

Mike Castellucci  
Chair

Steve Anselmo  
Vice Chair



Lisa Bailey  
Secretary

Yvonne Lujan-Slak

Georgia Way

---

## ZBA-21-26

**To:** City of Pueblo Zoning Board of Appeals  
**From:** Danielle Baxter, Planner  
**Through:** Scott Hobson, Land Use Administrative Official  
**Date:** 9/28/2021  
**Request:** **A Special Use Permit to allow a tow yard in a Business Park (BP) Zone District, contingent on the parcels being rezoned from B-4 to BP.**  
**Site Location:** 755, 765, 775, 815 Crane Ridge Dr & 750 Fortino Blvd  
**Legal Description:** LOTS 4 THROUGH 8 BLK 1 COLLEGE ROAD SUBDIVISION 4TH FILING  
**Year Built:**  
**Applicant:** Mike & Wendy Fetty  
**Property Owner:** Leslie Biggs, Crane College Park, LLC  
**Zone District:** B-4 Central Business District  
**Concurrent Requests** **Z-21-14 Rezone to Business Park (BP) Zone District**

---

### BACKGROUND AND ANALYSIS

755-815 Crane Ridge Dr & 750 Fortino Blvd are five lots of unimproved land totaling 2.25-acres, located in the College Road Subdivision, northwest of the Hwy 50 and I-25 interchange. The applicant is requesting a Special Use Permit to allow a Tow Yard in a Business Park (BP) Zone District. As defined in Sect 17-2-2(146) a tow yard is an outdoor storage facility for the temporary storage of towed vehicles. In accordance with 17-4-51(c)(146) of the Pueblo Municipal Code (PMC), the applicant is required to obtain a Special Use Permit in order to complete this project.

The applicant has also submitted an application to the Planning & Zoning Commission to rezone these five parcels from Central Business (B-4) Zone District to Business Park (BP) Zone District, because a tow yard is not permitted in a B-4. The rezoning application will be heard by the Planning and Zoning Commission once a rearrangement of property boundary lines is approved. This request for a Special Use Permit is contingent on approval of the rezoning application and rearrangement of property boundaries.

Wayne's Towing has been a Pueblo business since 1970. They are being displaced from their current address at 2500 N Freeway Road due to the proposed CDOT changes to the Hwy 50 E and I-25 interchange. The Colorado Department of Transportation plans to acquire the current Wayne's Towing site as additional right-of-way to complete the I-25 reconstruction project. The applicant has been searching for a new property since June 2020 when they learned of CDOT's intentions to purchase their land. According to the applicant, properties located in Industrial zones, where a tow yard is allowed with a Special Use Permit, are either outside city limits or are outside the applicant's price point. Wayne's is required to stay within city limits to continue fulfilling their contract with the Pueblo Police Department, as they are responsible for the city's fleet vehicle pickup and removal. Also, if they are relocated outside city limits, they would no longer be allowed on the city's rotating tow list. The applicant states that it is imperative they continue to operate within city limits and have quick access to I-25 and Hwy 50 to continue serving their customers.

The proposed business of a tow yard is a use by right only in a Heavy Industrial (I-3) Zone District, making it a heavy industrial use, which is specifically excluded in the comprehensive plan for this location. The surrounding area does include other light industrial and commercial uses such as equipment rental shop, automobile repair, tire retail sales, and automobile dealership.

However, Pueblo Grande mobile home park is located to the north of this proposed location across Fortino Blvd. Wayne’s Towing operates 24 hours a day so there will be times when cars are dropped off on site late at night or early in the morning and limiting business hours would be a detriment to the business’ operation.

**ZONING DISTRICT AND LAND USE**

Zone:		Developed with:
North	Central Business (B-4) and Mobile Home Residential (R-7) Zone Districts	Fortino Blvd; Medical Equipment Sales; Pueblo Grande Mobile Home Park
East	Central Business (B-4) Zone District	Fortino Blvd; Crane Ridge Dr; Undeveloped Lots, future location of Sit-Means-Sit, dog training and kennels.
South	Central Business (B-4) Zone District	Crane Ridge Dr; Undeveloped Lots, future location of Sit-Means-Sit, dog training and kennels
West	Central Business (B-4) Zone District	Undeveloped Lots; United States Postal Service

**COMPREHENSIVE PLAN**

The comprehensive plan depicts Arterial Commercial Mixed Use for these parcels. Arterial Commercial Mixed Use includes the large commercial areas and corridors found along key sections of I-25, portions of Highway 50, Pueblo Boulevard, Highway 47, Santa Fe Drive, Prairie Avenue and Northern Avenue. While the primary focus of these areas is retail sales and personal services, some office space is intermixed. This land use category does not prohibit compatible land use other than heavy industrial uses. Uses located along major routes such as I-25 and Highway 50, are designed for the regional retail market segment. Uses along other arteries are geared to community-level shopping and services. Uncontrolled “strip” expansion of commercial development along arterial roadways instead of activity nodes should be discouraged. Development should create mixed uses that do not place emphasis on the parking areas but on the commercial uses themselves. Within the Business Park (BP) Zone District other uses by right include automobile dealership/rental, automobile repair shops, auto parts retail sales, parking lot/structure, outdoor storage facility, truck stop, and tow service.

However, since a tow yard is listed in the City of Pueblo Municipal Code as a heavy industrial use, it is not compatible with the outlined comprehensive plan, which explicitly states heavy industrial is not a compatible land use. Also, the comprehensive plan states land use should not emphasize parking areas, but instead emphasize commercial uses.

