

AGENDA

Regular Meeting
March 3, 2015 - 7:30 p.m.

City Council meeting packets are prepared several days prior to the meetings. This information is reviewed and studied by the Councilmembers, eliminating lengthy discussions to gain basic understanding. Timely action and short discussion on agenda items does not reflect lack of thought or analysis. An informational packet is available for public inspection on our website at www.cityofevans.org and posted immediately on the bulletin board adjacent to the Council Chambers.

1. CALL TO ORDER

2. PLEDGE

3. ROLL CALL

Mayor:	John Morris
Mayor Pro-Tem:	Jay Schaffer
Council:	Laura Brown
	Mark Clark
	Sherri Finn
	Lance Homann
	Brian Rudy

4. PROCLAMATION

A. National Intellectual/Developmental Disabilities Awareness Month

5. AUDIENCE PARTICIPATION

The City Council welcomes you here and thanks you for your time and concerns. If you wish to address the City Council concerning issues not on the agenda, this is the time for you to do so. When you are recognized, please step to the podium, state your name and address then address City Council. Your comments will be limited to two (2) minutes. The City Council may not respond to your comments this evening, rather they may take your comments and suggestions under advisement and your questions may be directed to the appropriate staff person for follow-up. Thank you!

6. APPROVAL OF AGENDA

7. CONSENT AGENDA

- A. Approval of Minutes of the Regular Meeting of February 17, 2015
- B. Ordinance No. 616-15 Dedication of Right of Way Approval for The Junction at Evans (2nd Reading)
- C. Ordinance No. 617-15 Final Plat Approval for The Junction at Evans (2nd Reading)
- D. Ordinance No. 618-15 PUD Amendment for Vintage Villas PUD (2nd Reading)

8. NEW BUSINESS

- A. Ordinance No. 619-15 Approving an Oil and Gas Lease of the City of Evans' Cemetery and Park Property with Mineral Resources, Inc. (1st Reading)

9. REPORTS

- A. City Manager
- B. City Attorney

10. AUDIENCE PARTICIPATION (general comments)

Please refer to the Audience Participation section listed at the beginning of the agenda for procedures on addressing City Council.

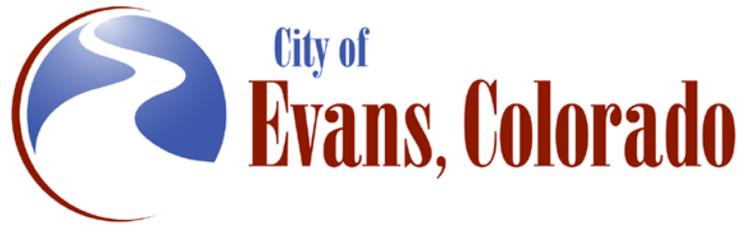
11. EXECUTIVE SESSION

- 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)

12. ADJOURNMENT

CITY OF EVANS – MISSION STATEMENT

“To deliver sustainable, citizen-driven services for the health, safety, and welfare of the community.”



PROCLAMATION

PROCLAIMING MARCH AS: NATIONAL INTELLECTUAL/DEVELOPMENTAL DISABILITIES AWARENESS MONTH IN THE CITY OF EVANS, COLORADO

WHEREAS, awareness needs to be increased for the population of children and adults with Intellectual and Developmental Disabilities (I/DD) who reside in Evans, Colorado; and

WHEREAS, Historically people with Intellectual/Developmental Disabilities were institutionalized and or segregated from their families and communities; and

WHEREAS, In 1987 President Ronald Reagan officially declared March to be Developmental Disabilities Awareness Month; and

WHEREAS, The theme of National Intellectual/Developmental Disabilities Awareness Month was decreed that "Americans are becoming increasingly aware that such disabilities need not keep individuals from realizing their full potential in school, at work or at home, as members of their families and of their communities"; and

WHEREAS, the ARC of Weld County proudly supports the National Intellectual/Developmental Disabilities Awareness Month.

NOW, THEREFORE, I, John Morris, by virtue of the authority vested in me as Mayor of the City of Evans, Colorado, do hereby proclaim the Month of March, 2015, as "**Intellectual/Developmental Disabilities Awareness Month**" in the City of Evans and urge all residents to support programs that serve people with Intellectual/Developmental Disabilities to ensure that all people with disabilities are treated with the dignity and respect that they so desire and deserve.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Evans, this 3rd day of March, 2015.

John L. Morris, Mayor

COUNCIL COMMUNICATION

DATE: March 3, 2015

AGENDA ITEM: 7.A

SUBJECT: Approval of the Minutes of February 17th City Council Meeting

PRESENTED BY: City Clerk

AGENDA ITEM DESCRIPTION:

Approval of minutes.

FINANCIAL SUMMARY:

N/A

RECOMMENDATION:

N/A

SUGGESTED MOTIONS:

"I move to approve the minutes as presented."

MINUTES
EVANS CITY COUNCIL
February 17, 2015

CALL TO ORDER

Mayor Pro-Tem Schaffer called the meeting to order at 7:32 p.m.

PLEDGE

ROLL CALL

Present: Mayor Pro-Tem Schaffer, Council Members Brown, Clark, Finn, Homann, and Rudy

Absent: Mayor Morris

AUDIENCE PARTICIPATION

There was no audience participation.

APPROVAL OF AGENDA

Council Member Rudy, made the motion, seconded by Council Member Brown, to adopt the Agenda. The motion passed with all voting in favor thereof.

CONSENT AGENDA

A. Approval of Minutes of the Regular Meeting of February 3, 2015

Council Member Rudy, made the motion, seconded by Council Member Homann, to adopt the Consent Agenda. The motion passed with all voting in favor thereof.

NEW BUSINESS

A. Public Hearing – Ordinance No. 616-15 Right-of-Way and Dedications in Connection with the Final Plat of The Junction at Evans (1st Reading)

Mayor Pro-Tem Schaffer opened the public hearing at 7:34 p.m.

Zach Ratkai, City Building and Development Director explained the need for the Ordinance to allow the City to dedicate right-of-way to the Evans Redevelopment Agency (ERA). According to Mr. Ratkai, The City has received an application from the ERA, as the owner, for the review and approval of a final plat. The final plat will combine the various lots/outlots and replat the site into a larger single lot. The owner intends to develop the site as commercial development in the future.

Mr. Ratkai explained that in order for the proposed Junction at Evans Final Plat to be processed the City must first accept dedication of two parcels that are in the right of

way which are immediately adjacent to the property—one is on 31st Street and the other is next to the Evans Town Ditch.

Mr. Ratkai stated that all applicable review criteria and state statutes have been appropriately and sufficiently met for right-of-way dedication.

Sheryl Trent, City Economic Development Director, spoke on behalf of the ERA and discussed the need to combine the parcels currently owned by the ERA for future projects on the larger parcel.

Mayor Pro-Tem Schaffer asked for any testimony supporting or opposing the Ordinance. There was none.

There was no applicant rebuttal.

Mayor Pro-Tem Schaffer closed the public hearing at 7:39 p.m.

Council Member Clark voiced his support for the Ordinance.

Mayor Pro-Tem Schaffer asked for a motion on the issue.

Council Member Clark, made the motion, seconded by Council Member Brown, to approve Ordinance No. 616-15 on first reading.
The motion passed with all voting in favor thereof.

B. Public Hearing – Ordinance No. 617-15 Adoption of the Final Plat of The Junction at Evans (1st Reading)

Mr. Ratkai, Building and Development Manager, summarized the different lots owned by the ERA that needed to be combined and re-platted by the Ordinance.

Mr. Ratkai stated that all applicable review criteria and state statutes have been appropriately and sufficiently met for the final plat. He also stated that the Evans Planning Commission held a public hearing and recommended adoption of the Final Plat at their meeting of January 27, 2015.

The applicant had no comments.

Mayor Pro-Tem Schaffer asked for any testimony supporting or opposing the Ordinance. There was none.

There was no rebuttal by the applicant.

Mayor Pro-Tem Schaffer closed the public hearing at 7:43 p.m.

Mayor Pro-Tem Schaffer asked for a motion on the issue.

Council Member Clark made the motion, seconded by Council Member Rudy, to approve Ordinance No. 617-15 on first reading. The motion passed with all voting in favor thereof.

C. Public Hearing – Ordinance No. 618-15 Amendment to a Planned Unit Development, Vintage Villas (1st Reading)

Mayor Pro-Tem opened the public hearing at 7:44 p.m.

Mr. Ratkai discussed the need for the Ordinance to amend a planned unit development (PUD) in Vintage Villas, within Grape Vine Hollow, to clarify the terms of siding required by the subdivision and remove the requirement of a water feature for a park in the subdivision. He explained why the applicant did not need to install the water feature and stated that the Planning Commission adopted the PUD amendment at their meeting on January 27, 2015.

Mayor Pro-Tem Schaffer asked for any testimony supporting or opposing the PUD amendment. There was none.

Mayor Pro-Tem Schaffer closed the hearing at 7:49 p.m.

Council Members Clark and Homann voiced their support.

Mayor Pro-Tem Schaffer voiced his support for the amendment and asked for a motion on the issue.

Council Member Brown, made the motion, seconded by Council Member Rudy, to approve the Ordinance. The motion passed with all voting in favor thereof.

D. Contract for Preliminary Design and Engineering Services with Atkins North America Inc. for the Design and Reconstruction of Riverside Park and Restoration of the 100-year Flood Plain.

Gary Wilson, City Flood Project Manager, discussed the need for the City Council to approve the contract to implement the necessary hydrology engineering under Phase I of the Riverside Park Master Plan. Mr. Wilson explained the need for the engineering services to understand the hydrology of the South Platte River for future

flooding. He summarized the proposals the City received for this service and explained that the proposed contract would not exceed \$148,004, which represents three percent of the current \$5,000,000 estimated for earthwork and grading and is in line with the cost anticipated for preliminary engineering for a project of this type. Mr. Wilson talked about the importance of having the information from Atkins for future grants that the City has requested.

Mayor Pro-Tem Schaffer asked for any testimony supporting or opposing the issue. There was none.

Council Member Clark made the motion, seconded by Council Member Homann, to adopt the contract with Atkins. The motion passed with all voting in favor thereof.

REPORTS

A. City Manager

Aden Hogan updated the Council about the building permit statistics listed in the Monitoring Report. He also complimented the City's Flood Team for their work on the proposals and selection of Atkins for the engineering services. He talked about the recent legislative day hosted by the Colorado Municipal League and talked about current legislation that may impact state urban renewal law. He talked about other potential legislation from the 2015 General Assembly and stated that Mr. Ratkai and Mr. Robb will help keep City Council updated regarding ongoing legislation.

B. City Attorney

Scott Krob, City Attorney, did not have any updates.

AUDIENCE PARTICIPATION

Fred Neal, discussed the issues of exceeding the water cap with the City of Greeley and discussed the importance for the City of Evans to continue to develop the non-potable water systems to reduce the amount of clean water being used where non-potable water would suffice.

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)**

Council Member Homann made the motion, seconded by, Council Member Rudy to go into Executive Session for the purpose of receiving legal advice concerning negotiations for the purchase, acquisition, lease, transfer or sale of any real, personal, or other property interest, pursuant to C.R.S. 24-6-402(4)(a). The motion passed with all voting in favor thereof.

The Council adjourned into Executive Session at 8:04 p.m.

The Executive Session convened at 8:32 p.m.

Scott Krob, City Attorney, entered into the record that the reason for the executive session was satisfied according to the referenced state law and covered under attorney client privilege.

ADJOURNMENT

The meeting adjourned at 8:33 p.m.


Raegan Robb, City Clerk

CITY COUNCIL COMMUNICATION

DATE: March 3, 2015

AGENDA ITEM: 7.B

SUBJECT: Public Hearing – Ordinance No. 616-15 - Right-of-Way and Dedications in connection with the Final Plat of The Junction at Evans – 2nd Reading

PRESENTED BY: N. Zach Ratkai, Building and Development Manager

PREPARED BY: Baseline Corporation, Vincent Harris/Ethan Watel

BACKGROUND INFORMATION		
Location:	The Junction at Evans, 900 31 st Street (southwest corner of 31 st Street and Highway 85)	
Applicants:	Evans Redevelopment Agency, Owner	
Existing Land Use:	Commercial Land and buildings	
Proposed Land Use:	Commercial	
Surrounding Land Use:	North	Commercial
	South	Commercial, Hotel
	East	Highway 85
	West	Evans Ditch, The Grove Apartments (residential)
Existing Zoning:	85- RC-R	
Proposed Zoning:	No change	
Surrounding Zoning:	North	85 – RC- R
	South	85 – RC – R
	East	C-3
	West	Highway 85 ROW
Future Land Use Designation:	High Retail Commercial	

PROJECT DESCRIPTION: The City has received an application from the Evans Redevelopment Agency as owner for review and approval of a Final Plat. The intention of the Final Plat is to combine the various lots and outlots and replat the site into one large lot. The owner intends to develop the site as commercial in the future.

In order for the proposed Junction at Evans Final Plat to be processed, the City must accept dedication of two parcels that are in the right of way. Both are immediately adjacent to the property: one is on 31st Street and one is next to the Evans Town Ditch

The Planning Commission held a public hearing and recommended adoption of Ordinance No. 616-15 as presented by staff at their meeting of January 27, 2015.

RECOMMENDATION: Staff recommends approval of the dedication for the subject rights-of-way.

ANALYSIS:

1. Background:

The site currently consists of 7 lots owned by the Evans Redevelopment Agency.

Right-of-Way

Part of those lots encroaches upon 31st Street to the north, and on land for the Evans Ditch to the east.

An exhibit outlining the proposed right-of-way to be dedicated is provided in this packet.

Appropriate City Staff and consultants have reviewed the proposed Final Plat and the documents associated with the right-of-way dedications.

2. Issues:

Staff has worked with the applicant to ensure all issues have been handled accordingly. The applicant has provided all submittals in the required format and worked with staff on necessary resubmittals.

Notice of this public hearing was provided in accordance with the Municipal Code.

FINDINGS OF FACT AND CONCLUSIONS

After reviewing the request for dedication of the requested right-of-way, the following findings of fact and conclusions have been determined:

All applicable review criteria and state statutes can be appropriately and sufficiently met as listed below.

