

## YUMA COUNTY COMMISSIONERS

April 30, 2021

Minutes<sup>1</sup>

On April 30, 2021 at 8:00 a.m., the Yuma County Board of Commissioners met in regular session. Chairman Trent Bushner, Commissioner Robin Wiley, Commissioner Scott Weaver, and Administrator Andrea Calhoun were present throughout the day. The meeting was open to the public via teleconference due to the COVID19.

The Commissioners reviewed and signed accounts payable and discussed various meetings attended throughout the prior month.

### Financial Reports

Finance Officer Sarah Carwin joined the meeting at 8:30 a.m. to provide financial updates and reports. Carwin presented financial reports for the WY Communications Center, titles for newly purchased and traded trucks for the Road & Bridge Department, capital expenditures to date, various fair financial topics, and new bank signature cards for Bank of Colorado accounts. **Commissioner Weaver moved to approve 2021 Yuma County Fair Ticket Pricing as approved. Commissioner Wiley seconded the motion. It passed unanimously.**

**Commissioner Wiley moved to approve the 2021 Yuma County Fair night show contract with Kinnon Entertainment as presented. Commissioner Weaver seconded the motion, which passed by unanimous vote.**

**Commissioner Weaver moved to approve the 2021 Yuma County PRCA Rodeo production contract with Mike Cervi Championship Rodeo Company LLC as presented. Commissioner Wiley seconded the motion. It passed unanimously.**

**Commissioner Weaver moved to approve the 2021 Yuma County Rodeo music contract with Hawkeye Sound as presented. Commissioner Wiley seconded the motion. It passed by unanimous vote.**

The 2021 Yuma County Rodeo big screen and video production contract with Frost View Productions was tabled for further clarification on contract language and will be reviewed at an upcoming meeting.

### Human Services

The Board of County Commissioners convened as the Board of Social Services at 9:00 a.m. Human Services Director Kara Hoover, Child Welfare and Adult Protection Supervisor Hollie Hillman, and Eligibility Supervisor Dalene Rogers, and Receptionist Robin Stich were present. Detailed minutes of the Board of Social Services are maintained separately by the Department of Human Services.

The Board of County Commissioners reconvened at 10:00 a.m.

### Road and Bridge

Road & Bridge Supervisor Tom Andersen joined the meeting at 10:00 a.m. to provide department updates. Also in attendance were Blade Foreman Justin Lorimer and Truck Foreman Jeremy Lund.

- *5 Year Plan* – Andersen provided updates on the progress in developing a 5-year capital plan.
- *Storm Damage Assessment* – Andersen, Lorimer, and Lund provided updates on the assessment of storm damage following heavy rains in northwest Yuma County earlier this week. The group discussed potential FEMA disaster small project requirements and documentation and planning efforts related to response and repair.
- *PubWorks Refresh* – Andersen provided an update on progress made by Parts Clerk Damian Rock to refresh the PubWorks system and data and the anticipated growth and productivity in the position. **Commissioner Weaver moved to approve the salary authorization request for Damian Rock as presented. Commissioner Wiley seconded the motion. It passed by unanimous vote.**

<sup>1</sup> Minutes prepared by Andrea Calhoun are a summary of discussions, not a verbatim record.  
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- **New Hires** – Andersen presented salary authorizations for new hires Oscar Olivas, Travis Wiltfang, and Clinton Jesse. **Commissioner Wiley moved to approve the salary authorizations for new hire truck driver Oscar Luna, new hire blade operator Travis Wiltfang, and new hire maintenance worker Clinton Jesse as presented. Commissioner Weaver seconded the motion, which passed unanimously.**
- **Permits** – Andersen presented for approval one road access permit. **Commissioner Weaver moved to approve the road access permit for Tris-State to trench a utility line under County Road E into the North Yuma Substation. Commissioner Wiley seconded the motion, which passed unanimously.**
- **Truck Bids** – The Commissioners reviewed bids for the trucks posted for sale. Two bids were received for the 1999 Kenworth, both were rejected for not meeting the reserve. **Commissioner Wiley moved to accept the bid from Cornerstone Farms for the purchase of the three Kenworth T800s for a total of \$117,000. Commissioner Bushner seconded the motion. The motion passed by unanimous vote with Commissioner Weaver abstaining.**

#### Beer Garden Proposal, Yuma County Fair Board

At 11:00 am the Commissioners were joined by Baylor Buck, Jed Gleghorn, and Micah Seyler of the Yuma County Fair Board to hear a proposal on the establishment and management of a beer garden during the Yuma County Fair. Also in attendance were County Sheriff Todd Combs and Undersheriff Larry Gilliland. The group discussed the weighted relationship between potential revenue generation and security concerns. The group presented a plan in which a vendor would provide the beer garden administration and liability for issues would be covered under the liability coverage of the vendor. The group discussed the process for selecting and identifying a vendor to comply with County requirements. The group also discussed liquor licensing requirements.

