



TODD CREEK  
METROPOLITAN DISTRICT  
VILLAGE

VARIANCE  
APPLICATION

09.02.2026

# CHECKLIST



TODD CREEK  
— METROPOLITAN DISTRICT —  
VILLAGE



# VARIANCE

A variance is a means whereby the literal terms of these standards and regulations need not be applied if there are practical difficulties or unnecessary hardships associated with the subject site. In granting a variance, the spirit of these standards and regulations shall be observed, public safety and welfare secured, and substantial justice done.

Please include this page with your submittal. Submittal instructions and more information about checklist items can be found on page 2.

- ☒ Development Application Form (pg. 3)
- ☒ Written Narrative
- ☒ Site Plan
- ☒ Proof of Ownership (warranty deed or title policy)
- ☐ Proof of Water and Sewer Services
- ☒ Legal Description
- ☒ Statement of Taxes Paid

## Number of Variance Requests:

A variance may only be approved from the dimensional requirements, performance standards, and other special physical requirements contained in the Adams County development standards and regulations.

| Type of Variance Request: | # of Requests: |
|---------------------------|----------------|
| Setback:                  | 0              |
| Height:                   | 1              |
| Lot Coverage:             | 0              |
| Other:                    | 0              |

| Application Fees: | Amount:                                                                                 |
|-------------------|-----------------------------------------------------------------------------------------|
| Variance          | \$500-residential<br>\$700-non-residential<br><i>*\$100 per each additional request</i> |

# DEVELOPEMENT APPLICATION FORM





## DEVELOPMENT APPLICATION FORM

### APPLICANT

Name(s):  Phone #:   
Address:   
City, State, Zip:   
2nd Phone #:  Email:

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### OWNER

Name(s):  Phone #:   
Address:   
City, State, Zip:   
2nd Phone #:  Email:

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

Name:  Phone #:   
Address:   
City, State, Zip:   
2nd Phone #:  Email:

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## DESCRIPTION OF SITE

|                              |                                                        |
|------------------------------|--------------------------------------------------------|
| Address:                     | 7351 E 160th Ave                                       |
| City, State, Zip:            | Brighton, CO 80602                                     |
| Area (acres or square feet): | 2.5 Acres                                              |
| Tax Assessor Parcel Number   | 0157104301001                                          |
| Existing Zoning:             | A-1                                                    |
| Existing Land Use:           | Water Distribution - 1M Gallon Storage Tank            |
| Proposed Land Use:           | Water Distribution - Additional 1M Gallon Storage Tank |

Have you attended a Conceptual Review? YES ☒ NO ☐

If Yes, please list PRE#: PRE2025-00054

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: Current Agent: Don Summers Date: 2026-09-02

Owner's Printed Name

Name: 

Owner's Signature

# NARRATIVE



TODD CREEK  
— METROPOLITAN DISTRICT —  
VILLAGE

## TODD CREEK VILLAGE METROPOLITAN DISTRICT

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TCVMD  
10450 E 159TH CT.  
BRIGHTON, CO 80602  
PHONE: 303-637-0344  
[WWW.TODDCREEKVILLAGE.ORG](http://WWW.TODDCREEKVILLAGE.ORG)  
[TODDCREEK@TODDCREEKVILLAGE.ORG](mailto:TODDCREEK@TODDCREEKVILLAGE.ORG)



September 2026

Adams County  
Community & Economic Development Department  
Planning & Development Division  
4430 S. Adams County Parkway  
1st Floor Ste W2000B  
Brighton CO 80601 – 8218

### **RE: Variance Application – Written Explanation**

On behalf of the Todd Creek Village Metropolitan District (District), we are submitting this written explanation in support of a variance request associated with the construction of a second potable water storage tank on the District-owned parcel located at 7351 E. 160th Avenue, Brighton, Colorado 80602 (Parcel No. 0157104301001).

The District currently owns and operates one 1-million-gallon (MG), approximately 100-foot-tall potable water storage tank on the property. The existing tank supplies potable water and fire flow throughout the District's distribution area. Adams County had previously approved the existing water tank site under Case No. PRJ2000-00023, including rezoning of the 2.5-acre site from A-3 to A-1, a Conditional Use Permit for the above-ground water storage tank, and a Final Plat. The Board of County Commissioners approved that case on July 26, 2000.



### **RATIONALE FOR THE REQUEST**

Given the District's current potable water demands and limited ability to perform major maintenance to the current tank without service disruptions, additional potable water storage is operationally necessary. The District is proposing a second 1 MG water storage tank adjacent to the existing. The additional storage will also improve fire-flow capacity for life safety and provide greater system resiliency through infrastructure redundancy.

## PROPOSED DESIGN

The proposed tank has been designed with the same dimensions as the existing tank and will be constructed on the same parcel owned by the District. Based on evaluation by the District and its design team, the preferred location is directly south of the existing tank. This location was selected after considering the parcel's geotechnical characteristics, setbacks from surrounding property boundaries, operational efficiency, fiscal impacts, and overall site aesthetics.



The proposed location also provides an approximately 100-foot setback from both the eastern and southern property boundaries, exceeding the setback requirements of the existing zoning district. Please refer to the accompanying site plans for the exact proposed tank location.

## VARIANCE REQUEST

Because the parcel is zoned A-1 and the proposed tank is intended to match the approximately 100-foot height of the existing tank, the District is requesting a variance from the applicable maximum building or structure height standard. The requested height is driven by the functional and engineering requirements of the public water system and allows the new tank to operate in concert with the existing facility. Locating a tank of matching height adjacent to the existing tank also minimizes the need for more extensive site disturbance or alternate infrastructure solutions and maintains a consistent facility character.

The requested variance will allow the District to provide necessary public water infrastructure within an established utility site that has accommodated the same use for more than 25 years. The proposal does not introduce a new land use to the property while expanding the capacity and reliability of the existing public water system and maintaining substantial setbacks from adjacent properties.

The District respectfully requests approval of the variance. Thank you for your consideration of this application.

