

NORTH SIDNEY AVENUE DEVELOPMENT PROPERTY

DUE DILIGENCE PACKET



reckagri.com | 970.522.7770

NORTH SIDNEY AVENUE DEVELOPMENT PROPERTY

Logan County, Colorado

20± Total Acres
Asking Price: \$285,000

*FOR FURTHER INFORMATION OR FOR SHOWING BY APPOINTMENT CONTACT . . .
Marc Reck, Broker or Ben Gardiner, Broker Associate*



535 E Chestnut, P.O. Box 407, Sterling, CO 80751
(970) 522-7770 or 1-800-748-2589
marcreck@reckagri.com
www.reckagri.com

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Terms & Conditions

CLOSING: Buyer(s) shall pay in good funds, the balance of purchase price plus their respective closing costs, and sign and complete all customary or required documents at closing. Closing to be conducted by Northeast Colorado Title. closing service fee to be split 50-50 between Seller and Buyer(s).

TITLE: Seller to pass title by Warranty Deed free and clear of all liens. Title Insurance to be used as evidence of marketable title and cost of the premium to be paid by the Seller. The Buyer(s) to receive a TBD title commitment within *Due Diligence Packet*, updated title commitment with Buyer(s) name, lender, purchase price, and all supplements and additions thereto after signing of contract, and an owner's title insurance policy in an amount equal to the Purchase Price after closing. Property to be sold subject to existing roads and highways; established easements and rights-of-way; prior mineral reservations; and other matters affected by title documents shown within the title commitment; and zoning, building, subdivision, and other restrictions and regulations of record. Title commitments are available for review within the *Due Diligence Packet* and title commitment and exceptions will be incorporated and made a part of the Contract to Buy and Sell Real Estate (Land).

POSSESSION: Possession upon closing.

PROPERTY CONDITION: The prospective Buyer(s) should verify all information contained herein. All prospective bidders are urged to fully inspect the property, its condition, and to rely on their own conclusions and the property is being sold AS IS-WHERE IS, without warranty, representation or recourse to Seller.

WATER RIGHTS: Seller to convey all water, well permits, water rights, water development rights, all ditch rights, lateral rights and conveyance canal rights, and all easements and rights-of-way associated with said water rights, and all domestic wells appurtenant to the property, including Two (2) Capital Stock shares of Sterling #1 Ditch Company and 2 domestic wells. The water rights are subject to the rules, regulations, and limitations of the Colorado Department of Water Resources. Water rights are being sold AS IS-WHERE IS without warranty or guarantee of any water right matters, adequacy and/or delivery of ditch water and stream flows. Payment of 2024 irrigation ditch assessments to be negotiated depending on time of year property sells.

REAL ESTATE TAXES: 2024 real estate taxes due in 2025, to be prorated to the date of closing.

LEGAL DESCRIPTION: Legal descriptions are subject to existing fence/field boundaries or land-use trades, if any.

MINERALS: Seller to convey all OWNED mineral rights to Buyer(s).

NOXIOUS WEEDS: There may be areas infested by noxious weeds. The location of and the density of noxious weeds is unknown at this time.

ACREAGES: All stated acreages in the *Due Diligence Packet* are approximate and are obtained from the FSA office and/or assessor's records. These sources may indicate different acreages and no warranty is expressed or implied as to exact acreages of property. There will be no adjustment in purchase price if acreage is different than what is stated in the *Due Diligence Packet*.

DEVELOPER NOTES: Developer is responsible for installing the sewer, water, curb, gutter, and streets. Property is located within the 100-year flood plain. Developer is responsible for developing drainage plan for retention /detention and/or combination of both for a 10-year average storm event.

NOTICE TO PROSPECTIVE BUYERS: The information contained herein has either been given to us by the owner of the property or obtained from sources that we deem reliable. We have no

reason to doubt its accuracy, but we do not guarantee it. Reck Agri Realty & Auction and the Seller assumes no responsibility for the omissions, corrections, or withdrawals. The location and aerial maps are not intended as a survey and are for general location purposes only.

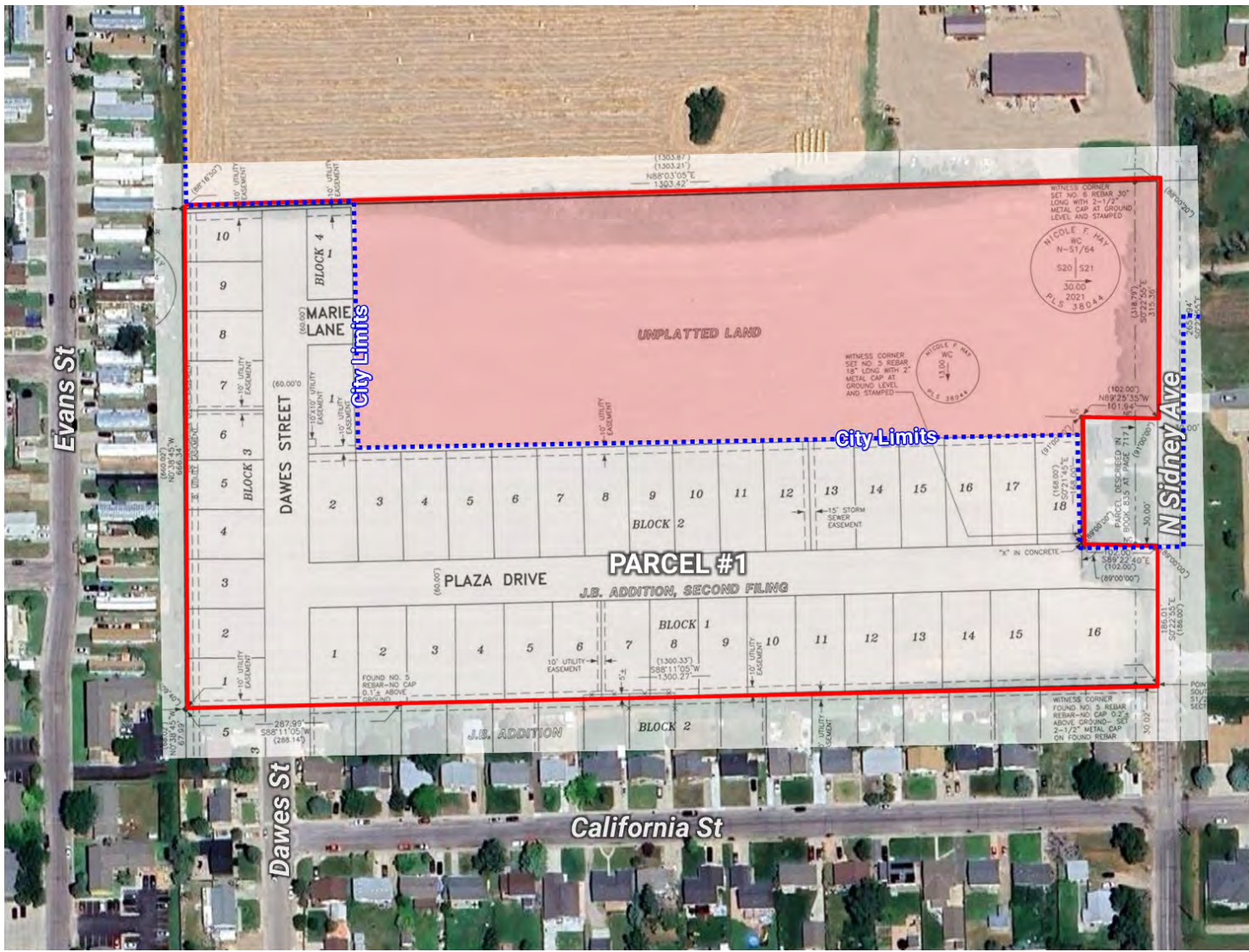
The prospective Buyer(s) should verify all information contained herein. All prospective buyers are urged to fully inspect the property, its condition and to rely on their own conclusions. All equipment and improvements are to be sold AS IS-WHERE IS, without warranty, representation or recourse to Seller. Reck Agri Realty & Auction and all other agents of Broker are or will be acting as a Transaction Broker.

Location Map



Parcel #1

Parcel Map



Parcel Information



Legal Description:

Lots 1-16, Block 1, J. B. Addition to the City of Sterling, Logan County, CO
Lots 1-18, Block 2, J. B. Addition to the City of Sterling, Logan County, CO
Lots 1-10, Block 3, J. B. Addition to the City of Sterling, Logan County, CO
Lot 1, Block 4, J. B. Addition to the City of Sterling, Logan County, CO

See Pages 19-33 for legal description, title commitment, and title exceptions.

Acreage:

8.8± Ac platted for 45 lots
2.9± Ac for dedicated roads, curb, & gutter

11.7± TOTAL

Taxes & Assessments:

2023 real estate taxes payable in 2024 are: \$117.54

Water:

Two (2) Capital Stock shares of Sterling #1 Ditch Company.

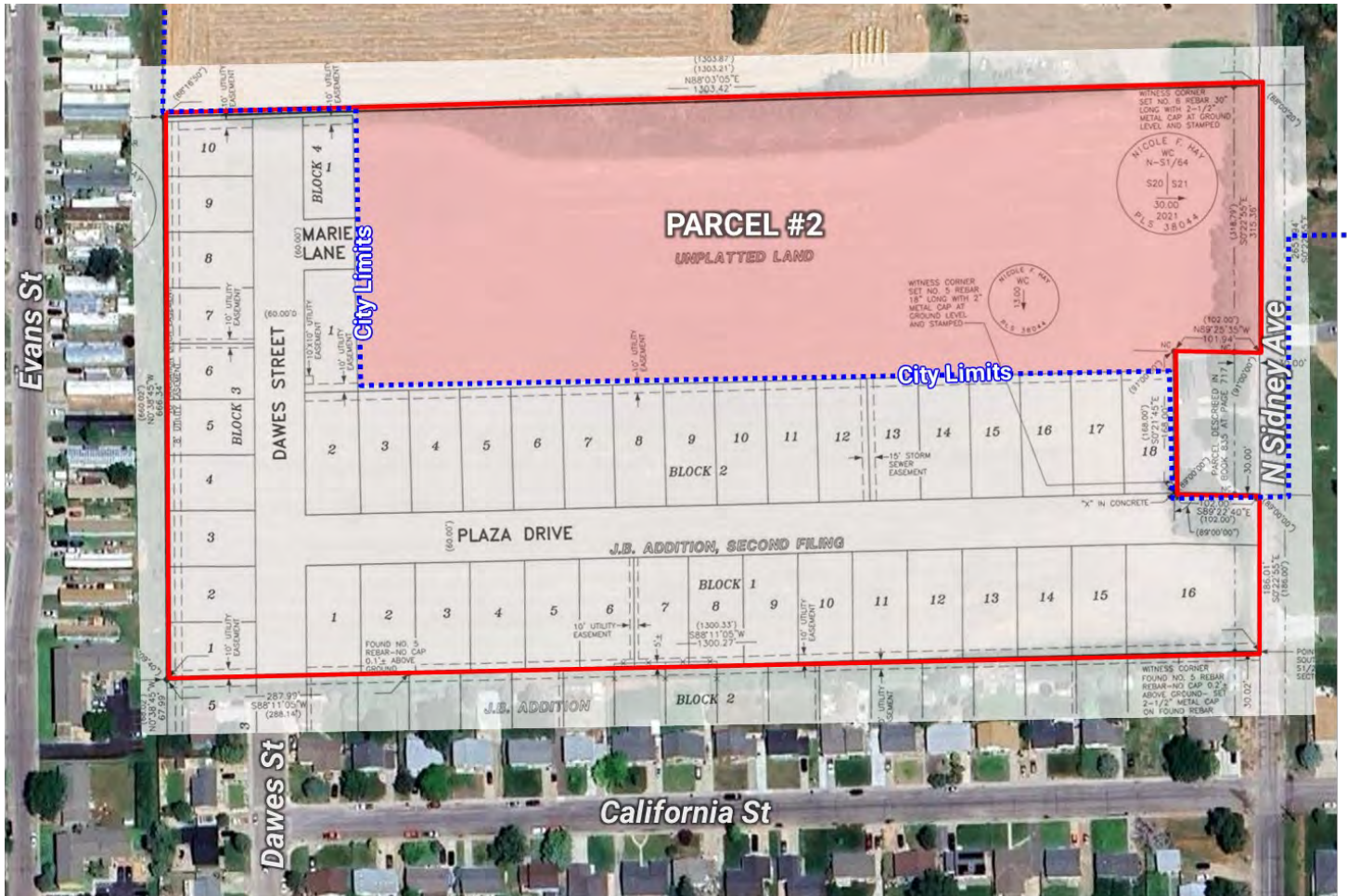
Comments:

Zoned R-1 Single Family Residence. See Page 16 for copy of survey. See Page 17 for a copy of the flood plain map. Developer will be responsible for the roads, curb, gutter, installation of utilities, and drainage plan for a 10 year weather event. City water and sewer is available at the property line. See Page 18 for a copy of the map indicating the location of water and sewer.



Parcel #2

Parcel Map



Parcel Information

A dark blue circular logo with a white border containing the text "Parcel #2" in white.

Parcel
#2

Legal Description:

Tract in S1/2NE1/4SE1/4 of Section 20, Township 8 North, Range 52 West of the 6th PM, Logan County, CO.

See Pages 34-52 for legal description, title commitment, and title exceptions.

Acreage:

8.3± Ac Dryland

Land Tenure:

See Soils Map on Page 8.

Taxes & Assessments:

2023 real estate taxes payable in 2024 are: \$79.86

Well Information:

Domestic/Livestock Well Permit #20206. See Pages 9-11 for copy of well permit.

Domestic Well Permit #12769. See Pages 12-15 for copy of well permit.

Comments:

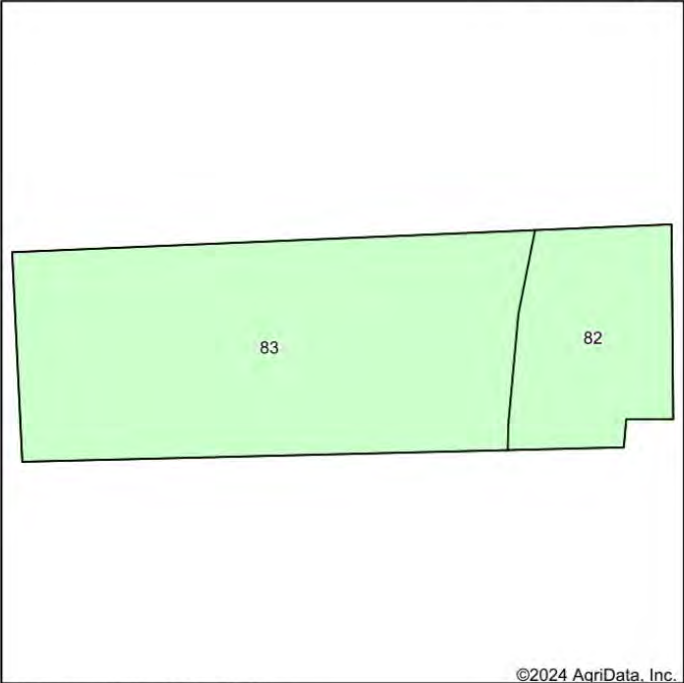
Zoning: Ag. See Page 16 for copy of Survey. Property is located within Logan County.



