



TOWN OF WIGGINS

**PLANNING & ZONING COMMISSION MEETING
November 9, 2021 AT 7:00 P.M.**

**304 CENTRAL AVENUE
WIGGINS, CO 80654**

***NOTE: THE PUBLIC IS HIGHLY ENCOURAGED TO ATTEND THE MEETING
VIA ZOOM DUE TO LIMITED SEATING CAPACITY***

Use the following link <https://us06web.zoom.us/j/83671436326> for the meeting link.

AGENDA

I. INTRODUCTIONS

1. Call the Meeting to Order
2. Roll Call
3. Approval of the Agenda
4. Approval of the Minutes from the meeting held on October 19, 2021

II. PUBLIC HEARING (Public Comment will be taken during the hearing)

1. Review and consideration of a Plat for Vasquez Minor Subdivision.
 - a. P&Z RESOLUTION 07-2021: A RESOLUTION RECOMMENDING APPROVAL OF THE VASQUEZ MINOR SUBDIVISION PLAT

III. PUBLIC HEARING (Public Comment will be taken during the hearing)

1. Review and consideration of a Special Review Use – Duplex
 - a. P&Z RESOLUTION 08-2021: A RESOLUTION RECOMMENDING APPROVAL OF A SPECIAL REVIEW USE FOR CONSTRUCTING ONE DUPLEX AT THE VACANT LOT ON JOHNSON STREET OWNED BY FRANSISCO VASQUEZ

IV. ADJOURNMENT:

1. Closing Remarks by Chairman and/or Commissioners, and Adjournment of the Meeting.



MINUTES OF MEETING

TOWN OF WIGGINS PLANNING AND ZONING COMMISSION

October 19, 2021 at 7:00 p.m.

CALL TO ORDER & ROLL CALL

A regular meeting of the Planning and Zoning Commission for the Town of Wiggins, Colorado was held on Tuesday, October 19, 2021 in the Town Hall and via video conferencing. Chairman Jeff Palmer called the meeting to order at 7:00 p.m. The following Commissioners answered roll call: Chairman Jeff Palmer, Commissioners Stan Baumgartner and JoAnn Rohn-Cook. Staff present were Town Manager, Tom Acre; Town Clerk, Deb Lee; Melinda Culley, Town Attorney (by Zoom); and Planning and Zoning Administrator, Hope Becker.

APPROVAL OF CONSENT AGENDA

Motion was made by Commissioner Stan Baumgartner to approve the agenda as written. Second was made by Commissioner JoAnn Rohn-Cook. Roll Call: Unanimously approved.

APPROVAL OF MINUTES FROM September 14, 2021

Motion was made by Commissioner JoAnn Rohn-Cook to approve the minutes from March 9, 2021. Second was made by Commissioner Stan Baumgartner. Roll Call: Unanimously approved.

PUBLIC HEARING – CONSIDERATION OF PLANNING AND ZONING RESOLUTION 04-2021 – A Special Review Use application for Arrowhead Trash located at 221 Main Street.

The Public Hearing was opened by Chairman Jeff Palmer at 7:28 pm. The commissioners were asked if there were any disclosures. Commissioner Jo-Ann Rohn-Cook submitted a notice she received in the mail providing notice of the hearing. Commissioner Rohn-Cook owns a rental property that is within 300 feet of 221 Main Street. Chairman Palmer asked if anyone had objections or concerns to Commissioner Rohn-Cook's disclosure. No objections were received.

Chairman Palmer invited staff to introduce the applicant and provide the Staff Report. Planning & Zoning Administrator, Hope Becker, introduced the applicant as Troy Freauff of Arrowhead Trash. He is requesting the use of 221 Main Street as a place of storage for his trash compactor trucks. Hope Becker brought up staff concerns regarding the use of the building for anything except what the Comprehensive Plan and the Land Development Code directed. Staff recommended disapproval of the proposed application.

Chairman Palmer opened the floor for the applicants to speak. The applicants, Troy and Jody Freauff, made comments and brought up points regarding their application. They let the Chairman and Commissioners know

- that they plan to have the trash trucks stored within the building;
- they moved their recycling to Keenesburg, CO;
- they need the shed to plug in their vehicles to start them easier.
- The trucks will be in the truck bays and will be moved at 4:30 am and back at 2:30 pm. This shouldn't affect traffic from the school;
- The trucks won't have any trash on them unless they have a special pickup after they've dumped their trucks or if the landfill is closed;
- He doesn't see needing additional trucks in the next 5 years. If they need more trucks, they will build a shop elsewhere and possibly keep the building as an office.
- They will not be storing dumpsters in the buildings. They won't be unloading dumpsters at the location.

Chairman Palmer opened the microphone for public comments and the webinar was checked for community members who might want to make comments. The following public stepped forward to provide comment:

000002

Glenn Neal; 105 E. Central Avenue; Wiggins, CO 80654. He is in favor of having Arrowhead at this facility. There were no other facilities available at the time.

Fred Midcap; 5143 Rd 3; Wiggins, CO 80654. He sat on the Morgan County Board of Variances for almost 20 years. He stated that zoning rules are meant to be a guideline. That there is room for flexibility. Morgan County wanted businesses to move in so they made variances to get more businesses into the county because it helped the tax base. He thinks Wiggins should work with Arrowhead as it will benefit the town and the county.