Commissioner Wiley expressed concern over the impact of a County-sponsored alcohol event and the appropriateness of County-sponsored alcohol at what is intended to be a family event. Commissioner Weaver inquired about how control would be ensured that folks were not in the beer garden during the concert and hearing the concert without purchasing concert tickets. Additionally, Commissioner Weaver inquired about what work had been done to address community concerns that have been raised over the implementation of a beer garden and what work is being planned to hear, respond to, and address community concerns over a beer garden.

The group agreed that no alcohol would be permitted on the remaining fairgrounds facilities during beer garden operations. Discussion was held regarding alcohol consumption in the infield, RV parking, and in other areas in light of this policy and how security and law enforcement would address alcohol presence and consumption in other areas of the fairgrounds in light of this program. Sheriff Combs and Undersheriff Gilliland expressed concern over inconsistent alcohol policies and encouraged the development of consistent policies that can be enforced by security and law enforcement alike regardless of timing or location.

Commissioner Bushner expressed the importance of liability mitigation with overserving and inappropriately serving patrons. Commissioner Bushner also expressed the importance of limits on serving and refusal to serve patrons to arrive already under the influence and the necessary strength of policy in serving of alcohol.

Commissioner Weaver asked the group what updates and improvements have been made between prior proposals and this proposal. Gleghorn reported that more discussions have occurred as a fair board this time. Commissioner Weaver expressed the importance of fully vetting the plan and program ahead of a formal decision and the necessity of thorough assessment in order for the Commissioners to have a comprehensive understanding and plan before final decision.

The conversation was tabled for further information, discussion, and evaluation and will be re-addressed at an upcoming meeting. A meeting to receive public comment on the proposal was scheduled for May 14, 2021 at 3:00 p.m.



Land Use

Land Use Administrator Colten Yoast was heard at 1:00 p.m. to review Land Use and GIS business and conduct Land Use Hearings.

- *Land Use Hearings* – Land use hearings opened at 1:02 p.m. Yoast presented the following for signature.
  - **EFS 0421-05 for John McMurphy** to divide 2 acres, more or less, from 160 acres, more or less, located in the SW ¼ of Sec 32, T2N, R44W for purpose of resale.
  - **DEV 04211-01 for Yuma County Road & Bridge** to open a gravel pit at the corner of Highway 59 and County Road 13 in Section 25, T3S, R48W.

Land Use Hearings closed at 1:15 p.m.

**Commissioner Weaver moved to approve Resolution 04-30-2021 C approving exemption from subdivision EFS 0421-05 for John McMurphy to divide 2 acres, more or less, from 160 acres, more or less, located in the SW ¼ of Sec 32, T2N, R44W for purpose of resale. Commissioner Wiley seconded the motion. It passed unanimously.**

**Commissioner Weaver moved to approve Resolution 04-30-2021 D approving Major Land Use permit DEV 04211-01 for Yuma County Road & Bridge to open a gravel pit at the corner of Highway 59 and County Road 13 in Section 25, T3S, R48W. Commissioner Wiley seconded the motion. It passed unanimously.**

**Commissioner Wiley moved to approve signature on Resolution 04-30-2021 E approving the updated site plan for the construction of a 25-kw wind turbine approved through Resolution 03-14/2019 A. Commissioner Weaver seconded the motion, which passed by unanimous vote.**

- *Land Use Applications* – Yoast reported the expected Major Land Use permit for the construction of an anaerobic digester plant at the May hearings. Also expected for may are one major land use permit for a new substation and on exemption from subdivision. **Commissioner Wiley moved to sign the consulting agreement with American Environmental Consultants LLC for provision of environmental engineering consulting services related to a pending land use application. Commissioner Weaver seconded the motion. It passed by unanimous vote.**
- *Land Use Code* – Yoast reported updates on research conducted regarding a mobile home moved into Yuma County and compliance with existing land use code.