**PUBLIC NOTICE**

The property was publicly noticed in accordance with Title 17 Section 17-5-33(2) of the City of Pueblo Municipal Code. Specifically, the hearing was published in the Pueblo Chieftain, surrounding property owners within 100 feet of the property were notified by mail, and a sign was placed on the site (See Attachment E). These notices occurred at least 10 days prior to the hearing.

**OTHER AGENCIES**

Pueblo City/County Health	No comment
City Transportation	No comment
Pueblo Regional Building Department	No comment

Fire Department	No comment
City Public Works Department	No comment
City Stormwater Department	No comment
City Code Enforcement	No comment
Pueblo Board of Water Works	No comment
City Wastewater Department	No comment
City Parks and Recreation Department	No comment

### CONDITIONS REQUIRED FOR LIMITED USE PERMIT

1. Ingress and egress to property and proposed structures thereon with reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

**Comments: Affirmative finding. The site plan indicates access off Fortino Blvd and Crane Ridge Dr.**

2. Off-street parking and loading areas where required, with particular attention to the economic noise, glare or odor effects of the use by review on adjoining properties and properties generally in the district.

**Comments: Affirmative finding. Off-street parking is available on the property and can be accessed from Crane Ridge Dr. The customer and employee parking lot will be open to the public and not enclosed by a fence.**

3. Refuse and service areas, with reference to the items above.

**Comments: Affirmative finding. The dumpster on site is located inside the tow yard, behind fencing and screening, where the towed vehicles will be stored.**

4. Utilities, with reference to the location's availability and compatibility.

**Comments: Affirmative finding. Sewer, electrical, and water service are available to the property.**

5. Screening and buffering with reference to type, dimensions, and character.

**Comments: Neutral finding. The applicant is aware of the requirement for a minimum of six foot (6') tall opaque fencing around the property, which will be reviewed by the Planning Dept when the applicant submits their commercial plans for site review. To buffer the residences across Fortino Blvd from noises from the business, the Planning Dept is recommending the applicant consider reorienting their site plan and have their office building and parking lot along Fortino Blvd. Having the business office operations closer to the residential zone and having their towed vehicles dropped off through an entrance along Crane Ridge Dr would alleviate some untimely noises the residences would experience.**

6. Signs, if any, and proposed exterior lighting with reference to glare, traffic, safety, economic effect and compatibility and harmony with properties in the district.

**Comments: Affirmative Finding. Any proposed signs must conform with Sec. 17-10-05 Sign Standards of the Pueblo Municipal Code, BP Zone District Sign Regulations.**

7. Required yards and other open space.

**Comments: Affirmative finding. Since the applicant is purchasing five parcels there is ample room to construct their new building, have off street parking, and have open space for proper vehicle storage. The BP Zone District requires a twenty-five foot (25') front yard setback. However, there are no rear and side setbacks if the proposed business abuts property located in a business or industrial zone district, this property meets this requirement.**

8. General compatibility with adjacent properties and other properties in the district.

**Comments: Negative finding. The proposed use is not compatible with the comprehensive plan for this location, which specifically prohibits heavy industrial uses, which includes a tow yard. Future land use emphasizes retail sales and personal services with some office space intermixed, and states that parking areas**

**should not be emphasized. The location is surrounded by light industrial and residential uses. Allowing a heavy industrial use in this location may be a detriment to nearby residential property values.**

**PLANNING AND COMMUNITY DEVELOPMENT STAFF RECOMMENDATION**

If the Board chooses to approve this Special Use Permit staff recommends Standard Permit Conditions 1 through 13 as well as:

1. Provide a landscape buffer between back of sidewalk, measuring 10-feet into each lot (lots 4-8), adjacent to all public rights-of-way. The landscape buffer must adhere to Section 17-4-7, (3), a. of the Pueblo Municipal Code.
2. Provide an opaque, decorative sound mitigation barrier, which may include but not be limited to, sound barrier walls or fencing surrounding the entire periphery of the tow yard site, which includes Lots 4-8, College Road Subdivision. The wall/fence shall be set 10-foot in, from property line, adjacent to a public right of way, to accommodate the required landscape buffer. The minimum height of the wall shall be six feet.
3. No storage of towed vehicles or other industrial uses allowed on Lot 8, Blk 1, College Road Subdivision. Lot 8 may be utilized for office, administrative functions.
4. No tow yard functions within 10-feet of the western property lines of lots 6-8 and within 10-feet of the northern property line of lot 4.
5. Special Use Permit approval is contingent on applicant successfully processing a rearrangement of property boundaries and rezoning to a Business Park (BP zone) district.

**ATTACHMENTS**

- A. Standard Permit Conditions
- B. Site Map
- C. Aerial Map
- D. Zoning Map
- E. Comprehensive Plan Map
- F. Public Notice Photo
- G. Site Photographs
- H. Application
- I. Supporting documentation

