



Re-submittal Form

Case Name/ Number: _____

Case Manager: _____

Re-submitted Items:

- Development Plan/ Site Plan
- Plat
- Parking/ Landscape Plan
- Engineering Documents
- Subdivision Improvements Agreement (Microsoft Word version)
- Other: _____

*** All re-submittals must have this cover sheet and a cover letter addressing review comments.**

Please note the re-submittal review period is 21 days.

The cover letter must include the following information:

- Restate each comment that requires a response
- Provide a response below the comment with a description of the revisions
- Identify any additional changes made to the original document

For County Use Only:

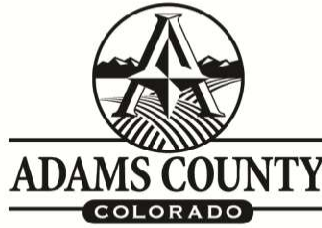
Date Accepted:

Staff (accepting intake):

Resubmittal Active: Engineering; Planner; Right-of-Way; Addressing; Building Safety;

~~Neighborhood Services; Environmental; Parks;~~ Attorney; Finance; Plan Coordination

Community & Economic
Development Department
www.adcogov.org



4430 South Adams County Parkway
1st Floor, Suite W2000
Brighton, CO 80601-8204
PHONE 720.523.6800
FAX 720.523.6998

PROJECT NAME:

APPLICANT

Name(s): Phone #:

Address:

City, State, Zip:

2nd Phone #: Email:

OWNER

Name(s): Phone #:

Address:

City, State, Zip:

2nd Phone #: Email:

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

Name: Phone #:

Address:

City, State, Zip:

2nd Phone #: Email:

DESCRIPTION OF SITE

Address: 6100 E 104th Ave; 10240 McKay Rd

City, State, Zip: Northglenn, CO 80233

Area (acres or square feet): 12.1999 acres

Tax Assessor Parcel Number: 172117000045; 172117000049; 172117000050

Existing Zoning: A-1 Agricultural District

Existing Land Use: Landscaping Center

Proposed Land Use: Landscaping Center

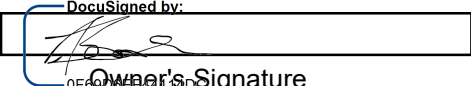
Have you attended a Conceptual Review? YES NO

If yes, please list PRE#: PRE2025-00036

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: Alexander Bode
Owner's Printed Name

Date: 3/18/26

Name: 
Owner's Signature

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Comment Response Document

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Name of Reviewer: Laurie Clark

ENG1: Engineering requirements are outlined in PRC2025-00016 review comments. **The application for the Minor Subdivision has been separated from the proposed Birdseye Energy Storage Project and the Applicant has been updated to the current landowner. As a result, there is no proposed development as part of the Minor Subdivision application.**

ENG2: The proposed improvements to the property will require a Development Engineering Review. Developer is required to submit for review and receive approval of all Construction Documents (CDs), Drainage Report and Drainage Plan, and Traffic Impact Study (TIS). All CDs must meet the requirements of the Adams County Development Standards and Regulations (ADCO DSR). CDs shall include, at a minimum, onsite and public improvements construction plans. The Drainage Report and Drainage Plan must be in accordance with and meet the requirements of Chapter 9 of the ADCO DSR. The TIS must be in accordance with and meet the requirements of Chapter 8 of the ADCO DSR. The CD's, Drainage Report and Drainage Plan, and TIS must all be signed and stamped by a Professional Engineer licensed in the State of Colorado. **The application for the Minor Subdivision has been separated from the proposed Birdseye Energy Storage Project and the Applicant has been updated to the current landowner. As a result, there is no proposed development as part of the Minor Subdivision application.**

Name of Reviewer: Thayeng Chang

ROW1: Provide a title commitment dated within 30 days of application or more current to verify ownership, exceptions, and record chain of title. Provide hyperlinks to all cited documents or an abstract. Also, update General Note 4 with the new title commitment date, and possibly commitment number. **A title commitment dated March 18, 2026 has been provided as part of this re-submittal including hyperlinks to all cited documents.**

ROW2: ALL Sheets: Label every sheet with case number (PLT2025-00043). **The case number has been added to the header of each sheet.**

ROW3: ALL Sheets: Legal description must match title commitment; change all "Township 2 North" to "Township 2 South". **These items have been addressed in the updated PLAT included in this re-submittal.**

ROW4: Sheet 1: Missing DEDICATION & OWNERSHIP Statement that precedes LEGAL DESCRIPTION and must state verbatim, "Know all men by these presents that (owner name(s)), being the sole owner of the following described tract of land:..." **This statement has been added in the updated PLAT included in this re-submittal.**

ROW5: Sheet 1: following legal description, state verbatim, "Have (Has) by these presents laid out, platted and subdivided the same into lots, streets and easements as shown on this plat under the name and style of (subdivision name). All public streets are hereby dedicated to Adams County for public use. The undersigned does hereby dedicate, grant and convey to Adams County those Public Easements as shown on the plat; and further restricts the use of all Public Easements to Adams County and/or its assigns, provided however, that the sole right and authority to release or quitclaim all or any such Public Easements shall remain

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The half street right-of-way width for this classification is 40 feet. Twenty (20) feet of additional right-of-way (ROW) is required along McKay Road. **This has been addressed in the updated PLAT included in this re-submittal.**

ROW13: Sheet 2: Missing ROW information. E 104th Ave is classified as a Principal Arterial roadway. The right-of-way width for this classification is 70 feet. Ten (10) feet of additional ROW is required along East 104th Avenue. **This has been addressed in the updated PLAT included in this re-submittal.**

ROW14: Label the vacated parcel lines and provide the recording information of each former parcel. Show the parcel lines in a lighter pen color (ghost back similar to the aliquot lines). **This has been addressed in the updated PLAT included in this re-submittal.**

ROW15: Sheet 2: According to the Site Plan, there is to be one lot. Show the new lot line configuration and corresponding lot area. **This has been addressed in the updated PLAT included in this re-submittal.**

ROW16: Sheet 2: The Site Plan shows two (2) drainage basins. These basins will need to be in individual tracts, and to be owned and maintained by owner of Lot 1. Provide tract line configurations and corresponding tract areas. **The application for the Minor Subdivision has been separated from the proposed Birdseye Energy Storage Project and the Applicant has been updated to the current landowner. As a result, there is no proposed development as part of the Minor Subdivision application.**

ROW17: Provide a general note that Tracts A & B shall be owned and maintained by Lot 1. **The application for the Minor Subdivision has been separated from the proposed Birdseye Energy Storage Project and the Applicant has been updated to the current landowner. As a result, there is no proposed development as part of the Minor Subdivision application.**

ROW18: Provide an additional note that an Access and Drainage Easement is hereby granted to Adams County over Tracts A & B. **The application for the Minor Subdivision has been separated from the proposed Birdseye Energy Storage Project and the Applicant has been updated to the current landowner. As a result, there is no proposed development as part of the Minor Subdivision application.**

ROW19: Sheet2: Remove the fence lines shown, unless the Surveyor feels that the fence lines help depict lines of occupation or define the boundary location. **This has been addressed in the updated PLAT included in this re-submittal.**

Name of Reviewer: Sally Daggett

1. Plat needs revisions to comply with County requirements. For example, signature lines are needed for Planning Commission, Board of County Commissioners, and County Attorney's Office (approved as to form only). ROW will identify the required revisions more fully. **This has been addressed in the updated PLAT included in this re-submittal.**

Name of Reviewer: Colorado Department of Public Health & Environment

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1. The applicant must comply with all applicable solid and hazardous waste rules and regulations. **Noted. The application for the Minor Subdivision has been separated from the proposed Birdseye Energy Storage Project and the Applicant has been updated to the current landowner. As a result, there is no proposed development as part of the Minor Subdivision application.**
2. The applicant must comply with all applicable water quality rules and regulations. **Noted. The application for the Minor Subdivision has been separated from the proposed Birdseye Energy Storage Project and the Applicant has been updated to the current landowner. As a result, there is no proposed development as part of the Minor Subdivision application.**
3. The applicant must comply with all relevant state and federal air quality rules and regulations. **Noted. The application for the Minor Subdivision has been separated from the proposed Birdseye Energy Storage Project and the Applicant has been updated to the current landowner. As a result, there is no proposed development as part of the Minor Subdivision application.**
4. CDPHE recommends that the applicant evaluate different additive formulations that have the potential to better suppress odors, including but not limited to additives that are not diesel-based. **Noted. The application for the Minor Subdivision has been separated from the proposed Birdseye Energy Storage Project and the Applicant has been updated to the current landowner. As a result, there is no proposed development or drilling as part of the Minor Subdivision application.**
5. To ensure the meaningful involvement of disproportionately impacted communities, we recommend that you interface directly with the communities in the project area to better understand community perspectives on the project to receive feedback on how it may impact them during development and construction as well as after completion. **Noted. The application for the Minor Subdivision has been separated from the proposed Birdseye Energy Storage Project and the Applicant has been updated to the current landowner. As a result, there is no proposed development or drilling as part of the Minor Subdivision application.**

Name of Reviewer: Ioana Comaniciu, Colorado Division of Water Resources

1. Well permit no. 27320-F may have once been located on the subject property, and was decreed as Ford Well No. 2 under Water Court Division 1 case no. W-4597 for domestic use and the irrigation of 18.66 acres in the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, 16.79 acres in the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and 15 acres in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sect. 17, Twp. 2S, Rng. 67W. Ford Well No. 2 was located at a point whence the W $\frac{1}{4}$ corner of Birdseye Bess Subdivision, Filing No. 1 Page 3 of 4 September 29, 2025 Sect. 17, Twp. 2S, Rng. 67W bears S 34 degrees, 37 minutes W, 2381.3 feet. The water right associated with Ford Well No. 2 was abandoned in Water Court Division 1 case no. 11CW0263, and our structures database indicates that the well does not exist. ***A Well Abandonment Report was not submitted for the original well, therefore the Applicant will need to submit a Well Abandonment Report to show that the original well was properly abandoned. The Applicant coordinated with the Colorado Division of Water Resources to clarify this comment. Please refer to the 2nd referral response letter from Colorado Division of Water Resources dated March 30, 2026.***

