood-related repairs represented $0.6 million. The increase in budgeted expenditures was funded with additional revenues, including $6.5 million in bond proceeds. Actual 2014 General Fund expenditures amounted to $17.6 million, approximately $6.9 million less than the final budget. This relationship was due to timing of capital expenditures and expense control. Additional information can be found in "Governmental Funds" above.

Capital Assets and Debt Administration

Capital Assets

The Town's capital assets net of accumulated depreciation as of December 31, 2014, for its governmental and business-type activities amounted to $316.4 million, an increase of $6.3 million from December 31, 2013. The increase in capital assets was the result of $14.0 million in additions, partially offset by $7.7 million in depreciation. The investment in capital assets includes land, water rights, buildings, improvements, machinery, equipment, and vehicles. It includes governmental activities as well as water, wastewater, airport, storm drainage, and housing authority infrastructure.

Capital Assets at Year End ***(net of accumulated depreciation, in thousands)***

	Governmental Activities		Business-type Activities		Total Primary Government	
	2014	2013	2014	2013	2014	2013
Land	$ 14,063	$ 11,942	$ 7,882	$ 7,754	$ 21,945	$ 19,696
Water rights	-	-	75,390	75,390	75,390	75,390
Buildings	25,752	26,233	857	892	26,609	27,125
Improvements other than buildings	53,480	51,628	126,290	128,041	179,770	179,669
Machinery, equipment, and vehicles	1,219	1,059	568	432	1,787	1,491
Construction in progress	3,017	2,077	7,844	4,577	10,861	6,654
Total Capital Assets	$ 97,531	$ 92,939	$ 218,831	$ 217,086	$ 316,362	$ 310,025

Major capital improvements during the fiscal year ended December 31, 2014, included the following:

Governmental Activities (total additions - $7.7 million)

- Open space purchases ($2.1 million)
- Construction of public safety facility ($1.5 million)
- Erie Parkway improvements ($1.5 million)
- Street overlay projects ($0.8 million)

Business-type Activities (total additions - $6.3 million)

- Construction of 4 million gallon water storage tank ($3.6 million)
- Storm drainage system improvement projects ($0.8 million)
- Upgrade/replacement of membrane unit at water treatment facility ($0.7 million)

Additional information on the Town's capital assets can be found in Note III.C. on pages 59-60 of this report.

Long-Term Debt

At the end of 2014, the Town had $101.4 million in total outstanding long-term debt, an increase of $1.2 million from December 31, 2013. Of this amount, $21.3 million represents general obligation bonds secured by all available Town revenue. The remainder is primarily secured by specific revenue sources (e.g., water revenues) and water rights. The following table summarizes long-term debt outstanding as of December 31, 2014, and 2013.

	Governmental Activities		Business-type Activities		Total Primary Government	
	2014	2013	2014	2013	2014	2013
General obligation bonds	$ 21,250	$ 15,924	$ -	$ -	$ 21,250	$ 15,924
Revenue bonds and loans	-	-	54,127	54,983	54,127	54,983
Certificates of participation	-	-	25,105	28,295	25,105	28,295
Mortgages and loans payable	-	-	746	759	746	759
Capital lease obligations	195	251	-	-	195	251
Total Debt Outstanding	$ 21,445	$ 16,175	$ 79,978	$ 84,037	$ 101,423	$ 100,212

During 2014 the Town issued $6.2 million of general obligation bonds for the construction of a public safety and municipal court building, approved by voters in April 2014. A 2 mill property tax levy approved by the voters will be assessed beginning in 2015 to pay the debt service on these bonds. The bonds were rated AA+ by Standard & Poor's.

Also in 2014, the Town refunded $27.8 million of certificates of participation (COP's) originally issued by the water fund in 2005 to finance the purchase of water rights. These COP's carried a fixed rate of interest through September 30, 2015, at which time they would convert to a variable rate of interest, reset weekly. As a result of this refunding, the Town was able to convert the COP's to a fixed rate of interest through final maturity in 2040, with an effective interest rate of 3.73%, significantly reducing the Town's interest rate and liquidity risk. The COP's were rated AA by Standard & Poor's.

State statutes limit the amount of general obligation debt the Town may issue to 3% of estimated actual valuation. The current debt limitation for the Town is $73.2 million.

Additional information on the Town's long-term debt can be found in Note III.E. on pages 61-66 of this report.

Economic Factors and Next Year's Budget

There are several factors that drive the Town's budget and financial performance. Some of these factors include area employment rates, retail sales, motor vehicle sales, construction activity, population growth, and capital infrastructure needs.

After several years of flat single family residential growth, which followed several years of very rapid growth, local residential construction increased significantly in 2014, with building permits increasing from 248 in 2013 to 291 in 2014 and 400 expected in 2015. The Town will continue to conserve resources until its commercial base grows, providing consistent and higher levels of sales and use tax. The Town has set aside significant amounts of reserves in the General Fund to enable it to continue to provide required services should an economic downturn occur.

The 2015 budget was approved by the Board of Trustees in December 2014. The General Fund, the Town's primary operating fund, has 2015 budgeted expenditures (excluding transfers) of $17.0 million, a $7.5 million decrease from the final 2014 budget due to various capital projects budgeted in 2014. Staffing to be funded by the General Fund was increased by 2 fulltime equivalent employees to address growth requirements, both in the police department.

Financial Contact

This financial report is designed to provide users (citizens, taxpayers, customers, investors, creditors, and other interested parties) with a general overview of the Town's finances and to demonstrate the Town's accountability and compliance with generally accepted accounting principles. Questions concerning any of the information presented in this report or requests for additional information should be addressed to the Town of Erie, Finance Director, P.O. Box 750, 645 Holbrook St., Erie, CO, 80516.

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Basic Financial Statements

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Town of Erie, Colorado
Statement of Net Position
December 31, 2014

	Primary Government		
	Governmental Activities	Business-Type Activities	Total
ASSETS			
Pooled Cash and Investments	$ 31,917,346	$ 22,712,639	$ 54,629,985
Restricted Cash and Investments	4,829,365	5,672,735	10,502,100
Receivables, Net of Allowance for Uncollectibles	6,048,917	1,664,428	7,713,345
Internal Balances	170,000	(170,000)	-
Prepaid Items	62,032	537,947	599,979
Capital Assets Not Being Depreciated			
Land and Water Rights	14,063,157	83,272,179	97,335,336
Construction in Progress	3,016,682	7,843,607	10,860,289
Capital Assets, Net of Accumulated Depreciation	80,451,331	127,715,550	208,166,881
Total Assets	140,558,830	249,249,085	389,807,915
DEFERRED OUTFLOWS OF RESOURCES			
Deferred Charges on Refunding	1,079,725	1,240,344	2,320,069
Total Deferred Outflows of Resources	1,079,725	1,240,344	2,320,069
LIABILITIES			
Accounts Payable	2,232,452	537,902	2,770,354
Accrued Interest Payable	62,207	282,064	344,271
Accrued Wages Payable	292,800	119,508	412,308
Other Liabilities	3,300,238	91,927	3,392,165
Unearned Revenue	696,124	230,775	926,899
Noncurrent Liabilities:			
Due within one year	1,993,642	3,048,706	5,042,348
Due in more than one year	20,383,690	77,145,820	97,529,510
Total Liabilities	28,961,153	81,456,702	110,417,855
DEFERRED INFLOWS OF RESOURCES			
Property Taxes	4,252,443	-	4,252,443
Total Deferred Inflows of Resources	4,252,443	-	4,252,443
NET POSITION			
Net Investment in Capital Assets	81,995,267	144,136,677	226,131,944
Restricted			
Capital Projects	12,684,774	-	12,684,774
Parks and Open Space	3,216,789	-	3,216,789
Solid Waste/Streets	2,066,926	-	2,066,926
Public Safety	6,196	-	6,196
Bond Reserves	-	838,599	838,599
Operations and Maintenance Reserves	-	706,425	706,425
Emergencies	547,015	-	547,015
Water Rights Purchase Escrow	-	415,211	415,211
Unrestricted	7,907,992	22,935,815	30,843,807
Total Net Position	$ 108,424,959	$ 169,032,727	$277,457,686

The notes to the financial statements are an integral part of this statement.

Town of Erie, Colorado
Statement of Activities
For the Year Ended December 31, 2014

		Program Revenues			
	Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Total
FUNCTION ACTIVITIES					
Primary Government					
Governmental Activities					
General Government	$ 4,173,232	$ 1,199,010	$ 79,501	$ 582,857	$ 1,861,368
Public Safety	2,810,944	249,004	5,215	-	254,219
Public Works	5,607,191	2,021,365	845,481	1,567,061	4,433,907
Parks and Recreation	4,591,031	1,935,127	165,520	1,038,578	3,139,225
Interest on Long-Term Debt	681,174	-	-	-	-
Total Governmental Activities	17,863,572	5,404,506	1,095,717	3,188,496	9,688,719
Business-Type Activities					
Water	8,988,723	6,514,590	54,829	7,629,257	14,198,676
Wastewater	4,980,408	4,267,375	-	1,496,370	5,763,745
Storm Drainage	412,940	425,161	-	6,080	431,241
Airport	263,355	5,200	-	64,668	69,868
Erie Housing Authority	119,300	79,878	-	-	79,878
Total Business-Type Activities	14,764,726	11,292,204	54,829	9,196,375	20,543,408
Total Primary Government	$ 32,628,298	$ 16,696,710	$ 1,150,546	$ 12,384,871	$ 30,232,127

The notes to the financial statements are an integral part of this statement.

	Net (Expense) Revenue and Changes in Net Position		
	Primary Government		
	Governmental Activities	Business-Type Activities	Total
	$ (2,311,864)	$ -	$ (2,311,864)
	(2,556,725)	-	(2,556,725)
	(1,173,284)	-	(1,173,284)
	(1,451,806)	-	(1,451,806)
	(681,174)	-	(681,174)
	(8,174,853)	-	(8,174,853)
	-	5,209,953	5,209,953
	-	783,337	783,337
	-	18,301	18,301
	-	(193,487)	(193,487)
	-	(39,422)	(39,422)
	-	5,778,682	5,778,682
	(8,174,853)	5,778,682	(2,396,171)
GENERAL REVENUES			
Taxes:			
Property	3,993,379	-	3,993,379
Sales and Use	5,633,645	-	5,633,645
Franchise	708,894	-	708,894
Specific Ownership	286,551	-	286,551
Grants and Contributions not Restricted to Specific Programs	207,505	-	207,505
Investment Earnings	169,030	132,694	301,724
Miscellaneous and Other	613,890	61,202	675,092
Transfers In (Out)	(228,157)	228,157	-
Total General Revenues and Transfers	11,384,737	422,053	11,806,790
Changes in Net Position	3,209,884	6,200,735	9,410,619
Net Position - Beginning	105,215,075	162,831,992	268,047,067
Net Position - Ending	$ 108,424,959	$ 169,032,727	$ 277,457,686

Town of Erie, Colorado
Balance Sheet
Governmental Funds
December 31, 2014

	General Fund	Trails and Natural Areas Fund	Nonmajor Governmental Funds	Total Governmental Funds
ASSETS				
Pooled Cash and Investments	$ 14,663,814	$ 2,856,405	$ 14,397,127	$ 31,917,346
Restricted Cash and Investments	4,829,365	-	-	4,829,365
Receivables	4,728,667	982,388	337,862	6,048,917
Prepaid Items	43,313	-	-	43,313
Advances to Other Funds	4,552,881	-	-	4,552,881
Total Assets	$ 28,818,040	$ 3,838,793	$ 14,734,989	$ 47,391,822
LIABILITIES				
Accounts Payable	$ 1,511,556	$ 61,553	$ 659,343	$ 2,232,452
Wages Payable	287,465	-	5,335	292,800
Other Liabilities	3,300,238	-	-	3,300,238
Advances from Other Funds	-	-	4,382,881	4,382,881
Unearned Revenue	196,124	-	500,000	696,124
Total Liabilities	5,295,383	61,553	5,547,559	10,904,495
DEFERRED INFLOWS OF RESOURCES				
Property Taxes	3,272,945	979,498	-	4,252,443
Unavailable Fund Resources	449,616	-	68,271	517,887
Total Deferred Inflows of Resources	3,722,561	979,498	68,271	4,770,330
FUND BALANCES				
Nonspendable				
Interfund Advances - Noncurrent	4,552,881	-	-	4,552,881
Prepaid Items	43,313	-	-	43,313
Restricted for:				
Capital Projects	6,630,557	-	10,883,582	17,514,139
Parks and Open Space	-	2,797,742	419,047	3,216,789
Solid Waste/Streets	-	-	2,066,926	2,066,926
Emergency Reserves	547,015	-	-	547,015
Public Safety	-	-	6,196	6,196
Committed to:				
Cemetery Operations	-	-	151,996	151,996
Assigned to:				
Purchases on Order	67,130	-	-	67,130
Subsequent Year's Budget - Appropriation of Fund Balance	64,100	-	-	64,100
Unassigned	7,895,100	-	(4,408,588)	3,486,512
Total Fund Balances	19,800,096	2,797,742	9,119,159	31,716,997
Total Liabilities, Deferred Inflows of Resources and Fund Balances	$ 28,818,040	$ 3,838,793	$ 14,734,989	$ 47,391,822

The notes to the financial statements are an integral part of this statement.

Town of Erie, Colorado
Reconciliation of the Governmental Funds Balance Sheet to the Statement of Net Position
December 31, 2014

		Amount
The amounts reported as Governmental Activities on the Statement of Net Position (page 33) are different because:		
Total Fund Balances - Governmental Funds (page 36)		$ 31,716,997
Capital assets utilized in Governmental Activities are not financial resources and therefore are not reported in the fund financial statements.		97,531,170
Certain receivables are not available to pay for current period expenditures and, therefore, are reported as unavailable revenue in the funds.		517,887
Long-term liabilities and related items are not due and payable in the current period and therefore are not reported in the fund financial statements.		
Bonds payable	(19,755,000)	
Capital lease obligations	(195,470)	
Unamortized issuance premium	(1,494,523)	
Unamortized deferred refunding loss	1,079,725	
Unamortized bond insurance premiums	18,719	
Accrued interest payable	(62,207)	
Compensated absences	(482,339)	
Litigation reserve	(450,000)	
Total long-term liabilities and related items		(21,341,095)
Net Position - Governmental Activities (page 33)		$108,424,959

The notes to the financial statements are an integral part of this statement.

Town of Erie, Colorado
Statement of Revenues, Expenditures, and Changes in Fund Balances
Governmental Funds
For the Year Ended December 31, 2014

	General Fund	Trails and Natural Areas Fund	Nonmajor Governmental Funds	Total Governmental Funds
REVENUES				
Taxes	$ 9,658,292	$ 964,177	$ -	$ 10,622,469
Intergovernmental	1,274,677	-	190,769	1,465,446
Licenses and Permits	1,534,533	-	-	1,534,533
Fees and Charges for Services	1,938,471	-	1,682,498	3,620,969
Fines and Forfeitures	249,004	-	-	249,004
Capital Contributions and Fees	17,649	-	2,586,714	2,604,363
Investment Earnings	71,712	17,760	79,558	169,030
Miscellaneous	203,135	-	-	203,135
Total Revenues	14,947,473	981,937	4,539,539	20,468,949
EXPENDITURES				
Current Operating:				
General Government	2,591,795	-	343,295	2,935,090
Public Safety	2,699,615	-	-	2,699,615
Public Works	3,851,553	-	121,944	3,973,497
Parks and Recreation	3,028,518	31,064	-	3,059,582
Capital Outlay	3,483,712	2,341,270	2,686,692	8,511,674
Debt Service				
Principal	1,125,320	-	-	1,125,320
Interest	683,515	-	-	683,515
Debt Issuance Costs	110,693	-	-	110,693
Total Expenditures	17,574,721	2,372,334	3,151,931	23,098,986
Excess (Deficiency) of Revenues Over (Under) Expenditures	(2,627,248)	(1,390,397)	1,387,608	(2,630,037)
OTHER FINANCING SOURCES (USES)				
Transfers In	1,803,700	-	-	1,803,700
Transfers Out	(228,157)	-	(1,803,700)	(2,031,857)
Bonds Issued	6,200,000	-	-	6,200,000
Premium on Bonds Issued	308,716	-	-	308,716
Sale of Capital Assets	7,380	-	-	7,380
Insurance Recoveries	33,374	-	-	33,374
Proceeds from Litigation Settlements	81,878	288,122	-	370,000
Total Other Financing Sources (Uses)	8,206,891	288,122	(1,803,700)	6,691,313
Net Change in Fund Balance	5,579,643	(1,102,275)	(416,092)	4,061,276
Fund Balance - Beginning	14,220,453	3,900,017	9,535,251	27,655,721
Fund Balance - Ending	$ 19,800,096	$ 2,797,742	$ 9,119,159	$ 31,716,997

The notes to the financial statements are an integral part of this statement.

Town of Erie, Colorado
Reconciliation of the Statement of Revenues, Expenditures, and Changes in Fund Balances of Governmental Funds to the Statement of Activities
For the Year Ended December 31, 2014

		Amount
The amounts reported as Governmental Activities on the Statement of Activities (pages 34-35) are different because:		
Net Changes in Fund Balances - Governmental Funds (page 38)		$ 4,061,276
Governmental Funds report capital outlays as expenditures. However, in the Statement of Activities the cost of these assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which capital outlays exceeded depreciation expense.		
Capital outlays	7,727,608	
Depreciation expense	(3,135,489)	
Excess of capital outlays over depreciation		4,592,119
Revenues in the statement of activities that do not provide current financial resources are not reported as revenues in the funds.		421,910
Governmental Funds report principal payments as expenditures. However, in the Statement of Activities these payments are reflected as a reduction in long-term debt obligations.		1,125,320
Some expenses reported in the Statement of Activities do not require the use of current financial resources and, therefore, are not reported as expenditures in the Governmental Funds.		
Change in accrued interest	(14,452)	
Change in accrued compensated absences	(32,247)	
Litigation reserve accrual	(450,000)	
Amortization of premiums, discounts, deferred refunding losses and bond insurance premiums	14,674	
Total expenses not requiring current resources		(482,025)
Governmental Funds report proceeds from borrowings as other financing sources. However, in the Statement of Net Position these proceeds are reflected as debt obligations.		(6,508,716)
Change in Net Position - Governmental Activities (page 35)		$ 3,209,884

The notes to the financial statements are an integral part of this statement.

Town of Erie, Colorado
General Fund
Statement of Revenues, Expenditures, and Changes in Fund Balance
Budget and Actual
For the Year Ended December 31, 2014

	Budgeted Amounts			Variance With Final Budget
	Original Budget	Final Budget	Actual	Positive (Negative)
REVENUES				
Taxes	$ 8,983,000	$ 9,183,000	$ 9,658,292	$ 475,292
Intergovernmental	1,062,200	1,876,900	1,274,677	(602,223)
Licenses and Permits	1,115,000	1,225,000	1,534,533	309,533
Fees and Charges for Services	1,914,500	1,907,500	1,938,471	30,971
Fines and Forfeitures	218,000	235,000	249,004	14,004
Capital Contributions and Fees	-	17,600	17,649	49
Investment Earnings	80,000	60,000	71,712	11,712
Miscellaneous	296,400	282,400	203,135	(79,265)
Total Revenues	13,669,100	14,787,400	14,947,473	160,073
EXPENDITURES				
Current Operating:				
General Government				
Legislative	348,800	348,900	251,362	97,538
Town Administration	1,265,200	1,365,400	1,155,485	209,915
Community Development	705,100	705,700	547,218	158,482
Finance	443,600	468,600	454,885	13,715
Central Charges	170,600	190,900	182,845	8,055
Public Safety	2,654,600	2,714,500	2,699,615	14,885
Public Works	4,252,900	4,362,400	3,851,553	510,847
Parks and Recreation	3,279,700	3,232,300	3,028,518	203,782
Capital Outlay	1,994,500	9,144,800	3,483,712	5,661,088
Debt Service				
Principal	1,142,900	1,125,400	1,125,320	80
Interest	565,200	685,200	683,515	1,685
Debt Issuance Costs	-	110,700	110,693	7
Total Expenditures	16,823,100	24,454,800	17,574,721	6,880,079
Excess (Deficiency) of Revenues Over (Under) Expenditures	(3,154,000)	(9,667,400)	(2,627,248)	7,040,152
OTHER FINANCING SOURCES (USES)				
Transfers In	2,148,000	2,278,100	1,803,700	(474,400)
Transfers Out	(35,000)	(235,000)	(228,157)	6,843
Bonds Issued	-	6,200,000	6,200,000	-
Premium on Bonds Issued	-	308,700	308,716	16
Sale of Capital Assets	-	-	7,380	7,380
Insurance Recoveries	-	32,600	33,374	774
Proceeds from Litigation Settlements	-	-	81,878	81,878
Total Other Financing Sources (Uses)	2,113,000	8,584,400	8,206,891	(377,509)
Net Change in Fund Balance	$ (1,041,000)	$ (1,083,000)	5,579,643	$ 6,662,643
Fund Balance - Beginning			14,220,453	
Fund Balance - Ending			$ 19,800,096	

The notes to the financial statements are an integral part of this statement.

Town of Erie, Colorado
Trails & Natural Areas Fund
Statement of Revenues, Expenditures, and Changes in Fund Balance
Budget and Actual
For the Year Ended December 31, 2014

	Budgeted Amounts			Variance With Final Budget
	Original Budget	Final Budget	Actual	Positive (Negative)
REVENUES				
Taxes	$ 964,700	$ 964,700	$ 964,177	$ (523)
Investment Earnings	2,800	2,800	17,760	14,960
Total Revenues	967,500	967,500	981,937	14,437
EXPENDITURES				
Current Operating:				
Parks and Recreation	-	16,200	31,064	(14,864)
Capital Outlay	1,092,000	2,664,200	2,341,270	322,930
Total Expenditures	1,092,000	2,680,400	2,372,334	308,066
Excess (Deficiency) of Revenues Over (Under) Expenditures	(124,500)	(1,712,900)	(1,390,397)	322,503
OTHER FINANCING SOURCES (USES)				
Proceeds from Litigation Settlements	-	-	288,122	288,122
Total Other Financing Sources (Uses)	-	-	288,122	288,122
Net Change in Fund Balance	$ (124,500)	$ (1,712,900)	(1,102,275)	$ 610,625
Fund Balance - Beginning			3,900,017	
Fund Balance - Ending			$ 2,797,742	

The notes to the financial statements are an integral part of this statement.

Town of Erie, Colorado
Statement of Net Position
Proprietary Funds
December 31, 2014

	Business-type Activities - Proprietary Funds			
	Water Fund	Wastewater Fund	Nonmajor Proprietary Funds	Total Proprietary Funds
ASSETS				
Current Assets				
Pooled Cash and Investments	$ 11,009,595	$ 10,715,128	$ 987,916	$ 22,712,639
Restricted Cash and Investments	3,252,515	2,045,684	374,536	5,672,735
Receivables	998,180	574,551	91,697	1,664,428
Prepaid Items	335,615	201,117	1,215	537,947
Total Current Assets	15,595,905	13,536,480	1,455,364	30,587,749
Noncurrent Assets				
Capital Assets				
Construction in Progress	7,059,197	91,009	693,401	7,843,607
Land and Water Rights	82,557,157	59,022	656,000	83,272,179
Buildings, Property, and Equipment	82,597,327	61,687,147	18,486,117	162,770,591
Accumulated Depreciation	(19,255,448)	(11,319,256)	(4,480,337)	(35,055,041)
Total Capital Assets	152,958,233	50,517,922	15,355,181	218,831,336
Total Noncurrent Assets	152,958,233	50,517,922	15,355,181	218,831,336
Total Assets	168,554,138	64,054,402	16,810,545	249,419,085
DEFERRED OUTFLOWS OF RESOURCES				
Deferred Charges on Refunding	1,238,959	1,385	-	1,240,344
Total Deferred Outflows of Resources	1,238,959	1,385	-	1,240,344
LIABILITIES				
Current Liabilities				
Accounts Payable	351,926	77,917	108,059	537,902
Accrued Interest Payable	188,120	89,010	4,934	282,064
Wages Payable	62,001	50,501	7,006	119,508
Other Liabilities	87,928	-	3,999	91,927
Unearned Revenue	222,100	8,530	145	230,775
Compensated Absences	86,312	81,327	3,489	171,128
Current Portion of Long Term Debt				
Certificates of Participation Payable	695,000	-	-	695,000
Loans Payable	-	285,491	12,023	297,514
Bonds Payable	1,560,000	315,000	-	1,875,000
Mortgages Payable	-	-	10,064	10,064
Total Current Liabilities	3,253,387	907,776	149,719	4,310,882
Noncurrent Liabilities				
Compensated Absences	22,617	23,072	209	45,898
Advances from Other Funds			170,000	170,000
Long Term Debt, Net of Unamortized Premiums and Discounts				
Certificates of Participation Payable	25,822,666	-	-	25,822,666
Loans Payable	-	2,433,490	667,212	3,100,702
Bonds Payable	29,164,113	18,645,904	-	47,810,017
Mortgages Payable	-	-	366,537	366,537
Total Noncurrent Liabilities	55,009,396	21,102,466	1,203,958	77,315,820
Total Liabilities	58,262,783	22,010,242	1,353,677	81,626,702
NET POSITION				
Net Investment in Capital Assets	98,952,226	30,885,106	14,299,345	144,136,677
Restricted				
Bond Reserves	838,599	-	-	838,599
Operations and Maintenance Reserves	-	706,425	-	706,425
Water Rights Purchase Escrow	415,211	-		415,211
Unrestricted	11,324,278	10,454,014	1,157,523	22,935,815
Total Net Position	$ 111,530,314	$ 42,045,545	$ 15,456,868	$ 169,032,727

The notes to the financial statements are an integral part of this statement.

Town of Erie, Colorado
Statement of Revenues, Expenses, and Changes in Net Position
Proprietary Funds
For the Year Ended December 31, 2014

	Business Type Activities - Proprietary Funds			
	Water Fund	Wastewater Fund	Nonmajor Proprietary Funds	Total Proprietary Funds
OPERATING REVENUES				
Charges for Services	$ 6,514,590	$ 4,267,375	$ 510,239	$ 11,292,204
OPERATING EXPENSES				
Personnel Services	1,523,281	1,335,957	106,669	2,965,907
Operations and Maintenance	2,567,379	1,152,175	145,881	3,865,435
Depreciation	2,508,658	1,546,140	507,060	4,561,858
Total Operating Expenses	6,599,318	4,034,272	759,610	11,393,200
Net Operating Income (Loss)	(84,728)	233,103	(249,371)	(100,996)
NON-OPERATING REVENUES (EXPENSES)				
Investment Earnings	62,563	64,116	6,015	132,694
Intergovernmental	54,829	-	-	54,829
Other Non-Operating Income	4,231	-	56,971	61,202
Interest Expense	(2,134,292)	(946,136)	(35,919)	(3,116,347)
Issuance Costs	(255,113)	-	(4,251)	(259,364)
Gain (Loss) on Disposition of Capital Assets	-	-	4,185	4,185
Total Non-Operating Revenues (Expenses)	(2,267,782)	(882,020)	27,001	(3,122,801)
Loss Before Contributions and Transfers	(2,352,510)	(648,917)	(222,370)	(3,223,797)
Capital Contributions	7,629,257	1,496,370	70,748	9,196,375
Transfers In	-	-	228,157	228,157
Change in Net Position	5,276,747	847,453	76,535	6,200,735
Total Net Position - Beginning	106,253,567	41,198,092	15,380,333	162,831,992
Total Net Position - Ending	$ 111,530,314	$ 42,045,545	$ 15,456,868	$ 169,032,727

The notes to the financial statements are an integral part of this statement.

Town of Erie, Colorado
Statement of Cash Flows
Proprietary Funds
For the Year Ended December 31, 2014

	Business-type Activities - Proprietary Funds			
	Water Fund	Wastewater Fund	Nonmajor Proprietary Funds	Total Proprietary Funds
Cash Flows from Operating Activities				
Receipts from Customers and Users	$ 6,485,835	$ 4,226,909	$ 561,395	$ 11,274,139
Payments to Employees	(1,502,404)	(1,327,211)	(102,730)	(2,932,345)
Payments to Suppliers	(2,959,686)	(1,137,060)	(140,887)	(4,237,633)
Net Cash Provided by Operating Activities	2,023,745	1,762,638	317,778	4,104,161
Cash Flows from Non-capital Financing Activities				
Operating Grants	-	-	26,824	26,824
Advance from Other Funds	-	-	110,461	110,461
Transfer from Other Funds	-	-	228,157	228,157
Cash Flows Provided by Non-capital Financing Activities	-	-	365,442	365,442
Cash Flows from Capital and Related Financing Activities				
Capital Grants	(360,237)	-	163,579	(196,658)
Receipts from Capital Debt	26,258,017	-	684,981	26,942,998
Acquisition and Construction of Capital Assets	(5,325,479)	(26,961)	(950,739)	(6,303,179)
Principal Paid on Capital Debt	(29,881,003)	(578,224)	(714,129)	(31,173,356)
Interest Paid on Capital Debt	(2,231,972)	(953,254)	(35,812)	(3,221,038)
Capital Contributions	7,559,817	1,462,050	6,080	9,027,947
Cash Flows Used in Capital and Related Financing Activities	(3,980,857)	(96,389)	(846,040)	(4,923,286)
Cash Flows from Investing Activities				
Purchase of Investments	(694,466)	-	(370,503)	(1,064,969)
Proceeds from Sale and Maturity of Investments	2,093,824	-	-	2,093,824
Earnings on Investments	62,497	51,974	6,432	120,903
Cash Flows Provided by (Used in) Investing Activities	1,461,855	51,974	(364,071)	1,149,758
Net Increase (Decrease) in Pooled Cash and Investments	(495,257)	1,718,223	(526,891)	696,075
Pooled Cash and Investments - January 1	11,504,852	8,996,905	1,514,807	22,016,564
Pooled Cash and Investments - December 31	$ 11,009,595	$ 10,715,128	$ 987,916	$ 22,712,639
Reconciliation of Operating Income (Loss) to Net Cash Provided by Operating Activities				
Operating Income (Loss)	$ (84,728)	$ 233,103	$ (249,371)	$ (100,996)
Adjustments to Reconcile Operating Income (Loss) to Net Cash Provided by Operating Acitivities				
Depreciation Expense	2,508,658	1,546,140	507,060	4,561,858
Other Income	4,231	-	56,971	61,202
(Increase) Decrease in				
Accounts Receivable	(62,564)	(40,466)	(5,558)	(108,588)
Prepaid Items	(9,054)	10,964	7,287	9,197
Increase (Decrease) in				
Accounts Payable	(383,253)	4,151	(2,494)	(381,596)
Wages Payable	12,836	5,412	3,969	22,217
Compensated Absences Payable	8,041	3,334	(30)	11,345
Other Liabilities	29,578	-	(201)	29,377
Deferred Revenue	-	-	145	145
Net Cash Provided by Operating Activities	$ 2,023,745	$ 1,762,638	$ 317,778	$ 4,104,161

The notes to the financial statements are an integral part of this statement.

Notes to the Financial Statements

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Town of Erie, Colorado
Notes to the Financial Statements
As of and for the year ended December 31, 2014

Note I. Summary of Significant Accounting Policies

The Town of Erie, Colorado (the Town), incorporated in 1874, is a statutory municipality governed by a trustee-administrator form of government through a Mayor and six-member Board of Trustees. The Town provides the following services: administration, community development, finance, human resources, parks and recreation, police, public works, water, wastewater, and storm drainage. The Town also owns the Erie Municipal Airport.

A. Reporting Entity

The accompanying financial statements present the Town (the primary government) and its component units for which the government is financially accountable. The blended component units discussed below are included in the Town's reporting entity because of the significance of their operational or financial relationship to the Town and to ensure that the financial statements are not misleading. The primary government consists of all funds, departments, boards, and agencies that are not legally separate from the Town. The Town considers the Town of Erie Housing Authority and the Town of Erie Urban Renewal Authority as component units. Both authorities are separate organizations for which the Town is considered to be financially accountable.

The Town is financially accountable for an organization if the Town appoints a voting majority of the organization's governing board and (1) the Town is able to significantly influence the programs or services performed or provided by the organizations; or (2) the Town is legally entitled to or can otherwise access the organization's resources; the Town is legally obligated or has otherwise assumed the responsibility to finance the deficits of, or provide financial support to, the organization; or the Town is obligated for the debt of the organization.

A town's component units are presented either as "blended" or "discretely presented." If blended, it is reported as if it were a fund of the Town throughout the year. It is included at both the government-wide and fund financial reporting levels.

A brief description of the blended component units follow:

Town of Erie Housing Authority (EHA) –The EHA constructed and operates the senior housing complex. Daily operations of the complex are managed by Pillar Property Services, LLC. The EHA's activities directly benefit the citizens of the Town. The Town Board of Trustees serves as the EHA Board of Commissioners. The EHA is reported as a proprietary fund. Separate audited financial statements of the EHA are not available.

Town of Erie Urban Renewal Authority (EURA) – The EURA was created in 2011 by action of the Town Mayor and Board of Trustees, who serve as its Board of Commissioners, under the Colorado Urban Renewal Law. The EURA is charged with the creation and

implementation of the Town of Erie urban renewal plan pursuant to the Urban Renewal Law. Operations of the EURA are currently funded from General Fund resources, which will be repaid from various funding sources of the EURA, including tax increment financing for urban renewal projects within its boundaries. The EURA is reported as a special revenue fund. Separate audited financial statements of the EURA are not available.

B. Government-wide and Fund Financial Statements

The government-wide financial statements, consisting of the statement of net position and the statement of activities, report financial information on all of the activities of the Town and its component units. Governmental activities, which normally are supported by taxes and intergovernmental revenues, are reported separately from business-type activities, which rely, to a significant extent, on fees and charges for support.

The statement of net position presents the financial position of the governmental and business-type activities of the Town at year-end.

The statement of activities demonstrates the degree to which direct expenses of given functions or segments are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. The Town does not allocate indirect expenses to functions in the statement of activities. Program revenues include (1) charges to customers who purchase, use or directly benefit from goods, services or privileges provided by a given function or segment and (2) grants and contributions that are restricted to meeting the operating or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues.

Separate financial statements are provided for governmental funds and proprietary funds. The Town does not operate any fiduciary funds. Major individual governmental funds and proprietary funds are reported as separate columns in the fund financial statements.

C. Measurement Focus, Basis of Accounting, and Financial Statement Presentation

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting, as are the proprietary fund financial statements. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Note I. Summary of Significant Accounting Policies *(continued)*

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the Town considers revenues to be available if they are collected within 60 days of the end of the current fiscal period.

Expenditures are generally recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences, claims, and judgments are recorded only when payment is due.

Property taxes, sales taxes, highway users' taxes, use taxes, franchise taxes, fees, and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. Expenditure-driven grants are recognized when the qualifying expenditures have been incurred and all other eligibility requirements have been met. All other revenue items are considered to be measurable and available only when cash is received by the Town.

The Town reports the following major governmental funds:

The *general fund* is the Town's primary operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund.

The *trails and natural areas fund* accounts for property tax revenues used to acquire and construct trails, and to acquire and develop natural areas for public use.

Proprietary funds distinguish operating revenues and expenses from non-operating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with the proprietary fund's principal ongoing operations. The principal operating revenues of all proprietary funds are charges for services to customers. Operating expenses from proprietary funds include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as non-operating revenues and expenses. All of the Town's proprietary funds are classified as enterprise funds.

The Town reports the following major proprietary (enterprise) funds:

The *water fund* accounts for the acquisition, treatment, and distribution of the Town's water supply.

The *wastewater fund* accounts for the collection and treatment of gray water in the Town's wastewater system.

Interfund transactions are treated and classified as revenues, expenditures, or expenses (the same as if these same transactions involved external organizations). These include interfund transfers and billings from one fund to another for the purchase of goods or services. In the

government-wide statement of activities, interfund transactions are eliminated unless the transfer is between the governmental and the business-type activities.

D. Assets, Liabilities, and Fund Equity

1. Deposits and Investments

The Town's cash and cash equivalents are considered to be cash on hand, demand deposits, and short-term investments with original maturities of three months or less from the date of acquisition.

Whenever possible the Town pools cash to enhance investment opportunities and to facilitate management of cash resources. Investments are made taking into consideration safety, liquidity, and income potential, in that order. The Town makes investments pursuant to its investment policy and relevant State of Colorado statutes.

Investments are reported at fair value based upon values obtained from quoted market prices.

2. Receivables and Payables

Activities between funds that represent lending/borrowing arrangements at the end of the fiscal year are referred to as either "due (to)/from other funds" (i.e., the current portion of interfund loans) or "advances to/(from) other funds" (i.e., the noncurrent portion of interfund loans). All other outstanding balances between funds are reported as "due (to)/from other funds." Any residual balances outstanding between governmental activities and business-type activities are reported in the government-wide financial statements as internal balances.

All trade and property tax receivables are reported net of any allowance for uncollectible amounts, where applicable.

Property taxes levied in a particular year are collected in the subsequent year. The property tax calendar is as follows:

Tax Year
Tax Levy certified to County Commissioners…….December 15
County Commissioners certify levy to County Assessor……..December 22

Ensuing Collection Year
Taxes attach as an enforceable lien on property…… January 1
First installment due date (one-half of taxes due)……...February 28
Taxes due in full (unless installments elected by taxpayer)……... April 30
Second installment due date (second half due)…….June 15

Note I. Summary of Significant Accounting Policies *(continued)*

The taxes are collected by the Boulder County and Weld County Treasurers on behalf of the Town and are remitted by the 15th day of the month following collection. A 1% collection fee is retained by the Counties as compensation for collecting the taxes.

3. Prepaid Items

Certain payments to vendors and other third parties reflect costs applicable to future accounting periods and are recorded as prepaid items in both the government-wide and fund financial statements. Expenditures/expenses are recorded when the service underlying the prepaid item is provided (consumption method).

4. Restricted Assets

Certain proceeds from the issuance of bonds, as well as certain resources set aside for their repayment, are classified as restricted assets because their use is limited by applicable bond covenants.

5. Capital Assets

Capital assets, which include property, plant, equipment, and all infrastructure assets (e.g., roads, bridges, sidewalks, and similar items) acquired since 1997, are reported in the applicable governmental or business-type activities column in the government-wide financial statements and in the proprietary funds in the fund financial statements. Capital assets are defined by the Town as assets with an initial, individual cost of more than $5,000 and an estimated useful life in excess of two years. Such assets are recorded at historical cost or estimated historical cost, if purchased or constructed. Donated capital assets are recorded at estimated fair value at the date of donation.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend asset lives are not capitalized.

Capital assets of the Town are depreciated using the straight-line method with estimated useful lives as follows:

Assets	Years
Buildings and improvements	5-50
Improvements other than buildings	5-50
Machinery and equipment	3-10
Vehicles	3-5

Note I. Summary of Significant Accounting Policies *(continued)*

6. Compensated Absences

It is the Town's policy to permit employees to accumulate earned but unused paid time off and extended sick leave benefits. There is no liability for unpaid accumulated extended sick leave since the Town does not have a policy to pay any amounts when employees separate from service with the Town. All paid time off is accrued when incurred in the government-wide and proprietary fund financial statements. A liability for these amounts is reported in the governmental funds only if they have matured.

7. Long-term Obligations

Long-term debt and other long-term obligations are reported as liabilities in the government-wide and proprietary financial statements. Bond premiums and discounts are deferred and amortized over the life of the bonds using the straight-line method over the term of the debt. Long-term debt payable is reported net of the applicable unamortized premiums or discounts. Debt issuance costs are reported as an outflow of resources.

In the fund financial statements for governmental fund-types, the par amount of debt issued and premiums received are reported as other financing sources. Bond discounts are reported as other financing uses. Issuance costs, even if withheld from the debt proceeds received, are reported as debt service expenditures.

8. Deferred Outflows and Inflows of Resources

In addition to assets and liabilities, the statement of financial position will sometimes report separate sections for deferred outflows of resources and deferred inflows of resources. A deferred outflow of resources is a consumption of net position by the Town that is applicable to a future reporting period, and a deferred inflow of resources is an acquisition of net position by the Town that is applicable to a future reporting period. Both deferred outflows and inflows are reported in the statement of net position but are not recognized in the financial statements as revenues and expenses until the period(s) to which they relate.

The Town has one item that qualifies for reporting as a deferred outflow of resources – deferred charge on refunding. A deferred charge on refunding results from the difference in the carrying value of refunded debt and its reacquisition price. This amount is deferred and amortized over the shorter of the life of the refunded or refunding debt.

Deferred inflows of resources for the Town consist of property taxes receivable and reimbursement based grants, as applicable in the government-wide and fund financial statements. Property tax revenue is considered a deferred inflow of resources in the year the taxes are levied and measurable, and are recognized as an inflow of resources in the period they are collected. Reimbursement based grant revenue is considered a deferred inflow of resources in the year the Town has incurred qualified expenses/expenditures under the grant, and are recognized as an inflow of resources in the period they are collected.

Note I. Summary of Significant Accounting Policies *(continued)*

9. Fund Balances

Fund balances of governmental funds are reported in various categories, based primarily on the extent to which the Town is bound to observe constraints imposed upon the use of the resources for specific purposes.

The nonspendable fund balance category includes amounts that cannot be spent because they are not in spendable form, or are legally or contractually required to be maintained intact. The "not in spendable form" criterion includes prepaid items and the long-term amount of interfund loans.

Restricted fund balances are amounts subject to externally enforceable legal restrictions. Such restrictions are typically imposed by parties such as creditors, grantors, contributors, other governments, or enabling legislation.

Committed fund balance includes amounts that can be used only for the specific purposes imposed by formal action through ordinance of the Board of Trustees, and remains binding unless removed in the same manner.

Amounts in the assigned fund balance classification are intended to be used by the Town for specific purposes but do not meet the criteria to be classified as restricted or committed. In governmental funds other than the general fund, assigned fund balance represents the remaining amount that is not restricted or committed. In the general fund assigned amounts represent intended uses established by the Board of Trustees, as it does when appropriating fund balance to cover a gap between estimated revenue and appropriations in the subsequent year's appropriated budget.

Unassigned fund balance is the residual classification for the general fund and includes all spendable amounts not contained in the other classifications. In other governmental funds, the unassigned classification is used only to report a deficit balance resulting from overspending for specific purposes for which amounts had been restricted, committed, or assigned.

Generally, the Town would first apply restricted, then committed, and then assigned resources prior to unassigned resources when an expenditure is incurred for purposes for which more than one of the classifications of fund balance is available.

Minimum Fund Balances – The Town has established minimum unrestricted fund balances for certain of its funds. For the General Fund, minimum fund balance is 25% of annual budgeted operating expenditures. Proprietary funds are to maintain minimum unrestricted net position of 25% of annual operating and maintenance expenses plus 2% of capital assets.

Note I. Summary of Significant Accounting Policies *(continued)*

In 2010 the Board of Trustees approved the creation of an additional General Fund reserve to be maintained to offset economic downturns. The reserve was established at $7,500,000, representing approximately 50% of annual General Fund expenditures. The reserve may only be used with the approval of the Board of Trustees in the event of revenue reductions due to severe economic conditions in order to prevent significant reduction in services. This reserve does not meet the definition of a stabilization arrangement pursuant to GASB Statement 54, *Fund Balance Reporting and Governmental Fund Type Definitions,* and therefore is reflected in unassigned fund balance.

With the exception of the General Fund reserves, all minimum fund balance policy requirements were met as of December 31, 2014. The General Fund has advanced $4,382,881 to the Erie Urban Renewal Authority for the purchase of real estate and operating expenses. In addition, the General Fund has advanced $170,000 to its housing authority, discussed in more detail in Note III.E. As a result, the sum of these advances is classified as nonspendable General Fund fund balance. These advances will be repaid to the General Fund in future years. Absent these advances, the minimum fund balance requirement would have been met.

10. Use of Estimates

The preparation of the financial statements, in conformity with accounting principles generally accepted in the United States, requires management to make estimates and assumptions that affect the amounts reported in the financial statements and accompanying notes. Actual results may differ from those estimates.

11. Future GASB Statement Implementations

The GASB has issued Statement No. 68, *Accounting and Financial Reporting for Pensions*, which revises and establishes new financial reporting requirements for most governments that provide their employees with pension benefits. The Town provides its police officers with pension benefits through a multiple employer cost-sharing defined benefit retirement program administered by the Fire and Police Pension Association of Colorado (FPPA).

Statement No. 68 requires cost-sharing employers participating in the FPPA program, such as the Town, to record their proportionate share, as defined in Statement No. 68, of FPPA's unfunded pension liability. The Town has no legal obligation to fund this shortfall nor does it have any ability to affect funding, benefits, or annual required contribution decisions made by the FPPA. The requirement of this Statement to record a portion of FPPA's unfunded liability, if any, would negatively impact the Town's future unrestricted net position. Statement No. 68 is effective for fiscal year 2015. At this time, Town management is unable to estimate the magnitude of any impact. Information regarding FPPA's current funding status can be found in its Comprehensive Annual Financial Report.

Note II. Stewardship, Compliance, and Accountability

A. Budgetary Information

The Town adopts annual budgets on a basis consistent with generally accepted accounting principles (GAAP) for all governmental funds. The budgets for proprietary funds are adopted on a non-GAAP modified accrual budgetary basis. All annual appropriations lapse at fiscal year-end. The Town does not adopt a budget for the Erie Housing Authority.

On or before October 15 of each year, the Town Administrator submits to the Town Board of Trustees a proposed operating budget for the fiscal year commencing on the following January 1. Study sessions and public hearings are conducted during Board of Trustee meetings to obtain input from elected officials, citizens, and other interested parties. By December 15, the final budget is adopted.

The appropriated budget is adopted by fund. The budget is prepared by fund, department, and division. Managers can make transfers between line items within their departments without Board approval. All other changes require Board approval. The Board made supplemental appropriations throughout the year, which are reflected in the final budget columns of the financial statements and schedules.

B. Deficit Fund Equity

The Town of Erie Urban Renewal Authority had a deficit fund balance of $4,408,588 as of December 31, 2014. The fund will continue to have a deficit fund balance until urban renewal projects are identified and resulting tax increment funding monies are collected through increased property or sales tax collections.

Note III. Detailed Notes on All Funds

A. Deposits and Investments

Cash and investments are reported in the financial statements as follows:

Pooled cash and investments	$ 54,629,985
Restricted cash and investments	10,502,100
Total	$ 65,132,085

Note III. Detailed Notes on All Funds *(continued)*

Cash and investments consist of the following:

Bank checking accounts	$ 8,912,185
Bank money market and savings accounts	411,178
Bank certificates of deposit	4,267,659
Total bank deposits	13,591,022
Investments	51,539,363
Cash on hand	1,700
Total	$ 65,132,085

Deposits

As of December 31, 2014, the carrying amount of the Town's deposits was $13,591,022.

Custodial Credit Risk

For deposits, custodial credit risk is the risk that in the event of a bank failure, the government's deposits may not be returned to it. Town bank accounts at year-end were entirely covered by federal depository insurance or by eligible collateral maintained by another financial institution or held by the Town's custodial banks in its name under provisions of the Colorado Public Deposit Protection Act (CPDPA). The CPDPA requires financial institutions to pledge collateral having a market value of at least 102% of the aggregate public deposits not insured by federal depository insurance.

Investments

As of December 31, 2014, the Town had the following investments:

	Rating			Investment Maturities		Concentration
Investment Type	Moody's	S&P	Fair Value	Less than 1 Year	1 to 5 Years	of Credit Risk
U.S. Treasury Notes	Aaa	AA+	$ 8,013,280	$ -	$ 8,013,280	15%
Federal Farm Credit Bank	Aaa	AA+	7,013,585	1,000,860	6,012,725	13%
Federal Home Loan Bank	Aaa	AA+	5,056,127	-	5,056,127	10%
Federal Home Loan Mortgage Corporation	Aaa	AA+	6,000,460	4,005,720	1,994,740	12%
Federal National Mortgage Association	Aaa	AA+	8,041,760	5,032,200	3,009,560	15%
Municipal Securities	Aa1/Aaa	AA+/AAA	2,005,450	-	2,005,450	4%
Commercial Paper	P1	A-1	2,998,687	2,998,687	-	6%
CSAFE	n/a	AAAm	9,242,904	9,242,904	-	18%
COLOTRUST PRIME	n/a	AAAm	1,896,398	1,896,398	-	4%
Federated Treasury Obligations Fund	Aaa-mf	AAAm	406,133	406,133	-	1%
Wells Fargo Treasury Money Market Fund	Aaa-mf	AAAm	864,579	864,579	-	2%
Total fair value			$ 51,539,363	$ 25,447,481	$ 26,091,882	100%

It is the policy of the Town to invest its funds in a manner which will provide for the highest investment return consistent with the preservation of principal and provision of the liquidity

necessary for daily cash flow demands. The Town's investment policy applies to all investment activity of the Town, under the control of the finance director. The Town Municipal Code, Section 2-1-4, authorizes the investments that the Town can hold. Investments of the Town may include obligations of the United States of America or its agencies thereof, certificates of deposit, bankers' acceptances, commercial paper, investment grade obligations of state and local governments, repurchase agreements collateralized by any of the foregoing securities, money market mutual funds, and local government investment pools.

As indicated above, Town policy includes certificates of deposit as part of the authorized investment portfolio. For GAAP reporting purposes, certificates of deposit are considered to be bank deposits and are therefore excluded from the investment schedule.

Interest Rate Risk

As a means of limiting its exposure to fair value losses arising from rising interest rates, the Town's investment policy limits the Town's investment portfolio to maturities of less than five years and a weighted average maturity of less than 3 years. Additionally, the Town structures its investment portfolio so that investments mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity.

Credit Risk

Credit quality risk is the risk that the issuer or other counterparty to a debt security will not fulfill its obligations to the Town. The Town's investment policy limits investments to certain types of investments and diversifies the investment portfolio so the impact of potential losses from any one type of investment will be minimized.

Concentration of Credit Risk

Concentration of credit risk is the risk of loss attributed to the magnitude of the Town's investment in a single issuer. Pursuant to its investment policy, the Town has established various limits for issuers for each of the types of securities in which it is permitted to invest.

Custodial Credit Risk

For an investment, custodial credit risk is the risk that, in the event of the failure of the counterparty, the Town will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. The Town's investment policy addresses this risk by requiring the pre-qualifying of financial institutions, broker/dealers, intermediaries, and advisers with which the Town does business to ensure that such risk is minimized.

Note III. Detailed Notes on All Funds *(continued)*

Local Government Investment Pools

As shown in the table on page 56, the Town had investments in the Colorado Surplus Asset Fund Trust (CSAFE) and Colorado Government Liquid Asset Trust (COLOTRUST) at year-end. CSAFE and COLOTRUST are investment vehicles established for local government entities in Colorado to pool surplus funds. These funds were established under the authority of, and in conformity with, Part 7 of Article 75 of Title 24 of the Colorado Revised Statutes. The State of Colorado regulates these funds.

The funds operate similar to money market funds and each share is valued at $1.00. Fund investments include U.S. Treasury bills, notes, note strips, and repurchase agreements collateralized by U.S. Treasury securities. Designated custodial banks provide safekeeping and depository services to these funds in connection with the funds' direct investment and withdrawal functions. The custodians' internal records identify investments owned by the funds. CSAFE financial statements can be obtained at www.csafe.org. COLOTRUST financial statements can be obtained at www.colotrust.com.

B. Accounts Receivable

Receivables as of year-end for the Town's individual major funds and nonmajor funds, in the aggregate, are as follows:

	General	Trails & Natural Areas	Nonmajor Govermental	Water	Wastewater	Nonmajor Proprietary	Total
Property taxes	$ 3,272,974	$ 979,508	$ -	$ -	$ -	$ -	$ 4,252,482
Sales taxes	552,886	-	-	-	-	-	552,886
Other taxes	209,172	-	-	-	-	-	209,172
Accounts, net of allowance for uncollectible accounts	182,331	-	-	570,134	557,408	54,921	1,364,794
Landfill fees	-	-	227,785	-	-	-	227,785
Intergovernmental	497,177	-	93,520	415,067	-	35,674	1,041,438
Interest	14,127	2,880	16,557	12,979	17,143	1,102	64,788
Total receivables	$ 4,728,667	$ 982,388	$ 337,862	$ 998,180	$ 574,551	$ 91,697	$ 7,713,345

Note III. Detailed Notes on All Funds *(continued)*

C. Capital Assets

Capital asset activity for the year ended December 31, 2014, was as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
Governmental activities:				
Capital assets, not being depreciated:				
Construction in progress	$ 2,077,266	$ 3,205,250	$ (2,265,834)	$ 3,016,682
Land	11,941,558	2,121,599	-	14,063,157
Total capital assets, not being depreciated:	14,018,824	5,326,849	(2,265,834)	17,079,839
Capital assets, being depreciated:				
Buildings	29,366,777	137,950	(22,932)	29,481,795
Improvements other than buildings	65,075,732	4,108,525	-	69,184,257
Furniture and equipment	2,101,078	194,514	(55,469)	2,240,123
Vehicles	1,200,146	225,604	(276,178)	1,149,572
Total capital assets, being depreciated:	97,743,733	4,666,593	(354,579)	102,055,747
Less accumulated depreciation for:				
Buildings	(3,134,129)	(618,684)	22,932	(3,729,881)
Improvements other than buildings	(13,447,073)	(2,257,027)	-	(15,704,100)
Furniture and equipment	(1,329,327)	(168,390)	55,469	(1,442,248)
Vehicles	(912,977)	(91,388)	276,178	(728,187)
Total accumulated depreciation	(18,823,506)	(3,135,489)	354,579	(21,604,416)
Total capital assets, being depreciated, net	78,920,227	1,531,104	-	80,451,331
Governmental activities capital assets, net	$ 92,939,051	$ 6,857,953	$ (2,265,834)	$ 97,531,170

Note III. Detailed Notes on All Funds *(continued)*

	Beginning Balance	Increases	Decreases	Ending Balance
Business-type activities:				
Capital assets, not being depreciated:				
Construction in progress	$ 4,577,447	$ 5,633,187	$ (2,367,027)	$ 7,843,607
Land and reservoirs	7,753,537	128,345	-	7,881,882
Water rights	75,390,297	-	-	75,390,297
Total capital assets, not being depreciated:	87,721,281	5,761,532	(2,367,027)	91,115,786
Capital assets, being depreciated:				
Buildings	1,369,265	-	-	1,369,265
Improvements other than buildings	157,682,562	2,731,798	-	160,414,360
Machinery and equipment	840,764	181,061	(34,858)	986,967
Total capital assets, being depreciated:	159,892,591	2,912,859	(34,858)	162,770,592
Less accumulated depreciation for:				
Buildings [1]	(477,235)	(35,445)	-	(512,680)
Improvements other than buildings [1]	(29,642,142)	(4,481,513)	-	(34,123,655)
Machinery and equipment	(408,665)	(44,900)	34,858	(418,707)
Total accumulated depreciation	(30,528,042)	(4,561,858)	34,858	(35,055,042)
Total capital assets, being depreciated, net	129,364,549	(1,648,999)	-	127,715,550
Business-type activities capital assets, net	$ 217,085,830	$ 4,112,533	$ (2,367,027)	$ 218,831,336

(1) The beginning balance reflects the reclassification of $29,023 in accumulated depreciation from "Improvements other than buildings" to "Buildings".

Depreciation expense charged to functions/programs of the primary government follows:

Governmental activities:	
General government	$ 67,203
Public safety	73,955
Public works	1,599,422
Parks and recreation	1,394,909
Total depreciation expense - governmental activities	$3,135,489

Business-type activities:	
Water	$2,508,658
Wastewater	1,546,140
Storm drainage	242,191
Airport	235,847
Housing authority	29,022
Total depreciation expense - business-type activities	$4,561,858

Note III. Detailed Notes on All Funds *(continued)*

D. Interfund Receivables, Payables, and Transfers

There were two advances from the General Fund at December 31, 2014. The first is to the Town's urban renewal authority (URA) for $4,382,881. The advance to the URA was made to pay for purchases of certain properties and for operating expenditures of the authority. This amount is not expected to be repaid in 2015. During 2014, the General Fund advanced $170,000 to the Town's housing authority to facilitate refinancing of the housing authority's then-outstanding mortgage loan, discussed in more detail in Note III.E.4.

Transfers to/from other funds for the year ending December 31, 2014, were as follows:

	Transfer In			
Transfer Out	General Fund	Nonmajor Governmental Funds	Nonmajor Proprietary Funds	Total
General Fund	$ -	$ -	$ 228,157	$ 228,157
Nonmajor governmental funds	1,803,700	-	-	1,803,700
Total	$ 1,803,700	$ -	$ 228,157	$ 2,031,857

Transfers primarily reflect movement of revenues from the fund with collection authorization to the fund making the expenditure. The $1,803,700 transfer to the General Fund largely reflects a transfer from the Solid Waste/Streets Fund for permitted uses of the revenues recorded in the Solid Waste/Streets Fund, but incurred by the General Fund. The $228,157 transfer from the General Fund reflects a transfer to the Erie Housing Authority to facilitate the mortgage loan refinancing referred to above and discussed in more detail in Note III.E.4. and to provide working capital.

E. Long-term Debt

1. General Obligation Bonds

The Town issues general obligation bonds to provide funds for the acquisition and construction of major capital facilities. General obligation bonds have only been issued for governmental activities. General obligation bonds are direct obligations and pledge the full faith and credit of the government. They are payable primarily from real property taxes, in addition to various other funding sources. These bonds are issued as serial bonds with varying amounts of principal maturing each year.

Note III. Detailed Notes on All Funds *(continued)*

General obligation bonds outstanding at December 31, 2014, are as follows:

Year Issued	Description	Interest Rate (%)	Final Maturity Date	Issued	Outstanding
2006	General obligation bonds	4.375 - 5.25	2026	$16,800,000	$ 3,845,000
2006	General obligation refunding bonds	4.25 - 4.50	2018	2,971,095	1,345,000
2013	General obligation refunding bonds	2.00 - 4.00	2026	8,460,000	8,365,000
2014	General obligation bonds	3.25 - 3.75	2033	6,200,000	6,200,000
	Total general obligation bonds				$19,755,000

Annual debt service requirements to maturity for general obligation bonds are as follows:

Year Ending December 31	Principal	Interest
2015	$ 1,120,000	$ 742,019
2016	1,170,000	692,156
2017	1,225,000	641,081
2018	1,280,000	587,269
2019	960,000	530,544
2020-2024	5,360,000	2,093,062
2025-2029	4,920,000	1,109,650
2030-2033	3,720,000	348,163
Total	$ 19,755,000	$ 6,743,944

2. Revenue Bonds and Loans

The Town also issues bonds where the government pledges income derived from the acquired or constructed assets to pay debt service. The Town can also use other resources to pay debt service.

Note III. Detailed Notes on All Funds *(continued)*

Revenue bonds and loans outstanding at year-end were as follows:

Year Issued	Description	Interest Rate (%)	Final Maturity Date	Issued	Outstanding
1995	Storm drainage revenue loan	2.00	2035	$ 498,512	$ 310,003
1997	Wastewater revenue loan	4.54	2017	1,821,690	363,270
1997	Wastewater revenue loan	4.50	2017	500,000	108,310
2007	Water revenue bonds	5.00	2032	14,225,000	14,225,000
2007	Water revenue refunding bonds	4.25 - 5.00	2023	5,035,000	3,370,000
2008	Wastewater revenue bonds	4.00 - 4.75	2028	8,900,000	7,900,000
2008	Wastewater revenue refunding bonds	4.00	2017	985,000	365,000
2009	Wastewater revenue loan	2.00	2030	1,534,700	697,400
2009	Wastewater revenue loan	0.00	2030	2,000,000	1,550,000
2009	Wastewater revenue bonds	4.50 - 5.00	2037	10,650,000	10,650,000
2009	Water revenue refunding bonds	2.25 - 4.00	2023	6,390,000	4,370,000
2011	Water revenue refunding bonds	2.00 - 5.00	2023	10,098,045	7,775,000
	Total revenue bonds and loans				$51,683,983

Annual debt service requirements to maturity for revenue bonds and loans are as follows:

Year Ending December 31	Principal	Interest
2015	$ 2,172,514	$ 2,216,853
2016	2,255,447	2,131,963
2017	2,329,156	2,060,467
2018	2,403,941	1,984,061
2019	2,480,025	1,908,511
2020-2024	12,387,140	8,143,683
2025-2029	12,182,668	5,542,325
2030-2034	11,310,226	2,474,741
2035-2037	4,162,866	421,607
Total	$ 51,683,983	$ 26,884,211

Note III. Detailed Notes on All Funds *(continued)*

3. Certificates of Participation

The Town formed the Erie Finance Corporation (EFC) to issue certificates of participation (COPs) for the acquisition and construction of major capital additions and improvements. The COPs are secured by the underlying capital assets. Debt service payments are made from rents collected by EFC based upon annually renewable lease agreements between the Town and EFC. Payments are subject to annual appropriation and do not constitute a general obligation or other indebtedness or multiple fiscal year financial obligation of the Town within the meaning of any constitutional or statutory debt limitation.

The Town entered into its first COPs transaction in 2005. COPs in the amount of $32,030,000 were issued to purchase Colorado-Big Thompson water shares. The 2005 COPs were retired in 2010, when the 2010 COPs were issued. The 2010 COPs carried a fixed rate of 2.7% through October 1, 2015, and carried a variable rate after that date. In 2014 the COPs were remarketed, resulting in the issuance of new certificates with maturities extending through 2040 and carrying a fixed rate. The effective interest rate of the new certificates was 3.76%. The following is a summary of COPs payments:

Year Ending December 31	Principal	Interest	Total
2015	$ 695,000	$ 902,493	$ 1,597,493
2016	625,000	970,638	1,595,638
2017	640,000	958,138	1,598,138
2018	650,000	945,338	1,595,338
2019	670,000	925,838	1,595,838
2020-2024	3,620,000	4,361,035	7,981,035
2025-2029	4,450,000	3,527,375	7,977,375
2030-2034	5,465,000	2,514,850	7,979,850
2035-2039	6,755,000	1,221,450	7,976,450
2040	1,535,000	61,400	1,596,400
Total	$ 25,105,000	$ 16,388,555	$ 41,493,555

4. Housing Authority Debt

The Town has two mortgages payable through its blended component unit, the Erie Housing Authority, as follows:

Year Issued	Purpose	Interest Rate (%)	Final Maturity Date	Issued	Outstanding
2000	FHLB forgivable loan	0.00	2016	$ 60,000	$ 60,000
2014	Mortgage loan	4.50	2016	320,000	316,600
					$ 376,600

Note III. Detailed Notes on All Funds *(continued)*

Annual debt service requirements to maturity for these mortgages are as follows:

Year Ending December 31	Principal	Interest	Total
2015	$ 10,064	$ 14,357	$ 24,421
2016	366,536	9,256	375,792
Total	$ 376,600	$ 23,613	$ 400,213

In addition, the housing authority has a loan with a principal amount of $370,000 maturing in 2016, secured by a savings account of equal amount. Terms of the loan require interest only payments on a monthly basis at a fixed rate of 3.25%. Annual debt service requirements to maturity for this loan are as follows:

Year Ending December 31	Principal	Interest	Total
2015	$ -	$ 12,167	$ 12,167
2016	369,232	8,133	377,365
Total	$ 369,232	$ 20,300	$ 389,532

5. Capital Lease Obligations

The Town entered into two capital lease agreements in 2013 for the purchase of a grader for street maintenance purposes and police car radios. The imputed interest rates on the leases range from 2.94% to 3.30%. The book value of the underlying assets was $234,593 at December 31, 2014. The following is a schedule by year of future minimum lease obligations as of December 31, 2014:

Year Ending December 31	Lease Payments
2015	$ 62,762
2016	62,762
2017	62,764
2018	18,703
Total minimum lease payments	206,991
Less: amount representing interest	(11,521)
Present value of minimum lease payments	$ 195,470

Note III. Detailed Notes on All Funds *(continued)*

6. Defeasance of Debt

In prior years, the Town defeased certain general obligation, water, and wastewater revenue bonds by placing the proceeds of new bonds into irrevocable trusts to provide for all future debt service payments on the old bonds. Accordingly, the trust account assets and the liability for the defeased bonds are not included in the Town's financial statements. These transactions resulted in economic gains to the Town. On December 31, 2014, defeased bonds had remaining balances outstanding of $9,256,657.

7. Changes in Long-term Liabilities

Long-term liability activity for the year ended December 31, 2014, was as follows:

	Beginning Balance	Additions	Reductions	Ending Balance	Due Within One Year
Governmental activities:					
Bonds and other debt payable:					
General obligation bonds	$ 14,625,000	$ 6,200,000	$ (1,070,000)	$ 19,755,000	$ 1,120,000
Capital lease obligations	250,790	-	(55,320)	195,470	57,107
Less deferred amounts for issuance premiums	1,298,684	308,716	(112,877)	1,494,523	-
Total bonds and other debt payable	16,174,474	6,508,716	(1,238,197)	21,444,993	1,177,107
Compensated absences	450,093	522,894	(490,648)	482,339	366,535
Litigation reserve	-	450,000	-	450,000	450,000
Total governmental activities	$ 16,624,567	$ 7,481,610	$ (1,728,845)	$ 22,377,332	$ 1,993,642
Business-type activities:					
Bonds, loans and other debt payable:					
Revenue bonds and loans	$ 53,859,995	$ -	$ (2,176,012)	$ 51,683,983	$ 2,172,514
Certificates of participation	28,295,000	25,105,000	(28,295,000)	25,105,000	695,000
Mortgages payable	758,942	320,000	(702,342)	376,600	10,064
Loan payable - other	-	369,233	(1)	369,232	-
Less deferred amounts for issuance premiums and discounts	1,123,080	1,417,208	(97,603)	2,442,685	-
Total bonds, loans and other debt payable	84,037,017	27,211,441	(31,270,958)	79,977,500	2,877,578
Compensated absences	205,681	231,781	(220,436)	217,026	171,128
Total business-type activities	$ 84,242,698	$ 27,443,222	$ (31,491,394)	$ 80,194,526	$ 3,048,706

F. Retirement Plans

1. Police Officers

a. Plan Description

The Town contributes to a statewide defined benefit pension plan, a cost-sharing multiple-employer defined benefit pension plan, which is administered by the Fire and Police Pension Association of Colorado (FPPA). Assets of the plan are commingled for investment purposes in the Fire and Police Member's Benefit Investment Fund. The plan provides retirement benefits for members and beneficiaries according to plan provisions as enacted

and governed by the Pension Fund Board of Trustees. Colorado Revised Statutes (CRS), as amended, establish basic benefit provisions under the plan. FPPA issues an annual, publicly-available financial report that includes the assets of the plan. That report may be obtained by calling FPPA at (303) 770-3772 in the Denver Metro area, or 1-800-332-3772 from outside the metro area, or from their web site at www.fppaco.org.

b. Basis of Accounting

The financial statements of the Statewide Defined Benefit Plan are prepared using the accrual basis of accounting. Plan member contributions are recognized in the period in which the contributions are due. Benefits and refunds are recognized when due and payable in accordance with the terms of the plan. The Statewide Defined Benefit Plan investments are presented at fair value except for short-term investments which are recorded at cost, which approximates fair value.

c. Funding Policy

Plan members and the Town are required to contribute at a rate set by statute. The contribution requirements of plan members and the Town are established under Title 31, Article 30, Part 10 of the CRS, as amended. The contribution rate for both members and the Town is 8% of covered salary. For the years ending December 31, 2014, 2013, and 2012, the Town's contributions to the FPPA Pension Plan were $128,017, $116,331 and $113,156, respectively, equal to their required contributions for each year.

2. General Employees

The Town contributes to a defined contribution plan established for non-Police employees.

Plan name:	The Town of Erie Savings Plan
Plan administrator:	The Standard (a third party trustee)

The plan was established by authority of the Town Board and can be amended by the Plan Trustees (Town Administrator and Finance Director). The Board establishes and may amend contribution requirements.

The plan is available to all non-Police benefited employees (full time employees and part time employees working at least 24 hours per week). The plan was created in accordance with Internal Revenue Code (IRC) Section 401(a). Employees are eligible to participate on the first day of each new calendar quarter.

Under the terms of the plan the Town is the only non-employee contributor and matches the first 0–5% of employee contributions. Participants are not required to contribute to the plan, but may contribute up to $16,500 per year ($22,000 for employees over 50). Employer contributions are based on the participant's salary (salary, pay, or earned income less salary reductions made under IRC §125). During 2014, the Town made all required contributions to the plan, contributing $248,939. Employees contributed $399,731.

Note III. Detailed Notes on All Funds *(continued)*

Employees vest immediately. Employees have a non-forfeitable interest in the employer contributions to their accounts at The Standard. No voluntary after-tax contributions are allowed. Since a third party trustee holds the assets in trust, they are not reflected in the Town's financial statements.

Note IV. Other Information

A. Risk Management

The Town purchases liability, property, and workers' compensation insurance from private insurance carriers. The Town paid $231,356 for insurance in 2014 and maintains the following amounts of coverage with the amount of any deductibles (retained risk) indicated:

Coverage	Amount	Deductible
Building	$77,709,327	$ 2,500
Personal property	23,177,602	2,500
EDP	552,000	2,500
Business interruption & extra expense	630,500	72 Hours
General liability	5,000,000	2,500
Automobile liability	1,500,000	1,000
Workers' compensation	500,000	2,500

Settlements have not exceeded coverages for each of the past three fiscal years.

B. Litigation

The Town is currently the defendant in several lawsuits. Some of the lawsuits are in the process of settlement, and do not involve significant claims. There does not appear to be a threat of significant liability to the Town from those lawsuits. In addition, there are several claims asserted against the Town. Legal counsel is of the opinion that insurance carried by the Town is sufficient to cover any potential adverse settlements from those claims covered by insurance. As to those claims which may not be covered by insurance, legal counsel is unable to form an opinion as to any potential adverse settlements. See also Note IV.H. – Subsequent Event.

C. Commitments

The Town has several capital asset construction and acquisition projects in process. As a result of these projects, the Town has remaining outstanding commitments of $5,163,337 to various general contractors and vendors. Of this amount, $4,956,948 represents contractual commitments related to construction of a public safety and municipal court building. Construction of this building is being funded through the proceeds of general obligation bonds issued during 2014.

Note IV. Other Information *(continued)*

The Town is also participating in several raw water storage and delivery projects with the Northern Colorado Water Conservancy District. In 2014, the Town contributed $243,750 to the Northern Integrated Supply Project and $139,243 to the Windy Gap Firming Project. Future years' contributions to these projects depend on the Board of Trustees election to participate.

D. Contingent Liabilities

Federal grants are subject to audit which could result in disallowed costs, the amount which is undeterminable at December 31, 2014. If any costs are disallowed in the future, the Town expects them to be insignificant.

E. Annexation and Developer Agreements

The Town has entered into several annexation and developer agreements with various developers of residential/commercial developments. Among other things, these agreements indicate whether the Town or the developer is responsible for construction of infrastructure and other improvements such as water, wastewater and storm drainage infrastructure, streets, trails, parks and similar capital improvements required to support the development. The Town's portion of these costs will be paid primarily from tap and impact fees collected from these developments.

F. Tax, Spending, and Debt Limitations

On November 3, 1992, the voters of the State approved Article X, Section 20, to the State Constitution (the Amendment). The Amendment provides for several limitations on government activities, including those related to revenue, expenditures, property taxes, and issuance of debt. These provisions of the Constitution are complex and subject to judicial interpretation. In the opinion of management, the Town is in compliance with such provisions.

The Amendment provides for exceptions related to "enterprises", defined as government-owned businesses authorized to issue revenue bonds and receiving less than 10% of its annual revenue in grants from all state and local governments combined. The Town's management is of the opinion that its Water, Wastewater, Storm Drainage, and Airport operations qualify for this exclusion.

In 1994, the Town's electorate authorized the Town to retain any revenues in excess of the limits imposed by the Amendment, pursuant to its existing sales and use tax code and general taxes on all taxable property without any increase in sales and use tax rates or increase in the general property tax mill levy. This effectively removed all revenue and spending limits imposed by Amendment. However, any future tax rate or tax code changes increasing tax revenues are subject to voter approval.

Note IV. Other Information *(continued)*

G. Emergency Reserve

The Town Board approved a resolution creating an emergency reserve as required by Article X, Section 20, of the Colorado Constitution. The December 31, 2014, amount of $547,015 is based on the requirements of Article X, Section 20.

H. Subsequent Event

The case of Golden Run Estates LLC and Aaron Harber v. Town of Erie was filed in September, 2014 and tried by a jury in June, 2015. The Plaintiffs claimed that the Town breached a pre-annexation agreement addressing their property and planned mixed use development, and thereby caused them to suffer damages. At the conclusion of the trial, the judge ordered the Plaintiffs' property to be disconnected from the Town and the jury awarded the Plaintiffs damages in the amount of $362,500. The Town has reviewed the case with counsel and believes there are multiple grounds to appeal the damages, and that damages may be reduced or eliminated on appeal or through settlement discussions with the Plaintiff. Due to the uncertainties associated with an appeal and/or settlement process, the Town has accrued $450,000 as litigation settlement expense, reflected in General Government expenses in the government-wide Statement of Activities.

Combining and Individual Fund Statements and Schedules

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Special Revenue Funds - Special revenue funds are used to account for specific revenues that are legally restricted to expenditure for particular purposes.

Conservation Trust Fund: Accounts for revenues received from the Colorado State Lottery proceeds through the State's Conservation Trust Fund. It is used to acquire, develop, and maintain new conservation sites; and for capital improvements or maintenance for recreational purposes on any public site.

Cemetery Fund: Accounts for revenues received from plot purchases at the municipal cemetery. Money is used for perpetual care expenditures at the cemetery.

Forfeiture and Seizure Fund: Accounts for forfeitures as a result of asset seizures relating to convictions for drug-related offenses. Money is used to purchase goods and services related to law enforcement.

Solid Waste/Streets Fund: Accounts for landfill fees used for capital improvements and maintenance of solid waste and street-related purposes.

Erie Urban Renewal Authority: Accounts for the monies for urban renewal activity.

Capital Projects Funds - Capital projects funds are used to account for the acquisition and construction of major capital facilities.

Public Facilities Impact Fund: Accounts for impact fee revenues used to construct and acquire public facilities.

Transportation Impact Fund: Accounts for impact fee revenues used to construct and acquire transportation system enhancements.

Parks Improvement Impact Fund: Accounts for impact fee revenues used to construct and acquire parks and related improvements.

Tree Impact Fund: Accounts for impact fee revenues used to acquire and plant trees in public locations, and to issue certificates for tree purchases to homeowners of newly constructed homes.

Storm Drainage Impact Fund: Accounts for impact fee revenues used to acquire and construct the storm drainage system.

Town of Erie, Colorado
Combining Balance Sheet
Nonmajor Governmental Funds
December 31, 2014

	Total Nonmajor Special Revenue Funds	Total Nonmajor Capital Projects Funds	Total Nonmajor Governmental Funds
ASSETS			
Pooled Cash and Investments	$ 2,913,115	$ 11,484,012	$ 14,397,127
Receivables	231,050	106,812	337,862
Total Assets	$ 3,144,165	$ 11,590,824	$ 14,734,989
LIABILITIES			
Accounts Payable	$ 20,372	$ 638,971	$ 659,343
Wages Payable	5,335	-	5,335
Advances from Other Funds	4,382,881	-	4,382,881
Unearned Revenue	500,000	-	500,000
Total Liabilities	4,908,588	638,971	5,547,559
DEFERRED INFLOWS OF RESOURCES			
Unavailable Fund Resources	-	68,271	68,271
Total Deferred Inflows of Resources	-	68,271	68,271
FUND BALANCES			
Restricted for:			
Capital Projects	-	10,883,582	10,883,582
Parks and Open Space	419,047	-	419,047
Public Safety	6,196	-	6,196
Solid Waste/Streets	2,066,926	-	2,066,926
Committed to:			
Cemetery Operations	151,996	-	151,996
Unassigned	(4,408,588)	-	(4,408,588)
Total Fund Balances	(1,764,423)	10,883,582	9,119,159
Total Liabilities, Deferred Inflows of Resources and Fund Balances	$ 3,144,165	$ 11,590,824	$ 14,734,989

Town of Erie, Colorado
Combining Statement of Revenues, Expenditures, and Changes in Fund Balances
Nonmajor Governmental Funds
For the Year Ended December 31, 2014

	Total Nonmajor Special Revenue Funds	Total Nonmajor Capital Projects Funds	Total Nonmajor Governmental Funds
REVENUES			
Intergovernmental	$ 165,520	$ 25,249	$ 190,769
Fees and Charges for Services	1,682,498	-	1,682,498
Capital Contributions and Fees	215,879	2,370,835	2,586,714
Investment Earnings	19,149	60,409	79,558
Total Revenues	2,083,046	2,456,493	4,539,539
EXPENDITURES			
Current Operating:			
General Government	343,295	-	343,295
Public Works	121,944	-	121,944
Capital Outlay	132,052	2,554,640	2,686,692
Total Expenditures	597,291	2,554,640	3,151,931
Excess (Deficiency) of Revenues Over (Under) Expenditures	1,485,755	(98,147)	1,387,608
OTHER FINANCING SOURCES (USES)			
Transfers Out	(1,795,000)	(8,700)	(1,803,700)
Total Other Financing Sources (Uses)	(1,795,000)	(8,700)	(1,803,700)
Net Change in Fund Balance	(309,245)	(106,847)	(416,092)
Fund Balance - Beginning	(1,455,178)	10,990,429	9,535,251
Fund Balance - Ending	$ (1,764,423)	$ 10,883,582	$ 9,119,159

Town of Erie, Colorado
Combining Balance Sheet
Nonmajor Special Revenue Funds
December 31, 2014

	Conservation Trust Fund	Cemetery Fund	Forfeiture and Seizure Fund	Solid Waste/ Streets Fund
ASSETS				
Pooled Cash and Investments	$ 418,579	$ 151,824	$ 6,189	$ 2,336,523
Receivables	468	172	7	230,403
Total Assets	$ 419,047	$ 151,996	$ 6,196	$ 2,566,926
LIABILITIES				
Accounts Payable	$ -	$ -	$ -	$ -
Wages Payable	-	-	-	-
Advances from Other Funds	-	-	-	-
Unearned Revenue	-	-	-	500,000
Total Liabilities	-	-	-	500,000
FUND BALANCES				
Restricted for:				
Parks and Open Space	419,047	-	-	-
Public Safety	-	-	6,196	-
Solid Waste/Streets	-	-	-	2,066,926
Committed to:				
Cemetery Operations	-	151,996	-	-
Unassigned	-	-	-	-
Total Fund Balances	419,047	151,996	6,196	2,066,926
Total Liabilities and Fund Balances	$ 419,047	$ 151,996	$ 6,196	$ 2,566,926

Erie Urban Renewal Authority	Total
$ -	$ 2,913,115
-	231,050
$ -	$ 3,144,165
$ 20,372	$ 20,372
5,335	5,335
4,382,881	4,382,881
-	500,000
4,408,588	4,908,588
-	419,047
-	6,196
-	2,066,926
-	151,996
(4,408,588)	(4,408,588)
(4,408,588)	(1,764,423)
$ -	$ 3,144,165

Town of Erie, Colorado
Combining Statement of Revenues, Expenditures, and Changes in Fund Balances
Nonmajor Special Revenue Funds
For the Year Ended December 31, 2014

	Conservation Trust Fund	Cemetery Fund	Forfeiture and Seizure Fund	Solid Waste/ Streets Fund
REVENUES				
Intergovernmental	$ 165,520	$ -	$ -	$ -
Fees and Charges for Services	-	7,400	-	1,675,098
Capital Contributions and Fees	-	215,879	-	-
Investment Earnings	2,171	290	35	16,653
Total Revenues	167,691	223,569	35	1,691,751
EXPENDITURES				
Current Operating:				
General Government	-	-	-	-
Public Works	121,944	-	-	-
Capital Outlay	42,492	89,560	-	-
Total Expenditures	164,436	89,560	-	-
Excess (Deficiency) of Revenues Over (Under) Expenditures	3,255	134,009	35	1,691,751
OTHER FINANCING SOURCES (USES)				
Transfers Out	-	-	-	(1,795,000)
Total Other Financing Sources (Uses)	-	-	-	(1,795,000)
Net Change in Fund Balance	3,255	134,009	35	(103,249)
Fund Balance - Beginning	415,792	17,987	6,161	2,170,175
Fund Balance - Ending	$ 419,047	$ 151,996	$ 6,196	$ 2,066,926

Erie Urban Renewal Authority	Total
$ -	$ 165,520
-	1,682,498
-	215,879
-	19,149
-	2,083,046
343,295	343,295
-	121,944
-	132,052
343,295	597,291
(343,295)	1,485,755
-	(1,795,000)
-	(1,795,000)
(343,295)	(309,245)
(4,065,293)	(1,455,178)
$ (4,408,588)	$ (1,764,423)

Town of Erie, Colorado
Conservation Trust Fund
Schedule of Revenues, Expenditures, and Changes in Fund Balance
Budget and Actual
For the Year Ended December 31, 2014

	Budgeted Amounts			Variance With Final Budget Positive (Negative)
	Original Budget	Final Budget	Actual	
REVENUES				
Intergovernmental	$ 180,000	$ 180,000	$ 165,520	$ (14,480)
Investment Earnings	600	600	2,171	1,571
Total Revenues	180,600	180,600	167,691	(12,909)
EXPENDITURES				
Current Operating:				
Public Works	136,700	136,900	121,944	14,956
Capital Outlay	32,100	57,600	42,492	15,108
Total Expenditures	168,800	194,500	164,436	30,064
Excess (Deficiency) of Revenues Over (Under) Expenditures	11,800	(13,900)	3,255	17,155
Net Change in Fund Balance	$ 11,800	$ (13,900)	3,255	$ 17,155
Fund Balance - Beginning			415,792	
Fund Balance - Ending			$ 419,047	

Town of Erie, Colorado
Cemetery Fund
Schedule of Revenues, Expenditures, and Changes in Fund Balance
Budget and Actual
For the Year Ended December 31, 2014

	Budgeted Amounts			Variance With Final Budget Positive (Negative)
	Original Budget	Final Budget	Actual	
REVENUES				
Fees and Charges for Services	$ 1,800	$ 6,800	$ 7,400	$ 600
Capital Contributions and Fees	-	215,300	215,879	579
Investment Earnings	400	400	290	(110)
Total Revenues	2,200	222,500	223,569	1,069
EXPENDITURES				
Capital Outlay	-	99,700	89,560	10,140
Total Expenditures	-	99,700	89,560	10,140
Excess (Deficiency) of Revenues Over (Under) Expenditures	2,200	122,800	134,009	11,209
Net Change in Fund Balance	$ 2,200	$ 122,800	134,009	$ 11,209
Fund Balance - Beginning			17,987	
Fund Balance - Ending			$ 151,996	

Town of Erie, Colorado
Forfeiture and Seizure Fund
Schedule of Revenues, Expenditures, and Changes in Fund Balance
Budget and Actual
For the Year Ended December 31, 2014

	Budgeted Amounts			Variance With Final Budget Positive (Negative)
	Original Budget	Final Budget	Actual	
REVENUES				
Investment Earnings	$ 100	$ 100	$ 35	$ (65)
Total Revenues	100	100	35	(65)
EXPENDITURES				
Total Expenditures	-	-	-	-
Excess (Deficiency) of Revenues Over (Under) Expenditures	100	100	35	(65)
Net Change in Fund Balance	$ 100	$ 100	35	$ (65)
Fund Balance - Beginning			6,161	
Fund Balance - Ending			$ 6,196	

Town of Erie, Colorado
Solid Waste/Streets Fund
Schedule of Revenues, Expenditures, and Changes in Fund Balance
Budget and Actual
For the Year Ended December 31, 2014

	Budgeted Amounts			Variance With Final Budget Positive (Negative)
	Original Budget	Final Budget	Actual	
REVENUES				
Fees and Charges for Services	$ 1,250,000	$ 1,600,000	$ 1,675,098	$ 75,098
Investment Earnings	-	5,000	16,653	11,653
Total Revenues	1,250,000	1,605,000	1,691,751	86,751
EXPENDITURES				
Total Expenditures	-	-	-	-
Excess (Deficiency) of Revenues Over (Under) Expenditures	1,250,000	1,605,000	1,691,751	86,751
OTHER FINANCING SOURCES (USES)				
Transfers Out	(2,139,300)	(2,269,400)	(1,795,000)	474,400
Total Other Financing Sources (Uses)	(2,139,300)	(2,269,400)	(1,795,000)	474,400
Net Change in Fund Balance	$ (889,300)	$ (664,400)	(103,249)	$ 561,151
Fund Balance - Beginning			2,170,175	
Fund Balance - Ending			$ 2,066,926	

Town of Erie, Colorado
Erie Urban Renewal Authority
Schedule of Revenues, Expenditures, and Changes in Fund Balance
Budget and Actual
For the Year Ended December 31, 2014

	Budgeted Amounts			Variance With Final Budget Positive (Negative)
	Original Budget	Final Budget	Actual	
EXPENDITURES				
Current Operating:				
General Government	$ 465,400	$ 465,400	$ 343,295	$ 122,105
Total Expenditures	465,400	465,400	343,295	122,105
Excess (Deficiency) of Revenues Over (Under) Expenditures	(465,400)	(465,400)	(343,295)	122,105
Net Change in Fund Balance	$ (465,400)	$ (465,400)	(343,295)	$ 122,105
Fund Balance - Beginning			(4,065,293)	
Fund Balance - Ending			$ (4,408,588)	

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Town of Erie, Colorado
Combining Balance Sheet
Nonmajor Capital Projects Funds
December 31, 2014

	Public Facilities Impact Fund	Transportation Impact Fund	Parks Improvement Impact Fund	Tree Impact Fund
ASSETS				
Pooled Cash and Investments	$ 3,030,740	$ 2,974,483	$ 921,048	$ 260,640
Receivables	3,395	3,756	1,032	290
Total Assets	$ 3,034,135	$ 2,978,239	$ 922,080	$ 260,930
LIABILITIES				
Accounts Payable	$ 21,641	$ 292,063	$ -	$ 8,267
Total Liabilities	21,641	292,063	-	8,267
DEFERRED INFLOWS OF RESOURCES				
Unavailable Fund Resources	-	-	-	-
Total Deferred Inflows of Resources	-	-	-	-
FUND BALANCES				
Restricted for:				
Capital Projects	3,012,494	2,686,176	922,080	252,663
Total Fund Balances	3,012,494	2,686,176	922,080	252,663
Total Liabilities, Deferred Inflows of Resources and Fund Balances	$ 3,034,135	$ 2,978,239	$ 922,080	$ 260,930

Storm Drainage Impact Fund	Total
$ 4,297,101	$ 11,484,012
98,339	106,812
$ 4,395,440	$ 11,590,824
$ 317,000	$ 638,971
317,000	638,971
68,271	68,271
68,271	68,271
4,010,169	10,883,582
4,010,169	10,883,582
$ 4,395,440	$ 11,590,824

Town of Erie, Colorado
Combining Statement of Revenues, Expenditures, and Changes in Fund Balances
Nonmajor Capital Projects Funds
For the Year Ended December 31, 2014

	Public Facilities Impact Fund	Transportation Impact Fund	Parks Improvement Impact Fund	Tree Impact Fund
REVENUES				
Intergovernmental	$ -	$ -	$ -	$ -
Capital Contributions and Fees	582,857	577,798	717,750	87,300
Investment Earnings	15,055	18,922	3,593	1,358
Total Revenues	597,912	596,720	721,343	88,658
EXPENDITURES				
Capital Outlay	170,157	1,867,103	4,885	65,210
Total Expenditures	170,157	1,867,103	4,885	65,210
Excess (Deficiency) of Revenues Over (Under) Expenditures	427,755	(1,270,383)	716,458	23,448
OTHER FINANCING SOURCES (USES)				
Transfers Out	(8,700)	-	-	-
Total Other Financing Sources (Uses)	(8,700)	-	-	-
Net Change in Fund Balance	419,055	(1,270,383)	716,458	23,448
Fund Balance - Beginning	2,593,439	3,956,559	205,622	229,215
Fund Balance - Ending	$ 3,012,494	$ 2,686,176	$ 922,080	$ 252,663

Storm Drainage Impact Fund	Total
$ 25,249	$ 25,249
405,130	2,370,835
21,481	60,409
451,860	2,456,493
447,285	2,554,640
447,285	2,554,640
4,575	(98,147)
-	(8,700)
-	(8,700)
4,575	(106,847)
4,005,594	10,990,429
$ 4,010,169	$ 10,883,582

Town of Erie, Colorado
Public Facilities Impact Fund
Schedule of Revenues, Expenditures, and Changes in Fund Balance
Budget and Actual
For the Year Ended December 31, 2014

	Budgeted Amounts			Variance With Final Budget Positive (Negative)
	Original Budget	Final Budget	Actual	
REVENUES				
Capital Contributions and Fees	$ 561,000	$ 572,400	$ 582,857	$ 10,457
Investment Earnings	2,400	2,400	15,055	12,655
Total Revenues	563,400	574,800	597,912	23,112
EXPENDITURES				
Capital Outlay	480,000	314,600	170,157	144,443
Total Expenditures	480,000	314,600	170,157	144,443
Excess (Deficiency) of Revenues Over (Under) Expenditures	83,400	260,200	427,755	167,555
OTHER FINANCING SOURCES (USES)				
Transfers Out	(8,700)	(8,700)	(8,700)	-
Total Other Financing Sources (Uses)	(8,700)	(8,700)	(8,700)	-
Net Change in Fund Balance	$ 74,700	$ 251,500	419,055	$ 167,555
Fund Balance - Beginning			2,593,439	
Fund Balance - Ending			$ 3,012,494	

Town of Erie, Colorado
Transportation Impact Fund
Schedule of Revenues, Expenditures, and Changes in Fund Balance
Budget and Actual
For the Year Ended December 31, 2014

	Budgeted Amounts			Variance With Final Budget Positive (Negative)
	Original Budget	Final Budget	Actual	
REVENUES				
Capital Contributions and Fees	$ 537,200	$ 543,200	$ 577,798	$ 34,598
Investment Earnings	1,400	1,400	18,922	17,522
Total Revenues	538,600	544,600	596,720	52,120
EXPENDITURES				
Capital Outlay	1,915,000	4,316,100	1,867,103	2,448,997
Total Expenditures	1,915,000	4,316,100	1,867,103	2,448,997
Excess (Deficiency) of Revenues Over (Under) Expenditures	(1,376,400)	(3,771,500)	(1,270,383)	2,501,117
Net Change in Fund Balance	$ (1,376,400)	$ (3,771,500)	(1,270,383)	$ 2,501,117
Fund Balance - Beginning			3,956,559	
Fund Balance - Ending			$ 2,686,176	

Town of Erie, Colorado
Parks Improvement Impact Fund
Schedule of Revenues, Expenditures, and Changes in Fund Balance
Budget and Actual
For the Year Ended December 31, 2014

	Budgeted Amounts			Variance With Final Budget Positive (Negative)
	Original Budget	Final Budget	Actual	
REVENUES				
Capital Contributions and Fees	$ 649,500	$ 685,000	$ 717,750	$ 32,750
Investment Earnings	100	100	3,593	3,493
Total Revenues	649,600	685,100	721,343	36,243
EXPENDITURES				
Capital Outlay	15,000	51,900	4,885	47,015
Total Expenditures	15,000	51,900	4,885	47,015
Excess (Deficiency) of Revenues Over (Under) Expenditures	634,600	633,200	716,458	83,258
Net Change in Fund Balance	$ 634,600	$ 633,200	716,458	$ 83,258
Fund Balance - Beginning			205,622	
Fund Balance - Ending			$ 922,080	

Town of Erie, Colorado
Tree Impact Fund
Schedule of Revenues, Expenditures, and Changes in Fund Balance
Budget and Actual
For the Year Ended December 31, 2014

	Budgeted Amounts			Variance With Final Budget Positive (Negative)
	Original Budget	Final Budget	Actual	
REVENUES				
Capital Contributions and Fees	$ 90,000	$ 90,000	$ 87,300	$ (2,700)
Investment Earnings	100	100	1,358	1,258
Total Revenues	90,100	90,100	88,658	(1,442)
EXPENDITURES				
Capital Outlay	90,000	90,000	65,210	24,790
Total Expenditures	90,000	90,000	65,210	24,790
Excess (Deficiency) of Revenues Over (Under) Expenditures	100	100	23,448	23,348
Net Change in Fund Balance	$ 100	$ 100	23,448	$ 23,348
Fund Balance - Beginning			229,215	
Fund Balance - Ending			$ 252,663	

Town of Erie, Colorado
Storm Drainage Impact Fund
Schedule of Revenues, Expenditures, and Changes in Fund Balance
Budget and Actual
For the Year Ended December 31, 2014

	Budgeted Amounts			Variance With Final Budget Positive (Negative)
	Original Budget	Final Budget	Actual	
REVENUES				
Intergovernmental	$ -	$ -	$ 25,249	$ 25,249
Capital Contributions and Fees	396,400	396,400	405,130	8,730
Investment Earnings	1,000	1,000	21,481	20,481
Total Revenues	397,400	397,400	451,860	54,460
EXPENDITURES				
Capital Outlay	2,925,000	3,504,800	447,285	3,057,515
Total Expenditures	2,925,000	3,504,800	447,285	3,057,515
Excess (Deficiency) of Revenues Over (Under) Expenditures	(2,527,600)	(3,107,400)	4,575	3,111,975
Net Change in Fund Balance	$ (2,527,600)	$ (3,107,400)	4,575	$ 3,111,975
Fund Balance - Beginning			4,005,594	
Fund Balance - Ending			$ 4,010,169	

Nonmajor Proprietary Funds:

Storm Drainage Operating Fund: Accounts for storm drainage charges received from system users. This money is used to construct and maintain the storm drainage system.

Airport Fund: Accounts for airport fees received from airport users, as well as proceeds from federal and state aviation grants. This money is used to construct and maintain the municipal airport.

Erie Housing Authority Fund: Accounts for rents received from authority tenants as well as federal subsidies for low income tenants. This money is used to maintain these housing facilities.

Statements of Revenues, Expenses, and Changes in Fund Net Position – Actual and Budget (Non-GAAP Budgetary Basis):

This section also presents budgetary comparisons for the following funds:

Water Fund

Wastewater Fund

Storm Drainage Operating Fund

Airport Fund

Town of Erie, Colorado
Combining Statement of Net Position
Nonmajor Proprietary Funds
December 31, 2014

	Storm Drainage Operating Fund	Airport Fund	Erie Housing Authority	Total Nonmajor Proprietary Funds
ASSETS				
Current Assets				
Pooled Cash and Investments	$ 921,444	$ 59,960	$ 6,512	$ 987,916
Restricted Cash and Investments	-	-	374,536	374,536
Receivables	55,576	36,030	91	91,697
Prepaid Items	-	1,215	-	1,215
Total Current Assets	977,020	97,205	381,139	1,455,364
Noncurrent Assets				
Capital Assets				
Construction in Progress	685,751	7,650	-	693,401
Land and Water Rights	63,705	592,295	-	656,000
Buildings, Property, and Equipment	11,683,362	5,641,855	1,160,900	18,486,117
Accumulated Depreciation	(2,401,480)	(1,679,798)	(399,059)	(4,480,337)
Total Capital Assets	10,031,338	4,562,002	761,841	15,355,181
Total Noncurrent Assets	10,031,338	4,562,002	761,841	15,355,181
Total Assets	11,008,358	4,659,207	1,142,980	16,810,545
LIABILITIES				
Current Liabilities				
Accounts Payable	44,205	28,953	34,901	108,059
Accrued Interest Payable	4,650	-	284	4,934
Wages Payable	6,926	80	-	7,006
Other Liabilities	-	-	3,999	3,999
Unearned Revenue	-	-	145	145
Compensated Absences	3,197	292	-	3,489
Current Portion of Long Term Debt				
Loans Payable	12,023	-	-	12,023
Mortgages Payable	-	-	10,064	10,064
Total Current Liabilities	71,001	29,325	49,393	149,719
Noncurrent Liabilities				
Compensated Absences	104	105	-	209
Advances from Other Funds	-	-	170,000	170,000
Long Term Debt, Net of Unamortized Premiums and Discounts				
Loans Payable	297,980	-	369,232	667,212
Mortgages Payable	-	-	366,537	366,537
Total Noncurrent Liabilities	298,084	105	905,769	1,203,958
Total Liabilities	369,085	29,430	955,162	1,353,677
NET POSITION				
Net Investment in Capital Assets	9,721,335	4,562,002	16,008	14,299,345
Unrestricted	917,938	67,775	171,810	1,157,523
Total Net Position	$ 10,639,273	$ 4,629,777	$ 187,818	$ 15,456,868

Town of Erie, Colorado
Combining Statement of Revenues, Expenses, and Changes in Net Position
Nonmajor Proprietary Funds
For the Year Ended December 31, 2014

	Storm Drainage Operating Fund	Airport Fund	Erie Housing Authority Fund	Total Nonmajor Proprietary Funds
OPERATING REVENUES				
Charges for Services	$ 425,161	$ 5,200	$ 79,878	$ 510,239
OPERATING EXPENSES				
Personnel Services	103,813	2,856	-	106,669
Operations and Maintenance	60,677	28,837	56,367	145,881
Depreciation	242,191	235,847	29,022	507,060
Total Operating Expenses	406,681	267,540	85,389	759,610
Net Operating Income (Loss)	18,480	(262,340)	(5,511)	(249,371)
NON-OPERATING REVENUES (EXPENSES)				
Investment Earnings	5,465	237	313	6,015
Other Non-Operating Income	-	56,569	402	56,971
Interest Expense	(6,259)	-	(29,660)	(35,919)
Debt Issuance Costs	-	-	(4,251)	(4,251)
Gain (Loss) on Disposition of Capital Assets	-	4,185	-	4,185
Total Non-Operating Revenues (Expenses)	(794)	60,991	(33,196)	27,001
Income (Loss) Before Capital Contributions and Transfers	17,686	(201,349)	(38,707)	(222,370)
Capital Contributions	6,080	64,668	-	70,748
Transfers In	-	-	228,157	228,157
Change in Net Position	23,766	(136,681)	189,450	76,535
Total Net Position - Beginning - As Adjusted	10,615,507	4,766,458	(1,632)	15,380,333
Total Net Position - Ending	$ 10,639,273	$ 4,629,777	$ 187,818	$ 15,456,868

Town of Erie, Colorado
Combining Statement of Cash Flows
Nonmajor Proprietary Funds
For the Year Ended December 31, 2014

	Storm Drainage Operating Fund	Airport Fund	Erie Housing Authority	Total Nonmajor Proprietary Funds
Cash Flows from Operating Activities				
Receipts from Customers and Users	$ 418,608	$ 61,601	$ 81,186	$ 561,395
Payments to Employees	(99,894)	(2,836)	-	(102,730)
Payments to Suppliers	(20,760)	(61,251)	(58,876)	(140,887)
Net Cash Provided by (Used in) Operating Activities	297,954	(2,486)	22,310	317,778
Cash Flows from Non-capital Financing Activities				
Operating Grants	-	26,824	-	26,824
Advance from Other Funds	-	(59,539)	170,000	110,461
Transfer from Other Funds	-	-	228,157	228,157
Cash Flows Provided by (Used in) Non-capital Financing Activities	-	(32,715)	398,157	365,442
Cash Flows from Capital and Related Financing Activities				
Receipts from Capital Grants	-	163,579	-	163,579
Proceeds from Capital Debt	-	-	684,981	684,981
Acquisition and Construction of Capital Assets	(882,148)	(68,591)	-	(950,739)
Principal Paid on Capital Debt	(11,788)	-	(702,341)	(714,129)
Interest Paid on Capital Debt	(6,436)	-	(29,376)	(35,812)
Capital Contributions	6,080	-	-	6,080
Cash Flows Provided by (Used in) Capital and Related Financing Activities	(894,292)	94,988	(46,736)	(846,040)
Cash Flows from Investing Activities				
Purchase of Investments	-	-	(370,503)	(370,503)
Earnings on Investments	5,946	173	313	6,432
Cash Flows Provided by (Used in) Investing Activities	5,946	173	(370,190)	(364,071)
Net Increase (Decrease) in Pooled Cash and Investments	(590,392)	59,960	3,541	(526,891)
Pooled Cash and Investments - January 1	1,511,836	-	2,971	1,514,807
Pooled Cash and Investments - December 31	$ 921,444	$ 59,960	$ 6,512	$ 987,916
Reconciliation of Operating Loss to Net Cash Provided by (Used in) Operating Activities				
Operating Income (Loss)	$ 18,480	$ (262,340)	$ (5,511)	$ (249,371)
Adjustments to Reconcile Operating Loss to Net Cash Provided by (Used in) Operating Acitivities				
Depreciation Expense	242,191	235,847	29,022	507,060
Other Income	-	56,569	402	56,971
(Increase) Decrease in				
Accounts Receivable	(6,553)	(168)	1,163	(5,558)
Prepaid Items	-	7,287	-	7,287
Increase (Decrease) in				
Accounts Payable	39,917	(39,701)	(2,710)	(2,494)
Wages Payable	4,017	(48)	-	3,969
Compensated Absences Payable	(98)	68	-	(30)
Other Liabilities	-	-	(201)	(201)
Deferred Revenue	-	-	145	145
Net Cash Provided by (Used in) Operating Activities	$ 297,954	$ (2,486)	$ 22,310	$ 317,778

Town of Erie, Colorado
Water Fund
Schedule of Revenues, Expenses, and Changes in Fund Net Assets
Budget and Actual (Non-GAAP Budgetary Basis)
For the Year Ended December 31, 2014

	Budgeted Amounts			Variance With Final Budget Positive (Negative)
	Original Budget	Final Budget	Actual	
REVENUES				
Charges for Services	$ 6,375,700	$ 6,475,700	$ 6,514,590	$ 38,890
Capital Contributions and Fees	6,504,000	7,142,100	7,629,257	487,157
Intergovernmental	-	25,000	54,829	29,829
Investment Earnings	4,300	4,300	62,563	58,263
Miscellaneous	27,300	27,300	4,231	(23,069)
Total Revenues	12,911,300	13,674,400	14,265,470	591,070
EXPENDITURES				
Operating Expenditures				
Personnel Services	1,608,800	1,602,000	1,515,240	86,760
Operations and Maintenance	2,429,500	2,481,000	1,857,988	623,012
Capital Outlay	7,368,700	10,783,300	6,025,884	4,757,416
Debt Related Expenses				
Principal Payments	2,211,000	29,881,000	29,881,000	-
Interest Expense	2,108,800	2,233,800	2,231,974	1,826
Debt Issuance Costs	-	300,000	255,113	44,887
Total Expenditures	15,726,800	47,281,100	41,767,199	5,513,901
OTHER FINANCING SOURCES (USES)				
Proceeds from Debt Issuance	-	27,970,000	26,522,208	(1,447,792)
Total Other Financing/Sources (Uses)	-	27,970,000	26,522,208	(1,447,792)
Change in Net Position, Budget Basis	$ (2,815,500)	$ (5,636,700)	(979,521)	$ 4,657,179
Reconciliation to GAAP Basis:				
Debt Proceeds			(26,522,208)	
Bond Principal Payments			29,881,000	
Change in Accrued Interest Payable			117,996	
Change in Compensated Absences Payable			(8,041)	
Capital Outlay			5,325,478	
Depreciation and Amortization			(2,537,957)	
Change in Net Position, GAAP Basis			5,276,747	
Total Net Position - Beginning			106,253,567	
Total Net Position - Ending			$ 111,530,314	

Town of Erie, Colorado
Wastewater Fund
Schedule of Revenues, Expenses, and Changes in Fund Net Assets
Budget and Actual (Non-GAAP Budgetary Basis)
For the Year Ended December 31, 2014

	Budgeted Amounts			Variance With Final Budget Positive (Negative)
	Original Budget	Final Budget	Actual	
REVENUES				
Charges for Services	$ 4,159,000	$ 4,225,000	$ 4,267,375	$ 42,375
Capital Contributions and Fees	1,291,300	1,460,700	1,496,370	35,670
Investment Earnings	9,200	9,200	64,116	54,916
Total Revenues	5,459,500	5,694,900	5,827,861	132,961
EXPENDITURES				
Operating Expenditures				
Personnel Services	1,430,200	1,422,900	1,332,622	90,278
Operations and Maintenance	1,321,200	1,402,800	1,016,268	386,532
Capital Outlay	2,338,500	2,435,100	151,904	2,283,196
Debt Related Expenses				
Principal Payments	571,200	578,500	578,224	276
Interest Expense	963,400	956,100	953,255	2,845
Total Expenditures	6,624,500	6,795,400	4,032,273	2,763,127
Change in Net Position, Budget Basis	$ (1,165,000)	$ (1,100,500)	1,795,588	$ 2,896,088
Reconciliation to GAAP Basis:				
Principal Payments			578,224	
Change in Accrued Interest Payable			3,126	
Change in Compensated Absences Payable			(3,335)	
Capital Outlay			26,962	
Depreciation and Amortization			(1,553,112)	
Change in Net Position, GAAP Basis			847,453	
Total Net Position - Beginning			41,198,092	
Total Net Position - Ending			$ 42,045,545	

Town of Erie, Colorado
Storm Drainage Operating Fund
Schedule of Revenues, Expenses, and Changes in Fund Net Assets
Budget and Actual (Non-GAAP Budgetary Basis)
For the Year Ended December 31, 2014

	Budgeted Amounts			Variance With Final Budget Positive (Negative)
	Original Budget	Final Budget	Actual	
REVENUES				
Charges for Services	$ 414,000	$ 414,000	$ 425,161	$ 11,161
Capital Contributions and Fees	-	-	6,080	6,080
Investment Earnings	800	800	5,465	4,665
Total Revenues	414,800	414,800	436,706	21,906
EXPENDITURES				
Operating Expenditures				
Personnel Services	114,500	123,200	103,910	19,290
Operations and Maintenance	141,600	169,300	66,114	103,186
Capital Outlay	864,300	1,490,900	876,711	614,189
Debt Related Expenses				
Principal Payments	11,800	11,800	11,788	12
Interest Expense	6,500	6,500	6,436	64
Total Expenditures	1,138,700	1,801,700	1,064,959	736,741
Change in Net Position, Budget Basis	$ (723,900)	$ (1,386,900)	(628,253)	$ 758,647
Reconciliation to GAAP Basis:				
Principal Payments			11,788	
Change in Accrued Interest Payable			177	
Change in Compensated Absences Payable			97	
Capital Outlay			882,148	
Depreciation and Amortization			(242,191)	
Change in Net Position, GAAP Basis			23,766	
Total Net Position - Beginning			10,615,507	
Total Net Position - Ending			$ 10,639,273	

Town of Erie, Colorado
Airport Fund
Schedule of Revenues, Expenses, and Changes in Fund Net Assets
Budget and Actual (Non-GAAP Budgetary Basis)
For the Year Ended December 31, 2014

	Budgeted Amounts			Variance With Final Budget Positive (Negative)
	Original Budget	Final Budget	Actual	
REVENUES				
Charges for Services	$ 8,200	$ 8,200	$ 5,200	$ (3,000)
Capital Contributions and Fees	300,000	383,900	64,668	(319,232)
Intergovernmental	-	61,000	-	(61,000)
Investment Earnings	-	-	237	237
Miscellaneous	41,100	55,600	56,569	969
Total Revenues	349,300	508,700	126,674	(382,026)
EXPENDITURES				
Operating Expenditures				
Personnel Services	3,700	3,700	2,789	911
Operations and Maintenance	39,700	39,700	28,837	10,863
Capital Outlay	333,400	463,400	72,776	390,624
Total Expenditures	376,800	506,800	104,402	402,398
OTHER FINANCING SOURCES (USES)				
Sale of Capital Assets	-	-	4,185	(4,185)
Total Other Financing/Sources (Uses)	-	-	4,185	(4,185)
Change in Net Position, Budget Basis	$ (27,500)	$ 1,900	26,457	$ 16,187
Reconciliation to GAAP Basis:				
Change in Compensated Absences Payable			(67)	
Capital Outlay			72,776	
Depreciation and Amortization			(235,847)	
Change in Net Position, GAAP Basis			(136,681)	
Total Net Position - Beginning			4,766,458	
Total Net Position - Ending			$ 4,629,777	

Statistical Section

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This part of the Town of Erie's comprehensive annual financial report presents detailed information as a context for understanding what the information in the financial statements, note disclosures, and required supplementary information says about the government's overall financial health.

Contents **Page**

Financial Trends 107

These schedules contain trend information to help the reader understand how the Town's financial performance and well-being have changed over time.

Revenue Capacity 111

These schedules contain trend information to help the reader assess the Town's most significant local revenue sources, property and sales taxes.

Debt Capacity 120

These schedules present information to help the reader assess the affordability of the Town's current levels of outstanding debt and the Town's ability to issue additional debt in the future.

Demographic and Economic Information 126

These schedules offer demographic and economic indicators to help the reader understand the environment within which the Town's financial activities take place.

Operating Information 128

These schedules contain service and infrastructure data to help the reader understand how the information in the Town's financial report relates to the services that the Town provides and activities it performs.

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Town of Erie
Net Position by Component
Last Ten Years
(accrual basis of accounting)

	Fiscal Year									
	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Governmental Activities [1]										
Net Investment in Capital Assets	$ 26,124,027	$ 24,900,765	$ 53,190,093	$ 57,152,274	$ 65,207,177	$ 72,498,257	$ 72,014,062	$ 74,135,764	$ 77,940,386	$ 81,995,267
Restricted	17,668,735	22,213,890	21,364,804	22,628,014	17,065,975	21,282,036	16,385,652	19,194,615	19,769,068	18,521,700
Unrestricted	11,207,490	29,704,628	16,480,097	19,422,764	17,917,745	8,127,869	13,780,904	10,221,089	7,505,621	7,907,992
Total Governmental Activities Net Position	$ 55,000,252	$ 76,819,283	$ 91,034,994	$ 99,203,052	$ 100,190,897	$ 101,908,162	$ 102,180,618	$ 103,551,468	$ 105,215,075	$ 108,424,959
Business-Type Activities [1]										
Net Investment in Capital Assets	$ 89,746,378	$ 103,006,082	$ 112,940,934	$ 121,520,053	$ 129,658,852	$ 139,778,932	$ 131,296,683	$ 131,076,105	$ 138,601,037	$ 144,136,677
Restricted	4,718,710	4,583,110	14,328,718	15,722,590	5,939,968	7,790,656	7,125,596	7,195,376	1,699,317	1,960,235
Unrestricted	22,471,445	25,951,901	19,793,449	16,889,395	20,708,504	10,662,206	17,313,158	19,982,088	22,531,638	22,935,815
Total Business-Type Activities Net Position	$ 116,936,533	$ 133,541,093	$ 147,063,101	$ 154,132,038	$ 156,307,324	$ 158,231,794	$ 155,735,437	$ 158,253,569	$ 162,831,992	$ 169,032,727
Primary Government [1]										
Net Investment in Capital Assets	$ 115,870,405	$ 127,906,847	$ 166,131,027	$ 178,672,327	$ 194,866,029	$ 212,277,189	$ 203,310,745	$ 205,211,869	$ 216,541,423	$ 226,131,944
Restricted	22,387,445	26,797,000	35,693,522	38,350,604	23,005,943	29,072,692	23,511,248	26,389,991	21,468,385	20,481,935
Unrestricted	33,678,935	55,656,529	36,273,546	36,312,159	38,626,249	18,790,075	31,094,062	30,203,177	30,037,259	30,843,807
Total Primary Government Net Position	$ 171,936,785	$ 210,360,376	$ 238,098,095	$ 253,335,090	$ 256,498,221	$ 260,139,956	$ 257,916,055	$ 261,805,037	$ 268,047,067	$ 277,457,686

Source: Town of Erie Finance Department

[1] In 2013 the Town implemented GASB 65, which provides for the expensing of debt issuance costs. Prior year amounts were not restated.

Town of Erie
Changes in Net Position
Last Ten Years
(accrual basis of accounting)

	Fiscal Year									
	2005	2006	2007	2008	2009	2010	2011	2012	2013 [1]	2014
Expenses										
Governmental Activities:										
General Government	$ 2,516,273	$ 2,279,543	$ 2,852,921	$ 2,542,611	$ 2,191,872	$ 2,025,071	$ 2,215,449	$ 2,315,020	$ 3,424,886	$ 4,173,232
Public Safety	1,719,409	1,864,065	1,934,542	2,070,326	2,106,365	2,337,449	2,361,217	2,392,865	2,562,909	2,810,944
Public Works	1,792,625	2,215,283	2,457,612	2,830,931	2,757,873	2,771,238	3,168,315	3,283,741	5,365,419	5,607,191
Parks & Recreation	1,103,296	1,453,447	1,833,112	4,178,321	4,700,478	5,209,771	6,038,210	6,214,564	4,528,156	4,591,031
Interest on Long-Term Debt	178,160	245,770	1,177,219	907,069	868,802	854,380	819,064	780,479	649,304	681,174
Total Governmental Activities Expenses	7,309,763	8,058,108	10,255,406	12,529,258	12,625,390	13,197,909	14,602,255	14,986,669	16,530,674	17,863,572
Business-Type Activities:										
Water	4,258,665	4,916,945	5,849,291	5,920,041	6,412,330	6,830,005	7,167,474	7,666,733	8,176,581	8,988,723
Wastewater	1,854,437	2,019,365	2,060,713	2,370,152	2,728,947	3,261,244	3,874,319	4,538,293	4,676,937	4,980,408
Storm Drainage	287,721	321,017	345,266	359,817	381,752	372,769	400,859	418,621	447,151	412,940
Airport	368,502	482,347	479,946	246,451	320,180	265,896	314,911	299,977	445,648	263,355
Housing Authority	107,904	106,572	107,822	118,011	109,513	114,313	117,270	107,136	111,463	
Total Business-Type Activities Expenses	6,877,229	7,846,246	8,843,038	9,014,472	9,952,722	10,844,227	11,874,833	13,030,760	13,857,780	14,764,726
Total Primary Government Expenses	$ 14,186,992	$ 15,904,354	$ 19,098,444	$ 21,543,730	$ 22,578,112	$ 24,042,136	$ 26,477,088	$ 28,017,429	$ 30,388,454	$ 32,628,298
Program Revenues										
Governmental Activities:										
Charges for Services										
General Government	$ 2,188,739	$ 1,435,627	$ 970,615	$ 1,180,105	$ 656,516	$ 572,119	$ 636,727	$ 619,763	$ 1,028,882	$ 1,199,010
Public Safety	179,917	192,831	113,193	108,343	121,429	135,506	162,864	176,375	246,843	249,004
Public Works	240,794	403,518	634,361	1,208,708	953,418	1,796,856	1,512,843	1,259,149	1,808,015	2,021,365
Parks and Recreation	62,414	65,400	78,197	1,355,988	1,254,479	1,904,056	1,878,354	1,723,388	1,874,591	1,935,127
Operating Grants and Contributions	67,661	48,899	21,560	14,637	128,680	73,748	128,031	1,002,109	1,020,806	1,095,717
Capital Grants and Contributions	9,711,654	18,138,215	11,364,555	7,000,266	2,121,328	1,894,614	1,382,427	1,670,546	2,153,798	3,188,496
Total Governmental Activities Program Revenues	12,451,179	20,284,490	13,182,481	10,868,047	5,235,850	6,376,899	5,701,246	6,451,330	8,132,935	9,688,719
Business-Type Activities:										
Charges for Services										
Water	3,625,729	4,792,751	4,803,707	5,395,596	4,995,495	5,511,767	6,321,368	7,104,638	6,393,236	6,514,590
Wastewater	1,398,101	1,738,799	2,004,146	2,123,952	2,359,528	2,774,232	3,112,916	3,535,547	4,141,562	4,267,375
Other Activities	659,050	757,614	763,136	574,355	552,392	560,669	529,895	499,623	498,000	510,239
Operating Grants and Contributions	-	-	-	-	-	-	-	73,455	66,438	54,829
Capital Grants and Contributions	27,232,102	14,934,116	12,481,218	6,312,796	3,689,777	3,720,291	3,701,122	4,276,591	7,673,635	9,196,375
Total Business-Type Activities Program Revenues	32,914,982	22,223,280	20,052,207	14,406,699	11,597,192	12,566,959	13,665,301	15,489,854	18,772,871	20,543,408
Total Primary Government Program Revenues	$ 45,366,161	$ 42,507,770	$ 33,234,688	$ 25,274,746	$ 16,833,042	$ 18,943,858	$ 19,366,547	$ 21,941,184	$ 26,905,806	$ 30,232,127
Net (Expense) Revenue										
Governmental Activities	$ 5,141,416	$ 12,226,382	$ 2,927,075	$ (1,661,211)	$ (7,389,540)	$ (6,821,010)	$ (8,901,009)	$ (8,535,339)	$ (8,397,739)	$ (8,174,853)
Business-Type Activities	26,037,753	14,377,034	11,209,169	5,392,227	1,644,470	1,722,732	1,790,468	2,459,094	4,915,091	5,778,682
Total Primary Government Net (Expense) Revenue	$ 31,179,169	$ 26,603,416	$ 14,136,244	$ 3,731,016	$ (5,745,070)	$ (5,098,278)	$ (7,110,541)	$ (6,076,245)	$ (3,482,648)	$ (2,396,171)
General Revenues and Other Changes in Net Position										
Governmental Activities:										
Taxes										
Property Taxes	$ 1,297,382	$ 1,628,286	$ 3,078,525	$ 3,556,517	$ 3,720,316	$ 3,947,570	$ 3,880,843	$ 3,962,431	$ 3,977,786	$ 3,993,379
Sales & Use Taxes	5,698,013	4,619,335	3,922,663	3,559,908	3,126,330	3,420,184	3,692,180	4,096,437	4,914,157	5,633,645
Franchise Taxes	389,787	456,110	507,525	589,062	571,130	684,352	561,740	638,792	685,918	708,894
Specific Ownership Taxes	116,034	139,605	255,553	284,928	253,376	221,453	234,005	258,258	239,435	286,551
Intergovernmental - Unrestricted	-	-	-	-	-	-	-	107,617	103,540	207,505
Investment Earnings	786,400	2,193,728	2,734,514	1,633,905	621,372	262,564	250,191	182,476	102,215	169,030
Other Miscellaneous	456,322	455,373	789,859	204,950	84,860	207,953	556,947	423,901	212,691	613,890
Transfers In/Out	-	-	-	-	-	(19,813)	(21,547)	(20,087)	(18,137)	(228,157)
Total Governmental Activities	8,743,938	9,492,437	11,288,639	9,829,270	8,377,384	8,724,263	9,154,359	9,649,825	10,217,605	11,384,737
Business-Type Activities:										
Investment Earnings	954,971	1,583,138	2,063,478	1,405,388	438,286	155,037	113,452	122,303	82,977	132,694
Other Miscellaneous	182,403	664,385	249,360	271,320	92,529	99,970	101,533	49,538	376,272	61,202
Transfers In/Out	-	-	-	-	-	19,813	21,547	20,087	18,137	228,157
Total Business-Type Activities	1,137,374	2,247,523	2,312,838	1,676,708	530,815	274,820	236,532	191,928	477,386	422,053
Total Primary Government General Revenue and Other Changes in Net Position	$ 9,881,312	$ 11,739,960	$ 13,601,477	$ 11,505,978	$ 8,908,199	$ 8,999,083	$ 9,390,891	$ 9,841,753	$ 10,694,991	$ 11,806,790
Changes in Net Position										
Governmental Activities	$ 13,885,354	$ 21,718,819	$ 14,215,714	$ 8,168,059	$ 987,844	$ 1,903,253	$ 253,350	$ 1,114,486	$ 1,819,866	$ 3,209,884
Business-Type Activities	27,175,127	16,624,557	13,522,007	7,068,935	2,175,285	1,997,552	2,027,000	2,651,022	5,392,477	6,200,735
Total Primary Government Changes in Net Position	$ 41,060,481	$ 38,343,376	$ 27,737,721	$ 15,236,994	$ 3,163,129	$ 3,900,805	$ 2,280,350	$ 3,765,508	$ 7,212,343	$ 9,410,619

Source: Town of Erie Finance Department

[1] In 2013 the Town implemented GASB 65, which provides for the expensing of debt issuance costs. Prior year amounts were not restated.

Town of Erie
Fund Balances of Governmental Funds
Last Ten Fiscal Years
(modified accrual basis of accounting)

	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
General Fund [1]										
Nonspendable	$ -	$ -	$ -	$ -	$ -	$ -	$ 128,000	$ 1,477,677	$ 4,030,672	$ 4,596,194
Restricted/Reserved	229,174	15,307,980	2,884,711	3,664,997	1,253,409	8,025,287	2,163,588	5,009,870	2,286,494	7,177,572
Assigned	-	-	-	-	-	-	1,026,106	1,462,004	1,118,949	131,230
Unassigned/Unreserved	11,504,917	15,081,463	15,404,897	16,509,423	17,358,472	8,245,195	12,755,793	8,619,655	6,784,338	7,895,100
Total General Fund	$ 11,734,091	$ 30,389,443	$ 18,289,608	$ 20,174,420	$ 18,611,881	$ 16,270,482	$ 16,073,487	$ 16,569,206	$ 14,220,453	$ 19,800,096
All Other Governmental Funds [1]										
Restricted/Reserved	$ 17,455,004	$ 21,816,406	$ 20,820,428	$ 22,065,773	$ 16,639,587	$ 13,328,502	$ 14,222,064	$ 14,184,745	$ 17,482,574	$ 16,173,493
Committed	-	-	-	-	-	-	137,963	143,579	17,987	151,996
Unassigned/Unreserved	-	151,887	179,743	144,587	133,606	-	(55,925)	(1,255,208)	(4,065,293)	(4,408,588)
Total of All Other Governmental Funds	$ 17,455,004	$ 21,968,293	$ 21,000,171	$ 22,210,360	$ 16,773,193	$ 13,328,502	$ 14,304,102	$ 13,073,116	$ 13,435,268	$ 11,916,901

Source: Town of Erie Finance Department

[1] In 2011 the Town implemented GASB 54 to reflect the new classifications of fund balance. Prior year amounts were not restated.

Town of Erie
Changes in Fund Balances of Governmental Funds
Last Ten Fiscal Years
(modified accrual basis of accounting)

	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Revenues [1]										
Taxes	$ 7,501,216	$ 6,843,336	$ 7,764,266	$ 7,990,415	$ 7,671,152	$ 8,273,559	$ 8,368,768	$ 8,955,918	$ 9,817,296	$ 10,622,469
Intergovernmental	563,479	699,263	703,632	745,587	919,987	918,999	1,037,646	1,109,725	1,124,346	1,465,446
Licenses and Permits	2,360,069	1,566,609	1,064,310	892,946	501,629	536,684	603,482	723,393	1,308,271	1,534,533
Charges for Services	308,065	476,211	723,226	2,560,440	2,213,269	2,504,617	2,581,391	2,878,907	3,403,217	3,620,969
Fines and Forfeitures	179,917	192,831	113,193	108,343	121,429	135,506	162,864	176,375	246,843	249,004
Capital Contributions and Fees	5,844,044	4,490,352	3,729,007	4,332,553	1,301,715	2,107,334	1,349,989	1,670,547	2,153,798	2,604,363
Investment Earnings	786,400	2,193,724	2,734,513	1,633,905	621,373	262,564	250,191	182,476	102,215	169,030
Miscellaneous	290,009	1,329,674	589,062	532,881	262,669	304,083	387,386	374,370	232,919	203,135
Total Revenues	17,833,199	17,792,000	17,421,209	18,797,070	13,613,223	15,043,346	14,741,717	16,071,711	18,388,905	20,468,949
Expenditures										
General Government	2,403,844	2,185,379	2,392,489	2,212,896	2,000,168	1,986,858	2,200,613	2,145,500	2,782,286	2,935,090
Public Safety	1,601,394	1,411,911	1,835,547	1,977,901	1,513,338	2,240,394	2,275,395	2,323,677	2,440,001	2,699,615
Public Works	1,237,714	1,267,684	1,525,403	1,694,973	2,035,519	1,582,570	1,719,095	1,833,074	3,790,678	3,973,497
Parks & Recreation	1,026,281	1,766,445	1,546,258	3,821,824	4,272,109	4,468,041	4,690,752	4,928,772	3,028,137	3,059,582
Capital Outlay	1,134,252	4,672,496	21,775,141	4,271,841	9,057,064	8,606,166	1,863,774	4,813,537	6,319,547	8,511,674
Debt Service										
Principal	220,110	205,000	340,000	800,000	845,000	880,000	915,000	950,000	1,800,062	1,125,320
Interest	178,843	133,055	1,230,056	922,632	889,731	857,444	820,681	782,756	673,681	683,515
Bond Issuance Costs	-	297,249	-	-	-	-	-	-	123,357	110,693
Total Expenditures	7,802,438	11,939,219	30,644,894	15,702,067	20,612,929	20,621,473	14,485,310	17,777,316	20,957,749	23,098,986
Excess (Deficiency) of Revenues Over (Under) Expenditures	10,030,761	5,852,781	(13,223,685)	3,095,003	(6,999,706)	(5,578,127)	256,407	(1,705,605)	(2,568,844)	(2,630,037)
Other Financing Sources (Uses)										
Operating Transfers In	135,000	85,000	698,300	104,939	98,200	109,400	131,200	457,800	4,965,891	1,803,700
Operating Transfers Out	(135,000)	(85,000)	(698,300)	(104,939)	(98,200)	(129,213)	(152,747)	(477,887)	(4,984,028)	(2,031,857)
Debt Proceeds	-	20,206,989	-	-	-	-	-	695,000	9,985,460	6,508,716
Payment for Refunded Bonds	-	(2,991,338)	-	-	-	-	-	-	(9,571,113)	-
Proceeds from Sale of Capital Assets	-	-	155,730	-	-	19,085	113,351	3,085	14,523	7,380
Insurance Recoveries & Related	-	-	-	-	-	41,331	22,084	46,446	171,510	33,374
Proceeds from Litigation Settlements	-	-	-	-	-	-	-	-	-	370,000
Total Other Financing Sources (Uses)	-	17,215,651	155,730	-	-	40,603	113,888	724,444	582,243	6,691,313
Net Changes in Fund Balance	$ 10,030,761	$ 23,068,432	$ (13,067,955)	$ 3,095,003	$ (6,999,706)	$ (5,537,524)	$ 370,295	$ (981,161)	$ (1,986,601)	$ 4,061,276
Debt Service as a Percentage of Noncapital Expenditures	5.98%	4.65%	17.70%	15.07%	15.01%	14.46%	13.57%	13.16%	16.16%	11.77%

Source: Town of Erie Finance Department

[1] Prior years reflect reclassifications of certain revenues for consistency with current year reporting.

Town of Erie
General Governmental Tax Revenues By Source
Last Ten Fiscal Years

Year	Property Tax	Sales Tax	Use Tax	Franchise Tax	Specific Ownership Tax	Total
2005[1]	$ 1,297,382	$ 2,381,629	$ 3,316,384	$ 389,787	$ 116,034	$ 7,501,216
2006	1,628,286	2,466,173	2,153,162	456,110	139,605	6,843,336
2007[2]	3,078,525	2,790,694	1,131,969	507,525	255,553	7,764,266
2008	3,556,517	2,624,783	935,125	589,062	284,928	7,990,415
2009	3,720,316	2,572,740	553,590	571,130	253,376	7,671,152
2010	3,947,570	2,842,974	577,210	684,352	221,453	8,273,559
2011	3,880,843	3,095,659	596,521	561,740	234,005	8,368,768
2012	3,962,431	3,318,242	778,195	638,792	258,258	8,955,918
2013	3,977,786	3,616,019	1,298,138	685,918	239,435	9,817,296
2014	3,993,379	4,027,197	1,606,448	708,894	286,551	10,622,469

Source: Town of Erie Finance Department

(1) In November 2004, voters approved a mill levy increase for trails and natural areas. It went into effect in 2005. In 2005 this change added 3.677 mills to the Town's levy. For collection years after 2005 the levy increase was 4.000 mills.

(2) In November 2005, voters approved a mill levy increase to construct the Erie Community Center. This change, which went into effect in 2007, added 7.320 mills to the Town's levy. For 2013 the levy was 5.807 mills.

Town of Erie
Assessed and Estimated Actual Value of Taxable Property
Last Ten Fiscal Years

	Boulder County						
Year[1]	Residential Property	Commercial Property	Vacant Land	Other	Less: Tax Exempt Real Property	Total Taxable Assessed Value	Total Taxable Actual Value
2005	$ 62,791,610	$ 6,643,210	$ 5,907,990	$ 5,204,830	$ 4,299,810	$ 76,247,830	$ 834,158,329
2006	66,653,030	6,259,170	7,285,150	5,583,390	4,391,300	81,389,440	886,434,700
2007	72,775,610	7,017,800	7,679,860	5,379,335	3,938,640	88,913,965	968,230,200
2008	74,938,760	7,064,260	6,745,400	5,105,190	3,929,800	89,923,810	991,915,800
2009	74,095,210	7,658,420	6,248,880	12,085,460	4,334,730	95,753,240	994,842,810
2010	74,805,120	7,568,860	5,440,850	12,778,926	4,847,360	95,746,396	1,001,879,430
2011	73,860,728	7,251,830	4,783,897	18,565,810	4,999,658	99,462,607	993,982,165
2012	75,143,537	7,367,407	3,721,512	15,228,537	5,170,320	96,290,673	1,003,587,145
2013	74,154,873	7,686,083	5,744,842	14,205,385	5,079,776	96,711,407	998,823,627
2014	77,114,109	7,766,827	6,742,267	15,712,692	5,103,216	102,232,679	1,041,775,470

	Weld County						
Year[1]	Residential Property	Commercial Property	Vacant Land	Other	Less: Tax Exempt Real Property	Total Taxable Assessed Value	Total Taxable Actual Value
2005	$ 44,068,480	$ 7,576,960	$ 11,197,350	$ 9,540,820	$ 4,275,890	$ 68,107,720	$ 629,661,578
2006	63,060,810	7,447,830	6,873,180	11,529,760	4,941,450	83,970,130	854,945,317
2007	79,408,720	8,715,140	10,394,750	14,279,150	6,767,920	106,029,840	1,079,491,472
2008	86,117,660	11,917,150	8,805,060	22,293,620	9,331,410	119,802,080	1,179,147,606
2009	83,802,080	15,705,830	8,242,820	38,309,470	10,838,480	135,221,720	1,175,217,277
2010	85,974,780	16,846,260	6,993,710	26,916,450	8,507,750	128,223,450	1,191,937,810
2011	85,755,600	17,973,430	3,804,960	33,924,800	8,585,400	132,873,390	1,190,322,109
2012	87,078,530	17,404,680	3,815,130	48,243,410	18,250,220	138,291,530	1,213,972,885
2013	91,188,060	18,957,690	4,523,580	48,319,546	18,605,790	144,383,086	1,272,092,511
2014	94,959,160	18,416,740	4,236,270	45,016,450	18,783,500	143,845,120	1,314,773,449

	Boulder County and Weld County			
Year[1]	Grand Total Assessed Taxable Value	Grand Total Actual Taxable Value	Assessed Value as a Percentage of Actual Value	Total Direct Tax Rate
2005	$ 144,355,550	$ 1,463,819,907	9.86%	10.965
2006	165,359,570	1,741,380,017	9.50%	11.288
2007	194,943,805	2,047,721,672	9.52%	18.608
2008	209,725,890	2,171,063,406	9.66%	18.282
2009	230,974,960	2,170,060,087	10.64%	17.775
2010	223,969,846	2,193,817,240	10.21%	17.198
2011	232,335,997	2,184,304,274	10.64%	17.376
2012	234,582,203	2,217,560,030	10.58%	17.146
2013	241,094,493	2,270,916,138	10.62%	17.095
2014	246,077,799	2,356,548,919	10.44%	16.567

Sources: Boulder County Assessor's Office
Weld County Assessor's Office

[1] Taxes for the year assessed are collected in the following year. For example: 2014 taxes assessed will be collected in the 2015 calendar year.

Town of Erie
Principal Property Taxpayers
December 31

	Boulder County					
	2014			2005		
Taxpayer	Assessed Value	Rank	% of Total Assessed Value	Assessed Value	Rank	% of Total Assessed Value
Principal Taxpayers						
Public Service Co of Colorado	3,424,996	1	3.35 %	$ -		- %
Encana Oil & Gas (USA) Inc	2,600,829	2	2.54	-		-
Arapahoe Ridge Retail Center LLC	2,400,214	3	2.35	-		-
Meritage Homes of Colorado Inc	2,390,292	4	2.34	-		-
Encana Oil & Gas (USA) Inc	1,868,179	5	1.83	-		-
Melody Homes Inc	1,502,123	6	1.47	-		-
Noble Energy Production Inc	1,480,870	7	1.45	-		-
JMJC Eleven LLC	1,356,228	8	1.33	-		-
Bayou Development Corp	955,876	9	0.94	-		-
Tousa Recovery Acquisition LLC	870,898	10	0.85	-		-
Becky Family Investment Co LLLP	-		-	2,272,440	1	2.98
Richmond American Homes of Colorado	-		-	1,274,880	2	1.67
Westpac Realty Fund II LLC	-		-	739,590	3	0.97
John & Rosemarie Zahn	-		-	604,250	4	0.79
Safeway Inc.	-		-	512,550	5	0.67
Boulder Valley Investment LLC	-		-	511,730	6	0.67
Richard E. & Deborah L. Oliver	-		-	361,480	7	0.47
Creekside SF LLC	-		-	296,100	8	0.39
77 Erie Village Square LLP	-		-	294,240	9	0.39
US Bank National Association	-		-	247,320	10	0.32
	$ 18,850,505		18.44 %	$ 7,114,580		9.33 %

	Weld County					
	2014			2005		
Taxpayer	Assessed Value	Rank	% of Total Assessed Value	Assessed Value	Rank	% of Total Assessed Value
Principal Taxpayers						
Encana Oil & Gas (USA) Inc	$ 10,799,200	1	7.51 %	$ -		- %
Synergy Resources Corp	2,375,980	2	1.65	-		-
Kerr-Mcgee Oil & Gas Onshore LP	6,361,090	3	4.42	-		-
Public Service CO of Colo (Xcel)	1,392,180	4	0.97	-		-
Kerr-Mcgee Gathering LLC	1,320,770	5	0.92	-		-
Colorado National Golf Club LLC	1,070,660	6	0.74	-		-
Erie Commons Commercial Partners LLC	1,055,870	7	0.73	-		-
Waste Connections Inc	1,020,840	8	0.71	-		-
Magpul Industries Corp	747,340	9	0.52	-		-
Kassity-Lowell Erie LLC	630,970	10	0.44	-		-
D.R. Horton Inc.	-		-	1,230,190	1	1.81
WL Homes	-		-	888,910	2	1.31
Encana Oil & Gas (USA) Inc.	-		-	755,170	3	1.11
Comcast of Colorado LLC	-		-	746,460	4	1.10
Melody Homes	-		-	689,570	5	1.01
Bolder Enterprises LLLP	-		-	527,740	6	0.77
Kerr-McGee Rocky Mountain Corp.	-		-	479,130	7	0.70
Sprint Spectrum LP DBA Sprint PCS	-		-	401,410	8	0.59
Randall E. Davis (Trustee)	-		-	358,210	9	0.53
William H. Joyce Trust	-		-	358,210	10	0.53
	$ 26,774,900		18.61 %	$ 6,435,000		9.45 %

Sources: Boulder County Assessor's Office
Weld County Assessor's Office

Town of Erie
Property Tax Levy from Direct and Overlapping Governments
Last Ten Years

	Boulder County								
	Town of Erie								
Year	General Operating	Community Center Construction Bond	Trails & Natural Areas	**Total Direct**	Boulder County	St Vrain Valley School District	Boulder Valley School District	Mountain View Fire Protection District	Northern Colorado Water Conservation District
Rates (In mills)[1]									
2005	7.288	-	3.677	10.965	21.267	40.089	37.423	8.037	1.000
2006	7.288	-	4.000	11.288	21.867	39.982	37.685	8.037	1.000
2007	7.288	7.320	4.000	18.608	22.467	38.035	39.564	8.137	1.000
2008	7.288	6.994	4.000	18.282	22.467	37.798	37.865	7.937	1.000
2009	7.288	6.487	4.000	17.775	23.067	46.285	39.113	11.747	1.000
2010	7.288	5.910	4.000	17.198	23.667	46.268	39.999	11.747	1.000
2011	7.288	6.088	4.000	17.376	24.645	46.837	43.838	11.747	1.000
2012	7.288	5.858	4.000	17.146	24.645	47.614	44.843	11.747	1.000
2013	7.288	5.807	4.000	17.095	24.645	53.500	45.547	11.747	1.000
2014	7.288	5.279	4.000	16.567	25.120	53.679	45.372	11.747	1.000

	Weld County								
	Town of Erie								
Year	General Operating	Community Center Construction Bond	Trails & Natural Areas	**Total Direct**	Weld County	St. Vrain Valley School District	Mountain View Fire Protection District	Frederick Firestone Fire Protection District	Northern Colorado Water Conservation District
Rates (In mills)[1]									
2005	7.288	-	3.677	10.965	19.957	40.089	8.037	9.560	1.000
2006	7.288	-	4.000	11.288	17.900	39.982	8.037	9.560	1.000
2007	7.288	7.320	4.000	18.608	16.804	38.035	8.137	13.360	1.000
2008	7.288	6.994	4.000	18.282	16.804	37.798	7.937	12.770	1.000
2009	7.288	6.487	4.000	17.775	16.804	46.285	11.747	12.526	1.000
2010	7.288	5.910	4.000	17.198	16.804	46.268	11.747	12.401	1.000
2011	7.288	6.088	4.000	17.376	16.804	46.837	11.747	12.441	1.000
2012	7.288	5.858	4.000	17.146	16.804	47.614	11.747	12.264	1.000
2013	7.288	5.807	4.000	17.095	16.804	53.500	11.747	12.197	1.000
2014	7.288	5.279	4.000	16.567	16.804	53.679	11.747	12.277	1.000

Source: Boulder County Assessor's Office
Weld County Assessor's Office

[1] One mill generates $1 of property tax revenue per $1,000 of assessed valuation. Taxes for the year assessed are collected in the following year. For example: 2014 taxes assessed will be collected in the 2015 calendar year.

[2] In November 2005, Boulder County residents voted to be included in the High Plains Library District.

[5] Includes the following metro districts: Erie Farm, Flatiron Meadows and Rex Ranch.

[4] In 2007, Tri-Area Ambulance Special District was dissolved.

[5] Includes the following metro districts: Daybreak #'s 1-3; Erie Commons #2; Erie Corporate Center #'s 2-3; Morgan Hill #'s 1-3; Sunset Parks and Vista Ridge.

Urban Drainage & Flood District	Lafayette Rural Fire District	High Plains Library[2]	Metro Districts [3]	*(Range)* Total
0.538	2.500	-	-	70.193 - 81.896
0.532	2.500	-	-	71.372 - 82.706
0.542	2.500	3.261	-	84.442 - 93.579
0.507	2.500	3.253	-	82.374 - 91.311
0.528	2.500	3.260	-	83.743 - 103.662
0.508	2.500	3.255	-	84.627 - 103.643
0.523	2.500	3.281	-	89.663 - 105.409
0.566	2.500	3.271	50.000	90.471 - 153.218
0.599	2.500	3.261	45.000 - 50.000	91.147 - 153.894
0.608	2.500	3.264	50.000	90.931 - 153.678

Tri-Area Ambulance Special District[4]	High Plains Library	St. Vrain Sanitation District	Metro Districts [5]	*(Range)* Total
6.543	3.249	-	11.000 - 52.989	82.297 - 136.286
3.250	3.281	3.918	11.000 - 54.332	80.488 - 135.820
-	3.261	3.321	11.000 - 59.246	84.685 - 144.931
-	3.253	2.686	14.000 - 57.827	84.014 - 142.841
-	3.260	0.806	17.140 - 57.827	95.871 - 154.698
-	3.255	0.737	18.000 - 57.827	95.272 - 154.099
-	3.281	0.745	18.000 - 57.827	96.045 - 154.872
-	3.271	0.720	20.000 - 57.827	96.582 - 155.409
-	3.261	0.682	20.000 - 57.827	102.407 - 161.234
-	3.264	0.680	20.000 - 57.827	102.061 - 160.888

Town of Erie
Property Tax Levies and Collections
Last Ten Years

Collection Year	Total Tax Levy [1]	Total Tax Collections	Collections As a Percent of Tax Levy
2005[2]	$ 1,305,939	$ 1,297,382	99.34
2006	1,629,486	1,628,286	99.93
2007[3]	3,077,011	3,078,525	100.05
2008	3,563,963	3,556,517	99.79
2009	3,727,878	3,720,316	99.80
2010	3,972,307	3,947,570	99.38
2011	3,891,700	3,880,843	99.72
2012	3,983,633	3,962,431	99.47
2013	4,010,183	3,977,786	99.19
2014	3,994,213	3,993,379	99.98

Sources: Boulder County Assessor's Office
Weld County Assessor's Office

[1] Taxes for the year assessed are collected in the following year.
For example: 2014 taxes assessed will be collected in the 2015 calendar year.

[2] In November 2004, voters approved a mill levy increase for trails and natural areas. It went into effect in 2005 and added 3.677 mills to the Town's levy. In subsequent the levy increase is 4.000 mills. In 2012, voters approved extending this mill levy for ten years beyond its original expiration date in 2014.

[3] In November 2005, voters approved a mill levy increase to construct the Erie Community Center. It went into effect in 2007, when the levy was 7.320 mills. In 2014 the levy was 5.279 mills.

Town of Erie
Sales and Use Tax Revenue by Type
Last Ten Years

Year	Automotive	General	Use Tax [1]	Total Sales and Use Tax	Total Direct Tax Rate
2005	$ 972,415	$ 1,409,214	$ 3,316,384	$ 5,698,013	3.50 %
2006	1,116,128	1,350,045	2,153,162	4,619,335	3.50
2007	1,193,071	1,597,623	1,131,969	3,922,663	3.50
2008	1,079,982	1,544,801	935,125	3,559,908	3.50
2009	845,641	1,727,099	553,590	3,126,330	3.50
2010	1,105,114	1,737,860	577,210	3,420,184	3.50
2011	1,232,012	1,863,647	596,521	3,692,180	3.50
2012	1,350,525	1,967,717	778,195	4,096,437	3.50
2013	1,545,392	2,070,627	1,298,138	4,914,157	3.50
2014	1,776,046	2,251,151	1,606,448	5,633,645	3.50

Sources: Boulder County Treasurer's Office
Weld County Treasurer's Office
Colorado Department of Revenue
Town of Erie Finance Department

[1] Primarily represents taxes assessed on building materials associated with construction activity.

Town of Erie
Sales Tax Rates from Direct and Overlapping Governments
Last Ten Years

	Boulder County						
Year	Town of Erie	State of Colorado	Regional Transportation Authority	Metropolitan Sports Stadium District	Scientific and Cultural Facilities District	Boulder County	Total
2005	3.50 %	2.90 %	1.00 %	0.10 %	0.10 %	0.65 %	8.25 %
2006	3.50	2.90	1.00	0.10	0.10	0.65	8.25
2007	3.50	2.90	1.00	0.10	0.10	0.65	8.25
2008	3.50	2.90	1.00	0.10	0.10	0.65	8.25
2009	3.50	2.90	1.00	0.10	0.10	0.65	8.25
2010	3.50	2.90	1.00	0.10	0.10	0.65	8.25
2011	3.50	2.90	1.00	0.10	0.10	0.80	8.40
2012	3.50	2.90	1.00	- (1)	0.10	0.80	8.30
2013	3.50	2.90	1.00	-	0.10	0.80	8.30
2014	3.50	2.90	1.00	-	0.10	0.80	8.30

	Weld County				
Year	Town of Erie	State of Colorado	Regional Transportation Authority	Metropolitan Sports Stadium District	Total
2005	3.50 %	2.90 %	1.00 %	0.10 %	7.50 %
2006	3.50	2.90	1.00	0.10	7.50
2007	3.50	2.90	1.00	0.10	7.50
2008	3.50	2.90	1.00	0.10	7.50
2009	3.50	2.90	1.00	0.10	7.50
2010	3.50	2.90	1.00	0.10	7.50
2011	3.50	2.90	1.00	0.10	7.50
2012	3.50	2.90	1.00	- (1)	7.40
2013	3.50	2.90	1.00	-	7.40
2014	3.50	2.90	1.00	-	7.40

Source: Town of Erie Finance Office
Colorado Department of Revenue

(1) The Metropolitan Sports Stadium District tax expired as of December 31, 2011.

Town of Erie
Principal Sales Taxpayers
Last Ten Years

	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Aggregate top ten filers[1]	$ 837,475	$ 820,681	$ 731,869	$ 876,757	$ 857,218	$ 1,009,572	$ 942,292	$ 994,891	$ 1,096,938	$ 1,137,611
Aggregate all other filers	1,544,154	1,645,492	2,058,825	1,748,026	1,715,522	1,833,402	2,153,367	2,323,351	2,519,081	2,889,586
Total sales tax	$ 2,381,629	$ 2,466,173	$ 2,790,694	$ 2,624,783	$ 2,572,740	$ 2,842,974	$ 3,095,659	$ 3,318,242	$ 3,616,019	$ 4,027,197
Top ten filers as a percentage of total tax	35.2%	33.3%	26.2%	33.4%	33.3%	35.5%	30.4%	30.0%	30.3%	28.2%

Source: Colorado Department of Revenue

[1]Colorado State Statutes prohibit disclosure of individual sales and use tax returns, therefore the current year top ten filers in alphabetical order are as follows:
7-Eleven 34168A, County Line Wine & Spirits, Lazy Dog Erie, LLC, Ridge Liquor/Erie Liquors, Safeway, Starbucks Coffee #13426, Stop'n Save, Vista Ridge Catering LLC, Verizon Wireless LLC, and Walgreens #12864.

Town of Erie
Ratios of Outstanding Debt by Type
Last Ten Fiscal Years

	Governmental Activities		Business-Type Activities						
Fiscal Year	General Obligation Bonds	Capital Leases	Revenue Bonds/Loans [1]	Certificates of Participation	Capital Leases [2]	Mortgages & Other Loans Payable [3]	Total Primary Government	Percentage of Personal Income	Per Capita
2005	$ 3,550,000	$ -	$ 30,783,428	$ 32,030,000	$ -	$ 883,746	$ 67,247,174	13.38%	$ 4,623
2006	20,211,095	-	29,555,772	31,550,000	-	888,368	82,205,235	14.32%	5,067
2007	19,871,095	-	42,586,922	31,045,000	2,782,988	868,703	97,154,708	15.02%	5,446
2008	19,071,095	-	50,086,305	30,515,000	2,712,249	856,327	103,240,976	15.00%	5,572
2009	18,235,000	-	61,988,088	29,955,000	2,648,691	838,939	113,665,718	15.89%	6,046
2010	17,623,254	-	60,542,625	29,522,550	2,582,378	819,154	111,089,961	14.83%	5,777
2011	16,692,986	-	58,734,280	29,026,374	2,513,192	803,667	107,770,499	13.31%	5,498
2012	15,727,719	-	56,086,691	28,465,197	2,441,007	781,683	103,502,297	11.95%	5,175
2013	15,923,684	250,790	54,983,075	28,295,000	-	758,942	100,211,491	10.63%	4,661
2014	21,249,523	195,470	54,126,668	25,105,000	-	745,832	101,422,493	10.12%	4,610

Sources: Bureau of Economic Analysis
U.S. Census Bureau
Town of Erie Finance Department
Town of Erie Community Development Department

[1] Includes revenue bonds and loans from the Colorado Water Resources and Power Development Authority.

[2] In 2011 and 2012, prior period adjustments were recorded to reflect capital leases arising in 2007.

[3] In 2006, a prior period adjustment to reflect a forgivable loan of $60,000 was recorded.

Town of Erie
Ratio of General Bonded Debt Outstanding
Last Ten Years

Year	Population	Estimated Actual Taxable Value	General Bonded Debt[1]	General Bonded Debt to Actual Taxable Valuation	General Bonded Debt Per Capita
2005	14,545	$ 1,463,819,907	$ 3,550,000	0.24	$ 244
2006	16,225	1,741,380,017	20,211,095	1.16	1,246
2007	17,840	2,047,721,672	19,871,095	0.97	1,114
2008	18,530	2,171,063,406	19,071,095	0.88	1,029
2009	18,800	2,170,060,087	18,235,000	0.84	970
2010	19,230	2,193,817,240	17,623,254	0.80	916
2011	19,600	2,184,304,274	16,692,986	0.76	852
2012	20,000	2,217,560,030	15,727,719	0.71	786
2013	21,500	2,270,916,138	15,923,684	0.70	741
2014	22,000	2,356,548,919	21,249,523	0.90	966

Sources: U.S. Census Bureau
Town of Erie Community Development Department
Boulder County Assessor's Office
Weld County Assessor's Office

[1] General obligation bond debt equal to gross general obligation bond debt less obligations associated with proprietary funds. In this table the gross general obligation debt is equal to net general obligation bond debt.

Town of Erie
Direct and Overlapping General Bonded Debt
As of December 31, 2013

	Outstanding General Bonded Debt	Percentage Applicable to the Town[2]	Share of Debt Applicable to the Town
Direct Debt			
Town of Erie	$ 19,755,000	100 %	$ 19,755,000
Overlapping Debt [1]			
Boulder Valley School District	324,125,000	1	3,241,250
Frederick-Firestone Fire Protection District	2,225,000	1	22,250
Northern Colorado Water Conservation District	4,310,040	2	86,201
St. Vrain Valley School District	391,800,000	5	19,590,000
Vista Ridge Metropolitan District	41,401,846	100	41,401,846
Total Overlapping Debt	763,861,886		64,341,547
Total Direct and Overlapping General Bonded Debt	$ 783,616,886		$ 84,096,547

Source: Provided by each government entity

[1] The following governments had no outstanding general bonded debt as of December 31, 2014:
Boulder County, Weld County, Left Hand Water District, Boulder Valley Conservation Soil District, Tri-Area Ambulance Special District, High Plains Library District, Urban Drainage & Flood District, Lafayette Rural Fire District, Erie Commons Metro District #'s 1 and 2, Erie Corporate Center Metro District #2, Erie Corporate Center Metro District #3, Mountain View Fire Protection District, Daybreak Metro District #'s 1, 2 and 3, St. Vrain Sanitation District, Sunset Parks Metro District, Regional Transportation District, Longmont Conservation, Morgan Hill Metro District #1, Morgan Hill Metro District #2, Morgan Hill Metro District #3, Brownsville Water & Sanitation Disctrict, Erie Farm Metro District, Flatirons Meadows Metro District and Ridge Lands Metro District

[2] Town assessed vaulation as a percentage of the total assessed valuation of the overlapping government.

Town of Erie
Legal Debt Margin Information
Last Ten Years

	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Debt Limit	$ 36,049,926	$ 44,801,720	$ 53,206,834	$ 61,243,273	$ 64,712,508	$ 66,674,109	$ 67,199,962	$ 66,938,782	$ 68,952,454	$ 73,170,157
Total Net Debt Applicable to Limit	3,550,000	20,211,095	19,871,095	19,071,095	18,235,000	17,355,000	16,440,000	15,490,000	14,625,000	19,755,000
Legal Debt Margin	$ 32,499,926	$ 24,590,625	$ 33,335,739	$ 42,172,178	$ 46,477,508	$ 49,319,109	$ 50,759,962	$ 51,448,782	$ 54,327,454	$ 53,415,157
Total Net Debt Applicable to the Limit as a Percentage of Debt Limit	9.85%	45.11%	37.35%	31.14%	28.18%	26.03%	24.46%	23.14%	21.21%	27.00%

Legal Debt Margin Calculation for Fiscal Year 2014

Actual Valuation	
Boulder County	$ 1,059,368,331
Weld County	1,379,636,905
Total Actual Valuation	$ 2,439,005,236
Legal Debt Margin	
Debt Limitation:	
3 Percent of Total Assessed Valuation	$ 73,170,157
Debt Applicable to Limitation:	
Outstanding Balance of General Obligation Bonds	19,755,000
Legal Debt Margin	$ 53,415,157

Source: Town of Erie Finance Department

Town of Erie
Pledged-Revenue Coverage
Water Revenue Bonds
Last Ten Fiscal Years

Year	Gross Revenues[1]	Operating Expenses[2]	Net Revenue Available for Debt Service	Debt Service Requirements			
				Principal	Interest	Total	Coverage
2005	$ 20,713,764	$ 1,904,744	$ 18,809,020	$ 998,000	$ 1,273,168	$ 2,271,168	8.28
2006	13,640,867	2,717,169	10,923,698	1,034,000	1,268,403	2,302,403	4.74
2007	10,759,055	2,742,213	8,016,842	1,074,000	1,455,127	2,529,127	3.17
2008	10,410,225	2,374,240	8,035,985	1,129,000	1,861,680	2,990,680	2.69
2009	7,724,936	2,683,025	5,041,911	1,175,000	1,790,873	2,965,873	1.70
2010	8,315,995	2,655,958	5,660,037	1,260,000	1,236,523	2,496,523	2.27
2011	8,857,658	2,746,833	6,110,825	676,000	1,100,016	1,776,016	3.44
2012	10,438,223	3,012,737	7,425,486	1,453,045	1,383,950	2,836,995	2.62
2013	12,674,206	3,191,385	9,482,821	1,465,000	1,370,029	2,835,029	3.34
2014	14,265,470	4,090,660	10,174,810	1,500,000	1,334,204	2,834,204	3.59

Source: Town of Erie Finance Department

[1]Gross revenues consist of water sales, capital contributions (tap fees), interest income, and other income.

[2]Operating expenses excludes depreciation.

Town of Erie
Pledged-Revenue Coverage
Wastewater Revenue Bonds
Last Ten Fiscal Years

Year	Gross Revenues[1]	Operating Expenses[2]	Net Revenue Available for Debt Service	Debt Service Requirements			
				Principal	Interest	Total	Coverage
2005	$ 4,478,101	$ 1,106,541	$ 3,371,560	$ 172,247	$ 155,075	$ 327,322	10.30
2006	3,450,476	1,226,783	2,223,693	183,596	147,430	331,026	6.72
2007	3,346,984	1,213,319	2,133,665	189,648	139,671	329,319	6.48
2008	3,552,108	1,408,979	2,143,129	201,090	133,634	334,724	6.40
2009	3,085,121	1,410,234	1,674,887	357,240	502,102	859,342	1.95
2010	3,408,358	1,462,235	1,946,123	460,178	1,018,239	1,478,417	1.32
2011	3,625,497	1,672,930	1,952,567	558,773	1,019,333	1,578,106	1.24
2012	4,332,892	1,985,483	2,347,409	563,209	998,926	1,562,135	1.50
2013	5,477,482	2,170,910	3,306,572	560,696	973,337	1,534,033	2.16
2014	5,827,861	2,488,132	3,339,729	578,224	952,155	1,530,379	2.18

Source: Town of Erie Finance Department

[1]Gross revenues consist of water sales, capital contributions (tap fees), interest income, and other income.

[2]Operating expenses excludes depreciation.

Town of Erie
Demographic and Economic Statistics
Last Ten Fiscal Years

Year	Population	Personal Income (in thousands)	Per Capita Income	Median Age [1]	School Enrollment [2]	Unemployment Rate [1]
2005	14,545	$ 502,442	$ 34,544	35.1	1,460	4.5
2006	16,225	574,138	35,386	35.5	1,677	3.7
2007	17,840	646,682	36,249	35.8	1,883	3.3
2008	18,530	688,074	37,133	36.0	3,078	4.9
2009	18,800	715,114	38,038	36.3	3,535	6.4
2010	19,230	749,297	38,965	35.8	3,661	6.7
2011	19,600	809,402	41,296	36.2	3,872	5.5
2012	20,000	865,780	43,289	36.4	4,262	6.1
2013	21,500	942,410	43,833	35.2	4,598	4.4
2014	22,000	1,002,012	45,546	36.9	4,907	3.1

Sources: U.S. Census Bureau
Town of Erie Economic Development Department
Bureau of Economic Analysis
Bureau of Labor Statistics
Department of Local Affairs
Boulder Valley School District
Colorado State of Labor
St. Vrain Valley School District

[1]Information is for Boulder County, considered to be representative of the Town.

[3]Erie students attend schools in two districts. Data presented includes enrollment in St. Vrain Valley School District for all periods and since 2008 for Boulder Valley School District.

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Town of Erie
Principal Employers
Current Year and Eight Years Ago [1]

	2014		
Employer	**Employees**	**Rank**	**Percentage of Total Town Employment**
St. Vrain Valley School District	290	1	9.06 %
Town of Erie	269	2	8.41
Magnum Plastics	90	3	2.81
Safeway	80	4	2.50
Colorado National Golf Club	50	5	1.56
Primrose	43	6	1.34
Lazy Dog	30	7	0.94
CML RW	30	8	0.94
The Goddard School	24	9	0.75
Waste Connection	23	10	0.72
Total	929		29.03 %

	2005		
	Employees	**Rank**	**Percentage of Total Town Employment**
Safeway	130	1	6.50 %
Town of Erie	80	2	4.00
Erie Elementary	46	3	2.30
Erie Middle/Senior High	45	4	2.25
Vista Ridge	25	5	1.25
Great American Tire	20	6	1.00
County Line Lumber	14	7	0.70
Ehrhart Griffin & Associates	14	7	0.70
Forever Young	13	9	0.65
Erie Pre-Cast Concrete	12	10	0.60
	399		19.95 %

Source: Erie Chamber of Commerce & Town of Erie Economic Development

Town of Erie
Full-Time Equivalent Town Government Employees by Function
Last Ten Fiscal Years

	2005	2006	2007(1)	2008	2009	2010	2011	2012	2013	2014
Function										
General Government	14.8	15.9	16.3	14.4	13.2	13.2	13.2	14.2	15.2	17.6
Parks & Recreation										
Parks	11.0	11.0	11.0	11.0	11.0	14.0	16.5	16.5	17.0	18.0
Recreation	4.7	4.7	50.5	50.5	51.1	51.1	52.5	53.1	57.3	54.0
Public Safety										
Police	22.7	22.7	22.7	22.7	23.8	24.8	25.0	25.0	27.0	24.4
Public Works	8.8	8.8	7.8	8.1	8.1	8.1	8.1	8.3	8.8	11.8
Water	16.0	16.5	17.1	17.1	17.1	17.1	17.1	17.4	19.2	20.5
Wastewater	11.9	12.5	13.0	13.1	13.1	13.1	14.1	15.4	16.1	17.5
Storm Drainage	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.5	1.5	1.9
Airport	1.0	1.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-
Total	92.1	94.3	139.7	138.2	138.7	142.7	147.9	151.4	162.2	165.6

Source: Town of Erie Finance Department

(1) During 2007, the Town increased its recreation staff for the opening and operation of the Erie Community Center.

Town of Erie
Operating Indicators by Function
Last Ten Fiscal Years

Function	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Parks										
Total Acres of Parks Maintained	72	87	73	87	91	148	148	149	149	136
Total Acres of Open Space Maintained	120	169	259	204	204	272	272	607	607	1,075
Recreation										
Participation in Recreation Activities	391	1,470	1,558	5,248	5,512	40,862	70,250	67,815	70,262	68,975
Participation in Sports	1,147	1,267	1,347	1,737	2,161	3,303	4,782	6,375	6,954	4,988
Participation in Senior Activities	893	1,029	849	2,572	5,459	3,667	5,779	14,136	17,211	16,086
Senior Lunches	2,177	2,082	1,833	2,742	2,059	2,636	2,677	2,364	2,383	1,770
Police										
Traffic Violations	1,586	987	838	823	840	1,021	1,091	1,138	1,573	1,255
Criminal Violations	821	828	323	318	173	158	247	239	263	275
Water										
Number of Service Connections	5,340	5,787	6,030	6,228	6,383	6,503	6,546	6,765	6,990	7,195
Average Daily Flow (million gallons per day)	2.25	2.60	2.50	2.57	2.36	2.530	2.64	2.94	2.64	2.63
Wastewater										
Number of Service Connections	5,070	5,551	5,789	5,982	6,106	6,216	6,298	6,491	6,716	6,912
Average Daily Flows (million gallons per day)	0.784	0.840	0.964	0.930	0.964	1.007	1.070	1.090	1.216	1.190

Sources: Town of Erie Public Works Department
Town of Erie Police Department
Town of Erie Recreation Department

Town of Erie
Capital Assets Statistics by Function
Last Ten Fiscal Years

	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Function										
Parks and Recreation										
Community Center[1]	-	-	1	1	1	1	1	1	1	1
Parks	8	8	8	7	10	10	10	10	10	10
Park Acreage	72	87	73	87	91	148	148	149	149	136
Public Safety										
Police:										
Stations	1	1	1	1	1	1	1	1	1	1
Patrol Units	6	7	8	8	8	8	8	8	8	9
Public Works										
Streets (miles)	100.1	119.0	105.1	112.3	132.0	130.0	121.0	122.4	134.0	134.0
Water										
Water Mains (miles)	117.0	88.0	110.0	110.0	111.0	111.0	125.5	132.7	132.7	137.0
Maximum Daily Capacity (million gallons per day)	12.0	12.0	7.3	12.2	12.2	12.2	12.2	12.2	12.2	12.2
Wastewater										
Sanitary Sewers (miles)	86.2	65.0	93.4	93.4	94.0	94.0	87.7	89.7	90.9	94.0
Maximum Daily Capacity (million gallons per day)	1.2	1.2	1.2	1.2	1.8	1.8	2.7	2.7	2.7	2.7
Storm Drainage										
Storm Sewers (miles)	[2]	[2]	[2]	32.5	34.0	34.0	40.1	40.1	39.9	44.0
Airport										
Terminal Building	1	1	1	1	1	1	1	1	1	1

Sources: Town of Erie Public Works Department
Town of Erie Police Department

[1] Erie Community Center opened December 31, 2007.

[2] Information not available.

Town of Erie
Property Values and Construction
Last Ten Fiscal Years

	Estimated Actual Property Value			Commercial Construction		Residential Construction	
Year	Commercial	Residential	Total	Number of Units	Value	Number of Units	Value
2005	$ 46,429,974	$ 1,073,620,314	$ 1,120,050,288	3	$ 4,862,241	803	$ 188,301,798
2006	49,034,286	1,342,384,348	1,391,418,634	6	2,878,000	612	116,554,370
2007	47,264,926	1,629,471,893	1,676,736,819	11	26,601,742	249	59,080,987
2008	54,251,411	1,911,752,066	1,966,003,477	11	9,474,077	168	38,336,671
2009	65,454,367	2,027,025,769	2,092,480,136	4	47,815,240	103	24,684,218
2010	80,565,996	1,983,526,184	2,064,092,180	3	14,093,550	119	25,714,523
2011	84,189,472	2,019,788,333	2,103,977,805	2	1,988,216	108	27,681,427
2012	86,983,585	2,005,135,153	2,092,118,738	5	3,860,578	150	36,498,702
2013	85,420,889	2,037,869,085	2,123,289,974	2	8,414,892	249	63,529,916
2014	91,875,014	2,077,190,454	2,169,065,468	7	14,437,901	291	81,564,843

Source: Boulder County Assessor's Office
Weld County Assessor's Office
Town of Erie Building Department

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Compliance Section

CliftonLarsonAllen LLP
CLAconnect.com

INDEPENDENT AUDITORS' REPORT ON COMPLIANCE WITH REQUIREMENTS THAT COULD HAVE A DIRECT AND MATERIAL EFFECT ON EACH MAJOR FEDERAL PROGRAM, AND ON INTERNAL CONTROL OVER COMPLIANCE, IN ACCORDANCE WITH OMB CIRCULAR A-133

Board of Trustees
Town of Erie
Erie, Colorado

Report on Compliance for Each Major Federal Program

We have audited the Town of Erie's compliance with the types of compliance requirements described in the *OMB Circular A-133 Compliance Supplement* that could have a direct and material effect on each of the Town of Erie's major federal programs for the year ended December 31, 2014. The Town of Erie's major federal programs are identified in the summary of auditors' results section of the accompanying schedule of findings and questioned costs.

Management's Responsibility

Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants applicable to its federal programs.

Auditors' Responsibility

Our responsibility is to express an opinion on compliance for each of the Town of Erie's major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the Town of Erie's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of the Town of Erie's compliance.

Opinion on Each Major Federal Program

In our opinion, the Town of Erie complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended December 31, 2014.

Board of Trustees
Town of Erie

Report on Internal Control Over Compliance

Management of the Town of Erie is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the Town of Erie's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with OMB Circular A-133, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the Town of Erie's internal control over compliance.

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the result of that testing based on the requirements of OMB Circular A-133. Accordingly, this report is not suitable for any other purpose.

CliftonLarsonAllen LLP

CliftonLarsonAllen LLP

Greenwood Village, Colorado
June 18, 2015

CliftonLarsonAllen

CliftonLarsonAllen LLP
CLAconnect.com

INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

Board of Trustees
Town of Erie
Erie, Colorado

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Town of Erie, as of and for the year ended December 31, 2014, and the related notes to the financial statements, which collectively comprise the Town of Erie's basic financial statements, and have issued our report thereon dated June 18, 2015.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Town of Erie's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Town of Erie's internal control. Accordingly, we do not express an opinion on the effectiveness of the Town of Erie's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified. We did identify certain deficiencies in internal control, described in the accompanying schedule of findings and questioned costs as items 2014-001 and 2014-002 that we consider to be significant deficiencies.

Board of Trustees
Town of Erie

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Town of Erie's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards.*

Town of Erie's Response to Findings

The Town of Erie's responses to the findings identified in our audit are described in the accompanying schedule of findings and questioned costs. The Town of Erie's responses were not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on them.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the result of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

CliftonLarsonAllen LLP

CliftonLarsonAllen LLP

Greenwood Village, Colorado
June 18, 2015

Town of Erie, Colorado
Schedule of Expenditures of Federal Awards
For the Year Ended December 31, 2014

	Federal CFDA Number	Grant Identification Number	Expenditures
Department of Homeland Security			
Pass-Through: Colorado Department of Public Safety			
Federal Emergency Management Agency			
Disaster Grants - Public Assistance (Presidentially Declared Disasters)	97.036	14-4145-043	$ 895,241
Total Department of Homeland Security			895,241
Department of Transportation			
Federal Aviation Administration			
Airport Improvement Program - East Connector Drainage Repair	20.106	3-08-0090-015-2014	27,274
Total Department of Transportation			27,274
Federal Highway Administration			
Pass-Through: Colorado Department of Transportation, Office of Transportation Safety			
Highway Planning and Construction - Weld County Road 5 Bridge Repair	20.205	15-HA4-71251	15,539
			15,539
Total Federal Financial Awards			$ 938,054

The accompanying Notes to Schedule of Federal Financial Awards is an integral part of this schedule.

Town of Erie, Colorado
Notes to the Schedule of Expenditures of Federal Awards
Year ended December 31, 2014

Note I. Basis of Presentation

The accompanying Schedule of Expenditures of Federal Awards includes the federal grant activity of the Town of Erie, Colorado for the year ended December 31, 2014. All federal financial assistance received directly from federal agencies, as well as federal financial assistance passed through other governmental agencies, is included in the schedule. The accompanying expenditures recorded in the Schedule of Expenditures of Federal Awards are presented under the modified accrual basis of accounting for governmental funds. The information in this schedule is presented in accordance with requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations. Therefore, some amounts presented in this schedule may differ from amounts presented in, or used in the presentation of, the basic financial statements.

Note II. Expenditures Incurred in Prior Years

The accompanying Schedule of Expenditures of Federal Awards includes expenditures incurred in prior years related to the Federal Emergency Management Agency grant program, Disaster Grants – Public Assistance (Presidentially Declared Disasters). Total expenditures incurred in prior years were $205,917.

TOWN OF ERIE
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
YEAR ENDED DECEMBER 31, 2014

SECTION I – SUMMARY OF AUDITORS' RESULTS

Financial Statements

Type of auditors' report issued: Unmodified

Internal control over financial reporting:

- Material weakness(es) identified? ☐ yes ☒ no
- Significant deficiency(ies) identified that are not considered to be material weakness(es)? ☒ yes ☐ no

Noncompliance material to financial statements noted? ☐ yes ☒ no

Federal Awards

Internal control over major programs:

- Material weakness(es) identified? ☐ yes ☒ no
- Significant deficiency (ies) identified that are not considered to be material weakness(es)? ☐ yes ☒ none reported

Type of auditors' report issued on compliance for major program: Unmodified

Any audit findings disclosed that are required to be reported in accordance with Section 510(a) of Circular A-133? ☐ yes ☒ no

Identification of major program:

CFDA Number(s)	Name of Federal Program or Cluster
97.036	Disaster Grants – Public Assistance (Presidentially Declared Disasters)

Dollar threshold used to distinguish between type A and type B programs $300,000

Auditee qualified as low-risk auditee? ☐ yes ☒ no

PART II – FINDINGS RELATED TO FINANCIAL STATEMENTS

Finding 2014-001 Segregation of Duties

Significant Deficiency

Criteria: Adequate segregation of duties is critical to an effective internal control environment.

Condition: During our review of the Town's internal control structure, we noted a lack of segregation of duties over certain accounting and financial reporting functions. The Deputy Finance Director has the ability to record payroll transactions as well as reconcile employee payroll records.

Cause: The Town's existing staffing structure, job assignments, and policies and procedures do not provide for adequate segregation of duties.

Effect: The Town's payroll process is susceptible to errors surrounding employee payroll records due to one individual having the ability to record payroll transactions as well as reconciling payroll records.

Recommendation:

We recommend management review the existing internal controls over accounting and financial reporting and consider job assignments of Finance Department personnel to ensure adequate segregation of duties.

Views of responsible officials and planned corrective actions:

Management concurs with the above finding. With the recent completion of implementation of the Town's new ERP system, additional controls will be implemented to ensure that appropriate activities are conducted by Finance and Human Resource personnel. The previous system and limited staff did not permit implementation of adequate controls over the payroll process.

Finding 2014-002 Employee Pay Rates

Significant Deficiency

Criteria: The Town should ensure all employees are paid the rate as approved on the employee's Personnel Action Form.

Condition: During the audit, we noted one instance where a Town employee was not being paid the approved rate as documented on the respective Personnel Action Form. Also, we noted one instance where a Town employee was being paid the incorrect rate based on the Town's Performance Evaluation Matrix.

Cause: The Town relies on a manual process to update rates of pay in the payroll system.

Effect: Through our testing, we noted two instances were Town employees were not being paid correct rates based on the Personnel Action Form and Performance Evaluation Matrix. This resulted in one employee being paid a rate of $11.40 rather than $11.80 and another employee being paid a rate of $23.86 rather than the correct rate of $23.63.

Recommendation:

We recommend the Town establish procedures to ensure all Town employees are paid their approved rate of pay.

Views of responsible officials and planned corrective actions:

Management concurs with the above finding. With the recent completion of implementation of the Town's new ERP system, additional controls will be implemented to ensure that appropriate activities are conducted by Finance and Human Resource personnel. The previous system and limited staff did not permit implementation of adequate controls over the payroll process.

PART III – FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

None

Water Enterprise Fund Continuing Disclosures:

History of Net Revenues and Debt Service Coverage for the Water Enterprise

	2010	2011	2012	2013	2014
Gross Revenues					
Charges for services	$ 5,511,767	$ 6,321,368	$ 7,104,638	$ 6,393,236	$ 6,514,590
Tap fees	2,671,115	2,404,432	3,212,714	6,001,910	7,244,159
Interest income	79,323	68,418	62,457	43,001	62,563
Other income	53,790	63,440	58,414	236,059	444,158
Total Gross Revenues	8,315,995	8,857,658	10,438,223	12,674,206	14,265,470
Operation and Maintenance Expenses (1)	2,655,958	2,746,833	3,012,737	3,191,385	4,090,660
Net Revenues	$ 5,660,037	$ 6,110,825	$ 7,425,486	$ 9,482,821	$ 10,174,810
Combined Maximum Annual Principal and Interest Requirements	$ 2,837,304	$ 2,837,304	$ 2,837,304	$ 2,837,304	$ 2,837,304
Pro-Forma Coverage Ratio	1.99x	2.15x	2.62x	3.34x	3.59x
Current year debt service					$ 2,834,204
Coverage Ratio - current year					3.59x
Minimum required ratio					1.10x

(1) Includes all expenses properly allocable to the System pursuant to GAAP. Does not include depreciation, amortization, or interest paid on outstanding bonds.

History of Wastewater Tap Fees

Year	Residential Taps Sold	Residential Tap Fees	Commercial Taps Sold	Commercial Tap Fees	Total Taps Sold	Total Tap Fees
2010	119	$ 2,471,431	3	$ 199,684	122	$ 2,671,115
2011	108	2,249,349	2	155,083	110	2,404,432
2012	147	3,147,149	1	65,565	148	3,212,714
2013	248	5,983,209	1	18,701	249	6,001,910
2014	291	6,948,481	5	295,678	296	7,244,159

History of Water Accounts

Year	Residential Accounts	Commercial Accounts	Irrigation Accounts	Total Accounts
2010	6,267	119	117	6,503
2011	6,329	101	116	6,546
2012	6,542	117	106	6,765
2013	6,757	123	110	6,990
2014	6,944	120	131	7,195

Largest Customers of the System - 2013

Type of Business	2014 Revenue	% of Total (1)
School District	$ 168,269	2.58%
Municipality	136,190	2.09%
Homeowner's Association	106,191	1.63%
Homeowner's Association	78,733	1.21%
Homeowner's Association	53,587	0.82%
Homeowner's Association	50,136	0.77%
Homeowner's Association	46,710	0.72%
Homeowner's Association	36,126	0.55%
Homeowner's Association	29,236	0.45%
Homeowner's Association	28,569	0.44%
Total	$ 733,747	11.26%

(1) Based on total charges for service of $6,514,950.

Budget Summary and Comparison - Water Fund

	2013 Final Budget	2013 Actual	2014 Final Budget	2014 Actual
Beginning Working Capital	$ 10,574,508	$ 10,574,508	$ 10,791,543	$ 10,791,543
Revenues				
Charges for services	6,294,800	6,393,236	6,475,700	6,514,590
Tap fees	5,667,260	6,001,910	6,740,500	7,244,159
Interest income	13,500	43,001	4,300	62,563
Other income	399,900	332,295	453,900	444,158
Total revenues	12,375,460	12,770,442	13,674,400	14,265,470
Total funds available	22,949,968	23,344,950	24,465,943	25,057,013
Operating Expenses				
Administration	1,995,200	1,715,017	2,277,600	2,021,327
Distribution	201,100	177,727	236,600	162,595
Treatment	1,425,800	1,033,184	1,411,500	1,045,935
Meters	160,400	129,216	157,300	143,371
Debt service (1)	4,238,600	4,235,527	32,414,800	32,368,087
Capital outlay	9,190,600	5,256,213	10,783,300	6,025,884
Total operating expenses	17,211,700	12,546,884	47,281,100	41,767,199
Other Financing Sources				
Proceeds from Debt Issuance (1)	-	-	27,970,000	26,522,208
Total other financing sources	-	-	27,970,000	26,522,208
Other changes in working capital	-	(6,523)	-	1,508,874
Net change in working capital	(4,836,240)	217,035	(5,636,700)	529,353
Ending Working Capital	$ 5,738,268	$ 10,791,543	$ 5,154,843	$ 11,320,896

(1) Includes $27,670,000 for refunding of the 2010 COP's, plus approximately $300,000 in related issuance costs.

Water Fund - History of Revenues, Expenses and Changes in Net Position

	Year Ended December 31,				
	2010	2011	2012	2013	2014
Operating Revenues					
Charges for services	$ 5,511,767	$ 6,321,368	$ 7,104,638	$ 6,393,236	$ 6,514,590
Operating Expenses					
Personnel services	1,212,818	1,212,449	1,185,324	1,367,069	1,523,281
Operations and maintenance	1,443,140	1,534,384	1,827,413	1,824,316	2,567,379
Depreciation	1,876,677	1,966,472	2,275,380	2,669,956	2,508,658
Total Operating Expenses	4,532,635	4,713,305	5,288,117	5,861,341	6,599,318
Net Operating Income	979,132	1,608,063	1,816,521	531,895	(84,728)
Nonoperating Revenues (Expenses)					
Interest income	79,323	68,418	62,457	43,001	62,563
Other	53,790	63,440	7,139	236,059	59,060
Interest expense (1)	(2,297,369)	(2,454,169)	(2,378,616)	(2,219,004)	(2,389,405)
Total Nonoperating Expenses	(2,164,256)	(2,322,311)	(2,309,020)	(1,939,944)	(2,267,782)
Income (Loss) before Contributions	(1,185,124)	(714,248)	(492,499)	(1,408,049)	(2,352,510)
Capital contributions	2,671,115	2,404,432	3,263,989	6,001,910	7,629,257
Change in Net Position	1,485,991	1,690,184	2,771,490	4,593,861	5,276,747
Total Net Position - Beginning	102,022,848	103,478,543	100,672,837	102,224,496	106,253,567
Prior Period Adjustments (2) (3)	(30,296)	(4,495,890)	(1,219,831)	(564,790)	-
Total Net Position - Ending	$ 103,478,543	$ 100,672,837	$ 102,224,496	$ 106,253,567	$ 111,530,314

(1) Includes debt issuance costs of $255,113 in 2014.
(2) In 2010, 2011 and 2012 various prior period adjustments were recorded, primarily related to the carrying value of capital assets, bond-related deferrals and liability for compensated absences.
(3) The 2013 prior period adjustment reflects implementation of GASB 65, resulting in the expensing of certain bond issuance costs that were previously capitalized and amortized over the life of the related debt.

Wastewater Enterprise Fund Continuing Disclosures:

History of Net Revenues and Debt Service Coverage for the Wastewater Enterprise

	2010	2011	2012	2013	2014
Gross Revenues					
Charges for services	$ 2,774,232	$ 3,112,916	$ 3,535,547	$ 4,141,562	$ 4,267,375
Tap fees	536,250	465,620	635,210	1,079,650	1,289,860
Interest income	91,326	33,632	51,783	35,268	64,116
Other	6,550	13,329	110,352	221,002	206,510
Total Gross Revenues	3,408,358	3,625,497	4,332,892	5,477,482	5,827,861
Operation and Maintenance Expenses (1)	1,462,235	1,672,930	1,985,483	2,170,910	2,488,132
Net Revenues	$ 1,946,123	$ 1,952,567	$ 2,347,409	$ 3,306,572	$ 3,339,729
Combined Maximum Annual Principal and Interest Requirements	$ 1,598,350	$ 1,598,350	$ 1,598,350	$ 1,598,350	$ 1,598,350
Pro-Forma Coverage Ratio	1.22x	1.22x	1.47x	2.07x	2.09x
Current year debt service					$ 1,530,379
Coverage Ratio - current year					2.18x
Minimum required ratio					1.10x

(1) Includes all expenses properly allocable to the System pursuant to GAAP. Does not include depreciation, amortization, or interest paid on outstanding bonds.

History of Wastewater Tap Fees

Year	Residential Taps Sold	Residential Tap Fees	Commercial Taps Sold	Commercial Tap Fees	Total Taps Sold	Total Tap Fees
2010	119	$ 499,070	3	$ 37,180	122	$ 536,250
2011	108	447,030	2	18,590	110	465,620
2012	147	630,920	1	4,290	148	635,210
2013	248	1,065,350	1	14,300	249	1,079,650
2014	291	1,221,220	5	68,640	296	1,289,860

History of Wastewater Accounts

Year	Residential Accounts	Commercial Accounts	Total Accounts	% Change in Accounts
2010	6,112	104	6,216	
2011	6,196	102	6,298	1.3%
2012	6,390	101	6,491	3.1%
2013	6,609	107	6,716	3.5%
2014	6,802	110	6,912	2.9%

History of Operating Revenues by Category

Year	Residential Revenues	Commercial Revenues	Total Revenues	% Change in Revenues
2010	$ 2,576,582	$ 197,650	$ 2,774,232	
2011	2,893,319	219,597	3,112,916	12.2%
2012	3,299,970	235,577	3,535,547	13.6%
2013	3,906,468	235,094	4,141,562	17.1%
2014	4,026,327	241,048	4,267,375	3.0%

Largest Customers of the System

Type of Business	2014 Revenue	% of Total (1)
Homeowner's Association	$ 115,964	2.72%
Homeowner's Association	23,181	0.54%
Municipality	22,783	0.53%
Homeowner's Association	21,936	0.51%
School District	19,579	0.46%
Homeowner's Association	15,430	0.36%
Homeowner's Association	13,530	0.32%
Light Manufacturing	11,487	0.27%
Retail Grocer	10,528	0.25%
Golf Course	10,445	0.24%
Total	$ 264,863	6.21%

(1) Based on total charges for service of $4,267,375.

Budget Summary and Comparison - Wastewater Fund

	2013 Final Budget	2013 Actual	2014 Final Budget	2014 Actual
Beginning Working Capital	$ 7,000,664	$ 7,000,664	$ 8,702,544	$ 8,702,544
Revenues				
Charges for services	4,100,000	4,141,562	4,225,000	4,267,375
Tap fees	1,029,580	1,079,650	1,309,900	1,289,860
Interest income	16,400	35,268	9,200	64,116
Other income	201,500	221,099	150,800	206,510
Total revenues	5,347,480	5,477,579	5,694,900	5,827,861
Total funds available	12,348,144	12,478,243	14,397,444	14,530,405
Operating Expenses				
Administration	867,200	841,814	1,114,100	1,020,772
Collection	150,000	133,045	248,800	186,873
Treatment	1,268,900	1,097,175	1,462,800	1,141,245
Debt service	1,530,100	1,529,933	1,534,600	1,531,479
Capital outlay	862,600	144,487	2,435,100	151,904
Total operating expenses	4,678,800	3,746,454	6,795,400	4,032,273
Other changes in working capital	-	(29,245)	-	(140,835)
Net change in working capital	668,680	1,701,880	(1,100,500)	1,654,753
Ending Working Capital	$ 7,669,344	$ 8,702,544	$ 7,602,044	$ 10,357,297

Wastewater Fund - History of Revenues, Expenses and Changes in Net Position

	Year Ended December 31,				
	2010	2011	2012	2013	2014
Operating Revenues					
Charges for services	$ 2,774,232	$ 3,112,916	$ 3,535,547	$ 4,141,562	$ 4,267,375
Operating Expenses					
Personnel services	912,109	983,824	999,070	1,213,708	1,335,957
Operations and maintenance	550,126	689,106	986,413	957,202	1,152,175
Depreciation	776,962	1,168,553	1,541,441	1,543,684	1,546,140
Total Operating Expenses	2,239,197	2,841,483	3,526,924	3,714,594	4,034,272
Net Operating Income (Loss)	535,035	271,433	8,623	426,968	233,103
Nonoperating Revenues (Expenses)					
Interest income	91,326	33,632	51,783	35,268	64,116
Other	6,550	13,329	1,750	(97)	-
Interest expense	(1,022,048)	(1,032,836)	(1,011,369)	(962,246)	(946,136)
Total Nonoperating Revenues (Expenses)	(924,172)	(985,875)	(957,836)	(927,075)	(882,020)
Income before Contributions	(389,137)	(714,442)	(949,213)	(500,107)	(648,917)
Capital contributions	536,250	465,620	743,812	1,300,749	1,496,370
Change in Net Position	147,113	(248,822)	(205,401)	800,642	847,453
Total Net Position - Beginning	39,447,603	39,562,430	39,286,142	40,640,401	41,198,092
Prior Period Adjustments (1) (2)	(32,286)	(27,466)	1,559,660	(242,951)	-
Total Net Position - Ending	$ 39,562,430	$ 39,286,142	$ 40,640,401	$ 41,198,092	$ 42,045,545

(1) In 2010, 2011 and 2012 various prior period adjustments were recorded, primarily related to the carrying value of capital assets, bond-related deferrals and liability for compensated absences.
(2) The 2013 prior period adjustment reflects implementation of GASB 65, resulting in the expensing of certain bond issuance costs that were previously capitalized and amortized over the life of the related debt.

Financial Planning 02/01

The public report burden for this information collection is estimated to average 380 hours annually.

Form # 350-050-36

LOCAL HIGHWAY FINANCE REPORT	City or County: Town of Erie YEAR ENDING: December 2014
This Information From The Records Of (example - City of _ or County of _): Town of Erie	Prepared By: Steve Felten Phone: 303-926-2751

I. DISPOSITION OF HIGHWAY-USER REVENUES AVAILABLE FOR LOCAL GOVERNMENT EXPENDITURE

ITEM	A. Local Motor-Fuel Taxes	B. Local Motor-Vehicle Taxes	C. Receipts from State Highway-User Taxes	D. Receipts from Federal Highway Administration
1. Total receipts available				
2. Minus amount used for collection expenses				
3. Minus amount used for nonhighway purposes				
4. Minus amount used for mass transit				
5. Remainder used for highway purposes				

II. RECEIPTS FOR ROAD AND STREET PURPOSES

ITEM	AMOUNT
A. Receipts from local sources:	
1. Local highway-user taxes	
a. Motor Fuel (from Item I.A.5.)	
b. Motor Vehicle (from Item I.B.5.)	
c. Total (a.+b.)	
2. General fund appropriations	41,415
3. Other local imposts (from page 2)	2,539,449
4. Miscellaneous local receipts (from page 2)	32,502
5. Transfers from toll facilities	
6. Proceeds of sale of bonds and notes:	
a. Bonds - Original Issues	
b. Bonds - Refunding Issues	
c. Notes	
d. Total (a. + b. + c.)	0
7. Total (1 through 6)	2,613,366
B. Private Contributions	
C. Receipts from State government (from page 2)	845,481
D. Receipts from Federal Government (from page 2)	0
E. Total receipts (A.7 + B + C + D)	3,458,847

III. DISBURSEMENTS FOR ROAD AND STREET PURPOSES

ITEM	AMOUNT
A. Local highway disbursements:	
1. Capital outlay (from page 2)	2,655,100
2. Maintenance:	759,412
3. Road and street services:	
a. Traffic control operations	
b. Snow and ice removal	
c. Other	262,968
d. Total (a. through c.)	262,968
4. General administration & miscellaneous	680,086
5. Highway law enforcement and safety	
6. Total (1 through 5)	4,357,566
B. Debt service on local obligations:	
1. Bonds:	
a. Interest	71,663
b. Redemption	300,000
c. Total (a. + b.)	371,663
2. Notes:	
a. Interest	
b. Redemption	
c. Total (a. + b.)	0
3. Total (1.c + 2.c)	371,663
C. Payments to State for highways	
D. Payments to toll facilities	
E. Total disbursements (A.6 + B.3 + C + D)	4,729,229

IV. LOCAL HIGHWAY DEBT STATUS
(Show all entries at par)

	Opening Debt	Amount Issued	Redemptions	Closing Debt
A. Bonds (Total)	1,645,000	0	300,000	1,345,000
1. Bonds (Refunding Portion)				
B. Notes (Total)				0

V. LOCAL ROAD AND STREET FUND BALANCE

A. Beginning Balance	B. Total Receipts	C. Total Disbursements	D. Ending Balance	E. Reconciliation
3,956,559	3,458,847	4,729,229	2,686,177	0

Notes and Comments:

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LOCAL HIGHWAY FINANCE REPORT	STATE: Colorado YEAR ENDING (mm/yy): December 2014

II. RECEIPTS FOR ROAD AND STREET PURPOSES - DETAIL

ITEM	AMOUNT	ITEM	AMOUNT
A.3. Other local imposts:		**A.4. Miscellaneous local receipts:**	
a. Property Taxes and Assessments		a. Interest on investments	32,502
b. Other local imposts:		b. Traffic Fines & Penalities	
1. Sales Taxes		c. Parking Garage Fees	
2. Infrastructure & Impact Fees	577,799	d. Parking Meter Fees	
3. Liens		e. Sale of Surplus Property	
4. Licenses		f. Charges for Services	
5. Specific Ownership &/or Other	1,961,650	g. Other Misc. Receipts	0
6. Total (1. through 5.)	2,539,449	h. Other	
c. Total (a. + b.)	2,539,449	i. Total (a. through h.)	32,502
	(Carry forward to page 1)		(Carry forward to page 1)

ITEM	AMOUNT	ITEM	AMOUNT
C. Receipts from State Government		**D. Receipts from Federal Government**	
1. Highway-user taxes	639,655	1. FHWA (from Item I.D.5.)	
2. State general funds		2. Other Federal agencies:	
3. Other State funds:		a. Forest Service	
a. State bond proceeds		b. FEMA	
b. Project Match		c. HUD	
c. Motor Vehicle Registrations	71,022	d. Federal Transit Admin	
d. Other - Road & Bridge Taxes	134,804	e. U.S. Corps of Engineers	
e. Other (Specify)		f. Other Federal	
f. Total (a. through e.)	205,826	g. Total (a. through f.)	0
4. Total (1. + 2. + 3.f)	845,481	3. Total (1. + 2.g)	
			(Carry forward to page 1)

III. DISBURSEMENTS FOR ROAD AND STREET PURPOSES - DETAIL

	ON NATIONAL HIGHWAY SYSTEM (a)	OFF NATIONAL HIGHWAY SYSTEM (b)	TOTAL (c)
A.1. Capital outlay:			
a. Right-Of-Way Costs			0
b. Engineering Costs			0
c. Construction:			
(1). New Facilities		0	0
(2). Capacity Improvements		1,470,008	1,470,008
(3). System Preservation		772,459	772,459
(4). System Enhancement & Operation		412,633	412,633
(5). Total Construction (1) + (2) + (3) + (4)	0	2,655,100	2,655,100
d. Total Capital Outlay (Lines 1.a. + 1.b. + 1.c.5)	0	2,655,100	2,655,100
			(Carry forward to page 1)

Notes and Comments:

FORM FHWA-536 (Rev.1-05) PREVIOUS EDITIONS OBSOLETE

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CliftonLarsonAllen

CliftonLarsonAllen LLP
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Board of Trustees
Town of Erie
Erie, Colorado

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Town of Erie as of and for the year ended December 31, 2014, and have issued our report thereon dated June 18, 2015. We have previously communicated to you information about our responsibilities under auditing standards generally accepted in the United States of America, *Government Auditing Standards*, and OMB Circular A-133, as well as certain information related to the planned scope and timing of our audit. Professional standards also require that we communicate to you the following information related to our audit.

Significant audit findings

Qualitative aspects of accounting practices

Accounting policies

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the Town of Erie are described in Note I to the financial statements.

No new accounting policies were adopted and the application of existing policies was not changed during 2014.

We noted no transactions entered into by the entity during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate(s) affecting the financial statements was:

- Management's estimate of depreciation expense is based on an estimated useful life of the asset from the date it is placed in service. We evaluated the key factors and assumptions used to develop the estimate of useful lives of assets in determining that it is reasonable in relation to the financial statements taken as a whole.

Financial statement disclosures

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. There were no particularly sensitive financial statement disclosures.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties encountered in performing the audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Uncorrected misstatements

Professional standards require us to accumulate all misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management did not identify and we did not notify them of any uncorrected financial statement misstatements.

Corrected misstatements

Management did not identify and we did not notify them of any financial statement misstatements detected as a result of audit procedures.

Disagreements with management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditors' report. No such disagreements arose during our audit.

Management representations

We have requested certain representations from management that are included in the attached management representation letter dated June 18, 2015.

Management consultations with other independent accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the entity's financial statements or a determination of the type of auditors' opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Significant issues discussed with management prior to engagement

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to engagement as the entity's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our engagement.

Other audit findings or issues

We have provided a separate letter to you dated June 18, 2015, communicating internal control related matters identified during the audit.

Other information in documents containing audited financial statements

With respect to the required supplementary information (RSI) accompanying the financial statements, we made certain inquiries of management about the methods of preparing the RSI, including whether the RSI has been measured and presented in accordance with prescribed guidelines, whether the methods of measurement and preparation have been changed from the prior period and the reasons for any such changes, and whether there were any significant assumptions or interpretations underlying the measurement or presentation of the RSI. We compared the RSI for consistency with management's responses to the foregoing inquiries, the basic financial statements, and other knowledge obtained during the audit of the basic financial statements. Because these limited procedures do not provide sufficient evidence, we did not express an opinion or provide any assurance on the RSI.

With respect to the schedule of expenditures of federal awards (SEFA) accompanying the financial statements, on which we were engaged to report in relation to the financial statements as a whole, we made certain inquiries of management and evaluated the form, content, and methods of preparing the

SEFA to determine that the SEFA complies with the requirements of U.S. Office of Management and Budget Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*, the method of preparing it has not changed from the prior period or the reasons for such changes, and the SEFA is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the SEFA to the underlying accounting records used to prepare the financial statements or to the financial statements themselves. We have issued our report thereon dated June 18, 2015.

With respect to the combining and individual statements and schedules and Local Highway Finance Report (collectively, the supplementary information) accompanying the financial statements, on which we were engaged to report in relation to the financial statements as a whole, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period or the reasons for such changes, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves. We have issued our report thereon dated June 18, 2015.

The introductory and statistical sections and the Water and Wastewater Enterprise Funds' Continuing Disclosures accompanying the financial statements, which is the responsibility of management, was prepared for purposes of additional analysis and is not a required part of the financial statements. Such information was not subjected to the auditing procedures applied in the audit of the financial statements, and, accordingly, we did not express an opinion or provide any assurance on it.

In connection with the Town of Erie's Annual Comprehensive Financial Report (CAFR), we did not perform any procedures or corroborate other information included in the annual report. Our responsibility for such other information does not extend beyond the financial information identified in our auditors' report. We have no responsibility for determining whether such other information is properly stated and do not have an obligation to perform any procedures to corroborate other information contained in such documents. However, as required by professional standards, we read management's discussion and analysis of financial conditions and results of operations and considered whether the information or the manner in which it was presented was materially inconsistent with information or the manner of presentation of the financial statements. We did not identify any material inconsistencies between the other information and the audited financial statements.

Our auditors' opinion, the audited financial statements, and the notes to financial statements should only be used in their entirety. Inclusion of the audited financial statements in a document you prepare, such as an annual report, should be done only with our prior approval and review of the document.

* * *

This communication is intended solely for the information and use of the Board of Trustees and management of the Town of Erie and is not intended to be, and should not be, used by anyone other than these specified parties.

CliftonLarsonAllen LLP

CliftonLarsonAllen LLP

Greenwood Village, Colorado
June 18, 2015

TOWN OF ERIE
1874

June 18, 2015

CliftonLarsonAllen LLP
8390 E. Crescent Parkway, Suite 500
Greenwood Village, CO 80111

This representation letter is provided in connection with your audit of the financial statements of the Town of Erie, which comprise the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information as of December 31, 2014, and the respective changes in financial position and, where applicable, cash flows for the year then ended, and the related notes to the financial statements, for the purpose of expressing opinions on whether the financial statements are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America (U.S. GAAP).

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement.

We confirm, to the best of our knowledge and belief, as of June 18, 2015, the following representations made to you during your audit.

Financial Statements

- We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter dated January 7, 2015, for the preparation and fair presentation of the financial statements in accordance with U.S. GAAP. The financial statements include all properly classified funds and other financial information of the primary government required by generally accepted accounting principles to be included in the financial reporting entity.

- We acknowledge and have fulfilled our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

- We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.

- Significant assumptions used by us in making accounting estimates, including those measured at fair value, are reasonable.

- Significant estimates have been appropriately accounted for and disclosed in accordance with the requirements of U.S. GAAP. Significant estimates are estimates at the financial statement date that could change materially within the next year.

- Related party relationships and transactions, including, but not limited to, revenues, expenditures/expenses, loans, transfers, leasing arrangements, and guarantees, and amounts receivable from or payable to related parties have been appropriately accounted for and disclosed in accordance with the requirements of U.S. GAAP.

- No events, including instances of noncompliance, have occurred subsequent to the financial statement date and through the date of this letter that would require adjustment to, or disclosure in, the financial statements or in the schedule of findings and questioned costs.

- We have not identified or been notified of any uncorrected financial statement misstatements.

- The effects of all known actual or possible litigation, claims, and assessments have been accounted for and disclosed in accordance with U.S. GAAP.

- Arrangements with financial institutions involving repurchase, reverse repurchase, or securities lending agreements, compensating balances, or other arrangements involving restrictions on cash balances and line-of-credit or similar arrangements, have been properly recorded or disclosed in the financial statements.

- Receivables recorded in the financial statements represent valid claims against debtors for transactions arising on or before the financial statement date and have been reduced to their estimated net realizable value.

- We have no plans or intentions that may materially affect the carrying value or classification of assets, liabilities, or equity.

- We believe that all material expenditures that have been deferred to future periods will be recoverable.

Information Provided

- We have provided you with:

    - Access to all information, of which we are aware, that is relevant to the preparation and fair presentation of the financial statements such as records, documentation, and other matters.

    - Additional information that you have requested from us for the purpose of the audit.

    - Unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence.

    - Complete minutes of the meetings of the governing board and related committees, or summaries of actions of recent meetings for which minutes have not yet been prepared.

    - Access to all audit or relevant monitoring reports, if any, received from funding sources.

- All material transactions have been recorded in the accounting records and are reflected in the financial statements and the schedule of expenditures of federal awards.

- We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.
    - We have no knowledge of any fraud or suspected fraud that affects the entity and involves: Management;
    - Employees who have significant roles in internal control; or
    - Others when the fraud could have a material effect on the financial statements.
- We have no knowledge of any allegations of fraud, or suspected fraud, affecting the entity's financial statements communicated by employees, former employees, grantors, regulators, or others.
- We have no knowledge of any instances of noncompliance or suspected noncompliance with provisions of laws, regulations, contracts, and grant agreements, or abuse whose effects should be considered when preparing financial statements.
- We have disclosed to you all known actual or possible litigation, claims, and assessments whose effects should be considered when preparing the financial statements.
- There are no other material liabilities or gain or loss contingencies that are required to be accrued or disclosed in accordance with U.S. GAAP.
- We have disclosed to you the identity of the entity's related parties and all the related party relationships and transactions of which we are aware.
- The entity has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets, nor has any asset been pledged as collateral, except as made know to you and disclosed in the financial statements.
- We have a process to track the status of audit findings and recommendations.
- We have identified to you any previous audits, attestation engagements, and other studies related to the audit objectives and whether related recommendations have been implemented.
- We have provided our views on reported findings, conclusions, and recommendations, as well as our planned corrective actions, for the report.
- We are responsible for compliance with the laws, regulations, and provisions of contracts and grant agreements applicable to the Town of Erie, including tax or debt limits and debt contracts; and we have identified and disclosed to you all laws, regulations, and provisions of contracts and grant agreements that we believe have a direct and material effect on the determination of financial statement amounts or other financial data significant to the audit objectives, including legal and contractual provisions for reporting specific activities in separate funds.
- There are no violations or possible violations of budget ordinances, laws and regulations (including those pertaining to adopting, approving, and amending budgets), provisions of contracts and grant agreements, tax or debt limits, and any related debt covenants whose

effects should be considered for disclosure in the financial statements, or as a basis for recording a loss contingency, or for reporting on noncompliance.

- The entity has complied with all aspects of contractual or grant agreements that would have a material effect on the financial statements in the event of noncompliance.
- We have complied with all restrictions on resources (including donor restrictions) and all aspects of contractual and grant agreements that would have a material effect on the financial statements in the event of noncompliance.
- We have followed all applicable laws and regulations in adopting, approving, and amending budgets.
- The financial statements include all component units as well as joint ventures with an equity interest, and properly disclose all other joint ventures, jointly governed organizations, and other related organizations.
- The financial statements properly classify all funds and activities.
- All funds that meet the quantitative criteria in GASB Statement Nos. 34 and 37 for presentation as major are identified and presented as such and all other funds that are presented as major are particularly important to financial statement users.
- Components of net position (net investment in capital assets; restricted; and unrestricted) and equity amounts are properly classified and, if applicable, approved.
- Provisions for uncollectible receivables have been properly identified and recorded.
- Expenses have been appropriately classified in or allocated to functions and programs in the statement of activities, and allocations have been made on a reasonable basis.
- Revenues are appropriately classified in the statement of activities within program revenues, general revenues, contributions to term or permanent endowments, or contributions to permanent fund principal.
- Interfund, internal, and intra-entity activity and balances have been appropriately classified and reported.
- Deposits and investment securities and derivative instruments are properly classified as to risk and are properly valued and disclosed.
- Capital assets, including infrastructure and intangible assets, are properly capitalized, reported, and, if applicable, depreciated.
- We have appropriately disclosed the entity's policy regarding whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net position is available and have determined that net position is properly recognized under the policy.

- We acknowledge our responsibility for the required supplementary information (RSI). The RSI is measured and presented within prescribed guidelines and the methods of measurement and presentation have not changed from those used in the prior period. We have disclosed to you any significant assumptions and interpretations underlying the measurement and presentation of the RSI.

- We acknowledge our responsibility for presenting the combining and individual fund statements and schedules and Local Highway Finance Report (the supplementary information) in accordance with U.S. GAAP, and we believe the supplementary information, including its form and content, is fairly presented in accordance with U.S. GAAP. The methods of measurement and presentation of the supplementary information have not changed from those used in the prior period, and we have disclosed to you any significant assumptions or interpretations underlying the measurement and presentation of the supplementary information. If the supplementary information is not presented with the audited financial statements, we will make the audited financial statements readily available to the intended users of the supplementary information no later than the date we issue the supplementary information and the auditors' report thereon.

- We understand TABOR (Section 20 to Article X of the Colorado Constitution) is complex and subject to interpretation and that many of the provisions will require judicial interpretation. We have reviewed the various provisions and interpretations and believe to the best of our knowledge at this time, the Town is in compliance with TABOR.

- We also believe our Water, Wastewater, Storm Drainage, and Airport Funds operations qualify as enterprises and are therefore excluded from the provisions of TABOR.

- We have informed all banking and savings and loan institutions that our deposits are subject to the respective Public Deposit Protection Act and have provided banking institutions with our assigned number.

- With respect to federal award programs:

    - We are responsible for understanding and complying with, and have complied with the requirements of OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*, including requirements relating to preparation of the schedule of expenditures of federal awards.

    - We acknowledge our responsibility for presenting the schedule of expenditures of federal awards (SEFA) in accordance with the requirements of OMB Circular A-133 §310.b, and we believe the SEFA, including its form and content, is fairly presented in accordance with OMB Circular A-133 §310.b. The methods of measurement and presentation of the SEFA have not changed from those used in the prior period and we have disclosed to you any significant assumptions and interpretations underlying the measurement and presentation of the SEFA.

    - We have identified and disclosed to you all of our government programs and related activities subject to OMB Circular A-133, and included in the SEFA expenditures made during the audit period for all awards provided by federal agencies in the form of grants, federal cost-reimbursement contracts, loans, loan guarantees, property (including

donated surplus property), cooperative agreements, interest subsidies, insurance, food commodities, direct appropriations, and other direct assistance.

- We are responsible for understanding and complying with, and have complied with, the requirements of laws, regulations, and the provisions of contracts and grant agreements related to each of our federal programs and have identified and disclosed to you the requirements of laws, regulations, and the provisions of contracts and grant agreements that are considered to have a direct and material effect on each major program.

- We are responsible for establishing and maintaining, and have established and maintained, effective internal control over compliance requirements applicable to federal programs that provides reasonable assurance that we are managing our federal awards in compliance with laws, regulations, and the provisions of contracts and grant agreements that could have a material effect on our federal programs. We believe the internal control system is adequate and is functioning as intended.

- We have made available to you all contracts and grant agreements (including amendments, if any) and any other correspondence with federal agencies or pass-through entities relevant to federal programs and related activities.

- We have received no requests from a federal agency to audit one or more specific programs as a major program.

- We have complied with the direct and material compliance requirements, including when applicable, those set forth in the *OMB Circular A-133 Compliance Supplement*, relating to federal awards and have identified and disclosed to you all amounts questioned and all known noncompliance with the direct and material compliance requirements of federal awards.

- We have disclosed to you any communications from grantors and pass-through entities concerning possible noncompliance with the direct and material compliance requirements, including communications received from the end of the period covered by the compliance audit to the date of the auditors' report.

- Amounts claimed or used for matching were determined in accordance with relevant guidelines in OMB Circular A-87, *Cost Principles State, Local, and Tribal Governments*, and OMB's *Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*.

- We have disclosed to you our interpretation of compliance requirements that may have varying interpretations.

- We have made available to you all documentation related to compliance with the direct and material compliance requirements, including information related to federal program financial reports and claims for advances and reimbursements.

- We have disclosed to you the nature of any subsequent events that provide additional evidence about conditions that existed at the end of the reporting period affecting noncompliance during the reporting period.

- There are no known instances of noncompliance with direct and material compliance requirements that occurred subsequent to the period covered by the auditors' report.

- We have disclosed to you whether any changes in internal control over compliance or other factors that might significantly affect internal control, including any corrective action we have taken regarding significant deficiencies and/or material weaknesses in internal control over compliance, have occurred subsequent to the date as of which compliance was audited.

- Federal program financial reports and claims for advances and reimbursements are supported by the books and records from which the basic financial statements have been prepared.

- The copies of federal program financial reports provided to you are true copies of the reports submitted, or electronically transmitted, to the respective federal agency or pass-through entity, as applicable.

- We have charged costs to federal awards in accordance with applicable cost principles.

- We are responsible for and have accurately prepared the summary schedule of prior audit findings to include all findings required to be included by OMB Circular A-133, and we have provided you with all information on the status of the follow-up on prior audit findings by federal awarding agencies and pass-through entities, including all management decisions.

- We are responsible for and have accurately prepared the auditee section of the Data Collection Form as required by OMB Circular A-133.

- We are responsible for preparing a corrective action plan and taking corrective action on each audit finding.

Signature: _____ Title: Town Administrator

Signature: _____ Title: Finance Director

CliftonLarsonAllen

CliftonLarsonAllen LLP
370 Interlocken Boulevard, Suite 500
Broomfield, CO 80021
303-466-8822 | fax 303-466-9797
CLAconnect.com

Board of Trustees and Management
Town of Erie
Erie, Colorado

In planning and performing our audit of the financial statements of the Town of Erie as of and for the year ended December 31, 2014, in accordance with auditing standards generally accepted in the United States of America, we considered the entity's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we do not express an opinion on the effectiveness of the entity's internal control.

However, during our audit we became aware of deficiencies in internal control other than significant deficiencies and material weaknesses and other matters that are opportunities to strengthen your internal control and improve the efficiency of your operations. Our comments and suggestions regarding those matters are summarized below. A separate communication dated June 18, 2015, contains our written communication of significant deficienciesin the entity's internal control. This letter does not affect our communication dated June 18, 2015

Town Approval Policies

During our testing over general disbursements made during 2014, we noted three instances where transactions under $5,000 were not approved by the Town's Finance Director, as required by the Town's purchasing policy. Through inquiries of Town personnel, it was noted the Finance Director gives the Deputy Finance Director authority to review and approve disbursements for amounts less than $5,000 on his behalf. Although there is a compensating control in place when the Finance Director is absent, we recommend the Town update and add language to the Town's purchasing policy for these types of occurrences. Updating the Town's purchasing policy will assist the Town in identifying the specific roles of Finance Department personnel when certain individuals are not present.

We will review the status of these comments during our next audit engagement. We have already discussed these comments and suggestions with various entity personnel, and we will be pleased to discuss them in further detail at your convenience, to perform any additional study of these matters, or to assist you in implementing the recommendations.

This communication is intended solely for the information and use of management, Board of Trustees, and others within the entity, and is not intended to be, and should not be, used by anyone other than these specified parties.

CliftonLarsonAllen LLP

CliftonLarsonAllen LLP

Greenwood Village, Colorado
June 18, 2015

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: June 23, 2015

SUBJECT:	**LAND DEVELOPMENT RESOLUTIONS AND ORDINANCES** **Consideration Of Ordinance 15-2015 (Second Reading):** An Ordinance Of The Town Of Erie, Colorado, Rezoning The Wise Farms Property Pursuant To The Petition Of The Owner Thereof, From RR – Rural Residential To AG/OS – Agriculture/Open Space; LR - Low Density Residential; And, RR – Rural Residential; And, Providing For The Effective Date Of This Ordinance; And, Setting Forth Details In Relation Thereto.
PURPOSE:	Public Hearing to consider Rezoning the Wise Farms property from RR – Rural Residential to AG/OS – Agriculture/Open Space; LR - Low Density Residential; and, RR – Rural Residential.
CODE REVIEW:	Erie Municipal Code, Title 10
DEPARTMENT:	Community Development
PRESENTER:	Deborah Bachelder AICP, Senior Planner

FISCAL INFORMATION:	Cost as Recommended:	na
	Balance Available:	na
	Budget Line Item Number:	000 . 00 . 000 . 000000 . 000000
	New Appropriation Required:	☐Yes ☐ No

STAFF RECOMMENDATION:	Staff finds the application in compliance with the Rezoning approval criteria and recommends the Board of Trustees approve the Wise Farms Rezoning application by approving Ordinance 15-2015.
PLANNING COMMISSION RECOMMENDATION:	The Planning Commission held a public hearing for the Rezoning request on January 21, 2015. The Planning Commission is recommending denial of the Rezoning application in Resolution P13-26. The Planning Commission determined that the application is not in substantial compliance with the following approval criteria as specified in Title 10, Section 7.5 of the Town of Erie Municipal Code: a. The Rezoning is not consistent with the Town's Comprehensive Master Plan and the purposes of this UDC; b. The Rezoning is likely to result in significant adverse impacts upon other property in the vicinity of the subject property; c. Future uses on the subject property will not be compatible in scale with uses on other properties in the vicinity of the subject property.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Applicant Jasper Land Investments, LLC
9162 S. Kenwood Court
Highlands Ranch, CO 80126

Owners Wise Homestead, LLC; and,
Elizabeth Kissell

Location

The Wise Farms property is located south of Jasper Road and west of 119th Street. The property is separated by the RTD railroad right of way.

Existing Conditions:

- Site Condition: On the property are two existing single family houses and associated accessory structures; historic farm structures; one oil/gas facility; with the majority of the property being used for agriculture.
- Property Size: 174 Acres
- Zoning: Concurrent with the rezoning application, the applicant is processing a Planned Unit Development (PUD) Overlay zoning application.

Adjacent Land-Use/Zoning:

	ZONING	LAND USE
NORTH	Rural Residential Neighborhood Mixed Use AG-OS Agricultural – Open Space A-Agricultural: Boulder County	Single Family Residential Erie Historical Museum Boulder County/Town Open Space Single Family Residential
EAST	A-Agricultural: Boulder County ER-Estate Residential	Single Family Residential Single Family Residential
SOUTH	A-Agricultural: Boulder County	Open Space Single Family Residential
WEST	A-Agricultural: Boulder County	Farm/Agricultural

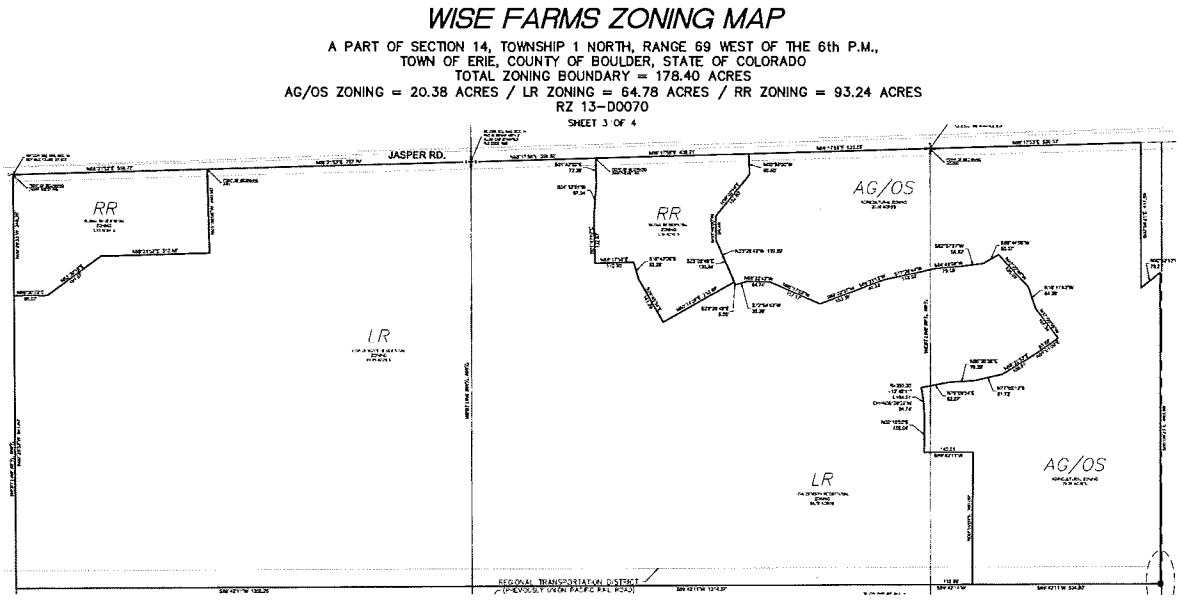
Rezoning Request:

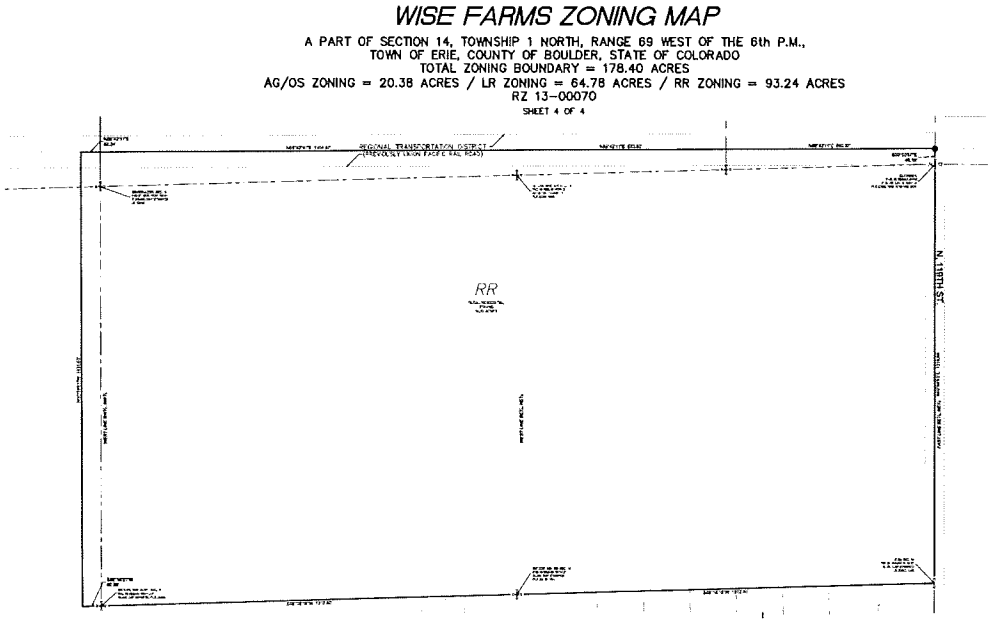
The applicant is requesting to rezone Wise Farms from RR – Rural Residential to AG/OS – Agriculture/Open Space; LR - Low Density Residential; and, RR – Rural Residential.

Proposed Zoning Map:

The Rezoning is compromised of the following zone districts:

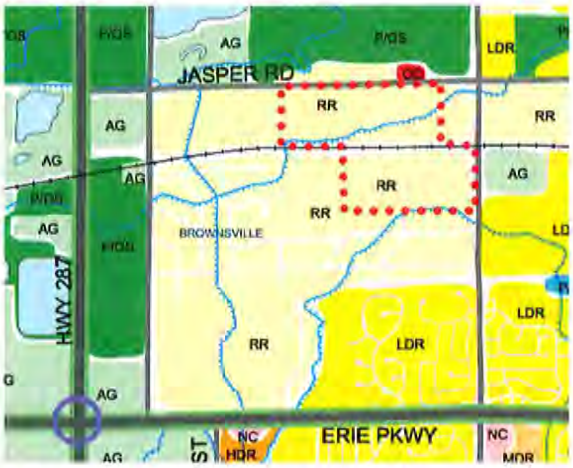
Proposed Zone District	Acres in Proposed District
AG/OS - Agricultural/Open Space	20.38 acres
RR - Rural Residential	93.24 acres
LR - Low Density Residential	64.78 acres





Compliance with Town of Erie Comprehensive Plan:

The Rezoning application is in general Compliance with the Land Use designation of RR-Rural Residential on the 2005 Comprehensive Plan, Land Use Plan Map; as illustrated below. The density range of RR, in the Comprehensive Plan, is 0 to 2 dwelling units per acre; however, gross densities will not typically exceed 1 dwelling unit per acre. The applicant proposal is for 166 dwelling units on approximately 169 acres; this equals a gross density of 0.98 dwelling units per acre.



STAFF REVIEW AND ANALYSIS

Staff finds the Wise Farms Zoning Map application is consistent with the Approval Criteria of Title 10, Section 7.5 Rezoning:

a. The Rezoning will promote the public health, safety, and general welfare;

   Staff: The Wise Farms Zoning Map promotes the public health, safety, and general welfare.

b. The Rezoning is generally consistent with the Town's Comprehensive Master Plan and the purposes of this UDC;

   Staff: The Wise Farms PUD sets the maximum number of dwelling units allowed on the property. The gross density proposed is within the 0 to 2 dwelling units per acre density range for the Rural Residential Land Use in the Comprehensive Plan.

c. Adequate facilities and services (including streets and transportation, water, gas, electric, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;

   Staff: The Wise Farms development will need to bring Town water to the site. All other facilities and services are available.

d. The Rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;

   Staff: The Town and applicant have worked to preserve healthy trees and the non-jurisdictional wetland on the east side of the property as public open space.

e. The Rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject property;

Staff: The Wise Farms PUD identifies buffers on all sides of the proposed development. Additionally, the applicant has increased the size of the residential lots, from the original Sketch Plan application, on the south half of the property to lot sizes that are compatible to the adjacent neighborhood.

f. Future uses on the subject property will be compatible in scale with uses on other properties in the vicinity of the subject property; and

Staff: The applicant has increased the size of the residential lots, from the original Sketch Plan application, on the south half of the property to lot sizes that are compatible to the adjacent neighborhood.

g. The Zoning is generally consistent with the Towns' economic development goals and objectives in bring positive growth and sustainable revenues to the Town.

Staff: The applicant will bring positive growth and sustainable revenues to the Town.

Staff Recommendation:

Staff finds the application in compliance with the Rezoning approval criteria and recommends the Board of Trustees approve the Wise Farms Rezoning application by approving Ordinance 15-2015.

Public Notice

Colorado Hometown Weekly Newspaper Publication:	May 6, 2015
Notice Posted on Public Notice Boards and on Property; and,	
Letters to adjacent property owners mailed:	May 8, 2015

The documentation required for the Wise Farms Rezoning application is complete. The Community Development file for the Wise Farms Rezoning application is entered into the public record.

Neighborhood Meeting:

As required by the Municipal Code a Neighborhood Meeting was held on January 7, 2015 at the Erie Community Center. The required notice for the Neighborhood Meeting was provided.

Staff Review:

____**Town Attorney**
____**Town Clerk**
MW **Community Development Director**
____**Finance Director**
____**Police Chief**
____**Public Works Director**

Approved by:

A.J. Krieger
Town Administrator

ATTACHMENTS:

A. Draft Ordinance 15-2015
B. Planning Commission Resolution P15-07
C. Planning Commission minutes
D. Applicants submittal materials

ATTACHMENT A

ORDINANCE NO. 15-2015

AN ORDINANCE OF THE TOWN OF ERIE, COLORADO, REZONING THE WISE FARMS PROPERTY PURSUANT TO THE PETITION OF THE OWNER THEREOF, FROM RR – RURAL RESIDENTIAL TO AG/OS – AGRICULTURE/OPEN SPACE; LR - LOW DENSITY RESIDENTIAL; AND, RR – RURAL RESIDENTIAL; AND, PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE; AND, SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, the Board of Trustees of the Town of Erie, Colorado, considered the Wise Farms Rezoning on Tuesday, May 26, 2015 and June 23, 2015 on the application of Elizabeth W. Kissell, and Wise Homestead, LLC, 11497 Jasper Road, Lafayette, CO, for the following real property; to wit:

See "Exhibit A," attached hereto and incorporated herein by this reference; and,

WHEREAS, the Planning Commission of the Town of Erie, Colorado, conducted a public hearing on January 21, 2015, pursuant to the published notice for consideration of the Erie Highlands Rezoning, and;

WHEREAS, the Board of Trustees of the Town of Erie, Colorado, considered the Wise Farms Rezoning at a public hearing held on May 26, 2015 for which meeting public notice was legally given, and;

WHEREAS, the Rezoning application and supporting documents are in substantial compliance with the "*Town of Erie, 2005 Comprehensive Plan*" and the "*Town of Erie Municipal Code, Title 10*"; and,

WHEREAS, the Rezoning as proposed will preserve the health, safety, welfare and interest of the citizens of the Town of Erie, Colorado; and,

WHEREAS, the notice has been given and the public hearings have been held, all as required by the Municipal Code of the Town of Erie.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, AS FOLLOWS:

Section 1. That following a legally noticed and duly conducted public hearing, the Board of Trustees of the Town of Erie has determined that the proposed Rezoning meets the approval criteria in Municipal Code Title 10, Section 7.5.B.9, and specifically makes the following findings:

a. The Rezoning will promote the public health, safety, and general welfare;

b. The Rezoning is generally consistent with the Town's Comprehensive Master Plan and the purposes of this UDC;

c. Adequate facilities and services (including streets and transportation, water, gas, electric, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;

d. The Rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;

e. The Rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject property;

f. Future uses on the subject property will be compatible in scale with uses on other properties in the vicinity of the subject property; and

g. The Zoning is generally consistent with the Towns' economic development goals and objectives in bring positive growth and sustainable revenues to the Town.

Section 2. The property is hereby rezoned from RR – Rural Residential To AG/OS – Agriculture/Open Space; LR - Low Density Residential; and, RR – Rural Residential, as more specifically set forth on the rezoning map attached hereto, as "Exhibit B," and incorporated herein by this reference.

Section 3. The official zone district map of the Town of Erie, dated March 24, 2015, shall be amended by the designation of the above referenced property as AG/OS – Agriculture/Open Space; LR - Low Density Residential; and, RR – Rural Residential in accordance with and in compliance with the requirements of Section 1, above, and the zoning map attached hereto.

Section 4. **Severance Clause**. If an article, section, paragraph, sentence, clause or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees of the Town of Erie, Colorado hereby declares that it would have passed this Ordinance and each part or parts thereof, irrespective of the fact that any one part or parts may be declared invalid or unconstitutional.

Section 5. **Repeal**. All other ordinances or parts of any ordinances or other Code provisions in conflict herewith are hereby repealed.

Section 6. **Effective Date**. This Ordinance shall take effect thirty (30) days after publication following final passage or upon the full execution of the Rezoning Map and the Rezoning Ordinance and the recording of the same with the Boulder County Clerk and Recorder, whichever occurs later.

INTRODUCED, PASSED, ADOPTED AND ORDERED PUBLISHED IN FULL BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE THIS ___ DAY OF _____ 2015.

TOWN OF ERIE,
a Colorado municipal corporation

By: _____
Tina Harris, Mayor

ATTEST:

By: _____
Nancy Parker, Town Clerk

Exhibit A
Legal Description

NORTH PARCEL:

A PARCEL OF LAND BEING A PART OF THE NORTH HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST-SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS S00°04'01"E, A DISTANCE OF 1,316.88 FEET SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE S88°24'34"W, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 119TH STREET;

THENCE S88°24'34"W ALONG SAID SOUTH LINE, A DISTANCE OF 627.28 FEET; TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING S88°24'34"W ALONG SAID SOUTH LINE , A DISTANCE OF 3.19 FEET;

THENCE NORTH 00°09'24"W, A DISTANCE OF 114.08 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT NORTHERLY OF THE CENTERLINE OF THE EXISTING TRACK, SAID POINT BEING THE POINT OF BEGINNING;

THENCE S89°42'11"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 653.74 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING S89°42'11"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1,314.16 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING S89°42'11"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1,309.61 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEEST QUARTER OF SAID SECTION 14;

THENCE N00°29'33"W ALONG SAID WEST LINE, A DISTANCE OF 1,119.88 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF JASPER ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:

1. N88°21'52"E, A DISTANCEE OF 1,314.39 FEET
2. N88°17'28"E, A DISTANCE OF 1,317.03 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;
3. CONTINUING N88°17'28"E, A DISTANCE OF 599.53 FEET TO THE NORTHWESTERLY CORNER OF THAT TRACT OF LAND AS DESCRIBED ON SAID FILM 1555, AT RECEPTION NO. 953348;

THENCE S00°09'21"E ALONG THE WESTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 397.57 FEET TO THE MOST SOUTHERLY CORNER THEREOF;

THENCE N50°52'13"E ALONG THE SOUTHEASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 70.21 FEET;

THENCE S00°09'21"E, A DISTANCE OF 843.98 FEET TO THE POINT OF BEGINNING.

SOUTH PARCEL:

A PARCEL OF LAND BEING A PART OF THE NORTH HALF AND A PART OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST-SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS SOUTH 00°04'01" EAST, A DISTANCE OF 1316.88 FEET, SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREWITH BEING RELATIVE THERETO;

THENCE SOUTH 88°24'34" WEST, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 119TH STREET, SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH 00°04'10" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1316.93 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°18'16" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 1282.45 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 88°18'16" WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 1312.40 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°16'21" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 60.98 FEET TO THE SOUTHEASTERLY CORNER OF THAT TRACT OF LAND CONVEYED TO RONALD SCOTT JASPER, RONALD LEE JASPER AND VEE ANN JASPER AS DESCRIBED IN WARRANTY DEED RECORDED MAY 3, 1976, ON FILM 922 AS RECEPTION NO. 175271, OF THE RECORDS OF BOULDER COUNTY, COLORADO;

THENCE NORTH 00°19'00" WEST ALONG THE EASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 1381.63 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT, SOUTHERLY OF THE EXISTING TRACK;

THENCE NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 62.45 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1314.28 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 653.74 FEET;

THENCE SOUTH 00°09'21" EAST, A DISTANCE OF 14.08 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE NORTH 88°24'34" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 3.19 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 88°24'34" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 627.28 FEET TO THE POINT OF BEGINNING.

SAID NORTH, SOUTH AND JASPER ROAD RIGHT-OF-WAY PARCELS CONTAINING A CALCULATED AREA OF 7,576,344 SQUARE FEET, OR 173.929 ACRES, MORE OR LESS.

WISE FARMS ZONING MAP

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
TOTAL ZONING BOUNDARY = 178.40 ACRES
AG/OS ZONING = 20.38 ACRES / LR ZONING = 64.78 ACRES / RR ZONING = 93.24 ACRES
RZ 13–00070

SHEET 1 OF 4

LEGAL DESCRIPTION – OVERALL BOUNDARY OF ZONING PARCEL

A PARCEL OF LAND BEING A PART OF THE SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST–SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS SOUTH 00°04'31" EAST, A DISTANCE OF 1316.88 FEET SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE SOUTH 00°04'31" EAST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 1316.88 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;

THENCE SOUTH 89°16'16" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 1312.40 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 89°16'16" WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 1312.40 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 89°16'21" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 60.98 FEET TO THE SOUTHEASTERLY CORNER OF THAT TRACT OF LAND CONVEYED TO RONALD SCOTT JASPER, RONALD LEE JASPER AND VEE ANN JASPER AS DESCRIBED IN WARRANTY DEED RECORDED MAY 3, 1978, ON FILM 922 AS RECEPTION NO. 175271, OF THE RECORDS OF BOULDER COUNTY, COLORADO;

THENCE NORTH 00°19'00" WEST ALONG THE EASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 1431.63 FEET TO A POINT ON THE CENTERLINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT–OF–WAY;

THENCE SOUTH 89°47'11" WEST ALONG SAID NORTHERLY RIGHT–OF–WAY LINE, A DISTANCE OF 1248.91 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14;

THENCE NORTH 00°27'32" WEST ALONG SAID WEST LINE, A DISTANCE OF 1188.88 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14;

THENCE NORTH 89°27'32" EAST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, A DISTANCE OF 1314.47 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER;

THENCE NORTH 89°17'58" EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 1313.03 FEET THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE NORTH 89°17'32" EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 589.53 FEET TO THE NORTHWESTERLY CORNER OF THAT TRACT OF LAND AS DESCRIBED ON SAID FILM 1330, AT RECEPTION NO. 933048;

THENCE SOUTH 00°06'21" EAST ALONG THE WESTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 417.56 FEET TO THE MOST SOUTHERLY CORNER THEREOF;

THENCE NORTH 57°57'13" EAST ALONG THE SOUTHEASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 70.21 FEET;

THENCE SOUTH 00°06'21" EAST, DISTANCE OF [illegible] FEET TO A POINT ON THE CENTERLINE OF THE POINT OF SAID UNION PACIFIC RAILROAD RIGHT–OF–WAY;

THENCE NORTH 89°47'11" EAST ALONG SAID CENTERLINE, A DISTANCE OF 663.37 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 00°03'57" EAST ALONG SAID EAST LINE, A DISTANCE OF 48.18 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING A CALCULATED AREA OF 7,779,536 SQUARE FEET OR 178.40 ACRES, MORE OR LESS.

VICINITY MAP
SCALE: 1" = 1000'

GENERAL NOTES

1. THE BEARINGS SHOWN HEREON ARE BASED UPON THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14 BEING BASED UPON THE TOWN OF ERIE HORIZONTAL CONTROL NETWORK IS ASSUMED TO BEAR SOUTH 00°04'31" EAST, A DISTANCE OF 1316.88 FEET.
2. THE LINEAL UNIT USED IN THE PREPARATION OF THIS ZONING MAP IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.
3. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE (3) 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 (10) YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
4. THIS ZONING MAP IS NOT INTENDED TO BE AN IMPROVEMENT SURVEY PLAT, AN ALTA/ACSM LAND TITLE SURVEY NOR SUBDIVISION PLAT. IT IS INTENDED ONLY TO SHOW THE EXISTING AND PROPOSED ZONING OF THE DESCRIBED SHEPHALL WISE FARMS DEVELOPMENT.
5. THIS ZONING MAP DOES NOT CONSTITUTE A TITLE SEARCH BY CVL CONSULTANTS OF COLORADO, INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS–OF–WAY, AND TITLE OF RECORD, CVL CONSULTANTS OF COLORADO, INC. RELIED UPON LAND TITLE GUARANTEE COMPANY COMMITMENT NUMBER ABS03301561–2 EFFECTIVE DATE: OCTOBER 28, 2013 AT 5:00 P.M.

SURVEYOR'S CERTIFICATE:

I, WILLIAM F. HEUSSENKAMP, JR., A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS ZONING MAP TRULY AND CORRECTLY REPRESENTS THE ABOVE DESCRIBED LEGAL DESCRIPTIONS FOR EACH ZONE DISTRICT.

I ATTEST THE ABOVE ON THIS _____ DAY OF _____, 2014.

_____
WILLIAM F. HEUSSENKAMP, JR., PLS NO. 23269
FOR AND ON BEHALF OF
CVL CONSULTANTS OF COLORADO, INC.

PLANNING COMMISSION CERTIFICATE:

THIS ZONING MAP WAS REVIEWED BY THE PLANNING COMMISSION ON

THE _____ DAY OF _____, 2014.

_____ _____
COMMISSION DATE

BOARD OF TRUSTEES APPROVAL CERTIFICATE:

THIS ZONING MAP IS TO BE KNOWN AS THE "WISE FARMS ZONING MAP" AND IS APPROVED AND ACCEPTED BY ORDINANCE NO. _____, PASSED AND ADOPTED AT REGULAR (SPECIAL) MEETING OF THE BOARD OF TRUSTEES OF ERIE, COLORADO, HELD ON

_____ _____, 2014.

_____
MAYOR

ATTEST: _____
Town Clerk

CLERK AND RECORDER:

STATE OF COLORADO)
) SS
COUNTY OF _____)

I HEREBY CERTIFY THAT THIS ZONING MAP WAS FILED IN MY OFFICE ON THIS _____ DAY OF _____, 2014 A.D. AND WAS RECORDED AT RECEPTION NUMBER _____

_____
BOULDER COUNTY CLERK AND RECORDER

CVL CONSULTANTS
10333 E. DRY CREEK RD.
Suite 240
Englewood, CO 80112
Tel: (720) 482-9526
Fax: (720) 482-9545

JASPER LAND INVESTMENTS, LLC
8162 S. KEWAUNEE COURT
HIGHLANDS RANCH, CO 80126

No.	Revisions	Date	Int.	Appr.	Date
2	Address comments	9-23-14	MJP	WFH	9-23-14
1	Address comments	8-1-14	WFH		

SCALE: AS NOTED
DRAWN BY: MJC
CHECKED BY: WFH
DATE: 4/14/2014
FILE NO:
SHEET NO: 1 OF 4

Exhibit B
Wise Farms Zoning Map

WISE FARMS ZONING MAP

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
TOTAL ZONING BOUNDARY = 178.40 ACRES
AG/OS ZONING = 20.38 ACRES / LR ZONING = 64.78 ACRES / RR ZONING = 93.24 ACRES
RZ 13-00070

SHEET 2 OF 4

LEGAL DESCRIPTION – AGRICULTURAL / OPEN SPACE ZONING

A PARCEL OF LAND BEING A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14 AND ASSUMING THE EAST LINE OF THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14 BEARS SOUTH 00° 04' 31" EAST, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

[illegible]

CONTAINING A CALCULATED AREA OF [illegible] SQUARE FEET OR 20.38 ACRES, MORE OR LESS.

LEGAL DESCRIPTION – RURAL RESIDENTIAL ZONING SOUTH PARCEL

A PARCEL OF LAND BEING A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

[illegible]

LEGAL DESCRIPTION – RURAL RESIDENTIAL ZONING NORTHEAST PARCEL

A PARCEL OF LAND BEING A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

[illegible]

LEGAL DESCRIPTION – RURAL RESIDENTIAL ZONING NORTHWEST PARCEL

A PARCEL OF LAND BEING A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

[illegible]

LEGAL DESCRIPTION – LOW DENSITY RESIDENTIAL ZONING

A PARCEL OF LAND BEING A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

[illegible]

CVL

JASPER LAND INVESTMENTS, LLC

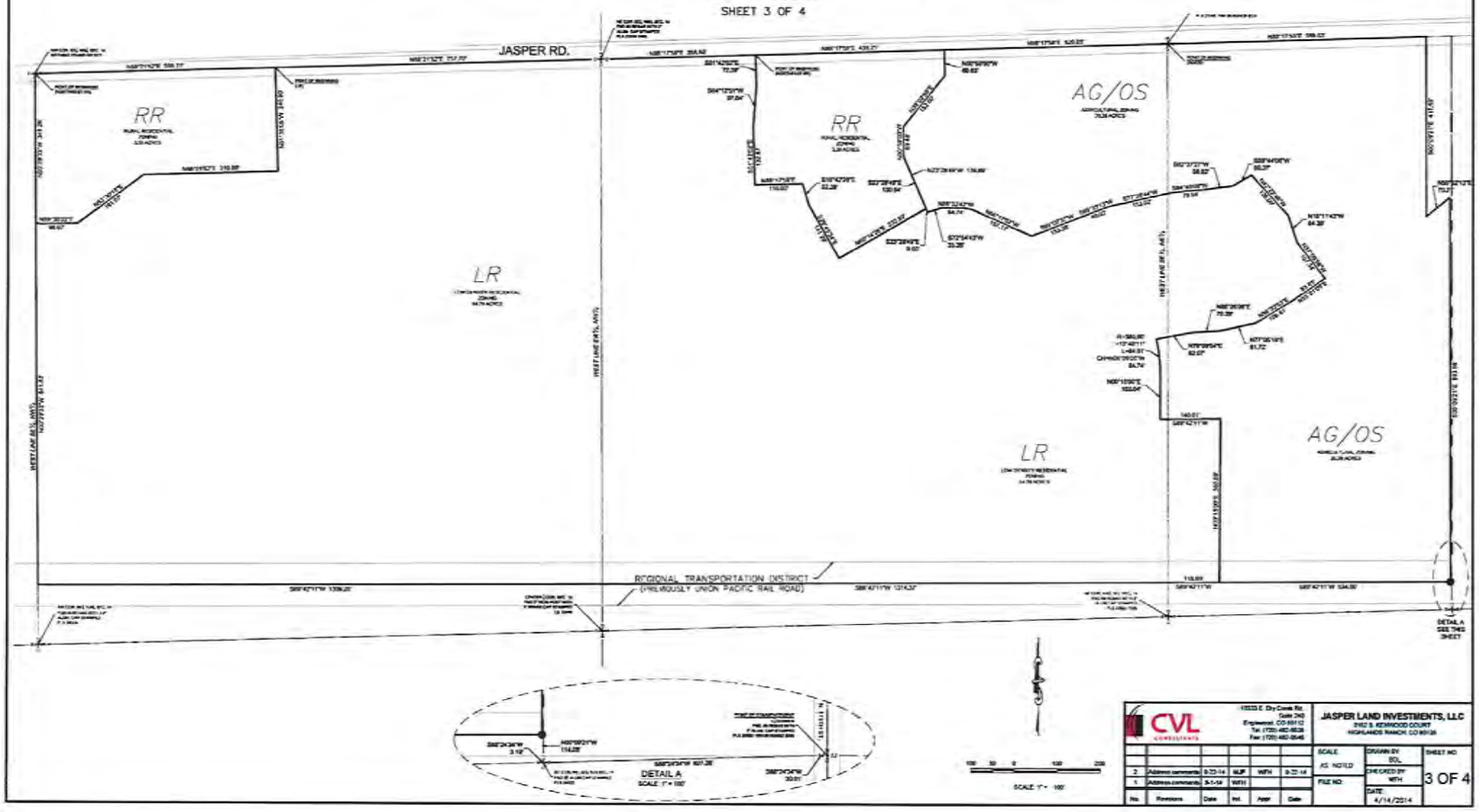
No	Revisions	Date	Init	Appr	Date
2	Address comments	9-22-14	MJF	WFH	9-22-14
1	Address comments	8-1-14	WFH		

SCALE: AS NOTED — DRAWN BY: WFC — CHECKED BY: [illegible] — DATE: 6/14/2014 — SHEET NO: 2 OF 4

WISE FARMS ZONING MAP

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
TOTAL ZONING BOUNDARY = 178.40 ACRES
AG/OS ZONING = 20.38 ACRES / LR ZONING = 64.78 ACRES / RR ZONING = 93.24 ACRES
RZ 13-00070

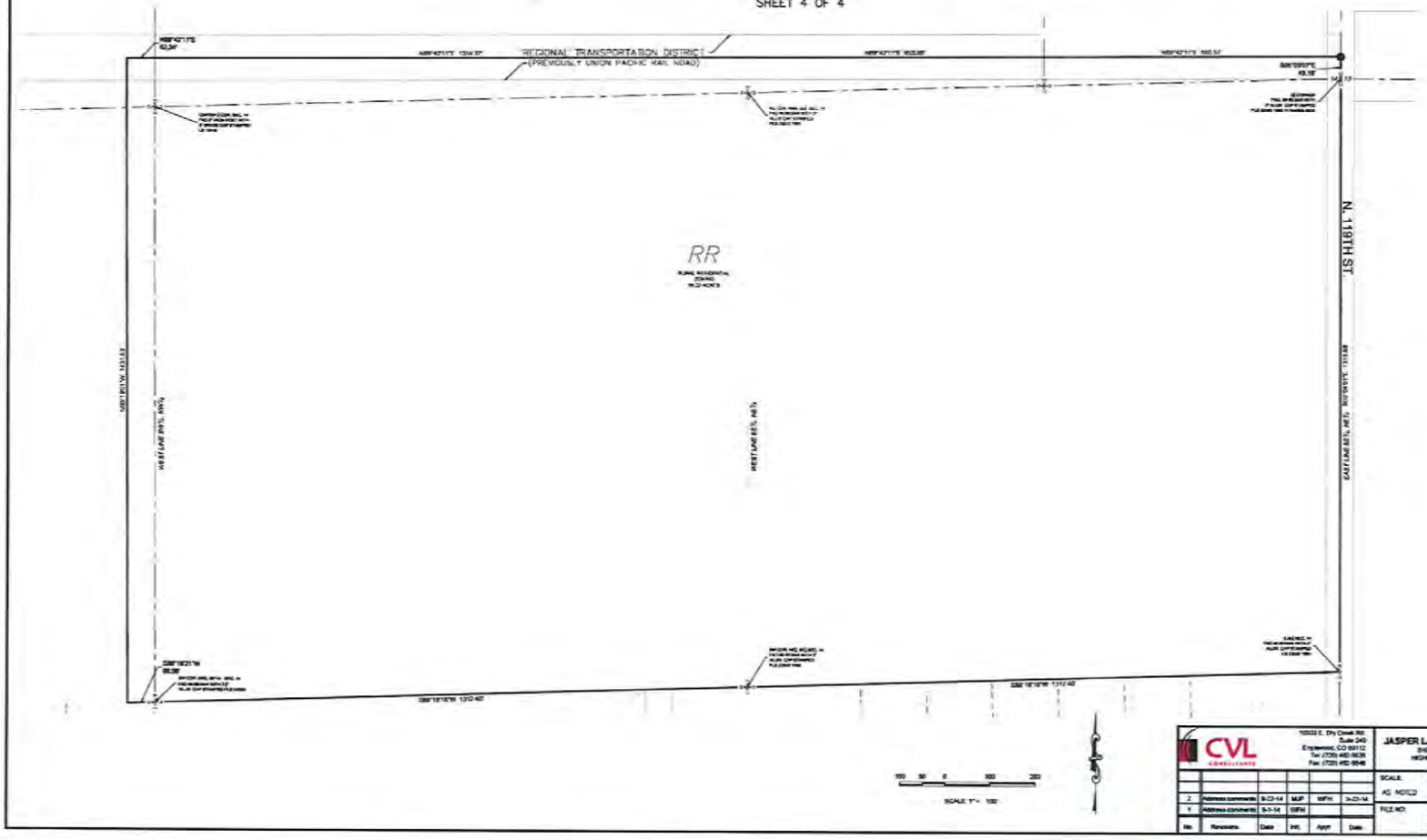
SHEET 3 OF 4



WISE FARMS ZONING MAP

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
TOTAL ZONING BOUNDARY = 178.40 ACRES
AG/OS ZONING = 20.38 ACRES / LR ZONING = 64.78 ACRES / RR ZONING = 93.24 ACRES
RZ 13–00070

SHEET 4 OF 4



ATTACHMENT B

RESOLUTION NO. P15-07

A RESOLUTION REGARDING THE WISE FARMS ZONING MAP, REZONING, ADOPTING CERTAIN FINDINGS OF FACT AND CONCLUSIONS RECOMMENDING DENIAL OF THE WISE FARMS ZONING MAP, REZONING TO THE BOARD OF TRUSTEES.

WHEREAS, the Planning Commission of the Town of Erie Colorado has received and considered the Wise Farms Zoning Map, Rezoning on January 21, 2015 on the application of Elizabeth W. Kissell, and Wise Homestead, LLC, 11497 Jasper Road, Lafayette, CO, for Rezoning of the following described real property:

See Exhibit "A," attached hereto and incorporated herein, and

WHEREAS, the application for Rezoning is detailed on the zoning map titled Wise Farms Zoning Map, attached hereto and incorporated herein as Exhibit "B," and

WHEREAS, said Wise Farms Zoning Map is incorporated herein and made a part hereof by this reference.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF ERIE, COLORADO, as follows:

Section 1. Findings of Fact

1. The application for rezoning and supporting documents were submitted in accordance with Municipal Code, Title 10, Section 7.5.
2. Following a duly noticed and conducted public hearing, the Planning Commission determined that the application is not in substantial compliance with the following approval criteria as specified in Title 10, Section 7.5 B.9 of the Town of Erie Municipal Code:
   a. The Rezoning is not consistent with the Town's Comprehensive Master Plan and the purposes of this UDC;
   b. The Rezoning is likely to result in significant adverse impacts upon other property in the vicinity of the subject property;
   c. Future uses on the subject property will not be compatible in scale with uses on other properties in the vicinity of the subject property; and

Section 2. Conclusion and Order

Based on the above Findings of Fact, the Planning Commission hereby forwards the Wise Farms Zoning Map, Rezoning application to the Board of Trustees with the Planning Commission's recommendation for denial.

INTRODUCED, READ, SIGNED AND APPROVED this 21st day of January 2015.

TOWN OF ERIE, PLANNING COMMISSION

By: _____
J. Eric Bottenhorn, Chair

ATTEST:

By: _____
Hallie S. Sawyer, Secretary

EXHIBIT A

(Wise Farms Legal Description)

NORTH PARCEL:

A PARCEL OF LAND BEING A PART OF THE NORTH HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST-SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS S00°04'01"E, A DISTANCE OF 1,316.88 FEET SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE S88°24'34"W, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 119TH STREET;

THENCE S88°24'34"W ALONG SAID SOUTH LINE, A DISTANCE OF 627.28 FEET; TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING S88°24'34"W ALONG SAID SOUTH LINE , A DISTANCE OF 3.19 FEET;

THENCE NORTH 00°09'24"W, A DISTANCE OF 114.08 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT NORTHERLY OF THE CENTERLINE OF THE EXISTING TRACK, SAID POINT BEING THE POINT OF BEGINNING;

THENCE S89°42'11"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 653.74 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING S89°42'11"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1,314.16 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING S89°42'11"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1,309.61 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEEST QUARTER OF SAID SECTION 14;

THENCE N00°29'33"W ALONG SAID WEST LINE, A DISTANCE OF 1,119.88 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF JASPER ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:

1. N88°21'52"E, A DISTANCEE OF 1,314.39 FEET
2. N88°17'28"E, A DISTANCE OF 1,317.03 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;
3. CONTINUING N88°17'28"E, A DISTANCE OF 599.53 FEET TO THE NORTHWESTERLY CORNER OF THAT TRACT OF LAND AS DESCRIBED ON SAID FILM 1555, AT RECEPTION NO. 953348;

THENCE S00°09'21"E ALONG THE WESTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 397.57 FEET TO THE MOST SOUTHERLY CORNER THEREOF;

THENCE N50°52'13"E ALONG THE SOUTHEASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 70.21 FEET;

THENCE S00°09'21"E, A DISTANCE OF 843.98 FEET TO THE POINT OF BEGINNING.

SOUTH PARCEL:

A PARCEL OF LAND BEING A PART OF THE NORTH HALF AND A PART OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST-SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS SOUTH 00°04'01" EAST, A DISTANCE OF 1316.88 FEET, SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREWITH BEING RELATIVE THERETO;

THENCE SOUTH 88°24'34" WEST, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 119TH STREET, SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH 00°04'10" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1316.93 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°18'16" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 1282.45 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 88°18'16" WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 1312.40 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°16'21" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 60.98 FEET TO THE SOUTHEASTERLY CORNER OF THAT TRACT OF LAND CONVEYED TO RONALD SCOTT JASPER, RONALD LEE JASPER AND VEE ANN JASPER AS DESCRIBED IN WARRANTY DEED RECORDED MAY 3, 1976, ON FILM 922 AS RECEPTION NO. 175271, OF THE RECORDS OF BOULDER COUNTY, COLORADO;

THENCE NORTH 00°19'00" WEST ALONG THE EASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 1381.63 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT, SOUTHERLY OF THE EXISTING TRACK;

THENCE NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 62.45 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1314.28 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A

DISTANCE OF 653.74 FEET;

THENCE SOUTH 00°09'21" EAST, A DISTANCE OF 14.08 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE NORTH 88°24'34" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 3.19 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 88°24'34" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 627.28 FEET TO THE POINT OF BEGINNING.

SAID NORTH, SOUTH AND JASPER ROAD RIGHT-OF-WAY PARCELS CONTAINING A CALCULATED AREA OF 7,576,344 SQUARE FEET, OR 173.929 ACRES, MORE OR LESS.

EXHIBIT B
(Wise Farms Zoning Map)

WISE FARMS ZONING MAP

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
TOTAL ZONING BOUNDARY = 178.40 ACRES
AG/OS ZONING = 20.38 ACRES / LR ZONING = 64.78 ACRES / RR ZONING = 93.24 ACRES
RZ 13-00070

LEGAL DESCRIPTION – OVERALL BOUNDARY OF ZONING PARCEL

A PARCEL OF LAND BEING A PART OF THE SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST-SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS SOUTH 00°04'01" EAST, A DISTANCE OF 1316.68 FEET SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE SOUTH 00°04'01" EAST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 1316.68 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;

THENCE SOUTH 88°16'16" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 1312.40 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 88°16'16" WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 1312.40 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°16'21" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 60.08 FEET TO THE SOUTHEASTERLY CORNER OF THAT TRACT OF LAND CONVEYED TO RONALD SCOTT JASPER, RONALD LEE JASPER AND MIE ANN JASPER AS DESCRIBED IN WARRANTY DEED RECORDED MAY 3, 1976, ON FILM 922 AS RECEPTION NO. 175271, OF THE RECORDS OF BOULDER COUNTY, COLORADO

THENCE NORTH 00°39'00" WEST ALONG THE EASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 1431.63 FEET TO A POINT ON THE CENTERLINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY;

THENCE SOUTH 89°42'11" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1246.91 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14;

THENCE NORTH 00°29'33" WEST ALONG SAID WEST LINE, A DISTANCE OF 1189.88 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14;

THENCE NORTH 88°21'52" EAST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, A DISTANCE OF 1314.47 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER;

THENCE NORTH 88°17'38" EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 1317.07 FEET THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE NORTH 88°17'53" EAST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 589.53 FEET TO THE NORTHWESTERLY CORNER OF THAT TRACT OF LAND AS DESCRIBED ON SAID FILM 1858, AT RECEPTION NO. 953348;

THENCE SOUTH 00°09'29" EAST ALONG THE WESTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 417.39 FEET TO THE MOST SOUTHERLY CORNER THEREOF;

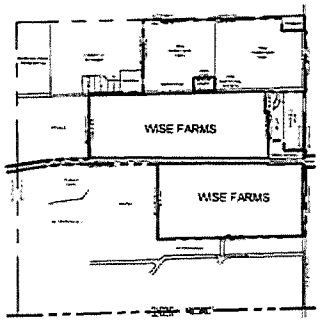
THENCE NORTH 50°52'13" EAST ALONG THE SOUTHEASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 70.21 FEET;

THENCE SOUTH 00°09'29" EAST, DISTANCE OF 893.98 FEET TO A POINT ON THE CENTERLINE OF THE POINT OF SAID UNION PACIFIC RAILROAD RIGHT-OF-WAY;

THENCE NORTH 89°42'11" EAST ALONG SAID CENTERLINE, A DISTANCE OF 680.37 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 00°03'07" EAST ALONG SAID EAST LINE, A DISTANCE OF 49.18 FEET TO THE POINT OF BEGINNING,

SAID PARCEL CONTAINING A CALCULATED AREA OF 7,770,538 SQUARE FEET OR 178.40 ACRES, MORE OR LESS



VICINITY MAP
SCALE 1" = 1000'

SURVEYOR'S CERTIFICATE:

I WILLIAM F. HESSELBACH, JR., A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS ZONING MAP TRULY AND CORRECTLY REPRESENTS THE ABOVE DESCRIBED LEGAL DESCRIPTIONS FOR EACH ZONE DISTRICT.

I ATTEST THE ABOVE ON THIS _____ DAY OF _____ 2014

_____
WILLIAM F. HESSELBACH, JR., PLS NO. 25329
FOR AND ON BEHALF OF
CVL CONSULTANTS OF COLORADO, INC.

PLANNING COMMISSION CERTIFICATE:

THIS ZONING MAP WAS REVIEWED BY THE PLANNING COMMISSION ON THE _____ DAY OF _____ 2014.

_____ _____
CHAIRPERSON DATE

BOARD OF TRUSTEES APPROVAL CERTIFICATE:

THIS ZONING MAP IS TO BE KNOWN AS THE "WISE FARMS ZONING MAP" AND IS APPROVED AND ACCEPTED BY ORDINANCE NO _____ PASSED AND ADOPTED REGULAR (SPECIAL) MEETING OF THE BOARD OF TRUSTEES OF ERIE, COLORADO, HELD ON

_____ _____ 2014

_____
MAYOR

ATTEST _____
TOWN CLERK

CLERK AND RECORDER:

STATE OF COLORADO)
) SS
COUNTY OF _____)

I HEREBY CERTIFY THAT THIS ZONING MAP WAS FILED IN MY OFFICE ON THIS _____ DAY OF _____ 2014 A.D. AND WAS RECORDED AT RECEPTION NUMBER _____

_____
BOULDER COUNTY CLERK AND RECORDER

GENERAL NOTES

1. THE BEARINGS SHOWN HEREON ARE BASED UPON THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14 BEING BASED UPON THE TOWN OF ERIE HORIZONTAL CONTROL NETWORK IS ASSUMED TO BEAR SOUTH 00°04'01" EAST, A DISTANCE OF 1316.68 FEET.
2. THE LINEAL UNIT USED IN THE PREPARATION OF THIS ZONING MAP IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.
3. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE (3) 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 (10) YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
4. THIS ZONING MAP IS NOT INTENDED TO BE AN IMPROVEMENT SURVEY PLAT, AN ALTA/ACSM LAND TITLE SURVEY NOR SUBDIVISION PLAT. IT IS INTENDED ONLY TO SHOW THE EXISTING AND PROPOSED ZONING OF THE DESCRIBED OVERALL WISE FARMS DEVELOPMENT.
5. THIS ZONING MAP DOES NOT CONSTITUTE A TITLE SEARCH BY CVL CONSULTANTS OF COLORADO, INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY, AND TITLE OF RECORD, CVL CONSULTANTS OF COLORADO, INC. RELIED UPON LAND TITLE GUARANTEE COMPANY COMMITMENT NUMBER ABD70339738-1-2 EFFECTIVE DATE: OCTOBER 28, 2013 AT 5:00 P.M.

CVL CONSULTANTS
10333 E. Dry Creek Rd
Suite 240
Englewood, CO 80112
Tel (720) 482-9526
Fax (720) 482-9546

JASPER LAND INVESTMENTS, LLC
9162 S. KENWOOD COURT
HIGHLANDS RANCH, CO 80126

No	Revisions	Date	Init	Appr	Date
2	Address comments	5-23-14	MJP	WFH	5-23-14
1	Address comments	5-1-14	WFH		

SCALE AS NOTED	DRAWN BY BPC	SHEET NO 1 OF 4
FILE NO	CHECKED BY WFH	
	DATE 4/16/2014	

WISE FARMS ZONING MAP

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
TOTAL ZONING BOUNDARY = 178.40 ACRES
AG/OS ZONING = 20.38 ACRES / LR ZONING = 64.78 ACRES / RR ZONING = 93.24 ACRES
RZ 13-00070

SHEET 2 OF 4

LEGAL DESCRIPTION – AGRICULTURAL / OPEN SPACE ZONING

A PARCEL OF LAND BEING A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14 AND ASSUMING THE EAST LINE OF THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14 BEARS SOUTH 00° 04' 01" EAST, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 88° 17' 58" EAST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 589.33 FEET;
THENCE SOUTH 00° 08' 21" EAST, A DISTANCE OF 417.38 FEET;
THENCE NORTH 50° 53' 13" EAST, A DISTANCE OF 70.71 FEET;
THENCE SOUTH 00° 08' 21" EAST, A DISTANCE OF 668.89 FEET TO A POINT ON THE CENTERLINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY;
THENCE SOUTH 89° 42' 11" WEST ALONG SAID CENTERLINE, A DISTANCE OF 534.90 FEET;
THENCE NORTH 00° 18' 50" EAST, A DISTANCE OF 369.03 FEET;
THENCE SOUTH 89° 42' 11" WEST, A DISTANCE OF 140.01 FEET;
THENCE NORTH 00° 13' 00" EAST, A DISTANCE OF 103.06 FEET TO A POINT OF CURVATURE;
THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 340.00 FEET, A CENTRAL ANGLE OF 12° 46' 11", AN ARC LENGTH OF 84.91 FEET, THE CHORD OF WHICH BEARS NORTH 06° 09' 05" WEST, 84.74 FEET;
THENCE NORTH 75° 09' 54" EAST, A DISTANCE OF 82.03 FEET;
THENCE NORTH 88° 26' 00" EAST, A DISTANCE OF 70.36 FEET;
THENCE NORTH 77° 03' 18" EAST, A DISTANCE OF 81.72 FEET;
THENCE NORTH 58° 22' 33" EAST, A DISTANCE OF 106.81 FEET;
THENCE NORTH 33° 01' 08" EAST, A DISTANCE OF 83.80 FEET;
THENCE NORTH 37° 00' 58" WEST, A DISTANCE OF 107.34 FEET;
THENCE NORTH 18° 11' 43" WEST, A DISTANCE OF 84.30 FEET;
THENCE NORTH 42° 22' 46" WEST, A DISTANCE OF 126.06 FEET;
THENCE SOUTH 39° 44' 06" WEST, A DISTANCE OF 50.37 FEET;
THENCE SOUTH 82° 37' 27" WEST, A DISTANCE OF 58.92 FEET;
THENCE SOUTH 84° 48' 08" WEST, A DISTANCE OF 76.38 FEET;
THENCE SOUTH 77° 28' 44" WEST, A DISTANCE OF 153.02 FEET;
THENCE SOUTH 89° 33' 13" WEST, A DISTANCE OF 40.03 FEET;
THENCE SOUTH 89° 02' 37" WEST, A DISTANCE OF 153.36 FEET;
THENCE NORTH 84° 17' 03" WEST, A DISTANCE OF 107.17 FEET;
THENCE NORTH 88° 32' 42" WEST, A DISTANCE OF 64.74 FEET;
THENCE SOUTH 72° 54' 43" WEST, A DISTANCE OF 35.28 FEET;
THENCE NORTH 23° 28' 48" WEST, A DISTANCE OF 138.88 FEET;
THENCE NORTH 00° 58' 00" WEST, A DISTANCE OF 88.48 FEET;
THENCE NORTH 39° 02' 59" EAST, A DISTANCE OF 132.63 FEET;
THENCE NORTH 00° 58' 00" WEST, A DISTANCE OF 83.63 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14;
THENCE NORTH 88° 17' 58" EAST ALONG SAID NORTH LINE, A DISTANCE OF 520.05 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 887,364 SQUARE FEET OR 20.38 ACRES, MORE OR LESS.

LEGAL DESCRIPTION – RURAL RESIDENTIAL ZONING SOUTH PARCEL

A PARCEL OF LAND BEING A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 14, AND ASSUMING THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14 TO BEAR SOUTH 00°04'01" EAST WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE SOUTH 00°04'01" EAST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 1318.88 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;

THENCE SOUTH 88°18'15" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 1312.40 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 88°18'15" WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 1312.40 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°18'21" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 40.06 FEET TO THE SOUTHEASTERLY CORNER OF THAT TRACT OF LAND CONVEYED TO RONALD SCOTT JASPER, RONALD LEE JASPER AND VEE ANN JASPER AS DESCRIBED IN WARRANTY DEED RECORDED MAY 3, 1976, ON FILM 822 AS RECEPTION NO. 1752771, OF THE RECORDS OF BOULDER COUNTY, COLORADO;

THENCE NORTH 00°10'00" WEST ALONG THE EASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 1431.83 FEET TO A POINT ON THE CENTERLINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY;

THENCE NORTH 89°42'11" EAST ALONG SAID CENTERLINE, A DISTANCE OF 82.34 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1314.37 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 653.90 FEET;

THENCE NORTH 89°43'11" EAST ALONG SAID CENTERLINE, A DISTANCE OF 660.37 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 00°03'07" EAST ALONG SAID EAST LINE, A DISTANCE OF 40.16 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING A CALCULATED AREA OF 3,708,825 SQUARE FEET OR 85.32 ACRES, MORE OR LESS.

LEGAL DESCRIPTION – RURAL RESIDENTIAL ZONING NORTHEAST PARCEL

A PARCEL OF LAND BEING A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14 AND ASSUMING THE EAST LINE OF THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14 BEARS SOUTH 00° 04' 01" EAST, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 88° 17' 58" EAST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 308.80 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING NORTH 88° 17' 58" EAST ALONG SAID NORTH LINE, A DISTANCE OF 436.21 FEET;
THENCE SOUTH 00° 29' 00" EAST, A DISTANCE OF 60.85 FEET;
THENCE SOUTH 39° 02' 38" WEST, A DISTANCE OF 152.60 FEET;
THENCE SOUTH 00° 39' 00" EAST, A DISTANCE OF 68.48 FEET;
THENCE SOUTH 23° 28' 48" EAST, A DISTANCE OF 130.84 FEET;
THENCE SOUTH 80° 14' 39" WEST, A DISTANCE OF 233.89 FEET;
THENCE NORTH 29° 45' 34" WEST, A DISTANCE OF 141.20 FEET;
THENCE NORTH 16° 42' 28" WEST, A DISTANCE OF 52.28 FEET;
THENCE SOUTH 88° 17' 58" WEST, A DISTANCE OF 110.00 FEET;
THENCE NORTH 01° 42' 02" WEST, A DISTANCE OF 132.87 FEET;
THENCE NORTH 04° 13' 31" EAST, A DISTANCE OF 97.04 FEET;
THENCE NORTH 01° 42' 02" WEST, A DISTANCE OF 72.39 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 147,704 SQUARE FEET OR 3.39 ACRES, MORE OR LESS.

LEGAL DESCRIPTION – RURAL RESIDENTIAL ZONING NORTHWEST PARCEL

A PARCEL OF LAND BEING A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14 AND ASSUMING THE EAST LINE OF THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14 BEARS SOUTH 00° 04' 01" EAST, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 88° 21' 52" EAST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, A DISTANCE OF 558.77 FEET;
THENCE SOUTH 01° 38' 08" EAST, A DISTANCE OF 240.93 FEET;
THENCE SOUTH 88° 21' 52" WEST, A DISTANCE OF 310.88 FEET;
THENCE SOUTH 53° 30' 18" WEST, A DISTANCE OF 191.07 FEET;
THENCE SOUTH 89° 30' 27" WEST, A DISTANCE OF 98.07 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14 ;
THENCE NORTH 00° 29' 33" WEST ALONG SAID WEST LINE, A DISTANCE OF 348.28 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 133,347 SQUARE FEET OR 3.33 ACRES, MORE OR LESS.

LEGAL DESCRIPTION – LOW DENSITY RESIDENTIAL ZONING

A PARCEL OF LAND BEING A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14 AND ASSUMING THE EAST LINE OF THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14 BEARS SOUTH 00° 04' 01" EAST, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 88° 21' 52" EAST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 558.77 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 88° 21' 52" EAST ALONG SAID NORTH LINE, A DISTANCE OF 757.70 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14;

THENCE NORTH 88° 17' 58" EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 358.80 FEET;
THENCE SOUTH 01° 42' 02" EAST, A DISTANCE OF 72.39 FEET;
THENCE SOUTH 04° 13' 31" WEST, A DISTANCE OF 97.04 FEET;
THENCE SOUTH 01° 42' 02" EAST, A DISTANCE OF 132.87 FEET;
THENCE NORTH 88° 17' 58" EAST, A DISTANCE OF 110.00 FEET;
THENCE SOUTH 16° 42' 28" EAST, A DISTANCE OF 52.28 FEET;
THENCE SOUTH 29° 45' 34" EAST, A DISTANCE OF 141.20 FEET;
THENCE NORTH 80° 14' 39" EAST, A DISTANCE OF 232.89 FEET;
THENCE SOUTH 23° 28' 48" EAST, A DISTANCE OF 9.05 FEET;
THENCE NORTH 72° 54' 43" EAST, A DISTANCE OF 35.28 FEET;
THENCE SOUTH 88° 32' 42" EAST, A DISTANCE OF 64.74 FEET;
THENCE SOUTH 85° 17' 03" EAST, A DISTANCE OF 157.17 FEET;
THENCE NORTH 89° 02' 37" EAST, A DISTANCE OF 153.36 FEET;
THENCE NORTH 89° 33' 13" EAST, A DISTANCE OF 40.03 FEET;
THENCE NORTH 77° 28' 44" EAST, A DISTANCE OF 153.02 FEET;
THENCE NORTH 84° 48' 08" EAST, A DISTANCE OF 76.38 FEET;
THENCE NORTH 82° 37' 27" EAST, A DISTANCE OF 58.92 FEET;
THENCE NORTH 39° 44' 06" EAST, A DISTANCE OF 50.37 FEET;
THENCE SOUTH 42° 22' 46" EAST, A DISTANCE OF 126.06 FEET;
THENCE SOUTH 18° 11' 43 EAST, A DISTANCE OF 84.30 FEET;
THENCE SOUTH 37° 00' 58" EAST, A DISTANCE OF 107.34 FEET;
THENCE SOUTH 33° 01' 08" WEST, A DISTANCE OF 83.80 FEET;
THENCE SOUTH 58° 22' 33" WEST, A DISTANCE OF 106.81 FEET;
THENCE SOUTH 77° 03' 18" WEST, A DISTANCE OF 81.72 FEET;
THENCE SOUTH 88° 26' 00" WEST, A DISTANCE OF 70.36 FEET;
THENCE SOUTH 75° 09' 54" WEST, A DISTANCE OF 82.07 FEET TO A POINT OF NON-TANGENT CURVATURE;
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 340.00 FEET, A CENTRAL ANGLE OF 12° 46' 11", AN ARC LENGTH OF 84.91 FEET, THE CHORD OF WHICH BEARS SOUTH 06° 09' 05" EAST, 84.74 FEET;
THENCE SOUTH 00° 13' 00" WEST, A DISTANCE OF 102.04 FEET;
THENCE NORTH 89° 42' 11" EAST, A DISTANCE OF 140.01 FEET;
THENCE SOUTH 00° 18' 00" WEST, A DISTANCE OF 369.08 FEET TO A POINT ON THE CENTERLINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT OF WAY;

THENCE ALONG SAID CENTERLINE, THE FOLLOWING THREE (3) COURSES:
SOUTH 89° 42' 11" WEST, A DISTANCE OF 119.88 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;
SOUTH 89° 42' 11" WEST, A DISTANCE OF 1314.37 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14;
SOUTH 89° 42' 11" WEST, A DISTANCE OF 1306.28 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14;

THENCE NORTH 00° 29' 33" WEST ALONG SAID WEST LINE, A DISTANCE OF 641.62 FEET;
THENCE NORTH 89° 30' 27" EAST, A DISTANCE OF 98.07 FEET;
THENCE NORTH 53° 30' 18" EAST, A DISTANCE OF 191.07 FEET;
THENCE NORTH 88° 21' 52" EAST, A DISTANCE OF 310.88 FEET;
THENCE NORTH 01° 38' 08" WEST, A DISTANCE OF 240.93 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 2,821,757 SQUARE FEET OR 64.78 ACRES, MORE OR LESS.

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10333 E. Dry Creek Rd
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JASPER LAND INVESTMENTS, LLC
8162 S. KENWOOD COURT
HIGHLANDS RANCH, CO 80126

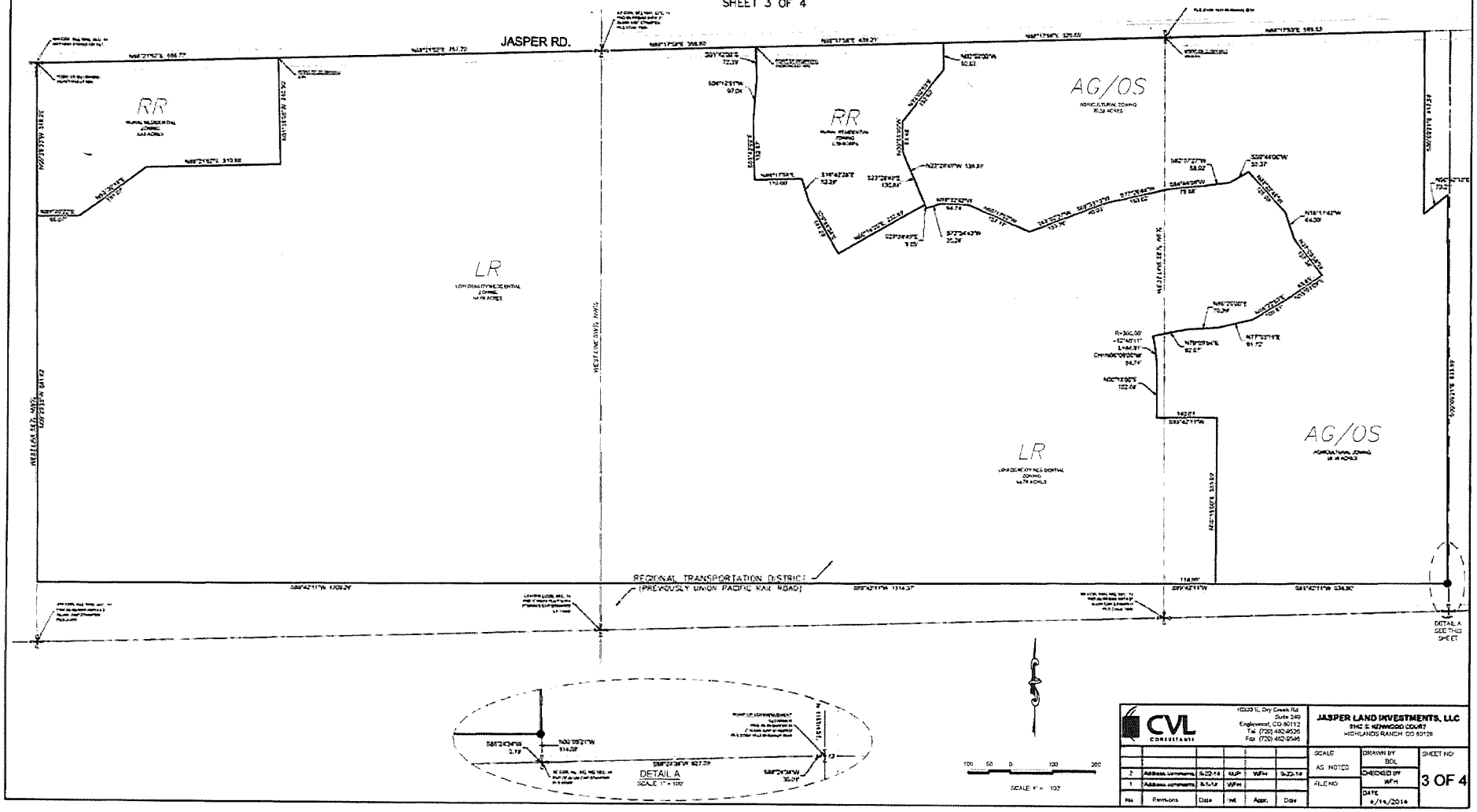
No	Revisions	Date	Ref	Appr	Date
2	Address comments	9-22-14	MJP	WPH	9-22-14
1	Address comments	9-11-14	WPH		

SCALE: AS NOTED
FILE NO:
DRAWN BY: BPC
CHECKED BY: WPH
DATE: 6/14/2014
SHEET NO: 2 OF 4

WISE FARMS ZONING MAP

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
TOTAL ZONING BOUNDARY = 178.40 ACRES
AG/OS ZONING = 20.38 ACRES / LR ZONING = 64.78 ACRES / RR ZONING = 93.24 ACRES
RZ 13–00070

SHEET 3 OF 4



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Tel (720) 482-9526
Fax (720) 482-9546

JASPER LAND INVESTMENTS, LLC
9142 E. KENWOOD COURT
HIGHLANDS RANCH, CO 80126

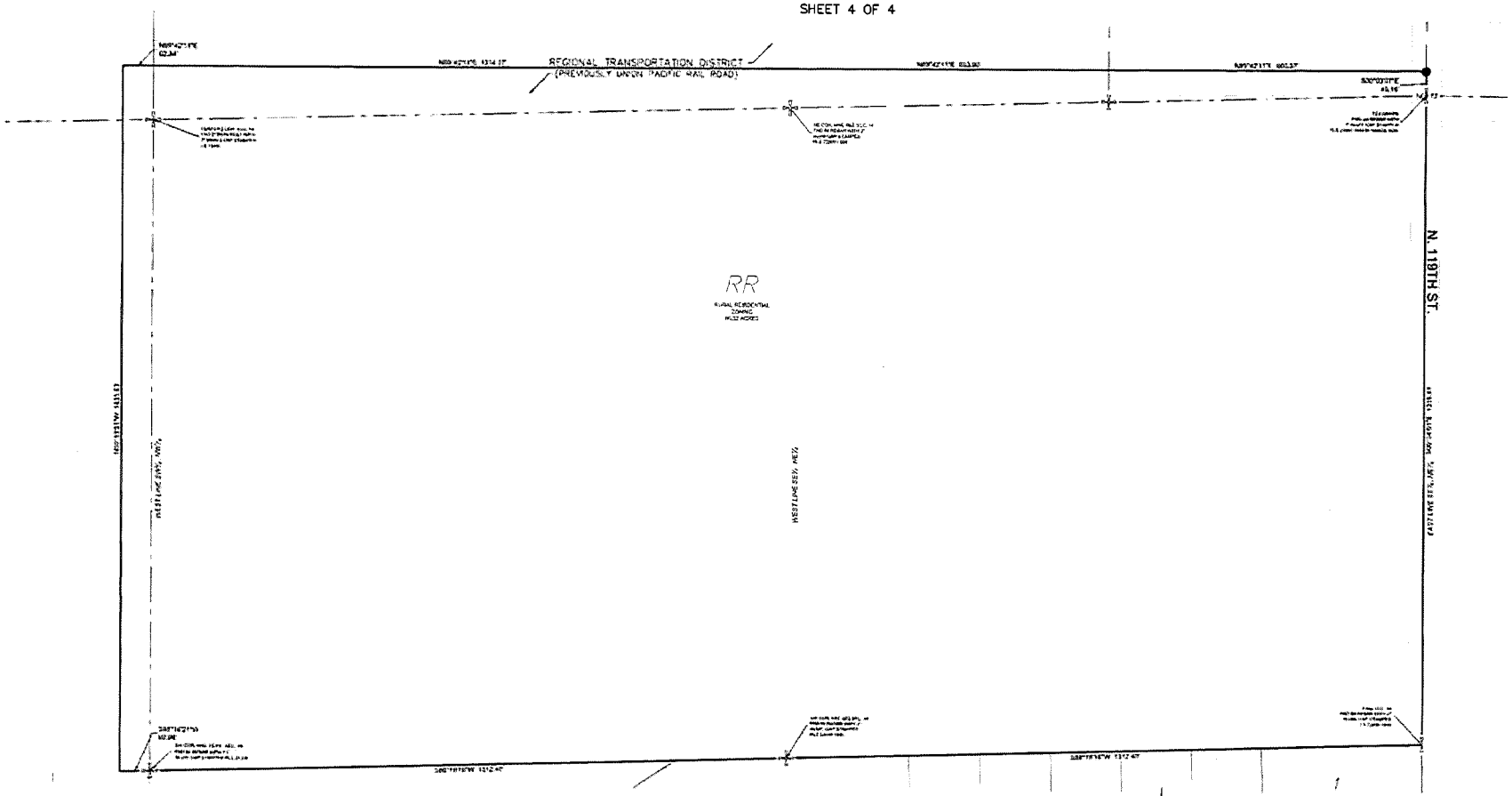
No.	Revisions	Date	Int.	Appr.	Date
2	Address comments	9-23-14	MJP	WFH	9-23-14
1	Address comments	8-1-14	WFH		

SCALE: AS NOTED
FILE NO:
DRAWN BY: BDL
CHECKED BY: WFH
DATE: 6/16/2014
SHEET NO: 3 OF 4

WISE FARMS ZONING MAP

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
TOTAL ZONING BOUNDARY = 178.40 ACRES
AG/OS ZONING = 20.38 ACRES / LR ZONING = 64.78 ACRES / RR ZONING = 93.24 ACRES
RZ 13–00070

SHEET 4 OF 4



CVL CONSULTANTS
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JASPER LAND INVESTMENTS, LLC
9162 S KENWOOD COURT
HIGHLANDS RANCH CO 80126

No.	Revision	Date	Int.	Appr.	Date
2	Address comments	9-22-14	MJR	WFH	9-22-14
1	Address comments	8-1-14	WFH		

SCALE AS NOTED	DRAWN BY BDL	SHEET NO 4 OF 4
FILE NO	CHECKED BY WFH	
	DATE 6/16/2014	

ATTACHMENT C

Town of Erie
Planning Commission Regular Meeting
Wednesday, January 21, 2015
6:30 p.m.
Board Room, Erie Town Hall, 645 Holbrook, Erie, Co 80516

I. CALL MEETING TO ORDER & PLEDGE OF ALLEGIANCE

Chairman Bottenhorn called the Regular Meeting of the Erie Planning Commission to order at 6:30 p.m.

II. ROLL CALL

Commissioner Bottenhorn - Present
Commissioner Burgard – Present
Commissioner Campbell - Present
Commissioner Fraser - Present
Commissioner Gippe - Present
Commissioner Harrison - Present
Commissioner Kemp - Present

Staff Present: R. Martin Ostholthoff, Community Development Director;
Deborah Bachelder, Senior Planner;
Gary W. Behlen, Public Works Director; and
Hallie Sawyer, Secretary to the Commission

III. APPROVAL OF THE AGENDA

Commissioner Burgard moved to approve the January 21, 2015, Regular Meeting Agenda as submitted. The motion, seconded by Commissioner Campbell, carried with all voting in favor thereof.

IV. APPROVAL OF MINUTES

a. Minutes from the January 7, 2015, Regular Meeting.

Commissioner Gippe moved to approve the January 7, 2015, Minutes as submitted. The motion, seconded by Commissioner Harrison, carried with all voting in favor thereof.

V. PUBLIC COMMENTS (This agenda item provides the public an opportunity to discuss items other than items that are on the agenda. The Planning Commission is not prepared to decide on matters brought up at this time, but it warranted, will place them on a future agenda.)

None.

VI. RESOLUTIONS (This agenda item is for all matters that should be decided by resolutions.)

1. **Public Hearing – Wise Farms Rezoning**

Purpose: Consider Wise Rezoning
Project File #: RZ-13-00070
Request: Consider Resolution P15-07, A Resolution Regarding The Wise Farms Zoning Map, Rezoning, Adopting Certain Findings Of Fact And Conclusions Favorable To The Rezoning.
Location: South of Jasper Road, West of N.119th Street
Zoning: RR – Rural Residential
Applicants: Jasper Land Investments LLC – Jim Dullea
(Staff Planner: Deborah Bachelder)

Chairman Bottenhorn opened the Public Hearings at 6:32 p.m. Deborah Bachelder, Senior Planner, presented the applications for the Wise Farms Rezoning, PUD Overlay and Preliminary Plat, entered the documents into evidence and presented the staff recommendations for approval of the three resolutions.

John Prestwich, PCS Group; Jim Dullea, Jasper Land Investments, LLC and David Glater, CTL Thompson were present. Mr. Prestwich gave the applicants presentation, outlining the process that had been followed to develop the proposed plan. Mr. Dullea fielded general questions from the Commission and Mr. Glater addressed specific questions related to undermining on the property.

Public Comment was taken from Brian Carlson, 4100 N. 119th Street; Karl and Karen Schultz, 4049 N. 119th Street; Jennie Elke, 4038 N. 119th Street; Dennis Nowak, 11577 Billings;
Dick Przyantowski, 11619 Billings Avenue; Kathy Tepoel, 12050 Jasper Road; Rita Ellis, 12110 Jasper Road; Ingrid Bakke, 11309 Jasper Road; John and Joseph Hickey, 4340 N. 119th Street; Eldon Shaffer, 11311 Jasper Road; Karl & Mary Volz, 11587 Jasper Road; Mary Beggs, 12134 Jasper Road; Kit Wagner, 11810 Jasper Road; Nancy Pugh, 12234 Jay Road; Anita Schuneman, 11848 Billings Avenue; Suzanne Engert, 11686 Flatiron Drive; Christine Comment; 11255 Dobbins Run; Tim Jones, 12134 Jasper Road; Reb Jasper, 855 Briggs St.; Jon Kottke, 2975 Valmont Road; Pete Marburgger, 3968 Frailey Drive; and Joe Pflug, 11852 Juniper.

Comments covered the plan is moving closer to the neighbors ideas, but isn't there yet; there is no trail shown to Red Hawk Elementary; there will be an isolated pocket of residential; the rezoning is only a benefit to the developers; there is no motivation for the public good; oil and gas operations; mine subsidence; property is awesome as it is and no development is needed; Comp Plan allows for lower density; the current zoning better fits the property; this is a perfect opportunity to utilize large lots; the proposal will have a negative effect on Brownsville; hope that profit for developers is not the criteria the Planners use; want a 150 foot buffer for Brownsville; lots must be 2 acres; future residents need to have livestock; Brownsville does not want street lights added to their neighborhood; traffic; the plan will create a city island in the middle of agriculture; neighbors want their lifestyle to continue; schools are overcrowded; there is no shopping in Erie; development will not be within walking distance to community facilities; there is no concern being shown for N. 119th Street to improve the road; current traffic in Boulder County is already a nightmare; the development doesn't make Erie a special place; the prettiest place in Erie will be destroyed; habit for owls in the trees and barns will be destroyed; history is being taken from Erie; No one east of N. 119th received notice; current residents have not been considered; hope the public is not wasting their time; USGS maps show mine shafts that are not shown on this plan; reviewed the rezoning approval criteria, citing how it was not being met; all wildlife habitats will be destroyed and wild life driven away; the development will stick out like a sore thumb; the power of government is being used to enrich developers; and the danger of cut thru traffic in Brownsville.

Chairman Bottenhorn called for a 5 minute break at 8:52 p.m. The meeting was called back to order at 8:58 p.m.

Commissioner questions covered Comp Plan Density calculations; why doesn't town take undeveloped land into consideration in the calculations; ditch crossings and maintenance; lot sizes and modifications; wetlands inventory; SUA's; utilities availability to property; financing utilities; long term traffic on Jasper and N. 119th; why the density change between the north and south parcels; in the rezoning, what promotes the health, safety and welfare; why increase density when it's not wanted; connectivity; RTD crossing; access to town amenities; what livestock would be allowed; how long has this been in process; is there an alternative plan if the rezoning is denied; have we indicated this would be an easy process; what are the grounds for rezoning; sink holes and mine locations; roads – do town plans for Jasper and N. 119th depend on this development; existing concrete oil and gas storage; development standards; have builders been selected; and price points.

Chairman Bottenhorn closed the Public Hearings at 10:02 p.m.

Commissioner comments covered questing why rezoning needs to be done; thinking what we're preserving for the future; appreciation for the public's time and reassurance it is not being wasted; appreciation for the level of detail and time to put this application together and match it to the criteria; Erie is about being unique; lots of stakeholders involved in this application; the south half better fits the neighborhood; there is no creative solution here; if approved, we will be setting up a train wreck for the

future; we need to provide living incentives for the future; public feels like they aren't heard, but they are; the zoning and Comp Plan do align; and urban development is not suitable here.

Commissioner Kemp moved to deny Resolution P15-07, A Resolution Regarding The Wise Farms Zoning Map, Rezoning, Adopting Certain Findings Of Fact And Conclusions Favorable To The Rezoning, citing the following approval criteria:

b. The Rezoning is generally consistent with the Town's Comprehensive Master Plan and the purposes of this UDC;
e. The Rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject property; and
f. Future uses on the subject property will be compatible in scale with uses on other properties in the vicinity of the subject property;

The motion, seconded by Commissioner Campbell, carried with all voting in favor thereof.

2. **Public Hearing – Wise Farms PUD Overlay**

Purpose: Consider Wise PUD Overlay
Project File #: PUD-13-00071
Request: Consider Resolution P15-08, A Resolution Regarding The Wise Farms PUD Zoning Map, Adopting Certain Findings Of Fact And Conclusions Favorable To The PUD Overlay Rezoning.
Location: South of Jasper Road, West of N.119th Street
Zoning: RR – Rural Residential
Applicants: Jasper Land Investments LLC – Jim Dullea
(Staff Planner: Deborah Bachelder)

Chairman Bottenhorn called for a short recess while the Commission pulled criteria for denial of the other resolutions together at 10:25 p.m. The meeting was called back to order at 10:33 p.m.

Commissioner Burgard moved to deny Resolution P15-08, A Resolution Regarding The Wise Farms PUD Zoning Map, Adopting Certain Findings Of Fact And Conclusions Favorable To The PUD Overlay Rezoning, citing the following approval criteria:

c. The PUD Rezoning is consistent with the Town's Comprehensive Master Plan and the purposes of this UDC;
f. The PUD Rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;
h. The PUD Rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject property;
i. Proposed uses on the subject property will be compatible in scale with uses on other properties in the vicinity of the subject property;

The motion, seconded by Commissioner Gippe, carried with all voting in favor thereof.

3. **Public Hearing – Wise Farms Preliminary Plat**

Purpose: Consider Wise Preliminary Plat
Project File #: PP-13-00012
Request: Consider Resolution P15-09, A Resolution Regarding The Preliminary Plat For Wise Farms Preliminary Plat, Adopting Certain Findings Of Fact And Conclusions Favorable To The Preliminary Plat.
Location: South of Jasper Road, West of N.119th Street
Zoning: RR – Rural Residential
Applicants: Jasper Land Investments LLC – Jim Dullea
(Staff Planner: Deborah Bachelder)

Commissioner Kemp moved to deny Resolution P15-09, A Resolution Regarding The Preliminary Plat For Wise Farms Preliminary Plat, Adopting Certain Findings Of Fact And Conclusions Favorable To The Preliminary Plat, citing the following approval criteria:

a. The subdivision is generally consistent with the Town's Comprehensive Master Plan.
b. The subdivision is generally consistent with and implements the intent of the specific zoning district in which it is located.
f. The subdivision will not result in significant adverse impacts on the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated.
g. The subdivision shall be integrated and connected, where appropriate, with adjacent development through street connections, sidewalks, trails, and similar features.
h. The subdivision will not result in significant adverse impacts on adjacent properties, or such impacts will be substantially mitigated.

The motion, seconded by Commissioner Gippe, carried with all voting in favor thereof.

VII. STAFF REPORTS (This agenda items is reserved for specific items from Staff requiring Commission direction or just relaying important information.)

None.

VIII. COMMISSIONER REPORTS AND DISCUSSION ITEMS (This agenda item is for all Planning Commission reports and items of information as well as Commission discussion items, not listed on the agenda)

None

IX. ADJOURNMENT

There being no further business to come before the Commission, Chairman Bottenhorn adjourned the January 21, 2015, Regular Meeting of the Planning Commission at 10:35 p.m.

Respectfully Submitted,

Town of Erie Planning Commission

By: _____
Hallie S. Sawyer, Secretary

By: _____
J. Eric Bottenhorn, Chair

ATTACHMENT D

WISE FARMS ZONING MAP

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
TOTAL ZONING BOUNDARY = 178.40 ACRES
AG/OS ZONING = 20.38 ACRES / LR ZONING = 64.78 ACRES / RR ZONING = 93.24 ACRES
RZ 13–00070

LEGAL DESCRIPTION – OVERALL BOUNDARY OF ZONING PARCEL

A PARCEL OF LAND BEING A PART OF THE SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST–SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS SOUTH 00°04'01" EAST, A DISTANCE OF 1316.88 FEET SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE SOUTH 00°04'01" EAST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 1316.88 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;

THENCE SOUTH 88°18'16" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 1312.40 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 88°18'16" WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 1312.40 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°16'21" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 60.98 FEET TO THE SOUTHEASTERLY CORNER OF THAT TRACT OF LAND CONVEYED TO RONALD SCOTT JASPER, RONALD LEE JASPER AND VEE ANN JASPER AS DESCRIBED IN WARRANTY DEED RECORDED MAY 3, 1976, ON FILM 922 AS RECEPTION NO. 175271, OF THE RECORDS OF BOULDER COUNTY, COLORADO:

THENCE NORTH 00°19'00" WEST ALONG THE EASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 1431.63 FEET TO A POINT ON THE CENTERLINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT–OF–WAY;

THENCE SOUTH 89°42'11" WEST ALONG SAID NORTHERLY RIGHT–OF–WAY LINE, A DISTANCE OF 1246.91 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14;

THENCE NORTH 00°29'33" WEST ALONG SAID WEST LINE, A DISTANCE OF 1189.88 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14;

THENCE NORTH 88°21'52" EAST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, A DISTANCE OF 1314.47 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER;

THENCE NORTH 88°17'58" EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 1317.07 FEET THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE NORTH 88°17'53" EAST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 599.53 FEET TO THE NORTHWESTERLY CORNER OF THAT TRACT OF LAND AS DESCRIBED ON SAID FILM 1555, AT RECEPTION NO. 953348;

THENCE SOUTH 00°09'21" EAST ALONG THE WESTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 417.59 FEET TO THE MOST SOUTHERLY CORNER THEREOF;

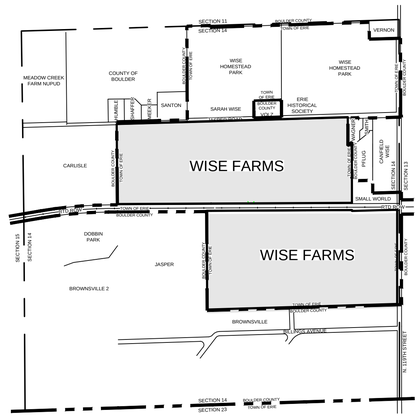
THENCE NORTH 50°52'13" EAST ALONG THE SOUTHEASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 70.21 FEET;

THENCE SOUTH 00°09'21" EAST, DISTANCE OF 893.98 FEET TO A POINT ON THE CENTERLINE OF THE POINT OF SAID UNION PACIFIC RAILROAD RIGHT–OF–WAY;

THENCE NORTH 89°42'11" EAST ALONG SAID CENTERLINE, A DISTANCE OF 660.37 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 00°03'07" EAST ALONG SAID EAST LINE, A DISTANCE OF 49.18 FEET TO THE POINT OF BEGINNING,

SAID PARCEL CONTAINING A CALCULATED AREA OF 7,770,538 SQUARE FEET OR 178.40 ACRES, MORE OR LESS.



VICINITY MAP

SCALE: 1" = 1000'

GENERAL NOTES

1. THE BEARINGS SHOWN HEREON ARE BASED UPON THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14 BEING BASED UPON THE TOWN OF ERIE HORIZONTAL CONTROL NETWORK IS ASSUMED TO BEAR SOUTH 00°04'01" EAST, A DISTANCE OF 1316.88 FEET.
2. THE LINEAL UNIT USED IN THE PREPARATION OF THIS ZONING MAP IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.
3. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE (3) YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THEN TEN (10) YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
4. THIS ZONING MAP IS NOT INTENDED TO BE AN IMPROVEMENT SURVEY PLAT, AN ALTA/ACSM LAND TITLE SURVEY NOR SUBDIVISION PLAT. IT IS INTENDED ONLY TO SHOW THE EXISTING AND PROPOSED ZONING OF THE DESCRIBED OVERALL WISE FARMS DEVELOPMENT.
5. THIS ZONING MAP DOES NOT CONSTITUTE A TITLE SEARCH BY CVL CONSULTANTS OF COLORADO, INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS–OF–WAY, AND TITLE OF RECORD, CVL CONSULTANTS OF COLORADO, INC. RELIED UPON LAND TITLE GUARANTEE COMPANY COMMITMENT NUMBER ABD70339758.1–2 EFFECTIVE DATE: OCTOBER 28, 2013 AT 5:00 P.M.

SURVEYOR'S CERTIFICATE:

I WILLIAM F. HESSELBACH, JR., A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS ZONING MAP TRULY AND CORRECTLY REPRESENTS THE ABOVE DESCRIBED LEGAL DESCRIPTIONS FOR EACH ZONE DISTRICT.

I ATTEST THE ABOVE ON THIS _____ DAY OF _____, 2014.

_____
WILLIAM F. HESSELBACH, JR., PLS NO. 25369
FOR AND ON BEHALF OF
CVL CONSULTANTS OF COLORADO, INC.

PLANNING COMMISSION CERTIFICATE:

THIS ZONING MAP WAS REVIEWED BY THE PLANNING COMMISSION ON

THE _____ DAY OF _____, 2014.

_____ _____
CHAIRPERSON DATE

BOARD OF TRUSTEES APPROVAL CERTIFICATE:

THIS ZONING MAP IS TO BE KNOWN AS THE "WISE FARMS ZONING MAP" AND IS APPROVED AND ACCEPTED BY ORDINANCE NO. _____, PASSED AND ADOPTED REGULAR (SPECIAL) MEETING OF THE BOARD OF TRUSTEES OF ERIE, COLORADO, HELD ON

_____ _____, 2014.

_____
MAYOR

ATTEST _____
TOWN CLERK

CLERK AND RECORDER:

STATE OF COLORADO)
)SS
COUNTY OF _____)

I HEREBY CERTIFY THAT THIS ZONING MAP WAS FILED IN MY OFFICE ON THIS _____ DAY OF _____, 2014 A.D. AND WAS RECORDED AT RECEPTION NUMBER _____.

_____
BOULDER COUNTY CLERK AND RECORDER

CVL CONSULTANTS
10333 E. Dry Creek Rd.
Suite 240
Englewood, CO 80112
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Fax: (720) 482-9546

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No.	Revisions	Date	Init.	Appr.	Date
2	Address comments	9-22-14	MJP	WFH	9-22-14
1	Address comments	8-1-14	WFH		

SCALE: AS NOTED	DRAWN BY: BPC	SHEET NO: 1 OF 4
FILE NO:	CHECKED BY: WFH	
	DATE: 4/14/2014	

WISE FARMS ZONING MAP

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M., TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO

TOTAL ZONING BOUNDARY = 178.40 ACRES

AG/OS ZONING = 20.38 ACRES / LR ZONING = 64.78 ACRES / RR ZONING = 93.24 ACRES

RZ 13–00070

LEGAL DESCRIPTION – AGRICULTURAL / OPEN SPACE ZONING

A PARCEL OF LAND BEING A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14 AND ASSUMING THE EAST LINE OF THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14 BEARS SOUTH 00° 04' 01" EAST, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 88° 17' 53" EAST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 599.53 FEET;
THENCE SOUTH 00° 09' 21" EAST, A DISTANCE OF 417.59 FEET;
THENCE NORTH 50° 52' 13" EAST, A DISTANCE OF 70.21 FEET;
THENCE SOUTH 00° 09' 21" EAST, A DISTANCE OF 893.98 FEET TO A POINT ON THE CENTERLINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT–OF–WAY;
THENCE SOUTH 89° 42' 11" WEST ALONG SAID CENTERLINE, A DISTANCE OF 534.90 FEET;
THENCE NORTH 00° 15' 00" EAST, A DISTANCE OF 380.05 FEET;
THENCE SOUTH 89° 42' 11" WEST, A DISTANCE OF 140.01 FEET;
THENCE NORTH 00° 15' 00" EAST, A DISTANCE OF 102.04 FEET TO A POINT OF CURVATURE;
THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 380.00 FEET, A CENTRAL ANGLE OF 12° 48' 11", AN ARC LENGTH OF 84.91 FEET, THE CHORD OF WHICH BEARS NORTH 06° 09' 05" WEST, 84.74 FEET;
THENCE NORTH 79° 09' 54" EAST, A DISTANCE OF 82.07 FEET;
THENCE NORTH 86° 26' 06" EAST, A DISTANCE OF 70.39 FEET;
THENCE NORTH 77° 05' 19" EAST, A DISTANCE OF 81.72 FEET;
THENCE NORTH 58° 22' 53" EAST, A DISTANCE OF 106.81 FEET;
THENCE NORTH 55° 01' 09" EAST, A DISTANCE OF 83.85 FEET;
THENCE NORTH 37° 09' 58" WEST, A DISTANCE OF 107.34 FEET;
THENCE NORTH 18° 11' 43" WEST, A DISTANCE OF 64.39 FEET;
THENCE NORTH 42° 22' 46" WEST, A DISTANCE OF 126.09 FEET;
THENCE SOUTH 59° 44' 06" WEST, A DISTANCE OF 50.37 FEET;
THENCE SOUTH 82° 37' 27" WEST, A DISTANCE OF 58.92 FEET;
THENCE SOUTH 84° 48' 08" WEST, A DISTANCE OF 79.58 FEET;
THENCE SOUTH 77° 26' 44" WEST, A DISTANCE OF 153.02 FEET;
THENCE SOUTH 69° 33' 13" WEST, A DISTANCE OF 40.03 FEET;
THENCE SOUTH 69° 02' 37" WEST, A DISTANCE OF 153.38 FEET;
THENCE NORTH 66° 17' 02" WEST, A DISTANCE OF 157.17 FEET;
THENCE NORTH 88° 32' 42" WEST, A DISTANCE OF 64.74 FEET;
THENCE SOUTH 72° 54' 43" WEST, A DISTANCE OF 35.28 FEET;
THENCE NORTH 23° 28' 49" WEST, A DISTANCE OF 139.89 FEET;
THENCE NORTH 00° 59' 00" WEST, A DISTANCE OF 69.48 FEET;
THENCE NORTH 39° 02' 59" EAST, A DISTANCE OF 152.60 FEET;
THENCE NORTH 00° 59' 00" WEST, A DISTANCE OF 60.65 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14;
THENCE NORTH 88° 17' 58" EAST ALONG SAID NORTH LINE, A DISTANCE OF 520.05 FEET TO THE POINT OF BEGINNING,

CONTAINING A CALCULATED AREA OF 887,584 SQUARE FEET OR 20.38 ACRES, MORE OR LESS

LEGAL DESCRIPTION – RURAL RESIDENTIAL ZONING SOUTH PARCEL

A PARCEL OF LAND BEING A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 14, AND ASSUMING THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14 TO BEAR SOUTH 00°04'01" EAST WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE SOUTH 00°04'01" EAST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 1316.88 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;

THENCE SOUTH 88°18'16" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 1312.40 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 88°18'16" WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 1312.40 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°16'21" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 60.98 FEET TO THE SOUTHEASTERLY CORNER OF THAT TRACT OF LAND CONVEYED TO RONALD SCOTT JASPER, RONALD LEE JASPER AND VEE ANN JASPER AS DESCRIBED IN WARRANTY DEED RECORDED MAY 3, 1976, ON FILM 922 AS RECEPTION NO. 175271, OF THE RECORDS OF BOULDER COUNTY, COLORADO:

THENCE NORTH 00°19'00" WEST ALONG THE EASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 1431.63 FEET TO A POINT ON THE CENTERLINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT–OF–WAY;

THENCE NORTH 89°42'11" EAST ALONG SAID CENTERLINE, A DISTANCE OF 62.34 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID NORTHERLY RIGHT–OF–WAY LINE, A DISTANCE OF 1314.37 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID NORTHERLY RIGHT–OF–WAY LINE, A DISTANCE OF 653.90 FEET;

THENCE NORTH 89°42'11" EAST ALONG SAID CENTERLINE, A DISTANCE OF 660.37 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 00°03'07" EAST ALONG SAID EAST LINE, A DISTANCE OF 49.18 FEET TO THE POINT OF BEGINNING,

SAID PARCEL CONTAINING A CALCULATED AREA OF 3,759,905 SQUARE FEET OR 86.32 ACRES, MORE OR LESS.

LEGAL DESCRIPTION – RURAL RESIDENTIAL ZONING NORTHEAST PARCEL

A PARCEL OF LAND BEING A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14 AND ASSUMING THE EAST LINE OF THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14 BEARS SOUTH 00° 04' 01" EAST, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 88° 17' 58" EAST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 358.80 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING NORTH 88° 17' 58" EAST ALONG SAID NORTH LINE, A DISTANCE OF 438.21 FEET;
THENCE SOUTH 00° 59' 00" EAST, A DISTANCE OF 60.65 FEET;
THENCE SOUTH 39° 02' 59" WEST, A DISTANCE OF 152.60 FEET;
THENCE SOUTH 00° 59' 00" EAST, A DISTANCE OF 69.48 FEET;
THENCE SOUTH 23° 28' 49" EAST, A DISTANCE OF 130.84 FEET;
THENCE SOUTH 60° 14' 26" WEST, A DISTANCE OF 232.89 FEET;
THENCE NORTH 29° 45' 34" WEST, A DISTANCE OF 141.29 FEET;
THENCE NORTH 16° 42' 28" WEST, A DISTANCE OF 52.28 FEET;
THENCE SOUTH 88° 17' 58" WEST, A DISTANCE OF 110.00 FEET;
THENCE NORTH 01° 42' 02" WEST, A DISTANCE OF 132.67 FEET;
THENCE NORTH 04° 12' 51" EAST, A DISTANCE OF 97.04 FEET;
THENCE NORTH 01° 42' 02" WEST, A DISTANCE OF 72.39 FEET TO THE POINT OF BEGINNING,

CONTAINING A CALCULATED AREA OF 147,794 SQUARE FEET OR 3.39 ACRES, MORE OR LESS.

LEGAL DESCRIPTION – RURAL RESIDENTIAL ZONING NORTHWEST PARCEL

A PARCEL OF LAND BEING A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14 AND ASSUMING THE EAST LINE OF THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14 BEARS SOUTH 00° 04' 01" EAST, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 88° 21' 52" EAST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, A DISTANCE OF 556.77 FEET;
THENCE SOUTH 01° 38' 08" EAST, A DISTANCE OF 240.90 FEET;
THENCE SOUTH 88° 21' 52" WEST, A DISTANCE OF 310.88 FEET;
THENCE SOUTH 53° 30' 18" WEST, A DISTANCE OF 191.07 FEET;
THENCE SOUTH 89° 30' 27" WEST, A DISTANCE OF 96.07 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14 ;
THENCE NORTH 00° 29' 33" WEST ALONG SAID WEST LINE, A DISTANCE OF 348.26 FEET TO THE POINT OF BEGINNING,

CONTAINING A CALCULATED AREA OF 153,547 SQUARE FEET OR 3.53 ACRES, MORE OR LESS

LEGAL DESCRIPTION – LOW DENSITY RESIDENTIAL ZONING

A PARCEL OF LAND BEING A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14 AND ASSUMING THE EAST LINE OF THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14 BEARS SOUTH 00° 04' 01" EAST, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 88° 21' 52" EAST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 556.77 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 88° 21' 52" EAST ALONG SAID NORTH LINE, A DISTANCE OF 757.70 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14;

THENCE NORTH 88° 17' 58" EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 358.80 FEET;
THENCE SOUTH 01° 42' 02" EAST, A DISTANCE OF 72.39 FEET;
THENCE SOUTH 04° 12' 51" WEST, A DISTANCE OF 97.04 FEET;
THENCE SOUTH 01° 42' 02" EAST, A DISTANCE OF 132.67 FEET;
THENCE NORTH 88° 17' 58" EAST, A DISTANCE OF 110.00 FEET;
THENCE SOUTH 16° 42' 28" EAST, A DISTANCE OF 52.28 FEET;
THENCE SOUTH 29° 45' 34" EAST, A DISTANCE OF 141.29 FEET;
THENCE NORTH 60° 14' 26" EAST, A DISTANCE OF 232.89 FEET;
THENCE SOUTH 23° 28' 49" EAST, A DISTANCE OF 9.05 FEET;
THENCE NORTH 72° 54' 43" EAST, A DISTANCE OF 35.28 FEET;
THENCE SOUTH 88° 32' 42" EAST, A DISTANCE OF 64.74 FEET;
THENCE SOUTH 66° 17' 02" EAST, A DISTANCE OF 157.17 FEET;
THENCE NORTH 69° 02' 37" EAST, A DISTANCE OF 153.38 FEET;
THENCE NORTH 69° 33' 13" EAST, A DISTANCE OF 40.03 FEET;
THENCE NORTH 77° 26' 44" EAST, A DISTANCE OF 153.02 FEET;
THENCE NORTH 84° 48' 08" EAST, A DISTANCE OF 79.58 FEET;
THENCE NORTH 82° 37' 27" EAST, A DISTANCE OF 58.92 FEET;
THENCE NORTH 59° 44' 06" EAST, A DISTANCE OF 50.37 FEET;
THENCE SOUTH 42° 22' 46" EAST, A DISTANCE OF 126.09 FEET;
THENCE SOUTH 18° 11' 43 EAST, A DISTANCE OF 64.39 FEET;
THENCE SOUTH 37° 09' 58" EAST, A DISTANCE OF 107.34 FEET;
THENCE SOUTH 55° 01' 09" WEST, A DISTANCE OF 83.85 FEET;
THENCE SOUTH 58° 22' 53" WEST, A DISTANCE OF 106.81 FEET;
THENCE SOUTH 77° 05' 19" WEST, A DISTANCE OF 81.72 FEET;
THENCE SOUTH 86° 26' 06" WEST, A DISTANCE OF 70.39 FEET;
THENCE SOUTH 79° 09' 54" WEST, A DISTANCE OF 82.07 FEET TO A POINT OF NON–TANGENT CURVATURE;
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 380.00 FEET, A CENTRAL ANGLE OF 12° 48' 11", AN ARC LENGTH OF 84.91 FEET, THE CHORD OF WHICH BEARS SOUTH 06° 09' 05" EAST, 84.74 FEET;
THENCE SOUTH 00° 15' 00" WEST, A DISTANCE OF 102.04 FEET;
THENCE NORTH 89° 42' 11" EAST, A DISTANCE OF 140.01 FEET;
THENCE SOUTH 00° 15' 00" WEST, A DISTANCE OF 380.09 FEET TO A POINT ON THE CENTERLINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT OF WAY;

THENCE ALONG SAID CENTERLINE, THE FOLLOWING THREE (3) COURSES:
SOUTH 89° 42' 11" WEST, A DISTANCE OF 119.88 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;
SOUTH 89° 42' 11" WEST, A DISTANCE OF 1314.37 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14;
SOUTH 89° 42' 11" WEST, A DISTANCE OF 1309.26 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14;

THENCE NORTH 00° 29' 33" WEST ALONG SAID WEST LINE, A DISTANCE OF 841.62 FEET;
THENCE NORTH 89° 30' 27" EAST, A DISTANCE OF 96.07 FEET;
THENCE NORTH 53° 30' 18" EAST, A DISTANCE OF 191.07 FEET;
THENCE NORTH 88° 21' 52" EAST, A DISTANCE OF 310.88 FEET;
THENCE NORTH 01° 38' 08" WEST, A DISTANCE OF 240.90 FEET TO THE POINT OF BEGINNING,

CONTAINING A CALCULATED AREA OF 2,821,707 SQUARE FEET OR 64.78 ACRES, MORE OR LESS.

CVL CONSULTANTS
10333 E. Dry Creek Rd.
Suite 240
Englewood, CO 80112
Tel: (720) 482-9526
Fax: (720) 482-9546

JASPER LAND INVESTMENTS, LLC
9162 S. KENWOOD COURT
HIGHLANDS RANCH, CO 80126

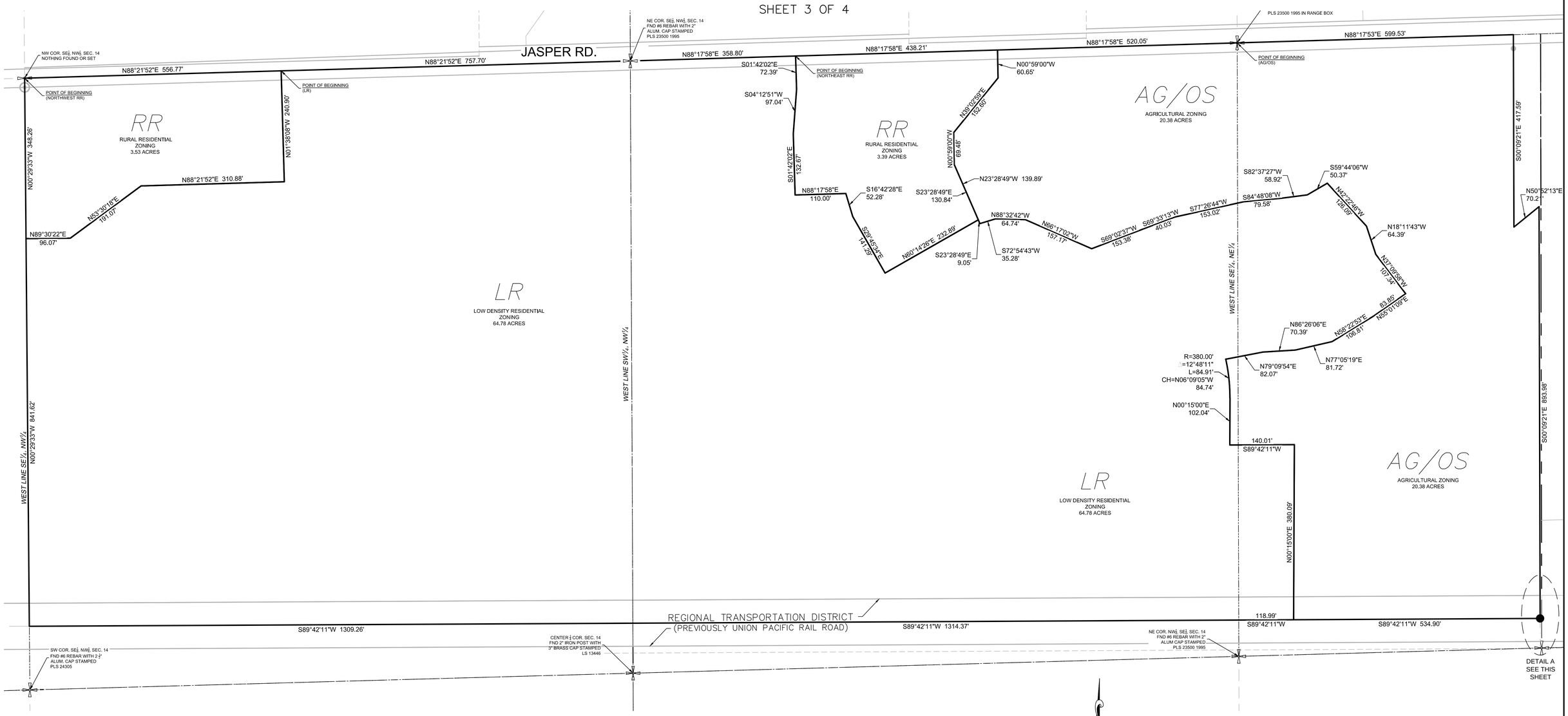
No.	Revisions	Date	Init.	Appr.	Date
2	Address comments	9-22-14	MJP	WFH	9-22-14
1	Address comments	8-1-14	WFH		

SCALE: AS NOTED	DRAWN BY: BPC	SHEET NO: 2 OF 4
FILE NO:	CHECKED BY: WFH	
	DATE: 4/14/2014	

WISE FARMS ZONING MAP

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
TOTAL ZONING BOUNDARY = 178.40 ACRES
AG/OS ZONING = 20.38 ACRES / LR ZONING = 64.78 ACRES / RR ZONING = 93.24 ACRES
RZ 13–00070

SHEET 3 OF 4



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DRAWN BY: BDL
CHECKED BY: WFH
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SHEET NO: 3 OF 4

WISE FARMS ZONING MAP

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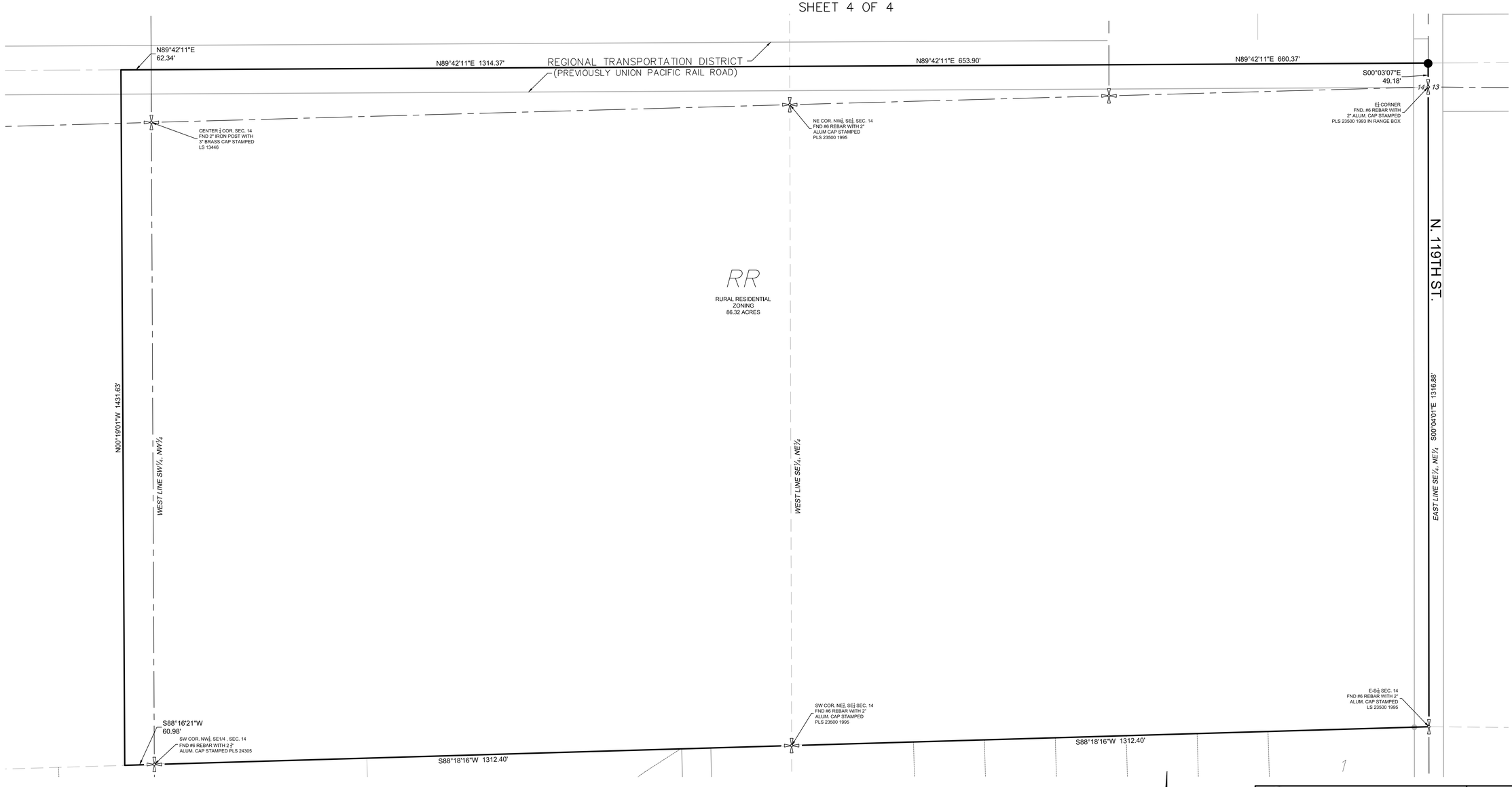
SHEET 4 OF 4



100 50 0 100 200

SCALE: 1" = 100'

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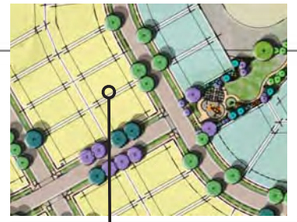
FILE NO:
DRAWN BY: BDL
CHECKED BY: WFH
DATE: 4/14/2014
SHEET NO: 4 OF 4

CONCEPT PLAN EXHIBIT

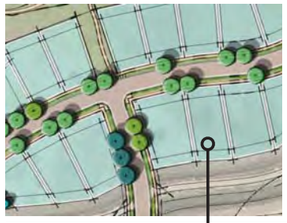
PROJECT SUMMARY

- THE PROJECT AREA IS APPROXIMATELY 169 ACRES
- THE CURRENT PROPOSAL IS FOR 166 UNITS ON THE 169 ACRES
- THE COMPREHENSIVE PLAN DESIGNATION IS RURAL RESIDENTIAL, WHICH ALLOWS FOR 0-2 DU/AC, WITH A RECOMMENDED AVERAGE DENSITY OF 1 DU/AC
- THE PROPOSAL COMPLIES WITH THE COMPREHENSIVE PLAN DESIGNATION

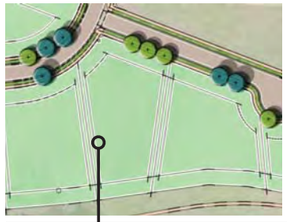
LEGEND



AREA WITH LOTS FROM 5,000 - 9,999 SF (60' MINIMUM WIDTH) - 98 UNITS



AREA WITH A PORTION OF LOTS OVER 10,000 SF (70' MINIMUM WIDTH) - 27 UNITS



AREA WITH LOTS OVER 40,000 SF (100' MINIMUM WIDTH) - 39 UNITS

TOTAL NUMBER OF HOMES PROPOSED IS 166 INCLUDING THE TWO EXISTING RESIDENCES.

200' 600'
100' 400'

CVL CONSULTANTS

WISE FARMS

PREPARED FOR:
JASPER LAND INVESTMENTS, LLC
9162 S. KENWOOD COURT, HIGHLANDS RANCH, CO - 80126 - 12/17/2014

pcs group inc. www.pcsgroupco.com
1001 16th street . B-180 . denver co 80265
t 303 531 4905 f 303 531 4908

ILLUSTRATIVE DEPICTION, SUBJECT TO CHANGE. 7-25-2014

w i s e f a r m s

Z O N I N G
N A R R A T I V E

pcs group inc. www.pcsgroupco.com
#3 independence plaza, B-180 ,
1001 16th street , denver co 80265
t 303 531 4905

wise farms

ZONING NARRATIVE

-

NOVEMBER 2013
revised
APRIL 2014
JULY 2014
OCTOBER 2014

submitted to:

The Town of Erie

645 Holbrook Street, Erie, Colorado 805416

project team

applicant:

Jasper Land Investments, LLC
9162 S. Kenwood Court, Highlands Ranch, Colorado 80126
tel. 303.902.5400 - contact: Jim Dullea

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tel. 303.333.1105 - contact: Chris McGranahan

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7377 Osage Road, Larkspur, Colorado 80118
tel. 303.681.2492 - contact: Keith Worley

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1971 West 12th Avenue, Denver, Colorado 80204
tel. 303.825.0777 - contact: Dave Glater

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tel. 303.730.3452 - contact: Greg Sherman

CTL Thompson, Inc.
1971 West 12th Avenue, Denver, Colorado 80204
tel. 303.825.0777 - contact: Dave Glater

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Wright Water Engineers, Inc.
2490 W. 26th Avenue, Suite 100A, Denver, Colorado 80211
tel. 303.480.1700 - contact: David Foss

mineral rights:

Astrella Law, P.C.
1801 Broadway, Suite 1600 Denver, Colorado 80202
tel. 303.292.9021 - contact: Lance Astrella

contents

section a:

General project concept and purpose of the request.

section b:

Relationship to existing land use and adjacent properties.

section c:

Town’s Comprehensive Plan and Re-Zoning approval criteria.

section a:

GENERAL PROJECT CONCEPT AND PURPOSE OF THE REQUEST.

Project Concept

Jasper Land Investments LLC, (the 'Applicant') is pleased to present this written narrative as required for the Rezoning process, for a tract of land located in section 14, township 1 north, range 69 west of the sixth principal meridian, county of Boulder, State of Colorado, more commonly known as the Wise Farm. In this document we will discuss the property background, the proposed rezoning and rationale for the request.

We have been working with the Wise family since 2005 on this exceptional property. At this time we are requesting a Rezoning for a portion of the property from Rural Residential to Low Density Residential, and Agricultural/OS, with a PUD Zoning Overlay that will restrict the development in terms of density, and will increase the buffers and setbacks to our neighbors. In addition we are also requesting a Preliminary Plat. In total we believe that this proposal meets the spirit and intent of the comprehensive plan for the Town of Erie that was adopted in December of 2005.

We are very excited about the creation of a uniquely clustered and themed community. Based on the input that we received during the Sketch Plan process, and additional planning and engineering studies that we have completed,

we have reduced our proposed unit count from 345 units to 166 units. We have also proposed significant buffers adjacent to our surrounding neighbors. Along the existing neighbors to the east of Wise Farms we have proposed an open space area that ranges in width from approximately 300' to over 500'. We are also proposing various trail corridors to connect the open space areas, and have substantial setbacks from Jasper Road to maintain the rural theme for the project. All of these open space buffers create a true cluster concept that meets the Town criteria and furthers the goals of the Comprehensive Plan.