Parcel #2

Soils Map

Soils Map



Soils data provided by USDA and NRCS.



State: **Colorado**
 County: **Logan**
 Location: **20-8N-52W**
 Township: **Sterling**
 Acres: **8.3**
 Date: **3/4/2024**



Area Symbol: CO075, Soil Area Version: 18

Code	Soil Description	Acres	Percent of field	Non-Irr Class	Wheat Irrigated Bu
83	Nunn clay loam, wet	6.36	76.6%	IIIc	40
82	Nunn clay loam, watertable	1.94	23.4%	IIIc	65
Weighted Average				3.00	45.8

Well Permit #20206



 	COLORADO Division of Water Resources Department of Natural Resources	WELL PERMIT NUMBER 20206- RECEIPT NUMBER 9044062
---	---	---

ORIGINAL PERMIT APPLICANT(S)

GEORGE W PIERSON

APPROVED WELL LOCATION

Water Division: 1 Water District: 64
Designated Basin: N/A
Management District: N/A
County: LOGAN
Parcel Name: N/A
Physical Address: N/A

NE 1/4 SE 1/4 Section 20 Township 8.0 N Range 52.0 W Sixth P.M.

UTM COORDINATES (Meters, Zone: 13, NAD83)

Easting: 651781.0 Northing: 4500972.0

See the original well permit file for permit conditions of approval and additional details. The original permit file can be viewed using the Well Permit Search Tool at www.water.state.co.us

See Original Permit	Date Issued:
Issued By _____	Expiration Date: N/A

PERMIT HISTORY
03-24-2021 CHANGE IN OWNER NAME/MAILING ADDRESS. CHANGED TO GILBERT E WAGNER



STATE OF COLORADO

RECEIVED

JUN 11 1964 GROUND WATER SECT.

APPLICATION FOR: A PERMIT TO USE GROUND WATER A PERMIT TO CONSTRUCT A WELL

Applicant GEORGE W. PIERSON

LOCATION OF WELL COLORADO
County Logan STATE ENGINEER

P.O. Address 502 McKinley, Sterling, Colo.
Quantity applied for 25 gpm or
 AF Storage

NE 1/4 of SE 1/4 of Sect. 20, Twp. 8N,
Rge. 52W, 6th P.M. OR

Used for Domestic & Stockwell Purposes
on/at Sec 20, T8N, R52W, 6th PM, Logan Co
(legal description of land site)

Street Address or Lot & Block No.
Town or Subdivision

Total acreage irrigated and other rts.
ESTIMATED DATA OF WELL

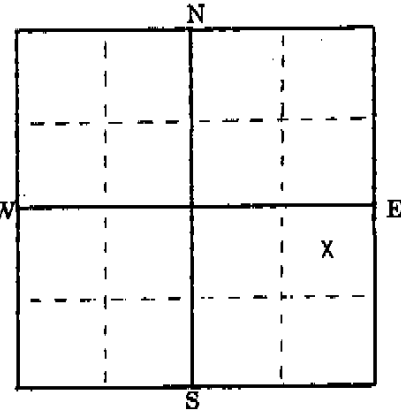
Hole size: 7 in. to 54 ft.
 in. to ft.

Casing Plain 5 in. from 0 to 42 ft.
 in. from to ft.
Open or Perf. 5 in. from 42 to 54 ft.
 in. from to ft.

PUMP Outlet
DATA: Type Unknown HP Size

Use initiation date June 19 64.
(Use Supplemental pages for additional data)

Driller to furnish Log and History (Form E) within 30 days after completion of well.



Locate well in 40 acre (small) square as near as possible. Large square is one section.

\$25.00 fee required for uses other than Domestic or Livestock.

Applicant George W. Pierson
Agent or
Driller Canfield Drilling Co. No. 7
Address P.O. Box 519, Ft. Morgan, Colo.

THIS APPLICATION APPROVED
PERMIT NO. 20206
ISSUED:
DATE JUN 11 1964 19

NOTE — SATISFACTORY COMPLETION REQUIRED FOR APPROVAL OF APPLICATION

10	5	Loam
15	15	Clay
20	20	Black fine sand & gravel
25	25	Fine gravel & sand & fine sand
30	35	Clay
35	55	Clay & fine sand & sand

(if more space is required use additional sheet)

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is true and correct to the best of my knowledge and belief.

Signed Canfield Drilling Company

By Nancy Neville
Bookkeeper

Dated July 21 1964



Well Permit #12769

 	COLORADO Division of Water Resources Department of Natural Resources	WELL PERMIT NUMBER	12769-
		RECEIPT NUMBER	9043632

ORIGINAL PERMIT APPLICANT(S)

HAGEMEIER L A MRS

APPROVED WELL LOCATION

Water Division: 1	Water District: 64
Designated Basin: N/A	
Management District: N/A	
County: LOGAN	
Parcel Name: N/A	
Physical Address: N/A	

NE 1/4 SE 1/4 Section 20 Township 8.0 N Range 52.0 W Sixth P.M.

UTM COORDINATES (Meters, Zone: 13, NAD83)

Easting: 651781.0 Northing: 4500972.0

See the original well permit file for permit conditions of approval and additional details. The original permit file can be viewed using the Well Permit Search Tool at www.water.state.co.us

See Original Permit	Date Issued:
Issued By _____	Expiration Date: N/A

<u>PERMIT HISTORY</u>
03-24-2021 CHANGE IN OWNER NAME/MAILING ADDRESS. CHANGED TO GILBERT E WAGNER

Form C (Rev.)
3-62/5M

STATE OF COLORADO
APPLICATION FOR USE OF GROUND WATER

(Use Indelible Pencil or Typewriter)

RECEIVED
SEP 7 1962
GROUND WATER SECTION
COLORADO
STATE ENGINEER

Applicant Mrs. Leonard Hagemeyer

LOCATION OF WELL
County Logan

P.O. Address Route 2, Sterling, Colorado
Quantity applied for 25 gpm or
 AF Storage

NE 1/4 of SE 1/4 of Sect. 20, Twp. 8N,
Rge. 52W, 6th P.M. OR

Used for Domestic Well Purposes

on/at Sec 20, T8N, R52W, 6th PM, Logan Co.
(legal description of land site)

Street Address or Lot & Block No.

Town or Subdivision

Total acreage irrigated and other rts.

ESTIMATED DATA OF WELL

Hole size: 7 in. to 70 ft.
 in. to ft.

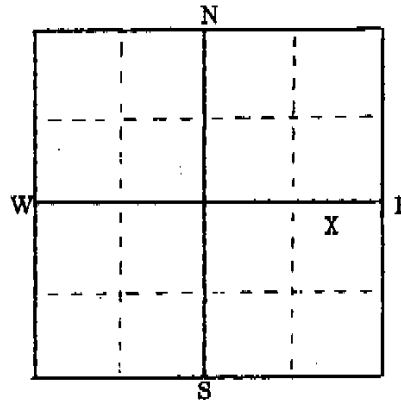
Casing Plain 5 in. from 0 to 57 ft.
 in. from to ft.

Open or Perf. 5 in. from 57 to 70 ft.
 in. from to ft.

PUMP Outlet
DATA: Type Unknown HP Size

Use initiation date September 1962
(Use Supplemental pages for additional data)

Driller to furnish Log and History (Form E)
within 30 days after completion of well.



Locate well in 40 acre (small) square as near as possible. Large square is one section.

\$25.00 fee required for uses other than Domestic or Livestock.

THIS APPLICATION APPROVED
PERMIT NO. 12769
ISSUED: SEP 7 1962
DATE 19

Applicant Mrs. Leonard Hagemeyer
Agent or
Driller Canfield Drilling Co. No. 7

Address P.O. Box 510, Ft. Morgan, Colorado

NOTE - SATISFACTORY COMPLETION REQUIRED FOR APPROVAL OF APPLICATION



OCT 1 1962
OCT 17 1962

Form E (Rev.)

9-57

Index No. 615
IDWD 1-64
Use Domestic
Registered 2-17-62
Cards Typed _____

Ent.
STATE OF COLORADO
DIVISION OF WATER RESOURCES
OFFICE OF THE STATE ENGINEER
GROUND WATER SECTION

RECEIVED

SEP 17 1962
GROUND WATER SECTION
COLORADO
STATE ENGINEER

LOG AND HISTORY OF WELL
PERMIT NO. 12769
Lic. _____

Drilled by Canfield Drilling Co. No. 7

WELL LOCATION

Owner Mrs. Leonard Hagemeyer

Logan 38 County
~~Marion~~

Address Route 2, Sterling, Colorado

NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sect. 20

Tenant _____

Twp. 8N, Rge. 52W, 6th PM

Used for Domestic Well Purposes

LOCATE WELL ACCURATELY
IN THE SMALL SQUARES REPRESENTING 40 ACRES

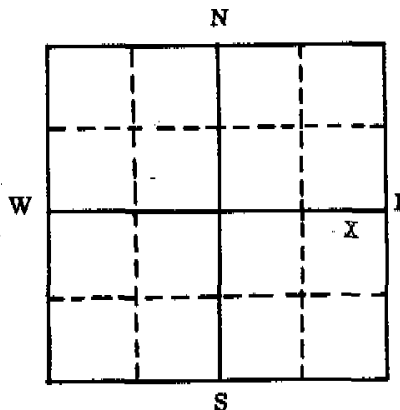
on or by Sec 20, T8N, R52W, 6th PM, Logan Co.
(description of site or land)

Date Started September 10, 1962

Date Completed September 10, 1962

Date Tested September 10, 1962

Yield 20 gpm cfs



Pump type Unknown Outlet Size _____

Driven by _____ HP @ RPM _____

Depth to Water 8 1/2 Ft. Draw down 6 1/2 Ft.

Depth to Inlet _____ Ft.; Bowl _____ Ft.

Size and Kind of Casing: 5" Plastic Casing

If the above is not applicable
fill in:

From 0 to 57 Type Plain Wt. 1 1/2 lbs. per ft.

Town or Subdivision _____

From _____ to _____ Type _____ Wt. _____

Street Address or Lot & Block _____

From _____ to _____ Type _____ Wt. _____

Perforations: Size and Type Plastic Casing

Ground elevation _____
(if known)

From 57 to 70 Type Perf. Size 5"

From _____ to _____ Type _____ Size _____

How Drilled:

From _____ to _____ Type _____ Size _____

Standard Rotary

Well description: Total Depth 70 Ft.

REMARKS

Hole (from 0 to 70, 7 in.
Diam. (from _____ to _____, _____ in.
(from _____ to _____, _____ in.

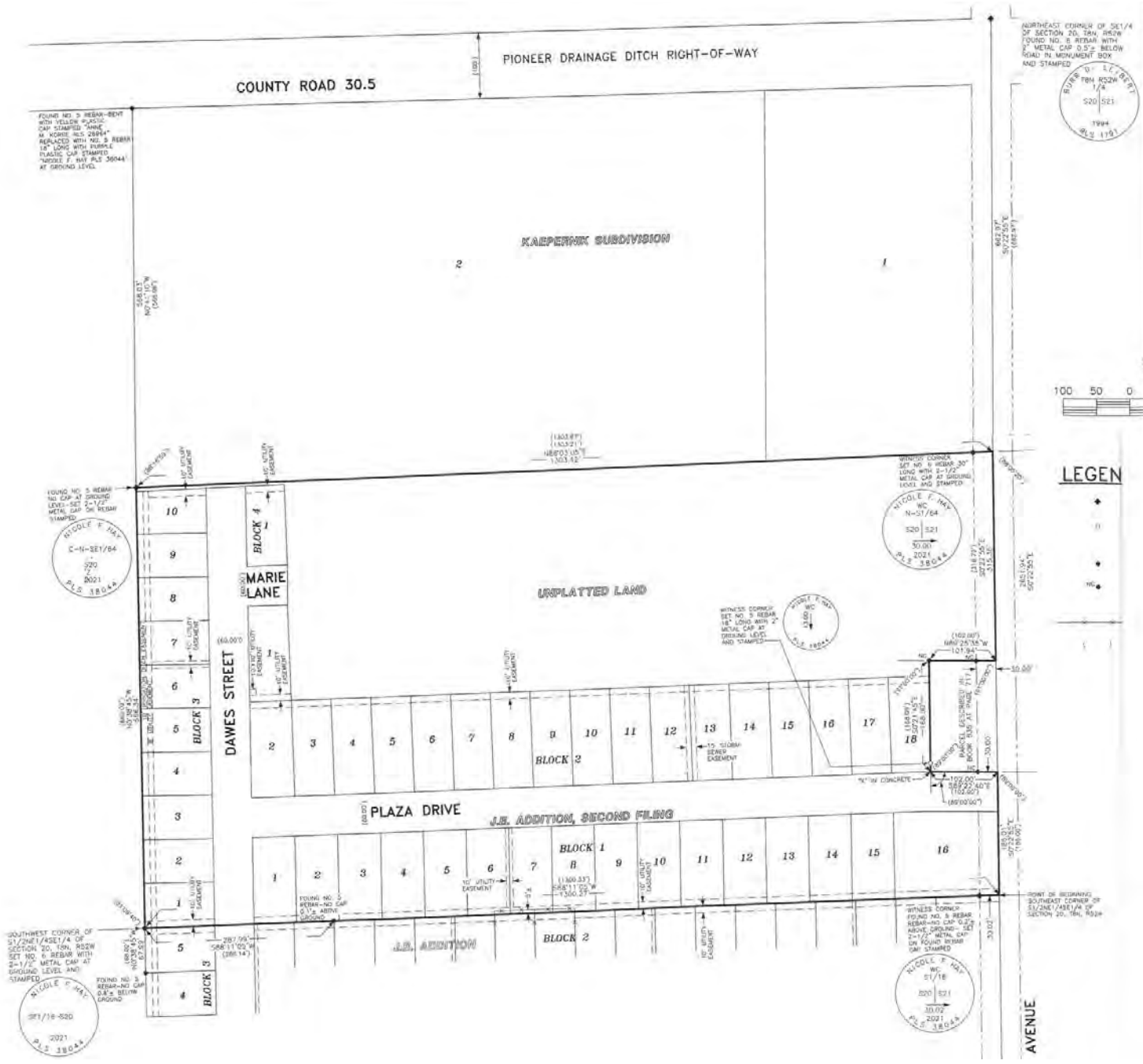
Cementing, Packing, Type of
Shut-off, Depth to Shut-off, etc.
PUT LOG OF WELL ON RE-
VERSE SIDE