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2. Provide a water supply plan (form [GWS-76](#)) that specifies the estimated water requirements, proposed uses and the water source for the new lot that will be used to meet those demands. Such plan must also be consistent with Adams County's 300-year water supply requirement. **The Applicant submitted an updated form GWS-76 to the Colorado Division of Water Resources in compliance with the Adams County's 300-year water supply requirement. Please refer to the 2nd referral response letter from Colorado Division of Water Resources dated March 30, 2026.**

Name of Reviewer: Erinn Rogowski, City of Thornton Current Planning

1. **The red-lines provided have been addressed in the PLAT provided as part of this submittal. Any redlines suggested as part of the proposed Birdseye Energy Storage Project (the previous Applicant) were not considered in the updated PLAT for the Bodedreams Subdivision.**

Name of Reviewer: Kimberly Gonzalez, City of Thornton Development Engineering

1. **The red-lines provided have been addressed in the PLAT provided as part of this submittal. Any redlines suggested as part of the proposed Birdseye Energy Storage Project (the previous Applicant) were not considered in the updated PLAT for the Bodedreams Subdivision.**

Name of Reviewer: Darrell Alston, City of Thornton Development Engineering

1. **The red-lines provided have been addressed in the PLAT provided as part of this submittal. Any redlines suggested as part of the proposed Birdseye Energy Storage Project (the previous Applicant) were not considered in the updated PLAT for the Bodedreams Subdivision.**

Name of Reviewer: Bryan Zimmerman, City of Thornton Survey

1. **The red-lines provided have been addressed in the PLAT provided as part of this submittal. Any redlines suggested as part of the proposed Birdseye Energy Storage Project (the previous Applicant) were not considered in the updated PLAT for the Bodedreams Subdivision.**

Name of Reviewer: John Orr, City of Thornton Water Resources

1. The project parcel is contiguous with a Thornton Reservoir (Cooley West North Cell). Please contact Elena Acker (720-977-6507) for additional information and any special requirements for your activity. **The application for the Minor Subdivision has been separated from the proposed Birdseye Energy Storage Project and the Applicant has been updated to the current landowner. As a result, there is no proposed development as part of the Minor Subdivision application.**
2. Thornton area reservoirs do not accept surface runoff as this would be an out of priority diversion of the waters of the State of Colorado and a possible source of pollution. **The**

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application for the Minor Subdivision has been separated from the proposed Birdseye Energy Storage Project and the Applicant has been updated to the current landowner. As a result, there is no proposed development as part of the Minor Subdivision application.

3. Groundwater can affect Thornton reservoirs. Therefore, all contractors are required to take care that construction activities do not become a source of groundwater pollution. The application for the Minor Subdivision has been separated from the proposed Birdseye Energy Storage Project and the Applicant has been updated to the current landowner. As a result, there is no proposed development as part of the Minor Subdivision application.

Bodedreams Subdivision
PLT2025-0043

Title Commitment

**ALTA Commitment
SCHEDULE A**

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

Issued By:
Stewart Title Guaranty Company
P.O. Box 2029, Houston, TX 77252

Commitment Number: 23000373057-01

Revision Number: 3

Agreement Number:

1. Commitment Date: March 18, 2026, at 8:00 a.m.

2. Policy to be issued:
 - a. 2021 ALTA® Owner's Policy

Proposed Insured: To Be Determined
Proposed Amount of Insurance: \$1,000.00
The estate or interest to be insured: To Be Determined

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:](#)

Bodedreams, LLC, a Colorado limited liability company

5. The Land is described as follows:

SEE ATTACHED SCHEDULE A - EXHIBIT A

SCHEDULE A - EXHIBIT A

Parcel 1:

Parcel ID No.: 0172117000045

Commencing at the N1/4 corner of Section 17, Township 2 South, Range 67 West of the 6th Principal Meridian, County of Adams, State of Colorado;

Thence S00°33'21"E along the North-South centerline of said Section 17, a distance of 656.25 feet to the NE corner of the SE1/4 of the NE1/4 of the NW1/4 of said Section 17;

Thence continuing S00°33'21"E along the East line of the SE1/4 of the NE1/4 of the NW1/4 of said Section 17, a distance of 656.25 feet to the SE corner of the SE1/4 of the NE1/4 of the NW1/4 of said Section 17;

Thence S89°58'18"W along the South line of the SE1/4 of the NE1/4 of the NW1/4 of said Section 17, a distance of 659.91 feet to the SW corner of the SE1/4 of the NE1/4 of the NW1/4 of said Section 17;

Thence N00°32'40"W along the West line of the SE1/4 of the NE1/4 of the NW1/4 of said Section 17, a distance of 328.79 feet to the SE corner of the NE1/4 of the SE1/4 of the NE1/4 of the NW1/4 of said Section 17;

Thence N89°58'14"W along the South line of the NE1/4 of the SW1/4 of the NE1/4 of the NW1/4 of said Section 17, a distance of 329.93 feet to the SW corner of the NE1/4 of the SW1/4 of the NE1/4 of the NW1/4 of said Section 17;

Thence continuing N89°58'14"W along the South line of the N1/2 of the SW1/4 of the NE1/4 of the NW 1/4 of said Section 17 a distance of 75.10 feet, being the True Point of Beginning;

Thence continuing N89°58'14"W a distance of 233 feet more or less to the East boundary of McKay Road;

Thence North along the East boundary of McKay Road, a distance of 200 feet;

Thence East parallel with the South line of the within described parcel a distance of 233 feet, more or less, to a point;

Thence S00°32'20"E and parallel to the West line of the NE1/4 of the SW1/4 of the NE1/4 of the NW1/4 of said Section 17, a distance of 200 feet to the point of beginning.

Parcel 2:

Parcel ID No.: 0172117000049

Tract One:

The North half of the Northeast quarter of the Northwest quarter of Section 17, Township 2 South, Range 67 West of the 6th P.M.,

EXCEPT that portion thereof lying within the 104th Avenue right of way as taken by the Department of Highways, State of Colorado and described in Rule and Order recorded July 12, 1968 in [Book 1448 at Page 392](#) as follows:

A tract or parcel of land No. 6 of the Department of Highways, State of Colorado, Project No. S0052(3) in the NE1/4 of the NW1/4 of Section 17, Township 2 South, Range 67 West of the Sixth Principal Meridian, in Adams County, Colorado, said tract or parcel being more particularly described as follows:

Beginning at a point on the East line of the NE1/4 of the NW1/4 of Section 17, Township 2 South, Range 67 West, from which point the Northeast corner of said NE1/4 of the NW1/4 bears North a distance of 60.00 feet;

1. Thence along the East line, North a distance of 60.00 feet to said Northeast corner;
2. Thence along the North line of said Section 17, N89°55'00"W, a distance of 1,309.30 feet to the Northwest corner of said NE/4 of the NW1/4;
3. Thence along the West line of the said NE1/4 of the NW1/4, S00°05'00"W, a distance of 110.00 feet;
4. Thence S89°55'00"E, a distance of 25.00 feet;
5. Thence N45°05'00"E, a distance of 70.7 feet;
6. Thence S89°55'00"E, a distance of 1,234.4 feet, more or less to the point of beginning;

AND ALSO EXCEPT that portion thereof described in Deed recorded September 25, 1980 in [Book 2494 at Page 52](#), described as follows:

A portion of the South one-half of the Northeast one-quarter of the Northeast one-quarter of the Northwest one-quarter and a portion of the South one-half of the Northwest one-quarter of the Northeast one-quarter of the Northwest one-quarter and the East 75.00 feet of the Northeast one-quarter of the Northeast one-quarter of the Northeast one-quarter of the Northwest one-quarter of Section 17, Township 2 South, Range 67 West of the Sixth Principal Meridian, County of Adams, State of Colorado, more particularly described as follows:

Commencing at the North one-quarter corner of said Section 17;
Thence South 00°33'21" East along the East line of the Northeast one-quarter of the Northeast one-quarter of the Northeast one-quarter of the Northwest one-quarter of said Section 17, a distance of 60.01 feet, to a point on the South right of way line of 104th Avenue, said point being the True Point of Beginning;

Thence continuing South 00°33'21" East along the East line of the Northeast one-quarter of the Northeast one-quarter of the Northeast one-quarter of the Northwest one-quarter of said Section 17, a distance of 268.12 feet, to the Northeast corner of the South one-half of the Northeast one-quarter of the Northeast one-quarter of the Northwest one-quarter of Section 17;
Thence continuing South 00°33'21" East along the East line of the South one-half of the Northeast one-quarter of the Northeast one-quarter of the Northwest one-quarter of said Section 17, a distance of 328.12 feet, to the Southeast corner of the South one-half of the Northeast one-quarter of the Northeast one-quarter of the Northwest one-quarter of said Section 17;
Thence North 89°54'45" West along the South line of the South one-half of the Northeast one-quarter of the Northeast one-quarter of the Northwest one-quarter of said Section 17, a distance of 659.79 feet, to the Southeast corner of the Southeast one-quarter of the Northwest one-quarter of the Northeast one-quarter of the Northwest one-quarter of said Section 17;
Thence continuing North 89°54'45" West along the South line of the Southeast one-quarter of the Northwest one-quarter of the Northeast one-quarter of the Northwest one-quarter of said Section 17, a distance of 329.89 feet, to the Southwest corner of the Southeast one-quarter of the Northwest one-quarter of the Northeast one-quarter of the Northwest one-quarter of said Section 17;
Thence continuing North 89°45'45" West along the South line of the Northwest one-quarter of the Northeast one-quarter of the Northwest one-quarter of said Section 17, a distance of 75.18 feet;
Thence North 00°32'20" West and parallel to the West line of the Southeast one-quarter of the Northwest one-quarter of the Northeast one-quarter of the Northwest one-quarter of said Section 17, a distance of 279.20 feet;
Thence South 89°51'17" East and parallel to the North line of the South one-half of the North one-half of the Northeast one-quarter of the Northwest one-quarter of said Section 17, a distance of 75.18 feet;
Thence continuing South 89°51'17" East and parallel to the North line of the South one-half of the North one-half of the Northeast one-quarter of the Northwest one-quarter of said Section 17, a distance of 914.60 feet to a point North 89°51'17" West and a distance of 75.01 feet from the East line of the North one-half of the Northeast one-quarter of the Northwest one-quarter of said Section 17;
Thence North 00°33'21" West parallel to the East line of the North one-half of the Northeast one-quarter of the Northwest one-quarter of Section 17, a distance of 318.20 feet, to a point on the South right of way line of said 104th Avenue;
Thence South 89°47'48" East along the South right of way line of said 104th Avenue and parallel to the North line of the Northeast one-quarter of the Northeast one-quarter of the Northeast one-quarter of the Northwest one-quarter of said Section 17, a distance of 75.01 feet, to the True Point of Beginning;

AND ALSO EXCEPT that portion thereof described in Deed recorded May 1, 2000 in [Book 6111 at Page 958](#), as follows:

A part of the North ½ of the Northeast ¼ of the Northwest ¼ of Section 17, Township 2 South, Range 67 West of the 6th P.M., County of Adams, State of Colorado, described as follows:
Beginning at the North ¼ corner of said Section 17;

Thence South 00°32'31" East a distance of 60.01 feet;
Thence North 89°47'16" West a distance of 75.01 feet to the True Point of Beginning;
Thence South 00°33'21" East a distance of 318.20 feet;
Thence North 89°51'17" West a distance of 683.74 feet;
Thence North 00°33'14" West a distance of 329.00 feet to a point on the South right of way line of East 104th Avenue;
Thence South 89°47'16" East along said South right of way line a distance of 683.74 feet to the True Point of Beginning;

AND ALSO EXCEPT any portion thereof lying within McKay Road on the West, County of Adams, State of Colorado.