As requested by the Town of Erie staff we are proposing to dedicate the open space land that is adjacent to Jasper Rd, as well as the eastern buffer of the property. In addition, the Town of Erie staff has requested that we pay cash-in-lieu for both the Neighborhood Park and Community Park required acreages. The dedication amount is determined by the population being generated by the proposed number of households. In this case we have reduced the number of proposed households to the point that we are generating a very modest need for Neighborhood and Community Parks. The Town of Erie staff has determined that it would be in the best interest of the Town of Erie to collect cash-in-lieu fees, versus having dedicated park space on this property.

As stated in the Unified Development Code, 10.6.7-D.b.i.B - Diversification Standards shall not apply to Residential Zone District (RR). As required in the Unified Development Code's Housing Diversity requirement we are proposing one housing type and one variation. In general we are proposing housing type G - Single Family Detached, and the variation we are proposing is variation 4 - Lot Size 5,000-9,000 square feet, and 5 - Lot Size 10,000 to 39,999 square feet. In general there are larger lots are on the east side of the property as a method to provide a transition to our eastern neighbors, and the south portion of the property will have 40,000 square foot minimum lots as a complimentary residential use to the southern neighbors. Our proposal meets the requirements of the Housing Diversity requirement.

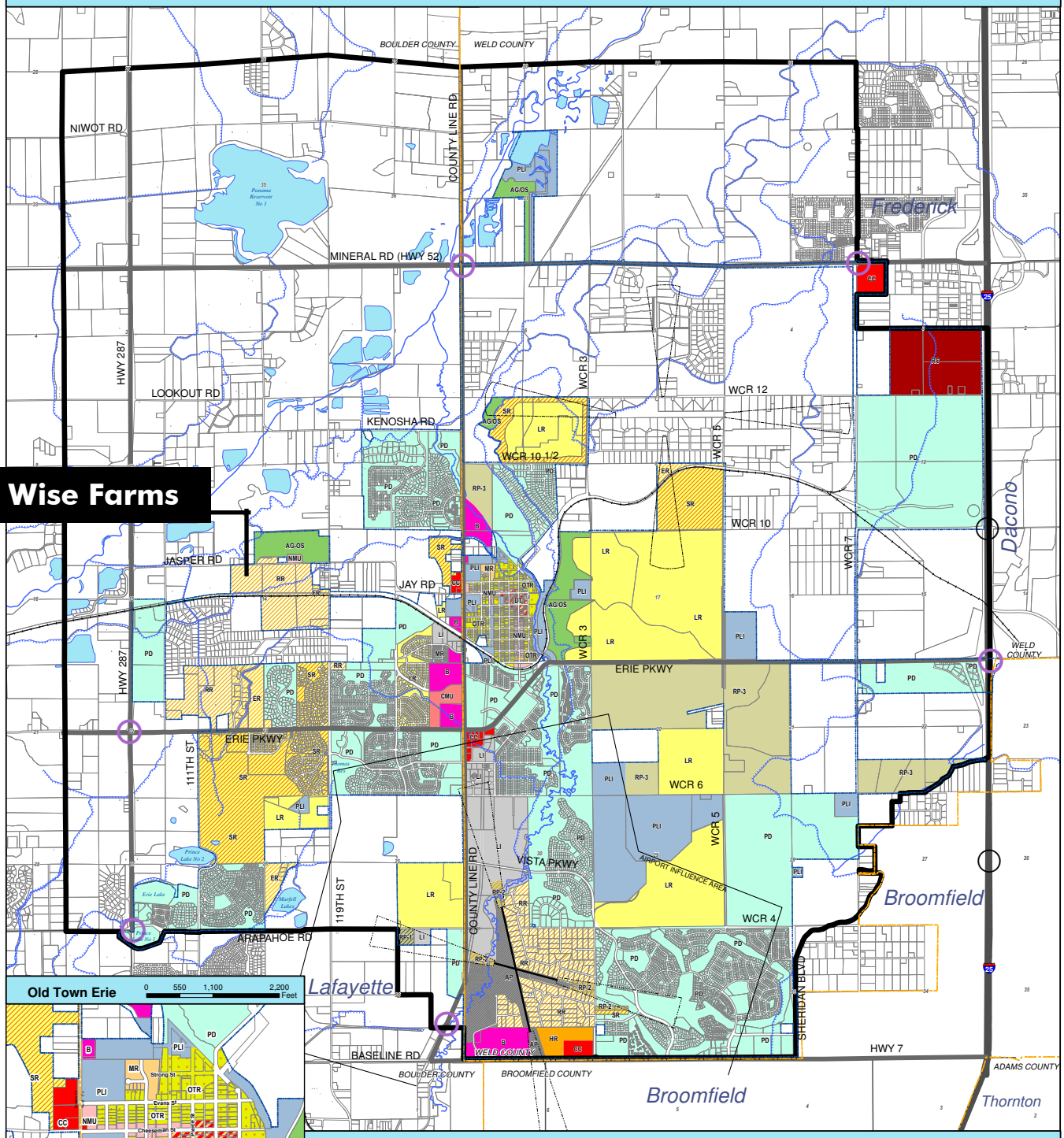
Purpose of the Request

Our proposal is for a portion of the property to be re-zoned Low Density Residential (LR) zoning, and a portion of the property to be re-zoned AG/OS, with a PUD Overlay on the full property to allow for a more creative approach for the clustering and planning of buffers on the overall development of the property. The property is currently designated as Rural Residential on the Town of Erie zoning map.

The current Town of Erie Comprehensive Plan, has designated the property as Rural Residential with a density range of 0-2 dwelling units per acre, with an average of 1 dwelling unit per acre. This designation would support 169 dwelling units on the 169 acre property. The Comprehensive Plan provides more focused guidance as the community continues to grow, and encourages a more flexible approach to future development that will promote a more balance mix of uses for the community. An update to the Town's Unified Development Code was prepared concurrent with the last Comprehensive Plan, updating many of the key ideas and policies to be codified and gives the Plan a solid foundation for implementation.

We are proposing a maximum number of 166 dwelling units on the property, or an overall density of approximately 0.9 dwelling units per acre. Our clustered design approach, housing diversity, and density is consistent with the spirit and intent of the Comprehensive Plan. The proposed development time line is dependent on project approvals and market conditions.

Town of Erie, Colorado
Zoning Map



Zoning Legend

- Rural Preservation 1 (RP-1)
- Rural Preservation 2 (RP-2)
- Rural Preservation 3 (RP-3)
- Rural Residential (RR)
- Estate Residential (ER)
- Suburban Residential (SR)
- Low Density Residential (LR)
- Medium Density Residential (MR)
- High Density Residential (HR)
- Old Town Residential (OTR)
- Planned Development (PD)
- Regional Commercial (RC)
- Community Commercial (CC)
- Business (B)
- Downtown District (DT)
- Neighborhood Mixed-Use (NMU)
- Community Mixed-Use (CMU)
- Light Industrial (LI)
- Public Lands & Institutions (PLI)
- Airport (AP)
- Agriculture/Open Space (AG/OS)

0 0.15 0.3 0.6 0.9 Miles

- Planning Area Boundary
- Town Boundary
- Community Gateways
- I-25 Interchange (Future)
- County Boundary

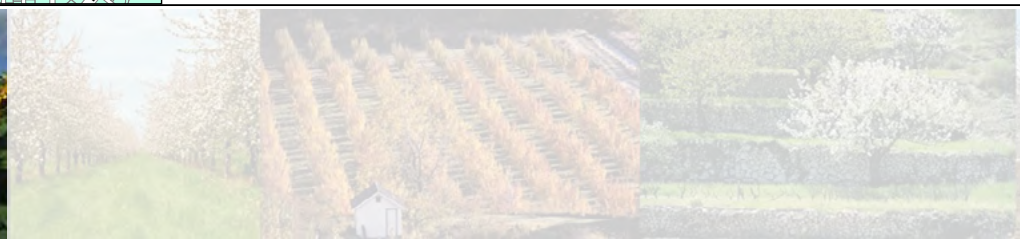
Sources: Boulder Co GIS, Weld Co GIS, CDOT, Town of Erie

Note: This map is intended to serve as a guide for future land use patterns within the Town of Erie's Planning Area Boundary and is advisory in nature. Land Use patterns depicted on the map are generalized, recognizing that development proposals may contain a mixture of land uses and density levels which achieve the intent of the Town of Erie Comprehensive Plan. Adopted Date: Dec. 21, 2005.

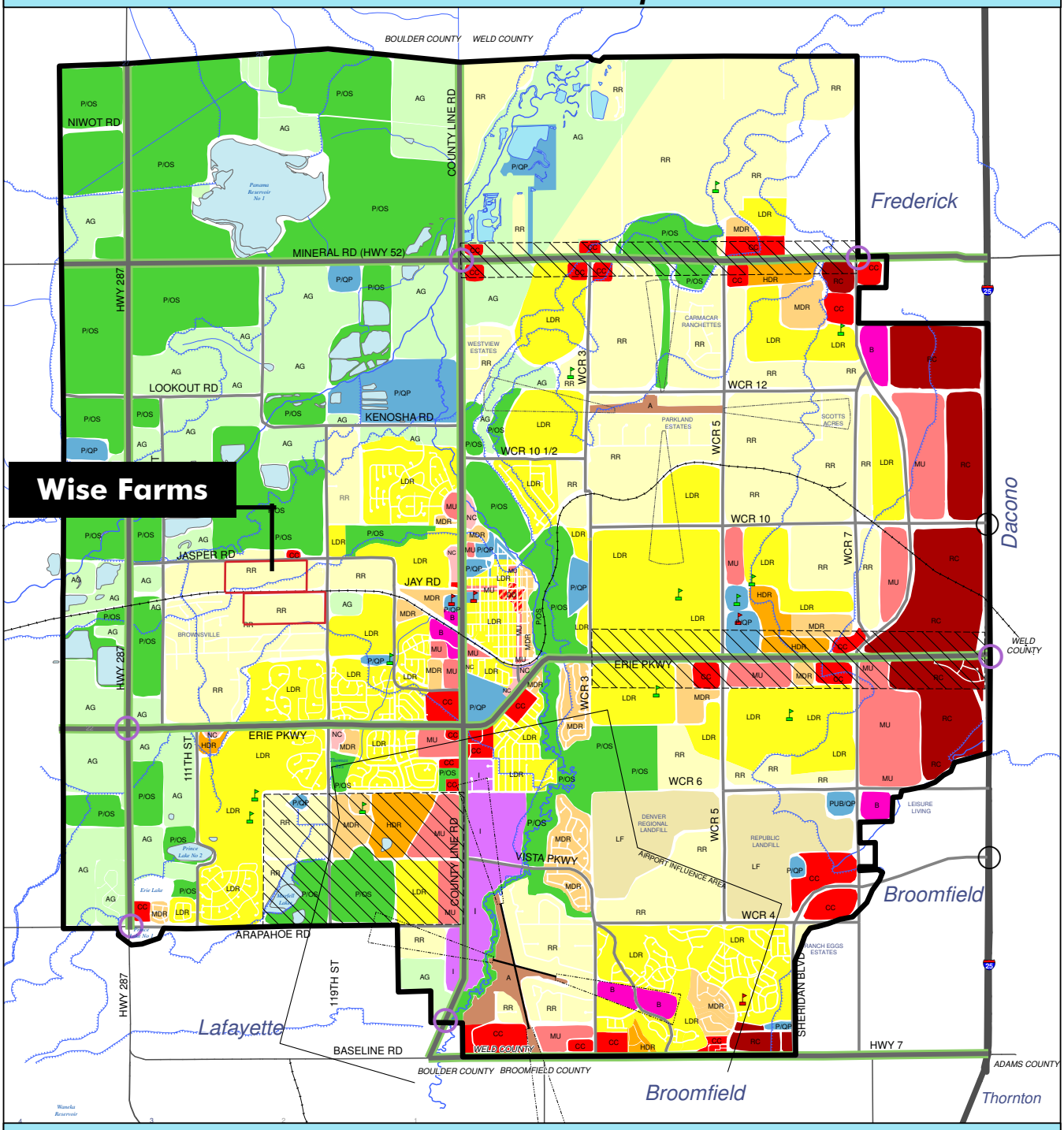
The Comprehensive Plan contains guidelines for the refinement of the generalized areas depicted on the map. These guidelines should be referred to by applicants prior to the preparation of a development submittal and by Town staff, elected, and appointed officials as part of the development review process.

Map Revision Date: November 16, 2012

X:\GIS\MXD\Zoning map 11 16 2012.MXD



Town of Erie, Colorado
2005 Comprehensive Plan
Land Use Plan Map



Land Use Plan Legend

AG	Agriculture	MDR	Medium Density Residential (6-12 du/ac)	B	Business		Canal/Ditch
P/OS	Parks/Public Open Space	HDR	High Density Residential (12-20 du/ac)	I	Industrial		Railroad
P/QP	Public/Quasi Public	CD	Downtown District		Reservoirs		Community Gateways
LF	Landfill	NC	Neighborhood Commercial		County Boundary		I-25 Interchange (Future)
A	Airport	CC	Community Commercial		Planning Area Boundary		Elementary School
RR	Rural Residential (0-2 du/ac)	RC	Regional Commercial		Areas of Special Consideration		Middle School
LDR	Low Density Residential (2-6 du/ac)	MU	Mixed Use				High School

0 0.25 0.5 1 Miles

Sources: Boulder CO GIS, Weld CO GIS, CDOT, Town of Erie

Note: This map is intended to serve as a guide for future land use patterns within the Town of Erie's Planning Area Boundary and is advisory in nature. Land Use patterns depicted on the map are generalized, recognizing that development proposals may contain a mixture of land uses and density levels which achieve the intent of the Town of Erie Comprehensive Plan. Adopted Date: Dec. 21, 2005.

The Comprehensive Plan contains guidelines for the refinement of the generalized areas depicted on the map. These guidelines should be referred to by applicants prior to the preparation of a development submittal and by Town staff, elected, and appointed officials as part of the development review process.

Town Boundary Not Shown - Refer to Zoning Map for Town Boundary

Map Revision Date: JULY 20, 2011

section b:

RELATIONSHIP TO EXISTING LAND USE AND ADJACENT PROPERTIES

Site Location

The property is approximately 169 acres and is located just west of the intersection of Jasper Road and 119th Street (See the Vicinity Map in this section). Existing Boulder County residential development is located along the property's western and eastern boundaries, existing homes are located across from the northern portion of the property on the opposite side of Jasper Road, and a portion of the existing Wise Homestead will remain as Rural Residential to the south of the RTD ROW. There are extensive views to the Front Range. The gentle topography is very conducive to the proposed mix of residential and recreational uses.

Most of the surrounding area is designated as a mix of Rural Residential, Low Density Residential, and Medium Density Residential in the Town of Erie Comprehensive Plan, or County residential.

The property was annexed to the town of Erie in 1995. Town services such as schools, administration, police, water and sewer have either been provided or anticipated since annexation.

We believe that there are many opportunities for this project to be designed to respect and provide a positive relationship to the adjacent properties.

- The zoning that we will be requesting will translate into a community with homes that are clustered to preserve open space areas and the surrounding rural character.

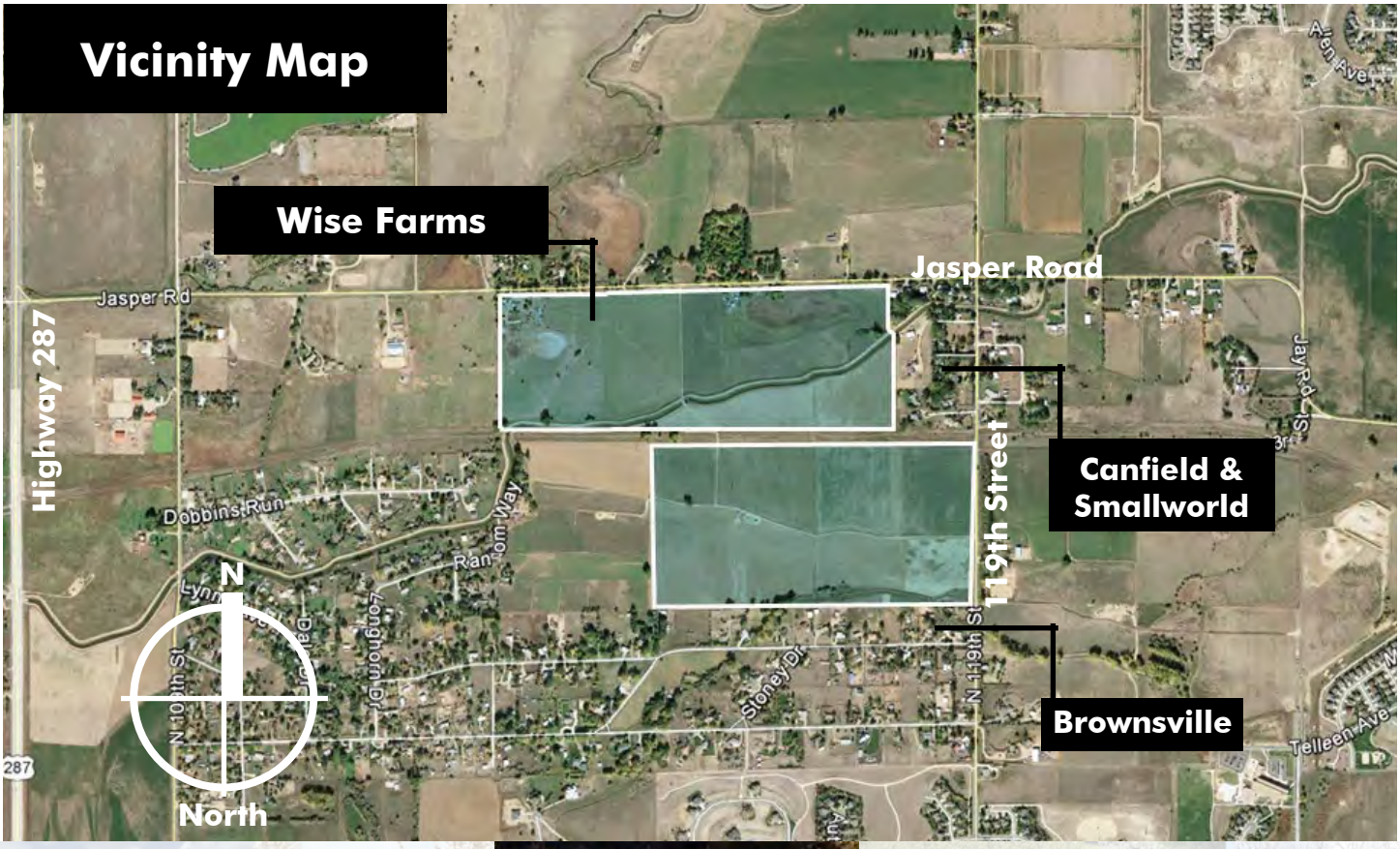
- The clustered design approach as depicted in the Concept Plan, PUD and Preliminary Plat will translate into significant open space buffer areas adjacent to the existing residential areas.

- As depicted in our Concept Plan, PUD and Preliminary Plat we have proposed the largest home sites, as well as a significant open space corridor, being adjacent to the existing eastern neighbors as a method of creating a transition from the Wise Farms community to the existing neighbors. In addition our plan shows a buffer area adjacent to the Canfield and Smallworld neighborhoods that ranges from approximately 300 feet to over 500 feet.

- We have proposed a looped trail system with integrated active and passive features, connected by the open space network provided in the proposed clustered development.

- Our proposal promotes a new neighborhood containing housing options to meet the varying needs of Erie's residents.

- As requested by the Town of Erie staff, we have modified the site layout in order to dedicate the open space along Jasper Rd , and adjacent to the eastern boundary of the property.



section c:

TOWN'S COMPREHENSIVE PLAN AND REZONING APPROVAL CRITERIA.

Comprehensive Plan

"Erie is a community which recognizes the importance of conserving and enhancing its historic small town character, the roots from which it grew, preserving the natural environment in which it resides; a caring community which offers its residents an environment in which to seek a high quality of life; a balanced community with a diverse range of housing, employment, educational, shopping and recreational opportunities; and a vital community which provides financial and social support for quality of life programs."

vision statement from the 2005 Comprehensive Plan

The Town of Erie's Comprehensive Plan provides a strong vision for the future of Erie, and has a set of Guiding Principles that help to ensure that the vision is carried out. We believe that our PUD Zoning and Preliminary Plat proposal is in compliance with the principles for the Town of Erie Comprehensive Plan, and have provided an analysis of this below.

1. A Coordinated and Efficient Pattern of Growth

The Town will have a compact pattern that encourages urban growth to locate within the Planning Area Boundary, fosters the efficient provision of infrastructure and services, and balances development and conservation of the natural environment.

The Wise Farms property is located within the Planning Area Boundary for the Town of Erie, and is an excellent example of taking advantage of efficient infrastructure. A 24" Sanitary Sewer line runs through the property, and the property drains to a low point with an easement for storm sewer discharge already negotiated with Boulder County. The level of development that is anticipated will not change the existing road designations, as confirmed by our Traffic study. The Comprehensive Plan identifies this property as having a residential use. Town services are close to, or as mentioned in the case of sewer, already on the property. The property was annexed to the town of Erie in 1995. Town services such as schools, administration, police, water and sewer have either been provided or anticipated since annexation, and our proposal will not negatively impact town services already anticipated.

2. Quality Design and Development

Erie will promote a high standard of design for all new development, renovation, and rehabilitation to reinforce and enhance its unique nature for residential neighborhoods, public places, and commercial businesses.

Our plan proposed an integrated pedestrian trail system, and connections to neighborhood amenities. We have provided a housing diversity within a quality plan that proposes significant buffers to our adjacent neighbors.

3. Overall Economic Vitality

The Town will promote a healthy, thriving economy that provides opportunities for quality employment with livable wages for its residents.

This principle goes hand in hand with the type of community that we envision for Wise Farms. Quality employment will bring residents to Erie, and a quality community like Wise Farms will provide a wonderful opportunity for those residents to enjoy living in the Town of Erie.

4. Downtown Vitality

The Town considers the maintenance and enhancement and expansion as appropriate of Old Town's vitality to be important to the health and well being of the community as a whole. The plan promotes development and continued enhancement of this core community area as the "center" of the community.

While this principle does not specifically relate to Wise Farms, we support this principle because it will foster a stronger community, and Wise Farms will be a part of that strong community. We hope that the Old Town will be supported by residents of Wise Farms, and will further the enjoyment of living in the Town of Erie.

5. A Comprehensive, Integrated Transportation System

Erie has a safe, efficient, and innovative transportation system that reduces neighborhood isolation and promotes a sense of community by connecting all areas of town, accommodates various modes of public and private transit, and facilitates travel to regional centers.

Our proposal supports the transportation system that the Town of Erie has in place, we have made a significant effort to verify that our proposed development will not adversely impact the existing transportation network. We have located two entrances into Wise Farms from Jasper Road, and have coordinated these access locations with the Town of Erie staff. At the final plat stage we will be required to dedicate additional ROW for the future, it is not our intention to modify Jasper Road, with the exception of additional turn lanes for our project. The Wise Farms property is also bisected by the RTD ROW, which in the future may become a regional trail, our anticipated trail system could tie into this potential future regional trail system.

6. Stewardship of the Natural Environment

The Town will identify and conserve its natural, scenic, and environmentally sensitive areas including important wildlife habitat, waterways, and visually sensitive areas. Erie will strive to be a clean, sustainable, environmentally-friendly town.

Our proposed zoning will allow for a clustered development approach that supports the stewardship of the natural environment on our property, and we anticipate that the potential wildlife habitat associated with the irrigation canal that runs through the property will remain. Significant buffering of the existing trees along portions of Jasper Road is being proposed, as well as significant open space areas. We have set development back from the existing roads to protect visually sensitive areas.

7. Trails, Parks and Recreation Opportunities

The Town will provide a diverse range of recreational opportunities to include facilities and programming for all ages and varying interests, both passive and active. Trails, parks, and recreation opportunities will be connected with and integrate open space into and between neighborhoods and other areas of the community.

At the request of the Town of Erie staff we are proposing to dedicate the area along Jasper Rd, and the eastern buffer as open space, in addition the overall property will include private open space. The full amount of open space exceeds 43% of the overall property. In addition the Town of Erie staff has requested that we make cash-in-lieu payments for both Neighborhood Parks and Community Parks.

8. Protected Lands Program

Lands that are permanently protected as open space will be used to maintain the small town atmosphere that has made Erie an attractive place.

Open space will serve a variety of functions, including:

Buffering Erie from other towns and cities and shaping growth;
Creating view corridors to enable residents to see mountains, plains, and agricultural areas rather than uninterrupted housing and commercial development;
Preserving agricultural lands, keeping them in agricultural production;

Restoring riparian areas and other areas of natural habitat;
Protecting significant archeological and cultural resources;
Preserving native plant and animal habitat and travel corridors for wildlife;
Providing areas for passive recreation that emphasizes enjoyment of nature; and
Distinguishing and linking neighborhoods and other activity areas within Erie through a system of continuous, connected open lands and trails.

The Wise Farms property can further several of these guiding principles. We are proposing a dedicated Open Space area including the non-jurisdictional wetland, this area a cultural resource, along Jasper Rd. The irrigation canal will remain intact which will preserve the native plant and animal habitat, as well as provide travel corridors for wildlife. We anticipate that our open space areas will be a combination of passive and active areas, which will be linked with a trail system, and therefore provide the possibility of enjoying the natural environment, and finally the future Regional Trail adjacent to the RTD Railroad ROW will link this community with other neighborhoods in Erie.

9. Balanced Land Use Mix

The Town will work to diversify and balance the mix of land uses as the Town grows. Particular emphasis will be placed on enhancing the local economic base to provide employment opportunities for residents, seeking to achieve a better balance as a place to work as well as live. In so doing, the community will seek a balance between the enhancement of Old Town's vitality and other existing areas of the community and the identification of opportunities for commercial and employment in outlying areas.

We support this principle, and hope to provide a quality choice of housing for residents of Erie that are also fortunate enough to be working in the local area. We have met the required housing diversity requirement.

10. Stable, Cohesive Neighborhoods Offering a Variety of Housing Types

The Town will promote new neighborhoods that contain a mix of land uses and diversified housing options that meet the varying needs of its residents, including single family, attached homes (duplexes, townhomes), multifamily dwellings, and housing included as part of mixed-use developments. The Town will work to maintain the quality and character of established neighborhoods and ensure that infill and redevelopment is designed in a manner that minimizes impacts on existing neighborhoods, including rural neighborhoods in the Planning Area. New housing and neighborhoods should be appropriate in size, scale, design and use. New housing areas should be located where residents will have access to the full range of infrastructure, facilities and services that are needed for healthy, livable neighborhoods.

The approximately 169 acre property is currently designated as Rural Residential (RR), we are proposing to re-zone approximately 60 acres of the property to Low Density Residential (LR), and approximately 20 acres to AG/OS. As stated in the Unified Development Code, 10.6.7-D.b.i.B - Diversification Standards shall not apply to Residential Zone District RR. As required in the Unified Development Code's Housing Diversity requirement we are proposing one housing

type and one variation. In general we are proposing housing type G - Single Family Detached, and the variation we are proposing is variation 4 - Lot Size 5,000-9,000 square feet, and 5 - Lot Size 10,000 to 39,999 square feet. In general, on the northern portion of the property, the larger lots are on the east side of the property as a method to provide a transition to our neighbors. Our proposal meets the requirements of the Housing Diversity requirement.

11. Provide Infrastructure and Public Services Efficiently and Equitably

Erie will coordinate future development and/or provision of capital facility projects and infrastructure, including water, wastewater, fire protection, emergency management services, police protection, schools, parks, and other utilities that affect the quality of life and economic stability of the community.

We anticipate providing the required dedications, or providing cash-in-lieu for dedications that either can not be met on site, or are not required on site. Most of the services required for this project are already in place at this time.

RURAL RESIDENTIAL POLICIES:

RR 1.1—CHARACTERISTICS

The Rural Residential designation provides a rural setting for large-lot, very low density single-family housing. Lot sizes and layouts will be dependent upon topographical constraints and hilly terrain located in some areas of the community.

In some cases, large portions of a lot may remain in an undeveloped state, reinforcing the rural character of this development pattern. Existing Rural Residential development in Boulder and Weld Counties typically relies on individual sewage treatment systems and either individual water wells or rural water districts. New Rural Residential developments located within the Town's incorporated area will be required to be served by municipal water and wastewater service. Single lot developments will be required to be served by municipal water and wastewater service if within 400 feet of a sewer line.

Wise Farms falls within the Rural Residential category in the Town of Erie Comprehensive Plan. Our proposed Concept Plan, PUD, and Preliminary Plat provides significant buffers from the adjacent neighbors to preserve the visual character of the area. We anticipate tieing into the municipal water and wastewater services.

RR 1.2—DENSITY RANGE

Homes will typically occur at densities of between 0-2 dwelling units per acre, with average densities of 1 dwelling unit/acre. However, lots in many existing rural subdivisions in the Planning Area exceed 1 acre.

Our plan anticipates a variety of housing variations for a range of residents. This mix of housing opportunities will encourage socio-economic diversification, and promote a cohesive neighborhood. We are proposing a maximum number of 166 residential units on the approximately 169 acre property, which translates into 0.9 dwelling units per acre, which is within the allowed density range for the Rural Residential designation. We have also provided significant buffers or larger lots adjacent to the existing neighborhoods

that are also within the Rural Residential designation.

RR 1.3—LOCATION

Rural Residential neighborhoods will typically be located at the fringe of urban development, near existing rural neighborhoods, or in areas with steeper terrain or other natural features unsuitable for urban residential development. In some cases, they will serve as a transition between more intense urban neighborhoods and natural features to be protected or existing rural neighborhoods.

We are located adjacent to existing Rural Residentially designated areas, and several of the site constraints would limit urban residential development.

RR 1.4—CLUSTER DEVELOPMENT

The Town will encourage the use of cluster development patterns as a means of preserving scenic view corridors, preserving natural features, creating transitions between areas of different development intensity, and providing open space for the common use and enjoyment of residents and the broader community. The use of cluster development patterns as a means of preserving cohesive blocks of agricultural land is also encouraged.

We are proposing a clustered development pattern, within the guidelines spelled out in the Town of Erie's UDC. Our Concept Plan, PUD, and Preliminary Pat shows our clustered development pattern, and as a result the preservation of natural features, and a buffering or transition between Wise Farms and the existing residential areas. The clustered plan also provides for a cohesive open space system including Open Space that can be enjoyed by the residents, and by the broader community.

RR 1.5—OPEN SPACE

Open space designated through clustering, dedication, or other means should provide strong visual and physical connections to the surrounding open space and trails network—both existing and planned.

Our proposed clustered development has approximately 43% of the property as either Park or Open Space (dedicated and non-dedicated). These areas exceed the required dedication for our proposed community. Our Concept Plan, PUD, and Preliminary Plat depicts how the proposed open space provides a significant visual connection and benefit to the broader community. We fully anticipate connecting to the future regional trail in the RTD Railroad ROW, and have provided the required area for the future Regional Trail Connection.

RR 1.6—ROADWAY DESIGN

Access road and driveway configurations should follow the natural contours of topographic features to minimize slope disturbances, maximize scenic views, and conserve natural features.

In general the site does not have topographic constraints that will limit the location of internal roads or drives.

Zoning

Approval Criteria

The Board of Trustees may approve Rezonings, and the Planning Commission may recommend approval, if the Rezoning corrects a technical mistake or the Rezoning meets all of the following criteria:

1. The Rezoning will promote the public health, safety, and general welfare;

We believe that we meet this criteria because our proposed rezoning will add the significant open space buffer areas which will provide for both passive and active recreation. A non-clustered approach would not likely provide this benefit. We are proposing a road system with multiple access points.

2. The Rezoning is consistent with the Town's Comprehensive Plan and the purposes of the Municipal Code;

We have analyzed the Comprehensive Plan and strongly believe that we are consistent with not only the Vision statement, but also the Guiding Principles. We have provided a narrative that details this, and also analyzes the specifics of the Rural Residential designation as it relates to our proposed rezoning.

We are excited about the prospect of moving forward with this community. The integrated trail system, Open Space areas, designated Pocket Park and connected trail network with passive and active recreation opportunities, combined with a mix of housing variations will create a diverse and vibrant addition to the Town of Erie.

3. Adequate facilities and services (including roads and transportation, water, gas, electric, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;

Many of the facilities and services required for the development of this property are already in place. Facilities and services are in place to support this project while maintaining adequate levels of service to existing development.

4. The Rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;

We are proposing a significant amount of open space, much of which will be left in a natural state. The significant areas of vegetation along the irrigation canals will largely remain, and we are proposing to dedicate the area around the Mill site and associated low lying area as part of an open space dedication, this area will provide a significant cultural/historic asset to the community at large. The wildlife corridors along the canals will remain, and we have a negotiated agreement for the conveyance of storm water with Boulder County. Overall we strongly believe that our proposal will not result in any adverse impacts for the property or the Town.

5. The Rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of

the subject property;

With the addition of a diverse mix of housing opportunities we believe that we are compatible with our adjacent properties, and will be a benefit to the overall community. We have proposed significant buffers or larger lots adjacent to our neighbors.

6. Future uses on the subject property will be compatible in scale with uses on other properties in the vicinity of the subject property.

The primary use of the Wise Farms property will be residential. This is in keeping with the uses on other properties within the vicinity of Wise Farms. We are proposing a mix of housing, and fully anticipate that this will be consistent and compatible with the homes in the area. The size and price of homes in Wise Farms will be very comparable to the surrounding area.

Print Form

TOWN OF ERIE
Community Development Department – Planning Division
645 Holbrook Street – PO Box 750 – Erie, CO 80516
Tel: 303.926.2770 – Fax: 303.926.2706 – Web: www.erieco.gov

LAND USE APPLICATION

Please fill in this form completely. Incomplete applications will not be processed.

STAFF USE ONLY		
FILE NAME:		
FILE NO:	DATE SUBMITTED:	FEES PAID:

PROJECT/BUSINESS NAME: Wise Farms

PROJECT ADDRESS: Located west of the intersection of 119th St and Jasper Rd.

PROJECT DESCRIPTION: 169 acre Residential community.

LEGAL DESCRIPTION *(attach legal description if Metes & Bounds)*

Subdivision Name: none

Filing #: Lot #: Block #: Section: 14 Township: 1 North Range: 69 West

OWNER *(attach separate sheets if multiple)*

Name/Company: Wise Homestead, LLC
Contact Person: Sarah Allene Wise
Address: 11497 Jasper Road
City/State/Zip: Lafayette, CO - 80026
Phone: 303.828.4561 Fax:
E-mail: sarws@aol.com

AUTHORIZED REPRESENTATIVE

Company/Firm: Jasper Land Investments, LLC
Contact Person: Jim Dullea
Address: 9162 S. Kenwood Court
City/State/Zip: Highlands Ranch, CO - 80126
Phone: 303.902.5400 Fax:
E-mail: j.dullea@comcast.net

MINERAL RIGHTS OWNER *(attach separate sheets if multiple)*

Name/Company: see attached
Address:
City/State/Zip:

MINERAL LEASE HOLDER *(attach separate sheets if multiple)*

Name/Company: see attached
Address:
City/State/Zip:

LAND-USE & SUMMARY INFORMATION

Present Zoning: Rural Residential
Proposed Zoning: Low Density Res. AG/OS, Rural Residential
Gross Acreage: 169
Gross Site Density (du/ac): 0.98 du/ac
Lots/Units Proposed: 166
Gross Floor Area: N/A

SERVICE PROVIDERS

Electric:
Metro District: none at this time
Water *(if other than Town)*:
Gas:
Fire District:
Sewer *(if other than Town)*:

PAGE TWO MUST BE SIGNED AND NOTARIZED

DEVELOPMENT REVIEW FEES			
ANNEXATION		**SUBDIVISION**	
☐ Major (10+ acres)	$ 4000.00	☐ Sketch Plan	$ 1000.00 + 10.00 per lot
☐ Minor (less than 10 acres)	$ 2000.00	☐ Preliminary Plat	$ 2000.00 + 40.00 per lot
☐ Deannexation	$ 1000.00	☐ Final Plat	$ 2000.00 + 20.00 per lot
COMPREHENSIVE PLAN AMENDMENT		☐ Minor Subdivision Plat	$ 2000.00
☐ Major	$ 3000.00	☐ Minor Amendment Plat	$ 1000.00 + 10.00 per lot
☐ Minor	$ 1200.00	☐ Road Vacation (constructed)	$ 1000.00
ZONING/REZONING		☐ Road Vacation (paper)	$ 100.00
☑ Rezoning	$ 1700.00 + 10.00 per acre	**SITE PLAN**	
☐ PUD Rezoning	$ 1700.00 + 10.00 per acre	☐ Residential	$ 1400.00 + 10.00 per unit
☐ PUD Amendment	$ 1700.00 + 10.00 per acre	☐ Non-Resi. (>10,000 sq. ft.)	$ 2200.00
☐ Major PD Amendment	$ 3700.00 + 10.00 per acre	☐ Non-Resi. (>2,000 sq. ft.)	$ 1000.00
☐ Minor PD Amendment	$ 500.00	☐ Non-Resi. (<2,000 sq. ft.)	$ 200.00
SPECIAL REVIEW USE		☐ Amendment (major)	$ 1100.00
☐ Major	$ 1000.00	☐ Amendment (minor)	$ 350.00
☐ Minor	$ 400.00	**VARIANCE**	$ 600.00
☐ Oil & Gas	$ 1200.00	**SERVICE PLAN**	$ 10,000.00

*All fees **include** both Town of Erie Planning & Engineering review. These fees **do not include** referral agency review fees, outside consultant review fees, or review fees incurred by consultants acting on behalf of staff. See Town of Erie Municipal Code, Title 2-10-5 for all COMMUNITY DEVELOPMENT FEES.*

The undersigned is fully aware of the request/proposal being made and the actions being initiated on the referenced property. The undersigned understand that the application must be found to be complete by the Town of Erie before the request can officially be accepted and the development review process initiated. The undersigned is aware that the applicant is fully responsible for all reasonable costs associated with the review of the application/request being made to the Town of Erie. Pursuant to Chapter 7 (Section 7.2.B.5) of the Unified Development Code (UDC) of the Town of Erie, applicants shall pay all costs billed by the Town for legal, engineering and planning costs incurred by staff, including consultants acting on behalf of staff, necessary for project review. By this acknowledgement, the undersigned hereby certify that the above information is true and correct.

Owner: Sarah Allen Wise — Date: 7-30-14

Owner: Alan C Wise — Date: 7-30-14

Applicant: James A. Dullea, Jasper Land Investments LLC — Date: 7/30/2014

STATE OF COLORADO)
) ss.
County of BOULDER)

The foregoing instrument was acknowledged before me this 30th day of JULY, 2014, by Sarah Allen Wise, Alan C. Wise & James A. Dullea

My commission expires: 10/24/2[illegible]
Witness my hand and official seal.

JON F. KOTTKE NOTARY PUBLIC STATE OF COLORADO

Notary Public

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: June 23, 2015

SUBJECT:	**LAND DEVELOPMENT RESOLUTIONS AND ORDINANCES** **Consideration Of Ordinance 16-2015 (Second Reading):** An Ordinance Regarding The Wise Farms PUD Zoning Map Overlay Rezoning, Adopting Certain Findings Of Fact And Conclusions Favorable To The Planned Unit Development Overlay Rezoning.
PURPOSE:	A Public Hearing to consider a request to for a PUD Overlay on the Wise Farms Rezoning Map to modify single family lot sizes, setbacks and architectural standards.
CODE REVIEW:	Erie Municipal Code, Title 10
DEPARTMENT:	Community Development
PRESENTER:	Deborah Bachelder AICP, Senior Planner

FISCAL INFORMATION:	Cost as Recommended:	na
	Balance Available:	na
	Budget Line Item Number:	000 . 00 . 000 . 000000 . 000000
	New Appropriation Required:	☐ Yes ☒ No

STAFF RECOMMENDATION:

Staff recommends the Board of Trustees approve Ordinance 16-2015, an ordinance approving the Wise Farms PUD Zoning Map with the following conditions:

a. The approval of the Wise Farms PUD Zoning Map shall not come into effect until the Wise Farms Zoning Map is approved and recorded for the property. The PUD Zoning Map shall not be recorded until after the Wise Farms Zoning Map is recorded.

b. The approval of the Wise Farms PUD Zoning Map shall not come into effect until a Final Plat is approved and recorded for the property. The Wise Farms PUD Zoning Map shall not be recorded until after a Wise Farms Final Plat is recorded.

c. Technical corrections to the Wise Farms PUD Zoning Map shall be made to the Town's satisfaction.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission held a public hearing for the Wise Farms PUD Overlay Zoning application on January 21, 2015. The Planning Commission is recommending denial of the Wise Farms PUD Overlay Zoning application to the Board of Trustees, in Resolution P15-08. The Planning Commission determined that the application is not in substantial compliance with the following approval criteria as specified in Title 10, Section 7.6 D.9 of the Town of Erie Municipal Code:

a. The PUD Rezoning is not consistent with the Town's Comprehensive

Master Plan and the purposes of this UDC;

b. The PUD Rezoning is likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation;

c. The PUD Rezoning is likely to result in significant adverse impacts upon other property in the vicinity of the subject property;

d. Proposed uses on the subject property will not be compatible in scale with uses on other properties in the vicinity of the subject property.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Applicant Jasper Land Investments, LLC
9162 S. Kenwood Court
Highlands Ranch, CO 80126

Owners Wise Homestead, LLC; and,
Elizabeth Kissell

Location

The Wise Farms property is located south of Jasper Road and west of 119th Street. The property is separated by the RTD railroad right of way.

Existing Conditions

Zoning: Current zoning is RR – Rural Residential; however, the applicant is processing a concurrent rezoning application.

Project Size: 174 Acres

Existing Use: On the property are two existing single family houses and associated accessory structures; historic farm structures; one oil/gas facility; with the majority of the property being used for agriculture.

Adjacent Land-Use/Zoning

	ZONING	LAND USE
NORTH	Rural Residential Neighborhood Mixed Use AG-OS Agricultural – Open Space A-Agricultural: Boulder County	Single Family Residential Erie Historical Museum Boulder County/Town Open Space Single Family Residential
EAST	A-Agricultural: Boulder County ER-Estate Residential	Single Family Residential Single Family Residential
SOUTH	A-Agricultural: Boulder County	Open Space Single Family Residential
WEST	A-Agricultural: Boulder County	Farm/Agricultural

Purpose of PUD Overlay:

The PUD Overlay District is generally used when there is special public interest that doesn't coincide with the traditional zoning in a geographic area. The PUD Overlay District may only be used when an application is not able to meet the requirements of a standard zone classification. The PUD is a mapped area with restrictions in addition to, or less than, those in the underlying traditional zone. Rather than attempt to create a new zoning category, an overlay zone is superimposed over the traditional zone and establishes additional regulations, or reduces or extends the existing uses. The underlying zoning identifies permitted land uses; the overlay zone may provide design restrictions, additional setbacks, or other exceptions to the base district regulations.

General purposes of a PUD are as follows:

a. Establish a procedure for the development of larger parcels of land in order to reduce or eliminate the rigidity, delays, and inequities that otherwise would result from application of zoning standards and procedures designed primarily for small parcels.

b. Ensure orderly and thorough planning and review procedures that will result in high-quality urban design.

c. Encourage variety and avoid monotony in large developments by allowing greater freedom in selecting the means to provide access, light, open space, and amenity.

d. Provide a mechanism for considering mixes of uses that can be made compatible by application of careful and imaginative treatment of interrelationships of activity.

e. Encourage allocation and improvement of common open space in residential areas, and provide for maintenance of the open space at the expense of those who will directly benefit from it.

f. To convert land so poorly developed as to be a public liability.

g. Encourage the preservation of serviceable existing structures of historic value or artistic merit by providing the opportunity to use them imaginatively for purposes other than that for which they were originally intended.

h. Encourage the assembly of properties that might otherwise be developed in unrelated increments to the detriment of surrounding neighborhoods.

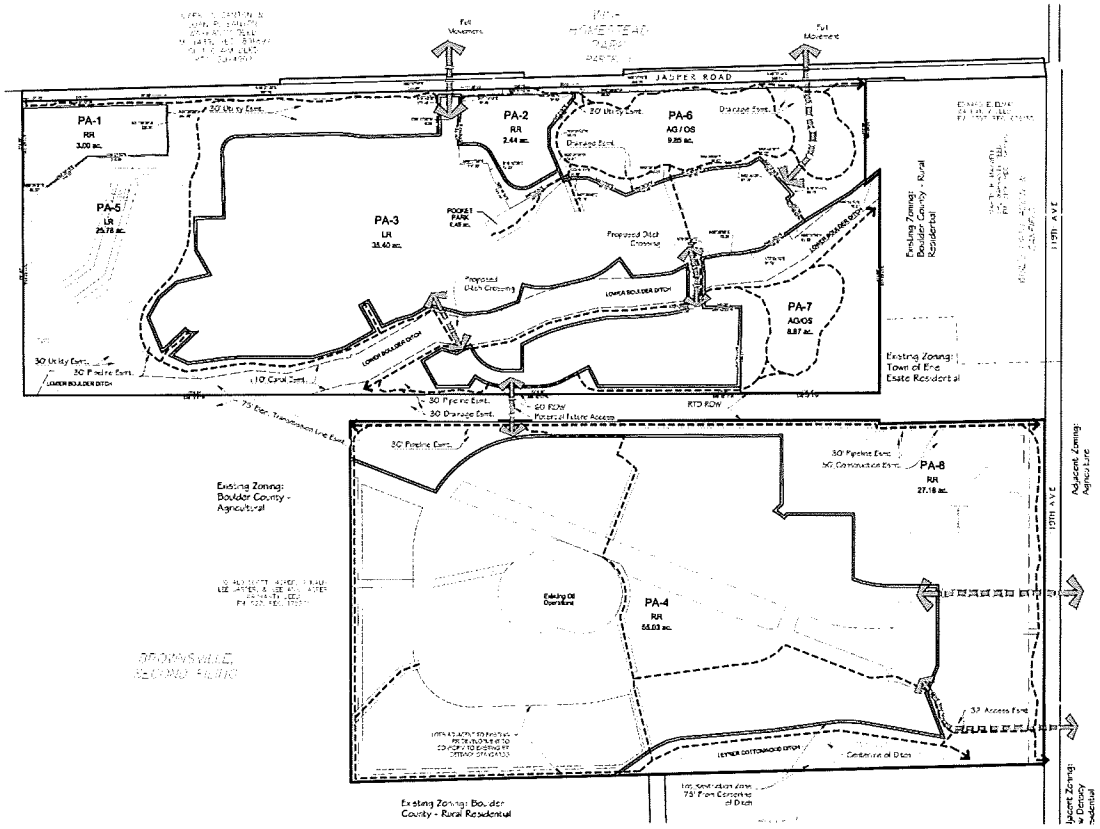
i. To simplify processing of development proposals for developers and the Planning Commission by providing for concurrent review of land use, subdivision, public improvements and siting considerations.

Wise Farms PUD Proposal

The Wise Farms PUD Zoning Map (PUD) sets the maximum number of dwelling units at 166. The applicant is committing to dedicate a public pocket park and open space to meet the Town requirements. The applicant will pay a fee in lieu for their required neighborhood park dedication of 1.39 acres and for their community park dedication of 2.32 acres.

The PUD Map identifies 8 overlay planning areas; 6 residential planning areas, and 2 agricultural/ open space areas. Although the PUD overlays the entire Wise Farms property, only two Planning Areas (PA-3 and PA-4), where the proposed single family development will occur, are proposed to modify the lot requirements. The two existing farms/single family homes in PA-1 and PA-2 will meet the RR-Rural Residential zone district requirements.

Wise Farms PUD Zoning Map



Minimum Lot Size and Width

The Wise Farms PUD proposes new, minimum lot sizes and minimum lot widths for the single family development areas. Planning Area – 3 (PA-3) overlays the LR-Low Density Residential zone district in the north half of the Wise Farms property. Planning Area – 4 (PA-4) overlays the RR-Rural Residential zone district in the south half of the Wise Farms property. The table below shows the proposed PUD Planning Area standards in comparison with the requirements of the underlying zone district.

Standard Underlying Zone District	Proposed Planning Area Overlay	Standard Zone District - Minimum Lot Area	Proposed Planning Area Overlay – Minimum Lot Area	Standard Zone District - Minimum Lot Width	Proposed Planning Area Overlay – Min. Lot Width
LR – Low Density Residential	PA-3	5,000 square feet	5,750 square feet	50 feet 60 feet - corner lot	55 feet
RR – Rural Residential	PA-4	80,000 square feet	40,000 square feet	150 feet	100 feet

The proposed Wise Farms PUD modifications to the LR-Low Density Residential zone district include:

- An increase in the minimum lot size from 5,000 square feet to 5,750 square feet.
- An increase in the minimum lot width from 50 feet to 55 feet. They have however, eliminated the specific increased width for a corner lot, which is 60 feet, and replaced the specific increased width with a statement that "The minimum lot width … shall be increased on corner lots to accommodate the street setback."

The proposed Wise Farms PUD modifications to the RR-Rural Residential zone district include:

- A decrease in the minimum lot size from 80,000 square feet to 40,000 square feet.
- A decrease in the minimum lot width from 150 feet to 100 feet.

Minimum Setbacks and Maximum Height

The Wise Farms PUD proposes new minimum setbacks and maximum height standards for the proposed land uses. The table below shows the proposed minimum setbacks and maximum height in comparison with the requirements of the underlying zone district.

Standard Underlying Zone District	Proposed Planning Area Overlay	Standard Zone District - Front Setback	Proposed Planning Area Overlay – Front Setback	Standard Zone District - Front Setback to Porch	Proposed Planning Area Overlay – Front Setback to Porch
LR – Low Density Residential	PA-3	20 feet	20 feet	20 feet *	15 feet
RR – Rural Residential	PA-4	40 feet	30 feet	30 feet*	30 feet

*MC 10.4.2 A.1.b.v.: Roofs over porches may project up to 6 feet into a front setback, provided that the roof projections shall comprise no more than 50 percent of the total length of the building's façade.

The proposed Wise Farms PUD modifications to the LR-Low Density Residential zone district include:

- The front setback remains at 20 feet; however a porch is allowed to encroach 5 feet without any restrictions on the width of the porch. The Town standard is allows a front porch to encroach 6 feet into the 20 foot front setback when the porch does not exceed a maximum width of 50 percent of the front façade.

The proposed Wise Farms PUD modifications to the RR-Rural Residential zone district include:

- The front setback is decreased from 40 feet to 30 feet.
- The front porch setback is 30 feet; the Town encroachment language for porches would not apply.

Standard Underlying Zone District	Proposed Planning Area Overlay	Standard Zone District - Side Yard Interior Lot Line	Proposed Planning Area Overlay – Side Yard Interior Lot Line	Standard Zone District - Side Yard to Street	Proposed Planning Area Overlay – Side Yard to Street
LR – Low Density Residential	PA-3	5 feet	5 feet	20 feet	10 feet
RR – Rural Residential	PA-4	15 feet	10 feet	40 feet	30 feet

The proposed Wise Farms PUD modifications to the LR-Low Density Residential zone district include:

- The interior side yard setback remains at 5 feet.
- The side yard setback to a street is reduced from 20 feet to 10 feet.

The proposed Wise Farms PUD modifications to the RR-Rural Residential zone district include:

- The interior side yard is decreased from 15 feet to 10 feet.
- The side yard setback to a street is reduced from 40 feet to 30 feet.

Standard Underlying Zone District	Proposed Planning Area Overlay	Standard Zone District - Rear Setback	Proposed Planning Area Overlay – Rear Setback	Standard Zone District - Maximum Height	Proposed Planning Area Overlay – Maximum Height
LR – Low Density Residential	PA-3	20 feet	20 feet	35 feet	35 feet
RR – Rural Residential	PA-4	40 feet	30 feet	40 feet	35 feet

The proposed Wise Farms PUD modifications to the LR-Low Density Residential zone district include:

- The rear yard setback remains at 20 feet.
- The maximum building height remains at 35 feet.

The proposed Wise Farms PUD modifications to the RR-Rural Residential zone district include:

- The rear yard is decreased from 40 feet to 30 feet. However, those lots on the PUD map on the southwest portion of site will need to meet the 40 foot rear lot setback of the RR zone district.
- The maximum building height is reduced from 40 feet to 35 feet.

Single Family Architectural Standards

Modification of the UDC requirements for single family architectural standards is being requested in the Wise Farms PUD. The applicant is proposing to generally use the same architectural standards that have been adopted in the Erie Highlands and Bridgewater PUD.

Accessory Dwelling Units

The Town Municipal Code (MC 10.3.3.G) allows owners of all single family residential lots on minimum lot sizes of 6,000 square feet or more to apply for a Special Review Use application for a single accessory dwelling unit if they can meet the size, parking and design standards. The Special Review Use application process requires an applicant to hold a neighborhood meeting and be reviewed by the Planning Commission and Board of Trustees at public hearings.

The Wise Farms PUD proposes that all of the lots on the south half of the Wise Farms property be allowed to have an accessory dwelling unit as a Use by Right if they meet the size, parking and design

standards in the Municipal Code. The lots in the southern half of the Wise Farms property are a minimum of 40,000 square feet. If the PUD modification is approved, a property owner in this area would simply need to submit a building permit application in order to construct an accessory dwelling unit.

The single family residential lots, on the north half of the Wise Farms property that are on minimum lot sizes of 6,000 square feet or more can apply for an accessory dwelling unit through the Town's standard Special Review Use application procedure.

PUD Approval Criteria

Staff finds the application is consistent with the Approval Criteria of Title 10, Section 7.6 D.9 PUD Overlay Rezoning:

a. The PUD Rezoning is generally consistent with the purpose of the PUD Overlay District in Section 2.7.D.1;

   Staff: The applicant has met the requirements of Section 2.7.D.1.

b. The PUD Rezoning will promote the public health, safety, and general welfare;

   Staff: The Wise Farms PUD promotes the public health, safety, and general welfare.

c. The PUD Rezoning is consistent with the Town's Comprehensive Master Plan and the purposes of this UDC;

   Staff: The Wise Farms PUD sets the maximum number of dwelling units allowed on the property. The gross density proposed is within the 0 to 2 dwelling units per acre density range for the Rural Residential Land Use in the Comprehensive Plan.

d. The PUD Rezoning is generally consistent with the PUD standards in Subsection 2.7.D.2;

   Staff: The Wise Farms PUD is generally consistent with the PUD standards.

e. Adequate facilities and services (including roads and transportation, water, gas, electric, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;

   Staff: The Wise Farms development will need to bring Town water to the site. All other facilities and services are available.

f. The PUD Rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;

   Staff: The Town and applicant have worked to preserve healthy trees and the non-jurisdictional wetland on the east side of the property as public open space.

g. The PUD Rezoning is not likely to result in significant adverse impacts to significant scenic and historic features as identified in plans adopted by the Town;

   Staff: The Town, applicant and property owner have agreed that at Final Plat a plan to move the current historic farm/mill buildings that encroach into the current Jasper Road and future Jasper Road right of way to the Wise Museum property. If the property owner is not able to move the buildings the Town will work with the owner on timing of removal of the structures.

h. The PUD Rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject property;

   Staff: The Wise Farms PUD identifies buffers on all sides of the proposed development. Additionally, the applicant has increased the size of the residential lots, from the original Sketch

Plan application, on the south half of the property to lot sizes that are compatible to the adjacent neighborhood.

i. Proposed uses on the subject property will be compatible in scale with uses on other properties in the vicinity of the subject property;

Staff: The applicant has increased the size of the residential lots, from the original Sketch Plan application, on the south half of the property to lot sizes that are compatible to the adjacent neighborhood.

j. The proposed phasing of the development is appropriate and the development can be substantially completed within the time period specified in the schedule of the development or Development Agreement submitted by the applicant; and

Staff: The applicant has not proposed phasing of the property.

k. The PUD Plan provides public benefit(s).
Staff: The applicant will be providing approximately 43% of the property in public and private open space and parks.

Staff Recommendation:

Staff recommends the Board of Trustees approve Ordinance 16-2015, an ordinance approving the Wise Farms PUD Zoning Map with the following conditions:

a. The approval of the Wise Farms PUD Zoning Map shall not come into effect until the Wise Farms Zoning Map is approved and recorded for the property. The PUD Zoning Map shall not be recorded until after the Wise Farms Zoning Map is recorded.

b. The approval of the Wise Farms PUD Zoning Map shall not come into effect until a Final Plat is approved and recorded for the property. The Wise Farms PUD Zoning Map shall not be recorded until after a Wise Farms Final Plat is recorded.

c. Technical corrections to the Wise Farms PUD Zoning Map shall be made to the Town's satisfaction.

Public Notice

Colorado Hometown Weekly Newspaper Publication:	May 6, 2015
Notice Posted on Public Notice Boards and on Property; and,	
Letters to adjacent property owners mailed:	May 8, 2015

The documentation required for the PUD – Planned Unit Development application is complete. The Community Development file for the Wise Farms Preliminary Plat application is entered into the public record.

Neighborhood Meeting:

As required by the Municipal Code a Neighborhood Meeting was held on January 7, 2015 at the Erie Community Center. The required notice for the Neighborhood Meeting was provided.

Staff Review:

____Town Attorney
____Town Clerk
MW Community Development Director
____Finance Director
____Police Chief
____Public Works Director

Approved by:

A.J. Krieger
Town Administrator

ATTACHMENTS:

A. Draft Ordinance 16-2015
B. Planning Commission Resolution P15-08
C. Applicants submittal materials

ATTACHMENT A

ORDINANCE NO. 16-2015

AN ORDINANCE REGARDING THE WISE FARMS PUD ZONING MAP OVERLAY REZONING, ADOPTING CERTAIN FINDINGS OF FACT AND CONCLUSIONS FAVORABLE TO THE PLANNED UNIT DEVELOPMENT OVERLAY REZONING.

WHEREAS, the Board of Trustees of the Town of Erie, Colorado, considered the Wise Farms PUD Zoning Map Overlay Rezoning on Tuesday, May 26, 2015 and June 23, 2015 on the application of Elizabeth W. Kissell, and Wise Homestead, LLC, 11497 Jasper Road, Lafayette, CO, such Planned Unit Development Overlay Rezoning being of the following real property; to wit:

See "Exhibit A," attached hereto and incorporated herein by this reference; and,

WHEREAS, the Planning Commission of the Town of Erie, Colorado, conducted a public hearing on January 21, 2015, pursuant to the published notice for consideration of the Erie Highlands Planned Unit Development Overlay Rezoning, and;

WHEREAS, the Wise Farms PUD Zoning Map Overlay Rezoning is authorized by the Town of Erie Municipal Code, Title 10; and,

WHEREAS, the Board of Trustees of the Town of Erie has found the application materials and PUD Overlay Rezoning entitled "Wise Farms PUD Zoning Map" incorporated herein and made a part hereof by this reference, to be complete and that good and sufficient reason has been shown to be present to justify the rezoning of the property; and,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, AS FOLLOWS:

Section 1. The Board of Trustees of the Town of Erie, Colorado has determined that the PUD Overlay Rezoning meets the Approval Criteria as specified in Title 10, "Unified Development Code," of the Town of Erie Municipal Code, and makes the following findings of fact:

a. The PUD Rezoning is generally consistent with the Purpose of the PUD Overlay District in Section 2.7.D.1;

b. The PUD Rezoning will promote the public health, safety, and general welfare;

c. The PUD Rezoning is consistent with the Town's Comprehensive Master Plan and the purposes of this UDC;

d. The PUD Rezoning is generally consistent with the PUD standards in Section 2.7.D.2;

e. Adequate facilities and services (including roads and transportation, water, gas, electric, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;

f. The PUD Rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;

g. The PUD Rezoning is not likely to result in significant adverse impacts to significant scenic and historic features as identified in plans adopted by the Town;

h. The PUD Rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject property;

i. Proposed uses on the subject property will be compatible in scale with uses on other properties in the vicinity of the subject property;

j. The proposed phasing of the development is appropriate and the development can be substantially completed within the time period specified in the schedule of the development or Development Agreement submitted by the applicant; and

k. The PUD Plan provides public benefit(s).

Section 2. The Property is hereby Rezoned to include the PUD Overlay Zoning as an addition to the approved underlying Zone District(s) as more specifically set forth on the PUD Zoning Map attached hereto, as "Exhibit B," and incorporated herein by reference. Said Wise Farms PUD Zoning Map Overlay Rezoning shall be effective upon the recordation of a Final Plat(s) that is in substantial compliance with the approved Preliminary Plat. In the event that a Final Plat(s) that is in substantial compliance with the approved Preliminary Plat is not recorded or, in the event a Final Plat(s) that is not in substantial compliance with the approved Preliminary Plat is recorded; then, the Wise Farms PUD Zoning Map Overlay shall be null and void.

Section 3. The Wise Farms PUD Zoning Map shall be effective upon the recordation of the Wise Farms Zoning Map that designates the underlying Zone District(s) for the Property. In the event that the Wise Farms Zoning Map is not recorded, then, the Wise Farms PUD Zoning Map Overlay shall be null and void.

Section 3. The official zone district map of the Town of Erie, dated March 24, 2015, shall be amended by the designation of the above described Property to include the-PUD Overlay on the effective date of the Wise Farms PUD Zoning Map. All activities conducted on the Property shall be in conformance with the underlying Zone District(s) and PUD Overlay, as identified in the Town of Erie Municipal Code.

Section 4. Severance Clause. If an article, section, paragraph, sentence, clause or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees of the Town of Erie, Colorado hereby declares that it would have passed this Ordinance

and each part or parts thereof, irrespective of the fact that any one part or parts may be declared invalid or unconstitutional.

Section 5. Effective Date. This ordinance shall take effect thirty (30) days after publication following final passage.

INTRODUCED, READ, ADOPTED, ORDERED AND PUBLISHED IN FULL BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE THIS ___ DAY OF _____ 2015.

TOWN OF ERIE,
a Colorado municipal corporation

By: _____
Tina Harris, Mayor

ATTEST:

By: _____
Nancy Parker, Town Clerk

EXHIBIT A
(Wise Farms Legal Description)

NORTH PARCEL:

A PARCEL OF LAND BEING A PART OF THE NORTH HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST-SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS S00°04'01"E, A DISTANCE OF 1,316.88 FEET SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE S88°24'34"W, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 119TH STREET;

THENCE S88°24'34"W ALONG SAID SOUTH LINE, A DISTANCE OF 627.28 FEET; TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING S88°24'34"W ALONG SAID SOUTH LINE , A DISTANCE OF 3.19 FEET;

THENCE NORTH 00°09'24"W, A DISTANCE OF 114.08 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT NORTHERLY OF THE CENTERLINE OF THE EXISTING TRACK, SAID POINT BEING THE POINT OF BEGINNING;

THENCE S89°42'11"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 653.74 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING S89°42'11"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1,314.16 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING S89°42'11"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1,309.61 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEEST QUARTER OF SAID SECTION 14;

THENCE N00°29'33"W ALONG SAID WEST LINE, A DISTANCE OF 1,119.88 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF JASPER ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:

1. N88°21'52"E, A DISTANCEE OF 1,314.39 FEET
2. N88°17'28"E, A DISTANCE OF 1,317.03 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;
3. CONTINUING N88°17'28"E, A DISTANCE OF 599.53 FEET TO THE NORTHWESTERLY CORNER OF THAT TRACT OF LAND AS DESCRIBED ON SAID FILM 1555, AT RECEPTION NO. 953348;

THENCE S00°09'21"E ALONG THE WESTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 397.57 FEET TO THE MOST SOUTHERLY CORNER THEREOF;

THENCE N50°52'13"E ALONG THE SOUTHEASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 70.21 FEET;

THENCE S00°09'21"E, A DISTANCE OF 843.98 FEET TO THE POINT OF BEGINNING.

SOUTH PARCEL:

A PARCEL OF LAND BEING A PART OF THE NORTH HALF AND A PART OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST-SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS SOUTH 00°04'01" EAST, A DISTANCE OF 1316.88 FEET, SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREWITH BEING RELATIVE THERETO;

THENCE SOUTH 88°24'34" WEST, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 119TH STREET, SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH 00°04'10" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1316.93 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°18'16" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 1282.45 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 88°18'16" WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 1312.40 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°16'21" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 60.98 FEET TO THE SOUTHEASTERLY CORNER OF THAT TRACT OF LAND CONVEYED TO RONALD SCOTT

JASPER, RONALD LEE JASPER AND VEE ANN JASPER AS DESCRIBED IN WARRANTY DEED RECORDED MAY 3, 1976, ON FILM 922 AS RECEPTION NO. 175271, OF THE RECORDS OF BOULDER COUNTY, COLORADO;

THENCE NORTH 00°19'00" WEST ALONG THE EASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 1381.63 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT, SOUTHERLY OF THE EXISTING TRACK;

THENCE NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 62.45 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1314.28 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 653.74 FEET;

THENCE SOUTH 00°09'21" EAST, A DISTANCE OF 14.08 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE NORTH 88°24'34" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 3.19 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 88°24'34" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 627.28 FEET TO THE POINT OF BEGINNING.

SAID NORTH, SOUTH AND JASPER ROAD RIGHT-OF-WAY PARCELS CONTAINING A CALCULATED AREA OF 7,576,344 SQUARE FEET, OR 173.929 ACRES, MORE OR LESS.

Wise Farms PUD Zoning Map

a part of section 14, township 1 north, range 69 west of the 6th p.m.
town of erie, county of boulder, state of colorado
169.05 acres
PUD-13-00071

OVERALL BOUNDARY DESCRIPTION:

NORTH PARCEL:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST-SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS SOUTH 00°04'01" EAST, A DISTANCE OF 1326.88 FEET SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREON BEING RELATIVE THERETO:

THENCE SOUTH 89°24'34" WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 119TH STREET;

THENCE CONTINUING SOUTH 89°24'34" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 627.28 FEET, TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 89°24'34" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 3.19 FEET;

THENCE NORTH 20°09'21" WEST, A DISTANCE OF 114.09 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT NORTHERLY OF THE CENTERLINE OF THE EXISTING TRACK, SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH 89°42'11" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 653.74 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 89°42'11" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1314.46 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 89°42'11" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1309.42 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14;

THENCE NORTH 00°09'33" WEST ALONG SAID WEST LINE, A DISTANCE OF 1319.88 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF JASPER ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:

1. NORTH 89°21'52" EAST, A DISTANCE OF 1314.29 FEET;
2. NORTH 89°13'58" EAST, A DISTANCE OF 1317.03 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;
3. CONTINUING NORTH 89°13'58" EAST, A DISTANCE OF 599.53 FEET TO THE NORTHWESTERLY CORNER OF THAT TRACT OF LAND AS DESCRIBED ON SAID FILM 1555, AT RECEPTION NO. 953548;

THENCE SOUTH 00°09'21" EAST ALONG THE WESTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 393.50 FEET TO THE MOST SOUTHERLY CORNER THEREOF;

THENCE NORTH 50°52'13" EAST ALONG THE SOUTHEASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 70.21 FEET;

THENCE SOUTH 00°09'21" EAST, DISTANCE OF 143.59 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING A CALCULATED AREA OF 3,792,135 SQUARE FEET OR 86.926 ACRES, MORE OR LESS.

SOUTH PARCEL:

A PARCEL OF LAND BEING A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST-SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS SOUTH 00°04'01" EAST, A DISTANCE OF 1326.88 FEET, SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREWITH BEING RELATIVE THERETO;

THENCE SOUTH 89°24'34" WEST, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE TO NORTH 119TH STREET;

THENCE SOUTH 00°04'01" EAST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 0.14 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT, SOUTHERLY OF THE EXISTING TRACK, SAID POINT BEING THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°04'01" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1326.79 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 89°18'26" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 1282.39 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 89°18'16" WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 1322.40 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 89°26'21" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 60.98 FEET TO THE SOUTHEASTERLY CORNER OF THAT TRACT OF LAND CONVEYED TO RONALD SCOTT JASPER, RONALD LEE JASPER AND VEE ANN JASPER AS DESCRIBED IN WARRANTY DEED RECORDED MAY 3, 1976, ON FILM 522 AS RECEPTION NO. 175271, OF THE RECORDS OF BOULDER COUNTY, COLORADO;

THENCE NORTH 00°15'00" WEST ALONG THE EASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 1381.63 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY BEING 50 FEET, BY PERPENDICULAR MEASUREMENT, SOUTHERLY OF THE EXISTING TRACK;

THENCE NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 62.45 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1314.28 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 653.74 FEET;

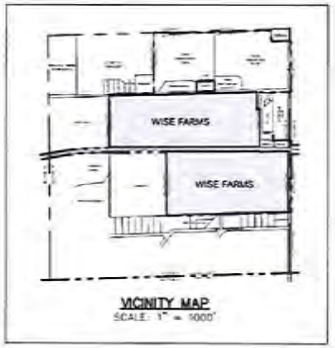
THENCE SOUTH 00°09'21" EAST, A DISTANCE OF 14.09 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE NORTH 89°24'34" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 3.19 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°24'34" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 620.87 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY;

THENCE NORTH 89°42'11" EAST, ALONG SAID SOUTHERLY RAILROAD RIGHT-OF-WAY LINE, A DISTANCE OF 6.40 FEET TO THE POINT OF BEGINNING.

SAID SOUTH PARCEL CONTAINING A CALCULATED AREA OF 3,585,472 SQUARE FEET OR 82.319 ACRES, MORE OR LESS.



VICINITY MAP
SCALE: 1" = 5000'

PUD NOTES:

1. THIS PUD ZONING MAP MODIFIES STANDARDS FOUND IN MUNICIPAL CODE TITLE 18. IN THE EVENT THAT THERE IS A DISCREPANCY BETWEEN THE MUNICIPAL CODE AND THIS PUD, THE PUD SHALL CONTROL. ANY PROVISIONS THAT ARE NOT SPECIFICALLY ADDRESSED IN THIS PUD ZONING MAP SHALL COMPLY WITH THE MUNICIPAL CODE.

2. THE MAXIMUM NUMBER OF UNITS ALLOWED IN THIS PUD IS 100.

SURVEYOR'S CERTIFICATE

I, _____ A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT THIS PUD ZONING MAP TRULY AND CORRECTLY REPRESENTS THE ABOVE DESCRIBED LEGAL DESCRIPTIONS FOR EACH PUD OVERLAY ZONE DISTRICT.

I ATTEST THE ABOVE ON THIS _____ DAY OF _____, 2014.

_____

COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR #

PLANNING COMMISSION CERTIFICATION

THIS PUD ZONING MAP WAS REVIEWED BY THE PLANNING COMMISSION ON THE _____ DAY OF _____, 2014.

_____ _____
CHAIRPERSON DATE

BOARD OF TRUSTEES APPROVAL CERTIFICATE

THIS PUD ZONING MAP IS TO BE KNOWN AS THE "WISE FARMS PUD ZONING MAP" AND IS APPROVED AND ACCEPTED BY ORDINANCE NO. _____, PASSED AND ADOPTED AT THE REGULAR (SPECIAL) MEETING OF THE BOARD OF TRUSTEES OF ERIE, COLORADO, HELD ON _____, 2014.

_____
MAYOR

ATTEST

_____
TOWN CLERK

CLERK & RECORDER CERTIFICATE

STATE OF COLORADO)
) SS.
COUNTY OF BOULDER)

I HEREBY CERTIFY THAT THIS PUD ZONING MAP WAS FILED IN MY OFFICE ON THIS DAY OF _____, 2014 A.D. AND WAS RECORDED AT RECEPTION NUMBER _____

_____
COUNTY CLERK AND RECORDER

SHEET INDEX
1.....Cover
2.....PUD Plan
3.....PUD Notes

planning & la
[illegible]
[illegible]
engineering
CVL
Contact: Melinda Landgraf, P.E.
[illegible]
applicant
[illegible]

project name

Wise Farms
PUD Zoning Map
Town of Erie, Colorado

sheet title

Cover Sheet

sheet number

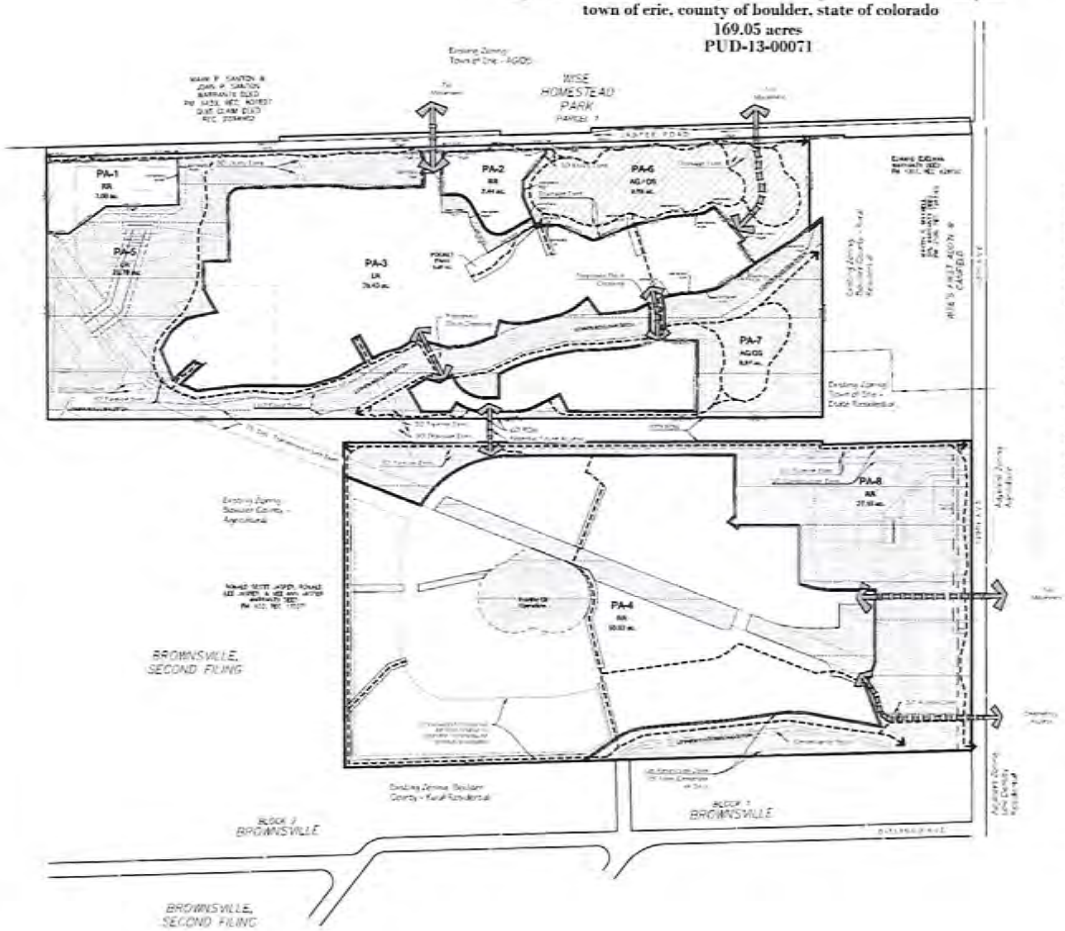
1 of 3

No.	Revisions	Date
3	Address Town Comments	[illegible]
3	Address Town Comments	[illegible]
3	Address Town Comments	[illegible]
2	Address Town Comments	[illegible]
1	Initial Submittal	[illegible]

EXHIBIT B

Wise Farms PUD Zoning Map

a part of section 14, township 1 north, range 69 west of the 6th p.m.
town of erie, county of boulder, state of colorado
169.05 acres
PUD-13-00071



Development Summary		
LAND USE	ACRES	% of TOTAL
Residential	95.87	56.71%
Dedicated Parks & Open Space	9.28	5.49%
Non-Dedicated Open Space	62.40	36.91%
R.O.W	1.50	0.89%
Total	169.05	100.00%

Parks & Open Space		
Park Area	Dedication Requirement (Acres)	Dedicated Open Space and Park Provided (Acres)
Open Space	7.82	9.28
Pocket Park	0.23	0.45
Neighborhood Park	1.59	Fee in Lieu
Community Park	2.32	Fee in Lieu

LEGEND
- DEDICATED PUBLIC OPEN SPACE
- PRIVATE OPEN SPACE
- TRAIL CONNECTIONS
- OIL & GAS SETBACKS
- EASEMENT
- ACCESS

SCALE 1"=200'

planning & la

engineering

CVL

applicant

project name

Wise Farms
PUD Zoning Map
Town of Erie, Colorado

sheet title

PUD Plan

sheet number

2 of 3

No	Revisions	Date
5	Address Town Comments	12/22/2014
4	Address Town Comments	10/27/2014
3	Address Town Comments	8/1/2014
2	Address Town Comments	4/24/2014
1	Initial Submittal	11/8/2013

Wise Farms PUD Zoning Map

a part of section 14, township 1 north, range 69 west of the 6th p.m.
town of erie, county of boulder, state of colorado
169.05 acres
PUD-13-00071

ARCHITECTURAL STANDARDS - LR ZONING SINGLE FAMILY RESIDENTIAL

1. Architectural Variety and Character

a. Architectural Variety

i. Design Standards

(A) No identical model plan elevation shall be repeated directly across any street from the same model plan and elevation.

(B) No identical model plan elevation shall be repeated more than once within every 4 lots on the same side of any street.

(C) A minimum of 3 alternative elevations for each model plan shall be submitted to the Town for review.

b. Architectural Character

Each single family detached model plan and elevation shall demonstrate the following design attributes:

i. Design Standards

(A) Each elevation shall include a minimum of two windows (or one window and one door) per floor.

(B) Each front and rear elevation shall include more than one wall plane. Articulation that adds shadow and visual interest is encouraged.

(C) A variety of roof forms should be used. Single unbroken roof pitches should be avoided, except where a single roof treatment is an essential element of the Architectural Style.

(D) The main roof should extend beyond the primary facade by a minimum of one foot.

(E) An elevation of the home that faces a street, park, trail corridor or open space area shall provide an "Enhanced Elevation". An "Enhanced Elevation" shall provide three or more of the following design enhancements listed in (1) through (7) below. Application of the design enhancement shall be applied in a manner that is consistent with the style of the home. Side and rear elevation design enhancements shall be consistent with the design elements of the front elevations.

(1) The addition of one window unit.
(2) A change in wall plane by providing one or more of the following options:
- An additional wall plane change. Minimum six feet in width and one foot projection.
- A projecting or cantilevered living space.
- A bay or bowed window.
(3) A covered porch or deck.
(4) The addition of architectural detail elements such as: shutters, eave brackets, exposed rafter tails, corbels, lintels, trellises, columns or pilasters.
(5) The use of a minimum of two exterior cladding materials that can include materials such as masonry (cultured stone, stone, brick, stucco, or tile), lap siding, shingles, board and batten, or other decorative siding treatment.

(F) Columns or posts extending more than 36 inches above the ground which support structural elements such as porches, decks, or roofs should appear to be of adequate mass to support the structure above. (No exposed "2x4" posts shall be allowed more than 36 inches above the ground). Columns supporting upper story decks should be 8"x8" minimum finished.

ii. Materials

(A) All exterior materials shall be of high quality, used in applications and treated appropriately to provide an attractive and long lasting appearance.

(B) When masonry cladding is used in locations where its mass is logical and appropriate. In instances where masonry wraps the exterior corner of the home the masonry should continue to a natural transition point such as an inside corner of a projecting wall, a column, a door or window or other logical point. In cases where no such feature exists near the corner, the masonry wrap shall extend at least six feet from the corner.

2. Orientation of Dwellings to the Street

Each residence shall have at least one primary pedestrian doorway for access to the dwelling unit facing and generally visible from the front lot line of the property, and within twelve feet of the most forward plane of the ground level living space. On corner lots, the pedestrian doorway may face any adjacent street.

3. Garages

These regulations for garages shall be applied to non-living space or storage areas within garages whether used for storage of automobiles or other items.

a. Diversity of Garage Orientations

(A) All single family homes shall provide garages that meet one of the requirements below, and a variety in garage orientation by providing a minimum of two of the following garage orientations on any subdivision filing.
- Recessed garage: where the primary garage door generally faces the front lot line and the garage is recessed a minimum of two feet behind the most forward plane of the main floor living space or a front porch.
- Projecting garage: where the primary garage door generally faces the front lot line and the garage projects no more than fifteen feet from the front door.
- Side loaded garages.
- Garages recessed a minimum of two feet beneath a second floor living space.

b. Width/Facade Ratio

The width of a front loaded garage shall not exceed 65% of the width of the front elevation.

c. Three or More Car Garage Orientation

The third bay of all any three bay or more garage shall either:
i. Have a different orientation from the first two; or
ii. Shall be recessed behind the first two by at least two feet when having the same orientation; or
iii. Shall be tandem to the first two.

4. Front Stoop

For model plans with a front stoop, the front stoop shall include the platform and stairs that are generally in front of a door that can be covered or uncovered. The maximum width of a covered front stoop shall be three feet in width from the side of the front door. Covered platforms that exceed three feet in width from the side of the front door shall be considered a front porch.

5. Front Porches

For model plans with a front porch, the front porch shall be a minimum size of fifty square feet, excluding the stoop with a minimum depth of five feet.

Wise Farms Dimensional Standards Summary Chart

PLANNING AREA	ZONE DISTRICT	MIN LOT WIDTH	MIN LOT SIZE AREA (SF)	FRONT SETBACK	FRONT SETBACK (PORCH)	STREET SETBACK (SIDE OF HOME)	INTERIOR LOT LINE SETBACK	REAR SETBACK	MAX. HEIGHT
PA-1 - SFD Home	LR	85' (2)	8,250	20'	18'	8'	8'	20' (1)	35'
PA-2 - SFD Home	RR	100' (2)	40,000	30' (3)(4)	40' (3)	40' (3)	10' (3)	30' (3)(4)	35'

1. Unenclosed covered patios may project up to eight (8) feet into a rear setback. The projection shall be at least five (5) feet from the property line.
2. The minimum lot width shall be measured from the front setback line and shall be increased on corner lots to accommodate the street setback.
3. PA-1, PA-2, and PA-4 lots that are adjacent to the exterior boundary of Wise Farms shall conform to the underlying RR-Rural zoning setbacks.
4. Accessory Dwelling Units (ADU) shall be a Permitted Use by Right in PA-4. For a detached ADU, the minimum front setback shall be 40 feet; and, the minimum rear setback shall be 30 feet. Side setbacks shall follow setbacks listed in the table above. ADUs on PA-4 lots that are adjacent to the exterior boundary of Wise Farms shall conform to the underlying RR-Rural zoning setbacks. All ADUs shall conform to the Standards found in the Municipal Code.

PUD Land Use Summary

TRACT	ZONE DISTRICT	AREA (ACRES)	PRIMARY USE	DWELLING UNITS	DEDICATED OPEN SPACE
RESIDENTIAL					
PA-1	RR	3.00	SFD	1	0
PA-2	RR	2.44	SFD	1	0
PA-3	LR	35.40	SFD	125	0
PA-4	RR	55.03	SFD	39	0
SUBTOTAL:		95.87		166	0
NON-RESIDENTIAL					
RIGHT OF WAY		1.50			0
SUBTOTAL:		1.50			0
PA-5	LR	25.78	OPEN SPACE		0
PA-6	AG-CS	9.85	OPEN SPACE		9.28
PA-7	AG-CS	8.87	OPEN SPACE		0
PA-8	RR	27.18	OPEN SPACE		0
SUBTOTAL:		71.68			9.28
TOTAL:		169.05		166	9.28

planning & la
pcs group, inc
707 16th street, 2b-102
Denver Co 80202
tel (303) 534-6146
www.pcsgroupco.com

engineering
CVL
Contact: Melinda Lundquist, P.E.
10333 E. Dry Creek Road Suite 240
Englewood, CO 80112
ph(720)489-2539

applicant
Larger Land Investments, LLC
Contact Person: Jim Dallas
9162 S. Kenwood Court
Highlands Ranch, CO 80126
303.987.3400

project name

Wise Farms
PUD Zoning Map
Town of Erie, Colorado

sheet title

PUD Notes

sheet number

3 of 3

No.	Revisions	Date
5	Address Town Comments	12/23/2013
4	Address Town Comments	10/27/2013
3	Address Town Comments	8/1/2013
2	Address Town Comments	5/25/2013
1	Initial Submittal	11/8/2012

ATTACHMENT B

RESOLUTION NO. P15-08

A RESOLUTION REGARDING THE WISE FARMS PUD ZONING MAP, ADOPTING CERTAIN FINDINGS OF FACT AND CONCLUSIONS RECOMMENDING DENIAL OF THE PUD OVERLAY REZONING TO THE BOARD OF TRUSTEES.

WHEREAS, the Planning Commission of the Town of Erie Colorado has received and considered the Wise Farms PUD Zoning Map Rezoning on January 21, 2015 on the application of Elizabeth W. Kissell, and Wise Homestead, LLC, 11497 Jasper Road, Lafayette, CO, for Rezoning of the of the following described real property:

See Exhibit "A," attached hereto and incorporated herein, and

WHEREAS, the application for Rezoning is detailed on the attached PUD Overlay Zoning Map titled Wise Farms PUD Zoning Map, attached hereto and incorporated herein as Exhibit "B," and

WHEREAS, said Wise Farms PUD Overlay Zoning Map is incorporated herein and made a part hereof by this reference.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF ERIE, COLORADO, as follows:

Section 1. Findings of Fact

1. Following a duly noticed and conducted public hearing, the Planning Commission determined that the application is not in substantial compliance with the following approval criteria as specified in Title 10, Section 7.6 D.9 of the Town of Erie Municipal Code:
   a. The PUD Rezoning is not consistent with the Town's Comprehensive Master Plan and the purposes of this UDC;
   b. The PUD Rezoning is likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation..
   c. The PUD Rezoning is likely to result in significant adverse impacts upon other property in the vicinity of the subject property;
   d. Proposed uses on the subject property will not be compatible in scale with uses on other properties in the vicinity of the subject property;

Section 2. Conclusion and Order

Based on the above Findings of Fact, the Planning Commission hereby forwards the Wise Farms PUD Zoning Map, Rezoning application to the Board of Trustees with the Planning Commission's recommendation for denial.

INTRODUCED, READ, SIGNED AND APPROVED this 21st day of January 2015.

TOWN OF ERIE, PLANNING COMMISSION

By: _____
J. Eric Bottenhorn, Chair

ATTEST:

By: _____
Hallie S. Sawyer, Secretary

EXHIBIT A

(Wise Farms Legal Description)

NORTH PARCEL:

A PARCEL OF LAND BEING A PART OF THE NORTH HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST-SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS S00°04'01"E, A DISTANCE OF 1,316.88 FEET SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE S88°24'34"W, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 119TH STREET;

THENCE S88°24'34"W ALONG SAID SOUTH LINE, A DISTANCE OF 627.28 FEET; TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING S88°24'34"W ALONG SAID SOUTH LINE , A DISTANCE OF 3.19 FEET;

THENCE NORTH 00°09'24"W, A DISTANCE OF 114.08 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT NORTHERLY OF THE CENTERLINE OF THE EXISTING TRACK, SAID POINT BEING THE POINT OF BEGINNING;

THENCE S89°42'11"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 653.74 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING S89°42'11"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1,314.16 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING S89°42'11"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1,309.61 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEEST QUARTER OF SAID SECTION 14;

THENCE N00°29'33"W ALONG SAID WEST LINE, A DISTANCE OF 1,119.88 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF JASPER ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:

1. N88°21'52"E, A DISTANCEE OF 1,314.39 FEET
2. N88°17'28"E, A DISTANCE OF 1,317.03 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;
3. CONTINUING N88°17'28"E, A DISTANCE OF 599.53 FEET TO THE NORTHWESTERLY CORNER OF THAT TRACT OF LAND AS DESCRIBED ON SAID FILM 1555, AT RECEPTION NO. 953348;

THENCE S00°09'21"E ALONG THE WESTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 397.57 FEET TO THE MOST SOUTHERLY CORNER THEREOF;

THENCE N50°52'13"E ALONG THE SOUTHEASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 70.21 FEET;

THENCE S00°09'21"E, A DISTANCE OF 843.98 FEET TO THE POINT OF BEGINNING.

SOUTH PARCEL:

A PARCEL OF LAND BEING A PART OF THE NORTH HALF AND A PART OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST-SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS SOUTH 00°04'01" EAST, A DISTANCE OF 1316.88 FEET, SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREWITH BEING RELATIVE THERETO;

THENCE SOUTH 88°24'34" WEST, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 119TH STREET, SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH 00°04'10" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1316.93 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°18'16" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 1282.45 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 88°18'16" WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 1312.40 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°16'21" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 60.98 FEET TO THE SOUTHEASTERLY CORNER OF THAT TRACT OF LAND CONVEYED TO RONALD SCOTT JASPER, RONALD LEE JASPER AND VEE ANN JASPER AS DESCRIBED IN WARRANTY DEED RECORDED MAY 3, 1976, ON FILM 922 AS RECEPTION NO. 175271, OF THE RECORDS OF BOULDER COUNTY, COLORADO;

THENCE NORTH 00°19'00" WEST ALONG THE EASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 1381.63 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT, SOUTHERLY OF THE EXISTING TRACK;

THENCE NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 62.45 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1314.28 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

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THENCE CONTINUING NORTH 88°24'34" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 627.28 FEET TO THE POINT OF BEGINNING.

SAID NORTH, SOUTH AND JASPER ROAD RIGHT-OF-WAY PARCELS CONTAINING A CALCULATED AREA OF 7,576,344 SQUARE FEET, OR 173.929 ACRES, MORE OR LESS.

EXHIBIT B
(Wise Farms PUD Zoning Map)

Wise Farms PUD Zoning Map

a part of section 14, township 1 north, range 69 west of the 6th p.m.
town of erie, county of boulder, state of colorado
169.05 acres
PUD-13-00071

OVERALL BOUNDARY DESCRIPTION

NORTH PARCEL:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST-SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS SOUTH 00°04'01" EAST, A DISTANCE OF 1316 88 FEET SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE SOUTH 88°24'34" WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 30 01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 119TH STREET;

THENCE CONTINUING SOUTH 88°24'34" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 627 28 FEET, TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 88°24'34" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 3 19 FEET;

THENCE NORTH 00°09'21" WEST, A DISTANCE OF 114 08 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT NORTHERLY OF THE CENTERLINE OF THE EXISTING TRACK, SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH 89°42'11" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 653 74 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14,

THENCE CONTINUING SOUTH 89°42'11" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE , A DISTANCE OF 1314 46 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 89°42'11" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1309 61 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14;

THENCE NORTH 00°29'33" WEST ALONG SAID WEST LINE, A DISTANCE OF 1139 88 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF JASPER ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES

1. NORTH 88°21'52" EAST, A DISTANCE OF 1314 39 FEET;
2. NORTH 88°17'58" EAST, A DISTANCE OF 1327 03 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14.
3. CONTINUING NORTH 88°17'58" EAST, A DISTANCE OF 599 53 FEET TO THE NORTHWESTERLY CORNER OF THAT TRACT OF LAND AS DESCRIBED ON SAID FILM 1555, AT RECEPTION NO 953348;

THENCE SOUTH 00°09'21" EAST ALONG THE WESTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 397 57 FEET TO THE MOST SOUTHERLY CORNER THEREOF;

THENCE NORTH 50°52'13" EAST ALONG THE SOUTHEASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 70 21 FEET;

THENCE SOUTH 00°09'21" EAST, DISTANCE OF 843 98 FEET TO THE POINT OF BEGINNING,

SAID PARCEL CONTAINING A CALCULATED AREA OF 3,782,135 SQUARE FEET OR 86 826 ACRES, MORE OR LESS

SOUTH PARCEL

A PARCEL OF LAND BEING A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST-SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS SOUTH 00°04'01" EAST, A DISTANCE OF 1316 88 FEET, SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREWITH BEING RELATIVE THERETO;

THENCE SOUTH 88°24'34" WEST, A DISTANCE OF 30 01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE TO NORTH 119TH STREET;

THENCE SOUTH 00°04'01" EAST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 0 14 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT, SOUTHERLY OF THE EXISTING TRACK, SAID POINT BEING THE POINT OF BEGINNING,

THENCE CONTINUING SOUTH 00°04'01" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1316 79 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°18'16" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 1282 39 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14,

THENCE CONTINUING SOUTH 88°18'16" WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 1312 40 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°16'21" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 60 98 FEET TO THE SOUTHEASTERLY CORNER OF THAT TRACT OF LAND CONVEYED TO RONALD SCOTT JASPER, RONALD LEE JASPER AND VEE ANN JASPER AS DESCRIBED IN WARRANTY DEED RECORDED MAY 3, 1976, ON FILM 922 AS RECEPTION NO 175271, OF THE RECORDS OF BOULDER COUNTY, COLORADO:

THENCE NORTH 00°19'00" WEST ALONG THE EASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 1381 63 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY BEING 50 FEET, BY PERPENDICULAR MEASUREMENT, SOUTHERLY OF THE EXISTING TRACK;

THENCE NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 62 45 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1314 28 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 653 74 FEET;

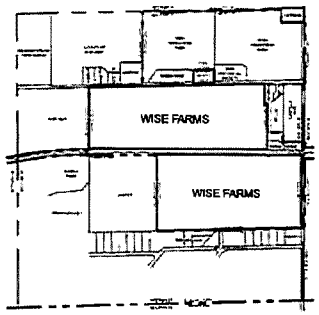
THENCE SOUTH 00°09'21" EAST, A DISTANCE OF 14 09 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE NORTH 88°24'34" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 3 19 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 88°24'34" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 620 87 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY;

THENCE NORTH 89°42'11" EAST, ALONG SAID SOUTHERLY RAILROAD RIGHT-OF-WAY LINE, A DISTANCE OF 6 40 FEET TO THE POINT OF BEGINNING,

SAID SOUTH PARCEL CONTAINING A CALCULATED ARE OF 3,581,472 SQUARE FEET OR 82 219 ACRES, MORE OR LESS



VICINITY MAP
SCALE: 1" = 1000'

PUD NOTES:

1. THIS PUD ZONING MAP MODIFIES STANDARDS FOUND IN MUNICIPAL CODE TITLE 10 IN THE EVENT THAT THERE IS A DISCREPANCY BETWEEN THE MUNICIPAL CODE AND THIS PUD, THE PUD SHALL CONTROL. ANY PROVISIONS THAT ARE NOT SPECIFICALLY ADDRESSED IN THIS PUD ZONING MAP SHALL COMPLY WITH THE MUNICIPAL CODE.

2. THE MAXIMUM NUMBER OF UNITS ALLOWED IN THIS PUD IS 166

SURVEYOR'S CERTIFICATE

I, _____, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PUD ZONING MAP TRULY AND CORRECTLY REPRESENTS THE ABOVE DESCRIBED LEGAL DESCRIPTIONS FOR EACH PUD OVERLAY ZONE DISTRICT.

I ATTEST THE ABOVE ON THIS _____DAY OF _____, 2014

_____

COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR #

PLANNING COMMISSION CERTIFICATION

THIS PUD ZONING MAP WAS REVIEWED BY THE PLANNING COMMISSION ON THE_____DAY OF _____, 2014.

_____ _____
CHAIRPERSON DATE

BOARD OF TRUSTEES APPROVAL CERTIFICATE

THIS PUD ZONING MAP IS TO BE KNOWN AS THE "WISE FARMS PUD ZONING MAP" AND IS APPROVED AND ACCEPTED BY ORDINANCE NO._____ PASSED AND ADOPTED AT THE REGULAR (SPECIAL) MEETING OF THE BOARD OF TRUSTEES OF ERIE, COLORADO, HELD ON_____, 2014

_____ _____
MAYOR

ATTEST

_____
TOWN CLERK

CLERK & RECORDER CERTIFICATE

STATE OF COLORADO)
) SS.
COUNTY OF BOULDER)

I HEREBY CERTIFY THAT THIS PUD ZONING MAP WAS FILED IN MY OFFICE ON THIS DAY OF_____ 2014 A.D. AND WAS RECORDED AT RECEPTION NUMBER_____.

_____
COUNTY CLERK AND RECORDER

SHEET INDEX
1.....Cover
2.....PUD Plan
3.....PUD Notes

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www.pcsgroupco.com

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CVL consultants
Contact: Melinda Lundquist, P.E.
10333 E. Dry Creek Road Suite 240
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ph:(720)249-3539

applicant
Jasper Land Investments, LLC
Contact Person: Jim Delle
11625 Kenwood Court,
Highlands Ranch, CO 80129
303.902.5400

project name

Wise Farms
PUD Zoning Map
Town of Erie, Colorado

sheet title

Cover Sheet

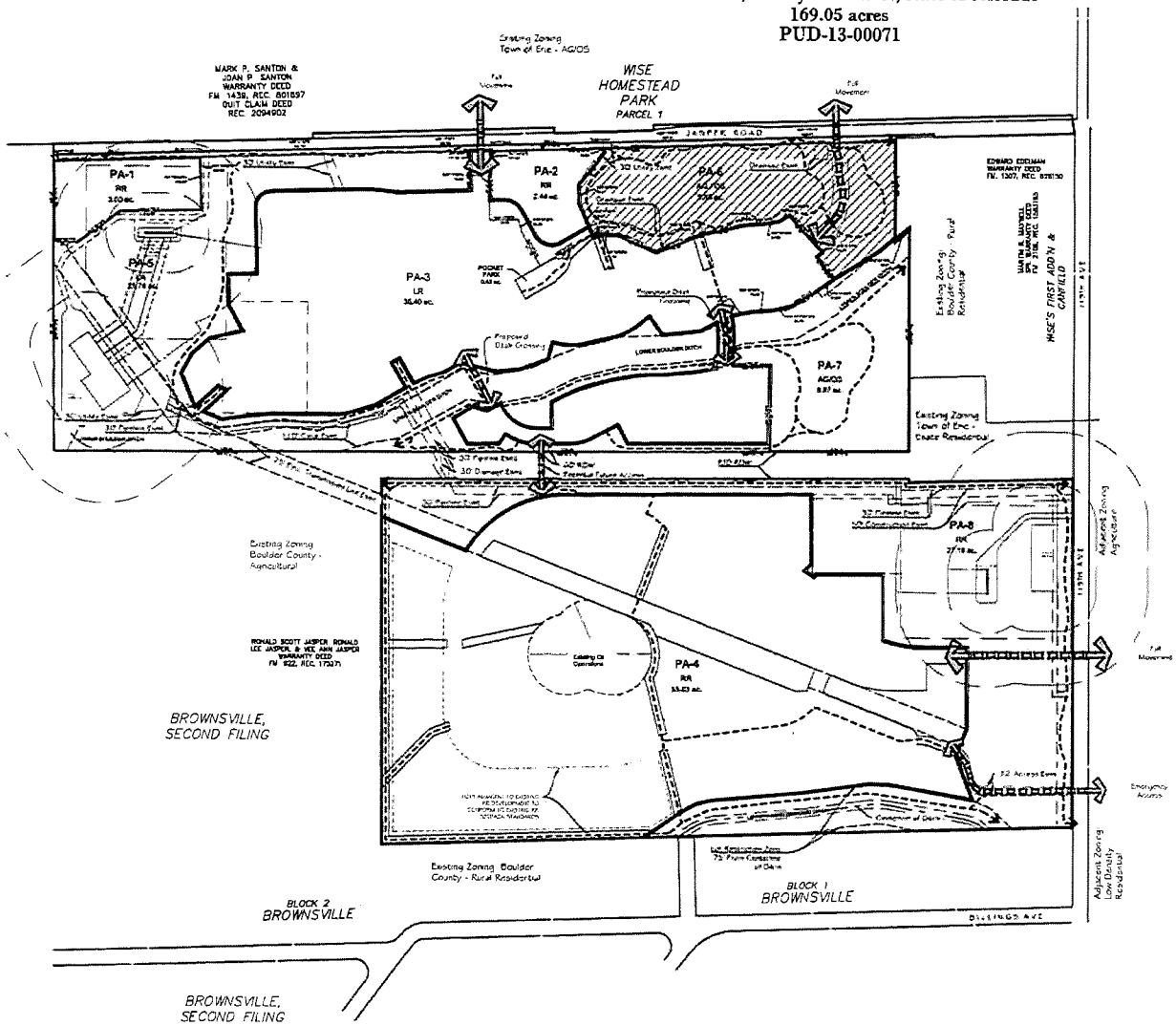
sheet number

1 of 3

No.	Revisions	Date
5	Address Town Comments	12/22/2014
4	Address Town Comments	10/27/2014
3	Address Town Comments	8/1/2014
2	Address Town Comments	4/21/2014
1	Initial Submittal	11/8/2013

Wise Farms PUD Zoning Map

a part of section 14, township 1 north, range 69 west of the 6th p.m.
town of erie, county of boulder, state of colorado
169.05 acres
PUD-13-00071



Development Summary		
LAND USE	ACRES	% of TOTAL
Residential	95.87	56.71%
Dedicated Parks & Open Space	9.28	5.49%
Non-Dedicated Open Space	62.40	36.91%
R.O.W	1.50	0.89%
Total:	169.05	100.00%

Parks & Open Space		
Park Area	Dedication Requirement (Acres)	Dedicated Open Space and Park Provided (Acres)
Open Space	7.87	9.28
Pocket Park	0.23	0.45
Neighborhood Park	1.39	Fee in Lieu
Community Park	2.32	Fee in Lieu

LEGEND
- DEDICATED PUBLIC OPEN SPACE
- PRIVATE OPEN SPACE
- TRAIL CONNECTIONS
- OIL & GAS SETBACKS
- EASEMENT
- ACCESS

SCALE: 1"=200'

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Wise Farms
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Town of Erie, Colorado

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PUD Plan

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a part of section 14, township 1 north, range 69 west of the 6th p.m.
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169.05 acres
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ARCHITECTURAL STANDARDS - LR ZONING SINGLE FAMILY RESIDENTIAL

1. Architectural Variety and Character

a. Architectural Variety

I. Design Standards

(A) No identical model plan elevation shall be repeated directly across any street from the same model plan and elevation.

(B) No identical model plan elevation shall be repeated more than once within every 4 lots on the same side of any street

(C) A minimum of 3 alternative elevations for each model plan shall be submitted to the Town for review.

b. Architectural Character

Each single family detached model plan and elevation shall demonstrate the following design attributes:

I. Design Standards

(A) Each elevation shall include a minimum of two windows (or one window and one door) per floor.

(B) Each front and rear elevation shall include more than one wall plane, articulation that adds shadow and visual interest is encouraged.

(C) A variety of roof forms should be used. Single unbroken roof pitches should be avoided, except where a single roof treatment is an essential element of the Architectural Style

(D) The main roof should extend beyond the primary facade by a minimum of one foot.

(E) An elevation of the home that faces a street, park, trail corridor or open space area shall provide an "Enhanced Elevation". An "Enhanced Elevation" shall provide three or more of the following design enhancements listed in (1) through (5) below. Application of the design enhancement shall be applied in a manner that is consistent with the style of the home. Side and rear elevation design enhancements shall be consistent with the design elements of the front elevations.

(1) The addition of one window unit.
(2) A change in wall plane by providing one or more of the following options:
- An additional wall plane change. Minimum six feet in width and one foot projection.
- A projecting or cantilevered living space.
- A bay or boxed window.
(3) A covered porch or deck.
(4) The addition of architectural detail elements such as: shutters, eave brackets, exposed rafter tails, corbels, lintels, trellises, columns or pilasters.
(5) The use of a minimum of two exterior cladding materials that can include materials such as masonry (cultured stone, stone, brick, stucco, or tile), lap siding, shingles, board and batten, or other decorative siding treatment.

(F) Columns or posts extending more than 36 inches above the ground which support structural elements such as porches, decks, or roofs should appear to be of adequate mass to support the structure above. (No exposed 4"x4" posts shall be allowed more than 36 inches above the ground). Columns supporting upper story decks should be 6"x6" minimum finished.

II. Materials

(A) All exterior materials shall be of high quality, used in applications and treated appropriately to provide an attractive and long lasting appearance.

(B) When masonry cladding is used in locations where its mass is logical and appropriate. In instances where masonry wraps the exterior corner of the home the masonry should continue to a natural transition point such as an inside corner of a projecting wall, a column, a door or window or other logical point. In cases where no such feature exists near the corner, the masonry wrap shall extend at least six feet from the corner

2. Orientation of Dwellings to the Street

Each residence shall have at least one primary pedestrian doorway for access to the dwelling unit facing and generally visible from the front lot line of the property, and within twelve feet of the most forward plane of the ground level living space. On corner lots, the pedestrian doorway may face any adjacent street

3. Garages

These regulations for garages shall be applied to non-living space or storage areas within garages whether used for storage of automobiles or other items.

a. Diversity of Garage Orientation:

(A) All single family homes shall provide garages that meet one of the requirements below, and a variety in garage orientation by providing a minimum of two of the following garage orientations on any subdivision filing.
- Recessed garage; where the primary garage door generally faces the front lot line and the garage is recessed a minimum of two feet behind the most forward plane of the main floor living space or a front porch.
- Projecting garages; where the primary garage door generally faces the front lot line and the garage projects no more than fifteen feet from the front door.
- Side loaded garages.
- Garages recessed a minimum of two feet beneath a second floor living space.

b. Width/Facade Ratio

The width of a front loaded garage shall not exceed 65% of the width of the front elevation.

c. Three or More Car Garage Orientation

The third bay of of any three bay or more garage shall either:
I. Have a different orientation from the first two; or
II. Shall be recessed behind the first two by at least two feet while having the same orientation; or
III. Shall be tandem to the first two.

4. Front Stoop

For model plans with a front stoop; the front stoop shall include the platform and stairs that are generally in front of a door that can be covered or uncovered. The maximum width of a covered front stoop shall be three feet in width from the side of the front door. Covered platforms that exceed three feet in width from the side of the front door shall be considered a front porch

5. Front Porches

For model plans with a front porch; the front porch shall be a minimum size of fifty square feet, excluding the stoop with a minimum depth of five feet.

Wise Farms Dimensional Standards Summary Chart

PLANNING AREA	ZONE DISTRICT	MIN LOT WIDTH	MIN LOT NET AREA (SF)	FRONT SETBACK	FRONT SETBACK (PORCH)	STREET SETBACK (SIDE OF HOME)	INTERIOR LOT LINE SETBACK	REAR SETBACK	MAX. HEIGHT
PA-3 - SFD Homes	LR	55' (2)	5,750	20'	15'	10'	5'	20' (1)	35'
PA-4 - SFD Homes	RR	100' (2)	40,000	30' (3)(4)	30' (3)	30' (3)	10' (3)	30' (3)(4)	35'

1. Unenclosed covered patios may project up to eight (8) feet into a rear setback. The projection shall be at least five (5) feet from the property line.
2. The minimum lot width shall be measured from the front setback line and shall be increased on corner lots to accommodate the street setback
3. PA-1, PA-2, and PA-4 lots that are adjacent to the exterior boundary of Wise Farms shall conform to the underlying RR-Rural zoning setbacks.
4. Accessory Dwelling Units (ADU) shall be a Permitted Use by Right in PA-4. For a detached ADU, the minimum front setback shall be 40 feet; and, the minimum rear setback shall be 30 feet. Side setbacks shall follow setbacks listed in the table above. ADUs on PA-4 lots that are adjacent to the exterior boundary of Wise Farms shall conform to the underlying RR-Rural zoning setbacks. All ADUs shall conform to the Standards found in the Municipal Code.

PUD Land Use Summary

TRACT	ZONE DISTRICT	AREA (ACRES)	PRIMARY USE	DWELLING UNITS	DEDICATED OPEN SPACE
RESIDENTIAL					
PA-1	RR	3.00	SFD	1	0
PA-2	RR	2.44	SFD	1	0
PA-3	LR	35.40	SFD	125	0
PA-4	RR	55.03	SFD	39	0
SUBTOTAL:		95.87		166	0
NON-RESIDENTIAL					
RIGHT OF WAY		1.50			0
SUBTOTAL:		1.50			0
PA-5	LR	25.78	OPEN SPACE		0
PA-6	AG/OS	9.85	OPEN SPACE		9.28
PA-7	AG/OS	8.87	OPEN SPACE		0
PA-8	RR	27.18	OPEN SPACE		0
SUBTOTAL:		71.68			9.28
TOTAL:		169.05		166	9.28

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Wise Farms
PUD Zoning Map
Town of Erie, Colorado

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PUD Notes

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ATTACHMENT C

Existing Town of Erie Dimensional Standards & Wise Farms Dimensional Standards										
	PLANNING AREA	*ZONE DISTRICT*	*MIN LOT WIDTH*	*MIN LOT NET AREA (SF)*	*FRONT SETBACK*	*FRONT SETBACK (PORCH)*	*STREET SETBACK (SIDE OF HOME)*	*INTERIOR LOT LINE SETBACK*	*REAR SETBACK*	*MAX. HEIGHT*
Wise Farms Dimensional Standards	PA-3 - SFD Homes	LR	55' (2)	5,750	20'	15'	10'	5'	20' (1)	35'
	PA-4 - SFD Homes	RR	100' (2)	40,000	30' (3)(4)	30' (3)	30' (3)	10' (3)	30' (3)(4)	35'
Existing Town of Erie Dimensional Standards	SFD	LR	50'	5,000	20'	NA	20'	5'	20'	35'
	SFD	RR	150' (3)	80,000	40'	NA	40'	15'	40'	40'

1. Unenclosed covered patios may project up to eight (8) feet into a rear setback. The projection shall be at least five (5) feet from the property line.
2. The minimum lot width shall be measured from the front setback line and shall be increased on corner lots to accommodate the street setback
3. PA-1, PA-2, and PA-4 lots that are adjacent to the exterior boundary of Wise Farms shall conform to the underlying RR-Rural zoning setbacks.
4. Accessory Dwelling Units (ADU)s shall be a Permitted Use by Right in PA-4. For a detached ADU, the minimum front setback shall be 40 feet; and, the minimum rear setback shall be 30 feet. Side setbacks shall follow setbacks listed in the table above. ADUs on PA-4 lots that are adjacent to the exterior boundary of Wie Farms shall conform to the underlying RR-Rural zoning setbacks. All ADUs shall conform to the Standards found in the Municipal Code.

The above exhibit has been provided to illustrate how the underlying zone disctrict is being varied in the Wise Farms PUD Zoning Map.

Wise Farms PUD Zoning Map

a part of section 14, township 1 north, range 69 west of the 6th p.m.
town of erie, county of boulder, state of colorado
169.05 acres
PUD-13-00071

OVERALL BOUNDARY DESCRIPTION

NORTH PARCEL:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST-SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS SOUTH 00°04'01" EAST, A DISTANCE OF 1316.88 FEET SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE SOUTH 88°24'34" WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 119TH STREET;

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THENCE SOUTH 00°09'21" EAST ALONG THE WESTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 397.57 FEET TO THE MOST SOUTHERLY CORNER THEREOF;

THENCE NORTH 50°52'13" EAST ALONG THE SOUTHEASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 70.21 FEET;

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A PARCEL OF LAND BEING A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE SOUTH 88°24'34" WEST, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE TO NORTH 119TH STREET;

THENCE SOUTH 00°04'01" EAST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 0.14 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT, SOUTHERLY OF THE EXISTING TRACK, SAID POINT BEING THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°04'01" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1316.79 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°18'16" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 1282.39 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 88°18'16" WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 1312.40 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°16'21" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 60.98 FEET TO THE SOUTHEASTERLY CORNER OF THAT TRACT OF LAND CONVEYED TO RONALD SCOTT JASPER, RONALD LEE JASPER AND VEE ANN JASPER AS DESCRIBED IN WARRANTY DEED RECORDED MAY 3, 1976, ON FILM 922 AS RECEPTION NO. 175271, OF THE RECORDS OF BOULDER COUNTY, COLORADO:

THENCE NORTH 00°19'00" WEST ALONG THE EASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 1381.63 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY BEING 50 FEET, BY PERPENDICULAR MEASUREMENT, SOUTHERLY OF THE EXISTING TRACK;

THENCE NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 62.45 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1314.28 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 653.74 FEET;

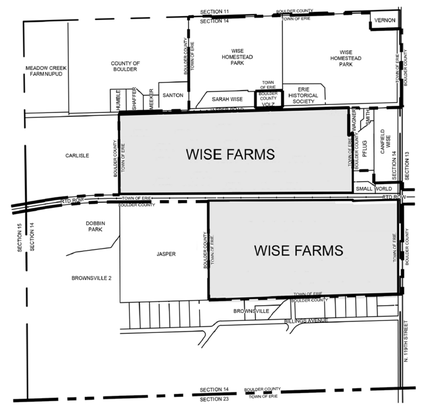
THENCE SOUTH 00°09'21" EAST, A DISTANCE OF 14.09 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE NORTH 88°24'34" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 3.19 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 88°24'34" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 620.87 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY;

THENCE NORTH 89°42'11" EAST, ALONG SAID SOUTHERLY RAILROAD RIGHT-OF-WAY LINE, A DISTANCE OF 6.40 FEET TO THE POINT OF BEGINNING,

SAID SOUTH PARCEL CONTAINING A CALCULATED ARE OF 3,581,472 SQUARE FEET OR 82.219 ACRES, MORE OR LESS.



VICINITY MAP
SCALE: 1" = 1000'

PUD NOTES:

1. THIS PUD ZONING MAP MODIFIES STANDARDS FOUND IN MUNICIPAL CODE TITLE 10. IN THE EVENT THAT THERE IS A DISCREPANCY BETWEEN THE MUNICIPAL CODE AND THIS PUD, THE PUD SHALL CONTROL. ANY PROVISIONS THAT ARE NOT SPECIFICALLY ADDRESSED IN THIS PUD ZONING MAP SHALL COMPLY WITH THE MUNICIPAL CODE.

2. THE MAXIMUM NUMBER OF UNITS ALLOWED IN THIS PUD IS 166.

SURVEYOR'S CERTIFICATE

I, _____, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PUD ZONING MAP TRULY AND CORRECTLY REPRESENTS THE ABOVE DESCRIBED LEGAL DESCRIPTIONS FOR EACH PUD OVERLAY ZONE DISTRICT.

I ATTEST THE ABOVE ON THIS _____DAY OF _____, 2014.

_____

COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR #

PLANNING COMMISSION CERTIFICATION

THIS PUD ZONING MAP WAS REVIEWED BY THE PLANNING COMMISSION ON THE____DAY OF _____, 2014.

_____ _____ _____
CHAIRPERSON DATE

BOARD OF TRUSTEES APPROVAL CERTIFICATE

THIS PUD ZONING MAP IS TO BE KNOWN AS THE "WISE FARMS PUD ZONING MAP" AND IS APPROVED AND ACCEPTED BY ORDINANCE NO._____, PASSED AND ADOPTED AT THE REGULAR (SPECIAL) MEETING OF THE BOARD OF TRUSTEES OF ERIE, COLORADO, HELD ON_____, 2014.

_____ _____
MAYOR

ATTEST

_____
TOWN CLERK

CLERK & RECORDER CERTIFICATE

STATE OF COLORADO)
) SS.
COUNTY OF BOULDER)

I HEREBY CERTIFY THAT THIS PUD ZONING MAP WAS FILED IN MY OFFICE ON THIS DAY OF_____, 2014 A.D. AND WAS RECORDED AT RECEPTION NUMBER_____.

_____
COUNTY CLERK AND RECORDER

SHEET INDEX

1.....Cover
2.....PUD Plan
3.....PUD Notes

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pcs group, inc.
1001 16th street, 3B-180
Denver, Co 80265
tel (303) 531-4905
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ph:(720)249-3539

applicant
Jasper Land Investments, LLC
Contact Person: Jim Dullea
9162 S. Kenwood Court,
Highlands Ranch, CO 80126
303.902.5400

project name

Wise Farms
PUD Zoning Map
Town of Erie, Colorado

sheet title

Cover Sheet

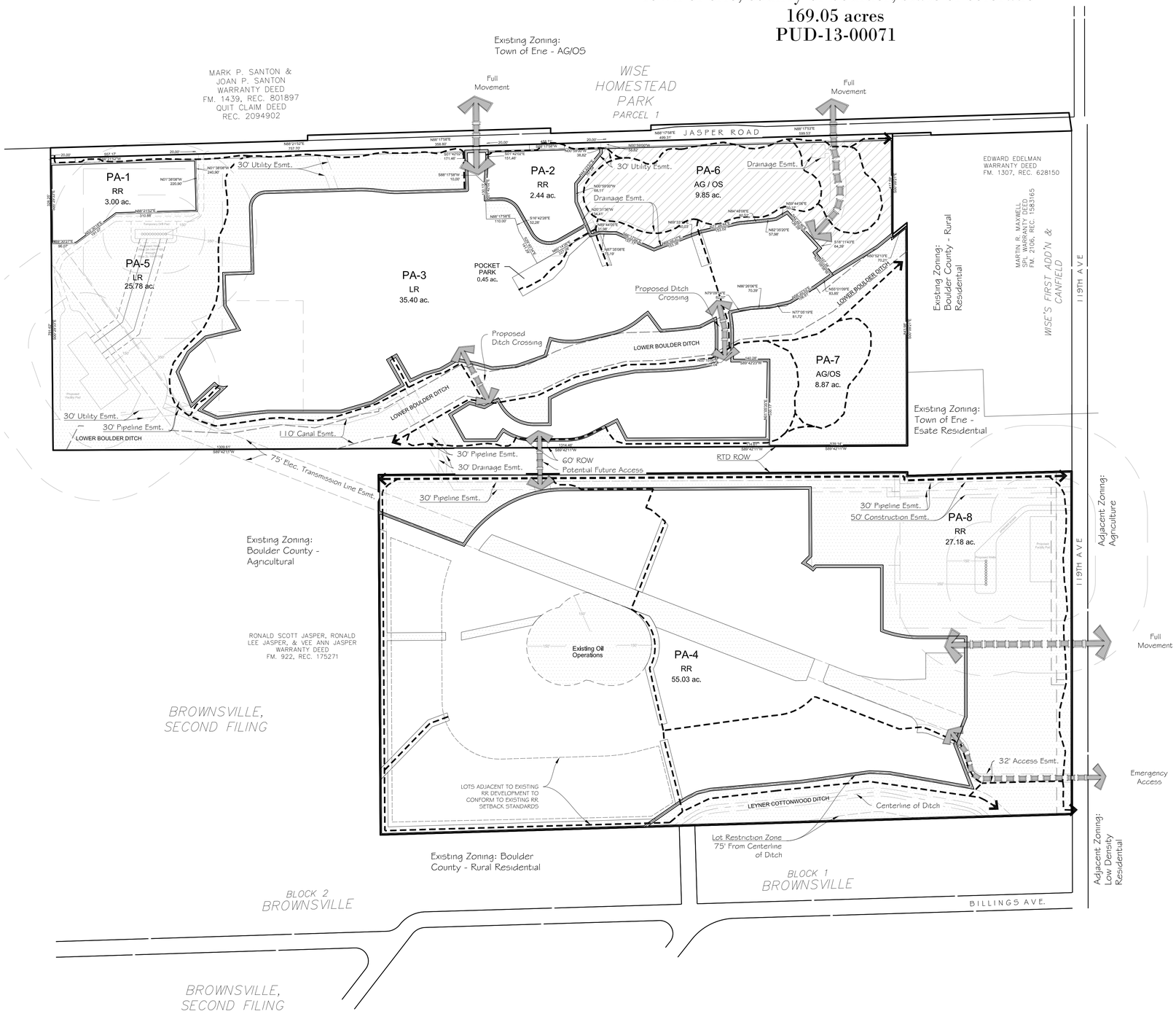
sheet number

1 of 3

No.	Revisions	Date
5	Address Town Comments	12/22/2014
4	Address Town Comments	10/27/2014
3	Address Town Comments	8/1/2014
2	Address Town Comments	4/25/2014
1	Initial Submittal	11/8/2013

Wise Farms PUD Zoning Map

a part of section 14, township 1 north, range 69 west of the 6th p.m.
town of erie, county of boulder, state of colorado
169.05 acres
PUD-13-00071



Development Summary

LAND USE	ACRES	% of TOTAL
Residential	95.87	56.71%
Dedicated Parks & Open Space	9.28	5.49%
Non-Dedicated Open Space	62.40	36.91%
R.O.W	1.50	0.89%
Total:	169.05	100.00%

Parks & Open Space

Park Area	Dedication Requirement (Acres)	Dedicated Open Space and Park Provided (Acres)
Open Space	7.87	9.28
Pocket Park	0.23	0.45
Neighborhood Park	1.39	Fee in Lieu
Community Park	2.32	Fee in Lieu

LEGEND

- DEDICATED PUBLIC OPEN SPACE
- PRIVATE OPEN SPACE
- TRAIL CONNECTIONS
- OIL & GAS SETBACKS
- EASEMENT
- ACCESS

0' 100' 200' 400'
SCALE: 1" = 200'

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town of erie, county of boulder, state of colorado
169.05 acres
PUD-13-00071

ARCHITECTURAL STANDARDS - LR ZONING SINGLE FAMILY RESIDENTIAL

1. Architectural Variety and Character

a. Architectural Variety

i. Design Standards

(A) No identical model plan elevation shall be repeated directly across any street from the same model plan and elevation.

(B) No identical model plan elevation shall be repeated more than once within every 4 lots on the same side of any street.

(C) A minimum of 3 alternative elevations for each model plan shall be submitted to the Town for review.

b. Architectural Character

Each single family detached model plan and elevation shall demonstrate the following design attributes:

i. Design Standards

(A) Each elevation shall include a minimum of two windows (or one window and one door) per floor.

(B) Each front and rear elevation shall include more than one wall plane. Articulation that adds shadow and visual interest is encouraged.

(C) A variety of roof forms should be used. Single unbroken roof pitches should be avoided, except where a single roof treatment is an essential element of the Architectural Style.

(D) The main roof should extend beyond the primary facade by a minimum of one foot.

(E) An elevation of the home that faces a street, park, trail corridor or open space area shall provide an "Enhanced Elevation". An "Enhanced Elevation" shall provide three or more of the following design enhancements listed in (1) through (5) below. Application of the design enhancement shall be applied in a manner that is consistent with the style of the home. Side and rear elevation design enhancements shall be consistent with the design elements of the front elevations.

(1) The addition of one window unit.
(2) A change in wall plane by providing one or more of the following options:
- An additional wall plane change. Minimum six feet in width and one foot projection.
- A projecting or cantilevered living space.
- A bay or boxed window.
(3) A covered porch or deck.
(4) The addition of architectural detail elements such as: shutters, eave brackets, exposed rafter tails, corbels, lintels, trellises, columns or pilasters.
(5) The use of a minimum of two exterior cladding materials that can include materials such as masonry (cultured stone, stone, brick, stucco, or tile), lap siding, shingles, board and batten, or other decorative siding treatment.

(F) Columns or posts extending more than 36 inches above the ground which support structural elements such as porches, decks, or roofs should appear to be of adequate mass to support the structure above. (No exposed 4"x4" posts shall be allowed more than 36 inches above the ground). Columns supporting upper story decks should be 8"x8" minimum finished.

ii. Materials

(A) All exterior materials shall be of high quality, used in applications and treated appropriately to provide an attractive and long lasting appearance.

(B) When masonry cladding is used in locations where its mass is logical and appropriate. In instances where masonry wraps the exterior corner of the home the masonry should continue to a natural transition point such as an inside corner of a projecting wall, a column, a door or window or other logical point. In cases where no such feature exists near the corner, the masonry wrap shall extend at least six feet from the corner.

2. Orientation of Dwellings to the Street

Each residence shall have at least one primary pedestrian doorway for access to the dwelling unit facing and generally visible from the front lot line of the property, and within twelve feet of the most forward plane of the ground level living space. On corner lots, the pedestrian doorway may face any adjacent street.

3. Garages

These regulations for garages shall be applied to non-living space or storage areas within garages whether used for storage of automobiles or other items.

a. Diversity of Garage Orientation:

(A) All single family homes shall provide garages that meet one of the requirements below, and a variety in garage orientation by providing a minimum of two of the following garage orientations on any subdivision filing.
- Recessed garage; where the primary garage door generally faces the front lot line and the garage is recessed a minimum of two feet behind the most forward plane of the main floor living space or a front porch.
- Projecting garages; where the primary garage door generally faces the front lot line and the garage projects no more than fifteen feet from the front door.
- Side loaded garages.
- Garages recessed a minimum of two feet beneath a second floor living space.

b. Width/Facade Ratio

The width of a front loaded garage shall not exceed 65% of the width of the front elevation.

c. Three or More Car Garage Orientation

The third bay of of any three bay or more garage shall either:
i. Have a different orientation from the first two; or
ii. Shall be recessed behind the first two by at least two feet when having the same orientation; or
iii. Shall be tandem to the first two.

4. Front Stoop

For model plans with a front stoop; the front stoop shall include the platform and stairs that are generally in front of a door that can be covered or uncovered. The maximum width of a covered front stoop shall be three feet in width from the side of the front door. Covered platforms that exceed three feet in width from the side of the front door shall be considered a front porch.

5. Front Porches

For model plans with a front porch; the front porch shall be a minimum size of fifty square feet, excluding the stoop with a minimum depth of five feet.

Wise Farms Dimensional Standards Summary Chart

PLANNING AREA	ZONE DISTRICT	MIN LOT WIDTH	MIN LOT NET AREA (SF)	FRONT SETBACK	FRONT SETBACK (PORCH)	STREET SETBACK (SIDE OF HOME)	INTERIOR LOT LINE SETBACK	REAR SETBACK	MAX. HEIGHT
PA-3 - SFD Homes	LR	55' (2)	5,750	20'	15'	10'	5'	20' (1)	35'
PA-4 - SFD Homes	RR	100' (2)	40,000	30' (3)(4)	30' (3)	30' (3)	10' (3)	30' (3)(4)	35'

1. Unenclosed covered patios may project up to eight (8) feet into a rear setback. The projection shall be at least five (5) feet from the property line.

2. The minimum lot width shall be measured from the front setback line and shall be increased on corner lots to accommodate the street setback

3. PA-1, PA-2, and PA-4 lots that are adjacent to the exterior boundary of Wise Farms shall conform to the underlying RR-Rural zoning setbacks.

4. Accessory Dwelling Units (ADU) shall be a Permitted Use by Right in PA-4. For a detached ADU, the minimum front setback shall be 40 feet; and, the minimum rear setback shall be 30 feet. Side setbacks shall follow setbacks listed in the table above. ADUs on PA-4 lots that are adjacent to the exterior boundary of Wise Farms shall conform to the underlying RR-Rural zoning setbacks. All ADUs shall conform to the Standards found in the Municipal Code.

PUD Land Use Summary

TRACT	ZONE DISTRICT	AREA (ACRES)	PRIMARY USE	DWELLING UNITS	DEDICATED OPEN SPACE
RESIDENTIAL					
PA-1	RR	3.00	SFD	1	0
PA-2	RR	2.44	SFD	1	0
PA-3	LR	35.40	SFD	125	0
PA-4	RR	55.03	SFD	39	0
SUBTOTAL:		95.87		166	0
NON-RESIDENTIAL					
RIGHT OF WAY		1.50			0
SUBTOTAL:		1.50			0
PA-5	LR	25.78	OPEN SPACE		0
PA-6	AG/OS	9.85	OPEN SPACE		9.28
PA-7	AG/OS	8.87	OPEN SPACE		0
PA-8	RR	27.18	OPEN SPACE		0
SUBTOTAL:		71.68			9.28
TOTAL:		169.05		166	9.28

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applicant

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w i s e f a r m s

P U D
Z O N I N G
N A R R A T I V E

pcs group inc. www.pcsgroupco.com
#3 independence plaza, B-180 ,
1001 16th street , denver co 80265
t 303 531 4905

wise farms

PUD NARRATIVE

-

NOVEMBER 2013
revised
APRIL 2014
JULY 2014
OCTOBER 2014

submitted to:

The Town of Erie

645 Holbrook Street, Erie, Colorado 805416

project team

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1801 Broadway, Suite 1600 Denver, Colorado 80202
tel. 303.292.9021 - contact: Lance Astrella

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section b:

Relationship to existing land use and adjacent properties.

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Property Analysis.

section d:

Town’s Comprehensive Plan and Approval criteria.

section a:

GENERAL PROJECT CONCEPT AND PURPOSE OF THE REQUEST.

Project Concept

Jasper Land Investments LLC, (the 'Applicant') is pleased to present this written narrative as required for the Rezoning process, for a tract of land located in section 14, township 1 north, range 69 west of the sixth principal meridian, county of Boulder, State of Colorado, more commonly known as the Wise Farm. In this document we will discuss the property background, the proposed rezoning and rationale for the request.

We have been working with the Wise family since 2005 on this exceptional property. At this time we are requesting a Rezoning for a portion of the property from Rural Residential to Low Density Residential, and Agricultural/OS, with a PUD Zoning Overlay that will restrict the development in terms of density, and will increase the buffers and setbacks to our neighbors. In addition we are also requesting a Preliminary Plat. In total we believe that this proposal meets the spirit and intent of the comprehensive plan for the Town of Erie that was adopted in December of 2005.

We are very excited about the creation of a uniquely clustered and themed community. Based on the input that we received during the Sketch Plan process, and additional planning and engineering studies that we have completed,

we have reduced our proposed unit count from 345 units to 166 units. We have also proposed significant buffers adjacent to our surrounding neighbors. Along the existing neighbors to the east of Wise Farms we have proposed an open space area that ranges in width from approximately 300' to over 500'. We are also proposing various trail corridors to connect the open space areas, and have substantial setbacks from Jasper Road to maintain the rural theme for the project. All of these open space buffers create a true cluster concept that meets the Town criteria and furthers the goals of the Comprehensive Plan.

As requested by the Town of Erie staff we are proposing to dedicate the open space land that is adjacent to Jasper Rd, as well as the eastern buffer of the property. In addition, the Town of Erie staff has requested that we pay cash-in-lieu for both the Neighborhood Park and Community Park required acreages. The dedication amount is determined by the population being generated by the proposed number of households. In this case we have reduced the number of proposed households to the point that we are generating a very modest need for Neighborhood and Community Parks. The Town of Erie staff has determined that it would be in the best interest of the Town of Erie to collect cash-in-lieu fees, versus having dedicated park space on this property.

As stated in the Unified Development Code, 10.6.7-D.b.i.B - Diversification Standards shall not apply to Residential Zone District (RR). As required in the Unified Development Code's Housing Diversity requirement we are proposing one housing type and one variation. In general we are proposing housing type G - Single Family Detached, and the variation we are proposing is variation 4 - Lot Size 5,000-9,000 square feet, and 5 - Lot Size 10,000 to 39,999 square feet. In general there are larger lots are on the east side of the property as a method to provide a transition to our eastern neighbors, and the south portion of the property will have 40,000 square foot minimum lots as a complimentary residential use to the southern neighbors. Our proposal meets the requirements of the Housing Diversity requirement.

Purpose of the Request

Our proposal is for a portion of the property to be re-zoned Low Density Residential (LR) zoning, and a portion of the property to be re-zoned AG/OS, with a PUD Overlay on the full property to allow for a more creative approach for the clustering and planning of buffers on the overall development of the property. The property is currently designated as Rural Residential on the Town of Erie zoning map.

The current Town of Erie Comprehensive Plan, has designated the property as Rural Residential with a density range of 0-2 dwelling units per acre, with an average of 1 dwelling unit per acre. This designation would support 169 dwelling units on the 169 acre property. The Comprehensive Plan provides more focused guidance as the community continues to grow, and encourages a more flexible approach to future development that will promote a more balance mix of uses for the community. An update to the Town's Unified Development Code was prepared concurrent with the last Comprehensive Plan, updating many of the key ideas and policies to be codified and gives the Plan a solid foundation for implementation.

We are proposing a maximum number of 166 dwelling units on the property, or an overall density of approximately 0.9 dwelling units per acre. Our clustered design approach, housing diversity, and density is consistent with the spirit and intent of the Comprehensive Plan. The proposed development time line is dependent on project approvals and market conditions.

Proposed Variations from the LR Zone District

Our proposal is for Low Density Residential (LR) zoning with a PD Overlay to accommodate our required housing diversity, and to allow for a more creative approach to the clustering and planning of buffers for the overall development of the property. In addition the PUD Overlay will limit the number of units allowed within the property to 166. In order to ensure compatibility with our surrounding neighbors the PUD will also establish buffer areas, and transitional lot sizes. Another reason for the PUD Overlay is to allow for dimensional standards that support the housing variations to facilitate the Town of Erie Housing Diversity requirement.

Public Benefits

As requested by the Town of Erie staff we are proposing to dedicate the open space area along Jasper Rd., that will include the low lying area adjacent to Jasper Rd, as well as some of the buffer area along the eastern portion of the property. Over 43% of the total property will remain as either dedicated or non-dedicated Open Space uses with a connected trail network. In addition we will be adding a mix of quality housing within the neighborhood, and will be providing a trail corridor to connect the open space throughout the community.

Density of Uses proposed

The zoning being requested for the property is a combination of leaving approximately 88 acres of the property as Rural Residential, and then rezoning approximately 60 acres as Low Density Residential, and approximately 20 acres as Agricultural/OS. The overall project density is approximately 0.9 dwelling units per acre, which is within the Comprehensive Planning designation of 0-2 dwelling units per acre for this area.

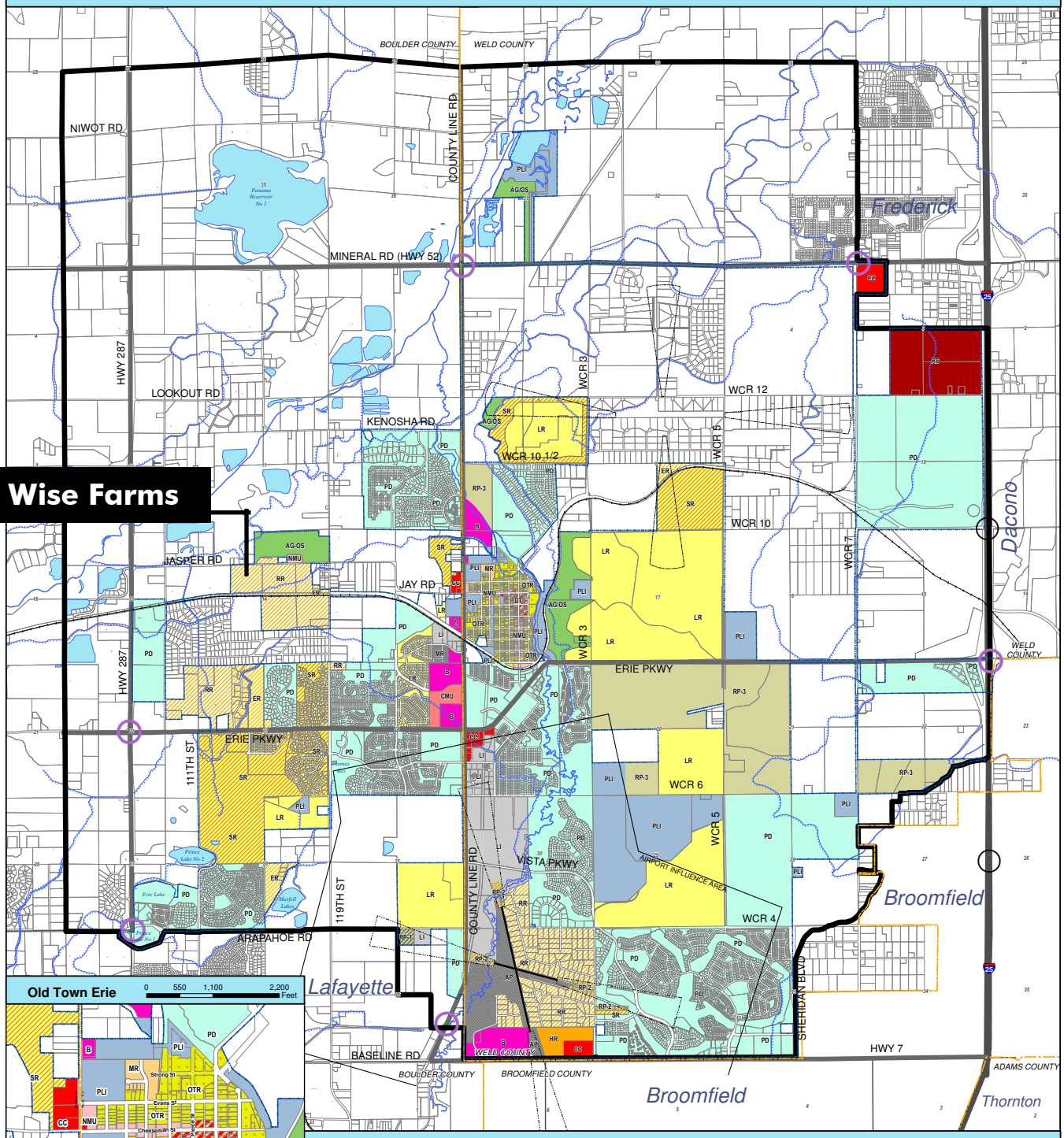
Proposed Development Timeline

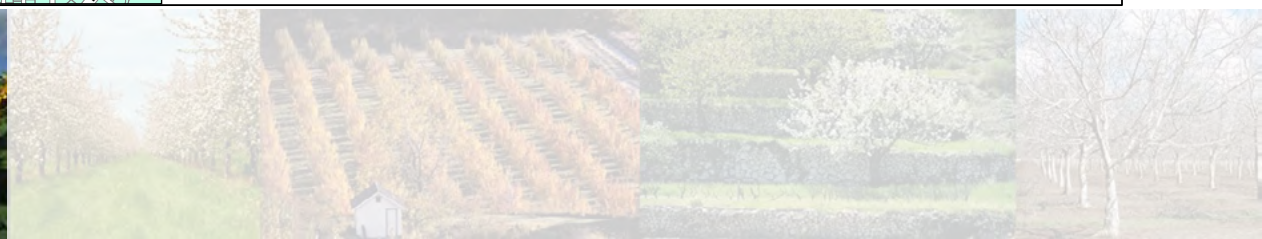
The proposed development time line is dependent on project approvals and market conditions.

Status of Mineral Rights

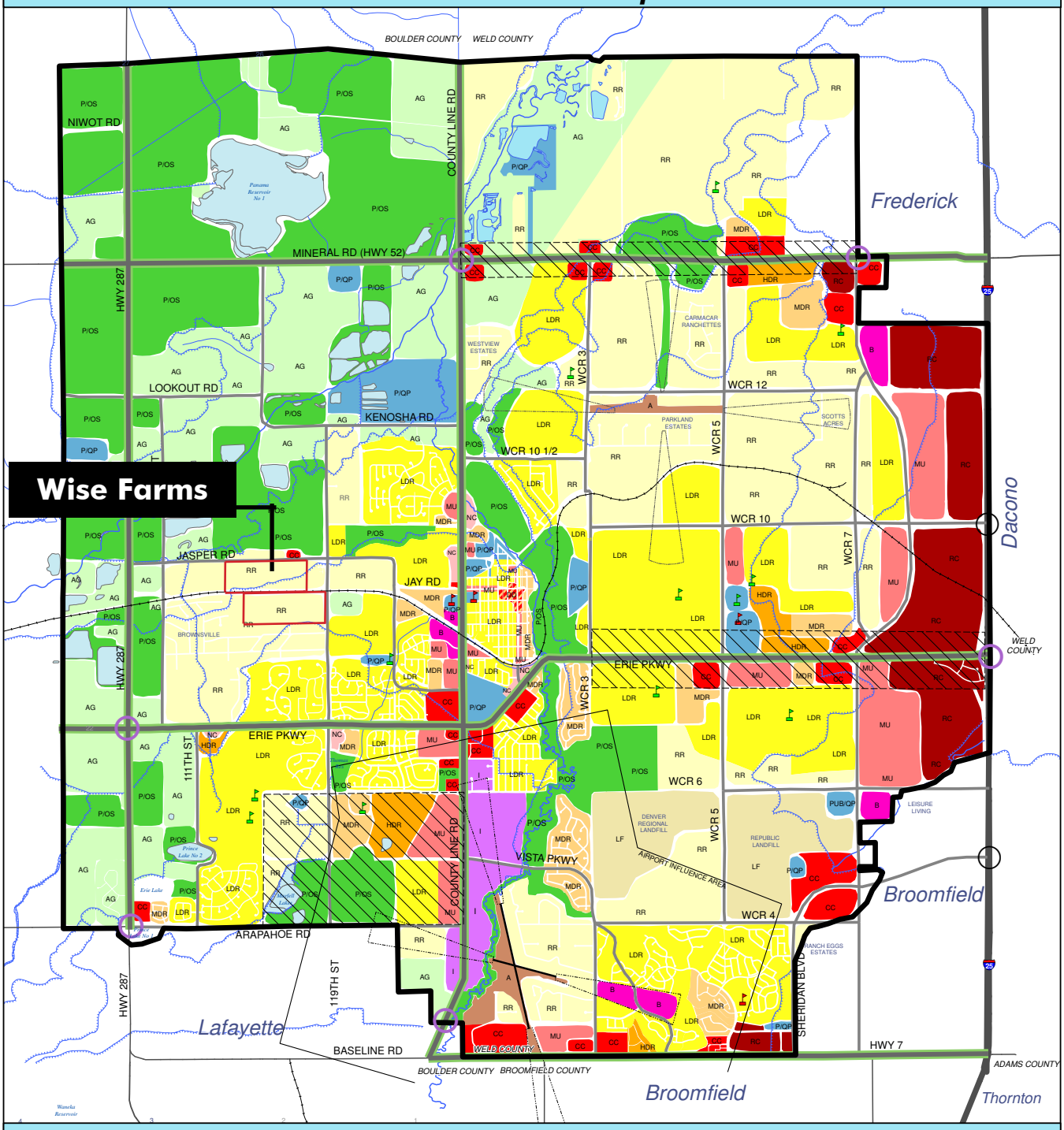
The Wise Farms property has established a surface use agreement with Encana, and that SUA is included with this application. We are continuing to work with Encana to modify the agreement to minimize the future impacts. In addition we have provided a draft SUA for the south portion of the property with this submittal.

Town of Erie, Colorado
Zoning Map





Town of Erie, Colorado
2005 Comprehensive Plan
Land Use Plan Map



Land Use Plan Legend

AG	Agriculture	MDR	Medium Density Residential (6-12 du/ac)	B	Business		Canal/Ditch
P/OS	Parks/Public Open Space	HDR	High Density Residential (12-20 du/ac)	I	Industrial		Railroad
P/QP	Public/Quasi Public	CD	Downtown District		Reservoirs		Community Gateways
LF	Landfill	NC	Neighborhood Commercial		County Boundary		I-25 Interchange (Future)
A	Airport	CC	Community Commercial		Planning Area Boundary		Elementary School
RR	Rural Residential (0-2 du/ac)	RC	Regional Commercial		Areas of Special Consideration		Middle School
LDR	Low Density Residential (2-6 du/ac)	MU	Mixed Use				High School

0 0.25 0.5 1 Miles

Sources: Boulder CO GIS, Weld CO GIS, CDOT, Town of Erie

Note: This map is intended to serve as a guide for future land use patterns within the Town of Erie's Planning Area Boundary and is advisory in nature. Land Use patterns depicted on the map are generalized, recognizing that development proposals may contain a mixture of land uses and density levels which achieve the intent of the Town of Erie Comprehensive Plan. Adopted Date: Dec. 21, 2005.

The Comprehensive Plan contains guidelines for the refinement of the generalized areas depicted on the map. These guidelines should be referred to by applicants prior to the preparation of a development submittal and by Town staff, elected, and appointed officials as part of the development review process.

Town Boundary Not Shown - Refer to Zoning Map for Town Boundary

Map Revision Date: JULY 20, 2011

section b:

RELATIONSHIP TO EXISTING LAND USE AND ADJACENT PROPERTIES

Site Location

The property is approximately 169 acres and is located just west of the intersection of Jasper Road and 119th Street (See the Vicinity Map in this section). Existing Boulder County residential development is located along the property's western and eastern boundaries, existing homes are located across from the northern portion of the property on the opposite side of Jasper Road, and a portion of the existing Wise Homestead will remain as Rural Residential to the south of the RTD ROW. There are extensive views to the Front Range. The gentle topography is very conducive to the proposed mix of residential and recreational uses.

Most of the surrounding area is designated as a mix of Rural Residential, Low Density Residential, and Medium Density Residential in the Town of Erie Comprehensive Plan, or County residential.

The property was annexed to the town of Erie in 1995. Town services such as schools, administration, police, water and sewer have either been provided or anticipated since annexation.

We believe that there are many opportunities for this project to be designed to respect and provide a positive relationship to the adjacent properties.

- The zoning that we will be requesting will translate into a community with homes that are clustered to preserve open space areas and the surrounding rural character.

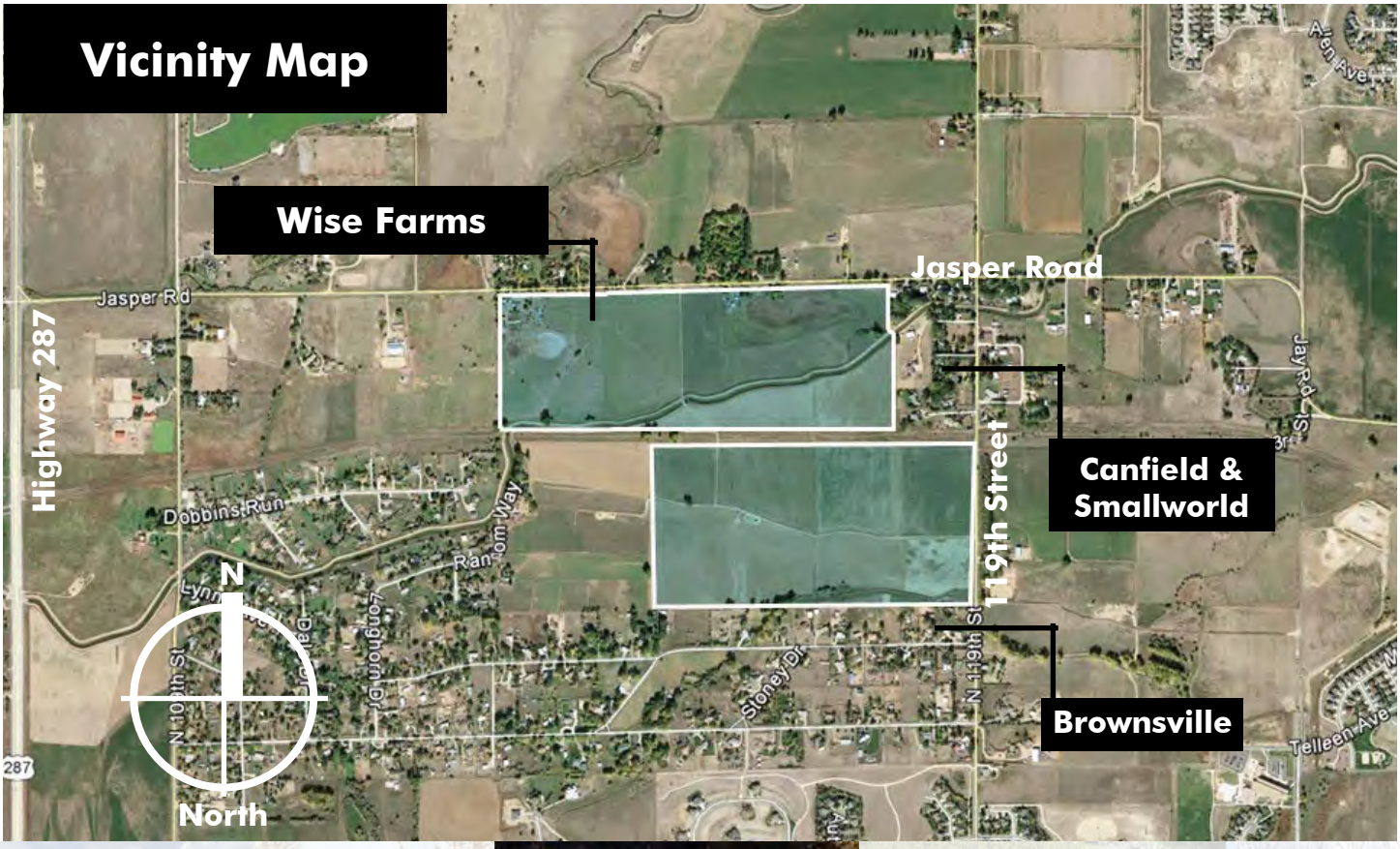
- The clustered design approach as depicted in the Concept Plan, PUD and Preliminary Plat will translate into significant open space buffer areas adjacent to the existing residential areas.

- As depicted in our Concept Plan, PUD and Preliminary Plat we have proposed the largest home sites, as well as a significant open space corridor, being adjacent to the existing eastern neighbors as a method of creating a transition from the Wise Farms community to the existing neighbors. In addition our plan shows a buffer area adjacent to the Canfield and Smallworld neighborhoods that ranges from approximately 300 feet to over 500 feet.

- We have proposed a looped trail system with integrated active and passive features, connected by the open space network provided in the proposed clustered development.

- Our proposal promotes a new neighborhood containing housing options to meet the varying needs of Erie's residents.

- As requested by the Town of Erie staff, we have modified the site layout in order to dedicate the open space along Jasper Rd , and adjacent to the eastern boundary of the property.



section c:

PROPERTY CONSTRAINTS ANALYSIS

Site Analysis

The property has several site limitations that have effected the physical planning efforts.

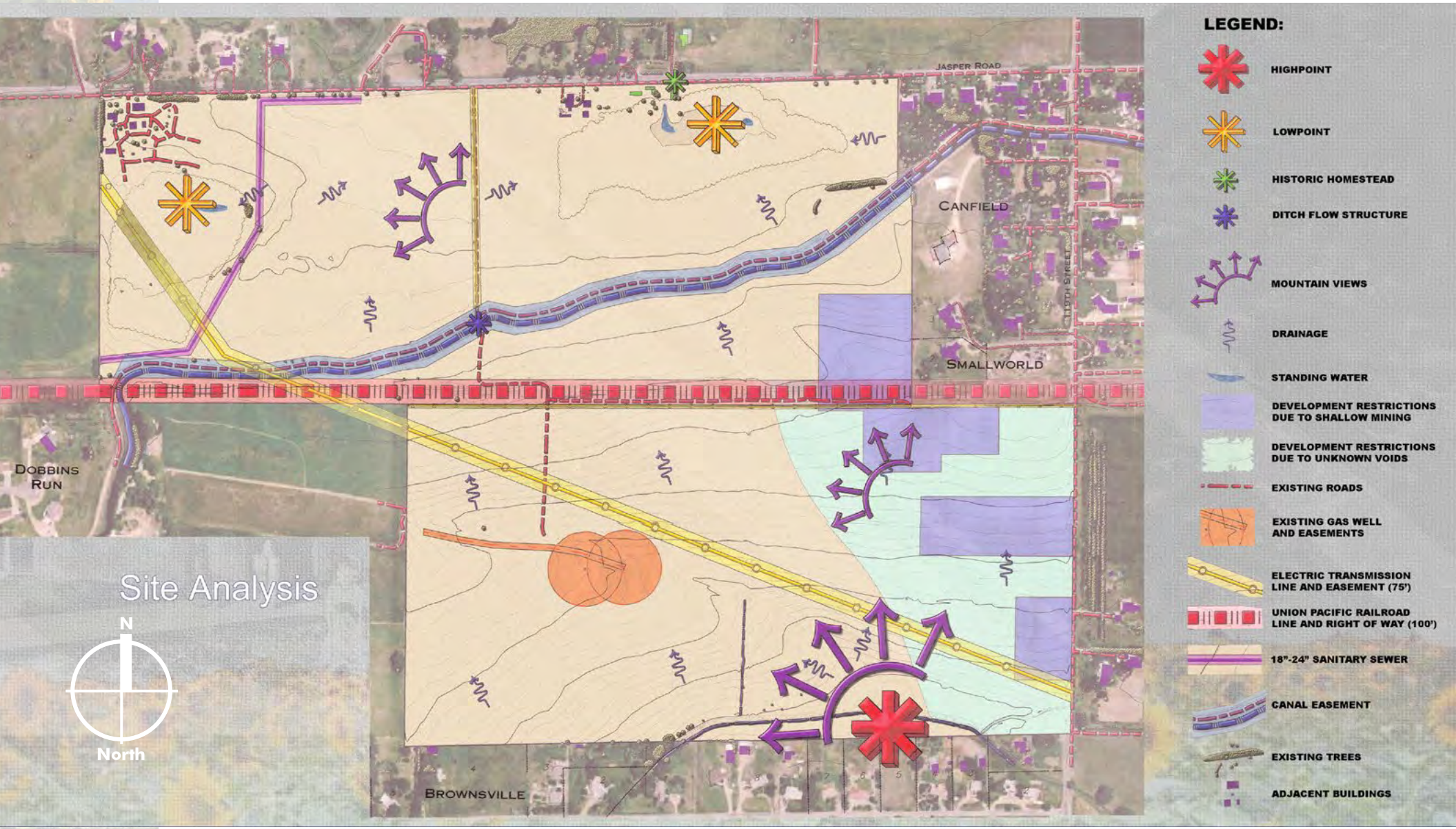
There is an existing RTD ROW running through the property, and adjacent to that ROW a Town regional trail corridor has been identified, and provided for with this application. There are also some areas of subsurface mining depicted in purple on the site analysis exhibit, which we have avoided for development but can utilize these as open space areas, and to provide a significant buffer transition to our neighbors.

The existing power lines have been taken into account in the community design. We have provided setbacks to the Lower Boulder Ditch. A future oil and gas area has been identified in the northwest portion of the property, and a surface use agreement with the operator has been completed. All of these physical conditions suggest that we need to cluster our development.

We believe that Wise Farms provides an opportunity to preserve an important cultural resource in the non-

jurisdictional wetland across the street from the Wise Homestead Museum. We are proposing to dedicate the land including the non-jurisdictional wetland to the Town of Erie, as identified in our PUD and Preliminary Plat documents. We have provided preliminary landscape plans for these areas, and will work with the Town of Erie Parks department to refine these plans as specific programming needs are identified for this area.

The plan identifies a mix of residential and recreational uses, we are anticipating clustering homes to preserve open space areas and the surrounding rural character, as well as buffering the existing residences. We have proposed an integrated trail system with active and passive open space and pocket park area, as identified on our Concept Plan, PUD and Preliminary Plat documents.



Site Analysis

section d:

TOWN'S COMPREHENSIVE PLAN AND REZONING APPROVAL CRITERIA.

Comprehensive Plan

"Erie is a community which recognizes the importance of conserving and enhancing its historic small town character, the roots from which it grew, preserving the natural environment in which it resides; a caring community which offers its residents an environment in which to seek a high quality of life; a balanced community with a diverse range of housing, employment, educational, shopping and recreational opportunities; and a vital community which provides financial and social support for quality of life programs."

vision statement from the 2005 Comprehensive Plan

The Town of Erie's Comprehensive Plan provides a strong vision for the future of Erie, and has a set of Guiding Principles that help to ensure that the vision is carried out. We believe that our PUD Zoning and Preliminary Plat proposal is in compliance with the principles for the Town of Erie Comprehensive Plan, and have provided an analysis of this below.

1. A Coordinated and Efficient Pattern of Growth

The Town will have a compact pattern that encourages urban growth to locate within the Planning Area Boundary, fosters the efficient provision of infrastructure and services, and balances development and conservation of the natural environment.

The Wise Farms property is located within the Planning Area Boundary for the Town of Erie, and is an excellent example of taking advantage of efficient infrastructure. A 24" Sanitary Sewer line runs through the property, and the property drains to a low point with an easement for storm sewer discharge already negotiated with Boulder County. The level of development that is anticipated will not change the existing road designations, as confirmed by our Traffic study. The Comprehensive Plan identifies this property as having a residential use. Town services are close to, or as mentioned in the case of sewer, already on the property. The property was annexed to the town of Erie in 1995. Town services such as schools, administration, police, water and sewer have either been provided or anticipated since annexation, and our proposal will not negatively impact town services already anticipated.

2. Quality Design and Development

Erie will promote a high standard of design for all new development, renovation, and rehabilitation to reinforce and enhance its unique nature for residential neighborhoods, public places, and commercial businesses.

Our plan proposed an integrated pedestrian trail system, and connections to neighborhood amenities. We have provided a housing diversity within a quality plan that proposes significant buffers to our adjacent neighbors.

3. Overall Economic Vitality

The Town will promote a healthy, thriving economy that provides opportunities for quality employment with livable wages for its residents.

This principle goes hand in hand with the type of community that we envision for Wise Farms. Quality employment will bring residents to Erie, and a quality community like Wise Farms will provide a wonderful opportunity for those residents to enjoy living in the Town of Erie.

4. Downtown Vitality

The Town considers the maintenance and enhancement and expansion as appropriate of Old Town's vitality to be important to the health and well being of the community as a whole. The plan promotes development and continued enhancement of this core community area as the "center" of the community.

While this principle does not specifically relate to Wise Farms, we support this principle because it will foster a stronger community, and Wise Farms will be a part of that strong community. We hope that the Old Town will be supported by residents of Wise Farms, and will further the enjoyment of living in the Town of Erie.

5. A Comprehensive, Integrated Transportation System

Erie has a safe, efficient, and innovative transportation system that reduces neighborhood isolation and promotes a sense of community by connecting all areas of town, accommodates various modes of public and private transit, and facilitates travel to regional centers.

Our proposal supports the transportation system that the Town of Erie has in place, we have made a significant effort to verify that our proposed development will not adversely impact the existing transportation network. We have located two entrances into Wise Farms from Jasper Road, and have coordinated these access locations with the Town of Erie staff. At the final plat stage we will be required to dedicate additional ROW for the future, it is not our intention to modify Jasper Road, with the exception of additional turn lanes for our project. The Wise Farms property is also bisected by the RTD ROW, which in the future may become a regional trail, our anticipated trail system could tie into this potential future regional trail system.

6. Stewardship of the Natural Environment

The Town will identify and conserve its natural, scenic, and environmentally sensitive areas including important wildlife habitat, waterways, and visually sensitive areas. Erie will strive to be a clean, sustainable, environmentally-friendly town.

Our proposed zoning will allow for a clustered development approach that supports the stewardship of the natural environment on our property, and we anticipate that the potential wildlife habitat associated with the irrigation canal that runs through the property will remain. Significant buffering of the existing trees along portions of Jasper Road is being proposed, as well as significant open space areas. We have set development back from the existing roads to protect visually sensitive areas.

7. Trails, Parks and Recreation Opportunities

The Town will provide a diverse range of recreational opportunities to include facilities and programming for all ages and varying interests, both passive and active. Trails, parks, and recreation opportunities will be connected with and integrate open space into and between neighborhoods and other areas of the community.

At the request of the Town of Erie staff we are proposing to dedicate the area along Jasper Rd, and the eastern buffer as open space, in addition the overall property will include private open space. The full amount of open space exceeds 43% of the overall property. In addition the Town of Erie staff has requested that we make cash-in-lieu payments for both Neighborhood Parks and Community Parks.

8. Protected Lands Program

Lands that are permanently protected as open space will be used to maintain the small town atmosphere that has made Erie an attractive place.

Open space will serve a variety of functions, including:

Buffering Erie from other towns and cities and shaping growth;
Creating view corridors to enable residents to see mountains, plains, and agricultural areas rather than uninterrupted housing and commercial development;
Preserving agricultural lands, keeping them in agricultural production;
Restoring riparian areas and other areas of natural habitat;
Protecting significant archeological and cultural

resources;

Preserving native plant and animal habitat and travel corridors for wildlife;

Providing areas for passive recreation that emphasizes enjoyment of nature; and

Distinguishing and linking neighborhoods and other activity areas within Erie through a system of continuous, connected open lands and trails.

The Wise Farms property can further several of these guiding principles. We are proposing a dedicated Open Space area including the non-jurisdictional wetland, this area a cultural resource, along Jasper Rd. The irrigation canal will remain intact which will preserve the native plant and animal habitat, as well as provide travel corridors for wildlife. We anticipate that our open space areas will be a combination of passive and active areas, which will be linked with a trail system, and therefore provide the possibility of enjoying the natural environment, and finally the future Regional Trail adjacent to the RTD Railroad ROW will link this community with other neighborhoods in Erie.

9. Balanced Land Use Mix

The Town will work to diversify and balance the mix of land uses as the Town grows. Particular emphasis will be placed on enhancing the local economic base to provide employment opportunities for residents, seeking to achieve a better balance as a place to work as well as live. In so doing, the community will seek a balance between the enhancement of Old Town's vitality and other existing areas of the community and the identification of opportunities for commercial and employment in outlying areas.

We support this principle, and hope to provide a quality choice of housing for residents of Erie that are also fortunate enough to be working in the local area. We have met the required housing diversity requirement.

10. Stable, Cohesive Neighborhoods Offering a Variety of Housing Types

The Town will promote new neighborhoods that contain a mix of land uses and diversified housing options that meet the varying needs of its residents, including single family, attached homes (duplexes, townhomes), multifamily dwellings, and housing included as part of mixed-use developments. The Town will work to maintain the quality and character of established neighborhoods and ensure that infill and redevelopment is designed in a manner that minimizes impacts on existing neighborhoods, including rural neighborhoods in the Planning Area. New housing and neighborhoods should be appropriate in size, scale, design and use. New housing areas should be located where residents will have access to the full range of infrastructure, facilities and services that are needed for healthy, livable neighborhoods.

The approximately 169 acre property is currently designated as Rural Residential (RR), we are proposing to re-zone approximately 60 acres of the property to Low Density Residential (LR), and approximately 20 acres to AG/OS. As stated in the Unified Development Code, 10.6.7-D.b.i.B - Diversification Standards shall not apply to Residential Zone District RR. As required in the Unified Development Code's Housing Diversity requirement we are proposing one housing type and one variation. In general we are proposing housing type G - Single Family Detached, and the variation we are proposing is variation 4 - Lot Size 5,000-9,000 square feet,

and 5 - Lot Size 10,000 to 39,999 square feet. In general, on the northern portion of the property, the larger lots are on the east side of the property as a method to provide a transition to our neighbors. Our proposal meets the requirements of the Housing Diversity requirement.

11. Provide Infrastructure and Public Services Efficiently and Equitably

Erie will coordinate future development and/or provision of capital facility projects and infrastructure, including water, wastewater, fire protection, emergency management services, police protection, schools, parks, and other utilities that affect the quality of life and economic stability of the community.

We anticipate providing the required dedications, or providing cash-in-lieu for dedications that either can not be met on site, or are not required on site. Most of the services required for this project are already in place at this time.

RURAL RESIDENTIAL POLICIES:

RR 1.1—CHARACTERISTICS

The Rural Residential designation provides a rural setting for large-lot, very low density single-family housing. Lot sizes and layouts will be dependent upon topographical constraints and hilly terrain located in some areas of the community.

In some cases, large portions of a lot may remain in an undeveloped state, reinforcing the rural character of this development pattern. Existing Rural Residential development in Boulder and Weld Counties typically relies on individual sewage treatment systems and either individual water wells or rural water districts. New Rural Residential developments located within the Town's incorporated area will be required to be served by municipal water and wastewater service. Single lot developments will be required to be served by municipal water and wastewater service if within 400 feet of a sewer line.

Wise Farms falls within the Rural Residential category in the Town of Erie Comprehensive Plan. Our proposed Concept Plan, PUD, and Preliminary Plat provides significant buffers from the adjacent neighbors to preserve the visual character of the area. We anticipate tieing into the municipal water and wastewater services.

RR 1.2—DENSITY RANGE

Homes will typically occur at densities of between 0-2 dwelling units per acre, with average densities of 1 dwelling unit/acre. However, lots in many existing rural subdivisions in the Planning Area exceed 1 acre.

Our plan anticipates a variety of housing variations for a range of residents. This mix of housing opportunities will encourage socio-economic diversification, and promote a cohesive neighborhood. We are proposing a maximum number of 166 residential units on the approximately 169 acre property, which translates into 0.9 dwelling units per acre, which is within the allowed density range for the Rural Residential designation. We have also provided significant buffers or larger lots adjacent to the existing neighborhoods that are also within the Rural Residential designation.

RR 1.3—LOCATION

Rural Residential neighborhoods will typically be located at the fringe of urban development, near existing rural neighborhoods, or in areas with steeper terrain or other natural features unsuitable for urban residential development. In some cases, they will serve as a transition between more intense urban neighborhoods and natural features to be protected or existing rural neighborhoods.

We are located adjacent to existing Rural Residentially designated areas, and several of the site constraints would limit urban residential development.

RR 1.4—CLUSTER DEVELOPMENT

The Town will encourage the use of cluster development patterns as a means of preserving scenic view corridors, preserving natural features, creating transitions between areas of different development intensity, and providing open space for the common use and enjoyment of residents and the broader community. The use of cluster development patterns as a means of preserving cohesive blocks of agricultural land is also encouraged.

We are proposing a clustered development pattern, within the guidelines spelled out in the Town of Erie's UDC. Our Concept Plan, PUD, and Preliminary Pat shows our clustered development pattern, and as a result the preservation of natural features, and a buffering or transition between Wise Farms and the existing residential areas. The clustered plan also provides for a cohesive open space system including Open Space that can be enjoyed by the residents, and by the broader community.

RR 1.5—OPEN SPACE

Open space designated through clustering, dedication, or other means should provide strong visual and physical connections to the surrounding open space and trails network—both existing and planned.

Our proposed clustered development has approximately 43% of the property as either Park or Open Space (dedicated and non-dedicated). These areas exceed the required dedication for our proposed community. Our Concept Plan, PUD, and Preliminary Plat depicts how the proposed open space provides a significant visual connection and benefit to the broader community. We fully anticipate connecting to the future regional trail in the RTD Railroad ROW, and have provided the required area for the future Regional Trail Connection.

RR 1.6—ROADWAY DESIGN

Access road and driveway configurations should follow the natural contours of topographic features to minimize slope disturbances, maximize scenic views, and conserve natural features.

In general the site does not have topographic constraints that will limit the location of internal roads or drives.

PUD Rezoning

Approval Criteria

The Board of Trustees may approve a PUD development plan and Rezoning to the PUD overlay district, and the Planning Commission may recommend approval, if the Rezoning to the PUD overlay district and the associated PUD development plan meets all of the following criteria::

1. The PUD Rezoning is consistent with the purpose of the PUD overlay district in Section 2.7.D.2 of Municipal Code, Title 10, Unified Development Code;

The proposal for the Wise Farms PUD is consistent with Section 2.7.D.2 of the Municipal Code. We have requested an underlying zoning of LR (Low Density Residential) for a portion of the property, and Agricultural/OS for a portion of the property, and are utilizing the PUD Overlay to accommodate our required housing diversity, and to allow for a more creative approach to the clustering and planning of buffers for the overall development of the property. In addition the PUD Overlay will limit the number of units allowed within the property to 166. In order to ensure compatibility with our surrounding neighbors the PUD will also establish buffer areas, and transitional lot sizes.

2. The PUD Rezoning will promote the public health, safety, and general welfare;

The PUD Overlay identifies significant setbacks from the adjacent residential neighborhoods, and provides a new neighborhood park on the west side of Erie. We are proposing about 43% of the site as a combination of a pocket park parks, trail corridors, and natural open space areas that will promote a walkable community, meeting the PUD rezoning criteria promoting public health, safety, and general welfare.

3. The PUD Rezoning is consistent with the Town's Comprehensive Plan and the purposes of the Municipal Code, Title 10, Unified Development Code;

This narrative includes a full section outlining our compliance with the Comprehensive Plan and Unified Development Code. In general we are proposing a clustered residential community with a maximum of 166 units, which equates to 0.9 dwelling units per acre. This is line with the Comprehensive Plan designation of 0-2 dwelling units per acre, and we believe is consistent with both the Comprehensive Plan and Municipal Code.

4. Adequate facilities and services (including roads and transportation, water, gas, electric, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;

As a part of the application materials we have provided a significant amount of information that shows how facilities and services will be provided for this proposal. The property was annexed in 1995 with the expectation of being developed as a residential community.

5. The PUD Rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;

We are proposing a significant amount of open space, much of which will be left in a natural state. The significant areas of vegetation along the irrigation canals will largely remain, and we are proposing to dedicate the area around the Mill site and associated low lying area as part of an open space dedication, this area will provide a significant cultural/historic asset to the community at large. The wildlife corridors along the canals will remain, and we have a negotiated agreement for the conveyance of storm water with Boulder County. Overall we strongly believe that our proposal will not result in any adverse impacts for the property or the Town.

6. The PUD Rezoning is not likely to result in significant adverse impacts to significant scenic and historic features as identified in plans adopted by the Town;

We have commissioned a Cultural and Historical study for the property, and we have not identified any significant features on the property that are not being maintained. We have proposed significant setbacks from Jasper Road to maintain the visual character of that corridor to the greatest extent practical, and similarly our proposed community is set back a significant distance from 119th Ave which will maintain the westerly views from 119th Ave.

7. The PUD Rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject property;

Our proposal is for a high quality clustered residential neighborhood with approximately 43% of the property remaining as open space, or being developed as park amenities. Our Concept Plan, PUD, and Preliminary Plat depict the significant buffers that are being provided to the neighboring properties. We believe that our proposal is compatible in nature and will not result in adverse impacts upon other property in with the vicinity of the Wise property.

8. Proposed uses on the subject property will be compatible in scale with uses on other properties in the vicinity of the subject;

The primary use of the Wise Farms property will be residential. This is in keeping with the uses on other properties within the vicinity of Wise Farms. We are proposing a mix of housing, and fully anticipate that this will be consistent and compatible with the homes in the area. The size and price of homes in Wise Farms will be very comparable to the surrounding area.

9. The proposed phasing of the development is appropriate and the development can be substantially completed within the time period specified in the schedule of development or Development Agreement submitted by the applicant;

The proposed development time line is dependent on project approvals and market conditions. Planning staff has directed the applicant to not submit a draft Development Agreement as the Town prefers to draft that agreement.

10. The PUD Plan provides public benefit(s).

Approximately 43% of the total property will remain as Open Space, or be developed as a Pocket Park use with a connected trail network. In addition we will be adding a diverse mix of quality housing types within the neighborhood, and will be dedicating a trail corridor for a future regional trail.

Print Form

TOWN OF ERIE
Community Development Department – Planning Division
645 Holbrook Street – PO Box 750 – Erie, CO 80516
Tel: 303.926.2770 – Fax: 303.926.2706 – Web: www.erieco.gov

LAND USE APPLICATION

Please fill in this form completely. Incomplete applications will not be processed.

STAFF USE ONLY		
FILE NAME:		
FILE NO:	DATE SUBMITTED:	FEES PAID:

PROJECT/BUSINESS NAME: Wise Farms

PROJECT ADDRESS: Located west of the intersection of 119th St and Jasper Rd.

PROJECT DESCRIPTION: 169 acre Residential community.

LEGAL DESCRIPTION *(attach legal description if Metes & Bounds)*

Subdivision Name: none

Filing #: Lot #: Block #: Section: 14 Township: 1 North Range: 69 West

OWNER *(attach separate sheets if multiple)*

Name/Company: Wise Homestead, LLC
Contact Person: Sarah Allene Wise
Address: 11497 Jasper Road
City/State/Zip: Lafayette, CO - 80026
Phone: 303.828.4561 Fax:
E-mail: sarws@aol.com

AUTHORIZED REPRESENTATIVE

Company/Firm: Jasper Land Investments, LLC
Contact Person: Jim Dullea
Address: 9162 S. Kenwood Court
City/State/Zip: Highlands Ranch, CO - 80126
Phone: 303.902.5400 Fax:
E-mail: j.dullea@comcast.net

MINERAL RIGHTS OWNER *(attach separate sheets if multiple)*

Name/Company: see attached
Address:
City/State/Zip:

MINERAL LEASE HOLDER *(attach separate sheets if multiple)*

Name/Company: see attached
Address:
City/State/Zip:

LAND-USE & SUMMARY INFORMATION

Present Zoning: Rural Residential
Proposed Zoning: Low Density Res. AG/OS, Rural Residential
Gross Acreage: 169
Gross Site Density (du/ac): 0.98 du/ac
Lots/Units Proposed: 166
Gross Floor Area: N/A

SERVICE PROVIDERS

Electric:
Metro District: none at this time
Water *(if other than Town)*:
Gas:
Fire District:
Sewer *(if other than Town)*:

PAGE TWO MUST BE SIGNED AND NOTARIZED

DEVELOPMENT REVIEW FEES			
ANNEXATION		**SUBDIVISION**	
☐ Major (10+ acres)	$ 4000.00	☐ Sketch Plan	$ 1000.00 + 10.00 per lot
☐ Minor (less than 10 acres)	$ 2000.00	☐ Preliminary Plat	$ 2000.00 + 40.00 per lot
☐ Deannexation	$ 1000.00	☐ Final Plat	$ 2000.00 + 20.00 per lot
COMPREHENSIVE PLAN AMENDMENT		☐ Minor Subdivision Plat	$ 2000.00
☐ Major	$ 3000.00	☐ Minor Amendment Plat	$ 1000.00 + 10.00 per lot
☐ Minor	$ 1200.00	☐ Road Vacation (constructed)	$ 1000.00
ZONING/REZONING		☐ Road Vacation (paper)	$ 100.00
☐ Rezoning	$ 1700.00 + 10.00 per acre	**SITE PLAN**	
☑ PUD Rezoning	$ 1700.00 + 10.00 per acre	☐ Residential	$ 1400.00 + 10.00 per unit
☐ PUD Amendment	$ 1700.00 + 10.00 per acre	☐ Non-Resi. (>10,000 sq. ft.)	$ 2200.00
☐ Major PD Amendment	$ 3700.00 + 10.00 per acre	☐ Non-Resi. (>2,000 sq. ft.)	$ 1000.00
☐ Minor PD Amendment	$ 500.00	☐ Non-Resi. (<2,000 sq. ft.)	$ 200.00
SPECIAL REVIEW USE		☐ Amendment (major)	$ 1100.00
☐ Major	$ 1000.00	☐ Amendment (minor)	$ 350.00
☐ Minor	$ 400.00	**VARIANCE**	$ 600.00
☐ Oil & Gas	$ 1200.00	**SERVICE PLAN**	$ 10,000.00

*All fees **include** both Town of Erie Planning & Engineering review. These fees **do not include** referral agency review fees, outside consultant review fees, or review fees incurred by consultants acting on behalf of staff. See Town of Erie Municipal Code, Title 2-10-5 for all COMMUNITY DEVELOPMENT FEES.*

The undersigned is fully aware of the request/proposal being made and the actions being initiated on the referenced property. The undersigned understand that the application must be found to be complete by the Town of Erie before the request can officially be accepted and the development review process initiated. The undersigned is aware that the applicant is fully responsible for all reasonable costs associated with the review of the application/request being made to the Town of Erie. Pursuant to Chapter 7 (Section 7.2.B.5) of the Unified Development Code (UDC) of the Town of Erie, applicants shall pay all costs billed by the Town for legal, engineering and planning costs incurred by staff, including consultants acting on behalf of staff, necessary for project review. By this acknowledgement, the undersigned hereby certify that the above information is true and correct.

Owner: Sarah Allene Wise Date: 7-30-14

Owner: Allan C Wise Date: 7-30-14

Applicant: James A. Dullea Date: 7/30/2014
Jasper Land Investments LLC

STATE OF COLORADO)
) ss.
County of BOULDER)

The foregoing instrument was acknowledged before me this 30th day of JULY, 2014 by Sarah Allene Wise, Allan C Wise and James A. Dullea

My commission expires: 10/24/2015
Witness my hand and official seal.

JON F. KOTTKE NOTARY PUBLIC STATE OF COLORADO

Notary Public

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: June 23, 2015

SUBJECT:	**LAND DEVELOPMENT RESOLUTIONS AND ORDINANCES** **Consideration of Resolution 15-66** (Continued from May 26th and June 9th for concurrent consideration with the Rezoning and Planned Unit Development (PUD) applications): A Resolution Making Certain Findings Of Fact And Conclusions Favorable To The Wise Farms Preliminary Plat; Imposing Conditions Of Approval; Approving The Wise Farms Preliminary Plat With Conditions; And Setting Forth Details In Relation Thereto.
PURPOSE:	The Wise Farms Preliminary Plat application proposes to plat approximately 174 acres into 166 single-family lots, and 25 tracts for pocket park, open space, landscaping, drainage, utility, oil/gas facilities and ditch purposes.
PROJECT NO.:	PP-13-00012
CODE:	Erie Municipal Code, Title 10
DEPARTMENT:	Community Development
PRESENTER:	Deborah Bachelder AICP, Senior Planner

FISCAL INFORMATION:	Cost as Recommended:	n/a
	Balance Available:	n/a
	Budget Line Item Number:	000 . 00 . 000 . 000000 . 000000
	New Appropriation Required:	☐ Yes ☒ No

STAFF RECOMMENDATION: Staff finds the application consistent with the Preliminary Plat approval criteria in Municipal Code, Section 10.7.7.C.10, and recommends approval of the Wise Farms Preliminary Plat application. Staff has provided Resolution 15-66, for the Board of Trustees consideration, recommending approval of the application with the following conditions:

a. Executed Surface Use Agreements, with the mineral owners or leaseholders, shall be in place before a Wise Farms Final Plat, for the areas affected, is approved by the Town.

b. Realignment of the existing Noble Energy pipeline and vacation of portions of the existing easement will need to be completed before the Town approves a Wise Farms Final Plat in the areas where proposed single family lots are encumbered by the existing facility.

c. Within the applicant's Environmental Site Assessment Report (Phase I), the existing Noble Energy oil and gas well and associated tank battery was recognized as an environmental condition. The well site was identified due to the age of the well and the concrete tank used to store the condensate. The applicant is required to submit a Phase II Environmental Assessment Report of this well site with the Final Plat application of this area of Wise Farms.

d. The abandoned oil and gas well, within a Wise Farms Final Plat for development, shall be located, monumented and identified on the final

plat, as specified in the Municipal Code.

e. The Northern Colorado Water Conservancy District access and utility easement from Jasper Road to the Lower Boulder Ditch shall be vacated before a final plat for a development is recorded in this area.

f. If the applicant does not obtain permission for the proposed street crossing of the RTD railroad right of way, the applicant shall provide a second pocket park in the location of Block 2, Lot 1 which is 0.96 acres in size.

g. At Final Plat, the applicant shall provide adequate information regarding the hydraulics and proposed construction of the site to ensure the continued health of the wetland area in the proposed dedication of Town open space.

h. If site development and disturbance of trees occurs between April 1 and August 15, a survey for active nests should be conducted. Trees with an active nest shall not be removed until the nest is abandoned for the season.

i. Within the proposed development, the historic mill structures, along Jasper Road and south of the Wise Museum, are located in existing Jasper Road right of way, in future Jasper Road right of way dedication, and adjacent to future open space dedication to the Town of Erie. The owner and developer have agreed to either move or remove the structures from the right of way and open space. The timing for moving or removing the structures shall be defined in the development agreement for the Wise Farms Final Plat.

j. Within the proposed development, the existing farm on the west end of the property adjacent to the future Jasper Road right of way has an accessory building that encroaches into the future Jasper Road right of way. The owners have agreed to have the structure either moved or removed from the future right of way. The timing for moving or removing the structure shall be defined in the development agreement for the Wise Farms Final Plat.

k. Within the proposed development, the existing house, on the east end of the property, adjacent to Jasper Road, will encroach into the future Jasper Road right of way dedication. The Town has agreed to enter into a license agreement for that portion of the dwelling unit that encroaches into the future right of way at the time of Final Plat.

l. The approval of the Wise Farms Preliminary Plat shall not come into effect until the Wise Farms Zoning Map and Wise Farms PUD Zoning Map is approved and recorded for the property.

m. Technical corrections to Wise Preliminary Plat shall be made to the Town's satisfaction.

PLANNING COMMISSION RECOMMENDATION:	The Planning Commission held a public hearing for the Wise Farms Preliminary Plat application on January 21, 2015. The Planning Commission is recommending denial of the Preliminary Plat application to the Board of Trustees, in Resolution P15-09. The Planning Commission determined that the application is not in substantial compliance with the following approval criteria as specified in Title 10, Section 7.7 C.10 of the Town of Erie Municipal Code: a. The subdivision is not generally consistent with the Town's Comprehensive Master Plan. b. The subdivision is not generally consistent with and does not implement the intent of the specific zoning district in which it is located. c. The general layout of lots, streets, driveways, utilities, drainage facilities, and other services within the proposed subdivision are not designed to meet the Town's standards related to health and safety and in a way that minimizes the amount of land disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation and riparian areas, protects critical wildlife habitat, and otherwise accomplishes the purposes and intent of this UDC. d. The subdivision does not comply with all applicable use, development, and design standards set forth in Chapters 3, 5 and 6 of this UDC that have not otherwise been modified or waived pursuant to this Chapter or this UDC. Applicants shall refer to the Development Standards in Chapter 5 of this UDC and shall consider them in the layout of the subdivision in order to avoid creating lots or patterns of lots in the subdivision that will make compliance with such development and design standards difficult or infeasible. e. The subdivision will result in significant adverse impacts on the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated. f. The subdivision will not be integrated and connected with adjacent development through street connections, sidewalks, trails, and similar features. g. The subdivision will result in significant adverse impacts on adjacent properties, or such impacts will be substantially mitigated.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Applicant	Jasper Land Investments, LLC 9162 S. Kenwood Court Highlands Ranch, CO 80126
Owners	Wise Homestead, LLC; and, Elizabeth Kissell

Location

The Wise Farms property is located south of Jasper Road and west of 119th Street. The property is separated by the RTD railroad right of way.

Existing Conditions

Zoning:	Current zoning is RR – Rural Residential; however, the applicant is processing a rezoning application and PUD overlay application concurrently with the Preliminary Plat application.
Project Size:	174 Acres
Existing Use:	On the property are two existing single family houses and associated accessory structures; historic farm structures; and one oil/gas facility; with the majority of the property being used for agriculture.

Adjacent Land-Use/Zoning

	ZONING	LAND USE
NORTH	Rural Residential Neighborhood Mixed Use AG-OS Agricultural – Open Space A-Agricultural: Boulder County	Single Family Residential Erie Historical Museum Boulder County/Town Open Space Single Family Residential
EAST	A-Agricultural: Boulder County ER-Estate Residential	Single Family Residential Single Family Residential
SOUTH	A-Agricultural: Boulder County	Open Space Single Family Residential
WEST	A-Agricultural: Boulder County	Farm/Agricultural

Compliance with Town of Erie Comprehensive Plan

The Comprehensive Plan Land Use designation for the Wise property is RR-Rural Residential. The gross density for the RR Land Use designation is typically up to 1 dwelling unit per acre. The acreage of the Wise property is approximately 169 acres. At one dwelling unit per acre that would be a maximum of 169 dwelling units; the applicant is proposing 166 dwelling units. The proposed Preliminary Plat is in compliance with the RR Land Use designation.

Compliance with Zoning

The applicant has a Rezoning and PUD Overlay Land Use applications in concurrent review with the Preliminary Plat. The proposed Rezoning and PUD Overlay will bring the proposed Preliminary Plat into general compliance with the regulations.

SITE SPECIFIC DEVELOPMENT INFORMATION

The applicant proposal includes 166 single family lots. The majority of the property, north of the RTD railroad right-of-way, is proposed to be zoned LR-Low Density Residential. The LR zone district contains 125 single family lots with a minimum lot size of 5,750 square feet. There are 2 lots for the two existing farmhouses, north of the RTD railroad right-of-way, which will remain zoned RR-Rural Residential and have a minimum lot size of 40,000 square feet. South of the RTD railroad right-of-way will remain zoned RR-Rural Residential that includes 39 lots with a minimum lots size of 40,000 square feet.

Development Data

- Preliminary Plat Size 174 acres
- Total Lots 5,750 to 9,999 square feet 104 lots
- Total Lots 10,000 to 17,000 square feet 21 lots
- Total Lots over 40,000 square feet 41 lots
- Total Dwelling Units 166 dwelling units
- Number of Tracts 25 tracts
- 1 Pocket Park 0.45 acres
- Open Space Dedication to Town 9.27 acres
- Gross Residential Density Proposed: 0.95 dwelling units per acre

Housing Diversity

The Town of Erie has a housing diversity requirement that is based on the 65 acres of LR-Low Density Residential zoned on the Wise Farms Zoning Map. The RR-Rural Residential and AG-OS Agricultural-Open Space zoned property is exempt from the housing diversity requirement. Housing diversity is required in the Municipal Code to ensure that as the Town grows, a variation in housing choices are available to potential consumers looking for housing in Erie. The Wise Farms developers housing diversity requirement is to provide either:

- 2 housing types, or,
- 1 housing type and 1 housing type variation.

Below is a listing of what is considered a housing type and what is considered a housing type variation:

Housing Type	Housing Type Variation
Duplex	Front Loaded
	Alley Loaded
Stacked Tri-plex / Quad-plex	Three Dwelling Units per Building
	Four Dwelling Units per Building
Manor Home	Variation in Building Length 30% or More
	Variation in Building Footprint 30% or More
Townhouse (Single-Family Attached)	Front Loaded
	Alley Loaded
Apartment (Multi-family)	Variation in Building Length 30% or More
	Variation in Building Footprint 30% or More
Live-Work Units	Front Loaded
	Alley Loaded
Single Family Detached	Front Loaded

	Alley Loaded
	Lot Size Under 5,000 Square Feet
	Lot Size 5,000 – 9,999 Square Feet
	Lot Size 10,000 – 39,999 Square Feet
	Lot Size 40,000 Square Feet or More

The Wise Farms Preliminary Plat contains 1 Housing Type (Single Family Detached – lots in the 5,000 to 9,999 square foot range) with 1 Housing Type Variation (Single Family Detached – lots in the 10,000 to 39,999 square foot range). There are 104 lots in the 5,000 to 9,999 square foot range; and, 21 lots in the 10,000 to 39,999 square foot range that have an average lots size near 11,400 square feet.

Natural Areas Inventory

The Town of Erie Natural Areas Inventory identifies Natural Area Site #42 within the Wise Farms Preliminary Plat. The Natural Area Site Survey Form is attached to this memo; as well as, Chapter 2 of the Natural Areas Inventory report that is a user's guide on how to read the results of the survey.

Natural Areas Inventory Site #42 is located on the Wise property, just south of Jasper Road near the historic mill buildings. The Site includes a non-jurisdictional wetland and extends south to the Lower Boulder ditch.

Survey #42 makes the following findings for the site on Wise Farms:

- The effort needed to enhance the natural area is "Low"; this is the level of least effort ranking. The survey states that the enhancement effort would involve eradication of noxious weeds.
- The wetland area is ranked functionally as "small ponding area with some vegetation." The wetland value to wildlife is ranked at "3", on a scale of 1-5.
- The vegetation rankings listed the plant diversity as fairly high with a "4" (51-70 plan species), on a scale of 1-5, with a low percentage (6-10%) of noxious weed cover and very little disturbed bare ground (0-5%).
- The overall wildlife habitat quality ranking was "3" on a scale of 0 to 5. In the Site Comments, it is reported that residents reported having observed yellow-headed blackbirds in the wetland; this is noteworthy as they are a species of special concern.

Non-Jurisdictional Wetlands

The locational map below illustrates the general location of the two non-jurisdictional wetlands.

Northeast Site

Based on the Town of Erie Natural Areas Inventory Site Survey #42, staff requested that the applicant dedicate the wetland area in Site #42 and the tree and vegetation near the ditch to the Town as open space. As illustrated in the applicants site concept map below, the applicant has worked to preserve those areas, for dedication to the Town, that are within the dashed redlines. The development proposal does put a road access between the two features. A large portion of the shrub area, where the new lots and road will be constructed, will be removed by the proposed development; however the large tree and shrubs closest to the ditch will be preserved.

Northwest Site

The smaller wetland area, in the northwest portion of the site, is designated on the Wise Farms Preliminary Plat as a part of Tract L that is designated as a future EnCana oil and gas operations area.

Natural and Cultural Resources Assessment

A site specific Natural and Cultural Resources Assessment report was submitted to assess the property for wetlands and waters of the U.S., threatened and endangered species, wildlife habitats, and properties listed on the National and Colorado registers of historic places. Additionally, the U.S. Army Corps of Engineer provided jurisdictional determination of water features on the property. A referral response was also received from the State Historic Preservation Office.

In summary, the reports and referral response found that:

- The U.S. Army Corps of Engineers determined the two depressional wetlands, Lower Boulder Ditch, and Leyner Cottonwood Ditch are non-jurisdictional. They do not require federal permitting for proposed development alterations.
- Suitable habitat for federally listed threatened or endangered species is not present on the property.
- At the time of the Natural and Cultural Resources Assessment, migratory bird nests were not found on the property. The report stated that there are a number of large trees on the property that provide suitable nesting habitat for migratory birds. If site development and disturbance of trees occurs between April 1 and August 15, a survey for active nests should be conducted. Trees with an active nest cannot be removed until the nest is abandoned for the season.
- The Natural and Cultural Resources Assessment report states that the Wise property, structures and ditches are not listed on the National or State registers of historic places.
- The State Historic Preservation Office (SHPO) referral response letter notified the Town that SHPO operates in an advisory capacity only on projects that do not have state or federal involvement; development of the Wise Farms property does not include state or federal involvement. The SHPO letter identifies the Wise Farm as potentially eligible for listing on the National Register of Historic Places; and, that they consider the Lower Boulder Ditch and RTD railroad right-of-way as historic properties. They encourage occupation of the Wise Farm buildings to prevent decay through neglect and vandalism. SHPO also encourages preservation of the Lower Boulder Ditch by not straightening, lining or piping the ditch.

As stated in the Natural Areas Inventory section above, staff requested that the applicant dedicate the wetland area and the tree and vegetation near the ditch to the Town as open space.

Based on the information above, staff has added to the draft resolution, language with requirements for development or tree disturbance between April 1 and August 15 to protect migratory bird nests.

Historic Mill/Farm Structures

There are several historic mill/farm structures along the Jasper Road right of way; as illustrated below from the ALTA survey. Some of these structures encroach into the existing road right of way (heavy black line defines the edge of the existing right of way) and others encroach into the additional right of way (red line defines the edge of the future right of way) that would be dedicated with a final plat of Wise Farms. Additionally, all of the structures are adjacent to land that the applicant has designated as open space dedication to the Town. The structures have not been maintained and are in a hazardous condition. Throughout development review of the application, staff has stated to the developer and Wise family that Town staff does not want to take on the restoration, maintenance and liability associated with the structures. We have discussed several options for the structures with the developer and owners. The most recent conversations with the owner and developer have been focused on the Wise family looking into

potentially moving the historic buildings from their current location to the north side of Jasper Road to become part of the Wise Museum site. Staff supports this option and will continue to work with the owner and developer on timing for the transfer of the structures onto the museum site during the final plat application process.

Trees

The Wise Farms property contains a large number of trees along the Lower Boulder Ditch, Leyner Cottonwood Ditch and Jasper Road. Within the Landscape Construction Plans (Sheet L8 and L9) the applicant has identified which trees will be removed and which trees will be preserved. The Town's Forester has visited the site and will continue to work with the applicant through the Final Plat construction document application process to evaluate and finalize the tree removal and protection plans.

Parks, Open Space and Trails

Public Dedication Requirements:

The public parks and open space dedication requirements, for the Wise Farms property, are based on the proposed development of 166 dwelling units. The required dedications for parks and open space can be found on the Wise Farms PUD Zoning Map and on the table below.

Public Dedications	Required Dedication	Proposed Dedication
Pocket Park	0.23	0.45*
Neighborhood Park	1.39	Fee in Lieu
Community Park	2.32	Fee in Lieu
Open Space	7.87	9.28

*Applicant proposal includes a second Pocket Park, south of the RTD railroad right of way, if a road crossing is not obtained.

Pocket Park

The applicant is proposing a Pocket Park, north of the RTD railroad right of way that is larger than required for the public Pocket Park dedication. In the Town of Erie Parks, Recreation, Open Space, and Trails Master Plan (PROST), Pocket Parks are typically located within ¼ mile of the residents they serve. Because the Wise Farms property is divided by RTD and there is no current crossing for direct access between the north and south half of the Wise Farms property, the residents on the south half of the property are not within a ¼ mile of the proposed pocket park. If the applicant does not obtain permission for the proposed street crossing of RTD, the applicant has proposed, in the Landscape Construction Plans, an alternative second pocket park that would replace Block 2, Lot 1 which is 0.96 acres in size.

Neighborhood Park and Community Park

The PROST Master Plan does not identify a neighborhood park or community park in this location. The applicant has proposed paying a fee-in-lieu for the neighborhood park and community park dedication. The developers required dedication for these parks (1.39 acres – Neighborhood Park; 2.32 acres – Community Park) does not come close to meeting the minimum size requirements for the neighborhood park (7 acres) and community park (30 acres) dedication requirements.

Open Space

As stated above, staff requested that the applicant dedicate the wetland area and the tree and vegetation near the ditch to the Town as open space. The applicant has proposed a 9.28 acre open space dedication to the Town, which is above the dedication requirement of 7.87 acres. Staff supports the dedication of this area, as we do not currently have a wetland of this type in our open space inventory. Staff is recommending, in the draft Resolution, that the applicant be required to provide, at Final Plat, adequate information regarding the hydraulics and proposed construction of the site to ensure the continued health of the wetland area within the proposed dedication of Town open space.

Pedestrian Trails

Wise Farms Preliminary Plat provides pedestrian connections throughout the proposed development. The trails provide a buffer open space between the lots in Wise Farms and the adjacent, existing homes. The PROST Master Plan identifies a spine trail along the RTD railroad right of way. The applicant is proposing a trail in this location.

Private Open Space

Approximately 62 acres of private open space is distributed throughout the proposed preliminary plat and includes areas such as landscape buffers along roadways, detention facilities, ditch corridors, extensive oil and gas well sites, WAPA above ground power lines, significantly undermined ground, and trail corridors.

RTD Railroad Right-of-Way

The RTD Railroad right of way separates the two parcels of land that make up the Wise Farms Preliminary Plat. The right of way is a barrier between the two parts of the development. The applicant has proposed a street crossing of the right of way; however, this crossing may be difficult to obtain. Staff and the applicant would like direction on whether or not you would like to pursue the proposed street crossing of the right of way with the Final Plat application.

The applicant has also proposed utility crossings of the RTD right of way; these crossings will need to be reviewed and permitted by RTD before they can be constructed.

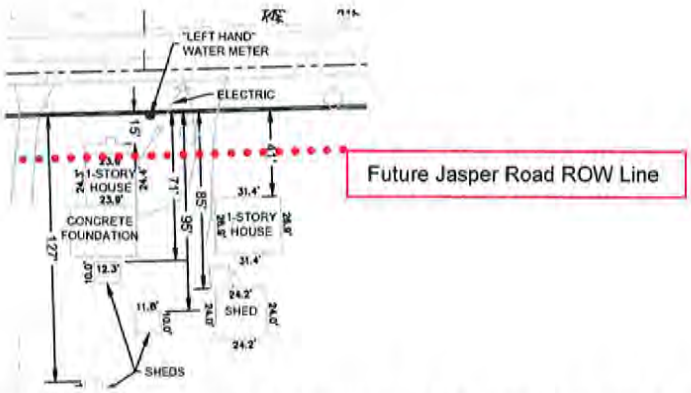
Streets

Jasper Road

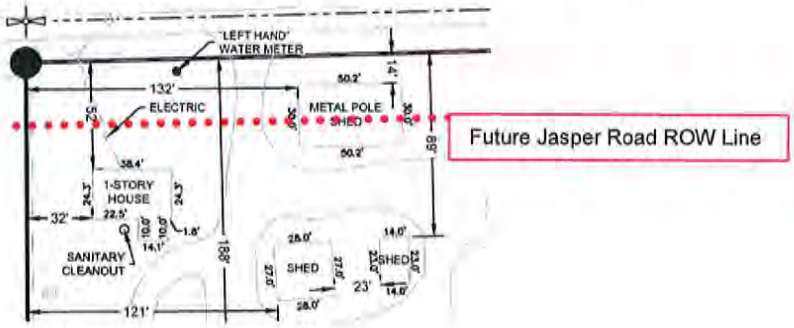
The Wise Farms development will have two access points onto Jasper Road. The access roads have been located to minimize conflicts of headlights with homes on the north side of Jasper Road and to avoid the existing wetland on the east side of the property. In general, Jasper Road will be increased in width to add a 4 foot paved shoulder/bike lane on the south side of the street. The main entry into the Wise Farms development from Jasper Road is the western entry. The main entry will include a center left turn lane for westbound drivers.

Jasper Road Encroachments

Within the proposed development, the existing house, on the east end of the property adjacent to Jasper Road, will encroach into the future Jasper Road right of way dedication. The Town has agreed to enter into a license agreement for that portion of the dwelling unit that encroaches into the future right of way at the time of Final Plat.



Within the proposed development, the existing farm on the west end of the property adjacent to Jasper Road has an accessory building (metal pole shed in diagram below) that encroaches into the future Jasper Road right of way. The owners have agreed to have the structure either moved or removed from the future right of way. The timing for moving or removing the structures shall be defined in the development agreement for the Wise Farms Final Plat.



119th Street

The Wise Farms development will have one access point onto 119th Street. The access road has been located to minimize subsidence risks associated with undermining on this portion of the property. In general, 119th will be increased in width to add a 4 foot paved shoulder/bike lane on the west side of the street. The entry into the Wise Farms development from 119th Street will include a center left turn lane for northbound drivers.

Because there is only one access road into the south half of the Wise Farms development from 119th Street, the applicant is proposing an emergency access from the end of the cul-de-sac from Street Z to 119th Street.

Internal Streets

A Traffic Report was submitted for the Wise Farms Preliminary Plat. All of the streets proposed are public roads. The streets and improvements proposed are in compliance with the Towns Specifications and Standards.

Access to Property to the West:

To the west of the southern half of the Wise Farms development is a parcel of land that is not developed and eligible for future annexation into the Town. The Wise Farms Preliminary Plat has provided one street access (Street Y) and a secondary emergency access point (Tract F) to this property.

Utilities

The Town of Erie will provide both water and wastewater services to the Wise Farms property. The West Side Interceptor (wastewater) runs through the northwest portion of the Wise Farms property; however,

water lines are not located near the Wise Farms property. The developer will need to loop the proposed Wise Farms development to existing water lines in the Kenosha Farms Subdivision area to the north and to the Canyon Creek and Meadowsweet Farm Subdivision area to the south. Portions of the future water line may need to cross through areas within Boulder County; which will require permitting with Boulder County.

At the time of building permit, raw water fees are collected that allow the Town to purchase water rights ensuring an adequate water supply for potable water and wastewater services. In addition, raw water fees are collected at final plat approval for parks and open space areas.

Utility service providers for the property are Xcel Energy for electric and natural gas, Century Link Communications for telephone services and Comcast for cable television. Utility easements for these providers will be finalized at the time of final plat.

All local, above ground power lines within and adjacent to the Wise Farms Preliminary Plat will be undergrounded with development.

Western Area Power Association (WAPA) Power Distribution Lines

The Western Area Power Association (WAPA) power distribution lines cut across the southern half of the Wise Farms property. The easement for the WAPA lines is 75 feet wide. Residential lots do not encroach into the easement. There are proposed street and pedestrian trail crossings of the easement and grading and utility work that will need to occur within the easement. Any development related activity within the WAPA easement will need to be reviewed and permitted through WAPA.

Ditches

Lower Boulder Ditch

The Lower Boulder Ditch is located within the northern half of the Wise Farms Preliminary Plat. The applicant has shown the Town required 75 foot setback from the centerline of the ditch to the residential lots. The applicant is not proposing to alter the ditch other than to cross it with streets and utilities and add safety improvements. Due to the size of this ditch, safety improvements will be required from the ditch company. The applicant has proposed installation of a 5 foot iron ornamental fence along the full length of both sides of the ditch; the fencing will include access gates at the road crossings. A pedestrian trail will be located on the south side of the ditch, outside of the fenced area.

The Northern Colorado Water Conservancy District (NCWCD) has an existing access and utility easement from Jasper Road to the Lower Boulder Ditch. This easement is located in areas the applicant is proposing to plat with single family lots. The NCWCD easement will need to be vacated before a final plat is recorded.

During the referral process the Lower Boulder Ditch Company has requested the Town discuss maintenance issues related to the ditch that are inclusive of the entire ditch through the Town and not just associated with the Wise Farms development proposal. The Town will continue to work with the Ditch Company to come to resolution during the Final Plat process.

All work within the Lower Boulder Ditch easement will require review and approval by the appropriate ditch entity. Both Northern Colorado Water Conservancy District and Lower Boulder Ditch Company have rights associated with the ditch.

Leyner Cottonwood Ditch

The Leyner Cottonwood Ditch is located on the very southern edge of the south half of the Wise Farms development. The applicant has shown the required 75 foot setback from the centerline of the ditch to the residential lots. The applicant is not proposing to alter the ditch. The Wise Farms owners have two ditch laterals that will be abandoned; and, there is one ditch lateral and access drive that serves an off-site user to the east that will not be altered. The applicant is proposing to construct a pedestrian trail along the north side of the ditch.

Drainage and Erosion

A Drainage Study was submitted and reviewed. The development is proposing two detention ponds in Tract A and Tract M.

Oil/Gas Facilities

The Wise Farms property has one existing oil/gas facility that is owned by Noble Energy that is located in the southern half of the proposed development. EnCana holds the mineral rights in the north half of the Wise Farms property, and Kerr-McGee holds the mineral rights for the east half of the south half of the Wise Farms property. The property owner has a Surface Use Agreement (SUA) with EnCana that is proposed to be amended with an exhibit. There is not an executed Surface Use Agreement with Noble Energy or Kerr-McGee; only draft SUAs. The setbacks illustrated on the Preliminary Plat documents represent the setbacks in the draft documents, for EnCana, Noble Energy, and Kerr-McGee submitted in the applicant materials. The information presented below is based on those "draft" Surface Use Agreements.

Northern Half of Property - EnCana Future Wells

The Wise Farms Preliminary Plat identifies the draft EnCana SUA setback requirements on the plat. The full executed Surface Use Agreement and draft Exhibit that is to amend the executed SUA is a part of the applicant materials. The Preliminary Plat shows 10 EnCana wells being drilled in the northwest part of the site. Additionally, a pipeline and associated easement is proposed from the well site that travels east along the RTD railroad right of way to 119th Street. The temporary completions area and the permanent setbacks for the well site, as defined in the draft SUA Exhibit, encumber proposed Tract S, Tract L, Tract M, Street D and Street E, and single family lots in Block 15. Because the SUA encumbers these areas, a Final Plat, in the areas encumbered, cannot be approved until the wells have been drilled.

South Half of the Property - Noble Energy Existing Well

It is the applicant's responsibility to ensure that existing well facilities, access roads and fencing meet the Municipal Code requirements at the time of final plat. The draft Surface Use Agreement is a part of the applicant materials. The Noble well site is located in Tract D. The applicant proposes to create a new access to the well site by having well site access come off of Street X at Tract W. Additionally, the applicant proposes to realign the existing well pipeline that comes from the property to the west and travels to 119th Street. Realignment of the pipeline will be through Tract V, Tract W, Tract D, Tract U, Tract X to Tract E. Realignment of the pipeline and vacation of portions of the existing easement will need to come completed before the Town can approve a Wise Farms Final Plat in the area encumbered.

As a part of the Environment Site Assessment Report (Phase I), the existing Noble Energy oil and gas well and associated tank battery was recognized as an environmental condition. The well site was identified due to the age of the well and the concrete tank used to store the condensate. Staff is recommending that a Phase II Environmental Assessment Report be completed for Final Plat application of this area of Wise Farms.

South Half of the Property - Kerr McGee - Future Wells

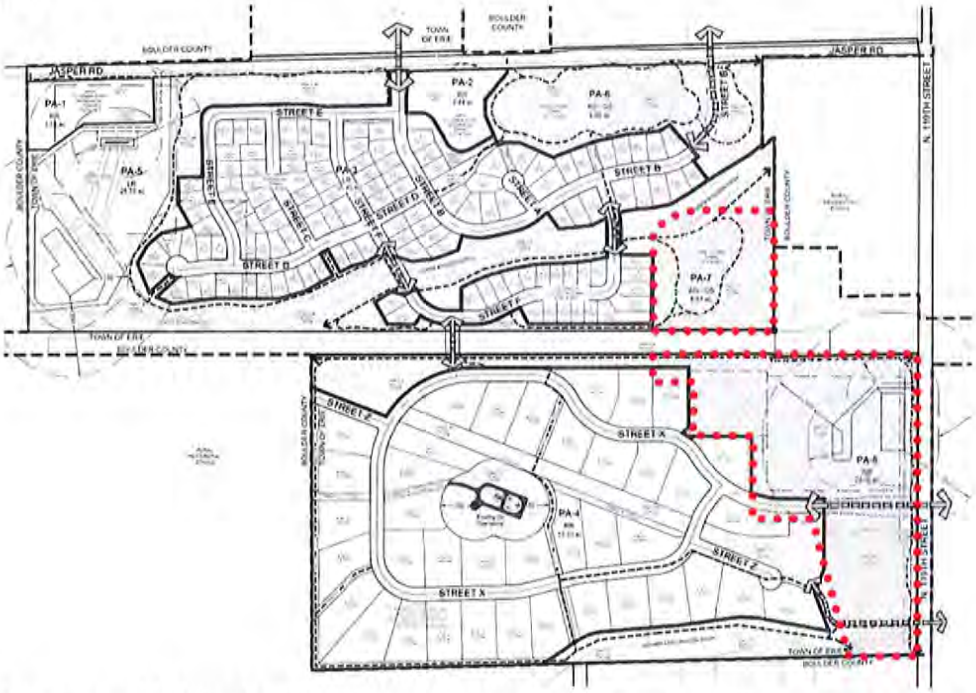
The Wise Farms Preliminary Plat identifies the draft Kerr-McGee SUA setback requirements on the plat. The draft Surface Use Agreement is a part of the applicant materials. The Preliminary Plat shows 10 Kerr-McGee wells being drilled in Tract R. Because the SUA is not clear on the area that will be encumbered for the future Kerr-McGee well site, a Final Plat, in the southern half of the property, cannot be approved until a SUA is finalized and encumbered areas are clearly defined.

South Half of the Property - Abandoned Well

There is one abandoned oil and gas well site identified on the preliminary plat. It is located in Street X. The abandoned well site is shown in its approximate location on the preliminary plat. Before a Final Plat

is approved, the applicant will need to locate and monument the exact location of the abandoned well and show the required monument and setback on the Final Plat, to be in compliance with the Municipal Code.

Undermining



The mines that operated below the Wise Farms property are referred to in the Mine Subsidence Investigation report as the Banner, Standard, Star and Jackson Mines. The Colorado Division of Mines has records that indicate the mines were mapped in 1888; no map occurs for the Banner Shaft. The report stated that there were "significant inaccuracies on the original mine maps" and that "the average depth to the top of the main seam is approximately 100 feet." After drilling the Wise Property, the report concluded that:

- No mine subsidence related development restrictions are required on those portions of the property as not affected by mining. They recommend that no structures be built in the restricted areas; which are outlined on the map in red.
- If development of the "restricted" portions of the Wise Property is anticipated, additional studies, including drilling, will be required.
- Infrastructure, including roads and utilities, should utilize areas unaffected by mining, or be constructed to withstand the 0.74% strain.

On the north half of Wise Farms Preliminary Plat, the "restricted" portion of the site is proposed to be Metro District or HOA owned and maintained open space. Residential lots are located outside of the "restricted" area.

On the south half of the Wise Farms Preliminary Plat, the applicant proposes to cross the "restricted" area with a street access from 119th Street and to cross the "restricted" area with a secondary emergency access. Additionally, two of the residential lots have a portion of the "restricted" area within the lot. Lot 3, Block 1 includes a 90 foot setback from the rear property line due to the subsidence risk on that lot. Lot 1, Block 3 includes a subsidence setback along the Street X frontage that is between 45 feet and 75 feet in depth.

If a subsidence event were to occur in Street X, or in the emergency access to 119th Street, or on either residential lot; the Town and homeowner would not be eligible for assistance in remediation of the event from the State of Colorado.

The State Geologic Survey reviewed the reports and did not have any conflicts with the report findings.

Schools

The Wise Farms proposed development is located in the St. Vrain Valley School District. During the referral process the School District supported the development of the property and did not request dedication of land for a school site in this location.

Police Services

The Erie Police Department will provide service to the property.

Fire Protection

The Mountain View Fire Protection District will provide fire and emergency medical services. A proposed fire station location was dedicated in the Flatiron Meadows Subdivision on the southwest corner of Erie Parkway and Meadow View Parkway which is approximately 1 mile from the Wise Farms property.

STAFF REVIEW AND ANALYSIS

The Preliminary Plat for Wise Farms was reviewed for conformance with Municipal Code, Title 10, UDC Section 10.7.7 C.10. Approval Criteria. Staff finds the Preliminary Plat in compliance with the Preliminary Plat Approval Criteria as listed below.

a. The subdivision is generally consistent with the Town's Comprehensive Master Plan.

   Staff: The subdivision is generally consistent with the Comprehensive Plan.

b. The subdivision is generally consistent with and implements the intent of the specific zoning district in which it is located.

   Staff: The subdivision is in general compliance with the proposed Rezoning and Wise Farms PUD.

c. The general layout of lots, streets, driveways, utilities, drainage facilities, and other services within the proposed subdivision is designed to meet the Town's standards related to health and safety and in a way that minimizes the amount of land disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation and riparian areas, protects critical wildlife habitat, and otherwise accomplishes the purposes and intent of this UDC.

   Staff: The subdivision meets the Town's standards.

d. The subdivision complies with all applicable use, development, and design standards set forth in Chapters 3, 5 and 6 of this UDC that have not otherwise been modified or waived pursuant to this Chapter or this UDC. Applicants shall refer to the Development Standards in Chapter 5 of this UDC and shall consider them in the layout of the subdivision in order to avoid creating lots or patterns of lots in the subdivision that will make compliance with such development and design standards difficult or infeasible.

   Staff: The subdivision has modified Town standards found in Chapter 6 of the UDC. All modifications are in the Wise Farms PUD and include modifications to the single family residential architectural standards, lot size and setback variations. Additionally, accessory dwelling units will be a use by right in the southern half of the property; and, will not require a Special Review Use public hearing process.

e. The subdivision complies with all applicable regulations, standards, requirements, or plans of the Federal or State governments and other relevant jurisdictions, including but not limited to wetlands, water quality, erosion control, and wastewater regulations.

Staff: The subdivision will meet the standards.

f. The subdivision will not result in significant adverse impacts on the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated.

Staff: Significant adverse impacts are not anticipated.

g. The subdivision shall be integrated and connected, where appropriate, with adjacent development through street connections, sidewalks, trails, and similar features.

Staff: Pedestrian access is adequately provided.

h. The subdivision will not result in significant adverse impacts on adjacent properties, or such impacts will be substantially mitigated.

Staff: Significant adverse impacts are not anticipated.

i. Adequate and sufficient public safety, transportation, utility facilities and services, recreation facilities, parks, and schools are available to serve the subject property, while maintaining sufficient levels of service to existing development.

Staff: Adequate facilities are available to serve the property.

j. As applicable, the proposed phasing plan for development of the subdivision is rational in terms of available infrastructure capacity.

Staff: Adequate infrastructure is available. The applicant will be responsible for looping future waterlines from the Kenosha Farms subdivision area to the Canyon Creek and Meadowsweet Farms subdivision area.

STAFF RECOMMENDATION:

Staff finds the application consistent with the Preliminary Plat approval criteria in Municipal Code, Section 10.7.7.C.10, and recommends approval of the Wise Farms Preliminary Plat application. Staff has provided Resolution 15-66, for the Board of Trustees consideration, recommending approval of the application with the following conditions:

a. Executed Surface Use Agreements, with the mineral owners or leaseholders, shall be in place before a Wise Farms Final Plat, for the areas affected, is approved by the Town.

b. Realignment of the existing Noble Energy pipeline and vacation of portions of the existing easement will need to be completed before the Town approves a Wise Farms Final Plat in the areas where proposed single family lots are encumbered by the existing facility.

c. Within the applicant's Environmental Site Assessment Report (Phase I), the existing Noble Energy oil and gas well and associated tank battery was recognized as an environmental condition. The well site was identified due to the age of the well and the concrete tank used to store the condensate. The applicant is required to submit a Phase II Environmental Assessment Report of this well site with the Final Plat application of this area of Wise Farms.

d. The abandoned oil and gas well, within a Wise Farms Final Plat for development, shall be located, monumented and identified on the final plat, as specified in the Municipal Code.

e. The Northern Colorado Water Conservancy District access and utility easement from Jasper Road to the Lower Boulder Ditch shall be vacated before a final plat for a development is recorded in this area.

f. If the applicant does not obtain permission for the proposed street crossing of the RTD railroad right of way, the applicant shall provide a second pocket park in the location of Block 2, Lot 1 which is 0.96 acres in size.

g. At Final Plat, the applicant shall provide adequate information regarding the hydraulics and proposed construction of the site to ensure the continued health of the wetland area in the proposed dedication of Town open space.

h. If site development and disturbance of trees occurs between April 1 and August 15, a survey for active nests should be conducted. Trees with an active nest shall not be removed until the nest is abandoned for the season.

i. Within the proposed development, the historic mill structures, along Jasper Road and south of the Wise Museum, are located in existing Jasper Road right of way, in future Jasper Road right of way dedication, and adjacent to future open space dedication to the Town of Erie. The owner and developer have agreed to either move or remove the structures from the right of way and open space. The timing for moving or removing the structures shall be defined in the development agreement for the Wise Farms Final Plat.

j. Within the proposed development, the existing farm on the west end of the property adjacent to the future Jasper Road right of way has an accessory building that encroaches into the future Jasper Road right of way. The owners have agreed to have the structure either moved or removed from the future right of way. The timing for moving or removing the structure shall be defined in the development agreement for the Wise Farms Final Plat.

k. Within the proposed development, the existing house, on the east end of the property, adjacent to Jasper Road, will encroach into the future Jasper Road right of way dedication. The Town has agreed to enter into a license agreement for that portion of the dwelling unit that encroaches into the future right of way at the time of Final Plat.

l. The approval of the Wise Farms Preliminary Plat shall not come into effect until the Wise Farms Zoning Map and Wise Farms PUD Zoning Map is approved and recorded for the property.

m. Technical corrections to Wise Preliminary Plat shall be made to the Town's satisfaction.

Staff requested that the Board of Trustees continue the decision on the Wise Farms Preliminary Plat application until the June 23rd meeting. This will allow the Board of Trustees to vote on all three Wise Farms applications (Rezoning, PUD-Planned Unit Development, and Preliminary Plat) concurrently.

Public Notice

Colorado Hometown Weekly Newspaper Publication:	May 6, 2015
Notice Posted on Public Notice Boards and on Property; and,	
Letters to adjacent property owners mailed:	May 8, 2015

The documentation required for the Preliminary Plat application is complete. The Community Development file for the Wise Farms Preliminary Plat application is entered into the public record.

Neighborhood Meeting:

As required by the Municipal Code a Neighborhood Meeting was held on January 7, 2015 at the Erie Community Center. The required notice for the Neighborhood Meeting was provided.

Staff Review:

____Town Attorney
____Town Clerk
MM Community Development Director
____Finance Director
____Police Chief
____Public Works Director

Approved by:

A.J. Krieger
Town Administrator

ATTACHMENTS:

A. Draft Resolution 15-66
B. Planning Commission Resolution P15-09
C. Natural Areas Inventory Chapter 2 – Inventory Site #42
D. Staff Development Review Team (DRT) Comments
E. Referral Comments
F. Public Comments
G. Application Materials

ATTACHMENT A

RESOLUTION NO. 15-66

A RESOLUTION MAKING CERTAIN FINDINGS OF FACT AND CONCLUSIONS FAVORABLE TO THE WISE FARMS PRELIMINARY PLAT; IMPOSING CONDITIONS OF APPROVAL; APPROVING THE WISE FARMS PRELIMINARY PLAT WITH CONDITIONS; AND SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, the Board of Trustees of the Town of Erie, Colorado, held a Public Hearing for the Wise Farms Preliminary Plat on Tuesday, May 26, 2015 and June 23, 2015, on the application of Jasper Land Investments, LLC, 9162 S. Kenwood Court, Highlands Ranch, Colorado, such Preliminary Plat being a plat of the following real property; to wit:

See Exhibit "A," attached hereto and incorporated herein, and

WHEREAS, the Planning Commission of the Town of Erie, Colorado, conducted a Public Hearing for the Wise Farms Preliminary Plat on January 21, 2015, and;

WHEREAS, the application for Preliminary Plat is detailed on Exhibit B: Wise Farms Preliminary Plat, dated December 29, 2015.

WHEREAS, said Wise Farms Preliminary Plat is incorporated herein and made part hereof by this reference.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, AS FOLLOWS:

Section 1. Findings of Fact.

1. That the applicant's application and supporting documents are in substantial compliance with Municipal Code 10.7.7 C.
2. The Preliminary Plat has met Municipal Code Title 10, Section 10.7.7 C.10. Approval Criteria:
   a. The subdivision is generally consistent with the Town's Comprehensive Master Plan.

      Staff: The subdivision is generally consistent with the Comprehensive Plan.

   b. The subdivision is generally consistent with and implements the intent of the specific zoning district in which it is located.

      Staff: The subdivision is in general compliance with the proposed Rezoning and Wise Farms PUD.

   c. The general layout of lots, streets, driveways, utilities, drainage facilities, and other services within the proposed subdivision is designed to meet the Town's standards related to health and safety and in a way that minimizes the amount of land disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation and riparian areas, protects critical wildlife habitat, and otherwise accomplishes the purposes and intent of this UDC.

      Staff: The subdivision meets the Town's standards.

   d. The subdivision complies with all applicable use, development, and design standards set forth in Chapters 3, 5 and 6 of this UDC that have not otherwise been modified or waived pursuant to this Chapter or this UDC. Applicants shall refer to the Development Standards in Chapter 5 of this UDC and shall consider them in the layout of the subdivision in order to avoid creating lots or

patterns of lots in the subdivision that will make compliance with such development and design standards difficult or infeasible.

Staff: The subdivision has modified Town standards found in Chapter 6 of the UDC. All modifications are in the Wise Farms PUD and include modifications to the single family residential architectural standards, lot size and setback variations. Additionally, accessory dwelling units will be a use by right in the southern half of the property; and, will not require a Special Review Use public hearing process.

e. The subdivision complies with all applicable regulations, standards, requirements, or plans of the Federal or State governments and other relevant jurisdictions, including but not limited to wetlands, water quality, erosion control, and wastewater regulations.

   Staff: The subdivision will meet the standards.

f. The subdivision will not result in significant adverse impacts on the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated.

   Staff: Significant adverse impacts are not anticipated.

g. The subdivision shall be integrated and connected, where appropriate, with adjacent development through street connections, sidewalks, trails, and similar features.

   Staff: Pedestrian access is adequately provided within the subdivision. Future trail and sidewalk connections are possible with the proposed walk configuration proposed.

h. The subdivision will not result in significant adverse impacts on adjacent properties, or such impacts will be substantially mitigated.

   Staff: Significant adverse impacts are not anticipated.

i. Adequate and sufficient public safety, transportation, utility facilities and services, recreation facilities, parks, and schools are available to serve the subject property, while maintaining sufficient levels of service to existing development.

   Staff: Adequate facilities are available to serve the property.

j. As applicable, the proposed phasing plan for development of the subdivision is rational in terms of available infrastructure capacity.

   Staff: Adequate infrastructure is available. The applicant will be responsible for looping future waterlines from the Kenosha Farms subdivision area to the Canyon Creek and Meadowsweet Farms subdivision area.

3. The Wise Farms zoning and PUD – Planned Unit Development shall be followed in the development of the property.

4. That a detailed Development Agreement (DA) will be required at such time as the property is approved for a Final Plat.

5. That the following conditions shall be imposed as a condition of approval:

   a. Executed Surface Use Agreements, with the mineral owners or leaseholders, shall be in place before a Wise Farms Final Plat, for the areas affected, is approved by the Town.

b. Realignment of the existing Noble Energy pipeline and vacation of portions of the existing easement will need to be completed before the Town approves a Wise Farms Final Plat in the areas where proposed single family lots are encumbered by the existing facility.

c. Within the applicant's Environmental Site Assessment Report (Phase I), the existing Noble Energy oil and gas well and associated tank battery was recognized as an environmental condition. The well site was identified due to the age of the well and the concrete tank used to store the condensate. The applicant is required to submit a Phase II Environmental Assessment Report of this well site with the Final Plat application of this area of Wise Farms.

d. The abandoned oil and gas well, within a Wise Farms Final Plat for development, shall be located, monumented and identified on the final plat, as specified in the Municipal Code.

e. The Northern Colorado Water Conservancy District access and utility easement from Jasper Road to the Lower Boulder Ditch shall be vacated before a final plat for a development is recorded in this area.

f. If the applicant does not obtain permission for the proposed street crossing of the RTD railroad right of way, the applicant shall provide a second pocket park in the location of Block 2, Lot 1 which is 0.96 acres in size.

g. At Final Plat, the applicant shall provide adequate information regarding the hydraulics and proposed construction of the site to ensure the continued health of the wetland area in the proposed dedication of Town open space.

h. If site development and disturbance of trees occurs between April 1 and August 15, a survey for active nests should be conducted. Trees with an active nest shall not be removed until the nest is abandoned for the season.

i. Within the proposed development, the historic mill structures, along Jasper Road and south of the Wise Museum, are located in existing Jasper Road right of way, in future Jasper Road right of way dedication, and adjacent to future open space dedication to the Town of Erie. The owner and developer have agreed to either move or remove the structures from the right of way and open space. The timing for moving or removing the structures shall be defined in the development agreement for the Wise Farms Final Plat.

j. Within the proposed development, the existing farm on the west end of the property adjacent to the future Jasper Road right of way has an accessory building that encroaches into the future Jasper Road right of way. The owners have agreed to have the structure either moved or removed from the future right of way. The timing for moving or removing the structure shall be defined in the development agreement for the Wise Farms Final Plat.

k. Within the proposed development, the existing house, on the east end of the property, adjacent to Jasper Road, will encroach into the future Jasper Road right of way dedication. The Town has agreed to enter into a license agreement for that portion of the dwelling unit that encroaches into the future right of way at the time of Final Plat.

l. The approval of the Wise Farms Preliminary Plat shall not come into effect until the Wise Farms Zoning Map and Wise Farms PUD Zoning Map is approved and recorded for the property.

m. Technical corrections to Wise Preliminary Plat shall be made to the Town's satisfaction.

6. That the Preliminary as proposed, subject to the conditions set forth herein, will preserve the health, safety, welfare and interest of the citizens of the Town of Erie, Colorado.

Section 2. Conclusions and Order Approving the Wise Farms Preliminary Plat.

1. Based on the above Findings of Fact, the Board of Trustees hereby approves the Wise Farms Preliminary Plat application with the conditions listed above.

ADOPTED AND APPROVED THIS __ DAY OF _____ 2015 BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO.

TOWN OF ERIE,
a Colorado municipal corporation

By: _____
Tina Harris, Mayor

ATTEST:

By: _____
Nancy Parker, Town Clerk

Exhibit A

(Wise Farms Legal Description)

NORTH PARCEL:

A PARCEL OF LAND BEING A PART OF THE NORTH HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST-SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS S00°04'01"E, A DISTANCE OF 1,316.88 FEET SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE S88°24'34"W, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 119TH STREET;

THENCE S88°24'34"W ALONG SAID SOUTH LINE, A DISTANCE OF 627.28 FEET; TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING S88°24'34"W ALONG SAID SOUTH LINE , A DISTANCE OF 3.19 FEET;

THENCE NORTH 00°09'24"W, A DISTANCE OF 114.08 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT NORTHERLY OF THE CENTERLINE OF THE EXISTING TRACK, SAID POINT BEING THE POINT OF BEGINNING;

THENCE S89°42'11"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 653.74 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING S89°42'11"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1,314.16 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING S89°42'11"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1,309.61 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEEST QUARTER OF SAID SECTION 14;

THENCE N00°29'33"W ALONG SAID WEST LINE, A DISTANCE OF 1,119.88 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF JASPER ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:

1. N88°21'52"E, A DISTANCEE OF 1,314.39 FEET
2. N88°17'28"E, A DISTANCE OF 1,317.03 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;
3. CONTINUING N88°17'28"E, A DISTANCE OF 599.53 FEET TO THE NORTHWESTERLY CORNER OF THAT TRACT OF LAND AS DESCRIBED ON SAID FILM 1555, AT RECEPTION NO. 953348;

THENCE S00°09'21"E ALONG THE WESTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 397.57 FEET TO THE MOST SOUTHERLY CORNER THEREOF;

THENCE N50°52'13"E ALONG THE SOUTHEASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 70.21 FEET;

THENCE S00°09'21"E, A DISTANCE OF 843.98 FEET TO THE POINT OF BEGINNING.

SOUTH PARCEL:

A PARCEL OF LAND BEING A PART OF THE NORTH HALF AND A PART OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST-SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS SOUTH 00°04'01" EAST, A DISTANCE OF 1316.88 FEET, SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREWITH BEING RELATIVE THERETO;

THENCE SOUTH 88°24'34" WEST, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 119TH STREET, SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH 00°04'10" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1316.93 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°18'16" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 1282.45 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 88°18'16" WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 1312.40 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°16'21" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 60.98 FEET TO THE SOUTHEASTERLY CORNER OF THAT TRACT OF LAND CONVEYED TO RONALD SCOTT JASPER, RONALD LEE JASPER AND VEE ANN JASPER AS DESCRIBED IN WARRANTY DEED

RECORDED MAY 3, 1976, ON FILM 922 AS RECEPTION NO. 175271, OF THE RECORDS OF BOULDER COUNTY, COLORADO;

THENCE NORTH 00°19'00" WEST ALONG THE EASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 1381.63 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT, SOUTHERLY OF THE EXISTING TRACK;

THENCE NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 62.45 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1314.28 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 653.74 FEET;

THENCE SOUTH 00°09'21" EAST, A DISTANCE OF 14.08 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE NORTH 88°24'34" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 3.19 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 88°24'34" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 627.28 FEET TO THE POINT OF BEGINNING.

SAID NORTH, SOUTH AND JASPER ROAD RIGHT-OF-WAY PARCELS CONTAINING A CALCULATED AREA OF 7,576,344 SQUARE FEET, OR 173.929 ACRES, MORE OR LESS.

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 1 OF 14

LAND SUMMARY CHART		
TYPE	AREA	% OF TOTAL AREA
RESIDENTIAL	65.864 AC.	37.87%
TRACTS	81.581 AC.	46.90%
PUBLIC ROW	26.484 AC.	15.23%
TOTAL	173.929 AC.	100%

TRACT SUMMARY TABLE				
TRACT	AREA	USE	OWNERSHIP	MAINTENANCE
A	2.45 AC.	DRAINAGE / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
B	2.31 AC.	UTILITY / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
C	0.55 AC.	DRAINAGE / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
D	3.03 AC.	OIL & GAS OPERATIONS / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
E	12.56 AC.	IRRIGATION DITCH / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
F	0.24 AC.	EMERGENCY ACCESS / TRAIL CORRIDOR	METRO DIST/HOA	METRO DIST/HOA
G	8.87 AC.	IRRIGATION DITCH / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
H	3.84 AC.	IRRIGATION DITCH / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
I	7.15 AC.	OPEN SPACE	TOWN OF ERIE	TOWN OF ERIE
J	0.08 AC.	OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
K	0.45 AC.	POCKET PARK	METRO DIST/HOA	METRO DIST/HOA
L	9.70 AC.	OIL & GAS OPERATIONS	METRO DIST/HOA	METRO DIST/HOA
M	11.40 AC.	OIL & GAS, DRAINAGE, UTILITY, IRRIGATION DITCH, OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
N	0.10 AC.	DRAINAGE & UTILITY / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
O	0.12 AC.	DRAINAGE & UTILITY / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
P	2.12 AC.	IRRIGATION DITCH / OPEN SPACE	TOWN OF ERIE	TOWN OF ERIE
Q	0.74 AC.	OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
R	13.71 AC.	OIL & GAS OPERATIONS / OPEN SPACE	WISE HOMESTEAD	WISE HOMESTEAD
S	0.44 AC.	OIL & GAS OPERATIONS	WISE HOMESTEAD	WISE HOMESTEAD
T	0.20 AC.	OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
U	0.32 AC.	OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
V	0.18 AC.	PIPELINE & ACCESS / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
W	0.20 AC.	PIPELINE & ACCESS / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
X	0.43 AC.	PIPELINE & ACCESS / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
Y	0.26 AC.	OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
Z	0.33 AC.	OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA

LEGAL DESCRIPTION

KNOW ALL PEOPLE BY THESE PRESENTS, THAT THE UNDERSIGNED WARRANT THAT THEY ARE OWNERS OF A PARCEL OF LAND BEING A PART OF THE NORTH HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

NORTH PARCEL:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST–SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS SOUTH 00°04'51" EAST, A DISTANCE OF 1316.88 FEET SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE SOUTH 88°24'24" WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT–OF–WAY LINE OF NORTH 119TH STREET;

THENCE CONTINUING SOUTH 88°24'24" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 627.29 FEET, TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 88°24'24" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 3.16 FEET;

THENCE NORTH 00°09'21" WEST, A DISTANCE OF 114.08 FEET TO A POINT ON THE NORTHERLY RIGHT–OF–WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT–OF–WAY, SAID RIGHT–OF–WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT NORTHERLY OF THE CENTERLINE OF THE EXISTING TRACK, SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH 89°42'11" WEST ALONG SAID NORTHERLY RIGHT–OF–WAY LINE, A DISTANCE OF 653.74 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 89°42'11" WEST ALONG SAID NORTHERLY RIGHT–OF–WAY LINE, A DISTANCE OF 1214.16 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 89°42'11" WEST ALONG SAID NORTHERLY RIGHT–OF–WAY LINE, A DISTANCE OF 1309.61 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14;

THENCE NORTH 00°29'33" WEST ALONG SAID WEST LINE, A DISTANCE OF 1118.86 FEET TO A POINT ON THE SOUTHERLY RIGHT–OF–WAY LINE OF JASPER ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT–OF–WAY LINE THE FOLLOWING THREE (3) COURSES:

1. NORTH 88°21'52" EAST, A DISTANCE OF 1314.28 FEET;
2. NORTH 88°17'58" EAST, A DISTANCE OF 1317.83 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;
3. CONTINUING NORTH 88°17'58" EAST, A DISTANCE OF 399.33 FEET TO THE NORTHWESTERLY CORNER OF THAT TRACT OF LAND AS DESCRIBED ON SAID FILM 1556, AT RECEPTION NO. 802548;

THENCE SOUTH 00°09'21" EAST ALONG THE WESTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 297.57 FEET TO THE MOST SOUTHERLY CORNER THEREOF;

THENCE NORTH 80°52'12" EAST ALONG THE SOUTHEASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 75.21 FEET;

THENCE SOUTH 00°09'21" EAST, DISTANCE OF 843.66 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING A CALCULATED AREA OF 3,782,125 SQUARE FEET OR 86.824 ACRES, MORE OR LESS

TOGETHER WITH

SOUTH PARCEL:

A PARCEL OF LAND BEING A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST–SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS SOUTH 00°04'51" EAST, A DISTANCE OF 1316.88 FEET, SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREWITH BEING RELATIVE THERETO;

THENCE SOUTH 88°24'24" WEST, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT–OF–WAY LINE TO NORTH 119TH STREET;

THENCE SOUTH 00°04'51" EAST, ALONG SAID WESTERLY RIGHT–OF–WAY LINE, A DISTANCE OF 0.14 FEET TO A POINT ON THE SOUTHERLY RIGHT–OF–WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT–OF–WAY, SAID RIGHT–OF–WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT, SOUTHERLY OF THE EXISTING TRACK, SAID POINT BEING THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°04'51" EAST ALONG SAID WESTERLY RIGHT–OF–WAY LINE, A DISTANCE OF 1316.70 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°18'16" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 1282.39 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 88°18'16" WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 1312.40 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°18'21" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 40.69 FEET TO THE SOUTHEASTERLY CORNER OF THAT TRACT OF LAND CONVEYED TO RONALD SCOTT JASPER, RONALD LEE JASPER AND VEE ANN JASPER AS DESCRIBED IN WARRANTY DEED RECORDED MAY 3, 1976, ON FILM 822 AS RECEPTION NO. 1752076, OF THE RECORDS OF BOULDER COUNTY, COLORADO;

THENCE NORTH 00°19'00" WEST ALONG THE EASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 1281.63 FEET TO THE SOUTHERLY RIGHT–OF–WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT–OF–WAY, SAID RIGHT–OF–WAY BEING 50 FEET, BY PERPENDICULAR MEASUREMENT, SOUTHERLY OF THE EXISTING TRACK;

THENCE NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT–OF–WAY LINE, A DISTANCE OF 63.45 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT–OF–WAY LINE, A DISTANCE OF 1214.28 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT–OF–WAY LINE, A DISTANCE OF 653.74 FEET;

THENCE SOUTH 00°09'21" EAST, A DISTANCE OF 14.08 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE NORTH 88°24'24" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 3.19 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 88°24'24" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 630.87 FEET TO A POINT ON THE SOUTHERLY RIGHT–OF–WAY LINE OF SAID PREVIOUS UNION PACIFIC RAILROAD RIGHT–OF–WAY;

THENCE NORTH 89°42'11" EAST, ALONG SAID SOUTHERLY RAILROAD RIGHT–OF–WAY LINE, A DISTANCE OF 6.40 FEET TO THE POINT OF BEGINNING;

SAID SOUTH PARCEL CONTAINING A CALCULATED ARE OF 3,591,472 SQUARE FEET OR 82.219 ACRES, MORE OR LESS.

TOGETHER WITH

VICINITY MAP
SCALE: 1" = 1000'

LEGAL DESCRIPTION (CONTINUED)

JASPER ROAD RIGHT OF WAY PARCEL:

A PARCEL OF LAND BEING A PART OF THE NORTH HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14, AND ASSUMING THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14 TO BEAR SOUTH 00°04'51" EAST, 1316.88 FEET WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 00°29'33" WEST, A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF JASPER ROAD;

THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING EIGHT (8) COURSES:

1. NORTH 88°21'52" EAST, A DISTANCE OF 1314.28 FEET;
2. NORTH 00°16'26" WEST, A DISTANCE OF 20.00 FEET;
3. NORTH 88°21'52" EAST, A DISTANCE OF 327.96 FEET;
4. NORTH 88°17'58" EAST, A DISTANCE OF 1024.84 FEET;
5. SOUTH 00°09'21" EAST, A DISTANCE OF 20.00 FEET;
6. NORTH 88°17'58" EAST, A DISTANCE OF 399.00 FEET;
7. NORTH 00°09'21" WEST, A DISTANCE OF 20.00 FEET;
8. NORTH 88°17'58" EAST, A DISTANCE OF 1604.42 FEET;

THENCE SOUTH 00°12'47" EAST, A DISTANCE OF 70.43 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF JASPER ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING FOUR (4) COURSES:

1. SOUTH 88°17'58" WEST, A DISTANCE OF 340.23 FEET;
2. NORTH 00°04'51" WEST, A DISTANCE OF 10.00 FEET;
3. SOUTH 88°17'58" WEST, A DISTANCE OF 2063.81 FEET;
4. SOUTH 88°21'52" WEST, A DISTANCE OF 1314.28 FEET;

THENCE NORTH 00°29'33" WEST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

SAID JASPER ROAD RIGHT OF WAY PARCEL CONTAINING A CALCULATED AREA OF 212,737 SQUARE FEET OR 4.884 ACRES, MORE OR LESS.

SAID NORTH, SOUTH AND JASPER ROAD RIGHT OF WAY PARCELS CONTAINING A CALCULATED AREA OF 7,578,344 SQUARE FEET, OR 173.929 ACRES, MORE OR LESS.

HAVE LAID OUT, PLATTED, AND SUBDIVIDED THE SAME INTO LOTS, BLOCKS, TRACTS AND RIGHT–OF–WAY AS SHOWN ON THIS PLAT, UNDER THE NAME AND STYLE OF WISE FARMS PRELIMINARY PLAT, AND BY THESE PRESENTS, DO HEREBY DEDICATE TO THE TOWN OF ERIE, COLORADO, FOR THE PERPETUAL USE OF THE PUBLIC, THE STREETS, AND EASEMENTS FOR PUBLIC PURPOSES SHOWN HEREON AND NOT PREVIOUSLY DEDICATED TO THE PUBLIC.

NOTES:

1. BASIS OF BEARINGS: BEARINGS ARE BASED ON THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ASSUMED TO BEAR SOUTH 00°04'51" EAST AND MONUMENTED AS SHOWN HEREON.

2. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18–4–508, C.R.S.

NOTES: (CONT'D)

3. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY CVL CONSULTANTS OF COLORADO, INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS–OF–WAY, AND TITLE OF RECORD, CVL CONSULTANTS OF COLORADO, INC. RELIED UPON LAND TITLE GUARANTEE COMPANY COMMITMENT NUMBER ABS7033579A1–3 EFFECTIVE DATE, OCTOBER 28, 2013 AT 5:00 P.M. AS TO THE NORTH PARCEL AND LAND TITLE GUARANTEE COMPANY COMMITMENT NUMBER ABS7033579SB2–3 EFFECTIVE DATE, APRIL 08, 2014 AT 5:00 P.M. AS TO THE SOUTH PARCEL.

4. 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 THE CERTIFICATION SHOWN HEREON.

5. THE LINEAL UNIT USED IN THE PREPARATION OF THIS PLAT IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.

6. THE FOLLOWING RECORDED EASEMENTS WILL BE VACATED BY SEPARATE DOCUMENT:
   BLANKET ACCESS EASEMENT, RECORDED UNDER REC. NO. 797261
   30' ELECTRIC AND ACCESS EASEMENT, RECORDED UNDER REC. NO. 1911773
   25' PIPELINE RIGHT–OF–WAY, RECORDED UNDER REC. NO. 1434161 & REC. NO 1434162
   50' PIPELINE RIGHT–OF–WAY, RECORDED UNDER REC. NO. 797261 & REC 797268

7. EXISTING ACCESS FROM JASPER ROAD TO LOT 1, BLOCK 17 SHALL REMAIN.

8. THE UNITED STATES EASEMENTS ARE RESTRICTED AREAS, AND ALL CONSTRUCTION ACTIVITIES WITHIN SAID EASEMENTS SHOULD BE COORDINATED WITH WESTERN AREA POWER ADMINISTRATION, P.O. BOX 3700, LOVELAND, COLORADO, 80539–3003, (970–461–7200). NO BUILDINGS, STRUCTURES, OR TREES ARE ALLOWED WITHIN THE EASEMENT. ONLY LOW GROWING PLANTS NOT EXCEEDING 10 FEET IN MAXIMUM MATURE HEIGHT, NO FENCES SHALL BE CONSTRUCTED WITHIN OR ACROSS THE EASEMENT WITHOUT WRITTEN APPROVAL WESTERN AREA POWER ADMINISTRATION. EXCAVATION IS NOT PERMITTED WITHIN 50 FEET OF ANY TRANSMISSION LINE STRUCTURE. THE EASEMENT WIDTH IS 75 FEET, 37.5 FEET EACH SIDE OF THE CENTERLINE.

9. NON–EXCLUSIVE BLANKET EASEMENTS ARE HEREBY DEDICATED THROUGH ALL OF TRACTS V, W, AND X FOR OIL AND GAS PIPELINE USES.

CVL CONSULTANTS OF COLORADO, INC.
10333 E. Dry Creek Rd. Suite 240
Englewood, CO 80112
Tel: (720) 482-9526
Fax: (720) 482-9546

JASPER LAND INVESTMENTS, LLC
8101 S. HERMOSO COURT
HIGHLANDS RANCH, CO 80126

No.	Revisions	Date	Int.	Appr.	Date

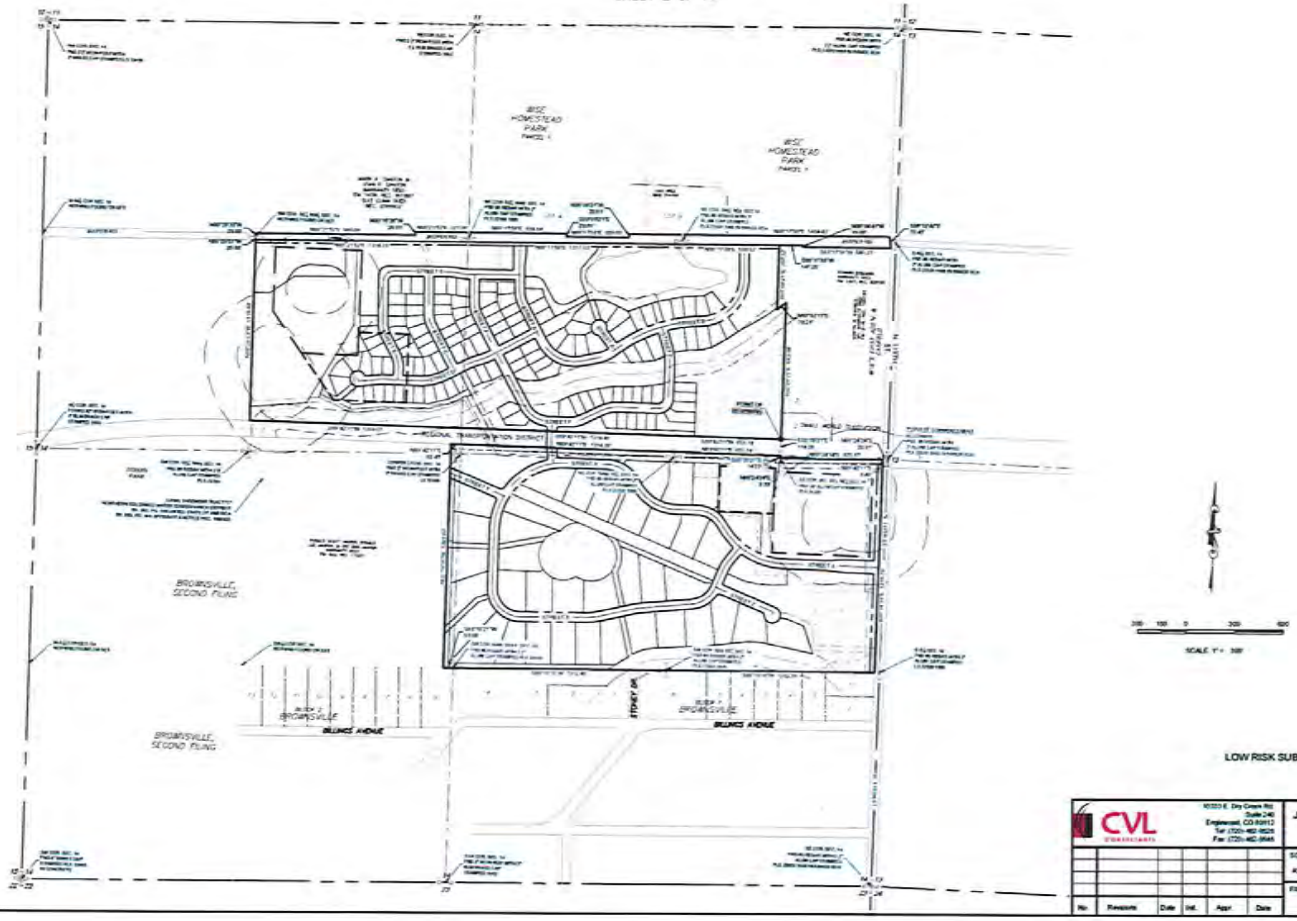
SCALE: AS NOTED
FILE NO:
DRAWN BY: WIL/JLP/DMP
CHECKED BY: MPK
DATE: 12/24/2014
SHEET NO: 1 OF 14

Exhibit B

(Wise Farms Preliminary Plat)

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 2 OF 14



CVL CONSULTANTS
10333 E. Dry Creek Rd. Suite 240 Englewood, CO 80112 Tel: (720) 482-9526 Fax: (720) 482-9546

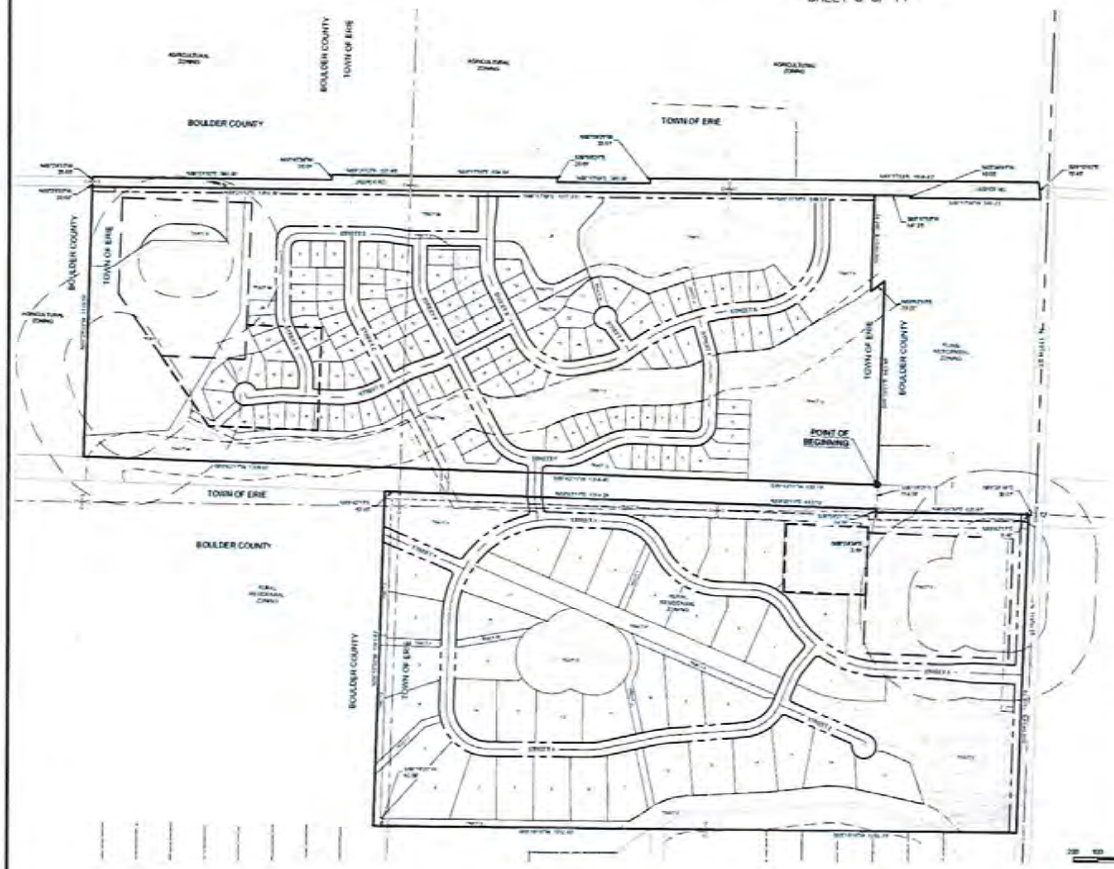
JASPER LAND INVESTMENTS, LLC
9162 S. HERWOOD COURT
HIGHLANDS RANCH, CO 80126

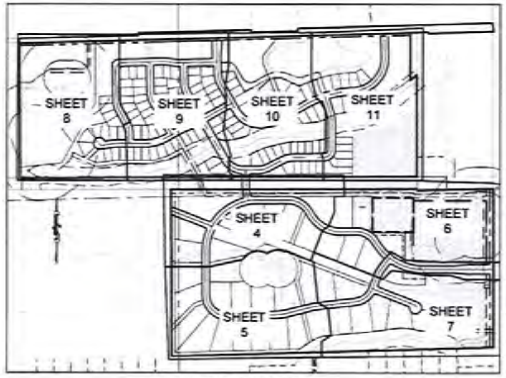
No.	Revisions	Date	Int.	Appr.	Date

SCALE: AS NOTED	DRAWN BY: SDL/JLR/MJP	SHEET NO: 2 of 14
FILE NO:	CHECKED BY: MPK	
	DATE: 12/29/2014	

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 3 OF 14





SHEET LAYOUT
SCALE 1" = 400'

LOW RISK SUBSIDENCE AREA

CVL CONSULTANTS
10333 E. Dry Creek Rd
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Englewood, CO 80112
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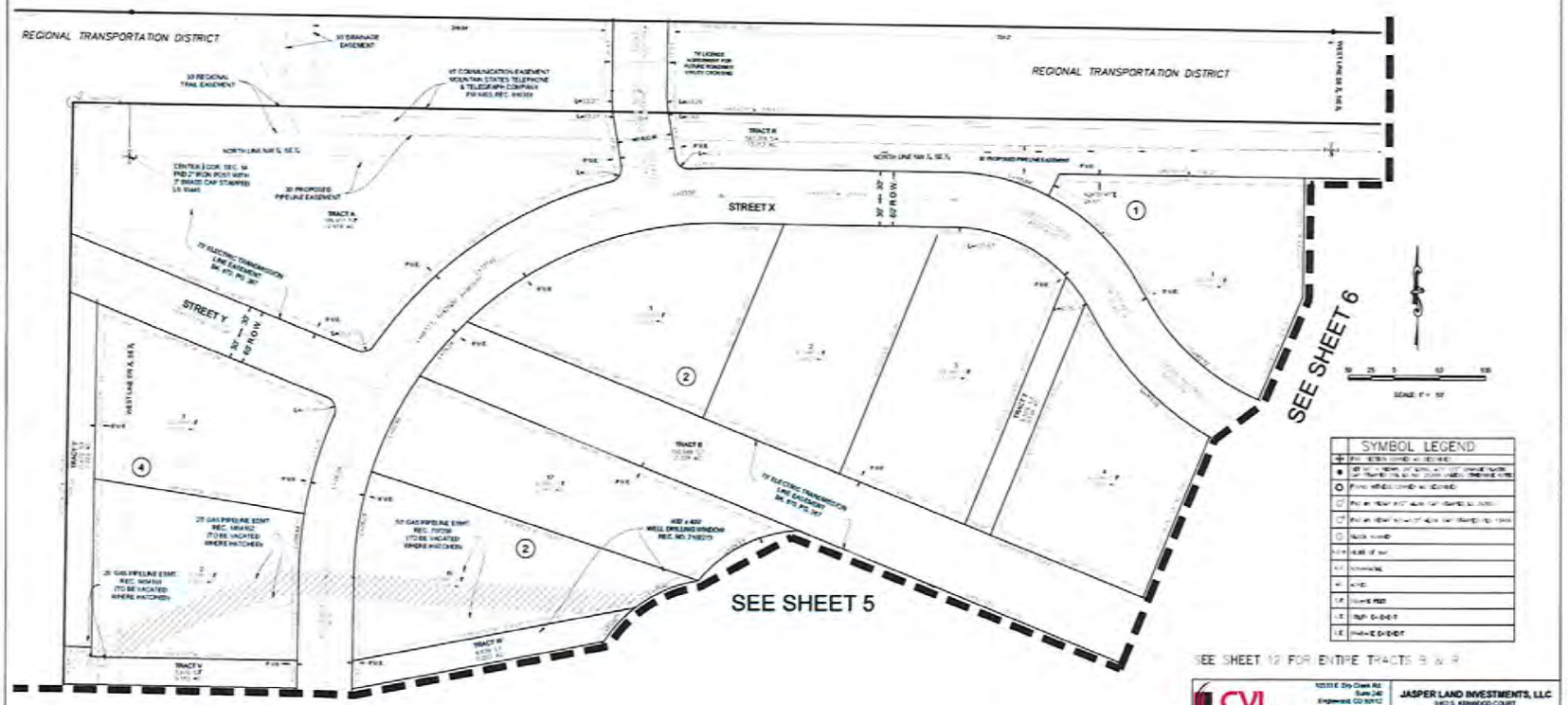
9160 S. KENWOOD COURT
HIGHLANDS RANCH, CO 80126

No.	Revisions	Date	Int.	Appr.	Date

SCALE AS NOTED	DRAWN BY RDL/JLR/MJP
FILE NO -	CHECKED BY AFM
	DATE 12/29/2014
SHEET NO	3 of 14

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 4 OF 14



SEE SHEET 12 FOR ENTIRE TRACTS B & R

CVL CONSULTANTS
1003 E City Creek Rd
Suite 240
Englewood, CO 80112
Tel: (720) 482-9526
Fax: (720) 482-9546

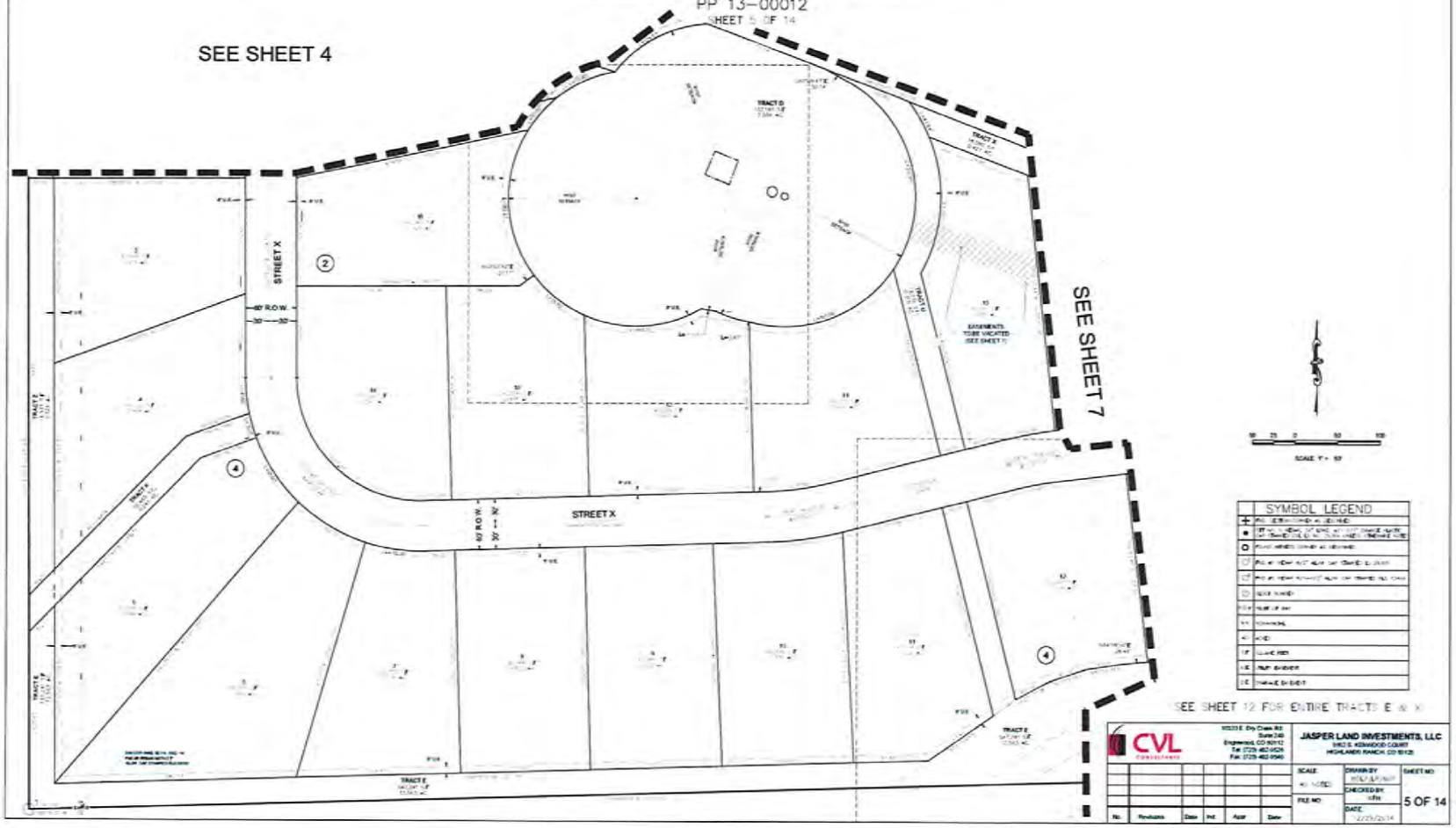
JASPER LAND INVESTMENTS, LLC
9400 S. KENWOOD COURT
HIGHLANDS RANCH, CO 80126

No.	Revisions	Date	Init.	Appr.	Date

SCALE: AS NOTED
FILE NO:
DRAWN BY: STL / KT / MJT
CHECKED BY: HPH
DATE: 12/23/2014
SHEET NO: 4 OF 14

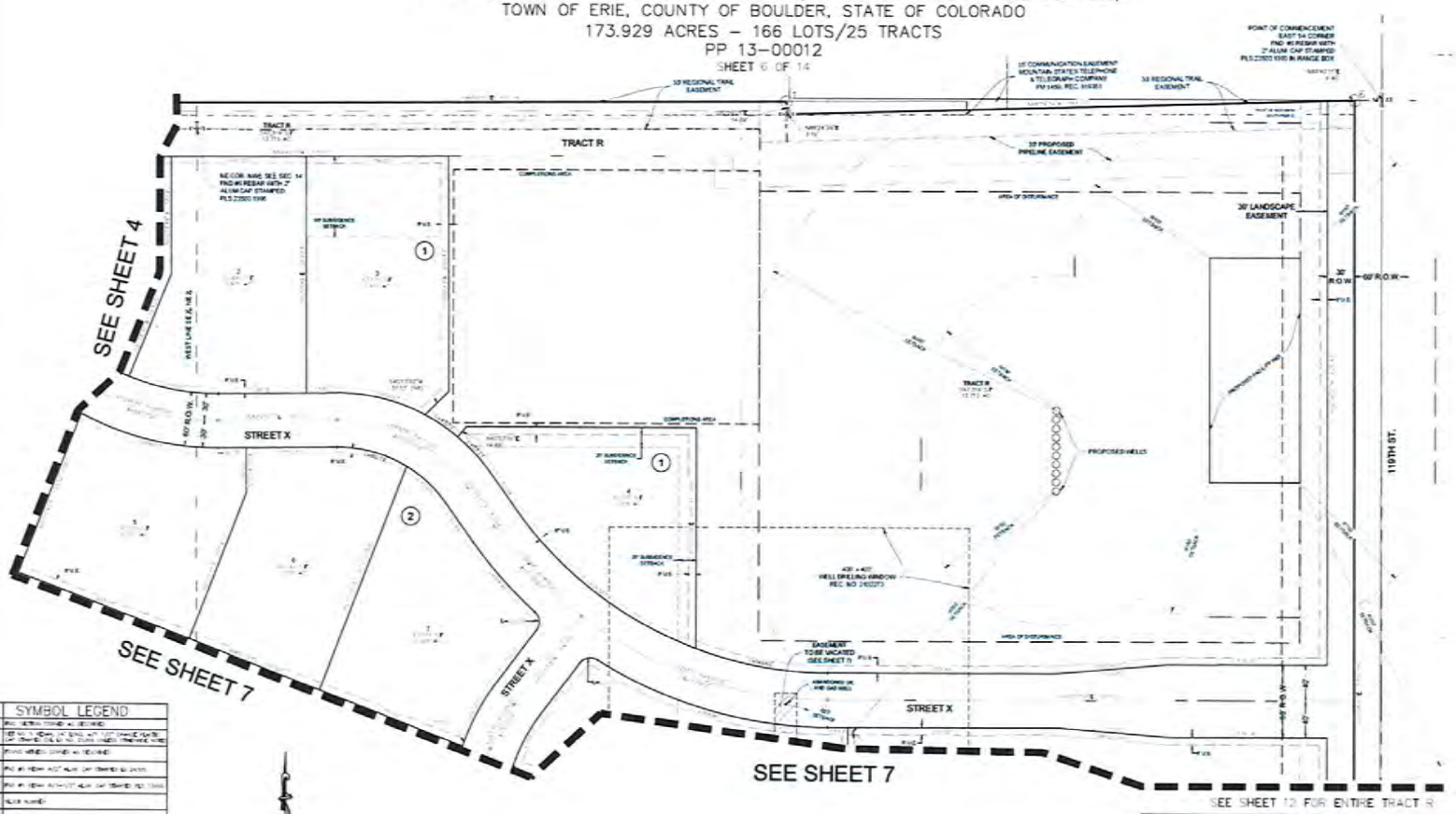
WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 5 OF 14



WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 6 OF 14



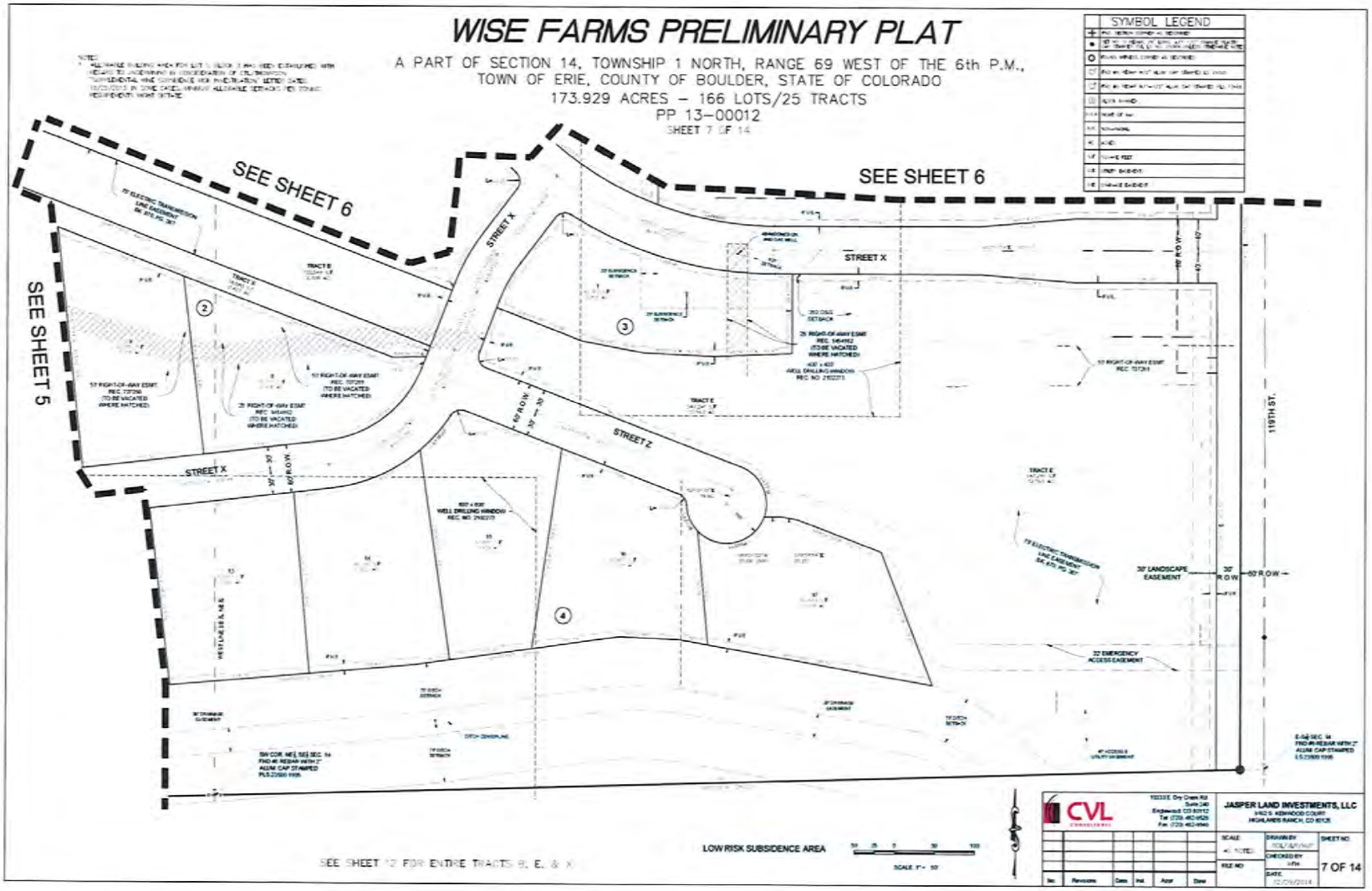
CVL CONSULTANTS

JASPER LAND INVESTMENTS, LLC

SHEET NO. 6 OF 14

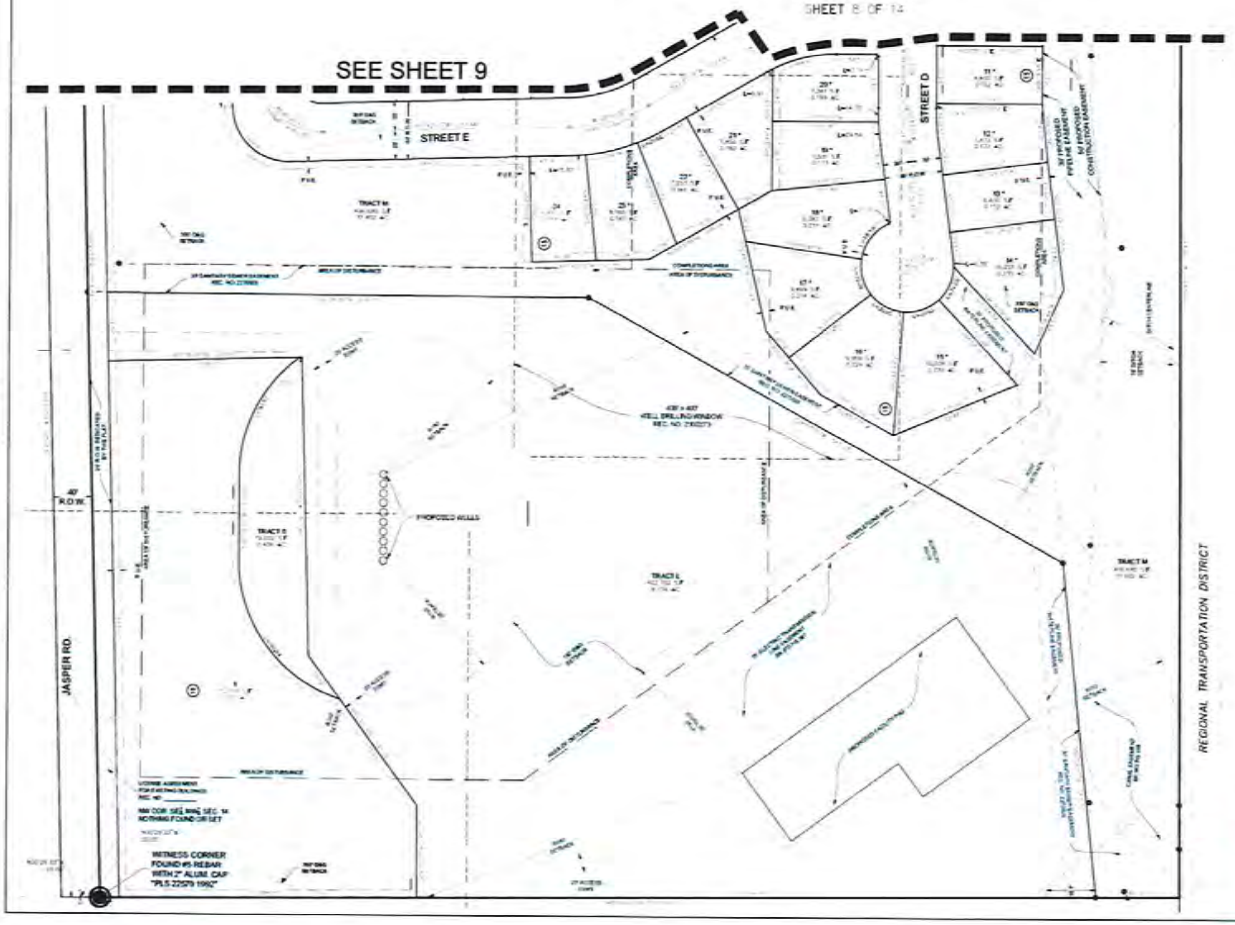
WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 7 OF 14



WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 8 OF 14



NOTE:
1. LOTS IDENTIFIED WITH "*" ARE RESTRICTED LOTS. NO TEMPORARY OR PERMANENT BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS SHALL BE LOCATED, CONSTRUCTED OR INSTALLED WITHIN THE OIL AND GAS OPERATIONS AREA UNTIL AFTER CONVERSION OF ALL PERMANENT FACILITIES.

SYMBOL LEGEND	
+	FND. SECTION CORNER AS DESCRIBED
●	SET NO. 5 REBAR, 24" LONG, W/ 1-1/2" ORANGE PLASTIC CAP STAMPED PLS LS NO. 22579 UNLESS OTHERWISE NOTE
O	FOUND MONUMENT AS DESCRIBED
	FND. #5 REBAR W/2" ALUM. CAP STAMPED LS 24280
	FND. #5 REBAR W/1-1/2" ALUM. CAP STAMPED PLS 13486
	SECTION NUMBER
	HOME OF MAP
	NON-FINANCIAL
	ACRES
	SQUARE FEET
	TRUE EASEMENT
	DRAINAGE EASEMENT

SCALE 1" = 50'

SEE SHEET 13 FOR ENTIRE TRACT M

CVL CONSULTANTS
10333 E. Dry Creek Rd. Suite 240 Englewood, CO 80112 Tel (720) 482-9526 Fax (720) 482-9546

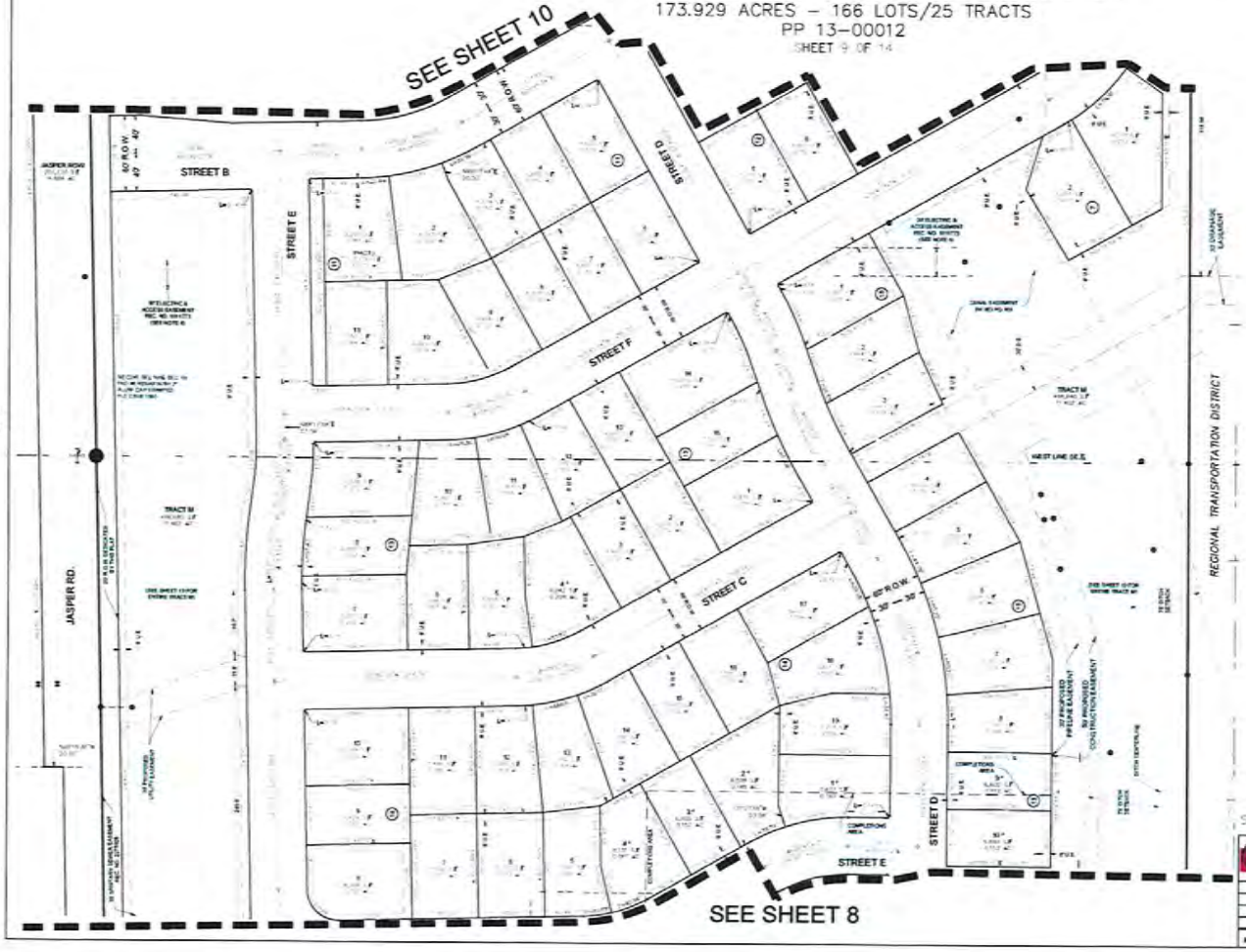
JASPER LAND INVESTMENTS, LLC
8102 S. KENWOOD COURT
HIGHLANDS RANCH, CO 80126

No.	Revisions	Date	Int.	App.	Date

SCALE: AS NOTED
FILE NO:
DRAWN BY: TEN/AAF/KLP
CHECKED BY: KRH
DATE: 12/23/2014
SHEET NO: 8 OF 14

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 9 OF 14



SYMBOL LEGEND	
+	FND SECTION CORNER AS DESCRIBED
●	SET NO. 5 REBAR 24" LONG, w/1 1/2" ORANGE PLASTIC CAP STAMPED "CVL LS 16" UNLESS UNLESS OTHERWISE NOTED
O	FOUND MONUMENT CORNER AS DESCRIBED
	FND #6 REBAR W/2" ALUM. CAP STAMPED LS 24655
	FND #6 REBAR W/1 1/2" ALUM. CAP STAMPED PLS 13455
⊙	BLOCK NUMBER
POB	POINT OF BEGINNING
N/A	NON-RADIAL
AC	ACRES
SF	SQUARE FEET
UE	UTILITY EASEMENT
DE	DRAINAGE EASEMENT

SEE SHEET 13 FOR ENTIRE TRACT M AND JASPER R.O.W.

CVL CONSULTANTS
12533 E. Dry Creek Rd.
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Englewood, CO 80112
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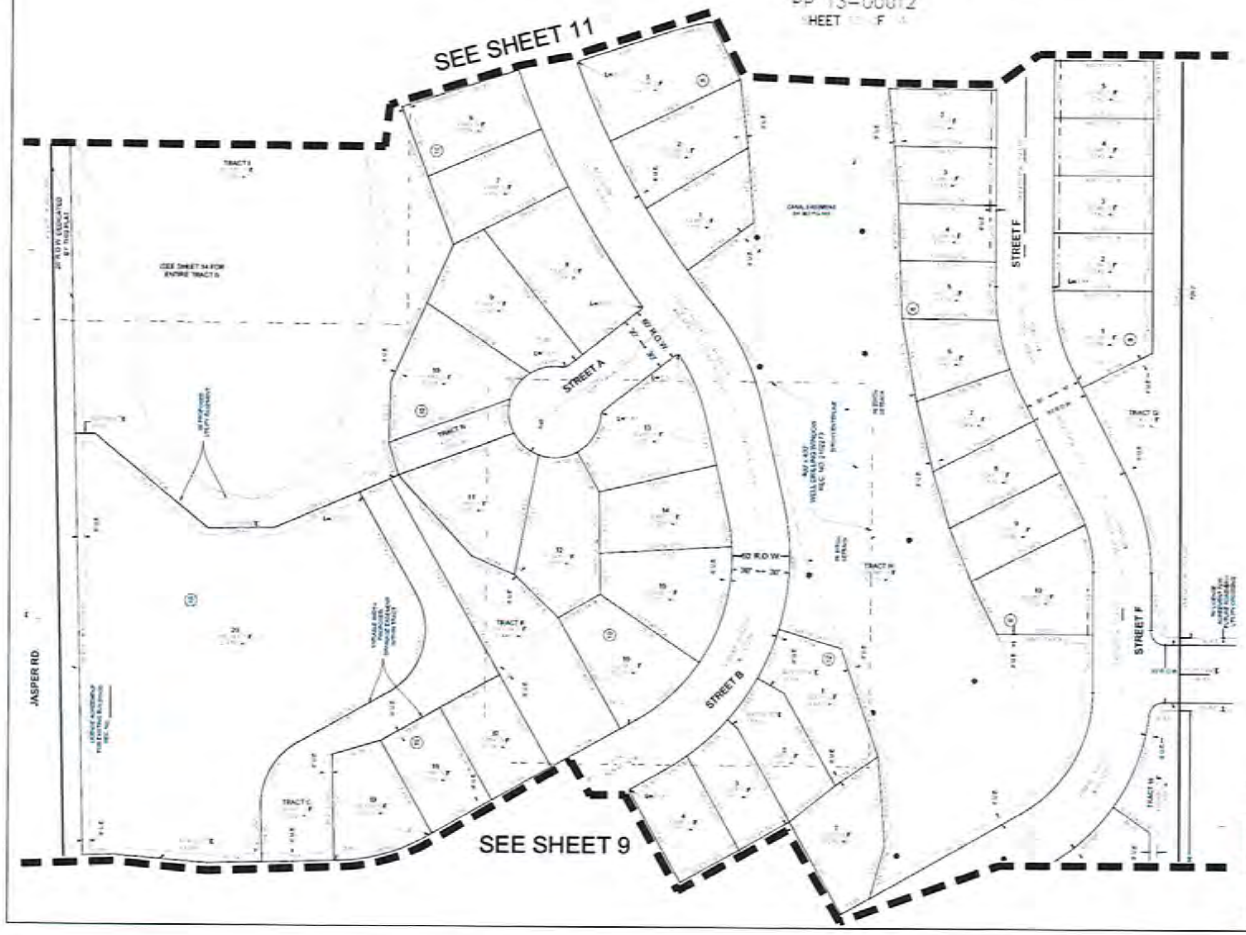
JASPER LAND INVESTMENTS, LLC
9925 E. KENWOOD COURT
HIGHLANDS RANCH, CO 80126

No.	Revisions	Date	Init.	Appr.	Date

SCALE: AS NOTED
FILE NO:
DRAWN BY: BOL/JAR/MJP
CHECKED BY: MH
DATE: 12/24/2014
SHEET NO: 9 OF 14

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13-00012
SHEET [illegible] OF [illegible]



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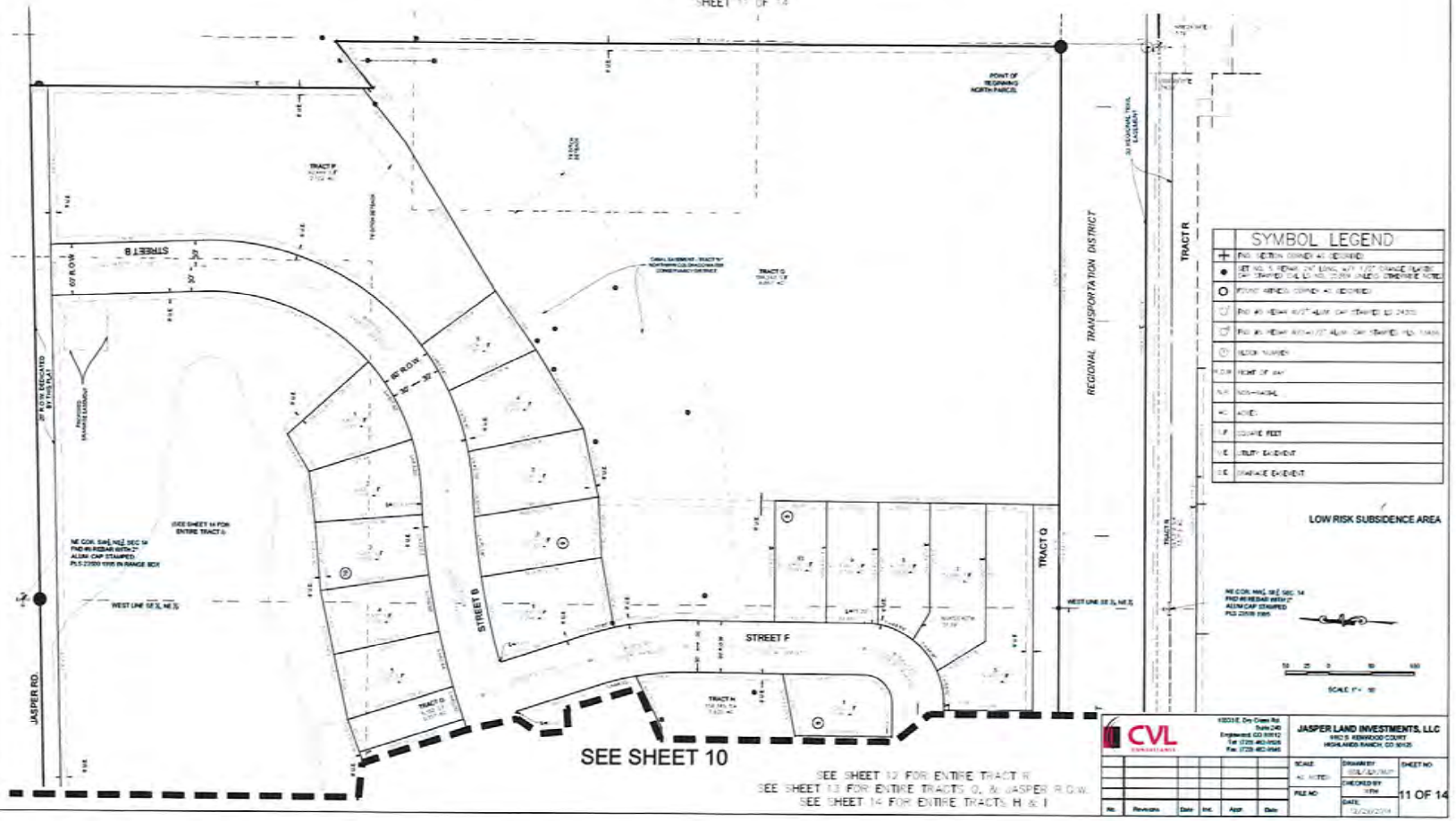
JASPER LAND INVESTMENTS, LLC

No.	Revisions	Date	Init.	Appr.	Date

SCALE: [illegible]
FILE NO.: [illegible]
DRAWN BY: [illegible]
CHECKED BY: [illegible]
DATE: [illegible]
SHEET NO.: 10 OF 14

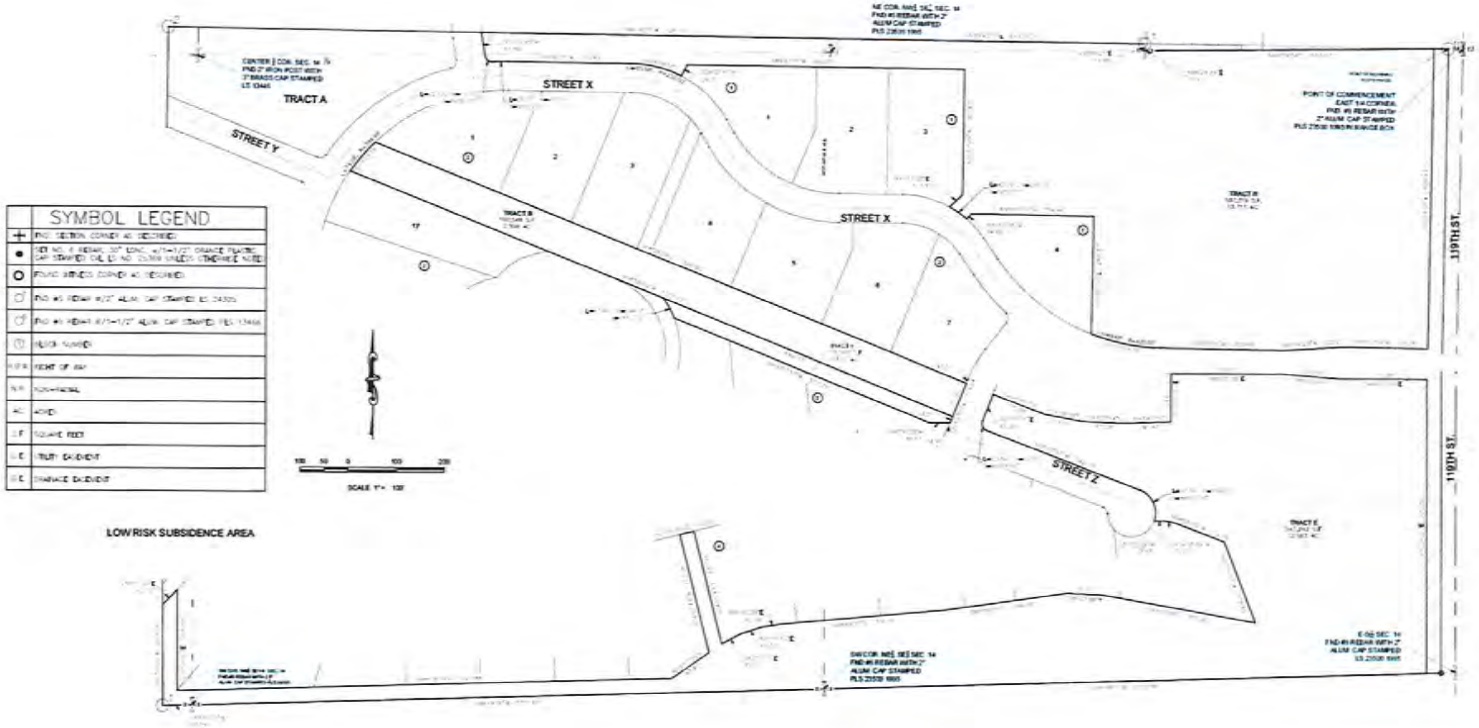
WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 11 OF 14



WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 12 OF 14



DETAIL TRACTS B, D, E, & X

CVL CONSULTANTS
10333 E. Dry Creek Rd
Suite 240
Englewood, CO 80112
Tel (720) 482-9526
Fax (720) 482-9546

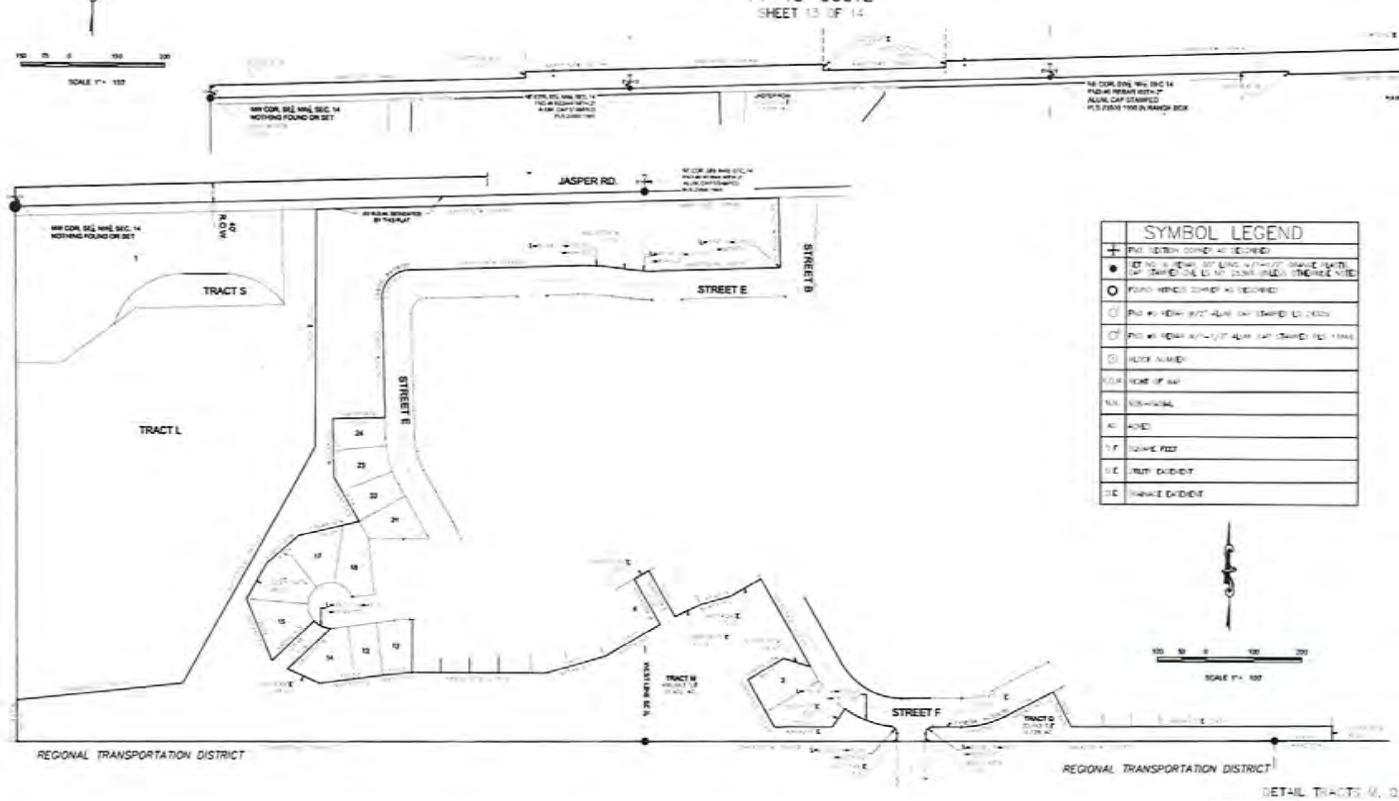
JASPER LAND INVESTMENTS, LLC
1902 S. KENWOOD COURT
HIGHLANDS RANCH, CO 80126

No.	Revisions	Date	Int.	Appr.	Date

SCALE: AS NOTED
FILE NO:
DRAWN BY: TCL/JLK/MJP
CHECKED BY: HFH
DATE: 12/09/2014
SHEET NO: 12 OF 14

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 13 OF 14

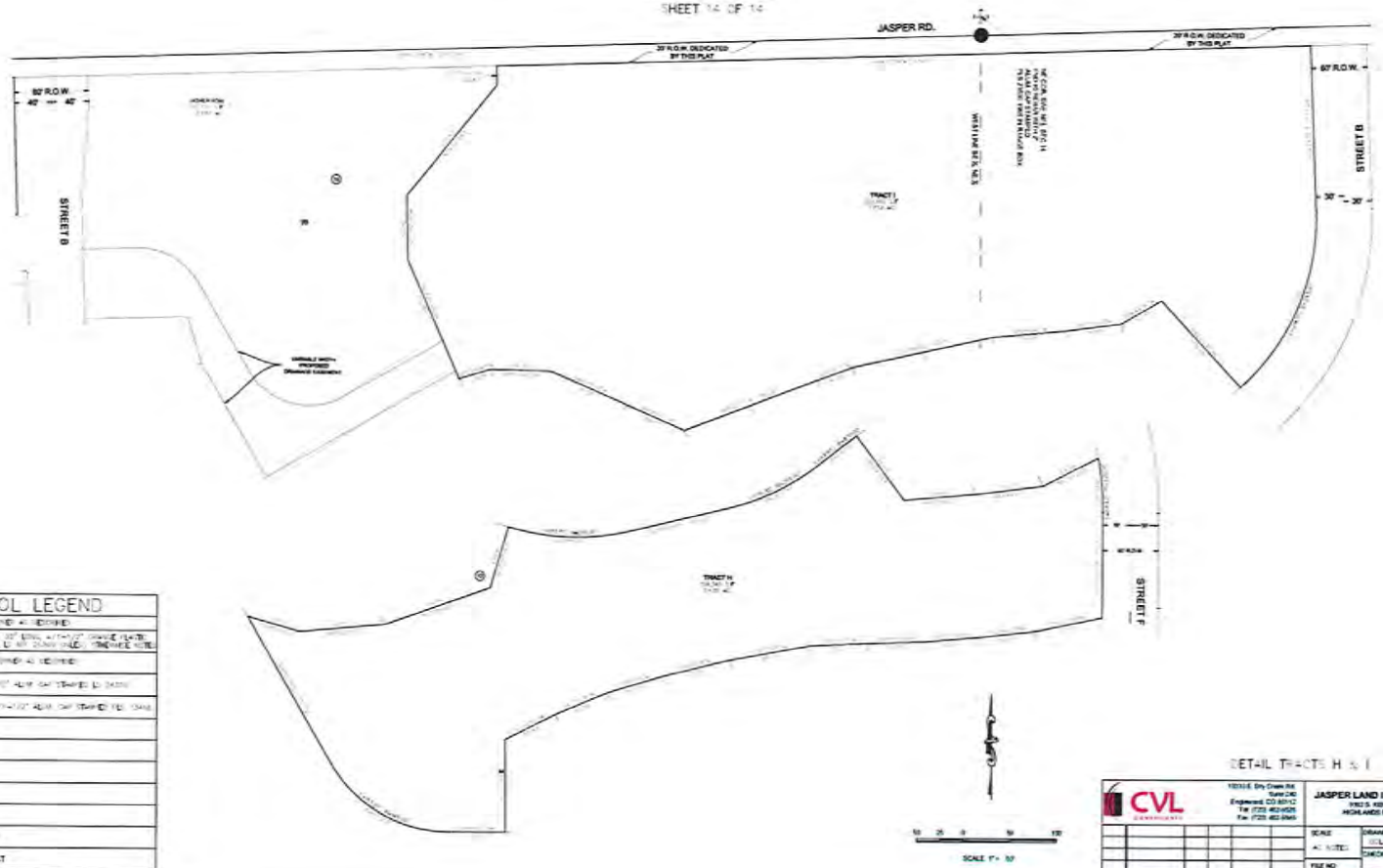


DETAIL TRACTS M, O, & JASPER ROAD

CVL CONSULTANTS
JASPER LAND INVESTMENTS, LLC
13 OF 14

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 14 OF 14



SYMBOL LEGEND	
	FND SECTION CORNER AS DESCRIBED
●	SET NO. 5 REBAR, 1/2" DIA., WITH 1 1/2" ORANGE PLASTIC CAP STAMPED "PLS 38" ON LOT CORNERS UNLESS OTHERWISE NOTED
O	FOUND MONUMENT CORNER AS DESCRIBED
	FND #5 REBAR W/1" ALUM CAP STAMPED LS 24331
	FND #5 REBAR W/1-1/2" ALUM CAP STAMPED PLS 13446
	BLOCK NUMBER
	POINT OF BEGIN
	NON-RADIAL
	ACRES
	SQUARE FEET
	UTILITY EASEMENT
	DRAINAGE EASEMENT

CVL CONSULTANTS
10333 E. Dry Creek Rd.
Suite 240
Englewood, CO 80112
Tel: (720) 482-9526
Fax: (720) 482-9546

JASPER LAND INVESTMENTS, LLC
7500 E. ARAPAHOE COURT
HIGHLANDS RANCH, CO 80126

No.	Revisions	Date	Init.	Appr.	Date

SCALE: AS NOTED
DRAWN BY: [illegible]
CHECKED BY: [illegible]
FILE NO.
DATE: [illegible]
SHEET NO. 14 OF 14

ATTACHMENT B

RESOLUTION NO. P15-09

A RESOLUTION REGARDING THE PRELIMINARY PLAT FOR WISE FARMS PRELIMINARY PLAT, ADOPTING CERTAIN FINDINGS OF FACT AND CONCLUSIONS RECOMMENDING DENIAL OF THE WISE FARMS PRELIMINARY PLAT TO THE BOARD OF TRUSTEES.

WHEREAS, the Planning Commission of the Town of Erie, Colorado, considered the Preliminary Plat of Wise Farms Preliminary Plat on Wednesday, January 21, 2015 on the application of Elizabeth W. Kissell, and Wise Homestead, LLC, 11497 Jasper Road, Lafayette, CO, such Preliminary Plat being a plat of the following real property; to wit:

See Exhibit "A," attached hereto and incorporated herein, and

WHEREAS, the application for Preliminary Plat is detailed on the attached Exhibit "B" Wise Farms Preliminary Plat, dated December 29, 2014.

WHEREAS, said Wise Farms Preliminary Plat is incorporated herein and made part hereof by this reference.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF ERIE, COLORADO, as follows:

Section 1. Findings of Fact.

a. Following a duly noticed and conducted public hearing, the Planning Commission determined that the application is not in substantial compliance with the following approval criteria as specified in Title 10, Section 7.7 C.10 of the Town of Erie Municipal Code:The subdivision is not generally consistent with the Town's Comprehensive Master Plan.

b. The subdivision is not generally consistent with and does not implement the intent of the specific zoning district in which it is located.

c. The general layout of lots, streets, driveways, utilities, drainage facilities, and other services within the proposed subdivision are not designed to meet the Town's standards related to health and safety and in a way that minimizes the amount of land disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation and riparian areas, protects critical wildlife habitat, and otherwise accomplishes the purposes and intent of this UDC.

d. The subdivision does not comply with all applicable use, development, and design standards set forth in Chapters 3, 5 and 6 of this UDC that have not otherwise been modified or waived pursuant to this Chapter or this UDC. Applicants shall refer to the Development Standards in Chapter 5 of this UDC and shall consider them in the layout of the subdivision in order to avoid creating lots or patterns of lots in the subdivision that will make compliance with such development and design standards

difficult or infeasible.

e. The subdivision will result in significant adverse impacts on the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated.

f. The subdivision will not be integrated and connected with adjacent development through street connections, sidewalks, trails, and similar features.

g. The subdivision will result in significant adverse impacts on adjacent properties, or such impacts will be substantially mitigated.

Section 2. Conclusions and Order.

1. Based on the above Findings of Fact, the Planning Commission hereby forwards the Wise Farms Preliminary Plat application to the Board of Trustees with the Planning Commission's recommendation for denial.

INTRODUCED, READ, SIGNED AND APPROVED this 21st day of January 2015.

TOWN OF ERIE, PLANNING COMMISSION

By: _____
J. Eric Bottenhorn, Chair

ATTEST:

By: _____
Hallie S. Sawyer, Secretary

EXHIBIT A

(Wise Farms Legal Description)

NORTH PARCEL:

A PARCEL OF LAND BEING A PART OF THE NORTH HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST-SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS S00°04'01"E, A DISTANCE OF 1,316.88 FEET SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE S88°24'34"W, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 119TH STREET;

THENCE S88°24'34"W ALONG SAID SOUTH LINE, A DISTANCE OF 627.28 FEET; TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING S88°24'34"W ALONG SAID SOUTH LINE , A DISTANCE OF 3.19 FEET;

THENCE NORTH 00°09'24"W, A DISTANCE OF 114.08 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT NORTHERLY OF THE CENTERLINE OF THE EXISTING TRACK, SAID POINT BEING THE POINT OF BEGINNING;

THENCE S89°42'11"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 653.74 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING S89°42'11"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1,314.16 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING S89°42'11"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1,309.61 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEEST QUARTER OF SAID SECTION 14;

THENCE N00°29'33"W ALONG SAID WEST LINE, A DISTANCE OF 1,119.88 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF JASPER ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:

1. N88°21'52"E, A DISTANCEE OF 1,314.39 FEET
2. N88°17'28"E, A DISTANCE OF 1,317.03 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;
3. CONTINUING N88°17'28"E, A DISTANCE OF 599.53 FEET TO THE NORTHWESTERLY CORNER OF THAT TRACT OF LAND AS DESCRIBED ON SAID FILM 1555, AT RECEPTION NO. 953348;

THENCE S00°09'21"E ALONG THE WESTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 397.57 FEET TO THE MOST SOUTHERLY CORNER THEREOF;

THENCE N50°52'13"E ALONG THE SOUTHEASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 70.21 FEET;

THENCE S00°09'21"E, A DISTANCE OF 843.98 FEET TO THE POINT OF BEGINNING.

SOUTH PARCEL:

A PARCEL OF LAND BEING A PART OF THE NORTH HALF AND A PART OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST-SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS SOUTH 00°04'01" EAST, A DISTANCE OF 1316.88 FEET, SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREWITH BEING RELATIVE THERETO;

THENCE SOUTH 88°24'34" WEST, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 119TH STREET, SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH 00°04'10" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1316.93 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°18'16" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 1282.45 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 88°18'16" WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 1312.40 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°16'21" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 60.98 FEET TO THE SOUTHEASTERLY CORNER OF THAT TRACT OF LAND CONVEYED TO RONALD SCOTT JASPER, RONALD LEE JASPER AND VEE ANN JASPER AS DESCRIBED IN WARRANTY DEED RECORDED MAY 3, 1976, ON FILM 922 AS RECEPTION NO. 175271, OF THE RECORDS OF BOULDER COUNTY, COLORADO;

THENCE NORTH 00°19'00" WEST ALONG THE EASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 1381.63 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT, SOUTHERLY OF THE EXISTING TRACK;

THENCE NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 62.45 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A

DISTANCE OF 1314.28 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 653.74 FEET;

THENCE SOUTH 00°09'21" EAST, A DISTANCE OF 14.08 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE NORTH 88°24'34" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 3.19 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 88°24'34" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 627.28 FEET TO THE POINT OF BEGINNING.

SAID NORTH, SOUTH AND JASPER ROAD RIGHT-OF-WAY PARCELS CONTAINING A CALCULATED AREA OF 7,576,344 SQUARE FEET, OR 173.929 ACRES, MORE OR LESS.

EXHIBIT B

(Wise Farms Preliminary Plat)

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M., TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO

173.929 ACRES – 166 LOTS/25 TRACTS

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SHEET 1 OF 14

LAND SUMMARY CHART		
TYPE	AREA	% OF TOTAL AREA
RESIDENTIAL	65.864 AC.	37.87%
TRACTS	81.581 AC.	46.90%
PUBLIC ROW	26.484 AC.	15.23%
TOTAL	173.929 AC.	100%

LEGAL DESCRIPTION

KNOW ALL PEOPLE BY THESE PRESENTS, THAT THE UNDERSIGNED WARRANT THAT THEY ARE OWNERS OF A PARCEL OF LAND BEING A PART OF THE NORTH HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

NORTH PARCEL:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST–SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS SOUTH 00°04'01" EAST, A DISTANCE OF 1316.88 FEET SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE SOUTH 88°24'34" WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT–OF–WAY LINE OF NORTH 119TH STREET;

THENCE CONTINUING SOUTH 88°24'34" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 827.28 FEET, TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 88°24'34" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 3.19 FEET;

THENCE NORTH 00°09'21" WEST, A DISTANCE OF 114.05 FEET TO A POINT ON THE NORTHERLY RIGHT–OF–WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT–OF–WAY, SAID RIGHT–OF–WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT NORTHERLY OF THE CENTERLINE OF THE EXISTING TRACK, SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH 89°42'11" WEST ALONG SAID NORTHERLY RIGHT–OF–WAY LINE, A DISTANCE OF 653.74 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 89°42'11" WEST ALONG SAID NORTHERLY RIGHT–OF–WAY LINE , A DISTANCE OF 1314.40 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 89°42'11" WEST ALONG SAID NORTHERLY RIGHT–OF–WAY LINE, A DISTANCE OF 1309.01 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14;

THENCE NORTH 00°29'33" WEST ALONG SAID WEST LINE, A DISTANCE OF 1119.88 FEET TO A POINT ON THE SOUTHERLY RIGHT–OF–WAY LINE OF JASPER ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT–OF–WAY LINE THE FOLLOWING THREE (3) COURSES:

1. NORTH 88°21'32" EAST, A DISTANCE OF 1314.39 FEET;
2. NORTH 88°17'58" EAST, A DISTANCE OF 1317.03 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;
3. CONTINUING NORTH 88°17'58" EAST, A DISTANCE OF 399.53 FEET TO THE NORTHWESTERLY CORNER OF THAT TRACT OF LAND AS DESCRIBED ON SAID FILM 1553, AT RECEPTION NO. 953348;

THENCE SOUTH 00°08'21" EAST ALONG THE WESTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 397.57 FEET TO THE MOST SOUTHERLY CORNER THEREOF;

THENCE NORTH 58°52'13" EAST ALONG THE SOUTHEASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 70.21 FEET;

THENCE SOUTH 00°09'21" EAST, DISTANCE OF 843.98 FEET TO THE POINT OF BEGINNING,

SAID PARCEL CONTAINING A CALCULATED AREA OF 3,782,133 SQUARE FEET OR 86.826 ACRES, MORE OR LESS

TOGETHER WITH:

SOUTH PARCEL:

A PARCEL OF LAND BEING A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST–SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS SOUTH 00°04'01" EAST, A DISTANCE OF 1316.88 FEET, SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREWITH BEING RELATIVE THERETO;

THENCE SOUTH 88°24'34" WEST, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT–OF–WAY LINE TO NORTH 119TH STREET;

THENCE SOUTH 00°04'01" EAST, ALONG SAID WESTERLY RIGHT–OF–WAY LINE, A DISTANCE OF 0.14 FEET TO A POINT ON THE SOUTHERLY RIGHT–OF–WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT–OF–WAY, SAID RIGHT–OF–WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT, SOUTHERLY OF THE EXISTING TRACK, SAID POINT BEING THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°04'01" EAST ALONG SAID WESTERLY RIGHT–OF–WAY LINE, A DISTANCE OF 1316.79 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°18'16" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 1282.39 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 88°18'16" WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 1312.40 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°16'21" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 60.98 FEET TO THE SOUTHEASTERLY CORNER OF THAT TRACT OF LAND CONVEYED TO RONALD SCOTT JASPER, RONALD LEE JASPER AND VICE ANN JASPER AS DESCRIBED IN WARRANTY DEED RECORDED MAY 3, 1976, ON FILM 922 AS RECEPTION NO. 175271, OF THE RECORDS OF BOULDER COUNTY, COLORADO;

THENCE NORTH 00°18'00" WEST ALONG THE EASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 1381.63 FEET TO THE SOUTHERLY RIGHT–OF–WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT–OF–WAY, SAID RIGHT–OF–WAY BEING 50 FEET, BY PERPENDICULAR MEASUREMENT, SOUTHERLY OF THE EXISTING TRACK;

THENCE NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT–OF–WAY LINE, A DISTANCE OF 62.45 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT–OF–WAY LINE, A DISTANCE OF 1314.28 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT–OF–WAY LINE, A DISTANCE OF 653.74 FEET;

THENCE SOUTH 00°09'21" EAST, A DISTANCE OF 14.09 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14;

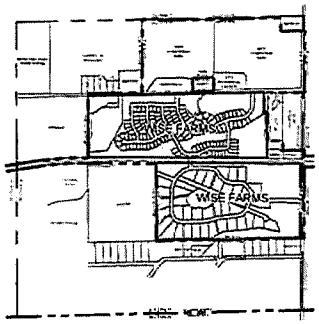
THENCE NORTH 88°24'34" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 3.19 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 88°24'34" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 820.87 FEET TO A POINT ON THE SOUTHERLY RIGHT–OF–WAY LINE OF SAID PREVIOUS UNION PACIFIC RAILROAD RIGHT–OF–WAY;

THENCE NORTH 89°42'11" EAST, ALONG SAID SOUTHERLY RAILROAD RIGHT–OF–WAY LINE, A DISTANCE OF 6.40 FEET TO THE POINT OF BEGINNING,

SAID SOUTH PARCEL CONTAINING A CALCULATED ARE OF 3,581,472 SQUARE FEET OR 82.219 ACRES, MORE OR LESS

TOGETHER WITH:



VICINITY MAP

SCALE 1" = 1000'

LEGAL DESCRIPTION (CONTINUED)

JASPER ROAD RIGHT OF WAY PARCEL:

A PARCEL OF LAND BEING A PART OF THE NORTH HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14, AND ASSUMING THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14 TO BEAR SOUTH 00°04'01" EAST, 1316.88 FEET WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO:

THENCE NORTH 00°29'33" WEST, A DISTANCE OF 20.00 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF JASPER ROAD;

THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING EIGHT (8) COURSES:

1 NORTH 88°21'32" EAST, A DISTANCE OF 856.08 FEET;
2 NORTH 00°15'36" WEST, A DISTANCE OF 20.01 FEET;
3 NORTH 88°21'32" EAST, A DISTANCE OF 327.86 FEET;
4 NORTH 88°17'58" EAST, A DISTANCE OF 804.84 FEET;
5 SOUTH 00°09'21" EAST, A DISTANCE OF 20.01 FEET;
6 NORTH 88°17'58" EAST, A DISTANCE OF 383.00 FEET;
7 NORTH 00°09'21" WEST, A DISTANCE OF 20.01 FEET;
8 NORTH 88°17'58" EAST, A DISTANCE OF 1604.42 FEET.

THENCE SOUTH 08°12'42" EAST, A DISTANCE OF 70.45 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF JASPER ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING FOUR (4) COURSES:

1 SOUTH 88°17'58" WEST, A DISTANCE OF 540.23 FEET;
2. NORTH 00°04'41" WEST, A DISTANCE OF 10.00 FEET;
3. SOUTH 88°17'58" WEST, A DISTANCE OF 2063.61 FEET;
4. SOUTH 88°21'32" WEST, A DISTANCE OF 1314.39 FEET;

THENCE NORTH 00°29'33" WEST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING,

SAID JASPER ROAD RIGHT OF WAY PARCEL CONTAINING A CALCULATED AREA OF 212,737 SQUARE FEET OR 4.884 ACRES, MORE OR LESS.

SAID NORTH, SOUTH AND JASPER ROAD RIGHT OF WAY PARCELS CONTAINING A CALCULATED AREA OF 7,576,344 SQUARE FEET, OR 173.929 ACRES, MORE OR LESS.

HAVE LAID OUT, PLATTED, AND SUBDIVIDED THE SAME INTO LOTS, BLOCKS, TRACTS AND RIGHT–OF–WAY AS SHOWN ON THIS PLAT, UNDER THE NAME AND STYLE OF WISE FARMS PRELIMINARY PLAT AND BY THESE PRESENTS DO HEREBY DEDICATE TO THE TOWN OF ERIE, COLORADO, FOR THE PERPETUAL USE OF THE PUBLIC, THE STREETS, AND EASEMENTS FOR PUBLIC PURPOSES SHOWN HEREON AND NOT PREVIOUSLY DEDICATED TO THE PUBLIC

NOTES:

1 BASIS OF BEARINGS: BEARINGS ARE BASED ON THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ASSUMED TO BEAR SOUTH 00°04'01" EAST AND MONUMENTED AS SHOWN HEREON

2. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18–4–508, C.R.S.

TRACT SUMMARY TABLE				
TRACT	AREA	USE	OWNERSHIP	MAINTENANCE
A	2.45 AC	DRAINAGE / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
B	2.31 AC	UTILITY / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
C	0.55 AC	DRAINAGE / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
D	3.03 AC	OIL & GAS OPERATIONS / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
E	12.56 AC	IRRIGATION DITCH / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
F	0.24 AC	EMERGENCY ACCESS / TRAIL CORRIDOR	METRO DIST/HOA	METRO DIST/HOA
G	8.87 AC.	IRRIGATION DITCH / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
H	3.64 AC	IRRIGATION DITCH / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
I	7.15 AC	OPEN SPACE	TOWN OF ERIE	TOWN OF ERIE
J	0.08 AC	OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
K	0.45 AC	POCKET PARK	METRO DIST/HOA	METRO DIST/HOA
L	9.70 AC	OIL & GAS OPERATIONS	METRO DIST/HOA	METRO DIST/HOA
M	11.40 AC	OIL & GAS, DRAINAGE, UTILITY, IRRIGATION DITCH, OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
N	0.10 AC	DRAINAGE & UTILITY / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
O	0.12 AC	DRAINAGE & UTILITY / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
P	2.12 AC	IRRIGATION DITCH / OPEN SPACE	TOWN OF ERIE	TOWN OF ERIE
Q	0.74 AC	OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
R	13.71 AC	OIL & GAS OPERATIONS / OPEN SPACE	WISE HOMESTEAD	WISE HOMESTEAD
S	0.44 AC	OIL & GAS OPERATIONS	WISE HOMESTEAD	WISE HOMESTEAD
T	0.20 AC	OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
U	0.32 AC.	OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
V	0.18 AC.	PIPELINE & ACCESS / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
W	0.20 AC.	PIPELINE & ACCESS / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
X	0.43 AC.	PIPELINE & ACCESS / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
Y	0.26 AC	OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
Z	0.33 AC.	OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA

NOTES: (CONT'D)

3. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY CVL CONSULTANTS OF COLORADO, INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS–OF–WAY, AND TITLE OF RECORD, CVL CONSULTANTS OF COLORADO, INC RELIED UPON LAND TITLE GUARANTEE COMPANY COMMITMENT NUMBER ABD70339758 1–2 EFFECTIVE DATE: OCTOBER 28, 2013 AT 5:00 P.M. AS TO THE NORTH PARCEL AND LAND TITLE GUARANTEE COMPANY COMMITMENT NUMBER ABD70339758 2–5 EFFECTIVE DATE: APRIL 08, 2014 AT 5:00 P.M. AS TO THE SOUTH PARCEL.

4. 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 THE CERTIFICATION SHOWN HEREON

5. THE LINEAL UNIT USED IN THE PREPARATION OF THIS PLAT IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.

6 THE FOLLOWING RECORDED EASEMENTS WILL BE VACATED BY SEPARATE DOCUMENT:
BLANKET ACCESS EASEMENT, RECORDED UNDER REC. NO. 707261
30' ELECTRIC AND ACCESS EASEMENT, RECORDED UNDER REC. NO. 1011773
25' PIPELINE RIGHT–OF–WAY, RECORDED UNDER REC. NO 1454161 & REC. NO 1454162
50' PIPELINE RIGHT–OF–WAY, RECORDED UNDER REC. NO. 707261 & REC 707266

7 EXISTING ACCESS FROM JASPER ROAD TO LOT 1, BLOCK 17 SHALL REMAIN

8 THE UNITED STATES EASEMENTS ARE RESTRICTED AREAS AND ALL CONSTRUCTION ACTIVITIES WITHIN SAID EASEMENTS SHOULD BE COORDINATED WITH WESTERN AREA POWER ADMINISTRATION, P.O. BOX 3700, LOVELAND, COLORADO, 80539–3003, (970–461–7200). NO BUILDINGS, STRUCTURES, OR TREES ARE ALLOWED WITHIN THE EASEMENT, ONLY LOW GROWING PLANTS NOT EXCEEDING 10 FEET IN MAXIMUM MATURE HEIGHT. NO FENCES SHALL BE CONSTRUCTED WITHIN OR ACROSS THE EASEMENT WITHOUT WRITTEN APPROVAL BY WESTERN AREA POWER ADMINISTRATION. EXCAVATION IS NOT PERMITTED WITHIN 50 FEET OF ANY TRANSMISSION LINE STRUCTURE. THE EASEMENT WIDTH IS 75 FEET, 37.5 FEET EACH SIDE OF THE CENTERLINE.