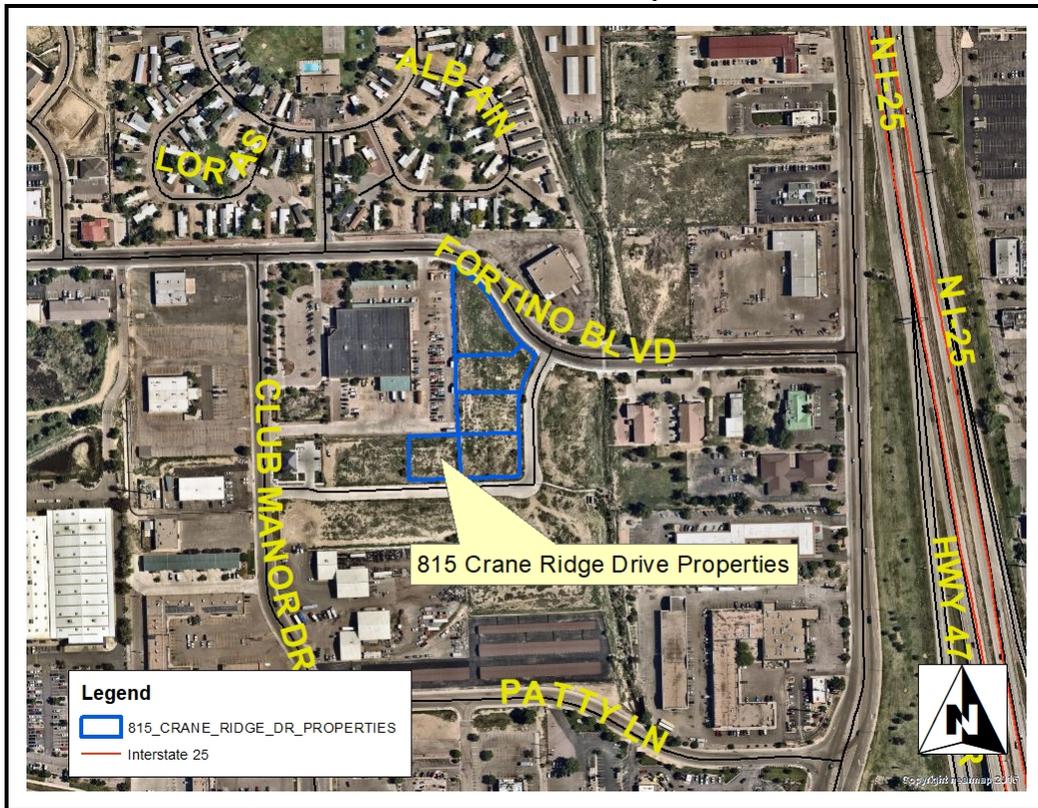
**Exhibit A. Standard Permit Conditions**

<b>Standard Permit Conditions</b> Date of Issuance of Permit: <b>9/28/2021</b>	
1.	<b>Time Limits</b> Zoning permit shall become invalid unless work or action authorized by permit is fully executed by <b>9/28/2022</b>
2.	<b>Required Revisions</b> Any revisions or additions to plans required as a result of approval must be submitted and stamped “approved” prior to the sign-off of the building permit routing slip or business license.
3.	<b>Changes</b> The project shall be completed as shown on the plans, which have been stamped “approved” and dated by the Department of Planning and Community Development. The project shall not deviate from the approved plans without prior written approval from the Department of Planning and Community Development.
4.	<b>Property Inspection</b> By acceptance of this permit, Permit holder authorizes City Officials and/or their authorized representatives, access to the subject property for purpose of observing work in progress, inspecting and/or measuring the property or improvements as long as the use authorized by this permit remains in effect.
5.	<b>Certificate of Occupancy</b> A certificate of occupancy must be issued by Regional Building <u>PRIOR</u> to use and/or occupancy of the subject premises. Prior to issuance, the Department of Planning and Community Development must certify that work has been completed in accordance with approved plans and that applicable conditions have been met. The Permit holder may be required to provide a Letter of Credit to obtain a Certificate of Occupancy prior to completion of all required improvements.
6.	<b>Completion and Maintenance of Improvements and Landscaping</b> Permit holder or successor in interest is responsible for completing all improvements shown on approved plans. By acceptance of this permit, Permit holder agrees to maintain all improvements in a satisfactory condition. Any landscaping installed according to the approved plan which becomes diseased or dies shall be replaced by similar species and size no later than the first available planting season.
7.	<b>Building Permit; Other Permits</b> Permit holder is solely responsible for obtaining <u>BUILDING PERMIT</u> and all other applicable local, state and federal permits.
8.	<b>Off-Site Drainage</b> Issuance of this permit does not authorize the discharge of stormwater runoff or other surface drainage from the subject premises onto adjoining property or properties.
9.	<b>Appeals</b> of a decision of the Land Use Administrator can occur up to thirty (30) days following such decision. Appeals of Zoning Board of Appeals decisions can occur up to thirty (30) days following final decision. Any work done in connection with this permit prior to the expiration of all applicable appeal periods is done <u>SOLELY</u> at the risk of the Permit holder.
10.	<b>Errors</b> Permit holder is solely responsible for the accuracy of all information contained in the Zoning Permit form and in accompanying documentation. Any errors contained therein may invalidate the Zoning Permit and may result in issuance of a code violation citation and prosecution.
11.	<b>Transfer of Ownership</b> In the event of a transfer of ownership, partial or whole, of the subject premises, the transferee shall become Permit holder and subject to compliance with the terms and conditions of this permit.
12.	<b>Violations/Penalties</b> A violation of any of the conditions of this permit or of any provision of the Pueblo Municipal Code may result in a penalty of up to three hundred dollars (\$300) per day.
13.	<b>Incorporation and Reference of All Plans Presented to the Zoning Board of Appeals.</b> This approval incorporates by reference all plans and drawings presented and all verbal representations by the applicant at Zoning Board of Appeals meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions or regulations.