Tract Two:

Beginning at the NW corner NE1/4 SW1/4 NE1/4 NW1/4 of Section 17, Township 2 South, Range 67 West of the Sixth Principal Meridian, County of Adams, State of Colorado;
Thence West 75.18 feet to the Point of Beginning;
Thence South 129.20 feet more or less;
Thence West parallel with the South line of the N1/2 SW1/4 NE1/4 NW1/4 of Section 17 to the East boundary line of McKay Road;
Thence North 129.20 feet more or less;
Thence East to a point 329.20 feet North and 75.18 feet West of the SW corner NE1/4 SW1/4 NE1/4 NW1/4 Section 17.

Parcel 3:

Parcel ID No.: 0172117000050

A part of the North 1/2 of the Northeast 1/4 of the Northwest 1/4 of Section 17, Township 2 South, Range 67 West of the 6th P.M., County of Adams, State of Colorado, described as:

Beginning at the North 1/4 of said Section 17; thence South 00 degrees 32 minutes 21 seconds East a distance of 60.01 feet; thence North 89 degrees 47 minutes 16 seconds West a distance of 75.01 feet to the true point of beginning; thence South 00 degrees 33 minutes 21 seconds East a distance of 318.20 feet; thence North 89 degrees 51 minutes 17 seconds West a distance of 683.74 feet; thence North 00 degrees 33 minutes 14 seconds West a distance of 319.00 feet to a point on the South right-of-way line East 104th Avenue; thence South 89 degrees 47 minutes 16 seconds East along said South right-of-way line a distance of 683.74 feet to the true point of beginning, County of Adams, State of Colorado.

SCHEDULE B – I

Requirements

File No.: 23000373057-01

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both must be properly authorized, executed, delivered, and recorded in the Public Records.
5. Pay all taxes, charges, assessments, levied and assessed against subject premises, which are due and payable.
6. Satisfactory evidence that improvements and/or repairs or alterations to the Land are completed, that contractors, sub-contractors, labor, and materialmen are all paid and have released of record all liens or notice of intent to perfect a lien.
7. If the fee owner is an entity, evidence of the good standing, incumbency, and authority of that entity and of the Proposed Insured shown in Schedule A, Item 2(a) who will execute the instrument(s) required by the Company.

With regard to **Bodedreams, LLC, a Colorado limited liability company**, the Company requires for its review a copy of the following:

- a. Articles of Organization, and any amendment thereto;
- b. Operating Agreement, and any amendment thereof;
- c. Certificate of good standing, if available, evidencing that the LLC is in good standing in the state of its registration and in the state where the Land is located (if different);
- d. Execution and recordation of Statement of Authority pursuant to the provisions of Section 38-30-172 C.R.S.

Note: At the time the Company is furnished these items, the Company may make additional requirements or exceptions.

NOTE: Statement of Authority for Bodedreams, LLC, recorded August 10, 2021 at [Reception No. 2021000095529](#), disclosed the following persons as those authorized to transact business on behalf of said entity: Alexander Bode, as Manager/Owner

If there have been any amendments or changes to the management of the entity, written documentation reflecting the changes and a new Statement of Authority will be required.

8. The Policy(ies) to be issued together with endorsements and any coverage therein is conditioned upon the approval of the Company's Senior Underwriting Committee, which may include further requirements.

Note: The above will be deleted upon receipt of the requisite approvals and not carried forward to the Policy.

NOTE: The Company reserves the right to make any additional requirements and/or exceptions to this commitment and any subsequent endorsements thereto upon review of all required documents or otherwise

ascertaining further details of the transaction.

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COMMITMENT FOR TITLE INSURANCE

SCHEDULE B – II

Exceptions

File No.: 23000373057-01

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 conditions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

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.

Standard Exceptions:

1. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by a current, accurate and complete land title survey or inspection of the Land.
2. Rights or claims of parties in possession not recorded in the Public Records.
3. Rights of tenants in possession as tenants only under leases not recorded in the Public Records.
4. Easements or claims of easements not recorded in the Public Records.
5. Taxes or assessments which are not recorded as existing liens in the Public Records.
6. Any lien, or right to a lien, for services, labor, material, or equipment, heretofore or hereafter furnished, imposed by law, and not recorded in the Public Records.
7. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand, and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed in Schedule B. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions, or reservations of interests that are not listed.
8. Any inaccuracy in the area, square footage, or acreage of Land described in Schedule A. The Company does not insure the area, square footage, or acreage of the Land.
9. The effect of inclusions in any general or specific water conservancy, fire protection, soil conservation or other district.
10. Water rights, claims or title to water.

Special Exceptions:

11. Taxes for 2025 in the amount of \$7,116.84 are not yet paid. (Parcel No. 0172117000045)

Taxes for 2025 in the amount of \$41,484.02 are not yet paid. (Parcel No. 0172117000049)

Taxes for 2025 in the amount of \$41,608.44 are not yet paid. (Parcel No. 0172117000050)

12. Oil and Gas Lease by and between Albert R. Ford and Duela W. Ford, as lessor, and Koch Industries, Inc., as lessee, dated March 24, 1972, and recorded May 15, 1972 in [Book 1796 at Page 240](#), Public Records of Adams County, State of Colorado. (All Parcels)

Note: The Company makes no representation as to the present ownership of any such interests. There may be leases, assignments, amendments, exceptions, or grants of interests that are not listed.

13. Oil and Gas Lease by and between Albert R. Ford and Duela W. Ford, as lessor, and Vessels Oil & Gas Company, as lessee, dated October 23, 1979, and recorded October 24, 1979 in [Book 2398 at Page 705](#), Public Records of Adams County, State of Colorado. (All Parcels)

Note: The Company makes no representation as to the present ownership of any such interests. There may be leases, assignments, amendments, exceptions, or grants of interests that are not listed.

14. Reservation of mineral interest in favor of Duela W. Ford, as contained in Warranty Deed dated August 24, 1994, and recorded August 29, 1994 in [Book 4381 at Page 264](#), Public Records of Adams County, State of Colorado. (Parcel 1)

Note: The Company makes no representation as to the present ownership of any such interests. There may be leases, assignments, amendments, exceptions, or grants of interests that are not listed.

15. Right of Entry by and between K.P. Land Company LLC, a Colorado limited liability company, and City of Thornton, dated May 12, 2004, and recorded June 28, 2004, as Reception No. 20040628000543250 and located under [Reception No. 2004000543250](#), Public Records of Adams County, State of Colorado. (Parcel 2)

16. Memorandum of Energy Storage System Site Lease by and between Bodedreams, LLC, a Colorado limited liability company(Lessor) and Birdseye Energy Storage LLC, a Delaware limited liability company dated January 12, 2024 and recorded January 16, 2024, as [Document No. 2024000002201](#), Public Records of Adams County, State of Colorado.

Bodedreams Subdivision
PLT2025-0043

Revised Plat (Redline Version)

BODEDREAMS SUBDIVISION FILING NO. 1

SITUATED IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 67 WEST
OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO
CASE NO. PLT2025-00043

PURPOSE

THE PURPOSE OF THIS SUBDIVISION PLAT IS TO COMBINE 4 EXISTING PARCELS INTO ONE LOT, AND DEDICATE RIGHTS-OF-WAY.

OWNERSHIP CERTIFICATE:

KNOW ALL MEN BY THESE PRESENTS THAT BODEDREAMS, LLC BEING THE SOLE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND:

PARCEL ONE:

THE NORTH HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE SIXTH P.M., EXCEPTING THEREFROM, THE PARCELS SET FORTH IN INSTRUMENTS RECORDED JULY 12, 1968 IN BOOK 1448 AT PAGE 392, SEPTEMBER 25, 1980 IN BOOK 2494 AT PAGE 52 AND MAY 1, 2000 IN BOOK 6111 AT PAGE 958, AND FURTHER EXCEPTING ANY PORTION THEREOF LYING WITHIN MCKAY ROAD ON THE WEST, COUNTY OF ADAMS, STATE OF COLORADO.

PARCEL TWO:

A PARCEL OF LAND IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE SIXTH P.M., COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS: BEGINNING AT THE NW CORNER NE 1/4 SW 1/4 NE 1/4 NW 1/4 OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 67 WEST; THENCE WEST 75.18 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 129.20 FEET MORE OR LESS; THENCE WEST PARALLEL WITH THE SOUTH LINE OF THE N 1/2 SW 1/4 NE 1/4 NW 1/4 OF SECTION 17 TO THE EAST BOUNDARY LINE OF MCKAY ROAD; THENCE NORTH 129.20 FEET MORE OR LESS; THENCE EAST TO A POINT 329.20 FEET NO RIB AND 75.18 FEET WEST OF THE SW CORNER NE 1/4 SW 1/4 NE 1/4 NW 1/4 SECTION 17.