9. NON–EXCLUSIVE BLANKET EASEMENTS ARE HEREBY DEDICATED THROUGH ALL OF TRACTS V, W, AND X FOR OIL AND GAS PIPELINE USES.

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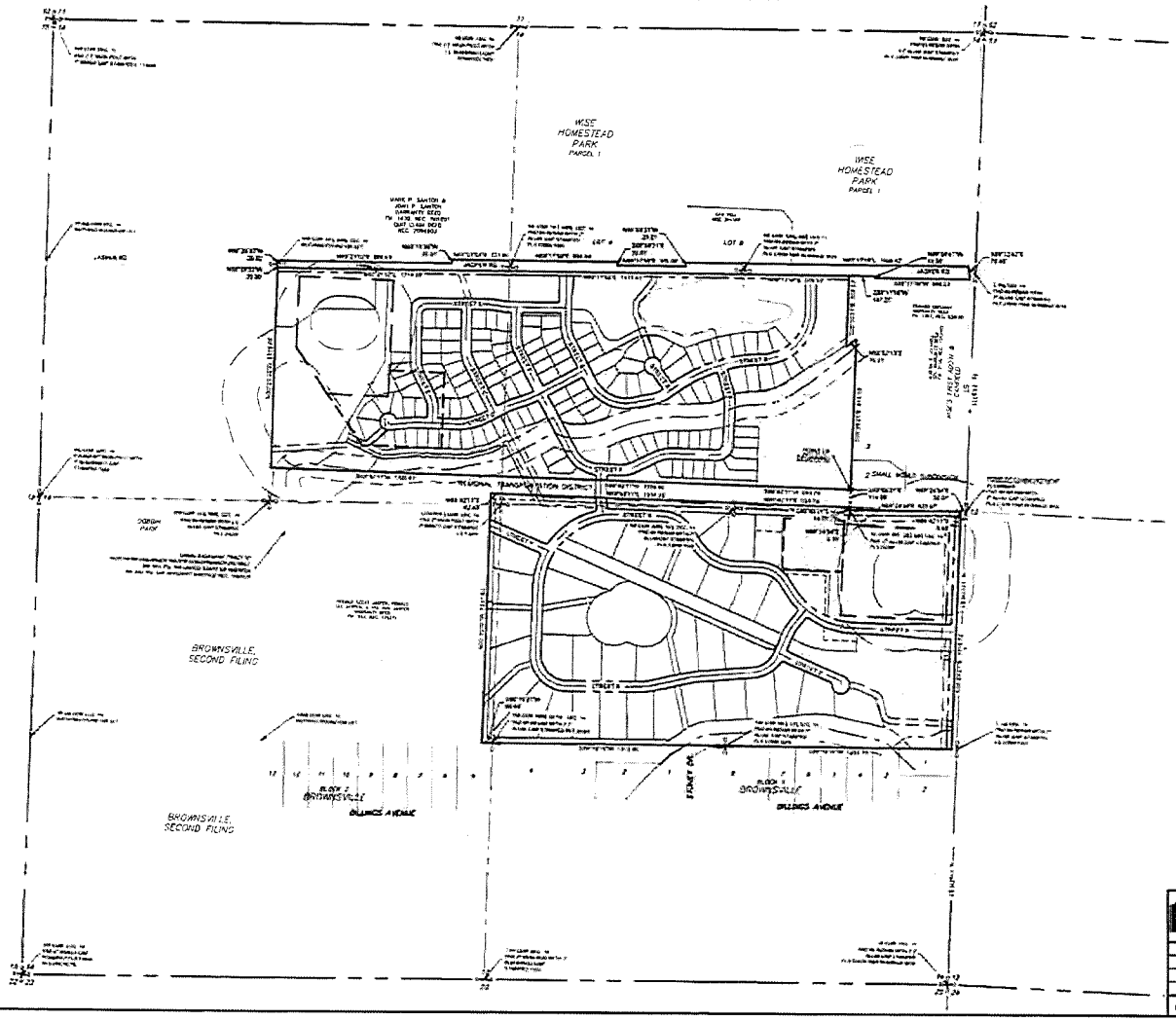
HIGHLANDS RANCH, CO 80126

No	Revisions	Date	Ind	Appr	Date

SCALE AS NOTED
FILE NO
DRAWN BY BDL/JLR/MJP
CHECKED BY WFH
DATE 12/29/2014
SHEET NO 1 OF 14

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 2 OF 14

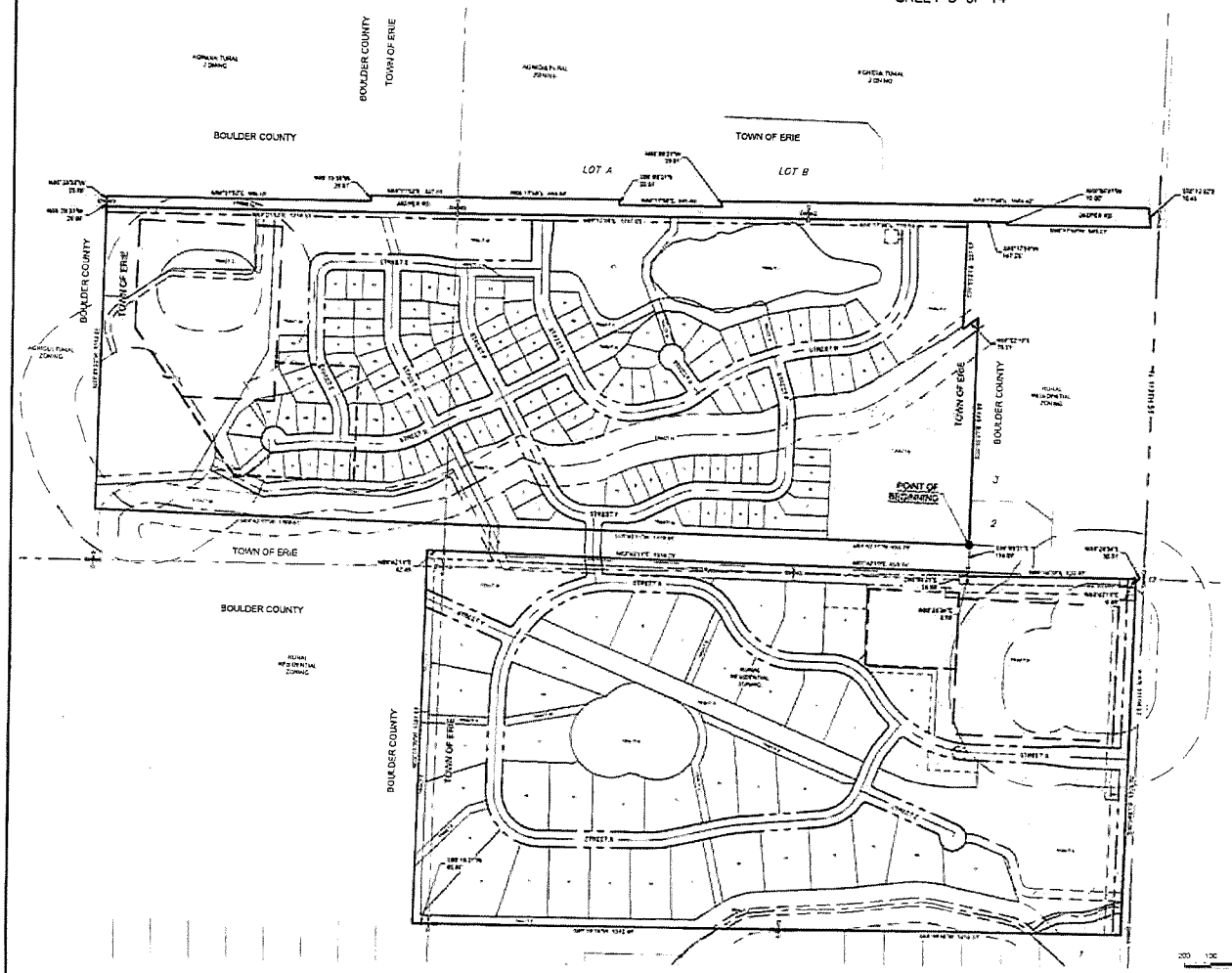


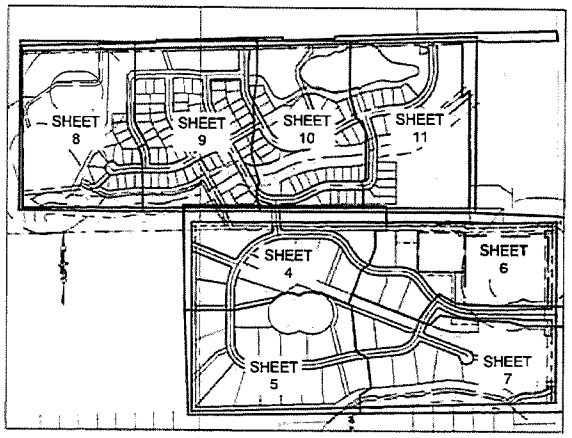
LOW RISK SUBSIDENCE AREA

CVL CONSULTANTS	10333 E. Dry Creek Rd. Suite 240 Englewood, CO 80112 Tel (720) 482-9526 Fax (720) 482-9540	JASPER LAND INVESTMENTS, LLC 9182 S. KENWOOD COURT HIGHLANDS RANCH CO 80126					
			SCALE AS NOTED	DRAWN BY BDL/JLR/MJP	SHEET NO 2 of 14		
			FILE NO	CHECKED BY WFH			
No	Revisions	Date	Init.	Appr	Date	DATE 12/26/2014	

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 3 OF 14





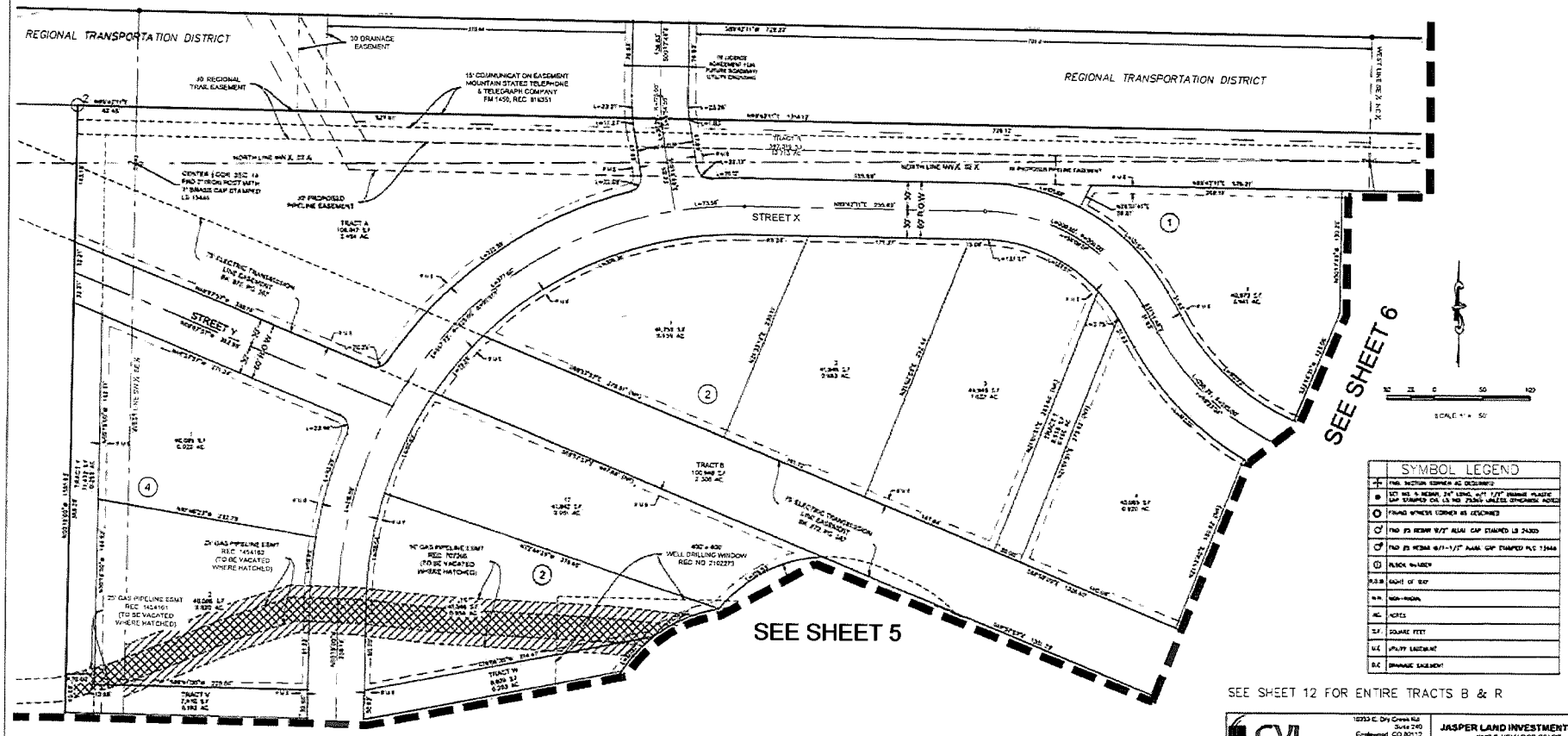
SHEET LAYOUT
SCALE 1" = 400'

LOW RISK SUBSIDENCE AREA

CVL CONSULTANTS	1673 W. Dry Creek Rd Suite 245 Englewood CO 80112 Tel (720) 482-9526 Fax (720) 482-9546						JASPER LAND INVESTMENTS, LLC 9700 S. KENWOOD COURT HIGHLANDS RANCH, CO 80126		
							SCALE AS NOTED	DRAWN BY DDL/JJR/MJP	SHEET NO 3 of 14
							FILE NO	CHECKED BY WFH	
No.	Revisions	Date	Ind.	Appr	Date			DATE 12/20/2014	

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13-00012
SHEET 4 OF 14



SYMBOL LEGEND	
	FND SECTION CORNER AS DESCRIBED
●	SET 5/8" x REBAR, 1" LONG, W/1" 1/2" ORANGE PLASTIC CAP STAMPED CVL LS NO. 25365 UNLESS OTHERWISE NOTED
○	FOUND WITNESS CORNER AS DESCRIBED
	FND #5 REBAR W/2" ALUM CAP STAMPED LS 24305
	FND #5 REBAR W/1-1/2" ALUM CAP STAMPED PLS 13446
①	BLOCK NUMBER
R.O.W.	RIGHT OF WAY
N.R.	NON-RADIAL
AC.	ACRES
S.F.	SQUARE FEET
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT

SEE SHEET 12 FOR ENTIRE TRACTS B & R

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HIGHLANDS RANCH CO 80129

No.	Revision	Date	Init.	Appr	Date

SCALE: AS NOTED
FILE NO:
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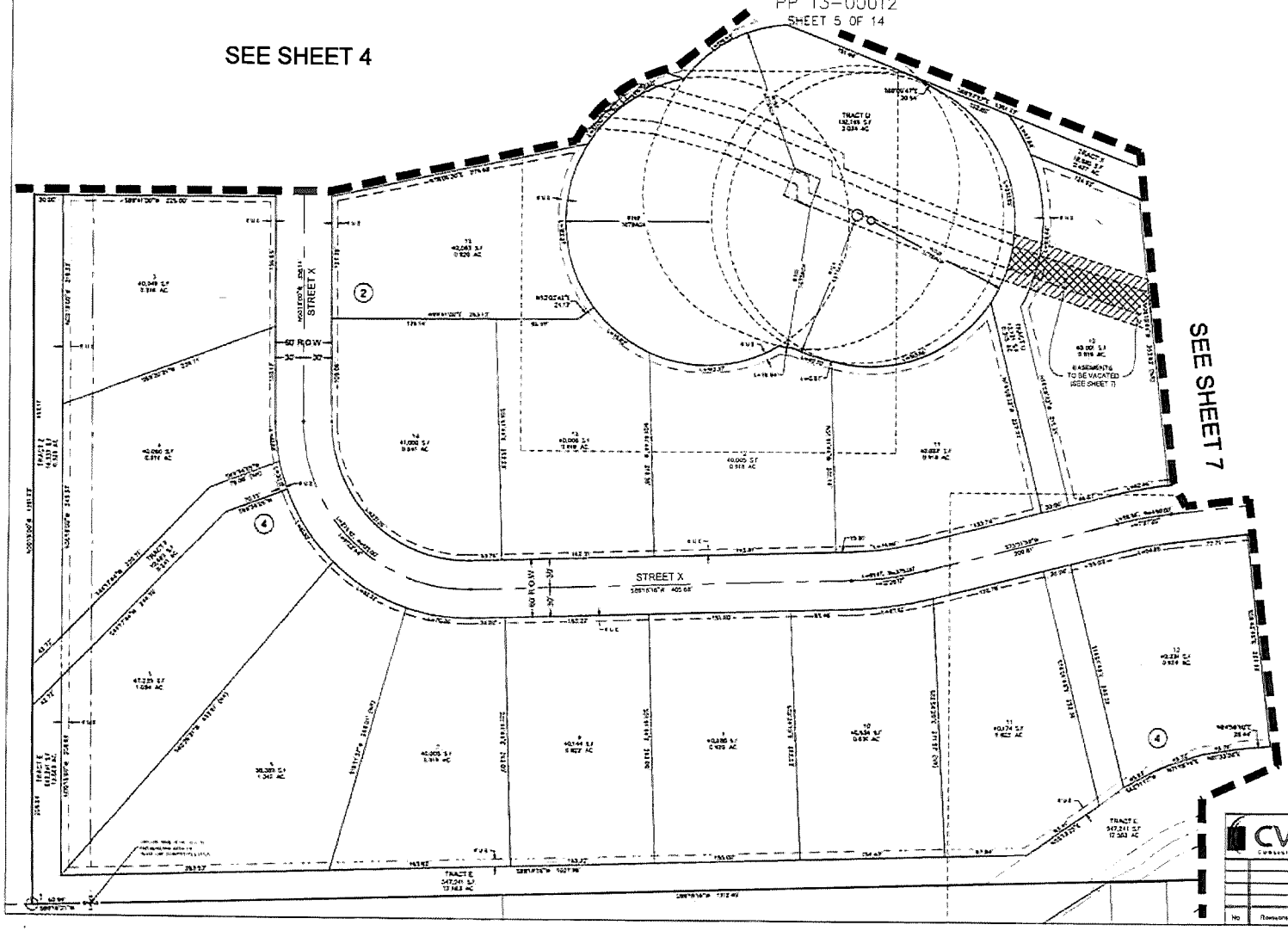
CHECKED BY: WFH
DATE: 12/29/2014
SHEET NO: 4 OF 14

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13-00012
SHEET 5 OF 14

SEE SHEET 4



SEE SHEET 7

SCALE 1" = 50'

SYMBOL LEGEND	
	FND. SECTION CORNER AS DESCRIBED
	SET NO. 5 REBAR, 2½" ALUM. w/1 1/2" DRAINAGE PLASTIC CAP STAMPED CVL LS NO. 25368 UNLESS OTHERWISE NOTED
	FOUND WITNESS CORNER AS DESCRIBED
	FND (F) REBAR 5/8" ALUM. CAP STAMPED LS 24229
	FND (F) REBAR 5/8"+1/2" ALUM. CAP STAMPED PLS 13466
	BLOCK NUMBER
R.O.W.	RIGHT OF WAY
N.R.	NON-RADIAL
AC	ACRES
S.F.	SQUARE FEET
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT

SEE SHEET 12 FOR ENTIRE TRACTS E & X

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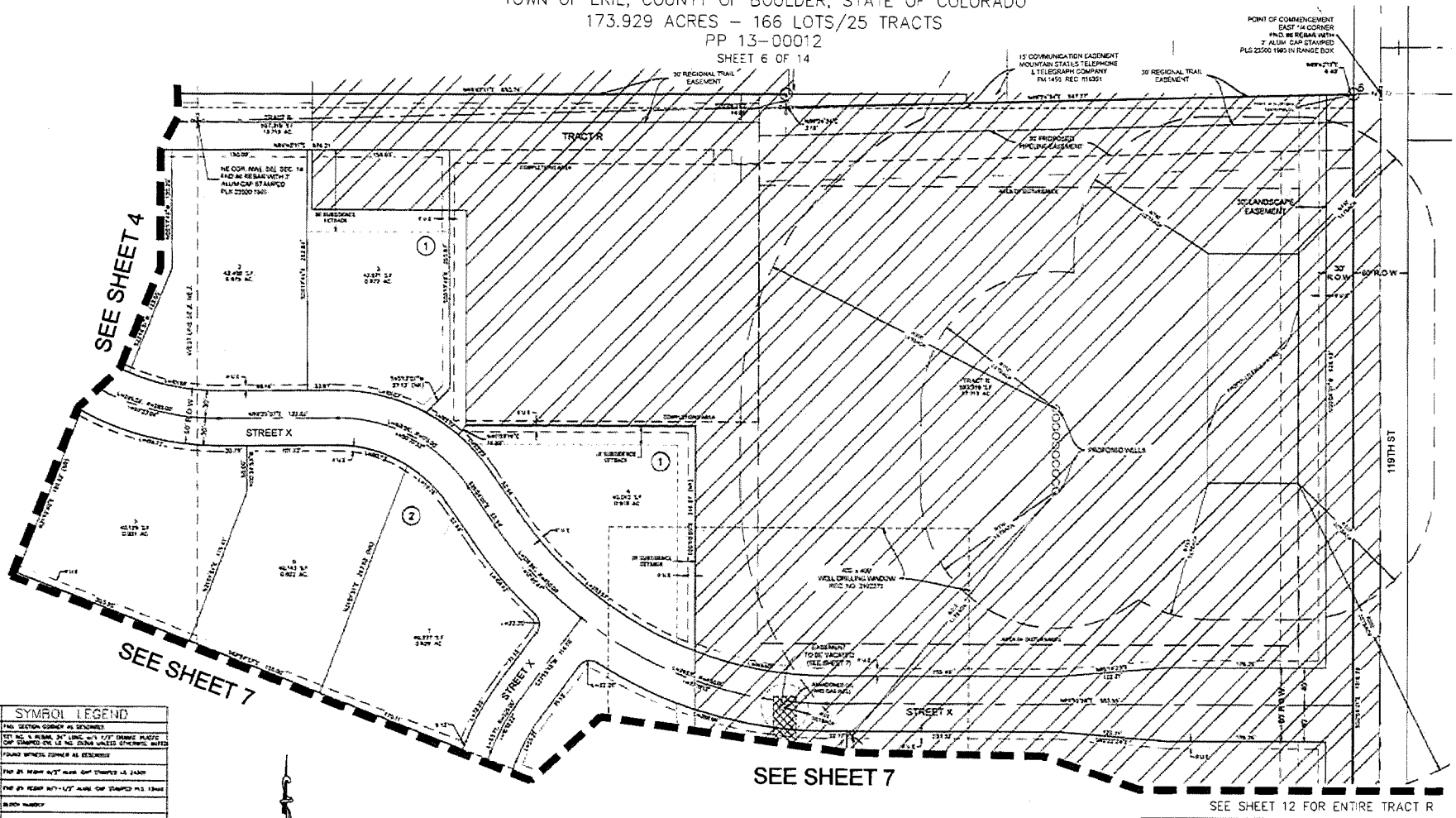
HIGHLANDS RANCH, CO 80126

No	Revisions	Date	Rvd.	Appr	Date

SCALE: AS NOTED
FILE NO
DRAWN BY: BDL/JLR/MJP
CHECKED BY: WFH
DATE: 12/29/2014
SHEET NO: 5 OF 14

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13-00012
SHEET 6 OF 14



SYMBOL LEGEND	
	FND. SECTION CORNER AS DESCRIBED
	SET NO. 5 REBAR, 24" LONG, w/1 1/2" DRAWN PLASTIC CAP STAMPED CVL LS 34, ZONE VERTEX CHECKPOINT, INFILL
	FOUND MONUMENT CORNER AS DESCRIBED
	FND. 3/4" REBAR w/1" ALUM. CAP STAMPED LS 24301
	FND. 3/4" REBAR w/1-1/2" ALUM. CAP STAMPED PLS 13466
	BLOCK NUMBER
R.O.W.	RIGHT OF WAY
N.R.	NON-RADIAL
AC	ACRES
S.F.	SQUARE FEET
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT

SCALE 1" = 50'

LOW RISK SUBSIDENCE AREA

NOTES:
1. ALLOWABLE BUILDING AREAS FOR LOTS 3 & 4, BLOCK 1 HAVE BEEN ESTABLISHED WITH REGARD TO UNDERMINING IN CONSIDERATION OF CTL/THOMPSON "SUPPLEMENTAL MINE SUBSIDENCE RISK INVESTIGATION" LETTER DATED 10/25/2013. IN SOME CASES, MINIMUM ALLOWABLE SETBACKS PER ZONING REQUIREMENTS MIGHT DICTATE.

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HIGHLANDS RANCH CO 80126

No.	Remarks	Date	Int.	Appr	Date

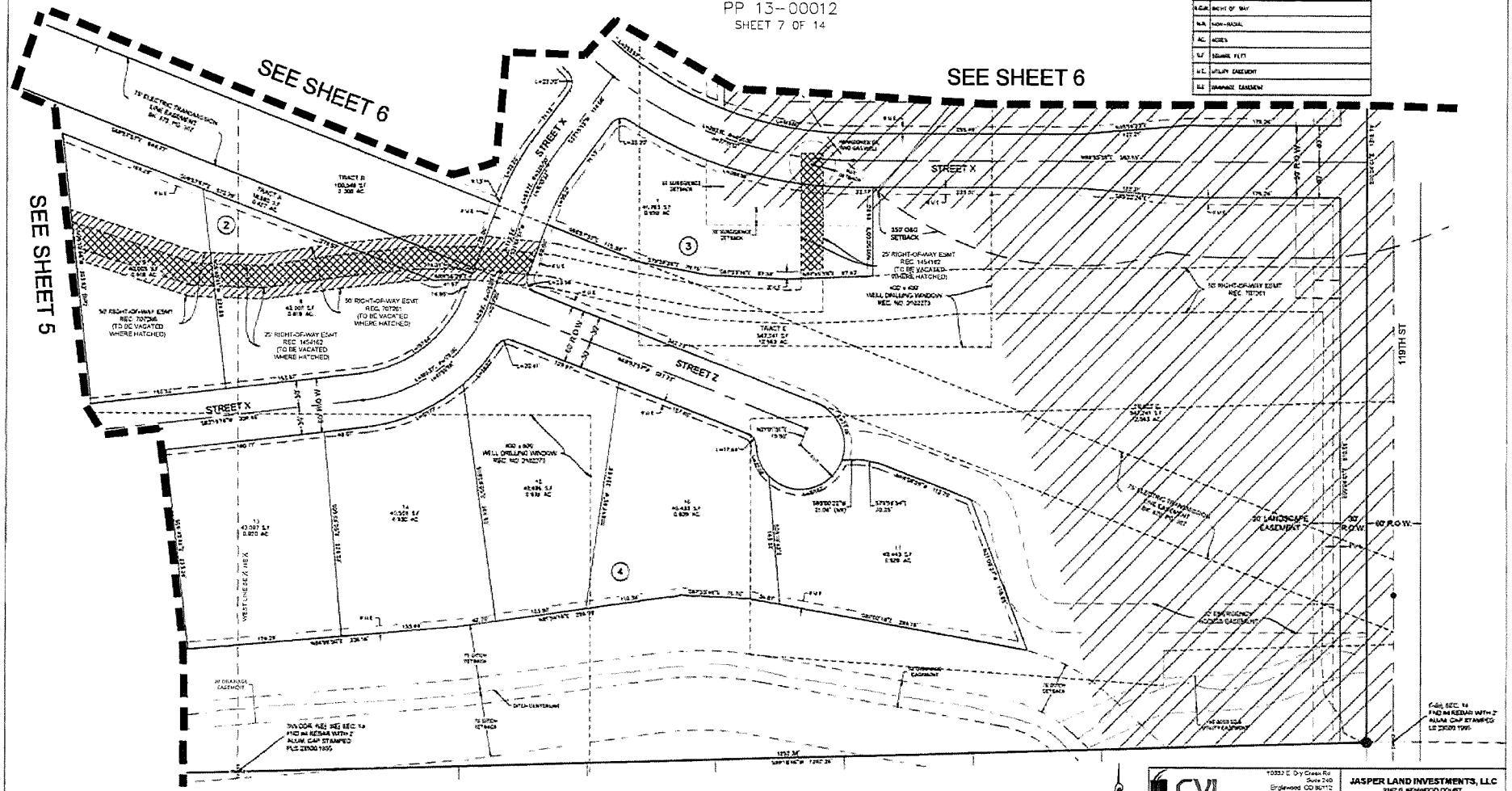
SCALE: AS NOTED
DRAWN BY: BDL/JLR/MJP
CHECKED BY: WFH
FILE NO.
DATE: 12/29/2014
SHEET NO: 6 OF 14

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13-00012
SHEET 7 OF 14

NOTES:
1. ALLOWABLE BUILDING AREA FOR LOT 1, BLOCK 3 HAS BEEN ESTABLISHED WITH REGARD TO UNDERMINING IN CONSIDERATION OF CTL/THOMPSON "SUPPLEMENTAL MINE SUBSIDENCE RISK INVESTIGATION" LETTER DATED 10/25/2013. IN SOME CASES, MINIMUM ALLOWABLE SETBACKS PER ZONING REQUIREMENTS MIGHT DICTATE.

SYMBOL LEGEND	
	FND. SECTION CORNER AS DESCRIBED
	FND. NO. 5 REBAR, 24" LONG, w/1 1/2" ORANGE PLASTIC CAP STAMPED CVL LS NO. 23349 UNLESS OTHERWISE NOTED
	FOUND BITNESS CORNER AS DESCRIBED
	FND. #5 REBAR 6/1" ALUM. CAP STAMPED LS 24305
	FND. #5 REBAR 6/1+1/2" ALUM. CAP STAMPED PLS 13466
	BLOCK NUMBER
R.O.W.	RIGHT OF WAY
N.R.	NON-RADIAL
AC.	ACRES
S.F.	SQUARE FEET
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT



SEE SHEET 12 FOR ENTIRE TRACTS B, E, & X

LOW RISK SUBSIDENCE AREA

SCALE 1" = 50'

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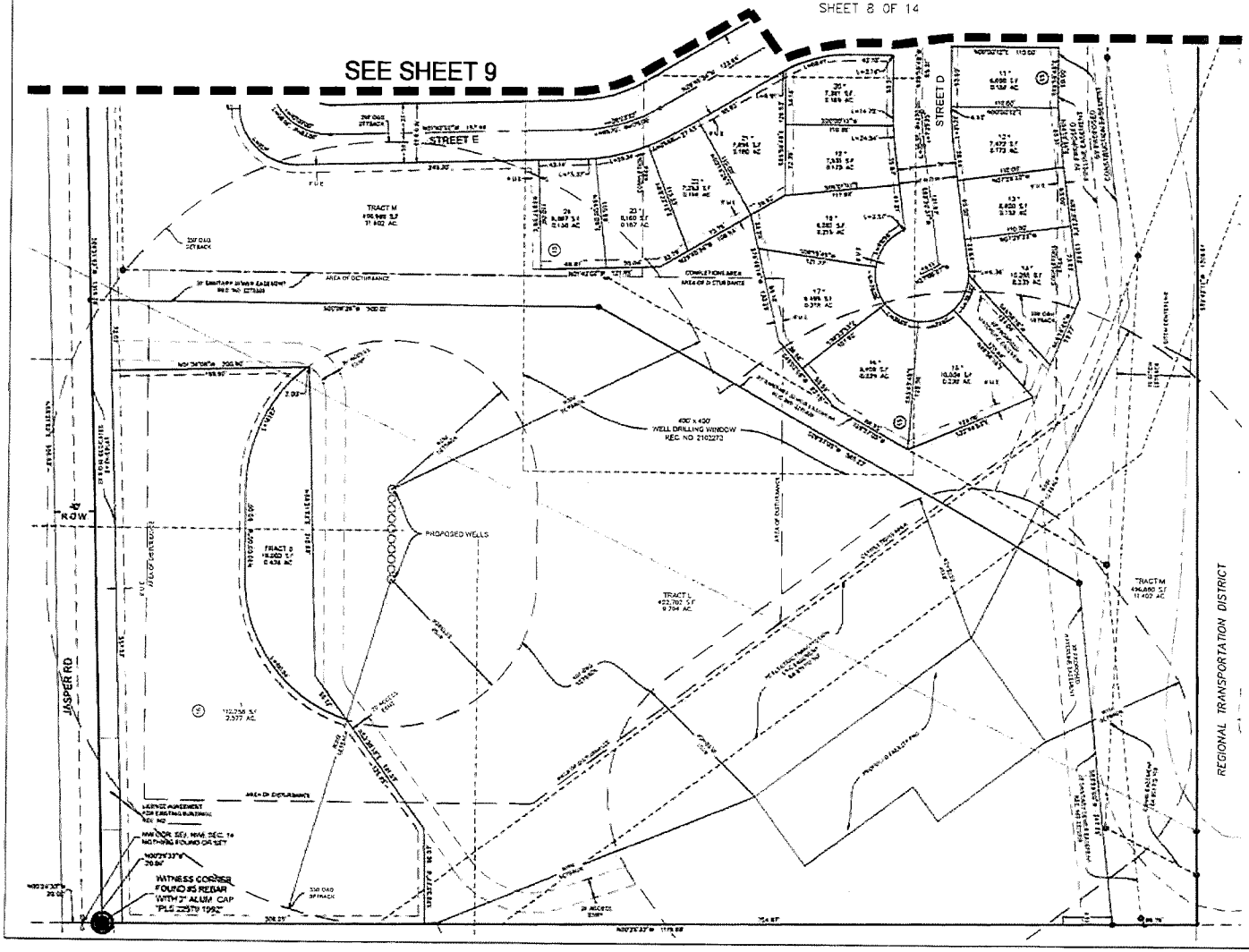
HIGHLANDS RANCH, CO 80122

Rev.	Revisions	Date	Int.	Appr.	Date

SCALE: AS NOTED
FILE NO.
DRAWN BY: BDL/JLH/MJP
CHECKED BY: WTH
DATE: 12/29/2014
SHEET NO.: 7 OF 14

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 8 OF 14



NOTES:
1. LOTS DENOTED WITH "*" ARE RESTRICTED LOTS. NO TEMPORARY OR PERMANENT BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS SHALL BE LOCATED, CONSTRUCTED OR INSTALLED WITHIN THE OIL AND GAS OPERATIONS AREAS UNTIL AFTER CONSTRUCTION OF ALL PERMANENT FACILITIES.

SYMBOL LEGEND	
	FND SECTION CORNER AS DESCRIBED
●	SET NO. 5 REBAR, 24" LONG, w/1 1/2" ORANGE PLASTIC CAP STAMPED CVL LS NO. 25369 UNLESS OTHERWISE NOTED
O	FOUND WITNESS CORNER AS DESCRIBED
	FND #5 REBAR W/2" ALUM. CAP STAMPED LS 24305
	FND #5 REBAR W/1-1/2" ALUM. CAP STAMPED PLS 13466
1	BLOCK NUMBER
R.O.W.	RIGHT OF WAY
N.R.	NON-RADIAL
AC	ACRES
S.F.	SQUARE FEET
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT

SEE SHEET 13 FOR ENTIRE TRACT M

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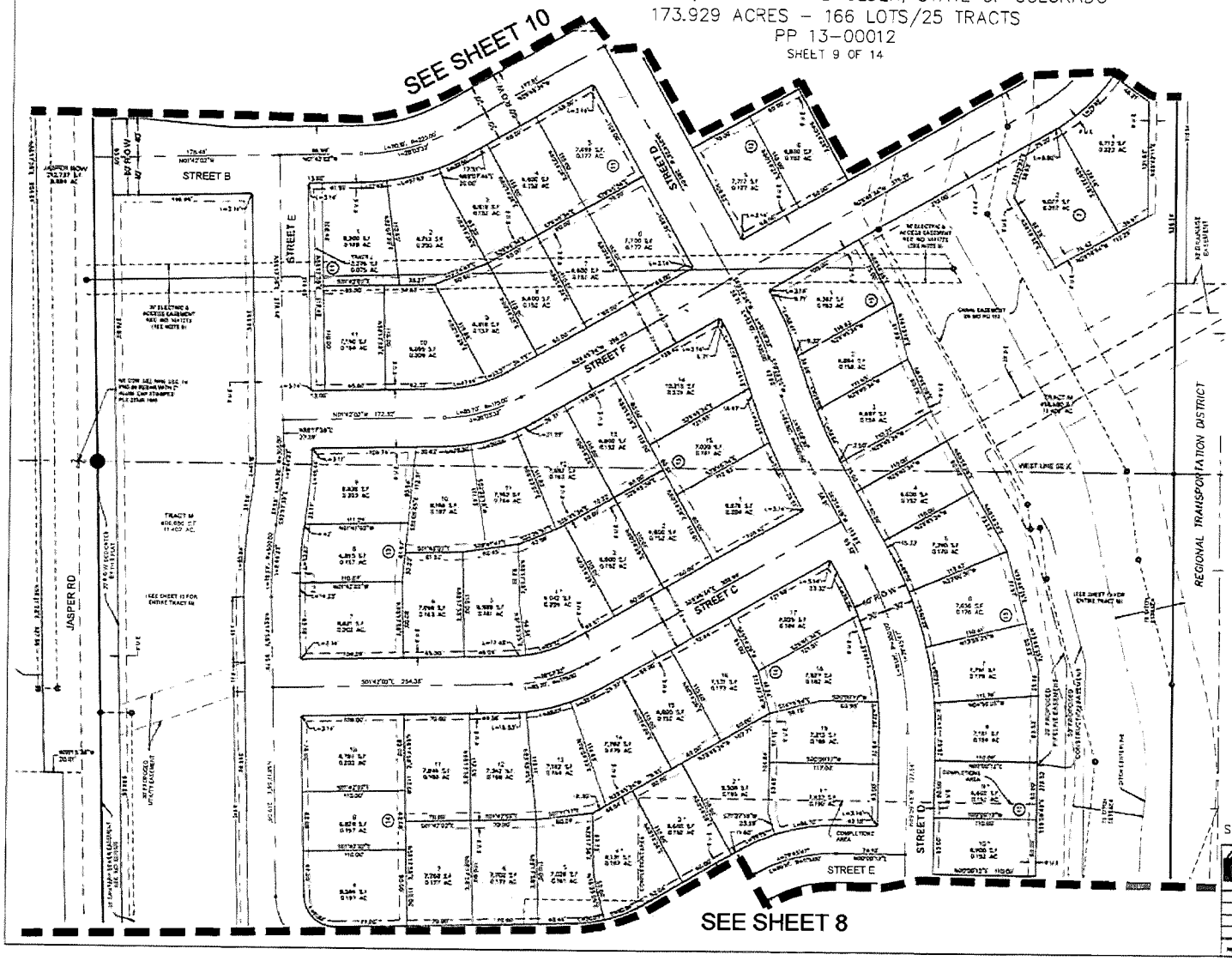
JASPER LAND INVESTMENTS, LLC
9192 S. KENWOOD COURT
HIGHLANDS RANCH CO 80129

No	Revisions	Date	Int.	Appr	Date

SCALE: AS NOTED
FILE NO
DRAWN BY: BDL/JLR/MJP
CHECKED BY: WFH
DATE: 12/29/2014
SHEET NO: 8 OF 14

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 9 OF 14



NOTES:
1. LOTS DENOTED WITH "*" ARE RESTRICTED LOTS. NO TEMPORARY OR PERMANENT BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS SHALL BE LOCATED, CONSTRUCTED OR INSTALLED WITHIN THE OIL AND GAS OPERATIONS AREAS UNTIL AFTER CONSTRUCTION OF ALL PERMANENT OWO FACILITIES.

SYMBOL LEGEND	
	FND. SECTION CORNER AS DESCRIBED
	SET NO. 3 REBAR, 24" LONG, w/1 1/2" ORANGE PLASTIC CAP STAMPED CVL LS NO. 23369 UNLESS OTHERWISE NOTED
	FOUND WITNESS CORNER AS DESCRIBED
	FND #5 REBAR W/2" ALUM. CAP STAMPED LS 24305
	FND #5 REBAR W/1-1/2" ALUM. CAP STAMPED PLS 13456
1	BLOCK NUMBER
R.O.W.	RIGHT OF WAY
N.R.	NON-RADIAL
AC	ACRES
S.F.	SQUARE FEET
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT

SCALE 1" = 50'

SEE SHEET 13 FOR ENTIRE TRACT M AND JASPER R.O.W.

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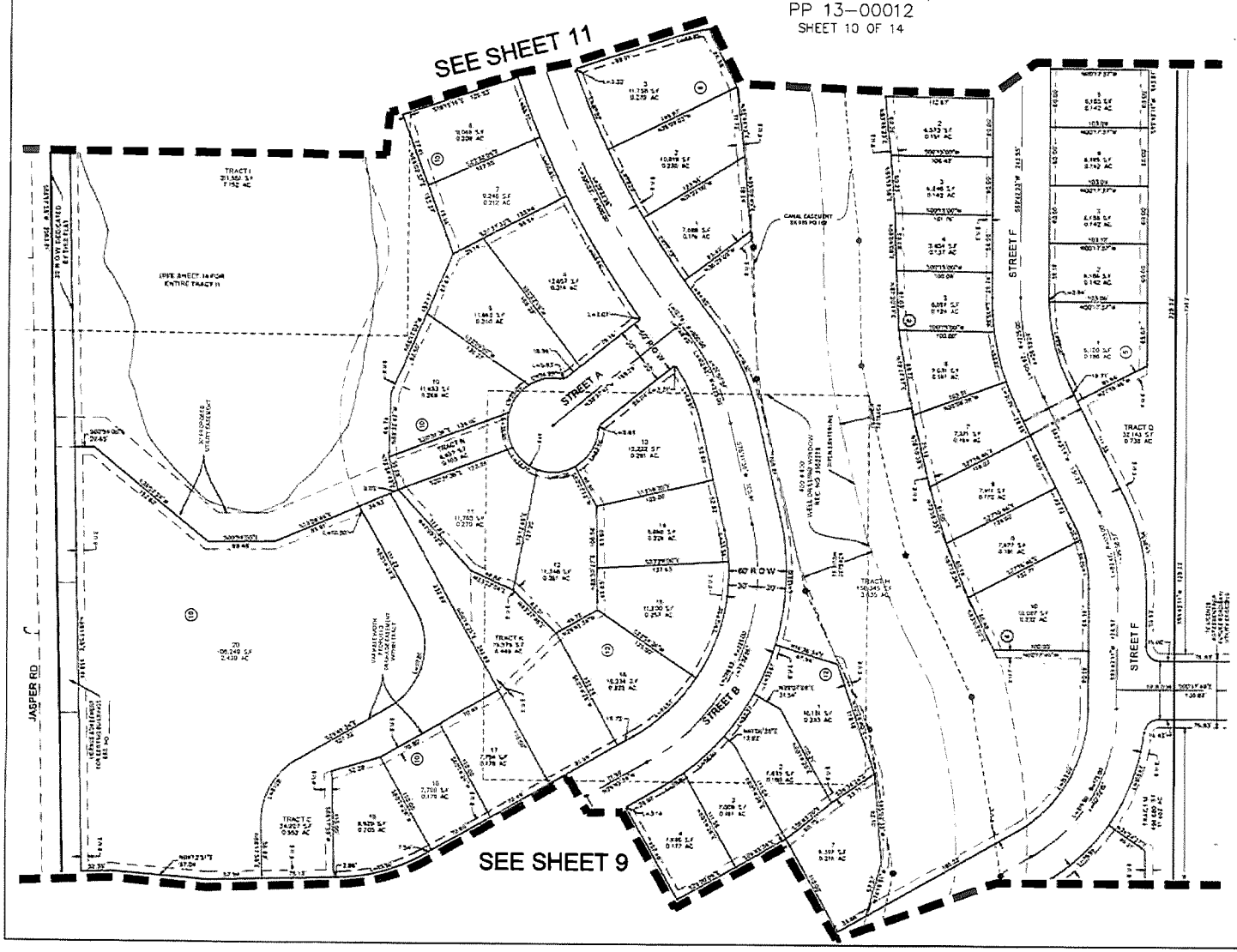
9460 S. KENWOOD COURT
HIGHLANDS RANCH CO 80126

No.	Revisions	Date	Int.	Appr.	Date

SCALE: AS NOTED
FILE NO:
DRAWN BY: BDL/JLR/MJP
CHECKED BY: WFH
DATE: 12/29/2014
SHEET NO: 9 OF 14

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 10 OF 14



SYMBOL LEGEND	
✚	FND SECTION CORNER AS DESCRIBED
●	SET NO 5 REBAR, 24" LONG, w/1 1/2" ORANGE PLASTIC CAP STAMPED CVL LS NO 25369 UNLESS OTHERWISE NOTED
O	FOUND WITNESS CORNER AS DESCRIBED
○	FND #5 REBAR W/2" ALUM CAP STAMPED LS 24305
○F	FND #5 REBAR W/1-1/2" ALUM CAP STAMPED PLS 13466
①	BLOCK NUMBER
R.O.W	RIGHT OF WAY
N.R	NON-RADIAL
AC	ACRES
S.F	SQUARE FEET
U.E	UTILITY EASEMENT
D.E	DRAINAGE EASEMENT

SCALE 1" = 50'

SEE SHEET 13 FOR ENTIRE TRACTS M, O, & JASPER R.O.W.
SEE SHEET 14 FOR ENTIRE TRACTS H & I

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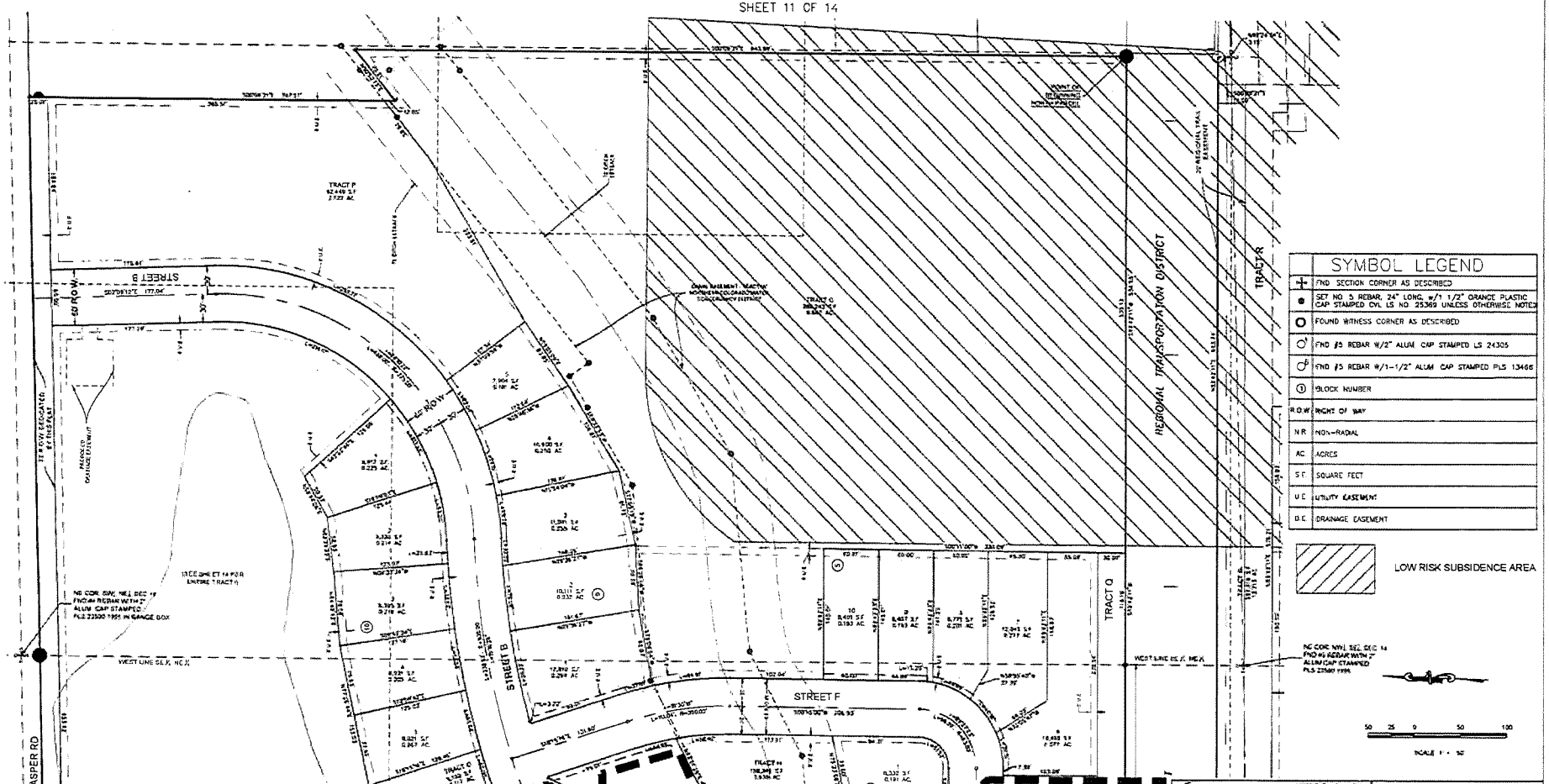
JASPER LAND INVESTMENTS, LLC
9163 S KENWOOD COURT
HIGHLANDS RANCH, CO 80126

No	Revisions	Date	Int	Appr	Date

SCALE: AS NOTED
DRAWN BY: BDL/JLR/MJP
CHECKED BY: WFH
DATE: 12/23/2014
SHEET NO: 10 OF 14

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 11 OF 14



SEE SHEET 12 FOR ENTIRE TRACT R
SEE SHEET 13 FOR ENTIRE TRACTS Q. & JASPER R.O.W.
SEE SHEET 14 FOR ENTIRE TRACTS H & I

CVL CONSULTANTS
10333 E. Dry Creek Rd Suite 240 Englewood, CO 80112 Tel (720) 482-9526 Fax (720) 482-9546

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HIGHLANDS RANCH CO 80126

No.	Revisions	Date	Init.	Appr.	Date

SCALE	DRAWN BY	SHEET NO
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	DATE 12/29/2014	

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
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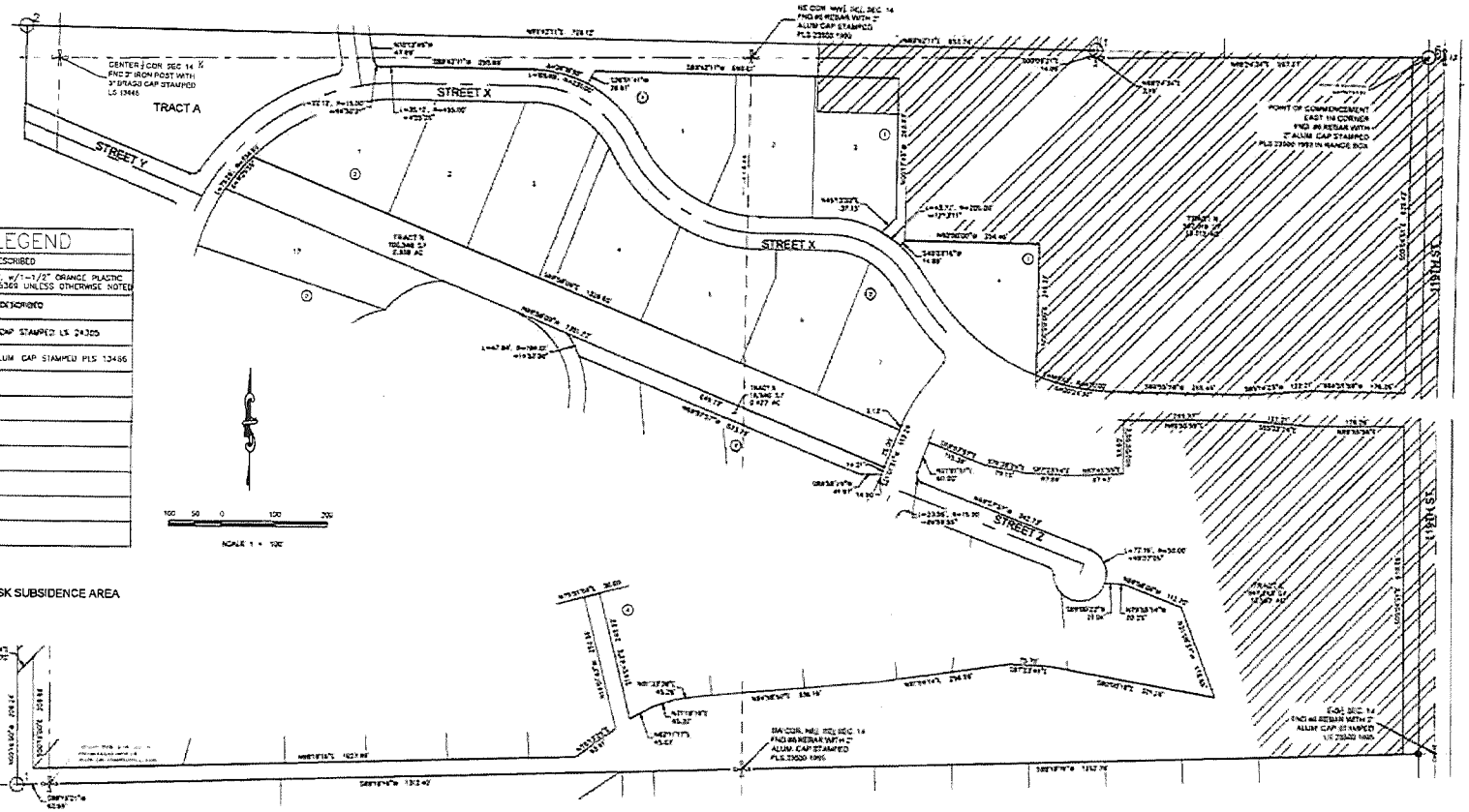

SYMBOL LEGEND	
✚	FND SECTION CORNER AS DESCRIBED
●	SET NO. 6 REBAR, 30" LONG, w/1-1/2" ORANGE PLASTIC CAP STAMPED CVL LS NO. 25369 UNLESS OTHERWISE NOTED
○	FOUND WITNESS CORNER AS DESCRIBED
○	FND #5 REBAR W/2" ALUM. CAP STAMPED LS 24305
○	FND #5 REBAR W/1-1/2" ALUM. CAP STAMPED PLS 13486
①	BLOCK NUMBER
R.O.W	RIGHT OF WAY
N.R	NON-RADIAL
AC	ACRES
S.F	SQUARE FEET
U.E	UTILITY EASEMENT
D.E	DRAINAGE EASEMENT

LOW RISK SUBSIDENCE AREA

DETAIL TRACTS B, R, E, & X

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No	Revisions	Date	Int.	Appr.	Date

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DATE: 12/28/2014
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WISE FARMS PRELIMINARY PLAT

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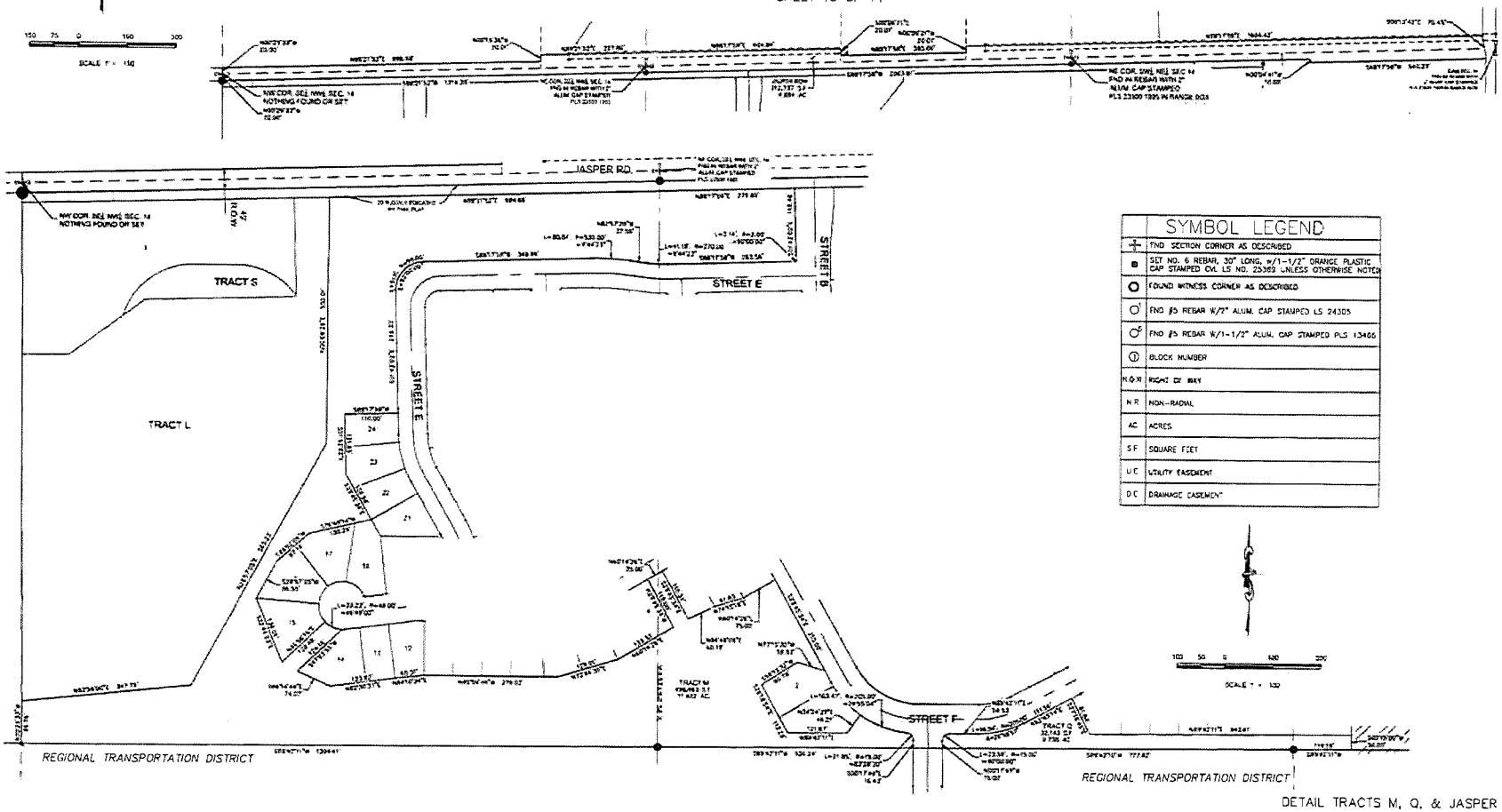
PP 13–00012
SHEET 13 OF 14



SYMBOL LEGEND	
	FND SECTION CORNER AS DESCRIBED
	SET NO. 6 REBAR, 30" LONG, w/1-1/2" ORANGE PLASTIC CAP STAMPED CVL LS NO. 25369 UNLESS OTHERWISE NOTED
	FOUND WITNESS CORNER AS DESCRIBED
	FND #5 REBAR W/2" ALUM. CAP STAMPED LS 24305
	FND #5 REBAR W/1-1/2" ALUM. CAP STAMPED PLS 13466
	BLOCK NUMBER
R.O.W.	RIGHT OF WAY
N R	NON-RADIAL
AC	ACRES
S F	SQUARE FEET
U E	UTILITY EASEMENT
D E	DRAINAGE EASEMENT

DETAIL TRACTS M, Q, & JASPER ROAD

CVL CONSULTANTS
10333 E. Dry Creek Rd., Suite 240
Englewood, CO 80112
Tel (720) 482-9526
Fax (720) 482-9546

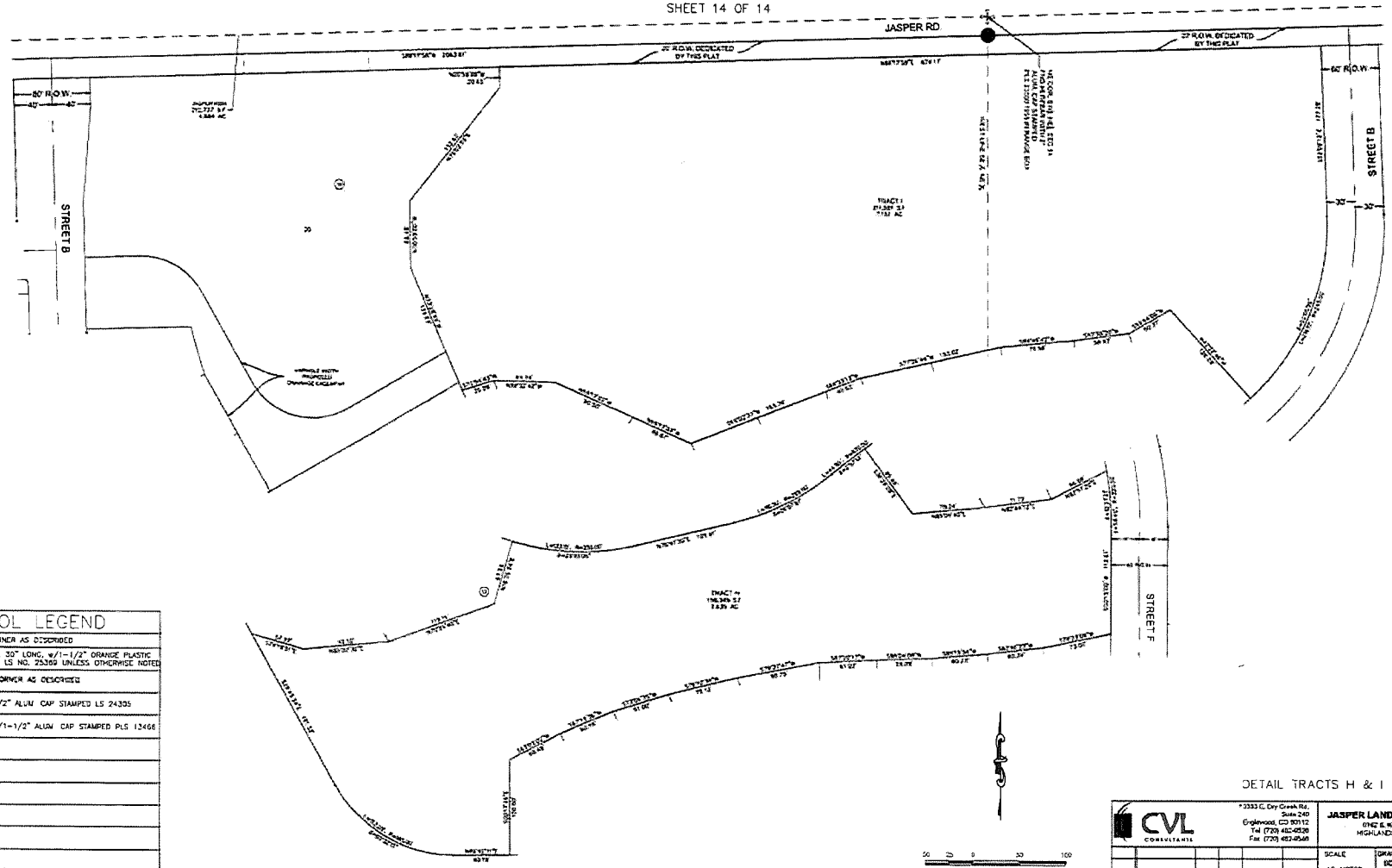
JASPER LAND INVESTMENTS, LLC
9162 S. KENWOOD COURT
HIGHLANDS RANCH, CO 80126

No.	Revisions	Date	Int.	Appr	Date

SCALE AS NOTED	DRAWN BY BDL/JLR/MJP	SHEET NO 13 OF 14
FILE NO	CHECKED BY JPH	
	DATE 12/29/2014	

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13-00012
SHEET 14 OF 14



DETAIL TRACTS H & I

SYMBOL	LEGEND
+	FND SECTION CORNER AS DESCRIBED
●	SET NO 5 REBAR, 30" LONG, w/1-1/2" ORANGE PLASTIC CAP STAMPED CVL LS NO. 25369 UNLESS OTHERWISE NOTED
O	FOUND WITNESS CORNER AS DESCRIBED
O	FND #5 REBAR W/2" ALUM CAP STAMPED LS 24395
O	FND #5 REBAR W/1-1/2" ALUM CAP STAMPED PLS 13466
⊙	BLOCK NUMBER
R.O.W.	RIGHT OF WAY
N.R.	NON-RADIAL
AC	ACRES
S.F.	SQUARE FEET
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT

CVL CONSULTANTS
7333 S. Dry Creek Rd.
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JASPER LAND INVESTMENTS, LLC
6762 E. HAWWOOD COURT
HIGHLANDS RANCH CO 80126

No.	Revisions	Date	In	Appr	Date

SCALE: AS NOTED
FILE NO
DRAWN BY: BDL/JLR/MJP
CHECKED BY: WTH
DATE: 12/29/2014
SHEET NO: 14 OF 14

ATTACHMENT C

CHAPTER 2
THE APPROACH

"A thing is right only when it tends to preserve the integrity, stability and beauty of the community; and the community includes the soil, water, fauna and flora, as well as the people."
-Aldo Leopold, A Sand County Almanac, 1949.

This study served to delineate and field-survey 113 natural areas in the Erie planning area. Six large (2 feet x 3 feet) maps were generated of the 50-square-mile planning area based on rectified aerial photographs. Natural areas were delineated by drawing polygons around relatively undeveloped areas that visually appeared to have ecological significance, such as bodies of water, wetlands, creeks, draws, sections of ditches that had dense vegetation, unplowed fields and pastures, fields with prairie dog burrows, and areas with notable changes in vegetation. Property boundaries were inconsequential to this effort. Subsequently, additional natural areas suggested to us by Town of Erie staff, Claire Solohub of the Colorado Division of Wildlife, and residents of the planning area were included. The nine ditches that traverse the Erie planning area were all surveyed and rated. However, polygons were not drawn around them.

Parcel layers were superimposed on the delineated polygons. The names and addresses of all ownership parcels that 1) overlapped with the natural area polygons, and 2) were more than 20 acres in size, were highlighted. This resulted in 46 ownership parcels. Letters were sent to these landowners requesting access to the parcels. An additional five letters were subsequently sent out for some smaller parcels.

From September 24 through November 20, 2007, a team of two Walsh ecologists conducted field surveys of the delineated natural areas. A survey data form was developed to rate the natural areas on multiple ecological categories, described below. Data were entered onto an electronic tablet for direct download to a database, and comment notes were made on hard-copy data sheets. Visits at each site lasted 20 minutes to 1 hour or more, depending on the size and complexity of a site.

Survey Form

A number of criteria were developed to rate the surveyed natural areas. These include wetlands value, ecological condition, vegetation component, and potential value to wildlife. Most categories were assigned a rating of 1 to 5, with 1 indicating a low rating and 5 indicating the highest rating possible. Ratings for the extent of weed cover and ground disturbance were reversed such that a rating of 5 represented the least amount of weediness and ground disturbance. This allowed for a straightforward summing of ratings across all categories to develop a summary rating.

The following section presents the definitions of the terms and evaluation criteria used to rate each natural area. The survey was divided into the general categories of basics, wetlands, landscape context, vegetation, wildlife habitat, enhancement potential, and site comments, each of which is represented by several fields in the project database.

Basics

Site #: Each natural area was identified with a site number that was assigned as the natural area polygons were drawn. It serves as an identifier for locating a site on the maps and linking all site data.

Site Name: Each natural area was named according to its natural attributes visible on an aerial photograph. These names were not affected by property ownership or property lines.

Acres: The size of each natural area (in acres) was determined by the ArcGIS Calculate Geometry program.

Map: Refers to the map sheet number. The sheets are alphanumerically labeled west to east and north to south and begin with Sheet A1 (far northwest quadrant) and end with Sheet C2 (far southeast quadrant).

Site Description: This field contains a description of the natural area.

Wetlands

Wetland Functionality: Wetland functionality was evaluated in terms of hydrology, presence and quality of wetland vegetation, and soils. Functionality was rated on a scale of 0 to 5, as follows:

0 = No open water

1 = Concrete or riprap-lined ditch or a ditch with no vegetation

2 = Small farm or detention pond with little to no vegetation, turbid, over-nutrified, and incapable of draining, filtering, or flushing except by intermittent flow; very degraded creek or ditch with little to no vegetation

3 = Small lake or pond that is somewhat vegetated and provides some residence time for water; ditch or canal that is well-vegetated, perhaps with some terracing but water moves through quickly; natural or intermittent swale, draw, or gully that is somewhat to well-vegetated with very permeable soils that can recharge groundwater regularly; natural perennial or intermittent stream that is somewhat vegetated, straight, and downcut, with water that moves through quickly, and it is not well connected with the floodplain

4 = Large pond or lake with somewhat vegetated or narrow wetland fringe; natural perennial stream that is sinuous, well-vegetated, and physically connected with the floodplain

5 = Large pond or lake with well-vegetated and broad wetland fringe; large well-vegetated wetland

TOWN OF ERIE NATURAL AREAS INVENTORY

Site #: 71 Map: B2
Tracked Field Acres 55

This site is a large field between the cemetery and Coal Creek.

Wetlands:
Wetland Functionality: 3 Wetland Value: 3

Landscape Context
Nearby Land Use:
- Field without Crops
- Creek
- Ditch
- Natural Area
- Residential

Habitat Types Present: 3
- Grassland
- Wetland
- Other

Viewshed: From Site

Vegetation
Plant Communities: ADUD, CSL, RCSH, SDH

Vegetation Structure:
- Forbs
- Grass

County-listed Noxious Weeds:
- Musk Thistle
- Canada Thistle

Noxious Weed Cover 5
Ground Disturbance: 5
Plant Diversity: 3
Grassland Value: 4

Wildlife Habitat
Prairie Dog Habitat: 0% Wildlife Species of Concern:
Overall Wildlife Habitat Quality: 3

Primary Factors Present	Secondary Factors Present
Water or wetland is present	Site is larger than 3 acres Site is adjacent to another natural area One of the three vegetation structure types is in good condition

Wildlife Species Seen eastern cottontail, coyote

Enhancement Effort: Medium
Summary Rating: 22
Site Comments
This site is a large field below the cemetery and near Coal Creek. Ryegrass and cheat grass dominate. Cottonwood Extension Ditch runs along the bottom of the sloping field. Overall species diversity is low in this relatively homogenous site because it is dominated by escaped cultivated rye. However, a large number of natives such as salsify, sand sage, sand dropseed, buffalo grass, and sagewort are present. The presence of a good number of upland native species is noteworthy, and efforts should be made to protect them. This site is unique in this regard. The rolling topography presents a feature of interest. With Cottonwood Extension Ditch on the site and Coal Creek adjacent, this area has value to wildlife as an open but uncultivated field. Grass and forb seeds are plentiful for small mammals and seed eating birds. Meadowlarks surely nest here in spring. This site presents a unique opportunity for restoration or enhancement in upland habitat with the removal of non-natives and planting or seeding with natives. This site presents the best site in the planning area for native grassland restoration.

Wetland Value (to wildlife): The wetland value to wildlife was evaluated for its ability to provide habitat to wildlife. This value takes into account water body size, water movement, and quality of surrounding vegetation. The value is rated on a scale of 1 to 5 as follows:

1 = No open water

2 = Poor-quality ditch, creek, or pond; vegetation virtually absent; small pond

3 = Some vegetation at the edge, even weedy; includes ephemeral pools; medium-sized pond

4 = More vegetation at the edge; larger pond

5 = Excellent wildlife habitat, sinuosity present in creek, vegetation well developed; large pond, reservoir, or creek

Landscape Context

Nearby Land Use: Multiple land use types were listed for each natural area. This category includes all land uses observed in the surrounding area, including agricultural lands (with crops), field (without crops), subdivision, farm, creek, ditch, natural area, residential, oil well, and gravel mining.

***Habitat** is the natural environment – including the physical and biotic environment – in which a species lives.*

Habitat Types Present: This category lists the habitat types present on a site. This refers to the six habitat types determined to represent the range of habitat seen in the Erie planning area: agricultural, aquatic, grassland, wetland, woodland, and other. These habitat types are described in Chapter 2. The rating for this category is the sum of the number of different habitat types present.

Viewshed: Viewshed is a qualitative measure determined by viewing the natural environment visible to and from the site being assessed. If there is a good view from the site (most frequently a mountain view), then "From Site" was entered. If the site itself appeared to provide a pleasing view as viewed from the surrounding area, then "To Site" was entered. A blank entry indicated there was no notable view from or to the site.

Vegetation

Plant Communities: Plant communities are groups of plants that occur together. The plant community classification system used here, also called a system of plant alliances, is adopted from the U.S. National Vegetation Classification (Maybury 1999). Plant alliances for the Erie planning area are listed in Table 1 at the end of the chapter. For example, Creek Shelter

Belt/Riparian Forest (CSB) is a plant community comprising plains cottonwood, crack willow, coyote willow, and Russian-olive. Although a particular alliance usually contains 10 or more species, only 1 to 4 dominant species are listed. This classification system is being used throughout the United States, including Boulder County and City of Boulder. Exact and technical in nature, it will be very useful in the future to know the plant communities that populated each natural area in 2007.

Vegetation Structure: This category lists the various plant structure types present, and includes tree, shrub, forb (broad-leaved plant), grass or grass-like plant, and litter. The rating is the sum of the structure types present.

*You know it's a **tree** if you can walk under it and it's a **shrub** if you can't. **Forbs** are nonwoody flowering plants. **Grasses** are easy to recognize and have long blades.*

County-listed Noxious Weeds: This category refers to the 13 noxious species listed by Boulder County Parks and Open Space, and includes diffuse knapweed, spotted knapweed, Russian knapweed, leafy spurge, musk thistle, Canada thistle, Scotch thistle, bull thistle, dalmatian toadflax, yellow toadflax, houndstongue, common teasel, and tamarisk. This field lists all of these species that were found on the site.

Noxious Weed Cover: This category refers to the percentage of each site that is covered by county-listed noxious weeds. Ratings used to evaluate weed cover are as follows, with the highest rating applied to the lowest amount of weed cover:

5 = 0-5 percent
4 = 6-10 percent
3 = 11-25 percent
2 = 26-50 percent
1 = 51-100 percent

Ground Disturbance: The extent of ground disturbance is an estimated measure of bare ground. Factors taken into account include bare soil, roads (paved and unpaved), construction areas, and areas with vegetation removed. Ratings used to evaluate ground disturbance are as follows, with the highest rating applied to the lowest amount of ground disturbance:

5 = 0-5 percent
4 = 6-10 percent
3 = 11-25 percent
2 = 26-50 percent
1 = 51-100 percent

Plant Diversity: Plant diversity lists the number of different species on each site. This category was related to the number of plant communities (alliances) found on each site. It was given a rating of 1 to 5 as follows:

1 = 1-10 species
2 = 11-30 species
3 = 31-50 species
4 = 51-70 species
5 = 71-100 species

Grassland Value: The evaluation system generally favored sites with water, largely as a consequence of the two wetlands categories described above, which could contribute 10 points to the summary rating. As a consequence, open grassland sites were under-valued in the rating system. In an attempt to better reflect the value that grasslands impart to natural areas, this rating category was added. It assigned 2 points for the presence of grassland as a habitat type, 2 points for the observed presence of native grass species, and 2 points for the presence of prairie dog habitat.

Wildlife Habitat

Prairie Dog Habitat: For those sites with prairie dog habitat (burrows visible), an estimate was made of the percentage of the site containing black-tailed prairie dogs and/or their burrows.

Wildlife Species of Concern: This field addresses wildlife species of concern that could potentially use the site for migration, breeding, nesting, or movement. The list of species of special concern adopted here is the one that was developed by Boulder County Parks and Open Space.

Overall Wildlife Habitat Quality: This rating of wildlife habitat was obtained by evaluating a number of primary and secondary factors, listed in the table below. These factors were weighted depending on their importance to wildlife. Higher values indicate more significant habitat features, such as the presence of water or inclusion in a movement corridor. Occasionally, the wildlife rating from the table did not match the field team's perceived wildlife value of the site. In cases such as this, the ratings from the table were overridden and altered to agree with the field team's observations.

Wildlife Species Seen: This category lists wildlife species observed, identified by scat and/or tracks, or mentioned as present by resident(s).

Primary Factors			***Secondary Factors***		
Factor	***Yes***	***No***	***Factor***	***Yes***	***No***
Is water or wetland present on property (perennial or seasonal)?			*Is the site larger than 3 acres?*		
Are any state- or federally-listed species potentially present, other than prairie dogs?			*Is the site adjacent to another natural area?*		
Could or does the area serve as a migration or movement corridor?			*Is one of the three habitat structure types represented in good condition?*		
Does the area serve an irreplaceable source of food or cover, or as a site for reproduction for any desirable species of wildlife?			*Does the site have three or more habitat types?*		
Are prairie dogs present?			*Is the site potentially part of a corridor habitat, or does it represent a poor component of such?*		
3 or more primary Yes = 5					
2 or more primary Yes = 4					
1 primary or 2 or more secondary factors Yes = 3					
No primary and 1 or fewer secondary factors Yes = 2					
None of these = 1					

Enhancement Effort

Natural areas were rated on the amount of effort that would be required to enhance the site. Enhancement effort was categorized as low, medium, or high.

Low enhancement effort typically refers to sites that require weed control. At some sites, a change in mowing regimen may be indicated. This could be cessation of mowing to allow vegetation to grow. However, sometimes mowing is used as a weed control effort, which also serves an important function.

Medium enhancement effort typically refers to sites that would be enhanced by seeding and/or tree removal. Seeding typically involves

broadcast or drill seeding over existing (typically sparse) vegetation. Tree removal, specifically of Russian-olive, Siberian elm, and tamarisk, and removal of trash, are also included. This category may include limited tree and shrub planting to increase habitat value and the installation of erosion control blankets or other hand placed bio-engineering materials that can be used to stabilize soils and/or prevent stream bank failure.

High enhancement effort refers to activities that require earth moving, structural changes, and subsequent revegetation efforts. It may include grading, slope reduction, grade control installation, and tilling, such as occur in creek restoration and prairie restoration projects. It also includes controlled burning, extensive seeding, and plantings of plugs or containerized plants. In some cases this may involve removal of riprap or concrete rubble and replacement with natural bank stabilization materials such as plantings and/or root wads.

Summary Rating

A summary rating was developed (see Chapter 4) that summed all the ratings categories. Because most sites had relatively little noxious weed or ground disturbance cover, these two categories had consistent ratings of 4 and 5 and added disproportionately to the summary rating. To compensate, their value was downweighted by dividing the original value by 4. Summary ratings were ranked as follows:

Low	10-17
Medium	18-22
High	23-31

Site Comments

This field includes a written description of the natural area and its special features. It is meant to give the reader a feel for the site. It addresses possible use by wildlife species, plant communities present, and enhancement potential.

Table 1: Plant Communities (Alliances) Present in the Erie Planning Area

Alliance Acronym	Plant Alliance Common Name	Scientific Names
Agricultural		
ASBH	Cultivated alfalfa/smooth brome/cultivated hay	*Medicago sativa/ Bromopsis inermis/ Poa* spp., *Phleum* spp., *Dactylis glomerata*
CAH	Cultivated alfalfa hay	*Medicago sativa*
CC	Cultivated corn	*Zea mays*
ISAP	Introduced species agricultural pasture	*Triticum aestivum, Medicago sativa*

Grasslands (Graminoids)		
BGH	Blue grama herbaceous	*Bouteloua gracilis*
CWH	Crested wheatgrass seminatural herbaceous	*Agropyron desertorum*
KBH	Kentucky bluegrass seminatural herbaceous	*Poa pratensis*
PPOF	Planted prairie old field	*Bouteloua gracilis, Dalea* spp., *Liatris punctata*
SBH	Smooth brome seminatural herbaceous	*Bromopsis inermis*
SBWU	Smooth brome/wheatgrass understory	*Bromopsis inermis, Agropyron desertorum, Pascopyrum smithii, Thinopyrum intermedium*
SDH	Sand dropseed herbaceous alliance	*Sporobolus cryptandrus*
WTFH	Western wheatgrass temporarily flooded herbaceous	*Pascopyrum smithii*
WWH	Western wheatgrass herbaceous	*Pascopyrum smithii*
Other/Nonagricultural Weedy		
ADUD	Annual dominated upland disturbance	*Alyssum spp., Anisantha tectorum, Bassia sieversiana, Breea arvensis, Convolvulus arvensis, Rumex crispus, Sisymbrium altissimum*
BTPH	Black-tailed prairie dog grassland complex	*Convolvulus arvensis, Gutierrezia sarothrae, Yucca glauca*
CSL	Chenopodium, Russian thistle, prickly lettuce	*Chenopodium* spp., *Salsola australis, Lactuca serriola*
GFWM	Grass-forb weedy mesic alliance	*Breea arvensis, Bromopsis inermis, Lactuca serriola, Helianthus annuus, Persecaria* spp., *Phalaroides arundinacea, Rumex crispus, Scirpus* spp., *Typha latifolia*

LWDA	Lowland weedy ditch alliance	*Alyssum* spp., *Anisantha tectorum, Bassia sieversiana, Breea arvensis, Carduus nutans, Dipsacus fullonum, Rumex crispus, Sisymbrium altissimum*
MF	Mown field	*Poa* spp.
Other/Agricultural Weedy		
CGH	Cultivated grass hay	*Dactylis glomerata, Phleum* spp., *Poa* spp., *Medicago sativa*
DCAP	Disturbed cultivated agricultural pasture	*Medicago sativa, Elymus spp.*
ECCS	Escaped cultivated crop species	*Elymus* spp., *Medicago sativa, Triticum aestivum*
Wetland		
CBSH	Cattail bulrush semipermanently flooded herbaceous	*Typha (angustifolia, latifolia), Scirpus* spp.
CDMA	Carex dominated mesic	*Carex* spp.
CHSH	Cattail herbaceous semipermanently flooded	*Typha (angustifolia, latifolia), Schoenoplectus* spp.
EW	Emergent wetland herbaceous vegetation	*Eleocharis palustris, Typha* spp., *Scirpus* spp.
NSH	Nebraska sedge seasonally flooded herbaceous	*Carex nebrascensis*
RCSH	Reed canarygrass seasonally flooded herbaceous	*Phalaroides arundinacea*
SFB	Seasonally flooded bank	*Typha* spp., *Phalaris* spp., *Bromopsis inermis*
WM	Wet meadows	*Carex nebrascensis*
Woodland (Trees and Shrubs)		
APS	American plum shrubland	*Prunus americana*
BETW	Box-elder temporarily flooded woodland	*Acer negundo*
CCS	Choke cherry shrubland	*Prunus virginiana*
CSB	Creek shelterbelt/riparian forest	*Populus deltoides, Salix fragilis, Salix exigua, Elaeagnus angustifolia*
CWS	Crack willow scattered	*Salix fragilis*

CWTS	Coyote willow temporarily flooded shrubland	*Salix exigua*
GATF	Green ash/American elm temporarily flooded forest	*Fraxinus pennsylvanica/ Ulmus americana*
OR	Orchard	*Dactylis glomerata, Bouteloua dactyloides, Poa spp.*
PCSI	Plains cottonwoods scattered individuals w/mesic understory	*Populus deltoides*
PCSIX	Plains cottonwoods scattered individuals w/xeric understory	*Populus deltoides*
PWTW	Peach-leaf willow temporarily flooded	*Salix amygdaloides*
ROS	Russian-olive scattered	*Elaeagnus angustifolia*
ROW	Russian-olive seminatural woodland	*Elaeagnus angustifolia*
SB	Shelterbelt	*Elaeagnus angustifolia, Populus deltoides, Salix fragilis*
WRSH	Wood's rose shrub herbaceous	*Rosa woodsii*
WSTS	Western snowberry temporarily flooded shrubland	*Symphoricarpos occidentalis*

TOWN OF ERIE NATURAL AREAS INVENTORY

Site #: 42 Map: B1
Wetlands near Wise Woods Acres 11

This site is a wetland bounded on the southeast by the Lower Boulder Ditch.

Wetlands:
Wetland Functionality: 3 Wetland Value: 3

Landscape Context
Nearby Land Use:
- Field without Crops
- Farm
- Ditch
- Residential
- Oil Well

Habitat Types Present: 4
- Agriculture
- Wetland
- Woodland
- Other

Viewshed: From Site

Vegetation
Plant Communities: ASBH, PCSI, CWTS, ADUD, CHSH

Vegetation Structure:
- Tree
- Shrubs
- Forbs
- Grass
- Litter

County-listed Noxious Weeds:
- Canada Thistle

Noxious Weed Cover 4
Ground Disturbance: 5
Plant Diversity: 4
Grassland Value: 0

Wildlife Habitat
Prairie Dog Habitat: 0%
Overall Wildlife Habitat Quality: 3

Wildlife Species of Concern:
meadow vole, yellow-headed blackbird

Primary Factors Present	Secondary Factors Present
Water or wetland is present	One of the three vegetation structure types is in good condition Three or more habitat types are present Site is potentially part of a corridor, or a lower quality corridor

Wildlife Species Seen

Enhancement Effort: Low
Summary Rating: 19
Site Comments
This site contains a wetland and is bounded to the southeast by Lower Boulder Ditch. No standing water was visible at the site visit in October. The site contains alfalfa, weedy upland species, a stand of coyote willows, scattered cottonwoods, a cattail wetland (in poor condition), and a line of shrubs (chokecherry and plum) along the road. The mature cottonwoods and coyote willows provide habitat for songbirds and small mammals. No wildlife was observed on the site, but residents report yellow-headed blackbirds and red-winged blackbirds. The presence of yellow-headed blackbirds is noteworthy in that they require larger expanses of cattails than do red-winged blackbirds, and they are a species of special concern. Enhancement efforts would be low and would involve the eradication of noxious weeds.

ATTACHMENT D

TOWN OF ERIE
1874

MEMO

To: Deborah Bachelder
From: Matt Wiederspahn, P.E., CFM, Development Engineer
Date: November 21, 2014
Subject: **Wise Farms Preliminary Plat**
CC: Russell Pennington
Wendi Palmer

Comments on Utility Report:

1. A signed and stamped copy of the preliminary utility study is needed for Town files.

Comments for Phase II Drainage Study:

1. A signed and stamped copy of the drainage study is needed for Town files.

Comments on Preliminary Plat:

1. On sheet 8, a waterline easement is shown going through the oil and gas facility pad area. Is this allowed in the SUA and has Encana agreed to the Town's standard wording for a utility easement?

Department of Community Development

Planning and Building

The Town of Erie
645 Holbrook St.
P.O. Box 750
Erie, CO 80516
(303) 926-2775
FAX (303) 926-2706

Memo

To: Jim Dullea

From: Deborah Bachelder

Date: November 25, 2014

Re: Community Development Review Comments from Development Review Team Meeting on November 20, 2014 for:

1. RZ-13-00070: Wise Farms Rezoning Application
2. PUD-13-00071: Wise Farms Planned Unit Development (PUD) Application
3. PP-13-000012: Wise Farms Preliminary Plat Application

cc: John Prestwich; Marty Ostholthoff, Matt Wiederspahn, Russell Pennington

---

Staff reviewed the Wise Farms Rezoning, the Wise Farms Planned Unit Development (PUD), and the: Wise Farms Preliminary Plat applications at our November 20th Development Review Team meeting.

Community Development has commented below and we are forwarding separate staff comments from Public Works and a few referral agencies.

The Development Review Team found the project ready to be scheduled for hearings and the schedule for those can be found at the end of this review memo. Community Development has identified those elements, in the comments below, that need to be addressed before the hearings and the timeline has the resubmittal date requirement of Friday, December 12th. Additionally, Public Works had comments to be addressed, as well as some of the referral agencies. I have noted which elements of the review comments from these entities the applicant should make revisions after the Community Development comment section.

The resubmittal should contain:

- 3 sets for staff/public review (Community Development, Public Works, Public Review) of all updated application materials (3-hole punched; include 3-hole 11x17 plans for notebooks and 24x36 plans). Applicant must compile, bind and label for each department/public an individual packet of compiled materials.
- A PDF of all of the revised application materials submitted.

Community Development Comments:

1. **Natural Areas Inventory:**
   a. Site #42 is located on the Wise property in the location of the eastern wetland and extends to the Lower Boulder ditch. The report states that there are reports of yellow-headed black birds on the site and that these are a species of special concern.
      i. 2014 6-5 & 8-28 & 11-20: Staff comments still valid. This information will be identified in the staff reports when you go to hearing. No changes needed for hearing.

2. **ALTA:**
   a. Notes 6: The locations of the existing housing and outbuilding structures were located by aerial. For Final Plat we will need surveyed information on:
      i. Existing utility locations to service property (water, sewer or septic system, gas, electric).
      ii. What type of water service do the existing residential units have? Well or Left Hand Water? If they are currently on Left Hand Water then they will need to disconnect service with Left Hand when Town water is available with development of the property.
      iii. Show the location of septic systems; if they use septic. Indicate how they will transition to Town sewer.
      iv. Locations of all out-buildings, drive locations, and fenced areas.
      v. The developer needs to work with the existing property owners to bring the property into compliance with Town Municipal Code requirements related to elements such as: storage trailers on the property; unregistered vehicles and storage of vehicles, and hazardous structures.
         1. 2014 6-5 & 8-28 & 11-20: Staff comments above still valid. No action needed for current hearings.
   b. Notes 9: The wetland boundaries shown are based on a National Wetlands Inventory from the US Fish and Wildlife website; a biologist or other professional was not consulted in determining the status of the areas. The Town is interested in preserving the larger, eastern wetland as a potential public open space and buffer to Jasper Road. We need to have a more in depth investigation of the wetlands and their current boundaries by a professional that would investigate the site and provide a report and mapping.
      i. 2014 8-28: A report and mapping of the wetland boundary was submitted. This will be adequate to go to preliminary plat but will need further review by staff at final plat to ensure all hydrology issues and Public Works drainage issues have been addressed.
         1. 2014 11-20: Comment still valid. No action needed for current hearings.

3. **Zoning Map:**
   a. **General Comments:**
      i. If the rezoning is approved by the Board of Trustees, the staff will be recommending that it be conditional on approval of the PUD overlay zoning.
         1. 2014 6-5 & 8-28: Comment still valid. No action needed for current hearings.

4. **Preliminary Plat:**
   a. **Sheet 1:**
      i. "LEGAL DESCRIPTION":
         1. 2014 11-20: Applicant has added the existing Jasper Road right of way to the legal description as requested by staff. All of the maps need to be modified by adjusting the dark boundary line to include this addition to the overall legal of what is proposed to be subdivided. Please update this for the hearings.
      ii. "NOTES":

1. 2014 6-5 & 8-28 & 11-20: Note 6: The relocation of all the oil/gas, utilities, and access; and, vacation of the existing easements in proposed lots will need to be completed before a final plat for those lots is recorded. Staff will make this recommendation as a condition of approval.

iii. "TRACT SUMMARY TABLE":

1. 2014 11-20: Applicant has added Tract Y; 4.88 acres, Jasper Road right-of-way; Town of Erie ownership/maintenance. Road right-of-way cannot be designated as a tract; Sheet 13 shows Jasper Road as right of way not a tract, which is correct. Please remove Jasper Road from the tract table.

b. Lower Boulder Ditch:

i. Applicant's proposal to vacate NCWCD access and utility easement from Jasper Road will need NCWCD approval. The vacation will need to occur before a final plat of lots in the area of the easement can be approved.

1. 204 6-5 & 8-28: Comment still valid. No action needed for current hearings.

c. Leyner Cottonwood Ditch:

i. 2014 6-5: There appears to be two laterals coming off the ditch. Please identify the water rights holders as they should be notified of these plans.

1. 2014 8-28: Applicant Response is "Water rights are held by the current landowner, Wise Homestead, LLC, as is now stated on the ALTA." Staff questions the water rights for the western lateral as this is on Wise property but eastern lateral crosses road and goes to property on east side of 119th. Owner on other side of road had been in asking if they were going to do anything with the lateral; so, I question their ownership of all water in that lateral. If this lateral has water that is sent off site; then the applicant needs to add a ditch and access easement for that person in the location of the existing facilities.

a. 2014 11-20: Applicant states that the lateral that crosses 119th will be maintained with the access road. My original 2014 6-5 comment that the water user should be notified has not been addressed. Applicant still has not identified who the water right holders are in the lateral and they have not been given a referral. Since you are not altering the ditch lateral and access road we will defer notice to the owner until final plat. No action needed for current hearings.

d. RTD Railroad Right of Way:

i. 2014 6-5: Applicant needs to coordinate all of the impacts of this development on the right of way with RTD as soon as possible. Staff would like to set another meeting with RTD to continue discussions about the street/pedestrian railroad crossing.

1. 2014 8-28 & 11-20: We are willing move forward with the Rezoning, PUD, and Preliminary Plat with the understanding that we will look to the BOT for direction on the crossing issue. If they want to pursue, you will need to coordinate this at the time of final plat. No action needed for current hearings.

e. Western Area Power Authority (WAPA):

i. 2014 8-28 & 11-20: All encroachments in the WAPA easement will need to be reviewed and approved by WAPA at final plat. Staff does not support trails in the easement, with the exception of crossing it. No action needed for current hearings.

f. Oil/Gas:

i. 2014 11-20: Submit PDF copy of oil/gas information packet that was submitted in paper copy only. It included: a PCS memo dated 10/17/2014 with an update on all mineral right holders (Encana, Anadarko, and Noble); Encana map – Exhibit A; Terry Enright e-mail dated 10/23/2014; Draft SUA with KMG; and draft SUA with Noble Energy. This needs to be submitted before the hearing as outlined in the schedule below.

ii. 2014 11-20: Applicant has submitted SUAs in draft form only. Staff is willing to move forward with current applications to hearings with the understanding that all SUAs must be finalized

before final plat approval and if the final SUAs significantly change the layout of the subdivision from an approved preliminary plat that the applicant may be required to take the property back through the platting process. No action needed for current hearings.

iii. Encana Well Site (North ½ of Site):
   1. 2014 8-28 & 11-20: Lot 1, Block 16 is now outside our 150' setback. We will put a provision in the approval that we cannot plat the lot until the wells have been drilled as the 350 foot setback applies until after installation of the facilities. No action needed for current hearings.
   2. 2015 6-5 & 8-28 & 11-20 : In the Encana SUA; the western portion of the site is seriously compromised by the Initial Oil and Gas Operations Area and may not be buildable until after drilling has completed. Staff will recommend conditions on the application approvals to meet the final SUA requirements at final plat. No action needed for current hearings.

iv. Property South of Railroad Right of Way:
   1. Noble – Draft SUA:
      a. 2014 11-20: Applicant has submitted a draft SUA for Noble for the first time to the Town. The memo submitted with the draft said that the applicant has submitted it to Noble but did not say if Noble was in agreement. Staff will recommend conditions on the application approvals to meet the final SUA requirements at final plat. No action needed for current hearings.
      b. 2014 11-20: SUA references to Weld County approvals of plats and recordation of documents in Weld County should be corrected. Plat approvals are by the Town of Erie. Recordation of development documents will be made in Boulder County only; not Weld. Applicant may want to amend this language before finalizing the agreement. No action needed for current hearings.
      c. 2014 11-20: Exhibit A was not submitted. Without the map it is not possible to know what is being agreed to in the draft SUA and whether or not the proposed development is in conformance with the SUA. . Staff will recommend conditions on the application approvals to meet the final SUA requirements at final plat. No action needed for current hearings.
   2. Kerr McGee – Draft SUA:
      a. 2014 11-20: It is unclear what all the setbacks on Exhibit B mean and how they are applied. Additionally, text in 1.c. Setback Requirements states that there is a 150' setback from the OGOA but this area is not identified on the attached exhibit maps. I called Terry Enright and he said he would send me an updated map; I have not received it. Staff will recommend conditions on the application approvals to meet the final SUA requirements at final plat. No action needed for current hearings.
   3. 2014 6-5: The distribution lines for the existing wells need to be illustrated on the plans and are required to be in a minimum 30 foot easement. (MC 10.6.14 B.)
      a. 2014 11-20 : Tract V, W and X are identified in Sheet 1 Tract Summary Table as having a pipeline use; however, you have not designated an easement, as required in the MC referenced above. The easiest way to identify the easement would to be to add a plat not to Sheet 1 that states there is a blanket oil/gas easement on the tracts; if you don't want to do this you can add the minimum 30' easement within the tracts on the plan sheets. Please update this for the hearings.
      b. 2014 11-20: Applicant has added new pipeline alignment information for existing pipeline and easements to the plat (Sheet 4 recording #1454161; #707266) and one of the pipelines has changed location and orientation (Sheet 4 recording #1454162). It appears that you will be rerouting the western portion of the line and vacating a portion of the easements. You need to clearly define which portions of the easement will be vacated on the preliminary plat and which areas will remain on the west side. Pipelines cannot be in a lot. Please update this for the hearings.

c. 2014 11-20: The relocation of the gas lines and vacation of the portion of the existing easements in proposed lots will need to be completed before a final plat for those lots is recorded. Staff will make this recommendation as a condition of approval.

g. Parks, Open Space & Trails:

i. Neighborhood Park:

1. The Town will request that the applicant pay the fee in lieu for the park dedication requirement that is based on the number of units platted and as required in MC 10.6.3 B.7. The fee in lieu payment is calculated at the time of final plat and is included in the development agreement for the subdivision. The fee in lieu payment is calculated once the applicant has supplied the Town with an appraisal of the fair market value of the property based on the developable land within the final plat application and the zoning of the developable land.
   a. 2014 6-5 & 8-28 & 11-20: Comment still valid. No action needed for current hearings.

ii. Community Park:

1. Fee in lieu for the park dedication requirement will be required at final plat and as required in MC 10.6.3 B.7.
   a. 2014 6-5 & 8-28 & 11-20: Comment still valid. No action needed for current hearings.

iii. Open Space:

1. 2014 6-5: During our Development Review Team meeting, Public Works indicated that the engineering design is redirecting storm water away from the wetland and that due to the high water table problems that the applicant will most likely design underdrains that will eliminate water from the wetland. Public works felt that once the development was developed the wetland would dry up. The Parks & Recreation Department and the Open Space and Trails Advisory Board would like to see the wetland preserved. We need more information on the long term viability of the wetland and how your design will preserve this feature.
   a. 2014 8-28 & 11-20: Applicant Response: "As described in the revised drainage study, there will be overflow from the rear of the lots adjacent to the wet area. Additionally, the swale will have a weir like structure that will allow the larger storm events to overtop and be directed towards the detention pond, while the smaller storms will feed the wet area." Full evaluation of the water issue related to the wetland will be completed at final plat. No action needed for current hearings.
2. Staff is concerned about the historic buildings adjacent to this wetland as they have not been maintained and appear to be a safety hazard to open space users and to Jasper Road users. The future of these structures have not been clearly addressed in the application materials.
   a. 2014 6-5: Applicant has not proposed a solution. The buildings are shown located in future Town right of way and Tract I of proposed open space dedication to the Town. The Parks and Recreation Department does not want the buildings dedicated as part of the public open space dedication.
      i. 2014 8-28: Applicant Response: "Acknowledged. The team will continue to work with the property owners in determining the future of these structures. They will not be dedicated as part of the open space dedication." Although the applicant has made this statement in the response memo; on the plat/plans they are dedicating the land and adjacent right of way on Jasper Road where the buildings are located to the Town of Erie. Staff does not want to take a plat to hearings with the buildings being shown as dedicated to the Town. At a minimum, the portion of the structures adjacent to the future right of way they will be in should be shown as a separate tract that is not dedicated to the Town.

1. Applicant has added Note 3 on Sheet E2 of the construction plans that states "Prior to approval of a final plat allowing development, the mill buildings in Tract I will be either moved off site or removed." Staff has received a request from the Wise family attorney for a meeting to discuss the structures as they are concerned with what has been submitted by the applicant. The Town will move forward with the application to hearings but the applicant and Wise family needs to come to an agreement on what is to be done with the structures. The Town will need the buildings in the future right of way removed at a future date and does not want ownership as a part of the proposed open space dedication. The Town is willing to look at a short term license agreement for the encroachment of the structures in the right of way until they can be moved or removed. This issue will need to be resolved for final plat application. Staff will be making this a condition of approval. No action needed for current hearings.

h. Landscape Plans:

i. Will there be any entry/monument signs for this subdivision? If so, please add locations and sign details. Signs would need to meet MC 10.6.12 requirements.
   1. 2014 6-5: Structures - monuments/pedestrian cross member (structures) are not allowed in right of way. (Sheet L3)
      a. 2014 8-28: Applicant has removed the monument sign from right of way along Jasper Road but not along 119th. The regulations, listed above, apply in all locations.
         i. 2014 11-20: Sheet L3 still has a monument in the landscape median within the right of way which is not allowed in the MC. Please update this for the hearings.

ii. Trails should not be located in the future gas line easement, except perhaps to cross it, as indicated in the SUA.
   1. 2014 6-5: Applicant has relocated the gas line easement so that it eliminates several trail opportunities and majorly restricts the ability to meander the trail along the railroad corridor. Staff does not support the elimination of trails due to realignment of the gas line.
      a. 2014 8-28: Applicant Response "Preliminary discussions with Encana indicated that trails are permitted within the gas line easement. We will continue to work with Encana and make adjustments to the SUA if needed." The Town will work with the applicant at final plat to ensure adequate trails are provided that meet our requirements.
         i. 2014 11-20: With the addition of gas line easements on the south half of the property, additional conflicts are occurring. As stated above, the Town will work with the applicant at final plat to ensure adequate trails are provided that meet our requirements. No action needed for current hearings.

i. Utility Plan:

i. Water:
   1. The water line is proposed to be looped through Boulder County roads and property in Boulder County. Applicant will need to coordinate with Boulder County to access their requirements for installing the proposed improvements.
      a. 2014 6-5 & 8-28 & 11-20: Comment still valid. No action needed for current hearings.
   2. It appears that off-site easements may be required for the water line looping that does not fall within a street right of way. Obtaining the easements will be a requirement for the Final Plat.
      a. 2014 6-5 & 8-28 & 11-20: Comment still valid. No action needed for current hearings.
   3. The routing of the water line shows crossings of the railroad right of way that is owned by RTD, the NCWCD ditch and many other easements. Permission to cross these owners and easement holders' interests will be required at Final Plat. Staff has noted that several easement holders in Kenosha and Erie Village have not been represented on your plans (Xcel major power lines; Encana gas line; etc.).

a. 2014 6-5 & 8-28 & 11-20: Comment still valid. No action needed for current hearings.

j. Street Plans:

i. Jasper Road:

1. 2014 11-20: The Town will want the full dedication of the Jasper Road right of way. Applicant and Town staff has agreed to dedication of the right of way with the requirement for a license agreement for the house encroachments. Other structures with encroachments need further discussion at final plat. No action needed for current hearings.
2. 2014 6-5 & 8-28 & 11-20: At final plat, the Town will require public access easements on all tracts that have walks, trails, and parks. No action needed for current hearings.

ii. Block Length: UDC 10.6.5 F.2.c.: This section states "Within all developments, to the maximum extent reasonably practicable, pedestrian ways, crosswalks, or multi-purpose trails no less than 5 feet in width, located within a tract or easement a minimum of 30 feet in width, shall be constructed near the center and entirely through any block that is 900 feet or more in length."

1. 2014 6-5: Block 4, Lots 1-10 (previously Lots 3-14); block length is over 900 feet.
   a. 2014 8-28: Placement of the trail is not mid-block and still leaves a block length that is over 900 feet. Staff measured this block length as over 1,200 feet; you could provide an emergency access/trail tract between Lot 3 and 4 to break up the block length. OSTAB and staff would like to see a trail that went north along the west property line to the trail at the detention pond.
      i. 2014 11-20: Although you have broken the block length with an emergency access tract, this does not meet the MC requirement (UDC 10.6.5 F.2.c.) to provide a trail. Staff will be identifying the OSTAB recommendation and Municipal Code (MC) requirement at the public hearings and adding it as a condition of approval to meet the MC requirement. At this time you may either modify the plans for hearing to meet the requirement and OSTAB comments or take no action and staff will proceed as outlined to the public hearings.

5. Plat, PUD, And Zoning Exhibit:

a. 2014 8-28: This exhibit has been added to the application and staff has the following comments:

i. Add a legend for the shaded and cross hatched areas within the Planning Areas on the map.

1. 2014 11-20: You did not add the cross hatching for the undermined areas. Please update for the public hearings.

ii. The map Planning Areas do not match the updated, PUD that was submitted; please update to current map.

1. 2014 11-20: Planning Areas 7 and 8 are not labeled correctly on the map. Please update for the public hearings.

6. Threatened & Endangered Species/Wetlands; and, Cultural, Archaeological, and Historic Report:

a. Bird Nesting: The Natural and Cultural Resources Assessment states that removal of any trees has the potential to destroy nests and will reduce nesting habitat on the parcel. The Assessment recommends that if trees are to be removed they should be removed between September and March to avoid the nesting season.

i. 2014 6-5 & 8-28 & 11-20: Comment still valid. This will be a condition of approval. No action needed for current hearings.

7. Environmental Site Assessment Report (Phase I):

a. 2014 6-5: The applicant has added the southern half of the Wise property in which the well site of concern, mentioned below, is located. Will the applicant be submitting a Phase II report or will they

be working with the mineral right owner to update the well site with a steel berm and updated tanks?

i. 2014 11-20: Applicant has stated in the response memo they have contacted Noble and they are undergoing an evaluation. Staff will be adding a condition of approval that a Phase II be required for the well site at final plat application. No action needed for current hearings.

The abandoned Union Pacific Railroad tracks and the Lower Boulder Ditch traverse the central portion of the site. Numerous unimproved roads traverse the property including two that lead to the currently producing, on-site Wise 1-14 X oil and gas well. Due to the age of the well and concrete tank used to store the condensate, **AGW identifies the Wise 1-14 X producing oil and gas well and associated tank battery as a recognized environmental condition in relation to the subject property.**

8. Soils Report and Undermining:

a. 2014 6-5: CGS recommends that the applicant remove the mine subsidence risk from Block 1, Lot 3 and Block 3, Lot 1.
   i. 2014 8-28: Applicant did not give a written response to this comment and mine subsidence risk was not removed from the lots. CGS did recommend a building envelope so that development cannot occur in the undermined areas of the lot. Staff requests that Block 1, Lots 3 and 4 be reconfigured to eliminate the undermining from the lots. Block 3, Lot 1 has undermining along Street X that is not easy to eliminate from the lot, so staff requests that the applicant legally describe the undermining area of the lot on the PUD and add a restriction of construction of structures in the undermined areas. Additionally, add a note to the plat that Block 3, Lot 1 has undermining on the lot, that is identified in the PUD, and that construction of structures is not allowed in the undermined area.
      1. 2014 11-20: Applicant still has some undermining in the lots. Staff will identify those lots during the public hearings with a recommendation that the undermining setbacks be required in those lots on the final plat. No action needed for current hearings.

REFERRAL AGENCIES

Below is a list of the referral agencies that responded to the last submittal. You will find after each a listing of the items that need to be addressed and resubmitted for the hearings.

a. Public Works:
   i. 2014 11-20: See attached comments; submit requested documents before hearings.
   ii. 2014 11-20: Last comment in the memo can be addressed at final plat application.
b. New Consolidated Lower Boulder Reservoir and Ditch Company – Attorney Jeffrey Kahn: See attached comments. Applicant comments are for the Town to address. . No action needed for current hearings.
c. OSTAB (Open Space and Trails Advisory Board):
   i. 2014 11-20: Please see attached comments. Applicant should revise the application materials to address the corrections requested in the OSTAB memo under the Spine Trail heading before the hearings.
   ii. 2014 11-20: As stated above in staffs comments on block length, although you have broken the block length with an emergency access tract, this does not meet the MC requirement (UDC

10.6.5 F.2.c.) to provide a trail. Staff will be identifying the OSTAB recommendation (Neighborhood Trails heading in the OSTAB memo) and Municipal Code (MC) requirement at the public hearings and adding it as a condition of approval to meet the MC requirement. At this time you may either modify the plans for hearing to meet the requirement and OSTAB comments or take no action and staff will proceed as outlined to the public hearings.

d. Western Area Power Administration:
   i. 2014 8-28: See attached comments; applicant response required. Please note that staff does not support the requested plat notes. The Town already restricts structures within an easement. The restrictions they want on the plat should be in their easement documents; if it is not then they should amend their easement document not request restrictions on the plat.
      1. 2014 11-20: Staff previously requested that the applicant not add the plat note as requested by WAPA. Staff will address this issue further at final plat. No action needed for current hearings.
   ii. 2014 11-20: See attached comments. Applicant will need to follow license agreement process at final plat. No action needed for current hearings.

e. Xcel Energy:
   i. 2014 11-20: Please see attached comments. Applicant should revise the application materials to address the corrections requested in the Xcel memo regarding the additional easements before the hearings.
   ii. 2014 11-20: As stated in previous staff memos, staff does not support the plat note that Xcel has requested on the utility easements that are dedicated to the Town. Please do not address the Xcel request to add Note 8 back to the plat. No action needed for current hearings.

Hearing Process

Below is the tentative Public Hearing Schedule for all three of the applications; all elements below must be completed on time in order for the public hearings to occur. We have highlighted the action items that are required to be completed by the applicant; the other items will be completed by the Town.

Applications & Required Processes:

(PC=Planning Commission BOT=Board of Trustees PH=Public Hearing)

1. CPA – Comprehensive Plan Amendment: PC-PH; BOT-PH
2. PDA – Planned Development Amendment: Neighborhood Meeting; PC-PH; BOT-PH 1st/2nd reading of Ordinance
3. PP – Preliminary Plat: Neighborhood Meeting; PC-PH; BOT-PH continue to 2nd reading
4. SP – Site Plan: Neighborhood Meeting; PC-PH

Action Items/Dates:

2014 12-8 Neighborhood Meeting

2014 12-11 Town sends public hearing notice of PC public hearing to the newspaper

2014 12-12 Applicant Resubmittal of application materials with Community Development and Public Works DRT comments corrected; as well as some referral agency comments.

2014 12-12 Applicant submits 2 sets of stamped envelopes for the Town to send out public hearing notice letter. Requirements for mailing labels to be placed on the envelopes are for all property owners within 300 feet of the property boundary and adjacent HOA's from referral process. Do not put return addresses on the envelopes.

2014 12-12 Applicant submits neighborhood meeting affidavit of posting and meeting report to Town

2014 12-17 PC public hearing notice appears in newspaper

2014 12-19 Applicant to post PC public hearing notice signs on property (3 total – 2-Jasper Road; 1-119th Street); take photo of signs; and complete affidavit of posting. Applicant is responsible for ensuring the signs remain in place until the PC hearing and that they are removed within 2 days after the PC hearing. Let Hallie know when you are coming in to pick up signs; the earliest you can post signs is Monday, 12/15.

2014 12-19 Town mails/posts PC public hearing notices.

2014 12-26 Applicant submittal of affidavit of posting due.

2014 12-29 PC Staff report due.

2014 12-29 Town sends public hearing notice of BOT public hearing to the newspaper

2015 1-5 PC PowerPoint due.

2015 1-7 PC public hearing – 6:30 pm. Applicant should arrive 20 minutes before start of meeting to have any presentations loaded by Town IT staff.

2015 1-7 BOT public hearing notice appears in newspaper

2015 1-9 Applicant to post BOT public hearing notice signs on (3 total – 2-Jasper Road; 1-119th Street); take photo of signs; and complete affidavit of posting. Applicant is responsible for ensuring the signs remain in place until the BOT hearing and that they are removed within 2 days after the BOT hearing. Let Hallie know when you are coming in to pick up signs; the earliest you can post signs is Monday, 1/5.

2015 1-9 Town mails/posts BOT public hearing notices.

2015 1-16 Applicant submittal of affidavit of posting due.

2015 1-19 BOT Staff report due

2015 1-26 BOT PowerPoint due

2015 1-27 BOT public hearing -6:30 pm. Applicant should arrive 20 minutes before start of meeting to have any presentations loaded by Town IT staff. Staff will be recommending the BOT continue the public hearing for the Preliminary Plat to the 2-10 BOT meeting so they can finalize voting on the zoning issues before voting on the preliminary plat.

2015 2-2 BOT Staff report due

2015 2-9 BOT PowerPoint due

2015 2-10 BOT hearing – BOT vote and final decision on the applications

TOWN OF ERIE
1874

MEMO

To: Deborah Bachelder
From: Matt Wiederspahn, P.E., CFM, Development Engineer
Date: September 4, 2014
Subject: **Wise Farms Preliminary Plat**
CC: Russell Pennington
Wendi Palmer

Previous Comments (June 2014) on Preliminary Plat:

8. The Leyner Cottonwood Ditch and several laterals are located on the southern portion of the development but are not labeled on the ALTA survey or have easements provided on the preliminary plat.
   Response: A 20' easement for this ditch is now shown on the plat. Laterals are labeled on the ALTA.

   The ditch easement needs to be a minimum of 30 feet. In addition, all laterals needs to be on separate tracts and not located on private lots.

Previous Comments (January 2014) on Utilities:

3. The 12 inch water line in Jasper Road will need to be extended along the entire frontage to the west. A 12 inch water line stub also needs to be provided to the south west corner of the site as well. Please refer to the Town's water master plan for general line locations.
   Response: The waterline in Jasper Road has been extended and the requested waterline in the southwest corner has been provided.

   Only an 8 inch water stub was provided on the southwest corner.
   Response: The waterline is now extended across the entire Jasper Road frontage.

   The waterline in Street D to the west stub needs to be a 12 inch line in order to meet the Town's water master plan.

Previous Comments (June 2014) on Utility Report:

2. An engineer's certification needs to be added to the report.
   Response: Completed

   The last paragraph on the certification page needs to be removed.

4. Water stubs need to be provided from the south section to the west per the Town's Water Master Plan.
   Response: Completed

   Only one 8 inch stub is provided to the property to the west (Rich property). Two connections are needed to be able to loop the adjacent property.

5. Accessory dwelling units are being proposed as a use by right in the south section. Being that it would be a use by right, the utility study needs to assume every lot contains one and address the added water demand and sewer use.
   Response: The utility report now accommodates these additional uses.

   The report doesn't appear to accommodate these uses. For example, the water section uses the 164 total lot number and the typical 2.79 per people per unit. One of those numbers needs to increase to provide for the additional use from an accessory dwelling.

Previous Comments (January 2014) of Preliminary Construction Plans:

1. Jasper Road is classified as a Major Collector in the Town's Transportation Master Plan. The proposed Jasper Road cross-sections and improvements do not match the Town's standard Major Collector cross-section. The Town at a minimum expects that the initial improvements will safely provide for the Town's Rural Arterial and will require a fee-in-lieu for construction of a Major Collector. If the applicant desires a "finished edge," the Major Collector cross-section can be built with no fee-in-lieu.
   Response: The applicant will provide the safety improvements required by the traffic study accompanying the PDP and Preliminary Plat submittals. The applicant will discuss the fee in lieu with the Town representatives to comply with pertinent codes and precedents set by other development in the Town.

   This comment will now also apply to 119th Street which is classified as a Minor Arterial in the Town's Transportation Master Plan. As a reminder, the rural arterial cross-section includes more than just safety improvements such as bike shoulders and sidewalks.
   Response: Additional right-of-way dedication is now shown , along with a bike lane along the entire 119th project as well as a trail.

   The sidewalk and bike lane along 119th Street needs to extend for the entire frontage and not stop short of the irrigation ditch crossing.

Previous Comments (June 2014) on Preliminary Construction Plans:

1. On sheet E1;
   a. A local street cross-section is provided showing attached sidewalks. The Town only allows for detached sidewalks.
      Response: As John Prestwich (PCS Group) discussed with Marty Ostholthoff, our development team believes the attached sidewalk configuration is in concert with the design intent of the rural, large lot plan and creating a tree lawn will compromise the landscape plan.

      Both the Public Works Department and Community Development Department will not support a variance to allow attached sidewalks.

4. On sheets E6 and E7, concrete low flow trickle channels are needed in the detention ponds.

Response: A trickle channel is not necessary in the southern pond, as it has ample slope in the bottom; however one is now shown in the northern pond.

Trickle channels are a maintenance requirement for all detention ponds regardless of the pond bottom slope.

Comments on Traffic Impact Analysis:

1. On figure 7;
    c. At the east access on Jasper Road, 24 westbound left turn movements are shown. While barely under the 25 turning movements requiring a dedicated turn lane, a dedicated turn lane needs to be provided in the interest of traffic safety.
    Response: While the traffic report indicates that the turn lane warrants are not met, the requested left turn lane may be constructed with the ultimate improvements of the Jasper Road.

    In the interest of providing safe roadways for the future residents of this subdivision the Town will be requiring a dedicated left turn lane as part of the preliminary safety improvements to Jasper Road. Traffic studies are somewhat arbitrary in nature and being within one vehicle of a safety requirement would dictate that good engineering judgment be used to provide the safety improvement.

Department of Community Development

Planning and Building

The Town of Erie
645 Holbrook St.
P.O. Box 750
Erie, CO 80516
(303) 926-2775
FAX (303) 926-2706

Memo

To: Jim Dullea

From: Deborah Bachelder

Date: September 4, 2014

Re: Community Development Review Comments from Development Review Team Meeting on August 28, 2014 for:

1. RZ-13-00070: Wise Farms Rezoning Application
2. PUD-13-00071: Wise Farms Planned Unit Development (PUD) Application
3. PP-13-000012: Wise Farms Preliminary Plat Application

cc: John Prestwich; Marty Ostholthoff, Matt Wiederspahn, Russell Pennington, Paul Reed, Farrell Buller

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Comments:

Community Development has reviewed Wise Farms Rezoning, PUD, and Preliminary Plat application for conformance with Municipal Code, Title 10. The application was reviewed at the August 28th Development Review Team (DRT) meeting.

Referral agency packets were sent out and referral responses that have been received by the Town are being forwarded to the applicant for review and response. Those referral comments received by the Town after the date of this memo shall be forwarded on to the applicant.

Comments were made by Town Departments and referral agencies that need to be addressed by the applicant. A list of the referral agencies that have responded and need to be provided with an applicant response are listed at the end of this memo. Please make the appropriate revisions to the application materials and provide written response to address each of the written comments from staff and referral agencies. The resubmittal to the Town for a second review should contain:

- a PDF of all of the revised application materials submitted; and, all of the staff and referral response memos;
- 3 sets for staff / public review (Community Development, Public Works, Public) of all updated application materials (3-hole punched; include 3-hole 11x17 plans for notebooks and 24x36 plans). Add response memos to staff DRT comment to each set. Applicant must compile, bind and label for each department/public an individual packet of compiled materials.
- For Community Development: provide a paper copy of each of the referral response letters to staff and to outside agencies for the Community Development file.
- Outside referral agencies, that need to be referred for another review are listed at the end of this memo, need a response letter addressing their concerns and comments and any updated materials that may be needed. Plans shall be submitted in 11x17 format only for the referral agencies. Each outside agency packet shall be submitted in unsealed, Tyvek mailing

envelopes of appropriate size, addressed to the appropriate agency, with all materials folded and compiled. Do not place postage or a return address on the envelope.

Process:

The next step for the applications is revision and resubmittal for another referral and Development Review Team review. Further review is necessary before scheduling public hearings for the applications.

In addition, all three applications require the applicant hold a neighborhood meeting. Details on the requirements of the neighborhood meeting can be found in UDC 10.7.2 D. The applicant is responsible for scheduling and holding the meeting, mailing notices, posting the property with meeting notice signs, submitting to the Town a summary of the meeting and an affidavit of posting.

Community Development Comments:

1. **Natural Areas Inventory:**
   a. Site #42 is located on the Wise property in the location of the eastern wetland and extends to the Lower Boulder ditch. The report states that there are reports of yellow-headed black birds on the site and that these are a species of special concern.
      i. 2014 6-5 & 8-28: Staff comment still valid. This information will be identified in the staff reports when you go to hearing.
2. **ALTA:**
   a. The above ground power lines along the Jasper Road right of way are not clearly shown; please add. These will be required to be placed undergrounded; as well as the lines to individual homes/barn structures existing on property.
      i. 2014 6-5 & 8-28: Applicant has acknowledged requirement to underground the lines. Staff comment still valid.
   b. Area of Concern No. 1 identifies the local power lines in the northeast portion of the site that cut diagonally and does not appear to be located in an easement. The applicant has not addressed what is to happen to the existing lines. The applicant needs to note that the lines will have to be placed underground. If the lines are not routed through the subdivision, in proposed utility easements, then additional easements may be necessary.
      i. 2014 6-5 & 8-28: Applicant has acknowledged requirement to underground the lines. Staff comment still valid.
   c. Notes 6: The locations of the existing housing and outbuilding structures were located by aerial. For Final Plat we will need surveyed information on:
      i. Existing utility locations to service property (water, sewer or septic system, gas, electric).
      ii. What type of water service do the existing residential units have? Well or Left Hand Water? If they are currently on Left Hand Water then they will need to disconnect service with Left Hand when Town water is available with development of the property.
      iii. Show the location of septic systems; if they use septic. Indicate how they will transition to Town sewer.
      iv. Locations of all out-buildings, drive locations, and fenced areas.
      v. The developer needs to work with the existing property owners to bring the property into compliance with Town Municipal Code requirements related to elements such as: storage trailers on the property; unregistered vehicles and storage of vehicles, and hazardous structures.
         1. 2014 6-5 & 8-28: Staff comment still valid.
   d. Notes 9: The wetland boundaries shown are based on a National Wetlands Inventory from the US Fish and Wildlife website; a biologist or other professional was not consulted in determining the

status of the areas. The Town is interested in preserving the larger, eastern wetland as a potential public open space and buffer to Jasper Road. We need to have a more in depth investigation of the wetlands and their current boundaries by a professional that would investigate the site and provide a report and mapping.

i. 2014 6-5: Applicant has not provided a profession investigation and mapping. Applicant stated they have used survey data and aerial photography to determine the wetland boundary. Staff would still like more information on the site but is willing to put a condition on the approval of the preliminary plat that we need the information submitted with the final plat to confirm the area and that it is a viable wetland and can continue to be a viable wetland into the future with the development of the property.

ii. 2014 8-28: A report and mapping of the wetland boundary was submitted. This will be adequate to go to preliminary plat but will need further review by staff at final plat to ensure all hydrology issues and Public Works drainage issues have been addressed.

3. Zoning Map:

a. General Comments:

i. If the rezoning is approved by the Board of Trustees, the staff will be recommending that it be conditional on approval of the PUD overlay zoning.

1. 2014 6-5 & 8-28: Comment still valid.

ii. Title Block:

1. 2014 8-28: Delete "PP-13-000012" from the title block.

b. Sheet 2:

i. Zoning Map and Legends: This section should be removed. It is confusing to have two maps that are labeled zoning map. Sheet 2 (2014 8-28: now Sheet 3 & 4) should simply have the properties, adjacent to this portion of the Wise property, labeled with jurisdiction and zoning.

1. 2014 6-5: Applicant has not addressed the comment.
2. 2014 8-28: Applicant has simply moved the map to Sheet 2 when staff has asked that it be removed.

c. Sheet 3:

i. All zone districts adjacent to a street right of way or railroad right of way need to be extended to the center line of the right of way.

1. 2014 8-28: Jasper Road right of way should be illustrated on the map; like you have with 119th Street on Sheet 4. Staff cannot determine if you have met the requirement on Jasper Road.

d. Concept Plan:

i. Please revise based on the Preliminary Plat application comments listed below.

4. PUD Zoning:

a. Narrative:

i. 2014 8-28: Section c, Page 9: The applicant states that they are dedicating the historic mill buildings to the Town. Staff has repeatedly stated that the Town does not want ownership and/or responsibility of the structures and the property they reside on.

5. Preliminary Plat:

a. Lower Boulder Ditch:

i. Applicant's proposal to vacate NCWCD access and utility easement from Jasper Road will need NCWCD approval. The vacation will need to occur before a final plat of lots in the area of the easement can be approved.

1. 204 6-5 & 8-28: Comment still valid.

c. **Leyner Cottonwood Ditch:**
   i. 2014 6-5: There appears to be two laterals coming off the ditch. Please identify the water rights holders as they should be notified of these plans.
      1. 2014 8-28: Applicant Response is "Water rights are held by the current landowner, Wise Homestead, LLC, as is now stated on the ALTA." Staff questions the water rights for the western lateral as this is on Wise property but eastern lateral crosses road and goes to property on east side of 119th. Owner on other side of road had been in asking if they were going to do anything with the lateral; so, I question their ownership of all water in that lateral. If this lateral has water that is sent off site; then the applicant needs to add a ditch and access easement for that person in the location of the existing facilities.
      2. 2014 8-28: You have not explained what you are doing with the Wise lateral? Is this to water the open space? This lateral is currently being located in an easement within the lots. This ditch lateral needs to be in a 30 foot tract; not in the lots.
   ii. 2014 8-28: Leyner Cottonwood Ditch needs to have the centerline of the ditch illustrated/noted and the 75 foot setback either side of the ditch illustrated/noted on the plans.
   iii. 2014 8-28: The eastern lateral and access road, that intersects 119th Street, needs to be identified and located in an easement (30 foot minimum width) to protect the access and maintenance rights of the water right holder.
   iv. 2014 8-28: The western lateral is a type of utility (you are transporting raw water) and requires a 30 foot easement within a tract that is separate from the lots.

d. **RTD Railroad Right of Way:**
   i. 2014 6-5: Applicant needs to coordinate all of the impacts of this development on the right of way with RTD as soon as possible. Staff would like to set another meeting with RTD to continue discussions about the street/pedestrian railroad crossing.
      1. 2014 8-28: We are willing move forward with the Rezoning, PUD, and Preliminary Plat with the understanding that we will look to the BOT for direction on the crossing issue. If they want to pursue, you will need to coordinate this at the time of final plat.

e. **Western Area Power Authority (WAPA):**
   i. 2014 8-28: All encroachments in the WAPA easement will need to be reviewed and approved by WAPA at final plat. Staff does not support trails in the easement, with the exception of crossing it.

f. **Oil/Gas:**
   i. 2014 8-28: Oil/gas facilities are a major encumbrance on this property that the applicant has not provided adequate information to illustrate that the proposed Preliminary Plat is a development proposal that meets the mineral rights owner needs for access on the site. Staff cannot move forward with hearings until the applicant has added the existing oil/gas SUA information to the north half of the property and provided a draft SUA for the south half of the property and included all this information on the preliminary plat.
   ii. Encana Well Site (North ½ of Site):
      1. Block 16, Lot 1 (Previously Block 6, Lot 30): The oil/gas well site has to be located in a Tract; not a lot. Please revise all documents to show this as a tract.
         a. 2014 6-5: MC 10.6.14 E.4. requires residential lots to be setback 350 feet from above ground oil/gas well facilities. The BOT has the ability to reduce the setback; however, this newly elected BOT seems reluctant to grant any reductions in setbacks. Applicant should plan on showing the 350 foot setback. Please add the 350 foot setback line to the preliminary plat and label it. This setback can only be reduced to the SUA and Town 150 foot setback once the facility has been fully drilled out.
            i. 2014 8-28: The oil and gas well setbacks on the preliminary plat are very difficult to understand; they lack radius dimensions and labels to explain what they are for. You need to add the well head locations and facility pad locations found on Exhibit

B of the SUA and label them as they are in the SUA. Then you can add the Town setbacks from the exterior boundary of each of those facilities (not from the center of the facilities). Please label the 150 setback and the 350 foot setback that you seem to have put on the preliminary plat. Create different line types so that someone can follow where specific setbacks are located and add a legend.

b. 2014 6-5: Lot still falls within the oil/gas well setback. You are not in conformance with MC 10.6.14 E. Staff met with the Town attorney to discuss our Code requirements and the SUA the Wise family has entered into. There are conflicts that we cannot resolve related to the existing house and the proposed lot falling within required setbacks. Staff recommends that we set up a meeting with the attorney that represented the Wise family for the SUA to discuss the issue. There may be a need to amend the SUA.
    i. 2014 8-28: The lot is now outside our 150' setback. We will need to put a provision in the approval that we cannot plat the lot until the wells have been drilled as the 350 foot setback applies until after installation of the facilities.

2. The Encana SUA that was submitted to the Town has the following requirement that has not been met:

6. <u>Subdivision Plat.</u> Owner shall identify the Oil and Gas Operations Areas (both Initial and Permanent Oil and Gas Operations Area) and all access and pipeline easements on its subdivision plats and in all applications for development that it files with a local jurisdiction, and the plats shall include restrictions that no temporary or permanent buildings, structures, or other improvements shall be located, constructed or installed within the Oil and Gas Operations Areas. Owner shall record the subdivision plat in the Office of the Clerk and Recorder of Boulder County and provide written evidence to Encana within fifteen (15) days of recording.

a. You have not included the initial and permanent operations area and the access easement location on the Preliminary Plat.
    i. 2014 6-5: Applicant has not labeled the oil and gas dashed lines added to the plat. Please provide notes for all of the oil/gas well information added to the Preliminary Plat on both the north and south side.
        1. 2014 8-28: Applicant Response: "Detailed information regarding the proposed oil and gas facilities will be provided at the time of the final plat application. Preliminary setbacks and operation areas are indicated on the preliminary plat and PDP." The applicant response does not meet the SUA requirement above to put the information on the application submittal. The oil and gas well setbacks on the preliminary plat do not match SUA Exhibit B-1. The applicant should add the SUA Exhibit B-1 information (initial oil/gas operations area, access road, well site, completions area, facilities area, permanent oil/gas operation area, and label setback distances like on exhibit) on the preliminary plat and clearly label each element and the document it came from. Create different line types (like Exhibit B-1 has) so that someone can follow where specific setbacks are located and add a legend. It should be clear in identifying which are Town UDC setbacks and which are SUA setbacks.
    ii. 2014 8-28: Staff is concerned that when you add the SUA setbacks it will affect some of the lots and definitely the trail alignment.

3. In the SUA; the property owner appears to have agreed to restriction of development in the "Initial Oil and Gas Operations Area" until Encana has drilled and completed all 16 wells. This creates a major development restriction that is dependent on the Encana's timing for drilling. The initial area covers the western access road into the site and several lots and roads that would eliminate development of at least 20 lots. The secondary access is required for the development to occur.

    a. 2015 6-5 & 8-28: Secondary access outside of the Initial Oil and Gas Operations Area has been provided, however the western portion of the site is seriously compromised by the Initial Oil and Gas Operations Area and may not be buildable until after drilling has completed. Still Valid.

iii. Property South of Railroad Right of Way:
    1. 2014 6-5: Applicant did not submit an SUA for this portion of the property. The future well locations do not match the ALTA.
        a. 2014 8-28: Applicant Response: "We are in conversations with both Noble and Kerr-McGee to create an SUA for the south side of the property. The comment stating that future well locations do not match the ALTA is correct; an ALTA depicts existing conditions and not potential future conditions." A draft SUA from a mineral right holder is required for us to move forward with hearings. There is nothing on the plat that indicates a layout or access to future drilling rights.
    2. 2014 6-5 &8-28: Future well sites need to meet MC 10.6.14 E. Please add the information required in this section to the Preliminary Plat.
    3. 2014 6-5 & 8-28: Applicant needs to show the proposed access for the existing well site and the required upgrades in MC 10.6.14 A.
    4. 2014 6-5: The plans indicate that there are two existing wells to be capped and abandoned. Are these existing above ground well heads now? Capping of the sites shall be in conformance with MC 10.6.14 D.
        a. 2014 8-28: The well head in Street X needs to show a 25 foot setback that may encumber Block 3, Lot 1. This setback is only allowed on lots 1 acre or larger. This setback needs to be illustrated on the plat.
        b. 2014 8-28: New report submitted by applicant from CTL identifies that the well location in Tract F was abandoned and never drilled. If this is the case then there is no need for Tract F and it can be removed.
    5. 2014 6-5: The distribution lines for the existing wells need to be illustrated on the plans and are required to be in a minimum 30 foot easement. (MC 10.6.14 B.)
        a. 2014 8-28: Applicant Response: "The gas lines to the Noble well will likely be relocated. A 30' easement has been provided, as mentioned above." Plans to move the gas line have to be identified on the plans with notes. Right now the applicant simply shows the existing and a new easement with no explanation on the plat that the line will move to the new location.
        b. 2014 8-28: The new 30 foot gas line easement cannot be located in a residential lot; it must be located in a separate tract. By putting the proposed easement in a tract; Block 2, Lot 17 does not meet the requirement for street frontage and would need to be eliminated.

iv. MC 10.6.14 A.1. requires development with existing oil and gas wells and associated above ground production facilities to provide a minimum of a 150 foot setback. When viewing the preliminary plat and the facilities shown of Sheet E10, it does not appear that you are showing the 150 foot setback from all above ground facilities within the current well site.
    1. 2014 6-5 & 8-28: Applicant did not address this comment. The 150 foot setback should not be measured from the center of a facility, but from the outer edge of the facilities. Staff believes that some lots many be affected by the setbacks that have not been represented.

v. MC 10.6.14 A. requires the applicant to upgrade the access road and on site facilities and fencing. This should be noted on the plans.
    1. 2014 6-5 & 8-28: Applicant did not address this comment.

vi. MC 10.6.14 E.7. states that the applicant should submit an access plan for the future well, production facilities and pipe lines. The access road should not connect with a local street.
    1. 2014 6-5 & 8-28: Applicant did not address this comment.

2. 2014 6-5 & 8-28: Applicant did not locate and identify, on the existing facility, all of the above ground well equipment, the flow line locations, and the access roads. Additionally, applicant needs to show how they have met the requirements for road improvements, fencing, equipment painting, and upgrade of facility berm to metal ring, etc. found in MC 10.6.14.

g. Existing Conditions:

i. The applicant needs to clearly identify elements that are existing conditions and indicate how they are being accommodated, removed or revised. Examples of the types of elements that need to be indicated in the preliminary plat documents include:

1. Existing improvements (utilities, drives, fencing, accessory buildings) that are associated with the two existing homes;
   a. 2014 6-5 & 8-28: Staff accepts applicants request to address with final plat.
2. The farm structures, east of the existing homes, some of which are in the right of way or will be in the future right of way (they are a hazard that will need to be address with the right of way dedication for Jasper Road);
   a. 2014 6-5& 8-28: Staff accepts applicants request to address with final plat.
3. The access road crossing of the RTD right of way.
   a. 2014 6-5: Not clearly addressed.
      i. 2014 8-28: Applicant Response: "The access road crossing is in use and will remain in use. The access road has been in use for over 100 years." The applicant response is in conflict with Sheet E1 that has a note that the existing access is to be removed. The response and plan does not address who the user is and if that user accepts the access being removed without an alternative route being shown.

h. Sheet 1:

i. "NOTES":

1. Note 6 (Previous Note 10): You will need to coordinate with Northern Colorado Water Conservancy District (NCWCD) to accomplish the vacation. The vacation will need to be completed before the Town can approve a final plat in the location of the easement.
   a. 2014 6-5 & 8-28: Comment still valid.
2. Previous Note 12: The Town will want the full dedication of the Jasper Road right of way. The applicant needs to discuss with the Town and the property owner the issue of the existing house in the future ROW for Jasper Road. The proposal to split the house with a Tract does not meet our Municipal Code requirements for a house to be located on a lot.
   a. 2014 6-5: Note removed from Preliminary Plat, however, comment still valid.
      i. 2014 8-28: All have agreed to dedication of the right of way with the requirement for a license agreement for the house encroachments.
3. 2014 6-5 & 8-28: At final plat, the Town will require public access easements on all tracts that have walks, trails, and parks.

ii. "TRACT SUMMARY TABLE":

1. 2014 6-5: Applicant has removed the text from the "Use" column; please revise and add uses.
   a. 2014 8-28: Applicant has added uses back into the "Use" column; please revise the following Tracts, as follows:
      i. Tracts B, C, D, H, L, M, N, O, Q, T and U – add open space.
      ii. Tract G and M – add the irrigation ditch.
      iii. Tract M - add oil/gas.
      iv. Track K – change public park to pocket park.
      v. Tract Q – remove oil & gas & residential. None of these uses appear to be in this tract.
      vi. Tract S – remove residence; residence is on a lot, not the tract

vii. Tract T and U – remove trail.

2. 2014 8-28: In Ownership column please clarify District as Metro District; District is too generic – could mean school district, water district, etc.
3. 2014 8-28: In Maintenance column please check and verify the tracts you have identified for ownership and maintenance by Wise Homestead. I think Tract S is probably right but question Tract R.

i. Sheet 4:

i. 2013 6-5: Block 2, Lot 17 does not appear to meet the 100 foot lot width at the 30 foot front setback line.
   1. 2014 8-28: Proposed changes to Lot 17 do not meet MC requirements. See additional comments below.

ii. Street Y Stub Area (Previously Tract C):
   1. 2014 8-28: Due to all the staff comments below, we are recommending that you reconfigure the lots in this area around Street Y. We recommend that you eliminate the Street Y cul-de-sac and only front lots onto Street X. This would allow you to eliminate the 35 foot open trail requirement at the end of cul-de-sacs. You then could accommodate the gas line and well access road in a minimum 30 foot wide tract from Street X to the well facility.
   2. 2014 6-5: The gas line within Tract C is shown with an existing easement that dead ends at the quarter section line; is this accurate?
      a. 2014 8-28: The applicant still shows the existing gas line easement as ending at the section line. Applicant has not addressed how the gas line continues to their west property line.
   3. 2014 6-5: MC 10.6.14 B. requires all existing oil/gas pipelines be in easements of a minimum of 30 feet wide. Please create a new easement that is 30 feet wide for the facility.
      a. 2014 8-28: Applicant has shown a new 30 foot gas line easement that is not aligned with the current gas line alignment. Is the applicant proposing to move the gas line? If so, please note on the plat documents.
      b. 2014 8-28: MC 10.6.14 B. does not allow the new 30 foot gas line to be located in a residential lot; please create a separate tract for the gas line easement. Applicant has proposed the 30 foot gas line to be located within 3 lots (Block 2, Lots 16 and 17; Block 5, Lot 2). With the gas line placement in a required 30 foot tract along Street Y; Block 2, Lot 17 does not have the required street frontage required for a residential lot in MC 10.5.4. Block 2, Lot 17, as proposed, is not a lot that conforms to the MC requirements.
   4. 2014 6-5: MC 10.6.5 D.2.e. requires cul-de-sacs have a 35 foot tract with a pedestrian trail at the end of them that connects to a trail or sidewalk.
      a. 2014 8-28: The cul-de-sac on Street Y does not meet this requirement. The 35 foot tract and trail needs to be outside the oil/gas line easement and well access road easement location.

j. Sheet 8:

i. 2014 8-28: 30' Waterline Easement has had a 30' Pipeline Easement note that has been added that is in conflict with proposed use. Please correct notes.
ii. 2014 8-28: 30 foot gas line easement behind Block 16, Lot 15 dead ends without any closure. Please correct easement so that it ends and is not an open ended easement.
iii. 2014 8-28: 75 foot ditch setback, on the south end of the sheet, dead ends without any closure. Please correct the setback so that it ends at the western property boundary.

k. Sheet 10:

i. 2014 6-5: Relocate the sanitary sewer easement in Tract I, that goes to Jasper Road, so that it does not go through the historic structure (see Sheet E9).

1. 2014 8-28: You have modified the alignment near the historic structures on the south side of Jasper Road but not on the north side of Jasper Road where you still show the utility under the historic barn on the museum site.

I. Parks, Open Space & Trails:

i. Trails:

1. 2014 6-5: Trail connection on south should not dead-end into an emergency access unless the applicant proposes to build the access as a trail that meets Town standards.
   a. 2014 8-28: Construction details will be finalized with final plat construction documents.
2. 2014 6-5: Trail along railroad right of way is severely restricted in placement by the 15 foot communication easement and the 30 foot gas line easement. (See Sheet E1) Applicant has created a dead end trail that does not have a sidewalk connection on 119th nor any trail loop back to the internal streets on the west end.
   a. 2014 8-28: Details of location and construction of trail in relation to easements will need to be resolved at final plat.
3. 2014 8-28: Please do not place trails in:
   a. Wetlands boundary, try to keep it on the outside edge.
   b. WAPA easement unless crossing it; and,
   c. Permanent oil/gas well setbacks.

ii. Pocket Park:

1. The pocket park must meet the criteria in MC 10.6.3 B.4... The pocket park does not appear to meet the following pocket park criteria:
   a. the pocket park shall be centrally located within the neighborhood to be served: and,
      i. 2014 6-5: The park location is central to the north neighborhood only. The south side of the development does not have any direct access to the park amenity.
      ii. 2014 8-28: Applicant Response: "If a crossing through the RTD property is not permitted, a pocket park will be designed for the south side of the development. This park would be located in place of Lot 1, Block 2, south of Street X at the proposed RTD crossing location and immediately east of the proposed detention pond." Staff finds this solution acceptable; however, the applicant needs to label this lot on the plans as an alternative pocket park site if the RR crossing is not permitted. At the time of final plat we will evaluate the need for the park and review it for conformance to the pocket park requirements.
   b. The applicant should provide a pocket park detail that identifies and lists how the park has met the Parks, Recreation, Open Space, and Trails (PROST) Master Plan Pocket Park Design Standards. List the elements that the applicant has chosen to use in the pocket park under each of the pocket park components. List A Infrastructure, List B Pre-selected Components, List C Components of Choice, and List D Comfort and Convenience Features.
      i. 2014 8-28: If a pocket park is added to the south half of the property at final plat; then this park will need to meet the Town pocket park requirements.

iii. Neighborhood Park:

1. The Town will request that the applicant pay the fee in lieu for the park dedication requirement that is based on the number of units platted and as required in MC 10.6.3 B.7. The fee in lieu payment is calculated at the time of final plat and is included in the development agreement for the subdivision. The fee in lieu payment is calculated once the applicant has supplied the Town with an appraisal of the fair market value of the property based on the developable land within the final plat application and the zoning of the developable land.
   a. 2014 6-5 & 8-28: Comment still valid.

v. Community Park:
   1. Fee in lieu for the park dedication requirement will be required at final plat and as required in MC 10.6.3 B.7.
      a. 2014 6-5 & 8-28: Comment still valid.

vi. Open Space:
   1. The Town is most interested in public open space that includes the wetland; followed by potentially the open space buffer being created on the eastern side of the property. We are not interested in obtaining areas for public open space dedication along the ditch, railroad, detention pond or well site.
      a. 2014 6-5: During our Development Review Team meeting, Public Works indicated that the engineering design is redirecting storm water away from the wetland and that due to the high water table problems that the applicant will most likely design underdrains that will eliminate water from the wetland. Public works felt that once the development was developed the wetland would dry up. The Parks & Recreation Department and the Open Space and Trails Advisory Board would like to see the wetland preserved. We need more information on the long term viability of the wetland and how your design will preserve this feature.
         i. 2014 8-28: Applicant Response: "As described in the revised drainage study, there will be overflow from the rear of the lots adjacent to the wet area. Additionally, the swale will have a weir like structure that will allow the larger storm events to overtop and be directed towards the detention pond, while the smaller storms will feed the wet area." Full evaluation of the water issue related to the wetland will be completed at final plat.
   2. Staff is concerned about the historic buildings adjacent to this wetland as they have not been maintained and appear to be a safety hazard to open space users and to Jasper Road users. The future of these structures have not been clearly addressed in the application materials.
      a. 2014 6-5: Applicant has not proposed a solution. The buildings are shown located in future Town right of way and Tract I of proposed open space dedication to the Town. The Parks and Recreation Department does not want the buildings dedicated as part of the public open space dedication.
         i. 2014 8-28: Applicant Response: "Acknowledged. The team will continue to work with the property owners in determining the future of these structures. They will not be dedicated as part of the open space dedication." Although the applicant has made this statement in the response memo; on the plat/plans they are dedicating the land and adjacent right of way on Jasper Road where the buildings are located to the Town of Erie. Staff does not want to take a plat to hearings with the buildings being shown as dedicated to the Town. At a minimum, the portion of the structures adjacent to the future right of way they will be in should be shown as a separate tract that is not dedicated to the Town.

m. Landscape Plans:

i. Add street light locations, styles and color (see attached sheets for street light types).
   1. 2014 6-5: Street lights are required to be installed on all internal streets as well as Jasper Road and 119th Street. Street light spacing needs to be updated to meet our Town Standards and Specifications.
      a. 2014 8-28: Street lights have been added. Staff will finalize spacing and light type/color with applicant at final plat.

ii. Will there be any entry/monument signs for this subdivision? If so, please add locations and sign details. Signs would need to meet MC 10.6.12 requirements.
   1. 2014 6-5: Signs are not allowed to be placed in the right of way (MC 10.6.12 C.5.).

2. 2014 6-5: Fences are not allowed to be placed in the right of way (MC 10.6.4 H.4.).
3. 2014 6-5: Structures - monuments/pedestrian cross member (structures) are not allowed in right of way. (Sheet L3)
4. 2014 6-5: Please provide details of the monumentation on the east side of Street B (Sheet L3).
    a. 2014 8-28: Applicant has removed the monument sign from right of way along Jasper Road but not along 119th. The regulations, listed above, apply in all locations.

iii. Trails should not be located in the future gas line easement, except perhaps to cross it, as indicated in the SUA.
1. 2014 6-5: Applicant has relocated the gas line easement so that it eliminates several trail opportunities and majorly restricts the ability to meander the trail along the railroad corridor. Staff does not support the elimination of trails due to realignment of the gas line.
    a. 2014 8-28: Applicant Response "Preliminary discussions with Encana indicated that trails are permitted within the gas line easement. We will continue to work with Encana and make adjustments to the SUA if needed." The Town will work with the applicant at final plat to ensure adequate trails are provided that meet our requirements.

n. Utility Plan:

i. Water:
1. The water line is proposed to be looped through Boulder County roads and property in Boulder County. Applicant will need to coordinate with Boulder County to access their requirements for installing the proposed improvements.
    a. 2014 6-5 & 8-28: Comment still valid.
2. It appears that off-site easements may be required for the water line looping that does not fall within a street right of way. Obtaining the easements will be a requirement for the Final Plat.
    a. 2014 6-5 & 8-28: Comment still valid.
3. The routing of the water line shows crossings of the railroad right of way that is owned by RTD, the NCWCD ditch and many other easements. Permission to cross these owners and easement holders' interests will be required at Final Plat. Staff has noted that several easement holders in Kenosha and Erie Village have not been represented on your plans (Xcel major power lines; Encana gas line; etc.).
    a. 2014 6-5 & 8-28: Comment still valid.

o. Street Plans:

i. Street Connectivity:
1. 2014 6-5: MC 10.6.5 D.2. requires developments to provide vehicular and pedestrian connections to adjacent properties. The property to the west of the southern half of the property does not have street access provided. Emergency access requires 2 access points.
    a. 2014 8-28: Applicant Response: "Street access has been provided to the County property to the west of this property. In addition it appears that Boulder County ROW already provides access to the property via a street named Random Way." Staff had told the applicant that they needed to confirm that this 2nd access point was available for use by this property from Boulder County; otherwise they would need to provide a 2nd access point. Applicant has not provided written confirmation from Boulder County that this is a viable secondary access. The applicant's options are to either provide secondary access (could be an emergency access tract) to the site from the proposed development or provide confirmation that access from the west side, in Boulder County is viable. If the applicant chooses to provide an emergency access, it may be possible to address the block length issue in the southwest portion of the site by providing a joint emergency access and trail corridor between two lots.

ii. Jasper Road:
    1. Plat all of those portions of Jasper Road, located in the Town from 119th Street to the western edge of the property, that have not already platted by the Town in previous Wise plats.
        a. 2014 6-5: Comment still valid. Applicant is still only showing the new 20 feet of right of way being dedicated along the frontage of the property. Applicant states they will not add the additional right of way.
            i. 2014 8-28: Applicant Response: "Because the requested right-of-way dedication is outside the boundary of the project, Jasper Land Investments LLC is not in control of this land and therefore does not have the authority to convey it to the Town." The right of way is part of the Wise annexation so, the Town still wants the existing right of way platted and will require this at final plat.
    2. The road classification for Jasper Road is a Major Collector (80' right of way). It appears that the appropriate right of way dedication of an additional 20 feet is being dedicated.
        a. 2014 6-5: Applicant needs to add a sidewalk along Jasper Road frontage.
            i. 2014 8-28: Applicant Response: "A sidewalk along Jasper Road frontage has been added." Although the applicant states a sidewalk along Jasper has been added it has not. A sidewalk the entire length of the Wise property needs to be shown.
    3. Dedication of an additional 20 feet on Jasper Road puts the historic farm structures within the future right of way. This is an issue for the Town.
        a. 2014 6-5 & 8-28: Comment still valid.
    4. The house on Lot 20, Block 11 will be in the right of way with the dedication of 20 feet on Jasper Road. This is an issue for the Town.
        a. 2014 6-5 & 8-28: Comment still valid.
    5. Dedication of an additional 20 feet on Jasper Road puts an accessory structure on Lot 1, Block 17 and an internal loop road within the future right of way. This is an issue for the Town.
        a. 2014 6-5 & 8-28: Comment still valid.
iii. 119th Street:
    1. 2014 6-5: Add sidewalks.
        a. 2014 8-28: Sidewalk needed along full frontage of 119th Street; missing to south end of property.
iv. Local Street with Attached Walk (Sheet E1):
    1. 2014 6-5 & 8-28: The attached walks, proposed for the southern half of the property, do not meet the MC 10.6.5 F.1. requirements for detached walks. Staff does not support the proposed attached walks.
v. Block Length: UDC 10.6.5 F.2.c.: This section states "Within all developments, to the maximum extent reasonably practicable, pedestrian ways, crosswalks, or multi-purpose trails no less than 5 feet in width, located within a tract or easement a minimum of 30 feet in width, shall be constructed near the center and entirely through any block that is 900 feet or more in length."
        a. 2014 6-5: Block 2, Lots 2-7 (previously Lots 1-7); block length is over 900 feet.
            i. 2014 8-28: Placement of the trail is not mid-block and still leaves a block length that is over 900 feet.
        b. 2014 6-5: Block 2, Lots 11-15 (previously Lots 8-15); block length is over 900 feet.
            i. 2014 8-28: Placement of the trail is not mid-block and still leaves a block length that is over 900 feet.
        c. 2014 6-5: Block 4, Lots 1-10 (previously Lots 3-14); block length is over 900 feet.
            i. 2014 8-28: Placement of the trail is not mid-block and still leaves a block length that is over 900 feet. Staff measured this block length as over 1,200 feet; you could provide an emergency access/trail tract between Lot 3 and 4 to break up the block

length. OSTAB and staff would like to see a trail that went north along the west property line to the trail at the detention pond.

vi. Cul-de-sacs:
   1. 2014 6-5: MC 10.6.5 D.2.e. requires cul-de-sacs have a 35 foot tract with a pedestrian trail at the end of them that connects to a trail or sidewalk.
      a. 2014 8-28: The cul-de-sac on Street Y does not meet this requirement. The 35 foot tract and trail needs to be outside the oil/gas line easement and well access road easement location.

6. Plat, PUD, And Zoning Exhibit:

a. 2014 8-28: This exhibit has been added to the application and staff has the following comments:
   i. Add a legend for the shaded and cross hatched areas within the Planning Areas on the map.
   ii. The map Planning Areas do not match the updated, PUD that was submitted; please update to current map.

7. Threatened & Endangered Species/Wetlands; and, Cultural, Archaeological, and Historic Report:

a. Bird Nesting: The Natural and Cultural Resources Assessment states that removal of any trees has the potential to destroy nests and will reduce nesting habitat on the parcel. The Assessment recommends that if trees are to be removed they should be removed between September and March to avoid the nesting season.
   i. 2014 6-5 & 8-28: Comment still valid.

8. Environmental Site Assessment Report (Phase I):

a. The report stated concern over an oil/gas well but it is located on the south half of the Wise property and is not a part of this preliminary plat application.
   i. 2014 6-5: The applicant has added the southern half of the Wise property in which the well site of concern is located. Will the applicant be submitting a Phase II report or will they be working with the mineral right owner to update the well site with a steel berm and updated tanks?
      1. 2013 8-28: Applicant did not give a written response to this comment.

The abandoned Union Pacific Railroad tracks and the Lower Boulder Ditch traverse the central portion of the site. Numerous unimproved roads traverse the property including two that lead to the currently producing, on-site Wise 1-14 X oil and gas well. Due to the age of the well and concrete tank used to store the condensate, **AGW identifies the Wise 1-14 X producing oil and gas well and associated tank battery as a recognized environmental condition in relation to the subject property.**

9. Soils Report and Undermining:

a. 2014 6-5: CGS recommends that the applicant remove the mine subsidence risk from Block 1, Lot 3 and Block 3, Lot 1.
   i. 2013 8-28: Applicant did not give a written response to this comment and mine subsidence risk was not removed from the lots. CGS did recommend a building envelope so that development cannot occur in the undermined areas of the lot. Staff requests that Block 1, Lots 3 and 4 be reconfigured to eliminate the undermining from the lots. Block 3, Lot 1 has undermining along

Street X that is not easy to eliminate from the lot, so staff requests that the applicant legally describe the undermining area of the lot on the PUD and add a restriction of construction of structures in the undermined areas. Additionally, add a note to the plat that Block 3, Lot 1 has undermining on the lot, that is identified in the PUD, and that construction of structures is not allowed in the undermined area.

REFERRAL AGENCIES

Below is a list of the referral agencies that were sent the applicant materials for review. We have listed which ones need another referral; ones that have responded that do not need another referral; and those that did not respond. When addressing the mailing envelopes for the referral agencies please reference our updated referral list, which is attached, as some of the contact information has changed since your original submittal.

Follow-Up Referral Packet Required:

a. Community Development: See comments above; applicant response required.
b. Public Works: See attached comments; applicant response required.
c. EnCana: Staff requests the applicant send another referral because we have required the applicant to add the SUA well facilities/setbacks to the plans.
d. Kerr-McGee Oil & Gas Onshore: See attached comments; applicant response required.
e. New Consolidated Lower Boulder Reservoir and Ditch Company – Attorney Jeffrey Kahn: See attached comments; applicant response required.
f. New Consolidated Lower Boulder Reservoir and Ditch Company – President Eric Doering: See attached comments; applicant response required.
g. Noble Energy: Staff requests the applicant send another referral because changes (access/pipeline locations) are being made to the existing well site that should be reviewed by the mineral right holder.
h. Northern Colorado Water Conservancy District (NCWCD): See attached comments; applicant response required.
i. OSTAB (Open Space and Trails Advisory Board): See attached comments; applicant response required.
j. Western Area Power Administration: See attached comments; applicant response required. Please note that staff does not support the requested plat notes. The Town already restricts structures within an easement. The restrictions they want on the plat should be in their easement documents; if it is not then they should amend their easement document not request restrictions on the plat.
k. Xcel Energy: See attached comments; applicant response required.

Follow-Up Referral Packet Not Required:

a. Parks Maintenance: See attached comments; applicant response not required.
b. Colorado Geological Survey: See attached comments; applicant response not required.

Referral Agencies That Did Not Respond:

The Town did not receive referral comments from the following agencies. If an agency response is sent to the Town after this memo is forwarded to the applicant, then the Town will forward the information as quickly as possible.

- Boulder County Public Works
- Town of Erie Water Attorney
- Town of Erie Parks and Recreation Department

TOWN OF ERIE
1874

Department of Parks and Rec
Parks Division

Internal Memo

To: Deb Bachelder, Community Development

From: Paul Reed, Parks Crew leader

Date: 9/2/2014

Subject: Wise Farms Subdivision Preliminary Landscape Plan, Preliminary Plat, Earthwork and Tree Inventory Notes .

The following information is in reference to a memo sent from Gary Hegner to Community Development regarding Wise Farms on May 12th, 2014.

Landscape Plans

Overall

-Notes #1, 3, 4, 5 were satisfactorily addressed by the developer, and reflected on the 8/1/14 landscape plans.

-Note #2 appears to be in progress with RTD, but can't be determined at this time from the plans. Needs to be approved by Community Development and/or Public Works.

Sheet L1, L3

-All notes from sheets L1 and L3 have been satisfactorily addressed by the developer, and are reflected on the 8/1/14 landscape plans.

Sheet L5

-Note #1d doesn't appear to have been satisfactorily amended – Doubling the landscape was chosen as the second landscape element from list D. 5,265sqft of sod is required in the park from list A, and double that would be 10,530sqft of sod. The current landscape plans show only 6,279sqft of sod. How does the developer propose doubling the landscape?

-All other notes on L5 have been satisfactorily addressed by the developer and are reflected on the 8/1/14 landscape plans.

Sheet L6

-Notes from L6 have been satisfactorily addressed by developer and are reflected on the 8/1/14 landscape plans.

Sheet L7, L8

-Sheets L7 and L8 have been discussed with Mike McGill, the Town's Natural Resource Supervisor. The progress in the communication between the developer and the Parks Division in regards to trees allows sheets L7 and L8 to be approved. Attached is Mike McGill's response

from July 25th.

Sheet L10

-The note on the split rail fence has been revised by the developer.

Preliminary Plat

- Note #1 should be addressed by Public Works and/or Community Development
- Note #2 (sheet 1 of 14) - Developer response is correct and accepted by the Town – Tracts I and P are the only tracts to be owned/maintained by the Town.
- Note #3 (sheet 6 of 14) should be addressed by Public Works and/or Community Development.

Earthwork Sheets

- Streets have been labeled throughout the earthwork sheets as requested.
- I could not locate the private irrigation line discussed on Sheet E10 – Developer's response is that the line is being proposed in a ten foot easement outside the street X right-of-way, implying that the issue is resolved.

Tree Inventory T1

- Tree inventory has been discussed with Mike McGill, the Town's Natural Resource Supervisor. The progress in the communication between the developer and the Parks Division in regards to trees allows the Developer's response to tree inventory to be accepted by the Town. Attached is Mike McGill's response from July 25th.

Deb Bachelder

From: Farrell Buller
Sent: Monday, July 28, 2014 11:25 AM
To: Deb Bachelder
Subject: FW: Wise farms

HI Deb – Just FYI so you have all of the correspondence.
Thanks - Farrell

From: Michael McGill
Sent: Monday, July 28, 2014 11:25 AM
To: John@pcsgroupco.com
Cc: Farrell Buller
Subject: Wise farms

John,

My recommendations for Wise Farms are as follows:

- Preserve trees. I do believe that the tree preservation of the below trees is of high importance due the abundant animal habitat in which they provide coupled with their size, stature, and historical significance, all of which are rarities within the Towns limits. All trees recommended for retention are located on areas to be designated as Town open space. Forestry staff has evaluated the trees and feels comfortable with level of risk that these trees would pose.
    - Retain trees #37 and #38 and thicket of native understory
        - #37 (willow) and tree 38 (large Cottonwood) is not impacting any development, and should remain in place, as should the native Wild Plum understory which surrounds this area. This area provides considerable animal habitat.
    - Retain trees #31, #33, and #36 along NE corner of property adjacent to Jasper road.
        - #31 would be the lowest priority for retention of these three trees to accommodate a slight shifting of the road to preserve these trees if necessary
- Define the property boundaries of the homestead, and any trees that should not be considered a part of the project.
- Label new trees and shrubs with species
- Ensure that the mitigation options that are outlined in the UDC in Section 10.6.2.C.6. are followed in relation to replacement trees

Mike McGill | Natural Resources Supervisor
Town of Erie | Public Works Department | Parks Division
150 Bonnell Ave | P.O. Box 750 | Erie, CO 80516
303.926.2892 phone | 303.901.4655 cell
mmcgill@erieco.gov | www.erieparksandrec.com
Erie is a Nationally Accredited Parks & Recreation Agency
2012 & 2013 National Gold Medal Award Finalist for Excellence in Park & Recreation Management
P Please consider the environment before printing this email.

Deb Bachelder

From: Deb Bachelder
Sent: Friday, June 13, 2014 11:29 AM
To: Jim Dullea (j.dullea@comcast.net); John Prestwich (john@pcsgroupco.com)
Cc: Gary Hegner; Farrell Buller; Marty Ostholthoff
Subject: FW: Update on Tree Canopy at Proposed Wise Farms Subdivision

Jim and John,

Since our DRT meeting, the Parks Maintenance Department has conducted a site visit to confirm the tree inventory information submitted with the application. Please add these comments to the previous DRT comments I forwarded to you. These will need to be addressed in your resubmittal.

Best regards,

Deborah Bachelder, AICP
Senior Planner
Town of Erie
645 Holbrook Street
PO Box 750
Erie, CO 80516
Bus: 303.926.2775 Fax: 303-926-2706
www.erieco.gov

From: Gary Hegner
Sent: Friday, June 13, 2014 10:32 AM
To: Deb Bachelder
Cc: Michael McGill
Subject: Update on Tree Canopy at Proposed Wise Farms Subdivision

Mike McGill and I reviewed the Wise Farms Subdivision site on Thursday, June 12th. There are numerous items within the Tree Inventory which do not match to existing conditions. Here is an overview of what we saw:

Along the eastern portion of the project at Jasper Road which includes trees #31-36:

1) there is another tree on the eastern property line which is not included in the Tree Survey but is shown to be removed. This tree should remain in place.
2) Trees #31 and 36 appear to be in good physical condition, and are recommended for salvaging, provided a more in-depth aerial survey of each tree is completed. If these trees are removed, then they should be mitigated.
3) Replacement trees should be shown in the area east of trees #39-56, and within the area where trees #31-36 exist

In the thicket containing Trees #37 and 38:

1) Tree 38 (very large Cottonwood) is not impacting any development, and should remain in place, as should the native Wild Plum understory which surrounds this area. This area provides considerable animal habitat.
2) Tree 37 (willow) should be mitigated if removed. Otherwise, staff recommends salvage of this tree

Along Jasper Road, west of the proposed utility easement connecting to Street A:

1) There are several trees that are not captured on the Tree Inventory, including a small Linden located immediately north of an equipment shed, a large Sycamore near the existing home, as well as cottonwoods, pines, firs, and other trees forming a line approximately 50' parallel to Jasper Road.

2) Define the property boundaries of the homestead, and any trees that should not be considered a part of the project. Currently, there are no boundary markers for this parcel. If the home is to be removed, than all surrounding trees need to be incorporated into the Tree Survey
3) Trees #57 and #58 are shown as Ash (dead) on the Tree Survey. These are actually Walnut trees. There is an Ash adjacent to this area which is not captured as part of the Tree Survey.
4) In the area where trees #59-80 exist, there is no tree mitigation shown. Trees should be replaced along Jasper Road, not just along the proposed interior detention pond

Tree #81 (willow clump) is shown for removal. If this is located far enough outside the property line and is not impacted by grading, then staff recommends salvage of this tree.

There is also one tree on the survey (shown for removal) that is located between trees #82 and 83. This appears to be able to be retained unless it is a Russian Olive or other invasive species.

All other comments were sent as part of my submission on this subdivision review. Please contact me if you have any questions regarding items shown above. Thanks.

Gary Hegner, CPRP, CPO | Parks Division Manager
Town of Erie | Public Works Department | Parks Division
150 Bonnell Avenue | P.O. Box 750 | Erie, CO 80516
303.926.2887 phone | 303.591.2887 cell
303.665.9420 fax
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Erie is a Nationally Accredited Parks & Recreation Agency
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TOWN OF ERIE
1874

MEMO

To: Deborah Bachelder
From: Matt Wiederspahn, P.E., CFM, Development Engineer
Date: June 10, 2014
Subject: **Wise Farms Preliminary Plat**
CC: Russell Pennington
Wendi Palmer

Comments on Preliminary Plat:

1. On sheet 1, no uses are provided in the Tract Chart.
2. On sheets 4 and 7, an agreement with the owner of the electric transmission line easement for the two road crossings will be needed with final plat.
3. On sheet 4:
    a. The utility easements crossing the RTD right-of-way at the potential future road crossing should all be combined into one utility easement.
    b. Right-of-way needs to be provided for the future road connection between the RTD right-of-way and Street X.
4. On sheets 6 and 7, 119th Street is classified as a minor arterial in the Towns Transportation Plan and requires a total of 120 feet of right-of-way. A total of 60 feet of right-way on the west side of the section line will need to be dedicated by this development.
5. On sheet 7, there is an unlabeled oil and gas well located in Street X. The town has numerous concerns with this location and how it will affect the road and utilities located within the road. Details need to be provided on how public improvements will be protected.
6. On sheet 9;
    a. The right-of-way transition for Street B from collector to local residential needs to be tapered and not squared off.
    b. There is a 30 foot electric and access easement crossing several lots and right-of-way that references note 10. However, a note 10 is not provided on the cover sheet.
7. On sheet 10, right-of-way needs to be provided for the future road connection between the RTD right-of-way and Street F.
8. The Leyner Cottonwood Ditch and several laterals are located on the southern portion of the development but are not labeled on the ALTA survey or have easements provided on the preliminary plat.
9. A future road connection is needed from the south section to the west.

Previous Comments on Utilities:

3. The 12 inch water line in Jasper Road will need to be extended along the entire frontage to the west. A 12 inch water line stub also needs to be provided to the south west corner of the site as well. Please refer to the Town's water master plan for general line locations.
   Response: The waterline in Jasper Road has been extended and the requested waterline in the southwest corner has been provided.

Only a 8 inch water stub was provided on the southwest corner.

Comments on Utility Report:

1. The title of the report needs to be changed to Preliminary Utility Report.
2. An engineer's certification needs to be added to the report.
3. Town staff doesn't fully understanding the need for two parallel connections between the north and south parcels. Please provide an explanation of the reason for the two connections.
4. Water stubs need to be provided from the south section to the west per the Town's Water Master Plan.
5. Accessory dwelling units are being proposed as a use by right in the south section. Being that it would be a use by right, the utility study needs to assume every lot contains one and address the added water demand and sewer use.

Comments on Phase II Drainage Report:

1. Please provide a signed and stamped copy of the report for Town files.

Previous Comments of Preliminary Construction Plans:

1. Jasper Road is classified as a Major Collector in the Town's Transportation Master Plan. The proposed Jasper Road cross-sections and improvements do not match the Town's standard Major Collector cross-section. The Town at a minimum expects that the initial improvements will safely provide for the Town's Rural Arterial and will require a fee-in-lieu for construction of a Major Collector. If the applicant desires a "finished edge," the Major Collector cross-section can be built with no fee-in-lieu.
   Response: The applicant will provide the safety improvements required by the traffic study accompanying the PDP and Preliminary Plat submittals. The applicant will discuss the fee in lieu with the Town representatives to comply with pertinent codes and precedents set by other development in the Town.

   This comment will now also apply to 119th Street which is classified as a Minor Arterial in the Town's Transportation Master Plan. As a reminder, the rural arterial cross-section includes more than just safety improvements such as bike shoulders and sidewalks.

New Comments on Preliminary Construction Plans:

1. On sheet E1;
   a. A local street cross-section is provided showing attached sidewalks. The Town only allows for detached sidewalks.
   b. The two emergency access roads will need to meet the Town's requirements for oil and gas accesses. The access road shall be improved as a hard surface (concrete or asphalt) for the first 100 feet from the street and then improved as a crushed surface (concrete or asphalt) for 100 feet past the hard surface. Removable devices to prevent non-emergency access need to also be provided that are acceptable to the Fire District.
2. On sheet E2, the ditch access roads will also need to meet the Town's requirements for oil and gas accesses. The access road shall be improved as a

hard surface (concrete or asphalt) for the first 100 feet from the street and then improved as a crushed surface (concrete or asphalt) for 100 feet past the hard surface. Removable devices to prevent non-ditch related access need to also be provided that are acceptable to the Ditch Company.

3. On sheet E3, due to oil and gas access being provide on Street X, a note needs to be added that increased pavement sections will be provided due to oil and gas access.
4. On sheets E6 and E7, concrete low flow trickle channels are needed in the detention ponds.
5. On sheet E7, there is an unlabeled oil and gas well located in Street X. The town has numerous concerns with this location and how it will affect the road and utilities located within the road. Details need to be provided on how public improvements will be protected and how monumentation will be handled.
6. On sheet E10, a private ditch lateral is shown to be piped through the site. An explanation of who owns this lateral and what its use will be needs to be provided.

Comments on Traffic Impact Analysis:

1. On figure 7;
    a. Zero left turns are shown onto Highway 287 which seems extremely un-realistic. Even without a signal, a high percentage on traffic will attempt to turn left onto Highway 287 and not use 109th Street.
    b. At the access on 119th Street, 17 northbound left turn movements are shown. 119th Street is classified as a minor arterial and left turning movements of greater than 10 require a dedicated turn lane. The turn lane is shown in the preliminary construction plans but needs to be added to the recommended improvements in the traffic study.
    c. At the east access on Jasper Road, 24 westbound left turn movements are shown. While barely under the 25 turning movements requiring a dedicated turn lane, a dedicated turn lane needs to be provided in the interest of traffic safety.

TOWN OF ERIE
1874

MEMORANDUM

To: Deb Bachelder, Community Development
Todd Bjerkaas, Community Development

From: Gary Hegner, Parks Division Manager

Date: May 12, 2014

Subject: Wise Farms Subdivision Preliminary Landscape Plan, Preliminary Plat, Earthwork and Tree Inventory Notes

Landscape Plans

Overall:

1) Include Tract identification within all Landscape Plan sheets
2) The south portion of the development has only one way in/out. There is a 'future connection' shown to the north portion over the RR tracks. This connection must be approved prior to Town approval for development of the south parcel.
3) Why is a sidewalk not included along the south side of Jasper Road?
4) Label all trees and shrubs, using botanical name (genus and species) and ID code shown on Sheet L9. Plant symbols as shown are not sufficient for plant identification
5) Within Landscape Plans, show all permanent amenities such as street sign locations, fire hydrants, mail boxes, etc.

Sheet L1:

1) Trail availability is limited, and does a poor job of connectivity.
    a. In the southern section, a trail originating at Street X connects to a segment which dead ends into a grassy area to the east. Staff proposes the addition of a trail segment in Tract A, east of the road connection necessary over the RTD tracks, with connections to 119th Street and Street X.
    b. In the northern portion, a trail segment is shown south of Street F, with a loop trail in Tract G. Staff proposes a trail in the northern/western portion of the tract, beginning near the entrance at Street B, winding around the native area north/west of Street E, connecting at Street D cul-de-sac, and proceeding east to connect at Street F. (Native area immediately west of Street F connection would have to be widened slightly to the minimum 30' width behind the first two lots).

Sheet L3:

1) Entry monument detail does not exactly match plan-plan shows an extra 5' split rail fence section. Detail also shows 8' OC for split rail fence; details and plans show rails at approx. 9'6" OC.
2) Match columns shown in entry island and east of entry island (3 total) with column having full cap
3) 10' wide walks at 90 degree bends near property entrance will be difficult to plow. Staff recommends rounding these connections for better maintenance and pedestrian access.
4) Why are sidewalks in note #3 above not connected directly to Jasper Road?

Sheet L5:

1) Tot Lot: Not all requirements are met at this time in Lists A and D. (Lists B and C meet stated requirements)
    a. In List A, a pet waste station is required but not shown.
    b. An open turf area is required; the only thing shown is a detention area to the east with considerable elevation changes, and no ADA or direct access from the pocket park-the only access is via the play berm.
    c. Landscaping is not identified at this time, so it is not clear if perennials and ornamental grass requirements are met.
    d. In List D, only one of the two required elements is present (BBQ grills). Add one more element from Pocket Park list.
2) Within the play berm, staff has re-configured berm to take advantage of greater height, using one central hill instead of multiple smaller peaks

Sheet L6:

1) Verify trees (deciduous and evergreen) used at entrance area at 119th street at Final Plat. Depending upon varieties used, these may get 'truck pruned' over time, or require extra maintenance to minimize damage to trees and vehicles.

Sheet L7:

1) Tree inventory poses several concerns:
    a. Trees #10, 15, 18, 22, 24, 25 and 26 all show 'severe decay', yet are shown as 'protect in place'. Defend why these trees should remain and not be mitigated
    b. Tree #27 is a Russian Olive-this should be removed and not shown as Protected in Place
    c. Tree 28B (cottonwood) shows heavy powerline pruning, topping at 20'. This is a disfigured tree that will continue to require considerable maintenance in perpetuity. Remove and mitigate.
    d. Follow Standard and Specification 1012. (Protection of Existing Vegetation) for all trees to be salvaged.

Sheet L8:

1) Tree Inventory poses several additional concerns:
    a. Tree #39 shown in 'poor condition', yet shown as 'Protect in Place'
    b. Trees # 41, 42A, 44, 48, 49, 50, 53, 54, 55 and 56 all show 'severe decay', yet shown as 'Protect in Place'. Many of these are Ash trees, which will likely succumb to Emerald Ash Borer in the near future. Defend why these trees should remain and not be mitigated
    c. Trees #51 and 52 show as dead, not 'Protect in Place'. Remove these trees
    d. There is a tree shown as dead on the plan set (circled) which is not numbered nor shown within the Tree Inventory. If the tree is dead, remove it.
    e. Follow Standard and Specification 1012. (Protection of Existing Vegetation) for all trees to be salvaged.

Sheet L10:

1) Spacing on split rail fence detail is not accurate-detail calls for 8' OC between posts; fence is approx. 8'5" as shown.

<u>Preliminary Plat</u>

Overall:

1) Show second approved entrance/exit for southern portion of subdivision. Even with 32' emergency access easement, if a problem exists within the eastern portion of this subdivision (ie: fire), homeowners are essentially trapped within the cul-de-sac

Sheet 1 of 14:

1) Tracts G and I are shown as Town-owned/maintained. Tract G is an open space area with a proposed small loop trail that is not contiguous to any other Town-owned parcel and does not contain a spine trail segment. Tract I is an undeveloped open space tract with a considerable number of problematic trees that will require considerable maintenance. This tract does not offer any spine trail segment, or show proposed trails of any kind. Staff proposes these tracts are owned/maintained by the HOA.

Sheet 6 of 14:

1) Well is proposed as being capped and abandoned in place-directly below Street X. Should Street X be rerouted around this wellhead, due to future maintenance needs for sewer/water/utility lines?

<u>Earthwork Sheets (E)</u>

Sheets E5, E6, E8, E9: Label Streets E and F

Sheet E8: Label Streets X and Y

Sheet E10:

1) Label Streets X and Y
2) A private irrigation line is being proposed within the easement of Street X

<u>Tree Inventory T1:</u>

1) The Tree Inventory does not show any recommended mitigation for the numerous trees to be removed, including trees currently shown proposed to remain in place.

Department of Community Development

Planning and Building

The Town of Erie
645 Holbrook St.
P.O. Box 750
Erie, CO 80516
(303) 926-2775
FAX (303) 926-2706

Memo

To: Jim Dullea

From: Deborah Bachelder

Date: June 12, 2014

Re: Community Development Review Comments from Development Review Team Meeting on June 6, 2014 for:

1. RZ-13-00070: Wise Farms Rezoning Application
2. PUD-13-00071: Wise Farms Planned Unit Development (PUD) Application
3. PP-13-000012: Wise Farms Preliminary Plat Application

cc: John Prestwich; Marty Ostholthoff, Matt Wiederspahn, Russell Pennington, Gary Hegner, Farrell Buller

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Comments:

Community Development has reviewed Wise Farms Rezoning, PUD, and Preliminary Plat application for conformance with Municipal Code, Title 10. The application was reviewed at the June 5th Development Review Team (DRT) meeting.

Referral agency packets were sent out and referral responses that have been received by the Town are being forwarded to the applicant for review and response. Those referral comments received by the Town after the date of this memo shall be forwarded on to the applicant.

Comments were made by several Town Departments and referral agencies that need to be addressed by the applicant. A list of the referral agencies that have responded and need to be provided with an applicant response are listed at the end of this memo. Please make the appropriate revisions to the application materials and provide written response to address each of the written comments from staff and referral agencies. The resubmittal to the Town for a second review should contain:

- a PDF of all of the revised application materials submitted; and, all of the staff and referral response memos;
- 5 sets for staff / public review (Community Development, Public Works, Parks Maintenance, Parks & Rec, Public) of all updated application materials (3-hole punched; include 3-hole 11x17 plans for notebooks and 24x36 plans). Add response memos to staff DRT comment to each set. Applicant must compile, bind and label for each department/public an individual packet of compiled materials.
- For Community Development: provide a paper copy of each of the referral response letters to staff and to outside agencies for the Community Development file.
- Outside referral agencies, that need to be referred for a second review are listed at the end of this memo, need a response letter addressing their concerns and comments and any updated materials that may be needed to address the referral agency comments. Plans shall be submitted in 11x17 format only for the majority of the referral agencies; with the exception

being Mountain View Fire Protection District that requires 24x36 plan sets. Each outside agency packet shall be submitted in unsealed, Tyvek mailing envelopes, addressed to the appropriate agency, with all materials folded and compiled. Do not place postage or a return address on the envelope.

Process:

The next step for the applications is revision and resubmittal for another referral and Development Review Team review. Further review is necessary before scheduling public hearings for the applications.

Staff is recommending that we meet with RTD and the PUC to further discuss the railroad crossing. We are also recommending that we meet with the attorney that represented the Wise family for the SUA with EnCana.

In addition, all three applications require the applicant hold a neighborhood meeting. Details on the requirements of the neighborhood meeting can be found in UDC 10.7.2 D. The applicant is responsible for scheduling and holding the meeting, mailing notices, posting the property with meeting notice signs, submitting to the Town a summary of the meeting and an affidavit of posting.

Community Development Comments:

1. **2014 6-5 - Submittal Materials:**
    a. **Staff and Referral Response Comments:**
        i. 2014 6-5: Applicant did not submit PDF copies of response letters that were sent out to staff and referral agencies with the last submittal. We only received hard copies of applicant responses to Community Development and Public Works; we did not receive any copies of responses to referral agencies.
    b. **Rezoning:**
        i. PDF Submittal:
            1. Land Use Application: Provide executed form.
            2. Authorization by Sarah Wise: Provide executed form.
        ii. Notebook Submittal:
            1. Land Use Application: Provide executed form.
            2. Application Fee: old sheet submitted did not match updated PDF sheet.
            3. Authorization by Sarah Wise: Provide executed form.
            4. Zoning Map:
                a. Sheet 1 & 4 were appropriately printed on 11x17 sheet; Sheet 2 & 3 were partially printed on 8 1/2x11. All sheets should be printed in full on 11x17 sheet.
                b. 24x36 sheet submittal missing.
    c. **PUD:**
        i. PDF Submittal:
            1. Land Use Application: Provide executed form.
            2. Authorization by Sarah Wise: Provide executed form.
        ii. Notebook Submittal:
            1. Land Use Application: Provide executed form.
            2. Application Fee: old sheet submitted did not match updated PDF sheet.
            3. Authorization by Sarah Wise: Provide executed form.
            4. PUD Zoning Map: 24x36 sheet submittal missing.
    d. **Preliminary Plat:**
        i. PDF Submittal:
            1. Land Use Application: Provide executed form.

2. Authorization by Sarah Wise: Provide executed form.
3. Cultural, Archaeological, Historic Report: Report was on PDF in two places; remove it from Threatened & Endangered Species/Wetland section.

ii. Notebook Submittal:
1. Land Use Application: Provide executed form.
2. Application Fee: old sheet submitted did not match updated PDF sheet.
3. Authorization by Sarah Wise: Provide executed form.
4. Preliminary Plat: The notebook should include the Preliminary Plat on 11x17 sheets; only the first page was printed on 11x17 with the rest on 81/2x11. We did also receive the required 24x36 sheets.
5. Erosion Control: Report was on PDF but not in notebook.
6. Cultural, Archaeological, Historic Report: Report was on PDF but not in notebook.
7. Tree Protection Document was on PDF but submitted in notebook.
8. Always provide tab dividers between report and plan sections. It is difficult to find a report in the mass of paper submitted.

2. Natural Areas Inventory:

a. Site #42 is located on the Wise property in the location of the eastern wetland and extends to the Lower Boulder ditch. The report states that there are reports of yellow-headed black birds on the site and that these are a species of special concern.
   i. 2014 6-5: Staff comment still valid.

3. ALTA:

a. The above ground power lines along the Jasper Road right of way are not clearly shown; please add. These will be required to be placed undergrounded; as well as the lines to individual homes/barn structures existing on property.
   i. 2014 6-5: Applicant has acknowledged requirement to underground the lines. Staff comment still valid.
b. Area of Concern No. 1 identifies the local power lines in the northeast portion of the site that cut diagonally and does not appear to be located in an easement. The applicant has not addressed what is to happen to the existing lines. The applicant needs to note that the lines will have to be placed underground. If the lines are not routed through the subdivision, in proposed utility easements, then additional easements may be necessary.
   i. 2014 6-5: Applicant has acknowledged requirement to underground the lines. Staff comment still valid.
c. Area of Concern No. 2: There is an access drive that is shown on the ALTA that is called out as “AREA OF CONCERN NO. 2” and appears to give access to an oil/gas well south of the railroad right of way. The use and ownership/rights of this road need to be clearly identified on the ALTA. If the users of the road has existing rights that need to be met then the applicant needs to show how this is accommodated on the proposed preliminary plat.
   i. 2014 6-5: Staff comment still valid.
d. Notes 6: The locations of the existing housing and outbuilding structures were located by aerial. For Final Plat we will need surveyed information on:
   i. Existing utility locations to service property (water, sewer or septic system, gas, electric).
   ii. What type of water service do the existing residential units have? Well or Left Hand Water? If they are currently on Left Hand Water then they will need to disconnect service with Left Hand when Town water is available with development of the property.
   iii. Show the location of septic systems; if they use septic. Indicate how they will transition to Town sewer.
   iv. Locations of all out-buildings, drive locations, and fenced areas.

v. The developer needs to work with the existing property owners to bring the property into compliance with Town Municipal Code requirements related to elements such as: storage trailers on the property; unregistered vehicles and storage of vehicles, and hazardous structures.
    1. 2014 6-5: Staff comment still valid.

e. Notes 9: The wetland boundaries shown are based on a National Wetlands Inventory from the US Fish and Wildlife website; a biologist or other professional was not consulted in determining the status of the areas. The Town is interested in preserving the larger, eastern wetland as a potential public open space and buffer to Jasper Road. We need to have a more in depth investigation of the wetlands and their current boundaries by a professional that would investigate the site and provide a report and mapping.
    i. 2014 6-5: Applicant has not provided a profession investigation and mapping. Applicant stated they have used survey data and aerial photography to determine the wetland boundary. Staff would still like more information on the site but is willing to put a condition on the approval of the preliminary plat that we need the information submitted with the final plat to confirm the area and that it is a viable wetland and can continue to be a viable wetland into the future with the development of the property.

4. Zoning Map:

a. General Comments:
    i. If the rezoning is approved by the Board of Trustees, the staff will be recommending that it be conditional on approval of the PUD overlay zoning.
        1. 2014 6-5: Comment still valid.
    ii. Title Block:
        1. The acreage will change based on the zone district boundary. Please update accordingly.
            a. 2014 6-5: The acres reported in the title block should be the acres of the zoning map boundaries in total; not each zone districted listed individually.

b. Sheet 1:
    i. Overall Boundary Description:
        1. 2014 6-5: The two legal descriptions, on Sheet 1 should have a title of “Overall Boundary Description” that then lists the north and south half of the property.
        2. 2014 6-5: Change the first legal description title to “Legal Description – North Parcel”.
        3. 2014 6-5: Change the second legal description title to “Legal Description – South Parcel”.
        4. 2014 6-5: The legal descriptions provided are the subdivision boundaries which are not the same as a zoning boundary; please revise.
    ii. Vicinity Map: Please change the vicinity map from an aerial to a simple map. The aerial is dark and hard to read. The style of the vicinity map on the preliminary plat is more appropriate.
        1. 2014 6-5: The vicinity map is much better; however, you need to remove the preliminary plat information of internal roads and lots as a zoning map is approved before the property is to be platted so, legally, none of that exists.
    iii. Zoning Map and Legends: This section should be removed. It is confusing to have two maps that are labeled zoning map. Sheet 2 should simply have the properties, adjacent to this portion of the Wise property, labeled with jurisdiction and zoning.
        1. 2014 6-5: Applicant has not addressed the comment.

c. Sheet 2:
    i. Legal Description – Rural Residential:
        1. 2014 6-5: Remove “Remaining” from the title.
        2. 2014 6-5: Provide a legal description of each of the Rural Residential zone district areas (2-north; 1-south).

d. Sheet 3 and 4:

i. All zone districts adjacent to a street right of way or railroad right of way need to be extended to the center line of the right of way.
    1. 2014 6-5: This has not been addressed in the RR zone district areas. The zoning map is inclusive of all the property. Even though the property is currently zoned RR the new map should show the entire property even if the current RR zoning is remaining in portions of it.
    2. 2014 6-5: Revise any affected legal descriptions to match the map change.
ii. 2014 6-5: On the "RR" zone district labels, delete "Area To Remain". The zoning map is the zoning of all the property even if portions are the same as currently zoned.

e. Concept Plan:

i. Please revise based on the Preliminary Plat application comments listed below.

5. PUD Zoning:

a. Narrative:
i. 2014 6-5: There are errors in the narrative; please review to make sure the narrative numbers match the zoning/plats submitted.
ii. 2014 6-5: Update the maps to clearly show the two parcels currently in the application.

b. Sheet 1:
i. Overall Boundary Survey:
    1. The "LEGAL DESCRIPTION" should be the "OVERALL BOUNDARY DESCRIPTION" of the PUD zoning boundary. Please revise.
        a. 2014 6-5: The applicant has changed to the legal description of each underlying zone district that is on the Zoning Map. This is not the appropriate legal description for the PUD; a simple boundary description is what is needed. Reference examples previously sent to applicant of other PUDs.
ii. Vicinity Map:
    1. Please replace the proposed vicinity map with the vicinity map that is on the zoning map.
        a. 2014 6-5: Not addressed. Please use the vicinity map on the zoning map without lots and tracts shown.
    2. 2014 6-5: Please place the vicinity map, central to the sheet, under the title block.

c. Sheet 2:
i. PUD Map:
    1. Label the Leyner Cottonwood Ditch.
ii. Development Summary Table:
    1. 2014 6-5: The "Parks & Open Space" row should only tally the public parks and open space dedication amounts. You may add another row that lists the non-dedicated open space.
iii. Parks & Open Space Table:
    1. 2014 6-5: The "Open Space" row should only tally the actual open space dedication found on the preliminary plat; not the planning area boundary total as that includes right of way.

d. Sheet 3:
i. Existing Town Erie Dimensional Standards:
    1. 2014 6-5: Remove this table from the PUD document. You should provide this table and the Wise Farms Dimensional Standards Summary Chart as a separate exhibit to illustrate how you are varying the underlying zone district. It should not be on the PUD document because it potentially could be in conflict if the Town amends the Municipal Code in the future.
ii. Development Standards table:
    1. Notes:
        a. Note 1:

i. 2014 6-5: Delete “Front loaded garages shall be set back twenty (20) feet.” The front setback, on the table, is already 20 feet for PA-3 so the statement is not needed.
ii. 2014 6-5: Staff cannot support the note that states “A sixteen (16) foot front setback allowed with side loaded garage.” This statement was in Erie Highlands because they had a principal structure setback of 16 feet. Staff will not support a side loaded garage setback that is less than the principal structure setback.

b. Note 2:
   i. 2014 6-5: Staff will support this note applied to PA-3 (LDR); but we will not support the rear yard setback encroachment language applied to PA-3 (RR). Staff will only support the proposal for a reduced rear setback from 40’ to 30’?

c. Note 3:
   i. 2014 6-5: Add a period to the end of the sentence.

d. Note 4:
   i. 2014 6-5: Staff cannot support the side setback encroachment language in this note as it is not supported by the BOT. We just took another subdivision with the same type of encroachment language to our BOT in which they denied the encroachments (Morgan Hill Subdivision).

e. Note 5:
   i. “FRONT SETBACK (PORCH)” column: The 15’ setback is somewhat more restrictive than what is allowed in MC 10.4.2 A.1.b.v. which is a 6 foot encroachment with a maximum width of 50% of the front façade. Staff will accept this setback but just wanted to be sure the applicant had considered our standard porch encroachment language.
      1. 2014 6-5: Our original comment was not meant as a suggestion to have two regulations as presented in your updated PUD. Staff supports removal of this note so that only the Town’s standard encroachment language will apply.

f. Note 6:
   i. 2014 6-5: Beginning of note doesn’t make sense. Please revise the not to state “PA-1, PA-2, and PA-4 lots that are adjacent to the exterior boundary of Wise Farms shall conform to the underlying RR-Rural zoning setbacks.”

g. Note 7:
   i. 2014 6-5: Modify the note to state “Accessory Dwelling Units (ADU) shall be a Permitted Use by Right in PA-4. For a detached ADU, the minimum front setback shall be 40 feet; and, the minimum rear setback shall be 30 feet. Side setbacks shall follow setbacks listed in the table above. ADUs on PA-4 lots that are adjacent to the exterior boundary of Wise Farms shall conform to the underlying RR-Rural zoning setbacks. All ADUs shall conform to the Standards found in the Municipal Code.”

iii. Land Use Summary table:
   1. “DEDICATED OPEN SPACE” column: Revision of numbers in column needed as indicated in other staff comments about appropriate open space dedication areas.
      a. 2014 6-5: The “Open Space” column should only tally the actual open space dedication found on the preliminary plat; not the planning area boundary total as that includes right of way.

6. Preliminary Plat:

a. Zoning:

i. Please provide an exhibit that overlays the plat map with the zoning and PUD planning area boundaries. This is required to ensure that a single lot or tract is not divided by a zoning/PUD boundary.

1. 2014 6-5: Staff did not find this document in the resubmittal materials.

b. Lower Boulder Ditch:

i. NCWCD's referral letter states that they have ownership of the ditch property; not just an easement. Please confirm and revise documents as necessary.
   1. 2014 6-5: Applicant stated they had confirmed the NCWCD does not have ownership. Please provide the Town with the written documentation from NCWCD ownership.

ii. Locate the centerline of the ditch and illustrate the required 75 foot setback from the centerline on the preliminary plat (MC 10.6.2 B.).
   1. 2014 6-5: 75 foot setback is shown on the Preliminary Plat. Please change note on all plan sheets from "75' DITCH OFFSET LINE" to "75' DITCH SETBACK" to match the requirement in the Code.

iii. Applicant's proposal to vacate NCWCD access and utility easement from Jasper Road will need NCWCD approval. The vacation will need to occur before a final plat of lots in the area of the easement can be approved.
   1. 204 6-5: Comment still valid.

c. Leyner Cottonwood Ditch:

i. 2014 6-5: There appears to be two laterals coming off the ditch. Please identify the water rights holders as they should be notified of these plans.

d. RTD Railroad Right of Way:

i. 2014 6-5: Applicant needs to coordinate all of the impacts of this development on the right of way with RTD as soon as possible. Staff would like to set another meeting with RTD to continue discussions about the street/pedestrian railroad crossing.

ii. 2014 6-5: The applicant is showing several easements and a street right of way across the RTD right-of-way. Typically, you cannot get an easement or another right of way across an existing right of way.

e. Oil/Gas:

i. Encana Well Site (North ½ of Site):
   1. Block 16, Lot 1 (Previously Block 6, Lot 30): The oil/gas well site has to be located in a Tract; not a lot. Please revise all documents to show this as a tract.
      a. 2014 6-5: MC 10.6.14 E.4. requires residential lots to be setback 350 feet from above ground oil/gas well facilities. The BOT has the ability to reduce the setback; however, this newly elected BOT seems reluctant to grant any reductions in setbacks. Applicant should plan on showing the 350 foot setback. Please add the 350 foot setback line to the preliminary plat and label it. This setback can only be reduced to the SUA and Town 150 foot setback once the facility has been fully drilled out.
      b. 2014 6-5: Lot still falls within the oil/gas well setback. You are not in conformance with MC 10.6.14 E. Staff met with the Town attorney to discuss our Code requirements and the SUA the Wise family has entered into. There are conflicts that we cannot resolve related to the existing house and the proposed lot falling within required setbacks. Staff recommends that we set up a meeting with the attorney that represented the Wise family for the SUA to discuss the issue. There may be a need to amend the SUA.
   2. The Encana SUA that was submitted to the Town has the following requirement that has not been met:
      a. You have not included the initial and permanent operations area and the access easement location on the Preliminary Plat.
         i. 2014 6-5: Applicant has not labeled the oil and gas dashed lines added to the plat. Please provide notes for all of the oil/gas well information added to the Preliminary Plat on both the north and south side.

6. **Subdivision Plat.** Owner shall identify the Oil and Gas Operations Areas (both Initial and Permanent Oil and Gas Operations Area) and all access and pipeline easements on its subdivision plats and in all applications for development that it files with a local jurisdiction, and the plats shall include restrictions that no temporary or permanent buildings, structures, or other improvements shall be located, constructed or installed within the Oil and Gas Operations Areas. Owner shall record the subdivision plat in the Office of the Clerk and Recorder of Boulder County and provide written evidence to Encana within fifteen (15) days of recording.

3. In the SUA statement below; the property owner appears to have agreed to restriction of development in the "Initial Oil and Gas Operations Area" until Encana has drilled and completed all 16 wells. This creates a major development restriction that is dependent on the Encana's timing for drilling. The initial area covers the western access road into the site and several lots and roads that would eliminate development of at least 20 lots. The secondary access is required for the development to occur.
    a. 2015 6-5: Secondary access outside of the Initial Oil and Gas Operations Area has been provided, however the western portion of the site is seriously compromised by the Initial Oil and Gas Operations Area and may not be buildable until after drilling has completed.

ii. Property South of Railroad Right of Way:
1. 2014 6-5: Applicant did not submit an SUA for this portion of the property. The future well locations do not match the ALTA.
2. 2014 6-5: Future well sites need to meet MC 10.6.14 E. Please add the information required in this section to the Preliminary Plat.
3. 2014 6-5: Applicant needs to show the proposed access for the existing well site and the required upgrades in MC 10.6.14 A.
4. 2014 6-5: The plans indicate that there are two existing wells to be capped and abandoned. Are these existing above ground well heads now? Capping of the sites shall be in conformance with MC 10.6.14 D.
5. 2014 6-5: The distribution lines for the existing wells need to be illustrated on the plans and are required to be in a minimum 30 foot easement. (MC 10.6.14 B.)

iii. MC 10.6.14 A.1. requires development with existing oil and gas wells and associated above ground production facilities to provide a minimum of a 150 foot setback. When viewing the preliminary plat and the facilities shown of Sheet E10, it does not appear that you are showing the 150 foot setback from all above ground facilities within the current well site.

iv. MC 10.6.14 A. requires the applicant to upgrade the access road and on site facilities and fencing. This should be noted on the plans.

v. MC 10.6.14 E.7. states that the applicant should submit an access plan for the future well, production facilities and pipe lines. The access road should not connect with a local street.
1. 2014 6-5: Applicant did not address this comment.
2. 2014 6-5: Applicant did not locate and identify, on the existing facility, all of the above ground well equipment, the flow line locations, and the access roads. Additionally, applicant needs to show how they have met the requirements for road improvements, fencing, equipment painting, and upgrade of facility berm to metal ring, etc. found in MC 10.6.14.

f. Existing Conditions:

i. The applicant needs to clearly identify elements that are existing conditions and indicate how they are being accommodated, removed or revised. Examples of the types of elements that need to be indicated in the preliminary plat documents include:
1. Existing improvements (utilities, drives, fencing, accessory buildings) that are associated with the two existing homes;
    a. 2014 6-5: Staff accepts applicants request to address with final plat.

2. The farm structures, east of the existing homes, some of which are in the right of way or will be in the future right of way (they are a hazard that will need to be address with the right of way dedication for Jasper Road);
    a. 2014 6-5: Staff accepts applicants request to address with final plat.
3. The access road crossing of the RTD right of way.
    a. 2014 6-5: Not clearly addressed.

g. All Sheets:

i. Title Block:
    1. 2014 6-5: Applicant has changed the project number in the title block; please revise and put the original project number back in the title (PP-13-00012).

h. Sheet 1:

i. "NOTES":
    1. Note 6 (Previous Note 10): You will need to coordinate with Northern Colorado Water Conservancy District (NCWCD) to accomplish the vacation. The vacation will need to be completed before the Town can approve a final plat in the location of the easement.
        a. 2014 6-5: Comment still valid.
    2. Previous Note 12: The Town will want the full dedication of the Jasper Road right of way. The applicant needs to discuss with the Town and the property owner the issue of the existing house in the future ROW for Jasper Road. The proposal to split the house with a Tract does not meet our Municipal Code requirements for a house to be located on a lot.
        a. 2014 6-5: Note removed from Preliminary Plat, however, comment still valid.
    3. 2014 6-5 Note 7: Note that existing access from Jasper Road is to remain for Block 10, Lot 2 conflicts with the information on Sheet E1 that has a plane note that says "Ex. Private Drives to be Removed". Staff supports removal of the existing drives from Jasper since the applicant is showing an alternative drive location off the internal Street B for this lot.
    4. 2014 6-5 Note 8: Staff does not support the Excel easement statement; please remove this note. The easement is being dedicated to the Town of Erie; not Excel. They have rights to use it through our franchise agreement.
    5. 2014 6-5 Note 9: Delete the last line of the WAPA note that states "No trees are allowed within the easement, only low growing plants not exceeding 10 feet in maximum mature height." The Town does not object to the contact information from them; however, any easement restrictions should be in their easement document; not on the plat.
    6. 2014 6-5: At final plat, the Town will require public access easements on all tracts that have walks, trails, and parks.

ii. "TRACT SUMMARY TABLE":
    1. 2014 6-5: Applicant has removed the text from the "Use" column; please revise and add uses.

i. Sheet 2 and 3:

i. 2013 6-5: Label the internal streets.

j. Sheet 4:

i. 2013 6-5: Block 2, Lot 17 does not appear to meet the 100 foot lot width at the 30 foot front setback line.

ii. 204 6-5: The most eastern portion of Block 2, Lot 17 narrows down to only 8 feet in width. This is not a practical lot shape; this area should just be added to the adjacent tracts.

iii. 2014 6-5: Label the 30 foot easement above Block 1, Lot 1 (oil/gas pipeline).

iv. 2014 6-5: The 8 foot utility easement note and arrows, above Block 1, Lot 1, is located in wrong place.

v. Tract C:
    1. 2014 6-5: The gas line within Tract C is shown with an existing easement that dead ends at the quarter section line; is this accurate?

2. 2014 6-5: MC 10.6.14 B. requires all existing oil/gas pipelines be in easements of a minimum of 30 feet wide. Please create a new easement that is 30 feet wide for the facility.

k. Sheet 5:

i. 2013 6-5: Block 4, Lot 6 and 7 do not appear to meet the 100 foot lot width at the 30 foot front setback line.

ii. 204 6-5: The most western portion of Block 2, Lot 10 narrows down to only 8 feet in width. This is not a practical lot shape; this area should just be added to the adjacent tracts.

iii. Tract D:

1. 2014 6-5: Please identify the round circle with the x in it, within Tract D.
2. 2014 6-5: MC 10.6.14 B. requires all existing oil/gas pipelines be in easements of a minimum of 30 feet wide. Please create a new easement that is 30 feet wide for the facility.

l. Sheet 6:

i. 2013 6-5: Label the 15 foot Mtn States easements on the north side of the property.

ii. 2014 6-5: Please identify the round circle with the x in it, within Street X.

m. Sheet 7:

i. 2013 6-5: MC 10.6.14 D. allows an abandoned wellhead to be located in residential lots 1 acre or larger. Staff recommends that you add the area of Tract F, with the abandoned well head, to Lot 15. You will need to show the 25 foot setback to the well head within the lot.

ii. 2013 6-5: What is the 10' irrigation easement that only covers a short segment of Tract E or F? Boundary between them is not clear.

iii. 2014 6-5: Why is the Emergency Access Easement 32' wide? This is an odd width for an easement.

iv. 2014 6-5: Do you have WAPA's permission to overlap the new Emergency Access Easement over their existing easement?

n. Sheet 7 and 8:

i. 2014 6-5: Label the 30 foot easement for the oil/gas line on each sheet; the note is split between the two sheets.

o. Sheet 10:

i. 2014 6-5: Be consistent with the labeling of the sanitary sewer easement in Tract I that goes to Jasper Road.

ii. 2014 6-5: Relocate the sanitary sewer easement in Tract I, that goes to Jasper Road, so that it does not go through the historic structure (see Sheet E9).

iii. 2013 6-5: Block 10, Lot 11 does not appear to meet the 55 foot lot width at the 20 foot front setback line.

p. Sheet 11:

i. 2013 6-5: Block 5, Lot 7 does not appear to meet the 55 foot lot width at the 20 foot front setback line.

q. Parks, Open Space & Trails:

i. Trails:

1. OSTAB trail plans indicate that they foresee future trails coming from Boulder Creek, south of the Wise property, through the property to Leyner Cottonwood; along Leyner Cottonwood; along Lower Boulder Ditch; and, along the railroad right of way owned by RTD.
   a. 2014 6-5: Comment still valid. Applicant has significantly reduced the trails in the subdivision. Very limited and often, short, dead-end trails are now proposed. Without the railroad right of way crossing there is not pedestrian connection between the north and south. A more coherent trail system with looping and connections to major trail corridors needs to be worked on. See OSTAB comments and staff trail redlines.
2. 2014 6-5: Trail connection on south should not dead-end into an emergency access unless the applicant proposes to build the access as a trail that meets Town standards.

3. 2014 6-5: Trail along railroad right of way is severely restricted in placement by the 15 foot communication easement and the 30 foot gas line easement. (See Sheet E1) Applicant has created a dead end trail that does not have a sidewalk connection on 119th nor any trail loop back to the internal streets on the west end.

ii. Pocket Park:
   1. The applicant needs to provide an individual tract for the 0.43 pocket park that would be owned and maintained by the HOA or a Metro District. The Town does not own or maintain pocket parks.
      a. 2014 6-5: There should be a trail through the area that would link into a trail system.
   2. The pocket park must meet the criteria in MC 10.6.3 B.4.. The pocket park does not appear to meet the following pocket park criteria:
      a. the pocket park shall be centrally located within the neighborhood to be served: and,
         i. 2014 6-5: The park location is central to the north neighborhood only. The south side of the development does not have any direct access to the park amenity.
      b. The applicant should provide a pocket park detail that identifies and lists how the park has met the Parks, Recreation, Open Space, and Trails (PROST) Master Plan Pocket Park Design Standards. List the elements that the applicant has chosen to use in the pocket park under each of the pocket park components. List A Infrastructure, List B Pre-selected Components, List C Components of Choice, and List D Comfort and Convenience Features.
         i. 2014 6-5: Please provide a table that summarizes the number of plant materials that have been provided to illustrated that you have met the minimum that has been doubled to meet the List D requirements.
   3. Other Design Issues:
      a. 2014 6-5: The "Pocket Park Enlargement" (Sheet L5) should be at a standard engineering scale; not 1"=16'.
      b. 2014 6-5: Sheet L5 Pocket Park Components; provide a summary of the plant materials and quantities for the pocket park to illustrate that you have met the minimum quantities required for the pocket park.
      c. 2014 6-5: Why doesn't the entry walk of the pocket park align with the handicap ramp to the street crossing?
      d. 2014 6-5: Where are the handicap entries into the play areas?

iii. Neighborhood Park:
   1. The Town will request that the applicant pay the fee in lieu for the park dedication requirement that is based on the number of units platted and as required in MC 10.6.3 B.7. The fee in lieu payment is calculated at the time of final plat and is included in the development agreement for the subdivision. The fee in lieu payment is calculated once the applicant has supplied the Town with an appraisal of the fair market value of the property based on the developable land within the final plat application and the zoning of the developable land.
      a. 2014 6-5: Comment still valid.

iv. Community Park:
   1. Fee in lieu for the park dedication requirement will be required at final plat and as required in MC 10.6.3 B.7.
      a. 2014 6-5: Comment still valid.

v. Open Space:
   1. The Town is most interested in public open space that includes the wetland; followed by potentially the open space buffer being created on the eastern side of the property. We are not interested in obtaining areas for public open space dedication along the ditch, railroad, detention pond or well site.

a. 2014 6-5: During our Development Review Team meeting, Public Works indicated that the engineering design is redirecting storm water away from the wetland and that due to the high water table problems that the applicant will most likely design underdrains that will eliminate water from the wetland. Public works felt that once the development was developed the wetland would dry up. The Parks & Recreation Department and the Open Space and Trails Advisory Board would like to see the wetland preserved. We need more information on the long term viability of the wetland and how your design will preserve this feature.
b. 2014 6-5: The Parks and Recreation Department has evaluated the new configuration of the proposed dedication of open space dedication in Tract I and G and has the following comments:
    i. Tract I is desirable as an open space dedication with conservation of the wetland.
    ii. Tract I should not include the historic structures; the Town does not want ownership or maintenance responsibility.
    iii. Tract I wetland area should have a trail system around the outer edge of the wetland tract. This can be inclusive of the walk along Jasper Road and Street B.
    iv. The Tract I wetland trail should connect into the pocket park.
    v. Tract G north of the fencing for the Lower Boulder Ditch is desirable as dedicated open space, if the wetland is preserved.
    vi. As currently designed, Tract G from the Lower Boulder Ditch to the railroad has very little public open space value. The ditch is fully fenced off, there is little road frontage for access, there is a small internal loop trail that does not connect to anything, and there is no access provided to the southern half of the property. As designed, this area of Tract G is not desirable as dedicated open space.
    vii. If the applicant were able to provide a pedestrian access from the lower portion of Tract G to the spine trail on the south side of the railroad tracts then the lower portion of Tract G would be more desirable as dedicated open space.

2. Staff is concerned about the historic buildings adjacent to this wetland as they have not been maintained and appear to be a safety hazard to open space users and to Jasper Road users. The future of these structures have not been clearly addressed in the application materials.
    a. 2014 6-5: Applicant has not proposed a solution. The buildings are shown located in future Town right of way and Tract I of proposed open space dedication to the Town. The Parks and Recreation Department does not want the buildings dedicated as part of the public open space dedication.

r. Native Tree and Vegetation Survey and Protection Plan:

i. The applicant has provided a Tree Inventory only. The applicant needs to submit a protection plan that identifies all of the trees that will be preserved and those that will be removed (MC 10.6.2 C). They also need to provide a statement on the protection plan that they will meet the UDC tree protection and tree pruning requirements. Healthy trees that are proposed to be removed will need to be replaced as required in the UDC; the applicant should provide a table that summarizes the diameter of the healthy trees being removed and the diameter of trees that is needed for replacement.
    1. 2014 6-5 Sheets L7-8: The columns “Mitigation Inches” and “Value” should be removed from the table as they are not related to the Town Municipal Code requirements.
    2. 2014 6-5: The Parks Department will be sending the Town Forester out to the site to confirm the information provided in the tables. Once their review is completed, the Town will follow up with any recommendations.

ii. The historic character of Jasper Road should be maintained in that any trees that are proposed to be removed should have appropriate tree replacements that create and continue the historic feel of a tree lined roadway.
    1. 2014 6-5: Applicant states that they have added tree replacements to create and continue the historic feel of a tree lined roadway; however, the Landscape Plan does not appear to include replacement trees in the road right of way areas they are being removed. Jasper Road does not appear to have street trees proposed to meet the minimum street tree requirement. Comment still valid.

s. Landscape Plans:

i. 2014 6-6 MC 10.6.4 E.1.: All street frontages of tracts are required to have 1 tree per 40 linear feet of street frontage. They do not need to be located every 40 feet but you need to provide the minimum number of trees within the right of way or close to the right of way to qualify as meeting the street tree requirement. The proposed plan appears to be grossly lacking in street trees. This requirement is not only applied on internal streets adjacent to open space tracts but along the full Jasper Road and 119th Street frontages.

ii. 2014 6-5: Add a table that summarizes the street tree requirement per street.

iii. Add street light locations, styles and color (see attached sheets for street light types).
    1. 2014 6-5: Street lights were added to the Landscape Plans for some of the internal roads but styles and colors were not identified.
    2. 2014 6-5: Street lights are required to be installed on all internal streets as well as Jasper Road and 119th Street. Street light spacing needs to be updated to meet our Town Standards and Specifications.

iv. Will there be any entry/monument signs for this subdivision? If so, please add locations and sign details. Signs would need to meet MC 10.6.12 requirements.
    1. 2014 6-5: Signs are not allowed to be placed in the right of way (MC 10.6.12 C.5.).
    2. 2014 6-5: Fences are not allowed to be placed in the right of way (MC 10.6.4 H.4.).
    3. 2014 6-5: Structures - monuments/pedestrian cross member (structures) are not allowed in right of way. (Sheet L3)
    4. 2014 6-5: Please provide details of the monumentation on the east side of Street B (Sheet L3).

v. All tracts need to show ground cover or other ground improvement (trails, ditch improvements, etc.).
    1. 2014 6-5: Applicant has not included ground cover on many tracts. This property was/is farmed and needs restoration to native plant materials as required in the Municipal Code. Leaving areas blank and/or labeling as undisturbed does not meet the requirements of the Code.

vi. 2014 6-5: Landscape medians in road right of ways will be the maintenance responsibility of the HOA. This is typically identified in the development agreement drafted by the Town at the time of Final Plat.

vii. Trails should not be located in the future gas line easement, except perhaps to cross it, as indicated in the SUA.
    1. 2014 6-5: Applicant has relocated the gas line easement so that it eliminates several trail opportunities and majorly restricts the ability to meander the trail along the railroad corridor. Staff does not support the elimination of trails due to realignment of the gas line.

viii. The access road that crosses the railroad has not been accommodated in the plans.
    1. 2014 6-5: Comment still valid.

ix. 2014 6-5: Label the Tracts on all sheets.

x. 2014 6-5: The plant materials on the plans need to have the plan code and number of plants in a grouping identified on the plants. The use of an individual symbol, only, is confusing.

xi. 2014 6-5: Why isn't the "Rain Garden" planting shown on the Landscape Plans. A more organic form would be appropriate.

t. Drainage Report & Plan:

i. See grading plan comments below.

u. Grading Plan:

i. Detention Pond: The pond does not appear to meet the MC 10.6.4 E.9 requirements for a detention pond to have a naturalized shape and naturalized landscaping.

1. 2014 6-5: The detention pond in the north part of the site still does not appear to have much of a naturalized shape. The applicant has added more trees to the pond; but a naturalized landscape should include some native shrubs and potentially native flower mix. The pond is approximately 10 feet deep from the internal road.
2. 2014 6-5: The detention pond in the south part of the site does not have a natural shape; does not have naturalized landscaping; and, is approximately 14 feet deep from the road.

v. Utility Plan:

i. Water:

1. The water line is proposed to be looped through Boulder County roads and property in Boulder County. Applicant will need to coordinate with Boulder County to access their requirements for installing the proposed improvements.
   a. 2014 6-5: Comment still valid.
2. It appears that off-site easements may be required for the water line looping that does not fall within a street right of way. Obtaining the easements will be a requirement for the Final Plat.
   a. 2014 6-5: Comment still valid.
3. The routing of the water line shows crossings of the railroad right of way that is owned by RTD, the NCWCD ditch and many other easements. Permission to cross these owners and easement holders' interests will be required at Final Plat. Staff has noted that several easement holders in Kenosha and Erie Village have not been represented on your plans (Xcel major power lines; Encana gas line; etc.).
   a. 2014 6-5: Comment still valid.

ii. Storm Sewer:

1. 2014 6-5 Rain Garden:
   a. A new "rain garden" has been added, just east of the wetlands. The drainage report and utility plans and landscape plans do not appear to provide details of what this is and how water is conveyed to it. There appears to be a conflict with conveyance as a type of drive cut is shown in the same location as the sidewalk (Sheet E4).
   b. Why is the shape of the rain garden square; it is located in an open space area and should be naturalized.

w. Street Plans:

i. Street Connectivity:

1. 2014 6-5: MC 10.6.5 D.2. requires developments to provide vehicular and pedestrian connections to adjacent properties. The property to the west of the southern half of the property does not have street access provided. Emergency access requires 2 access points.

ii. Jasper Road:

1. Plat all of those portions of Jasper Road, located in the Town from 119th Street to the western edge of the property, that have not already platted by the Town in previous Wise plats.
   a. 2014 6-5: Comment still valid. Applicant is still only showing the new 20 feet of right of way being dedicated along the frontage of the property. Applicant states they will not add the additional right of way.

2. The road classification for Jasper Road is a Major Collector (80' right of way). It appears that the appropriate right of way dedication of an additional 20 feet is being dedicated.
    a. 2014 6-5: Applicant needs to add a sidewalk along Jasper Road frontage.
3. Dedication of an additional 20 feet on Jasper Road puts the historic farm structures within the future right of way. This is an issue for the Town.
    a. 2014 6-5: Applicant has not addressed; comment still valid.
4. The house on Lot 1, Block 10 will be in the right of way with the dedication of 20 feet on Jasper Road. This is an issue for the Town.
    a. 2014 6-5: This lot is now called Block 10, Lot 20. Comment is still valid.
5. Dedication of an additional 20 feet on Jasper Road puts an accessory structure on Lot 31 and an internal loop road within the future right of way. This is an issue for the Town.
    a. 2014 6-5: This lot is now called Block 16, Lot 1. Comment is still valid.
6. 2014 6-5: Applicant is proposing to remove the existing drive accesses to the existing house (east). Staff supports this. The new drive location is off Street B; staff supports this.

iii. 119th Street:
1. 2014 6-5: 119th Street is designated as a minor arterial which requires a 120 foot right of way with 30 foot landscape easement.
2. 2014 6-5: Add sidewalks.

iv. Local Street with Attached Walk (Sheet E1):
1. 2014 6-5: The attached walks, proposed for the southern half of the property, do not meet the MC 10.6.5 F.1. requirements for detached walks. Staff does not support the proposed attached walks.

v. UDC 10.6.5 F.2.c.: This section states "Within all developments, to the maximum extent reasonably practicable, pedestrian ways, crosswalks, or multi-purpose trails no less than 5 feet in width, located within a tract or easement a minimum of 30 feet in width, shall be constructed near the center and entirely through any block that is 900 feet or more in length."
    a. 2014 6-5: Block 2, Lots 1-7; block length is over 900 feet.
    b. 2014 6-5: Block 2, Lots 8-15; block length is over 900 feet.
    c. 2014 6-5: Block 4, Lots 3-14; block length is over 900 feet.

vi. Cul-de-sacs:
1. 2014 6-5: MC 10.6.5 D.2.e. requires cul-de-sacs have a 35 foot tract with a pedestrian trail at the end of them that connects to a trail or sidewalk.

vii. 2014 6-5: Sidewalks should not dead-end without a transition to the adjacent street.

viii. Emergency Access Southwest (Sheet E1):
1. 2014 6-5: What is this access really for? It appears to be more of a well access road?

ix. Curb Exhibit: At final plat submission you will need to provide a curb exhibit that clearly indicates the location of the mountable curb and vertical curb on a map. Typically, vertical curb or a mountable curb with low fencing behind it is provided for all streets that are adjacent to open space, parks and landscape tracts.
1. 2014 6-5: Applicant stated that the preliminary road plan identifies the curb types but only mountable curb is reflected on the cross sections for the local streets. Comment still valid.

2. Threatened & Endangered Species/Wetlands; and, Cultural, Archaeological, and Historic Report:

a. Wetlands:

i. We did not get a current evaluation of the existing wetlands and a boundary map. Please provide one.
1. 2014 6-5: Applicant response was that they used current aerial photography and survey data to determine limits of wetlands. If the applicant chooses not to address this request at Preliminary Plat, the staff will ask for approval of the Preliminary Plat and dedication of the

open space be based on a full evaluation at Final Plat. If you wait to Final Plat and a professional evaluation shows differently than the Preliminary Plat, the Town can ask for modifications or chose not to accept the open space dedication.

ii. ERO summarized a previous wetland assessment that was prepared by Western Ecological Resource, Inc. A date for the report was not given; nor was the original report submitted with the application materials. Please submit the Western Ecological Resource assessment that is referenced.

1. 2014 6-5: Applicant has not yet submitted the document.

b. Bird Nesting: The Natural and Cultural Resources Assessment states that removal of any trees has the potential to destroy nests and will reduce nesting habitat on the parcel. The Assessment recommends that if trees are to be removed they should be removed between September and March to avoid the nesting season.

i. 2014 6-5: Comment still valid.

c. Cultural Resources: Staff will wait for recommendations from referral agencies on this report. The report states:

i. 2014 6-5: The Town just sent out a referral to the Colorado State Historic Preservation Office. We will forward any comments when they have reviewed.

The Colorado State Historic Preservation Office (SHPO) considers all linear resources to be eligible to the NHRP, unless proven not eligible through research and documentation of the *entire* linear resource. So, although not listed on the registers, the Lower Boulder Ditch and Union Pacific Railroad may be eligible for listing. Some structures on the property, including the two buildings associated with the old wood mill, may be old enough to be potentially eligible for listing as well. These potentially federally-eligible resources typically only need to be evaluated if there is a federal nexus, such as obtaining authorization from the U.S. Army Corps of Engineers for work on the Lower Boulder Ditch. There are no state regulations regarding unlisted state-eligible properties.

Development of the property would not affect any state or federally-listed historic resources. The potentially eligible resources would require evaluation only in the event a federal action such as CWA Section 404 Permit authorization is required.

3. Environmental Site Assessment Report (Phase I):

a. The report stated concern over an oil/gas well but it is located on the south half of the Wise property and is not a part of this preliminary plat application.

i. 2014 6-5: The applicant has added the southern half of the Wise property in which the well site of concern is located. Will the applicant be submitting a Phase II report or will they be working with the mineral right owner to update the well site with a steel berm and updated tanks?

The abandoned Union Pacific Railroad tracks and the Lower Boulder Ditch traverse the central portion of the site. Numerous unimproved roads traverse the property including two that lead to the currently producing, on-site Wise 1-14 X oil and gas well. Due to the age of the well and concrete

tank used to store the condensate, **AGW identifies the Wise 1-14 X producing oil and gas well and associated tank battery as a recognized environmental condition in relation to the subject property.**

4. Soils Report and Undermining:

a. How are you addressing the issue of high ground water in most of the subdivision?
   i. 2014 6-5: Applicant states that foundation drains will be designed throughout the site. How will this affect the existing non-jurisdictional wetland that the Town is interested in preserving?
b. 2014 6-5: CGS recommends that the applicant remove the mine subsidence risk from Block 1, Lot 3 and Block 3, Lot 1.
c. 2014 6-5: CGS just sent us photos of a subsidence event on a lot in Brownsville adjacent to your southeastern corner at 4049 119th Street. Our mine maps show a mine shaft in this location. Below are photos we received from CGS.

REFERRAL AGENCIES

Below is a list of the referral agencies that were sent the applicant materials for review. We have listed which ones need a third referral; ones that have responded that do not need another referral; and those that did not respond.

Follow-Up Referral Packet Required:

a. Community Development: See comments above; applicant response required.
b. Public Works: See attached comments; applicant response required.
c. Parks & Recreation: See attached comments; applicant response required.
d. Colorado Geological Survey: See attached comments; applicant response not required. Review comments and follow-up reports/documentation recommendations should be followed. For the Preliminary Plat the applicant should remove the mine subsidence risk from Block 1, Lot 3 and Block 3, Lot 1 as recommended by CGS.
e. Xcel Energy: See attached comments; applicant response required.
f. Kerr-McGee Oil & Gas Onshore: See attached comments; applicant response required.
g. New Consolidated Lower Boulder Reservoir and Ditch Company – Attorney Jeffrey Kahn: See attached comments; applicant response required.
h. New Consolidated Lower Boulder Reservoir and Ditch Company – President Eric Doering: See attached comments; applicant response required.
i. Northern Colorado Water Conservancy District (NCWCD): See attached comments; applicant response required.
j. OSTAB (Open Space and Trails Advisory Board): See attached comments; applicant response required.
k. Town of Erie Water Attorney: See attached comments; applicant response required.

Follow-Up Referral Packet Not Required:

a. Boulder County Transportation Department: See attached comments; applicant response not required.
b. Boulder Valley Conservation District (NRCS): See attached comments; applicant response not required.
c. Colorado Parks & Wildlife: Applicant should integrate the recommendations into the final plat submittal; applicant referral response not required.
d. Felsburg, Holt & Ullevig: See attached comments; applicant response not required.
e. Leyner Cottonwood Ditch Company: See attached comments; applicant response not required.
f. Mountain View Fire Protection District: See attached comments; applicant response not required.
g. St. Vrain Valley School District: See attached comments; applicant response not required.
h. Urban Drainage: See attached comments; applicant response not required.

Referral Agencies That Did Not Respond:

The Town did not receive referral comments from the following agencies. If an agency response is sent to the Town after this memo is forwarded to the applicant, then the Town will forward the information as quickly as possible.

- Century Link Communications
- Comcast Commercial & Residential
- EnCana
- High Plains Library District
- Noble Energy
- RTD
- Western Area Power Administration (WAPA)
- State Historic Preservation Office (SHPO); staff sent late referral to this agency so we requested a response by 6/27.

Pocket Park Components Wise Farms

Developed Pocket Parks are required to include a combination of the following components, according to the formula in the above section.

List A Infrastructure – (All Required)

1. Benches (two minimum). 2 shown
2. Bicycle Racks (min. to serve four bikes). 1 shown
3. Dog pick up station. none shown on plan or detail sheet
4. Identification sign (clearly specifying contact number for maintenance or other concerns).
5. Individual shelter with two picnic tables. 4 shown
6. Irrigation. assumed but not shown
7. Open turf area (min. size 3,000 sf, max size 15,000 sf). only adjacent area is detention area, with no direct / ADA access
8. Sidewalks (ADA accessible).
9. Trash receptacles (minimum of two). 2 shown
10. Plant Materials:
    a. Five (5) deciduous trees.
    b. Three (3) ornamental trees.
    c. Two (2) evergreen trees.
    d. Twenty (20) shrubs.
    e. Twenty four (24) perennials. TBD
    f. Three (3) ornamental grasses. TBD

List B Pre selected components – (Select 2)

1. Display garden.
2. Group picnic shelter (min. size 500 sf and four tables in place of individual shelter in List A).
3. Loop walk (min. length 2,000 lf).
4. Natural area (min. size 10,000 sf).
5. Multi level play structure.

List C Components of Choice – (Select 3)

If not selected in list A or B

1. Loop walk (min. length 2,000 lf – if not used as a pre-selected component).
2. Natural area – min. size 10,000 sf (if not used as pre-selected component).
3. Multi-level play structure (if not used as pre-selected component).
4. Individual shelters with two tables (in addition to shelter in List A or group shelter in List B).

Additional components:

5. Basketball (one full court).
6. Bocce ball.
7. Boulder play area or climbing structure.
8. Community garden.
9. Fitness course.

Pocket Park Design Standards

Pocket parks are small parks that are provided by the developer of a subdivision and maintained by the development. They provide opportunities for passive outdoor recreation at a sub neighborhood scale. They are ideally located within one-quarter (1/4) mile of the residences that they are intended to serve and may include lawn areas, picnic shelters and tables, play equipment, artwork or other amenities that are appropriate for the demographics and types of activities that the neighborhood may desire. Pocket parks shall be:

- One-quarter (¼) to two (2) acres in size.
- Centrally located within or to neighborhood(s) served.
- Bordered on at least one side by public streets, excluding collector and arterial streets, to provide easy public access, visual surveillance, and parking.
- Accessible from the surrounding neighborhoods using sidewalks and/or trails. NO ACCESS from south portion of sub-division
- Owned and maintained by an HOA or Metro District.
- Platted with a dedicated public access easement.
- Constructed to Town standards for public improvements.

All proposed pocket parks must have the following elements:

- **Required infrastructure** (all of the items in **List A**).
- **Components:**
  - *Pre selected components* (**List B**) – Quantity of two (**2**).
  - *Components of Choice* (**List C**) – Quantity of three (**3**).
- **Comfort and Convenient features of choice** (**List D**) – Quantity of two (**2**).

See the lists A-C on the following pages.

Note: Park components must meet the Town of Erie Park Construction Standards and Specifications for Design and Construction of Public Improvements, *as applicable.*

10. Handball.
11. Horseshoe pits.
12. Open turf sculpted as a play berm, mound or hill with a minimum three-foot height.
13. Other play features that include swings, spring toys, sand play, dramatic play, tetherball, etc. (include at least three).
14. Outdoor classroom to seat 20.
15. Public art.
16. Shuffleboard.
17. Tennis.
18. Volleyball.
19. Water spray ground.
20. Water feature (A passive, water-based amenity such as fountains, ponds, or waterfalls).
21. Or equivalent component as approved by Town of Erie.

List D Comfort and Convenience Features – (Select 2)
All may be counted only once, except as noted

1. BBQ grills (min. one per every two tables). 2 shown
2. Benches (min. two per acre, in addition to benches in List A).
3. Drinking fountain (may include dog bowl attachment).
4. Electricity and lighting to shelter for night use (counted one per item).
5. Landscaping (results in double the 'List A' landscaping requirements).
6. Picnic tables (in addition to those in List A, B, or C).
7. Shade structures for components from List B or C (other than List B shelters) counted one per item.

No other item shown on plan to meet List D requirements

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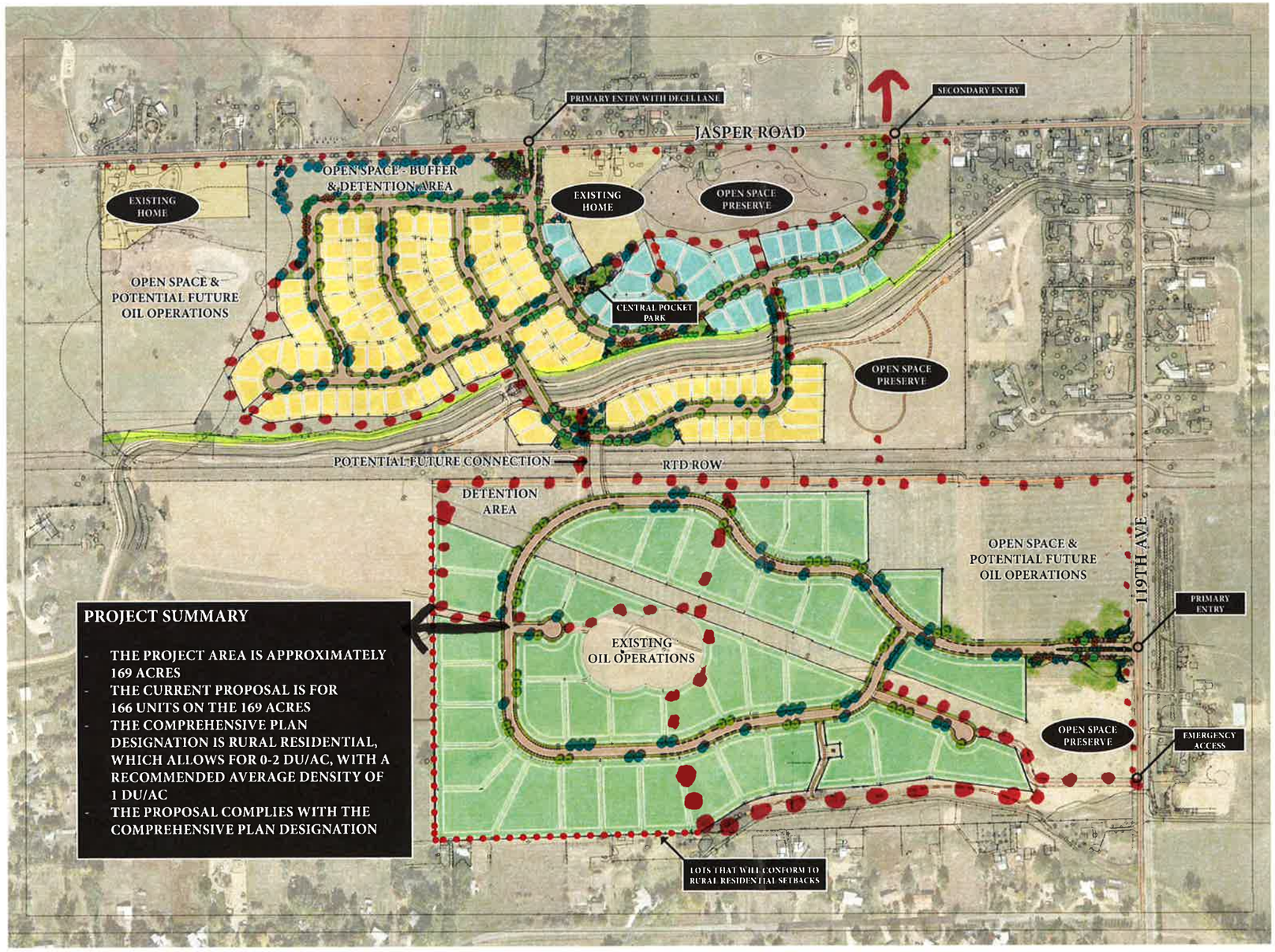
CONCEPT PLAN EXHIBIT



PROJECT SUMMARY

- THE PROJECT AREA IS APPROXIMATELY 169 ACRES
- THE CURRENT PROPOSAL IS FOR 166 UNITS ON THE 169 ACRES
- THE COMPREHENSIVE PLAN DESIGNATION IS RURAL RESIDENTIAL, WHICH ALLOWS FOR 0-2 DU/AC, WITH A RECOMMENDED AVERAGE DENSITY OF 1 DU/AC
- THE PROPOSAL COMPLIES WITH THE COMPREHENSIVE PLAN DESIGNATION

LEGEND

AREA WITH LOTS FROM 5,000 - 9,999 SF (60' MINIMUM WIDTH) - 98 UNITS

AREA WITH A PORTION OF LOTS OVER 10,000 SF (70' MINIMUM WIDTH) - 27 UNITS

AREA WITH LOTS OVER 10,000 SF (100' MINIMUM WIDTH) - 39 UNITS

200' 600'
100' 400'

Trail

CVL CONSULTANTS

CDPRT 6-5-2014

WISE FARMS

PREPARED FOR:
JASPER LAND INVESTMENTS, LLC
9162 S. KENWOOD COURT, CO - 80126

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ILLUSTRATIVE DEPICTION, SUBJECT TO CHANGE. 4-21-2014

TOWN OF ERIE
1874

MEMO

To: Deborah Bachelder
From: Matt Wiederspahn, P.E., CFM, Development Engineer
Date: January 20, 2013
Subject: **Wise Farms Preliminary Plat**
CC: Russell Pennington
Wendi Palmer

Comments on Preliminary Plat:

1. On sheet 1, note 10 states that the existing accesses on Jasper Road for the existing houses will remain. These accesses will not remain once Jasper Road is built out and so they must be relocated to connect internal to the new development.
2. On sheet 5 and 6, the drainage easement for the swale along Street C is located on Block 10, Lot 1. This swale will need to be in a separate tract.
3. On sheet 6:
    a. The proposed Tract E will need to be dedicated as right-of-way for Jasper Road. Any structures impacted by the dedication will need to be addressed by the applicant.
    b. Tract H should not extend into the Jasper Road right-of-way,
4. On sheet 7, a waterline easement is shown on Block 1, Lot 6. The Town does not allow Town utilities to be placed on residential lots. This water line will need to be place in an easement on a tract.
5. All lots fronting onto Street B have been offset so as to not directly front onto the street. Street B will be classified as a residential collector which does allow houses fronting directly to it and so the offset is not needed.

Comments on Preliminary Drainage Report:

1. The title of the study needs to be a Phase II Drainage Report.
2. The Town's standard engineer's certification and town acceptance wording needs to be used and can be provided.
3. Several of the detention ponds seemed oversized. The Town strongly encourages using Urban Drainage's design worksheet for detention pond sizing (UD-Detention v2.34).
4. Several walkout lots in Basin 155 drain to the existing wetlands area un-detained. All flows from developed lands must be detained and provide water quality.
5. There is no discussion of how the flows from Basin 140 will cross the Lower Boulder Ditch.
6. The pond outfall across Jasper Road is not on the Wise property to the north and therefore is not covered by the Drainage Easement agreement. If this is the continued location of the outfall, easements and an agreement from the private property owner will be required to outfall onto their property.
7. A swale is shown behind Block 9 to capture flows from the developed lots. However, the grading plans show this area to be practically flat. The Town recommends changing these lots to "A" lots to remove the need for a swale behind them.

Comments on Utilities:

1. A Preliminary Utility Study was not provided. Please refer to section 162.01.01 of the Town's Standard and Specifications for requirements of the study.
2. The proposed off-site water lines will most likely require Boulder County 1041 permits. It is applicant's responsibility to coordinate with Boulder County in obtaining these permits.
3. The 12 inch water line in Jasper Road will need to be extended along the entire frontage to the west. A 12 inch water line stub also needs to be provided to the south west corner of the site as well. Please refer to the Town's water master plan for general line locations.
4. Any construction documents showing proposed ditch crossings must be approved by the ditch company prior to Town acceptance of any documents. The Town has no approval authority for and is a separate entity from all ditch companies.

Comments of Preliminary Construction Plans:

1. Jasper Road is classified as a Major Collector in the Town's Transportation Master Plan. The proposed Jasper Road cross-sections and improvements do not match the Town's standard Major Collector cross-section. The Town at a minimum expects that the initial improvements will safely provide for the Town's Rural Arterial and will require a fee-in-lieu for construction of a Major Collector. If the applicant desires a "finished edge," the Major Collector cross-section can be built with no fee-in-lieu.
2. Preliminary roadway profiles were not included, so vertical road design characteristics could not be checked for compliance with Town design standards.

TOWN OF ERIE
1874

MEMORANDUM

To: Deb Bachelder, Community Development

From: Gary Hegner, Parks Division Manager

Date: January 18, 2014

Subject: Wise Farms Subdivision Preliminary Landscape Plan and Tree Inventory Notes

Tree Inventory:

1) The Tree Inventory does not show any recommendations to keep or remove trees shown within the Inventory-update Inventory to reflect recommendations.
2) Trees also need to be identified within the Landscape Plan, also showing trees that are recommended for removal or for salvage. Also, all invasive species, specifically Russian Olive, should be removed regardless of condition.

Preliminary Landscape Plan:

1) As noted above, show all trees to be salvaged (and removed) within the Landscape Plans. Follow Standard and Specification 1012. (Protection of Existing Vegetation) for all trees to be salvaged.
2) Within Plan, show only trees that will be planted by the Developer, and not each residential tree.
3) Identify native seeded plots as being temporarily irrigated during the warranty period
4) Identify native seed varieties-there are six (6) different native seed types shown, none of which correlate to the Town's approved Native Seed mixtures. Review the Town Standards and Specifications, Section 1034.04, for further information.
5) Review tree locations near intersections. Trees should be planted a minimum of 55' from corners. Sight clearances shall be noted on all intersections.
6) Ash trees must be substituted with another approved tree species. No *Fraxinus* trees will be approved for planting due to the recent Emerald Ash Borer findings in the area, and the resultant quarantine, of which Erie is a part of.
7) Review all trees, and use the accepted 10/20/30 rule (no more than 10% of any one species, no more than 20% of any one genus, and no more than 30% of any one tree family). Also, see the Town's Standard and Specification 1062.07 (Plant Materials) for more information. Currently there are far too many oaks (Quercus genus) shown on the Preliminary Plan.
8) When connecting trails at intersections, round corners so that access by pedestrians/bicyclists, as well as maintenance equipment, is improved, minimizing wear/damage to adjacent landscaping or turf. See the Town's Standards and Specifications, Parks section Standard Detail Sheets for more information.
9) Within the Final Plat, show all detail sheets for amenities such as picnic shelters, trash cans, bike racks, grills, benches, etc.
10) No landscape border edging is shown. Utilize 6" x 3/16" green painted steel edger, per Town Standard 1062.04 (Edging) and show these locations on each page's Legend.
11) Within Legend, no symbol is shown for 'Existing Trees To Remain".
12) Within Landscape Plans, show all street sign locations, as well as all street lights, and note each within Legend.

Department of Community Development

Planning and Building

The Town of Erie
645 Holbrook St.
P.O. Box 750
Erie, CO 80516
(303) 926-2775
FAX (303) 926-2706

Memo

To: Jim Dullea

From: Deborah Bachelder

Date: January 21, 2014

Re: Community Development Review Comments from Development Review Team Meeting on January 16, 2014 for:

1. RZ-13-00070: Wise Farms Rezoning Application
2. PUD-13-00071: Wise Farms Planned Unit Development (PUD) Application
3. PP-13-000012: Wise Farms Preliminary Plat Application

cc: John Prestwich; Marty Ostholthoff, Matt Wiederspahn, Gary Hegner

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Comments:

Community Development has reviewed Wise Farms Rezoning, PUD, and Preliminary Plat application for conformance with Municipal Code, Title 10. The application was reviewed at January 16th Development Review Team (DRT) meeting.

Referral agency packets were sent out and referral responses that have been received by the Town are being forwarded to the applicant for review and response. Those referral comments received by the Town after the date of this memo shall be forwarded on to the applicant.

Comments were made by several Town Departments and referral agencies that need to be addressed by the applicant. A list of the referral agencies that have responded and need to be provided with an applicant response are listed at the end of this memo. Please make the appropriate revisions to the application materials and provide written response to address each of the written comments from staff and referral agencies. The resubmittal to the Town for a second review should contain:

- a PDF of all of the revised information submitted and all of the referral responses submitted by the applicant;
- 4 sets for staff of all updated materials (include 3 hole punched 11x17 plans for notebooks and 24x36 plans).
- 3 paper copies of each of the referral response letters to staff.
- 1 paper copy of all the referral response letters to outside agencies for the Community Development file.
- Outside referral agencies that need to be referred for a second review need a response letter addressing their concerns and comments and any updated materials that may be needed to address the referral agency comments. Each outside agency packet shall be submitted in unsealed, Tyvek mailing envelopes, addressed to the appropriate agency, with all materials folded and compiled. Do not place postage or a return address on the envelope.

Process:

The next step for the applications is revision and resubmittal for another referral and Development Review Team review. Further review is necessary before scheduling public hearings for the applications.

In addition, all three applications require the applicant hold a neighborhood meeting. Details on the requirements of the neighborhood meeting can be found in UDC 10.7.2 D. The applicant is responsible for scheduling and holding the meeting, mailing notices, posting the property with meeting notice signs, submitting to the Town a summary of the meeting and an affidavit of posting. I have attached the affidavit of posting that will be required to fill out and submit.

Community Development Comments:

1. **Comprehensive Plan:**
   a. The Town of Erie Comprehensive Plan identifies this area as a RR-Rural Residential Land Use. The RR land use has a density range of 0-2 dwelling units per gross acre; however, gross densities will not typically exceed 1 dwelling unit per acre (Comp Plan pg. 4-2). The applicant is proposing 128 lots on 86 acres which is a gross density of 1.49 dwelling units per acre. The applicant has stated in meetings with staff that they will be submitting development applications for the southern half of the property that will bring the overall density down to 1 dwelling unit per acre. The applicant will need to process the north and south portions of the property concurrently in order to avoid having to submit a comprehensive plan amendment for the north half of the property.
2. **Natural Areas Inventory:**
   a. Site #42 is located on the Wise property in the location of the eastern wetland and extends to the Lower Boulder ditch. The report states that there are reports of yellow-headed black birds on the site and that these are a species of special concern.
3. **ALTA:**
   a. The above ground power lines along the Jasper Road right of way are not clearly shown; please add. These will be required to be placed undergrounded; as well as the lines to individual homes/barn structures existing on property.
   b. Area of Concern No. 1 identifies the local power lines in the northeast portion of the site that cut diagonally and does not appear to be located in an easement. The applicant has not addressed what is to happen to the existing lines. The applicant needs to note that the lines will have to be placed underground. If the lines are not routed through the subdivision, in proposed utility easements, then additional easements may be necessary.
   c. Area of Concern No. 2: There is an access drive that is shown on the ALTA that is called out as “AREA OF CONCERN NO. 2” and appears to give access to an oil/gas well south of the railroad right of way. The use and ownership/rights of this road need to be clearly identified on the ALTA. If the users of the road has existing rights that need to be met then the applicant needs to show how this is accommodated on the proposed preliminary plat.
   d. Notes 6: The locations of the existing housing and outbuilding structures were located by aerial. For Final Plat we will need surveyed information on:
      i. Existing utility locations to service property (water, sewer or septic system, gas, electric).
      ii. What type of water service do the existing residential units have? Well or Left Hand Water? If they are currently on Left Hand Water then they will need to disconnect service with Left Hand when Town water is available with development of the property.
      iii. Show the location of septic systems; if they use septic. Indicate how they will transition to Town sewer.
      iv. Locations of all out-buildings, drive locations, and fenced areas.

v. The developer needs to work with the existing property owners to bring the property into compliance with Town Municipal Code requirements related to elements such as: storage trailers on the property; unregistered vehicles and storage of vehicles, and hazardous structures.

e. Notes 9: The wetland boundaries shown are based on a National Wetlands Inventory from the US Fish and Wildlife website; a biologist or other professional was not consulted in determining the status of the areas. The Town is interested in preserving the larger, eastern wetland as a potential public open space and buffer to Jasper Road. We need to have a more in depth investigation of the wetlands and their current boundaries by a professional that would investigate the site and provide a report and mapping.

f. Northern Colorado Water Conservancy District is claiming they own the ditch through the Wise property and that it is not just an easement. The applicant will need to confirm and amend the ALTA as necessary. It is the applicant's responsibility to resolve the ownership issue.

4. Zoning Map:

a. General Comments:

i. If the rezoning is approved by the Board of Trustees, the staff will be recommending that it be conditional on approval of the PUD overlay zoning.

ii. Lower Boulder Ditch: NCWCD has claimed ownership of the Lower Boulder Ditch. If this is the case, then it will have to be excluded from the zoning map.

iii. Title Block:

1. The acreage will change based on the zone district boundary. Please update accordingly.
2. Change last line to from "ZA 13-00070" to "RZ-13-00070".

b. Sheet 1:

i. Vicinity Map: Please change the vicinity map from an aerial to a simple map. The aerial is dark and hard to read. The style of the vicinity map on the preliminary plat is more appropriate.

ii. Zoning Map and Legends: This section should be removed. It is confusing to have two maps that are labeled zoning map. Sheet 2 should simply have the properties, adjacent to this portion of the Wise property, labeled with jurisdiction and zoning.

iii. Signature Blocks: Please change dates from "2013" to "2014".

c. Sheet 2:

i. Remove all easements and related notes.

ii. Provide a zoning map that is inclusive of the entire area you have in the preliminary plat. Even though you are not changing the RR zoning of the existing homes, you are changing the RR zoning boundary on the Wise property and it should be legally described on Sheet 1 and illustrated on Sheet 2 in the map.

iii. All zone districts adjacent to a street right of way or railroad right of way need to be extended to the center line of the right of way.

iv. The LR zone district should not be between the RR zone district and the Jasper right of way. The RR zone district should be extended to the center line of the right of way.

v. Label the properties, adjacent to this portion of the Wise property, with jurisdiction and zoning.

5. Concept Plan:

i. Please revise based on the Preliminary Plat application comments listed below.

6. PUD Zoning Map:

a. General Comments:

i. Lower Boulder Ditch:

1. NCWCD has claimed ownership of the Lower Boulder Ditch. If this is the case, then it will have to be excluded from the PUD Zoning Map.

2. Change all “CANAL” references to “DITCH”.

ii. A more simple format to the document is required; please see Erie Highlands PUD example; and, changes as requested below. Eliminate illustrations and decorative graphics; this document is a zoning document that should like the Erie Highlands example.

iii. Title Block – All Sheets:
   1. Change “WISE FARMS PLANNED UNIT DEVELOPMENT ZONING MAP” to “WISE FARMS PUD ZONING MAP”.
   2. Change acreage to that of the legal description of the PUD zoning boundary of the property; not the legal description of the subdivision boundary.
   3. Change the last line to “PUD-13-00071”.
   4. All sheets need to have the same title block language and formatting.

iv. Please replace the proposed vicinity map with the vicinity map that is on the zoning map.

v. The “LEGAL DESCRIPTION” should be the “OVERALL BOUNDARY DESCRIPTION” of the PUD zoning boundary. Please revise.

vi. Provide block in lower right hand corner that includes the preparation date, revision date chronology, north arrow, written and graphic scale, the number of sheet and total number of sheets.

b. Sheet 1:

i. Format the same as Erie Highlands.

ii. Change date of signature blocks from “2013” to “2014”.

iii. Add a “NOTES” section to the cover sheet that states:
   1. “THIS PUD ZONING MAP MODIFIES STANDARDS FOUND IN MUNICIPAL CODE TITLE 10. IN THE EVENT THAT THERE IS A DISCREPANCY BETWEEN THE MUNICIPAL CODE AND THIS PUD, THE PUD SHALL CONTROL. ANY PROVISIONS THAT ARE NOT SPECIFICALLY ADDRESSED IN THIS PUD ZONING MAP SHALL COMPLY WITH THE MUNICIPAL CODE.”
   2. “THE MAXIMUM NUMBER OF UNITS ALLOWED IN THIS PUD IS *(fill in the maximum number of units allowed in the preliminary plat)*.”

c. Sheet 2:

i. PUD Map:
   1. Revise the Planning Area notes on the map. The note should only list the label for the planning area, the underlying zoning of the planning area, and the acreage of the planning area. Example: “PA-7 RR/OS 9.67” note should be “PA-7 RR 9.67”; the OS is a use, not the underlying zoning district. The uses should not be listed on the PUD Zoning Map; they are listed on Sheet 3 in the Land Use Summary table.
   2. The total dedicated open space should be illustrated on the PUD. It is preferred for it to be shown in a separate PA that would be dedicated to the Town; we can discuss alternatives if needed. The Town is most interested in public open space that includes the wetland; followed by potentially the open space buffer being created on the eastern side of the property. We are not interested in obtaining areas for public open space dedication along the ditch, railroad, detention pond or well site. We can discuss the options further in our review meeting.
   3. The cross hatch pattern for open space should only be applied to those planning areas that will be dedicated to the Town as public open space.
   4. The pocket park needs to be shown in a bubble or box that is the approximate size and location of the facility. The pocket park should not be a part of the public dedication area for the open space or other park; it can be a part of a residential planning area or private open space.
   5. Add adjacent property jurisdiction and zoning; like is required on the zoning map.
   6. Please coordinate map revisions based on preliminary plat comments.

ii. Development Summary Table:
    1. Remove “Last Revision: 10/28/2013”.
    2. Remove the two rows; “Area Remaining RR Zoning” and “Area Proposed for LR Zoning (TOTAL SITE AREA)”.
iii. “NOTE”: Please remove this section that discusses the residential diversification standards; it does not apply to the PUD zoning regulations.
iv. Parks & Open Space Table:
    1. Typically a PUD is for the entire property and defines the full build out with the number of acres of parks and open space identified for the whole property. Staff would like to combine the north and south side in a single PUD. The applicant has indicated that they are going to submit the south half of the property soon so it can catch up with the north half for hearings.
    2. Simplify the table so it is more like the Erie Highlands example.
    3. Remove the top two rows of table that includes; “Open Space & Park Dedication Requirements” repetitive of the third row of the table; “Proposed # of Units; Residents per Household; Population Generated”.
    4. Remove lettering above column headers; example: “A. Dedication Requirement (Acres)” should just be “Dedication Requirement (Acres)”.
    5. Remove all of the calculations below the label of type of dedication; example: below “Open Space Requirement” remove “17 acres/1,000; 2.79 residents per household; (17x127x2.79)/1,000 =”.
    6. Remove column and label for “B. Non-Dedicated Open Space Provided (Acres)”; this a public dedication table so we do not want to list non-public lands.
    7. Column C.
        a. Change column header from “C. Dedicated Open Space Provided (Acres)” to “Dedicated Open Space and Park Provided (Acres)”.
        b. Remove all of the notes of where the open space is located; this is covered on Sheet 3 Land Use Summary.
        c. For “Neighborhood Park” change the “7” to “Fee In Lieu”; the size of the development does not warrant a neighborhood park so, the Town will be requesting a fee-in-lieu payment for the dedication requirement.
        d. For “Community Park” change the “0” to “Fee In Lieu”; the size of the development does not warrant a neighborhood park so the Town will be requesting a fee-in-lieu payment for the dedication requirement.
    8. Remove Column D; unnecessary calculation.

d. Sheet 3:

i. Architectural Standards:
    1. Change “Architectural Standards – Single Family Residential” title to “Architectural Standards – LR Zoning Single Family Residential”. This will make it clear that it does not apply to the existing homes in the RR zone district.
    2. 1.b.i.(E):
        a. Applicant has modified the language that was approved for Erie Highlands by adding three additional choices (6, 7, and 8) for an “Enhanced Elevation”. Staff would classify new choices 6 and 7 under choice 1; so, staff requires that these new choices be removed. Staff would classify new choice 8 under choice 3; so, staff requires that this new choice be removed.
    3. Choice 5 was modified to add “belly bands and window grids”. These elements are not main exterior cladding materials. Staff would attribute those items to choice 4 which includes a list of architectural detail elements. Staff requires that “belly bands and window grids” be removed from choice 5.

4. 2.: Remove the last sentence of this paragraph. You are not proposing alley loaded products so, this would not apply.
5. 3.a.(A): Remove the beginning of the sentence “Except for garages oriented to alleys,”, as the applicant has not proposed alley loaded products and this would not apply.

ii. Development Standards table:
1. Remove “Last Revision: 11/5/2013”.
2. Remove rows for “PA-1 – Existing Home” and “PA-2 – Existing Home”. Only the planning areas in which you are modifying the underlying zone district standards needs to be on the table.
3. “MIN LOT WIDTH” column: the (4) note reference needs to be removed. Staff is recommending removal of this note as it has no regulatory purpose for the zoning.
4. “FRONT SETBACK” column: Change note (2) reference to note (1).
5. “FRONT SETBACK (PORCH)” column: The 15’ setback is somewhat more restrictive than what is allowed in MC 10.4.2 A.1.b.v. which is a 6 foot encroachment with a maximum width of 50% of the front façade. Staff will accept this setback but just wanted to be sure the applicant had considered our standard porch encroachment language.
6. “INTERIOR LOT LINE SETBACK” column: Remove note (1); note (1) is not related to the interior lot line setback.
7. “REAR SETBACK” column:
   a. Staff does not find the 15’ rear yard setback acceptable. Erie Highlands and Colliers Hill have standard 20’ rear yard setback. Staff does not support the request for 15’ rear yard setback.
   b. Add reference to note (2).
8. Notes:
   a. Note 2: Staff will only support this note if the “REAR SETBACK” is 20 feet and not the 15 foot proposed.
   b. Note 4: Please remove the note as it has no regulatory purpose for the zoning. This will be a subdivision issue.
   c. Note 5: Staff will not support the proposed 3 foot encroachment into 5 yard setback. The language that was adopted in the Erie Highlands and Bridgewater PUD’s is the most for encroachments that we will support.

iii. Land Use Summary table:
1. Change “LOW DENSITY RESIDENTIAL” to “RESIDENTIAL”; this would be better because you have both RR and LR zoned land listed below the header.
2. Change “OPEN SPACE & PUBLIC LAND” to “NON-RESIDENTIAL”; and then list the right of way, ditch, open space and park elements under this header.
3. Remove “NON-DEDICATED OPEN SPACE PROVIDED” column.
4. “DEDICATED OPEN SPACE” column: Revision of numbers in column needed as indicated in other staff comments about appropriate open space dedication areas.
5. Remove “Details and Comments” column.
6. Remove bottom two rows of table; “AREA REMAINING RR ZONE DISTRICT” and “AREA PROPOSED FOR LR ZONING”.

7. Preliminary Plat:

a. General Comments:

i. All plans should have the streets labeled and tract/lot labeling to match the proposed preliminary plat.

ii. Zoning: Please provide an exhibit that overlays the plat map with the zoning and PUD planning area boundaries. This is required to ensure that a single lot or tract is not divided by a zoning/PUD boundary.

iii. Lower Boulder Ditch:
   1. NCWCD's referral letter states that they have ownership of the ditch property; not just an easement. Please confirm and revise documents as necessary.
   2. Locate the centerline of the ditch and illustrate the required 75 foot setback from the centerline on the preliminary plat (MC 10.6.2 B.).

iv. Jasper Road:
   1. Plat all of those portions of Jasper Road, located in the Town from 119th Street to the western edge of the property, that have not already platted by the Town in previous Wise plats.

v. Encana Well Site:
   1. Block 6, Lot 30: The oil/gas well site that has to be located in a Tract; not a lot. Please revise all documents to show this as a tract.
   2. Please locate the SUA well/facility, setbacks, pipeline information on oil/gas setbacks on the preliminary plat.

vi. Easements:
   1. Proposed easements, related to this proposed subdivision, should not be located in the proposed street right of ways (see Encana gas line as example – Street E).
   2. Please add the standard utility easements to the tracts and lots that are needed to serve this development. Because you did not show any utility routing easements for the utility providers to review; you will need to send the next revision back out to all of them for review and comment.
   3. The width of the drainage easement on Block 10, Lot 1 is not clearly illustrated. The note for the drainage easement only points to a single dashed line.

vii. Existing Conditions: The applicant needs to clearly identify elements that are existing conditions and indicate how they are being accommodated, removed or revised. Examples of the types of elements that need to be indicated in the preliminary plat documents include:
   1. Existing trees and vegetation;
   2. Existing non-jurisdictional wetlands;
   3. Overhead power lines along Jasper Road and crossing property;
   4. Existing improvements (utilities, drives, fencing, accessory buildings) that are associated with the two existing homes;
   5. The farm structures, east of the existing homes, some of which are in the right of way or will be in the future right of way (they are a hazard that will need to be address with the right of way dedication for Jasper Road);
   6. Access and utility easements related to the ditch;
   7. The access road crossing of the RTD right of way.

b. Sheet 1:

i. "COVENANTS": This appears to be language required by another jurisdiction and our name has just been added. Please remove this section.

ii. Signature Blocks: Please remove all of the signature blocks. The Preliminary Plat is not signed and approved in this manner.

iii. "NOTES":
   1. Note 1: This note does not appear to apply; please delete.
   2. Note 4: Please move the tract summary chart to Sheet 1 and delete the note.
   3. Note 5: This is not a standard note for the Town; please delete.
   4. Note 10: You will need to coordinate with Northern Colorado Water Conservancy District (NCWCD) to accomplish the vacation. The vacation will need to be completed before the Town can approve a final plat in the location of the easement.
   5. Note 12: The Town will want the full dedication of the Jasper Road right of way. The applicant needs to discuss with the Town and the property owner the issue of the existing

house in the future ROW for Jasper Road. The proposal to split the house with a Tract does not meet our Municipal Code requirements for a house to be located on a lot.

c. **Sheet 2:**
   i. Sheet 2 and Sheet 3 seem repetitive; please combine information onto one sheet.
d. **Sheet 3:**
   i. Sheet 2 and Sheet 3 seem repetitive; please combine information onto one sheet.
   ii. "TRACT SUMMARY TABLE":
      1. Move table to Sheet 1.
      2. Change all "CANAL" references to "DITCH".
      3. Please see previous comments on which areas the Town is willing to consider ownership and maintenance of open space on and amend the table accordingly.
      4. Tract E: A single family home cannot straddle a lot and a tract. The residential uses must all be located on the lot.
      5. Tracts F, G and H: Landscape medians in street right of ways are not typically made into a separate tract. Let's discuss the options, if you want to locate a sign in one, further when we meet to discuss these overall comments.
   iii. "LAND SUMMARY CHART": Move the chart to Sheet 1.
e. **Sheet 4:**
   i. Dedication of an additional 20 feet on Jasper Road puts an accessory structure on Lot 31 and an internal loop road within the future right of way. This is an issue for the Town.
f. **Sheet 5:**
   i. Applicant's proposal to vacate NCWCD access and utility easement from Jasper Road will need NCWCD approval. The vacation will need to occur before a final plat of lots in the area of the easement can be approved.
g. **Sheet 6:**
   i. Dedication of an additional 20 feet on Jasper Road puts the historic farm structures within the future right of way. This is an issue for the Town.
   ii. The house on Lot 1, Block 10 will be in the right of way with the dedication of 20 feet on Jasper Road. This is an issue for the Town.
h. **Oil & Gas:**
   i. The Encana SUA that was submitted to the Town has the following requirement that has not been met:
      1. You have not included the initial and permanent operations area and the access easement location on the Preliminary Plat.

6. **Subdivision Plat.** Owner shall identify the Oil and Gas Operations Areas (both Initial and Permanent Oil and Gas Operations Area) and all access and pipeline easements on its subdivision plats and in all applications for development that it files with a local jurisdiction, and the plats shall include restrictions that no temporary or permanent buildings, structures, or other improvements shall be located, constructed or installed within the Oil and Gas Operations Areas. Owner shall record the subdivision plat in the Office of the Clerk and Recorder of Boulder County and provide written evidence to Encana within fifteen (15) days of recording.

   ii. In the SUA statement below; the property owner appears to have agreed to restriction of development in the "Initial Oil and Gas Operations Area" until Encana has drilled and completed all 16 wells. This creates a major development restriction that is dependent on the Encana's timing for drilling. The initial area covers the western access road into the site and several lots and roads that would eliminate development of at least 20 lots. The secondary access is required for the development to occur.

3. **Drillsite Location and Access.**

a. In consideration of the agreements set forth herein, Encana agrees to limit its future oil and gas operations to those locations depicted on Exhibit B1 identified as "Oil and Gas Operations Area(s)". Oil and gas operations include but are not limited to drilling, completion and maintenance of wells and equipment, production operations, workovers, well recompletions and deepenings, fracturing, twinning, drilling replacement wells, plugging and abandonment operations, location of associated oil and gas production and facilities, drilling of oil and gas wells that produce from and drain the Described Premises as well as lands which are pooled or communitized with the Described Premises, and/or wells that are directionally or horizontally drilled to bottomhole locations outside the Described Premises. The Oil and Gas Operations Areas shall be in the configuration specified as the "Initial Oil and Gas Operations Area" on Exhibit B1 until Encana has drilled and completed all sixteen (16) proposed horizontal Future Wells and reclaimed the area. After Encana has drilled and completed the sixteen (16) proposed horizontal Future Wells and reclaimed the area, the Oil and Gas Operations Areas shall be reduced to the configuration specified as the "Permanent Oil and Gas Operations Area" on Exhibit B1. The Oil and Gas Operations Areas shall be for Encana's exclusive use and Owner shall not develop or construct any improvements, structures or landscaping in the Oil and Gas Operations Areas. Provided however, after such time as the Oil and Gas Operations Areas is reduced to the Permanent Oil and Gas Operations Area,

iii. The setback from a future oil/gas well to a residential lot line is 350 feet (MC 10.6.14 E); unless a reduction, based on an SUA, is approved by the BOT. This can be accomplished by showing the SUA setbacks on the Wise PUD. Block 6, Lot 31 is affected by either the 350 foot setback or the SUA setback; modifications to the residential lot line will be required.

iv. Oil/gas pipelines and their associated easements cannot be located within a residential lot (MC 10.6.14 B); please correct Block 10, Lot 1.

1. The SUA states that after Encana has reduced the operations to the permanent operations area the:

Owner may, at its sole cost: (i) plant native grasses and other shallow root landscaping within the outer 100 feet of the Oil and Gas Operations Area (the "Permitted Landscaping") and (ii) may irrigate the Permitted Landscaping by sprinkler systems installed on the perimeter of the Oil and Gas Operations Area. Encana shall not be liable for any unintentional damage to the Permitted Landscaping or irrigation systems resulting from its operations.

The applicant has placed several trees within the 100 foot area that is allowed "shallow root" landscaping; please revise to meet the SUA requirements.

v. MC 10.6.14 E.7. states that the applicant should submit an access plan for the future well, production facilities and pipe lines. The access road should not connect with a local street.

i. Parks, Open Space & Trails:

i. OSTAB trail plans indicate that they foresee future trails coming from Boulder Creek, south of the Wise property, through the property to Leyner Cottonwood; along Leyner Cottonwood; along Lower Boulder Ditch; and, along the railroad right of way owned by RTD.

ii. Pocket Park:

1. In the PUD the applicant states, in the Open Space & Park Dedication Requirements table, that a 0.43 acre pocket park is park of PA-10; which is Tract A on the preliminary plat.
   a. The applicant needs to provide an individual tract for the 0.43 pocket park that would be owned and maintained by the HOA or a Metro District. The Town does not own or maintain pocket parks.
   b. The pocket park must meet the criteria in MC 10.6.3 B.4.. The pocket park does not appear to meet the following pocket park criteria:
      i. the pocket park shall be centrally located within the neighborhood to be served: and,

ii. at least 75 % of the pocket park shall be well drained. The locations of the improvements in Tract A are in the wetland and are shown on the drainage map a being in the water boundary.

c. The applicant should provide a pocket park detail that identifies and lists how the park has met the Parks, Recreation, Open Space, and Trails (PROST) Master Plan Pocket Park Design Standards. List the elements that the applicant has chosen to use in the pocket park under each of the pocket park components. List A Infrastructure, List B Pre-selected Components, List C Components of Choice, and List D Comfort and Convenience Features.

iii. Neighborhood Park:

1. Due the reduction in units proposed since the Sketch Plan submittal the Town is not interested in the dedication of a neighborhood park within this subdivision.
2. The Town will request that the applicant pay the fee in lieu for the park dedication requirement that is based on the number of units platted and as required in MC 10.6.3 B.7. The fee in lieu payment is calculated at the time of final plat and is included in the development agreement for the subdivision. The fee in lieu payment is calculated once the applicant has supplied the Town with an appraisal of the fair market value of the property based on the developable land within the final plat application and the zoning of the developable land.
3. The neighborhood park did not meet the following criteria:
   a. Centrally located within neighborhood served.
   b. At least 75 percent of the dedicated land shall be well-drained. (The grading plan shows the neighborhood park location in the water area)

iv. Community Park:

1. Fee in lieu for the park dedication requirement will be required at final plat and as required in MC 10.6.3 B.7.

v. Open Space:

1. The Town is most interested in public open space that includes the wetland; followed by potentially the open space buffer being created on the eastern side of the property. We are not interested in obtaining areas for public open space dedication along the ditch, railroad, detention pond or well site.
2. Staff is concerned about the historic buildings adjacent to with this wetland as they have not been maintained and appear to be a safety hazard to open space users and to Jasper Road users. The future of these structures have not been clearly addressed in the application materials.

j. Native Tree and Vegetation Survey and Protection Plan:

i. The applicant has provided a Tree Inventory only. The applicant needs to submit a protection plan that identifies all of the trees that will be preserved and those that will be removed (MC 10.6.2 C). They also need to provide a statement on the protection plan that they will meet the UDC tree protection and tree pruning requirements. Healthy trees that are proposed to be removed will need to be replaced as required in the UDC; the applicant should provide a table that summarizes the diameter of the healthy trees being removed and the diameter of trees that is needed for replacement.

ii. The historic character of Jasper Road should be maintained in that any trees that are proposed to be removed should have appropriate tree replacements that create and continue the historic feel of a tree lined roadway.

k. Landscape Plans:

i. Please remove the trees in the right of way that are immediately adjacent to residential lots on local streets. Those will be installed by the property owners through our tree certificate program and should not be shown as improvements that are installed by the developer.

ii. Add street names.
iii. Add street light locations, styles and color (see attached sheets for street light types).
iv. Will there be any entry/monument signs for this subdivision? If so, please add locations and sign details. Signs would need to meet MC 10.6.12 requirements.
v. All tracts need to show ground cover or other ground improvement (trails, ditch improvements, etc.).
vi. Trails should not be located in the future gas line easement, except perhaps to cross it, as indicated in the SUA.
vii. The ditch maintenance road has not been labeled or accommodated in the plans.
viii. The access road that crosses the railroad has not been accommodated in the plans.
ix. Sheet LP2: Per the SUA the well setback area can only have shall root plantings; please remove trees and other plant materials that do not meet this requirement from the setback area.
x. Sheet LP3:
    1. Show ground cover for grading area in Block 10, Lot 1.

l. Drainage Report & Plan:

i. See grading plan comments below.

m. Grading Plan:

i. Detention Pond: The pond does not appear to meet the MC 10.6.4 E.9 requirements for a detention pond to have a naturalized shape and naturalized landscaping.
ii. Non-Jurisdictional Wetland: The existing wetland is proposed to be split by Street B which causes it to overflow into the existing residential lot and most of the proposed neighborhood park. Staff is recommending that we respect the existing boundary of the wetland and perhaps have it dedicated as open space, and then take the eastern access road and move it to the east side of the wetland.
iii. Drainage Swales:
    1. Remove the drainage easement from the existing home lot.
    2. How does the area between the ditch and railroad drain? Grade seems very flat for many of the proposed developments drainage swales.

n. Utility Plan:

i. Water:
    1. The water line is proposed to be looped through Boulder County roads and property in Boulder County. Applicant will need to coordinate with Boulder County to access their requirements for installing the proposed improvements.
    2. It appears that off-site easements may be required for the water line looping that does not fall within a street right of way. Obtaining the easements will be a requirement for the Final Plat.
    3. The routing of the water line shows crossings of the railroad right of way that is owned by RTD, the NCWCD ditch and many other easements. Permission to cross these owners and easement holders interests will be required at Final Plat. Staff has noted that several easement holders in Kenosha and Erie Village have not been represented on your plans (Xcel major powerlines; Encana gasline; etc.).
ii. Sanitary Sewer:
    1. Why are you routing the sanitary sewer line, north of Jasper Road, under a building?
iii. Storm Sewer:
    1. It is not clear if the outfall for the storm sewer is on the Wise property or in Boulder County; please clarify on the plans. If it is in Boulder County then you will need to contact them to access their requirements for installing the proposed improvement in their juristriction.
iv. Power Lines:

1. You have not shown all the above ground power lines/other pole utilities on the property; please clearly show the locations of the above ground utilities and note that they shall be placed underground with this development.

v. Encana Proposed Gas Line Alignment:
   1. The proposed alignment dead ends at the western entry drive into the subdivision. Please clearly indicate how the line is routed completely to the well site.

o. Street Plans:

i. Jasper Road:
   1. The road classification for Jasper Road is a Major Collector (80' right of way). It appears that the appropriate right of way dedication of an additional 20 feet is being dedicated.
   2. There are portions of Jasper Road that were annexed that have not been platted with the subdivision of the Wise Property to the north of Jasper Road. The Town requires that the applicant plat those other portions of the existing road that is annexed into the Town but has not yet been platted; in addition to the new right of way along Jasper Road that is being dedicated.
   3. For Final Plat you will need to add street lighting locations for internal streets and Jasper Road to the Town standards. The Town has standard street lights that we use from Xcel.
   4. Please provide radiuses at the intersection of Jasper Road and the new intersecting streets.
   5. Staff suggests alternative locations for the access roads to Jasper (see redlined plan comments). The main entry (east entry) is right next to two existing houses. The house on the south side of the street is very close to the road and the proposed decel lane exacerbates the problem. The house on the north side of the street will be effected by the numerous cars pulling out of the subdivision and shining headlights toward the house as they turn west onto Jasper. There are many open field locations on the north side of the street that is seems reasonable to request that the applicant try to locate the streets so they do not impact the existing homes on the north side.
   6. At final plat submission you will need to provide a curb exhibit that clearly indicates the location of the mountable curb and vertical curb on a map. Typically, vertical curb or a mountable curb with low fencing behind it is provided for all streets that are adjacent to open space, parks and landscape tracts.
   7. UDC 10.6.5 F.2.c.: This section states "Within all developments, to the maximum extent reasonably practicable, pedestrian ways, crosswalks, or multi-purpose trails no less than 5 feet in width, located within a tract or easement a minimum of 30 feet in width, shall be constructed near the center and entirely through any block that is 900 feet or more in length." The block on the south side of Street D appears to be 900' in length or more. A pedestrian trail has been provided but it is not near the center of block and is very close to the trail connection required at the end of a cul-de-sac; please relocate the trail connection so it is closer to the center of the block.

ii. Modified Local Street: Why is this called a modified local street when it looks like our residential collector street?

iii. Modified Collector with Raised Median: Why is the modification necessary? Why can't you have a smaller median and meet our street standard?

iv. One-Way Street: Staff does not support the use of the one way street proposed; it does not seem to serve a practical need and does not meet our street standards.

v. Overall Street Layout (see redline):
   1. Consider alternative locations for entry drives off Jasper Road.
   2. Consider alternative crossing location of western ditch crossing.
   3. Eliminate small one-way streets.

8. Threatened & Endangered Species/Wetlands; and, Cultural, Archaeological, and Historic Report:

a. Wetlands:
   i. We did not get a current evaluation of the existing wetlands and a boundary map. Please provide one.
   ii. A letter from Western Ecological Resource Inc. (dated March 15, 2005) to US Army Corps of Engineers requested an approved jurisdictional determination because a previous determination based on a June 1999 Wetland Delineation Report had expired. The 2005 determination received was effective for 5 years.
   iii. A second letter of Corps determination was submitted that was dated December 14, 2012 and is effective for 5 years.
   iv. ERO summarized a previous wetland assessment that was prepared by Western Ecological Resource, Inc. A date for the report was not given; nor was the original report submitted with the application materials. Please submit the Western Ecological Resource assessment that is referenced.
   v. ERO recommended that that "Although the Corps has determined that the isolated wetlands are non-jurisdictional, ERO recommends filling the wetlands as soon as practical to avoid the possibility that the EPA/Corps final rule changes their status and invalidates the jurisdictional determination."
   vi. Staff is in favor of preserving the eastern wetland as potential open space. The Town does not currently have a wetland in our inventory of open space; this may be an opportunity for us to add a unique public open space to our inventory.
b. Endangered Species: The applicant's report stated that habitat was not present for threatened and endangered species.
c. Bird Nesting: The Natural and Cultural Resources Assessment states that removal of any trees has the potential to destroy nests and will reduce nesting habitat on the parcel. The Assessment recommends that if trees are to be removed they should be removed between September and March to avoid the nesting season.
d. Cultural Resources: Staff will wait for recommendations from referral agencies on this report. The report states:

> The Colorado State Historic Preservation Office (SHPO) considers all linear resources to be eligible to the NHRP, unless proven not eligible through research and documentation of the *entire* linear resource. So, although not listed on the registers, the Lower Boulder Ditch and Union Pacific Railroad may be eligible for listing. Some structures on the property, including the two buildings associated with the old wood mill, may be old enough to be potentially eligible for listing as well. These potentially federally-eligible resources typically only need to be evaluated if there is a federal nexus, such as obtaining authorization from the U.S. Army Corps of Engineers for work on the Lower Boulder Ditch. There are no state regulations regarding unlisted state-eligible properties.
>
> Development of the property would not affect any state or federally-listed historic resources. The potentially eligible resources would require evaluation only in the event a federal action such as CWA Section 404 Permit authorization is required.

10. Geotechnical Undermining Report:

a. Please provide an exhibit that overlays the hazard area, referenced on page 7, on the preliminary plat to illustrate how the development has not proposed platted lots in those areas.

11. Environmental Site Assessment Report:

a. The report stated concern over an oil/gas well but it is located on the south half of the Wise property and is not a part of this preliminary plat application.

12. Soils Report:

a. How are you addressing the issue of high ground water in most of the subdivision?

REFERRAL AGENCIES

Below is a list of the referral agencies that were sent the applicant materials for review. We have listed which ones need a second referral; ones that have responded that do not need another referral; and those that did not respond.

Follow-Up Referral Packet Required:

a. Community Development: See comments above; applicant response required.
b. Public Works: See attached comments; applicant response required.
c. Parks & Recreation: See attached comments; applicant response required.
d. Boulder County Transportation Department: See attached comments; applicant response required.
e. Century Link Communications: A referral response was not received; however, the applicant did not include any utility easements to accommodate this utility provider with routing through the subdivision. The preliminary plat revisions should include these easements necessary for this provider. A second referral packet will need to be sent to this referral agency.
f. Colorado Parks & Wildlife: Applicant should integrate the recommendations into the final plat submittal; applicant referral response not required.
g. Comcast: A referral response was not received; however, the applicant did not include any utility easements to accommodate this utility provider with routing through the subdivision. The preliminary plat revisions should include these easements necessary for this provider. A second referral packet will need to be sent to this referral agency.
h. Felsburg, Holt & Ullevig: See attached comments; applicant response required.
i. Northern Colorado Water Conservancy District (NCWCD): See attached comments; applicant response required. Major concerns included: Ownership of ditch corridor. NCWCD will require approval of any improvements proposed in their ditch corridor; and the developer and Town will need to enter into a Letter of Consent with NCWCD and Lower Boulder to allow for construction of bridges across the canal and for utility crossings. They will require fencing on both sides of the canal to eliminate trespassing and liability. Applicant's proposal to vacate NCWCD access and utility easement from Jasper Road will need NCWCD approval and will only be granted if the access and utility easement is relocated to a location that acceptable to NCWCD. NCWCD has requested a meeting with the Town and Developer to discuss the development proposal; as the developer has not approached them to discuss this before the application referral was sent.
j. Town of Erie Water Attorney: See attached comments; applicant response required.
k. Xcel Energy: See attached comments; applicant did not include any of the standard easements that are required to be placed on lots and tracts to serve the development. Please add these easements and provide a referral response packet. Staff comment on referral: Staff does not support adding the plat note requested. Additionally, staff does not support 8' utility easements on

perimeter of all Town owned and maintained tracts but can support 8' utility easements where a tract is adjacent to a road right of way.

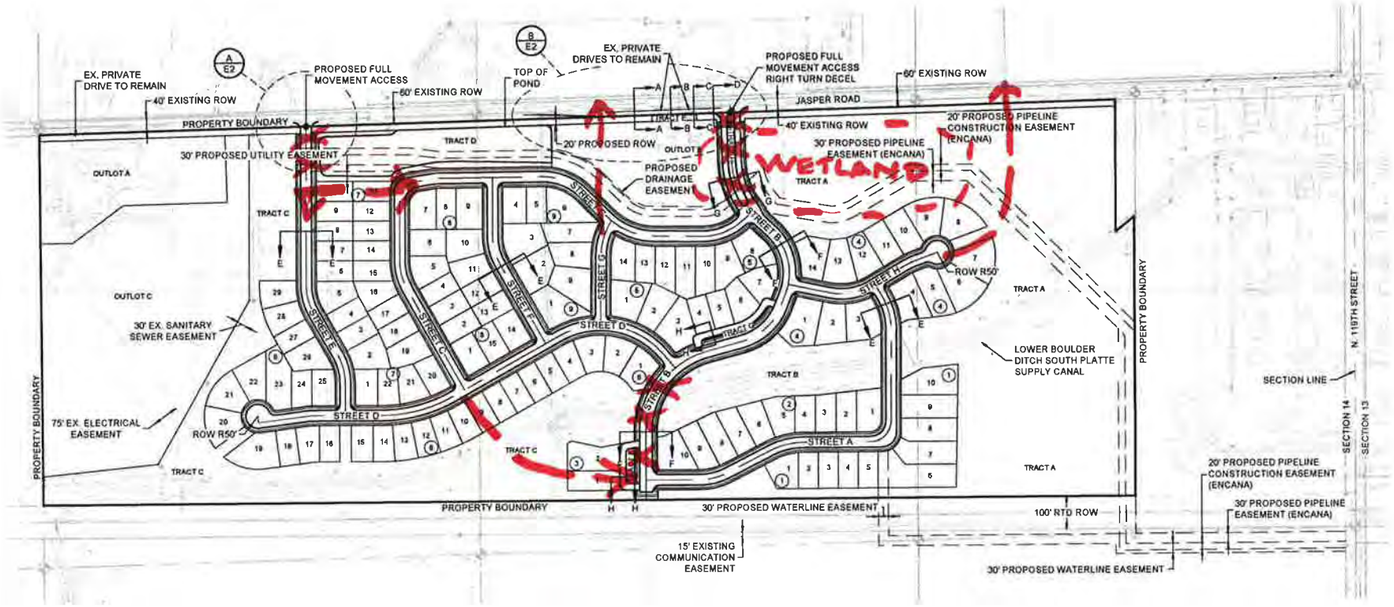
Follow-Up Referral Packet Not Required:

l. Boulder Valley Conservation District (NRCS): See attached comments; applicant response not required.
m. Colorado Geological Survey: See attached comments; applicant response not required. Review comments and follow-up reports/documentation recommendations should be followed.
n. Kerr-McGee Oil & Gas Onshore: See attached comments; applicant response not required.
o. Mountain View Fire Protection District: See attached comments; applicant response not required. Fire hydrant locations will have to be added for the final plat.
p. St. Vrain Valley School District: See attached comments; applicant response not required.
q. Urban Drainage: See attached comments; applicant response not required.
r. Western Area Power Administration (WAPA): See attached comments; applicant response not required. The comments should be accommodated through the preliminary and final plat applications. WAPA comment #3. Requests a note be added to the final plat. Staff does not support the full note as requested by WAPA. We support the first portion of the note that identifies how to contact WAPA; but, does not support the language that restricts trees and plant materials to 10 feet. This should be in their recorded easement that can be accessed by someone referencing the recording information on the plat and through permitting work that will encroach into their easement; through WAPA's permitting process.

Referral Agencies That Did Not Respond:

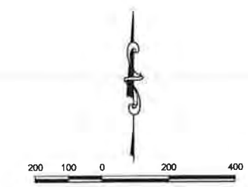
The Town did not receive referral comments from the following agencies. If an agency response is sent to the Town after this memo is forwarded to the applicant, then the Town will forward the information as quickly as possible.

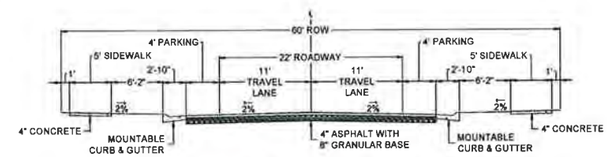
- Century Link Communications
- Comcast Commercial & Residential
- EnCana
- High Plains Library District
- Lower Boulder Ditch
- Noble Energy
- RTD
- Town of Erie - Open Space and Trails Advisory Board (OSTAB)



LEGEND

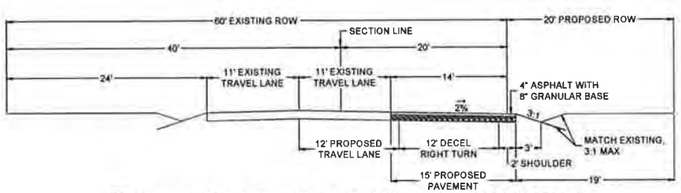
CENTERLINE	PROPERTY BOUNDARY
RIGHT-OF-WAY	EXISTING TREE
LOT LINE	11 LOT NUMBER
6 BLOCK NUMBER	A/E2 DETAIL / SHT #



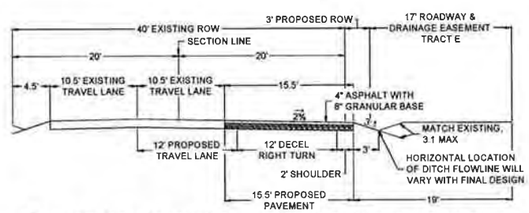


E-E LOCAL STREET
NTS

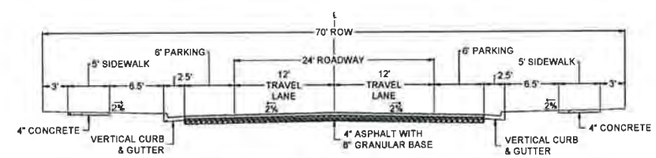
(ALL ROADS WITHIN PROJECT BOUNDARY UNLESS DEPICTED OTHERWISE)



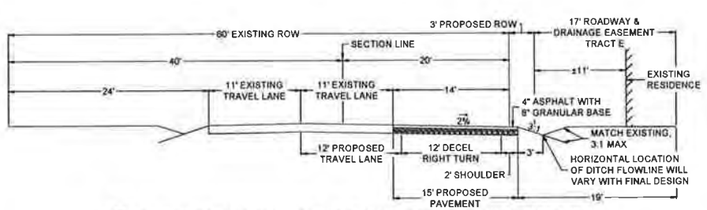
A-A JASPER ROAD ENTRANCE - 60' EXISTING ROW, 20' PROPOSED ROW
NTS



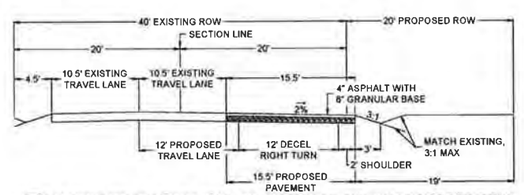
C-C JASPER ROAD ENTRANCE - 40' EXISTING ROW, 4' PROPOSED ROW
NTS



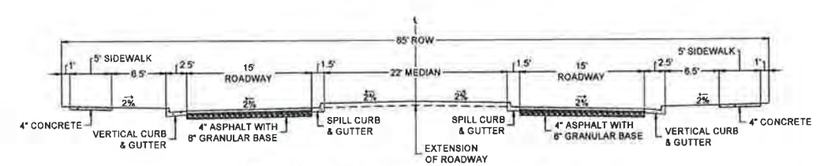
F-F MODIFIED LOCAL STREET
NTS



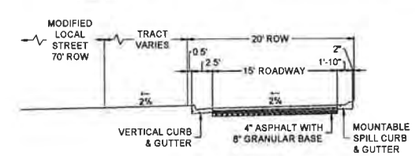
B-B JASPER ROAD ENTRANCE - 60' EXISTING ROW, 4' PROPOSED ROW
NTS



D-D JASPER ROAD ENTRANCE - 40' EXISTING ROW, 20' PROPOSED ROW
NTS



G-G MODIFIED COLLECTOR WITH RAISED MEDIAN
NTS



H-H ONE-WAY STREET
NTS

1/16/14
DRT

No	Revisions	Date	Init.	Appr.	Date

CVL CONSULTANTS
10333 E. Dry Creek Rd
Suite 240
Englewood, CO 80112
Tel (720) 482-9526
Fax (720) 482-9546

JASPER LAND INVESTMENTS, LLC
6162 S. KENWOOD COURT
HIGHLANDS RANCH, CO 80126

WISE FARMS
PRELIMINARY DEVELOPMENT PLAN
PRELIMINARY ROAD CONSTRUCTION PLAN

DRAWN BY: BPC		SCALE: AS SHOWN	
CHECKED BY: MEL		FILE NO: 8 13 0230801	
DATE 11-05-13			
SHEET NUMBER	E1		

N:\PROJECTS\0230801 WISE FARMS\CAD\ENGINEERING\SHEET SETS\PRELIMINARY PLAT REQUIREMENTS\PRELIMINARY ROAD CONSTRUCTION PLAN.DWG, BRETT CASSO 11/6/13

ATTACHMENT E

Xcel Energy℠
PUBLIC SERVICE COMPANY

Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3660
donna.l.george@xcelenergy.com

November 24, 2014

Town of Erie
645 Holbrook
PO Box 750
Erie, Colorado 80516

Attn: Deborah Bachelder

Re: Wise Farms – 4th referral

Public Service Company of Colorado (PSCo) has reviewed the plans for **Wise Farms – 4th referral** and acknowledges the continued coordination with all Xcel personnel involved with this project including the **Designer** assigned to the project for distribution facilities, **Bill Schulz** (Right-of-Way Agent at william.a.schulz@xcelenergy.com or 303-245-2271) to resolve all distribution easement issues, and **Cheryl Diedrich** (Senior Right-of-Way Agent at cheryl.diedrich@xcelenergy.com or 303-571-3116) regarding the high pressure gas transmission pipeline directly adjacent to this property to the south for development plan review and execution of a License Agreement as necessary.

Public Service Company requests that Note 8 from the plat drawings dated April 14, 2014 be added back onto the current proposed plat. PSCo also requests 1) the 6-foot utility easements in Tract A along Streets X and Y be increased to 8-feet, and 2) 8-foot front-lot connector utility easements along Street X in Tracts V and W.

Public Service Company has no objection to this proposed rezone, contingent upon PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

As a safety precaution, PSCo would like to remind the developer to call the **Utility Notification Center at 1-800-922-1987** to have all utilities located prior to any construction.

If you have any questions about this referral response, please contact me at (303) 571-3306.

Donna George
Contract Right of Way Referral Processor
Public Service Company of Colorado

Xcel Energy℠
PUBLIC SERVICE COMPANY

Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3660
donna.l.george@xcelenergy.com

September 4, 2014

Town of Erie
645 Holbrook
PO Box 750
Erie, Colorado 80516

Attn: Deborah Bachelder

Re: Wise Farms – 3rd referral

Public Service Company of Colorado (PSCo) has reviewed the plans for **Wise Farms – 3rd referral** and acknowledges developer comments to continue coordination with all Xcel Energy personnel with regard to acquiring all required easements and any encroachments relating to the existing high pressure natural gas transmission line directly adjacent to this property to the south.

PSCo requests Note 8 from the previous Preliminary Plat that was reviewed, dated April 14, 2014, to be added back onto the plat.

PSCo also acknowledges the requested platted easements and has several additional concerns:

- Sheet 9: Block 8 **Lot 1** has lost its label
- Sheet 9: Block 8 Lots 1 and 2 - widen the utility easement to 8-feet to match Tracts/Lots on either side
- Sheet 10: 8-foot rear-lot connector easement between Lots 17 and 18 Block 10 through Tract K
- Sheet 11: 8-foot rear-lot connector easement between Block 10 Lot 2 and Block 6 Lot 10
- Sheets 12-14: it appears the easements have disappeared; and, there is a lot reconfiguration within Block 2 on Sheet 12

As a safety precaution, PSCo would like to remind the developer to call the **Utility Notification Center at 1 800-922-1987** for utility locates prior to construction.

If you have any questions about this referral response, please contact me at (303) 571-3306.

Sincerely,

Donna George
Contract Right-of-Way Referral Processor
Public Service Company of Colorado

Xcel Energy℠
PUBLIC SERVICE COMPANY

Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3660
donna.l.george@xcelenergy.com

June 10, 2014

Town of Erie
645 Holbrook
PO Box 750
Erie, Colorado 80516

Attn: Deborah Bachelder

Re: Wise Farms – 2nd referral.

Public Service Company of Colorado (PSCo) has reviewed the plans for **Wise Farms – 2nd referral**. As always, thank you for the opportunity to take part in the review process. PSCo acknowledges the platted easements, and to ensure that adequate utility easements are available within this development and per state statutes, requests that all Tracts be dedicated as utility easements.

If this is not possible, PSCo requests 8-foot wide dry utility easements dedicated around the perimeter of tracts, parcels and/or open space areas. These easements are dedicated for the installation, maintenance, and replacement of electric, gas, television, cable, and telecommunications facilities (Dry Utilities). Utility easements shall also be granted within any access easements and private streets in the subdivision. Permanent structures and water meters shall not be permitted within said dry utility easements. Additionally, due to system redundancy and connectivity requirements, PSCo requests "connector" easements in the following locations:

- 8-feet along easterly lot line of Lot 3 Block 1 on Sheet 6
- 8-feet along westerly lot line of Lot 4 Block 1 on Sheet 6
- 8-feet within Tract E along Street Z to where it connects up with the existing 6-foot easement, and widen that to 8-feet along Street X on both sides of Lot 1 Block 3 and the rest of Tract E along Street X on Sheet 7
- 8-feet along easterly lot line of Lot 1 Block 3 on Sheet 7
- 8-feet along westerly lot line of Lot 24 Block 15 on Sheet 8
- 8-feet along Jasper Road in Lot 1 Block 16 on Sheet 8
- label 8-foot easement within Tract M along Jasper Road on Sheets 8 and 9
- widen the utility easement within Tract J to 8-feet and label
- 8-feet along easterly lot line of Lot 1 Block 7 and westerly lot line of Lot 2 Block 7 on Sheet 9; widen the utility easements to 8-feet along Street F within Tract M, Lot 1 Block 15, and Lots 1 and 2 Block 7
- 8-feet rear-lot between Lots 3 and 4 Block 15 within Tract M on Sheet 9
- 8-feet rear-lot between Lots 10 and 11 Block 10 within Lot 20 Block 10 on Sheet 10 if PSCo is not allowed to utilize the proposed 30-foot utility easement
- 8-feet rear-lot between Lots 16 and 17 Block 10 within Tract K on Sheet 10
- 8-feet along southeasterly lot line of Lot 1 Block 8 on Sheet 10
- 8-feet along westerly lot line of Lot 19 Block 10 on Sheet 10
- 8-feet along northerly and easterly lot lines of Lot 1 Block 12 on Sheet 10
- 8-feet along southerly lot line of Lots 1 Block 5 and Lot 10 Block 6 on Sheet 10
- 8-feet along northwesterly lot line of Lot 1 Block 10 on Sheet 11

- 8-feet rear-lot between Lots 5 and 6 Block 10 within Tract O on Sheet 11
- 8-feet along westerly lot line of Lot 10 Block 5, OR, 8-feet rear-lot between Lot 10 Block 5 and Lot 2 Block 9 within Tract G
- widen the 6-foot utility easement in Tract G along Street F to 8-feet
- 8-feet along southeasterly lot line of Lot 6 Block 2 on Sheet 12
- 8-feet along easterly/southeasterly lot line of Lot 3 Block 1 on Sheet 12

Public Service Company also requests that all utility easements be depicted graphically on the preliminary and final plats. While these easements should accommodate the majority of utilities to be installed in the subdivision, some additional easements may be required as planning and building progresses.

In addition, 31-23-214 (3), C.R.S., requires the subdivider, at the time of subdivision platting, to provide for major utility facilities such as electric substation sites, gas or electric transmission line easements and gas regulator/meter station sites as deemed necessary by PSCo. While this provision will not be required on every plat, when necessary, PSCo will work with the subdivider to identify appropriate locations. This statute also requires the subdivider to submit a letter of agreement to the municipal/county commission that adequate provision of electrical and/or gas service has been provided to the subdivisions.

The developer is reminded that Public Service Company has an existing high pressure natural gas transmission line and associated land rights directly adjacent to this property to the south. Any activity including grading, proposed landscaping, erosion control or similar activities involving our existing right-of-way will require Public Service Company approval. Encroachments across Public Service Company's easements must be reviewed for safety standards, operational and maintenance clearances, liability issues, and acknowledged with a Public Service Company License Agreement to be executed with the property owner. **PSCo is requesting that, prior to any final approval of the development plan,** it is the responsibility of the property owner/developer/contractor to contact **Cheryl Diedrich, Senior Right-of-Way Agent at (303) 571-3116 or cheryl.diedrich@xcelenergy.com**, for development plan review and execution of a License Agreement.

As the project progresses, the property owner/developer/contractor must contact the **Builder's Call Line at 1-800-628-2121** and complete the application process for any new gas or electric service, or modification to existing facilities. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. The developer must contact **Bill Schulz, Right-of-Way Agent at 303-245-2271 or william.a.schulz@xcelenergy.com** to resolve all distribution easement issues. Additional easements will need to be acquired by separate document.

As a safety precaution, PSCo would like to remind the developer to call the **Utility Notification Center at 1 800-922-1987** for utility locates prior to construction.

If you have any questions about this referral response, please contact me at (303) 571-3306.

Sincerely,

Donna George
Contract Right-of-Way Referral Processor
Public Service Company of Colorado

Xcel Energy℠
PUBLIC SERVICE COMPANY

Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3660
donna.l.george@xcelenergy.com

January 16, 2014

Town of Erie
645 Holbrook
PO Box 750
Erie, Colorado 80516

Attn: Deborah Bachelder

Re: Wise Farms – Rezoning, Planned Unit Development Overlay and Preliminary Plat

Public Service Company of Colorado (PSCo) has determined **there is a conflict** with the above captioned project. Public Service Company has an existing high pressure natural gas transmission line and associated land rights directly adjacent to this property to the south. Any activity including grading, proposed landscaping, erosion control or similar activities involving our existing right-of-way will require Public Service Company approval. Encroachments across Public Service Company's easements must be reviewed for safety standards, operational and maintenance clearances, liability issues, and acknowledged with a Public Service Company License Agreement to be executed with the property owner. **PSCo is requesting that, prior to any final approval of the development plan,** it is the responsibility of the property owner/developer/contractor to contact **Cheryl Diedrich, Senior Right-of-Way Agent at (303) 571-3116 or cheryl.diedrich@xcelenergy.com**, for development plan review and execution of a License Agreement.

Please be aware PSCo owns and operates existing natural gas and electric distribution facilities within the proposed project area. To ensure that adequate utility easements are available within this development and per state statutes, Public Service Company requests that the following language or plat note be placed on the preliminary and final plats for the subdivision:

> ***Six-foot (6') wide dry utility easements are hereby dedicated on private property adjacent to the front lot lines and eight-foot (8') on the rear lot lines of each lot in the subdivision. In addition, eight-foot (8') wide dry utility easements are hereby dedicated around the perimeter of tracts, parcels and/or open space areas. These easements are dedicated to the Town of Erie for the benefit of the applicable utility providers for the installation, maintenance, and replacement of electric, gas, television, cable, and telecommunications facilities (Dry Utilities). Utility easements shall also be granted within any access easements and private streets in the subdivision. Permanent structures, improvements, objects, buildings, wells, water meters and other objects that may interfere with the utility facilities or use thereof (Interfering Objects) shall not be permitted within said utility easements and the utility providers, as grantees, may remove any Interfering Objects at no cost to such grantees, including, without limitation, vegetation. Public Service Company of Colorado (PSCo) and its successors reserve the right to require additional easements and to require the property owner to grant PSCo an easement on its standard form.***

Public Service Company also requests that **all utility easements be depicted graphically on the preliminary and final plats**. While these easements may accommodate certain utilities to be installed in the subdivision, some additional easements may be required as planning and building progresses.

In addition, 31-23-214 (3), C.R.S., requires the subdivider, at the time of subdivision platting, to provide for major utility facilities such as electric substation sites, gas or electric transmission line easements and gas regulator/meter station sites as deemed necessary by PSCo. While this provision will not be required on every plat, when necessary, PSCo will work with the subdivider to identify appropriate locations. This statute also requires the subdivider to submit a letter of agreement to the municipal/county commission that adequate provision of electrical and/or gas service has been provided to the subdivisions.

Public Service Company has no objection to this proposed rezone, contingent upon Public Service Company of Colorado's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

The property owner/developer/contractor must contact the **Builder's Call Line at 1-800-628-2121** and complete the application process for any new gas or electric service, or modification to existing facilities. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. The developer must contact **Bill Schulz, Right-of-Way Agent at 303-245-2271 or william.a.schulz@xcelenergy.com** to resolve all distribution easement issues. Additional easements will need to be acquired by separate document.

As a safety precaution, PSCo would like to remind the developer to call the **Utility Notification Center at 1-800-922-1987** to have all utilities located prior to any construction.

If you have any questions about this referral response, please contact me at (303) 571-3306.

Sincerely,

Donna George
Contract Right of Way Referral Processor
Public Service Company of Colorado

Department of Energy
Western Area Power Administration
Rocky Mountain Customer Service Region
P.O. Box 3700
Loveland, CO 80539-3003

November 21, 2014

Ms. Deborah Bachelder
Town of Erie
Community Development Services – Planning and Building
P.O. Box 750
645 Holbrook
Erie, CO 80516

RE: Wise Farms located within Section 14, T. 1 N., R. 69 W.
Western Area Power Administration's Erie-Terry Street 115-kV Transmission Line

Dear Ms. Bachelder:

Thank you for providing the updated version of the proposed Preliminary Plat for the Wise Farms Subdivision to Western Area Power Administration (Western) for review. Western appreciates the addition of the new language in Plat Note No. 8 and other modifications that have been made to the plat, which relate to Western's transmission line easement.

As noted in the letter, dated September 30, 2014, which we received from John Prestwich of PCS Group, Western will anticipate receiving and reviewing our ROW Use Application from the owner of the proposed facility for any crossings of our easement. Some examples of these crossings that we identified on the most recent version of the proposed plat and associated plan sheets included the following:

- Street crossings
- Water, sewer, and other utility lines
- Recreational trails/bike paths
- At least two pipelines associated with the oil & gas operations in Tract S

Western needs to preserve sufficient access to our facilities from public roads, and to maintain the current ground to conductor (wires) clearance. We use very large vehicles to maintain the line. No grading changes should be made which will prohibit our vehicles from accessing any portion of the transmission line or that will reduce the amount of clearance.

I've attached a copy of Western's ROW Use Application for your reference. I've also included a copy of a map that identifies the transmission line structure or pole numbers, which should be referenced on the ROW Use Applications. Upon review and approval of the applications, Western will then enter into a License Agreement with the applicant to properly document the uses within Western's easement.

We appreciate the opportunity to work with the Town of Erie, the developer, homebuilder, and utility providers for the Wise Farms project. If you have any questions, please contact Brian Pederson, Realty Specialist, at (970) 461-7284 or by email at bpederson@wapa.gov. Thank you.

Sincerely,

Carey Ashton
Realty Officer

Enclosure

Cc: John Prestwich, PCS Group. Inc.

pcs group inc. www.pcsgroupco.com

community design | entitlement | site design | landscape architecture | community imaging

September 30, 2014

Carey Ashton
Department of Energy - Western Area Power Administration
Rocky Mountain Customer Service Region
P.O. Box 3700
Loveland, CO 80539-3003

Dear Carey:

Thank you for your comment letter dated July 8th, 2014. Please accept this letter as our response to your comments.

CVL has updated note number 9 on the preliminary plat as requested, and has added a note indicating that "No fences shall be constructed within or across the easement without written approval by Western Area Power Administration", in addition we have modified the proposed fence location to remove the section of fence that crossed the easement.

The Wise development team acknowledges that a ROW use application will be required for any crossings or uses within the easement, and will work with WAPA at the time of final plat and construction drawings for any required approvals.

Sincerely,

John Prestwich

John Prestwich - President, RLA

pcs group inc. 1001 16th Street - #3 B-180 - denver - co - 80286 - t 303.531.4906
www.pcsgroupco.com

Western Area Power Administration

Erie - Terry Street (EE-TRR) 115-kV Transmission Line

Western Area Power Administration
Rocky Mountain Customer Service Region
ATTN: Carey Ashton, A7400.LV
P.O. Box 3700
Loveland, CO 80539-3003

EXHIBIT A
Page ____ of ____

NOTE: A minimum overhead clearance of at least ____ feet from the conductors must be maintained at all times.

RIGHT-OF-WAY USE APPLICATION

Date: _____ Transmission Line: Erie – Terry Street (EE-TRR) 115-kV

Description of Proposal (Narrative):

_____

_____

Location: _____

County: _____ State: _____

PROFILE: Show the location, height (feet), and distance (feet) from the nearest transmission line structure.

WAPA Structure
_____ ------>

WAPA Structure
<------ _____

Ground Surface _____ Ground Surface

PLAN: Show the location and dimensions (in feet) of the proposed facility in relation to the center conductor of the transmission line.

EDGE OF ROW----------EDGE OF ROW
Transmission Line Centerline _____ _____ Transmission Line Centerline
WAPA Structure
_____ ------> <------ _____ WAPA Structure
EDGE OF ROW----------EDGE OF ROW

North
------+------

Show NORTH by arrow at (+) in block at left and show approximate location in Section at right.

NW1/4	NE1/4
SW1/4	SE1/4

Attach other drawings and information as appropriate.

NOTE: Induced voltages and currents may occur on facilities constructed or placed under or near high voltage transmission lines, therefore, the Licensee shall be responsible for the protection of personnel and equipment in their design, construction, operation and maintenance of the facilities described in this application.

APPLICANT:

_____
Name: (Please Print)

_____
Signature

_____
Address: _____
_____
_____
Phone: _____

Department of Energy
Western Area Power Administration
Rocky Mountain Customer Service Region
P.O. Box 3700
Loveland, CO 80539-3003

July 8, 2014

Ms. Deborah Bachelder
Town of Erie
P.O. Box 750
Erie, CO 80516

RE: Preliminary Plat for Wise Farms located within Section 14, T. 1 N., R. 69 W.
Western Area Power Administration's Erie-Terry Street 115-kV Transmission Line

Dear Ms. Bachelder:

Thank you for providing the updated version of the proposed Preliminary Plat for Wise Farms Subdivision to Western Area Power Administration (Western) for review. As you may recall, Western previously submitted the attached letter, dated December 24, 2013, to make the applicant and the Town of Erie aware of our concerns regarding the uses within and near Western's transmission line easement on that property.

Some of the items we requested in the previous letter appear to have been included in the updated preliminary plat. However, some of the very important items were not. We ask that the following outstanding items be addressed as a condition of plat approval:

Note number 9 on the Preliminary Plat should be modified as follows: "No Trees are allowed within the easement" should be amended to read "No buildings, structures, or trees are allowed within the easement".

Please also add a note indicating that "No fences shall be constructed within or across the easement without written approval by Western Area Power Administration". The proposed preliminary plat currently shows a planned decorative iron fence across Western's easement on the northerly side of the RTD right of way (ROW). Please require the applicant to remove the iron fence where it crosses Western's easement or submit a fence plan showing a 16-foot wide gate.

Western will require a ROW Use Application for any crossings or uses within the easement, including but not limited to roads, utilities, fencing, grading, etc…

In regards to the grading plan, no grading shall be allowed within Western's easement that will reduce the amount of ground to conductor (wires) clearance, or adversely affect Western's ability to travel along the easement. No excavation shall be allowed within 50-feet of the transmission line support structures.

The Town of Erie, applicant, developer, home builder, future residents, and others need to be aware that this is a high voltage (115,000 volts) electric transmission line, not a lower voltage electric distribution line which is common in many residential communities. Construction activities within the easement may represent a safety risk and adversely affect the reliability of the electric grid if not conducted in accordance with proper and safe work practices.

It's very important that all construction activities and uses within Western's easement be coordinated with Western and properly documented with a ROW Use Application. Upon approval of an acceptable ROW Use Application for a use that does not represent a conflict for Western, Western will enter into a license agreement to document each approved use within the easement. We appreciate the Town of Erie's and applicant's cooperation with this request.

If you have any questions, please contact Brian Pederson, Realty Specialist, at (970) 461-7284 or by e-mail at bpederson@wapa.gov.

Sincerely,

Carey Ashton
Realty Officer

Enclosure

Department of Energy
Western Area Power Administration
Rocky Mountain Customer Service Region
P.O. Box 3700
Loveland, CO 80539-3003

December 24, 2013

Town of Erie
P.O. Box 750
Erie, CO 80516

RE: Land Use Application for Wise Farms located within Section 14, T. 1 N., R. 69 W.
Erie-Terry Street Transmission Line.

Dear Ms. Bachelder:

With regard to the above referenced preliminary plat, Western Area Power Administration (Western) offers the following comments:

1. All construction activities within Western's Erie-Terry Street overhead electric transmission line easement should be coordinated with this office.

2. The plat should provide for appropriate setbacks from Western's transmission line.

3. **The following language should be included on the plat:**

   When the updated plat is submitted for recording, it should indicate the transmission line easement areas with the following language included: "The United States easements are restricted areas and all construction activities within said easements should be coordinated with WESTERN AREA POWER ADMINISTRATION, P.O. Box 3700, Loveland, Colorado 80539-3003. (970-461-7200) No trees are allowed within the easement, only low growing plants not exceeding 10 feet in maximum mature height." Note: The easement width is 75 feet, 37.5 feet each side of the center line.

4. No buildings are allowed within the easement areas.

5. A minimum overhead clearance of 15 feet from the conductors of Western's Erie-Terry Street 115-kV Transmission Lines must be maintained at all times.

6. Owner shall not erect or install fences on or across the easement area without first submitting the fence plans for review and approval by Western.

7. Induced voltages and currents may occur on the facility constructed or placed under or near high voltage transmission lines. The owner shall be responsible for the protection of personnel and equipment in their design, construction, operation and maintenance of the facility.

8. Any changes in existing topography must be coordinated and approved by Western. Excavation is not permitted within 50 feet of any transmission line structure.

Thank you for the opportunity to comment on this project. If you have any questions, please contact Barbara O'Rourke at (970) 461-7284.

Sincerely,

Carey Ashton
Realty Officer

Department of Energy
Western Area Power Administration
Rocky Mountain Customer Service Region
P.O. Box 3700
Loveland, CO 80539-3003

July 8, 2014

Ms. Deborah Bachelder
Town of Erie
P.O. Box 750
Erie, CO 80516

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Some of the items we requested in the previous letter appear to have been included in the updated preliminary plat. However, some of the very important items were not. We ask that the following outstanding items be addressed as a condition of plat approval:

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It's very important that all construction activities and uses within Western's easement be coordinated with Western and properly documented with a ROW Use Application. Upon approval of an acceptable ROW Use Application for a use that does not represent a conflict for Western, Western will enter into a license agreement to document each approved use within the easement. We appreciate the Town of Erie's and applicant's cooperation with this request.

If you have any questions, please contact Brian Pederson, Realty Specialist, at (970) 461-7284 or by e-mail at bpederson@wapa.gov.

Sincerely,

Carey Ashton
Realty Officer

Enclosure

Department of Energy
Western Area Power Administration
Rocky Mountain Customer Service Region
P.O. Box 3700
Loveland, CO 80539-3003

December 24, 2013

Town of Erie
P.O. Box 750
Erie, CO 80516

RE: Land Use Application for Wise Farms located within Section 14, T. 1 N., R. 69 W.
Erie-Terry Street Transmission Line.

Dear Ms. Bachelder:

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1. All construction activities within Western's Erie-Terry Street overhead electric transmission line easement should be coordinated with this office.

2. The plat should provide for appropriate setbacks from Western's transmission line.

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Thank you for the opportunity to comment on this project. If you have any questions, please contact Barbara O'Rourke at (970) 461-7284.

Sincerely,

Carey Ashton
Realty Officer

Department of Energy
Western Area Power Administration
Rocky Mountain Customer Service Region
P.O. Box 3700
Loveland, CO 80539-3003

December 24, 2013

Town of Erie
P.O. Box 750
Erie, CO 80516

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Erie-Terry Street Transmission Line.

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Thank you for the opportunity to comment on this project. If you have any questions, please contact Barbara O'Rourke at (970) 461-7284.

Sincerely,

Carey Ashton
Realty Officer

Deb Bachelder

From: Teresa Patterson <tpatterson@udfcd.org>
Sent: Thursday, June 05, 2014 5:59 PM
To: Deb Bachelder
Subject: UDFCD MEP: Wise Farms

Project: **Wise Farms**
Stream: **N/A**
UDFCD MEP Phase: **Concept/Design**
UD MEP ID: **N/A**

Dear Deborah,

This letter is in response to the request for our comments concerning the referenced project. We appreciate the opportunity to review this proposal. We will not be considering this development for the UDFCD Maintenance Eligibility Program. There are no nearby major drainageways and the tributary area to any of the drainage infrastructure is too small to be regional. For the purposes of the UDFCD Maintenance Eligibility Program, detention basins are consider regional flood control facilities if they control at least 130 acres or are part of an overall District master plan and demonstrate a beneficial downstream effect. The Wise Farm detention basins will provide a local benefit to the receiving waters and we support their general approach to flood control.

In summary we have **no comments** and do not need to review future submittals.

Please feel free to contact me with any questions or concerns.

Thanks,
Teresa

Teresa L. Patterson, PE, CFM
Urban Drainage and Flood Control District
Project Engineer
Floodplain Management Program
Office: 303.455.6277 | www.udfcd.org

Community Development Services
Planning and Building

Town of Erie, Colorado
Development Referral

RECEIVED
DEC 23 2013
UDFCD

___Town of Erie Community Development
___Town of Erie OSTAB
___Public Review
___Boulder County Public Works
X Urban Drainage
___CGS
___NCWCD & Subdistrict
___EnCana
___Noble Energy
___Felsburg Holt & Ullevig
___Century Link Communications
___DOE WAPA – Carey Ashton
___XCEL Energy

___Town of Erie Engineering
___Town of Erie Parks & Recreation
___Town of Erie Water Attorney
___High Plains Library District
___Mountain View Fire Protection District
___Division of Wildlife
___NRCS
___Kerr-McGee Oil & Gas Onshore, LP
___St. Vrain Valley School District
___RTD
___Comcast Commercial & Residential
___DOE WAPA – Barb O'Rourke
___Lower Boulder Ditch

Planner: Deborah Bachelder **Date: December 19, 2013**

Project: Wise Farms **Applicant: Jasper Land Investments, LLC**

Description: Rezoning, Planned Unit Development Overlay & Preliminary Plat

Location: West of the Intersection of N. 119th Street & Jasper Road on the south

Legal Description: See Attached

This application is submitted to you for review and comment. Please reply by **Thursday, January 16, 2014,** so that we may give full consideration to your comments. Any response not received by this date may be deemed to be a positive response to the Town of Erie. Email responses can be sent to dbach@erieco.gov. If you have any questions about this application, please call 303-926-2775.

___We have reviewed this application and find no conflicts with our interests

___We have reviewed this application and find conflicts with our interests.

✓ See comments below or attached letter.

Comments: The drainage plan is consistent with the revised Erie OSP. Erie can submit the detention pond for UDFCD maintenance eligibility. Erie should obtain an easement over the detention pond.

Signature: Bill DeGroot **Date:** 1/8/14

Name (Please Print) Bill DeGroot

VRANESH AND RAISCH, LLP
ATTORNEYS AT LAW

1720 14th Street, Suite 200 Boulder, Colorado 80302
Telephone: 303.443.6151 Fax: 303.443.9586
www.vrlaw.com

June 5 2014

Deborah Bachelder, Town of Erie
Community Development Dept.
P.O. Box 750
Erie, CO 80516

Re: Wise Farms Preliminary Plat

Dear Deb:

You asked for comments regarding the Preliminary Plat for Wise Farms, west of the intersection of N 119th Street and Jasper Road submitted by Jasper Land Investments, LLC. The Town should assure that the property has been included into the Northern Colorado Water Conservancy District and its Municipal Subdistrict prior to providing any water service. It should also be confirmed that the land has been excluded from the Left Hand Water District and the St. Vrain Sanitation District, if necessary. From a water rights standpoint, water demands should be determined, in order to determine cash in lieu of water dedication and/or water dedication requirements for the homes and the proposed parks.

It should also be determined whether there are any appurtenant surface water rights which should be conveyed to the Town. If so, the Applicant should comply with Town Municipal Code Section 8-1-9 regarding dedication of water rights.

In addition, the Town's agreements with Boulder County should be reviewed to be sure that the development is in compliance with any of those agreements as they pertain to property purchased for open space. My records indicate that an agreement with Boulder County applied to Wise property located north of Jasper Road, but it should be confirmed that there are no restrictions on the property subject to this preliminary plat.

Finally, all ground water rights, including tributary, non-tributary, and not non-tributary rights should be dedicated to Erie. I apologize for the delay sending these comments and please call me with any questions or comments.

Sincerely,

VRANESH AND RAISCH, LLP

Paul J. Zilis
Paul J. Zilis, Esq.

PJZ:clm

VRANESH AND RAISCH, LLP
ATTORNEYS AT LAW

1720 14th Street, Suite 200 Boulder, Colorado 80302
Telephone: 303.443.6151 Fax: 303.443.9586
www.vrlaw.com

January 21, 2014

Deborah Bachelder, Town of Erie
Community Development Dept.
P.O. Box 750
Erie, CO 80516

Re: Wise Farms Rezoning and Preliminary Plat

Dear Deb:

You asked for comments regarding Wise Farms, west of the intersection of N 119th Street and Jasper Road. The Town should assure that the property has been included into the Northern Colorado Water Conservancy District and its Municipal Subdistrict prior to providing any water service. It should also be confirmed that the land has been excluded from the Left Hand Water District and the St. Vrain Sanitation District, if necessary. From a water rights standpoint, water demands should be determined, in order to determine cash in lieu of water dedication and/or water dedication requirements for the homes and the proposed parks.

It should also be determined whether there are any appurtenant surface water rights which should be conveyed to the Town. If so, the Applicant should comply with Town Municipal Code Section 8-1-9 regarding dedication of water rights.

In addition, the Town's agreements with Boulder County should be reviewed to be sure that the development is in compliance with any of those agreements as they pertain to property purchased for open space. My records indicate that an agreement with Boulder County applied to Wise property located north of Jasper Road, but it should be confirmed that there are no restrictions on the property subject to this rezoning and preliminary plat.

Finally, all ground water rights, including tributary, non-tributary, and not non-tributary rights should be dedicated to Erie. I apologize for the delay sending these comments and please call me with any questions or comments.

Sincerely,

VRANESH AND RAISCH, LLP

Paul J. Zilis
Paul J. Zilis, Esq.

PJZ:clm

Exhibit A

School Planning Standards And Calculation of In Lieu Fees

For Town of Erie

Single Family							
		School Planning Standards					
	Number Of Units	**Projected Student Yield**	**Student Facility Standard**	**Site Size Standard Acres**	**Acres of Land Contribution**	**Developed Land Value**	**Cash-in-lieu Contribution**
Elementary	166	0.22	525	10	0.70	$80,117	
		36.52					
Middle Level	166	0.1	750	25	0.55	$80,117	
		16.6					
High School	166	0.11	1200	50	0.76	$80,117	
		18.26					
Total		71.38			2.01	$80,117	$161,018
Single Family Student Yield is		0.43					**$970**
							Per Unit

St. Vrain Valley
School District

May 27, 2014

Deborah Bachelder
Town of Erie
645 Holbrook
Erie CO 80516

RE: Wise Farm, Rezoning, Planned Unit Development Overlay & Preliminary Plat

Dear Deborah,:

Thank you for referring the Wise Farm, Rezoning, Planned Unit Development Overlay & Preliminary Plat to the School District. The District supports this development proposal and has reviewed the application in terms of (1) available school capacity, (2) required land dedications and/or cash-in-lieu fees. After reviewing the above proposal, **the School District supports this proposed development**. The reasons for this position and other relevant information are as follows:

Should this development be approved, the options for managing the short and long term overcrowding in these schools may include adding modular classrooms and implementing split or staggered schedules as needed. Other options may include, but not be limited to, implementing year-round schools or asking voters to approve new bonds for additional school facilities or a mill levy for additional operating funds. It should be noted that a lack of operating funds may be a factor in delaying construction and occupancy of new school facilities in this area.

Detailed information on the specific capacity issues, the land dedication requirements and transportation impacts for this proposal follow in Attachment A. A land dedication is required with this project and there are comments on pedestrian access included in the attachment. The recommendation of the District noted above applies to the attendance boundaries current as of the date of this letter. These attendance boundaries may change in the future as new facilities are constructed and opened. If you have any further questions or concerns regarding this referral, please feel free to contact me via e-mail at kragerud_ryan@svvsd.org or at the number below.

Sincerely,

Ryan Kragerud, AICP
Planning/GIS

Enc.: Attachment A – Specific Project Analysis
Cash-in-lieu chart

ST. VRAIN VALLEY SCHOOL DISTRICT PLANNING DEPARTMENT. 395 SOUTH PRATT PARKWAY, LONGMONT, CO 80501. SCOTT TOILLION, DIRECTOR. PHONE 303-682-7229. FAX 303-682-7344.

ATTACHMENT A - Specific Project Analysis

PROJECT: Wise Farm, Rezoning, Planned Unit Development Overlay & Preliminary Plat

(1) SCHOOL CAPACITY
The Board of Education has established a District-wide policy of reviewing new development projects in terms of the impact on existing and approved school facilities within the applicable feeder system. Any residential project within the applicable feeder that causes the 125% school benchmark capacity to be exceeded within 5 years would not be supported. This determination includes both existing facilities and planned facilities from a voter-approved bond. The building capacity, including existing and new facilities, along with the impact of this proposal and all other approved development projects for this feeder is noted in the chart below.

ERIE ELEMENTARY

CAPACITY INFORMATION				CAPACITY BENCHMARK* (includes projected students, plus development's student impact)									
School Level	Building Capacity	Stdts. Oct-13	Stdt. Impact	2013-14		2014-15		2015-16		2016-17		2017-18	
				Stdts	Cap.	Stdts	Cap.	Stdts	Cap.	Stdts	Cap.	Stdts	Cap.
Elementary	564	310	37	317	56%	332	59%	532	94%	532	94%	589	104%
Middle (EMS)	840	612	17	707	84%	778	93%	821	98%	846	101%	862	103%
High (EHS)	896	758	18	775	86%	808	90%	862	96%	895	100%	938	105%
Total	2496		72	1799		1918		2215		2273		2389	

*students from new housing are added according to a 5 year buildout of approved plats within the school feeder.

Specific comments concerning this proposal regarding School Capacity are as follows:

- *Specific Impact* - This application will add 166 dwelling units and a potential impact of 72 additional students in the **Erie Elementary**, **Erie Middle** and **Erie High School Feeder**.
- *Benchmark Determination* – Non of the schools in this feeder, elementary, middle school or high school are expected to exceed 125% of their capacities.
- *Mitigation Options* - The Town of Erie and the developer should also be aware that the School Board has developed a mitigation policy that would assist in providing capacity for the new students in this subdivision. Under the policy, should an applicant wish to begin construction on a residential development prior to the District's ability to provide additional capacity, the applicant may mitigate the development's impact on the feeder by agreeing to a voluntary, per-unit payment. Funds would be used to provide permanent or temporary capacity within the impacted feeder. The Planning Department would be happy to discuss this type of mitigation for the proposal with either the town or developer.
- *Phasing Plan* – The District would appreciate a phasing plan from the applicant at the time of final plat to more accurately calculate the impacts of this development.

(2) LAND DEDICATIONS AND CASH IN-LIEU FEES
The implementation of the Intergovernmental Agreement (IGA) Concerning Fair Contributions for Public School Sites by the town of Erie requires that the applicant either dedicate land directly to the School District along with provision of the adjacent infrastructure and/or pay cash-in-lieu (CIL) fees based on the student yield of the development. CIL fees provide funds for land acquisition and water rights acquisition, which is only a small component of providing additional school capacity for a feeder. Specific comments regarding land dedications and CIL fees for this referral are as follows:

- *Dedication and/or Cash-in-lieu Requirements* – a land dedication is not required for this development therefore, CIL fees will be required.
- *Number of Units covered by dedication/cash-in-lieu* – n/a
- *Dedication/Cash-in-lieu Procedures – Receipts for dwelling unit credits may be obtained at the time of building permit in the St. Vrain Valley School District Business Office – 395 S. Pratt Parkway, Longmont, CO.*

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3) TRANSPORTATION/ACCESS

Transportation considerations for a project deal with bussing and pedestrian access to and from the subdivision. Pedestrian access, in particular, is an important goal of the School District in order to facilitate community connection to schools and to minimize transportation costs. Specific comments for this application are as follows:

- *Provision of Busing* - Busing for this project, under the current boundaries, would most likely be provided at the all levels.
- *Pedestrian/Access Issues* – n/a

St. Vrain Valley
School District

January 15, 2014

Deborah Bachelder
Town of Erie
645 Holbrook
Erie CO 80516

RE: Wise Farm, Rezoning, Planned Unit Development Overlay & Preliminary Plat

Dear Marty:

Thank you for referring the Wise Farm, Rezoning, Planned Unit Development Overlay & Preliminary Plat to the School District. The District has reviewed the development proposal in terms of (1) available school capacity, (2) required land dedications and/or cash-in-lieu fees. After reviewing the above proposal, **the School District supports this proposed development**. The reasons for this position and other relevant information are as follows:

Should this development be approved, the options for managing the short and long term overcrowding in these schools may include adding modular classrooms and implementing split or staggered schedules as needed. Other options may include, but not be limited to, implementing year-round schools or asking voters to approve new bonds for additional school facilities or a mill levy for additional operating funds. It should be noted that a lack of operating funds may be a factor in delaying construction and occupancy of new school facilities in this area.

Detailed information on the specific capacity issues, the land dedication requirements and transportation impacts for this proposal follow in Attachment A. A land dedication is required with this project and there are comments on pedestrian access included in the attachment. The recommendation of the District noted above applies to the attendance boundaries current as of the date of this letter. These attendance boundaries may change in the future as new facilities are constructed and opened. If you have any further questions or concerns regarding this referral, please feel free to contact me via e-mail at kragerud_ryan@svvsd.org or at the number below.

Sincerely,

Ryan Kragerud, AICP
Planning/GIS

Enc.: Attachment A – Specific Project Analysis
Cash-in-lieu chart

ST. VRAIN VALLEY SCHOOL DISTRICT PLANNING DEPARTMENT. 395 SOUTH PRATT PARKWAY, LONGMONT, CO 80501. SCOTT TOILLION, DIRECTOR. PHONE 303-682-7229. FAX 303-682-7344.

ATTACHMENT A - Specific Project Analysis

PROJECT: Wise Farm, Rezoning, Planned Unit Development Overlay & Preliminary Plat

(1) SCHOOL CAPACITY

The Board of Education has established a District-wide policy of reviewing new development projects in terms of the impact on existing and approved school facilities within the applicable feeder system. Any residential project within the applicable feeder that causes the 125% school benchmark capacity to be exceeded within 5 years would not be supported. This determination includes both existing facilities and planned facilities from a voter-approved bond. The building capacity, including existing and new facilities, along with the impact of this proposal and all other approved development projects for this feeder is noted in the chart below.

ERIE ELEMENTARY

CAPACITY INFORMATION				CAPACITY BENCHMARK* (includes projected students, plus development's student impact)									
School Level	Building Capacity	Stdts. Oct-13	Stdt. Impact	2013-14 Stdts	Cap.	2014-15 Stdts	Cap.	2015-16 Stdts	Cap.	2016-17 Stdts	Cap.	2017-18 Stdts	Cap.
Elementary	564	310	45	319	57%	337	60%	539	96%	539	96%	597	106%
Middle (EMS)	840	612	18	616	73%	599	71%	637	76%	679	81%	743	88%
High (EHS)	896	758	22	762	85%	829	93%	868	97%	928	104%	1012	113%
Total	2496		85	1697		1765		2044		2146		2352	

*students from new housing are added according to a 5 year buildout of approved plats within the school feeder.

Specific comments concerning this proposal regarding School Capacity are as follows:

- *Specific Impact* - This application will add 127 dwelling units and a potential impact of 85 additional students in the **Erie Elementary**, **Erie Middle** and **Erie High School Feeder**.
- *Benchmark Determination* – Non of the schools in this feeder, elementary, middle school or high school are expected to exceed 125% if their capacities.
- *Mitigation Options* - The Town of Erie and the developer should also be aware that the School Board has developed a mitigation policy that would assist in providing capacity for the new students in this subdivision. Under the policy, should an applicant wish to begin construction on a residential development prior to the District's ability to provide additional capacity, the applicant may mitigate the development's impact on the feeder by agreeing to a voluntary, per-unit payment. Funds would be used to provide permanent or temporary capacity within the impacted feeder. The Planning Department would be happy to discuss this type of mitigation for the proposal with either the town or developer.
- *Phasing Plan* – The District would appreciate a phasing plan from the applicant at the time of final plat to more accurately calculate the impacts of this development.

(2) LAND DEDICATIONS AND CASH IN-LIEU FEES

The implementation of the Intergovernmental Agreement (IGA) Concerning Fair Contributions for Public School Sites by the town of Erie requires that the applicant either dedicate land directly to the School District along with provision of the adjacent infrastructure and/or pay cash-in-lieu (CIL) fees based on the student yield of the development. CIL fees provide funds for land acquisition and water rights acquisition, which is only a small component of providing additional school capacity for a feeder. Specific comments regarding land dedications and CIL fees for this referral are as follows:

- *Dedication and/or Cash-in-lieu Requirements* – a land dedication is not required for this development therefore, CIL fees will be required.
- *Number of Units covered by dedication/cash-in-lieu* – n/a
- *Dedication/Cash-in-lieu Procedures – Receipts for dwelling unit credits may be obtained at the time of building permit in the St. Vrain Valley School District Business Office – 395 S. Pratt Parkway, Longmont, CO.*

3) TRANSPORTATION/ACCESS

Transportation considerations for a project deal with bussing and pedestrian access to and from the subdivision. Pedestrian access, in particular, is an important goal of the School District in order to facilitate community connection to schools and to minimize transportation costs. Specific comments for this application are as follows:

- *Provision of Busing* - Busing for this project, under the current boundaries, would most likely be provided at the all levels.
- *Pedestrian/Access Issues* – n/a

Single Family

School Planning Standards

	Number Of Units	Projected Student Yield	Student Facility Standard	Site Size Standard Acres	Acres of Land Contribution	Developed Land Value	Cash-in-lieu Contribution
Elementary	127	0.22	525	10	0.53	$80,117	
		27.94	*Number of Students = No. of Units * Student Yield*				
	*Equation: (Number of Students/Elem. Student Facility Size) * Elem. Site Size Standard = Acres of Land Contribution*						
Middle Level	127	0.1	750	25	0.42	$80,117	
		12.7	*Number of Students = No. of Units * Student Yield*				
	*Equation: (Number of Students/Middle Student Facility Size) * Middle Site Size Standard = Acres of Land Contribution*						
High School	127	0.11	1200	50	0.58	$80,117	
		13.97	*Number of Students = No. of Units * Student Yield*				
	*Equation: (Number of Students/High School Student Facility Size) * High School Site Size Standard = Acres of Land Contribution*						
Total	127	54.61			1.54	$80,117	$123,188
	Equation: Elem. Acreage + Middle Acreage + High School Acreage = Total Acres of Land Contribution						
Single Family Student Yield is .66							$970 Per Unit

Town of Erie
Open Space and Trails Advisory Board

From: Town of Erie Open Space and Trails Advisory Board (OSTAB)
To: Deborah Bachelder, Senior Planner, Community Development
Date: November 19, 2014

Subject: Wise Farms Referral: Rezoning, PUD Overlay, Preliminary Plat

OSTAB has reviewed the referral materials, compared them to Town planning documents, and has prepared the following comments, questions, and recommendations for the Town's consideration in evaluating this application.

The application includes a letter to OSTAB, dated September 30, 2014, which describes actions taken by the applicant in response to our previous evaluation letter of August 26, 2014. Those actions are discussed in detail below.

The Natural Areas Inventory (NAI):

Discussion: We are pleased that the applicant has specifically agreed to our previous recommendations, as stated in the response:

1. "The revised landscape plans depict native planting adjacent to the low lying wet area near NAI site #42";
2. "In addition, the tree preservation plans indicate preserving the trees that are mentioned"…i.e. the large trees in the area adjacent to Lower Boulder Ditch that ERO, the applicants consultant, evaluated.

Recommendations: None

Open Space:

Discussion: Thank you for correcting the discrepancies between the previous narrative and the tract summary table concerning the specific tracts that will be preserved as Town owned open space and the total acreage of them. Those tracts are Tract I, 7.15 acres (essentially NAI site #42), and Tract P, 2.12 acres (along Jasper Road, due east of Tract I). The combined acreage of these tracts is approximately 9.25 acres.

Recommendations: None.