Sincerely,



**Don Summers,**  
**Todd Creek Village Metropolitan District**

*Images are provided as a visual aid to illustrate the anticipated artistic tank design only. Images are not to scale and do not depict all technical details associated with the tank, fencing, site improvements, or other infrastructure. Please refer to the engineer-prepared site plan and construction documents for accurate dimensions, locations, and technical information.*

# SITE PLAN



TODD CREEK  
— METROPOLITAN DISTRICT —  
VILLAGE

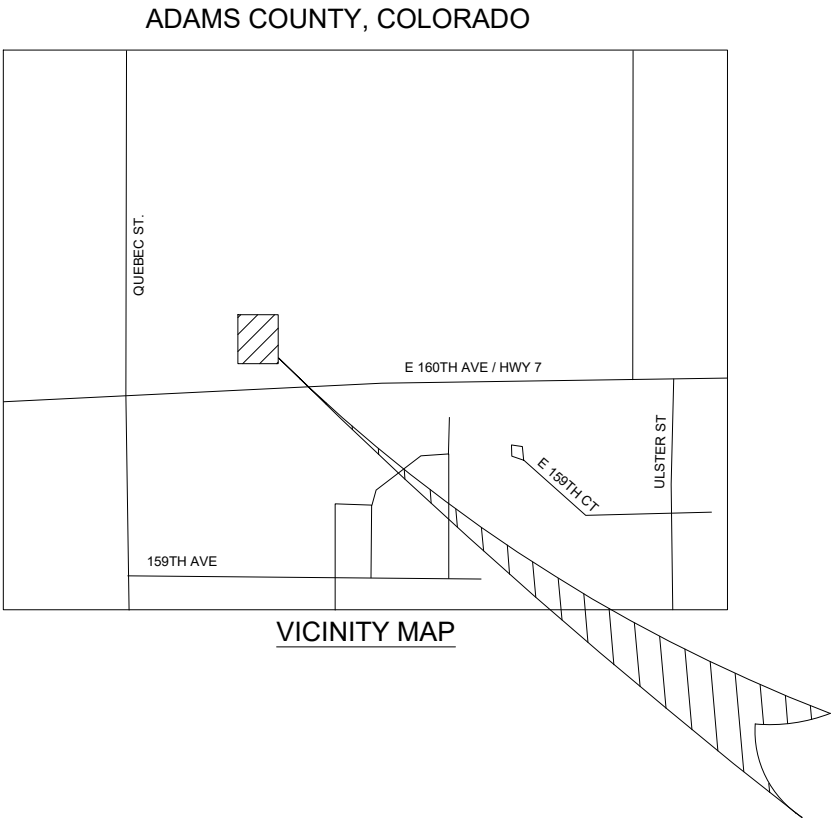
# TODD CREEK VILLAGE METROPOLITAN DISTRICT (TCVMD) POTABLE WATER STORAGE TANK ADDITION

CONTACT LISTING

ENGINEERS:  
BAI ENGINEERS LLC  
CONTACT: XUEHUA BAI, PE  
PHONE: (720) 474-0941  
E-MAIL: XBAI@BAI-ENG.COM

TCVMD DISTRICT MANAGER:  
DON SUMMERS  
PHONE: (720) 373-7373  
EMAIL: DON@TODDCREEKVILLAGE.ORG

CDPHE SENIOR REVIEW ENGINEER:  
KRISTINA QUICK  
PHONE: (719) 225-9674  
EMAIL: KRISTINA.QUICK@STATE.CO.US



TANK LOCATION

LIST OF DRAWINGS

| SHEET NO. | TITLE                                          |
|-----------|------------------------------------------------|
| 1         | G001 - COVER SHEET                             |
| 2         | G002 - NOTES AND LEGEND                        |
| 3         | G003 - GEOBORE LOCATION                        |
| 4         | G004 - BORE LOG SHEET                          |
| 5         | G005 - BORE LOG SHEET                          |
| 6         | G006 - BORE LOG SHEET                          |
| 7         | G007 - BORE LOG SHEET                          |
| 8         | G008 - EXISTING SITE SURVEY MAP                |
| 9         | P001 - EXISTING HYDRAULIC PROFILE              |
| 10        | P002 - PROPOSED HYDRAULIC PROFILE              |
| 11        | P003 - PIPING AND INSTRUMENTATION DIAGRAM      |
| 12        | C001 - EXISTING SITE PLAN                      |
| 13        | C002 - PROPOSED SITE PLAN                      |
| 14        | C003 - GRADING PLAN                            |
| 15        | C004 - PROPOSED TANK PLAN                      |
| 16        | C005 - SECTIONAL TANK PLAN                     |
| 17        | C006 - PROPOSED TANK INTERCONNECT PUMP STATION |
| 18        | C007 - CATHODIC PROTECTION                     |
| 19        | C008 - EROSION PLAN                            |
| 20        | C009 - PROPOSED ROADWAY PLAN                   |
| 21        | S001 - GENERAL INFORMATION                     |
| 22        | S002 - GENERAL INFORMATION                     |
| 23        | S003 - SPECIAL INSPECTION NOTES                |
| 24        | S101 - STORAGE TANK FOUNDATION                 |
| 25        | S201 - FOUNDATION DETAILS                      |
| 26        | D001 - DETAIL                                  |
| 27        | D002 - DETAIL                                  |
| 28        | D003 - DETAIL                                  |
| 29        | EI1 - SCADA PANEL FRONT                        |
| 30        | EI2 - SCADA PANEL BACKPLATE                    |
| 31        | EI3 - SCADA PANEL POWER LADDER LOGIC           |
| 32        | EI4 - SCADA PANEL ANALOG INPUT                 |
| 33        | EI5 - SCADA PANEL BILL OF MATERIAL             |