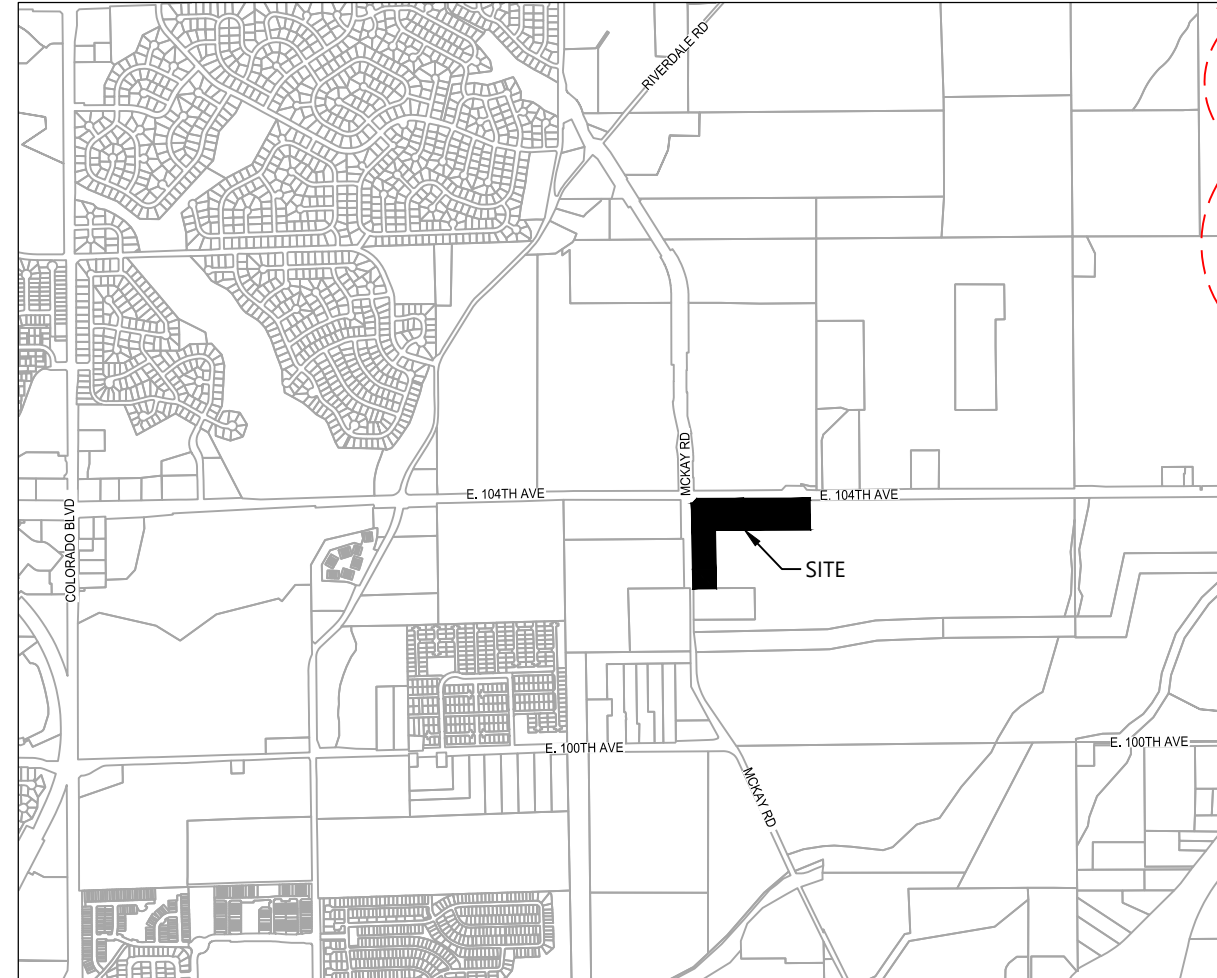
PARCEL THREE:

A PARCEL OF LAND IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS: COMMENCING AT THE N1/4 CORNER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 67 WEST, THENCE S00°33'21"E ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 17, A DISTANCE OF 656.25 FEET TO THE NE CORNER OF THE SE 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 17; THENCE CONTINUING S00°33'21"E ALONG THE EAST LINE OF THE SE 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 17, A DISTANCE OF 656.25 FEET TO THE SE CORNER OF THE SE 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 17; THENCE S89°58'18"W ALONG THE SOUTH LINE OF THE SE 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 17, A DISTANCE OF 659.91 FEET TO THE SW CORNER OF THE SE 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 17; THENCE N00°32'40"W ALONG THE WEST LINE OF THE SE 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 17 A DISTANCE OF 328.79 FEET TO THE SE CORNER OF THE NE 1/4 OF THE SE 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 17; THENCE N89°58'14"W ALONG THE SOUTH LINE OF THE NE 1/4 OF THE SW 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 17, A DISTANCE OF 329.93 FEET TO THE SW CORNER OF THE NE 1/4 OF THE SW1/4 OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 17; THENCE CONTINUING N89°58'14"W ALONG THE SOUTH LINE OF THE N 1/2 OF THE SW 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 17 A DO 75.10 FEET, BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING N89°58'14"W A DISTANCE OF 233 FEET MORE OR LESS TO THE EAST BOUNDARY OF MCKAY ROAD; THENCE NORTH ALONG THE EAST BOUNDARY OF MCKAY ROAD, A DISTANCE OF 200 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF THE WITHIN DESCRIBED PARCEL A DISTANCE OF 233 FEET, MORE OR LESS, TO A POINT; THENCE S00°32'20 "E AND PARALLEL TO THE WEST LINE OF THE NE 1/4 OF THE SW 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 17, A DISTANCE OF 200 FEET TO THE POINT OF BEGINNING.

PARCEL FOUR:

A PART OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS: BEGINNING AT THE NORTH 1/4 OF SAID SECTION 17; THENCE SOUTH 00 DEGREES 32 MINUTES 21 SECONDS EAST A DISTANCE OF 60.01 FEET; THENCE NORTH 89 DEGREES 47 MINUTES 16 SECONDS WEST A DISTANCE OF 75.01 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 33 MINUTES 21 SECONDS EAST A DISTANCE OF 318.20 FEET; THENCE NORTH 89 DEGREES 51 MINUTES 17 SECONDS WEST A DISTANCE OF 683.74 FEET; THENCE NORTH 00 DEGREES 33 MINUTES 14 SECONDS WEST A DISTANCE OF 319.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE EAST 104TH AVENUE; THENCE SOUTH 89 DEGREES 47 MINUTES 16 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 683.74 FEET TO THE TRUE POINT OF BEGINNING.

HAVE (HAS) BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS, STREETS AND EASEMENTS AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF UNDEVELOPED NAME. ALL PUBLIC STREETS ARE HEREBY DEDICATED TO ADAMS COUNTY FOR PUBLIC USE. THE UNDERSIGNED DOES HEREBY DEDICATE, GRANT AND CONVEY TO ADAMS COUNTY THOSE PUBLIC EASEMENTS AS SHOWN ON THE PLAT; AND FURTHER RESTRICTS THE USE OF ALL PUBLIC EASEMENTS TO ADAMS COUNTY AND/OR ITS ASSIGNS, PROVIDED HOWEVER, THAT THE SOLE RIGHT AND AUTHORITY TO RELEASE OR QUITCLAIM ALL OR ANY SUCH PUBLIC EASEMENTS SHALL REMAIN EXCLUSIVELY VESTED IN ADAMS COUNTY



VICINITY MAP
SCALE: 1" = 2000'

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT I WAS IN RESPONSIBLE CHARGE OF THE SURVEY WORK USED IN THE PREPARATION OF THIS PLAT; THE POSITIONS OF THE PLATTED POINTS SHOWN HEREON HAVE AN ACCURACY OF NOT LESS THAN ONE (1) FOOT IN TEN THOUSAND (10,000) FEET PRIOR TO ADJUSTMENTS; AND ALL BOUNDARY MONUMENTS AND CONTROL CORNERS SHOWN HEREON WERE IN PLACE AS DESCRIBED ON MARCH 27, 2026.

I FURTHER CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS ACCURATE AND IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE TO MY KNOWLEDGE, INFORMATION AND BELIEF. THIS CERTIFICATION IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR
THOMAS M. GIRARD, PLS NO. 38151
FOR AND ON BEHALF OF WESTWOOD PROFESSIONAL SERVICES, INC.

BOARD OF COUNTY COMMISSIONER'S APPROVAL:

APPROVED BY THE ADAMS COUNTY BOARD OF COUNTY COMMISSIONERS THIS ____ DAY OF _____ A.D. 202__

CHAIR

ADAMS COUNTY ATTORNEY'S OFFICE:

APPROVED AS TO FORM

RECORDATION CERTIFICATE:

STATE OF COLORADO)
) SS
COUNTY OF ADAMS)

I HEREBY CERTIFY THAT THIS INSTRUMENT HAS FILED OF RECORD AT MY OFFICE AT _____ O'CLOCK __M., THIS ____ DATE OF _____, 20__.

RECEPTION NO. _____, FILE _____, MAP _____

BY: _____
CLERK AND RECORDER

SHEET INDEX	
SHEET 1	COVER SHEET, LEGAL DESCRIPTION, & SIGNATURES
SHEET 2	NEW PARCEL DESCRIPTION & GENERAL NOTES
SHEET 3	OVERALL

Westwood

Phone (720) 531-8350 10170 Church Ranch Way, Suite #201
Toll Free (888) 937-5150 Westminster, CO 80021
westwoodps.com
Westwood Professional Services, Inc.