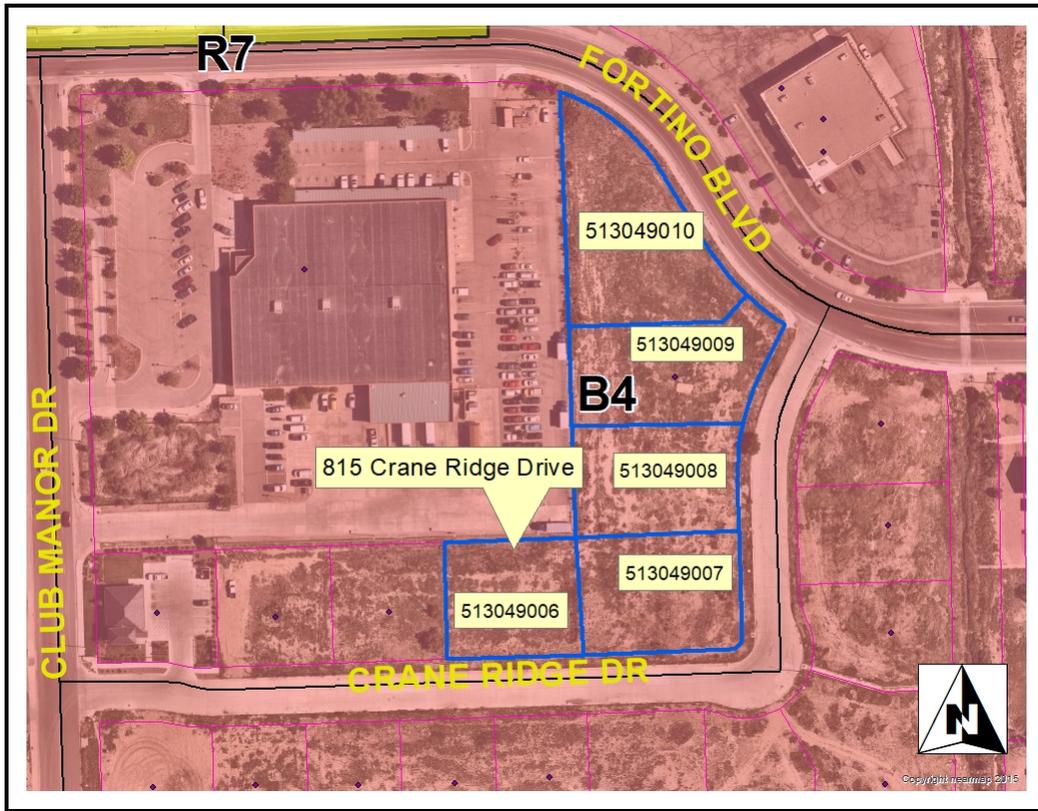
Exhibit B. Site Map



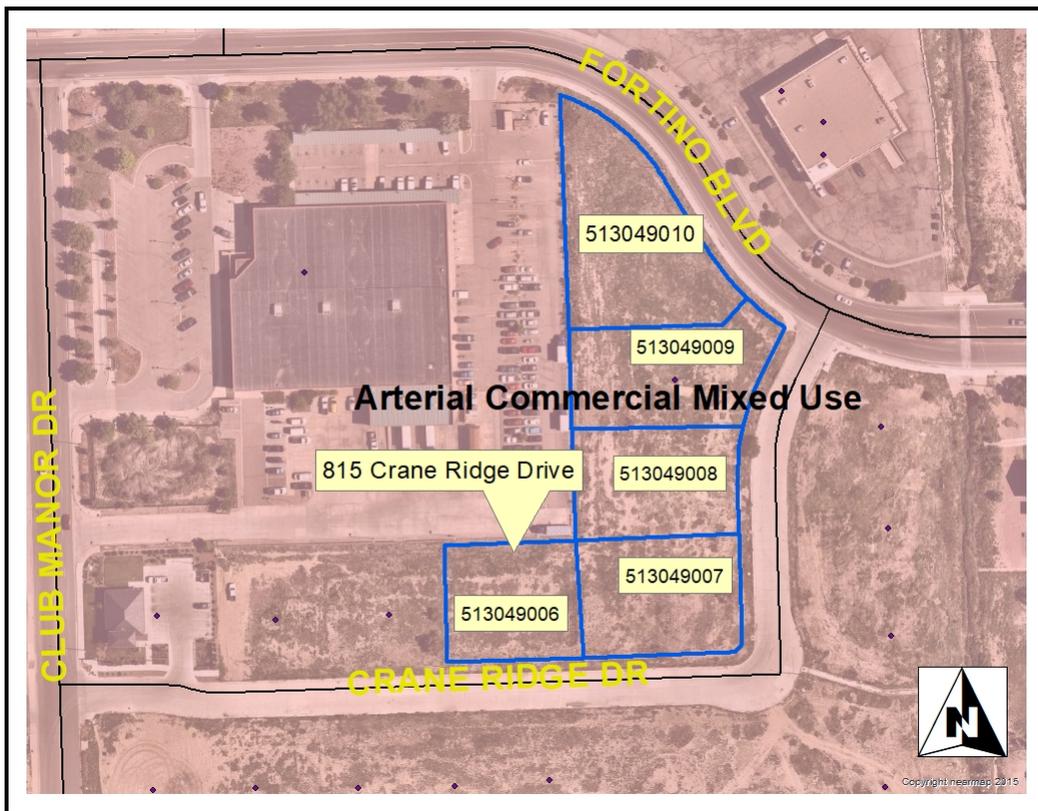
Exhibit C. Aerial Map



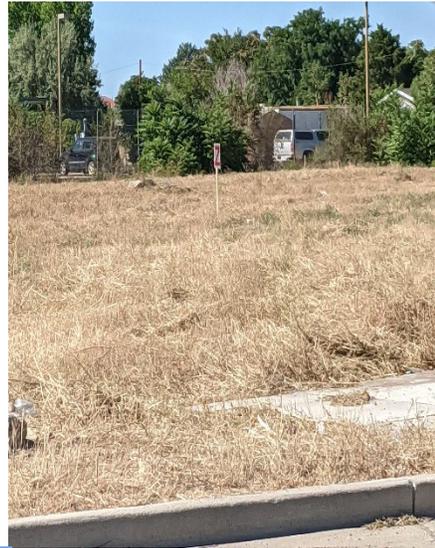
**Exhibit D. Zoning Map (Zoning Map Amendments Recommended)**