TO BE MADE OUT IN QUADRUPPLICATE: Original Blue and Duplicate Green to
State Engineer's Office, White copy to Owner, and Yellow copy to Driller

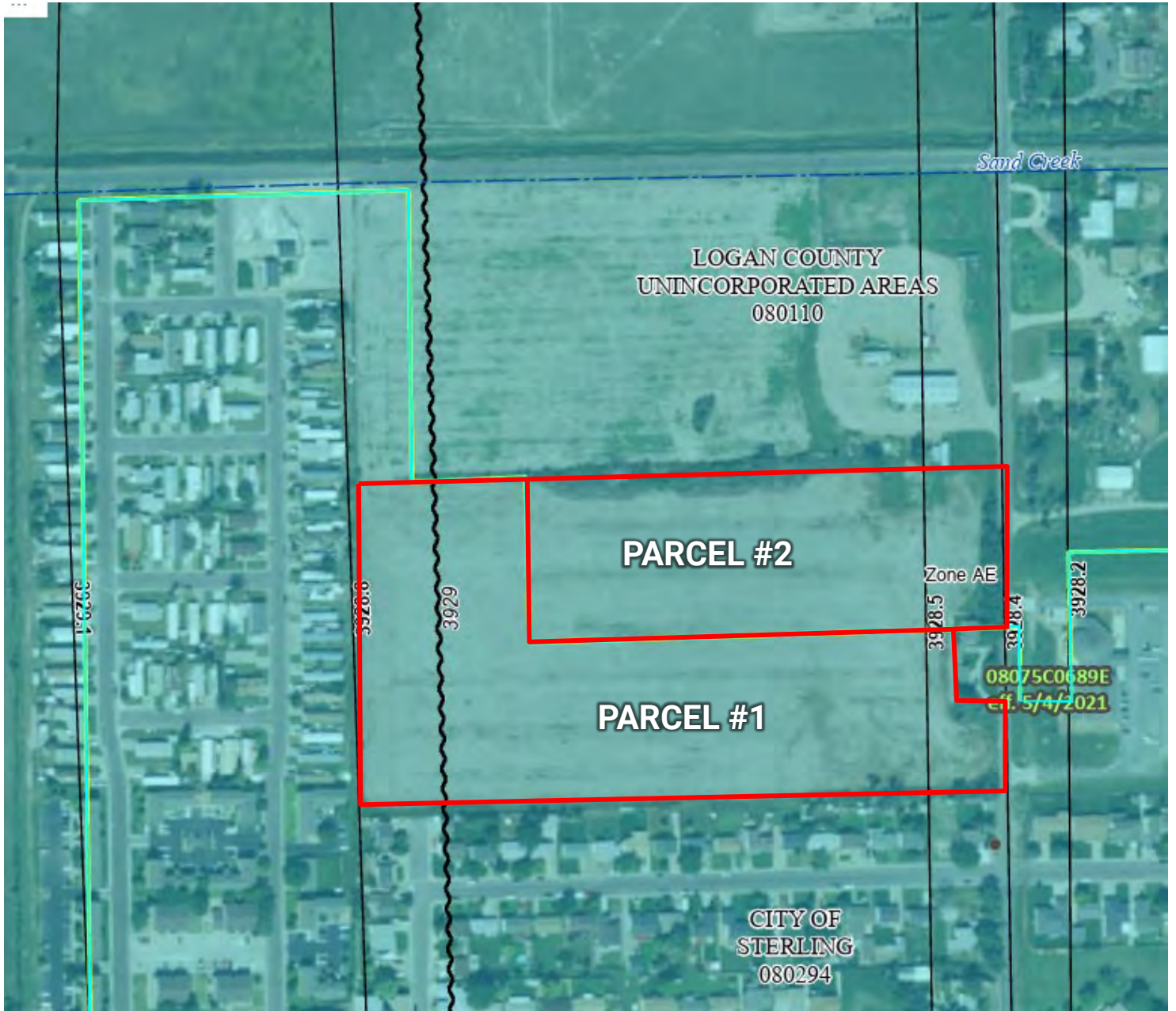
LOG OF WELL
(ADD SPACES AS NEEDED)

From	<u>0</u> ft.	to	<u>3</u> ft.	Top
	<u>3</u> ft.	to	<u>5</u> ft.	Loam
	<u>5</u> ft.	to	<u>13</u> ft.	Clay
	<u>13</u> ft.	to	<u>19</u> ft.	Sand & gravel
	<u>19</u> ft.	to	<u>23</u> ft.	Fine sand & gravel & clay
	23		29	Gravel & sand
	29		35	Clay
	35		56	Gravel & sand, mineral
	56		57	Clay
	57		71	Gravel & sand, clean
	71			Clay





Flood Plain Map



Water & Sewer Line Placement Map



Title Commitment

- ◆ Parcel #1
- ◆ Parcel #2





ALTA COMMITMENT FOR TITLE INSURANCE
(ALTA Adopted 07-01-2021)

Transaction Identification Data, for which the Company assumes no liability as set forth in Commitment Condition 5.e.:

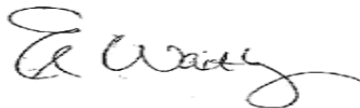
Issuing Agent: **Northeast Colorado Title Company, LLC**
Issuing Office: **Northeast Colorado Title Company, LLC**
Issuing Office's ALTA Registry ID:
Loan ID Number:
Issuing Office File Number: **243887**
Property Address: **1509 Sidney Avenue Sterling, CO 80751**
Revision Number: 1

SCHEDULE A

1. Commitment Date: **February 8, 2024**, at **7:00 am**
2. Policy to be Issued:
 - (a) ALTA® 2021 Owner's Policy
Proposed Insured:
Proposed Amount of Insurance:
The estate or interest to be insured: **Fee Simple**
3. The estate or interest in the Land at the Commitment Date is: **Fee Simple**
4. The Title is, at the Commitment Date, vested in **Gilbert E. Wagner** and, as disclosed in the Public Records, has been since **November 16, 2022**
5. The Land is described as follows:
SEE ATTACHED EXHIBIT "A"

Premiums	
To Be Determined Commitment	\$300.00
Additional Parcel	\$300.00
	\$600.00

WESTCOR LAND TITLE INSURANCE COMPANY

By: 
Authorized Signatory

This page is only a part of a 2021 ALTA Short Form Commitment for Title Insurance issued by Westcor Land Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; Schedule A; Schedule B, Part I-Requirements; and Schedule B, Part II-Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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**ALTA COMMITMENT FOR TITLE INSURANCE
(ALTA Adopted 07-01-2021)**

File No.: **243887**

EXHIBIT A

The Land is described as follows:

Parcel I - 1509 Sidney Avenue

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16, Block 1, J. B. Addition Second Filing to the City of Sterling, County of Logan, State of Colorado

Parcel II - 500 Plaza Drive

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, Block 2, J. B. Addition Second Filing to the City of Sterling, County of Logan, State of Colorado

Parcel III - 1601 Dawes Street

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, Block 3, J. B. Addition Second Filing to the City of Sterling, County of Logan, State of Colorado

Parcel IV - 570 Marie Lane

Lot 1, Block 4, J. B. Addition Second Filing to the City of Sterling, County of Logan, State of Colorado

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SCHEDULE B, PART II - Exceptions

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met.
2. Rights or Claims of parties in possession not shown by the public records.
3. Easements or claims of easements not shown by the public records.
4. Discrepancies, conflicts in boundary lines, encroachments, overlaps, variations or shortage in area or content, party walls and any other matters that would be disclosed by a correct survey and/or physical inspection of the land.
5. Any lien, or right to lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public record.
6. Any water or well rights, or rights or title to water or claims thereof, in, on or under the land.
7. Unpatented mining claims; reservations or exceptions in patents or in the Acts authorizing the issuance of said patents.
8. All taxes, assessments, levies and charges which constitute liens or are due or payable including unredeemed tax sales.
9. **Saving, excepting and reserving unto Mildred F. Reitz, Olive Vea LaBorde, Laurette Avery and William R. Morrison, an undivided one-half (1/2) interest in and to all of the oil, gas and other minerals in, on and under the said premises in fee simple, absolutely and forever, together with the full right at all times of ingress and egress for the purpose of exploring for, mining, developing and producing the same as stated in Warranty Deed recorded February 3, 1955 in Book 453 at Page 411, [Reception No. 381147](#) of the Logan County, Colorado records, together with any and all assignments thereof or interests therein.**
10. **Saving, excepting and reserving unto William Robert Morrison and his predecessors in interest, all of the oil, gas and other minerals in, on and under the said premises, together with the right of ingress and egress for the purpose of exploring for, mining, developing and producing the same as stated in Warranty Deed recorded April 16, 1955 in Book 457 at Page 228, [Reception No. 382953](#) of the Logan County, Colorado records, together with any and all assignments thereof or interests therein.**
11. **Subject to the Map of the Pawnee Creek Flood of 1965 recorded October 16, 1975 in [Book 696 at Page 693](#), [Reception No. 510381](#) of the Logan County, Colorado records.**
12. **Ordinance No. 7 Series of 1980 recorded April 14, 1980 in Book 740 at Page 836, [Reception No. 536623](#).**
13. **Ordinance No. 12 Series fo 1980 recorded April 14, 1980 in Book 740 at Page 838, [Reception No. 536624](#).**
14. **Easements, rights of way and/or encroachments as shown on plat for J. B. Addition Second Filing to the City of Sterling, County of Logan, State of Colorado recorded April 14, 1980 in Book 740 at Page 840, [Reception](#)**

This page is only a part of a 2021 ALTA Short Form Commitment for Title Insurance issued by Westcor Land Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; Schedule A; Schedule B, Part I-Requirements; and Schedule B, Part II-Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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[No. 536625.](#)

15. Easements, rights of way and/or encroachments as shown on Survey Plat for Premier Partnership LTD recorded December 7, 2021 in Book 1046 at Page 948, [Reception No. 758759.](#)
16. Taxes and assessments for the years 2023 and 2024 a lien but not yet due and payable.

Recorded at 11:50 o'clock A M. Febr 3, 1955

Reception No. 381147 Donnell Lawrence Recorder

BOOK 453 PAGE 411

KNOW ALL MEN BY THESE PRESENTS, That MILDRED F. REITZ, OLIVE VEA LABORDE, LAURETTIE AVERY, and WILLIAM R. MORRISON

of the County of Logan, and State of Colorado, for the consideration of Ten Dollars and other valuable consideration, in hand paid, hereby sell and convey to LEONARD A. HAGEMEIER and MALINDA E. HAGEMEIER

of the County of Logan, and State of Colorado, not in tenancy in common, but in joint tenancy, the survivor of them, their assigns and the heirs and assigns of such survivor forever, the following real property, situate in the County of

Logan and State of Colorado, to-wit:

The South Half of the Northeast Quarter of the Southeast Quarter (S 1/2 NE 1/4 SE 1/4) of Section Twenty (20), Township Eight (8) North, Range Fifty-two (52) West of the 6th P.M., Logan County, Colorado, except a tract of land described as follows:

Commencing at the SE corner of above described 20-acre tract, thence West 27 feet, thence North 280 feet to true place of beginning, thence North 80 feet, thence North 89° West 100 feet, thence South 80 feet, thence South 89° East 100 feet to the true place of beginning;

together with four (4) shares of the capital stock of The Sterling Irrigation District.

SAVING, EXCEPTING AND RESERVING, HOWEVER, unto Grantors an undivided one-half (1/2) interest in and to all of the oil, gas and other minerals in, on and under said land in fee simple, absolutely and forever, together with the full right at all times of ingress and egress for the purpose of exploring for, mining, developing and producing the same;

With all its appurtenances, and warrant the title to the same, subject to taxes for 1955, due and payable in 1956, and all subsequent taxes; subject to rights and liabilities by reason of inclusion of said property in Northern Colorado Water Conservancy District, The Sterling Rural Fire Protection District.

Signed and delivered this 5th day of January, A. D. 19 55.

~~State of Colorado~~

Mildred F. Reitz (Mildred F. Reitz) (SEAL)
Olive Vea Laborde (Olive Vea Laborde) (SEAL)
Laurette Avery (Laurette Avery) (SEAL)

CONNECTICUT.
STATE OF CONNECTICUT
COUNTY OF Fairfield.

ss.

William R. Morrison (William R. Morrison) (SEAL)

The foregoing instrument was acknowledged before me this 5th day of January by Laurettie Avery.

WITNESS my hand and official seal.

My commission expires April 1, 1956

Thomas W. ... Notary Public

*If by natural person or persons here insert name or names; if by person acting in representative or official capacity or as attorney-in-fact, then insert name of person as executor, attorney-in-fact or other capacity or description; if by officer or corporation, then insert name of such officer or officers, as the president or other officers of such corporation, naming it.—Statutory Acknowledgment. C. S. A., Ch. 104, Sec. 107.

WARRANTY DEED — (STATUTORY FORM) — TO JOINT TENANTS

STATE OF COLORADO,)
COUNTY OF LOGAN.) SS.

The foregoing instrument was acknowledged before me, this February day of January, A.D. 1954, by Mildred F. Reitz,

Olive Vea LaBorde, and William R. Morrison.

WITNESS my hand and official seal.

My Commission expires May 20, 1958.



Dorthy Brissman
Notary Public

No. 381147

WARRANTY DEED

JOINT TENANTS

MILDRED F. REITZ, OLIVE VEA
LaBORDE, LAURETTIE AVERY,

and WILLIAM R. MORRISON

TO

LEONARD A. HAGEMEIERS and

MALINDA E. HAGEMEIERS

STATE OF COLORADO,

County of Logan

I hereby certify that this instrument was filed

for record in my office this 3

day of July, A. D. 1954

at 11:50 o'clock A. M., and duly recorded in

Book 453 Page 411

Dorrell LaBorde

RECORDER

By [Signature]

DEPUTY

Fees, \$ 2.50

THE ADVOCATE PUBLISHING CO., STERLING, COLORADO

Charles C. Arnold
200 Security Bldg.