REVISIONS:
DATE COMMENT

BODEDREAMS SUBDIVISION FILING NO. 1

SITUATED IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 67 WEST
OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO
CASE NO. PLT2025-00043

COMBINED PARCEL DESCRIPTION

A PARCEL OF LAND BEING PORTIONS OF THOSE PARCELS DESCRIBED IN THAT DEED RECORDED AT RECEPTION NO. 2017000029338 IN THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER, ALSO BEING THOSE PARCELS SHOWN AS PARCELS NUMBERED 0172117000045, 0172117000049 AND 0172117000050 IN THE RECORDS OF THE ADAMS COUNTY ASSESSOR, LYING WITHIN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH P.M., BEING ASSUMED TO BEAR SOUTH 00°54'40" EAST, FROM THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 17, BEING MONUMENTED BY A 3-1/4 INCH ALUMINUM CAP IN MONUMENT WELL "COLORADO DEPARTMENT OF TRANSPORTATION, PLS 23516 1993" TO THE SOUTHEAST CORNER OF THE NORTHWEST CORNER OF SAID SECTION 17, BEING MONUMENTED BY A 2-1/2 INCH ALUMINUM CAP "WESTERN STATES SURVEYING - PLS 23254" WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 17, THENCE SOUTH 00°54'40" EAST, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 60.00 FEET; THENCE SOUTH 89°50'11" WEST, ALONG A LINE BEING 60.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 75.02 FEET TO THE NORTHEAST CORNER OF SAID PARCEL DESCRIBED IN RECEPTION NO. 2017000029338, ALSO BEING THE NORTHEAST CORNER OF SAID ASSESSOR'S PARCEL NO. 0172117000050, AND ALSO BEING A POINT ON THE SOUTH LINE OF THAT RIGHT-OF-WAY DESCRIBED IN BOOK 1448 AT PAGE 392, EAST 104TH AVENUE RIGHT-OF-WAY MAPS NUMBERED 0052 AND 0053;

THENCE SOUTH 00°54'40" EAST, CONTINUING ALONG THE EAST LINE OF SAID PARCEL DESCRIBED IN RECEPTION NO. 2017000029338, AND THE EAST LINE OF SAID ASSESSOR'S PARCEL NO. 0172117000050, A DISTANCE OF 10.00 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 00°54'40" EAST, CONTINUING ALONG THE EAST LINE OF SAID PARCEL DESCRIBED IN RECEPTION NO. 2017000029338, AND THE EAST LINE OF SAID ASSESSOR'S PARCEL NO. 0172117000050, A DISTANCE OF 308.08 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL DESCRIBED IN REC. NO. 2017000029338, ALSO BEING THE SOUTHEAST CORNER OF SAID ASSESSOR'S PARCEL NO. 0172117000050, AND ALSO BEING A NORTHWESTERLY CORNER OF LOT 1, CAMAS SUBDIVISION FILING NO. 5, A RESUBDIVISION RECORDED AT RECEPTION NO. C0672259, FILE NO. 18, MAP NO. 225, SAID ADAMS COUNTY RECORDS.

THENCE SOUTH 89°46'35" WEST, ALONG THE SOUTH LINES OF SAID PARCEL DESCRIBED IN RECEPTION NO. 2017000029338, AND THE SOUTH LINES OF SAID ASSESSOR'S PARCELS NUMBERED 0172117000050 AND 0172117000049, ALSO BEING A NORTHERLY LINE OF LOT 1, SAID CAMAS SUBDIVISION FILING NO. 5, A DISTANCE OF 989.81 FEET TO A SOUTHEASTERLY CORNER OF SAID PARCEL DESCRIBED IN RECEPTION NO. 2017000029338, AND A SOUTHEASTERLY CORNER OF SAID ASSESSOR'S PARCEL NO. 0172117000049, ALSO BEING A NORTHWESTERLY CORNER OF LOT 1, SAID CAMAS SUBDIVISION FILING NO. 5;

THENCE SOUTH 00°54'26" EAST, ALONG THE EAST LINES OF SAID ASSESSOR'S PARCELS NUMBERED 0172117000049 AND 0172117000045, A DISTANCE OF 608.47 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL DESCRIBED IN RECEPTION NO. 2017000029338, ALSO BEING THE SOUTHEAST CORNER OF SAID ASSESSOR'S PARCEL NO. 0172117000045, ALSO BEING A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, ALSO BEING A WESTERLY CORNER OF LOT 1, SAID CAMAS SUBDIVISION FILING NO. 5;

THENCE SOUTH 89°39'24" WEST, ALONG THE SOUTH LINE OF SAID PARCEL DESCRIBED IN RECEPTION NO. 2017000029338, AND THE SOUTH LINE OF SAID ASSESSOR'S PARCEL NO. 0172117000045, ALSO BEING THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 214.79 FEET TO THE EAST LINE OF THE MCKAY ROAD RIGHT-OF-WAY, AS DEDICATED PER THIS PLAT, BEING 20 FEET EAST OF THE RIGHT-OF-WAY RECORDED IN BOOK 1 AT PAGE 16, ALSO BEING 40.00 FEET EAST OF THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17;

THENCE NORTH 00°53'46" WEST, ALONG A LINE BEING 40.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, ALSO BEING 20.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THAT PARCEL DESCRIBED IN RECEPTION NO. 2017000029338, AND ALSO BEING 20.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID ASSESSOR'S PARCELS NUMBERED 0172117000045 AND 0172117000049, AND ALSO BEING THE EAST LINE OF SAID MCKAY ROAD RIGHT-OF-WAY, A DISTANCE OF 893.07 FEET TO THE SOUTHEASTERLY LINE OF THAT ROAD RIGHT-OF-WAY DESCRIBED IN DEPARTMENT OF HIGHWAYS RIGHT-OF-WAY MAP NO. S 0052(3);

THENCE NORTH 44°50'11" EAST, ALONG SAID SOUTHEASTERLY LINE, A DISTANCE OF 35.61 FEET TO THE SOUTH LINE OF EAST 104TH AVENUE TO BE DEDICATED PER THIS PLAT, ALSO BEING 10.00 FEET SOUTH OF AND PARALLEL WITH THE RIGHT-OF-WAY DESCRIBED IN BOOK 1448 AT PAGE 392, ALSO BEING 70.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 17, SAID ADAMS COUNTY RECORDS

THENCE NORTH 89°50'11" EAST, ALONG SAID SOUTH LINE OF EAST 104TH AVENUE, A DISTANCE OF 1178.92 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 11.528 ACRES OR 502.169 SQUARE FEET, MORE OR LESS.

GENERAL NOTES:

1. ALL EXTERIOR BOUNDARY MONUMENTS SHALL BE SET BY THE SURVEYOR OF RECORD PER COLORADO REVISED STATUTES 38.51.105.
2. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACTS ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
3. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY WESTWOOD PROFESSIONAL SERVICES, INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY, AND TITLE OF RECORD, WESTWOOD PROFESSIONAL SERVICES, INC. RELIED UPON STEWART TITLE GUARANTY COMPANY TITLE COMMITMENT NO. 23000373057-01, DATED MARCH 18, 2026 AT 8:00 A.M. SURVEYOR HAS DEPICTED THE RECORDED EASEMENTS AS PROVIDED AND ANY APPARENT EASEMENTS BASED ON A FIELD SURVEY. THE POSSIBILITY EXISTS, HOWEVER, THAT UNRECORDED EASEMENTS WITH NO READILY VISIBLE EVIDENCE EXIST.
4. THE LINEAL UNIT USED IN THE PREPARATION OF THIS PLAT IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.
5. 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.
6. BASIS OF BEARINGS FOR THIS SURVEY IS THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, ADAMS COUNTY, COLORADO BEING ASSUMED TO BEAR, S00°54'40"E FROM THE NORTH QUARTER CORNER OF SAID SECTION 17, BEING MONUMENTED BY A 3-1/4" ALUMINUM CAP IN MONUMENT WELL STAMPED "COLORADO DEPARTMENT OF HIGHWAYS CDOT PLS 23516-1993" TO CENTER QUARTER CORNER OF SAID SECTION 17, BEING MONUMENTED BY A 2-1/2" ALUMINUM CAP, STAMPED "WESTERN STATES SURVEYING 23524", WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.
7. ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) PANEL 08001C0318J, WITH AN EFFECTIVE DATE OF DECEMBER 2, 2021, THE SURVEYED LAND IS WITHIN TWO FLOOD ZONES, ZONE X, ACCORDING TO FEMA, ZONE X IS DEFINED AS "AREA OF MINIMAL FLOOD HAZARD", AND FLOOD ZONE X (SHADED), ACCORDING TO FEMA, ZONE X (SHADED) IS DEFINED AS " 0.2% ANNUAL CHANCE FLOOD HAZARD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTH LESS THAN ONE FOOT OR WITH DRAINAGE AREAS OF LESS THAN ONE SQUARE MILE"
8. THE SURVEYED PARCEL CONTAINS A TOTAL OF 12.204 ACRES OR 531,585 SQUARE FEET, MORE OR LESS.

LOT 1	11.528 AC ±	502,170 SQ. FT.
EAST 104TH AVE. ROW	0.270 AC. ±	11,739 SQ. FT.
MCKAY RD ROW	0.406 AC. ±	17,677 SQ. FT.
TOTAL	12.204 AC. ±	531,586 SQ. FT.
9. AT THE TIME OF THIS SURVEY, THE SITE WAS NOT UNDER CONSTRUCTION.
10. ACCESS PROVISION: ACCESS FROM SUBJECT PROPERTY ONTO 104TH AVENUE AND MCKAY ROAD AND ANY ADDITIONAL ACCESS MUST BE PERMITTED AND APPROVED BY ADAMS COUNTY.
11. STORM DRAINAGE FACILITY STATEMENT: THE POLICY OF THE COUNTY REQUIRES THAT MAINTENANCE ACCESS SHALL BE PROVIDED TO ALL STORM DRAINAGE FACILITIES TO ASSURE CONTINUOUS OPERATIONAL CAPABILITY OF THE SYSTEM. THE PROPERTY OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE FACILITIES INCLUDING INLETS, PIPES, CULVERTS, CHANNELS, DITCHES, HYDRAULIC STRUCTURES, AND DETENTION BASINS LOCATED ON THEIR LAND UNLESS MODIFIED BY THE SUBDIVISION DEVELOPMENT AGREEMENTS. SHOULD THE OWNER FAIL TO MAINTAIN SAID FACILITIES, THE COUNTY SHALL HAVE THE RIGHT TO ENTER SAID LAND FOR THE SOLE PURPOSE OF OPERATIONS AND MAINTENANCE. ALL SUCH MAINTENANCE COST WILL BE ASSESSED TO THE PROPERTY OWNERS.
12. REFER TO THE OPERATION AND MAINTENANCE MANUAL RECORDED _____ AT RECEPTION NO. _____ FOR ADDITIONAL DRAINAGE GUIDELINES.
13. THE RIGHT-OF-WAY LANDSCAPING ALONG COLLECTOR AND ARTERIAL STREETS IS TO BE MAINTAINED BY THE ADJACENT PROPERTY OWNER OR ASSIGNS. THE COUNTY SHALL MAINTAIN THE STRUCTURAL INTEGRITY OF THE CONCRETE PORTION OF THE SIDEWALK. THE ADJACENT PROPERTY OWNER OR ASSIGNS SHALL BE RESPONSIBLE FOR DAILY MAINTENANCE OF THE LANDSCAPE AND CONCRETE PORTION, INCLUDING THE REMOVAL OF GRAFFITI, SNOW, ICE, SLEET, DEBRIS OR OTHER OBSTRUCTION FROM ALL SIDEWALKS LOCATED IN ADJACENT RIGHT-OF-WAY AND INTERNAL TO THE DEVELOPMENT. THE COUNTY OF ADAMS SHALL MAINTAIN ARTERIAL MEDIANS, UNLESS OTHERWISE SPECIFICALLY AGREED UPON.

