

STATE OF COLORADO)
COUNTY OF ADAMS)

At a regular meeting of the Board of County Commissioners for Adams County, Colorado, held at the Administration Building in Brighton, Colorado on the 23rd day of January, 2006 there were present:

Alice J. Nichol	Chairman
W.R. "Skip" Fischer	Commissioner
Larry W. Pace	Commissioner
James D. Robinson	County Attorney
Kristen Hood, Deputy	Clerk of the Board

when the following proceedings, among others were held and done, to-wit:

FINAL PLAT DECISION – BARTLEY SUBDIVISION, CASE #PLT2005-00048

WHEREAS, on the 23rd day of January, 2006, the Adams County Board of County Commissioners approved the final plat application for BARTLEY SUBDIVISION, Case #PLT2005-00048, submitted by Todd Creek Village, LLC; and,

WHEREAS, this case involved an application for a Major Subdivision (Final Plat) to create 172 residential estate lots on 283.8 acres in the Todd Creek Village Preliminary PUD, on the following described property:

LEGAL DESCRIPTION:

A part of the South ½ of Section 2, Township 1 South, Range 67 West of the 6th Principal Meridian, County of Adams, State of Colorado, more particularly described as follows:

Commencing at the SW Corner of said Section 2; Thence N00°43'13"W along the West Line of the SW ¼ of Section 2 a distance of 140.00 feet to the Point of Beginning; Thence N00°43'13"W along said West Line a distance of 2500.00 feet to the West ¼ Corner of Section 2; Thence N88°26'59"E along the North Line of the South ½ of said Section 2 a distance of 5298.37 feet to the East ¼ Corner of Section 2; Thence S00°06'41"W along the East Line of the SE ¼ of said Section 2 a distance of 1230.94 feet to the northerly line of TIERRA FUERTE ESTATES; Thence the following three courses along the northerly and westerly lines of said TIERRA FUERTE ESTATES:

1. N89°53'19"W a distance of 300.00 Feet;
2. S00°06'41"W a distance of 475.00 feet;
3. S11°48'41"W a distance of 784.03 feet to the northerly right-of-way line of State Highway No. 7

Thence the following four courses along said northerly line:

1. N85°49'50"W a distance of 62.65 feet;
2. S85°38'10"W a distance of 100.00 feet;
3. S78°40'55"W a distance of 82.60 feet;
4. S85°54'25"W a distance of 961.65 feet to the easterly line of that Exemption Survey recorded in Book 5630 at Page 380;

Thence the following five courses along the perimeter of said Exemption Survey:

1. N04°05'35"W a distance of 400.00 feet;
2. S 85°54'25"W a distance of 251.65 feet;
3. Along the arc of a curve to the right whose radius point bears N04°05'35"W, having a radius of 182.86 feet, a central angle of 62°03'27" and an arc length of 198.06 feet;
4. S87°32'47" a distance of 521.43 feet;
5. S00°18'03"E a distance of 473.03 feet;

Thence the following two courses along a line 20.00 feet north of and parallel to (as measured at right angles) the northerly right-of-way line of State Highway No. 7:

1. S88°37'01"W a distance of 1359.60 feet to the NE corner of that permanent CDOT easement recorded in Book 1370 at Page 382;
2. S88°37'01"W along the northerly line of said permanent CDOT easement a distance of 1023.55 feet;

Thence continuing along said northerly line of the permanent CDOT easement the following two courses:

1. N88°31'14"W a distance of 200.31 feet;
 2. S88°38'17"W a distance of 50.04 feet to the Point of Beginning.
- Contains an area of 12,362,442 square feet, or 283.803 Acres, more or less.

APPROXIMATE LOCATION:

Northeast Corner of State Highway 7 and Havana Street

WHEREAS, Case #PLT2005-00048 was approved by the Board of County Commissioners on May 9, 2004 which was a request for a Major Subdivision (Preliminary Plat) to create 163 residential estate lots on 202.85 acres in the Todd Creek Village Preliminary PUD, and,

WHEREAS, substantial testimony was presented by members of the public and the applicant.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that based upon the evidence presented at the hearing and the recommendations of the Department of Planning and Development, the application in this case and the final plat of BARTLEY SUBDIVISION be hereby **APPROVED**.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Nichol	_____	Aye
Fischer	_____	Aye
Pace	_____	Aye
Commissioners		

STATE OF COLORADO)
County of Adams)

I, Carol Snyder, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

IN WITNESS WHEREOF, I have herunto set my hand and affixed the seal of said County, at Brighton, Colorado this 23rd day of January, A.D. 2006.

County Clerk and ex-officio Clerk of the Board of County Commissioners
Carol Snyder:



By:



Deputy

10505 Havana St.
Brighton, CO 80601

It was moved by Commissioner Pace, seconded by Commissioner Fischer, that the foregoing resolution be approved. Roll Call: Pace aye, Fischer aye, Nichol aye. Motion carried.