(108'8)

KNOW ALL MEN BY THESE PRESENTS, That WILLIAM ROBERT MORRISON
of the County of Logan, and State of Colorado,
for the consideration of Ten Dollars and other valuable consideration, Dollars,
in hand paid, hereby sell and convey to LEONARD A. HAGEMEIERS and MALINDA E. HAGEMEIERS

of the County of Logan, and State of Colorado,
not in tenancy in common, but in joint tenancy, the survivor of them, ther assigns and the heirs and as-
signs of such survivor forever, the following real property, situate in the County of

Logan and State of Colorado, to-wit:

A tract of land located in the South Half of the Northeast Quarter
of the Southeast Quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Twenty (20), Town-
ship Eight (8) North, Range Fifty-two (52) West of the Sixth Princi-
pal Meridian, Logan County, Colorado, more particularly described
as follows:

Commencing at the SE corner of the above described tract,
thence West 27 feet, thence North 344 feet to the true place of
beginning; thence North 16 feet, thence North 89° West 100
feet, thence South 80 feet, thence South 89° East 25 feet, thence
North 64 feet, thence South 89° East 75 feet to the true place
of beginning;

SAVING, EXCEPTING AND RESERVING, HOWEVER, unto Grantor and his
predecessors in interest, all of the oil, gas and other minerals
in, on and under the above described land, together with the right
of ingress and egress for the purpose of exploring for, mining,
developing and producing the same;

With all its appurtenances, and warrant the title to the same, subject to taxes for 1955, due
and payable in 1956, and all subsequent taxes; subject to rights
and liabilities by reason of inclusion of said property in Northern
Colorado Water Conservancy District, and The Sterling Rural Fire
Protection District; Oil and Gas Lease of record, if any.

Signed and delivered this 13th day of April, A. D. 1955.

In the Presence of

William Robert Morrison (SEAL)

_____ (SEAL)

_____ (SEAL)

STATE OF COLORADO,

COUNTY OF Logan.

ss.

The foregoing instrument was acknowledged before me this 13th day of April, 1955
by William Robert Morrison.

WITNESS my hand and official seal.

My commission expires May 20, 1958.

Dorothy Crissman

Notary Public

*If by natural person or persons here insert name or names; if by person acting in representative or official
capacity or as attorney-in-fact, then insert name of person as executor, attorney-in-fact or other capacity or
description; if by officer or corporation, then insert name of such officer or officers, as the president or other
officers of such corporation, naming it.—Statutory Acknowledgment. C.S.A., Ch. 104, Sec. 107.

WARRANTY DEED — (STATUTORY FORM) — TO JOINT TENANTS

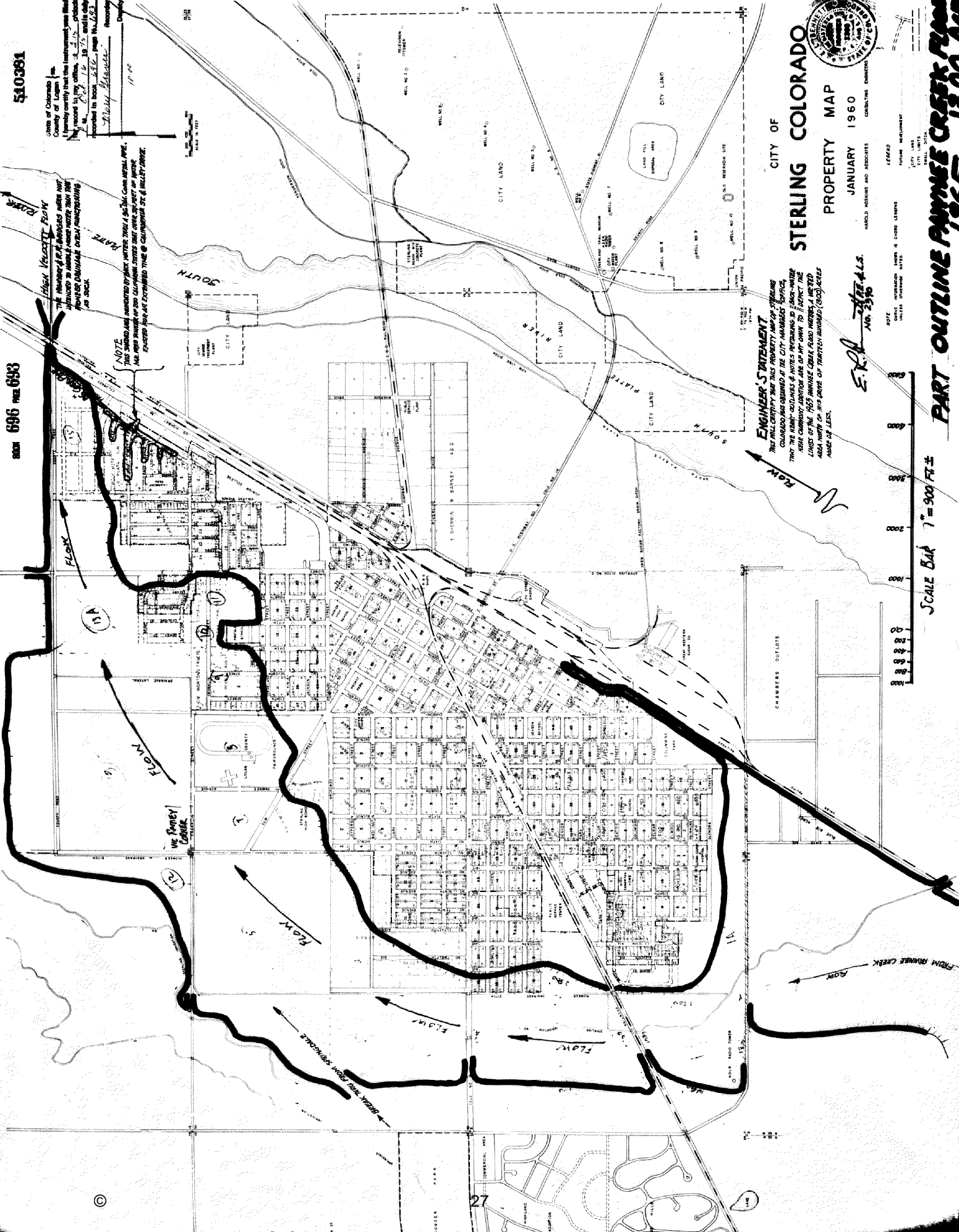
510381

BOOK 696 PAGE 693

State of Colorado
County of Logan
I hereby certify that the instrument was filed
in my office, on this 10th day of January,
1960, at 10:00 A.M., and that the same
is a true and correct copy of the original
as shown to me by the person presenting
it for recording.

Shirley B. Bessie
Recorder
Deputy

NOTE
THIS MAP AND NUMBER OF PAGES THEREON IS AS SHOWN HEREON.
THE AREA SHOWN ON THIS MAP IS THE CITY LANDS AND NOT
THE ENTIRE CITY OF STERLING. THE CITY LANDS ARE
THAT WHICH ARE OWNED BY THE CITY OF STERLING.
THE CITY LANDS ARE SHOWN BY A DASHED LINE.
THE CITY LANDS ARE SHOWN BY A DASHED LINE.
THE CITY LANDS ARE SHOWN BY A DASHED LINE.



ENGINEER'S STATEMENT
THIS WILL CERTIFY THAT THIS PROPERTY MAP OF STERLING
COLORADO WAS OBTAINED AT THE CITY ENGINEER'S OFFICE
AND THAT THE ENGINEER'S STATEMENT IS A TRUE AND
CORRECT STATEMENT OF THE CITY ENGINEER'S OFFICE.
THE CITY ENGINEER'S OFFICE IS THE OFFICE OF THE
CITY ENGINEER, STERLING, COLORADO.

CITY OF
STERLING COLORADO
PROPERTY MAP
JANUARY 1960



MADE BY HENNING AND ASSOCIATES
CONSULTING ENGINEERS
1000 N. 10TH ST.
STERLING, COLORADO



SCALE BAR 1" = 900 FT ±

**PART OUTLINE FAYNE CREEK FLOOD
1965 1300 ACRES
ADJACENT TO STERLING**

536623

4-14-80

BOOK 740 PAGE 836

Logan Co. Clerk, Rec. No. 1:35 P Phyllis Dollerschell
 o'clock M. *Wanda Schauf* Deputy

ORDINANCE NO. 7

SERIES OF 1980

AN ORDINANCE FOR THE ANNEXATION OF CERTAIN UNINCORPORATED TERRITORY TO THE CITY OF STERLING, COLORADO; FOR THE PLATTING OF THE TERRITORY HEREIN DESCRIBED AS J.B. ADDITION, SECOND FILING, TO THE CITY OF STERLING, COLORADO; AND FOR THE ZONING OF SAID TERRITORY

Introduced by Councilwoman Evans.

BE IT ORDAINED BY THE COUNCIL OF STERLING:

Section 1. That the following described property be and hereby is annexed to the City of Sterling, Colorado:

A tract of land lying in the south half of the northeast quarter of the southeast quarter ($S\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$) of section twenty (20), township eight (8) north, range fifty-two (52) west of the sixth principal meridian, Logan County, Colorado, being more particularly described as follows:

Beginning at the southeast corner of said south half of the northeast quarter of the southeast quarter ($S\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$); thence westerly along the south line of said south half of the northeast quarter of the southeast quarter ($S\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$) a distance of 1300.33 feet to the southwest corner of said south half of the northeast quarter of the southeast quarter ($S\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$); thence northerly an angle right of $91^{\circ}09'40''$ from the last described course and along the west line of said south half of the northeast quarter of the southeast quarter ($S\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$) a distance of 660.02 feet to the northwest corner of said south half of the northeast quarter of the southeast quarter ($S\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$); thence easterly an angle right of $88^{\circ}16'50''$ from the last described course and along an existing fence line for the north line of said south half of the northeast quarter of the southeast quarter ($S\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$) a distance of 224.99 feet; thence southerly an angle right of $90^{\circ}33'30''$ from the last described course a distance of 121.78 feet; thence southerly an angle right of $1^{\circ}58'30''$ from the last described course a distance of 60.04 feet; thence southerly an angle left of $1^{\circ}58'30''$ from the last described course a distance of 145.00 feet; thence easterly an angle left of $90^{\circ}00'00''$ from the last described course and parallel with the south line of said south half of the northeast quarter of the southeast quarter ($S\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$) a distance of 970.43 feet; thence southerly an angle right of $91^{\circ}26'10''$ from the last described course and parallel with the east line of said south half of the northeast quarter of the southeast quarter ($S\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$) a distance of 145.04 feet; thence easterly an angle left of $89^{\circ}00'00''$ from the last described course a distance of 102.00 feet to a point on the east line of said south half of the northeast quarter of the southeast quarter ($S\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$); thence southerly an angle right of $89^{\circ}00'00''$ from the last described course and along the east line of said south half of the northeast quarter of the southeast quarter ($S\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$) a distance of 186.00 feet to the point of beginning and containing 11.36 acres, more or less.

Section 2. That the territory to be annexed is zoned as follows:

Block One (1)

Lots Four (4) to Sixteen (16) inclusive	R-1	One Family
Lots One (1), Two (2), and Three (3)	R-2	Limited Multiple Family

Block Two (2)

Lots Five (5) to Eighteen (18) inclusive	R-1	One Family
Lots One (1), Two (2), Three (3) and Four (4)	R-2	Limited Multiple Family

Block Three (3)

All of Block Three (3)	R-3	Multiple Family
------------------------	-----	-----------------

Block Four (4)

Lot One (1)	R-2	Limited Multiple Family
-------------	-----	-------------------------

Section 3. In the opinion of the City Council, this ordinance is necessary for the immediate preservation of the public health, welfare and safety and shall take effect upon its passage and final publication.

INTRODUCED, READ AND ORDERED PUBLISHED THIS 26th DAY OF February, 1980.


PUBLISHED THIS 29th DAY OF February, 1980.

ADOPTED AND APPROVED THIS 25th DAY OF March, 1980.

FINAL PUBLICATION: March 28, 1980.

Earl A. Franklin

Mayor

ATTEST:

John H. O'Brien
 Ex-Officio City Clerk

536624

4-14-80

Logan Co. Colo. Doc. #

1:35

o'clock

P.

Phyllis Dollerschell

Received

rec. room

Walter Scherf

Deputy

BOOK 740 PAGE 838

ORDINANCE NO. 12

Series of 1980

AN ORDINANCE APPROVING THE SUBDIVISION OF LAND WITHIN THE CITY OF STERLING, COLORADO TO BE KNOWN AS THE J.B. ADDITION, 2ND FILING AND APPROVING THE PLAT THEREOF.

Introduced by Council woman Evans

BE IT ORDAINED BY THE CITY COUNCIL OF STERLING, COLORADO:

Section 1. That upon recommendation of the Planning Commission in accordance with Section 24 A-8 of the Code of the City of Sterling, Colorado (Code) the J.B. Addition, 2nd Filing to the City of Sterling, County of Logan, State of Colorado, is hereby approved.

Section 2. That the final plat for the subdivision to be known as the J.B. Addition, 2nd Filing described above be and hereby is approved by the City Council; said subdivision having the following legal description:

J.B. Addition, 2nd Filing to the City of Sterling, County of Logan, State of Colorado, containing a tract of land lying in the south half of the northeast quarter of the southeast quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of section 20, township 8 north, range 52 west of the sixth principal meridian, Logan County, Colorado, being more particularly described as follows:

Beginning at the southeast corner of said S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence westerly along the south line of said S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 1300.33 feet to the southwest corner of said S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence northerly an angle right of 91°09'40" from the last described course and along the west line of said S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 660.02 feet to the northwest corner of said S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence easterly an angle right of 88°16'50" from the last described course and along an existing fence line for the north line of said S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 224.99 feet; thence southerly an angle right of 90°33'30" from the last described course a distance of 121.78 feet; thence southerly an angle right of 1°58'30" from the last described course a distance of 60.04 feet; thence southerly an angle left of 1°58'30" from the last described course a distance of 145.00 feet; thence easterly an angle left of 90°00'00" from the last described course and parallel with the south line of said S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 970.43 feet; thence southerly an angle right of 91°26'10" from the last described course and parallel with the east line of said S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 145.04 feet; thence easterly an angle left of 89°00'00" from the last described course a distance of 102.00 feet to a point on the east line of said S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence southerly an angle right of 89°00'00" from the last described course and along the east line of said S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 186.00 feet to the point of beginning and containing 11.37 acres, more or less.

A copy of said plat is attached hereto and incorporated herein by reference.

Section 3. That the Mayor shall enter Council's approval of the above described subdivision and shall make acceptance of any dedications entered thereon by entering his signature upon the plat and said signature shall be attested by the City Clerk.

INTRODUCED, READ AND ORDERED PUBLISHED THIS 25th day of MARCH, 1980.

PUBLISHED THIS 28th day of MARCH, 1980.

ADOPTED AND APPROVED THIS 8th day of APRIL, 1980.

FINAL PUBLICATION APRIL 11, 1980.