Dustin Bruntz; 3446 Rd T; Wiggins, CO 80654. The Town of Wiggins should promote business instead of scaring it off.

Matt O'Patik; 218 Main Street; Wiggins, CO 80654. Troy Freauff is in here for the long haul. He should be allowed to keep his business here.

Patricia Crites; 12961 Rd 3; Wiggins, CO 80654. Her previous family-owned company, Country Hardware, started as a tractor implement business. The building Arrowhead purchased has not paid property taxes for years because it was owned by Morgan County. Arrowhead purchasing the property will now bring property taxes back to Wiggins. She supports Troy 100%.

Jeremy Reed; 401 Suzann St; Wiggins, CO 80654. He's surprised at this. He believes that Arrowhead serves more customers in town than most businesses. He walks his dog by the Main Street building four or five times a week. Troy's business shouldn't negatively affect the town. He believes saying no to Arrowhead will keep other businesses out.

Keith Neal; 5515 CR Q; Wiggins, CO 80654. He owns Wrench LLC and fixes equipment for Arrowhead. He wants to know what other businesses Wiggins will lose by not allowing Arrowhead to stay. He wants Arrowhead as a business in town.

No public comments were received from the Zoom audience.

Troy Freauff spoke again. He added that his long-term goals are for his son to run the business after he retires. He and Jody have grown up in Wiggins their whole lives. They don't generate sales tax. They do pay a lot of sales tax from the money they spend at the hardware store and the Auto Parts Store

Public comments were closed at 7:45 pm.

Chairman Palmer opened Commissioner discussions and deliberations. Each Commissioner provided comments.

P & Z RESOLUTION 04-2021 A Resolution Recommending Disapproval of a Special Review Use for Arrowhead Trash Located at 221 Main Street.

Motion was made by Commissioner JoAnn Rohn-Cook to approve Planning and Zoning Resolution 04-2021. Seconded by Commissioner Stan Baumgartner. Roll Call: Unanimously Disapproved.

Town Manager, Tom Acre, provided a draft resolution that was created in case the proposed resolution was not approved. The draft resolution was provided to each Commissioner and to the applicant. The Applicant was provided an opportunity to add his concerns regarding the conditions of the new resolution.

P & Z RESOLUTION 06-2021 A Resolution Recommending Approval of a Special Review Use for Arrowhead Trash Located at 221 Main Street.

Motion was made by Commissioner Stan Baumgartner to approve Planning and Zoning Resolution 06-2021. Seconded by Commissioner JoAnn Rohn-Cook. Roll Call: Unanimously Approved with conditions.

Chairman Palmer moved on to the next agenda item. Hope Becker provided a staff report regarding P & Z Resolution 05-2021: A resolution recommending approval of an Ordinance amending the Wiggins Land Development Code concerning site plans, Planned Development Districts, and other matters. Her staff report indicated that the Board of Trustees repealed various sections of the Land Development Code within Section 5 – Subdivision requirements, repealed appendix 5 in its entirety and various parts of Appendix 9. The staff is requesting that these various sections

are re-inserted into the Land Development Code in an amended fashion. The absence of these sections will make things difficult for Roberts81 Subdivision to continue maintaining its Preliminary Plat and it has made clarity difficult in other sections.

P & Z RESOLUTION 05-2021 A Resolution Recommending Approval of an Ordinance Amending the Wiggins Land Development Code Concerning, Site Plans, Planned Development Districts, and Other Matters

Motion was made by Commissioner Stan Baumgartner to approve Planning and Zoning Resolution 04-2021. Seconded by Commissioner JoAnn Rohn-Cook. Roll Call: Unanimously Approved.

ADJOURNMENT

Chairman Jeff Palmer, upon receiving no further comments or concerns from the Commissioners, adjourned the meeting at 8:15 pm.

Respectfully submitted by:



Deborah Lee, Town Clerk



STAFF REPORT

Planning and Zoning Commission
November 9, 2021

DATE: November 5, 2021

AGENDA ITEM NUMBER: 2

TOPIC: Public Hearing and Consideration of P&Z Resolution 07-2021- Consideration and approval of the Vasquez Minor Subdivision Plat for Francisco Vasquez located on Johnson Street, Wiggins, Colorado 80654

STAFF MEMBER RESPONSIBLE: Hope Becker, Planning & Zoning Administrator

BACKGROUND:

The applicant, Francisco Vasquez, currently owns lots 9-12 of block 22 on Johnson Street just north and west of the Wiggins High School. The four lots are each 100 feet by 115 feet. The Vasquez family would like to develop the lots into residential use but need to combine them to start construction process.

SUMMARY:

The applicant's lots are currently zoned Single Family Residential (R1). The Wiggins Land Development Code (LDC) requires residential lots to be a minimum of 8,750 square feet to meet requirements for construction. Individually, the lots do not meet minimum LDC requirements for residential construction. Per the LDC, construction cannot occur across lot lines.