GIS

- *Current Projects* – Yoast reported on various GIS topics including the migration of the online map server.

Xcel Colorado Power Pathway, Greg Brophy and Lucas McConnell

At 2:00 p.m. the Commissioners heard a presentation from Lucas McConnell and Greg Brophy of Xcel Energy regarding the planned Colorado Power Pathway. Brophy reviewed the overall project of approximately 560 miles of high-capacity transmission lines planned to make a loop through multiple eastern Colorado counties. The group discussed the power and energy production future of Yuma County and the region and the potential long-term goals for energy production and transmission in the area. The Commissioners inquired as to the projected timeline for various project components. Further information will be available as the project progresses and nears permit application.



Yuma County Water Authority Public Improvement District

At 3:30 p.m. the Commissioners adjourned and convened as the Yuma County Water Authority Public Improvement District Board. Minutes for the Yuma County Water Authority Public Improvement District are kept separately.

Administrator's Report

Administrator Andrea Calhoon reviewed calls, correspondence, and presented the following for discussion and action:


- **Minutes** – The Commissioners reviewed the minutes from the previous BOCC meetings. **Commissioner Weaver moved to approve the minutes from the April 15, 2021 regular meeting and the April 15, April 22, and April 29, 2021 special meetings of the Board of County Commissioners. Commissioner Wiley seconded the motion, which passed unanimously.**
- **CAPP Report & Claim Review** – The Commissioners heard information on pending CAPP and workers' compensation claims.
- **Signatures and Ratifications** –
  - Resolutions/Ordinances/Signatures:
    - **Commissioner Wiley moved to approve Resolution 04-30-2021 A establishing authorized account representatives at WY Comm Center. Commissioner Weaver seconded the motion, which passed unanimously.**
    - **Commissioner Wiley moved to approve Resolution 04-30-2021 B Approving the 2021 Northeast Regional Multi-Jurisdictional Hazard Mitigation Plan Update. Commissioner Weaver seconded the motion. It passed by unanimous vote.**
  - Grant Updates:
    - The Commissioners reviewed information regarding pending and submitted grant applications including: DOLA energy impact funds for chip sealing of the Eckley Road, an update on the previously approved DOLA Administrative Planning grant to conduct a feasibility study for the proposed Ag innovation Center, and a status update on Coronavirus Relief Funds.
- **Department Reports** – The Commissioners heard various department updates including updates on the transition of the WY Communications Center, updates on the dissolution of the Northeast Colorado Bookmobile, the April 2021 Veteran's Service Officer Report, and reviewed the 2021 annual credit card audit. **Commissioner Wiley moved to approve the Yuma County vehicle use procedure as presented. Commissioner Weaver seconded the motion. It passed unanimously.**
- **Prior Meeting Follow-Up** – Calhoon provided project updates on the status of properties in Eckley.
- **Correspondence** – Calhoon presented correspondence received since the last meeting.
- **CDL Testing Unit** – Calhoon provided updates on the status of the Yuma County CDL testing unit.
- **Oil & Gas Updates** – Calhoon reported no oil and gas updates since the prior meeting.
- **IT Updates** – Calhoon presented updates on various IT-related topics. Among items presented were the 2021 Yuma County cell phone audit.
- **Maintenance Updates** – Calhoon reported on various facilities maintenance topics. The Commissioners reviewed and approved the Yuma County Facility Leashed Pet Policy as presented. **Commissioner Weaver moved to approve the bids from ProGreen Landscaping for de-thatching and aeration at the Yuma County Courthouse and Human Services Building. Commissioner Wiley seconded the motion, which passed unanimously.**
- **HR Updates** – Calhoon reported updates on county Human Resource topics including recruitment and retention, fraudulent unemployment claims received, and an assessment of the Maintenance Department staffing model.  
**Commissioner Wiley moved to approve signature on the salary authorization for Patrol Deputy Trevor Buchanan as presented. Commissioner Weaver seconded the motion, which passed unanimously.**



There being no further business, the meeting adjourned at 7:45 p.m. The next regular meetings of the Board of County Commissioners will be on May 14, 2021 and May 28, 2021.

