

RECORDED EXEMPTION NO. 0705-24-4 RECX15-0036

SITUATE IN SOUTH HALF OF SECTION 24, TOWNSHIP 7 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, WELD COUNTY, COLORADO

LEGAL DESCRIPTION

LOT 4 OF RECORDED EXEMPTION NO. 0705-24-4 RE-4199, RECORDED MARCH 9, 2008 AT RECEPTION NO. 306023, BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 7 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD STATE OF COLORADO.

AND

A PART OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 7 NORTH, RANGE 67 WEST OF THE 6TH P.M. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 24 AND CONSIDERING THE SOUTHWEST CORNER OF SAID SECTION 24 TO BEAR SOUTH 89°53'38" WEST WITH ALL BEARINGS HEREIN RELATIVE THEREIN:

THENCE SOUTH 89°53'38" WEST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 24 A DISTANCE OF 8.02 FEET;

THENCE NORTH 0°19'22" WEST A DISTANCE OF 217.89 FEET;

THENCE NORTH 0°19'22" WEST A DISTANCE OF 182.32 FEET;

THENCE NORTH 02°10'00" EAST A DISTANCE OF 57.50 FEET;

THENCE NORTH 00°32'00" EAST A DISTANCE OF 87.81 FEET;

THENCE SOUTH 89°39'11" EAST A DISTANCE OF 17.20 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 24 SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 4 RECORDED EXEMPTION NO. 0705-24-4 RE-4199;

THENCE SOUTH 04°10'17" WEST ALONG THE WEST LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 24 A DISTANCE OF 1.32248 FEET TO THE POINT OF BEGINNING, CONTAINING 20.00 SQUARE FEET TO 400 SQUARE FEET OR LESS.

THE PARCEL OF LAND DESCRIBED ABOVE CONTAINS 757.502 SQUARE FEET (17.390 ACRES), MORE OR LESS AND IS SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