The Land Development Code allows property owners to do lot mergers that are approved by the Town Manager if the applicant is merging not more than 3 lots. Due to the number of lots that the applicant owns, a subdivision plat is required to create one lot that will meet the minimum size for construction.

Staff has received a completed Land Use application to re-plat the applicant's lots into one lot equivalent to approximately 60,000 square feet.

LAND DEVELOPMENT CODE NOTES:

- **Schedule of Requirements:** LDC page 2.32. (Displayed to the right.)
- **Definition:** Lot Merger means the merging of not more than three contiguous lots into a lesser number of lots than had originally existed.

SCHEDULE OF REQUIREMENTS

RESIDENTIAL DISTRICTS (SEE NOTE #1)

STANDARD	E-R	R-1	R-2	R-R	MHPD
Minimum lot area (square feet)	43,560	8,750	8,750	43,560	5,000
Minimum dwelling space (square feet) (see note #2)	1,200	864	864	864	480
Max building or structure height (ft) (see notes #3, 4)	40	40	40	40	30
Maximum height of accessory uses (ft)	25	20	20	25	20
Maximum number of stories	3	3	3	3	1
Minimum lot width (ft)	150	70	70	150	50

RECOMMENDATION

Staff recommends forwarding the Final Plat and P & Z Resolution 07-2021 with a positive recommendation to the Board of Trustees for their consideration. Staff does not see negative aspects to combining the lots for future residential construction.

P & Z RESOLUTION NO. 07-2021

A RESOLUTION RECOMMENDING APPROVAL OF THE VASQUEZ MINOR SUBDIVISION PLAT

WHEREAS, Francisco Vasquez has submitted a Land Use application for a Minor Subdivision to the Planning & Zoning Commission for a Final Plat at for vacant property located on Johnson Street, Wiggins, CO 80654 (the "Property"); and,

WHEREAS, the legal description for the Property is currently lots 9 thru 12, block 222, Original Town of Wiggins, located in the northwest quarter of section 15, Township 15 North, Range 60 West of the 6th P.M., Town of Wiggins, County of Morgan, State of Colorado; and,

WHEREAS, the Property is zoned Single Family Residential (R1) and consists of more than three (3) lots; and,

WHEREAS, the Wiggins Land Development Code requires a minimum lot size of 8,750 square feet in the Single Family Residential (R1) zone district; and,

WHEREAS, the Wiggins Land Development Code allows lots to be re-platted into one lot to accommodate the minimum lot size requirement; and,

WHEREAS, the proposed plat will replat lots 9-12 into one lot; and,

WHEREAS, after a duly-noticed public hearing, at which evidence and testimony were entered into the record, the Wiggins Planning and Zoning Commission finds that the proposed resolution should be approved subject to certain conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF WIGGINS, COLORADO, AS FOLLOWS:

Section 1. The Planning and Zoning Commission hereby recommends approval of the final plat for the Vasquez Minor Subdivision.

INTRODUCED, RECOMMENDED, AND RESOLVED THIS 9TH DAY OF NOVEMBER, 2021.

TOWN OF WIGGINS, COLORADO

Jeffrey Palmer, Chairman

ATTEST:

Deborah Lee, Town Clerk



Town of Wiggins
Planning & Zoning Department
 304 E Central Avenue * Wiggins, CO 80654
 Phone: (970) 483-6161 * Fax: (970) 483-7364
www.wigginsco.com

LAND USE APPLICATION

Please fill form out completely. Incomplete applications will not be processed.

STAFF USE ONLY		
FILE NAME: <u>P Vasquez Minor Subdivide</u>		
FILE NO: <u>P2-01-2021</u>	DATE SUBMITTED:	FEES PAID:

Project Name: Duplex Lots 9-12 Block 22

Project Physical Address (if applicable): _____

Project Description: <u>A Duplex on 4 Lots in Wiggins Original Town.</u>
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Legal Description: (Attach legal description if Metes & Bounds)

Subdivision Name: (if applicable) Wiggins Original Town

Filing No. _____ Lot No. 9-12 Block No. 22 Section _____ Township _____ Range _____

PROPERTY OWNER (Attach separate sheets if multiple)	AUTHORIZED REPRESENTATIVE
Name/Company: <u>Francisco Vazquez</u>	Company/Firm:
Contact Person: <u>Francisco Vazquez</u>	Contact Person:
Address: <u>539 Locust Ave</u>	Address:
City/State/Zip: <u>Lochbuie CO 80603</u>	City/State/Zip:
Phone: <u>303 219 7571</u>	Phone:
Email: <u>martha.ceja.v@gmail.com</u>	Email:
MINERAL RIGHTS OWNER (Attach separate sheets if multiple)	MINERAL LEASE OWNER (Attach separate sheets if multiple)
Name/Company:	Name/Company:
Address:	Address:
City/State/Zip:	City/State/Zip:
LAND-USE & SUMMARY INFORMATION	
Present Zoning: <u>Residential R-1</u>	Gross Site Density (du/ac): <u>6.2</u>
Proposed Zoning: <u>Residential R-1</u>	# Lots/Units Proposed: <u>2 units 1 Lot</u>
Gross Acreage: <u>.3214</u>	

