REZONING (Zoning Map Amendment)

Application submittals must include all documents on this checklist as well as this page. Please use the reference guide (pg. 2) included in this packet for more information on each submittal item.

All applications shall be submitted electronically to permitcenter@adegov.org. If the submittal is too large to email as an attachment, the application may be sent as an unlocked OneDrive link. Alternatively, the application may be delivered on a flash drive to the One-Stop Customer Service Center. All documents should be combined in a single PDF. Once a complete application has been received, fees will be invoiced and payable online at https://permits.adegov.org/CitizenAccess/.

☑ 1. Development Application Form (pg. 4)
☑ 2. Application Fees (see table)
☑ 3. Written Explanation of the Project
☑ 4. Site Plan Showing Proposed Development, including:
   a. Proposed Building Envelope
   b. Parking Areas
   c. Site Access
   d. Landscape Areas

☒ 5. Trip Generation Letter

☒ 6. Preliminary Drainage Analysis

☒ 7. Neighborhood Meeting Summary

☑ 8. Proof of Ownership (warranty deed or title policy)
☑ 9. Proof of Water and Sewer Services
☐ 10. Legal Description
☒ 11. Certificate of Taxes Paid

☐ 12. Certificate of Notice to Mineral Estate Owners/and Lessees (pg. 6)
☐ 13. Certificate of Surface Development (pg. 7)

<table>
<thead>
<tr>
<th>Applications Fees</th>
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<td>Tri-County Health</td>
<td>$210 (public utilities -TCHD Level 2) $360 (individual septic -TCHD Level 3)</td>
<td>After complete application received</td>
</tr>
</tbody>
</table>
Rezoning Guide to Development Application Submittal

All development application submittals shall comprise of one (1) electronic copy (emailed or delivered on a USB). Application submittals that do not conform to these guidelines shall not be accepted.

3. Written Explanation of the Project:
- A clear and concise, yet thorough, description of the proposal. Please include, if applicable, timeframe, purpose of project, and improvements that will be made to the site.

4. Site Plan Showing Proposed Development:
- A detailed drawing of existing and proposed improvements.
- Including:
  - Streets, roads, and intersections
  - Driveways, access points, and parking areas
  - Existing and proposed structures, wells, and septic systems,
  - Easements, utility lines, and no build or hazardous areas
  - Scale, north arrow, and date of preparation
- An Improvement Location Certificate or Survey may be required during the official review.

5. Trip Generation Letter:
- Shall be determined based upon the methodologies of the most current Institute of Transportation Engineers (ITE). Trip Generation Manual for the weekday AM peak hour and weekday PM peak hour.

6. Preliminary Drainage Analysis:
- A general narrative discussing the pertinent drainage characteristics and problems, and proposed drainage characteristics if the subdivision is approved.

7. Neighborhood Meeting Summary:
- Please refer to Section 2-01-02 of the Adams County Development Standards and Regulations for the specific requirements regarding time, location, and notice.
- A written summary shall be prepared including the materials submittal presented at the meeting, any issues identified at the meeting, and how those issues have been addressed.

8. Proof of Ownership:
- A deed may be found in the Office of the Clerk and Recorder.
- A title commitment is prepared by a professional title company.

9. Proof of Water:
- Public utilities-A written statement from the appropriate water district indicating that they will provide service to the property OR a copy of a current bill from the service provider.
- Private utilities- Well permit(s) information can be obtained from the Colorado State Division of Water Resources at (303) 866-3587.

Proof of Sewer:
- Public utilities-A written statement from the appropriate sanitation district indicating that they will provide service to the property OR a copy of a current bill from the service provider.
- Private utilities-A written statement from Tri-County Health indicating the viability of obtaining Onsite Wastewater Treatment Systems.
10. Legal Description:
   • Geographical description used to locate and identify a property
   • Visit http://gisapp.adcogov.org/quicksearch/ to find the legal description for your property

11. Certificate of Taxes Paid:
   • All taxes on the subject property must be paid in full. Please contact the Adams County Treasurer’s Office
   • Or http://adcogov.org/index.aspx?NID=812

12. and 13. Certificate of Notice to Mineral Estate Owners/ Certificate of Surface Development:
   • The State of Colorado requires notification to mineral rights owners of applications for surface development (i.e. zoning, plats, etc.)
   • Mineral or Surface right owners may be found in the title commitment for the subject property
   • You may also search the Office of the Clerk and Recorder for any recorded deeds, easements, or other documents.
Application Type:

- Conceptual Review
- Preliminary PUD
- Temporary Use
- Subdivision, Preliminary
- Final PUD
- Variance
- Subdivision, Final
- Rezone
- Conditional Use
- Plat Correction/Vacation
- Special Use
- Other: ____________________________

PROJECT NAME: Merritt Trailers

APPLICANT

Name(s): Taylor Merritt Phone #: 303-289-2286
Address: 9339 Brighton Road
City, State, Zip: Henderson, CO 80640
2nd Phone #: Email: taylor@merrittcompanies.com

OWNER

Name(s): 9339 Land Group, LLC Phone #: 303-289-2286
Address: 9339 Brighton Road
City, State, Zip: Henderson, CO 80640
2nd Phone #: Email: taylor@merrittcompanies.com

TECHNICAL REPRESENTATIVE (Consultant, Engineer, Surveyor, Architect, etc.)

Name: Mark Gabert Phone #: 720-390-5521
Address: 1635 W. 13th Ave, Suite 310
City, State, Zip: Denver, CO 80204
2nd Phone #: Email: mgabert@rrengineers.com
DESCRIPTION OF SITE

Address: 9275 Highway 85 and 9339 Brighton Road

City, State, Zip: Henderson, CO 80640

Area (acres or square feet): 7.288 acres

Tax Assessor Parcel Number: 0172120005008; 0172120005007

Existing Zoning: A-1

Existing Land Use: Bare Land

Proposed Land Use: I-2

Have you attended a Conceptual Review? YES ☐ NO ☒

If Yes, please list PRE#: 

I hereby certify that I am making this application as owner of the above described property or acting under the authority of the owner (attached authorization, if not owner). I am familiar with all pertinent requirements, procedures, and fees of the County. I understand that the Application Review Fee is non-refundable. All statements made on this form and additional application materials are true to the best of my knowledge and belief.

Name: 9339 Land Group, LLC Date: September 1, 2022

Owner's Printed Name

Name: [Signature] Owner's Signature
Project Explanation:

The Merritt family owns and operates Merritt Trailers in Adams County at 9339 Brighton Road and 9275 Highway 85. The company has been doing business in Adams County for over 52 years and employs close to 200 team members. The Merritt family owns multiple properties and pays hundreds of thousands of dollars annually in taxes to Adams County.

Applicant recently recognized that Lots 3 and 4 on the Merritt Trailers site (Merritt Industrial Tract) are zoned agricultural (A-1). Applicant would like to engage with the Adams County Planning Department to initiate a re-zoning request to align the zoning on these lots to what the other lots on the site are zoned as, which is I-2.

Upon completion of a successful re-zoning, Merritt Trailers would utilize Lot 3 for storage of newly completed semi-trailers manufactured by the company that are awaiting pick up by the company's customers. There would be no change in use for Lot 4, as it is currently a detention pond.
Trip Generation Letter:

Lots 3 and 4 on the Merritt Industrial Tract are interior to other parcels and, per the project explanation, would not be expected to generate additional external traffic.
September 16, 2022

Dear Property Owner:

Please be advised that 9339 Land Group, LLC (the “Applicant”) intends to submit an application to Adams County seeking approval of a re-zoning for the following described property:

All of Lots 3 and 4, MERRITT INDUSTRIAL TRACT, Section 20, Township 2 South, Range 67 West of the 6th Principal Meridian, County of Adams (Unincorporated), State of Colorado

The Applicant is asking the County to approve this application to allow re-zoning of Lots 3 and 4 to align with the zoning of Lots 1 and 2 on the described property. The Applicant intends to store finished goods inventory on Lot 3 and to continue to utilize Lot 4 as a retention pond (consistent with its current use).

In compliance with Adams County code requirements, a Neighborhood Information Meeting will be held to provide you an opportunity to become fully aware of the reason for our re-zoning application and to give you an opportunity to ask questions. The Neighborhood Information Meeting will be held on September 26, 2022 from 5:00pm to 7:00pm at Merritt Trailers, Inc. located at 9339 Brighton Road, Henderson, CO 80640.

Should you have questions prior to the meeting, please contact me.

Sincerely,

[Signature]

Taylor L. Merritt
Manager
9339 Land Group, LLC
The open house commenced promptly at 5p at 9339 Brighton Road, Henderson, CO 80640.