Westwood

Phone (720) 531-8350 10170 Church Ranch Way, Suite #201
Toll Free (888) 937-5150 Westminster, CO 80021
westwoodps.com
Westwood Professional Services, Inc.

REVISIONS:

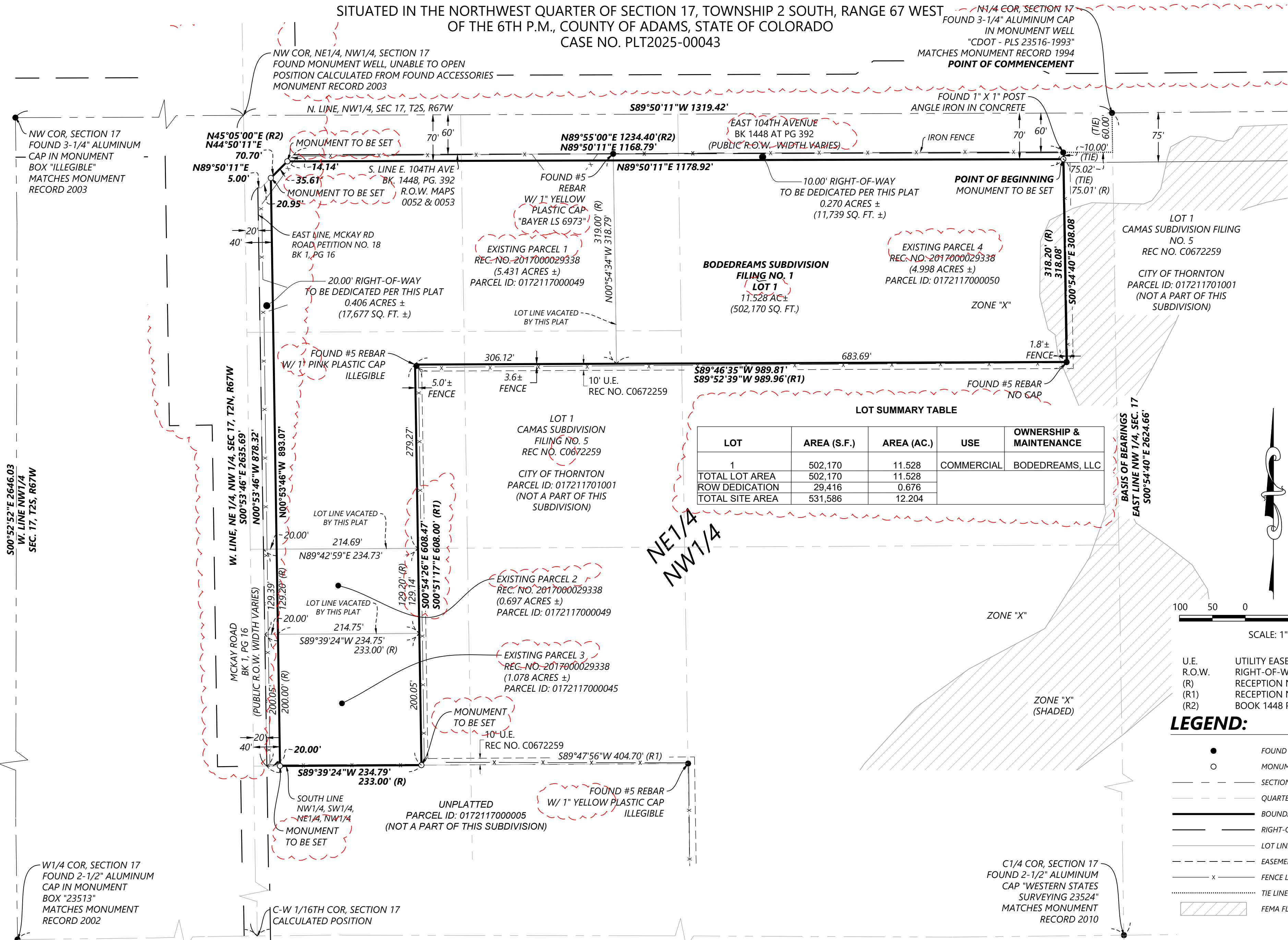
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DATE: 04/01/2026

SHEET: 02 of 03

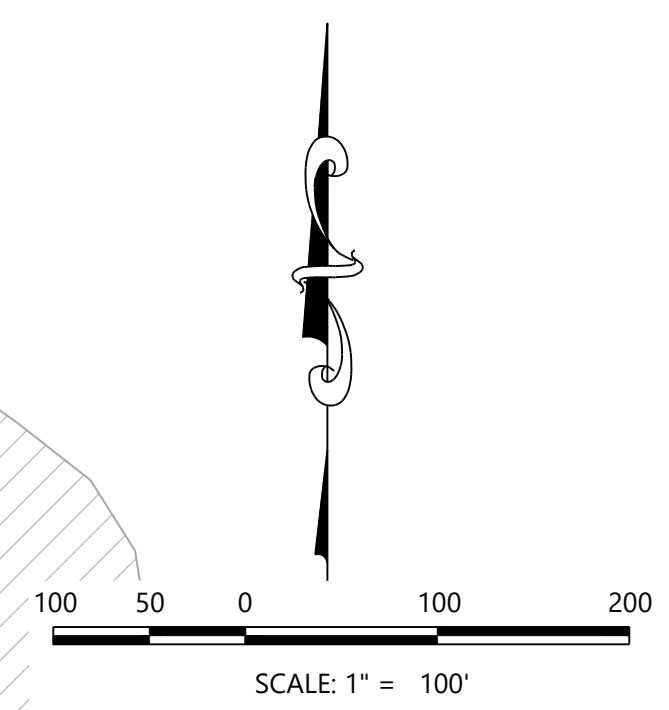
BODEDREAMS SUBDIVISION FILING NO. 1

SITUATED IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 67 WEST
OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO
CASE NO. PLT2025-00043



LOT SUMMARY TABLE

LOT	AREA (S.F.)	AREA (AC.)	USE	OWNERSHIP & MAINTENANCE
1	502,170	11.528	COMMERCIAL	BODEDREAMS, LLC
TOTAL LOT AREA	502,170	11.528		
ROW DEDICATION	29,416	0.676		
TOTAL SITE AREA	531,586	12.204		



LEGEND:

- FOUND MONUMENT (SEE LABEL)
- MONUMENT TO BE SET
- SECTION LINE
- - - QUARTER SECTION LINE
- BOUNDARY LINE
- RIGHT-OF-WAY LINE
- LOT LINE (TO BE VACATED)
- - - EASEMENT LINE
- x FENCE LINE
- TIE LINE
- ▨ FEMA FLOOD ZONE X (SHADED)

U.E. UTILITY EASEMENT
 R.O.W. RIGHT-OF-WAY
 (R) RECEPTION NO. 2017000029338
 (R1) RECEPTION NO. C0672259
 (R2) BOOK 1448 PG 392

Westwood
 Phone (720) 531-8350 10170 Church Ranch Way, Suite #201
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REVISIONS:

#	DATE	COMMENT

Bodedreams Subdivision
PLT2025-0043

Revised Plat (Clean Version)

BODEDREAMS SUBDIVISION FILING NO. 1

SITUATED IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 67 WEST
OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO
CASE NO. PLT2025-00043

PURPOSE

THE PURPOSE OF THIS SUBDIVISION PLAT IS TO COMBINE 4 EXISTING PARCELS INTO ONE LOT, AND DEDICATE RIGHTS-OF-WAY.

OWNERSHIP CERTIFICATE:

KNOW ALL MEN BY THESE PRESENTS THAT BODEDREAMS, LLC BEING THE SOLE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND:

PARCEL ONE:

THE NORTH HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE SIXTH P.M., EXCEPTING THEREFROM, THE PARCELS SET FORTH IN INSTRUMENTS RECORDED JULY 12, 1968 IN BOOK 1448 AT PAGE 392, SEPTEMBER 25, 1980 IN BOOK 2494 AT PAGE 52 AND MAY 1, 2000 IN BOOK 6111 AT PAGE 958, AND FURTHER EXCEPTING ANY PORTION THEREOF LYING WITHIN MCKAY ROAD ON THE WEST, COUNTY OF ADAMS, STATE OF COLORADO.

PARCEL TWO:

A PARCEL OF LAND IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE SIXTH P.M., COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS: BEGINNING AT THE NW CORNER NE 1/4 SW 1/4 NE 1/4 NW 1/4 OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 67 WEST; THENCE WEST 75.18 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 129.20 FEET MORE OR LESS; THENCE WEST PARALLEL WITH THE SOUTH LINE OF THE N 1/2 SW 1/4 NE 1/4 NW 1/4 OF SECTION 17 TO THE EAST BOUNDARY LINE OF MCKAY ROAD; THENCE NORTH 129.20 FEET MORE OR LESS; THENCE EAST TO A POINT 329.20 FEET NO RIB AND 75.18 FEET WEST OF THE SW CORNER NE 1/4 SW 1/4 NE 1/4 NW 1/4 SECTION 17.