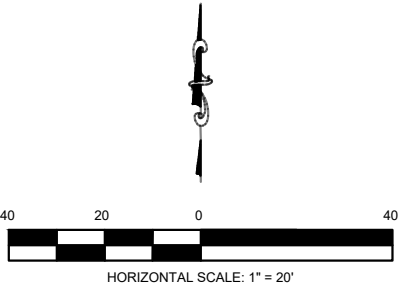
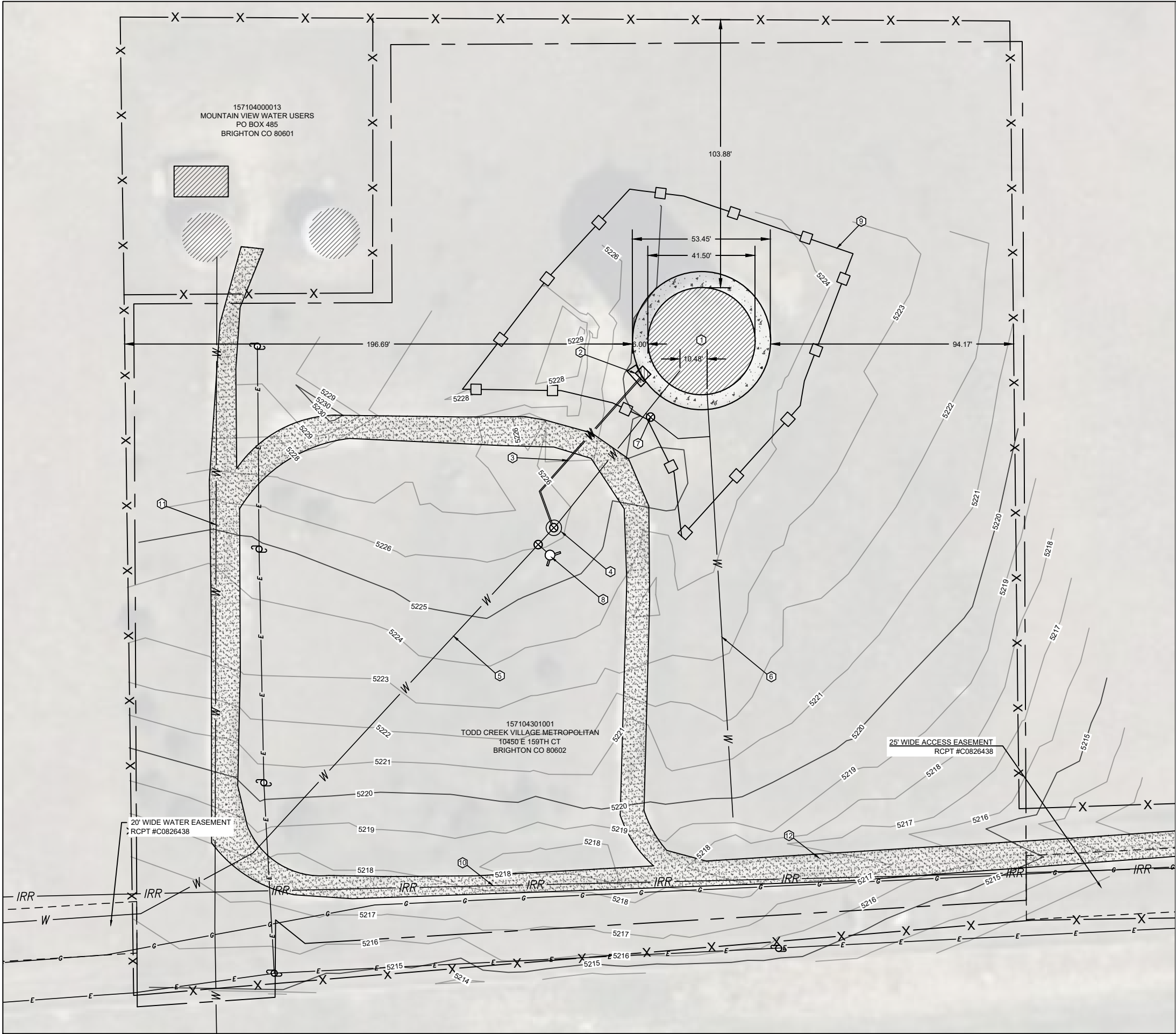
PROJECT NUMBER: 2024-01-10

ISSUE FOR 95% 08/29/2026

CALL UTILITY NOTIFICATION  
CENTER OF COLORADO  
**1-800-922-1987**  
OR **534-6700** IN METRO DENVER

CALL 2 BUSINESS DAYS IN ADVANCE  
BEFORE YOU DIG, GRADE, OR EXCAVATE  
FOR THE MARKING OF UNDERGROUND  
MEMBER UTILITIES.





- KEY NOTES**
- ① EXISTING 1 MG STORAGE TANK, SEE FIGURE 1  
BASE ELEVATION = 5225'  
HEIGHT = 100'  
DIAMETER = 41.5'
  - ② 4' X 4.5' X 7' CHLORINATION BUILDING, A ONE-PIECE MOLDED FIBERGLAS REINFORCED PLASTIC BUILDING
  - ③ TWO 2" CHLORINE FEED LINES
  - ④ 6" DIAMETER CHLORINE INJECTION MANHOLE AND 16" BUTTERFLY VALVE
  - ⑤ 16" DIP WATER INLET LINE
  - ⑥ 12" OVERFLOW & DRAIN LINE
  - ⑦ 16" X 12" TEE AND VALVE
  - ⑧ SAMPLING HYDRANT
  - ⑨ EXISTING CHAIN LINK FENCE SEE DEMOLITION NOTE
  - ⑩ 12" IRRIGATION LINE
  - ⑪ MOUNTAIN VIEW WATER USERS WATER LINE
  - ⑫ DIRT ROAD

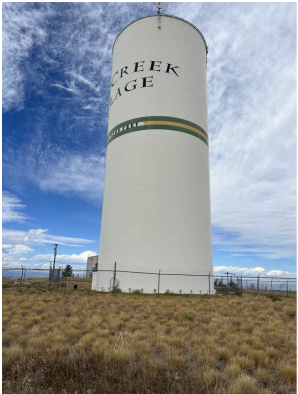
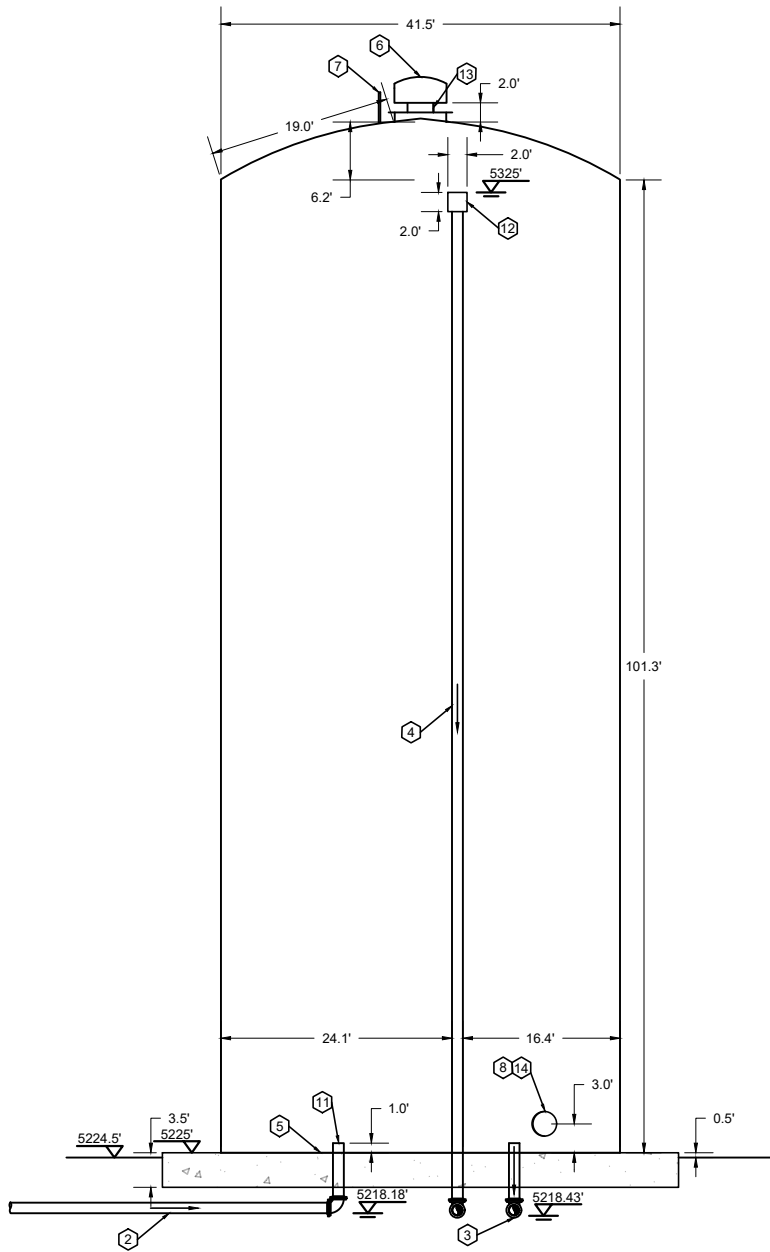