NOTES

1. ALL PROPOSED OR EXISTING STRUCTURES WILL OR DO MEET THE MINIMUM SETBACK AND OFFSET REQUIREMENTS FOR THE ZONE DISTRICT IN WHICH THE PROPERTY IS LOCATED, PURSUANT TO THE DEFINITION OF SETBACK IN THE WELD COUNTY CODE; THE REQUIRED SETBACKS IS MEASURED FROM THE FUTURE RIGHT-OF-WAY LINE.
2. NO BUILDING OR STRUCTURE AS DEFINED AND LIMITED TO THOSE OCCUPANCIES LISTED AS GROUPS A, B, E, F, H, I, M AND R IN SECTION 322.1 OF THE 2011 INTERNATIONAL BUILDING CODE SHALL BE CONSTRUCTED WITHIN A 200-FOOT RADIUS OF ANY TANK BATTERY OR WITHIN 100-FOOT RADIUS OF ANY HELICOPTER LANDING AREA WITHIN 200-FOOT RADIUS OF ANY PULSED OR ABANDONED OIL AND GAS WELL, ANY CONSTRUCTION WITHIN A TWO-HUNDRED-FOOT RADIUS OF ANY TANK BATTERY OR HELICOPTER LANDING AREA SHALL REQUIRE A VARIANCE FROM THE TERMS OF THIS CHAPTER IN ACCORDANCE WITH SUBSECTION 236-10.5 OF THIS CODE.
3. ANY FUTURE STRUCTURES OR USES ON SITE MUST OBTAIN THE APPROPRIATE ZONING AND BUILDING PERMITS.
4. THE PURPOSE OF THIS AMENDMENT IS TO ADJUST THE BOUNDARY OF LOT 4 OF A 64.196 ACRES KNOWN AS LOT 4 OF REC-15-0036.
5. LOT 4 IS NOT ELIGIBLE FOR A FUTURE LAND EXEMPTION IN ACCORDANCE WITH SECTION 24-2-2-0.1 OF THE WELD COUNTY CODE.
6. PRIOR TO THE RELEASE OF BUILDING PERMITS, THE APPLICANT SHALL SUBMIT A RECORDED DEED DESCRIBING THE LOT UPON WHICH THE BUILDING PERMIT IS REQUESTED WITH THE BUILDING PERMIT APPLICATIONS, THE LEGAL DESCRIPTION OF SAID DEED SHALL INCLUDE THE LOT IDENTIFICATION AND RECORDED EXEMPTION NUMBER.
7. SHOULD NOXIOUS WEEDS EXIST ON THE PROPERTY OR BECOME ESTABLISHED AS A RESULT OF THE PROPOSED DEVELOPMENT, THE APPLICANT/OWNER SHALL BE RESPONSIBLE FOR CONTROLLING THE NOXIOUS WEEDS, PURSUANT TO CHAPTER 16, ARTICLES 1 AND 2 OF THE WELD COUNTY CODE.
8. THE HISTORICAL FLOW PATTERNS AND RUNOFF AMOUNTS WILL BE MAINTAINED ON THE SITE.
9. BUILDING PERMITS SHALL BE OBTAINED PRIOR TO THE CONSTRUCTION OF ANY BUILDING, BUILDINGS THAT MEET THE DEFINITION OF AN AG EXEMPT BUILDING PER THE REQUIREMENTS OF SECTION 24-2-2-0.1 AND SECTION 23.2.B.11.F OF THE WELD COUNTY CODE DO NOT REQUIRE BUILDING PERMITS. CERTIFICATE OF COMPLIANCE MUST BE FILED WITH THE PLANNING DEPARTMENT AND AN ELECTRICAL AND/OR PLUMBING PERMIT IS REQUIRED FOR ANY ELECTRICAL SERVICE TO THE BUILDING OR WATER FOR WASHING OR WASHING OF LIVESTOCK OR POLYMER.
10. BUILDING PERMITS ISSUED ON THE PROPOSED LOTS SHALL BE REQUIRED TO ADHERE TO THE FEE STRUCTURE OF THE COUNTY FACILITY FEE AND DRAINAGE IMPACT FEE PROGRAMS.
11. WELD COUNTY'S RIGHT TO FARM, WELD COUNTY IS ONE OF THE MOST PRODUCTIVE AGRICULTURAL COUNTIES IN THE UNITED STATES, TYPICALLY RANKING IN THE TOP TEN COUNTIES IN THE COUNTRY IN TOTAL MARKET VALUE OF AGRICULTURAL PRODUCTS. RURAL AREAS OF WELD COUNTY MAY BE OPEN AND SPACIOUS, BUT THEY ARE INTENSIVELY USED FOR AGRICULTURE, PERSONS MOVING INTO A RURAL AREA MUST RECOGNIZE AND ACCEPT THAT THERE ARE DRAWBACKS TO RURAL LIVING. THESE DRAWBACKS INCLUDE: LACK OF CITY NOISE AND CONGESTION, AND THE PRESENCE OF AGRICULTURE AND WAYS OF LIFE WITHOUT NEIGHBORING FARMS, THOSE FEATURES WHICH ATTRACT URBAN DWELLERS TO RURAL WELD COUNTY WOULD QUANTITY BE GONE FOREVER.