STAFF RECOMMENDATION:

We recommend that the City Council approve Ordinance No. xxx-15. Currently staff would

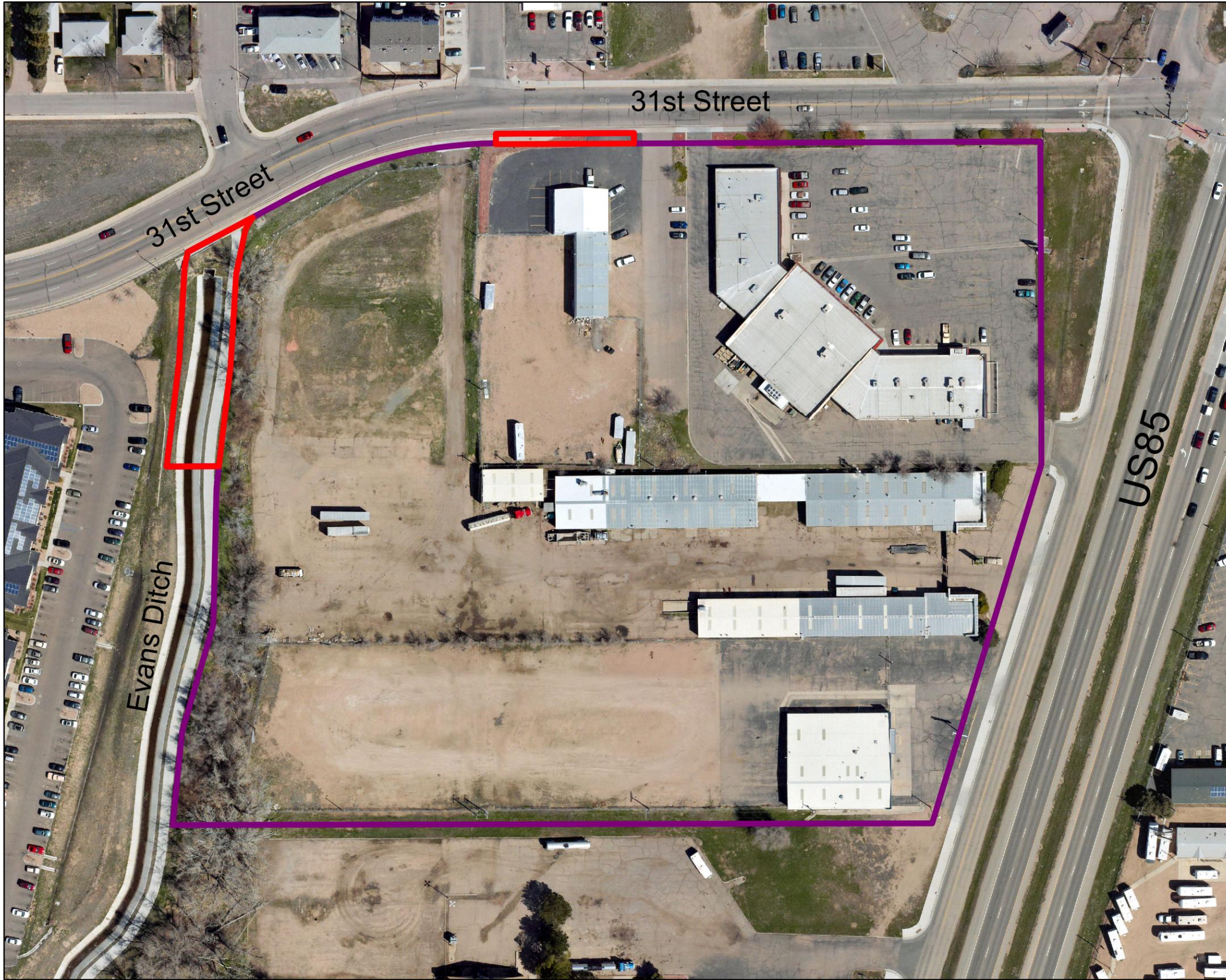
recommend the conditions as listed herein:

- 1) Approval of the right-of-way dedication is contingent on the approval of the Junction at Evans Final Plat.

RECOMMENDED CITY COUNCIL MOTION:

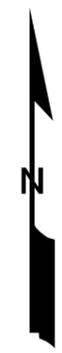
“On the issue of the dedication of rights-of-way for 31st Street and the Evans Town Ditch I move that Ordinance No. 616-15 be approved as conditioned in this staff report because it does meet applicable state statutes.”

“On the issue of the dedication of rights-of-way for 31st Street and the Evans Town Ditch I move Ordinance No. 616-15 be denied because it does not meet applicable state statutes and is not in the best interest of the citizens and City of Evans.”



Legend

-  Junction at Evans Replat Boundary
-  Proposed Land Dedication



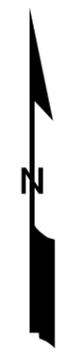
1 in = 100 feet



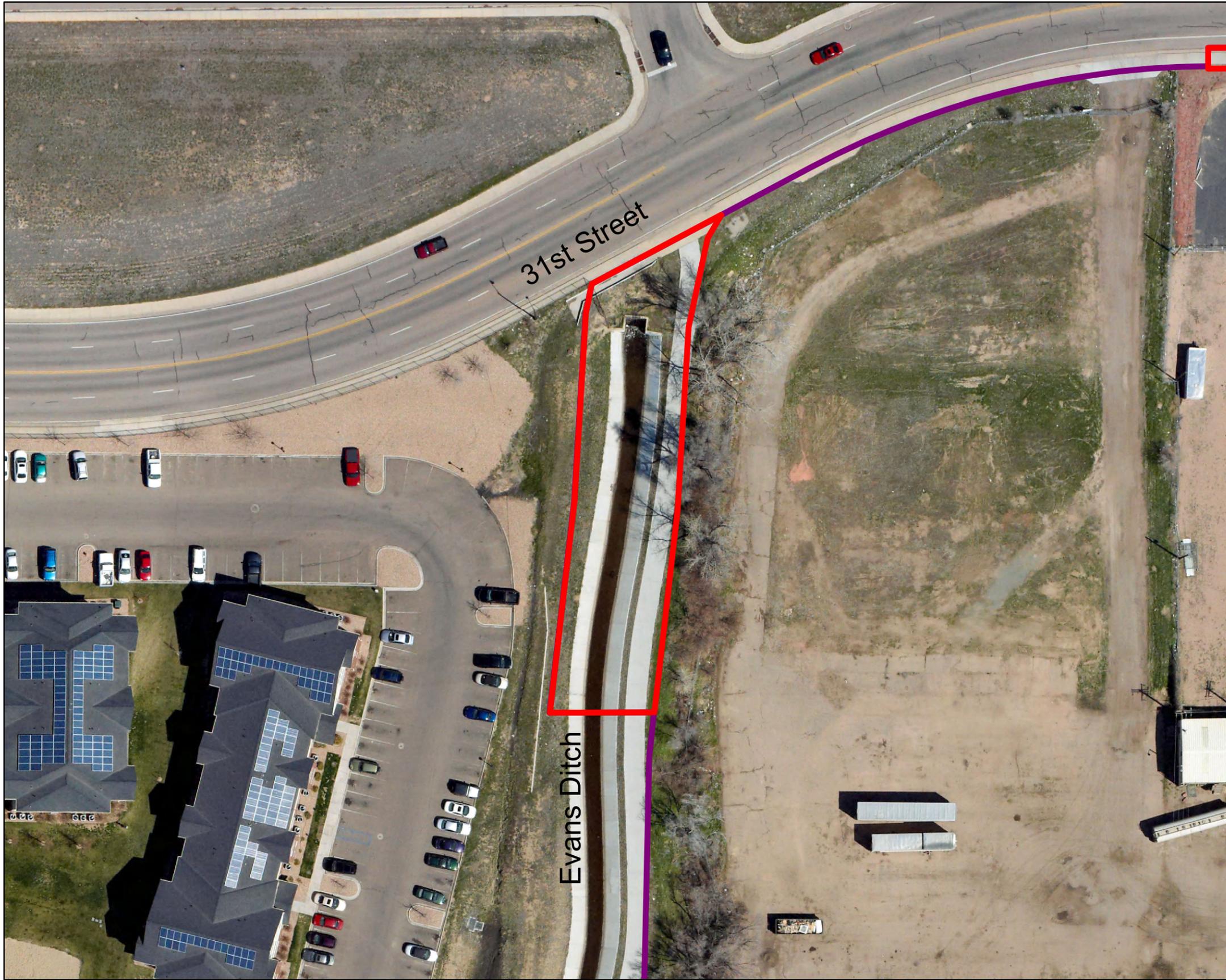
31st Street

Legend

- Junction at Evans Replat Boundary
- Proposed Land Dedication

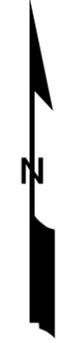


1 in = 50 feet



Legend

-  Junction at Evans Replat Boundary
-  Proposed Land Dedication



1 in = 50 feet

CITY OF EVANS, COLORADO

ORDINANCE NO. 616-15

AN ORDINANCE APPROVING THE DEDICATION OF RIGHT OF WAY FOR
THE JUNCTION AT EVANS IN THE CITY OF EVANS, COLORADO

WHEREAS, the Evans Redevelopment Agency (ERA) currently owns a piece of property at 900 31st Street known as the Junction at Evans, and part of that property lies within the right of way at 31st Street and within the right of way near the Evans Town Ditch; and

WHEREAS, the ERA has requested that the City file a final plat so that they may develop the land; and

WHEREAS, a final plat has been submitted for approval; and

WHEREAS, the Planning Commission reviewed the final plat at their regular meeting of January 27, 2015; and

WHEREAS, the Planning Commission recommends that the City Council approve the final plat and the dedication of the right of way, and;

WHEREAS, to accommodate the property owners and allow them to develop their property, the City Council, after having reviewed the proposal, believes it would be in the best interests of the City of Evans to accept that right-of-way adjacent to the property; and

WHEREAS, the City Council conducted a meeting, has carefully reviewed the request and the recommendation of the Planning Commission, and finds that such request meets the final plat criteria, that it complies with the purpose of the subdivision codes, and otherwise promotes the health, safety and welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANS, COLORADO:

Section 1. Right of Way Dedication Approval: The Final Plat, titled The Junction at Evans Final Plat, as drawn by Baseline Corporation, in the City of Evans, County of Weld, State of Colorado, is hereby approved with the right of way dedication as shown in the legal descriptions.

Section 2. Recordation. The City Clerk shall record the Final Plat with the Weld County Clerk and Recorder within five (5) working days of the approval.

Section 3. Publication and Effective Date. This ordinance, after its passage on final reading, shall be numbered, recorded, published, and posted as required by the City Charter and the adoption, posting, and publication shall be authenticated by the signature of the Mayor and the City Clerk, and by the Certificate of Publication. This ordinance shall become effective upon final passage.

PASSED and APPROVED at a regular meeting of the City Council of the City of Evans on this 17th day of February, 2015.

CITY OF EVANS, COLORADO

By: _____
Mayor Pro-Tem

ATTEST:

City Clerk

PASSED, APPROVED AND ADOPTED ON SECOND READING this 3rd day of March, 2015.

CITY OF EVANS, COLORADO

By: _____
Mayor

ATTEST:

City Clerk

EXHIBIT A

ADDITIONAL RIGHT OF WAY PARCEL DESCRIPTION

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBE AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 20 AND ASSUMING THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, AS MONUMENTED BY A #6 REBAR WITH 3-1/4 INCH ALUMINUM CAP STAMPED PLS 22098 AT THE WEST QUARTER CORNER OF SAID SECTION 20 AND A #6 REBAR WITH 3-1/4 INCH ALUMINUM CAP STAMPED PLS 22098 AT THE SOUTHWEST CORNER OF SAID SECTION 20 TO BEAR SOUTH 00°41'02" EAST, BEING A GRID BEARING OF THE COLORADO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM 1983/2007, A DISTANCE OF 2651.61 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

THENCE NORTH 89°42'08" EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 1128.32 FEET;

THENCE SOUTH 00°30'19" EAST A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 00°30'19" EAST A DISTANCE OF 10.00 FEET TO A LINE BEING 60.00 FEET SOUTH OF AND PARALLEL SAID THE NORTH LINE OF THE SOUTHWEST QUARTER;

THENCE SOUTH 89°42'08" WEST ALONG SAID PARALLEL LINE A DISTANCE OF 133.19 FEET;

THENCE NORTH 00°30'19" WEST A DISTANCE OF 10.00 FEET TO A LINE BEING 50.00 FEET SOUTH OF AND PARALLEL TO SAID NORTH LINE OF THE SOUTHWEST QUARTER;

THENCE NORTH 89°42'08" EAST ALONG SAID PARALLEL LINE A DISTANCE OF 133.19 FEET TO THE POINT OF BEGINNING;

CONTAINING 0.031 ACRES MORE OR LESS.