Trails:

Spine Trail

Discussion: Thank you for confirming that the Spine Trail, which will be due south of the RTD ROW, will be built by the applicant to Town specifications - an 8 foot concrete trail, an adjacent 4 foot crusher fines trail, and a 2 foot buffer on each side. We did detect 2 inconsistencies in the application, which we believe are unintentional oversights:

1. Your above referenced letter to OSTAB states that “We have modified the spine trail adjacent to the RTD ROW to be an 8’ trail, with the adjacent 4’ trail and a 2 foot buffer on either side”. The adjacent 4’ trail should be a crusher fines trail;
2. In the upper right quadrant of sheet L8 of the preliminary landscape plan, there is the statement “30’ trail easement for future regional trail. Concrete trail to be constructed at the time of adjacent trail improvements.”

Recommendation: Correct the above inconsistencies so that the application clearly states that the Spine Trail will be built by the applicant to the town’s specifications in the proposed regional trail easement immediately south of the RTD ROW.

Neighborhood Trails

Discussion: In our previous response, we made the following recommendations:
1. Complete the loop in the northern half of the development with a trail either across Lower Boulder Ditch, or due north of the ditch;
2. Complete the loop in the southern half of the development with a trail along the perimeter of the western portion, and the western half of the southern portion;
3. Define the surface composition of all trails;
4. Increase the width of all neighborhood trails to 6 feet.

Concerning the northern portion, the applicant responded that “we believe that we have provided a very connected system of trails, all walks adjacent to streets are detached with a tree lawn and should be considered an integral part of the trail connectivity.” We further reviewed the planned trails, and also learned of the significant implements to crossing the Lower Boulder Ditch. Therefore, we are withdrawing all recommendations to modify the planned trails in this portion.

Concerning the southern portion, the applicant responded that “we believe that adding s short section of trail behind lots on the west side does not provide a benefit, and decreases the value of those home sites”. We do not agree. The planned trails exclude approximately half of the southern perimeter and essentially all the western perimeter. Adding trails in those sections would increase the loop trail by about 50%. Concerning the impact on the value of those home sites, we believe that their value would be INCREASED. Recently, the Town surveyed residents about Parks, Open Space and Trails (PROST Survey, 2014). One question was “How important was the presence of parks, recreation facilities and programs, open space, and trails in your decision to move to Erie or continue to live in Erie”. Responses were 1 (lowest) through 5 (highest), and were grouped by length of residency. For those residing in Erie less than 1 year, 64% responded “5”, and 26% “4”. For those residing between 1 and 5 years, 52% responded “5”, and 30% “4”. Anecdotally, our experience is that easy access to safe trails is critical for homeowners with children, especially direct access without using sidewalks adjacent to streets. For homeowners without children, “couch potatoes” do not want a trail at the rear of their property, “active” occupants are split 50-50. Since this development will NOT have connectivity via sidewalks or trails to any other Town open space or trails, our opinion is that the length and safe access to neighborhood trails will be a critical component in its success.

We are pleased that the applicant has “changed all the attached walks to detached walks with a tree lawn of the south side of the property”, and that “trail surfacing is called out on the preliminary landscape plans, and all neighborhood trails are depicted as 6 feet in width”.

Recommendation: complete the loop trail on the perimeter of the southern portion behind

proposed lots 1 through 12 on Street “X”.

Please pass this referral letter to the Applicant, and appropriate town departments, boards, and commissions. Thank you for your attention to these matters. OSTAB is available to discuss any of the above in more detail as needed.

Sincerely,

Open Space and Trails Advisory Board

Denise Brady
Kevin Chard
Dawn Fraser
Monica Kash
Nicole Littman
Ken Martin (Chair)
Joe Martinez

Town of Erie
Open Space and Trails Advisory Board

From: Town of Erie Open Space and Trails Advisory Board (OSTAB)
To: Deborah Bachelder, Senior Planner, Community Development
Date: August 26, 2014

Subject: Wise Farms Referral: Rezoning, PUD Overlay, Preliminary Plat

OSTAB has reviewed the referral materials, compared them to Town planning documents, and has prepared the following comments, questions, and recommendations for the Town's consideration in evaluating this application.

The application includes a letter to OSTAB, dated July 28, 2014, which describes actions taken by the applicant in response to our previous evaluation letter of June 4, 2014. Those actions are discussed in detail below.

The Natural Areas Inventory (NAI):

Discussion: We were pleased to learn that the applicant had engaged ERO, a professional wetlands specialist, both to determine the exact wetlands boundary within NAI site #42 (Wetlands Near Wise Woods), and to review a possible wet area near Lower Boulder Ditch. ERO examined both areas on July 7, 2014. Concerning the former (NAI site #42), ERO stated that the wetlands is primarily seasonal, but that wetlands hydrology exists in the smartweed community. ERO also stated that the effect of development will be positive, since the grading of the lots will result in an increased flow into the wetlands, and the areas disturbed by grading will be revegetated with native wetland species. Concerning the latter (area adjacent to Lower Boulder Ditch), ERO concluded that it is not a wetlands. The applicant has agreed to leave the large trees within that area in an undisturbed state.

Recommendation: Implement the protections described above:

1. Revegetate with native wetlands species the areas near NAI site #42 that are disturbed by grading;
2. Leave the large trees undisturbed in the area adjacent to Lower Boulder Ditch that ERO evaluated.

Open Space:

Discussion: We were unable to determine which of the open space tracts would be dedicated. The Preliminary Plat Narrative states "We are proposing to dedicate approximately 20 acres of open space within the property." The PUD Zoning narrative states "We have proposed the largest home sites, as well as a significant open space corridor, being adjacent to the existing

eastern neighbors as a method of creating a transition from the Wise Farms community to the existing neighbors. In addition, our plan shows a buffer area adjacent to the Canfield and Smallworld neighborhoods that ranges from approximately 300 feet to over 500 feet." However, the tract summary table on the first page of the Preliminary Plat drawings identifies only two tracts to be owned by the Town: Tract I, 7.15 acres (essentially NAI site #42), and Tract P, 2.12 acres (along Jasper Road, due east of Tract I). The combined acreage of these tracts is approximately 9.25 acres, less than half the amount of dedicated open space described in the Preliminary Plat narrative.

Recommendation: Specify which tracts will be dedicated open space, and who will own them.

Trails:

Spine Trail

Discussion: The application includes a 30 foot easement for the proposed east-west regional trail, immediately south of the RTD ROW. The PROST Master Plan includes this location as a proposed Spine Trail. The applicant is "proposing to build a crusher fines trail at this time based upon the lack of connectivity off of the property". However, we believe that the UDC requires that Spine Trails and sidewalks be constructed at the time of development, whether or not there is immediate connectivity.

Recommendation: Build the Spine Trail to the town's spine trail specifications in the proposed regional trail easement immediately south of the RTD ROW. Those specifications include an 8 foot concrete trail, an adjacent 4 foot crusher fines trail, and a 2 foot buffer on each side.

Neighborhood Trails

Discussion: As we previously recommended, the applicant has substantially increased these trails, so that there are now some options with loops. However, we believe that additional trails will greatly enhance the recreational opportunities for residents of this development.

In the northern portion, it would be beneficial if there were a trail north of Lower Boulder Ditch from Tract P to the western crossing of the Ditch by Street F. An alternative would be a crossing of the Ditch from Tract P to Tract G, which has a proposed trail south of the Ditch.

In the southern portion, the trail loop excludes the lots on the western side, and the western half of the southern side. Since these lots are quite large (in excess of 40,000 sq. ft.), a trail along the perimeter could easily be included, which would provide a complete loop around the entire southern portion.

The drawings indicated that most of these trails will be surfaced with concrete; a few were undefined. The width of virtually all neighborhood trails was not defined. A few had a 5 foot width, which we believe is inadequate to permit bicycles and carriages from passing safely.

Recommendations:

1. Complete the loop in the northern half of the development with a trail either across Lower Boulder Ditch, or due north of the ditch (details above);
2. Complete the loop in the southern half of the development with a trail along the perimeter of the western portion, and the western half of the southern portion (details above);

3. Define the surface composition of all trails;
4. Increase the width of all neighborhood trails to 6 feet.

Please pass this referral letter to the Applicant, and appropriate town departments, boards, and commissions. Thank you for your attention to these matters. OSTAB is available to discuss any of the above in more detail as needed.

Sincerely,

Open Space and Trails Advisory Board

Denise Brady
Monica Kash
Kevin Chard
Dawn Fraser
Nicole Littman
Ken Martin (Chair)
Joe Martinez

Town of Erie
Open Space and Trails Advisory Board

From: Town of Erie Open Space and Trails Advisory Board (OSTAB)
To: Deborah Bachelder, Senior Planner, Community Development
Date: June 4, 2014

Subject: Wise Farms Referral: Preliminary Plat

OSTAB has reviewed the referral materials, compared them to Town planning documents, and has prepared the following comments, questions, and recommendations for the Town's consideration in evaluating this application.

Open Space and the Natural Areas Inventory (NAI):

Discussion: We were very pleased to see that earlier design had been materially changed so that most of NAI site #42 (Wetlands Near Wise Woods) is now preserved as dedicated open space. That location had previously been designated as a neighborhood park with parking. While reviewing the NAI documents and Google Earth, we noticed that there appears to be an additional small wetlands along Lower Boulder Ditch, close to where that ditch exits the property on the east side. We are unable to determine whether that possible wetlands is within the proposed dedicated open space, or compromised by either proposed Street B or proposed lots 4 and 5 along the south side of that street.

Recommendation: Determine whether or not the wetlands described above exists, and if it does, is its location within the proposed dedicated open space. If it exists and it is outside the dedicated open space, extend the proposed dedicated open space along Lower Boulder Ditch westward to include it.

Trails:

Spine Trail

Discussion: We were pleased to see that this proposal now includes a 30 foot easement for the proposed east-west regional trail, immediately south of the RTD ROW. The PROST Master Plan includes this location as a proposed Spine Trail. As such, we believe that the developer is required to construct it.

Recommendation: Build the Spine Trail to the town's spine trail specifications in the proposed regional trail easement immediately south of the RTD ROW.

Neighborhood Trails

Discussion: The proposed neighborhood trails are all linear and relatively short. Since this proposed subdivision is not adjacent to any existing trails, and neither Jasper Road nor 119th Street have sidewalks, the opportunities for residents to walk will be very limited.

Recommendation for the portion north of the RTD ROW: Build a perimeter trail more or less as follows:

1. East side – along the eastern border from Jasper Road to Lower Boulder Ditch;
2. South side:
    a. Option A - build a bridge across Lower Boulder Ditch, then utilized the proposed linear trail along the south side of the Ditch;
    b. Option B - due north of the Ditch;
3. West side – due west of the proposed lots until it connects to the sidewalk on proposed Street E;
4. North side:
    a. Utilize the sidewalk on proposed Street E, then north utilizing the sidewalk on proposed Street B to Jasper Road.
    b. Utilize the sidewalk going south on Proposed Street B to the Central Pocket Park.
    c. Continue eastward through the Pocket Park, then along the southern portion of the dedicated open space to the sidewalk on proposed Street B, then north to Jasper Road.
    d. Continue east on Jasper Road to the eastern boundary.

Recommendation for the portion south of the RTD ROW: Build a perimeter trail more or less as follows:

1. East side –a concrete sidewalk along 119th Street.
2. South side:
    a. Along the proposed emergency access from 119th Street to the proposed linear trail;
    b. The entire proposed linear trail;
    c. Adjacent to the southern property border, behind the proposed lots on Street X;
3. West side – Adjacent to the western property border, behind the proposed lots on Street X;
4. North side – utilize the proposed Spine Trail.

Please pass this referral letter to the Applicant, and appropriate town departments, boards, and commissions. Thank you for your attention to these matters. OSTAB is available to discuss any of the above in more detail as needed.

Sincerely,

Open Space and Trails Advisory Board

Denise Brady
Monica Kash
Kevin Chard
Dawn Fraser
Nicole Littman
Ken Martin (Chair)
Joe Martinez

Town of Erie
Open Space and Trails Advisory Board

From: Town of Erie Open Space and Trails Advisory Board (OSTAB)
To: Deborah Bachelder, Community Development Planner
Cc: A.J. Krieger, Town Administrator
Date: January 27, 2013

Subject: Wise Farms Preliminary Plat Referral

Dear Deb:

OSTAB has reviewed the Wise Farms preliminary plat referral package materials, compared them to Town planning documents, and has prepared the following comments, questions, and recommendations for the Town's consideration in evaluating this project.

Regarding Open Space:

1. The Municipal Code requires that 17 acres of open space per 1000 population be dedicated by residential developers. The population generated with this project is expected to be 354, therefore the open space dedication requirement is 6.02 acres. If built as depicted in the submitted documents, the applicant will dedicate 10 acres, exceeding their minimum open space dedication requirement.
2. OSTAB feels that that wetlands area along the north side of the property in Tract A/PA-10 should be preserved largely as is, which would help maintain the rural theme of the project. This area is represented in the Town of Erie Natural Areas Inventory, Site #42 ("Wetlands Near Wise Woods"). We recommend against any infill, trails and boardwalk being added to the interior of the wetlands. Focus should be on enhancement of that natural area and minimize the amount of disturbance there. Furthermore, we recommend that the parking area and its access to Jasper Road be shifted to the far eastern edge of PA-10, outside of the wetlands area. The neighborhood park, if mandated by size of the development, could be moved to PA-14. The pocket park could be moved to PA-11.
    a. From the Town of Erie Natural Areas Inventory, Site 42 comments:
        i. "The mature cottonwoods and coyote willows provide habitat for songbirds and small mammals."
        ii. "Residents report yellow-headed blackbirds and red-winged blackbirds. The presence of yellow-headed blackbirds is noteworthy in that they require larger expanses of cattails than do red-winged blackbirds, and they are a species of concern.
        iii. "Enhancement efforts would be low and would involve the eradication of noxious weeds."

Regarding Trails:

1. Please confirm that there will be sidewalks or trail along the Jasper all along the northern boundary of the property. It appears there will be sidewalks in the interior of the development that will connect to trails.

2. For full loop of connectivity in Wise Farms, OSTAB recommends:
    a. Add trail in PA-9/Tract D, starting from the west side of that parcel to at least the sidewalk on the street at the south end of PA-9 or continue further eastward towards PA-2/Tract E before continuing on sidewalk.
    b. Add trail to continue from the cul de sac on Street D northward to Jasper Road in either Tract C or the eastern side of Outlot C where Tract C is too narrow for a trail corridor.
3. Trail connectivity southwestward from Street D's cul de sac towards Dobbin Park should be considered in the vicinity of the existing road along the ditch.
4. Longer-term there may be trail proceeding north of Jasper towards and along/in the vicinity of Boulder Creek. North-south connections through Wise Farms as mapped will aid in that connectivity.
5. Trail connectivity to and from open space tracts to the two ditch crossings appear to be appropriately envisioned in the Concept Plan and PUD Plan. It was not clear if those trails were carried forward into the Preliminary Plat Plan, specifically south of Streets D and H.
6. The Zoning Narrative speaks to the envisioned "future regional trail in the RTD Railroad ROW (Right of Way) as "we fully anticipate connecting" and "have provided the required area for the future Regional Trail Connection". These points are important as OSTAB often hears from Erie's citizens the importance of that future regional trail. Portions of that trail already exist eastward of this project on the south side of the railroad tracks.
7. Trail connectivity to the future proposed Wise development to the south should be accounted for.

Please pass this referral letter to the Applicant, Board of Trustees. and Planning Commission. Thank you for your attention to these matters. OSTAB is available to discuss any of the above in more detail as needed.

Sincerely,

Open Space and Trails Advisory Board

Denise Brady
Kevin Chard
Robb James
Monica Kash
Nicole Littman
Ken Martin (Chair)
Wendy Watson

BV

Community Development Services
Planning and Building

Town of Erie, Colorado
Development Referral

5-7-14

___Town of Erie Community Development
___Town of Erie OSTAB
___Town of Erie Parks – Hegner
___Town of Erie Water Attorney
___High Plains Library District
___Mountain View Fire Protection District
___Division of Wildlife
X NRCS
___Kerr-McGee Oil & Gas Onshore, LP
___St. Vrain Valley School District
___RTD
___Comcast Commercial & Residential
___DOE WAPA – Barb O'Rourke
___Leyner Cottonwood Ditch Company
___Town of Erie Engineering
___Town of Erie Parks & Recreation – Buller
___Public Review
___Boulder County Public Works
___Urban Drainage
___CGS
___NCWCD & Subdistrict
___EnCana
___Noble Energy
___Felsburg Holt & Ullevig
___Century Link Communications
___DOE WAPA – Carey Ashton
___XCEL Energy
___New Consolidated Lower Boulder Ditch

Planner: Deborah Bachelder **Date: May 5, 2014**

Project: Wise Farms **Applicant: Jasper Land Investments, LLC**

Description: Rezoning, Planned Unit Development Overlay & Preliminary Plat

Location: West of the Intersection of N. 119th Street & Jasper Road on the south

Legal Description: See Attached

This application is submitted to you for review and comment. Please reply by **Thursday, June 5, 2014,** so that we may give full consideration to your comments. Any response not received by this date may be deemed to be a positive response to the Town of Erie. Email responses can be sent to dbach@erieco.gov. If you have any questions about this application, please call 303-926-2775.

X We have reviewed this application and find no conflicts with our interests

___We have reviewed this application and find conflicts with our interests.

___See comments below or attached letter.

Comments:_____

Signature: Arlene Penna **Date:** 5-12-2014

Name (Please Print) Arlene Penna

Community Development Services
Planning and Building

Town of Erie, Colorado
Development Referral

12-23-13

___Town of Erie Community Development
___Town of Erie OSTAB
___Public Review
___Boulder County Public Works
___Urban Drainage
___CGS
___NCWCD & Subdistrict
___EnCana
___Noble Energy
___Felsburg Holt & Ullevig
___Century Link Communications
___DOE WAPA – Carey Ashton
___XCEL Energy
___Town of Erie Engineering
___Town of Erie Parks & Recreation
___Town of Erie Water Attorney
___High Plains Library District
___Mountain View Fire Protection District
___Division of Wildlife
X NRCS
___Kerr-McGee Oil & Gas Onshore, LP
___St. Vrain Valley School District
___RTD
___Comcast Commercial & Residential
___DOE WAPA – Barb O'Rourke
___Lower Boulder Ditch

Planner: Deborah Bachelder **Date: December 19, 2013**

Project: Wise Farms **Applicant: Jasper Land Investments, LLC**

Description: Rezoning, Planned Unit Development Overlay & Preliminary Plat

Location: West of the Intersection of N. 119th Street & Jasper Road on the south

Legal Description: See Attached

This application is submitted to you for review and comment. Please reply by **Thursday, January 16, 2014,** so that we may give full consideration to your comments. Any response not received by this date may be deemed to be a positive response to the Town of Erie. Email responses can be sent to dbach@erieco.gov. If you have any questions about this application, please call 303-926-2775.

___We have reviewed this application and find no conflicts with our interests

X We have reviewed this application and find conflicts with our interests.

___See comments below or attached letter.

Comments:_____

Signature: Keith Bateman **Date:** 1-13-14

Name (Please Print) Keith Bateman

Boulder Valley Conservation District
9595 Nelson Road, Box D – Longmont, Colorado 80501 – Phone (303) 776-4034 – Fax (303) 684-9893

Site Review Memo

To: Boulder Valley CD Board

From: Nancy McIntyre

Subject: (List site name, location, Permit#, Purpose, etc.)

Wise Farms, Town of Erie, west of intersection of N 119th Street & Jasper Road, rezoning, planned unit development overlay & preliminary plat.

Prime Farmland:

Prime farmland and of statewide importance.

Water Quality:

Lower Boulder Ditch runs through the property. Make sure building sites are not adjacent to the ditch and make sure the right-of-way for the ditch is protected.

Noxious Weed Control:

Monitor property for noxious weeds and remove. Create a noxious weed treatment plan with Boulder County Weed Department.

Soils Limitations:

The Loveland soil is very limited due to flooding.

Other concerns:

Summary comments:

Community Development Services
Planning and Building

Town of Erie, Colorado
Development Referral

___Town of Erie Community Development
___Town of Erie OSTAB
___Town of Erie Parks – Behlen
___Town of Erie Water Attorney
___CGS
___Kerr-McGee Oil & Gas Onshore, LP
___New Consolidated Lower Boulder Ditch
___Town of Erie Engineering
___Town of Erie Parks & Recreation – Buller
___Public Review
___Boulder County Public Works
X NCWCD & Subdistrict
___XCEL Energy
___New Consolidated Lower Boulder Ditch

Planner: Deborah Bachelder **Date: August 5, 2014**

Project: Wise Farms **Applicant: Jasper Land Investments, LLC**

Description: Rezoning, Planned Unit Development Overlay & Preliminary Plat

Location: West of the Intersection of N. 119th Street & Jasper Road on the south

Legal Description: See Attached

This application is submitted to you for review and comment. Please reply by **Tuesday, August 26, 2014,** so that we may give full consideration to your comments. Any response not received by this date may be deemed to be a positive response to the Town of Erie. Email responses can be sent to dbach@erieco.gov. If you have any questions about this application, please call 303-926-2775.

___We have reviewed this application and find no conflicts with our interests

X We have reviewed this application and find conflicts with our interests.

___See comments below or attached letter.

Comments: Please see attached letters.

Signature: [signature] **Date:** 970-622-2243

Name (Please Print) Jim Stuble 970-593-2074
Real Estate Manager
Northern Water

Northern Water
Northern Colorado Water Conservancy District
220 Water Avenue Berthoud, Colorado 80513
Phone 1-800-369-7246 • Fax 1-877-851-0018
www.northernwater.org

June 2, 2014

Deborah Bachelder, Planner
Town of Erie
PO Box 750
Erie, Colorado 80516

Dear Deborah:

This letter is in response to the Wise Farms development referral letter dated May 5, 2014. As you know Northern Colorado Water Conservancy District (Northern Water) sent you a letter dated January 10, 2014, and subsequently we met with you and the developer to discuss the proposed development. I have enclosed a copy of the letter for your reference.

Northern Water asks that we be kept informed through the development process and remind both you and the developer that we will need to have drawings provided with adequate time to review the activities that are planned within the permanent easement of the South Platte Supply Canal ownership. In addition, any work within the easement will need to have a Letter of Consent completed for the crossing. The owner of the facilities will be required to ask for the Letter of Consent, which will need to be approved by both Northern Water and The New Consolidated Lower Boulder Reservoir and Ditch Company.

If you have any questions, please contact me at 970-622-2243.

Sincerely,

Jim Struble, SR/WA
Real Estate Manager

mm
Enclosure

cc: Eric Doering, President, The New Consolidated Lower Boulder Reservoir and Ditch Company
Jeff Kahn, Lyons Gaddis Kahn Hall Jeffers Dworak & Grant

Northern Water
Northern Colorado Water Conservancy District
220 Water Avenue Berthoud, Colorado 80513
Phone 1-800-369-7246 • Fax 1-877-851-0018
www.northernwater.org

January 10, 2014

Deborah Bachelder, Planner
Town of Erie
Community Development Services
Planning and Building
PO Box 750
Erie, Colorado 80516

Re: Wise Farms Development

Dear Ms. Bachelder:

This letter is in response to the development referral letter sent to Northern Water for the proposed Wise Farms Development, which is owned by Jasper Land Investments LLC.

Northern Colorado Water Conservancy District (Northern Water) is the owner of easements associated with the South Platte Supply Canal (SPSC), also known as the Lower Boulder Ditch. Northern Water has entered into an agreement with The New Consolidated Lower Boulder Reservoir and Ditch Company (Lower Boulder) to perform the operation and maintenance of the canal; however, Northern Water and Lower Boulder have a dispute concerning the precise, present ownership of the canal.

I have enclosed two separate Easement Deeds that show the described easements, which are owned by Northern Water. The first is a contract and grant of easement, which is shown on the drawings as Tract C. Northern Water is now the owner of this tract of land conveyed by Quit Claim Deed recorded on March 25, 2008, at Reception No. 3543528, Weld County, State of Colorado, from the United States of America to Northern Water. This same parcel is shown on the drawings as being recorded on Book 963 Page 168 United States of America and Book 993 Page 344. The Preliminary Plat shows that two roads will cross the easement of Northern Water as well as lots that will be located adjacent to the easement. In addition, Northern Water anticipates that multiple utilities will also be constructed under the canal. Northern Water will require the developer to submit all proposed plans and specifications of the proposed road and utility crossings associated with the Wise Farm Development prior to any activities being performed in and around its canal easement.

The developer and/or the Town of Erie will be required to enter into a Letter of Consent with Northern Water and Lower Boulder to allow for the construction of the bridges across the canal as well as all utility crossings. Also, in order to protect both Northern Water and Lower Boulder, we will require that a fence be installed on both sides of the canal to eliminate the trespass and liability of individuals using the canal roads as a path for recreational purposes.

Northern Water also owns an easement recorded on November 3, 1989 at Reception No. 1011773 for the purposes of constructing, operating and maintaining an access road and underground electrical line. The access road and electrical line are used for the operations and maintenance of the SPSC. On Page 1 of 9 of the Preliminary Plat, Note 10 states that "the following recorded easement will be vacated by separate document: 30' electric & access easement recorded under Rec. No. 1011773." Both Northern Water and Lower Boulder will only agree to vacate this easement if the developer agrees to provide an additional access and utility easement to Northern Water. The developer will be required to construct both the new road and replace the electrical line at no cost to Northern Water and Lower Boulder.

Northern Water and Lower Boulder have not had any written or verbal discussions with the owner or representative of Jasper Land Investments LLC regarding the proposed Wise Farms Development. Northern Water requests the Town of Erie have a representative of Jasper Land Investments LLC schedule a meeting with both Northern Water and Lower Boulder to discuss the proposed Wise Farms Development.

You are welcome to contact me to discuss Northern Water's interest at 970-622-2243 or at 970-593-2074.

Sincerely,

Jim L. Struble, SR/WA
Real Estate Manager

mm
Enclosures

Northern Water
Northern Colorado Water Conservancy District
220 Water Avenue Berthoud, Colorado 80513
Phone 1-800-369-7246 • Fax 1-877-851-0018
www.northernwater.org

June 2, 2014

Deborah Bachelder, Planner
Town of Erie
PO Box 750
Erie, Colorado 80516

Dear Deborah:

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Sincerely,

Jim Struble, SR/WA
Real Estate Manager

mm
Enclosure

cc: Eric Doering, President, The New Consolidated Lower Boulder Reservoir and Ditch Company
Jeff Kahn, Lyons Gaddis Kahn Hall Jeffers Dworak & Grant

Northern Water
Northern Colorado Water Conservancy District
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Phone 1-800-369-7246 • Fax 1-877-851-0018
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January 10, 2014

Deborah Bachelder, Planner
Town of Erie
Community Development Services
Planning and Building
PO Box 750
Erie, Colorado 80516

Re: Wise Farms Development

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You are welcome to contact me to discuss Northern Water's interest at 970-622-2243 or at 970-593-2074.

Sincerely,

Jim L. Struble, SR/WA
Real Estate Manager

mm
Enclosures

3543528 03/25/2008 02:23P Weld County, CO
1 of 15 R 76.00 D 0.00 Steve Moreno Clerk & Recorder

528

SCANNED
129572

UNITED STATES OF AMERICA
QUIT CLAIM DEED

(South Platte Supply Canal)

THE UNITED STATES OF AMERICA ("Grantor"), acting by and through the Bureau of Reclamation, Department of the Interior, pursuant to the provisions of the Act of June 17, 1902 (32 Stat. 388), and acts amendatory thereof and supplementary thereto, particularly the Act of October 11, 2006 (Public Law 109-321 [H.R. 3443], 120 Stat. 1753), for good and valuable consideration, does hereby convey, remise, release, sell and quit claim to the **NORTHERN COLORADO WATER CONSERVANCY DISTRICT** ("District"), a quasi-municipal entity and political subdivision of the State of Colorado, existing and organized pursuant to Colorado Revised Statutes §§ 37-45-101 et seq., whose address is 220 Water Avenue, Berthoud, Colorado 80513, all of its right, title and interest, without warranties, in and to the South Platte Supply Canal, a water distribution facility of the Colorado-Big Thompson Project ("Project") and related real property, interests in real property and improvements to real property situated in Boulder County and Weld County, Colorado:

I. Water Distribution Facilities Conveyed

1. The lands, easements, rights-of-way, and rights-of-way acquired or reserved by Grantor under the Act of August 30, 1890 (26 Stat. 391), and amendments thereof and supplemental thereto, and other real property interests, described in Exhibits A and B, attached hereto and incorporated herein; and,

2. The ditches, canals, tunnels, diversion works and other improvements and appurtenances used or constructed by Grantor known as the South Platte Supply Canal, which is a portion of the works of the Colorado-Big Thompson Project, located on the lands, easements, rights-of-way, and other real property interests described in Exhibits A and B.

II. Consideration

In consideration of the transfer of said water distribution facilities, the District has repaid the capital costs of the Colorado-Big Thompson Project under the contract dated July 5, 1938 between the District and the United States providing for the construction of the Project. Congress has declared that the District has completed its repayment obligation and that no additional consideration is required (109 P.L. 321).

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Page: 1 of 15
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III. Obligations and Rights Under the 1938 Contract

Nothing in this conveyance or in 109 P.L. 321 affects or modifies the District's obligations and rights under the 1938 contract.

IV. Liability

Except as otherwise provided by law, effective on the date of conveyance of the transferred water distribution facilities, the United States shall not be liable for damages of any kind arising out of any act, omission, or occurrence based on any prior ownership or operation by the United States of the transferred water distribution facilities.

V. Full Conveyance

If any further specific conveyances should be necessary hereafter, because of the discovery of additional lands, easements, rights of way, facilities, appurtenances or other property of the South Platte Supply Canal not listed on Exhibits A and B, or to more specifically and legally describe the lands and facilities conveyed herein, then Grantor shall make such conveyances on the same terms and conditions set forth herein and as set forth in 109 P.L. 321.

SUBJECT TO valid existing rights including permits, licenses, leases, rights-of-use, or rights-of-way of record outstanding in third parties on, over, or across said premises. Benefits, payments, and responsibilities of Grantor arising after the date of this quit claim deed which are applicable to such permits, leases, rights-of-way, and other use authorizations shall inure to the benefit of and be binding upon the District.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever, of the Grantor, either in law or in equity, to the only proper use, and benefit of the District and its successors and assigns forever.

IN WITNESS WHEREOF, the Grantor, through its duly appointed officer, has executed this Quit Claim Deed on the 14th day of March, 2008.

UNITED STATES OF AMERICA
Grantor

By: _____
Regional Director
Department of the Interior
Bureau of Reclamation
Great Plains Region
316 North 26th Street, Room 2045
Billings, Montana 59101

ACKNOWLEDGMENT OF THE UNITED STATES

STATE OF Colorado)
) ss.
County of Larimer)

On the 14th day of March, 2008, personally appeared before me Michael Ryan, known to me as the Regional Director of the Bureau of Reclamation, Great Plains Region, United States Department of the Interior, the signer of the above instrument, who acknowledged to me that he executed the same on behalf of the United States of America pursuant to authority delegated to him.

Witness my hand and official seal.

Signature of Notary

Jim L. Struble
Typed or printed name of Notary

(SEAL)

JIM L. STRUBLE NOTARY PUBLIC STATE OF COLORADO
My Commission Expires 03/23/2010

Notary Public for the State of: Colorado

Residing at: Ft. Collins

My commission expires: 3/23/2010

ACCEPTANCE BY DISTRICT

The parties hereto intend for the above Quit Claim Deed to satisfy the terms of Public Law 109-321 with respect to the South Platte Supply Canal. The District accepts this Quit Claim Deed and agrees to be bound by the terms and conditions hereof.

NORTHERN COLORADO WATER CONSERVANCY DISTRICT

By: Mike Applegate
President of the Board of Directors

ACKNOWLEDGMENT OF DISTRICT

STATE OF COLORADO)
) ss.
County of Larimer)

On the 14th day of March, 2008, personally appeared before me Mike Applegate, known to me as the President of the Board of Directors of the Northern Colorado Water Conservancy District, the signer of the above Acceptance by District, who acknowledged to me that he executed the same on behalf of the Northern Colorado Water Conservancy District pursuant to authority delegated to him.

Witness my hand and official seal.

Signature of Notary
Jim L. Struble
Typed or printed name of Notary

(SEAL)

JIM L. STRUBLE NOTARY PUBLIC STATE OF COLORADO
My Commission Expires 03/23/2010

Notary Public for the State of: Colorado
Residing at: Ft Collins
My commission expires: 3/23/2010

EXHIBIT A

1. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded February 25, 1955, in Book 1412, Page 600, at Reception No. 1199895 in the official records of Weld County.

2. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded March 5, 1955, in Book 973, Page 202, at Reception No. 90552894 in the official records of Boulder County. Also recorded February 25, 1955, in Book 1412, Page 595, at Reception No. 1199894 in the official records of Weld County.

3. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded July 5, 1956, in Book 1017, Page 80, at Reception No. 9057742 in the official records of Boulder County.

4. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded July 5, 1956, in Book 1017, Page 87, at Reception No. 90577543 in the official records of Boulder County.

5. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded October 10, 1955 in Book 993, Page 326, at Reception No. 90564204 in the official records of Boulder County.

6. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded October 10, 1955, in Book 993, Page 300, at Reception No. 90564200 in the official records of Boulder County.

7. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded October 10, 1955, in Book 993, Page 306, at Reception No. 90564201 in the official records of Boulder County.

8. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded October 10, 1955, in Book 993, Page 364, at Reception No. 90564210 in the official records of Boulder County.

9. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded September 16, 1960, in Book 1156, Page 218, at Reception No. 90659575 in the official records of Boulder County.

10. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded October 10, 1955, in Book 993, Page 332, at Reception No. 90564205 in the official records of Boulder County.

11. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded October 10, 1955, in Book 993, Page 352, at Reception No. 90564208 in the official records of Boulder County.

12. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded October 10, 1955, in Book 993, Page 312, at Reception No. 90564202 in the official records of Boulder County.

13. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded June 13, 1956, in Book 1015, Page 20, at Reception No. 90576249 in the official records of Boulder County.

14. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded June 13, 1956, in Book 1015, Page 14, at Reception No. 90576248 in the official records of Boulder County.

15. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded October 10, 1955, in Book 993, Page 344, at Reception No. 90564207 in the official records of Boulder County.

16. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded June 13, 1956, in Book 1015, Page 2, at Reception No. 90576246 in the official records of Boulder County.

17. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded March 30, 1956, in Book 1008, Page 261, at Reception No. 90572374 in the official records of Boulder County.

18. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded June 13, 1956, in Book 1015, Page 8, at Reception No. 90576247 in the official records of Boulder County.

19. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded October 10, 1955, in Book 993, Page 358, at Reception No. 90564209 in the official records of Boulder County.

20. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded October 10, 1955, in Book 993, Page 371, at Reception No. 90564211 in the official records of Boulder County.

21. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded October 10, 1955, in Book 993, Page 338, at Reception No. 90564206 in the official records of Boulder County.

22. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded October 10, 1955 in Book 993, Page 319, at Reception No. 90564203 in the official records of Boulder County.

23. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded June 30, 1956, in Book 1016, Page 454, at Reception No. 90577289 in the official records of Boulder County.

24. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded June 13, 1956, in Book 1016, Page 448, at Reception No. 90577288 in the official records of Boulder County.

25. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded October 10, 1955, in Book 1481, Page 574, at Reception No. 1214909 in the official records of Weld County.

26. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded March 30, 1956, in Book 1446, Page 461, at Reception No. 1227085 in the official records of Weld County.

27. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded June 30, 1956, in Book 1454, Page 277, at Reception No. 1233693 in the official records of Weld County.

28. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded June 30, 1956, in Book 1454, Page 252, at Reception No. 1233690 in the official records of Weld County.

29. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded June 30, 1956, in Book 1454, Page 260, at Reception No. 1233691 in the official records of Weld County.

30. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded October 10, 1955, in Book 1431, Page 581, at Reception No. 1214910 in the official records of Weld County.

31. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded February 15, 1956, in Book 1442, Page 448, at Reception No. 1223660 in the official records of Weld County.

32. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded February 15, 1956, in Book 1442, Page 465, at Reception No. 1223662 in the official records of Weld County.

33. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded March 30, 1956, in Book 1446, Page 438, at Reception No. 1227082 in the official records of Weld County.

34. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded March 30, 1956, in Book 1446, Page 480, at Reception No. 1227088 in the official records of Weld County.

35. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded March 30, 1956, in Book 1446, Page 467, at Reception No. 1227086 in the official records of Weld County.

36. Contract and Grant of Easement between the Northern Colorado Water Conservancy District and Norman H. Johnson recorded March 12, 1956, in Book 1445, Page 85, at Reception No. 1227086 in the official records of Weld County.

37. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded January 25, 1956, in Book 1440, Page 498, at Reception No. 1222081 in the official records of Weld County.

38. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded July 5, 1956, in Book 1454, Page 479, at Reception No. 1233919 in the official records of Weld County.

39. Contract and Grant of Easement between the Northern Colorado Water Conservancy District and Ernest L. Oskarson & Sigrid E. Oskarson recorded December 5, 1955, in Book 1436, Page 409, at Reception No. 1218382 in the official records of Weld County.

40. Contract and Grant of Easement between the Northern Colorado Water Conservancy District and Augusta H. Block, Josephine B. Miles & Ernestine Block Grigsby recorded May 21, 1956, in Book 1451, Page 213, at Reception No. 1231072 in the official records of Weld County.

41. No Contract or Grant of Easement of lands described in item 1, Exhibit B.

42. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded January 25, 1956, in Book 1440, Page 481, at Reception No. 1222079 in the official records of Weld County.

43. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded January 25, 1956, in Book 1440, Page 492, at Reception No. 1222080 in the official records of Weld County.

44. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded March 30, 1956, in Book 1446, Page 507, at Reception No. 1227091 in the official records of Weld County.

45. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded March 30, 1956, in Book 1446, Page 501, at Reception No. 1227090 in the official records of Weld County.

46. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded March 30, 1956, in Book 1446, Page 416, at Reception No. 1227079 in the official records of Weld County.

47. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded June 13, 1956, in Book 1453, Page 52, at Reception No. 1232539 in the official records of Weld County.

48. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded March 30, 1956, in Book 1446, Page 490, at Reception No. 1227089 in the official records of Weld County.

49. Permanent Easement between Lanson's Farm, A Partnership and the United States Department of Interior, Bureau of Reclamation recorded October 16, 1972, in Book 678, at Reception No. 1599686 in the official records of Weld County.

50. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded January 25, 1956, in Book 1440, Page 475, at Reception No. 1222078 in the official records of Weld County.

51. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded February 15, 1956, in Book 1442, Page 475, at Reception No. 1223663 in the official records of Weld County.

52. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded April 10, 1956, in Book 1447, Page 401, at Reception No. 1227899 in the official records of Weld County.

53. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded June 13, 1956, in Book 1453, Page 58, at Reception No. 1232540 in the official records of Weld County.

54. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded March 30, 1956, in Book 1446, Page 474, at Reception No. 1227087 in the official records of Weld County.

55. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded April 10, 1956, in Book 1447, Page 395, at Reception No. 1227898 in the official records of Weld County.

56. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded January 25, 1956, in Book 1440, Page 468, at Reception No. 1222077 in the official records of Weld County.

57. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded April 10, 1956, in Book 1447, Page 388, at Reception No. 1227897 in the official records of Weld County.

58. No Contract or Grant of Easement of lands described in item 2, Exhibit B.

59. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded March 30, 1956, in Book 1446, Page 455, at Reception No. 1227084 in the official records of Weld County.

60. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded March 30, 1956, in Book 1446, Page 408, at Reception No. 1227078 in the official records of Weld County.

61. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded June 30, 1956, in Book 1454, Page 244, at Reception No. 1233689 in the official records of Weld County.

62. Contract and Grant of Easement between the Northern Colorado Water Conservancy District and Archie M. Sprague and Catherine C. Sprague recorded March 12, 1956, in Book 1445, Page 76, at Reception No. 1225690 in the official records of Weld County.

63. Contract and Grant of Easement between the Northern Colorado Water Conservancy District and Andrew Dier and William Dier recorded March 12, 1956, in Book 1445, Page 93, at Reception No. 1225694 in the official records of Weld County.

64. Contract and Grant of Easement between the Northern Colorado Water Conservancy District and Archie M. Sprague recorded March 12, 1956, in Book 1445, Page 80, at Reception No. 1225691 in the official records of Weld County.

65. Right of Way Notice between the United States of America and the Northern Colorado Water Conservancy District recorded March 1, 1974, in Book 709, at Reception No. 1631170 in the official records of Weld County.

66. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded March 30, 1956, in Book 1446, Page 425, at Reception No. 1227080 in the official records of Weld County.

67. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded March 30, 1956, in Book 1446, Page 447, at Reception No. 1227083 in the official records of Weld County.

68. Contract and Grant of Easement between the Northern Colorado Water Conservancy District and Robert S. McCoy recorded March 12, 1956, in Book 1445, Page 89, at Reception No. 1225693 in the official records of Weld County.

69. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded March 30, 1956, in Book 1446, Page 432, at Reception No. 1227081 in the official records of Weld County.

70. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded June 30, 1956, in Book 1454, Page 284, at Reception No. 1233694 in the official records of Weld County.

71. Contract and Grant of Easement between the Northern Colorado Water Conservancy District and Leonard B. Dix and Jane A. Dix recorded March 12, 1956, in Book 1445, Page 97, at Reception No. 1225695 in the official records of Weld County.

72. Contract and Grant of Easement between the Northern Colorado Water Conservancy District and Dewey Knox and Ola M. Knox recorded March 19, 1956, in Book 1445, Page 473, at Reception No. 1226276 in the official records of Weld County.

73. Right of Way Notice between the United States of America and the Northern Colorado Water Conservancy District recorded March 1, 1974, in Book 709, at Reception No. 1631169 in the official records of Weld County.

74. Right of Way Notice between the United States of America and the Northern Colorado Water Conservancy District recorded March 1, 1974, in Book 709, at Reception No. 1631168 in the official records of Weld County.

75. Right of Way Notice between the United States of America and the Northern Colorado Water Conservancy District recorded December 3, 1974, in Book 704, at Reception No. 1625773 in the official records of Weld County.

76. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded October 10, 1955, in Book 1431, Page 588, at Reception No. 1214911 in the official records of Weld County.

77. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded June 30, 1956, in Book 1454, Page 270, at Reception No. 1233692 in the official records of Weld County.

78. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded October 10, 1955, in Book 1431, Page 601, at Reception No. 1214913 in the official records of Weld County.

79. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded October 10, 1955, in Book 1431, Page 595, at Reception No. 1214912 in the official records of Weld County.

80. Contract and Grant of Easement between the United States of America and the Northern Colorado Water Conservancy District recorded March 6, 1956, in Book 1444, Page 355, at Reception No. 1225242 in the official records of Weld County.

RECORDER'S NOTE:
SCANNED AS RECEIVED.
IMAGE REFLECTS QUALITY
OF RECORDED DOCUMENT

EXHIBIT B

#41 full legal

Appraisal No. 1173

SOUTH PLATTE SUPPLY CANAL

LAND DESCRIPTION

UNION PACIFIC RAILROAD COMPANY

WELD COUNTY, COLORADO

Canal Act Land

A parcel of land herein designated Tract "C" located in the Northwest quarter of the Northeast quarter (NW¼NE¼) Section 33, Township 2 North, Range 68 West of the Sixth Principal Meridian, in Weld County, Colorado, said tract being more particularly described as follows:

beginning at point 1, being P.O.S.T. station 654+17.5 in the control line of the proposed South Platte Supply Canal, being also a point in the west line of said NW¼NE¼ Section 33, whence the North quarter corner of said Section 33 bears North 0°11' East 694.4 feet distant; thence with said west line, North 0°11' East 26.5 feet to point 2; thence leaving said west line, North 58°16' East 410.5 feet to point 3; thence North 85°21' East 122.1 feet to point 4; thence North 6°26' East 91.8 feet to point 5; thence North 38°13' West 238.2 feet to point 6; thence North 20°19' East 179.0 feet to point 7, a point in the north line of said NW¼NE¼ Section 33; thence with said north line, North 89°24' East 27.9 feet to point 8, being P.O.S.T. station 664+77.2 in the control line of the proposed South Platte Supply Canal, whence the North quarter corner of said Section 33 bears South 89°24' West 421.8 feet distant; thence continuing with said north line, North 89°24' East 63.1 feet to point 9; thence leaving said north line, South 20°19' West 164.0 feet to point 10; thence South 38°13' East 225.5 feet to point 11; thence South 6°26' West 196.6 feet to point 12; thence South 85°21' West 171.7 feet to point 13; thence South 58°16' West 404.0 feet to point 14; thence North 23°33' West 5.1 feet to point 15; thence South 74°39' West 32.1 feet to point 16, a point in the west line of said NW¼NE¼ Section 33; thence with said west line, North 0°11' East 57.1 feet to point 1, the point of beginning, and containing 2.18 acres, more or less.

Approved as to engineering data:
R.E.H. Date 2-10-55

EXHIBIT B

#58 Full Legal

Appraisal No. 1190

SOUTH PLATTE SUPPLY CANAL

LAND DESCRIPTION

WM. E. RUSSELL COAL CO., ET. AL.

WELD COUNTY, COLORADO

Perpetual Easement

Approved as to engineering data: R.E.S. Date 3-23-55

Two tracts of land herein designated Tracts "A," and "B," both located in the Northwest quarter of the Northeast quarter (NW¼NE¼) Section 20, Township 2 North, Range 67 West of the Sixth Principal Meridian, in Weld County, Colorado, being more particularly described as follows:

TRACT "A"--beginning at point 1, being a point in the west line of said NW¼NE¼ Section 20, and being station 1261+49.9 in the control line of the proposed South Platte Supply Canal, whence the North quarter corner of said Section 20 bears North 1°04' West 954.7 feet distant; thence with said west line, North 1°04' West 35.6 feet to point 2; thence leaving said west line, North 78°11' East 116.7 feet to point 3; thence North 69°28' East 790.6 feet to point 4; thence South 56°49' East 192.7 feet to point 5; thence South 70°42' East 212.3 feet to point 6; thence South 84°35' East 0.9 of a foot to point 7; thence North 65°23' East 104.7 feet to point 8, being a point in the east line of said NW¼NE¼ Section 20; thence with said east line, South 1°14' East 61.8 feet to point 9, being P.O.S.T. station 1275+51.4 in the control line of the proposed South Platte Supply Canal, whence the North quarter corner of said Section 20 bears North 58°37' West 1,558.6 feet distant; thence continuing South 1°14' East 96.6 feet to point 10; thence leaving said east line, North 84°35' West 245.2 feet to point 11; thence North 56°49' West 274.9 feet to point 12; thence South 69°28' West 745.4 feet to point 13; thence South 78°11' West 144.6 feet to point 14, being a point in the west line of said NW¼NE¼ Section 20; thence with said west line, North 1°04' West 71.3 feet to point 1, the point of beginning, and containing 3.53 acres, more or less,

EXHIBIT B

#58 Full Legal Continued

Wm. E. Russell Coal Co., Et. Al.

ALSO TRACT "B"--beginning at point 1, being a point in the east line of said NW¼NE¼ Section 20, and being station 1277+70.0 in the control line of the proposed South Platte Supply Canal, whence the North quarter corner of said Section 20 bears North 64°57' West 1,464.2 feet distant; thence with said east line, South 1°14' East 64.4 feet to point 2; thence leaving said east line, North 34°10' West 186.7 feet to point 3; thence North 3°53' East 124.3 feet to point 4; thence North 53°25' East 110.9 feet to point 5, being a point in the east line of said NW¼NE¼ Section 20; thence with said east line, South 1°14' East 42.9 feet to point 6, being station 1280+47.5 in the control line of the proposed South Platte Supply Canal; thence continuing South 1°14' East 237.4 feet to point 1, the point of beginning, and containing 0.52 of an acre, more or less,

said Tracts "A," and "B," containing a total of 4.05 acres, more or less.

Approved as to engineering data:
R.E.S. Date 3-23-55

#01011773 11/03/89 11:34 AM REAL ESTATE RECORDS
F1601 CHARLOTTE HOUSTON BOULDER CNTY CO RECORDER

3-1

EASEMENT

THIS EASEMENT is made this 31 day of Oct., 1989, between Olive M. Wise, GRANTOR, whose address is 358 South Clay Street, Denver, Colorado 80219, and the NORTHERN COLORADO WATER CONSERVANCY DISTRICT, a quasi-municipal entity, whose address is 1250 North Wilson Avenue, P. O. Box 679, Loveland, Colorado 80539, GRANTEE.

The GRANTOR, for and in consideration of the sum of $1,500.00 and other good valuable consideration in hand paid by the GRANTEE, the receipt whereof is hereby confessed and acknowledged, grants, sells, and conveys to the GRANTEE a perpetual non-exclusive easement on, under, and across the real property described in Exhibit A attached hereto and made a part hereof for the purpose of constructing, operating, and maintaining an access road and underground electrical line, together with the right to enter upon said premises, survey, construct, maintain, operate, repair, replace, control, and use said access road and electrical line and warrants the title to the same, subject to easements, reservations, and restrictions of record. The GRANTEE, upon installation of the required facilities, will restore and maintain the disturbed area to a natural-like condition. The GRANTOR reserves the right to use and occupy the real property described in Exhibit A for any purpose consistent with the rights and privileges above granted and which will not interfere with, or endanger, said access road and underground electrical line. In case of permanent abandonment of the above described easement, the title and interest herein granted shall end, cease, and determine.

3-2

IN WITNESS WHEREOF, the GRANTOR has executed this Easement Deed as of the day and year first above written.

Olive M. Wise
358 South Clay Street
Denver, Colorado 80219

STATE OF Colorado)
)ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 31 day of October, 1989, by Olive M Wise.

Witness my hand and official seal.

My commission expires: 5-26-93

Notary Public

1280 S Federal Blvd

Denver CO 80219

Address

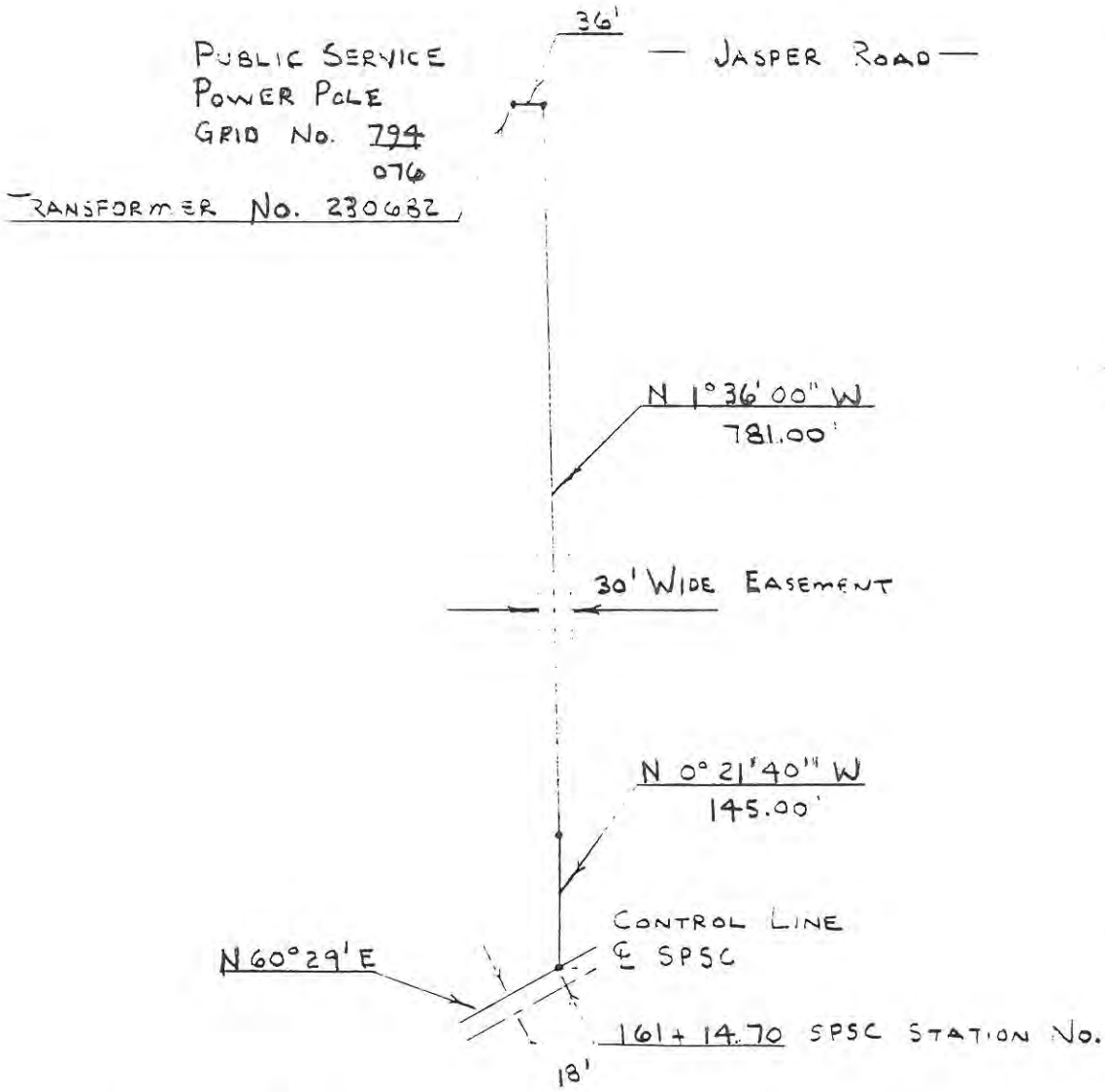
COMPUTATION SHEET

3-3

BY	DATE	PROJECT	SHEET ____ OF ____
CHKD BY	DATE	FEATURE	
DETAILS			

SOUTH PLATTE SUPPLY CANAL

ACCESS ROAD / POWER LINE EASEMENT SURVEY



LOCATED WITHIN: NE 1/4, SEC. 14, T. 1N., R 69W 6TH P.M
BOULDER COUNTY, COLORADO

EXHIBIT "A"

Contract 7-1406-700-225

BOOK 993 PAGE 344 Recorded OCT 10 1955 at 10:37 O'clock A.M.
Reception No. 564207 Milton E. Tschiche, Recorder

CONTRACT AND GRANT OF EASEMENT

THIS CONTRACT, made this 29th day of June, 1955 in pursuance of the Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof or supplementary thereto between THE UNITED STATES OF AMERICA, hereinafter styled as the United States, acting through such Officer as is authorized therefor by the Secretary of the Interior, and the NORTHERN COLORADO WATER CONSERVANCY DISTRICT, a quasi-municipal corporation, organized under the laws of the State of Colorado, with its principal place of business at Loveland, Colorado, hereinafter referred to as the Grantor:

WITNESSETH:

THE FOLLOWING GRANT and the following mutual covenants by and between the parties:

1. For the consideration hereinafter expressed the GRANTOR does hereby grant unto the United States, its successors and assigns, a perpetual easement and right-of-way to construct, operate and maintain the South Platte Supply Canal, said canal being an enlargement of The Consolidated Lower Boulder Reservoir & Ditch Company canal, including the right to borrow from or fill, on, over and across the following described parcels of land, to wit:

Appraisal No. 1140

SOUTH PLATTE SUPPLY CANAL

LAND DESCRIPTION

WILLIAM T. WISE

BOUNDER COUNTY, COLORADO

Perpetual Easement

Two tracts of land herein designated Tract "A" and "C" located in the Northeast quarter of the Southwest quarter (NE¼SW¼), the Southeast quarter of the Northwest quarter (SE¼NW¼), the Southwest quarter of the Northeast quarter (SW¼NE¼), and the west half of the Southeast quarter of the Northeast quarter (W½SE¼NE¼), all in Section 14, Township 1 North, Range 69 West of the Sixth Principal Meridian, in Boulder County, Colorado, being more particularly described as follows:

TRACT "A"--a parcel of land located in the Southeast quarter of the Northwest quarter (SE¼NW¼), the Southwest quarter of the Northeast quarter (SW¼NE¼) and in the West half of the Southeast quarter of the Northeast quarter (W½SE¼NE¼), in all Section 14, Township 1 North, Range 69 West of the Sixth Principal Meridian, being more particularly described as follows:

beginning at point 4, being a point in the northerly boundary of the Union Pacific Railroad right-of-way, being also P.O.S.T. station 146+28.1 in the control line of the proposed South Platte Supply Canal, whence the North quarter corner of said Section 14 bears North 25°53' East 2,779.8 feet distant; thence with the northerly boundary of the Union Pacific Railroad right-of-way, South 89°57' West 44.9 feet to point 5; thence leaving the northerly boundary of the Union Pacific Railroad right-of-way, North 26°57' East 104.9 feet to point 6; thence South 86°50' East 578.2 feet to point 7; thence North 80°46' East 202.1 feet to point 8; thence South 84°40' East 131.3 feet to point 9; thence North 74°17' East 199.4 feet to point 10; thence North 81°58' East 53.8 feet to point 11; thence North 8°02' West 10.0 feet to point 12; thence North 81°58' East 26.7 feet to point 13; thence North 60°29' East 329.1 feet to point 14; thence South 77°45'

Approved as to engineering data: [illegible] Date 10/23/53

East 115.2 feet to point 15; thence North 80°13' East 150.8 feet to point 16; thence North 64°38' East 157.4 feet to point 17; thence North 76°19' East 223.4 feet to point 18; thence North 88°23' East 135.4 feet to point 19; thence North 84°04' East 174.7 feet to point 20; thence North 62°32' East 126.0 feet to point 21; thence North 84°23' East 211.0 feet to point 22; thence North 59°34' East 97.2 feet to point 23; thence continuing North 59°34' East 38.6 feet to point 24; thence South 34°40' East 25.1 feet to point 25; thence North 51°07' East 335.8 feet to point 26; thence continuing North 51°07' East 65.2 feet to point 27, being a point in the east line of the W½SE¼NE¼ Section 14; thence with the east line of said W½SE¼NE¼ Section 14, DUE SOUTH 32.1 feet to point 28, being station 179+95.0 in the control line of the proposed South Platte Supply Canal, whence the East quarter corner of Section 14 bears South 36°58' East 1,132.3 feet distant; thence continuing with the east line of the said W½SE¼NE¼ Section 14, DUE SOUTH 77.1 feet to point 29; thence leaving the east line of said W½SE¼NE¼ Section 14, South 51°07' West 338.6 feet to point 30; thence South 59°34' West 168.1 feet to point 31; thence South 84°23' West 213.9 feet to point 32; thence South 62°32' West 125.7 feet to point 33; thence South 84°04' West 199.8 feet to point 34; thence South 88°23' West 127.9 feet to point 35; thence South 76°19' West 200.5 feet to point 36; thence South 64°38' West 161.2 feet to point 37; thence South 80°13' West 187.3 feet to point 38; thence North 77°45' West 94.6 feet to point 39; thence South 60°29' West 308.0 feet to point 40; thence South 81°58' West 94.6 feet to point 41; thence South 74°17' West 135.6 feet to point 42, a point in the northerly boundary of the said Union Pacific Railroad right-of-way; thence with said northerly boundary, South 89°57' West 992.1 feet to point 4, the point of beginning, and containing 7.55 acres, more or less,

Approved as to engineering data: RCW Date 10/23/53

ALSO TRACT "C"—a parcel of land lying in the Northeast quarter of the Southwest quarter (NE¼SW¼), and the Southeast quarter of the Northwest quarter (SE¼NW¼) Section 14, Township 1 North, Range 69 West of the Sixth Principal Meridian, being more particularly described as follows:

beginning at point 1, a point in the west line of said NE¼SW¼ Section 14, and being station 139+52.9 in the control line of the proposed South Platte Supply Canal, whence the South quarter corner of said Section 14 bears South 31°15' East 2,522.2 feet distant; thence with the west line of said NE¼SW¼ Section 14, North 0°04' West 155.7 feet to point 2; thence leaving the west line of said NE¼SW¼ Section 14, North 14°49' East 76.7 feet to point 3; thence North 22°10' East 139.7 feet to point 4; thence North 14°57' West 191.3 feet to point 5, a point in the southerly boundary of the

Union Pacific Railroad right-of-way; thence with said southerly boundary of the Union Pacific Railroad right-of-way, North 89°57' East 41.4 feet to point 6, being station 145+20.2 in the control line of the proposed South Platte Supply Canal, whence the North quarter corner of said Section 14 bears North 25°33' East 2,882.8 feet distant; thence continuing with the southerly boundary of the Union Pacific Railroad right-of-way, North 89°57' East 91.2 feet to point 7; thence leaving the southerly boundary of the Union Pacific Railroad right-of-way, South 26°57' West 42.0 feet to point 8; thence South 14°57' East 159.5 feet to point 9; thence South 22°10' West 166.9 feet to point 10; thence South 14°49' West 260.0 feet to point 11; thence South 46°39' West 65.8 feet to point 12, a point in the west line of said NE¼SW¼ Section 14; thence with the west line of said NE¼SW¼ Section 14, North 0°04' West 98.6 feet to point 1, the point of beginning, and containing 1.34 acres, more or less,

said Tracts "A" and "C" containing a total of 8.89 acres, more or less,

Approved as to engineering data: RCW Date 10/23/53

Also, a temporary easement and right-of-way to a borrow and disposal area, including the right to borrow and waste; to construct, operate, and maintain such construction facilities as may be incidental thereto, including the right of ingress and egress, on, over, or across the following described Tract "B," located in the West half of the Southeast quarter of the Northeast quarter (W½SE¼NE¼) Section 14, Township 1 North, Range 69 West of the Sixth Principal Meridian, in Boulder County, Colorado, said temporary easement to expire on OCT 1 1956, the land being in its then condition, at which time the full use, interest and rights herein conveyed shall cease, end and terminate, said Tract "B" being more particularly described as follows:

beginning at point 1, being also point 23 in the northerly boundary of the hereinbefore described Tract "A," whence the East quarter corner of said Section 14 bears South 56°35' East 1,246.4 feet distant; thence North 16°39' West 105.2 feet to point 2; thence North 46°08' East 118.4 feet to point 3; thence North 83°57' East 255.1 feet to point 4, being also point 26 in the northerly boundary of said Tract "A"; thence with three courses in the northerly boundary of said Tract "A," South 51°07' West 335.8 feet to point 5; North 34°40' West 25.1 feet to point 6; South 59°34' West 38.6 feet to point 1, the point of beginning, and containing 0.75 of an acre, more or less.

which rights are acquired for the use of the Bureau of Reclamation, Department of the Interior, in connection with the South Platte Supply Canal, Colorado-Big Thompson Project.

2. The grant of easement herein contained shall include the right to enter upon the said premises, to survey, construct, operate and maintain said canal, including the necessary conduits, channels, drainage ditches, measuring weirs and other works as may be necessary or beneficial in the construction, operation and maintenance of said canal, including the right to remove objects interfering therewith. The said canal and every part thereof, shall, where it crosses the GRANTOR'S property, be confined to the lands and right-of-way described above. In case of permanent abandonment of said right-of-way, the title and interest herein granted shall end, cease and determine.

3. As complete consideration for the above grant of easement, the United States agrees to pay to the GRANTOR the sum of One Thousand and No/00----------dollars ($ 1,000.00), which consideration is full compensation for all damages which would be considered and assessed in any award or verdict in a proceeding to condemn said easement.

4. This contract is made subject to (a) any coal or mineral rights reserved to or outstanding in third parties at the date of this contract, and (b) any existing rights-of-way in favor of the public or third parties for roads, railroads, telephone lines, transmission lines, ditches,

conduits or pipe lines on, over or across said land, including all rights-of-way heretofore granted the UNITED STATES.

5. No member of or delegate to Congress or Resident Commissioner shall be admitted to any share or part of this contract or to any benefit to arise therefrom. Nothing, however, herein contained shall be construed to extend to any incorporated company if the contract be for the general benefit of such corporation or company.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed the day and year first above written.

NORTHERN COLORADO WATER CONSERVANCY DISTRICT

Attest: Secretary

By _____
Title: President

UNITED STATES OF AMERICA

By _____

Appd. Sol Off.
B. L. Kepland
Date: 7/5/55

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF COLORADO)
COUNTY OF LARIMER) SS.

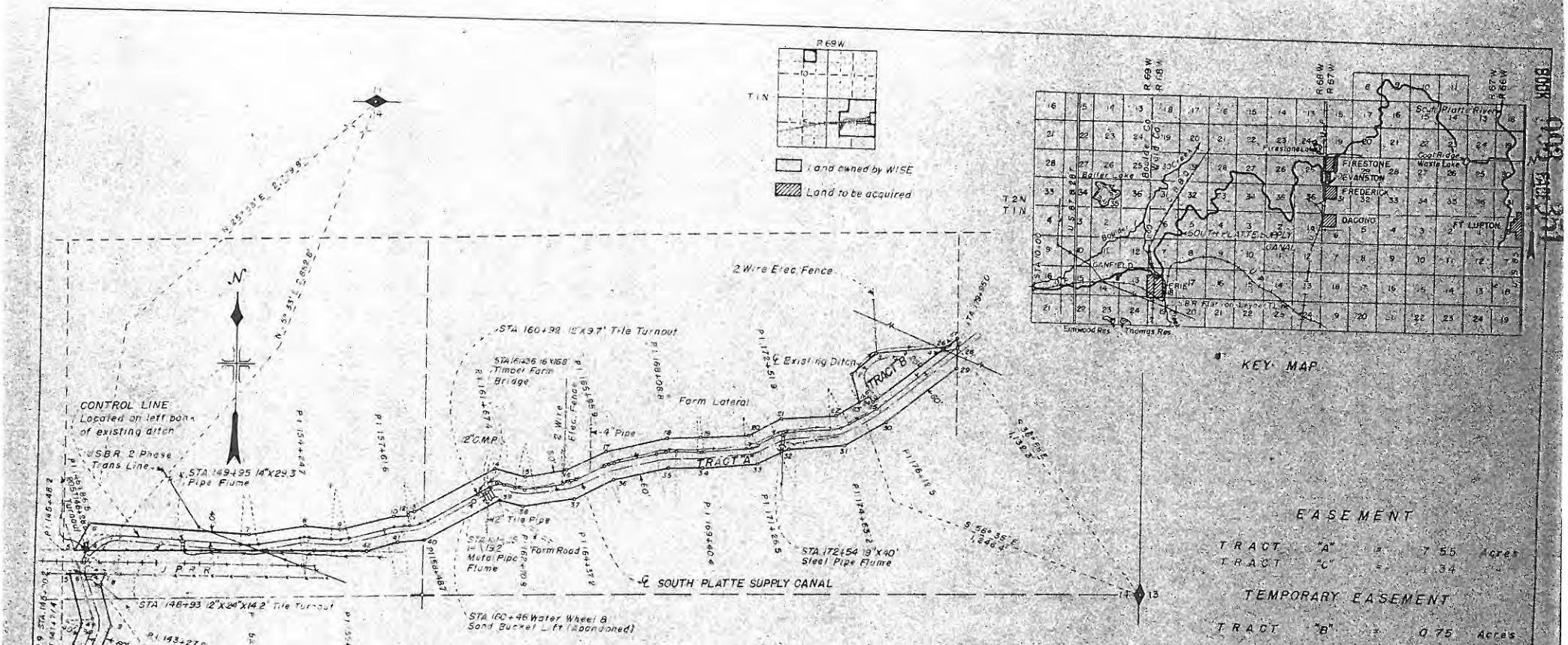
I, Leona M. Schwab, a Notary Public in and for said county and state aforesaid, do hereby certify that Jacob S. Schey, President, and J. M. Dille, Secretary of the Northern Colorado Water Conservancy District, who are personally known to me to be the persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed the said instrument as their free and voluntary act, and as the free and voluntary act of the Northern Colorado Water Conservancy District, and for the uses and purposes therein set forth.

Given under my hand and official seal, this 29th day of June, 1955.

My commission expires:--July 1, 1958

Leona M. Schwab
Notary Public

residing at Loveland, Colorado



TRACT "A"

COURSE	BEARING	LENGTH
4 - 5	S 89° 57' W	44.9
5 - 6	N 26° 57' E	104.9
6 - 7	S 86° 50' E	578.2
7 - 8	N 80° 46' E	202.1
8 - 9	S 84° 40' E	131.3
9 - 10	N 74° 17' E	199.4
10 - 11	N 81° 58' E	53.8
11 - 12	N 8° 02' W	10.0
12 - 13	N 81° 58' E	26.7
13 - 14	N 60° 29' E	329.1
14 - 15	S 17° 46' E	115.8
15 - 16	N 80° 13' E	150.8
16 - 17	N 64° 38' E	57.4
17 - 18	N 76° 19' E	223.4
18 - 19	N 38° 23' E	135.4
19 - 20	N 84° 04' E	174.7
20 - 21	N 62° 32' E	126.0
21 - 22	N 84° 23' E	211.0
22 - 23	N 59° 34' E	97.2
23 - 24	N 59° 34' E	38.6
24 - 25	S 34° 40' E	25.1
25 - 26	N 51° 07' E	335.8
26 - 27	N 51° 07' E	65.2
27 - 28	SOUTH	32.1
28 - 29	SOUTH	77.1
29 - 30	S 51° 07' W	338.6
30 - 31	S 59° 34' W	166.1
31 - 32	S 84° 23' W	213.9
32 - 33	S 62° 32' W	125.7
33 - 34	S 84° 04' W	199.8
34 - 35	S 88° 23' W	187.9
35 - 36	S 76° 19' W	200.5
36 - 37	S 64° 38' W	161.2

TRACT "A" Continued

COURSE	BEARING	LENGTH
37 - 38	S 60° 13' W	187.3
38 - 39	N 77° 45' W	94.6
39 - 40	S 60° 29' W	308.0
40 - 41	S 81° 58' W	94.6
41 - 42	S 74° 17' W	135.6
42 - 4	S 89° 57' W	992.1

TRACT "C"

COURSE	BEARING	LENGTH
1 - 2	N 0° 04' W	55.7
2 - 3	N 14° 45' E	76.7
3 - 4	N 22° 10' E	139.7
4 - 5	N 14° 57' W	191.3
5 - 6	N 89° 57' E	41.4
6 - 7	N 89° 57' E	91.2
7 - 8	S 26° 57' W	42.0
8 - 9	S 14° 57' E	159.5
9 - 10	S 22° 10' W	166.9
10 - 11	S 14° 45' W	280.0
11 - 12	S 46° 39' W	65.8
12 - 1	N 0° 04' W	98.6

TRACT "B"

COURSE	BEARING	LENGTH
1 - 2	N 16° 39' W	105.2
2 - 3	N 46° 08' E	118.4
3 - 4	N 83° 57' E	25.5
4 - 5	S 51° 07' W	338.8
5 - 6	N 34° 40' W	25.1
6 - 1	S 59° 34' W	38.6

BOOK 1034 PAGE 271

Deb Bachelder

From: Deb Bachelder
Sent: Wednesday, January 15, 2014 2:45 PM
To: 'Jim L. Struble'
Subject: RE: Wise Farms Development - Erie

Thanks Jim. Just wanted to be able to forward these supporting documents on to the developer.

Deborah Bachelder, AICP
Senior Planner
Town of Erie
645 Holbrook Street
PO Box 750
Erie, CO 80516
Bus: 303.926.2775 Fax: 303-926-2706
www.erieco.gov

From: Jim L. Struble [mailto:jstruble@northernwater.org]
Sent: Wednesday, January 15, 2014 2:23 PM
To: Deb Bachelder
Subject: RE: Wise Farms Development - Erie

Deb:

Attached is the document that I referenced in my letter. Exhibit A, of the Quitclaim Deed, No. 15 is the parcel of land that Book 993 Page 344 references, by this Quitclaim Deed Northern Water is now the owner of the easement for the canal ROW.

Let me know if you need any additional information.

Thanks,

Jim

Northern Water
Northern Colorado Water Conservancy District
Jim L. Struble, SR/WA
Real Estate Mgr | Security & Emergency Management Coordinator
220 Water Ave. | Berthoud, CO 80513
Direct 970-622-2243 | Cell 970-593-2074
Main 800-369-RAIN (7246) | Fax 877-851-0018
www.northernwater.org | Find us on Facebook

From: Deb Bachelder [mailto:dbach@erieco.gov]
Sent: Wednesday, January 15, 2014 2:03 PM
To: Jim L. Struble
Subject: RE: Wise Farms Development - Erie

Jim,

I was looking at the applicant's title work and in the Weld County Clerk and Recorders records and could not find a copy of the quit claim deed reception 3543528 that you noted as having granted you ownership of the land along the ditch. Do you have a PDF of that document that I can forward on to the applicant as well?

Thanks,

Deborah Bachelder, AICP
Senior Planner
Town of Erie
645 Holbrook Street
PO Box 750
Erie, CO 80516
Bus: 303.926.2775 Fax: 303-926-2706
www.erieco.gov

From: Jim L. Struble [mailto:jstruble@northernwater.org]
Sent: Tuesday, January 14, 2014 9:48 AM
To: Deb Bachelder
Subject: RE: Wise Farms Development - Erie

Deborah:

I apologize that the documents referenced in the letter were not attached. I have attached the documents to this e-mail for your records.

Northern Water appreciates that you are willing to set up a meeting for us to meet with the Town and the Developer.

Thanks,

Jim

Northern Water
Northern Colorado Water Conservancy District
Jim L. Struble, SR/WA
Real Estate Mgr | Security & Emergency Management Coordinator
220 Water Ave. | Berthoud, CO 80513
Direct 970-622-2243 | Cell 970-593-2074
Main 800-369-RAIN (7246) | Fax 877-851-0018
www.northernwater.org | Find us on Facebook

From: Deb Bachelder [mailto:dbach@erieco.gov]
Sent: Tuesday, January 14, 2014 9:09 AM
To: Jim L. Struble
Subject: Wise Farms Development - Erie

Jim,

Thank you for your referral letter regarding the Wise Farms Development in Erie. Your letter stated that you had enclosed two separate Easement Deeds but they were not included in your correspondence. Would you please e-mail me a copy of the documents you were referencing.

In your referral letter you also requested a meeting with the developer and Town. I will contact you to set up a meeting after staff has finalized our review of the application and met with the applicant to discuss our comments and all of the referral agency comments we receive.

Best regards,

Deborah Bachelder, AICP

Deb Bachelder

From: Marilyn Conley <mconley@northernwater.org>
Sent: Tuesday, January 21, 2014 3:05 PM
To: Deb Bachelder; Jim L. Struble
Subject: RE: Wise Farms

Sorry Deb. I apologize. I haven't seen this Wise Farms Development. However, you are good to go. This parcel is located within both the Northern Water and the Subdistrict boundaries.

Thank you.

Marilyn

Northern Water
Northern Colorado Water Conservancy District
Marilyn Conley | Inclusions Administrator
220 Water Ave. | Berthoud, CO 80513
Direct 970-622-2216
Main 800-369-RAIN (7246) | Fax 877-851-0018
www.northernwater.org | Find us on Facebook

Disclaimer Notice: An allotment of Colorado-Big Thompson water is subject to the Water Conservancy Act, C.R.S 37-45-101 et seq, the authority of the Board of Directors of the Northern Colorado Water Conservancy District, and other relevant laws and regulations. The information provided in this email is not binding on Northern Water because the legal rights to Colorado-Big Thompson Project Allotments are subject to the continuing discretion of the Board of Directors of Northern Water and other legal limitations and requirements. Northern Water staff and counsel cannot provide you with legal advice, and you are advised to seek legal counsel with respect to the subject matter of this email. You also have an independent obligation to review and confirm the accuracy and completeness of any information provided to you by Northern Water, and to supplement or correct the records of Northern Water with respect to any errors or omissions.

From: Deb Bachelder [mailto:dbach@erieco.gov]
Sent: Tuesday, January 21, 2014 2:28 PM
To: Jim L. Struble; Marilyn Conley
Subject: Wise Farms

Jim and Marilyn,

Jim, I had gotten a response from you about the Lower Boulder Ditch issues on the Wise Farms referral but did not get my usual response memo from Marilyn on whether or not the property is already in the District and Subdistrict. I'm sending the applicant the review comments today and was wondering if I was getting a response from you about this?

Thanks,

Deborah Bachelder, AICP
Senior Planner
Town of Erie
645 Holbrook Street
PO Box 750
Erie, CO 80516
Bus: 303.926.2775 Fax: 303-926-2706
www.erieco.gov

Community Development Services
Planning and Building

Town of Erie, Colorado
Development Referral

___Town of Erie Community Development
___Town of Erie OSTAB
___Public Review
___Boulder County Public Works
___Urban Drainage
___CGS
X NCWCD & Subdistrict
___EnCana
___Noble Energy
___Felsburg Holt & Ullevig
___Century Link Communications
___DOE WAPA – Carey Ashton
___XCEL Energy
___Town of Erie Engineering
___Town of Erie Parks & Recreation
___Town of Erie Water Attorney
___High Plains Library District
___Mountain View Fire Protection District
___Division of Wildlife
___NRCS
___Kerr-McGee Oil & Gas Onshore, LP
___St. Vrain Valley School District
___RTD
___Comcast Commercial & Residential
___DOE WAPA – Barb O'Rourke
___Lower Boulder Ditch

Planner: Deborah Bachelder **Date: December 19, 2013**

Project: Wise Farms **Applicant: Jasper Land Investments, LLC**

Description: Rezoning, Planned Unit Development Overlay & Preliminary Plat

Location: West of the Intersection of N. 119th Street & Jasper Road on the south

Legal Description: See Attached

This application is submitted to you for review and comment. Please reply by **Thursday, January 16, 2014,** so that we may give full consideration to your comments. Any response not received by this date may be deemed to be a positive response to the Town of Erie. Email responses can be sent to dbach@erieco.gov. If you have any questions about this application, please call 303-926-2775.

___We have reviewed this application and find no conflicts with our interests

X We have reviewed this application and find conflicts with our interests.

X See comments below or attached letter.

Comments:

Signature: Jim L. Struble **Date:** 1/10/2014

Name (Please Print) Jim L. Struble

Northern Water
Northern Colorado Water Conservancy District
220 Water Avenue Berthoud, Colorado 80513
Phone 1-800-369-7246 • Fax 1-877-851-0018
www.northernwater.org

January 10, 2014

Deborah Bachelder, Planner
Town of Erie
Community Development Services
Planning and Building
PO Box 750
Erie, Colorado 80516

Re: Wise Farms Development

Dear Ms. Bachelder:

This letter is in response to the development referral letter sent to Northern Water for the proposed Wise Farms Development, which is owned by Jasper Land Investments LLC.

Northern Colorado Water Conservancy District (Northern Water) is the owner of easements associated with the South Platte Supply Canal (SPSC), also known as the Lower Boulder Ditch. Northern Water has entered into an agreement with The New Consolidated Lower Boulder Reservoir and Ditch Company (Lower Boulder) to perform the operation and maintenance of the canal; however, Northern Water and Lower Boulder have a dispute concerning the precise, present ownership of the canal.

I have enclosed two separate Easement Deeds that show the described easements, which are owned by Northern Water. The first is a contract and grant of easement, which is shown on the drawings as Tract C. Northern Water is now the owner of this tract of land conveyed by Quit Claim Deed recorded on March 25, 2008, at Reception No. 3543528, Weld County, State of Colorado, from the United States of America to Northern Water. This same parcel is shown on the drawings as being recorded on Book 963 Page 168 United States of America and Book 993 Page 344. The Preliminary Plat shows that two roads will cross the easement of Northern Water as well as lots that will be located adjacent to the easement. In addition, Northern Water anticipates that multiple utilities will also be constructed under the canal. Northern Water will require the developer to submit all proposed plans and specifications of the proposed road and utility crossings associated with the Wise Farm Development prior to any activities being performed in and around its canal easement.

The developer and/or the Town of Erie will be required to enter into a Letter of Consent with Northern Water and Lower Boulder to allow for the construction of the bridges across the canal as well as all utility crossings. Also, in order to protect both Northern Water and Lower Boulder, we will require that a fence be installed on both sides of the canal to eliminate the trespass and liability of individuals using the canal roads as a path for recreational purposes.

Northern Water also owns an easement recorded on November 3, 1989 at Reception No. 1011773 for the purposes of constructing, operating and maintaining an access road and underground electrical line. The access road and electrical line are used for the operations and maintenance of the SPSC. On Page 1 of 9 of the Preliminary Plat, Note 10 states that "the following recorded easement will be vacated by separate document: 30' electric & access easement recorded under Rec. No. 1011773." Both Northern Water and Lower Boulder will only agree to vacate this easement if the developer agrees to provide an additional access and utility easement to Northern Water. The developer will be required to construct both the new road and replace the electrical line at no cost to Northern Water and Lower Boulder.

Northern Water and Lower Boulder have not had any written or verbal discussions with the owner or representative of Jasper Land Investments LLC regarding the proposed Wise Farms Development. Northern Water requests the Town of Erie have a representative of Jasper Land Investments LLC schedule a meeting with both Northern Water and Lower Boulder to discuss the proposed Wise Farms Development.

You are welcome to contact me to discuss Northern Water's interest at 970-622-2243 or at 970-593-2074.

Sincerely,

Jim L. Struble, SR/WA
Real Estate Manager

mm
Enclosures

Community Development Services
Planning and Building

Town of Erie, Colorado
Development Referral

5/7/14

___Town of Erie Community Development
___Town of Erie OSTAB
___Town of Erie Parks – Hegner
___Town of Erie Water Attorney
___High Plains Library District
✓ Mountain View Fire Protection District
___Division of Wildlife
___NRCS
___Kerr-McGee Oil & Gas Onshore, LP
___St. Vrain Valley School District
___RTD
___Comcast Commercial & Residential
___DOE WAPA – Barb O'Rourke
___Leyner Cottonwood Ditch Company
___Town of Erie Engineering
___Town of Erie Parks & Recreation – Buller
___Public Review
___Boulder County Public Works
___Urban Drainage
___CGS
___NCWCD & Subdistrict
___EnCana
___Noble Energy
___Felsburg Holt & Ullevig
___Century Link Communications
___DOE WAPA – Carey Ashton
___XCEL Energy
___New Consolidated Lower Boulder Ditch

Planner: Deborah Bachelder **Date: May 5, 2014**

Project: Wise Farms **Applicant: Jasper Land Investments, LLC**

Description: Rezoning, Planned Unit Development Overlay & Preliminary Plat

Location: West of the Intersection of N. 119th Street & Jasper Road on the south

Legal Description: See Attached

This application is submitted to you for review and comment. Please reply by **Thursday, June 5, 2014,** so that we may give full consideration to your comments. Any response not received by this date may be deemed to be a positive response to the Town of Erie. Email responses can be sent to dbach@erieco.gov. If you have any questions about this application, please call 303-926-2775.

___We have reviewed this application and find no conflicts with our interests

___We have reviewed this application and find conflicts with our interests.

_X_ See comments below or attached letter.

Comments:_____

_____

_____

_____

Signature: _____ **Date:** 5/23/14

Name (Please Print) LuAnn Penfold

MOUNTAIN VIEW FIRE RESCUE
3561 North Stagecoach Road, Unit 200• Longmont, CO 80504
(303) 772-0710 • FAX (303) 651-7702

May 23, 2014

Ms. Deborah Bachelder
Town of Erie
P.O. Box 750
Erie, CO 80516

Dear Ms. Bachelder:

I have reviewed the submitted material pertaining to the Wise Farms rezoning and preliminary plat, located on both the north and south side of Jasper Road west of 119th Street. The Fire District does not object to the proposed plan and subsequent development, provided the development is able to meet the requirements of the Fire District. All applicable codes must be met as they pertain to water supply, fire hydrant locations, and street designs must be met. Based on my review, I have the following comments:

- Overall fire access appears to be satisfactory as indicated on the plans submitted. There is concern regarding landscaping. It appears that trees or other landscaping may narrow the drive lanes. The width of all access roads shall be maintained to a height of 13 feet, 6-inches. Additionally, sheet E3 lists the southwest emergency access (Tract C) as only 14 feet wide. I don't believe this is an actual emergency access and shouldn't be labeled as such. If it is an actual emergency access the width needs to be increased. All roads, including emergency access roads must support 75,000 pounds and be maintained in all weather conditions.

- A minimum fire flow of 1,000 gallons per minute, measured at a residual pressure of 20 pounds per square inch, is required for one- and two-family dwellings not exceeding 3,600 gross square feet. All other buildings (including larger one- and two-family dwellings) require a minimum fire flow of 1,750 gallons per minute and may require more depending on the building size and type of construction as per Appendix B of the International Fire Code.

- Fire hydrants shall be spaced along fire apparatus access ways so that spacing between hydrants does not exceed 500 feet and a hydrant is located within 250 feet of the front property line of all lots. The utility plans submitted did not show the location of proposed fire hydrants. Construction plans for the utilities must be submitted to the Fire District for review and approval.

- Street intersections must be marked with signs showing the street name when building construction begins. If non-standard street signs are used, the Fire District respectfully requests to comment with regard to sign visibility.

- The Fire District reserves the right to make further comments as development proceeds. Should the project be phased, phasing plans will need to be approved by the Fire District.

Nothing in this review is intended to authorize or approve of any aspect of this project that does not comply with all applicable codes and standards. We appreciate being involved in the planning process, should you have any questions please contact me at 303-772-0710 x 1121.

Sincerely,

LuAnn Penfold
Fire Marshal

LMP/lp

cc: file

lp05.04.14

MOUNTAIN VIEW FIRE RESCUE
3561 North Stagecoach Road, Unit 200 · Longmont, CO 80504
(303) 772-0710 · FAX (303) 651-7702

January 10, 2014

Ms. Deborah Bachelder
Town of Erie, Community Development
P.O. Box 750
Erie, CO 80516

Dear Ms. Bachelder:

I have reviewed the submitted material pertaining to the Wise Farms preliminary plat and rezoning located south west of the intersection of North 119th Street and Jasper Road in Erie and shall make the following comments:

- Fire apparatus access is satisfactory as shown on the plans submitted. All roads must be completed with at least one layer of asphalt and street intersections signed before building permits may be issued.

- Fire hydrant locations were not shown on the submitted utility plans so we are not able to comment about hydrant locations at this time.

We appreciate being involved in the planning process and should you have any questions, please contact me at 303-772-0710 x 1121.

Sincerely,

LuAnn Penfold
Fire Marshal

LMP/lp

cc: project file

lp01.02.14

Jeffrey J. Kahn
John Wade Gaddis
Bradley A. Hall
Steven P. Jeffers
Anton V. Dworak
Adele L. Reester
Catherine A. Tallerico
Scott E. Holwick
Cameron A. Grant

Richard N. Lyons, II
Senior Counsel

Lyons Gaddis Kahn Hall Jeffers Dworak & Grant

A Professional Corporation — Attorneys and Counselors

Eve I. Canfield
Matthew Machado
Madoline Wallace-Gross
Chad A. Kupper
Blair M. Dickhoner
Elizabeth M. Joyce

Suzan D. Fritchel
Special Counsel

Wallace H. Grant
Of Counsel

Daniel F. Bernard
(1942-2011)

November 20, 2014

Deborah Bachelder, Senior Planner
Town of Erie

VIA E-MAIL: dbach@erieco.gov

Re: Wise Farms Application for Rezoning, Planned Unit Development Overlay & Preliminary Plat (Applicant Jasper Land Investments, LLC)

Dear Ms. Bachelder:

I am responding to your referral of the above referenced application on behalf of the New Consolidated Lower Boulder Reservoir and Ditch Company ("the Company"). I am attaching the Company's letter to the Town of Erie dated May 21, 2014, previous letter responses to referrals on the above referenced development dated June 5, 2014 and August 13, 2014. As stated in the May 21, 2014 letter and as stated in the third and fourth paragraphs of the June 5, 2014 referral response letter, and as reiterated in the letter dated June 5, 2014, the Company will not allow or permit any of the proposed ditch crossings necessary for this development to proceed until the issue presented in the Company's May 21, 2014 letter is addressed and resolved. There has been a meeting between representatives of the Company and Gary Behlen, Director of Public Works for the Town, and A.J. Krieger, Town Administrator, but there is not yet a resolution of the issue concerning the ability of the Company to continue to operate and maintain the Lower Boulder Ditch (also known as the South Platte Supply Canal) as it has historically. Until such a resolution is reached, the Company's position remains the same.

Sincerely,

LYONS GADDIS KAHN HALL
JEFFERS DWORAK & GRANT, PC

By _____
Jeffrey J. Kahn
jkahn@lgkhlaw.com

Enclosures
cc: Board of Directors
Dan Grant, Secretary
John Prestwich, President, PCS Group, Inc. (Developer's Representative)
A.J. Krieger, Town Manager
Gary Behlen, Public Works Director
Jim Struble, Real Estate Manager, Northern Water

Jeffrey J. Kahn
John Wade Gaddis
Bradley A. Hall
Steven P. Jeffers
Anton V. Dworak
Adele L. Reester
Catherine A. Tallerico
Scott E. Holwick
Cameron A. Grant

Richard N. Lyons, II
Senior Counsel

Lyons Gaddis Kahn Hall
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Madoline Wallace-Gross
Chad A. Kupper
Blair M. Dickhoner

Suzan D. Fritchel
Special Counsel

Wallace H. Grant
Of Counsel

Daniel F. Bernard
(1942-2011)

August 13, 2014

Deborah Bachelder, Senior Planner
Town of Erie

VIA E-MAIL: dbach@erieco.gov

Re: Wise Farms

I am responding on behalf of the New Consolidated Lower Boulder Reservoir and Ditch Company ("the Company") to the development referral dated August 5, 2014 in the above referenced project. In response, I have attached a letter from the Company dated June 5, 2014. The issues raised in that letter have not been addressed by the Town or the applicant. In particular, I am again attaching the Company's letter dated May 21, 2014. No response has been forthcoming from the Town.

Any response should be addressed to me (jkahn@lgkhlaw.com) and Scott Holwick (sholwick@lgkhlaw.com) of this firm as well as Dan Grant (drgnlg@msn.com) secretary of the Company and Eric Doering (eric@stsan.com) president of the Company.

Sincerely,

LYONS GADDIS KAHN HALL
JEFFERS DWORAK & GRANT, PC

By _____
Jeffrey J. Kahn
jkahn@lgkhlaw.com

Enclosures
cc: Board of Directors
Dan Grant, Secretary
Jim Struble, Northern Colorado Water Conservancy District
Jim Dullea, Jasper Land Investments, LLC

Jeffrey J. Kahn
John Wade Gaddis
Bradley A. Hall
Steven P. Jeffers
Anton V. Dworak
Adele L. Reester
Catherine A. Tallerico
Scott E. Holwick
Cameron A. Grant

Richard N. Lyons, II
Senior Counsel

Lyons Gaddis Kahn Hall
Jeffers Dworak & Grant
A Professional Corporation Attorneys and Counselors

Eve I. Canfield
Matthew Machado
Madoline Wallace-Gross
Chad A. Kupper
Blair M. Dickhoner

Suzan D. Fritchel
Special Counsel

Wallace H. Grant
Of Counsel

Daniel F. Bernard
(1942-2011)

June 5, 2014

Deborah Bachelder, Senior Planner
Town of Erie

VIA E-MAIL: dbachelder@erieco.gov

Re: Proposed Wise Farm Development (Applicant, Jasper Land Investments, LLC)

Dear Ms. Bachelder:

I am responding to your development referral dated May 5, 2014 concerning the above referenced proposed development on behalf of the New Consolidated Lower Boulder Reservoir and Ditch Company ("the Company"). The Company is the owner of an easement for the Lower Boulder Ditch which goes through the north part of the above referenced proposed development, generally in a southwest to northeasterly direction. The Company shares ownership of the Lower Boulder Ditch with the Northern Colorado Water Conservancy District ("Northern Water") which identifies the ditch as the "South Platte Supply Canal." Northern Water's ownership of the easement for the canal is by the deeds referenced in Jim Struble's letter to you dated January 10, 2014. The Company's easement results from use or prescription dating back approximately 150 years.

A review of the proposed preliminary plat indicates that the proposed development includes at least two roads that will cross the easements for the canal. There will, in addition, likely be many utility crossings proposed across, or in, the easement for the canal. The proposed plat shows an easement for the canal. One question that needs to be answered is whether the canal is centered within the easement depicted on the plat. It is not unusual for ditch structures, such as this canal, to migrate over time with the result that at least the Company's easement may be somewhat different from the deeded easement to Northern Water.

In the past, development within the Town of Erie has impaired the Company's ability to operate and maintain the canal. As a result, the Company sent a letter dated May 21, 2014 to the Town of Erie. A copy of that letter is attached to this response.

As a result, before the Company is willing to work on the agreements necessary for this development to proceed, it must be assured that this development will not impair its ability to operate and maintain the canal.

If the Company can be assured that its ability to operate and maintain the canal is not impaired as a result of this proposed development, the Company is willing to sit down and negotiate the various agreements necessary to allow the road utility crossings of its easement.

Please direct future communications on this matter to me as well as Dan Grant, Secretary, at drgnlg@msn.com. You are welcome, also, to include the President of the Company, Eric Doering, at eric@stsan.com.

Sincerely,

LYONS GADDIS KAHN HALL
JEFFERS DWORAK & GRANT, PC

By _____
Jeffrey J. Kahn
jkahn@lgkhlaw.com

Enclosure
cc: Board of Directors
Dan Grant, Secretary
Jim Struble, Real Estate Manager, Northern Water

NEW CONSOLIDATED LOWER BOULDER RESERVOIR AND DITCH COMPANY

P.O. Box 1826
Longmont, CO 80501

May 21, 2014

A.J. Krieger
Erie Town Manager

VIA E-MAIL townadministrator@erieco.gov

Gary Behlen
Public Works Director

VIA E-MAIL gbehlen@erieco.gov

RE: Burning/Cleaning of the Lower Boulder Ditch

Dear Mr. Krieger and Mr. Behlen:

I am the President of the Company. The Company is the owner of the Lower Boulder Ditch and water rights adjudicated to that structure. Among the water rights adjudicated to the Lower Boulder Ditch is an 1859 water right for diversion of 25 cubic feet per second from Boulder Creek. This is the oldest and most senior water right in the South Platte River Basin. The Company has for years diverted water and delivered that water for beneficial use across land now being annexed and developed in the Town of Erie. The Company has no objection to such development provided its ability to operate and maintain the ditch is not impaired. However, the Town of Erie has adopted an ordinance which prohibits the burning of irrigation ditches within Town limits without a permit. The Company's experience has been that the Town refuses to issue such permits, at least to the Company. If the Company cannot burn within Town limits, it will have to resort to more labor intensive and costly procedures to clean the ditch. The Company does not believe it is fair that it should be burdened by such additional expenses as the result of developments. The Company has cleaned sections by burning the ditch likely for a period of 150 years.

The Company has attempted to discuss this issue with the Town of Erie on a number of occasions but without success and without even the opportunity to have meaningful dialogue. As a result, the Company at this time is unwilling to work with the Town in permitting crossings or other activities within the ditch easement that are part of proposed developments within the Town. These developments include proposals on the property formerly owned by the Wise Family and the proposed Andalusia project.

There may be ways to resolve this including issuing the Company permits to burn the ditch in a safe manner, compensating the Company for cleaning the ditch or paying a third party contractor to clean the ditch.

In some fashion, this issue must be addressed.

Please address your response which, may be sent via e-mail, to the following:

Eric Doering, President, EDoe@Knoll9025.com
Famuer Rasmussen, vice president, sanuer1342@comcast.net
Dan Grant, Secretary, drgnlg@msn.com
Jeff Kahn, counsel for the Company, jkahn@lgkhlaw.com.

Sincerely yours,

Eric Doering, President
New Consolidated Lower Boulder
Reservoir and Ditch Company

cc: Board of Directors
Dan Grant, Secretary
Jeff Kahn, Counsel for the Company
Jim Struble, Real Estate Manager, Northern Water

Community Development Services
Planning and Building

Town of Erie, Colorado
Development Referral

___Town of Erie Community Development
___Town of Erie OSTAB
___Town of Erie Parks – Hegner
___Town of Erie Water Attorney
___High Plains Library District
___Mountain View Fire Protection District
___Division of Wildlife
___NRCS
___Kerr-McGee Oil & Gas Onshore, LP
___St. Vrain Valley School District
___RTD
___Comcast Commercial & Residential
___DOE WAPA – Barb O'Rourke
✓ Leyner Cottonwood Ditch Company
___Town of Erie Engineering
___Town of Erie Parks & Recreation – Buller
___Public Review
___Boulder County Public Works
___Urban Drainage
___CGS
___NCWCD & Subdistrict
___EnCana
___Noble Energy
___Felsburg Holt & Ullevig
___Century Link Communications
___DOE WAPA – Carey Ashton
___XCEL Energy
___New Consolidated Lower Boulder Ditch

Planner: Deborah Bachelder **Date: May 5, 2014**

Project: Wise Farms **Applicant: Jasper Land Investments, LLC**

Description: Rezoning, Planned Unit Development Overlay & Preliminary Plat

Location: West of the Intersection of N. 119th Street & Jasper Road on the south

Legal Description: See Attached

This application is submitted to you for review and comment. Please reply by **Thursday, June 5, 2014,** so that we may give full consideration to your comments. Any response not received by this date may be deemed to be a positive response to the Town of Erie. Email responses can be sent to dbach@erieco.gov. If you have any questions about this application, please call 303-926-2775.

___We have reviewed this application and find no conflicts with our interests

___We have reviewed this application and find conflicts with our interests.

X See comments below or attached letter.

Comments: Our Concerns are that the Ditch will be in the back yards of Some of the Lots. We Need to Make Sure We have Access to all of our Ditch for Maintenance & For Running Water. See back of Page

Signature: Brad Johnson **Date:** 5/25/2014

Name (Please Print) Brad Johnson

We Reserve the Right to Amend Any encrochments upon our Ditch Right of way - We Also Reserve the Right to Readdress this At a Later Time

Brad

KERR-MCGEE OIL & GAS ONSHORE LP 1099 18TH STREET, SUITE 1800 • DENVER, COLORADO 80202

KerrMcGee

January 9, 2015

VIA E-MAIL
Town of Erie Community Development Services
Planning and Building
Ms. Deborah Bachelder, Planner
645 Holbrook, P.O. Box 750
Erie, CO 80516

Re: Wise Farms
Jasper Land Investments, LLC – Applicant
Township 1 North, Range 69 West, 6th P.M.
Section 14: part of the N/2
Boulder County, Colorado

Dear Ms. Bachelder:

This letter is being sent by Kerr-McGee Oil & Gas Onshore LP ("KMG") to inform you that KMG is the owner of valid oil and gas leases underlying a portion of Section 14, Township 1 North, Range 69 West, for which Jasper Land Investments, LLC ("Applicant") is seeking approval of a request for Rezoning, Planned Unit Development Overlay and Preliminary Plat on the Property. KMG is submitting this comment and objection timely, in accordance with the procedural requirements of the State of Colorado and the Town.

KMG's recorded oil and gas leases are real property interests entitling it to produce oil and gas from the leased lands. The company has the right to produce from existing wells, to maintain, rework, recomplete, and fracture those existing wells to enhance production, and to drill new wells to produce oil and gas, in accordance with applicable Colorado Oil and Gas Conservation Commission regulations and Colorado Statutes. KMG's oil and gas assets have significant value, and, consequently, the company is concerned about any development, surface use, plan of use, PUD, zoning or rezoning, or other action by the Town that would impair or preclude its ability to develop its property.

KMG's preferred practice is to meet with surface owners and attempt to conclude a mutually acceptable surface use agreement. In this case, KMG is currently working with the Applicant to negotiate a Surface Use Agreement that will fully accommodate its rights to explore for, develop and produce oil and gas from its leasehold interests. KMG requests that the Town of Erie place a condition of approval stating that a Surface Use Agreement must be in place before construction begins. Any future surface development plans should incorporate and designate lands to be set aside for mineral development and expressly provide protection for KMG's current and future wells, pipelines, gathering lines and related oil and gas facilities and equipment. The Town of Erie has a constitutional obligation to ensure that the property

rights of mineral interest owners are accommodated in its land use planning process. Approval of any surface development plan that forecloses the rights of mineral owners may be a compensable taking.

Please contact me at 720-929-6469 if you have any questions or comments about this matter. KMG hopes to enter into a mutually acceptable surface use agreement with the Applicant, and we look forward to working with the Town to accomplish its land use planning goals.

Sincerely,
KERR-MCGEE OIL & GAS ONSHORE LP

Terry Enright
Staff Landman

cc: Susan Aldridge, Esq. – Anadarko Petroleum Corporation
Ron Olsen – Kerr-McGee Oil & Gas Onshore LP
Mike Brotzman – Kerr-McGee Oil & Gas Onshore LP
Jim Dullea – Applicant's Representative (j.dullea@comcast.net)
Hallie Sawyer – Town of Erie (hsawyer@arieco.gov)

Community Development Services
Planning and Building

Town of Erie, Colorado
Development Referral

___Town of Erie Community Development
___Town of Erie OSTAB
___Town of Erie Parks – Behlen
___Town of Erie Water Attorney
___CGS
X Kerr-McGee Oil & Gas Onshore, LP
___New Consolidated Lower Boulder Ditch

___Town of Erie Engineering
___Town of Erie Parks & Recreation – Buller
___Public Review
___Boulder County Public Works
___NCWCD & Subdistrict
___XCEL Energy
___New Consolidated Lower Boulder Ditch

Planner: Deborah Bachelder **Date: August 5, 2014**

Project: Wise Farms **Applicant: Jasper Land Investments, LLC**

Description: Rezoning, Planned Unit Development Overlay & Preliminary Plat

Location: West of the Intersection of N. 119th Street & Jasper Road on the south

Legal Description: See Attached

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___We have reviewed this application and find no conflicts with our interests

___We have reviewed this application and find conflicts with our interests.

X See comments below or attached letter.

Comments:_____

Signature: Terry D. Enright **Date:** 8/21/14

Name (Please Print) Terry D. Enright

KERR-MCGEE OIL & GAS ONSHORE LP 1099 18TH STREET, SUITE 1800 • DENVER, COLORADO 80202

KerrMcGee

August 21, 2014

VIA E-MAIL
Town of Erie Community Development Services
Planning and Building
Ms. Deborah Bachelder, Planner
645 Holbrook, P.O. Box 750
Erie, CO 80516

Re: Wise Farms
Jasper Land Investments, LLC – Applicant
Township 1 North, Range 69 West, 6th P.M.
Section 14: part of the E/2
Boulder County, Colorado

Dear Ms. Bachelder:

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Sincerely,
KERR-MCGEE OIL & GAS ONSHORE LP

Terry Enright
Staff Landman

cc: Diane M. Blieszner, Esq
Mike Brotzman – Kerr-McGee Gathering LLC
Jim Dullea – Applicant's Representative (j.dullea@comcast.net)

Community Development Services
Planning and Building

Town of Erie, Colorado
Development Referral

___Town of Erie Community Development
___Town of Erie OSTAB
___Town of Erie Parks – Hegner
___Town of Erie Water Attorney
___High Plains Library District
___Mountain View Fire Protection District
___Division of Wildlife
___NRCS
X Kerr-McGee Oil & Gas Onshore, LP
___St. Vrain Valley School District
___RTD
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___Century Link Communications
___DOE WAPA – Carey Ashton
___XCEL Energy
___New Consolidated Lower Boulder Ditch

Planner: Deborah Bachelder **Date: May 5, 2014**

Project: Wise Farms **Applicant: Jasper Land Investments, LLC**

Description: Rezoning, Planned Unit Development Overlay & Preliminary Plat

Location: West of the Intersection of N. 119th Street & Jasper Road on the south

Legal Description: See Attached

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___We have reviewed this application and find no conflicts with our interests

___We have reviewed this application and find conflicts with our interests.

X See comments below or attached letter.

Comments:_____

Signature: Terry Enright **Date:** 6/5/14

Name (Please Print) Terry Enright

KERR-MCGEE OIL & GAS ONSHORE LP 1099 18TH STREET, SUITE 1800 • DENVER, COLORADO 80202

KerrMcGee

June 5, 2014

VIA E-MAIL
Town of Erie Community Development Services
Planning and Building
Ms. Deborah Bachelder, Planner
645 Holbrook, P.O. Box 750
Erie, CO 80516

Re: Wise Farms
Jasper Land Investments, LLC – Applicant
Township 1 North, Range 69 West, 6th P.M.
Section 14: part of the E/2
Boulder County, Colorado

Dear Ms. Bachelder:

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Sincerely,
KERR-MCGEE OIL & GAS ONSHORE LP

Terry Enright
Staff Landman

cc: Diane M. Blieszner, Esq
Mike Brotzman – Kerr-McGee Gathering LLC
Jim Dullea – Applicant's Representative (j.dullea@comcast.net)

Community Development Services
Planning and Building

Town of Erie, Colorado
Development Referral

___Town of Erie Community Development
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X Kerr-McGee Oil & Gas Onshore, LP
___St. Vrain Valley School District
___RTD
___Comcast Commercial & Residential
___DOE WAPA – Barb O'Rourke
___Lower Boulder Ditch

Planner: Deborah Bachelder **Date: December 19, 2013**

Project: Wise Farms **Applicant: Jasper Land Investments, LLC**

Description: Rezoning, Planned Unit Development Overlay & Preliminary Plat

Location: West of the Intersection of N. 119th Street & Jasper Road on the south

Legal Description: See Attached

This application is submitted to you for review and comment. Please reply by **Thursday, January 16, 2014,** so that we may give full consideration to your comments. Any response not received by this date may be deemed to be a positive response to the Town of Erie. Email responses can be sent to dbach@erieco.gov. If you have any questions about this application, please call 303-926-2775.

_X We have reviewed this application and find no conflicts with our interests

___We have reviewed this application and find conflicts with our interests.

___See comments below or attached letter.

Comments:_____

Signature: Terry D. Enright **Date:** 1/13/14

Name (Please Print) Terry D. Enright

Community Development Services
Planning and Building

Town of Erie, Colorado
Development Referral

___Town of Erie Community Development
___Town of Erie OSTAB
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___Lower Boulder Ditch

Planner: Deborah Bachelder **Date: December 19, 2013**

Project: Wise Farms **Applicant: Jasper Land Investments, LLC**

Description: Rezoning, Planned Unit Development Overlay & Preliminary Plat

Location: West of the Intersection of N. 119th Street & Jasper Road on the south

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___We have reviewed this application and find conflicts with our interests.

X See comments below or attached letter.

Comments:_____

_____

_____

_____

Signature: David E. Hatten **Date:** 1/16/14

Name (Please Print) David Hatten

FELSBURG HOLT & ULLEVIG

engineering paths to transportation solutions

January 16, 2014

MEMORANDUM

TO: Deborah Bachelder

FROM: David E. Hattan, P.E.

SUBJECT: Rezoning, PUD Overlay, and Preliminary Plat
PROJECT: Wise Farms
FHU # 95-190

I received and have reviewed the Rezoning, PUD Overlay, and Preliminary Plat information for Wise Farms. This development site is located on the south side of Jasper Road, west of 119th Street. Included in the packet of information was a traffic impact study prepared by LSC Transportation Consultants, November 5, 2013. I have reviewed this information from the perspective of traffic engineering and transportation planning, but not from the aspect of general civil or utility engineering.

Based on my review of the traffic study, I have the following comments:

- Page 1 – Land Use and Access – A potential future connection is noted on the south side of the development which would cross existing RTD right-of-way. This is the old Union Pacific RR, and building a new crossing would probably require Public Utilities Commission (PUC) approval and the closure of an existing crossing. This would be a difficult process. Fortunately, his crossing is not considered in the traffic analyses.

- Page 2 – Area Roadways – The intersection of Jasper Road and 119th Street was identified has having poor sight distance for northbound drivers in the *Town of Erie Traffic and Safety Study*, CDOT, September 2005. The additional traffic that this development will add to this intersection would likely make any existing safety problems worse. Recent crash data should be reviewed to determine the extent of a problem, and a proposal to address the situation developed, if necessary.

- Page 2 – 2017 and 20135 Background Traffic – There is no discussion of the basis for forecasting the future growth and what sources were used for the estimates. A quick comparison of the forecasted volumes shows that a growth rate of approximately 1.5% per year was used. This seems low in a growing community such as Erie.

- Page 3 – Trip Distribution and Assignment – The distribution of 45% of the development traffic to the south and west seems appropriate. However, I think too much outbound traffic has been assigned west on Jasper Road. The study makes the assumption that the intersection of US 287 and Jasper will be signalized in the future, since it meets a peak hour warrant. The peak

6300 South Syracuse Way, Suite 600 Centennial, CO 80111 tel 303.721.1440 fax 303.721.0832
www.fhueng.com info@fhueng.com

hour warrant is intended for special situations and is not applicable to this intersection. As expected, the AM peak hour volume is the highest. A quick review of the volumes (Figure 9) appears to show that the PM peak hour volume is less than the minimum requirement for the Four-Hour Warrant. Thus, my preliminary conclusion is that signalization of this intersection could be unlikely. If this is the case, the assignment of traffic to westbound Jasper Road should be modified. However, a more detailed warrant analysis may show different results. Any new analyses should be included in an update to the study.

- Page 5 – Recommended Improvements – An eastbound right-turn deceleration lane is recommended on Jasper Road at the eastern site access, based on a posted speed of 50 mph. Page 2 states that the speed limit is currently 35 mph at this location and 50 mph at the western access. I'm certainly not opposed to an auxiliary lane at this location, but it may not be necessary. In addition, the Town of Erie should consider whether the completion of the western access would be an appropriate time to lower the speed to 35 mph west to this location also.

Preliminary Plat and Preliminary Development – These documents show that an additional 20' for right-of-way will be dedicated along the northern property line. This will create a total right-of-way of 80', which is Erie's collector standard. The Preliminary Development Plan shows various cross sections along Jasper Road and within the development. My primary concern would be that there are 12-foot travel lanes on Jasper Road along this property. The inclusion of curb, gutter, and sidewalk on the south side needs to be resolved with Town staff.

Please call if you have any questions or need additional information.

COLORADO PARKS & WILDLIFE

4207 West County Road 16E • Loveland, Colorado 80537
Phone 970-472-4460 • FAX 970-472-4468
cpw.state.co.us

January 7, 2014

Deborah Bachelder
Community Development Services
Town of Erie
P.O. Box 750
Erie, CO 80516
(303) 926-2770
(303) 926-2706 fax

Re: Wise Farms Rezoning, Planned Unit Development Overlay and Preliminary Plat

Dear Ms. Bachelder:

Thank you for the opportunity to comment on the proposed rezoning of the Wise Farms Property located southwest of the intersection of north 119th and Jasper Road. The applicant, Jasper Land Investments, LLC is requesting to rezone 71.10 acres of an 86.82 acre property from Rural Residential to Low Density Residential. Ultimately, the applicant would like to develop the property and build up to 127 dwelling units.

The property is currently used for agriculture and there are some existing buildings. The Lower Boulder Ditch crosses the property and there are two depressional wetlands on the property. Additionally there are several trees on the property including some mature trees. ERO Resources did an environmental assessment of the property in September 2013. ERO did not identify suitable habitat for any threatened or endangered species nor did they find any migratory bird nests on the property. The property is surrounded by agricultural land and low density residential properties.

This parcel is currently used by a variety of wildlife, including but not limited to red foxes, raccoons, striped skunks, coyotes, mule deer, white-tailed deer, red-tailed hawks, and great horned owls. Residents moving onto this property should be aware that wildlife will continue to use this site after development is completed. Conflicts can occur when people and pets share the same living space with wildlife. Foxes and coyotes may prey on unattended pets, deer may eat ornamental shrubs and flowers, raccoons may get into trash containers and open garages, and skunks may burrow under decks. While uncontrolled pets are at risk from animals such as coyotes, foxes and raccoons, pets can also have a negative impact on wildlife. Cats kill many birds and rodents, while dogs often chase and harass wildlife such as deer. For the safety of both pets and wildlife, dogs should be contained in appropriate enclosures and cats should remain in homes. Residents should be provided with information about how to avoid and minimize wildlife

STATE OF COLORADO
John W. Hickenlooper, Governor • Mike King, Executive Director, Department of Natural Resources
Bob D. Broscheid, Director, Colorado Parks and Wildlife
Parks and Wildlife Commission: Robert W. Bray • Chris Castilian, Secretary • Jeanne Horne
Bill Kane, Chair • Gaspar Perricone • James Pribyl • John Singletary
Mark Smith, Vice-Chair • James Vigil • Dean Wingfield • Michelle Zimmerman
Ex Officio Members: Mike King and John Salazar

conflicts, and should take responsibility for peacefully co-existing with local wildlife. Information, brochures, and tips for co-existing with wildlife can be provided by Colorado Parks and Wildlife, and are available on our website at www.cpw.state.co.us.

Fencing, in general, should be wildlife-friendly, minimize risk, and allow unrestricted movement by deer and other wildlife. Residents or the builder may choose to construct fencing to exclude coyotes from residential yards. Fencing meant to exclude coyotes should be at least six feet high and obscure views into yards.

If at all possible removal of mature trees should be avoided. If trees are to be removed between the months of March and August they should be carefully examined to insure that they do not support raptor or songbird nests. If an active raptor nest is located during construction, destruction of the nest tree should be delayed until the nest is no longer active and recommended buffer zones should be established to minimize the chance that the nest is abandoned due to construction activity at the site. To avoid delays in construction due to nesting raptors, trees targeted for removal should be identified and dropped in mid winter before onset of construction to avoid the nesting season. Guidelines and recommended buffer zone distances for raptors may be found in "Spatial and Temporal Buffers for Raptors in Colorado: A Review of Relevant Literature and Applicable Laws" which is available from Colorado Parks and Wildlife.

There may be noxious weeds considered to be invasive on this parcel. Invasive weeds diminish habitat quality and are costly to control. We recommend working with your town's invasive/noxious weed coordinator or other parties responsible for invasive and noxious weed management in Boulder County to create and implement a weed management plan on the site. This will provide for ongoing weed control during and after construction. To avoid spreading these weed species to other sites and to prevent new species from being introduced we recommend that all construction equipment be thoroughly cleaned prior to arriving on site and after construction is completed.

Residents should also be aware that hunting has historically occurred in the vicinity. There may be activities such as small game, upland bird, waterfowl, and deer hunting that occur in areas adjacent to Wise Farms.

Finally, there are some wetlands present on the property. Wetlands comprise less than two percent of Colorado's landscape but provide benefits to over 75% of the species in the state, including waterfowl and several declining species. Since the beginning of major settlement activities, Colorado has lost half of its wetlands. By virtue of their position in the landscape, wetlands perform several functions valuable to wildlife and society, including feeding, resting and rearing habitat, movement corridors, groundwater recharge, flood flow alteration, stream bank stabilization, and sediment and nutrient removal. Included in the plans was communications with the Army Corps of Engineers.

The Army Corps of Engineers regulates how wetlands may be filled and impacts mitigated.

If you have any questions please contact District Wildlife Manager Kristin Cannon at 303-291-7117.

Sincerely,

Larry Rogstad
Area Wildlife Manager

CC: S. Yamashita, T. Kroening, M. Taylor, L. Rogstad, K. Cannon

HISTORY Colorado

17 June 2014

HC #66095

Deborah Bachelder
Community Development
Town of Erie
645 Holbrook St.
P.O. Box 750
Erie, CO 80516

RE: Wise Farm Development, Jasper Road west of North 119th Street, Erie, Boulder County

Dear Ms. Bachelder:

Thank you for your recent correspondence dated 6 June 2014, concerning the proposed redevelopment of a 169-acre farm in Erie to create 166 new single-family housing lots, open space, and buffer zones. Our office has reviewed the submitted materials.

The Wise Farm (5BL.478) is potentially eligible for listing on the National Register of Historic Places. Several other historic properties are also located within the project area, including the Lower Boulder Ditch (5BL.488.22 and 5BL.488.24) and the Union Pacific Railroad line (5BL.469). Non-historic resources within the project area include the electrical transmission line (5BL.7882) and the South Platte Canal (5BL.7355).

Under state and federal laws, our office takes on a consulting role in projects that involve federal or state funding, permits, and/or land. As a consulting party, we work with the appropriate federal and state agencies to identify and protect cultural resources (such as historic buildings and archaeological sites). Projects that do not have state or federal involvement are not covered by these laws, and our office operates in an advisory capacity only.

It does not appear from the submitted site plans that the proposed development will have an effect on these resources, with one possible exception (a 30' sanitary sewer easement passes through an existing barn associated with the Wise Farm (alone Jasper Road in Tract "I"). However, we encourage the continued occupation of the Wise Farm buildings (to prevent their decay through neglect and/or vandalism), as well as preserving the agricultural character of the Lower Boulder Ditch (as opposed to straightening, lining, or piping the ditch).

If you have any questions, please contact Joseph Saldibar, Architectural Services Manager, at (303) 866-3741.

Sincerely,

for Edward C. Nichols
State Historic Preservation Officer and
President, Colorado Historical Society

OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION
303-866-3392 * Fax 303-866-2711 * E-mail: oahp@state.co.us * Internet: www.historycolorado.org

Community Development Services
Planning and Building

Town of Erie, Colorado
Development Referral

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Planner: Deborah Bachelder **Date: August 5, 2014**

Project: Wise Farms **Applicant: Jasper Land Investments, LLC**

Description: Rezoning, Planned Unit Development Overlay & Preliminary Plat

Location: West of the Intersection of N. 119th Street & Jasper Road on the south

Legal Description: See Attached

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✓ We have reviewed this application and find no conflicts with our interests

___We have reviewed this application and find conflicts with our interests.

___See comments below or attached letter.

Comments:_____

Signature: J Carlson **Date:** 8/25/2014

Name (Please Print) Jill Carlson

Deb Bachelder

From: Jill Carlson <carlson@mines.edu>
Sent: Monday, August 25, 2014 3:20 PM
To: Deb Bachelder
Cc: Karina Baylor
Subject: CGS review - Wise Farms Rezoning, PUD Overlay & Prelim Plat
Attachments: BO-14-0004_3 Wise Farms.pdf

Dear Deb,

CGS's signed referral form for the Wise Farms Rezoning, PUD Overlay, and Preliminary Plat resubmittal is attached.

Our subsidence hazard concerns appear to have been satisfactorily addressed via a note on the plat for Lot 3, Block 1 and Lot 1, Block 3 on the south parcel. The applicant states that the potential shallow groundwater condition is being mitigated through grading.

Please call or email if you have questions or need further review.

Thanks,
Jill

Colorado Geological Survey
Physical address: 1801 19th Street (map)
Mailing address: 1500 Illinois St.
Golden, CO 80401
303-384-2643

COLORADO GEOLOGICAL SURVEY

1500 Illinois Street
Golden, Colorado 80401
Phone 303.384.2655

Karen Berry
Acting State Geologist

June 5, 2014

Deborah Bachelder
Community Development Services
Town of Erie
P.O. Box 750
Erie, CO 80516

Location:
Section 14,
T1N, R69W of the 6th P.M.
40.051, -105.08

Subject: Resubmittal (Expanded) – Wise Farms – Rezoning, PUD Overlay, and Preliminary Plat
Town of Erie, Weld County, CO; CGS Unique No. BO-14-0004

Dear Deborah:

Colorado Geological Survey has reviewed the above-referenced Wise Farms Rezoning, PUD Overlay, and Preliminary Plat submittal. I understand the applicant, Jasper Land Investments, LLC, now proposes 166 single family lots on 169 acres located between Jasper Road and Brownsville Block 1 (north of Billings Avenue), west of 119th Street. The abandoned mining town of Canfield is located just east of the northeastern corner of the site. With this referral, I received:

- Wise Farms Preliminary Plat narrative (PCS Group, Inc., revised April 2014),
- Land Use Application (unsigned, undated),
- Supplemental Mine Subsidence Risk Investigation (CTL|Thompson, October 25, 2013), including
  - Wise Property Mine Subsidence Investigation (Western Environment and Ecology [WEE], May 31, 2005), with a letter review confirming the 2005 report conclusions (WEE, July 21, 2012),
- Preliminary Geotechnical Investigation (CTL|Thompson, December 9, 2005),
- Phase I Environmental Site Assessment (A.G.Wassenaar, January 2, 2012),
- Compatible Development and Surface Use Agreement (signed July 31, 2013),
- Set of 14 Preliminary Plat drawings (CVL Consultants, April 15, 2014),
- Set of three ALTA/ACSM Land Title Survey drawings for Wise Farms (CVL Consultants, April 11, 2014),
- Set of three ALTA/ACSM Land Title Survey drawings for Wise Farms South Parcel (CVL Consultants, April 11, 2014),
- Set of 16 Preliminary Development Plans (CVL Consultants, April 2014), and
- Set of 11 Preliminary Landscape Plans (PCS Group, Inc., April 25, 2014).

CGS previously reviewed the "North Parcel" portion of the proposed Wise Farms project; our comments were provided in a letter dated January 16, 2014.

Mine subsidence. I agree with Western Environment and Ecology's and CTL|Thompson's interpretation of the mine maps, boring results, and subsidence hazard on this site. The Star Mine is located east of the Wise Farms North Parcel, the Standard Mine is located beneath the southeastern corner of the North Parcel and the northeastern corner of the South Parcel, and the Jackson Mine is located beneath the western portion of the South Parcel.

CVL correctly shows CTL's restricted development areas and access road locations on the preliminary plat drawings. Except for small areas within proposed Lot 3, Block 1 and Lot 1, Block 3 in the South Parcel, the

"Low Risk Subsidence Area" shown on CTL's Hazard Map (Figure 3) is located within proposed Tracts G, A, and E on the eastern portion of the property. **CGS recommends that building envelopes be identified (or reduced) on these two lots, specifically excluding the shaded subsidence areas.**

Several publications indicate that a portion of the Standard Mine or an unnamed mine and shaft may be present beneath the central portion of the site. However, mine workings were not encountered in any of the borings drilled in this area, and I agree that the mine maps showing a mine and shaft in the central area of the site are probably incorrect.

However, it is always possible that unmapped shafts or other mining-related features exist within proposed development areas. All grading activities should be carefully observed to identify any unmapped shafts or other mining features. The developer, engineer, builder, earthmoving contractors and field inspection staff should be made aware that adjacent properties to the east are undermined, unmapped shafts may be present, and there is a potential risk of sinkholes and other subsidence-related features developing. If subsidence feature(s) or shaft(s) are observed, mitigation and/or possible development reconfiguration would be required.

Shallow groundwater. Very shallow groundwater was observed in many of CTL's and WEE's borings, at depths that may preclude full-depth basements in some areas. CTL's Supplemental Mine Subsidence Risk Investigation report references a more detailed evaluation of groundwater elevations (July 16, 2013.) This report was not included with the referral documents. Full-depth basements should not be considered feasible unless the shallow groundwater condition is mitigated through one or more of the usual methods (fill placement to raise grade, construction of an area underdrain system, etc.)

Other geotechnical constraints. CTL's 2005 geotechnical report contains appropriate *preliminary* recommendations (pages 6-10) regarding overlot grading, subgrade preparation, fill placement, surface and subsurface drainage, and foundation design to mitigate the site's soft, wet, compressible and expansive soils, and shallow groundwater condition. Additional investigations, based on the currently proposed development plans, are needed to confirm or refine these recommendations.

Environmental considerations. In their Phase I Environmental Site assessment, Wassenaar identified the Wise 1-14 X oil and gas well and associated separator, tank battery, and concrete condensate storage tank, as a Recognized Environmental Condition (REC). These features are located on the Wise Farms South Parcel. The required 150-ft. setback from oil and gas wells and production equipment appears to have been correctly incorporated into the lot layout as Tract D within Block 2.

Thank you for the continued opportunity to review and comment on this project. If you have questions or require further review, please call me at (303) 384-2643, or e-mail carlson@mines.edu.

Sincerely,

Jill Carlson, C.E.G.
Engineering Geologist

COLORADO GEOLOGICAL SURVEY

1500 Illinois Street
Golden, Colorado 80401
Phone 303.384.2655

Karen Berry
Acting State Geologist

January 16, 2014

Deborah Bachelder
Community Development Services
Town of Erie
P.O. Box 750
Erie, CO 80516

Location:
N½ Section 14,
T1N, R69W of the 6th P.M.

Subject: Wise Farms – Rezoning, PUD Overlay and Preliminary Plat
Town of Erie, Weld County, CO; CGS Unique No. BO-14-0004

Dear Deborah:

Colorado Geological Survey has reviewed the Wise Farms Preliminary Plat submittal. I understand the applicant, Jasper Land Investments, LLC, proposes 127 or 128 single family lots and eight tracts on an 86.8-acre parcel located between Jasper Road and an abandoned Union Pacific (formerly the Denver and Boulder Valley Railroad) right-of-way, west of 119th Street. The abandoned mining town of Canfieldias located just east of the northeastern corner of the site. With this referral, I received:

- Wise Farms Preliminary Plat narrative (PCS Group, Inc., November 2013),
- Land Use Application (signed December 12, 2013),
- Wise Property Mine Subsidence Investigation (Western Environment and Ecology [WEE], May 31, 2005), with a letter review confirming the 2005 report conclusions (WEE, July 21, 2012);
- Supplemental Mine Subsidence Risk Investigation ((CTL|Thompson, October 25, 2013)
- Preliminary Geotechnical Investigation (CTL|Thompson, December 9, 2005),
- Phase I Environmental Site Assessment (A.G.Wassenaar, January 2, 2012),
- Preliminary Drainage Report (CVL Consultants of Colorado, November, 2013)
- Stormwater Management Plan (CVL Consultants of Colorado, November 5, 2013),
- Compatible Development and Surface Use Agreement (signed July 31, 2013),
- Set of nine Preliminary Plat drawings (CVL Consultants, November 5, 2013),
- Set of three ALTA/ACSM Land Title Survey drawings (CVL Consultants, November 4, 2013),
- Set of Preliminary Development Plans, including a Preliminary Road Construction Plan, two Preliminary Grading Plans, and three Preliminary Utility Plans (CVL Consultants, November 5, 2013), and
- Set of eight Preliminary Landscape Plans (PCS Group, Inc., November 8, 2013).

Mine subsidence. According to available mine maps, the Standard Mine (1888) is located beneath or near the eastern boundary of the subject property. Several publications indicate that a portion of the Standard Mine or an unnamed mine and shaft may be present beneath the central-southern area of the site. However, mine workings were not encountered in any of the borings drilled in this area, and I agree that the mine maps showing a mine and shaft in the south-central area of the site are probably incorrect. I agree with Western Environment and Ecology's and CTL|Thompson's interpretation of the mine maps, boring results, and subsidence hazard on this site. The subsidence hazard area shown on CTL's Hazard Map (Figure 3) is located within proposed Tract A on the eastern portion of the site. **The subsidence hazard on the 87 acres of the Wise property that are currently proposed for development may therefore be considered satisfactorily characterized and mitigated through avoidance.**

However, it is always possible that unmapped shafts or other mining-related features exist within proposed development areas. **All grading activities should be carefully observed** to identify any unmapped shafts or other mining features. The developer, engineer, builder, earthmoving contractors and field inspection staff should be made aware that adjacent properties to the east are undermined, unmapped shafts may be present, and there is a potential risk of sinkholes and other subsidence-related features developing. If subsidence feature(s) or shaft(s) are observed, mitigation and/or possible development reconfiguration would be required.

Shallow groundwater. Very shallow groundwater was observed in many of CTL's and WEE's borings. CTL's Supplemental Mine Subsidence Risk Investigation report references a more detailed evaluation of groundwater elevations (July 16, 2013.) This report was not included with the referral documents. Full-depth basements should not be considered feasible unless the shallow groundwater condition is mitigated through one or more of the usual methods (fill placement to raise grade, construction of an area underdrain system, individual foundation perimeter drains, etc.)

Other geotechnical constraints. CTL's 2005 geotechnical report contains appropriate *preliminary* recommendations (pages 6-10) regarding overlot grading, subgrade preparation, fill placement, surface and subsurface drainage, and foundation design to mitigate the site's soft, wet, compressible and expansive soils, and shallow groundwater condition. Additional investigations, based on the currently proposed development plans, are needed to confirm or refine these recommendations.

Environmental considerations. In their Phase I Environmental Site assessment, Wassenaar identified only the Wise 1-14 X oil and gas well and associated separator, tank battery, and concrete condensate storage tank, as a Recognized Environmental Condition (REC). These features are located south of the property currently proposed for development, so will be addressed if/when the southern Wise parcel is submitted for review.

Thank you for the continued opportunity to review and comment on this project. If you have questions or require further review, please call me at (303) 384-2643, or e-mail carlson@mines.edu.

Sincerely,

Jill Carlson, C.E.G.
Engineering Geologist

Boulder County

Transportation Department

2525 13th Street, Suite 203 • Boulder, Colorado 80304 • Tel: 303.441.3900 • Fax: 303.441.4594
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • **www.bouldercounty.org**

MEMORANUM

Date: January 25, 2013

To: Deborah Bachelder, Senior Planner, Town of Erie Community Development Services Planning and Building

From: Anita Riley, Transportation Planner, Boulder County Transportation Department

Re: Wise Farms Rezoning, Planned Unit Development Overlay & Preliminary Plat

The Boulder County Transportation Department has reviewed the documents provided for the above-referenced application and has the following comments.

1. Boulder County supports and advocates for the provision of a multimodal transportation system. The plans for the proposal currently provided do not reflect any provision for proposed or future multimodal facilities, such as bikeable shoulders or bike lanes, at Jasper Road or N. 119th Street. Staff suggests that such facilities either be incorporated into the current proposal or that additional right-of-way be acquired so that facilities may be constructed at a later time.
2. The potential connection indicated across the RTD right-of-way that bisects the property should be constructed so to accommodate a future trail within the right-of-way.

This concludes our comments at this time.

Boulder County

Transportation Department

2525 13th Street, Suite 203 • Boulder, Colorado 80304 • Tel: 303.441.3900 • Fax: 303.441.4594
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • **www.bouldercounty.org**

January 16, 2014

Deborah Bachelder, Staff Planner
Community Development Department
Planning Division
Town of Erie
645 Holbrook St.
P.O. Box 750
Erie, CO 80516

WISE FARMS REZONING, PLANNED UNIT DEVELOPMENT OVERLAY AND PRELIMIARY PLAT

Deborah:

The Boulder County Transportation Department appreciates the opportunity to comment on this proposal. We offer the following comments:

1. Please provide a traffic study showing the impacts to the 109th St., Jasper Road and US 287 intersections to the west of the proposed site. Include traffic projections for current volumes, 10-year and 20-year horizons, as well as level of service (LOS) analysis for the intersections.
2. The drainage plan and proposed improvements need to address and accommodate the forthcoming Erie Outfall Systems Plan (OSP) from Urban Drainage and Flood Control District. Detention, flow and downstream effects need to be addressed in this analysis.

This concludes our comments at this time. If you have any questions, please feel free to contact me at 720-564-2655 or mthomas@bouldercounty.org.

Regards,

Mike Thomas, P.E.
County Engineer
Boulder County Transportation Department

C: Dave Webster, P.E., Project Manager
Lesley Swirhun, Traffic Engineer
Anita Riley, Development Review Coordinator
Pete Fogg, Long Range Division Manager, Land Use Department

ATTACHMENT F

Regarding Wise Farm Development

Area of Wise Farm Development was in the life of Erie for over 140 years... One member of the family was a blacksmith in Erie and another co-editor for the Erie-Canfeld paper.

The property has been annexed into Erie for 25 years. During this time taxes and trail fees have been paid and local activities supported. Biscuit Day (the Erie tradition) was resumed by the Erie Historical Society and the Wise homestead Museum.

Diversity is the focus of the development with three different sized lots and homes. The development is of individual homes—not rows of townhouses or apartments but individual homes on a lot of land. It is designed for people who want this type of life...

Across the road, north, are 80 acres of open space and a 4 acre woods that was planted 130 years ago. In it are the homes of deer, raccoons, rabbits and coyotes with many birds including owls. There is a good possibility of extending the trail system through the woods and on to the Boulder Creek trail system with the trailhead located on the Erie Historical Property near the museum

Also across the road is Erie's Farm House museum –The Wise Homestead Museum, built by O.E. Wise in 1870. It is furnished as a homesteader would have in the early 1900s. Admission is free. Come visit.

With the cooperation of the Town of Erie a possible future activity is a small event center at the museum site.

From: Sarah Wise 3/24/2015

Deb Bachelder

From: Mary Volz <maryvolz@cowtipping.net>
Sent: Wednesday, January 21, 2015 6:59 AM
To: Planning Board; Board of Trustees Mail; Deb Bachelder
Subject: Wise Farm Proposed Rezoning

Please note correction below.

Correction: We live at 11587 Jasper Road, ***north*** of the Wise Farms proposed development.

Thanks,

Karl and Mary Volz

On Jan 20, 2015, at 11:57 PM, Mary Volz <maryvolz@cowtipping.net> wrote:

Begin forwarded message:

From: Mary Volz <maryvolz@cowtipping.net>
Subject: Wise Farm Proposed Rezoning
Date: January 20, 2015 at 11:28:28 PM MST
To: planning@erieco.gov, bot@erieco.gov, dbach@erieco.gov

Dear Town of Erie Planners, Board of Trustees, and Deb Bachelder,

We live at 11587 Jasper Road, south of the Wise Farms proposed development. Our property, the third of three Wise homestead houses, was once part of the Wise Farm. We are writing because we have strong objections to the proposed development for these reasons:

1. Rezoning the property for more density than it currently is zoned (RR = one house per 2 acres).

This will deteriorate the rural lifestyle which surrounds the whole area which is being considered for rezoning. This will also greatly increase the traffic/noise/light pollution for the area. Examples of this can be seen in Broomfield and Lafayette where the unique farm houses have disappeared due to dense development surrounding it.

The Comprehensive Plan for Erie designated this as a Rural Residential area. Isn't it your duty to all the neighbors who moved here knowing this to keep this promise? To place a denser neighborhood within this larger Rural Residential neighborhood would not fit aesthetically with the rest of the area.

Please drive through this area and consider all the rural homes surrounding it. A denser neighborhood with street lights, sidewalks, lawns, and small lot sizes would not fit the style of housing surrounding it on all sides. This one neighborhood would be the only one of its kind for more than a mile in any direction. Why not cluster neighborhoods of this sort together, leaving Rural Residential neighborhoods as planned?

2. The development will bring the demise of the >100-year-old mill, black smith shop, chicken coop, small barn, and the large cottonwood trees which line Jasper Road.

The current thoughts of moving these buildings are not feasible. These buildings are fragile and do not have the structural integrity to be moved. While this move may, at first, seem to be a solution, it will cause these buildings to become unstable and collapse. This sort of collapse already happened when the current Wise Museum was moved from our property to create the Museum. The attached buildings to the house which is now the Wise Museum collapsed into a heap, which could not be salvaged. We hope this should serve as a sign of what is to come. If the rezoning and development occur, then surely we will lose not only the most beautiful gateway to Erie, we will lose a part of the Colorado history which could have been saved for future generations, and given us a unique spot in Erie separate from the newer subdivisions which make up much of the current town sans downtown.

3. The development over abandoned mines is dangerous.

If you call up the USGS map on this area at the following URL: http://ngmdb.usgs.gov/Prodesc/proddesc_39878.htm, then correlate it to the attached Illustrative Concept Plan which was presented by the developer on January 7 at the Erie Community Center, you will see where I overlaid them, that housing will be built directly over shallow mines (M141 mines [<50ft deep]) and even over the entrance shaft.

While building over these shallow mines is disturbing, in addition please remember that last summer, the mine shaft (M6) also collapsed, almost swallowing a car while collapsing very close to a house (of note this shaft was partially on the Wise Farm property being developed). This makes Wise Farms a risky development since this cannot only cause loss of property and loss of life, while also putting the Town at risk, too.

Thank you for your consideration. Our historic gateway to Erie is a unique setting which cannot be replaced. We believe the planners who initially developed the Comprehensive Plan recognized this, and envisioned this area to be developed as Rural Residential, so any new housing would not detract from the surrounding acreages. Building in compliance with the current Rural Residential zoning helps to preserve the historic buildings, trees, and way of life for the neighbors who purchased their acreages understanding any new development would be built to fit in appropriately with the surrounding homes.

There are advantages to neighborhoods too, but please place them within the appropriate areas of the Town. Preserving the Rural Residential status preserves a part of Erie which displays much history of the area.

For 25 years, people have commented they love to drive down Jasper Road because it is so unique. Please preserve this for future generations. We believe you will be glad you made this investment in our Town.

Sincerely,

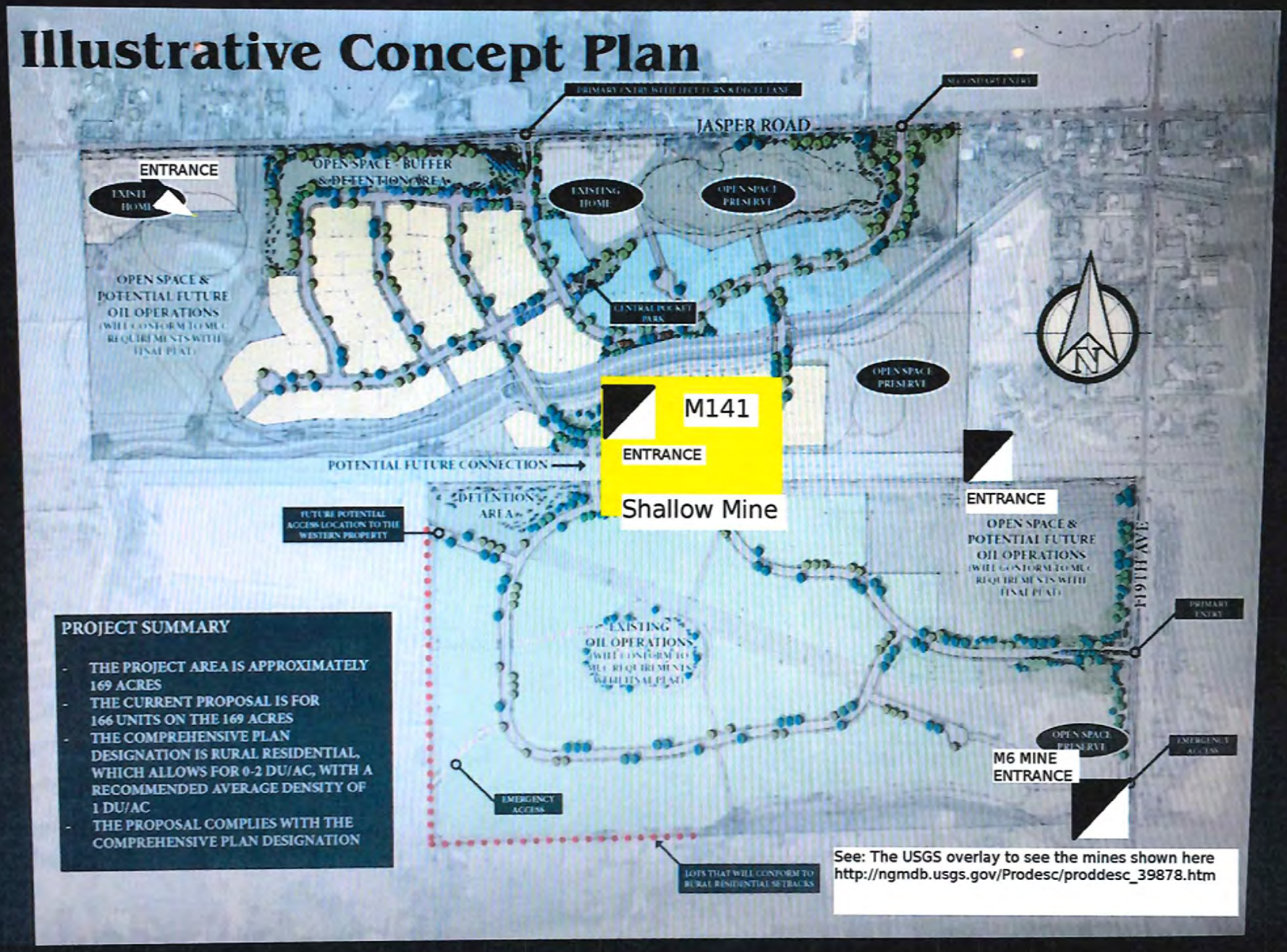
Karl and Mary Volz
11587 Jasper Road

<http://ngmdb.usgs.gov/Prodesc/proddesc_39878.htm>

<wise_farms_with_mines.jpg>

<IMG_3392.JPG>

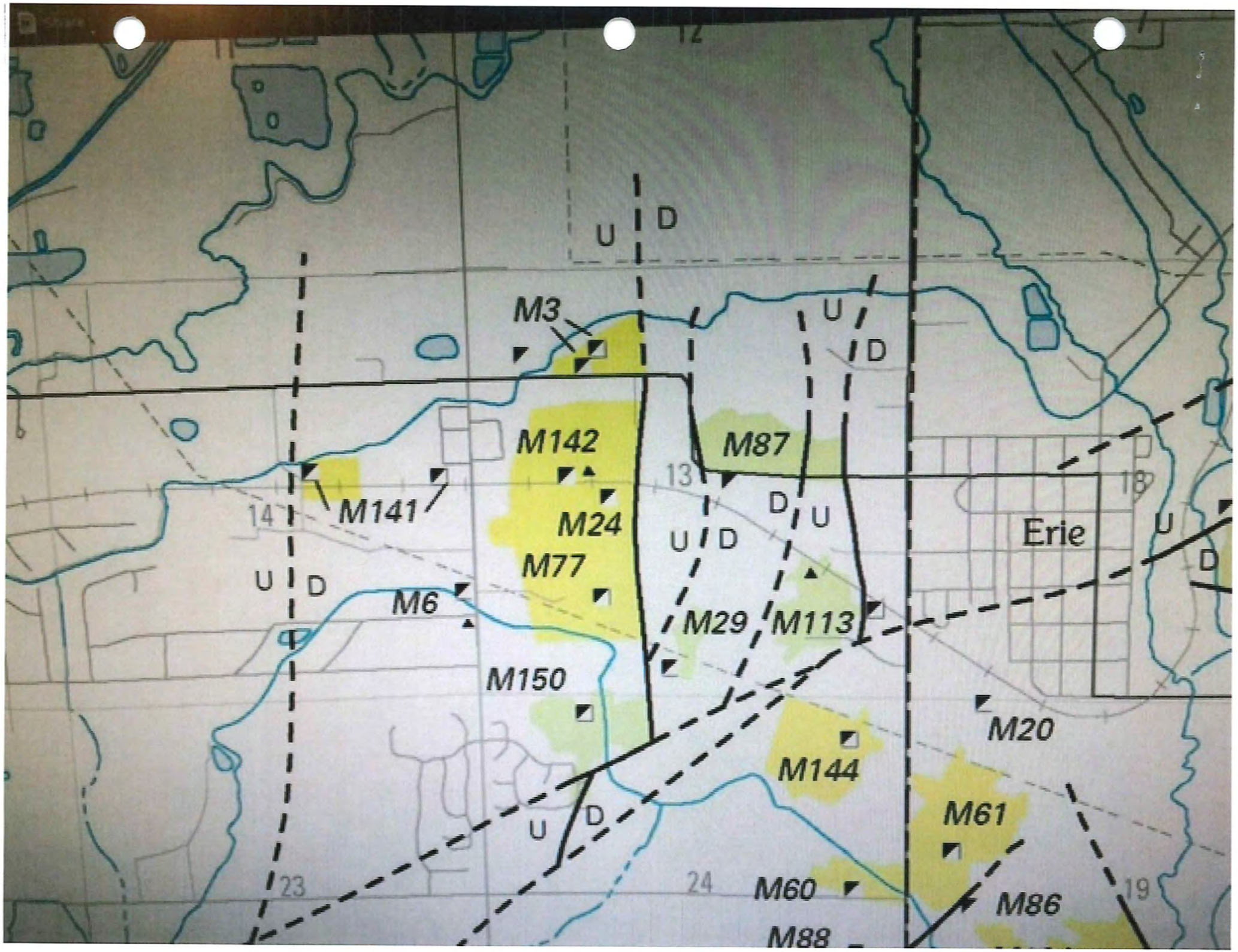
Illustrative Concept Plan



PROJECT SUMMARY

- THE PROJECT AREA IS APPROXIMATELY 169 ACRES
- THE CURRENT PROPOSAL IS FOR 166 UNITS ON THE 169 ACRES
- THE COMPREHENSIVE PLAN DESIGNATION IS RURAL RESIDENTIAL, WHICH ALLOWS FOR 0-2 DU/AC, WITH A RECOMMENDED AVERAGE DENSITY OF 1 DU/AC
- THE PROPOSAL COMPLIES WITH THE COMPREHENSIVE PLAN DESIGNATION

See: The USGS overlay to see the mines shown here
http://ngmdb.usgs.gov/Prodesc/proddesc_39878.htm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- Safety of farm animals from curious new residents and unleashed pets. Historically, pets (dogs and cats) being a nuisance to farm animals have been shot.

- Future complaints from "city dwellers" about smells, sounds, and practices of our rural lifestyle. Anderson Farm northwest of Erie has had such challenges.

- The threat to connect to the Erie sewer line when current septic tanks need replacement or repair. This is cost prohibitive for my family and probably many other rural residents.

The most logical solution for the Wise Farm development is continuity with the immediate community. The choices then become rural or rural residential. Another option would be an open space buffer between old and new housing similar to that on the south side of Brownsville. Though this last idea still creates a "city island".

My parents, Harold and Eleanor, are now in their 80's. With the help of dear neighbors to maintain the hay field in summer and pasture cattle in winter, we will continue their dream at 12050 Jasper Road because they cannot bear to live "in town" where "it is noisy ... people live on top of each other ... and one doesn't wake to the song of meadow larks" (sound bites from Harold and Eleanor).

Thank you for your time to read our letter and consider our concerns. Please feel free to contact me at 720-470-4460 if you have any questions.

Sincerely,

Kathryn A. TePoel

Kathryn TePoel
TePoel family representative and resident at 12050 Jasper Road

Harold, Eleanor, and Kathryn TePoel
12050 Jasper Road
Erie, CO 80516

Erie Planning Commission and Erie Board of Trustees
645 Holbrook Street
PO Box 750
Erie, CO 80516

January 20, 2015

RE: Wise Farm Development

Dear Erie Representatives,

In 1967 my father accepted a job offer from Ball Aerospace in Boulder, CO. My parents, Harold and Eleanor TePoel, had discussed the possibility of a more rural lifestyle for their family. So when they found 5 irrigated acres with a house and horse barn at 12050 Jasper Road, one mile west of Erie and a reasonable commute to Boulder, they knew one of their dreams was about to come true.

Now other families are dreaming of a new home, community, and lifestyle along the Front Range. And the Town of Erie is working with many professionals and governmental agencies to support dreamers. Only the dreams of some are becoming the nightmares of others.

The Wise Farm development will be a city style residential cluster neighborhood surrounded by established rural residential and agriculture land. Many of the current property owners in Brownsville, Canfield, along Jasper Road and North 119th Street are very concerned about the impact of a "city island" to their property, animals, and lifestyle.

My family's concerns include the following:

- An increase in traffic along the two-lane roads of Jasper Road and North 119th Street where there is one 4 way stop at the intersection of Jasper and 119. Historically this was a "dangerous" intersection till the 2 way stop was converted to a 4 way stop. We continue to use caution at this intersection as many drivers "roll through". Additionally, pedestrians and bikes traveling these two roads must do so carefully where neither side lanes nor sidewalks exist.

(The Wise Farm development is only **one** of several proposed building sites that will increase traffic on Jasper and North 119.)

- Access to the Leyner Cottonwood ditch and laterals for traditional cleaning and maintenance. Additionally, concerns about children from the proposed Wise Farm development playing in the ditch, either causing damage or being hurt. (Yup, I was one of those children that played in the local ditches.)

My name is Jennifer Stuimeling. My husband, Mat and I live at 4245 N. 119th Street, directly bordering the Wise Property Development on the East Side with our west view looking directly out onto the mountain range. Our property was once a part of the Wise Farm and was annexed to Erie in 1995. We bought this property 10 years ago after carefully investigating the zoning plans with the City of Erie in 2004. We attended multiple zoning meetings and researched the area. We were assured by the Community Development Committee at the time that the area was zoned RR or 2-5 acres per home at most. This is where we wanted to raise a family. This lifestyle is important and is par tof our heritage.

There are multiple numbers of wildlife species including the red-flicked woodpecker, migratory flocks, raptors, falcons, owls, hawks, pheasants, an occasional wild turkey, coyotes and deer living here. We appreciate the peaceful rural environment here with the stars at night and our magnificent views of the mountains that have been totally unobstructed for over 10 years. We have cherished living here.

Later after we had purchased the property, Sarah Wise told us that our home was located on the old Star Mine, or the original Wise Family Mine. We later learned from the Colorado State Mining and Geological Department that our home was accidently built on a mine because of inaccurate and missing State documents and that this undermining could result in some future uneven settling and sliding**,** because of a high water table and un-subsided voids and shafts on our property to our south and west. We have to live with this error and gratefully over the years we have seen only minimal movement from the undermining, but we also have not had much soil disturbance in our surrounding areas since purchasing. We fear that all that will change with this coming development and gas wells.

My husband and I are both insurance agents. I can tell you that earth movment and subsidence is excluded from building policies. You can see the detrement that it broughresidientrs in Vista Ridge. The company that built the homes went under and the homeowners were forced to fix it themselves and in some cases lose their homes.

Jim Dullea told us at the recent neighborhood meeting that there will be deep excavation as a part of the development. We are also aware of the potentially future-active railroad tracks and the two gas wells on the property. All of that combined with the high water table and the many voids that exist in the underground mining shafts and tunnels to the west of us will probably produce significant underground movements that will affect our home's stability when the development happens.

It also concerns us that the smallest and the most crowded lots are west of us just beyond the park. That means those homes are surrounded by the un-subsided portion of the mine on the east, the ditch on the north, the potentially active tracks on the south and the high water table beneath. If I were a potential new home owner, I would want to know that information before purchasing.

My husband and I believe in property owner's rights and we knew when we moved in that this land would probably be developed into Rural Residential property. Keeping this area Rural Residential would mean less houses and less underground activity, protecting our home from more subsidence. Keeping the RR zoning would reflect the already established surrounding rural areas that have been here

for many years and protect our million dollar views. We think this land is a rare and wonderful wildlife corridor and a fast-vanishing agricultural treasure that requires special consideration and should be zoned Agricultural or Rural Residential .

Jennifer Stimeling 303.579.1705 January 20, 2015

Deb Bachelder

From: Anita Schuneman <savanita@gmail.com>
Sent: Tuesday, January 06, 2015 1:20 PM
To: Deb Bachelder
Subject: Wise Farms Development

Dear Ms. Bachelder,

I am writing to express my concerns about the Wise Farm development just north of the long-standing rural subdivision of Brownsville. I am a resident of Brownsville, and live at 11848 Billings Ave.

I urge you to require a zoning for the Wise Farms development that is more in character with the neighboring area, ideally rural residential. I know they have already reduced the number of houses proposed, but the density is still too high for this area. I've read some of the documents produced last year and see that the developer has also requested the option of making changes to the zoning once it is adopted--effectively allowing them to increase the density even more. (I don't remember the term for that process, but I'm sure you're aware of it).

Traffic on 119th is already a problem and walking along 119th is taking your life into your hands. Adding the proposed number of homes south of Brownville will just exacerbate that problem and will also affect the residents of Meadow Sweet Farms and Country Fields, who may not even be aware of the Wise Farms development

Since I'm sure the Wise Farms area will be developed, please require the developer to reduce the number of homes. I also believe the development would be better received by neighbors if there was more of a buffer between it and Brownsville directly to the south.

I plan to attend the meetings planned about this development, but wanted to be sure and send my thoughts in writing as well.

Thank you for your consideration.

Anita Schuneman
11848 Billings Ave
Lafayette CO 80026

Deb Bachelder

From: Karl Schultz <karl.w.schultz@gmail.com>
Sent: Saturday, January 17, 2015 6:25 PM
To: Deb Bachelder
Subject: Fwd: Wise Farms Rezoning

Resending / forwarding due to typo in email address.

---------- Forwarded message ----------
From: **Karl Schultz** <karl.w.schultz@gmail.com>
Date: Sat, Jan 17, 2015 at 6:23 PM
Subject: Wise Farms Rezoning
To: planning@erieco.gov, bot@erieco.gov, dbach@erirco.gov

To: Erie Planning Commission, Erie Board of Trustees

Subject: Wise Farms Rezoning

Date: 17 January 2015

My name is Karl Schultz and my wife Karen and I live at 4049 N. 119th St, Lafayette CO 80026. We live in unincorporated Boulder County in the Brownsville neighborhood. We share a property line of 300 feet with the Wise family, at the extreme southeast corner of their land. And we are directly impacted by this rezoning proposal.

I want to clearly record my opposition for rezoning this land. In addition to the adverse personal impacts on our household, rezoning this property does not make sense for the community for the following reasons:

Zoning is a promise. Zoning laws are in place to provide predictability and stability to a community. When my wife and I bought our property in 2011, we checked the zoning of the adjacent Wise property and decided to go through with our purchase, based partly on the zoning of that land. Erie should keep its promise to the immediately surrounding community and not drastically change the landscape for those who have made major life decisions based on this promise.

Erie zoned it this way for a reason. Erie zoned this property as Rural Residential when it was annexed, which means 1 dwelling unit for every 2 acres. At that point, Erie must have recognized the character of the area and wanted to preserve this condition in their vision for the future of this land and zoned it as such. Erie should preserve this vision that was put in place when the land was annexed.

Not much has changed in this area. There has not been a lot of change in this area since we moved here in 2011. There have been no major construction projects in adjacent areas, no major improvements, and no large influx of people into this immediate area. Therefore, there seem to be no driving forces that would necessitate a need to rezone the land.

Zoning laws can be changed (where appropriate). Of course, zoning laws can be changed. A good example is some of the rezoning that has recently been done along the CO-7 corridor. In that area, there have been obvious increases in traffic, population, and business that strongly support rezoning. Coupled with good public support, these areas were easily rezoned. There are no examples of similar changes in the areas surrounding Wise Farms that support rezoning actions.

There is little public support. I've attended nearly every public meeting related to the development of Wise Farms and I have detected virtually no public support for any sort of development of this land, aside from that coming from the developers and owners. The Erie Planning Commission and Erie Board of Trustees should take notice of the lack of support from the public for the planned densities and act in accordance with the public's interests.

Check social media. I've noticed that some Trustees often refer to the discussions about issues in Erie that occur on social media and even use that information to help support their votes on these issues. The discussions I've seen on the Facebook Erie pages so far do indicate a strong opposition to the proposed densities at Wise Farms. Again, these Trustees should factor in these indicators of public sentiment into this rezoning decision.

Erie already has a good supply of higher-density housing. I don't have to point out the large number of higher-density neighborhoods that have been or will be built in Erie. This creates a very large inventory of this type of housing which does not need to be added to. It may be beneficial for Erie to widen the selection for incoming home buyers by offering more properties with larger lot sizes in the 1 acre range.

There is still a danger of mine subsidence. I do note that the latest sketch plans on file (as of November 2014) indicate that the developer has taken steps to avoid mining hazard areas. However, there are still lots in the plan that are placed in these hazard areas with the note that any structures built on these lots need to be sited to avoid the hazards. Also, the principal access road to the southern section of the development off of 119th Street directly crosses a hazard area. Even with appropriate geological exploration, there will still be some uncertainty due to incomplete records and poor mining maps.

The developer has claimed that enough exploration has been done to deem the area safe under the current sketch plan. Living directly adjacent to this area, we have observed very little exploration and very few test holes drilled. Although I am not a geologist, I do know that mine shafts and tunnels can be only a few feet wide and that a handful of test holes in this large area are not going to be able to locate all hazards.

As a very nearby example, the Banner Mine is known to have been in operation in the southeast area of the property in the 1930's. Despite several survey attempts over the past couple of decades, the main Banner shaft and mine was never found. But on June 24, 2013, the Banner shaft found us:

The land on the other side of the dangling fence post is the Wise Farms area. No one can say for sure if something like this will happen a few dozen yards away, under the planned access road. This collapse is very similar to the one on Cleveland Street in Lafayette recently. And I'm not sure that Erie will be that eager to have another incident like the sinkhole that took out part of Bonanza Drive a few years ago.

There are no buffer zones in the plan. The latest sketch plan shows no buffer zone between the proposed development and the existing residents along the north edge of Brownsville. There is a nice buffer zone between south Brownsville residents and developments such as Candlelight Ridge. Erie should exercise fairness here and request the same buffer zone for this new development. The developer has said that this lack of buffer zone will be mitigated by enforcing building setbacks on the lots adjacent to Brownsville. While this may work for the initial structures built by the developer, it is only a matter of time before disputes will arise.

The use of clustering is deceptive. The developer has justified their use of clustering as a means to build enough houses to maximize financial gain. This forces 98 houses into a "cluster" of lots that are 1/8th acre to 1/4th acre in size because a large portion of the 169 acres are not buildable. These motivations are inconsistent with the principles of clustering as described on page 3-6 in the (2005) Town of Erie Comprehensive Plan. This "open space" created by the developer via clustering is shared with oil and gas operations, is situated under power lines, is in dangerous mine subsidence areas, and is off-limits due to ditches and the RR/RTD right-of-way. This is not the goal of clustering, according to the Comprehensive Plan.

In summary, my main objections to the rezoning are:

1) I object to the large number (approximately 98) of small 1/8th to 1/4th acre lots in the northern section of the development.

2) I object to the small or non-existent buffer space between Wise Farms and portions of the Brownsville neighborhood.

These objections are based on the plans on file at the Erie Town Hall in November of 2014.

I am not against the Wise family developing this land, as they do deserve to benefit from the land. But I'd just like to see them stay within reasonable zoning guidelines that do not overly impact their neighbors in an adverse way.

I thank the Erie Planning Commission and the Erie Board of Trustees for listening to the concerns of their BoCo neighbors.

Karl Schultz

4049 North 119th Street
Lafayette, CO 80026

Town of Erie Planning Commission
645 Holbrook
Erie, Colorado 80516

Re: Wise Farm Rezoning

January 19, 2015

Dear Planning Commission,

I am writing today regarding the upcoming vote on rezoning the Wise farm for residential development. For the past two years, I've studied the pros and cons of developing this land, not just from my personal perspective, but also thinking of current neighbors and the long-term needs of Erie residents. For the majority of us, if the farm is turned into a residential development, there will be devastating impacts. I ask you to please reject the current preliminary plat as written and to keep the zoning as is. Following is a detailed explanation why this is not the right land for low density, clustered development. I have a few suggestions, however, that can lead to a compromise. Instead of having "winners" and "losers" after your vote, perhaps modifications can be made by the developer allowing development to go forward, meeting partial needs of everyone.

Personal Impacts

My family lives along 119th Street, sharing the southeast property line with Wise farm. We bought here for the rural, small farm lifestyle that much of east Boulder County provides. We care about this land. Building on the Wise property will completely degrade our quality-of-life. We'll have loss of privacy both inside and outside of our house because trails are planned for the east and the west corners by our fence and in addition, the emergency access road runs parallel the entire length of our property. Our nurturing ritual of eating our meals outside during the summers will be ruined. The noise and light pollution start with construction and will never go away. Our magnificent mountain views will be lost. Traffic threats along 119th Street will increase.

As dreadful as these changes are, the most alarming concern relates to the two new oil/gas wells planned for the Wise land. As you know, to make room for the houses, the planned drill sites have been pushed to the eastern and western edges of the land. At the neighborhood meeting with the developer Jim Dullea, held on January 7th, 2015, he gave false and misleading information regarding both the undermined land and the gas and oil operations.

When asked why his site analysis map wasn't updated with Banner mine information, Dullea stated that the 2013 sinkhole wasn't on the Wise land, and it was due to a broken water pipe anyway, not

mining. He explained that his information came from Jessie, the farm manager. I question now, is this the same story he told you, town planners? Please contact Al Amundson at the State of Colorado, Reclamation, Mining and Safety Division (al.amundson@state.co.us) for true information on the 1930's Banner Mine located on both the Wise property and my family's land. The steam pipes from the mine structure are visible in the irrigation ditch north of our home if you would like to do a site inspection. Jessie actually might be a reliable source of information regarding buried material directly north of the ditch lateral since he avoids that area with his tractor while farming the land.

Dullea was asked to explain why it was safe to drill on old coal mines and he said the oil companies have no trouble drilling down through mined areas. He missed the point to the question, so he was asked specifically why he thought it was safe for the current residents to have drilling and fracking moved so close to houses with subsidence issues. He explained 1) since this area is in Boulder County, the BoCo drilling moratorium prevents any drilling on Wise Farm and 2) he insinuated that Sara Wise has complete control over her mineral rights and implied drilling will never happen. Does Encana and Anadarko know this? Is this in conflict with the SUA on file?

I mention Dullea's misinformation to show the true character of this land developer. He was evasive and dismissive at the neighborhood meeting when answering numerous questions on a variety of topics not just oil and mining issues. If he is lying to us, it suggests that he might be misleading the Wise family and Erie's Planning Department. If allowed to build, he is required to stop construction if undermined areas are uncovered. Can he be trusted to do this?

Erie cannot allow any drilling and fracking to impact areas that are prone to voids. The sinkhole that opened up along our shared property line in June 2013 came after a delivery truck drove over the area. Having a new oil/gas drill site situated that close to our home puts lives at risk! Under no circumstances can drilling equipment shake our property, not now or in the future. Small World residents north of the railroad tracks have the same problem with their own subsidence issues. Landowners on the east side of 119th Street - the same problem! A new sinkhole opened near the railroad tracks east of 119th Street in the last few weeks. There are extensive legal and safety issues to resolve before drilling sites are approved. Has the planning department shown due diligence with this issue? ***All drilling operations must be conducted in consideration to current homeowners in the area and should be finished before any new developments are approved!***

I demand that Dullea provide to the planning department a legal and binding document provided from Encana and Anadarko stating that they will never drill on the Wise land where it would put bordering residents lives in danger.

If you move forward with this development without addressing this through a legal, binding contract it goes beyond being careless, it's criminal.

Neighborhood Concerns

My disappointed with Dullea's proposal continues. Two years ago at the sketch-up meeting he heard repeated neighborhood concerns about putting high concentration of houses on the farm. At the recent meeting, he projected a large scale map of Erie's developments, stretching from Highway 287 to I25. Most of the developments on the map were approved during the unpopular Joe Wilson reign. Dullea used this, as he did in 2013, trying to justify changing Wise farms zoning. His ploy falls flat. Zoom in on his map to show the Wise farm, clearly a rural area, surrounded by agriculture, estate and rural residential properties. This area is the transition zone between east Boulder County and Erie, Wise farm an island of annexed land connected only by the thin, railroad right-of-way to Old Town. Dullea's density request for Wise North is still incompatible with the surrounding properties! This isn't the place for eight houses per acre. Please be sensitive to the fact that the boundaries between the town and county are only on paper; we are all the same community. All future homes in this area, their square footage and acreage, should have a seamless transition to current neighborhoods. When asked why he didn't bring a rural residential plan to the table, Dullea said *he didn't even consider it*. He must do better! When the farm was annexed in 1995, residents were promised that the zoning would stay the same, rural residential. Does the planning department not feel an obligation to honor this? Please hold Dullea accountable to the promise.

It is also truly irresponsible to support another car-centric development in this part of the county, adding to the exponential growth already approved by Erie. It is not ok to say, we'll just widen Jasper Road to handle the increase in traffic. Please drive along Jasper Road and through the Canfield intersection to experience this first hand and envision the effects on the community as the build out continues.

Traffic and quality-of-life issues are my greatest concerns for my neighbors. I see their anxiety and sadness when we talk about "Wise Acres". Even though my family planned to live here after retirement, if the rural lifestyle is lost we will move. This area, however, is filled with many life-long residents who cannot move away and shouldn't be forced to. Please let impacts of Erie's current growth catch up before adding to the chaos!

Erie's Future Vision

I'm aware that most of the current commissioners, trustees and mayor were not in office when the mega-residential projects were approved. I appreciate that you have the power to move Erie toward a more sustainable approach. Please consider the following:

Loss of the Farm - It's always distressing to lose a farm to development. It is well known to the locals how special the Wise land is. Bisected with two irrigation ditches, the natural slope of the land takes the water long and far. Even though our climate is semiarid, the ground water, along with water rights, provides water for crops even in a dry year. While Erie residents will be under

mandated water restrictions when droughts occur, this farm has the ability to use the irrigation water to maintain vegetation. It would be a shame to lose this element of the land and make future residents give up their ability to irrigate with the means already available.

Just as important is the loss of a historical property for Erie. Sara Wise's father started farming here, along with the Tabors, in the 1870's. I can't imagine how future generations will feel when they visit the Wise Museum to have a glimpse of Erie's history but then and look across the road to see yet another ho-hum housing development.

Urban Sprawl – As the Front Range urban corridor continues to expand, is it destined for Erie to completely build out on all available land? In 25 years, will satellite maps show little to no green space or farms left in this area? If this is our future, then so be it. But this is even more reason for town planners to show foresight and to preserve unique areas for future generations.

Erie's Youth - As a science teacher at Erie Middle School, every spring I teach ecology and land use - the conflicts, the environmental concerns vs individual property rights. Students' wishes are diverse, but the majority are acutely aware of the importance of conservation and preservation of natural areas. They reflect on questions similar to Erie's Citizen Survey from 2013. I've been surprised with their discussions the last two years, in particular, that they do not plan to stay in Erie when they become adults. *They are not bonding with this area.* They want something better. (And they clearly do not like pocket parks.)

In Conclusion

I understand the planning department cannot dictate what type of residential plans that are brought to them. But your votes against unfit developments ultimately will push developers to step-up their game and construct spaces worth caring about. At the 2013 sketch-up meeting, Dullea was asked to create a special plan for a special piece of land. I envisioned LEED homes and large gardens using the natural attributes of the land, providing food not just for the new property owners but to help local food banks. I also believe this is the perfect place for an education center connecting urban kids to agriculture, a mini-working farm perhaps. Dullea's current plan is not worthy of this farm. Since his vision is seemingly based on profit margins, there is a chance he walks away from the project if the rezoning is not approved. Perhaps then, the next developer will have the leadership to build homes that future generations can be proud of.

If you resolve the legal and ethical points I've made today and vote to approve the rezoning and preliminary plan, then the loss of this farm will be permanent. Your vote has far reaching effects and determines how Erie moves into the future. Please vote no and send a clear message to the land developer and owners that this plan is not acceptable and they must do better.

Sincerely,
Karen S. Schultz

Suggestions for Compromise

- Allow development to move forward if all homes have at least *one acre* lots.
- Sell water rights to the new buyers.
- Use the natural attributes of the land promoting areas for plants and vegetable growing.
- Allow the developer to have a variety of floor plans to provide different price points for buyers.
- All future oil and gas drill sites situated away from undermined areas.
- Make undermined areas off limits to everyone due to safety concerns.
- Provide open space setbacks for all bordering properties.
- And if possible, promote a LEED community.

Cc'd

Erie Board of Trustees

Jill Carson, CGS

Cindy Domenico, Boulder County Commissioners

January 20, 2015

Community Development Department
645 Holbrook Street, P.O. Box 750
Erie, CO 80516

Re: Rezoning of Wise Farms property

To whom it may Concern:

While we appreciate some of the recent changes in the overall layout of the proposed Wise Farms development, i.e. the new entrances to the subdivision not being directly in the front of existing homes, presented at the January 7, Community Meeting, there remain core issues that have not been resolved.

Our concern is the proposed density of the development and zoning change. Currently the neighboring properties surrounding the proposed development are zoned Rural Residential or agricultural. Changing the zoning does not take into consideration a more reasonable transitioning outward from Erie proper. This property was annexed into Erie on a mere technicality, and is not truly contiguous to the town, except by the railroad right-of-way. That is why it is surrounded by unincorporated Boulder County properties.

All most half of the property is unbuildable due to RTD, power, & ditch right-of-ways, and undermining's. Because of these issues, the developer proposes the clustering of homes, which is actually a "gimmick" to allow for greater density on the portion of the property that is actually buildable.

We feel that clustering or not, the number of building sites on this property should be no more than 40-50 homes, in keeping with rural residential zoning based on the actual 60% of buildable land.

Another consideration to be taken into account is the increase of cars on the roads that are already congested with traffic from other new developments in Erie. There will be great impact on the wildlife habitat. Increased light, air, and noise pollution, will cause a decrease in the quality of life in this beautiful rural area.

"A Zoning ordinance imposes such reasonable limitation upon the right of a property owner to use his property as he pleases, as may be determined by considerations of public health, safety, and welfare. But he may not use his property as he pleases without regard for his neighbors, or the effect of his actions upon the welfare and prosperity of which he is a part. Nor is a zoning ordinance merely a temporary matter. It is an integral part of public planning, which takes the long view. The use of land is a granted right, but the land itself remains long after individuals who have exercised such rights have passed away. Rural zoning contemplates not only benefits in the present, but also seeks to conserve our resources for future generations."
- *Boulder County Zoning Resolution, 1944*

As stated in the quotation above, zoning is for long range planning. No one purchases residential property across the street from a property zoned industrial. Zoning should reflect the future plan and not be changed at the whim of the property owner or the entity slated to receive financial gain.

The zoning on this property should remain Rural Residential, as when this property, was originally annexed into the Town of Erie.

Regards,

Joan Santon
Mark P. Santon

Joan Santon
Mark Santon
11409 Jasper Road
Lafayette, CO 80026

Deborah Bachelder, Senior Planner
Town of Erie
645 Holbrook Street
PO Box 750
Erie, Colorado 80516

December 31, 2014

Dear Ms Bachelder,

My name is Lois Przywitwoski. My husband, Dick, and I reside at 11619 Billings Avenue, directly adjacent to the proposed Wise Farm development. We consider ourselves to be good neighbors of Erie, paying taxes by shopping at Safeway and Walgreens; frequenting the local restaurants and gas stations; supporting the Post Office and banks. We have no voting privileges within the town of Erie.

Brownsville is a rural community, with children, dogs, cats, chickens, horses, cows, sheep, llamas and the occasional pig. In addition to the domestic animals, we coexist with wildlife, including coyotes, foxes, owls, hawks, eagles and deer. Very few privacy fences are in existence here. We have no sidewalks or streetlights. It is dark enough to see the stars at night.

While we appreciate that the developer has reduced the number of homes, the density is still too high. Not only will we loose the beautiful open space to a virtual sea of rooftops, we will be impacted by streetlights and traffic noise. We experience enough cars cutting through our neighborhood to avoid the busier roads; this development can only make this worse.

Of even higher concern is the fact that no substantial buffer exists between Brownsville and the new development! This is a major issue for us as close to three properties will span the length of our property. The idea of a privacy fence as a solution to this is abhorrent. Adequate space was provided between Brownsville and the developments to the south. Why is that not the case here?

We know that growth is inevitable. However, it is essential that this growth is done in a responsible manner, staying within the existing rural residential zoning. It must have open space as a buffer between the Wise Farm and Brownsville communities which can also serve as a wildlife corridor.

There is a community called Antelope Hills in Bennett, Colorado. They have preserved their rural character by not installing streetlights or sidewalks and not permitting privacy fences. The lots are about an acre in size. The community is fully developed and thriving. We suggest that this could be an excellent model for responsible development.

Even though this is probably an impossibility, we wholly support maintaining this land as agricultural open space. Your attention to our concerns is appreciated.

Sincerely,

Lois & Dick Przywitowski

Lois and Dick Przywitowski
Concerned Neighbors

6/2/15

To: Board of Trustees
Mayor Pro Tem
Mayor

303-926-2706

From: Liz (Wise) Kissell
Kissell@ecentral.com

Comments on Zoning changes, proposed, & development Wise Farm

Please distribute to identified members. Thank you

pages total (including face sheet) = 15

Date: 01 June 2015

To: Mayor Tina Harris

From: Liz (Wise) Kissell

Thank you for the opportunity to share my concerns and thoughts with you regarding the change in zoning for our property (Wise Farm) and for the development of this property.

I believe that your approval of these zoning changes and the development of the property would be a positive move for Erie.

First of all I would acknowledge that you, as a member of the Board of Trustees, were elected by the citizens of Erie. A number of you reflected on this at the meeting on May 26th. You noted that you were elected by the citizens to make decisions in their best interest and for the City of Erie. I believe that all of the people who voiced their opinions (excluding my aunt, Sarah Wise, Jon Kottke, and me) are NOT citizens of Erie. They live in Brownsville or adjacent to our property. These people did NOT elect you to your office. A number of them noted that the Planning Commission had voted against the proposed zoning changes and development of our property. These speakers asked how you could go against what the Planning Commission voted on. I believe the Planning Commission "reviews and makes recommendations" to you. In our system of government, there is a "checks and balances" approach to decisions affecting citizens. I believe that serving as the "legislative and governing board of the town" requires you to look at many aspects when making decisions affecting the citizens of Erie. You utilize the Planning Commission's recommendations as <u>one</u> piece in your decision making process.

I ask that you "tune out the noise" of those speakers and listen to what you believe to be in the best interest of Erie. These property owners were at times rude and "bully-like" in their discussions and comments at this meeting and at other public meetings.

There were around 20 people who voiced their opposition to these changes. There were 3 of us who spoke in favor. I would like to share more specifics and depth into my support of these proposed changes. Essentially I would like to rebut many of the statements and opinions of the speakers opposed to these changes and development.

- As I said in the public meeting on May 26th, this development would be an inviting west entrance into the town of Erie. The proposed development would showcase lots which are open, close to "history" and "country like".
    - These property owners loudly voiced opposition because it would affect their "rural" living, their present way of life, what they moved there for. They did not want "change" since it would affect what <u>they</u> wanted. I challenge that there are others who would also like to be in a more rural/country setting. This "rural/country" setting is not exclusive to Brownsville. Their attitude was displayed as "This is why we moved here and we don't want others to enjoy the same benefits as us, we don't want to share with others".

- The adjacent property owners voiced concern that there would not be a smooth "transition" from their more "rural" atmosphere to these smaller lots as they said the "transition" was at the south end of Brownsville. I would like to challenge that having all housing developments blend makes for a "boring" city. I work in north Denver, an area rich in culture. There are distinct "neighborhoods" from the early days of Denver – Italian, Mexican, and Irish. All in the same neighborhood, and all bringing their uniqueness and culture to the area. I believe that having a development (as being proposed) would offer a unique neighborhood, building on the openness of the area, while still being a part of Erie.
- A number of them said that our farm is "history", how can this piece of history be destroyed? I'd like to ask how many of them have visited the Wise Homestead museum or checked out the history of Erie? My father, W. Walter Wise, reminded me many times that change will come, that our farm cannot remain stagnant. These proposed changes would allow Erie to grow and develop. We, as a family partnership, have changed. The three partners – Sara, Esther (my 96 yr. old mother) and the trust of Albert/Olive Wise, have also had to look at change. We are a part of the Homestead. The land and the history are a part of us. The history we have will not be taken away. Given the ages of the partners, we have to embrace change and allow the development of our property. An economic plus for us? Yes. A potential economic plus for Erie? Yes as well.

For background – I am a 5th generation Wise. I grew up in the "big house", presently owned by the Volks'. I lived there from 1953-1975 (I am 61 yrs old ☺). There was no Brownsville for quite some time. I do remember when the first house was built in Brownsville, "Capt. Bell's" house. Slowly the houses appeared on the hill to the south of us. Pheasants were plentiful prior to Brownsville development and there was very little traffic on Jasper Road and N. 119th Street. I attended 1st and 2nd grade at Canfield school where there were 8 grades and 2 teachers. Then Canfield school consolidated with Erie and I attended 3rd – 6th grade in Erie Lincoln school (the present town hall). I graduated from Erie High School in 1971.

Just a bit of historical trivia – the board room where we met last Tuesday was the basement of the elementary school where we played basketball and many games during recess when it was too cold to go outside. (My father Walter, my uncle Albert and my aunt Sarah also attended school there) The basement was also the place where I and the other kids lined up to receive the first polio vaccine (live virus on a sugar cube that we "ate") administered by the Weld county public health department in the early 1960s.

I thank you for your time and consideration in reviewing and "listening" to my thoughts and concerns in favor of the zoning changes and the approval of the development. I look forward to being a part of the meeting on June 9th.

Respectfully,

Elizabeth (Liz) Wise Kissell

Date: 01 June 2015

To: Mayor Pro Tem Mark Gruber

From: Liz (Wise) Kissell

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Respectfully,

Elizabeth (Liz) Wise Kissell

Date: 01 June 2015

To: Trustee Jennifer Carroll

From: Liz (Wise) Kissell

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Date: 01 June 2015

To: Trustee Scott Charles

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Date: 01 June 2015

To: Trustee Janice Moore

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Rita Ellis
12110 Jasper Rd
Erie CO 80516

January 21, 2015

Erie Planning Commission and Erie Board of Trustees
645 Holbrook Street
PO Box 750
Erie CO 80516

Re: Proposed Wise Subdivision near 119th and Jasper Road

I recently had the opportunity to review the Town of Erie Comprehensive Plan dated 2005. It is interesting to read what the goals were and how far, in ten years, reality has strayed from that vision.

Following are my thoughts and concerns regarding the proposed Wise Subdivision development.

Traffic, Congestion, and Safety:

Adding ~170 homes will increase neighborhood traffic by approximately 350 vehicles (2 vehicles per household). That means two people driving daily to and from work or school equals an increase of 700 vehicles on Jasper Road and 119th.

The intersection at 119th and Jasper Road is, historically, more dangerous than most in the area because of the lack of visibility due to the homes' proximities to the roads and intersection (nearer than most), low-hanging vegetation, and privacy fencing. For a long time, Jasper and 119th was a two-way stop intersection. However, in past years, there have been several fatalities and accident-related injuries at this intersection due to vehicles failing to stop. Approximately ten years ago, working with then Mayor Andrew Moore, we did get a four-way stop installed. However, there are still many vehicles and bicyclists who fail to stop. Now add 700 vehicles to the mix. Motorists and bicyclists who continue to use Jasper Road or 119th in face of the additional vehicular traffic will incur great risk to their health and safety.

Note that Erie's schools are all located east, which means many of those additional vehicles will be utilizing the 119th and Jasper Road intersection.

Neighborhood Values:

The neighborhoods surrounding the proposed Wise Subdivision are agricultural in nature. Even Brownsville, located on the southern edge of the Wise property, was developed as a small agricultural neighborhood. Most Brownsville properties and the residences on 119th consist of one or more acres allowing for farm animals, gardening, and rural businesses. In developing the Meadow Sweet subdivision, there was a large buffer placed between it and Brownsville to separate the differences in lifestyles. The majority of properties on Jasper and Jay Roads are agricultural and farming. The properties north of Jasper Road are also multiple acreages adjacent to a large section of open space.

The current residents living in the vicinty of 119th & Jasper Road live here because of the aesthetic quality of country life that has existed for many years. It would be preferred that any building in the adjacent area be similar in quality and density to that which currently exists. Residents of densely populated areas very rarely enjoy living near a rural and farm community. Likewise, the current residents do not enjoy living near a densely populated area where people and errant pets overwhelm the public facilities and spill over onto private

properties.

As stated in the 2005 Comprehensive Plan at page 4-22: Agricultural "lands serve a vital role in defining the history and character of Erie and should be maintained, where viable, to serve as gateways and buffers, preserve vistas, and retain the desired character for the town."

Growth is not always good when it destroys positive qualities that will be extinguished forever. Agricultural land, open space, rural living, are quickly disappearing. Once it is gone, all we will see are rooftops, blacktop, and concrete. Take a drive south on I-25 through Denver. Is that what we want?

Schools:

Erie has recently benefited from additional schools, however, those schools are already overwhelmed with ~40 students per class when the preferred ratio is 20- 25 students. Yet, there are more dense neighborhoods in process, ie Road 8 east of downtown Erie, Arapahoe Road and County Line, Erie Parkway west of 119th, Hwy 7 and east of Vista Ridge, Road 4 and 5, and, of course, the proposed Wise Subdivision--and the list goes on. Are provisions in place so that developers who benefit financially from these subdivisions and then move onto the next growth spurt, also bear the cost of mitigating our overcrowded schools. Do you think families are attracted to live in an area where their child is one of 40 in a classroom?

Commercial Business/Shopping:

On page 5-1 of the 2005 Erie Comprehensive Plan says: "ENCOURAGE A BALANCED MIX OF RESIDENTIAL AND NON-RESIDENTIAL USES IN THE COMMUNITY"

To present, Erie's growth focus has been one-sided-- directed toward residential development. There is no balance.

Erie needs to redirect its focus on developing a balance between residential growth and commercial development. The Erie downtown area is still struggling with small businesses failing after only a short time. Even with the addition of the library, recreation center, and ball park fields, there is not much to attract shopping in Erie because the basics do not exist. There needs to be more consideration to encouraging businesses that will attract Erie residents to shop and spend their dollars within the Erie tax boundary. Currently, Erie's residents are forced to do most of their shopping in Lafayette, Louisville, Longmont, Broomfield, anywhere but Erie. Arapahoe and HWY 287 offers the only grocery store within Erie, and the center, itself, offers very little to attract shopping, unless you want a pizza, a cup of coffee, or an ice cream shake.

We moved here 25 years ago because we were attracted to the rural country atmosphere and agricultural farming character. The changes occurring over the past 10 years have erased much of that quality around Erie, so we would like to preserve a small part of it. Much is done for the sake of money but money very seldom restores what we have lost. Please don't let us lose this.

Thank you,

Rita Ellis

Deb Bachelder

From: elizabeth deland <delanda@comcast.net>
Sent: Monday, January 19, 2015 11:17 AM
To: Deb Bachelder
Subject: Wise Farm Rezoning

To: Deb Bachelder
From: Elizabeth DeLand
Re: Wise Farm Rezoning

My name is Elizabeth DeLand. My husband, John and I live at 4229 N. 119th Street, directly bordering the Wise Property Development on the East Side with our west view looking directly out onto the mountain range. Our property was once a part of the Wise Farm and was annexed to Erie in 1995. We bought this property 17 years ago after carefully investigating the zoning plans with the City of Erie in 1998. We were assured by the Community Development Committee at the time that the area was zoned RR or 2-5 acres per home at most. We decided that we could live with that and it makes us sad that this could change.

Since living here we have become friends with the land and have noticed that because of its size, wetland and water sources it is the home of numerous species of wildlife including the red-flicked woodpecker, migratory flocks, raptors, falcons, owls, hawks, pheasants, an occasional wild turkey, coyotes and deer. We appreciate the peaceful rural environment here with the stars at night and our magnificent views of the mountains that have been totally unobstructed for over 16 years. We have cherished living here. What we didn't know at the time we purchased is that our home is undermined.

Later after we had purchased the property, Sarah Wise told us that our home was located on the old Star Mine, or the original Wise Family Mine. We later learned from the Colorado State Mining and Geological Department that our home was accidently built on a mine because of inaccurate and missing State documents and that this undermining could result in some future uneven settling and sliding, because of a high water table and un-subsided voids and shafts on our property to our south and west. We have to live with this error and gratefully over the years we have seen only minimal movement from the undermining, but we also have not had much soil disturbance in our surrounding areas since purchasing. We fear that all that will change with this coming development and gas wells.

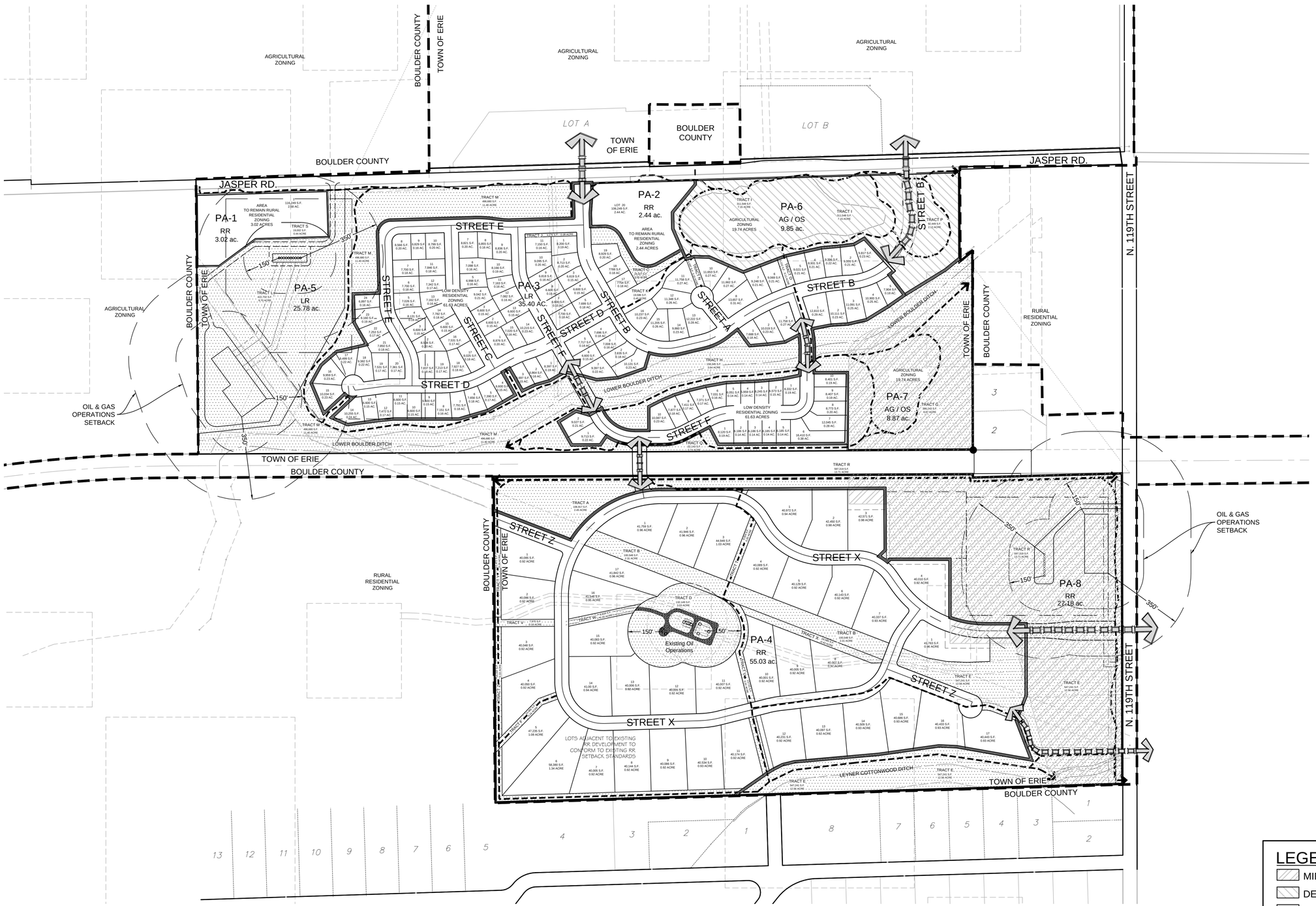
Jim Dullea told us at the recent neighborhood meeting that there will be deep excavation as a part of the development. We are also aware of the potentially future-active railroad tracks and the two gas wells on the property. All of that combined with the high water table and the many voids that exist in the underground mining shafts and tunnels to the west of us will probably produce significant underground movements that will affect our home's stability when the development happens.

It also concerns us that the smallest and the most crowded lots are west of us just beyond the park. That means those homes are surrounded by the un-subsided portion of the mine on the east, the ditch on the north, the potentially active tracks on the south and the high water table beneath. If I were a potential new home owner, I would want to know that information before purchasing.

My husband and I believe in property owner's rights and we knew when we moved in that this land would probably be developed into Rural Residential property. Keeping this area Rural Residential would mean less houses and less underground activity, protecting our home from more subsidence. Keeping the RR zoning would reflect the already established surrounding rural areas that have been here for many years and protect our million dollar views. We think this land is a rare and wonderful wildlife corridor and a fast-vanishing agricultural treasure that requires special consideration and should be zoned Agricultural or Rural Residential .

Elizabeth DeLand delanda@comcast.net January 13, 2015

ATTACHMENT G



LEGEND

- MINING SUBSIDENCE AREA
- DEDICATED PUBLIC OPEN SPACE
- PRIVATE OPEN SPACE
- TRAIL CONNECTIONS
- OIL & GAS SETBACKS
- EASEMENT ACCESS
- ACCESS

No.	Revisions	Date	Init.	Appr.	Date

10333 E. Dry Creek Rd.
Suite 240
Englewood, CO 80112
Tel: (720) 482-9526
Fax: (720) 482-9546

CVL CONSULTANTS

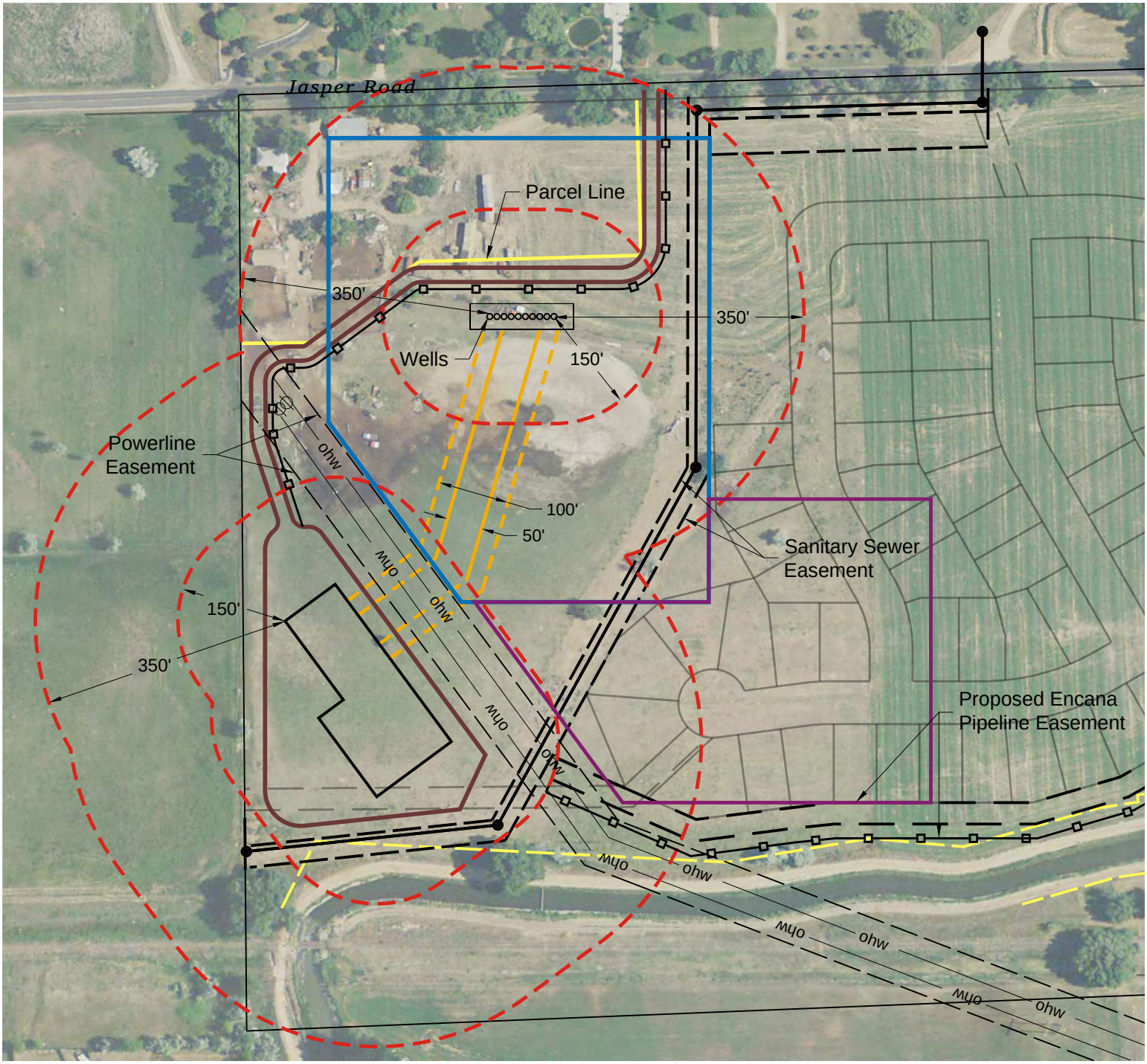
JASPER LAND INVESTMENTS, LLC
9162 S. KENWOOD COURT
HIGHLANDS RANCH, CO 80126

WISE FARMS
PLAT, PUD, AND ZONING EXHIBIT

SCALE: AS SHOWN
FILE NO: 8.13.02308.01
DRAWN BY: BPW
CHECKED BY: MEL
DATE: DECEMBER 2014
SHEET NUMBER 1

EXHIBIT " "

Attached hereto and made part hereof that certain Amended Compatible Development and Surface Use Agreement dated the of , 2014, by and between Wise Homestead, LLC, and Encana Oil & Gas (USA) Inc.



Completions Area: temporary during drilling and completions

Facilities Area

Access Roads

Electric Line

100' Temporary Construction Flowline Easement

Proposed 50' Permanent Flowline Easement

Wellsite

Setback

encana

TOWNSHIP 1 NORTH, RANGE 69 WEST
SECTION 14: SENW

BOULDER COUNTY, COLORADO

SCALE: 1"= 200'

OCTOBER 31, 2014

COMPATIBLE DEVELOPMENT AND SURFACE USE AGREEMENT

This Compatible Development and Surface Use Agreement (this "Agreement") is made and entered into this 31st day of July, 2013 by and betweenWise Homestead, LLC, c/o Jon Kottke ("Owner") with an address of 2975 Valmont Road, Suite 240, Boulder, CO 80301 and Encana Oil & Gas (USA) Inc., a Delaware corporation ("Encana") with an address of 370 17th Street, Suite 1700, Denver, Colorado 80202. Encana and Owner may be referred to as a "Party" or collectively as the "Parties".

RECITALS

A. Owner owns the surface of that tract of land located in the SE/4NW/4 of Section 14, Township 1 North, Range 69 West, Boulder County, Colorado as more particularly delineated on Exhibit A attached hereto (the "Described Premises"), and Owner's right to develop the surface estate and Encana's right to develop the leasehold estate are subject to C.R.S. §34-60-127. All or a portion of the leasehold estate is owned by Encana.

B. Encana is the Operator of the Oil and Gas Leases covering all or parts of the Described Premises, currently operates one or more oil and gas wells ("Existing Wells") on the Described Premises and/or lands pooled therewith, and has the right to develop its oil and gas leasehold estate by drilling additional wells ("Future Wells") on the Described Premises. Existing Wells and Future Wells are sometimes referred to herein individually as a "Well" and collectively as "Wells".

C. Colorado Oil & Gas Conservation Commission ("Commission") rules and regulations allow the owner of the oil and gas rights under the Described Premises to drill, twin, deepen or recomplete a well for production from the Cretaceous Age formations from drilling locations comprised of a square with sides four hundred (400) feet in length, the center of which is the center of any quarter quarter section, and a square with sides eight hundred (800) feet in length, the center of which is the center of any quarter section ("Drilling Location Windows"). Owner and Encana recognize that Encana has the right to a reasonable use of the surface of the Described Premises for oil and gas operations subject to C.R.S. §34-60-127.

D. This Agreement is entered into to specifically designate operations areas, access roads, flowlines, and pipelines to accommodate the surface rights of Owner and Encana.

E. This Agreement provides for and is limited to the compatible development of the surface estate and the oil and gas estate for the Described Premises.

NOW THEREFORE, in consideration of the covenants and the agreements set forth herein, including the representations set forth in the recitals, the parties agree as follows:

1. **Operations.**

a. Encana may commence drilling operations on the Described Premises only after July, 31 2013, and shall cease all operations on June 30, 2015 with the exception of production and maintenance operations on Wells drilled prior to that time. Encana may resume drilling operations on the Described Premises on and after January 1, 2018. After Encana commences drilling the initial Well, Encana will engage in continuous drilling operations for each additional Well until such time as all Wells planned by Encana are drilled and completed. If Encana has commenced drilling operations prior to June 30, 2015, but has not drilled and completed all its planned Wells by June 30, 2015, then Encana may continue to

drill and complete its remaining planned Wells after June 30, 2015 as long as Encana is engaged in continuous drilling operations. For purposes of this Agreement, "continuous drilling operations" shall mean no more than thirty (30) days elapse between the completion of drilling and/or completion of a Well and commencement of drilling and/or completion of the next Well. The drilling and continuous drilling operations periods set forth in this paragraph shall be extended for each day Encana is unable to conduct drilling, completion or other operations on the Described Premises due to force majeure or other events beyond Encana's reasonable control, including the inability to obtain permits or otherwise due to applicable laws, rule, regulations, ordinances, moratoria or court orders.

b. This Agreement shall only apply to the sixteen (16) potential horizontal Future Wells to be drilled from the proposed pad in the SE/4NW/4 of Section 14-1N-69W, Boulder County, CO, and which would extend from the N/2 of Section 14 northward into Section 11-1N-69W, Boulder County, CO. The number of Wells drilled by Encana, if any, shall be determined by Encana in its sole discretion. Any additional Wells to be drilled would require a new or amended agreement between Owner and Encana. If Encana decides to drill less than all sixteen (16) Wells, Encana will notify Owner.

2. **Compensation.** Prior to the commencement of drilling operations on the Described Premises for a Well, Encana shall pay Owner the sum of Ten Thousand Dollars ($10,000) for each horizontal Well and Two Thousand Five Hundred Dollars ($2,500) for each vertical or directional Well ("Damage Amount"). The Damage Amount shall constitute payment in full by Encana and its affiliates for all normal damages, including but not limited to damages to growing crops, associated with the access to and the drilling, construction, completion, recompletion, reworking, re-entry, production, operation and maintenance of the Wells. Normal damages include, but are not limited to, reasonable and customary ingress, egress, rights-of-way, construction of all access roads, preparation and use of the drillsite and Wellsite areas, , and construction, installation and maintenance of production equipment and facilities such as flowlines, gas pipelines, separators, tank batteries and other equipment or facilities necessary or convenient for the production, transportation and sale of oil and/or gas therefrom. If, by reason of Encana's operations, there is damage to personal property located on the Described Premises or there is damage to the surface of the Described Premises caused by the negligence of Encana or its contractors, or if Encana should unreasonably use the surface of the Described Premises in such a manner so as to damage structures, fences, culverts and cement ditches, such damage shall be repaired by Encana or Encana shall promptly pay Owner for such damage.

3. **Drillsite Location and Access.**

a. In consideration of the agreements set forth herein, Encana agrees to limit its future oil and gas operations to those locations depicted on Exhibit B1 identified as "Oil and Gas Operations Area(s)". Oil and gas operations include but are not limited to drilling, completion and maintenance of wells and equipment, production operations, workovers, well recompletions and deepenings, fracturing, twinning, drilling replacement wells, plugging and abandonment operations, location of associated oil and gas production and facilities, drilling of oil and gas wells that produce from and drain the Described Premises as well as lands which are pooled or communitized with the Described Premises, and/or wells that are directionally or horizontally drilled to bottomhole locations outside the Described Premises. The Oil and Gas Operations Areas shall be in the configuration specified as the "Initial Oil and Gas Operations Area" on Exhibit B1 until Encana has drilled and completed all sixteen (16) proposed horizontal Future Wells and reclaimed the area. After Encana has drilled and completed the sixteen (16) proposed horizontal Future Wells and reclaimed the area, the Oil and Gas Operations Areas shall be reduced to the configuration specified as the "Permanent Oil and Gas Operations Area" on Exhibit B1. The Oil and Gas Operations Areas shall be for Encana's exclusive use and Owner shall not develop or construct any improvements, structures or landscaping in the Oil and Gas Operations Areas. Provided however, after such time as the Oil and Gas Operations Areas is reduced to the Permanent Oil and Gas Operations Area,

Owner may, at its sole cost: (i) plant native grasses and other shallow root landscaping within the outer 100 feet of the Oil and Gas Operations Area (the "Permitted Landscaping") and (ii) may irrigate the Permitted Landscaping by sprinkler systems installed on the perimeter of the Oil and Gas Operations Area. Encana shall not be liable for any unintentional damage to the Permitted Landscaping or irrigation systems resulting from its operations.

b. Encana agrees to locate its production facilities within the Oil and Gas Operations Areas provided that Encana is able to expand those facilities, but not the Oil and Gas Operations Areas, to accommodate additional production. Such expansion may involve, among other things, installation and connection of flowlines, installation of additional tank batteries, separators, combustors, vapor recovery units, water and oil tanks. In order to minimize surface use for oil and gas operations, Oil and Gas Operations Areas, access, and pipeline easements may be used by other oil and gas operators so long as Encana has consented to such use in writing (which consent shall not be unreasonabley withheld) and such use does not unreasonably interfere with the use of the Oil and Gas Operations Areas by Encana.

c. Access to the Oil and Gas Operations Areas shall be along the routes depicted on Exhibits B1. Owner agrees to locate curb cut access to the Oil and Gas Operations Areas of no less than forty (40) feet with a turn radius of no less than twenty-two (22) feet in width. Encana shall be assured of uninterrupted access to all the Oil and Gas Operations Areas and no such access may be closed to Encana until an acceptable replacement access route is available.

d. Owner may request a relocation of an access route. All costs and expenses of such relocations will be borne by Owner and agreed to by Encana in advance of any relocation. Encana will designate the contractor to complete the work and Encana will provide Owner with a written estimate of the relocation costs and Owner will remit to Encana prior to the commencement of the relocation work by Encana. Encana will schedule the work with Owner at the time a written estimate is presented to Owner. After completion of the work, Encana will provide to Owner an itemized statement showing the actual cost of the work. If the actual cost of the work is less than the estimate, Encana will pay the difference to Owner within ten (10) days of receipt of the itemized statement. If the actual cost of the work is greater than the estimate, Owner will pay the difference to Encana within ten (10) days of receipt of the itemized statement. Encana will be assured of uninterrupted access to all the Oil and Gas Operations Areas and no such access may be closed to Encana until an acceptable replacement access route is available for use.

e. Encana shall keep the portions of the access roads used exclusively by Encana in good condition and repair; provided, however, Owner agrees to promptly repair any damage to such roads caused by Owner. Owner shall keep the portions of access roads jointly used by both Owner and its subdivision occupants and Encana in good condition and repair until such roads are dedicated to the local jurisdiction; provided, however, if Encana causes damage to a portion of a road that is jointly used by both Encana and Owner or its development occupants and which is constructed to the specifications in section 3.g.(1). Encana agrees to promptly repair any damage that is a direct result of its use of the road.

f. No party shall unreasonably interfere with the use by the other of an access road.

g. <u>Construction and Width of Access Roads</u>.

(1) Access roads or portions of access roads that are jointly used by Encana and Owner shall be thirty (30) feet in width and Owner shall construct or improve all paved or improved joint access roads so as to withstand the weight of oilfield equipment. Specifically, Owner shall construct the roads so that they can be used to withstand the weight of 110,000 pounds and 28,000 pounds per axle. If the requirements set forth in this paragraph for joint access roads exceed the standards required by the the County or other applicable local jurisdiction, then Owner shall be responsible for the costs to

construct or improve the joint roads to County or other applicable local jurisdiction standards and Encana shall be responsible for the additional costs, if any, to meet the standards set forth in this paragraph.

(2) Access roads or portions of access roads that are used exclusively by Encana shall be thirty (30) feet in width and Encana shall install and maintain them to Commission standards that apply to oil and gas operations and shall maintain them according to local regulations.

h. Encana shall install and maintain in good condition, a fence around the wells drilled within the Oil and Gas Operations Areas that meet the Commission's fencing and landscaping requirements. The Parties shall use good faith efforts to agree upon a fencing design that is compatible with the design and quality of the intended surface development provided that the fencing is operationally, technically and economically feasible, practicable and reasonable and does not interfere with Encana's operations and does not violate Commission rules.

i. Owner shall not erect a fence which interferes with Encana's access, flowlines, pipelines, Oil and Gas Operations Areas or to the Existing Wells.

j. No compressors shall be located on the leased premises, except for wellhead compressors necessary to transport gas from the leased premises to the border thereof.

k. There shall be no pits on the Described Premises.

l. There shall be no disposal of oilfield waste on the Described Premises and there shall be no wells drilled thereon for injection of produced water, flow back fluids, or other liquid waste.

4. **Pipelines, Flowlines and Pipeline Easements.**

a. Owner acknowledges and understands that Encana has the right to continue to use the flowlines, pipelines and pipeline easements that it is currently utilizing to service the Existing Wells and to construct, repair, maintain and replace the flowlines and pipelines. All new pipelines and flowlines shall be placed in the Oil and Gas Operations Area.

b. ~~Easements for flowlines and pipelines to be installed in the future shall be at the approximate locations as shown on Exhibit B, and such~~ flowlines and pipelines shall be installed to a minimum depth of forty eight (48) inches below the surface of the ground. SMW ACW TMC

c. Locations of existing and future flowlines, pipelines and easements may be changed at the request of Owner provided that the change does not interfere with oil and gas operations and is paid for by Owner. In the event that Owner requests the relocation of an existing pipeline or flowline, Encana will provide Owner with a written estimate of the relocation costs. Owner will remit to Encana prior to the commencement of the relocation work. Encana will designate the contractor to complete the work and schedule the work with Owner at the time a written estimate is presented to Owner. After completion of the work Encana will provide to Owner an itemized statement showing the actual cost of the work. Should the actual cost of the work be less than the estimate, Encana will pay the difference to Owner. Should the actual cost of the work be greater than the estimate, Owner will pay the difference to Encana within ten (10) days of receipt of the itemized statement. Portions of the easements covering the relocated pipelines or flowlines and no longer used shall be quitclaimed to Owner upon Owner's request.

d. All current and future flowline and pipeline easements shall be fifty (50) feet in width during

original construction activities and thirty (30) feet in width for all other operations, maintenance and transportation activities.

e. Owner shall have the right to cross the pipeline easements at approximately right angles (or at another angle with Encana's written consent, which will not be unreasonably withheld), and Owner shall also have the right to install and maintain access to such easements for utility lines, including those for water, gas, sewer, electric, telephone, cable, television and fiber optic and other pipelines that travel along, but not within, the pipeline easements provided for herein; provided however, *i)* any new underground facilities which travel along a pipeline easement identified herein shall be located a distance horizontally of at least ten (10) feet from parallel existing pipelines; *ii)* any new underground facilities shall have at least twenty-four (24) inches of vertical clearance between such new facility and a pipeline provided for herein; and *iii)* any overhead power lines shall be at least twenty (20) feet above the ground. Owner shall pay Encana all costs and expenses incurred by Encana to encase its pipelines and flowlines, other than those encroachments related to the proposed access points off of Jasper Road specifically shown on Exhibit C, to the extent that such pipelines and flowlines intersect and underlie any street or any other road either in advance of or at the time that Owner commences construction of any street and/or such other road, at the place where the Encana pipelines and flowlines intersect with any street or such other road.

f. Under no circumstances shall Owner prohibit Encana from flowing gas through its flowlines and pipelines at any time.

g. Owner shall maintain a minimum ground cover of 48 inches and not more than 72 inches over pipelines and flowlines in the conduct of its operations and its construction activities on the Described Premises.

h. Owner, its successors and assigns, hereby agrees to cooperate, with such cooperation at Owner's sole cost and expense, with Encana in its efforts to obtain all necessary permits, licenses and other approvals from state, county and municipal authorities for applications to drill all future wells.

i. Encana is evaluating the construction and use of a centralized oil, gas and water gathering and handling facility near the Described Premises ("Proposed Facility"). Nothing in this Agreement shall commit or obligate Encana to construct, operate and/or use the Proposed Facility for the Wells and Owner understands and acknowledges that Encana may not constuct or use the Proposed Facility for any reason. To accommodate the possible use of the Proposed Facility, Owner shall grant to Encana an additional pipeline easement of 50 feet for one (1) or more pipelines at a mutually agreed upon location on the Described Premises for the transportation or transmission of oil, gas, petroleum products, water, hydrocarbons and any other related substances from the Wells (the "Facility Pipeline Easement"). The location of the Facility Pipeline Easement shall be agreed upon before Owner submits its subdivision plats and other development applications with the applicable local juridictions. Owner shall identify the Facility Pipeline Easement on its subdivision plats and in all applications for development that it files with a local jurisdiction pursuant to Paragraph 6 below, and in addition, if requested by Encana, Owner will execute a separate easement agreement for Encana to record. If Encana constructs the Proposed Facility and uses it for the Wells, then Encana and Owner shall amend this Agreement to reduce the size of the Permanent Oil and Gas Operations Area to that shown on Exhibit B-2. If Encana elects not to construct or use the Proposed Facility or is unable to use the Proposed Facility for the Wells (which may be for any reason), then the Oil and Gas Operations Areas shall remain as set forth in Exhibit B-1 and at such time Encana shall vacate the Facility Pipeline Easement.

5. **Surface Construction Activities.** Owner shall notify Encana at least twenty (20) days before Owner intends to commence construction activities where it will utilize heavy equipment or other equipment that may cause damage to the Encana's flowlines or pipelines. Owner shall pay Encana mutually agreed upon shut-in payments if Encana shuts-in any Wells due to Owner's surface development activities. Owner shall pay Encana all costs that Encana incurs to change electrical equipment at an Oil and Gas Operations Areas where Encana is required to make the change because of the impending or actual surface development of the Described Premises.

6. **Subdivision Plat.** Owner shall identify the Oil and Gas Operations Areas (both Initial and Permanent Oil and Gas Operations Area) and all access and pipeline easements on its subdivision plats and in all applications for development that it files with a local jurisdiction, and the plats shall include restrictions that no temporary or permanent buildings, structures, or other improvements shall be located, constructed or installed within the Oil and Gas Operations Areas. Owner shall record the subdivision plat in the Office of the Clerk and Recorder of Boulder County and provide written evidence to Encana within fifteen (15) days of recording.

7. **Accommodation of Surface Use.** Owner expressly acknowledges that this Agreement satisfies the obligations and requirements of Encana pursuant to Colorado Oil and Gas Conservation Commission rules and regulations and Colorado statutes to consult in good faith with Owner regarding proposed oil and gas operations on the Described Premises. Owner expressly acknowledges that this Agreement shall be deemed to be specifically applicable to, and to satisfy fully, the obligation of Encana to accommodate the Owner's use of the surface of the Described Premises, existing and future, and Owner waives any statutory or common law claims to the contrary including, but not limited to, any claims pursuant to C.R.S. 34-60-127. Owner also acknowledges and agrees that Encana has fully complied with all other applicable governmental regulations and statutes, if any, relating to the settlement of the damages contemplated in this Agreement.

8. **Waiver of Surface Damage Payments.** Except as provided in Paragraph 2 above, Owner, for itself and its successors and assigns, in consideration of the Damage Amount does hereby release, relinquish and discharge Encana, its affiliates, successors and assigns from all claims, demands, damages, liabilities and causes of action that Owner may have by reason of the drilling of the Wells and all other damage or injury to the Described Premises caused by the drilling, completion, recompletion, reworking, re-entry, production, operation and maintenance of the Wells and all associated pipelines, tank batteries and other facilities, and Owner accepts the Damage Amount as full compensation therefor.

9. **Waiver of Setbacks and Other Requirements.** Owner understands and acknowledges that the Commission has rules and regulations that apply to the distance between a wellhead and public roads, production facilities, building units and surface property lines, among other things. To the extent permitted by law or regulations, Owner hereby waives all setback requirements in Commission Rules 603, 604 and 318A., or other rule or amendment to the Commission setback rules, and to any other state or local setback requirements, or other requirements or regulations, that are or become inconsistent with this Agreement or that would prohibit or interfere with the rights of Encana or its lessees and assignees to explore for and produce oil and gas in accordance with this Agreement. Owner understands, and shall notify parties who purchase all or portions of the Described Premises from Owner, that Encana may cite the waiver in this section 9 in order to obtain a location requirement exception or variance under Commission rules or from a local jurisdiction.

10. **Governmental Proceedings.**

a. Owner Will Not Object. Owner agrees that it will not object in any forum to the use by Encana of the surface of the Described Premises consistent with this Agreement and hereby waives any such right to object. Owner further agrees that it will provide such other written approvals and waivers

which are reasonably requested by Encana and consistent with this Agreement, including, but not limited to, all approvals and waivers to drill a well or to conduct oil and gas operations on the Described Premises that are needed because of any law or regulation, including any local ordinance and regulations of the Commission, and including, for example, waivers to state and local setback requirements and to any setback requirements from a surface Described Premises line or for an exception location.

b. Encana Will Not Object. Encana agrees that it will not object in any forum to a request by Owner to annex, zone, rezone, plat or replat all or any portion of the Described Premises, or to Owner's sale or development of all or portions of the Described Premises, to the extent such request, sale or development is consistent with this Agreement.

11. **Notices of Hearings.** Owner shall provide Encana with written notice not less than thirty (30) days before each hearing for consideration of a plat application or other land use application for the Described Premises or portions of the Described Premises that is to be held before the County or other local jurisdiction.

12. **Notice to Commercial and/or Retail Builders and/or other Developers.** Owner shall furnish all builders, developers and retailers which purchase all or any portion of the Described Premises and each person or entity who proposes to enter into a contract to purchase, lease or otherwise own any portion of the Described Premises which is adjacent to or any part of which is within 350 feet from an Oil and Gas Operations Areas or a pipeline easement, with a plat that shows the locations of the Oil and Gas Operations Areas, access routes, and pipeline easements. In addition, Owner shall provide written notice to all such purchasers that includes the following:

a. There may be ongoing oil and gas operations and production on the surface of the Described Premises within the Oil and Gas Operations Areas, pipeline easements and access routes;

b. There are likely to be wells drilled and oil and gas production facilities constructed and installed within the Oil and Gas Operations Areas and flowlines and pipelines constructed and maintained on the Described Premises;

c. Heavy equipment will be used by Encana from time to time for oil and gas drilling and production operations and such operations may be conducted on a 24-hour basis; and

d. Commercial and retailer associations and/or buyers of individual portions of the Described Premises will be subject to and burdened by all of the covenants and waivers made by Encana and Owner in this Agreement, including, but not limited to those covenants and waivers; *i)* prohibiting the location of any building, structure, or other improvement within the Oil and Gas Operations Areas; *ii)* waiving objections to the drilling of wells, the construction of facilities, and the conduct of oil and gas operations on the Described Premises consistent with this Agreement; and *iii)* waiving objections to the setback requirements under the rules of the Commission or any local jurisdiction.

13. **Notice of Oil and Gas Operations.** Encana shall provide Owner with notice of drilling operations and subsequent well operations in accordance with Commission rules and regulations.

14. **Notice of Construction Activities by Owner.** Owner shall provide Encana with thirty (30) days written notice prior to commencement of any dirt work, grading or other surface construction activities it will be conducting on the Described Premises. Owner shall meet with Encana representatives at the Described Premises to locate existing flowlines, gathering lines or pipelines and to coordinate proposed surface construction activities with current and prospective oil and gas operations.

15. **Impact Mitigation.**

a. Encana Mitigation. Encana agrees that it will install and maintain at its sole cost and expense such fences, gates and locks around the wells and production facilities as are required by the

Commission. Owner may upgrade fences, gates and locks at its expense and with the consent of Encana, such consent not to be unreasonably withheld, provided that such fences, gates and locks comply with Commission and local regulations. Encana shall, at its sole cost and expense, install noise and visual impact mitigation measures which are required by local governmental regulations and Commission regulations for areas of high density.

b. Owner Mitigation. Owner shall bear all costs and expense to install such noise and visual impact mitigation measures it desires or the County or other local jurisdiction requires at or around the Oil and Gas Operations Areas which are in excess of or in addition to those measures which are required by Commission regulations for areas which are high density; provided, however, Encana shall have reasonable discretion to refuse to allow impact mitigation measures which interfere with, or prevent, safe oil and gas operations.

16. **Authority to Execute Agreement.** Each party represents that it has the full right and authority to enter into this Agreement with respect to the surface rights or oil and gas interests or oil and gas leasehold interests that it owns in the Described Premises, as applicable. Owner warrants that Owner is the owner of the entire surface of the Described Premises and that only Owner, and no other party, is entitled to payment for damages to the surface of the Described Premises as provided for in this Agreement.

17. **No Waiver of Rights.** Encana does not waive the rights it has pursuant to its oil and gas interests to explore for, drill and produce the oil and gas underlying the Described Premises or for ingress and egress to the Oil and Gas Operations Areas, and Owner does not waive the ownership rights it has, except as specifically provided in this Agreement.

18. **Successors and Assigns.** This Agreement and all of the covenants in it shall be binding upon the successors and assigns of the parties and the benefits of this Agreement shall inure to their successors and assigns. This Agreement and all of the covenants in it shall be covenants running with the land.

19. **Recording.** Encana shall record a Memorandum of this Agreement with the Clerk and Recorder of Boulder County and provide evidence to Owner of the recording.

20. **Governing Law.** The validity, interpretation and performance of this Agreement shall be governed and construed in accordance with the laws of the State of Colorado without reference to its conflicts of laws provisions.

21. **Severability.** If any part of this Agreement is found to be in conflict with applicable laws, such part shall be inoperative, null and void insofar as it conflicts with such laws; however, the remainder of this Agreement shall be in full force and effect. In the event that any part of this Agreement would otherwise be unenforceable or in conflict with applicable laws due to the term or period for which such part is in effect, the term or period for which such part of this Agreement shall be in effect shall be limited to the longest period allowable which does not cause such part to be unenforceable or in conflict with applicable laws.

21. **Notices.** Any notice or other communication required or permitted under this Agreement shall be given in writing either by; i) personal delivery; ii) expedited delivery service with proof of delivery; iii) United States mail, postage prepaid, and registered or certified mail with return receipt requested; or iv) prepaid telecopy or fax, the receipt of which shall be acknowledged, addressed as follows:

Encana:	Owner:
Encana Oil & Gas (USA) Inc. 370 17th Street, Suite 1700 Denver, Colorado 80202 Attn: DJ Land Department	Wise Homestead, LLC c/o Jon Kottke 2975 Valmont Road, Suite 240 Boulder, CO 80301

22. **Incorporation of Exhibits.** Exhibits A, B-1, B-2 and C are incorporated into this Agreement by this reference.

23. **Entire Agreement.** This Agreement sets forth the entire understanding between the parties and supersedes any previous communication, representation or agreement, whether oral or written. No change of any of the terms or conditions herein shall be valid or binding on any party unless in writing and signed by an authorized representative of both parties.

24. **Counterpart Executions.** This Agreement may be executed in counterparts, each of which shall be deemed an original

IN WITNESS WHEREOF, the undersigned parties have caused this Agreement to be executed by a duly authorized representative on the day and year first above written.

ENCANA OIL & GAS (USA) INC.

By _____
Helen M. Capps, Attorney-in-Fact

WISE HOMESTEAD, LLC

By _____
Sarah Allene Wise, Manager

By _____
Alan C. Wise, Manager

ACKNOWLEDGEMENTS

STATE OF COLORADO)
)ss
CITY AND COUNTY OF DENVER)

On this 31st day of July, 2013, before me personally appeared Helen M. Capps, who, being by me duly sworn, did say that she is an Attorney-in-Fact for Encana Oil & Gas (USA) Inc., that he signed the foregoing instrument on behalf of said corporation and acknowledged the instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I hereunto set my hand and affixed my official seal the day and year first above written.

My Commission Expires: Dec 20, 2015

(SEAL) Notary Public:

STATE OF COLORADO)
)ss
CITY AND COUNTY OF BOULDER)

On this 31st day of JULY, 2013, before me personally appeared SARAH ALLENE WISE, who, being by me duly sworn, did say that he is MANAGER for WISE HOMESTEAD, LLC, that he signed the foregoing instrument on behalf of said corporation and acknowledged the instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I hereunto set my hand and affixed my official seal the day and year first above written.

My Commission Expires: 10/24/2015

(SEAL) JON F. KOTTKE NOTARY PUBLIC STATE OF COLORADO

Notary Public:

STATE OF COLORADO)
)ss
CITY AND COUNTY OF BOULDER)

On this 31st day of JULY, 2013, before me personally appeared ALAN C. WISE, who, being by me duly sworn, did say that she is MANAGER for WISE HOMESTEAD, LLC, that she signed the foregoing instrument on behalf of said corporation and acknowledged the instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I hereunto set my hand and affixed my official seal the day and year first above written.

My Commission Expires: 10/24/2015

(SEAL)

JON F. KOTTKE NOTARY PUBLIC STATE OF COLORADO

Notary Public: J. F. Kottke

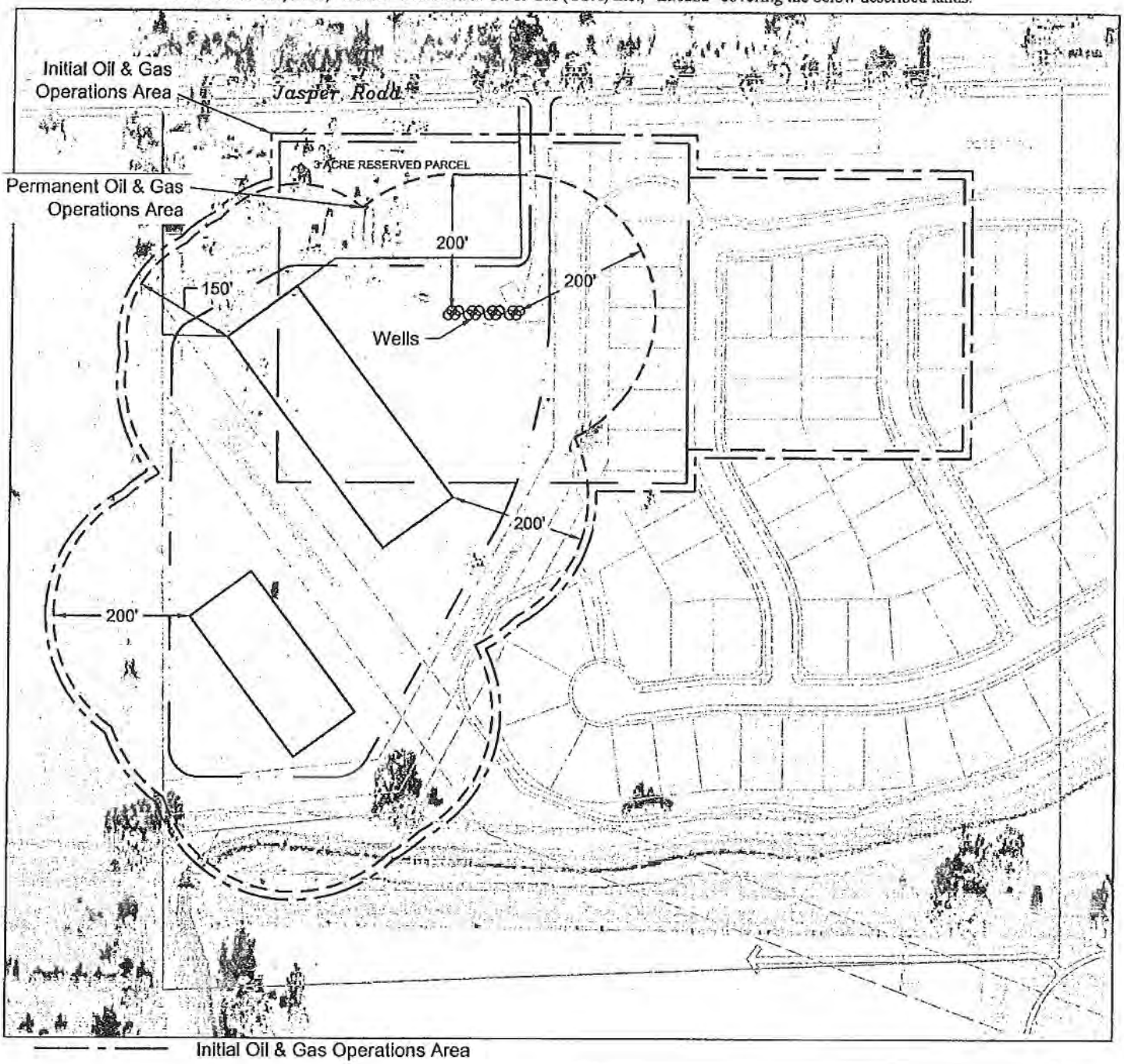
EXHIBIT "A"

Attached hereto and made a part hereof that certain Compatible Development and Surface Use Agreement dated the 31st day of July, 2013, by and between Wise Homestead, LLC, "Owner" and Encana Oil & Gas (USA) Inc., "Encana" covering the below described lands.

The Southeast quarter of the Northwest quarter of Section 14, Township 1 North, Range 69 West, 6th Principal Meridian; less that portion South of the Union Pacific Railroad right-of-way and containing 32.84 acres, more or less.
County of Boulder, State of Colorado

EXHIBIT "B-1"

Attached hereto and made part hereof that certain Compatible Development and Surface Use Agreement dated the 31st of JULY, 2013, by and between Wise Homestead, LLC, "Owner" and Encana Oil & Gas (USA) Inc., "Encana" covering the below described lands.



Initial Oil & Gas Operations Area

Access Roads

Well site

Completions Area: temporary during drilling and completions

Facilities Area

Permanent Oil & Gas Operations Area

encana

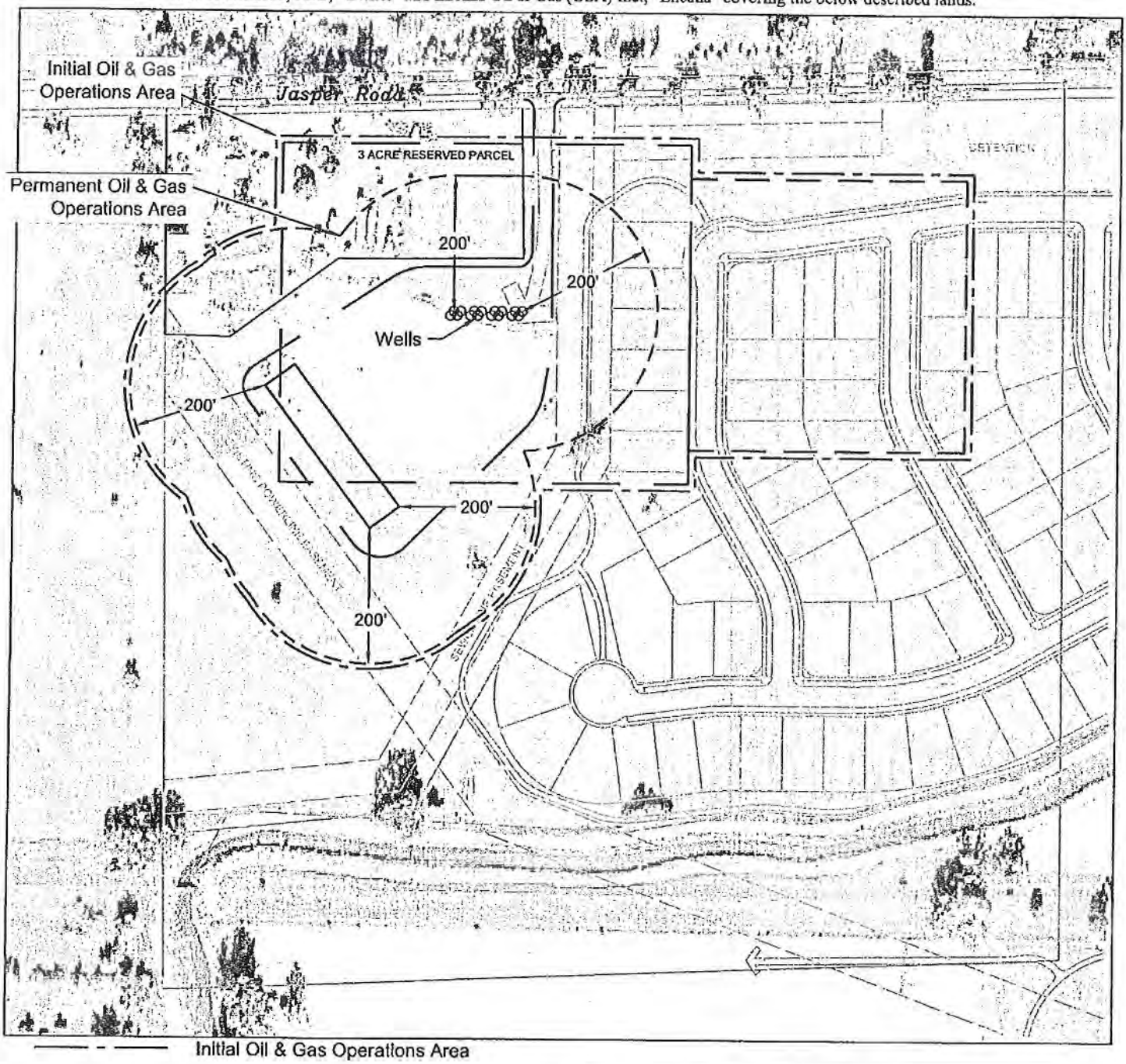
TOWNSHIP 1 NORTH, RANGE 69 WEST
SECTION 14: SENW

BOULDER COUNTY, COLORADO

JULY 31, 2013

EXHIBIT "B-2"

Attached hereto and made part hereof that certain Compatible Development and Surface Use Agreement dated the 31st of July, 2013, by and between Wise Homestead, LLC, "Owner" and Encana Oil & Gas (USA) Inc., "Encana" covering the below described lands.



Initial Oil & Gas Operations Area

Access Roads

Well site

Completions Area: temporary during drilling and completions

Facilities Area

Permanent Oil & Gas Operations Area

encana

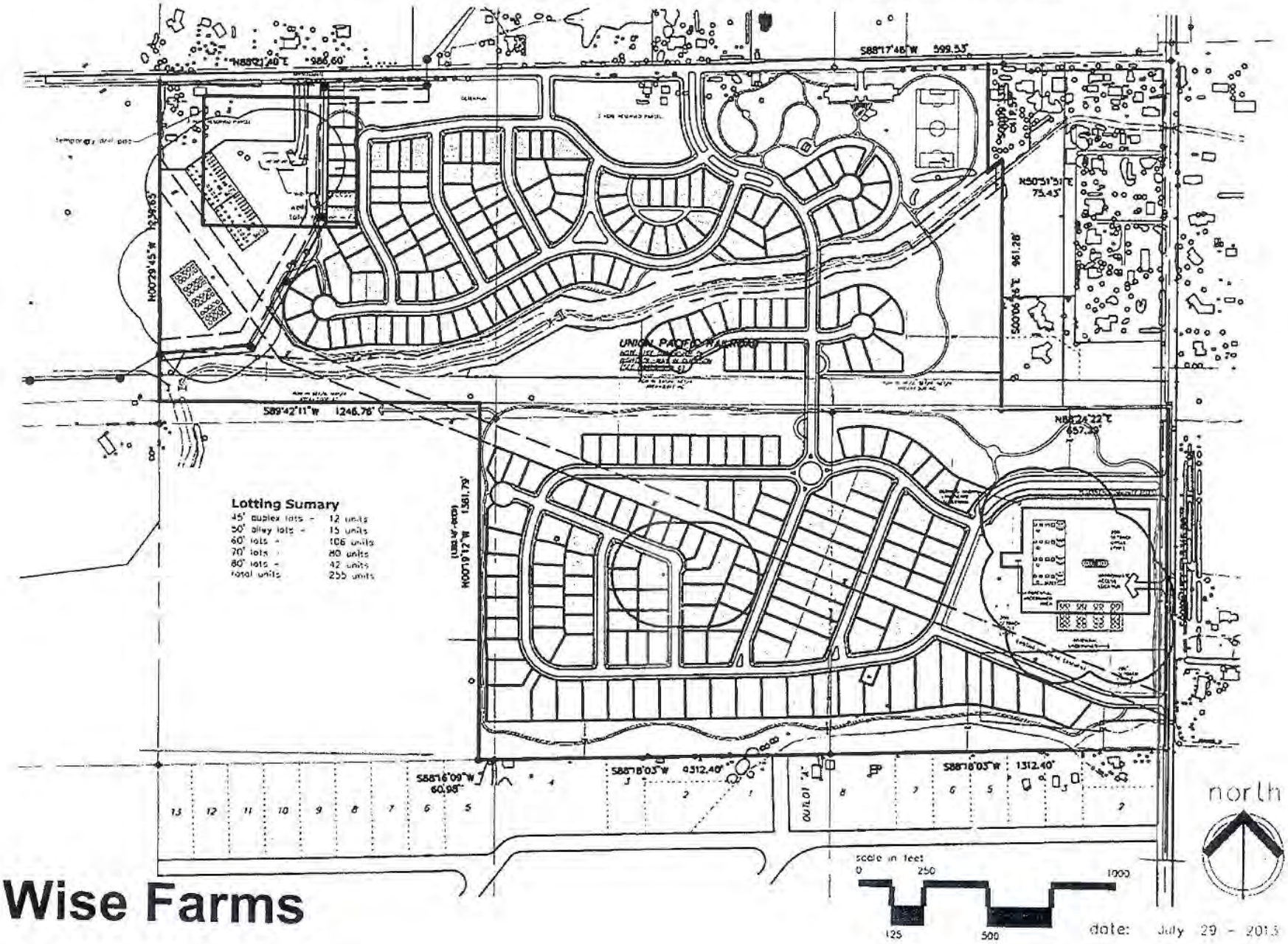
TOWNSHIP 1 NORTH, RANGE 69 WEST
SECTION 14: SENW

BOULDER COUNTY, COLORADO

JULY 31, 2013

Exhibit "C"

Attached hereto and made a part hereof that certain Compatible Development and Surface Use Agreement dated the 31st day of July, 2013, by and between Wise Homestead, LLC, "Owner" and Encana Oil & Gas (USA) Inc., "Encana" covering the below described lands.



Wise Farms

date: July 29 - 2013

ERIE WISE PROPERTY
Draft SUA Information

DATE/TIME: 10-17-2014

Encana

1. We have submitted a revised draft Exhibit A, in addition, we received a new CAD base file from Encana, that base file has been incorporated into our submittal. We anticipate receiving an updated agreement, and finalized Exhibit A within the next few weeks.

Anadarko

1. We received a layout for the wells for Anadarko and have incorporated that into our submittal documents. We have prepared and submitted to Anadarko a draft SUA, based on the template that Anadarko provided. Terry Enright has responded that he does not believe there will be too many changes from their end.

Noble

1. We submitted a draft SUA to Noble for their review, we have included a copy.

SURFACE USE AGREEMENT

THIS SURFACE USE AGREEMENT (the "Agreement") is made and entered into this ___ day of _____, 2014, by and between **NOBLE ENERGY, INC.** a Delaware corporation, ("Noble"), 1625 Broadway Suite 2200, Denver, Colorado 80202 and _____ ("Landowner") _____.

RECITALS

A. Landowner is the owner of the surface estate in the NWSE of Section 14, Township 1 North, Range 69 West of the 6th P.M., County of Weld, State of Colorado (the "Property") as shown on Exhibit "A" attached hereto and made a part hereof.

B. Noble currently operates the Wise 1-14X well (the "Well") and the associated flow lines and production facilities on the Property.

C. Noble and Landowner enter into this Agreement to provide for the coexistence and joint development of the surface estate and the oil and gas estate of the Property, and to delineate the process with which the parties shall comply with respect to the development of the two estates.

NOW, THEREFORE, in consideration of the covenants set forth herein and the mutual benefits to be derived by the parties hereto, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree as follows:

1. AREAS RESERVED FOR OIL AND GAS OPERATIONS.

1.1. Oil and Gas Operations. The oil and gas operations area for the Well, access road and flow line easements are shown on Exhibit A attached hereto and incorporated herein by this reference ("Oil and Gas Operations Areas").

1.2 Oil and Gas Operations Areas. The Oil and Gas Operations Areas shall be reserved and utilized for the exclusive purpose of any and all Oil and Gas Operations by Noble.

1.3 Compensation. Noble shall not be obligated to pay, and Landowner hereby waives any right to receive, any further surface damage payments, license or use fees, now or in the future, associated with the normal and customary operations of Noble within the Oil and Gas Operation Area.

1.4 Waiver of Certain Requirements. Landowner waives all setback requirements in Colorado Oil and Gas Conservation Commission ("COGCC") Rule 603, or any successor rule or amendment to the COGCC setback rules, and to any other state or local setback requirements or other requirements or regulations that are or become inconsistent with this Agreement or that would prohibit or interfere with the rights of Noble to explore for and produce the oil and gas in accordance with this Agreement. Landowner understands that Noble may cite the waiver in this Section 1.4 in order to obtain a location requirement exception or variance under COGCC rules or from a local jurisdiction. Landowner also agrees that it will not object in any forum to the use by Noble of the surface of the Property consistent with this Agreement and that it will also

provide Noble with whatever support in writing they may reasonably require to obtain permits from the COGCC or any local jurisdiction.

2. SURFACE RECLAMATION. Noble or succeeding oil and gas operators shall be responsible for their respective costs of interim and final reclamation and surface restoration related to such future operations to the extent required by the COGCC.

3. NOTICE OF FUTURE OPERATIONS. Noble shall provide at least seven (7) days prior written notice to Landowner in advance of any operations within the Oil and Gas Operations Areas in connection with the reworking, fracturing, deepening or other unusual or other than routine operations on the Well; provided, however, that Noble shall have immediate access in the event of an emergency.

4. NOTICE TO HOMEOWNERS AND BUILDERS. This Agreement shall serve as notice to homeowners and builders that:

4.1 There will be ongoing Oil and Gas Operations in the Oil and Gas Operations Area;

4.2 Purchasers of all or a portion of the Property, as successors in interest to Landowner, will be acquiring a proportionate interest in Landowner's rights and obligations under this Agreement and will be subject to the waivers contained in this Agreement which, with respect to operations within the Oil and Gas Operations to Section 1.4 above, shall constitute a waiver of the setback requirements provided in Commission Rule 603.e.(6) or any successor or amended state setback rule and also local setback requirements, among other obligations.

5. PRELIMINARY AND FINAL PLATS. The Final Plat prepared by the Landowner as part of the subdivision approval process for the Property shall include the Wells, Pipeline Easements and Access Roads as depicted on the attached Exhibit "A". Within fifteen (15) days of approval by the Weld County of a Final Plat, Landowner shall record a copy of the Final Plat in the real property records of the County of Weld, Colorado.

6. GOVERNMENTAL PROCEEDINGS.

6.1 Landowner shall not, directly or indirectly, oppose or encourage opposition to Noble in any agency, administrative or other governmental proceedings, including but not limited to the COGCC, Weld County or other governing body proceedings, related to the operations of Noble on the Property, including but not limited to drilling and production activities, workovers, well deepenings, recompletions, fracturing, replacement wells and re-fracturing, provided that the position of Noble in such proceedings is not materially inconsistent with this Agreement.

6.2 Noble shall not directly or indirectly oppose or encourage opposition to Landowner in any agency, administrative, or other governing body proceedings, relating to Landowner's operations on and development of the Property, including residential and associated development, provided that Landowner's position in such proceedings is not materially inconsistent with this Agreement.

7. REPRESENTATIONS. Each party represents that it has the full right and authority to enter into this Agreement. Noble represents that it owns the oil and gas leasehold interest in the

Lease as set forth in Recital B under the Property. Noble does not represent and specifically asserts that they do not have the right to bind any other oil and gas leasehold interest owner, mineral owner, lessee or assignee for the Property.

8. SUCCESSORS. The terms, covenants and conditions hereof shall be binding upon and shall inure to the benefit of the Parties and their respective heirs, devises, executors, administrators, successors and assigns. This Agreement and all of the covenants herein shall be covenants running with the land.

9. NOTICES. Any notice or other communication required or permitted under this Agreement shall be sufficient if deposited in the U.S. Mail, postage prepaid to the address in the introductory paragraph of this Agreement. Any party may, by written notice so delivered to the other party, change the address, fax number or individual to which delivery shall thereafter be made.

10. RECORDING. Within fifteen (15) days of the Effective Date, Landowner shall record a copy of this Agreement in the real property records of the County of Weld, Colorado.

11. SURFACE DAMAGES. In consideration of the parties' respective rights, obligations and benefits, as outlined herein, this Agreement shall constitute a surface use or surface damage agreement provided for under the COGCC's Rules and Regulations or under any oil and gas leases covering the Property.

12. APPLICABLE LAW. This Agreement shall be governed by and construed in accordance with the laws of the State of Colorado, without reference to its conflict of laws provisions.

13. ENTIRE AGREEMENT. This Agreement sets forth the entire understanding among the Parties regarding the matters addressed herein, and supersedes any previous communications, representations or agreement, whether oral or written. This Agreement shall not be amended, except by written document signed by all parties.

14. HEADINGS. The section headings contained herein are for convenience in reference and are not intended to define or limit the scope of any provision of this Agreement.

15. NON-WAIVER. Waiver by either party or of the failure of any party to insist upon the strict performance of any provision of this Agreement shall not constitute a waiver of the right or prevent any such party from requiring the strict performance of any provision in the future.

16. SEVERABILITY. Any covenant, condition or provision herein contained that is held to be invalid by any court of competent jurisdiction shall be considered deleted from this Agreement, but such deletion shall in no way affect any other covenant, condition or provision herein contained so long as such deletion does not materially prejudice a party in its rights and obligations contained in valid covenants, conditions or provisions. In the event that any part of this Agreement would otherwise be unenforceable or in conflict with applicable laws due to the term or period for which such part is in effect, the term or period for which such part of this Agreement shall be in effect shall be limited to the longest period allowable which does not cause such part to be unenforceable or in conflict with applicable laws.

17. EFFECTIVE DATE. This Agreement shall become effective as of the date first set forth above.

18. COUNTERPARTS. This Agreement may be executed by facsimile and in any number of counterparts, each of which shall be deemed an original instrument, but all of which together shall constitute but one and the same instrument.

The parties have executed this Agreement as of the day and year first above written.

NOBLE ENERGY, INC., a Delaware Corporation

By: _____

LANDOWNER

By: _____

ACKNOWLEDGMENTS

STATE OF COLORADO)
) ss.
CITY & COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this _____ day of _____, 2014 by _____ as _____ for Noble Energy, Inc., a Delaware corporation, on behalf of that corporation.

Witness my hand and official seal.

_____
Notary Public

My commission expires:

STATE OF _____)
) ss.
COUNTY OF_____)

Before me the undersigned, a Notary Public, in and for said County and State, on this _____ day of _____, 200__, personally appeared _____, as _____ to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

Witness my hand and official seal.

_____
Notary Public

My commission expires:

SURFACE USE AGREEMENT

This Surface Use Agreement ("**Agreement**") is dated and made effective this _____ day of _____, 20__, and is between Kerr-McGee Oil & Gas Onshore LP ("**KMG**") with an address of 1099 18th Street, Suite 1800, Denver, CO 80202, and Wise Homestead, LLC (collectively hereinafter referred to as "**Surface Owner**") all with an address of 11497 Jasper Road, Lafayette, CO - 80026.

A. **OPTION ONE**: Surface Owner owns the surface estate of that certain tract of land more particularly described on Exhibit "A" attached hereto, being the 169 Acre Wise Homestead Property in Boulder County, Colorado (hereinafter referred to as the "**Property**");

A. **OPTION TWO (N/A)**: Surface Owner owns the exclusive right to acquire the surface estate of that certain tract of land more particularly described on Exhibit A attached hereto, being Weld County, Colorado (hereinafter referred to as the "Property");

B. Surface ownership of the Property is subject to the rights of the oil and gas mineral leasehold estate, a portion of which is now owned by KMG;

C. Surface Owner plans to develop the surface of the Property as Single Family Residential known as **Wise Farms**;

D. KMG currently operates 0 well(s) on the Property, known as N/A, (the "**Existing Well(s)**") generally located N/A of Section N/A, described above, and has the right to develop its oil and gas leasehold estate by drilling additional wells (the "**Future Well(s)**") on the Property; and

E. This Agreement sets forth the parties' rights and obligations regarding the relationship between the development of the Property by Surface Owner and KMG's operation and development of its oil and gas leasehold estate underlying the Property, such rights and obligations to be binding upon the parties' successors and assigns.

In consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. OIL AND GAS OPERATIONS.

Surface Owner shall set aside and provide to KMG that portion of the Property hereinafter referred to as the "**Oil and Gas Operations Area(s)**" ("OGOA(s)"), such area(s) being depicted on **Exhibit "B"** attached hereto. The OGOA(s) are to be made available to KMG for its exclusive use other than use by other oil and gas operators in their present condition for any operations conducted by KMG in connection with the Existing Well or any Future Well, including, but not limited to, drilling and production activities, workovers, well deepenings, recompletions, fracturing, re-fracturing and replacement wells. Except for the OGOA(s), and the

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access roads and easements associated with flowlines ~~, gathering lines~~ and pipelines as provided in this Agreement, KMG shall not occupy the surface of the Property except in the event of an emergency or for reasonable incidental, temporary and non-damaging activities, for which KMG shall be strictly and solely responsible for any damages that may occur.

a. ***Well Locations.***

KMG shall have the right to drill Future Wells within the OGOA(s), including horizontal and directional wells that produce and drain the Property and lands other than the Property, so long as such locations are permitted locations under the then applicable well spacing regulations of the Colorado Oil and Gas Conservation Commission ("**COGCC**") or exceptions granted thereto by the Director of the COGCC. As part of the consideration for this Agreement, Surface Owner hereby waives its right to, and covenants that it shall not protest or object to any such exception location or application for same by KMG. KMG shall not otherwise have the right to drill new wells on the Property.

b. ***Production Facilities.***

KMG shall have the right to locate, build, repair and maintain tanks, separators, dehydrators, compressors and other equipment reasonably appropriate for the operation and production of the Existing Well(s) or any Future Wells only within the OGOA(s), unless otherwise agreed to by the Surface Owner.

With respect to KMG's equipment and facilities other than flowlines or pipelines:

(i) KMG shall install and maintain, at its sole cost and expense, all fences around the Existing Well(s) and any Future Wells in compliance with the Rules and Regulations of the COGCC and local rules and regulations in effect at the time KMG files an application for a permit to drill with the COGCC. The fence material may be upgraded at Surface Owner's option and expense, so long as the upgrade complies with COGCC and local rules and regulations and KMG consents to such upgraded fence. KMG shall not unreasonably refuse Surface Owner's request to upgrade the fence material, which consent shall not be unreasonably withheld. If the Surface Owner's development plans require a zoning change(s) or annexation, Surface Owner shall pay the cost and expense for the upgraded fence material required by the zoning change or annexation;

(ii) KMG shall install and maintain, at its sole cost and expense, all gates and locks reasonably necessary for the security of any wells or facilities in the OGOA(s). Such gates and locks shall be the standard gates and locks used by KMG;

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(iii) KMG shall paint any production facilities for any wells, including wellhead guards, with paint that is approved by the COGCC; and

(iv) Surface Owner shall not inhibit KMG's access to the OGOA(s) or inhibit KMG's operations within the OGOA(s) by landscaping or other improvements, unless otherwise agreed upon between Surface Owner and KMG.

c. ***Setback Requirements.***

Surface Owner will not locate any lot line, building, or structure within 150' of the boundary of any OGOA or within any OGOA. Surface Owner understands and acknowledges that the COGCC has rules and regulations that apply to the distance between a wellhead and public roads, production facilities, building units and surface property lines, among other things. In order to give full effect to the purposes of this Agreement, Surface Owner hereby waives its right to object to the location of any of KMG's facilities on the basis of setback requirements in the rules and regulations of the COGCC, as those rules and regulations may be amended from time to time. Moreover, Surface Owner acknowledges that the COGCC density classification of the Property and surrounding area at the time an application for permit to drill is filed. For the operations contemplated by this Agreement, Surface Owner hereby waives the high density setback distances, as required by COGCC rules and regulations.

Surface Owner further and similarly waives its right to object to any other state or local setback requirements or other requirements or regulations that are or become inconsistent with this Agreement or that would prohibit or interfere with the rights of KMG, its successors and assigns, to explore for and produce the oil and gas in accordance with this Agreement. KMG or its successors and assigns may cite the waiver in this paragraph in order to obtain a location exception or variance under COGCC rules or from any other state or local governmental body having jurisdiction over the oil and gas operation. Surface Owner agrees not to object to the use of the surface in the OGOA(s) so long as such use is consistent with this Agreement and Surface Owner will provide KMG or its successors and assigns with any and all written support they may reasonably require to obtain permits from the COGCC or any local jurisdiction.

2. ~~Gathering Lines,~~ Flowlines, and Easements.

a. ***Existing and Future Pipelines.***

Subject to the limitations hereinafter described, KMG, its affiliate Kerr-McGee Gathering LLC ("KMGG") or other designated gas gatherer has a continuing right and entitlement to own, operate, maintain, repair and replace all flowlines ~~, gathering lines~~ and other pipelines that may be necessary or convenient to its operations on the Property. Although this Agreement is intended to confine the placement of those pipelines to certain specified locations within the Property, nothing herein shall be construed as a limitation on KMG's, KMGG's or other designated gas gatherer ultimate right to make all necessary well connections to any Existing or Future Well. The current development plans for Wise Farms may anticipate the relocation of certain existing gathering lines or flowlines ("**Existing Pipelines**") to a designated easement corridor shown on Exhibit "C" as the "**Petroleum Pipeline Easement.**" It is further anticipated

Comment [ks1]: The easement for the gathering lines to KMGG will be granted separately.

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that any additional pipelines and~~,~~ flowlines ~~and gathering lines~~ that may be required in the future ("**Future Pipelines**") may also need to be placed within the Petroleum Pipeline Easement. If a certified survey has not been completed for the Existing Pipelines or the Future Pipelines, then the location of such pipelines on Exhibit "C" are only approximate locations.

b. ***Relocated Pipelines***.

Surface Owner may request that KMG relocate the Existing Pipelines or Future Pipelines owned by KMG or KMGG to the Petroleum Pipeline Easement at the Surface Owner's sole cost and expense. At such time as Surface Owner desires to have any Existing Pipelines or Future Pipelines owned by KMG or KMGG relocated to the Petroleum Pipeline Easement, it shall give written notice to KMG who shall promptly prepare, or commission the preparation of, a cost estimate to accomplish the relocation. As soon as available, KMG will then provide the cost estimate to Surface Owner who will then have the opportunity to review same and make a final determination about whether it wishes to proceed with the relocation. If Surface Owner elects to have KMG effectuate the relocation of pipeline owned by KMG or KMGG, it shall tender the estimated costs of such to KMG together with its written request to commence the project as soon as reasonably practicable, or as otherwise requested by Surface Owner. If it has not already done so, Surface Owner shall also deliver to KMG or KMGG an executed and acknowledged Pipeline Right of Way Grant on the form that is attached hereto as Exhibit "C" in order to convey the Petroleum Pipeline Easement lands as shown on Exhibit "C". Prior to execution and acknowledgement of the Pipeline Right-of-Way Grant by Surface Owner, KMG or KMGG will complete a certified survey and submit a plat of the certified survey to the Surface Owner if the pipelines have been constructed. If the pipelines are not constructed, Surface Owner will execute and deliver the Pipeline Right of Way Grant and KMG or KMGG will complete an "as-built" survey when construction is completed and submit the same to the Surface Owner. The "as-built" survey will be attached to the Pipeline Right of Way Grant and the Grantee may record the same.

c. ***Petroleum Pipeline Easement.***

The Petroleum Pipeline Easement shall be fifty feet (50') in width during construction, installation or relocation operations and otherwise reduced to thirty feet (30') in width for post-construction usage. All relocated and Future Pipelines owned by KMG or KMGG shall be located within the Petroleum Pipeline Easement unless otherwise agreed upon between Surface Owner and KMG or KMGG. KMG acknowledges that the Petroleum Pipeline Easement will be non-exclusive and agrees that it will not object to its concurrent use by other oil and gas operators or utilities, as Surface Owner may grant from time to time, so long as such other parties comply with KMG's pipeline guidelines, attached hereto as Exhibit "C". Notwithstanding the foregoing, Surface Owner shall not permit, nor shall it place any other utility or structure within ten feet horizontally or two feet vertically of any KMG pipeline. The Petroleum Pipeline Easement and OGOA(s) shall be depicted and labeled on all subdivision plats submitted to Weld County.

KMG shall not, without the prior written consent of Surface Owner, have the right to lay additional flowlines or pipelines on the Property, outside the Petroleum Pipeline Easement. All flowlines and pipelines shall be buried to a depth of approximately 48 inches from the surface.

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Surface Owner shall maintain a minimum of 48 inches and not more than 72 inches of cover over all pipelines and flowlines during any of Surface Owner's operations on the Property. The construction and burying of additional flowlines~~, gathering lines~~ and pipelines shall be at the sole cost and expense of KMG or its gas purchaser.

d. ***Pipeline Crossings.***

If Surface Owner's development plans anticipate that roadways will or may in the future cross over existing Pipelines, Surface Owner will pothole or request that KMG pothole the Existing Pipelines or Future Pipelines to check the depth of such Pipelines. Prior to Surface Owner's installation of a new roadway, KMG or KMGG will lower, as required, the affected Existing or Future Pipelines to sufficient depth for the road elevations. Surface Owner agrees to pay KMG or KMGG the reasonable cost of inspecting and lowering the Pipelines, as well as the reasonable cost of any sub-grade work required to achieve the road construction specifications.

3. ACCESS.

Surface Owner shall provide KMG with continuous access to all of the OGOA(s) and the Petroleum Pipeline Easement. The access roads to be used by KMG will either be those roads that currently are in place or those that are anticipated to be constructed by Surface Owner at its sole cost and expense as part of Surface Owner's development of the Property. All access roads, whether existing or newly constructed, shall be of sufficient scope to allow KMG to conduct its oil and gas operations and shall be at least 30 feet in width and built to withstand a minimum of 104,000 pounds and 26,000 pounds per axle. KMG agrees to access the Property according to the routes depicted and described on the attached Exhibit "A". If and when new access routes are constructed by Surface Owner, Surface Owner agrees to provide KMG notice of such but KMG may continue to use its present access routes until that time and until receipt of such notice from Surface Owner.

4. NOTICE OF FUTURE OPERATIONS.

KMG shall provide at least seven (7) days written notice to Surface Owner prior to commencing actual operations in connection with the reworking, fracturing, deepening or recompletion operation on the Existing Well(s) or any Future Wells; provided, however, that KMG shall provide at least thirty (30) days written notice to Surface Owner and/or any homeowner's association formed by Surface Owner that is associated with the Property prior to commencing the drilling of any Future Wells. Regardless of the foregoing notice requirements, KMG shall have immediate access to any of its facilities in the event of an emergency.

After receipt of the above notice, but not less than five (5) working days prior to KMG's mobilization on the applicable OGOA(s), either KMG or Surface Owner may request an on-site meeting. The purpose of the meeting shall be to inform Surface Owner of the expected activity and to coordinate site access, hazards, barricades, restoration or any other issues that affect the use and safety of Surface Owner's development.

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5. NOTICE TO HOMEOWNERS, BUILDERS, TENANT FARMERS AND OTHER SURFACE LESSEES.

Surface Owner shall furnish all buyers of the Property from Surface Owner, current and future tenant farmers and other surface lessees with a plat or map showing the OGOA(s) and the Petroleum Pipeline Easement. In addition, Surface Owner shall provide notice to all builders, homeowners, homeowner associations, other buyers of the Property from Surface Owner, current and future tenant farmers and other lessees that:

a. There may be ongoing oil and gas operations and production in the OGOA(s) on the surface of the Property;

b. There are likely to be additional Future Wells drilled and oil and gas operations and production from the OGOA(s) that affect the surface of the Property;

c. Heavy equipment may be used by KMG from time to time for oil and gas production operations and that such operations nay be conducted on a 24 hour basis;

d. Future purchasers of all or a portion of the Property, as successors in interest to Surface Owner, will be acquiring a proportionate interest in Surface Owner's rights under this Agreement and assuming those obligations undertaken by Surface Owner pursuant to this Agreement; and

e. Homeowner associations and buyers of individual lots or homes, as successors in interest to Surface Owner, will be acquiring a proportionate interest in Surface Owner's rights under this Agreement, and will be subject to the waivers contained in Sections 1, 6, 17, and the covenants contained in Section 1 prohibiting the location of any building or structure within the OGOA(s) or the Petroleum Pipeline Easement and waiving objection to any setback rules of the COGCC or any local jurisdiction.

6. DRILLING AND COMPLETION OPERATIONS.

KMG shall endeavor to diligently pursue any drilling operations to minimize the total time period and to avoid rig relocations or startup during the course of drilling. Surface Owner waives any objections to continuous (i.e., 24-hour) drilling operations.

7. GOVERNMENTAL PROCEEDINGS.

Surface Owner shall not oppose KMG in any agency or governmental proceedings, including but not limited to the COGCC, the Town of Erie or other governing body proceedings, related to KMG's operations on the Property, including but not limited to drilling, workovers, well deepenings and recompletions, provided that KMG's position in such proceedings is consistent with this Agreement. For purposes of seeking a COGCC hearing on the approval of KMG's Application for Permit to Drill ("Form 2") for Existing or Future Wells or KMG's Oil and Gas Location Assessment ("Form 2A") for any related location, the Surface Owner hereby waives its right to allege noncompliance with COGCC rules or applicable statute, or to allege

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potential adverse impacts to public health, safety, and welfare, including the environment and wildlife resources, that are within the jurisdiction of the COGCC as the basis for such a hearing. Surface Owner further agrees to oppose any conditions of approval that would be incorporated into KMG's Form 2A or Application for Permit to Drill Form 2 pursuant to COGCC rule 306 that are inconsistent with this Agreement.

8. LIMITATION OF LIABILITY, RELEASE AND INDEMNITY.

a. No party shall be liable for, or be required to pay for, special, punitive, exemplary, incidental, consequential or indirect damages to any other party for activities undertaken within the scope of this agreement;

b. Except as to claims arising out of pollution or environmental damage (which claims are governed by Section 9 below) or out of other provisions of this Agreement (which claims shall be governed by the terms of this Agreement), each party shall be and remain responsible for its own liability for all losses, claims, damages, demands, suits, causes of action, fines, penalties, expenses and liabilities, including without limitation attorneys' fees and other costs associated therewith (all of the aforesaid herein referred to collectively as "Claims"), arising out of or connected with each such party's ownership or operations on the Property, no matter when asserted, subject to applicable statutes of limitations. Each such party shall release, defend, indemnify and hold the other parties, their officers, directors, employees, successors and assigns, harmless against all such Claims. This provision does not, and shall not be construed to, create any rights in persons or entities not a party to this Agreement, nor does it create any separate rights in parties to this Agreement other than the right to be indemnified for Claims as provided herein;

c. Upon the assignment or conveyance of a party's entire interest in the Property, that party shall be released from its indemnification in Section 8.b. above, for all actions or occurrences happening after such assignment or conveyance.

9. ENVIRONMENTAL INDEMNITY.

The provisions of Section 8 above, except for Section 8.a., shall not apply to any environmental matters, which shall be governed exclusively by the following, subject to the limitations of Section 8.a. above:

a. "Environmental Claims" shall mean all Claims asserted by governmental bodies or other third parties for pollution or environmental damage of any kind, arising from operations on or ownership of the Property or ownership of the oil and gas leasehold interest, whichever is applicable, and all cleanup and remediation costs, fines and penalties associated therewith, including but not limited to any Claims arising from Environmental Laws or relating to asbestos or to naturally occurring radioactive material. Environmental Claims shall not include the costs of

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any remediation undertaken voluntarily by any party, unless such remediation is performed under the imminent threat of a Claim by a governmental body or other third party;

b. "Environmental Laws" shall mean any laws, regulations, rules, ordinances, or order of any governmental authority(ies), which relate to or otherwise impose liability, obligation, or standards with respect to pollution or the protection of the environment, including but not limited to, the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (42 U.S.C. § 9601 et seq.), the Resource Conservation and Recovery Act of 1976 (42 U.S.C. §§ 6901 et seq.), the Clean Water Act (33 U.S.C. §§ 466 et seq.), the Safe Drinking Water Act (14 U.S.C. §§ 1401-1450), the Hazardous Material Transportation Act (49 U.S.C. §§ 1801 et seq.), the Clean Air Act, and the Toxic Substances Control Act (15 U.S.C. §§ 2601-2629); and

c. Environmental Indemnification. KMG shall protect, indemnify, and hold harmless Surface Owner, homeowners association and any lot owner who purchases a lot from Surface Owner from any Environmental Claims relating to the Property or oil and gas leasehold thereunder that arise out of KMG's ownership and operation of the OGOA(s) and its ownership and operation of its pipeline easement or rights-of-way on the Property. Surface Owner shall fully protect, defend, indemnify and hold harmless KMG from any and all Environmental Claims relating to the Property that arise out of Surface Owner's development of the Property.

10. EXCLUSION FROM INDEMNITIES.

The indemnities of the parties herein shall not cover or include any amounts which the indemnified party is actually reimbursed by any third party. The indemnities in this Agreement shall not relieve any party from any obligations to third parties.

11. NOTICE OF CLAIM FOR INDEMNIFICATION.

If a Claim is asserted against a party for which the other party would be liable under the provisions of Section 8 or 9 above, it is a condition precedent to the indemnifying party's obligations hereunder that the indemnified party give the indemnifying party written notice of such Claim setting forth all particulars of the Claim, as known by the indemnified party, including a copy of the Claim (if it is a written Claim). The indemnified party shall make a good faith effort to notify the indemnifying party within five days of receipt of a Claim and shall affect such notice in all events within such time as will allow the indemnifying party to defend against such Claim.

12. REPRESENTATIONS.

Each party represents that it has the full right and authority to enter into this Agreement. KMG does not represent that it has rights to settle matters for all of the mineral owners or any

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other lessees in the Property and this Agreement shall only apply to and bind the KMG leasehold interest in the property.

13. SUCCESSORS.

The terms, covenants, and conditions hereof shall be binding upon and shall inure to the benefit of the parties and their respective heirs, devises, executors, administrators, successors and assigns; provided, as to KMG, successors and assigns shall be deemed to be limited to lessees under the oil and gas leases which KMG owns.

14. TERM.

This Agreement shall become effective when it is fully executed and shall remain in full force and effect until KMG's leasehold estate expires or is terminated, and KMG has plugged and abandoned all wells owned all or in part by KMG and complied with the requirements of all applicable oil and gas leases pertaining to removal of equipment, reclamation, cleanup and all other applicable provisions of the leases and existing laws and regulations.

15. NOTICES.

Any notice or other communication required or permitted under this Agreement shall be sufficient if deposited in U.S. Mail, postage prepaid, addressed to each of the following:

If to KMG:

Kerr McGee Oil & Gas Onshore LP
1099 18th Street, Suite 1800
Denver, Colorado 80202
Attention: Director of Land Denver Basin

If to Kerr-McGee Gathering

Kerr-McGee Gathering LLC
1099 18th Street, Suite 1800
Denver, CO 80202
Attention: Wattenberg Area Midstream

If to Surface Owner:

Kotke & Brantz, LLC
Jon Kotke
2975 Valmont Rd., #240
Boulder, Colorado 80301

Any party may, by written notice so delivered to the other parties, change the address or individual to which delivery shall thereafter be made.

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16. RECORDING AND SUBORDINATION.

This Agreement and any amendment hereto shall be recorded by KMG. KMG shall provide the Surface Owner with a copy showing the recording information as soon as practicable thereafter.

a. Surface Owner agrees to cooperate in any reasonable way with KMG, its successors and assigns, to secure subordinations of any encumbrances placed of record upon the Property prior to the execution of this Agreement.

17. SURFACE DAMAGES.

Surface Owner hereby waives all surface damage payments pursuant to any COGCC or local regulation, state statute, common law or prior agreement, for each and every well that is drilled, tank battery and emissions control device located on the Property within the OGOA(s) and also including but not limited to any access road, flowline, or pipeline constructed within the Petroleum Pipeline Easement. KMG may provide a copy of this Agreement to the COGCC as evidence of this waiver.

18. ARBITRATION.

Any controversy or claim arising out of or relating to this Agreement, or the breach thereof, shall be resolved by arbitration conducted in Denver, Colorado and shall be administered by the American Arbitration Association under its commercial rules, and judgment on the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.

19. APPLICABLE LAW.

This Agreement shall be governed by and construed in accordance with the laws of the State of Colorado, without reference to its conflict of laws provisions.

20. ENTIRE AGREEMENT.

This Agreement sets forth the entire understanding among the parties hereto regarding the matters addressed herein, and supersedes any previous communications, representations or agreement, whether oral or written. This Agreement shall not be amended, except by written document signed by all parties.

21. EXECUTION AND BINDING EFFECT

This Agreement may be executed in any number of counterparts each of which shall be deemed an original instrument but all of which together shall constitute one and the same instrument, and shall be binding upon and inure to the benefit of the parties, and each of their respective heirs, executors, administrators, successors and assigns and is executed by the parties as of the Effective Date set forth above.

DRAFT

22. COMPLIANCE WITH REGULATION.

Surface Owner expressly acknowledges that this Agreement satisfies KMG's obligation under COGCC rules 305 and 306, as amended, to consult in good faith with the Surface Owner regarding the proposed oil and gas operations. Surface Owner further expressly acknowledges that this Agreement shall be deemed to be specifically applicable to and to fully satisfy, the obligation of KMG to accommodate Surface Owner's use of the surface of the Property, existing or future, and waives any statutory or common law claims with respect thereto, except for actions to enforce this Agreement or obtain damages for its breach.

The parties have executed this Agreement on the day and year first above written.

KERR-McGEE OIL & GAS ONSHORE LP

By: _____
Jane Ann Byroad
Agent and Attorney-in-fact

KERR-McGEE GATHERING LLC (limited to the provisions of Section 2 of this Agreement)

By: _____
_____
_____

SURFACE OWNERS

_____

ACKNOWLEDGMENTS

STATE OF TEXAS)
)ss.
COUNTY OF MONTGOMERY)

DRAFT

The foregoing instrument was acknowledged before me this _ _____day of _____, 20__, by Jane Ann Byroad, as Agent and Attorney-in-Fact of Kerr-McGee Oil & Gas Onshore LP and Kerr-McGee Gathering LLC, on behalf of such corporations.

Witness my hand and official seal.

_____
Notary Public

My Commission Expires: _____

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____2006, by_____.

Witness my hand and official seal.

_____
Notary Public

My Commission Expires: _____

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Exhibit "___"

Attached hereto and made a part of that certain Agreement Surface Use Agreement between _____ and Kerr-McGee Oil & Gas Onshore LP, dated _____ of _____, 20__.

RIGHT-OF-WAY GRANT

THIS RIGHT-OF-WAY GRANT ("Grant) is made this _____day of _____ , 20__, from _____, whose address is,_____, Colorado _____ ("Grantor"), to Kerr-McGee _____, a Colorado limited liability company, whose address is 1099 18th Street, Suite 1800, Denver, Colorado 80202 ("Grantee"). The parties agree as follows:

For and in consideration of Ten Dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged**,** Grantor hereby grants, conveys and warrants unto Grantee, its successors and assigns, a ~~perpetual~~ right-of-way(s) and easement(s) to survey, construct, maintain, inspect, operate, repair, replace, modify, change the size of, reconstruct, mark, monitor, abandon or remove, at Grantee's election, a pipeline~~s~~ and all appurtenances, below ~~and/or above~~ ground, ~~including but not limited to launchers and receivers~~, convenient for the transportation or transmission of oil, gas, petroleum products, water, hydrocarbons and any other substances, whether fluid, solid or gaseous, and any products, derivatives, combinations or mixtures of any of the foregoing, in, on, ~~over,~~ under, or through the lands situated in _____ County, State of Colorado, being described as follows:

TOWNSHIP NORTH, RANGE WEST, 6TH PM
Section :

The specific route and course of the right-of-way(s) and easement(s) conveyed hereby ("Right-of-Way Lands") is more particularly described on Exhibit "A" attached hereto and made a part hereof. The width of the Right-of-Way Lands during construction shall be fifty feet (50'), and subsequent to construction shall be thirty feet (30').

Grantors represent and warrant to Grantee that Grantors are the sole owner in fee simple of the Right-of-Way Lands and have full right, power and authority to make this Grant.

Grantee shall lay all pipe at a depth of not less than ~~36~~ 48 inches. Grantee shall repair and/or restore any fence on or adjacent to the Right-of-Way Lands removed or severed by Grantee in the course of the operations provided for in this Grant to the condition such fence was in prior to the removal or damage by Grantee. If necessary to prevent the escape of Grantor's livestock, Grantee shall construct temporary gates or fences.

Grantee shall level and restore any lands affected by Grantee's operations that may have excessive settling and sufficiently compact the soil within a reasonable period of time after completion of construction to the condition that existed at the time immediately prior to the

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placement of Grantee's pipeline(s), to the extent reasonably practicable. Additional subsidence shall be corrected from time to time at the request of Grantor.

The Grantor shall have the right to cross pipeline easements with roadways and other utilities provided that such crossing is made at an angle of not less than 60 degrees and not more than 90 degrees. Grantor shall also have the right to install and maintain easements that are both adjacent to, and/or within, the pipeline easements for utility lines, including those for water, gas, sewer, electric, telephone, cable, television, and fiber optic and other pipelines; provided, however: i) any new underground facilities that travel along a pipeline easement shall be located a distance horizontally of at least ten (10) feet from parallel existing pipelines; ii) any new underground facilities shall have at least twenty-four (24) inches of vertical clearance between such new facility and a pipeline; and iii) any overhead power lines shall be at least twenty (20) feet above the ground. Grantor agrees that it will notify each utility company that, except in case of emergency, KMGG must be contacted at least ten (10) business days prior to commencement of any trenching or digging activities within ten (10) feet of their easement areas.

Grantee shall have all rights, privileges and benefits necessary or convenient for the full use and enjoyment of this Grant, including ~~but not limited to, the right of ingress and egress over and across Grantor's lands lying adjacent to the Right-of-Way Lands for any and all purposes necessary and incidental to exercising Grantee's rights hereunder. Grantors agree not to build, create, construct or permit to be built, created or constructed, any obstruction, building, fence, landscaping, reservoir, engineering works or other structures or improvements over, under, on or across the Right-of-Way Lands without prior written consent of Grantee.~~access to the Right-of-Way from the roads shown on Exhibit A.

Grantee shall be obligated to pay for, repair, replace or otherwise compensate Grantors for any damages resulting from Grantee's activities and operations on the Right-of-Way Lands; and, Grantors shall pay for, reimburse, indemnify and hold Grantee harmless from any and all claims or damages resulting from Grantor's activities on the Right-of-Way Lands. Grantors shall have the right to use and enjoy the Right-of Way Lands, subject to the rights herein granted.

This Grant cannot be modified, except in writing signed by all parties hereto.

The rights granted herein may be assigned in whole or in part, and the terms, conditions, and provisions of this Grant are a covenant running with the land and shall extend to and be binding upon the successors, and assigns of Grantors and Grantee.

This Grant shall last as long as KMGG is using the pipeline to transport hydrocarbons. If there is a cessation in transportation of hydrocarbons for two years or longer, the pipeline will be deemed to be abandoned.

~~Grantee agrees to level and restore any lands that may have excessive settling and sufficiently compact the soil within a reasonable period of time after completion of construction.~~

This Grant may be executed in counterparts each of which shall be considered one and the same agreement.

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IN WITNESS WHEREOF, the parties have executed this Grant as of the date first above written.

Grantors:	Grantee: Kerr-McGee_____ By its Manager, Kerr-McGee Oil & Gas Onshore LP,
By: _____	By:_____ Jane Ann Byroad, Agent & Attorney-in-Fact

STATE OF COLORADO)
) ss.
COUNTY OF)

The foregoing instrument was acknowledged before me this _____ day of _____, 20__, by _____, as _____.

Witness my hand and official Seal.

My Commission Expires:_____

_____
Notary Public

STATE OF TEXAS)
) ss.
COUNTY OF MONTGOMERY)

The foregoing instrument was acknowledged before me this _____ day of_____, 2006, by Jane Ann Byroad, as Agent and Attorney-in-Fact of Kerr-McGee Gathering LLC, a Colorado limited liability company, on behalf of such company.

Witness my hand and official Seal.

My Commission Expires:_____

_____
Notary Public

DRAFT

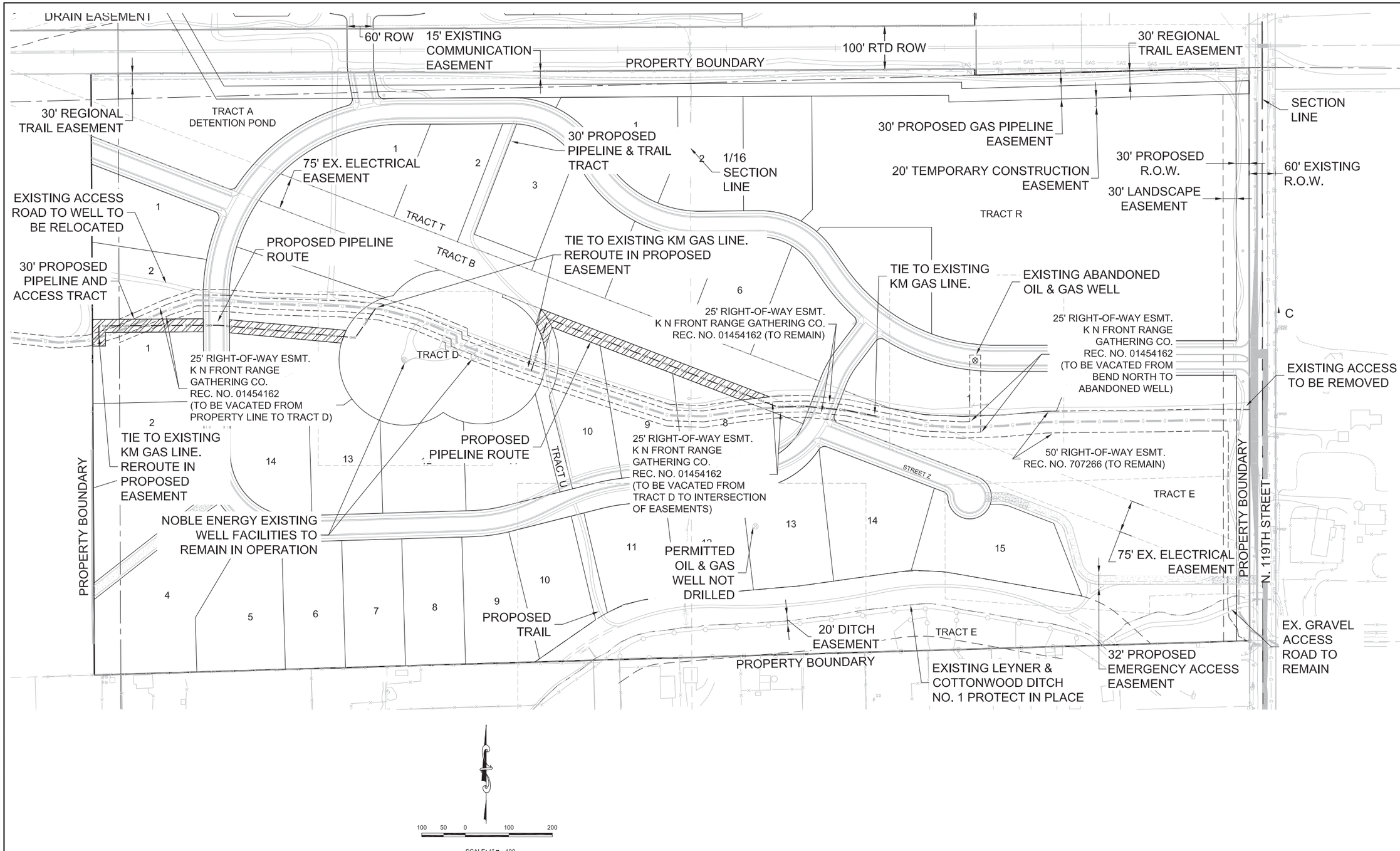


EXHIBIT C

No.	Revisions	Date	Init.	Appr.	Date

CVL CONSULTANTS
10333 E. Dry Creek Rd.
Suite 240
Englewood, CO 80112
Tel: (720) 482-9526
Fax: (720) 482-9546

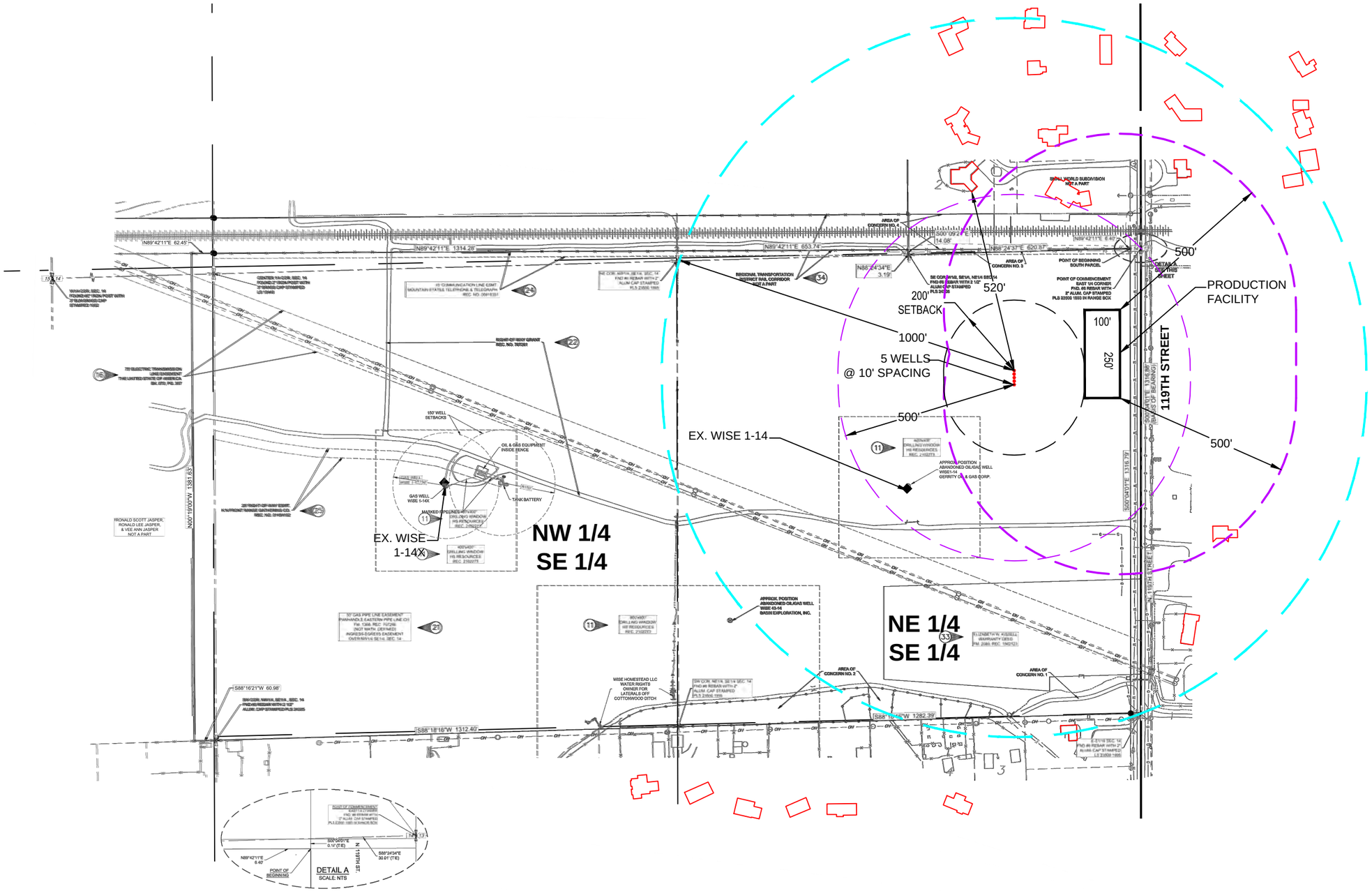
JASPER LAND INVESTMENTS, LLC
5162 S. KENWOOD COURT
HIGHLANDS RANCH, CO 80126

WISE FARMS
PRELIMINARY DEVELOPMENT PLAN
OIL & GAS EXHIBIT

SCALE: AS SHOWN
FILE NO: 8.13.0230901
DRAWN BY: BPC
CHECKED BY: MEL
DATE: OCTOBER 2014
SHEET NUMBER E1

N:\PROJECTS\3023\0901 WISE FARMS\CAD\ENGINEERING\EXHIBITS\OIL&GAS EASEMENTS-ANADARKO ALTERNATIVE.DWG, SARAH KOLZ, 9/26/14

ALTA EXHIBIT



LEGEND

EXISTING HOUSE

0 150 300

SCALE:1'=300'

EXHIBIT B

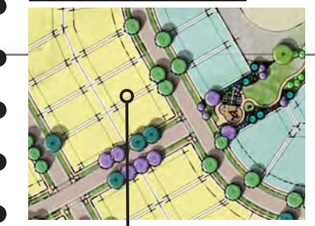
CONCEPT PLAN EXHIBIT

EXHIBIT A

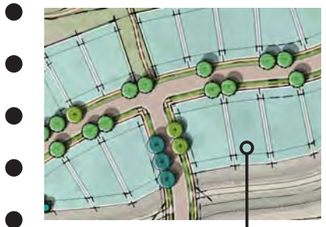
PROJECT SUMMARY

- THE PROJECT AREA IS APPROXIMATELY 169 ACRES
- THE CURRENT PROPOSAL IS FOR 166 UNITS ON THE 169 ACRES
- THE COMPREHENSIVE PLAN DESIGNATION IS RURAL RESIDENTIAL, WHICH ALLOWS FOR 0-2 DU/AC, WITH A RECOMMENDED AVERAGE DENSITY OF 1 DU/AC
- THE PROPOSAL COMPLIES WITH THE COMPREHENSIVE PLAN DESIGNATION

LEGEND



AREA WITH LOTS FROM 5,000 - 9,999 SF (60' MINIMUM WIDTH) - 98 UNITS



AREA WITH A PORTION OF LOTS OVER 10,000 SF (70' MINIMUM WIDTH) - 27 UNITS

AREA WITH LOTS OVER 40,000 SF (100' MINIMUM WIDTH) - 39 UNITS

TOTAL NUMBER OF HOMES PROPOSED IS 166 INCLUDING THE TWO EXISTING RESIDENCES.

200' 600'
100' 400'

CVL CONSULTANTS

WISE FARMS

PREPARED FOR:
JASPER LAND INVESTMENTS, LLC
9162 S. KENWOOD COURT, HIGHLANDS RANCH, CO - 80126

pcs group inc. www.pcsgroupco.com
1001 16th street . B-180 . denver co 80265
t 303 531 4905 f 303 531 4908

ILLUSTRATIVE DEPICTION, SUBJECT TO CHANGE. 7-25-2014

LSC TRANSPORTATION CONSULTANTS, INC.

1889 York Street
Denver, CO 80206
(303) 333-1105
FAX (303) 333-1107
E-mail: lsc@lscdenver.com

July 31, 2014

Mr. James Dullea
Jasper Land Investments, LLC
9162 S. Kenwood Court
Highlands Ranch, CO 80126

Re: Wise Farms
Traffic Analysis
(LSC #120761)

Dear Mr. Dullea:

At your request, we have prepared this response to address the comments received from the Town of Erie to our traffic impact analysis, dated April 21, 2014 for the Wise Farms development. The following are the Town's comments and our responses:

Comment 1a: **Zero left turns are shown onto Highway 287 which seems extremely unrealistic. Even without a signal, a high percentage of traffic will attempt to turn left onto Highway 287 and not use 109th Street.**

Response: *The trip assignment has been adjusted to show some traffic making the southbound left-turn movement from Jasper Road to US 287.*

Comment 1b: **At the access on 119th Street, 17 northbound left turn movements are shown. 119th Street is classified as a minor arterial and left turning movements of greater than 10 require a dedicated left turn lane. The turn lane is shown in the preliminary construction plans but needs to be added to the recommended improvements in the traffic study.**

Response: *The traffic study has been updated accordingly.*

Comment 1c: **At the east access on Jasper Road, 24 westbound left turn movements are shown. While barely under the 25 turning movements requiring a dedicated turn lane, a dedicated turn lane needs to be provided in the interest of traffic safety.**

Response: *It appears this comment should refer to the west access rather than the east access. The trigger is greater than 25 vph so the projected 24 vph is two vehicles per hour below the threshold. The other left-turn movement from Jasper Road into the site is estimated to be only about 7 vph for a total of*

about 31 left-turning vehicles per hour entering the site from Jasper Road. At this time, the applicant is not proposing a left-turn lane at either site access because the threshold is not met at either location.

* * * * *

We trust these responses will assist you in gaining approval of the Wise Farms development. Please contact me if you have any questions or need further assistance.

Sincerely,

LSC TRANSPORTATION CONSULTANTS, INC.

By_____
Christopher S. McGranahan, P.E., PTOE
Principal

CSM/wc

Z:\LSC\Projects\2012\120761-WiseFarms(Jasper)\July-2014\WiseFarms-RTC-073114.wpd

Mine Subsidence Investigation

Wise Property
Section 14,
Township 1 North, Range 69 West,
Boulder County, Colorado

Prepared For:
Jasper Investments, LLC.
9162 South Kenwood Court
Highlands Ranch, Colorado 80126

WESTERN ENVIRONMENT AND ECOLOGY, INC.
2217 West Powers Avenue
Littleton, Colorado 80120
303-730-3452 - phone
303-730-3461 - fax
westernlt@aol.com
www.westernenvironment.com

Mine Subsidence Investigation

Wise Property
Section 14,
Township 1 North, Range 69 West,
Boulder County, Colorado

Prepared For:
Jasper Investments, LLC.
9162 South Kenwood Court
Highlands Ranch, Colorado 80126

May 31, 2005

Western Environment and Ecology, Inc.
Project Number 394-001-01

Prepared By:

Greg D. Sherman, P.G.
President

WESTERN ENVIRONMENT AND ECOLOGY, INC.
2217 West Powers Avenue
Littleton, Colorado 80120
303-730-3452 - phone
303-730-3461 - fax
westernlt@aol.com
www.westernenvironment.com

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APPENDICES

Appendix A Lithologic Logs

Appendix B Geophysical Logs

1.0 CONCLUSIONS AND RECOMMENDATIONS

Based upon the results of the mine subsidence investigation completed on the Wise Property in Section 14, Township 1 North, Range 69 West, Western Environment and Ecology, Inc. (Western Environment) presents the following:

- The average depth to the top of the "main" seam is approximately 100.7 feet below the surface.

- Significant inaccuracies exist on the original mine maps.

Using these conclusions the following general recommendations for development are presented.

- No mine subsidence related development restrictions are required on those portions of the property indicated on Figure 2 as not effected by mining.

- If development of the "restricted" portions of the Wise Property is anticipated, additional studies, included drilling, will be required.

- Infrastructure, including roads and utilities, should utilize areas unaffected by mining. This includes a corridor within the "restricted" area that drilling indicated no mining has occurred.

See pg20.

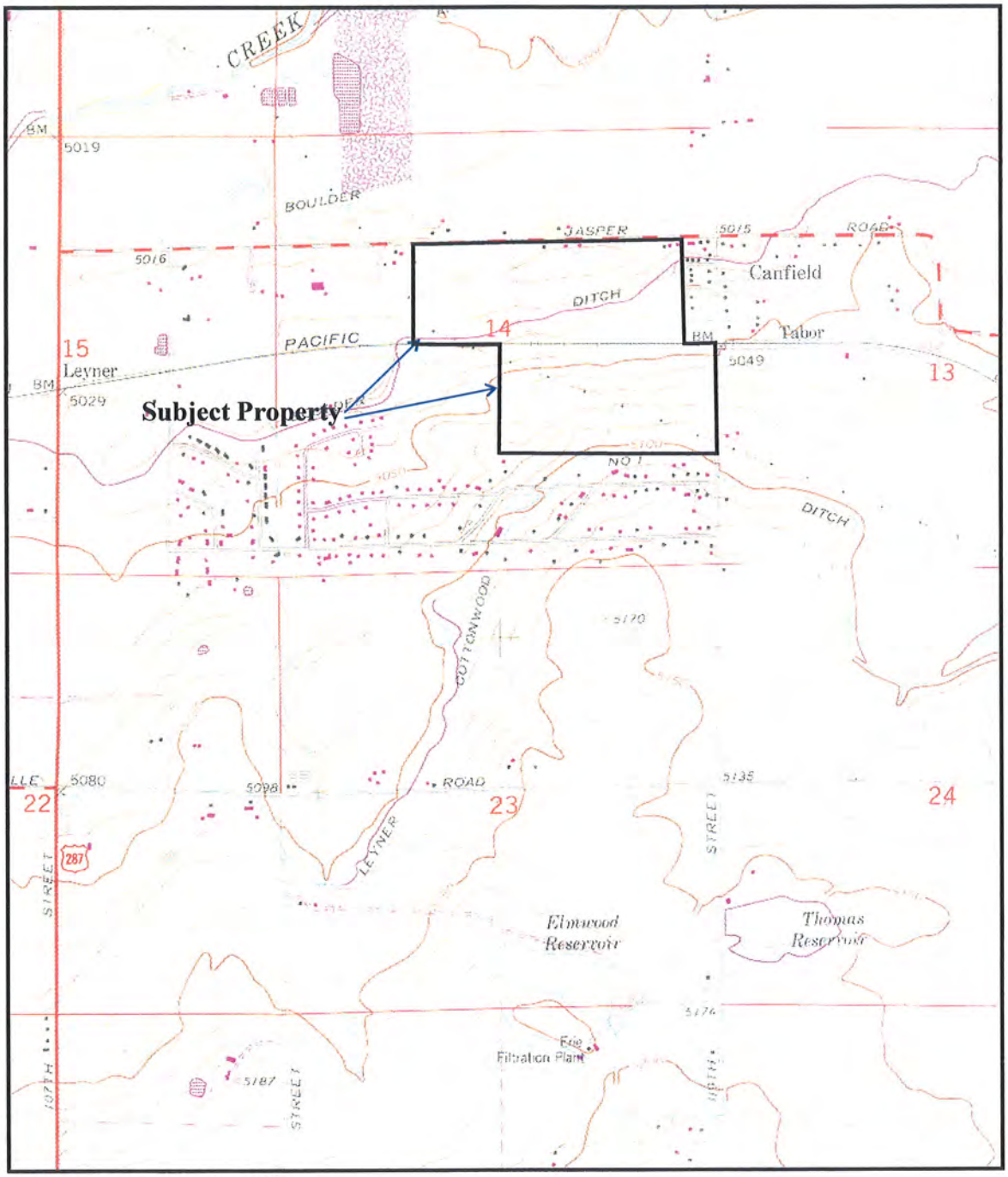
2.0 INTRODUCTION

Western Environment was retained by Mr. Jim Dullea of Jasper Investments, LLC. to perform a mine subsidence investigation on undeveloped agricultural land located in Section 14, Township 1 North, Range 69 West in Boulder County, Colorado (Figure 1). The site, which is currently in active cultivation, totals approximately 160 acres. Mr. Dullea indicated he is interested in purchasing the land for a proposed single family residential development. Additionally, Western Environment has completed a previous investigation on the subject property. This report is entitled *Mine Subsidence Investigation, Wise Property*, dated April 7, 1999, Project Number 98-001-01.

The purpose of this investigation is to determine the extent and condition of the mine workings occurring on the property. Additionally, recommendations for the location of structures in unmined areas is presented.

The results and recommendations contained in this report are intended for use as an aid in planning and design. The information herein should be made available to the project geotechnical and structural engineers. This report should be submitted to the Town of Erie and the Colorado Geological Survey for review. This will aid in assuring a more predictable and thus economic development process.

Northeast portion of property, near railroad



USGS Erie Quadrangle, 1979

Scale - 1"=2000'

1000 0 1000 2000

WESTERN ENVIRONMENT AND ECOLOGY, INC
2217 West Powers Avenue
Littleton, Colorado 80120

Figure 1 - Project Location Map
Wise Property,
160 Acres in Section 14,
Township 1 North, Range 69 West,
Boulder County, Colorado

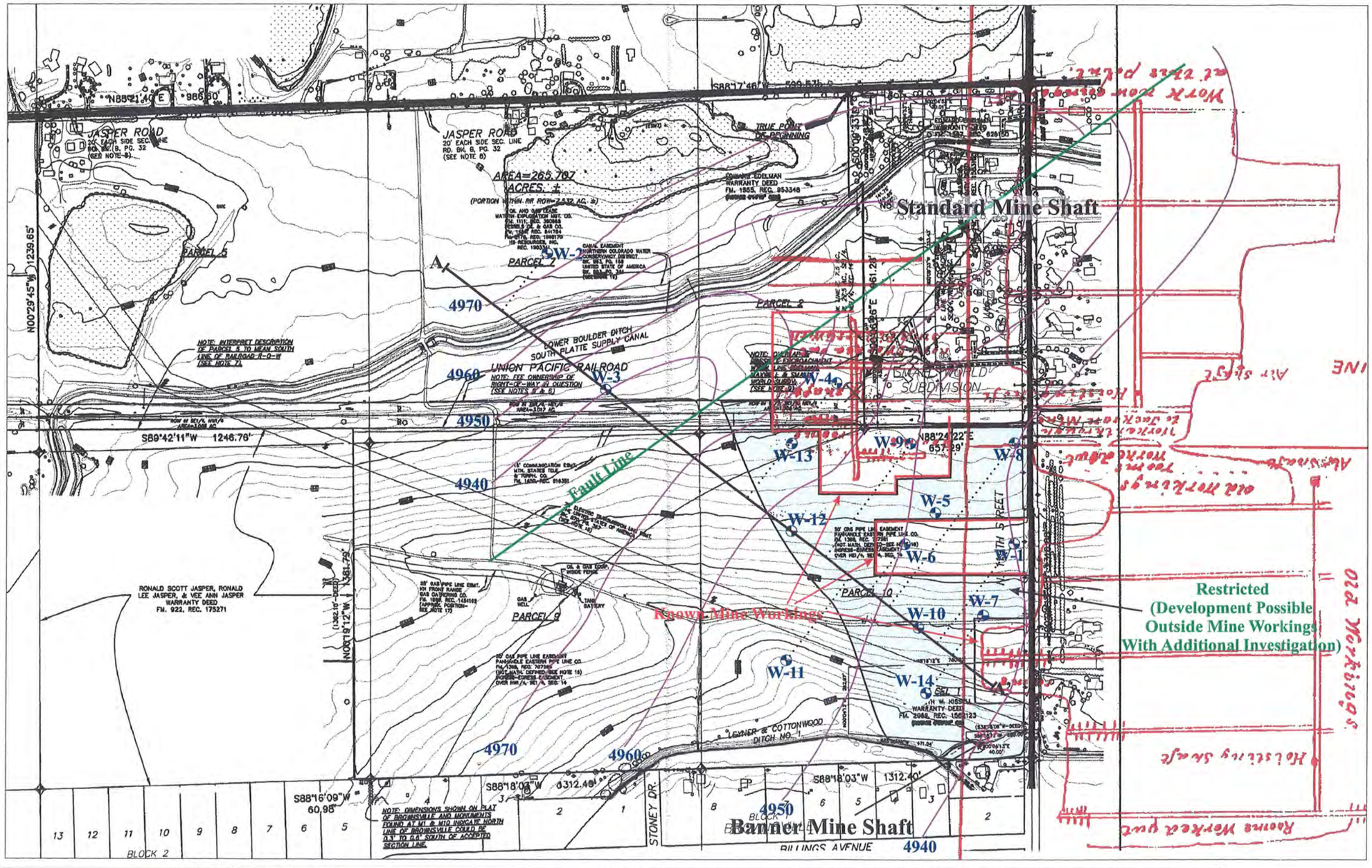
3.0 SITE CHARACTERISTICS

This mine subsidence investigation was conducted for approximately 160 acres in Section 14, Township 2 North, Range 69 West, in Boulder County, Colorado. The site is located southwest of Canfield near the intersection of Jasper Road and 119th Street in Boulder County, Colorado (Figure 2). The site is bordered by residential development to the south and east. Small agricultural properties are present to the north and west.

At the time of the investigation, the property consisted of alternately fallow and active agricultural farm land. Additionally, one oil/gas production facility was observed.

The abandoned coal mines which underlie the project are referenced in the files of the Colorado Geological Survey as the Banner, Standard, Star, and Jackson Mines. A detailed description of the mines is presented in Section 4.0.

Wise Property, looking west



Legend

W-3 Borehole Location	4970 Elevation of Laramie / Fox Hills Formation Contact	Known Mine Workings
Approximate Fault Location	Development Possible with additional investigation	

Figure 2
Wise Property
Section 14,
Township 1 North, Range 69 West,
Boulder County, Colorado

WESTERN ENVIRONMENT AND ECOLOGY, INC.
2217 West Powers Avenue
Littleton, Colorado 80120

4.0 COAL MINE DESCRIPTION

The mines which operated below the Wise Project are referred to as the Banner, Standard, Star, and Jackson Mines. Records on file with the Colorado Division of Mines (CDM) indicate a map date of 1888 for the mines. No map occurs for the Banner Shaft. No records were found for ownership or production of the Standard and Star Mines. However, production records do exist for the Banner Shaft which indicate it was an exploration shaft with no coal economically produced.

The Jackson Mine operated from 1884 through 1890. Total mine production of 98,831 tons were recorded with the Colorado Division of Mines with a maximum yearly production of 19,020 tons in 1888. Entry was gained through a 74 foot shaft (Figure 2). The average seam thickness was 4 feet 8 inches. The last owner of record was the Arrow Coal Company.

The mines were classified as a modified room and pillar (room and board) mine. Haulage ways were ten feet wide and were separated by 50-100 foot wide "chain pillars." Rooms had approximate widths of thirty feet and lengths of 150 feet. Based upon previous investigations calculated extraction rates of approximately 50% could be anticipated.

Props-and-caps type roof support
(photo from Denver Public Library, Western History Department)

5.0 DRILLING PROCEDURES

In addition to the seven holes previously advanced on the property, Western Environment completed an additional seven holes for the current investigation. Bideau Drilling of Casper, Wyoming was the drilling contractor. A truck mounted Mayhew rotary drill was selected for the study. All holes were both lithologically and geophysically logged. Lithologic strip logs (Appendix B) were taken of cutting samples at five foot intervals. Geophysical logs consisting of a three arm caliper were run on each hole intercepting the mine. Additionally, natural gamma radiation, spontaneous potential and resistivity logs were run on the holes. Copies of the geophysical logs and lithologic logs from this, and the previous study, can be found in Appendix C.

The geophysical instrument, a Mount Sopris Model MCX Digital Logger, was calibrated prior to use to graphically show the diameter of the hole. The full extension of the caliper arms would indicate a cavity of at least greater than 21 inches. The drill will normally make a 5 1/8 inch hole. Therefore, a significantly larger hole could indicate mining activity.

After drilling and logging, each hole required plugging in a manner which would not allow water to enter the workings or contaminate potential aquifers. On all holes, a simple cement plug was set from 2 to 15 feet with the remaining footage of the hole being filled with Colorado State Mined Land Reclamation Board approved abandonment fluid which is designed to inhibit fluid penetration. Native soil was then replaced from 2 feet to the surface.

Hole locations were determined using a Garmin GPS unit and can be assumed accurate to within 15 feet. Latitude and longitude are shown on the lithologic logs (Appendix A)

Digital Logger

6.0 REGIONAL GEOLOGY OF THE ERIE, COLORADO AREA

6.1 Outcropping Units

The Wise Property lies in Section 14, Township 1 North, Range 69 West, in Boulder County, Colorado. Outcropping units within and surrounding the study area are the Pierre Shale, the Fox Hills Sandstone, the Laramie Formation and Quaternary gravels and soils (Figure 4). The Pierre Shale is a lead gray to brown and black shale of marine origin. Total thickness in the area is greater than 7,000 feet (Blair 1951) with the majority of the formation made of shale. Near the top the shale becomes increasingly sandy and contains beds of fine sandstones and siltstone as it grades into the Fox Hills Formation.

The Fox Hills Formation is a massive cross bedded sandstone. It was deposited in a beach or delta front environment and conformably overlies the Pierre Shale. The lower two thirds of the formation is a fine to coarse-grained bluff colored sandstone which weathers to a light tan to tan color. Numerous iron-colored calcareous concretions are present, ranging in size from fractions of an inch to several feet in thickness. The upper one-third of the Fox Hills Formation is about 140 feet as measured in the NW1/4 of Section 28, Township 1 South, Range 70 West. Thicknesses vary from 60 feet near Ralston Creek (as described by Van Horn, 1957) to 250 feet near the Baseline Reservoir.

The Laramie Formation is predominantly fresh water in origin, consisting of sequences of sand, silts and coals, (Figure 5). The lower portion is approximately 100 feet thick and is composed of sandstones, sandy shales, claystones and coal beds. These coal beds have been economically mined in the past. The upper unit has a thickness of approximately 600 feet and is made of mostly clay, shales, very fine sandy shales and lenticular beds of sandstones. The shales are largely carbonaceous, and in places, becomes lignitic. The Laramie Formation lies conformably on the Fox Hills Sandstone.

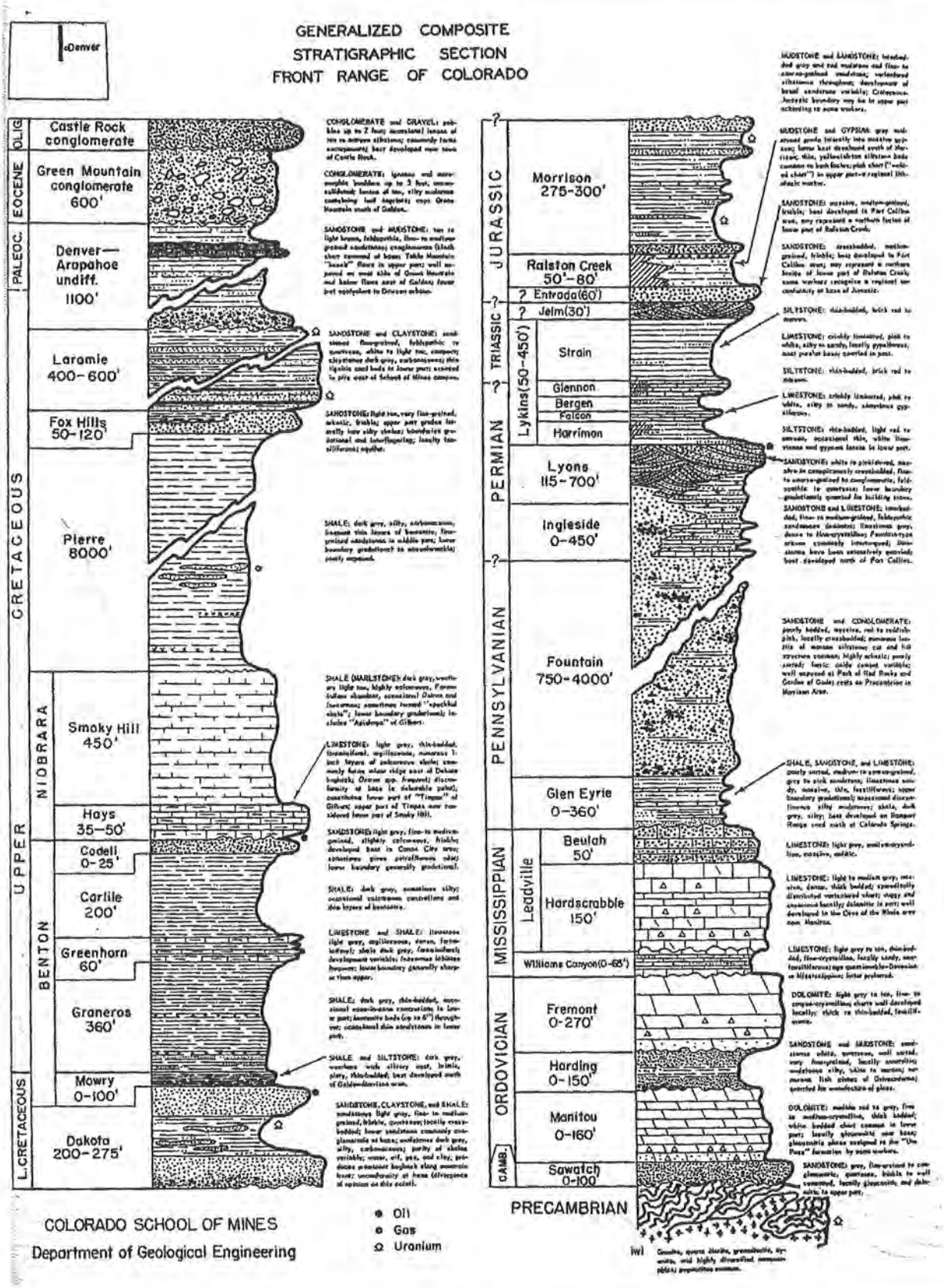


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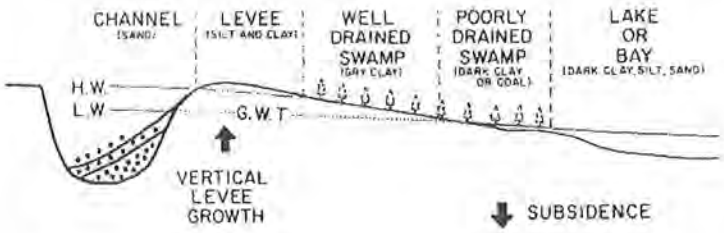
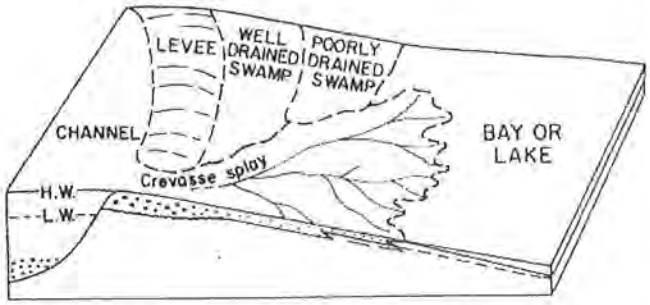
Figure 3 - Generalized Stratigraphic Section
Wise Property,
160 Acres in Section 14,
Township 1 North, Range 69 West,
Boulder County, Colorado

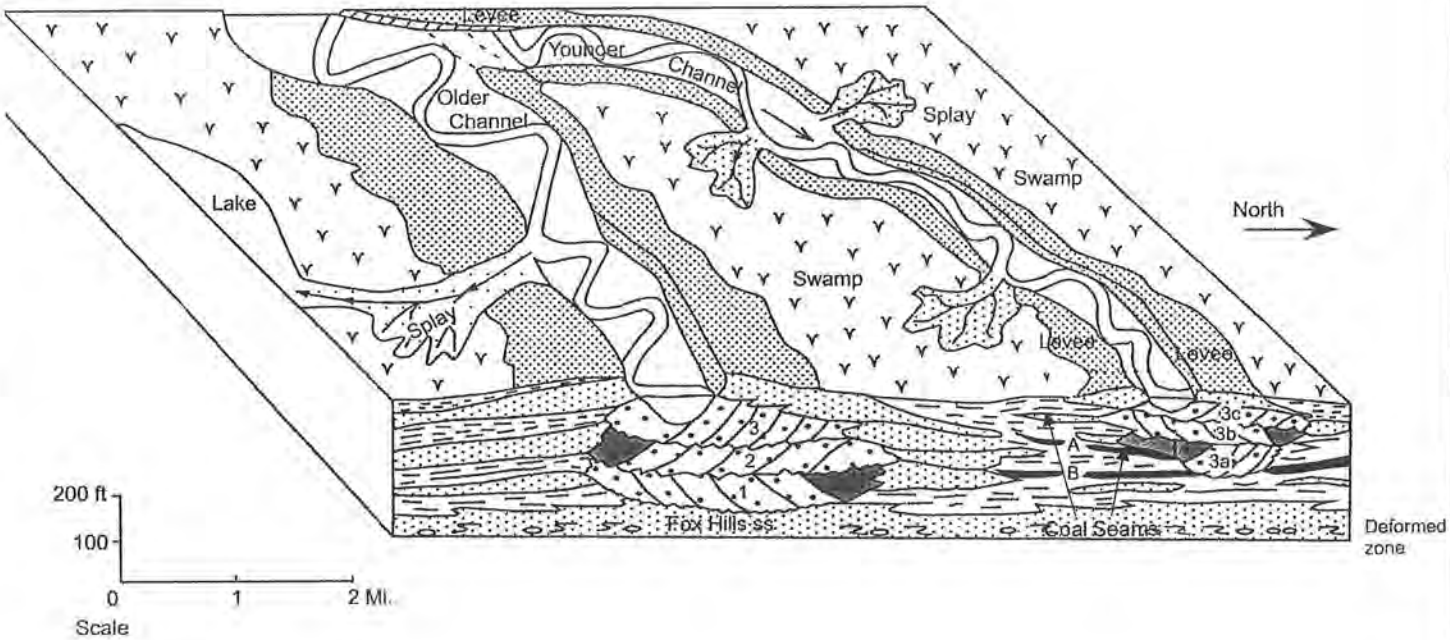


Channel and channel margin environments for lithologies in Laramie Formation.



LARAMIE ENVIRONMENTS OF DEPOSITION

Relationship of channel margin environments to crevasse splay deltas.



Figures from: A Guide to the uppermost Cretaceous stratigraphy, central Front Range Colorado, deltaic sedimentation, growth faulting and early Lamide vertical Movement
Weimer, R.J. 1973

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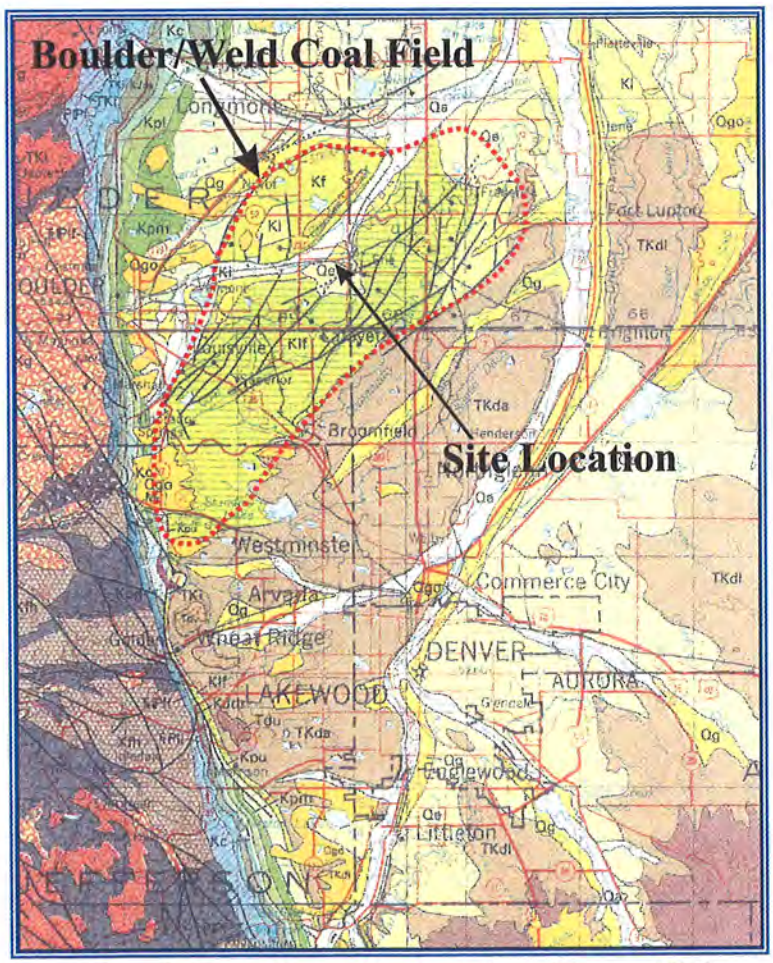
Figure 4 - Generalized Stratigraphic Models of the Laramie Formation
Wise Property,
160 Acres in Section 14,
Township 1 North, Range 69 West,
Boulder County, Colorado

6.2 Structure

The Wise Property lies on the western edge of the Denver-Julsburg Basin against the Front Range uplift. This basin contains up to 13,000 feet of sediments derived from the ancestral Rocky Mountains which laid to the west. A basement controlled late Cretaceous Laramide faulting is most prevalent and is the result of deformation associated with uplift. The second has been described by Davis and Weimer (1976) as growth faulting as a result of over pressuring of the deltaic sequence at the time of deposition.

Growth faulting is the major structural feature seen in the Erie area. A zone is present with dominant faults trending in a northeast direction. This system is ten miles wide and thirty miles long. These faults are high angle normal structures near the surface, but seismic work has shown that they tend to flatten and die out at depth. Work by Davis and Weimer (1976) shows that these listric normal faults do not continue below the Hygiene member of the Pierre Shale. Antithetic faults resulting from tension then formed horsts and grabens. This effect has resulted in increased thickness of sediments is the graben areas. The Fox Hills Formation has been reported to have a total thickness near a growth fault of 484 feet (Spencer 1961). The Laramie Formation also has increased thicknesses in these zones and this is believed to be the reason for increased thicknesses in the coal seams in the Boulder-Weld coal field.



Colorado Front Range Geology, from Tweto, 1979

7.0 SITE GEOLOGY

Four distinct geologic units were encountered during drilling on the Wise Property. The uppermost unit is a sandy soil, possibly of aeolian origin, approximately 5 to 25 feet thick. The engineering characteristics of this material is extremely variable across the site and will require additional geotechnical investigations to quantify.

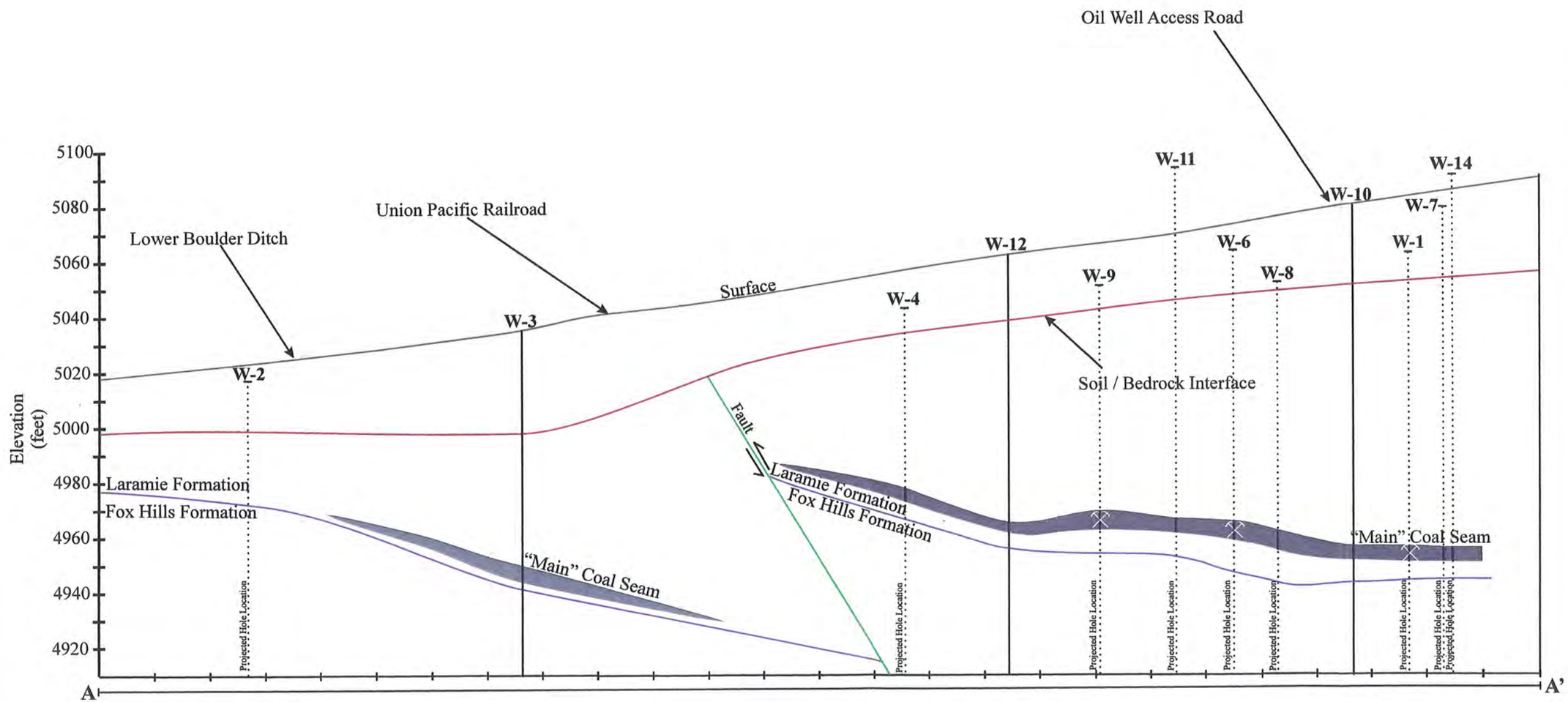
The next lower unit consists of light brown, medium-grained gravels. These gravels, when present, occur between 25 and 35 feet in depth and average approximately 10 feet thick. Their composition, like the sandy soils, are highly variable across the site.

The next lower unit encountered is the clays, silts, fine-grained sands and coals of the Cretaceous-age Laramie Formation. The contact between the Laramie and the recent deposits occurs between 25 and 35 feet in depth. The Standard, Jackson, and Star main seam occurs between 75 and 137 feet. The seam thickness, where mined, was approximately 7 feet.

The lowest stratigraphically significant interval was the Laramie/ Fox Hills Contact. It's depth, in those holes which intersected the contact, ranged between 45 to 147 feet. The upper Fox Hills Formation is characterized by light gray fine to very fine-grained quartzose sands.

Structurally, the site straddles a major northeast-southwest trending fault (Figure 2 & 5). This fault, which creates approximately 50 feet of displacement of the "main" seam, also acts to isolate mining activities to the south and east of the structure.

Location of "Banner Mine" shaft



W-4 — Projected Hole Location, From Figure 2

W-3 — Hole Location, From Figure 2

"Main" Coal Seam

Laramie / Fox Hills Formation Contact

Fault Location

Indicates Mining Activities

Approximate Soil / Bedrock Interface

Data used to construct geologic cross section of Wise Property obtained from geophysical and lithologic logs of wells advanced on property.

Figure 5 - Geologic Cross Section Map
Wise Property
Section 14
Township 1 North, Range 69 West,
Boulder County, Colorado

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8.0 DESCRIPTION OF HOLES

The description of rotary holes drilled on the Wise project are from the drill cuttings taken every five feet for each boring. Holes W-1 to W-7 are from the 1999 report. Holes W-8 to W-14 were completed during the current investigation.

Hole W-1 Light brown, sandy soil occurred from 0 to 20 feet. Light gray claystone was encountered from 20 feet to 104 feet. The "main" seam interval was penetrated from 104 to 110 feet. An **open void** producing the maximum caliper deflection of 35 inches occurred at 109 feet. Total depth of the hole was 140 feet. Circulation was lost at 105 feet.

Hole W-2 Light brown, sandy soil occurred from 0 to 24 feet. Gravel was encountered from 24 to 40 feet. Interbedded gray claystones and coal occurred from 40 to 45 feet. The Fox Hills Sandstone was encountered at 45 feet. Total depth of the hole was 120 feet. Circulation was not lost. No mine workings were encountered.

Hole W-3 Light brown, sandy soil occurred from 0 to 14 feet. Light brown claystone was encountered from 14 feet to 45 feet. Interbedded gray claystones and light gray sandstones occurred from 45 to 85 feet. The "main" seam was penetrated from 85 to 91 feet. No caliper deflection occurred. The Fox Hills Sandstone was encountered at 91 feet. Total depth of the hole was 140 feet. Circulation was not lost. No mine workings were encountered.

Hole W-4 Light brown, sandy soil occurred from 0 to 12 feet. Light gray to brown claystone was encountered from 12 feet to 22 feet. Interbedded brown claystones occurred from 22 to 75 feet. The "main" seam occurred from 70 to 75 feet. No caliper deflection occurred. Total depth of the hole was 120 feet. Circulation was not lost.

Hole W-5 Light brown, sandy soil occurred from 0 to 10 feet. Brown and gray claystone was encountered from 10 to 100 feet. The "main" seam was penetrated from 100 to 110 feet. The Fox Hills Sandstone was encountered at 110 feet. Total depth of the hole was 140 feet.

Circulation was not lost. No mine workings were encountered.

Hole W-6 Light brown, sandy soil occurred from 0 to 20 feet. Brown and gray claystone with minor coal seams was encountered from 20 to 105 feet. The "main" seam interval was encountered at 105 feet. Maximum caliper deflection of 10 inches occurred at 106 feet. Total depth of the hole was 140 feet. Circulation was lost at 105 feet. Collapse was complete with no open voids.