AGRICULTURAL USES OF THE LAND SHOULD NOT BE EXPECTED TO CHANGE THEIR LONG-ESTABLISHED AGRICULTURAL PRACTICES TO ACCOMMODATE THE INTRUSIONS OF URBAN USES INTO A RURAL AREA. WELL-RUN AGRICULTURAL ACTIVITIES WILL GENERATE OFF-ROAD TRAFFIC, NOISE AND EQUIPMENT, SCUMMING FARM VEHICLES ON PAVED ROADS, DUST FROM ANIMAL FEED, FIELDWORK HARVEST, AND GRAVEL ROADS, ODOR FROM ANIMAL CONFINEMENT, SLUDGE AND MANURE, NOISE FROM MACHINERY, AND NOISE AND VIBRATION FROM SHOOTING SPORTS, LEGAL HAZARD OF PESTICIDES AND FERTILIZERS IN THE FIELDS, INCLUDING THE USE OF AERIAL SPRAYING. IT IS COMMON PRACTICE FOR AGRICULTURAL PRODUCERS TO UTILIZE AN ACCUMULATION OF AGRICULTURAL WASTE AND SUPPLIES TO BE USED IN THEIR AGRICULTURAL OPERATIONS. A CONCENTRATION OF MISCELLANEOUS AGRICULTURAL MATERIALS, OFTEN PRODUCED BY A VISUAL DISPARITY BETWEEN RURAL AND URBAN AREAS OF THE COUNTY, SECTION 32.1.2.C.1.5, INDICATES THAT AN AGRICULTURAL OPERATION SHALL NOT BE FOUND TO BE A PUBLIC OR PRIVATE NUISANCE IF THE AGRICULTURAL OPERATION ALLEGED TO BE A NUISANCE EMPLOYS METHODS OR PRACTICES THAT ARE COMMONLY OR REASONABLY ASSOCIATED WITH AGRICULTURAL PRODUCTION.

WATER HAS BEEN AND CONTINUES TO BE THE LIFE LINE FOR THE AGRICULTURAL COMMUNITY. IT IS UNREALISTIC TO ASSUME THAT DITCHES AND RESERVOIRS MAY SIMPLY BE MOVED OUT OF THE WAY OF RESIDENTIAL DEVELOPMENT WHEN MOVING TO THE COUNTRY. PROPERTY OWNERS AND RESIDENTS MUST REALIZE THEY CANNOT TAKE WATER FROM RESERVOIR DITCHES, LAKES, OR OTHER STRUCTURES, UNLESS THEY HAVE AN ADJUDICATED RIGHT TO THE WATER.

WELD COUNTY COVERS A LAND AREA OF FOUR THOUSAND (4,000) SQUARE MILES IN SIZE (TWICE THE STATE OF DELAWARE) WITH MORE THAN THREE HUNDRED (300) TOWNSHIPS AND COUNTIES. THE STATE OF COLORADO IS A RURAL STATE. THE SHEER MAGNITUDE OF THE AREA TO BE SERVED STRETCHES AVAILABLE ENFORCEMENT LAW ENFORCEMENT IS BASED ON RESPONSES TO CALLS MORE THAN 100 MILES OF THE COUNTY, AND THE DISTANCES WHICH MUST BE TRAVELED MAY DELAY ALL EMERGENCY RESPONSES INCLUDING LAW ENFORCEMENT, AMBULANCE, AND FIRE. THE PROTECTION OF RURAL AREAS MUST LEAVE THEM TO BE SERVED BY THE RESIDENTS WHO LIVE IN THEM. EMERGENCIES, COUNTY GRAVEL ROADS, NO MATTER HOW OFTEN THEY ARE BLENDED, WILL NOT PROVIDE THE SAME KIND OF SERVICE EXPECTED FROM A MUNICIPALITY. PROPERTIES THAT ARE RURAL IN CHARACTER AND LOCATION SHOULD NOT BE CLEARED FOR SEVERAL DAYS AFTER A BOMBSTORM. SNOW REMOVAL PROPERTIES MEAN THAT ROADS FROM SUBURBAN TO URBAN AREAS MUST BE CLEARED FOR SEVERAL DAYS AFTER A MAJOR WINTER STORM. SERVICES IN RURAL AREAS, IN MANY CASES, WILL NOT BE EQUIVALENT TO MUNICIPAL SERVICES. RURAL DWELLERS MUST, BY NECESSITY, BE MORE SELF-SUFFICIENT THAN URBAN DWELLERS.