Earl D. Franklin
MAYOR

ATTEST:

John H. Fisher
Ex-Officio City Clerk

J. B. ADDITION SECOND FILING

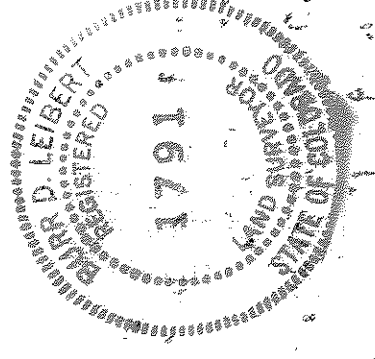
TO THE
CITY OF STERLING, COUNTY OF LOGAN, STATE OF COLORADO

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT I HAVE SURVEYED AND STAKED OUT "J. B. ADDITION, SECOND FILING TO THE CITY OF STERLING, COUNTY OF LOGAN, STATE OF COLORADO", AS THE SAME APPEARS ON THE ANNEXED PLAT. FIVE-EIGHTHS (5/8) INCH DIAMETER BY TWENTY-FOUR (24) INCH LONG REBARS WITH IDENTIFICATION CAPS ARE SET AT THE POINTS MARKED THIS O, UNLESS OTHERWISE NOTED.

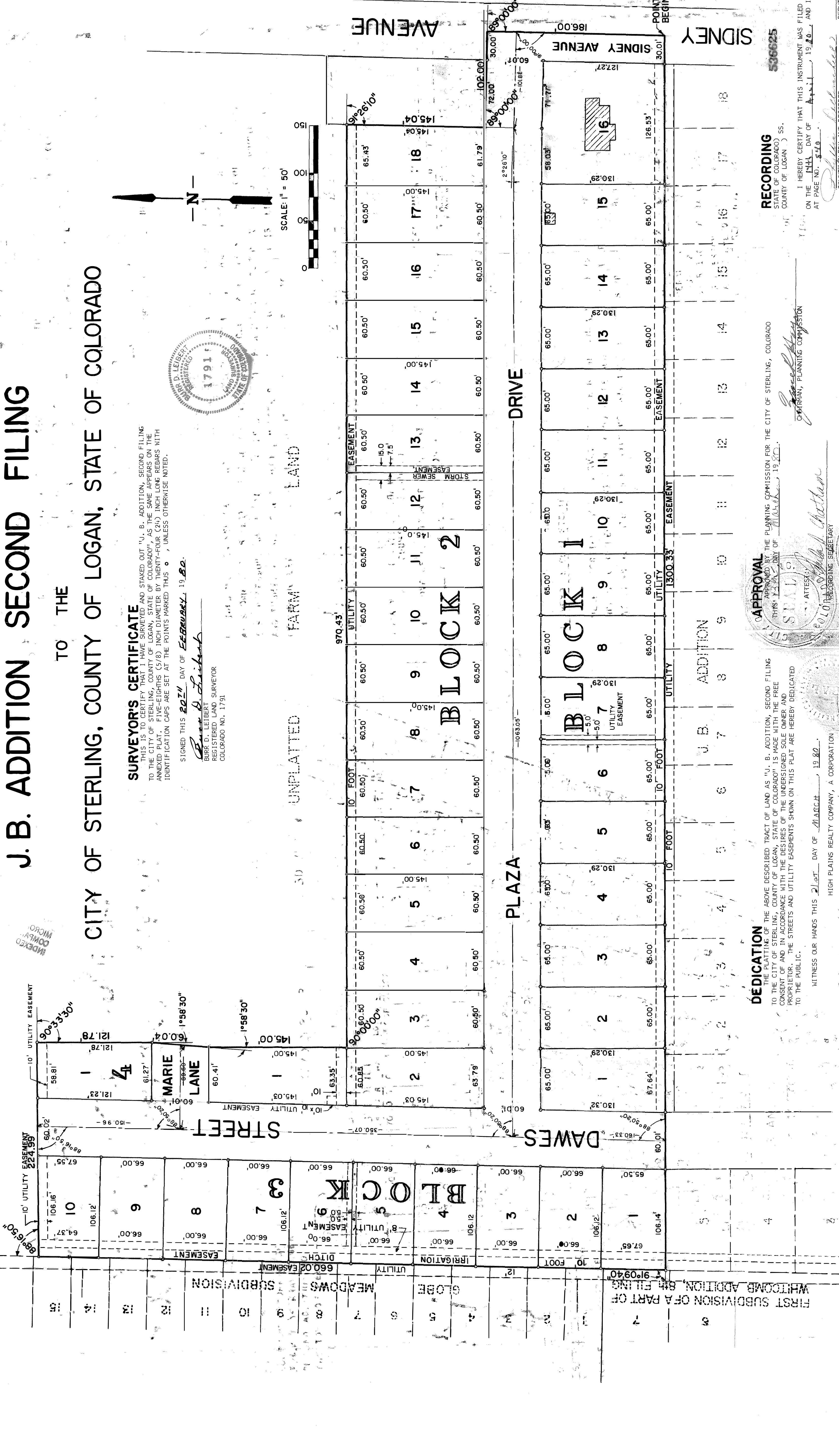
SIGNED THIS 20TH DAY OF FEBRUARY, 1982.

Robert D. Leibert
REGISTERED LAND SURVEYOR
COLORADO NO. 1791



UNPLATTED

FARM LAND



DESCRIPTION
TRACT OF LAND BEING IN THE NORTH EAST QUARTER OF THE SOUTH EAST QUARTER OF SECTION 20, TOWNSHIP 8 NORTH, RANGE 58 WEST OF THE PRINCIPAL MERIDIAN, LOGAN COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTH EAST CORNER OF SAID S1/2 NE1/4 SE1/4; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID S1/2 NE1/4 SE1/4 A DISTANCE OF 1300.33 FEET TO THE SOUTHWEST CORNER OF SAID S1/2 NE1/4 SE1/4; THENCE NORTHERLY AN ANGLE RIGHT OF 91°09'40" FROM THE LAST DESCRIBED COURSE AND ALONG THE WEST LINE OF SAID S1/2 NE1/4 SE1/4 A DISTANCE OF 660.02 FEET TO THE NORTH WEST CORNER OF SAID S1/2 NE1/4 SE1/4; THENCE EASTERLY AN ANGLE RIGHT OF 88°16'50" FROM THE LAST DESCRIBED COURSE AND ALONG AN EXISTING FENCE LINE FOR THE NORTH LINE OF SAID S1/2 NE1/4 SE1/4 A DISTANCE OF 224.99 FEET; THENCE SOUTHERLY AN ANGLE RIGHT OF 12°30'00" FROM THE LAST DESCRIBED COURSE A DISTANCE OF 60.04 FEET; THENCE SOUTHERLY AN ANGLE LEFT OF 1°58'30" FROM THE LAST DESCRIBED COURSE A DISTANCE OF 145.00 FEET TO THE SOUTH LINE OF SAID S1/2 NE1/4 SE1/4; THENCE WESTERLY AN ANGLE RIGHT OF 91°09'40" FROM THE LAST DESCRIBED COURSE AND PARALLEL WITH THE SOUTH LINE OF SAID S1/2 NE1/4 SE1/4 A DISTANCE OF 970.43 FEET; THENCE SOUTHERLY AN ANGLE LEFT OF 91°26'10" FROM THE LAST DESCRIBED COURSE AND PARALLEL WITH THE EAST LINE OF SAID S1/2 NE1/4 SE1/4 A DISTANCE OF 105.04 FEET; THENCE EASTERLY AN ANGLE LEFT OF 89°00'00" FROM THE LAST DESCRIBED COURSE A DISTANCE OF 42.00 FEET TO THE POINT OF BEGINNING. THE EAST LINE OF SAID S1/2 NE1/4 SE1/4; THENCE SOUTHERLY AN ANGLE LEFT OF 91°09'40" FROM THE LAST DESCRIBED COURSE A DISTANCE OF 130.29 FEET TO THE POINT OF BEGINNING. MORE OR LESS.

DEDICATION

THE PLATTING OF THE ABOVE DESCRIBED TRACT OF LAND AS "J. B. ADDITION, SECOND FILING TO THE CITY OF STERLING, COUNTY OF LOGAN, STATE OF COLORADO" IS MADE WITH THE FREE CONSENT OF AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED SOLE OWNER AND PROPRIETOR. THE STREETS AND UTILITY EASEMENTS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC.

WITNESS OUR HANDS THIS 21ST DAY OF MARCH, 1982.

High Plains Realty Company, a corporation
Robert Petteys, President
Helen C. Watrous, Secretary

NOTICE OF CONDITIONAL APPROVAL

NOTICE IS HEREBY GIVEN THAT THIS PRELIMINARY PLAT HAS RECEIVED THE CONDITIONAL APPROVAL OF THE PLANNING COMMISSION FOR THE CITY OF STERLING, COLORADO, SUBJECT TO RECEIVE THE FINAL PLAT FOR CONSIDERATION.

APPROVED THIS 14TH DAY OF MARCH, 1982.

Chairman, Planning Commission
Robert Petteys, President
Helen C. Watrous, Secretary

ACKNOWLEDGEMENT

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 21ST DAY OF MARCH, 1982, BY HIGH PLAINS REALTY COMPANY, A CORPORATION, ROBERT PETTEYS, PRESIDENT, HELEN C. WATROUS, SECRETARY AS SOLE OWNER AND PROPRIETOR.

WITNESS MY HAND AND OFFICIAL SEAL.

My Commission Expires July 31, 1981
Notary Public

TREASURER'S CERTIFICATE

ALL TAXES ASSESSED AND DUE ON THE PROPERTY DESCRIBED ABOVE HAVE BEEN PAID IN FULL. SIGNED THIS 19TH DAY OF MARCH, 1982.

County Treasurer
Charles A. Johnson

ATTORNEY'S CERTIFICATE

THE STATE OF COLORADO HEREBY CERTIFIES THAT THE PERSONS DEDICATING THE PUBLIC WAYS SHOWN ON THIS PLAT ARE THE OWNERS THEREOF IN FEE SIMPLE, FREE AND CLEAR OF ALL ENCUMBRANCES.

Notary Public

RECORDING

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT 11:30 O'CLOCK P.M. ON THE 14TH DAY OF MARCH, 1982, AND IS DULY RECORDED IN BOOK NO. 740 PAGE 840 COUNTY OF LOGAN) SS.

High Plains Realty Company, a corporation
Robert Petteys, President
Helen C. Watrous, Secretary
Deputy Recorder

EXPENSES OF EXTENSIONS

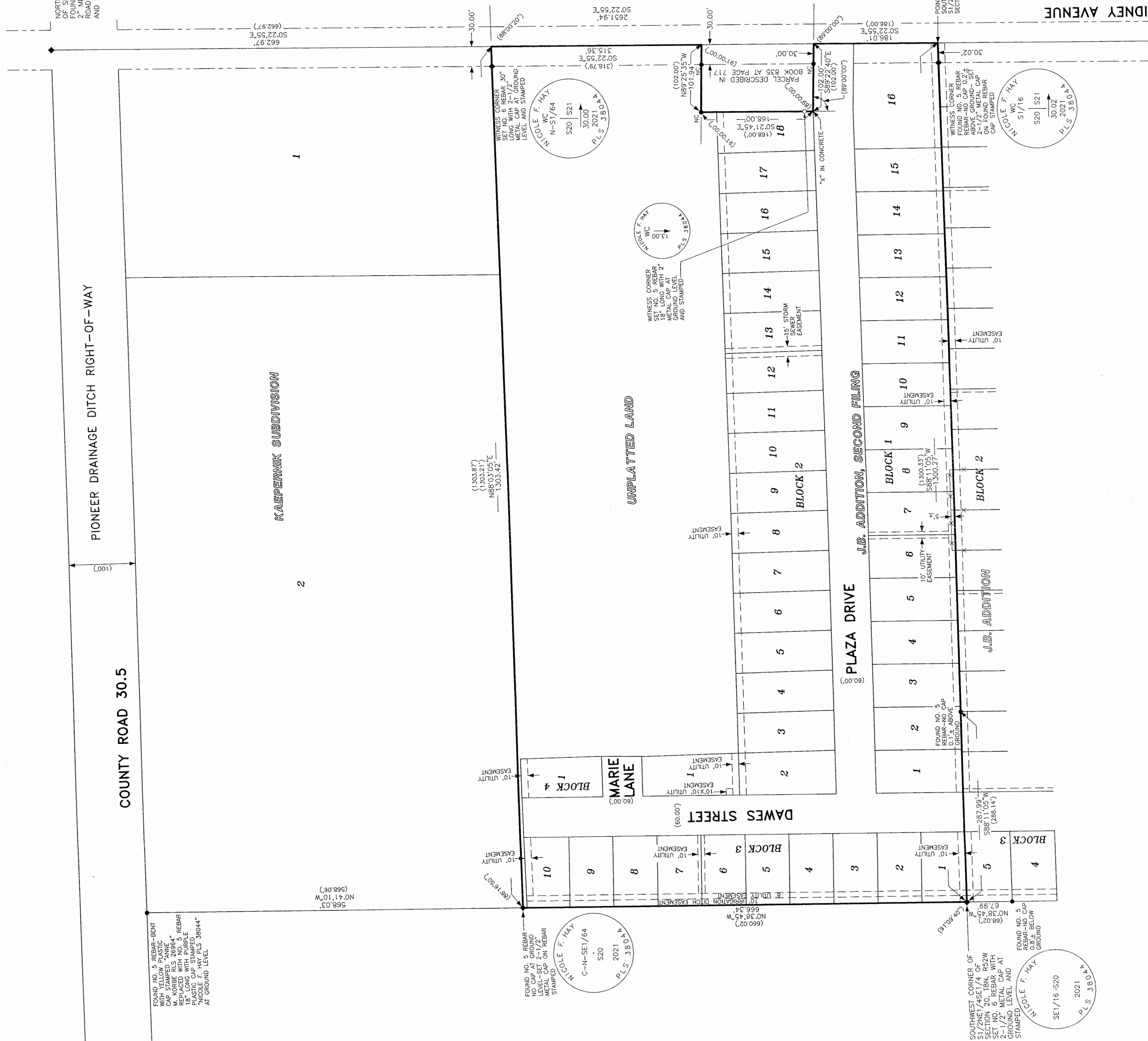
HIGH PLAINS REALTY COMPANY, A CORPORATION, SHALL BE AND HEREBY IS LIABLE FOR THE PAYMENT OF ALL EXPENSES INVOLVED IN THE NECESSARY EXTENSIONS TO THE WATER SYSTEM, SANITARY SEWER SYSTEM, GAS SERVICE, ELECTRICAL SERVICE, STORM SEWER SYSTEM, CURB AND GUTTERS, STREET PAVEMENT AND SIDEWALKS AND HEREBY PROMISE TO HOLD THE CITY HARMLESS FROM THE PAYMENT FOR THE NECESSARY EXTENSIONS.