FIGURE 1 - STORAGE TANK

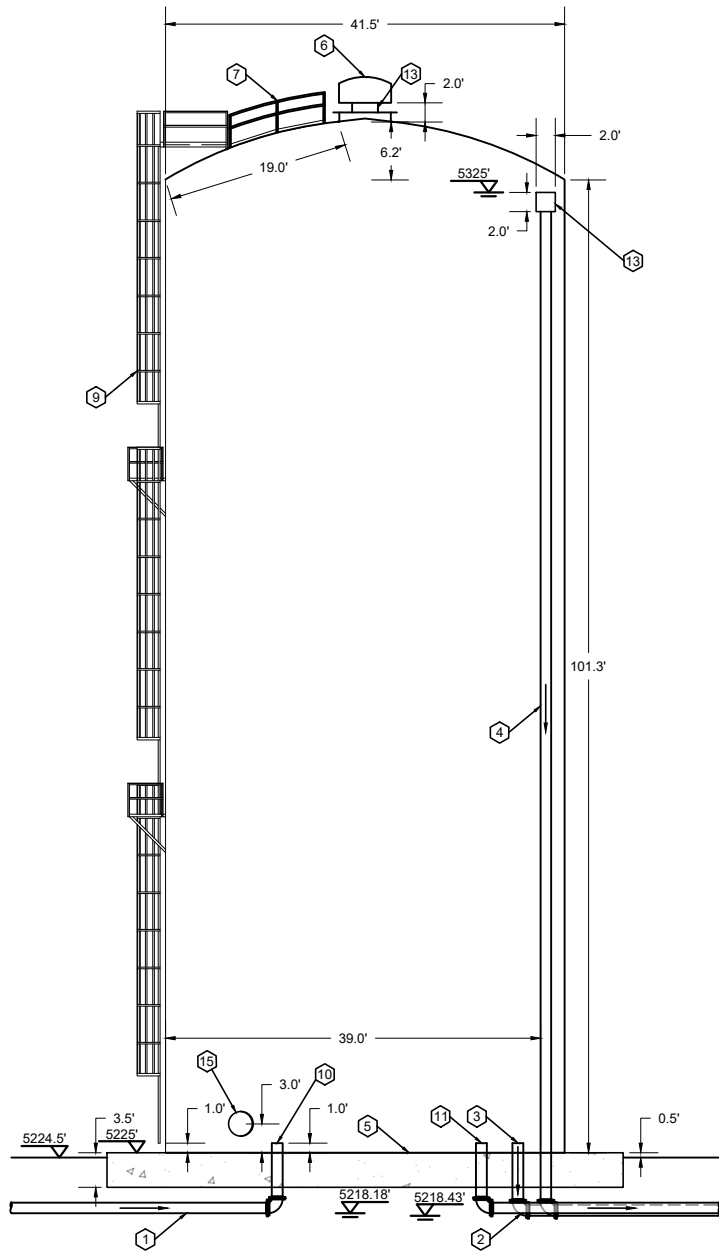
DEMOLITION NOTE:  
EXISTING SITE FENCE TO BE DEMOLISHED

|                                                                                                                                                                                              |  |                 |                  |                                                                                   |  |                                                                                                |  |                              |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-----------------|------------------|-----------------------------------------------------------------------------------|--|------------------------------------------------------------------------------------------------|--|------------------------------|--|
| Print Date: 2026/08/10                                                                                                                                                                       |  | Sheet Revisions |                  | TODD CREEK VILLAGE<br>METRO DISTRICT<br>ADAMS COUNTY AND WELD COUNTY,<br>COLORADO |  | TODD CREEK VILLAGE METROPOLITAN DISTRICT<br>STORAGE TANK ADDITION<br>C001 - EXISTING SITE PLAN |  | Project Number<br>2024-01-10 |  |
| File Name: C001-EXISTING-SITE-PLANS.dwg                                                                                                                                                      |  | Init:           |                  |                                                                                   |  |                                                                                                |  |                              |  |
| Horiz. Scale: 1" = 20'                                                                                                                                                                       |  | Date:           | Comments         |                                                                                   |  |                                                                                                |  |                              |  |
|                                                                                                                                                                                              |  | 08/06/2026      | ISSUE FOR PERMIT |                                                                                   |  |                                                                                                |  |                              |  |
| <br>5350 DTC PKWY, #206<br>GREENWOOD VILLAGE, CO 80111<br>PHONE: 720.474.0941<br>EMAIL: XBAI@BAIENG.COM |  | -               | -                |                                                                                   |  | Designer: XB                                                                                   |  | Structure Numbers            |  |
|                                                                                                                                                                                              |  | -               | -                |                                                                                   |  | Revised:                                                                                       |  | CL                           |  |
|                                                                                                                                                                                              |  | -               | -                |                                                                                   |  | Valid:                                                                                         |  | Sheet Subset:                |  |
|                                                                                                                                                                                              |  |                 | -                |                                                                                   |  |                                                                                                |  | Sheet Number C001            |  |
|                                                                                                                                                                                              |  |                 | -                |                                                                                   |  |                                                                                                |  | Sheet Sheets: 12 of 21       |  |