  
\_\_\_\_\_  
Trent Bushner, Chairman

  
\_\_\_\_\_  
[Name], Administrator

ATTEST:   
\_\_\_\_\_  
Beverly Wenger, County Clerk





**BOARD OF COUNTY COMMISSIONERS  
COUNTY OF YUMA, STATE OF COLORADO  
RESOLUTION NO. 04-30-2021 A**

**A RESOLUTION UPDATING AUTHORIZED SIGNERS FOR ALL  
ACCOUNTS HELD BY THE WASHINGTON-YUMA COUNTIES  
COMBINED COMMUNICATIONS CENTER**

**WHEREAS**, the Board of County Commissioners of Yuma County, State of Colorado, has convened a duly and lawfully called regular meeting on the 30<sup>th</sup> day of April, 2021; and,

**WHEREAS**, the Washington-Yuma County Combined Communications Center has engaged Yuma County to provide operational and financial management services; and,

**WHEREAS**, management staff for the Washington-Yuma Counties Combined Communications Center has recently been updated; and,

**WHEREAS**, the Director of the Washington-Yuma Counties Combined Communications Center and the Administration Office of Yuma County Colorado require account access to adequately and compliantly manage the financial and operational interests of the Communications Center,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF YUMA, STATE OF COLORADO:**


That the Board hereby recognizes the following list of Yuma County employees as authorized to have access to, make changes to, and act on behalf of accounts held by the Washington-Yuma Counties Combined Communications Center:

- Donald Nadow, Director of the Washington-Yuma Counties Combined Communications Center
- Andrea Calhoon, Yuma County Administrator
- Sarah Carwin, Yuma County Finance Officer
- Dee Ann Stults, Yuma County Treasurer
- Chrystal Hammond, Yuma County Deputy Treasurer
- Trent Bushner, Robin Wiley, and/or Scott Weaver, The Yuma County Board of County Commissioners

**MOVED, READ AND ADOPTED** by the Board of County Commissioners of the County of Yuma, State of Colorado, at its regular meeting held on the 30<sup>th</sup> day of April, 2021. The above and foregoing Resolution was, on a motion duly made and seconded, adopted by unanimous vote of the Board of Yuma County Commissioners.

**ADOPTED** this 30<sup>th</sup> day of April, 2021.

**THE BOARD OF COUNTY COMMISSIONERS  
OF YUMA COUNTY, STATE OF COLORADO**

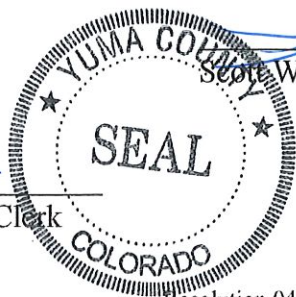
  
\_\_\_\_\_  
Trent Bushner, Chairman

  
\_\_\_\_\_  
Robin Wiley

  
\_\_\_\_\_  
Scott Weaver

**ATTEST:**

  
\_\_\_\_\_  
Beverly A. Wenger, County Clerk



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**BOARD OF COUNTY COMMISSIONERS  
COUNTY OF YUMA, STATE OF COLORADO  
RESOLUTION NO. 04-30-2021 B**

**A RESOLUTION APPROVING THE NORTHEAST REGIONAL MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE**

**WHEREAS**, the Board of County Commissioners of Yuma County, State of Colorado, has convened a duly and lawfully called regular meeting on the 30<sup>th</sup> day of April, 2021; and,

**WHEREAS**, Yuma County, with the assistance of Robert L. Wold Jr., has gathered information and prepared the Northeast Regional Multi-Jurisdictional Hazard Mitigation Plan Update (“the Plan”); and,

**WHEREAS**, the Northeast Regional Multi-Jurisdictional Hazard Mitigation Plan Update has been prepared in accordance with FEMA requirements at 44 CFR 201.6; and,

**WHEREAS**, Yuma County is a local unit of government that has afforded the citizens an opportunity to comment and provide input on the Plan and the actions in the Plan; and,

**WHEREAS**, the Yuma County Board of County Commissioners has reviewed the Plan and affirms that the Plan will be updated no less than every five years,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF YUMA, STATE OF COLORADO:**

That the Board hereby adopts the Northeast Regional Multi-Jurisdictional Hazard Mitigation Plan Update as this jurisdiction’s Multi-Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

**MOVED, READ AND ADOPTED** by the Board of County Commissioners of the County of Yuma, State of Colorado, at its regular meeting held on the 30<sup>th</sup> day of April, 2021. The above and foregoing Resolution was, on a motion duly made and seconded, adopted by unanimous vote of the Board of Yuma County Commissioners.