PEOPLE ARE EXPECTED TO DIFFERENTIATE THEMSELVES FROM THE COUNTRY THAN IN AN URBAN OR SUBURBAN SETTING. FARM EQUIPMENT AND OIL-FUELED EQUIPMENT, PUMPS AND IRRIGATION DITCHES, ELECTRICAL POWER FOR PUMPS AND CENTER PIVOT OPERATIONS, HIGH SPEED TRAFFIC, SAND BURS, PINE TREE INSECT, TERRITORIAL PARK DOGS, AND LIVES LOCK AND OPEN BURNING PRESENT REAL THREATS. CONTROLLING CHILDREN'S ACTIVITIES IS IMPORTANT, NOT ONLY FOR THEIR SAFETY, BUT ALSO FOR THE PROTECTION OF THE FARMERS LIVELIHOOD.

PROPERTY OWNER'S CERTIFICATE

WE, THE UNDERSIGNED, BEING THE SOLE OWNERS IN FEE OF THE ABOVE DESCRIBED PROPERTY DO HEREBY SUBSCRIBE THE SAME AS SHOWN ON THE ATTACHED MAP. WE UNDERSTAND THIS PROPERTY IS LOCATED IN THE AGRICULTURAL ZONE DISTRICT AND IS ALSO INTENDED TO PROVIDE AREAS FOR THE CONDUCT OF OTHER USES BY RIGHT, ACCORDING TO THE ZONING AND USES BY SPECIAL REVIEW.

THE FOREGOING CERTIFICATION WAS ACKNOWLEDGED BEFORE ME THIS 15 DAY OF July, A.D. 2015.

MY COMMISSION EXPIRES: 11/11/2018

NOTARY PUBLIC

WITNESS MY HAND AND SEAL: Mary B. Champa



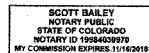
WE, THE UNDERSIGNED, BEING THE SOLE OWNERS IN FEE OF THE ABOVE DESCRIBED PROPERTY DO HEREBY SUBSCRIBE THE SAME AS SHOWN ON THE ATTACHED MAP. WE UNDERSTAND THIS PROPERTY IS LOCATED IN THE AGRICULTURAL ZONE DISTRICT AND IS ALSO INTENDED TO PROVIDE AREAS FOR THE CONDUCT OF OTHER USES BY RIGHT, ACCORDING TO THE ZONING AND USES BY SPECIAL REVIEW.

THE FOREGOING CERTIFICATION WAS ACKNOWLEDGED BEFORE ME THIS 10 DAY OF July, A.D. 2015.

MY COMMISSION EXPIRES: 11/11/2018

NOTARY PUBLIC

WITNESS MY HAND AND SEAL: Scott Bailey



DEPARTMENT OF PLANNING SERVICES ACCEPTANCE:

THIS PLAN IS ACCEPTED AND APPROVED BY THE DEPARTMENT OF PLANNING SERVICES FOR PLANNING.

DEPARTMENT OF PLANNING SERVICES DIRECTOR

STATE OF COLORADO

COUNTY OF WELD

THE FOREGOING CERTIFICATION WAS ACKNOWLEDGED BEFORE ME THIS 1st DAY OF July, A.D. 2015.