DITCH PARCEL DESCRIPTION

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBE AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 20 AND ASSUMING THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, AS MONUMENTED BY A #6 REBAR WITH 3-1/4 INCH ALUMINUM CAP STAMPED PLS 22098 AT THE WEST QUARTER CORNER OF SAID SECTION 20 AND A #6 REBAR WITH 3-1/4 INCH ALUMINUM CAP STAMPED PLS 22098 AT THE SOUTHWEST CORNER OF SAID SECTION 20 TO BEAR SOUTH 00°41'02" EAST, BEING A GRID BEARING OF THE COLORADO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM 1983/2007, A DISTANCE OF 2651.61 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

THENCE NORTH 89°42'08" EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 760.07 FEET;

THENCE SOUTH 00°17'52" EAST A DISTANCE OF 129.33 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 30°35'42" WEST A DISTANCE OF 12.90 FEET;

THENCE SOUTH 11°57'00" WEST A DISTANCE OF 43.78 FEET;

THENCE SOUTH 03°28'09" WEST A DISTANCE OF 88.37 FEET;

THENCE SOUTH 06°39'07" WEST A DISTANCE OF 97.66 FEET;

THENCE SOUTH 89°51'23" WEST A DISTANCE OF 50.35 FEET;

THENCE NORTH 06°39'07" EAST A DISTANCE OF 102.23 FEET;

THENCE NORTH 03°28'09" EAST A DISTANCE OF 90.69 FEET;

THENCE NORTH 11°57'00" EAST A DISTANCE OF 14.43 FEET TO THE SOUTH RIGHT OF WAY LINE OF 31ST STREET AS RECORDED UNDER RECEPTION NUMBER 3061194;

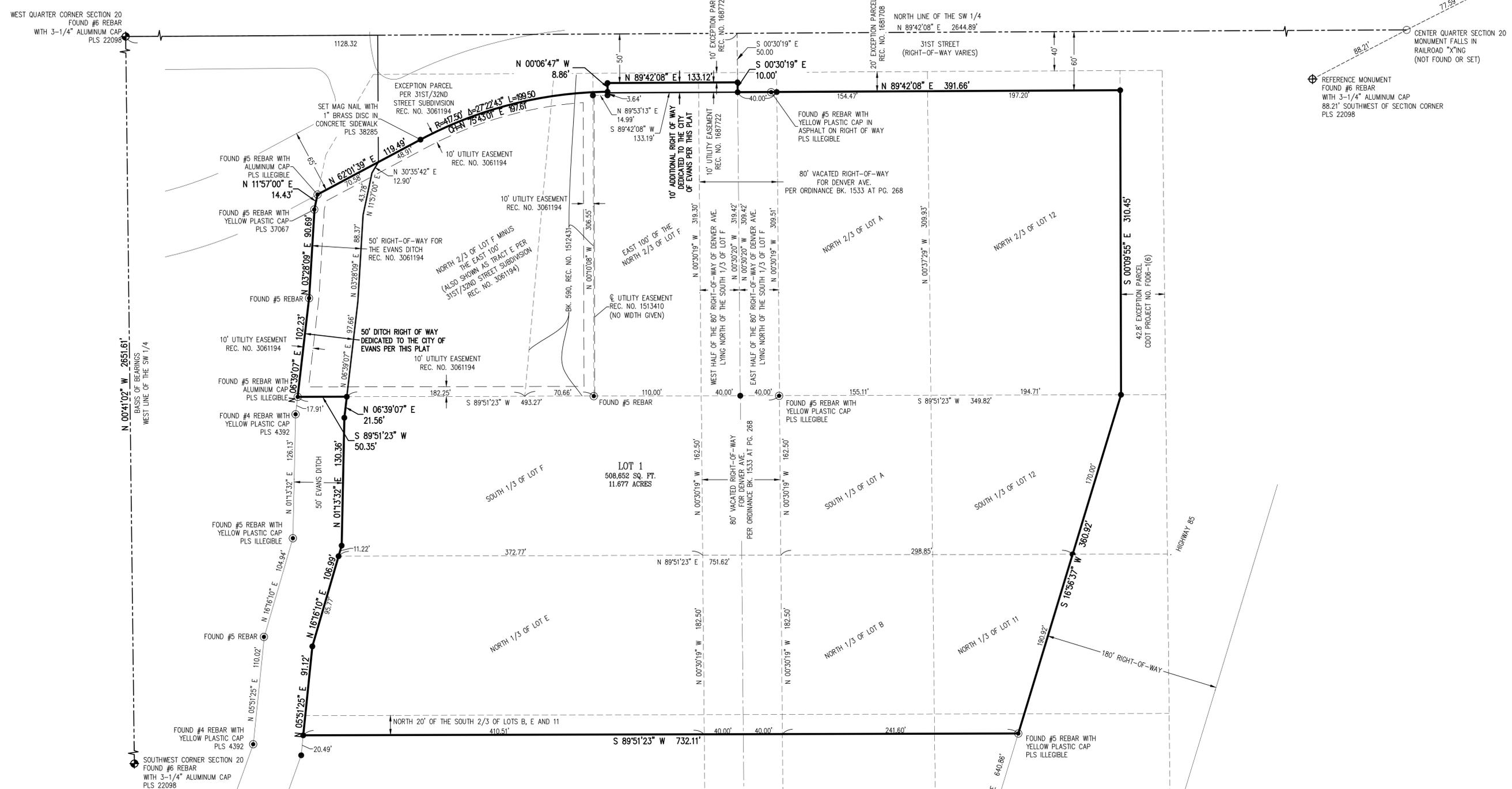
THENCE NORTH 62°01'39" EAST ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 70.58 FEET TO THE POINT OF BEGINNING;

CONTAINING 0.256 ACRES MORE OR LESS.

THE JUNCTION AT EVANS FINAL PLAT

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 20,
TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M.
CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO

BASELINE
Engineering - Planning - Surveying
70 7TH AVENUE SUITE 105 - GREELEY COLORADO 80631
P. 970.353.2800 • F. 970.353.7601 • www.baselinecorp.com

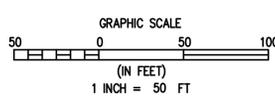


REFERENCE MONUMENT
FOUND #6 REBAR
WITH 3-1/4" ALUMINUM CAP
77.59' NORTHEAST OF SECTION CORNER
PLS 22098

77.59'

88.21'

REFERENCE MONUMENT
FOUND #6 REBAR
WITH 3-1/4" ALUMINUM CAP
88.21' SOUTHWEST OF SECTION CORNER
PLS 22098



- SYMBOL LEGEND**
- ◆ ALIQUOT CORNER AS DESCRIBED
 - CALCULATED ALIQUOT CORNER
 - ⊕ ALIQUOT REFERENCE MONUMENT AS DESCRIBED
 - FOUND #5 REBAR WITH ORANGE PLASTIC CAP, PLS 38285
 - ⊙ FOUND PROPERTY PIN AS DESCRIBED
- LINETYPE LEGEND**
- ALIQUOT LINE
 - BOUNDARY LINE
 - - - LOT LINE PER LYNCH'S SUBDIVISION
 - - - ADJOINER LOT LINE

REVISION DESCRIPTION	DATE	PREPARED BY

EVANS REDEVELOPMENT AGENCY
CITY OF EVANS
COUNTY OF WELD
THE JUNCTION AT EVANS FINAL PLAT
A PORTION OF SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO

PRELIMINARY

DRAWING SIZE	24" X 36"
JOB NO.	214
DRAWING NAME	214 - REPLAT.dwg
SHEET	2 OF 2

AARON A. DEMO
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
NO. 38285, FOR AND ON BEHALF OF BASELINE CORPORATION.

M:\Golden Survey Projects\214 - Town of Erie - ALTA and Topo\214 - REPLAT.dwg, 12/10/2014 3:58:23 PM, Aaron Demo

PARCEL DESCRIPTION

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBE AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 20 AND ASSUMING THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, AS MONUMENTED BY A #6 REBAR WITH 3-1/4 INCH ALUMINUM CAP STAMPED PLS 22098 AT THE WEST QUARTER CORNER OF SAID SECTION 20 AND A #6 REBAR WITH 3-1/4 INCH ALUMINUM CAP STAMPED PLS 22098 AT THE SOUTHWEST CORNER OF SAID SECTION 20 TO BEAR SOUTH 00°41'02" EAST, BEING A GRID BEARING OF THE COLORADO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM 1983/2007, A DISTANCE OF 2651.61 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

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THENCE NORTH 89°42'08" EAST ALONG SAID PARALLEL LINE A DISTANCE OF 133.19 FEET TO THE POINT OF BEGINNING;

CONTAINING 0.031 ACRES MORE OR LESS.

SURVEYOR'S STATEMENT

I, AARON A. DEMO, A COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY STATE THAT THIS PROPERTY DESCRIPTION WAS PREPARED UNDER MY PERSONAL SUPERVISION AND CHECKING, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, BELIEF, AND IN MY PROFESSIONAL OPINION.

AARON A. DEMO - ON BEHALF OF BASELINE ENGINEERING CORP.
COLORADO REGISTERED PROFESSIONAL
LAND SURVEYOR #38285

BASELINE ENGINEERING CORP.
710 11TH AVENUE, SUITE 105
GREELEY, COLORADO 80631
(970) 353-7600

PARCEL DESCRIPTION

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBE AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 20 AND ASSUMING THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, AS MONUMENTED BY A #6 REBAR WITH 3-1/4 INCH ALUMINUM CAP STAMPED PLS 22098 AT THE WEST QUARTER CORNER OF SAID SECTION 20 AND A #6 REBAR WITH 3-1/4 INCH ALUMINUM CAP STAMPED PLS 22098 AT THE SOUTHWEST CORNER OF SAID SECTION 20 TO BEAR SOUTH 00°41'02" EAST, BEING A GRID BEARING OF THE COLORADO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM 1983/2007, A DISTANCE OF 2651.61 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

THENCE NORTH 89°42'08" EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 760.07 FEET;

THENCE SOUTH 00°17'52" EAST A DISTANCE OF 129.33 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 30°35'42" WEST A DISTANCE OF 12.90 FEET;

THENCE SOUTH 11°57'00" WEST A DISTANCE OF 43.78 FEET;

THENCE SOUTH 03°28'09" WEST A DISTANCE OF 88.37 FEET;

THENCE SOUTH 06°39'07" WEST A DISTANCE OF 97.66 FEET;

THENCE SOUTH 89°51'23" WEST A DISTANCE OF 50.35 FEET;

THENCE NORTH 06°39'07" EAST A DISTANCE OF 102.23 FEET;

THENCE NORTH 03°28'09" EAST A DISTANCE OF 90.69 FEET;

THENCE NORTH 11°57'00" EAST A DISTANCE OF 14.43 FEET TO THE SOUTH RIGHT OF WAY LINE OF 31ST STREET AS RECORDED UNDER RECEPTION NUMBER 3061194;

THENCE NORTH 62°01'39" EAST ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 70.58 FEET TO THE POINT OF BEGINNING;

CONTAINING 0.256 ACRES MORE OR LESS.

SURVEYOR'S STATEMENT

I, AARON A. DEMO, A COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY STATE THAT THIS PROPERTY DESCRIPTION WAS PREPARED UNDER MY PERSONAL SUPERVISION AND CHECKING, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, BELIEF, AND IN MY PROFESSIONAL OPINION.

AARON A. DEMO - ON BEHALF OF BASELINE ENGINEERING CORP.
COLORADO REGISTERED PROFESSIONAL
LAND SURVEYOR #38285

BASELINE ENGINEERING CORP.
710 11TH AVENUE, SUITE 105
GREELEY, COLORADO 80631
(970) 353-7600

CITY COUNCIL COMMUNICATION

DATE: March 3, 2015

AGENDA ITEM: 7.C

SUBJECT: Public Hearing – Ordinance No. 617-15 – Adoption of the Final Plat of The Junction at Evans – 2nd Reading

PRESENTED BY: N. Zach Ratkai, Building and Development Manager

PREPARED BY: Baseline Corporation, Vincent Harris/Ethan Watel

BACKGROUND INFORMATION		
Location:		The Junction at Evans, 900 31 st Street (southwest corner of 31 st Street and Highway 85)
Applicants:		Evans Redevelopment Agency, Owner
Existing Land Use:		Commercial Land and buildings
Proposed Land Use:		Commercial
Surrounding Land Use:	North	Commercial
	South	Commercial, Hotel
	East	Highway 85
	West	Evans Ditch, The Grove Apartments (residential)
Existing Zoning:		85- RC-R
Proposed Zoning:		No change
Surrounding Zoning:	North	85 – RC- R
	South	85 – RC – R
	East	C-3
	West	Highway 85 ROW
Future Land Use Designation:		High Retail Commercial

PROJECT DESCRIPTION: The City has received an application from the Evans Redevelopment Agency as owner for review and approval of a Final Plat. The intention of the Final Plat is to combine the various lots and outlots and replat the site into one large lot. The owner intends to develop the site as commercial in the future.

In order for the proposed Junction at Evans Final Plat to be processed, the City must accept dedication of two parcels that are in the right of way. Both are immediately adjacent to the property: one is on 31st Street and one is next to the Evans Town Ditch. That dedication is included in Ordinance No. 617-15 and is set for approval just prior to this Ordinance.

The Planning Commission held a public hearing and recommended adoption of the Final Plat by Ordinance No. 617-15 as presented by staff at their meeting of January 27, 2015.

RECOMMENDATION: Staff recommends approval of the final plat to the City Council for the subject property.

ANALYSIS:

1. Background:

The site currently consists of 7 lots owned by the Evans Redevelopment Agency.

Right-of-Way

Part of those lots encroaches upon 31st Street to the north, and on land for the Evans Ditch to the east.

An exhibit outlining the proposed right-of-way to be dedicated is provided in this packet.

Appropriate City Staff and consultants have reviewed the proposed Final Plat and the documents associated with the right-of-way dedications.

2. Issues:

Staff has worked with the applicant to ensure all issues have been handled accordingly. The applicant has provided all submittals in the required format and worked with staff on necessary resubmittals.

Notice of this public hearing was provided in accordance with the Municipal Code.

FINDINGS OF FACT AND CONCLUSIONS

After reviewing the request for approval of the requested final plat, the following findings of fact and conclusions have been determined:

All applicable review criteria and state statutes can be appropriately and sufficiently met as listed below.

STAFF RECOMMENDATION:

We recommend that the City Council approve Ordinance No. 617-15 with no conditions.

RECOMMENDED CITY COUNCIL MOTION:

“On the issue of the final plat for the Junction at Evans I move that Ordinance No. 617-15 be approved as conditioned in this staff report because it does meet applicable state statutes.”

“On the issue of the final plat for the Junction at Evans I move Ordinance No. 617-15 be denied because it does not meet applicable state statutes and is not in the best interest of the citizens and City of Evans.”



