



703 Weld County Road 37  
BOARD OF TRUSTEES

SPECIAL MEETING AGENDA

AND NOTICE OF SPECIAL MEETING AND REFERRAL TO THE BOARD BY THE TOWN CLERK OF  
A PETITION FOR ANNEXATION

May 6, 2024  
6:30 p.m.

This meeting will be held via Zoom and in the Town Hall Board Room, 703 WCR 37, Lochbuie, Colorado. The public is welcome to join us in the Board Room or view by accessing the meeting through the following Zoom link:

*Please click the link below to join the webinar:*

*<https://us02web.zoom.us/j/85682296651>*

*Or One tap mobile :*

*+17193594580,,85682296651# US*

*+16699009128,,85682296651# US (San Jose)*

*Or Telephone:*

*Dial(for higher quality, dial a number based on your current location):*

*+1 719 359 4580 US*

*+1 669 900 9128 US (San Jose)*

*+1 253 205 0468 US*

*+1 253 215 8782 US (Tacoma)*

*+1 346 248 7799 US (Houston)*

*+1 669 444 9171 US*

*+1 386 347 5053 US*

*+1 507 473 4847 US*

*+1 564 217 2000 US*

*+1 646 558 8656 US (New York)*

*+1 646 931 3860 US*

*+1 689 278 1000 US*

*+1 301 715 8592 US (Washington DC)*

*+1 305 224 1968 US*

*+1 309 205 3325 US*

*+1 312 626 6799 US (Chicago)*

*+1 360 209 5623 US*

*Webinar ID: 856 8229 6651*

*International numbers available: <https://us02web.zoom.us/j/85682296651>*

**AGENDA**

**1. CALL TO ORDER**

**2. ROLL CALL**

<i>Michael Mahoney, Mayor</i>	
<i>Jamie Jeffery, Mayor Pro-Tem</i>	<i>Dawn Coen, Trustee</i>
<i>May Wescott, Trustee</i>	<i>Jacklyn White, Trustee</i>
<i>Kat Bristow, Trustee</i>	<i>Peggy Tapey, Trustee</i>

**3. APPROVAL OF AGENDA**

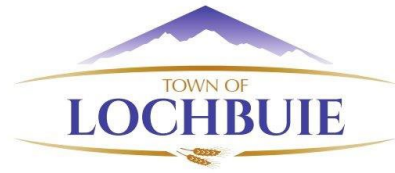
**4. ACTION ITEMS**

- a. Resolution 2024-21, A Resolution Of The Board Of Trustees Of The Town Of Lochbuie, Colorado, Accepting And Finding Substantial Compliance Of An Annexation Petition For Certain Real Property Located In Weld County, Colorado, To Be Known As The BNSF Annexation No. 1, And Setting A Public Hearing On Such Petition In Accordance With The Municipal Annexation Act Of 1965 p. 7-97
  
- b. Resolution 2024-22, A Resolution Of The Board Of Trustees Of The Town Of Lochbuie, Colorado, Accepting And Finding Substantial Compliance Of An Annexation Petition For Certain Real Property Located In Weld County, Colorado, To Be Known As The BNSF Annexation No. 2, And Setting A Public Hearing On Such Petition In Accordance With The Municipal Annexation Act Of 1965 p. 98-123
  
- c. Resolution 2024-23, A Resolution Of The Board Of Trustees Of The Town Of Lochbuie, Colorado, Accepting And Finding Substantial Compliance Of An Annexation Petition For Certain Real Property Located In Weld County, Colorado, To Be Known As The BNSF Annexation No. 3, And Setting A Public Hearing On Such Petition In Accordance With The Municipal Annexation Act Of 1965 p. 124-151

**5. ADJOURN**

*The Board may convene a lawfully called executive session at any time during a regular or special meeting of the Board.*

*Michael Mahoney, Mayor of Lochbuie, has authorized issuance of this Notice of Special Meeting in accordance with the requirements of Section 2-2-60 of the Lochbuie Municipal Code*



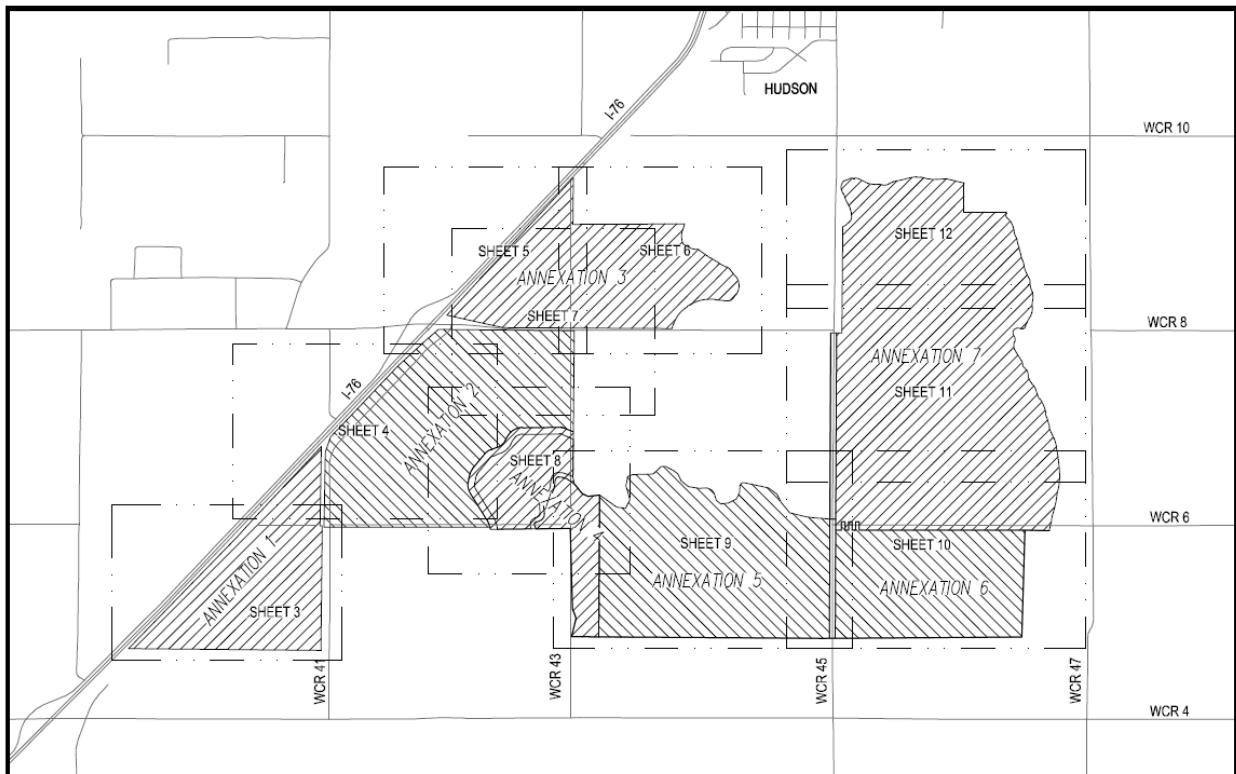
## Agenda Item Summary (AIS)

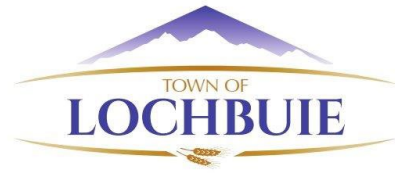
MEETING DATE: May 6, 2024  
SUBJECT: BNSF Annexations Nos. 1, 2 and 3  
PRESENTED BY: Chris Kennedy, Community Development Director  
Keith Martin, Town Attorney's Office

### SUMMARY

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The Town has received three petitions for the annexation of an area consisting of approximately 2,367 acres generally bounded by I-76, CR 10, CR 4, and CR 47 (see map below), generally known as the Burlington Northern Santa Fe ("BNSF") Property. This is a request for the Board of Trustees to approve Resolution Nos. 2024-21, -22, and -23 pursuant to CRS section 31-12-108, which requires findings of substantial compliance of the petitions with the requirements of CRS 31-12-107(1). The resolutions also establish a date, time, and place for a public hearing to confirm that the petitions meet the applicable requirements of section 30, article II of the state constitution and provisions of the Municipal Annexation Act and are, therefore, eligible for annexation.





