TOWN OF FREDERICK
ATTORNEY STATUS REPORT
SEPTEMBER 21, 2010

LITIGATION

Item/Topic	Date Initiated	Status/Date Completed
SMT - Yardley Annexation	5/15/07	Mandate issued, remanded to Dist Court, Dist Ct awarded partial fees, • Mot. to Amend filed 8/09, • Ct denied Motion 9/08/10
Erie – Yardley Annexation	5/15/07	Decision issued, Erie filed Sup Ct Writ for review, • Fred Opp'n Brief filed 8/17 • Erie Response filed 8/31 • Awaiting Sup Ct ruling
Oil and gas inspection fees	2007	KP Kaufman billed for 2009, all others in process for billing in June.
VanDeventer (Net Lease)	10/07	On hold; property listed and posted for sale
KP Kaufman Declaratory Action, re: oil/gas inspection fees	4/26/2010	Initial disclosures filed 7/12, Prot Order issued 7/22, preparing COGCC discovery; KPK Motion for Sum. Judgment 8/31, • Fred Response due 9/20 • Fred filed R 56(f) Motion to extend for dispositions, etc. 9/14
Bickle/3762 Imperial 3762 Imperial St # B Injunction (CO/Bldg Permit)	6/4/2010	Landowner Answered Complaint, awaiting disclosures and discovery; Fred sought motion to produced/disclose materials • Hrg with Ct 09/14/10 • Tenant admitted as intervener 9/20 • Partial dismissal of Bickle defenses by Ct 9/20

DEVELOPMENT MATTERS

Item/Topic	Date Initiated	Status/Date Completed
Carbon Valley Rec Rezone/Amnd	2009	Pending, draft MOAPI prep'd
Fred West Replat Blk 5	2008	Inactive
Hinkle Farm Filing 1	2007	Pending, awaiting new fence data
Miner's Village Final Plat/FDP	1/23/08	Withdrawn
Wyndham Hill Prelim Plat/PUD Amnd	4/1/08	Inactive
Wyndham Hill Filing 4 replat	4/1/08	Delayed
Wyndham Hill Zoning Amendment 3	4/1/08	Delayed
Wyndham Hill PIF Agm't Renewal	05/2010	Pending, BOT discussed 7/13

Meadowlark Business Filing 3		Withdrawn
Episcopal Church SubAmend	2009	Pending, Plat resub'tted 6/11, 8/31
Verizon @ Elmore Spelts	2009	Pending
Rinn Vlly Park Improvements	2008	Pending, Dev'r LOC replaced
Halleck Subdivision Replat/Rd Eng	2009	Pending, awaiting Halleck; sign'tr
Coalridge Subdivsion	2010	Road escrow, awaiting finished rds
Frederick Village Mktplace Site Plan	2010	Pending
WJMG Bldg Site Plan	2009	Pending, awaiting mylar signatures
Metal Sales Site Plan	2010	Minor modification filed 9/01
KerrMcGee Wildflower wells	2010	Special Use app filed 8/23
EnCana Puritan wells	2010	Special Use app filed 8/23
EnCana Elmquist wells	2010	Special Use app filed 8/23
No Name Ck West – Park Fee Escrow	2010	Pending, proposal with developer, awaiting response
Mustang Concepts Land Use Waiver	2010	Pending, Waiver from residential protection stnds for paint booth

LICENSES, FRANCHISES, AGREEMENTS, CONTRACTS AND ORDINANCES

Item/Topic	Date Initiated	Status/Date Completed
Longmont IGA	2008	In process
Comcast 1st Amend to Franc. Agm't	3/2009	Pending (temp extensions in place)
NATA membership	2009	Pending
Fence Permit/Review Resolution	2009	Delayed, per BOT direction 6/9/09
Firestone IGA	2009	In process
United Power Agreement	2009	UP response rec'd, In process
Medical Marijuana Regulation	2009	Under new Moratorium until 12/07/2010, adopted 5/25; Local ban and caregiver reg's pending 9/28 mtg
Medical Marijuana Bus Lic	2009	Under new Moratorium until 12/07/2010, adopted 5/25; Local ban and caregiver lic req's pending 9/28 mtg
New Consolidated Lwr Bldr Res/Ditch Co Agreement	2009	Pending, reviewing offer from counsel for Res/Ditch Co.
St Vrain Vally School Dist Bell Agr'mt	2009	In process
EnCana Rinn Vlly Outlot D wells	05/2010	Pending, draft SUA in process, COGCC awaiting Town waiver, negotiations with EnCana on surface impact terms and payment
Mustang Concepts Bus Lic	08/2010	Issued, pending revocation if Land Use waiver denied