Legend

-  Junction at Evans Replat Boundary
-  Proposed Land Dedication



1 in = 100 feet



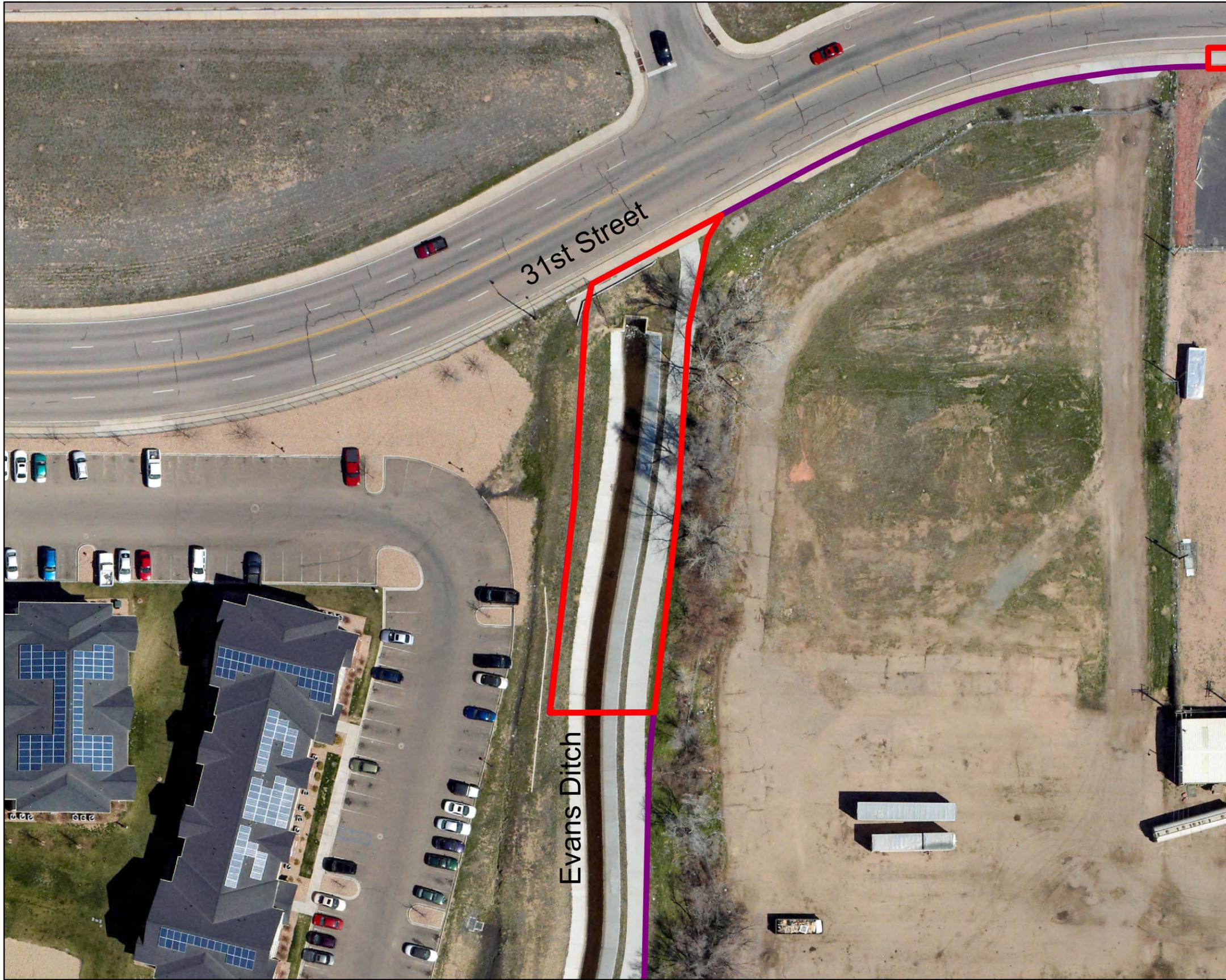
31st Street

Legend

-  Junction at Evans Replat Boundary
-  Proposed Land Dedication

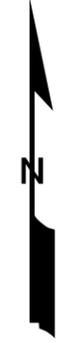


1 in = 50 feet



Legend

-  Junction at Evans Replat Boundary
-  Proposed Land Dedication

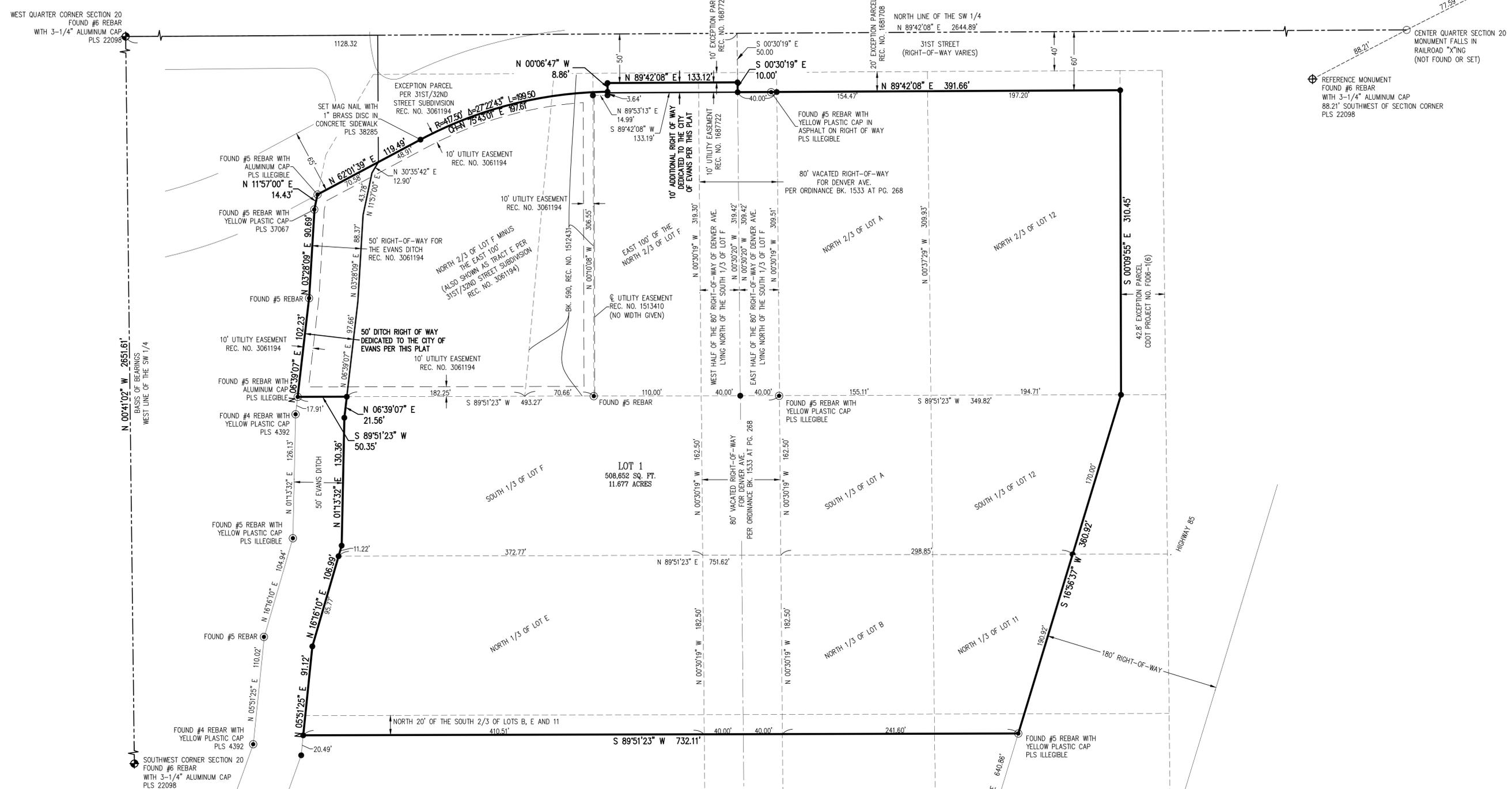


1 in = 50 feet

THE JUNCTION AT EVANS FINAL PLAT

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M. CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO

BASELINE
Engineering - Planning - Surveying
70 7TH AVENUE SUITE 105 - GREELEY COLORADO 80631
P. 970.353.2800 • F. 970.353.7601 • www.baselinecorp.com

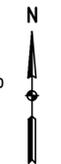
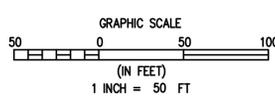


REFERENCE MONUMENT
FOUND #6 REBAR
WITH 3-1/4" ALUMINUM CAP
77.59' NORTHEAST OF SECTION CORNER
PLS 22098

77.59'

88.21'

REFERENCE MONUMENT
FOUND #6 REBAR
WITH 3-1/4" ALUMINUM CAP
88.21' SOUTHWEST OF SECTION CORNER
PLS 22098



- SYMBOL LEGEND**
- ◆ ALIQUOT CORNER AS DESCRIBED
 - CALCULATED ALIQUOT CORNER
 - ⊕ ALIQUOT REFERENCE MONUMENT AS DESCRIBED
 - FOUND #5 REBAR WITH ORANGE PLASTIC CAP, PLS 38285
 - ⊙ FOUND PROPERTY PIN AS DESCRIBED
- LINETYPE LEGEND**
- ALIQUOT LINE
 - BOUNDARY LINE
 - - - - LOT LINE PER LYNCH'S SUBDIVISION
 - · - · - ADJOINER LOT LINE

REVISION DESCRIPTION	DATE	PREPARED BY

EVANS REDEVELOPMENT AGENCY
CITY OF EVANS
COUNTY OF WELD
THE JUNCTION AT EVANS FINAL PLAT
A PORTION OF SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO

PRELIMINARY

DRAWING SIZE	24" x 36"
JOB NO.	214
DRAWING NAME	214 - REPLAT.dwg
SHEET	2 OF 2

AARON A. DEMO
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
NO. 38285, FOR AND ON BEHALF OF BASELINE CORPORATION.

M:\Golden Survey Projects\214 - Town of Erie - ALTA and Topo\214 - REPLAT.dwg, 12/10/2014 3:58:23 PM, Aaron Demo

PARCEL DESCRIPTION

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS;

THE NORTH 326.67 FEET OF LOTS A AND 12, OF THE ST. LOUIS WESTERN COLONY SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., IN THE TOWN OF EVANS, WELD COUNTY, COLORADO; AND ALSO DESCRIBED AS FOLLOWS:

THE NORTH 326.7 FEET (N2/3) OF LOT A, LYNCH'S SUBDIVISION, IN THE TOWN OF EVANS AND THE NORTH 326.7 FEET (N2/3) OF THE WEST 197.2 FEET OF LOT 12 OF THE ST. LOUIS WESTERN COLONY SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4 SW1/4) OF SECTION TWENTY (20), TOWNSHIP FIVE (5) NORTH, RANGE SIXTY-FIVE (65) WEST OF THE 6TH P.M., IN THE TOWN OF EVANS, COUNTY OF WELD, STATE OF COLORADO. EXCEPT THE NORTH 20 FEET OF THE EAST HALF (E1/2) OF THE VACATED PORTION OF DENVER STREET AND A PART OF LOT A, LYNCH'S SUBDIVISION IN THE TOWN OF EVANS, AND A PART OF LOT TWELVE (12) OF THE ST. LOUIS WESTERN COLONY SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) AS CONVEYED TO THE CITY OF EVANS, A COLORADO MUNICIPAL CORPORATION BY DEED RECORDED FEBRUARY 19, 1976 IN BOOK 760 UNDER RECEPTION NO. 1681708, WELD COUNTY RECORDS.

TOGETHER WITH;

THAT PART OF THE EAST 1/2 OF THE NORTH 2/3 OF LOT F, LYNCH'S SUBDIVISION AND ALL THAT PART OF VACATED DENVER STREET, IN THE CITY OF EVANS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER (NW COR) OF LOT 6 IN THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, AND CONSIDERING THE NORTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 20 TO BEAR NORTH 89°42'00" WEST WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE NORTH 89°42'00" WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF 14TH STREET PARALLEL TO AND 40.00 FEET SOUTH AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 20, 760.00 FEET TO THE TRUE POINT OF BEGINNING:

THENCE SOUTH 00°18'00" WEST ALONG THE CENTERLINE OF THE NOW VACATED DENVER STREET; 326.67 FEET; THENCE NORTH 89°42'00" WEST, 220.67 FEET; THENCE NORTH 05°39'47" EAST, 328.10 FEET; TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID 14TH STREET; THENCE SOUTH 89°42'00" EAST ALONG SAID RIGHT-OF-WAY LINE, 190.00 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PART CONVEYED BY DEED RECORDED JANUARY 25, 1968 IN BOOK 590 AS RECEPTION NO. 1512431; COMMENCING AT THE NORTHWEST CORNER OF LOT 6 IN THE SW 1/4 OF SAID SECTION 20 AND CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SAID SECTION 20 TO BEAR NORTH 89°42' WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF THE 14TH STREET IN THE TOWN OF EVANS PARALLEL TO AND 40 FEET SOUTH FROM THE NORTH LINE OF THE SW 1/4 OF SAID SECTION 20, 910 FEET TO THE TRUE POINT OF BEGINNING;
THENCE SOUTH 00°18' WEST 326.10 FEET; THENCE SOUTH 89°42' EAST 40 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTION THEREFROM THE NORTH 10 FEET OF SAID PARCEL AS CONVEYED BY DEED RECORDED MAY 5, 1976 IN BOOK 766 AT RECEPTION NO. 1687721

TOGETHER WITH;

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF WELD, STATE OF COLORADO,
AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE:

THE SOUTH 1/3 OF LOTS A AND F, LYNCH'S SUBDIVISION, (DEFINITELY LOCATED IN THE NW 1/4 OF THE SW 1/4 OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M.) AND ALL THAT PART OF THE SOUTH 1/3 OF LOT 12 OF THE NE 1/4 OF THE SW 1/4 OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., WEST OF HIGHWAY NO. 85, ALL BEING LOCATED IN THE CITY OF EVANS, WELD COUNTY, COLORADO.

PARCEL TWO:

DENVER STREET BETWEEN THE SOUTH 1/3 OF LOTS A AND F, LYNCH'S SUBDIVISION (DEFINITELY LOCATED IN THE NW 1/4 OF THE SW 1/4 OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M.) ALL BEING LOCATED IN THE CITY OF EVANS, WELD COUNTY, COLORADO, ACCORDING TO THE RECORDED MAP OR PLAT THEREOF.