**ADOPTED this 30<sup>th</sup> day of April, 2021.**

**THE BOARD OF COUNTY COMMISSIONERS  
OF YUMA COUNTY, STATE OF COLORADO**

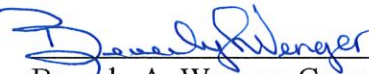
  
\_\_\_\_\_  
Trent Bushner, Chairman

  
\_\_\_\_\_  
Robin Wiley

  
\_\_\_\_\_  
Scott Weaver



**ATTEST:**

  
\_\_\_\_\_  
Beverly A. Wenger, County Clerk



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# YUMA COUNTY ROAD AND BRIDGE

1310 SOUTH BLAKE WRAY, COLORADO 80758

J.R. GOLDEN  
ROAD SUPERVISOR



Phone 970 332-5718  
Fax 970 332-3429  
ycrb@co.yuma.co.us

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## Yuma County Road & Bridge Underground and Utility Permit

Permittee's Name: Tri-State Generation & Transmission Association Inc. Date: 4/14/2021  
Address: 1100 West 116th Ave., Westminster, CO 80234 Phone: 720-672-5550  
Email Address: kgarvie@tristategt.org

Your request for permission to install a line \_\_\_\_\_ across CRE into the North Yuma substation

under (boring)

across (trenching)

along road \_\_\_\_\_ at \_\_\_\_\_ is granted subject to the following terms and conditions:

IT IS UNDERSTOOD that the permittee will cause the installation at no expense whatsoever to Yuma County and that the permittee will own and maintain the same after installation. Where the installation crosses the roadway, it shall be encased in a pipe of larger diameter and the crossing shall be as perpendicular to the roadway as physically possible. However, an open cut shall be allowed up to the edge of the surface portion of the roadway. All installations shall be installed by the method of boring or jacking through beneath the road surface, unless prior arrangements have been made and approved by the Road Supervisor. No water shall be used in the boring, and no tunneling shall be permitted.

- The above line shall be installed beneath the surface of the right-of-way at a minimum depth of 48 inches.
- Unless the right-of-way ditch is full of dirt, permittee will need an additional depth of 48 inches.
- The disturbed portion of the roadway shall be restored to its original condition.
- The backfilling shall be made in 6" lifts and mechanically tamped and packed.
- The last 12" of backfill shall be of stable granular material such as crushed rock or gravel.

Where installation crosses any ditches, canals, or water carrying structures, where possible, it shall be pushed through and beneath in a pipe of larger diameter, thereby eliminating the necessity of trenching. In no case shall the flow of water ever be impaired or interrupted.

This work must be accomplished in accordance with accepted good practices and conform to the recommendations of the national electric safety code and to such Colorado statutes as are applicable.

### SPECIAL PROVISIONS \_\_\_\_\_

- This work shall be completed within \_\_\_\_\_ from the above date.
- No work shall be allowed on Saturdays or Sundays.
- No open trench permitted in traveled roadways after dark unless otherwise specified in the Special Provisions.
- Permittee must contact the Road Supervisor between one and two business days before the work begins.
- Permittee must contact the Road Supervisor between one and two business days after the work is complete.

#### For Office Use Only:

Payment Amount: \_\_\_\_\_ Source: \_\_\_\_\_ Date: \_\_\_\_\_ No. \_\_\_\_\_

Revised 10.9.2019



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The permittee shall maintain the installation at all times and agrees to hold Yuma County, the agencies thereof, and their officers and employees harmless from any and all loss and damage which may arise out of or be connected with the installation, maintenance, alteration, removal, and presence of the installation herein referred to or any work or facility connected therewith, within the area covered by this permit.

Permittee shall be required to shut off lines and remove all combustible materials from the roadway right-of-way when requested to do so by the County of Yuma because of necessary roadway construction or maintenance operations. If the County so requires, permittee shall mark this installation with markers acceptable to the County of Yuma at the locations designated by the County of Yuma.

Permits involving encroachment on the national System of Interstate Defense Highways require concurrence by the U.S. Bureau of Public Roads prior to the issuance of a permit by the County of Yuma.