Bella Rosa Golf Course lease	2010	Presented options to BOT 09/14 exec session, revised comp options, preparing for discussion w/ tenant

OTHER LEGAL MATTERS

Item/Topic	Date Initiated	Status/Date Completed
St Vrain San/Tri-Area Properties	2007	Chart of easements prepared. SVSD will be contacted
Countryside HOA Tracts E, M, N	2008	In process re: division of watering to HOA and maint of park to Town
Kerr McGee App's for Hauck Wells	2008	Letter sent to Kerr McGee
Fred Rec Area/Milavec-Nobel	2009	Pending, Noble declined offer to participate in improvement costs
Orphan Rd Annex/Exclusion MVFPD	2010	MVFPD holding hrg 09/10, ct order to follow
Machii-Ross new well applications to COGCC, and non-compliance w/ FMC	4/27/2010	Awaiting response from State to notice from Town

GENERAL ADVICE ITEMS

Item/Topic	Date Initiated	Status/Date Completed
3762 Imperial St # C Bldg Permit	2/18/2010	Bldg permit submitted by LL (not original tenant), permit abandoned
O'Conner shed encroachment	6/2010	Red Neck Trailer abating, Bldg Off to follow up with progress and set d/line

ITEMS COMPLETED (2010)

Home Rule	2009	Completed
US Engineering metal building campus- Bldg waiver	3/2009	Completed
O/S Master Plan-GOCo Grant	2009	Before BOT 1/12/2010
Fred Rec Area-DOW Grant	2009	Before BOT 1/12/2010
Godding Hollow Metro IGA	2009	Before BOT 1/12/2010
Res. on medical marijuana moratorium	2010	BOT approval 2/23/2010
Bldg Appeal Board	2010	Completed
Town Admin K renewal	2010	Completed
Fred Planning Area Boundaries	2010	BOT approval 2/09/2010
Designation-Comp Plan as 3-Mi plan	2010	BOT approval 2/09/2010
O/S Master Plan-GOCo Grant	2009	BOT approval 1/12/2010
St. Vrain/Tri Area San Dist Annex	2009	BOT approval 2/23/2010

St. Vrain/Tri Area San Dist Zoning	2009	BOT approval 2/23/2010
St. Vrain/Tri Area San Dist Minor Sub	2009	BOT approval 2/23/2010
Miner's Village WCR 13 ROW	2010	Vac'n/Ded'n approved 3/2010
Waste Connection 2010 Renewal	2009	Completed
Ordinance on Water Shut-off/Billing	2009	Completed
Civil Resources Lease Renewal	2009	Completed
Ordinance to amend Fire Code	2010	Completed
Ordinance on Fee Collection Remedies-Muni Code Revision	2010	Revised per BOT direction 3/23/2010
318 4th Street FED	4/14/2010	Possession awarded 5/17/10
PD physical fitness exam waiver and guidelines	4/15/2010	Completed
Small Vendor/Indep Contractor Agr'mt	2010	Completed
Miner's Village Minor/Subdiv Amend	2009	Completed 5/2010
St Vrain Valley School District IGA	2009	Completed 5/2010
Census worker requesting utility info	5/28/10	Req. denied, no fed auth given
Avocet Subdiv.	2008	MOAPI recorded 2010
Salud Family Health Site Plan Amend.	1/08/09	Complete
EnCana-Sullivan oil/gas wells	2009	Complete
Tops/Shrek SubAmend	2009	Complete
Tri-State Subdiv Amend	2009	Complete
Yardley Tank Battery Separators	2009	Complete
Raspberry Hill MOAPI reversion	7/2010	Complete
McDonald/Transwest conditional use	7/2010	Trailers removed, complete
Raspberry Hill LOC replacement	2009	Canceled