Hole W-7 Light brown, sandy soil occurred from 0 to 10 feet. Interbedded gray claystone and gray sandstone occured from 10 to 115 feet. The "main" seam was penetrated at 105 to 110 feet. Interbedded coal and sandstone occurred between 110 to 135 feet. The Fox Hills Sandstone occurred at 135 feet. Total depth of the hole was 140 feet. Circulation was not lost. No mine workings were encountered.

Hole W-8 Light brown, sandy soil occurred from 0-15 feet. Light gray to brown claystone was encountered from 15 feet to 36 feet. Carbonaceous gray claystone occurred from 36 to 55 feet. Interbedded gray claystone and light gray sandstone were drilled from 55 to 98 feet. The "main" seam interval was penetrated from 98 feet to 105 feet. The Fox Hills Formation occurred at 109 feet. Total depth of the hole was 140 feet. No mine workings were encountered.

Hole W-9 Light brown, sandy soil occurred from 0-13 feet. Light gray to brown claystone was encountered from 13 feet to 45 feet. Interbedded gray claystone occurred from 45 to 90 feet. Intermittent coal seams were penetrated from 42 feet to 49 feet and from 76 feet to 82 feet. The "main" seam occurred from 88 to 95 feet. Circulation was lost at 90 feet. Maximum caliper deflection was 8.2 inches at 81 feet. Total depth of the hole was 100 feet. Collapse was complete with no open voids.

Hole W-10 Light brown, sandy soil occurred from 0-30 feet. Light gray to brown claystone was encountered from 30 feet to 50 feet. Interbedded gray claystone and light gray sandstone occurred from 50 to 123 feet. The "main" seam interval was penetrated from 123 to 128 feet.

The Fox Hills Formation occurred at 132 feet. Total depth of the hole was 180 feet. Circulation was not lost. No mine workings were encountered.

Hole W-11 Light brown, sandy soil occurred from 0-22 feet. Light gray to brown claystone was encountered from 22 feet to 55 feet. Gray claystone occurred from 55 to 150 feet. An interbedded coal seam was penetrated at 95 feet. The "main" seam interval was penetrated from 132 to 137 feet. The Fox Hills Formation occurred at 140 feet. Total depth of the hole was 180 feet. Circulation was not lost. No mine workings were encountered.

Hole W-12 Light brown, sandy soil occurred from 0-15 feet. Light gray to brown claystone was encountered from 15 feet to 40 feet. Interbedded gray claystone and light gray sandstone occurred from 40 to 101 feet. The "main" seam interval was penetrated from 101 to 105 feet. The Fox Hills Formation occurred at 105 feet. Total depth of the hole was 120 feet. Circulation was not lost. No mine workings were encountered.

Hole W-13 Light brown, sandy soil occurred from 0-17 feet. Light gray to brown claystone was encountered from 17 feet to 60 feet. Interbedded gray claystone and light gray sandstones occurred from 60 to 78 feet. The "main" seam interval was penetrated from 93 to 98 feet. The Fox Hills Formation was not encountered. Total depth of the hole was 100 feet. Circulation was not lost. No mine workings were encountered.

Hole W-14 Light brown, sandy soil occurred from 0-20 feet. Light gray to brown claystone was encountered from 20 feet to 53 feet. Interbedded gray claystones and light gray sandstone and coal occurred from 53 to 137 feet. The "main" seam interval was penetrated from 137 to 142 feet. The Fox Hills Formation occurred at 147 feet. Total depth of the hole was 160 feet. Circulation was not lost. No mine workings were encountered.

9.0 POTENTIAL MECHANISMS OF COAL MINE ROOF FAILURE

The following presents what appears to be the most obvious progression for collapse and subsidence occurring within the Boulder-Weld Coal Field. This discussion is based upon research conducted by Western Environment personnel. However, it must be emphasized that all of the following explanations are theoretical and inferred interpretations.

The results of the numerous studies conducted by Western Environment show that when coal was removed, often no significant displacement of overlying beds occurred. Two possible explanations exist for this observation: 1) after mining enough natural roof strength remained across the span of rooms to support the load and not fail, or 2) after roof failure, the collapse is somehow confined to a specific interval. In the majority of Western Environment projects, the caliper logs show that the rooms are not open and that the "back" or roof of the mine is down. Therefore, the collapse and subsequent bed deflections are somehow limited to a specific horizon.

The idea of progressive collapse of overlying units continuing until a "pressure arch" or dome is formed above the collapsed workings is well-documented (U.S.G.S. Prof. Paper 969). Bell (1975) states that from his experiences in rock of similar character as those present in the Boulder-Weld Coal Field, upward migration is commonly one to two times the width of the intervening room. Ackenheil and Doughtery (1970) use a figure of twice the distance between supports for an approximation of arch development. Both of these estimates fit well with the observed results from the drilling on the site that show that collapse is confined to an interval of 20 to 40 feet above the workings. In addition to the "pressure arch", the caliper log indicated that no void is present within the mined zone or at the top of the arch. It is then necessary to increase the volume (decrease the density) of the overlying material in order that the void and developing arch is filled, potentially resulting in additional support (Bell, 1975). Testing performed on the claystone bedrock has shown that the clays can "swell" upon wetting in excess of 20% (ATEC, 1985). Therefore, a five foot void could be filled by the fracturing, wetting, and swelling of 25 feet of claystone.

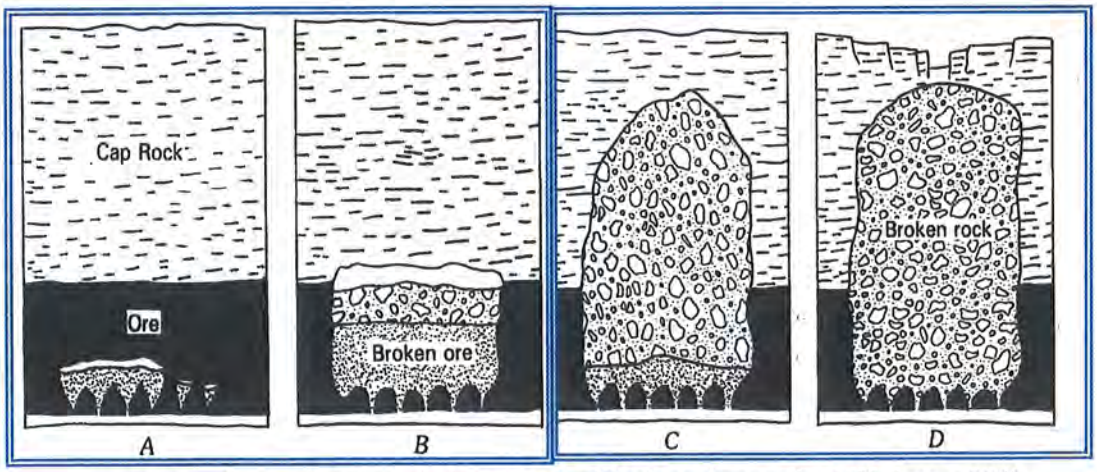
Jeff Hynes, senior engineering geologist with the CGS, has expressed his opinion that the "swelling" of the claystone observed by Western Environment may actually be a result of

expansion of the clays when the isostatic confining is removed during drilling. Additionally, Mr. Hynes had commented on his observation that floor "heave" is prevalent in operating Boulder-Weld coal mines. This is likely due to the higher uniaxial compressional strength of the coal (Western Environment, 2004) in relation to the claystone that commonly makes up the floor of the mine.

Regardless of the exact mechanism, it is evident that the following process involving collapse confinement and support are likely to occur within the Boulder-Weld Coal Field:

1) Formation of pressure arches approximately 20 to 40 feet above the mined seam, and
2) Increase in volume (by swelling, depressurizing, or floor heave) of claystone roof and floor rock.

The importance of the concept of the pressure arch increases as the depth to mining decreases. If mine geometry remains consistent, the pressure arch that forms 20-40 feet above the mine will encounter either weakened weathered rock or potential "fluid" soil at a mining depth of 80 feet or less. Should the top of the pressure arch contact either the weathered rock or soil, a "sink hole" can form. However, due to the depth of the workings beneath the Wise Property, **sinkhole development is unlikely**.



Progress of subsurface subsidence induced by the block caving method (Holzer, 1984).

10.0 STRAIN ANALYSIS

The strain analysis performed for this study is adapted from the United Kingdom National Coal Board's graphical strain profiling system. This method of strain prediction was developed for on-going long wall mining operations. To make the method applicable to abandoned room and pillar mines, several modifications and assumptions were made.

The first modification is to define the thickness of the void space. To proceed with a "worst case" theoretical analysis, any increase in hole diameter greater than 9 inches (for a normal 5.25 inch hole) is treated as "theoretical" void. This produces an average of **1.8** feet of "theoretical void" (see table below).

The width of the extraction is also critical to the analysis, and several options are available to use in this assessment. They include a proportional distance between drill holes, actual width (length) of the workings, or arbitrary values to produce the maximum amount of subsidence. Due to the inaccuracies of the mine maps on the Wise Property, Western Environment chose to use an arbitrary value to produce the maximum amount of subsidence. This results in a width of workings distance of **130** feet. The depth to the top of the mined interval, **100.7** feet, was also incorporated into the analysis.

The reader is here encouraged to review both the United Kingdom National Coal Board's Subsidence Handbook, and the previous studies for the mechanics of the process. By using this information, it is assumed that maximum "worst case" theoretical horizontal strains and surface subsidence would be **0.74%** and **1.1** feet, respectively.

Hole	Depth to Mine	Theoretical Void Thickness
W-1	108	4.5
W–6	106	1.0
W-9	88	0.0
Average	**100.7**	**1.8**

With the "inherent and unreconcilable uncertainties" associated with abandoned mine subsidence prediction, conservatism must be incorporated in proposed development. Therefor, we recommend that no structures be built in those areas of the Wise Property that are shown on Figure 2 as "restricted" development. With additional studies, including borings, it may be possible to locate structures in portions of the restricted area. Infrastructure, including utilities and roadways, should be located in known unmined areas as indicated using existing borings, or be constructed to withstand the 0.74% strain.

View to the west of Wise Property

11.0 CLOSURE

The recommendations provided herein were developed from the information obtained from field exploration which reflect subsurface conditions only at the specific locations, at the particular times designated. Subsurface conditions at other locations and times may differ from conditions occurring at these locations. The nature and extent of any variations between the drill holes may not become evident until or during the course of construction. If variations then appear, it may be necessary to re-evaluate the recommendations of this report after performing on-site observations during the excavation period and noting the characteristics of any variations.

This report was prepared by a Professional Geologist, not an engineer, and should not be construed as, or substituted for, engineering. This report is intended to inform geotechnical and structural engineers working on building design of the potential earth forces that could develop at the site, and to assist the client in determining whether to acquire and build on the site in question.

Our professional services have been performed, our findings, and our recommendations prepared in, accordance with generally accepted geological principles and practices. This warranty is in lieu of all other warranties, either expressed or implied.

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APPENDICES

APPENDIX A
LITHOLOGIC LOGS

HOLE NUMBER: W-1	LOCATION: Sec 14, T.1N., R.69W.	STATE: Colorado
DRILLED BY: Bideau Drilling	LOGGED BY: Brian E. Crandall	TOTAL DEPTH: 140'
DATE: December 14, 1998	BIT SIZE: 5 1/8"	DRILLED WITH: AIR ___ MUD X

DEPTH	SAMPLE DESCRIPTION
5	SAND, light brown
10	SAND, light brown
15	SAND, light brown
20	SAND, light brown
25	CLAYSTONE, gray
30	CLAYSTONE, gray / COAL
35	CLAYSTONE, brown
40	CLAYSTONE, gray
45	SANDSTONE, light gray
50	SANDSTONE, light gray
55	SANDSTONE, light gray
60	SANDSTONE, light gray
65	CLAYSTONE, gray
70	CLAYSTONE, gray
75	CLAYSTONE, gray
80	CLAYSTONE, gray
85	CLAYSTONE, gray
90	CLAYSTONE, gray
95	CLAYSTONE, gray
100	CLAYSTONE, gray / COAL
105	COAL
110	NO SAMPLES
115	NO SAMPLES
120	NO SAMPLES
125	NO SAMPLES
130	NO SAMPLES
135	NO SAMPLES
140	NO SAMPLES
145	TOTAL DEPTH 140'
150	LOST CIRCULATION AT 105', MAXIMUM CALIPER DEFLECTION 109'
155	
160	
165	
170	
175	
180	
185	
190	
195	
200	

HOLE NUMBER:	W-2	LOCATION:	SEC 14 , T 1N., R.69W	STATE:	Colorado
DRILLED BY:	Bideau Drilling	LOGGED BY:	Brian E. Crandall	TOTAL DEPTH:	120'
DATE:	December 14, 1998	BIT SIZE:	5 1/8"	DRILLED WITH:	AIR __ MUD X

DEPTH	SAMPLE DESCRIPTION
5	SAND, light brown
10	SAND, light brown
15	SAND, light brown
20	SAND, light brown
25	SAND, light brown
30	GRAVEL
35	GRAVEL
40	CLAYSTONE, gray / COAL
45	SANDSTONE, light gray
50	SANDSTONE, light gray
55	SANDSTONE, light gray
60	SANDSTONE, light gray
65	SANDSTONE, light gray
70	SANDSTONE, light gray
75	SANDSTONE, light gray
80	SANDSTONE, light gray
85	SANDSTONE, light gray
90	SANDSTONE, light gray
95	SANDSTONE, light gray
100	SANDSTONE, light gray
105	SANDSTONE, light gray
110	SANDSTONE, light gray
115	SANDSTONE, light gray
120	SANDSTONE, light gray
125	TOTAL DEPTH 120'
130	DID NOT LOSE CIRCULATION, COULD NOT PROBE DUE TO GRAVEL IN BORING
135	
140	
145	
150	
155	
160	
165	
170	
175	
180	
185	
190	
195	
200	

HOLE NUMBER:	W-3	LOCATION:	SEC 14, T.1N., R.69W.	STATE:	Colorado
DRILLED BY:	Bideau Drilling	LOGGED BY:	Brian E. Crandall	TOTAL DEPTH:	140'
DATE:	December 14, 1998	BIT SIZE:	5 1/8"	DRILLED WITH:	AIR __ MUD X

DEPTH	SAMPLE DESCRIPTION
5	SAND, light brown
10	SAND, light brown
15	SAND, light brown
20	CLAYSTONE, light brown
25	CLAYSTONE, light brown
30	CLAYSTONE, light brown
35	CLAYSTONE, light brown / COAL
40	CLAYSTONE, light brown
45	CLAYSTONE, gray
50	CLAYSTONE, gray
55	CLAYSTONE, gray
60	CLAYSTONE, gray
65	CLAYSTONE, gray / COAL
70	CLAYSTONE, gray
75	CLAYSTONE, gray
80	CLAYSTONE, gray
85	COAL "MAIN" SEAM
90	COAL / SANDSTONE, gray
95	SANDSTONE, light gray
100	SANDSTONE, light gray
105	SANDSTONE, light gray
110	SANDSTONE, light gray
115	SANDSTONE, light gray
120	SANDSTONE, light gray
125	SANDSTONE, light gray
130	SANDSTONE, light gray
135	SANDSTONE, light gray
140	SANDSTONE, light gray
145	TOTAL DEPTH 140'
150	DID NOT LOSE CIRCULATION, NO CALIPER DEFLECTION
155	
160	
165	
170	
175	
180	
185	
190	
195	
200	

HOLE NUMBER: W-4	LOCATION: SEC 14 , T.1N., R.69W.	STATE: Colorado
DRILLED BY: Bideau Drilling	LOGGED BY: Brian E. Crandall	TOTAL DEPTH: 120'
DATE: December 14, 1998	BIT SIZE: 5 1/8"	DRILLED WITH: AIR MUD X

DEPTH	SAMPLE DESCRIPTION
5	SAND, light brown
10	SAND, light brown
15	SAND, light brown
20	GRAVEL
25	CLAYSTONE, brown
30	CLAYSTONE, brown
35	CLAYSTONE, brown
40	CLAYSTONE, brown
45	CLAYSTONE, brown / COAL
50	CLAYSTONE, gray
55	CLAYSTONE, gray
60	CLAYSTONE, gray
65	CLAYSTONE, gray / COAL
70	COAL "MAIN" SEAM
75	SANDSTONE, light gray
80	SANDSTONE, light gray
85	SANDSTONE, light gray
90	SANDSTONE, light gray
95	SANDSTONE, light gray
100	SANDSTONE, light gray
105	SANDSTONE, light gray
110	SANDSTONE, light gray
115	SANDSTONE, light gray
120	SANDSTONE, light gray
125	TOTAL DEPTH 120'
130	DID NOT LOSE CIRCULATION, NO CALIPER DEFLECTION
135	
140	
145	
150	
155	
160	
165	
170	
175	
180	
185	
190	
195	
200	

HOLE NUMBER: W-5	LOCATION SEC. 14 T.1N., R.69W	STATE: Colorado
DRILLED BY: Bideau Drilling	LOGGED BY: John Goggin	TOTAL DEPTH: 140'
DATE: 2/16/99	BIT SIZE: 5 1/8"	DRILLED WITH: AIR ___ MUD X

DEPTH	SAMPLE DESCRIPTION	
5	SAND, light brown	
10	SAND, light brown	
15	CLAYSTONE, gray/ brown	
20	CLAYSTONE, gray/ brown	
25	CLAYSTONE, gray/ brown	
30	CLAYSTONE, gray/ brown	
35	CLAYSTONE, gray/ brown	
40	CLAYSTONE, gray/ brown	
45	CLAYSTONE, gray	
50	CLAYSTONE, gray	
55	CLAYSTONE, gray	
60	CLAYSTONE, gray	
65	CLAYSTONE, gray	
70	CLAYSTONE, gray	
75	CLAYSTONE, gray	
80	CLAYSTONE, gray	
85	CLAYSTONE/ COAL	
90	CLAYSTONE, gray	
95	CLAYSTONE, gray	
100	CLAYSTONE, gray/ COAL	
105	CLAYSTONE, gray/ COAL	TOTAL DEPTH OF HOLE - 140 FEET..CIRCULATION WAS NOT LOST.
110	SANDSTONE, white	NO CALIPER DEFLECTION
115	SANDSTONE, white	
120	SANDSTONE, white	
125	SANDSTONE, white	
130	SANDSTONE, white	
135	SANDSTONE, white	
140	SANDSTONE, white	
145		
150		
155		
160		
165		
170		
175		
180		
185		
190		
195		
200		

HOLE NUMBER: W-6	LOCATION: SEC. 14, T.1N., R.69W	STATE: Colorado
DRILLED BY: Bideau Drilling	LOGGED BY: John Goggin	TOTAL DEPTH: 140'
DATE: 2/16/99	BIT SIZE: 5 1/8"	DRILLED WITH: AIR ___ MUD X

DEPTH	SAMPLE DESCRIPTION	
5	SAND, light brown	
10	SAND, light brown	
15	SAND, light brown	
20	CLAYSTONE, gray/ brown	
25	CLAYSTONE, gray/ brown	
30	CLAYSTONE, gray/ brown	
35	CLAYSTONE, gray/ brown	
40	CLAYSTONE, gray/ brown	
45	CLAYSTONE, gray/ brown	
50	COAL	
55	CLAYSTONE, gray	
60	CLAYSTONE, gray	
65	CLAYSTONE, gray	
70	CLAYSTONE, gray	
75	CLAYSTONE, gray	
80	CLAYSTONE, gray	
85	CLAYSTONE, carbonaceous	
90	CLAYSTONE, gray	
95	CLAYSTONE, gray	
100	CLAYSTONE, gray	SOFT DRILLING FROM 100 - 110 FEET
105	LOST CIRCULATION @ 105	
110	NO SAMPLE	
115	NO SAMPLE	
120	NO SAMPLE	
125	NO SAMPLE	TOTAL DEPTH OF HOLE - 140 FEET..CIRCULATION WAS LOST @ 105 FEET.
130	NO SAMPLE	MAXIMUM CALIPER DEFLECTION - 10 INCHES @ 106 FEET
135	NO SAMPLE	
140	NO SAMPLE	
145		
150		
155		
160		
165		
170		
175		
180		
185		
190		
195		
200		

HOLE NUMBER: W-7	LOCATION. SEC. 14, T.1N., R.69W	STATE. Colorado
DRILLED BY: Bideau Drilling	LOGGED BY: John Goggin	TOTAL DEPTH' 140'
DATE. 2/16/99	BIT SIZE. 5 1/8"	DRILLED WITH: AIR MUD X

DEPTH	SAMPLE DESCRIPTION
5	SAND, light brown
10	SAND, light brown
15	CLAYSTONE, gray
20	CLAYSTONE, gray
25	CLAYSTONE, gray
30	CLAYSTONE, gray
35	CLAYSTONE, gray
40	CLAYSTONE, carbonaceous
45	CLAYSTONE, gray
50	CLAYSTONE, gray
55	CLAYSTONE, gray
60	CLAYSTONE, gray
65	CLAYSTONE, gray
70	CLAYSTONE, gray
75	CLAYSTONE, gray
80	SANDSTONE, gray
85	SANDSTONE, gray
90	SANDSTONE, gray
95	SANDSTONE, gray
100	SANDSTONE, gray
105	COAL
110	SANDSTONE, CLAYSTONE, gray
115	SANDSTONE, CLAYSTONE, gray
120	COAL
125	CLAYSTONE, carbonaceous TOTAL DEPTH OF HOLE - 140 FEET..CIRCULATION WAS NOT LOST..
130	COAL NO CALIPER DEFLECTION...
135	SANDSTONE, white
140	SANDSTONE, white
145	
150	
155	
160	
165	
170	
175	
180	
185	
190	
195	
200	

Hole Number: **W-8**
Drilled by: Bideau Drilling
Date: 04/18/2005

Location: N40° 03.070' W105° 04.492'
Logged by: K. Abbott
Bit Size: 5.25 inches

State: Colorado
Total Depth: 140'
Drilled with: Mud

Depth	Sample Description	
5	Sand, silty, light brown	
10	Sand, silty, light brown	
15	Sand, silty, light brown	
20	Claystone, light olive brown	
25	Claystone, light olive brown	
30	Claystone, light olive brown	
35	Claystone, light olive brown	
40	Claystone, light olive brown	
45	Claystone, gray, slightly carbonaceous	
50	Claystone, gray, slightly carbonaceous	
55	Claystone, gray, slightly carbonaceous	
60	Claystone, gray, slightly carbonaceous	
65	Claystone with coal, gray	
70	Claystone with coal, gray	
75	Claystone with coal, gray	
80	Claystone with coal, gray, slightly carbonaceous	
85	Claystone with coal, gray, slightly carbonaceous	
90	Claystone with coal, gray	
95	Claystone, gray	
100	Claystone, gray	"Main" seam
105	Claystone with coal, gray	
110	Sandstone, light gray, quartzose, Fox Hills Formation	
115	Sandstone, light gray, quartzose, Fox Hills Formation	
120	Sandstone, light gray, quartzose, Fox Hills Formation	
125	Sandstone, light gray, quartzose, Fox Hills Formation	
130	Sandstone, light gray, quartzose, Fox Hills Formation	
135	Sandstone, light gray, quartzose, Fox Hills Formation	
140	Sandstone, light gray, quartzose, Fox Hills Formation	Total depth
	Circulation not lost, no mine workings encountered	

Hole Number: **W-9**
Drilled by: Bideau Drilling
Date: 04/18/2005

Location: N40° 03.072' W105° 04.568'
Logged by: K. Abbott
Bit Size: 5.25 inches

State: Colorado
Total Depth: 100'
Drilled with: Mud

Depth	Sample Description
5	Sand, silty, light brown
10	Sand, silty, light brown
15	Sand, silty, light brown
20	Claystone, light olive brown
25	Claystone, light olive brown
30	Claystone, light olive brown
35	Claystone, light olive brown
40	Claystone, light olive brown
45	Claystone with coal, gray
50	Claystone with coal, gray
55	Claystone with coal, gray
60	Claystone with coal, gray
65	Claystone with coal, gray
70	Claystone with coal, gray
75	Claystone with coal, gray
80	Claystone with coal, gray
85	Claystone with coal, gray
90	No samples Lost circulation
95	No samples
100	No samples
	Circulation was lost at 90 feet

Hole Number: **W-10**
Drilled by: Bideau Drilling
Date: 04/19/2005

Location: N40^0 02.940' W105^0 04.563'
Logged by: K. Abbott
Bit Size: 5.25 inches

State: Colorado
Total Depth: 180'
Drilled with: Mud

Depth	Sample Description
5	Sand, silty, light brown
10	Sand, silty, light brown
15	Sand, silty, light brown
20	Claystone, silty, light olive brown
25	Claystone, silty, light olive brown
30	Claystone, silty, light olive brown
35	Claystone with sandstone, light olive brown
40	Claystone with sandstone, light olive brown
45	Claystone with sandstone, light olive brown, slightly carbonaceous
50	Claystone, gray
55	Claystone, gray
60	Claystone, gray
65	Claystone, gray
70	Claystone, gray
75	Claystone, gray, slightly carbonaceous
80	Claystone, gray
85	Claystone with coal, gray
90	Claystone with coal, gray
95	Claystone with coal, gray
100	Claystone with coal, gray
105	Claystone with coal, gray
110	Claystone with coal, gray
115	Claystone with coal, gray
120	Claystone with coal, gray "main" seam interval
125	Claystone with coal, gray
130	Claystone with coal, gray
135	Sandstone, light gray, quartzose, Fox Hills Formation
140	Sandstone, light gray, quartzose, Fox Hills Formation
145	Sandstone, light gray, quartzose, Fox Hills Formation
150	Sandstone, light gray, quartzose, Fox Hills Formation
155	Sandstone, light gray, quartzose, Fox Hills Formation
160	Sandstone, light gray, quartzose, Fox Hills Formation
165	Sandstone, light gray, quartzose, Fox Hills Formation
170	Sandstone, light gray, quartzose, Fox Hills Formation
175	Sandstone, light gray, quartzose, Fox Hills Formation
180	Sandstone, light gray, quartzose, Fox Hills Formation Total depth
	Circulation not lost, No mine workings encountered

Hole Number: **W-11**
Drilled by: Bideau Drilling
Date: 04/19/2005

Location: N40° 02.913' W105° 04.643'
Logged by: K. Abbott
Bit Size: 5.25 inches

State: Colorado
Total Depth: 180'
Drilled with: Mud

Depth	Sample Description	
5	Sand, silty, light brown, tan	
10	Sand, silty, light brown, tan	
15	Sand, silty, light brown, tan	
20	Sand, silty, light brown, tan	
25	Claystone, light olive brown	
30	Claystone, light olive brown, slightly carbonaceous	
35	Claystone, light olive brown	
40	Claystone, light olive brown	
45	Claystone, light olive brown, iron stained	
50	Claystone, light olive brown, iron stained	
55	Claystone, gray	
60	Claystone, gray	
65	Claystone, gray	
70	Claystone, gray	
75	Claystone with coal, gray	
80	Claystone with coal, gray	
85	Claystone with coal, gray	
90	Claystone with coal, gray	
95	Claystone with coal, gray	
100	Claystone with coal, gray	
105	Claystone with coal, gray	
110	Claystone with coal, gray	
115	Claystone with coal, gray	
120	Claystone with coal, gray	
125	Claystone with coal, gray	
130	Claystone with coal, gray	"main" seam interval
135	Claystone, dark gray, slightly carbonaceous	
140	Sandstone, light gray, quartzose, Fox Hills Formation	
145	Sandstone, light gray, quartzose, Fox Hills Formation	
150	Sandstone, light gray, quartzose, Fox Hills Formation	
155	Sandstone, light gray, quartzose, Fox Hills Formation	
160	Sandstone, light gray, quartzose, Fox Hills Formation	
165	Sandstone, light gray, quartzose, Fox Hills Formation	
170	Sandstone, light gray, quartzose, Fox Hills Formation	
175	Sandstone, light gray, quartzose, Fox Hills Formation	
180	Sandstone, light gray, quartzose, Fox Hills Formation	Total Depth
	Circulation not lost, mine workings not encountered	

Hole Number: **W-12**
Drilled by: Bideau Drilling
Date: 04/18/2005

Location: N40° 03.013' W105° 04.650'
Logged by: K. Abbott
Bit Size: 5.25 inches

State: Colorado
Total Depth: 120'
Drilled with: Mud

Depth	Sample Description	
5	Sand, silty, light brown	
10	Sand, silty, light brown	
15	Sand, silty, light brown	
20	Claystone, light olive brown	
25	Claystone, light olive brown	
30	Claystone with coal, light olive brown	
35	Claystone, gray, iron stained	
40	Claystone, gray, iron stained	
45	Claystone, gray	
50	Claystone with coal, gray	
55	Claystone with coal, gray, slightly carbonaceous	
60	Claystone with coal, gray, slightly carbonaceous	
65	Claystone, gray, slightly carbonaceous	
70	Claystone, gray, slightly carbonaceous	
75	Claystone, gray	
80	Claystone, gray	
85	Claystone with sandstone, gray, slightly carbonaceous	
90	Claystone with sandstone, gray	
95	Claystone with sandstone, gray	
100	Coal	"Main" seam interval
105	Sandstone, light gray, quartzose. Fox Hills Formation	
110	Sandstone, light gray, quartzose, Fox Hills Formation	
115	Sandstone, light gray, quartzose, Fox Hills Formation	
120	Sandstone, light gray, quartzose, Fox Hills Formation	Total depth
	Circulation not lost, no mine workings encountered	

Hole Number: **W-13**
Drilled by: Bideau Drilling
Date: 04/18/2005

Location: N40° 03.074' W105° 04.655'
Logged by: K. Abbott
Bit Size: 5.25 inches

State: Colorado
Total Depth: 100'
Drilled with: Mud

Depth	Sample Description
5	Sand, silty, light brown
10	Sand, silty, light brown
15	Sand, silty, light brown
20	Sand with claystone, silty, light brown
25	Claystone, light olive brown
30	Claystone with coal, light olive brown
35	Claystone, light olive brown
40	Claystone, light olive brown
45	Claystone, olive brown, iron stained
50	Claystone, olive brown, iron stained
55	Claystone, olive brown, iron stained, slightly carbonaceous
60	Claystone with coal, carbonaceous
65	Claystone with coal, gray
70	Claystone with sandstone, gray
75	Claystone with sandstone, gray
80	Claystone with sandstone, gray
85	Claystone with sandstone, gray
90	Claystone with sandstone, gray
95	Claystone with coal, carbonaceous "Grant" main seam interval
100	Claystone, gray Total depth
	Circulation not lost, no mine workings encountered

Hole Number: **W-14**
Drilled by: Bideau Drilling
Date: 04/20/2005

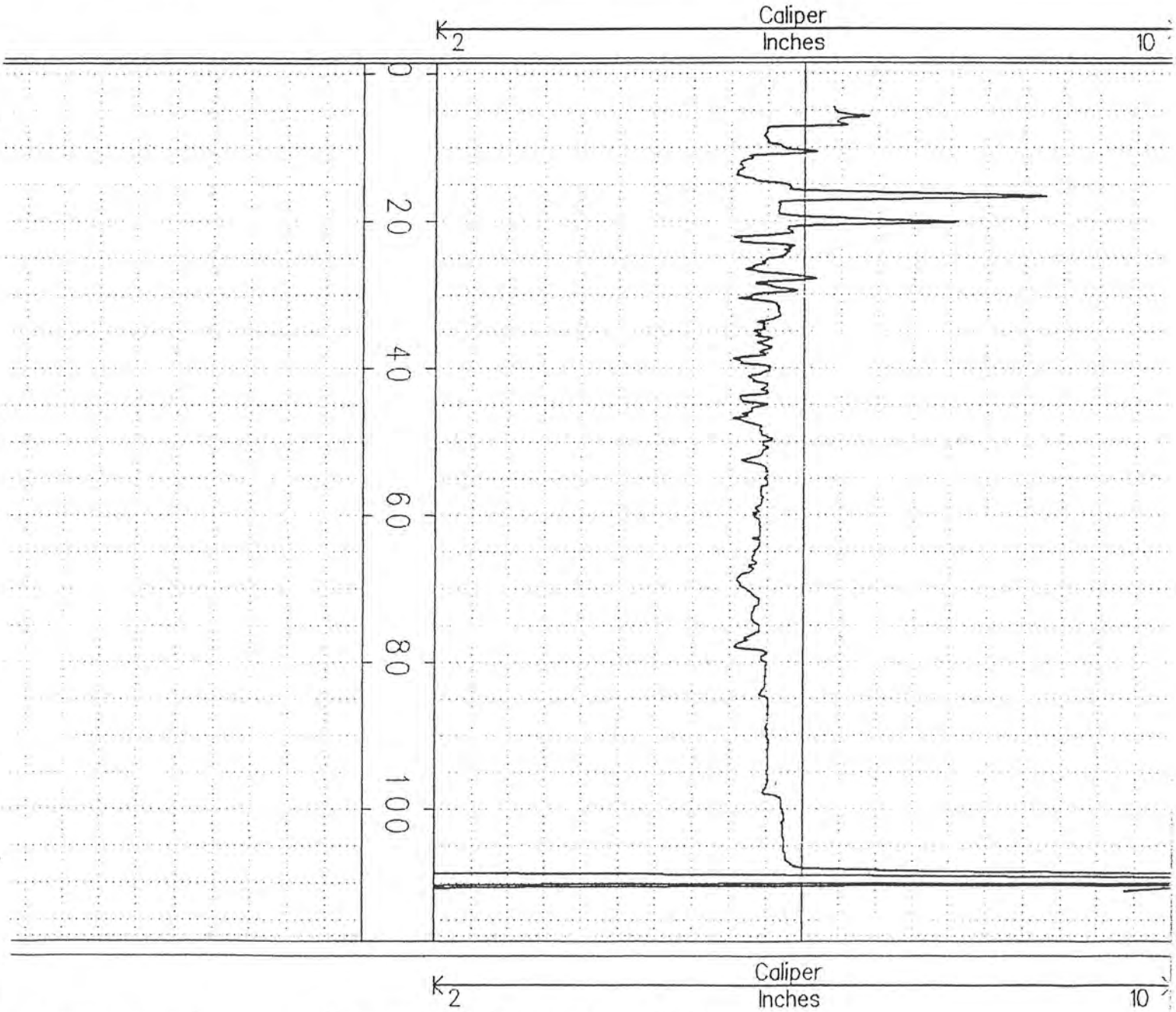
Location: N40°02.898' W105°04.557'
Logged by: K. Abbott
Bit Size: 5.25 inches

State: Colorado
Total Depth: 160'
Drilled with: Mud

Depth	Sample Description	
5	Sand, silty, light brown	
10	Sand, silty, light brown	
15	Sand, silty, light brown	
20	Sand, silty, light brown	
25	Claystone, light olive brown	
30	Claystone, light olive brown	
35	Claystone, light olive brown	
40	Claystone, light olive brown	
45	Claystone, olive brown, iron stained	
50	Claystone with coal, olive brown, iron stained	
55	Claystone, gray	
60	Claystone, gray	
65	Claystone, gray	
70	Claystone, gray	
75	Claystone, gray	
80	Claystone, gray	
85	Claystone with coal, gray	
90	Claystone, gray	
95	Claystone, gray	
100	Claystone, gray	
105	Claystone, carbonaceous	
110	Claystone, gray	
115	Claystone, gray	
120	Claystone with coal, gray, slightly carbonaceous	
125	Claystone with coal, gray	
130	Claystone with coal, gray	
135	Claystone with coal, gray	"Grant" main seam interval
140	Claystone with coal, gray	
145	Claystone with sandstone, light gray	
150	Sandstone, light gray, quartzose, Fox Hills Formation	
155	Sandstone, light gray, quartzose, Fox Hills Formation	
160	Sandstone, light gray, quartzose, Fox Hills Formation	Total depth
	Circulation not lost, no mine workings encountered	

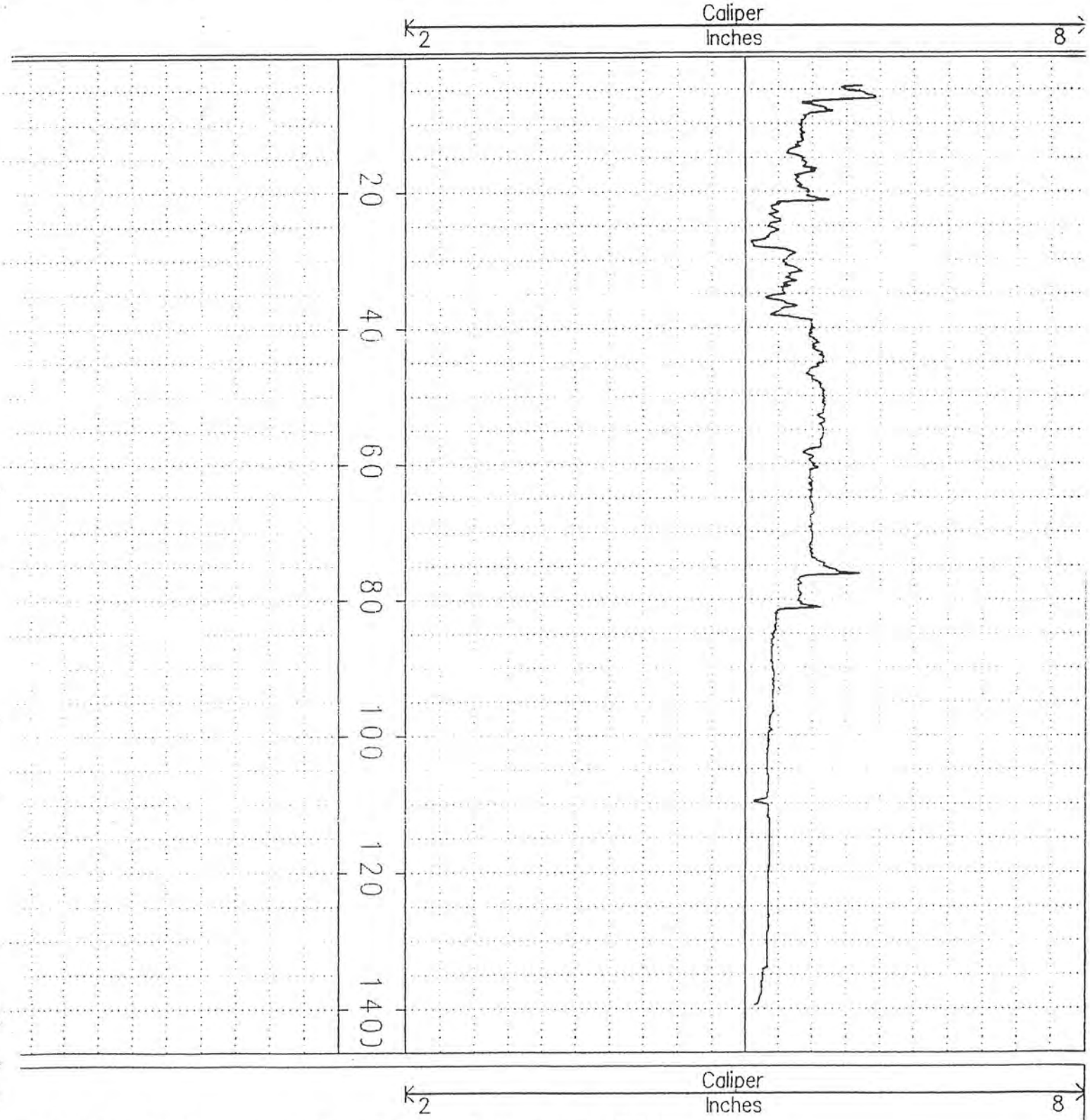
APPENDIX B
GEOPHYSICAL LOGS

C: LSWISE W1.KB0) Well W1, 14 December 1998



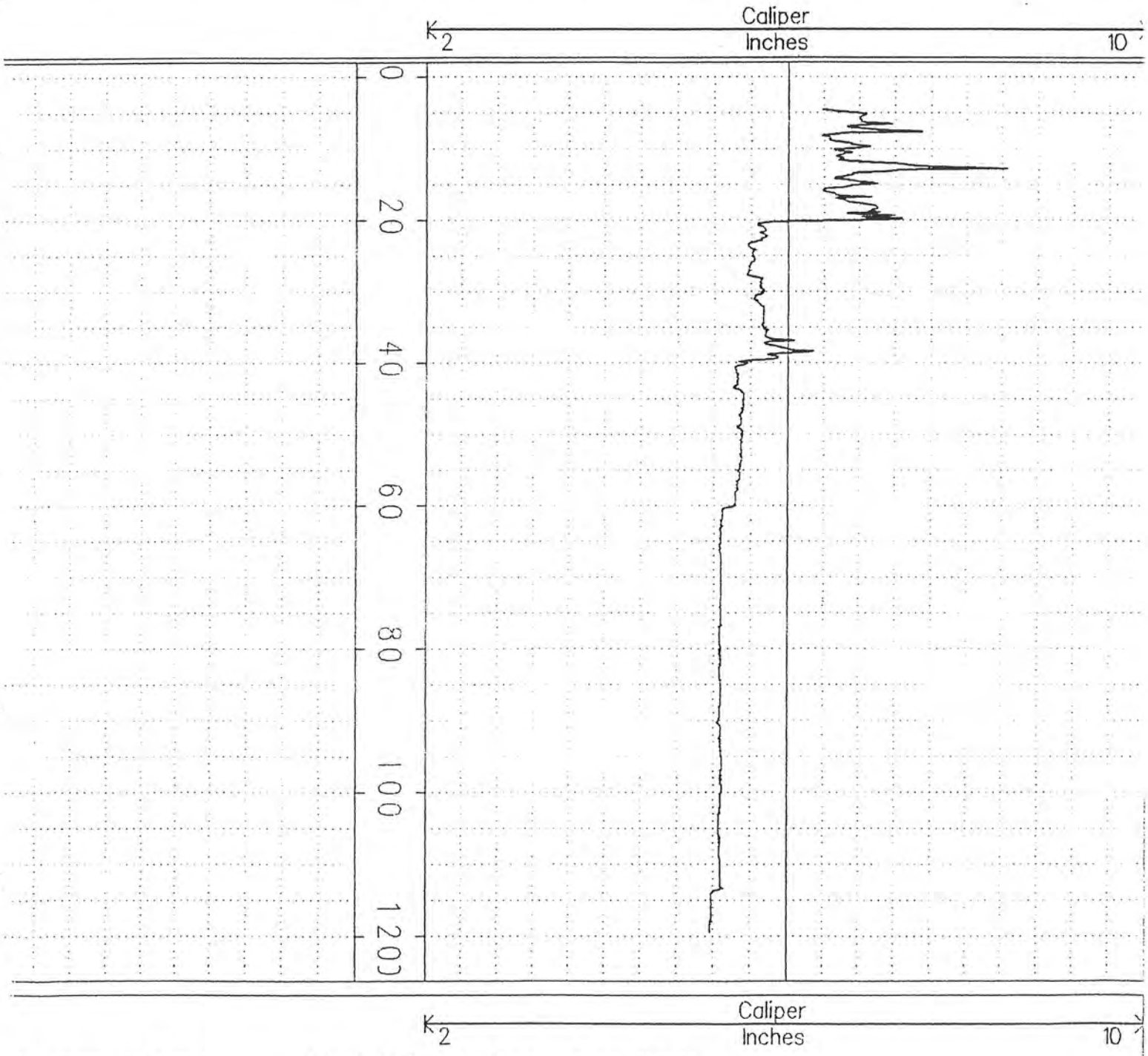
: LSWISE W1.KB0) Well W1, 14 December 1998

(C: LSWISE W3.KB0) Well W3, 14 December 1998



(C: LSWISE W3.KB0) Well W3, 14 December 1998

(C: LSWISE W4.KBO) Well W4, 14 December 1998



C: LSWISE W4.KBO) Well W4, 14 December 1998

10
20
30
40
50
60
70
80
90
100
110
120
130
140

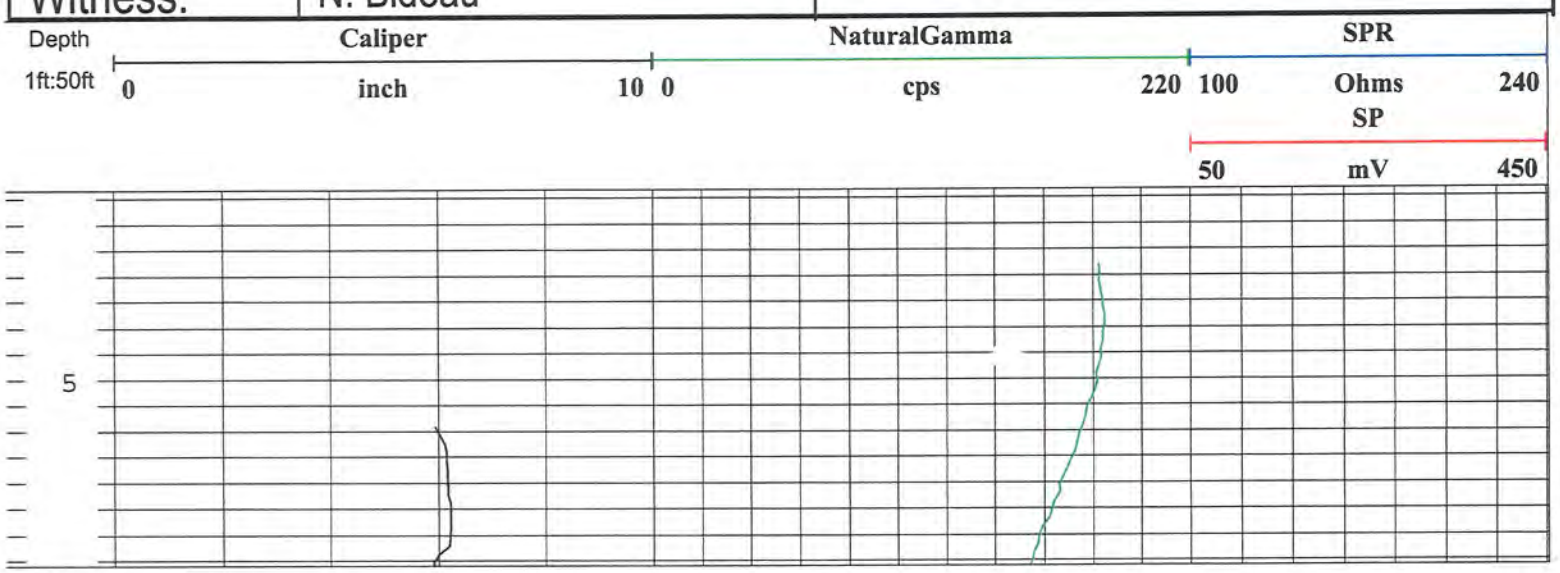
inches
inches
inches

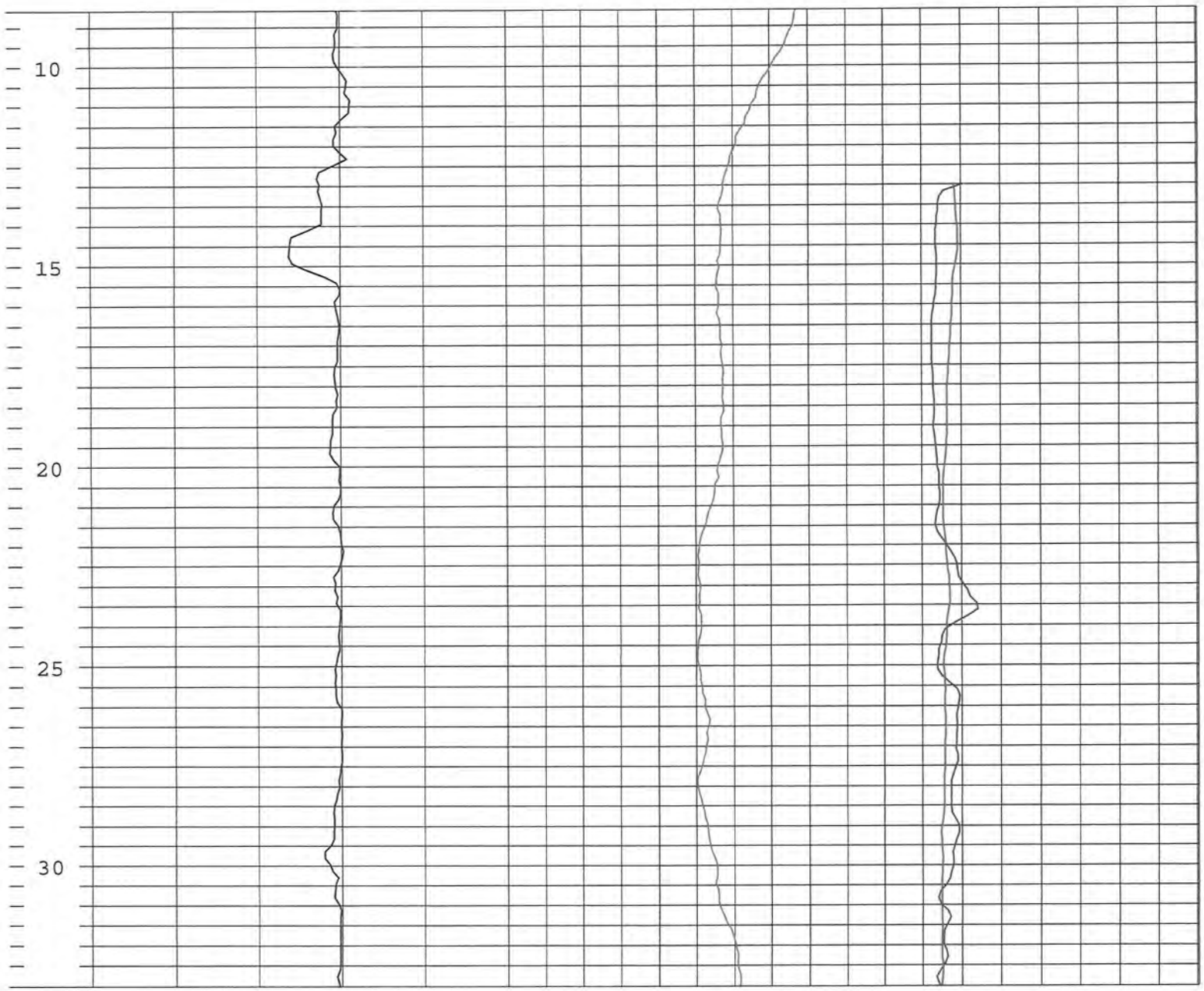
WESTERN ENVIRONMENT AND ECOLOGY, INC

Location: Section 14, T1N, R69W, Boulder County, CO

Well	W8		
Date	4/18/2005	BH Fluid	Mud
Casing	No		
File Name	W-8		
Depth Driller	140		
Depth Logger	139		
Logged by:	K. Abbott		
Witness:	N. Bideau		

Comments: No Mine Workings

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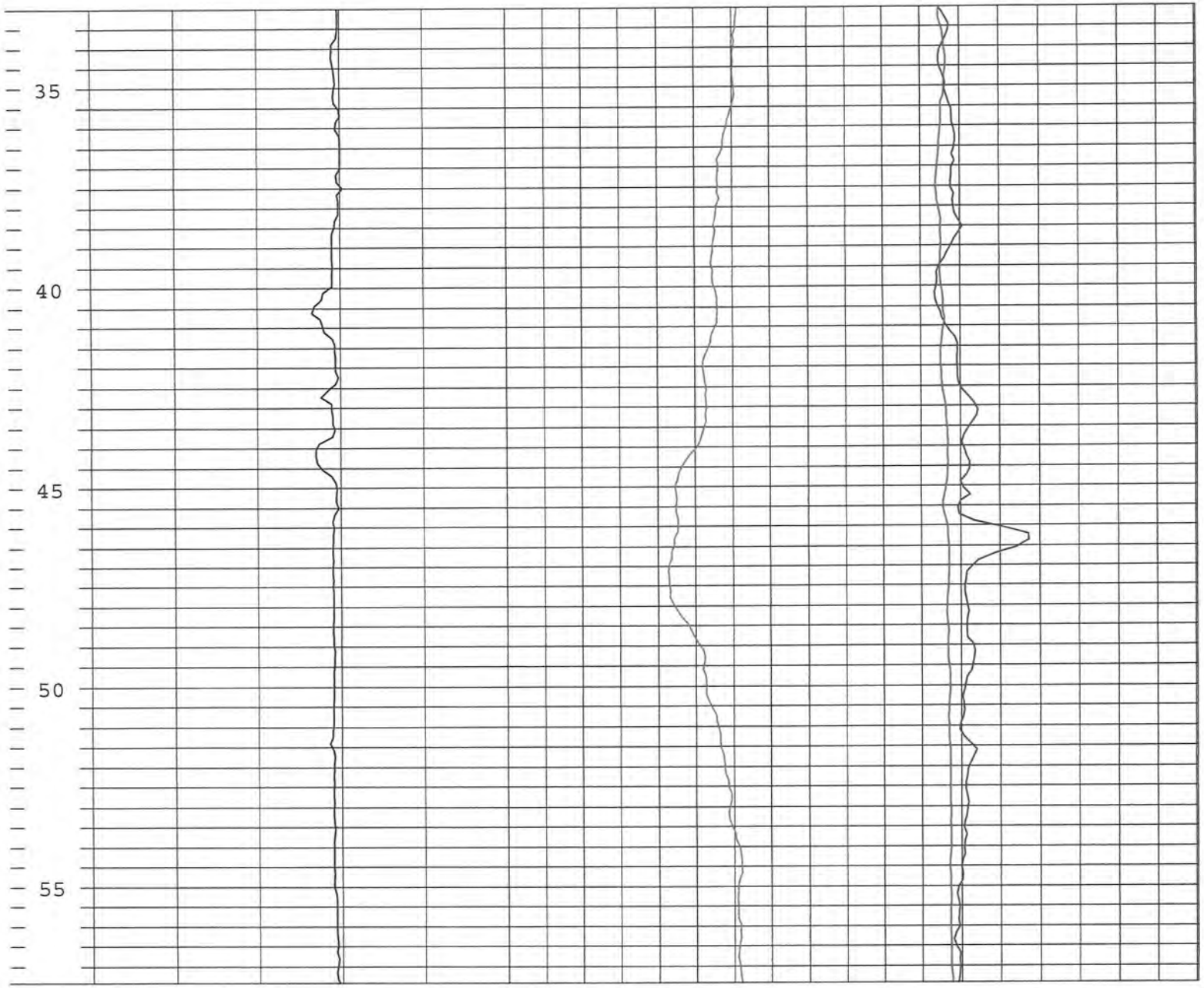
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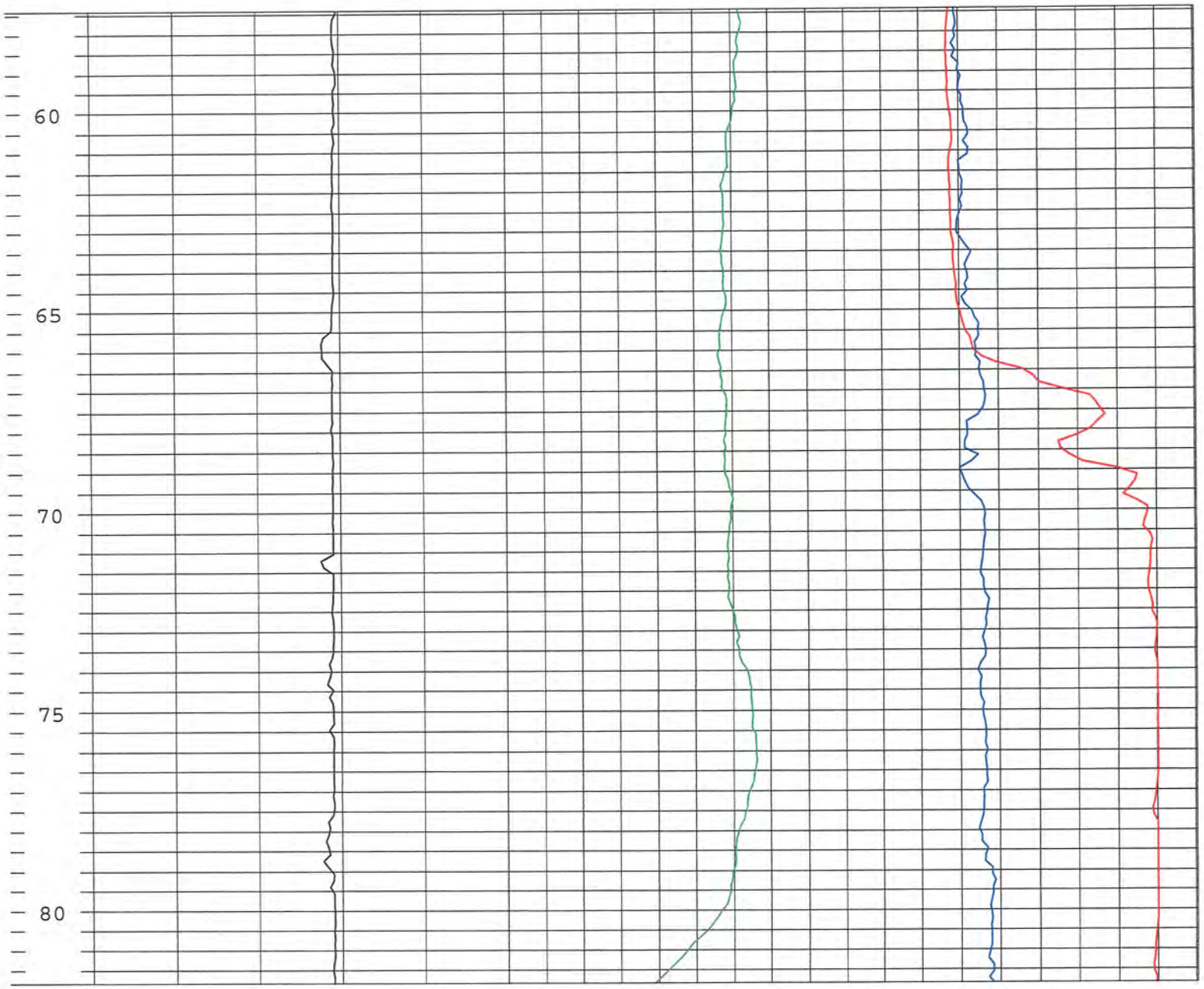
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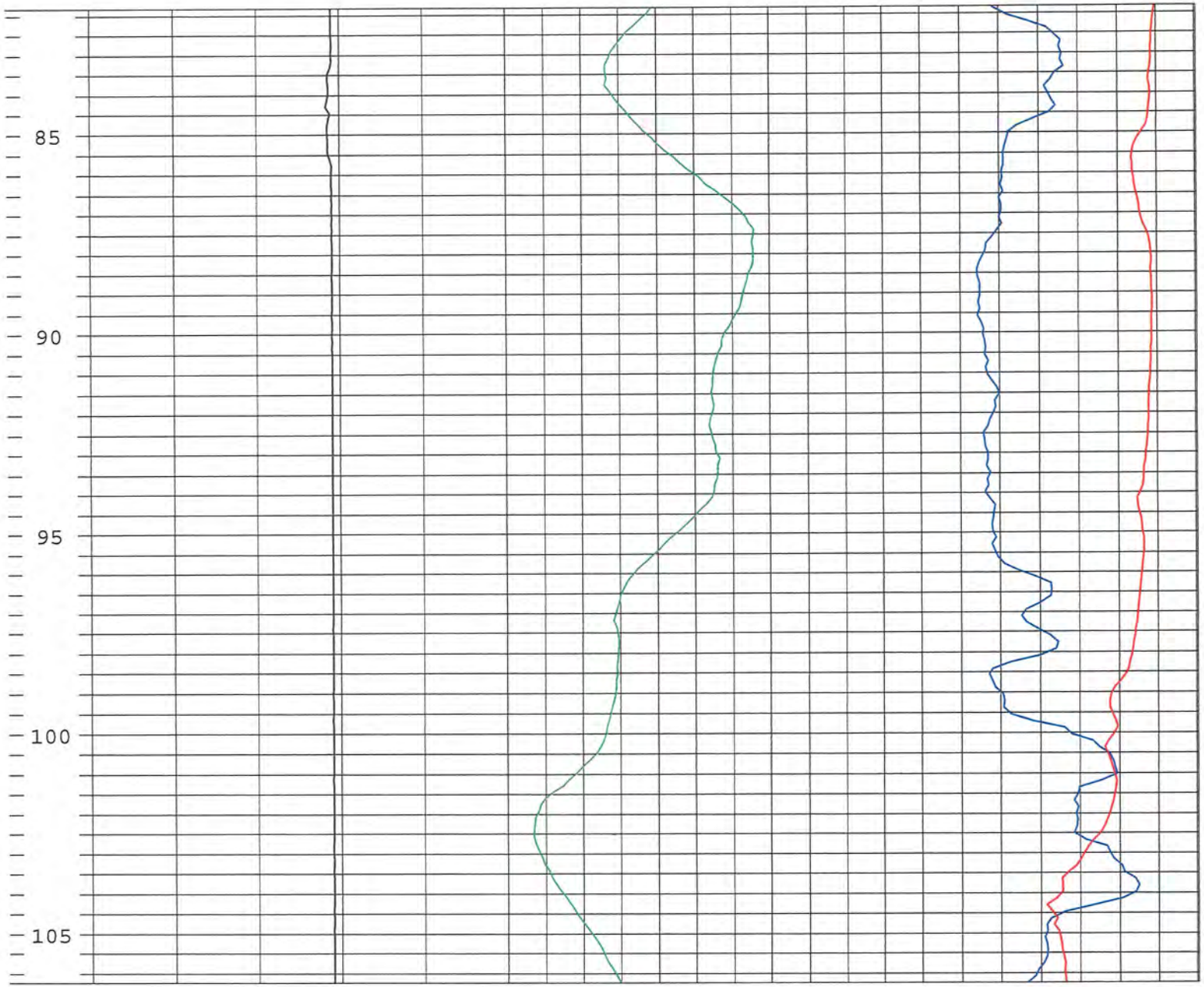
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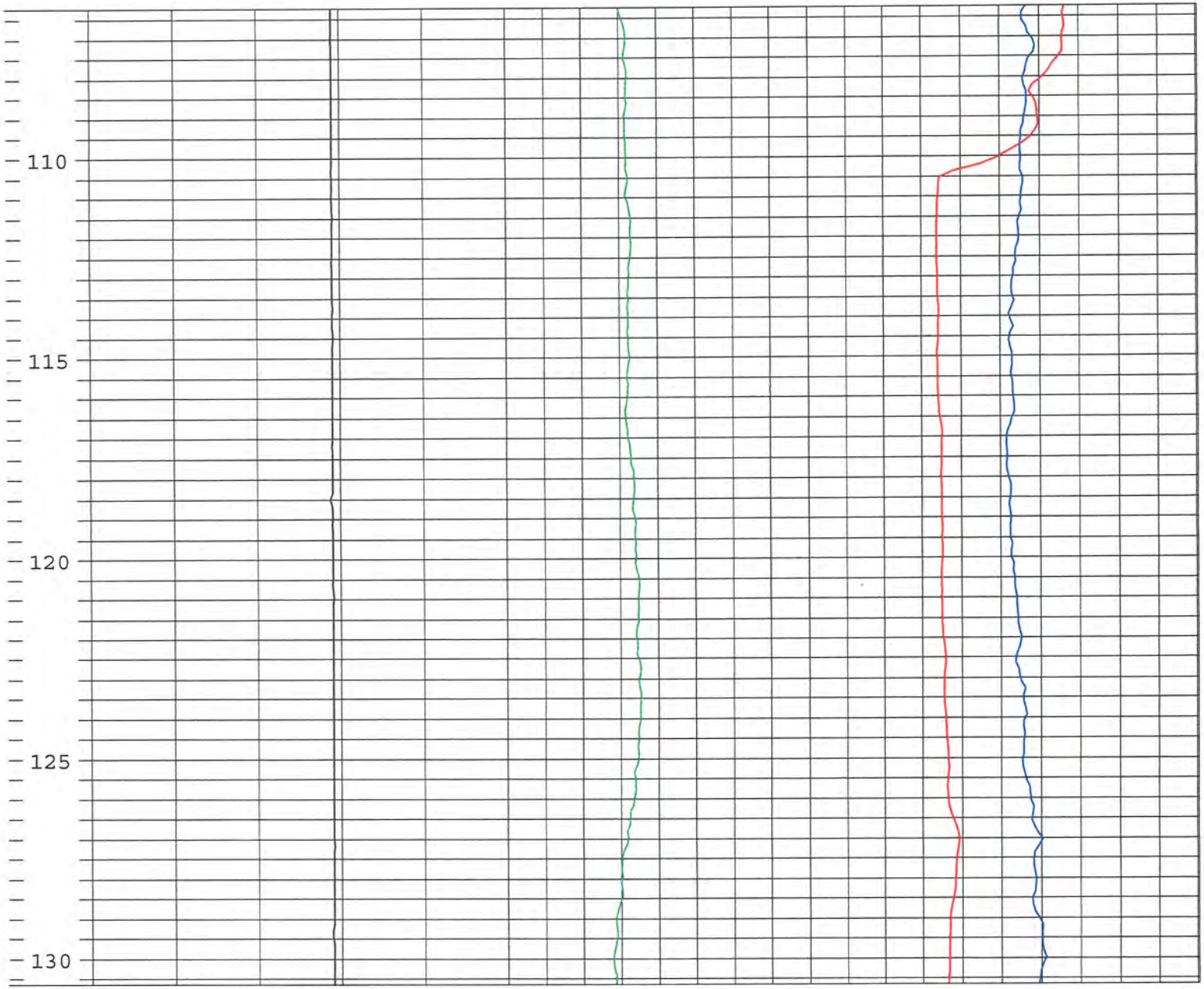
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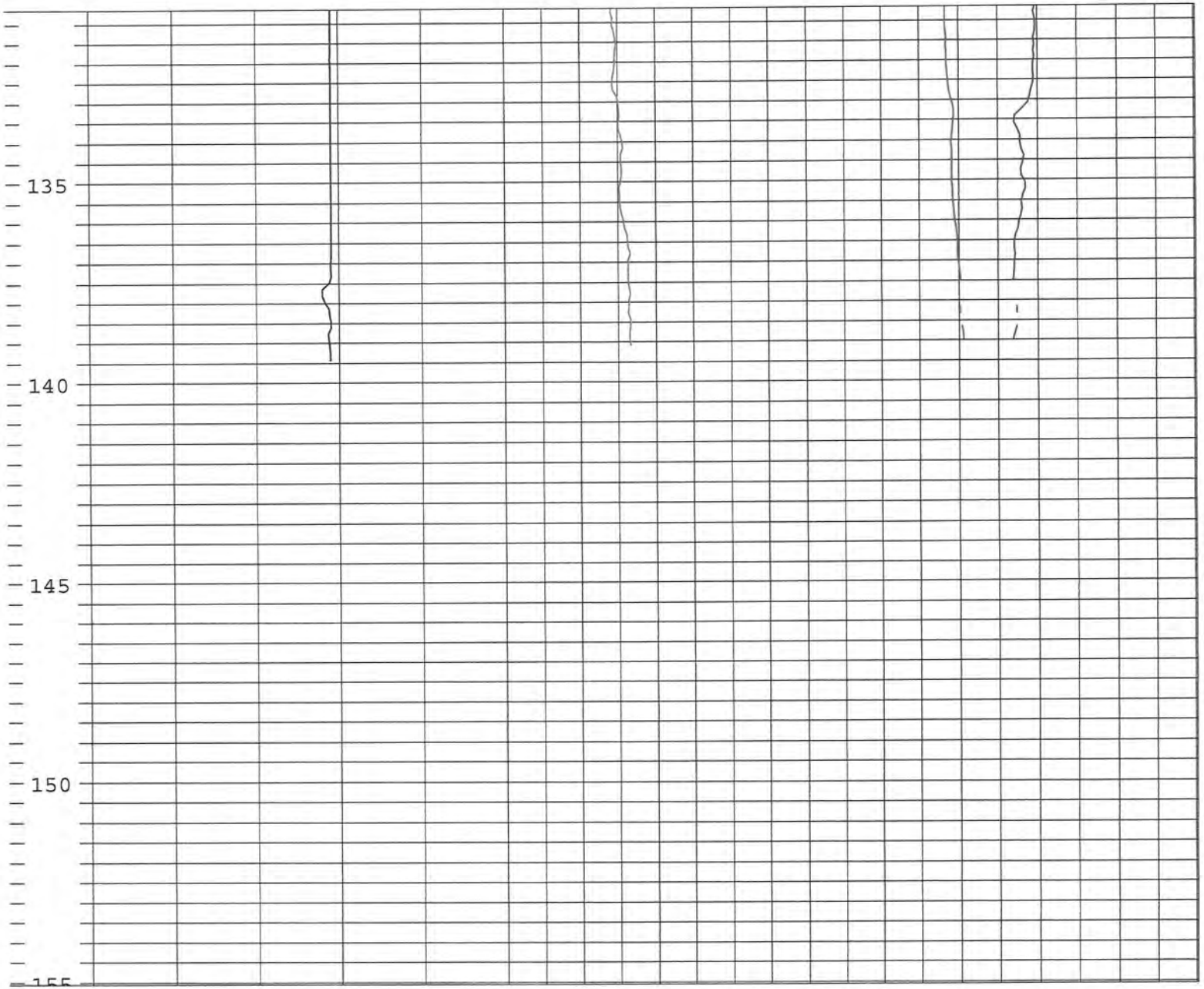
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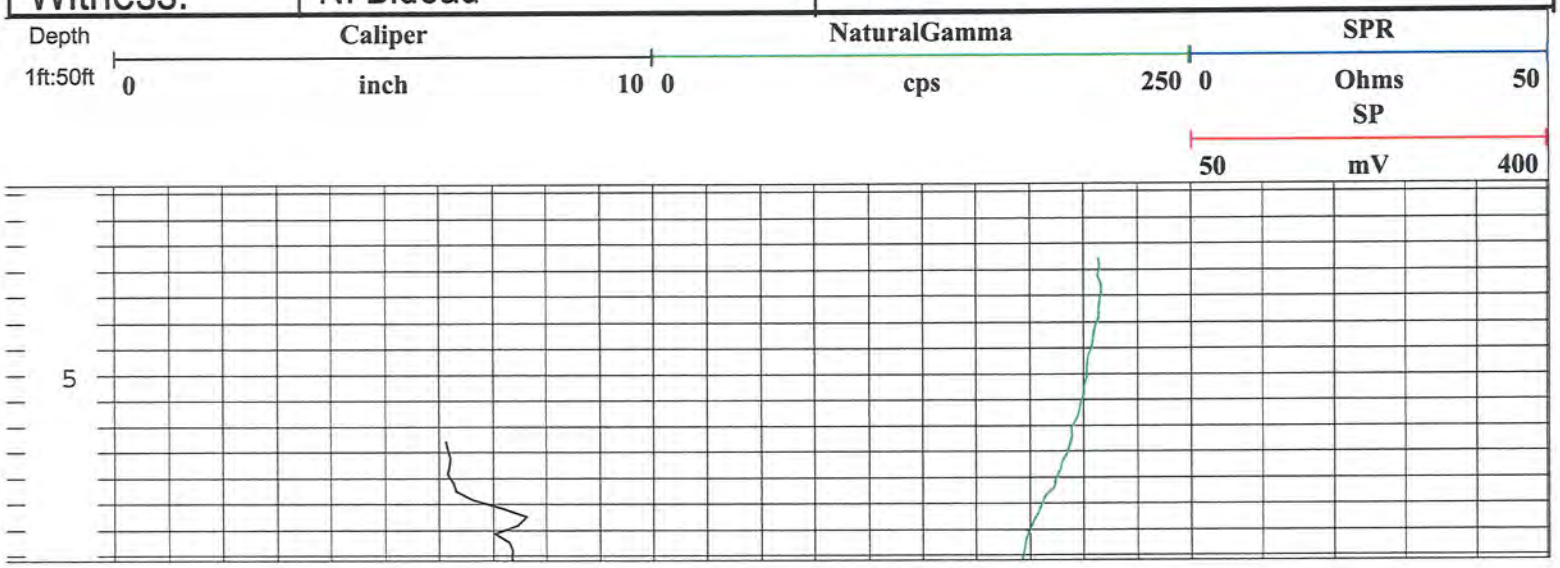
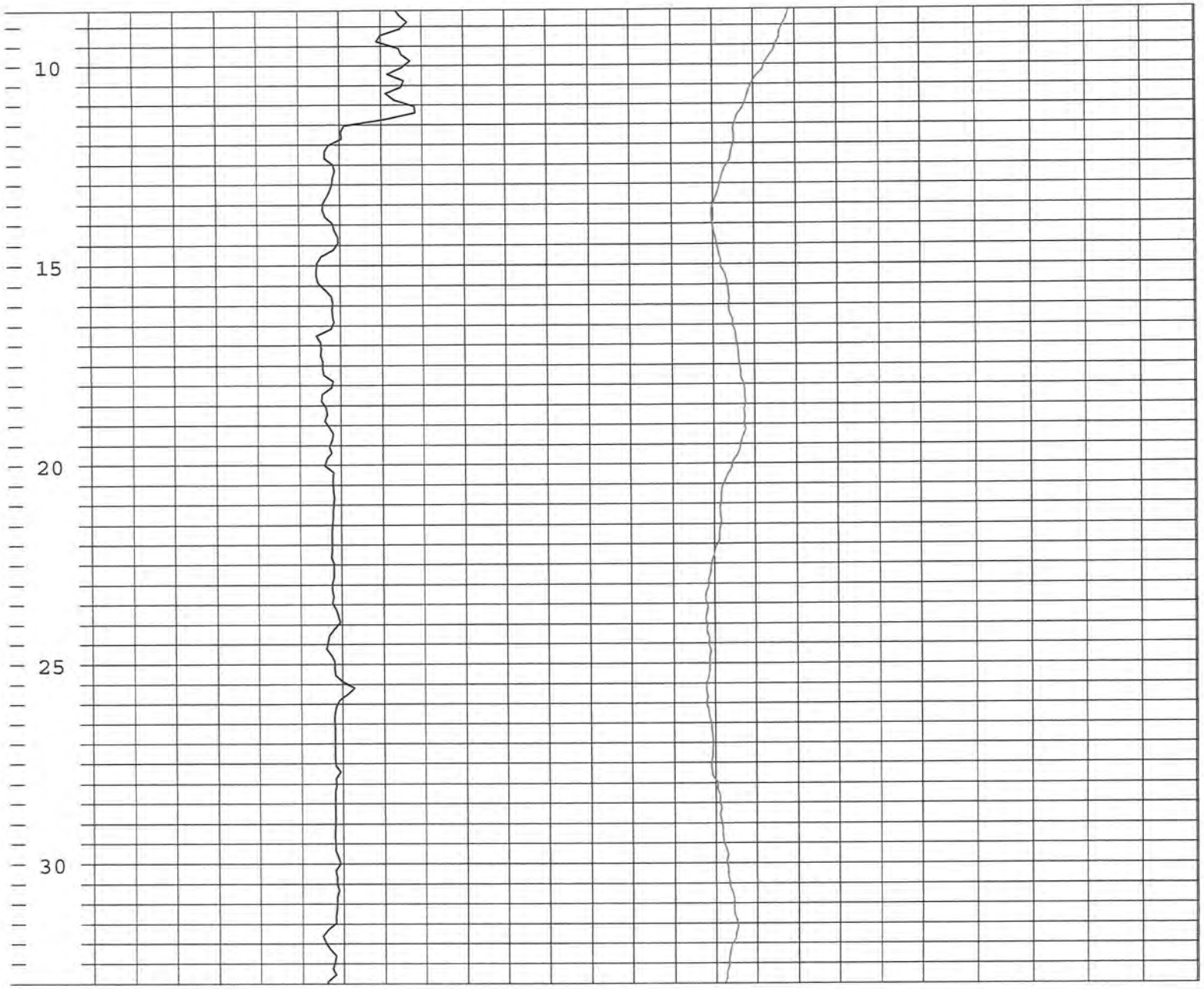
	WESTERN ENVIRONMENT AND ECOLOGY, INC
	Location: Section 14, T1N, R69W, Boulder County, CO

Well	W9		
Date	4/18/2005	BH Fluid	Mud
Casing	No		
File Name	W-9		
Depth Driller	100 feet		
Depth Logger	99 feet		
Logged by:	K. Abbott		
Witness:	N. Bideau		

OTHER SERVICES

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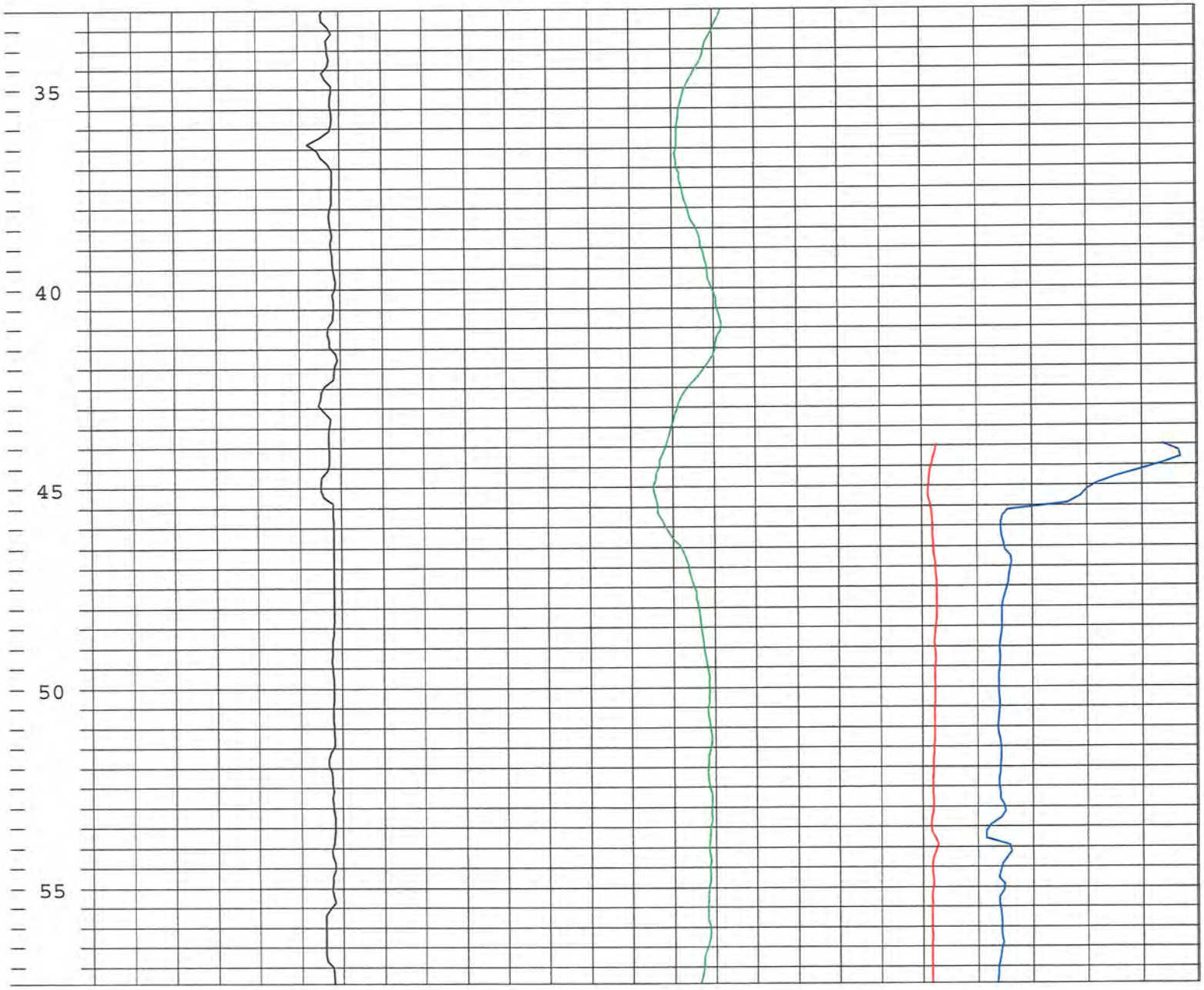
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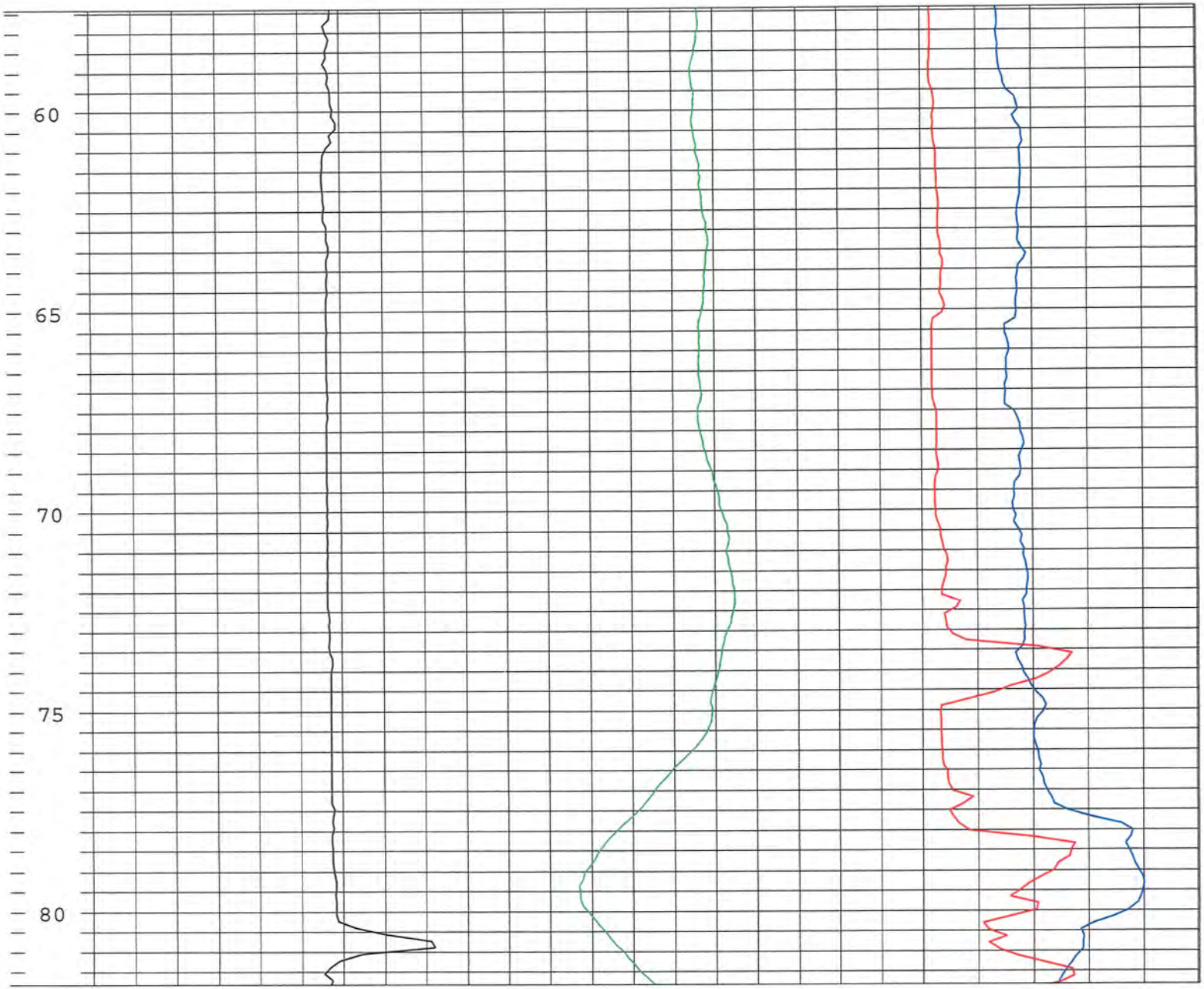
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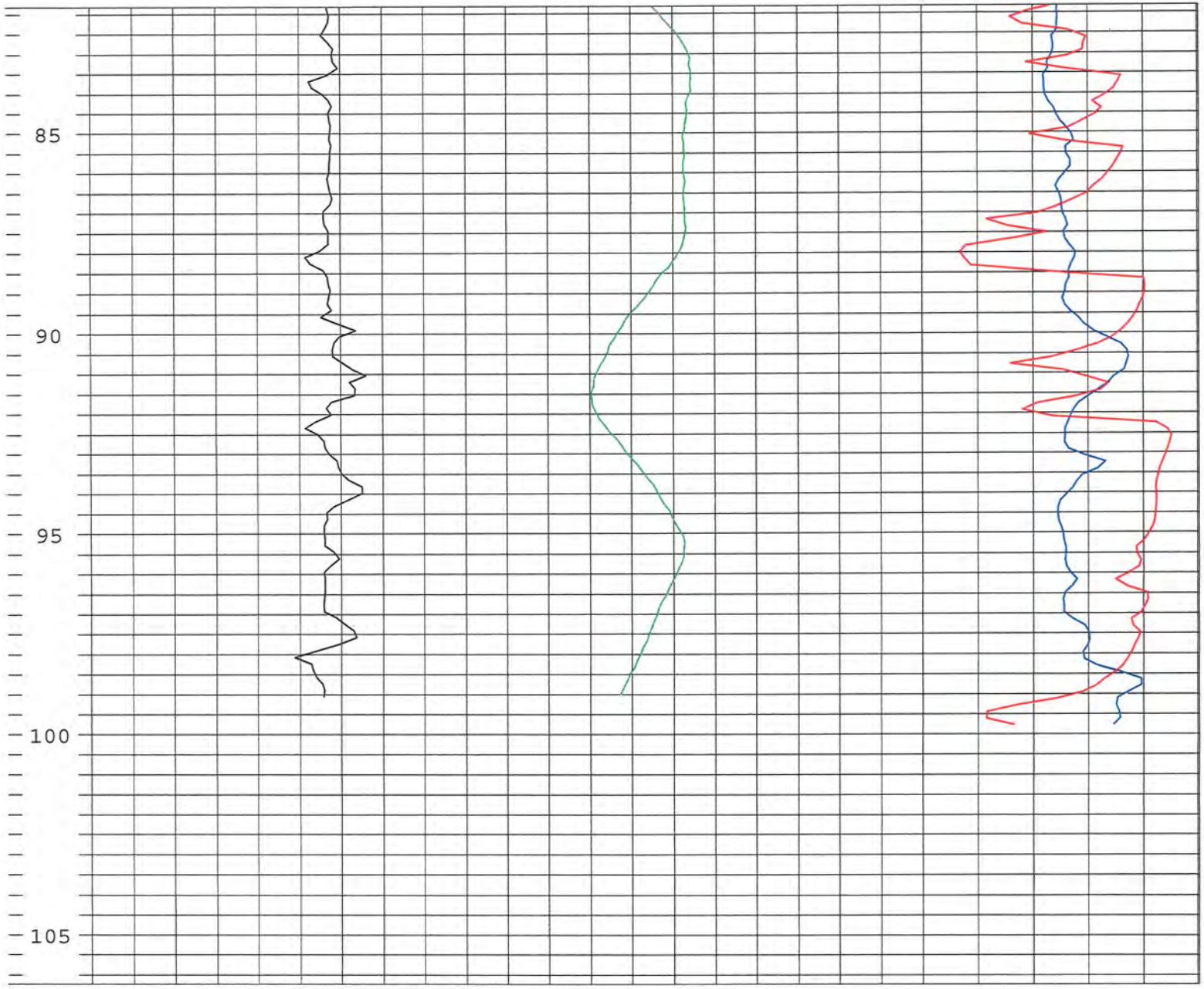
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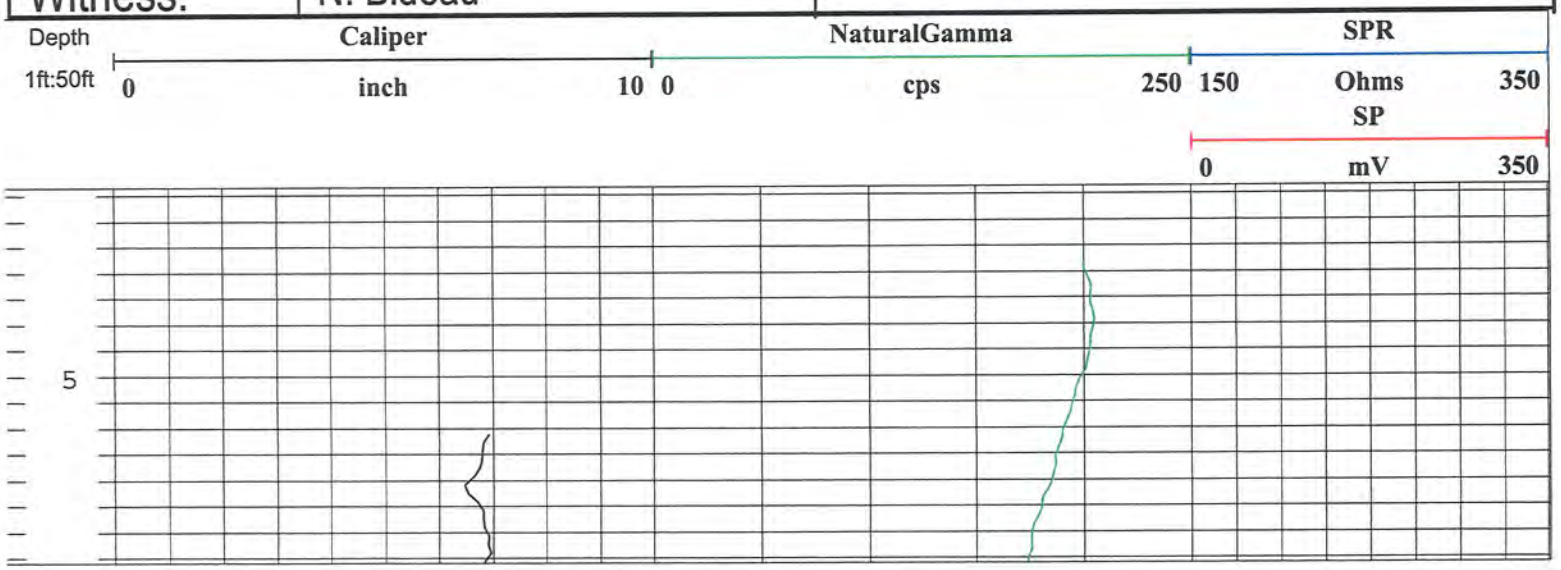
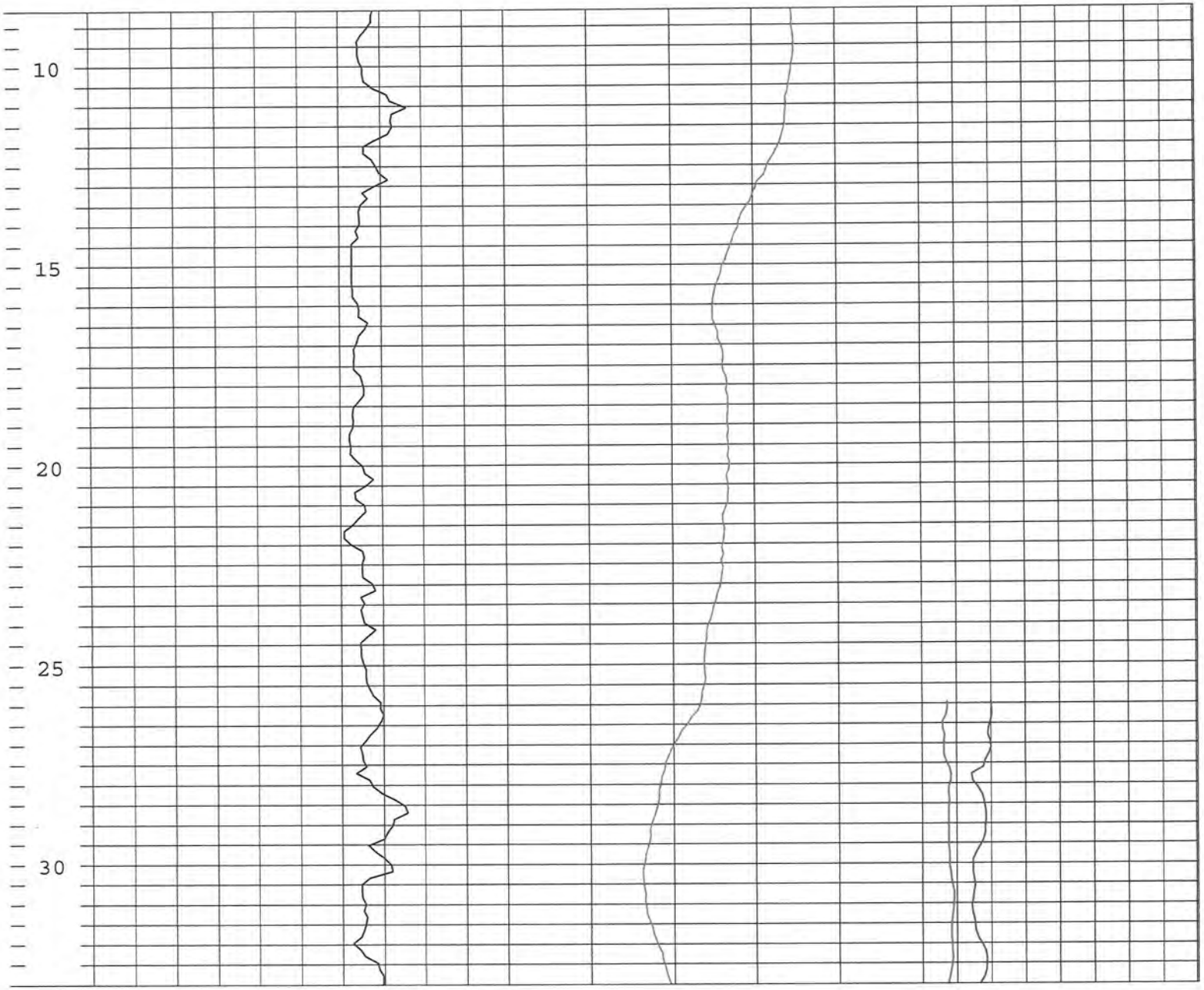
	WESTERN ENVIRONMENT AND ECOLOGY, INC
	Location: Section 14, T1N, R69W, Boulder County, CO

Well	W10		
Date	4/19/2005	BH Fluid	Mud
Casing	No		
File Name	W-10		
Depth Driller	180 feet		
Depth Logger	179 feet		
Logged by:	K. Abbott		
Witness:	N. Bideau		

OTHER SERVICES

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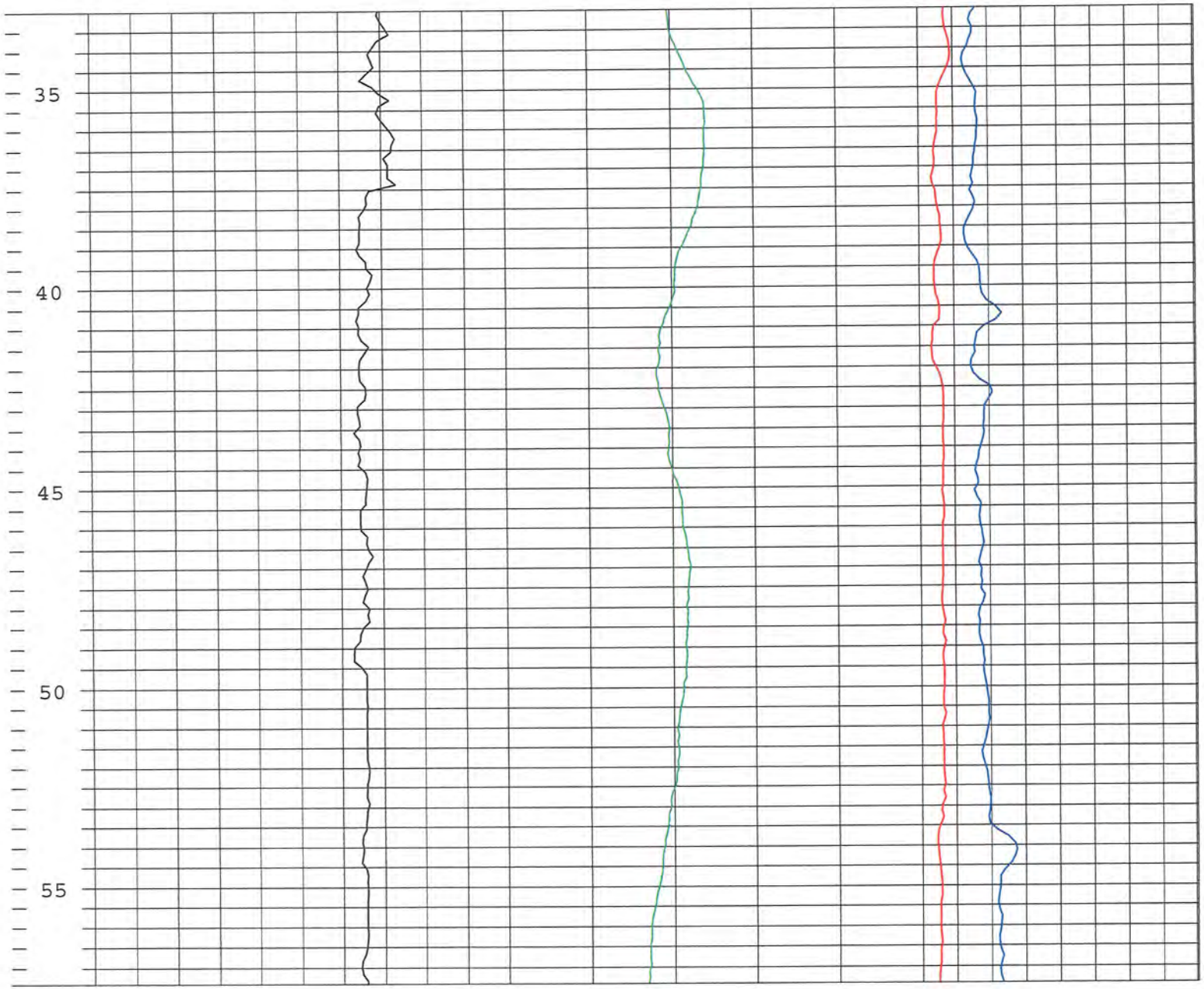
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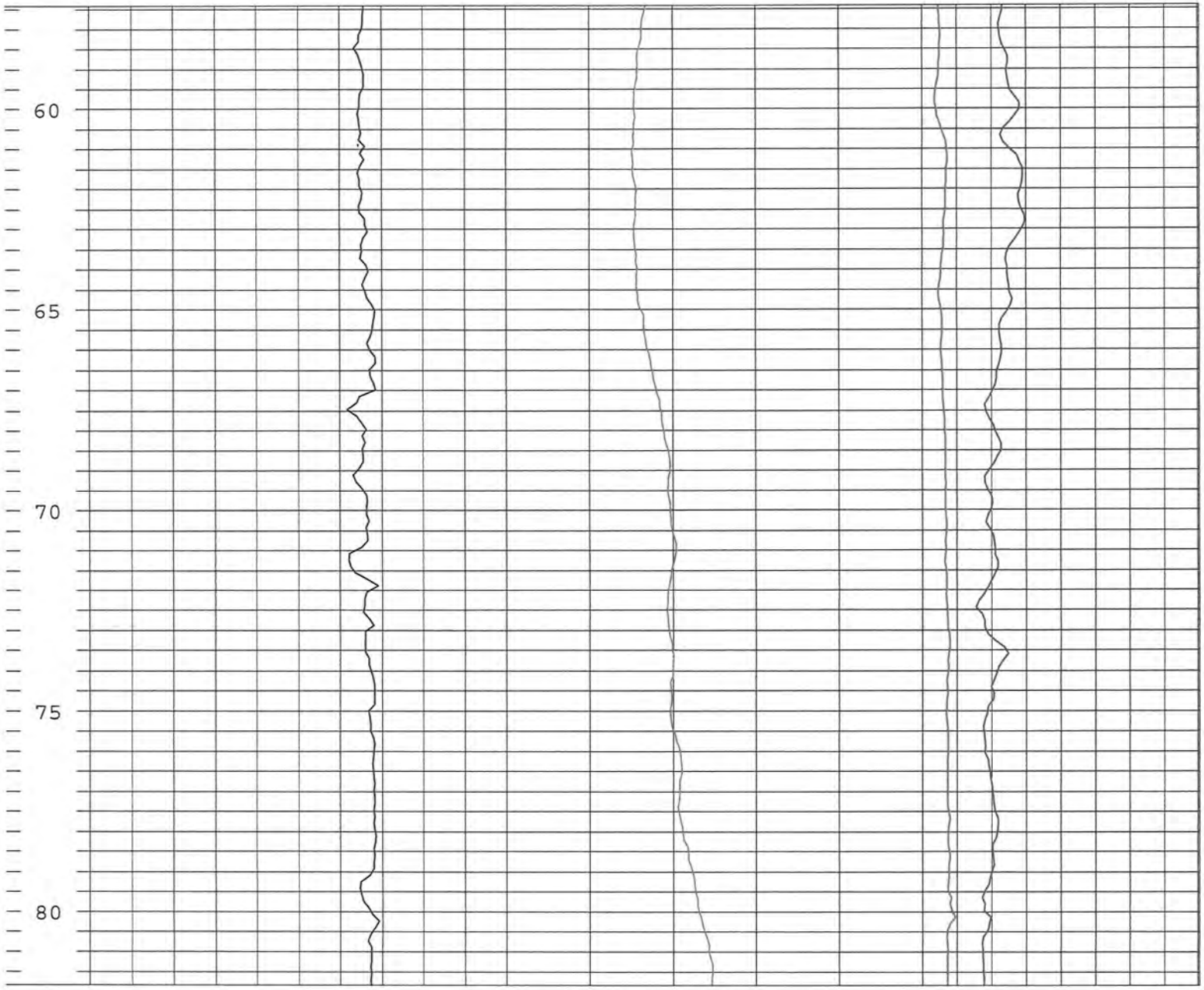
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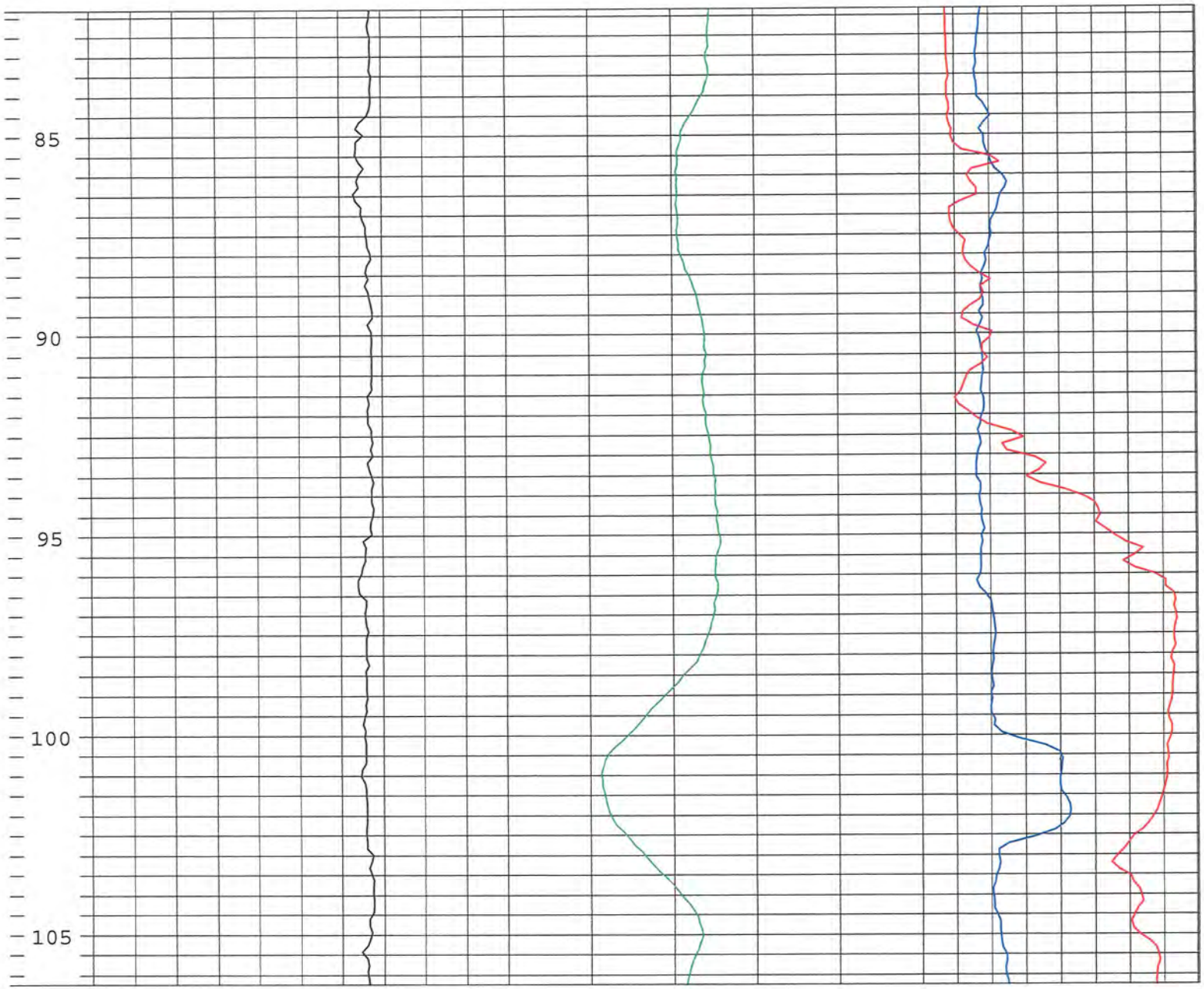
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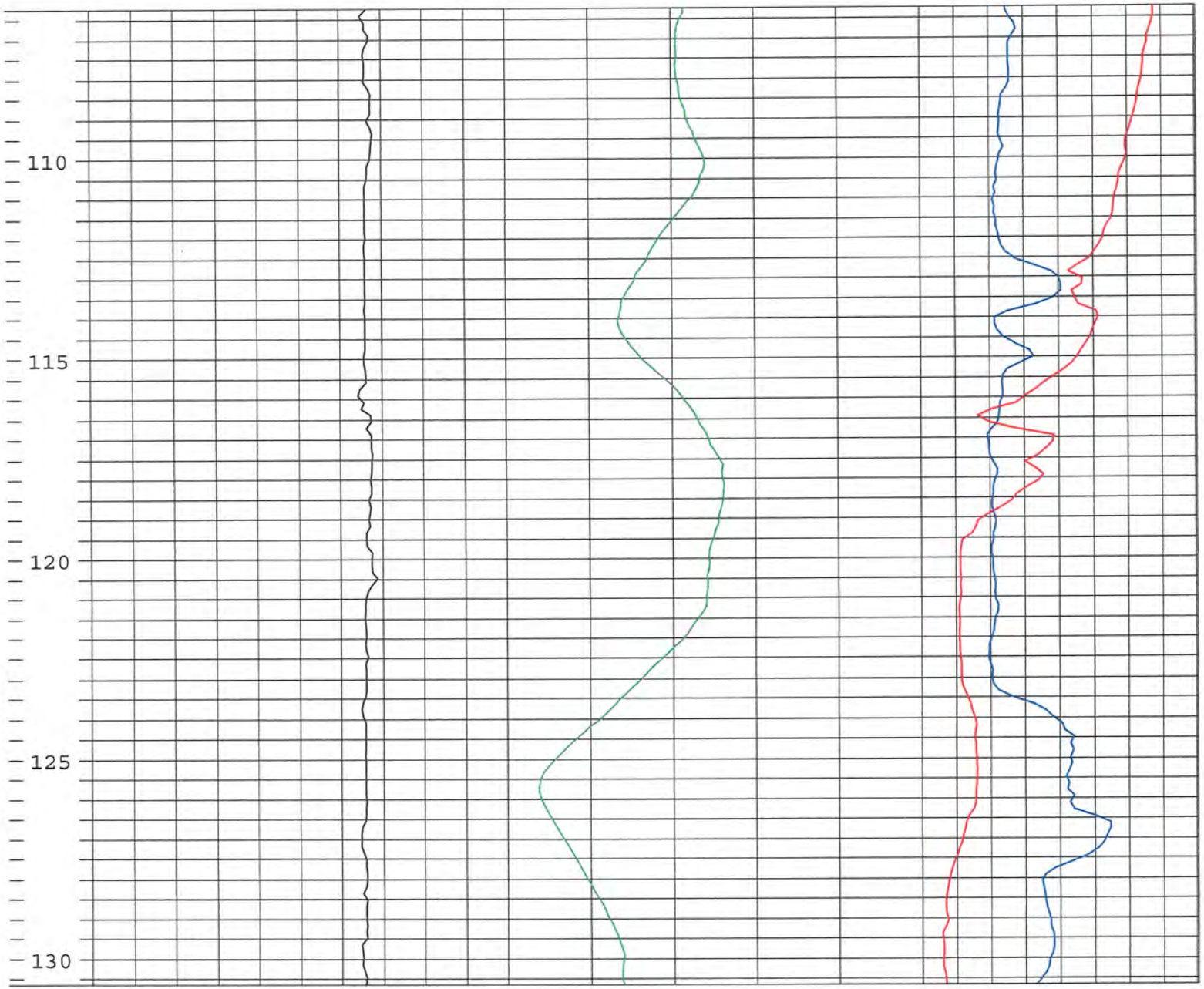
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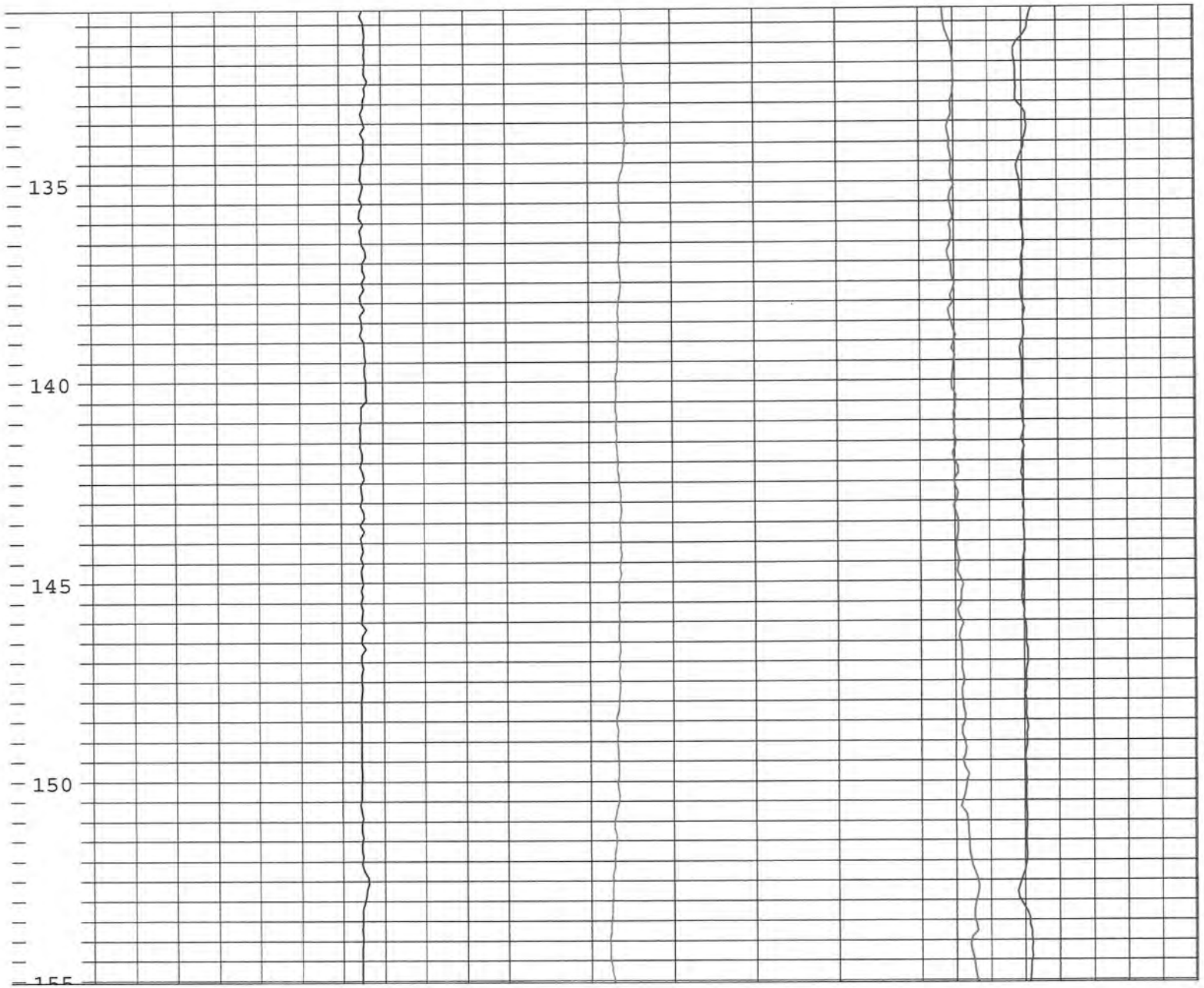
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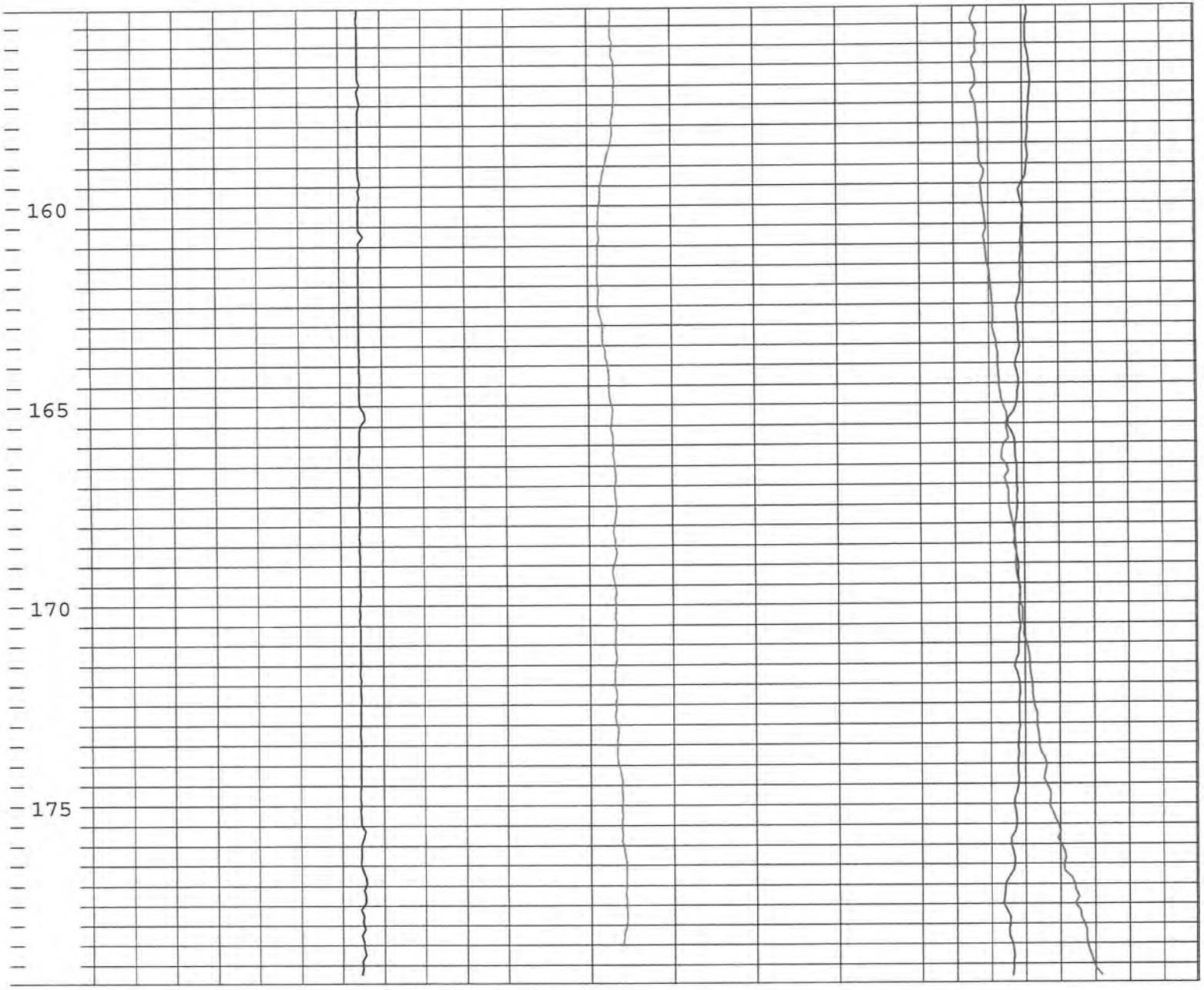
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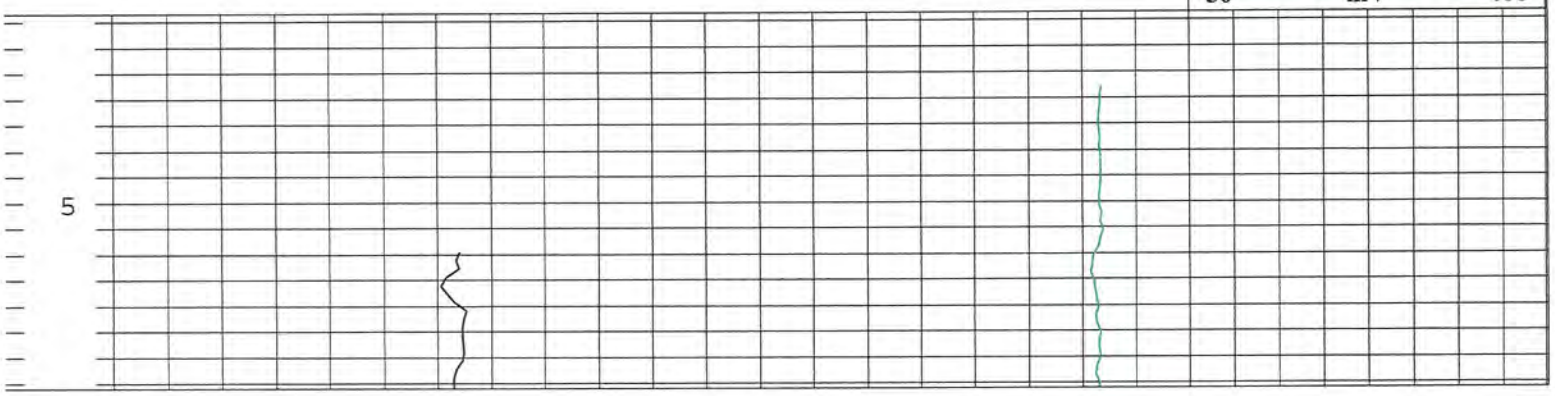
WESTERN ENVIRONMENT AND ECOLOGY, INC

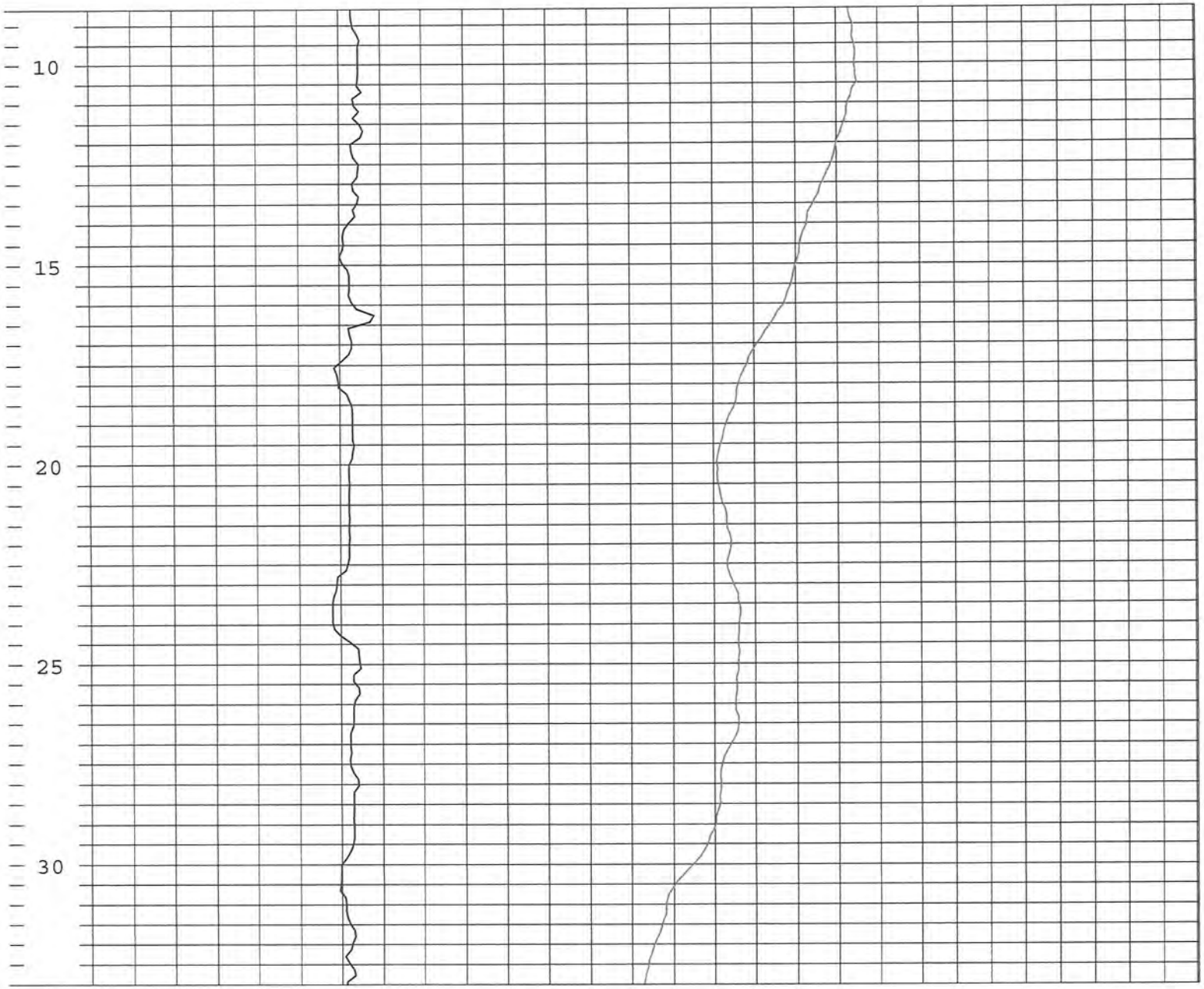
Location: Section 14, T1N, R69W, Boulder County, CO

Well	W11		
Date	4/19/2005	BH Fluid	Mud
Casing	No		
File Name	W-11		
Depth Driller	180		
Depth Logger	178		
Logged by:	K. Abbott		
Witness:	N. Bideau		

OTHER SERVICES

Depth 1ft:50ft	Caliper 0 inch 10	NaturalGamma 0 cps 250	SPR 50 Ohms 250	SP 50 mV 400

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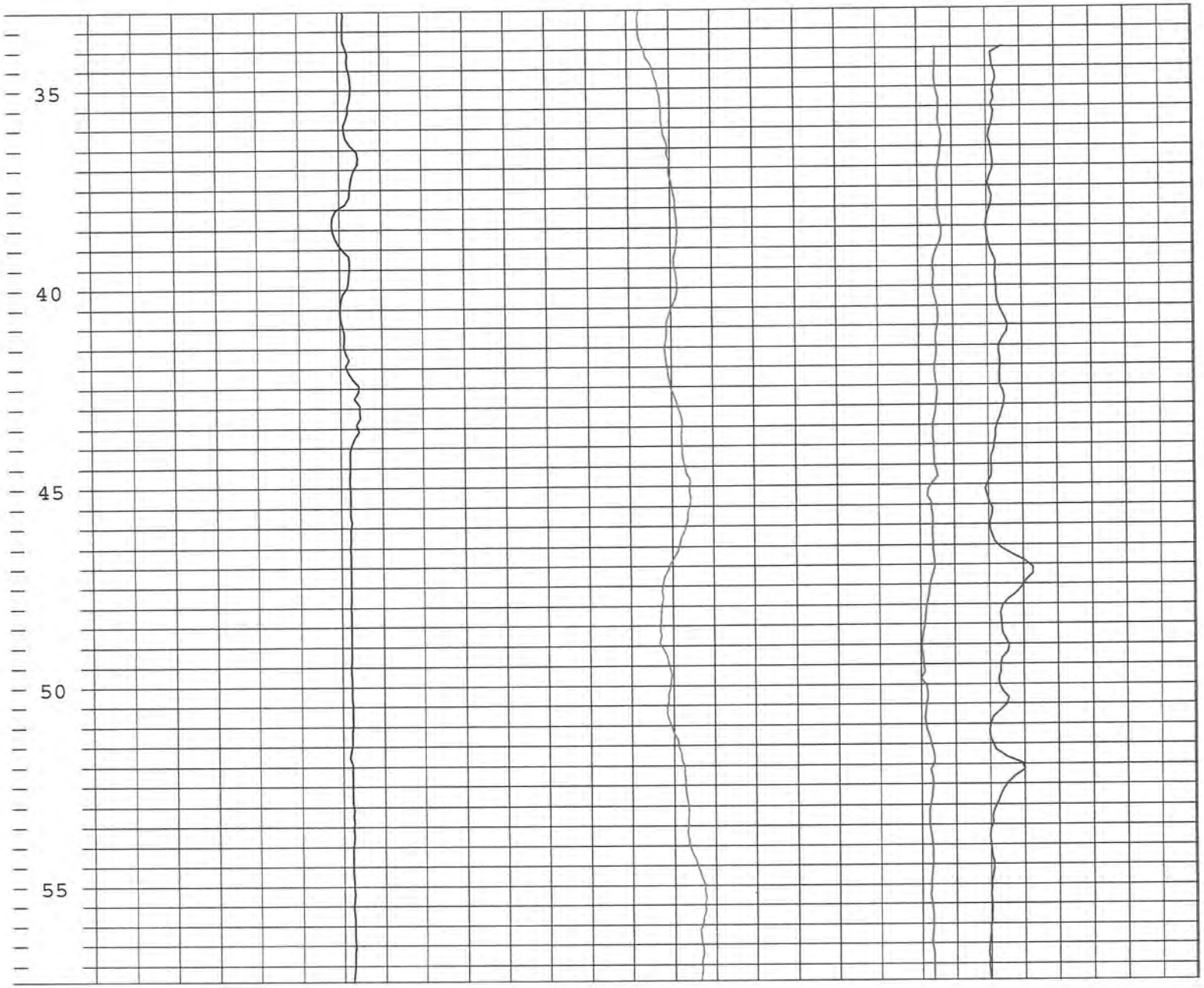
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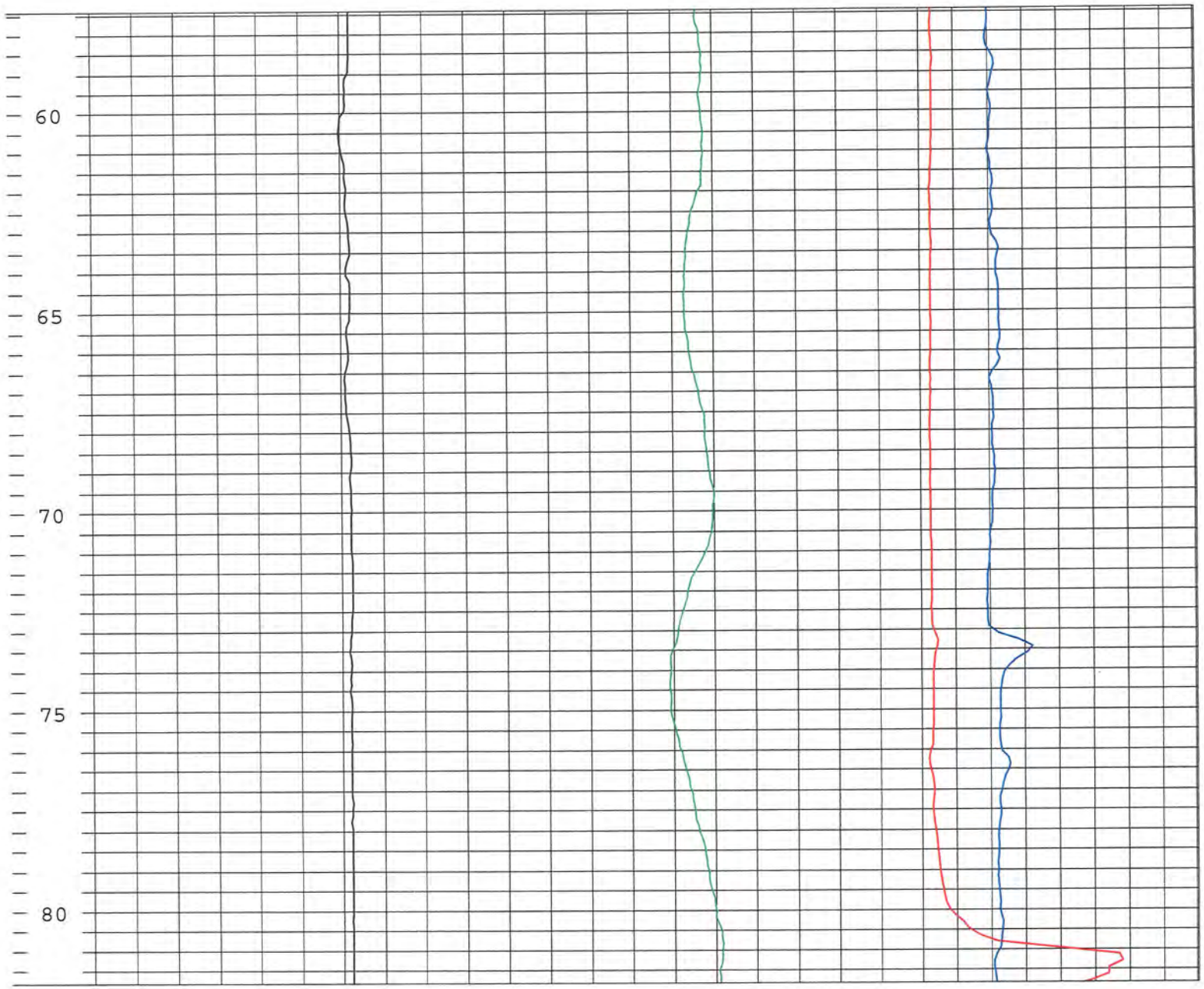
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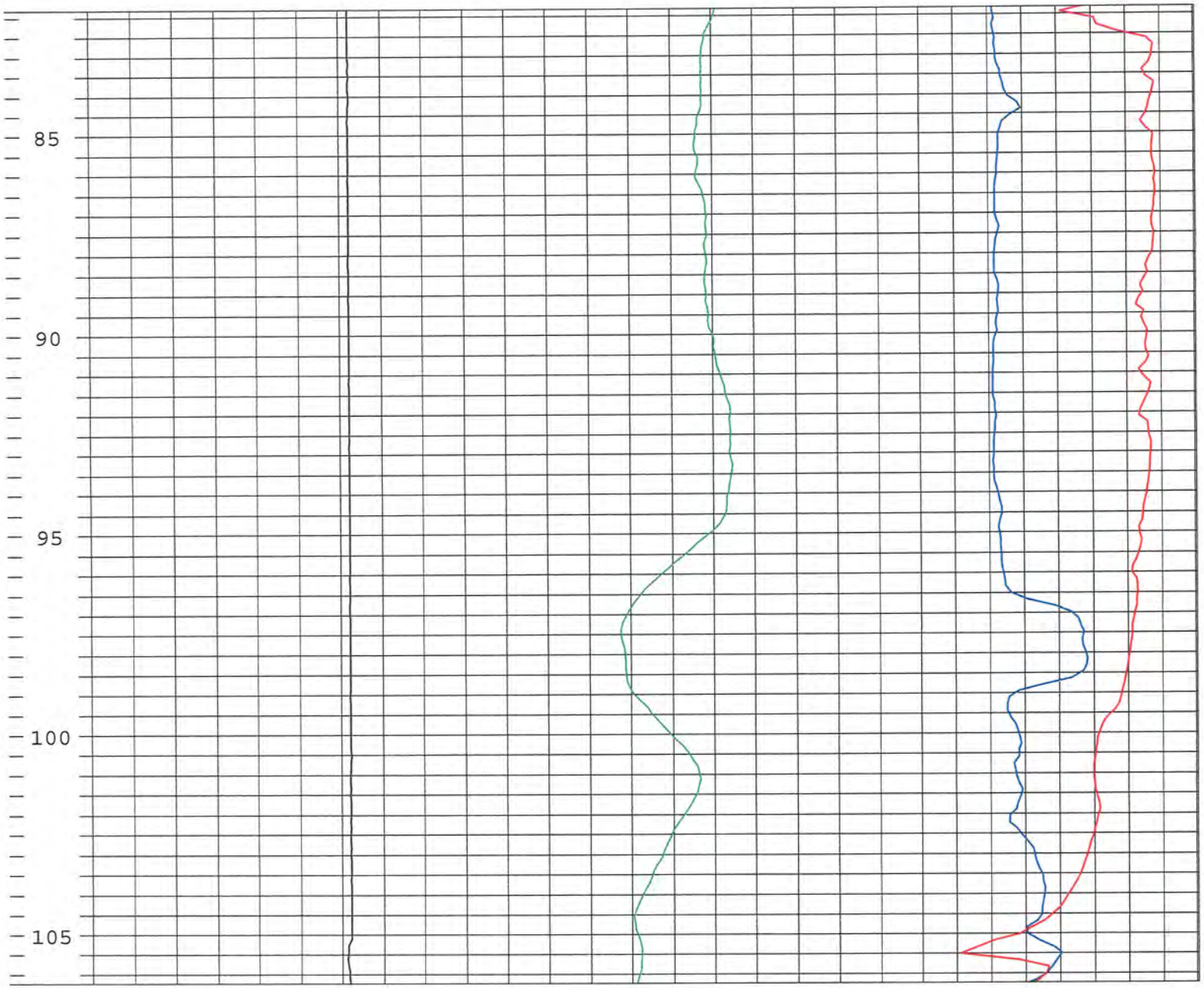
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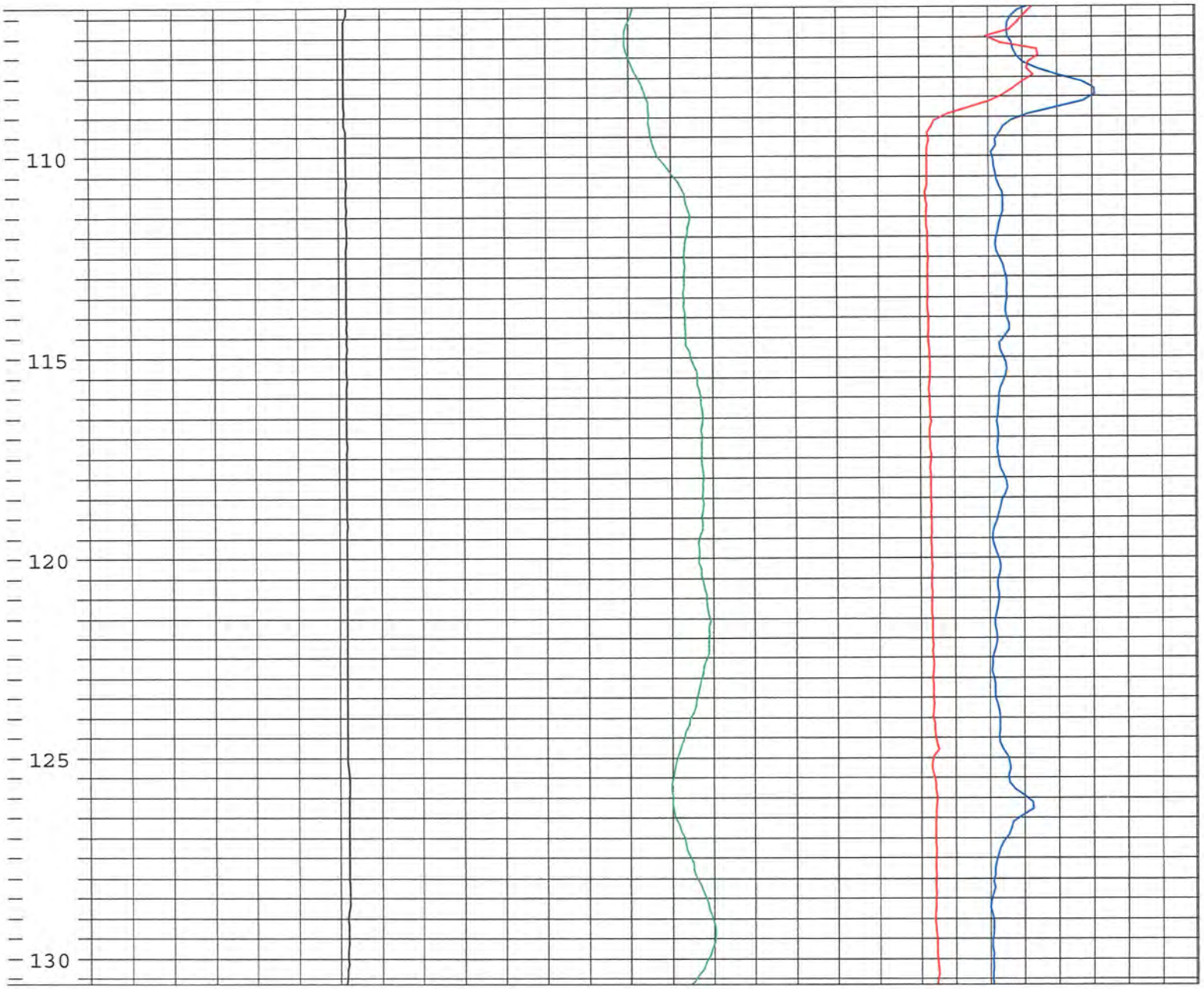
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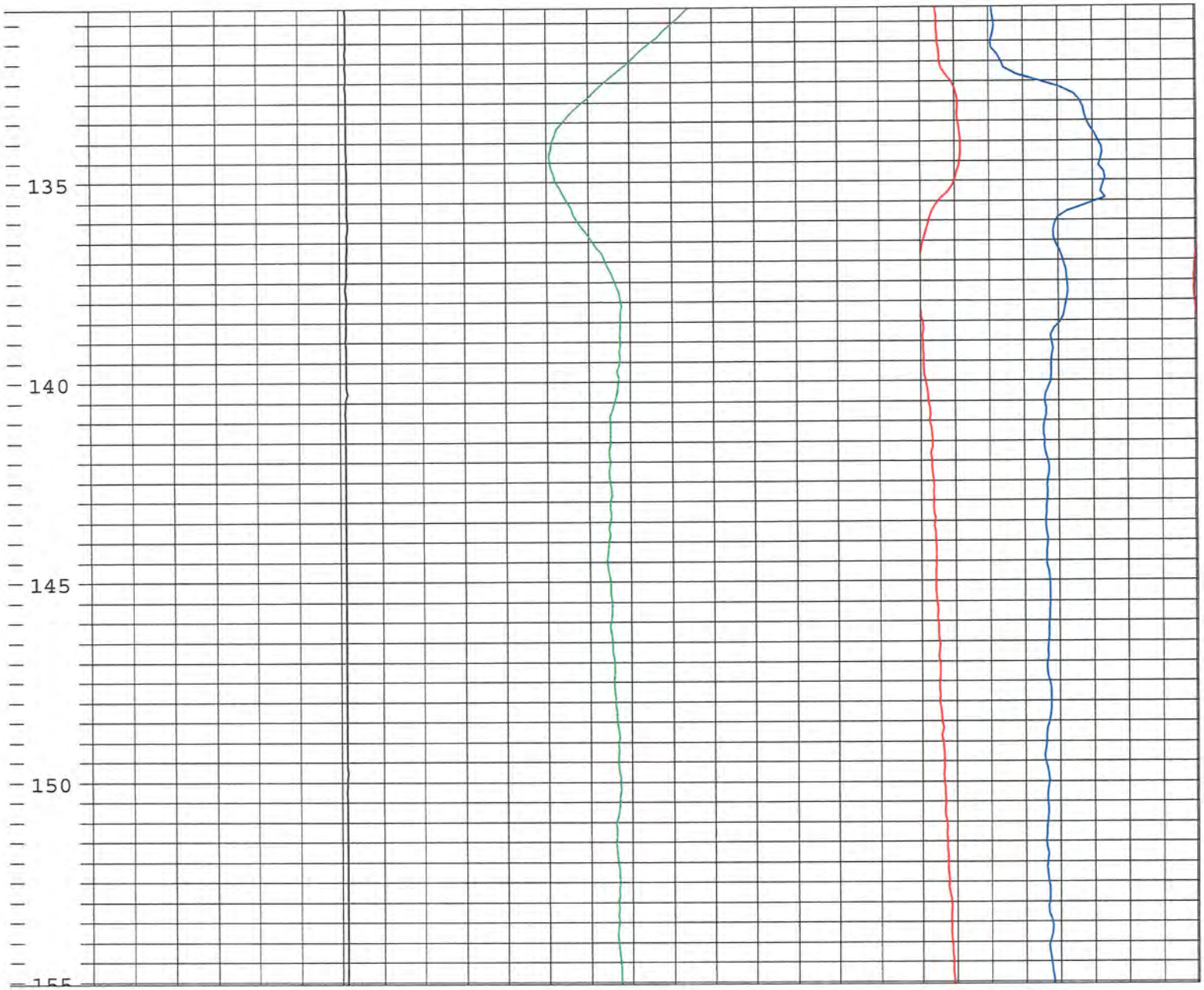
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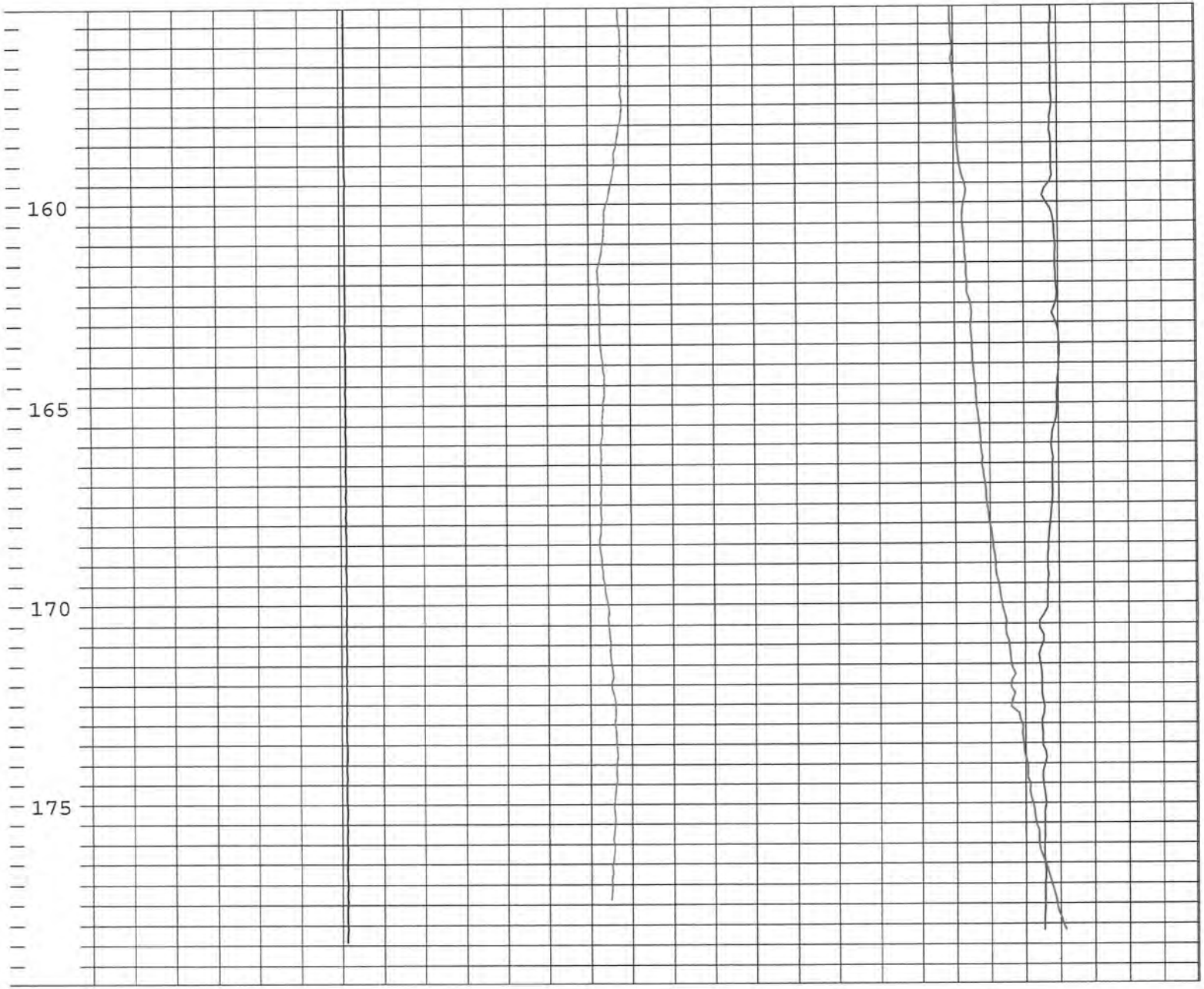
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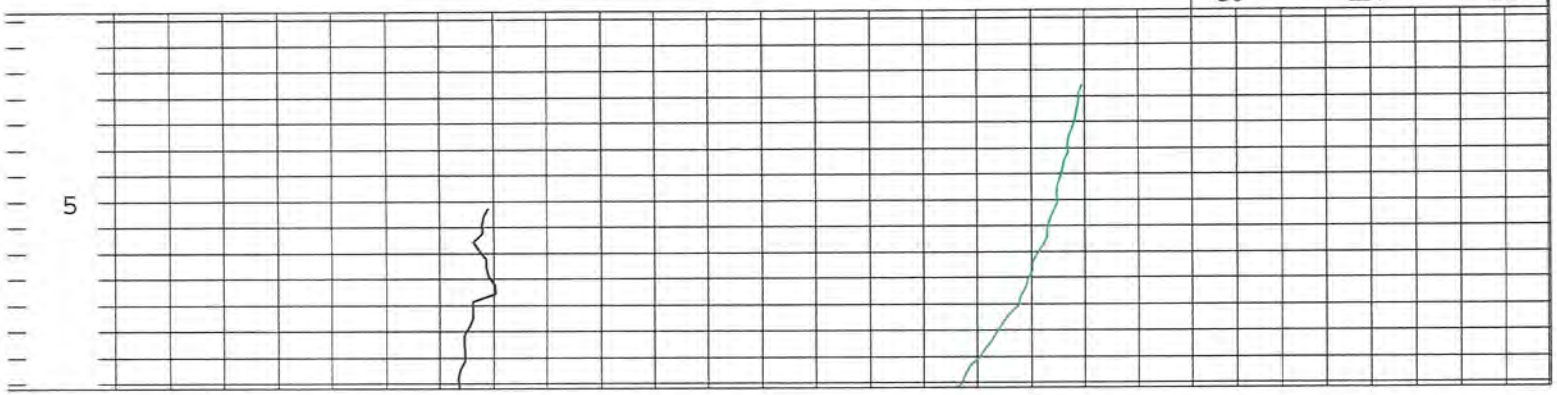
WESTERN ENVIRONMENT AND ECOLOGY, INC

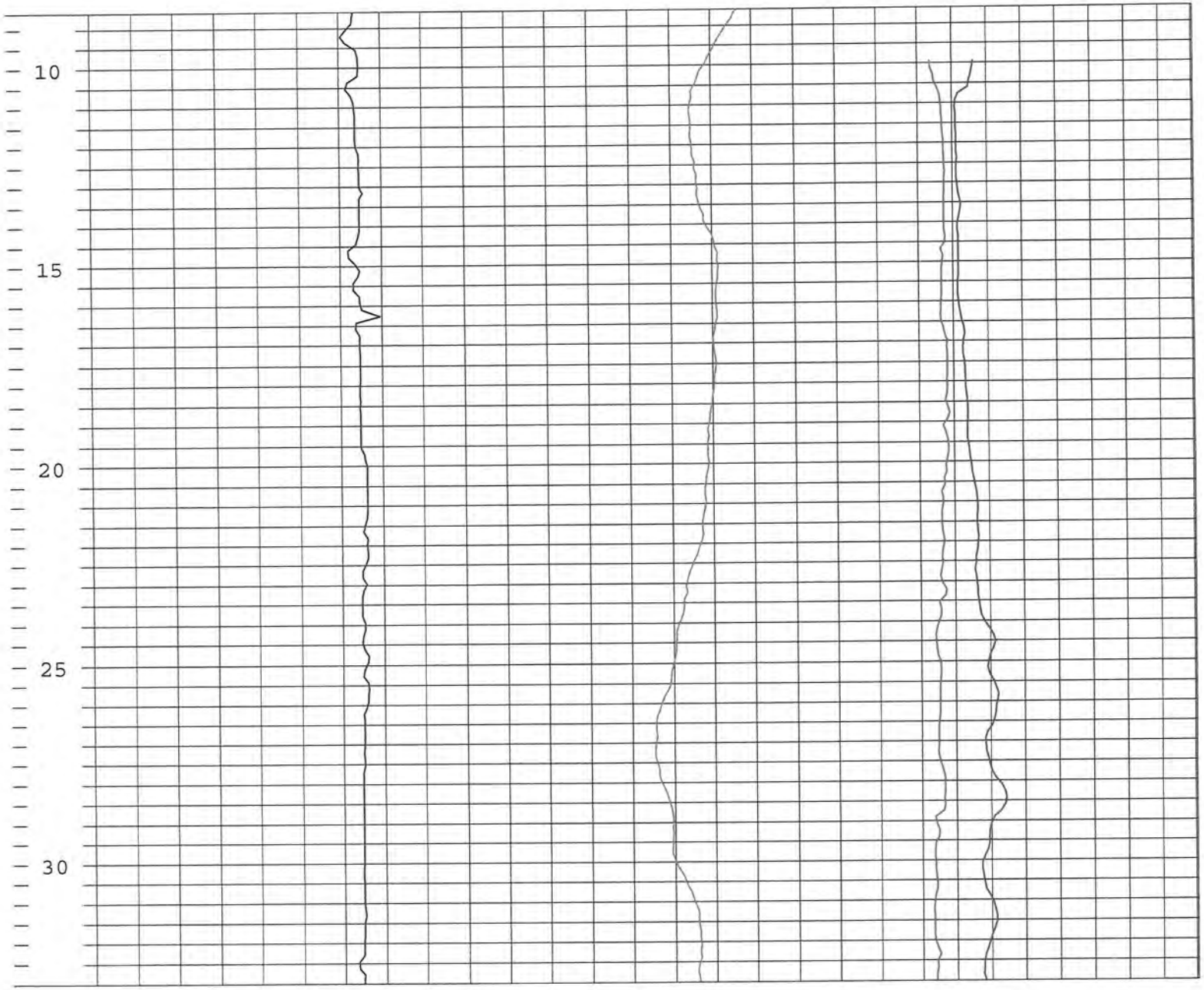
Location: Section 14, T1N, R69W, Boulder County, CO

Well	W12		
Date	4/19/2005	BH Fluid	Mud
Casing	No		
File Name	W-12		
Depth Driller	120 feet		
Depth Logger	118 feet		
Logged by:	K. Abbott		
Witness:	N. Bideau		

OTHER SERVICES

Depth 1ft:50ft	Caliper 0 inch 10	NaturalGamma 0 cps 250	SPR 50 Ohms 250	SP -50 mV 300

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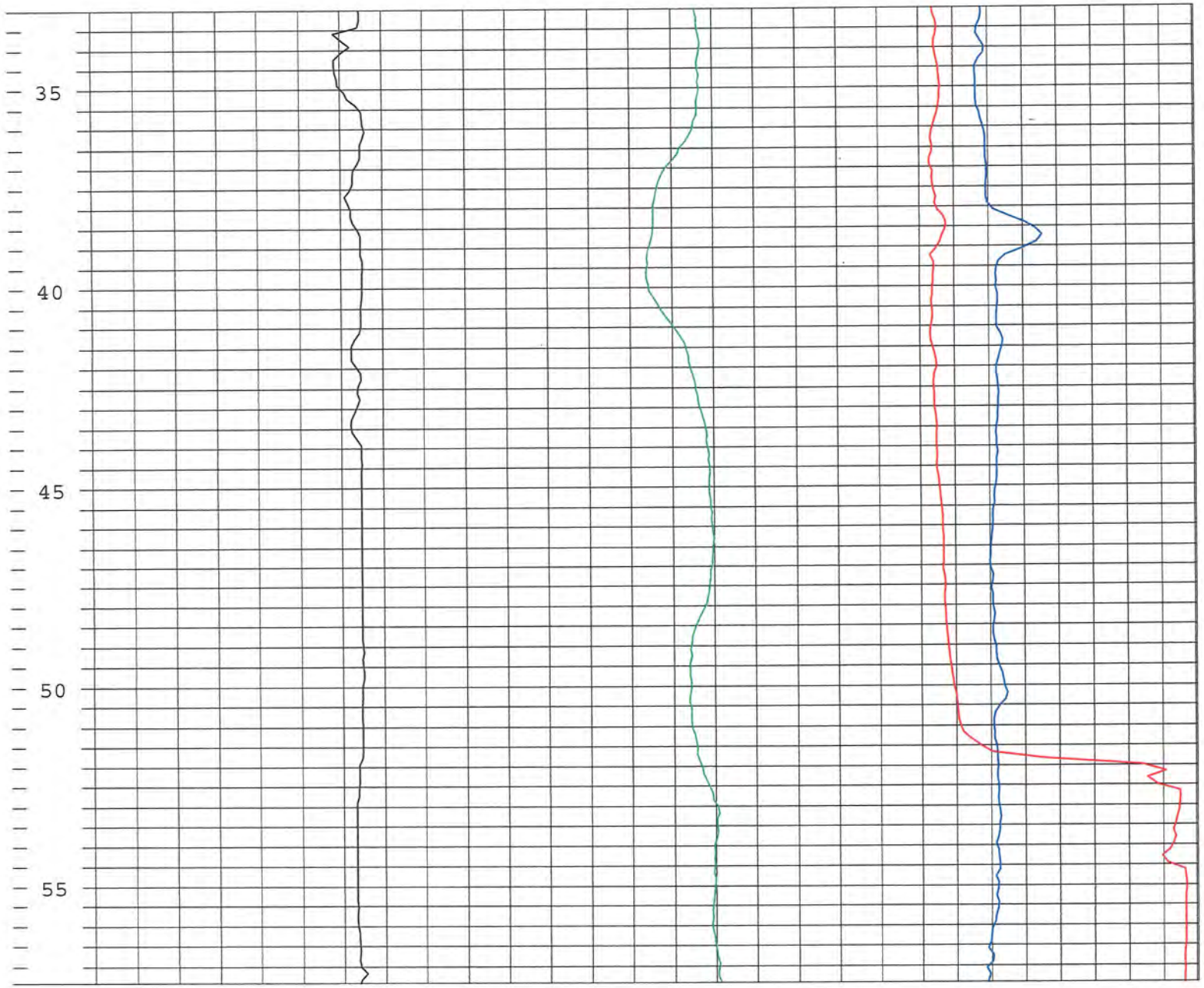
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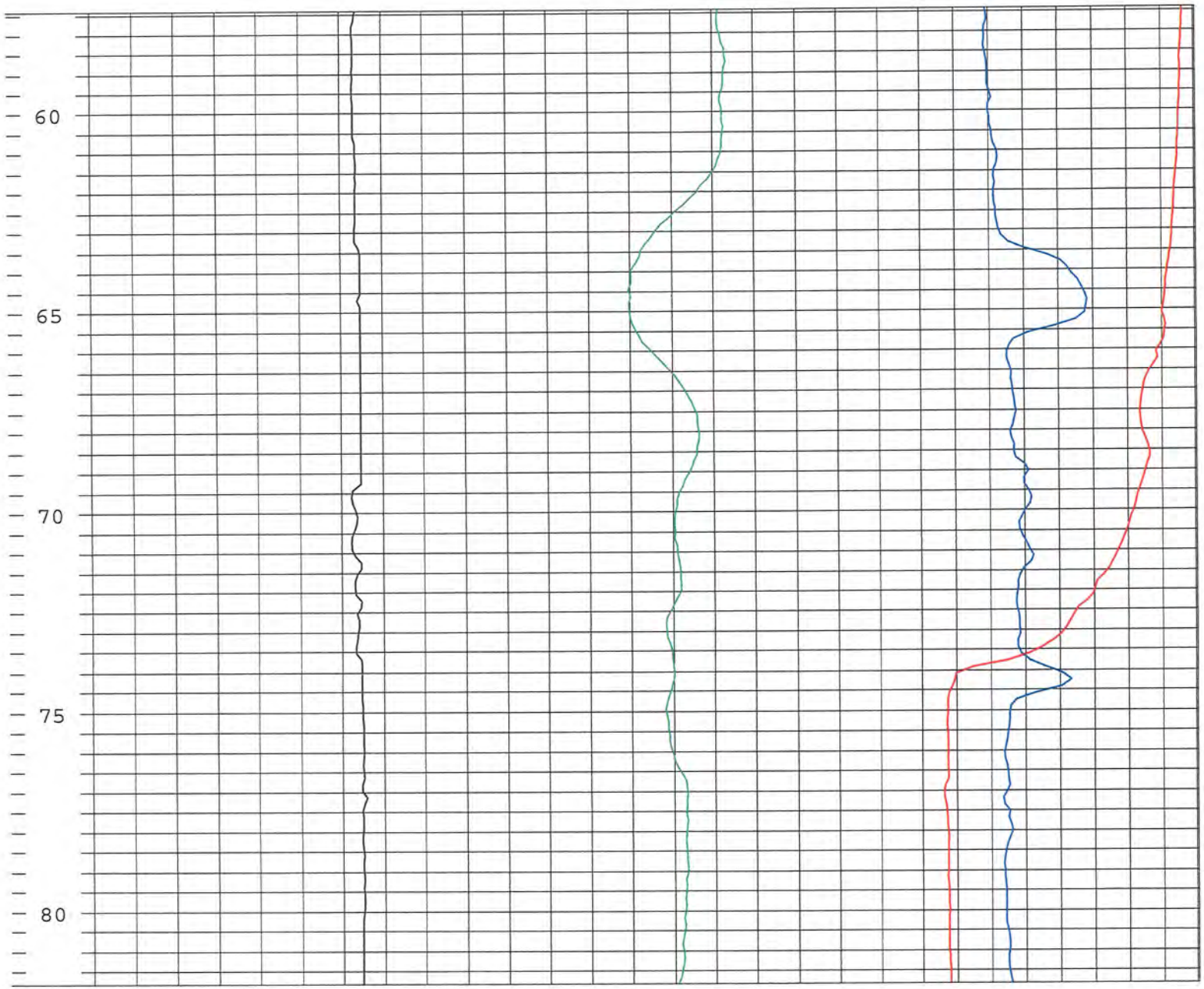
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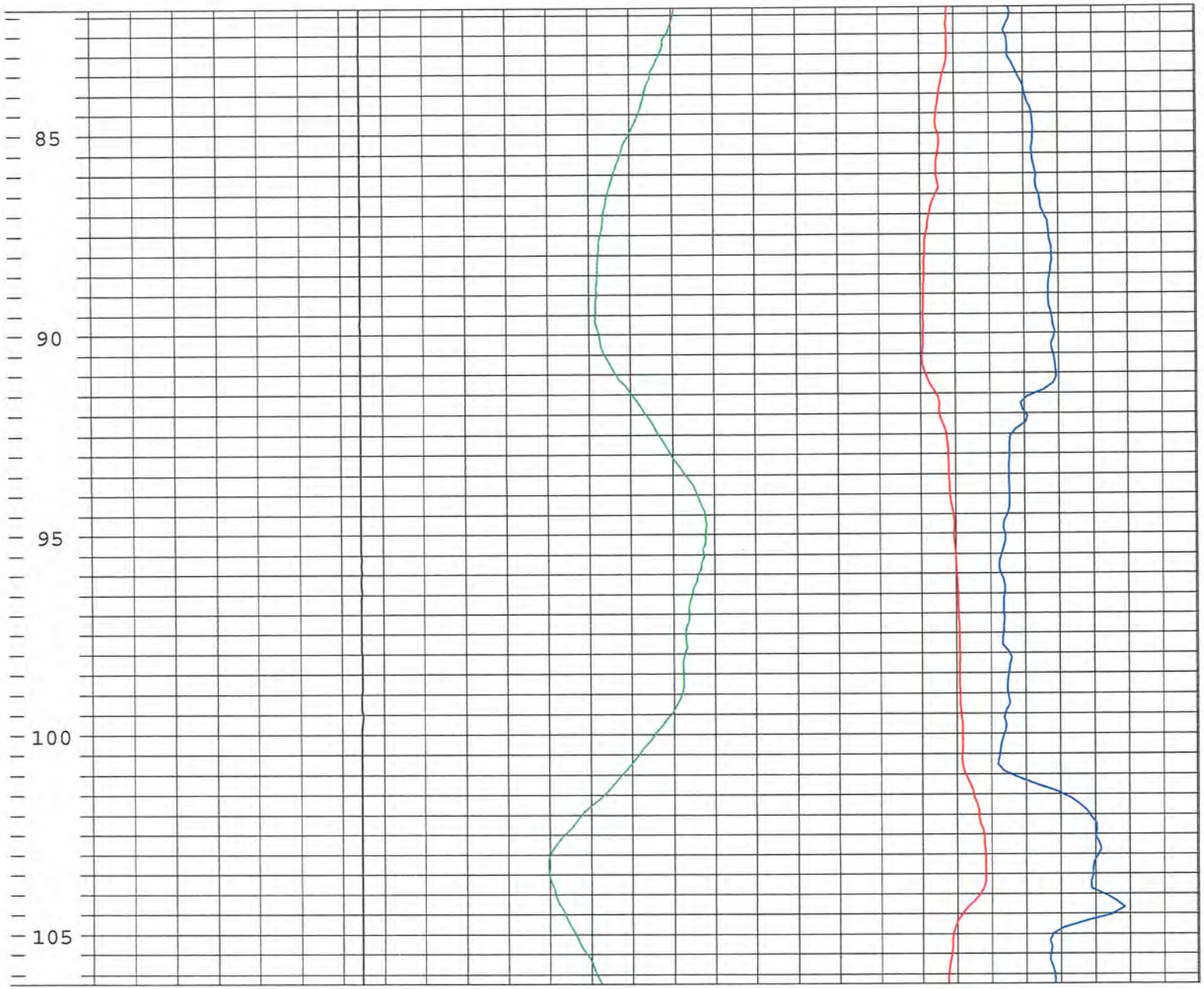
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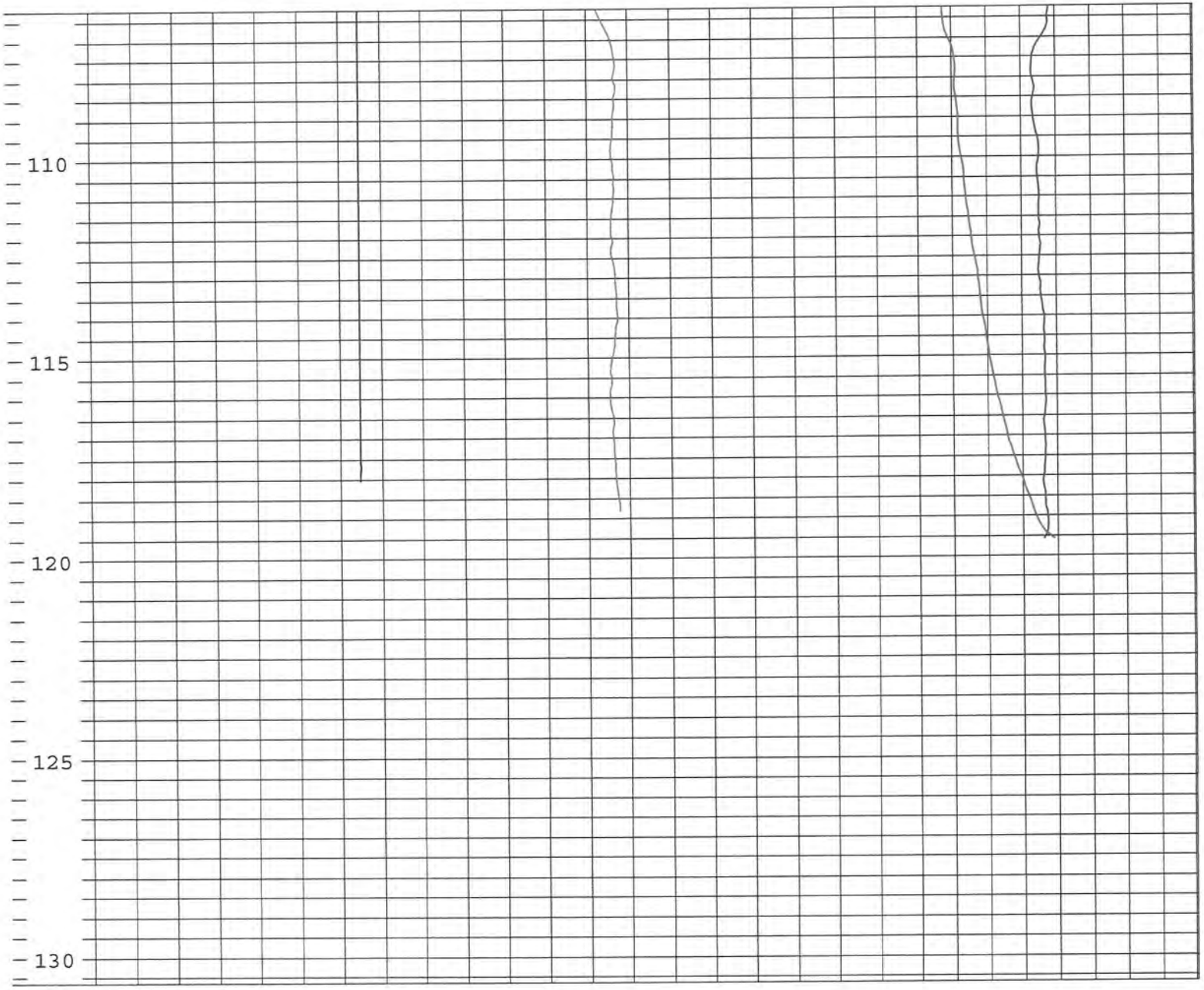
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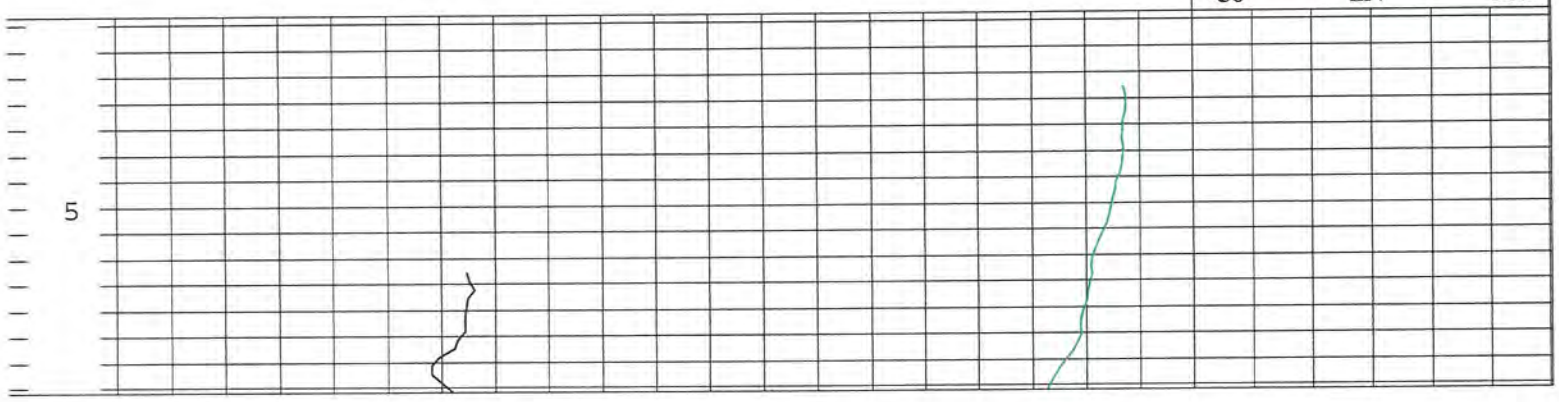
WESTERN ENVIRONMENT AND ECOLOGY, INC

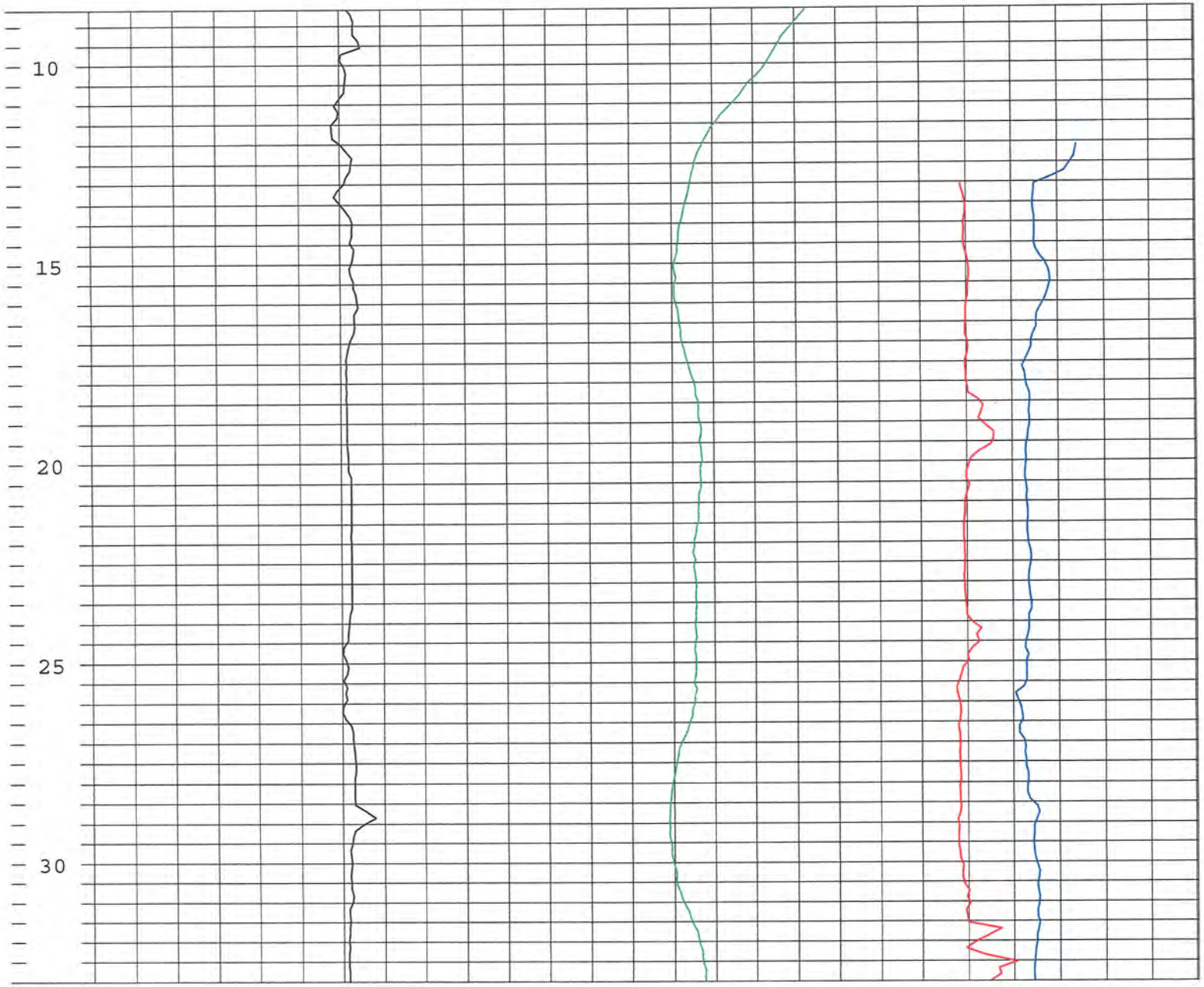
Location: Section 14, T1N, R69W, Boulder County, CO

Well	W13		
Date	4/18/2005	BH Fluid	Mud
Casing	No		
File Name	W-14		
Depth Driller	100 feet		
Depth Logger	99 feet		
Logged by:	K. Abbott		
Witness:	N. Bideau		

OTHER SERVICES

Depth 1ft:50ft	Caliper 0 inch 10	NaturalGamma 0 cps 250	SPR 0 Ohms 150	SP -50 mV 300

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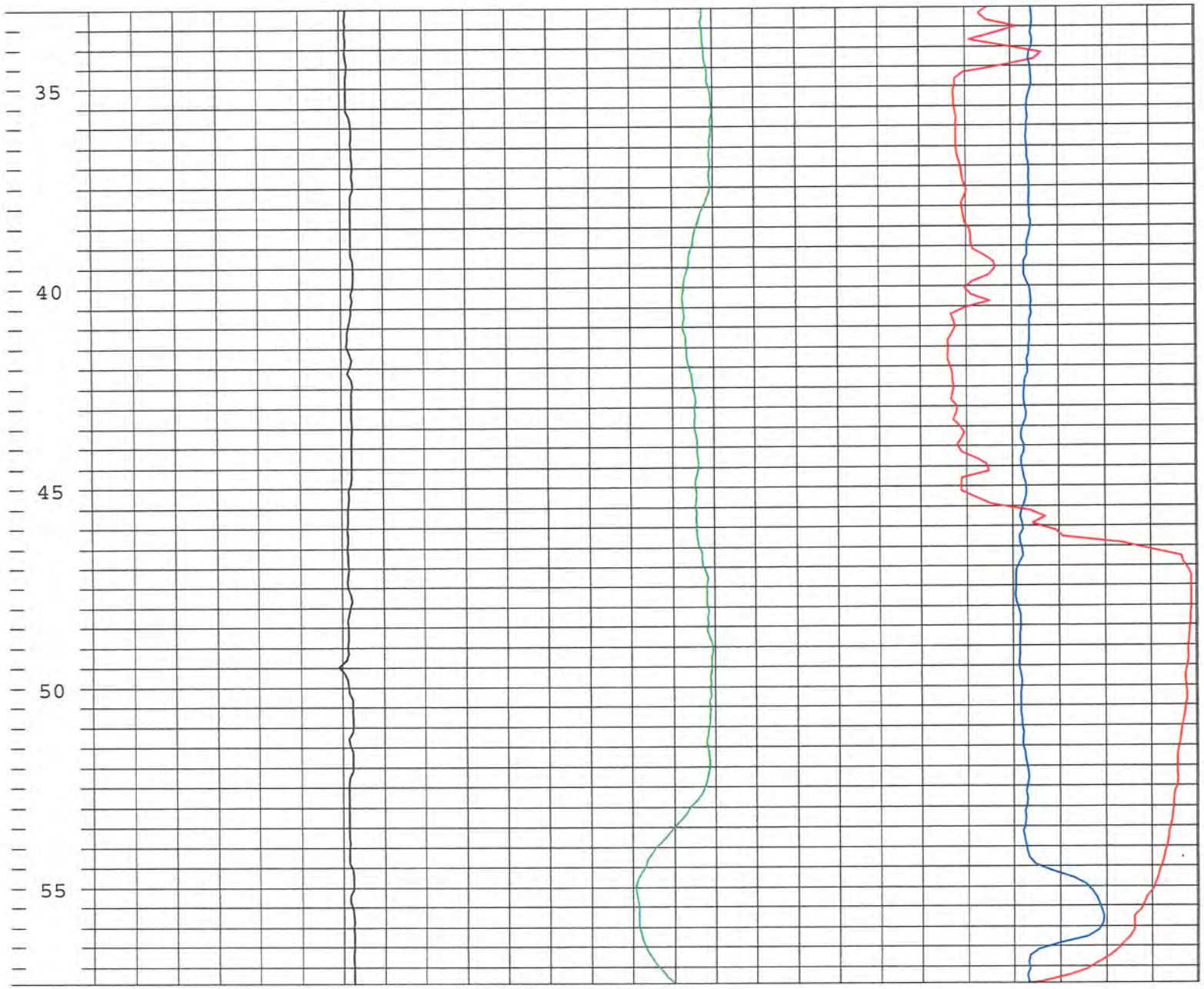
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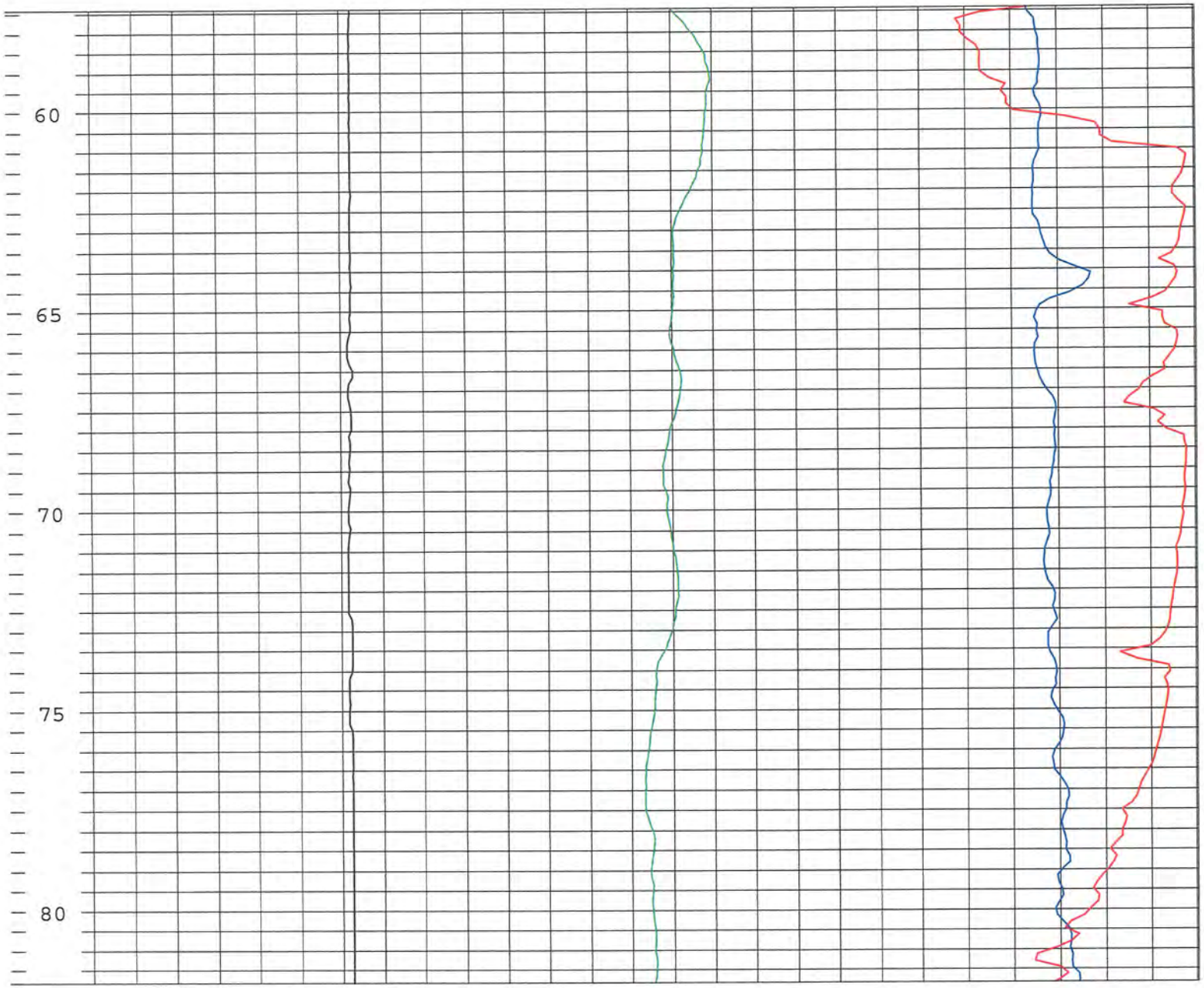
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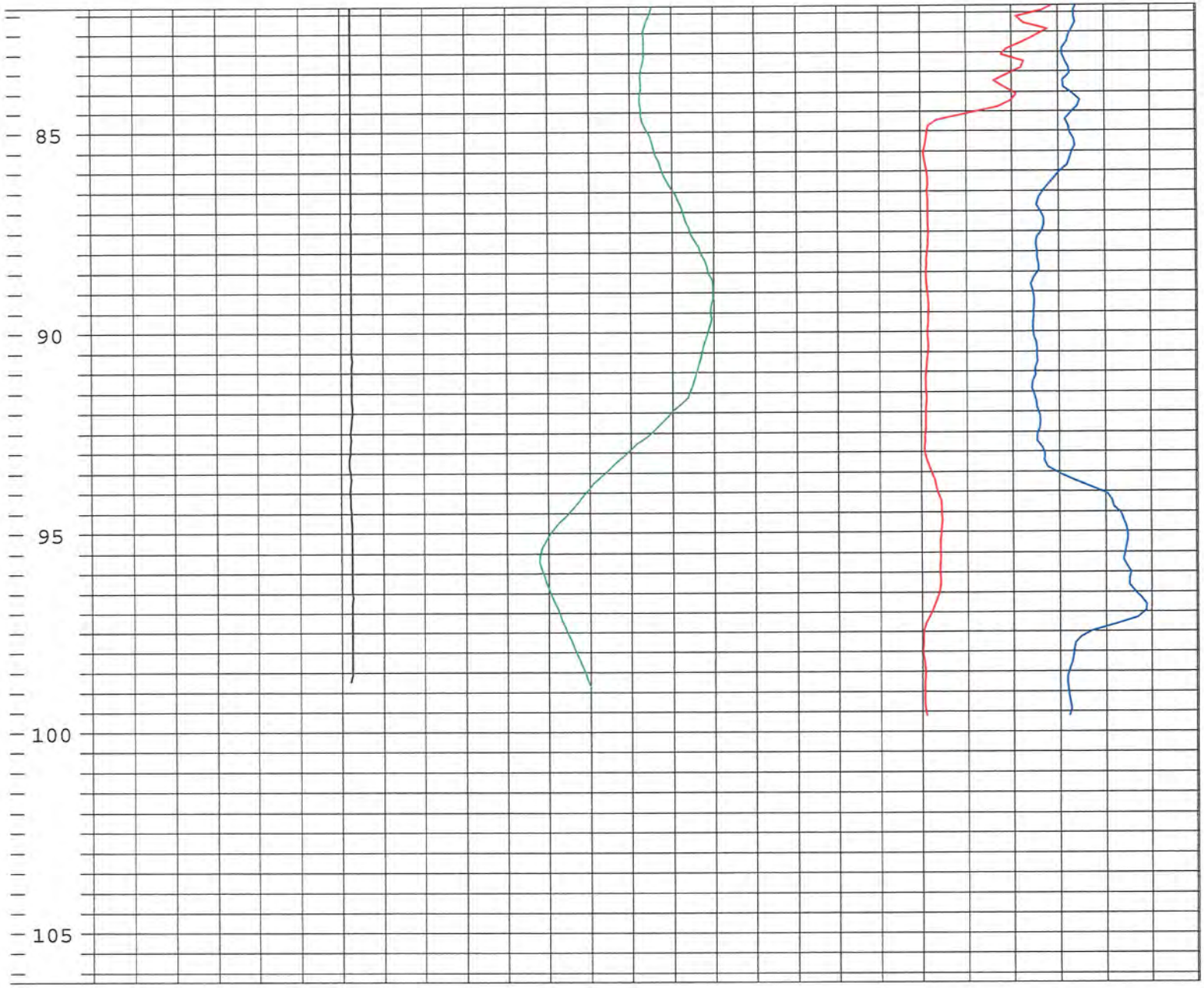
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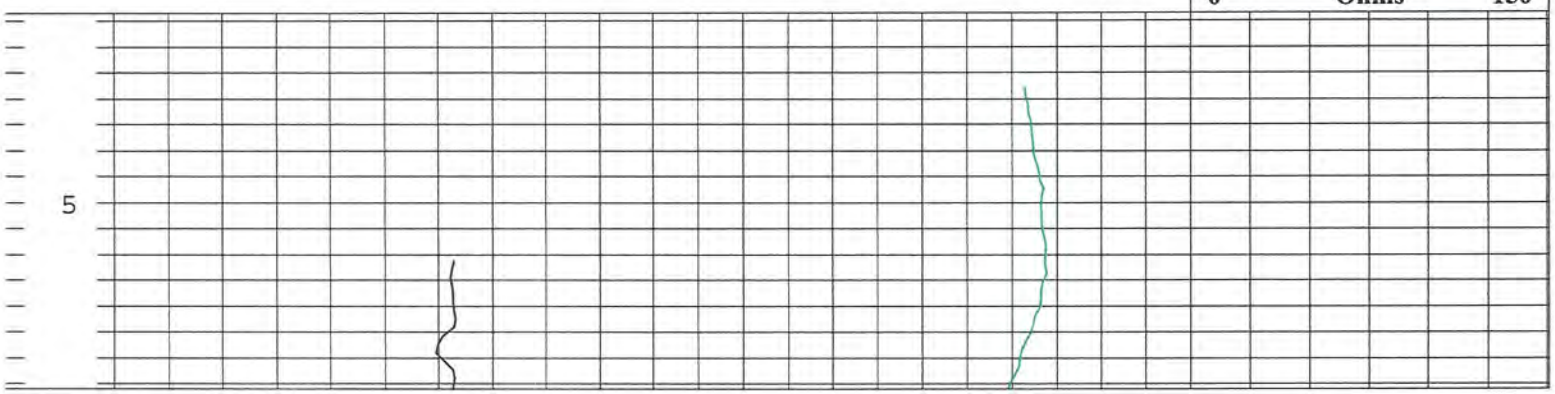
WESTERN ENVIRONMENT AND ECOLOGY, INC

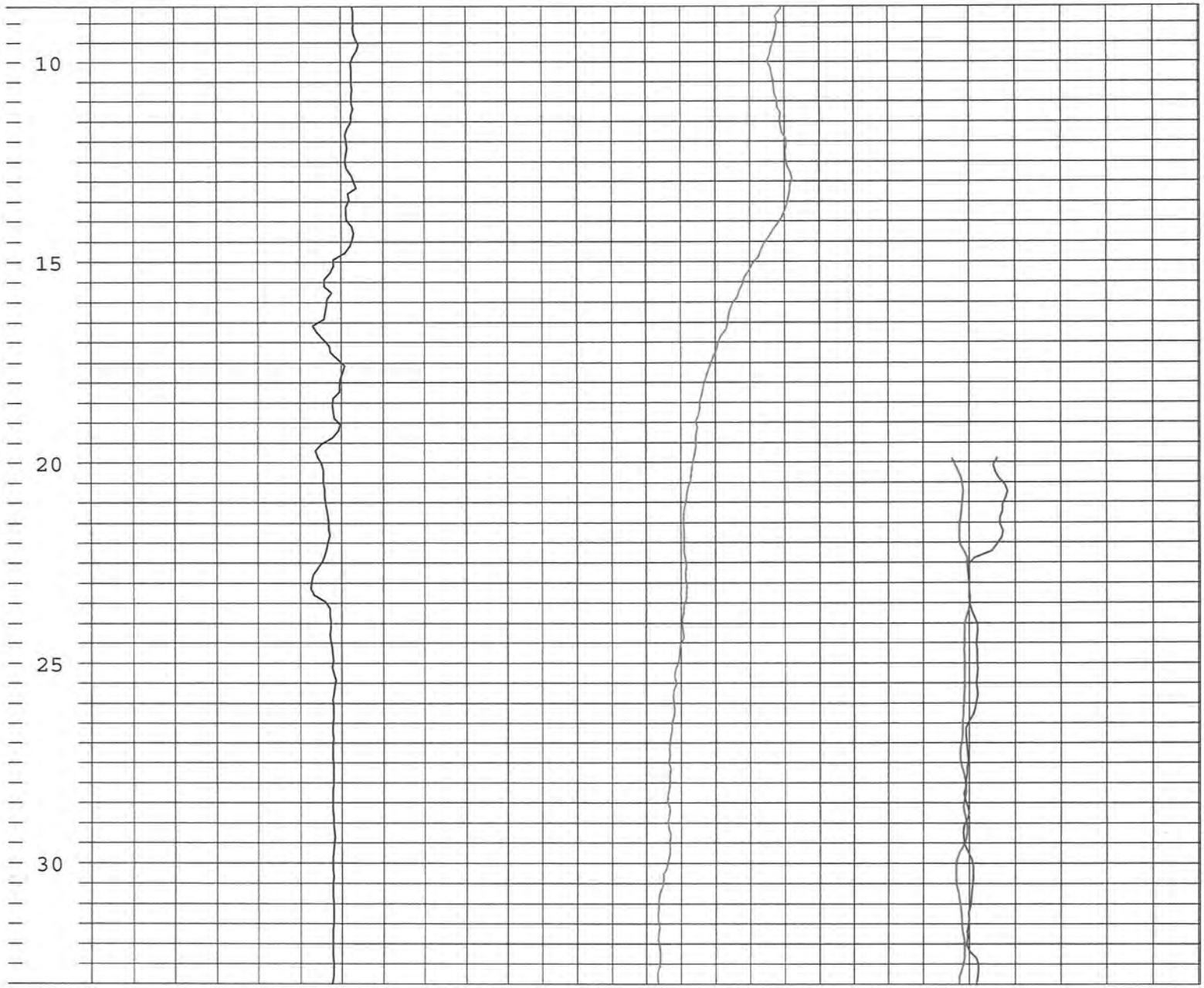
Location: Section 14, T1N, R69W, Boulder County, CO

Well	W14		
Date	4/20/2005	BH Fluid	Mud
Casing	No		
File Name	W-14		
Depth Driller	160		
Depth Logger	159		
Logged by:	K. Abbott		
Witness:	N. Bideau		

OTHER SERVICES

Depth 1ft:50ft	Caliper 0 inch 10	NaturalGamma 0 cps 300	SP 0 mV 300	SPR 0 Ohms 150

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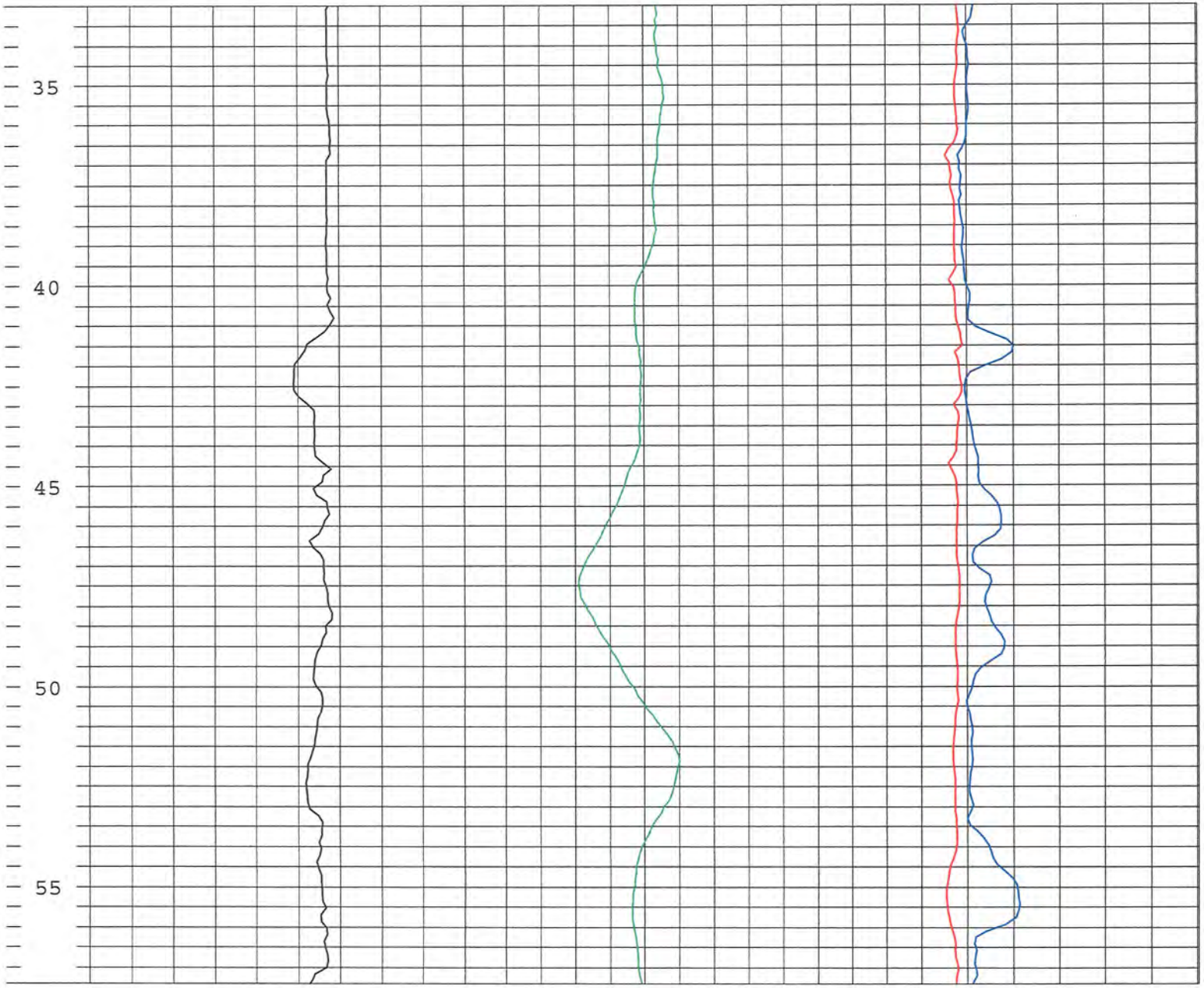
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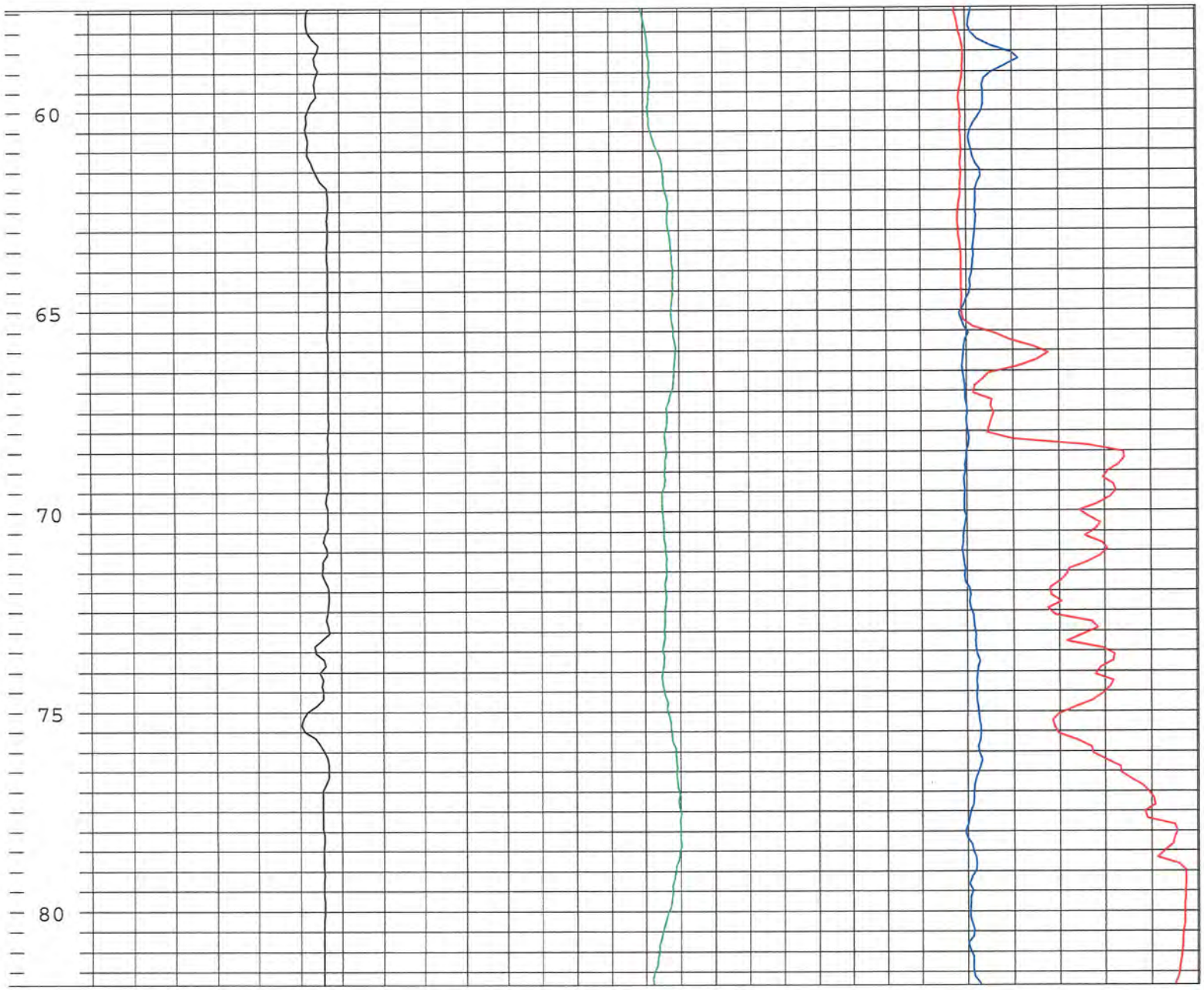
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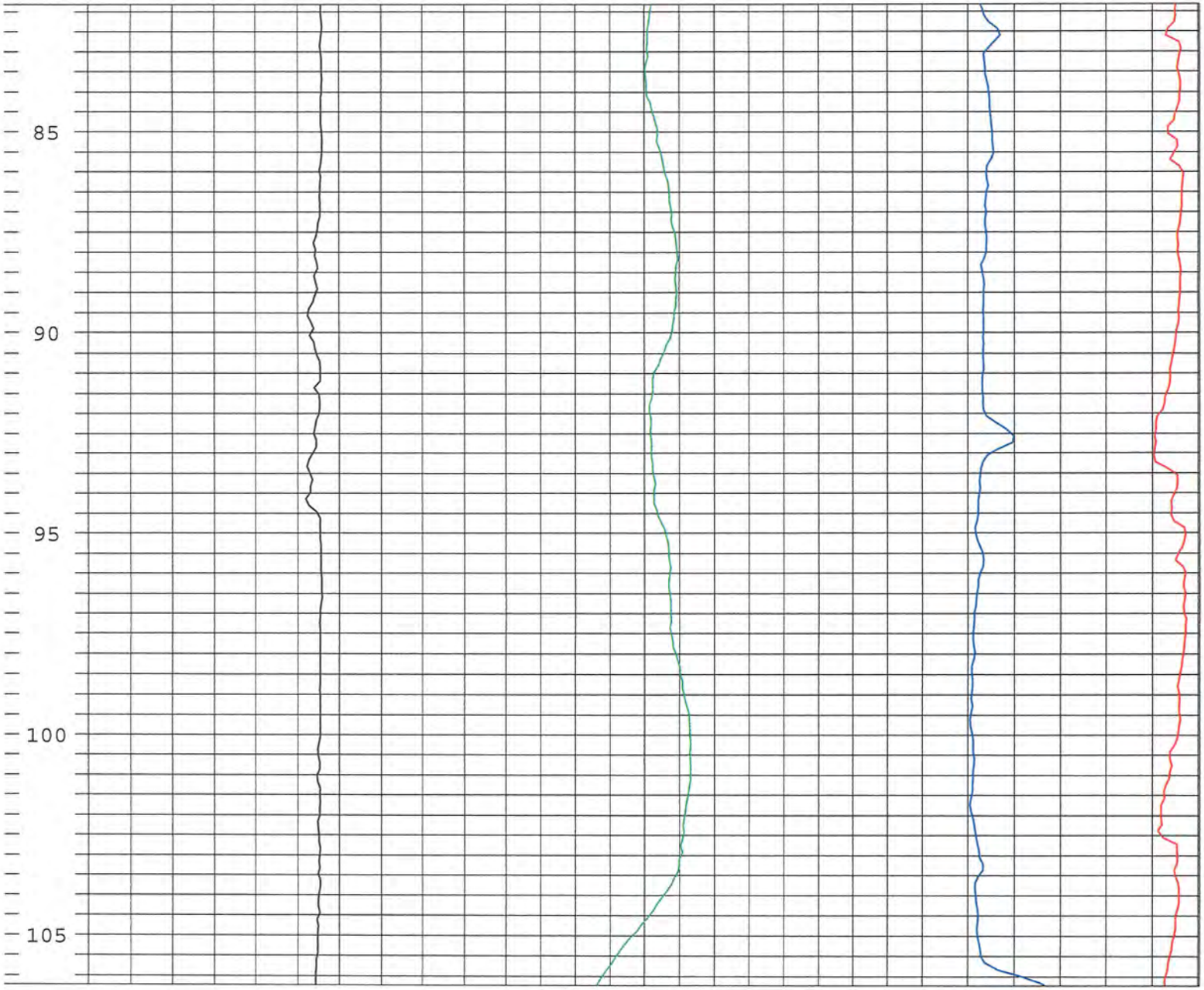
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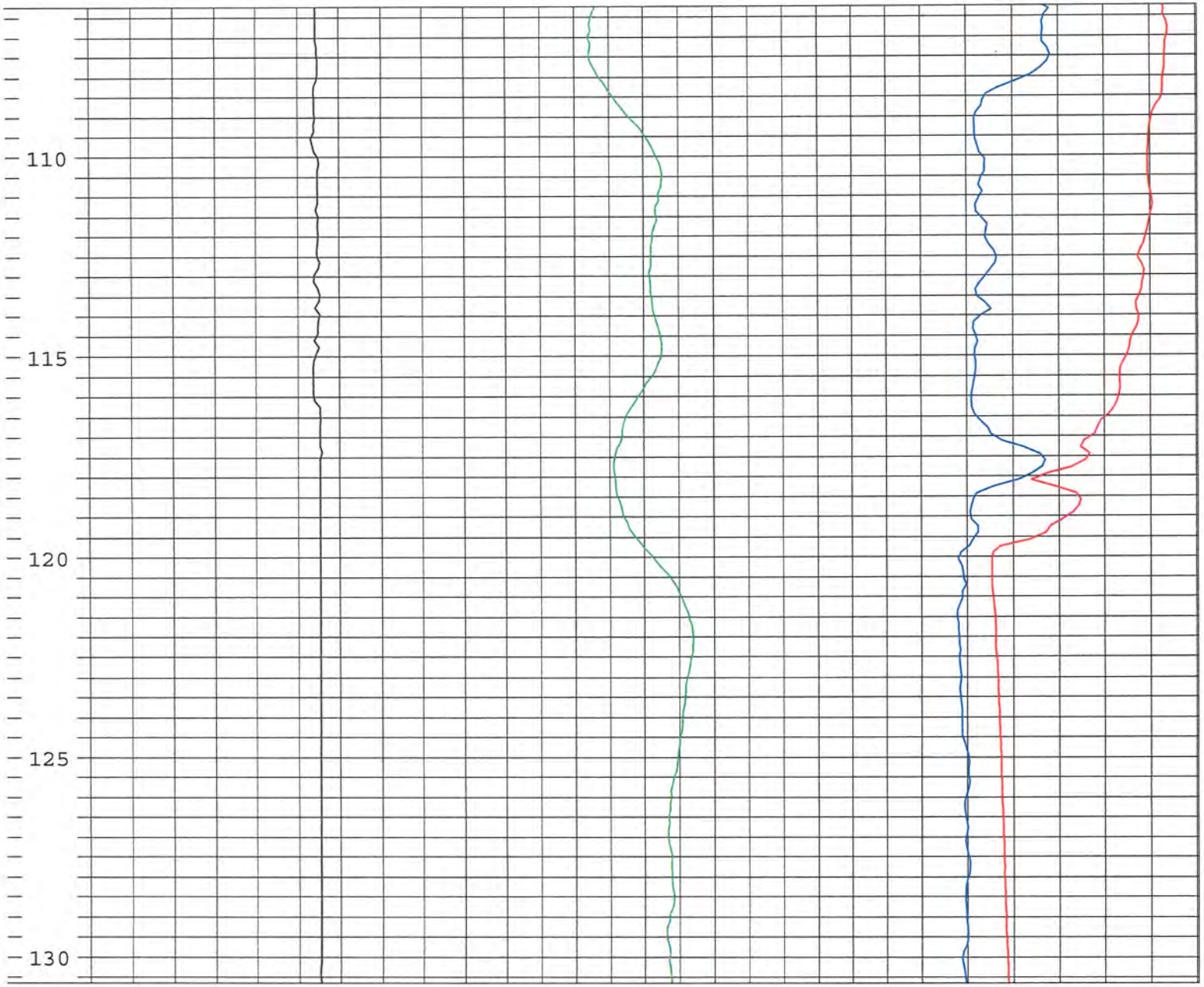
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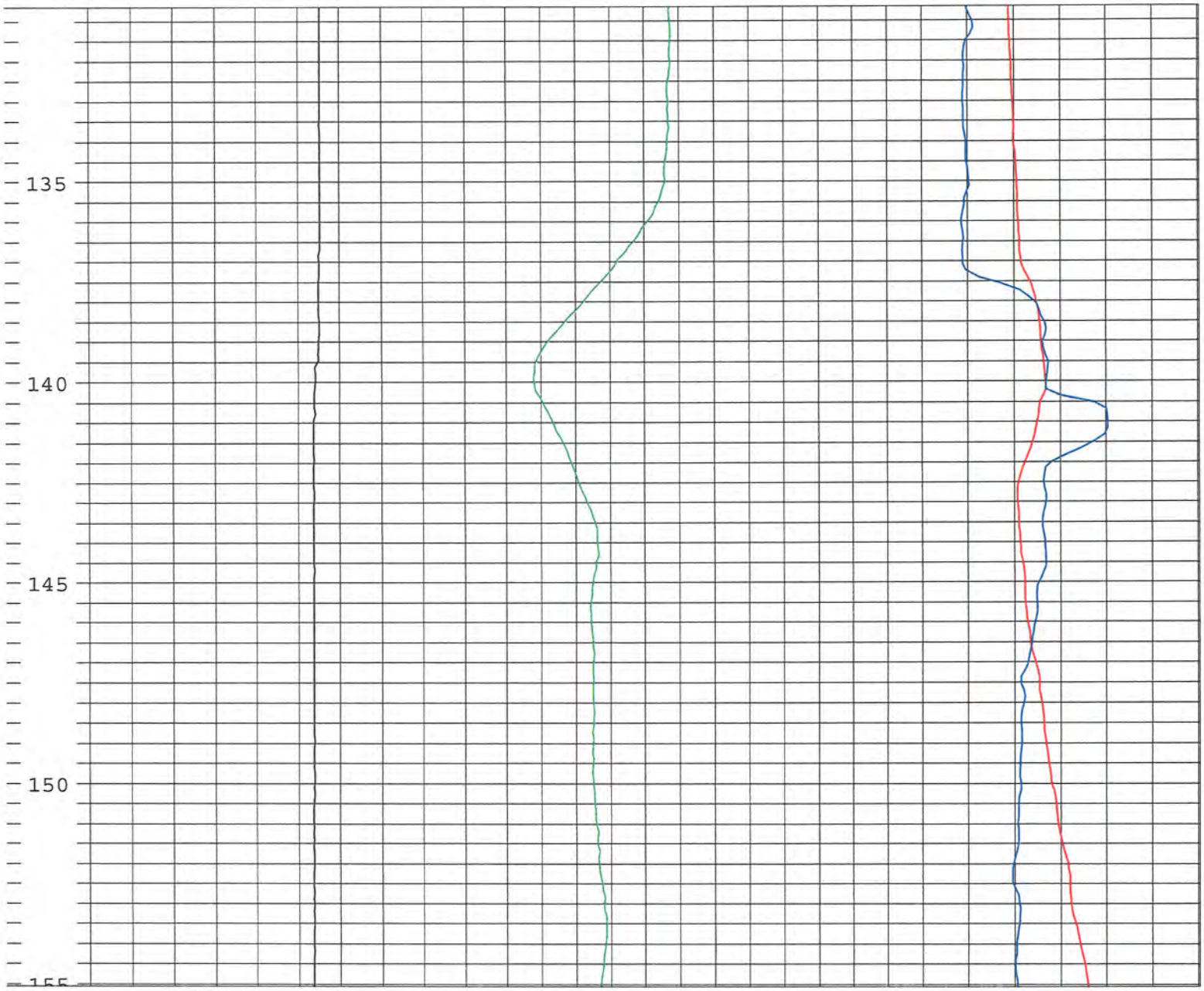
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WESTERN ENVIRONMENT AND ECOLOGY, INC

July 21, 2012

Jim Dullea
Jasper Land Investments
9162 South Kenwood Court
Highlands Ranch, Colorado 80126

Subject: Wise Property Mine Subsidence Investigation. Western Environment and Ecology, Inc. Project Number 394-001-01.

Dear Mr. Dullea:

At your request, Western Environment and Ecology, Inc. (Western Environment) reviewed the above referenced report. This review was precipitated by your pending submital to the Town of Erie regarding the proposed residential development of the site. The Western Environment report (Project Number 394-001-01) was entitled "Mine Subsidence Investigation Wise Property Section 14, Township 1 North, Range 69 West, Boulder County, Colorado" and dated May 31, 2005.

The Conclusions presented in the document were:

- The average depth to the top of the "main" seam is approximately 100.7 feet below the surface.
- Significant inaccuracies exist on the original mine maps.

Using these conclusions the following general recommendations for development were presented.

- No mine subsidence related development restrictions are required on those portions of the property indicated on Figure 2 as not effected by mining.
- If development of the "restricted" portions of the Wise Property is anticipated, additional studies, included drilling, will be required.
- Infrastructure, including roads and utilities, should utilize areas unaffected by mining. This includes a corridor within the "restricted" area that drilling indicated no mining has occurred.

Following review of the 2005 report, Western Environment remains confident that residential development of the property can occur by "careful" adherence to the recommendations presented in the report.

Please do not hesitate to contact us with any questions you may have or if we can provide further clarification as to the proposed development.

Sincerely,

Greg D. Sherman P.G.
President

2217 WEST POWERS AVENUE · LITTLETON, COLORADO 80120
PHONE (303)730-3452 · FAX (303)730-3461
WWW.WESTERNENVIRONMENT.COM

CTL | THOMPSON
INCORPORATED

October 25, 2013

Jasper Land Investments, LLC
9162 South Kenwood Court
Highlands Ranch, Colorado 80216

Attention: Jim Dullea

Subject: Supplemental Mine Subsidence Risk Investigation
Wise Farms
Erie, Colorado
Project No. DN41,199-110

At your request, we have completed additional subsurface investigation and geological/engineering analysis to evaluate risk of subsidence due to past underground coal mining at the Wise Farms property, a parcel planned for development of single-family homes. Our work was conducted to fulfill the scope of service described in our Contract Modification Proposal (No. DN-05-0900-CM3, dated July 24, 2013).

Previous Investigations

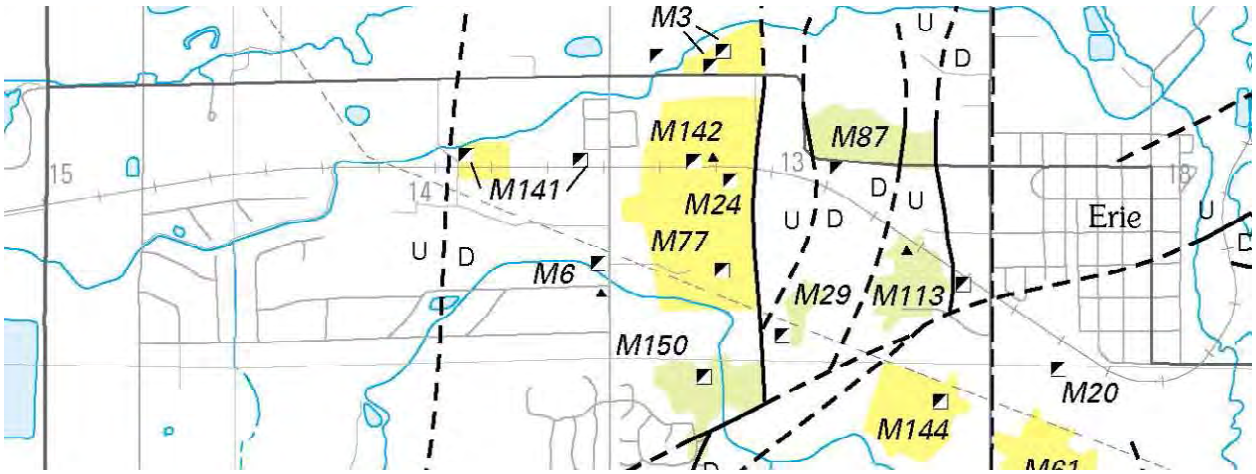
CTL|Thompson, Inc. completed a Preliminary Geotechnical Investigation of the Wise Farms property (Project No. DN41,199-115, report dated December 9, 2005). The study included 42 shallow borings for the purpose of characterizing the ground for potential residential development. We found that the site is suitable for development from a standpoint of the shallow geotechnical conditions. We did not evaluate the site for mine subsidence potential. We recently performed additional subsurface investigation that included 12 borings to help evaluate groundwater elevations on the northern portion of the property (report dated July 16, 2013).

Western Environment and Ecology, Inc. (WEE) completed a Mine Subsidence Investigation for the Wise Property (WEE Project No. 394-001-01, report dated May 31, 2005). WEE used data and analysis from six borings they drilled on the property in 1998-1999, supplemented by eight additional borings they completed in April, 2005. Other data they used included records on file with Colorado Division of Mines (CDM) for the Banner, Standard, Star and Jackson Mines that operated between 1884 and 1890. WEE prepared a Map (their Fig. 2) that shows the old mine maps overlain on a recent topographic plan of the site, including locations of borings, mine features, restricted development areas and an inferred fault trace. WEE's Figure 2 is reproduced in as Figure 2 of this report. WEE's full report should be considered and reviewed with this current report.

Discussion

The Laramie formation is about 600 to 800 feet thick and contains two or three coal zones in the lower 200 feet. In this area, the lowest coal zone was mined and was reported to be about 5 to 10 feet thick including partings (non-coal rocks), for an average mined thickness of about 7 feet. Most of the Laramie formation has been removed by erosion at the Wise Property, leaving only the lower section, and a substantial thickness of sandy alluvium related to Boulder Creek is present over interbedded claystone, sandstone and coal. Underlying the Laramie formation is the Fox Hills Sandstone, recognizable as a fairly consistent fine to medium grained, partially cemented quartz sandstone with minor biotite particles. The Fox Hills Sandstone was deposited at a beach front as the Cretaceous Seaway regressed about 60 million years ago and has a "salt and pepper" appearance. The Fox Hills is much different than the intermixed clay-sand deposits common in the overlying Laramie formation that was deposited in a river delta-swamp that formed over the beach. Because of the consistency of the Fox Hills Sandstone, it is used to evaluate the geologic structure in the Denver Basin.

I reviewed WEE's 2005 report as well as a map prepared by the United States Geological Survey (USGS) titled ***"Maps Showing the Extent of Mining, Locations of Shafts, and Bedrock Faults, and Thickness of Overburden Above Abandoned Coal Mines in the Boulder-Weld Coal Field, Boulder, Weld and Adams Counties, Colorado, Compiled by S. B. Roberts, J. L. Hynes, and C. J. Woodward, USGS Map I-2735, dated 2001."*** This map was compiled from review of data by the authors, some of it previously published. An excerpt of the USGS map is shown below.



The symbols on the USGS map are keyed to a legend. Symbol M6 refers to the Banner Mine Shaft; Symbol M141 denotes the Standard Mine Shafts, and workings shown in yellow and Symbol M142 shows the shafts and workings of the Star Mine. Symbol M77 indicates the shaft and workings of the Jackson Mine. Using the Lower Boulder and Cottonwood Ditches, Jasper Road and 119th Street to orient the Wise Property, the USGS map implies three shafts, as well as workings of the Standard Mine are present. Because WEE does not reference USGS Map I-2735, and WEE's maps

are somewhat different, I initially raised some concerns/questions to you that I believed should be answered prior to planning for development:

- WEE's report ties the Wise Farms site to the map of the Jackson Mine workings that they obtained from the CDM, showing that the workings underlie the eastern portion of the Wise Property (Fig. 2). The USGS map shows the Jackson Mine workings lie east of 119th Street. After verbal communication with Greg Sherman of WEE, I believe his interpretation is correct but I recommended some additional borings to provide a higher level of confidence that the USGS Map is wrong in this area. The USGS 2001 map was not available when WEE did their initial study of the site in 1999. There is no discussion of the USGS map in their 2005 report.

- WEE's report does not specifically discuss the western shaft and workings of the Standard Mine that are shown on the USGS Map. I discussed this with Mr. Sherman and it was his opinion that the USGS Map is likely in error with respect to the location of the western shaft and workings of the Standard Mine. I recommended a boring at the mapped location of the western Standard Shaft to verify WEE's interpretation that a fault is present that would have placed the coal seam too close to the ground surface to mine safely underground. While the chances that the boring would actually find the shaft are low, I felt it was at least possible to verify the depth of the Fox Hills Sandstone that underlies the coal-bearing Laramie formation.

- I felt that some additional borings to verify the location of the mapped underground workings would provide higher confidence the maps that WEE used were accurately registered with the current site boundaries.

Current Findings

CTL|Thompson, Inc. subcontracted with Dakota Drilling to drill six borings at the locations shown on the attached Fig. 1 (modified from WEE's Fig. 2). The borings were drilled by air-rotary methods. A summary of the strata and conditions we encountered in each boring are described below. For the borings we could obtain electric and caliper logs, these are included in Appendix B. The logs were made by COLOG at our request. We continued with WEE's numbering sequence, but named the borings starting at M-15 through M-20. A total of 20 deep borings have been drilled on the Wise Property to help evaluate the hazard due to subsidence.

- Boring M-15: Boring M-15 was targeted to penetrate a relatively small room of the workings of the Jackson Mine, as mapped by WEE. The target depth was 130 feet. We could not drill past 95 feet. Silty sand and sandy clay was encountered from the ground surface to a depth of 22 feet. Groundwater was found at 16 feet. Interbedded claystone and sandstone was penetrated from 22 to 43.5 feet. A 10-foot thick coal zone was be-

tween 43.5 and 53.5 feet deep, then claystone to 59 feet, a cemented sandstone lenses from 59 to 62 feet and interbedded sandstone and claystone to a total depth of 95 feet. The upper coal seam is not mined in this area, presumably for groundwater and safety reasons. The driller lost circulation at a depth of 85 feet and could not continue the boring past 95 feet. We could not obtain an electric log in this boring because the hole zngs above the main seam of the mine were penetrated at 85 feet at about the point where air circulation was disrupted and the actual workings are probably at a depth of about 110 to 120 feet. The disruption in air circulation above the targeted depth implies the coal zone was mined at the boring location and that the workings are probably caved in this location. The data does not dispute WEE's interpretation of the top of the Fox Hills Sandstone at about elevation 4940 at this location, or about 140 feet of depth.

- Boring M-16: Boring M-16 was targeted to penetrate the Jackson Mine and was planned to be 110 feet deep. The location was chosen to be about 50 feet inside the south edge of a large mined room, at the end of a haulage way. Sand and clay was encountered to a depth of 17 feet. Groundwater was 10 feet deep. Interbedded claystone and sandstone was penetrated from 17 to 65 feet. The upper (not produced) coal zone with several claystone partings was penetrated from 67 to 74 feet. From 74 to 85 feet the boring encountered interbedded claystone and sandstone. The driller could not drill past 85 feet because the bit kept plugging, presumably because of poor air circulation. We were able to get an electric log of the boring that clearly shows the upper coal seam. We interpret this boring as encountering the top of the caved zone above the Jackson Mine at 75 feet or elevation 4980. The top of the mine workings are probably about elevation 4968 feet, about 90 feet deep at this location. We believe the mine is present and the workings are caved at this location. The data does not dispute WEE's interpretation of the top of the Fox Hills at about elevation 4960 or about 95 feet deep at this location.

- Boring M-17: Boring M-17 was targeted just about 120 feet west of the west edge of the Jackson Mine workings, on the fault line mapped by WEE and was targeted to be 105 feet deep. Sand and clay was encountered from the ground surface to a depth of 28 feet, gravel from 28 to 30.5 and claystone with thin coal seams from 30.5 to 56 feet. Groundwater was 19 feet deep. Claystone with minor sandstone was found from 56 to 76 feet. Coal was penetrated from 76 to 81 feet, then claystone from 81 to 105 feet. Circulation was not lost. The electric log clearly shows the coal seam at about 73 to 77 feet and the caliper did not deflect in the coal. We interpret the conditions found in boring M-17 to indicate that the main seam would be too shallow to mine safely, as the seam dip (up to the west) brings it within 73 feet of the ground surface with insufficient cover. This confirms the mine is not present west of its mapped location. We be-

lieve the top of the Fox Hills Sandstone would be at about elevation 4948 in this location, consistent with WEE's interpretations.

- Boring M-18: Boring M-18 was intended to be located about 50 feet north of the north edge of the Standard Mine workings and was targeted to be 110 feet deep. Sand and clay was encountered to 32 feet, then gravel to 39 feet. Groundwater was 21 feet deep. Claystone bedrock was then encountered to a depth of 52 feet, where we penetrated a 7 foot thick coal seam, then claystone from 59 to 66 feet. From 66 to 110 feet we penetrated interbedded sandstone with minor claystone and minor thin coals. Circulation was not lost. The boring was not electric logged because the hole degraded over the weekend before COLOG was available. We interpret boring M-18 as having coal at a depth that would have been unsafe to mine. It is apparent the mine workings were stopped to the west and north because the coal was becoming too shallow to mine safely, while being too deep and wet to mine with surface methods. We interpret the top of the Fox Hills Sandstone to be at elevation 4964 feet. This is consistent with WEE's interpretations.

- Boring M-19: Boring M-19 was located at the northeast corner of the Wise Property to help verify the mine map is accurate and mine workings are not present. The boring was targeted to be 110 feet deep. We encountered sand and clay to 21 feet and gravel from 21 to 29 feet. Groundwater was at 15 feet. A 1-foot thick layer of sandstone began the bedrock interval at 29 feet, then coal from 30 to 35.5 feet. Interbedded claystone with thin coal seams was penetrated from 35.5 to 50.5 feet. Sandstone was penetrated from 50.5 to 140 feet, the total drilled depth. The electric log shows consistent sandstone below a depth of 50 feet, which we interpret to be the top of the Fox Hills Sandstone at about elevation 4966. This is consistent with WEE's interpretations. We should note that the hole was cleaned out and the upper coal interval from 30 to 35.5 feet was cased prior to electric logging. The lower coal is shown on the electric log. We interpret this boring to imply that the coal seam at was far too shallow to mine safely in this location.

- Boring M-20: Boring M-20 was intended to explore the area where the west shaft of the Standard Mine was plotted on the USGS Map. The target depth was 95 feet. The boring encountered clay and sand to a depth of 32.5 feet and gravel to 38 feet. Groundwater was at 18 feet. Claystone was penetrated from 38 to 50 feet, interbedded sandstone and claystone with cemented sandstone lenses from 50 to 97 feet and claystone from 97 to 105 feet. No coal was encountered. We believe the coal was removed by erosion and deposition of the alluvium in the Pleistocene. It is unlikely there is a mineshaft in the vicinity of Boring M-20, since there is no coal present. The top of the Fox Hills Sandstone is interpreted to be 4980 feet at Boring M-20.

Conclusions

Based on our current findings and analysis of the previous data I have the following conclusions:

1. Our data confirms the overlay of the mine map on the site features presented in WEE's Figure 2 is accurate. It is unlikely coal mine workings exist west of the limits WEE shows.

2. The geologic data show there is no mineable coal west of the mine workings shown on WEE's Figure 2. This is due to the coal zone dipping moderately up to the west-northwest, becoming closer to the surface. Very shallow coal would be very difficult to mine due to groundwater and little separation from the alluvium by impervious bedrock layers. Further west, the coal has been removed by pre-historic erosion.

3. I compared our data with WEE's interpretations of the elevation at the top of the Fox Hills Sandstone shown on their Figure 2. I believe WEE made an accurate interpretation of the geologic structure of the site. A fault may be present near the location and orientation mapped by WEE. Faulting in the Laramie formation is considered to be inactive and data shows these formed during and shortly after deposition of the coal and "die out" within the rocks deposited after the Laramide Orogeny more than 20 million years ago. The fault, if present is not considered a geologic hazard for this site.

4. I believe it is unlikely there is a western shaft related to the Standard Mine as shown on the USGS map. This is because there is no coal present in the area of boring M-20 and the Fox Hills Sandstone is shallow. The shaft, if present is probably within the mined areas. The data collected by WEE and CTL|Thompson indicates the USGS map has errors with respect to undermining at the Wise Property.

5. The reported location of the Banner Shaft in the extreme southeast corner of the Wise Property is probably erroneous. There remains a question about whether it really exists at the location shown on the USGS map (and WEE's map). Because boring M-15 indicates the mine is present as mapped, the shaft was likely at the end of the haulage way shown in the middle of the workings (near the location of M-15) and not outside the workings as shown on WEE's Fig. 2. Knowing whether the Banner Shaft is present in the mapped location could be important if an access road is needed for the site from 119th Street, through the southeast corner. It would take trenching along the axis of a potential roadway alignment to verify if a shaft is there. If a shaft is present, it could be mitigated with grouting. Figure 3 shows cross-hatched areas that appear to be good choices for access off of 119th Street.

6. I believe there is another potential access ROW off of 119th Street through the un-mined area between WEE's boring W-1 and our boring M-15. I see no reason not to allow construction of a road for use as access in the center of the area marked with cross-hatch on Fig. 3. If utilities are required in the road, we recommend they be situated to run down the middle of the un-mined area to reduce the potential that subsidence could cause distress to them. It would be best to avoid utilities in the road if an even lower risk approach must be taken. I have no reservations with construction of the road at the cross-hatched locations. Either of these potential access points are low risk with respect to subsidence. The mine is deepest in the southeast portion of the parcel and more overburden is present.

7. I believe WEE's conclusions and recommendations for restriction of development at the Wise Farms parcel are justifiable and conservative. I recommend avoiding development of structures within undermined areas and 150 feet beyond. I drew the recommended hazard restriction zone on the attached Figure 2. The line is somewhat less conservative than WEE's which I believe is justified by the additional information that confirms the location of the undermined area with more confidence.

8. I believe the existing mines are substantially caved, with potential for only small additional movements. For instance, at boring M-15, circulation was mostly lost at a depth of about 85 feet, about 35 feet above the mine. This leaves 63 feet of undisturbed claystone and sandstone above the caved zone. Based on a seam thickness of 6 to 7 feet, a bulking ratio of about 5 to 6 is estimated. This is within reported ranges of bulking factors of western coal mines of 5 to 10. The risk of significant future subsidence over these workings is expected to be low. However, new residential development and underground utilities should avoid undermined areas to mitigate for risk of subsidence.

9. Drainage patterns over the area mapped as undermined do not appear to be disturbed. This is evidence that subsidence has not affected the ground surface. A closed depression exists west of the undermined area that I believe is related to past activities that created an embankment that dammed an existing ephemeral drainage. I found no other areas that indicated drainage is interrupted or where ponding of surface water occurs. These type features are sometimes found in the Boulder-Weld Coal Field where mining occurred less than about 100 feet below the ground surface. I found no surface evidence on the parcel that indicates subsidence has affected the ground surface.

To summarize, provided development of habitable space occurs outside the hazard area shown on Figure 2, I believe there is nil risk of subsidence-related distress. Where an access road is needed from 119th Street, it appears there are one or two good options for its location across the low-risk hazard area.

Geotechnical Risk

The concept of risk is an important aspect with any geotechnical evaluation primarily because the methods used to develop geotechnical recommendations do not comprise an exact science. We never have complete knowledge of subsurface conditions. Our analysis must be tempered with engineering judgment and experience. Therefore, the recommendations presented in any geotechnical evaluation should not be considered risk-free.

Limitations

Our boring locations were chosen to obtain additional subsurface information to supplement data obtained by others. The borings are representative of conditions encountered only at the locations drilled. Subsurface variations not indicated by our borings are possible. We believe this investigation was conducted with that level of skill and care normally used by geologists and geotechnical engineers practicing in this area at this time. No warranty, express or implied, is made.

If we can be of further service in discussing the contents of this report or provide additional analysis of the influence of the geologic hazards on design of the structures and improvements, please call.

CTL | THOMPSON, INC.

COLORADO LICENSED
DAVID A. GLATER
10/28/15
20204
PROFESSIONAL ENGINEER

David A. Glater, P.E., C.P.G.
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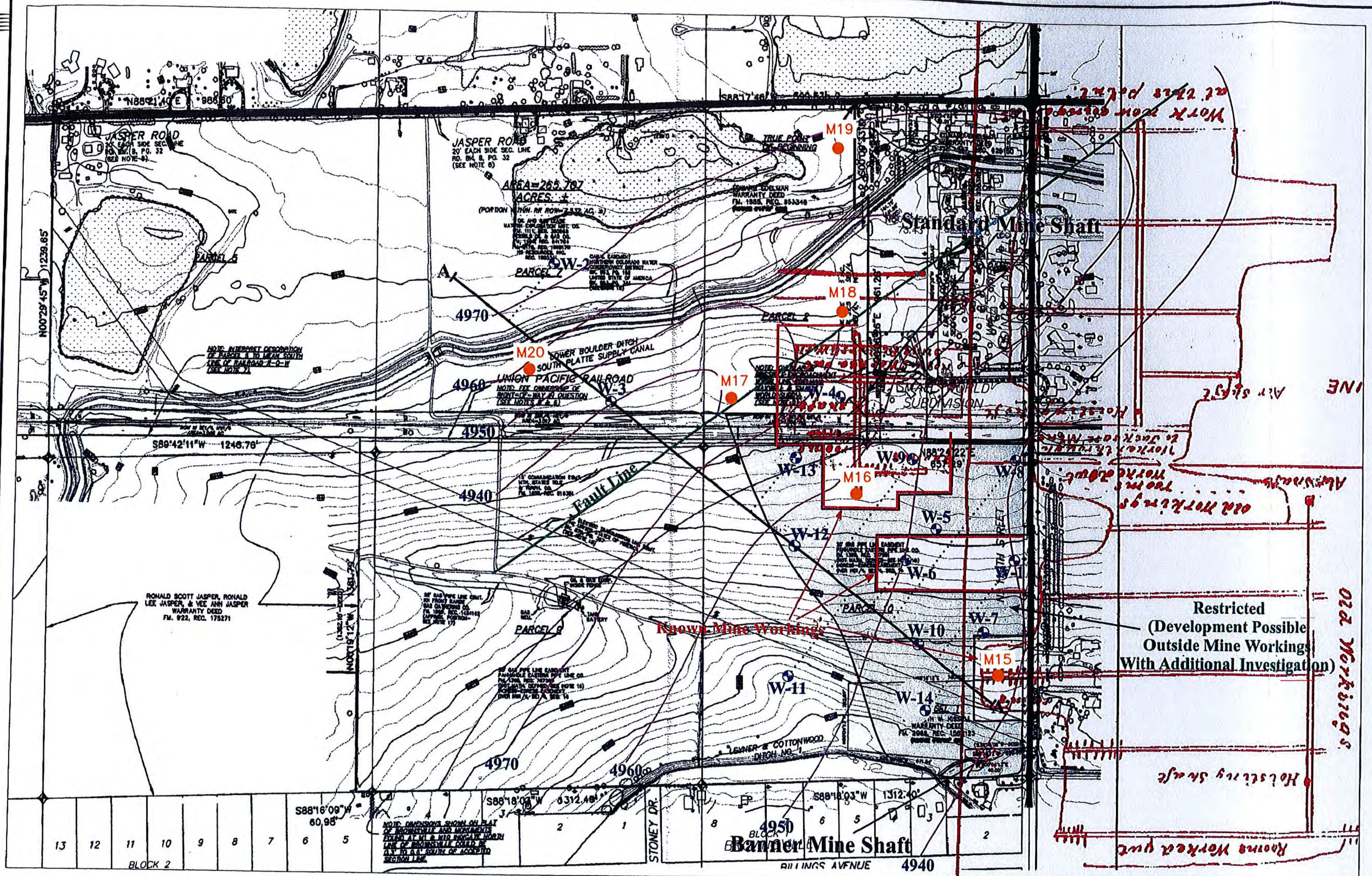

Legend

W-3	Borehole Location	4970	Elevation of Laramie / Fox Hills Formation Contact		Known Mine Workings
	Approximate Fault Location		Development Possible with additional investigation	M15	BORING DRILLED FOR THIS STUDY

N

1 INCH = 400 FEET

200 0 200 400

Locations of Exploratory Borings

Fig. 1

Figure 2
Wise Property
Section 14,
Township 1 North, Range 69 West,
Boulder County, Colorado

WESTERN ENVIRONMENT AND ECOLOGY, INC.
2217 West Powers Avenue
Littleton, Colorado 80120

JASPER LAND INVESTMENTS, LLC
WISE FARMS
Project No. DN41,199-110

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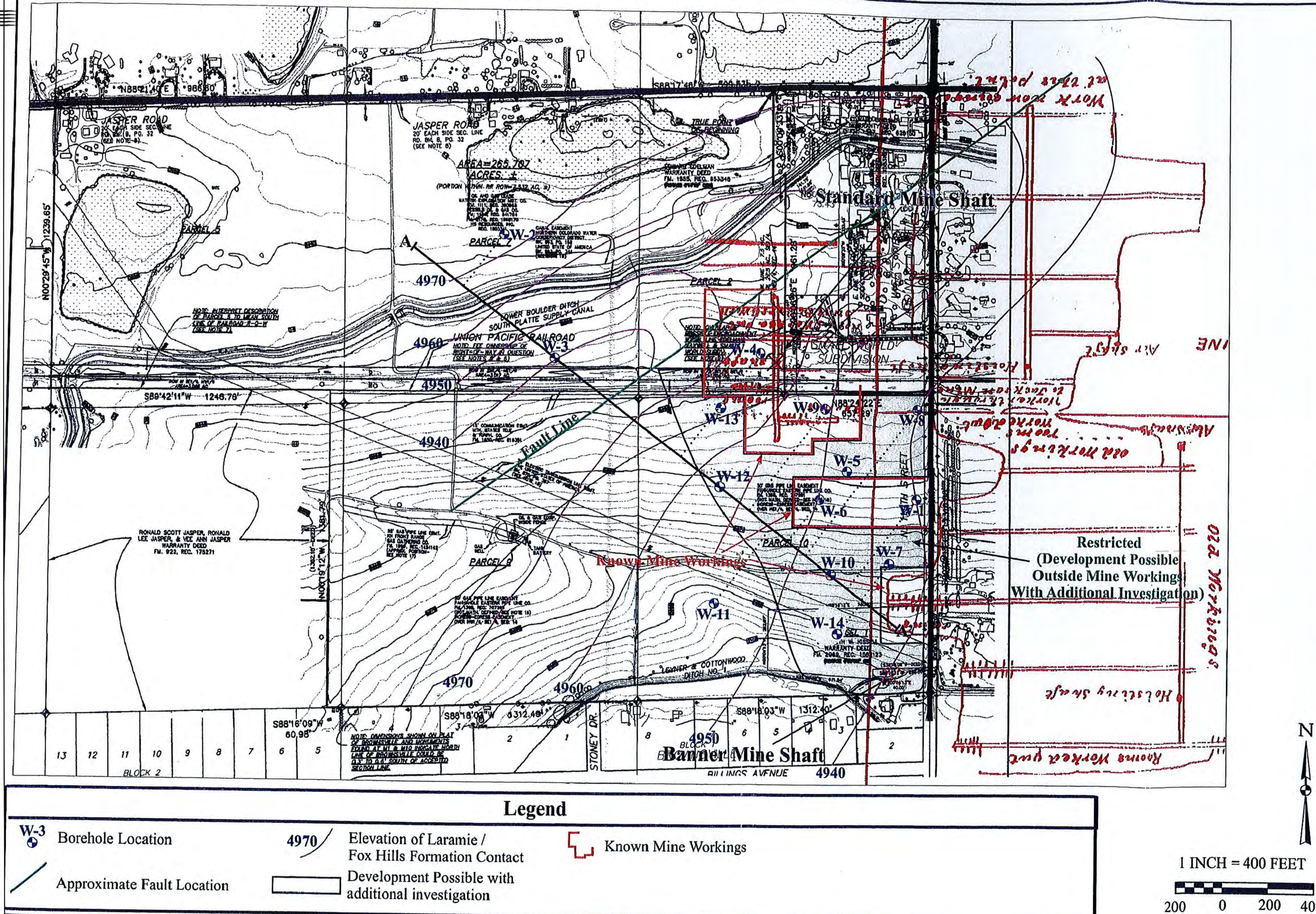

Figure 2
Wise Property
Section 14,
Township 1 North, Range 69 West,
Boulder County, Colorado

WESTERN ENVIRONMENT AND ECOLOGY, INC.
2217 West Powers Avenue
Littleton, Colorado 80120

JASPER LAND INVESTMENTS, LLC
WISE FARMS
Project No. DN41,199-110

Fig. 2

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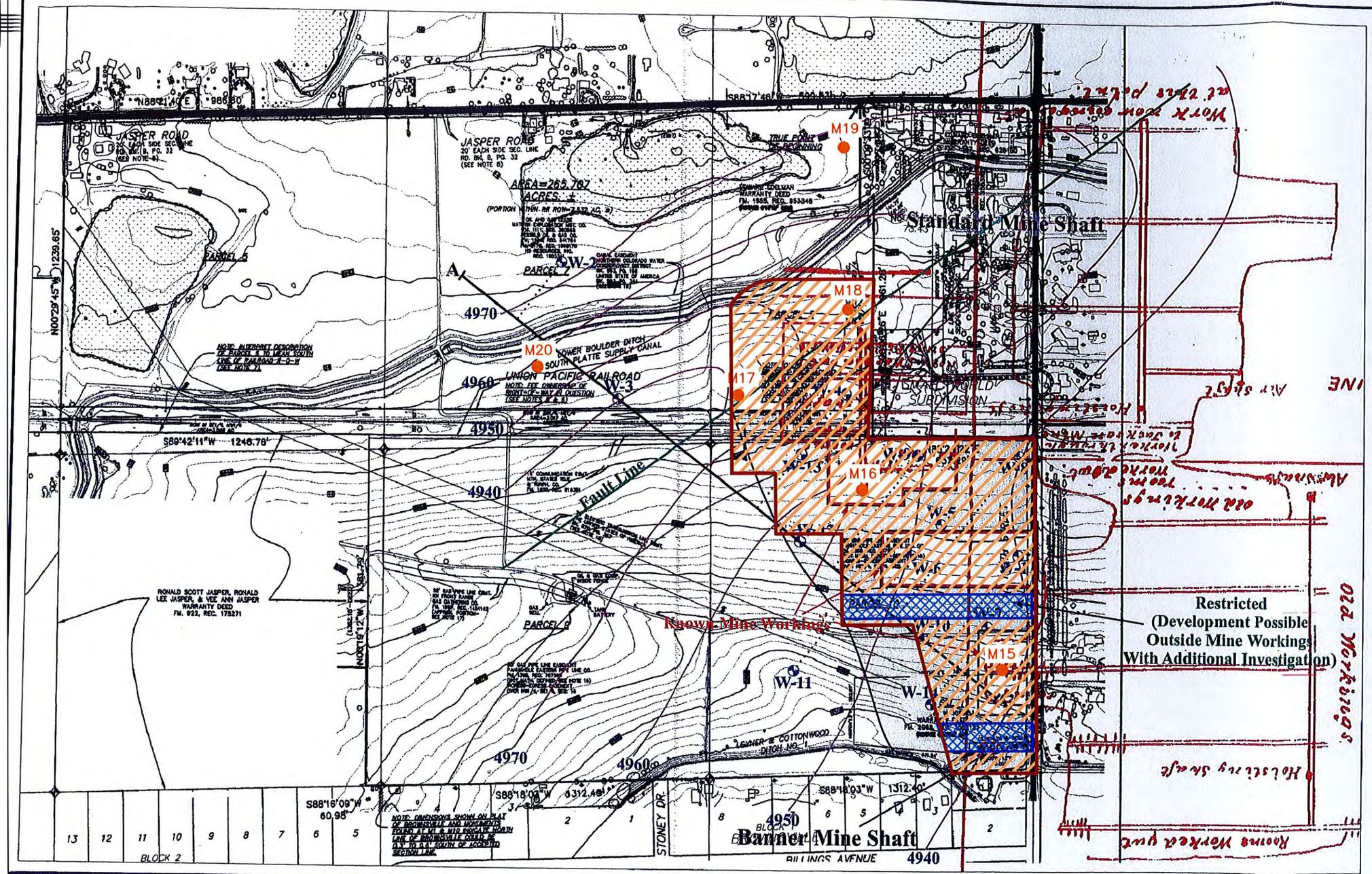

Legend

- W-3 Borehole Location
- Approximate Fault Location
- 4970 Elevation of Laramie / Fox Hills Formation Contact
- Development Possible with additional investigation
- Known Mine Workings
- M15 BORING DRILLED FOR THIS STUDY
- LOW RISK SUBSIDENCE AREA TO BE AVOIDED FOR HOMES, AND UTILITIES IF POSSIBLE
- POTENTIAL ACCESS ROADS FROM 119TH STREET IN LOW-RISK SUBSIDENCE AREAS

1 INCH = 400 FEET

200 0 200 400

Figure 2
Wise Property
Section 14,
Township 1 North, Range 69 West,
Boulder County, Colorado

WESTERN ENVIRONMENT AND ECOLOGY, INC.
2217 West Powers Avenue
Littleton, Colorado 80120

JASPER LAND INVESTMENTS, LLC
WISE FARMS
Project No. DN41,199-110

Hazard Map

Fig. 3

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PHASE I ENVIRONMENTAL SITE ASSESSMENT

WISE PROPERTY
ERIE, COLORADO 80026

PREPARED FOR

JASPER LAND INVESTMENTS, LLC
9162 SOUTH KENWOOD COURT
HIGHLANDS RANCH, COLORADO 80126

JANUARY 2, 2012
PROJECT NUMBER E12776.E1

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FIGURES

1. VICINITY MAP
2. SITE MAP

ATTACHMENTS

A. PHOTOGRAPHS
B. USER QUESTIONNAIRE
C. TOPOGRAPHIC MAPS AND AERIAL PHOTOGRAPHS
D. PUBLIC RECORDS RESEARCH
E. QUALIFICATIONS
F. REFERENCES

EXECUTIVE SUMMARY

As requested, A. G. Wassenaar, Inc. (AGW) has conducted a Phase I Environmental Site Assessment (ESA) for the subject property identified as the Wise Property located in Erie, Colorado. The subject property was evaluated for potentially significant on-site environmental contamination through a property inspection, a review of historical property uses, interviews with individuals associated with the property, and a review of environmental records available from government agencies.

AGW's inspection included visual and physical observations of the subject property to identify possible contamination or contamination sources, and a drive-by survey of the nearby area. The site is positioned southwest of the intersection of Jasper Road and North 119th Street in Erie, Colorado. The site is approximately 180 acres in size. Future development plans for the property include 313 lots within a residential community. The majority of the property is agricultural land, with a farm homestead located in the northwest corner, and a small residence present near the center of the northern boundary. A historic mill is located east of the smaller residence and includes two buildings.

The remainder of the property is agricultural land that is currently dry and wet land farmed (for additional information see Section 5.0). A dry canal traverses the eastern portion of the southern boundary, and intersects one of several irrigation canals on the property. Overhead utilities traverse the entire site and the northeastern portion of the property near the small residence and historic mill. The abandoned Union Pacific Railroad tracks and the Lower Boulder Ditch traverse the central portion of the site. Numerous unimproved roads traverse the property including two that lead to the currently producing, on-site Wise 1-14 X oil and gas well. Due to the age of the well and concrete

tank used to store the condensate, **AGW identifies the Wise 1-14 X producing oil and gas well and associated tank battery as a recognized environmental condition in relation to the subject property.**

The subject property is positioned within a mixed use neighborhood. Jasper Road delineates the northern property boundary, while vacant, agricultural fields and rural residences are located further north. Overhead utilities are in place immediately east of North 119th Street, and the town of Tabor is located within one mile east of the subject property. A residential neighborhood is in place immediately south of the site. Vacant land and an oil and gas well comprise the area immediately west of the property, while residential homes are in place further west. None of the properties surrounding the site are identified as recognized environmental conditions in relation to the subject property.

The historical research conducted for the subject property indicated that the property has been primarily vacant agricultural fields traversed by irrigation ditches, the Lower Boulder Ditch, and the Union Pacific Railroad. Two rural residences have been in place on the northern portion of the property since at least 1902. Unimproved roads have traversed the site since approximately 1937. The two Historic Mill structures, overhead utilities, and detention ponds have been in place since at least 1948. Additional structures associated with the farming operation were first erected on the property sometime prior to 1978. AGW does not identify the historical uses of the subject property as a recognized environmental condition.

The area surrounding the property has historically been vacant agricultural land traversed by streams and drainages, including Boulder Creek and Cottonwood No. 1 Ditch. Several rural residences/farms and the town of Canfield have been in place since at least 1902. Rural residences located immediately south of the site first appeared in 1966. Residential neighborhood development in this area, and the area southwest of the property, began sometime after 1966 and significantly increased until 1978. None of the past uses of the surrounding properties are identified as recognized environmental conditions in relation to the subject property.

Records maintained by the U. S. Environmental Protection Agency (EPA), the Colorado Department of Public Health & Environment (CDPHE), the Colorado Department of Labor and Employment, Division of Oil and Public Safety (OPS), and the Colorado Oil and Gas Conservation Commission, were evaluated for information on hazardous materials and land sources of pollutants/hazards of potential concern, including known complaints and spills. A review of public records from these government agencies revealed three potential sources of contamination. One producing oil and gas well, one abandoned location, and one plugged and abandon oil and gas well are located on the subject property. Records maintained by regulatory agencies were reviewed, and **the producing Wise 1-14 X oil and gas well and associated tank battery, are recognized environmental conditions in relation to the subject property.**

We have performed a Phase I ESA in general conformance with the scope-of-work and limitations of American Standard of Testing Materials (ASTM) Standard Practice Designation E 1527-05 for the property identified as the Wise Property located in Erie, Colorado. Any exceptions, or deletions from this practice are described in Section 12.0 of this report.

This assessment has revealed no evidence of recognized environmental conditions in connection with the property with the exception of the following:

- **The on-site and producing Wise 1-14 X oil and gas well and associated tank battery.**

The following items are not considered recognized environmental conditions; however, AGW has determined these issues to be important environmental considerations which should be understood in connection with the property:

- Oil and gas wells raise a concern from a land development standpoint. Structures should not be constructed within the required setback of operational wells and production equipment. Prior to development, AGW recommends that appropriate setbacks be placed from all oil and gas wells located on the property.
- While not an environmental concern, former underground coal mining operations in the area have led to subsidence issues on the eastern portion of the subject property. AGW strongly recommends reviewing available reports such as: Western Environment and Ecology Inc.'s "Mine Subsidence Investigation, Wise Property, Section 14, Township 1 North, Range 69 West, Boulder County, Colorado" dated May 31, 2005; CTL Thompson, Inc. "Preliminary Geotechnical Investigation, Wise Farms, Southwest of Jasper Road and 119th Street, Erie, Colorado" dated December 9, 2005, regarding subsidence issues in the area.

This report was written to summarize AGW's findings during a Phase I ESA of the subject property. Although AGW completes thorough studies, no warranty is made of the accuracy, completeness, and timeliness of information obtained from government or third party sources. No parties, except the Client, are authorized to review this report unless they agree to waive any possible claims against A.G. Wassenaar, Inc., arising from such use.

Phase I Environmental Site Assessment
Wise Property
Erie, Colorado
January 2, 2012

1.0 INTRODUCTION

As requested, A. G. Wassenaar, Inc. (AGW) has completed a Phase I Environmental Site Assessment (ESA) for the subject property, identified as the Wise Property in Erie, Colorado. The project was conducted for Jasper Land Investments, LLC.

2.0 PURPOSE AND SCOPE OF WORK

AGW's assessment is designed to be in general accordance with Phase I ESAs as established by the American Society of Testing and Materials (ASTM), Standard Practice Designation E 1527-05. The assessment consists of a site reconnaissance to identify potential environmental problems; interviews with individuals having knowledge of the subject site; a review of publicly available records pertaining to environmental resources at the subject site; and a report documenting AGW's findings, opinion, and conclusions.

This report will identify *recognized environmental conditions* which have been identified in relation to the subject property (if any) and provide recommendations for any further action. The term recognized environmental condition is defined as the presence or likely presence of any hazardous substances or petroleum products on the property under conditions that indicate an existing release, past release, or material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, ground water, or surface water of the property. The term includes hazardous substances or petroleum products even under conditions in compliance with laws. The term

is not intended to include de minimus conditions that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of enforcement action if brought to the attention of appropriate government agencies.

3.0 SITE DESCRIPTION

The subject property can be described as a portion of the Section 14; Township 1 North, Range 69 West of the Sixth Principal Meridian. The site is approximately 180 acres in size and is positioned southwest of the intersection of North 119th Street and Jasper Road in Erie, Colorado. Physical setting information for the site is described in Table I below.

Table I
Physical Setting

Elevation of Subject Property	Approximately 5,020 to 5,100 feet above sea level	Source: USGS Topographic Map, Erie, Colorado, 1967 (revised 1979)
Topographic Gradient	Gentle slope to northwest.	
Closest Surface Water	The Lower Boulder Ditch traverses the subject property	

4.0 SITE RECONNAISSANCE

The property was inspected by Ms. Kristin Schwartz on December 17, 2012. The inspection included a thorough visual survey of the subject property (including a physical inspection of the property grounds for visible signs of contamination or contamination sources), as well as a drive-by survey of the nearby area. Site maps of the property are included as Figures 1 and 2 in this report, and photographs taken during the site visit are included in Attachment A.

4.1 Property Grounds

The subject property is located south of Jasper Road and West of North 119th Street in Erie, Colorado. The site is approximately 180 acres in size and is irregular in shape. Future development plans for the property include 313 lots within a residential community. The majority of the property is agricultural land with a farm homestead located in the northwest corner, and a small residence present near the center of the northern boundary. A historic mill that includes two buildings is located just east of this smaller residence. There are no future plans to demolish or develop these structures and associated parcels of land. Features associated with the farm homestead include, but are not limited to: 1 main residence, 3 outbuildings/sheds, 1 barn, 2 outhouses, 5+ tractors, 5-6 corrals/pastures, 3 trucks, old farming equipment, small quantities of agricultural chemicals and motor oil, three large aboveground storage tanks (ASTs), and environmentally inert debris. Minimal soil staining was observed beneath the ASTs, however, these releases are assumed to be de minimus and therefore, are not considered a recognized environmental condition. AGW recommends that the owner removes and properly disposes of all chemicals and oils currently located on the site prior to acquisition of the property. In addition to the small residence and historic mill located near the center of the northern boundary, the following features are located on the property: 4 RV campers, 2 RV pop-ups, 1 two-car garage, one abandoned and lifted structure, four outbuildings/sheds, old tractors, a collection of porcelain toilets and sinks, numerous tires, approximately 15 old vehicles, and additional inert junk. Minimal oil and diesel stains associated with the numerous vehicles on the property were observed during site reconnaissance. These are likely de minimus and therefore, are not considered a recognized environmental conditions in relation to the property.

The remainder of the property is agricultural land that is currently dry and wet land farmed (for more info see Section 5). A dry canal traverses the eastern portion of the southern boundary, and intersects an irrigation canal. Cinder blocks and concrete diversions were observed within both of the canal features. Overhead utilities traverse the entire site and the northeastern portion of the site near the small residence and historic mill. Abandoned Union Pacific Railroad tracks traverse the central portion of the site and a delapidated treehouse was observed near the tracks on the western portion of the property. Additionally, the Lower Boulder Ditch traverses the central portion of the property and a sediment catchment basin is maintained by the Northern Colorado Water Conservancy District, which is located within the ditch. Numerous unimproved roads traverse the property including one that follows the north side of the ditch, and two that lead to the currently producing, on-site Wise 1-14 X oil and gas well. This oil and gas well is located on the southern portion of the property. Additional features associated with this well include: a separator, a tank battery, and a concrete condensate storage tank. Due to the age of the well and concrete tank used to store the condensate, **AGW identifies the Wise 1-14 X producing oil and gas well and associated tank battery as a recognized environmental condition in relation to the subject property.** Further discussion of the on-site oil and gas wells can be found in Section 7.1 of this report.

Site reconnaissance observations are detailed in Table II below, and shown in Figure 1, Figure 2, and Attachment A of this report.

Table II

Site Reconnaissance Observations	
Current Use of Subject Property	The majority of the property is agricultural land. A farm homestead including a main residence, barn, and outbuildings, are located on the northwest corner of the site. A small residence with associated outbuildings, and historic mill are located near the center of the northern boundary. The Lower Boulder Ditch, abandoned Union Pacific Railroad tracks, and several unimproved roads traverse the subject property. One producing oil and gas well is located on the southern portion of the property.
Configuration	Irregular shaped parcel of land.
Boundaries	North: Jasper Road, rural residential properties, vacant and agricultural land, Wise #31-14 oil and gas well, and stream outlets. East: North 119th Street, overhead utilities, residential properties, the town of Tabor, and additional oil and gas wells. South: Residential properties, a sheep farm, and Billings Avenue. West: Vacant agricultural land, Jasper #23-14 oil and gas well, rural and residential properties, and North 107th Street.
Vegetation	Dried wheat plants, short grasses, trees, and shrubs.
Topography	Relatively flat with a gentle slope to the northwest.
Structures or other improvements on the subject property	A farm homestead with associated outbuildings, a small residence with associated outbuildings, and two buildings which comprise a Historic Mill. One oil and gas well with associated tank battery, separator, and concrete condensate storage tank, overhead utility lines, abandoned railroad tracks, and a sediment catchment basin are also located on the property.
Roads adjoining the property and roads, streets, parking facilities on subject property	Jasper Road to the north, North 119th Street to the east, three unimproved roads extending from the property boundaries toward the oil well, and a turnaround area near the oil well.
Debris	Debris included, but was not limited to: old tractors, vehicles, tires, rusted farming equipment, porceline toilets and sinks, empty containers, wood scraps, clear plastic material, and cans.

Table II (continued)

Site Reconnaissance Observations	
Hazardous substances and petroleum products stored on the subject property	Small quantities of agricultural chemicals were observed in the sheds surrounding the farm operation. No staining was observed around these containers however, AGW recommends that the current owner properly disposes of all chemicals prior to acquisition of the property.
Storage Tanks	Concrete condensate storage tanks in place adjacent the oil well. Aboveground storage tanks were also noted within the farm homestead. Minimal soil staining was observed near these tanks and any releases are likely to be considered de minimus.
Vent pipes	None observed
Utility lines	Overhead utility lines are in place traversing the entire subject property and traversing the northeast portion of the site.
Odors	None observed
Pools of Liquid	None observed
Drums	Empty 55 gallon drums were observed near the farm homestead. No staining was observed near the drums.
Unidentified Substance Containers	Several of the chemical containers in the sheds near the farm residence did not have labels. All containers should be removed and properly disposed of by the owner prior to acquisition of the property.
PCBs	None observed
Pits, ponds, or lagoons	A dried up detention pond was observed just south of the historic mill.
Wetlands	None observed
Stained soil or pavement	Stained soils were noted beneath the ASTs located at the farm homestead and next to two of the vehicles located near the small, northern residence These releases are likely to be de minimus and therefore, are not considered recognized environmental conditions.
Stressed vegetation	None observed
Wells	One oil and gas well and associated tank battery is located on the southern portion of the property.

A review of previous investigations conducted for the property indicated that portions of the underground mine shafts for the Banner, Standard, Star, and Jackson Mines underlie a small portion

of the eastern section of the subject property. The Jackson Mine operated from 1884 through 1890, and produced a total of 98,831 tons of coal. AGW recommends reviewing available reports, including: Western Environment and Ecology Inc.'s "Mine Subsidence Investigation, Wise Property, Section 14, Township 1 North, Range 69 West, Boulder County, Colorado" dated May 31, 2005; CTL Thompson, Inc. "Preliminary Geotechnical Investigation, Wise Farms, Southwest of Jasper Road and 119th Street, Erie, Colorado" dated December 9, 2005, regarding subsidence issues on the subject property.

4.2 Surrounding Properties

The subject property is positioned within a mixed use neighborhood. Jasper Road delineates the northern property boundary, while vacant, agricultural fields and rural residences are located further north. Overhead utilities are in place immediately east of North 119th Street, with additional residences present further east. The town of Tabor is located within one mile east of the subject property. Residential homes are in place immediately south of the subject property, one of which includes a sheep farm. Vacant land comprises the area immediately west of the property and includes the Jasper # 23-14 producing oil and gas well. Horse stables and residential homes are in place further west of the site. None of the properties surrounding the site are identified as recognized environmental conditions in relation to the subject property.

5.0 INTERVIEWS

Alan and Sarah Wise, Property Owners

Alan and Sarah Wise were interviewed in person during the site visit on December 17, 2012. The Wise family has owned the entire subject property since 1870, and the property has mainly been used for agricultural purposes/ farmland. In years past, wet and dry land farming has been used to grow corn,

alfalfa, wheat, sugar beets, and tomatoes on the site. The Wise family indicated that small amounts of chemicals have been stored on the property for their small batch agricultural operation. The farming operation and homestead is located on the northwest corner of the site, and has been in existence since the early 1900's. Jess Alexander is the current farmer whom lives in this residence and looks after 15-20 cattle. The Wise's indicated that he no longer farms the land himself but has a CO-OP come in and apply chemicals and pesticides to the crops.

The second residence is adjacent to the historic mill on the property, and they are both located near the center of the northern boundary. Alan Wise indicated that these buildings have been in place since at least 1920, and his brother Philip Wise currently lives in the small residence. During the site reconnaissance, AGW observed approximately 15 abandoned cars near the residence, and Alan Wise indicated that his brother has conducted small maintenance and restoration operations on these cars. AGW observed some soil staining from the oil and gasoline associated with these vehicles, however, these releases are considered to be de minimus and therefore, are not considered recognized environmental conditions.

The Wise's confirmed the presence of the three oil and gas well locations, and their associated spud dates (where applicable) on the property. Sarah Wise indicated that the abandoned location well was never drilled, and the plugged and abandoned well was drilled but found to have a leaking valve and leaking casing. Subsequently, the well was plugged and never produced (additional information on the oil and gas wells can be found in section 7.1). Ms. Wise also stated that shallow ground water is present across the site. The Wise's are unaware of any hazardous waste disposal, landfills, or other environmental concerns for the property and surrounding area.

Mr. Jim Dullea, Jasper Land Investments, LLC

AGW corresponded with Mr. Jim Dullea of Jasper Land Investments, LLC on December 20, 2012. Mr. Dullea is interested in purchasing the subject property. Mr. Dullea is unaware of any environmental cleanup liens, activity and use limitations (AULs), chemical storage, illegal dumping, or hazardous material spills associated with the subject property. Additionally, Mr. Dullea completed the "User Questionnaire for Landowner Liability Protections" in accordance with the ASTM Standard Practice Designation E1527-05. A copy of the completed questionnaire is included as Attachment B.

Nancy Parker, Erie Town Clerk

Ms. Kristin Schwartz contacted Ms. Nancy Parker, Town Clerk for the Town of Erie, to request a search of environmental health department records to determine if any hazardous material spills or other incidents of environmental concern have been reported for the subject property. The Town of Erie is still processing the request. Any pertinent information will be forwarded under separate cover.

6.0 SITE HISTORY

The historic land use of the subject property and the surrounding areas were examined with the purpose of interpreting, where possible, the past activities that have or may have negatively impacted the natural resources of the site. The references reviewed included: USGS Topographic Maps of Niwot, Colorado, dated 1902; and Erie, Colorado, dated 1948, 1966, 1971, and 1978; and aerial photographs dated 1937, 1966, and 1979. Copies of Topographic Maps and Aerial Photographs are included in Attachment D.

6.1 USGS Topographical Maps

Table III
Topographical Maps

USGS Topographical Map	Direction	Description
Niwot, Colorado: 1902	Subject Property	Two structures are in place on the site; one near the northwest corner and one near the central portion of the northern boundary. The Boulder Branch Railroad and a stream outlet are also in place and traverse the central portion of the site. Otherwise, vacant land.
	North	An improved road is in place and delineates the sites northern boundary. Three structures are in place directly north of the site, with several additional buildings and an unimproved road in place further north and northeast. Several drainages traverse the area within one mile north of the site.
	East	The town of Canfield is in place immediately east of the site with associated roads and buildings. Additional structures and stream outlets, the town of Erie, and the Burlington and Missouri River Railroad comprise the area east of the subject property.
	South	Primarily vacant land traversed by stream outlets and drainages. Multiple structures with associated roads are visible approximately one mile south and southwest of the property.
	West	Two structures are in place immediately west of the site with additional structures and a road in place further west. Otherwise, vacant land traversed by stream outlets.
Erie, Colorado: 1948	Subject Property	The stream outlet is now depicted as Lower Boulder Ditch. Two outbuildings are in place near a detention pond located near the northeast corner of the site. An additional pond is depicted on the western portion of the site. An unimproved road traverses the site, just south of the railroad tracks, which are now designated as the Union Pacific Railroad. Overhead utilities traverse the entire property.
	North	The road delineating the site's northern boundary is depicted as CO Road 240 (present day Jasper Road). Two of the former structures are no longer in place however three additional outbuildings are depicted. Additional structures are in place to the northeast.

Table III (continued)

USGS Topographical Map	Direction	Description
	East	The town of Tabor is in place, just south of Canfield. An additional unimproved road is visible within one mile, as well as a stream outlet from Cottonwood No. 1 Ditch.
	South	Additional structures are in place near the Tynan Mine (Inactive) which is depicted approximately one-half mile southeast of the property. The Cottonwood No. 1 Ditch traverses the area to the south. One additional structure is in place within one-mile, with several more depicted to the southwest.
	West	The town of Leyner is in place near an improved road depicted as State Highway 287. Additional structures and two unimproved roads are in place, otherwise, no significant changes.
Erie, Colorado: 1966	Subject Property	An unimproved road traverses the center of the site. Otherwise, no significant changes.
	North	CO Road 240 is now depicted as Jasper Road. The outbuildings are no longer in place but two additional buildings are in place directly north. Several ponds surround Boulder Creek which traverses the area north of the site. Additional structures, unimproved roads, and Mountain View Lakes are in place to the northeast.
	East	Additional dwellings and roads are in place near Canfield and Tabor, otherwise, no significant changes.
	South	Significant development including numerous buildings and roads are in place immediately south and southwest of the site. Two detention ponds within this development are also depicted. Isabelle Road is in place approximately one mile south.
	West	The two structures immediately west of the site are no longer in place. An additional stream outlet and several structures are in place further west, otherwise, no significant changes.
Erie, Colorado: 1971	Subject Property	No significant changes.
	North	Several more structures are depicted to the northeast and northwest. Kenosha Road is in place approximately one mile north, otherwise, no significant changes.
	East	Two additional structures are depicted east of Canfield, otherwise, no significant changes.

Table III (continued)

USGS Topographical Map	Direction	Description
	South	Several additional structures are in place immediately south of the site, with additional roads and structures also in place to the southwest.
	West	Three structures are in place directly west of the site with two additional dwellings depicted further west. Otherwise, no significant changes.
Erie, Colorado: 1978	Subject Property	Five more structures are in place on the property; three near the northwest residence and two near the residence on the northern boundary. Otherwise, no significant changes.
	North	Two additional structures are in place directly north of Jasper Road, with several additional structures also depicted to the northwest and northeast of the property. An intricate land surface area is depicted within one-quarter mile to the northeast.
	East	Additional structures and unimproved roads are depicted within the towns of Canfield and Tabor.
	South	A significant amount of additional structures are in place throughout the area immediately south of the site. Additional dwellings are also present just north of Isabelle road
	West	Multiple additional structures are in place immediately, and further west of the site. An associated road leading to these buildings is present within one-quarter mile of the property.

6.2 Aerial Photographs

Table VI
Aerial Photographs

Aerial Photograph	Direction	Description
1937	Subject Property	Primarily agricultural land with farming equipment located across the site at various places. The farmhouse and associated buildings are in place at the northwest corner of the property with a detention pond visible just southeast of the residence. The residence near the center of the northern boundary also appears to be in place with the historic mill adjacent to the east. A detention pond is present immediately south of the property. The Lower Boulder Ditch, Pacific Union Railroad, an unimproved road, and irrigation ditches traverse the property. Additionally, a canal traverses a portion of the southern boundary.
	North	Primarily vacant agricultural land traversed by stream outlets and irrigation ditches. The future Jasper Road appears to be in place with several structures depicted immediately north of the road. A homestead is visible to the northeast of the site with additional development present further north.
	East	The town of Canfield is in place directly east of the site with multiple structures and roadways associated with the town present. The future North 119th Street appears to be in place and delineates the site's eastern boundary.
	South	Vacant agricultural land with several pieces of farming equipment visible. A canal traverses most of the area south of the property and several irrigation canals and unimproved roads appear to be in place. A structure is visible to the southeast of the property.
	West	Primarily vacant agricultural land with farming equipment visible across the area to the west. A structure with associated unimproved roads appears to be in place immediately west of the property
1966	Subject Property	Several of the irrigation ponds are no longer depicted and the path of the Lower Boulder Ditch has changed. Otherwise, no visible changes.
	Surrounding Properties	Several additional properties and a detention pond are present to the north and northeast, respectively. Additional structures are present within the town of Canfield, located immediately east of the property, and within the town of Tabor, located further east of the property. Approximately fifteen structures with associated unimproved roads are in place immediately south of the property.

Table VI (continued)

Aerial Photograph	Direction	Description
1979	Subject Property	The detention pond located south of the northern residence appears to have increased in size. Otherwise, no visible changes.
	Surrounding Properties	Additional structures are in place immediately north of the property and within the town of Canfield, located immediately east of the property. Significant residential development has occurred in the area directly south and southwest of the property.

The historical research conducted for the subject property indicated that the property has been primarily vacant agricultural fields traversed by irrigation ditches, the Lower Boulder Ditch, and the Union Pacific Railroad. Two rural residences have been in place on the northern portion of the property since at least 1902. Unimproved roads have traversed the site since approximately 1937. The two Historic Mill structures, overhead utilities, and detention ponds have been in place since at least 1948. Additional structures associated with the farming operation were first erected on the property sometime prior to 1978. AGW does not identify the historical uses of the subject property as a recognized environmental condition.

The area surrounding the property has historically been vacant agricultural land traversed by streams and drainages, including Boulder Creek and Cottonwood No. 1 Ditch. Several rural residences/farms and the town of Canfield have been in place since at least 1902. Rural residences located immediately south of the site first appeared in 1966. Residential neighborhood development in this area, and the area southwest of the property, began sometime after 1966 and significantly increased until 1978. None of the past uses of the surrounding properties are identified as recognized environmental conditions in relation to the subject property.

7.0 PUBLIC RECORDS REVIEW

A review of public records was completed by Satisfi Environmental Information (Satisfi) of Castle Rock, Colorado. This record search was defined to meet or exceed the ASTM guidelines for a Phase I ESA records search. The search area defined by ASTM varies from adjacent properties to a maximum of a one mile radius.

The information reviewed for this assessment includes the following: National Priorities List (NPL) Superfund sites; State equivalent NPL sites (SPL); facilities investigated for potential releases of hazardous materials to the environment (Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS); hazardous waste facilities (RCRA); documented spills or hazardous releases; leaking underground storage tanks (LUST); registered USTs and ASTs; and solid or hazardous waste landfills. Summarized data follows with specific information and mapping details contained in Attachment E.

Table V
Summary of Publicly Available Environmental Records

Federal Databases		Approximate Minimum Search Distance	Results
NPL	The National Priorities List (NPL) is the USEPA's database of uncontrolled or abandoned hazardous waste facilities that have been listed for priority remedial actions under the Superfund Program.	1.0	0
CORRACT	The USEPA maintains a database of RCRA facilities that are undergoing "corrective action". A "corrective action" order is issued when there has been a release of hazardous waste or constituents into the environment from a RCRA facility.	1.0	0
TSD	The USEPA maintains a database of RCRA facilities associated with treatment, storage, or disposal (TSD) of hazardous waste.	0.50	0
CERCLIS	The CERCLIS database is a compilation of facilities that USEPA has or is currently investigating for a release or threatened release of hazardous substances subject to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980.	0.50	0
Spill	The Emergency Response Notification System (ERNS) is a listing compiled by the USEPA and the Coast Guard's National Response Center of reported releases of petroleum and hazardous substances to the air, soil and/or water.	0.25	0
Generator	The US EPA's Resource Conservation and Recovery Act (RCRA) database identifies facilities that generate hazardous waste. Large quantity generators (LQG) produce at least 1,000 kg/month of hazardous waste or	0.25	0

Table V (continued)

Federal Databases		Approximate Minimum Search Distance	Results
	1 kg/ month of acutely hazardous waste. Small quantity generators (SQG) produce 100 to 1,000 kg/ month of hazardous waste. Conditionally exempt small quantity generators (CESQG) generate less than 100 kg/month of hazardous waste.		
Other	The US EPA's Resource Conservation and Recovery Act (RCRA) database also identifies facilities that are transporters of hazardous waste, former generators, and suspected generators. Non-generators that have been inspected or have sent in notifications are also included.	0.25	0
State Databases			
VCL	State Voluntary Cleanup Lists include sites that are being cleaned up or that have applied for a No Action Determination from the State.	0.50	0
Solid Waste	State lists of solid waste facilities. This category also includes lists compiled from various local agencies.	0.50	0
Tank Leak	State list of leaking underground storage tanks (LUSTs) and above-ground tank leaks. This category also includes LUST Trust sites where no responsible party has been identified.	0.50	0
Tank	State list of registered underground storage tanks (USTs) and above-ground storage tanks (ASTs).	0.25	0
AUL	Activity and Use Limitations include sites with either Engineering Controls or Institutional Controls that are intended to prevent exposure to contamination that has been left in place.	0.25	0
Oil and Gas Wells	Colorado Oil and Gas Commission- In general, oil and gas production wells present an environmental hazard during all stages of their use, including: initial construction and development, production, and through underground or surface transport. At each stage of the process of oil and gas production, significant potential for hydrocarbon release is present	On Site	3

7.1 Oil and Gas Production Wells

The Colorado Oil and Gas Commission (COGCC) maintains a database record of all oil and gas wells located within the state. In general, oil and gas production wells present an environmental hazard during all stages of their use, including: initial construction and development, production, and through underground or surface transport. At each stage of the process of oil and gas production, significant potential for hydrocarbon release is present. Three oil and gas wells; one currently active, one abandoned location, and one plugged and abandoned well, are documented on the subject property. The producing oil and gas well Wise 1-14X is located on the southern portion of the property along an unimproved road. According to the COGCC, the abandoned location well Wise # 43-14 is located southeast of the active well, and the plugged and abandoned well Wise # 1-14

location is east of all well locations, near the unimproved road that traverses the southern portion of the site. Approximate locations for all three wells are depicted on Figure 2 of this report. The oil and gas wells located on the subject property are summarized in Table VI below:

Table VI
Oil and Gas Wells

Map ID	Well Name	Location	Operator	Spud Date	Status
1	Wise 1-14 X	NWSE 14 1N 69W 6PM	Noble Energy Inc.	1984	PR- Producing
2	Wise # 43-14	NESE 14 1N 69W 6PM	Basin Exploration Inc.	N/A	AL- Abandoned Location
3	Wise # 1-14	NESE 14 1N 69W 6PM	Gerrity Oil and Gas Corp.	1983	AB/PA- Plugged and Abandoned

After review of the information contained within the COGCC (spud dates and statuses), and a site visit to the currently producing on-site oil and gas well indicating that the condensate is stored in a concrete tank, **AGW identifies the Wise 1-14 X producing well and associated tank battery as a recognized environmental conditions in relation to the subject property.**

Oil and gas wells raise a concern from a land development standpoint. Structures should not be constructed within a certain distance of operational wells and production equipment. Prior to development, AGW recommends that appropriate setbacks be placed from all oil and gas wells located on the property.

7.2 Unmapped Sites

Four unmapped sites were listed during the Satisfi records search. These sites could not be mapped accurately because of inadequate addresses or street maps. Unmapped listings are reported by Satisfi on the chance that their location might be revealed during the course of a site visit or other research. However, unless there is some specific reason to believe that a listing is nearby and of potential concern, there is no requirement in the ASTM standard to attempt to verify the location of these listings. Based on available information, there is no reason to believe this listing is within one mile of the subject property.

8.0 ENVIRONMENTAL LIENS

On December 20, 2012 AGW corresponded with Mr. Jim Dullea of Jasper Land Investments, LLC, to inquire about any known environmental liens associated with the subject property. Mr. Dullea indicated that he is unaware of any existing environmental liens associated with the subject property. A review of public records was completed by Satisfi. This record search was defined to meet or exceed the ASTM guidelines for a Phase I ESA record search. The search area defined by ASTM for activity and use limitations (AULs) is from adjacent properties to a maximum of a quarter-mile radius. The information reviewed for this assessment did not identify AULs associated with the subject property.

9.0 FINDINGS AND OPINION

- The site is positioned southwest of the intersection of Jasper Road and North 119th Street in Erie, Colorado. The site is approximately 180 acres in size. Future development plans for the property include 313 lots within a residential community.

The majority of the property is agricultural land, with a farm homestead located in the northwest corner, and a small residence present near the center of the northern boundary. A historic mill is located east of the smaller residence and includes two buildings.

- The remainder of the property is agricultural land that is currently dry and wet land farmed (for additional information see Section 5.0). A dry canal traverses the eastern portion of the southern boundary, and intersects one of several irrigation canals on the property. Overhead utilities traverse the entire site and the northeastern portion of the property near the small residence and historic mill. The abandoned Union Pacific Railroad tracks and the Lower Boulder Ditch traverse the central portion of the site. Numerous unimproved roads traverse the property including two that lead to the currently producing, on-site Wise 1-14 X oil and gas well. Due to the age of the well and concrete tank used to store the condensate, **AGW identifies the Wise 1-14 X producing oil and gas well and associated tank battery as a recognized environmental condition in relation to the subject property.**
- The subject property is positioned within a mixed use neighborhood. Jasper Road delineates the northern property boundary, while vacant, agricultural fields and rural residences are located further north. Overhead utilities are in place immediately east of North 119th Street, and the town of Tabor is located within one mile east of the subject property. A residential neighborhood is in place immediately south of the site. Vacant land and an oil and gas well comprise the area immediately west of the property, while residential homes are in place further west. None of the properties

surrounding the site are identified as recognized environmental conditions in relation to the subject property.

- The historical research conducted for the subject property indicated that the property has been primarily vacant agricultural fields traversed by irrigation ditches, the Lower Boulder Ditch, and the Union Pacific Railroad. Two rural residences have been in place on the northern portion of the property since at least 1902. Unimproved roads have traversed the site since approximately 1937. The two Historic Mill structures, overhead utilities, and detention ponds have been in place since at least 1948. Additional structures associated with the farming operation were first erected on the property sometime prior to 1978. AGW does not identify the historical uses of the subject property as a recognized environmental condition.
- The area surrounding the property has historically been vacant agricultural land traversed by streams and drainages, including Boulder Creek and Cottonwood No. 1 Ditch. Several rural residences/farms and the town of Canfield have been in place since at least 1902. Rural residences located immediately south of the site first appeared in 1966. Residential neighborhood development in this area, and the area southwest of the property, began sometime after 1966 and significantly increased until 1978. None of the past uses of the surrounding properties are identified as recognized environmental conditions in relation to the subject property.
- Records maintained by the U. S. Environmental Protection Agency (EPA), the Colorado Department of Public Health & Environment (CDPHE), the Colorado Department of Labor and Employment, Division of Oil and Public Safety (OPS), and the Colorado Oil and Gas Conservation Commission, were evaluated for information

on hazardous materials and land sources of pollutants/hazards of potential concern, including known complaints and spills. A review of public records from these government agencies revealed three potential sources of contamination. One producing oil and gas well, one abandoned location, and one plugged and abandon oil and gas well are located on the subject property. Records maintained by regulatory agencies were reviewed, and **the producing Wise 1-14 X oil and gas well and associated tank battery, are recognized environmental conditions in relation to the subject property.**

10.0 CONCLUSION

We have performed a Phase I ESA in general conformance with the scope-of-work and limitations of American Standard of Testing Materials (ASTM) Standard Practice Designation E 1527-05 for the property identified as the Wise Property located in Erie, Colorado. Any exceptions, or deletions from this practice are described in Section 12.0 of this report.

This assessment has revealed no evidence of recognized environmental conditions in connection with the property with the exception of the following:

- **The on-site and producing Wise 1-14 X oil and gas well and associated tank battery.**

The following items are not considered recognized environmental conditions; however, AGW has determined these issues to be important environmental considerations which should be understood in connection with the property:

- Oil and gas wells raise a concern from a land development standpoint. Structures should not be constructed within the required set back of operational wells and production equipment. Prior to development, AGW recommends that appropriate setbacks be placed from all oil and gas wells located on the property.
- While not an environmental concern, former underground coal mining operations in the area have led to subsidence issues on the eastern portion of the subject property. AGW strongly recommends reviewing available reports such as: Western Environment and Ecology Inc.'s "Mine Subsidence Investigation, Wise Property, Section 14, Township 1 North, Range 69 West, Boulder County, Colorado" dated May 31, 2005; CTL Thompson, Inc. "Preliminary Geotechnical Investigation, Wise Farms, Southwest of Jasper Road and 119th Street, Erie, Colorado" dated December 9, 2005, regarding subsidence issues in the area.

11.0 LIMITATIONS

The professional judgements expressed in this report meet the standard of care for our profession. Environmental issues (among others) not included in the scope of work for this project include radon, lead-based paint, and asbestos testing, and wetlands and endangered species evaluations. The collection and specific laboratory analyses of environmental samples were not part of the scope of this Phase I ESA; therefore, no specific quantitative environmental data was generated.

AGW's assessment is limited to identifying potential environmental liabilities associated with the property of concern. Not identifying hazardous or toxic materials on the property should not be interpreted as a guarantee that these materials do not exist. It is merely a statement indicating that

the probability of contamination on the subject property should be minimal based on site characteristics, and the historical and current uses of the site and surrounding areas. This opinion is rendered based upon property inspection, information from interviews with knowledgeable persons regarding property history, and information provided by governmental and regulatory agencies. Information is obtained on a reasonably ascertainable basis as it pertains to costs, timeliness, and availability, and is believed to be from reliable sources; however no responsibility is assumed for its accuracy since AGW was not retained to verify publicly available information. Parties who wish to qualify for use of the landowner liability protections will need to know whether they are in compliance with activity and use limitations (AULs), including land use restrictions that were relied upon in connection with a response action. A determination of compliance with AULs is beyond the scope of this practice.

12.0 DEVIATIONS

This Phase I ESA has been completed in general accordance with ASTM Practice E 1527-05. We are aware of no significant deviations from this standard with the exception of the following:

- AGW was unable to conduct historical research back to the first developed use of the property, however, we do not believe this will impact the findings of our study.

Thank you for the opportunity to serve you on this project. If you have any questions regarding the contents of this report or should you require additional information, please do not hesitate to call.

Sincerely,

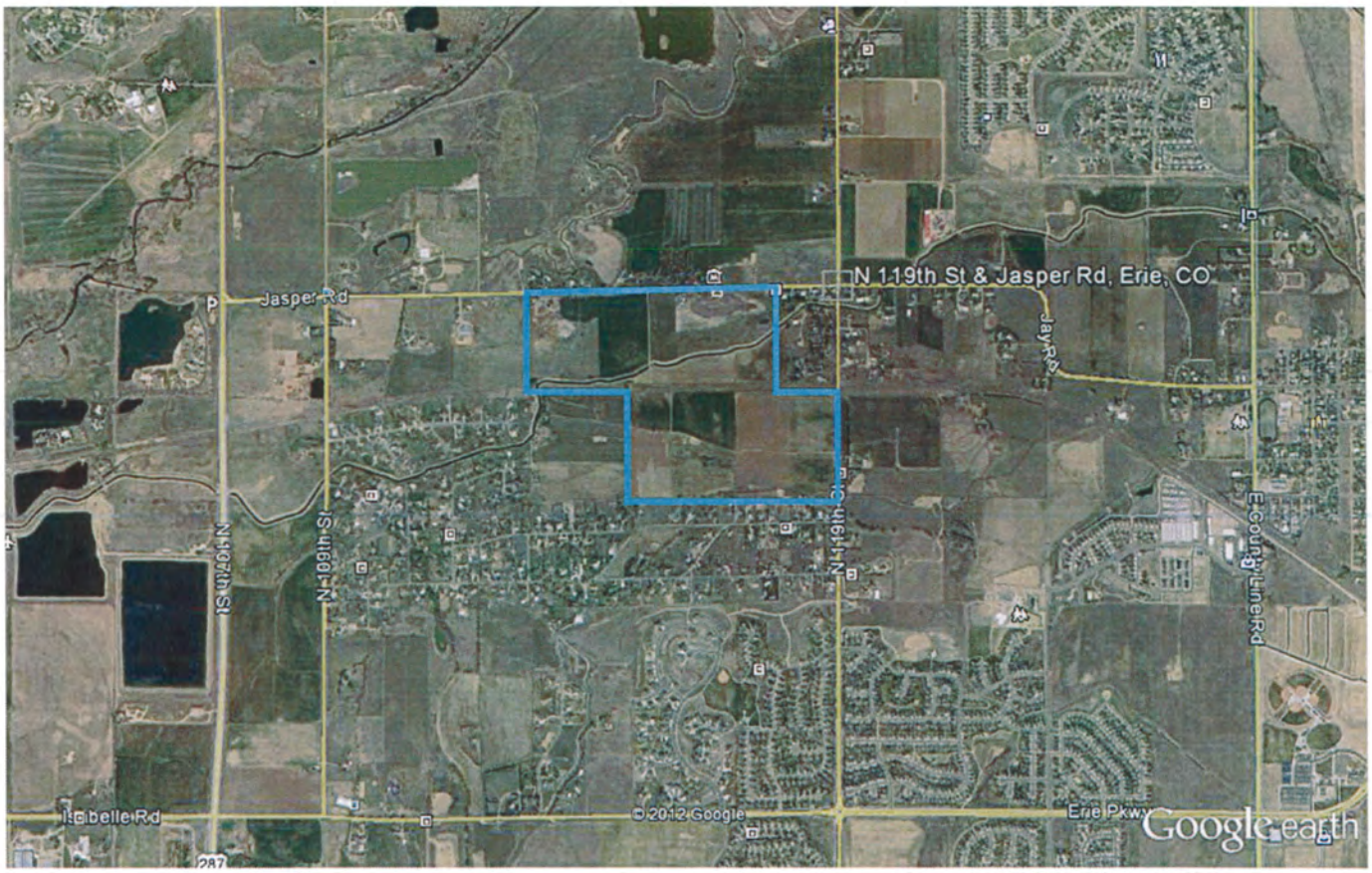
A. G. WASSENAAR, INC.

Kristin A. Schwartz
Environmental Scientist

Brian J. Glade, P.E.
Vice President

I, Brian J. Glade, declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in 312.10 of 40 CFR 312 and I have specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

KAS/JAB/dd

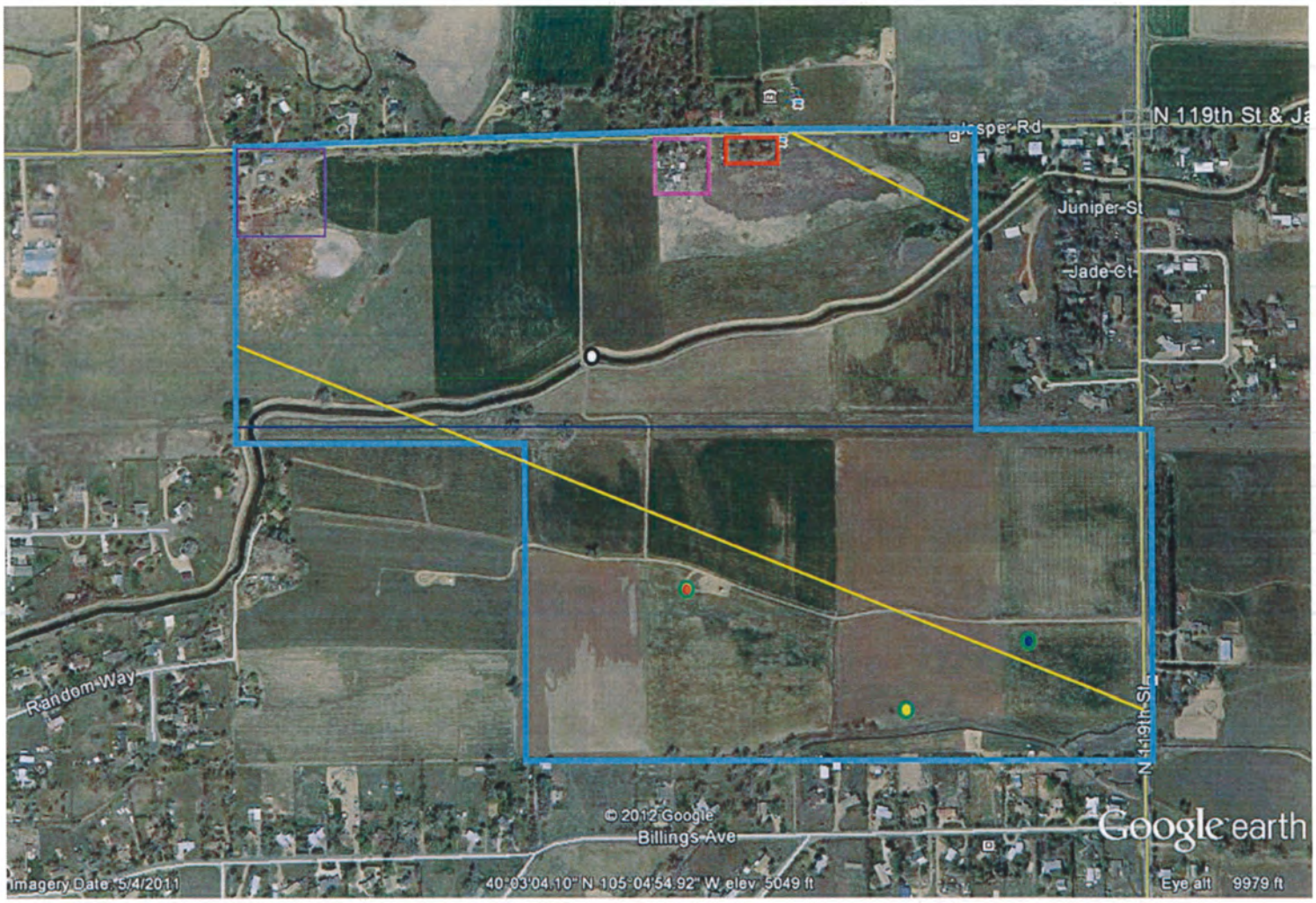


Approximate Subject Property

NOTE: ALL LOCATIONS ARE APPROXIMATE

N

A.G. Wassenaar Geotechnical and Environmental Consultants Inc.	
Wise Property Erie, Colorado	Project No. E12776.E1 Figure 1 Vicinity Map



Legend

Approximate Subject Property

- Abandoned Union Pacific Railroad Tracks
- Overhead Utilities/ Power Lines
- Farm Homestead
- Small Residence
- Historic Mill
- Sediment Catchment Basin
- Wise 1-14 X Oil and Gas Well
- Wise # 43-14 Oil and Gas Well
- Wise # 1-14 Oil and Gas Well

N

NOTE: ALL LOCATIONS ARE APPROXIMATE

A.G. Wassenaar Geotechnical and Environmental Consultants Inc.	
Wise Property Erie, Colorado	Project No. E12776.E1 Figure 2 Site Map

ATTACHMENT A
PHOTOGRAPHS

The three large ASTs within the farm homestead located at the northwest site corner are depicted.

Outbuildings, debris, and a vehicle located at the farm homestead are depicted.

The smaller residence and associated outbuildings located near the center of the northern boundary are visible.

The historic mill, located east of the smaller residence, is portrayed.

The Wise 1-14 X oil and gas well tank battery, condensate holding tank, and separator are all depicted.

Looking northwest across the majority of the site. The overhead utilities that traverse the entire property, a drainage, and the smaller residence denoted by the white buildings are visible.

View to the southeast across the site.

ATTACHMENT B
USER QUESTIONNAIRE

A.G. Wassenaar Inc.
Geotechnical and Environmental Consultants
2180 South Ivanhoe Street, Suite 5
Denver, Colorado 80222-5710
303-759-8373 Fax 303-759-4874
www.agwassenaar.com

USER QUESTIONNAIRE

INTRODUCTION

In order to qualify for on of the *Landowner Liability Protections (LLPs)*[35] offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 (the "*Brownfields Amendments*"),[36] the *user* must provide the following information (if available) to the *environmental professional.* Failure to provide this information could result in a determination that *"all appropriate inquiry"* is not complete

(1.) **Environmental cleanup liens that are filed or recorded against the site (40 CFR 312.25).**
Are you aware of any environmental cleanup liens against the *property* that are filed or recorded under federal, tribal, state or local law? No

(2.) **Activity and land use limitations that are in place on the site or that have been filed or recorded in a registry (40 CFR 312.26).**
Are you aware of any AULs, such as *engineering controls,* land use restrictions or *institutional controls* that are in place at the site and/or have been filed or recorded in a registry under federal, tribal, state or local law?
No

(3.) **Specialized knowledge or experience of the person seeking to qualify for the LLP (40 CFR 312.28).**
As the user of this ESA do you have any specialized knowledge or experience related to the property or nearby properties? For example, are you involved in the same line of business as the current or former *occupants* of the *property* or an adjoining *property* so that you would have specialized knowledge of the chemicals and processes used by this type of business?
No

(4.) **Relationship of the purchase price to the fair market value of the *property* if it were not contaminated (40 CFR 312.29).**
Does the purchase price being paid for this *property* reasonably reflect the fair market value of the *property*? If you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the *property*? Yes

(5.) **Commonly known or reasonably ascertainable information about the *property* (40 CFR 312.30).**
Are you aware of commonly known or *reasonably ascertainable* information about the *property* that would help the *environmental professional* to identify conditions indicative of releases or threatened releases? For example, as *user*,

(a.) Do you know the past uses of the *property*? No
(b.) Do you know of specific chemicals that are present or once were present at the *property*? No
(c.) Do you know of spills or other chemical releases that have taken place at the *property*? No
(d.) Do you know of any environmental cleanups that have taken place at the *property*? No

(6.) **The degree of obviousness of the presence of likely presence of contamination at the *property*, and the ability to detect the contamination by appropriate investigation (40 CFR 312.31).**
As the *user* of this ESA, based on your knowledge and experience related to the *property* are there any *obvious* indicators that point to the presence or likely presence of contamination at the *property*? No

COMPLETED BY: James A. Dullea, member Jasper Land Investment LLC
DATE: 12/20/2012 James A. Dullea

[35] *Landowner Liability Protections,* or LLPs, is the term used to describe the three types of potential defenses to Superfund liability in EPA's *Interim Guidance Regarding Criteria Landowners Must Meet in Order to Qualify for Bona Fide Prospective Purchaser, Contiguous Property Owner, or Innocent Landowner Limitations on CERCLA Liability ("Common Elements"* Guide) issued on March 6, 2003.

[36] P.L. 107-118.

ATTACHMENT C
TOPOGRAPHIC MAPS AND AERIAL PHOTOGRAPHS

TOPOGRAPHIC MAPS

Subject Property

Wise Property
SW of Jasper Road & N 119th Street
Erie, CO 80026

December 17, 2012

Performed For: A.G. Wassenaar, Inc
2180 S Ivanhoe Street
Denver, CO 80222
Attn: Kristin Schwartz
Ref: E12776.E1

The following maps were found:

Year	Map Name	Size	1:Scale	Note
1978	Erie	7.5'	24,000	
1971	Erie	7.5'	24,000	
1966	Erie	7.5'	24,000	
1948	Erie	7.5'	24,000	
1902	Niwot	15.'	62,500	Earliest found.

These 7.5' US Geological Survey maps covered most cities by the 1930's, and most remote areas by the 1960's. (Please note that maps are identified here by the year of the survey or aerial photo used to make or revise the map, rather than the year of publication.) Some maps changed names over time; to find them, a unique geographic index of the entire USGS collection is searched. If the 7.5' maps do not go back to 1940, earlier 15' maps are included. Any adjoining maps within 1/8 mile of the Subject Property are also included.

Please note that the accuracy and suitability of public and private records cannot be guaranteed, nor can this research. No warranty is made or implied. By using this report, the reader agrees to assume all related risk and to release Satisfi from liability for any damages. However, if this report is not 100% satisfactory, a full refund will be issued.

satisfi
environmental information

TOPOGRAPHIC MAPS SYMBOLS

This Key to Symbols is also available at http://mac.usgs.gov/isb/pubs/booklets/symbols/buildings.html

BUILDINGS AND RELATED FEATURES

Building	
School; church	
Built-up Area	
Racetrack	
Airport	
Landing strip	
Well (other than water); windmill	
Tanks	
Covered reservoir	
Gaging station	
Landmark object (feature as labeled)	
Campground; picnic area	
Cemetery: small; large	Cem

MINES AND CAVES

Quarry or open pit mine	
Gravel, sand, clay, or borrow pit	
Mine tunnel or cave entrance	
Prospect; mine shaft	
Mine dump	Mine dump
Tailings	Tailings

RIVERS, LAKES, AND CANALS

Intermittent stream	
Intermittent river	
Disappearing stream	
Perennial stream	
Perennial river	
Small falls; small rapids	
Large falls; large rapids	
Masonry dam	
Dam with lock	
Dam carrying road	
Perennial lake; Intermittent lake or pond	
Dry lake	Dry Lake
Narrow wash	
Wide wash	Wash
Canal, flume, or aqueduct with lock	
Elevated aqueduct, flume, or conduit	
Aqueduct tunnel	
Well or spring; spring or seep	

ROADS AND RELATED FEATURES

Roads on Provisional edition maps are not classified as primary, secondary, or light duty. They are all symbolized as light duty roads.

Primary highway	
Secondary highway	
Light duty road	
Unimproved road	
Trail	
Dual highway	
Dual highway with median strip	
Road under construction	U. C.
Underpass; overpass	
Bridge	
Drawbridge	
Tunnel	

RAILROADS AND RELATED FEATURES

Standard gauge single track; station	
Standard gauge multiple track	
Abandoned	
Under construction	
Narrow gauge single track	
Narrow gauge multiple track	
Railroad in street	
Juxtaposition	
Roundhouse and turntable	

TRANSMISSION LINES AND PIPELINES

Power transmission line: pole; tower	
Telephone line	Telephone
Aboveground oil or gas pipeline	
Underground oil or gas pipeline	Pipeline

CONTOURS

Topographic

Intermediate	
Index	
Supplementary	
Depression	
Cut; fill	

Bathymetric

Intermediate	
Index	
Primary	
Index Primary	
Supplementary	

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TOPOGRAPHIC MAPS SYMBOLS

This Key to Symbols is also available at http://mac.usgs.gov/isb/pubs/booklets/symbols/buildings.html

SUBMERGED AREAS AND BOGS

- Marsh or swamp
- Submerged marsh or swamp
- Wooded marsh or swamp
- Submerged wooded marsh or swamp
- Rice field — Rice
- Land subject to inundation

GLACIERS AND PERMANENT SNOWFIELDS

- Contours and limits
- Form lines

COASTAL FEATURES

- Foreshore flat
- Rock or coral reef
- Rock bare or awash
- Group of rocks bare or awash
- Exposed wreck
- Depth curve; sounding — 3
- Breakwater, pier, jetty, or wharf
- Seawall

MARINE SHORELINE

Topographic maps

- Approximate mean high water
- Indefinite or unsurveyed

Topographic-bathymetric maps

- Mean high water
- Apparent (edge of vegetation)

BATHYMETRIC FEATURES

- Area exposed at mean low tide; sounding datum
- Channel
- Offshore oil or gas: well; platform
- Sunken rock

VEGETATION

- Woods
- Scrub
- Orchard
- Vineyard
- Mangrove — Mangrove

SURFACE FEATURES

- Levee — Levee
- Sand or mud area, dunes, or shifting sand — Sand
- Intricate surface area — Soil Mine
- Gravel beach or glacial moraine — Gravel
- Tailings pond — Tailings Pond

BOUNDARIES

- National
- State or territorial
- County or equivalent
- Civil township or equivalent
- Incorporated city or equivalent
- Park, reservation, or monument
- Small park

LAND SURVEY SYSTEMS

U.S. Public Land Survey System

- Township or range line
  - Location doubtful
- Section line
  - Location doubtful
- Found section corner; found closing corner
- Witness corner; meander corner — WC, MC

Other land surveys

- Township or range line
- Section line
- Land grant or mining claim; monument
- Fence line

CONTROL DATA AND MONUMENTS

- Aerial photograph roll and frame number* — 3 - 20

Horizontal control

- Third order or better, permanent mark — Neace
- With third order or better elevation — BM 45.1
- Checked spot elevation — 19.5
- Coincident with section corner — Cactus
- Unmonumented*

Vertical control

- Third order or better, with tablet — BM 16.3
- Third order or better, recoverable mark — 120.0
- Bench mark at found section corner — BM 18.6
- Spot elevation — 5.3

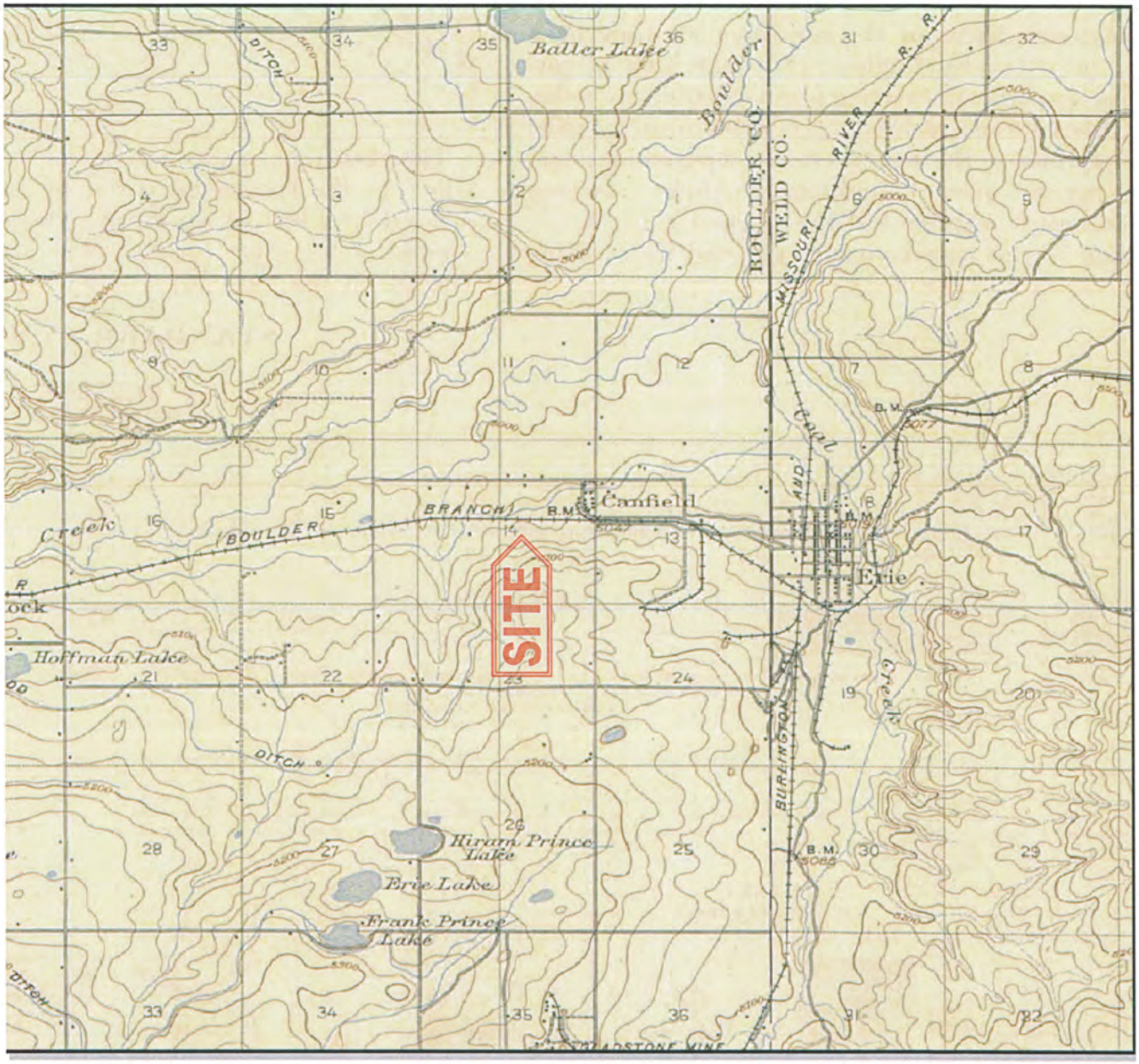
Boundary monument

- With tablet — BM 21.6
- Without tablet — 171.3
- With number and elevation — 67 301.1
- U.S. mineral or location monument

TOPOGRAPHIC MAPS 1902

1902 15' Niwot Quadrangle

Earliest found.



These 7.5' US Geological Survey maps covered most cities by the 1930's, and most remote areas by the 1960's. (Please note that maps are identified here by the year of the survey or aerial photo used to make or revise the map, rather than the year of publication.) Some maps changed names over time; to find them, a unique geographic index of the entire USGS collection is searched. If the 7.5' maps do not go back to 1940, earlier 15' maps are included. Any adjoining maps within 1/8 mile of the Subject Property are also included.

See Symbol Key

Original scale = 1:62500 |------- ~1 mile -------|

NORTH

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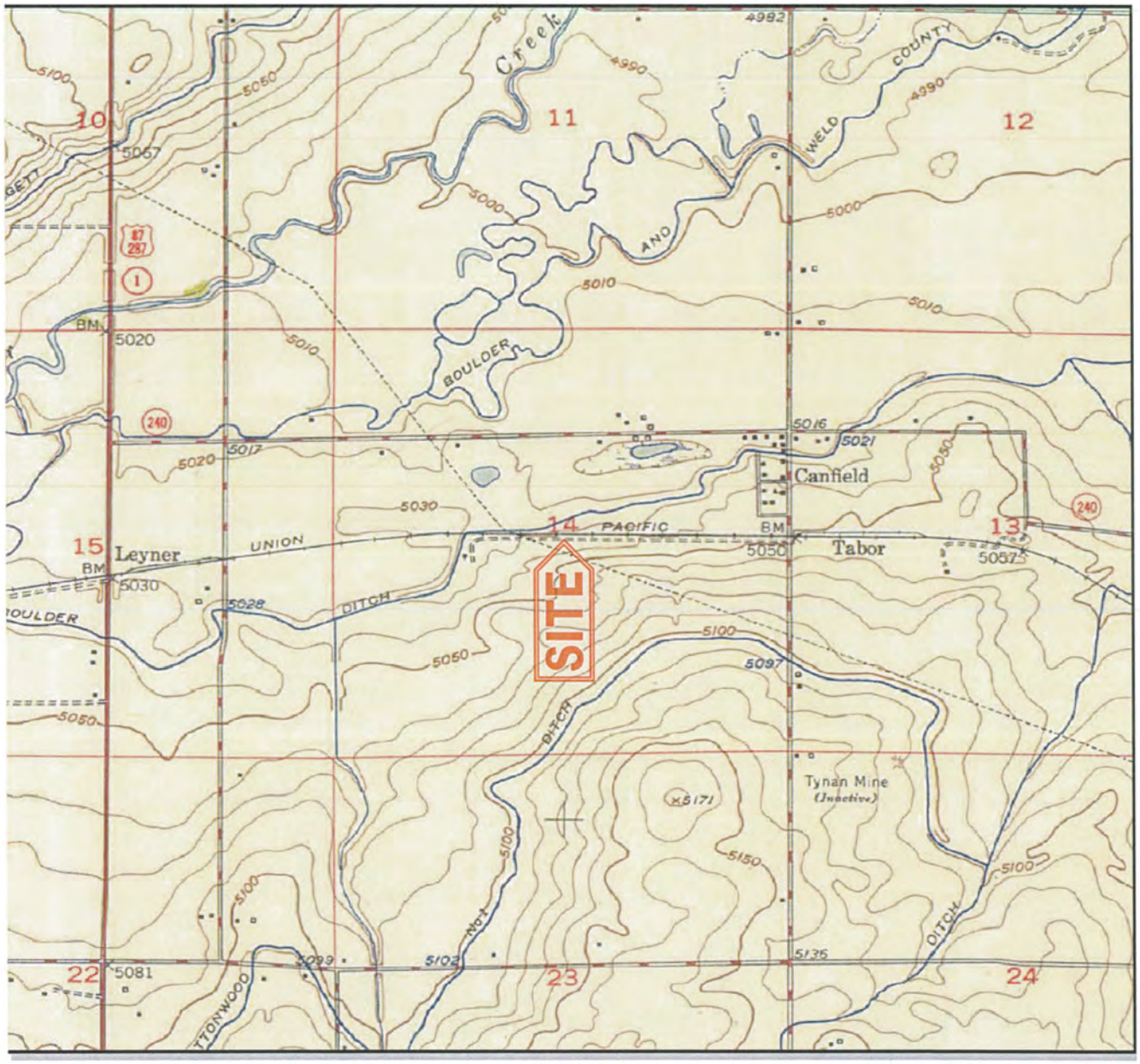
Wise Property, SW of Jasper Road & N 119th Street, Erie, CO
For A.G. Wassenaar, Inc

TOPOGRAPHIC MAPS 1948

1948 7.5' Erie Quadrangle



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See Symbol Key

Original scale = 1:24000 |---------- ~1 mile ----------|

NORTH

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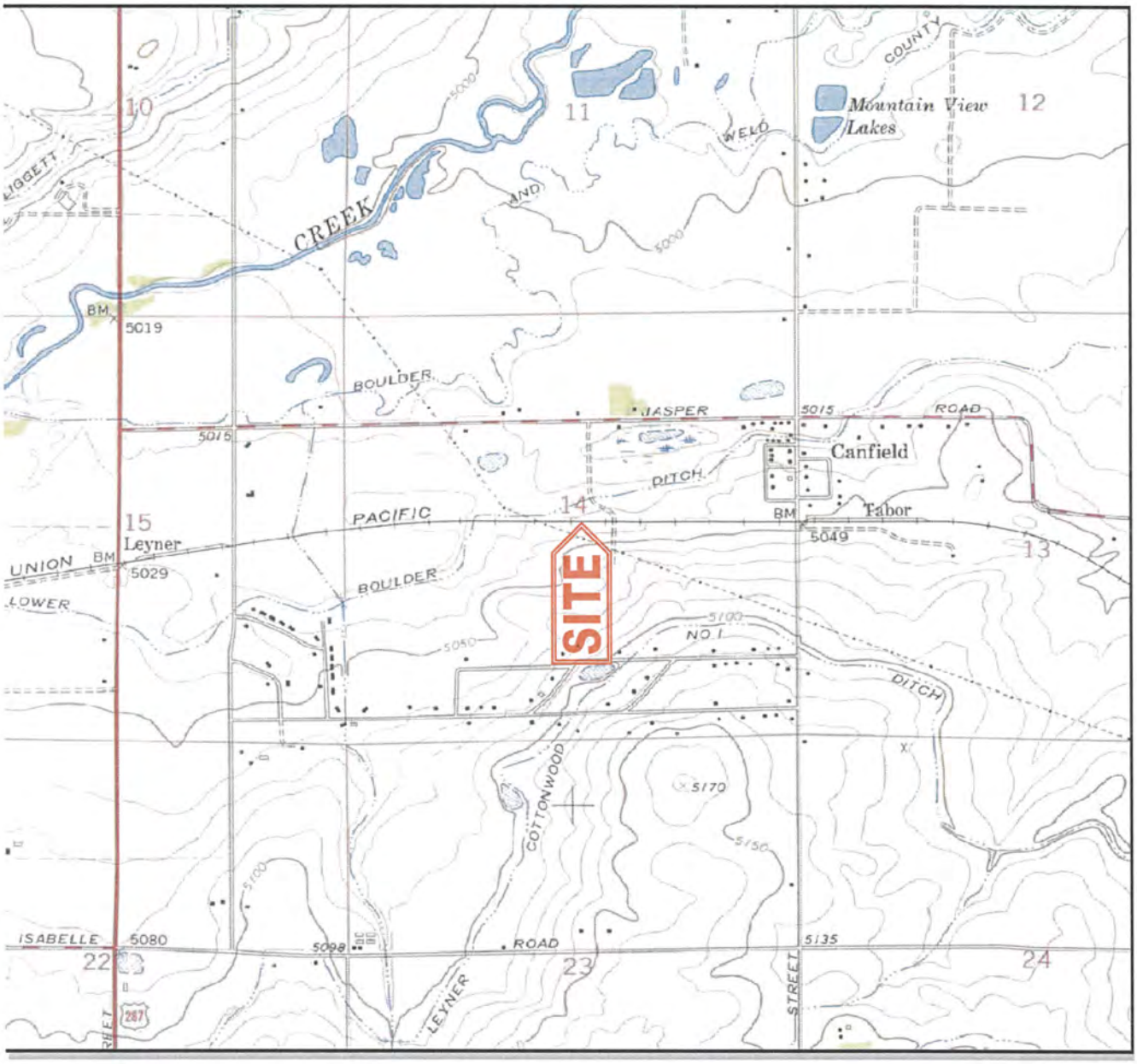
TOPOGRAPHIC MAPS 1966

1966 7.5' Erie Quadrangle



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See Symbol Key

Original scale = 1:24000 |---------- ~1 mile ----------| NORTH

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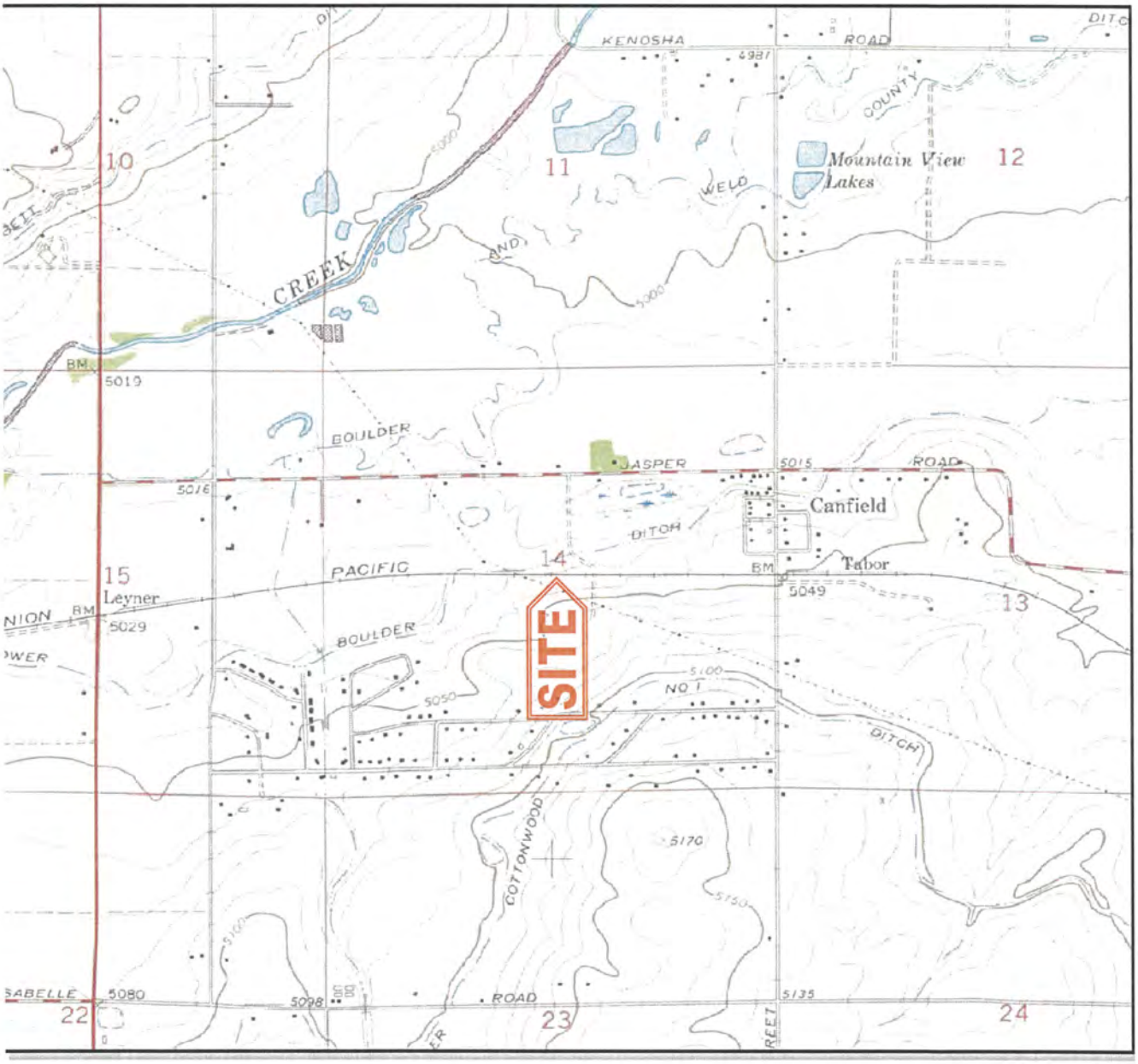
TOPOGRAPHIC MAPS 1971

1971 7.5' Erie Quadrangle



These 7.5' US Geological Survey maps covered most cities by the 1930's, and most remote areas by the 1960's. (Please note that maps are identified here by the year of the survey or aerial photo used to make or revise the map, rather than the year of publication.) Some maps changed names over time; to find them, a unique geographic index of the entire USGS collection is searched. If the 7.5' maps do not go back to 1940, earlier 15' maps are included. Any adjoining maps within 1/8 mile of the Subject Property are also included.

See Symbol Key

Original scale = 1:24000 |---------- ~1 mile ----------|

NORTH

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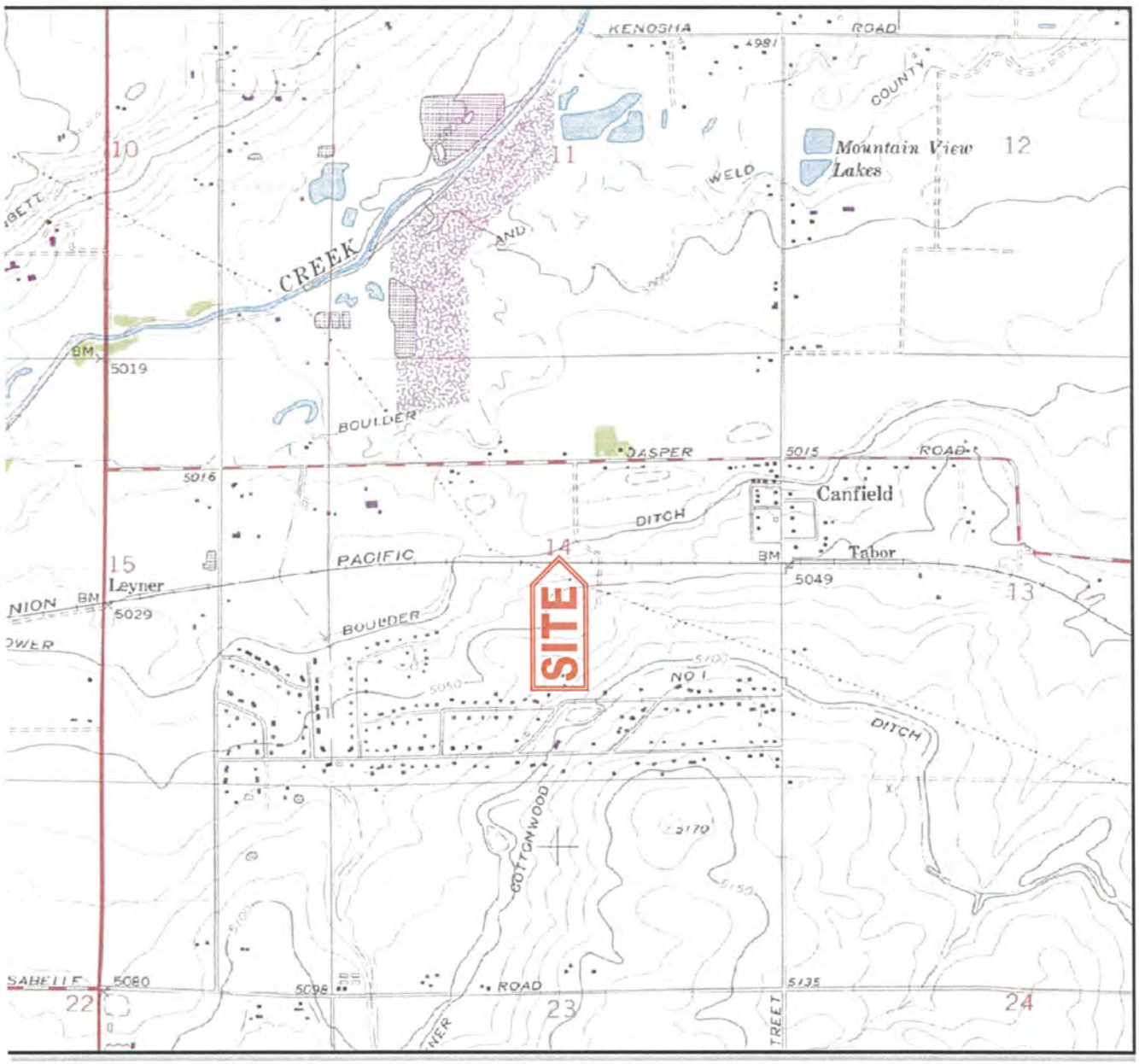
TOPOGRAPHIC MAPS 1978

1978 7.5' Erie Quadrangle



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See Symbol Key

Original scale = 1:24000 |---------- ~1 mile ----------|

NORTH

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AERIAL PHOTOGRAPHS

Subject Property

Wise Property
SW of Jasper Road & N 119th Street
Erie, CO 80026

December 17, 2012

Performed For:	A.G. Wassenaar, Inc 2180 S Ivanhoe Street Denver, CO 80222
Attn:	Kristin Schwartz
Ref:	E12776.E1

The following photos were ordered:

Year	Note
1979	
1966	
1937	Earliest found.

The Colorado Aerial Photo Service (CAPS) collection covers most developed areas of the Front Range annually from 1948. The originals are enlarged to a scale that is intended to show the Subject Property and the properties that surround it. The originals can be viewed in stereo and under high-power magnification at CAPS, 2757 W. Second Avenue in Denver, for a minimal handling fee. Call CAPS at 303-934-2419 or 800-215-2681 to have prints pulled and waiting.

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environmental information

1937

Earliest found.