PARCEL THREE:

THAT PART OF THE EAST 1/2 OF THE NORTH 2/3 OF LOT F, LYNCH'S SUBDIVISION, OF THE CITY OF EVANS, WELD COUNTY, COLORADO, LOCATED IN THE NW 1/4 OF

THE SW 1/4 OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF LOT 6 IN THE SW 1/4 OF SAID SECTION 20 AND CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SAID SECTION 20 TO BEAR NORTH 89°42' WEST AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE NORTH 89°42' WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF 14TH STREET IN THE CITY OF EVANS PARALLEL TO AND DISTANT 40 FEET SOUTH FROM THE NORTH LINE OF THE SW1/4 OF SAID SECTION 20, 910 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 00° 18' WEST, 326.67 FEET; THENCE NORTH 89°42' WEST, 70.67 FEET; THENCE NORTH 05°39'47" EAST, 328.10 FEET; THENCE SOUTH 89°42' EAST, 40 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL FOUR:

THAT PORTION OF THE EAST 1/2 OF DENVER STREET AS VACATED BY ORDINANCE NO. 123, RECORDED JUNE 5, 1959 IN BOOK 1533 AT PAGE 268, WELD COUNTY RECORDS, WHICH LIES ADJACENT TO THE WEST LINE OF THE NORTH 2/3 OF LOT A, IN THE NW 1/4 OF THE SW 1/4 OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., ACCORDING TO THE OFFICIAL AND AMENDED PLAT OF THE CITY OF EVANS, WELD COUNTY, COLORADO, RECORDED MAY 6, 1908 IN MAP BOOK 4 AT PAGE 67, WELD COUNTY RECORDS, EXCEPT THE NORTH 20 FEET OF THE EAST 1/2 OF THE VACATED PORTION OF DENVER STREET WHICH LIES ADJACENT TO THE WEST LINE OF THE SAID NORTH 2/3 OF LOT A AS CONVEYED TO THE CITY OF EVANS BY VIRTUE OF QUIT CLAIM DEED RECORDED FEBRUARY 19, 1976 IN BOOK 760 UNDER RECEPTION NO. 1681708, WELD COUNTY RECORDS.

PARCEL FIVE:

THE WEST 1/2 OF THE NORTH 2/3 OF LOT F, LYNCH'S SUBDIVISION, OF THE CITY OF EVANS, WELD COUNTY, COLORADO, ALL BEING LOCATED IN THE NW 1/4 OF THE SW 1/4 OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO. A PORTION OF THE ABOVE DESCRIBED PROPERTY IS NOW PLATTED AS TRACT E AND A PORTION OF TRACT D, 31ST/32ND STREET SUBDIVISION, ACCORDING TO THE PLAT RECORDED MAY 9, 2003 AT RECEPTION NO. 3061194, COUNTY OF WELD, STATE OF COLORADO.

TOGETHER WITH;

PARCEL A

THE NORTH ONE THIRD OF LOTS B AND E, LYNCH'S SUBDIVISION (DEFINITELY LOCATED IN THE NW 1/4 OF THE SW 1/4 OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M.) AND THAT PART OF THE NORTH ONE THIRD OF LOT ELEVEN (11) OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE 1/4 SW 1/4) OF SECTION TWENTY (20), TOWNSHIP FIVE (5) NORTH, RANGE SIXTY-FIVE (65) WEST OF THE 6TH P.M., WEST OF U.S. HIGHWAY NO. 85, TOGETHER WITH THAT PART OF DENVER STREET (HERETOFORE VACATED) LYING BETWEEN THE NORTH ONE THIRD OF LOT E AND THE NORTH

ONE THIRD OF LOT B, LYNCH'S SUBDIVISION DEFINITELY LOCATED IN THE NW 1/4 OF THE SW 1/4 OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M.

PARCEL B

THE NORTH 20 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

THE SOUTH 2/3 OF LOTS B AND E, ALL OF LOT D AND THAT PART OF LOT C LYING WEST OF HIGHWAY NO. 85, IN LYNCH'S SUBDIVISION OF THE TOWN OF EVANS WELD COUNTY, COLORADO, BEING A PART OF THE NW 1/4 OF THE SW 1/4 OF SECTION 20, TOWNSHIP 5 NORTH, OF RANGE 65 WEST OF THE 6TH P.M., LYING EAST OF THE EVANS IRRIGATING DITCH. ALSO THAT PART OF THE SOUTH 2/3 OF LOT 11 OF THE NE 1/4 OF THE SW 1/4 OF SECTION 20, TOWNSHIP 5 NORTH, OF RANGE 65 WEST OF THE 6TH P.M., ACCORDING TO THE SUBDIVISION OF LANDS AS MADE BY THE ST. LOUIS WESTERN COLONY, IN THE TOWN OF EVANS, WELD COUNTY, COLORADO, LYING WEST OF HIGHWAY NO., 85. ALSO THAT PORTION OF DENVER STREET AS PLATTED WHICH LIES BETWEEN THE SOUTH 2/3 OF LOTS B AND E AND BETWEEN LOTS C AND D OF LYNCH'S SUBDIVISION OF THE TOWN OF EVANS, WELD COUNTY, COLORADO, AS VACATED BY ORDINANCE RECORDED JUNE 5, 1959, IN BOOK 1533 AT PAGE 268, WELD COUNTY RECORDS.

EXCEPTING FROM THAT PORTION AS DESCRIBED UNDER RECEPTION NUMBER _____ BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBE AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 20 AND ASSUMING THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, AS MONUMENTED BY A #6 REBAR WITH 3-1/4 INCH ALUMINUM CAP STAMPED PLS 22098 AT THE WEST QUARTER CORNER OF SAID SECTION 20 AND A #6 REBAR WITH 3-1/4 INCH ALUMINUM CAP STAMPED PLS 22098 AT THE SOUTHWEST CORNER OF SAID SECTION 20 TO BEAR SOUTH 00°41'02" EAST, BEING A GRID BEARING OF THE COLORADO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM 1983/2007, A DISTANCE OF 2651.61 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

THENCE NORTH 89°42'08" EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 1128.32 FEET;

THENCE SOUTH 00°30'19" EAST A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 00°30'19" EAST A DISTANCE OF 10.00 FEET TO A LINE BEING 60.00 FEET SOUTH OF AND PARALLEL SAID THE NORTH LINE OF THE SOUTHWEST QUARTER;

THENCE SOUTH 89°42'08" WEST ALONG SAID PARALLEL LINE A DISTANCE OF 133.19 FEET;

THENCE NORTH 00°30'19" WEST A DISTANCE OF 10.00 FEET TO A LINE BEING 50.00 FEET SOUTH OF AND PARALLEL TO SAID NORTH LINE OF THE SOUTHWEST QUARTER;

THENCE NORTH 89°42'08" EAST ALONG SAID PARALLEL LINE A DISTANCE OF 133.19 FEET TO THE POINT OF BEGINNING;

EXCEPTING FROM THAT PORTION AS DESCRIBED UNDER RECEPTION NUMBER _____ BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBE AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 20 AND ASSUMING THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, AS MONUMENTED BY A #6 REBAR WITH 3-1/4 INCH ALUMINUM CAP STAMPED PLS 22098 AT THE WEST QUARTER CORNER OF SAID SECTION 20 AND A #6 REBAR WITH 3-1/4 INCH ALUMINUM CAP STAMPED PLS 22098 AT THE SOUTHWEST CORNER OF SAID SECTION 20 TO BEAR SOUTH 00°41'02" EAST, BEING A GRID BEARING OF THE COLORADO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM 1983/2007, A DISTANCE OF 2651.61 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

THENCE NORTH 89°42'08" EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 760.07 FEET;

THENCE SOUTH 00°17'52" EAST A DISTANCE OF 129.33 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 30°35'42" WEST A DISTANCE OF 12.90 FEET;

THENCE SOUTH 11°57'00" WEST A DISTANCE OF 43.78 FEET;

THENCE SOUTH 03°28'09" WEST A DISTANCE OF 88.37 FEET;

THENCE SOUTH 06°39'07" WEST A DISTANCE OF 97.66 FEET;

THENCE SOUTH 89°51'23" WEST A DISTANCE OF 50.35 FEET;

THENCE NORTH 06°39'07" EAST A DISTANCE OF 102.23 FEET;

THENCE NORTH 03°28'09" EAST A DISTANCE OF 90.69 FEET;

THENCE NORTH 11°57'00" EAST A DISTANCE OF 14.43 FEET TO THE SOUTH RIGHT OF WAY LINE OF 31ST STREET AS RECORDED UNDER RECEPTION NUMBER 3061194;

THENCE NORTH 62°01'39" EAST ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 70.58 FEET TO THE POINT OF BEGINNING;

CONTAINING 496,154 SQUARE FEET OR 11.39 ACRES MORE OR LESS:

SURVEYOR'S STATEMENT

I, AARON A. DEMO, A COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY STATE THAT THIS PROPERTY DESCRIPTION WAS PREPARED UNDER MY PERSONAL SUPERVISION AND CHECKING, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, BELIEF, AND IN MY PROFESSIONAL OPINION.

AARON A. DEMO - ON BEHALF OF BASELINE ENGINEERING CORP.
COLORADO REGISTERED PROFESSIONAL
LAND SURVEYOR #38285

BASELINE ENGINEERING CORP.
710 11TH AVENUE, SUITE 105
GREELEY, COLORADO 80631
(970) 353-7600

PLANNING COMMISSION COMMUNICATION

DATE: March 3, 2015

AGENDA ITEM: 7.D

SUBJECT: Public Hearing – Ordinance No. 618-15 – Amendment to a Planned Unit Development, Vintage Villas – 2nd Reading

PRESENTED BY: N. Zach Ratkai, Community Development Manager

BACKGROUND INFORMATION		
Location:	A residential development along Borrossa, Corvina, Costanita and Chardonnay Streets, Grapevine Hollow neighborhood.	
Applicants:	Greeley Community Management (on behalf of the Vintage Villas HOA)	
Existing Land Use:	Residential	
Proposed Land Use:	Residential	
Surrounding Land Use:	North	Residential
	South	Open Space
	East	Residential
	West	Residential
Existing Zoning:	PUD – Planned Unit Development	
Proposed Zoning:	No change	
Surrounding Zoning:	North	R-1, Single-family Residential
	South	R-2, Two-family Residential
	East	R-1, Single-family Residential
	West	R-2, Two-family Residential
Future Land Use Designation:	Residential, Urban Neighborhood.	

PROJECT DESCRIPTION: The City received an application from Greeley Community Management on behalf of the Vintage Villas Home Owners' Association (HOA) to the amend the Vintage Villas PUD in order to clarify architectural siding requirements and

remove the requirement for a water feature as a design feature for a planned pocket park. Vintage Villas is a duplex development located within the Grapevine Hollow subdivision.

If approved, the amendment would change the language (additions shown below in **RED**) within Section 1, Item B of the PUD ordinance (No. 337-05) to read:

*B. The architectural requirements shall be expanded to include front-facing entry doors, the use of stone on the front facades, and Hardiplank **(or similar cement fiber siding)** cladding on the sides and rear (except when the side or rear faces the street)*

Additionally, the applicant is requesting complete removal of Section 1, Item E of the PUD Ordinance (No. 337-05) which will remove the requirement for a water feature to be placed as part of the neighborhood pocket park.

A draft ordinance is attached showing all changes.

PLANNING COMMISSION FINDINGS: The Evans Planning Commission, at a public hearing held on January 27, 2015, voted unanimously to recommend approval of the requested PUD amendment to the Evans City Council.

RECOMMENDATION: Staff recommends approval of the PUD Amendment to the City Council for the subject property.

ANALYSIS:

1. Background:

The Vintage Villas PUD was originally approved in 2003 through Ordinance No. 226-03 and has since been amended once, through Ordinance No. 337-05. The development is planned for 52 residential units at total build-out.

2. Findings and Analysis

18.28.180 Evaluation criterion of public interest and safeguards to public and landowners.

The basic criterion for the City Council to consider in judging a PUD plan is whether it would or would not serve the public interest and whether the self-regulating aspects of the proposed PUD would or would not provide safeguards to the public, and to the persons owning and occupying the land area of the PUD, which would be approximately equivalent to the safeguards provided by other regulations of this Title. In making that determination, the Council shall consider the proposed PUD in terms of compatibility of land uses within the PUD and between those in the neighborhood and those proposed for the PUD, traffic, appearance and recreational potentials, the likelihood that the PUD will achieve the objectives described in Section 18.28.010 of this Chapter, and any other matters which the Council determines will be relevant in making its decision. (Ord. 673-87)

Staff finds that the above finding and criterion for evaluation of a PUD amendment can be satisfactorily met through this minor PUD Amendment. Further clarifying architectural material types and eliminating a small and inconsequential water feature will pose little

adverse effect on the PUD itself and the community as a whole.

3. Issues:

Staff has worked with the applicant to ensure all issues have been handled accordingly. The applicant has provided all submittals in the required format and worked with staff on necessary resubmittals.

Notice of this public hearing was provided in accordance with the Municipal Code.

FINDINGS OF FACT AND CONCLUSIONS

After reviewing the request for amendment of an existing, approved Planned Unit Development (PUD), the following findings of fact and conclusions have been determined:

All applicable review criteria and state statutes can be appropriately and sufficiently met as described herein.

STAFF RECOMMENDATION:

We recommend that the City Council recommend approval to the City Council on Ordinance No. 618-15 with no conditions.

RECOMMENDED PLANNING COMMISSION MOTION:

“On the issue of the PUD Amendment for Vintage Villas, I move that Ordinance No. 618-15 be recommended by the City Council for approval.”

“On the issue of the PUD Amendment for Vintage Villas, I move Ordinance No. 618-15 be recommended by the City Council for denial because it does not meet applicable municipal code findings and is not in the best interest of the citizens and City of Evans.”