The traveling public must be protected during this installation with proper warning signs or signals both day and night. Warning signs and signals shall be installed by and at the expense of the permittee and in accordance with directions given by the Road Supervisor or his subordinate.

In the event any changes are made to this roadway in the future that would necessitate removal for relocation of this installation, permittee will do so promptly at his own expense upon written request from the County of Yuma, State of Colorado. The County will not be responsible for any damage that may result in the maintenance of the roadway to installation placed inside Yuma county right-of-way limits.

COUNTY OF YUMA, STATE OF COLORADO:

By: [Signature] Date: 5/18/2021  
Road Supervisor

By: [Signature] Date: 4/30/2021  
Yuma County Board Chairman

In accepting this permit, the undersigned representing the permittee verifies that he has read and understood all of the foregoing provisions; that he has authority to sign for and bind the permittee; and that by virtue of his signature, the permittee is bound by all the conditions set forth herein.

By: [Signature] Date: \_\_\_\_\_ Phone: 720-672-5550  
Steve Gray (April 15, 2021 06:38 MDT)  
Permittee H. Steven Gray, Senior Manager, Transmission Land Right and Permitting

**Road Crossings**

- \$50.00 for boring under each dirt or gravel road
- \$75.00 for boring under each dirt or gravel road across an intersection
- \$1,000 for trenching across each dirt or gravel road
- \$500 will be refunded after six months if there are no additional repairs needed on the road. Should additional repairs be done by the road department, the \$500.00 deposit will be reduced by the cost of the repairs.
- Trenching across or boring under asphalt roads may be considered under special circumstances by the BOCC.

**Right-of-Way Impacts**

- \$50.00 for ditching or digging in the right-of-way
- \$ 0.50 per rod for laying telephone line in right-of-way (one rod equals 16.5 feet)
- Special circumstances may cause additional fees which will be considered on a case-by-case basis and approved by the BOCC.
- There may be a combination of the above fees, depending on the project.
- The Yuma County Road and Bridge Department will evaluate projects when the application is received. The applicant will be notified of the required fees. The fees are to be paid prior to the approval of the permit.

**Note: A map must be included with each permit showing the exact location of the affected area.**

Revised 10.9.2019



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**EXHIBIT "A"**  
**EASEMENT DESCRIPTION**

A CENTERLINE DESCRIPTION FOR A 150 FEET WIDE PERMANENT EASEMENT, BEING 75 FEET, AS MEASURED, PERPENDICULAR, LEFT AND RIGHT OF SAID CENTERLINE LOCATED ON A PARCEL RECORDED IN RECEPTION NO. 441236 AND 441239, IN GOV'T LOT 4 OF SECTION 3, TOWNSHIP 3 NORTH, RANGE 48 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF YUMA, STATE OF COLORADO, SAID CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NW CORNER OF SAID SECTION 3 (AS MONUMENTED BY A FOUND #5 REBAR WITH 3-1/4" ALUMINUM CAP "PLS 36571"), FROM WHICH THE SW CORNER OF SAID SECTION 3 (AS MONUMENTED BY A FOUND #5 REBAR WITH 3-1/4" ALUMINUM CAP "PLS 13155") BEARS S 01°24'47" E, A DISTANCE OF 5292.09 FEET, FORMING THE **BASIS OF BEARINGS** USED IN THIS DESCRIPTION;

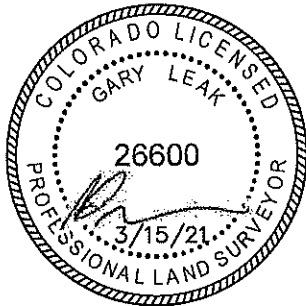
THENCE, ALONG THE WESTERLY LINE OF SAID PARCEL OF LAND, S 01°24'47" E, A DISTANCE OF 210.80 FEET;

THENCE, DEPARTING SAID WESTERLY LINE OF SAID PARCEL OF LAND, N 88°35'13" E, A DISTANCE OF 30.00 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF COUNTY ROAD E RECORDED IN BOOK 499, PAGE 156, SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE, ALONG SAID CENTERLINE, N 89°07'09" E, A DISTANCE OF 120.95 FEET TO THE **POINT OF TERMINUS**, FROM WHICH THE SAID NW CORNER OF SECTION 3 BEARS N 36°52'27" W, A DISTANCE OF 260.18 FEET.