MY COMMISSION EXPIRES: 1/5/2016

NOTARY PUBLIC

WITNESS MY HAND AND SEAL: Christine Parolan

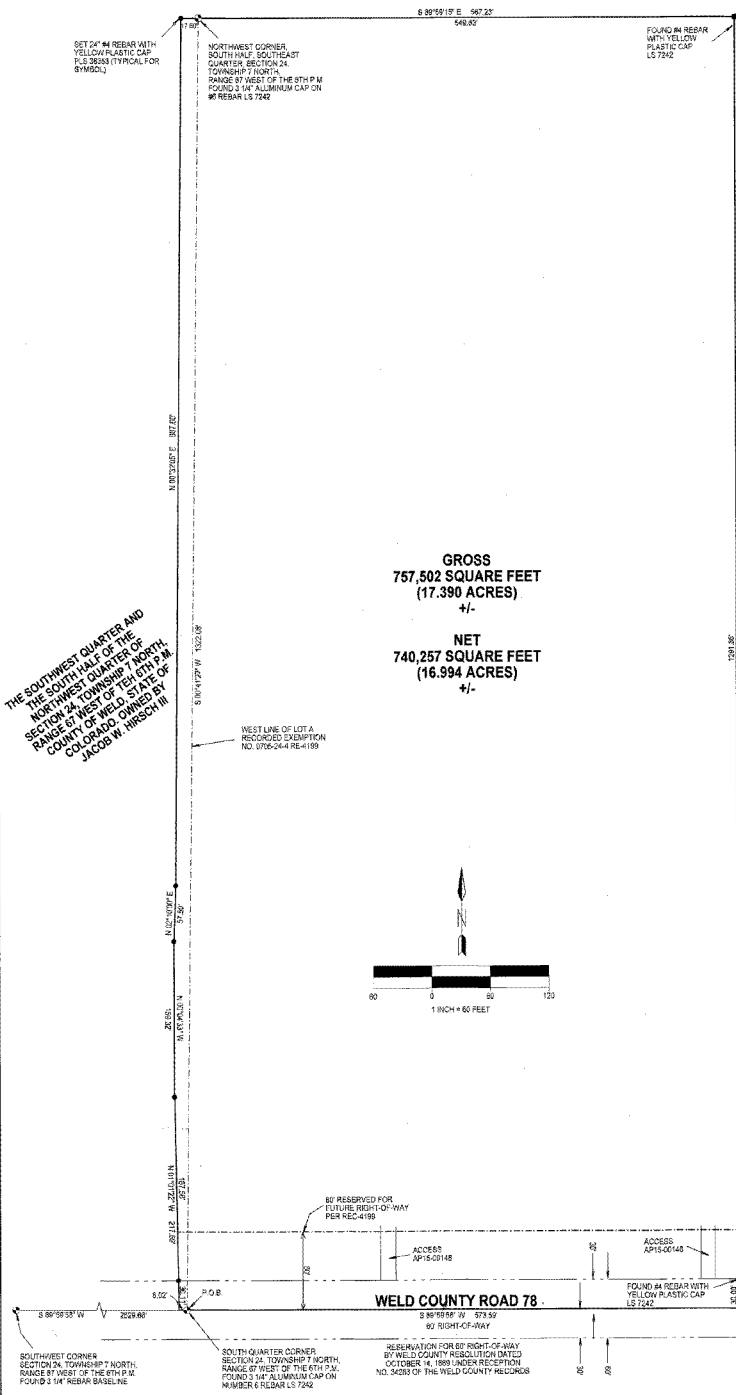
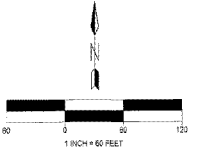


SURVEYOR NOTES

1. ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS AFTER THE DATE OF THE CERTIFICATION SHOWN HEREON.

GROSS
757,502 SQUARE FEET
(17.390 ACRES)
+/-

NET
740,257 SQUARE FEET
(16.994 ACRES)
+/-



SURVEYOR'S CERTIFICATE:

I, ROBERT D. THOMAS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS RECORDED EXEMPTION WAS PREPARED UNDER MY PERSONAL SUPERVISION, AND THAT THIS PLAN IS AN ACCURATE REPRESENTATION THEREOF. I FURTHER CERTIFY THAT THE SURVEY AND THIS PLAN COMPLY WITH ALL APPLICABLE REGULATIONS, RULES, AND LAWS OF THE STATE OF COLORADO, STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS, AND LOCAL COUNTY.

ROBERT D. THOMAS
COLORADO PROFESSIONAL LAND SURVEYOR #03833

DATE: July 1, 2015

BASIS OF BEARING

THE WEST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 7 NORTH, RANGE 67 WEST OF THE 6TH P.M. IS ASSUMED TO BEAR NORTH 04°10'17" WEST AND IS MONUMENTED AS 4.5 INDICATED.

VICINITY MAP