Representing the Applicant was:

- Taylor Merritt, Manager, 9339 Land Group, LLC
- Everett Merritt, Manager, 9339 Land Group, LLC
- Nicki Rahn, Operations Manager, Merritt Family Enterprise
- Sam Leger, Consultant

There was 1 attendee of the open house:

- Mr. Bill Hyde, 9450 Monaco Street

Mr. Hyde attended the open house for approximately 45 minutes. We explained the reason for our re-zoning request and showed a large map of the 4 lots on the Merritt Industrial Tract site. We explained that our re-zoning request centered on getting Lots 3 and 4 re-zoned to bring them in line with the zoning on Lots 1 and 2. We outlined that our use for Lot 3 would be to utilize that space for storage of finished goods and raw materials and that our use for Lot 4 would be unchanged from its current use as a retention pond. We talked about the history of the area and of our site. Mr. Hyde had a few questions regarding industrial zoning and other happenings in the area. When asked at the end of our discussion if he had any concerns with our request, he stated that he had no objections.

No other attendees arrived and the meeting concluded at 6:45p.
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bill Hyde</td>
<td>9450 Monroe St</td>
<td>720-753-7348</td>
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</table>
Comment Sheet

Name  Bill Hyde - Attended for 45 minutes. Explained all 4 lots on the site and current use. Had questions about industrial zoning in general. Talked about history of the property and the area. Stated no objections with the rezoning request.

Name


Name


Name


Name
AFTER RECORDING RETURN TO:
Andrew C. Elliott, Esq.
Brownstein Hyatt Farber Schreck, LLP
410 17th Street, Suite 2200
Denver, CO 80202

BARGAIN AND SALE DEED
[Statutory Form - C.R.S. § 38-30-115]
[CONTRIBUTION/CONVENIENCE DEED – NO DOCUMENTARY FEE REQUIRED]

MERCO Holding, Inc., a Colorado corporation ("Grantor"), whose principal office address is 9339 Brighton Road, Henderson, Colorado 80640, for the consideration of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration, in hand paid, hereby sells, conveys, transfers and contributes to 9339 Land Group, L.L.C., a Colorado limited liability company, in its sole name, whose principal office address is 9339 Brighton Road, Henderson, Colorado 80640, all of its right, title and interest in and to the real property in the County of Adams, State of Colorado, that is described in Exhibit A attached hereto and made a part hereof, with all its appurtenances.

Signed as of the 29th day of June, 2016.

"GRANTOR"

MERCO Holding, Inc.,
a Colorado corporation

By:

Name: Everett T. Merritt
Title: President and CEO

STATE OF COLORADO
COUNTY OF Adams

On June 29, 2016, before me, Terry A. Behrendt, Jr., Notary Public, personally appeared Everett T. Merritt, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the entity upon behalf of which he acted, executed the instrument.

WITNESS my hand and official seal.
My commission expires: 3/19/19

Notary

Terry A. Behrendt, Jr.
EXHIBIT A
TO BARGAIN AND SALE DEED
(Legal Description)

Lots 1, 2, 3, and 4 Merritt Industrial Tract, according to the recorded plat, together with a drainage pipe easement and a pond easement as described in instrument recorded December 31, 1997 at Reception No. C0350763,

County of Adams,

State of Colorado.
South Adams County
Water & Sanitation District
6595 E 70th Avenue
Commerce City CO 80022
303.288.2646  www.sacwsd.org

Water and Wastewater Account Information
Account Number: 503051.00
Service Address: 9339 HWY 85 (503051)
Service Period: 06/28/2022 to 07/27/2022
Billing Date: 07/27/2022
Due Date: 08/16/2022

Water Meter Reading: *Use measured in 1,000 gallon increments

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Current Water and Sewer Charges

Water Commercial 1.5 Inch Base
Water Usage Calculation:
Level 1: @ 0 = $0.00
Level 2: @ 6 @ 6.65 = $578.55
Total Water Usage Charges: 578.55

Sewer Commercial 1.5 Inch
455.51

Current Bill Summary

Previous Bill Amount: 1,210.74
Payments: 1,210.74CR
Adjustments: .00

Current Charges
Water 578.55
Water Service Fee 93.10
Sewer 455.51
Fire Line 6 Inch 56.20
Centralized Water Softening Fee 49.61
TOTAL AMOUNT DUE 1,233.06

