TOWN OF FREDERICK

401 LOCUST STREET • P.O. BOX 435 • FREDERICK, CO 80530-0435
PHONE: (303) 833-2388 • FAX: (303) 833-3817
WEBSITE: WWW.FREDERICKCO.GOV

Engineering Department

April 22, 2008

Mr. Michael E. Halleck
HWI Mfg.
5963 Weld County Road #16
Frederick, CO 80530

Dear Mr. Halleck:

Thank you for your continuing cooperation with the Town of Frederick in addressing issues related to the planned development of the area northwest of the intersection of Colorado Blvd and Tipple Parkway (WCR 16). Town staff understands and agrees that there were commitments made at the time that the property upon which the Public Works shop is located was obtained by the Town. As discussed in our meetings with you, John Hepp and Jason Hepp held on November 27, 2007, and March 11, 2008, the Town of Frederick is submitting this letter summarizing the issues covered in those meetings. The issues and staff's understanding of them are outlined below.

1. In order to properly describe the property purchased for the Public Works shop and clear up half lots that were created, the Town of Frederick will prepare a replat of the Halleck Subdivision using the input provided by Jason Hepp and you to guide the lot layout for the replat.

2. The access from WCR 16 to your property to the north will be located along the east boundary of the Town Public Works Shop property and will be a full movement access. The improvements to this access and the construction of the roadways shown on the replat would occur at the time of and as part of the development of your property within the replat.

3. The existing access, located just to the west of Colorado Blvd, to the north from WCR 16 will be closed at such time that the Town determines this movement is unsafe or interferes with the efficient movement of traffic. The Town would be responsible for construction of a median in WCR 16 or other work within the right-of-way necessary to close this access.

4. The existing access from Colorado Blvd to the HWI Mfg property on Lot 4 to the west may be restricted to a Right-In/Right-Out only access at such time that the Town determines this movement is unsafe or interferes with the efficient movement of traffic. The Town would be responsible for construction of a median in Colorado Blvd or other work within the right-of-way necessary to restrict the turning movements at this access.

5. The access from Colorado Blvd at Keys Street will remain a full movement intersection.

6. Since existing and future storm drainage improvements in this area will serve both the Town's property and the remainder of your property, the Town of Frederick will prepare an updated storm drainage study for the Halleck Subdivision and the Town will be responsible for the earthwork needed to provide the required detention volume in the pond at the northwest corner of the intersection of Colorado Blvd and Tipple Parkway. You or your assigns will construct the inlet and outlet structures.

7. Upon receipt of this letter, you agree to dedicate an additional 20 feet of ROW along the north side of Tipple Parkway by signing the Deed of Dedication provided by the Town. The Town agrees to construct a sidewalk along this section of Tipple Parkway from the east side of the Public Works shop to Colorado Blvd and install any landscaping within the ROW that is desired by the Town at this time.

8. The Town of Frederick agrees that any sidewalk required along the west side of Colorado Blvd may be located within the 100 foot wide strip of land, proposed to be annexed to the Town as the Shrek Annexation, located west of and adjacent to Colorado Blvd ROW. This sidewalk and the detention pond that exists or may be reconstructed may be located in this same 100 foot wide strip.

9. The Town agrees that the Research & Development uses that now exist in the northern of the two existing buildings and that may expand into the southern of the two buildings will be allowed as non-conforming uses in the current or future zoning of this property.

10. The Town will draft a lease agreement to formalize the Town's ability to continue to use the property adjacent to the Town shop for storage and clean-up day activities. There would be no charge for the use but the Town will indemnify you against any liability resulting from the Town's use of the property.

It must be understood that the commitments and agreements proposed by staff as presented in this letter may be subject to actions taken by the Town Board. Staff agrees to complete items that are within staff purview and to recommend that the Board accept or adopt all of the proposals and understandings presented in this letter.

Respectfully,

Richard L. Leffler
Town Engineer

Cc: Derek Todd, Town Administrator
Jennifer Simmons, Planning Director