SERVICE PROVIDERS	
Electric: Will be Morgan County Rural Electric	Gas: Will be Xcel
Special District:	Fire District: Wiggins Rural Fire
Water: (If other than Town)	Sewer: (If other than Town)

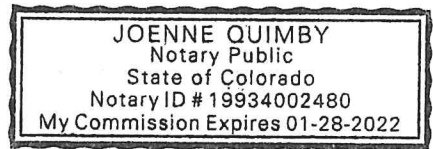
DEVELOPMENT REVIEW FEES			
ANNEXATION		SITE SPECIFIC (COMMERCIAL)	
<input type="checkbox"/> Annexation	\$3,500.00	<input type="checkbox"/> Commercial Infill Final Dev Plan	\$3,500.00
<input type="checkbox"/> Disconnection	\$500.00		
MAJOR SUBDIVISION		ZONING/REZONING/SPECIAL REVIEW	
<input type="checkbox"/> Preliminary Development Plan	\$3,500.00	<input type="checkbox"/> Rezoning	\$3,500.00
<input type="checkbox"/> Final Development Plan (Res)	\$3,000.00	<input type="checkbox"/> Special Use	\$250.00
<input type="checkbox"/> Final Development Plan (Comm)	\$4,000.00	<input type="checkbox"/> Conditional Use	\$250.00
MINOR SUBDIVISION		VACATION	
<input checked="" type="checkbox"/> Minor Subdivision	\$2,500.00	<input type="checkbox"/> Vacation of Easement/R.O.W.	\$1,000.00
VARIANCE		BOUNDARY LINE/LOT MERGERS	
<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Residential Variance Application	<input type="checkbox"/> Boundary Line Adj / Lot Merger	\$350.00
<input type="checkbox"/> Commercial	<input type="checkbox"/> Commercial Variance Application		

The undersigned is fully aware of the request/proposal being made and the actions being initiated on the referenced property. The undersigned understands that the application must be found to be complete by the Town of Wiggins before the request can officially be accepted and the development review process initiated. The undersigned is aware that the applicant is fully responsible for all reasonable costs associated with the review of the application/request being made to the Town of Wiggins. By this acknowledgement, the undersigned hereby certify that the above information is true and correct.

Property Owner Signature: Francisco Vazquez Date: 10/22/2021
 Property Owner Signature: Martha P. Ceja Date: 10/22/2021

STATE OF COLORADO)
) ss.
 County of MORGAN)
 The foregoing instrument was acknowledged before me this 22ND day of OCTOBER, 2021.
 By FRANCISCO VAZQUEZ & MARTHA P. CEJA
 My commission expires: 01/28/2022

Witness my hand and official seal.



Notary Public Joenne Quimby

VASQUEZ MINOR SUBDIVISION

**BEING A REPLAT OF LOTS 9, 10, 11, AND 12, BLOCK 22, ORIGINAL TOWN OF WIGGINS,
BEING A PART OF THE NORTHEAST QUARTER OF SECTION 15,
TOWNSHIP 3 NORTH, RANGE 60 WEST OF THE 6TH P.M.,
TOWN OF WIGGINS, COUNTY OF MORGAN, STATE OF COLORADO**

LEGAL DESCRIPTION

(PROVIDED BY EQUITY TITLE ASSOCIATES II, LLC TITLE COMMITMENT FILE NO. 56578, DATED SEPTEMBER 3, 2021)

LOTS 9 THROUGH 12 INCLUSIVE IN BLOCK 22 OF ORIGINAL TOWN OF WIGGINS, COLORADO, ACCORDING TO THE RECORDED PLAT THEREOF, COUNTY OF MORGAN, STATE OF COLORADO.

THE PARCEL OF LAND DESCRIBED ABOVE CONTAINS 14,000 SQUARE FEET (0.32 ACRES), MORE OR LESS, AND IS SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

OWNERSHIP AND DEDICATION:

KNOWN BY ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, FRANCISCO VASQUEZ AND MARTHA P CEJA VELASCO, BEING THE OWNER OF THE LAND SHOWN IN THIS FINAL PLAT AND DESCRIBED AS FOLLOWS:

LOTS 9 THROUGH 12 INCLUSIVE IN BLOCK 22 OF ORIGINAL TOWN OF WIGGINS, COLORADO, ACCORDING TO THE RECORDED PLAT THEREOF, COUNTY OF MORGAN, STATE OF COLORADO.

HAVE LAID OUT, SUBDIVIDED AND PLATTED SAID LAND AS PER DRAWING HEREON CONTAINED UNDER THE NAME AND STYLE OF VASQUEZ MINOR SUBDIVISION, A SUBDIVISION OF A PART OF THE TOWN OF WIGGINS, COUNTY OF MORGAN, STATE OF COLORADO, AND BY THESE PRESENTS DOES HEREBY DEDICATE TO THE TOWN OF WIGGINS THE STREETS, AVENUES (AND OTHER PUBLIC PLACES, TRACTS/OUTLOTS) AS SHOWN ON THE ACCOMPANYING PLAT FOR THE PUBLIC USE THEREOF FOREVER AND DOES FURTHER DEDICATE TO THE USE OF THE TOWN OF WIGGINS AND ALL SERVING PUBLIC UTILITIES (AND OTHER APPROPRIATE ENTITIES) THOSE PORTIONS OF SAID REAL PROPERTY WHICH ARE SO DESIGNATED AS EASEMENTS AS SHOWN.