FINAL PLAT DECISION – BARTLEY SUBDIVISION, CASE #PLT2005-00048

WHEREAS, on the 23RD day of January, 2006, the Adams County Board of County Commissioners approved the final plat application for BARTLEY SUBDIVISION, Case #PLT2005-00048, submitted by Todd Creek Village, LLC; and,

WHEREAS, this case involved an application for a Major Subdivision (Final Plat) to create 172 residential estate lots on 283.8 acres in the Todd Creek Village Preliminary PUD, on the following described property:

LEGAL DESCRIPTION:

A part of the South $\frac{1}{2}$ of Section 2, Township 1 South, Range 67 West of the 6th Principal Meridian, County of Adams, State of Colorado, more particularly described as follows:

Commencing at the SW Corner of said Section 2; Thence N004313W along the West Line of the SW $\frac{1}{4}$ of Section 2 a distance of 140.00 feet to the Point of Beginning; Thence N004313W along said West Line a distance of 2500.00 feet to the West $\frac{1}{4}$ Corner of Section 2; Thence N882659E along the North Line of the South $\frac{1}{2}$ of said Section 2 a distance of 5298.37 feet to the East $\frac{1}{4}$ Corner of Section 2; Thence S000641W along the East Line of the SE $\frac{1}{4}$ of said Section 2 a distance of 1230.94 feet to the northerly line of TIERRA FUERTE ESTATES; Thence the following three courses along the northerly and westerly lines of said TIERRA FUERTE ESTATES:

N895319W a distance of 300.00 Feet;

S000641W a distance of 475.00 feet;

S114841W a distance of 784.03 feet to the northerly right-of-way line of State Highway No. 7

Thence the following four courses along said northerly line:

N854950W a distance of 62.65 feet;

S853810W a distance of 100.00 feet;

S784055W a distance of 82.60 feet;

S855425W a distance of 961.65 feet to the easterly line of that Exemption Survey recorded in Book 5630 at Page 380;

Thence the following five courses along the perimeter of said Exemption Survey:

N040535W a distance of 400.00 feet;

S 855425 W a distance of 251.65 feet;

Along the arc of a curve to the right whose radius point bears N040535W, having a radius of 182.86 feet, a central angle of 620327 and an arc length of 198.06 feet;

S873247 a distance of 521.43 feet;

S001803E a distance of 473.03 feet;

Thence the following two courses along a line 20.00 feet north of and parallel to (as measured at right angles) the northerly right-of-way line of State Highway No. 7:

S883701W a distance of 1359.60 feet to the NE corner of that permanent CDOT easement recorded in Book 1370 at Page 382;

S883701W along the northerly line of said permanent CDOT easement a distance of 1023.55 feet;

Thence continuing along said northerly line of the permanent CDOT easement the following two courses:

N883114W a distance of 200.31 feet;

S883817W a distance of 50.04 feet to the Point of Beginning.

recommendations of the Department of Planning and Development, the application in this case and the final plat of BARTLEY SUBDIVISION be hereby **APPROVED**.

It was moved by Commissioner Pace, seconded by Commissioner Fischer, that the foregoing resolution be approved. Roll Call: Pace aye, Fischer aye, Nichol aye. Motion carried.

RESOLUTION AUTHORIZING ADAMS COUNTY TO ACCEPT A WARRANTY DEED FROM URBAN DRAINAGE AND FLOOD CONTROL DISTRICT ON A 28.8-ACRE PARCEL AND TO GRANT A MAINTENANCE ACCESS AND FLOWAGE EASEMENT TO URBAN DRAINAGE AND FLOOD CONTROL DISTRICT ON SAID 28.8-ACRE PARCEL

WHEREAS, the Urban Drainage and Flood Control District ("District") owns a 28.8-acre parcel of land along the South Platte River more fully described as Parcel One in Exhibit A, a copy of which is attached hereto and incorporated herein by this reference; and,

WHEREAS, the District desires to transfer the ownership of the property to Adams County ("County") and retain a maintenance access and flowage easement over said property; and,

WHEREAS, the County desires to accept a Warranty Deed from the District for said property for open space consistent with the implementation of the South Platte River Major Drainageway Plan in Adams County; and,

WHEREAS, the County desires to grant a maintenance access and flowage easement to the District for said property; and,

WHEREAS, obtaining the property and granting the maintenance access and flowage easement is in the best interests of the citizens of Adams County.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of the County of Adams, State of Colorado, that the Warranty Deed from Urban Drainage and Flood Control District for the 28.8-acre parcel, a copy of which is attached hereto, be accepted.

BE IT FURTHER RESOLVED that the grant of a maintenance access and flowage easement from Adams County to Urban Drainage and Flood Control District, a copy of which is attached hereto, is approved.