## DISCUSSION

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C.R.S. § 31-12-107 requires that property owner(s) initiate formal annexation requests by submitting a petition to the annexing municipality. BNSF has submitted three separate petitions for annexation of approximately 2,367 acres of property generally located as described above.

C.R.S. §31-12-107(5) requires that the Board of Trustees find that the annexation petitions substantially comply with the relevant statutory requirements of C.R.S. § 31-12-107(1) to initiate annexation proceedings. Specifically, pursuant to C.R.S. § 31-12-107(1)(c), the petitions must allege, state or include:

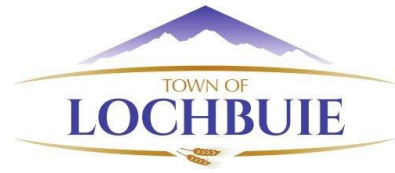
- that annexation is necessary and desirable;
- that the requirements of §§ 31-12-104 and 31-12-105 exist or have been met;
- that the signatories comprise > 50% of the landowners and own > 50% of area to be annexed, excluding public streets and alleys and any land owned by the annexing municipality;
- a request that the municipality approve the annexation of the proposed annexation territory;
- dated signature (not > 180 days before submittal date) and mailing address of each petitioning landowner;
- legal description of property owned by each petitioning landowner; and
- an affidavit of circulator.

Moreover, pursuant to C.R.S. § 31-12-107(1)(d), the petition must include four copies of an annexation map containing the following information:

- a written legal description and drawing of the boundaries of the area proposed to be annexed;
- within the annexation boundary map, the location of each ownership tract; and
- next to the boundary of the area proposed to be annexed, a drawing of all contiguous municipal boundaries.

In addition, to be explicit regarding compliance with C.R.S. §§ 31-12-104 and 105, Staff notes the petitions also recite:

- 1/6 perimeter contiguity exists;
- a community of interest exists; urbanized; integration;
- no non-consensual division of parcels;
- landowner's consent if 20 acres or more and assessed value > \$200,000;
- not annexed to or in process of being annexed to another municipality;
- no school district detachment/attachment;
- three-mile annual limitation complied with; and
- if required contiguity may be established through the annexation of multiple parcels in a series (including segments of road right-of-way) that may be considered simultaneously, additional



requirements apply to enable properties that abut the “flagpole” to annex under the same terms and conditions and within the same annexation proceeding.

Criterion met: Staff has reviewed the petitions, together with the annexation maps provided, and believes that each petition contains all the contents required under C.R.S. § 31-12-107(1). Staff therefore recommends that this criterion has been met. The Town’s engineers and surveyors will perform additional review and confirm the absence of technical errors prior to the public hearing.

C.R.S. § 31-12-108(1) also requires that, as part of this resolution and to initiate annexation proceedings, the Board of Trustees establish a date, time and place for a public hearing to determine whether the areas proposed to be annexed meet the applicable requirements of CRS Section 30 of Article II of the state constitution and Sections 31-12-104 and 31-12-105 and is considered eligible for annexation. The hearing must be held at least thirty days after the effective date of the resolution setting the hearing, but not more than sixty days after that date. Staff suggests Tuesday, June 11, 2024, at 6:00 pm as a suitable date for the public hearing.

Acceptance of Petitions 2 and 3 sets up separate conflicting annexations with Hudson’s proposed Ranchos East Annexation, triggering a statutory process for conflicting annexation elections that will be initiated by the Town with a district court filing in accordance with state law.

## **RECOMMENDATION**

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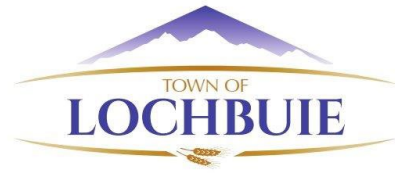
Staff recommends that the Board of Trustees approve the request by adopting Resolution No. 2024-21, -2024-22 and 2024-23 using the following suggested motions:

1. “I move that the Board of Trustees adopt Resolution No. 2024-21, A Resolution Of The Board Of Trustees Of The Town Of Lochbuie, Colorado, Accepting and Finding Substantial Compliance of An Annexation Petition For Certain Real Property Located in Weld County, Colorado, To Be Known As The BNSF Annexation No. 1, And Setting A Public Hearing on Such Petition In Accordance With The Municipal Annexation Act of 1965.”

Following the vote on the first motion:

2. “I move that the Board of Trustees adopt Resolution No. 2024-22 A Resolution Of The Board Of Trustees Of The Town Of Lochbuie, Colorado, Accepting and Finding Substantial Compliance of An Annexation Petition For Certain Real Property Located in Weld County, Colorado, To Be Known As The BNSF Annexation No. 2, And Setting A Public Hearing on Such Petition In Accordance With The Municipal Annexation Act of 1965.”

Following the vote on the second motion:



3. "I move that the Board of Trustees adopt Resolution No. 2024-23 A Resolution Of The Board Of Trustees Of The Town Of Lochbuie, Colorado, Accepting and Finding Substantial Compliance of An Annexation Petition For Certain Real Property Located in Weld County, Colorado, To Be Known As The BNSF Annexation No. 3, And Setting A Public Hearing on Such Petition In Accordance With The Municipal Annexation Act of 1965."

#### **ATTACHMENTS**

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Resolution Nos. 2024-21, 2024-22 and 2024-23

Petitions: BNSF Annexations Nos. 1-3

Maps: BNSF Annexations Nos. 1-3

**TOWN OF LOCHBUIE  
COUNTIES OF WELD AND ADAMS  
STATE OF COLORADO**

**RESOLUTION NO. 2024-21**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF LOCHBUIE,  
COLORADO, ACCEPTING AND FINDING SUBSTANTIAL COMPLIANCE OF AN  
ANNEXATION PETITION FOR CERTAIN REAL PROPERTY LOCATED IN WELD  
COUNTY, COLORADO, TO BE KNOWN AS THE BNSF ANNEXATION NO. 1, AND  
SETTING A PUBLIC HEARING ON SUCH PETITION IN ACCORDANCE WITH THE  
MUNICIPAL ANNEXATION ACT OF 1965**

**WHEREAS**, a written petition requesting the annexation of certain real property, to be known as the Burlington Northern Santa Fe Annexation No. 1 (“Petition”), and as further described in Exhibit A (“Property”), has been filed of record with the Town Clerk of the Town of Lochbuie, State of Colorado (“Town”), who has provided copies of such petition to the Board of Trustees (“Board”) upon receipt; and

**WHEREAS**, the Petition has been referred to the Town Board for a determination of substantial compliance with the requirements of C.R.S. § 31-12-107(1); and

**WHEREAS**, the Town Board has taken official notice of all maps, records, and other information and materials on file with the Town, regarding the Petition; and

**WHEREAS**, the Town Board has examined the Petition and finds as follows:

1. That the Petition contains:
  - (a) An allegation that it is desirable and necessary that such area be annexed to the Town of Lochbuie and the requirements of C.R.S. §§ 31-12-104 and 31-12-105 exist or are met.
  - (b) An allegation that the signers of the Petition, comprise more than fifty percent (50%) of the landowners of the area proposed to be annexed and own more than fifty percent (50%) of the area proposed to be annexed, exclusive of public streets and alleys and any land owned by the Town of Lochbuie.
  - (c) A request that the Town of Lochbuie approve the annexation of the Property, as more particularly described in Exhibit A.
  - (d) The signature of the landowners that executed the petition.
  - (e) The mailing address of the landowner signers.
  - (f) The legal description of the Property and a legal description of the specific real property owned by the landowners that executed the petition.
  - (g) The date that the landowners executed the petition.

- (h) The affidavit of petition circulator(s); stating that the signature of each landowner therein is the signature of the person whose name it purports to be.

2. That four (4) copies of the annexation map corresponding to the Property have been submitted to the Town with the Petition, and that each annexation map contains the following information:

- (a) A written legal description of the boundaries of the property proposed to be annexed.
- (b) A map showing the boundary of the property proposed to be annexed.
- (c) Within the map, the boundaries and the plat numbers of plots or of lots and blocks.
- (d) Next to the boundary of the property proposed to be annexed is drawn the contiguous boundary of the Town of Lochbuie.

3. That no signature on the Petition is dated more than one hundred eighty (180) days prior to the date of filing of the Petition for Annexation with the Town Clerk of the Town of Lochbuie, State of Colorado.

**NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Lochbuie, Colorado that:**

**Section 1.** That the foregoing recitals and findings are incorporated herein as findings and conclusions of the Town Board.

**Section 2.** The Petition for Annexation of the real property described and shown in Exhibit A, attached hereto and incorporated herein by this reference, to be known as the Burlington Northern Santa Fe Annexation No. 1, is determined to be in substantial compliance with C.R.S. § 31-12-107(1).

**Section 3.** No election is required under C.R.S. § 31-12-107(2).

**Section 4.** No additional terms and conditions are to be imposed except as provided in each Petition for Annexation and in any annexation agreement which may be entered into by and between the Town of Lochbuie and the petitioner(s), which are not to be considered additional terms and conditions within the meaning of C.R.S. §31-12-112.

**Section 5.** The Town Board shall hold a public hearing on the proposed annexation at a special meeting to be held on Tuesday, **June 11, 2024**, at 6:30 p.m., or as soon as thereafter possible, at the Lochbuie Town Hall, 703 WCR 37, Lochbuie Colorado 80603 and via teleconference with details on accessing such teleconference platform to be made publicly available on the Town web site at least 24 hours before the hearing, to determine if the proposed annexation as described in the Petition complies with Section 30 of Article II of the Colorado Constitution and C.R.S. §§ 31-12-104 and -105, or such parts thereof, as may be required to establish eligibility for annexation.

**Section 6.** The Town Clerk shall publish a Notice of Public Hearing once a week for four successive weeks in a newspaper of general circulation in the area proposed to be annexed,



with the first publication of such notice to be at least thirty days prior to the date of the hearing. The Town Clerk shall further provide notice to the Clerk of the Board of County Commissioners of Weld County, the Weld County Attorney, and to any special district or school district having territory within the area proposed to be annexed, in the manner and within the time provided in C.R.S. § 31-12-108(2).

**Section 7.** The Town staff and Town Attorney are hereby directed to take all such actions, including making any legal filings, as are necessary to comply with state law governing the process for annexing the Property.

**Section 8.** This Resolution shall be effective immediately upon adoption.

**ADOPTED THIS 6<sup>TH</sup> DAY OF MAY, 2024.**

**TOWN OF LOCHBUIE, COLORADO**

\_\_\_\_\_  
Michael Mahoney, Mayor

ATTEST:

By: \_\_\_\_\_  
Heather Bowen, Town Clerk

**EXHIBIT A**

**BURLINGTON NORTHERN SANTA FE ANNEXATION NO. 1  
LEGAL DESCRIPTION**

**Annexation Property 1**

A TRACT OF LAND BEING A PORTION OF SECTION 29 AND THE SOUTH HALF OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 29 TO HAVE AN ASSUMED BEARING OF S00°22'50"E, A DISTANCE OF 2650.69 FEET, MONUMENTED AT THE NORTH BY NO. 6 REBAR OF UNKNOWN LENGTH WITH A 2.5" ALUMINUM CAP, STAMPED "PLS 24305 CIVIL ARTS" AND AT THE SOUTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH NO CAP AS SHOWN HEREON WITH ALL OTHER BEARINGS RELATIVE THERETO.

BEGINNING AT THE SOUTHWEST CORNER OF LOT B RECORDED EXEMPTION NO. 1473-29-1 RE-4247, RECORDED AT RECEPTION NUMBER 3365571 IN THE WELD COUNTY CLERK AND RECORDER'S OFFICE;

THENCE N35°31'18"E, A DISTANCE OF 4,132.82 FEET ON THE WESTERLY LINE OF SAID RECORDED EXEMPTION AND THE EASTERLY RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN RAILROAD TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 29;

THENCE S89°39'26"W, A DISTANCE OF 6.39 FEET ON SAID NORTH LINE;

THENCE N35°38'45"E, A DISTANCE OF 2,465.43 FEET ON THE EASTERLY RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN RAILROAD TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN THE STATE DEPARTMENT OF HIGHWAYS DIVISION OF HIGHWAYS, STATE OF COLORADO DEED RECORDED AT RECEPTION NUMBER 1911050, WELD COUNTY, CLERK AND RECORDER'S OFFICE;

THENCE ON THE WESTERLY LINE OF SAID DEED, S00°37'10"E, A DISTANCE OF 1,964.89 FEET;

THENCE S00°20'33"E, A DISTANCE OF 60.00 FEET TO THE SOUTHERLY LINE OF WELD COUNTY ROAD 6;

THENCE N89°39'27"E, A DISTANCE OF 19.55 FEET ON SAID SOUTHERLY LINE TO THE WESTERLY RIGHT OF WAY FOR WELD COUNTY ROAD 41;

THENCE ON A WESTERLY RIGHT OF WAY LINE, S00°22'50"E, A DISTANCE OF 2620.76;

THENCE S00°23'02"E, A DISTANCE OF 621.07 FEET TO THE SOUTHERLY LINE OF LOT B, RECORDED EXEMPTION NO. 1473-29-1 RE-4247, RECORDED RECEPTION NUMBER 3365571 IN THE WELD COUNTY CLERK AND RECORDER'S OFFICE;

THENCE S88°31'06"W, A DISTANCE OF 3,895.64 FEET ON THE SAID SOUTHERLY LINE TO THE POINT OF BEGINNING.

PARCEL CONTAINS 10,289,760.28 SQUARE FEET OR 236.220 ACRES, MORE OR LESS.

**Annexation Property 2**

A TRACT OF LAND BEING A PORTION OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER FOR SAID SECTION 21, SAID POINT BEING MARKED BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3 ¼" ALUMINUM CAP STAMPED LS 27269 AMERICAN WEST 2000 AND CONSIDERING THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 21 TO HAVE AN ASSUMED BEARING OF S89°59'06"E, A DISTANCE OF 2649.41 FEET, MONUMENTED AT THE WEST BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3 ¼" ALUMINUM CAP STAMPED LS 27269 AMERICAN WEST 2000 AND ON THE EAST BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 2 ½" ALUMINUM CAP STAMPED LS 19585 POWER ELEV 1994 IN A MONUMENT BOX, AS SHOWN HEREON AND WITH ALL OTHER BEARINGS RELATIVE THERETO.

THENCE S0°00'54"E, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE SOUTHERLY RIGHT OF WAY FOR WELD COUNTY ROAD 8;

THENCE ON SAID SOUTHERLY LINE, S89°59'06"E, A DISTANCE OF 2,619.60 FEET;

THENCE S00°21'04"E, A DISTANCE OF 2,615.13 FEET ON THE WESTERLY RIGHT OF WAY FOR WELD COUNTY ROAD 43;

THENCE CONTINUING ON SAID WESTERLY LINE, S00°32'50"E, A DISTANCE OF 325.62 FEET TO THE NORTHERLY BOUNDARY OF THE NERES CANAL, RECORDED AT BOOK 383, PAGE 373 IN THE WELD COUNTY CLERK AND RECORDER'S OFFICE;

THENCE ON SAID NORTHERLY AND WESTERLY RIGHT-OF-WAY LINE FOR THE FOLLOWING (14) COURSES:

- 1) N68°21'42"W, A DISTANCE OF 138.07 FEET;
- 2) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 432.28 FEET, A CENTRAL ANGLE OF 22°10'34", A DISTANCE OF 167.31 FEET, A CHORD BEARING OF N79°27'00"W WITH A CHORD DISTANCE OF 166.27 FEET;
- 3) S89°27'42"W, A DISTANCE OF 832.24 FEET;
- 4) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 482.28 FEET, A CENTRAL ANGLE OF 58°12'05", A DISTANCE OF 489.90 FEET, A CHORD BEARING OF S60°21'41"W WITH A CHORD DISTANCE OF 469.11 FEET;
- 5) S31°15'39"W, A DISTANCE OF 129.77 FEET;

6) CURVE TO THE RIGHT, HAVING A RADIUS OF 267.72 FEET, A CENTRAL ANGLE OF 36°20'16", A DISTANCE OF 169.79 FEET, A CHORD BEARING OF S49°25'47"W WITH A CHORD DISTANCE OF 166.96 FEET;

7) S67°35'55"W, A DISTANCE OF 173.45 FEET;

8) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 457.28 FEET, A CENTRAL ANGLE OF 28°00'41", A DISTANCE OF 223.56 FEET, A CHORD BEARING OF S53°35'36"W WITH A CHORD DISTANCE OF 221.34 FEET;