Special Message
Dedicated to Providing Affordable and Sustainable Water Resources

RECEIVED  AUG 01 2022
BY: 

5-30-9
Legal Description:

All of Lots 3 and 4, MERRITT INDUSTRIAL TRACT, Section 20, Township 2 South, Range 67 West of the 6th Principal Meridian, County of Adams (Unincorporated), State of Colorado
**Statement Of Taxes Due**

Account Number R0076948  
Assessed To  
Parcel 01721200050007  
9330 LAND GROUP LLC  
9339 BRIGHTON RD  
HENDERSON, CO 80640-8229

**Legal Description**  
SUB MERRITT INDUSTRIAL TRACT LOT 4

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**Total Tax Charge**  
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**Grand Total Due as of 09/01/2022**  
$0.00

Tax Billed at 2021 Rates for Tax Area 217 - 217

**Authority**

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<th>Authority</th>
<th>Mill Levy</th>
<th>Amount</th>
<th>Values</th>
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* Credit Levy

Tax amounts are subject to change due to endorsement, advertising, or fees.  
Please call the office to confirm amount due after August 1st.

All Tax Lien Redemption payments must be made with cash or cashier’s check.

Adams County Treasurer & Public Trustee  
4430 S Adams County Parkway, Suite W1000  
Brighton, CO 80601  
720-523-6160
9339 LAND GROUP LLC  
9339 BRIGHTON RD  
HENDERSON, CO 80640-8229

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</table>

$4,228.18 $0.00

WE ARE EXPANDING TO SERVE YOU BETTER! WATCH FOR NEW LOCATIONS ON OUR WEBSITE!

4430 S ADAMS COUNTY PKWY C2436
BRIGHTON CO 80601
[Stay Safe! Please use website services www.adcotax.com]

Email: treasurer@adcgov.org
Telephone: 720-523-6160

ALL CHECKS ARE SUBJECT TO FINAL COLLECTION. THANK YOU FOR YOUR PAYMENT!

Lisa L. Culpepper, J.D.  Adams County Treasurer & Public Trustee
# Statement Of Taxes Due

Account Number R0076949
Assessed To
Parcel 0172120005008
9339 LAND GROUP LLC
9339 BRIGHTON RD
HENDERSON, CO 80506-8229

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**Grand Total Due as of 09/01/2022**

$0.00

Tax billed at 2021 Rates for Tax Area 217 - 217

<table>
<thead>
<tr>
<th>Authority</th>
<th>Mill Levy</th>
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Taxes Billed 2021 | 87.10/0000 | $19,404.82 |

* Credit Levy

Tax amounts are subject to change due to endorsement, advertising, or fees. Please call the office to confirm amount due after August 1st.

All Tax Lien Redemption payments must be made with cash or cashier’s check.

Adams County Treasurer & Public Trustee
4430 S Adams County Parkway, Suite W1000
Brighton, CO 80601
720-523-6160
<table>
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<tr>
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</table>

9339 LAND GROUP LLC  
9339 BRIGHTON RD  
HENDERSON, CO 80640-8229

---

**Situs Address**  
9275 HIGHWAY 85

**Legal Description**  
SUB:MERRITT INDUSTRIAL TRACT LOT:3

**Property Code**  
VACANT COMMERCIAL LD - 0200

**Payments Received**
- Credit card
- E-check

**Payments Applied**

<table>
<thead>
<tr>
<th>Year</th>
<th>Charges</th>
<th>Billed</th>
<th>Prior Payments</th>
<th>New Payments</th>
<th>Balance</th>
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<td>Tax Charge</td>
<td>$19,404.82</td>
<td>$0.00</td>
<td>$19,404.82</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**Balance Due as of Apr 26, 2022**  
$0.00

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WE ARE EXPANDING TO SERVE YOU BETTER! WATCH FOR NEW LOCATIONS ON OUR WEBSITE!