DRAWING NUMBER
12-9-05

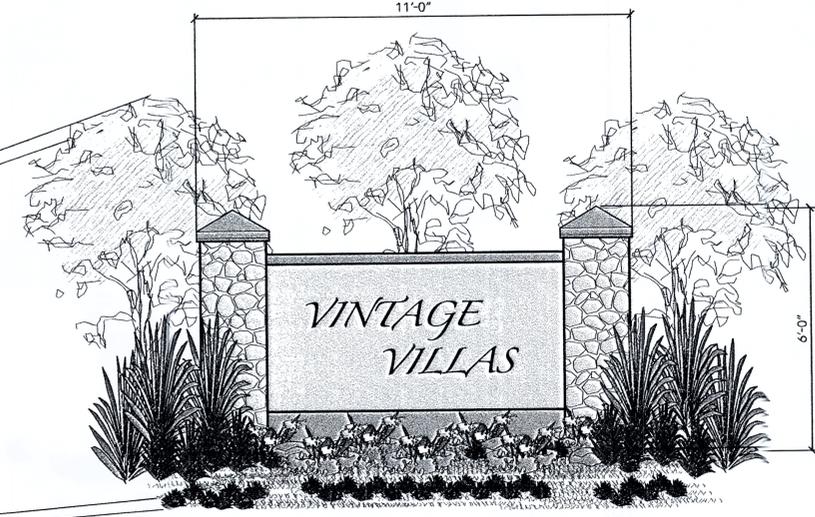
DRAWING NUMBER
3 of 3

DRAWING NUMBER
3 of 3

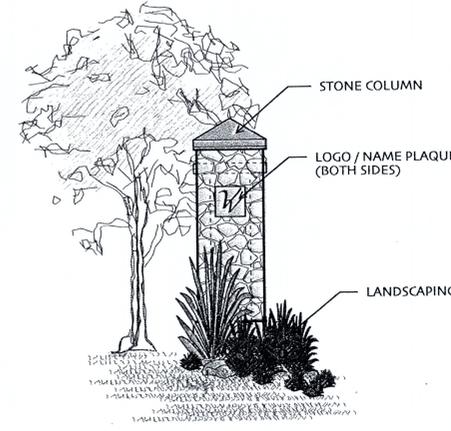
DRAWING NUMBER
Vintage Villas PUD Amendment

3346328 12/09/2005 04:03P Weld County, CO
3 of 3 R 31.00 D 0.00 Steve Moreno Clerk & Recorder

VINTAGE VILLAS

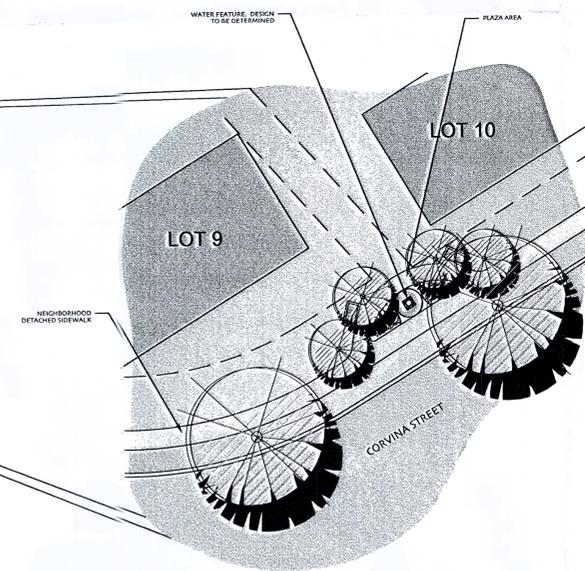


Monument Entry Sign - Front Elevation

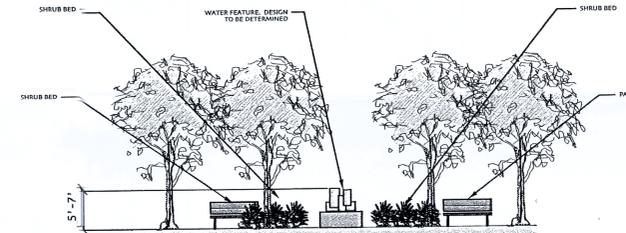


Monument Entry Sign - Side Elevation

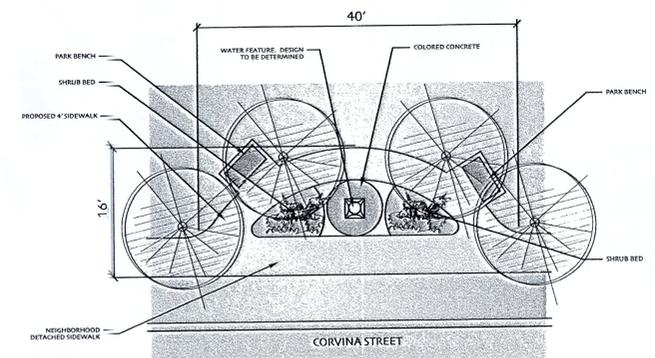
Monument Entry Sign



Plaza Area w/ Water Feature
Neighborhood Plan View - Scale 1" = 20'



Plaza Area w/ Water Feature
Detailed Plan View - Scale 1" = 10'



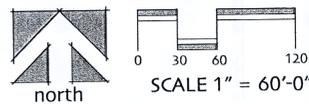
Plaza Area w/ Water Feature
Detailed Plan View - Scale 1" = 10'

Plaza Area w/ Water Feature

Prepared By:

DesignOne
CONSULTANTS, INC
COMMUNITY DEVELOPMENT
CONSULTATION
SITE PLANNING
LANDSCAPE ARCHITECTURE
ARCHITECTURE
CONSTRUCTION MANAGEMENT

Vintage Villas Neighborhood
SEPTEMBER 2, 2005



CITY OF EVANS, COLORADO

ORDINANCE NO. XX-15

AN ORDINANCE AMENDING THE PLANNED UNIT DEVELOPMENT PLAN FOR VINTAGE VILLAS PUD WITHIN THE CITY OF EVANS

WHEREAS, application has been made to amend the Vintage Villas PUD Plan; and

WHEREAS, the Planning Commission recommended approval of the requested amendment at its meeting on January 27, 2015; and,

WHEREAS, the City Council, after considering the Planning Commission's recommendation, reviewing the file herein, and conducting a hearing concerning the PUD Amendment request in accordance with Chapter 18.28 of the Evans Municipal Code, find that the requested amendment would serve the public interest.

NOW; THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANS, COLORADO:

Section 1. PUD Amendment: The Vintage Villas PUD Plan is hereby amended as follows:

- A. The size and/or location of the building envelopes for Lots 3-9, 11, 13, and 14, Block 10 will be modified as shown on the amended final plat.
- B. The architectural requirements shall be expanded to include front-facing entry doors, the use of stone on the front facades, and Hardiplank (*or similar cement fiber siding*) cladding on the sides and rear (except when the side or rear faces a street).
- C. The gateway features shall be optional.
- D. The landscape island in the Corvina Court cul-de-sac is omitted.
- E. ~~The water feature shown on the original PUD plan between Lots 28 and 29 of Block 9 will be located south of Lot 9, Block 10, within a landscaped pocket park with a park bench.~~
- F. Entry signs shall be installed on both sides of Borrossa Street at Chardonnay Street, and on the south side of Corvina Street. Landscaping shall be installed around such signs.
- G. Park benches shall be installed on both sides of the walkway in Outlot 4 between Lots 19 and 20, Block 11.
- H. All amenities of the Vintage Villas PUS shall be installed prior to issuance of the 27th building permit in Vintage Villas.

Section 2. Plat Recording: A replat showing the revised PUD plan shall be kept on file at the City of Evans and recorded at the Weld County Clerk and Recorder.

Section 3. Publication and Effective Date: This ordinance after its passage on final reading, shall be numbered, recorded, published and posted as required by the City Charter and the

adoption, posting and publication shall be authenticated by the signature of the Mayor and the City Clerk, and by the Certificate of Publication. This ordinance shall become effective upon final passage.

PASSED and APPROVED at a regular meeting of the City Council of the City of Evans on this 17th day of February, 2015.

CITY OF EVANS, COLORADO

By: _____

Mayor

ATTEST:

City Clerk

PASSED, APPROVED AND ADOPTED ON SECOND READING this 3rd day of March, 2015.

CITY OF EVANS, COLORADO

By: _____

Mayor

ATTEST:

City Clerk

CITY OF EVANS, COLORADO

ORDINANCE NO. 618-15

AN ORDINANCE AMENDING THE PLANNED UNIT DEVELOPMENT PLAN FOR
VINTAGE VILLAS PUD WITHIN THE CITY OF EVANS

WHEREAS, application has been made to amend the Vintage Villas PUD Plan; and

WHEREAS, the Planning Commission recommended approval of the requested amendment at its meeting on January 27, 2015; and,

WHEREAS, the City Council, after considering the Planning Commission's recommendation, reviewing the file herein, and conducting a hearing concerning the PUD Amendment request in accordance with Chapter 18.28 of the Evans Municipal Code, find that the requested amendment would serve the public interest.

NOW; THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANS, COLORADO:

Section 1. PUD Amendment: The Vintage Villas PUD Plan is hereby amended as follows:

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- C. The gateway features shall be optional.
- D. The landscape island in the Corvina Court cul-de-sac is omitted.
- E. Entry signs shall be installed on both sides of Borrossa Street at Chardonnay Street, and on the south side of Corvina Street. Landscaping shall be installed around such signs.
- F. Park benches shall be installed on both sides of the walkway in Outlot 4 between Lots 19 and 20, Block 11.
- G. All amenities of the Vintage Villas PUS shall be installed prior to issuance of the 27th building permit in Vintage Villas.

Section 2. Plat Recording: A replat showing the revised PUD plan shall be kept on file at the City of Evans and recorded at the Weld County Clerk and Recorder.

Section 3. Publication and Effective Date: This ordinance after its passage on final reading, shall be numbered, recorded, published and posted as required by the City Charter and the adoption, posting and publication shall be authenticated by the signature of the Mayor and the City Clerk, and by the Certificate of Publication. This ordinance shall become effective upon final passage.

PASSED and APPROVED at a regular meeting of the City Council of the City of Evans on this 17th day of February, 2015.

CITY OF EVANS, COLORADO

By: _____
Mayor Pro-Tem

ATTEST:

City Clerk

PASSED, APPROVED AND ADOPTED ON SECOND READING this 3rd day of March, 2015.

CITY OF EVANS, COLORADO

By: _____
Mayor

ATTEST:

City Clerk

COUNCIL COMMUNICATION

DATE: March 3, 2015

SUBJECT: ORDINANCE 619-15 AN ORDINANCE APPROVING AN OIL AND GAS LEASE OF THE CITY OF EVANS' CEMETERY AND PARK PROPERTY WITH MINERAL RESOURCES, INC.

PRESENTED BY: Scott Krob, City Attorney

AGENDA ITEM DESCRIPTION:

This ordinance approves a lease of the City of Evans oil and gas interest in the property beneath the City's cemetery and park properties. Initially, the City received the following two proposals for such a lease:

Duck Creek Resources on behalf of Aztec Exploration

- 5 year initial term with 5 year extension option
- 16.67% royalty
- \$250 per acre signing bonus

Mineral Resources, Inc

- 5 year initial term with 5 year extension option
- 16% royalty
- \$1500 per acre signing bonus

Subsequently Duck Creek Resources increased its bonus offer to \$1500 per acre. After that Mineral Resources, Inc. increased its bonus offer to \$2500 per acre.

If the City does not enter into a lease agreement for its oil and gas interest or develop those interests on its own, the City will likely be forced into a pooling agreement. In that event there is no signing bonus and the City would receive a royalty of 12%.

No drilling will be done on the City's property. The well that will access the oil and gas beneath the City's property will actually be a directional well drilled from Greeley. Accordingly, the City will not receive the severance tax associated with this well.

FINANCIAL SUMMARY:

It is anticipated that the signing bonus will result in an up-front payment in the amount of \$149,000. The royalty will be paid if and when a producing well is drilled.

RECOMMENDATION:

It is staff's recommendation that the City enter into the oil and gas lease agreement with Mineral Resources, Inc. as provided in the ordinance.

SUGGESTED MOTIONS:

"I move to approve Ordinance No. 619-15."

"I move to deny Ordinance No. 619-15."

CITY OF EVANS, COLORADO

ORDINANCE NO. 619-15

AN ORDINANCE APPROVING AN OIL AND GAS LEASE OF THE CITY OF EVANS' CEMETERY AND PARK PROPERTY WITH MINERAL RESOURCES, INC.

WHEREAS, the City Council of the City of Evans, Colorado, pursuant to Colorado statute and the Evans City Charter, is vested with the authority of administering the affairs of the City of Evans, Colorado;

WHEREAS, the form of the lease has been approved by the City Attorney and the content of the lease has been approved by the City Manager; and

WHEREAS, the City Council finds it is in the best interest of the citizens of the City of Evans to enter into this lease.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANS, COLORADO AS FOLLOWS:

1. The lease of the City of Evans' oil and gas interest in the property beneath the City's cemetery and park properties as set forth in the attached oil and gas lease between the City and Mineral Resources, Inc. is hereby approved.
2. Severability. 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 City Council 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 be declared unconstitutional or invalid.
3. Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this ordinance.

INTRODUCED AND PASSED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF EVANS ON THIS _____ DAY OF _____, 2015.

ATTEST:

CITY OF EVANS, COLORADO

Raegan Robb, City Clerk

BY: _____
John L. Morris, Mayor

**PASSED AND ADOPTED ON A SECOND READING THIS ____ DAY OF _____,
2015.**

ATTEST:

CITY OF EVANS, COLORADO

Raegan Robb, City Clerk

BY: _____
John L. Morris, Mayor

OIL AND GAS LEASE

This Oil and Gas Lease ("Lease") is made this ____ day of _____, 2015 by and between **CITY OF EVANS** whose address is **ATTN: KIM BETZ - CITY CLERK DEPT 1100 37 ST EVANS, CO 80620**, ("Lessor", whether one or more) and **MINERAL RESOURCES, INC.**, whose address is **P.O. BOX 328, GREELEY, COLORADO 80632** ("Lessee").

WITNESSETH, For and in Consideration of TEN DOLLARS, the covenants and agreements contained herein, and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, Lessor does hereby grant, demise, lease and let exclusively unto said Lessee, with the exclusive rights for the purposes of mining, exploring by geophysical and other methods and operating for and producing therefrom oil and all gas of whatsoever nature or kind (including coalbed gas), and laying pipelines, telephone and telegraph lines, building tanks, plants, power stations, roadways and structures thereon to produce, save and take care of said products (including dewatering of coalbed gas wells), and the exclusive surface or subsurface rights and privileges related in any manner to any and all such operations, and any and all other rights and privileges necessary, incident to, or convenient for the operation alone or conjointly with neighboring land for such purposes, all that certain tract or tracts of land situated in Weld County, Colorado, described to wit:

SEE THE ATTACHED EXHIBIT "A" FOR A DESCRIPTION OF LANDS LOCATED IN WELD COUNTY, COLORADO

Notwithstanding anything to the contrary herein contained, this lease is a "No Surface Occupancy" Oil and Gas Lease. It is agreed and understood that Lessee its successors or assigns shall not conduct any operations or locate any facilities on the surface of the leased lands. It is understood that Lessee, its successors or assigns shall not be allowed any access to the surface of the leased lands without written consent of Lessor. It is further agreed that Lessee shall have the right to drill and operate directional wells through and under said land irrespective of the bottom hole locations of said wells. To this end, Lessor hereby grants to Lessee a subsurface easement for all purposes associated with such directional wells.