SECTION A-A



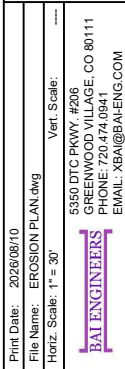
SECTION B-B

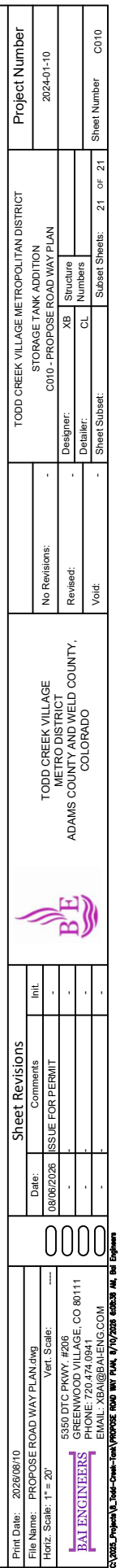
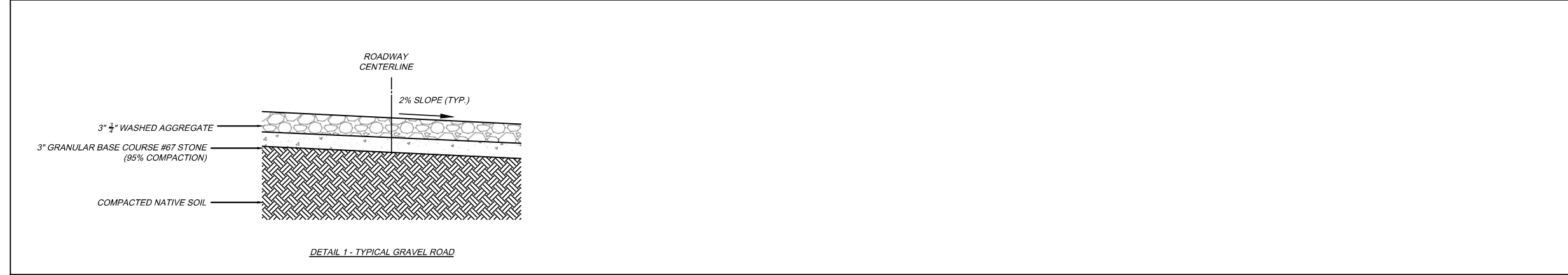


- KEY NOTES
- 1 16" WATER INLET
  - 2 16" WATER OUTLET
  - 3 12" DRAIN LINE
  - 4 12" OVERFLOW
  - 5 53.5" DIAMETER CONCRETE SLAB WITH 6" CONCRETE PAD EXPOSED FROM THE EDGE OF THE CONCRETE TO THE TANK
  - 6 24" FROST RESISTANT VENT
  - 7 ROOF HANDRAIL
  - 8 30" SHELL MANWAY #1
  - 9 EXT. CAGED LADDER W/ SAF-T-CLIMB
  - 10 16" INLET BOTTOM CONNECTION
  - 11 16" OUTLET BOTTOM CONNECTION
  - 12 2' X 2' WEIR BOX
  - 13 24" ROOF VENT CONNECTION FLANGED CONNECTOR
  - 14 NAME PLATE
  - 15 30" SHELL MANWAY #2

- GENERAL NOTE:
- 1. INTERIOR COATING SHALL BE:  
2.5 TO 3.5 MILS OF TNEMEC 91  
20 TO 24 MILS OF TNEMEC 22
  - 2. EXTERIOR COATING SHALL BE:  
2.5 TO 3.5 MILS OF TNEMEC 91  
4 TO 6 MILS OF TNEMEC 66  
3 TO 5 MILS OF TNEMEC 1094
  - 3. CONTRACTOR TO INSTALL ONE SUBMERSIBLE MIXER, GRIDBEE GS-12 OR EQUAL.
  - 4. CONTRACTOR TO INSTALL ONE SUSPENDED SACRIFICIAL MAGNESIUM ANODE SYSTEM WITH MAGNESIUM ANODE BAG(S) BASED ON TANK MANUFACTURER RECOMMENDATION AND DESIGN.

|                                       |  |                 |                  |                                          |  |
|---------------------------------------|--|-----------------|------------------|------------------------------------------|--|
| Print Date: 2026/08/10                |  | Sheet Revisions |                  | Project Number                           |  |
| File Name: C003-PROPOSE-TANK-PLAN.dwg |  | Comments        |                  | TODD CREEK VILLAGE METROPOLITAN DISTRICT |  |
| Horiz. Scale: 1" = 10'                |  | Date:           | Init.            | C005 - SECTIONAL TANK PLAN               |  |
| 3350 DTC PKWY, #206                   |  | 08/06/2026      | ISSUE FOR PERMIT | No Revisions: -                          |  |
| GREENWOOD VILLAGE, CO 80111           |  | -               | -                | Revised: -                               |  |
| PHONE: 720.474.0941                   |  | -               | -                | Valid: -                                 |  |
| [BAI ENGINEERS]                       |  | -               | -                | Designer: XB                             |  |
| EMAIL: XBAI@BAI-ENG.COM               |  | -               | -                | Detailer: CL                             |  |
|                                       |  | -               | -                | Sheet Subst: -                           |  |
|                                       |  | -               | -                | Sheet Sheets: 16 of 21                   |  |
|                                       |  | -               | -                | Sheet Number C005                        |  |





# WARRANTY DEED



TODD CREEK  
— METROPOLITAN DISTRICT —  
VILLAGE

# SPECIAL WARRANTY DEED

ERN Limited Partnership, a Colorado limited partnership, Highland Realty Corporation, a Colorado corporation, Dr. William Leitch, an individual, and Chas – Mar Partners, Ltd., a Colorado limited partnership ("Grantor"), whose address is 7100 West 44<sup>th</sup> Ave. #201, Wheat Ridge, CO 80003, for the consideration of ten dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby sells and conveys to Todd Creek Farms Metropolitan District No. 1, a special district, whose address is c/o Special District Management Services, 141 Union Blvd. #150, Lakewood, CO 80228, the real property in the County of Adams, State of Colorado, described on Exhibit A attached hereto and incorporated herein by this reference (the "Property"), together with all its appurtenances, and warrants title against all persons claiming under Grantor;

Subject to the condition that Grantor sells and transfers the Property to Grantee, its successors and assigns, for so long as the Property is used exclusively and continuously, except for temporary discontinuation of use due to emergency or for maintenance purposes, as a site for water storage after January 1, 2002. In the event that the above condition is breached by Grantee, its successors or assigns, at the time of any such breach this Deed shall become null and void and title to the real property herein described shall automatically revert to and be vested in Grantor, its successors and assigns, and Grantor, its successors and assigns shall not be required to take any affirmative action to effectuate such reversion of title; and

Subject to the reservations, exceptions, easements, rights of way, restrictive covenants, conditions and other matters listed on Exhibit B attached hereto.

Dated this 28th day of August, 2000.

C0734133  
11/21/2000 12:36:54  
BK: 6331 PG: 0934-0942  
45.00 DOC FEE: 3.00  
CAROL SNYDER  
ADAMS COUNTY

ERN Limited Partnership, a Colorado  
limited partnership

ERN LP  
Ann P. Zink General Partner

Highland Realty Corporation, a Colorado  
corporation

by [Signature]  
Its [Signature]



33791

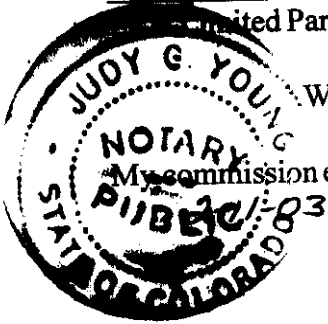
Dr. William Leitch  
Dr. William Leitch

Chas - Mar Partners, Ltd., a Colorado limited  
partnership

Charles V. Zarlengo  
General Partner

STATE OF Colorado )  
 ) ss.  
COUNTY OF Jefferson )

The foregoing instrument was acknowledged before me this 28th day of  
August, 2000, by Ernest P. Zarlengo as General Partner of  
limited Partnership, a Colorado limited partnership.