**Exhibit E. Comprehensive Plan Map**



**Exhibit F. Public Notice**



**Exhibit G. Site Photos**



Photo taken from Crane Ridge Dr facing east



Photo taken from Crane Ridge Dr facing northeast



Photo taken from Crane Ridge Dr facing north



Photo taken from Crane Ridge Dr facing northwest



Photo taken from Crane Ridge Dr facing south



Photo taken from Crane Ridge Dr facing southwest

**Exhibit H. Application**



**Planning & Community Development**

211 East D Street | Pueblo, Colorado 81003 | Tel 719-553-2259 | Fax 719-553-2359 | TTY 719-553-2611 | www.pueblo.us

**Zoning Board of Appeals Application**

Please type or print clearly. Illegible applications will not be accepted. Case #:

<b>Contact Info</b>	<b>Property Owner:</b>		<b>Applicant (if different from property owner):</b>	
	Name: Crane College Park LLC <sup>bys</sup> Leslie Biggs		Name: Mike + Wendy Fetting	
	Address: 18217 Fortino Blvd		Company: Mings. mbr	
	City, State & Zip: Pueblo CO 81007		Address: 332 S Conquistador Ave	
	Phone: (719) 250-1010		City, State & Zip: Pueblo West CO 81007	
	Email: lesliebiggs802@yahoo.com		Phone: (719) 251-8660 Cell: ( )	
			Email: clooctober@aig.com	
<i>The applicant will be the primary contact unless otherwise noted.</i>				
<b>Property Info</b>	<b>Project Location:</b> Crane Ridge + Fortino			
	Legal Description: Lots 4-8, BLK1 College Road subdivision 4th filing			
	Parcel No: <del>513049009</del> - <del>513049008</del> - <del>51304010</del>		Existing Zone: B4	
	Property Size: 2.24 acres			
<b>Project Information</b>	<b>General Information</b>			
	Provide a short description of the proposed request: (separate narrative as Attachment A also required)			
	Tow yard moving from 1-25 + Hwy 50 bypass per CDOT.			
	What is the general use of the property: <input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Industrial			
	<input type="checkbox"/> Multi-Family <input type="checkbox"/> Other _____			
	Scope of work: <input checked="" type="checkbox"/> Special Use Permit (Limited Use Permit):			
	<input checked="" type="radio"/> Use by Review <input type="radio"/> Home Daycare <input type="radio"/> Home Occupation                      (Total # of children: _____) <input type="radio"/> Other: _____			
	<input type="checkbox"/> Variance:			
	<input type="radio"/> Setback <input type="radio"/> Parking <input type="radio"/> Landscape <input type="radio"/> Lighting <input type="radio"/> Height <input type="radio"/> Signs <input type="radio"/> Other: _____			
	<input type="checkbox"/> Appeal:			
	<input type="radio"/> ZBA Decision (Case Number: ZBA-_____) <input type="radio"/> Administrative Official Determination <input type="radio"/> Other: _____			
	<input type="checkbox"/> Other: _____			

(Continue Next Page)