1. It is agreed that this Lease shall remain in full force for a term of five (5) years from this date ("Primary Term") and as long thereafter as oil or gas of whatsoever nature or kind is produced from the Premises or on acreage pooled or unitized therewith, or operations are continued as hereinafter provided. At any time during the Primary Term of this Lease, Lessee, at its option may make tender to Lessor payment in the amount of \$100 per net mineral acre, thereby extending the Primary Term of this Lease by an additional five (5) years. If, at the expiration of the Primary Term, oil or gas is not being produced from the Premises or on acreage pooled or unitized therewith but Lessee is then engaged in drilling, reworking or dewatering operations thereon, then this Lease shall continue in force so long as such operations are being continuously prosecuted. Operations shall be considered to be continuously prosecuted if not more than ninety (90) days shall elapse between the completion or abandonment of one well and the beginning of operations for the drilling of a subsequent well. If after discovery of oil or gas on the Premises or on acreage pooled or unitized therewith, the production thereof should cease from any cause after the primary term, this Lease shall not terminate if Lessee commences additional drilling, reworking or dewatering operations within ninety (90) days from date of cessation of production or from date of completion of a dry hole. If oil or gas shall be discovered and produced as a result of such operations at or after the expiration of the Primary Term, this Lease shall continue in force so long as oil or gas is produced from the Premises or on acreage pooled or unitized therewith.

2. This is a PAID-UP LEASE. In consideration of the payment made herewith, Lessor agrees that Lessee shall not be obligated, except as otherwise provided herein, to commence or continue any operations during the primary term. Lessee may at any time or times during or after the Primary Term surrender this Lease as to all or any portion of the Premises and as to any strata or stratum, by delivering to Lessor or by filing for record a release or releases, and be relieved of all obligations thereafter accruing as to the acreage surrendered.

3. The royalties to be paid by Lessee are: (a) on oil and other liquid hydrocarbons, 16% of that produced and saved from said land, the same to be delivered at the wells, or to the credit of Lessor into the pipeline to which the wells may be connected; Lessee may from time to time purchase any royalty oil in its possession, paying the market price therefore prevailing for the field where produced on the date of purchase; (b) on gas and the constituents thereof produced from said land and sold or used off the premises or in the manufacture of products therefrom, the market value at the well of 16% of the product sold or used. On product sold at the well, the royalty shall be 16% of the net proceeds realized from such sale. All royalties paid on gas sold or used off the premises or in the manufacture of products therefrom will be paid after deducting from such royalty Lessor's proportionate amount of all post-production costs, including but not limited to gross production and severance taxes, gathering and transportation costs from the wellhead to the point of sale, treating, compression, and processing. On product sold at the well, the royalty shall be 16% of the net proceeds realized from such sale, after deducting from such royalty Lessor's proportionate amount of all of the above post-production costs and expenses, if any.

4. Where gas from a well capable of producing gas (or from a well in which dewatering operations have commenced), is not sold or used after the expiration of the Primary Term, Lessee shall pay or tender as royalty to Lessor at the address set forth above One Dollar (\$1.00) per year per net mineral acre, such payment or tender to be made on or before the anniversary date of this Lease next ensuing after the expiration of ninety (90) days from the date such well is shut in or dewatering operations are commenced and thereafter on or before the anniversary date of this Lease during the period such well is shut in or dewatering operations are being conducted.

5. If Lessor owns a lesser interest in the Premises than the entire and undivided fee simple estate therein, then the royalties (including any shut-in gas royalty) herein provided for shall be paid Lessor only in the proportion which Lessor's interest bears to the whole and undivided fee.

6. Lessee shall have the right to use, free of cost, gas, oil and water produced on the Premises for Lessee's operations thereon, except water from the wells of Lessor.

7. When requested by Lessor, Lessee shall bury Lessee's pipeline below plow depth.

8. No well shall be drilled nearer than 200 feet to the house or barn now on the Premises without written consent of Lessor.

9. Lessee shall pay for damages caused by Lessee's operations to growing crops on the Premises.

10. Lessee shall have the right at any time to remove all machinery and fixtures (including casing) Lessee has placed on the Premises.

11. The rights of the Lessor and Lessee hereunder may be assigned in whole or part. No change in ownership of Lessor's interest (by assignment or otherwise) shall be binding on Lessee until Lessee has been furnished with notice, consisting of certified copies of all recorded instruments or documents and other information necessary to establish a complete chain of record title from Lessor, and then only with respect to payments thereafter made. No other kind of notice, whether actual or constructive, shall be binding on Lessee. No present or future division of Lessor's ownership as to different portions or parcels of the Premises shall operate to enlarge the obligations or diminish the rights of Lessee, and all Lessee's operations may be conducted without regard to any such division. If all or any part of this Lease is assigned, no leasehold owner shall be liable for any act or omission of any other leasehold owner.

12. Lessee, at its option, is hereby given the right and power at any time and from time to time as a recurring right, either before or after production, as to all or any part of the Premises and as to any one or more of the formations thereunder, to pool or unitize the leasehold estate and the mineral estate covered by this Lease with other land, lease or leases in the immediate vicinity for the production of oil and gas, or separately for the production of either, when in Lessee's judgment it is necessary or advisable to do so, and irrespective of whether authority similar to this exists with respect to such other land, lease or leases. Likewise units previously formed to include formations not producing oil or gas may be reformed to exclude such non-producing formations. The forming or reforming of any unit shall be accomplished by Lessee executing and filing of record a declaration of such unitization or reformation, which declaration shall describe the unit. Any unit may include land upon which a well has theretofore been completed or upon which operations for drilling have theretofore been commenced. Production, drilling, reworking or dewatering operations or a well shut in for want of a market anywhere on a unit which includes all or a part of this Lease shall be treated as if it were production, drilling, reworking or dewatering operations or a well shut in for want of a market under this Lease. In lieu of the royalties elsewhere herein specified, including shut-in gas royalties, Lessor shall receive royalties on production from such unit only on the portion of such production allocated to this Lease; such allocation shall be that proportion of the unit production that the total number of surface acres covered by this Lease and included in the Unit bears to the total number of surface acres in such Unit. In addition to the foregoing, Lessee shall have the right to unitize, pool, or combine all or any part of the Premises as to one or more of the formations thereunder with other lands in the same general area by entering into a cooperative or unit plan of development or operation approved by any governmental authority and, from time to time, with like approval, to modify, change or terminate any such plan or agreement and, in such event, the terms, conditions and provisions of this Lease shall be deemed modified to conform to the terms, conditions, and provisions of such approved cooperative or unit plan of development or operation and, particularly, all drilling and development requirements of this Lease, express or implied, shall be satisfied by compliance with the drilling and development requirements of such plan or agreement, and this Lease shall not terminate or expire during the life of such plan or agreement. In the event that the Premises or any part thereof, shall hereafter be operated under any such cooperative or unit plan of development or operation whereby the production therefrom is allocated to different portions of the land covered by said plan, then the production allocated to any particular tract of land shall, for the purpose of computing the royalties to be paid hereunder to Lessor, be regarded as having been produced from the particular tract of land to which it is allocated and not to any other tract of land; and royalty payments to be made hereunder to Lessor shall be based upon production only as so allocated. Lessor shall formally express Lessor's consent to any cooperative or unit plan of development or operation adopted by Lessee and approved by any governmental agency by executing the same upon request of Lessee.

EXHIBIT "A"

TOWNSHIP 5 NORTH, RANGE 65 WEST, 6TH P.M.

SECTION 19: PART OF THE NE/4 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: A PARCEL OF LAND LOCATED IN LOT 1 OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF AFORESAID SECTION ACCORDING TO THE SUBDIVISION LANDS OF THE ST. LOUIS WERSTN COLONY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF SOUTHEAST ¼, WHICH IS 108.00 FEET SOUTH OF THE NORTHEAST CORNER OF THE SOUTHEAST ¼;
THENCE S 89°50'00" W 30.00 FEET;
THENCE S 89°50'00" W 100.00 FEET;
THENCE S 00°09'00" E 50.00 FEET;
THENCE N 89°50'00" E 100.00 FEET;
THENCE N 00°09'00" W 50.00 FEET TO THE POINT OF BEGINNING, ALSO KNOWN AS 3001 11TH AVENUE, CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS THERETO OR IN SAID SECTION.
CONTAINING 0.1148 ACRES, MORE OR LESS

PART OF THE NE4 BEING MORE PARTICULARLY DESCRIBED AS FOLLOW: LOT (1) IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION AFORSAID ACCORDING TO THE SUBDIVISION LANDS OF THE ST. LOUIS WERSTERN COLONY, ALSO KNOWN AS THE EVANS CEMETERY, LOCATED IN THE CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO, INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS THERTO OR IN SIAD SECTION.
CONTAINING 8.1921 ACRES, MORE OF LESS

: PART OF THE SE/4 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: LOT 15, BLOCK 7, SUNDOWN ESTATES 3RD FILING, ALSO THAT PART OF VACATED 15TH AVE PARTIAL CUL-DE-SAC, LOCATED IN THE CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS THERETO OR IN SAID SECTION.
CONTAINING 0.1999 ACRES, MORE OR LESS

PART OF THE SE/4 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: LOT 11, BLOCK 7, SUNDOWN ESTATES 3RD FILING, ALSO THAT PART OF VACATED 15TH AVE PARTIAL CUL-DE-SAC, CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS THERETO OR IN SAID SECTION.
CONTAINING 0.2248 ACRES, MORE OR LESS

PART OF THE SE/4 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: LOT 12, BLOCK 7, SUNDOWN ESTATES 3RD FILING, ALSO THAT PART OF VACATED 15TH AVE PARTIAL CUL-DE-SAC, CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS THERETO OR IN SAID SECTION.
CONTAINING 0.2877 ACRES, MORE OR LESS

PART OF THE SE/4 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: LOT 13, BLOCK 7, SUNDOWN ESTATES 3RD FILING, ALSO THAT PART OF VACATED 15TH AVE PARTIAL CUL-DE-SAC, CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS THERETO OR IN SAID SECTION.
CONTAINING 0.3095 ACRES, MORE OR LESS

PART OF THE SE/4 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: LOT 14, BLOCK 7, SUNDOWN ESTATES 3RD FILING, ALSO THAT PART OF VACATED 15TH AVE PARTIAL CUL-DE-SAC, CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS THERETO OR IN SAID SECTION.
CONTAINING 0.3703 ACRES, MORE OR LESS

PART OF THE SE/4 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: PARCEL A, BLOCK 10 PLATTE VALLEY SUB 1ST FILING, CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS THERETO OR IN SAID SECTION.
CONTAINING 0.6679 ACRES, MORE OR LESS

PART OF THE SE/4 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: PARCEL B, PLATTE VALLEY SUB 2ND FILING, CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS THERETO OR IN SAID SECTION.
CONTAINING 0.8044 ACRES, MORE OR LESS

PART OF THE SW/4 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BLOCK 1, VILLAGE SUB, CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS THERETO OR IN SAID SECTION.
CONTAINING 3.58 ACRES, MORE OR LESS

PART OF THE SW/4 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BLOCK 11, CHAPPELOW VILLAGE, WHICH IS THE VACATION AND FIRST REPLAT OF UNC SUBDIVISION BLOCK 4 AND BLOCK 5, IN THE CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS THERETO OR IN SAID SECTION.
CONTAINING 7.67 ACRES, MORE OR LESS

SECTION 20: PART OF THE SW/4SW/4 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: EVS PT SW4 23-5-65 BEING PARTS OF LOTS 5-9 INCLUSIVE, BLOCK 174 EVANS BEG SE COR, BLOCK 174 SOUTH 89D29'W 58.46' CURVE TO R (R=15') CHORD=NORTH 36D39W 24.23' NORTH 17D12'E 238.98' S0D31'E 247.22' TPOB ALSO LOTS 13-18 INCLUSIVE, BLOCK 174 EVANS BEG NW COR, BLOCK 174 NORTH 89 INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS THERETO OR IN SAID SECTION.
CONTAINING 0.6016 ACRES, MORE OR LESS

PART OF THE SW/4 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: EVS 31/32 TRACT D 31ST/32ND STREET SUB, ALSO KNOWN AS 32 STREET EVANS 80620 INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS THERETO OR IN SAID SECTION.
CONTAINING 0.1 ACRES, MORE OR LESS

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 20 OF TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., BEING LOTS 3 THROUGH 10 AND CLOSED 80' STREET WEST OF THE ADJACENT TO SAID LOTS INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS THERETO OR IN SAID SECTION.
CONTAINING 27.32 ACRES, MORE OR LESS

SECTION 29: PART OF THE NW/4 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: EVS 12984 LOT 18, BLOCK 20 ALSO VACATED 10' OF DENVER STREET ADJ TO ALSO VACATED 10' OF 40TH STREET ADJ TO, ALSO KNOWN AS EVANS INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS THERETO OR IN SAID SECTION. CONTAINING 0.0964 ACRES, MORE OR LESS

PART OF THE NW/4 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: EVS 13315 LOT A, BLOCK 4, ALSO INC VACATED 10' OF CENTRAL STREET AND 38TH STREET ADJ TO INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS THERETO OR IN SAID SECTION. CONTAINING 0.1045 ACRES, MORE OR LESS

PART OF THE NW/4 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: EVS 12987 LOT 22-23-24, BLOCK 20 ALSO VACATED 10' OF DENVER STREET ADJ TO, ALSO KNOWN AS 3916 DENVER STREET EVANS INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS THERETO OR IN SAID SECTION. CONTAINING 0.2066 ACRES, MORE OR LESS