Witness my hand and official seal.

My commission expires:

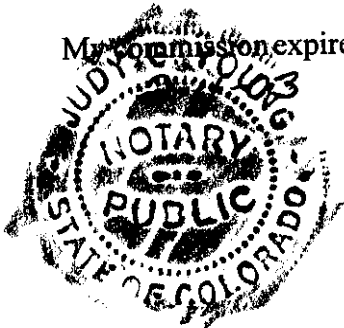
Judy G. Young  
Notary Public

STATE OF Colorado )  
 ) ss.  
COUNTY OF Jefferson )

The foregoing instrument was acknowledged before me this 28th day of  
August, 2000, by David Zarlengo as President of  
Highland Realty Corporation, a Colorado corporation.

Witness my hand and official seal.

My commission expires:



Judy G. Young  
Notary Public

STATE OF Colorado )  
 ) ss.  
COUNTY OF Jefferson )

The foregoing instrument was acknowledged before me this 28th day of August, 2000, by Dr. William Leitch.

Witness my hand and official seal.

My commission expires: 11-03

Judy G. Young  
Notary Public

STATE OF Colorado )  
 ) ss.  
COUNTY OF Jefferson )

The foregoing instrument was acknowledged before me this 28th day of August, 2000, by Charles V. Zarlengo as General Partner of Chas - Mar Partners, Ltd., a Colorado limited partnership.

Witness my hand and official seal.

My commission expires: 11-03

Judy G. Young  
Notary Public

EXHIBIT A

Parcel A

A PARCEL OF LAND LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 4; THENCE ALONG THE SOUTHERLY LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 4, N89°43'44"E, 480.00 FEET; THENCE N00°16'16"W, 77.68 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 7, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE N00°16'16"W, 272.32 FEET; THENCE N89°43'44"E, 100.00 FEET; THENCE S00°16'16"E, 100.00 FEET; THENCE N89°43'44"E, 244.65 FEET; THENCE S00°16'16"E, 332.68 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 7; THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 7 ALONG THE FOLLOWING FOUR (4) COURSES:

1. ALONG A NONTANGENTIAL CURVE TO THE LEFT HAVING A RADIUS OF 23015.00 FEET, AND AN ARC LENGTH OF 279.92 FEET, A CENTRAL ANGLE OF 00°41'49", AND A CHORD OF 279.92 FEET BEARING S86°33'33"W;
2. N51°10'01"W, 14.60 FEET;
3. S00°23'14"W, 30.00 FEET;
4. ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 00°08'01", AND A CHORD OF 53.59 FEET BEARING S86°07'05"W, TO THE POINT OF BEGINNING.

EXHIBIT A (cont.)

Parcel B

A waterline easement located in the Southwest quarter of Section 4, T1S, R67W, of the 6th P.M. County of Adams, State of Colorado, being more particularly described as follows:

Commencing at the Southwest corner of Section 4; thence along the West line of the Southwest quarter of said Section 4 N00°03'25"W, 72.61 feet;  
Thence N89°56'35"E, 30.00 feet to the point of beginning;  
Thence N00°03'25"W, 20.04 feet;  
Thence N86°25'39"E, 450.40 feet;  
Thence S00°16'16"E, 20.03 feet;  
Thence S86°25'39"W, 417.88 feet;  
Thence S06°32'54"E, 20.49 feet;  
Thence along a curve to left having a radius of 22845.00 feet, an arc length of 20.04 feet, a central angle of 00°03'01", and a chord length of 20.04 feet bearing S87°00'28"W;  
Thence N06°32'54"W, 20.28 feet;  
Thence S86°25'39"W, 12.57 feet to the point of beginning.

Said easement contains 0.22 acres more or less and is subject to any conditions, easements or rights-of-way of record or that now exist on the ground.

EXHIBIT A (cont.)

Parcel C

An access easement located in the Southwest quarter of Section 4, T1S, R67W, of the 6th P.M. County of Adams, State of Colorado, being more particularly described as follows:

Commencing at the Southwest corner of Section 4; thence along the South line of the Southwest quarter of said Section 4 N89°43'44"W, 824.65 feet;

Thence N00°16'16"W, 117.32 feet to the point of beginning;

Thence N00°16'16"W, 25.03 feet;

Thence along a curve to the right having a radius of 23040.00 feet, an arc length of 122.42 feet, a central angle of 00°18'16", and a chord length of 122.42 feet bearing N87°03'47"E;

Thence N89°19'59"E, 151.76 feet;

Thence S00°40'01"E, 25.00 feet;

Thence S89°19'59"W, 151.30 feet;

Thence along a curve to the left having a radius of 23015.00 feet, an arc length of 123.06 feet, a central angle of 00°18'23", and a chord length of 123.06 feet bearing S87°03'39"W to the point of beginning.

Said easement contains 0.16 acres more or less and is subject to any conditions, easements or rights-of-way of record or that now exist on the ground.

## EXHIBIT B

1. Rights of claims of parties in possession not shown by the public records.
2. Easements, or claims of easements, not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortages in area, encroachments, and any facts which a correct survey and inspection of the premises would disclose and which are not shown by the public records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the Grantee acquires of record for value the Property.
6. Unpatented mining claims: reservations or exceptions in Patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
7. Taxes and assessments which are a lien or are now due and payable; any tax, special assessment, charge or lien imposed for or by any special taxing district or for water or sewer service; any unredeemed tax sales.
8. Taxes for the year 2000 and subsequent years.
9. Any existing leases and/or tenancies.
10. Rights of way for roads and highways crossing the Property.
11. Right of Way and Easement for the Ditch of the Signal Reservoir and Irrigation Company, described in various instruments of record, and granted to said company in deeds recorded September 13, 1918 in Book 89, Pages 495, and September 13, 1918 in Book 65 at Page 559.
12. The location of the Property in West Adams County Soil Conservation District by Certificate recorded November 14, 1946 in Book 327 at Page 315.
13. The location of the Property in South Platte Water Conservancy District by Decree recorded August 30, 1957 in Reception No. 519780.