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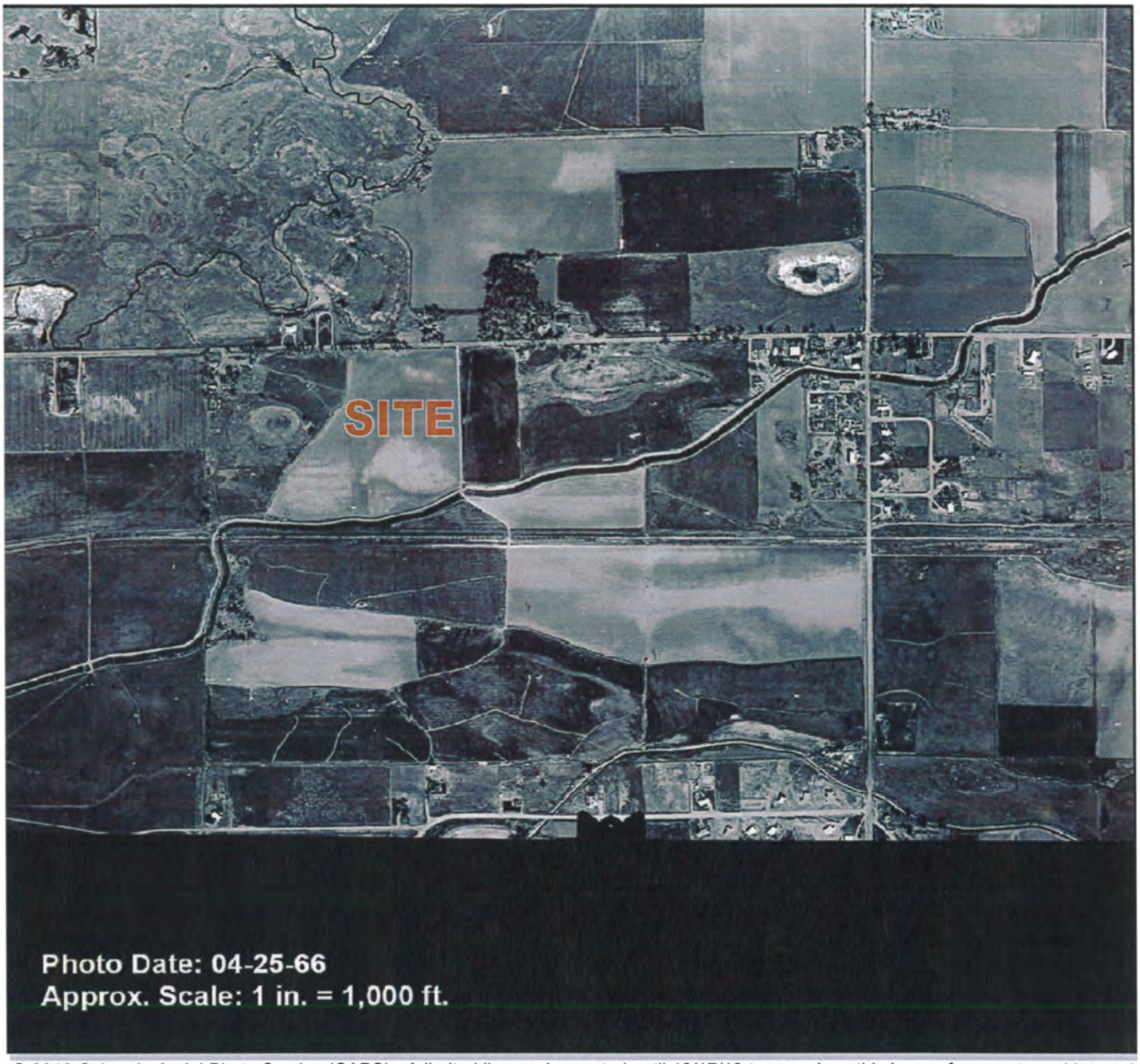
NORTH

1966



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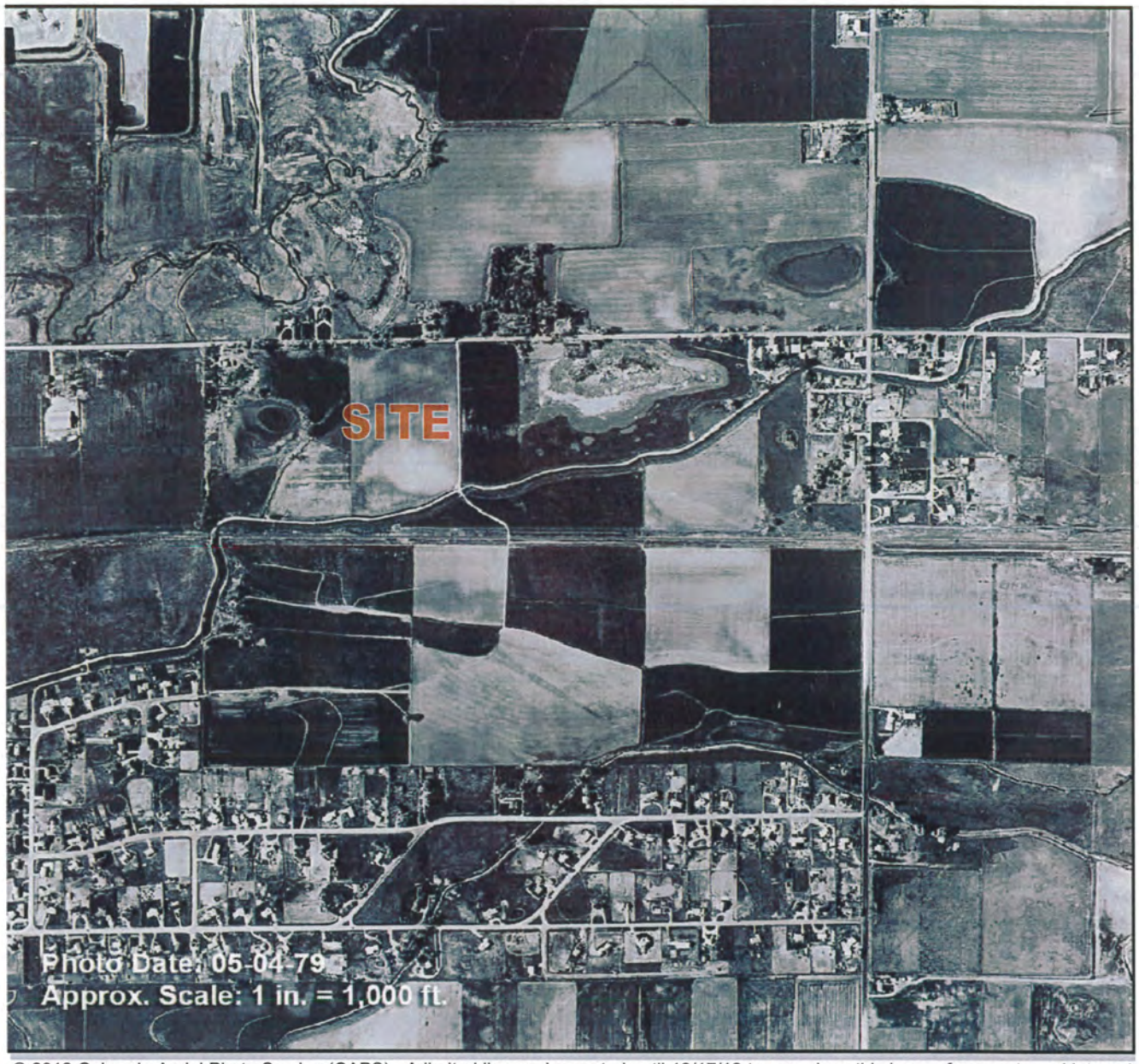
NORTH

1979



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NORTH

ATTACHMENT D
PUBLIC RECORDS RESEARCH

InfoMap

Technologies Incorporated

Environmental FirstSearch ™ Report

Target Property: WISE PROPERTY

JASPER RD AND N 119TH ST

ERIE CO 80026

Job Number: E12776.E1

PREPARED FOR:

A.G. Wassenaar, Inc

2180 S Ivanhoe Street

Denver, CO 80222

by Satisfi, Inc

720-200-9472

12-17-12

Tel: (610) 430-7530 *Fax: (610) 430-7535*

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Environmental FirstSearch
Site Information Report

Request Date:	12-17-12	**Search Type:**	AREA
Requestor Name:	Brian Peterson		0.29 sq mile(s)
Standard:	ASTM-05	**Job Number:**	E12776.E1
		Filtered Report	

Target Site: JASPER RD AND N 119TH ST
ERIE CO 80026

Demographics

Sites:	4	**Non-Geocoded:**	4	**Population:**	NA
Radon:	2.2 - 4.7 PCI/L				

Site Location

	Degrees (Decimal)	Degrees (Min/Sec)		UTMs
Longitude:	-105.081747	-105:4:54	**Easting:**	493027.121
Latitude:	40.051104	40:3:4	**Northing:**	4433222.35
Elevation:	N/A		**Zone:**	13

Comment

Comment:

Additional Requests/Services

Adjacent ZIP Codes: 1 Mile(s)

ZIP Code	City Name	ST	Dist/Dir	Sel
80504	LONGMONT	CO	0.11 NW	Y
80516	ERIE	CO	0.00 --	Y

Services:

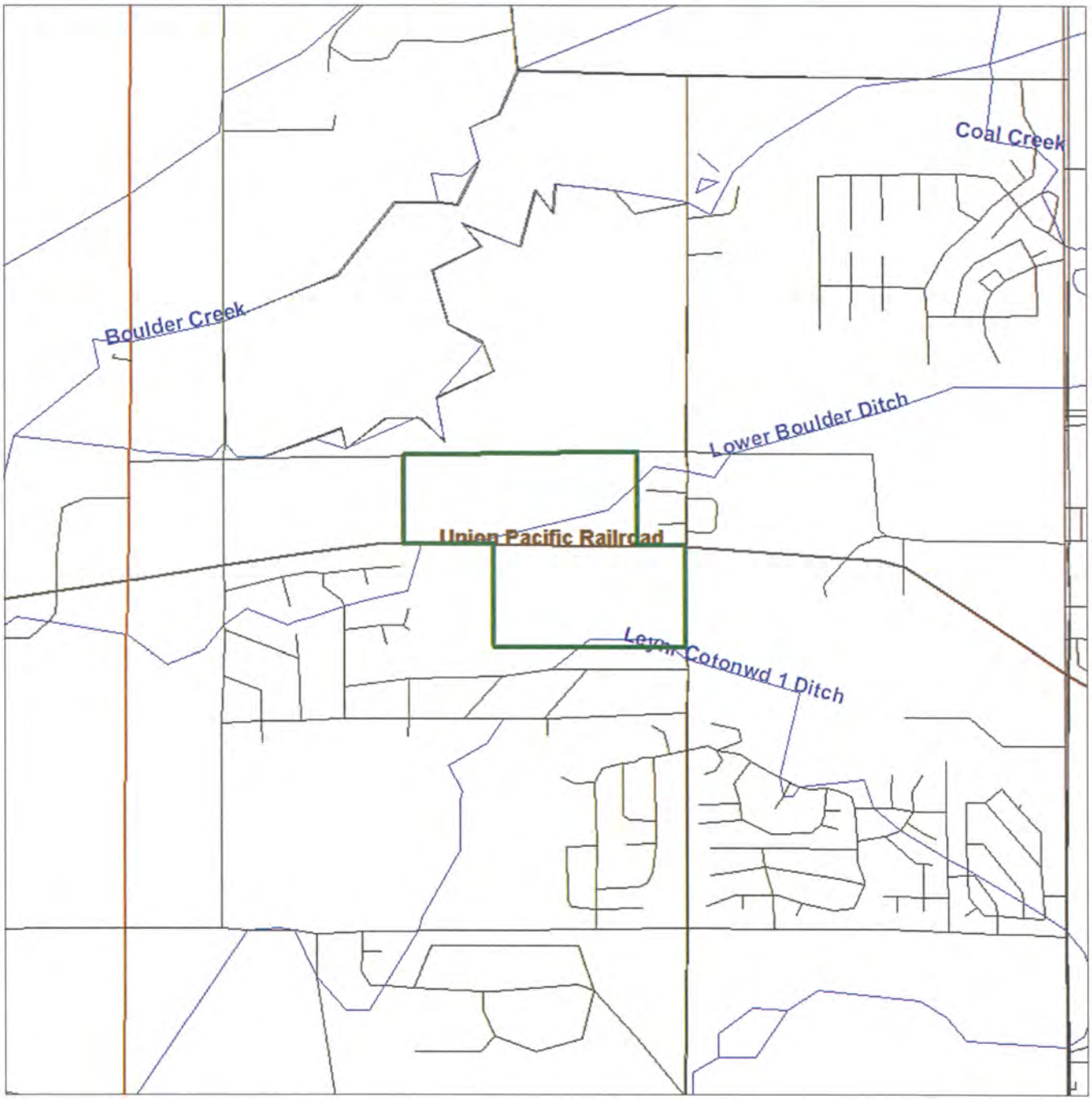
	Requested?	Date
Fire Insurance Maps	No	
Aerial Photographs	No	
Historical Topos	No	
City Directories	No	
Title Search/Env Liens	No	
Municipal Reports	No	
Online Topos	No	

Environmental FirstSearch

1 Mile Radius from Area

Single Map:

JASPER RD AND N 119TH ST, ERIE CO 80026



Source: 2005 U.S. Census TIGER Files

Area Polygon .....

Identified Site, Multiple Sites, Receptor .....

NPL, DELNPL, Brownfield, Solid Waste Landfill (SWL), Hazardous Waste

Triballand.....

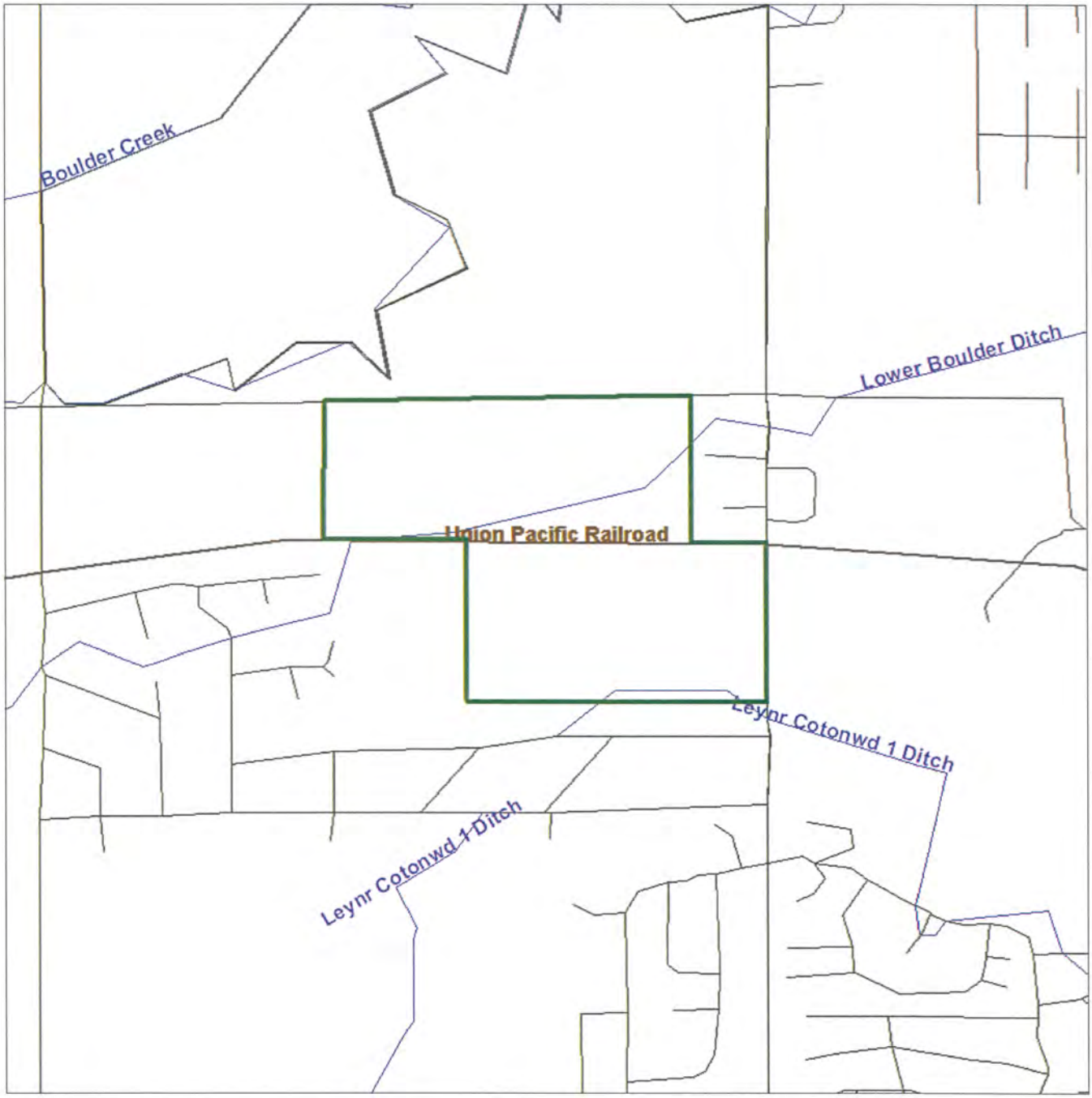
Railroads .....

Environmental FirstSearch

.5 Mile Radius from Area

Single Map:

JASPER RD AND N 119TH ST, ERIE CO 80026



Source: 2005 U.S. Census TIGER Files

Area Polygon .....

Identified Site, Multiple Sites, Receptor .....

NPL, DELNPL, Brownfield, Solid Waste Landfill (SWL), Hazardous Waste

Triballand.....

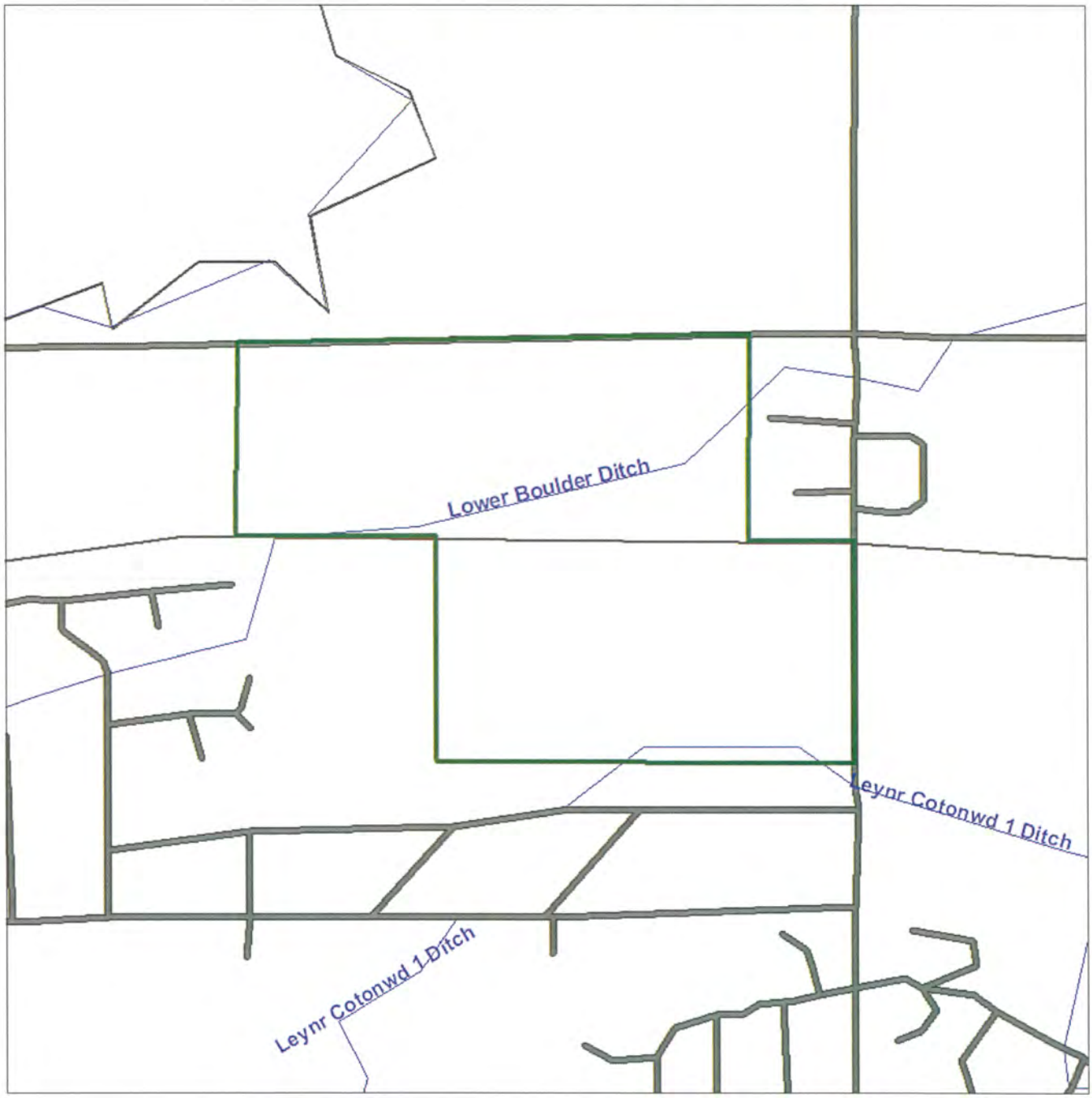
Railroads .....

Environmental FirstSearch

.25 Mile Radius from Area

Single Map:

JASPER RD AND N 119TH ST, ERIE CO 80026



Source: 2005 U.S. Census TIGER Files

Area Polygon .....

Identified Site, Multiple Sites, Receptor .....

NPL, DELNPL, Brownfield, Solid Waste Landfill (SWL), Hazardous Waste

Triballand.....

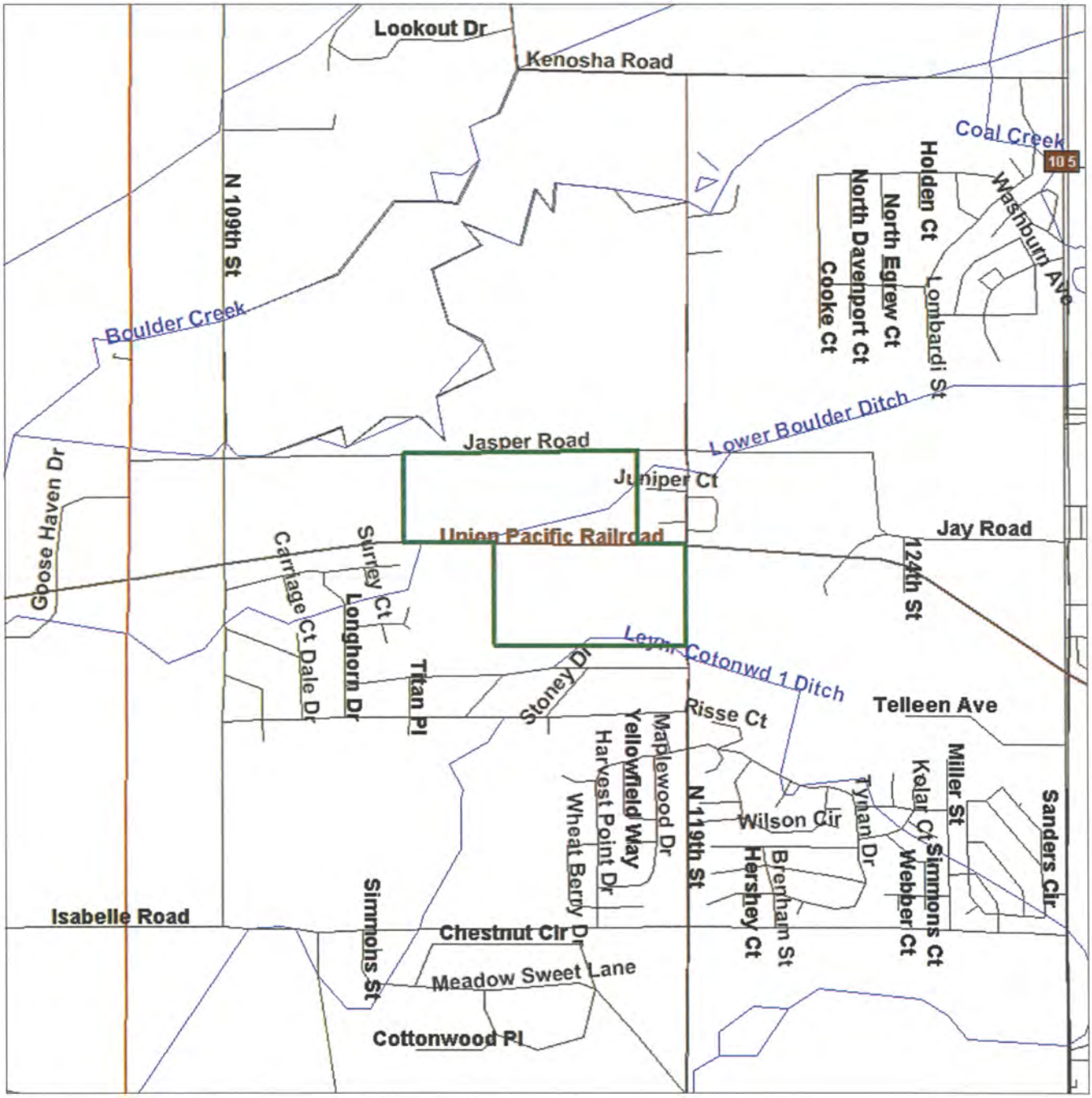
Railroads .....

Environmental FirstSearch

1 Mile Radius from Area

Site Locus Map:

JASPER RD AND N 119TH ST, ERIE CO 80026



Source: 2005 U.S. Census TIGER Files

Area Polygon .....

Identified Site, Multiple Sites, Receptor .....

NPL, DELNPL, Brownfield, Solid Waste Landfill (SWL), Hazardous Waste

Triballand.....

Railroads .....

Environmental FirstSearch
Search Summary Report

Target Site: JASPER RD AND N 119TH ST
ERIE CO 80026

FirstSearch Summary

Database	Sel	Updated	Radius	Site	1/8	1/4	1/2	1/2>	ZIP	TOTALS
NPL	Y	09-20-12	1.00	0	0	0	0	0	0	0
NPL Delisted	Y	09-20-12	0.50	0	0	0	0	-	0	0
CERCLIS	Y	10-01-12	0.50	0	0	0	0	-	0	0
NFRAP	Y	10-01-12	0.50	0	0	0	0	-	0	0
RCRA COR ACT	Y	09-11-12	1.00	0	0	0	0	0	0	0
RCRA TSD	Y	09-11-12	0.50	0	0	0	0	-	0	0
RCRA GEN	Y	09-11-12	0.25	0	0	0	-	-	0	0
RCRA NLR	Y	09-11-12	0.25	0	0	0	-	-	0	0
Federal Brownfield	Y	10-14-12	0.25	0	0	0	-	-	0	0
ERNS	Y	10-04-12	0.25	0	0	0	-	-	0	0
Tribal Lands	Y	12-15-08	1.00	0	0	0	0	0	0	0
State/Tribal Sites	Y	08-01-07	1.00	0	0	0	0	0	0	0
State Spills 90	Y	10-15-12	0.25	0	0	0	-	-	0	0
State/Tribal SWL	Y	07-01-11	0.50	0	0	0	0	-	4	4
State/Tribal LUST	Y	10-17-12	0.50	0	0	0	0	-	0	0
State/Tribal UST/AST	Y	10-17-12	0.25	0	0	0	-	-	0	0
State/Tribal EC	Y	04-24-12	0.25	0	0	0	-	-	0	0
State/Tribal VCP	Y	10-17-12	0.50	0	0	0	0	-	0	0
Federal IC/EC	Y	12-13-12	0.25	0	0	0	-	-	0	0
Meth Labs	Y	12-02-11	0.25	0	0	0	-	-	0	0
- TOTALS -				0	0	0	0	0	4	4

Notice of Disclaimer

Due to the limitations, constraints, inaccuracies and incompleteness of government information and computer mapping data currently available to InfoMap Technologies, certain conventions have been utilized in preparing the locations of all federal, state and local agency sites residing in InfoMap Technologies's databases. All EPA sites are depicted by a rectangle approximating their location and size. The boundaries of the rectangles represent NPL and state landfill the eastern and western most longitudes; the northern and southern most latitudes. As such, the mapped areas may exceed the actual areas and do not represent the actual boundaries of these properties. All other sites are depicted by a point representing their approximate address location and make no attempt to represent the actual areas of the associated property. Actual boundaries and locations of individual properties can be found in the files residing at the agency responsible for such information.

Waiver of Liability

Although InfoMap Technologies uses its best efforts to research the actual location of each site, InfoMap Technologies does not and can not warrant the accuracy of these sites with regard to exact location and size. All authorized users of InfoMap Technologies's services proceeding are signifying an understanding of InfoMap Technologies's searching and mapping conventions, and agree to waive any and all liability claims associated with search and map results showing incomplete and or inaccurate site locations.

Environmental FirstSearch
Sites Summary Report

Target Property: JASPER RD AND N 119TH ST
ERIE CO 80026

JOB: E12776.E1

TOTAL: 4 **GEOCODED:** 0 **NON GEOCODED:** 4 **SELECTED:** 4

Map ID	Dist/Dir	DB Type	Site Name/ID/Status	Address	ElevDiff	Page No.
	NON GC	*SWL*	*OLD ERIE LANDFILL* *12-1367/HISTORIC*	*UNKNOWN* *ERIE CO*	*N/A*	*1*
	NON GC	*SWL*	*NEWHAUSER DUMP* *12-1371/HISTORIC*	*UNKNOWN* *ERIE CO*	*N/A*	*2*
	NON GC	*SWL*	*HORST/DEAMIN* *12-137/HISTORIC*	*UNKNOWN* *ERIE CO*	*N/A*	*3*
	NON GC	*SWL*	*AL CARTON DUMP* *12-1368/HISTORIC*	*UNKNOWN* *ERIE CO*	*N/A*	*4*

Environmental FirstSearch
Site Detail Report

Target Property: JASPER RD AND N 119TH ST
ERIE CO 80026

JOB: E12776.E1

SWL

SEARCH ID: 4 **DIST/DIR:** NON GC **ELEVATION:** **MAP ID:**

NAME: OLD ERIE LANDFILL
ADDRESS: UNKNOWN
ERIE CO
WELD
CONTACT:
SOURCE: CDPHE/COUNTY

REV: 12/01/08
ID1: 12-1367
ID2: 00070-0002197
STATUS: HISTORIC
PHONE:

COLORADO HISTORIC LANDFILLS

STATUS : CO Old Waste Sites

AT FORMER LANDFILL NUMEROUS CHEMICALS. HAZARD TYPE: METHANE. IMPACT: GW.; Acres- 10 - 50
Type- LANDFILL
Fill- SLUDGE.
Oper/Ownr/Othr- / / PRATT PROPERTY LANDF, ,

Target Property: JASPER RD AND N 119TH ST
ERIE CO 80026

JOB: E12776.E1

SWL

SEARCH ID: 3 **DIST/DIR:** NON GC **ELEVATION:** **MAP ID:**

NAME: NEWHAUSER DUMP
ADDRESS: UNKNOWN
ERIE CO
WELD
CONTACT:
SOURCE: CDPHE/COUNTY

REV: 12/01/08
ID1: 12-1371
ID2: 00070-0002201
STATUS: HISTORIC
PHONE:

COLORADO HISTORIC LANDFILLS

STATUS : CO Old Waste Sites

; Acres- 10 - 50
Type- LANDFILL
Fill- REFUSE.
Oper/Ownr/Othr- / / NEWHAUSER, ,

Target Property: JASPER RD AND N 119TH ST
ERIE CO 80026

JOB: E12776.E1

SWL

SEARCH ID: 2 **DIST/DIR:** NON GC **ELEVATION:** **MAP ID:**

NAME: HORST/DEAMIN
ADDRESS: UNKNOWN
ERIE CO
WELD
CONTACT:
SOURCE: CDPHE/COUNTY

REV: 12/01/08
ID1: 12-137
ID2: 00070-0002200
STATUS: HISTORIC
PHONE:

COLORADO HISTORIC LANDFILLS

STATUS : CO Old Waste Sites

; Acres- 50 - 100
Type- LANDFILL
Fill- REFUSE
Oper/Ownr/Othr- , ,

Target Property: JASPER RD AND N 119TH ST
ERIE CO 80026

JOB: E12776.E1

SWL

SEARCH ID: 1 **DIST/DIR:** NON GC **ELEVATION:** **MAP ID:**

NAME: AL CARTON DUMP
ADDRESS: UNKNOWN
ERIE CO
WELD
CONTACT:
SOURCE: CDPHE/COUNTY

REV: 12/01/08
ID1: 12-1368
ID2: 00070-0002198
STATUS: HISTORIC
PHONE:

COLORADO HISTORIC LANDFILLS

STATUS : CO Old Waste Sites

USED FOR SEPTIC TANK and GREASE TRAP CLE. IMPACT: SW.; Acres- 1 - 10
Type- LANDFILL
Fill- LIQUIDS.
Oper/Ownr/Othr-

Environmental FirstSearch Descriptions

NPL: *EPA* NATIONAL PRIORITY LIST - The National Priorities List is a list of the worst hazardous waste sites that have been identified by Superfund. Sites are only put on the list after they have been scored using the Hazard Ranking System (HRS), and have been subjected to public comment. Any site on the NPL is eligible for cleanup using Superfund Trust money.
A Superfund site is any land in the United States that has been contaminated by hazardous waste and identified by the Environmental Protection Agency (EPA) as a candidate for cleanup because it poses a risk to human health and/or the environment.
FINAL - Currently on the Final NPL
PROPOSED - Proposed for NPL

NPL DELISTED: *EPA* NATIONAL PRIORITY LIST Subset - Database of delisted NPL sites. The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425.(e), sites may be deleted from the NPL where no further response is appropriate.
DELISTED - Deleted from the Final NPL

CERCLIS: *EPA* COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY INFORMATION SYSTEM (CERCLIS)- CERCLIS is a database of potential and confirmed hazardous waste sites at which the EPA Superfund program has some involvement. It contains sites that are either proposed to be or are on the National Priorities List (NPL) as well as sites that are in the screening and assessment phase for possible inclusion on the NPL.
PART OF NPL- Site is part of NPL site
DELETED - Deleted from the Final NPL
FINAL - Currently on the Final NPL
NOT PROPOSED - Not on the NPL
NOT VALID - Not Valid Site or Incident
PROPOSED - Proposed for NPL
REMOVED - Removed from Proposed NPL
SCAN PLAN - Pre-proposal Site
WITHDRAWN - Withdrawn

NFRAP: *EPA* COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY INFORMATION SYSTEM ARCHIVED SITES - database of Archive designated CERCLA sites that, to the best of EPA's knowledge, assessment has been completed and has determined no further steps will be taken to list this site on the National Priorities List (NPL). This decision does not necessarily mean that there is no hazard associated with a given site; it only means that, based upon available information, the location is not judged to be a potential NPL site.
NFRAP – No Further Remedial Action Plan
P - Site is part of NPL site
D - Deleted from the Final NPL
F - Currently on the Final NPL
N - Not on the NPL
O - Not Valid Site or Incident
P - Proposed for NPL
R - Removed from Proposed NPL
S - Pre-proposal Site
W – Withdrawn

RCRA COR ACT: *EPA* RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM SITES - Database of hazardous waste information contained in the Resource Conservation and Recovery Act Information (RCRAInfo), a national program management and inventory system about hazardous waste handlers. In general, all generators, transporters, treaters, storers, and disposers of hazardous waste are required to provide information about their activities to state environmental agencies. These agencies, in turn pass on the information to regional and national EPA offices. This regulation is governed by the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments of 1984.
RCRAInfo facilities that have reported violations and subject to corrective actions.

RCRA TSD: ***EPA*** RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM TREATMENT, STORAGE, and DISPOSAL FACILITIES. - Database of hazardous waste information contained in the Resource Conservation and Recovery Act Information (RCRAInfo), a national program management and inventory system about hazardous waste handlers. In general, all generators, transporters, treaters, storers, and disposers of hazardous waste are required to provide information about their activities to state environmental agencies. These agencies, in turn pass on the information to regional and national EPA offices. This regulation is governed by the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments of 1984.
Facilities that treat, store, dispose, or incinerate hazardous waste.

RCRA GEN: ***EPA/MA DEP/CT DEP*** RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM GENERATORS - Database of hazardous waste information contained in the Resource Conservation and Recovery Act Information (RCRAInfo), a national program management and inventory system about hazardous waste handlers. In general, all generators, transporters, treaters, storers, and disposers of hazardous waste are required to provide information about their activities to state environmental agencies. These agencies, in turn pass on the information to regional and national EPA offices. This regulation is governed by the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments of 1984.
Facilities that generate or transport hazardous waste or meet other RCRA requirements.
LGN - Large Quantity Generators
SGN - Small Quantity Generators
VGN – Conditionally Exempt Generator.
Included are RAATS (RCRA Administrative Action Tracking System) and CMEL (Compliance Monitoring & Enforcement List) facilities.
CONNECTICUT HAZARDOUS WASTE MANIFEST – Database of all shipments of hazardous waste within, into or from Connecticut. The data includes date of shipment, transporter and TSD info, and material shipped and quantity. This data is appended to the details of existing generator records.
MASSACHUSETTES HAZARDOUS WASTE GENERATOR – database of generators that are regulated under the MA DEP.
VQN-MA = generates less than 220 pounds or 27 gallons per month of hazardous waste or waste oil.
SQN-MA = generates 220 to 2,200 pounds or 27 to 270 gallons per month of waste oil.
LQG-MA = generates greater than 2,200 lbs of hazardous waste or waste oil per month.

RCRA NLR: ***EPA*** RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM SITES - Database of hazardous waste information contained in the Resource Conservation and Recovery Act Information (RCRAInfo), a national program management and inventory system about hazardous waste handlers. In general, all generators, transporters, treaters, storers, and disposers of hazardous waste are required to provide information about their activities to state environmental agencies. These agencies, in turn pass on the information to regional and national EPA offices. This regulation is governed by the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments of 1984.
Facilities not currently classified by the EPA but are still included in the RCRAInfo database. Reasons for non classification:
Failure to report in a timely matter.
No longer in business.
No longer in business at the listed address.
No longer generating hazardous waste materials in quantities which require reporting.

ERNS: ***EPA/NRC*** EMERGENCY RESPONSE NOTIFICATION SYSTEM (ERNS) - Database of incidents reported to the National Response Center. These incidents include chemical spills, accidents involving chemicals (such as fires or explosions), oil spills, transportation accidents that involve oil or chemicals, releases of radioactive materials, sightings of oil sheens on bodies of water, terrorist incidents involving chemicals, incidents where illegally dumped chemicals have been found, and drills intended to prepare responders to handle these kinds of incidents. Data since January 2001 has been received from the National Response System database as the EPA no longer maintains this data.

Tribal Lands: ***DOI/BIA*** INDIAN LANDS OF THE UNITED STATES - Database of areas with boundaries established by treaty, statute, and (or) executive or court order, recognized by the Federal Government as territory in which American Indian tribes have primary governmental authority. The Indian Lands of the United States map layer shows areas of 640 acres or more, administered by the Bureau of Indian Affairs. Included are

Federally-administered lands within a reservation which may or may not be considered part of the reservation.
BUREAU OF INDIAN AFFIARS CONTACT - Regional contact information for the Bureau of Indian Affairs offices.

State/Tribal Sites: ***CDPHE*** CO SPL - Colorado does not have an official State Priority List (SPL). However, there are a number of sites that the state seems to place in this sort of category. Some are officially a Natural Resource Damages Site (NRDS) or Private Cleanup Site (Non-Superfund), but they're listed on the state's web page of Superfund sites (www.cdphe.state.co.us/hm/sf_sites.htm). Others are UMTRA (Uranium Mill Tailing Remedial Action) mill tailing cleanup sites (www.cdphe.state.co.us/hm/umsites.htm). Thousands of UMTRA "vicinity properties" have also been identified where mill tailings were used as sand in concrete, roadbase, trenches, bricks, etc. Such properties have been remediated in Durango, Grand Junction, Fruita, Palisade, Gunnison, Maybell, Naturita and Rifle, but some unidentified tailings may still remain in and around these communities. CDPHE's list of vicinity properties is not publicly available and was not searched for this report. Property-specific information is available through the CDPHE Grand Junction office. See www.cdphe.state.co.us/hm/rptailng.htm.

State Spills 90: ***CDPHE*** ENVIRONMENTAL RELEASE AND INCIDENT DATABASE - This is a database of reported spills in Colorado.

State/Tribal SWL: ***CDPHE*** DATABASE OF ACTIVE SOLID WASTE MANAGEMENT FACILITIES - Listing of Active solid waste facilities and transfer stations.
DATABASE OF ACTIVE SOLID WASTE MANAGEMENT FACILITIES - Listing of Active solid waste facilities and transfer stations.
CO Historic Landfills - This proprietary database represents a compilation of eleven local, regional and state agency sources. The agencies generated these lists on a one-time basis and do not expect to update them. A more detailed description of the applicable source is included with any findings reported from this database. The eleven sources are:
1. Adams County CO Old Landfills
2. Arapahoe County CO Old Landfills
3. Douglas County CO Old Landfills
4. Weld County CO Old Landfills
5. Boulder County CO Old Landfills
6. Jefferson County CO Old Landfills
7. Denver CO Methane Study
8. CO Methane Study
9. DRCOG Methane Study
10. Denver CO Old Fil Sites
11. CO Old Waste Sites

State/Tribal LUST: ***COSTIS*** DATABASE OF LEAKING UNDERGROUND STORAGE TANKS - Colorado Department of Labor and Employment's Colorado Storage Tank Information System (COSTIS) provides this data.
LUST Trust Tanks - This is an old list of locations where tank leaks were suspected and LUST (Leaking Underground Storage Tank) Trust funds were used in an effort to identify the source. Often, the facility responsible for the leak was found nearby, and that facility was then entered into the LUST database. In other cases, however, the source was never identified, and nothing was ever entered into the LUST database. When responsibility for the tank program was transferred from CDPHE (Colorado Department of Public Health & Environment) to CDLE (Colorado Department of Labor & Employment) in the '90s, this old LUST Trust list was never entered into the new COSTIS database (Colorado Storage Tank Information System). Few people at CDLE are aware of this old list, and any files associated with the listings have apparently been discarded or misplaced.

State/Tribal UST/AST: ***COSTIS*** DATABASE OF UNDERGROUND STORAGE TANKS - Colorado Department of Labor and Employment's Colorado Storage Tank Information System (COSTIS) provides this data.

State/Tribal EC: ***CDPHE*** ENVIRONMENTAL COVENANTS - Senate Bill 01-145 gave authority to the Colorado Department of Public Health and Environment to approve requests to restrict the future use of a property using an enforceable agreement called an environmental covenant. When a contaminated site is not cleaned up completely, land use restrictions may be used to ensure that the selected cleanup remedy is

adequately protective of human health and the environment.

State/Tribal VCP: ***CDPHE*** THE VOLUNTARY CLEANUP AND REDEVELOPMENT PROGRAM PROGRAM - The Voluntary Cleanup and Redevelopment program was created in 1994. The objective of the program is to facilitate the redevelopment and transfer of contaminated properties. Cleanup decisions are based on existing standards and the proposed use of the property. The actual cleanup and verification is the owner's responsibility.

RADON: ***NTIS*** NATIONAL RADON DATABASE - EPA radon data from 1990-1991 national radon project collected for a variety of zip codes across the United States.

Meth Labs: ***US DOJ*** NATIONAL CLANDESTINE LABORATORY REGISTER - Database of addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the U.S. Department of Justice ("the Department"), and the Department has not verified the entry and does not guarantee its accuracy. All sites that are included in this data set will have an id that starts with NCLR.

Environmental FirstSearch Database Sources

NPL: ***EPA*** Environmental Protection Agency

Updated quarterly

NPL DELISTED: ***EPA*** Environmental Protection Agency

Updated quarterly

CERCLIS: ***EPA*** Environmental Protection Agency

Updated quarterly

NFRAP: ***EPA*** Environmental Protection Agency.

Updated quarterly

RCRA COR ACT: ***EPA*** Environmental Protection Agency.

Updated quarterly

RCRA TSD: ***EPA*** Environmental Protection Agency.

Updated quarterly

RCRA GEN: ***EPA/MA DEP/CT DEP*** Environmental Protection Agency, Massachusetts Department of Environmental Protection, Connecticut Department of Environmental Protection

Updated quarterly

RCRA NLR: ***EPA*** Environmental Protection Agency

Updated quarterly

ERNS: ***EPA/NRC*** Environmental Protection Agency

Updated annually

Tribal Lands: ***DOI/BIA*** United States Department of the Interior

Updated annually

State/Tribal Sites: ***CDPHE*** The Colorado Department of Public Health and Environment Hazardous Materials and Waste Management Division

Updated annually

State Spills 90: ***CDPHE*** CDPHE Hazardous Materials and Waste Management Division

Updated annually

State/Tribal SWL: ***CDPHE*** The Colorado Department of Public Health and Environment Hazardous Materials and Waste Management DivisionPublic Safety

Updated annually

State/Tribal LUST: ***COSTIS*** The Colorado Department of Labor and Employment/Division of Oil and Public Safety

Updated semi-annually

State/Tribal UST/AST: ***COSTIS*** The Colorado Department of Labor and Employment/Division of Oil and Public Safety

Updated semi-annually

State/Tribal EC: ***CDPHE*** rado Department of Public Health and Environment Hazardous Materials and Waste Management Division

Updated annually

State/Tribal VCP: ***CDPHE*** The Colorado Department of Public Health and Environment Hazardous Materials and Waste Management Division

Updated annually

RADON: ***NTIS*** Environmental Protection Agency, National Technical Information Services

Updated periodically

Meth Labs: ***US DOJ*** U.S. Department of Justice

Updated when available

ATTACHMENT E
QUALIFICATIONS

A.G. Wassenaar Inc.
Geotechnical and Environmental Consultants
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Denver, Colorado 80222-5710
303-759-8373 Fax 303-759-4874
www.agwassenaar.com

RESUME

KRISTIN A. SCHWARTZ
Environmental Scientist

EDUCATION:

B.S., Environmental Engineering, University of Colorado at Boulder 2011.

EXPERIENCE:

Ms. Schwartz joined A.G. Wassenaar in July 2012 as a staff Environmental Scientist for the Environmental Department. Ms. Schwartz's field experience includes assisting with characterizing and monitoring surface water contamination due to acid mine draining; conducting site investigations to determine how to most effectively remediate abandon mine shafts and adits; and determining bioremdiation and chemical treatment solutions for wastewater treatment plants. This involves: water and soil sampling for identification and analysis, core sampling preparation, GPS site mapping, characterizing and measuring site specifications, oversight of remedial construction activities, and coordinating with landowners and contractors.

In addition to fieldwork, her responsibilities included technical report writing, review, and presentation, data analysis, analytical review and interpretation, proposal preparation, and regulatory compliance.

Previous to joining A.G. Wassenaar, Inc., Ms. Schwartz gained environmental remediation and government regulatory experience working as an Environmental Protection Specialist Intern for the Department of Natural Resources Inactive Mines program.

TRAINING:

40 Hour OSHA HAZWOPER certified
Engineer in Training (EIT) status

MEMBERSHIPS:

American Water Works Association (AWWA)
World Environment Federation (WEF)

A.G. Wassenaar Inc.
Geotechnical and Environmental Consultants
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Denver, Colorado 80222-5710
303-759-8100 Fax 303-756-2920
www.agwassenaar.com

RESUME

JULIE A. BRUNGARDT
Environmental Scientist

EDUCATION:

Bachelor's Degree in Environmental Studies, University of Colorado, Boulder, CO, 2002

EXPERIENCE:

Ms. Brungardt began working with A.G. Wassenaar, Inc. in May 2003. She was hired as a staff environmental scientist for the Environmental Department. Responsibilities include the following:

Industrial Hygiene
- Mold growth and moisture intrusion evaluations in response to water losses
- Initial and conformance mold inspections of basement subfloor and crawl spaces
- Indoor air quality investigations pertaining to mold and fungal growth
- Inspections following fires in residential or commercial buildings

Asbestos
- Air Monitoring Specialist (AMS) duties for asbestos abatement projects
- Asbestos surveys of commercial and residential buildings
- Asbestos sample collection including soil and building materials

Lead Based Paint
- Lead based paint testing within commercial and residential buildings

Phase I
- Site assessments for both buyers and sellers of commercial, industrial and residential real estate

TRAINING:

EPA-Approved AHERA Asbestos Inspector
Colorado State Certified Asbestos Building Inspector
EPA-Approved AHERA Air Monitoring Specialist
Colorado State Certified Air Monitoring Specialist
Colorado State Certified Lead Based Paint Inspector
Colorado State Certified Lead Risk Assessor
National Environmental Health Association, Residential Radon Measurement Provider

MEMBERSHIPS:

American Industrial Hygiene Association
Colorado Environmental Professionals Association

ATTACHMENT F
REFERENCES

REFERENCES

Colorado Oil and Gas Conservation Commission. COGCC GIS Online. <http://www.oil-gas.state.co.us/>

CTL/Thompson, Inc. "Preliminary Geotechnical Investigation, Wise Farms, Southwest of Jasper Road and 119th Street, Erie, Colorado". 9 December 2005.

Dullea, Jim. Jasper Land Investments. Written Correspondence and Personal Interview. 20 December 2012.

Parker, Nancy. Town of Erie. Town Clerk. Written Records Request. 17 December 2012.

Satisfi Environmental Information. Environmental Database Search. "Wise Property, Erie, CO 80516". 17 December 2012.

Satisfi Environmental Information. Aerial Photographs. Dated 1937, 1979, and 1985.

Satisfi Environmental Information. Topographic Maps, Erie Quadrangle dated 1948, 1966, 1971, and 1978. 9 October 2012.

Satisfi Environmental Information. Topographic Maps, Niwot Quadrangle dated 1902. 9 October 2012.

Western Environment and Ecology, Inc. "Mine Subsidence Investigation, Wise Property, Section 14, Township 1 North, Range 68 West, Boulder County, Colorado". 31 May 2005.

Wise, Alan and Sarah. Personal Interview. 17 December 2012.

Consultants in natural resources and the environment

Denver • Boise • Durango • Western Slope

NATURAL AND CULTURAL RESOURCES ASSESSMENT

WISE FARM

TOWN OF ERIE, BOULDER COUNTY, COLORADO

Prepared for—

PCS Group, Inc.
301 Kalamath St., #102
Denver, CO 80223

Prepared by—

ERO Resources Corporation
1842 Clarkson Street
Denver, Colorado 80218
(303) 830-1188
ERO Project # 1000-14

April 17, 2014

ERO Project #5653

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ERO Resources Corporation

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TABLES

Table 1. Federally threatened, endangered, and candidate species potentially found in Boulder County or potentially affected by projects in Boulder County. 4

Summary

PCS Group, Inc. retained ERO Resources Corporation (ERO) to provide a natural and cultural resources assessment for the Wise Farm property (property) in the Town of Erie, Boulder County, Colorado. ERO assessed the property for potential wetlands and waters of the U.S., threatened and endangered species, and wildlife. ERO also assessed the property for the presence of properties listed on the National and Colorado registers of historic places. Below is a summary of the resources found at the property and recommendations or future actions necessary based on the current site conditions and federal, state, and local regulations.

Wetlands and Other Waters of the U.S. – The U.S. Army Corps of Engineers determined that the two depressional wetlands on the property are isolated, non-jurisdictional wetlands and not regulated under the Clean Water Act. The Lower Boulder Ditch and Leyner Cottonwood Number 1 Ditch were determined to be jurisdictional. The jurisdictional determination is valid for five years from December 14, 2012 and expires on December 13, 2017. If activities such as bridges or realignment are proposed for the ditch, authorization from the U.S. Army Corps of Engineers will be required.

Threatened and Endangered Species – Suitable habitat for federally listed threatened or endangered species is not present in the property. No action is necessary to comply with the Endangered Species Act.

Migratory Birds and Other Wildlife – ERO found no migratory bird nests in the property, but there are a number of large trees on the property that provide suitable nesting habitat. Tree removal should be done during the non-nesting season, which is generally from August 15 to April 1. If trees must be removed during nesting season, a survey for active nests should be done prior to removal. If an active nest is present, removal cannot occur until the nest is abandoned for the season. The cultivated fields on the property provide low quality wildlife habitat and no sensitive or uncommon wildlife species are present.

Cultural Resources – Although Wise Farm has been part of the Town of Erie's history since 1869 and the Erie Historical Society's Wise Farm Museum is across Jasper Road from the property, the property and structures on the property are not listed on the National or State registers of historic places. Although not listed on the registers, the Colorado State Historic Preservation Office considers linear features such as canals and railroads as potentially eligible, so the Lower Boulder Ditch, Leyner Cottonwood Ditch Number 1, and Union Pacific Railroad may be eligible for listing. These resources typically only need to be evaluated if there is a federal nexus, such as obtaining authorization from the U.S. Army Corps of Engineers for work on the Lower Boulder Ditch or Leyner Cottonwood Ditch Number 1.

NATURAL AND CULTURAL RESOURCES ASSESSMENT

WISE FARM
TOWN OF ERIE, BOULDER COUNTY, COLORADO

APRIL 17, 2014

Introduction

PCS Group, Inc. retained ERO Resources Corporation (ERO) to provide a natural resources assessment for the Wise Farm property, a proposed residential development in Boulder County, Colorado (Figure 1). On September 26, 2013, Mary L. Powell, a natural resource specialist with ERO, visited the property to review natural resources (2013 site visit). During this assessment, activities included reviewing potential wetlands, identifying potential federally threatened and endangered species habitat, and identifying other natural resources that might affect development of the property. Jurisdictional wetland delineations were not conducted during this assessment. This report provides information on existing site conditions and resources, as well as current regulatory guidelines related to those resources. ERO assumes that the landowner or developer is responsible for obtaining proper federal, state, or local permits for development of the property.

Site Description

The property is located within Section 14, Township 1 North, Range 69 West of the 6th Principal Meridian, in Boulder County, Colorado (Figure 1). The UTM coordinates of the approximate center of the property are Zone 13N; 493083mE, 4433466mN. The Wise Farm property is an approximately 180-acre property located southwest of the intersection of Jasper Road and North 119th Street in Erie, Colorado (Figure 2). The majority of the property is cultivated agricultural fields dominated by alfalfa (*Medicago* spp.) An inactive Union Pacific Railroad track runs east/west through the middle of the property. A few residences and sheds are located along the northern border of the property (Figure 2). The Lower Boulder Ditch crosses the north half of the property and the Leyner Cottonwood Number 1 Ditch runs just north of part of the southern property

boundary. The property is surrounded a by a mix of low-density residential land and agricultural land.

Wetlands and Waters of the U.S.

Background

The Clean Water Act (CWA) was passed by the U.S. Congress in 1972 to protect the physical, biological, and chemical quality of waters of the U.S. The U.S. Army Corps of Engineers (Corps) Regulatory Program administers and enforces Section 404 of the CWA. Under Section 404, a Corps permit is required for the discharge of dredged or fill material into wetlands and waters of the U.S. The Corps defines waters of the U.S. as all navigable waters and their tributaries, all interstate waters and their tributaries, all wetlands adjacent to these waters, and all impoundments of these waters. Because of court challenges to the Corps' jurisdiction over wetlands and waters of the U.S., the Corps' regulatory guidance is in a state of flux. Currently, the Corps' regulatory jurisdiction over isolated, nonnavigable, intrastate waters has been eliminated if the sole nexus to interstate commerce was use of the waters by migratory birds. The Corps now considers traditionally navigable waters (TNWs), wetlands adjacent to a TNW, and tributaries to TNWs that are relatively permanent waters (RPWs) and their abutting wetlands to be jurisdictional waters. Other wetlands and waters require a determination that the wetland or tributary would have an effect that is more than speculative or insubstantial on the chemical, physical, or biological integrity of a TNW to be jurisdictional. The U.S. Environmental Protection Agency and the Corps recently submitted a proposed rule to the Office of Management and Budget that is widely expected to extend CWA jurisdiction to many currently nonjurisdictional, isolated wetlands.

Site Conditions and Regulations

The property was previously assessed for potential isolated wetlands, jurisdictional wetlands, and other waters of the U.S. by Western Ecological Resource, Inc. The assessment identified two depressional wetlands in the north half of the property that have no apparent surface connection to other wetlands or waters. The assessment also identified the Lower Boulder Ditch and the Leyner Cottonwood Number 1 Ditch as

waters with adjacent fringe wetlands. Based on the assessment, the Corps determined that the depressional wetlands are isolated and not jurisdictional waters of the U.S., but also determined that the Lower Boulder Ditch and the Leyner Cottonwood Number 1 Ditch have a surface connection to jurisdictional waters of the U.S. and so are themselves jurisdictional waters of the U.S. The jurisdictional determination is valid from December 14, 2012 to December 13, 2017.

If any work is planned within the ditches that would require the placement of dredged or fill material within the ditches or their adjacent wetlands, authorization under Section 404 of the Clean Water Act would be required. Although the Corps has determined that the isolated depressional wetlands are nonjurisdictional, ERO recommends filling them as soon as practical to avoid the possibility that the EPA/Corps final rule changes their status and invalidates the jurisdictional determination.

If work such as stormwater outfalls or utilities extend off the property, affected areas should be assessed for the presence of waters of the U.S.

Threatened, Endangered, and Candidate Species

The property was assessed for potential habitat for threatened, endangered, and candidate species under the Endangered Species Act (ESA). Federally threatened and endangered species are protected under the ESA of 1973, as amended (16 U.S.C. 1531 et seq.). Significant adverse effects to a federally listed species or its habitat require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 or 10 of the ESA. The Service lists several threatened and endangered species with potential habitat in Boulder County, or potentially affected by projects in Boulder County (Table 1).

Table 1. Federally threatened, endangered, and candidate species potentially found in Boulder County or potentially affected by projects in Boulder County.

Common Name	Scientific Name	Status*	Habitat	Suitable Habitat Present or Potential to be Affected by Project?
Mammals				
Black footed ferret	*Mustela nigripes*	EXP	Prairie and grassland ranging from mid-west to western US	No
Canada lynx	*Lynx canadensis*	T	Coniferous or mixed forest in boreal/montane regions; sometimes enters open forest, rocky regions, or tundra	No
Preble's meadow jumping mouse	*Zapus hudsonius preblei*	T	Shrub riparian/wet meadows	No
Birds				
Interior least tern**	*Sterna antillarum athalassos*	E	Sandy/pebble beaches on lakes, reservoirs, and rivers	No
Mexican spotted owl	*Strix occidentalis*	T	Closed canopy forests in steep canyons	No
Piping plover**	*Charadrius melodus*	T	Sandy lakeshore beaches, river sandbars	No
Whooping crane**	*Grus americana*	E	Mudflats around reservoirs and in agricultural areas	No
Fish				
Greenback cutthroat trout	*Oncorhynchus clarki stomias*	T	Clear, swift-flowing mountain streams with cover such as overhanging banks and vegetation	No
Pallid sturgeon**	*Scaphirhynchus albus*	E	Large, turbid, free-flowing rivers with a strong current and gravel or sandy substrate	No
Plants				

Common Name	Scientific Name	Status*	Habitat	Suitable Habitat Present or Potential to be Affected by Project?
Colorado butterfly plant	*Gaura neomexicana* ssp. *coloradensis*	T	Subirrigated, alluvial soils on level floodplains and drainage bottoms between 5,000 to 6,000 feet	No
Ute ladies'-tresses orchid	*Spiranthes diluvialis*	T	Moist to wet alluvial meadows, floodplains of perennial streams, and around springs and lakes below 6,500 feet	No
Western prairie fringed orchid**	*Platanthera praeclara*	T	Moist to wet tallgrass prairies and sedge meadows, mostly in relatively undisturbed grasslands	No

*T = Federally Threatened Species, E = Federally Endangered Species, C= Federally Candidate Species.

**Water depletions in the South Platte River may affect the species and/or critical habitat in downstream reaches in other counties or states.

Source: Service 2010.

The proposed project would not directly affect the black-footed ferret, Canada lynx, Mexican spotted owl, or greenback cutthroat trout because of the lack of potentially suitable habitat in the property. The interior least tern, piping plover, whooping crane, and pallid sturgeon are species that are affected by water depletions from the South Platte River. If the project includes activities that deplete water in the South Platte River, such as diverting water from a stream, these species could be affected by the project and a consultation with the Service may be required.

Potential habitat for the Preble's meadow jumping mouse, Colorado butterfly plant, and Ute ladies'-tresses orchid is more prevalent within development sites across the Front Range, particularly in Boulder County. Because these species are more likely to be addressed by counties and regulatory agencies such as the Corps, a more detailed discussion is provided below.

Preble's Meadow Jumping Mouse

Species Background

Preble's meadow jumping mouse (Preble's) was listed as a threatened species on May 13, 1998 under the ESA (see Federal Register Vol. 63, No 232:66777-66784 12/3/98). Under existing regulations, either a habitat assessment or a full presence/absence survey for Preble's is required for any habitat-disturbing activity within areas determined to be potential Preble's habitat (generally stream and riparian habitats along the Colorado Front Range and southeastern Wyoming). Typically, Preble's occurs below 7,600 feet in elevation, generally in lowlands with medium to high moisture along permanent or intermittent streams and canals (Meaney et al. 1997). Preble's occurs in low undergrowth consisting of grasses and forbs, in open wet meadows, riparian corridors near forests, or where tall shrubs and low trees provide adequate cover (Service 1999; Meaney et al. 1997). Preble's typically inhabits areas characterized by well-developed plains riparian vegetation with relatively undisturbed grassland and a water source nearby.

Potential Habitat and Possible Effects

The property was assessed for potential Preble's habitat. The isolated wetlands and the ditches do not include vegetation communities typical of those associated with Preble's. The ditches are regularly maintained, so there are no shrubs or tall vegetation along them. The isolated wetlands are surrounded by weedy herbaceous vegetation. Additionally, there is no well-developed riparian habitat on or near the property. For these reasons, development of the property would have no effect on Preble's.

Recommendations

Because no potential habitat is present on the property, no action is necessary regarding Preble's.

Colorado Butterfly Plant

Species Background

The Colorado butterfly plant (CBP) is a short-lived perennial herb found in moist areas of floodplains. It occurs on subirrigated, alluvial soils on level or slightly sloping floodplains and drainage bottoms at elevations 5,000 to 6,400 feet. Colonies are often

found in low depressions or along bends in wide, active, meandering stream channels that are periodically disturbed. Historically, the main cause of disturbance was probably flooding (Service 2004). The CBP flowers from June to September and produces fruit from July to October (Spackman et al. 1997). This species is federally listed as threatened under the ESA and is found within a small area in southeastern Wyoming, western Nebraska, and north-central Colorado (NatureServe 2012).

Potential Habitat and Possible Effects

The Service has not established official survey guidelines for the CBP; however, no suitable habitat is present within the property because a natural drainage characterized by wetlands and an active floodplain is not present within the property.

Recommendations

Because the property does not contain suitable habitat, development of the property would have no effect on CBP and no action is necessary.

Ute Ladies'-Tresses Orchid

Species Background

The Ute ladies'-tresses orchid (ULTO) is federally listed as threatened. ULTO occurs at elevations below 6,500 feet in moist to wet alluvial meadows, floodplains of perennial streams, and around springs and lakes where the soil is seasonally saturated within 18 inches of the surface. Generally, the species occurs where the vegetative cover is relatively open and not overly dense or overgrazed. Once thought to be fairly common in low elevation riparian areas in the interior western United States, ULTO is now rare (Service 1992a).

In Colorado, the Service requires surveys in areas of suitable habitat on the 100-year floodplain of the South Platte River, Fountain Creek, and Yampa River and their perennial tributaries, or in any area with suitable habitat in Boulder and Jefferson counties. ULTO does not bloom until late July to early September (depending on the year) and timing of surveys must be synchronized with blooming (Service 1992a).

Potential Habitat and Possible Effects

ULTO is known to occur in Boulder County in the Boulder Creek floodplain north of the property. The known populations of ULTO are associated with ungrazed and undisturbed wetlands dominated by sedges and rushes. The depressional wetlands on the property do not include similar habitat. One wetland is heavily grazed by cattle and the other wetland is surrounded by species such as foxtail barley (*Hordeum jubatum*) and saltgrass (*Distichlis spicata*), neither of these conditions are suitable for ULTO. Additionally, the soils on the property are sandy loams and clay loam, not the alluvium with which ULTO is typically associated. Because the wetland vegetation and soils are not suitable for ULTO, development of the property would have no effect on ULTO.

Recommendations

Because the property does not contain suitable habitat, no action is necessary regarding ULTO.

Other Species of Concern

Raptors and Migratory Birds

Migratory birds, as well as their eggs and nests, are protected under the Migratory Bird Treaty Act (MBTA). Bald and golden eagles are additionally protected by the Bald and Golden Eagle Protection Act. The MBTA does not contain any prohibition that applies to the destruction of a bird nest alone (without birds or eggs), provided that no possession occurs during the destruction. While destruction of a nest by itself is not prohibited under the MBTA, nest destruction that results in the unpermitted take of migratory birds or their eggs is illegal and fully prosecutable under the MBTA (Migratory Bird Permit Memorandum, U.S. Fish and Wildlife April 15, 2003). The regulatory definition of a take means to pursue, hunt, shoot, wound, kill, trap, capture, or collect; or attempt to pursue, hunt, shoot, wound, kill, trap, capture, or collect.

The best way to avoid a violation of the MBTA is to remove vegetation outside of the active breeding season, which typically falls between March and August, depending on the species. Public awareness of the MBTA has grown in recent years, and most MBTA

enforcement actions are the result of a concerned member of the community reporting a violation.

Potential Habitat and Possible Effects

Although nests were not observed during the 2013 site visit, a variety of birds likely nest in the large trees along Jasper Road and in the scattered isolated trees on the property. Because of grazing and cultivation, ground nesting birds are not likely to be present. Any tree removal has the potential to destroy nests and will reduce nesting habitat on the parcel.

Recommendations

No nests were observed within the property during the 2013 site visit, but nests are certain to be present. To avoid destroying an active nest, ERO recommends that all vegetation be removed from the site between September and March, outside of the breeding season. If tree removal is not possible during the non-nesting season, a survey for active nests should be done. If an active nest is present, activities that would directly impact the nest, or that would encroach close enough to cause adult birds to abandon the nest during the breeding season, should be restricted.

Other Wildlife

The cultivated fields provide low quality habitat for wildlife. Species likely to be present include occasional songbirds foraging on insects and seeds and small mammals such as deer mouse. Larger birds such as magpie and raptors may also use the property. There is no habitat for sensitive or uncommon species on the property.

As with any human development, including residential development, wildlife species sensitive to human disturbance are likely to decline in abundance or abandon the area, while other wildlife species adapted to urban development are likely to increase in abundance. Because wildlife habitat on the property is low quality, Species likely to decline would include some raptors and possibly coyotes. Species likely to increase would include red fox, raccoon, and great horned owl. Overall, surrounding and continuing development contributes to a decline in the number and diversity of wildlife

species nearby and to a change in species composition to favor species that adapt better to human disturbance.

Cultural Resources

The National Historic Preservation Act (NHPA), as amended, protects buildings, sites, districts, structures, and objects that have significant scientific, historic, or cultural value. The act established affirmative responsibilities of federal agencies to preserve historic and prehistoric resources. Effects on properties that are listed on, or that are eligible for listing on, the National Register of Historic Places (National Register) must be taken into account in federal planning and operations. Any property that may qualify for listing on the National Register must not be inadvertently transferred, sold, demolished, substantially altered, or allowed to deteriorate.

Section 106 of the NHPA requires federal agencies to take into account the effects of their undertakings on historic properties. The Advisory Council on Historic Preservation (ACHP) is then afforded a reasonable opportunity to comment. The historic preservation review process mandated by Section 106 is outlined in regulations issued by the ACHP. Revised regulations, known as "Protection of Historic Properties" (36 CFR Part 800), were updated on August 5, 2004.

The State of Colorado also maintains a list of historic properties significant to the state. These properties do not receive federal projection, but the state considers the potential effects to them that may result from state-funded projects. State listing also makes properties eligible for state grants for restoration and preservation.

Although Wise Farm has been part of the Town of Erie's history since 1869 and the Erie Historical Society's Wise Farm Museum is across Jasper Road from the property, the property and structures on the property are not listed on the National or State registers of historic places.

The Colorado State Historic Preservation Office (SHPO) considers all linear resources to be eligible to the NHRP, unless proven not eligible through research and documentation of the *entire* linear resource. So, although not listed on the registers, the Lower Boulder Ditch, and the Leyner Cottonwood Number 1 Ditch, and Union Pacific Railroad may be eligible for listing. Some structures on the property, including the two buildings

associated with the old wood mill, may be old enough to be potentially eligible for listing as well. These potentially federally-eligible resources typically only need to be evaluated if there is a federal nexus, such as obtaining authorization from the U.S. Army Corps of Engineers for work on the Lower Boulder Ditch or and the Leyner Cottonwood Number 1 Ditch. There are no state regulations regarding unlisted state-eligible properties.

Development of the property would not affect any state or federally-listed historic resources. The potentially eligible resources would require evaluation only in the event a federal action such as CWA Section 404 Permit authorization is required.

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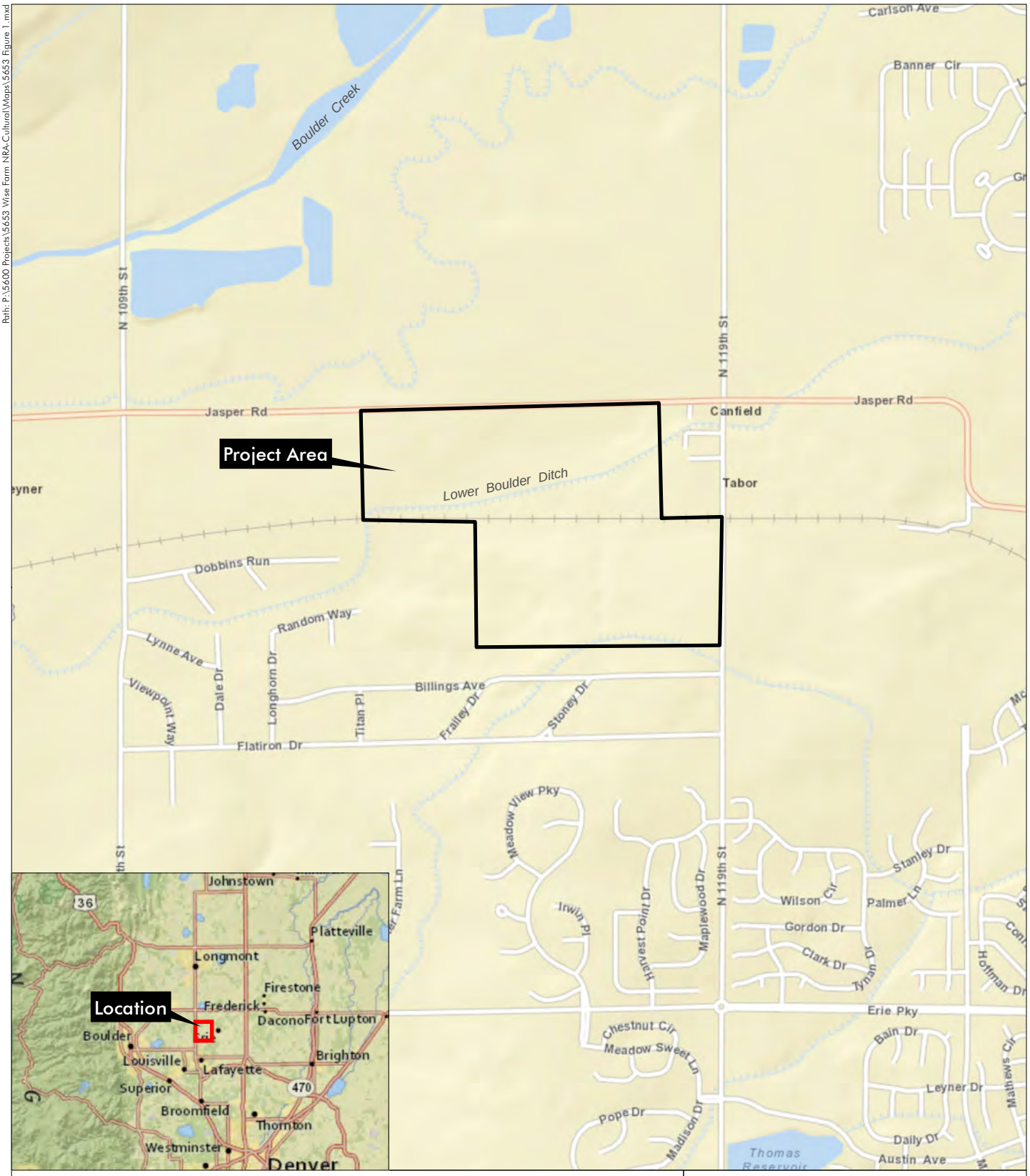
Path: P:\5600 Projects\5653 Wise Farm NRA-Cultural\Maps\5653 Figure 1.mxd



Wise Farm Natural and Cultural Resources Assessment

Section 14, T1N, R69W; 6th PM

UTM NAD 83: Zone 13N; 493084mE, 4433465mN

Latitude, Longitude: 40.0513965°N, 105.081087°W

USGS Erie, CO Quadrangle

Boulder County, Colorado

0 750 1,500 Feet

N

Figure 1
Vicinity Map

Prepared for: PCS Group, Inc.
File: 5653 Figure 1.mxd (GS)
February 5, 2014

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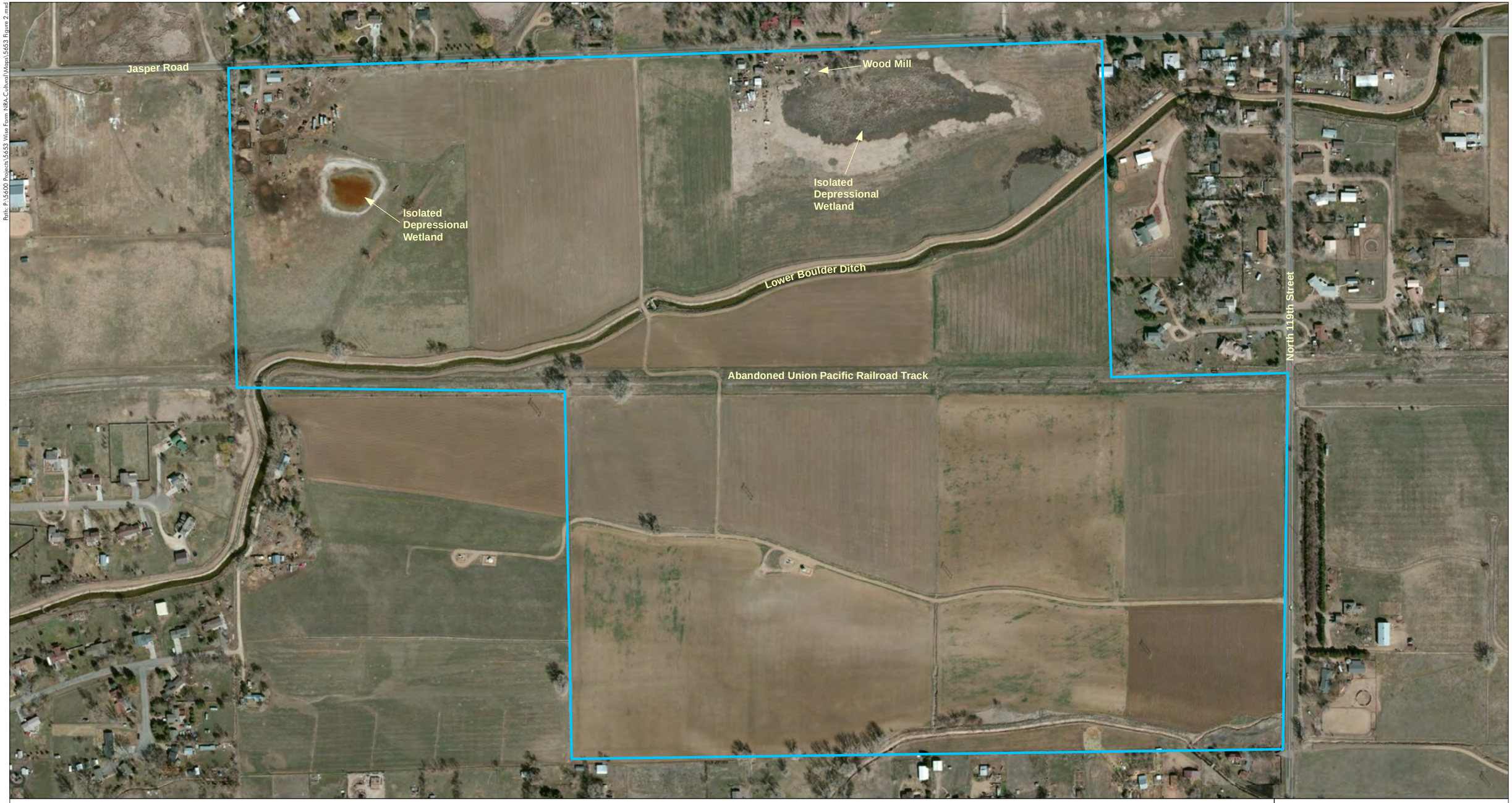

Wise Farm Natural and Cultural Resources Assessment

Project Area Boundary

Image Source: Microsoft©, March 2012

0 125 250 Feet

N

Figure 2

Prepared for: PCS Group, Inc.
File: 5653 Figure 2.mxd (GS)
February 5, 2014

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Larkspur, Colorado 80118
303-681-2492 Phone/FAX

Forestree Development, LLC

August 11, 2013

Mr. John Prestwich VIA EMAIL
PCS Group, Inc.
#3- 8- 180 Independence Plaza, 1001 16th Street
Denver, Colorado 80265

RE: Wise Farm Tree Inventory

Dear Mr. Prestwich:

The tree inventory for Wise Farm is attached for your review. I've also attached a brief bio with my general arboricultural background.

A summary page is included with the inventory, along with notes referencing my recommended values for "species", "location" and "condition" factors used to adjust the total caliper inches. Two references were used to calculate the values. These were:

1. Guide for Plant Appraisal, 9th Edition (ISA); and
2. Species Ratings & Appraisal Factors Guide, 2011 (ISA-RMC)

Please keep me posted as planning progresses and more details become available. If trees are to be retained on the site, these should be inspected more closely for their suitability in the built environment. I look forward to working with your development team as Wise Farm proceeds through the planning and development process.

Please let me know if you need additional information or clarification. The best way to contact me during the day is via my cell phone at 720-530-6527.

Respectfully,

Keith Worley
ISA Certified Arborist (RM-2213A),
Forester, and Land Development Consultant

Attachments: Wise Farm Inventory and Bio for Keith Worley

Project: Wise Farm Area: South property line along irrigation ditch Tree Numbers 1-30
Date: 3/27/2013
By: Keith Worley, Forester

TREE #	SPECIES	DBH	HGT	AGE	SPEC %	LOC. %	COND.%	MITIGATION INCHES	$ VALUE	COMMENTS
S-001	RO	4.0	25		0.6	0.5	0.1	0.4	$ 34	stump sprouts w/horizontal form. Dead central trunk
2	RO	18.0	40		0.6	0.5	0.1	1.8	$ 317	Sever fire damage, prolific suckering
3	RO	8.0	30		0.6	0.5	0.1	0.8	$ 78	Sever fire damage, prolific suckering
004A	RO	4.0	18		0.6	0.5	0.1	0.4	$ 34	Sever fire damage, prolific suckering
004B	RO	8.0	20		0.6	0.5	0.1	0.8	$ 78	Sever fire damage, prolific suckering
5	RO	10.0	35		0.6	0.5	0.1	1.0	$ 111	Sever fire damage, prolific suckering
6	RO	9.0	35		0.6	0.5	0.3	2.7	$ 281	Sever fire damage, prolific suckering
007A	RO	14.0	50		0.6	0.5	0.4	5.6	$ 797	stump sprouts , three trunks from old root stock
007B	RO	10.0	50		0.6	0.5	0.4	4.0	$ 444	stump sprouts, three trunks from old root stock
007C	RO	9.0	45		0.6	0.5	0.4	3.6	$ 374	stump sprouts, three trunks from old root stock
008A	RO	6.0	20		0.6	0.5	0.3	1.8	$ 157	2 codominant trunks from same base
008B	RO	10	35		0.6	0.5	0.3	3.0	$ 333	2 codominant trunks from same base
009A	RO	6	25		0.6	0.5	0.3	1.8	$ 157	4 stems from central root system
009B	RO	6	20		0.6	0.5	0.3	1.8	$ 157	4 stems from central root system
009C	RO	8	30		0.6	0.5	0.3	2.4	$ 234	4 stems from central root system
009D	RO	5	18		0.6	0.5	0.3	1.5	$ 126	4 stems from central root system
10	CW	12	25		0.7	0.5	0.1	1.2	$ 172	severe decay, fire scars
011A	CW	26	55		0.7	0.5	0.4	10.4	$ 2,970	fire scars, multiple stems from base, included bark
011B	CW	18	50		0.7	0.5	0.2	3.6	$ 730	fire scars, multiple stems from base, included bark
011C	CW	18	45		0.7	0.5	0.2	3.6	$ 730	fire scars, multiple stems from base, included bark
011D	CW	10	25		0.7	0.5	0.1	1.0	$ 125	fire scars, multiple stems from base, included bark
012A	CW	29	55		0.7	0.5	0.6	17.4	$ 5,516	multiple trunks from same base
012B	CW	11	35		0.7	0.5	0.2	2.2	$ 295	multiple trunks from same base
012C	CW	12	35		0.7	0.5	0.2	2.4	$ 344	multiple trunks from same base
012D	CW	6	16		0.7	0.5	0.1	0.6	$ 56	multiple trunks from same base
013A	CW	13	35		0.7	0.5	0.1	1.3	$ 199	5 stems from same base, included bark
013B	CW	10	40		0.7	0.5	0.1	1.0	$ 125	5 stems from same base, included bark
013C	CW	16	45		0.7	0.5	0.2	3.2	$ 584	5 stems from same base, included bark
013D	CW	11	25		0.7	0.5	0.1	1.1	$ 147	5 stems from same base, included bark
013E	CW	12	35		0.7	0.5	0.1	1.2	$ 172	5 stems from same base, included bark
14	CW	9	40		0.7	0.5	0.4	3.6	$ 418	paritally overtopped, at headgate, limited root system
15	CW	10	40		0.7	0.5	0.1	1.0	$ 125	severe decay at base
16	CW	13	40		0.7	0.5	0.2	2.6	$ 398	severe lean to north
017A	CW	22	50		0.7	0.5	0.2	4.4	$ 1,073	old suckers from shared base, decay evident
017B	CW	9	40		0.7	0.5	0.1	0.9	$ 105	old suckers from shared base, decay evident
017C	CW	15	30		0.7	0.5	0.1	1.5	$ 259	old suckers from shared base, decay evident
017D	CW	12	40		0.7	0.5	0.1	1.2	$ 172	old suckers from shared base, decay evident
017E	CW	12	40		0.7	0.5	0.1	0.8	$ 172	old suckers from shared base, decay evident
017F	CW	8	30		0.7	0.5	0.1	0.8	$ 86	old suckers from shared base, decay evident
017G	CW	24	50		0.7	0.5	0.2	4.8	$ 1,271	old suckers from shared base, decay evident
017H	CW	12	40		0.7	0.5	0.1	1.2	$ 172	old suckers from shared base, decay evident
018A	CW	19	45		0.7	0.5	0.1	1.9	$ 405	all from central base, severe decay
018B	CW	16	50		0.7	0.5	0.1	1.6	$ 292	all from central base, severe decay
018C	CW	17	50		0.7	0.5	0.1	1.7	$ 328	all from central base, severe decay
018D	CW	15	50		0.7	0.5	0.1	1.5	$ 259	all from central base, severe decay
018E	CW	14	45		0.7	0.5	0.1	1.4	$ 228	all from central base, severe decay
19	CW	14	45		0.7	0.5	0.4	5.6	$ 912	minimal decay, lean to north
020A	CW	26	60		0.7	0.5	0.4	10.4	$ 2,970	minimal decay, lean to north
020B	CW	9	25		0.7	0.5	0.1	0.9	$ 105	decay and included bark at base
020C	CW	16	45		0.7	0.5	0.1	1.6	$ 292	decay and included bark at base
21	CW	14	45		0.7	0.5	0.4	5.6	$ 912	partially overtopped with lean to west
022A	CW	6	20		0.7	0.5	0.1	0.6	$ 56	severe dieback and decay
022B	CW	8	25		0.7	0.5	0.1	0.8	$ 86	severe dieback and decay
022C	CW	12	40		0.7	0.5	0.1	1.2	$ 172	severe dieback and decay
022D	CW	10	30		0.7	0.5	0.1	1.0	$ 125	severe dieback and decay
023A	CW	14	55		0.7	0.5	0.4	5.6	$ 912	included bark at 3', lean to north
032B	CW	18	55		0.7	0.5	0.2	3.6	$ 730	included bark at 3', lean to north
024A	CW	8	25		0.7	0.5	0.1	0.8	$ 86	severe decay and fire scars
024B	CW	13	40		0.7	0.5	0.1	1.3	$ 199	severe decay and fire scars
024C	CW	10	45		0.7	0.5	0.1	1.0	$ 125	severe decay and fire scars
025A	CW	12	35		0.7	0.5	0.1	1.2	$ 172	severe decay and fire scars
025B	CW	12	35		0.7	0.5	0.1	1.2	$ 172	severe decay and fire scars
025C	CW	14	40		0.7	0.5	0.1	1.4	$ 228	severe decay and fire scars
025D	CW	12	40		0.7	0.5	0.1	1.2	$ 172	severe decay and fire scars
025E	CW	12	35		0.7	0.5	0.1	1.2	$ 172	severe decay and fire scars
025F	CW	12	35		0.7	0.5	0.1	1.2	$ 172	severe decay and fire scars
Total Inches		818.0							$ -	
SUBTOTAL FOR MITIGATION INCHES								**161.9**	**$ 30,410**	

TREE #	SPECIES	DBH	HGT	AGE	SPEC %	LOC. %	COND.%	MITIGATION INCHES	$ VALUE	COMMENTS
026A	SE	10.0	45		0.6	0.5	0.1	1.0	$ 111	severe decay, old stump sprouts
026B	SE	10.0	45		0.6	0.5	0.1	1.0	$ 111	severe decay, old stump sprouts
026C	SE	8.0	45		0.6	0.5	0.1	0.8	$ 78	severe decay, old stump sprouts
026D	SE	8.0	25		0.6	0.5	0.1	0.8	$ 78	severe decay, old stump sprouts
027A	RO	5.0	16		0.6	0.5	0.1	0.5	$ 42	radical pruning, decay present
027B	RO	9.0	40		0.6	0.5	0.1	0.9	$ 94	radical pruning, decay present
028A	CW	29.0	65		0.7	0.5	0.3	8.7	$ 2,758	included bark at 3', embedded fence, heavy lean to N.
028B	CW	20.0	60		0.7	0.5	0.1	2.0	$ 447	heavy powerline pruning, topped at 20'
029A	CW	28.0	70		0.7	0.5	0.4	11.2	$ 3,433	shared base, included bark
029B	CW	20.0	60		0.7	0.5	0.3	6.0	$ 1,340	shared base, included bark
029C	CW	20.0	60		0.7	0.5	0.3	6.0	$ 1,340	shared base, included bark
029D	CW	16	35		0.7	0.5	0.2	3.2	$ 584	shared base, included bark
029E	CW	18	35		0.7	0.5	0.2	3.6	$ 730	shared base, included bark
029F	CW	23	65		0.7	0.5	0.4	9.2	$ 2,340	shared base, included bark
029G	CW	26	65		0.7	0.5	0.4	10.4	$ 2,970	shared base, included bark
029H	CW	9	18		0.7	0.5	0.1	0.9	$ 105	shared base, included bark
30	SE	40	70		0.6	0.5	0.1	4.0	$ 1,489	severe decay, included bark, split central leader
Total Inches		299.0								
SUBTOTAL FOR MITIGATION INCHES								**70.2**	**$ 18,049**	

Wise Farm, Northern section, south of Jasper Road Tree Numbers 31-84

TREE #	SPECIES	DBH	HGT	AGE	SPEC %	LOC. %	COND.%	MITIGATION INCHES	$ VALUE	COMMENTS
31	CW	43.8	75		0.7	0.5	0.4	17.5	$ 8,298	severe decay in upper trunk, conks, storm damage
32	CW	56.3	75		0.7	0.5	0.3	16.9	$ 10,248	hollow base, heavy lean to NW, severe decay
033A	CW	54.3	75		0.7	0.5	0.3	16.3	$ 9,536	old storm damage, decay in base and upper branches
033B	CW	18.2	40		0.7	0.5	0.1	1.8	$ 373	old storm damage, decay in base and upper branches
34	CW	41.7	65		0.7	0.5	0.1	4.2	$ 1,882	old storm damage, decay in base and upper branches
35	CW	52.4	70		0.7	0.5	0.3	15.7	$ 8,884	old storm damage, decay in base and upper branches
36	CW	34.8	60		0.7	0.5	0.1	3.5	$ 1,316	old storm damage, decay in base and upper branches
037A	WIL	12.0	22		0.6	0.5	0.1	1.2	$ 151	Pollarded by drought stress, poor condition
037B	WIL	10.0	22		0.6	0.5	0.1	1.0	$ 111	Pollarded by drought stress, poor condition
037C	WIL	7.0	16		0.6	0.5	0.1	0.7	$ 64	Pollarded by drought stress, poor condition
037D	WIL	9.0	18		0.6	0.5	0.1	0.9	$ 94	Pollarded by drought stress, poor condition
037E	WIL	16.0	25		0.6	0.5	0.1	1.6	$ 254	Pollarded by drought stress, poor condition
037F	WIL	12	12		0.6	0.5	0.1	1.2	$ 151	Pollarded by drought stress, poor condition
038A	CW	18	18		0.7	0.5	0.1	1.8	$ 365	Hazard tree, severe decay
038B	CW	28	30		0.7	0.5	0.1	2.8	$ 858	Hazard tree, severe decay
038C	CW	22	55		0.7	0.5	0.1	2.2	$ 537	Hazard tree, severe decay
038D	CW	12	35		0.7	0.5	0.1	1.2	$ 172	Hazard tree, severe decay
038E	CW	32	60		0.7	0.5	0.1	3.2	$ 1,116	Hazard tree, severe decay
038F	CW	26	55		0.7	0.5	0.1	2.6	$ 742	Hazard tree, severe decay
038G	CW	75.6	80		0.7	0.5	0.1	7.6	$ 6,145	Hazard tree, severe decay
039A	BE	7	30		0.65	0.5	0.1	0.7	$ 67	Mill site, embedded metal, poor condition
039B	BE	6	30		0.65	0.5	0.1	0.6	$ 54	Mill site, embedded metal, poor condition
040A	BE	8	20		0.65	0.5	0.2	1.6	$ 164	included bark at base, debris embedded
040B	BE	12	40		0.65	0.5	0.2	2.4	$ 324	included bark at base, debris embedded
040C	BE	11	45		0.65	0.5	0.2	2.2	$ 278	included bark at base, debris embedded
041A	CW	9	45		0.7	0.5	0.1	0.9	$ 105	severe decay, imbedded debris, s. of mill bldng.
041B	CW	10	45		0.7	0.5	0.1	1.0	$ 125	severe decay, imbedded debris, s. of mill bldng.
041C	CW	9	45		0.7	0.5	0.1	0.9	$ 105	severe decay, imbedded debris, s. of mill bldng.
041D	CW	10	45		0.7	0.5	0.1	1.0	$ 125	severe decay, imbedded debris, s. of mill bldng.
042A	CW	11	40		0.7	0.5	0.3	3.3	$ 442	Shared root mass, on knoll at headgate
042B	CW	9	40		0.7	0.5	0.2	1.8	$ 209	Shared root mass, on knoll at headgate
042C	CW	16	50		0.7	0.5	0.4	6.4	$ 1,169	Shared root mass, on knoll at headgate
042D	CW	8	35		0.7	0.5	0.1	0.8	$ 86	Shared root mass, on knoll at headgate
042E	CW	9	35		0.7	0.5	0.1	0.9	$ 105	Shared root mass, on knoll at headgate
042F	CW	18	55		0.7	0.5	0.4	7.2	$ 1,460	Shared root mass, on knoll at headgate
042G	CW	9	40		0.7	0.5	0.2	1.8	$ 209	Shared root mass, on knoll at headgate
042H	CW	16	40		0.7	0.5	0.3	4.8	$ 877	Shared root mass, on knoll at headgate
043A	SE	8	45		0.65	0.5	0.2	1.6	$ 164	included bark at base
043B	SE	8	45		0.65	0.5	0.3	2.4	$ 246	included bark at base
043C	SE	8	45		0.65	0.5	0.3	2.4	$ 246	included bark at base
044A	SE	11	45		0.65	0.5	0.1	1.1	$ 139	severe decay at base
044B	SE	10	45		0.65	0.5	0.1	1.0	$ 118	severe decay at base
045A	SE	6	35		0.65	0.5	0.2	1.2	$ 109	Drought dieback, included bark
045B	SE	8	35		0.65	0.5	0.2	1.6	$ 164	Drought dieback, included bark
046A	SE	9	45		0.65	0.5	0.2	1.8	$ 198	Drought dieback, included bark
046B	SE	10	45		0.65	0.5	0.2	2.0	$ 236	Drought dieback, included bark
47	CW	22	55		0.7	0.5	0.7	15.4	$ 3,756	good condition, at edge of ditch
048A	ASH	13	35		0.7	0.5	0.1	1.3	$ 199	drought dieback, severe decay
048B	ASH	7	0		0.7	0.5	0	0.0	$ -	drought dieback, severe decay
49	ASH	11	30		0.7	0.5	0.1	1.1	$ 147	drought dieback, severe decay
050A	ASH	6	30		0.7	0.5	0.1	0.6	$ 56	drought dieback, severe decay
050B	ASH	7	30		0.7	0.5	0.1	0.7	$ 70	drought dieback, severe decay
51	ASH	8	0		0.7	0.5	0	0.0	$ -	dead
052A	ASH	15	0		0.7	0.5	0	0.0	$ -	dead
052B	ASH	12	0		0.7	0.5	0	0.0	$ -	dead
53	ASH	12	25		0.7	0.5	0.1	1.2	$ 172	drought dieback, severe decay
054A	ASH	7	25		0.7	0.5	0.1	0.7	$ 70	drought dieback, severe decay
054B	ASH	6	18		0.7	0.5	0.1	0.6	$ 56	drought dieback, severe decay
054C	ASH	12	25		0.7	0.5	0.1	1.2	$ 172	drought dieback, severe decay
55	ASH	18	25		0.7	0.5	0.1	1.8	$ 365	drought dieback, severe decay
56	ASH	24	25		0.7	0.5	0.1	2.4	$ 635	severe decay, multiple stems, included bark, at mill
Total Inches		1017.1			0.7	0.5		0.0	$ -	
SUBTOTAL FOR MITIGATION INCHES								**184.3**	**$ 64,523**	

TREE #	SPECIES	DBH	HGT	AGE	SPEC %	LOC. %	COND.%	MITIGATION INCHES	$ VALUE	COMMENTS
57	ASH	16.0	25		0.8	0.5	0	0.0	$ -	90% dead
58	ASH	10.0	25		0.8	0.5	0	0.0	$ -	90% dead
59	CW	61.8	80		0.7	0.5	0.1	6.2	$ 4,112	HAZARDOUS TREE, severe decay
60	CW	39.3	70		0.7	0.5	0.3	11.8	$ 5,021	HAZARDOUS TREE, severe decay
61	CW	61.0	70		0.7	0.5	0	0.0	$ -	HAZARDOUS TREE, severe decay
62	CW	58.8	80		0.7	0.5	0	0.0	$ -	HAZARDOUS TREE, severe decay
63	CW	51.7	50		0.7	0.5	0	0.0	$ -	dead
64	CW	36.6	35		0.6	0.5	0	0.0	$ -	HAZARDOUS TREE, severe decay
65	CW	57.0	65		0.6	0.5	0	0.0	$ -	HAZARDOUS TREE, severe decay
66	CW	50.4	80		0.6	0.5	0.1	5.0	$ 2,353	HAZARDOUS TREE, severe decay
67	CW	51.9	70		0.6	0.5	0.1	5.2	$ 2,494	HAZARDOUS TREE, severe decay
68	CW	48.9	70		0.6	0.5	0.1	4.9	$ 2,216	HAZARDOUS TREE, severe decay
69	CW	42.4	55		0.6	0.5	0	0.0	$ -	HAZARDOUS TREE, severe decay
70	CW	52.1	25		0.7	0.5	0	0.0	$ -	HAZARDOUS TREE, severe decay
71	CW	58.7	80		0.7	0.5	0	0.0	$ -	HAZARDOUS TREE, severe decay
72	CW	46	80		0.7	0.5	0.1	4.6	$ 2,286	HAZARDOUS TREE, severe decay
73	CW	76.4	90		0.7	0.5	0	0.0	$ -	HAZARDOUS TREE, severe decay
074A	BE	6	12		0.65	0.5	0.1	0.6	$ 54	Fence row trees, embedded debris, multiple stems
074B	BE	8	35		0.65	0.5	0.1	0.8	$ 82	Fence row trees, embedded debris, multiple stems
074C	BE	12	40		0.65	0.5	0.1	1.2	$ 162	Fence row trees, embedded debris, multiple stems
074D	BE	10	40		0.65	0.5	0.1	1.0	$ 118	Fence row trees, embedded debris, multiple stems
074E	BE	8	30		0.65	0.5	0.1	0.8	$ 82	Fence row trees, embedded debris, multiple stems
75	BE	9	30		0.65	0.5	0.1	0.9	$ 99	Fence row trees, embedded debris, multiple stems
76	BE	6	20		0.65	0.5	0.3	1.8	$ 163	Fence row trees, embedded debris, multiple stems
77	BE	14	20		0.65	0.5	0.1	1.4	$ 214	90% dead
78	BE	10	20		0.65	0.5	0.1	1.0	$ 118	90% dead
79	CW	0	0		0.7	0.5	0	0.0	$ -	dead
80	CW	56.4	80		0.7	0.5	0	0.0	$ -	HAZARDOUS TREE, severe decay
081A	WIL	30	30		0.7	0.5	0	0.0	$ -	Cattle grazing pasture, compaction, root damage
081B	WIL	26	30		0.7	0.5	0	0.0	$ -	Cattle grazing pasture, compaction, root damage
82	RO	10	40		0.6	0.5	0.3	3.0	$ 333	Cattle grazing pasture, compaction, root damage
083A	WIL	11	40		0.7	0.5	0.1	1.1	$ 147	Cattle grazing pasture, compaction, root damage
083B	WIL	10	40		0.7	0.5	0.1	1.0	$ 125	Cattle grazing pasture, compaction, root damage
083C	WIL	10	40		0.7	0.5	0.1	1.0	$ 125	Cattle grazing pasture, compaction, root damage
083D	WIL	14	40		0.7	0.5	0.1	1.4	$ 228	Cattle grazing pasture, compaction, root damage
84	CW	17	40		0.7	0.5	0.1	1.7	$ 328	Cattle grazing pasture, compaction, root damage
Total Inches		1086.4			0.7	0.5		0.0	$ -	
SUBTOTAL FOR MITIGATION INCHES								**56.4**	**$ 20,861**	

Total Inches at 4.5 feet above ground level (DBH) 3220.5

Total Mitigation Inches, adjusted per appraisal value 472.7

Total $$$ value, adjusted per appraisal value $ 133,843

NOTES:

1. Tree Species
   - ASH = Ash
   - BE = Boxelder
   - CW = Cottonwood
   - RO = Russion Olive
   - SE = Siberian Elm
   - WIL = Willow

2. Tree mitigation inches and appraisal values per formulae from the "Guide for Plant Appraisal, 9th Edition, ISA.
3. Species factors per "Species Ratings and Appraisal Factors Guide", ISA Rocky Mountain Chapter.
4. Location factor based on farm locations in relationship to residential uses around the site.
5. Condition factors were generally low due to unmaintained conditions, significant presence of decay, irregular watering patterns over 100 years, and climatic impacts to trees.
6. Trees noted as hazardous should be considered for removal due to their location along a heavily traveled roadway.
7. Inventory is divided into two sections: 1) Southern boundary trees generally on the south half of the property; and 2) trees along Jasper Road and north half of the property.

Wise Farms - Air Photo

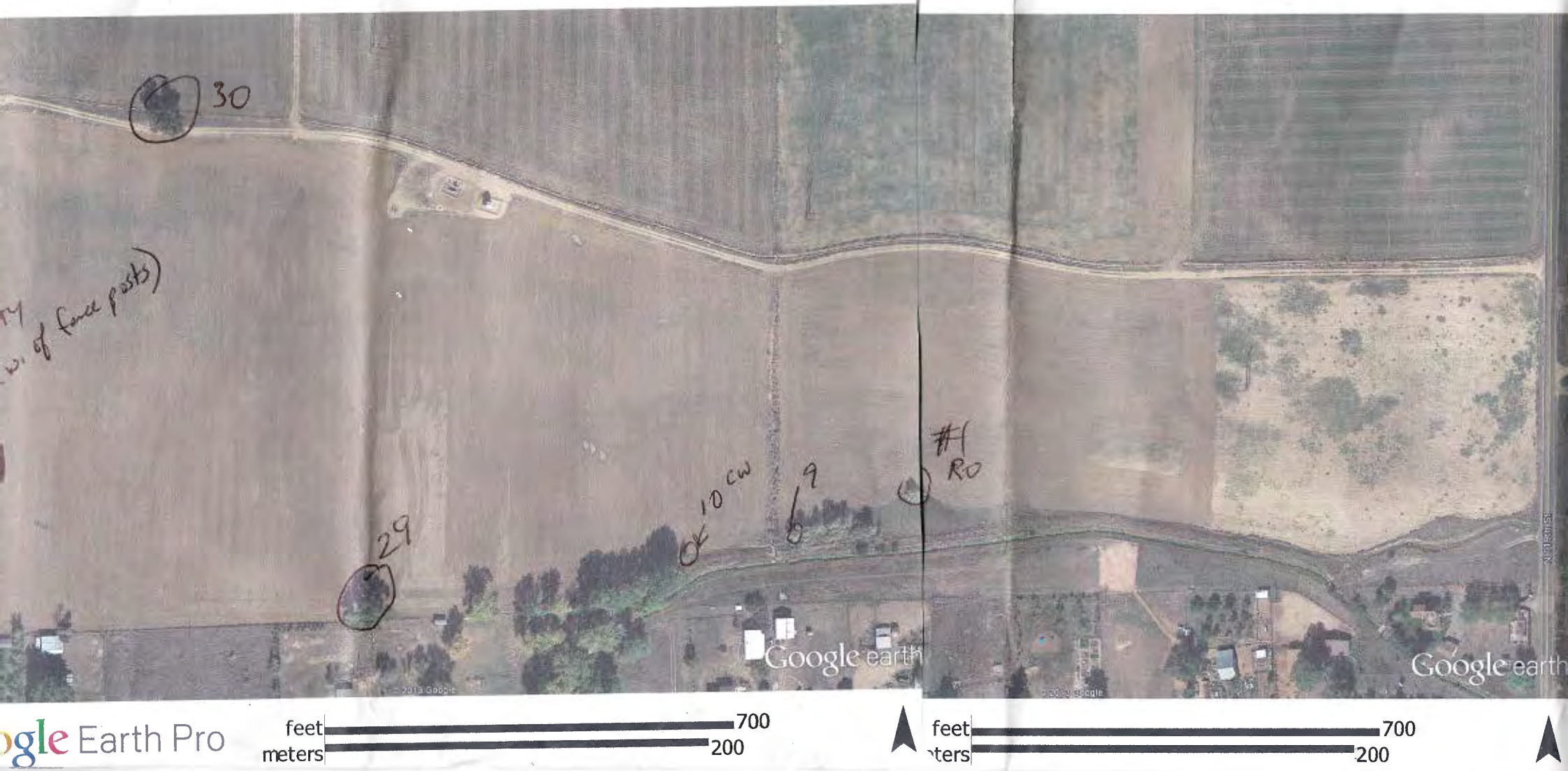
north

scale in feet
0 200 800
100 400

date: October 4, 2012

Prepared For: 177 Jasper Investments, LLC

Prepared By: PCS Group, Inc.

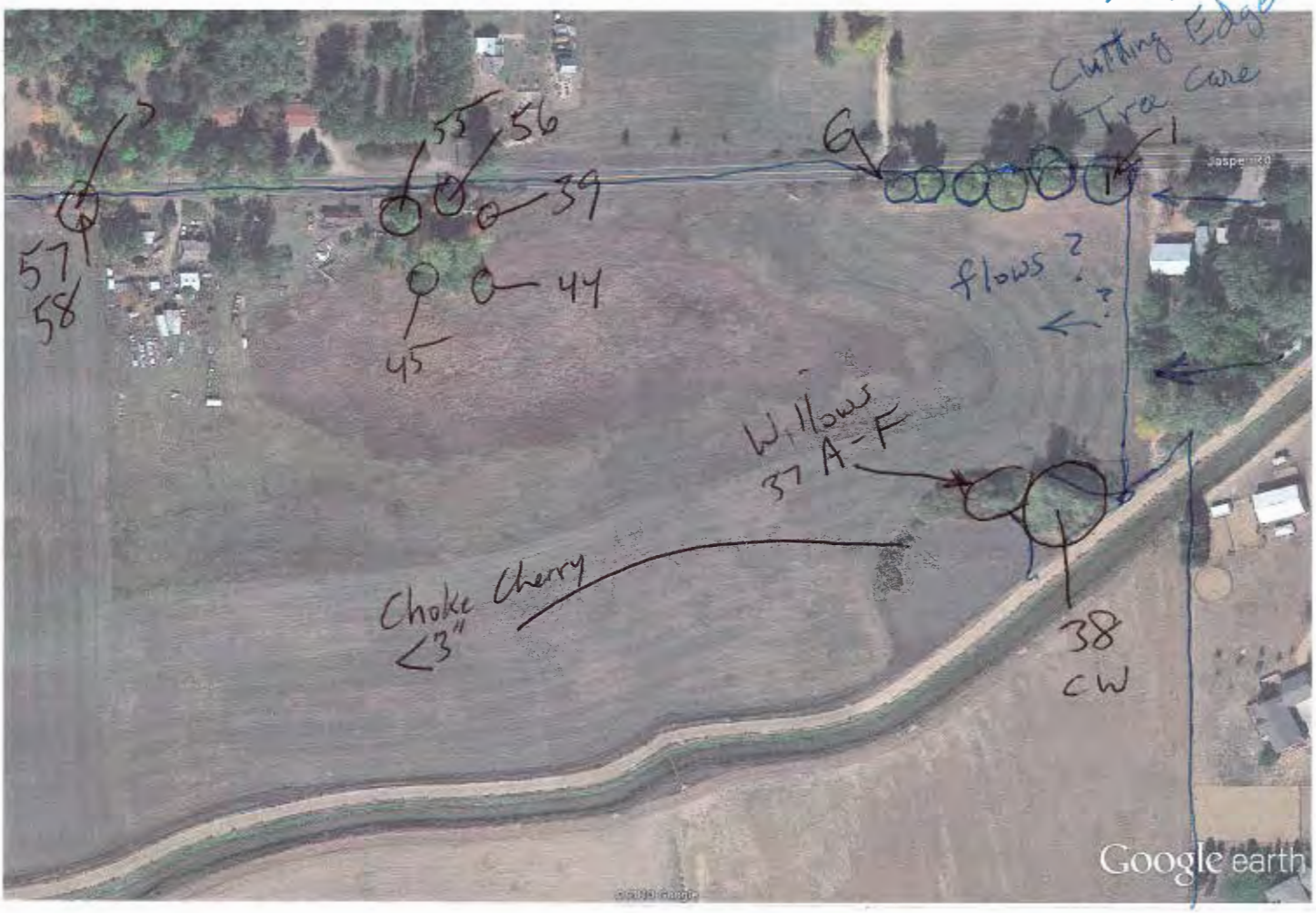


gle Earth Pro

feet 700
meters 200

feet 700
ters 200

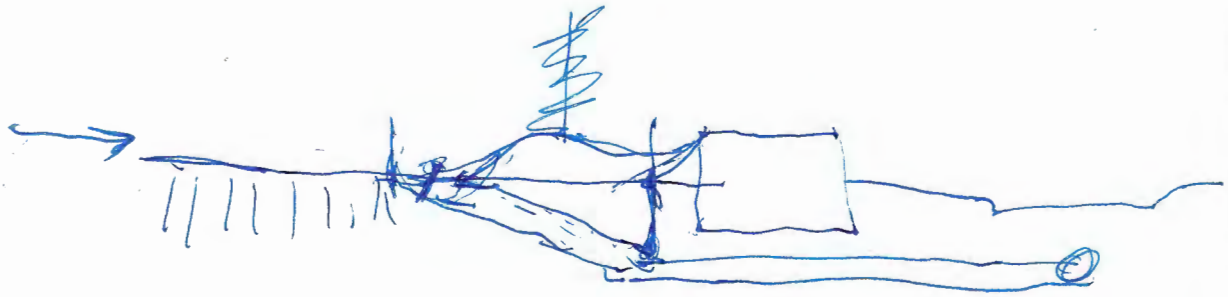
303-362-1002 cetreecare.com NE



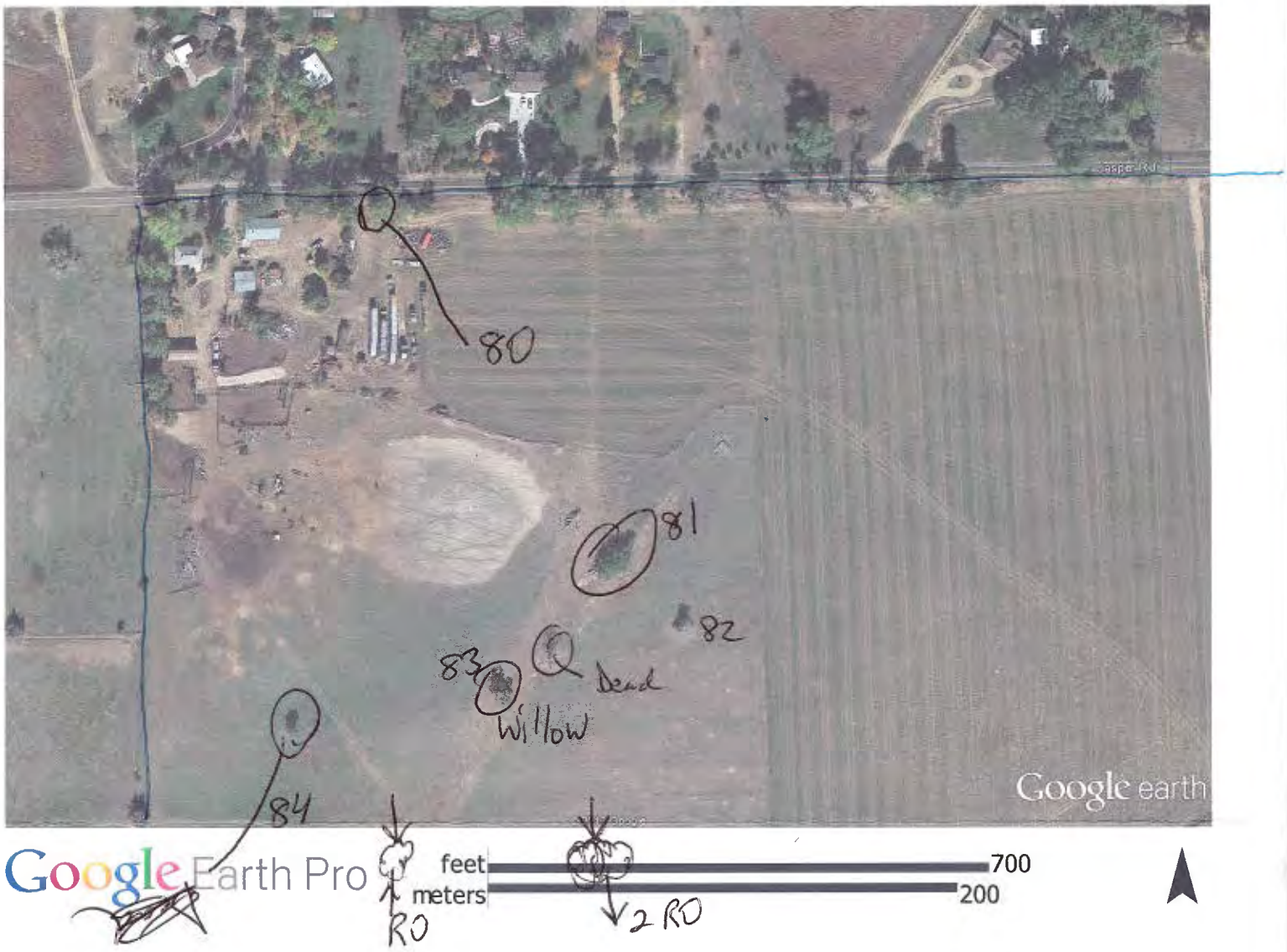
Google Earth Pro feet 700 meters 200

NE Corner

- Ditch History ?
- Borrow Ditches



NW



NW Corner

Note
Russian Olives
along S. Fence line

Keith Worley- Tree Bio- 8-11-2013

Keith Worley is an ISA Certified Arborist, Forester and Land Development Consultant based out of Larkspur, Colorado. He is the current president of the Pikes Peak Wildfire Prevention Partners, and recently completed a 1.5 year assignment as the NFPA Firewise Advisor for Colorado, Kansas, Texas, New Mexico, Wyoming, Nebraska and Utah. He was also the 2008 President of ISA-Rocky Mountain Chapter, and currently serves on its board of directors.

Keith has worked with homeowners, builders and developers over the past 30 years to protect trees and forests along the Front Range of Colorado. Part of his overlapping experience is the actual construction of subdivisions in forested and treed settings which has broadened his perspective on the practicalities (and expenses) of building with trees.

Tree inventories have been completed for development and re-development projects in Denver, Aurora, Parker, Arvada, Broomfield, Louisville, Berthoud, Jefferson, Arapahoe, El Paso, Douglas and Elbert Counties, and Longmont, Colorado.

Keith also established over 20 communities along the Front Range of Colorado in his role as development director in communities such as Castle Pines Village (1990-1993) and Plum Creek (1993-1998). He also served as the Director of Land Development for a metro home builder with communities in Windsor, Lakewood, Parker, Arapahoe County, Douglas County, Colorado Springs, and El Paso County. Keith has also served on the boards and architectural control committees of many of these communities.

ERO Resources Corp.

July 25, 2014

To: John Prestwich

From: Mary L. Powell

Re: Wise Farm Isolated Wetland

At your request, ERO Resources Corporation (ERO) delineated the wetland boundary of the isolated, depressional wetland in the northern part of the Wise Farm parcel (Figures 1 and 2). The wetland was previously assessed by Western Ecological Resource, Inc. for its jurisdictional status under Section 404 of the Clean Water Act. Based on the assessment, the U.S. Army Corps of Engineers determined that the depressional wetland is isolated and not a jurisdictional water of the U.S. The jurisdictional determination is valid from December 14, 2012 to December 13, 2017. ERO also evaluated whether wetlands are present in shrub thicket down-gradient of the Lower Boulder Ditch.

Wetland Delineation

On July 7, 2014, Mary L. Powell, a senior natural resource specialist with ERO surveyed the project area for wetlands. Using methods outlined in the 1987 *Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory 1987) and 2010 *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Great Plains Region V. 2)* (U.S. Army Corps of Engineers (Corps) 2010), wetlands were determined based on the presence of three wetland indicators: hydrophytic vegetation, hydric soils, and wetland hydrology. Hydric soils were identified using field observation for hydric soil indicators accepted by the Corps. A Munsell soil color chart was used to determine soil color. The wetland indicator status and taxonomy of plant species was identified using the *North American Digital Flora: National Wetland Plant List* (Natural Resources Conservation Service 2012).

Wetland boundaries were determined by a dominance of wetland indicator species, topographic changes, and other visible distinctions between wetlands and uplands. The boundaries of wetlands were mapped using a Trimble GEOXT Global Positioning System (GPS) unit or were drawn onto aerial photography when appropriate. Data were differentially corrected using the CompassCom base station. All differential corrections were completed using Trimble Pathfinder Office 4.20 software. All GPS information was recorded as NAD 1983 UTM coordinates. GPS data were incorporated onto aerial photography using ARC Geographic Information System software at a scale of 1 inch equals 400 feet. Wetland boundaries are shown on Figure 2.

Results

The shrub thicket down-gradient from the Lower Boulder Ditch is dominated by sandbar willow (*Salix exigua*) at its west end and chokecherry (*Prunus virginiana*) at its east end. Although sandbar willow is a facultative-wet (FACW) species that is most often found in wetlands, the understory in the willow area is dominated by crested wheatgrass

Denver
1842 Clarkson St.
Denver, CO 80218
303.830.1188

Boise
3314 Grace St.
Boise, ID 83703
208.373.7983

Durango
1015 ½ Main Avenue
Durango, CO 81301
970.422.2136

Western Slope
P.O. Box 932
161 South 2nd St.
Hotchkiss, CO 81419
970.872.3020

www.eroresources.com

(*Agropyron christatum*) and smooth brome (*Bromus inermis*), both upland species. Chokecherry is a facultative-upland (FACU) plant that is found most often in uplands. Based on the vegetation, the shrub thicket does not meet criteria for being considered a wetland.

The vegetation in the center and lowest part of the depressional wetland is dominated by cattail (*Typha latifolia*) an obligate wetland species (OBL). As the ground surface elevation increases slightly, different species dominate at different elevations. This situation is common with seasonal or vernal wetlands that change size over the course of a growing season, or over years, as the elevations of saturated soils and ground water fluctuate. The next ring of vegetation is dominated by Pennsylvania smartweed (*Polygonum pensylvanicum*), an annual facultative wetland species (FACW). The next ring of vegetation is dominated by lambsquarter (*Chenopodium album*), an annual facultative upland species (FACU). The highest ring of wetland vegetation is reed canarygrass (*Phalaris arundinacea*), a deep-rooted perennial facultative wetland species (FACW). Above the reed canarygrass, smooth brome and some Canada thistle (*Cirsium arvense*) become the dominant upland species.

Although lambsquarter, which is most often present in uplands is lower than the reed canarygrass, a species most often found in wetlands, lambsquarter is an annual that establishes quickly during drier years and is absent during wetter years. The root system of reed canarygrass allows it to persist over a number of dry years. At the time of the delineation, wetland hydrology was only present in the smartweed community.

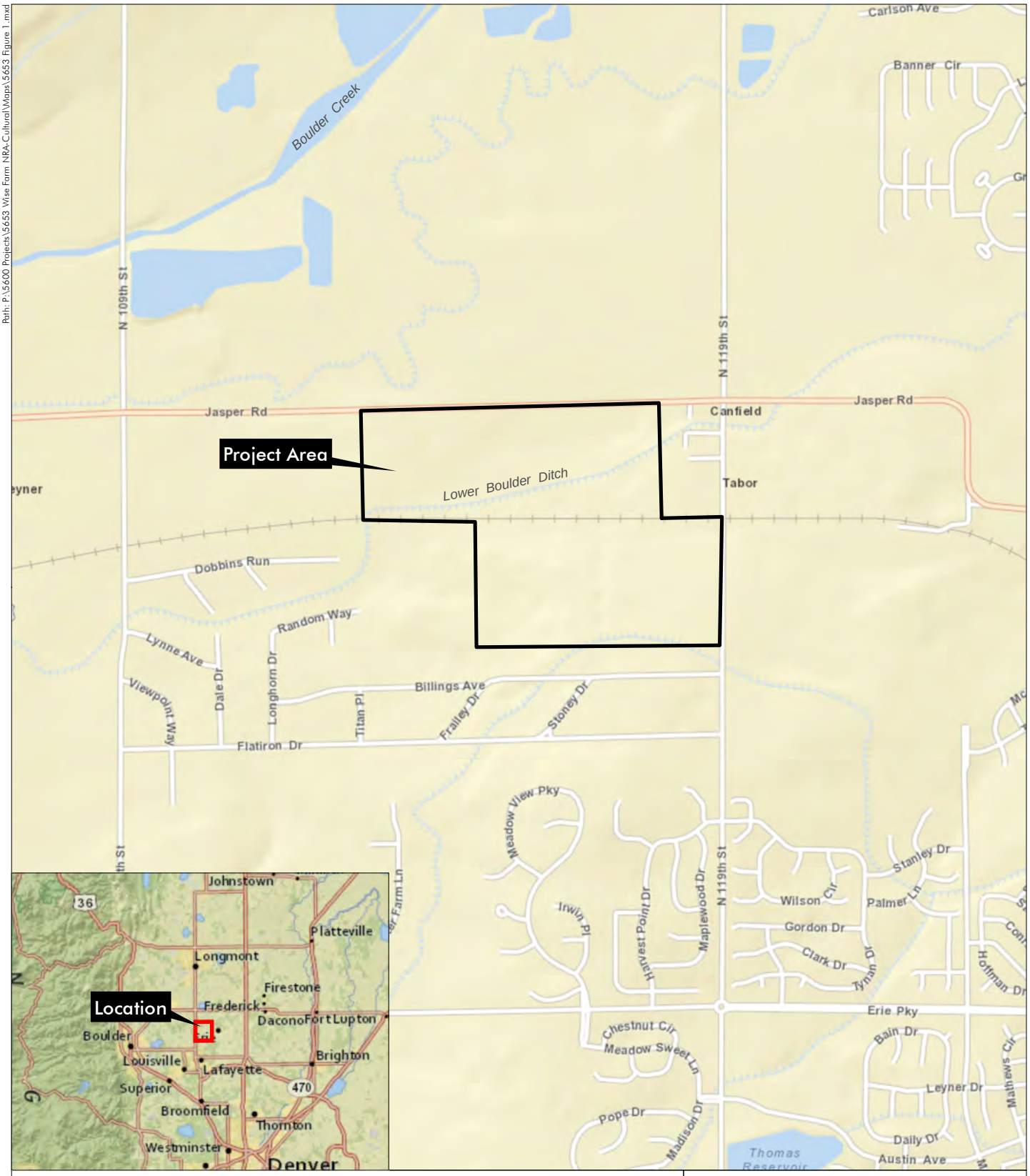
The wetland boundary delineated by ERO is generally a conservative boundary that includes the lambsquarter and some of the reed canarygrass. This conservative boundary was determined based on the variability of the site's hydrology and was based on the likely wetland boundary during a wetter growing season.

Because of the seasonal variation of the wetland hydrology, wetland species change over time as well. The change in plant communities prevents a well-established, non-weedy, native wetland from developing, but the seasonal wetland does provide habitat for a variety of species throughout the year. This wetland type is found throughout the Boulder Creek valley and in other areas with a high water table or an impervious subsurface that holds water at the surface.

Effect of Development

The grading of the rear of the lots adjacent to the wetland has been designed to direct water to the wetland to provide an additional water source. Areas disturbed by grading will be revegetated with native wetland species. With the additional water source, the wetland will likely have reduced fluctuations in hydrology, which will allow higher quality native wetland species to establish and create a higher-quality wetland overall.

Path: P:\5600 Projects\5653 Wise Farm NRA-Cultural\Maps\5653 Figure 1.mxd



Wise Farm Natural and Cultural Resources Assessment

Section 14, T1N, R69W; 6th PM

UTM NAD 83: Zone 13N; 493084mE, 4433465mN

Latitude, Longitude: 40.0513965°N, 105.081087°W

USGS Erie, CO Quadrangle

Boulder County, Colorado

0 750 1,500 Feet

N

Figure 1
Vicinity Map

Prepared for: PCS Group, Inc.
File: 5653 Figure 1.mxd (GS)
February 5, 2014

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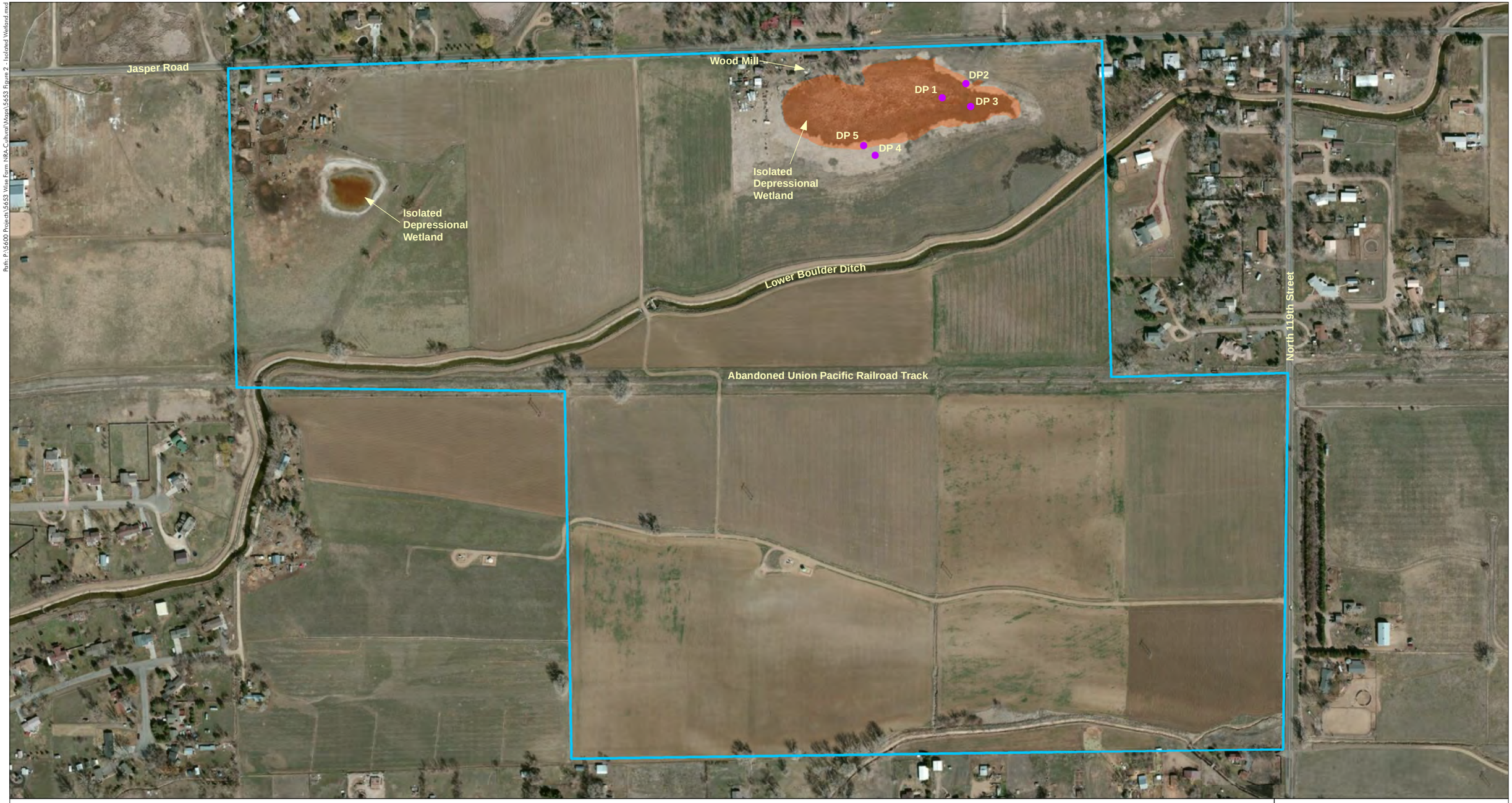
Path: P:\5600 Projects\5653 Wise Farm NRA-Cultural\Maps\5653 Figure 2 - Isolated Wetland.mxd



Wise Farm Natural and Cultural Resources Assessment

- Data Point
- Isolated Wetland
- Project Area Boundary

Image Source: Microsoft©, March 2012

0 125 250 Feet

N

Figure 2

Prepared for: PCS Group, Inc.
File: 5653 Figure 2 - Isolated Wetland.mxd (GS)
July 21, 2014

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DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
DENVER REGULATORY OFFICE, 9307 SOUTH WADSWORTH BOULEVARD
LITTLETON, COLORADO 80128-6901

December 14, 2012

Mr. David Johnson
Western Ecological Resource, Inc.
711 Walnut Street
Boulder, CO 80302

RE: Approved JD for the Wise Homestead Site
Corps File No. 200580180

Dear Mr. Johnson:

Reference is made to the above-mentioned project located in Section 14, T1N, R69W, Boulder County, Colorado. Wetland 2 and 5 were determined to be non-jurisdictional and are not regulated under Section 404 of the Clean Water Act. The Lower Boulder Ditch and the Leyner Cottonwood No.1 Ditch are jurisdictional.

This site has been reviewed in accordance with Section 404 of the Clean Water Act under which the U.S. Army Corps of Engineers regulates the discharge of dredged and fill material and certain excavation activities in waters of the United States. Waters of the U.S. may include ephemeral, intermittent and perennial streams, their surface connected wetlands and adjacent wetlands and certain lakes, ponds, drainage ditches and irrigation ditches that have a nexus to interstate commerce.

An approved jurisdictional determination (JD) has been completed for this project. The JD is attached to this letter. If you are not in agreement with the JD decision, you may request an administrative appeal under regulation 33 CFR 331, by using the attached Appeal Form and Administrative Appeal Process form. The request for appeal must be received within 60 days from the date of this letter. If you would like more information on the jurisdictional appeal process, contact this office. It is not necessary to submit a Request for Appeal if you do not object to the JD.

Those aquatic resources that were determined to be jurisdictional are known as "Waters of the United States" and are regulated under Section 404 of the Clean Water Act. Any placement of fill material into these aquatic resources would require a Department of the Army permit prior to impacts.

If any work associated with this project requires the placement of dredged or fill material, and any excavation associated with a dredged or fill project, either temporary or permanent, in the Lower Boulder Ditch or the Leyner Cottonwood No.1 Ditch, this office should be notified by a proponent of the project for Department of the Army permits or changes in permit requirements pursuant to Section 404 of the Clean Water Act.

Any work in the Lower Boulder Ditch or the Leyner Cottonwood No.1 Ditch should be shown on a map identifying the Quarter Section, Township, Range and County of the work and the dimensions of work in each area. Any loss of wetlands may require mitigation. Mitigation requirements will be determined during the Department of the Army permitting review.

This JD is valid for a period of five years from the date of this letter, unless new information warrants revisions of the JDs before the expiration date, or unless the Corps has identified, after a possible public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.

The Omaha District, Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete our Customer Service Survey found on our website at http://per2.nwp.usace.army.mil/survey.html. If you do not have Internet access, you may call and request a paper copy of the survey that you can complete and return to us by mail or fax. (Completing the survey is a voluntary action)

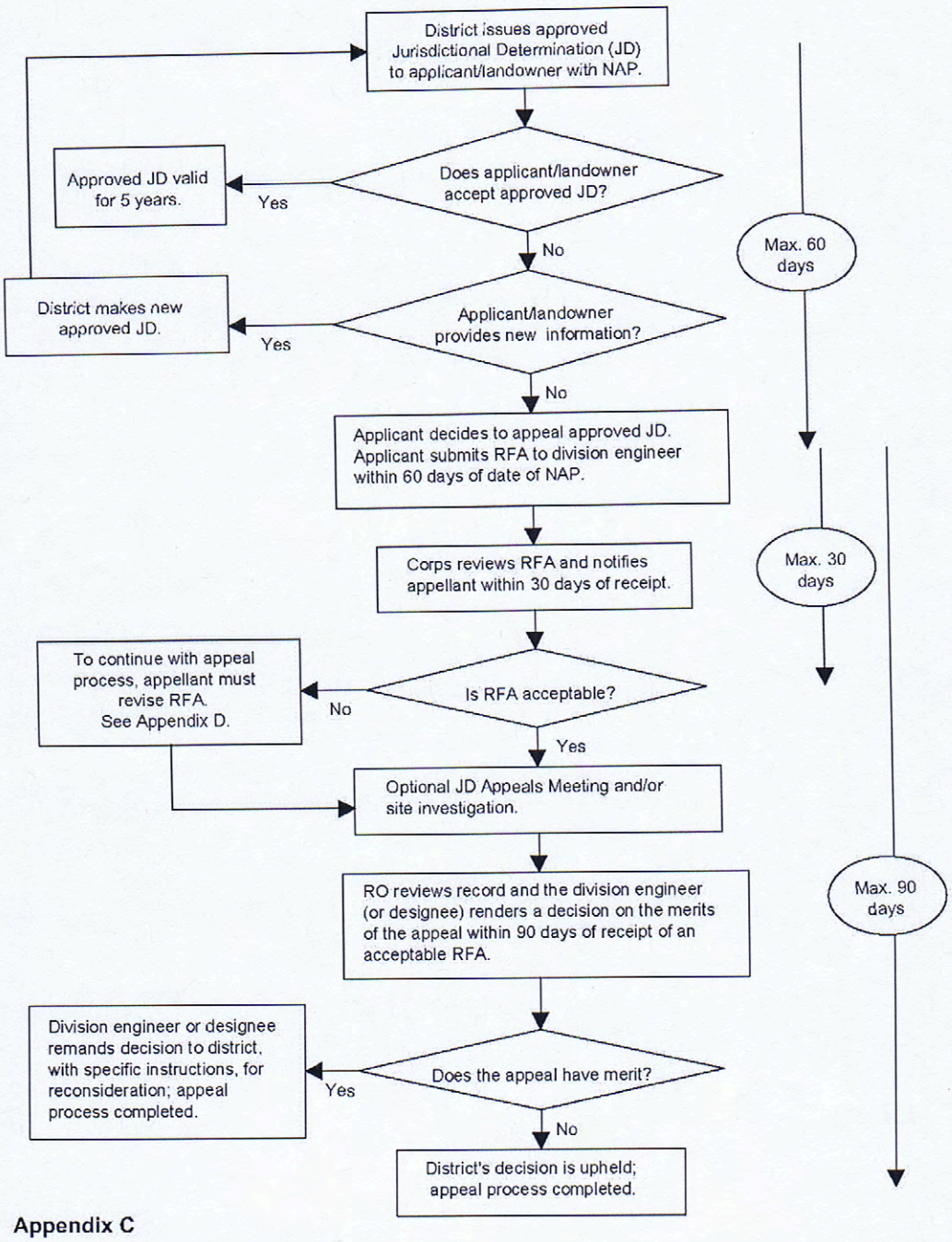
If there are any questions call **Mr. Terry McKee** of my office at **303-979-4120** and reference **Corps File No. 200580180**.

Sincerely,

Timothy T. Carey
Chief, Denver Regulatory Office

tm

Administrative Appeal Process for Approved Jurisdictional Determinations



Appendix C

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant:		File Number: 200580180	Date:
Attached is:			See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
	PROFFERED PERMIT (Standard Permit or Letter of permission)		B
	PERMIT DENIAL		C
X	APPROVED JURISDICTIONAL DETERMINATION		D
	PRELIMINARY JURISDICTIONAL DETERMINATION		E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://usace.army.mil/inet/functions/cw/cecwo/reg or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:	If you only have questions regarding the appeal process you may also contact: US Army Corps of Engineers, Northwestern Division Attn: Mary Hoffman, Northwestern Division Administrative Appeals Officer 1125 NW Couch Street Portland, OR 97208-2870 Telephone (503) 808-3888 Mary.J.Hoffman@usace.army.mil

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.	Date:	Telephone number:

APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): December 14, 2012

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Denver Regulatory Office, Wise Homestead, NWO-2005-80180-DEN

C. PROJECT LOCATION AND BACKGROUND INFORMATION:
State: Co County/parish/borough: Boulder City: west of Erie
Center coordinates of site (lat/long in degree decimal format): Lat. 40:0478 N; Long. -105:0781 W
Universal Transverse Mercator:
Name of nearest waterbody: Leyner Cottonwood No. 1 Ditch
Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: South Platte River.
Name of watershed or Hydrologic Unit Code (HUC): 10190005

- ☒ Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.
- ☒ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc…) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

- ☒ Office (Desk) Determination. Date: October 24, 2012
- ☐ Field Determination. Date(s):

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There **Are no** "*navigable waters of the U.S.*" within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [*Required*]

- ☐ Waters subject to the ebb and flow of the tide.
- ☐ Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. Explain: .

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There **Are** "*waters of the U.S.*" within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [*Required*]

1. **Waters of the U.S.**
   a. **Indicate presence of waters of U.S. in review area (check all that apply):** [1]
   - ☐ TNWs, including territorial seas
   - ☐ Wetlands adjacent to TNWs
   - ☒ Relatively permanent waters[2] (RPWs) that flow directly or indirectly into TNWs
   - ☐ Non-RPWs that flow directly or indirectly into TNWs
   - ☐ Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
   - ☐ Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs
   - ☐ Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs
   - ☐ Impoundments of jurisdictional waters
   - ☐ Isolated (interstate or intrastate) waters, including isolated wetlands

   b. **Identify (estimate) size of waters of the U.S. in the review area:**
   Non-wetland waters: Leyner Cottonwood No.1 ditch – 1,242 linear feet: 4 width (ft) and/or acres.
   Wetlands: acres.

   c. **Limits (boundaries) of jurisdiction** based on: **Established by OHWM.**
   Elevation of established OHWM (if known): .

2. **Non-regulated waters/wetlands (check if applicable):**[3]
   - ☐ Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional. Explain:

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[1] Boxes checked below shall be supported by completing the appropriate sections in Section III below.
[2] For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least "seasonally" (e.g., typically 3 months).
[3] Supporting documentation is presented in Section III.F.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1. TNW
Identify TNW:

Summarize rationale supporting determination:

2. Wetland adjacent to TNW
Summarize rationale supporting conclusion that wetland is "adjacent":

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under *Rapanos* have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting a tributary with perennial flow, skip to Section III.D.4.

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody[4] is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

(i) General Area Conditions:
Watershed size: 300 **square miles**
Drainage area: this canal flows for approx. 20 miles. The irrigation canal likely receives little or no overland sheet flow, and so is possibly physical isolated from the surrounding drainage in the immediate area. The canal is generally located at the same elevation of the surrounding land and receives little or no stormwater or precipitation runoff.
Average annual rainfall: 14 inches
Average annual snowfall: 40 inches

(ii) Physical Characteristics:
(a) Relationship with TNW:
☐ Tributary flows directly into TNW.
☒ Tributary flows through **2** tributaries before entering TNW.

Project waters are **20-25** river miles from TNW.
Project waters are **1 (or less)** river miles from RPW.
Project waters are **10-15** aerial (straight) miles from TNW.
Project waters are **1 (or less)** aerial (straight) miles from RPW.
Project waters cross or serve as state boundaries. Explain:

[4] Note that the Instructional Guidebook contains additional information regarding swales, ditches, washes, and erosional features generally and in the arid West.

Identify flow route to TNW[5]: Flows to Lower Boulder Ditch that flows to the South Platte River.
Tributary stream order, if known: .

(b) General Tributary Characteristics (check all that apply):
Tributary is: ☐ Natural
☒ Artificial (man-made). Explain: This is an irrigation ditch, which flows during an agricultural irrigation season.
☐ Manipulated (man-altered). Explain: .

Tributary properties with respect to top of bank (estimate):
Average width: 4 feet
Average depth: 2 feet
Average side slopes: **2:1**.

Primary tributary substrate composition (check all that apply):
☒ Silts ☒ Sands ☐ Concrete
☐ Cobbles ☒ Gravel ☒ Muck
☐ Bedrock ☐ Vegetation. Type/% cover:
☐ Other. Explain: .

Tributary condition/stability [e.g., highly eroding, sloughing banks]. Explain: This is a stable irrigation ditch which is confined is by bermed banks.
Presence of run/riffle/pool complexes. Explain: .
Tributary geometry: **Relatively straight**
Tributary gradient (approximate average slope): 2 %

(c) Flow:
Tributary provides for: **Seasonal flow**
Estimate average number of flow events in review area/year: **1**
Describe flow regime: This irrigation ditch flows during the irrigation season.
Other information on duration and volume: .

Surface flow is: **Discrete and confined**. Characteristics: This is a man-made irrigation ditch.

Subsurface flow: **Pick List**. Explain findings: .
☐ Dye (or other) test performed: .

Tributary has (check all that apply):
☒ Bed and banks
☒ OHWM[6] (check all indicators that apply):
☒ clear, natural line impressed on the bank ☐ the presence of litter and debris
☐ changes in the character of soil ☒ destruction of terrestrial vegetation
☐ shelving ☐ the presence of wrack line
☐ vegetation matted down, bent, or absent ☐ sediment sorting
☐ leaf litter disturbed or washed away ☐ scour
☐ sediment deposition ☐ multiple observed or predicted flow events
☐ water staining ☐ abrupt change in plant community
☐ other (list):
☐ Discontinuous OHWM.[7] Explain: .

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):
☐ High Tide Line indicated by: ☐ Mean High Water Mark indicated by:
☐ oil or scum line along shore objects ☐ survey to available datum;
☐ fine shell or debris deposits (foreshore) ☐ physical markings;
☐ physical markings/characteristics ☐ vegetation lines/changes in vegetation types.
☐ tidal gauges
☐ other (list):

(iii) Chemical Characteristics:

[5] Flow route can be described by identifying, e.g., tributary a, which flows through the review area, to flow into tributary b, which then flows into TNW.
[6] A natural or man-made discontinuity in the OHWM does not necessarily sever jurisdiction (e.g., where the stream temporarily flows underground, or where the OHWM has been removed by development or agricultural practices). Where there is a break in the OHWM that is unrelated to the waterbody's flow regime (e.g., flow over a rock outcrop or through a culvert), the agencies will look for indicators of flow above and below the break.
[7] Ibid.

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).
Explain: Water flow is generall milky/brown in color during irrigaton flow season.
Identify specific pollutants, if known: .

(iv) Biological Characteristics. Channel supports (check all that apply):

☒ Riparian corridor. Characteristics (type, average width): Adjacent land is composed of general agricultural land. It is vegetated with native and non-native grasses, weeds shrubs and trees.

☐ Wetland fringe. Characteristics: .

☒ Habitat for:

- ☐ Federally Listed species. Explain findings: .
- ☐ Fish/spawn areas. Explain findings: .
- ☐ Other environmentally-sensitive species. Explain findings: .
- ☒ Aquatic/wildlife diversity. Explain findings: The surrounding area of this site consists of upland vegetation composed of native and non-native grasses, weeds, trees and shrubs with adjacent agricultural land. This area promotes habitat for small mammals, birds, snakes, and other wildlife adapted to agricultural habitat.

2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW

(i) Physical Characteristics:

(a) General Wetland Characteristics:

Properties:

Wetland size: acres

Wetland type. Explain: .

Wetland quality. Explain: .

Project wetlands cross or serve as state boundaries. Explain: .

(b) General Flow Relationship with Non-TNW:

Flow is: **Pick List**. Explain: .

Surface flow is: **Pick List**

Characteristics: .

Subsurface flow: **Pick List**. Explain findings: .

☐ Dye (or other) test performed: .

(c) Wetland Adjacency Determination with Non-TNW:

☐ Directly abutting

☐ Not directly abutting

- ☐ Discrete wetland hydrologic connection. Explain: .
- ☐ Ecological connection. Explain: .
- ☐ Separated by berm/barrier. Explain: .

(d) Proximity (Relationship) to TNW

Project wetlands are **Pick List** river miles from TNW.

Project waters are **Pick List** aerial (straight) miles from TNW.

Flow is from: **Pick List.**

Estimate approximate location of wetland as within the **Pick List** floodplain.

(ii) Chemical Characteristics:

Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics; etc.). Explain: .

Identify specific pollutants, if known: .

(iii) Biological Characteristics. Wetland supports (check all that apply):

☐ Riparian buffer. Characteristics (type, average width): .

☐ Vegetation type/percent cover. Explain: .

☐ Habitat for:

- ☐ Federally Listed species. Explain findings: .
- ☐ Fish/spawn areas. Explain findings: .
- ☐ Other environmentally-sensitive species. Explain findings: .
- ☐ Aquatic/wildlife diversity. Explain findings: .

3. Characteristics of all wetlands adjacent to the tributary (if any)

All wetland(s) being considered in the cumulative analysis: **Pick List**

Approximately ( ) acres in total are being considered in the cumulative analysis.

For each wetland, specify the following:

Directly abuts? (Y/N)	Size (in acres)	Directly abuts? (Y/N)	Size (in acres)

Summarize overall biological, chemical and physical functions being performed: .

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

Draw connections between the features documented and the effects on the TNW, as identified in the *Rapanos* Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. **Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to Section III.D: .

2. **Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D: .

3. **Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D: .

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):

1. **TNWs and Adjacent Wetlands.** Check all that apply and provide size estimates in review area:
   ☐ TNWs: linear feet width (ft), Or, acres.
   ☐ Wetlands adjacent to TNWs: acres.

2. **RPWs that flow directly or indirectly into TNWs.**
   ☐ Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial: .
   ☒ Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: Flows 6-7 months per year, duration and volume vary depending on the water year and water rights. Flows to Lower Boulder Ditch to Coal Ridge Ditch that flow to Sand Hill Reservoir that outlets to South Platte River

Provide estimates for jurisdictional waters in the review area (check all that apply):
- ☐ Tributary waters: linear feet width (ft).
- ☐ Other non-wetland waters: acres.
  Identify type(s) of waters: .

3. **Non-RPWs[8] that flow directly or indirectly into TNWs.**
   - ☐ Waterbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has a significant nexus with a TNW is jurisdictional. Data supporting this conclusion is provided at Section III.C.

   Provide estimates for jurisdictional waters within the review area (check all that apply):
   - ☐ Tributary waters: linear feet width (ft).
   - ☐ Other non-wetland waters: acres.
     Identify type(s) of waters: .

4. **Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.**
   - ☐ Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.
     - ☐ Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .
     - ☐ Wetlands directly abutting an RPW where tributaries typically flow "seasonally." Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .

   Provide acreage estimates for jurisdictional wetlands in the review area: acres.

5. **Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs.**
   - ☐ Wetlands that do not directly abut an RPW, but when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisidictional. Data supporting this conclusion is provided at Section III.C.

   Provide acreage estimates for jurisdictional wetlands in the review area: acres.

6. **Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**
   - ☐ Wetlands adjacent to such waters, and have when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

   Provide estimates for jurisdictional wetlands in the review area: acres.

7. **Impoundments of jurisdictional waters.[9]**
   As a general rule, the impoundment of a jurisdictional tributary remains jurisdictional.
   - ☐ Demonstrate that impoundment was created from "waters of the U.S.," or
   - ☐ Demonstrate that water meets the criteria for one of the categories presented above (1-6), or
   - ☐ Demonstrate that water is isolated with a nexus to commerce (see E below).

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY):[10]
- ☐ which are or could be used by interstate or foreign travelers for recreational or other purposes.
- ☐ from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
- ☐ which are or could be used for industrial purposes by industries in interstate commerce.
- ☐ Interstate isolated waters. Explain: .
- ☐ Other factors. Explain: .

Identify water body and summarize rationale supporting determination: .

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[8] See Footnote # 3.
[9] To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.
[10] **Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA *Memorandum Regarding CWA Act Jurisdiction Following Rapanos.***

Provide estimates for jurisdictional waters in the review area (check all that apply):

- ☐ Tributary waters: linear feet width (ft).
- ☐ Other non-wetland waters: acres.
  - Identify type(s) of waters: .
- ☐ Wetlands: acres.

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):

- ☐ If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.
- ☐ Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
  - ☐ Prior to the Jan 2001 Supreme Court decision in "*SWANCC*," the review area would have been regulated based solely on the "Migratory Bird Rule" (MBR).
- ☐ Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction. Explain: .
- ☐ Other: (explain, if not covered above): .

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):

- ☐ Non-wetland waters (i.e., rivers, streams): linear feet width (ft).
- ☐ Lakes/ponds: acres.
- ☐ Other non-wetland waters: acres. List type of aquatic resource: .
- ☐ Wetlands: acres.

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction (check all that apply):

- ☐ Non-wetland waters (i.e., rivers, streams): linear feet, width (ft).
- ☐ Lakes/ponds: acres.
- ☐ Other non-wetland waters: acres. List type of aquatic resource: .
- ☐ Wetlands: acres.

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

- ☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: Western Ecological Resource, Inc.
- ☐ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
  - ☐ Office concurs with data sheets/delineation report.
  - ☐ Office does not concur with data sheets/delineation report.
- ☐ Data sheets prepared by the Corps: .
- ☐ Corps navigable waters' study: .
- ☒ U.S. Geological Survey Hydrologic Atlas: .
  - ☐ USGS NHD data.
  - ☒ USGS 8 and 12 digit HUC maps.
- ☒ U.S. Geological Survey map(s). Cite scale & quad name: 1:24,000 Erie .
- ☐ USDA Natural Resources Conservation Service Soil Survey. Citation: .
- ☐ National wetlands inventory map(s). Cite name: .
- ☐ State/Local wetland inventory map(s): .
- ☐ FEMA/FIRM maps: .
- ☐ 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): google aerial .
  - or ☐ Other (Name & Date): .
- ☐ Previous determination(s). File no. and date of response letter: .
- ☒ Applicable/supporting case law: Rapanos and Carabell cases.
- ☐ Applicable/supporting scientific literature: .
- ☐ Other information (please specify): .

B. ADDITIONAL COMMENTS TO SUPPORT JD:

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APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): December 14, 2012

B. DISTRICT OFFICE, FILE NAME, AND NUMBER:

Denver Regulatory Office, Wise Homestead, NWO-2005-80180-DEN

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: CO County/parish/borough: Boulder City: west of Erie
Center coordinates of site (lat/long in degree decimal format):

Wetland 2 - Lat. 40.054072 N, Long. -105.08007 W
Wetland 5 - Lat 40.053456 N, Long -105.087017 W

Name of nearest waterbody: Lower Boulder Ditch
Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: South Platte River
Name of watershed or Hydrologic Unit Code (HUC): 10190005

- ☒ Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.
- ☒ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc…) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

- ☒ Office (Desk) Determination. Date: October 24, 2012
- ☐ Field Determination. Date(s):

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There **Are no** "*navigable waters of the U.S.*" within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [*Required*]

- ☐ Waters subject to the ebb and flow of the tide.
- ☐ Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
  Explain: .

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There **are and are not** "*waters of the U.S.*" within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [*Required*]

1. **Waters of the U.S.**
   a. **Indicate presence of waters of U.S. in review area (check all that apply):** [1]
   - ☐ TNWs, including territorial seas
   - ☐ Wetlands adjacent to TNWs
   - ☒ Relatively permanent waters[2] (RPWs) that flow directly or indirectly into TNWs
   - ☐ Non-RPWs that flow directly or indirectly into TNWs
   - ☐ Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
   - ☐ Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs
   - ☐ Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs
   - ☐ Impoundments of jurisdictional waters
   - ☐ Isolated (interstate or intrastate) waters, including isolated wetlands

   b. **Identify (estimate) size of waters of the U.S. in the review area:**
   Non-wetland waters: Lower Boulder Ditch - 3,450 linear feet: 25 width (ft)
   Wetlands: acres.

   c. **Limits (boundaries) of jurisdiction** based on: **Pick List**
   Elevation of established OHWM (if known): .

2. **Non-regulated waters/wetlands (check if applicable):**[3]

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[1] Boxes checked below shall be supported by completing the appropriate sections in Section III below.
[2] For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least "seasonally" (e.g., typically 3 months).

☒ Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional. Explain: Wetlands 2 and 5 were assessed and determined to have no significant nexus to a downstream TNW. See Section C below.

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under *Rapanos* have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting a tributary with perennial flow, skip to Section III.D.4.

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody[4] is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

(i) General Area Conditions:
Watershed size: 400 **square miles**
Drainage area: this canal flows for approx. 31 miles. The irrigation canal likely receives little or no overland sheet flow, and so is possibly physically isolated from the surrounding drainage in the immediate area. The canal is perched approximately 12 feet above the surrounding land and receives little or no stormwater or precipitation runoff.
Average annual rainfall: 15.4 inches
Average annual snowfall: 60.2 inches

(ii) Physical Characteristics:
(a) Relationship with TNW:
☐ Tributary flows directly into TNW.
☒ Tributary flows through **2** tributaries before entering TNW.

Project waters are **20-25** river miles from TNW.
Project waters are **1 (or less)** river miles from RPW.
Project waters are **10-15** aerial (straight) miles from TNW.
Project waters are **1 (or less)** aerial (straight) miles from RPW.
Project waters cross or serve as state boundaries. Explain: .

Identify flow route to TNW[5]: Wetlands 2 and 5 are physically adjacent to the Lower Boulder Ditch, which spills water seasonally to an unnamed tributary that flows to the St. Vrain Creek. Further downstream, the canal flows to Coal Ridge Ditch that flows to Sand Hill Reservoir that outlets to South Platte River.

Tributary stream order, if known:

(b) General Tributary Characteristics (check all that apply):
Tributary is: ☐ Natural
☒ Artificial (man-made). Explain: .
☐ Manipulated (man-altered). Explain: .

Tributary properties with respect to top of bank (estimate):
Average width: 25 feet
Average depth: 5 feet
Average side slopes: **2:1**.

Primary tributary substrate composition (check all that apply):
☐ Silts ☐ Sands ☐ Concrete

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[3] Supporting documentation is presented in Section III.F.
[4] Note that the Instructional Guidebook contains additional information regarding swales, ditches, washes, and erosional features generally and in the arid West.
[5] Flow route can be described by identifying, e.g., tributary a, which flows through the review area, to flow into tributary b, which then flows into TNW.

☐ Cobbles ☐ Gravel ☐ Muck
☐ Bedrock ☐ Vegetation. Type/% cover:
☒ Other. Explain: This canal is made up of packed dirt and clay.

Tributary condition/stability [e.g., highly eroding, sloughing banks]. Explain: Stabil and maintained. Banks are populated with smooth brome.
Presence of run/riffle/pool complexes. Explain:.
Tributary geometry: Relatively straight
Tributary gradient (approximate average slope): 1 %

(c) Flow:
Tributary provides for: **Seasonal flow**
Estimate average number of flow events in review area/year: 1
Describe flow regime: Water is diverted into the canal for irrigation purposes from April to October during the agricultural season.
Other information on duration and volume
Surface flow is: **Discrete and confined**. Characteristics: This canal is a maintained and delivers irrigation water during the agricultural growing season.

Subsurface flow: Explain findings: .
☐ Dye (or other) test performed: .

Tributary has (check all that apply):
☒ Bed and banks
☒ OHWM[6] (check all indicators that apply):
☒ clear, natural line impressed on the bank
☐ changes in the character of soil
☐ shelving
☐ vegetation matted down, bent, or absent
☐ leaf litter disturbed or washed away
☐ sediment deposition
☐ water staining
☐ other (list):
☐ the presence of litter and debris
☒ destruction of terrestrial vegetation
☐ the presence of wrack line
☐ sediment sorting
☐ scour
☐ multiple observed or predicted flow events
☐ abrupt change in plant community
☐ Discontinuous OHWM.[7] Explain:

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):
☐ High Tide Line indicated by:
☐ oil or scum line along shore objects
☐ fine shell or debris deposits (foreshore)
☐ physical markings/characteristics
☐ tidal gauges
☐ other (list):
☐ Mean High Water Mark indicated by:
☐ survey to available datum;
☐ physical markings;
☐ vegetation lines/changes in vegetation types.

(iii) Chemical Characteristics:
Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.). Explain: Water is generally clear. Flows are shunted off Boulder Creek during the irrigation season.
Identify specific pollutants, if known:

(iv) Biological Characteristics. Channel supports (check all that apply):
☐ Riparian corridor. Characteristics (type, average width): .
☐ Wetland fringe. Characteristics: .
☐ Habitat for:
☐ Federally Listed species. Explain findings: .
☐ Fish/spawn areas. Explain findings: .
☐ Other environmentally-sensitive species. Explain findings: .
☐ Aquatic/wildlife diversity. Explain findings:

3. Characteristics of all wetlands adjacent to the tributary (if any)
All wetland(s) being considered in the cumulative analysis: 2
Approximately (5) acres in total are being considered in the cumulative analysis.

For each wetland, specify the following:

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[6]A natural or man-made discontinuity in the OHWM does not necessarily sever jurisdiction (e.g., where the stream temporarily flows underground, or where the OHWM has been removed by development or agricultural practices). Where there is a break in the OHWM that is unrelated to the waterbody's flow regime (e.g., flow over a rock outcrop or through a culvert), the agencies will look for indicators of flow above and below the break.
[7]Ibid.

Directly abuts? (Y/N)	Size (in acres)	Directly abuts? (Y/N)	Size (in acres)
N	5		

Summarize overall biological, chemical and physical functions being performed: The biological function may provide habitat for micro and macro invertebrates. Chemical function is most likely insignificant given that flows from these wetlands would rarely, if ever, reach a downstream TNW.

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

Draw connections between the features documented and the effects on the TNW, as identified in the *Rapanos* Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. **Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to Section III.D:

2. **Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:

3. **Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:

   Please note, current Rapanos Guidance states:

   The agencies will apply the significant nexus standard as follows:
   " A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by all wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical and biological integrity of downstream traditional navigable waters."

   The determination below deviates from this guidance due to the proximal characteristics of the relationship between the adjacent wetlands and the canal, acting as a tributary to a downstream TNW. An exception is made in this case due to the perched nature of the canal at this location. As the extent and proximity of wetlands adjacent to the canal over its 31 miles are unknown, and the canal does not function as a typical natural tributary within a drainage, it is not appropriate to use the above referenced guidance in this case. Rather than evaluate all wetlands adjacent to the canal, this determination is only evaluating the wetlands on-site and their possible nexus with the canal and downstream TNW. Other wetlands adjacent to this canal will be evaluated as needed.

   Findings of no significant nexus.

   Lower Boulder Ditch receives no overland sheet flow from the surrounding area or from the adjacent wetlands, and so is physically isolated from the drainage. The canal is perched approximately 12 feet above the surrounding land and receives no stormwater or precipitation runoff. Flows are regulated within the canal, so flows would rarely, if ever, overtop and reach the wetlands down-gradient.

   These wetlands are located approximately 20.5 river miles from the St. Vrain, a TNW. From this subject site, the Lower Boulder Ditch flows approximately 13 miles to a flume over an unnamed tributary. This unnamed tributary flows approximately 7.65 miles to the St. Vrain Creek. At the location of the flume, the Lower Boulder Ditch has an outlet where water can be spilled into the unnamed tributary. Discharges at this outlet are unknown. Beyond this confluence, the canal flows to Coal Ridge Ditch that flows to Sand Hill Reservoir that outlets to South Platte River.

Wetland 2 - This wetland is located in a depressional basin and receives stormwater runoff from the surrounding landscape, and likely has a high groundwater table in the spring. The surrounding hayfield is not flood irrigated and there is no outlet to the basin. This wetland is located 340 feet north of the Lower Boulder Ditch and approximately 12 feet lower in elevation than the ditch. When visited on October 18, 2012, the cattail area had no water and the soils were dry, while the ditch was full and flowing. Thus, it appears there is likely no seepage from the ditch to the wetland. This wetland is topographically lower than the ditch and thus appears to be hydrologically isolated from waters of the U.S. features. This wetland is characterized by reed canarygrass (Phalaris arundinacea) and dense stands of annual weeds with broadleaf cattails (Typha latifolia) in the center. The wetland appears to be shrinking in size, as evidenced by the concentric ring of kochia (Kochia scoparia) around the cattails.

Wetland 5 – This wetland is associated with an ephemeral pond. This wetland/pond is located 560 feet north of the Lower Boulder Ditch in a depression on the southwestern area of the property. When visited on October 18, 2012, it was characterized by the dry soils of a seasonal aquatic pond. The dry pond bed is surrounded by saltgrass (Distichlis spicata). Water for the wetland is provided by stormwater runoff and perhaps a seasonal high groundwater table. The surrounding pasture is not flood irrigated and there is no outlet from the pond. Also, there does not appear to be any seepage from the Lower Boulder Ditch to the dry pond bed, even though the pond bed is topographically lower. Thus, this wetland/pond appears to be hydrologically isolated from waters of the U.S. features. Wetland 5 is a seasonal pond surrounded by saltgrass; however, the elevation of the area of salt grass is above the seasonal high water level of the pond and may not have a wetland hydrology. At this time it has not been determined that the salt grass pond fringe area is 3-parameter wetland.

The hydrologic nexus from these two wetlands to St. Vrain Creek is so minimal as to be insubstantial, possibly even nonexistant. There is also no evidence of a significant biological or ecological nexus, such as ESA habitat or aquatic life movement. The proximity and topography of the relationship between the wetlands and the ditch are such that only during an extreme high percipitation event would it be conceivable that flows from this wetland would reach even Lower Boulder Ditch, let alone St. Vrain Creek or the South Platte River

There is no evidence of the presence of more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of the downstream TNW.

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):

1. **TNWs and Adjacent Wetlands.** Check all that apply and provide size estimates in review area:
   - ☐ TNWs: linear feet width (ft), Or, acres.
   - ☐ Wetlands adjacent to TNWs: acres.

2. **RPWs that flow directly or indirectly into TNWs.**
   - ☐ Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial: .
   - ☒ Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: Flows 6-7 months per year, duration and volume vary depending on the water year and water rights. Flows to Coal Ridge Ditch that flows to Sand Hill Reservoir that outlets to South Platte River.

   Provide estimates for jurisdictional waters in the review area (check all that apply):
   - ☒ Tributary waters: : 3,450 linear feet: 25 width (ft) 31 miles in total length
   - ☐ Other non-wetland waters: acres.
     Identify type(s) of waters: .

3. **Non-RPWs[8] that flow directly or indirectly into TNWs.**
   - ☐ Waterbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has a significant nexus with a TNW is jurisdictional. Data supporting this conclusion is provided at Section III.C.

   Provide estimates for jurisdictional waters within the review area (check all that apply):
   - ☐ Tributary waters: linear feet width (ft).
   - ☐ Other non-wetland waters: acres.
     Identify type(s) of waters: .

4. **Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.**
   - ☐ Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.
     - ☐ Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .
     - ☐ Wetlands directly abutting an RPW where tributaries typically flow "seasonally." Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .

   Provide acreage estimates for jurisdictional wetlands in the review area: acres.

---

[8]See Footnote # 3.

5. **Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs.**
   ☐ Wetlands that do not directly abut an RPW, but when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisidictional. Data supporting this conclusion is provided at Section III.C.

   Provide acreage estimates for jurisdictional wetlands in the review area: acres.

6. **Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**
   ☐ Wetlands adjacent to such waters, and have when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

   Provide estimates for jurisdictional wetlands in the review area: acres.

7. **Impoundments of jurisdictional waters.**[9]
   As a general rule, the impoundment of a jurisdictional tributary remains jurisdictional.
   ☐ Demonstrate that impoundment was created from "waters of the U.S.," or
   ☐ Demonstrate that water meets the criteria for one of the categories presented above (1-6), or
   ☐ Demonstrate that water is isolated with a nexus to commerce (see E below).

SECTION III: CWA ANALYSIS

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):

☐ If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.

☒ Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
   ☒ Prior to the Jan 2001 Supreme Court decision in "*SWANCC*," the review area would have been regulated based solely on the "Migratory Bird Rule" (MBR).

☒ Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction. Explain:

☐ Other: (explain, if not covered above):

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):

☐ Non-wetland waters (i.e., rivers, streams): linear feet width (ft).
☒ Lakes/ponds: Wetland 5 – wetland/ephemeral pond 1 acre
☐ Other non-wetland waters: acres. List type of aquatic resource: .
☒ Wetlands: Wetland 2 – 4 acres,

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction (check all that apply):

☐ Non-wetland waters (i.e., rivers, streams):
☒ Lakes/ponds: acres. Wetland 5 – wetland/ephemeral pond 1 acre
☐ Other non-wetland waters: acres. List type of aquatic resource: .
☒ Wetlands: Wetland 2 – 4 acres,

SECTION IV: DATA SOURCES.

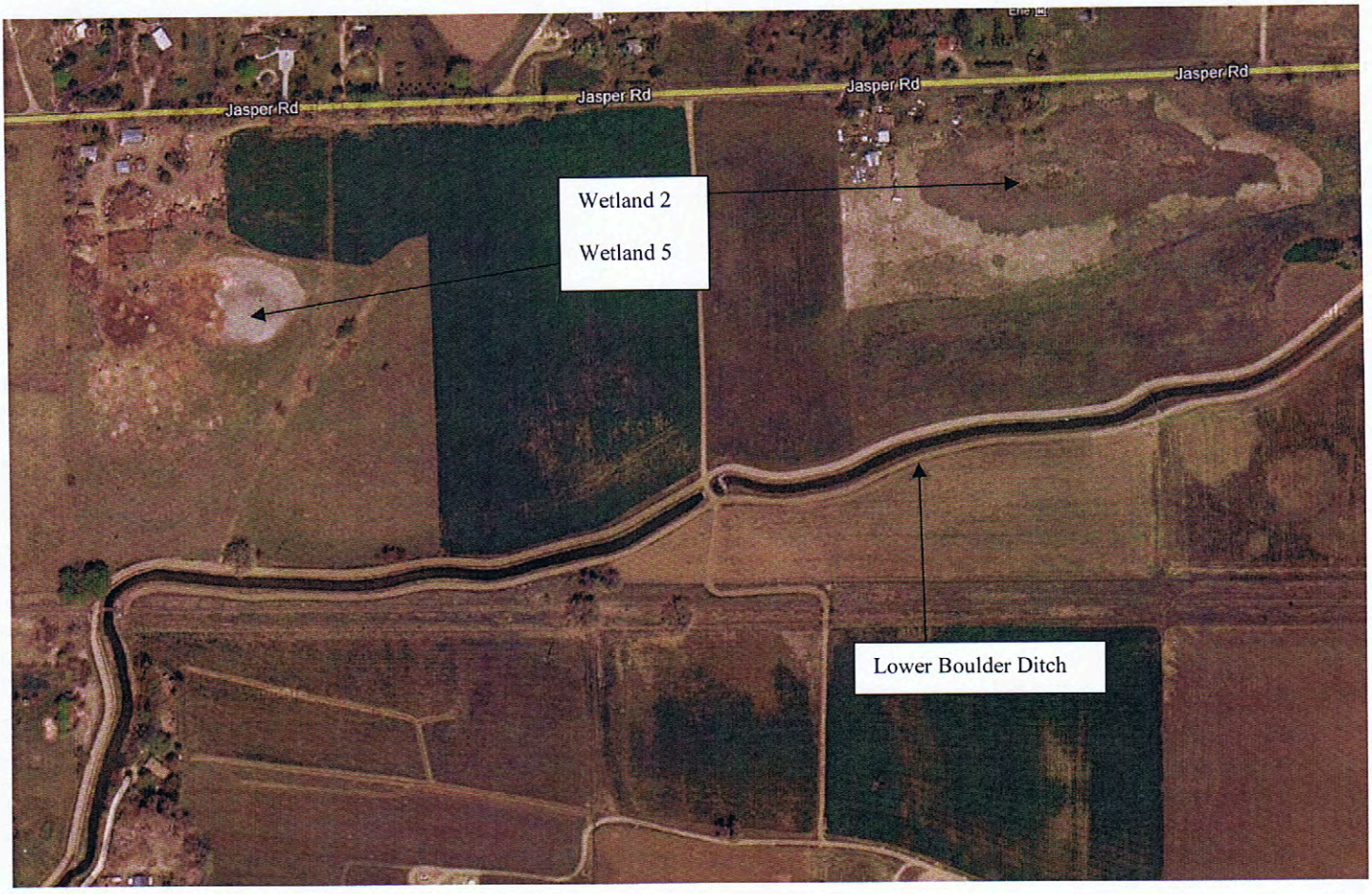
A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: Western Ecological Resource, Inc.
☐ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
   ☐ Office concurs with data sheets/delineation report.
   ☐ Office does not concur with data sheets/delineation report.
☐ Data sheets prepared by the Corps: .
☐ Corps navigable waters' study: .
☒ U.S. Geological Survey Hydrologic Atlas: .
   ☐ USGS NHD data.
   ☒ USGS 8 and 12 digit HUC maps.
☒ U.S. Geological Survey map(s). Cite scale & quad name 1:24000 ERIE
☐ USDA Natural Resources Conservation Service Soil Survey. Citation: .
☐ National wetlands inventory map(s). Cite name: .

[9] To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.

- ☐ State/Local wetland inventory map(s): .
- ☐ FEMA/FIRM maps: .
- ☐ 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): project site, wetland 2 and wetland 5
  or ☒ Other (Name & Date): project site, wetland 2 and wetland 5, October 18, 2012
- ☐ Previous determination(s). File no. and date of response letter: .
- ☒ Applicable/supporting case law: Rapanos and Carabell cases.
- ☐ Applicable/supporting scientific literature: .
- ☐ Other information (please specify): .

B. ADDITIONAL COMMENTS TO SUPPORT JD: Site Map



WESTERN ECOLOGICAL RESOURCE, INC.
711 Walnut Street
Boulder, Colorado 80302
(303) 449-9009
Fax (303) 449-9038
mail@westerneco.com

March 15, 2005

Mr. Terry McKee
U.S. Army Corps of Engineers
Denver Regulatory Office
9307 South Wadsworth Blvd
Littleton, CO 80128-6901

RE: Wise Property, Erie, Colorado

Via Fax and Mail

Dear Terry:

In June of 1999 we submitted a Wetland Delineation Report for the Wise Homestead located just west of Erie in Boulder County, Colorado. Specifically, the project is located in Township 1 North, Range 69 West, Section 14 (Figure 1). The wetland delineation has now expired and we believe the wetlands may be isolated and hence non-jurisdictional. An approved jurisdictional determination is requested. We would like to meet you on the project site at your earliest convenience.

Sincerely,

David Johnson

DJ/ro

Enclosure

Cc: James Dullea

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
DENVER REGULATORY OFFICE, 9307 SOUTH WADSWORTH BOULEVARD
LITTLETON, COLORADO 80128-6901

March 30, 2005

Mr. David Johnson
Western Ecological Resource, Inc.
711 Walnut Street
Boulder, CO 80302

RE: Approved Jurisdictional Determination, Wise Property, Erie, Colorado
Corps File No. 200580180

Dear Mr. Johnson:

Reference is made to the March 28, 2005 site meeting by Mr. Terry McKee of this office with Ms. Rea Orthner of your office. This project was reviewed on behalf of the Wise Homestead. This project is located in Section 14, T1N, R69W, Boulder County, Colorado. This review was in accordance with Section 404 of the Clean Water Act under which the U.S. Army Corps of Engineers regulates the discharge of dredged and fill material, and any excavation activities associated with a dredged and fill project, into waters of the United States. Waters of the United States include ephemeral, intermittent and perennial streams, their surface connected wetlands and adjacent wetlands and certain lakes, ponds, irrigation and drainage ditches that have a nexus to interstate commerce.

Approved jurisdictional determination: Based upon the ruling by the Supreme Court in the matter of Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers, No. 99-1178 (January 9, 2001), the Department of the Army's (DA) regulatory authority over isolated, non-navigable, intrastate waters has been eliminated **if** the sole nexus to interstate commerce was use of the waters by migratory birds. It is apparent under the ruling above that the DA does not have the authority to regulate work in wetlands 1, 2, 3, 4, 5, the Boulder and Weld County Ditch, the Lower Boulder Ditch and the Leyner Cottonwood Ditch. These areas are not waters of the U.S. and therefore non-jurisdictional. No permit or other authorization by the DA is required for work in these areas.

This approved jurisdictional determination and delineation is valid for a period of five years from the date of this letter unless new information warrants revision of the determination.

The attached **Jurisdictional Determination** form provides the basis of jurisdiction for wetlands 1, 2, 3, 4, 5, the Boulder and Weld County Ditch, the Lower Boulder Ditch and the Leyner Cottonwood Ditch. If the applicant wishes to appeal this approved jurisdictional determination, the attached **Notification of Administrative Appeal Options** form should be completed and sent to Mr. Mores Bergman at the address noted on the form.

Although a DA permit will not be required for work in wetlands 1, 2, 3, 4, 5, the Boulder and Weld County Ditch, the Lower Boulder Ditch and the Leyner Cottonwood Ditch, this does not eliminate the requirement that you obtain any other applicable Federal, state, tribal or local permits as required.

There are no other aquatic sites or jurisdictional waters of the U.S. on this property.

If you have any questions call **Mr. Terry McKee** at **(303) 979-4120** and reference **Corps File No. 200580180**.

Sincerely,

Timothy T. Carey
Chief, Denver Regulatory Office

tm

JURISDICTIONAL DETERMINATION

U.S. Army Corps of Engineers

Revised 8/13/04

DISTRICT OFFICE: **Omaha District Denver Regulatory Office**
FILE NUMBER: 200580180
PROJECT LOCATION INFORMATION:
State: **Colorado**
County: Boulder
Center coordinates of site (latitude/longitude): 40 03 09 105 04 53
Approximate size of area (parcel) reviewed, including uplands: __300____ acres.
Name of nearest waterway: Boulder Creek
Name of watershed: St. Vrain

JURISDICTIONAL DETERMINATION

Completed: Desktop determination ☐ Date:
Site visit(s) ☒ Date(s): March 28, 2005

Jurisdictional Determination (JD):

☐ Preliminary JD - Based on available information, ☐ *there appear to be* (or) ☐ *there appear to be no* "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).

☒ Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331).
Check all that apply:
☐ *There are* "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: _____.
☐ *There are* "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: _____.
☒ *There are "isolated, non-navigable, intra-state* waters or wetlands" within the reviewed area.
☒ Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

BASIS OF JURISDICTIONAL DETERMINATION:

A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":

☐ The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":

☐ (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
☐ (2) The presence of interstate waters including interstate wetlands[1].
☐ (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):
☐ (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
☐ (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
☐ (iii) which are or could be used for industrial purposes by industries in interstate commerce.
☐ (4) Impoundments of waters otherwise defined as waters of the US.
☐ (5) The presence of a tributary to a water identified in (1) – (4) above.
☐ (6) The presence of territorial seas.
☐ (7) The presence of wetlands adjacent[2] to other waters of the US, except for those wetlands adjacent to other wetlands.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). *If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:*

Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)

☐ Ordinary High Water Mark indicated by:
☐ clear, natural line impressed on the bank
☐ the presence of litter and debris
☐ changes in the character of soil
☐ destruction of terrestrial vegetation
☐ shelving
☐ other:

☐ High Tide Line indicated by:
☐ oil or scum line along shore objects
☐ fine shell or debris deposits (foreshore)
☐ physical markings/characteristics
☐ tidal gages
☐ other:

☐ Mean High Water Mark indicated by:
☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.

☐ Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:

Basis For Not Asserting Jurisdiction:

- ☐ The reviewed area consists entirely of uplands.
- ☐ Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).
- ☐ Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).
- ☒ The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:
  - ☐ Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.
  - ☐ Artificially irrigated areas, which would revert to upland if the irrigation ceased.
  - ☐ Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.
  - ☐ Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.
  - ☐ Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).
  - ☒ Isolated, intrastate wetland with no nexus to interstate commerce.
  - ☐ Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
  - ☒ Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Boulder and Weld County Ditch terminates in upland 200380105 Feb 24, 03 field verification, Lower Boulder Ditch terminates in upland 200180398 Jun 5, 01 field verification and Leyner Cottonwood Ditch terminates in upland 200480567 Oct 20, 04 field verification
  - ☒ Other (explain): Wetlands 1, 2, and 5 are neither adjacent to nor surface connected to waters of the U.S. They are surrounded by uplands with upland vegetation. Wetlands 3 and 4 are surface connected only to the non-jurisdictional Boulder and Weld County Ditch

DATA REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply):

- ☒ Maps, plans, plots or plat submitted by or on behalf of the applicant.
- ☐ Data sheets prepared/submitted by or on behalf of the applicant.
  - ☐ This office concurs with the delineation report, dated _____,prepared by (company):
  - ☐ This office does not concur with the delineation report, dated _____, prepared by (company):
- ☐ Data sheets prepared by the Corps.
- ☐ Corps' navigable waters' studies:
- ☐ U.S. Geological Survey Hydrologic Atlas:
- ☒ U.S. Geological Survey 7.5 Minute Topographic maps: erie
- ☐ U.S. Geological Survey 7.5 Minute Historic quadrangles:
- ☐ U.S. Geological Survey 15 Minute Historic quadrangles:
- ☐ USDA Natural Resources Conservation Service Soil Survey:
- ☐ National wetlands inventory maps:
- ☐ State/Local wetland inventory maps:
- ☐ FEMA/FIRM maps (Map Name & Date):
- ☐ 100-year Floodplain Elevation is: (NGVD)
- ☐ Aerial Photographs (Name & Date):
- ☐ Other photographs (Date):
- ☐ Advanced Identification Wetland maps:
- ☒ Site visit/determination conducted on: March 28, 05
- ☐ Applicable/supporting case law:
- ☐ Other information (please specify):

---

[1]Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

[2]The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Wise Homestead		File Number: 200580180	Date: Mar 30, 2005
Attached is:			See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
	PROFFERED PERMIT (Standard Permit or Letter of permission)		B
	PERMIT DENIAL		C
X	APPROVED JURISDICTIONAL DETERMINATION		D
	PRELIMINARY JURISDICTIONAL DETERMINATION		E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://usace.army.mil/inet/functions/cw/cecwo/reg or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

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- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.

- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

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Timothy T. Carey
Chief, Denver Regulatory Office
9307 South Wadsworth Boulevard
Littleton, CO 80128
(303) 979-4120

If you only have questions regarding the appeal process you may also contact:

US Army Corps of Engineers
Northwestern Division
Attn: Mores Bergman, Appeal Officer
12565 West Center Road
Omaha, Nebraska 68144-3869
Telephone (402) 697-2533

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

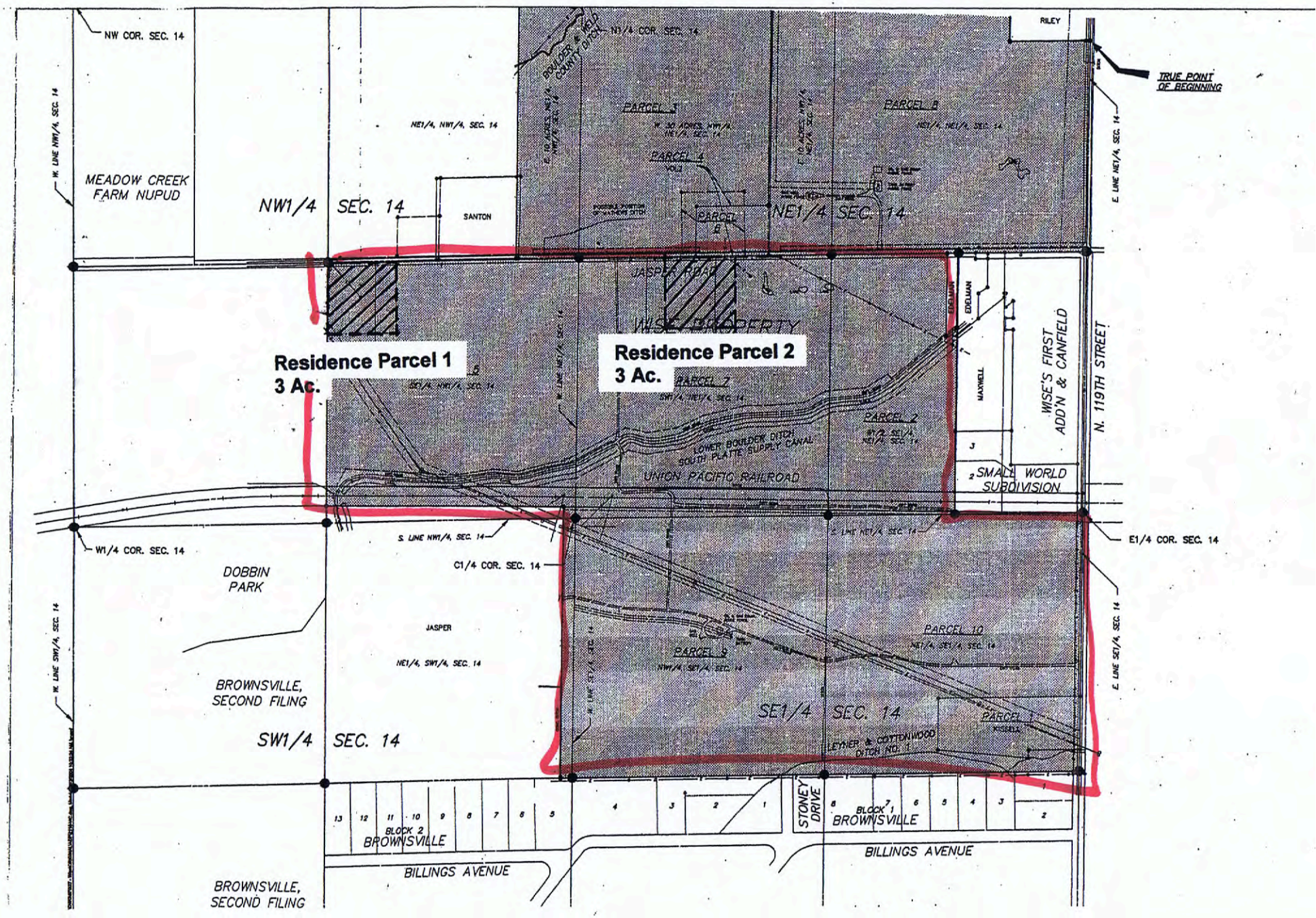
NW COR. SEC. 14
N1/4 COR. SEC. 14
RILEY
TRUE POINT OF BEGINNING
W. LINE NW1/4, SEC. 14
E. LINE NE1/4, SEC. 14
MEADOW CREEK FARM NUPUD
NW1/4 SEC. 14
NE1/4, NW1/4, SEC. 14
SANTON
BOULDER & WELD COUNTY DITCH
PARCEL 3
PARCEL 4
PARCEL 8
NE1/4, NE1/4, SEC. 14
NE1/4 SEC. 14
JASPER ROAD
WISE PROPERTY
Residence Parcel 1
3 Ac.
Residence Parcel 2
3 Ac.
PARCEL 7
PARCEL 2
EDELMAN
MAXWELL
WISE'S FIRST ADD'N & CANFIELD
N. 119TH STREET
LOWER BOULDER DITCH
SOUTH PLATTE SUPPLY CANAL
UNION PACIFIC RAILROAD
SMALL WORLD SUBDIVISION
S. LINE NW1/4, SEC. 14
S. LINE NE1/4, SEC. 14
E1/4 COR. SEC. 14
W1/4 COR. SEC. 14
C1/4 COR. SEC. 14
DOBBIN PARK
JASPER
NE1/4, SW1/4, SEC. 14
PARCEL 10
PARCEL 9
BROWNSVILLE, SECOND FILING
SE1/4 SEC. 14
PARCEL 1
LEYNER & COTTONWOOD DITCH NO. 1
W. LINE SW1/4, SEC. 14
E. LINE SE1/4, SEC. 14
SW1/4 SEC. 14
STONEY DRIVE
BLOCK 2 BROWNSVILLE
BLOCK 1 BROWNSVILLE
BILLINGS AVENUE
BROWNSVILLE, SECOND FILING

Exhibit B

Basis For Not Asserting Jurisdiction:

- ☐ The reviewed area consists entirely of uplands.
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Wise Farms

STORMWATER MANAGEMENT PLAN

Town of Erie, Colorado

Prepared for:

Jasper Land Investments, LLC.
Contact: Jim Dullea
9162 S. Kenwood Court
Highlands Ranch, Colorado 80126
Phone: (303) 902-5400

Prepared by:

CVL Consultants of Colorado, Inc.
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Englewood, Colorado 80112
Phone: (720) 482-9526

July 2014

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I. SITE DESCRIPTION

a) The 169 acre "Wise Farms" project is a planned single family residential subdivision, with a mixture of parks and open space. The project site is located in the Town of Erie and bounded by Jasper Road to the north, N. 119th Street to the east and a RTD right-of-way spur bisecting the site.

The Lower Boulder Ditch South Supply Channel traverses through the northern parcel. An electrical transmission line easement crosses the southern parcel of project site and through the southwest corner of the northern parcel, running from northwest to southeast. An existing sanitary sewer main and easement runs north to south near the west edge of the northern parcel.

b) The northern portion of the site, north of the railroad tracks and north of the Lower Boulder Ditch, is relatively flat, with several areas of natural depressions and apparent wet areas that have been classified by the USACOE as non-jurisdictional. The slope of the natural terrain in this portion of the project ranges as flat as 0.3%.

The predominant hydrologic soils type for the project is type "B" Ascalon sandy loam and Manter sandy loam.

c) The existing site's land use is agricultural and consists of several houses and ancillary buildings along Jasper Road. One set of houses and buildings is located in the northwest corner of the site, adjacent to Jasper Road. The other set of houses and buildings is located in the middle of the property along the northern boundary adjacent to Jasper Road. The intent is to leave the houses and ancillary buildings in place.

d) The project consists of the development of 166 homesites and the roadways and utility infrastructure; which includes water, sanitary sewer and storm sewer; to support them.

This Stormwater Management Plan (SWMP) addresses the Best Management Practices (BMPs) required for development of the project site in its entirety.

e) The sequence of activities for this project will begin with the installation of the property boundary control measures (silt fence or sediment control logs) along the downstream portions of the site. Installation of protective BMPs (sediment control logs and diversion ditches) along the above described ditches will also take place during the initial phase.

The staging and storage area will be prepared to accommodate the construction trailer, a vehicle fueling area, material storage and construction equipment. The concrete washout area will be constructed nearby.

The earthwork operations will require soils to be imported from an offsite source.

Utility work will follow the grading operations. A utility bore will be done at the Lower Boulder Ditch crossing and across Jasper Road. Once the utility work is complete, concrete paving for curb, gutter and sidewalk will be done. Asphalt paving will follow.

In the interim phase of construction, two sediment basins will be constructed along with permanent swales; these sediment basins will be converted to the permanent detention pond during the final phases of construction. Sediment control logs will be placed along the rights-of-way of the constructed streets to keep sediment from being carried onto the roads. After paving is complete, new inlet protection will be installed.

In the final phase of construction, all areas disturbed during construction, which will be developed into homesites or are considered open space will be seeded and mulched to establish temporary vegetation until home construction commences. All slopes 4:1 or greater will be blanketed with an erosion control mat. The Final Landscape Plan will be implemented.

f) Currently, there is no vehicle fueling or storage of fertilizers or chemicals onsite, however construction operations may warrant the use of said items. In this case, proper procedures for the storage, maintenance and cleanup of spills, if necessary, are described in Appendix B of this report.

g) There are not any anticipated sources of water expected to occur onsite except the use of water from a water truck for dust mitigation.

h) The stormwater runoff on site will drain overland and through a series of storm drainage systems, culverts and swales located in the streets and tracts of the development to the two constructed detention ponds, ultimately draining under Jasper Road.

The stormwater runoff from the project will be collected in two detention facilities, one located just south of the RTD right-of-way and the downstream pond located near the northwest corner of the project site, abutting Jasper Road.

The discharge from the two major onsite basins will cross under Jasper Road via a culvert, to the existing wet area on the County parcels north of Jasper Road.

The permanent detention ponds will settle out any suspended particles or oils before the runoff is discharged.

II. SITE MAP

A site map is enclosed in the back of this report. This map depicts the project site, the construction and grading limits, drainage patterns, and the location of proposed erosion and sediment control features.

III. BMPs FOR STORMWATER POLLUTION PREVENTION

A. Erosion and Sediment Controls

The site plans address the erosion and sediment control measures needed to prepare for grading activity, manage erosion and sediment control during construction, and establish vegetation post construction. Erosion control measures have been described below in greater detail.

Prior to any earth disturbing activities, the following BMP's will be installed:

- Staging and Storage Area (SSA): A Staging/Storage Area will be installed in the northeast area of the project site south of the intersection of Street B and Jasper Road.

- Boundary Control (Silt Fence (SF) or Straw Waddles (SCL)): Silt fence will placed along Jasper Road to prevent sediment transport onto the existing paved surface. The existing buildings located west of proposed Street B will be protected with perimeter silt fence. Sediment control logs will be installed on the west side of the project site along the grading limits.

- Vehicle Tracking Control (VTC): Two locations for construction access will be designated at the intersection of Jasper Road and Street B as well as Street X and 119th. Vehicle tracking control pads will be installed at these locations.

- Concrete Washout Area (CWA): The concrete washout area for the proposed street construction will be located near the SSA.

- Swales: Swales with RCD's are shown in areas that need grading to divert runoff to the sediment pond areas. These swales will be installed prior to any grading operations as a perimeter control, as well as a measure to protect the Lower Boulder Ditch Supply Canal. These swales will be a permanent BMP feature to the project site.

- Sediment Basins (SB): Two sediment basins will be installed, one located in the northwest corner of the property adjacent to Jasper Road and the other just south of RTD. These sediment basins will provide capture of potentially sediment laden runoff occurring from the relative upstream project construction.

Once the curb, gutter, and sidewalk is constructed and streets are paved, inlet protection (IP) shall be installed, and the vehicle tracking control pads (VTC) can be removed.

- Sediment Basin (SB): The sediment basins will be converted to permanent detention facilities.

- Reinforced Rock Berms for Culvert Protection (RRC): These BMP's will be installed at all the proposed culvert crossings to slow the flow water through the drainage swales.

- Sediment Control Logs (SCL): Sediment control logs will be placed at the upstream end of all culvert crossings to reduce potential sediment transport into the drainage facilities.

During the construction completion, some of the BMP measures will be removed. The silt fence used for perimeter control along Jasper Road shall be removed. The sediment control logs used along the west side of the project site shall be removed once the residential lot landscaping is complete.

As mentioned previously, the sediment basins will be converted to permanent detention facilities. The swales depicted in the site plan will become permanent BMP's for the project site.

Seeding and mulching shall be installed across all overlot graded areas.

StormWater Management Plan Administrator: Jim Dullea

This person is responsible for developing, implementing, maintaining, and revising the SWMP.

B. Materials Handling and Spill Prevention

The contractor is responsible for maintaining good house keeping practices on the construction site. This includes the following:

- Garbage/trash/construction debris shall be removed on a regular basis.
- Proper cleanup procedures shall be used for spilled materials.
- Cleanup of drips or leaks from equipment or machinery at the site.
- Minimizing the amount of unneeded materials stored on-site.
- Mark locations for spill cleanup equipment and materials.
- Fertilizers and other chemicals are applied only in the quantity required.
- Portable toilet facilities are properly maintained.
- Storage containers, drums, and bags shall be stored away from direct traffic routes to prevent accidental spills.

- Containers shall be stored on pallets or similar devices to prevent corrosion of the containers.
- All chemical substances used in the work place shall be listed, and the Material Safety Data Sheet (MSDS) obtained for each. The MSDS's will be readily available for use; i.e., posted at the locations where the materials are stored and handled.
- All containers shall be labeled to show the name and type of substance, stock number, expiration date, health hazards, including reactivity, corrosivity, ignitability and toxicity, suggestions for handling, and first aid information. (This information can usually be found on the MSDS. Unlabeled chemicals and chemicals with deteriorated labels are often disposed of unnecessarily or improperly.)

Instructions and materials/equipment for spill cleanup procedures shall be readily available on the construction site. This includes notification of the appropriate agency or department; i.e., downstream water users, SWMP Administrator, Colorado Department of Public Health and Environment, etc.

IV. FINAL STABILIZATION AND LONG-TERM STORMWATER MANAGEMENT

All remaining disturbed areas will be stabilized with grasses as a measure to achieve final stabilization of the site. The contractor is required to maintain the new landscaping until vegetation is firmly rooted and a healthy growth has occurred.

V. OTHER CONTROLS

The contractor shall dispose of waste/trash regularly following good housekeeping procedures. The contractor shall limit off-site soils tracking through the maintenance of vehicle tracking control pads and street cleaning on an as-needed basis to prevent stormwater contamination.

VI. INSPECTION AND MAINTENANCE

The contractor shall perform a thorough inspection of the stormwater management system every 14 days and after any precipitation or snowmelt event that causes surface runoff. This includes inspecting and maintaining all sediment and erosion controls.

The contractor shall have a preventative maintenance program, which shall include the following:

- Identification of equipment, sediment and erosion controls, and site areas that should be inspected.
- Appropriate and timely maintenance, repair or replacement of control measures and equipment.

- Maintenance of complete records on inspections, equipment and systems.

The contractor shall maintain a logbook or record keeping system of construction activities with respect to the stormwater management plan. The following list of activities and information shall be recorded in a SWMP daily logbook.

- A record of spills, leaks, or overflows, including time and date, weather conditions, etc.
- Implementation of specific items in the SWMP and erosion control plan.
- Training events (given or attended).
- Events involving material storage and handling.
- Contacts with regulatory agencies and personnel.
- Notes of employee activities, contact, notifications, etc.
- Maintenance and repair of stormwater management controls.
- Preventative maintenance activities.
- Inspection activities.

Additional information such as dated photographs, field notebooks, drawings and maps, etc. can also be included where appropriate.

VII. REFERENCES

Design Criteria Manual Volumes 1, 2, & 3., Urban Drainage and Flood Control District

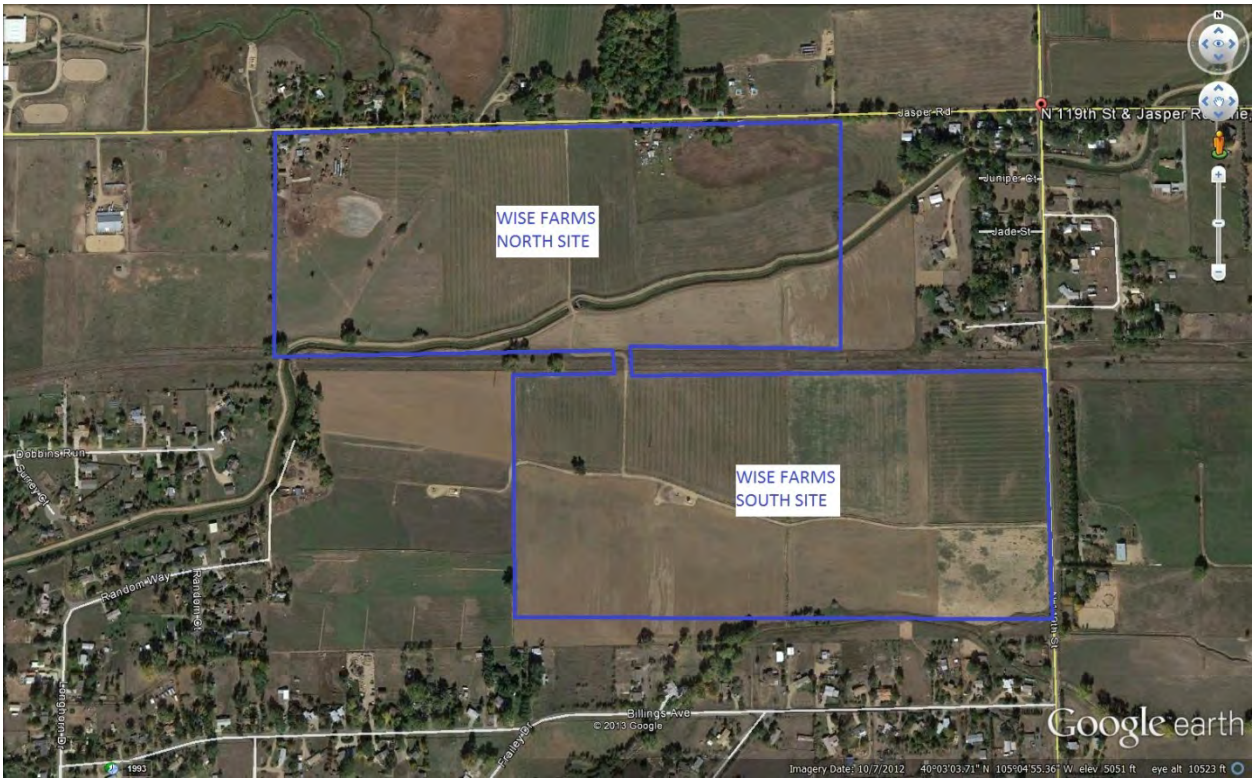
USDA NRCS Soil Survey, retrieved 03-24-2008 from www.usda.gov

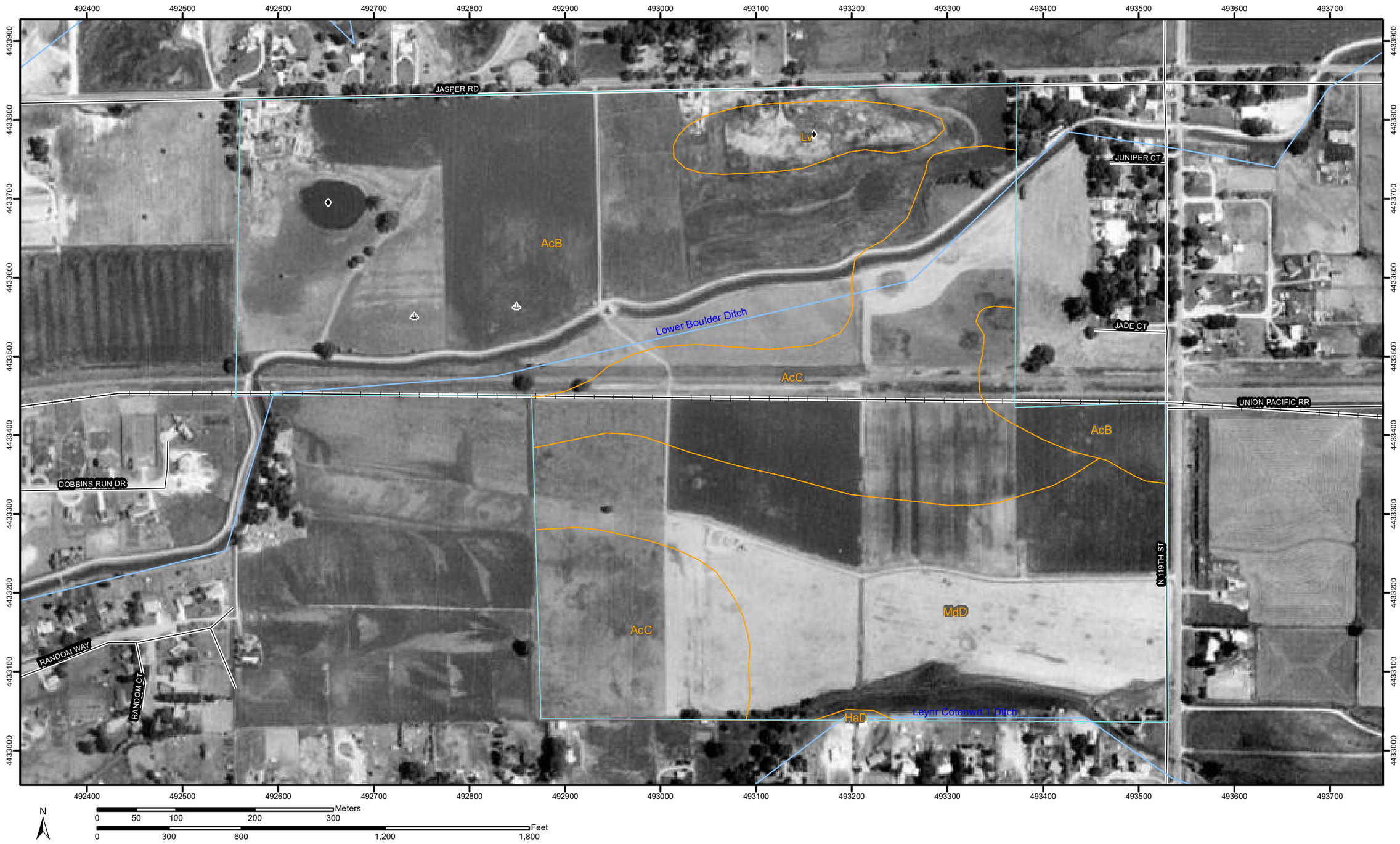
Map Number 08013C0437J, Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, Boulder County and Unincorporated Areas, Colorado Panel 437 of 615.

Stormwater Management Plan Preparation Guidance, State of Colorado, Colorado Department of Public Health and Environment, www.cdphe.wqstorm@state.co.us.

VIII. APPENDIX

Vicinity Map

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4433200
4433100
4433000
JASPER RD
JUNIPER CT
JADE CT
UNION PACIFIC RR
DOBBINS RUN DR
RANDOM WAY
RANDOM CT
N 119TH ST
Lv
AcB
AcC
MdD
HaD
Lower Boulder Ditch
Leyni Colonwd 1 Ditch
N
Meters
0 50 100 200 300
Feet
0 300 600 1,200 1,800

MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Map Units

Special Point Features

Blowout

Borrow Pit

Clay Spot

Closed Depression

Gravel Pit

Gravelly Spot

Landfill

Lava Flow

Marsh

Mine or Quarry

Miscellaneous Water

Perennial Water

Rock Outcrop

Saline Spot

Sandy Spot

Severely Eroded Spot

Sinkhole

Slide or Slip

Sodic Spot

Spoil Area

Stony Spot

Very Stony Spot

Wet Spot

Other

Special Line Features

Gully

Short Steep Slope

Other

Political Features

Municipalities

Cities

Urban Areas

Water Features

Oceans

Streams and Canals

Transportation

Rails

Roads

Interstate Highways

US Routes

State Highways

Local Roads

Other Roads

MAP INFORMATION

Original soil survey map sheets were prepared at publication scale. Viewing scale and printing scale, however, may vary from the original. Please rely on the bar scale on each map sheet for proper map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: UTM Zone 13N

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Boulder County Area, Colorado
Survey Area Data: Version 7, Jan 15, 2008

Date(s) aerial images were photographed: 1993

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Boulder County Area, Colorado (CO643)			
Map Unit Symbol	**Map Unit Name**	**Acres in AOI**	**Percent of AOI**
AcB	Ascalon sandy loam, 1 to 3 percent slopes	74.3	42.4%
AcC	Ascalon sandy loam, 3 to 5 percent slopes	47.5	27.1%
HaD	Hargreave fine sandy loam, 3 to 9 percent slopes	0.2	0.1%
Lv	Loveland soils	5.7	3.3%
MdD	Manter sandy loam, 3 to 9 percent slopes	47.5	27.1%
Totals for Area of Interest (AOI)		175.2	100.0%

MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Map Units

Special Point Features

Blowout

Borrow Pit

Clay Spot

Closed Depression

Gravel Pit

Gravelly Spot

Landfill

Lava Flow

Marsh or swamp

Mine or Quarry

Miscellaneous Water

Perennial Water

Rock Outcrop

Saline Spot

Sandy Spot

Severely Eroded Spot

Sinkhole

Slide or Slip

Sodic Spot

Spoil Area

Stony Spot

Very Stony Spot

Wet Spot

Other

Special Line Features

Gully

Short Steep Slope

Other

Political Features

Cities

Transportation

Rails

Interstate Highways

US Routes

Major Roads

Local Roads

MAP INFORMATION

Map Scale: 1:6,570 if printed on A size (8.5" × 11") sheet.

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: UTM Zone 13N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Boulder County Area, Colorado
Survey Area Data: Version 9, May 1, 2009

Date(s) aerial images were photographed: 8/6/2005

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Boulder County Area, Colorado (CO643)			
Map Unit Symbol	**Map Unit Name**	**Acres in AOI**	**Percent of AOI**
AcB	Ascalon sandy loam, 1 to 3 percent slopes	95.3	48.3%
AcC	Ascalon sandy loam, 3 to 5 percent slopes	50.7	25.6%
Lv	Loveland soils	5.7	2.9%
MdD	Manter sandy loam, 3 to 9 percent slopes	45.8	23.2%
Totals for Area of Interest		**197.6**	**100.0%**

RUSLE2 Related Attributes

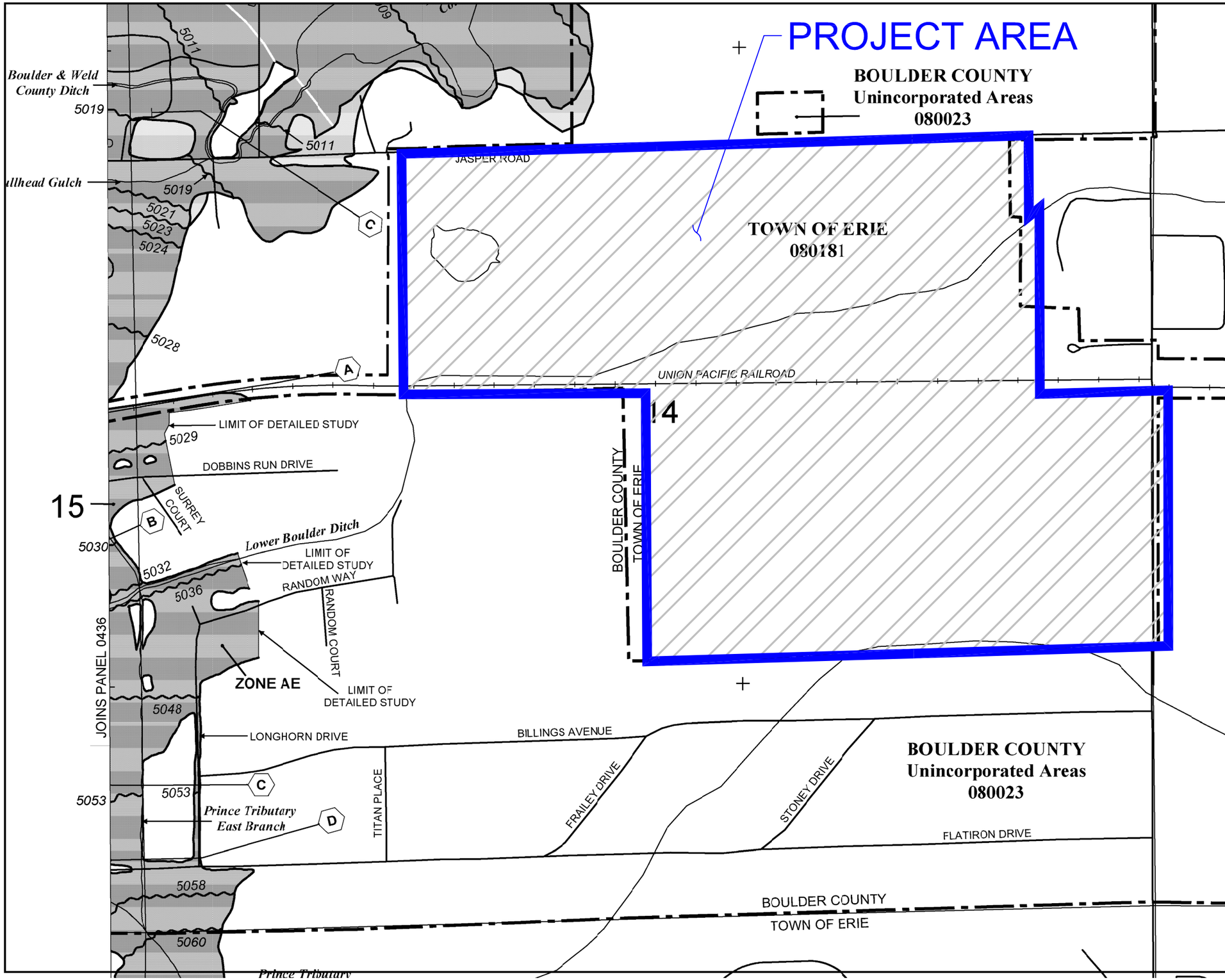
This report summarizes those soil attributes used by the Revised Universal Soil Loss Equation Version 2 (RUSLE2) for the map units in the selected area. The report includes the map unit symbol, the component name, and the percent of the component in the map unit. Soil property data for each map unit component include the hydrologic soil group, erosion factors Kf for the surface horizon, erosion factor T, and the representative percentage of sand, silt, and clay in the surface horizon.

Report—RUSLE2 Related Attributes

RUSLE2 Related Attributes– Boulder County Area, Colorado								
Map symbol and soil name	Pct. of map unit	Slope length (ft)	Hydrologic group	Kf	T factor	Representative value		
						% Sand	% Silt	% Clay
AcB—Ascalon sandy loam, 1 to 3 percent slopes								
Ascalon	90	—	B	.24	5	66.6	23.4	10.0
AcC—Ascalon sandy loam, 3 to 5 percent slopes								
Ascalon	90	—	B	.24	5	66.6	23.4	10.0
Lv—Loveland soils								
Loveland	85	—	C	.20	3	33.3	31.7	35.0
MdD—Manter sandy loam, 3 to 9 percent slopes								
Manter	85	—	B	.20	5	65.9	19.1	15.0

Data Source Information

Soil Survey Area: Boulder County Area, Colorado
Survey Area Data: Version 9, May 1, 2009



MAP SCALE 1" = 500'

250 0 500 1000 FEET

METER

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0437J

FIRM

FLOOD INSURANCE RATE MAP

BOULDER COUNTY, COLORADO

AND INCORPORATED AREAS

PANEL 437 OF 615

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
BOULDER COUNTY	080023	0437	J
ERIE, TOWN OF	080181	0437	J

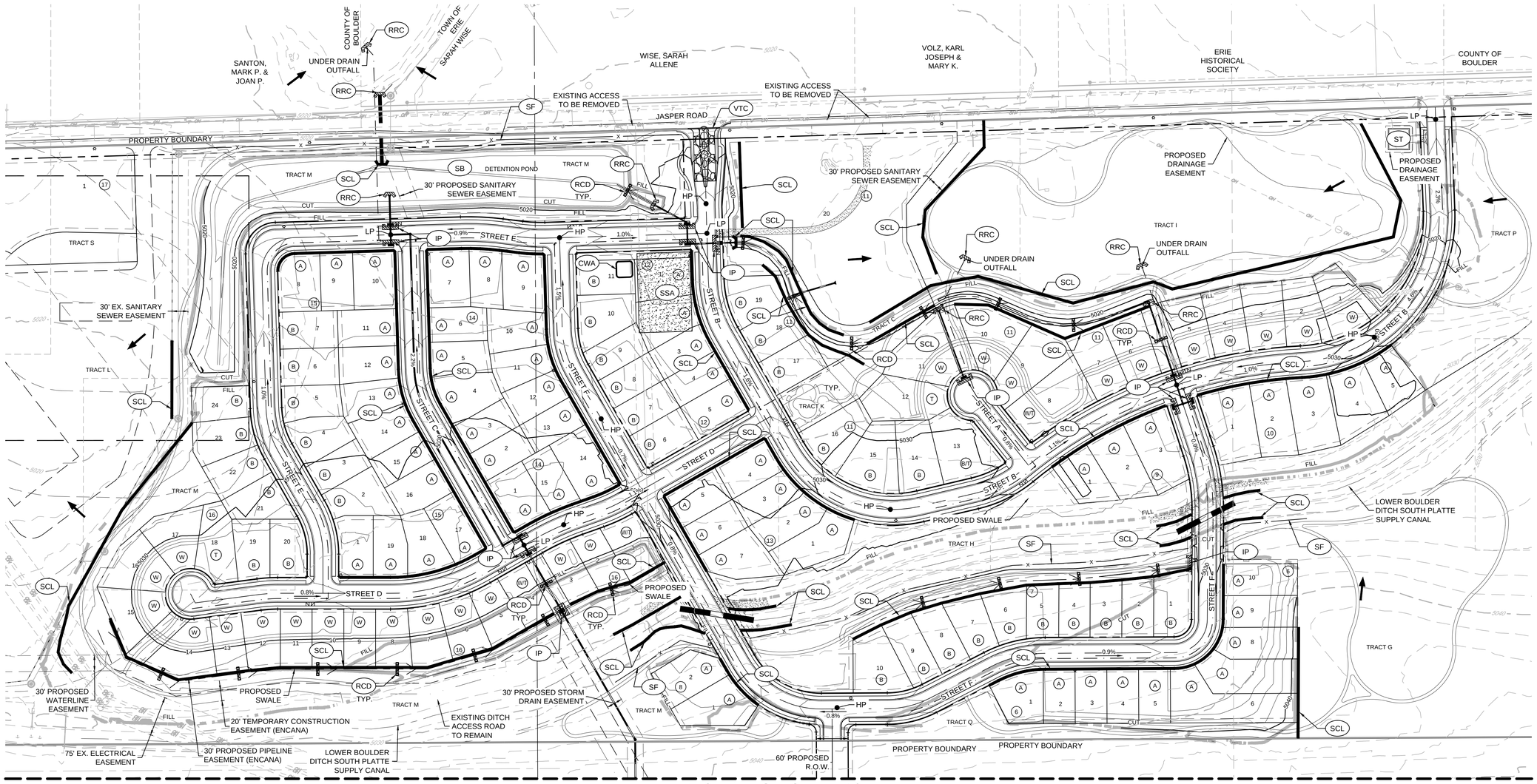
Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
08013C0437J

MAP REVISED
DECEMBER 18, 2012

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



MATCHLINE - SEE SHEET E13

EROSION CONTROL LEGEND

IP — INLET PROTECTION	CENTERLINE
RRC — REINFORCED ROCK BERM FOR CULVERT PROTECTION	RIGHT-OF-WAY
RCD — REINFORCED CHECK DAM	LOT LINE
ST — SEDIMENT TRAP	PROPERTY BOUNDARY
SSA — STAGING / STORAGE AREA	PROPOSED DIRECTION OF FLOW
SCL — SEDIMENT CONTROL LOG	EXISTING 10' CONTOUR
CWA — CONCRETE WASHOUT AREA	EXISTING 2' CONTOUR
SF — SILT FENCE	PROPOSED 10' CONTOUR
FLOW DIRECTION ARROW	PROPOSED 2' CONTOUR
5000 — EXISTING ELEVATION	PROPOSED STORM DRAIN
5000 — PROPOSED DESIGN ELEVATION	PROPOSED FLARED END SECTION
11 — LOT NUMBER	PROPOSED STORM INLET
6 — BLOCK NUMBER	PROPOSED AREA INLET
A — LOT TYPE	PROPOSED SWALE
	CUT / FILL LINE

EARTHWORK

TOTAL CUT VOLUME	238,098 C.Y.
TOTAL FILL VOLUME (15% ADJUSTMENT FOR COMPACTION)	414,148 C.Y.
NET (IMPORT)	176,050 C.Y.

EROSION CONTROL NOTES

1. ALL DISTURBED AREAS WILL RECEIVE SURFACE ROUGHENING AND SEEDING AND MULCHING FOLLOWING GRADING OPERATIONS.
2. ALL SLOPES GREATER THAN 4:1 REQUIRE EROSION CONTROL BLANKET.

200 100 0 200 400

SCALE: 1" = 200'

No.	Revisions	Date	Init.	Aggr.	Date

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AURORA, CO 80014

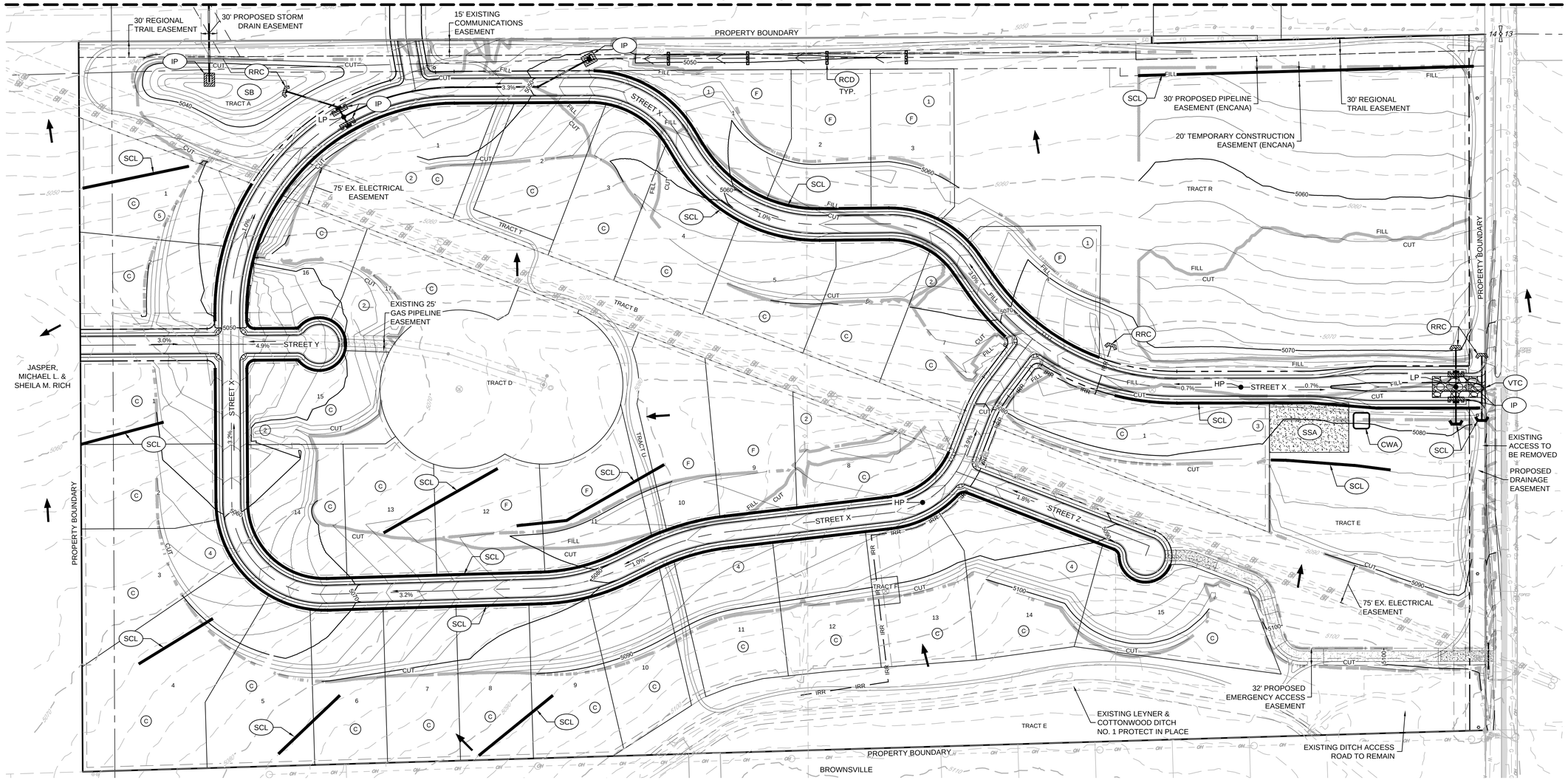
JASPER LAND INVESTMENTS, LLC
9162 S. KENWOOD COURT
HIGHLANDS RANCH, CO 80126

WISE FARMS
1041 PERMIT APPLICATION
PRELIMINARY EROSION CONTROL
PLAN - NORTH

SCALE: AS SHOWN
FILE NO: 8.13.0230801
DRAWN BY: BPC
CHECKED BY: MEL
DATE: AUGUST 1, 2014
SHEET NUMBER E12

N:\PROJECTS\30230801 WISE FARMS\CAD\ENGINEERING\SHEET SETS\WISE FARMS - PDP\PRELIMINARY GESC.DWG, JENNIFER SAVACOOL, 7/31/14

MATCHLINE - SEE SHEET E12



EROSION CONTROL LEGEND

	IP INLET PROTECTION		CENTERLINE
	RRC REINFORCED ROCK BERM FOR CULVERT PROTECTION		RIGHT-OF-WAY
	RCD REINFORCED CHECK DAM		LOT LINE
	ST SEDIMENT TRAP		PROPERTY BOUNDARY
	SSA STAGING / STORAGE AREA		PROPOSED DIRECTION OF FLOW
	SCL SEDIMENT CONTROL LOG		EXISTING 10' CONTOUR
	CWA CONCRETE WASHOUT AREA		EXISTING 2' CONTOUR
	SF SILT FENCE		PROPOSED 10' CONTOUR
	FLOW DIRECTION ARROW		PROPOSED 2' CONTOUR
5000	EXISTING ELEVATION		PROPOSED STORM DRAIN
5000	PROPOSED DESIGN ELEVATION		PROPOSED FLARED END SECTION
11	LOT NUMBER		PROPOSED STORM INLET
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			CUT / FILL LINE

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200 100 0 200 400

SCALE: 1" = 200'

No.	Revisions	Date	Init.	Appr.	Date

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JASPER LAND INVESTMENTS, LLC
9162 S. KENWOOD COURT
HIGHLANDS RANCH, CO 80126

WISE FARMS
1041 PERMIT APPLICATION
PRELIMINARY EROSION CONTROL
PLAN - SOUTH

SCALE: AS SHOWN
FILE NO: 8.13.0230801
DRAWN BY: BPC
CHECKED BY: MEL
DATE: AUGUST 1, 2014
SHEET NUMBER E13

N:\PROJECTS\30230801 WISE FARMS\CAD\ENGINEERING\SHEET SET\WISE FARMS - PDP\PRELIMINARY GESC.DWG, JENNIFER SAVACOOL, 7/31/14

PHASE II DRAINAGE REPORT

For

Wise Farms
Erie, Colorado

Prepared for:

Jasper Land Investments, LLC
Attn: Jim Dullea
9162 S. Kenwood Court
Highlands Ranch, Colorado 80126
Phone: (303) 902-5400

Prepared by:

CVL Consultants of Colorado, Inc.
Attn: Melinda E. Lundquist, P.E.

NOVEMBER 2013
REVISED: APRIL 2014
REVISED: JULY 2014
REVISED: OCTOBER 2014
REVISED: DECEMBER 2014

ENGINEER CERTIFICATION for WISE FARMS

Engineer's Certification

"I hereby certify that this **Phase II Drainage Report** for the design of **Wise Farms** was prepared by me (or under my direct supervision) in accordance with the provisions of the *Town of Erie Standards and Specifications for Design and Construction* for the owners thereof. I understand that the Town of Erie does not and will not assume liability for drainage facilities designed by others, including the designs presented in this report."

Melinda E. Lundquist
Registered Professional Engineer
State of Colorado No. **38413**

Town Acceptance

This report has been reviewed and found to be in general compliance with the *Town of Erie Standards and Specifications for Design and Construction* and other Town requirements. **THE ACCURACY AND VALIDITY OF THE ENGINEERING DESIGN, DETAILS, DIMENSIONS, QUANTITIES, AND CONCEPTS IN THIS REPORT REMAINS THE SOLE RESPONSIBILITY OF THE PROFESSIONAL ENGINEER WHOSE STAMP AND SIGNATURE APPEAR HEREON**.

Accepted by: _____ _____
Deputy Public Works Director Date

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The following narrative details the drainage concept associated with Wise Farms, a 169-acre residential development south of and adjacent to Jasper Road and west of North 119th Street in Erie, Colorado.

I. GENERAL LOCATION AND DESCRIPTION

A. Location

Wise Farms is located adjacent to and south from Jasper Road, and west of North 119th Street in Erie, Colorado. It is part of the northeast one quarter of section 14, Township 1 North Range 69 West of the 6th principle meridian, Town of Erie, Boulder County, and State of Colorado. Boulder Creek lies north of Wise Farms, and Coal Creek lies to the east. The confluence of the two drainageways is northeast of the property. There are no major drainageways within or adjacent to the property, however there is an irrigation ditch running from west to east across the north portion of the site. An RTD right-of-way bisects the site, running east-west. For more detail of the surrounding streets and subdivisions see the enclosed Vicinity Map in the appendix.

B. Description of Property

The 169 acre "Wise Farms" project is proposed as a residential subdivision, with a mixture of parks, open space, and various sized residential single family detached lots. The project is located adjacent to and south of Jasper Road and west of North 119th Street in Erie, Colorado.

The northern portion of the site is bisected by the Lower Boulder Ditch South Platte Supply Canal, and an RTD right-of-way is located between the northern and southern portions of the property. An electrical transmission line easement also traverses the southern half of the site.

The undeveloped parcel of land lying south of the RTD right-of-way has topography that slopes to the north, toward the railroad tracks with grades in the range of 5.0%. The northern portion of the site is relatively flat, with several areas of natural depressions and apparent wetland-like areas that have been classified by the USACOE as non-jurisdictional. The slope of the natural terrain in this region of the project ranges as flat as 0.3%.

Initial research indicates the predominant hydrologic soils type for the project as type "B" Ascalon sandy loam and Manter sandy loam. A soils map is shown in the Appendix of this report.

The existing site's land use is agricultural and consists of several houses and ancillary buildings along Jasper Road. One set of houses and buildings are located in the northwest

corner of the site, adjacent to Jasper Road. The other set of houses and buildings are located in the middle of the property along the northern boundary; adjacent to Jasper Road. The intent is to leave the houses and ancillary buildings in-place.

II. DRAINAGE BASINS

A. Major Basin Description

The site and contributing areas will be divided into two major basins, the North and South basins. The South Basin is located to the south of the Railroad Transportation District (RTD) right-of-way and will drain to Pond 340, located in the northwest corner of the drainage basin and adjacent to the RTD right-of-way. The South Basin consists of a mixture of well sites, open space and large single family residential, detached lots. A well site is located in the west-central portion of the southern portion of the property. The Leyner Cottonwood Ditch runs along the southern boundary of the South Basin in the adjacent undeveloped parcel and will not be impacted by this project.

The North Basin is located to the north of the RTD right-of-way and will drain to Pond 370, located in the northwest corner of the basin. The North Basin consists of a mixture of parks, open space, and various sized single family residential, detached lots. Both Ponds 340 and 370 will work in conjunction with each other to provide water quality volume, excess urban runoff volume, and 100-year detention volume. The Lower Boulder Ditch South Platte Supply Canal runs along the southern boundary of the North Basin and will not be impacted by this project.

The project site is located on Flood Insurance Rate Map (FIRM) panel 08013C0437 J [Ref. 7] dated December 18, 2013. The map shows that the entire project site lies within "Zone X" which is described as an area determined to be outside the 500-year floodplain limits or shallow flooding areas with average depths of less than one foot or drainage areas less than one square mile. A FIRMette of the project area is provided in the Appendix.

Sub-Basin Description

The contributory area is historically divided into six sub-basins. Sub-basins 110, 115, and 120 comprise the southern 46 acres of the project site that are conveyed to Pond 340, located south of the RTD right-of-way. A layout for these catchments contains 38 lots. The rear of lots along the western perimeter of the property generally sheetflow offsite, undetained, which is similar to the historic condition.

Sub-basin 130 is the catchment in the southern portion of the project that is not tributary to Pond 340. Two access points to the property and the associated improvements from North

119th Street are essentially the only proposed improvements within this catchment. Runoff from the site generally sheetflows to the existing low point located along the RTD right-of-way.

Sub-basin 140 is the 9 acre catchment north of and between the RTD right-of-way and the Lower Boulder Ditch. Most of the site runoff sheetflows to the curb and gutter in Street F and is conveyed easterly and then northerly through the catchment. A swale is proposed at the rear of the lots; north of Street F, which will contribute to the Street F curb and gutter via curb and sidewalk chase. A culvert is proposed over the Lower Boulder Ditch to the north of this basin. The sub-basin's runoff will be conveyed over the culvert in the Street F curb and gutter as it continues into Sub-basin 145.

Sub-basin 145 consists of 9 acres and is the north-central catchment for the project. Runoff from the residential lots and the runoff from Sub-basin 140 are conveyed via curb and gutter to the inlets at the low point at the intersection of Street B and Street F. These flows are piped to the swale along the rear of the lots that are located along the northern perimeter of the catchment. These flows are conveyed via open channel to the culvert at Design Point 145 at the northwest corner of the catchment and are then piped to Pond 370. The north side of the swale has a minimum elevation of 1-foot greater than the 100-year design ponding elevation of Pond 370 to prevent overtopping the swale when the pond is full.

Sub-basin 150 consists of 28 acres of single-family residential development north of the Lower Boulder Ditch that contribute to Pond 370, which is also part of the basin. Developed runoff from Pond 340 and Sub-basins 140 and 145 are piped through Sub-basin 150 to Pond 370 as well.

Sub-basin 160 consists of 2 single family residential lots and the area northeast of these proposed lots that is associated with the eastern access improvements to Jasper Road. This 4 acre basin will address water quality in a rain garden west of the proposed access road. Flows in excess of the volume retained in the rain garden will overtop and continue westerly via sheetflow to the wet area, where it will be retained.

3.6 Dwelling Units / Acre was used to determine the 49% Imperviousness for the residential land use assumptions. An exhibit of Figure RO-3 from the *USCDM* [Ref. 3] is provided in the Appendix of this report to show the imperviousness evaluations noted above.

III. DRAINAGE DESIGN CRITERIA

A. Development Design Criteria

The technical criteria outlined in Section 800, Storm Drainage Facilities of the "*Standards and Specifications for Design and Construction of Public Improvements, Town of Erie*" [Ref. 1]. Since no report outline was specified, the Preliminary Drainage Report criteria from the *"Boulder County Storm Drainage Criteria Manual"* [Ref. 2] was utilized for the report sequencing. Additionally, the "Urban Storm Drainage Criteria Manual, Vol. 1, 2, and 3" (USCDM) [Ref. 3] was used for ancillary design criteria.

No known previous studies have been prepared for this project site. It does however lie within the area of study (Basins 614 and 615) for the *"Erie Outfall Systems Plan – Preliminary Design"* [Ref. 4].

Site runoff south of the Lower Boulder Ditch South Platte Supply Canal is designed to mitigate impacts to the existing RTD ROW track and said channel. There are two hydraulically disconnected wet areas at the low points in the northern portion of the site. Both of these locations are essentially left in-place, but the tributary area to both has been reduced. The existing residence near the eastern wetland area does not appear to be impacted by the retention taking place at this wet area. As the tributary area has been reduced, this residence should not be adversely impacted. Additionally, a berm is being implemented to the south and west of the residence to prevent the Pond 370 detention storage's backwater effect from flooding the residence. Lastly, the existing runoff for the project area north of the Lower Boulder Ditch South Platte Supply Canal is essentially retained. The *"Agreement - Drainage, Utility and Access Easements – Road Right of Way Dedication"* [Ref. 5] allows for a release rate from the project site to the wetlands area to the north of Jasper Road of up to 1.0 cfs per acre. Though the site is primarily Type B Hydrologic Soils, this report adheres to the maximum allowable release rate of 1.0 cfs per acre as the historic basins generate more than 1.0 cfs per acre, and the aforementioned Agreement allows for this rate.

B. Hydrological Criteria

The project site's hydrology design was primarily evaluated with the Urban Drainage and Flood Control District's CUHP 2005 version 1.4.2. Catchments were input as outlined in the *USCDM* [Ref. 3]. The 100-year storm event is the only rainfall event analyzed in this report since the USDCM's Full Spectrum Detention design guidelines were implemented rather than the minor storm event to mimic minor storm events up to the 10-year event since the outfall from the site discharges to wetlands. This should be less detrimental to downstream facilities than the "*Standards and Specifications for Design and Construction of Public Improvements, Town of Erie*" [Ref. 1] Water Quality, 10-year, and 100-year detention

standards. Additionally, Colorado Urban Hydrograph Procedure software was utilized in order to output to SWMM software rather than implementing the sequential detention procedure detailed in the "*Standards and Specifications for Design and Construction of Public Improvements, Town of Erie*" [Ref. 1]. The 2-year rainfall event will be utilized to evaluate the minor storm in the Final Drainage Report for this project.

The 100-year, 1-hour rainfall depth of 2.7 inches was implemented in the hydrologic analysis of the proposed design as presented in Table 800-2 of the "*Standards and Specifications for Design and Construction of Public Improvements, Town of Erie*" [Ref. 1].

C. Hydraulic Criteria

The Environmental Protection Agency's SWMM5 version 022 was primarily utilized for hydraulic evaluation of the project site. This software was utilized to route the 100-year hydrographs developed in the CUHP 1.4.2 design noted above. The six sub-basins were routed to two detention ponds – Pond 340 and 370. Detention volumes are preliminarily designed to accommodate the allowable release rate of 1.0 cfs/acre. Since the two ponds are in series, Pond 370 is designed accounts for the tributary area to Pond 340 in its allowable release rate consideration. The minor storm events will be accommodated in these ponds as detailed in the USDCM's Full Spectrum Detention design guidelines [Ref. 3]. The provided 100-year volume accommodates the 100-year design volume from SWMM5 plus one-half of the Excess Runoff Volume. Due to the area and grading constraints associated with Pond 340, it will release at greater than 1 cfs/acre. Pond 370 will accommodate the extra detention necessary to adhere to the 1 cfs/acre release rate that contributes to the downstream properties.

D. Adaptations from Criteria

As previously mentioned, the USDCM's Full Spectrum Detention design guidelines were implemented rather than the minor storm event to mimic minor storm events up to the 10-year event since the outfall from the site discharges to wetlands. Additionally, Colorado Urban Hydrograph Procedure software was utilized in order to output to SWMM software rather than implementing the sequential detention procedure detailed in the "*Standards and Specifications for Design and Construction of Public Improvements, Town of Erie*" [Ref. 1].

IV. DRAINAGE FACILITY DESIGN

A. General Concept

The storm drainage design concept envisioned for this project will follow the parameters set forth in the "*Agreement - Drainage, Utility and Access Easements – Road Right of Way*

Dedication" [Ref. 5] between the Wise Homestead LLC, the County of Boulder, and the Town of Erie, dated January 25, 2001. Said agreement recognizes that the historic drainage from the area contemplated as this Wise Farms development did drain onto the property to the north of Jasper, purchased by Boulder County. It further recognizes and anticipates that the runoff from the Wise Farms development area would be designed to discharge into the existing wetland areas on the County parcels north of Jasper Road. While precise details of this design were unknown at the time of the agreement, the agreement contemplated on-site detention on the Wise Farms project site to release at the rate of 1.0 cfs per acre.

The proposed drainage concept for this Wise Farms project follows those parameters set forth in the aforementioned agreement. The site is contemplated to be divided into two major drainage basins by the RTD right-of-way. Detention will be provided on each of these two major basins.

The northerly 46 acre basin will drain overland and through a series of storm sewer systems, culverts, and swales located in the streets and tracts of the development, to a detention facility – Pond 370 – located along Jasper Road in the northwest corner of the site. This approximately 7.5 acre-foot pond will accommodate the excess urban runoff volume as well as stormwater detention. The site development may be phased, and the area north of the RTD right-of-way will have to be constructed first. Until the area south of the RTD right-of-way is developed, the design release rate from this northern detention facility of approximately 46 cfs will be conveyed via storm drain under Jasper Road, to the wetland area north of Jasper Road described in the agreement discussed previously.

Due to the relatively flat grades associated with the northern half of the site, runoff associated with the roadway to the eastern access to Jasper Road cannot be conveyed to the site detention ponds. A rain garden is proposed to provide water quality treatment for this area. A historic wet area exists just south of Jasper Road, between the Street B loop; which the Town of Erie would like to preserve. In an effort to supplement the necessary water this area requires for sustainability, the drainage swale conveying stormwater runoff to the north detention pond (south of the wet area) will have a weir so that large storm events are conveyed to the detention pond, while the smaller events supply the wet area. Additionally, the rear yards of lots 1-5, block 11, east of Tract O, will drain directly towards the wet area.

The southern 60 acre basin is primarily proposed as a larger lot, single-family development and is being accounted for in the design of the northern half of the site. The southern basin will drain overland and through a series of storm drainage systems and swales located in the streets and tracts of the development to the southerly pond, located south of the rail corridor. Based on anticipated future design, approximately 3.5 acre-feet of detention storage will accommodate the excess urban runoff volume as well as a portion of the 100-year detention volume. This pond discharges at 1.5 cfs/acre due to the limited area of the tract containing

the pond. Pond 370 overdetains the excess release to attain the 1.0 cfs/acre allowable release from the site. The release rate of approximately 88 cfs will be conveyed by pipe under the railroad and under the Lower Boulder Ditch, and continue in the pipe to the south side of Jasper Road, where it will contribute to the northern detention pond.

When the area south of the RTD right-of-way is developed, the detained release shall be conveyed to Pond 370. The SWMM5 routing provided in the Appendix of this report shows that the future development does not require up-sizing Pond 370. The outlet works of the pond will have to be modified at that time to account for the increased Full Spectrum Detention and 100-year detention release rates. The Excess Urban Runoff Volume perforated plate will have to be sized to drain the combined volume of 3.8 acre-feet over 72 hours, and the 100-year release rate will be modified to 106 cfs for the release rate associated with 106 acres of tributary area.

The combined discharge from the two major onsite basins will cross under Jasper Road via a culvert, to the west of the two wetland areas discussed in the aforementioned agreement. This discharge will be limited to the 1.0 cfs as specified in the agreement, which represents the historic 100-year discharge from the Wise Farms parcel.

Emergency overflow from the future, southern detention pond (Pond 340) will follow the historic route northerly to the Lower Boulder Ditch South Platte Supply Canal. Emergency overflow from the northern detention facility (Pond 370) will be intercepted by a secondary outlet structure to convey the flows under Jasper Road, which again outfalls to the wetlands areas on the County open space property to the north.

All storm drainage facilities will be designed to meet the Criteria of the Urban Drainage and Flood Control District, the Town of Erie, and the United States Army Corps of Engineers relative to the impacts to jurisdictional wetlands. The design will also adhere to the requirements of the aforementioned agreement between the Wise Homestead, LLC, the County of Boulder, and the Town of Erie.

B. Specific Details

Challenges addressed during the design of the central portion of the site (Basin 140) included avoiding discharge into the Lower Boulder Ditch South Platte Supply Canal. Site runoff is conveyed via curb and gutter to the proposed inlets in Basin 145, which outfall to Pond 370. The detained release from future Pond 340 is piped under the Lower Boulder Ditch South Platte Supply Canal, Conduit 240, which will likely require boring under it and will be confirmed with the final design. The northern portion of the site has hydraulically disconnected/non-jurisdictional wet areas, which could be removed, but are primarily left in-place. The tributary area has, however, been reduced. There is an existing residence and

historic mill site that will be left in place. A berm will be provided in the final design to direct developed runoff around the residence and to prevent the Pond 370 backwater from inundating the residence. Lastly, there is currently no outfall to the north, and the existing Jasper Road is elevated several feet above the site. The proposed outfall will likely incorporate a shallow box culvert (likely a 4' rise) to provide adequate cover on Jasper Road.

Pond 340 accommodates the southern portion of the site as detailed in the General Concept portion of this report. This pond will likely be designed per the Extended Dry Detention Pond criteria as outlined in the *USCDM* [Ref. 3]. Pond 370 accommodates the remainder of the proposed development, again, as detailed in the General Concept portion of this report. Due to the minimal slope in the northern portion of the site, this pond may be designed per the Constructed Wetlands Basin pond criteria as outlined in the *USCDM* [Ref. 3], but it is currently designed per the aforementioned Extended Dry Detention concept. Both ponds will be detailed with the final drainage report for this site, and they will be maintained by the Home Owner's Association or Metropolitan District for Wise Farms.

V. SUMMARY

A. Compliance with Standards

The preceding narrative was prepared as outlined in the Preliminary Drainage Report criteria from the *"Boulder County Storm Drainage Criteria Manual"* [Ref. 2]. The associated preliminary design was prepared as outlined in Section 800, Storm Drainage Facilities of the *"Standards and Specifications for Design and Construction of Public Improvements, Town of Erie*" [Ref. 1]. Additionally, the "Urban Storm Drainage Criteria Manual, Vol. 1, 2, and 3" (USCDM) [Ref. 3] was used for ancillary design criteria.

The project site comprised portions of Basins 614 and 615 in the *"Erie Outfall Systems Plan – Preliminary Design"* [Ref. 4]. The proposed design generally complies with this OSP.

B. Drainage Concept

The proposed site provides two detention ponds for the proposed development. The developed runoff and outfall per the *"Agreement - Drainage, Utility and Access Easements – Road Right of Way Dedication"* [Ref. 5], which allows the project site to outfall to the wetlands area to the north of Jasper Road. The two non-jurisdictional wet areas, the existing residence, and the historic mill site will remain in-place. One storm crossing for each of the RTD ROW and of the Lower Boulder Ditch South Platte Supply Canal is required to convey developed runoff throughout the site.

VI. REFERENCES

1. **Standards and Specifications for Design and Construction of Public Improvements, Town of Erie**, Town of Erie, March 1969, Vol. 1&2 revised 2001, Vol. 3 revised Oct. 2005.

2. **Boulder County Storm Drainage Criteria Manual,** WRC Engineering, Inc., July 1984.

3. **Urban Storm Drainage Criteria Manual, Volumes 1,2,3**, Urban Drainage and Flood Control District, prepared by Urban Drainage and Flood Control District and CH2MHill, March 1969, Vol. 1&2 revised 2001, Vol. 3 revised Oct. 2005.

4. **Erie Outfall Systems Plan – Preliminary Design,** Love and Associates, Inc., May 2001.

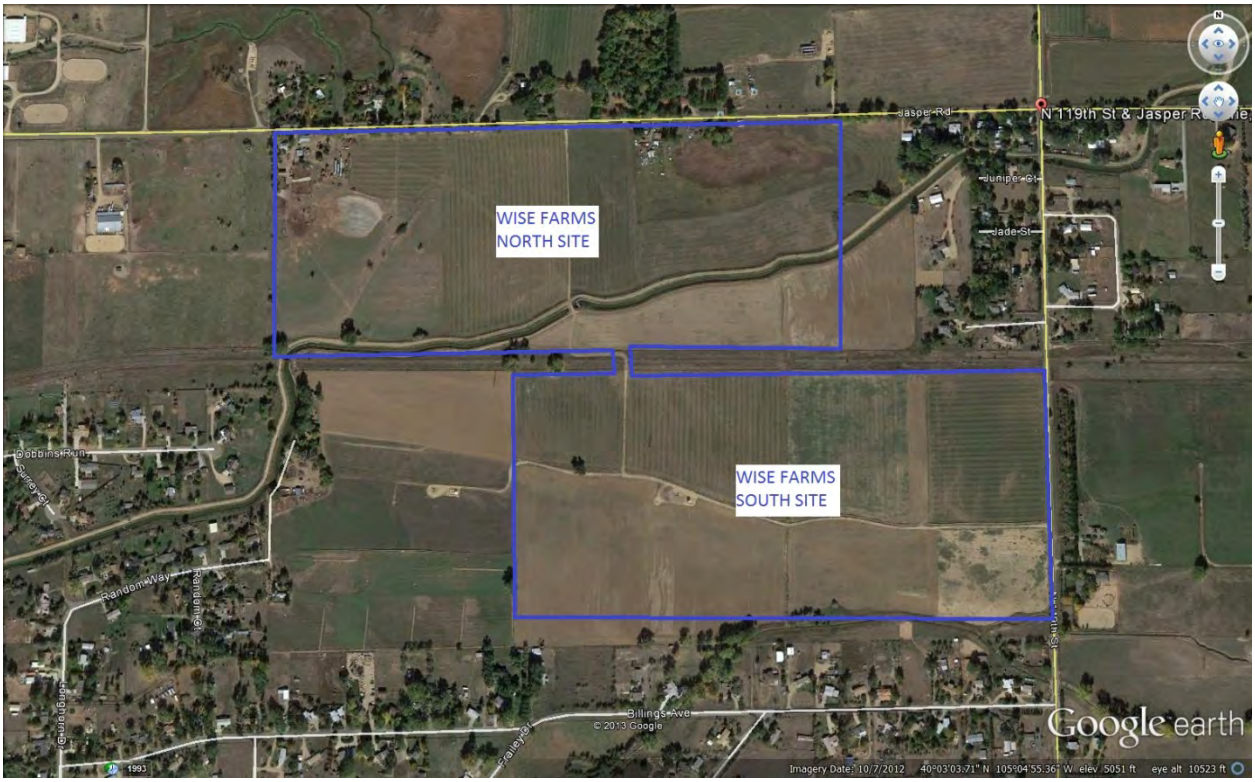
5. "**Agreement - Drainage, Utility and Access Easements – Road Right of Way Dedication,** The Wise Homestead LLC, the County of Boulder, and the Town of Erie, January 25, 2001.

6. **USDA NRCS Soil Survey**, retrieved 03-24-2008 from www.usda.gov

7. **Map Number 08013C0437J,** Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, Boulder County and Unincorporated Areas, Colorado Panel 437 of 615.

VII. APPENDIX

Vicinity Map



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AGREEMENT

DRAINAGE, UTILITY AND ACCESS EASEMENTS
ROAD RIGHT-OF-WAY DEDICATION

THIS AGREEMENT is made and entered into this 25th day of January, 2001, by and between **WISE HOMESTEAD LLC**, a Colorado Limited Liability Company, hereinafter referred to as "Wise", the **COUNTY OF BOULDER**, a body corporate and politic, hereinafter referred to as "County", and the **TOWN OF ERIE, COLORADO**, a Colorado Municipal Corporation, hereinafter referred to as "Town".

RECITALS

A. Wise and the County have entered into a Purchase Agreement and Division of Land dated September 19, 2000, wherein Wise is selling a parcel of land located north of Jasper Road to the County for open space/agricultural use, identified as Proposed Parcel 1 on attached Exhibit A, hereinafter referred to as "Parcel 1".

B. The County and Town intend to jointly own Parcel 1, with the Town to manage the area of Parcel 1 identified as "The Woods".

C. Wise will retain ownership to two lots north of Jasper Road identified as Proposed Lot A and Proposed Lot B on attached Exhibit A, hereinafter referred to as "Lot A and Lot B". In addition, Wise retains ownership of land located south of Jasper Road, which Wise intends to develop consistent with the Land Use Regulations of the Town. Lots A and B and the land located south of Jasper Road owned by Wise are sometimes referred to as the "Wise Property".

D. Historically, there has been some drainage of the property located south of Jasper Road onto the property located north of Jasper Road including Parcel 1.

E. The Town is in the process of identifying the location of an interceptor sanitary sewer line to serve the Town, which, in part, will be located within Parcel 1, but the exact location and other details of which are not yet known and will be agreed upon in a separate document solely between the County and Town.

F. Wise has submitted to the Town an application to plat the Wise property north of Jasper Road ("Wise Homestead Park")to create Parcel 1 to be able to convey it to the County and the

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Town. However, because of the uncertainty as to the location and manner of drainage discharge, the parties are not able to designate specific drainage or utility easements on Parcel 1 as part of the Final Plat, other than the existing two wetlands which are identified as drainage easements on the Plat subject to the terms of this Agreement.

G. The parties now intend to enter into this Agreement for the purpose of agreeing upon how the drainage discharge will be handled in the future, at the time the Wise Property is developed. The parties agree that the intent is to allow some form of drainage from the property south of Jasper to Parcel 1 in a manner that:

(1) Does not significantly impact the agricultural functioning of the affected portion of Parcel 1 or Parcel 1 as a whole, as cropland, or if it does, Wise shall be required to repurchase the affected portion as set forth in this Agreement, or

(2) Does not adversely affect the functioning of either wetland as a whole, located on Parcel 1.

AGREEMENT

NOW, THEREFORE, in consideration of the recitals, promises, covenants and undertakings hereinafter set forth, and other good and valuable consideration, which is hereby acknowledged and receipted for, the parties agree as follows:

DRAINAGE EASEMENTS

1. The County and Town shall accept drainage discharge from the property south of Jasper Road subject to the following:

A. The parties shall work together to find a mutually acceptable location for the acceptance of drainage onto Parcel 1, based upon the intent of the parties as set forth in Recital G above. The parties agree that such drainage shall be either into the east or west wetlands located on Parcel 1, as shown on Exhibit A, or a combination thereof, to the extent permitted by the Corps of Engineers. In no event shall the County and Town be required to accept drainage from the Wise property south of Jasper Road onto Parcel 1 in a manner which would

substantially interfere with the intended use of Parcel 1 as agricultural cropland and parkland (the parkland is identified on Exhibit A as "The Woods"). However, should the specific agreed upon drainage facilities render a portion of Parcel 1, that is presently being used for agricultural purposes, unable to be farmed (such as an open ditch), Wise shall be required to buy back from the County and Town that portion of Parcel 1 which is no longer able to be farmed (as an outlot with no development rights) at a price based upon $27,000 per acre escalating at 5% per year from the date that the County and Town obtain title to Parcel 1. In such event Wise shall be responsible for constructing any facilities necessary (i.e. ditch crossing) for Parcel 1 to be farmed as one unit. Furthermore, the conveyance of said property to Wise shall contain a reservation of any easements necessary for the County over said property.

B. Any development on the Wise property south of Jasper Road will provide detention storage to discharge drainage at or less than the historic rate of flow from the developed area (1 cfs per acre).

C. The drainage flow will be discharged into the wetlands with adequate erosion control provisions and under proper permits from the Corps of Engineers so as to not adversely affect the functioning of either wetland as a whole.

D. Once a mutually acceptable location and manner of drainage has been agreed upon by the parties, as the owners of Parcel 1, the County and Town shall sign all necessary wetland permit applications and any other required permit applications to allow for the drainage discharge into the wetlands. Any required applications shall be prepared by Wise and Wise shall pay all costs associated with said permit applications.

E. All engineering and construction costs to discharge drainage generated from the Wise property south of Jasper Road to the wetlands on Parcel 1 will be borne by Wise.

F. Once a mutually acceptable location for the acceptance of drainage onto Parcel 1 has been approved by the parties based upon the intent of the parties as set forth in Recital G above, and a final drainage plan has been approved by the Town for the Wise property south of Jasper Road so that the exact location of the drainage discharge is known, and the specific agreed upon facilities do not interfere with the ability to farm the land, as owners of Parcel 1, the County and Town will grant Wise easements for said drainage and for the construction and maintenance of any required drainage facilities. With regard to the existing wetlands, any drainage into said wetlands shall be subject to the easement conditions and restrictions set forth in subparagraphs 1- 6 below. Wise shall not be required to pay for the easements over the existing wetlands, as shown on the Plat. However, should there be a net increase in acreage of the wetlands as determined by the Drainage Development Plan to be approved by the Town prior to development south of Jasper, Wise shall purchase an easement for the net increase in acreage as set forth below. Any approved drainage onto areas other than the wetlands, based upon the terms of this Agreement, shall also be subject to the terms and conditions of the easement restrictions set forth in subparagraphs 1- 6 below. Any and all easements required by Wise as set forth in this paragraph, except for the easements over the existing wetlands as shown on the Plat, shall be purchased at a price of $13,500.00 per acre escalating at 5% per year from the date the County and Town obtain title to Parcel 1. The easement restrictions and conditions that shall attach to any easement conveyed to Wise (the property to be covered by any easement shall hereinafter be referred to as the "Easement Property", the

term Parcel 1 shall continue to refer to the entire Parcel 1 as identified in Recital A, including the Easement Property) are as follows:

The Grantee of said easement/s shall:

1) Bury all pipes and underground facilities to a sufficient depth so as to not interfere with normal, sound agricultural practices.

2) Restore the surface of the Easement Property to its condition prior to installation, construction, maintenance, alteration or replacement of the drainage facilities and appurtenances thereto.

3) Restore fences, drain tile, irrigation systems, landscaping, private roads and other improvements, to the conditions existing prior to Wise's activities on the Easement Property.

4) Pay to the County and Town the actual damages to growing crops, livestock and other items caused by Wise's activities on the Easement Property, and to pay for losses occasioned by any inability to farm the Easement Property or Parcel 1 due to the Wise's activities in creating, constructing, repairing or maintaining said easement.

5) Be responsible for all costs associated with the construction, maintenance and repair or replacement of the drainage facilities on the Easement Property. The use by the County of Parcel 1 for agricultural practices, shall be deemed to not interfere with the drainage easement for Parcel 1. The cost of any maintenance or repairs needed on the Easement Property arising in whole or in part from normal, sound agricultural practices on Parcel 1, shall be at the sole expense of Wise. Wise shall assume liability for and indemnify the County and Town from any liability for damages to persons on Parcel 1 and/or the Easement Property or to property on Parcel 1 and/or the Easement Property

which may result or arise in whole or in part from Wise's activities on Parcel 1 and/or the Easement Property.

6) Wise shall assume liability and indemnify the County and Town from any liability or costs due to the violation of environmental laws or regulations in effect at the time of Wise's construction of the drainage facilities which impact Parcel 1 and/or the Easement Property and which arise from Wise's activities and from Wise's drainage onto Parcel 1.

2. Additionally, the County and Town shall accept drainage onto Parcel 1 from Lots A and B, the location and manner of which shall be determined and agreed upon by all parties. In no event shall the County and Town be required to accept drainage onto Parcel 1 from Lots A and B in a manner which would substantially interfere with the intended use of Parcel 1 as agricultural cropland and parkland. Wise shall pay any costs associated with such drainage and for any easement required for the drainage based upon the same price as set forth in Paragraph 1 above. However, no easement shall be required unless there is new development on Lots A and B which would require specific drainage facilities. Should said drainage discharge be into either of the wetlands on Parcel 1, the provisions of Paragraphs F(1-6) shall apply and Wise shall be responsible for all engineering and construction costs required to discharge drainage into the wetlands. At the time of new development, once a final drainage plan has been developed for Lot A and/or Lot B so that the exact location of the drainage discharge is known, as owners of Parcel 1, the County and Town shall grant easements for said drainage and for the construction and maintenance of any required drainage facilities, including the conditions set forth in F(1-6).

UTILITY EASEMENTS

3. The Town and County shall work together to agree upon final location of the interceptor sewer line. Once the location is agreed upon, the County and Town shall provide the necessary easements over Parcel 1 for the location of the sewer line, and for access for construction and maintenance of the sewer line.

4. Upon the Town and County's determination of the final location of the interceptor sewer line, the County and Town shall provide the necessary easements for Lot A, Lot B and the parcel identified on Exhibit A as the unplatted parcel belonging to Karl Joseph Volz and Mary Katherine Volz, to obtain access to the

interceptor sewer line. The location of the easements shall be such as to minimize the disruption and use of Parcel 1 as agricultural open space and park land. The owners of the lots receiving any private sewer service shall be responsible for all costs of construction and maintenance for said private sewer service, unless said lines become public sewer mains.

ROAD RIGHT-OF-WAY DEDICATION

5. The existing right-of-way for Jasper Road and N. 119th Street is 40 feet wide, 20 feet on each side of the section lines. The Town requires, as a part of the platting process, that the rights-of-way be increased to 80 feet in width, 40 feet on each side of the section lines. The parties agree Wise shall dedicate the existing 20 foot rights-of-way located on Parcel 1, Lot A and Lot B, plus the additional required 20 foot expansion of the right-of-way on Lot A and Lot B for no cash consideration. However, the additional required 20 foot expansion of the rights-of-way located on Parcel 1 shall be included in the total acreage that the County and Town are purchasing from Wise at the rate of $27,000.00 per acre.

6. The required expansion of the Jasper Road right-of-way to 80 feet in width will result in old Wise homestead structures being partially or totally located within the expanded right-of-way. The Town agrees to grant a license allowing the structures to remain within the expanded right-of-way, which license cannot be terminated by the Town prior to six (6) months after receipt by Wise of written notice of termination.

MISCELLANEOUS

7. All of the terms, conditions, covenants and agreements herein set forth and contained shall survive the closing of the sale-purchase of Parcel 1 from Wise to the County and Town, shall continue after said closing to be binding upon and inure to the benefit of the parties hereto, their successors and assigns, and shall be covenants and conditions running with the land.

8. The validity and effect of this Agreement shall be determined in accordance with the laws of the State of Colorado.

9. Wise agrees that all future development or use of Lot A and Lot B shall be in conformance with the requirements of all Town Ordinances, resolutions, codes and review procedures then in effect at the time of the proposed development or use of the property, and shall be restricted by the Conservation Easements to be granted to the County pursuant to the Purchase Agreement.

10. This Agreement is intended to benefit the parties to this Agreement with regard to their plans for their respective parcels of property as set forth in this Agreement. The

enforcement of the terms and conditions of this Agreement and all rights of action relating to this Agreement shall be strictly reserved to the parties to this Agreement and their successors and assigns and nothing contained in this Agreement shall give or allow any claim or right of action whatsoever by any other or third person. It is the express intent of the parties to this Agreement that any person receiving services or benefits under this Agreement shall be deemed an incidental beneficiary only.

11. This Agreement may be executed in any number of counter parts, each of which shall be deemed an original, and all of which shall constitute one and the same agreement. Facsimile signatures shall be acceptable to and binding upon all parties.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates set forth in their respective acknowledgments intending that this Agreement be effective as of the day and year first above set forth.

WISE HOMESTEAD LLC,
A Colorado Limited Liability Company

By: Alan C Wise
Alan C. Wise, Manager

By: Sarah Allene Wise
Sarah Allene Wise, Manager

STATE OF COLORADO)
) ss.
COUNTY OF BOULDER)

The foregoing Agreement was acknowledged before me this 15th day of JANUARY, 2001, by Alan C. Wise as Manager of Wise Homestead, LLC.

WITNESS my hand and official seal.
My commission expires: OCTOBER 24, 2003

Notary Public

JON F. KOTTKE NOTARY PUBLIC STATE OF COLORADO

STATE OF COLORADO)
) ss.
COUNTY OF BOULDER)

The foregoing Agreement was acknowledged before me this 15th day of JANUARY, 2001, by Sarah Allene Wise, as Manager of Wise Homestead, LLC.
WITNESS my hand and official seal.
My commission expires: OCTOBER 24, 2003

NOTARY PUBLIC STATE OF COLORADO

Notary Public

COUNTY OF BOULDER, a body corporate and politic

By: Ronald K Stewart
Ronald K. Stewart, ~~Chair~~

By: Jana L. Mendez
Jana L. Mendez, ~~Vice-Chair~~ CHAIR

By: Paul D. Danish
Paul D. Danish, Commissioner

STATE OF COLORADO)
) ss.
COUNTY OF BOULDER)

The foregoing Agreement was acknowledged before me this 23rd day of January, 2001, by Ronald K. Stewart, Chair, Jana L. Mendez, Vice-Chair, Paul D. Danish, Commissioner, of the Board County Commissioners of Boulder County.

WITNESS my hand and official seal.
My commission expires: 8/15/2003

CAROL L. GARDINIER NOTARY PUBLIC STATE OF COLORADO

Carol L. Gardinier
Notary Public

TOWN OF ERIE, COLORADO
A Colorado Municipal Corporation

By: _____
TOM VAN LONE - Mayor

ATTEST:
_____
LINDA SALAS - Clerk

STATE OF COLORADO)
) ss.
COUNTY OF BOULDER)

The foregoing Agreement was acknowledged before me this 25th day of January, 2001, by TOM VAN LONE as Mayor, and attested to by LINDA SALAS, as Clerk, of the Town of Erie, Colorado, a Colorado Municipal Corporation.

WITNESS my hand and official seal.
My commission expires: 04/14/2003

RHONDA K. ECKERT NOTARY PUBLIC STATE OF COLORADO

_____
Notary Public

2116552
Page: 11 of 11
02/06/2001 02:06P
D 0.00
R 0.00
Boulder County Clerk, CO RG

EXHIBIT A

SHEET 2 OF

UNPLATTED
BOULDER COUNTY
PARKS & OPEN SPACE

UNPLATTED
BOULDER COUNTY
PARKS & OPEN SPACE

POINT OF COMMENCEMENT
NE COR. SEC. 14
T1N, R69W, 6TH P.M.

N1/4 COR. SEC. 14

TOTAL AREA= 84.537 ACRES, MORE OR LESS.

PROPOSED PARCEL I

PROPOSED PARCEL II

NW1/4, NE1/4, SEC. 14

NE1/4, NE1/4, SEC. 14

N. 119TH STREET

"THE WOODS"

PROPOSED LOT A

PROPOSED LOT B

UNPLATTED

JASPER ROAD

SW COR NW1/4, NE1/4, SEC. 14

SW COR NE1/4, NE1/4, SEC. 14

SE COR. NE1/4, NE1/4, SEC. 14

E1/4 COR. SEC. 14

UNPLATTED
WISE HOMESTEAD, LLC

S88°17'40"W 1317.07'

S88°17'46"W 327.30'

S88°21'40"W 327.86'

S88°17'46"W 604.77'

N88°16'39"E 415.31'

DETAIL "A"

DETAIL "B"

RECORDER'S NOTE: 2-6-01
PORTION OF RECORDED DOCUMENT
MAY NOT REPRODUCE LEGIBLY.

MONUMENT KEY

FND FOUND #5 REBAR W/ 1" ALUM CAP MARKED "PLS 24305"

SET SET #5 REBAR W/ 2" ALUM CAP MARKED "PLS 24305"

SCALE: 1"=100'

ALTA/ACSM LAND TITLE SURVEY
OF A TRACT OF LAND LOCATED
THE N1/2 OF THE NE1/4 AND IN
THE NE1/4 OF THE NW1/4 OF
SECTION 14, T1N, R69W OF THE
6TH P.M., TOWN OF ERIE, COUNT
OF BOULDER, STATE OF COLORA
FOR: WISE HOMESTEAD, LLC

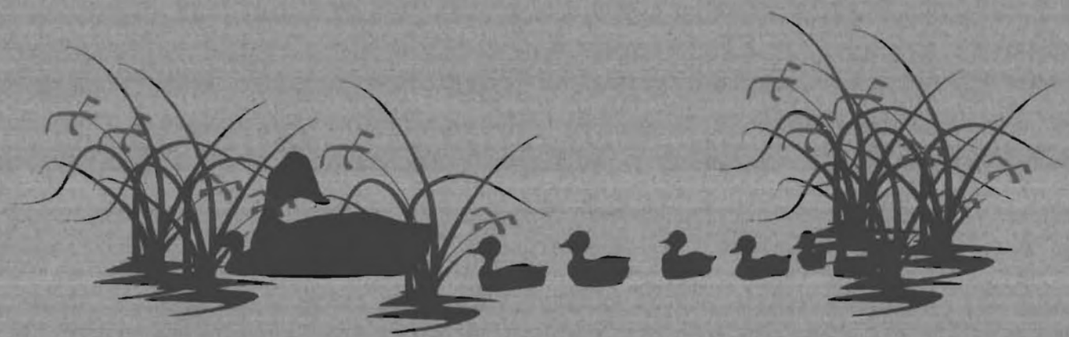
ABP ALBERS, DREXEL & POHLY, I

OCTOBER 31, 2000	FND	
1"=100'	FND	SHEET 2

ERIE OUTFALL SYSTEMS PLANNING

PRELIMINARY DESIGN

ERIE AND ADJACENT BOULDER AND WELD COUNTY AREAS



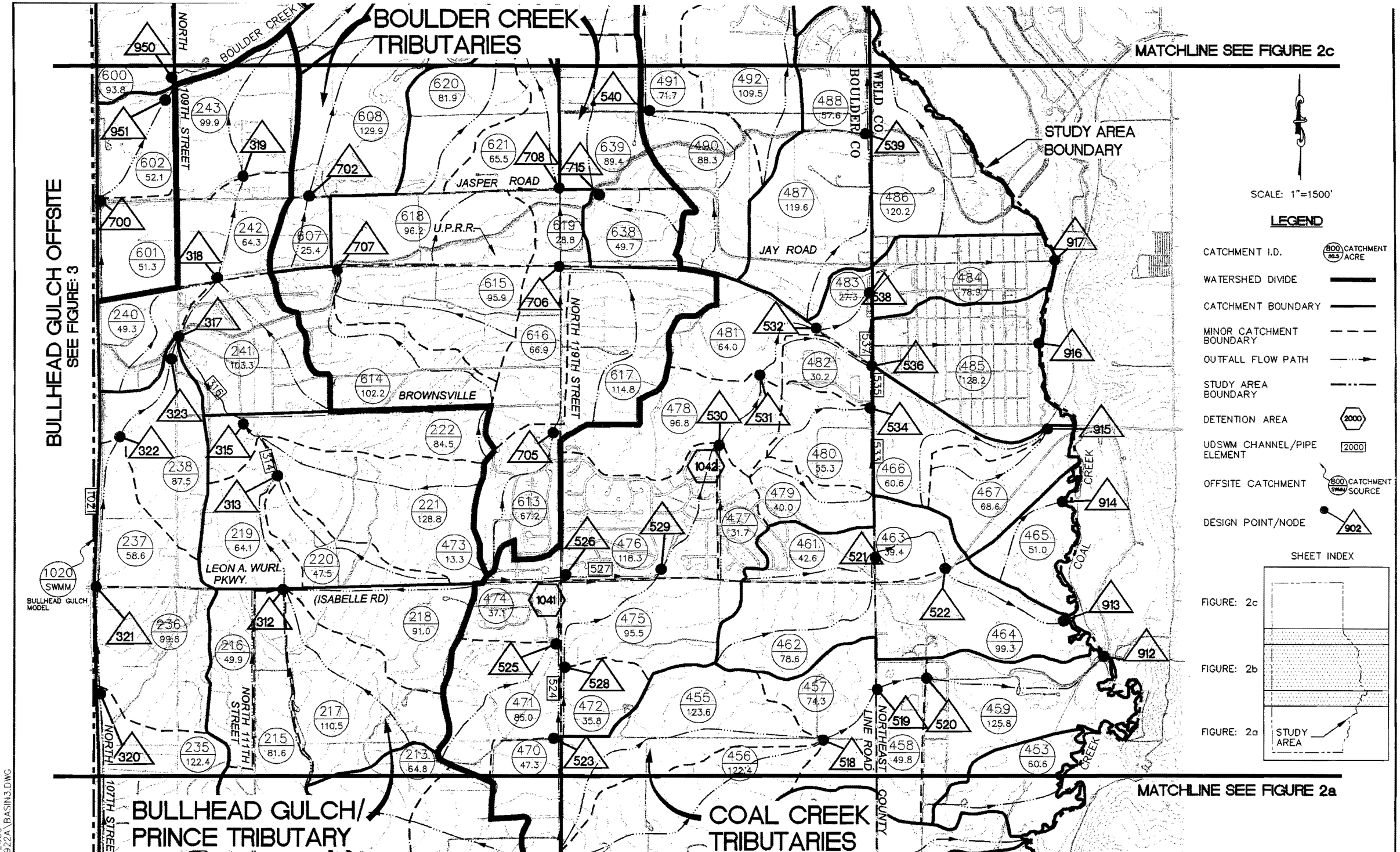
MAY 2001

TOWN OF ERIE
1874

Town of Erie
Urban Drainage and Flood Control District

URBAN DRAINAGE AND FLOODCONTROL DISTRICT

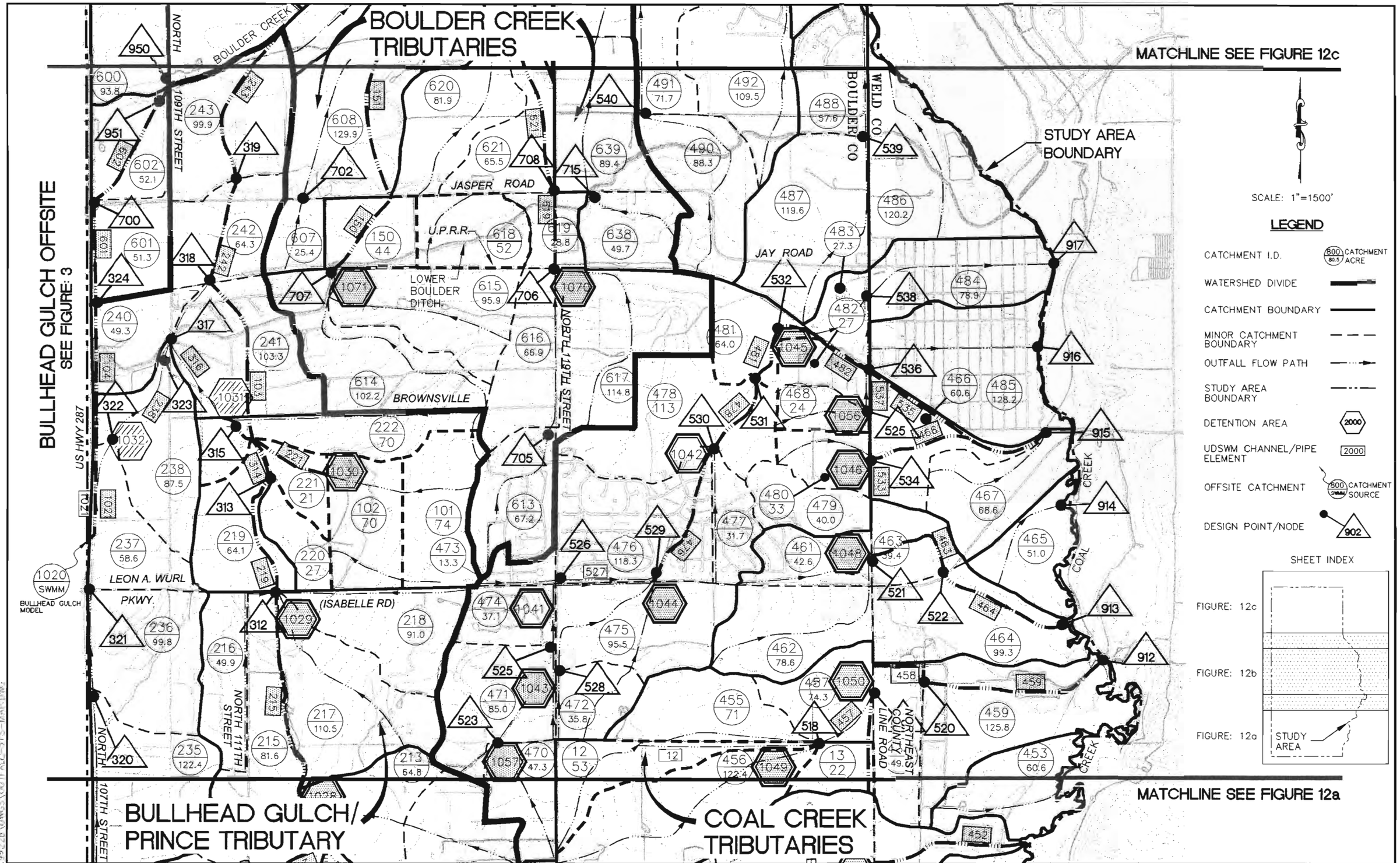
Love & Associates, Inc.
water resource consultants
841 Front Street
Louisville, Colorado 80027-1849
Phone: 303-673-9795 Fax: 303-673-9796
E-mail: nlove@loveassociates.com



DATE: MAY 22, 2000
C:\PROJECTS\99022A\BASIN3.DWG

Lowe & Associates, Inc. water resource consultants 841 Front Street Louisville, Colorado 80027-1849 Phone: 303-673-9795 Fax: 303-673-9796	DESIGNED: RJP DRAWN: DM CHECKED: DJL DATE: 5-00	TOWN OF ERIE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT	ERIE AND ADJACENT AREAS OUTFALL SYSTEMS PLANNING	CATCHMENT DELINEATION AND SWMM ELEMENTS IN THE STUDY AREA

Figure 2b



Zone & Associates, Inc.
water resource consultants
841 Front Street
Louisville, Colorado 80027-0849
Phone: 303-673-9795
Fax: 303-673-9796

DESIGNED:	RJP
DRAWN:	DM
CHECKED:	DJL
DATE:	02--01

TOWN OF ERIE
URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

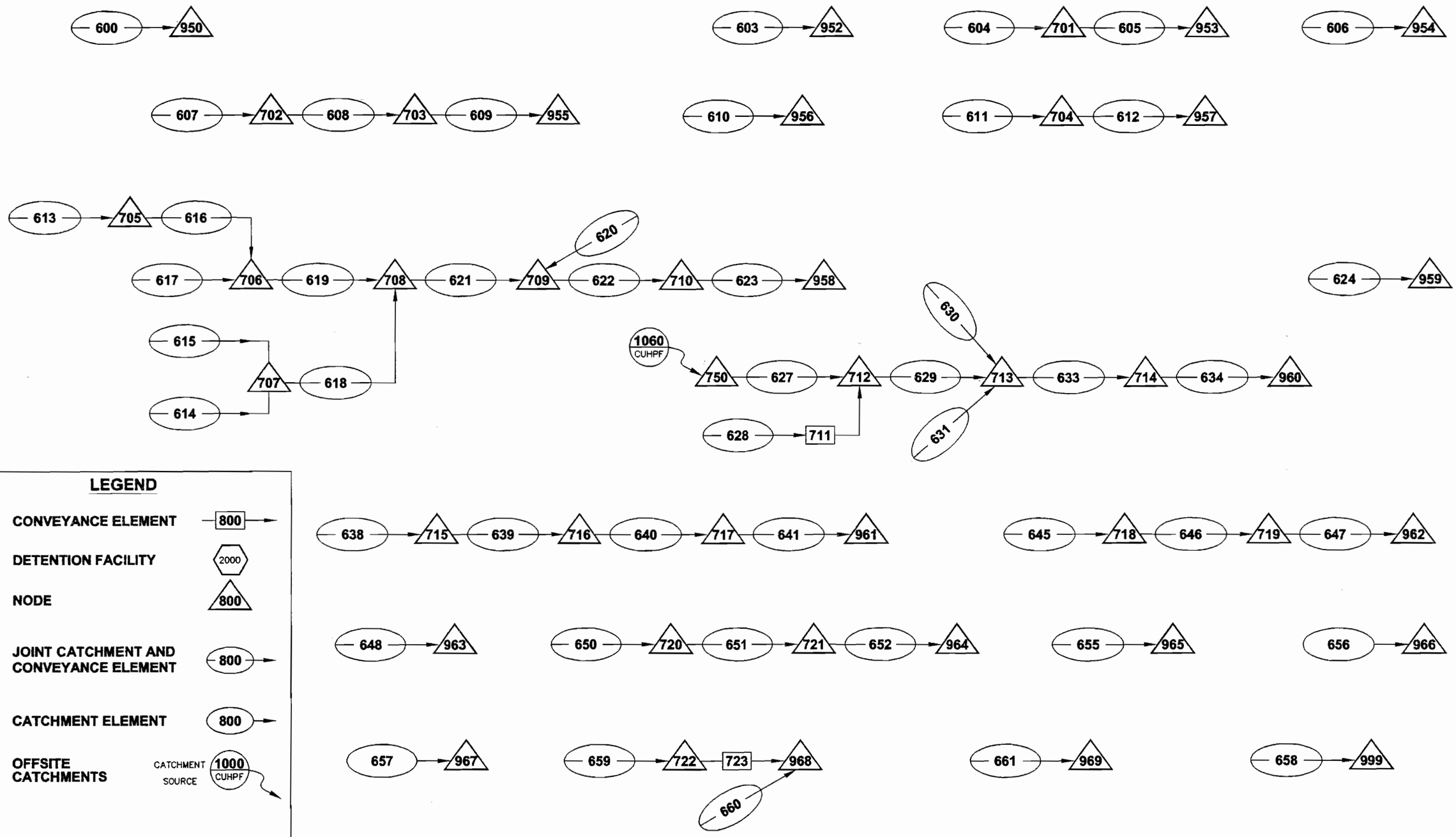
ERIE AND ADJACENT AREAS
OUTFALL SYSTEMS PLANNING

OUTFALL SYSTEMS MAP

Figure 12b
Page V - 4

DATE: FEBRUARY 2,2001
C:\PROJECTS\99-228\DWGS\OUTFALL-SYS-MAP.DWG

BOULDER CREEK TRIBUTARIES



DATE: MAY 30, 2000
E:\PROJECTS\9922A\DWGS\FLOWCHART.DWG

Lore & Associates, Inc
water resource consultants
841 Front Street
Louisville, Colorado 80027-1849
Phone: 303-673-9795
Fax: 303-673-9796

DESIGNED:	RJP
DRAWN:	DM
CHECKED:	DJL
DATE:	4-00

TOWN OF ERIE
BOULDER COUNTY
URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

ERIE AND ADJACENT AREAS
OUTFALL SYSTEMS PLANNING

SWMM FLOW CHARTS
EXISTING AND FUTURE CONDITIONS

Figure A4

Table A9. UDSWM Basin and Conveyance Parameters, Outfall System

Bullhead Gulch/Prince Tributary

GUTTER NUMBER	GUTTER CONNECTION	NDP	NP		WIDTH OR DIAM (FT)	LENGTH (FT)	INVERT SLOPE (FT/FT)	SIDE SLOPES HORIZ L	SIDE SLOPES TO VERT R	MANNING N	OVERBANK/SURCHARGE DEPTH (FT)	JK
1025	305	5	2	PIPE	.0	0.	.0001	.0	.0	.001	.01	0
		RESERVOIR STORAGE IN ACRE-FEET VS SPILLWAY OUTFLOW										
		.0	.0	.7 30.0	2.1	60.0	4.5	108.0	5.0	200.0		
1026	210	10	2	PIPE	.0	0.	.0001	.0	.0	.001	.01	0
		RESERVOIR STORAGE IN ACRE-FEET VS SPILLWAY OUTFLOW										
		.0	.0	.5 18.0	2.2	26.0	5.1	32.0	7.4	35.0	8.9 106.0	
		11.0	300.0	13.1 494.0	13.5	777.0	13.8	1060.0				
1027	304	5	2	PIPE	.0	0.	.0001	.0	.0	.001	.01	0
		RESERVOIR STORAGE IN ACRE-FEET VS SPILLWAY OUTFLOW										
		.0	.0	5.2 100.0	14.4	200.0	23.6	264.0	35.0	400.0		
1028	311	7	2	PIPE	.0	0.	.0001	.0	.0	.001	.01	0
		RESERVOIR STORAGE IN ACRE-FEET VS SPILLWAY OUTFLOW										
		.0	.0	3.4 40.0	7.8	80.0	10.0	96.5	12.0	150.0	14.1 240.0	
		16.0	400.0									
1029	312	7	2	PIPE	.0	0.	.0001	.0	.0	.001	.01	0
		RESERVOIR STORAGE IN ACRE-FEET VS SPILLWAY OUTFLOW										
		.0	.0	6.8 40.0	15.6	80.0	20.0	96.5	24.0	150.0	28.2 240.0	
		32.0	400.0									
1030	221	7	2	PIPE	.0	0.	.0001	.0	.0	.001	.01	0
		RESERVOIR STORAGE IN ACRE-FEET VS SPILLWAY OUTFLOW										
		.0	.0	3.4 40.0	7.8	80.0	10.0	96.5	12.0	150.0	14.1 240.0	
		16.0	400.0									
1031	316	4	3		.0	0.	.0001	.0	.0	.001	.01	103
		DIVERSION TO GUTTER NUMBER 103 - TOTAL Q VS DIVERTED Q IN CFS										
		.0	.0	500.0 500.0	1000.0	500.0	5000.0	500.0				
103	318	0	4	CHANNEL	10.0	2600.	.0130	3.0	3.0	.044	4.00	0
				OVERFLOW	26.0	2600.	.0130	20.0	20.0	.056	10.00	
601	700	0	4	CHANNEL	8.0	1720.	.0060	3.0	3.0	.020	.50	0
				OVERFLOW	11.0	1720.	.0060	20.0	20.0	.044	10.00	
602	951	0	4	CHANNEL	8.0	2280.	.0060	3.0	3.0	.044	3.00	0
				OVERFLOW	26.0	2280.	.0060	20.0	20.0	.056	10.00	
700	602	0	3		.0	0.	.0001	.0	.0	.001	.01	0
951	1500	0	3		.0	0.	.0001	.0	.0	.001	.01	0
1032	325	4	3		.0	0.	.0001	.0	.0	.001	.01	104
		DIVERSION TO GUTTER NUMBER 104 - TOTAL Q VS DIVERTED Q IN CFS										
		.0	.0	1000.0 1000.0	2000.0	1000.0	5000.0	1000.0				
104	324	0	4	CHANNEL	20.0	2400.	.0090	4.0	4.0	.044	6.00	0
				OVERFLOW	26.0	2400.	.0090	20.0	20.0	.056	10.00	
324	601	0	3		.0	0.	.0001	.0	.0	.001	.01	0
325	238	0	3		.0	0.	.0001	.0	.0	.001	.01	0
1020	1021	17	3		.0	0.	.0001	.0	.0	.001	.01	-1
		TIME IN HRS VS INFLOW IN CFS										
		.0	.0	.3 12.8	.4	62.4	.8	1355.5	1.2	3612.7	1.3 3753.8	
		1.3	3746.0	1.4 3612.7	1.8	2523.5	2.0	1799.9	2.5	948.0	3.0 565.2	
		3.5	365.8	4.0 277.2	5.0	161.6	6.0	71.6	8.0	.0		

Boulder Creek Tributaries

SUBAREA NUMBER	GUTTER OR MANHOLE	WIDTH (FT)	AREA (AC)	PERCENT IMPERV.	SLOPE (FT/FT)	RESISTANCE FACTOR IMPERV.	RESISTANCE FACTOR PERV.	SURFACE STORAGE(IN) IMPERV.	SURFACE STORAGE(IN) PERV.	INFILTRATION RATE(IN/HR) MAXIMUM	INFILTRATION RATE(IN/HR) MINIMUM	DECAY RATE	GAGE NO
-1	0	2.	.0	1.0	1.0000	1.000	1.000	1.000	1.000	1.00	1.00	1.00000	
600	600	6156.	93.8	2.0	.0240	.020	.200	.100	.300	3.84	.56	.00180	1
603	603	6968.	103.6	5.6	.0200	.020	.200	.100	.300	3.42	.53	.00180	1
604	604	2203.	25.6	2.0	.0220	.020	.200	.100	.300	4.16	.58	.00180	1
605	605	9475.	116.8	6.8	.0210	.020	.200	.100	.300	3.98	.57	.00180	1
606	606	10579.	45.7	2.0	.0030	.020	.200	.100	.300	3.00	.50	.00180	1
607	607	4428.	25.4	4.9	.0110	.020	.200	.100	.300	4.50	.60	.00180	1
608	608	12037.	129.9	5.5	.0080	.020	.200	.100	.300	3.41	.53	.00180	1
609	609	4309.	75.5	2.0	.0010	.020	.200	.100	.300	3.17	.51	.00180	1
610	610	14382.	95.1	13.2	.0280	.020	.200	.100	.300	4.02	.57	.00180	1
611	611	10352.	65.9	19.9	.0290	.020	.200	.100	.300	3.63	.54	.00180	1
612	612	3132.	29.1	10.1	.0140	.020	.200	.100	.300	3.15	.51	.00180	1
613	613	10944.	67.2	46.6	.0120	.020	.200	.100	.300	4.50	.60	.00180	1
614	614	9967.	102.2	42.3	.0260	.020	.200	.100	.300	4.50	.60	.00180	1
615	615	12069.	95.9	40.0	.0190	.020	.200	.100	.300	4.50	.60	.00180	1
616	616	5832.	66.9	40.5	.0300	.020	.200	.100	.300	4.50	.60	.00180	1
617	617	15768.	114.8	42.7	.0190	.020	.200	.100	.300	4.50	.60	.00180	1
618	618	5544.	52.1	28.8	.0100	.020	.200	.100	.300	4.50	.60	.00180	1
619	619	4626.	28.8	28.8	.0260	.020	.200	.100	.300	4.50	.60	.00180	1
620	620	11713.	81.9	14.0	.0060	.020	.200	.100	.300	4.50	.60	.00180	1
621	621	12859.	65.5	18.5	.0040	.020	.200	.100	.300	4.50	.60	.00180	1
622	622	7339.	76.0	6.8	.0050	.020	.200	.100	.300	3.14	.51	.00180	1
623	623	2747.	44.6	2.0	.0070	.020	.200	.100	.300	3.00	.50	.00180	1
624	624	13334.	51.9	9.0	.0060	.020	.200	.100	.300	3.26	.52	.00180	1
627	627	5472.	105.4	4.2	.0050	.020	.200	.100	.300	3.59	.54	.00180	1
628	628	6782.	30.7	2.0	.0060	.020	.200	.100	.300	3.53	.54	.00180	1
629	629	5621.	80.6	5.1	.0230	.020	.200	.100	.300	3.65	.54	.00180	1
630	630	15503.	129.9	2.0	.0110	.020	.200	.100	.300	3.08	.51	.00180	1
631	631	6599.	59.6	2.0	.0120	.020	.200	.100	.300	3.96	.56	.00180	1
633	633	6955.	76.8	16.8	.0110	.020	.200	.100	.300	4.10	.57	.00180	1
634	634	8424.	46.7	4.5	.0090	.020	.200	.100	.300	3.32	.52	.00180	1
638	638	4486.	49.7	37.0	.0180	.020	.200	.100	.300	4.50	.60	.00180	1

Table A9. UDSWM Basin and Conveyance Parameters, Outfall System

Boulder Creek Tributaries

SUBAREA NUMBER	GUTTER OR MANHOLE	WIDTH (FT)	AREA (AC)	PERCENT IMPERV.	SLOPE (FT/FT)	RESISTANCE FACTOR IMPERV.	RESISTANCE FACTOR PERV.	SURFACE STORAGE(IN) IMPERV.	SURFACE STORAGE(IN) PERV.	INFILTRATION RATE(IN/HR) MAXIMUM	INFILTRATION RATE(IN/HR) MINIMUM	DECAY RATE	GAGE NO
639	639	8554.	89.4	34.8	.0090	.020	.200	.100	.300	4.50	.60	.00180	1
640	640	9007.	79.4	17.6	.0090	.020	.200	.100	.300	3.78	.55	.00180	1
641	641	6786.	29.5	5.4	.0020	.020	.200	.100	.300	3.00	.50	.00180	1
645	645	11952.	103.5	13.8	.0280	.020	.200	.100	.300	3.65	.54	.00180	1
646	646	2682.	41.5	3.1	.0050	.020	.200	.100	.300	3.15	.51	.00180	1
647	647	9090.	105.1	2.0	.0060	.020	.200	.100	.300	3.00	.50	.00180	1
648	648	8203.	80.4	2.0	.0020	.020	.200	.100	.300	3.14	.51	.00180	1
650	650	14058.	80.0	3.7	.0190	.020	.200	.100	.300	3.11	.51	.00180	1
651	651	6626.	87.6	10.1	.0220	.020	.200	.100	.300	3.56	.54	.00180	1
652	652	7956.	51.9	2.0	.0030	.020	.200	.100	.300	3.00	.50	.00180	1
655	655	11275.	121.5	2.0	.0080	.020	.200	.100	.300	3.26	.52	.00180	1
658	658	7258.	72.9	2.0	.0060	.020	.200	.100	.300	3.02	.50	.00180	1
659	659	12280.	130.0	2.0	.0180	.020	.200	.100	.300	3.15	.51	.00180	1
660	660	10546.	45.9	2.0	.0040	.020	.200	.100	.300	3.00	.50	.00180	1
661	661	10584.	41.9	2.0	.0040	.020	.200	.100	.300	3.00	.50	.00180	1
656	966	1620.	58.4	2.0	.0020	.020	.200	.100	.300	3.00	.50	.00180	1
657	967	540.	15.9	2.0	.0070	.020	.200	.100	.300	3.00	.50	.00180	1
150	150	7200.	44.1	28.8	.0060	.020	.200	.100	.300	4.50	.60	.00180	1

TOTAL TRIBUTARY AREA (ACRES), 3512.50

GUTTER NUMBER	GUTTER CONNECTION	NDP	NP		WIDTH OR DIAM (FT)	LENGTH (FT)	INVERT SLOPE (FT/FT)	SIDE SLOPES HORIZ L	SIDE SLOPES TO VERT R	MANNING N	OVERBANK/SURCHARGE DEPTH (FT)	JK
600	950	0	4	CHANNEL	8.0	2850.	.0240	3.0	3.0	.020	.50	0
				OVERFLOW	11.0	2850.	.0240	20.0	20.0	.044	10.00	
603	952	0	4	CHANNEL	5.0	2765.	.0270	3.0	3.0	.044	3.00	0
				OVERFLOW	23.0	2765.	.0270	20.0	20.0	.056	10.00	
604	701	0	4	CHANNEL	8.0	1020.	.0220	3.0	3.0	.020	.50	0
				OVERFLOW	11.0	1020.	.0220	20.0	20.0	.044	10.00	
605	953	0	4	CHANNEL	8.0	3290.	.0230	3.0	3.0	.044	3.00	0
				OVERFLOW	26.0	3290.	.0230	20.0	20.0	.056	10.00	
606	954	0	4	CHANNEL	5.0	3265.	.0030	3.0	3.0	.044	3.00	0
				OVERFLOW	23.0	3265.	.0030	20.0	20.0	.056	10.00	
607	702	0	4	CHANNEL	8.0	1230.	.0110	3.0	3.0	.035	3.00	0
				OVERFLOW	11.0	1230.	.0110	20.0	20.0	.056	10.00	
608	703	0	4	CHANNEL	8.0	3715.	.0080	3.0	3.0	.044	3.00	0
				OVERFLOW	26.0	3715.	.0080	20.0	20.0	.056	10.00	
609	955	0	4	CHANNEL	10.0	1995.	.0010	3.0	3.0	.044	3.00	0
				OVERFLOW	28.0	1995.	.0010	20.0	20.0	.056	10.00	
610	956	0	4	CHANNEL	5.0	3995.	.0250	3.0	3.0	.044	3.00	0
				OVERFLOW	23.0	3995.	.0250	20.0	20.0	.056	10.00	
611	704	0	4	CHANNEL	5.0	3195.	.0290	3.0	3.0	.044	3.00	0
				OVERFLOW	23.0	3195.	.0290	20.0	20.0	.056	10.00	
612	957	0	4	CHANNEL	8.0	870.	.0140	3.0	3.0	.044	3.00	0
				OVERFLOW	26.0	870.	.0140	20.0	20.0	.056	10.00	
613	705	0	4	CHANNEL	8.0	3040.	.0120	3.0	3.0	.020	.50	0
				OVERFLOW	11.0	3040.	.0120	20.0	20.0	.044	10.00	
614	707	0	4	CHANNEL	5.0	3955.	.0260	3.0	3.0	.044	3.00	0
				OVERFLOW	23.0	3955.	.0260	20.0	20.0	.056	10.00	
615	707	0	4	CHANNEL	8.0	3725.	.0190	3.0	3.0	.020	.50	0
				OVERFLOW	11.0	3725.	.0190	20.0	20.0	.044	10.00	
616	706	0	4	CHANNEL	8.0	2700.	.0300	3.0	3.0	.020	.50	0
				OVERFLOW	11.0	2700.	.0300	20.0	20.0	.044	10.00	
617	706	0	4	CHANNEL	8.0	4380.	.0190	3.0	3.0	.020	.50	0
				OVERFLOW	11.0	4380.	.0190	20.0	20.0	.044	10.00	
618	708	0	4	CHANNEL	8.0	2200.	.0100	3.0	3.0	.020	.50	0
				OVERFLOW	11.0	2200.	.0100	20.0	20.0	.044	10.00	
619	708	0	4	CHANNEL	8.0	1285.	.0260	3.0	3.0	.020	.50	0
				OVERFLOW	11.0	1285.	.0260	20.0	20.0	.044	10.00	
620	709	0	4	CHANNEL	5.0	3615.	.0060	3.0	3.0	.044	3.00	0
				OVERFLOW	23.0	3615.	.0060	20.0	20.0	.056	10.00	
621	709	0	4	CHANNEL	8.0	4465.	.0040	3.0	3.0	.020	.50	0
				OVERFLOW	11.0	4465.	.0040	20.0	20.0	.044	10.00	
622	710	0	4	CHANNEL	10.0	2265.	.0050	3.0	3.0	.044	3.00	0
				OVERFLOW	28.0	2265.	.0050	20.0	20.0	.056	10.00	
623	958	0	4	CHANNEL	10.0	1090.	.0070	3.0	3.0	.044	3.00	0
				OVERFLOW	28.0	1090.	.0070	20.0	20.0	.056	10.00	
624	959	0	4	CHANNEL	8.0	4630.	.0060	3.0	3.0	.020	.50	0
				OVERFLOW	11.0	4630.	.0060	20.0	20.0	.044	10.00	
627	712	0	4	CHANNEL	10.0	1900.	.0050	3.0	3.0	.044	3.00	0
				OVERFLOW	28.0	1900.	.0050	20.0	20.0	.056	10.00	
628	711	0	4	CHANNEL	8.0	3140.	.0060	3.0	3.0	.020	.50	0
				OVERFLOW	11.0	3140.	.0060	20.0	20.0	.044	10.00	
629	713	0	4	CHANNEL	10.0	1735.	.0230	3.0	3.0	.038	3.00	0
				OVERFLOW	28.0	1735.	.0230	20.0	20.0	.056	10.00	
630	713	0	4	CHANNEL	5.0	4785.	.0110	3.0	3.0	.044	3.00	0
				OVERFLOW	23.0	4785.	.0110	20.0	20.0	.056	10.00	
631	713	0	4	CHANNEL	5.0	3055.	.0120	3.0	3.0	.044	3.00	0
				OVERFLOW	23.0	3055.	.0120	20.0	20.0	.056	10.00	
633	714	0	4	CHANNEL	10.0	2415.	.0110	3.0	3.0	.038	3.00	0
				OVERFLOW	28.0	2415.	.0110	20.0	20.0	.056	10.00	
634	960	0	4	CHANNEL	10.0	2340.	.0090	3.0	3.0	.044	3.00	0
				OVERFLOW	28.0	2340.	.0090	20.0	20.0	.056	10.00	
638	715	0	4	CHANNEL	8.0	1780.	.0180	3.0	3.0	.020	.50	0
				OVERFLOW	11.0	1780.	.0180	20.0	20.0	.044	10.00	

Table A9. UDSWM Basin and Conveyance Parameters, Outfall System

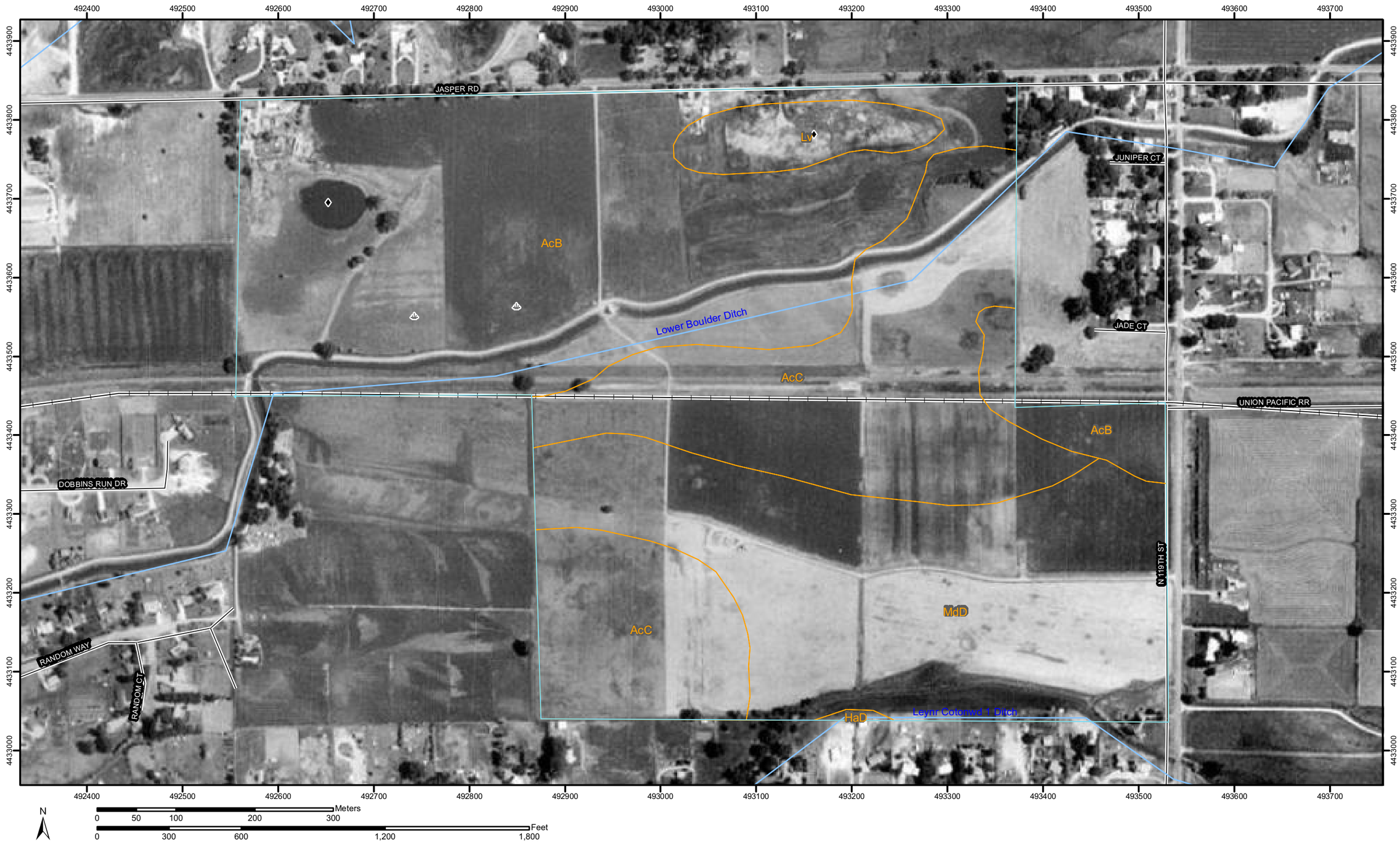
Boulder Creek Tributaries

GUTTER NUMBER	GUTTER CONNECTION	NDP	NP		WIDTH OR DIAM (FT)	LENGTH (FT)	INVERT SLOPE (FT/FT)	SIDE SLOPES HORIZ TO VERT L	R	OVERBANK/SURCHARGE MANNING N	DEPTH (FT)	JK
639	716	0	4	CHANNEL	8.0	2640.	.0090	3.0	3.0	.020	.50	0
				OVERFLOW	11.0	2640.	.0090	20.0	20.0	.044	10.00	
640	717	0	4	CHANNEL	10.0	2780.	.0090	3.0	3.0	.044	3.00	0
				OVERFLOW	28.0	2780.	.0090	20.0	20.0	.056	10.00	
641	961	0	4	CHANNEL	10.0	1885.	.0020	3.0	3.0	.044	3.00	0
				OVERFLOW	28.0	1885.	.0020	20.0	20.0	.056	10.00	
645	718	0	4	CHANNEL	5.0	3320.	.0280	3.0	3.0	.044	3.00	0
				OVERFLOW	23.0	3320.	.0280	20.0	20.0	.056	10.00	
646	719	0	4	CHANNEL	8.0	745.	.0050	3.0	3.0	.044	3.00	0
				OVERFLOW	26.0	745.	.0050	20.0	20.0	.056	10.00	
647	962	0	4	CHANNEL	10.0	2525.	.0060	3.0	3.0	.044	3.00	0
				OVERFLOW	28.0	2525.	.0060	20.0	20.0	.056	10.00	
648	963	0	4	CHANNEL	5.0	3255.	.0020	3.0	3.0	.044	3.00	0
				OVERFLOW	23.0	3255.	.0020	20.0	20.0	.056	10.00	
650	720	0	4	CHANNEL	5.0	3905.	.0190	3.0	3.0	.044	3.00	0
				OVERFLOW	23.0	3905.	.0190	20.0	20.0	.056	10.00	
651	721	0	4	CHANNEL	8.0	2045.	.0220	3.0	3.0	.044	3.00	0
				OVERFLOW	26.0	2045.	.0220	20.0	20.0	.056	10.00	
652	964	0	4	CHANNEL	10.0	2210.	.0030	3.0	3.0	.044	3.00	0
				OVERFLOW	28.0	2210.	.0030	20.0	20.0	.056	10.00	
655	965	0	4	CHANNEL	5.0	3915.	.0080	3.0	3.0	.044	3.00	0
				OVERFLOW	23.0	3915.	.0080	20.0	20.0	.056	10.00	
658	999	0	4	CHANNEL	8.0	3360.	.0060	3.0	3.0	.020	.50	0
				OVERFLOW	11.0	3360.	.0060	20.0	20.0	.044	10.00	
659	722	0	4	CHANNEL	8.0	5685.	.0180	3.0	3.0	.020	.50	0
				OVERFLOW	11.0	5685.	.0180	20.0	20.0	.044	10.00	
660	968	0	4	CHANNEL	5.0	3255.	.0040	3.0	3.0	.044	3.00	0
				OVERFLOW	23.0	3255.	.0040	20.0	20.0	.056	10.00	
661	969	0	4	CHANNEL	8.0	4900.	.0040	3.0	3.0	.020	.50	0
				OVERFLOW	11.0	4900.	.0040	20.0	20.0	.044	10.00	
150	151	0	4	CHANNEL	8.0	2000.	.0060	3.0	3.0	.020	.50	0
				OVERFLOW	11.0	2000.	.0060	20.0	20.0	.044	10.00	
151	703	0	4	CHANNEL	5.0	3400.	.0060	3.0	3.0	.044	3.00	0
				OVERFLOW	23.0	3400.	.0060	20.0	20.0	.056	10.00	
701	605	0	3		.0	0.	.0001	.0	.0	.001	.01	0
702	608	0	3		.0	0.	.0001	.0	.0	.001	.01	0
703	609	0	3		.0	0.	.0001	.0	.0	.001	.01	0
704	612	0	3		.0	0.	.0001	.0	.0	.001	.01	0
705	616	0	3		.0	0.	.0001	.0	.0	.001	.01	0
706	1070	0	3		.0	0.	.0001	.0	.0	.001	.01	0
707	1071	0	3		.0	0.	.0001	.0	.0	.001	.01	0
708	621	0	3		.0	0.	.0001	.0	.0	.001	.01	0
709	622	0	3		.0	0.	.0001	.0	.0	.001	.01	0
710	623	0	3		.0	0.	.0001	.0	.0	.001	.01	0
712	629	0	3		.0	0.	.0001	.0	.0	.001	.01	0
713	633	0	3		.0	0.	.0001	.0	.0	.001	.01	0
714	634	0	3		.0	0.	.0001	.0	.0	.001	.01	0
715	639	0	3		.0	0.	.0001	.0	.0	.001	.01	0
716	640	0	3		.0	0.	.0001	.0	.0	.001	.01	0
717	641	0	3		.0	0.	.0001	.0	.0	.001	.01	0
718	646	0	3		.0	0.	.0001	.0	.0	.001	.01	0
719	647	0	3		.0	0.	.0001	.0	.0	.001	.01	0
720	651	0	3		.0	0.	.0001	.0	.0	.001	.01	0
721	652	0	3		.0	0.	.0001	.0	.0	.001	.01	0
722	723	0	3		.0	0.	.0001	.0	.0	.001	.01	0
750	627	0	3		.0	0.	.0001	.0	.0	.001	.01	0
950	1500	0	3		.0	0.	.0001	.0	.0	.001	.01	0
952	1500	0	3		.0	0.	.0001	.0	.0	.001	.01	0
953	1500	0	3		.0	0.	.0001	.0	.0	.001	.01	0
954	1500	0	3		.0	0.	.0001	.0	.0	.001	.01	0
955	1500	0	3		.0	0.	.0001	.0	.0	.001	.01	0
956	1500	0	3		.0	0.	.0001	.0	.0	.001	.01	0
957	1500	0	3		.0	0.	.0001	.0	.0	.001	.01	0
958	1500	0	3		.0	0.	.0001	.0	.0	.001	.01	0
959	1500	0	3		.0	0.	.0001	.0	.0	.001	.01	0
960	1500	0	3		.0	0.	.0001	.0	.0	.001	.01	0
961	1500	0	3		.0	0.	.0001	.0	.0	.001	.01	0
962	1500	0	3		.0	0.	.0001	.0	.0	.001	.01	0
963	1500	0	3		.0	0.	.0001	.0	.0	.001	.01	0
964	1500	0	3		.0	0.	.0001	.0	.0	.001	.01	0
965	1500	0	3		.0	0.	.0001	.0	.0	.001	.01	0
966	1500	0	3		.0	0.	.0001	.0	.0	.001	.01	0
967	1500	0	3		.0	0.	.0001	.0	.0	.001	.01	0
968	1500	0	3		.0	0.	.0001	.0	.0	.001	.01	0
969	1500	0	3		.0	0.	.0001	.0	.0	.001	.01	0
999	1500	0	3		.0	0.	.0001	.0	.0	.001	.01	0
711	712	0	4	CHANNEL	5.0	1815.	.0120	3.0	3.0	.044	3.00	0
				OVERFLOW	23.0	1815.	.0120	20.0	20.0	.056	10.00	
723	968	0	4	CHANNEL	8.0	1925.	.0050	3.0	3.0	.020	.50	0
				OVERFLOW	11.0	1925.	.0050	20.0	20.0	.044	10.00	
1070	619	7	2	PIPE	.0	0.	.0001	.0	.0	.001	.01	0
		RESERVOIR STORAGE IN ACRE-FEET VS SPILLWAY OUTFLOW										
		.0	.0	2.0 60.0	13.0	120.0	32.0	180.0	44.0	215.0	46.0	240.0
		55.0	470.0									

Table A9. UDSWM Basin and Conveyance Parameters, Outfall System

Boulder Creek Tributaries

GUTTER NUMBER	GUTTER CONNECTION	NDP	NP		WIDTH OR DIAM (FT)	LENGTH (FT)	INVERT SLOPE (FT/FT)	SIDE SLOPES HORIZ TO VERT L	R	OVERBANK/SURCHARGE MANNING N	DEPTH (FT)	JK
1071	150	7	2	PIPE	.0	0.	.0001	.0	.0	.001	.01	0
		RESERVOIR STORAGE IN ACRE-FEET VS SPILLWAY OUTFLOW										
		.0	.0	1.0 40.0	3.0	80.0	8.0	120.0	15.0	160.0	24.5	200.0
		26.0	240.0									
1060	750	17	3		.0	0.	.0001	.0	.0	.001	.01	-1
		TIME IN HRS VS INFLOW IN CFS										
		.0	.0	.4 1.2	.5	58.6	.8	646.5	1.0	1240.4	1.2	1421.0
		1.3	1439.7	1.3 1414.2	1.8	1071.6	2.0	856.3	2.5	557.3	3.0	365.2
		3.5	239.4	4.0 157.0	5.0	67.5	6.0	29.0	8.0	.0		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492600
492700
492800
492900
493000
493100
493200
493300
493400
493500
493600
493700
4433900
4433800
4433700
4433600
4433500
4433400
4433300
4433200
4433100
4433000
JASPER RD
JUNIPER CT
JADE CT
UNION PACIFIC RR
DOBBINS RUN DR
RANDOM WAY
RANDOM CT
N 119TH ST
Lv
AcB
AcC
MdD
HaD
Lower Boulder Ditch
Leyni Colonwd 1 Ditch
N
Meters
0 50 100 200 300
Feet
0 300 600 1,200 1,800

MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Map Units

Special Point Features

Blowout

Borrow Pit

Clay Spot

Closed Depression

Gravel Pit

Gravelly Spot

Landfill

Lava Flow

Marsh

Mine or Quarry

Miscellaneous Water

Perennial Water

Rock Outcrop

Saline Spot

Sandy Spot

Severely Eroded Spot

Sinkhole

Slide or Slip

Sodic Spot

Spoil Area

Stony Spot

Very Stony Spot

Wet Spot

Other

Special Line Features

Gully

Short Steep Slope

Other

Political Features

Municipalities

Cities

Urban Areas

Water Features

Oceans

Streams and Canals

Transportation

Rails

Roads

Interstate Highways

US Routes

State Highways

Local Roads

Other Roads

MAP INFORMATION

Original soil survey map sheets were prepared at publication scale. Viewing scale and printing scale, however, may vary from the original. Please rely on the bar scale on each map sheet for proper map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: UTM Zone 13N

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Boulder County Area, Colorado
Survey Area Data: Version 7, Jan 15, 2008

Date(s) aerial images were photographed: 1993

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Boulder County Area, Colorado (CO643)			
Map Unit Symbol	**Map Unit Name**	**Acres in AOI**	**Percent of AOI**
AcB	Ascalon sandy loam, 1 to 3 percent slopes	74.3	42.4%
AcC	Ascalon sandy loam, 3 to 5 percent slopes	47.5	27.1%
HaD	Hargreave fine sandy loam, 3 to 9 percent slopes	0.2	0.1%
Lv	Loveland soils	5.7	3.3%
MdD	Manter sandy loam, 3 to 9 percent slopes	47.5	27.1%
Totals for Area of Interest (AOI)		175.2	100.0%

MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Map Units

Special Point Features

Blowout

Borrow Pit

Clay Spot

Closed Depression

Gravel Pit

Gravelly Spot

Landfill

Lava Flow

Marsh or swamp

Mine or Quarry

Miscellaneous Water

Perennial Water

Rock Outcrop

Saline Spot

Sandy Spot

Severely Eroded Spot

Sinkhole

Slide or Slip

Sodic Spot

Spoil Area

Stony Spot

Very Stony Spot

Wet Spot

Other

Special Line Features

Gully

Short Steep Slope

Other

Political Features

Cities

Transportation

Rails

Interstate Highways

US Routes

Major Roads

Local Roads

MAP INFORMATION

Map Scale: 1:6,570 if printed on A size (8.5" × 11") sheet.

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: UTM Zone 13N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Boulder County Area, Colorado
Survey Area Data: Version 9, May 1, 2009

Date(s) aerial images were photographed: 8/6/2005

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Boulder County Area, Colorado (CO643)			
Map Unit Symbol	**Map Unit Name**	**Acres in AOI**	**Percent of AOI**
AcB	Ascalon sandy loam, 1 to 3 percent slopes	95.3	48.3%
AcC	Ascalon sandy loam, 3 to 5 percent slopes	50.7	25.6%
Lv	Loveland soils	5.7	2.9%
MdD	Manter sandy loam, 3 to 9 percent slopes	45.8	23.2%
Totals for Area of Interest		**197.6**	**100.0%**

RUSLE2 Related Attributes

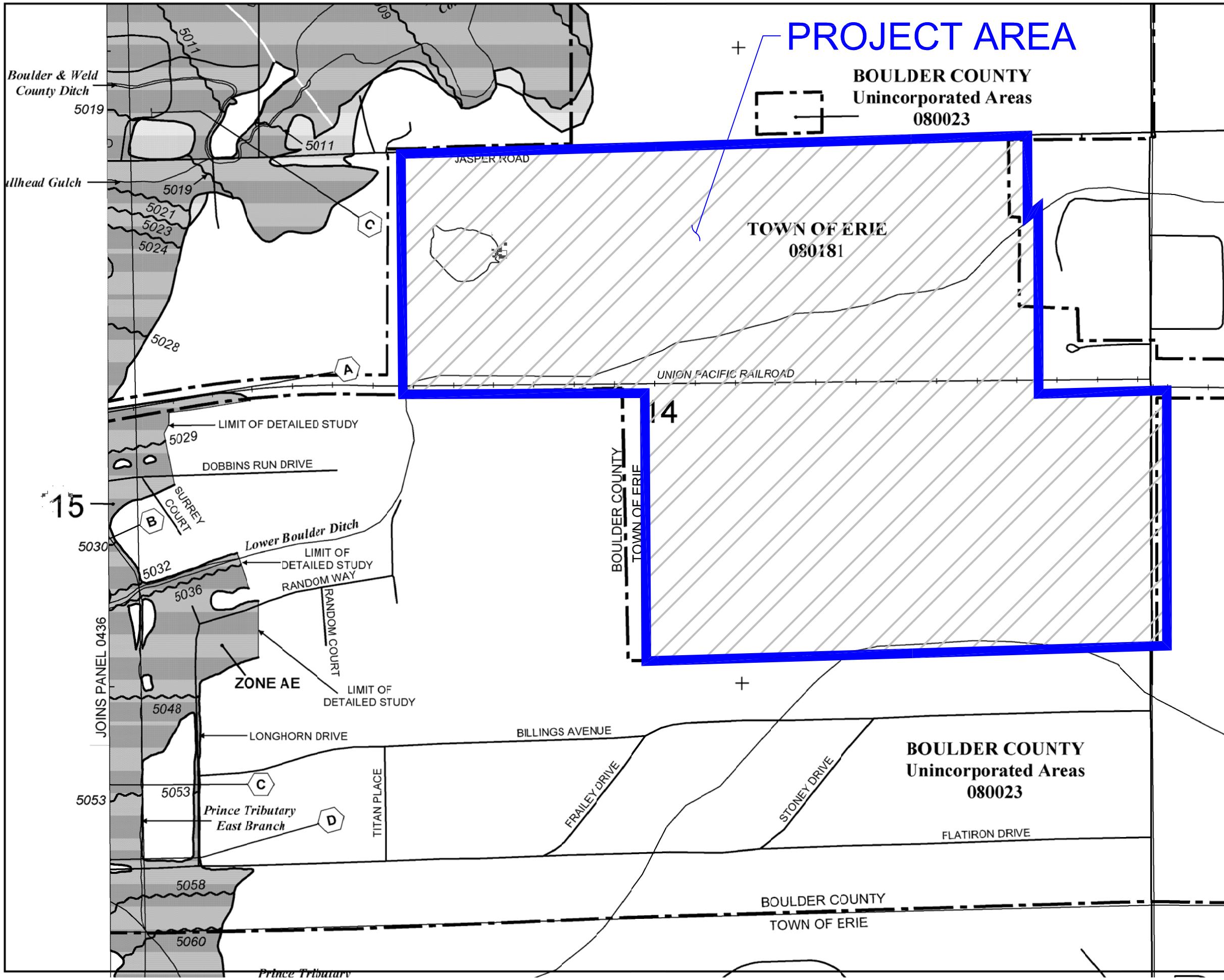
This report summarizes those soil attributes used by the Revised Universal Soil Loss Equation Version 2 (RUSLE2) for the map units in the selected area. The report includes the map unit symbol, the component name, and the percent of the component in the map unit. Soil property data for each map unit component include the hydrologic soil group, erosion factors Kf for the surface horizon, erosion factor T, and the representative percentage of sand, silt, and clay in the surface horizon.

Report—RUSLE2 Related Attributes

RUSLE2 Related Attributes– Boulder County Area, Colorado								
Map symbol and soil name	Pct. of map unit	Slope length (ft)	Hydrologic group	Kf	T factor	Representative value		
						% Sand	% Silt	% Clay
AcB—Ascalon sandy loam, 1 to 3 percent slopes								
Ascalon	90	—	B	.24	5	66.6	23.4	10.0
AcC—Ascalon sandy loam, 3 to 5 percent slopes								
Ascalon	90	—	B	.24	5	66.6	23.4	10.0
Lv—Loveland soils								
Loveland	85	—	C	.20	3	33.3	31.7	35.0
MdD—Manter sandy loam, 3 to 9 percent slopes								
Manter	85	—	B	.20	5	65.9	19.1	15.0

Data Source Information

Soil Survey Area: Boulder County Area, Colorado
Survey Area Data: Version 9, May 1, 2009



MAP SCALE 1" = 500'

250 0 500 1000 FEET

METER

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0437J

FIRM

FLOOD INSURANCE RATE MAP

BOULDER COUNTY, COLORADO

AND INCORPORATED AREAS

PANEL 437 OF 615

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
BOULDER COUNTY	080023	0437	J
ERIE, TOWN OF	080181	0437	J

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
08013C0437J

MAP REVISED
DECEMBER 18, 2012

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

TABLE 800-3

RUNOFF COEFFICIENTS (C) FOR RATIONAL METHOD

		FREQUENCY			
LAND USE OR SURFACE CHARACTERISTICS	PERCENT IMPERVIOUS	2	5	10	100
Business					
Commercial Areas	95	.87	.87	.88	.89
Neighborhood Areas	70	.60	.65	.70	.80
Residential					
Single-Family	*	.40	.45	.50	.60
Multi-Unit (detached)	50	.45	.50	.60	.70
Multi-Unit (attached)	70	.60	.65	.70	.80
1/2 Acre Lot or Larger	*	.30	.35	.40	.60
Apartments	70	.65	.70	.70	.80
Industrial					
Light Areas	80	.71	.72	.76	.82
Heavy Areas	90	.80	.80	.85	.90
Parks, Cemeteries	7	.10	.18	.25	.45
Playgrounds	13	.15	.20	.30	.50
Schools	50	.45	.50	.60	.70
Railroad Yard Areas	20	.20	.25	.35	.45
Undeveloped Areas					
Historic Flow Analysis	2	(See "Lawns")			
Greenbelts, Agricultural					
Offsite Flow Analysis					
(when land use not defined)	45	.43	.47	.55	.65
Streets					
Paved	100	.87	.88	.90	.93
Gravel	40	.40	.45	.50	.60
Drives and Walks	96	.87	.87	.88	.89
Roofs	90	.80	.85	.90	.90
Lawns, Sandy Soil	0	.00	.01	.05	.20
Lawns, Clay Soil	0	.05	.15	.25	.50

Note: These Rational Formula coefficients may not be valid for large basins.

* Refer to Urban Storm Drainage Criteria Manual for percent impervious values.

813.06 Rainfall Intensities

The rainfall intensities to be used in the computation of runoff using the Rational Method shall be obtained from the Rainfall Intensity Duration Curves for the Town of Erie, included in these STANDARDS AND SPECIFICATIONS.