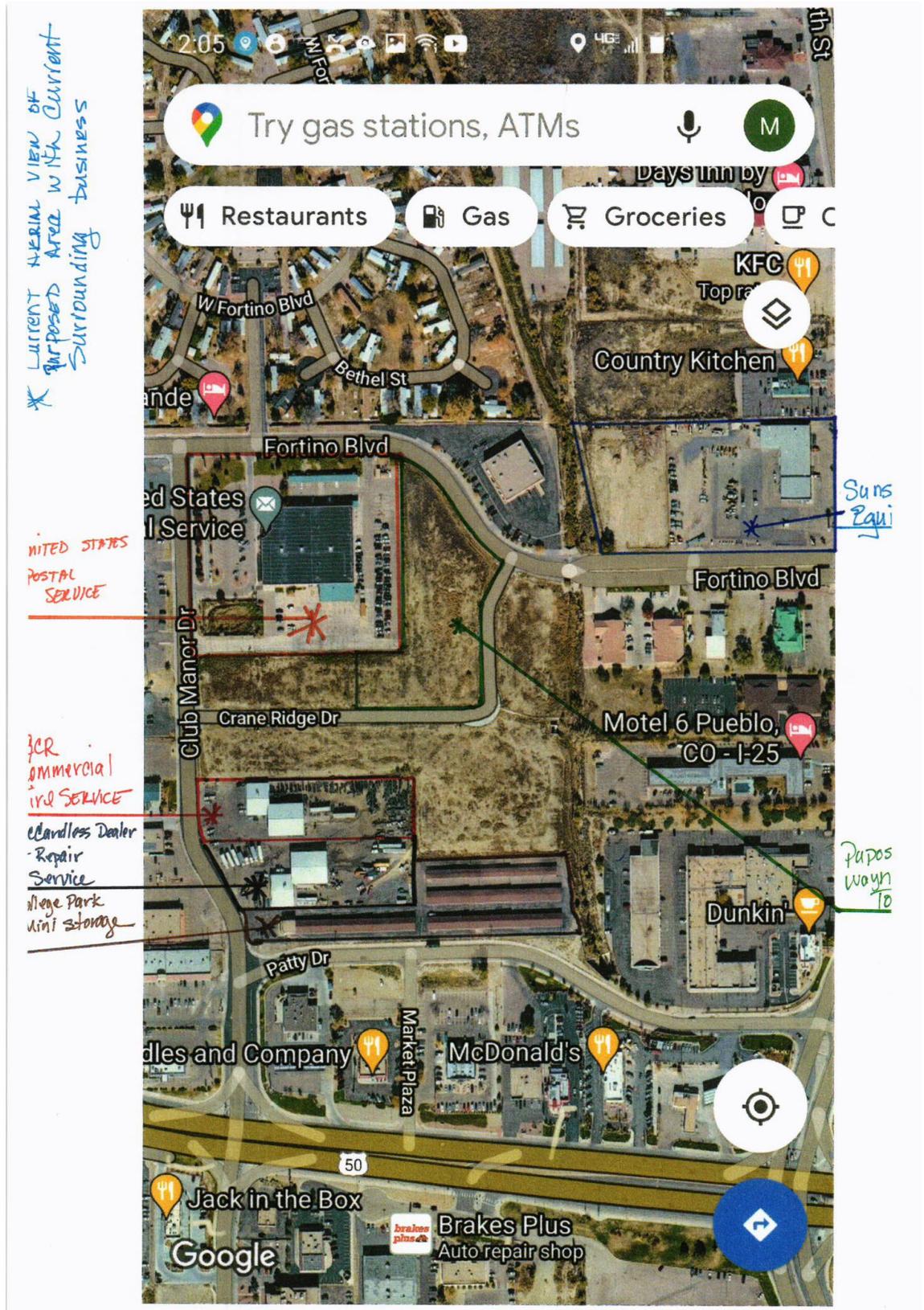
10/2019

(Continued from Page 1)

<b>Attachments</b>	<b>Attachment Checklist:</b>	
	The following list of attachments are required to accompany all applications: <input checked="" type="checkbox"/> A. Detailed explanation of the request as listed above. Be specific. <input checked="" type="checkbox"/> B. Justification of facts required for the request. Be specific. <input checked="" type="checkbox"/> C. Site plan, if variance. Must depict requested variance on plan. <input checked="" type="checkbox"/> D. Applicable application (i.e. business license, Home Occupation Questionnaire). <input checked="" type="checkbox"/> E. Photographs. <input checked="" type="checkbox"/> F. Additional information that you believe justifies the request. <input type="checkbox"/> G. Copy of determination letter, if appealing Administrative Official Determination. <input checked="" type="checkbox"/> H. Pueblo County Assessor's Property Information print out ( <a href="http://www.co.pueblo.co.us">www.co.pueblo.co.us</a> )	
<b>Terms</b>	By signing below, the Property Owner and Applicant are representing that each understands and agrees to the following terms:	
	1. Authorized personnel from the City of Pueblo, are hereby granted the right to enter the subject property for the purposes of reviewing and processing the application. 2. There are no known hazards or vicious animals present on the subject property. 3. All requisite fees have been paid to the City of Pueblo. 4. All information in this application, and all attachments, are true and accurate to the best of my knowledge. 5. The City of Pueblo is under no obligation to approve the request contained in this application. No promises of approval are conveyed with the acceptance of this application. 6. It is highly recommended that a licensed surveyor complete a property survey before any construction takes place. The property owner is responsible for any construction that takes place within the boundaries of their property. The city may require any construction built outside of the property legal boundaries or within any setbacks (by intent or error), to be removed at the owners' expense.	
<b>Signatures</b>	Property Owner	
	Print Name:	Crane College Park LLC by Leslie Biggs Managing Member
	Signature:	<i>Leslie Biggs</i> Date: 8/23/21
	Applicant, if different from Property Owner	
Print Name:	Wendy Setty	
Signature:	<i>W Setty</i> Date: 8/25/2021	

<b>Office Use Only</b>	<b>Zoning Compliance (Completed by City Staff)</b>	
	Application received by:	Date:
	Application checked for completeness by:	Date:
	Case Manager:	Fee Paid:
	Hearing date:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Approved w/conditions
Case #:		

Exhibit I. Supporting Documents





## Wayne's Towing

2500 N Freeway

Pueblo, CO 81003

Mike & Wendy Fetty 719-251-8660

Email: [Cloeoctober@q.com](mailto:Cloeoctober@q.com)

August 22, 2021

### ATTACHMENT #B – Justification of Facts

- a. Access to the property is from streets Fortino Blvd. and Crane Ridge Ln. The property will consist of a building with offices and a 5-bay door shop and a tow yard with a fenced storage area adjacent to the building. There shall be no inconvenience to the automotive or pedestrian traffic due to this is a low traffic area and this business will not have any street traffic flow issues. Fire access or catastrophe issues are of easy, access to an open parking lot and building with offices and 5-bay door shop. As far as into the tow yard, easy access from a gate can be accessed.
- b. A parking area to the offices and 5-bay door shop will be available and open to the public. In this business there is no concern of noise, glare or odor effects. We will be bringing/departing vehicles that were damaged from an accident and or situation requested by Private Party, Insurance Companies, Colorado State Patrol, Pueblo County Sheriff Dept. or the City of Pueblo, Police Dept. for car removal and/or storage.
- c. Refuse, trash collector will have easy access on the property in the yard of the fenced storage area near the building properly (secured) for weekly pick up.
- d. Utilities: yes, all utilities gas, water, electric are available and pose no problem for accessibility or set up.
- e. Screening and buffering, we are aware that you request a 6-foot opaque fencing and we will abide. (Type of fence to be determined). The tow yard will be secure and look pleasing to the community surroundings.
- f. Signage, we will have signage added to the property, possible name painted on the building along with a sign at ground level near parking lot to reference the business. Lighting on building near front access of office along with front lights on 5 bay door shop, including tow yard lights to include motion detection lights in tow yard, they will not glare or impede with any traffic or safety effect of the community.