THE SIDE LINES OF SAID EASEMENT ARE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO BEGIN ON SAID RIGHT OF WAY LINE AND TO TERMINATE PERPENDICULAR TO THE **POINT OF TERMINUS**.

CONTAINING AN AREA OF 18,143 SQUARE FEET OR 0.417 ACRES, MORE OR LESS.



GARY LEAK, PLS 26600  
FOR AND ON BEHALF OF ATWELL, LLC  
143 UNION BOULEVARD, SUITE 700  
LAKEWOOD, COLORADO 80228

**NOTES:**

1. THIS LEGAL DESCRIPTION AND EXHIBIT DOES NOT CONSTITUTE A TITLE SEARCH BY ATWELL LLC TO DETERMINE OWNERSHIP OF THIS TRACT, OWNERSHIP AND EASEMENTS IN THIS SURVEY ARE BASED ON TITLE COMMITMENTS ISSUED BY STEWART TITLE GUARANTY COMPANY, IN TITLE COMMITMENT NUMBER 19262, DATED FEBRUARY 16, 2021 AT 8:00 A.M..
2. THIS LEGAL DESCRIPTION AND EXHIBIT ARE NOT A LAND SURVEY PLAT, OR AN IMPROVEMENT SURVEY PLAT.
3. SEE ATTACHED EXHIBIT WHICH BY THIS REFERENCE IS MADE PART HEREOF.
4. THIS LEGAL DESCRIPTION IS FOR A PROPOSED LOCATION AND IS NOT INTENDED TO REPRESENT AN EXISTING EASEMENT LOCATION.
5. NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