14. The location of the Property in the Brighton Area Fire Protection District by Order and Decree recorded November 27, 1964 in Book 951 at Page 205.
15. Right of Way and Easement for water pipe line, and other purposes, granted to the Mountain View Water Users Association, Adams County, in instrument recorded July 17, 1961 in Book 920 at Page 166.
16. Right of Way and Easement for water pipe line, and other purposes, granted to Mountain View Water Users Association, Adams County, in instrument recorded July 17, 1961 in Book 920 at Page 167.
17. Right of Way and Easement for water pipe line, and other purposes, granted to Mountain View Water Users Association, Adams County, in instrument recorded July 17, 1961 in Book 920 at Page 168.
18. Terms, conditions and obligations of oil and gas lease by and between Ernest P. Zarlengo, Roland J. Zarlengo, Charles V. Zarlengo, William H. Leitch, Lessors, and Hilight Drilling Co., Inc., Lessee, recorded June 10, 1970 in Book 1619 at Page 411.
19. Terms, conditions and obligations of oil and gas lease by and between the Colorado National Bank of Denver, Trustee, Lessor, and Hilight Drilling Co., Inc., Lessee, recorded September 9, 1970 in Book 1627 at Page 131.
20. Right of way and easement for pipelines, and other purposes, granted to Western Slope Gas Company, a Colorado corporation, in instrument recorded October 28, 1971 in Book 1750 at Page 13.
21. Easements for pipelines and other purposes created by terms of pipeline permit recorded September 17, 1979 in Book 2386 at Page 683.
22. Easement and Right of Way for electrical transmission lines, and other purposes, granted to Union Rural Electric Association, Inc., a cooperative corporation, in instrument recorded January 25, 1980 in Book 2425 at Page 725.
23. The effect of Affidavit of Possession by Ernest P. Zarlengo, Charles V. Zarlengo, William H. Leitch and Highland Realty Corporation, recorded May 23, 1980 in Book 2458 at Page 523.
24. Right of Way for a pipeline gate valve, and other purposes, granted to Associated Natural Gas, Inc., a Colorado corporation, in instrument recorded December 18, 1992 in Book 4001 at Page 706.

25. Right of Way for pipeline, and other purposes, granted to Associated Natural Gas, Inc., a Colorado corporation, in instrument recorded December 18, 1992 in Book 4001 at Page 718.
26. Right of Way for a pipeline gate valve, and other purposes, granted to Associated Natural Gas, Inc., a Colorado corporation, in instrument recorded September 23, 1993 in Book 4156 at Page 12.
27. Easement for oil and gas pipeline, and other purposes, granted to Duke Energy Field Services, Inc., a Colorado corporation, in instrument recorded December 7, 1998 in Book 5566 at Page 978.
28. Right of Way and Easement for oil and gas pipeline, and other purposes, granted to Duke Energy Field Services, Inc., a Colorado corporation, in instrument recorded December 29, 1999 in Book 5996 at Page 23.

DNVR1:60123951.03



**GRANTED**

The moving party is hereby ORDERED to provide a copy of this Order to any pro se parties who have entered an appearance in this action within 10 days from the date of this order.

**C. Scott Crabtree**  
**District Court Judge**

DATE OF ORDER INDICATED ON ATTACHMENT

DISTRICT COURT, COUNTY OF ADAMS, STATE OF COLORADO

Court Address: Adams County Justice Center  
1110 Judicial Center Dr.  
Brighton, CO 80601

FILED Document – District Court  
CO Adams County District Court 170h JD  
1996CV1930  
Filing Date: Mar 28 2008 2:15PM MDT  
Filing ID: 19186612

**PETITIONER: TODD CREEK FARMS**  
**METROPOLITAN DISTRICT NO. 1**

Attorneys for District:

Randall J. Feuerstein Atty. Reg # 10479  
Dufford & Brown, P.C.  
1700 Broadway  
Suite 2100  
Denver, CO 80290-2101  
Phone Number: (303) 861-8013  
FAX Number: (303) 832-3804  
E-mail: [rfeuerstein@duffordbrown.com](mailto:rfeuerstein@duffordbrown.com)

^ COURT USE ONLY ^

Case Number: 96CV1930

Div.: Ctrm:

**ORDER**

THIS MATTER, having come before the Court and the Court having reviewed the Petition for Name Change of Todd Creek Farms Metropolitan District No. 1, which Petition is on file in this proceeding, and having considered the objections, if any, of all interested parties,

THIS COURT FINDS that said Petition is sufficient and regular in form and content, that the desired change of name is proper and not detrimental to the interest of any other person or entity and will not result in the defrauding of any person or entity; now therefore,

**IT IS ORDERED:**

1. That the name of Todd Creek Farms Metropolitan District No. 1 is hereby changed to Todd Creek Village Metropolitan District, and the District is hereby authorized to have and use the name of Todd Creek Village Metropolitan District as its legal name.

2. That such change of name shall be made and spread upon the records of this Court.

3. That within twenty (20) days of the date of this Order, public notice of such change of name shall be given by publication at least three times in the *Brighton Blade*, a newspaper published in the County of Adams, State of Colorado, wherein the District is located.

4. That notice of such change of name shall be provided within twenty (20) days of the date of this Order to the Adams and Weld County Clerk and Recorder's Offices, the Colorado Division of Local Government, and to such other parties as the District may determine.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

BY THE COURT

By: \_\_\_\_\_  
District Judge

This document constitutes a ruling of the court and should be treated as such.

**Court:** CO Adams County District Court 17th JD

**Judge:** Donald W Marshall

**File & Serve**

**Transaction ID:** 19151611

**Current Date:** Mar 28, 2008

**Case Number:** 1996CV1930

**Case Name:** In the matter of: TODD CREEK FARMS MET DIST #1

**Court Authorizer**

**Comments:**

03272008 JEP ORDER RE: PETITION FOR NAME CHANGE.

# LEGAL DESCRIPTION



## TODD CREEK VILLAGE METROPOLITAN DISTRICT

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TCVMD  
10450 E 159TH CT.  
BRIGHTON, CO 80602  
PHONE: 303-637-0344  
[WWW.TODDCREEKVILLAGE.ORG](http://WWW.TODDCREEKVILLAGE.ORG)  
[TODDCREEK@TODDCREEKVILLAGE.ORG](mailto:TODDCREEK@TODDCREEKVILLAGE.ORG)



### Legal Description:

SUB:TODD CREEK FARMS METRO DIST 1 TANK SITE LOT:1

### EXHIBIT A

#### Parcel A

A PARCEL OF LAND LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 4; THENCE ALONG THE SOUTHERLY LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 4, N89°43'44"E, 480.00 FEET; THENCE N00°16'16"W, 77.68 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 7, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE N00°16'16"W, 272.32 FEET;

THENCE N89°43'44"E, 100.00 FEET;

THENCE S00°16'16"E, 100.00 FEET;

THENCE N89°43'44"E, 244.65 FEET;

THENCE S00°16'16"E, 332.68 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 7; THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 7 ALONG THE FOLLOWING FOUR (4) COURSES:

1. ALONG A NONTANGENTIAL CURVE TO THE LEFT HAVING A RADIUS OF 23015.00 FEET, AND AN ARC LENGTH OF 279.92 FEET, A CENTRAL ANGLE OF 00°41'49", AND A CHORD OF 279.92 FEET BEARING S86°33'33"W;
2. N51°10'01"W, 14.60 FEET;
3. S00°23'14"W, 30.00 FEET;
4. ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 00°08'01", AND A CHORD OF 53.59 FEET BEARING S86°07'05"W, TO THE POINT OF BEGINNING.