- g. Required yards and other open spaces: As stated above adjacent to the office and 5-bay door shop will include the property purchased for tow yard storage. This yard will be aesthetically compatible and harmonious along with the building to fit into the surrounding neighborhood.
- h. General compatibility: We feel that Wayne’s Towing is a great fit in this area. Adjacent to our business McCandless International located at 4030 Club Manor Dr. is a heavy/large commercial truck dealer and repair facility for diesel/gas vehicles including an open storage for this repair facility. Repairing heavy/large trucks, tractors, buses, motorhomes and all other large/heavy commercial vehicles you see on the road.  
 GCR Tire & Service located at 4050 Club Manor Dr. it is a large diesel/gas truck tire service center. With the distribution of tires to the community business and commercial vehicles that require their new or repaired tire service. In this area as well is the United State Postal Service with its large fenced storage area for its fleet service vehicles. Sunstate Equipment is also in the vicinity with its heavy/large construction and building and tool equipment leasing servicing the community out of it large storage lot for their customers. Included in this area in the College Park Mini Storage, they call accommodate you with a storage unit for any need from house hold items to a vehicle.



city of  
**PUEBLO**  
colorado

DEPARTMENT OF FINANCE  
P.O. BOX 1427  
PUEBLO, COLORADO 81002  
(719) 553-2659  
www.pueblo.us salestax@pueblo.us

**LICENSE**

LICENSE NUMBER: 06914

LICENSE FOR WHICH RECORD IS ISSUED	UNITS	Expiration Date	LICENSE FEE
Sales / Use Tax - L2	1	12- 31- 2021	50.00

This license is only a license to collect sales tax and does not constitute any authorization, permission or license to conduct any particular business or activity whatsoever.

**NOTICE: THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE AT ALL TIMES**

DATE OF ISSUE 11- 19- 2020

BY Finance Director  
FOR CITY LICENSE OFFICER

WAYNES TOWING INC  
2500 N FREEWAY  
PUEBLO, CO 81003-2445

MAILING

WAYNES TOWING INC  
2500 N FREEWAY  
PUEBLO, CO 81003

BUSINESS

NOTICE: IF THE NATURE OF YOUR BUSINESS REQUIRES CONFORMING TO THE OTHER CITY ORDINANCES, THE PAYMENT AND/OR ISSUANCE OF THIS LICENSE DOES NOT RELIEVE THIS RESPONSIBILITY

## Wayne's Towing

2500 N Freeway

Pueblo, CO 81003

Mike & Wendy Fetty 719-251-8660

Email: [cloeoctober@q.com](mailto:cloeoctober@q.com)

August 22, 2022

On June 24, 2021, Colorado Dept. of Transportation called Mike & Wendy Fetty, owners of Wayne's Towing. Representative, TJ Thiebaut, stated that they request a meeting with us regarding the property located at 2500 N Freeway, Pueblo, Colorado 81003, better known as Wayne's Towing.

In the formal meeting, June 30, 2020, TJ Thiebaut stated that the state of Colorado was going forward with the next step in the redesign of I-25 and that our property including all business located on the frontage road of I-25 would have to relocate.

Property issues: Property is out of city limits, rent is over exaggerated for normal businesses (because they are renting to pot shops that can afford it), lack of inventory or land price is extremely high, they want \$750,000. to \$1,000,000. for small shack of a building and land not suited for our business type. Since June we have been fervently looking for property either to purchase, remodel or new construction. With the ongoing Marijuana Industry in Colorado, it has made it difficult with the lack of inventory to locate property available with the over exaggerated pricing of rent and/or to buy land and with attempts to build a suitable office/building space in their asking price along with zoning and acreage.

We have found land at the crossing of Fortino Blvd. and Crane Ridge Dr.. We are currently under contract with the owner of this property with contingent see that the City of Pueblo grants a Special Use Permit and Rezone of said property (see attached maps enclosed).

Wayne's Towing is under contact with the City of Pueblo, Police Dept. we are responsible for the city's fleet vehicle pick up and removal (this includes police cars, trucks, SUV's, fire trucks, street sweepers etc.). Also Including we are on the City's Rotation Tow List with responsibilities to the community due to vehicle accidents, abandonment removal, traffic break downs, insurance tows and much more. It has been requested in the new City of Pueblo's contract coming forward, that all Tow Companies must be in the city limits to honor the City of Pueblo, Police Contract and be on the City of Pueblo's Tow Rotation List which is a great part for revenue. Like any business you can not afford to lose any part or type of business that brings in any revenue.

The property on Fortino Blvd. and Crane Ridge Dr., Mike & Wendy fetty feel is the perfect location for our existing business, Wayne's Towing. Thus, giving us the ability to continue our contract with City of Pueblo, Pueblo Police Dept., fleet service and including fulfilling our ability to work with the City of Pueblo on the City's Tow Rotation List.

With its l  
our busir  
town.

We are s

Sunstate  
tool rent

United Si  
for posta  
deliverec

McCandl  
dealer ar  
commerc

GCR Tire  
fleet farm

College P  
househol  
accommc

\*\* Please

Wayne' T

ascetics t

In conclu:

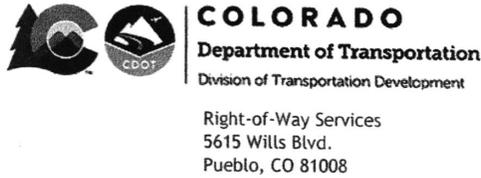
business i

a name ar

standard

Sincerely,

Mike & W



*Letter from state on purchase of  
our current property @  
2500 N. Freeway*

Michael Lee Fetty & Wendy Ann Fetty  
332 S. Conquistador Ave.  
Pueblo West, Colorado 81007