PART OF THE NW/4 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: EVS 13348, BLOCK 24 & VAC STATE STREET (AKA STATE HWY 3) & VAC PLATTED ROW LYING W OF WLY ROW OF THE UPRR & ALL THAT PT OF THE CITY OF EVANS LYING S OF THE SLY ROW LN OF 40TH STREET (PLATTED AS SITH ST) AND LYING W OF THE WLY ROW LN OF THE UPRR BEING A LN INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS THERETO OR IN SAID SECTION. CONTAINING 0.9618 ACRES, MORE OR LESS

PART OF THE NW/4 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: EVS 13068 ALL, BLOCK 1, & VAC NORTH 10' OF 38TH STREET ADJ TO & VAC EAST 10' OF GOLDEN STREET & VAC W10' OF EMPIRE STREET ADJ TO & VAC N/S ALLEY, ALSO KNOWN AS 3700 GOLDEN STREET EVANS INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS THERETO OR IN SAID SECTION. CONTAINING 3.5904 ACRES, MORE OR LESS

PART OF THE NW/4 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: EVS RR-P RAILROAD PARK LYING ADJ TO ELY R/W UPR & WLY R/W OF DENVER STREET & BETWEEN 39 STREET 40 STREET ALSO VACATED 10' OF DENVER STREET ADJ TO ALSO VACATED 10' OF 40TH STREET ADJ TO, ALSO KNOWN AS EVANS INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS THERETO OR IN SAID SECTION. CONTAINING 1.6368 ACRES, MORE OR LESS

PART OF THE NW/4 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: EVS 12963 ALL, BLOCK 18 ALSO VACATED 10' OF BOULDER STREET ADJ TO ALSO VACATED 10' OF 40TH STREET ADJ TO ALSO VACATED 10' OF GOLDEN STREET ADJ TO ALSO VACATED 10' OF 39TH STREET ADJ TO (PARK), INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS THERETO OR IN SAID SECTION. CONTAINING 3.67 ACRES, MORE OR LESS

SECTION 30: PART OF THE NE/4 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: SOUTH 10' L18 BLK143 & SOUTH 10' EAST 10' OF VAC ALLEY ADJ TO L18 INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS THERETO OR IN SAID SECTION. CONTAINING 0.031 ACRES, MORE OR LESS

PART OF THE NE/4 BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS: EVS 3PIC OUTLOT A PLATTE INDUSTRIAL CENTER 3RD
FG, ALSO KNOWN AS CARSON AVENUE EVANS 80620
INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS
THERETO OR IN SAID SECTION.
CONTAINING 0.0819 ACRES, MORE OR LESS

PART OF THE NE/4 BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS: EVS 13394-G EAST 100' SOUTH 5' LOT 8 & EAST 100' LOT 9-
10 & EAST 100' NORTH 5' LOT 11, BLOCK 117 ROBINSON SUB ALSO
VAC W10' OF BELMONT STREET ADJ TO
INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS
THERETO OR IN SAID SECTION.
CONTAINING 0.1515 ACRES, MORE OR LESS

PART OF THE NE/4 BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS: EVS 4PIC OTLT A, BLOCK 1, PLATTE INDUSTRIAL CENTER
4TH FG, ALSO KNOWN AS CARSON AVENUE EVANS 80620
INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS
THERETO OR IN SAID SECTION.
CONTAINING 0.1675 ACRES, MORE OR LESS

PART OF THE NE/4 BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS: EVS 3GM3, BLOCK 3, GREEN MEADOW SUB 3RD FILING EC
SOUTH 20' FOR 42 ST
INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS
THERETO OR IN SAID SECTION.
CONTAINING 0.5 ACRES, MORE OR LESS

PART OF THE NE/4 BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS: EVS 1GM-B PARCEL B GREEN MEADOW SUB 1ST FILING,
INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS
THERETO OR IN SAID SECTION.
CONTAINING 0.590 ACRES, MORE OR LESS

PART OF THE NE/4 BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS: EVS 3GM4 , BLOCK 4, GREEN MEADOW SUB 3RD FILING
EC SOUTH 20' FOR 42 ST
INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS
THERETO OR IN SAID SECTION.
CONTAINING 0.64 ACRES, MORE OR LESS

PART OF THE NE/4 BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS: EVS 2GM-A TRACT A GREEN MEADOW SUB 2ND FILING,
ALSO KNOWN AS EVANS
INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS
THERETO OR IN SAID SECTION.
CONTAINING 1.71 ACRES, MORE OR LESS

PART OF THE NE/4 BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS: EVS PT NW4 29 5 65 / PT NE4 30 5 65 BEING LOT 1 THRU 7 &
LOT 30 THRU 36 VACATED, BLOCK 9, AND LOT 1 THRU 7 & LOT 30
THRU 36 VACATED, BLOCK 122 TOGETHER WITH SOUTH 2 VACATED
8TH STREET ADJ TO AND ALL THAT PT OF VACATED MC COOK
STREET AND EAST 2 VACATED LATHAM STREE
INCLUDING ANY PARCELS OR STRIPS OF LAND CONTIGUOUS
THERETO OR IN SAID SECTION.
CONTAINING 3.4991 ACRES, MORE OR LESS

CONTAINING A TOTAL OF 59.7162 ACRES, MORE OR LESS (the "premises)



City of Evans, Colorado

City Manager Monitoring Report March 03, 2015

Below is a compellation of updates and projects that are either new or have changed since the last City Council meeting.

➤ Economic Development

Please **register** for the Business to Business event we are hosting!

Evans Business to Business; Leading Onward and Upward

This free, half day event has been designed to encourage seasoned and budding business owners as they work to build their business. With an array of resource tables, Colorado business owners will be able to glean information about services available to them to continue growing and strengthening their business. In addition to the resource tables present, come learn about leadership. Business owners will learn about the importance of strong and effective leadership.



The Three-Day Battle of Gettysburg Aden Hogan, Evans City Manager

This battle is still used today as a teaching tool for military tactics and actions, but is there more this event may teach us? Join educator and public administrator, Aden Hogan, Jr., as he uses a multi-media approach to look at a few critical elements that played major roles in the outcome of the battle. Leading can be difficult. Leadership in crisis is even harder. The short seminar's goal is to provide you with some ideas, approaches and techniques to be a more efficient & effective leader & manager.



Strategic Operating Plans: A program that WORKS for all businesses

Dallas Everhart, PhD



Strategic Operating Plans lead people & organizations to great accomplishments & sustainable success. The StratOp process helps a company gain perspective on its entire business, both internally & externally. Join Dr. Dallas Everhart as he discusses this innovative program. With its unique blend of valuable leadership philosophies, strategies & best practices you'll:

- Gain an authentic perspective of your company's past & current core competencies
- Identify the different elements of authentic strategic planning
- Create Focus & Commitment with your team to increase performance, creativity & much more.

Register before February 18th for a complimentary lunch and to be entered into a prize drawing.

Resources Tables:



The Colorado SBDC Network is funded in part through a cooperative agreement with the U.S. Small Business Administration.

When:
Wednesday, March 4, 2015

Time:
9:00 am - 1:00 pm

Where:
Riverside Library and Cultural Center
3700 Golden St.
Evans CO, 80620

Free
Complimentary Lunch with registration prior to Feb. 18th

Presenters:
Aden Hogan,
Evans City Manager
Dallas Everhart PhD,
Everhart and Associates

Also please note we have delayed the plaque and time capsule for the RLCC – we'd like to organize a better event and we are looking for more dates that might work.

➤ Finance

The external financial auditors from the firm ACM will be on site for two weeks beginning March 2nd. The finance

department thanks everyone for their understanding as we focus on the multitude of preparations that go into this process. There may be additional requests for information that we will reach out to other departments for, please help us to provide quick responses while the auditors are on site. They will be working on both the City and the Fire District during this time.

➤ **Human Resources**

- Staff received notification from the Division of Workers’ Compensation on the City’s Renewal of the Premium Cost Containment Certification. They approved the City’s three-year certificate renewal in the program, conditionally. The Board has directed that a one-year review of the City’s certification be conducted at the February 2016 meeting. The Premium Cost Containment Program provides an additional 5% premium reduction through the City’s workers’ compensation insurance carrier, Pinnacol Assurance. This 5% reduction is not guaranteed. If the City’s injuries and related costs rise considerably between the certification date and our policy renewal date, the certification and the premium reduction can be revoked. The message of following best practices, being aware of surroundings, operating safely and reporting unsafe conditions is being emphasized throughout various committee and departmental meetings and through regular safety training.
- Staff recently compiled necessary information for Pinnacol Assurance staff for the annual workers’ compensation audit.

➤ **Police**

- The 2015 hiring process has moved on into oral board interviews. Because of the larger than normal number of applicants that have made it to this step, we have been forced to add an additional day of interviews. This is a good thing. 34 total applicants took the physical exam. 31 applicants took the written examination. 28 applicants have been invited to participate in the oral board interviews.
- The Taser Axon body worn camera program is in full effect. Half of the officers were issued cameras on 02/18 and the remaining officers will be issued cameras on 02/25. At that point, each patrol officer and patrol sergeant will have their own individual camera. The next challenge will be monitoring data usage, storage, and overall functionality within evidence.com (cloud based storage system).
- Implementation of the Lexipol policy management and training process has begun. This will allow us to stay in-line with best practices when it comes to policy management, making the state and national accreditation process much smoother. It also allows us to push out in-house training to officers which will increase their policy and procedure knowledge.

➤ **Public Works**

OPERATIONS	<ul style="list-style-type: none"> • Water - Still working on radio project. It will be slowing down dramatically from here on in due to having to make appointments and getting into resident’s homes. <ul style="list-style-type: none"> - Had turn offs and Meter Reading last week. Will keep radio process going. The meter reading machine had some issues but was up and running by the end of the day and we got all of the meters read on that system. • NP Water - Scheduling cleaning out Faulkner and through Arrowhead <ul style="list-style-type: none"> - Might get a little maintenance in at the end of the week. Plan on cleaning up at the Faulkner and Arrowhead properties. • Irrigation - Completing scheduled replacements and maintenance. <ul style="list-style-type: none"> - Short week and shut offs • Streets - Continue getting caught up with sweeping. Doing a lot of sign maintenance. • Fleet - Finished up work on surplus vehicles. Delivered surplus vehicles to auctioneer. Lined up 2015 tractor and truck purchases. <ul style="list-style-type: none"> - One of our sweepers has developed some major problems forcing us to spend some money. Not sure how much yet. We will try to keep sweeping with one machine for now. • Final procedures have been completed to purchase the 2015 trucks and tractor. We will be purchasing 2 single axle dump trucks and a large tractor with mower.
ENGINEERING	<ul style="list-style-type: none"> • Projects progressing as planned. • Working with PD on several sign work order requests.

	<ul style="list-style-type: none"> • Civil Engineer Interviews completed.
COMDEV & BLDG	<ul style="list-style-type: none"> • Sweep through Green Acres mobile home park, including code enforcement, building inspector and police department will be involved.
WASTE WATER	<ul style="list-style-type: none"> • Filled the vacant Foreman position. • Met with design engineers on the WW Project. • Repaired a manhole at 38th St and Larson; hit by the County Road Grader. • Attended Wellness class and One Note training • Richard and Robby attended Leadership 1.0 • Call out to 4500 block of Grand Canyon at HNP-sewer main plugged. No damage reported but had to clean up the sewage spill in the street.
PARKS	<ul style="list-style-type: none"> • Working on revitalizing safety surface around some playgrounds. • Working with Mike on new vehicles. • Spring sports beginning- Field layout will occur when weather cooperates • Preventative equipment maintenance. • Seasonal hiring process will begin soon.



January 15, 2015

Cameron Parrott
City of Evans
1100 37th Street
Evans, CO 80620

Re: Evans/Greeley Intergovernmental Agreement for Treated Water Service, System
Development Charge

Dear Cameron,

Based on our master meter records Greeley delivered a total of 2,427.69 acre-feet (AF) to the City of Evans in 2014. The April 1998 "Intergovernmental Agreement for Treated Water Service" (IGA) between the City of Evans and the City of Greeley requires Evans to pay a system development charge (SDC) when the metered water delivered to Evans in any given year exceeds the initial allowance.

Evans's current base of 2,766.41 AF was not exceeded by use in 2014. Therefore Evans did **not** incur a SDC for 2014. The base use remains set at 2,766.41 AF for the 2015 calendar year. Any use above the 2,766.41 AF in 2015 will result in an SDC charge for that year.

If you have any questions, please feel free to call me at 970-336-4146.

Respectfully,

A handwritten signature in black ink, appearing to read "John Thornhill", is written over a horizontal line.

John Thornhill
Water Resources Operations Manager

COUNCIL COMMUNICATION

DATE: March 3, 2015
AGENDA ITEM: 11.A
SUBJECT: Adjournment to Executive Session

AGENDA ITEM DESCRIPTION:

City Council will adjourn into an Executive Session to receive legal advice concerning negotiations for the purchase, acquisition, lease, transfer or sale of any real, personal, or other property interest pursuant to Section 24-6-402(4)(a),C.R.S.

FINANCIAL SUMMARY:

N/A

RECOMMENDATION:

N/A

SUGGESTED MOTIONS:

“Pursuant to CRS 24-6-402(4)(b), I move to go into Executive Session for the purpose of receiving legal advice concerning negotiations for the purchase, acquisition, lease, transfer or sale of any real, personal, or other property interest, pursuant to C.R.S. 24-6-402(4)(a)”

City Council Calendar

March 2015

MARCH 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17 	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

March	Event	Location	Time
3	City Council Work Session & Regular City Council Meeting	Evans City Complex	Begins at 6:00 PM
4	Evans Business-To-Business Event	Riverside Library 3700 Golden Street Evans, Co	
5	NFRMPO Council Meeting	Riverside Library & 3700 Golden Street Evans, Co	6:00 PM - 8:30 PM
12	Flood Recovery Taskforce	Evans City Complex	6:00 PM - 8:00 PM
12	85 Coalition Meeting	Eaton Town Hall 221 1st Street	Begins at 6:30 PM
14	Evans Chamber Dinner	Evans Moose Lodge	Begins at 6:00 PM
22	Evans VFW Americanism Event	Evans VFW	2:00 - 4:00 PM
17	Regular City Council Meeting	Evans City Complex	Begins at 6:00 PM
31	City Council Work Session on Strategic Planning	Evans City Complex	Begins at 6:00 PM