DESIGNER AND SURVEYOR:
LEIBERT-McATEE & ASSOCIATES, INC.
P.O. BOX 442, STERLING, COLORADO

OWNER AND SUBDIVIDER:
HIGH PLAINS REALTY COMPANY, A CORPORATION
P.O. BOX 347, STERLING, COLORADO

SURVEY PLAT FOR PREMIER PARTNERSHIP LTD

7582759 12/07/2021 83.18 PLOT B: 01646 P: 948 PLAT
 Page 1 of 1 R \$13.00 D \$0.00 T \$13.00
 County, Co



MONUMENT CORNER OF SE 1/4 SECTION 20, T8N, R22W FOUND NO. 6 REBAR WITH 1/4" METAL CAP ON REBAR ROAD IN MONUMENT BOOK AND STAMPED
 BUREAU OF LAND SURVEY
 T8N, R22W
 S20 S21
 1994
 P.L.S. 38044

SCALE: 1" = 100'
 U.S. SURVEY FEET
 SCALE IN FEET

LEGEND

- ALLOQUOT CORNER AS DESCRIBED
- SET NO. 5 REBAR 18" LONG AT GROUND LEVEL WITH PURPLE PLASTIC CAP STAMPED "PLUS 38044"
- FOUND POINTS AS DESCRIBED
- FOUND NO. 5 REBAR-NO CAP 0.1'-0.3'± ABOVE GROUND
- EXISTING FENCE LINE
- UNPLATTED OR DEED DISTANCES AND ANGLES

SURVEYOR'S STATEMENT

I, NICOLE F. HAY, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE SURVEY REPRESENTED BY THIS PLAT WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED SURVEYOR BASED UPON MY KNOWLEDGE, INFORMATION, AND BELIEF. I FURTHER STATE THAT THE SURVEY AND THIS PLAT COMPLY WITH ALL APPLICABLE RULES, REGULATIONS, AND LAWS OF COLORADO AND THE PROFESSIONAL LAND SURVEYORS' BOARD OF PROFESSIONAL SURVEYORS AND PROFESSIONAL LAND SURVEYORS, AND IS NOT A WARRANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

BY: NICOLE F. HAY
 FOR AND ON BEHALF OF
 LEIBERT-McATEE & ASSOCIATES, INC.
 P.L.S. NO. 38044

(AS PER BOOK 886 AT PAGE 530 OF THE LOGAN COUNTY RECORDS)

A TRACT OF LAND LYING IN THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTH EAST QUARTER (S1/2NW1/4) OF SECTION TWENTY (20), TOWNSHIP EIGHT (8) NORTH, RANGE FIFTY-TWO (52) WEST OF THE SIXTH PRINCIPAL MERIDIAN, LOGAN COUNTY, COLORADO, BEING BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTH EAST QUARTER (S1/2NW1/4) THENCE WESTERLY ALONG THE WEST LINE OF SAID SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SOUTH EAST QUARTER (S1/2NW1/4) A DISTANCE OF 136.33 FEET TO THE SOUTHWEST CORNER OF SAID SOUTH EAST QUARTER (S1/2NE1/4) OF THE SOUTH EAST QUARTER (S1/2NE1/4) THENCE SOUTHWESTERLY ALONG THE WEST LINE OF SAID SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTH EAST QUARTER (S1/2NE1/4) A DISTANCE OF 86.02 FEET TO THE NORTHWEST CORNER OF SAID SOUTH EAST QUARTER (S1/2NE1/4) THENCE SOUTHERLY AN ANGLE RIGHT OF 88°16'50" TO THE EAST LINE OF SAID SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SOUTH EAST QUARTER (S1/2NE1/4) A DISTANCE OF 102.00 FEET TO THE POINT OF BEGINNING.

NOTES

1. TITLE SEARCHES WERE NOT CONDUCTED OR FURNISHED BY ME FOR THIS PARCEL. THEREFORE, ALL RECORDED RIGHTS-OF-WAY OR EASEMENTS MAY NOT BE SHOWN. BEARINGS FOR THIS SURVEY ARE BASED ON THE ASSUMPTION THAT THE EAST LINE OF THE SOUTH EAST QUARTER (SE 1/4) OF SECTION TWENTY (20), TOWNSHIP EIGHT (8) NORTH, RANGE FIFTY-TWO (52) WEST OF THE SIXTH PRINCIPAL MERIDIAN, LOGAN COUNTY, COLORADO DEED PARCEL CONTAINS 19.48 ACRES SUBJECT TO STREETS AND EASEMENTS AS PLATTED IN J.B. ADDITION, SECOND FILING TO THE CITY OF STERLING, LOGAN COUNTY, COLORADO.

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. IF YOU DO NOT DISCOVER ANY DEFECT WITHIN THIS PERIOD, YOUR ACTION WILL BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

REVISIONS	DATE	BY	PROJECT

LEIBERT-McATEE & ASSOCIATES, INC.
 P.O. BOX 442 615 SOUTH TENTH AVENUE
 STERLING, CO 80751 970-522-1960

TITLE
 SURVEY PLAT FOR PREMIER PARTNERSHIP LTD.
 IN THE S1/2NE1/4 AND S1/2NW1/4 OF SECTION 20, T8N, R22W
 OF THE 6TH P.M., LOGAN COUNTY, COLORADO

SCALE: 1" = 100'
 DATE: 8-24-21
 PROJECT: 540-21N
 DRAWING NO.:
 SHEET 1 of 1

SE/16 530
 5/1/16
 P.L.S. 38044

POINT OF BEGINNING OF SOUTHWEST CORNER OF SECTION 20, T8N, R22W
 FOUND NO. 5 REBAR WITH 1/4" METAL CAP ON REBAR 0.3'± BELOW ROAD TO THE SOUTHWEST
 FOUND NO. 5 REBAR WITH 1/4" METAL CAP ON REBAR 0.3'± BELOW ROAD TO THE SOUTHWEST
 FOUND NO. 5 REBAR WITH 1/4" METAL CAP ON REBAR 0.3'± BELOW ROAD TO THE SOUTHWEST

**ALTA COMMITMENT FOR TITLE INSURANCE
(ALTA Adopted 07-01-2021)**

Transaction Identification Data, for which the Company assumes no liability as set forth in Commitment Condition 5.e.:

Issuing Agent: **Northeast Colorado Title Company, LLC**

Issuing Office: **Northeast Colorado Title Company, LLC**

Issuing Office's ALTA Registry ID:

Loan ID Number:

Issuing Office File Number: **243889**

Property Address: **20-08-32 Logan County, CO**

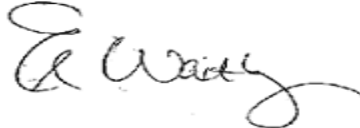
Revision Number: 1

SCHEDULE A

1. Commitment Date: **February 8, 2024**, at **7:00 am**
2. Policy to be Issued:
 - (a) ALTA® 2021 Owner's Policy
 - Proposed Insured:
 - Proposed Amount of Insurance:
 - The estate or interest to be insured: **Fee Simple**
3. The estate or interest in the Land at the Commitment Date is: **Fee Simple**
4. The Title is, at the Commitment Date, vested in **Gilbert E. Wagner** and, as disclosed in the Public Records, has been since **November 16, 2022**
5. The Land is described as follows:
SEE ATTACHED EXHIBIT "A"

Premiums	
To Be Determined Commitment	\$300.00
	\$300.00

WESTCOR LAND TITLE INSURANCE COMPANY

By: 

 Authorized Signatory

This page is only a part of a 2021 ALTA Short Form Commitment for Title Insurance issued by Westcor Land Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; Schedule A; Schedule B, Part I-Requirements; and Schedule B, Part II-Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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**ALTA COMMITMENT FOR TITLE INSURANCE
(ALTA Adopted 07-01-2021)**

File No.: 243889

EXHIBIT A

The Land is described as follows:

A tract of land lying in the S1/2NE1/4SE1/4 of Section 20, Township 8 North, Range 52 West of the 6th P .M., County of Logan, State of Colorado, being more particularly described as follows:

Beginning at the Southeast Corner of said S1/2NE1/4SE1/4; thence Westerly along the South line of said S1/2NE1/4SE1/4 a distance of 1300.33 feet to the Southwest Corner of said S1/2NE1/4SE1/4; thence Northerly an angle right of 91°09'40" from the last described course and along the West line of said S1/2NE1/4SE1/4 a distance of 660.02 feet to the Northwest Corner of said S1/2NE1/4SE1/4; thence Easterly an angle right of 88°16'50" from the last described course and along an existing fence line for the North line of said S1/2NE1/4SE1/4 a distance of 1303.87 feet to the Northeast Corner of said S1/2NE1/4SE1/4; thence Southerly an angle right of 88°00'20" from the last described course and along the East line of said S1/2NE1/4SE1/4 a distance of 318.79 feet; thence Westerly an angle right of 91°00'00" from the last described course a distance of 102.00 feet; thence Southerly an angle left of 91°00'00" from the last described course a distance of 168.00 feet; thence Easterly an angle left of 89°00'00" from the last described course a distance of 102.00 feet to the East line of said S1/2NE1/4SE1/4; thence Southerly an angle right of 89°00'00" from the last described course and along the East line of said S1/2NE1/4SE1/4 a distance of 186.00 feet to the point of beginning.

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SCHEDULE B, PART II - Exceptions

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met.
2. Rights or Claims of parties in possession not shown by the public records.
3. Easements or claims of easements not shown by the public records.
4. Discrepancies, conflicts in boundary lines, encroachments, overlaps, variations or shortage in area or content, party walls and any other matters that would be disclosed by a correct survey and/or physical inspection of the land.
5. Any lien, or right to lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public record.
6. Any water or well rights, or rights or title to water or claims thereof, in, on or under the land.
7. Unpatented mining claims; reservations or exceptions in patents or in the Acts authorizing the issuance of said patents.
8. All taxes, assessments, levies and charges which constitute liens or are due or payable including unredeemed tax sales.
9. **Reservations, if any, as stated in The United States of America patent recorded April 29, 1889 in [Book 21 at Page 74](#).**
10. **Subject to the Map of the Pawnee Creek Flood of 1965 recorded October 16, 1975 in [Book 696 at Page 693](#), Reception No. 510381 of the Logan County, Colorado records.**
11. **Saving, excepting and reserving unto Mildred F. Reitz, Olive Vea LaBorde, Laurette Avery and William R. Morrison, an undivided one-half (1/2) interest in and to all of the oil, gas and other minerals in, on and under the said premises in fee simple, absolutely and forever, together with the full right at all times of ingress and egress for the purpose of exploring for, mining, developing and producing the same as stated in Warranty Deed recorded February 3, 1955 in Book 453 at Page 411, [Reception No. 381147](#) of the Logan County, Colorado records, together with any and all assignments thereof or interests therein.**
12. **Saving, excepting and reserving unto William Robert Morrison and his predecessors in interest, all of the oil, gas and other minerals in, on and under the said premises, together with the right of ingress and egress for the purpose of exploring for, mining, developing and producing the same as stated in Warranty Deed recorded April 16, 1955 in Book 457 at Page 228, [Reception No. 382953](#) of the Logan County, Colorado records, together with any and all assignments thereof or interests therein.**
13. **Right to Farm and Ranch Resolution No. 99-50 adopted by the Board of County Commissioners, County of Logan, State of Colorado recorded September 22, 1999 in [Book 925 at Page 430](#), Reception No. 637374 of the Logan County, Colorado records together with any and all assignments thereof or interests therein.**

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14. Easements, rights of way and/or encroachments as shown on Survey Plat for Premier Partnership LTD recorded December 7, 2021 in Book 1046 at Page 948, [Reception No. 758759](#).

15. Taxes and assessments for the years 2023 and 2024 a lien but not yet due and payable.

3604
THE UNITED STATES OF AMERICA,

Certificate No. 2446

To all to Whom these Presents shall come, **GREETING:**

Whereas, Ethelwin L. Minter of Weld County, Colorado Territory
has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Denver, Colorado Territory whereby it appears that full payment has been made by the said Ethelwin L. Minter

according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the sale of the Public Lands," and the acts supplemental thereto, for the East half of the South East quarter and the South East quarter of the North East quarter of section twenty, and the North West quarter of the South West quarter of section twenty one in Township Eight North, of Range fifty two west, in the district of Lands subject to sale at Denver, Colorado Territory, containing one hundred and sixty acres.

according to the Official Plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor General, which said Tracts have been purchased by the said Ethelwin L. Minter

Now Know Ye, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, have given and granted, and by these presents do give and grant unto the said Ethelwin L. Minter

and to her heirs, the said Tracts above described: To Have and to Hold the same, together with all the rights, privileges, immunities and appurtenances, of whatsoever nature, thereunto belonging, unto the said Ethelwin L. Minter

and to her heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws and decisions of Courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

In Testimony Whereof, I, Ulysses S. Grant President of the United States of America, have caused these letters to be made patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the thirteenth day of October, in the year of our Lord one thousand eight hundred and seventy four, and of the Independence of the United States the ~~one hundred and~~ thirty ninth

BY THE PRESIDENT: U. S. Grant
By S. W. Williamson Secretary.

L. K. Lippincott Recorder of the General Land Office.



Recorded, Vol. 5 Page 100

Filed for Record the 29 day of April A. D. 1889, at 4 o'clock P. M.

John M. Knobel
Recorder
By _____ Deputy.