9) S39°35'16"W, A DISTANCE OF 422.16 FEET;

10) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 382.28 FEET, A CENTRAL ANGLE OF 29°27'47", A DISTANCE OF 196.58 FEET, A CHORD BEARING OF S24°51'23"W WITH A CHORD DISTANCE OF 194.42 FEET;

11) S10°07'29"W, A DISTANCE OF 160.34 FEET;

12) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 457.28 FEET, A CENTRAL ANGLE OF 42°03'23", A DISTANCE OF 335.65 FEET, A CHORD BEARING OF S10°54'12"E WITH A CHORD DISTANCE OF 328.17 FEET;

13) S31°55'54"E, A DISTANCE OF 703.32 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

14) THENCE ON SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 519.21 FEET, A CENTRAL ANGLE OF 19°11'07", A DISTANCE OF 173.86 FEET, A CHORD BEARING OF S22°20'57"E WITH A CHORD DISTANCE OF 173.05 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD 6;

THENCE S89°14'14"W, A DISTANCE OF 3,248.32 FEET ON SAID NORTHERLY RIGHT-OF-WAY LINE TO THE EASTERLY LINE OF THE STATE DEPARTMENT OF HIGHWAYS RIGHT-OF-WAY, RECORDED AT RECEPTION NUMBER 1913279, RECORDED IN THE WELD COUNTY CLERK AND RECORDER'S OFFICE;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE FOR THE FOLLOWING FOUR (4) COURSES:

1) THENCE N00°36'12"W, A DISTANCE OF 1,585.62 FEET;

2) THENCE N18°44'25"E, A DISTANCE OF 675.39 FEET;

3) THENCE N36°00'25"E, A DISTANCE OF 442.80 FEET;

4) THENCE N27°52'26"E, A DISTANCE OF 75.93 FEET;

THENCE N89°36'10"E, A DISTANCE OF 1.99 FEET TO THE EASTERLY LINE OF THE STATE DEPARTMENT OF HIGHWAYS RIGHT-OF-WAY, RECORDED AT RECEPTION NUMBER 2018424, RECORDED IN THE WELD COUNTY CLERK AND RECORDER'S OFFICE;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE FOR THE FOLLOWING THREE (3) COURSES:

- 1) N32°38'54"E, A DISTANCE OF 120.67 FEET;
- 2) THENCE N35°30'39"E, A DISTANCE OF 2,200.00 FEET;
- 3) THENCE N42°41'24"E, A DISTANCE OF 1,028.50 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY FOR WELD COUNTY ROAD 8;
- 4) THENCE ON SAID RIGHT OF WAY, S89°59'06"E, A DISTANCE OF 14.32 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 18,279,204.87 SQUARE FEET OR 419.633 ACRES, MORE OR LESS.

### **Annexation Property 3**

A TRACT OF LAND BEING A PORTION OF THE WEST HALF OF SECTION 15 AND THE EAST HALF OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER FOR SAID SECTION 16, SAID POINT BEING MARKED BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3 ¼" ALUMINUM CAP STAMPED LS 27269 AMERICAN WEST 2000 AND CONSIDERING THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 16 TO HAVE AN ASSUMED BEARING OF S89°59'06"E, A DISTANCE OF 2649.41 FEET, MONUMENTED AT THE WEST BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3 ¼" ALUMINUM CAP STAMPED LS 27269 AMERICAN WEST 2000 AND ON THE EAST BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 2 ½" ALUMINUM CAP STAMPED LS 19585 POWER ELEV 1994 IN A MONUMENT BOX, AS SHOWN HEREON AND WITH ALL OTHER BEARINGS RELATIVE THERETO.

THENCE ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 16, N89°59'06"E, A DISTANCE OF 1,293.79 FEET;

THENCE N00°00'54"E, A DISTANCE OF 30.00 FEET TO THE TO THE EASTERLY RIGHT-OF-WAY LINE OF I-76, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE FOR THE FOLLOWING THREE (3) COURSES:

- 1) N77°57'21"W, A DISTANCE OF 1,326.70 FEET;
- 2) THENCE N00°42'36"W, A DISTANCE OF 138.35 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN RAILROAD IN DEED RECORDED SEPTEMBER 29, 1882 IN BOOK 36 AT PAGE 100;
- 3) THENCE N35°31'38"E, A DISTANCE OF 4,481.88 FEET ON SAID EASTERLY LINE TO A POINT ON THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 16;

THENCE ON SAID EAST LINE, N89°23'41"E, A DISTANCE OF 30.05 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY FOR WELD COUNTY ROAD 43;

THENCE S00°41'57"E, A DISTANCE OF 1,440.39 FEET, ON SAID EASTERLY RIGHT-OF-WAY LINE TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 15;

THENCE N89°29'45"E, A DISTANCE OF 2,382.58 FEET ON SAID EAST LINE TO THE WESTERLY RIGHT-OF-WAY LINE OF THE NERES CANAL RIGHT-OF-WAY AS DESCRIBED IN THE INSTRUMENT RECORDED SEPTEMBER 25, 1913 IN BOOK 383 AT PAGE 373;

THENCE ON SAID NERES CANAL WESTERLY RIGHT-OF-WAY LINE FOR THE FOLLOWING (18) COURSES:

- 1) S20°26'50"W, A DISTANCE OF 115.23 FEET;
- 2) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 395.00 FEET, A CENTRAL ANGLE OF 42°44'25", A DISTANCE OF 294.65 FEET, A CHORD BEARING OF S00°55'21"E WITH A CHORD DISTANCE OF 287.87 FEET;
- 3) S22°17'33"E, A DISTANCE OF 147.72 FEET;
- 4) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 665.00 FEET, A CENTRAL ANGLE OF 33°25'54", A DISTANCE OF 388.02 FEET, A CHORD BEARING OF S39°00'30"E WITH A CHORD DISTANCE OF 382.54 FEET;
- 5) S55°43'26"E, A DISTANCE OF 310.59 FEET;
- 6) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 1,245.00 FEET, A CENTRAL ANGLE OF 09°22'21", A DISTANCE OF 203.66 FEET, A CHORD BEARING OF S60°24'36"E WITH A CHORD DISTANCE OF 203.43 FEET;
- 7) S65°05'46"E, A DISTANCE OF 176.11 FEET;
- 8) ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 275.00 FEET, A CENTRAL ANGLE OF 24°54'28", A DISTANCE OF 119.55 FEET, A CHORD BEARING OF S52°38'31"E WITH A CHORD DISTANCE OF 118.61 FEET;
- 9) S40°11'16"E, A DISTANCE OF 161.83 FEET;
- 10) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 315.00 FEET, A CENTRAL ANGLE OF 79°41'59", A DISTANCE OF 438.17 FEET, A CHORD BEARING OF S00°20'16"E WITH A CHORD DISTANCE OF 403.69 FEET;
- 11) S39°30'44"W, A DISTANCE OF 81.18 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 12) THENCE ON SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 155.00 FEET, A CENTRAL ANGLE OF 55°50'03", A DISTANCE OF 151.05 FEET, A CHORD BEARING OF S67°25'49"W WITH A CHORD DISTANCE OF 145.14 FEET;
- 13) N84°39'06"W, A DISTANCE OF 239.86 FEET;
- 14) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 845.00 FEET, A CENTRAL ANGLE OF 42°24'43", A DISTANCE OF 625.49 FEET, A CHORD BEARING OF S74°08'33"W WITH A CHORD DISTANCE OF 611.31 FEET;

- 15) S52°56'12"W, A DISTANCE OF 50.98 FEET;
- 16) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 645.00 FEET, A CENTRAL ANGLE OF 35°51'32", A DISTANCE OF 403.68 FEET, A CHORD BEARING OF S35°00'25"W WITH A CHORD DISTANCE OF 397.12 FEET;
- 17) S17°04'39"W, A DISTANCE OF 129.21 FEET;
- 18) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 645.02 FEET, A CENTRAL ANGLE OF 9°31'52", A DISTANCE OF 107.30 FEET, A CHORD BEARING OF S12°18'44"W WITH A CHORD DISTANCE OF 107.17 FEET TO THE NORTHERLY RIGHT OF WAY LINE FOR WELD COUNTY ROAD 8;

THENCE S89°30'00"W, A DISTANCE OF 2,093.70 FEET ON SAID NORTHERLY RIGHT-OF-WAY;

THENCE S89°59'05"E, A DISTANCE OF 1,355.35 FEET ON SAID NORTHERLY RIGHT OF WAY LINE TO THE POINT OF BEGINNING.