4430 S ADAMS COUNTY PKWY C2436  
BRIGHTON CO 80601

[Stay Safe! Please use website services www.adcotax.com]

Email: treasurer@adcgov.org  
Telephone: 720-523-6160

ALL CHECKS ARE SUBJECT TO FINAL COLLECTION. THANK YOU FOR YOUR PAYMENT!
CERTIFICATION OF NOTICE TO MINERAL ESTATE OWNERS

I/We, (the “Applicant”) by signing below, hereby declare and certify as follows:

With respect to the property located at:
Physical Address:
Legal Description:
Parcel #(s):

(PLEASE CHECK ONE):

___ On the ______ day of ________, 20____, which is not less than thirty days before the initial public hearing, notice of application for surface development was provided to mineral estate owners pursuant to section 24-65.5-103 of the Colorado Revised Statutes;
or

___ I/We have searched the records of the Adams County Tax Assessor and the Adams County Clerk and Recorder for the above identified parcel and have found that no mineral estate owner is identified therein.

Date: ____________  Applicant: ________________

By:
Print Name: __________________________
Address: ______________________________

STATE OF COLORADO  )
COUNTY OF ADAMS  )

Subscribed and sworn to before me this ______ day of ____________, 20____, by ________________________________________

Witness my hand and official seal.

My Commission expires: ____________________________  Notary Public

After Recording Return To: ____________________________  Name and Address of Person Preparing Legal Description:

A recorded copy of this Certification shall be submitted to the Adams County Community and Economic Development Department with all applicable land use applications.
APPLICANT’S CERTIFICATION CONCERNING QUALIFYING SURFACE DEVELOPMENT.
PURSUANT TO C.R.S. §24-65.5-103.3 (1)(b)

I/We, __________________________, (the “Applicant”) by signing below, hereby declare and certify as follows:

Concerning the property located at:
Physical Address: __________________________
Legal Description: __________________________
Parcel #(s): __________________________

With respect to qualifying surface developments, that (PLEASE CHECK ONE):

____ No mineral estate owner has entered an appearance or filed an objection to the proposed application for development within thirty days after the initial public hearing on the application; or

____ The Applicant and any mineral estate owners who have filed an objection to the proposed application for development or have otherwise filed an entry of appearance in the initial public hearing regarding such application no later than thirty days following the initial public hearing on the application have executed a surface use agreement related to the property included in the application for development, the provisions of which have been incorporated into the application for development or are evidenced by a memorandum or otherwise recorded in the records of the clerk and recorder of the county in which the property is located so as to provide notice to transferees of the Applicant, who shall be bound by such surface use agreements; or

____ The application for development provides:
(i) Access to mineral operations, surface facilities, flowlines, and pipelines in support of such operations existing when the final public hearing on the application for development is held by means of public roads sufficient to withstand trucks and drilling equipment or thirty-foot-wide access easements;
(ii) An oil and gas operations area and existing well site locations in accordance with section 24-65.5-103.5 of the Colorado Revised Statutes; and
(iii) That the deposit for incremental drilling costs described in section 24-65.5-103.7 of the Colorado Revised Statutes has been made.

Date: __________________________ Applicant: __________________________

After Recording Return To: __________________________
By: __________________________
Print Name: __________________________
Address: __________________________
STATE OF COLORADO  

COUNTY OF ADAMS  

Subscribed and sworn to before me this _____day of ______________, 20___, by __________________________.

Witness my hand and official seal.

My Commission expires: ____________________________  Notary Public

A recorded copy of this Certification shall be submitted to the Adams County Community and Economic Development Department within thirty days after the initial public hearing on all applicable land use applications.
APPLICANT’S CERTIFICATION CONCERNING QUALIFYING SURFACE DEVELOPMENT, PURSUANT TO C.R.S. §24-65.5-103.3 (1)(b)

1. ______________________ (the “Applicant”) by signing below, hereby declare and certify as follows concerning the property located at:

Physical Address:

Legal Description: ____________________________________

Parcel # (s): _______________________________________

With respect to qualifying surface developments:

Access to existing and proposed mineral operations, surface facilities, flowlines, and pipelines in support of such existing and proposed operations for oil and gas exploration and production, including provisions for public roads sufficient to withstand trucks and drilling equipment or thirty-foot-wide access easements, were provided for in a “___________” area as recorded in Reception # __________________________ on __________________________.

Date: ________________ Applicant: __________________________

By: __________________________

Address: __________________________

STATE OF COLORADO )

COUNTY OF ADAMS )

Subscribed and sworn to before me this ______ day of ________________, 20___, by __________________________.

Witness my hand and official seal.

My Commission expires: __________________________ Notary Public

A recorded copy of this Certification shall be submitted to the Adams County Community and Economic Development Department with all applicable land use applications.