510381

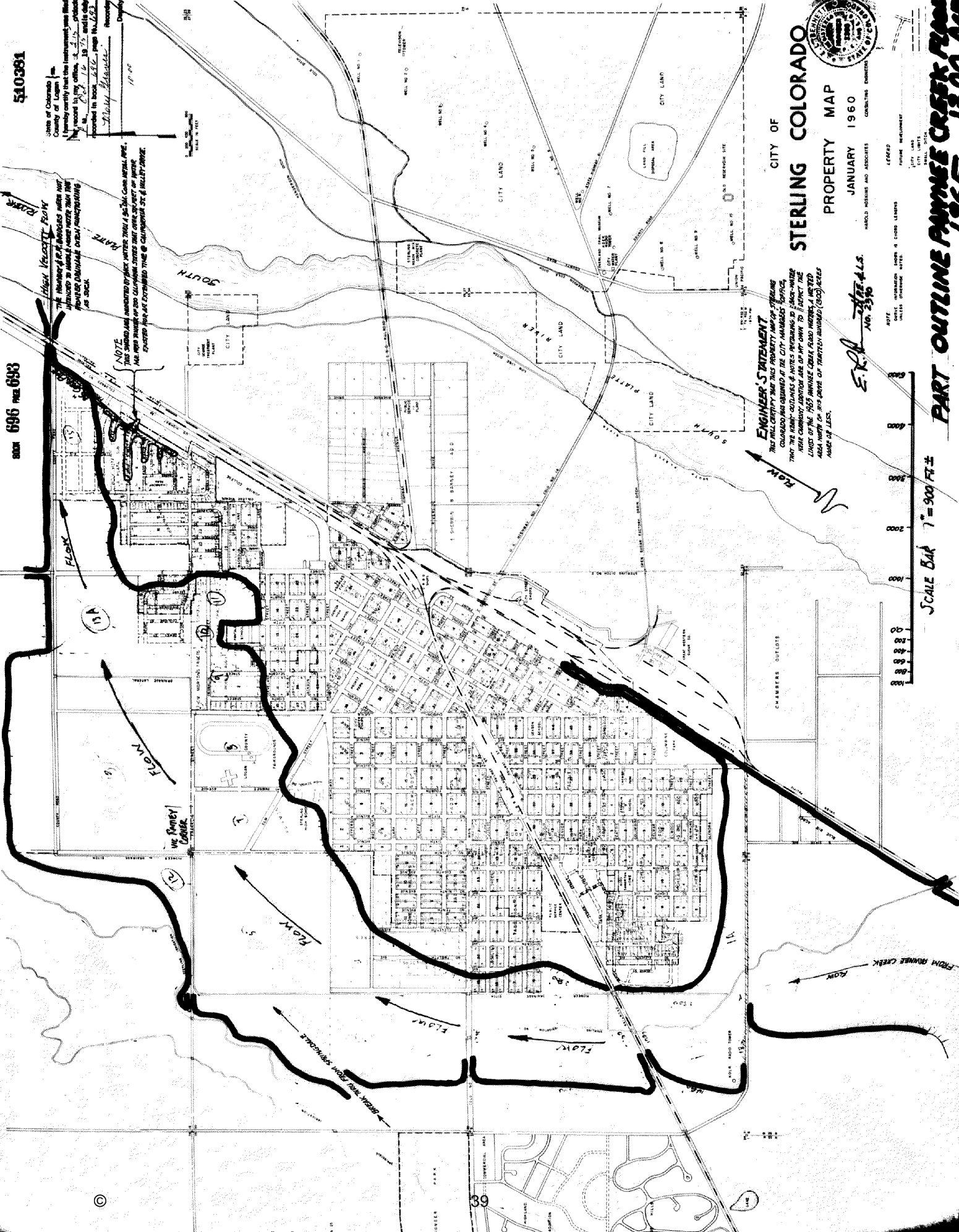
State of Colorado
County of Logan
I hereby certify that the instrument was filed
in my office, this 15th day of January, 1960,
at 10:00 AM, and that the same is a true and
correct copy of the original as recorded in
book 696, page 693.

Shirley B. Bessie
Recorder
Deputy

BOOK 696 PAGE 693

High Velocity Flow
The majority of the properties shown are
situated in areas where there is a high
velocity of water flow, and the
properties are situated in areas where
there is a high velocity of water flow.

NOTE
This survey and map were made from a 1:50,000 scale map, and
the area shown on the map is not shown on the map. The
survey was made at a scale of 1:50,000 and the map is
shown on a scale of 1:50,000.



CITY OF STERLING COLORADO

PROPERTY MAP
JANUARY 1960



ENGINEER'S STATEMENT
This will certify that this property map of Sterling
Colorado was prepared at the City of Sterling, Colorado,
that the map outlines and notes pertaining to high water
high water condition are of my own design and that the
limits of the 1955 Inverness Creek Flood Inverness, a mapped
area north of the city of Sterling, Colorado, are
made of steel.

E. R. H. STEVENS
NO. 2396

LEGEND
FUTURE DEVELOPMENT
CITY LAND
CITY LIMITS



SCALE BAR 1" = 900 FT ±

**PART OUTLINE FANNING CREEK FLOOD
1965 1300 ACRES
ADJACENT TO STERLING**

KNOW ALL MEN BY THESE PRESENTS, That MILDRED F. REITZ, OLIVE VEA LABORDE, LAURETTIE AVERY, and WILLIAM R. MORRISON

of the County of Logan, and State of Colorado, for the consideration of Ten Dollars and other valuable consideration, ~~money~~ in hand paid, hereby sell and convey to LEONARD A. HAGEMEIER and MALINDA E. HAGEMEIER

of the County of Logan, and State of Colorado, not in tenancy in common, but in joint tenancy, the survivor of them, their assigns and the heirs and assigns of such survivor forever, the following real property, situate in the County of

Logan and State of Colorado, to-wit:

The South Half of the Northeast Quarter of the Southeast Quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Twenty (20), Township Eight (8) North, Range Fifty-two (52) West of the 6th P.M., Logan County, Colorado, except a tract of land described as follows:

Commencing at the SE corner of above described 20-acre tract, thence West 27 feet, thence North 280 feet to true place of beginning, thence North 80 feet, thence North 89° West 100 feet, thence South 80 feet, thence South 89° East 100 feet to the true place of beginning;

together with four (4) shares of the capital stock of The Sterling Irrigation District.

SAVING, EXCEPTING AND RESERVING, HOWEVER, unto Grantors an undivided one-half (1/2) interest in and to all of the oil, gas and other minerals in, on and under said land in fee simple, absolutely and forever, together with the full right at all times of ingress and egress for the purpose of exploring for, mining, developing and producing the same;

With all its appurtenances, and warrant the title to the same, subject to taxes for 1955, due and payable in 1956, and all subsequent taxes; subject to rights and liabilities by reason of inclusion of said property in Northern Colorado Water Conservandy District, The Sterling Rural Fire Protection District.

Signed and delivered this 5th day of January, A. D. 1955.

~~XXXXXX~~

Mildred F. Reitz (Mildred F. Reitz) (SEAL)
Olive Vea Laborde (Olive Vea Laborde) (SEAL)
Laurette Avery (Laurette Avery) (SEAL)
William R. Morrison (William R. Morrison) (SEAL)

CONNECTICUT.
STATE OF ~~CONNECTICUT~~
COUNTY OF Fairfield. } ss.

The foregoing instrument was acknowledged before me this 5th day of January 1955 by Laurettie Avery.

WITNESS my hand and official seal.

My commission expires April 1, 1956

Thomas W. [Signature] Notary Public

*If by natural person or persons here insert name or names; if by person acting in representative or official capacity or as attorney-in-fact, then insert name of person as executor, attorney-in-fact or other capacity or description; if by officer or corporation, then insert name of such officer or officers, as the president or other officers of such corporation, naming it.—Statutory Acknowledgment. C. S. A., Ch. 104, Sec. 107.

WARRANTY DEED — (STATUTORY FORM) — TO JOINT TENANTS

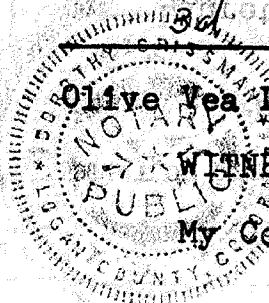


STATE OF COLORADO,)
COUNTY OF LOGAN.) SS.

The foregoing instrument was acknowledged before me, this February day of January, A.D. 1956, by Mildred F. Reitz, Olive Vea LaBorde, and William R. Morrison.

WITNESS my hand and official seal.

My Commission expires May 20, 1958.



Dorthy Briseman
Notary Public

No. 381147

WARRANTY DEED

JOINT TENANTS

MILDRED F. REITZ, OLIVE VEA
LaBORDE, LAURETTIE AVERY,

and WILLIAM R. MORRISON

TO

LEONARD A. HAGEMEIERS and

MALINDA E. HAGEMEIERS

STATE OF COLORADO, }
County of Logan } ss.

I hereby certify that this instrument was filed

for record in my office this 3

day of July, A. D. 1956

at 11 o'clock A M., and duly recorded in

Book 453 Page 411

Dorrell LaBorde

RECORDER

By Dorrell LaBorde
DEPUTY

Fees, \$ 2.50

THE ADVOCATE PUBLISHING CO., STERLING, COLORADO

Charles C. Arnold
200 Security Bldg.

(1088)

KNOW ALL MEN BY THESE PRESENTS, That WILLIAM ROBERT MORRISON
of the County of Logan, and State of Colorado,
for the consideration of Ten Dollars and other valuable consideration, Dollars,
in hand paid, hereby sell and convey to LEONARD A. HAGEMEIERS and MALINDA E. HAGEMEIERS

of the County of Logan, and State of Colorado,
not in tenancy in common, but in joint tenancy, the survivor of them, ther assigns and the heirs and as-
signs of such survivor forever, the following real property, situate in the County of

Logan and State of Colorado, to-wit:

A tract of land located in the South Half of the Northeast Quarter
of the Southeast Quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Twenty (20), Town-
ship Eight (8) North, Range Fifty-two (52) West of the Sixth Princi-
pal Meridian, Logan County, Colorado, more particularly described
as follows:

Commencing at the SE corner of the above described tract,
thence West 27 feet, thence North 344 feet to the true place of
beginning; thence North 16 feet, thence North 89° West 100
feet, thence South 80 feet, thence South 89° East 25 feet, thence
North 64 feet, thence South 89° East 75 feet to the true place
of beginning;

SAVING, EXCEPTING AND RESERVING, HOWEVER, unto Grantor and his
predecessors in interest, all of the oil, gas and other minerals
in, on and under the above described land, together with the right
of ingress and egress for the purpose of exploring for, mining,
developing and producing the same;

With all its appurtenances, and warrant the title to the same, subject to taxes for 1955, due
and payable in 1956, and all subsequent taxes; subject to rights
and liabilities by reason of inclusion of said property in Northern
Colorado Water Conservancy District, and The Sterling Rural Fire
Protection District; Oil and Gas Lease of record, if any.

Signed and delivered this 13th day of April, A. D. 1955.

In the Presence of

William Robert Morrison (SEAL)

..... (SEAL)

..... (SEAL)

STATE OF COLORADO,

COUNTY OF Logan.

ss.

The foregoing instrument was acknowledged before me this 13th day of April, 1955
by William Robert Morrison.

WITNESS my hand and official seal.

My commission expires May 20, 1958.

Dorothy Crissman

Notary Public

*If by natural person or persons here insert name or names; if by person acting in representative or official
capacity or as attorney-in-fact, then insert name of person as executor, attorney-in-fact or other capacity or
description; if by officer or corporation, then insert name of such officer or officers, as the president or other
officers of such corporation, naming it.—Statutory Acknowledgment. C.S.A., Ch. 104, Sec. 107.

WARRANTY DEED — (STATUTORY FORM) — TO JOINT TENANTS

RESOLUTION

No.: 99-50

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LOGAN COUNTY, COLORADO, ESTABLISHING A "RIGHT TO FARM AND RANCH" POLICY

WHEREAS, protecting agricultural operators from complaints about legal and non-negligent agricultural operations and activity by rural non farm residents is desirable; and

WHEREAS, educating the public and non-agricultural residents about the existence, validity, and importance of the County's agricultural operations and activities is desirable; and

WHEREAS, the Board has determined that establishing a Right to Farm and Ranch Policy pursuant to Colorado's Right to Farm law (C.R.S. 35-3.5-101, 102) is desirable; it is the declared policy of the State of Colorado to conserve, protect, and encourage the development and improvement of its agricultural land for the production of food and other agricultural products; and that the general assembly recognizes that when nonagricultural land uses extend into agricultural areas, agricultural operations are forced to cease operations and they discourage many others from making investments in farm improvements; and that it is the purpose of the Article to reduce the loss to the State of Colorado's agricultural resources by limiting the circumstances under which agricultural operations may be considered a nuisance; as long as it conforms with existing state regulations; and

WHEREAS, pursuant to C.R.S. 35-3.5-102(1), an agricultural operation is not, nor shall it become, a public or private nuisance by any changed conditions in or about the locality of such operation after it has been in operation for more than one year, provided that it was not a nuisance at the time the operation began, and also provided that it is not a negligent operation and that a change in an operation or substantial increase in size of operation does not result in a private or public nuisance; and

WHEREAS, the Board pursuant to C.R.S. 29-20-104(1)(c), (e), (g) & (h) has the authority to plan for and regulate land use by preserving important areas, regulating land use from its impact on the community or surrounding areas, and planning for and regulating land use that provides planned and orderly land use and protection of the environment consistent with constitutional rights; and

WHEREAS, examples of these conflicts include, but are not limited to: Livestock on highway and County roads; trespass by livestock; harassment of livestock and livestock losses due to free roaming dogs; fence construction and maintenance; chemical applications; maintenance of ditches across private property; storm water management; burning of ditches; complaints about noise, dust and odor; disposal of dead animals; weeds and pest control; and trespass; and

WHEREAS, the Board, will attempt and aspire to conserve, enhance and encourage ranching, farming and all manner of agricultural activities and operations within Logan County; minimize potential conflicts between agricultural and non-agricultural users of land; integrate planning efforts to provide for retention of traditional and prime agricultural lands in agricultural production as well as a reasonable amount of land for residential and other development; and

WHEREAS, Colorado is an Open Range Fence Law State; and

WHEREAS, The County Commissioners and Planning Commission of Logan County advertised this Resolution and conducted public hearings concerning it, and fully considered its effect; and

WHEREAS, the Board and the Planning Commission determined that the Right to Farm

and Ranch Policy amending the Logan County Comprehensive Master Plan (C.R.S. 30-28-106) is desirable for the health, safety and welfare of the community; and

WHEREAS, it is desirable that the Board of County Commissioners provide a forum for resolution of disputes between agricultural operators and non-agricultural residents of Logan County; and

NOW, THEREFORE, IS IT RESOLVED by the Board of County Commissioners of Logan County, Colorado, that:

A. It is the policy of Logan County to preserve, protect and encourage the development and improvement of agricultural land for food production and other agricultural products. When non-agricultural land uses extend into agricultural areas, agricultural operations can become the subject of lawsuits. Therefore, agricultural operators are sometimes forced to cease or curtail their operations. Others are discouraged from making investments in agricultural improvements to the detriment of the economic viability of the County's agricultural industry as a whole. It is the purpose of this Resolution to reduce the loss of agricultural resources by limiting the circumstances under which agricultural operations may be deemed to constitute a nuisance.

B. Exhibit "A" Logan County Farm and Ranch Policy is adopted as an Amendment to the Logan County Comprehensive Master Plan.

C. Exhibit "B" Definitions and Limitations of Actions are adopted as an Appendix to the Farm and Ranch Policy to further clarify the policy.

D. Exhibit "C" Policy regarding Resolution of Disputes and Procedure for Complaints and Investigation, Public Health Nuisances, Resolution of Disputes, Real Estate Transfer Disclosure process for property is adopted.

E. The Board will conduct a public education and information campaign with the assistance of the Colorado State University Cooperative Extension/ Logan County. This campaign will support efforts to inform the public of the Right to Farm and Ranch Policy. These efforts will include press releases and may include distribution of written information and presentations to community groups. At least one publication aimed at rural landowners that are not directly involved in agriculture will be developed within a year.

F. The Board will notify the owners of land within the County by the following means:

1. The Right to Farm and Ranch Policy and educational publications will be made available to landowners as often as is reasonable considering budget. At minimum a copy of the "Right to Farm and Ranch Policy and Notice" will be made available at the County Clerks Office when instruments effecting title to property are recorded.

2. Whenever a building permit is issued in unincorporated Logan County for a new structure or significant addition, with the exception of small agricultural buildings, the Planning Department, will provide the owner with the "Right to Farm and Ranch Policy."