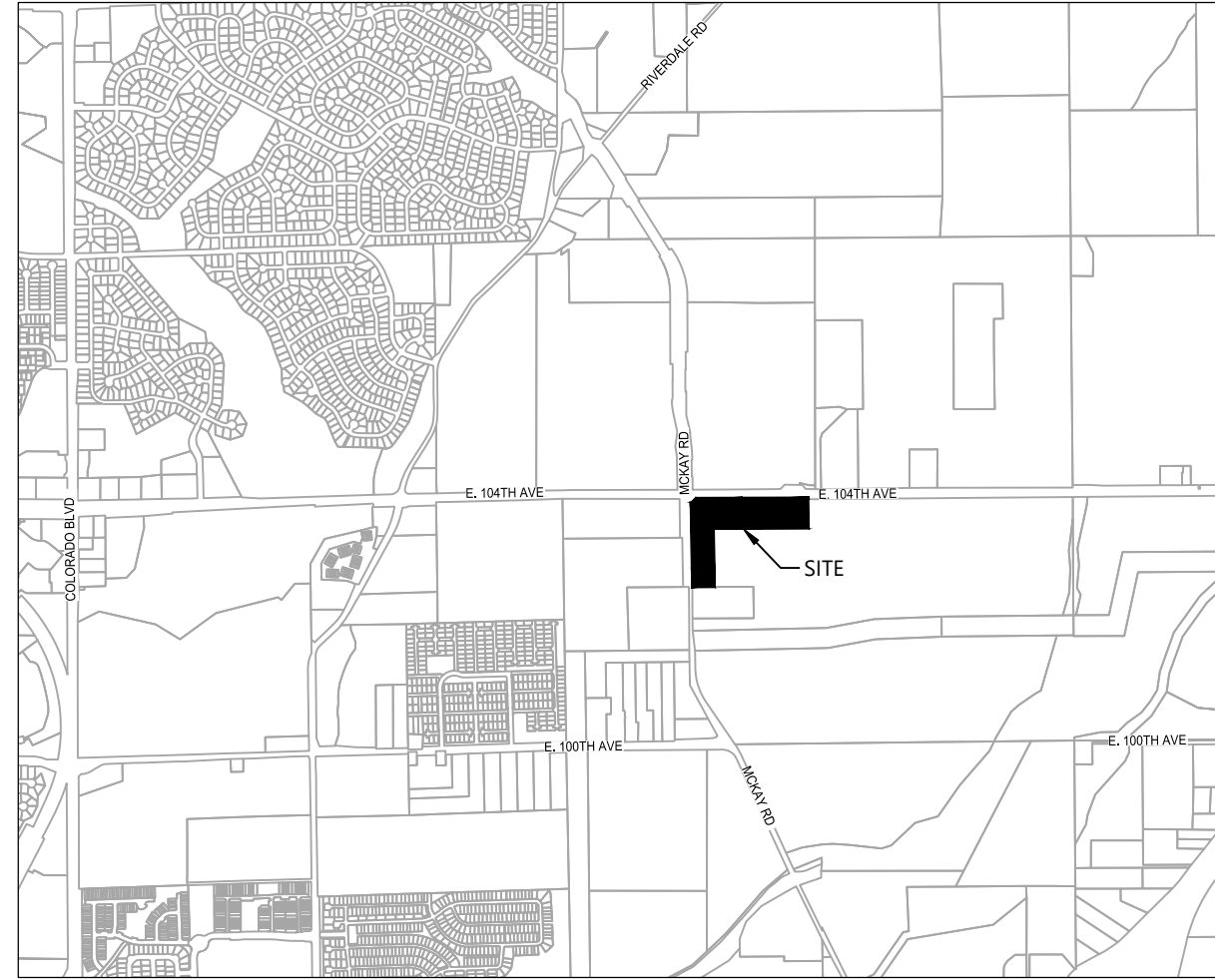
PARCEL THREE:

A PARCEL OF LAND IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS: COMMENCING AT THE N1/4 CORNER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 67 WEST, THENCE S00°33'21"E ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 17, A DISTANCE OF 656.25 FEET TO THE NE CORNER OF THE SE 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 17; THENCE CONTINUING S00°33'21"E ALONG THE EAST LINE OF THE SE 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 17, A DISTANCE OF 656.25 FEET TO THE SE CORNER OF THE SE 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 17; THENCE S89°58'18"W ALONG THE SOUTH LINE OF THE SE 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 17, A DISTANCE OF 659.91 FEET TO THE SW CORNER OF THE SE 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 17; THENCE N00°32'40"W ALONG THE WEST LINE OF THE SE 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 17 A DISTANCE OF 328.79 FEET TO THE SE CORNER OF THE NE 1/4 OF THE SE 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 17; THENCE N89°58'14"W ALONG THE SOUTH LINE OF THE NE 1/4 OF THE SW 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 17, A DISTANCE OF 329.93 FEET TO THE SW CORNER OF THE NE 1/4 OF THE SW1/4 OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 17; THENCE CONTINUING N89°58'14"W ALONG THE SOUTH LINE OF THE N 1/2 OF THE SW 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 17 A DO 75.10 FEET, BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING N89°58'14"W A DISTANCE OF 233 FEET MORE OR LESS TO THE EAST BOUNDARY OF MCKAY ROAD; THENCE NORTH ALONG THE EAST BOUNDARY OF MCKAY ROAD, A DISTANCE OF 200 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF THE WITHIN DESCRIBED PARCEL A DISTANCE OF 233 FEET, MORE OR LESS, TO A POINT; THENCE S00°32'20 "E AND PARALLEL TO THE WEST LINE OF THE NE 1/4 OF THE SW 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 17, A DISTANCE OF 200 FEET TO THE POINT OF BEGINNING.

PARCEL FOUR:

A PART OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS: BEGINNING AT THE NORTH 1/4 OF SAID SECTION 17; THENCE SOUTH 00 DEGREES 32 MINUTES 21 SECONDS EAST A DISTANCE OF 60.01 FEET; THENCE NORTH 89 DEGREES 47 MINUTES 16 SECONDS WEST A DISTANCE OF 75.01 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 33 MINUTES 21 SECONDS EAST A DISTANCE OF 318.20 FEET; THENCE NORTH 89 DEGREES 51 MINUTES 17 SECONDS WEST A DISTANCE OF 683.74 FEET; THENCE NORTH 00 DEGREES 33 MINUTES 14 SECONDS WEST A DISTANCE OF 319.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE EAST 104TH AVENUE; THENCE SOUTH 89 DEGREES 47 MINUTES 16 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 683.74 FEET TO THE TRUE POINT OF BEGINNING.

HAVE (HAS) BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS, STREETS AND EASEMENTS AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF UNDEVELOPED NAME. ALL PUBLIC STREETS ARE HEREBY DEDICATED TO ADAMS COUNTY FOR PUBLIC USE. THE UNDERSIGNED DOES HEREBY DEDICATE, GRANT AND CONVEY TO ADAMS COUNTY THOSE PUBLIC EASEMENTS AS SHOWN ON THE PLAT; AND FURTHER RESTRICTS THE USE OF ALL PUBLIC EASEMENTS TO ADAMS COUNTY AND/OR ITS ASSIGNS, PROVIDED HOWEVER, THAT THE SOLE RIGHT AND AUTHORITY TO RELEASE OR QUITCLAIM ALL OR ANY SUCH PUBLIC EASEMENTS SHALL REMAIN EXCLUSIVELY VESTED IN ADAMS COUNTY



VICINITY MAP
SCALE: 1" = 2000'

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT I WAS IN RESPONSIBLE CHARGE OF THE SURVEY WORK USED IN THE PREPARATION OF THIS PLAT; THE POSITIONS OF THE PLATTED POINTS SHOWN HEREON HAVE AN ACCURACY OF NOT LESS THAN ONE (1) FOOT IN TEN THOUSAND (10,000) FEET PRIOR TO ADJUSTMENTS; AND ALL BOUNDARY MONUMENTS AND CONTROL CORNERS SHOWN HEREON WERE IN PLACE AS DESCRIBED ON MARCH 27, 2026.

I FURTHER CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS ACCURATE AND IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE TO MY KNOWLEDGE, INFORMATION AND BELIEF. THIS CERTIFICATION IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR
THOMAS M. GIRARD, PLS NO. 38151
FOR AND ON BEHALF OF WESTWOOD PROFESSIONAL SERVICES, INC.

BOARD OF COUNTY COMMISSIONER'S APPROVAL:

APPROVED BY THE ADAMS COUNTY BOARD OF COUNTY COMMISSIONERS THIS ____ DAY OF _____ A.D. 202__

CHAIR

ADAMS COUNTY ATTORNEY'S OFFICE:

APPROVED AS TO FORM

RECORDATION CERTIFICATE:

STATE OF COLORADO)
) SS
COUNTY OF ADAMS)

I HEREBY CERTIFY THAT THIS INSTRUMENT HAS FILED OF RECORD AT MY OFFICE AT _____ O'CLOCK __M., THIS ____ DATE OF _____, 20__.

RECEPTION NO. _____, FILE _____, MAP _____

BY: _____
CLERK AND RECORDER

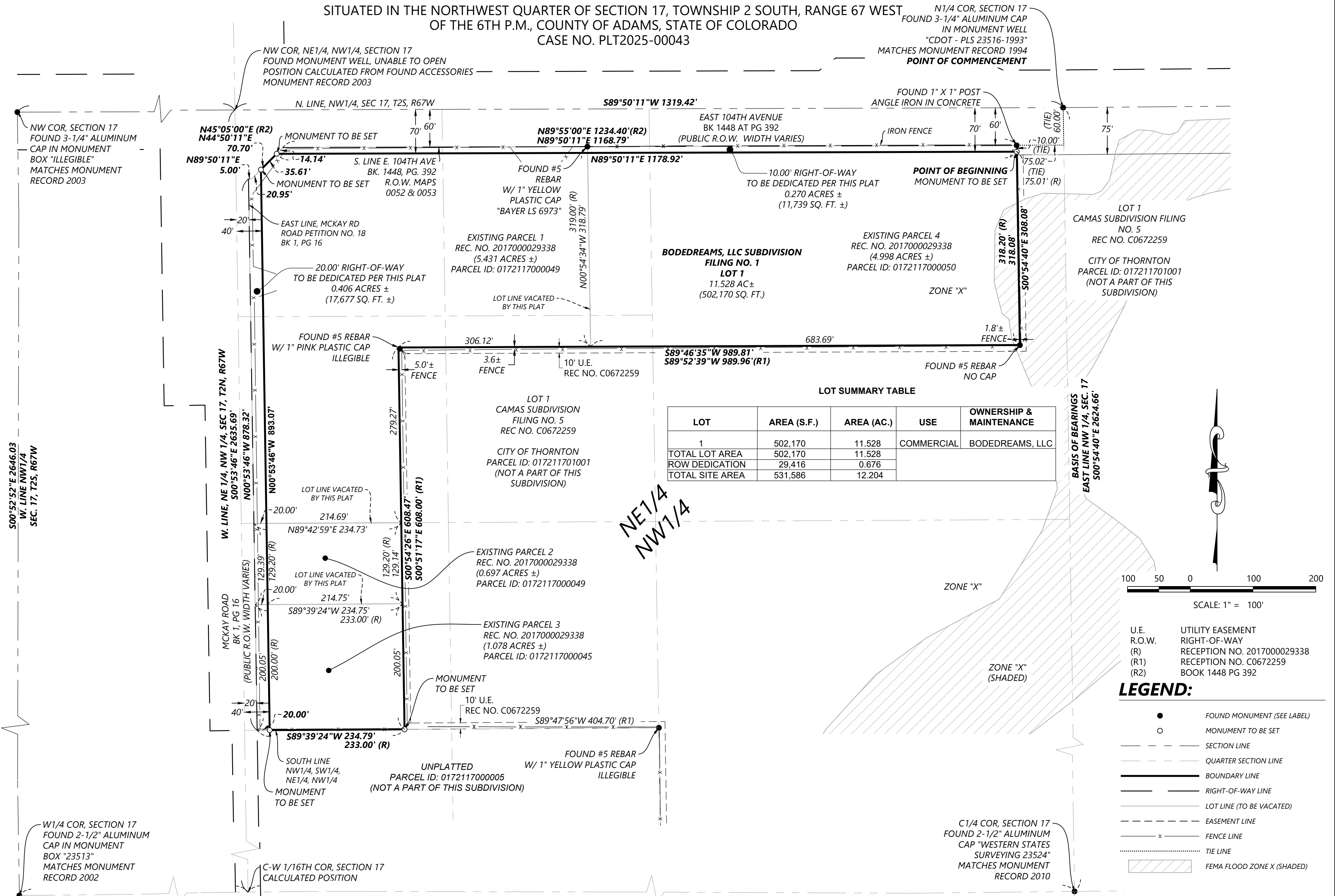
SHEET INDEX	
SHEET 1	COVER SHEET, LEGAL DESCRIPTION, & SIGNATURES
SHEET 2	NEW PARCEL DESCRIPTION & GENERAL NOTES
SHEET 3	OVERALL