PARCEL CONTAINS 12,949,489.53 SQUARE FEET OR 297.279 ACRES, MORE OR LESS.

**Annexation Property 4**

A TRACT OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 21, THE SOUTHWEST OF SECTION 22, AND THE NORTHWEST OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 21 TO HAVE AN ASSUMED BEARING OF S00°32'50"E, A DISTANCE OF 2640.69 FEET, MONUMENTED AT THE NORTH BY NO. 6 REBAR OF UNKNOWN LENGTH WITH AN ILLEGIBLE ALUMINUM CAP, AND AT THE SOUTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "PLS 10855 1995" AS SHOWN HEREON WITH ALL OTHER BEARINGS RELATIVE THERETO.

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 21, MONUMENTED BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "PLS 10855 1995";

THENCE N00°32'50"W, A DISTANCE OF 30.00 FEET ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 21 TO THE NORTH RIGHT OF WAY LINE OF WCR 6;

THENCE S89°09'15"W, A DISTANCE OF 1913.40 FEET ON THE SAID NORTH RIGHT OF WAY LINE TO THE EASTERLY RIGHT OF WAY LINE OF THE NERES CANAL RIGHT-OF-WAY AS DESCRIBED IN THE INSTRUMENT RECORDED SEPTEMBER 25, 1913 IN BOOK 383 AT PAGE 373;

THENCE ON THE SAID EASTERLY RIGHT-OF-WAY LINE FOR THE FOLLOWING (15) COURSES:

- 1) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 599.76 FEET, A CENTRAL ANGLE OF 20°47'22", A DISTANCE OF 217.62 FEET, A CHORD BEARING OF N21°30'58"W WITH A CHORD DISTANCE OF 216.43 FEET;
  - 2) N31°58'51"W, A DISTANCE OF 703.39 FEET;
  - 3) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 377.28 FEET, A CENTRAL ANGLE OF 42°03'07", A DISTANCE OF 276.90 FEET, A CHORD BEARING OF N10°54'13"W WITH A CHORD DISTANCE OF 270.73 FEET;
  - 4) THENCE N10°05'40"E, A DISTANCE OF 160.39 FEET;
  - 5) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 302.27 FEET, A CENTRAL ANGLE OF 29°27'47", A DISTANCE OF 155.44 FEET, A CHORD BEARING OF N24°51'23"E WITH A CHORD DISTANCE OF 153.73 FEET;
  - 6) THENCE N39°35'16"E, A DISTANCE OF 422.16 FEET;
  - 7) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 377.29 FEET, A CENTRAL ANGLE OF 28°00'41", A DISTANCE OF 184.45 FEET, A CHORD BEARING OF N53°35'36"E WITH A CHORD DISTANCE OF 182.62 FEET;
  - 8) THENCE N67°35'55"E, A DISTANCE OF 173.45 FEET;
  - 9) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 347.72 FEET, A CENTRAL ANGLE OF 36°20'16", A DISTANCE OF 220.53 FEET, A CHORD BEARING OF N49°25'47"E WITH A CHORD DISTANCE OF 216.85 FEET;
  - 10) THENCE N31°15'39"E, A DISTANCE OF 129.77 FEET;
  - 11) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 402.28 FEET, A CENTRAL ANGLE OF 58°12'08", A DISTANCE OF 408.64 FEET, A CHORD BEARING OF N60°21'44"E WITH A CHORD DISTANCE OF 391.30 FEET;
  - 12) THENCE N89°27'42"E, A DISTANCE OF 832.24 FEET;
  - 13) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 352.28 FEET, A CENTRAL ANGLE OF 22°03'13", A DISTANCE OF 135.60 FEET, A CHORD BEARING OF S79°30'43"E WITH A CHORD DISTANCE OF 134.76 FEET;
  - 14) THENCE S67°12'54"E, A DISTANCE OF 172.89 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF WCR 43;
- THENCE S00°32'50"E, A DISTANCE OF 1,305.95 FEET ON SAID RIGHT-OF-WAY LINE;
- THENCE N89°27'10"E, A DISTANCE OF 60.00 FEET;
- THENCE S00°32'50"E, A DISTANCE OF 27.71 FEET TO THE SOUTHERLY LINE OF THE DENVER-HUDSON CANAL;
- THENCE ON THE SAID SOUTHERLY LINE FOR THE FOLLOWING THREE (3) COURSES:



- 1) THENCE S40°01'05"E, A DISTANCE OF 252.39 FEET;
- 2) THENCE S64°33'10"E, A DISTANCE OF 129.56 FEET;
- 3) THENCE N82°22'03"E, A DISTANCE OF 246.11 FEET;

THENCE S00°00'00"W, A DISTANCE OF 3,316.69 FEET TO THE NORTH LINE OF THE NORTH HALF OF SAID SECTION 27;

THENCE S89°41'07"W, A DISTANCE OF 540.64 FEET ON SAID NORTH LINE TO THE WEST QUARTER OF SAID SECTION 27, MONUMENTED WITH A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 2.5" ALUMINUM CAP, STAMPED "LS 13482 AW FREDENBURG";

THENCE N00°05'09"W, A DISTANCE OF 271.78 FEET ON THE WEST LINE OF THE NORTH HALF OF SAID SECTION 27 TO THE EASTERLY LINE OF THE DENVER-HUDSON CANAL;

THENCE ON THE SAID EASTERLY LINE FOR THE FOLLOWING FOUR (4) COURSES:

- 1) THENCE N19°38'26"E, A DISTANCE OF 74.77 FEET;
- 2) THENCE N08°33'54"E, A DISTANCE OF 380.53 FEET;
- 3) THENCE N19°04'24"W, A DISTANCE OF 139.71 FEET;
- 4) THENCE N35°39'27"W, A DISTANCE OF 63.69 FEET TO THE WESTERLY LINE OF THE NORTH HALF OF SAID SECTION 27;

THENCE N00°05'18"W, A DISTANCE OF 1,742.07 FEET ON SAID WESTERLY LINE TO THE POINT OF BEGINNING;

PARCEL CONTAINS 6,465,689.62 SQUARE FEET OR 148.437 ACRES, MORE OR LESS.

LESS AND EXCEPT:

A TRACT OF LAND BEING A PORTION OF THE LAND DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 346, PAGE 258 IN THE RECORDS OF WELD COUNTY, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER FOR SAID SECTION 21, SAID POINT BEING MARKED BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3 ¼" ALUMINUM CAP STAMPED PLS 10855 AND CONSIDERING THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 21 TO HAVE AN ASSUMED BEARING OF N00°32'50"W, A DISTANCE OF 2640.69 FEET, MONUMENTED AT THE SOUTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH NO CAP, AS SHOWN HEREON AND WITH ALL OTHER BEARINGS RELATIVE THERETO.

THENCE ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 21, S89°09'15"W, A DISTANCE OF 1,056.55 FEET;

THENCE N00°50'45"E, A DISTANCE OF 30.00 FEET TO THE TO THE POINT OF BEGINNING;

THENCE ON THE WESTERLY, NORTHERLY, EASTERLY AND SOUTHERLY BOUNDARY OF SAID PROPERTY RECORDED IN BOOK 346, PAGE 258 FOR THE FOLLOWING TWENTY SEVEN (27) COURSES:

- 1) ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 162.50 FEET, A CENTRAL ANGLE OF 64°14'44", A DISTANCE OF 182.21 FEET, A CHORD BEARING OF N41°57'37"E WITH A CHORD DISTANCE OF 172.81 FEET;
- 2) N74°03'09"E, A DISTANCE OF 69.33 FEET;
- 3) ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 70.00 FEET, A CENTRAL ANGLE OF 77°33'49", A DISTANCE OF 94.76 FEET, A CHORD BEARING OF N35°53'08"E WITH A CHORD DISTANCE OF 87.69 FEET;
- 4) N02°52'15"W, A DISTANCE OF 209.19 FEET;
- 5) ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 204.95 FEET, A CENTRAL ANGLE OF 54°29'57", A DISTANCE OF 194.95 FEET, A CHORD BEARING OF N24°18'19"E WITH A CHORD DISTANCE OF 187.68 FEET;
- 6) N51°33'54"E, A DISTANCE OF 46.07 FEET;
- 7) ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 387.86 FEET, A CENTRAL ANGLE OF 44°25'37", A DISTANCE OF 300.75 FEET, A CHORD BEARING OF N29°28'47"E WITH A CHORD DISTANCE OF 293.27 FEET;
- 8) N07°23'40"E, A DISTANCE OF 124.41 FEET;
- 9) ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 177.95 FEET, A CENTRAL ANGLE OF 85°08'19", A DISTANCE OF 264.42 FEET, A CHORD BEARING OF N49°57'48"E WITH A CHORD DISTANCE OF 240.76 FEET;
- 10) S87°28'03"E, A DISTANCE OF 82.63 FEET;
- 11) S72°06'00"E, A DISTANCE OF 131.58 FEET;
- 12) S58°24'16"E, A DISTANCE OF 150.20 FEET;
- 13) S00°32'50"E, A DISTANCE OF 133.68 FEET;
- 14) N48°58'01"W, A DISTANCE OF 75.48 FEET;
- 15) N58°22'45"W, A DISTANCE OF 133.87 FEET;
- 16) N72°04'29"W, A DISTANCE OF 106.08 FEET;
- 17) 87°26'32"W, A DISTANCE OF 69.14 FEET;
- 18) LONG A CURVE TO THE LEFT, HAVING A RADIUS OF 77.95 FEET, A CENTRAL ANGLE OF 85°08'24", A DISTANCE OF 115.83 FEET, A CHORD BEARING OF S49°59'19"W WITH A CHORD DISTANCE OF 105.46 FEET;

- 19) S07°25'11"W, A DISTANCE OF 124.41 FEET;
- 20) LONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 490.00 FEET, A CENTRAL ANGLE OF 44°10'16", A DISTANCE OF 377.76 FEET, A CHORD BEARING OF S29°30'18"W WITH A CHORD DISTANCE OF 368.47 FEET;
- 21) S51°35'25"W, A DISTANCE OF 46.07 FEET;
- 22) ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 105.08 FEET, A CENTRAL ANGLE OF 54°22'21", A DISTANCE OF 99.71 FEET, A CHORD BEARING OF S24°22'05"W WITH A CHORD DISTANCE OF 96.01 FEET;
- 23) S02°49'28"E, A DISTANCE OF 209.35 FEET;
- 24) ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 170.00 FEET, A CENTRAL ANGLE OF 77°16'57", A DISTANCE OF 229.30 FEET, A CHORD BEARING OF S35°49'02"W WITH A CHORD DISTANCE OF 212.31 FEET;
- 25) S74°27'31"W, A DISTANCE OF 67.94 FEET;
- 26) ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 62.50 FEET, A CENTRAL ANGLE OF 46°25'40", A DISTANCE OF 50.64 FEET, A CHORD BEARING OF S51°15'00"W WITH A CHORD DISTANCE OF 49.27 FEET;
- 27) S89°09'15"W, A DISTANCE OF 105.33 FEET; TO THE POINT OF BEGINNING.

PARCEL CONTAINS 178,818.22 SQUARE FEET OR 4.105 ACRES, MORE OR LESS.

**Annexation Property No. 5**

A TRACT OF LAND BEING A PORTION OF THE SOUTH HALF OF SECTION 22, AND THE NORTH HALF OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 21 TO HAVE AN ASSUMED BEARING OF S00°32'50"E, A DISTANCE OF 2640.69 FEET, MONUMENTED AT THE NORTH BY NO. 6 REBAR OF UNKNOWN LENGTH WITH AN ILLEGIBLE ALUMINUM CAP, AND AT THE SOUTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "PLS 10855 1995" AS SHOWN HEREON WITH ALL OTHER BEARINGS RELATIVE THERETO.

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 21, MONUMENTED WITH A NO. 6 REBAR OF UNKNOWN LENGTH WITH 3.25" ALUMINUM CAP, STAMPED "PLS 10855 1995"

THENCE N38°53'23"E, A DISTANCE OF 867.60 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE DENVER-HUDSON CANAL;

THENCE ON SAID SOUTHERLY RIGHT-OF-WAY FOR THE FOLLOWING (33) COURSES:

- 1) THENCE S55°36'50"E, A DISTANCE OF 433.97 FEET;

- 2) THENCE S82°42'52"E, A DISTANCE OF 190.72 FEET;
- 3) THENCE N28°42'27"E, A DISTANCE OF 205.45 FEET;
- 4) THENCE N16°36'38"W, A DISTANCE OF 311.65 FEET;
- 5) THENCE N09°16'59"E, A DISTANCE OF 183.31 FEET;
- 6) THENCE N61°37'08"E, A DISTANCE OF 115.13 FEET;
- 7) THENCE N88°34'42"E, A DISTANCE OF 435.02 FEET;
- 8) THENCE N46°24'18"E, A DISTANCE OF 235.17 FEET;
- 9) THENCE S89°27'56"E, A DISTANCE OF 97.29 FEET;
- 10) THENCE S63°30'17"E, A DISTANCE OF 183.56 FEET;
- 11) THENCE S53°23'10"E, A DISTANCE OF 113.54 FEET;
- 12) THENCE S26°19'41"E, A DISTANCE OF 162.12 FEET;
- 13) THENCE S51°22'47"E, A DISTANCE OF 193.68 FEET;
- 14) THENCE S81°59'53"E, A DISTANCE OF 216.87 FEET;
- 15) THENCE S81°59'53"E, A DISTANCE OF 8.57 FEET;
- 16) THENCE N86°50'08"E, A DISTANCE OF 171.45 FEET;
- 17) THENCE S66°48'48"E, A DISTANCE OF 105.27 FEET;
- 18) THENCE S35°08'10"E, A DISTANCE OF 85.93 FEET;
- 19) THENCE S18°35'15"E, A DISTANCE OF 153.68 FEET;
- 20) THENCE S52°45'21"E, A DISTANCE OF 119.55 FEET;
- 21) THENCE N82°49'43"E, A DISTANCE OF 161.83 FEET;
- 22) THENCE N63°25'24"E, A DISTANCE OF 187.18 FEET;
- 23) THENCE N25°41'46"E, A DISTANCE OF 149.56 FEET;
- 24) THENCE N00°30'44"E, A DISTANCE OF 152.37 FEET;
- 25) THENCE N34°59'10"E, A DISTANCE OF 66.44 FEET;
- 26) THENCE N73°56'04"E, A DISTANCE OF 43.18 FEET;
- 27) THENCE S78°01'13"E, A DISTANCE OF 535.45 FEET;

- 28) THENCE S54°01'54"E, A DISTANCE OF 218.39 FEET;
- 29) THENCE S28°34'19"E, A DISTANCE OF 189.08 FEET;
- 30) THENCE S41°16'52"E, A DISTANCE OF 295.58 FEET;
- 31) THENCE S49°55'41"E, A DISTANCE OF 131.64 FEET;
- 32) THENCE S82°33'21"E, A DISTANCE OF 135.61 FEET;
- 33) THENCE S84°54'47"E, A DISTANCE OF 453.03 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF WCR 45;

THENCE S00°25'43"E, A DISTANCE OF 173.10 FEET ON SAID WESTERLY RIGHT-OF-WAY LINE;

THENCE S00°06'32"E, A DISTANCE OF 2,649.99 FEET ON SAID WESTERLY RIGHT-OF-WAY LINE TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27;

THENCE S89°34'34"W, A DISTANCE OF 2,596.64 FEET ON SAID SOUTH LINE TO THE CENTER QUARTER OF SECTION 27, MONUMENTED WITH A 2.5" PIPE OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS 6973 1986";

THENCE S89°41'07"W, A DISTANCE OF 2,109.69 FEET ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27;

THENCE N00°00'00"E, A DISTANCE OF 3,316.69 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 15,911,635.11 SQUARE FEET OR 365.281 ACRES, MORE OR LESS.

**Annexation Property No. 6**

A TRACT OF LAND BEING A PORTION OF THE SOUTH EAST QUARTER OF SECTION 23 AND THE NORTH HALF OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 26 TO HAVE AN ASSUMED BEARING OF S00°06'32"E, A DISTANCE OF 2650.19 FEET, MONUMENTED AT THE NORTH BY NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS27269", AND AT THE SOUTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS 27269 AMERICAN WEST 2002" AS SHOWN HEREON WITH ALL OTHER BEARINGS RELATIVE THERETO.