IT IS EXPRESSLY UNDERSTOOD AND AGREED BY THE UNDERSIGNED THAT ALL EXPENSES AND COSTS INVOLVED IN CONSTRUCTING AND INSTALLING SANITARY SEWER SYSTEM WORKS AND LINES, STORM DRAINAGE WORKS AND LINES, WATER SYSTEM WORKS AND LINES, GAS SERVICE LINES, ELECTRICAL SERVICE WORKS AND LINES, LANDSCAPING, CURBS, GUTTERS, STREET PAVEMENT, SIDEWALKS, AND OTHER UTILITIES AND SERVICES SHALL BE GUARANTEED AND PAID FOR BY THE SUBDIVIDER OR ARRANGEMENTS MADE BY THE SUBDIVIDER THEREOF WHICH ARE APPROVED BY THE TOWN OF WIGGINS, COLORADO, AND SUCH SUMS SHALL NOT BE PAID BY THE TOWN OF WIGGINS, AND THAT ANY ITEM SO CONSTRUCTED OR INSTALLED WHEN ACCEPTED BY THE TOWN OF WIGGINS SHALL BECOME THE SOLE PROPERTY OF SAID TOWN OF WIGGINS, COLORADO, EXCEPT PRIVATE ROADWAY CURBS, GUTTER AND PAVEMENT AND ITEMS OWNED BY MUNICIPALITY FRANCHISED UTILITIES, OTHER SERVING PUBLIC ENTITIES, WHICH WHEN CONSTRUCTED OR INSTALLED SHALL REMAIN AND/OR BECOME THE PROPERTY OF SUCH MUNICIPALITY FRANCHISED UTILITIES, OTHER SERVING PUBLIC ENTITIES AND SHALL NOT BECOME THE PROPERTY OF THE TOWN OF WIGGINS, COLORADO.

OWNER:

BY: FRANCISCO VASQUEZ

STATE OF COLORADO)
) SS

COUNTY OF _____)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20____, WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES _____

OWNER:

BY: MARTHA P CEJA VELASCO

STATE OF COLORADO)
) SS

COUNTY OF _____)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20____, WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES _____

LENDER CONSENT

THE UNDERSIGNED, _____, A _____ BANKING CORPORATION AS THE BENEFICIARY OF A DEED OF TRUST RECORDED WITH THE MORGAN COUNTY CLERK AND RECORDER AT _____ AND THAT CONSTITUTES A LIEN UPON THE OWNER'S PROPERTY, HEREBY CONSENTS TO THE DEDICATION OF THE STREETS, AVENUES, EASEMENTS, OUTLOTS, TRACTS AND OTHER PUBLIC PLACES AS SHOWN ON THIS FINAL PLAT, AND HEREBY FOREVER RELEASES SAID LANDS FROM SUCH LIEN.

LENDER: _____

BY: _____

STATE OF COLORADO)
) SS

COUNTY OF _____)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20____.

WITNESS MY HAND AND OFFICIAL SEAL. _____

NOTARY PUBLIC _____

MY COMMISSION EXPIRES _____

TOWN APPROVAL:

THIS IS TO CERTIFY THAT THE PLAT OF VASQUEZ MINOR SUBDIVISION, WAS APPROVED ON THIS ____ DAY OF _____, 20____ BY RESOLUTION NO. _____ AND THAT THE MAYOR OF THE TOWN OF WIGGINS ON BEHALF OF THE TOWN OF WIGGINS, HEREBY ACKNOWLEDGES SAID PLAT UPON WHICH THIS CERTIFICATE IS ENDORSED FOR ALL PURPOSES INDICATED THEREON.

MAYOR _____

ATTEST: TOWN CLERK _____

CLERK AND RECORDER'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____ O'CLOCK _____, THIS ____ DAY OF _____, 20____, AND IS RECORDED UNDER RECEPTION NO. _____.