Project No.: BR 025A-049  
Project Location: I-25 at US50B Reconstruction  
Project Code: 23535  
Parcel: RW-877  
Date: August 20<sup>th</sup>, 2021

Dear Michael Lee Fetty and Wendy Ann Fetty,

The Colorado Department of Transportation (CDOT) has an upcoming construction project that will improve public safety along Interstate 25 (I-25) in Pueblo. CDOT will need to acquire additional right-of-way along I-25 in order to complete this project. The project will reconstruct I-25, which will help to improve many safety issues that currently affect the highway. US50B will also be reconstructed from I-25 to Bonforte Blvd. as part of this project, and there will be three bridges that will be removed and replaced: US50B over I-25, US50B over the railroad tracks, and US50B over the Fountain River. There will be frontage road and on/off ramp improvements between the US50B and the 29th Street interchanges. As shown on the enclosed plan sheet, CDOT has identified your property will be impacted by future construction and improvements:

Parcel No.	Area	Property Interest	Purpose/Use
RW-877	.606 acres	Fee Simple	Realignment and Bridge Replacement

CDOT is required to notify all parties of interest when purchasing property. Before CDOT offers to purchase the property, a fair market value appraisal will be prepared. The CDOT appraiser will contact you to schedule an appointment to inspect the property.

This letter is your notice to hire an independent appraiser if you desire. We strongly encourage you to obtain your own independent appraisal. An additional copy of this letter and attachments are enclosed for your appraiser, should you decide to hire one. I have also enclosed basic appraisal guidelines titled "Minimum Appraisal Requirements" to aid the appraiser in meeting CDOT's requirements.

CDOT will reimburse the property owner(s) for one (1) appraisal, provided that it meets minimum qualifications. All owners of interest should coordinate this appraisal effort in order to ensure an appraisal is received by CDOT addressing all interests in the property.





**Make It Happen Real Estate**

234 Coral Drive Pueblo West, CO 81007

Bill Donahue bill@billmakesithappen.com; makesithappen20@gmail.com

Ph: 719-240-3327

The printed portions of this form, except differentiated additions, have been approved by the Colorado Real Estate Commission. (CBS3-5-19) (Mandatory 7-19)

**THIS FORM HAS IMPORTANT LEGAL CONSEQUENCES AND THE PARTIES SHOULD CONSULT LEGAL AND TAX OR OTHER COUNSEL BEFORE SIGNING.**

**CONTRACT TO BUY AND SELL REAL ESTATE  
(COMMERCIAL)**

Property with No Residences

Property with Residences-Residential Addendum Attached

Date: 8/16/2021

**AGREEMENT**

*Under Contract  
By Crane Ridge Property*

**1. AGREEMENT.** Buyer agrees to buy and Seller agrees to sell the Property described below on the terms and conditions set forth in this contract (Contract).

**2. PARTIES AND PROPERTY.**

**2.1. Buyer.** Buyer, **Michael L. Fetty and Wendy A Fetty** (Buyer) will take title to the Property described below as

Joint Tenants  Tenants In Common  Other .

**2.2. No Assignability.** This Contract IS NOT assignable by Buyer unless otherwise specified in Additional Provisions.

**2.3. Seller.** **Crane College Park LLC** (Seller) is the current owner of the Property described below.

**2.4. Property.** The Property is the following legally described real estate in the County of

Pueblo, Colorado:

**Block 1, Lot 4, 5, 6, 7, 8 College Road Subdivision 4th Filing Formerly #05-130-49-002**

**Parcel 513049006, 513049007, 513049008, 513049009, 513049010**

known as No. **TBD Crane Ridge Drive, Pueblo, CO 81008,**

together with the interests, easements, rights, benefits, improvements and attached fixtures appurtenant thereto, and all interest of Seller in vacated streets and alleys adjacent thereto except as herein excluded (Property).

**2.5. Inclusions.** The Purchase Price includes the following items (Inclusions):

**2.5.1. Inclusions - Attached.** If attached to the Property on the date of this Contract, the following items are included unless excluded under **Exclusions:** lighting, heating, plumbing, ventilating and air conditioning units, TV antennas, inside telephone, network and coaxial (cable) wiring and connecting blocks/jacks, plants, mirrors, floor coverings, intercom systems, built-in kitchen appliances, sprinkler systems and controls, built-in vacuum systems (including accessories) and garage door openers (including 0 remote controls). If checked, the following are owned by the Seller and included (leased items should be listed under **Due Diligence Documents**):

None  Solar Panels  Water Softeners  Security Systems  Satellite Systems (including satellite dishes). If any additional items are attached to the Property after the date of this Contract, such additional items are also included in the Purchase Price.

**2.5.2. Inclusions - Not Attached.** If on the Property, whether attached or not, on the date of this Contract, the following items are included unless excluded under **Exclusions:** storm windows, storm doors, window and porch shades, awnings, blinds, screens, window coverings and treatments, curtain rods, drapery rods, fireplace inserts, fireplace screens, fireplace grates, heating stoves, storage sheds, carbon monoxide alarms, smoke/fire detectors and all keys.

**2.5.3. Personal Property - Conveyance.** Any personal property must be conveyed at Closing by Seller free and clear of all taxes (except personal property taxes for the year of Closing), liens and encumbrances, except .

Conveyance of all personal property will be by bill of sale or other applicable legal instrument.

**2.5.4. Other Inclusions.** The following items, whether fixtures or personal property, are also included in the Purchase Price:

**2.5.5. Parking and Storage Facilities.** The use or ownership of the following parking facilities: ; and the use or ownership of the following storage facilities:

Note to Buyer: If exact rights to the parking and storage facilities is a concern to Buyer, Buyer should investigate.