# SUPPLEMENTAL INFO AASI DETERMINATION





Community & Economic Development Department  
Planning & Development Division  
4430 S. Adams County Pkwy.  
1st Floor, Suite W2000B  
Brighton, CO 80601-8218  
PHONE 720.523.6800  
adamscountyco.gov

To: Don Summers, Todd Creek Village Metropolitan District

From: Jenni Hall, Director of Community & Economic Development

CC: Sally Daggett, Senior Assistant County Attorney  
Jen Rutter, Planning & Development Manager  
Chase Evans, Deputy Director of Community & Economic Development

Date: August 21, 2026

Re: Todd Creek Water Tower AASI Determination

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Pursuant to Adams County Development Standards and Regulations (ACDS&R) Section 6-07-01-02, after a pre-submittal meeting is held regarding a proposed Areas and Activities of State Interest (AASI) project, the Director of Community and Economic Development shall make a determination on whether the proposed project is included or exempt from the County's AASI Permit Regulations. This memorandum serves as such a determination. This determination is based on the facts presented to this office and the ACDS&R in effect as of today's date. The County has made no independent investigation or evaluation of the facts presented.

On August 18, 2025, the County held a pre-application meeting with representatives from the Todd Creek Village Metropolitan District ("District") for a new one (1) million-gallon (MG) storage tank ("Project"), which would proactively accommodate future residential growth in northern Adams County. The District currently owns and operates a one (1) million-gallon (MG) groundwater storage tank that supplies water and fire flow to the entire distribution system. The existing storage tank is located northeast of the intersection of East 160<sup>th</sup> Avenue and Quebec Street. The diameter of the storage tank is 41.5 feet and the height is 100 feet. The District is proposing to add a new 1 MG groundwater storage tank adjacent to the existing storage tank, to meet the increasing water demand. The new storage tank will have the same dimensions as the existing one and will be installed within the existing parcel owned by the District. The Project would increase the water storage capacity available for the Todd Creek Metropolitan District, which provides water to over 2,750 residential and commercial customers within its service area.

ACDS&R Section 6-06-01 outlines the Activities of State Interest that require a permit from the County. The listed Activities include: (2) Major extensions of existing Domestic Water and Wastewater Treatment Systems. This would include a Water Supply System, which is defined as:

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BOARD OF COUNTY COMMISSIONERS

**Julie Duran Mullica**  
DISTRICT 1

**Kathy Henson**  
DISTRICT 2

**Emma Pinter**  
DISTRICT 3

**Steve O'Dorisio**  
DISTRICT 4

**Lynn Baca**  
DISTRICT 5

“A system of wells, diversions, pipes, structures, and facilities, including water reservoir(s), or water storage, impoundments and their associated structures, through which a water supply is obtained, stored, and sold or distributed for domestic uses; or the system of wells, diversions, pipes, structures, and facilities, including impoundments, through which a water supply is obtained which will be used directly or by trade, substitution, augmentation or exchange, for water which will be used for human consumption or household use.”

ACDS&R Section 6-04-01 lists the Statutory and Specific Exemptions to the County’s AASI regulations. Specific Exemption (e) is as follows:

“The construction or extension of a water distribution system, domestic water system, municipal or industrial water project, water supply system, water treatment plant, or major new domestic water treatment system with pipelines that do not exceed a maximum of 36 inches in diameter.”

**Determination**

The Project is considered an extension of a water supply system with the scope limited to the District’s property with the existing water storage tank and no new pipelines proposed, which qualifies the Project for exemption under Section 6-04-01(2)(e). Few land use, environmental, or other impacts are anticipated due to the limited nature and scope of the Project. Based on the facts as presented by Todd Creek Metropolitan District and the County’s AASI regulations in place as of today’s date, the Project is exempt from the County’s AASI regulations.

While the Project has been determined to be exempt from the AASI regulations, it is still subject to the remainder of the County’s Development Standards & Regulations. For example, if the water tank is proposed to be over the maximum allowed height in the zone district, a variance will be required.

# SUPPLEMENTAL INFO CONDITIONAL USE PERMIT APPROVAL



August 17, 2000

Gene Osborne  
Todd Creek Farms Metro District #1  
141 Union Blvd., Suite 150  
Lakewood, CO 80228

**RE: Case # PRJ2000-00023, TODD CREEK WATER TANK SITE**

Dear Mr. Osborne:

At a regular meeting of the Board of County Commissioners of Adams County held on 7/26/00, your request: **For Rezoning from A-3 to A-1 (2.5 acres), Conditional Use Permit to allow an above ground water storage tank in the A-1 Zone District, and Final Plat for on 2.5 acre lot** was considered. Through a motion duly made and seconded, the Board of County Commissioners approved your case with no conditions of approval.

**Condition Precedent:**

1. Submittal and approval of a formal landscape plan that addresses fencing.

**Notes to the Applicant:**

1. If application is approved, the applicant shall coordinate the addressing of all new lots with the Building Department.
1. Prior to any new construction, the applicant must apply for a building permit and comply with all current Building Codes adopted by Adams County.
1. All current Fire Codes shall be adhered to with this request.
1. Any changes to the access onto State Hwy 7 in the future may need a new access permit.
1. It may be important that a geotechnical engineer conduct a soils and foundation investigation for the proposed tank and that the engineer evaluate the stability of any cut and fill slopes that will be necessary for the construction of the water tank.

Conditions Precedent must be satisfied within the next 90 days to make this approval valid. In the event that this requirement cannot be completed by November 15, 2000, the request shall be considered

withdrawn. Notes to the applicant are only reminders that additional information may be required at the time a building permit is applied for.

If you have questions, or if we can be of further assistance, please do not hesitate to contact me in our office at (303) 853-7007.

Sincerely,

Brad Johnson  
Development Review Planner II

cc: Case file (#PRJ2000-00023)  
Correspondence file  
Stephen P. Dunn, Development Engineer  
Larry Haynie, Chief Building Official

ERN Limited Partnership, et al  
7100 W. 44<sup>th</sup> Avenue, #201  
Wheat Ridge, CO 80033

TST, Inc.  
748 Whalers Way, Building D  
Ft. Collins, CO 80525

enclosures: Draft Resolution from the Board of County Commissioners