BE IT FURTHER RESOLVED that the Chairman is authorized to accept the warranty deed and execute said grant of easement on behalf of Adams County.

It was moved by Commissioner Pace, seconded by Commissioner Fischer, that the foregoing resolution be approved. Roll Call: Pace aye, Fischer aye, Nichol aye. Motion carried.

RESOLUTION APPROVING MEMORANDUM OF AGREEMENT WITH JOSE CHAVEZ RODRIGUEZ AND JUANA CHAVEZ FOR PROPERTY NECESSARY FOR THE EXPANSION OF ONEIDA STREET BETWEEN EAST 78TH AVENUE AND EAST 76TH AVENUE

WHEREAS, Adams County is in the process of acquiring right-of-way for the expansion of Oneida Street from East 78th Avenue to East 76th Avenue as part of the Dupont South Street and Storm Sewer Improvements Phase 2, Adams County Project No. – Dupont South – 03-4060.B ("Project"); and,

WHEREAS, Parcel SS-12 located in the Northeast Quarter of Section 32, Township 2 South, Range 67 West of the 6th Principal Meridian, County of Adams, State of Colorado, is the

Subdivision Pre-Construction Agenda
Bartley Subdivision, Phase No. 1
October 5, 2006

Communications:

- 1) Permit Specialist: **Carolyn Archuleta: 303-853-7141**
- 2) Project Inspector: **Manuel Cordova: 303-853-7113**
- 3) Construction Inspection Coordinator: **Vincent Junglas: 303-853-7122**
- 4) Construction Manager: **Sam Gomez: 303-853-7128**
- 5) Traffic Operations Superintendent: **Dale Arpin: 303-853-7129**
- 6) Public Works – Engineering: 12200 North Pecos St.: **303-453-8787**
- 7) Drainage Engineer/Storm Water Quality: **Kelly Hargadin: 303-453-8766**

Permits/Documentation:

- 1) Storm Water Management Plan/Permit required prior to obtaining construction permit.
- 2) Construction permits required for all work in Adams County right-of-way.
- 3) Approved street construction plans.
- 4) Approved drainage plans.
- 5) Approved traffic control plans.
- 6) Pavement thickness design.
- 7) Subdivision Improvement agreement/Collateral.
- 8) Any changes to the approved plans must be submitted in writing to Adams County Engineering for approval.

Project Requirements:

- 1) Contact Information
 - a) Owner
 - b) Developer
 - c) Contractor
 - d) Subcontractors (Earthwork, Pipe, Concrete, Paving)
 - e) Emergency Contact
- 2) Notification
 - a) Start date: Estimated completion date:
 - b) 24 hours prior to needing inspection. 48 Hours for weekend inspections.
- 3) Hours of operation
 - a) Monday – Friday 8:00 am to 4:00 pm. (Exceptions with prior approval only)
- 4) Geotechnical/Material Testing

Copy of passing density tests required prior to placing base, concrete or asphalt.
Mail office copy of test results to project inspector.

- 5) Mix Designs and Material Certifications must be submitted for approval at least 5 business days prior to placement.
 - a) Base course
 - b) Asphalt
 - c) Concrete
 - d) Pipe, shop drawings, etc.
- 6) Each stage of construction requires approval before initiation of subsequent stages.
Example: Subgrade inspection, testing and proof-rolling before placement of base course or asphalt.
- 7) Contractor must prevent tracking mud onto adjacent roadways and repair any damage caused by construction activity. Must stop work immediately until corrected.
- 8) Utility coordination/relocation is the developer's responsibility.
- 9) Progress meetings.

Plan Review:

- 1) Scope of project.
- 2) Problems/concerns.

Preliminary Acceptance:

The Construction Management Section will not recommend the release of building permits for home construction until Preliminary Acceptance is granted.

Upon completion of construction the developer must submit and/or fulfill the following requirements:

- 1) Written request for Preliminary Acceptance.
- 2) Drainage Certification.
- 3) Survey Certification.
- 4) Transportation requirements. (Traffic signs)
- 5) Submit final statement of road construction costs.
- 6) Right-of-way/Easements.
- 7) Approved plat.

Upon completion of the above, a Preliminary Acceptance inspection will be performed. If the public improvements are found to be in satisfactory condition, or upon completion of required repairs, the Director of Public Works will grant Preliminary Acceptance formally beginning the guaranty period. Written notice of Preliminary Acceptance will be sent to the developer. It is the responsibility of the developer to maintain the public improvement for one year and until Final Acceptance is granted.

Final Acceptance Process:

- 1) Written request for Final Acceptance.
- 2) On-site inspection.
- 3) Complete repairs.
- 4) Construction Management submits resolution to County Attorney for review. Board of County Commissioners passes resolution accepting improvements for maintenance.
- 5) Written notification of Final Acceptance to the developer will formally end the guaranty period.