Westwood
Phone (720) 531-8350 10170 Church Ranch Way, Suite #201
Toll Free (888) 937-5150 Westminster, CO 80021
westwoodpsi.com
Westwood Professional Services, Inc.

REVISIONS:		
#	DATE	COMMENT

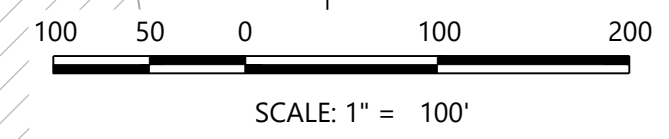
BODEDREAMS SUBDIVISION FILING NO. 1

SITUATED IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 67 WEST
OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO
CASE NO. PLT2025-00043



LOT SUMMARY TABLE

LOT	AREA (S.F.)	AREA (AC.)	USE	OWNERSHIP & MAINTENANCE
1	502,170	11.528	COMMERCIAL	BODEDREAMS, LLC
TOTAL LOT AREA	502,170	11.528		
ROW DEDICATION	29,416	0.676		
TOTAL SITE AREA	531,586	12.204		



- LEGEND:**
- FOUND MONUMENT (SEE LABEL)
 - MONUMENT TO BE SET
 - SECTION LINE
 - - - QUARTER SECTION LINE
 - BOUNDARY LINE
 - RIGHT-OF-WAY LINE
 - LOT LINE (TO BE VACATED)
 - - - EASEMENT LINE
 - x FENCE LINE
 - TIE LINE
 - ▨ FEMA FLOOD ZONE X (SHADED)

U.E. UTILITY EASEMENT
R.O.W. RIGHT-OF-WAY
(R) RECEPTION NO. 2017000029338
(R1) RECEPTION NO. C0672259
(R2) BOOK 1448 PG 392

Westwood
Phone (720) 531-8350 10170 Church Ranch Way, Suite #201
Toll Free (888) 937-5150 Westminster, CO 80021
westwoodps.com
Westwood Professional Services, Inc.

REVISIONS:

#	DATE	COMMENT

Bodedreams Subdivision
PLT2025-0043

Colorado Division of Water Resources Response Letter



March 30, 2026

Greg Barnes

Adams County Community and Economic Development Dept.

Transmission via email: gjbarnes@adcogov.org

Re: Bodedreams Subdivision (previously Birdseye Bess Subdivision), Filing No. 1 (2nd Letter)

Case No. PLT2025-00043

Part of the NE ¼ of NW ¼ of Sec. 17, Twp. 2S, Rng. 67W, 6th P.M., Adams County

Water Division 1, Water District 2

CDWR Assigned Referral No. 34414

Dear Greg Barnes,

We have received the additional information provided on March 18, 2026 and March 27, 2026 regarding the proposal for a minor subdivision final plat to combine three parcels located in Adams County (Parcel ID Nos. 0172117000045, 0172117000049, and 0172117000050) into one lot. According to the additional information provided, the Applicant has renamed the subdivision from “Birdseye Bess Subdivision” to “Bodedreams Subdivision” and requests the State Engineer’s Office (“SEO”) “...render an opinion regarding the adequacy of the water supply for the existing commercial landscaping center (Dreamscapes Landscape Center)” only. According to the Applicant, the battery energy facility project will be reviewed under a separate referral. The property is currently being used as a commercial landscaping center.



Our office previously provided comments on the proposed subdivision in a letter dated September 29, 2025. The comments outlined in this letter supersede those previously provided.

Our office previously provided comments on the commercial use permit (case no. PRC2025-00016) for the proposed battery energy storage system to be located on the subject property in a letter dated September 23, 2025. The comments outlined in that letter remain in effect.

Water Supply Demand

According to the Water Supply Information Summary (GWS-76), the proposed water supply demands for the subdivision is 0.48 acre-feet per year.

Source of Water Supply

According to the Water Supply Information Summary (GWS-76), the proposed water supply for the commercial landscaping supply business is well permit no. 55597-F.

A review of our records indicate that well permit no. 55597-F is located on the subject property. Well permit no. 55597-F was issued on April 12, 2001 for the construction of a new well in the Lower Arapahoe aquifer pursuant to CRS 37-90-137(4) and the findings of the State Engineer dated April 12, 2001 for commercial and domestic uses, with an average annual withdrawal not to exceed 1.44 acre-feet and a maximum pumping rate of 50 gallons per minute.

Additionally, well permit no. 27320-F may have once been located on the subject property, and was decreed as Ford Well No. 2 under Water Court Division 1 case no. W-4597 for domestic use and the irrigation of 18.66 acres in the S ½ of the NW ¼ of

the NE $\frac{1}{4}$, 16.79 acres in the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and 15 acres in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sect. 17, Twp. 2S, Rng. 67W. Ford Well No. 2 was located at a point whence the W $\frac{1}{4}$ corner of Sect. 17, Twp. 2S, Rng. 67W bears S 34 degrees, 37 minutes W, 2381.3 feet. The water right associated with Ford Well No. 2 was abandoned in Water Court Division 1 case no. 11CW0263, and our structures database indicates that the well does not exist. The Applicant has indicated that they have no knowledge of any wells on the subject properties beyond well permit no. 55597-F, and were not able to locate any abandoned wells on the parcels.

The proposed source of water for this subdivision is a bedrock aquifer in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water. According to section 37-90-137(4)(b)(I), C.R.S., "Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years." Based on this **allocation** approach, the annual amounts of water allocated under the findings of the State Engineer dated October 7, 2025 to well permit no. 55597-F is equal to one percent of the total amount, as determined by rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

The Adams *County Development Standards and Regulations*, Effective April 15, 2002, Section 5-04-05-06-04 states:

"Prior to platting, the developer shall demonstrate that...the water supply is dependable in quantity and quality based on a minimum useful life of three-hundred (300) years. A minimum 300-year useful life means the water supply from both a static and dynamic basis will be viable for a minimum 300-year period. The static

analysis shall include evaluation of the volume of water that is appropriable for the proposed subdivision. The dynamic analysis shall evaluate whether the appropriable water supply is sustainable for three-hundred (300) years, giving consideration to the location and extent of the aquifer, as well as impacts caused by both current and future pumping by others from the aquifer.”

The State Engineer’s Office does not have evidence regarding the length of time for which this source will be “dependable in quantity and quality.” However, treating Adam County’s requirement as an **allocation** approach based on 300 years, the allowed average annual amount of withdrawal of 1.44 acre-feet/year would be reduced to one third of that amount, or 0.48 acre-feet/year, which is equal to the annual demand for this subdivision. As a result, the water may be withdrawn in that annual amount for a maximum of 300 years. The State Engineer’s Office has no comment on the quality of the water supply or the required ‘dynamic analysis’ to evaluate whether the appropriable water supply is sustainable for 300 years.

State Engineer’s Office Opinion

Based upon the above and pursuant to section 30-28-136(1)(h)(I), C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights.

Our opinion that the water supply is **adequate** is based on our determination that the amount of water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

Our opinion that the water supply can be **provided without causing injury** is based on our determination that the amount of water that is legally available on an annual basis, according to the statutory **allocation** approach, for the proposed uses is equal

to the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision.

Our opinion is qualified by the following:

The amounts of water in the Denver Basin aquifer, and identified in this letter, are calculated based on estimated current aquifer conditions. The source of water is from a non-renewable aquifer, the allocations of which are based on a 100-year aquifer life. The county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 100 years (or 300 years) years used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.

Additional Comments

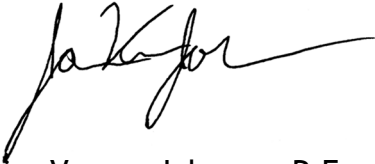
The application materials indicate that a stormwater detention structure may be constructed as a part of this project. The applicant should be aware that unless the structure can meet the requirements of a "storm water detention and infiltration facility" as defined in section 37-92-602(8), C.R.S., the structure may be subject to administration by this office. The applicant should review DWR's [Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado](#) to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The Applicant is encouraged to use the [Colorado Stormwater Detention and Infiltration Facility Notification Portal](#) to meet the notification requirements.

Bodedreams Subdivision (formerly Birdseye Bess Subdivision)
Filing No. 1 (2nd Letter)
March 30, 2026

Page 6 of 6

Please contact Mike Matz at 303-866-3581 x8241 or at michael.matz@state.co.us with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Javier Vargas-Johnson', with a long horizontal flourish extending to the right.

Javier Vargas-Johnson, P.E.
Chief of Water Supply

Ec: Well permit no. 55597-F and 27320-F