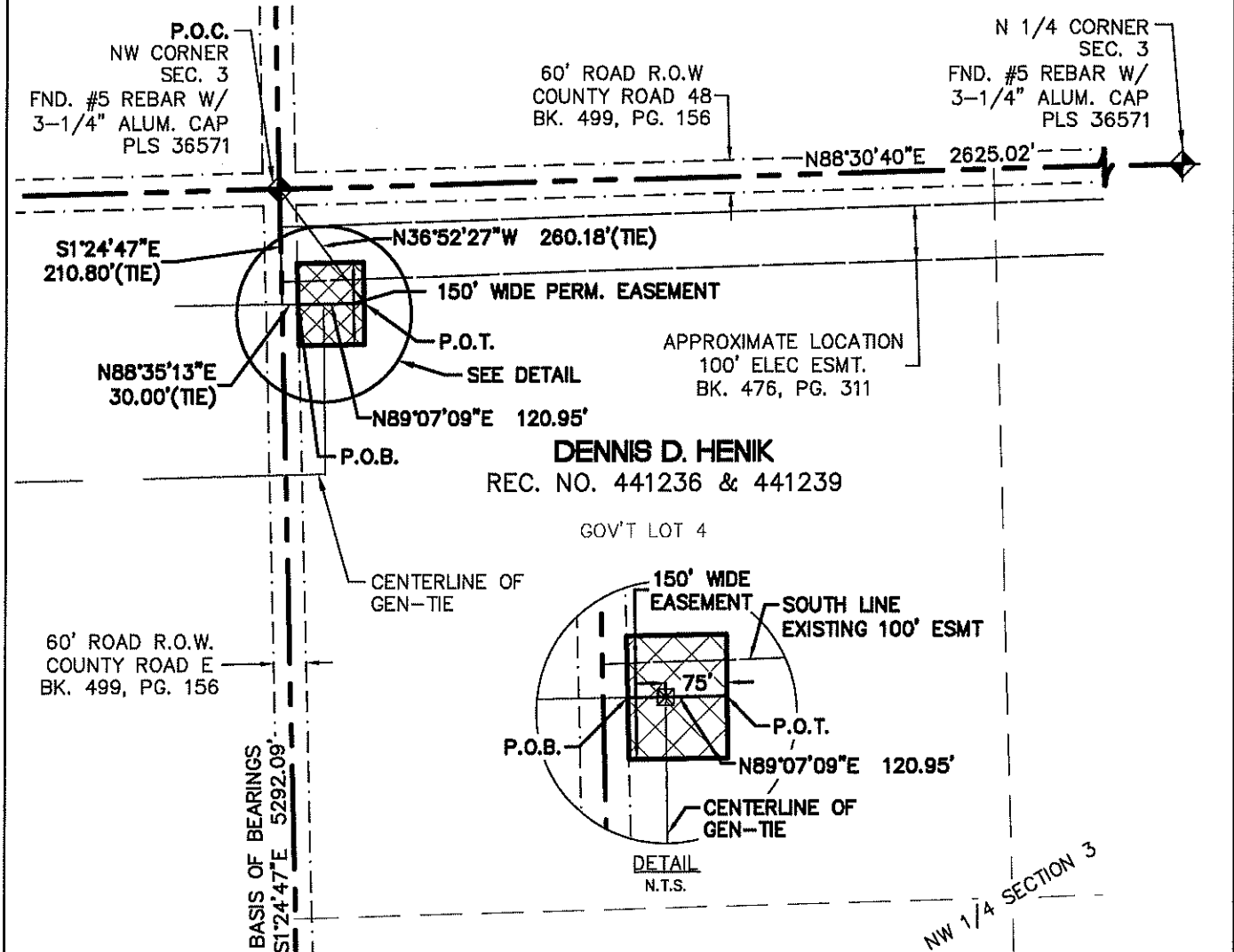
<b>TRANSMISSION EASEMENT EXHIBIT</b>		SHT. 1 OF 2	<p><b>ATWELL</b> 866.850.4200 <a href="http://www.atwell-group.com">www.atwell-group.com</a> 143 UNION BOULEVARD, SUITE 700 LAKEWOOD, COLORADO 80228 303.482.1100</p>						
NW 1/4 SEC. 3, T3N, R48W, 6TH P.M. YUMA COUNTY, CO	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="padding: 2px;">DATE:</td><td style="padding: 2px;">3/3/2021</td></tr> <tr><td style="padding: 2px;">DRAWN:</td><td style="padding: 2px;">SHH</td></tr> <tr><td style="padding: 2px;">CHECKED:</td><td style="padding: 2px;">GL</td></tr> <tr><td style="padding: 2px;">JOB NO.:</td><td style="padding: 2px;">21000133</td></tr> </table>			DATE:	3/3/2021	DRAWN:	SHH	CHECKED:	GL
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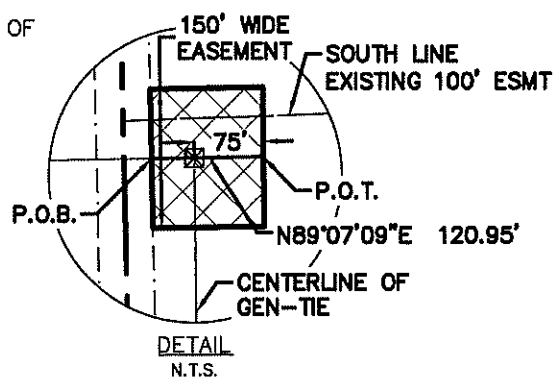


# EXHIBIT "A"



**DENNIS D. HENIK**  
 REC. NO. 441236 & 441239

GOV'T LOT 4



### LEGEND:

- POB
- POT
- POC
- SECTION CORNER
- SECTION LINE
- SECTION LINE INTERIOR
- BOUNDARY LINE
- EXISTING ROAD ROW
- TRANSMISSION LINE EASEMENT

SCALE: 1"=300'

PARCEL CONTAINS 18,143 SQ. FT. OR 0.42 ACRES

**NOTE**  
 THIS EXHIBIT IS MEANT TO DEPICT THE ATTACHED EASEMENT DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.

TRANSMISSION EASEMENT EXHIBIT									
NW 1/4 SEC. 3, T3N, R48W, 6TH P.M. YUMA COUNTY, CO	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">DATE:</td> <td style="width: 50%;">3/3/2021</td> </tr> <tr> <td>DRAWN:</td> <td>SHH</td> </tr> <tr> <td>CHECKED:</td> <td>GL</td> </tr> <tr> <td>JOB NO.:</td> <td>21000133</td> </tr> </table>	DATE:	3/3/2021	DRAWN:	SHH	CHECKED:	GL	JOB NO.:	21000133
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SHT. 2 OF 2	<b>ATWELL</b> 866.850.4200 <a href="http://www.atwell-group.com">www.atwell-group.com</a> 143 UNION BOULEVARD, SUITE 700 LAKEWOOD, COLORADO 80228 303.482.1100								