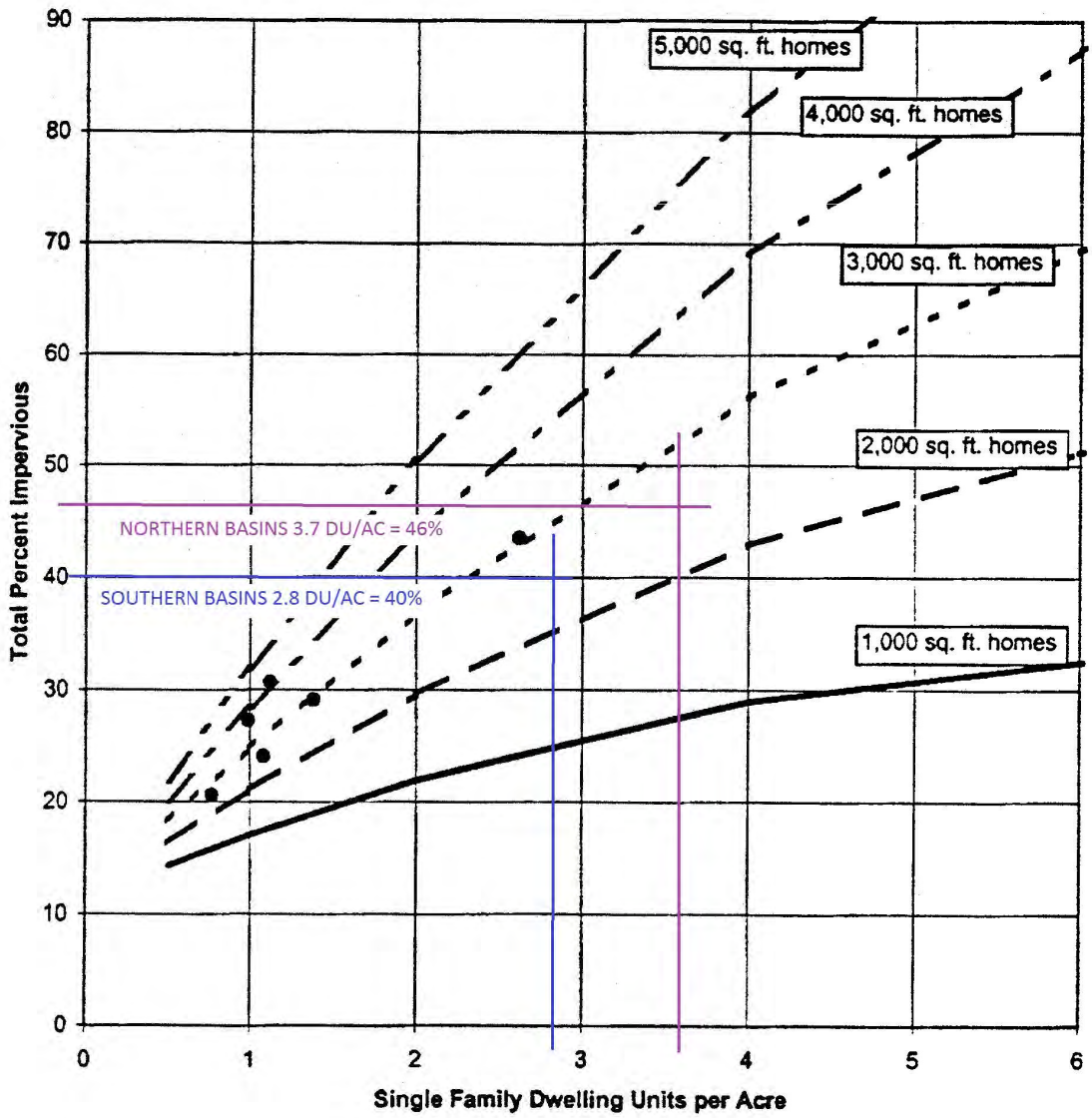


Figure RO-3— Watershed Imperviousness, Single-Family Residential Ranch Style Houses

COMPOSITE BASIN COEFFICIENTS

Subdivision Wise Farms Subdivision
Location Erie, CO

Project Name: Wise Farms
Project No. 8.13.0230801
Calculated By: JJC
Checked By: JJC
Date: 4/23/2014

Assumes All Soils Are Type B Hydrologic Group

Basin 110	**7.44**	**acres**									
Land Use	Imp.	C_2	C_5	C_{10}	C_{100}	Area	% Imp.	% C_2	% C_5	% C_{10}	% C_{100}
Rear yard	10	0.06	0.14	0.22	0.40	2.40	3	0.02	0.04	0.07	0.13
Open Space	5	0.04	0.10	0.19	0.38	5.05	3	0.03	0.07	0.13	0.26
Right-of-Way South	85	0.63	0.66	0.69	0.75	0.00	0	0.00	0.00	0.00	0.00
TOTAL						**7.44**	**7**	**0.04**	**0.11**	**0.20**	**0.39**

Basin 115	**21.69**	**acres**									
Land Use	Imp.	C_2	C_5	C_{10}	C_{100}	Area	% Imp.	% C_2	% C_5	% C_{10}	% C_{100}
Roof - South	95	0.79	0.81	0.83	0.88	1.45	6	0.05	0.05	0.06	0.06
Frontage	50	0.29	0.35	0.40	0.52	2.17	5	0.03	0.03	0.04	0.05
Rear yard	10	0.06	0.14	0.22	0.40	10.91	5	0.03	0.07	0.11	0.20
Industrial	80	0.71	0.72	0.76	0.82	0.51	2	0.02	0.02	0.02	0.02
Open Space	5	0.04	0.10	0.19	0.38	2.92	1	0.01	0.01	0.03	0.05
Right-of-Way South	85	0.63	0.66	0.69	0.75	3.74	15	0.11	0.11	0.12	0.13
TOTAL						**21.69**	**34**	**0.24**	**0.30**	**0.37**	**0.51**

Basin 120	**30.67**	**acres**									
Land Use	Imp.	C_2	C_5	C_{10}	C_{100}	Area	% Imp.	% C_2	% C_5	% C_{10}	% C_{100}
Roof - South	95	0.79	0.81	0.83	0.88	2.58	8	0.07	0.07	0.07	0.07
Frontage	50	0.29	0.35	0.40	0.52	3.87	6	0.04	0.04	0.05	0.07
Rear yard	10	0.06	0.14	0.22	0.40	15.52	5	0.03	0.07	0.11	0.20
Industrial	80	0.71	0.72	0.76	0.82	2.22	6	0.05	0.05	0.06	0.06
Offsite - South	45	0.26	0.32	0.38	0.51	2.32	3	0.02	0.02	0.03	0.04
Open Space	5	0.04	0.10	0.19	0.38	0.75	0	0.00	0.00	0.00	0.01
Right-of-Way South	85	0.63	0.66	0.69	0.75	3.40	9	0.07	0.07	0.08	0.08
TOTAL						**30.67**	**38**	**0.27**	**0.33**	**0.40**	**0.53**

COMPOSITE BASIN COEFFICIENTS

Subdivision Wise Farms Subdivision
Location Erie, CO

Project Name: Wise Farms
Project No. 8.13.0230801
Calculated By: JJC
Checked By: JJC
Date: 4/23/2014

Assumes All Soils Are Type B Hydrologic Group

Basin 130 **15.88** **acres**

Land Use	Imp.	C_2	C_5	C_{10}	C_{100}	Area	% Imp.	% C_2	% C_5	% C_{10}	% C_{100}
Roof - South	95	0.79	0.81	0.83	0.88	0.00	0	0.00	0.00	0.00	0.00
Frontage	50	0.29	0.35	0.40	0.52	0.00	0	0.00	0.00	0.00	0.00
Rear yard	10	0.06	0.14	0.22	0.40	5.90	4	0.02	0.05	0.08	0.15
Industrial	80	0.71	0.72	0.76	0.82	0.00	0	0.00	0.00	0.00	0.00
Paved	100	0.89	0.90	0.92	0.96	0.80	5	0.04	0.05	0.05	0.05
Open Space	5	0.04	0.10	0.19	0.38	9.17	3	0.02	0.06	0.11	0.22
Right-of-Way South	85	0.63	0.66	0.69	0.75	0.00	0	0.00	0.00	0.00	0.00
TOTAL						**15.88**	**12**	**0.09**	**0.15**	**0.24**	**0.42**

Basin 140 **8.91** **acres**

Land Use	Imp.	C_2	C_5	C_{10}	C_{100}	Area	% Imp.	% C_2	% C_5	% C_{10}	% C_{100}
Residential	49	0.45	0.50	0.60	0.70	4.79	26	0.24	0.27	0.32	0.38
Open Space	5	0.05	0.15	0.25	0.50	3.80	2	0.02	0.06	0.11	0.21
Right-of-Way	100	0.87	0.88	0.90	0.93	0.32	4	0.03	0.03	0.03	0.03
TOTAL						**8.91**	**32**	**0.29**	**0.36**	**0.46**	**0.62**

Basin 145 **8.84** **acres**

Land Use	Imp.	C_2	C_5	C_{10}	C_{100}	Area	% Imp.	% C_2	% C_5	% C_{10}	% C_{100}
Residential	49	0.45	0.50	0.60	0.70	4.38	24	0.22	0.25	0.30	0.35
Open Space	5	0.05	0.15	0.25	0.50	4.17	2	0.02	0.07	0.12	0.24
Right-of-Way	100	0.87	0.88	0.90	0.93	0.29	3	0.03	0.03	0.03	0.03
TOTAL						**8.84**	**30**	**0.27**	**0.35**	**0.44**	**0.61**

COMPOSITE BASIN COEFFICIENTS

Subdivision Wise Farms Subdivision
Location Erie, CO

Project Name: Wise Farms
Project No. 8.13.0230801
Calculated By: JJC
Checked By: JJC
Date: 4/23/2014

Assumes All Soils Are Type B Hydrologic Group

Basin 150	**28.32**	**acres**									
Land Use	Imp.	C_2	C_5	C_{10}	C_{100}	Area	% Imp.	% C_2	% C_5	% C_{10}	% C_{100}
Residential	49	0.45	0.50	0.60	0.70	19.50	34	0.31	0.34	0.41	0.48
Open Space	5	0.05	0.15	0.25	0.50	7.27	1	0.01	0.04	0.06	0.13
Right-of-Way	100	0.87	0.88	0.90	0.93	1.55	5	0.05	0.05	0.05	0.05
TOTAL						**28.32**	**40**	**0.37**	**0.43**	**0.53**	**0.66**

Basin 160	**3.74**	**acres**									
Land Use	Imp.	C_2	C_5	C_{10}	C_{100}	Area	% Imp.	% C_2	% C_5	% C_{10}	% C_{100}
Residential	49	0.45	0.50	0.60	0.70	0.48	6	0.06	0.06	0.08	0.09
Open Space	5	0.05	0.15	0.25	0.50	2.58	3	0.03	0.10	0.17	0.34
Right-of-Way	100	0.87	0.88	0.90	0.93	0.69	18	0.16	0.16	0.17	0.17
TOTAL						**3.74**	**28**	**0.25**	**0.33**	**0.41**	**0.60**

BASIN SUMMARY
POND SUMMARY

Subdivision Wise Farms Subdivision
Location Erie, CO

Project Name: Wise Farms
Project No. 8.13.0230801
Calculated By: ILG
Checked By: JJC
Date: 4/23/2014

Assumes All Soils Are Type B Hydrologic Group
For HSG B: EURVB=(0.1178i-0.0042)*Area

$$V_i = K_i A \qquad \text{(SO-1)}$$

$$K_{100} = \frac{(1.78\,I - 0.002\,I^2 - 3.56)}{900} \qquad \text{(SO-2)}$$

BASIN	AREA (ACRE)	Imperviousness (%)	$EURV_B$	100-YEAR VOLUME			100-YEAR RELEASE RATE (CFS)
				V=KA (AC-FT)	SWMM5	V100+1/2 EURV (AC-FT)	
NORTH		**PROPOSED**					
140	8.9	32					
145	8.8	30					
150	28.3	40					
POND 370	46.1	37	1.80	3.03	4.07	**4.97**	46.1
SOUTH		**FUTURE**					
110	7.4	7					
115	21.7	34					
120	30.7	38					
POND 340	59.8	33	2.04	3.47	2.46	**3.48**	59.8
NORTH		**FUTURE**					
140	8.9	32					
145	8.8	30					
150	28.3	40					
POND 370	46.1	37	1.80	3.03	6.57	**7.47**	105.9
TOTAL	105.9	34					105.9

POND 340 IS DESIGNED AS 1.96 AC-FT WITH A RELEASE RATE OF 97 CFS
TO MAX OUT THE AREA PROIVDED. POND 370 OVERDETAINS TO ACCOMMODATE.

POND 340 VOLUME
STAGE-STORAGE DESIGN

Subdivision Wise Farms Subdivision
Location Erie, CO

Project Name: Wise Farms
Project No. 8.13.0230801
By: JLR
Checked By: JJC
Date: 7/31/2014

Volume=1/3 x Depth x (A+B+(A*B)^0.5)
A - Upper Surface
B - Lower Surface

Elevation	Surface Area (square feet)	A+B+(A*B)^0.5	1/3	Depth (feet)	Volume (cubic feet)	CumulativeVolume (cubic feet)
5,031.0	0	0	0	0	0	0
5,032.0	1,829	1,829	610	1.0	610	610
5,033.0	4,400	9,064	3,021	1	3,021	3,631
5,034.0	8,964	19,644	6,548	1	6,548	10,179
5,035.0	11,234	30,233	10,078	1	10,078	20,257
5,036.0	13,881	37,602	12,534	1	12,534	32,791
5,037.0	17,624	47,146	15,715	1	15,715	48,506
5,038.0	22,125	59,496	19,832	1	19,832	68,338
5,039.0	25,868	71,916	23,972	1	23,972	92,310
5,040.0	29,791	83,418	27,806	1	27,806	120,116
5,041.0	33,880	95,441	31,814	1	31,814	151,930
5,042.0	38,569	108,598	36,199	1	36,199	188,129

	PROPOSED EURV @	5,038.86	FOR	2.04	ACRE-FEET
0.893847567	PROPOSED 100 YR + 1/2 EURV @	5,040.99	FOR	3.48	ACRE-FEET

POND 370 VOLUME
STAGE-STORAGE DESIGN

Subdivision Wise Farms Subdivision
Location Erie, CO

Project Name: Wise Farms
Project No. 8.13.0230801
By: JLR
Checked By: JJC
Date: 7/31/2014

Volume=1/3 x Depth x (A+B+(A*B)^0.5)
A - Upper Surface
B - Lower Surface

Elevation	Surface Area (square feet)	A+B+(A*B)^0.5	1/3	Depth (feet)	Volume (cubic feet)	CumulativeVolume (cubic feet)
5,013.7	0	0	0	0	0	0
5,014.0	929	929	310	0.3	93	93
5,015.0	25,372	31,156	10,385	1	10,385	10,478
5,016.0	61,583	126,483	42,161	1	42,161	52,639
5,017.0	75,175	204,798	68,266	1.0	68,266	120,905
5,018.0	88,867	245,776	81,925	1	81,925	202,831
5,019.0	103,376	288,090	96,030	1	96,030	298,861
5,020.0	103,376	310,128	103,376	1	103,376	402,236

PROPOSED EURV @	5,016.38	FOR	1.80	ACRE-FEET
PROPOSED 100 YR + 1/2 EURV @	5,019.26	FOR	7.47	ACRE-FEET

Design Procedure Form: Rain Garden (RG)

Sheet 1 of 2

Designer:	J. Tann
Company:	BMP, Inc.
Date:	November 24, 2010
Project:	Shops at 56th
Location:	NW corner of 56th Ave. and 27th St.

1. Basin Storage Volume	
A) Effective Imperviousness of Tributary Area, I_a (100% if all paved and roofed areas upstream of rain garden)	I_a = 95.0 %
B) Tributary Area's Imperviousness Ratio ($i = I_a/100$)	i = 0.950
C) Water Quality Capture Volume (WQCV) for a 12-hour Drain Time ($WQCV= 0.8 * (0.91* i^3 - 1.19 * i^2 + 0.78 * i)$)	WQCV = 0.36 watershed inches
D) Contributing Watershed Area (including rain garden area)	Area = 32,000 sq ft
E) Water Quality Capture Volume (WQCV) Design Volume Vol = (WQCV / 12) * Area	V_{WQCV} = 954 cu ft
F) For Watersheds Outside of the Denver Region, Depth of Average Runoff Producing Storm	d_6 = _____ in
G) For Watersheds Outside of the Denver Region, Water Quality Capture Volume (WQCV) Design Volume	$V_{WQCV\ OTHER}$ = _____ cu ft
H) User Input of Water Quality Capture Volume (WQCV) Design Volume (Only if a different WQCV Design Volume is desired)	$V_{WQCV\ USER}$ = _____ cu ft
2. Basin Geometry	
A) WQCV Depth (12-inch maximum)	D_{WQCV} = 12 in
B) Rain Garden Side Slopes (Z = 4 min., horiz. dist per unit vertical) (Use "0" if rain garden has vertical walls)	Z = 0.00 ft / ft
C) Mimimum Flat Surface Area	A_{Min} = 636 sq ft
D) Actual Flat Surface Area	A_{Actual} = 955 sq ft
E) Area at Design Depth (Top Surface Area)	A_{Top} = 955 sq ft
F) Rain Garden Total Volume ($V_T= ((A_{Top} + A_{Actual}) / 2) * Depth$)	V_T= 955 cu ft
3. Growing Media	Choose One: (●) 18" Rain Garden Growing Media; ( ) Other (Explain):
4. Underdrain System	
A) Are underdrains provided?	Choose One: (●) YES; ( ) NO
B) Underdrain system orifice diameter for 12 hour drain time	
i) Distance From Lowest Elevation of the Storage Volume to the Center of the Orifice	y = 2.7 ft
ii) Volume to Drain in 12 Hours	Vol_{12} = 954 cu ft
iii) Orifice Diameter, 3/8" Minimum	D_O = 0.67 in

Design Procedure Form: Rain Garden (RG)

Sheet 2 of 2

Designer:	J. Tann
Company:	BMP, Inc.
Date:	November 24, 2010
Project:	Shops at 56th
Location:	NW corner of 56th Ave. and 27th St.

5. Impermeable Geomembrane Liner and Geotextile Separator Fabric A) Is an impermeable liner provided due to proximity of structures or groundwater contamination?	Choose One ○ YES ○ NO
6. Inlet / Outlet Control A) Inlet Control	Choose One ○ Sheet Flow- No Energy Dissipation Required ● Concentrated Flow- Energy Dissipation Provided
7. Vegetation	Choose One ● Seed (Plan for frequent weed control) ○ Plantings ○ Sand Grown or Other High Infiltration Sod
8. Irrigation A) Will the rain garden be irrigated?	Choose One ● YES ○ NO NO SPRINKLER HEADS ON THE FLAT SURFACE

Notes:

References

Erickson, Andy. 2009. Field Applications of Enhanced Sand Filtration. University of Minnesota *Stormwater Management Practice Assessment Project Update*. http://wrc.umn.edu.

Guo, James C.Y., PhD, Anu Ramaswami, PhD, and Shauna M. Kocman, PhD Candidate. 2010. *Sustainable Design of Urban Porous Landscape Detention Basin.* University of Colorado Denver

Mazzerolle, Marc J. 2002. *Detrimental Effects of Peat Mining on Amphibian Abundance and Species Richness in Bogs.* Elsevier Science Limited.

Design Procedure Form: Rain Garden (RG)

Designer:	**JJC**
Company:	**CVL Consultants, Inc.**
Date:	**April 11, 2014**
Project:	**Wise Farms - East Jasper Access - SWMM Basin 160**
Location:	**Erie, CO**

1. Basin Storage Volume	
A) Effective Imperviousness of Tributary Area, I_a (100% if all paved and roofed areas upstream of rain garden)	I_a = 25.2 %
B) Tributary Area's Imperviousness Ratio ($i = I_a/100$)	i = 0.252
C) Water Quality Capture Volume (WQCV) for a 12-hour Drain Time ($WQCV = 0.8 * (0.91 * i^3 - 1.19 * i^2 + 0.78 * i)$)	WQCV = 0.11 watershed inches
D) Contributing Watershed Area (including rain garden area)	Area = 143,636 sq ft
E) Water Quality Capture Volume (WQCV) Design Volume Vol = (WQCV / 12) * Area	V_{WQCV} = 1,299 cu ft
F) For Watersheds Outside of the Denver Region, Depth of Average Runoff Producing Storm	d_6 = _____ in
G) For Watersheds Outside of the Denver Region, Water Quality Capture Volume (WQCV) Design Volume	$V_{WQCV\ OTHER}$ = _____ cu ft
H) User Input of Water Quality Capture Volume (WQCV) Design Volume (Only if a different WQCV Design Volume is desired)	$V_{WQCV\ USER}$ = _____ cu ft
2. Basin Geometry	
A) WQCV Depth (12-inch maximum)	D_{WQCV} = 12 in
B) Rain Garden Side Slopes (Z = 4 min., horiz. dist per unit vertical) (Use "0" if rain garden has vertical walls)	Z = 4.00 ft / ft
C) Mimimum Flat Surface Area	A_{Min} = 866 sq ft
D) Actual Flat Surface Area	A_{Actual} = 1024 sq ft
E) Area at Design Depth (Top Surface Area)	A_{Top} = 1600 sq ft
F) Rain Garden Total Volume ($V_T = ((A_{Top} + A_{Actual}) / 2) * Depth$)	V_T= 1,312 cu ft
3. Growing Media	Choose One ○ 18" Rain Garden Growing Media ○ Other (Explain):
4. Underdrain System	Choose One
A) Are underdrains provided?	○ YES ◉ NO
B) Underdrain system orifice diameter for 12 hour drain time	
i) Distance From Lowest Elevation of the Storage Volume to the Center of the Orifice	y = N/A ft
ii) Volume to Drain in 12 Hours	Vol_{12} = N/A cu ft
iii) Orifice Diameter, 3/8" Minimum	D_O = N/A in

Design Procedure Form: Rain Garden (RG)

Designer: JJC
Company: CVL Consultants, Inc.
Date: April 11, 2014
Project: Wise Farms - East Jasper Access - SWMM Basin 160
Location: Erie, CO

5. Impermeable Geomembrane Liner and Geotextile Separator Fabric A) Is an impermeable liner provided due to proximity of structures or groundwater contamination?	Choose One ○ YES ◉ NO
6. Inlet / Outlet Control A) Inlet Control	Choose One ○ Sheet Flow- No Energy Dissipation Required ○ Concentrated Flow- Energy Dissipation Provided
7. Vegetation	Choose One ○ Seed (Plan for frequent weed control) ○ Plantings ○ Sand Grown or Other High Infiltration Sod
8. Irrigation A) Will the rain garden be irrigated?	Choose One ○ YES ○ NO

Notes:

Description

A BMP that utilizes bioretention is an engineered, depressed landscape area designed to capture and filter or infiltrate the water quality capture volume (WQCV). BMPs that utilize bioretention are frequently referred to as rain gardens or porous landscape detention areas (PLDs). The term PLD is common in the Denver metropolitan area as this manual first published the BMP by this name in 1999. In an effort to be consistent with terms most prevalent in the stormwater industry, this document generally refers to the treatment process as *bioretention* and to the BMP as a *rain garden*.

Photograph B-1. This recently constructed rain garden provides bioretention of pollutants, as well as an attractive amenity for a residential building. Treatment should improve as vegetation matures.

The design of a rain garden may provide detention for events exceeding that of the WQCV. There are generally two ways to achieve this. The design can provide the flood control volume above the WQCV water surface elevation, with flows bypassing the filter usually by overtopping into an inlet designed to restrict the peak flow for a larger event (or events). Alternatively, the design can provide and slowly release the flood control volume in an area downstream of one or more rain gardens.

This infiltrating BMP requires consultation with a geotechnical engineer when proposed near a structure. A geotechnical engineer can assist with evaluating the suitability of soils, identifying potential impacts, and establishing minimum distances between the BMP and structures.

Bioretention (Rain Garden)	
Functions	
LID/Volume Red.	Yes
WQCV Capture	Yes
WQCV+Flood Control	Yes
Fact Sheet Includes EURV Guidance	No
Typical Effectiveness for Targeted Pollutants[3]	
Sediment/Solids	Very Good[1]
Nutrients	Moderate
Total Metals	Good
Bacteria	Moderate
Other Considerations	
Life-cycle Costs[4]	Moderate

[1] Not recommended for watersheds with high sediment yields (unless pretreatment is provided).

[3] Based primarily on data from the International Stormwater BMP Database (www.bmpdatabase.org).

[4] Based primarily on BMP-REALCOST available at www.udfcd.org. Analysis based on a single installation (not based on the maximum recommended watershed tributary to each BMP).

Terminology

The term *bioretention* refers to the treatment process although it is also frequently used to describe a BMP that provides biological uptake and retention of the pollutants found in stormwater runoff. This BMP is frequently referred to as a *porous landscape detention (PLD) area* or *rain garden*.

Benefits

- Bioretention uses multiple treatment processes to remove pollutants, including sedimentation, filtering, adsorption, evapotranspiration, and biological uptake of constituents.
- Volumetric stormwater treatment is provided within portions of a site that are already reserved for landscaping.
- There is a potential reduction of irrigation requirements by taking advantage of site runoff.

Limitations

- Additional design and construction steps are required for placement of any ponding or infiltration area near or upgradient from a building foundation and/or when expansive (low to high swell) soils exist. This is discussed in the design procedure section.
- In developing or otherwise erosive watersheds, high sediment loads can clog the facility.

Site Selection

Bioretention can be provided in a variety of areas within new developments, or as a retrofit within an existing site. This BMP allows the WQCV to be treated within areas designated for landscape (see design step 7 for appropriate vegetation). In this way, it is an excellent alternative to extended detention basins for small sites. A typical rain garden serves a tributary area of one impervious acre or less, although they can be designed for larger tributary areas. Multiple installations can be used within larger sites. Rain gardens should not be used when a baseflow is anticipated. They are typically small and installed in locations such as:

- Parking lot islands
- Street medians
- Landscape areas between the road and a detached walk
- Planter boxes that collect roof drains

Bioretention requires a stable watershed. Retrofit applications are typically successful for this reason. When the watershed includes phased construction, sparsely vegetated areas, or steep slopes in sandy soils, consider another BMP or provide pretreatment before runoff from these areas reaches the rain garden. The surface of the rain garden should be flat. For this reason, rain gardens can be more difficult to incorporate into steeply sloping terrain; however, terraced applications of these facilities have been successful in other parts of the country.

When bioretention (and other BMPs used for infiltration) are located adjacent to buildings or pavement areas, protective measures should be implemented to avoid adverse impacts to these structures. Oversaturated subgrade soil underlying a structure can cause the structure to settle or result in moisture-related problems. Wetting of expansive soils or bedrock can cause swelling, resulting in structural movements. A geotechnical engineer should evaluate the potential impact of the BMP on adjacent structures based on an evaluation of the subgrade soil, groundwater, and bedrock conditions at the site. Additional minimum requirements include:

- In locations where subgrade soils do not allow infiltration, the growing medium should be underlain by an underdrain system.
- Where infiltration can adversely impact adjacent structures, the filter layer should be underlain by an underdrain system designed to divert water away from the structure.
- In locations where potentially expansive soils or bedrock exist, placement of a rain garden adjacent to structures and pavement should only be considered if the BMP includes an underdrain designed to divert water away from the structure and is lined with an essentially impermeable geomembrane liner designed to restrict seepage.

Designing for Maintenance

Recommended maintenance practices for all BMPs are in Chapter 6 of this manual. During design, the following should be considered to ensure ease of maintenance over the long-term:

- Do not put a filter sock on the underdrain. This is not necessary and can cause the BMP to clog.
- The best surface cover for a rain garden is full vegetation. Do not use rock mulch within the rain garden because sediment build-up on rock mulch tends to inhibit infiltration and require frequent cleaning or removal and replacement. Wood mulch handles sediment build-up better than rock mulch; however, wood mulch floats and may clog the overflow depending on the configuration of the outlet, settle unevenly, or be transported downstream. Some municipalities may not allow wood mulch for this reason.
- Consider all potential maintenance requirements such as mowing (if applicable) and replacement of the growing medium. Consider the method and equipment for each task required. For example, in a large rain garden where the use of hand tools is not feasible, does the shape and configuration of the rain garden allow for removal of the growing medium using a backhoe?
- Provide pre-treatment when it will reduce the extent and frequency of maintenance necessary to maintain function over the life of the BMP. For example, if the site is larger than 2 impervious acres, prone to debris or the use of sand for ice control, consider a small forebay.
- Make the rain garden as shallow as possible. Increasing the depth unnecessarily can create erosive side slopes and complicate maintenance. Shallow rain gardens are also more attractive.
- Design and adjust the irrigation system (temporary or permanent) to provide appropriate water for the establishment and maintenance of selected vegetation.

Is Pretreatment Needed

Designing the inflow gutter to the rain garden at a minimal slope of 0.5% can facilitate sediment and debris deposition prior to flows entering the BMP. Be aware, this will reduce maintenance of the BMP, but may require more frequent sweeping of the gutter to ensure that the sediment does not impede flow into the rain garden.

Design Procedure and Criteria

The following steps outline the design procedure and criteria, with Figure B-1 providing a corresponding cross-section.

1. **Basin Storage Volume**: Provide a storage volume based on a 12-hour drain time.
   - Find the required WQCV (watershed inches of runoff). Using the imperviousness of the tributary area (or effective imperviousness where LID elements are used upstream), use Figure 3-2 located in Chapter 3 of this manual to determine the WQCV based on a 12-hour drain time.
   - Calculate the design volume as follows:

$$V = \left[\frac{\text{WQCV}}{12}\right] A \qquad \text{Equation B-1}$$

Where:

V= design volume (ft^3)

A = area of watershed tributary to the rain garden (ft^2)

2. **Basin Geometry:** A maximum WQCV ponding depth of 12 inches is recommended to maintain vegetation properly. Provide an inlet or other means of overflow at this elevation. Depending on the type of vegetation planted, a greater depth may be utilized to detain larger (more infrequent) events. The bottom surface of the rain garden, also referred to here as the filter area, should be flat. Sediment will reside on the filter area of the rain garden; therefore, if the filter area is too small, it may clog prematurely. Increasing the filter area will reduce clogging and decrease the frequency of maintenance. Equation B-2 provides a **minimum** filter area allowing for some of the volume to be stored beyond the area of the filter (i.e., above the sideslopes of the rain garden).

   Note that the total surcharge volume provided by the design must also equal or exceed the design volume. Use vertical walls or slope the sides of the basin to achieve the required volume. Use the rain garden growing medium described in design step 3 only on the filter area because this material is more erosive than typical site soils. Sideslopes should be no steeper than 4:1 (horizontal:vertical).

$$A \geq (2/3)\frac{\mathrm{V}}{1\ \mathrm{foot}} \qquad \text{Equation B-2}$$

   Where:

   V= design volume (ft^3)

   A = minimum filter area (flat surface area) (ft^2)

   The one-foot dimension in this equation represents the maximum recommended WQCV depth in the rain garden. The actual design depth may differ; however, it is still appropriate to use a value of one foot when calculating the minimum filter area.

3. **Growing Medium:** For partial and no infiltration sections, provide a minimum of 18 inches of growing medium to enable establishment of the roots of the vegetation (see Figure B-1). Previous versions of this manual recommended a mix of 85% sand and 15% peat (by volume). Peat is a material that typically requires import to Colorado and mining peat has detrimental impacts to the environment (Mazerolle 2002). UDFCD partnered with the University of Colorado to perform a study to find a sustainable material to replace peat. The study was successful in finding a replacement that performed well for filtering ability, clogging characteristics, as well as seed germination. This mixture consists of 85% coarse sand and a 15% compost/shredded paper mixture (by volume). The study used thin (approximately 1/4 inch) strips of loosely packed shredded paper mixed with an equal volume of compost. Based on conversations with local suppliers, compost

Benefits of Shredded Paper in Rain Garden Growing Media

- Shredded paper, similar to other woody materials, captures nutrients from the compost and slowly releases them as the paper decomposes. Compost alone will leach more nutrients than desired.
- As the paper decomposes, nutrients stored in the material are available to the vegetation.
- Paper temporarily slows the infiltration rate of the media and retains moisture, providing additional time for a young root system to benefit from moisture in the growing media.

containing shredded paper is not an uncommon request, although not typically provided in the proportions recommended in this BMP Fact Sheet. Compost suppliers have access to shredded paper through document destruction companies and can provide a mixture of Class 1 compost and shredded paper. The supplier should provide the rain garden compost mixture premixed with coarse sand. On-site mixing is not recommended.

Rain Garden Compost Mixture (by volume)

- 50% Class 1 STA registered compost (approximate bulk density 1000 lbs/CY)
- 50% loosely packed shredded paper (approximate bulk density 50 to 100 lbs/CY)

When using diamond cut shredded paper or tightly packed paper, use the bulk densities provided to mix by weight.

Rain Garden Growing Medium

The supplier should premix the rain garden compost mixture (above) with coarse sand, in the following proportions, prior to delivery to the site:

- 15% rain garden compost mixture described above (by volume)
- 85% coarse sand (either Class C Filter Material per Table B-2 or sand meeting ASTM C-33) (by volume)

Table B-1 provides detailed information on Class 1 compost. Be aware, regular testing is not required to allow a compost supplier to refer to a product as a specific STA class. However, regular testing is required and performed through the United States Compost Council (USCC) Seal of Testing Assurance (STA) Program to be a STA registered compost. To ensure Class 1 characteristics, look for a Class 1 STA registered compost.

Other Rain Garden Growing Medium Amendments

The growing medium described above is designed for filtration ability, clogging characteristics, and vegetative health. It is important to preserve the function provided by the rain garden growing medium when considering additional materials for incorporation into the growing medium or into the standard section shown in Figure B-1. When desired, amendments may be included to improve water quality or to benefit vegetative health as long as they do not add nutrients, pollutants, or modify the infiltration rate. For example, a number of products, including steel wool, capture and retain dissolved phosphorus (Erickson 2009). When phosphorus is a target pollutant, proprietary materials with similar characteristics may be considered. Do not include amendments such as top soil, sandy loam, and additional compost.

Full Infiltration Sections

A full infiltration section retains the WQCV onsite. For this section, it is not necessary to use the prescribed rain garden growing medium. Amend the soils to provide adequate nutrients to establish vegetation. Typically, 3 to 5 cubic yards of soil amendment (compost) per 1,000 square feet, tilled 6 inches into the soil, is required for vegetation to thrive. Additionally, inexpensive soil tests can be conducted to determine required soil amendments. (Some local governments may also require proof of soil amendment in landscaped areas for water conservation reasons.)

Table B-1. Class 1 Compost

Characteristic	**Criteria**
Minimum Stability Indicator (Respirometry)	Stable to Very Stable
Maturity Indicator Expressed as Ammonia N / Nitrate N Ratio	< 4
Maturity Indicator Expressed as Carbon to Nitrogen Ratio	< 12
Maturity Indicator Expressed as Percentage of Germination/Vigor	80+ / 80+
pH – Acceptable Range	6.0 – 8.4
Soluble Salts – Acceptable Range (1:5 by weight)	0 – 5 mmhos/cm
Testing and Test Report Submittal Requirement	Seal of Testing Assurance (STA)/Test Methods for the Examination of Composting and Compost (TMECC)
Chemical Contaminants	Equal or better than US EPA Class A Standard, 40 CFR 503.13, Tables 1 & 3 levels
Pathogens	Meet or exceed US EPA Class A standard, 40 CFR 503.32(a) levels

4. **Underdrain System**: Underdrains are often necessary and should be provided if infiltration tests show percolation drawdown rates slower than 2 times the rate needed to drain the WQCV over 12 hours, or where required to divert water away from structures as determined by a professional engineer. Percolation tests should be performed or supervised by a licensed professional engineer and conducted at a minimum depth equal to the bottom of the bioretention facility. Additionally, underdrains are required where impermeable membranes are used. Similar to the terminology used for permeable pavement sections, there are three basic sections for bioretention facilities:

   - **No-Infiltration Section:** This section includes an underdrain and an impermeable liner that does not allow for any infiltration of stormwater into the subgrade soils. It is appropriate to use a no-infiltration system when either of the following is true:

     - Land use or activities could contaminate groundwater when stormwater is allowed to infiltrate, or

     - The BMP is located over potentially expansive soils or bedrock and is adjacent (within 10 feet) to structures.

   - **Partial Infiltration Section:** This section does not include an impermeable liner and, therefore; allows for some infiltration. Stormwater that does not infiltrate will be collected and removed by an underdrain system.

- **Full Infiltration Section:** This section is designed to infiltrate all of the water stored into the subgrade below. Overflows are managed via perimeter drainage to a downstream conveyance element. UDFCD recommends a minimum infiltration rate of 2 times the rate needed to drain the WQCV over 12 hours.

When using an underdrain system, provide a control orifice sized to drain the design volume in 12 hours or more (see Equation B-3). Use a minimum orifice size of 3/8 inch to avoid clogging. This will provide detention and slow release of the WQCV, providing water quality benefits and reducing impacts to downstream channels. Space underdrain pipes a maximum of 20 feet on center. Provide cleanouts to enable maintenance of the underdrain. Cleanouts can also be used to conduct an inspection (by camera) of the underdrain system to

Important Design Considerations

The potential for impacts to adjacent buildings can be significantly reduced by locating the bioretention area at least 10 feet away from the building, beyond the limits of backfill placed against the building foundation walls, and by providing positive surface drainage away from the building.

The BMP should not restrict surface water from flowing away from the buildings. This can occur if the top of the perimeter wall for the BMP impedes flow away from the building.

Always adhere to the slope recommendations provided in the geotechnical report. In the absence of a geotechnical report, the following general recommendations should be followed for the first 10 feet from a building foundation.

1) Where feasible, provide a slope of 10% for a distance of 10 feet away from a building foundation.

2) In locations where non-expansive soil or bedrock conditions exist, the slope for the surface within 10 feet of the building should be at least 5% away from the building for unpaved (landscaped) surfaces.

3) In locations where potentially expansive soil or bedrock conditions exist, the design slope should be at least 10% away from the building for unpaved (landscaped) surfaces.

4) For paved surfaces, a slope of at least 2% away from the building is adequate. Where accessibility requirements or other design constraints do not apply, use an increased minimum design slope for paved areas (2.5% where non-expansive soil or bedrock conditions exist).

ensure that the pipe was not crushed or disconnected during construction.

Calculate the diameter of the orifice for a 12-hour drain time using Equation B-3 (Use a minimum orifice size of 3/8 inch to avoid clogging.):

$$D_{12\text{ hour drain time}} = \sqrt{\frac{V}{1414\,y^{0.41}}} \qquad \text{Equation B-3}$$

Where:

D = orifice diameter (in)

y = distance from the lowest elevation of the storage volume (i.e., surface of the filter) to the center of the orifice (ft)

V = volume (WQCV or the portion of the WQCV in the rain garden) to drain in 12 hours (ft^3)

In previous versions of this manual, UDFCD recommended that the underdrain be placed in an aggregate layer and that a geotextile (separator fabric) be placed between this aggregate and the growing medium. This version of the manual replaces that section with materials that, when used together, eliminate the need for a separator fabric.

The underdrain system should be placed within an 6-inch-thick section of CDOT Class C filter material meeting the gradation in Table B-2. Use slotted pipe that meets the slot dimensions provided in Table B-3.

Table B-2. Gradation Specifications for CDOT Class C Filter Material
(Source: CDOT Table 703-7)

Sieve Size	Mass Percent Passing Square Mesh Sieves
19.0 mm (3/4”)	100
4.75 mm (No. 4)	60 – 100
300 µm (No. 50)	10 – 30
150 µm (No. 100)	0 – 10
75 µm (No. 200)	0 - 3

Table B-3. Dimensions for Slotted Pipe

Pipe Diameter	Slot Length[1]	Maximum Slot Width	Slot Centers[1]	Open Area[1] (per foot)
4”	1-1/16”	0.032”	0.413”	1.90 in^2
6”	1-3/8”	0.032”	0.516”	1.98 in^2

[1] Some variation in these values is acceptable and is expected from various pipe manufacturers. Be aware that both increased slot length and decreased slot centers will be beneficial to hydraulics but detrimental to the structure of the pipe.

5. **Impermeable Geomembrane Liner and Geotextile Separator Fabric:** For no-infiltration sections, install a 30 mil (minimum) PVC geomembrane liner, per Table B-5, on the bottom and sides of the basin, extending up at least to the top of the underdrain layer. Provide at least 9 inches (12 inches if possible) of cover over the membrane where it is attached to the wall to protect the membrane from UV deterioration. The geomembrane should be field-seamed using a dual track welder, which allows for non-destructive testing of almost all field seams. A small amount of single track and/or adhesive seaming should be allowed in limited areas to seam around pipe perforations, to patch seams removed for destructive seam testing, and for limited repairs. The liner should be installed with slack to prevent tearing due to backfill, compaction, and settling. Place CDOT Class B geotextile separator fabric above the geomembrane to protect it from being punctured during the placement of the filter material above the liner. If the subgrade contains angular rocks or other material that could puncture the geomembrane, smooth-roll the surface to create a suitable surface. If smooth-rolling the surface does not provide a suitable surface, also place the separator fabric between the geomembrane and the underlying subgrade. This should only be done when necessary because fabric placed under the geomembrane can increase seepage losses through pinholes or other geomembrane defects. Connect the geomembrane to perimeter concrete walls around the basin perimeter, creating a watertight seal between the geomembrane and the walls using a continuous batten bar and anchor connection (see Figure B-3). Where the need for the impermeable membrane is not as critical, the membrane can be attached with a nitrile-based vinyl adhesive. Use watertight PVC boots for underdrain pipe penetrations through the liner (see Figure B-2).

Table B-4. Physical Requirements for Separator Fabric[1]

Property	Class B		Test Method
	Elongation < 50%[2]	Elongation > 50%[2]	
Grab Strength, N (lbs)	800 (180)	510 (115)	ASTM D 4632
Puncture Resistance, N (lbs)	310 (70)	180 (40)	ASTM D 4833
Trapezoidal Tear Strength, N (lbs)	310 (70)	180 (40)	ASTM D 4533
Apparent Opening Size, mm (US Sieve Size)	AOS < 0.3mm (US Sieve Size No. 50)		ASTM D 4751
Permittivity, sec^{-1}	0.02 default value, must also be greater than that of soil		ASTM D 4491
Permeability, cm/sec	k fabric > k soil for all classes		ASTM D 4491
Ultraviolet Degradation at 500 hours	50% strength retained for all classes		ASTM D 4355

[1] Strength values are in the weaker principle direction
[2] As measured in accordance with ASTM D 4632

Table B-5. Physical Requirements for Geomembrane

Property	Thickness 0.76 mm (30 mil)	Test Method
Thickness, % Tolerance	±5	ASTM D 1593
Tensile Strength, kN/m (lbs/in) width	12.25 (70)	ASTM D 882, Method B
Modulus at 100% Elongation, kN/m (lbs/in)	5.25 (30)	ASTM D 882, Method B
Ultimate Elongation, %	350	ASTM D 882, Method A
Tear Resistance, N (lbs)	38 (8.5)	ASTM D 1004
Low Temperature Impact, °C (°F)	-29 (-20)	ASTM D 1790
Volatile loss, % max.	0.7	ASTM D 1203, Method A
Pinholes, No. Per 8 m^2 (No. per 10 sq. yds.) max.	1	N/A
Bonded Seam Strength, % of tensile strength	80	N/A

6. **Inlet/Outlet Control:** In order to provide the proper drain time, the bioretention area can be designed without an underdrain (provided it meets the requirements in step 4) or the outlet can be controlled by an orifice plate. Equation B-3 is a simplified equation for sizing an orifice plate for a 12-hour drain time.

Photograph B-2. The curb cut shown allows flows to enter this rain garden while excess flows bypass the facility. Note: trees are not recommended inside a rain garden

7. How flow enters and exits the BMP is a function of the overall drainage concept for the site. Inlets at each rain garden may or may not be needed. Curb cuts can be designed to both allow stormwater into the rain garden as well as to provide release of stormwater in excess of the WQCV. Roadside rain gardens located on a steep site might pool and overflow into downstream cells with a single curb cut, level spreader, or outlet structure located at the most downstream cell. When selecting the type and location of the outlet structure, ensure that the runoff will not short-circuit the rain garden. This is a frequent problem when using a curb inlet located outside the rain garden for overflow.

   For rain gardens with concentrated points of inflow, provide for energy dissipation. When rock is used, provide separator fabric between the rock and growing medium to minimize subsidence.

8. **Vegetation:** UDFCD recommends that the filter area be vegetated with drought tolerant species that thrive in sandy soils. Table B-6 provides a suggested seed mix for sites that will not need to be irrigated after the grass has been established.

   All seed must be well mixed and broadcast, followed by hand raking to cover seed and then mulched. Hydromulching can be effective for large areas. Do not place seed when standing water or snow is present or if the ground is frozen. Weed control is critical in the first two to three years, especially when starting with seed.

   Do not use conventional sod. Conventional sod is grown in clay soil that will seal the filter area, greatly reducing overall function of the BMP. Several successful local installations have started with seed.

Designing for Flood Protection

Provide the WQCV in rain gardens that direct excess flow into to a landscaped area providing the flood control volume. Design the flood control outlet to meter the major event (100-year event) and slowly release the difference in volume between the EURV and the WQCV. (This assumes that the runoff treated by the rain gardens is routed directly into the outlet or infiltrates.) Providing treatment in this manner will reduce inundation in the landscaped area to a few times per year, resulting in an area better suited for multipurpose uses.

When using an impermeable liner, select plants with diffuse (or fibrous) root systems, not taproots. Taproots can damage the liner and/or underdrain pipe. Avoid trees and large shrubs that may interfere with restorative maintenance. Trees and shrubs can be planted outside of the area of growing medium. Use a cutoff wall to ensure that roots do not grow into the underdrain or place trees and shrubs a conservative distance from the underdrain.

9. **Irrigation:** Provide spray irrigation at or above the WQCV elevation or place temporary irrigation on top of the rain garden surface. Do not place sprinkler heads on the flat surface. Remove temporary irrigation when vegetation is established. If left in place this will become buried over time and will be damaged during maintenance operations.

   Irrigation schedules should be adjusted during the growing season to provide the minimum water necessary to maintain plant health and to maintain the available pore space for infiltration.

Table B-6. Native Seed Mix for Rain Gardens [2]

Common Name	Scientific Name	Variety	PLS[2] lbs per Acre	Ounces per Acre
Sand bluestem	Andropogon hallii	Garden	3.5	
Sideoats grama	Bouteloua curtipendula	Butte	3	
Prairie sandreed	Calamovilfa longifolia	Goshen	3	
Indian ricegrass	Oryzopsis hymenoides	Paloma	3	
Switchgrass	Panicum virgatum	Blackwell	4	
Western wheatgrass	Pascopyrum smithii	Ariba	3	
Little bluestem	Schizachyrium scoparium	Patura	3	
Alkali sacaton	Sporobolus airoides		3	
Sand dropseed	Sporobolus cryptandrus		3	
Pasture sage[1]	Artemisia frigida			2
Blue aster[1]	Aster laevis			4
Blanket flower[1]	Gaillardia aristata			8
Prairie coneflower[1]	Ratibida columnifera			4
Purple prairieclover[1]	Dalea (Petalostemum) purpurea			4
Sub-Totals:			27.5	22
Total lbs per acre:			**28.9**	

[1] Wildflower seed (optional) for a more diverse and natural look.
[2] PLS = Pure Live Seed.

Aesthetic Design

In addition to providing effective stormwater quality treatment, rain gardens can be attractively incorporated into a site within one or several landscape areas. Aesthetically designed rain gardens will typically either reflect the character of their surroundings or become distinct features within their surroundings. Guidelines for each approach are provided below.

Reflecting the Surrounding

- Determine design characteristics of the surrounding. This becomes the context for the drainage improvement. Use these characteristics in the structure.
- Create a shape or shapes that "fix" the forms surrounding the improvement. Make the improvement part of the existing surrounding.
- The use of material is essential in making any new improvement an integral part of the whole. Select materials that are as similar as possible to the surrounding architectural/engineering materials. Select materials from the same source if possible. Apply materials in the same quantity, manner, and method as original material.
- Size is an important feature in seamlessly blending the addition into its context. If possible, the overall size of the improvement should look very similar to the overall sizes of other similar objects in the improvement area.
- The use of the word texture in terms of the structure applies predominantly to the selection of plant material. The materials used should as closely as possible, blend with the size and texture of other plant material used in the surrounding. The plants may or may not be the same, but should create a similar feel, either individually or as a mass.

Reflective Design

A reflective design borrows the characteristics, shapes, colors, materials, sizes and textures of the built surroundings. The result is a design that fits seamlessly and unobtrusively in its environment.

Creating a Distinct Feature

Designing the rain garden as a distinct feature is limited only by budget, functionality, and client preference. There is far more latitude in designing a rain garden that serves as a distinct feature. If this is the intent, the main consideration beyond functionality is that the improvement create an attractive addition to its surroundings. The use of form, materials, color, and so forth focuses on the improvement itself and does not necessarily reflect the surroundings, depending on the choice of the client or designer.

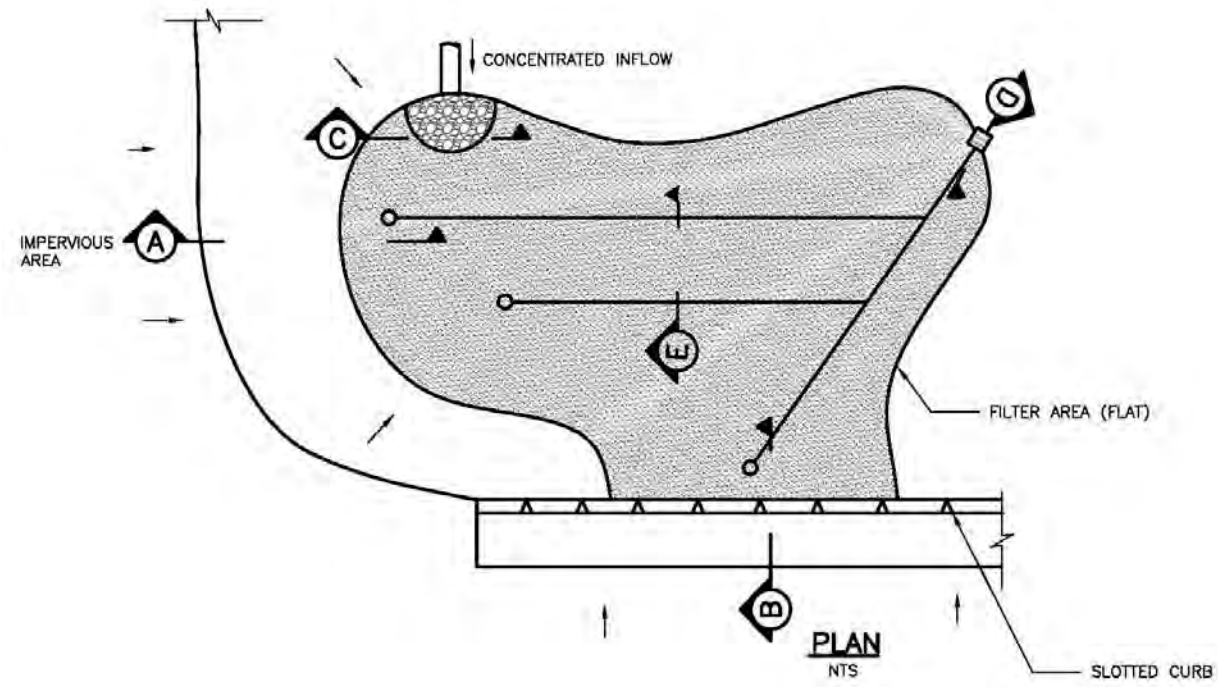
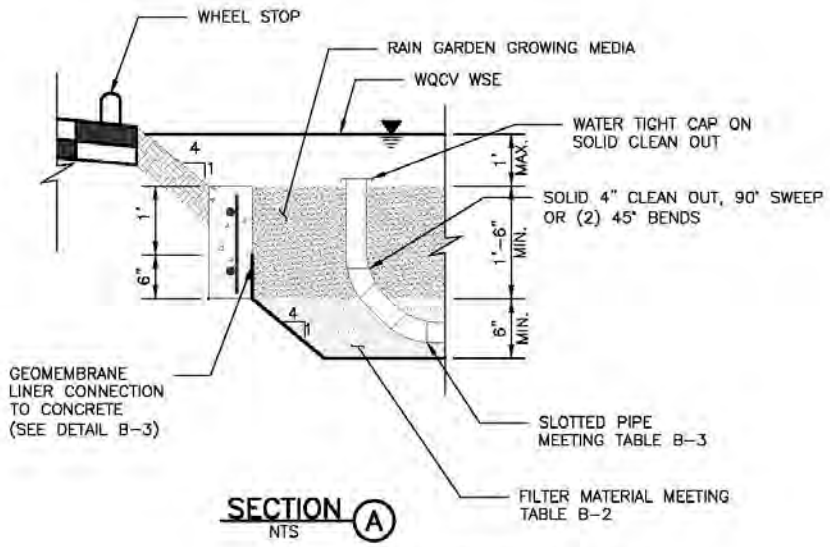
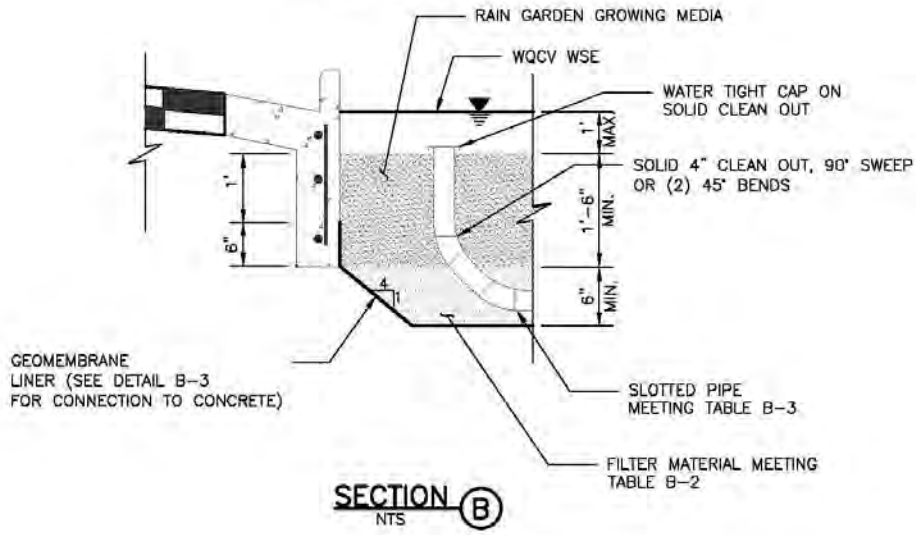


Figure B-1 – Typical Rain Garden Plan and Sections



SECTION A
NTS



SECTION B
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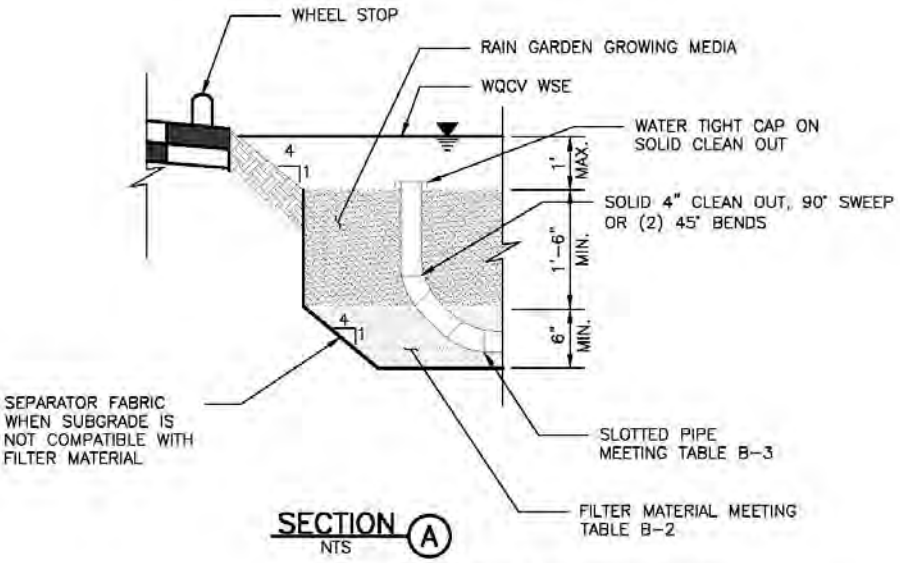
NO-INFILTRATION SECTIONS



SECTION A
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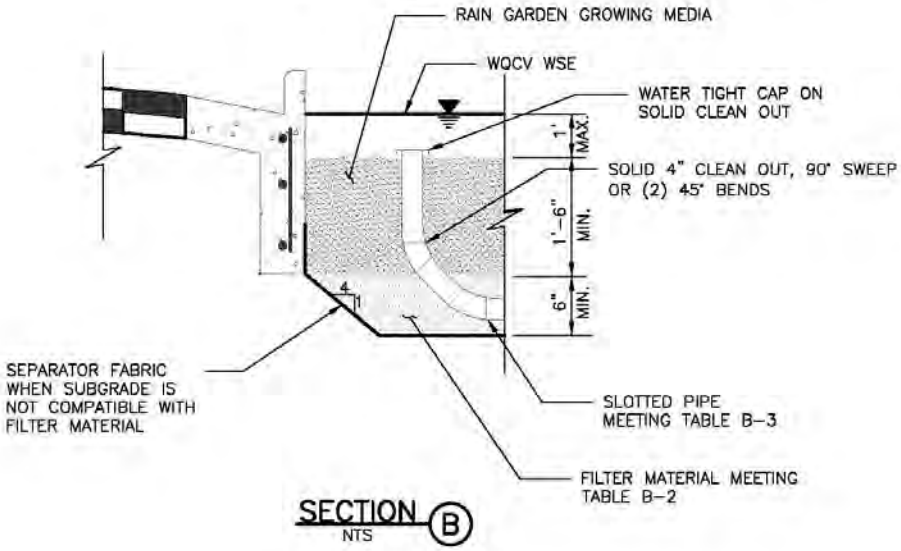

SECTION B
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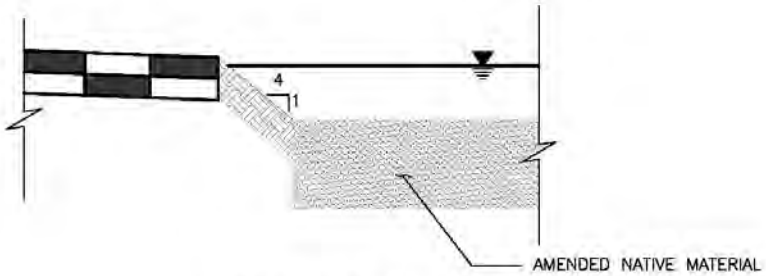
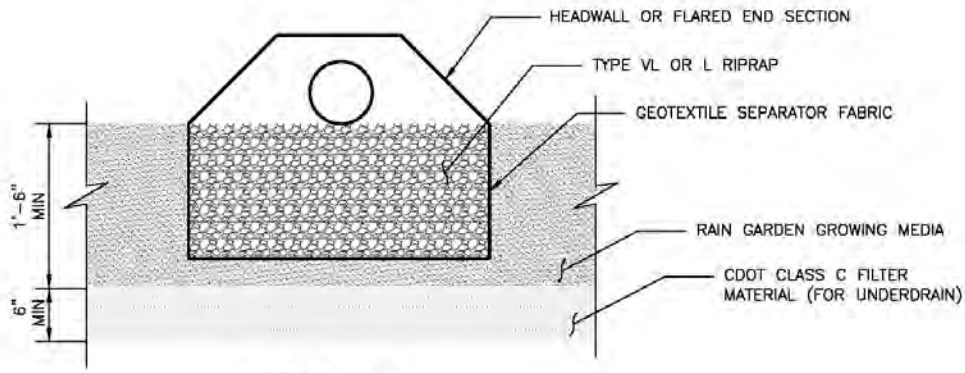
PARTIAL INFILTRATION SECTIONS



SECTION A
NTS

FULL INFILTRATION SECTION



SECTION C
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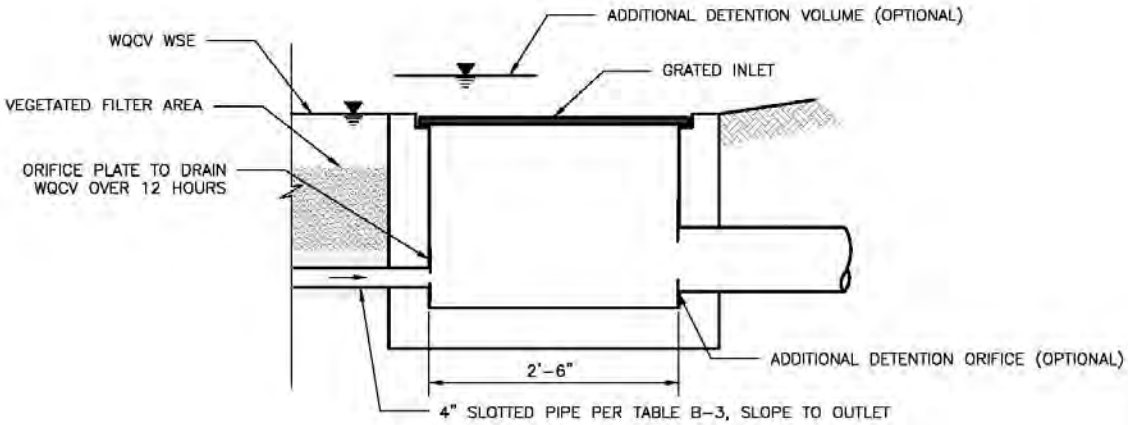

SECTION D
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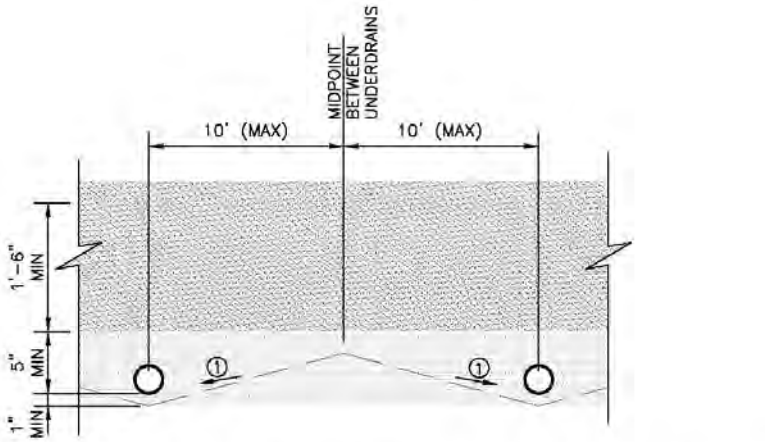


① SLOPE (STRAIGHT GRADE) SUBGRADE (2–10%) TO UNDERDRAIN TO REDUCE SATURATED SOIL CONDITIONS BETWEEN STORM EVENTS (OPTIONAL)

SECTION E
NTS

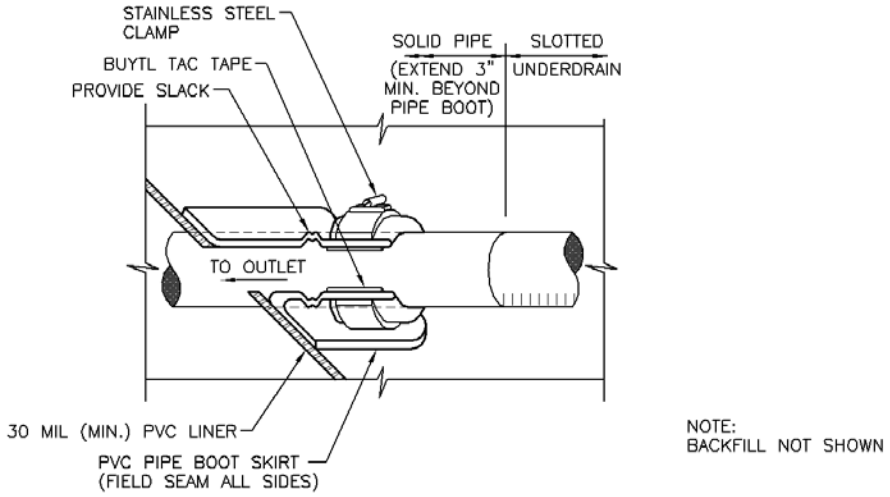


Figure B-2. Geomembrane Liner/Underdrain Penetration Detail

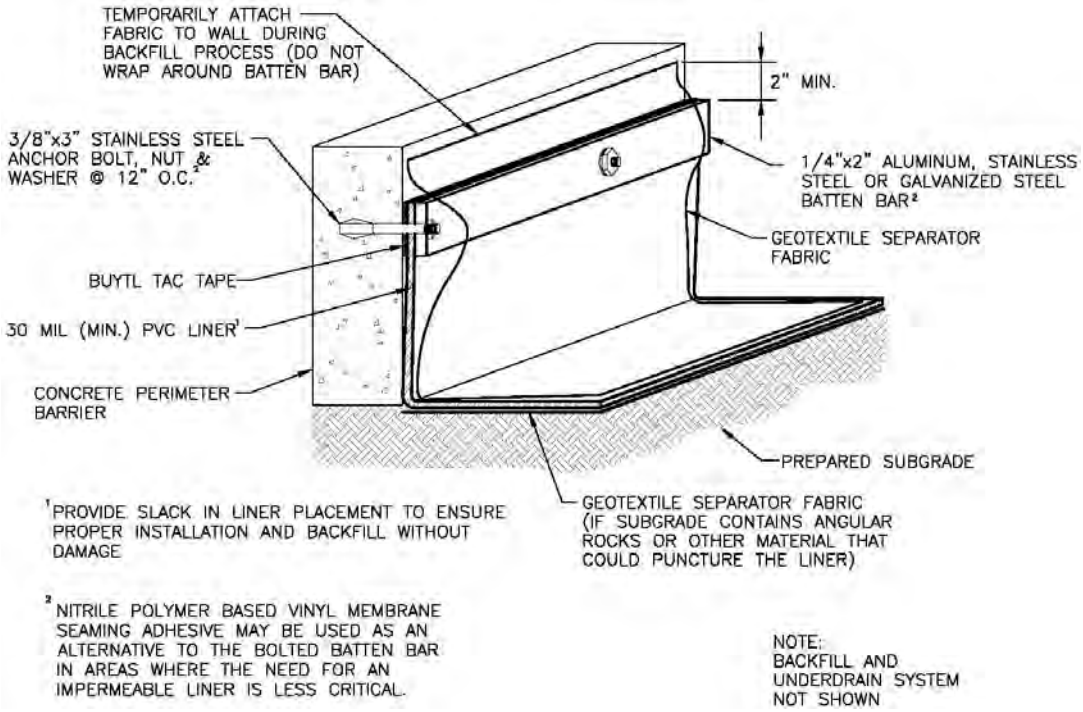


Figure B-3. Geomembrane Liner/Concrete Connection Detail

Construction Considerations

Proper construction of rain gardens involves careful attention to material specifications, final grades, and construction details. For a successful project, implement the following practices:

- Protect area from excessive sediment loading during construction. This is the most common cause of clogging of rain gardens. The portion of the site draining to the rain garden must be stabilized before allowing flow into the rain garden. This includes completion of paving operations.
- Avoid over compaction of the area to preserve infiltration rates (for partial and full infiltration sections).
- Provide construction observation to ensure compliance with design specifications. Improper installation, particularly related to facility dimensions and elevations and underdrain elevations, is a common problem with rain gardens.
- When using an impermeable liner, ensure enough slack in the liner to allow for backfill, compaction, and settling without tearing the liner.
- Provide necessary quality assurance and quality control (QA/QC) when constructing an impermeable geomembrane liner system, including but not limited to fabrication testing, destructive and non-destructive testing of field seams, observation of geomembrane material for tears or other defects, and air lace testing for leaks in all field seams and penetrations. QA/QC should be overseen by a professional engineer. Consider requiring field reports or other documentation from the engineer.
- Provide adequate construction staking to ensure that the site properly drains into the facility, particularly with respect to surface drainage away from adjacent buildings. Photo B-3 and Photo B-4 illustrate a construction error for an otherwise correctly designed series of rain gardens.

Photograph B-3. Inadequate construction staking may have contributed to flows bypassing this rain garden.

Photograph B-4. Runoff passed the upradient rain garden, shown in Photo B-3, and flooded this downstream rain garden.

Construction Example

Photograph B-5. Rain garden is staked out at the low point of the parking area prior to excavation.

Photograph B-6. Curb and gutter is installed. Flush curbs with wheel stops or a slotted curb could have been used in lieu of the solid raised curb with concentrated inflow.

Photograph B-7. The aggregate layer is covered with a geotextile and growing media. This photo shows installation of the geotextile to separate the growing media from the aggregate layer below. Cleanouts for the underdrain system are also shown. Note: The current design section does not require this geotextile.

Photograph B-8. Shrubs and trees are placed outside of the ponding area and away from geotextiles.

Photograph B-9. This photo was taken during the first growing season of this rain garden. Better weed control in the first two to three years will help the desired vegetation to become established.

Design Example

The *UD-BMP* workbook, designed as a tool for both designer and reviewing agency is available at www.udfcd.org. This section provides a completed design form from this workbook as an example.

Output Summary

Summary of Unit Hydrograph Parameters Used By Program and Calculated Results (Version 1.4.2)

		Unit Hydrograph Parameters and Results									Excess Precip.		Storm Hydrograph			
Catchment Name/ID	User Comment for Catchment	Ct	Cp	W50 (min.)	W50 Before Peak	W75 (min.)	W75 Before Peak	Time to Peak (min.)	Peak (cfs)	Volume (c.f)	Excess (inches)	Excess (c.f.)	Time to Peak (min.)	Peak Flow (cfs)	Total Volume (c.f.)	Runoff per Unit Area (cfs/acre)
110		0.361	0.156	74.1	10.39	38.5	7.34	17.3	5	27,007	1.66	44,750	65.0	7	44,738	0.90
115		0.181	0.257	28.3	7.09	14.7	5.01	11.8	36	78,735	2.00	157,624	45.0	45	157,702	2.06
120		0.159	0.301	23.8	7.01	12.4	4.95	11.7	59	108,356	2.05	222,562	40.0	71	222,188	2.38
130	119th & RTD	0.254	0.166	33.8	5.80	17.6	4.10	9.7	22	57,644	1.72	99,094	45.0	26	99,076	1.63
140		0.245	0.212	16.3	4.15	8.5	2.93	6.9	25	31,000	1.98	61,257	35.0	25	61,037	2.93
145		0.243	0.204	44.5	8.48	23.2	5.99	14.1	10	33,686	1.95	65,691	50.0	14	65,624	1.47
150		0.159	0.318	17.8	5.85	9.3	4.14	9.8	75	104,145	2.08	216,627	40.0	81	215,554	2.83
160	NE Entrance	0.342	0.167	21.4	4.24	11.1	3.00	7.1	7	11,979	1.92	23,051	40.0	8	22,902	2.36

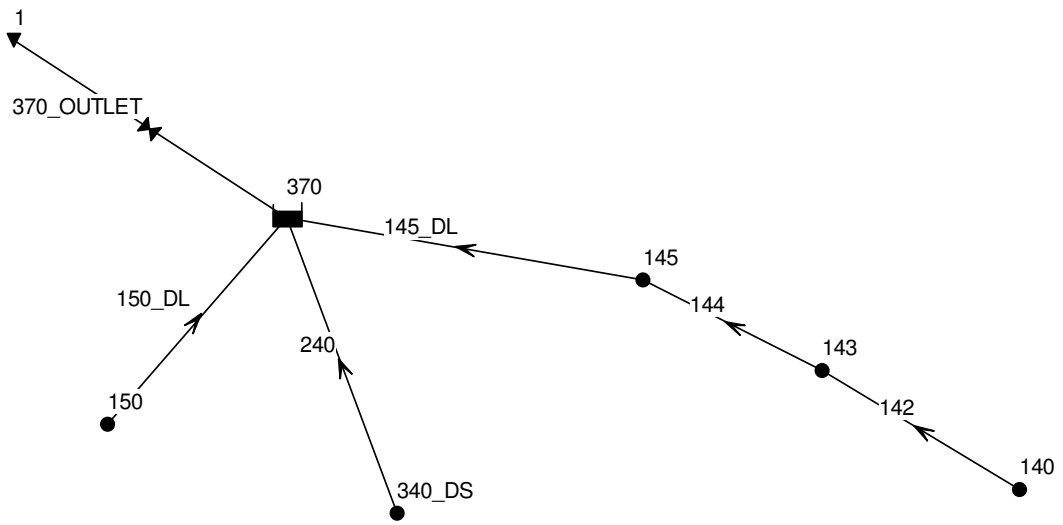
Input Summary

Summary of CUHP Input Parameters (Version 1.4.2)

								Depression Storage		Horton's Infiltration Parameters			DCIA Level and Fractions			
Catchment Name/ID	SWMM Node/ID	Raingage Name/ID	Area (sq.mi.)	Dist. to Centroid (miles)	Length (miles)	Slope (ft./ft.)	Percent Imperv.	Pervious (inches)	Imperv. (inches)	Initial Rate (in./hr.)	Final Rate (in.hr.)	Decay Coeff. (1/sec.)	DCIA Level	Dir. Con'ct Imperv. Fraction	Receiv. Perv. Fraction	Percent Eff. Imperv.
110	110	100-YR	0.012	0.189	0.308	0.017	7.0	0.40	0.10	4.50	0.50	0.0018	0.00	0.14	0.07	6.28
115	115	100-YR	0.034	0.241	0.465	0.024	34.0	0.40	0.10	4.50	0.50	0.0018	0.00	0.68	0.18	32.69
120	120	100-YR	0.047	0.284	0.492	0.023	38.0	0.40	0.10	4.50	0.50	0.0018	0.00	0.76	0.19	36.83
130	130	100-YR	0.025	0.137	0.284	0.035	12.0	0.40	0.10	4.50	0.50	0.0018	0.00	0.24	0.11	10.93
140	140	100-YR	0.013	0.064	0.159	0.015	32.0	0.40	0.10	4.50	0.50	0.0018	0.00	0.64	0.18	30.64
145	145	100-YR	0.015	0.169	0.314	0.007	30.0	0.40	0.10	4.50	0.50	0.0018	0.00	0.60	0.17	28.61
150	150	100-YR	0.045	0.140	0.365	0.008	40.0	0.40	0.10	4.50	0.50	0.0018	0.00	0.80	0.20	38.93
160	160	100-YR	0.005	0.078	0.098	0.031	28.0	0.40	0.10	4.50	0.50	0.0018	0.00	0.56	0.16	26.60

Wise Farms - 100-Year, North Only, SWMM5

01/01/2005 00:01:00



```
EPA STORM WATER MANAGEMENT MODEL - VERSION 5.1 (Build 5.1.006)
--------------------------------------------------------------

Wise Farms - 100-Year, North Only, SWMM5
By CVL Consultants, Inc. - April 2014
WARNING 08: elevation drop exceeds length for Conduit 145_DL
WARNING 08: elevation drop exceeds length for Conduit 150_DL
WARNING 02: maximum depth increased for Node 340_DS
WARNING 02: maximum depth increased for Node 140

*********************************************************
NOTE: The summary statistics displayed in this report are
based on results found at every computational time step,
not just on results from each reporting time step.
*********************************************************

****************
Analysis Options
****************
Flow Units ............... CFS
Process Models:
  Rainfall/Runoff ........ NO
  RDII ................... NO
  Snowmelt ............... NO
  Groundwater ............ NO
  Flow Routing ........... YES
  Ponding Allowed ........ NO
  Water Quality .......... NO
Flow Routing Method ...... KINWAVE
Starting Date ............ JAN-01-2005 00:00:00
Ending Date .............. JAN-01-2005 02:00:00
Antecedent Dry Days ...... 0.0
Report Time Step ......... 00:01:00
Routing Time Step ........ 60.00 sec
```

```
**************************        Volume         Volume
Flow Routing Continuity        acre-feet       10^6 gal
**************************     ---------      ---------
Dry Weather Inflow .......         0.000          0.000
Wet Weather Inflow .......         0.000          0.000
Groundwater Inflow .......         0.000          0.000
RDII Inflow ..............         0.000          0.000
External Inflow ..........         7.485          2.439
External Outflow .........         4.465          1.455
Internal Outflow .........         0.000          0.000
Evaporation Loss .........         0.000          0.000
Seepage Loss .............         0.000          0.000
Initial Stored Volume ....         0.000          0.000
Final Stored Volume ......         3.027          0.986
Continuity Error (%) .....        -0.102


*********************************
Highest Flow Instability Indexes
*********************************
Link 144 (5)
Link 150_DL (1)
Link 142 (1)
Link 145_DL (1)
Link 370_OUTLET (1)


*************************
Routing Time Step Summary
*************************
Minimum Time Step           :    60.00 sec
Average Time Step           :    60.00 sec
Maximum Time Step           :    60.00 sec
Percent in Steady State     :     0.00
Average Iterations per Step :     1.00
Percent Not Converging      :     0.00
```

```
  ******************
  Node Depth Summary
  ******************

  -----------------------------------------------------------------------
                                Average  Maximum  Maximum  Time of Max
                                  Depth    Depth      HGL   Occurrence
  Node                 Type        Feet     Feet     Feet  days hr:min
  -----------------------------------------------------------------------
  145                  JUNCTION    1.01     1.90  5018.90     0  00:44
  150                  JUNCTION    0.10     0.10  5014.10     0  00:01
  340_DS               JUNCTION    0.00     0.00  5024.50     0  00:00
  140                  JUNCTION    0.26     0.46  5023.46     0  00:35
  143                  JUNCTION    1.06     1.94  5020.94     0  00:36
  1                    OUTFALL     0.00     0.00  5011.73     0  00:00
  370                  STORAGE     2.40     4.06  5016.56     0  01:21


  *******************
  Node Inflow Summary
  *******************

  -------------------------------------------------------------------------------------------------
                                Maximum  Maximum                  Lateral       Total        Flow
                                Lateral    Total  Time of Max      Inflow      Inflow     Balance
                                 Inflow   Inflow   Occurrence      Volume      Volume       Error
  Node                 Type         CFS      CFS  days hr:min    10^6 gal    10^6 gal     Percent
  -------------------------------------------------------------------------------------------------
  145                  JUNCTION    13.64    36.69     0  00:45       0.407       0.849       0.000
  150                  JUNCTION    81.10    81.10     0  00:40        1.58        1.58       0.000
  340_DS               JUNCTION     0.00     0.00     0  00:00           0           0       0.000
gal
  140                  JUNCTION    25.01    25.01     0  00:35       0.451       0.451       0.000
  143                  JUNCTION     0.00    24.83     0  00:36           0       0.448       0.000
  1                    OUTFALL      0.00    45.60     0  01:21           0        1.45       0.000
  370                  STORAGE      0.00   114.60     0  00:40           0        2.43      -0.008
```

```
**********************
Node Surcharge Summary
**********************

Surcharging occurs when water rises above the top of the highest conduit.
-------------------------------------------------------------------------
                                              Max. Height   Min. Depth
                                   Hours      Above Crown    Below Rim
Node                  Type      Surcharged          Feet         Feet
-------------------------------------------------------------------------
150                   JUNCTION        2.02         0.000        0.900
370                   STORAGE         0.23         0.064       15.936


*********************
Node Flooding Summary
*********************

No nodes were flooded.


**********************
Storage Volume Summary
**********************

-----------------------------------------------------------------------------------------------
                        Average     Avg  Evap Infil       Maximum     Max    Time of Max    Maximum
                         Volume    Pcnt  Pcnt  Pcnt        Volume    Pcnt     Occurrence    Outflow
Storage Unit           1000 ft3    Full  Loss  Loss      1000 ft3    Full    days hr:min        CFS
-----------------------------------------------------------------------------------------------
370                     104.586      12     0     0       177.091      20       0  01:20      45.60
```

```
************************
Outfall Loading Summary
************************
```

Outfall Node	Flow Freq Pcnt	Avg Flow CFS	Max Flow CFS	Total Volume 10^6 gal
1	94.21	28.59	45.60	1.455
System	94.21	28.59	45.60	1.455

```
********************
Link Flow Summary
********************
```

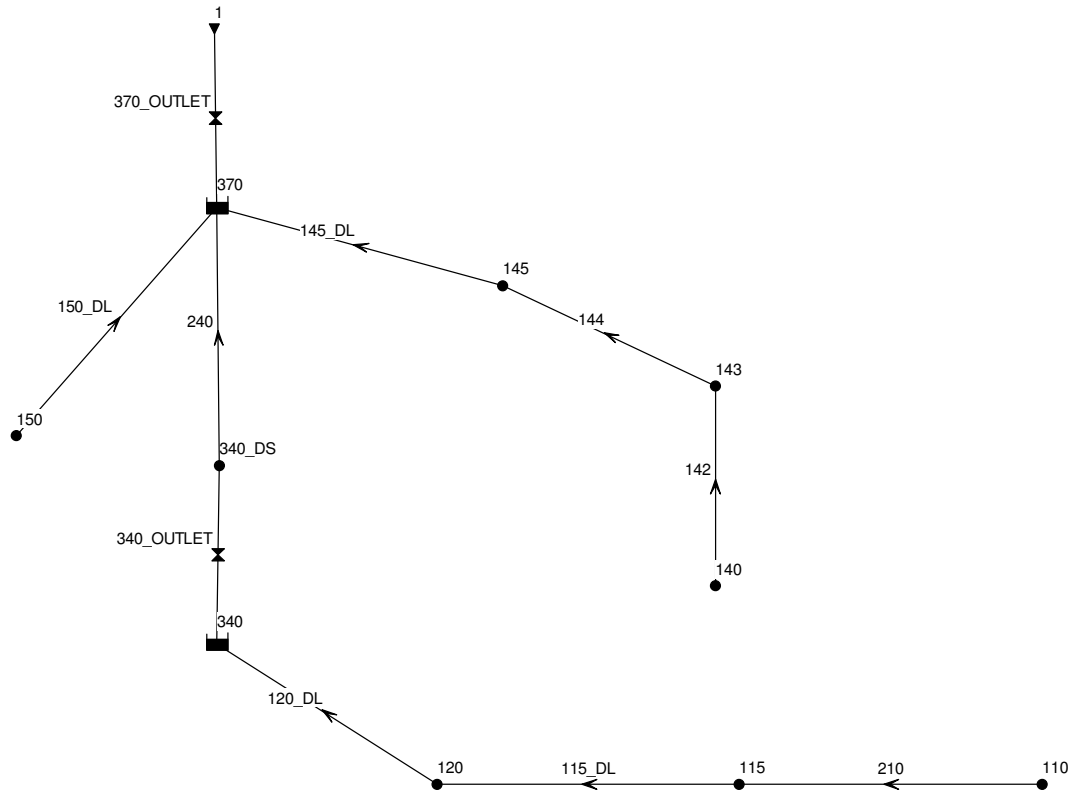
Link	Type	Maximum |Flow| CFS	Time of Max Occurrence days	hr:min	Maximum |Veloc| ft/sec	Max/ Full Flow	Max/ Full Depth
145_DL	DUMMY	36.69	0	00:45			
150_DL	DUMMY	81.10	0	00:40			
240	CONDUIT	0.00	0	00:00	0.00	0.00	0.00
142	CONDUIT	24.83	0	00:36	4.61	0.03	0.12
144	CONDUIT	23.56	0	00:44	2.23	0.08	0.38
370_OUTLET	DUMMY	45.60	0	01:21			

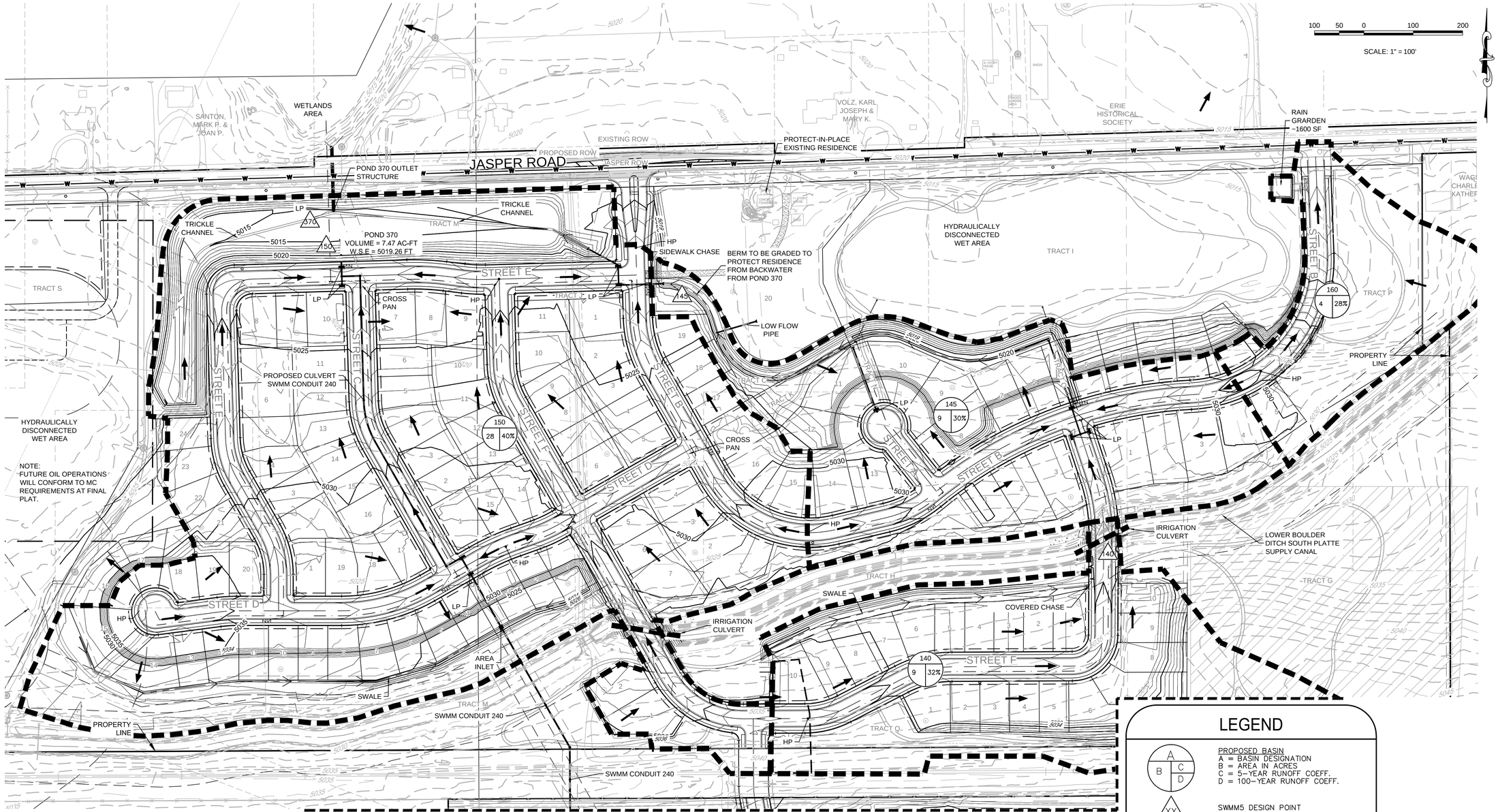
```
*************************
Conduit Surcharge Summary
*************************

No conduits were surcharged.


Analysis begun on:  Thu Jul 31 15:35:22 2014
Analysis ended on:  Thu Jul 31 15:35:22 2014
Total elapsed time: < 1 sec
```

Wise Farms - 100-Year Full Buildout SWMM5





DESIGN POINT SUMMARY TABLE		
ID	PROPOSED 100-YEAR FLOW (CFS)	FUTURE 100-YEAR FLOW (CFS)
110	-	7
115	-	50
120	-	120
140	25	25
142	25	25
143	25	25
144	-	25
145	37	37
150	81	81
210	-	7
240	-	88
340	-	120
370	115	172
OUT	46	106

POND SUMMARY TABLE				
POND	TRIBUTARY AREA (AC)	EXCESS URBAN RUNOFF VOLUME (AC-FT)	100-YEAR VOLUME + 1/2 EURV (AC-FT)	100-YEAR RELEASE RATE (CFS)
PROPOSED				
370	46	1.8	5.0	46
FUTURE				
340	60	2.0	3.5	60
370	106	1.8	7.5	106

LEGEND

PROPOSED BASIN
A = BASIN DESIGNATION
B = AREA IN ACRES
C = 5-YEAR RUNOFF COEFF.
D = 100-YEAR RUNOFF COEFF.

SWMM5 DESIGN POINT

FLOW ARROW

PROPOSED BASIN BOUNDARY LINE

PROPOSED MANHOLE

PROPOSED STORM DRAINAGE PIPE

PROPOSED TYPE R INLET

EXISTING INDEX CONTOURS

EXISTING INTERMEDIATE CONTOURS

PROPOSED INDEX CONTOURS

PROPOSED INTERMEDIATE CONTOURS

PREPARED UNDER THE SUPERVISION OF

MELINDA ERIN LUNDQUIST
COLORADO P.E. 38413

No.	Revisions	Date	Init.	Appr.	Date
-					
-					
-					
-					

10333 East Dry Creek Road
Suite 240
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Tel: (720) 482-9526
Fax: (720) 482-9546
CVL CONSULTANTS

JASPER INVESTMENTS, LLC
C/O JIM DULLEA
SOUTH KENWOOD COURT
HIGHLANDS RANCH, CO 80123

WISE FARMS SUBDIVISION
DRAINAGE MAP
NORTHERN MAP

SCALE: AS SHOWN
FILE NO: 8.10.020901
DRAWN BY: ILG
CHECKED BY: JJC
DATE: OCTOBER 2014
SHEET NUMBER D1

LEGEND

PROPOSED BASIN
A = BASIN DESIGNATION
B = AREA IN ACRES
C = 5-YEAR RUNOFF COEFF.
D = 100-YEAR RUNOFF COEFF.

SWMM5 DESIGN POINT

FLOW ARROW

PROPOSED BASIN BOUNDARY LINE

PROPOSED MANHOLE

PROPOSED STORM DRAINAGE PIPE

PROPOSED TYPE R INLET

EXISTING INDEX CONTOURS

EXISTING INTERMEDIATE CONTOURS

PROPOSED INDEX CONTOURS

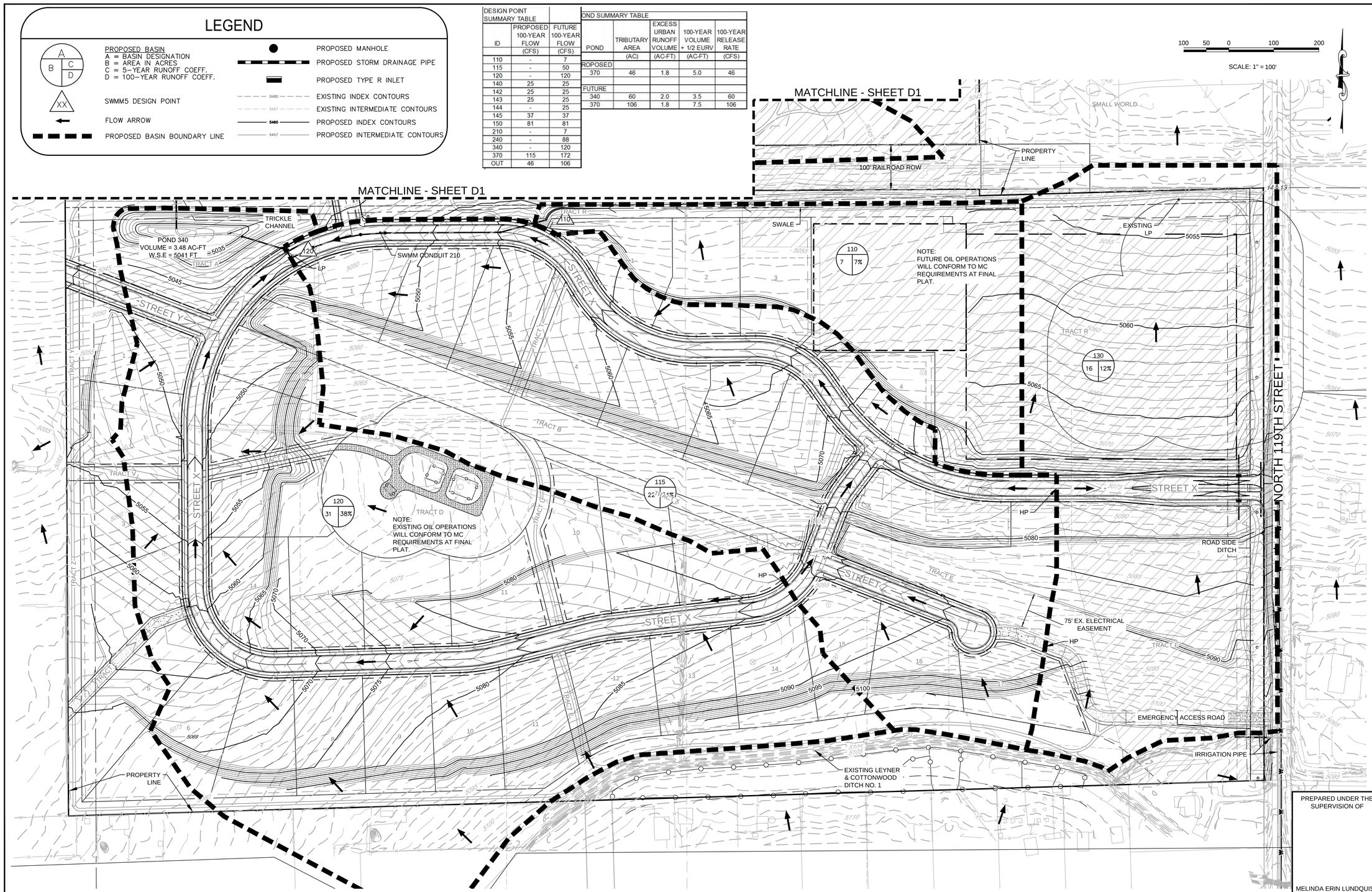
PROPOSED INTERMEDIATE CONTOURS

DESIGN POINT SUMMARY TABLE

ID	PROPOSED 100-YEAR FLOW (CFS)	FUTURE 100-YEAR FLOW (CFS)
110	-	7
115	-	50
120	-	120
140	25	25
142	25	25
143	25	25
144	-	25
145	37	37
150	81	81
210	-	7
240	-	88
340	-	120
370	115	172
OUT	46	106

POND SUMMARY TABLE

POND	TRIBUTARY AREA (AC)	EXCESS URBAN RUNOFF VOLUME (AC-FT)	100-YEAR VOLUME + 1/2 EURV (AC-FT)	100-YEAR RELEASE RATE (CFS)
ROPOSED				
370	46	1.8	5.0	46
FUTURE				
340	60	2.0	3.5	60
370	106	1.8	7.5	106



PREPARED UNDER THE SUPERVISION OF

MELINDA ERIN LUNDQUIST
COLORADO P.E. 38413

No.	Revisions	Date	Init.	Appr.	Date
-					
-					
-					
-					

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C/O JIM DULLEA
SOUTH KERWOOD COURT
HIGHLANDS RANCH, CO 80123

WISE FARMS SUBDIVISION
DRAINAGE MAP
SOUTHERN MAP

SCALE: AS SHOWN
FILE NO: 8.93.0230.001

DRAWN BY: ILG
CHECKED BY: JJC
DATE: OCTOBER 2014

SHEET NUMBER D2

Wise Farms

PRELIMINARY UTILITY REPORT

Town of Erie, Colorado

Prepared for:

Jasper Land Investments, LLC.
Contact: Jim Dullea
9162 S. Kenwood Court
Highlands Ranch, Colorado 80126
Phone: (303) 902-5400

Prepared by:

CVL Consultants of Colorado, Inc.
Contact: Melinda E. Lundquist, PE, LEED AP
10333 E. Dry Creek Rd., Suite 240
Englewood, Colorado 80112
Phone: (720) 482-9526

January 28, 2014
Revised April 22, 2014
Revised August 1, 2014
Revised September 29, 2014
Revised December 29, 2014

Town Acceptance

This report has been reviewed and found to be in general compliance with the Town of Erie Standards and Specifications for Design and Construction and other Town requirements. THE ACCURACY AND VALIDITY OF THE ENGINEERING DESIGN, DETAILS, DIMENSIONS, QUANTITIES, AND CONCEPTS IN THIS REPORT REMAINS THE SOLE RESPONSIBILITY OF THE PROFESSIONAL ENGINEER WHOSE STAMP AND SIGNATURE APPEAR HEREON.

Accepted by: _____ _____

Deputy Public Works Director Date

If during the construction process or at any time within one year following the acceptance by the TOWN of the completed improvements, any deficiencies or errors are discovered in the construction plans, specifications, drainage reports, or the actual constructed improvements, the TOWN shall have the right to require the developer to make any and all corrections which may be deemed necessary by the TOWN.

Table of Contents

I) SITE LOCATION & DESCRIPTION

II) WATER DISTRIBUTION SYSTEM

III) SANITARY COLLECTION SYSTEM

IV) CONCLUSIONS

V) REFERENCES

VI) APPENDICES

I. SITE DESCRIPTION

The “Wise Farms” project is a planned single family residential subdivision, with a mixture of parks and open space. The project will be built in two phases, a north phase and a south phase.

The north phase is an 86 acre residential subdivision located in the Town of Erie, and bounded by Jasper Road to the north, N. 119th Street to the east and a RTD right-of-way spur to the south. The north phase is bisected by the Lower Boulder Ditch South Supply Channel. An electrical transmission line easement crosses the project site in the southwest corner, running from northwest to southeast. An existing sanitary sewer main and easement runs north to south near the west edge of the north phase.

The South phase is an 82 acre residential subdivision located in the Town of Erie and bounded by RTD right of way on the north, N 119th Street to the east, and Brownsville subdivision to the South. An existing 75 foot electrical easement and overhead transmission line crosses the project site running from the northwest corner to the southeast corner of the site. There is an existing 30’ regional trail easement, as well as a 15’ existing communication easement along the north edge of the site. A 30 foot Encana pipeline easement, 20 foot pipeline construction easement, and a 30 foot waterline easement are proposed in the northeast corner of the south phase

The project consists of the development of 125 home sites in the north phase and 38 home sites in the south, and the roadways and utility infrastructure to support them; which includes water, sanitary sewer, and storm sewer.

II. WATER DISTIBUTION SYSTEM

The water distribution system for this development will be tied into two existing water mains, one to the north and one to the south. This will provide a looped system for redundancy and consistent supply and quality.

The north connection is located at the south end of Lombardi Street in the Kenosha Farms subdivision. The existing main is zone 2 and is at an initial pressure of 90 psi. A water line will be installed from this connection point south through private property to Jasper Road. The Waterline will be installed along Jasper road to the site.

The south connection is located in N 119th Street at Tynan Drive just south of the site. The existing main is a zone 3 connection and is at an initial pressure of 90 psi. A water line will be installed from this connection point to the north along N 119th Street to the site.

A pressure reducing valve (PRV) will be installed on the water line from the south connection and is modeled at 61.1 PSI taking this water line from a zone 3 down to a zone 2. A connection will be made from the north phase to the south phase.

The water system is modeled using specifications from the town of Erie Standards and Specifications. This places the average demand at 140 gallons per capita per day. This demand was multiplied by an estimated 2.79 people per unit to an average demand per unit of 0.271 gallons per minute. The max demand was modeled as 2.6 times the average demand. The max hour demand was modeled as 3.9 times the average demand. The site demands as well as two existing dwelling units were included in the water model. In the south parcel of the site, accessory dwelling units are being proposed. The demands of these units are accounted for by assuming a demand 1.5 times the standard demand, which brings the demand for the south to 210 gallons per capita per day.

Seven scenarios were modeled, average day, max day, max hour day, fire flow analysis, fire flow demand with no flow from the north, fire flow demand with no flow from the south, and fire flow demand with fire flow at J15. Fire flow demands were modeled with max day flows and at 1000 gallons per minute at each fire flow node modeled.

WATER MODEL SUMMARY – NO FIRE FLOW				
SCENARIO	**MIN PRESSURE**	**MIN PRESSURE AT NODE**	**MAX ONSITE PRESSURE**	**MAX PRESSURE AT NODE**
AVERAGE DAY	55.0	J15	86.0	J55
MAX DAY	55.0	J15	85.9	J55
MAX HOUR	54.9	J15	85.9	J55

MINIMUM SYSTEM PRESSURES WITH FIRE FLOW				
SCENARIO	**FIRE FLOW AT NODE**	**RESIDUAL AT FIRE FLOW NODE**	**NODE WITH MIN SYSTEM PRESSURE**	**MIN SYSTEM PRESSURE**
FIRE FLOW	J18	51.2	J15	49.5
FIRE FLOW – NO NORTH CONNECTION	J18	50.3	J15	48.5
FIRE FLOW – NO SOUTH CONNECTION	J18	29.6	J15	27.9
FIRE FLOW AT J15	J15	46.0	J18	51.2

MIN RESIDUAL AT FIRE FLOW NODE		
SCENARIO	**FIRE FLOW NODE**	**RESIDUAL AT NODE**
FIRE FLOW	J15	46.0
FIRE FLOW – NO NORTH CONNECTION	J15	45.0
FIRE FLOW – NO NORTH CONNECTION	J15	24.4

III. SANITARY COLLECTION SYSTEM

The sanitary collection system for this development will be tied into two existing sanitary mains, both on the north end of the north phase of the site. These connections will serve both phases of the project. The western connection serves the western portion of the north phase, while the eastern connection serves the eastern portion of the north phase as well as the entire south phase.

The sanitary system is designed using specifications from the town of Erie Standards and Specifications. This places the average residential flow at 90 gallons per capita per day. This flow was multiplied by an estimated 2.79 people per unit to an average flow per unit of 251.1 gallons per day. In the south parcel, accessory dwelling units are being proposed. The flows of these units are accounted for by assuming 1.5 times the standard flow, which brings the average residential flow for the south to 135 gallons per capita per day or per unit, 376.7 gallons per day. The peaking factor was calculated using the equation (taken from the Erie Standards and Specifications):

$PF = 3.8 / (ADF)^{0.17}$ (where ADF = Annual average daily flow in MGD)

SANITARY FLOWS					
PIPE	NUMBER OF UNITS	AVERAGE FLOW (MGD)	PEAKING FACTOR	PEAK FLOW (MGD)	PIPE CAPACITY (MGD)
WESTERN CONNECTION 8” PVC	83	0.0208	7.34	0.1527	0.97
SOUTH CONNECTION 8” PVC	38	0.0147	7.79	0.1144	0.97
EAST + SOUTH CONNECTION 8” PVC	59	0.0197	7.41	0.1460	0.97
EASTERN CONNECTION 12” PVC	81	0.0252	7.10	0.1792	2.12

IV. CONSLUSIONS

The water system will be sufficient to supply greater than 45 psi during max hour conditions. The system will also be able to provide greater than 20 psi residual during max day and fire flow conditions at any node even if there is a water main break on either of the feed lines.

The proposed sanitary system will be sufficient for the collection of all sanitary flows even during peak flows.

Based on the findings of this report, the proposed infrastructure will support the requirements of the proposed development per the town of Erie Standards and Specifications.

V. REFERENCES

Standards and Specifications, Town of Erie, Colorado, www.erieco.gov

VI. APPENDIX

A. APPENDIX A – WATER SYSTEM CALCULATIONS
B. APPENDIX B – SANITARY SYSTEM CALCULATIONS

WATER SYSTEM DEMANDS

WATER DEMANDS

NODE	UNITS	EFFECTIVE UNITS*	AVERAGE DAY (GPM)	MAX DAY	MAX HOUR
J1	3	5	1.221	3.174	4.760
J2	2	3	0.814	2.116	3.174
J3	2	3	0.814	2.116	3.174
J4	4	6	1.628	4.232	6.347
J5	1	2	0.407	1.058	1.587
J6	0	0	0.000	0.000	0.000
J7	2	3	0.814	2.116	3.174
J8	4	6	1.628	4.232	6.347
J9	2	3	0.814	2.116	3.174
J10	3	5	1.221	3.174	4.760
J11	2	3	0.814	2.116	3.174
J12	3	5	1.221	3.174	4.760
J13	4	6	1.628	4.232	6.347
J14	0	0	0.000	0.000	0.000
J15	1	2	0.407	1.058	1.587
J16	0	0	0.000	0.000	0.000
J17	1	2	0.407	1.058	1.587
J18	1	2	0.407	1.058	1.587
J19	4	6	1.628	4.232	6.347
J20	5		1.356	3.526	5.289
J21	2		0.543	1.411	2.116
J22	3		0.814	2.116	3.174
J23	6		1.628	4.232	6.347
J24	3		0.814	2.116	3.174
J25	4		1.085	2.821	4.232
J26	2		0.543	1.411	2.116
J27	5		1.356	3.526	5.289
J28	0		0.000	0.000	0.000
J29	0		0.000	0.000	0.000
J30	0		0.000	0.000	0.000
J31	0		0.000	0.000	0.000
J32	7		1.899	4.937	7.405
J33	1		0.271	0.705	1.058
J34	3		0.814	2.116	3.174
J35	2		0.543	1.411	2.116
J36	4		1.085	2.821	4.232
J37	4		1.085	2.821	4.232
J38	1		0.271	0.705	1.058
J39	1		0.271	0.705	1.058
J40	3		0.814	2.116	3.174
J41	4		1.085	2.821	4.232
J42	6		1.628	4.232	6.347
J43	4		1.085	2.821	4.232
J44	3		0.814	2.116	3.174
J45	5		1.356	3.526	5.289
J46	6		1.628	4.232	6.347
J47	5		1.356	3.526	5.289
J48	3		0.814	2.116	3.174
J49	3		0.814	2.116	3.174
J50	5		1.356	3.526	5.289
J51	5		1.356	3.526	5.289
J52	5		1.356	3.526	5.289
J53	3		0.814	2.116	3.174
J54	0		0.000	0.000	0.000
J55	0		0.000	0.000	0.000
J56	5		1.356	3.526	5.289
J57	8		2.170	5.642	8.463
J58	0		0.000	0.000	0.000
J59	0		0.000	0.000	0.000
J60	0		0.000	0.000	0.000
J61	1		0.271	0.705	1.058
J62	0		0.000	0.000	0.000
J63	0		0.000	0.000	0.000
J64	0		0.000	0.000	0.000
J65	0		0.000	0.000	0.000

*EFFECTIVE UNITS INCLUDES ACCESSORY DWELLING UNITS

ASSUMPTIONS FOR MODEL:
140 GPCD
2.79 PEOPLE PER UNIT
MD/AD = 2.6
MH/AD = 3.9
HAZEN WILLIAMS FOR 8" AND 10" PIPE C = 100
HAZEN WILLIAMS FOR 16" PIPE C = 110
MANNINGS n = 0.011
DARCY-WEISENBACH E = 0.0009

WATER SYSTEM SCHEMATIC

AVERAGE DAY

WATER MODEL SCHEMATIC

Active Scenario: AVERAGE DAY

Current Time: 0.000 hours

Label	Elevation (ft)	Zone	Demand (gpm)	Hydraulic Grade (ft)	Pressure (psi)
J1	5,072.63	ZONE - 2	1.22	5,217.91	62.9
J2	5,065.30	ZONE - 2	0.81	5,217.91	66.0
J3	5,061.66	ZONE - 2	0.81	5,217.91	67.6
J4	5,057.00	ZONE - 2	1.63	5,217.92	69.6
J5	5,046.00	ZONE - 2	0.41	5,217.92	74.4
J7	5,047.09	ZONE - 2	0.81	5,217.92	73.9
J8	5,050.10	ZONE - 2	1.63	5,217.91	72.6
J9	5,060.13	ZONE - 2	0.81	5,217.91	68.3
J10	5,068.05	ZONE - 2	1.22	5,217.91	64.8
J11	5,079.59	ZONE - 2	0.81	5,217.91	59.8
J12	5,081.76	ZONE - 2	1.22	5,217.91	58.9
J13	5,084.81	ZONE - 2	1.63	5,217.91	57.6
J14	5,084.82	ZONE - 2	0.00	5,217.91	57.6
J15	5,090.86	ZONE - 2	0.41	5,217.91	55.0
J16	5,079.95	ZONE - 2	0.00	5,217.91	59.7
J18	5,086.86	ZONE - 2	0.41	5,217.91	56.7
J19	5,076.77	ZONE - 2	1.63	5,217.91	61.1
J20	5,034.14	ZONE - 2	1.36	5,217.92	79.5
J21	5,036.00	ZONE - 2	0.54	5,217.92	78.7
J22	5,031.73	ZONE - 2	0.81	5,217.92	80.6
J23	5,031.93	ZONE - 2	1.63	5,217.93	80.5
J24	5,029.32	ZONE - 2	0.81	5,217.93	81.6
J25	5,027.80	ZONE - 2	1.08	5,217.93	82.3
J26	5,028.35	ZONE - 2	0.54	5,217.93	82.0
J27	5,027.32	ZONE - 2	1.36	5,217.93	82.5
J28	5,028.65	ZONE - 2	0.00	5,217.92	81.9
J29	5,076.66	ZONE - 3	0.00	5,305.67	99.1
J30	5,009.00	ZONE - 2	0.00	5,218.00	90.4
J31	5,075.00	ZONE - 3	0.00	5,305.67	99.8
J32	5,029.83	ZONE - 2	1.90	5,217.93	81.4
J33	5,022.15	ZONE - 2	0.27	5,217.93	84.7
J34	5,024.23	ZONE - 2	0.81	5,217.93	83.8
J35	5,024.47	ZONE - 2	0.54	5,217.92	83.7
J36	5,027.21	ZONE - 2	1.08	5,217.92	82.5
J37	5,027.92	ZONE - 2	1.08	5,217.92	82.2
J38	5,032.68	ZONE - 2	0.27	5,217.92	80.1
J40	5,034.00	ZONE - 2	0.81	5,217.92	79.6
J41	5,034.81	ZONE - 2	1.08	5,217.92	79.2
J42	5,036.00	ZONE - 2	1.63	5,217.92	78.7
J43	5,033.01	ZONE - 2	1.08	5,217.92	80.0
J44	5,031.87	ZONE - 2	0.81	5,217.92	80.5
J45	5,031.00	ZONE - 2	1.36	5,217.92	80.9
J46	5,028.35	ZONE - 2	1.63	5,217.92	82.0
J47	5,026.27	ZONE - 2	1.36	5,217.92	82.9
J48	5,022.00	ZONE - 2	0.81	5,217.93	84.8
J49	5,026.46	ZONE - 2	0.81	5,217.93	82.8
J50	5,027.46	ZONE - 2	1.36	5,217.93	82.4
J51	5,029.63	ZONE - 2	1.36	5,217.92	81.5

Active Scenario: AVERAGE DAY

Current Time: 0.000 hours

Label	Elevation (ft)	Zone	Demand (gpm)	Hydraulic Grade (ft)	Pressure (psi)
J52	5,024.49	ZONE - 2	1.36	5,217.93	83.7
J53	5,027.58	ZONE - 2	0.81	5,217.93	82.4
J56	5,032.71	ZONE - 2	1.36	5,217.92	80.1
J57	5,030.65	ZONE - 2	2.17	5,217.92	81.0
J58	5,015.75	ZONE - 2	0.00	5,217.94	87.5
J59	5,019.00	ZONE - 2	0.00	5,217.93	86.1
J60	5,021.68	ZONE - 2	0.00	5,217.93	84.9
J54	5,036.70	ZONE - 2	0.00	5,217.92	78.4
J55	5,019.26	ZONE - 2	0.00	5,217.94	86.0
J65	5,028.35	ZONE - 2	0.00	5,217.92	82.0
J62	5,022.00	ZONE - 2	0.00	5,217.96	84.8
J63	5,043.00	ZONE - 2	0.00	5,217.97	75.7
J39	5,022.00	ZONE - 2	0.27	5,217.93	84.8
J61	5,060.00	ZONE - 2	0.27	5,217.93	68.3
J64	5,044.24	ZONE - 2	0.00	5,217.92	75.1
J6	5,063.59	ZONE - 2	0.00	5,217.91	66.8
J17	5,062.26	ZONE - 2	0.41	5,217.91	67.3

Active Scenario: AVERAGE DAY

Current Time: 0.000 hours

Label	Start Node	Stop Node	Length (Scaled) (ft)	Diameter (in)	Flow (gpm)	Velocity (ft/s)	Headloss (ft)	Headloss Gradient (ft/1000ft)
P1	J1	J2	215.55	8.0	-4.29	0.03	0.00	0.002
P2	J8	J9	331.55	8.0	5.48	0.03	0.00	0.001
P3	J14	J16	127.64	8.0	-3.07	0.02	0.00	0.000
P4	J16	J1	149.18	8.0	-3.07	0.02	0.00	0.000
P5	J14	J18	147.74	8.0	0.81	0.01	0.00	0.000
P6	J18	J15	262.80	8.0	0.41	0.00	0.00	0.000
P7	J20	J21	236.32	8.0	5.66	0.04	0.00	0.002
P8	J24	J25	157.42	8.0	1.08	0.01	0.00	0.000
P9	J24	J26	194.55	8.0	-3.98	0.03	0.00	0.003
P10	J26	J27	126.04	8.0	-4.53	0.03	0.00	0.000
P11	J27	J28	202.06	8.0	10.54	0.07	0.00	0.005
P12	J30	R1	19.71	12.0	-50.34	0.14	0.00	0.025
P13	J29	J31	2,548.73	12.0	0.00	0.00	0.00	0.000
P14	J31	R2	42.89	12.0	0.00	0.00	0.00	0.000
P15	J35	J36	275.63	8.0	2.49	0.02	0.00	0.000
P16	J36	J37	57.33	8.0	1.40	0.01	0.00	0.000
P17	J37	J38	172.86	8.0	0.32	0.00	0.00	0.000
P18	J40	J41	84.51	12.0	2.72	0.01	0.00	0.000
P19	J41	J42	155.74	12.0	1.63	0.00	0.00	0.000
P20	J40	J43	151.26	12.0	-3.48	0.01	0.00	0.000
P21	J44	J45	96.47	12.0	-5.38	0.02	0.00	0.000
P22	J45	J46	330.24	8.0	-0.76	0.00	0.00	0.000
P23	J46	J47	96.08	8.0	-2.38	0.02	0.00	0.000
P24	J34	J48	298.17	8.0	7.59	0.05	0.00	0.003
P25	J47	J48	226.69	8.0	-3.74	0.02	0.00	0.002
P26	J34	J49	192.16	8.0	7.24	0.05	0.00	0.003
P27	J49	J50	75.65	8.0	6.43	0.04	0.00	0.006
P28	J50	J51	241.61	8.0	5.07	0.03	0.00	0.002
P29	J51	J45	301.49	12.0	5.98	0.02	0.00	0.000
P30	J56	J20	165.65	8.0	7.02	0.04	0.00	0.003
P31	J28	J57	254.94	8.0	10.54	0.07	0.00	0.008
P32	PRV-1	J29	364.51	12.0	0.01	0.00	0.00	0.000
P33	J1	PRV-1	562.39	12.0	0.00	0.00	0.00	0.000
P34	J21	J54	116.43	8.0	5.12	0.03	0.00	0.000
P35	J54	J5	279.27	8.0	15.88	0.10	0.00	0.014
P36	J35	J48	316.47	8.0	-3.03	0.02	0.00	0.002
P37	J43	J44	111.40	12.0	-4.57	0.01	0.00	0.000
P38	J22	J51	307.77	8.0	-11.58	0.07	0.00	0.006
P39	J53	J23	297.13	8.0	-0.46	0.00	0.00	0.000
P40	J23	J24	271.07	8.0	-2.08	0.01	0.00	0.000
P41	J56	J57	222.47	8.0	-8.37	0.05	0.00	0.004
P42	J58	J55	259.09	8.0	18.32	0.12	0.00	0.019
P43	J55	J32	321.70	8.0	18.32	0.12	0.01	0.018
P44	J27	J32	306.80	8.0	-16.42	0.10	0.00	0.014
P45	J34	J33	275.29	8.0	-15.64	0.10	0.00	0.012
P46	J33	J59	208.50	12.0	-31.47	0.09	0.00	0.007
P47	J42	J65	151.48	12.0	0.00	0.00	0.00	0.000

Active Scenario: AVERAGE DAY

Current Time: 0.000 hours

Label	Start Node	Stop Node	Length (Scaled) (ft)	Diameter (in)	Flow (gpm)	Velocity (ft/s)	Headloss (ft)	Headloss Gradient (ft/1000ft)
P48	J8	J7	267.91	8.0	-7.11	0.05	0.00	0.004
P49	J10	J19	278.25	8.0	3.03	0.02	0.00	0.000
P50	J19	J11	200.39	8.0	1.41	0.01	0.00	0.000
P51	J11	J12	227.78	8.0	0.59	0.00	0.00	0.000
P52	J12	J13	305.10	8.0	-0.63	0.00	0.00	0.000
P53	J13	J14	230.92	8.0	-2.26	0.01	0.00	0.000
P54	J5	J4	445.03	8.0	7.55	0.05	0.00	0.003
P55	J4	J3	367.68	8.0	5.92	0.04	0.00	0.003
P56	J3	J2	293.42	8.0	5.11	0.03	0.00	0.002
P57	J33	J52	180.82	8.0	15.56	0.10	0.00	0.011
P58	J52	J53	188.19	8.0	14.20	0.09	0.00	0.013
P59	J51	J53	277.73	12.0	-13.84	0.04	0.00	0.002
P60	J38	J40	126.53	8.0	0.05	0.00	0.00	0.000
P61	J62	J58	949.52	12.0	50.34	0.14	0.02	0.016
P62	J30	J63	2,114.06	12.0	50.34	0.14	0.03	0.016
P63	J63	J62	2,668.75	16.0	50.34	0.08	0.01	0.003
P64	J22	J54	283.02	8.0	10.76	0.07	0.00	0.007
P65	J7	J5	375.40	8.0	-7.93	0.05	0.00	0.004
P66	J59	J39	1,532.53	12.0	0.28	0.00	0.00	0.000
P67	J39	J60	120.64	12.0	0.00	0.00	0.00	0.000
P68	J58	J61	1,058.17	12.0	32.02	0.09	0.01	0.007
P69	J61	J59	301.81	12.0	31.75	0.09	0.00	0.008
P70	J64	J7	376.94	6.0	0.00	0.00	0.00	0.000
P71	J9	J17	64.79	8.0	4.66	0.03	0.00	0.000
P72	J17	J10	166.79	8.0	4.25	0.03	0.00	0.003
P73	J6	J17	133.98	6.0	0.00	0.00	0.00	0.000

MAX DAY

Active Scenario: MAX DAY

Current Time: 0.000 hours

Label	Elevation (ft)	Zone	Demand (gpm)	Hydraulic Grade (ft)	Pressure (psi)
J1	5,072.63	ZONE - 2	3.17	5,217.89	62.8
J2	5,065.30	ZONE - 2	2.12	5,217.88	66.0
J3	5,061.66	ZONE - 2	2.12	5,217.87	67.6
J4	5,057.00	ZONE - 2	4.23	5,217.86	69.6
J5	5,046.00	ZONE - 2	1.06	5,217.85	74.4
J7	5,047.09	ZONE - 2	2.12	5,217.85	73.9
J8	5,050.10	ZONE - 2	4.23	5,217.85	72.6
J9	5,060.13	ZONE - 2	2.12	5,217.86	68.2
J10	5,068.05	ZONE - 2	3.17	5,217.86	64.8
J11	5,079.59	ZONE - 2	2.12	5,217.86	59.8
J12	5,081.76	ZONE - 2	3.17	5,217.86	58.9
J13	5,084.81	ZONE - 2	4.23	5,217.87	57.6
J14	5,084.82	ZONE - 2	0.00	5,217.88	57.6
J15	5,090.86	ZONE - 2	1.06	5,217.88	55.0
J16	5,079.95	ZONE - 2	0.00	5,217.88	59.7
J18	5,086.86	ZONE - 2	1.06	5,217.88	56.7
J19	5,076.77	ZONE - 2	4.23	5,217.86	61.0
J20	5,034.14	ZONE - 2	3.53	5,217.85	79.5
J21	5,036.00	ZONE - 2	1.41	5,217.85	78.7
J22	5,031.73	ZONE - 2	2.12	5,217.85	80.5
J23	5,031.93	ZONE - 2	4.23	5,217.85	80.4
J24	5,029.32	ZONE - 2	2.12	5,217.85	81.6
J25	5,027.80	ZONE - 2	2.82	5,217.85	82.2
J26	5,028.35	ZONE - 2	1.41	5,217.85	82.0
J27	5,027.32	ZONE - 2	3.53	5,217.85	82.4
J28	5,028.65	ZONE - 2	0.00	5,217.85	81.9
J29	5,076.66	ZONE - 3	0.00	5,305.62	99.1
J30	5,009.00	ZONE - 2	0.00	5,218.00	90.4
J31	5,075.00	ZONE - 3	0.00	5,305.67	99.8
J32	5,029.83	ZONE - 2	4.94	5,217.86	81.4
J33	5,022.15	ZONE - 2	0.70	5,217.86	84.7
J34	5,024.23	ZONE - 2	2.12	5,217.85	83.8
J35	5,024.47	ZONE - 2	1.41	5,217.85	83.7
J36	5,027.21	ZONE - 2	2.82	5,217.85	82.5
J37	5,027.92	ZONE - 2	2.82	5,217.85	82.2
J38	5,032.68	ZONE - 2	0.70	5,217.85	80.1
J40	5,034.00	ZONE - 2	2.12	5,217.85	79.5
J41	5,034.81	ZONE - 2	2.82	5,217.85	79.2
J42	5,036.00	ZONE - 2	4.23	5,217.85	78.7
J43	5,033.01	ZONE - 2	2.82	5,217.85	80.0
J44	5,031.87	ZONE - 2	2.12	5,217.85	80.5
J45	5,031.00	ZONE - 2	3.53	5,217.85	80.8
J46	5,028.35	ZONE - 2	4.23	5,217.85	82.0
J47	5,026.27	ZONE - 2	3.53	5,217.85	82.9
J48	5,022.00	ZONE - 2	2.12	5,217.85	84.7
J49	5,026.46	ZONE - 2	2.12	5,217.85	82.8
J50	5,027.46	ZONE - 2	3.53	5,217.85	82.4
J51	5,029.63	ZONE - 2	3.53	5,217.85	81.4

Active Scenario: MAX DAY

Current Time: 0.000 hours

Label	Elevation (ft)	Zone	Demand (gpm)	Hydraulic Grade (ft)	Pressure (psi)
J52	5,024.49	ZONE - 2	3.53	5,217.85	83.7
J53	5,027.58	ZONE - 2	2.12	5,217.85	82.3
J56	5,032.71	ZONE - 2	3.53	5,217.85	80.1
J57	5,030.65	ZONE - 2	5.64	5,217.85	81.0
J58	5,015.75	ZONE - 2	0.00	5,217.88	87.5
J59	5,019.00	ZONE - 2	0.00	5,217.86	86.0
J60	5,021.68	ZONE - 2	0.00	5,217.86	84.9
J54	5,036.70	ZONE - 2	0.00	5,217.85	78.4
J55	5,019.26	ZONE - 2	0.00	5,217.87	85.9
J65	5,028.35	ZONE - 2	0.00	5,217.85	82.0
J62	5,022.00	ZONE - 2	0.00	5,217.91	84.8
J63	5,043.00	ZONE - 2	0.00	5,217.93	75.7
J39	5,022.00	ZONE - 2	0.70	5,217.86	84.7
J61	5,060.00	ZONE - 2	0.70	5,217.86	68.3
J64	5,044.24	ZONE - 2	0.00	5,217.85	75.1
J6	5,063.59	ZONE - 2	0.00	5,217.86	66.7
J17	5,062.26	ZONE - 2	1.06	5,217.86	67.3

Active Scenario: MAX DAY

Current Time: 0.000 hours

Label	Start Node	Stop Node	Length (Scaled) (ft)	Diameter (in)	Flow (gpm)	Velocity (ft/s)	Headloss (ft)	Headloss Gradient (ft/1000ft)
P1	J1	J2	215.55	8.0	26.87	0.17	0.01	0.036
P2	J8	J9	331.55	8.0	-4.88	0.03	0.00	0.001
P3	J14	J16	127.64	8.0	-27.10	0.17	0.00	0.038
P4	J16	J1	149.18	8.0	-27.10	0.17	0.01	0.039
P5	J14	J18	147.74	8.0	2.12	0.01	0.00	0.000
P6	J18	J15	262.80	8.0	1.06	0.01	0.00	0.000
P7	J20	J21	236.32	8.0	-5.48	0.03	0.00	0.002
P8	J24	J25	157.42	8.0	2.82	0.02	0.00	0.000
P9	J24	J26	194.55	8.0	-9.42	0.06	0.00	0.005
P10	J26	J27	126.04	8.0	-10.83	0.07	0.00	0.008
P11	J27	J28	202.06	8.0	7.21	0.05	0.00	0.005
P12	J30	R1	19.71	12.0	-73.72	0.21	0.00	0.050
P13	J29	J31	2,548.73	12.0	-57.13	0.16	0.05	0.021
P14	J31	R2	42.89	12.0	-57.13	0.16	0.00	0.023
P15	J35	J36	275.63	8.0	3.68	0.02	0.00	0.000
P16	J36	J37	57.33	8.0	0.86	0.01	0.00	0.000
P17	J37	J38	172.86	8.0	-1.96	0.01	0.00	0.000
P18	J40	J41	84.51	12.0	7.06	0.02	0.00	0.000
P19	J41	J42	155.74	12.0	4.24	0.01	0.00	0.000
P20	J40	J43	151.26	12.0	-11.84	0.03	0.00	0.003
P21	J44	J45	96.47	12.0	-16.78	0.05	0.00	0.000
P22	J45	J46	330.24	8.0	3.12	0.02	0.00	0.000
P23	J46	J47	96.08	8.0	-1.11	0.01	0.00	0.000
P24	J34	J48	298.17	8.0	11.84	0.08	0.00	0.008
P25	J47	J48	226.69	8.0	-4.64	0.03	0.00	0.002
P26	J34	J49	192.16	8.0	8.89	0.06	0.00	0.005
P27	J49	J50	75.65	8.0	6.78	0.04	0.00	0.006
P28	J50	J51	241.61	8.0	3.25	0.02	0.00	0.000
P29	J51	J45	301.49	12.0	23.43	0.07	0.00	0.005
P30	J56	J20	165.65	8.0	-1.95	0.01	0.00	0.000
P31	J28	J57	254.94	8.0	7.21	0.05	0.00	0.002
P32	PRV-1	J29	364.51	12.0	-57.13	0.16	0.01	0.020
P33	J1	PRV-1	562.39	12.0	-57.14	0.16	0.01	0.021
P34	J21	J54	116.43	8.0	-6.89	0.04	0.00	0.000
P35	J54	J5	279.27	8.0	-15.86	0.10	0.00	0.014
P36	J35	J48	316.47	8.0	-5.09	0.03	0.00	0.003
P37	J43	J44	111.40	12.0	-14.66	0.04	0.00	0.000
P38	J22	J51	307.77	8.0	6.86	0.04	0.00	0.003
P39	J53	J23	297.13	8.0	-0.25	0.00	0.00	0.000
P40	J23	J24	271.07	8.0	-4.48	0.03	0.00	0.002
P41	J56	J57	222.47	8.0	-1.57	0.01	0.00	0.000
P42	J58	J55	259.09	8.0	26.51	0.17	0.01	0.036
P43	J55	J32	321.70	8.0	26.51	0.17	0.01	0.036
P44	J27	J32	306.80	8.0	-21.57	0.14	0.01	0.024
P45	J34	J33	275.29	8.0	-22.85	0.15	0.01	0.027
P46	J33	J59	208.50	12.0	-45.80	0.13	0.00	0.014
P47	J42	J65	151.48	12.0	0.00	0.00	0.00	0.000

Active Scenario: MAX DAY

Current Time: 0.000 hours

Label	Start Node	Stop Node	Length (Scaled) (ft)	Diameter (in)	Flow (gpm)	Velocity (ft/s)	Headloss (ft)	Headloss Gradient (ft/1000ft)
P48	J8	J7	267.91	8.0	0.64	0.00	0.00	0.000
P49	J10	J19	278.25	8.0	-11.23	0.07	0.00	0.007
P50	J19	J11	200.39	8.0	-15.46	0.10	0.00	0.015
P51	J11	J12	227.78	8.0	-17.58	0.11	0.00	0.015
P52	J12	J13	305.10	8.0	-20.75	0.13	0.01	0.024
P53	J13	J14	230.92	8.0	-24.99	0.16	0.01	0.032
P54	J5	J4	445.03	8.0	-18.40	0.12	0.01	0.019
P55	J4	J3	367.68	8.0	-22.63	0.14	0.01	0.027
P56	J3	J2	293.42	8.0	-24.75	0.16	0.01	0.032
P57	J33	J52	180.82	8.0	22.24	0.14	0.00	0.027
P58	J52	J53	188.19	8.0	18.72	0.12	0.00	0.018
P59	J51	J53	277.73	12.0	-16.85	0.05	0.00	0.002
P60	J38	J40	126.53	8.0	-2.67	0.02	0.00	0.000
P61	J62	J58	949.52	12.0	73.72	0.21	0.03	0.033
P62	J30	J63	2,114.06	12.0	73.72	0.21	0.07	0.033
P63	J63	J62	2,668.75	16.0	73.72	0.12	0.02	0.007
P64	J22	J54	283.02	8.0	-8.97	0.06	0.00	0.003
P65	J7	J5	375.40	8.0	-1.48	0.01	0.00	0.000
P66	J59	J39	1,532.53	12.0	0.71	0.00	0.00	0.000
P67	J39	J60	120.64	12.0	0.00	0.00	0.00	0.000
P68	J58	J61	1,058.17	12.0	47.21	0.13	0.02	0.015
P69	J61	J59	301.81	12.0	46.51	0.13	0.00	0.013
P70	J64	J7	376.94	6.0	0.00	0.00	0.00	0.000
P71	J9	J17	64.79	8.0	-6.99	0.04	0.00	0.008
P72	J17	J10	166.79	8.0	-8.06	0.05	0.00	0.003
P73	J6	J17	133.98	6.0	0.00	0.00	0.00	0.000

MAX HOUR

Active Scenario: MAX HOUR

Current Time: 0.000 hours

Label	Elevation (ft)	Zone	Demand (gpm)	Hydraulic Grade (ft)	Pressure (psi)
J1	5,072.63	ZONE - 2	4.76	5,217.87	62.8
J2	5,065.30	ZONE - 2	3.17	5,217.85	66.0
J3	5,061.66	ZONE - 2	3.17	5,217.82	67.6
J4	5,057.00	ZONE - 2	6.35	5,217.79	69.6
J5	5,046.00	ZONE - 2	1.59	5,217.77	74.3
J7	5,047.09	ZONE - 2	3.17	5,217.77	73.8
J8	5,050.10	ZONE - 2	6.35	5,217.77	72.5
J9	5,060.13	ZONE - 2	3.17	5,217.77	68.2
J10	5,068.05	ZONE - 2	4.76	5,217.78	64.8
J11	5,079.59	ZONE - 2	3.17	5,217.79	59.8
J12	5,081.76	ZONE - 2	4.76	5,217.80	58.9
J13	5,084.81	ZONE - 2	6.35	5,217.82	57.5
J14	5,084.82	ZONE - 2	0.00	5,217.84	57.6
J15	5,090.86	ZONE - 2	1.59	5,217.84	54.9
J16	5,079.95	ZONE - 2	0.00	5,217.85	59.7
J18	5,086.86	ZONE - 2	1.59	5,217.84	56.7
J19	5,076.77	ZONE - 2	6.35	5,217.78	61.0
J20	5,034.14	ZONE - 2	5.29	5,217.75	79.4
J21	5,036.00	ZONE - 2	2.12	5,217.75	78.6
J22	5,031.73	ZONE - 2	3.17	5,217.74	80.5
J23	5,031.93	ZONE - 2	6.35	5,217.74	80.4
J24	5,029.32	ZONE - 2	3.17	5,217.74	81.5
J25	5,027.80	ZONE - 2	4.23	5,217.74	82.2
J26	5,028.35	ZONE - 2	2.12	5,217.74	81.9
J27	5,027.32	ZONE - 2	5.29	5,217.75	82.4
J28	5,028.65	ZONE - 2	0.00	5,217.75	81.8
J29	5,076.66	ZONE - 3	0.00	5,305.53	99.0
J30	5,009.00	ZONE - 2	0.00	5,218.00	90.4
J31	5,075.00	ZONE - 3	0.00	5,305.67	99.8
J32	5,029.83	ZONE - 2	7.41	5,217.76	81.3
J33	5,022.15	ZONE - 2	1.06	5,217.75	84.6
J34	5,024.23	ZONE - 2	3.17	5,217.74	83.7
J35	5,024.47	ZONE - 2	2.12	5,217.74	83.6
J36	5,027.21	ZONE - 2	4.23	5,217.74	82.4
J37	5,027.92	ZONE - 2	4.23	5,217.74	82.1
J38	5,032.68	ZONE - 2	1.06	5,217.74	80.1
J40	5,034.00	ZONE - 2	3.17	5,217.74	79.5
J41	5,034.81	ZONE - 2	4.23	5,217.74	79.1
J42	5,036.00	ZONE - 2	6.35	5,217.74	78.6
J43	5,033.01	ZONE - 2	4.23	5,217.74	79.9
J44	5,031.87	ZONE - 2	3.17	5,217.74	80.4
J45	5,031.00	ZONE - 2	5.29	5,217.74	80.8
J46	5,028.35	ZONE - 2	6.35	5,217.74	81.9
J47	5,026.27	ZONE - 2	5.29	5,217.74	82.8
J48	5,022.00	ZONE - 2	3.17	5,217.74	84.7
J49	5,026.46	ZONE - 2	3.17	5,217.74	82.8
J50	5,027.46	ZONE - 2	5.29	5,217.74	82.3
J51	5,029.63	ZONE - 2	5.29	5,217.74	81.4

Active Scenario: MAX HOUR

Current Time: 0.000 hours

Label	Elevation (ft)	Zone	Demand (gpm)	Hydraulic Grade (ft)	Pressure (psi)
J52	5,024.49	ZONE - 2	5.29	5,217.75	83.6
J53	5,027.58	ZONE - 2	3.17	5,217.74	82.3
J56	5,032.71	ZONE - 2	5.29	5,217.75	80.1
J57	5,030.65	ZONE - 2	8.46	5,217.75	80.9
J58	5,015.75	ZONE - 2	0.00	5,217.79	87.4
J59	5,019.00	ZONE - 2	0.00	5,217.76	86.0
J60	5,021.68	ZONE - 2	0.00	5,217.76	84.8
J54	5,036.70	ZONE - 2	0.00	5,217.75	78.3
J55	5,019.26	ZONE - 2	0.00	5,217.78	85.9
J65	5,028.35	ZONE - 2	0.00	5,217.74	81.9
J62	5,022.00	ZONE - 2	0.00	5,217.85	84.7
J63	5,043.00	ZONE - 2	0.00	5,217.88	75.7
J39	5,022.00	ZONE - 2	1.06	5,217.76	84.7
J61	5,060.00	ZONE - 2	1.06	5,217.77	68.3
J64	5,044.24	ZONE - 2	0.00	5,217.77	75.1
J6	5,063.59	ZONE - 2	0.00	5,217.77	66.7
J17	5,062.26	ZONE - 2	1.59	5,217.77	67.3

Active Scenario: MAX HOUR

Current Time: 0.000 hours

Label	Start Node	Stop Node	Length (Scaled) (ft)	Diameter (in)	Flow (gpm)	Velocity (ft/s)	Headloss (ft)	Headloss Gradient (ft/1000ft)
P1	J1	J2	215.55	8.0	46.79	0.30	0.02	0.104
P2	J8	J9	331.55	8.0	-12.54	0.08	0.00	0.009
P3	J14	J16	127.64	8.0	-45.88	0.29	0.01	0.103
P4	J16	J1	149.18	8.0	-45.88	0.29	0.02	0.108
P5	J14	J18	147.74	8.0	3.17	0.02	0.00	0.000
P6	J18	J15	262.80	8.0	1.59	0.01	0.00	0.000
P7	J20	J21	236.32	8.0	-13.54	0.09	0.00	0.010
P8	J24	J25	157.42	8.0	4.23	0.03	0.00	0.000
P9	J24	J26	194.55	8.0	-14.88	0.09	0.00	0.013
P10	J26	J27	126.04	8.0	-16.99	0.11	0.00	0.015
P11	J27	J28	202.06	8.0	5.50	0.04	0.00	0.002
P12	J30	R1	19.71	12.0	-98.84	0.28	0.00	0.074
P13	J29	J31	2,548.73	12.0	-97.43	0.28	0.14	0.055
P14	J31	R2	42.89	12.0	-97.43	0.28	0.00	0.057
P15	J35	J36	275.63	8.0	5.10	0.03	0.00	0.002
P16	J36	J37	57.33	8.0	0.87	0.01	0.00	0.000
P17	J37	J38	172.86	8.0	-3.36	0.02	0.00	0.000
P18	J40	J41	84.51	12.0	10.58	0.03	0.00	0.000
P19	J41	J42	155.74	12.0	6.35	0.02	0.00	0.000
P20	J40	J43	151.26	12.0	-18.17	0.05	0.00	0.003
P21	J44	J45	96.47	12.0	-25.58	0.07	0.00	0.005
P22	J45	J46	330.24	8.0	5.41	0.03	0.00	0.001
P23	J46	J47	96.08	8.0	-0.94	0.01	0.00	0.000
P24	J34	J48	298.17	8.0	16.62	0.11	0.00	0.016
P25	J47	J48	226.69	8.0	-6.23	0.04	0.00	0.002
P26	J34	J49	192.16	8.0	10.99	0.07	0.00	0.008
P27	J49	J50	75.65	8.0	7.82	0.05	0.00	0.006
P28	J50	J51	241.61	8.0	2.53	0.02	0.00	0.000
P29	J51	J45	301.49	12.0	36.28	0.10	0.00	0.010
P30	J56	J20	165.65	8.0	-8.25	0.05	0.00	0.003
P31	J28	J57	254.94	8.0	5.50	0.04	0.00	0.002
P32	PRV-1	J29	364.51	12.0	-97.43	0.28	0.02	0.056
P33	J1	PRV-1	562.39	12.0	-97.43	0.28	0.03	0.056
P34	J21	J54	116.43	8.0	-15.66	0.10	0.00	0.017
P35	J54	J5	279.27	8.0	-35.52	0.23	0.02	0.061
P36	J35	J48	316.47	8.0	-7.22	0.05	0.00	0.003
P37	J43	J44	111.40	12.0	-22.40	0.06	0.00	0.000
P38	J22	J51	307.77	8.0	16.69	0.11	0.00	0.014
P39	J53	J23	297.13	8.0	-1.12	0.01	0.00	0.000
P40	J23	J24	271.07	8.0	-7.47	0.05	0.00	0.004
P41	J56	J57	222.47	8.0	2.96	0.02	0.00	0.002
P42	J58	J55	259.09	8.0	35.19	0.22	0.02	0.060
P43	J55	J32	321.70	8.0	35.19	0.22	0.02	0.061
P44	J27	J32	306.80	8.0	-27.79	0.18	0.01	0.040
P45	J34	J33	275.29	8.0	-30.79	0.20	0.01	0.046
P46	J33	J59	208.50	12.0	-61.53	0.17	0.00	0.023
P47	J42	J65	151.48	12.0	0.00	0.00	0.00	0.000

Active Scenario: MAX HOUR

Current Time: 0.000 hours

Label	Start Node	Stop Node	Length (Scaled) (ft)	Diameter (in)	Flow (gpm)	Velocity (ft/s)	Headloss (ft)	Headloss Gradient (ft/1000ft)
P48	J8	J7	267.91	8.0	6.20	0.04	0.00	0.004
P49	J10	J19	278.25	8.0	-22.07	0.14	0.01	0.025
P50	J19	J11	200.39	8.0	-28.42	0.18	0.01	0.041
P51	J11	J12	227.78	8.0	-31.59	0.20	0.01	0.049
P52	J12	J13	305.10	8.0	-36.35	0.23	0.02	0.064
P53	J13	J14	230.92	8.0	-42.70	0.27	0.02	0.087
P54	J5	J4	445.03	8.0	-34.09	0.22	0.03	0.057
P55	J4	J3	367.68	8.0	-40.44	0.26	0.03	0.077
P56	J3	J2	293.42	8.0	-43.61	0.28	0.03	0.090
P57	J33	J52	180.82	8.0	29.69	0.19	0.01	0.043
P58	J52	J53	188.19	8.0	24.40	0.16	0.01	0.031
P59	J51	J53	277.73	12.0	-22.35	0.06	0.00	0.004
P60	J38	J40	126.53	8.0	-4.42	0.03	0.00	0.004
P61	J62	J58	949.52	12.0	98.84	0.28	0.05	0.057
P62	J30	J63	2,114.06	12.0	98.84	0.28	0.12	0.057
P63	J63	J62	2,668.75	16.0	98.84	0.16	0.03	0.012
P64	J22	J54	283.02	8.0	-19.87	0.13	0.01	0.022
P65	J7	J5	375.40	8.0	3.02	0.02	0.00	0.000
P66	J59	J39	1,532.53	12.0	1.06	0.00	0.00	0.000
P67	J39	J60	120.64	12.0	0.00	0.00	0.00	0.000
P68	J58	J61	1,058.17	12.0	63.65	0.18	0.03	0.025
P69	J61	J59	301.81	12.0	62.59	0.18	0.01	0.024
P70	J64	J7	376.94	6.0	0.00	0.00	0.00	0.000
P71	J9	J17	64.79	8.0	-15.72	0.10	0.00	0.008
P72	J17	J10	166.79	8.0	-17.31	0.11	0.00	0.018
P73	J6	J17	133.98	6.0	0.00	0.00	0.00	0.000

MAX DAY WITH

FIRE FLOW

Active Scenario: MAX DAY WITH FIRE FLOW

Current Time: 0.000 hours

Label	Zone	Fire Flow Iterations	Is Fire Flow Run Balanced?	Satisfies Fire Flow Constraints ?	Fire Flow (Needed) (gpm)	Fire Flow (Available) (gpm)	Flow (Total Needed) (gpm)	Flow (Total Available) (gpm)	Pressure (Calculated Residual) (psi)	Pressure (System Lower Limit) (psi)	Pressure (Calculated System Lower Limit) (psi)	Junction w/Minimum Pressure (System)
J1	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.17	1,004.17	62.0	N/A	54.1	J15
J2	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	63.7	N/A	54.2	J15
J3	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	64.2	N/A	54.2	J15
J4	ZONE - 2	2	True	True	1,000.00	1,001.00	1,004.23	1,005.23	65.8	N/A	54.2	J15
J5	ZONE - 2	2	True	True	1,000.00	1,001.00	1,001.06	1,002.06	71.1	N/A	54.2	J15
J6	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)
J7	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	69.0	N/A	53.8	J15
J8	ZONE - 2	2	True	True	1,000.00	1,001.00	1,004.23	1,005.23	66.9	N/A	53.6	J15
J9	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	62.1	N/A	53.4	J15
J10	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.17	1,004.17	58.5	N/A	53.2	J15
J11	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	53.9	N/A	52.8	J15
J12	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.17	1,004.17	53.5	N/A	52.5	J15
J13	ZONE - 2	2	True	True	1,000.00	1,001.00	1,004.23	1,005.23	53.2	N/A	52.1	J15
J14	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.00	1,001.00	54.3	N/A	51.7	J15
J15	ZONE - 2	2	True	True	1,000.00	1,001.00	1,001.06	1,002.06	46.0	N/A	51.2	J18
J16	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.00	1,001.00	57.3	N/A	52.7	J15
J17	ZONE - 2	2	True	True	1,000.00	1,001.00	1,001.06	1,002.06	61.1	N/A	53.3	J15
J18	ZONE - 2	2	True	True	1,000.00	1,001.00	1,001.06	1,002.06	51.2	N/A	49.5	J15
J19	ZONE - 2	2	True	True	1,000.00	1,001.00	1,004.23	1,005.23	54.9	N/A	53.0	J15
J20	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.53	1,004.53	74.3	N/A	54.4	J15
J21	ZONE - 2	2	True	True	1,000.00	1,001.00	1,001.41	1,002.41	74.4	N/A	54.4	J15
J22	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	76.3	N/A	54.4	J15
J23	ZONE - 2	2	True	True	1,000.00	1,001.00	1,004.23	1,005.23	75.5	N/A	54.5	J15
J24	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	76.3	N/A	54.5	J15
J25	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.82	1,003.82	74.9	N/A	54.5	J15
J26	ZONE - 2	2	True	True	1,000.00	1,001.00	1,001.41	1,002.41	77.0	N/A	54.5	J15
J27	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.53	1,004.53	77.9	N/A	54.5	J15
J28	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.00	1,001.00	76.6	N/A	54.5	J15
J29	ZONE - 3	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)
J30	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)

Active Scenario: MAX DAY WITH FIRE FLOW

Current Time: 0.000 hours

Label	Zone	Fire Flow Iterations	Is Fire Flow Run Balanced?	Satisfies Fire Flow Constraints ?	Fire Flow (Needed) (gpm)	Fire Flow (Available) (gpm)	Flow (Total Needed) (gpm)	Flow (Total Available) (gpm)	Pressure (Calculated Residual) (psi)	Pressure (System Lower Limit) (psi)	Pressure (Calculated System Lower Limit) (psi)	Junction w/Minimum Pressure (System)
J31	ZONE - 3	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)
J32	ZONE - 2	2	True	True	1,000.00	1,001.00	1,004.94	1,005.94	76.4	N/A	54.5	J15
J33	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.70	1,001.70	80.9	N/A	54.5	J15
J34	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	79.4	N/A	54.5	J15
J35	ZONE - 2	2	True	True	1,000.00	1,001.00	1,001.41	1,002.41	77.7	N/A	54.5	J15
J36	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.82	1,003.82	76.5	N/A	54.5	J15
J37	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.82	1,003.82	76.3	N/A	54.5	J15
J38	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.70	1,001.70	74.8	N/A	54.5	J15
J39	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.70	1,001.70	78.2	N/A	54.5	J15
J40	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	74.9	N/A	54.5	J15
J41	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.82	1,003.82	74.4	N/A	54.5	J15
J42	ZONE - 2	2	True	True	1,000.00	1,001.00	1,004.23	1,005.23	73.6	N/A	54.5	J15
J43	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.82	1,003.82	75.5	N/A	54.5	J15
J44	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	76.1	N/A	54.5	J15
J45	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.53	1,004.53	76.6	N/A	54.5	J15
J46	ZONE - 2	2	True	True	1,000.00	1,001.00	1,004.23	1,005.23	76.5	N/A	54.5	J15
J47	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.53	1,004.53	77.4	N/A	54.5	J15
J48	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	79.8	N/A	54.5	J15
J49	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	78.0	N/A	54.5	J15
J50	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.53	1,004.53	77.6	N/A	54.5	J15
J51	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.53	1,004.53	77.6	N/A	54.5	J15
J52	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.53	1,004.53	79.4	N/A	54.5	J15
J53	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	78.4	N/A	54.5	J15
J54	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.00	1,001.00	74.8	N/A	54.3	J15
J55	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.00	1,001.00	81.5	N/A	54.5	J15
J56	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.53	1,004.53	74.6	N/A	54.4	J15
J57	ZONE - 2	2	True	True	1,000.00	1,001.00	1,005.64	1,006.64	75.4	N/A	54.4	J15
J58	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)
J59	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)
J60	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)

Active Scenario: MAX DAY WITH FIRE FLOW

Current Time: 0.000 hours

Label	Zone	Fire Flow Iterations	Is Fire Flow Run Balanced?	Satisfies Fire Flow Constraints ?	Fire Flow (Needed) (gpm)	Fire Flow (Available) (gpm)	Flow (Total Needed) (gpm)	Flow (Total Available) (gpm)	Pressure (Calculated Residual) (psi)	Pressure (System Lower Limit) (psi)	Pressure (Calculated System Lower Limit) (psi)	Junction w/Minimum Pressure (System)
J61	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.70	1,001.70	64.6	N/A	54.5	J15
J62	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)
J63	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)
J64	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)
J65	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)

MAX DAY WITH

FIRE FLOW AT J15

Active Scenario: MAX DAY FIRE FLOW AT J15

Current Time: 0.000 hours

Label	Elevation (ft)	Zone	Demand (gpm)	Hydraulic Grade (ft)	Pressure (psi)
J1	5,072.63	ZONE - 2	3.17	5,216.13	62.1
J2	5,065.30	ZONE - 2	2.12	5,216.06	65.2
J3	5,061.66	ZONE - 2	2.12	5,215.97	66.8
J4	5,057.00	ZONE - 2	4.23	5,215.86	68.7
J5	5,046.00	ZONE - 2	1.06	5,215.74	73.4
J7	5,047.09	ZONE - 2	2.12	5,214.85	72.6
J8	5,050.10	ZONE - 2	4.23	5,214.23	71.0
J9	5,060.13	ZONE - 2	2.12	5,213.47	66.3
J10	5,068.05	ZONE - 2	3.17	5,212.96	62.7
J11	5,079.59	ZONE - 2	2.12	5,211.94	57.3
J12	5,081.76	ZONE - 2	3.17	5,211.47	56.1
J13	5,084.81	ZONE - 2	4.23	5,210.86	54.5
J14	5,084.82	ZONE - 2	0.00	5,210.41	54.3
J15	5,090.86	ZONE - 2	1,001.06	5,197.13	46.0
J16	5,079.95	ZONE - 2	0.00	5,212.90	57.5
J18	5,086.86	ZONE - 2	1.06	5,205.20	51.2
J19	5,076.77	ZONE - 2	4.23	5,212.36	58.7
J20	5,034.14	ZONE - 2	3.53	5,216.14	78.7
J21	5,036.00	ZONE - 2	1.41	5,216.09	77.9
J22	5,031.73	ZONE - 2	2.12	5,216.21	79.8
J23	5,031.93	ZONE - 2	4.23	5,216.37	79.8
J24	5,029.32	ZONE - 2	2.12	5,216.37	80.9
J25	5,027.80	ZONE - 2	2.82	5,216.37	81.6
J26	5,028.35	ZONE - 2	1.41	5,216.38	81.4
J27	5,027.32	ZONE - 2	3.53	5,216.38	81.8
J28	5,028.65	ZONE - 2	0.00	5,216.32	81.2
J29	5,076.66	ZONE - 3	0.00	5,297.47	95.5
J30	5,009.00	ZONE - 2	0.00	5,217.99	90.4
J31	5,075.00	ZONE - 3	0.00	5,305.52	99.7
J32	5,029.83	ZONE - 2	4.94	5,216.49	80.8
J33	5,022.15	ZONE - 2	0.70	5,216.48	84.1
J34	5,024.23	ZONE - 2	2.12	5,216.40	83.1
J35	5,024.47	ZONE - 2	1.41	5,216.37	83.0
J36	5,027.21	ZONE - 2	2.82	5,216.37	81.8
J37	5,027.92	ZONE - 2	2.82	5,216.37	81.5
J38	5,032.68	ZONE - 2	0.70	5,216.37	79.5
J40	5,034.00	ZONE - 2	2.12	5,216.37	78.9
J41	5,034.81	ZONE - 2	2.82	5,216.37	78.5
J42	5,036.00	ZONE - 2	4.23	5,216.37	78.0
J43	5,033.01	ZONE - 2	2.82	5,216.37	79.3
J44	5,031.87	ZONE - 2	2.12	5,216.37	79.8
J45	5,031.00	ZONE - 2	3.53	5,216.37	80.2
J46	5,028.35	ZONE - 2	4.23	5,216.37	81.3
J47	5,026.27	ZONE - 2	3.53	5,216.37	82.2
J48	5,022.00	ZONE - 2	2.12	5,216.38	84.1
J49	5,026.46	ZONE - 2	2.12	5,216.38	82.2
J50	5,027.46	ZONE - 2	3.53	5,216.38	81.7
J51	5,029.63	ZONE - 2	3.53	5,216.37	80.8

Active Scenario: MAX DAY FIRE FLOW AT J15

Current Time: 0.000 hours

Label	Elevation (ft)	Zone	Demand (gpm)	Hydraulic Grade (ft)	Pressure (psi)
J52	5,024.49	ZONE - 2	3.53	5,216.43	83.0
J53	5,027.58	ZONE - 2	2.12	5,216.37	81.7
J56	5,032.71	ZONE - 2	3.53	5,216.19	79.4
J57	5,030.65	ZONE - 2	5.64	5,216.24	80.3
J58	5,015.75	ZONE - 2	0.00	5,216.72	87.0
J59	5,019.00	ZONE - 2	0.00	5,216.51	85.5
J60	5,021.68	ZONE - 2	0.00	5,216.51	84.3
J54	5,036.70	ZONE - 2	0.00	5,216.07	77.6
J55	5,019.26	ZONE - 2	0.00	5,216.61	85.4
J65	5,028.35	ZONE - 2	0.00	5,216.37	81.3
J62	5,022.00	ZONE - 2	0.00	5,217.05	84.4
J63	5,043.00	ZONE - 2	0.00	5,217.25	75.4
J39	5,022.00	ZONE - 2	0.27	5,216.51	84.2
J61	5,060.00	ZONE - 2	0.27	5,216.56	67.7
J64	5,044.24	ZONE - 2	0.00	5,214.85	73.8
J6	5,063.59	ZONE - 2	0.00	5,213.33	64.8
J17	5,062.26	ZONE - 2	0.41	5,213.33	65.4

Active Scenario: MAX DAY FIRE FLOW AT J15

Current Time: 0.000 hours

Label	Start Node	Stop Node	Length (Scaled) (ft)	Diameter (in)	Flow (gpm)	Velocity (ft/s)	Headloss (ft)	Headloss Gradient (ft/1000ft)
P1	J1	J2	215.55	8.0	87.95	0.56	0.07	0.338
P2	J8	J9	331.55	8.0	248.49	1.59	0.75	2.277
P3	J14	J16	127.64	8.0	-773.08	4.93	2.49	19.472
P4	J16	J1	149.18	8.0	-773.08	4.93	3.23	21.678
P5	J14	J18	147.74	8.0	1,002.12	6.40	5.22	35.314
P6	J18	J15	262.80	8.0	1,001.06	6.39	8.07	30.694
P7	J20	J21	236.32	8.0	68.78	0.44	0.05	0.211
P8	J24	J25	157.42	8.0	2.82	0.02	0.00	0.000
P9	J24	J26	194.55	8.0	-6.07	0.04	0.00	0.003
P10	J26	J27	126.04	8.0	-7.48	0.05	0.00	0.004
P11	J27	J28	202.06	8.0	81.48	0.52	0.06	0.295
P12	J30	R1	19.71	12.0	-265.12	0.75	0.01	0.446
P13	J29	J31	2,548.73	12.0	-864.18	2.45	8.05	3.159
P14	J31	R2	42.89	12.0	-864.18	2.45	0.15	3.574
P15	J35	J36	275.63	8.0	15.56	0.10	0.00	0.012
P16	J36	J37	57.33	8.0	12.74	0.08	0.00	0.017
P17	J37	J38	172.86	8.0	9.92	0.06	0.00	0.006
P18	J40	J41	84.51	12.0	7.05	0.02	0.00	0.000
P19	J41	J42	155.74	12.0	4.23	0.01	0.00	0.000
P20	J40	J43	151.26	12.0	0.04	0.00	0.00	0.000
P21	J44	J45	96.47	12.0	-4.89	0.01	0.00	0.000
P22	J45	J46	330.24	8.0	-13.78	0.09	0.00	0.010
P23	J46	J47	96.08	8.0	-18.01	0.11	0.00	0.020
P24	J34	J48	298.17	8.0	40.62	0.26	0.02	0.080
P25	J47	J48	226.69	8.0	-21.53	0.14	0.01	0.024
P26	J34	J49	192.16	8.0	40.10	0.26	0.02	0.079
P27	J49	J50	75.65	8.0	37.98	0.24	0.01	0.071
P28	J50	J51	241.61	8.0	34.45	0.22	0.01	0.059
P29	J51	J45	301.49	12.0	-5.36	0.02	0.00	0.000
P30	J56	J20	165.65	8.0	72.31	0.46	0.04	0.253
P31	J28	J57	254.94	8.0	81.48	0.52	0.07	0.289
P32	PRV-1	J29	364.51	12.0	-864.18	2.45	1.15	3.145
P33	J1	PRV-1	562.39	12.0	-864.21	2.45	1.77	3.145
P34	J21	J54	116.43	8.0	67.37	0.43	0.02	0.210
P35	J54	J5	279.27	8.0	176.41	1.13	0.33	1.196
P36	J35	J48	316.47	8.0	-16.97	0.11	0.00	0.015
P37	J43	J44	111.40	12.0	-2.78	0.01	0.00	0.000
P38	J22	J51	307.77	8.0	-111.16	0.71	0.16	0.508
P39	J53	J23	297.13	8.0	3.10	0.02	0.00	0.000
P40	J23	J24	271.07	8.0	-1.14	0.01	0.00	0.000
P41	J56	J57	222.47	8.0	-75.84	0.48	0.06	0.250
P42	J58	J55	259.09	8.0	97.43	0.62	0.10	0.398
P43	J55	J32	321.70	8.0	97.43	0.62	0.13	0.398
P44	J27	J32	306.80	8.0	-92.49	0.59	0.11	0.361
P45	J34	J33	275.29	8.0	-82.84	0.53	0.08	0.294
P46	J33	J59	208.50	12.0	-167.15	0.47	0.03	0.150
P47	J42	J65	151.48	12.0	0.00	0.00	0.00	0.000

Active Scenario: MAX DAY FIRE FLOW AT J15

Current Time: 0.000 hours

Label	Start Node	Stop Node	Length (Scaled) (ft)	Diameter (in)	Flow (gpm)	Velocity (ft/s)	Headloss (ft)	Headloss Gradient (ft/1000ft)
P48	J8	J7	267.91	8.0	-252.73	1.61	0.62	2.324
P49	J10	J19	278.25	8.0	242.79	1.55	0.60	2.158
P50	J19	J11	200.39	8.0	238.56	1.52	0.42	2.088
P51	J11	J12	227.78	8.0	236.45	1.51	0.47	2.056
P52	J12	J13	305.10	8.0	233.27	1.49	0.61	2.004
P53	J13	J14	230.92	8.0	229.04	1.46	0.45	1.937
P54	J5	J4	445.03	8.0	-79.49	0.51	0.12	0.273
P55	J4	J3	367.68	8.0	-83.72	0.53	0.11	0.300
P56	J3	J2	293.42	8.0	-85.84	0.55	0.09	0.315
P57	J33	J52	180.82	8.0	83.61	0.53	0.05	0.300
P58	J52	J53	188.19	8.0	80.08	0.51	0.05	0.278
P59	J51	J53	277.73	12.0	-74.87	0.21	0.01	0.033
P60	J38	J40	126.53	8.0	9.22	0.06	0.00	0.004
P61	J62	J58	949.52	12.0	265.12	0.75	0.33	0.352
P62	J30	J63	2,114.06	12.0	265.12	0.75	0.75	0.352
P63	J63	J62	2,668.75	16.0	265.12	0.42	0.19	0.073
P64	J22	J54	283.02	8.0	109.04	0.70	0.14	0.490
P65	J7	J5	375.40	8.0	-254.84	1.63	0.89	2.361
P66	J59	J39	1,532.53	12.0	0.27	0.00	0.00	0.000
P67	J39	J60	120.64	12.0	0.00	0.00	0.00	0.000
P68	J58	J61	1,058.17	12.0	167.69	0.48	0.16	0.151
P69	J61	J59	301.81	12.0	167.42	0.47	0.05	0.150
P70	J64	J7	376.94	6.0	0.00	0.00	0.00	0.000
P71	J9	J17	64.79	8.0	246.38	1.57	0.14	2.216
P72	J17	J10	166.79	8.0	245.97	1.57	0.37	2.213
P73	J6	J17	133.98	6.0	0.00	0.00	0.00	0.000

FIRE FLOW WITH

NO FLOW FROM THE SOUTH

Active Scenario: MAX DAY WITH FIRE FLOW - NO FLOW FROM SOUTH CONNECTION

Current Time: 0.000 hours

Label	Zone	Fire Flow Iterations	Is Fire Flow Run Balanced?	Satisfies Fire Flow Constraints ?	Fire Flow (Needed) (gpm)	Fire Flow (Available) (gpm)	Flow (Total Needed) (gpm)	Flow (Total Available) (gpm)	Pressure (Calculated Residual) (psi)	Pressure (System Lower Limit) (psi)	Pressure (Calculated System Lower Limit) (psi)	Junction w/Minimum Pressure (System)
J1	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.17	1,004.17	38.5	N/A	31.3	J15
J2	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	42.2	N/A	32.2	J15
J3	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	44.8	N/A	33.4	J15
J4	ZONE - 2	2	True	True	1,000.00	1,001.00	1,004.23	1,005.23	48.6	N/A	35.0	J15
J5	ZONE - 2	2	True	True	1,000.00	1,001.00	1,001.06	1,002.06	56.9	N/A	37.5	J15
J6	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)
J7	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	53.3	N/A	36.0	J15
J8	ZONE - 2	2	True	True	1,000.00	1,001.00	1,004.23	1,005.23	50.5	N/A	35.2	J15
J9	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	44.8	N/A	34.2	J15
J10	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.17	1,004.17	40.7	N/A	33.6	J15
J11	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	34.9	N/A	32.3	J15
J12	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.17	1,004.17	33.8	N/A	31.7	J15
J13	ZONE - 2	2	True	True	1,000.00	1,001.00	1,004.23	1,005.23	32.5	N/A	30.8	J15
J14	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.00	1,001.00	32.7	N/A	30.1	J15
J15	ZONE - 2	2	True	True	1,000.00	1,001.00	1,001.06	1,002.06	24.4	N/A	29.6	J18
J16	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.00	1,001.00	35.0	N/A	30.7	J15
J17	ZONE - 2	2	True	True	1,000.00	1,001.00	1,001.06	1,002.06	43.7	N/A	34.1	J15
J18	ZONE - 2	2	True	True	1,000.00	1,001.00	1,001.06	1,002.06	29.6	N/A	27.9	J15
J19	ZONE - 2	2	True	True	1,000.00	1,001.00	1,004.23	1,005.23	36.4	N/A	32.9	J15
J20	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.53	1,004.53	65.6	N/A	42.3	J15
J21	ZONE - 2	2	True	True	1,000.00	1,001.00	1,001.41	1,002.41	64.9	N/A	41.7	J15
J22	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	67.9	N/A	42.6	J15
J23	ZONE - 2	2	True	True	1,000.00	1,001.00	1,004.23	1,005.23	68.6	N/A	44.6	J15
J24	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	69.5	N/A	44.5	J15
J25	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.82	1,003.82	68.1	N/A	44.5	J15
J26	ZONE - 2	2	True	True	1,000.00	1,001.00	1,001.41	1,002.41	70.3	N/A	44.5	J15
J27	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.53	1,004.53	71.2	N/A	44.5	J15
J28	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.00	1,001.00	69.5	N/A	43.9	J15
J29	ZONE - 3	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)
J30	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)

Active Scenario: MAX DAY WITH FIRE FLOW - NO FLOW FROM SOUTH CONNECTION

Current Time: 0.000 hours

Label	Zone	Fire Flow Iterations	Is Fire Flow Run Balanced?	Satisfies Fire Flow Constraints ?	Fire Flow (Needed) (gpm)	Fire Flow (Available) (gpm)	Flow (Total Needed) (gpm)	Flow (Total Available) (gpm)	Pressure (Calculated Residual) (psi)	Pressure (System Lower Limit) (psi)	Pressure (Calculated System Lower Limit) (psi)	Junction w/Minimum Pressure (System)
J31	ZONE - 3	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)
J32	ZONE - 2	2	True	True	1,000.00	1,001.00	1,004.94	1,005.94	70.3	N/A	45.1	J15
J33	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.70	1,001.70	74.7	N/A	45.1	J15
J34	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	72.9	N/A	44.7	J15
J35	ZONE - 2	2	True	True	1,000.00	1,001.00	1,001.41	1,002.41	71.0	N/A	44.5	J15
J36	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.82	1,003.82	69.8	N/A	44.5	J15
J37	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.82	1,003.82	69.6	N/A	44.5	J15
J38	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.70	1,001.70	68.0	N/A	44.5	J15
J39	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.70	1,001.70	72.2	N/A	45.3	J15
J40	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	68.2	N/A	44.5	J15
J41	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.82	1,003.82	67.6	N/A	44.5	J15
J42	ZONE - 2	2	True	True	1,000.00	1,001.00	1,004.23	1,005.23	66.8	N/A	44.5	J15
J43	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.82	1,003.82	68.8	N/A	44.5	J15
J44	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	69.4	N/A	44.5	J15
J45	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.53	1,004.53	69.9	N/A	44.4	J15
J46	ZONE - 2	2	True	True	1,000.00	1,001.00	1,004.23	1,005.23	69.8	N/A	44.5	J15
J47	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.53	1,004.53	70.7	N/A	44.5	J15
J48	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	73.2	N/A	44.5	J15
J49	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	71.3	N/A	44.6	J15
J50	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.53	1,004.53	70.9	N/A	44.5	J15
J51	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.53	1,004.53	70.8	N/A	44.4	J15
J52	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.53	1,004.53	72.9	N/A	44.8	J15
J53	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	71.7	N/A	44.5	J15
J54	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.00	1,001.00	64.8	N/A	41.3	J15
J55	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.00	1,001.00	75.9	N/A	45.9	J15
J56	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.53	1,004.53	66.4	N/A	42.7	J15
J57	ZONE - 2	2	True	True	1,000.00	1,001.00	1,005.64	1,006.64	67.7	N/A	43.2	J15
J58	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)
J59	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)
J60	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)

Active Scenario: MAX DAY WITH FIRE FLOW - NO FLOW FROM SOUTH CONNECTION

Current Time: 0.000 hours

Label	Zone	Fire Flow Iterations	Is Fire Flow Run Balanced?	Satisfies Fire Flow Constraints ?	Fire Flow (Needed) (gpm)	Fire Flow (Available) (gpm)	Flow (Total Needed) (gpm)	Flow (Total Available) (gpm)	Pressure (Calculated Residual) (psi)	Pressure (System Lower Limit) (psi)	Pressure (Calculated System Lower Limit) (psi)	Junction w/Minimum Pressure (System)
J61	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.70	1,001.70	58.8	N/A	45.5	J15
J62	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)
J63	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)
J64	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)
J65	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)

FIRE FLOW WITH

NO FLOW FROM THE NORTH

Active Scenario: MAX DAY WITH FIRE FLOW - NO FLOW FROM NORTH CONNECTION

Current Time: 0.000 hours

Label	Zone	Fire Flow Iterations	Is Fire Flow Run Balanced?	Satisfies Fire Flow Constraints ?	Fire Flow (Needed) (gpm)	Fire Flow (Available) (gpm)	Flow (Total Needed) (gpm)	Flow (Total Available) (gpm)	Pressure (Calculated Residual) (psi)	Pressure (System Lower Limit) (psi)	Pressure (Calculated System Lower Limit) (psi)	Junction w/Minimum Pressure (System)
J1	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.17	1,004.17	61.6	N/A	53.7	J15
J2	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	62.4	N/A	53.4	J15
J3	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	61.9	N/A	53.2	J15
J4	ZONE - 2	2	True	True	1,000.00	1,001.00	1,004.23	1,005.23	62.0	N/A	53.0	J15
J5	ZONE - 2	2	True	True	1,000.00	1,001.00	1,001.06	1,002.06	65.1	N/A	52.8	J15
J6	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)
J7	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	64.3	N/A	52.6	J15
J8	ZONE - 2	2	True	True	1,000.00	1,001.00	1,004.23	1,005.23	62.9	N/A	52.4	J15
J9	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	58.8	N/A	52.2	J15
J10	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.17	1,004.17	55.7	N/A	52.1	J15
J11	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	51.9	N/A	51.7	J15
J12	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.17	1,004.17	51.8	N/A	51.5	J15
J13	ZONE - 2	2	True	True	1,000.00	1,001.00	1,004.23	1,005.23	51.9	N/A	51.2	J15
J14	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.00	1,001.00	53.4	N/A	50.8	J15
J15	ZONE - 2	2	True	True	1,000.00	1,001.00	1,001.06	1,002.06	45.0	N/A	50.3	J18
J16	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.00	1,001.00	56.6	N/A	51.9	J15
J17	ZONE - 2	2	True	True	1,000.00	1,001.00	1,001.06	1,002.06	57.9	N/A	52.2	J15
J18	ZONE - 2	2	True	True	1,000.00	1,001.00	1,001.06	1,002.06	50.3	N/A	48.5	J15
J19	ZONE - 2	2	True	True	1,000.00	1,001.00	1,004.23	1,005.23	52.5	N/A	51.9	J15
J20	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.53	1,004.53	63.4	N/A	52.8	J15
J21	ZONE - 2	2	True	True	1,000.00	1,001.00	1,001.41	1,002.41	64.1	N/A	52.8	J15
J22	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	64.8	N/A	52.8	J15
J23	ZONE - 2	2	True	True	1,000.00	1,001.00	1,004.23	1,005.23	62.0	N/A	51.4	J61
J24	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	63.0	N/A	51.5	J61
J25	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.82	1,003.82	61.6	N/A	51.5	J61
J26	ZONE - 2	2	True	True	1,000.00	1,001.00	1,001.41	1,002.41	63.9	N/A	51.6	J61
J27	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.53	1,004.53	64.8	N/A	51.7	J61
J28	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.00	1,001.00	64.2	N/A	52.2	J61
J29	ZONE - 3	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)
J30	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)

Active Scenario: MAX DAY WITH FIRE FLOW - NO FLOW FROM NORTH CONNECTION

Current Time: 0.000 hours

Label	Zone	Fire Flow Iterations	Is Fire Flow Run Balanced?	Satisfies Fire Flow Constraints ?	Fire Flow (Needed) (gpm)	Fire Flow (Available) (gpm)	Flow (Total Needed) (gpm)	Flow (Total Available) (gpm)	Pressure (Calculated Residual) (psi)	Pressure (System Lower Limit) (psi)	Pressure (Calculated System Lower Limit) (psi)	Junction w/Minimum Pressure (System)
J31	ZONE - 3	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)
J32	ZONE - 2	2	True	True	1,000.00	1,001.00	1,004.94	1,005.94	62.6	N/A	51.2	J61
J33	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.70	1,001.70	66.9	N/A	50.6	J61
J34	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	65.9	N/A	51.1	J61
J35	ZONE - 2	2	True	True	1,000.00	1,001.00	1,001.41	1,002.41	64.4	N/A	51.3	J61
J36	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.82	1,003.82	63.2	N/A	51.3	J61
J37	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.82	1,003.82	63.0	N/A	51.3	J61
J38	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.70	1,001.70	61.5	N/A	51.3	J61
J39	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.70	1,001.70	64.1	N/A	50.4	J61
J40	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	61.6	N/A	51.3	J61
J41	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.82	1,003.82	61.1	N/A	51.3	J61
J42	ZONE - 2	2	True	True	1,000.00	1,001.00	1,004.23	1,005.23	60.3	N/A	51.3	J61
J43	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.82	1,003.82	62.2	N/A	51.3	J61
J44	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	62.8	N/A	51.3	J61
J45	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.53	1,004.53	63.4	N/A	51.3	J61
J46	ZONE - 2	2	True	True	1,000.00	1,001.00	1,004.23	1,005.23	63.2	N/A	51.3	J61
J47	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.53	1,004.53	64.1	N/A	51.3	J61
J48	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	66.5	N/A	51.2	J61
J49	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	64.6	N/A	51.2	J61
J50	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.53	1,004.53	64.2	N/A	51.2	J61
J51	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.53	1,004.53	64.3	N/A	51.3	J61
J52	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.53	1,004.53	65.8	N/A	51.0	J61
J53	ZONE - 2	2	True	True	1,000.00	1,001.00	1,002.12	1,003.12	65.1	N/A	51.3	J61
J54	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.00	1,001.00	65.0	N/A	52.8	J15
J55	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.00	1,001.00	66.9	N/A	50.8	J61
J56	ZONE - 2	2	True	True	1,000.00	1,001.00	1,003.53	1,004.53	63.3	N/A	52.8	J15
J57	ZONE - 2	2	True	True	1,000.00	1,001.00	1,005.64	1,006.64	63.7	N/A	52.8	J61
J58	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)
J59	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)
J60	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)

Active Scenario: MAX DAY WITH FIRE FLOW - NO FLOW FROM NORTH CONNECTION

Current Time: 0.000 hours

Label	Zone	Fire Flow Iterations	Is Fire Flow Run Balanced?	Satisfies Fire Flow Constraints ?	Fire Flow (Needed) (gpm)	Fire Flow (Available) (gpm)	Flow (Total Needed) (gpm)	Flow (Total Available) (gpm)	Pressure (Calculated Residual) (psi)	Pressure (System Lower Limit) (psi)	Pressure (Calculated System Lower Limit) (psi)	Junction w/Minimum Pressure (System)
J61	ZONE - 2	2	True	True	1,000.00	1,001.00	1,000.70	1,001.70	50.2	N/A	52.8	J15
J62	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)
J63	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)
J64	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)
J65	ZONE - 2	(N/A)	(N/A)	(N/A)	1,000.00	(N/A)	(N/A)	(N/A)	(N/A)	N/A	(N/A)	(N/A)

SANITARY SEWER

CALCULATIONS

8" EAST LINE MAX DISCHARGE

Project Description

Friction Method	Manning Formula
Solve For	Discharge

Input Data

Roughness Coefficient	0.011	
Channel Slope	0.40000	%
Normal Depth	7.30	in
Diameter	8.00	in

Results

Discharge	0.97	ft^3/s
Flow Area	0.33	ft^2
Wetted Perimeter	1.69	ft
Hydraulic Radius	2.37	in
Top Width	0.38	ft
Critical Depth	0.47	ft
Percent Full	91.3	%
Critical Slope	0.00655	ft/ft
Velocity	2.89	ft/s
Velocity Head	0.13	ft
Specific Energy	0.74	ft
Froude Number	0.54	
Maximum Discharge	0.97	ft^3/s
Discharge Full	0.90	ft^3/s
Slope Full	0.00459	ft/ft
Flow Type	SubCritical	

GVF Input Data

Downstream Depth	0.00	in
Length	0.00	ft
Number Of Steps	0	

GVF Output Data

Upstream Depth	0.00	in
Profile Description		
Profile Headloss	0.00	ft
Average End Depth Over Rise	0.00	%
Normal Depth Over Rise	91.25	%
Downstream Velocity	Infinity	ft/s

8" EAST LINE MAX DISCHARGE

GVF Output Data

Upstream Velocity	Infinity	ft/s
Normal Depth	7.30	in
Critical Depth	0.47	ft
Channel Slope	0.40000	%
Critical Slope	0.00655	ft/ft

12" EAST LINE MAX DISCHARGE

Project Description

Friction Method	Manning Formula
Solve For	Discharge

Input Data

Roughness Coefficient	0.011	
Channel Slope	0.22000	%
Normal Depth	11.00	in
Diameter	12.00	in

Results

Discharge	2.12	ft^3/s
Flow Area	0.75	ft^2
Wetted Perimeter	2.56	ft
Hydraulic Radius	3.54	in
Top Width	0.55	ft
Critical Depth	0.62	ft
Percent Full	91.7	%
Critical Slope	0.00503	ft/ft
Velocity	2.81	ft/s
Velocity Head	0.12	ft
Specific Energy	1.04	ft
Froude Number	0.42	
Maximum Discharge	2.12	ft^3/s
Discharge Full	1.97	ft^3/s
Slope Full	0.00253	ft/ft
Flow Type	SubCritical	

GVF Input Data

Downstream Depth	0.00	in
Length	0.00	ft
Number Of Steps	0	

GVF Output Data

Upstream Depth	0.00	in
Profile Description		
Profile Headloss	0.00	ft
Average End Depth Over Rise	0.00	%
Normal Depth Over Rise	91.67	%
Downstream Velocity	Infinity	ft/s

12" EAST LINE MAX DISCHARGE

GVF Output Data

Upstream Velocity	Infinity	ft/s
Normal Depth	11.00	in
Critical Depth	0.62	ft
Channel Slope	0.22000	%
Critical Slope	0.00503	ft/ft

8" WEST LINE MAX DISCHARGE

Project Description

Friction Method	Manning Formula
Solve For	Discharge

Input Data

Roughness Coefficient	0.011	
Channel Slope	0.40000	%
Normal Depth	7.30	in
Diameter	8.00	in

Results

Discharge	0.97	ft^3/s
Flow Area	0.33	ft^2
Wetted Perimeter	1.69	ft
Hydraulic Radius	2.37	in
Top Width	0.38	ft
Critical Depth	0.47	ft
Percent Full	91.3	%
Critical Slope	0.00655	ft/ft
Velocity	2.89	ft/s
Velocity Head	0.13	ft
Specific Energy	0.74	ft
Froude Number	0.54	
Maximum Discharge	0.97	ft^3/s
Discharge Full	0.90	ft^3/s
Slope Full	0.00459	ft/ft
Flow Type	SubCritical	

GVF Input Data

Downstream Depth	0.00	in
Length	0.00	ft
Number Of Steps	0	

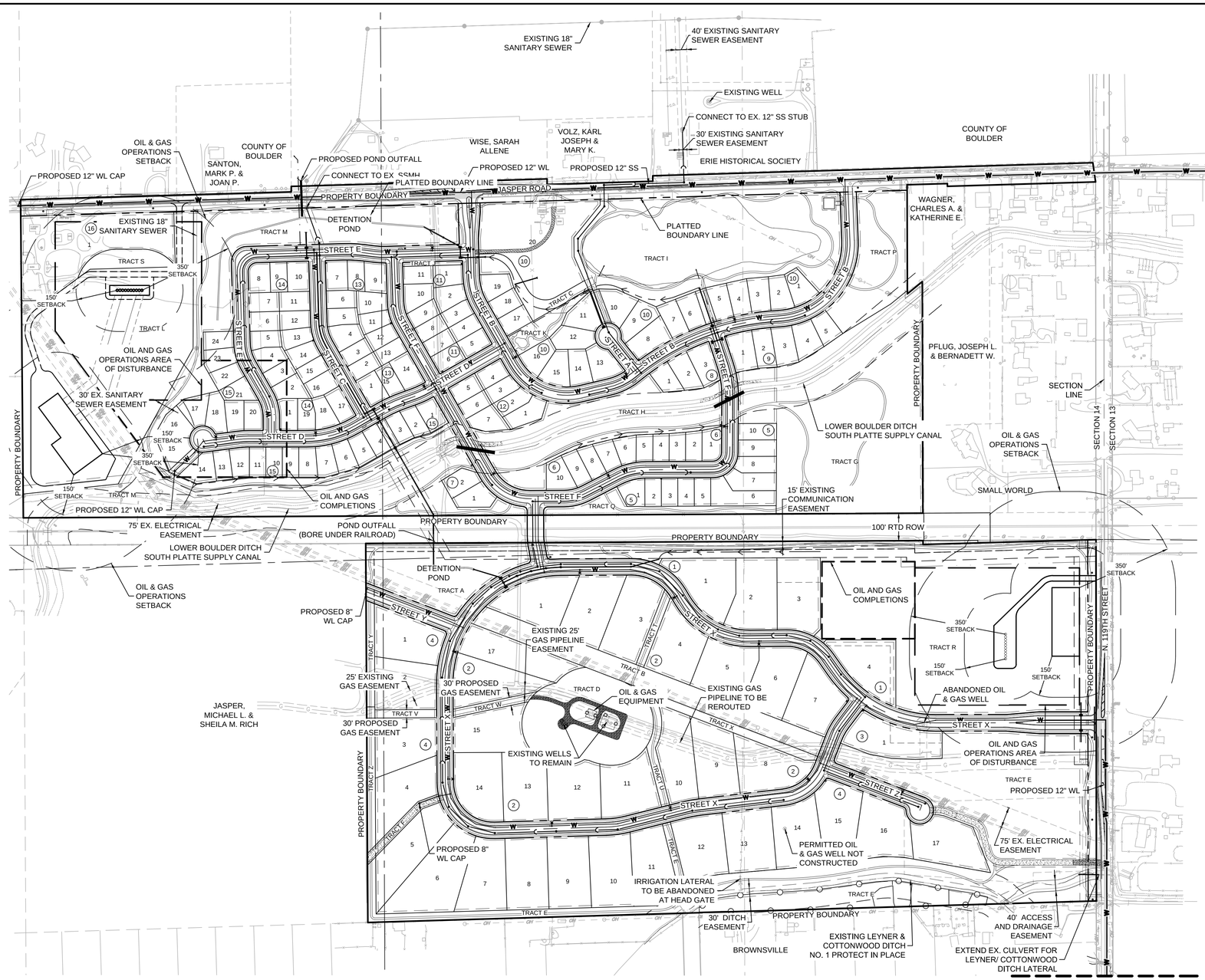
GVF Output Data

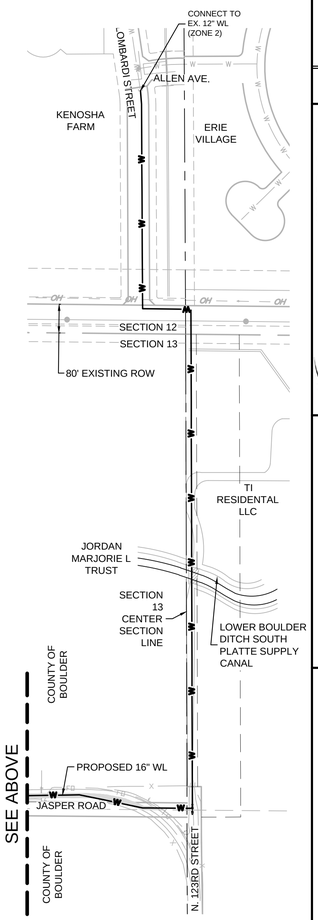
Upstream Depth	0.00	in
Profile Description		
Profile Headloss	0.00	ft
Average End Depth Over Rise	0.00	%
Normal Depth Over Rise	91.25	%
Downstream Velocity	Infinity	ft/s

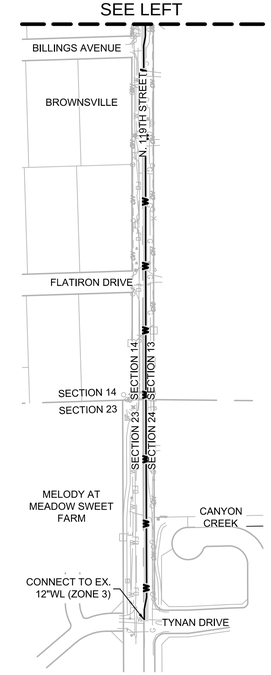
8" WEST LINE MAX DISCHARGE

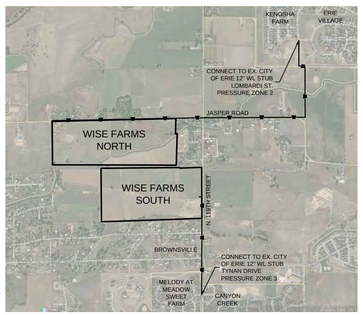
GVF Output Data

Upstream Velocity	Infinity	ft/s
Normal Depth	7.30	in
Critical Depth	0.47	ft
Channel Slope	0.40000	%
Critical Slope	0.00655	ft/ft









UTILITY LEGEND

- PROPOSED 8" WATERLINE UNLESS OTHERWISE NOTED
- PROPOSED PRESSURE RELEASE VALVE
- PROPOSED 8" SANITARY SEWER WITH MANHOLE UNLESS OTHERWISE NOTED
- CENTERLINE
- RIGHT-OF-WAY
- PROPERTY LINE
- PROPERTY BOUNDARY
- PROPOSED WATER METER
- IRR PROPOSED IRRIGATION
- PROPOSED UNDER DRAIN
- 6" FIRE HYDRANT ASSEMBLY
- PROPOSED BLOW OFF VALVE
- EXISTING TREE
- PROPOSED FLARED END SECTION
- PROPOSED STORM INLET
- PROPOSED STORM DRAIN WITH MANHOLE
- EASEMENT LINE
- PROPOSED SWALE
- PROPOSED AREA INLET
- PROPOSED GATE VALVE
- 11 LOT NUMBER
- 6 BLOCK NUMBER
- STREET LIGHT

NOTES

1. UNDERDRAINS WILL BE INSTALLED THROUGH THE ENTIRE SITE TO MITIGATE GROUNDWATER FLOODING.
2. THE WATER SERVICE FOR THE PROJECT SITE WILL CONNECT TO ZONE 2 IN KENOSHA FARMS TO THE NORTH AND ZONE 3 IN CANYON CREEK TO THE SOUTH.
3. WATER TIGHT SEWER WILL BE INSTALLED WHEN IN GROUNDWATER TO PROTECT THE GROUNDWATER.
4. THE EXISTING OVERHEAD POWER LINES LOCATED IN JASPER ROAD, ALONG THE PROJECT FRONTAGE; SHALL BE UNDERGROUNDED.
5. THE EXISTING OVERHEAD POWER LINES LOCATED IN THE NORTHEAST CORNER OF THE PROJECT SITE SHALL BE RELOCATED & UNDERGROUNDED WITHIN PROPOSED UTILITY EASEMENTS.
6. THE EXISTING OVERHEAD POWER LINES LOCATED ALONG THE N. 119TH STREET FRONTAGE, SHALL BE UNDERGROUNDED.

200 100 0 200 400

SCALE: 1" = 200'

No.	Revisions	Date	Init.	Aggr.	Date

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WISE FARMS
PRELIMINARY DEVELOPMENT PLAN
PRELIMINARY UTILITY PLAN - OVERALL

SCALE: AS SHOWN
FILE NO: 8.13.0230801
DRAWN BY: AAP
CHECKED BY: KEK
DATE: DECEMBER 2014
SHEET NUMBER E8

N:\PROJECTS\30230801 WISE FARMS\CAD\ENGINEERING\SHEET SETS\WISE FARMS - PD\PRELIMINARY UTILITY PLAN.DWG, PATRICK PASSANISE, 12/29/14

Wise Farms Preliminary Landscape Plan

a part of section 14, township 1 north, range 69 west of the 6th p.m.
town of erie, county of boulder, state of colorado
169.05 acres

TOWN OF ERIE GENERAL NOTES:

1. ALL CONSTRUCTION SHALL CONFORM TO THE LATEST "STANDARDS AND SPECIFICATIONS FOR DESIGN AND CONSTRUCTION OF PUBLIC IMPROVEMENTS" BY THE TOWN OF ERIE. COPIES OF THE TOWN OF ERIE STANDARDS AND SPECIFICATIONS MAY BE OBTAINED FROM THE TOWN OF ERIE WEB SITE. CONTRACTOR SHALL HAVE A SET ON SITE AT ALL TIMES.

2. THE OWNER SHALL SCHEDULE A PRE-CONSTRUCTION MEETING WITH THE TOWN OF ERIE ENGINEERING STAFF AT LEAST 48 HOURS PRIOR TO THE START OF CONSTRUCTION. THOSE IN ATTENDANCE SHALL INCLUDE THE OWNER, HIS ENGINEER, THE TOWN OF ERIE ENGINEERING STAFF, REPRESENTATIVES OF THE CONTRACTORS AND OTHER AFFECTED AGENCIES. PLANS SIGNED AND ACCEPTED BY THE TOWN OF ERIE WILL BE DISTRIBUTED AT THE PRE-CONSTRUCTION MEETING. CONTRACTOR SHALL HAVE (1) COPY OF THE SIGNED PLANS ON SITE AT ALL TIMES
.

3. THE TOWN OF ERIE, THROUGH ACCEPTANCE OF THIS DOCUMENT, ASSUMES NO RESPONSIBILITY FOR THE COMPLETENESS AND/OR ACCURACY OF THIS DOCUMENT. THE OWNER AND DESIGN ENGINEER UNDERSTAND THAT THE RESPONSIBILITY FOR THE ENGINEERING ADEQUACY OF THE FACILITIES DEPICTED IN THIS DOCUMENT LIES SOLELY WITH THE REGISTERED PROFESSIONAL ENGINEER WHOSE STAMP AND SIGNATURE ARE AFFIXED TO THIS DOCUMENT. REPORT ALL DISCREPANCIES TO THE DESIGN ENGINEER IMMEDIATELY.

4. PRIOR TO BEGINNING THE WORK, THE CONTRACTOR SHALL OBTAIN ANY/ALL WRITTEN AGREEMENTS FOR INGRESS AND EGRESS TO THE WORK SITE FROM ADJACENT PRIVATE PROPERTY OWNERS. A COPY OF ALL AGREEMENTS SHALL BE PROVIDED TO THE TOWN. ACCESS TO ANY ADJACENT PRIVATE PROPERTY SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

5. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION BY THE TOWN OF ERIE ENGINEERING STAFF. THE TOWN RESERVES THE RIGHT TO ACCEPT OR REJECT ANY SUCH MATERIALS AND WORKMANSHIP THAT DOES NOT CONFORM TO TOWN STANDARDS AND SPECIFICATIONS. INSPECTIONS AND ONSITE VISITS ARE NOT TO BE CONSTRUED AS A GUARANTEE BY THE TOWN ENGINEERING STAFF OF THE CONTRACTORS'' CONTRACTUAL COMMITMENT. REQUESTS FOR INSPECTION BY THE TOWN OF ERIE SHALL BE MADE BY THE CONTRACTOR A MINIMUM OF TWENTY FOUR (24) HOURS IN ADVANCE.

6. CONSTRUCTION WATER IS AVAILABLE TO THE CONTRACTOR AS ESTABLISHED IN THE TOWN OF ERIE STANDARDS AND SPECIFICATIONS. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO CONTACT THE TOWN OF ERIE REGARDING CURRENT REGULATIONS, FEES AND REQUIRED AGREEMENTS RELATED TO THE PROVISION OF CONSTRUCTION WATER.

7. THE CONTRACTOR SHALL COORDINATE HIS ACTIVITIES WITH THE AFFECTED UTILITY COMPANIES AND SHALL NOTIFY THE UTILITY NOTIFICATION CENTER, PHONE NUMBER 811, FORTY-EIGHT (48) HOURS PRIOR TO THE START OF CONSTRUCTION.

8. UTILITIES IN THE AREA OF CONSTRUCTION ARE APPROXIMATE ONLY. THEY HAVE BEEN LOCATED FROM FIELD INVESTIGATION AND THE BEST AVAILABLE UTILITY RECORDS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION, PROTECTION AND REPAIR OF ALL UTILITIES ENCOUNTERED DURING CONSTRUCTION WHETHER SHOWN ON THESE PLANS OR NOT. THE CONTRACTOR SHALL CONTACT ALL RESPECTIVE UTILITIES AND HAVE ALL UTILITIES FIELD-LOCATED PRIOR TO CONSTRUCTION. IF ANY UNKNOWN SUBSURFACE STRUCTURES ARE ENCOUNTERED DURING CONSTRUCTION, IT SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE TOWN OF ERIE ENGINEERING STAFF AND DESIGN ENGINEER PRIOR TO PROCEEDING.

9. THE CONTRACTOR SHALL NOTIFY TOWN OF ERIE ENGINEERING STAFF OF ANY PROBLEM IMPACTING WATER AND WASTE WATER FACILITIES THAT WOULD POTENTIALLY REQUIRE A VARIANCE FROM THE APPROVED PLANS AND SPECIFICATIONS. ANY VARIANCE FROM THE APPROVED DOCUMENTS SHALL BE AT THE SOLE DISCRETION OF THE TOWN OF ERIE ENGINEERING STAFF.

10. CONTRACTOR SHALL OBTAIN, AT HIS OWN EXPENSE, ALL APPLICABLE SPECIFICATIONS AND PERMITS NECESSARY TO PERFORM THE PROPOSED WORK.

11. AS-BUILT DRAWINGS AND A CD INCLUDING AUTOCAD AND PDF FILES, AS REQUIRED IN THE SPECIFICATIONS, ARE TO BE SUBMITTED BY THE OWNER/DEVELOPER PRIOR TO SUBSTANTIAL COMPLETION/CONSTRUCTION ACCEPTANCE OF THE CONSTRUCTION.

12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING AND REPLACING ANY EXISTING SIGNS, STRUCTURES, FENCES, ETC., ENCOUNTERED ON THE JOB AND RESTORING THEM TO THEIR ORIGINAL CONDITION.

13. THE CONTRACTOR IS RESPONSIBLE FOR: A. NOTIFYING THE TOWN OF ERIE UTILITY CUSTOMERS OF POTENTIAL SERVICE OUTAGES, AND COORDINATE WITH THE TOWN OF ERIE FOR DETERMINATION OF MINIMUM TIME REQUIREMENT. B. NOTIFYING THE TOWN OF ERIE ENGINEERING STAFF IF WORK IS SUSPENDED FOR ANY PERIOD OF TIME AFTER INITIAL START-UP. THE CONTRACTOR SHALL NOTIFY THE TOWN OF ERIE FORTY-EIGHT (48) HOURS PRIOR TO RESTART. C. IN THE EVENT OF AN AFTER HOURS EMERGENCY, CALL 303-441-4444. D. NOTIFYING THE MOUNTAIN VIEW FIRE PROTECTION DISTRICT OF ALL STREET CLOSURES AND EXISTING FIRE HYDRANTS TAKEN OUT OF SERVICE A MINIMUM OF FORTY-EIGHT (48) HOURS PRIOR TO THE START OF CONSTRUCTION.

14. PRIOR TO INSTALLATION OF UTILITY MAINS, ROAD CONSTRUCTION MUST HAVE PROGRESSED TO AT LEAST THE "SUB-GRADE" STAGE.
15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING ANY GROUNDWATER ENCOUNTERED DURING THE CONSTRUCTION OF ANY PORTION OF THIS PROJECT. A CONSTRUCTION DEWATERING PERMIT MUST BE OBTAINED FROM THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT (CDPHE). GROUNDWATER SHALL BE PUMPED, PIPED, REMOVED AND DISPOSED OF IN A MANNER WHICH DOES NOT CAUSE FLOODING OF EXISTING STREETS OR EROSION OF ABUTTING PROPERTIES IN ORDER TO CONSTRUCT THE IMPROVEMENTS SHOWN ON THESE PLANS. THE USE OF ANY SANITARY SEWER TO DISPOSE OF TRENCH WATER WILL NOT BE PERMITTED. NO CONCRETE SHALL BE PLACED WHERE GROUNDWATER IS VISIBLE OR UNTIL THE GROUNDWATER TABLE HAS BEEN LOWERED BELOW THE PROPOSED IMPROVEMENTS. ANY UNSTABLE AREAS, AS A RESULT OF GROUNDWATER, ENCOUNTERED DURING THE CONSTRUCTION OF THE PROPOSED IMPROVEMENTS SHALL BE STABILIZED AS AGREED UPON BY THE CONTRACTOR, THE TOWN OF ERIE, AND THE DESIGN ENGINEER AT THE TIME OF THE OCCURRENCE

16. IT SHALL BE THE RESPONSIBILITY OF THE DESIGN ENGINEER TO RESOLVE CONSTRUCTION PROBLEMS WITH THE TOWN OF ERIE DUE TO CHANGED CONDITIONS ENCOUNTERED BY THE CONTRACTOR DURING THE PROGRESS OF ANY PORTION OF THE PROPOSED WORK. IF, IN THE OPINION OF THE TOWN OF ERIE, PROPOSED ALTERATIONS TO THE SIGNED CONSTRUCTION PLANS INVOLVES SIGNIFICANT CHANGES TO THE CHARACTER OF THE WORK, OR TO THE FUTURE CONTIGUOUS PUBLIC OR PRIVATE IMPROVEMENTS, THE DESIGN ENGINEER SHALL BE RESPONSIBLE FOR SUBMITTING REVISED PLANS TO THE TOWN OF ERIE FOR REVIEW, PRIOR TO ANY FURTHER CONSTRUCTION RELATED TO THAT PORTION OF THE WORK.

17. DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS AT AND ADJACENT TO THE JOB INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THE CONTRACTOR SHALL PROVIDE ALL LIGHTS, SIGNS, BARRICADES, FLAGMEN, OR OTHER DEVICES NECESSARY TO PROVIDE FOR PUBLIC SAFETY. THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND IS NOT LIMITED TO NORMAL WORKING HOURS. THE TOWN OF ERIE OR THE DESIGN ENGINEER EXERCISE NO CONTROLS OVER THE SAFETY OR ADEQUACY OF ANY EQUIPMENT, BUILDING COMPONENTS, SCAFFOLDING, FORMS OR OTHER WORK AIDS USED IN OR ABOUT THE PROJECT, OR IN THE SUPERINTENDING OF THE SAME. THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD HARMLESS FROM ANY AND ALL LIABILITY, REAL AND ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER, THE DESIGN ENGINEER OR THE TOWN. THE TOWN OF ERIE ENGINEERING STAFF, OR ANY CONTRACTED ENGINEER, ARE NOT RESPONSIBLE FOR SAFETY IN, ON OR ABOUT THE PROJECT SITE, NOR FOR COMPLIANCE BY THE APPROPRIATE PARTY OF ANY REGULATIONS RELATING THERETO.

18. WORK IN PUBLIC STREETS, ONCE BEGUN, SHALL BE PROSECUTED TO COMPLETION WITHOUT DELAY SO AS TO PROVIDE MINIMUM INCONVENIENCE TO ADJACENT PROPERTY OWNERS AND TO THE TRAVELING PUBLIC.

19. THE CONTRACTOR SHALL TAKE ALL NECESSARY AND PROPER PRECAUTIONS TO PROTECT ADJACENT PROPERTIES FROM ANY AND ALL DAMAGE THAT MAY OCCUR FROM STORM WATER RUNOFF AND/OR DEPOSITION OF DEBRIS RESULTING FROM ANY AND ALL WORK. THE OWNER/CONTRACTOR IS RESPONSIBLE FOR OBTAINING A STORMWATER DISCHARGE PERMIT FOR CONSTRUCTION ACTIVITIES FOR ANY PROJECT DISTURBING OVER ONE ACRE FROM BOTH THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND THE TOWN OF ERIE.

20. EACH TYPE OF CONSTRUCTION SHALL BE COMPLETED BY A CONTRACTOR THAT HAS DEMONSTRATED ACCEPTABLE QUALIFICATIONS TO THE TOWN AND IS A LICENSED CONTRACTOR IN THE TOWN OF ERIE.

21. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TRAFFIC CONTROL DURING CONSTRUCTION. ALL TRAFFIC CONTROLS SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, (MUTCD) LATEST EDITION. A PLAN SHALL BE SUBMITTED TO THE TOWN FOR REVIEW AND APPROVAL PRIOR TO THE PRE-CONSTRUCTION MEETING.

22. ALL BACKFILL SHALL CONFORM TO THE TRENCH DETAIL LOCATED IN THE TOWN OF ERIE STANDARDS & SPECIFICATIONS.

23. THE CONTRACTOR SHALL IMMEDIATELY REMOVE ANY CONSTRUCTION DEBRIS OR MUD TRACKED ONTO EXISTING ROADWAYS.

24. THE CONTRACTOR SHALL REPAIR ANY EXCAVATION OR PAVEMENT FAILURES CAUSED BY HIS CONSTRUCTION.

25. THE CONTRACTOR SHALL RENEW OR REPLACE ANY EXISTING TRAFFIC STRIPING AND/OR PAVEMENT MARKINGS, WHICH HAVE BEEN EITHER REMOVED OR THE EFFECTIVENESS OF WHICH HAS BEEN REDUCED DURING HIS OPERATION. RENEWAL OF PAVEMENT STRIPING AND MARKING SHALL BE DONE IN CONFORMANCE WITH THE TOWN OF ERIE STANDARD SPECIFICATIONS.

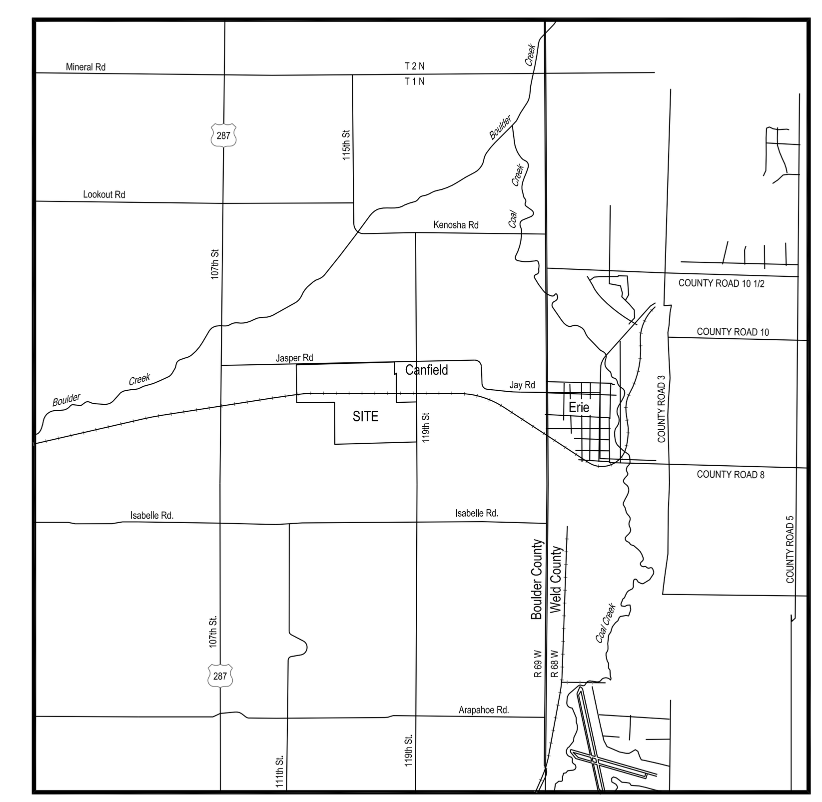
26. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO TAKE EVERY MEASURE NECESSARY TO COMPLY WITH ANY STATE, COUNTY OR TOWN DUST CONTROL ORDINANCE.

27. CONSTRUCTION VEHICLES SHALL USE TRUCK ROUTES DESIGNATED BY THE TOWN.

28. THE OWNER/DEVELOPER WILL BE HELD RESPONSIBLE FOR THE PROPER FUNCTIONING OF THE IMPROVEMENTS FOR A MINIMUM OF TWO (2) YEARS FROM THE DATE OF SUBSTANTIAL COMPLETION/ CONSTRUCTION ACCEPTANCE OF THE IMPROVEMENTS BY THE TOWN OF ERIE. ANY FAILURE DURING THIS PERIOD OF GUARANTEE SHALL BE REMEDIED BY THE OWNER/CONTRACTOR TO THE SATISFACTION OF THE TOWN OF ERIE AT NO EXPENSE TO THE TOWN.

29. THE DESIGN ENGINEER SHALL PERFORM SUFFICIENT INSPECTIONS AND SURVEYS DURING GRADING AND CONSTRUCTION SO THAT AN OPINION CAN BE RENDERED AND VERIFIED IN WRITING AS TO COMPLIANCE WITH THE PLANS AND CODES WITHIN THE DESIGN ENGINEER'S PURVIEW.

30. THE SOILS ENGINEER SHALL PERFORM SUFFICIENT INSPECTIONS DURING GRADING AND CONSTRUCTION SO THAT AN OPINION CAN BE RENDERED AND VERIFIED IN WRITING AS TO COMPLIANCE WITH THE PLANS AND CODES WITHIN THE SOILS ENGINEER'S PURVIEW.



Vicinity Map
1"=5000'

SHEET INDEX
L0......Cover
L1......Overall Landscape Plan
L2......Landscape Plan Enlargement
L3......Landscape Plan Enlargements
L4......Landscape Plan Enlargement
L5......Landscape Plan Enlargement (Pocket Park)
L6......Landscape Plan (Pocket Park Details)
L7......Landscape Plan Enlargement
L8......Existing Tree Plan & Trail Plan - South ½ of Site
L9......Existing Tree Plan &Trail Plan - North ½ of Site
L10....Planting Schedule
L11....Fencing Plan & Street Light Plan

No.	Revisions	Date	Init.	Appr.	Date

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WISE FARMS
PRELIMINARY LANDSCAPE PLAN

DRAWN BY: CD
CHECKED BY: JP
DATE: 12-22-2014
SCALE: AS SHOWN
FILE NO:

SHEET NUMBER
L0

Y:\ARCHIVE\ERIE-WISE PROPERTY\LANDSCAPE ARCHITECTURE\CURRENT DWGS\PRELIMINARY_LANDSCAPE_PLAN_COMBINED.DWG, CURTIS DAVIDSON, 12/22/14

PRIOR TO APPROVAL OF A FINAL PLAT ALLOWING DEVELOPMENT, THE MILL BUILDINGS IN TRACT I WILL BE EITHER MOVED OFF SITE OR REMOVED.

EXISTING TREES TO REMAIN IN PLACE, TYP.

PROPERTY BOUNDARY, TYP.

ENLARGEMENT 3 / L4

ENLARGEMENT 1 / L2

EXISTING TREES TO BE REMOVED, TYP.

MIXED GRASS PRAIRIE SEED MIX OVERSEEDED WITH MOIST SWALE SEED MIX

SHORT GRASS NATIVE SEED MIX, TYP.

NON JURISDICTIONAL ISOLATED DEPRESSIONAL WETLAND

110' DITCH ESMT.

ORNAMENTAL IRON FENCE, TYP.

FUTURE OIL OPERATIONS WILL CONFORM TO MC REQUIREMENTS AT FINAL PLAT

ENLARGEMENT 1 / L5

SHORT GRASS NATIVE SEED MIX, TYP.

DITCH MAINTENANCE ROAD AND ACCESS, TYP.

MIXED GRASS PRAIRIE SEED MIX, TYP.

ENLARGEMENT 1 / L4

SHORT GRASS PRAIRIE SEED MIX OVERSEEDED WITH MOIST SWALE SEED MIX, TYP.

SHORT GRASS PRAIRIE SEED MIX, TYP.

MIXED GRASS PRAIRIE SEED MIX, TYP.

DITCH MAINTENANCE ROAD, TYP.

ENLARGEMENT 2 / L4

60' ROW

RTD ROW

LOWER BOULDER DITCH

MIXED GRASS PRAIRIE SEED MIX OVERSEEDED WITH MOIST SWALE SEED MIX

75' TRANSMISSION ESMT

NOTE: IF A CROSSING THROUGH THE RTD PROPERTY IS NOT PERMITTED, A POCKET PARK WILL BE DESIGNED IN PLACE OF LOT 1, BLOCK 2.

ENLARGEMENT 2 / L2

ENLARGEMENT 1 / L7

FUTURE OIL OPERATIONS WILL CONFORM TO MC REQUIREMENTS AT FINAL PLAT

EXISTING OIL OPERATIONS WILL CONFORM TO MC REQUIREMENTS AT FINAL PLAT

SOD, TYP.

MIXED GRASS PRAIRIE SEED MIX, TYP.

SHORT GRASS PRAIRIE SEED MIX, TYP.

SHORT GRASS PRAIRIE SEED MIX, TYP.

LEYNER COTTONWOOD DITCH

LEGEND

- EXISTING TREES TO REMAIN
- EXISTING TREES TO BE REMOVED
- DECIDUOUS TREES
- EVERGREEN TREES
- SHRUBS
- PROPERTY LINE
- SPLIT RAIL FENCE
- ORNAMENTAL IRON FENCE
- STREET LIGHT
- SOD - THERMAL BLUE BLEND
- SHORT GRASS PRAIRIE NATIVE SEED MIX
- MIXED GRASS PRAIRIE NATIVE SEED MIX
- MOIST SWALE SEED MIX
- ROCK MULCH - ¾"-1½" TAN
- WOOD MULCH - 1"-4" WOOD CHIP MULCH
- EDGING -3/16"X6" DEEP GREEN PAINTED STEEL

0' 75' 150' 300'

SCALE: 1" = 150'

N

No.	Revisions	Date	Init.	Appr.	Date

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WISE FARMS
PRELIMINARY LANDSCAPE PLAN

SCALE: AS SHOWN
FILE NO:
DRAWN BY: CD
CHECKED BY: JP
DATE: 12-22-2014

SHEET NUMBER L1

Y:\ARCH\VEERIE-WISE PROPERTY\LANDSCAPE ARCHITECTURE\CURRENT DWGS\PRELIMINARY_LANDSCAPE_PLAN_COMBINED.DWG, CURTIS DAVIDSON, 12/22/14

EXISTING TREES TO BE REMOVED, TYP.

ENLARGEMENT 1 / L3

STREET LIGHT, TYP.

SIGHT LINE, TYP.

57&58

EXISTING HOMESTEAD

SWALE, TYP.

ACCESS DRIVE

59-79

DETENTION POND
MIXED GRASS PRAIRIE SEED MIX OVERSEEDED
WITH MOIST SWALE SEED MIX

TRACT M
290,680 S.F.
11.492 AC.

STREET E

STREET B

55' SIGHT LINE, TYP.

55' SIGHT LINE, TYP.

TRACT C
24,027 S.F.
0.552 AC.

8
8,566 S.F.
0.197 AC.

9
6,829 S.F.
0.157 AC.

10
8,799 S.F.
0.202 AC.

7
8,821 S.F.
0.202 AC.

8
6,855 S.F.
0.157 AC.

9
8,836 S.F.
0.203 AC.

11
7,150 S.F.
0.164 AC.

1
8,200 S.F.
0.188 AC.

19
8,929 S.F.
0.205 AC.

STREET LIGHT, TYP.

STREET LIGHT, TYP.

SOD - THERMAL BLUE MIX, TYP.

SPIT RAIL FENCE, TYP.

EDGING - 3/16" X 6" DEEP GREEN PAINTED STEEL, TYP.

1"-4" WOOD CHIP MULCH, TYP.

3/4"-1.5" TAN ROCK MULCH, TYP.

SHORT GRASS PRAIRIE NATIVE SEED MIX OVERSEEDED WITH MOIST SWALE MIX, TYP.

350'

6'

5'

STREET E

24

SCALE: 1" = 40'

N

1 ENLARGEMENT

SCALE: 1"=40'

8' CONCRETE TRAIL W/ 4' CRUSHER FINES TRAIL ATTACHED TO NORTH SIDE, TYP.

6 'CONCRETE TRAIL

FUTURE TRAIL CONNECTION

6' CONCRETE TRAIL

TRACT A
106,917 S.F.
2.454 AC.

STREET X

STREET LIGHT, TYP.

1
41,759 S.F.
0.959 AC.

2
41,946 S.F.
0.963 AC.

44,941

DETENTION POND
MIXED GRASS PRAIRIE SEED MIX
OVERSEEDED WITH MOIST SWALE
SEED MIX

SHORT GRASS PRAIRIE
NATIVE SEE MIX , TYP.

SPIT RAIL FENCE, TYP.

75' TRANSMISSION ESMT.

SCALE: 1" = 40'

N

2 ENLARGEMENT

SCALE: 1"=40'

LEGEND

- EXISTING TREES TO REMAIN
- EXISTING TREES TO BE REMOVED
- DECIDUOUS TREES
- EVERGREEN TREES
- SHRUBS
- PROPERTY LINE
- SPLIT RAIL FENCE
- ORNAMENTAL IRON FENCE
- STREET LIGHT
- SOD - THERMAL BLUE BLEND
- SHORT GRASS PRAIRIE NATIVE SEED MIX
- MIXED GRASS PRAIRIE NATIVE SEED MIX
- MOIST SWALE SEED MIX
- ROCK MULCH - 3/4"-1 1/2" TAN
- WOOD MULCH - 1"-4" WOOD CHIP MULCH
- EDGING -3/16"X6" DEEP GREEN PAINTED STEEL

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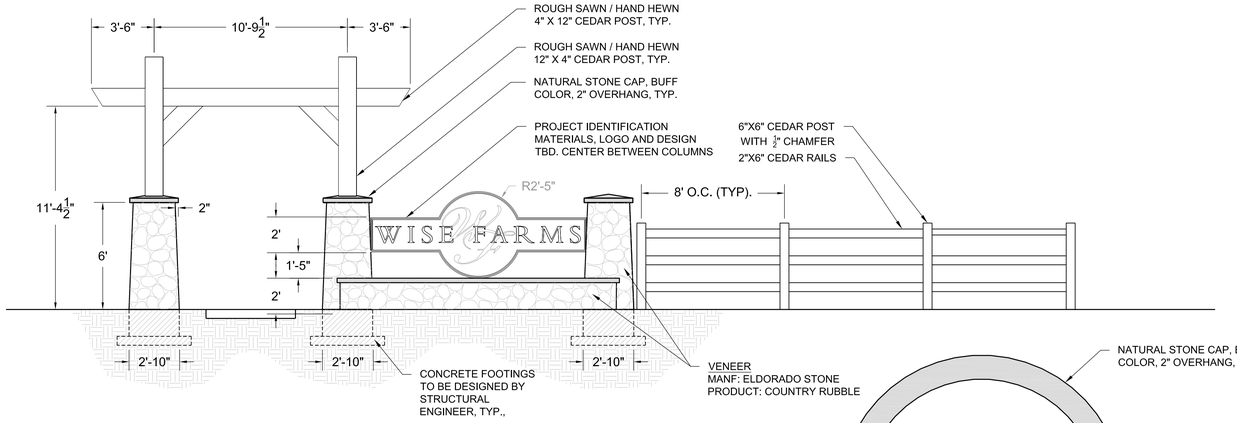
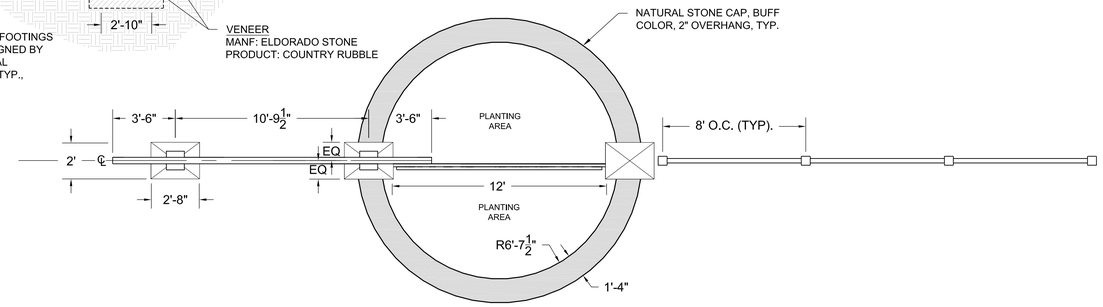
WISE FARMS
PRELIMINARY LANDSCAPE PLAN

SCALE: AS SHOWN
FILE NO:
DRAWN BY: CD
CHECKED BY: JP
DATE: 12-22-2014
SHEET NUMBER L2



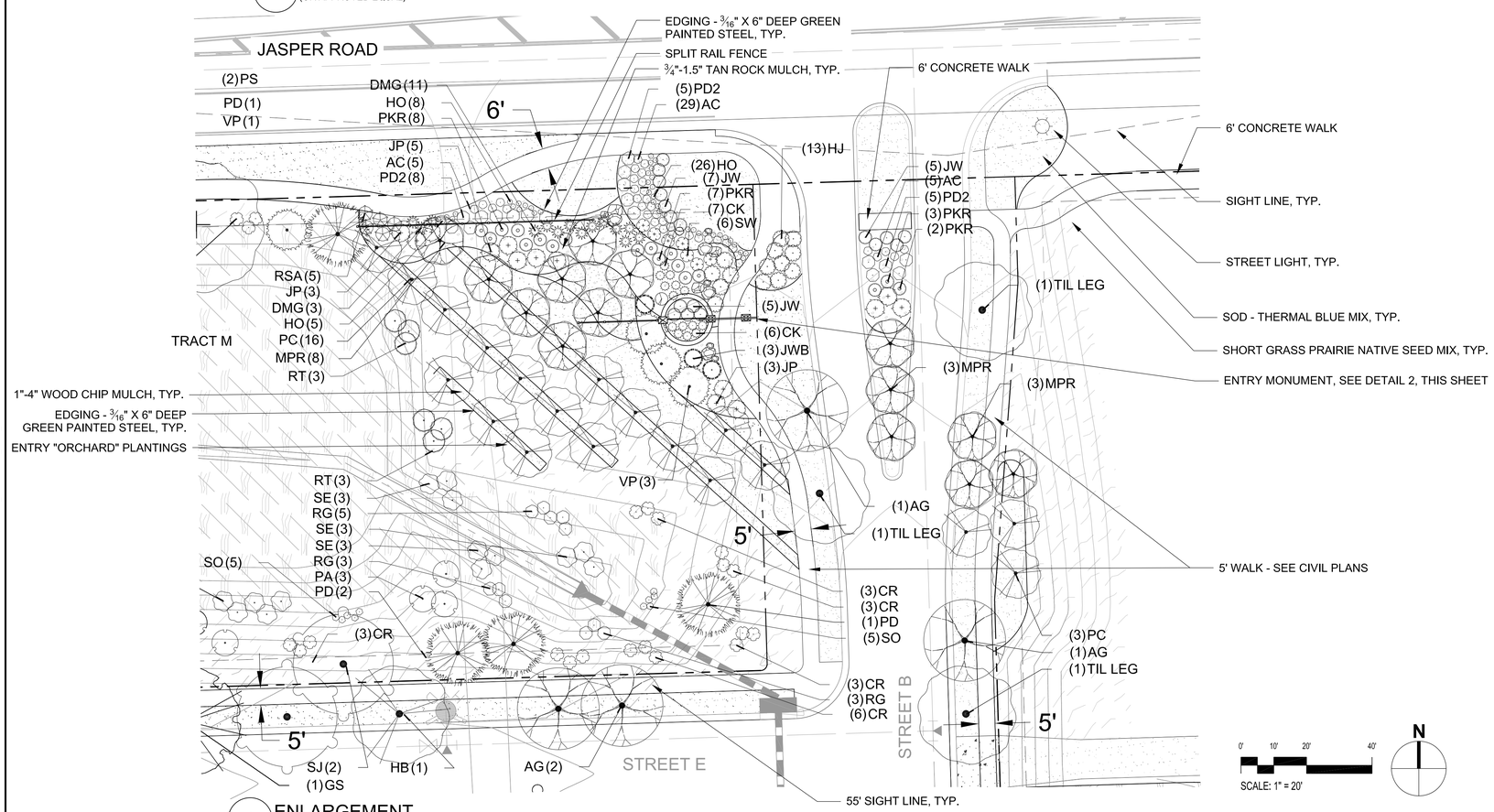
ELEVATION



PLAN

2 ENTRY MONUMENTATION
(OR APPROVED EQUAL)

SCALE: 1/4"=1'-0"



1 ENLARGEMENT

SCALE: 1"=20'

LEGEND

- EXISTING TREES TO REMAIN
- EXISTING TREES TO BE REMOVED
- DECIDUOUS TREES
- EVERGREEN TREES
- SHRUBS
- PROPERTY LINE
- SPLIT RAIL FENCE
- ORNAMENTAL IRON FENCE
- STREET LIGHT
- SOD - THERMAL BLUE BLEND
- SHORT GRASS PRAIRIE NATIVE SEED MIX
- MIXED GRASS PRAIRIE NATIVE SEED MIX
- MOIST SWALE SEED MIX
- ROCK MULCH - 3/4"-1 1/2" TAN
- WOOD MULCH - 1"-4" WOOD CHIP MULCH
- EDGING -3/16"X6" DEEP GREEN PAINTED STEEL

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WISE FARMS
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L3

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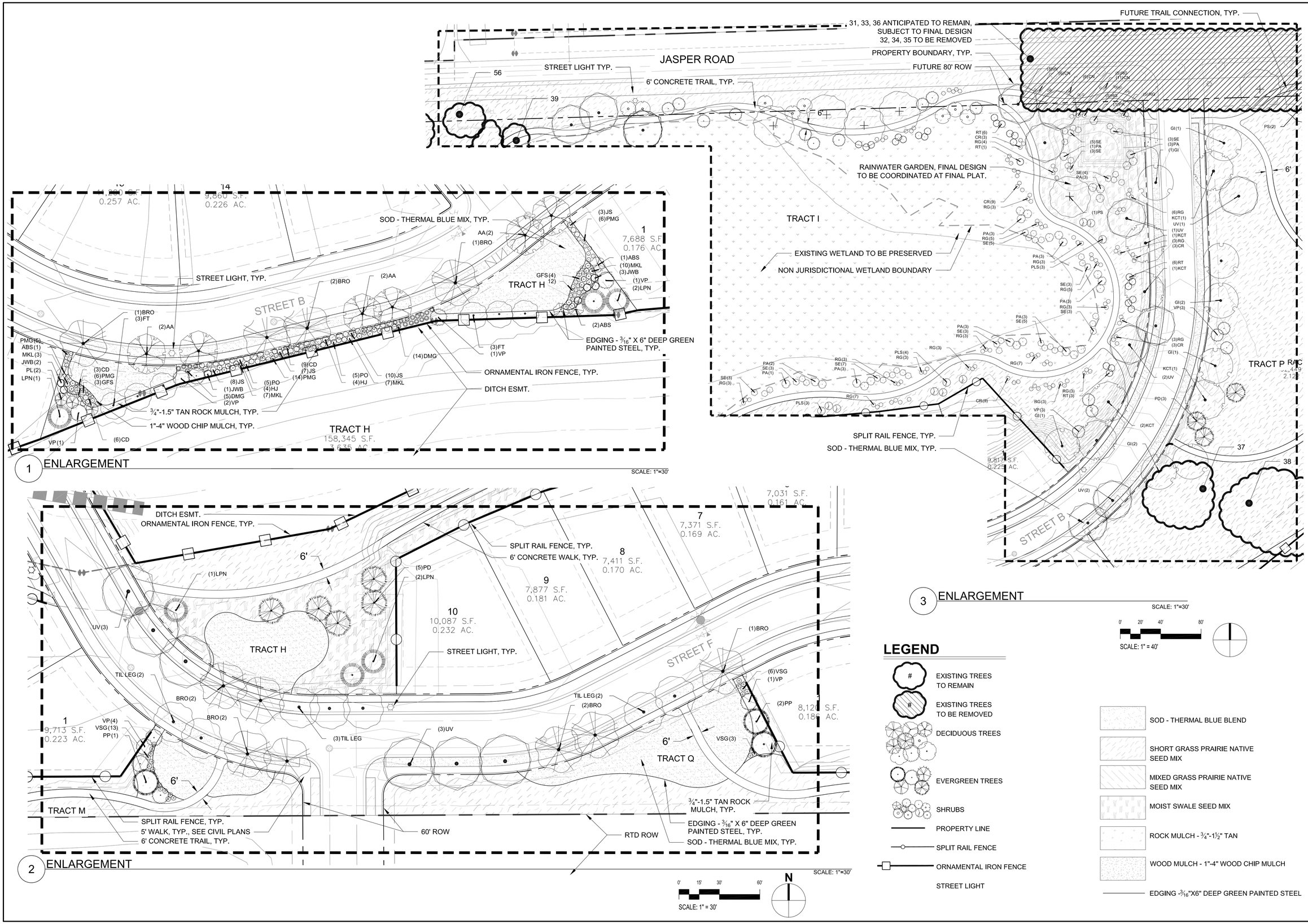

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WISE FARMS
PRELIMINARY LANDSCAPE PLAN

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POCKET PARK COMPONENTS:

SIZE: 0.45 ACRES
OWNERSHIP AND MAINTENANCE: HOA

A. INFRASTRUCTURE:

- BENCHES (2 PROVIDED)
- BICYCLE RACK (1 PROVIDED) SERVING 4 BIKES
- DOG PICK UP STATION (1 PROVIDED)
- IDENTIFICATION SIGN
- AUTOMATIC IRRIGATION SYSTEM
- OPEN TURF AREA (5,265 sf)
- SIDEWALKS (ADA ACCESSIBLE)
- TRASH RECEPTACLES (2 PROVIDED)
- PLANT MATERIALS (SEE PLANT SCHEDULE AND PLANT MATERIALS SUMMARY TABLE, THIS SHEET)

B. PRE SELECTED COMPONENTS:

- GROUP PICNIC SHELTER (625 sf) AND 4 PICNIC TABLES
- MULTI LEVEL PLAY STRUCTURE

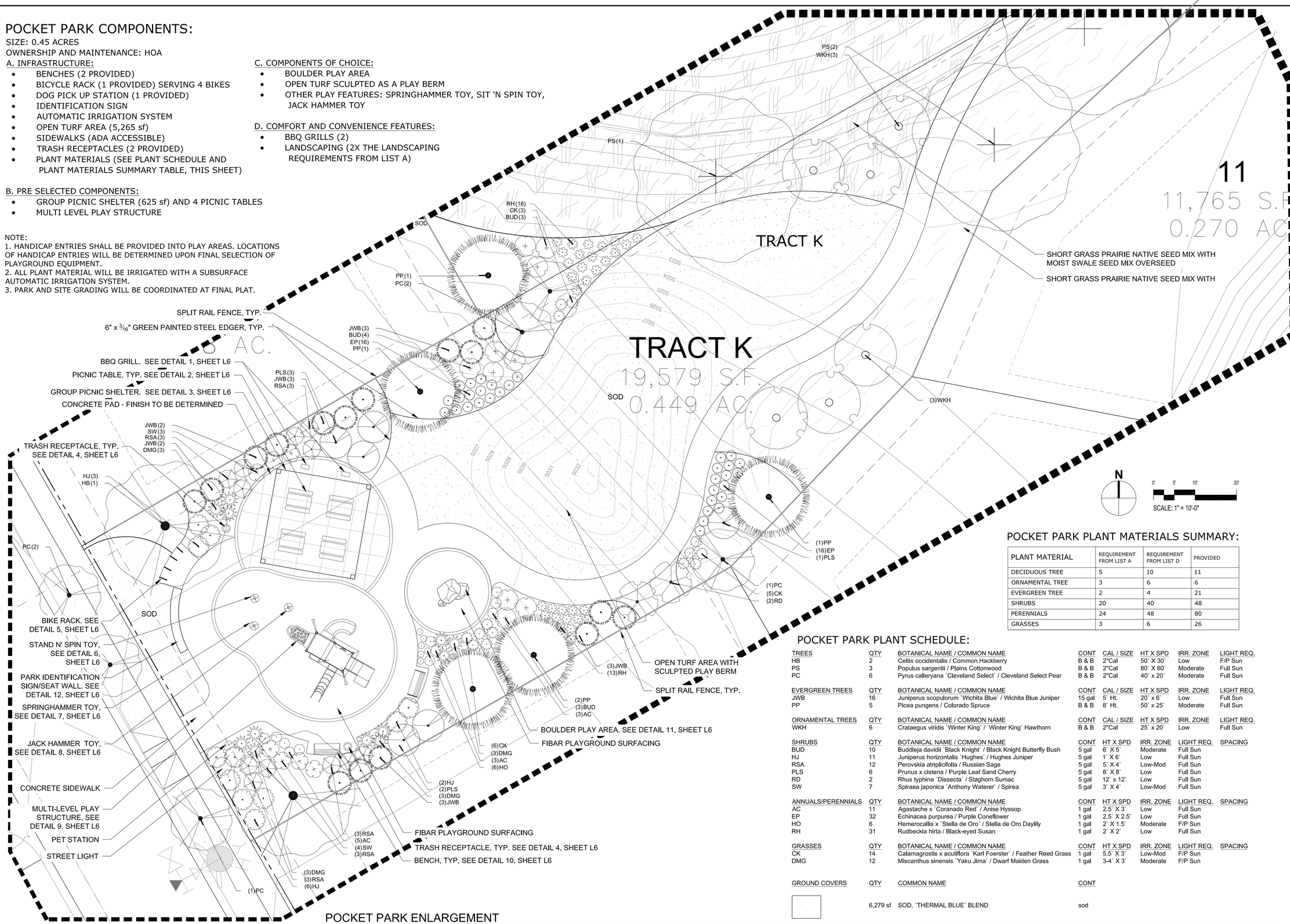
C. COMPONENTS OF CHOICE:

- BOULDER PLAY AREA
- OPEN TURF SCULPTED AS A PLAY BERM
- OTHER PLAY FEATURES: SPRINGHAMMER TOY, SIT 'N SPIN TOY, JACK HAMMER TOY

D. COMFORT AND CONVENIENCE FEATURES:

- BBQ GRILLS (2)
- LANDSCAPING (2X THE LANDSCAPING REQUIREMENTS FROM LIST A)

NOTE:
1. HANDICAP ENTRIES SHALL BE PROVIDED INTO PLAY AREAS. LOCATIONS OF HANDICAP ENTRIES WILL BE DETERMINED UPON FINAL SELECTION OF PLAYGROUND EQUIPMENT.
2. ALL PLANT MATERIAL WILL BE IRRIGATED WITH A SUBSURFACE AUTOMATIC IRRIGATION SYSTEM.
3. PARK AND SITE GRADING WILL BE COORDINATED AT FINAL PLAT.



POCKET PARK PLANT MATERIALS SUMMARY:

PLANT MATERIAL	REQUIREMENT FROM LIST A	REQUIREMENT FROM LIST D	PROVIDED
DECIDUOUS TREE	5	10	11
ORNAMENTAL TREE	3	6	6
EVERGREEN TREE	2	4	21
SHRUBS	20	40	48
PERENNIALS	24	48	80
GRASSES	3	6	26

POCKET PARK PLANT SCHEDULE:

TREES	QTY	BOTANICAL NAME / COMMON NAME	CONT	CAL / SIZE	HT X SPD	IRR. ZONE	LIGHT REQ.
HB	2	Celtis occidentalis / Common Hackberry	B & B	2"Cal	50' X 30'	Low	F/P Sun
PS	3	Populus sargentii / Plains Cottonwood	B & B	2"Cal	80' X 60'	Moderate	Full Sun
PC	6	Pyrus calleryana `Cleveland Select` / Cleveland Select Pear	B & B	2"Cal	40' x 20'	Moderate	Full Sun

EVERGREEN TREES	QTY	BOTANICAL NAME / COMMON NAME	CONT	CAL / SIZE	HT X SPD	IRR. ZONE	LIGHT REQ.
JWB	16	Juniperus scopulorum `Wichita Blue` / Wichita Blue Juniper	15 gal	5` Ht.	20' x 6'	Low	Full Sun
PP	5	Picea pungens / Colorado Spruce	B & B	8` Ht.	50' x 25'	Moderate	Full Sun

ORNAMENTAL TREES	QTY	BOTANICAL NAME / COMMON NAME	CONT	CAL / SIZE	HT X SPD	IRR. ZONE	LIGHT REQ.
WKH	6	Crataegus viridis `Winter King` / `Winter King` Hawthorn	B & B	2"Cal	25' x 20'	Low	Full Sun

SHRUBS	QTY	BOTANICAL NAME / COMMON NAME	CONT	HT X SPD	IRR. ZONE	LIGHT REQ.	SPACING
BUD	10	Buddleja davidii `Black Knight` / Black Knight Butterfly Bush	5 gal	6` X 5`	Moderate	Full Sun	
HJ	11	Juniperus horizontalis `Hughes` / Hughes Juniper	5 gal	1` X 6`	Low	Full Sun	
RSA	12	Perovskia atriplicifolia / Russian Sage	5 gal	5` X 4`	Low-Mod	Full Sun	
PLS	6	Prunus x cistena / Purple Leaf Sand Cherry	5 gal	8` X 8`	Low	Full Sun	
RD	2	Rhus typhina `Dissecta` / Staghorn Sumac	5 gal	12` x 12`	Low	Full Sun	
SW	7	Spiraea japonica `Anthony Waterer` / Spirea	5 gal	3` X 4`	Low-Mod	Full Sun	

ANNUALS/PERENNIALS	QTY	BOTANICAL NAME / COMMON NAME	CONT	HT X SPD	IRR. ZONE	LIGHT REQ.	SPACING
AC	11	Agastache x `Coranado Red` / Anise Hyssop	1 gal	2.5` X 3`	Low	Full Sun	
EP	32	Echinacea purpurea / Purple Coneflower	1 gal	2.5` X 2.5`	Low	Full Sun	
HO	6	Hemerocallis x `Stella de Oro` / Stella de Oro Daylily	1 gal	2` X 1.5`	Moderate	F/P Sun	
RH	31	Rudbeckia hirta / Black-eyed Susan	1 gal	2` X 2`	Low	Full Sun	

GRASSES	QTY	BOTANICAL NAME / COMMON NAME	CONT	HT X SPD	IRR. ZONE	LIGHT REQ.	SPACING
CK	14	Calamagrostis x acutiflora `Karl Foerster` / Feather Reed Grass	1 gal	5.5` X 3`	Low-Mod	F/P Sun	
DMG	12	Miscanthus sinensis `Yaku Jima` / Dwarf Maiden Grass	1 gal	3-4` X 3`	Moderate	F/P Sun	

GROUND COVERS	QTY	COMMON NAME	CONT
	6,279 sf	SOD, `THERMAL BLUE` BLEND	sod

POCKET PARK ENLARGEMENT

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WISE FARMS
PRELIMINARY LANDSCAPE PLAN

SCALE: AS SHOWN
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PATTERSON-WILLIAMS
MODEL: 1140-00
POWDER COAT: FLAT BLACK
SIZE: 20"X15"X10"
SURFACE MOUNT

1 BBQ GRILL
AS SHOWN OR SIMILAR
SCALE: NTS

PATTERSON-WILLIAMS
MODEL: 1126-06
RECYCLED PLASTIC: SAND
POWDER COAT: BLACK
SURFACE MOUNT

2 PICNIC TABLE
AS SHOWN OR SIMILAR
SCALE: NTS

CLASSIC RECREATION SYSTEMS
MODEL: CHEYENNE

ROOF DIMENSIONS: 25'-0" X 25'-0"
COLUMN DIMENSIONS: 21'-0" X 21'-0"
MINIMUM CLEARANCE: 7'-6"
ROOF RIDGE HEIGHT: 14'-11"
GABLE ROOF: 6:12 PITCH
CUPOLA: FULL LENGTH
SQ FEET UNDER ROOF: 625

3 GROUP PICNIC SHELTER
AS SHOWN OR SIMILAR
SCALE: NTS

PATTERSON-WILLIAMS
MODEL: 1150
POWDER COAT: BLACK
RECYCLED PLASTIC: SAND
SURFACE MOUNT

4 TRASH RECEPACLE
AS SHOWN OR SIMILAR
SCALE: NTS

PATTERSON-WILLIAMS
MODEL: ROUND UP 1700-00
POWDER COAT: BLACK
SURFACE MOUNT

5 BICYCLE RACK
AS SHOWN OR SIMILAR
SCALE: NTS

LITTLE TIKES STAND 'N SPIN
AGES: 5-12

6 STAND N' SPIN TOY
AS SHOWN OR SIMILAR
SCALE: NTS

LITTLE TIKES SPRINGHAMMER
AGES: 5-12

7 SPRINGHAMMER TOY
AS SHOWN OR SIMILAR
SCALE: NTS

LITTLE TIKES JACK HAMMER
AGES: 5-12

8 JACK HAMMER TOY
AS SHOWN OR SIMILAR
SCALE: NTS

LITTLE TIKES NU-EDGE NE 1310
AGES: 5-12
PLAY EVENTS: 8
COMPONENTS:
DOUBLE WIDE SLIDE, ARCHED LOG CLIMBER, TALK TUBE
TREE STUMP CLIMBER, SINGLE WIDE SLIDE, LOG SLICE CLIMBER

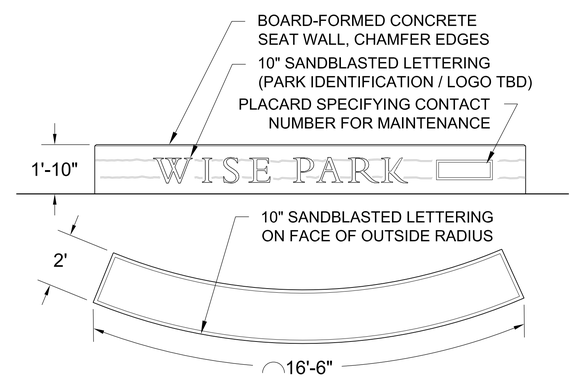
9 MULTI-LEVEL PLAY STRUCTURE
AS SHOWN OR SIMILAR
SCALE: NTS

PATTERSON-WILLIAMS
MODEL: 1111-06
RECYCLED PLASTIC: SAND
POWDER COAT: BLACK
SURFACE MOUNT

10 BENCH
AS SHOWN OR SIMILAR
SCALE: NTS

LITTLE TIKES FUN ROCK
AGES: 5-12

11 BOULDER PLAY AREA
AS SHOWN OR SIMILAR
SCALE: NTS



12 PARK IDENTIFICATION SIGN/SEAT WALL
(OR APPROVED EQUAL)
SCALE: 3/8" = 1'-0"

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WISE FARMS
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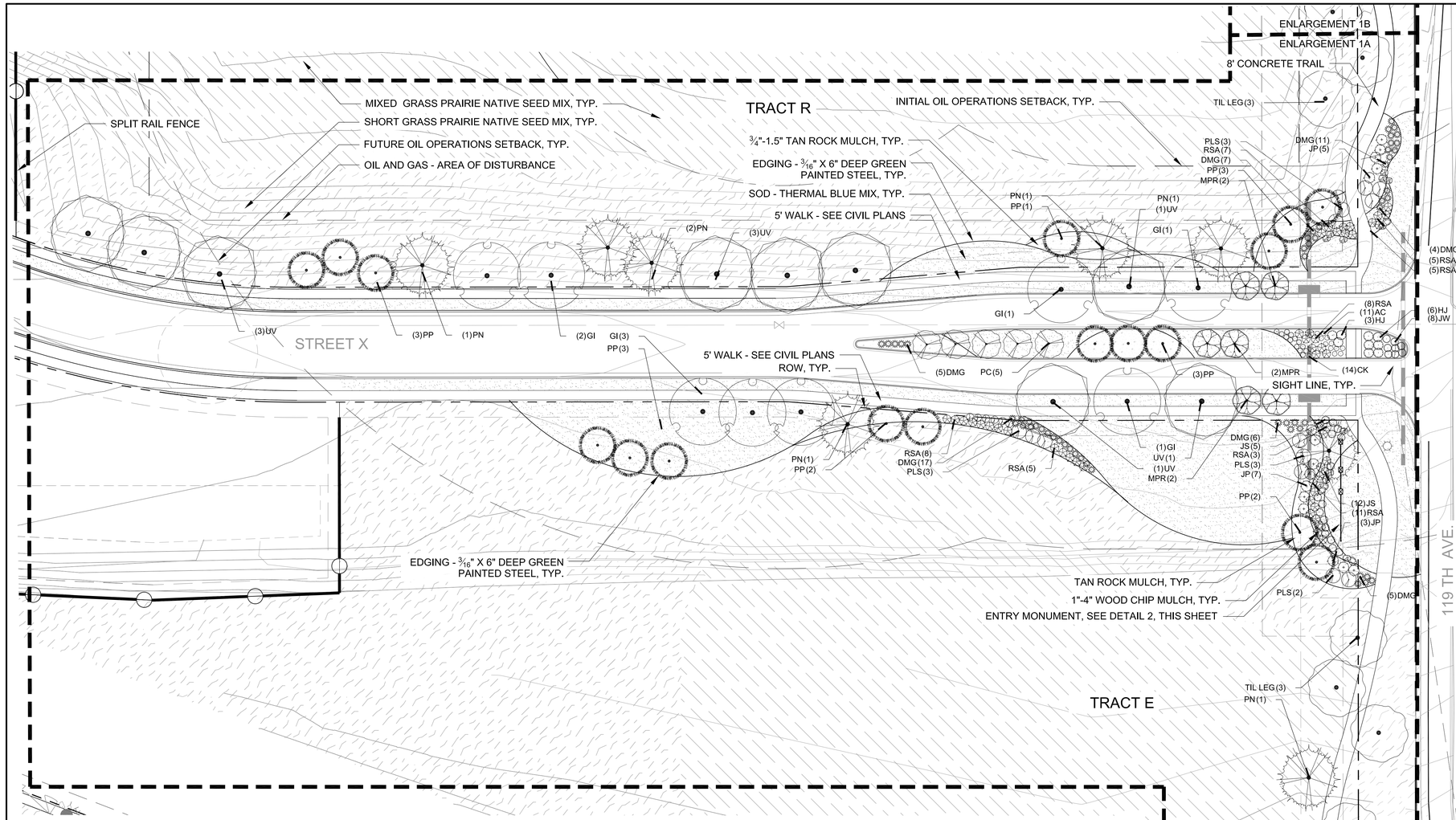


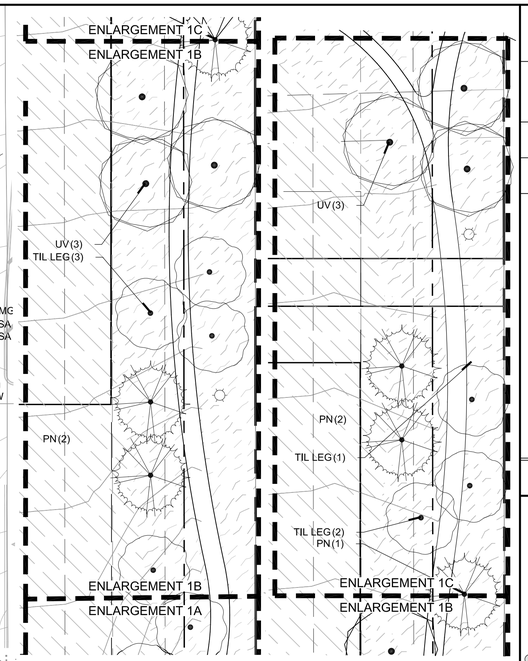
1A ENLARGEMENT

SCALE: 1"=20'

0' 10' 20' 40'

SCALE: 1" = 20'

N



1B ENLARGEMENT

SCALE: 1" = 40'

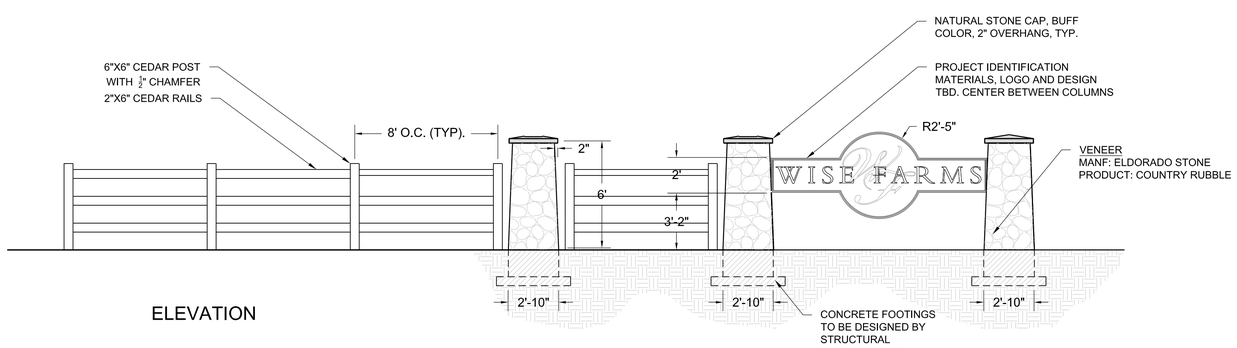
1C ENLARGEMENT

SCALE: 1" = 40'

0' 20' 40' 80'

SCALE: 1" = 40'

N



ELEVATION

2 ENTRY MONUMENTATION
(OR APPROVED EQUAL)

SCALE: 1/4"=1'-0"

LEGEND

- EXISTING TREES TO REMAIN
- EXISTING TREES TO BE REMOVED
- DECIDUOUS TREES
- EVERGREEN TREES
- SHRUBS
- PROPERTY LINE
- SPLIT RAIL FENCE
- ORNAMENTAL IRON FENCE
- STREET LIGHT
- SOD - THERMAL BLUE BLEND
- SHORT GRASS PRAIRIE NATIVE SEED MIX
- MIXED GRASS PRAIRIE NATIVE SEED MIX
- MOIST SWALE SEED MIX
- ROCK MULCH - ¾"-1½" TAN
- WOOD MULCH - 1"-4" WOOD CHIP MULCH
- EDGING -3/16"X6" DEEP GREEN PAINTED STEEL

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WISE FARMS
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Project: Wise Farm Area: South property line along irrigation ditch Tree Numbers 1-30

Date: 3/27/2013

TREE #	SPECIES	DBH	HGT	SPEC %	COND. %	COMMENTS	REMOVE / PROTECT
S-001	RO	4.0	25	0.6	0.1	stump sprouts w/horizontal form. Dead central trunk	Remove
2	RO	18.0	40	0.6	0.1	Sever fire damage, prolific suckering	Remove
3	RO	8.0	30	0.6	0.1	Sever fire damage, prolific suckering	Remove
004A	RO	4.0	18	0.6	0.1	Sever fire damage, prolific suckering	Remove
004B	RO	8.0	20	0.6	0.1	Sever fire damage, prolific suckering	Remove
5	RO	10.0	35	0.6	0.1	Sever fire damage, prolific suckering	Remove
6	RO	9.0	35	0.6	0.3	Sever fire damage, prolific suckering	Remove
007A	RO	14.0	50	0.6	0.4	stump sprouts , three trunks from old root stock	Remove
007B	RO	10.0	50	0.6	0.4	stump sprouts, three trunks from old root stock	Remove
007C	RO	9.0	45	0.6	0.4	stump sprouts, three trunks from old root stock	Remove
008A	RO	6.0	20	0.6	0.3	2 codominant trunks from same base	Remove
008B	RO	12	35	0.6	0.3	2 codominant trunks from same base	Remove
009A	RO	8	25	0.6	0.3	4 stems from central root system	Remove
009B	RO	8	20	0.6	0.3	4 stems from central root system	Remove
009C	RO	8	30	0.6	0.3	4 stems from central root system	Remove
009D	RO	5	18	0.6	0.3	4 stems from central root system	Remove
10	CW	12	25	0.7	0.1	severe decay, fire scars	Protect in Place
011A	CW	26	55	0.7	0.4	fire scars, multiple stems from base, included bark	Protect in Place
011B	CW	19	50	0.7	0.2	fire scars, multiple stems from base, included bark	Protect in Place
011C	CW	18	45	0.7	0.2	fire scars, multiple stems from base, included bark	Protect in Place
011D	CW	10	25	0.7	0.1	fire scars, multiple stems from base, included bark	Protect in Place
012A	CW	29	55	0.7	0.6	multiple trunks from same base	Protect in Place
012B	CW	11	35	0.7	0.2	multiple trunks from same base	Protect in Place
012C	CW	12	35	0.7	0.2	multiple trunks from same base	Protect in Place
012D	CW	5	16	0.7	0.1	multiple trunks from same base	Protect in Place
013A	CW	13	35	0.7	0.1	5 stems from same base, included bark	Protect in Place
013B	CW	10	40	0.7	0.1	5 stems from same base, included bark	Protect in Place
013C	CW	15	45	0.7	0.2	5 stems from same base, included bark	Protect in Place
013D	CW	11	25	0.7	0.1	5 stems from same base, included bark	Protect in Place
013E	CW	12	35	0.7	0.1	5 stems from same base, included bark	Protect in Place
14	CW	9	40	0.7	0.4	partially overtopped, at headgate, limited root system	Protect in Place
15	CW	10	40	0.7	0.1	severe decay at base	Protect in Place
19	CW	13	40	0.7	0.2	severe lean to north	Protect in Place
017A	CW	22	50	0.7	0.2	old suckers from shared base, decay evident	Protect in Place
017B	CW	9	40	0.7	0.1	old suckers from shared base, decay evident	Protect in Place
017C	CW	15	30	0.7	0.1	old suckers from shared base, decay evident	Protect in Place
017D	CW	12	40	0.7	0.1	old suckers from shared base, decay evident	Protect in Place
017E	CW	12	40	0.7	0.1	old suckers from shared base, decay evident	Protect in Place
017F	CW	8	30	0.7	0.1	old suckers from shared base, decay evident	Protect in Place
017G	CW	24	50	0.7	0.2	old suckers from shared base, decay evident	Protect in Place
017H	CW	12	40	0.7	0.1	old suckers from shared base, decay evident	Protect in Place
018A	CW	19	45	0.7	0.1	all from central base, severe decay	Protect in Place
018B	CW	15	50	0.7	0.1	all from central base, severe decay	Protect in Place
018C	CW	17	50	0.7	0.1	all from central base, severe decay	Protect in Place
018D	CW	15	50	0.7	0.1	all from central base, severe decay	Protect in Place
018E	CW	14	45	0.7	0.1	all from central base, severe decay	Protect in Place
19	CW	14	45	0.7	0.4	minimal decay, lean to north	Protect in Place
020A	CW	26	60	0.7	0.4	minimal decay, lean to north	Protect in Place
020B	CW	9	25	0.7	0.1	decay and included bark at base	Protect in Place
020C	CW	15	45	0.7	0.1	decay and included bark at base	Protect in Place

TREE #	SPECIES	DBH	HGT	SPEC %	COND. %	COMMENTS	REMOVE / PROTECT
21	CW	14	45	0.7	0.4	partially overtopped with lean to west	Protect in Place
022A	CW	6	20	0.7	0.1	severe dieback and decay	Protect in Place
022B	CW	8	25	0.7	0.1	severe dieback and decay	Protect in Place
022C	CW	12	40	0.7	0.1	severe dieback and decay	Protect in Place
022D	CW	10	30	0.7	0.1	severe dieback and decay	Protect in Place
023A	CW	14	55	0.7	0.4	included bark at 3', lean to north	Protect in Place
032B	CW	18	55	0.7	0.2	included bark at 3', lean to north	Protect in Place
024A	CW	8	25	0.7	0.1	severe decay and fire scars	Protect in Place
024B	CW	13	40	0.7	0.1	severe decay and fire scars	Protect in Place
024C	CW	10	45	0.7	0.1	severe decay and fire scars	Protect in Place
025A	CW	12	35	0.7	0.1	severe decay and fire scars	Protect in Place
025B	CW	12	35	0.7	0.1	severe decay and fire scars	Protect in Place
025C	CW	14	40	0.7	0.1	severe decay and fire scars	Protect in Place
025D	CW	12	40	0.7	0.1	severe decay and fire scars	Protect in Place
025E	CW	12	35	0.7	0.1	severe decay and fire scars	Protect in Place
025F	CW	12	35	0.7	0.1	severe decay and fire scars	Protect in Place
028A	SE	10.0	45	0.6	0.1	severe decay, old stump sprouts	Protect in Place
028B	SE	10.0	45	0.6	0.1	severe decay, old stump sprouts	Protect in Place
028C	SE	8.0	45	0.6	0.1	severe decay, old stump sprouts	Protect in Place
028D	SE	8.0	25	0.6	0.1	severe decay, old stump sprouts	Protect in Place
027A	RO	5.0	16	0.6	0.1	radical pruning, decay present	Remove
027B	RO	9.0	40	0.6	0.1	radical pruning, decay present	Remove
028A	CW	29.0	65	0.7	0.3	included bark at 3', embedded fence, heavy lean to N	Remove
028B	CW	20.0	60	0.7	0.1	heavy powerline pruning, topped at 20'	Remove
029A	CW	28.0	70	0.7	0.4	shared base, included bark	Protect in Place
029B	CW	20.0	60	0.7	0.3	shared base, included bark	Protect in Place
029C	CW	20.0	60	0.7	0.3	shared base, included bark	Protect in Place
029D	CW	16	35	0.7	0.2	shared base, included bark	Protect in Place
029E	CW	18	35	0.7	0.2	shared base, included bark	Protect in Place
029F	CW	23	65	0.7	0.4	shared base, included bark	Protect in Place
029G	CW	26	65	0.7	0.4	shared base, included bark	Protect in Place
029H	CW	9	18	0.7	0.1	shared base, included bark	Protect in Place
30	SE	40	70	0.6	0.1	severe decay, included bark, split central leader	Remove

NOTES:
1. Tree Species
   ASH = Ash
   SE = Siberian
   CW = Cottonwood
   RO = Russian Olive
   SE = Siberian Elm
   WIL = Willow

2. Tree mitigation inches and appraisal values per formulae from the "Guide for Plant Appraisal, 9th Edition, ISA.
3. Species factors per "Species Ratings and Appraisal Factors Guide", ISA Rocky Mountain Chapter.
4. Location factor based on farm locations in relationship to residential uses around the site.
5. Condition factors were generally low due to unmaintained conditions, significant presence of decay, irregular watering patterns over 100 years, and climatic impacts to trees.
6. Trees noted as hazardous should be considered for removal due to their location along a heavily traveled roadway.
7. Inventory is divided into two sections: 1) Southern boundary trees generally on the south half of the property; and 2) trees along Jasper Road and north half of the property.

MITIGATION NOTES:
1. ALL TREES BEING PROPOSED FOR REMOVAL ARE EITHER RUSSIAN OLIVES, OR ARE NOT HEALTHY (SEVERE DECAY, HAZARD TREE, ETC.). NO MITIGATION INCHES ARE REQUIRED.

EXISTING VEGETATION PROTECTION NOTES:
1. EXISTING TREES TO BE PROTECTED IN PLACE SHALL BE PROTECTED BY PROTECTIVE FENCING AND SIGNAGE.

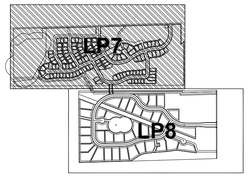
2. PROTECTIVE FENCING SHALL BE ORANGE VINYL CONSTRUCTION FENCING, CHAIN LINK FENCING, OR SNOW FENCING AT LEAST (4) FEET HIGH AND SUPPORTED AT (10) FOOT INTERVALS BY METAL T-POSTS. FENCING SHALL BE MAINTAINED UPRIGHT AND IN PLACE. ALL FENCING SHALL BE IN PLACE PRIOR TO COMMENCEMENT OF ANY SITE WORK AND REMAIN IN PLACE UNTIL ALL WORK HAS BEEN COMPLETED.

3. PROTECTIVE FENCING SHALL HAVE A WATERPROOF VEGETATION PROTECTION SIGH AFFIXED TO THE FENCE EVERY (20) FEET IN SUCH A MANNER TO BE CLEARLY VISIBLE TO WORKERS ON SITE. SIGNAGE SHALL BE MAINTAINED VISIBLE AND LEGIBLE. SIGNAGE SHALL BE WRITTEN IN BOTH SPANISH AN D ENGLISH AND READ AS FOLLOWS: "PROTECTED VEGETATION: NO TRAFFIC, VEHICLES, OR MATERIALS IN THIS AREA."

4. THE CONTRACTOR, IN CONJUNCTION WITH THE PUBLIC WORKS DIRECTOR OR DESIGNEE, SHALL IDENTIFY THE CRITICAL ROOT ZONE AREA BY ALL OF THE TREES THAT ARE TO BE PRESERVED ON THE SITE AND CREATE ADEQUATE TREE PROTECTION ZONES. THE CRITICAL ROOT ZONE SHALL BE DETERMINED BY WHICHEVER ENCOMPASSES THE GREATEST AREA: (1) THE IRREGULAR SHAPE FORMED AROUND A TREE BY A SERIES OR VERTICAL LINES THAT RUN THROUGH THE OUTERMOST PORTION OF THE CANOPY OF THE TREE AND EXTEND TO THE GROUND, OFTEN REFERRED TO AS THE DRIP LINE; OR (2) ONE AND A HALF (1½) FEET OF SPACE FROM THE TRUNK FOR EACH INCH OF TRUNK DIAMETER IN EVERY DIRECTION. THE CRITICAL ROOT ZONE DIMENSIONS WILL SERVE AS THE REQUIRED DIMENSIONS OF THE TREE PROTECTION ZONE.

5. TREE PROTECTION AND PRUNING REQUIREMENTS AS OUTLINED IN THE TOWN OF ERIE UNIFIED DEVELOPMENT CODE (UDC) AND THE TOWN OF ERIE STANDARDS AND SPECIFICATIONS (1012.00) SHALL BE MET.

TRAIL NOTE:
1. TRAIL AND SITE GRADING TO BE COORDINATED AT TIME OF FINAL PLAT.



KEY MAP

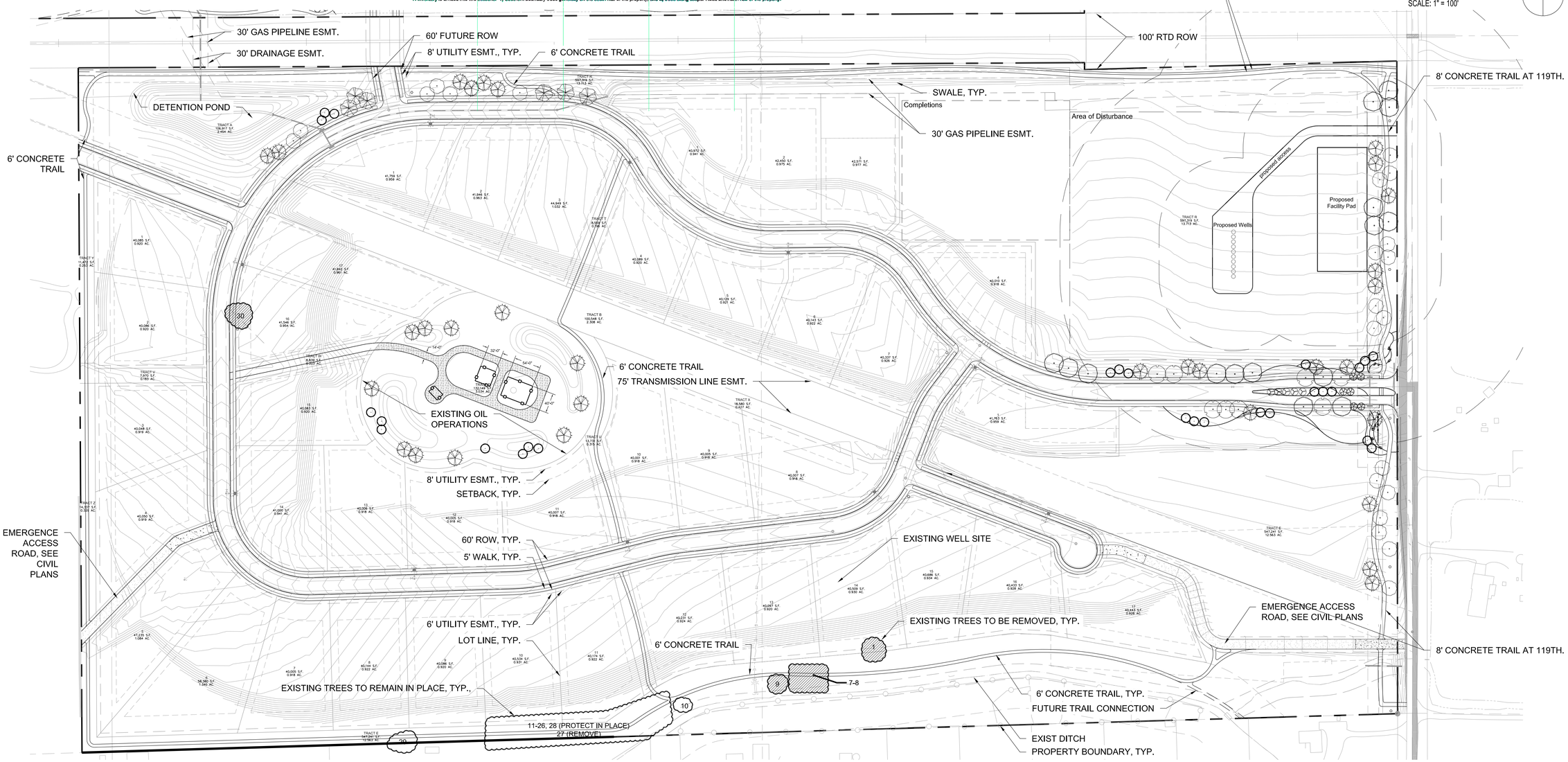
LEGEND

EXISTING TREES TO REMAIN

EXISTING TREES TO BE REMOVED

0' 50' 100' 200'
SCALE: 1" = 100'

N



No.	Revisions	Date	Init.	Appr.	Date

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WISE FARMS
PRELIMINARY LANDSCAPE PLAN

SCALE: AS SHOWN
DRAWN BY: CD
CHECKED BY: JP
DATE: 12-22-2014
FILE NO:

SHEET NUMBER
L8

Y:\ARCHIVE\ERIE-WISE PROPERTY\LANDSCAPE ARCHITECTURE\CURRENT DWGS\PRELIMINARY_LANDSCAPE_PLAN_COMBINED.DWG, CURTIS DAVIDSON, 12/22/14

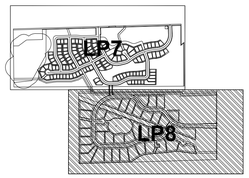
Project:	Wise Farm	Area:	South property line	Tree Numbers 31-84				
Date:	3/27/2013							
31	CW	43.8	75	0.7	0.4		severe decay in upper trunk, conks, storm damage	Protect in Place
32	CW	56.3	75	0.7	0.3		hollow base, heavy lean to NW, severe decay	Remove
033A	CW	54.3	75	0.7	0.3		old storm damage, decay in base and upper branches	Protect in Place
033B	CW	18.2	40	0.7	0.1		old storm damage, decay in base and upper branches	Protect in Place
34	CW	41.7	65	0.7	0.1		old storm damage, decay in base and upper branches	Remove
35	CW	52.4	70	0.7	0.3		old storm damage, decay in base and upper branches	Remove
36	CW	34.8	60	0.7	0.1		old storm damage, decay in base and upper branches	Protect in Place
037A	WIL	12.0	22	0.6	0.1		Pollarded by drought stress, poor condition	Protect in Place
037B	WIL	10.0	22	0.6	0.1		Pollarded by drought stress, poor condition	Protect in Place
037C	WIL	7.0	16	0.6	0.1		Pollarded by drought stress, poor condition	Protect in Place
037D	WIL	9.0	18	0.6	0.1		Pollarded by drought stress, poor condition	Protect in Place
037E	WIL	6.0	25	0.6	0.1		Pollarded by drought stress, poor condition	Protect in Place
037F	WIL	12	12	0.6	0.1		Pollarded by drought stress, poor condition	Protect in Place
038A	CW	18	30	0.7	0.1		Hazard tree, severe decay	Protect in Place
038B	CW	28	30	0.7	0.1		Hazard tree, severe decay	Protect in Place
038C	CW	22	55	0.7	0.1		Hazard tree, severe decay	Protect in Place
038D	CW	12	35	0.7	0.1		Hazard tree, severe decay	Protect in Place
038E	CW	32	60	0.7	0.1		Hazard tree, severe decay	Protect in Place
038F	CW	26	55	0.7	0.1		Hazard tree, severe decay	Protect in Place
038G	CW	75.6	80	0.7	0.1		Hazard tree, severe decay	Protect in Place
039A	BE	7	30	0.65	0.1		Mill site, embedded metal, poor condition	Protect in Place
039B	BE	6	30	0.65	0.1		Mill site, embedded metal, poor condition	Protect in Place
040A	BE	8	20	0.65	0.2		included bark at base, debris embedded	Protect in Place
040B	BE	12	40	0.65	0.2		included bark at base, debris embedded	Protect in Place
040C	BE	11	45	0.65	0.2		included bark at base, debris embedded	Protect in Place
041A	CW	9	45	0.7	0.1		severe decay, imbedded debris, s. of mill bldng.	Protect in Place
041B	CW	10	45	0.7	0.1		severe decay, imbedded debris, s. of mill bldng.	Protect in Place
041C	CW	9	45	0.7	0.1		severe decay, imbedded debris, s. of mill bldng.	Protect in Place
041D	CW	10	45	0.7	0.1		severe decay, imbedded debris, s. of mill bldng.	Protect in Place
042A	CW	11	40	0.7	0.3		Shared root mass, on knoll at headgate	Protect in Place
042B	CW	9	40	0.7	0.2		Shared root mass, on knoll at headgate	Protect in Place
042C	CW	16	50	0.7	0.4		Shared root mass, on knoll at headgate	Protect in Place
042D	CW	8	35	0.7	0.1		Shared root mass, on knoll at headgate	Protect in Place
042E	CW	9	35	0.7	0.1		Shared root mass, on knoll at headgate	Protect in Place
042F	CW	18	55	0.7	0.4		Shared root mass, on knoll at headgate	Protect in Place
042G	CW	9	40	0.7	0.2		Shared root mass, on knoll at headgate	Protect in Place
042H	CW	16	40	0.7	0.3		Shared root mass, on knoll at headgate	Protect in Place
043A	SE	8	45	0.65	0.2		included bark at base	Protect in Place
043B	SE	8	45	0.65	0.3		included bark at base	Protect in Place
043C	SE	8	45	0.65	0.3		included bark at base	Protect in Place
044A	SE	11	45	0.65	0.1		severe decay at base	Protect in Place
044B	SE	10	45	0.65	0.1		severe decay at base	Protect in Place
045A	SE	6	35	0.65	0.2		Drought dieback, included bark	Protect in Place
045B	SE	8	35	0.65	0.2		Drought dieback, included bark	Protect in Place
046A	SE	9	45	0.65	0.2		Drought dieback, included bark	Protect in Place
046B	SE	10	45	0.65	0.2		Drought dieback, included bark	Protect in Place
47	CW	22	55	0.7	0.7		good condition, at edge of ditch	Protect in Place
048A	ASH	13	35	0.7	0.1		drought dieback, severe decay	Protect in Place
048B	ASH	7	0	0.7	0		drought dieback, severe decay	Protect in Place
49	ASH	11	30	0.7	0.1		drought dieback, severe decay	Protect in Place
050A	ASH	6	30	0.7	0.1		drought dieback, severe decay	Protect in Place
050B	ASH	7	30	0.7	0.1		drought dieback, severe decay	Protect in Place
51	ASH	8	0	0.7	0		dead	Remove
052A	ASH	15	0	0.7	0		dead	Remove
052B	ASH	12	0	0.7	0		dead	Remove
53	ASH	12	25	0.7	0.1		drought dieback, severe decay	Protect in Place
054A	ASH	7	25	0.7	0.1		drought dieback, severe decay	Protect in Place
054B	ASH	6	18	0.7	0.1		drought dieback, severe decay	Protect in Place
054C	ASH	12	25	0.7	0.1		drought dieback, severe decay	Protect in Place
55	ASH	18	25	0.7	0.1		drought dieback, severe decay	Protect in Place
56	ASH	24	25	0.7	0.1		severe decay, multiple stems, included bark, at mill	Protect in Place

Project:	Wise Farm	Area:	South property line	Tree Numbers 31-84				
Date:	3/27/2013							
57	ASH	16	25	0.8		0	90% dead	Not Part of Inventory
58	ASH	10	25	0.8		0	90% dead	Not Part of Inventory
59	CW	61.8	80	0.7	0.1		HAZARDOUS TREE, severe decay	Remove
60	CW	39.3	70	0.7	0.3		HAZARDOUS TREE, severe decay	Remove
61	CW	61	70	0.7		0	HAZARDOUS TREE, severe decay	Remove
62	CW	58.8	80	0.7		0	HAZARDOUS TREE, severe decay	Remove
63	CW	51.7	50	0.7		0	dead	Remove
64	CW	36.6	35	0.6		0	HAZARDOUS TREE, severe decay	Remove
65	CW	57	65	0.6		0	HAZARDOUS TREE, severe decay	Remove
66	CW	50.4	80	0.6	0.1		HAZARDOUS TREE, severe decay	Remove
67	CW	51.9	70	0.6	0.1		HAZARDOUS TREE, severe decay	Remove
68	CW	48.9	70	0.6	0.1		HAZARDOUS TREE, severe decay	Remove
69	CW	42.4	55	0.6		0	HAZARDOUS TREE, severe decay	Remove
70	CW	52	25	0.7		0	HAZARDOUS TREE, severe decay	Remove
71	CW	58.7	80	0.7		0	HAZARDOUS TREE, severe decay	Remove
72	CW	46	80	0.7	0.1		HAZARDOUS TREE, severe decay	Remove
73	CW	76.4	90	0.7		0	HAZARDOUS TREE, severe decay	Remove
074A	BE	6	12	0.65	0.1		Fence row trees, embedded debris, multiple stems	Remove
074B	BE	8	35	0.65	0.1		Fence row trees, embedded debris, multiple stems	Remove
074C	BE	12	40	0.65	0.1		Fence row trees, embedded debris, multiple stems	Remove
074D	BE	10	40	0.65	0.1		Fence row trees, embedded debris, multiple stems	Remove
074E	BE	8	30	0.65	0.1		Fence row trees, embedded debris, multiple stems	Remove
75	BE	9	30	0.65	0.1		Fence row trees, embedded debris, multiple stems	Remove
76	BE	6	20	0.65	0.3		Fence row trees, embedded debris, multiple stems	Remove
77	BE	14	20	0.65	0.1		90% dead	Remove
78	BE	10	20	0.65	0.1		90% dead	Remove
79	CW	8	0	0.7		0	dead	Remove
80	CW	56.4	80	0.7		0	HAZARDOUS TREE, severe decay	Remove
81A	WIL	30	30	0.7		0	Cattle grazing pasture, compaction, root damage	Remove
81B	WIL	26	30	0.7		0	Cattle grazing pasture, compaction, root damage	Remove
82	RO	10	40	0.6	0.3		Cattle grazing pasture, compaction, root damage	Remove
083A	WIL	11	40	0.7	0.1		Cattle grazing pasture, compaction, root damage	Protect in Place
083B	WIL	10	40	0.7	0.1		Cattle grazing pasture, compaction, root damage	Protect in Place
083C	WIL	10	40	0.7	0.1		Cattle grazing pasture, compaction, root damage	Protect in Place
083D	WIL	14	40	0.7	0.1		Cattle grazing pasture, compaction, root damage	Protect in Place
84	CW	17	40	0.7	0.1		Cattle grazing pasture, compaction, root damage	Protect in Place

NOTES:
1. Tree Species
   - ASH = Ash
   - BE = Boxelder
   - CW = Cottonwood
   - RO = Russian Olive
   - SE = Siberian Elm
   - WIL = Willow
2. Tree mitigation inches and appraisal values per formulas from the "Guide for Plant Appraisal, 9th Edition, ISA.
3. Species factors per "Species Ratings and Appraisal Factors Guide", ISA Rocky Mountain Chapter.
4. Location factor based on farm locations in relationship to residential uses around the site.
5. Condition factors were generally low due to unmaintained conditions, significant presence of decay, irregular watering patterns over 100 years, and climatic impacts to trees.
6. Trees noted as hazardous should be considered for removal due to their location along a heavily travelled roadway.
7. Inventory is divided into two sections: 1) Southern boundary trees generally on the south half of the property; and 2) trees along Jasper Road and north half of the property.

MITIGATION NOTES:
1. ALL TREES BEING PROPOSED FOR REMOVAL ARE EITHER RUSSIAN OLIVES, OR ARE NOT HEALTHY (SEVERE DECAY, HAZARD TREE, ETC.). NO MITIGATION INCHES ARE REQUIRED.

TRAIL NOTE:
1. TRAIL AND SITE GRADING TO BE COORDINATED AT TIME OF FINAL PLAT.



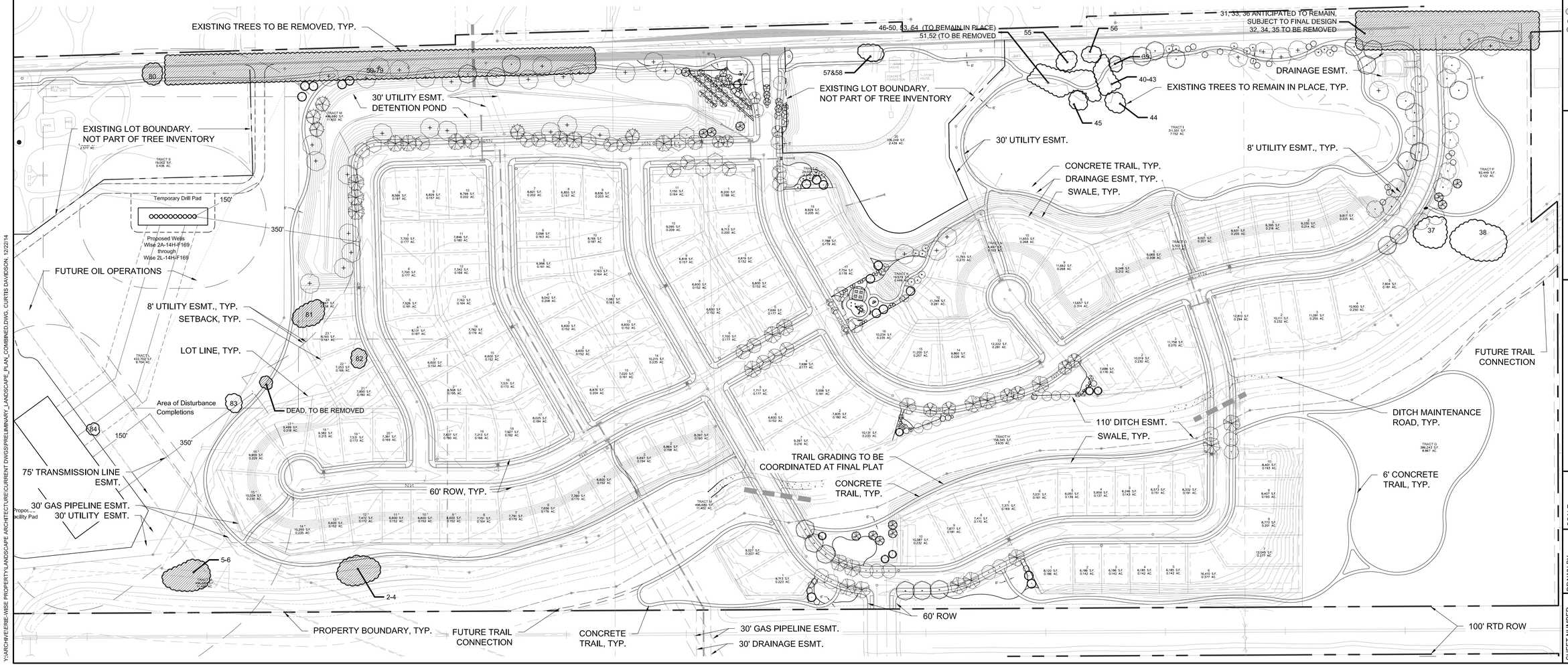
KEY MAP

LEGEND

- # EXISTING TREES TO REMAIN
- # EXISTING TREES TO BE REMOVED

0' 50' 100' 200'
SCALE: 1" = 100'

N



Y:\ARCHIVE\ERIE-WISE PROPERTY\LANDSCAPE ARCHITECTURE\CURRENT DWGS\PRELIMINARY_LANDSCAPE_PLAN_COMBINED.DWG, CURTIS DAVIDSON, 12/22/14

No.	Revisions	Date	Init.	Appr.	Date

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WISE FARMS PRELIMINARY LANDSCAPE PLAN

SCALE: AS SHOWN
DRAWN BY: CD
CHECKED BY: JP
FILE NO:
DATE: 12-22-2014

SHEET NUMBER
L9

PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL NAME / COMMON NAME	CONT	CAL / SIZE	HT X SPD	IRR, ZONE
	AA	6	ACER FREEMANII `AUTUMN BLAZE` / AUTUMN BLAZE MAPLE	B & B	2"CAL	50` X 40`	LOW-MOD
	AG	4	ACER GRANDIDENTATUM / BIGTOOTH MAPLE	B & B	2"CAL	30` X 30`	LOW-MOD
	HB	19	CELTIS OCCIDENTALIS / COMMON HACKBERRY	B & B	2"CAL	50` X 30`	LOW
	FT	6	FAGUS SYLVATICA `TRICOLOR` / TRICOLOR BEECH	B & B	2"CAL	30` X 25`	MODERATE
	GS	9	GLEDITSIA TRIACANTHOS INERMIS `SHADEMASTER` TM / SHADEMASTER LOCUST	B & B	2"CAL	50` X 35`	LOW
	GI	16	GLEDITSIA TRIACANTHOS `IMPERIAL` / IMPERIAL HONEYLOCUST	B & B	2"CAL	35` X 35`	LOW
	KCT	6	GYMNOCLADUS DIOICA / KENTUCKY COFFEE TREE	B & B	2"CAL	60` X 50`	LOW
	MPR	20	MALUS X `PROFUSION` / PROFUSION CRAB APPLE	B & B	2"CAL	15` X 15`	MODERATE
	PS	37	POPULUS SARGENTII / PLAINS COTTONWOOD	B & B	2"CAL	80` X 60`	MODERATE
	PC	30	PYRUS CALLERYANA `CLEVELAND SELECT` / CLEVELAND SELECT PEAR	B & B	2"CAL	40` X 20`	MODERATE
	BRO	22	QUERCUS MACROCARPA / BURR OAK	B & B	2"CAL	60` X 50`	LOW
	SJ	8	SOPHORA JAPONICA / JAPANESE PAGODA TREE	B & B	2"CAL	40` X 40`	MODERATE
	TIL LEG	35	TILIA AMERICANA `LEGEND` / AMERICAN LEGEND	B & B	2"CAL	45` X 35`	HIGH
	UV	36	ULMUS AMERICANA `VALLEY FORGE` / AMERICAN ELM	B & B	2"CAL	70` X 70`	LOW-MOD

EVERGREEN TREES	CODE	QTY	BOTANICAL NAME / COMMON NAME	CONT	CAL / SIZE	HT X SPD	IRR, ZONE
	JWB	26	JUNIPERUS SCOPULORUM `WICHITA BLUE` / WICHITA BLUE JUNIPER	15 GAL	5` HT,	20` X 6`	LOW
	PD	12	PICEA GLAUCA `DENSATA` / BLACK HILLS SPRUCE	B & B	8` HT,	30` X 30`	MODERATE
	PP	43	PICEA PUNGENS / COLORADO SPRUCE	B & B	8` HT,	50` X 25`	MODERATE
	LPN	6	PINUS FLEXILIS / LIMBER PINE	B & B	6` HT	70` X 25`	LOW
	VP	30	PINUS FLEXILIS `VANDERWOLF`S PYRAMID` / VANDERWOLF`S PYRAMID PINE	B & B	8` HT,	30` X 15`	LOW-MOD
	PL	3	PINUS HELDREICHII LEUCODERMIS / LEUCODERMIS PINE	B & B	8` HT,	25` X 12`	LOW
	PN	37	PINUS NIGRA / AUSTRIAN BLACK PINE	B & B	8` HT,	50` X 35`	LOW-MOD

ORNAMENTAL TREES	CODE	QTY	BOTANICAL NAME / COMMON NAME	CONT	CAL / SIZE	HT X SPD	IRR, ZONE
	ABS	4	AMELANCHIER CANADENSIS `AUTUMN BRILLIANCE` / AUTUMN BRILLIANCE SERVICEBERRY	B & B	2"CAL	20` X 15`	LOW
	WKH	19	CRATAEGUS VIRIDIS `WINTER KING` / `WINTER KING` HAWTHORN	B & B	2"CAL	25` X 20`	LOW

SHRUBS	CODE	QTY	BOTANICAL NAME / COMMON NAME	CONT	HT X SPD	IRR, ZONE	LIGHT REQ.
	BUD	10	BUDDLEJA DAVIDII `BLACK KNIGHT` / BLACK KNIGHT BUTTERFLY BUSH	5 GAL	6` X 5`	MODERATE	FULL SUN
	CD	18	CARYOPTERIS X CLANDONENSIS `DARK KNIGHT` / BLUE MIST SHRUB	5 GAL	2` X 2`	MEDIUM	FULL SUN
	CR	203	CHRYSOTHAMNUS NAUSEOSUS / RUBBER RABBITBRUSH	5 GAL	4` X 4`	LOW	FULL SUN
	CN	57	CHRYSOTHAMNUS NAUSEOSUS NAUCEOSUS / DWARF BLUE RABBITBRUSH	5 GAL	2` X 2`	LOW	FULL SUN
	HJ	57	JUNIPERUS HORIZONTALIS `HUGHES` / HUGHES JUNIPER	5 GAL	1` X 6`	LOW	FULL SUN
	JW	25	JUNIPERUS HORIZONTALIS `WILTONII` / BLUE RUG JUNIPER	5 GAL	8"X4`	LOW	FULL SUN
	JS	48	JUNIPERUS SABINA `SCANDIA` / SCANDIA JUNIPER	5 GAL	2` X 5`	LOW	FULL SUN
	JB	7	JUNIPERUS SQUAMATA `BLUE STAR` / BLUE STAR JUNIPER	5 GAL	3` X 4`	LOW-MOD	FULL SUN
	JP	29	JUNIPERUS X MEDIA `PFITZERANA COMPACTA` / COMPACT PFITZER JUNIPER	5 GAL	4` X 7`	LOW-MOD	FULL SUN
	RSA	73	PEROVSKIA ATRIPLICIFOLIA / RUSSIAN SAGE	5 GAL	5` X 4`	LOW-MOD	FULL SUN
	PO	10	PHYSOCARPUS OPULIFOLIUS `DART`S GOLD` / YELLOW NINEBARK	5 GAL	4` X 4`	LOW-MOD	F/P SUN
	PD2	18	POTENTILLA FRUTICOSA `GOLD DROP` / GOLD DROP POTENTILLA	5 GAL	3` X 3`	LOW-MOD	FULL SUN
	PA	112	PRUNUS AMERICANA / WILD PLUM	5 GAL	8` X 8`	MODERATE	FULL SUN
	PLS	111	PRUNUS X CISTENA / PURPLE LEAF SAND CHERRY	5 GAL	8` X 8`	LOW	FULL SUN
	RT	107	RHUS TRILOBATA / THREE-LEAF SUMAC	5 GAL	6` X 6`	LOW	FULL SUN
	RD	2	RHUS TYPHINA `DISSECTA` / STAGHORN SUMAC	5 GAL	12` X 12`	LOW	FULL SUN
	RG	266	RIBES AUREUM / GOLDEN CURRANT	5 GAL	4` X 4`	MODERATE	FULL SUN
	PKR	18	ROSA X `PINK KNOCKOUT` / ROSE	5 GAL	3` X 4`	LOW	FULL SUN
	SE	155	SALIX EXIGUA / SANDBAR WILLOW	5 GAL	6` X 6`	MODERATE	FULL SUN
	SW	22	SPIRAEA JAPONICA `ANTHONY WATERER` / SPIREA	5 GAL	3` X 4`	LOW-MOD	FULL SUN
	GFS	7	SPIRAEA JAPONICA `GOLDFLAME` / SPIREA	5 GAL	4` X 4`	MODERATE	FULL SUN
	SO	161	SYMPHORICARPOS OCCIDENTALIS / SNOWBERRY	5 GAL	2` X 2`	LOW-MOD	FULL SUN
	MKL	27	SYRINGA PATULA `MISS KIM` / MISS KIM LILAC	5 GAL	4` X 5`	LOW	FULL SUN

ANNUALS/PERENNIALS	CODE	QTY	BOTANICAL NAME / COMMON NAME	CONT	HT X SPD	IRR, ZONE	LIGHT REQ.
	AC	61	AGASTACHE X `CORANADO RED` / ANISE HYSSOP	1 GAL	2.5` X 3`	LOW	FULL SUN
	EP	32	ECHINACEA PURPUREA / PURPLE CONEFLOWER	1 GAL	2.5` X 2.5`	LOW	FULL SUN
	HO	45	HEMEROCALLIS X `STELLA DE ORO` / STELLA DE ORO DAYLILY	1 GAL	2` X 1.5`	MODERATE	F/P SUN
	RH	31	RUDBECKIA HIRTA / BLACK-EYED SUSAN	1 GAL	2` X 2`	LOW	FULL SUN

GRASSES	CODE	QTY	BOTANICAL NAME / COMMON NAME	CONT	HT X SPD	IRR, ZONE	LIGHT REQ.
	CK	42	CALAMAGROSTIS X ACUTIFLORA `KARL FOERSTER` / FEATHER REED GRASS	1 GAL	5.5` X 3`	LOW-MOD	F/P SUN
	PMG	44	MISCANTHUS SINENSIS `PURPURASCENS` / AUTUMN RED FLAME GRASS	1 GAL	5` X 3`	MODERATE	FULL SUN
	VSG	22	MISCANTHUS SINENSIS `VARIEGATUS` / VARIEGATED JAPANESE SILVER GRASS	1 GAL	5` X 3`	MODERATE	F/P SUN
	DMG	105	MISCANTHUS SINENSIS `YAKU JIMA` / DWARF MAIDEN GRASS	1 GAL	3-4` X 3`	MODERATE	F/P SUN

GROUND COVERS	QTY	COMMON NAME	CONT
	221,921 SF	EXISTING WETL. TO BE PRESERVED	SEED
	16,992 SF	3/4"-1.5" TAN ROCK MULCH	MULCH
	1,363,116 SF	SHORTGRASS PRAIRIE NATIVE SEED MIX	SEED
	805,517 SF	MIXED GRASS PRAIRIE NATIVE SEED MIX	SEED
	270,283 SF	MOIST SWALE SEED MIX	SEED
	90,321 SF	SOD, `THERMAL BLUE` BLEND	SOD
	4,666 SF	1"-4" WOOD CHIP MULCH	MULCH

NATIVE SEED MIXES

TOWN OF ERIE MIXED GRASS PRAIRIE NATIVE SEED MIXTURE				
COMMON NAME	SCIENTIFIC NAME	VARIETY	OZ/ACRE	PLS LBS/ACRE
BUFFALO GRASS	BUCHLOE DACTYLIODES	NATIVE, BISON OR TEXOKA		3
SIDEOATS GRAMA	BOUTELUA CURTIPENDULA	BUTTE, NINER OR EL RENO		5
PRAIRIE SANDREED	CALAMOVILFA LONGIFOLIA	GOSHEN OR BOWMAN		1
BLUE GRAMA	CHONDROSUM GRACILE	LOVINGTON, ALMA, NATIVE OR HACHITA		3
WESTERN WHEATGRASS	PASCOPYRUM SMITHII	ARRIBA, OAHE OR ROSANA		5
LITTLE BLUESTEM	SCHIZACHRYIUM SCOPARIUM	PASTURA, CIMARRON, ALDOUS CAMPER		4
ALKALI SACATON	SPOROBOLUS AIROIDES	COMMON		1
SAND DROPSEED	SPOROBOLUS CRYPTANDRUS	COMMON		1
SWITCHGRASS	PANICUM VIRGATUM	BLACKWELL		5
FRINGED SAGE*	ARTEMISIA FRIGIDA	COMMON	1	
PURPLE PRAIRIE CLOVER*	DALEA PURPUREA	COMMON	6	
BLANKETFLOWER*	GAILLARDIA ARISTATA	COMMON	6	
GAYFEATHER*	LIATRIS PUNCTATA	COMMON	4	
BLUE FLAX*	LINUM PERENNE	COMMON	3	
TANSY ASTER*	MACHAERANTHERA TANACETAFOLIA	COMMON	3	
PRAIRIE CONEFLOWER*	RATIBIDA COLUMNIFERA	COMMON	3	
YARROW*	ACHILLEA MILLEFOLIUM	WESTERN	2	
OUNCES			28	1.75
SEEDING RATE POUNDS PLS/ACRE				30.875

TOWN OF ERIE SHORTGRASS PRAIRIE NATIVE SEED MIXTURE				
COMMON NAME	SCIENTIFIC NAME	VARIETY	OZ/ACRE	PLS LBS/ACRE
BUFFALO GRASS	BUCHLOE DACTYLIODES	NATIVE, BISON OR TEXOKA		10
BLUE GRAMA	CHONDROSUM GRACILE	LOVINGTON, ALMA, NATIVE OR HACHITA		8
SAND DROPSEED	SPOROBOLUS CRYPTANDRUS	COMMON		4
PRAIRIE JUNEGRASS	LOELERIA MACRANTHA	COMMON		4
FRINGED SAGE*	ARTEMISIA FRIGIDA	COMMON	1	
PURPLE PRAIRIE CLOVER*	DALEA PURPUREA	COMMON	4	
GAYFEATHER*	LIATRIS PUNCTATA	COMMON	4	
TANSY ASTER*	MACHAERANTHERA TANACETAFOLIA	COMMON	3	
YARROW*	ACHILLEA MILLEFOLIUM	WESTERN	2	
OUNCES			14	0.88
SEEDING RATE POUNDS PLS/ACRE				30.875

NOTES:
1. NATIVE SEEDED AREAS TO BE TEMPORARILY IRRIGATED DURING THE WARRANTY PERIOD.

TOWN OF ERIE MOIST SWALE SEED MIXTURE			
COMMON NAME	SCIENTIFIC NAME	VARIETY	PLS LBS/ACRE
WOOLLY SEDGE	CAREX LANUGINOSA	NATIVE	0.5
NEBRASKA SEDGE	CAREX NEBRASCENSIS	NATIVE	0.1
BLUE GRAMA	CHONDROSUM GRACILE	LOVINGTON, ALMA, NATIVE OR HACHITA	1.5
BUFFALO GRASS	BUCHLOE DACTYLIODES	NATIVE, BISON OR TEXOKA	0.5
INLAND SALTGRASS	DISTICHLIS STRICTA	NATIVE	0.5
BALTIC RUSH	JUNCUS BALTICUS	NATIVE	0.1
PRAIRIE CORDGRASS	SPARTINA PECTINATA	NATIVE	1
ALKALI SACATON	SPOROBOLUS AIROIDES	NATIVE	3
SWITCHGRASS	PANICUM VIRGATUM	BLACKWELL	3
WESTERN WHEATGRASS	PASCOPYRUM SMITHII	ARRIBA OR ROSANA	5
ASTER	ASTER LAEVIS		0.05
YARROW*	ACHILLEA MILLEFOLIUM	WESTERN	0.05
PRAIRIE CONEFLOWER	RATIBIDA COLUMNIFERA	WESTERN	0.05
SEEDING RATE POUNDS PLS/ACRE			15.35

STREE TREE REQUIREMENTS:

Location	Street Trees	
	Required	Provided
Jasper Road	49	50
119th	30	30
Internal Streets Adjacent to Open Space Tracts	160	184
Total:	**239**	**264**

TREE DIVERSITY:

TREES	Quantity	Botanical/Common	Species Diversity
AA	6	Acer freemanii `Autumn Blaze` / Autumn Blaze Maple	1.38%
AG	4	Acer grandidentatum / Bigtooth Maple	0.92%
HB	19	Celtis occidentalis / Common Hackberry	4.38%
FT	6	Fagus sylvatica `Tricolor` / Tricolor Beech	1.38%
GS	9	Gleditsia triacanthos inermis `Shademaster` TM / Shademaster Locust	2.07%
GI	16	Gleditsia triacanthos `Imperial` / Imperial Honeylocust	3.69%
KCT	6	Gymnocladus dioica / Kentucky Coffee Tree	1.38%
MPR	20	Malus x `Profusion` / Profusion Crab Apple	4.61%
PS	37	Populus sargentii / Plains Cottonwood	8.53%
PC	30	Pyrus calleryana `Cleveland Select` / Cleveland Select Pear	6.91%
BRO	22	Quercus macrocarpa / Burr Oak	5.07%
SJ	8	Sophora japonica / Japanese Pagoda Tree	1.84%
TIL LEG	35	Tilia americana `Legend` / American Legend	8.06%
UV	36	Ulmus americana `Valley Forge` / American Elm	8.29%
JWB	26	Juniperus scopulorum `Wichita Blue` / Wichita Blue Juniper	5.99%
PD	12	Picea glauca `Densata` / Black Hills Spruce	2.76%
PP	43	Picea pungens / Colorado Spruce	9.91%
LPN	6	Pinus flexilis / Limber Pine	1.38%
VP	30	Pinus flexilis `Vanderwolf`s Pyramid` / Vanderwolf`s Pyramid Pine	6.91%
PL	3	Pinus heldreichii leucodermis / Leucodermis Pine	0.69%
PN	37	Pinus nigra / Austrian Black Pine	8.53%
ABS	4	Amelanchier canadensis `Autumn Brilliance` / Autumn Brilliance Serviceberry	0.92%
WKH	19	Crataegus viridis `Winter King` / `Winter King` Hawthorn	4.38%
Total:	434		

No.	Revisions	Date	Init.	Appr.	Date

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JASPER LAND INVESTMENTS, LLC
9162 S. KENWOOD COURT
HIGHLANDS RANCH, CO 80126

WISE FARMS
PRELIMINARY LANDSCAPE PLAN

SCALE: AS SHOWN
DRAWN BY: CD
CHECKED BY: JP
DATE: 12-22-2014
FILE NO:

SHEET NUMBER
L10

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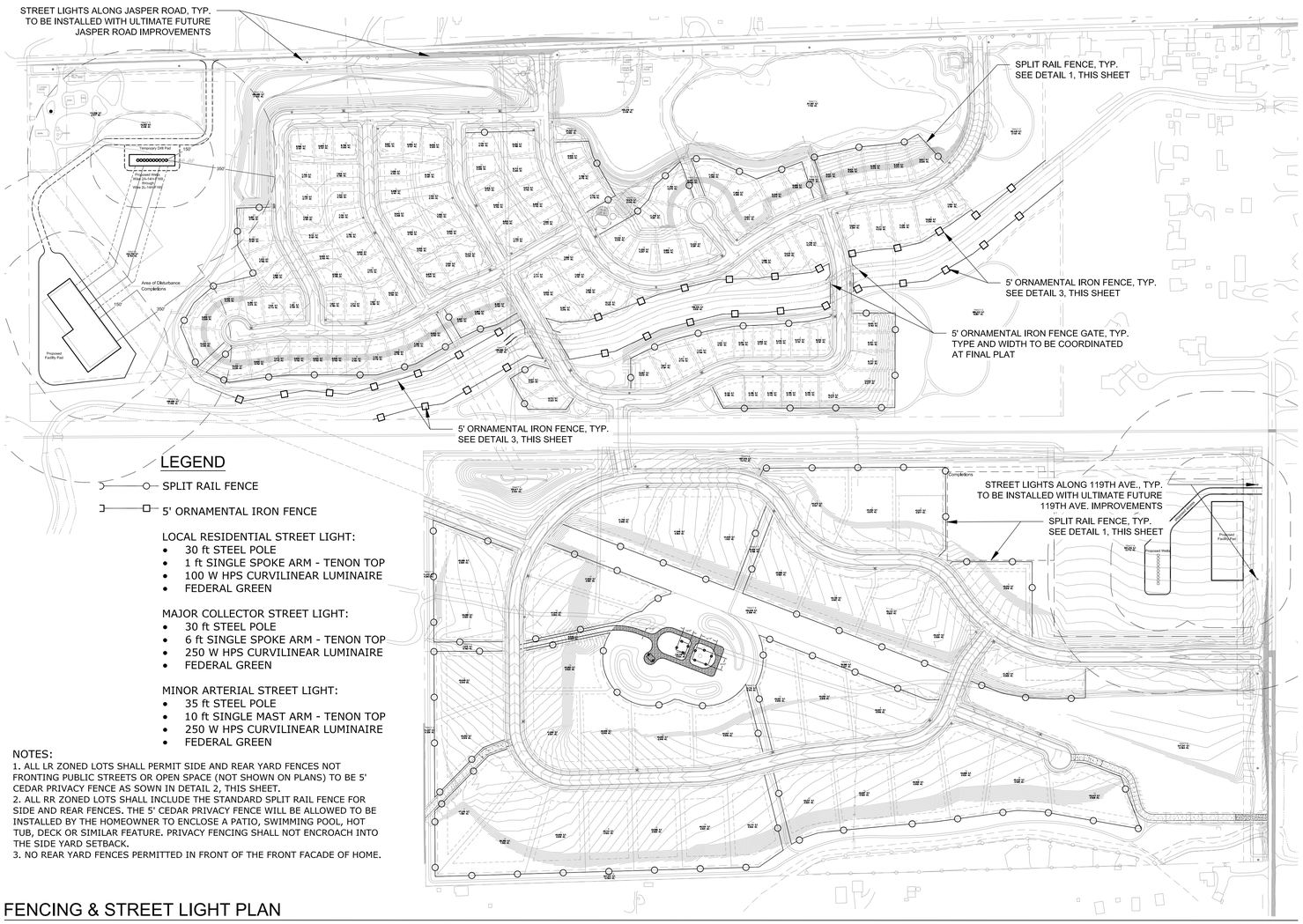


LEGEND

- SPLIT RAIL FENCE
- 5' ORNAMENTAL IRON FENCE

LOCAL RESIDENTIAL STREET LIGHT:
- 30 ft STEEL POLE
- 1 ft SINGLE SPOKE ARM - TENON TOP
- 100 W HPS CURVILINEAR LUMINAIRE
- FEDERAL GREEN

MAJOR COLLECTOR STREET LIGHT:
- 30 ft STEEL POLE
- 6 ft SINGLE SPOKE ARM - TENON TOP
- 250 W HPS CURVILINEAR LUMINAIRE
- FEDERAL GREEN

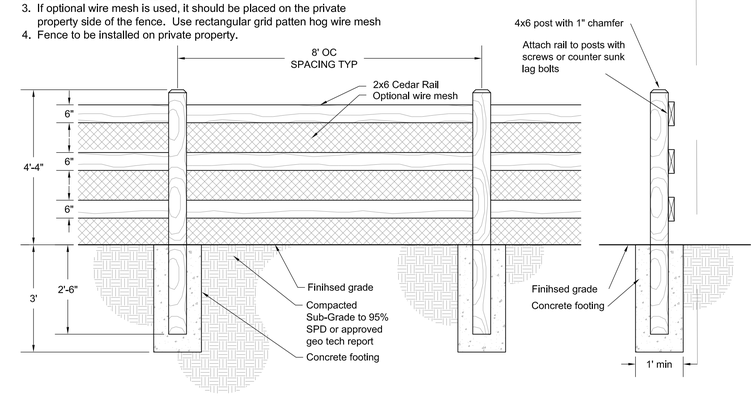
MINOR ARTERIAL STREET LIGHT:
- 35 ft STEEL POLE
- 10 ft SINGLE MAST ARM - TENON TOP
- 250 W HPS CURVILINEAR LUMINAIRE
- FEDERAL GREEN

NOTES:
1. ALL LR ZONED LOTS SHALL PERMIT SIDE AND REAR YARD FENCES NOT FRONTING PUBLIC STREETS OR OPEN SPACE (NOT SHOWN ON PLANS) TO BE 5' CEDAR PRIVACY FENCE AS SOWN IN DETAIL 2, THIS SHEET.
2. ALL RR ZONED LOTS SHALL INCLUDE THE STANDARD SPLIT RAIL FENCE FOR SIDE AND REAR FENCES. THE 5' CEDAR PRIVACY FENCE WILL BE ALLOWED TO BE INSTALLED BY THE HOMEOWNER TO ENCLOSE A PATIO, SWIMMING POOL, HOT TUB, DECK OR SIMILAR FEATURE. PRIVACY FENCING SHALL NOT ENCROACH INTO THE SIDE YARD SETBACK.
3. NO REAR YARD FENCES PERMITTED IN FRONT OF THE FRONT FACADE OF HOME.

FENCING & STREET LIGHT PLAN

SCALE: 1" = 200'

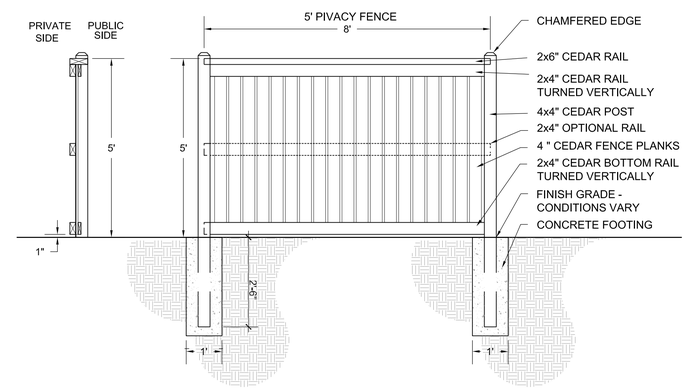
Notes:
1. All wood to be rough sawn cedar, or approved material from the landscape architect, owner, or owners rep.
2. Wood to be weather and rot resistant
3. If optional wire mesh is used, it should be placed on the private property side of the fence. Use rectangular grid patten hog wire mesh
4. Fence to be installed on private property.



1 SPLIT RAIL FENCE (3 RAIL)

(OR APPROVED EQUAL)

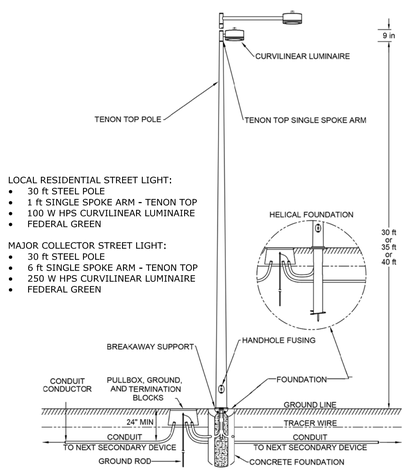
SCALE: 1"=2'-0"



2 5' PRIVACY FENCE

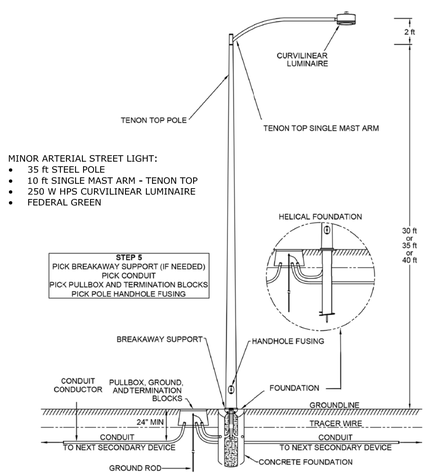
SIDE AND REAR YARDS NOT FRONTING PUBLIC STREETS OR OPEN SPACE (NOT SHOWN ON PLAN)
(OR APPROVED EQUAL)

SCALE: 1"=2'-0"



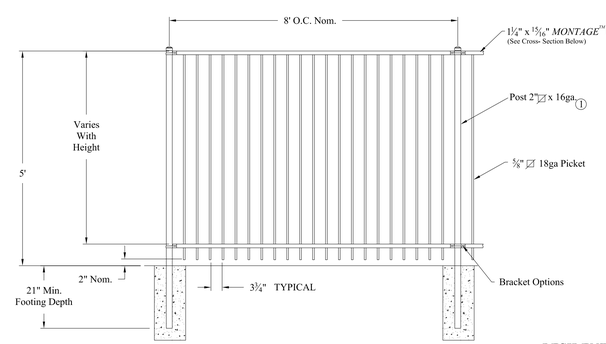
3 RESIDENTIAL/COLLECTOR STREET LIGHT

SCALE: N.T.S.

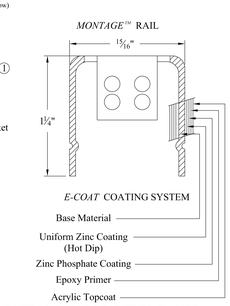


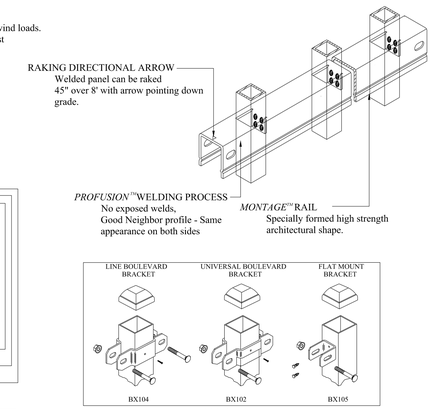
3 MINOR ARTERIAL STREET LIGHT

SCALE: N.T.S.



NOTES:
1.) Post size depends on fence height and wind loads. See *MONTAGE* specifications for post sizing chart.





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3 5' ORNAMENTAL IRON FENCE

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WISE FARMS
PRELIMINARY LANDSCAPE PLAN

SCALE: AS SHOWN
FILE NO:
DRAWN BY: CD
CHECKED BY: JP
DATE: 12-22-2014
SHEET NUMBER L11

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WISE FARMS - PRELIMINARY DEVELOPMENT PLAN

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M., TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO

PP-13-000012

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PART OF THE NORTH HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
KNOW ALL PEOPLE BY THESE PRESENTS, THAT THE UNDERSIGNED WARRANT THAT THEY ARE OWNERS OF A PARCEL OF LAND BEING A PART OF THE NORTH HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

NORTH PARCEL:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST-SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS SOUTH 00°04'01" EAST, A DISTANCE OF 1316.88 FEET SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;
THENCE SOUTH 88°24'34" WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 119TH STREET;
THENCE CONTINUING SOUTH 88°24'34" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 627.28 FEET, TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;
THENCE CONTINUING SOUTH 88°24'34" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 3.19 FEET;
THENCE NORTH 00°09'21" WEST, A DISTANCE OF 114.08 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT NORTHERLY OF THE CENTERLINE OF THE EXISTING TRACK, SAID POINT BEING THE POINT OF BEGINNING;
THENCE SOUTH 89°42'11" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 653.74 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;
THENCE CONTINUING SOUTH 89°42'11" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE , A DISTANCE OF 1314.46 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;
THENCE CONTINUING SOUTH 89°42'11" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1309.61 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14;
THENCE NORTH 00°29'33" WEST ALONG SAID WEST LINE, A DISTANCE OF 1119.88 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF JASPER ROAD;
THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:
1. NORTH 88°21'52" EAST, A DISTANCE OF 1314.39 FEET;
2. NORTH 88°17'58" EAST, A DISTANCE OF 1317.03 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;
3. CONTINUING NORTH 88°17'58" EAST, A DISTANCE OF 599.53 FEET TO THE NORTHWESTERLY CORNER OF THAT TRACT OF LAND AS DESCRIBED ON SAID FILM 1555, AT RECEPTION NO. 953348;

THENCE SOUTH 00°09'21" EAST ALONG THE WESTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 397.57 FEET TO THE MOST SOUTHERLY CORNER THEREOF;
THENCE NORTH 50°52'13" EAST ALONG THE SOUTHEASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 70.21 FEET;
THENCE SOUTH 00°09'21" EAST, DISTANCE OF 843.98 FEET TO THE POINT OF BEGINNING,
SAID PARCEL CONTAINING A CALCULATED AREA OF 3,782,135 SQUARE FEET OR 86.826 ACRES, MORE OR LESS.

SOUTH PARCEL:

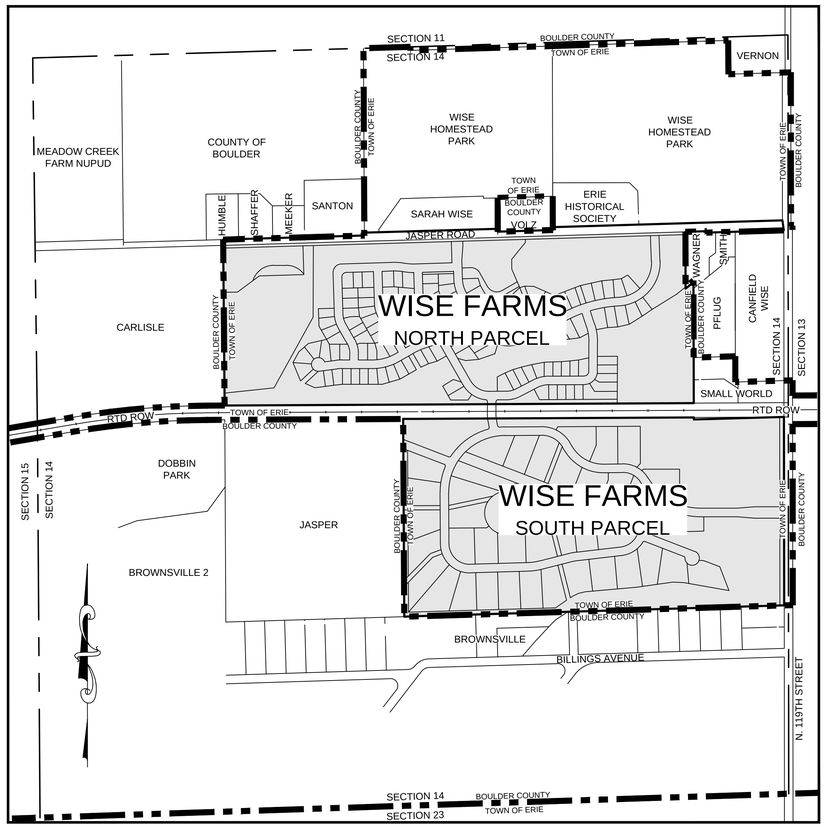
A PARCEL OF LAND BEING A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST-SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS SOUTH 00°04'01" EAST, A DISTANCE OF 1316.88 FEET, SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREWITH BEING RELATIVE THERETO;
THENCE SOUTH 88°24'34" WEST, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE TO NORTH 119TH STREET;
THENCE SOUTH 00°04'01" EAST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 0.14 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT, SOUTHERLY OF THE EXISTING TRACK, SAID POINT BEING THE POINT OF BEGINNING;
THENCE CONTINUING SOUTH 00°04'01" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1316.79 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;
THENCE SOUTH 88°18'16" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 1282.39 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;
THENCE CONTINUING SOUTH 88°18'16" WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 1312.40 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;
THENCE SOUTH 88°16'21" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 60.98 FEET TO THE SOUTHEASTERLY CORNER OF THAT TRACT OF LAND CONVEYED TO RONALD SCOTT JASPER, RONALD LEE JASPER AND VEE ANN JASPER AS DESCRIBED IN WARRANTY DEED RECORDED MAY 3, 1976, ON FILM 922 AS RECEPTION NO. 175271, OF THE RECORDS OF BOULDER COUNTY, COLORADO;
THENCE NORTH 00°19'00" WEST ALONG THE EASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 1381.63 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY BEING 50 FEET, BY PERPENDICULAR MEASUREMENT, SOUTHERLY OF THE EXISTING TRACK;
THENCE NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 62.45 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;
THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1314.28 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;
THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 653.74 FEET;
THENCE SOUTH 00°09'21" EAST, A DISTANCE OF 14.09 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14;
THENCE NORTH 88°24'34" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 3.19 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;
THENCE CONTINUING NORTH 88°24'34" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 620.87 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY;
THENCE NORTH 89°42'11" EAST, ALONG SAID SOUTHERLY RAILROAD RIGHT-OF-WAY LINE, A DISTANCE OF 6.40 FEET TO THE POINT OF BEGINNING,
SAID SOUTH PARCEL CONTAINING A CALCULATED ARE OF 3,581,472 SQUARE FEET OR 82.219 ACRES, MORE OR LESS.

JASPER ROAD RIGHT OF WAY PARCEL:

A PARCEL OF LAND BEING A PART OF THE NORTH HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14, AND ASSUMING THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14 TO BEAR SOUTH 00°04'01" EAST, 1316.88 FEET WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;
THENCE NORTH 00°29'33" WEST, A DISTANCE OF 20.00 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF JASPER ROAD;
THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING EIGHT (8) COURSES:
1. NORTH 88°21'52" EAST, A DISTANCE OF 986.68 FEET;
2. NORTH 00°15'36" WEST, A DISTANCE OF 20.01 FEET;
3. NORTH 88°21'52" EAST, A DISTANCE OF 327.86 FEET;
4. NORTH 88°17'58" EAST, A DISTANCE OF 604.84 FEET;
5. SOUTH 00°09'21" EAST, A DISTANCE OF 20.01 FEET;
6. NORTH 88°17'58" EAST, A DISTANCE OF 385.00 FEET;
7. NORTH 00°09'21" WEST, A DISTANCE OF 20.01 FEET;
8. NORTH 88°17'58" EAST, A DISTANCE OF 1604.42 FEET;

THENCE SOUTH 08°12'42" EAST, A DISTANCE OF 70.45 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF JASPER ROAD;
THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING FOUR (4) COURSES:
1. SOUTH 88°17'58" WEST, A DISTANCE OF 540.23 FEET;
2. NORTH 00°04'41" WEST, A DISTANCE OF 10.00 FEET;
3. SOUTH 88°17'58" WEST, A DISTANCE OF 2063.81 FEET;
4. SOUTH 88°21'52" WEST, A DISTANCE OF 134.39 FEET;

THENCE NORTH 00°29'33" WEST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING,
SAID JASPER ROAD RIGHT OF WAY PARCEL CONTAINING A CALCULATED AREA OF 212,737 SQUARE FEET OR 4.884 ACRES, MORE OR LESS.
SAID NORTH, SOUTH AND JASPER ROAD RIGHT OF WAY PARCELS CONTAINING A CALCULATED AREA OF 7,576,344 SQUARE FEET, OR 173.929 ACRES, MORE OR LESS.
HAVE LAID OUT, PLATTED, AND SUBDIVIDED THE SAME INTO LOTS, BLOCKS, TRACTS AND RIGHT-OF-WAY AS SHOWN ON THIS PLAT, UNDER THE NAME AND STYLE OF WISE FARMS PRELIMINARY PLAT AND BY THESE PRESENTS DO HEREBY DEDICATE TO THE TOWN OF ERIE, COLORADO, FOR THE PERPETUAL USE OF THE PUBLIC, THE STREETS, AND EASEMENTS FOR PUBLIC PURPOSES SHOWN HEREON AND NOT PREVIOUSLY DEDICATED TO THE PUBLIC.



VICINITY MAP
SCALE 1" = 500'

SHEET INDEX

CS COVER SHEET
E1 PRELIMINARY ROAD CONSTRUCTION PLAN - OVERALL
E2 PRELIMINARY ROAD CONSTRUCTION PLAN - NORTH
E3 PRELIMINARY ROAD CONSTRUCTION PLAN - SOUTH
E4 JASPER ROAD & N. 119TH STREET IMPACT PLAN
E5 PRELIMINARY GRADING PLAN - OVERALL
E6 PRELIMINARY GRADING PLAN - NORTH
E7 PRELIMINARY GRADING PLAN - SOUTH
E8 PRELIMINARY UTILITY PLAN - OVERALL
E9 PRELIMINARY UTILITY PLAN - NORTH
E10 PRELIMINARY UTILITY PLAN - SOUTH
E11 PRELIMINARY UTILITY PLAN - OFFSITE WATER
E12 PRELIMINARY EROSION CONTROL PLAN - NORTH
E13 PRELIMINARY EROSION CONTROL PLAN - SOUTH
T1 TREE INVENTORY
LP PRELIMINARY LANDSCAPE PLAN

APPLICANT:
JASPER LAND INVESTMENTS, LLC
9162 S. Kenwood Court
Highlands Ranch, CO 80126
Tel: (303) 902-5400

Contact Person: Jim Dullea

PLANNER / LANDSCAPE ARCHITECT:
PCS GROUP INC.
#3, B-180 Independence Plaza
1001 16th Street
Denver, CO 80265
Tel: (303) 531-4905
Fax: (303) 531-4908

ENGINEER / SURVEYOR:
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No.	Revisions	Date	Init.	Appr.	Date

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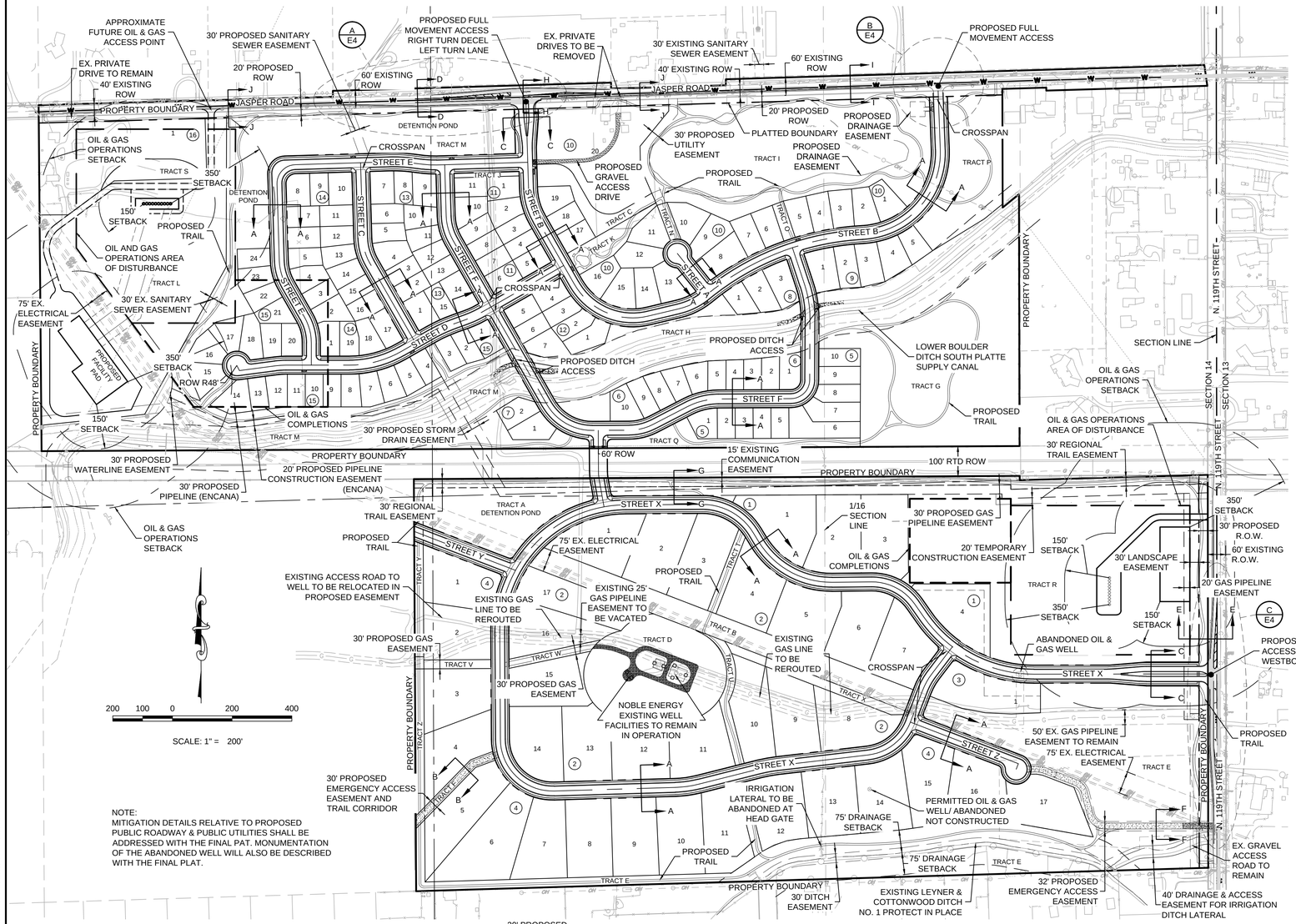
HIGHLANDS RANCH, CO 80126

WISE FARMS
PRELIMINARY DEVELOPMENT PLAN
COVER SHEET

SCALE: AS SHOWN
FILE NO: 8.13.0230801
DRAWN BY: AAP
CHECKED BY: KEK
DATE: DECEMBER 2014
SHEET NUMBER CS

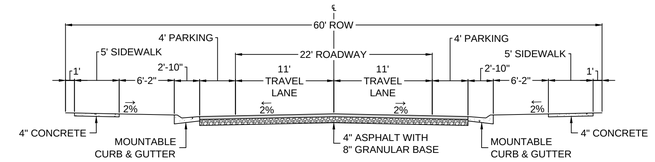
N:\PROJECTS\0230801 WISE FARMS\CAD\ENGINEERING\SHEET SETS\WISE FARMS - PDP\COVER SHEET.DWG, PATRICK PASSANISE, 12/29/14



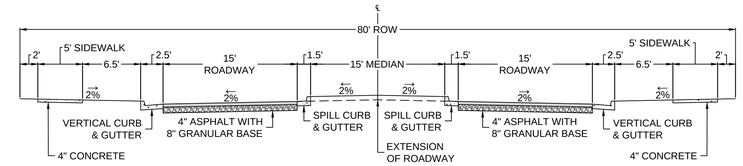
NOTE:
MITIGATION DETAILS RELATIVE TO PROPOSED PUBLIC ROADWAY & PUBLIC UTILITIES SHALL BE ADDRESSED WITH THE FINAL PAT. MONUMENTATION OF THE ABANDONED WELL WILL ALSO BE DESCRIBED WITH THE FINAL PLAT.

LEGEND

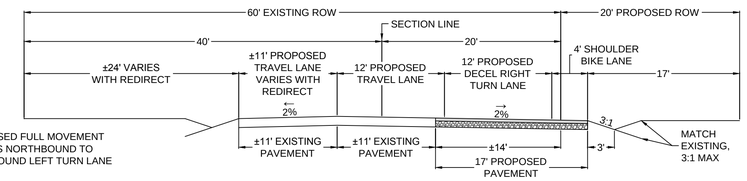
CENTERLINE	PROPERTY BOUNDARY
RIGHT-OF-WAY	EXISTING TREE
LOT LINE	11 LOT NUMBER
6 BLOCK NUMBER	A E2 DETAIL SHT #



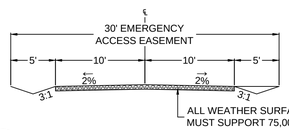
A-A LOCAL STREET
NTS



C-C COLLECTOR WITH RAISED MEDIAN
NTS

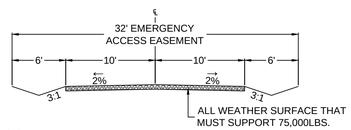


D-D JASPER ROAD WEST - 60' EXISTING ROW, 20' PROPOSED ROW
NTS



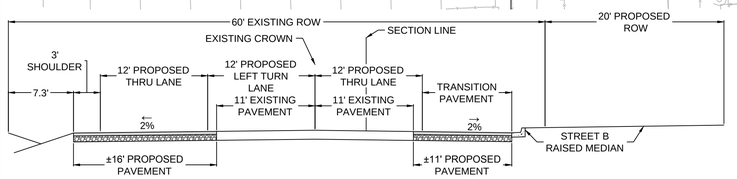
B-B 30' EMERGENCY ACCESS
NTS

NOTE: REMOVABLE DEVICES SUCH AS COLLAPSIBLE BOLLARDS SHALL BE INSTALLED AT EITHER END OF THIS ACCESS ROAD. COORDINATION REGARDING THESE DEVICES WILL BE ACCOMPLISHED WITH THE FINAL PLAT.

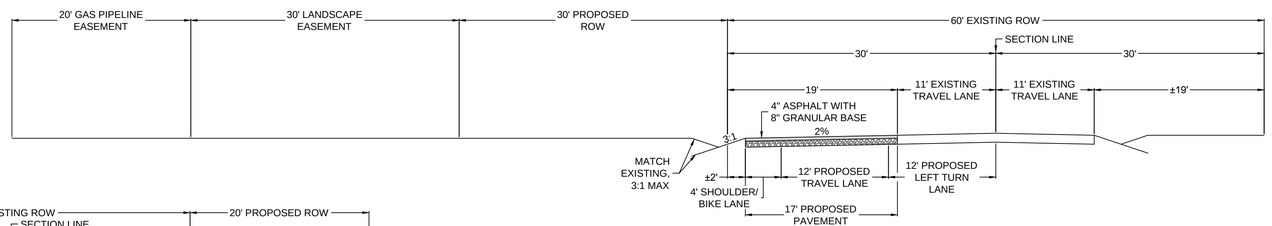


F-F 32' EMERGENCY ACCESS
NTS

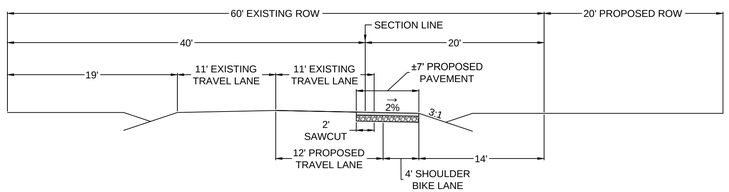
NOTE: REMOVABLE DEVICES SUCH AS COLLAPSIBLE BOLLARDS SHALL BE INSTALLED AT EITHER END OF THIS ACCESS ROAD. COORDINATION REGARDING THESE DEVICES WILL BE ACCOMPLISHED WITH THE FINAL PLAT.