CLERK AND RECORDER _____

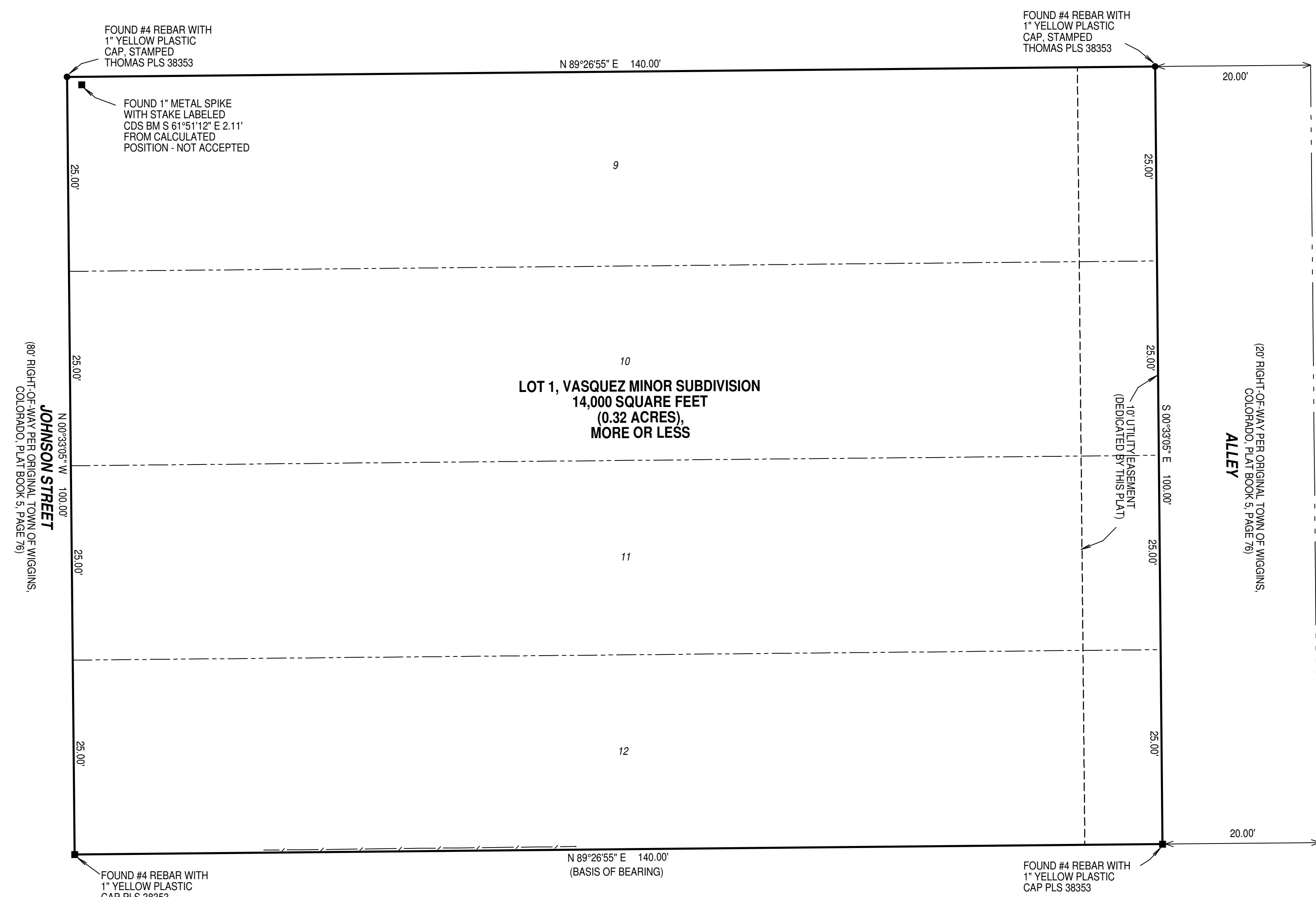
DEPUTY _____

SURVEYOR'S CERTIFICATE:

I, ROBERT D. THOMAS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY TO FRANCISCO VASQUEZ AND MARTHA P. CEJA VELASCO THAT THIS MINOR SUBDIVISION WAS PREPARED BY ME, OR UNDER MY PERSONAL SUPERVISION, AND THAT THIS PLAT IS AN ACCURATE REPRESENTATION THEREOF, BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF. I FURTHER CERTIFY THAT THE SURVEY AND THIS PLAT COMPLY WITH ALL APPLICABLE RULES, REGULATIONS, AND LAWS OF THE STATE OF COLORADO, STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS AND IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESS OR IMPLIED.

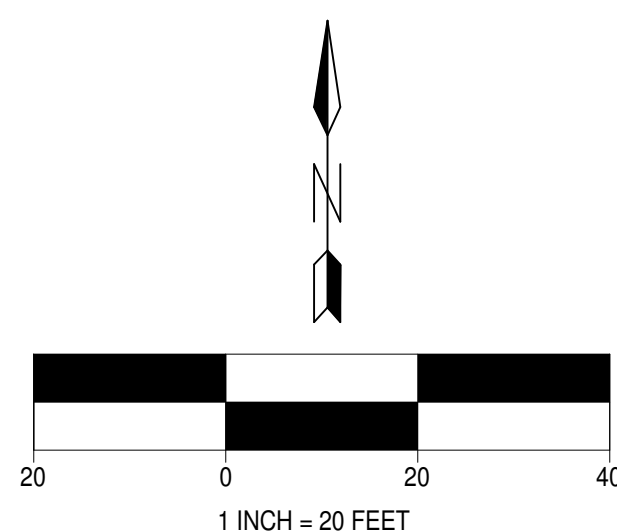
ROBERT D. THOMAS
COLORADO PROFESSIONAL LAND SURVEYOR #38353
ON BEHALF OF THOMAS LAND SURVEYING, LLC

DATE _____



NOTES:

- THIS SURVEY WAS PREPARED WITH EQUITY TITLE ASSOCIATES II, LLC TITLE COMMITMENT FILE NO. 56578, DATED SEPTEMBER 3, 2021 AND DOES NOT CONSTITUTE A TITLE SEARCH BY THOMAS LAND SURVEYING, LLC. TO DETERMINE EASEMENTS OR TITLE OF RECORD, THOMAS LAND SURVEYING, LLC RELIED ON SAID TITLE COMMITMENT, EXCLUSIVELY, FOR ALL EASEMENTS AND RIGHTS OF WAY OF RECORD. THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN THOSE SHOWN, BUILDING SETBACK LINES, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, ZONING OR OTHER LAND-USE REGULATIONS, AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
- 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. IN THE EVENT LEGAL ACTION IS COMMENCED, THOMAS LAND SURVEYING, LLC WILL NOT BE LIABLE FOR DAMAGES EXCEEDING THE COST OF THIS SURVEY AND THEN ONLY TO THE CLIENT SPECIFICALLY SHOWN HEREON OR TO ANY PERSON, OR ENTITY, GIVEN SPECIFIC AUTHORIZATION BY THOMAS LAND SURVEYING, LLC.
- THIS SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
- THE DISTANCE MEASUREMENTS SHOWN HEREON ARE U.S. SURVEY FOOT.



BASIS OF BEARING

THE SOUTH LINE OF LOT 12, BLOCK 22, WIGGINS, COLORADO, IS ASSUMED TO BEAR NORTH 89°26'55" EAST, BEING A GRID BEARING OF THE COLORADO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NORTH AMERICAN DATUM 1983/2007, AND IS MONUMENTED AS INDICATED.

Legal description

E-RECORDED

simplifile

ID: 913570

County: Morgan

Date: 8/6/18 Time: 1:37 PM

WARRANTY DEED

THIS DEED, made this August 3, 2018, between Rodney F. Schmalhaus and Sharon L. Schmalhaus of the County of Morgan and State of Colorado, grantor(s), and Francisco Vasquez and Martha P. Ceja Velasco

DOC FEE: \$3.50

whose legal address is Lots 9 - 12 Johnson Street, Wiggins, CO 80654 of the County of Morgan and State of Colorado, grantees:

WITNESS, that the grantor(s), for and in consideration of the sum of **THIRTY FIVE THOUSAND AND 00/100 DOLLARS (\$35,000.00)**, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantees, their heirs and assigns forever, not in tenancy in common but in joint tenancy, all the real property, together with improvements, if any, situate, lying and being in the County of Morgan and State of Colorado, described as follows:

LOTS 9 THROUGH 12 INCLUSIVE, BLOCK 22, ORIGINAL TOWN OF WIGGINS, COUNTY OF MORGAN, STATE OF COLORADO.

also known by street and number as: **Lots 9 - 12 Johnson Street, Wiggins, CO 80654**

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appearing, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantees, their heirs and assigns forever. The grantor(s), for himself, his heirs, and personal representatives, does covenant, grant, bargain and agree to and with the grantees, their heirs and assigns, that of the time of the ensembling and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except general taxes for the current year and subsequent years, and except easements, covenants, conditions, restrictions, reservations, and rights of way of record, if any.

The grantor(s) shall and will **WARRANT AND FOREVER DEFEND** the above-bargained premises in the quiet and peaceable possession of the grantees, their heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

Rodney F. Schmalhaus
Rodney F. Schmalhaus

Sharon L. Schmalhaus
Sharon L. Schmalhaus

STATE OF ARKANSAS }
COUNTY OF Benton } ss.

The foregoing instrument was acknowledged before me this August 3, 2018, by Rodney F. Schmalhaus and Sharon L. Schmalhaus.

My Commission expires:

Witness my hand and official seal.



Jesse Hand
Notary Public

Location	Owner Information	Assessment History	
Situs Address	Owner Name VASQUEZ, FRANCISCO &	Actual Value (2021)	\$43,700
Account Type 1000 - RESIDENTIAL	Owner Address VELASCO, MARTHA P CEJA	Assessed	\$12,670
Neighborhood 302 - WIGGINS 302	539 LOCUST AVE	Tax Area: 097 Mill Levy: 103.493000	
Tax Area 097 - RE 50J WI	LOCHBUIE, CO 80603	Type	Actual
Parcel Number 1223-151-16-012		Land	\$43,700
Legal Summary Subd: WIGGINS ORIGINAL TOWN, WI Block: 22 Lot: 09 THRU:- Lot: 12			Assessed
Sibling Acc. Number			\$12,670
BA Code			

Transfers			
Sale Date	Sale Price	Doc Description	
05/12/1908	\$0	SUBDIVISION PLAT	
08/03/2001	\$31,000	JNT TENANCY WARRANTY DEED	
08/03/2018	\$35,000	JNT TENANCY WARRANTY DEED	
08/03/2018	\$0	JNT TENANCY WARRANTY DEED	

Tax History		Images
Tax Year	Taxes	
*2021	\$1,311.24	<div style="border: 1px solid gray; padding: 5px; display: inline-block;">GIS</div> 
2020	\$773.08	