3. Amendments to the Logan County Subdivision Regulations providing notification of this policy are made at the time of any subdivision or related land use approval. A plat note concerning the "Logan County Right to Farm and Ranch Policy" will appear on any plat or subdivision exemption plat outside municipalities growth areas and/or adjacent to existing agricultural operations.

4. The Logan County Treasurer will mail a copy of the "Right to Farm and Ranch Policy" with the 2000 tax bill.

G. This resolution will be effective regardless of whether disclosure was made in accordance with Sections D, E and F.

H. Should any provision, section, paragraph or subparagraph of this resolution and policy, be declared null and void, illegal, unconstitutional, or otherwise determined to be



unenforceable by a court of competent jurisdiction, it will not affect the validity, legality, or enforceability of any other portion of the text.

I. Except to the extent specifically provided herein, this resolution will not discharge, impair or release any contract, obligation, duty, liability or penalty whatever existing on the date of its enactment.

J. The Board will review this Resolution within one year to determine whether to continue the resolution as written, change it or repeal it. If it is not repealed, it will be reviewed within five years from the date this resolution is adopted.

ADOPTED this 21st day of September, 1999.

LOGAN COUNTY BOARD OF COMMISSIONERS

Lyle Schumacher (Aye) (Nay)
Lyle Schumacher, Chairman

Roy A. Wheeler (Aye) (Nay)
Roy A. Wheeler

James R. La Force (Aye) (Nay)
James R. La Force

I, Roberta J. Perry, County Clerk and Recorder in and for the County of Logan, State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session on Tuesday, this 21st day of September, 1999.

Roberta J. Perry by Jennifer Miller
Clerk and Recorder Deputy

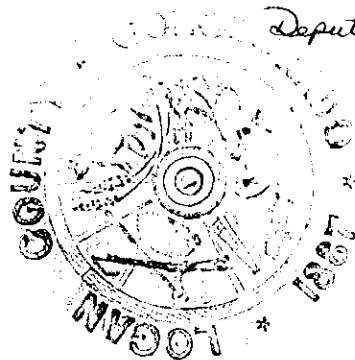




EXHIBIT "A"

LOGAN COUNTY RIGHT TO FARM AND RANCH POLICY/NOTICE

Logan County is one of the most productive agricultural counties in Colorado. Ranching, farming, animal feeding and a variety of agricultural activities are necessary to the county's vitality, economy, culture, landscape and lifestyle. Logan County recognizes agricultural operations as valuable, worthy of protection, and supports the right to farm and ranch in a manner consistent with generally accepted agricultural management practices.

Residents of property on or near agricultural land should be prepared to accept as normal the inconveniences of agricultural operations. These may include but are not limited to noise from tractors, equipment and aerial spraying sometimes at night or in the early morning; dust from animal pens, field work, harvesting, and gravel roads; odors from animal confinement operations, silage and manure; smoke from ditch burning; flies and mosquitoes; the use of fertilizers and pesticides, including aerial spraying; and movement of livestock and machinery on public roads. All normal and non-negligent agricultural operations may not be considered nuisances.

Public services in rural areas are not at the same level as urban or suburban settings. Road maintenance may be at a lower level. Mail delivery may not be as frequent because of distances. Utility services may be nonexistent or subject to longer periods of interruption. Law enforcement, fire protection and ambulance service will have considerably longer response times. Snow may not be removed from some county roads for several days after a major storm. The first priority for snow removal is that school bus routes are normally cleared first.

Children are exposed to different hazards in a rural setting than in urban areas. Farm and oil field equipment, ponds and irrigation ditches, electrical service to pumps and oil field operations, high speed traffic, livestock and territorial farm dogs may present real threats to children. Children's activities should be properly supervised for protection of children and livelihoods of farmers and ranchers. **PARENTS OR OTHER GUARDIANS MUST BE RESPONSIBLE FOR THEIR CHILDREN.**

All rural residents and property owners are encouraged to learn about their rights and responsibilities. These include obligations under State law regarding maintenance of fences and irrigation ditches, controlling weeds, keeping livestock and pets under control, using property in accordance with zoning, and other aspects of using and maintaining property. Under Colorado law and Logan Regulations, there may be provisions of which you are unaware. For example, because Colorado is a Fence Law State, owners of property may be required to fence livestock out in order to recover damages from trespassing livestock.

The goal is to act as good neighbors and citizens. Information about the topics described in this policy may be obtained from the Logan County Cooperative Extension Office, the Planning and Zoning Department and the Board of County Commissioners.

Real Estate Transfer Disclosure.

Upon any transfer of real property by any means, the transferor shall provide the purchaser or lessee a statement specifically advising the purchaser or lessee of the existence of this Right to Farm which shall be in substantially the form set forth in Real Estate Transfer Statement attached.

Voluntary Process - The voluntary process consists of providing the real estate transfer disclosure statement to buyer of agricultural property at real estate closings held at title company offices, banks, attorney offices, real estate offices, or the County Clerk's Office. The Planning Director and County Commissioners will work with the above named groups and other appropriate entities through presentations and meetings to have real estate agents provide the seller's information statement to buyers of agricultural property.

REAL ESTATE TRANSFER DISCLOSURE STATEMENT

THIS DISCLOSURE STATEMENT CONCERNS THE REAL PROPERTY LOCATED IN THE COUNTY OF LOGAN, STATE OF COLORADO, DESCRIBED AS

THIS STATEMENT IS A DISCLOSURE OF THE EXISTENCE OF THE LOGAN COUNTY RIGHT TO FARM RESOLUTION IN COMPLIANCE WITH THE LOGAN COUNTY RIGHT TO FARM RESOLUTION NO. _____.

SELLER'S INFORMATION

THE FOLLOWING ARE REPRESENTATIONS MADE BY THE SELLER AND ARE NOT THE REPRESENTATIONS OF THE AGENT(S), IF ANY. THIS INFORMATION IS A DISCLOSURE AND IS NOT INTENDED TO BE PART OF ANY CONTRACT BETWEEN BUYER AND SELLER.

LOGAN COUNTY RIGHT TO FARM AND RANCH POLICY/NOTICE

Logan County is one of the most productive agricultural counties in Colorado. Ranching, farming, animal feeding and a variety of agricultural activities are necessary to the county's vitality, economy, culture, landscape and lifestyle. Logan County recognizes agricultural operations as valuable, worthy of protection, and supports the right to farm and ranch in a manner consistent with generally accepted agricultural management practices.

Residents of property on or near agricultural land should be prepared to accept as normal the inconveniences of agricultural operations. These may include but are not limited to noise from tractors, equipment and aerial spraying sometimes at night or in the early morning; dust from animal pens, field work, harvesting, and gravel roads; odors from animal confinement operations, silage and manure; smoke from ditch burning; flies and mosquitoes; the use of fertilizers and pesticides, including aerial spraying; and movement of livestock and machinery on public roads. All normal and non-negligent agricultural operations may not be considered nuisances.



Public services in rural areas are not at the same level as urban or suburban settings. Road maintenance may be at a lower level. Mail delivery may not be as frequent because of distances. Utility services may be nonexistent or subject to longer periods of interruption. Law enforcement, fire protection and ambulance service will have **considerably** longer response times. Snow may not be removed from some county roads for several days after a major storm. The first priority for snow removal is that school bus routes are normally cleared first.

Children are exposed to different hazards in a rural setting than in urban areas. Farm and oil field equipment, ponds and irrigation ditches, electrical service to pumps and oil field operations, high speed traffic, livestock and territorial farm dogs may present real threats to children. Children's activities should be properly supervised for protection of children and livelihoods of farmers and ranchers. **PARENTS OR OTHER GUARDIANS MUST BE RESPONSIBLE FOR THEIR CHILDREN.**

All rural residents and property owners are encouraged to learn about their rights and responsibilities. These include obligations under State law regarding maintenance of fences and irrigation ditches, controlling weeds, keeping livestock and pets under control, using property in accordance with zoning, and other aspects of using and maintaining property. Under Colorado law and Logan Regulations, there may be provisions of which you are unaware. For example, because Colorado is a Fence Law State, owners of property may be required to fence livestock out in order to recover damages from trespassing livestock.

The goal is to act as good neighbors and citizens. Information about the topics described in this policy may be obtained from the Logan County Cooperative Extension Office, the Planning and Zoning Department and the Board of County Commissioners.

If you have any questions concerning this policy or the Reconciliation Committee, please contact the Logan County Planning Department for further information.

Seller _____
Seller _____

Date _____
Date _____

I/WE ACKNOWLEDGE RECEIPT OF A COPY OF THIS STATEMENT

Buyer _____
Buyer _____

Date _____
Date _____

IF YOU DESIRE LEGAL ADVICE, CONSULT YOUR ATTORNEY

EXHIBIT "B"

APPENDIX

"Agricultural Land" means all real property within the boundaries of Logan County that is: (1) carried on the tax rolls as agricultural OR (2) all other land that has been used as an agricultural operation continuously for one (1) year.

"Agricultural Operation" includes, but is not limited to, the cultivation and tillage of the soil; composting; production, harvesting and processing of agricultural crops; viticulture, raising poultry and game birds; production of eggs; production of milk and dairy products; production of livestock, including pasturage; production of bees and their products; production of fish; production of fruit, vegetables and other horticultural crops; production of aquatic plants; aquaculture; production of timber and any commercial agricultural procedure performed as incident to in conjunction with such operations, including preparing for market, delivery to storage or to market or to carriers for transportation to market; and usage of land in furtherance of educational and social goals, such as 4-H, FFA, and the like.

"Generally Accepted Agricultural Practices" means those methods used in connection with agricultural operations which do not violate applicable federal, state or local laws or public health safety and welfare and which are generally accepted agricultural practices in the agriculture industry. Generally Accepted Agricultural Practices includes practices which are recognized as best management practices and those methods which are authorized by various governmental agencies, bureaus, and departments, such as the Logan County Extension Office of Colorado State University, the Colorado and Logan County Farm Bureaus, the Logan County Farmers Union, and the like. If no generally accepted agricultural practice exists or there is no method authorized by those agencies mentioned herein which governs a practice, the practice is presumed to be a generally accepted agricultural practice.

"Limitation of Actions" A private action may not be sustained with respect to an agricultural operation conducted on agricultural land on the grounds that the agricultural operation interferes or has interfered with the use or enjoyment of property, whether public or private, if the agricultural operation was, at the time the interference is alleged to arise, conducted substantially in accordance with the generally accepted agricultural practices.

"Nuisance" An agricultural operation which is not being conducted in accordance with generally accepted agricultural management practices, and which, as a result, injures, damages, hurts, inconveniences, or disturbs another in the free use, possession, or enjoyment of their property, or makes its ordinary use or occupation physically uncomfortable.

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EXHIBIT "C"

DISPUTE RESOLUTION PROCEDURES
and
REAL ESTATE TRANSFER DISCLOSURE

Notwithstanding any provision of this section, no action alleging that an agricultural operation has interfered with the reasonable use or enjoyment of real property or personal well-being shall be maintained if the plaintiff has not sought and obtained a final judgment of the agricultural reconciliation committee, as defined below.

Resolution of Disputes and Procedure for Complaints and Investigation

A. Nuisances which affect public health.

(1) **Complaints.** A person may complain to the Northeast Colorado Health Department to declare that a nuisance, which affects public health, exists.

(2) **Investigations.** The health officer may investigate all complaints of a nuisance received against any agricultural operations. When a previous complaint involving the same condition resulted in a determination by the health officer that a nuisance condition did not exist, the health officer may investigate the complaint but the health office may also determine to not investigate such complaint. Similarly, if any particular individual or group of individuals has lodged spurious complaints, the health officer may investigate such a complaint, or may determine not to investigate such a complaint. The Northeast Colorado Health Department may initiate any investigation without citizen complaint.

(3) **Declaration of Nuisance.** If the health officer determines that a nuisance exists, the health department may declare the existence of a nuisance. In determining whether nuisance conditions exist in connection with an agricultural operation, the health officer shall apply the criteria provided in state law and in the Right to Farm & Ranch Resolution. Further, the health officer may consider the professional opinion of the Logan County Extension Office of Colorado State University, or other qualified experts in the relevant field, in determining whether the agricultural operation being investigated is conducted in accordance with generally accepted agricultural management practices.

B. Nuisances Not Involving Public Health. The alleged nuisance must be described in a signed, written complaint to the Board of County Commissioners. This must be accompanied by a \$100 retainer. If the ruling by the Dispute Resolution Board is favorable to the complainer, the \$100 is returned. The Mediation Panel will provide the conditions and remedies to both parties.

C. Resolution of Disputes Regarding Agricultural Operations. The Agricultural Conflict Resolution Program is a forum for the resolution of conflicts between or among landowners and/or residents regarding agricultural activities, operations, or practices occurring within Logan County.

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1.(a) Mediation Panel. A Mediation Panel shall be appointed for the purpose of hearing grievances regarding agricultural conflicts between Logan County landowners or residents and making recommendation for the resolution of such conflicts. The panel shall be made up of three (3) residents of Logan County, appointed by the Board of County Commissioners. The Board of County Commissioners shall appoint members on a case-by-case basis. Priority in the appointment shall be given to individuals with mediation, arbitration, other dispute resolution skills and a particular expertise in the area of the complaint; however, experience in ranching or farming shall be mandatory for at least two members of the panel.

(b) Members of the panel shall receive no compensation, but may receive reasonable expenses incurred in the carrying out of their duties, and the County shall make reasonable staff time and other in-kind resources available to the panel, as needed. If the Mediation Panel feels a paid expert in an area that County resources do not cover would be beneficial to their deliberations one or both of the parties will pay for the cost, if they agree.

2. Procedures and Rules. The initial Mediation Panel shall draft and recommend rules or procedures for the hearing of grievances by the panel. Once drafted, the rules or procedures shall be presented to the Board for approval and adoption. Amendments to the rules and procedures shall be made in the same manner. The rules or procedure recommended by the panel and adopted by the Board shall conform in the minimum to the following:

(a) Hearing of grievances shall be informal and appearances before the panel shall be by the parties themselves without representation by an attorney; a party may be represented by counsel to receive general advice on how to proceed or whether to accept a resolution recommended by the panel, but such counsel may not make an appearance, in person, in writing, or otherwise, before the panel;

(b) Hearing of grievances is mandatory and acceptance of any recommendation of the panel shall be voluntary; and the results are not binding on either party, unless the parties by mutual written agreement agree that they shall be bound by the decision of the Mediation Panel.

(c) All proceedings shall be confidential and no panel member or other county staff shall disclose any information discovered or made known in the course of any grievance proceeding, absent consent by the parties.

(d) Notwithstanding subparagraph (c) above, the final recommendation of the panel may be presented as evidence by any interested party to any Court authorized to hear such matter, if said matter is pursued through litigation after the panel's final recommendation has been made.

(e) Resolution of the complaint shall take place not more than 60 days from the date it is filed.