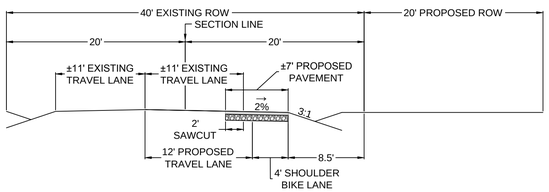
H-H JASPER ROAD AT STREET B - 60' EXISTING ROW, 20' PROPOSED ROW
NTS



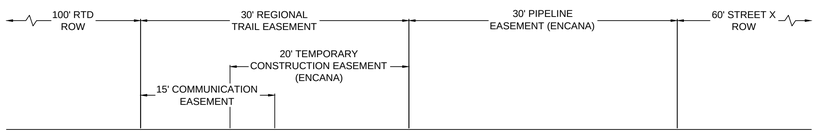
E-E N. 119TH STREET ENTRANCE - 60' EXISTING ROW, DRAINAGE EASEMENT
NTS



I-I JASPER ROAD EAST - 60' EXISTING ROW, 20' PROPOSED ROW
NTS



J-J JASPER ROAD WEST - 40' EXISTING ROW, 20' PROPOSED ROW
NTS



G-G SECTION G-G
NTS

No.	Revisions	Date	Init.	Aggr.	Date

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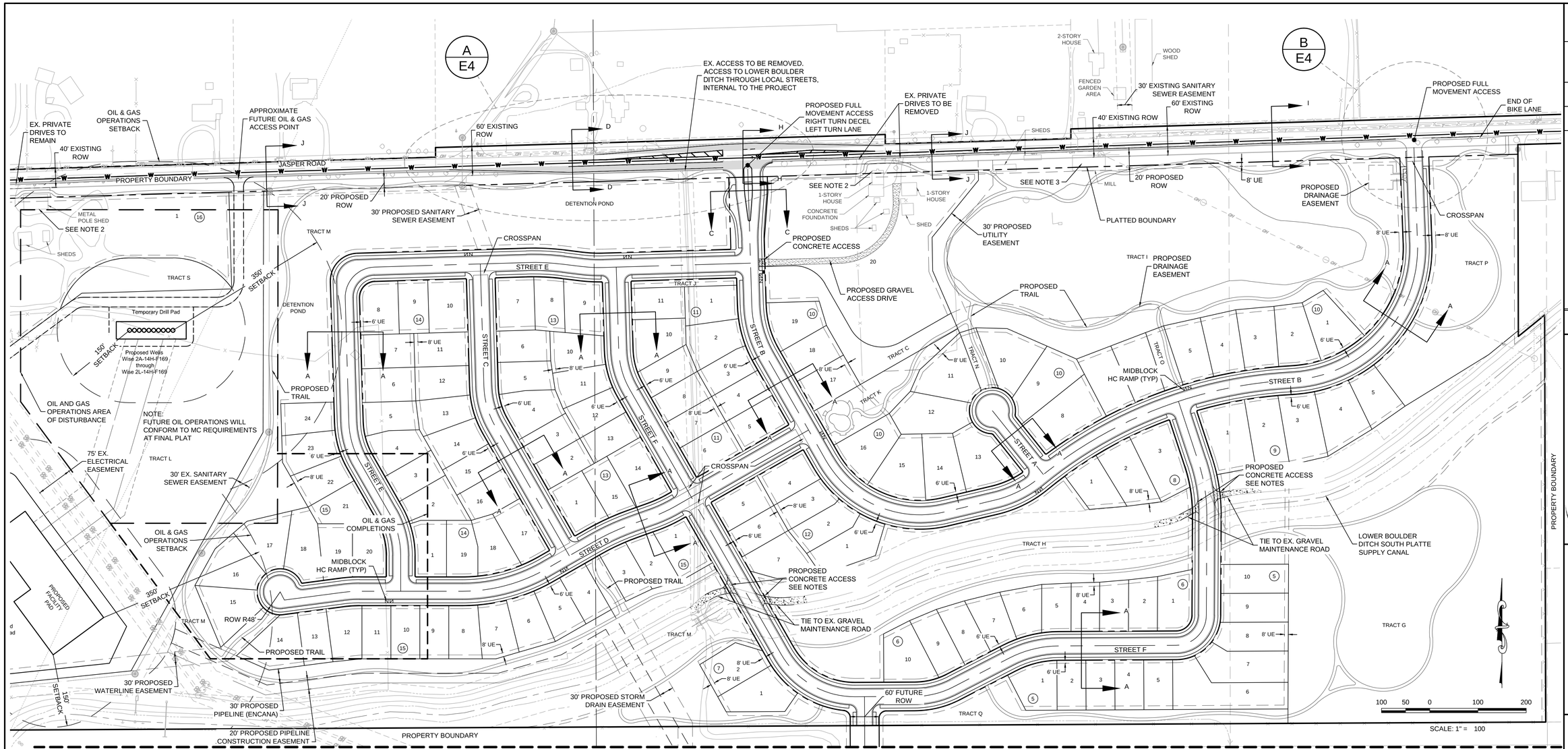
9162 S. KENWOOD COURT
HIGHLANDS RANCH, CO 80126

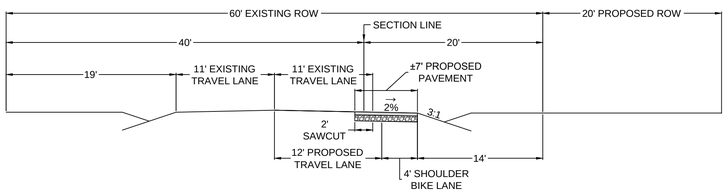
WISE FARMS
PRELIMINARY DEVELOPMENT PLAN
PRELIMINARY ROAD
CONSTRUCTION PLAN - OVERALL

SCALE: AS SHOWN
FILE NO: 8.13.0230801
DRAWN BY: AAP
CHECKED BY: KEK
DATE: DECEMBER 2014
SHEET NUMBER E1

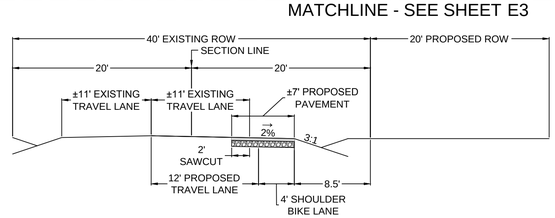
N:\PROJECTS\0230801 WISE FARMS\CAD\ENGINEERING\SHEET SETS\WISE FARMS - PDP\PRELIMINARY ROAD CONSTRUCTION PLAN.DWG, PATRICK PASSANISE, 12/29/14



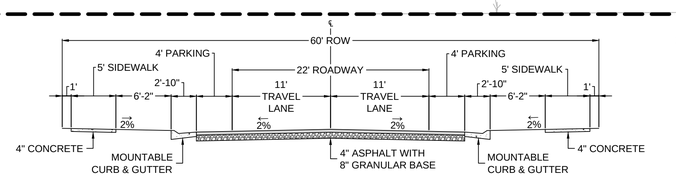
MATCHLINE - SEE SHEET E3



I-I JASPER ROAD EAST - 60' EXISTING ROW, 20' PROPOSED ROW
NTS



J-J JASPER ROAD WEST - 40' EXISTING ROW, 20' PROPOSED ROW
NTS

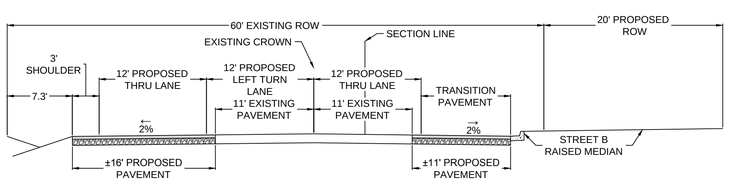


A-A LOCAL STREET
NTS

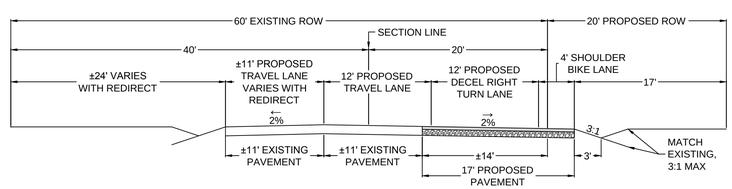
NOTES:
1. REMOVABLE DEVICES SUCH AS COLLAPSIBLE BOLLARDS SHALL BE INSTALLED WHERE THE DITCH MAINTENANCE ROAD MEETS THE PUBLIC ROADWAY. COORDINATION REGARDING THESE DEVICES WILL BE ACCOMPLISHED WITH THE FINAL PLAT.
2. LICENSE AGREEMENTS WILL BE PURSUED FOR HOUSES THAT WILL BE/ ARE IN THE RIGHT-OF-WAY PRIOR TO APPROVAL OF A FINAL PLAT ALLOWING DEVELOPMENT.
3. PRIOR TO APPROVAL OF A FINAL PLAT ALLOWING DEVELOPMENT, THE MILL BUILDINGS IN TRACT I WILL BE EITHER MOVED OFF SITE OR REMOVED.

LEGEND

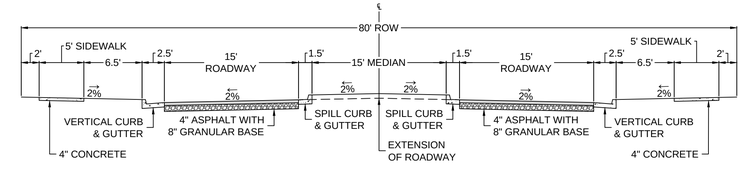
- CENTERLINE
- RIGHT-OF-WAY
- LOT LINE
- BLOCK NUMBER
- PROPERTY BOUNDARY
- EXISTING TREE
- LOT NUMBER
- DETAIL SHT #



H-H JASPER ROAD AT STREET B - 60' EXISTING ROW, 20' PROPOSED ROW
NTS



D-D JASPER ROAD WEST - 60' EXISTING ROW, 20' PROPOSED ROW
NTS



C-C COLLECTOR WITH RAISED MEDIAN
NTS

No.	Revisions	Date	Init.	Aggr.	Date

CVL CONSULTANTS
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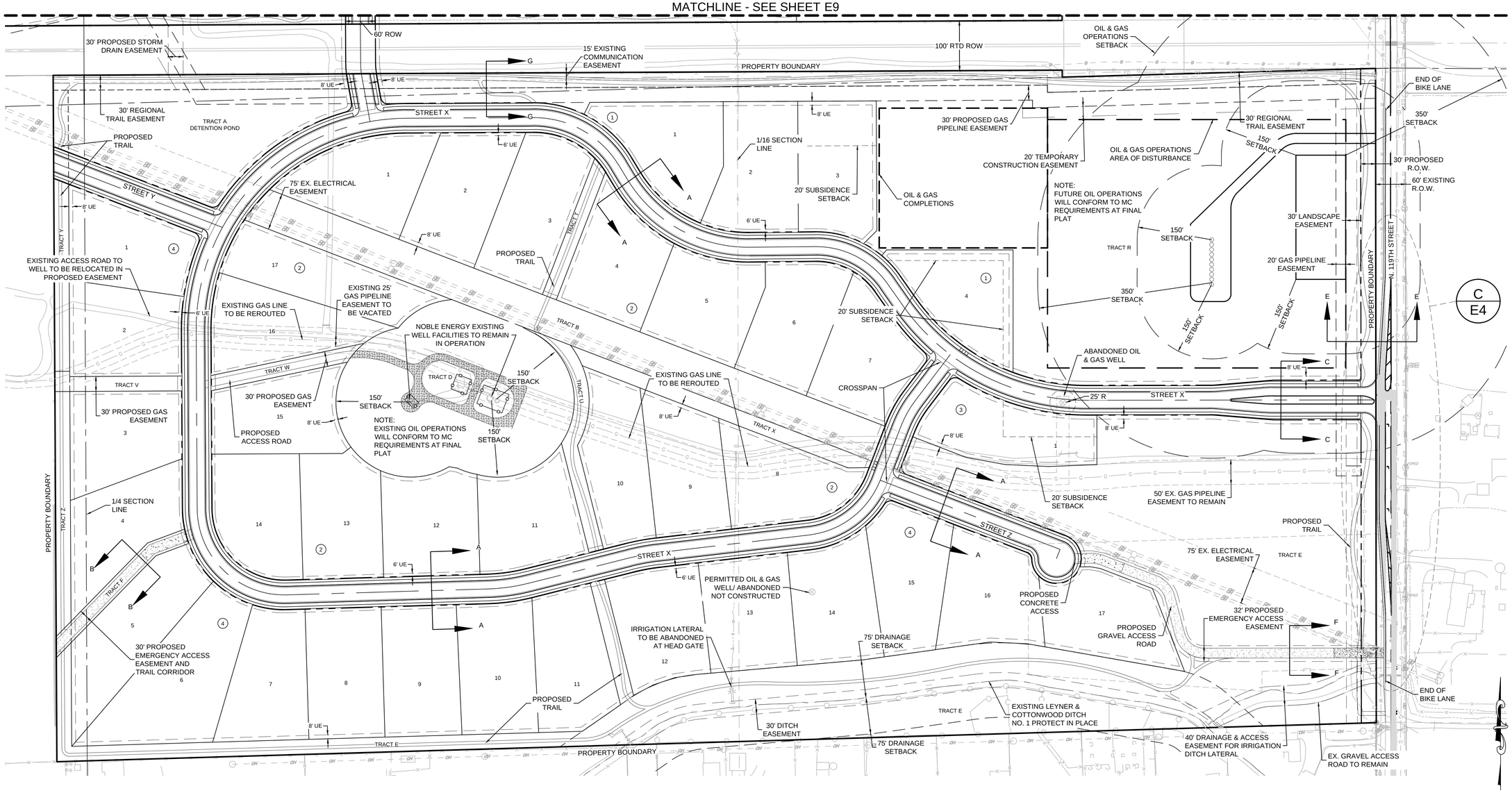
HIGHLANDS RANCH, CO 80126

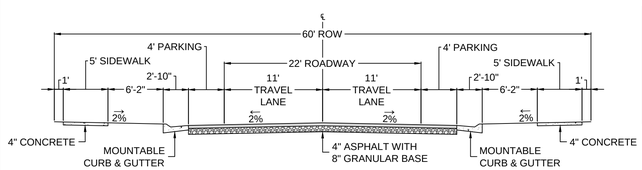
WISE FARMS
PRELIMINARY DEVELOPMENT PLAN
PRELIMINARY ROAD CONSTRUCTION PLAN - NORTH

SCALE: AS SHOWN
FILE NO: 8.13.0230801
DRAWN BY: AAP
CHECKED BY: KEK
DATE: DECEMBER 2014
SHEET NUMBER E2

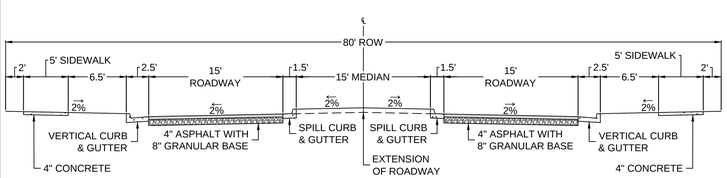
N:\PROJECTS\0230801 WISE FARMS\CAD\ENGINEERING\SHEET SETS\WISE FARMS - PDP\PRELIMINARY ROAD CONSTRUCTION PLAN.DWG, PATRICK PASSANISE, 12/29/14

MATCHLINE - SEE SHEET E9





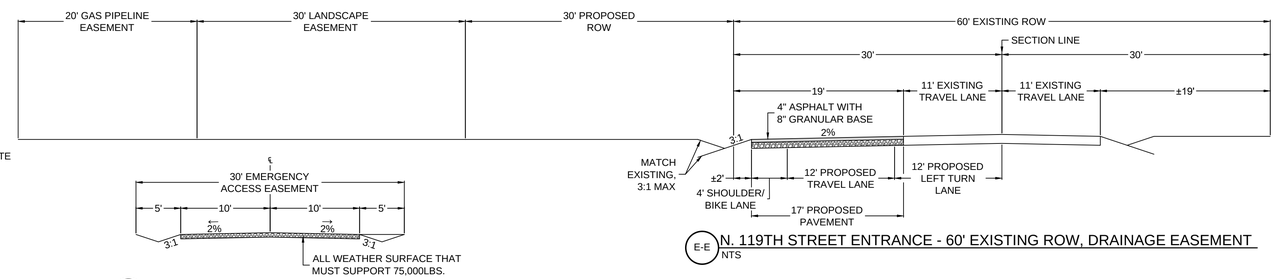
A-A LOCAL STREET
NTS



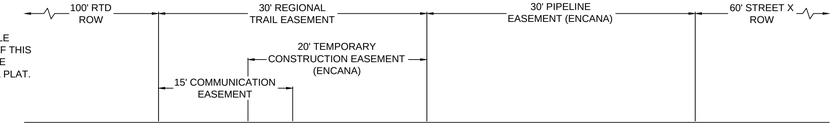
C-C COLLECTOR WITH RAISED MEDIAN
NTS

B-B 30' EMERGENCY ACCESS
NTS

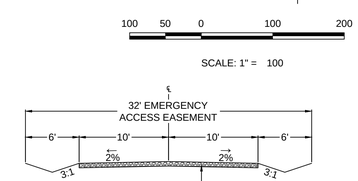
NOTE: REMOVABLE DEVICES SUCH AS COLLAPSIBLE BOLLARDS SHALL BE INSTALLED AT EITHER END OF THIS ACCESS ROAD. COORDINATION REGARDING THESE DEVICES WILL BE ACCOMPLISHED WITH THE FINAL PLAT.



E-E N. 119TH STREET ENTRANCE - 60' EXISTING ROW, DRAINAGE EASEMENT
NTS



G-G SECTION G-G
NTS



F-F 32' EMERGENCY ACCESS
NTS

NOTE: REMOVABLE DEVICES SUCH AS COLLAPSIBLE BOLLARDS SHALL BE INSTALLED AT EITHER END OF THIS ACCESS ROAD. COORDINATION REGARDING THESE DEVICES WILL BE ACCOMPLISHED WITH THE FINAL PLAT.

100 50 0 100 200

SCALE: 1" = 100

LEGEND

CENTERLINE	PROPERTY BOUNDARY
RIGHT-OF-WAY	EXISTING TREE
LOT LINE	11 LOT NUMBER
6 BLOCK NUMBER	A / E2 DETAIL / SHT #

No.	Revisions	Date	Init.	Appr.	Date

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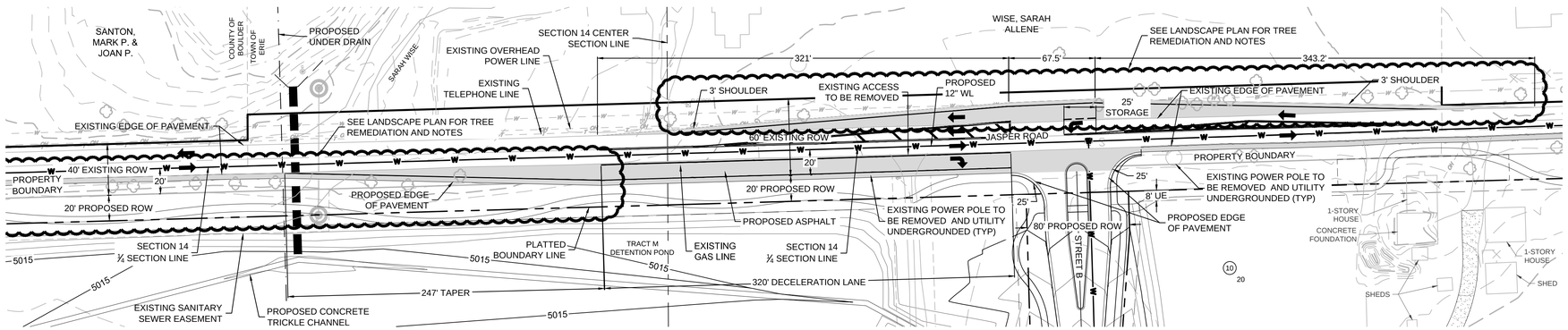
9162 S. KENWOOD COURT
HIGHLANDS RANCH, CO 80126

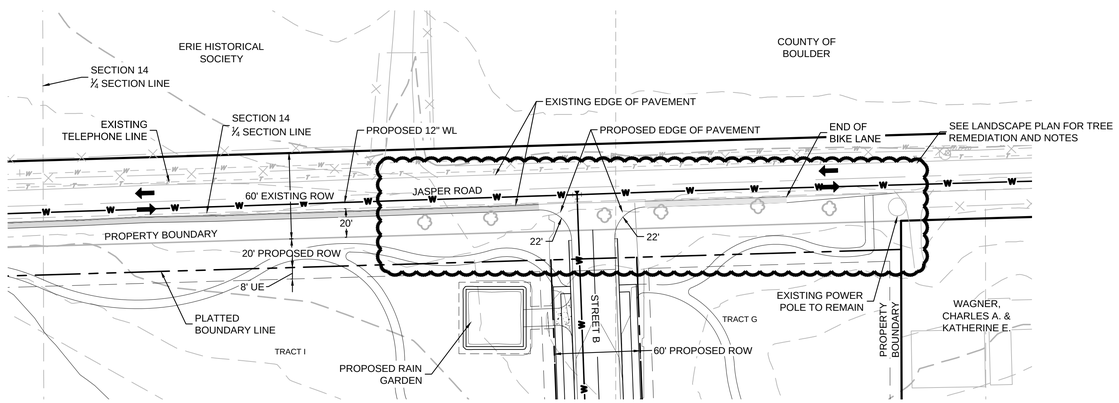
WISE FARMS
PRELIMINARY DEVELOPMENT PLAN
PRELIMINARY ROAD
CONSTRUCTION PLAN - SOUTH

SCALE: AS SHOWN
FILE NO: 8.13.0230801
DRAWN BY: AAP
CHECKED BY: KEK
DATE: DECEMBER 2014
SHEET NUMBER E3

N:\PROJECTS\0230801 WISE FARMS\CAD\ENGINEERING\SHEET SETS\WISE FARMS - PDP\PRELIMINARY ROAD CONSTRUCTION PLAN.DWG, PATRICK PASSANISE, 12/29/14



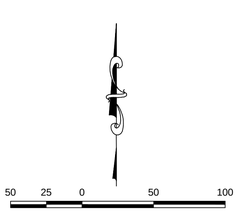
A JASPER ROAD - WEST ENTRANCE
1" = 50'

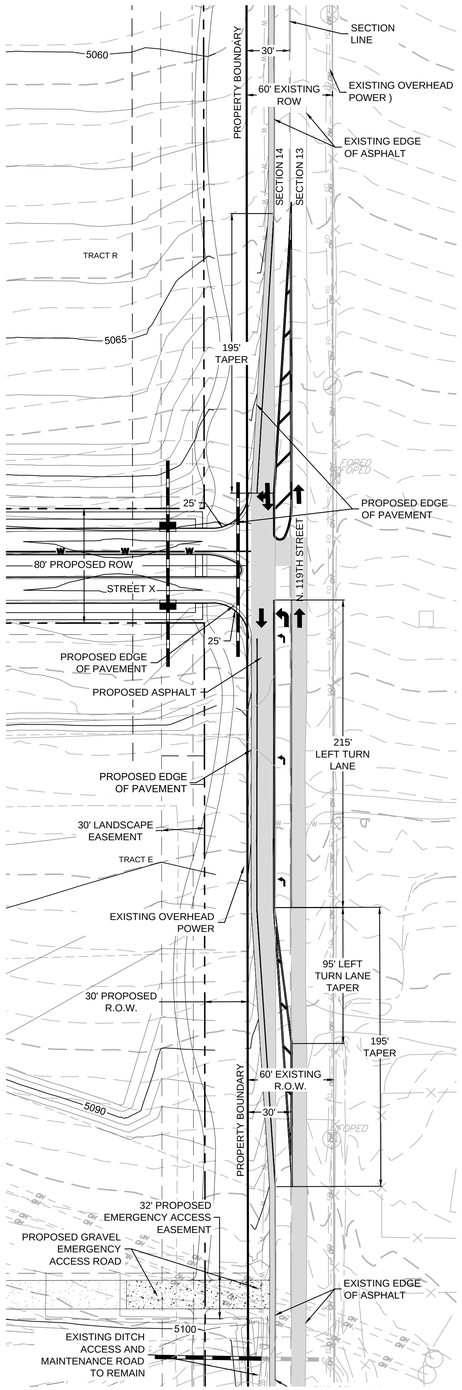


B JASPER ROAD - EAST ENTRANCE
1" = 50'

LEGEND

CENTERLINE	PROPERTY BOUNDARY
RIGHT-OF-WAY	EXISTING TREE
LOT LINE	PROPOSED ASPHALT
6 BLOCK NUMBER	SEE LANDSCAPE PLAN FOR TREE REMEDIATION AND NOTES
11 LOT NUMBER	





C N. 119TH STREET
1" = 50'

No.	Revisions	Date	Init.	Aggr.	Date

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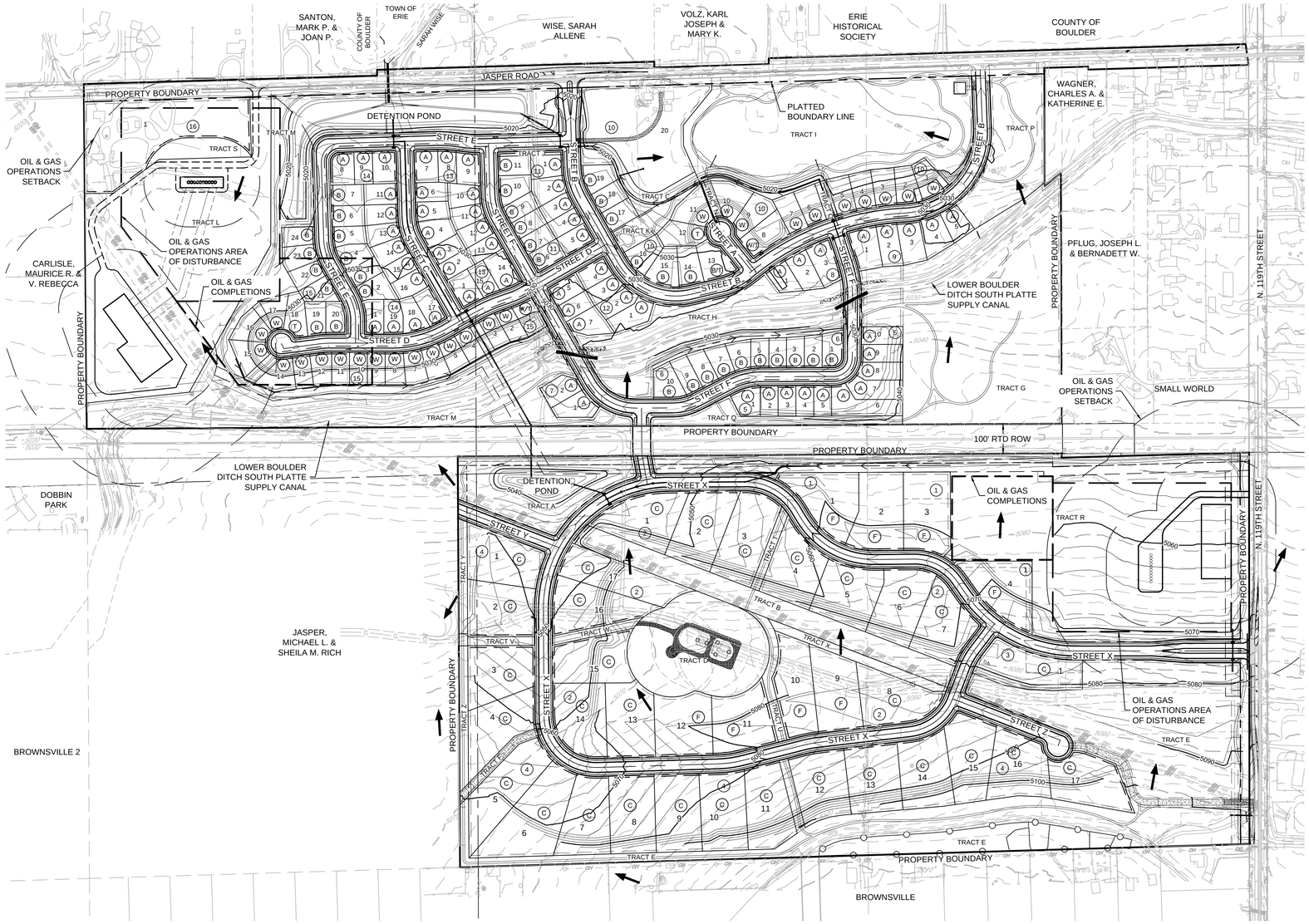
9162 S. KENWOOD COURT
HIGHLANDS RANCH, CO 80126

WISE FARMS
PRELIMINARY DEVELOPMENT PLAN
JASPER ROAD & N. 119TH STREET
IMPACT PLAN

SCALE: AS SHOWN
FILE NO: 8.13.0230801
DRAWN BY: AAP
CHECKED BY: KEK
DATE: DECEMBER 2014
SHEET NUMBER E4

N:\PROJECTS\0230801 WISE FARMS\CAD\ENGINEERING\SHEET SETS\WISE FARMS - PDP\JASPER & 119TH IMPACT PLAN.DWG, PATRICK PASSANISE, 12/29/14



GRADING LEGEND

1.00%	PROPOSED SLOPE & DIRECTION OF FLOW	5000	EXISTING ELEVATION
	EXISTING 10' CONTOUR	5000	PROPOSED DESIGN ELEVATION
	EXISTING 2' CONTOUR		PROPOSED FLARED END SECTION
	PROPOSED 10' CONTOUR		PROPOSED STORM INLET
	PROPOSED 2' CONTOUR		PROPOSED STORM DRAIN
	CENTERLINE		PROPOSED AREA INLET
	RIGHT-OF-WAY		PROPERTY BOUNDARY
	LOT LINE		PROPOSED SWALE
11	LOT NUMBER	C	LOT TYPE
6	BLOCK NUMBER		

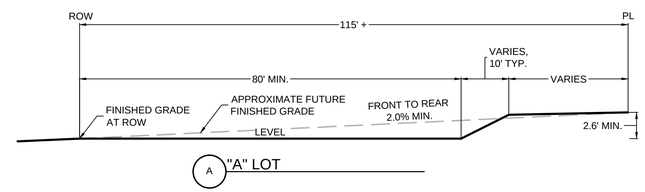
200 100 0 200 400

SCALE: 1" = 200'

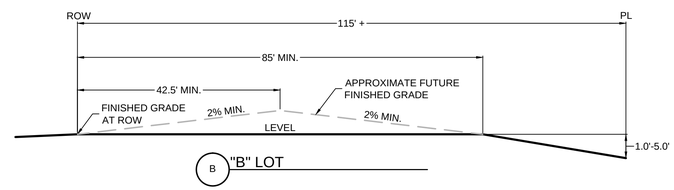
EARTHWORK

TOTAL CUT VOLUME	361,001 C.Y.
TOTAL FILL VOLUME (15% ADJUSTMENT FOR COMPACTION)	416,665 C.Y.
NET (IMPORT)	55,664 C.Y.

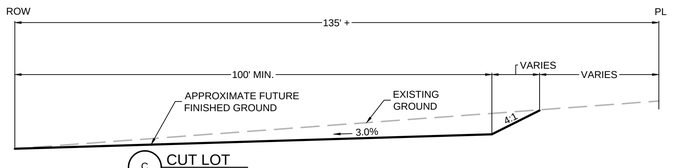
NOTES:
1. TRAIL LOCATIONS ARE CONCEPTUAL AND FINAL GRADING WILL ACCOMMODATE FINAL TRAIL ALIGNMENTS.
2. OIL & GAS FACILITIES SHOWN WITHIN OIL & GAS OPERATIONS AREA ARE CONCEPTUAL FUTURE IMPROVEMENTS AND AND ARE SHOWN FOR REFERENCE ONLY.



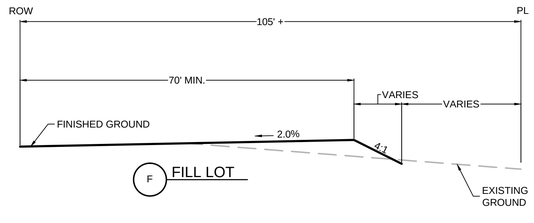
A "A" LOT



B "B" LOT



C CUT LOT



F FILL LOT

W "WALKOUT" LOT

No.	Revisions	Date	Init.	Appr.	Date

CVL CONSULTANTS
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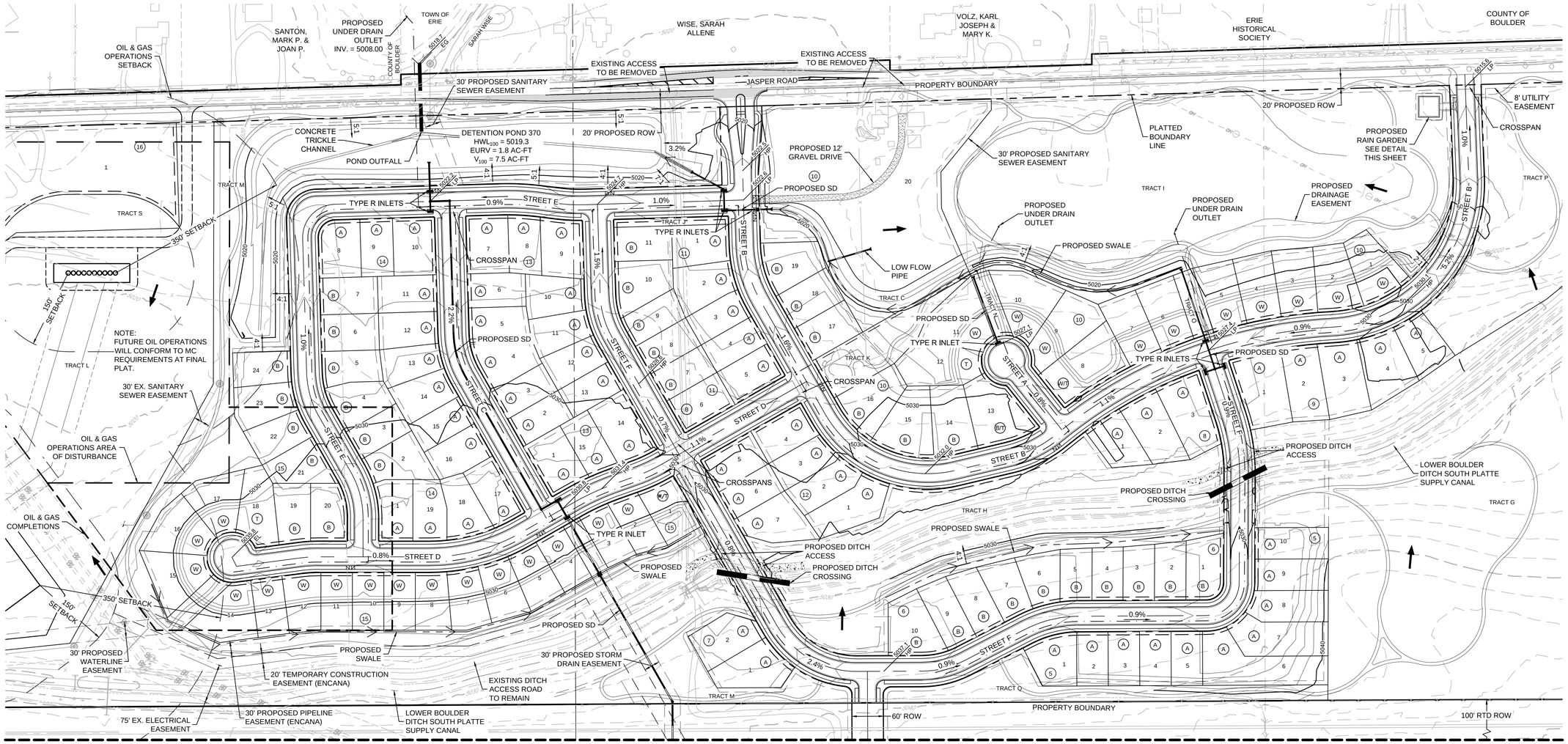
HIGHLANDS RANCH, CO 80126

WISE FARMS
PRELIMINARY DEVELOPMENT PLAN
PRELIMINARY GRADING PLAN - OVERALL

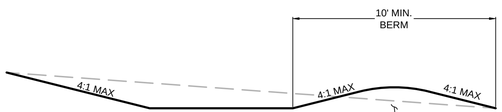
SCALE: AS SHOWN
FILE NO: 8.13.0230801
DRAWN BY: AAP
CHECKED BY: KEK
DATE: DECEMBER 2014

SHEET NUMBER E5

N:\PROJECTS\30230801 WISE FARMS\CAD\ENGINEERING\SHEET SETS\WISE FARMS - PDP\PRELIMINARY GRADING PLAN.DWG, PATRICK PASSANISE, 12/29/14



MATCHLINE - SHEET E7



RG PROPOSED RAIN GARDEN

PROVIDE 4' WIDE 1' FEET, CLASS 6 AGGREGATE WRAPPED IN MIRAFI 140N OR APPROVED EQUAL BURIED WITH 6" TOPSOIL

NOTES:
1. TRAIL LOCATIONS ARE CONCEPTUAL AND FINAL GRADING WILL ACCOMMODATE FINAL TRAIL ALIGNMENTS.
2. OIL & GAS FACILITIES SHOWN WITHIN OIL & GAS OPERATIONS AREA ARE CONCEPTUAL FUTURE IMPROVEMENTS AND AND ARE SHOWN FOR REFERENCE ONLY.

100 50 0 100 200

SCALE: 1" = 100'

GRADING LEGEND

1.00%	PROPOSED SLOPE & DIRECTION OF FLOW	5000	EXISTING ELEVATION
	EXISTING 10' CONTOUR	5000	PROPOSED DESIGN ELEVATION
	EXISTING 2' CONTOUR		PROPOSED FLARED END SECTION
	PROPOSED 10' CONTOUR		PROPOSED STORM INLET
	PROPOSED 2' CONTOUR		PROPOSED STORM DRAIN
	CENTERLINE		PROPOSED AREA INLET
	RIGHT-OF-WAY		PROPERTY BOUNDARY
	LOT LINE		PROPOSED SWALE
11	LOT NUMBER	C	LOT TYPE
6	BLOCK NUMBER		

EARTHWORK

TOTAL CUT VOLUME	361,001 C.Y.
TOTAL FILL VOLUME (15% ADJUSTMENT FOR COMPACTION)	416,665 C.Y.
NET (IMPORT)	55,664 C.Y.

No.	Revisions	Date	Init.	Aggr.	Date

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HIGHLANDS RANCH, CO 80126

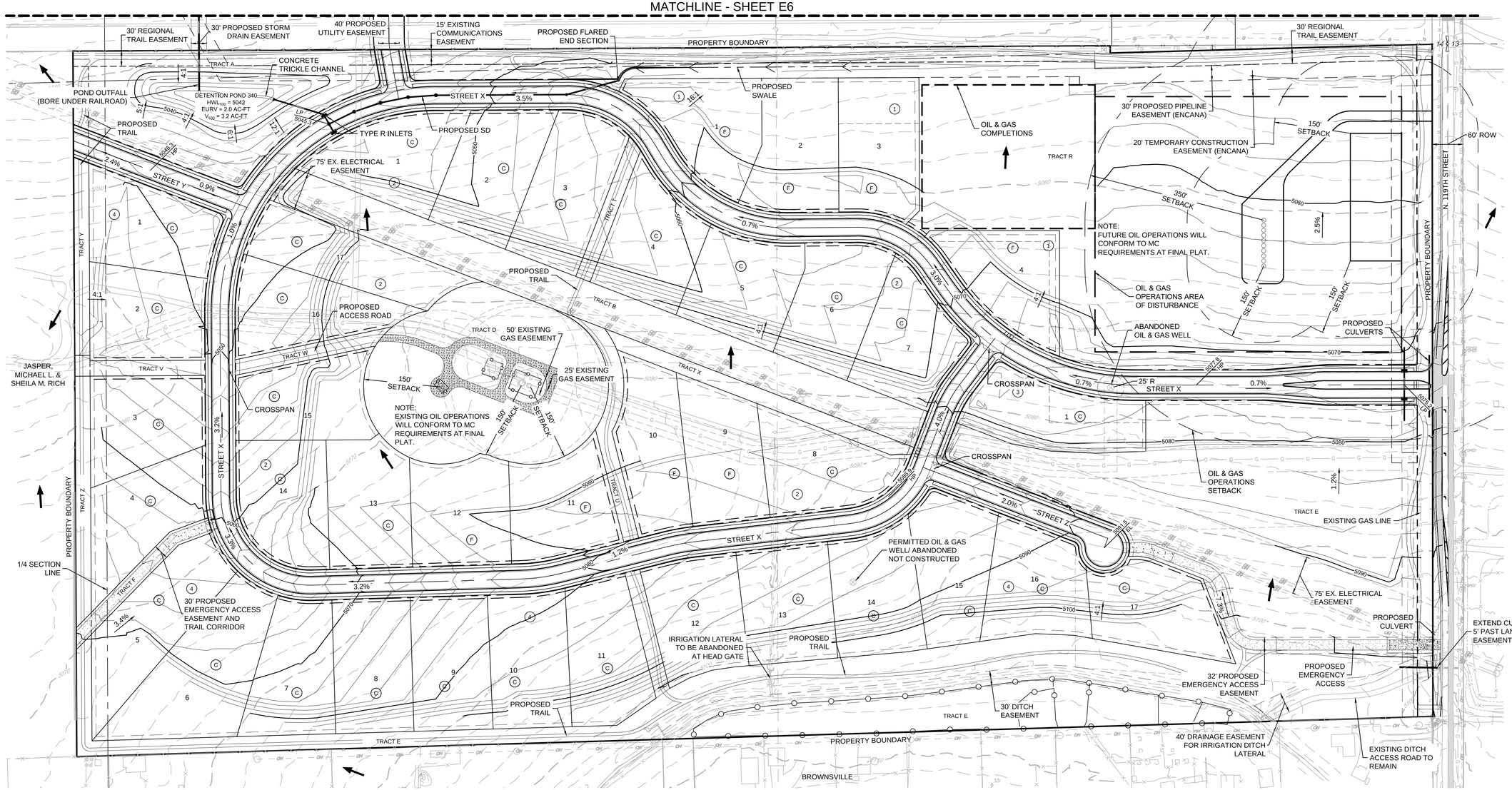
WISE FARMS
PRELIMINARY DEVELOPMENT PLAN
PRELIMINARY GRADING PLAN - NORTH

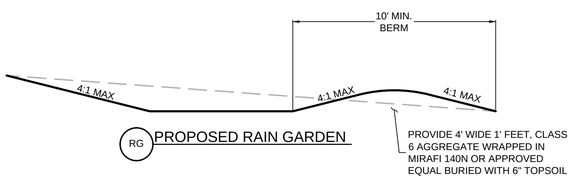
SCALE: AS SHOWN
FILE NO: 8.13.0230801
DRAWN BY: AAP
CHECKED BY: KEK
DATE: DECEMBER 2014

SHEET NUMBER E6

N:\PROJECTS\0230801 WISE FARMS\CAD\ENGINEERING\SHEET SETS\WISE FARMS - PDP\PRELIMINARY GRADING PLAN.DWG, PATRICK PASSANISE, 12/29/14

MATCHLINE - SHEET E6





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SCALE: 1" = 100'

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	EXISTING 10' CONTOUR	5000	PROPOSED DESIGN ELEVATION
	EXISTING 2' CONTOUR		PROPOSED FLARED END SECTION
	PROPOSED 10' CONTOUR		PROPOSED STORM INLET
	PROPOSED 2' CONTOUR		PROPOSED STORM DRAIN
	CENTERLINE		PROPOSED AREA INLET
	RIGHT-OF-WAY		PROPERTY BOUNDARY
	LOT LINE		PROPOSED SWALE
11	LOT NUMBER	C	LOT TYPE
6	BLOCK NUMBER		

No.	Revisions	Date	Init.	Aggr.	Date

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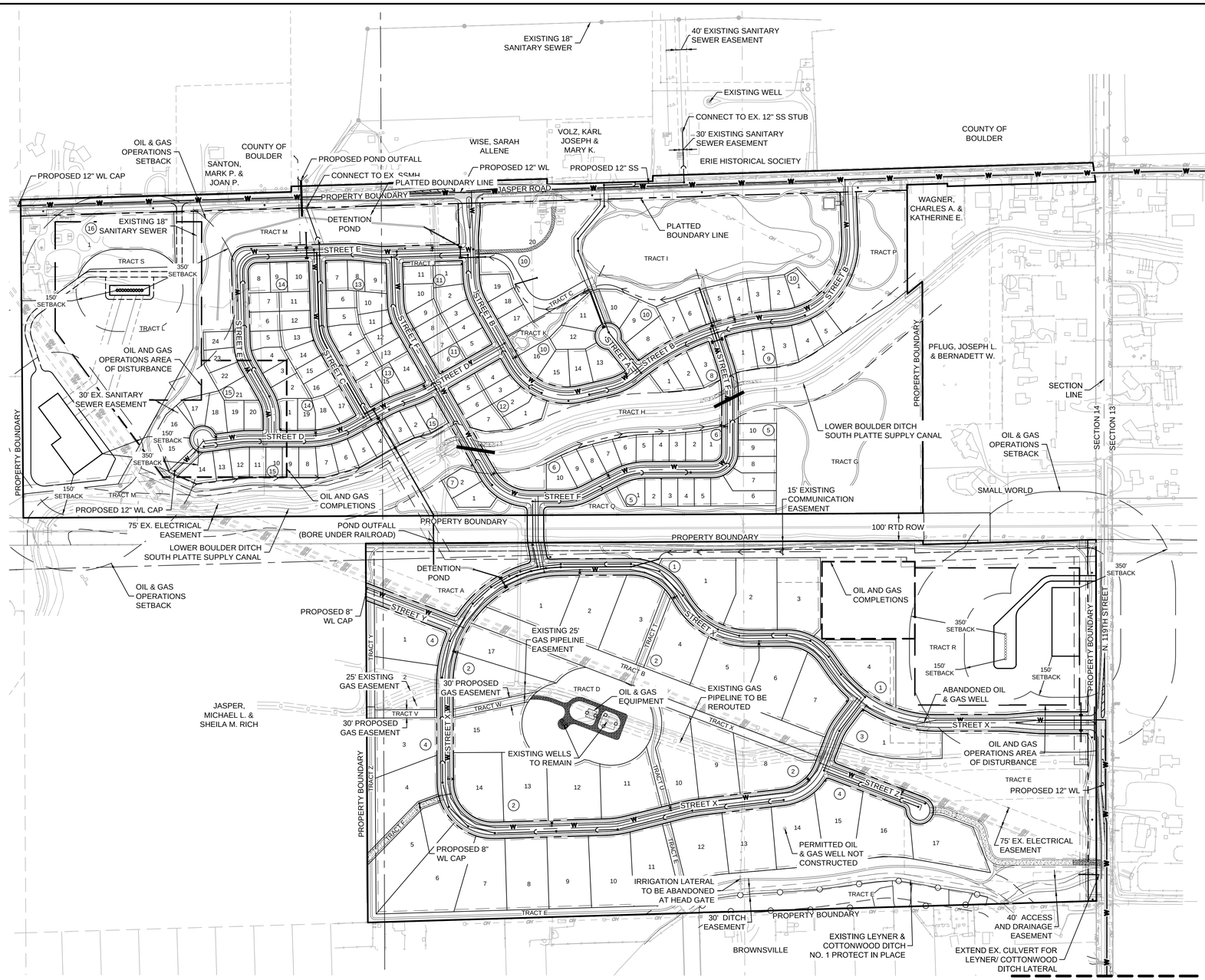
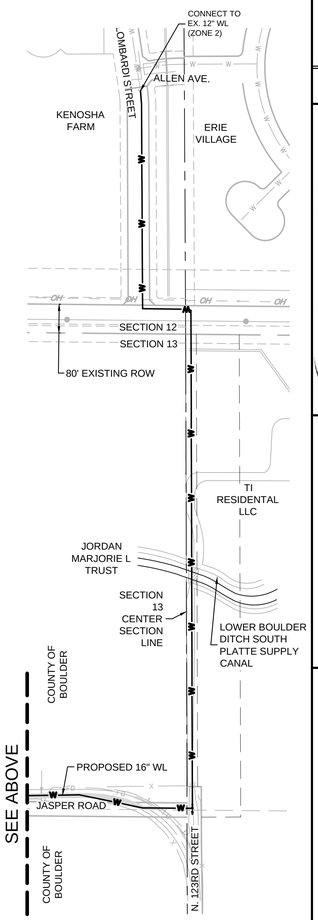
HIGHLANDS RANCH, CO 80126

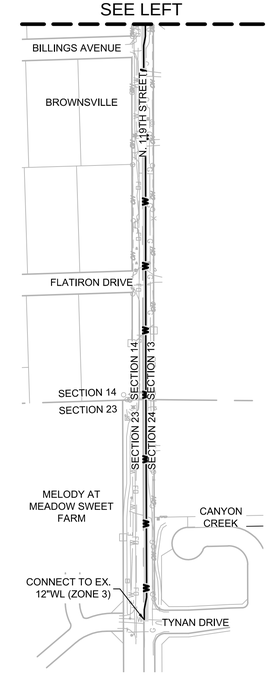
WISE FARMS
PRELIMINARY DEVELOPMENT PLAN
PRELIMINARY GRADING PLAN - SOUTH

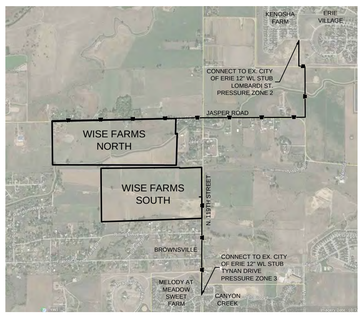
SCALE: AS SHOWN
FILE NO: 8.13.0230801
DRAWN BY: AAP
CHECKED BY: KEK
DATE: DECEMBER 2014
SHEET NUMBER E7

N:\PROJECTS\30230801 WISE FARMS\CAD\ENGINEERING\SHEET SETS\WISE FARMS - PDP\PRELIMINARY GRADING PLAN.DWG, PATRICK PASSANISE, 12/29/14









UTILITY LEGEND

- PROPOSED 8" WATERLINE UNLESS OTHERWISE NOTED
- PROPOSED PRESSURE RELEASE VALVE
- PROPOSED 8" SANITARY SEWER WITH MANHOLE UNLESS OTHERWISE NOTED
- CENTERLINE
- RIGHT-OF-WAY
- PROPERTY LINE
- PROPERTY BOUNDARY
- PROPOSED WATER METER
- IRR PROPOSED IRRIGATION
- PROPOSED UNDER DRAIN
- 6" FIRE HYDRANT ASSEMBLY
- PROPOSED BLOW OFF VALVE
- EXISTING TREE
- PROPOSED FLARED END SECTION
- PROPOSED STORM INLET
- PROPOSED STORM DRAIN WITH MANHOLE
- EASEMENT LINE
- PROPOSED SWALE
- PROPOSED AREA INLET
- PROPOSED GATE VALVE
- 11 LOT NUMBER
- 6 BLOCK NUMBER
- STREET LIGHT

NOTES

1. UNDERDRAINS WILL BE INSTALLED THROUGH THE ENTIRE SITE TO MITIGATE GROUNDWATER FLOODING.
2. THE WATER SERVICE FOR THE PROJECT SITE WILL CONNECT TO ZONE 2 IN KENOSHA FARMS TO THE NORTH AND ZONE 3 IN CANYON CREEK TO THE SOUTH.
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4. THE EXISTING OVERHEAD POWER LINES LOCATED IN JASPER ROAD, ALONG THE PROJECT FRONTAGE; SHALL BE UNDERGROUNDED.
5. THE EXISTING OVERHEAD POWER LINES LOCATED IN THE NORTHEAST CORNER OF THE PROJECT SITE SHALL BE RELOCATED & UNDERGROUNDED WITHIN PROPOSED UTILITY EASEMENTS.
6. THE EXISTING OVERHEAD POWER LINES LOCATED ALONG THE N. 119TH STREET FRONTAGE, SHALL BE UNDERGROUNDED.

200 100 0 200 400

SCALE: 1" = 200'

No.	Revisions	Date	Init.	Aggr.	Date

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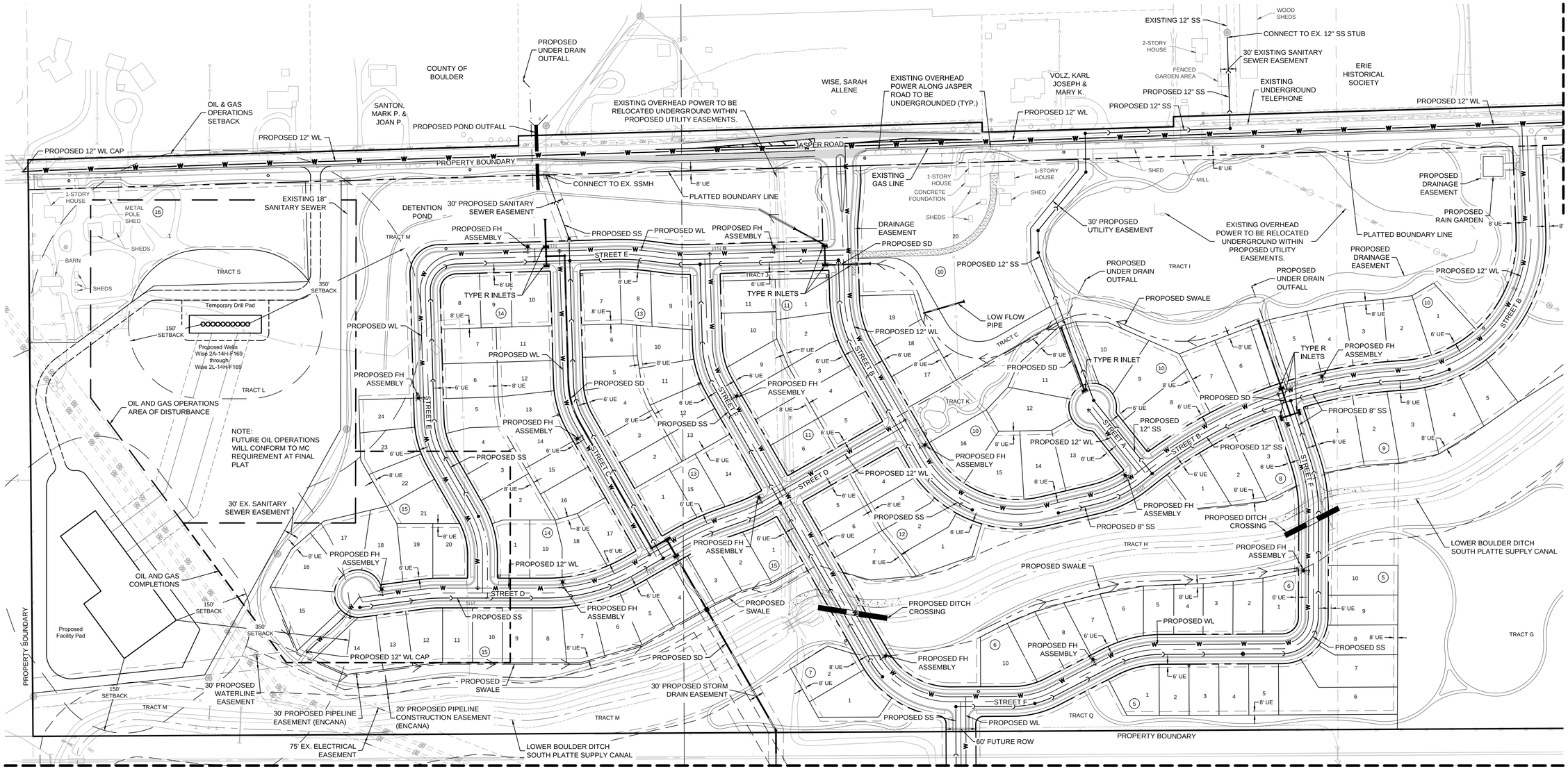
HIGHLANDS RANCH, CO 80126

WISE FARMS
PRELIMINARY DEVELOPMENT PLAN
PRELIMINARY UTILITY PLAN - OVERALL

SCALE: AS SHOWN
FILE NO: 8.13.0230801
DRAWN BY: AAP
CHECKED BY: KEK
DATE: DECEMBER 2014
SHEET NUMBER E8

N:\PROJECTS\30230801 WISE FARMS\CAD\ENGINEERING\SHEET SETS\WISE FARMS - PD\PRELIMINARY UTILITY PLAN.DWG, PATRICK PASSANISE, 12/29/14



NOTES:

1. REMOVABLE DEVICES SUCH AS COLLAPSIBLE BOLLARDS SHALL BE INSTALLED WHERE THE DITCH MAINTENANCE ROAD MEETS THE PUBLIC ROADWAY. COORDINATION REGARDING THESE DEVICES WILL BE ACCOMPLISHED WITH THE FINAL PLAT.
2. LICENSE AGREEMENTS WILL BE PURSUED FOR HOUSES THAT WILL BE/ ARE IN THE RIGHT-OF-WAY PRIOR TO APPROVAL OF A FINAL PLAT ALLOWING DEVELOPMENT.
3. PRIOR TO APPROVAL OF A FINAL PLAT ALLOWING DEVELOPMENT, THE MILL BUILDINGS IN TRACT I WILL BE EITHER MOVED OFF SITE OR REMOVED.

UTILITY LEGEND

PROPOSED 8" WATERLINE UNLESS OTHERWISE NOTED	EXISTING TREE
PROPOSED PRESSURE RELEASE VALVE	PROPOSED FLARED END SECTION
PROPOSED 8" SANITARY SEWER WITH MANHOLE UNLESS OTHERWISE NOTED	PROPOSED STORM INLET
CENTERLINE	PROPOSED STORM DRAIN WITH MANHOLE
RIGHT-OF-WAY	EASEMENT LINE
PROPERTY LINE	PROPOSED SWALE
PROPERTY BOUNDARY	PROPOSED AREA INLET
PROPOSED WATER METER	PROPOSED GATE VALVE
IRR PROPOSED IRRIGATION	11 LOT NUMBER
PROPOSED UNDER DRAIN	6 BLOCK NUMBER
6" FIRE HYDRANT ASSEMBLY	STREET LIGHT
PROPOSED BLOW OFF VALVE	

NOTES

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6. THE EXISTING OVERHEAD POWER LINES LOCATED ALONG THE N. 119TH STREET FRONTAGE, SHALL BE UNDERGROUNDED.

100 50 0 100 200

SCALE: 1" = 100'

No.	Revisions	Date	Init.	Appr.	Date

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9162 S. KENWOOD COURT
HIGHLANDS RANCH, CO 80126

WISE FARMS
PRELIMINARY DEVELOPMENT PLAN
PRELIMINARY UTILITY PLAN - NORTH

SCALE: AS SHOWN
FILE NO: 8.13.0230801
DRAWN BY: AAP
CHECKED BY: KEK
DATE: DECEMBER 2014
SHEET NUMBER E9

N:\PROJECTS\30230801 WISE FARMS\CAD\ENGINEERING\SHEET SETS\WISE FARMS - PDP\PRELIMINARY UTILITY PLAN.DWG, PATRICK PASSANISE, 12/29/14

MATCHLINE - 3 SEE SHEET E9

30' REGIONAL TRAIL EASEMENT
30' PROPOSED STORM DRAIN EASEMENT
PROPOSED AREA INLET
PROPERTY BOUNDARY
15' EXISTING COMMUNICATION EASEMENT
PROPOSED SS
60' FUTURE ROW
PROPOSED WL
POND OUTFALL (BORE UNDER RAILROAD)
PROPOSED TRICKLE CHANNEL
DETENTION POND
TRACT A
TYPE R INLETS
PROPOSED SD
PROPOSED FH ASSEMBLY
PROPOSED SWALE
OIL AND GAS COMPLETIONS
30' PROPOSED GAS PIPELINE EASEMENT
30' REGIONAL TRAIL EASEMENT
350' SETBACK
20' PROPOSED GAS PIPELINE CONSTRUCTION EASEMENT
EXISTING OVERHEAD POWERLINE
20' SUBSIDENCE SETBACK
Proposed access
Proposed Facility Pad
Proposed Wells
EXISTING WL
TRACT R
NOTE: FUTURE OIL OPERATIONS WILL CONFORM TO MC REQUIREMENT AT FINAL PLAT
150' SETBACK
PROPOSED 8" WL CAP
STREET Y
TRACT Y
25' EXISTING GAS EASEMENT
30' PROPOSED GAS EASEMENT
EXISTING 25' GAS PIPELINE EASEMENT
NOTE: EXISTING OIL OPERATIONS WILL CONFORM TO MC REQUIREMENT AT FINAL PLAT.
EXISTING GAS PIPELINE TO BE RELOCATED
TRACT B
TRACT T
TRACT W
TRACT V
EXISTING GAS PIPELINE TO BE RELOCATED
PROPOSED ACCESS ROAD
TRACT D
150' SETBACK
TRACT X
STREET X
OIL AND GAS OPERATIONS AREA OF DISTURBANCE
PROPOSED 8" WL ZONE 2/ ZONE 3
PROPOSED CULVERTS
PROPERTY BOUNDARY
N. 119TH STREET
EXISTING GAS LINE
EXISTING FIBER OPTIC
ABANDONED OIL & GAS WELL
25' R
PROPOSED PRV
20' SUBSIDENCE SETBACK
PROPOSED DRAINAGE EASEMENT
1/4 SECTION LINE
EXISTING GAS PIPELINE TO BE RELOCATED
EXISTING GAS PIPELINE TO REMAIN
TRACT E
PROPOSED 12" WL
EXISTING GAS LINE TO BE REMOVED
75' EX. ELECTRICAL EASEMENT
TRACT U
STREET Z
PROPOSED 8" WL CAP
TRACT Z
TRACT F
30' PROPOSED EMERGENCY ACCESS EASEMENT AND TRAIL CORRIDOR
PERMITTED OIL & GAS WELL/ ABANDONED NOT CONSTRUCTED
EXISTING LEYNER & COTTONWOOD DITCH NO. 1 PROTECT IN PLACE
IRRIGATION LATERAL TO BE ABANDONED AT HEAD GATE
75' DRAINAGE SETBACK
30' DITCH EASEMENT
EXISTING IRRIGATION GATE AND 30" CULVERT
40' ACCESS AND DRAINAGE EASEMENT
32' PROPOSED EMERGENCY ACCESS EASEMENT
PROPOSED 30" CULVERT
30' DITCH EASEMENT
PROPERTY BOUNDARY
75' DRAINAGE SETBACK
SECTION 14
SECTION 13
LEYNER & COTTONWOOD DITCH NO. 1 CROSSING
BILLINGS AVENUE
PROPOSED 12" WL
BROWNSVILLE
EXISTING WL
EXISTING GAS LINE
EXISTING FIBER OPTIC

NOTES:
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UTILITY LEGEND

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PROPOSED PRESSURE RELEASE VALVE	PROPOSED FLARED END SECTION
PROPOSED 8" SANITARY SEWER WITH MANHOLE UNLESS OTHERWISE NOTED	PROPOSED STORM INLET
CENTERLINE	PROPOSED STORM DRAIN WITH MANHOLE
RIGHT-OF-WAY	EASEMENT LINE
PROPERTY LINE	PROPOSED SWALE
PROPERTY BOUNDARY	PROPOSED AREA INLET
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IRR PROPOSED IRRIGATION	11 LOT NUMBER
PROPOSED UNDER DRAIN	6 BLOCK NUMBER
6" FIRE HYDRANT ASSEMBLY	STREET LIGHT
PROPOSED BLOW OFF VALVE	

NOTES

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100 50 0 100 200
SCALE: 1" = 100'

MATCHLINE - 5
SEE SHEET E11

No.	Revisions	Date	Init.	Aggr.	Date

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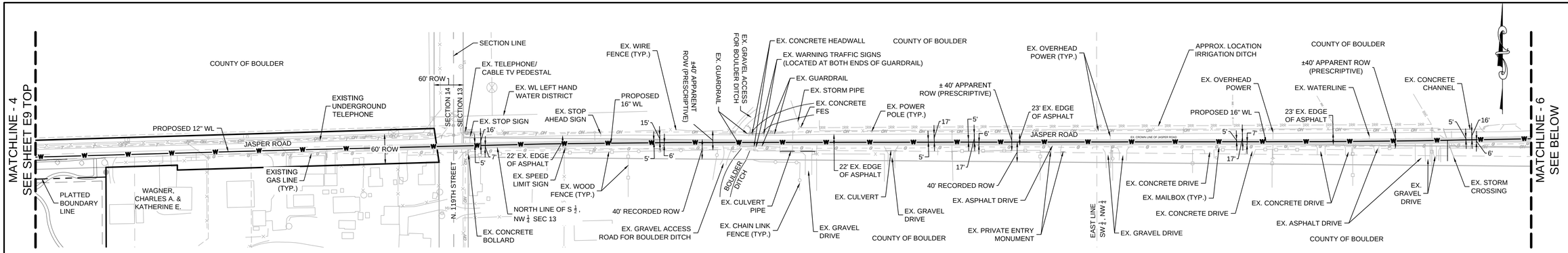
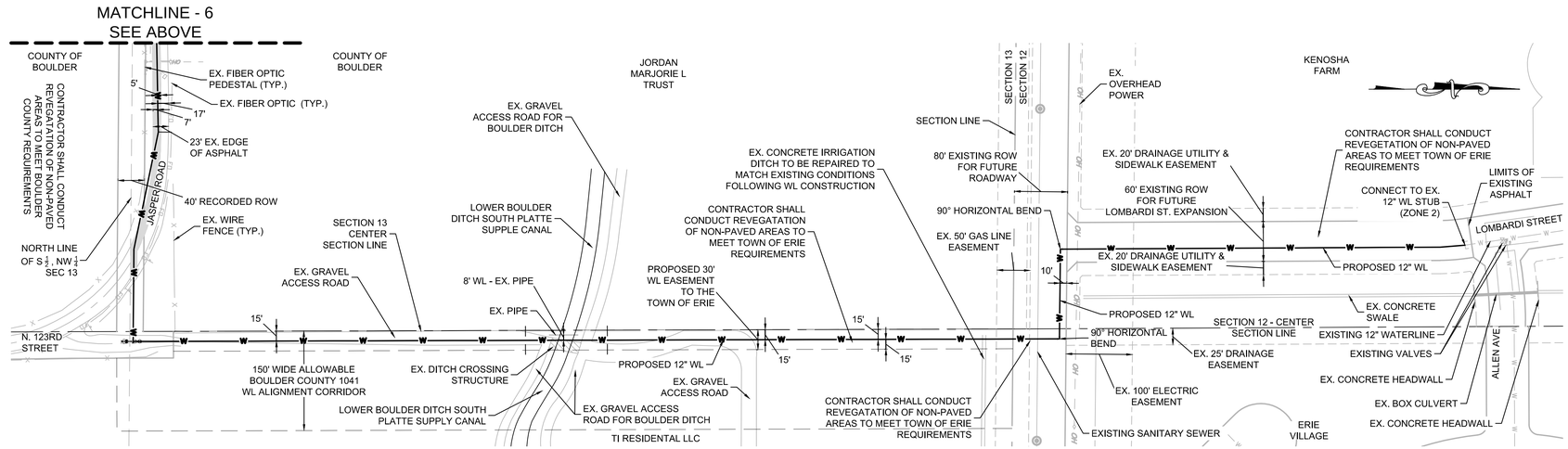
WISE FARMS
PRELIMINARY DEVELOPMENT PLAN
PRELIMINARY UTILITY PLAN - SOUTH

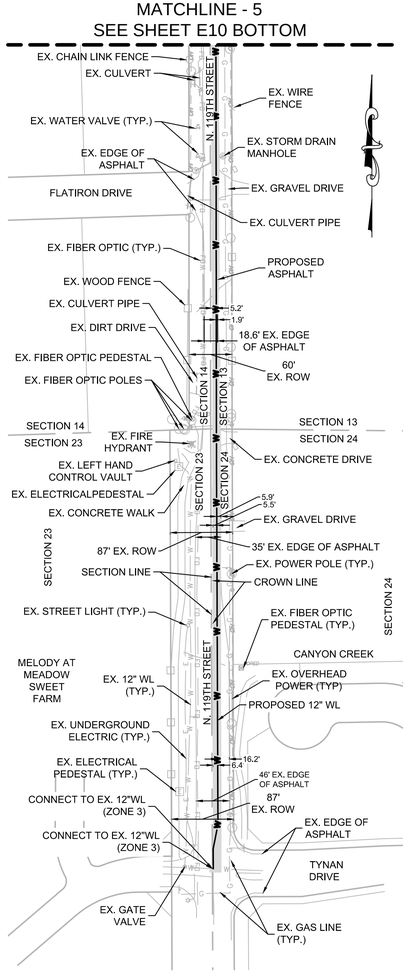
SCALE: AS SHOWN
DRAWN BY: AAP
CHECKED BY: KEK
DATE: DECEMBER 2014
FILE NO: 8.13.0230801

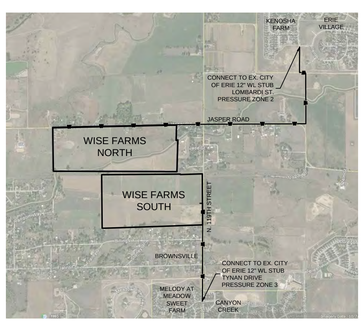
SHEET NUMBER E10

N:\PROJECTS\30230801 WISE FARMS\CAD\ENGINEERING\SHEET SETS\WISE FARMS - PDP\PRELIMINARY UTILITY PLAN.DWG, PATRICK PASSANISE, 12/29/14









UTILITY LEGEND

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PROPOSED IRRIGATION	LOT NUMBER
PROPOSED UNDER DRAIN	BLOCK NUMBER
6" FIRE HYDRANT ASSEMBLY	STREET LIGHT
PROPOSED BLOW OFF VALVE	

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100 50 0 100 200

SCALE: 1" = 100'

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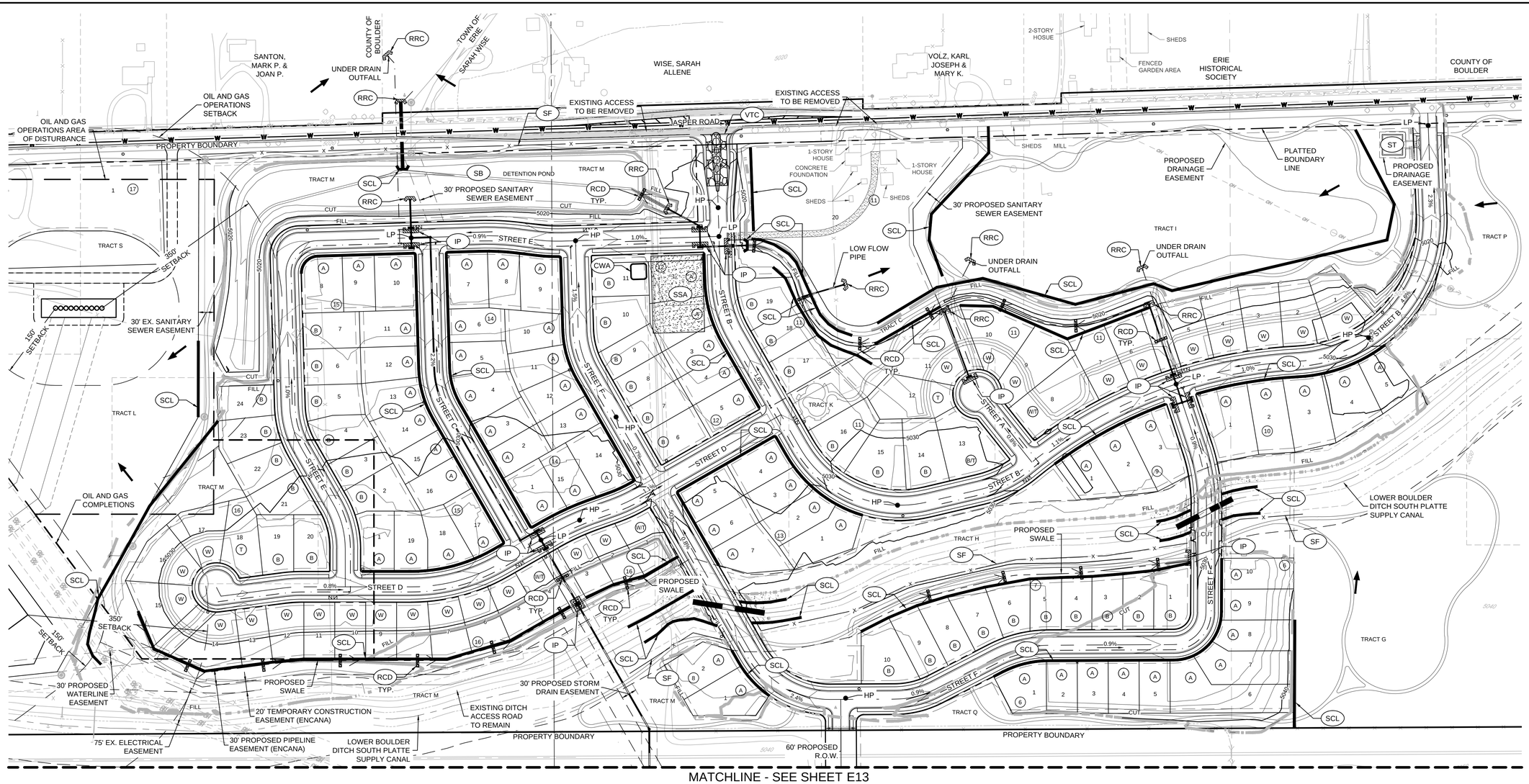
WISE FARMS
PRELIMINARY DEVELOPMENT PLAN
PRELIMINARY UTILITY PLAN - OFFSITE WATER

SCALE: AS SHOWN
FILE NO: 8.13.0230801
DRAWN BY: AAP
CHECKED BY: KEK
DATE: DECEMBER 2014
SHEET NUMBER E11

N:\PROJECTS\30230801 WISE FARMS\CAD\ENGINEERING\SHEET SETS\WISE FARMS - PDP\PRELIMINARY UTILITY PLAN.DWG, PATRICK PASSANISE, 12/29/14



MATCHLINE - SEE SHEET E13

EROSION CONTROL LEGEND

IP — INLET PROTECTION	CENTERLINE
RRC — REINFORCED ROCK BERM FOR CULVERT PROTECTION	RIGHT-OF-WAY
RCD — REINFORCED CHECK DAM	LOT LINE
ST — SEDIMENT TRAP	PROPERTY BOUNDARY
SSA — STAGING / STORAGE AREA	PROPOSED DIRECTION OF FLOW
SCL — SEDIMENT CONTROL LOG	EXISTING 10' CONTOUR
CWA — CONCRETE WASHOUT AREA	EXISTING 2' CONTOUR
SF — SILT FENCE	PROPOSED 10' CONTOUR
FLOW DIRECTION ARROW	PROPOSED 2' CONTOUR
5000 — EXISTING ELEVATION	PROPOSED STORM DRAIN
5000 — PROPOSED DESIGN ELEVATION	PROPOSED FLARED END SECTION
11 — LOT NUMBER	PROPOSED STORM INLET
6 — BLOCK NUMBER	PROPOSED AREA INLET
A — LOT TYPE	PROPOSED SWALE
	CUT / FILL LINE

NOTES:
1. TRAIL LOCATIONS ARE CONCEPTUAL AND FINAL GRADING WILL ACCOMMODATE FINAL TRAIL ALIGNMENTS.
2. OIL & GAS FACILITIES SHOWN WITHIN OIL & GAS OPERATIONS AREA ARE CONCEPTUAL FUTURE IMPROVEMENTS AND AND ARE SHOWN FOR REFERENCE ONLY.

EARTHWORK

TOTAL CUT VOLUME	361,001 C.Y.
TOTAL FILL VOLUME (15% ADJUSTMENT FOR COMPACTION)	416,665 C.Y.
NET (IMPORT)	55,664 C.Y.

EROSION CONTROL NOTES

1. ALL DISTURBED AREAS WILL RECEIVE SURFACE ROUGHENING AND SEEDING AND MULCHING FOLLOWING GRADING OPERATIONS.
2. ALL SLOPES GREATER THAN 4:1 REQUIRE EROSION CONTROL BLANKET.

200 100 0 200 400

SCALE: 1" = 200'

No.	Revisions	Date	Init.	Aggr.	Date

CVL CONSULTANTS
10333 E. Dry Creek Rd.
Suite 240
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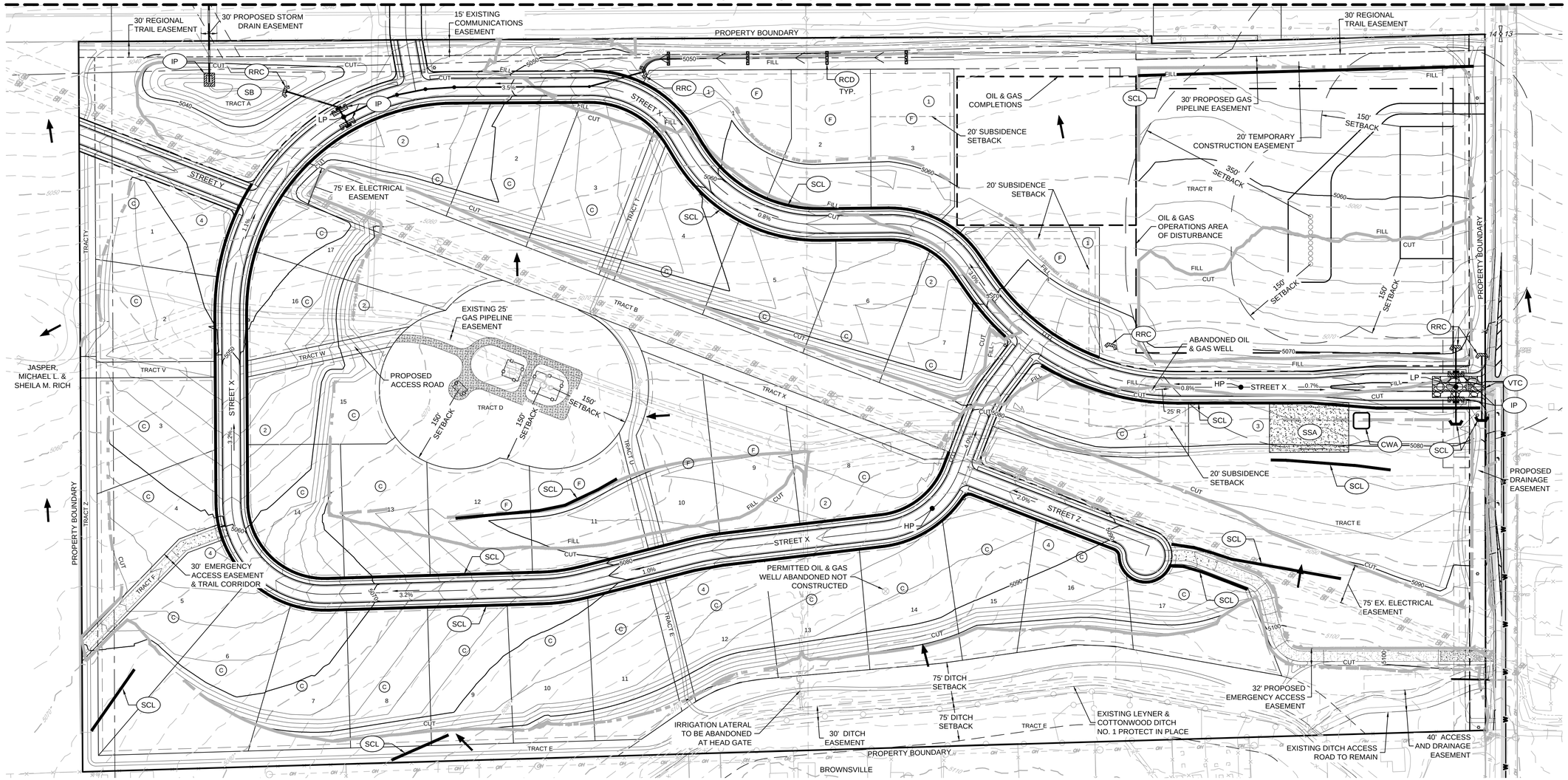
JASPER LAND INVESTMENTS, LLC
9162 S. KENWOOD COURT
HIGHLANDS RANCH, CO 80126

WISE FARMS
PRELIMINARY DEVELOPMENT PLAN
PRELIMINARY EROSION CONTROL PLAN - NORTH

SCALE: AS SHOWN
FILE NO: 8.13.0230801
DRAWN BY: AAP
CHECKED BY: KEK
DATE: DECEMBER 2014
SHEET NUMBER E12

N:\PROJECTS\3\0230801 WISE FARMS\CAD\ENGINEERING\SHEET SETS\WISE FARMS - PDP\PRELIMINARY GESC.DWG, PATRICK PASSANISE, 12/29/14

MATCHLINE - SEE SHEET E12



EROSION CONTROL LEGEND

IP — INLET PROTECTION	CENTERLINE
RRC — REINFORCED ROCK BERM FOR CULVERT PROTECTION	RIGHT-OF-WAY
RCD — REINFORCED CHECK DAM	LOT LINE
ST — SEDIMENT TRAP	PROPERTY BOUNDARY
SSA — STAGING / STORAGE AREA	PROPOSED DIRECTION OF FLOW
SCL — SEDIMENT CONTROL LOG	EXISTING 10' CONTOUR
CWA — CONCRETE WASHOUT AREA	EXISTING 2' CONTOUR
SF — SILT FENCE	PROPOSED 10' CONTOUR
FLOW DIRECTION ARROW	PROPOSED 2' CONTOUR
5000 — EXISTING ELEVATION	PROPOSED STORM DRAIN
5000 — PROPOSED DESIGN ELEVATION	PROPOSED FLARED END SECTION
11 — LOT NUMBER	PROPOSED STORM INLET
6 — BLOCK NUMBER	PROPOSED AREA INLET
A — LOT TYPE	PROPOSED SWALE
	CUT / FILL LINE

NOTES:
1. TRAIL LOCATIONS ARE CONCEPTUAL AND FINAL GRADING WILL ACCOMMODATE FINAL TRAIL ALIGNMENTS.
2. OIL & GAS FACILITIES SHOWN WITHIN OIL & GAS OPERATIONS AREA ARE CONCEPTUAL FUTURE IMPROVEMENTS AND AND ARE SHOWN FOR REFERENCE ONLY.

EARTHWORK

TOTAL CUT VOLUME	361,001 C.Y.
TOTAL FILL VOLUME (15% ADJUSTMENT FOR COMPACTION)	416,665 C.Y.
NET (IMPORT)	55,664 C.Y.

EROSION CONTROL NOTES

1. ALL DISTURBED AREAS WILL RECEIVE SURFACE ROUGHENING AND SEEDING AND MULCHING FOLLOWING GRADING OPERATIONS.
2. ALL SLOPES GREATER THAN 4:1 REQUIRE EROSION CONTROL BLANKET.

100 50 0 100 200

SCALE: 1" = 100'

No.	Revisions	Date	Init.	Appr.	Date

CVL CONSULTANTS
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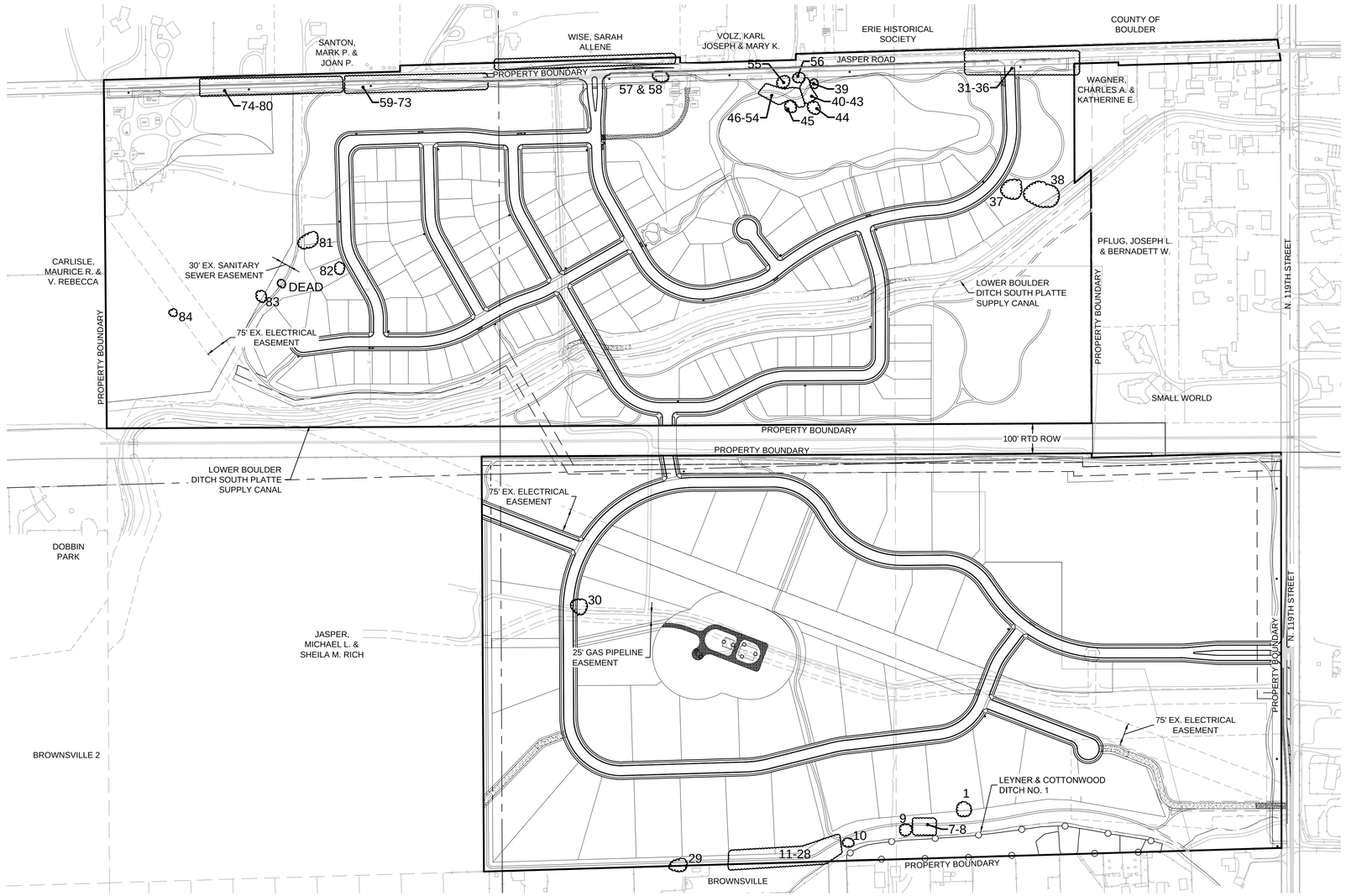
HIGHLANDS RANCH, CO 80126

WISE FARMS
PRELIMINARY DEVELOPMENT PLAN
PRELIMINARY EROSION CONTROL PLAN - SOUTH

SCALE: AS SHOWN
FILE NO: 8.13.0230801
DRAWN BY: AAP
CHECKED BY: KEK
DATE: DECEMBER 2014
SHEET NUMBER E13

N:\PROJECTS\30230801 WISE FARMS\CAD\ENGINEERING\SHEET SETS\WISE FARMS - PDP\PRELIMINARY GESC.DWG, PATRICK PASSANISE, 12/29/14



NOTES

1. SEE THE PRELIMINARY LANDSCAPE PLAN FOR EXISTING CONDITION OF TREES.
2. SEE THE PRELIMINARY LANDSCAPE PLANS FOR TREE REMOVAL AND REPLACEMENT RECOMMENDATIONS.
3. THE DATA PRESENTED WITHIN THE TREE INVENTORY HAS BEEN PROVIDED BY OTHERS AND IS DEPICTED FOR REFERENCE ONLY.
4. SEE PRELIMINARY LANDSCAPE PLANS FOR FULL MITIGATION MEASURES.

LEGEND

	EXISTING TREE LOCATION
37	TREE NUMBER
	PROPERTY BOUNDARY

200 100 0 200 400

SCALE: 1" = 200'

TREE INVENTORY PROVIDED BY FORESTREE DEVELOPMENT, LLC.

No.	Revisions	Date	Init.	Aggr.	Date

CVL CONSULTANTS
10333 E. Dry Creek Rd.
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JASPER LAND INVESTMENTS, LLC
9162 S. KENWOOD COURT
HIGHLANDS RANCH, CO 80126

WISE FARMS
PRELIMINARY DEVELOPMENT PLAN
TREE INVENTORY

SCALE: AS SHOWN
FILE NO: 8.13.0230901
DRAWN BY: AAP
CHECKED BY: KEK
DATE: DECEMBER 2014
SHEET NUMBER T1

N:\PROJECTS\30230901 WISE FARMS\CAD\ENGINEERING\SHEET SETS\WISE FARMS - PDP\TREE SURVEY.DWG, PATRICK PASSANISE, 12/29/14

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M., TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO

173.929 ACRES – 166 LOTS/25 TRACTS

PP 13–00012

SHEET 1 OF 14

LAND SUMMARY CHART		
TYPE	AREA	% OF TOTAL AREA
RESIDENTIAL	65.864 AC.	37.87%
TRACTS	81.581 AC.	46.90%
PUBLIC ROW	26.484 AC.	15.23%
TOTAL	173.929 AC.	100%

LEGAL DESCRIPTION

KNOW ALL PEOPLE BY THESE PRESENTS, THAT THE UNDERSIGNED WARRANT THAT THEY ARE OWNERS OF A PARCEL OF LAND BEING A PART OF THE NORTH HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

NORTH PARCEL:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST–SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS SOUTH 00°04'01" EAST, A DISTANCE OF 1316.88 FEET SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE SOUTH 88°24'34" WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT–OF–WAY LINE OF NORTH 119TH STREET;

THENCE CONTINUING SOUTH 88°24'34" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 627.28 FEET, TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 88°24'34" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 3.19 FEET;

THENCE NORTH 00°09'21" WEST, A DISTANCE OF 114.08 FEET TO A POINT ON THE NORTHERLY RIGHT–OF–WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT–OF–WAY, SAID RIGHT–OF–WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT NORTHERLY OF THE CENTERLINE OF THE EXISTING TRACK, SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH 89°42'11" WEST ALONG SAID NORTHERLY RIGHT–OF–WAY LINE, A DISTANCE OF 653.74 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 89°42'11" WEST ALONG SAID NORTHERLY RIGHT–OF–WAY LINE , A DISTANCE OF 1314.46 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 89°42'11" WEST ALONG SAID NORTHERLY RIGHT–OF–WAY LINE, A DISTANCE OF 1309.61 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14;

THENCE NORTH 00°29'33" WEST ALONG SAID WEST LINE, A DISTANCE OF 1119.88 FEET TO A POINT ON THE SOUTHERLY RIGHT–OF–WAY LINE OF JASPER ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT–OF–WAY LINE THE FOLLOWING THREE (3) COURSES:

1. NORTH 88°21'52" EAST, A DISTANCE OF 1314.39 FEET;
2. NORTH 88°17'58" EAST, A DISTANCE OF 1317.03 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;
3. CONTINUING NORTH 88°17'58" EAST, A DISTANCE OF 599.53 FEET TO THE NORTHWESTERLY CORNER OF THAT TRACT OF LAND AS DESCRIBED ON SAID FILM 1555, AT RECEPTION NO. 953348;

THENCE SOUTH 00°09'21" EAST ALONG THE WESTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 397.57 FEET TO THE MOST SOUTHERLY CORNER THEREOF;

THENCE NORTH 50°52'13" EAST ALONG THE SOUTHEASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 70.21 FEET;

THENCE SOUTH 00°09'21" EAST, DISTANCE OF 843.98 FEET TO THE POINT OF BEGINNING,

SAID PARCEL CONTAINING A CALCULATED AREA OF 3,782,135 SQUARE FEET OR 86.826 ACRES, MORE OR LESS.

TOGETHER WITH:

SOUTH PARCEL:

A PARCEL OF LAND BEING A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST–SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS SOUTH 00°04'01" EAST, A DISTANCE OF 1316.88 FEET, SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREWITH BEING RELATIVE THERETO;

THENCE SOUTH 88°24'34" WEST, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT–OF–WAY LINE TO NORTH 119TH STREET;

THENCE SOUTH 00°04'01" EAST, ALONG SAID WESTERLY RIGHT–OF–WAY LINE, A DISTANCE OF 0.14 FEET TO A POINT ON THE SOUTHERLY RIGHT–OF–WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT–OF–WAY, SAID RIGHT–OF–WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT, SOUTHERLY OF THE EXISTING TRACK, SAID POINT BEING THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°04'01" EAST ALONG SAID WESTERLY RIGHT–OF–WAY LINE, A DISTANCE OF 1316.79 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°18'16" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 1282.39 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 88°18'16" WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 1312.40 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°16'21" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 60.98 FEET TO THE SOUTHEASTERLY CORNER OF THAT TRACT OF LAND CONVEYED TO RONALD SCOTT JASPER, RONALD LEE JASPER AND VEE ANN JASPER AS DESCRIBED IN WARRANTY DEED RECORDED MAY 3, 1976, ON FILM 922 AS RECEPTION NO. 175271, OF THE RECORDS OF BOULDER COUNTY, COLORADO:

THENCE NORTH 00°19'00" WEST ALONG THE EASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 1381.63 FEET TO THE SOUTHERLY RIGHT–OF–WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT–OF–WAY, SAID RIGHT–OF–WAY BEING 50 FEET, BY PERPENDICULAR MEASUREMENT, SOUTHERLY OF THE EXISTING TRACK;

THENCE NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT–OF–WAY LINE, A DISTANCE OF 62.45 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT–OF–WAY LINE, A DISTANCE OF 1314.28 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT–OF–WAY LINE, A DISTANCE OF 653.74 FEET;

THENCE SOUTH 00°09'21" EAST, A DISTANCE OF 14.09 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14;

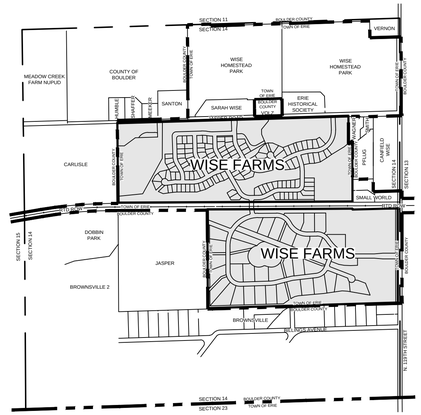
THENCE NORTH 88°24'34" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 3.19 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 88°24'34" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 620.87 FEET TO A POINT ON THE SOUTHERLY RIGHT–OF–WAY LINE OF SAID PREVIOUS UNION PACIFIC RAILROAD RIGHT–OF–WAY;

THENCE NORTH 89°42'11" EAST, ALONG SAID SOUTHERLY RAILROAD RIGHT–OF–WAY LINE, A DISTANCE OF 6.40 FEET TO THE POINT OF BEGINNING,

SAID SOUTH PARCEL CONTAINING A CALCULATED ARE OF 3,581,472 SQUARE FEET OR 82.219 ACRES, MORE OR LESS.

TOGETHER WITH:



VICINITY MAP

SCALE: 1" = 1000'

LEGAL DESCRIPTION (CONTINUED)

JASPER ROAD RIGHT OF WAY PARCEL:

A PARCEL OF LAND BEING A PART OF THE NORTH HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14, AND ASSUMING THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14 TO BEAR SOUTH 00°04'01" EAST, 1316.88 FEET WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 00°29'33" WEST, A DISTANCE OF 20.00 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF JASPER ROAD;

THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING EIGHT (8) COURSES:

1. NORTH 88°21'52" EAST, A DISTANCE OF 986.68 FEET;
2. NORTH 00°15'36" WEST, A DISTANCE OF 20.01 FEET;
3. NORTH 88°21'52" EAST, A DISTANCE OF 327.86 FEET;
4. NORTH 88°17'58" EAST, A DISTANCE OF 604.84 FEET;
5. SOUTH 00°09'21" EAST, A DISTANCE OF 20.01 FEET;
6. NORTH 88°17'58" EAST, A DISTANCE OF 385.00 FEET;
7. NORTH 00°09'21" WEST, A DISTANCE OF 20.01 FEET;
8. NORTH 88°17'58" EAST, A DISTANCE OF 1604.42 FEET;

THENCE SOUTH 08°12'42" EAST, A DISTANCE OF 70.45 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF JASPER ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING FOUR (4) COURSES:

1. SOUTH 88°17'58" WEST, A DISTANCE OF 540.23 FEET;
2. NORTH 00°04'41" WEST, A DISTANCE OF 10.00 FEET;
3. SOUTH 88°17'58" WEST, A DISTANCE OF 2063.81 FEET;
4. SOUTH 88°21'52" WEST, A DISTANCE OF 1314.39 FEET;

THENCE NORTH 00°29'33" WEST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING,

SAID JASPER ROAD RIGHT OF WAY PARCEL CONTAINING A CALCULATED AREA OF 212,737 SQUARE FEET OR 4.884 ACRES, MORE OR LESS.

SAID NORTH, SOUTH AND JASPER ROAD RIGHT OF WAY PARCELS CONTAINING A CALCULATED AREA OF 7,576,344 SQUARE FEET, OR 173.929 ACRES, MORE OR LESS.

HAVE LAID OUT, PLATTED, AND SUBDIVIDED THE SAME INTO LOTS, BLOCKS, TRACTS AND RIGHT–OF–WAY AS SHOWN ON THIS PLAT, UNDER THE NAME AND STYLE OF **WISE FARMS PRELIMINARY PLAT** AND BY THESE PRESENTS DO HEREBY DEDICATE TO THE TOWN OF ERIE, COLORADO, FOR THE PERPETUAL USE OF THE PUBLIC, THE STREETS, AND EASEMENTS FOR PUBLIC PURPOSES SHOWN HEREON AND NOT PREVIOUSLY DEDICATED TO THE PUBLIC.

NOTES:

1. BASIS OF BEARINGS: BEARINGS ARE BASED ON THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ASSUMED TO BEAR SOUTH 00°04'01" EAST AND MONUMENTED AS SHOWN HEREON.

2. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18–4–508, C.R.S.

TRACT SUMMARY TABLE				
TRACT	AREA	USE	OWNERSHIP	MAINTENANCE
A	2.45 AC.	DRAINAGE / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
B	2.31 AC.	UTILITY / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
C	0.55 AC.	DRAINAGE / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
D	3.03 AC.	OIL & GAS OPERATIONS / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
E	12.56 AC.	IRRIGATION DITCH / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
F	0.24 AC.	EMERGENCY ACCESS / TRAIL CORRIDOR	METRO DIST/HOA	METRO DIST/HOA
G	8.87 AC.	IRRIGATION DITCH / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
H	3.64 AC.	IRRIGATION DITCH / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
I	7.15 AC.	OPEN SPACE	TOWN OF ERIE	TOWN OF ERIE
J	0.08 AC.	OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
K	0.45 AC.	POCKET PARK	METRO DIST/HOA	METRO DIST/HOA
L	9.70 AC.	OIL & GAS OPERATIONS	METRO DIST/HOA	METRO DIST/HOA
M	11.40 AC.	OIL & GAS, DRAINAGE, UTILITY, IRRIGATION DITCH, OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
N	0.10 AC.	DRAINAGE & UTILITY / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
O	0.12 AC.	DRAINAGE & UTILITY / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
P	2.12 AC.	IRRIGATION DITCH / OPEN SPACE	TOWN OF ERIE	TOWN OF ERIE
Q	0.74 AC.	OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
R	13.71 AC.	OIL & GAS OPERATIONS / OPEN SPACE	WISE HOMESTEAD	WISE HOMESTEAD
S	0.44 AC.	OIL & GAS OPERATIONS	WISE HOMESTEAD	WISE HOMESTEAD
T	0.20 AC.	OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
U	0.32 AC.	OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
V	0.18 AC.	PIPELINE & ACCESS / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
W	0.20 AC.	PIPELINE & ACCESS / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
X	0.43 AC.	PIPELINE & ACCESS / OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
Y	0.26 AC.	OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA
Z	0.33 AC.	OPEN SPACE	METRO DIST/HOA	METRO DIST/HOA

NOTES: (CONT'D)

3. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY CVL CONSULTANTS OF COLORADO, INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS–OF–WAY, AND TITLE OF RECORD, CVL CONSULTANTS OF COLORADO, INC. RELIED UPON LAND TITLE GUARANTEE COMPANY COMMITMENT NUMBER ABD70339758.1–2 EFFECTIVE DATE: OCTOBER 28, 2013 AT 5:00 P.M. AS TO THE NORTH PARCEL AND LAND TITLE GUARANTEE COMPANY COMMITMENT NUMBER ABD70339758.2–5 EFFECTIVE DATE: APRIL 08, 2014 AT 5:00 P.M. AS TO THE SOUTH PARCEL.

4. 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 THE CERTIFICATION SHOWN HEREON.

5. THE LINEAL UNIT USED IN THE PREPARATION OF THIS PLAT IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.

6. THE FOLLOWING RECORDED EASEMENTS WILL BE VACATED BY SEPARATE DOCUMENT:
   BLANKET ACCESS EASEMENT, RECORDED UNDER REC. NO. 707261
   30' ELECTRIC AND ACCESS EASEMENT, RECORDED UNDER REC. NO. 1011773
   25' PIPELINE RIGHT–OF–WAY, RECORDED UNDER REC. NO. 1454161 & REC. NO 1454162
   50' PIPELINE RIGHT–OF–WAY, RECORDED UNDER REC. NO. 707261 & REC 707266

7. EXISTING ACCESS FROM JASPER ROAD TO LOT 1, BLOCK 17 SHALL REMAIN.

8. THE UNITED STATES EASEMENTS ARE RESTRICTED AREAS AND ALL CONSTRUCTION ACTIVITIES WITHIN SAID EASEMENTS SHOULD BE COORDINATED WITH WESTERN AREA POWER ADMINISTRATION, P.O. BOX 3700, LOVELAND, COLORADO, 80539–3003. (970–461–7200). NO BUILDINGS, STRUCTURES, OR TREES ARE ALLOWED WITHIN THE EASEMENT, ONLY LOW GROWING PLANTS NOT EXCEEDING 10 FEET IN MAXIMUM MATURE HEIGHT. NO FENCES SHALL BE CONSTRUCTED WITHIN OR ACROSS THE EASEMENT WITHOUT WRITTEN APPROVAL BY WESTERN AREA POWER ADMINISTRATION. EXCAVATION IS NOT PERMITTED WITHIN 50 FEET OF ANY TRANSMISSION LINE STRUCTURE. THE EASEMENT WIDTH IS 75 FEET, 37.5 FEET EACH SIDE OF THE CENTERLINE.

9. NON–EXCLUSIVE BLANKET EASEMENTS ARE HEREBY DEDICATED THROUGH ALL OF TRACTS V, W, AND X FOR OIL AND GAS PIPELINE USES.

CVL CONSULTANTS
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JASPER LAND INVESTMENTS, LLC
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HIGHLANDS RANCH, CO 80126

No.	Revisions	Date	Init.	Appr.	Date

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FILE NO:
DRAWN BY: BDL/JLR/MJP
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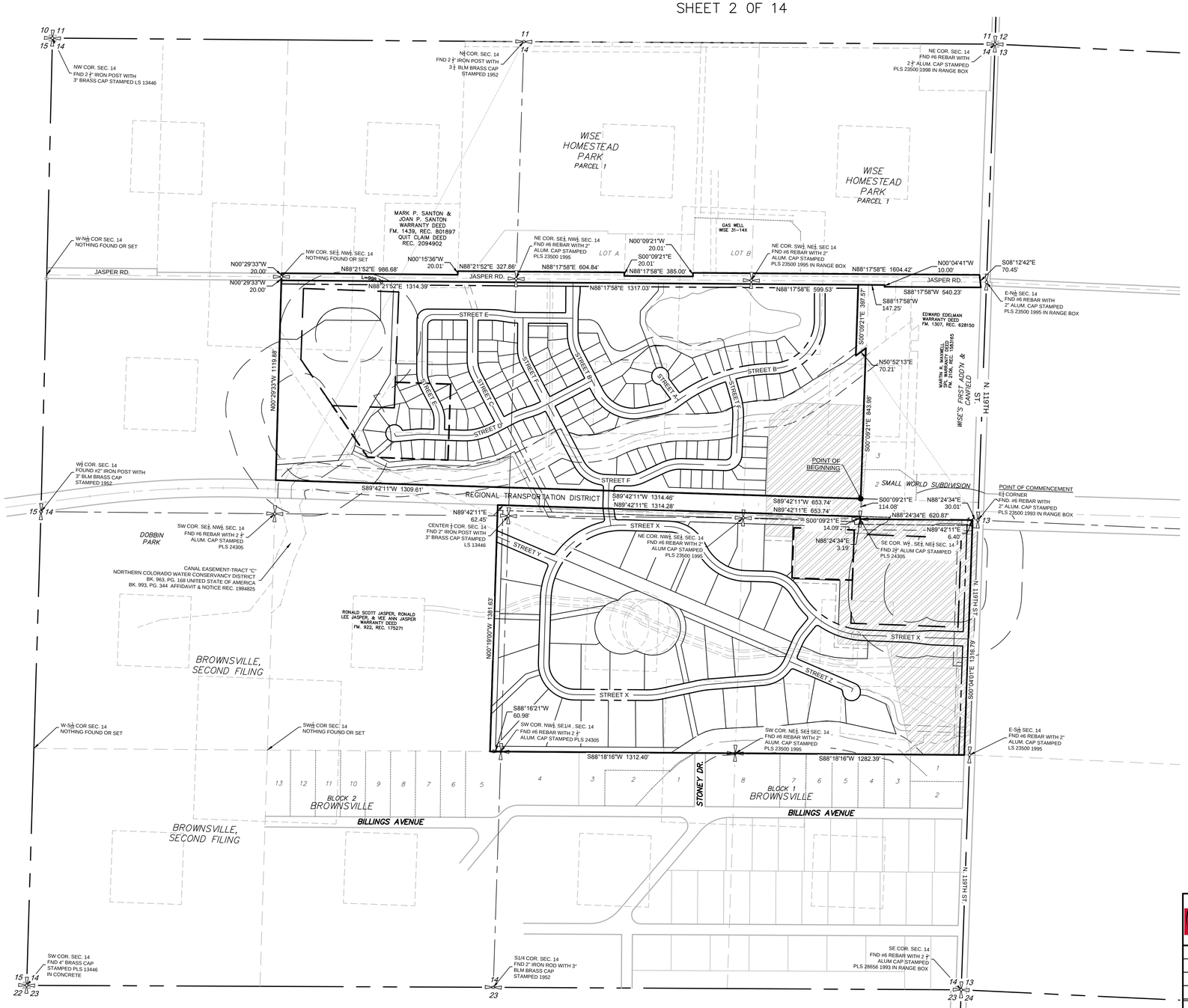
DATE: 12/29/2014
SHEET NO: 1 OF 14

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 2 OF 14



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JASPER LAND INVESTMENTS, LLC
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HIGHLANDS RANCH, CO 80126

No.	Revisions	Date	Init.	Appr.	Date

SCALE: AS NOTED	DRAWN BY: BDL/JLR/MJP	SHEET NO: 2 of 14
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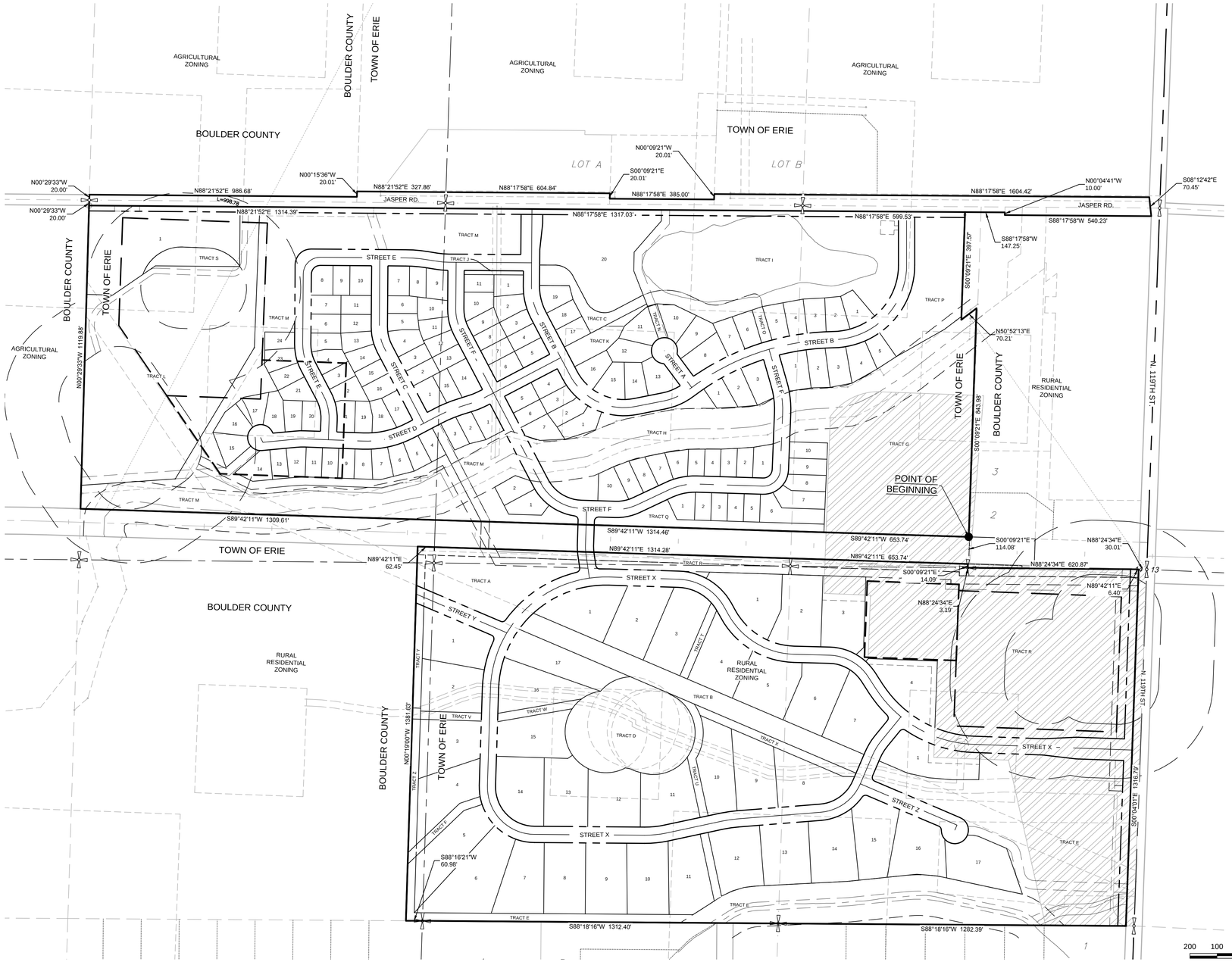
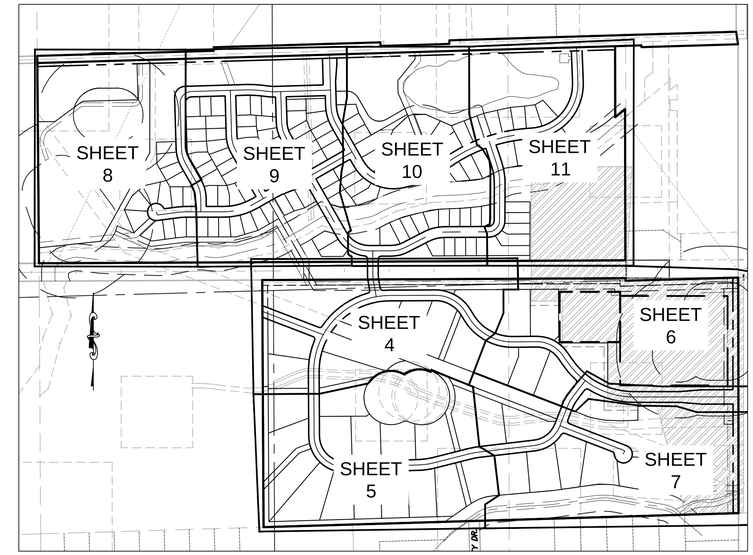
	DATE: 12/29/2014	

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012





SHEET LAYOUT
SCALE 1" = 400'

LOW RISK SUBSIDENCE AREA

CVL CONSULTANTS
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No.	Revisions	Date	Init.	Appr.	Date

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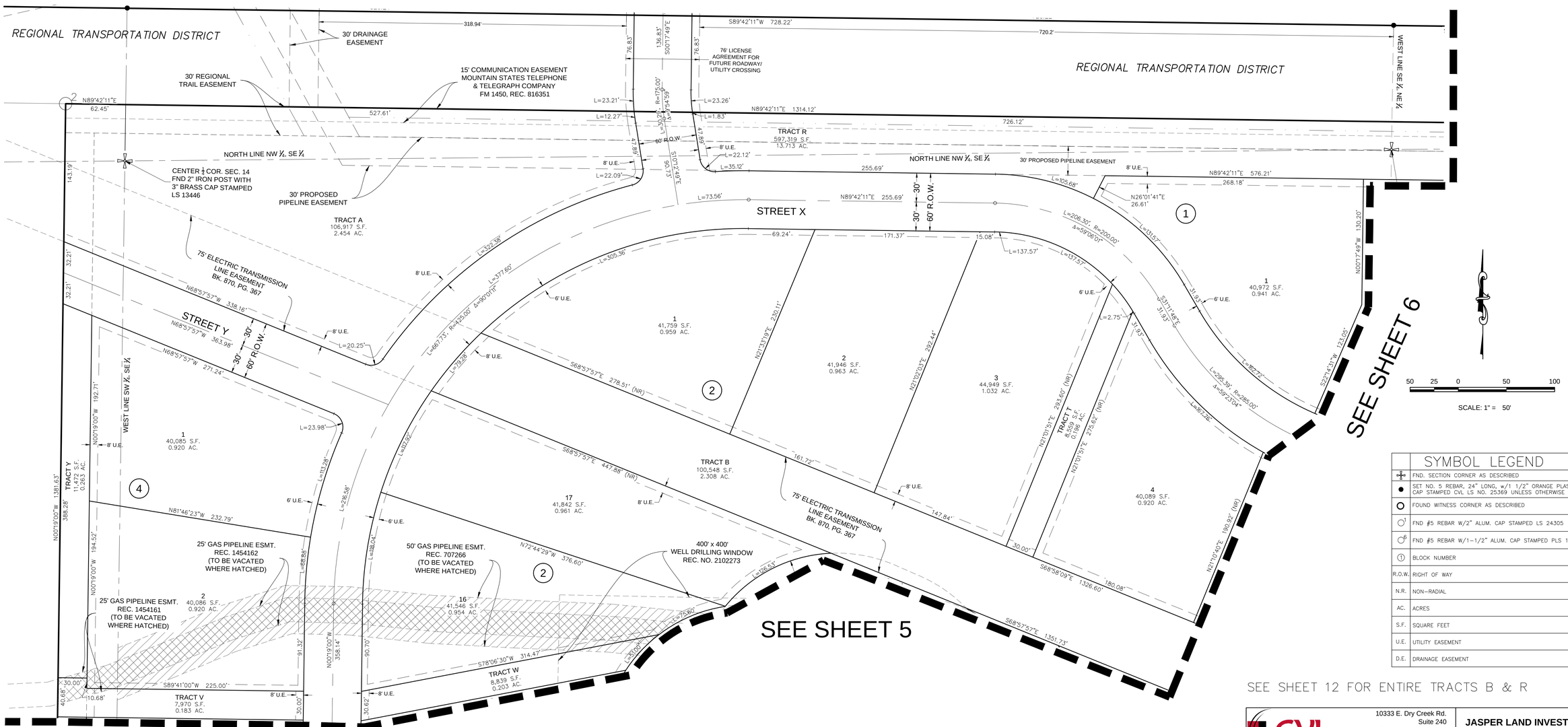
	DATE: 12/29/2014	

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 4 OF 14



SYMBOL LEGEND

	FND. SECTION CORNER AS DESCRIBED
●	SET NO. 5 REBAR, 24" LONG, w/1 1/2" ORANGE PLASTIC CAP STAMPED CVL LS NO. 25369 UNLESS OTHERWISE NOTED
O	FOUND WITNESS CORNER AS DESCRIBED
	FND #5 REBAR W/2" ALUM. CAP STAMPED LS 24305
	FND #5 REBAR W/1–1/2" ALUM. CAP STAMPED PLS 13466
1	BLOCK NUMBER
R.O.W.	RIGHT OF WAY
N.R.	NON–RADIAL
AC.	ACRES
S.F.	SQUARE FEET
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT

SEE SHEET 12 FOR ENTIRE TRACTS B & R

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HIGHLANDS RANCH, CO 80126

No.	Revisions	Date	Init.	Appr.	Date

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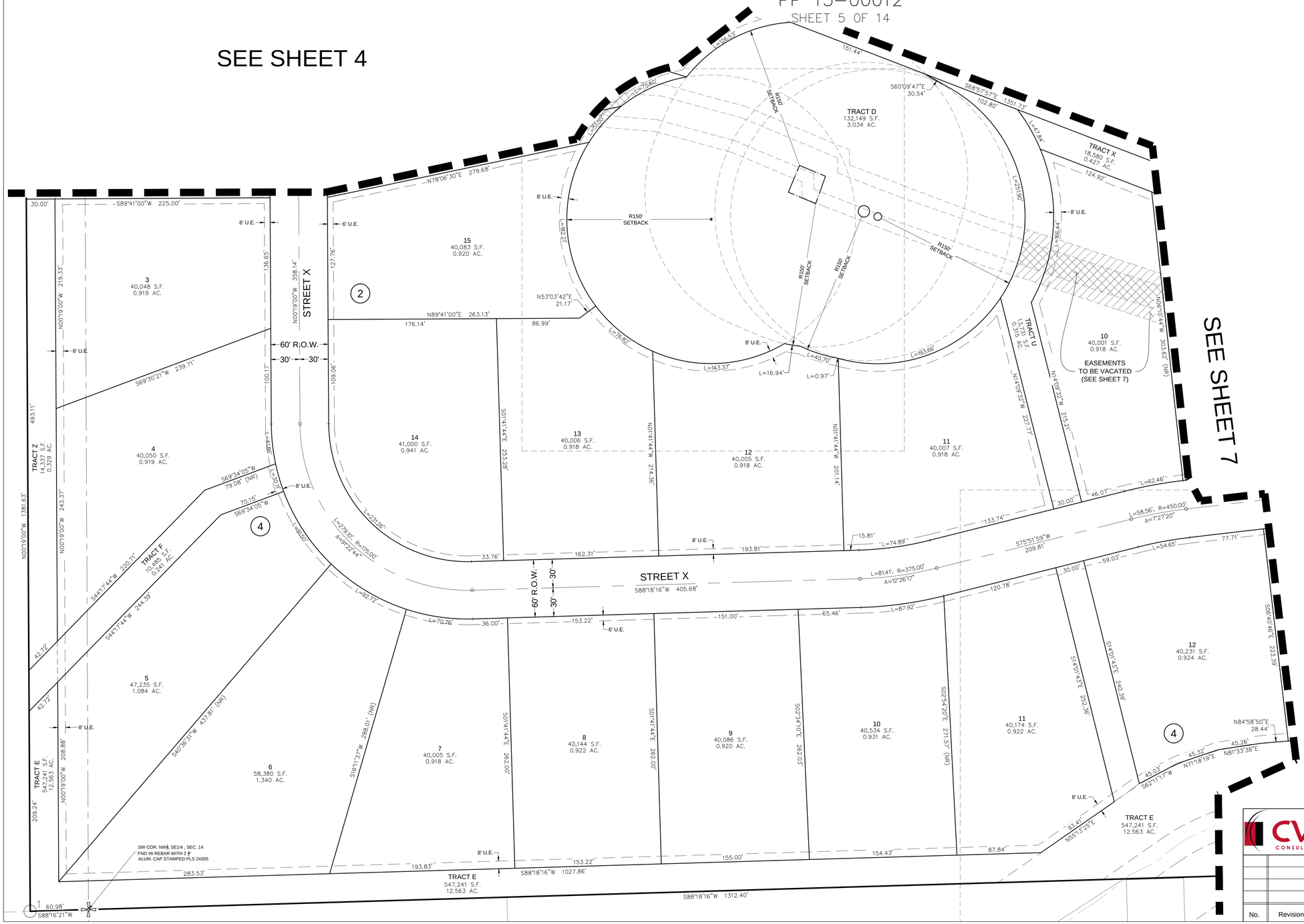
	DATE: 12/29/2014	

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 5 OF 14



50 25 0 50 100

SCALE: 1" = 50'

SYMBOL LEGEND	
✢	FND. SECTION CORNER AS DESCRIBED
●	SET NO. 5 REBAR, 24" LONG, w/1 1/2" ORANGE PLASTIC CAP STAMPED CVL LS NO. 25369 UNLESS OTHERWISE NOTED
O	FOUND WITNESS CORNER AS DESCRIBED
O¹	FND #5 REBAR W/2" ALUM. CAP STAMPED LS 24305
O⁶	FND #5 REBAR W/1–1/2" ALUM. CAP STAMPED PLS 13466
①	BLOCK NUMBER
R.O.W.	RIGHT OF WAY
N.R.	NON–RADIAL
AC.	ACRES
S.F.	SQUARE FEET
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT

SEE SHEET 12 FOR ENTIRE TRACTS E & X

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HIGHLANDS RANCH, CO 80126

No.	Revisions	Date	Init.	Appr.	Date

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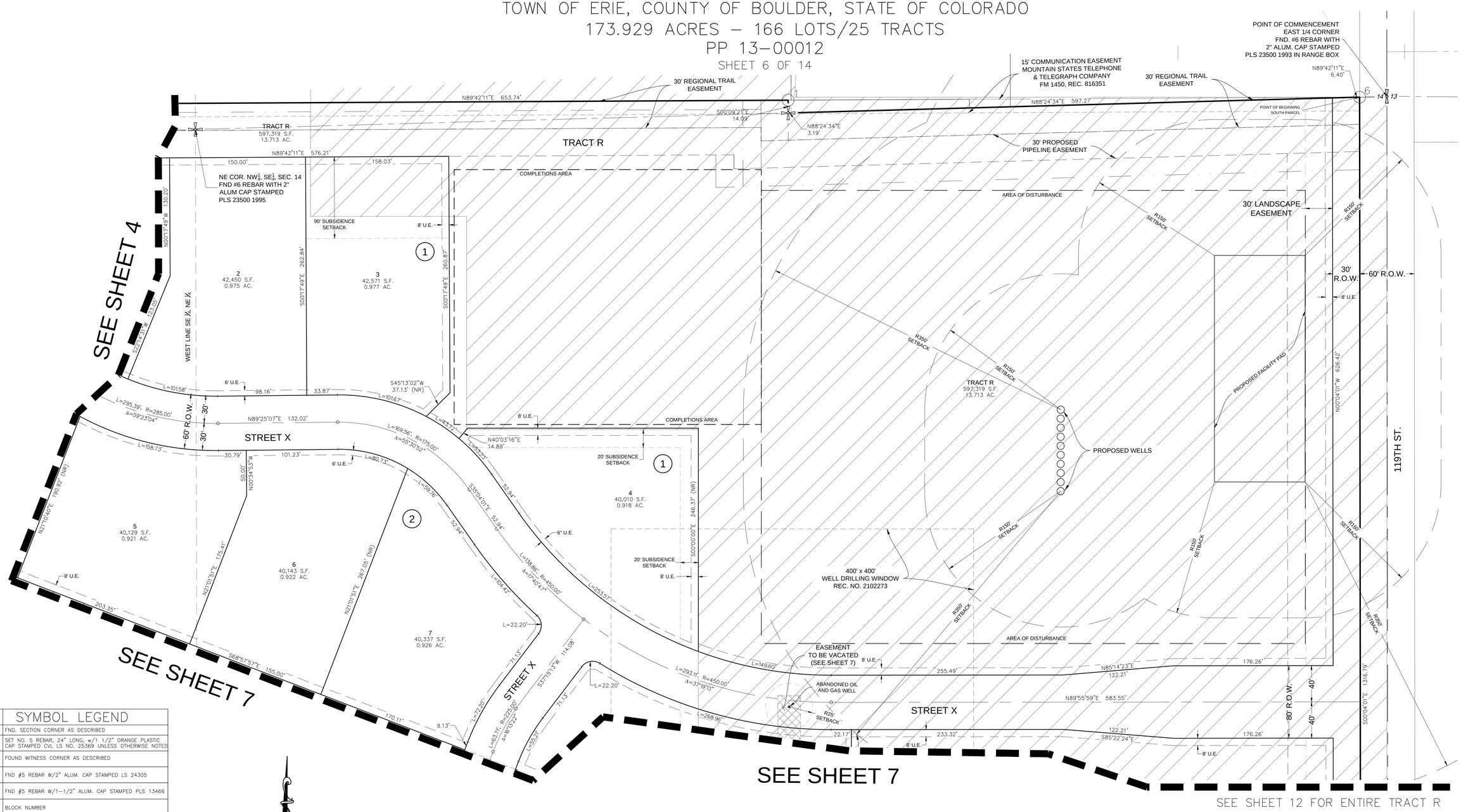
FILE NO:	CHECKED BY: WFH	
	DATE: 12/29/2014	

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 6 OF 14



SYMBOL LEGEND	
	FND. SECTION CORNER AS DESCRIBED
●	SET NO. 5 REBAR, 24" LONG, w/1 1/2" ORANGE PLASTIC CAP STAMPED CVL LS NO. 25369 UNLESS OTHERWISE NOTED
○	FOUND WITNESS CORNER AS DESCRIBED
○7	FND #5 REBAR W/2" ALUM. CAP STAMPED LS 24305
○6	FND #5 REBAR W/1-1/2" ALUM. CAP STAMPED PLS 13466
(1)	BLOCK NUMBER
R.O.W.	RIGHT OF WAY
N.R.	NON-RADIAL
AC.	ACRES
S.F.	SQUARE FEET
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT

50 25 0 50 100

SCALE: 1" = 50'

LOW RISK SUBSIDENCE AREA

NOTES:
1. ALLOWABLE BUILDING AREAS FOR LOTS 3 & 4, BLOCK 1 HAVE BEEN ESTABLISHED WITH REGARD TO UNDERMINING IN CONSIDERATION OF CTL/THOMPSON "SUPPLEMENTAL MINE SUBSIDENCE RISK INVESTIGATION" LETTER DATED 10/25/2013. IN SOME CASES, MINIMUM ALLOWABLE SETBACKS PER ZONING REQUIREMENTS MIGHT DICTATE.

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No.	Revisions	Date	Init.	Appr.	Date

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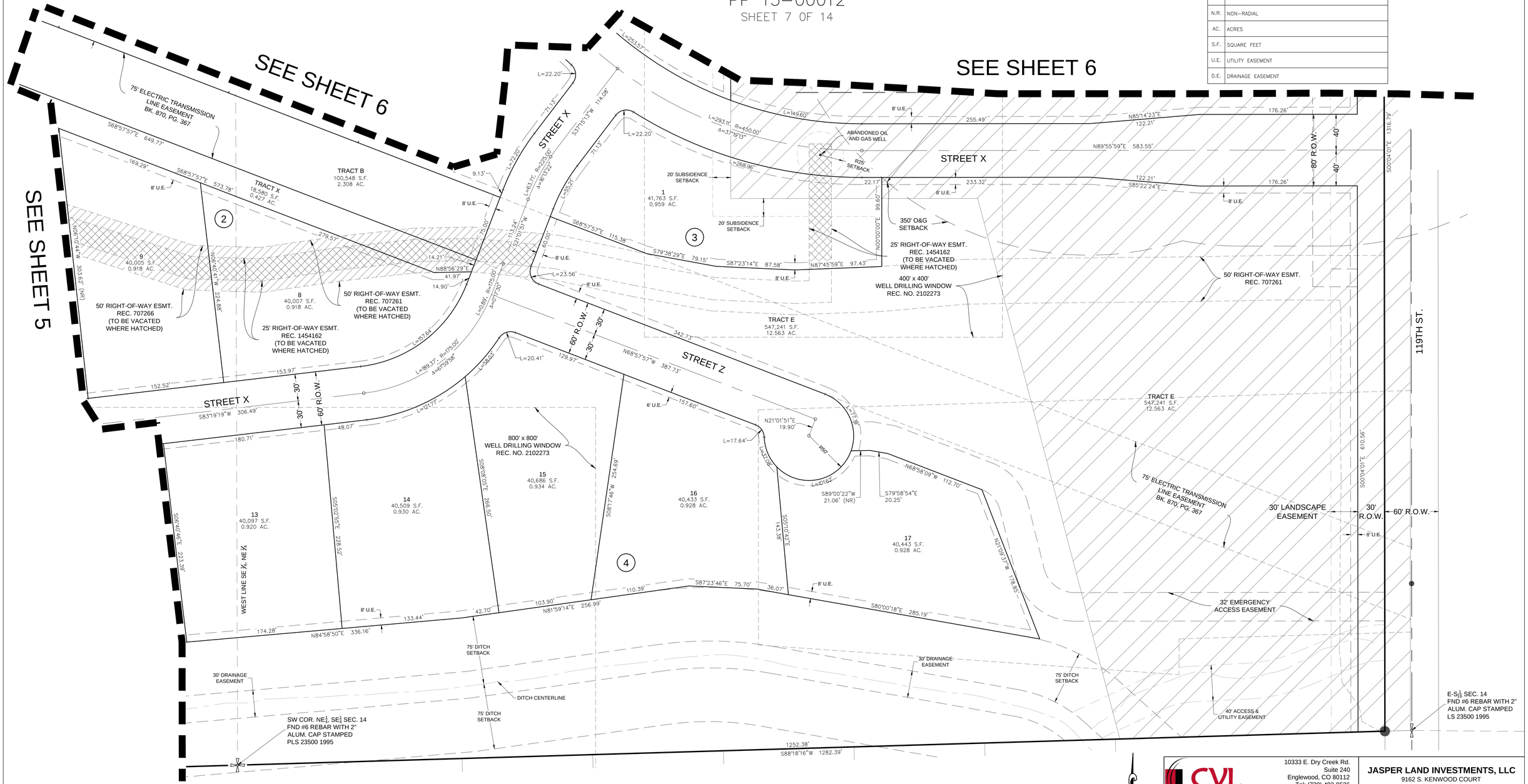
WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 7 OF 14

NOTES:
1. ALLOWABLE BUILDING AREA FOR LOT 1, BLOCK 3 HAS BEEN ESTABLISHED WITH REGARD TO UNDERMINING IN CONSIDERATION OF CTL/THOMPSON "SUPPLEMENTAL MINE SUBSIDENCE RISK INVESTIGATION" LETTER DATED 10/25/2013. IN SOME CASES, MINIMUM ALLOWABLE SETBACKS PER ZONING REQUIREMENTS MIGHT DICTATE.

SYMBOL LEGEND	
	FND. SECTION CORNER AS DESCRIBED
●	SET NO. 5 REBAR, 24" LONG, w/1 1/2" ORANGE PLASTIC CAP STAMPED CVL LS NO. 25369 UNLESS OTHERWISE NOTED
O	FOUND WITNESS CORNER AS DESCRIBED
O[1]	FND #5 REBAR W/2" ALUM. CAP STAMPED LS 24305
O[6]	FND #5 REBAR W/1-1/2" ALUM. CAP STAMPED PLS 13466
1	BLOCK NUMBER
R.O.W.	RIGHT OF WAY
N.R.	NON-RADIAL
AC.	ACRES
S.F.	SQUARE FEET
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT



SEE SHEET 12 FOR ENTIRE TRACTS B, E, & X

LOW RISK SUBSIDENCE AREA

50 25 0 50 100
SCALE: 1" = 50'

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No.	Revisions	Date	Init.	Appr.	Date

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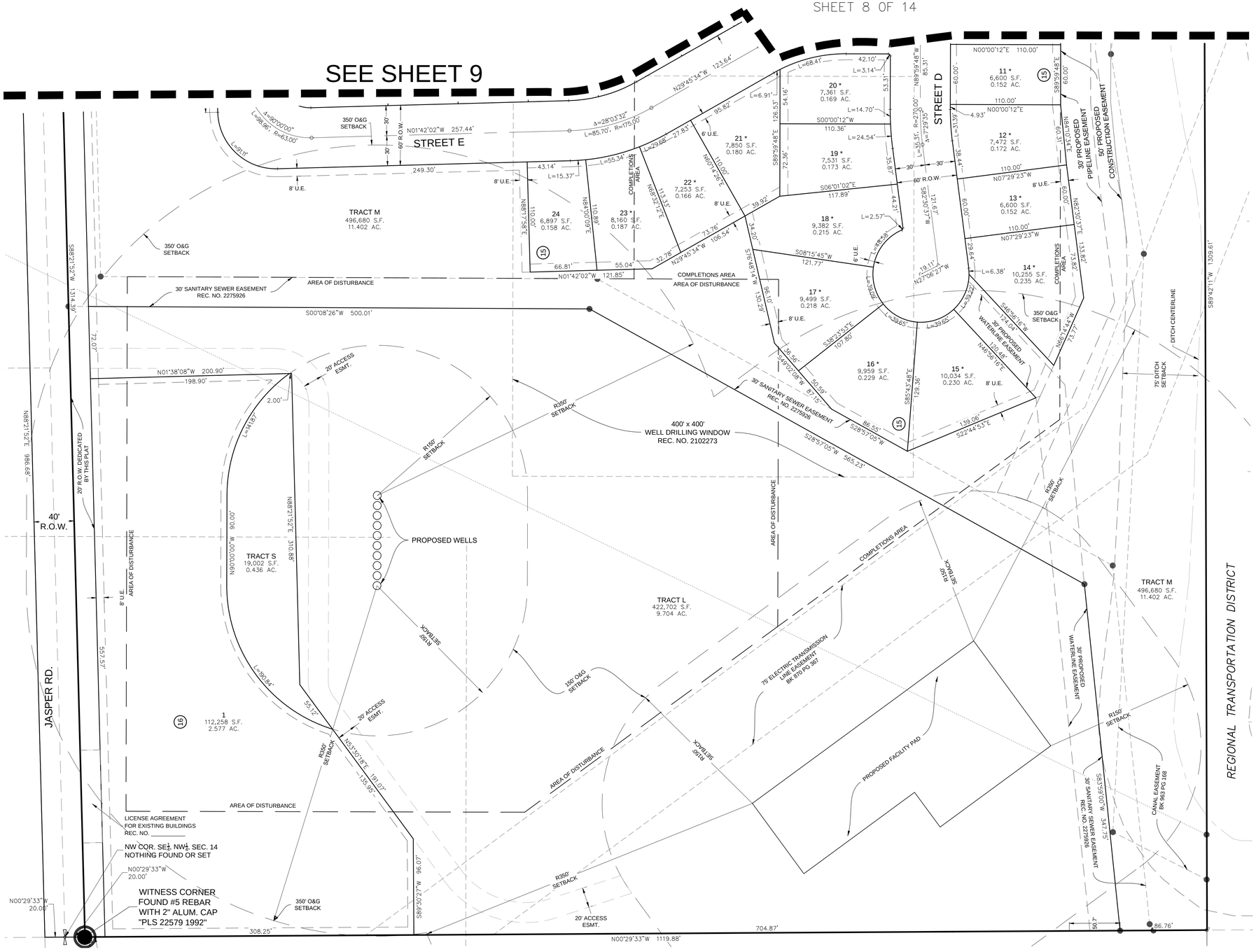
WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012



NOTES:

1. LOTS DENOTED WITH "*" ARE RESTRICTED LOTS. NO TEMPORARY OR PERMANENT BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS SHALL BE LOCATED, CONSTRUCTED OR INSTALLED WITHIN THE OIL AND GAS OPERATIONS AREAS UNTIL AFTER CONSTRUCTION OF ALL PERMANENT FACILITIES.

SYMBOL LEGEND

	FND. SECTION CORNER AS DESCRIBED
●	SET NO. 5 REBAR, 24" LONG, w/1 1/2" ORANGE PLASTIC CAP STAMPED CVL LS NO. 25369 UNLESS OTHERWISE NOTED
○	FOUND WITNESS CORNER AS DESCRIBED
○1	FND #5 REBAR W/2" ALUM. CAP STAMPED LS 24305
○6	FND #5 REBAR W/1–1/2" ALUM. CAP STAMPED PLS 13466
1	BLOCK NUMBER
R.O.W.	RIGHT OF WAY
N.R.	NON–RADIAL
AC.	ACRES
S.F.	SQUARE FEET
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT

50 25 0 50 100

SCALE: 1" = 50'

SEE SHEET 13 FOR ENTIRE TRACT M

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No.	Revisions	Date	Init.	Appr.	Date

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DATE: 12/29/2014
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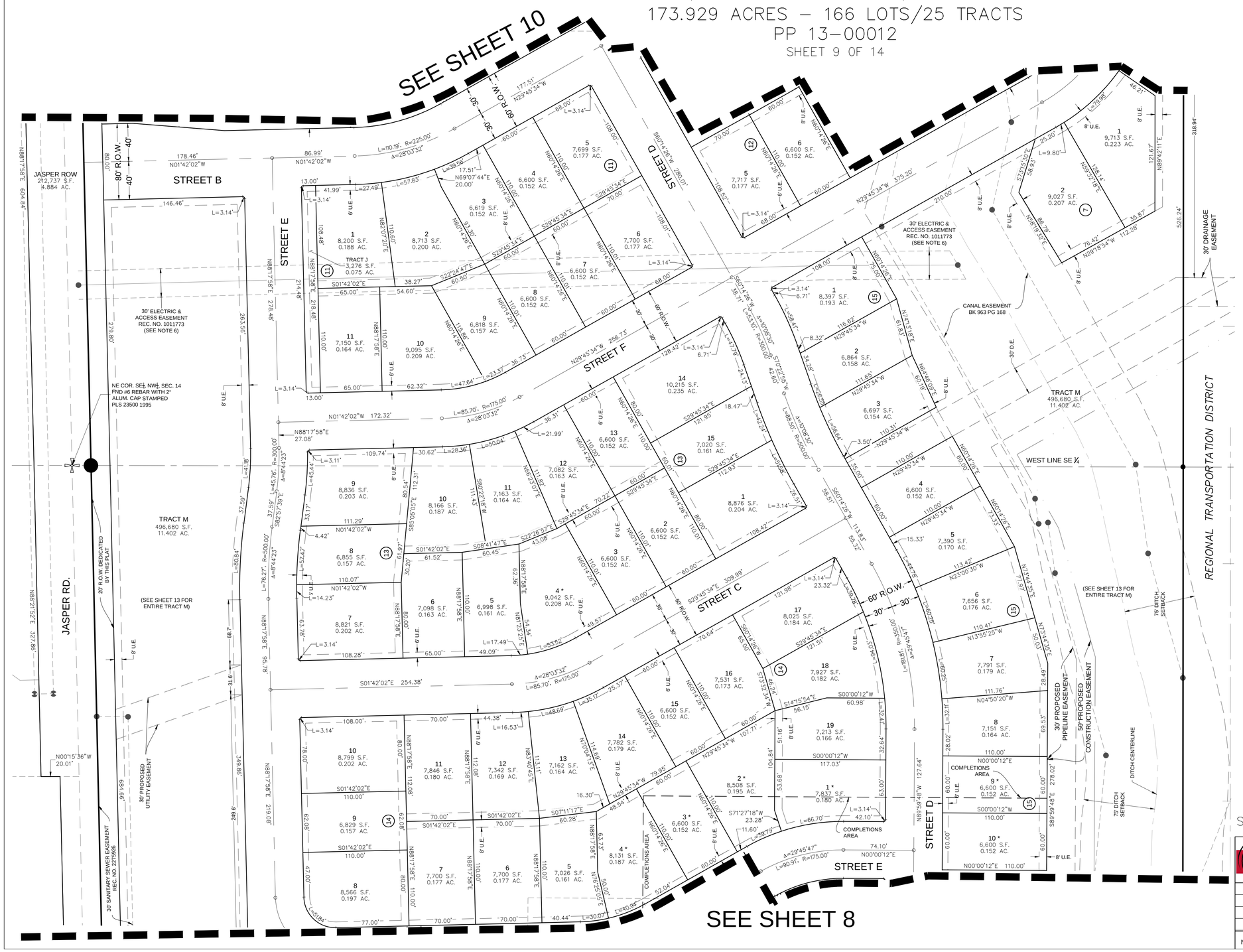
WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 9 OF 14



NOTES:

1. LOTS DENOTED WITH "*" ARE RESTRICTED LOTS. NO TEMPORARY OR PERMANENT BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS SHALL BE LOCATED, CONSTRUCTED OR INSTALLED WITHIN THE OIL AND GAS OPERATIONS AREAS UNTIL AFTER CONSTRUCTION OF ALL PERMANENT O&G FACILITIES.

SYMBOL LEGEND

	FND. SECTION CORNER AS DESCRIBED
●	SET NO. 5 REBAR, 24" LONG, w/1 1/2" ORANGE PLASTIC CAP STAMPED CVL LS NO. 25369 UNLESS OTHERWISE NOTED
O	FOUND WITNESS CORNER AS DESCRIBED
O¹	FND #5 REBAR W/2" ALUM. CAP STAMPED LS 24305
O⁶	FND #5 REBAR W/1–1/2" ALUM. CAP STAMPED PLS 13466
(1)	BLOCK NUMBER
R.O.W.	RIGHT OF WAY
N.R.	NON–RADIAL
AC.	ACRES
S.F.	SQUARE FEET
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT

50 25 0 50 100

SCALE: 1" = 50'

SEE SHEET 13 FOR ENTIRE TRACT M AND JASPER R.O.W.

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HIGHLANDS RANCH, CO 80126

No.	Revisions	Date	Init.	Appr.	Date

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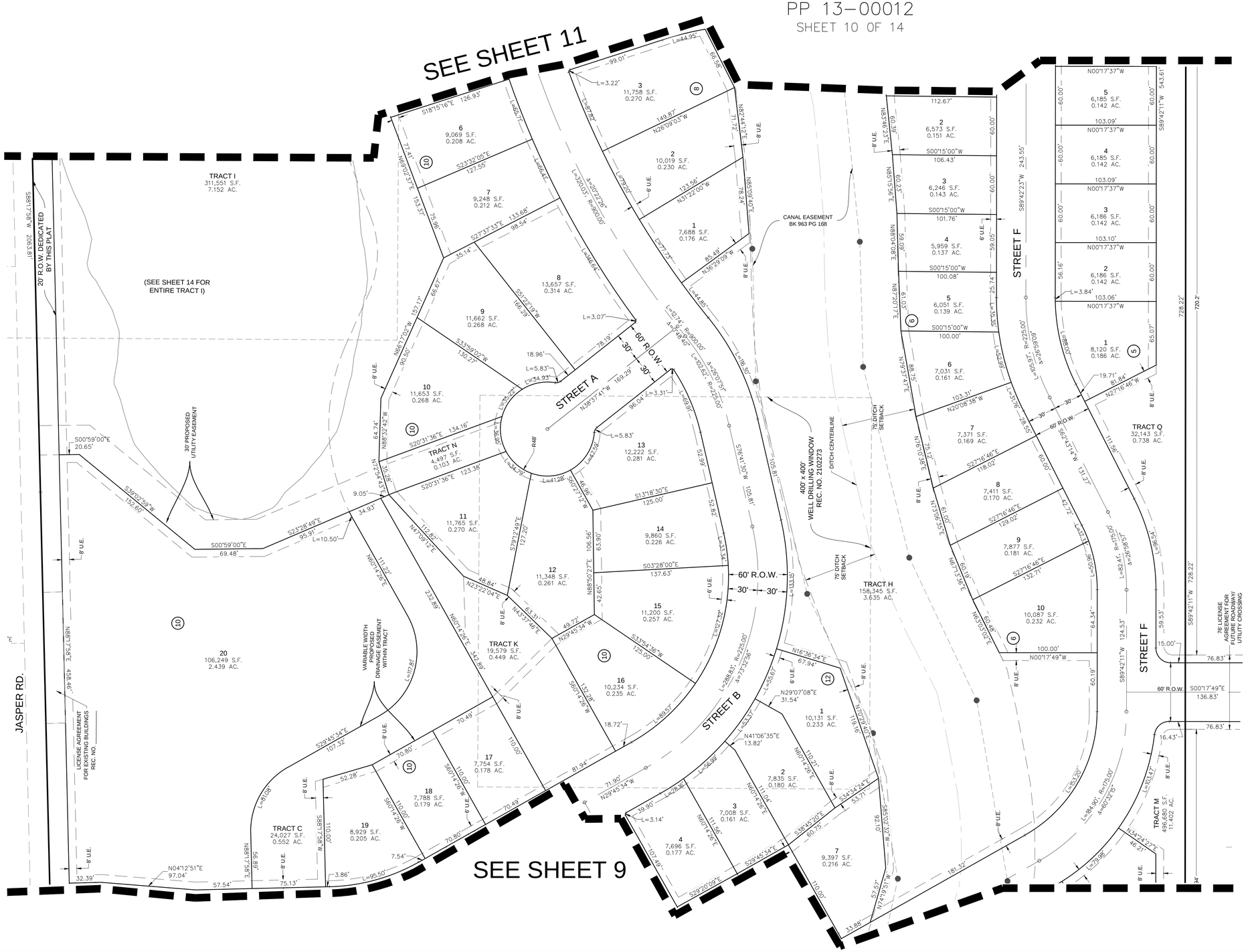
	DATE: 12/29/2014	

WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012



	SYMBOL LEGEND
	FND. SECTION CORNER AS DESCRIBED
●	SET NO. 5 REBAR, 24" LONG, w/1 1/2" ORANGE PLASTIC CAP STAMPED CVL LS NO. 25369 UNLESS OTHERWISE NOTED
○	FOUND WITNESS CORNER AS DESCRIBED
○1	FND #5 REBAR W/2" ALUM. CAP STAMPED LS 24305
○6	FND #5 REBAR W/1–1/2" ALUM. CAP STAMPED PLS 13466
1	BLOCK NUMBER
R.O.W.	RIGHT OF WAY
N.R.	NON–RADIAL
AC.	ACRES
S.F.	SQUARE FEET
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT

50 25 0 50 100

SCALE: 1" = 50'

SEE SHEET 13 FOR ENTIRE TRACTS M, Q, & JASPER R.O.W.
SEE SHEET 14 FOR ENTIRE TRACTS H & I

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No.	Revisions	Date	Init.	Appr.	Date

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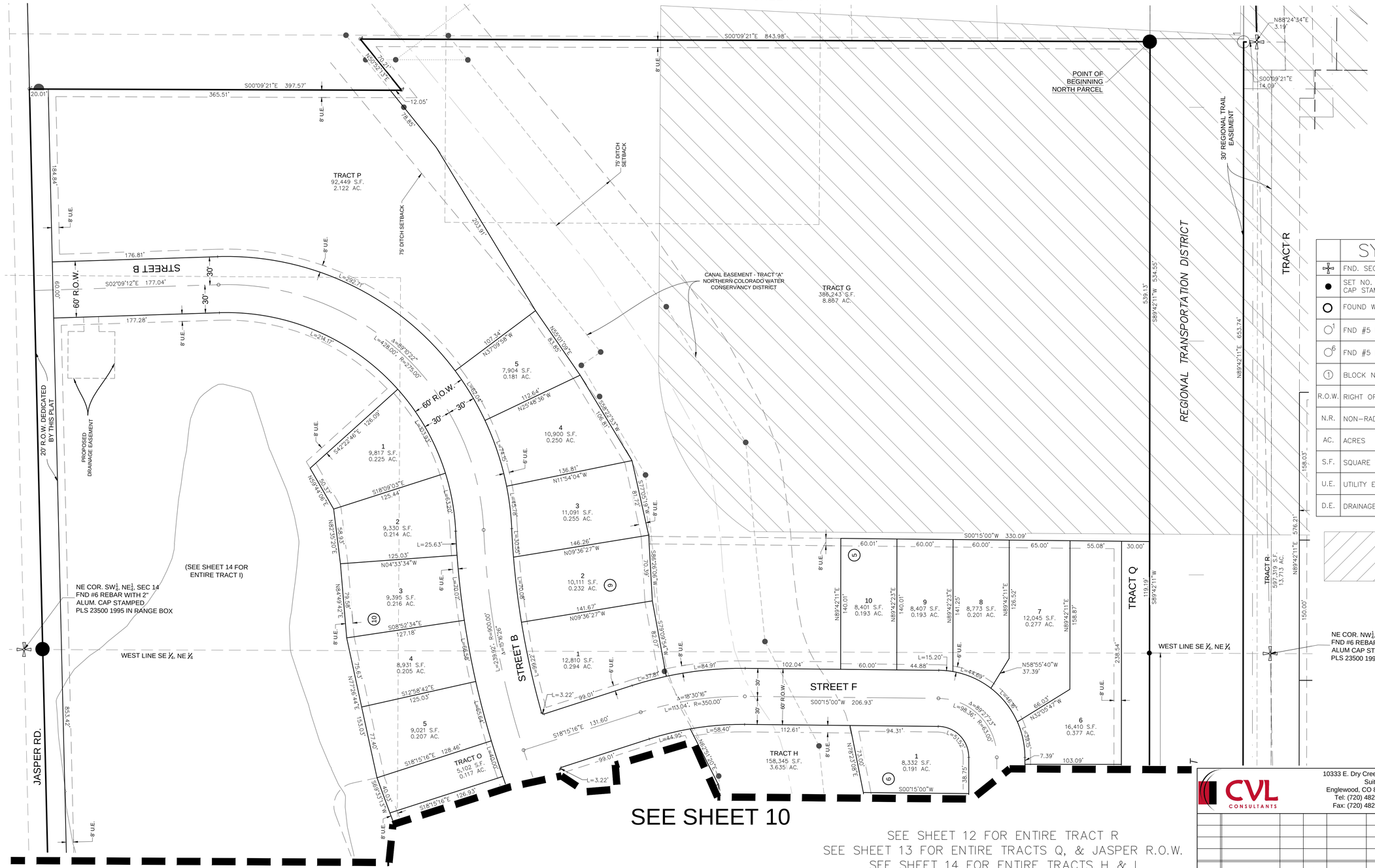
WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012



SYMBOL LEGEND

	FND. SECTION CORNER AS DESCRIBED
●	SET NO. 5 REBAR, 24" LONG, w/1 1/2" ORANGE PLASTIC CAP STAMPED CVL LS NO. 25369 UNLESS OTHERWISE NOTED
○	FOUND WITNESS CORNER AS DESCRIBED
○1	FND #5 REBAR W/2" ALUM. CAP STAMPED LS 24305
○6	FND #5 REBAR W/1-1/2" ALUM. CAP STAMPED PLS 13466
(1)	BLOCK NUMBER
R.O.W.	RIGHT OF WAY
N.R.	NON-RADIAL
AC.	ACRES
S.F.	SQUARE FEET
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT

LOW RISK SUBSIDENCE AREA

SCALE: 1" = 50'

SEE SHEET 12 FOR ENTIRE TRACT R
SEE SHEET 13 FOR ENTIRE TRACTS Q, & JASPER R.O.W.
SEE SHEET 14 FOR ENTIRE TRACTS H & I

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JASPER LAND INVESTMENTS, LLC
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HIGHLANDS RANCH, CO 80126

No.	Revisions	Date	Init.	Appr.	Date

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DATE: 12/29/2014
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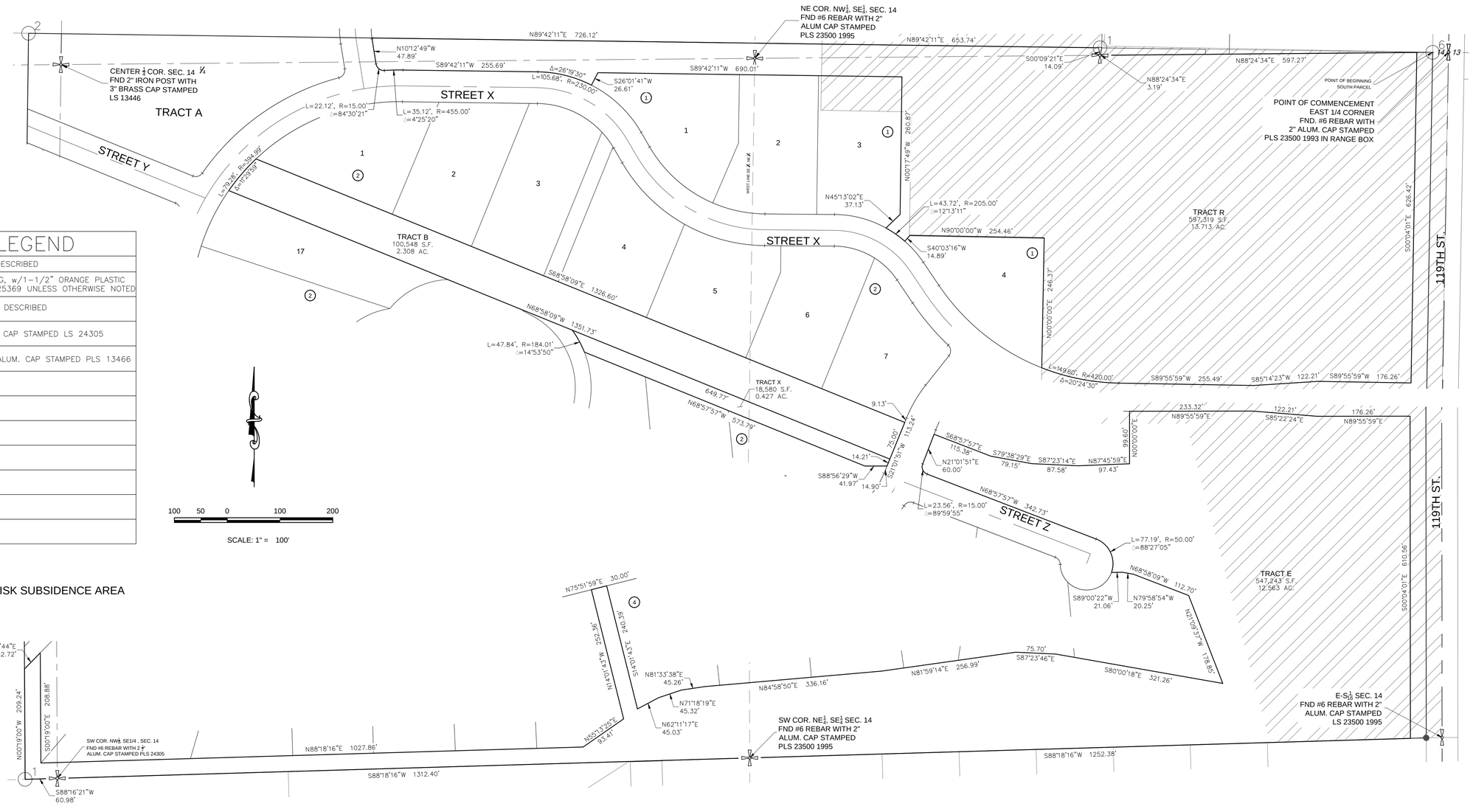
WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012



SYMBOL LEGEND

	FND. SECTION CORNER AS DESCRIBED
●	SET NO. 6 REBAR, 30" LONG, w/1–1/2" ORANGE PLASTIC CAP STAMPED CVL LS NO. 25369 UNLESS OTHERWISE NOTED
○	FOUND WITNESS CORNER AS DESCRIBED
○1	FND #5 REBAR W/2" ALUM. CAP STAMPED LS 24305
○6	FND #5 REBAR W/1–1/2" ALUM. CAP STAMPED PLS 13466
(1)	BLOCK NUMBER
R.O.W.	RIGHT OF WAY
N.R.	NON–RADIAL
AC.	ACRES
S.F.	SQUARE FEET
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT

LOW RISK SUBSIDENCE AREA

DETAIL TRACTS B, R, E, & X

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No.	Revisions	Date	Init.	Appr.	Date

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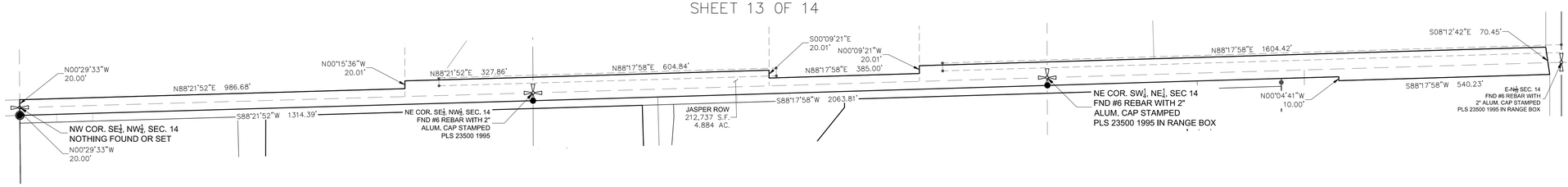
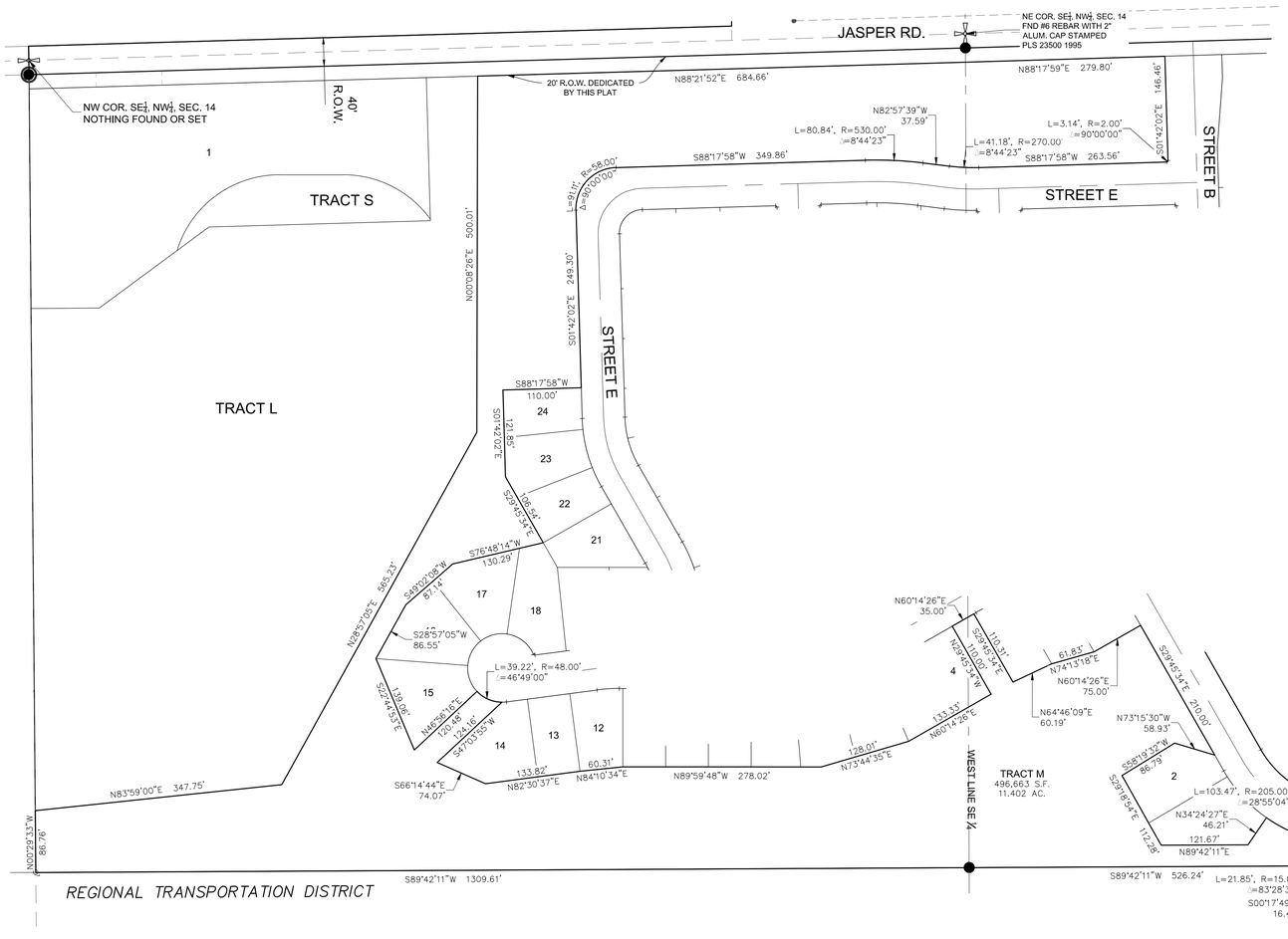
WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012
SHEET 13 OF 14

150 75 0 150 300
SCALE: 1" = 150'





DETAIL TRACTS M, Q, & JASPER ROAD

	SYMBOL LEGEND
	FND. SECTION CORNER AS DESCRIBED
●	SET NO. 6 REBAR, 30" LONG, w/1–1/2" ORANGE PLASTIC CAP STAMPED CVL LS NO. 25369 UNLESS OTHERWISE NOTED
O	FOUND WITNESS CORNER AS DESCRIBED
O¹	FND #5 REBAR W/2" ALUM. CAP STAMPED LS 24305
O⁶	FND #5 REBAR W/1–1/2" ALUM. CAP STAMPED PLS 13466
1	BLOCK NUMBER
R.O.W.	RIGHT OF WAY
N.R.	NON–RADIAL
AC.	ACRES
S.F.	SQUARE FEET
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT

100 50 0 100 200
SCALE: 1" = 100'

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HIGHLANDS RANCH, CO 80126

No.	Revisions	Date	Init.	Appr.	Date

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FILE NO:	CHECKED BY: WFH	
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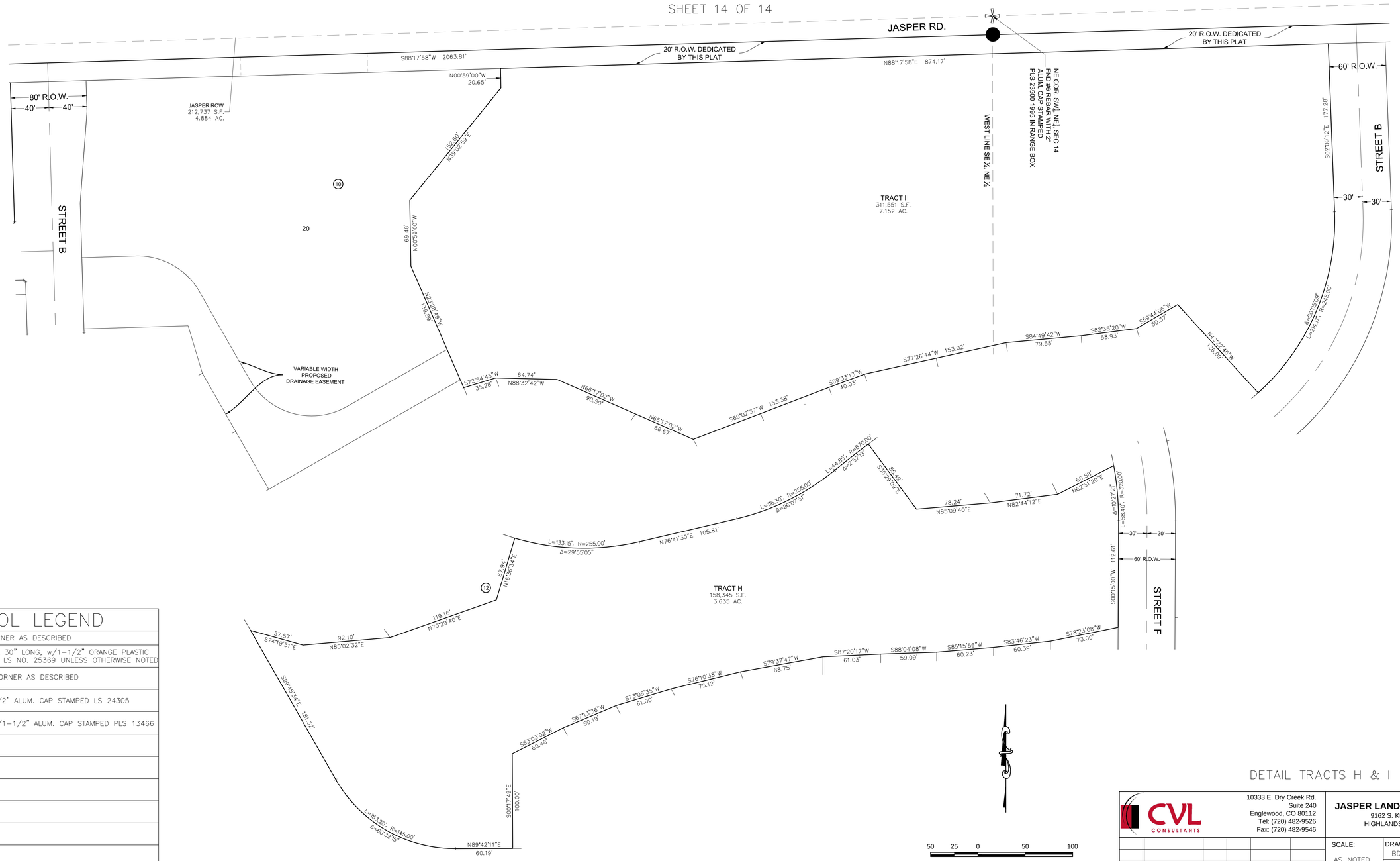
WISE FARMS PRELIMINARY PLAT

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6th P.M.,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
173.929 ACRES – 166 LOTS/25 TRACTS
PP 13–00012



DETAIL TRACTS H & I

	SYMBOL LEGEND
	FND. SECTION CORNER AS DESCRIBED
●	SET NO. 6 REBAR, 30" LONG, w/1–1/2" ORANGE PLASTIC CAP STAMPED CVL LS NO. 25369 UNLESS OTHERWISE NOTED
○	FOUND WITNESS CORNER AS DESCRIBED
○1	FND #5 REBAR W/2" ALUM. CAP STAMPED LS 24305
○6	FND #5 REBAR W/1–1/2" ALUM. CAP STAMPED PLS 13466
(1)	BLOCK NUMBER
R.O.W.	RIGHT OF WAY
N.R.	NON–RADIAL
AC.	ACRES
S.F.	SQUARE FEET
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT

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JASPER LAND INVESTMENTS, LLC
9162 S. KENWOOD COURT
HIGHLANDS RANCH, CO 80126

No.	Revisions	Date	Init.	Appr.	Date

SCALE: AS NOTED	DRAWN BY: BDL/JLR/MJP	SHEET NO: 14 OF 14
FILE NO:	CHECKED BY: WFH	
	DATE: 12/29/2014	

ALTA / ACSM LAND TITLE SURVEY

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH P.M., TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST-SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS SOUTH 00°04'01" EAST, A DISTANCE OF 1316.88 FEET, SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREWITH BEING RELATIVE THERETO;

THENCE SOUTH 88°24'34" WEST, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 119TH STREET;

THENCE SOUTH 00°04'01" EAST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 0.14 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT, SOUTHERLY OF THE EXISTING TRACK, SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE CONTINUING SOUTH 00°04'01" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1316.79 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°18'16" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 1282.39 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 88°18'16" WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 1312.40 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH 88°16'21" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 60.98 FEET TO THE SOUTHEASTERLY CORNER OF THAT TRACT OF LAND CONVEYED TO RONALD SCOTT JASPER, RONALD LEE JASPER AND VEE ANN JASPER AS DESCRIBED IN WARRANTY DEED RECORDED MAY 3, 1976, ON FILM 922 AS RECEPTION NO. 175271, OF THE RECORDS OF BOULDER COUNTY, COLORADO;

THENCE NORTH 00°19'00" WEST ALONG THE EASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 1381.63 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT, SOUTHERLY OF THE EXISTING TRACK;

THENCE NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 62.45 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1314.28 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 89°42'11" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 653.74 FEET;

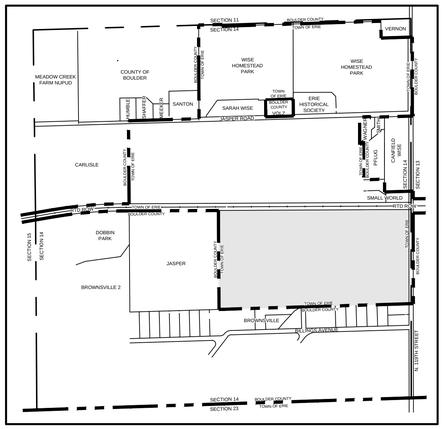
THENCE SOUTH 00°09'21" EAST, A DISTANCE OF 14.09 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE NORTH 88°24'34" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 3.19 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING NORTH 88°24'34" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 620.87 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY;

THENCE NORTH 89°42'11" EAST, ALONG SAID SOUTHERLY RAILROAD RIGHT-OF-WAY LINE, A DISTANCE OF 6.40 FEET TO THE **POINT OF BEGINNING**,

SAID SOUTH PARCEL CONTAINING A CALCULATED AREA OF 3,581,472 SQUARE FEET OR 82.219 ACRES, MORE OR LESS.



VICINITY MAP
SCALE: 1" = 1000'

AREAS OF CONCERN (AOC):

THE FOLLOWING MATTERS WHICH MAY AFFECT THE STATUS OF TITLE TO THE SURVEYED PROPERTY ARE NOTED BY CVL CONSULTANTS INC. FOR THE BENEFIT OF THE PARTY REQUESTING THE SURVEY. CVL CONSULTANTS INC. AND THE SURVEYOR OF RECORD DO NOT WARRANT OR REPRESENT THAT ALL MATTERS THAT MAY AFFECT TITLE ARE NOTED BELOW. THE NUMBERS IN THE FOLLOWING COMMENTS CORRESPOND TO THE NUMBERS SHOWN ON OUR LAND SURVEY PLAT.

1. DIRT ROAD CROSSING SOUTHEAST CORNER OF SAID PARCEL OF LAND BUT NOT WITHIN A RECORDED EASEMENT. THE ROAD APPEARS TO ALLOW ACCESS FROM 119TH STREET TO THE DITCH, AS SHOWN.
2. LIVESTOCK CORRAL ALONG SOUTH BOUNDARY APPEARS TO BE IN USE BY OTHERS.
3 THE VESTING DEEDS FOR THIS PROPERTY DO NOT INCLUDE ANY LANDS IN THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION14. THE SLIVER OF LAND LYING SOUTH OF THE RAILROAD (NOW RTD) RIGHT OF WAY WITHIN SAID EAST HALF, AND LABELED AOC #3 IS NOT INCLUDED IN THE SUBJECT PROPERTY. THE COUNTY ASSESSOR'S OFFICE INCLUDES THIS AREA AS OWNERSHIP OF "WISE HOMESTEAD LLC". THIS AREA CONTAINS 4,359 SQUARE FEET, OR 0.100 ACRE.
4. THE AREA OF THE UNION PACIFIC (NOW RTD) RIGHT OF WAY MARKED AOC #4, WAS DEEDED TO THE TOWN OF ERIE FROM SMALL WORLD VENTURES, LLC BY WARRANTY DEED RECORDED UNDER RECEPTION NO. 1724707, DATED AUGUST 22, 1997. THOUGH THIS AREA LIES OUTSIDE OF THE SUBJECT PROPERTY IT IS WORTHY OF NOTE. FIRSTLY, IT IS A LAND LOCKED PARCEL WITH NO APPARENT DIRECT ACCESS. SECONDLY, IT IS NOT CLEAR THAT SMALL WORLD VENTURES, LLC HAD THE VESTED RIGHTS TO CONVEY THIS PROPERTY TO THE CITY. IT IS CVL CONSULTANTS OF COLORADO, INC'S UNDERSTANDING THAT THE RAILROAD RIGHT OF WAY IS OWNED BY RTD.

NOTES:

1. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.

2. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY CVL CONSULTANTS, INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY, AND TITLE OF RECORD, CVL CONSULTANTS, INC. RELIED UPON THE TITLE COMMITMENT AS NOTED HEREON.

3. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON(S) OR ENTITY(S) NAMED IN THE CERTIFICATE HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON(S) OR ENTITY(S) WITHOUT AN EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON(S) OR ENTITY(S).

4. BASIS OF BEARINGS: BEARINGS ARE BASED ON THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ASSUMED TO BEAR SOUTH 00°04'01" EAST AND MONUMENTED AS SHOWN HEREON .

5. FLOODPLAIN: BASED ON A GRAPHICAL REPRESENTATION OF FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) NO. 08013C0437J WITH AN EFFECTIVE DATE OF DEC. 18, 2012, THE SUBJECT PROPERTY LIES WITHIN "OTHER AREAS" ZONE X. "ZONE X" IS DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN,

6. DATE OF ORIGINAL FIELD WORK WAS JUNE 26, 2013 AND ADDITIONAL FIELD WORK ON SEPTEMBER 23, 2013.

7. THE LINEAL UNIT USED IN THE PREPARATION OF THIS PLAT IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.

SURVEYOR'S CERTIFICATE:

TO: ELIZABETH W. KISSELL AND WISE HOMESTEAD LLC, A COLORADO LIMITED LIABILITY COMPANY; TO JASPER LAND INVESTMENTS LLC, A COLORADO LIMITED LIABILITY COMPANY; TO LAND TITLE GUARANTEE COMPANY; AND TO FIRST AMERICAN TITLE INSURANCE COMPANY.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 8, 11 (a),13 AND 14 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON SEPTEMBER 25, 2013.

DATE OF PLAT OR MAP: _____, 2014

_____
WILLIAM F. HESSELBACH, JR., P.L.S. NO. 25369
FOR AND ON BEHALF OF
CVL CONSULTANTS CONSULTING LLC

SURVEY PLAT DEPOSITING CERTIFICATE:

DEPOSITED THIS _____DAY OF _____ , 2014, AT ____ .M., IN BOOK____ OF THE COUNTY_____

SURVEYOR'S LAND SURVEY PLATS AT PAGE____ , DEPOSIT NO. _____, RECORDS OF BOULDER COUNTY, COLORADO.

SIGNED: _____ TITLE: _____ BY:_____

PREPARED WITH THE BENEFIT OF LAND TITLE GUARANTEE COMPANY
COMMITMENT NO. ABD70339758.2-6 EFFECTIVE DATE SEPTEMBER 08, 2014 AT 5:00 P.M .

CVL CONSULTANTS
10333 E. Dry Creek Rd.
Suite 240
Englewood, CO 80112
Tel: (720) 482-9526
Fax: (720) 482-9546

ALTA/ASCM LAND TITLE SURVEY
WISE FARMS
SOUTH PARCEL

No.	Revisions	Date	Init.	Appr.	Date
2	GAS LINE ESMT. UPDATES	9\18\14	MJP	WFH	09/18/14
1	MINOR UPDATES	7\29\14	JLR		

SCALE:
FILE NO:
DRAWN BY: BDL
CHECKED BY: WFH
DATE: 04\11\2014
SHEET NO: 1 OF 3

ALTA / ACSM LAND TITLE SURVEY

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH P.M., TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO

SCHEDULE B-2 TITLE EXCEPTION NOTES:

1. ANY FACTS, RIGHTS, INTERESTS OR CLAIMS THEREOF, NOT SHOWN BY THE PUBLIC RECORDS BUT THAT COULD BE ASCERTAINED BY AN INSPECTION OF THE LAND OR THAT MAY BE ASSERTED BY PERSONS IN POSSESSION OF THE LAND. NO ADDITIONAL INFORMATION WAS PROVIDED TO THE SURVEYOR OF RECORD.

2. EASEMENTS, LIENS OR ENCUMBRANCES, OR CLAIMS THEREOF, NOT SHOWN BY THE PUBLIC RECORDS. NO ADDITIONAL INFORMATION WAS PROVIDED TO THE SURVEYOR OF RECORD.

3. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCES AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND AND NOT SHOWN BY THE PUBLIC RECORDS. THIS SURVEY SERVES TO SATISFY THIS EXCEPTION.

4. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS. NOT A SURVEY MATTER.

5. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD FOR VALUE THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT. NOT A SURVEY MATTER.

6. ANY UNPAID TAXES, ASSESSMENTS AND UNREDEEMED TAX SALES. NOT A SURVEY MATTER.

7. (a) UNPATENTED MINING CLAIMS; (b) RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF; (c) WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT THE MATTERS EXCEPTED UNDER (a), (b) OR (c) ARE SHOWN BY THE PUBLIC RECORDS. NOT A SURVEY MATTER.

8. EXISTING LEASES OR TENANCIES, IF ANY. NOT A SURVEY MATTER.

9. RIGHTS OF THE PUBLIC AND THE COUNTY OF BOULDER IN AND TO THOSE PORTIONS OF THE LAND LYING WITHIN NORTH 119TH STREET. NOT PLOTTABLE.

10. EASEMENT GRANTED TO THE LOWER BOULDER EXTENSION DITCH COMPANY, FOR THE LOWER BOULDER DITCH, AND INCIDENTAL PURPOSES, BY INSTRUMENT RECORDED JULY 11, 1911, IN BOOK 325 AT PAGE 120. AS SHOWN.

NOTE: AFFIDAVIT AND NOTICE IN RELATION THERETO RECORDED SEPTEMBER 24, 1999 UNDER RECEPTION NO. 1984825. AS SHOWN

11. OIL AND GAS LEASES BETWEEN SARAH ALLENE WISE, ET AL. AND MARTIN EXPLORATION MANAGEMENT CORPORATION, RECORDED APRIL 7, 1980 UNDER RECEPTION NUMBER 390668 AND RECORDED NOVEMBER 23, 1982 UNDER RECEPTION NUMBER 521214 AND ANY AND ALL ASSIGNMENTS THEREOF, OR INTEREST THEREIN. AS SHOWN.

PRODUCTION AFFIDAVITS RECORDED APRIL 13, 1983 UNDER RECEPTION NUMBER 543347 AND APRIL 16, 1987 UNDER RECEPTION NO. 841764.

AFFIDAVIT OF EXTENSION OF OIL AND GAS LEASES RECORDED MARCH 28, 1995 UNDER RECEPTION NUMBER 1505898.

NOTE: NOTICE OF RIGHT TO USE SURFACE OF LANDS AND NOTICE OF SURFACE USE RECORDED DECEMBER 24, 1996 UNDER RECEPTION NO. 01666170 AND FEBRUARY 8, 1999 UNDER RECEPTION NUMBER 1903341 AND DECEMBER 11, 2000 UNDER RECEPTION NUMBER 2102273.

NOTE: DECLARATION OF POOLING REFERENCING SAID LEASES RECORDED JANUARY 22, 2014 UNDER RECEPTION NO. 03362994.

NOTE: THE PRESENT OWNERSHIP OF THE LEASEHOLD CREATED BY SAID LEASE AND OTHER MATTERS AFFECTING THE INTEREST OF THE LESSEE ARE NOT SHOWN HEREIN.

12. REQUESTS FOR NOTIFICATION OF SURFACE DEVELOPMENT AS EVIDENCED BY INSTRUMENT RECORDED MAY 17, 2002 UNDER RECEPTION NUMBER 2288455. NOT PLOTTABLE.

13. RIGHTS OF PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES AS RESERVED IN UNITED STATES PATENT RECORDED DECEMBER 01, 1874, IN BOOK R AT PAGE 557. AFFECTS THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER. AFFECTS SUBJECT PARCEL, NOT PLOTTABLE.

14. RIGHT OF WAY FOR RIGHTS OF OTHERS TO THE IOWA DITCH AS EVIDENCED BY INSTRUMENT RECORDED AUGUST 21, 1875 IN BOOK 31 AT PAGE 352. AFFECTS SUBJECT PROPERTY. NOT PLOTTABLE.

15. RIGHT OF PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES AS RESERVED IN UNITED STATES PATENT RECORDED JULY 31, 1876, IN BOOK 38 AT PAGE 156. AFFECTS SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER. NOT PLOTTABLE.

16. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN CONTRACT AND GRANT OF EASEMENT RECORDED JULY 12, 1950 IN BOOK 870 AT PAGE 367. AS SHOWN.

17. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE LONGMONT FIRE PROTECTION DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED JULY 29, 1966, IN BOOK 822 AT PAGE 491. NOT PLOTTABLE.

18. THE EFFECT OF APPLICATION FOR CHANGE OF CLASS D ALLOTMENT CONTRACT RECORDED MARCH 26, 1979 UNDER RECEPTION NUMBER 328968 AND AS AMENDED IN INSTRUMENT RECORDED JULY 2, 1981 UNDER RECEPTION NUMBER 453220 AND AS AMENDED IN INSTRUMENT RECORDED JULY 9, 1981 UNDER RECEPTION NUMBER 454311 AND AS AMENDED IN INSTRUMENT RECORDED MARCH 11, 1996 UNDER RECEPTION NUMBER 01590362 AND AS AMENDED IN INSTRUMENT RECORDED AUGUST 17, 2001 UNDER RECEPTION NUMBER 2186552, APPLICATION FOR CLASS D ALLOTMENT CONTRACT RECORDED OCTOBER 10, 2011 UNDER RECEPTION NUMBER 3175932 AND APPLICATION FOR RELEASE OF EXISTING CLASS D ALLOTMENT CONTRACT RECORDED OCTOBER 10, 2011 UNDER RECEPTION NUMBER 3175933 APPLICATIONS FOR RELEASE OF EXISTING CLASS D ALLOTMENT CONTRACTS RECORDED JUNE 24, 2013 UNDER RECEPTION NUMBER 03322055, UNDER RECEPTION NUMBER 03322056 AND UNDER RECEPTION NUMBER 03322057. NOT PLOTTABLE

19. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN AGREEMENT RECORDED NOVEMBER 9, 1979 UNDER RECEPTION NUMBER 369830. NOT PLOTTABLE.

20. THOSE WATER RIGHTS AS CONVEYED TO THE CITY OF LAFAYETTE BY INSTRUMENT RECORDED APRIL 7, 1980 UNDER RECEPTION NUMBER 390658 AND COVENANT IN CONNECTION THEREWITH RECORDED AUGUST 13, 1980 UNDER RECEPTION NUMBER 407640 AND AS AMENDED INSTRUMENT RECORDED APRIL 29, 1982 UNDER RECEPTION NUMBER 492592. NOT PLOTTABLE.

21. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN RIGHT OF WAY GRANT RECORDED AUGUST 20, 1985 UNDER RECEPTION NUMBER 707266. NOT PLOTTABLE.

SCHEDULE B-2 TITLE EXCEPTIONS CONTINUED:

22. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN RIGHT OF WAY GRANT RECORDED AUGUST 20, 1985 UNDER RECEPTION NUMBER 707261. AS SHOWN BY DIRT ROAD ACCESSING BOTH WELL SITES.

23. THE EFFECT OF NOTICE OF GENERAL DESCRIPTION OF AREA SERVED BY PANHANDLE EASTERN PIPE LINE COMPANY CONCERNING UNDERGROUND FACILITIES RECORDED JUNE 25, 1986 UNDER RECEPTION NUMBER 00768891. NOT PLOTTABLE.

24. EASEMENT GRANTED TO MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, FOR UTILITIES, AND INCIDENTAL PURPOSES, BY INSTRUMENT RECORDED JANUARY 2, 1987, UNDER RECEPTION NUMBER 00816351. AS SHOWN.

25. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN RIGHT OF WAY GRANT RECORDED AUGUST 12, 1994 UNDER RECEPTION NUMBER 01454162. AS SHOWN - EASEMENT IS BASED ON THE CENTERLINE OF THE MARKED GAS LINE

26. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ANNEXATION AGREEMENTS RECORDED SEPTEMBER 12, 1995 UNDER RECEPTION NUMBER 01546831 AND UNDER RECEPTION NUMBERS 01546832 AND 01546833. NOT PLOTTABLE.

27. THE EFFECT OF THE MAP OF WISE ACRES ANNEXATION TO THE TOWN OF ERIE RECORDED SEPTEMBER 12, 1995 UNDER RECEPTION NUMBER 1546834. NOT PLOTTABLE.

28. THOSE WATER RIGHTS AS CONVEYED TO THE CITY OF LAFAYETTE BY INSTRUMENT RECORDED MAY 2, 1997 UNDER RECEPTION NUMBER 1695500. NOT PLOTTABLE.

29. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ORDINANCE NUMBER 484, REGARDING ANNEXATION RECORDED SEPTEMBER 5, 1997 UNDER RECEPTION NUMBER 1728523. NOT PLOTTABLE.

30. THE EFFECT OF ORDINANCE NUMBER 485, REGARDING ZONING, RECORDED SEPTEMBER 5, 1997 UNDER RECEPTION NUMBER 1728524. NOT PLOTTABLE.

31. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE NORTHERN COLORADO WATER CONSERVANCY DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED DECEMBER 10, 2003 UNDER RECEPTION NUMBER 2537461. NOT A SURVEY MATTER.

32. ANY WATER RIGHTS OR CLAIMS OR TITLE TO WATER IN, OR UNDER THE LAND, WHETHER OF RECORD OR NOT. NOT A SURVEY MATTER.

33. THE FOLLOWING RECITAL AS CONTAINED IN DEED FROM SARAH ALLENE WISE TO ELIZABETH W. KISSELL RECORDED NOVEMBER 13, 1995 UNDER RECEPTION NO. 1562123: "MINERAL RIGHTS WILL BE RETAINED BY THE GRANTOR". AS SHOWN.

34. ANY RIGHT, TITLE (FEE OR EASEMENT) AND/OR INTEREST OF THE REGIONAL TRANSPORTATION DISTRICT IN OR TO THOSE PORTIONS OF THE LAND DESCRIBED IN INSTRUMENTS RECORDED NOVEMBER 6, 1871 IN BOOK "N" AT PAGE 591, NOVEMBER 6, 1871 IN BOOK "N" AT PAGE 601 AND JUNE 26, 2009 UNDER RECEPTION NUMBER 3011226.

SAID DEEDS DO NOT CONTAIN A SPECIFIC METES AND BOUNDS LEGAL DESCRIPTION OF THE LAND CONVEYED THEREIN. THE RAILROAD IS AS SHOWN, AND LIES OUTSIDE OF THE SUBJECT PROPERTY.

35. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN MEMORANDUM OF AGREEMENT EXECUTED BY AND BETWEEN ELIZABETH W. KISSELL AND WISE HOMESTEAD, LLC, A COLORADO LIMITED LIABILITY COMPANY, AS BUYER RECORDED JULY 11, 2005 UNDER RECEPTION NUMBER 2703251. NOT PLOTTABLE.

NOTE: THIS EXCEPTION WILL BE DELETED UPON THE RECORDATION OF A TERMINATION OF SAID AGREEMENT IN A FORM ACCEPTABLE TO THIS COMPANY.

36. REQUEST FOR NOTIFICATION OF SURFACE DEVELOPMENT EXECUTED BY NOBLE ENERGY, INC., NOBLE ENERGY PRODUCTION, INC., SOCO WATTENBERG CORPORATION AND UNITED STATES EXPLORATION, INC. RECORDED OCTOBER 23, 2007 UNDER RECEPTION NUMBER 2890878. NOT PLOTTABLE.

37. REQUEST FOR NOTIFICATION (MINERAL ESTATE OWNER) EXECUTED BY KERR-MCGEE OIL & GAS ONSHORE LP RECORDED DECEMBER 21, 2007 UNDER RECEPTION NUMBER 2900941. NOT PLOTTABLE.

38. ANY BOUNDARY DISCREPANCY DUE TO THE LOCATION OF FENCE LINES AND THE EFFECT OF ANY RIGHT, TITLE OR INTEREST THAT MAY BE CLAIMED DUE TO ANY SAID DISCREPANCY AS SHOWN ON LAND SURVEY PLAT PREPARED BY CIVIL ARTS - DREXEL GROUP, DATED JUNE 24, 2001 AND LAST REVISED APRIL 4, 2005, JOB NUMBER 211-12.

39. ANY FACTS, RIGHTS, INTERESTS OR CLAIMS WHICH MAY EXIST OR ARISE BY REASON OF THE FOLLOWING FACTS SHOWN ON LAND SURVEY PLAT DATED JUNE 24, 2001 AND LAST REVISED APRIL 4, 2005, PREPARED BY CIVIL ARTS - DREXEL GROUP, JOB NUMBER 211-12. AS SHOWN.

A. A DIRT ROAD CROSSING THE LAND, BUT NOT WITHIN A RECORDED EASEMENT. ONE DIRT ROAD CROSSING PARCEL CONNECTS WELL PADS, SEE ITEM NO. 22, THE OTHER DIRT ROAD CROSSES THE SOUTHEAST CORNER OF THE PARCEL. SEE AOC #1.

B. UTILITY POLES AND UTILITY LINES LOCATED ALONG THE EAST BOUNDARY OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, CROSSING THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND ALONG THE NORTH BOUNDARY OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER , BUT NOT WITHIN A RECORDED EASEMENT. DOES NOT AFFECT SUBJECT PARCEL.

40. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN MEMORANDUM OF COMPATIBLE DEVELOPMENT AND SURFACE USE AGREEMENT RECORDED JANUARY 22, 2014 UNDER RECEPTION NO. 03362979. AFFECTS SUBJECT PROPERTY, NOT PLOTTABLE.

41. (ITEM INTENTIONALLY DELETED)

42. OIL AND GAS LEASE BETWEEN OLIVE M. WISE AND ALBERT C. WISE FAMILY TRUST AND MARTIN EXPLORATION MANAGEMENT CORP., RECORDED NOVEMBER 23, 1982 UNDER RECEPTION NO. 521213 AND ANY ASSIGNMENTS THEREOF, OR INTEREST THEREIN.

NOTE: CORRECTION OF DESCRIPTION IN LEASE RECORDED DECEMBER 14, 1982 UNDER RECEPTION NO. 524170.

NOTE: DECLARATION OF POOLING REFERENCING SAID LEASE RECORDED JANUARY 22, 2014 UNDER RECEPTION NO. 03362994.

NOTE: THE PRESENT OWNERSHIP OF THE LEASEHOLD CREATED BY SAID LEASE AND OTHER MATTERS AFFECTING THE INTEREST OF THE LESSEE ARE NOT SHOWN HEREIN.

43. EASEMENT GRANTED TO K N FRONT RANGE GATHERING COMPANY, FOR PIPELINES, AND INCIDENTAL PURPOSES, BY INSTRUMENT RECORDED AUGUST 12, 1994, UNDER RECEPTION NO. 01454161. AS SHOWN - EASEMENT IS BASED ON THE CENTERLINE OF THE MARKED GAS LINE

PREPARED WITH THE BENEFIT OF LAND TITLE GUARANTEE COMPANY
COMMITMENT NO. ABD70339758.2-6 EFFECTIVE DATE SEPTEMBER 08, 2014 AT 5:00 P.M .

CVL CONSULTANTS
10333 E. Dry Creek Rd.
Suite 240
Englewood, CO 80112
Tel: (720) 482-9526
Fax: (720) 482-9546

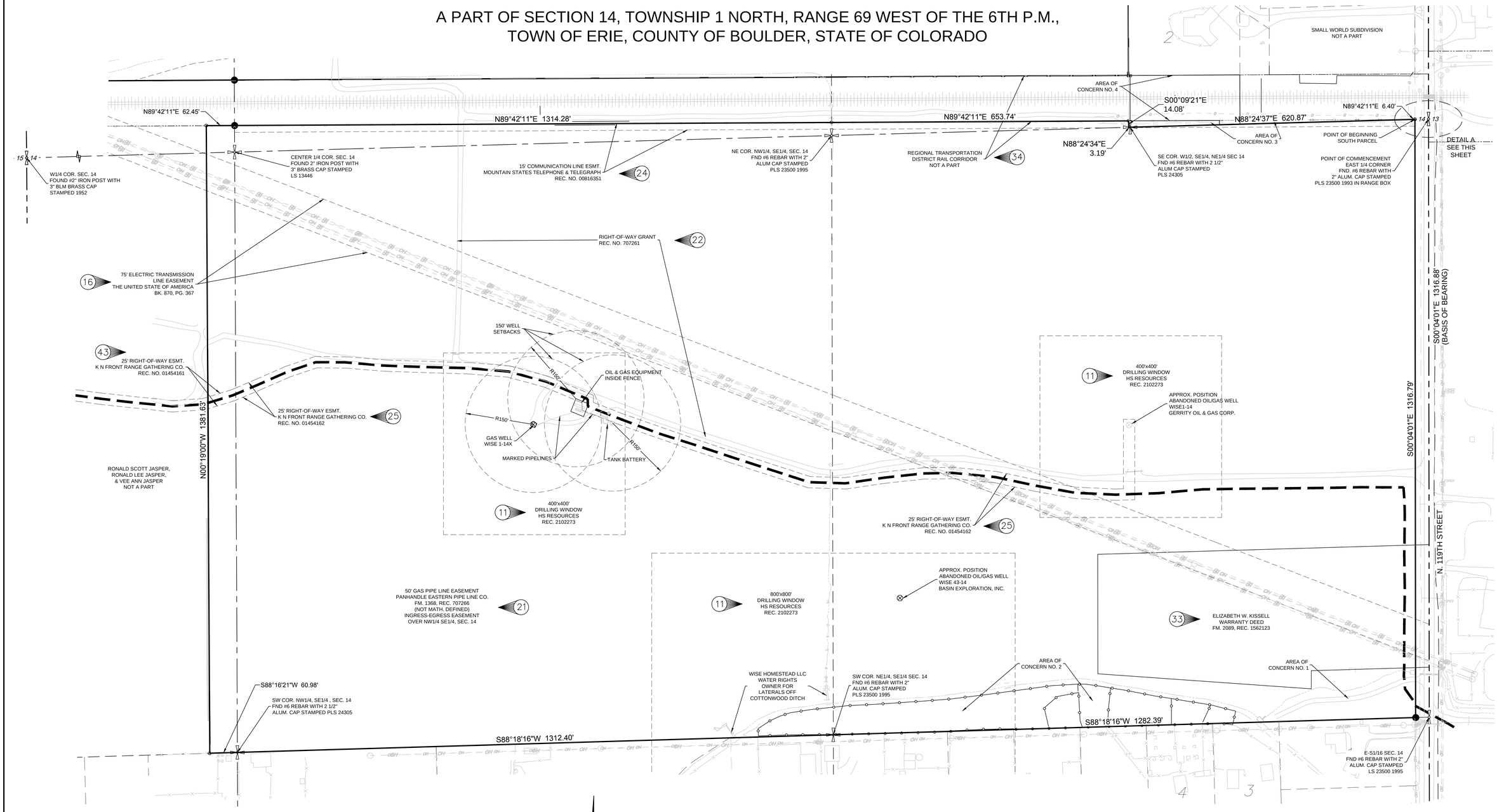
ALTA/ASCM LAND TITLE SURVEY
WISE FARMS
SOUTH PARCEL

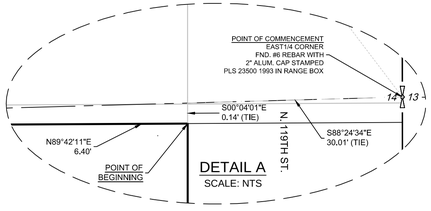
No.	Revisions	Date	Init.	Appr.	Date
2	GAS LINE ESMT. UPDATES	9\18\14	MJP	WFH	09/18/14
1	MINOR UPDATES	7\29\14	JLR		

SCALE:
FILE NO:
DRAWN BY: BDL
CHECKED BY: WFH
DATE: 04\11\2014
SHEET NO: 2 OF 3

ALTA / ACSM LAND TITLE SURVEY

A PART OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH P.M., TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO





DETAIL A
SCALE: NTS

GRAPHIC SCALE

100 0 50 100 200

(IN FEET)
1 inch = 100 ft.

PREPARED WITH THE BENEFIT OF LAND TITLE GUARANTEE COMPANY
COMMITMENT NO. ABD70339758.2-6 EFFECTIVE DATE SEPTEMBER 08, 2014 AT 5:00 P.M .

SYMBOL LEGEND

✚	FND. SECTION CORNER AS DESCRIBED		TREE		EXISTING WIRE FENCE
○	FND. WITNESS CORNER AS DESCRIBED		STORM DRAIN INLET		EXISTING WOOD FENCE
●	SET NO. 5 REBAR, 24" LONG, W/1-1/2" ORANGE PLASTIC CAP STAMPED CVL LS NO. 25369 UNLESS OTHERWISE NOTED		EXISTING BARB WIRE FENCE		OVERHEAD ELECTRIC
○	FND #5 REBAR W/2" ALUM. CAP STAMPED LS 24305		SIGN		UTILITY POLE
○	FND #5 REBAR W/1-1/2" ALUM CAP MARKED "BRUNS INC"		STORM DRAIN MANHOLE		
	FND #5 REBAR W/1-1/2" ALUM. CAP STAMPED PLS 13446		GUY WIRE		
▫	EXISTING WOOD POST		WATER VALVE		

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ALTA/ASCM LAND TITLE SURVEY
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No.	Revisions	Date	Init.	Appr.	Date
2	GAS LINE ESMT. UPDATES	9\18\14	MJP	WFH	09/18/14
1	MINOR UPDATES	7\29\14	JLR		

SCALE:
FILE NO:
DRAWN BY: BDL
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DATE: 04\11\2014
SHEET NO: 3 OF 3

ALTA / ACSM LAND TITLE SURVEY

A PART OF THE NORTH HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH P.M.
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PART OF THE NORTH HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE EAST-SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 14 BEARS SOUTH 00°04'01" EAST, A DISTANCE OF 1316.88 FEET SAID LINE FORMING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE SOUTH 88°24'34" WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 30.01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 119TH STREET;

THENCE CONTINUING SOUTH 88°24'34" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 627.28 FEET; TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 88°24'34" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 3.19 FEET;

THENCE NORTH 00°09'21" WEST, A DISTANCE OF 114.08 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE PREVIOUS UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID RIGHT-OF-WAY LINE BEING 50 FEET, BY PERPENDICULAR MEASUREMENT NORTHERLY OF THE CENTERLINE OF THE EXISTING TRACK, SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH 89°42'11" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 653.74 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 89°42'11" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE , A DISTANCE OF 1314.46 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE CONTINUING SOUTH 89°42'11" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1309.61 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14;

THENCE NORTH 00°29'33" WEST ALONG SAID WEST LINE, A DISTANCE OF 1119.88 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF JASPER ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:

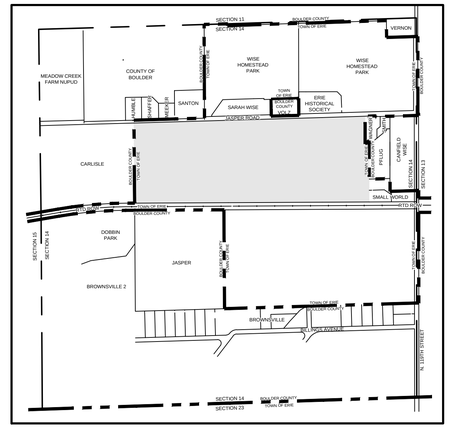
1. NORTH 88°21'52" EAST, A DISTANCE OF 1314.39 FEET;
2. NORTH 88°17'58" EAST, A DISTANCE OF 1317.03 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;
3. CONTINUING NORTH 88°17'58" EAST, A DISTANCE OF 599.53 FEET TO THE NORTHWESTERLY CORNER OF THAT TRACT OF LAND AS DESCRIBED ON SAID FILM 1555, AT RECEPTION NO. 953348;

THENCE SOUTH 00°09'21" EAST ALONG THE WESTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 397.57 FEET TO THE MOST SOUTHERLY CORNER THEREOF;

THENCE NORTH 50°52'13" EAST ALONG THE SOUTHEASTERLY LINE OF SAID TRACT OF LAND, A DISTANCE OF 70.21 FEET;

THENCE SOUTH 00°09'21" EAST, DISTANCE OF 843.98 FEET TO THE POINT OF BEGINNING,

SAID PARCEL CONTAINING A CALCULATED AREA OF 3,782,135 SQUARE FEET OR 86.826 ACRES, MORE OR LESS.



VICINITY MAP
SCALE: 1" = 1000'

AREAS OF CONCERN (AOC):

THE FOLLOWING MATTERS WHICH MAY AFFECT THE STATUS OF TITLE TO THE SURVEYED PROPERTY ARE NOTED BY CVL CONSULTANTS INC. FOR THE BENEFIT OF THE PARTY REQUESTING THE SURVEY. CVL CONSULTANTS INC. AND THE SURVEYOR OF RECORD DO NOT WARRANT OR REPRESENT THAT ALL MATTERS THAT MAY AFFECT TITLE ARE NOTED BELOW. THE NUMBERS IN THE FOLLOWING COMMENTS CORRESPOND TO THE NUMBERS SHOWN ON OUR LAND SURVEY PLAT.

1. THERE IS AN OVERHEAD POWER LINE CROSSING THE NORTHWEST CORNER OF THE PARCEL THAT DOES NOT SEEM TO HAVE AN EASEMENT FOR IT.

2. THE AREA OF THE UNION PACIFIC (NOW RTD) RIGHT OF WAY MARKED AOC #3, WAS DEEDED TO THE TOWN OF ERIE FROM SMALL WORLD VENTURES, LLC BY WARRANTY DEED RECORDED UNDER RECEPTION NO. 1724707, DATED AUGUST 22, 1997. THOUGH THIS AREA LIES OUTSIDE OF THE SUBJECT PROPERTY IT IS WORTHY OF NOTE. FIRSTLY, IT IS A LAND LOCKED PARCEL WITH NO APPARENT DIRECT ACCESS. SECONDLY, IT IS NOT CLEAR THAT SMALL WORLD VENTURES, LLC HAD THE VESTED RIGHTS TO CONVEY THIS PROPERTY TO THE CITY. IT IS CVL CONSULTANTS OF COLORADO, INC'S UNDERSTANDING THAT THE RAILROAD RIGHT OF WAY IS OWNED BY RTD

NOTES:

1. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.

2. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY CVL CONSULTANTS, INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY, AND TITLE OF RECORD, CVL CONSULTANTS, INC. RELIED UPON THE TITLE COMMITMENT AS NOTED HEREON.

3. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON(S) OR ENTITY(S) NAMED IN THE CERTIFICATE HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON(S) OR ENTITY(S) WITHOUT AN EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON(S) OR ENTITY(S).

4. BASIS OF BEARINGS: BEARINGS ARE BASED ON THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ASSUMED TO BEAR SOUTH 00°04'01" EAST AND MONUMENTED AS SHOWN HEREON .

5. FLOODPLAIN: BASED ON A GRAPHICAL REPRESENTATION OF FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) NO. 08013C0437J WITH AN EFFECTIVE DATE OF DEC. 18, 2012, THE SUBJECT PROPERTY LIES WITHIN "OTHER AREAS" ZONE X. "ZONE X" IS DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN,

6. DATE OF ORIGINAL FIELD WORK WAS JUNE 26, 2013, ADDITIONAL FIELD WORK ON SEPTEMBER 23, 2013. CONTINUED FIELD WORK ON SEPTEMBER 27, 2014.

7. THE LINEAL UNIT USED IN THE PREPARATION OF THIS PLAT IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.

8. THE LIMITS OF THE WET AREA, AS SHOWN ON SHEET 3 OF 3, EKO RESOURCES CORPORATION'S MEMO TITLED "WISE FARM ISOLATED WETLAND" DETAIL 07/25/2014:
THE BOUNDARY OF THE AREA WAS DETERMINED BY LEVELS OF, HYDROPHYLIC VEGETATION, HYDRIC SOILS, AND WETLAND HYDROLOGY.

9. NO SURFACE EVIDENCE OF THE SEPTIC OR LEACH FIELD IN THE AREA OF THE "EAST DETAIL" WAS FOUND. THE OWNER WAS UNABLE TO POINT OUT A GENERAL LOCATION OF THE SEPTIC TANK.

SURVEYOR'S CERTIFICATE:

TO: ELIZABETH W. KISSELL AND WISE HOMESTEAD LLC, A COLORADO LIMITED LIABILITY COMPANY; TO JASPER LAND INVESTMENTS LLC, A COLORADO LIMITED LIABILITY COMPANY; TO LAND TITLE GUARANTEE COMPANY; AND TO FIRST AMERICAN TITLE INSURANCE COMPANY.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 8, 11 (a),13 AND 14 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON SEPTEMBER 25, 2013.

DATE OF PLAT OR MAP: _____, 2014

_____
WILLIAM F. HESSELBACH, JR., P.L.S. NO. 25369
FOR AND ON BEHALF OF
CVL CONSULTANTS CONSULTING LLC

SURVEY PLAT DEPOSITING CERTIFICATE:

DEPOSITED THIS _____DAY OF _____ , 20__, AT ____ .M., IN BOOK____ OF THE COUNTY_____

SURVEYOR'S LAND SURVEY PLATS AT PAGE____ , DEPOSIT NO. _____, RECORDS OF BOULDER COUNTY, COLORADO.

SIGNED: _____ TITLE: _____ BY:_____

PREPARED WITH THE BENEFIT OF LAND TITLE GUARANTEE COMPANY
COMMITMENT NO. ABD70339758.1-2 EFFECTIVE DATE OCTOBER 28, 2013 AT 5:00 P.M .

CVL CONSULTANTS
10333 E. Dry Creek Rd.
Suite 240
Englewood, CO 80112
Tel: (720) 482-9526
Fax: (720) 482-9546

No.	Revisions	Date	Init.	Appr.	Date
	ADD'L UPDATES	12\03\14	MJP		
	ADD'L UPDATES	9\29\14	MJP		
	MINOR UPDATES	7\29\14	MJP		
	ADDED DETAILS	04\11\14	BDL		
	UPDATED LEGAL	8\20\13	BDL		
	UPDATED B-2'S	8\20\13	BDL		

ALTA/ASCM LAND TITLE SURVEY
WISE FARMS

SCALE:
DRAWN BY: BDL
CHECKED BY: WFH
FILE NO:
DATE: 04\11\2014
SHEET NO: 1 OF 3

ALTA / ACSM LAND TITLE SURVEY

A PART OF THE NORTH HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH P.M.
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO

SCHEDULE B-2 TITLE EXCEPTION NOTES:

1. ANY FACTS, RIGHTS, INTERESTS OR CLAIMS THEREOF, NOT SHOWN BY THE PUBLIC RECORDS BUT THAT COULD BE ASCERTAINED BY AN INSPECTION OF THE LAND OR THAT MAY BE ASSERTED BY PERSONS IN POSSESSION OF THE LAND. NO ADDITIONAL INFORMATION WAS PROVIDED TO THE SURVEYOR OF RECORD.

2. EASEMENTS, LIENS OR ENCUMBRANCES, OR CLAIMS THEREOF, NOT SHOWN BY THE PUBLIC RECORDS. NO ADDITIONAL INFORMATION WAS PROVIDED TO THE SURVEYOR OF RECORD.

3. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCES AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND AND NOT SHOWN BY THE PUBLIC RECORDS. THIS SURVEY SERVES TO SATISFY THIS EXCEPTION.

4. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS. NOT A SURVEY MATTER.

5. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD FOR VALUE THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT. NOT A SURVEY MATTER.

6. ANY UNPAID TAXES, ASSESSMENTS AND UNREDEEMED TAX SALES. NOT A SURVEY MATTER.

7. (a) UNPATENTED MINING CLAIMS; (b) RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF; (c) WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT THE MATTERS EXCEPTED UNDER (a), (b) OR (c) ARE SHOWN BY THE PUBLIC RECORDS. NOT A SURVEY MATTER.

8. EXISTING LEASES OR TENANCIES, IF ANY. NOT A SURVEY MATTER.

9. RIGHTS OF THE PUBLIC AND THE COUNTY OF BOULDER IN AND TO THOSE PORTIONS OF THE LAND LYING WITHIN COUNTY ROAD 42 A.K.A. JASPER ROAD AND NORTH 119TH STREET. NOT PLOTTABLE.

10. EASEMENT GRANTED TO THE LOWER BOULDER EXTENSION DITCH COMPANY, FOR THE LOWER BOULDER DITCH, AND INCIDENTAL PURPOSES, BY INSTRUMENT RECORDED JULY 11, 1911, IN BOOK 325 AT PAGE 120. AS SHOWN.

NOTE: AFFIDAVIT AND NOTICE IN RELATION THERETO RECORDED SEPTEMBER 24, 1999 UNDER RECEPTION NO. 1984825. AS SHOWN

11. OIL AND GAS LEASES BETWEEN SARAH ALLENE WISE, ET AL. AND MARTIN EXPLORATION MANAGEMENT CORPORATION, RECORDED APRIL 7, 1980 UNDER RECEPTION NUMBER 390668 AND RECORDED NOVEMBER 23, 1982 UNDER RECEPTION NUMBER 521214 AND ANY AND ALL ASSIGNMENTS THEREOF, OR INTEREST THEREIN. AS SHOWN.

PRODUCTION AFFIDAVITS RECORDED APRIL 13, 1983 UNDER RECEPTION NUMBER 543347 AND APRIL 16, 1987 UNDER RECEPTION NO. 841764.

AFFIDAVIT OF EXTENSION OF OIL AND GAS LEASES RECORDED MARCH 28, 1995 UNDER RECEPTION NUMBER 1505898.

NOTE: NOTICE OF RIGHT TO USE SURFACE OF LANDS AND NOTICE OF SURFACE USE RECORDED DECEMBER 24, 1996 UNDER RECEPTION NO. 01666170 AND FEBRUARY 8, 1999 UNDER RECEPTION NUMBER 1903341 AND DECEMBER 11, 2000 UNDER RECEPTION NUMBER 2102273.

NOTE: THE PRESENT OWNERSHIP OF THE LEASEHOLD CREATED BY SAID LEASE AND OTHER MATTERS AFFECTING THE INTEREST OF THE LESSEE ARE NOT SHOWN HEREIN. (ALL REASONABLE OR CUSTOMARY USES OF THE LAND RELATED TO SAID LEASE ARE BLANKET IN NATURE AND AFFECT ALL OF SECTION 14.)

12. REQUESTS FOR NOTIFICATION OF SURFACE DEVELOPMENT AS EVIDENCED BY INSTRUMENT RECORDED MAY 17, 2002 UNDER RECEPTION NUMBER 2288455. NOT PLOTTABLE.

13. RIGHTS OF PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES AS RESERVED IN UNITED STATES PATENT RECORDED DECEMBER 01, 1874, IN BOOK R AT PAGE 557. AFFECTS THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER. AFFECTS SUBJECT PARCEL, NOT PLOTTABLE.

14. RIGHT OF WAY FOR RIGHTS OF OTHERS TO THE IOWA DITCH AS EVIDENCED BY INSTRUMENT RECORDED AUGUST 21, 1875 IN BOOK 31 AT PAGE 352. AFFECTS SUBJECT PROPERTY. NOT PLOTTABLE.

15. RIGHT OF PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES AS RESERVED IN UNITED STATES PATENT RECORDED JULY 31, 1876, IN BOOK 38 AT PAGE 156. AFFECTS SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER. NOT PLOTTABLE.

16. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN CONTRACT AND GRANT OF EASEMENT RECORDED JULY 12, 1950 IN BOOK 870 AT PAGE 367. AS SHOWN.

17. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN CONTRACT AND GRANT OF EASEMENT RECORDED NOVEMBER 05, 1954 IN BOOK 963 AT PAGE 168. AS SHOWN.

18. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE LONGMONT FIRE PROTECTION DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED JULY 29, 1966, IN BOOK 822 AT PAGE 491. NOT PLOTTABLE.

19. THE EFFECT OF APPLICATION FOR CHANGE OF CLASS D ALLOTMENT CONTRACT RECORDED MARCH 26, 1979 UNDER RECEPTION NUMBER 328968 AND AS AMENDED IN INSTRUMENT RECORDED JULY 2, 1981 UNDER RECEPTION NUMBER 453220 AND AS AMENDED IN INSTRUMENT RECORDED JULY 9, 1981 UNDER RECEPTION NUMBER 454311 AND AS AMENDED IN INSTRUMENT RECORDED MARCH 11, 1996 UNDER RECEPTION NUMBER 01590362 AND AS AMENDED IN INSTRUMENT RECORDED AUGUST 17, 2001 UNDER RECEPTION NUMBER 2186552, APPLICATION FOR CLASS D ALLOTMENT CONTRACT RECORDED OCTOBER 10, 2011 UNDER RECEPTION NUMBER 3175932 AND APPLICATION FOR RELEASE OF EXISTING CLASS D ALLOTMENT CONTRACT RECORDED OCTOBER 10, 2011 UNDER RECEPTION NUMBER 3175933 APPLICATIONS FOR RELEASE OF EXISTING CLASS D ALLOTMENT CONTRACTS RECORDED JUNE 24, 2013 UNDER RECEPTION NUMBER 03322055, UNDER RECEPTION NUMBER 03322056 AND UNDER RECEPTION NUMBER 03322057. NOT PLOTTABLE

20. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN AGREEMENT RECORDED NOVEMBER 9, 1979 UNDER RECEPTION NUMBER 369830. NOT PLOTTABLE.

SCHEDULE B-2 TITLE EXCEPTIONS CONTINUED:

21. THOSE WATER RIGHTS AS CONVEYED TO THE CITY OF LAFAYETTE BY INSTRUMENT RECORDED APRIL 7, 1980 UNDER RECEPTION NUMBER 390658 AND COVENANT IN CONNECTION THEREWITH RECORDED AUGUST 13, 1980 UNDER RECEPTION NUMBER 407640 AND AS AMENDED INSTRUMENT RECORDED APRIL 29, 1982 UNDER RECEPTION NUMBER 492592. NOT PLOTTABLE.

22. THE EFFECT OF NOTICE OF GENERAL DESCRIPTION OF AREA SERVED BY PANHANDLE EASTERN PIPE LINE COMPANY CONCERNING UNDERGROUND FACILITIES RECORDED JUNE 25, 1986 UNDER RECEPTION NUMBER 00768891. NOT PLOTTABLE.

23. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN EASEMENT RECORDED NOVEMBER 3, 1989 UNDER RECEPTION NUMBER 01011773. AS SHOWN.

24. THE EFFECT OF ZONING ORDINANCES NUMBER 473 RECORDED NOVEMBER 10, 1994 UNDER RECEPTION NUMBER 01478077. AS SHOWN.

25. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ANNEXATION AGREEMENTS RECORDED SEPTEMBER 12, 1995 UNDER RECEPTION NUMBER 01546831 AND UNDER RECEPTION NUMBERS 01546832 AND 01546833. NOT PLOTTABLE.

26. THE EFFECT OF THE MAP OF WISE ACRES ANNEXATION TO THE TOWN OF ERIE RECORDED SEPTEMBER 12, 1995 UNDER RECEPTION NUMBER 1546834. NOT PLOTTABLE.

27. THOSE WATER RIGHTS AS CONVEYED TO THE CITY OF LAFAYETTE BY INSTRUMENT RECORDED MAY 2, 1997 UNDER RECEPTION NUMBER 1695500. NOT PLOTTABLE.

28. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ORDINANCE NUMBER 484, REGARDING ANNEXATION RECORDED SEPTEMBER 5, 1997 UNDER RECEPTION NUMBER 1728523. NOT PLOTTABLE.

29. THE EFFECT OF ORDINANCE NUMBER 485, REGARDING ZONING, RECORDED SEPTEMBER 5, 1997 UNDER RECEPTION NUMBER 1728524. NOT PLOTTABLE.

30. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GRANT OF PERMANENT ACCESS AND UTILITIES EASEMENT AGREEMENT RECORDED APRIL 10, 2002 UNDER RECEPTION NUMBER 2275928. AS SHOWN.

31. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE NORTHERN COLORADO WATER CONSERVANCY DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED DECEMBER 10, 2003 UNDER RECEPTION NUMBER 2537461. NOT A SURVEY MATTER.

32. ANY WATER RIGHTS OR CLAIMS OR TITLE TO WATER IN, OR UNDER THE LAND, WHETHER OF RECORD OR NOT. NOT A SURVEY MATTER.

33. ANY RIGHT, TITLE (FEE OR EASEMENT) AND/OR INTEREST OF THE REGIONAL TRANSPORTATION DISTRICT IN OR TO THOSE PORTIONS OF THE LAND DESCRIBED IN INSTRUMENTS RECORDED NOVEMBER 6, 1871 IN BOOK "N" AT PAGE 591, NOVEMBER 6, 1871 IN BOOK "N" AT PAGE 601 AND JUNE 26, 2009 UNDER RECEPTION NUMBER 3011226.

SAID DEEDS DO NOT CONTAIN A SPECIFIC METES AND BOUNDS LEGAL DESCRIPTION OF THE LAND CONVEYED THEREIN. THE RAILROAD IS AS SHOWN, AND LIES OUTSIDE OF THE SUBJECT PROPERTY.

34. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN MEMORANDUM OF AGREEMENT EXECUTED BY AND BETWEEN ELIZABETH W. KISSELL AND WISE HOMESTEAD, LLC, A COLORADO LIMITED LIABILITY COMPANY, AS BUYER RECORDED JULY 11, 2005 UNDER RECEPTION NUMBER 2703251. NOT PLOTTABLE.

NOTE: THIS EXCEPTION WILL BE DELETED UPON THE RECORDATION OF A TERMINATION OF SAID AGREEMENT IN A FORM ACCEPTABLE TO THIS COMPANY.

35. REQUEST FOR NOTIFICATION OF SURFACE DEVELOPMENT EXECUTED BY NOBLE ENERGY, INC., NOBLE ENERGY PRODUCTION, INC., SOCO WATTENBERG CORPORATION AND UNITED STATES EXPLORATION, INC. RECORDED OCTOBER 23, 2007 UNDER RECEPTION NUMBER 2890878. NOT PLOTTABLE.

36. REQUEST FOR NOTIFICATION (MINERAL ESTATE OWNER) EXECUTED BY KERR-MCGEE OIL & GAS ONSHORE LP RECORDED DECEMBER 21, 2007 UNDER RECEPTION NUMBER 2900941. NOT PLOTTABLE.

37. ANY BOUNDARY DISCREPANCY DUE TO THE LOCATION OF FENCE LINES AND THE EFFECT OF ANY RIGHT, TITLE OR INTEREST THAT MAY BE CLAIMED DUE TO ANY SAID DISCREPANCY AS SHOWN ON LAND SURVEY PLAT PREPARED BY CIVIL ARTS - DREXEL GROUP, DATED JUNE 24, 2001 AND LAST REVISED APRIL 4, 2005, JOB NUMBER 211-12.

38. ANY FACTS, RIGHTS, INTERESTS OR CLAIMS WHICH MAY EXIST OR ARISE BY REASON OF THE FOLLOWING FACTS SHOWN ON LAND SURVEY PLAT DATED JUNE 24, 2001 AND LAST REVISED APRIL 4, 2005, PREPARED BY CIVIL ARTS - DREXEL GROUP, JOB NUMBER 211-12. AS SHOWN.

A. A DIRT ROAD CROSSING THE LAND, BUT NOT WITHIN A RECORDED EASEMENT. AS SHOWN, ALSO SEE AOC #2

B. UTILITY POLES AND UTILITY LINES LOCATED ALONG THE EAST BOUNDARY OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, CROSSING THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, BUT NOT WITHIN A RECORDED EASEMENT. AS SHOWN, ALSO SEE AOC #1.

PREPARED WITH THE BENEFIT OF LAND TITLE GUARANTEE COMPANY
COMMITMENT NO. ABD70339758.1-2 EFFECTIVE DATE OCTOBER 28, 2013 AT 5:00 P.M .

CVL CONSULTANTS
10333 E. Dry Creek Rd.
Suite 240
Englewood, CO 80112
Tel: (720) 482-9526
Fax: (720) 482-9546

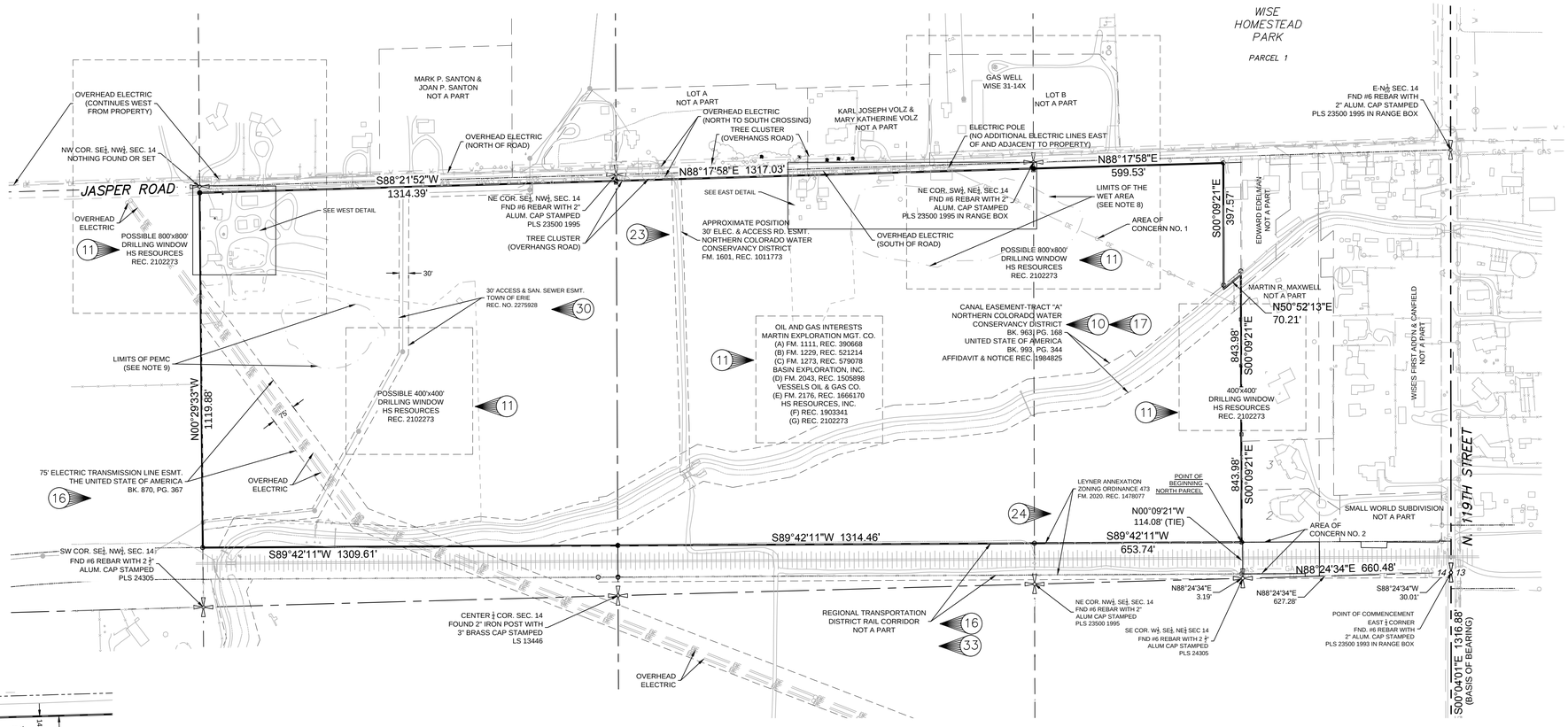
No.	Revisions	Date	Init.	Appr.	Date
	ADD'L UPDATES	12\03\14	MJP		
	ADD'L UPDATES	9\29\14	MJP		
	MINOR UPDATES	7\29\14	MJP		
	ADDED DETAILS	04\11\14	BDL		
	UPDATED LEGAL	8\20\13	BDL		
	UPDATED B-2'S	8\20\13	BDL		

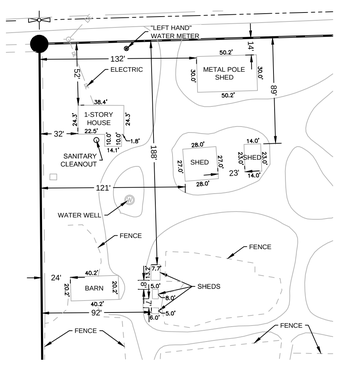
ALTA/ASCM LAND TITLE SURVEY
WISE FARMS

SCALE:
DRAWN BY: BDL
CHECKED BY: WFH
FILE NO:
DATE: 04\11\2014
SHEET NO: 2 OF 3

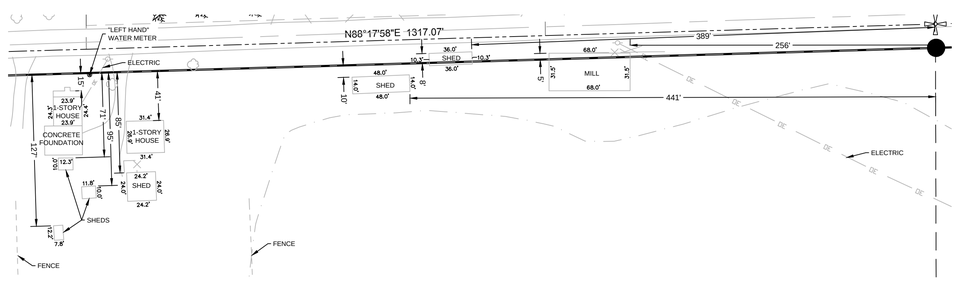
ALTA / ACSM LAND TITLE SURVEY

A PART OF THE NORTH HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH P.M.
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO





WEST DETAIL
SCALE 1" = 60'



EAST DETAIL
SCALE 1" = 60'

GRAPHIC SCALE

200 0 100 200 400

(IN FEET)
1 inch = 200 ft.

SYMBOL LEGEND

	FND. SECTION CORNER AS DESCRIBED		TREE		EXISTING WIRE FENCE
	FND. WITNESS CORNER AS DESCRIBED		STORM DRAIN INLET		EXISTING WOOD FENCE
	SET NO. 5 REBAR, 24" LONG, w/1 1/2" ORANGE PLASTIC CAP STAMPED CVL LS NO. 25369 UNLESS OTHERWISE NOTED		EXISTING BARB WIRE FENCE	OE	OVERHEAD ELECTRIC
	FND #5 REBAR W/2" ALUM. CAP STAMPED LS 24305		SIGN		UTILITY POLE
	FND #5 REBAR W/1 1/2" ALUM CAP MARKED "BRUNS INC"	D	STORM DRAIN MANHOLE		EXISTING WOOD POST
5	FND #4 REBAR W/ALUM. COLLAR "LS 2149"		GUY WIRE		
6	FND #5 REBAR W/1-1/2" ALUM. CAP STAMPED PLS 13466	WV	WATER VALVE		

PREPARED WITH THE BENEFIT OF LAND TITLE GUARANTEE COMPANY
COMMITMENT NO. ABD70339758.1-2 EFFECTIVE DATE OCTOBER 28, 2013 AT 5:00 P.M .

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	MINOR UPDATES	7\29\14	MJP		
	ADDED DETAILS	04\11\14	BDL		
	UPDATED LEGAL	8\20\13	BDL		
	UPDATED B-2'S	8\20\13	BDL		

ALTA/ASCM LAND TITLE SURVEY
WISE FARMS

SCALE:
DRAWN BY: BDL
CHECKED BY: WFH
FILE NO:
DATE: 04\11\2014
SHEET NO: 3 OF 3

w i s e f a r m s

PRELIMINARY PLAT NARRATIVE

pcs group inc. www.pcsgroupco.com
#3 independence plaza, B-180 ,
1001 16th street , denver co 80265
t 303 531 4905

wise farms

PRELIMINARY PLAT NARRATIVE

-

NOVEMBER 2013
revised
APRIL 2014
JULY 2014
OCTOBER 2014

submitted to:

The Town of Erie

645 Holbrook Street, Erie, Colorado 805416

project team

applicant:

Jasper Land Investments, LLC
9162 S. Kenwood Court, Highlands Ranch, Colorado 80126
tel. 303.902.5400 - contact: Jim Dullea

planning consultant:

PCS Group, Inc.
#3-B180 1001 16th Street, Denver, Colorado 80265
tel. 720.259.8246 - contact: John Prestwich

engineering & surveyor consultant:

CVL Consultants, Inc.
10333 East Dry Creek Road, Suite 240, Englewood, Colorado 80112
tel. 720.249.3527 - contact: Karl Knapp

transportation consultant:

LSC Transportation Consultants, Inc.
1889 York Street, Denver, Colorado 80206
tel. 303.333.1105 - contact: Chris McGranahan

environmental consultant:

A.G Wassenaar, Inc.
2180 South Ivanhoe St, #5, Denver, Colorado 80222
tel. 303.759.8373 - contact: Brian Glade

forestry consultant:

Forestry Development, LLC.
7377 Osage Road, Larkspur, Colorado 80118
tel. 303.681.2492 - contact: Keith Worley

geologic & geotechnical consultant:

CTL Thompson, Inc.
1971 West 12th Avenue, Denver, Colorado 80204
tel. 303.825.0777 - contact: Dave Glater

mine subsidence:

Western Environment and Ecology, Inc.
2217 West Powers Avenue, Littleton, Colorado 80120
tel. 303.730.3452 - contact: Greg Sherman

CTL Thompson, Inc.
1971 West 12th Avenue, Denver, Colorado 80204
tel. 303.825.0777 - contact: Dave Glater

water resources:

Wright Water Engineers, Inc.
2490 W. 26th Avenue, Suite 100A, Denver, Colorado 80211
tel. 303.480.1700 - contact: David Foss

mineral rights:

Astrella Law, P.C.
1801 Broadway, Suite 1600 Denver, Colorado 80202
tel. 303.292.9021 - contact: Lance Astrella

GENERAL PROJECT CONCEPT AND PURPOSE OF THE REQUEST.

Project Concept

Jasper Land Investments LLC, (the 'Applicant') is pleased to present this written narrative as required for the Rezoning process, for a tract of land located in section 14, township 1 north, range 69 west of the sixth principal meridian, county of Boulder, State of Colorado, more commonly known as the Wise Farm. In this document we will discuss the property background, the proposed rezoning and rationale for the request.

We have been working with the Wise family since 2005 on this exceptional property. At this time we are requesting a Rezoning for a portion of the property from Rural Residential to Low Density Residential, and Agricultural/OS, with a PUD Zoning Overlay that will restrict the development in terms of density, and will increase the buffers and setbacks to our neighbors. In addition we are also requesting a Preliminary Plat. In total we believe that this proposal meets the spirit and intent of the comprehensive plan for the Town of Erie that was adopted in December of 2005.

We are very excited about the creation of a uniquely clustered and themed community. Based on the input that we received during the Sketch Plan process, and additional planning and engineering studies that we have completed,

we have reduced our proposed unit count from 345 units to 166 units. We have also proposed significant buffers adjacent to our surrounding neighbors. Along the existing neighbors to the east of Wise Farms we have proposed an open space area that ranges in width from approximately 300′ to over 500′. We are also proposing various trail corridors to connect the open space areas, and have substantial setbacks from Jasper Road to maintain the rural theme for the project. All of these open space buffers create a true cluster concept that meets the Town criteria and furthers the goals of the Comprehensive Plan.

As requested by the Town of Erie staff we are proposing to dedicate the open space land that is adjacent to Jasper Rd, as well as the eastern buffer of the property. In addition, the Town of Erie staff has requested that we pay cash-in-lieu for both the Neighborhood Park and Community Park required acreages. The dedication amount is determined by the population being generated by the proposed number of households. In this case we have reduced the number of proposed households to the point that we are generating a very modest need for Neighborhood and Community Parks. The Town of Erie staff has determined that it would be in the best interest of the Town of Erie to collect cash-in-lieu fees, versus having dedicated park space on this property.

As stated in the Unified Development Code, 10.6.7-D.b.i.B - Diversification Standards shall not apply to Residential Zone District (RR). As required in the Unified Development Code's Housing Diversity requirement we are proposing one housing type and one variation. In general we are proposing housing type G - Single Family Detached, and the variation we are proposing is variation 4 - Lot Size 5,000-9,000 square feet, and 5 - Lot Size 10,000 to 39,999 square feet. In general there are larger lots are on the east side of the property as a method to provide a transition to our eastern neighbors, and the south portion of the property will have 40,000 square foot minimum lots as a complimentary residential use to the southern neighbors. Our proposal meets the requirements of the Housing Diversity requirement.

Purpose of the Request

Our proposal is for a portion of the property to be re-zoned Low Density Residential (LR) zoning, and a portion of the property to be re-zoned AG/OS, with a PUD Overlay on the full property to allow for a more creative approach for the clustering and planning of buffers on the overall development of the property. The property is currently designated as Rural Residential on the Town of Erie zoning map.

The current Town of Erie Comprehensive Plan, has designated the property as Rural Residential with a density range of 0-2 dwelling units per acre, with an average of 1 dwelling unit per acre. This designation would support 169 dwelling units on the 169 acre property. The Comprehensive Plan provides more focused guidance as the community continues to grow, and encourages a more flexible approach to future development that will promote a more balance mix of uses for the community. An update to the Town's Unified Development Code was prepared concurrent with the last Comprehensive Plan, updating many of the key ideas and policies to be codified and gives the Plan a solid foundation for implementation.

We are proposing a maximum number of 166 dwelling units on the property, or an overall density of approximately 0.9 dwelling units per acre. Our clustered design approach, housing diversity, and density is consistent with the spirit and intent of the Comprehensive Plan. The proposed development time line is dependent on project approvals and market conditions.

Land Area Summary

In general the summary of land uses is as follows:

Residential:	95.16 acres	56%
Parks & Open Space	72.31 acres	43%
R.O.W.	0.79 acres	1%

Public Benefits

Approximately 43% of the total property will remain as Open Space, either as dedicated or private open space area. In addition we will be adding a mix of quality housing types within the neighborhood.

Availability of Existing Infrastructure & Services

Sanitary Sewer and Storm Sewer infrastructure currently exists on the property and is sized to accommodate the requested development. The preliminary construction documents show the minor roadway improvements, essentially turn lanes that will be required to support this development. Water service will be provided from the south inside of the 119th Ave ROW, and is less than 2,000 feet away, and will be looped to the northwest. The electric, gas and cable services that will be constructed within the project are all within close proximity and we will provide for easements on the final plat for the project as required by the respective utility providers. As is typical for residential development the new residents that are being served by the Town of Erie Fire and Police will have an additional modest impact on the existing services. This impact is offset by the fees, and additional taxes that the new residents pay within the Town of Erie.

Density of Uses proposed

The zoning being requested for the entire approximately 169 acres would allow for a maximum of 166 dwelling units to be constructed. The overall project density is 0.9 dwelling units per acre which is within the Comprehensive Planning designation of 0-2 dwelling units per acre for this area.

Parks & Open Space

We are proposing to dedicate approximately 9 acres of open space within the property, and a significant portion of the property, approximately another 63 acres will remain as district/HOA maintained park or open space. At the request of the Town of Erie staff we will be providing a cash-in-lieu payment for the Neighborhood Park and Community Park dedication requirements.

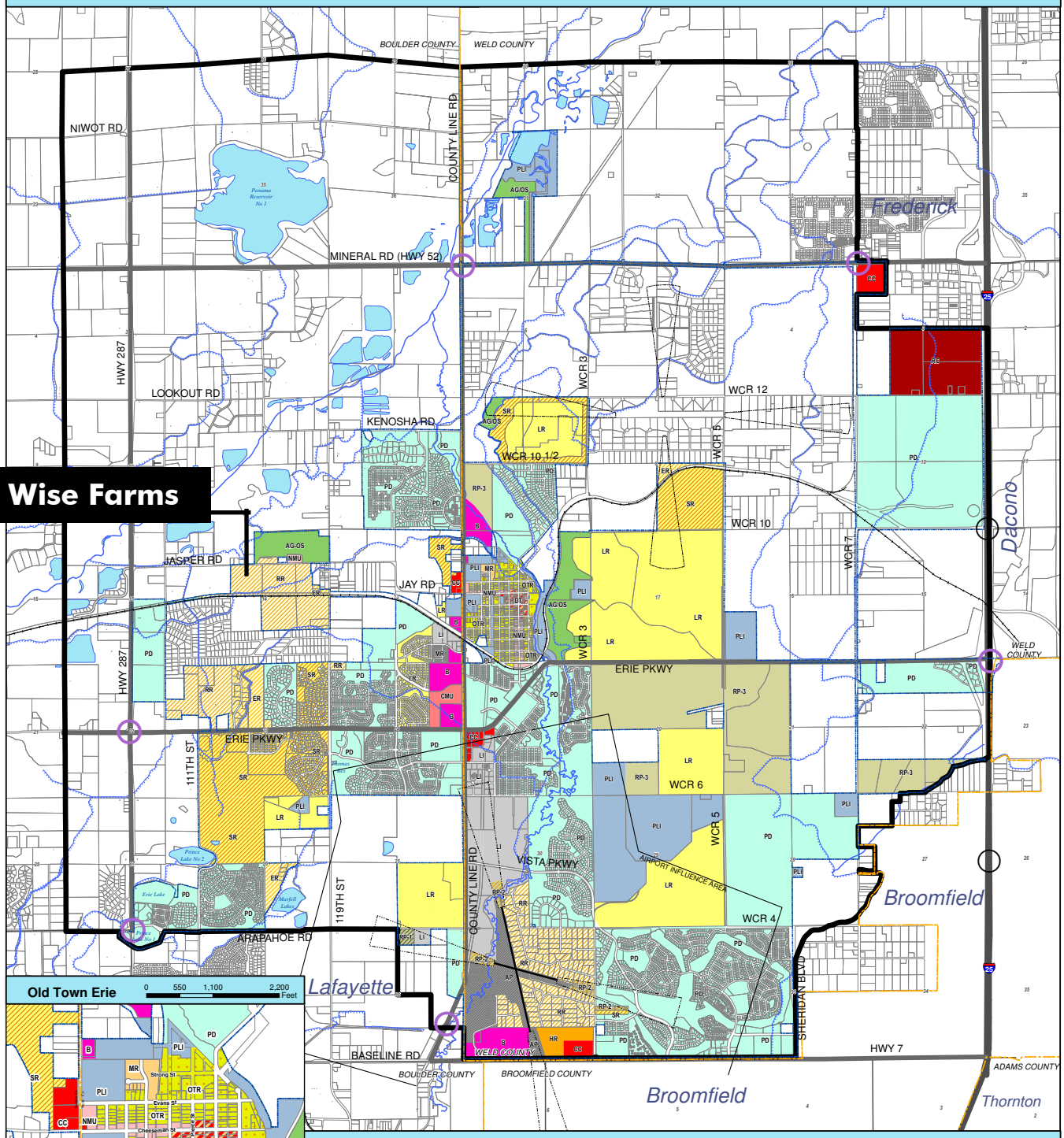
Proposed Development Timeline

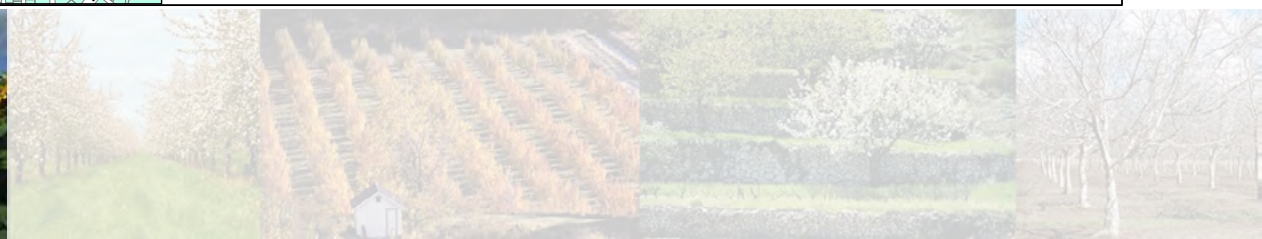
The proposed development time line is dependent on project approvals and market conditions.

Status of Mineral Rights

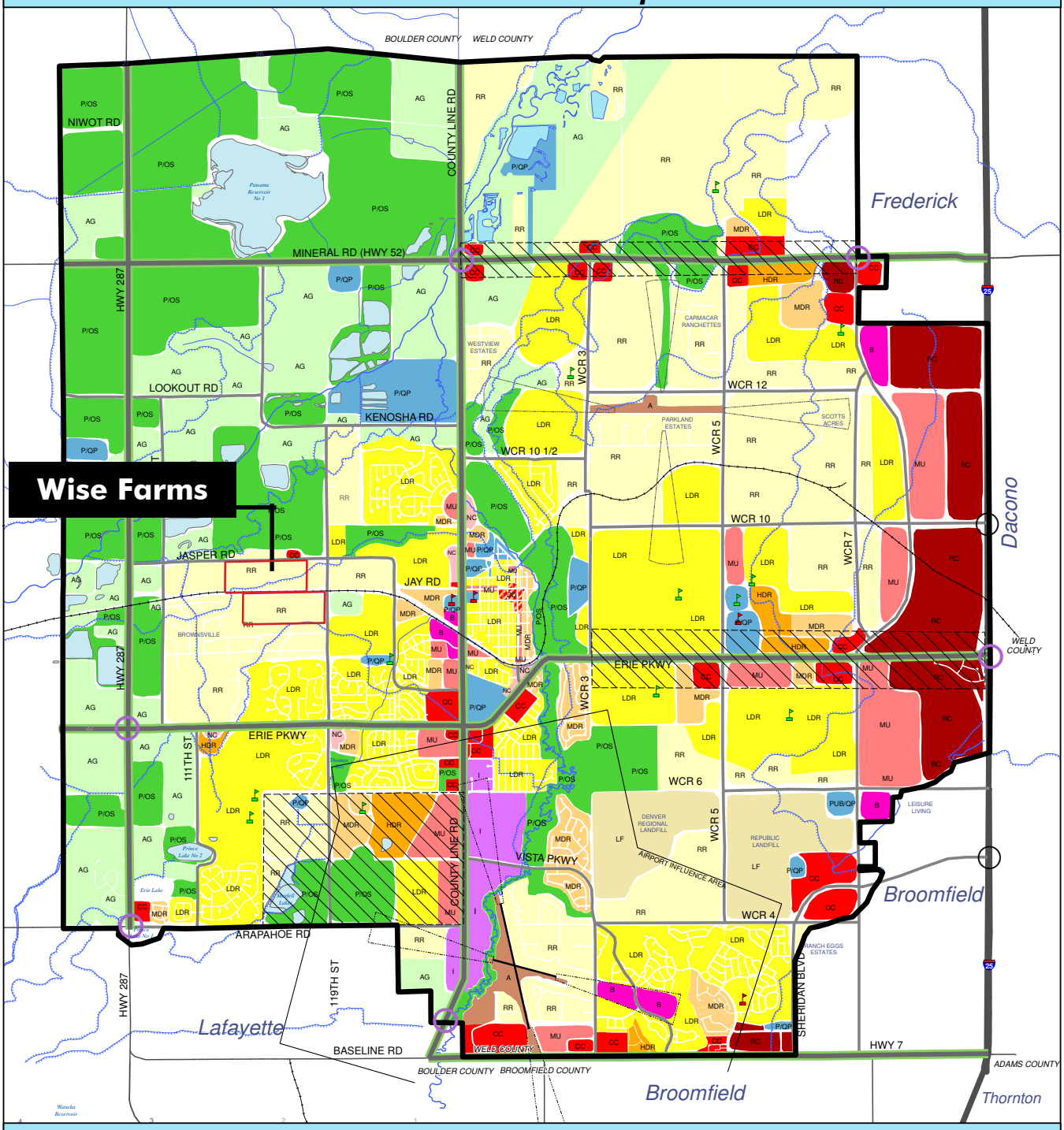
The Wise Farms property has established a surface use agreement with Encana, and that SUA is included with this application. We are continuing to work with Encana to modify the agreement to minimize the future impacts. In addition we have provided a draft SUA for the south portion of the property with this submittal.

Town of Erie, Colorado
Zoning Map





Town of Erie, Colorado
2005 Comprehensive Plan
Land Use Plan Map



Land Use Plan Legend

AG	Agriculture	MDR	Medium Density Residential (6-12 du/ac)	B	Business		Canal/Ditch
P/OS	Parks/Public Open Space	HDR	High Density Residential (12-20 du/ac)	I	Industrial		Railroad
P/QP	Public/Quasi Public	CD	Downtown District		Reservoirs		Community Gateways
LF	Landfill	NC	Neighborhood Commercial		County Boundary		I-25 Interchange (Future)
A	Airport	CC	Community Commercial		Planning Area Boundary		Elementary School
RR	Rural Residential (0-2 du/ac)	RC	Regional Commercial		Areas of Special Consideration		Middle School
LDR	Low Density Residential (2-6 du/ac)	MU	Mixed Use				High School

0 0.25 0.5 1 Miles

Sources: Boulder CO GIS, Weld CO GIS, CDOT, Town of Erie

Note: This map is intended to serve as a guide for future land use patterns within the Town of Erie's Planning Area Boundary and is advisory in nature. Land Use patterns depicted on the map are generalized, recognizing that development proposals may contain a mixture of land uses and density levels which achieve the intent of the Town of Erie Comprehensive Plan. Adopted Date: Dec. 21, 2005.

The Comprehensive Plan contains guidelines for the refinement of the generalized areas depicted on the map. These guidelines should be referred to by applicants prior to the preparation of a development submittal and by Town staff, elected, and appointed officials as part of the development review process.

Town Boundary Not Shown - Refer to Zoning Map for Town Boundary

Map Revision Date: JULY 20, 2011

Print Form

TOWN OF ERIE
Community Development Department – Planning Division
645 Holbrook Street – PO Box 750 – Erie, CO 80516
Tel: 303.926.2770 – Fax: 303.926.2706 – Web: www.erieco.gov

LAND USE APPLICATION

Please fill in this form completely. Incomplete applications will not be processed.

STAFF USE ONLY		
FILE NAME:		
FILE NO:	DATE SUBMITTED:	FEES PAID:

PROJECT/BUSINESS NAME: Wise Farms

PROJECT ADDRESS: Located west of the intersection of 119th St and Jasper Rd.

PROJECT DESCRIPTION: 169 acre Residential community.

LEGAL DESCRIPTION *(attach legal description if Metes & Bounds)*

Subdivision Name: none

Filing #: Lot #: Block #: Section: 14 Township: 1 North Range: 69 West

OWNER *(attach separate sheets if multiple)*

Name/Company: Wise Homestead, LLC
Contact Person: Sarah Allene Wise
Address: 11497 Jasper Road
City/State/Zip: Lafayette, CO - 80026
Phone: 303.828.4561 Fax:
E-mail: sarws@aol.com

AUTHORIZED REPRESENTATIVE

Company/Firm: Jasper Land Investments, LLC
Contact Person: Jim Dullea
Address: 9162 S. Kenwood Court
City/State/Zip: Highlands Ranch, CO - 80126
Phone: 303.902.5400 Fax:
E-mail: j.dullea@comcast.net

MINERAL RIGHTS OWNER *(attach separate sheets if multiple)*

Name/Company: see attached
Address:
City/State/Zip:

MINERAL LEASE HOLDER *(attach separate sheets if multiple)*

Name/Company: see attached
Address:
City/State/Zip:

LAND-USE & SUMMARY INFORMATION

Present Zoning: Rural Residential
Proposed Zoning: Low Density Res. AG/OS, Rural Residential
Gross Acreage: 169 acres
Gross Site Density (du/ac): 0.98 du/ac
Lots/Units Proposed: 166
Gross Floor Area: N/A

SERVICE PROVIDERS

Electric:
Metro District: none at this time
Water *(if other than Town)*:
Gas:
Fire District:
Sewer *(if other than Town)*:

PAGE TWO MUST BE SIGNED AND NOTARIZED

DEVELOPMENT REVIEW FEES			
ANNEXATION		**SUBDIVISION**	
☐ Major (10+ acres)	$ 4000.00	☐ Sketch Plan	$ 1000.00 + 10.00 per lot
☐ Minor (less than 10 acres)	$ 2000.00	☑ Preliminary Plat	$ 2000.00 + 40.00 per lot
☐ Deannexation	$ 1000.00	☐ Final Plat	$ 2000.00 + 20.00 per lot
COMPREHENSIVE PLAN AMENDMENT		☐ Minor Subdivision Plat	$ 2000.00
☐ Major	$ 3000.00	☐ Minor Amendment Plat	$ 1000.00 + 10.00 per lot
☐ Minor	$ 1200.00	☐ Road Vacation (constructed)	$ 1000.00
ZONING APPLICATION		☐ Road Vacation (paper)	$ 100.00
☐ Rezoning	$ 1700.00 + 10.00 per acre	**SITE PLAN**	
☐ PUD Rezoning	$ 1700.00 + 10.00 per acre	☐ Residential	$ 1400.00 + 10.00 per unit
☐ PUD Amendment	$ 1700.00 + 10.00 per acre	☐ Non-Resi. (>10,000 sq. ft.)	$ 2200.00
☐ Major PD Amendment	$ 3700.00 + 10.00 per acre	☐ Non-Resi. (>2,000 sq. ft.)	$ 1000.00
☐ Minor PD Amendment	$ 500.00	☐ Non-Resi. (<2,000 sq. ft.)	$ 200.00
SPECIAL REVIEW USE		☐ Amendment (major)	$ 1100.00
☐ Major	$ 1000.00	☐ Amendment (minor)	$ 350.00
☐ Minor	$ 400.00	**VARIANCE**	$ 600.00
☐ Oil & Gas	$ 1200.00	**SERVICE PLAN**	$ 10,000.00

*All fees **include** both Town of Erie Planning & Engineering review. These fees **do not include** referral agency review fees, outside consultant review fees, or review fees incurred by consultants acting on behalf of staff. See Town of Erie Municipal Code, Title 2-10-5 for all COMMUNITY DEVELOPMENT FEES.*

The undersigned is fully aware of the request/proposal being made and the actions being initiated on the referenced property. The undersigned understand that the application must be found to be complete by the Town of Erie before the request can officially be accepted and the development review process initiated. The undersigned is aware that the applicant is fully responsible for all reasonable costs associated with the review of the application/request being made to the Town of Erie. Pursuant to Chapter 7 (Section 7.2.B.5) of the Unified Development Code (UDC) of the Town of Erie, applicants shall pay all costs billed by the Town for legal, engineering and planning costs incurred by staff, including consultants acting on behalf of staff, necessary for project review. By this acknowledgement, the undersigned hereby certify that the above information is true and correct.

Owner: Sarah Allene Wise Date: 7-30-14

Owner: Alan C Wise Date: 7-30-14

Applicant: James A. Dulles Date: 7/30/2014
Aspen Land Investments LLC

STATE OF COLORADO)
) ss.
County of BOULDER)

The foregoing instrument was acknowledged before me this 30th day of JULY, 2014, by Sarah Allene Wise, Alan C. Wise & James A. Dulles

My commission expires: 10/24/2015
Witness my hand and official seal.

JON F. KOTTKE NOTARY PUBLIC STATE OF COLORADO

Notary Public

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: June 23, 2015

SUBJECT:	**ORDINANCES** **Consideration of Ordinance 19-2015:** An Ordinance Of The Town Of Erie, Colorado, Repealing The November 2013 Title 10, "Unified Development Code," Of The Municipal Code; Adopting By Reference the "June 2015 Title 10 Unified Development Code;" Providing For The Effective Date Of This Ordinance; and, Setting Forth Details in Relation Thereto. First Reading.
PURPOSE:	Amendments to Title 10 of the Municipal Code.
CODE:	Erie Municipal Code, Title 10
DEPARTMENT:	Community Development
PRESENTER:	Barbara Green, Board of Trustees Special Counsel

FISCAL INFORMATION:	Cost as Recommended:	n/a
	Balance Available:	n/a
	Budget Line Item Number:	000 . 00 . 000 . 000000 . 000000
	New Appropriation Required:	☐ Yes ☒ No

STAFF RECOMMENDATION:	n/a
PLANNING COMMISSION RECOMMENDATION:	On May 20, 2015, the Planning Commission considered the proposed amendments and recommended (4-0 vote) that the proposed Code Amendments be approved by the Board of Trustees by approving Resolution P15-18.

SUMMARY AND BACKGROUND OF SUBJECT MATTER

Per Board of Trustees direction, the Town's Special Counsel is proposing an amendment to Title 10 and has provided the proposed amendment attached to Ordinance 19-2015 as Exhibit A. The proposed amendment creates a process in lieu of the Special Review Use and Site Plan procedures for mineral extraction (including oil/gas drilling) when an Operator Agreement has been entered into between an oil/gas well operator and the Board of Trustees.

The current process for mineral extraction requires an oil/gas operator to make Special Review Use and Site Plan applications to the Town for each well pad. Both of these applications require recommendations from the Planning Commission with the final decision by the Board of Trustees.

All other oil/gas drilling not identified in a Board approved Operator Agreement will continue on the current process which includes the Special Review Use and Site Plan applications identified above.

Barbara Green of Sullivan Green Seavy will present the proposed Code amendments to the Board of Trustees and be available to answer questions.

STAFF REVIEW AND ANALYSIS

Amendment Approval Criteria:

The application to amend Title 10 of the Municipal Code of the Town of Erie, Colorado may be approved if the Board of Trustees finds that the approval criteria of Chapter 7.21.C.9 have been met:

a. The proposed amendment will promote the public health, safety, and general welfare;

b. The proposed amendment is consistent with the Town's Comprehensive Master Plan and the stated purposes of the Code; and

c. The proposed amendment is necessary of desirable because of changing conditions, new planning concepts, or other social or economic conditions.

Public Notice:

The required public notice for the Title 10 Amendment is in compliance with Section 7.2.F of the Code and C.R.S. 31-16-203 (which requires two published notices when a Title of a Code is adopted by reference); with published notice in the Colorado Hometown Weekly on June 3, 2015 and June 10, 2015.

Mailed and posted notice is not required for amendments to Title 10.

Staff Review:

____Town Attorney
____Town Clerk
____Community Development Director
____Finance Director
____Police Chief
____Public Works Director

Approved by:

Ad. Krieger
Town Administrator

ATTACHMENTS:

A. Ordinance 19-2015
B. Planning Commission Resolution P15-18 and Meeting Minutes

ATTACHMENT A

ORDINANCE NO. 19-2015
Series 2015

AN ORDINANCE OF THE TOWN OF ERIE, COLORADO, REPEALING THE NOVEMBER 2013 TITLE 10 UNIFIED DEVELOPMENT CODE; ADOPTING BY REFERENCE THE JUNE 2015 TITLE 10 UNIFIED DEVELOPMENT CODE; PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE; AND, SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, It has been determined by the Board of Trustees of the Town of Erie, Colorado, that it is necessary to repeal the November 2013 Title 10 Unified Development Code and to adopt, by reference, the "June 2015 Title 10 Unified Development Code," published by the Town of Erie in June, 2015, setting forth the zoning regulations, development code and design guidelines of the Town of Erie; and,

WHEREAS, the Colorado state statutes provide that the June 2015 Title 10 Unified Development Code as set forth above may be adopted by reference; and,

WHEREAS, after the introduction of this adopting Ordinance a public hearing was scheduled and held following notice of the public hearing published twice, once as least fifteen (15) days preceding the public hearing and once at least eight (8) days preceding the public hearing, as required by Colorado statute; and,

WHEREAS, three (3) copies of the June 2015 Title 10 Unified Development Code were and are on file in the Town of Erie Clerk's office; and,

WHEREAS, for reference and review, the specific changes to the November 2013 Title 10 Unified Development Code made by this Ordinance are set forth in Exhibit "A," attached hereto and incorporated herein by this reference; and,

WHEREAS, all penalty clauses, if any, contained in the June 2015 Title 10 Unified Development Code are set forth in full herein and shall be published along with this adopting Ordinance in full upon adoption; and,

WHEREAS, adoption by the Town of Erie, by reference, of the June 2015 Title 10 Unified Development Code it is deemed to be in the best interest of the residents of the Town of Erie and necessary to the immediate preservation of the public property, health, safety, and welfare of the Town and for the financial well being of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, AS FOLLOWS:

Section 1. The November 2013 Title 10 Unified Development Code is hereby repealed in its entirety.

Section 2. The June 2015 Title 10 Unified Development Code, three (3) copies of which are on file in the Town of Erie Clerk's office, is hereby adopted by reference.

Section 3. The June 2015 Title 10 Unified Development Code adopted herein by reference contains the following penalty clauses:

10-10-4: REMEDIES AND PENALTIES:

The community development director shall have the following remedies and powers to enforce this title:

A. Civil Remedies And Enforcement Powers:

1. Deny/Withhold Entitlements: The community development director may deny or withhold all entitlements, including certificates of occupancy, or other forms of authorization to use or develop any land, structure, or improvements, until an alleged violation, associated civil penalty, and/or lien resulting from a previous final order related to such property, use, or development is corrected. This subsection A1 shall apply whether or not the current owner or applicant for the permit or other approval is responsible for the violation.

2. Revoke Entitlements:
   a. Any entitlement or other form of authorization required under this title may be revoked when the community development director determines that:
      (1) There is a departure from the approved plans, specifications, limitations, or conditions as required under the entitlement;
      (2) The entitlement was procured by false representation;
      (3) The entitlement was issued in error; or
      (4) There is a violation of any provision of this title.
   b. Written notice of revocation shall be served upon the property owner, agent, applicant, or other person to whom the entitlement was issued, or such notice may be posted in a prominent location at the place of violation. No work or construction shall proceed after service of the revocation notice. An entitlement shall only be revoked by way of a procedure that is equivalent (in terms of due process) to the proceeding that originally granted the entitlement.

3. Stop Work Orders:
   a. Whenever any building or structure or site or part thereof is being demolished, constructed, reconstructed, altered, or repaired in a hazardous manner, in substantial violation of any state or local building law, or in a manner that endangers life or property, the community development director has the authority to issue a stop work order for the specific part of the work that is in violation or presents the hazard.
   b. With or without revoking permits, the community development director may issue an order to stop work on any property on which there is an uncorrected

violation of either a provision of this title or a provision of an entitlement or other form of authorization issued under this title.

c. The stop work order shall be in writing and posted at the site of the work, and shall specify the provisions of this title or other law allegedly in violation. After any such order has been posted, no work shall proceed on any building, other structure, or tract of land covered by such order, except to correct such violation or comply with the order.

d. Once conditions for resumption of the work have been met, the community development director shall rescind the stop work order.

4. Civil Penalties: Violation of this title may be punishable through imposition of a civil penalty as set forth in this municipal code.

5. Injunctive Relief: The community development director may seek injunctive relief or other appropriate relief in district court or other court of competent jurisdiction against any person who fails to comply with any provision of this title or any requirement or condition imposed pursuant to this title. In any court proceedings in which the town seeks a preliminary injunction, it shall be presumed that a violation of this title is a real, immediate, and irreparable injury to the public; that the public will be irreparably injured by the continuation of the violation unless the violation is enjoined; and that there is no plain and adequate remedy at law for the subject violation of this title.

6. Abatement: The town may abate the violation pursuant to this subsection A6:

a. Before action is taken to abate a violation, a final warning notice shall be posted on the property and served personally or by certified mail, with return receipt required, to the owner of record of the property.

b. Unless this notice is appealed, pursuant to section 10-7-22 of this title, to the board of adjustment within ten (10) days of the posting of the final warning, the community development director shall proceed to abate the violation.

c. The community development director shall keep an account of the cost, including incidental expenses, incurred by the town in the abatement of any violation. The community development director shall forward a bill for collection to the violator and owner of record of the property specifying the nature and costs of the work performed. For purposes of this subsection A.6.c, the term "incidental expenses" shall include, but not be limited to, the actual expenses and costs to the town in the preparation of the notices, specifications and contracts, work inspection, and interest from the date of completion at the rate prescribed by law for delinquent real property taxes.

d. The responsibility for payment of the charges for abatement as set forth in this subsection A6 shall rest solely upon the owners of the property upon which the abatement occurred. Such charges become a lien upon the real property upon which the violation was located. When charges for abatement remain unpaid after thirty (30) days from billing, the community development director shall record a claim of lien at the district recorder's office. The lien shall be subordinate to all existing special assessment liens previously imposed upon the same property and shall be paramount to all

other liens except for state or municipal property taxes with which it shall be upon a parity. The lien shall continue until the charges and all interest due and payable thereon are paid.

B. Criminal Remedies And Enforcement Powers:

1. Misdemeanor: A person shall be guilty of a misdemeanor upon conviction in any case where a violation of this title exists, where notice of violation, including any stop work, enforcement, or compliance order has been properly served, and where such person fails to comply with such notice or stop work, enforcement, or compliance order.

2. Penalty: Persons found guilty of a misdemeanor pursuant to this subsection shall be punishable by a fine of not more than one thousand dollars ($1,000.00) or by imprisonment for not more than ten (10) days, or by both such fine or imprisonment, for each violation.

C. Remedies Cumulative: The remedies provided for violations of this title, whether civil or criminal, shall be cumulative and in addition to any other remedy provided by law, and may be exercised in any order.

Section 4. All references to Title 10, "Unified Development Code and Design Guidelines," as contained in the Erie Municipal Code and all references to the November 2013 Title 10 Unified Development Code shall now refer to the June 2015 Title 10 Unified Development Code as adopted by reference herein.

Section 5. Severance Clause. If any article, section, paragraph, sentence, clause or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees of the Town of Erie, Colorado hereby declares that it would have passed this Ordinance and each part or parts thereof, irrespective of the fact that any one part of parts may be declared invalid or unconstitutional.

Section 6. Repeal. All other ordinances, or parts of any ordinances or other Code provisions in conflict herewith are hereby repealed. The repeal established herein shall not be construed to revive any ordinance Code provision or part thereof that had been previously repealed by any ordinance which is repealed by this Ordinance.

Section 7. Effective Date. This ordinance shall take effect thirty (30) days after publication following final passage.

INTRODUCED, PASSED, ADOPTED AND APPROVED, AND ORDERED PUBLISHED IN FULL BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE THIS _____ DAY OF _____, 2015.

PUBLISHED IN FULL ON THE _____ DAY OF _____, 2015.

TOWN OF ERIE, COLORADO, a Colorado municipal corporation

By: _____
Tina Harris, Mayor

ATTEST:

By: _____
Nancy Parker, Town Clerk

EXHIBIT A

PROPOSED AMENDMENTS TO UDC

ADD TO Section 10.7.13 A NEW SECTION F

F. **Operator Agreement**

The Town may enter into an Operator Agreement with an oil and gas operator governing proposed mining and mineral extraction. In the event that such an Operator Agreement is approved by the Town Board of Trustees, such mining and mineral extraction is exempt from the requirement for Special Review Use approval under this Section 10.7.13, and from Site Plan review under Section 10.7.12, unless such Operator Agreement provides otherwise.

ADD TO DEFINITIONS

Operator Agreement.

An agreement between the Town and an oil and gas operator establishing Best Management Practices and/or other terms and conditions for Mining and Mineral Extraction.

Oil and Gas Operator. The individual or firm engaged in all or a portion of the extraction of oil and gas.

REVISE EXISTING DEFINITION

Mining and Mineral Extraction

The extraction of minerals, including **oil and gas and** solids like coal and other ores, from their natural occurrences on affected land.

ATTACHMENT B

RESOLUTION NO. P15-18

A RESOLUTION RECOMMENDING APPROVAL OF TEXT AMENDMENTS TO TITLE 10 OF THE TOWN OF ERIE MUNICIPAL CODE.

WHEREAS, the Planning Commission of the Town of Erie, Colorado, has received and considered text amendments to the Title 10 of the Town of Erie Municipal Code, on Wednesday, May 26, 2015, on the application of the Community Development Department.

WHEREAS, The Town desires to amend Title 10 of the Town of Erie Municipal Code; and

WHEREAS, it is deemed to be in the best interest of the Town and for the benefit of the public health, safety and welfare of the residents of the Town of Erie for the Town of Erie to amend Title 10 of the Municipal Code.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF ERIE, COLORADO, as follows:

Section 1. Findings of Fact

1. The Planning Commission determined that the application meets the Approval Criteria as specified in Title 10 of the Municipal Code, Section 7.21.C.9. Specifically that;

    a. The proposed amendment will promote the public health, safety, and general welfare;

    b. The proposed amendment is consistent with the Town's Comprehensive Plan and the stated purposes of Title 10; and

    c. The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions.

Section 2. Conclusions

The application is in substantial compliance with Title 10 of the Municipal Code, Section 7.21 – Amendments to the Text of The Code.

Section 3. Recommendations and Conditions

The Planning Commission recommends approval of the text amendments to Title 10 of the Municipal Code, attached hereto as "Exhibit A."

INTRODUCED, READ, SIGNED AND APPROVED THIS 26th DAY OF MAY 2015.

TOWN OF ERIE, PLANNING COMMISSION

J. Eric Bottenhorn, Chair

ATTEST:

Hallie S. Sawyer, Secretary

Exhibit A

PROPOSED AMENDMENTS TO UDC

ADD TO Section 10.7.13 A NEW SECTION F

F. **Operator Agreement**

The Town may enter into an Operator Agreement with an oil and gas operator governing proposed mining and mineral extraction. In the event that such an Operator Agreement is approved by the Town Board of Trustees, such mining and mineral extraction is exempt from the requirement for Special Review Use approval under this Section 10.7.13, and from Site Plan review under Section 10.7.12, unless such Operator Agreement provides otherwise.

ADD TO DEFINITIONS

Operator Agreement.

An agreement between the Town and an oil and gas operator establishing Best Management Practices and/or other terms and conditions for Mining and Mineral Extraction.

Oil and Gas Operator. The individual or firm engaged in all or a portion of the extraction of oil and gas.

REVISE EXISTING DEFINITION

Mining and Mineral Extraction

The extraction of minerals, including **oil and gas and** solids like coal and other ores, from their natural
occurrences on affected land.

Town of Erie
Planning Commission Regular Meeting
Wednesday, May 20, 2015
6:30 p.m.
Board Room, Erie Town Hall, 645 Holbrook, Erie, Co 80516

I. CALL MEETING TO ORDER & PLEDGE OF ALLEGIANCE

Chairman Bottenhorn called the Regular Meeting of the Erie Planning Commission to order at 6:30 p.m.

II. ROLL CALL

Commissioner Bottenhorn - Present
Commissioner Burgard – Excused
Commissioner Campbell - Present
Commissioner Fraser - Present
Commissioner Gippe - Present
Commissioner Harrison - Absent
Commissioner Kemp - Absent

Staff Present: R. Martin Ostholthoff, Community Development Director;
Mark R. Shapiro, Town Attorney;
Todd Bjerkaas, Senior Planner; and
Hallie Sawyer, Secretary to the Commission

III. APPROVAL OF THE AGENDA

Commissioner Campbell moved to approve the May 20, 2015, Regular Meeting Agenda as submitted. The motion, seconded by Commissioner Gippe, carried with all voting in favor thereof.

IV. APPROVAL OF MINUTES

a. Minutes from the May 6, 2015, Regular Meeting.

Commissioner Campbell moved to approve the May 6, 2015, Minutes as submitted. The motion, seconded by Commissioner Gippe, carried with all voting in favor thereof.

V. PUBLIC COMMENTS (This agenda item provides the public an opportunity to discuss items other than items that are on the agenda. The Planning Commission is not prepared to decide on matters brought up at this time, but it warranted, will place them on a future agenda.)

None.

VI. RESOLUTIONS (This agenda item is for all matters that should be decided by resolutions.)

1. Proposed Text Amendments to Title 10 of the Town of Erie Municipal Code

Purpose: Consider Proposed Amendments
Request: Consideration of Resolution P15-18, A Resolution Recommending Approval Of Proposed Text Amendments To Title 10 Of The Town Of Erie Municipal Code.
Applicants: Town of Erie
(Staff Planner: Marty Ostholthoff)

John Sullivan, Special Counsel to the Board of Trustees for Oil & Gas Operations, presented the proposed code amendment which would allow operators to omit the current requirement for a Special Review Use and Site Plan for sites that are covered by an Operations Agreement with the Town. Commissioner questions covered the agreement challenging COGCC rules; the negotiator for the Town; MOU inclusion in the agreement; will the agreements be time specific; will the agreements be site specific or operator specific; can the Town still control access, fencing and equipment color; is there an arbitration clause; recourse for enforcement; and will this become a staff review process.

Commissioner Campbell moved approval of Resolution P15-18, A Resolution Recommending Approval Of Proposed Text Amendments To Title 10 Of The Town Of Erie Municipal Code. The motion, seconded by Commissioner Gippe, carried with all voting in favor thereof.

2. Public Hearing – Colliers Hill Filing No. 3A

Purpose: Approve plat changes from Preliminary Plat.
Project File #: FP-000064-2014
Request: Consider approval of Resolution P15-14, A Resolution Regarding The Final Plat Of Colliers Hill Filing No. 3A, Adopting Certain Findings Of Fact And Conclusions Favorable To The Final Plat.
Location: Between Erie Parkway and Colliers Parkway, west of Erie High School
Applicants: Community Development Group of Erie
(Staff Planner: Todd Bjerkaas)

Chairman Bottenhorn opened the Public Hearings at 6:48 p.m. Todd Bjerkaas, Senior Planner, presented the applications for the Colliers Hill Filings 3A, 3B, 3C and 3D Final Plats, entered the documents into evidence and presented the staff recommendations for approval of the four resolutions.

Jon R. Lee, 2500 Arapahoe St., Boulder, master developer of the property was available to answer any questions.

There was no public to comment.

Commissioner questions and concerns covered changes in the number of dwelling units; how much of the area was covered in the Preliminary Plat; setback changes to existing wells; clarification of regulations for development around existing oil and gas wells; who would install the spine trail; preservation of the trail/view corridor shown on the master plat; school site location; and identity of builders.

Chairman Bottenhorn closed the public hearing at 7:11 p.m. There was no additional comment from the Commission.

Commissioner Campbell moved approval of Resolution P15-14, A Resolution Regarding The Final Plat Of Colliers Hill Filing No. 3A, Adopting Certain Findings Of Fact And Conclusions Favorable To The Final Plat. The motion, seconded by Commissioner Fraser, carried with all voting in favor thereof.

3. Public Hearing – Colliers Hill Filing No. 3B

Purpose: Approve plat changes from Preliminary Plat.
Project File #: FP-000065-2014
Request: Consider approval of Resolution P15-15, A Resolution Regarding The Final Plat Of Colliers Hill Filing No. 3B, Adopting Certain Findings Of Fact And Conclusions Favorable To The Final Plat.
Location: Between Erie Parkway and Colliers Parkway, west of Erie High School
Applicants: Community Development Group of Erie
(Staff Planner: Todd Bjerkaas)

Commissioner Campbell moved approval of Resolution P15-15, A Resolution Regarding The Final Plat Of Colliers Hill Filing No. 3B, Adopting Certain Findings Of Fact And Conclusions Favorable To The Final Plat. The motion, seconded by Commissioner Gippe, carried with all voting in favor thereof.

4. Public Hearing – Colliers Hill Filing No. 3C

Purpose: Approve plat changes from Preliminary Plat.
Project File #: FP-000066-2014
Request: Consider approval of Resolution P15-16, A Resolution Regarding The Final Plat Of Colliers Hill Filing No. 3C, Adopting Certain Findings Of Fact And Conclusions Favorable To The Final Plat.
Location: Between Erie Parkway and Colliers Parkway, west of Erie High School
Applicants: Community Development Group of Erie

(Staff Planner: Todd Bjerkaas)

Commissioner Campbell moved approval of Resolution P15-16, A Resolution Regarding The Final Plat Of Colliers Hill Filing No. 3C, Adopting Certain Findings Of Fact And Conclusions Favorable To The Final Plat. The motion, seconded by Commissioner Fraser, carried with all voting in favor thereof.

5. Public Hearing – Colliers Hill Filing No. 3D

Purpose: Approve plat changes from Preliminary Plat.
Project File #: FP-000067-2014
Request: Consider approval of Resolution P15-17, A Resolution Regarding The Final Plat Of Colliers Hill Filing No. 3D, Adopting Certain Findings Of Fact And Conclusions Favorable To The Final Plat.
Location: Between Erie Parkway and Colliers Parkway, west of Erie High School
Applicants: Community Development Group of Erie

(Staff Planner: Todd Bjerkaas)

Commissioner Campbell moved approval of Resolution P15-17, A Resolution Regarding The Final Plat Of Colliers Hill Filing No. 3D, Adopting Certain Findings Of Fact And Conclusions Favorable To The Final Plat. The motion, seconded by Commissioner Gippe, carried with all voting in favor thereof.

VII. STAFF REPORTS (This agenda items is reserved for specific items from Staff requiring Commission direction or just relaying important information.)

Memorial Day Services on Monday, May 25th.

VIII. COMMISSIONER REPORTS AND DISCUSSION ITEMS (This agenda item is for all Planning Commission reports and items of information as well as Commission discussion items, not listed on the agenda)

None.

IX. ADJOURNMENT

There being no further business to come before the Commission, Chairman Bottenhorn adjourned the May 20, 2015, Regular Meeting of the Planning Commission at 7:13 p.m.

Respectfully Submitted,

Town of Erie Planning Commission

By: _____
Hallie S. Sawyer, Secretary

By: _____
J. Eric Bottenhorn, Chair

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: June 23, 2015

SUBJECT:	**GENERAL BUSINESS** Authority for staff to negotiate CBT lease	
DEPARTMENT:	Public Works	
PRESENTER/PREPARER:	**Gary Behlen, Director of Public Works** **Jody Lambert, Operation and Maintenance Divisions Manager**	
FISCAL INFORMATION:	Cost as Recommended:	**$ N/A**
	Balance Available:	$ 0
	Budget Line Item Number:	000 . 00 . 000 . 000000 . 000000
	New Appropriation Required:	☐ Yes ☐ No
STAFF RECOMMENDATION:	Approve staff to negotiate a CBT lease.	

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Town of Erie staff has been contacted by an irrigation company which would like to lease approximately 980 Units in the Colorado Big Thompson Project ("CBT Units") on a long term basis. CBT Units have an average yield of 0.7 acre feet per Unit, so 980 CBT Units would have an average yield of 686 acre feet per year. This would provide enough water for approximately 1500 single family homes in Erie. The current market price for 980 CBT Units is approximately $25,480,000.00, based on recent sales at approximately $26,000.00 per CBT Unit.

Erie is currently participating in the Windy Gap Firming Project ("WGFP") and the Northern Integrated Supply Project ("NISP"). Construction of the WGFP is currently scheduled to commence in 2018 and completion in 2020, if there are no further delays with permitting or other issues. The construction of NISP is currently scheduled to commence in 2018 with completion in 2023, again if there are no further delays. The Town has carefully planned to utilize these projects to meet water demands as the Town grows.

Based on the current status of both the WGFP and NISP, it is recommended that the Town consider securing an interim water supply in the event that either project is delayed. The 980 CBT Units would provide security for the Town while the projects are being built. The irrigation company is seeking a long term lease for the CBT Units to generate revenue.

It is recommended that the staff be given authority to negotiate a lease for ten years with the irrigation company at a maximum price of $250.00 per acre foot with a small annual escalator. The average yield of 686 acre feet would cost $171,500.00 per year which could be very valuable security while the WGFP and NISP are being built.

Town staff was informed that the CBT Units were previously leased for $200.00 per acre foot and that other entities are interested in leasing them. A price of $250.00 per acre foot is within the market for municipal uses, especially for a term of 10 years, under which water would be available in all years including droughts. It should be noted that the Town could also have an opportunity to lease a like amount of water under its CBT Units to recoup a portion of the lease in years when it does not require additional water.

Leases of CBT water for agricultural and other uses are significantly less. Leases on an annual basis are also substantially less because there is no guarantee of water in dry years. Historically, the Town has leased water for agricultural and other uses at a rate to cover its assessments, but it could become more aggressive in seeking leases to other municipalities at a higher rate.

Staff is recommending that the Board authorize it to negotiate for such a lease. Any formal lease would require Board approval.

Staff Review:

_____ **Town Attorney**
_____ **Town Clerk**
_____ **Community Development Director**
_____ **Finance Director**
_____ **Police Chief**
_____ **Public Works Director**

Approved by:

_____
A.J. Krieger
Town Administrator

ATTACHMENTS:

a. Hunt Lease
b. Platte River Power Authority Lease

WATER LEASE

THIS LEASE of water (Lease) is made and entered into as of the _____ day of _____, 2015, by and between the Town of Erie (Lessor) and David Hunt (Lessee).

RECITALS

A. Lessor is the owner of Units in the Colorado Big Thompson Project (CBT Units) as such Units are defined in the Allotment Contract between the Northern Colorado Water Conservancy District (NCWCD) and Lessor.

B. Lessee can use the water from the CBT Units within the boundaries of the NCWCD by taking delivery through the facilities of the Platte Valley Irrigation Company. Lessee desires to lease CBT water from Lessor's 2015 water allotment.

C. Lessor is willing to lease 400 acre feet currently allotted to its CBT Units to Lessee in accordance with the terms and conditions of this Lease.

AGREEMENT

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Lease. Lessor hereby leases to Lessee the right to receive 400 acre feet currently allocated to its CBT Units during the 2015 water year (defined as November 1, 2014 through October 31, 2015). Lessee may sublease the water. However, this Lease does not grant to Lessee or any sublessees the right to use facilities owned or operated by Lessor or the use of any carryover capacity or additional water allotted to Lessor's CBT Units. Lessee shall be responsible for all necessary agreements to take delivery of the water through the Platte Valley Irrigation Company facilities.

2. Lease Payment. Lessee shall pay to Lessor $45.00 per acre foot, for a total of $18,000.00 as the lease payment. The payment shall be due immediately upon execution hereof.

3. NCWCD Documentation. Lessor hereby agrees to execute all necessary documentation to deliver 400 acre feet currently allocated to the CBT Units to Lessee through the Platte Valley Irrigation Company immediately upon execution of this Water Lease and payment hereunder.

4. Additional Provisions.

4.1 Entire Agreement. This Lease constitutes the entire agreement between the parties. No supplement, modification or amendment of this Lease shall be binding unless executed in writing by the parties.

4.2 Counterparts. This Lease may be executed in counterparts, each of which will be considered to be an original, but all of which together shall constitute one and the same instruments.

4.3 Facsimile Signatures: This Lease may be executed with facsimile copies of signatures which shall be binding upon the parties hereto.

EXECUTED to be effective as of the date set forth above.

TOWN OF ERIE, LESSOR

By:_____

Title:_____

DAVID HUNT, LESSEE

_____

WATER LEASE

THIS LEASE of water (Lease) is made and entered into as of the _____ day of _____, 2015, by and between the Town of Erie (Lessor) and the Platte River Power Authority (Lessee).

RECITALS

A. Lessor is the owner of Units in the Colorado Big Thompson Project (CBT Units) as such Units are defined in the Allotment Contract between the Northern Colorado Water Conservancy District (NCWCD) and Lessor.

B. Lessee can use the water from the CBT Units within the boundaries of the NCWCD by taking delivery through the facilities of the Platte Valley Irrigation Company. Lessee desires to lease CBT water from Lessor's 2015 water allotment.

C. Lessor is willing to lease 800 acre feet currently allotted to its CBT Units to Lessee in accordance with the terms and conditions of this Lease.

AGREEMENT

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Lease. Lessor hereby leases to Lessee the right to receive 800 acre feet currently allocated to its CBT Units during the 2015 water year (defined as November 1, 2014 through October 31, 2015). Lessee may sublease the water. However, this Lease does not grant to Lessee or any sublessees the right to use facilities owned or operated by Lessor or the use of any carryover capacity or additional water allotted to Lessor's CBT Units. Lessee shall be responsible for all necessary agreements to take delivery of the water through facilities owned by a third party, if any.

2. Lease Payment. Lessee shall pay to Lessor $45.00 per acre foot, for a total of $36,000.00 as the lease payment. The payment shall be due immediately upon execution hereof.

3. NCWCD Documentation. Lessor hereby agrees to execute all necessary documentation to deliver 800 acre feet currently allocated to the CBT Units to Lessee through the Platte Valley Irrigation Company immediately upon execution of this Water Lease and payment hereunder.

4. Additional Provisions.

4.1 Entire Agreement. This Lease constitutes the entire agreement between the parties. No supplement, modification or amendment of this Lease shall be binding unless executed in writing by the parties.

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4.3 Facsimile Signatures: This Lease may be executed with facsimile copies of signatures which shall be binding upon the parties hereto.

EXECUTED to be effective as of the date set forth above.

TOWN OF ERIE, LESSOR

By:_____

Title:_____

PLATTE RIVER POWER AUTHORITY,
LESSEE

By:_____

Title:_____

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: June 23, 2015

SUBJECT:	**STAFF REPORTS** Police Station and Municipal Court Building Construction Update
DEPARTMENT:	Public Works
PRESENTER/PREPARER:	**Gary Behlen, Director of Public Works** **Raelynn Ferrera, Public Works Coordinator** **Joni Fournier, Consilium Partners**
FISCAL INFORMATION:	Cost as Recommended: **$ 0** Balance Available: $ 0 Budget Line Item Number: 000 . 00 . 000 . 000000 . 000000 New Appropriation Required: ☐ Yes ☒ No
STAFF RECOMMENDATION:	**N/A**

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

During the April 1, 2014 Town of Erie Regular Municipal Election, voters approved funding for the construction of a new police station and municipal court building to improve the safety of the growing community and to replace the outdated workspace for the police and courts currently located at Town Hall.

Project Progress:

Fransen Pittman, Roth Sheppard, and the other design consultants have been working through design concerns in a timely manner to ensure construction continues to move forward.

Fransen Pittman has completed 100% of buyout of the subcontractors for the project and is 100% complete with submittals. A color board is being assembled on site for reference.

Fransen Pittman made the following progress at the end of May and first part of June.

- Wall panels have 20% final paint, painter to re-start when ground dries and weather permits.
- Exterior Trex panels installation has begun.
- Structural steel is 95% complete.
- Interior framing is 100% complete, Interior drywall is 75% complete.
- A/V wiring 90% complete.
- Parking area has been prepped and curb and gutter will soon commence as weather permits.
- Retaining wall on the Southern portion of the property is 100% complete.
- Casework field measurement verification ongoing.

Construction Progress/ Schedule

Notice of Award & Notice to Proceed (Site Work)	August 27, 2014
Final Guaranteed Maximum Price Awarded	November 18, 2014
Curb, Gutter & Paving	Mid June
Interior Finishes	End of June first of July
Estimated Project Completion	Summer 2015

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: June 23, 2015

SUBJECT:	**STAFF REPORT** Water Treatment and Water Reclamation Report	
DEPARTMENT:	Public Works	
PRESENTER:	**Gary Behlen, Director of Public Works** **Jon Mays, Water and Wastewater Divisions Manager**	
FISCAL INFORMATION:	Cost as Recommended:	**$ 0**
	Balance Available:	$ 0
	Budget Line Item Number:	000 . 00 . 000 . 000000 . 000000
	New Appropriation Required:	☐ Yes ☒ No
STAFF RECOMMENDATION:	**N/A**	

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The Water Treatment and Water Reclamation graphs depict the monthly production averages and the average per capita usage based on the population within the system at the Lynn R. Morgan Water Treatment Facility and North Water Reclamation Facility 2012-2015.

Water Treatment Facility:

Annual Daily average flow:

2012~ 2.914 million gallons **2013**~ 2.642 million gallons **2014**~ 2.623 million gallons **2015**~ 1.360 million gallons (YTD)
July 2013 had the highest flows, 5.896 million gallons, while February 2012 had the lowest flows, 1.041 million gallons.

Annual Daily average gallons per capita usage:

2012~ 146 gallons per capita **2013**~ 132 gallons per capita **2014**~ 122 gallons per capita **2015**~ 60 gallons per capita (YTD)
July 2013 has the highest usage, 295 gallons per capita, while March 2015 had the lowest usage, 51 gallons per capita.

Water Reclamation Facility:

Annual Daily average flow:

2012~ 1.090 million gallons **2013**~ 1.216 million gallons **2014**~ 1.297 million gallons **2015**~ 1.234 million gallons (YTD)
September 2013 had the highest average, *1.672 million gallons, while November 2013 had the lowest average, 1.036 million gallons.

Annual Daily average per capita usage:

2012~ 54 gallons per capita **2013**~ 61 gallons per capita **2014**~ 62 gallons per capita **2015**~ 54 gallons per capita (YTD)
September 2013 had the highest usage, *81 gallons, while march and November 2012 had the lowest usage, 52 gallons.

Note the increase at the Water Reclamation Facility was due to the storm events in August and September

Staff Review:

_____ **Town Attorney**
_____ **Town Clerk**
_____ **Community Development Director**
_____ **Finance Director**
_____ **Police Chief**
_____ **Public Works Director**

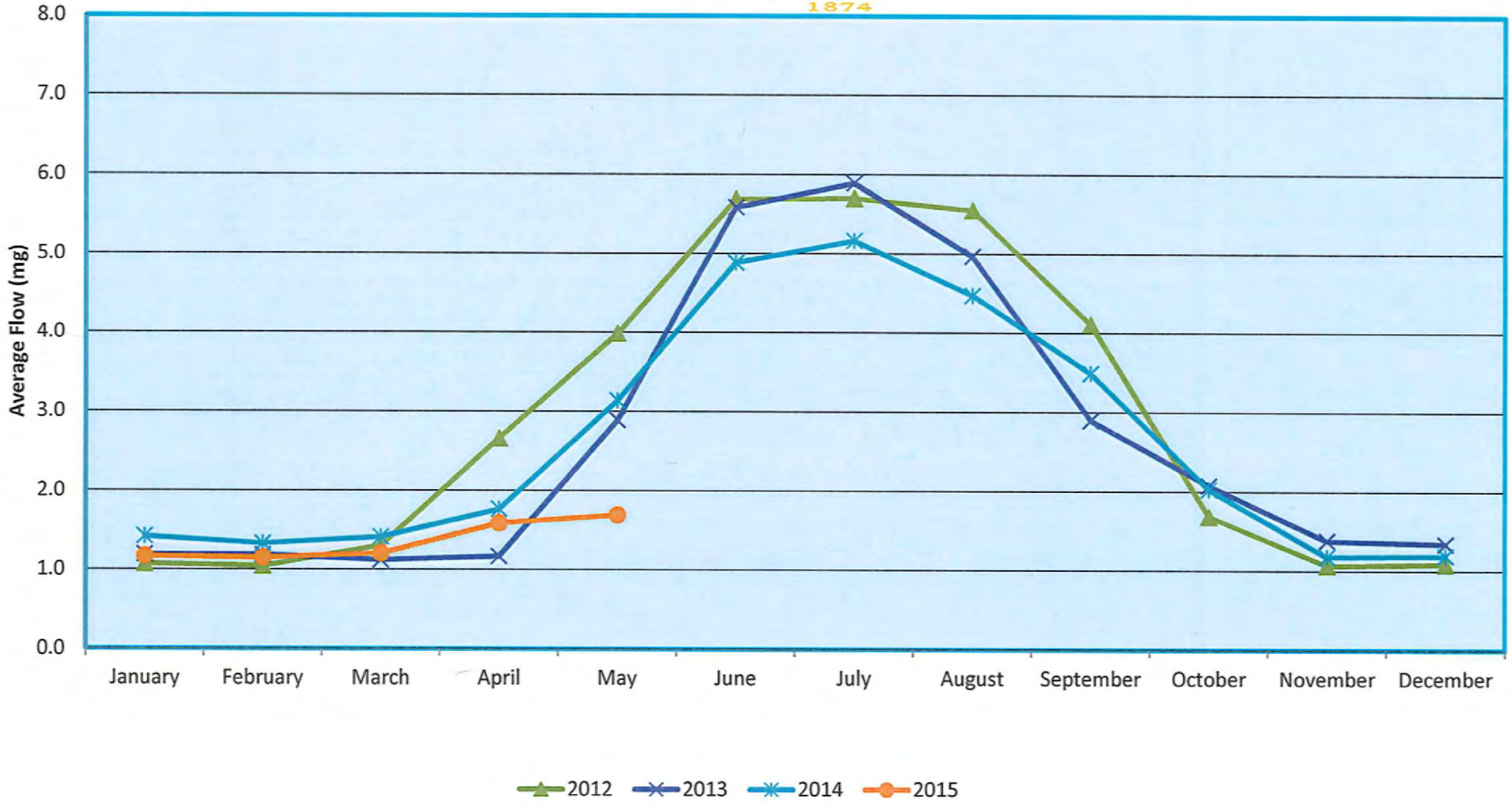
Approved by:

A.J. Krieger
Town Administrator

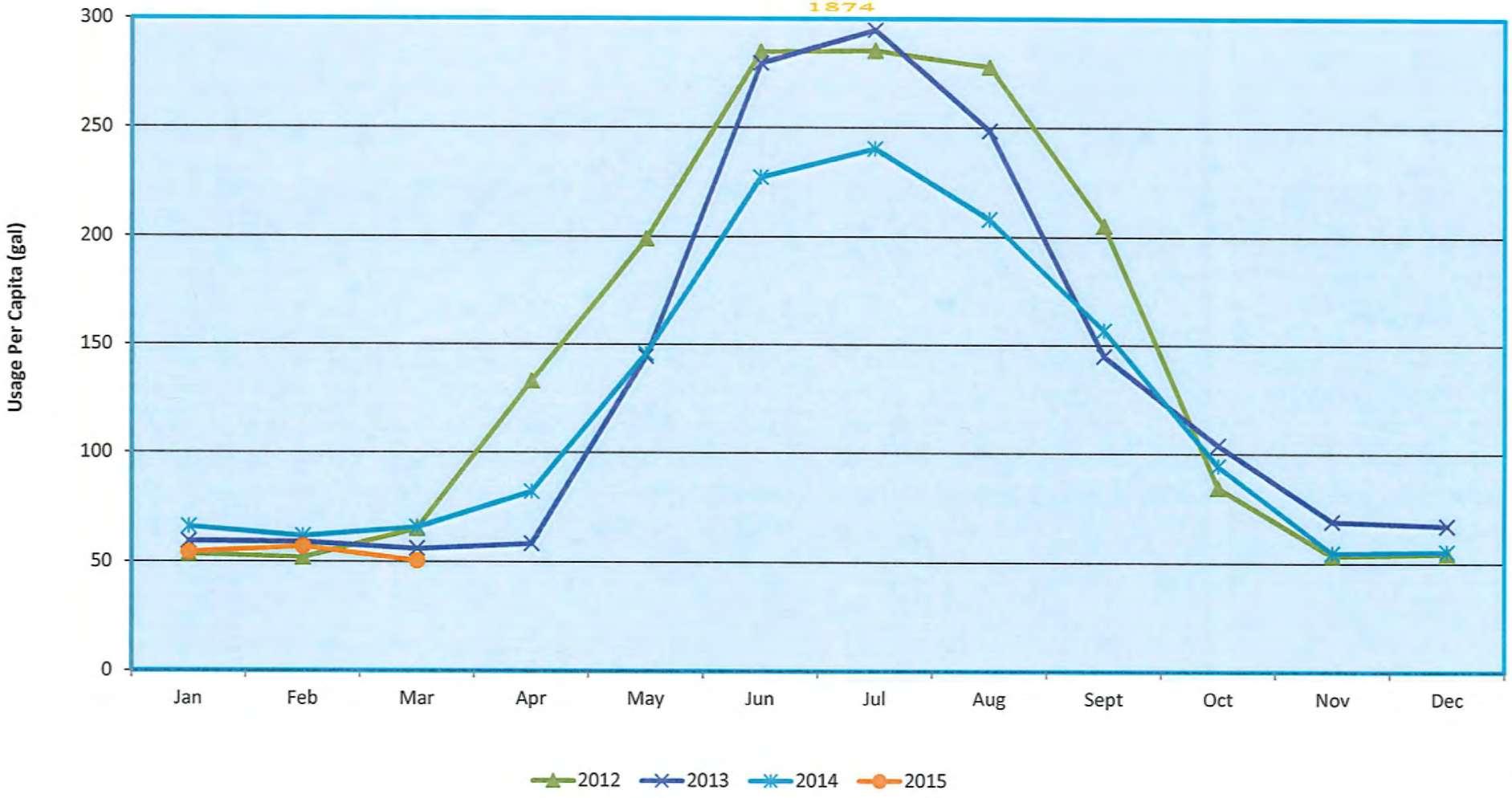
ATTACHMENTS:

a. Water Treatment Facility Ave. Production graph
b. Water Usage per Capita graph
c. Water Reclamation Facility Ave. Production
d. Water Reclamation Usage per Capita graph

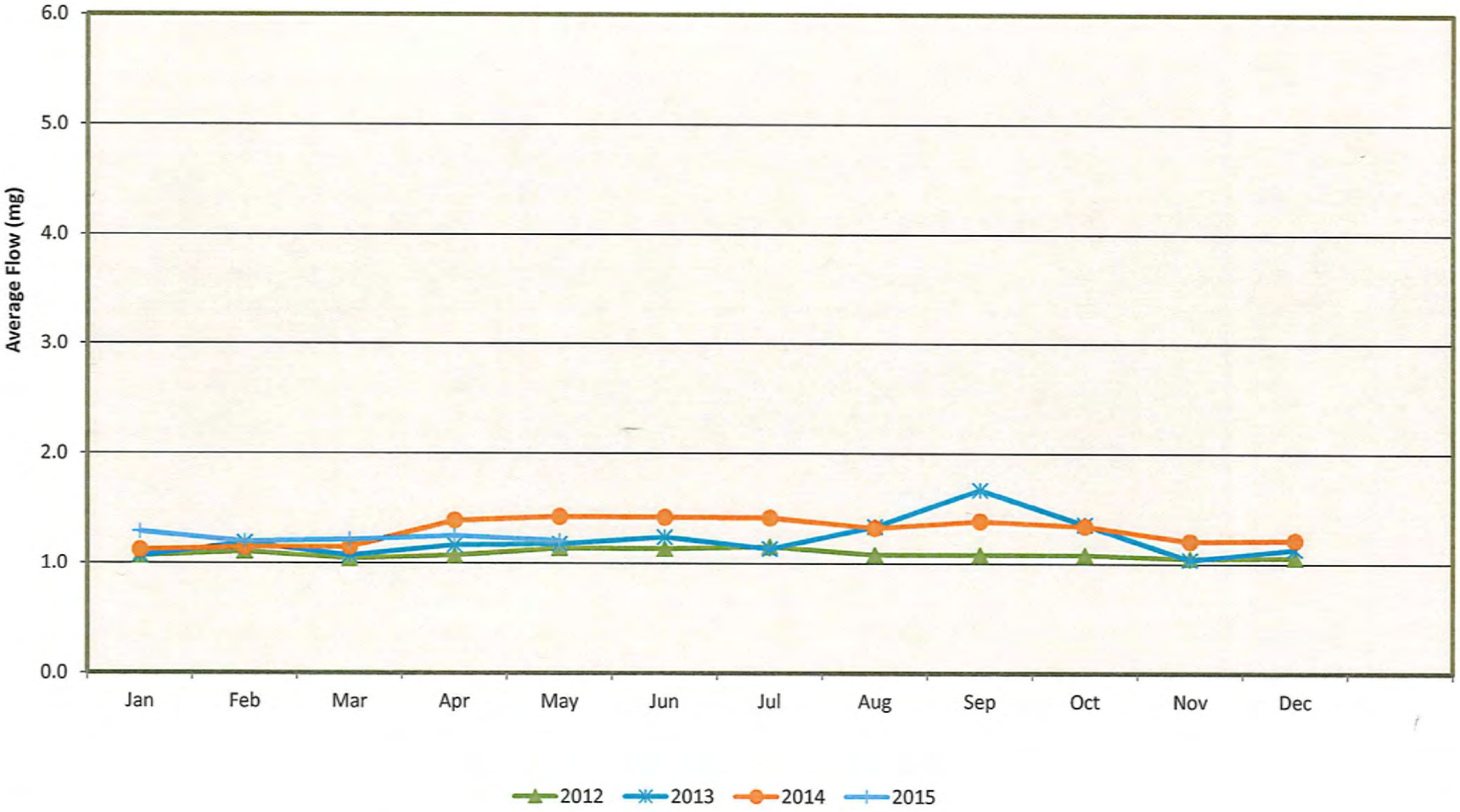
Water Treatment Facility Average Monthly Production



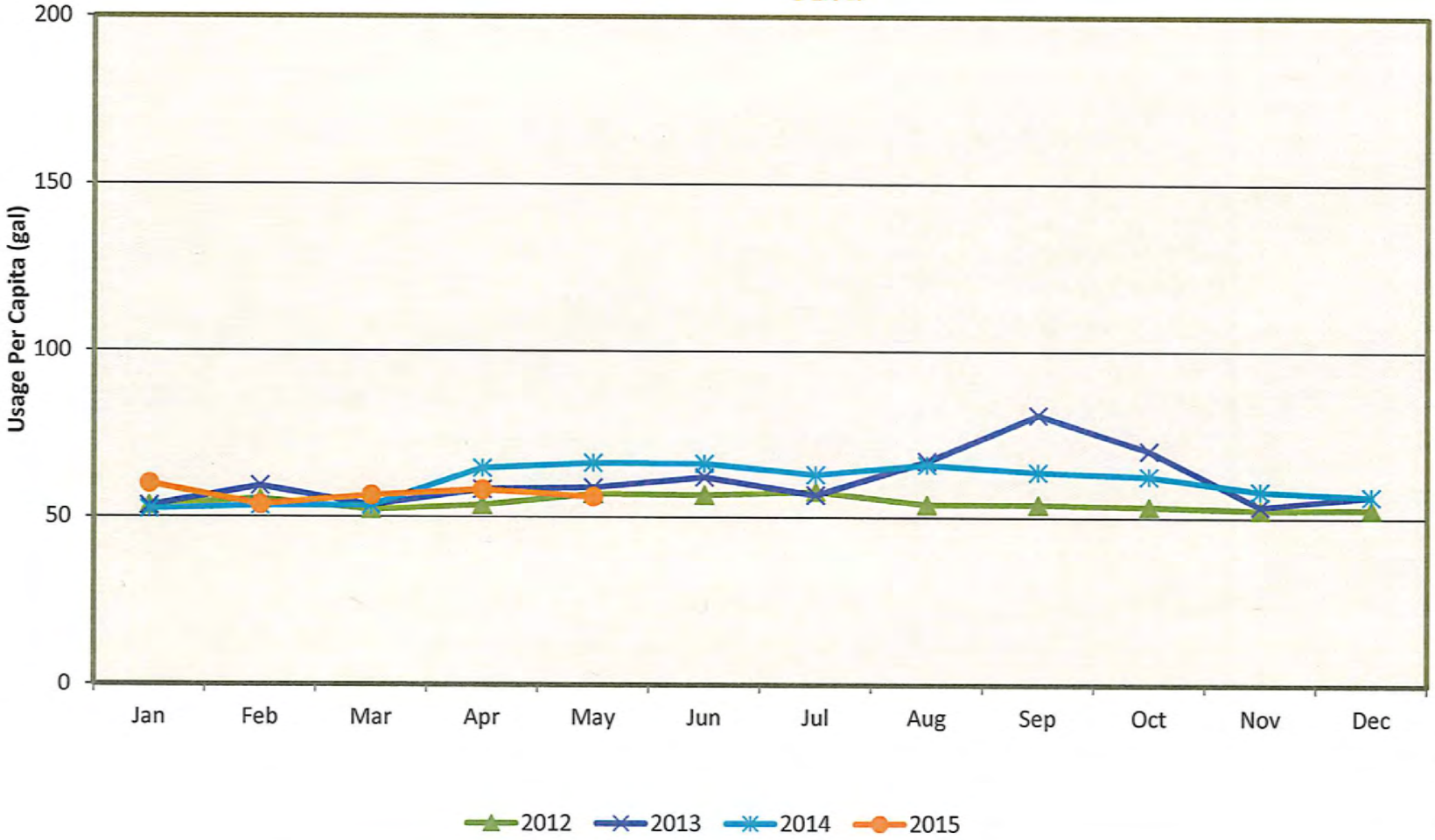
Water Treatment Facility Average Daily Usage Per Capita



Water Reclamation Facility Average Monthly Flows



Water Reclamation Facility Ave. Daily Usage Per Capita



TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: June 23, 2015

SUBJECT:	**STAFF REPORT** July is National Parks & Recreation Month
DEPARTMENT:	Parks & Recreation
PRESENTER:	Farrell Buller, Parks and Recreation Director

FISCAL INFORMATION:	Cost as Recommended:	**N/A**
	Balance Available:	
	Budget Line Item Number:	000 . 00 . 000 . 000000 . 000000
	New Appropriation Required:	☐ Yes ☒ No
STAFF RECOMMENDATION:	**Proclaim July 2015 as Parks & Recreation Month in Erie**	

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Since 1985, the National Recreation and Parks Association has designated the month of July as National Parks & Recreation Month. Parks and Recreation agencies across the country will utilize this acknowledgement as a time to pull their communities together, get involved in great outdoor activities, and advocate for parks and recreation.

The 2015 theme for National Parks and Recreation month **Celebrating Since 1985**. July 2015 marks 30 years of Park and Recreation Month and the enduring importance of parks and recreation for the world. This July, let's celebrate the past, present and future of parks and recreation!

This year, we will again be offering opportunities for the community to become involved and share their Parks and Recreation experiences in the Town of Erie. From free swimming day to prize loaded contests we anticipate engagement and excitement from people of all ages and abilities.

We look forward to serving Erie residents and visitors in July as we do our part of building community through the delivery of exceptional parks, open spaces, trails, facilities, programs and services. We will continue to elevate your experience in Parks and Recreation. As part of a nationwide campaign to enhance awareness of the value of parks and recreation, we request that the Mayor formally proclaim July 2015as "Parks & Recreation Month" in the Town of Erie.

Staff Review:

____**Town Attorney**
____**Town Clerk**
____**Community Development Director**
____**Finance Director**
____**Police Chief**
✓ **Park & Recreation Director**
____**Public Works Director**

Approved by:

A.J. Krieger
Town Administrator

Attachments:
a. Proclamation

TOWN OF ERIE
1874

JULY 2015 IS PARKS & RECREATION MONTH
A PROCLAMATION BY THE TOWN OF ERIE

WHEREAS, parks and recreation programs are an integral part of communities throughout this country, including The Town of Erie; and

WHEREAS, our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS, parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS, parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, parks and recreation areas are fundamental to the environmental well-being of our community, improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, produce habitat for wildlife, ensure the ecological beauty of our community providing a place for children and adults to connect with nature and recreate outdoors

NOW THEREFORE, I, Tina Harris, Mayor of the Town of Erie, do hereby proclaim July 2015 as Parks & Recreation Month in the Town of Erie. Let all citizens celebrate the Town of Erie's parks and recreation facilities and recognize the vital contributions of our parks and recreation employees and volunteers. I urge all citizens to enjoy Erie's parks, open spaces, trails, and recreational facilities and programs by taking part in your favorite sports, visiting the outdoors, riding a bike, taking a fitness class, learning to fish, going for a walk, relaxing or spending time with family and friends.

DATED THIS 23rd DAY OF JUNE, 2015

_____
Tina Harris, Mayor

ATTEST:

_____
Nancy J. Parker, Town Clerk

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: June 23, 2015

SUBJECT:	**STAFF REPORT: Monthly Communications Report – May 2015**
DEPARTMENT:	**Administration**
PRESENTER:	Fred Diehl, Assistant to the Town Administrator

FISCAL INFORMATION:	Cost as Recommended:	NA
	Balance Available:	NA
	Budget Line Item Number:	NA
	New Appropriation Required:	☐ Yes ☒ No
STAFF RECOMMENDATION:	**NA**	

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

COMMUNICATIONS CALENDAR: Attached is the monthly Communications Calendar for May which provides statistical information on the release and reach of Town of Erie News & Announcements, including the following details:

- 37 Unique Announcements Released via "Notify Me"
- 4,994 "Notify Me" Subscribers
- 589 Erie Stuff Mobile Application Downloads

FACEBOOK INSIGHTS:

- 19 Unique posts
- Reach of Facebook posts ranged from 544 on the low end (Fishing Clinic Cancellation) to over 6,400 on the high end (Town Fair & Balloon Festival).

WEBSITE: The attached monthly Website Overview Report includes visitor statistics for www.erieco.gov including the following information:

- Total Page Visits: 83,982
- Total Unique Visits: 39,652
- Erie Government Television Streaming Video:
  - Total Page Views: 437
  - Total Visits: 188

Staff Review:

Assistant to the Town Administrator
_____ **Town Clerk**
_____ **Community Development Director**
_____ **Finance Director**
_____ **Police Chief**
_____ **Public Works Director**

Approved by:

A.J. Krieger
Town Administrator

ATTACHMENTS:

a. Communications Calendar
b. Facebook Insights
c. Twitter Analytics
d. Website Overview Report

Communication Calendar - May 2015

NEWS & ANNOUNCEMENTS	Notify Me Message	Newsflash Posted on Website	Facebook Post	Twitter Post
Reach via Subscribers & Visitors:	1,283		1,826	1,031
5/1: Board of Trustees Retreat Update #4: Communication & Transparency	X	X	X	X
5/1: Town of Erie Launches "Erie Stuff" Mobile Application	X	X	X	X
5/2: Spring Clean-Up			X	X
5/2: Courtesy Notice from Encana: May 2, 2015	X	X		X
5/4: May/June Erie Edition Now Available!	X	X		X
5/5: Courtesy Notice from Encana: May 5, 2015	X	X		X
5/5: Fishing Clinic This Saturday!	X	X	X	X
5/6: 19th Annual Erie Town Fair & Hot Air Balloon Festival	X	X	X	X
5/6: Still Time to Return Your Citizen Survey	X	X		X
5/9: Fishing Clinic Cancelled - Inclement Weather			X	X
5/9: Severe Weather Update: Road Closures & Warnings	X	X	X	X
5/9: Severe Weather Update #2: Road Closures & Warnings	X	X	X	X
5/11: S&P Raises Town of Erie Rating to "A+" for Wastewater Enterprise Revenue Bonds	X	X	X	X
5/13: Erie Board of Trustees Action Items - May 12, 2015	X	X	X	X
5/15: Message from the Mayor: Team Erie Ready for RECON 2015	X	X	X	X
5/18: First Day at RECON 2015			X	X
5/27: Erie Board of Trustees Action Items - May 26, 2015	X	X	X	X
5/28: Don't Miss That Eighties Band this Saturday!	X	X	X	X
5/29: Notice from Boulder County Public Health: Risks of Tularemia	X	X	X	X

ECONOMIC DEVELOPMENT ANNOUNCEMENT	Notify Me Message	Newsflash Posted on Website	Facebook Post	Twitter Post
Reach via Subscribers & Visitors:	793		1,826	1,031

PUBLIC WORKS ANNOUNCEMENT	Notify Me Message	Newsflash Posted on Website	Facebook Post	Twitter Post
Reach via Subscribers & Visitors:	699		1,826	1,031
5/2: Geotechnical Drilling Near Erie Lake to Start Monday, May 4th	X	X		X
5/7: Drainage Way Maintenance between Erie Parkway & Meller Street	X	X		X
5/20: Roadway Widening at County Line Road & Arapahoe Road	X	X		X

POLICE ANNOUNCEMENT	Notify Me Message	Newsflash Posted on Website	Facebook Post	Twitter Post
Reach via Subscribers & Visitors:	1,009		1,826	1,031
5/5: Leash Law Reminders	X	X	X	X
5/12: Citizens' Police Academy Graduates 22	X	X	X	X
5/18: Erie Police Department Working Within the Community in Non-Traditional Ways	X	X		X
5/28: School's Out! Curfew Reminders for Erie Youth	X	X	X	X
5/29: Reminders about Licensing Your Furry Friends	X	X	X	X

PARKS & RECREATION ANNOUNCEMENT	Notify Me Message	Newsflash Posted on Website	Facebook Post	Twitter Post
Reach via Subscribers & Visitors:	1,160		1,826	1,031

TOWN OF ERIE CALENDAR NOTIFICATION	Notify Me Message	Event Posted on Website		Twitter Post
Reach via Subscribers & Visitors:	550			1,031
5/3: Planning Commission Meeting 5/6	X	X		X
5/4: Fingerprint Open House 5/9	X	X		X
5/6: 19th Annual Erie Town Fair & Balloon Festival 5/16	X	X		X
5/8: Open Space & Trails Advisory Board 5/11	X	X		X
5/9: Board of Trustees Regular Meeting/Study Session 5/12	X	X		X
5/10: Tree Board Meeting 5/13	X	X		X
5/11: Board of Trustees Special Meeting 5/14	X	X		X
5/15: Historic Preservation Adivsory Board Special Meeting 5/18	X	X		X
5/17: Planning Commission Meeting 5/20	X	X		X
5/23: Board of Trustees Regualr Meeting/Study Session 5/26	X	X		X
5/25: Concert in the Park - That Eighties Band 5/30	X	X		X
5/30: National Trails Day 6/6	X	X		X
5/31: Planning Commission Meeting 6/3	X	X		X

ENGAGE ERIE TOPICS	Engage Erie Message	Newsflash Posted on Website	Facebook Post	Twitter Post
Reach via Participants & Visitors:			1,826	1,031

YOUTUBE CHANNEL	Views via YouTube	Newsflash Posted on Website	Facebook Views	Twitter Post
Reach via Subscribers & Visitors:				1,031

UTILITY BILL INSERTS	Mailed Bills	Emailed Bills		
Total:	6,709	801		
May/June Erie Edition	X	X		

ERIE STUFF - TOWN OF ERIE OFFICIAL MOBILE APPLICATION	iOS Downloads	Google Play Downloads	TOTAL	
Total:	427	162	589	

updated: 6/16/2015

May 2015 – Facebook Insights

Town of Erie, Colorado – Government Page

Reach: Organic / Paid | Post Clicks | Likes, Comments & Shares

Published	Post	Type	Targeting	Reach	Engagement	Promote
05/29/2015 2:42 pm	Notice from Boulder County Public Health: Risks of Tularemia The Town of Erie is forwarding this			4.1K	771 74	Boost Post
05/29/2015 9:35 am	Reminders about Licensing Your Furry Friends The Town of Erie Police Department would like to			1.4K	167 16	Boost Post
05/28/2015 4:45 pm	School's Out! Curfew Reminders for Erie Youth With school out for the summer, the Town of Erie			1.9K	431 43	Boost Post
05/28/2015 9:00 am	Saturday evening will kick off the Concerts in the Park Series featuring thateightiesband! All			1.5K	104 81	Boost Post
05/27/2015 11:03 am	Erie Board of Trustees Action Items – May 26, 2015 In This Issue: Board Denies Proposal to			901	112 13	Boost Post
05/18/2015 5:00 pm	Mayor Pro Tem Gruber, Trustee Carroll, Trustee Woog and Town staff had a great first day at			1.5K	159 29	Boost Post
05/15/2015 1:39 pm	Message from the Mayor: Team Erie Ready for RECON 2015 Beginning Monday, May 18th			744	78 20	Boost Post
05/13/2015 8:54 am	Erie Board of Trustees Action Items – May 12, 2015 In this Issue: Board Considers Proposal to			925	51 1	Boost Post
05/12/2015 10:10 am	On Friday May 8th, 2015 the Erie Police Department completed their 15th Annual Citizens'			1.5K	107 26	Boost Post
05/11/2015 1:59 pm	Standard & Poor's Ratings Services raised its underlying rating (SPUR) on the Town of Erie's			865	38 15	Boost Post
05/09/2015 11:13 am	Severe Weather Update #2: Road Closures & Warnings Updates as of Saturday, May 5th 10:45			2.1K	230 17	Boost Post
05/09/2015 9:34 am	Severe Weather Update: Road Closures & Warnings Due to the sustained heavy rains,			5.9K	779 99	Boost Post
05/09/2015 8:59 am	Due to the inclement weather, the 9:30, 10:30 and 11:30 a.m. Fishing Clinics that were scheduled for			544	20 6	Boost Post
05/06/2015 9:06 am	19th Annual Erie Town Fair & Hot Air Balloon Festival - Saturday, May 16th in Historic			6.4K	559 172	Boost Post
05/05/2015 6:03 pm	Fishing Clinic This Saturday! Join Erie Parks & Recreation at our Annual Fishing Clinic this			644	22 8	Boost Post
05/05/2015 11:02 am	As the weather warms up and more people are using Town parks and trails, the Town of Erie			1.6K	166 53	Boost Post
05/02/2015 7:15 am	The Spring Clean-Up is finally here! Below are the events that will be happening in Town today: •			881	109 20	Boost Post
05/01/2015 11:51 am	Having more stuff is good as long as you know where it is and can get to it easily. And every day,			1.3K	103 20	Boost Post
05/01/2015 8:22 am	Board of Trustees Retreat Update #4: Communication & Transparency During our			766	20 6	Boost Post

Printed: 6-16-2015

May 2015 – Twitter Analytics

@eriecolorado

Your Tweets earned **10.3K impressions** over this **31 day** period

Tweets / Tweets and replies / Promoted	Impressions	Engagements	Engagement rate
Erie Colorado @eriecolorado · May 30 There's a topic closing in 24 hours! engage.eriec o.gov/rumor-mill-mr-... View Tweet details	480	19	4.0%
Erie Colorado @eriecolorado · May 29 Notice from Boulder County Public Health: Risks of Tularemia: Residents should take prec autions when gardening... tinyurl.com/pbqc pqy View Tweet details	213	14	6.6%
Erie Colorado @eriecolorado · May 29 Reminders about Lic ensing Your Furry Friends: The Town of Erie Police Department would like to remind everyone... tinyurl.com/nkgq9n9 View Tweet details	527	13	2.5%
Erie Colorado @eriecolorado · May 28 School's Out! Curfew Reminders for Erie Youth: With school out for the summer, the Town of Erie Police Depart... tinyurl.com/n98lc nu View Tweet details	206	16	7.8%
Erie Colorado @eriecolorado · May 28 Don't Miss That Eighties Band this Saturday!: Saturday evening will kick off the Concerts in the Park series f... tinyurl.com/p2qjve9 View Tweet details	178	1	0.6%
Erie Colorado @eriecolorado · May 28 Concert in the Park - That Eighties Band!: Don't miss the Concert in the Park on Saturday, May 30th featuring ... tinyurl.com/qbrxaqq View Tweet details	175	0	0.0%

Erie Colorado @eriecolorado · May 27 National Trails Day: Event date: June 6, 2015 Event Time: 09:00 AM - 12:00 PMLocation: 2000 N. 119th StreetDes... tinyurl.com/nn2t584 View Tweet details	180	3	1.7%
Erie Colorado @eriecolorado · May 27 Erie Board of Trustees Action Items – May 26, 2015: In This Issue: Board Denies Proposal to Allow Liquid Waste... tinyurl.com/ow79bgr View Tweet details	149	2	1.3%
Erie Colorado @eriecolorado · May 20 Roadway Widening at County Line Road & Arapahoe Road: Beginning the week of May 25, 2015, work will begin on a... tinyurl.com/k6o3x6j View Tweet details	238	5	2.1%
Erie Colorado @eriecolorado · May 15 Message from the Mayor: Team Erie Ready for RECON 2015: Beginning Monday, May 18th through Wednesday, May 20th... tinyurl.com/qahkx32 View Tweet details	290	9	3.1%
Erie Colorado @eriecolorado · May 13 Erie Board of Trustees Action Items – May 12, 2015: In This Issue: Board Considers Proposal to Allow Liquid Wa... tinyurl.com/nn3etzw View Tweet details	313	4	1.3%
Erie Colorado @eriecolorado · May 12 Citizens' Police Academy Graduates 22: On Friday May 8th, 2015 the Erie Police Department completed their 15th... bit.ly/1EAuE3W View Tweet details	316	4	1.3%
Erie Colorado @eriecolorado · May 11 S&P Raises Town of Erie Rating to "A+" for Wastewater Enterprise Revenue Bonds: Standard & Poor's Ratings Serv... tinyurl.com/klqtwom View Tweet details	315	1	0.3%
Erie Colorado @eriecolorado · May 9 Severe Weather Update #2: Road Closures & Warnings: Updates as of Saturday, May 5th at 10:45 am: tinyurl.com/l5787q4 View Tweet details	715	19	2.7%
Erie Colorado @eriecolorado · May 9 Severe Weather Update: Road Closures & Warnings: Due to the sustained heavy rains, flooding has forced the clo... tinyurl.com/ok7nzoq View Tweet details	319	13	4.1%
Erie Colorado @eriecolorado · May 7 Drainage Way Maintenance on Erie Parkway: Beginning Monday, May 11, 2015, weather permitting, a contractor wil... tinyurl.com/kno49p5 View Tweet details	298	10	3.4%

Erie Colorado @eriecolorado · May 6 Still Time to Return Your Citizen Survey: 2015 Town of Erie Citizen Survey Update tinyurl.com/o2vt93c View Tweet details	763	12	1.6%
Erie Colorado @eriecolorado · May 6 Board of Trustees Special Meeting: Event date: May 14, 2015 Event Time: 05:00 PM - 08:00 PMLocation: 645 Holbr... tinyurl.com/oukv46r View Tweet details	361	0	0.0%
Erie Colorado @eriecolorado · May 6 Board of Trustees Special Meeting: Event date: May 14, 2015 Event Time: 05:00 PM - 08:00 PMLocation: 645 Holbr... tinyurl.com/okbdnd6 View Tweet details	311	2	0.6%
Erie Colorado @eriecolorado · May 6 19th Annual Erie Town Fair & Hot Air Balloon Festival: Saturday, May 16th in Historic Downtown Erie! tinyurl.com/mb3z7nq View Tweet details	370	8	2.2%
Erie Colorado @eriecolorado · May 6 19th Annual Erie Town Fair & Hot Air Balloon Festival: Saturday, May 16th in Historic Downtown Erie! tinyurl.com/mhvtruz View Tweet details	306	3	1.0%
Erie Colorado @eriecolorado · May 5 Town of Erie Launches "Erie Stuff" Mobile Application: Erie Stuff is the official mobile application for the T... tinyurl.com/nxtwzjl View Tweet details	344	9	2.6%
Erie Colorado @eriecolorado · May 5 Fishing Clinic This Saturday!: Join Erie Parks & Recreation at our Annual Fishing Clinic this Saturday, May 9, 2015! tinyurl.com/p9ulypv View Tweet details	329	3	0.9%
Erie Colorado @eriecolorado · May 5 Courtesy Notice from Encana: May 5, 2015: Stormwater Management – Pratt Well Pad tinyurl.com/m9fhmaf View Tweet details	303	4	1.3%
Erie Colorado @eriecolorado · May 5 Leash Law Reminders: As the weather warms up and more people are using Town parks and trails, the Town of Erie... tinyurl.com/phvaoy2 View Tweet details	306	5	1.6%
Erie Colorado @eriecolorado · May 4 Coal Creek Trailhead Parking Lot Improvement & Closure: Beginning Monday, March 30 contractors will be perform... tinyurl.com/ppwmoxe View Tweet details	322	4	1.2%

Erie Colorado @eriecolorado · May 2 Geotechnical Drilling Near Erie Lake to Start Monday, May 4th: During the week of Monday, May 4, 2015, weather... tinyurl.com/kvpval4 View Tweet details	557	13	2.3%
Erie Colorado @eriecolorado · May 1 Town of Erie Launches "Erie Stuff" Mobile Application: Erie Stuff is the official mobile application for the T... tinyurl.com/oejaaan View Tweet details	324	11	3.4%
Erie Colorado @eriecolorado · May 1 Board of Trustees Retreat Update #4: Communication & Transparency: This is the last in a series of four updat... tinyurl.com/l4palxt View Tweet details	223	4	1.8%

Website Overview Report for www.erieco.gov - May 2015

Total Unique Visits	**For the Month:**	**39,652**	**Year to Date: 176,665**
Total Page Visits	**For the Month:**	**83,982**	**Year to Date: 271,052**

Top 25 Web Pages Visited	# of Visits	Rank
Home Page	32,190	#1
Erie Community Center	3,220	#2
Utilty Billing	1,851	#3
2015 Town of Erie Special Events	1,376	#4
Parks and Recreation	1,218	#5
Maps	895	#6
Camp Erie	812	#7
Recreation Activities	809	#8
Construction Projects	739	#9
Police Department	689	#10
Annual Spring and Fall Clean-up Days	658	#11
Classes & Programs	626	#12
Building Division	622	#13
Youth Sports	621	#14
Board of Trustees	572	#15
Departments	559	#16
Aquatics	553	#17
Concerts in the Park	547	#18
Government	547	#19
Fee & Membership	463	#20
Residental & Commercial Construction Maps	453	#21
Building Information & Applications	445	#22
Resident	434	#23
Facility Information	430	#24
Transparency	424	#25

Erie Government Television Streaming Video via Website - OVERVIEW

OVERVIEW

WHAT MEDIA YOUR CITIZENS ARE VIEWING

All Media | Live Events | Encoder Streams | On Demand Media

Filter by title

Media Title	Type	Total Views
Erie Channel 8 Live Feed	Encoder	60
Board of Trustees Regular Meeting and Urban Renewal Authority Meeting - Jun 9th, 2015	Archive	21
Board of Trustees - May 26th, 2015	Archive	17
Board of Trustees - Jan 28th, 2014	Archive	15
Board of Trustees Study Session - Jul 15th, 2014	Archive	14
Board of Trustees Study Session - Jul 16th, 2013	Archive	9
Board of Trustees - Jan 27th, 2015	Archive	9
Board of Trustees - Feb 11th, 2014	Archive	8
Board of Trustees - Apr 9th, 2013	Archive	8
Board of Trustees - Jun 9th, 2015	Live event	8

« < 1 to 10 > » Show 10 per page

ALL MEDIA

254

Total Media Stream Views

254 External Views | **0** Internal Views