* Estimated



Account Information

- [Account Summary](#)
- [Account Type](#)
- [Owner Information](#)
- [Sale History](#)
- [Assessment History](#)
- [Tax History](#)
- [Estimate Taxes](#)
- [Verify E-mail](#)
- [Account Detail](#)
- [Land](#)
- [Transfers](#)
- [913570](#)
- [913568](#)
- [793796](#)
- [1400047](#)
- [External Links](#)
- [Eagle Treasurer Link](#)
- [Morgan County Parcel Viewer Map](#)
- [Create Report](#)

Account: R021246 Land

[Attributes](#) [Areas](#)

Property Code	Override	Acres	SQFT	Units
Property Code	Override			
VACANT RESIDENTIAL				

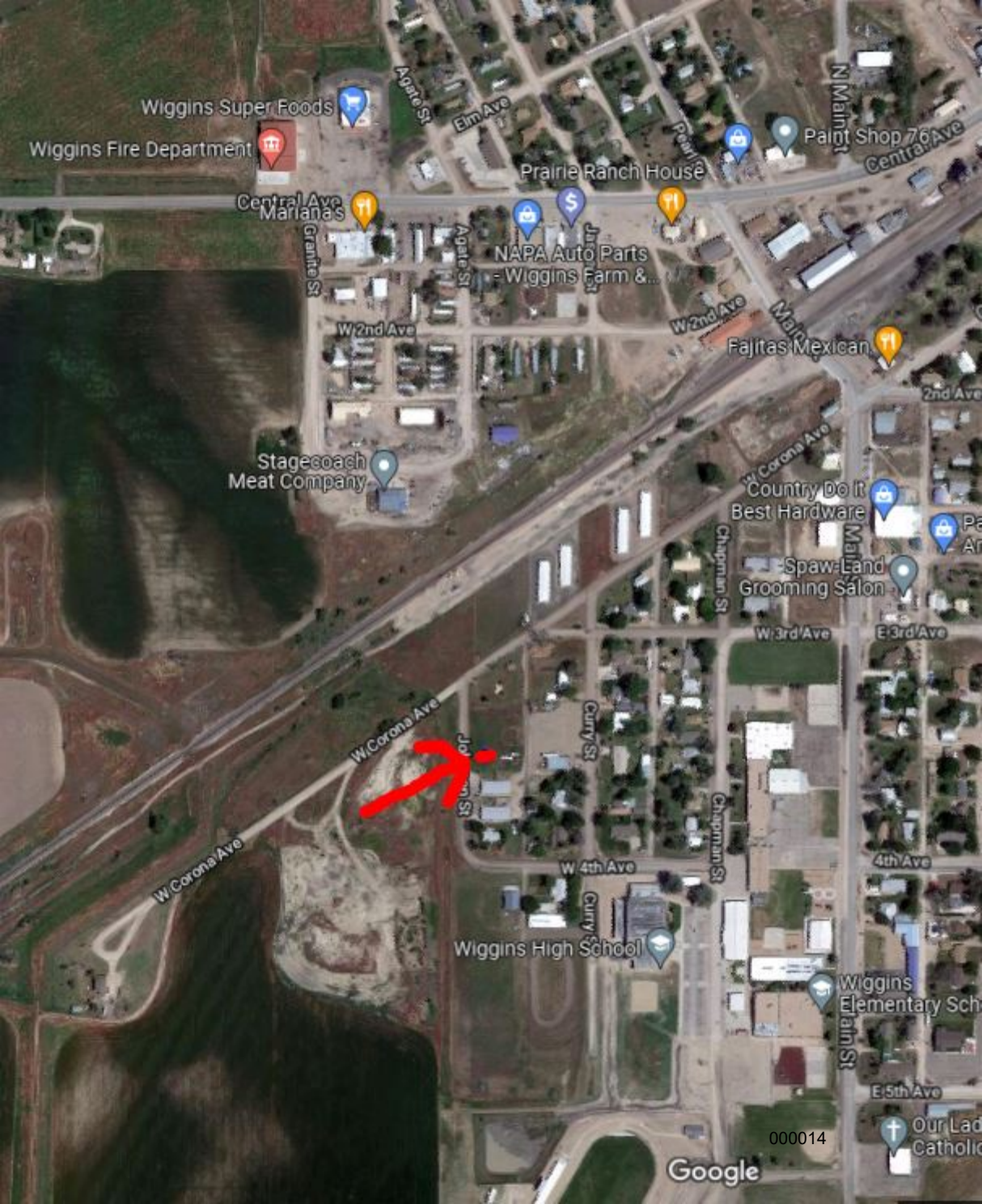
Reporting Areas 1

Property Code	Override
Property Code	Override
VACANT RESIDENTIAL	
Acres	SQFT
	Units

Neighborhood WIGGINS 302	Land Use Code W1 #2 SV	Zoning
Frontage 100	Depth 140	Land Size 14000
Size Adjustment 115	Utility Adjustment	Access Adjustment
Location		

Special Condition

Code	Percent



Wiggins Super Foods

Wiggins Fire Department

Central Ave
Marianas

Prairie Ranch House

NAPA Auto Parts
- Wiggins Farm &...

Stagecoach
Meat Company

Fajitas Mexican

Country Do It
Best Hardware

Spaw-Land
Grooming Salon

Wiggins High School

Wiggins
Elementary Sch

Google

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