COMMENCING AT THE NORTHWEST CORNER OF SECTION 26 MONUMENTED BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS27269";

THENCE N89°52'18"E, A DISTANCE OF 31.00 FEET TO THE POINT OF BEGINNING;

THENCE N89°52'18"E, A DISTANCE OF 50.00 FEET ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 23;

THENCE N00°25'35"W, A DISTANCE OF 170.26 FEET;

THENCE N89°52'18"E, A DISTANCE OF 50.00 FEET;

THENCE S00°25'34"E, A DISTANCE OF 170.26 FEET TO SAID SOUTH LINE;

THENCE N89°52'18"E, A DISTANCE OF 50.00 FEET ON SAID SOUTH LINE;

THENCE N00°25'32"W, A DISTANCE OF 170.26 FEET;

THENCE N89°52'18"E, A DISTANCE OF 50.00 FEET;

THENCE S00°25'31"E, A DISTANCE OF 170.26 FEET TO SAID SOUTH LINE;

THENCE N89°52'18"E, A DISTANCE OF 50.00 FEET ON SAID SOUTH LINE;

THENCE N00°25'28"W, A DISTANCE OF 170.26 FEET;

THENCE N89°52'18"E, A DISTANCE OF 50.00 FEET;

THENCE S00°25'27"E, A DISTANCE OF 170.26 FEET TO SAID SOUTH LINE;

THENCE N89°52'18"E, A DISTANCE OF 3,659.37 FEET TO THE EAST SIXTEENTH OF SECTION 26, MONUMENTED WITH A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 2.5" ALUMINUM CAP, STAMPED "27269 HOSS 2002";

THENCE S00°22'28"E, A DISTANCE OF 2,650.28 FEET ON THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 26 TO THE CENTER EAST SIXTEENTH CORNER OF SAID SECTION 26, MONUMENTED BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS 27269 AMERICAN WEST 2002";

THENCE S89°52'21"W, A DISTANCE OF 3,971.65 FEET ON SAID SOUTH LINE OF THE NORTH HALF OF SAID SECTION 26;

THENCE N00°06'32"W, A DISTANCE OF 2,650.19 FEET TO THE POINT OF BEGINNING;

PARCEL CONTAINS 10,535,004.92 SQUARE FEET OR 241.850 ACRES, MORE OR LESS.

**Annexation Property No. 7**

A TRACT OF LAND BEING A PORTION SECTION 23 AND SECTION 14, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 23 TO HAVE AN ASSUMED BEARING OF S00°25'37"E, A DISTANCE OF 2645.96 FEET, MONUMENTED AT THE NORTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 2.5" ALUMINUM CAP, STAMPED "LS 28273 M. JOHNSON" IN A MONUMENT BOX, AND AT THE SOUTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS27269" AS SHOWN HEREON WITH ALL OTHER BEARINGS RELATIVE THERETO.

COMMENCING AT THE NORTHWEST CORNER OF SECTION 26, MONUMENTED BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS27269";

THENCE N89°52'18"W, A DISTANCE OF 31.00 FEET TO THE POINT OF BEGINNING;

THENCE N00°25'37"W, A DISTANCE OF 170.26 FEET;

THENCE N00°25'37"W, A DISTANCE OF 2,475.86 FEET;

THENCE N00°25'31"W, A DISTANCE OF 2,645.92 FEET;

THENCE S89°34'29"W, A DISTANCE OF 1.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF WCR 45;

THENCE N00°08'56"E, A DISTANCE OF 2,333.37 FEET ON THE EASTERLY LINE WCR 45 TO THE SOUTHERLY LINE OF THE NERES CANAL;

THENCE ON SAID SOUTH LINE OF THE NERES CANAL FOR THE FOLLOWING (28) COURSES:

- 1) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 331.13 FEET, A CENTRAL ANGLE OF 27°09'37", A DISTANCE OF 156.97 FEET, A CHORD BEARING OF N76°42'45"E WITH A CHORD DISTANCE OF 155.50 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 2) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 209.52 FEET, A CENTRAL ANGLE OF 29°10'41", A DISTANCE OF 106.70 FEET, A CHORD BEARING OF N45°29'31"E WITH A CHORD DISTANCE OF 105.55 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 3) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 188.35 FEET, A CENTRAL ANGLE OF 41°28'48", A DISTANCE OF 136.36 FEET, A CHORD BEARING OF N15°54'04"E WITH A CHORD DISTANCE OF 133.40 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 4) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 3,779.63 FEET, A CENTRAL ANGLE OF 01°03'06", A DISTANCE OF 69.37 FEET, A CHORD BEARING OF N04°05'27"W WITH A CHORD DISTANCE OF 69.37 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 5) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 464.17 FEET, A CENTRAL ANGLE OF 09°51'54", A DISTANCE OF 79.92 FEET, A CHORD BEARING OF N14°31'23"W WITH A CHORD DISTANCE OF 79.82 FEET;
- 6) THENCE N28°08'42"W, A DISTANCE OF 105.65 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

- 7) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 2,306.17 FEET, A CENTRAL ANGLE OF  $03^{\circ}35'19''$ , A DISTANCE OF 144.44 FEET, A CHORD BEARING OF  $N25^{\circ}44'44''W$  WITH A CHORD DISTANCE OF 144.42 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 8) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 2,248.51 FEET, A CENTRAL ANGLE OF  $02^{\circ}32'29''$ , A DISTANCE OF 99.74 FEET, A CHORD BEARING OF  $N23^{\circ}59'46''W$  WITH A CHORD DISTANCE OF 99.73 FEET;
- 9) THENCE  $N20^{\circ}58'32''W$ , A DISTANCE OF 70.68 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 10) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 152.27 FEET, A CENTRAL ANGLE OF  $47^{\circ}25'45''$ , A DISTANCE OF 126.05 FEET, A CHORD BEARING OF  $N03^{\circ}13'07''W$  WITH A CHORD DISTANCE OF 122.48 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 11) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 150.46 FEET, A CENTRAL ANGLE OF  $38^{\circ}27'34''$ , A DISTANCE OF 101.00 FEET, A CHORD BEARING OF  $N34^{\circ}11'24''E$  WITH A CHORD DISTANCE OF 99.11 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 12) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 504.55 FEET, A CENTRAL ANGLE OF  $12^{\circ}53'36''$ , A DISTANCE OF 113.54 FEET, A CHORD BEARING OF  $N67^{\circ}16'42''E$  WITH A CHORD DISTANCE OF 113.30 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 13) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 212.10 FEET, A CENTRAL ANGLE OF  $21^{\circ}16'35''$ , A DISTANCE OF 78.76 FEET, A CHORD BEARING OF  $N81^{\circ}30'20''E$  WITH A CHORD DISTANCE OF 78.31 FEET;
- 14) THENCE  $N88^{\circ}54'45''E$ , A DISTANCE OF 32.27 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 15) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 225.60 FEET, A CENTRAL ANGLE OF  $25^{\circ}38'56''$ , A DISTANCE OF 100.99 FEET, A CHORD BEARING OF  $S78^{\circ}01'05''E$  WITH A CHORD DISTANCE OF 100.15 FEET;
- 16) THENCE  $S63^{\circ}59'05''E$ , A DISTANCE OF 205.76 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 17) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 475.48 FEET, A CENTRAL ANGLE OF  $19^{\circ}21'41''$ , A DISTANCE OF 160.67 FEET, A CHORD BEARING OF  $S83^{\circ}11'05''E$  WITH A CHORD DISTANCE OF 159.91 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 18) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 420.14 FEET, A CENTRAL ANGLE OF  $20^{\circ}10'27''$ , A DISTANCE OF 147.93 FEET, A CHORD BEARING OF  $S88^{\circ}19'16''E$  WITH A CHORD DISTANCE OF 147.17 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 19) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 197.25 FEET, A CENTRAL ANGLE OF  $41^{\circ}36'45''$ , A DISTANCE OF 143.26 FEET, A CHORD BEARING OF  $N76^{\circ}39'12''E$  WITH A CHORD DISTANCE OF 140.13 FEET TO A NON-TANGENT CURVE TO THE RIGHT;



20) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 456.13 FEET, A CENTRAL ANGLE OF 12°44'09", A DISTANCE OF 101.39 FEET, A CHORD BEARING OF N65°38'20"E WITH A CHORD DISTANCE OF 101.18 FEET TO A NON-TANGENT CURVE TO THE LEFT;

21) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 2,596.53 FEET, A CENTRAL ANGLE OF 05°31'14", A DISTANCE OF 250.18 FEET, A CHORD BEARING OF N77°31'06"E WITH A CHORD DISTANCE OF 250.08 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

22) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,595.32 FEET, A CENTRAL ANGLE OF 08°54'09", A DISTANCE OF 247.88 FEET, A CHORD BEARING OF N78°39'13"E WITH A CHORD DISTANCE OF 247.63 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

23) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 992.69 FEET, A CENTRAL ANGLE OF 05°24'37", A DISTANCE OF 93.73 FEET, A CHORD BEARING OF S88°56'30"E WITH A CHORD DISTANCE OF 93.70 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

24) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 7,511.77 FEET, A CENTRAL ANGLE OF 01°17'51", A DISTANCE OF 170.09 FEET, A CHORD BEARING OF S76°40'25"E WITH A CHORD DISTANCE OF 170.09 FEET TO A NON-TANGENT CURVE TO THE LEFT;

25) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 382.03 FEET, A CENTRAL ANGLE OF 24°53'03", A DISTANCE OF 165.92 FEET, A CHORD BEARING OF S87°28'46"E WITH A CHORD DISTANCE OF 164.62 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

26) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,824.94 FEET, A CENTRAL ANGLE OF 07°04'44", A DISTANCE OF 225.47 FEET, A CHORD BEARING OF N87°08'13"E WITH A CHORD DISTANCE OF 225.33 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

27) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 660.51 FEET, A CENTRAL ANGLE OF 12°34'29", A DISTANCE OF 144.96 FEET, A CHORD BEARING OF S77°18'34"E WITH A CHORD DISTANCE OF 144.67 FEET TO A NON-TANGENT CURVE TO THE LEFT;

28) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 1,649.74 FEET, A CENTRAL ANGLE OF 07°36'29", A DISTANCE OF 219.06 FEET, A CHORD BEARING OF S78°04'22"E WITH A CHORD DISTANCE OF 218.90 FEET;

THENCE S00°07'50"E, A DISTANCE OF 607.52 FEET;

THENCE N89°25'50"E, A DISTANCE OF 887.30 FEET TO A NON-TANGENT CURVE TO THE RIGHT TO THE WESTERLY LINE OF THE BOX ELDER LATERAL;

THENCE ON SAID WESTERLY LINE OF THE BOX ELDER LATERAL FOR THE FOLLOWING (68) COURSES:

1) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 32.33 FEET, A CENTRAL ANGLE OF 85°38'21", A DISTANCE OF 48.32 FEET, A CHORD BEARING OF S06°36'10"E WITH A CHORD DISTANCE OF 43.95 FEET;

- 2) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 58.63 FEET, A CENTRAL ANGLE OF  $92^{\circ}17'01''$ , A DISTANCE OF 94.43 FEET, A CHORD BEARING OF  $S09^{\circ}55'29''E$  WITH A CHORD DISTANCE OF 84.55 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 3) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 2,782.63 FEET, A CENTRAL ANGLE OF  $02^{\circ}30'43''$ , A DISTANCE OF 122.00 FEET, A CHORD BEARING OF  $S42^{\circ}02'49''E$  WITH A CHORD DISTANCE OF 121.99 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 4) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 251.38 FEET, A CENTRAL ANGLE OF  $22^{\circ}06'57''$ , A DISTANCE OF 97.03 FEET, A CHORD BEARING OF  $S26^{\circ}54'10''E$  WITH A CHORD DISTANCE OF 96.43 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 5) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 2,609.37 FEET, A CENTRAL ANGLE OF  $02^{\circ}20'13''$ , A DISTANCE OF 106.43 FEET, A CHORD BEARING OF  $S17^{\circ}07'49''E$  WITH A CHORD DISTANCE OF 106.42 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 6) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 431.75 FEET, A CENTRAL ANGLE OF  $14^{\circ}50'27''$ , A DISTANCE OF 111.83 FEET, A CHORD BEARING OF  $S17^{\circ}08'45''E$  WITH A CHORD DISTANCE OF 111.52 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 7) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 521.50 FEET, A CENTRAL ANGLE OF  $07^{\circ}11'56''$ , A DISTANCE OF 65.52 FEET, A CHORD BEARING OF  $S19^{\circ}53'07''E$  WITH A CHORD DISTANCE OF 65.48 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 8) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 755.26 FEET, A CENTRAL ANGLE OF  $07^{\circ}05'16''$ , A DISTANCE OF 93.43 FEET, A CHORD BEARING OF  $S10^{\circ}15'23''E$  WITH A CHORD DISTANCE OF 93.37 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 9) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 869.59 FEET, A CENTRAL ANGLE OF  $07^{\circ}01'53''$ , A DISTANCE OF 106.72 FEET, A CHORD BEARING OF  $S18^{\circ}50'31''E$  WITH A CHORD DISTANCE OF 106.65 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 10) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 457.81 FEET, A CENTRAL ANGLE OF  $12^{\circ}52'35''$ , A DISTANCE OF 102.89 FEET, A CHORD BEARING OF  $S18^{\circ}36'50''E$  WITH A CHORD DISTANCE OF 102.67 FEET;
- 11) THENCE  $S13^{\circ}54'03''E$ , A DISTANCE OF 141.89 FEET;
- 12) THENCE  $S16^{\circ}45'25''E$ , A DISTANCE OF 128.22 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 13) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 897.64 FEET, A CENTRAL ANGLE OF  $12^{\circ}56'20''$ , A DISTANCE OF 202.71 FEET, A CHORD BEARING OF  $S20^{\circ}36'00''E$  WITH A CHORD DISTANCE OF 202.28 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 14) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 435.88 FEET, A CENTRAL ANGLE OF  $12^{\circ}25'31''$ , A DISTANCE OF 94.53 FEET, A CHORD BEARING OF  $S26^{\circ}14'37''E$  WITH A CHORD DISTANCE OF 94.34 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

15) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 422.57 FEET, A CENTRAL ANGLE OF  $10^{\circ}39'23''$ , A DISTANCE OF 78.59 FEET, A CHORD BEARING OF  $S12^{\circ}05'52''E$  WITH A CHORD DISTANCE OF 78.48 FEET TO A NON-TANGENT CURVE TO THE LEFT;

16) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 329.44 FEET, A CENTRAL ANGLE OF  $15^{\circ}02'56''$ , A DISTANCE OF 86.53 FEET, A CHORD BEARING OF  $S10^{\circ}52'54''E$  WITH A CHORD DISTANCE OF 86.28 FEET TO A NON-TANGENT CURVE TO THE LEFT;

17) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 741.99 FEET, A CENTRAL ANGLE OF  $08^{\circ}48'17''$ , A DISTANCE OF 114.02 FEET, A CHORD BEARING OF  $S27^{\circ}29'54''E$  WITH A CHORD DISTANCE OF 113.91 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

18) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 123.20 FEET, A CENTRAL ANGLE OF  $33^{\circ}44'32''$ , A DISTANCE OF 72.55 FEET, A CHORD BEARING OF  $S13^{\circ}47'46''E$  WITH A CHORD DISTANCE OF 71.51 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

19) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 269.95 FEET, A CENTRAL ANGLE OF  $20^{\circ}03'12''$ , A DISTANCE OF 94.48 FEET, A CHORD BEARING OF  $S09^{\circ}41'10''W$  WITH A CHORD DISTANCE OF 94.00 FEET TO A NON-TANGENT CURVE TO THE LEFT;

20) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 483.98 FEET, A CENTRAL ANGLE OF  $14^{\circ}01'20''$ , A DISTANCE OF 118.45 FEET, A CHORD BEARING OF  $S01^{\circ}33'50''W$  WITH A CHORD DISTANCE OF 118.15 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

21) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 758.37 FEET, A CENTRAL ANGLE OF  $06^{\circ}02'22''$ , A DISTANCE OF 79.94 FEET, A CHORD BEARING OF  $S05^{\circ}17'34''E$  WITH A CHORD DISTANCE OF 79.90 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

22) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 697.97 FEET, A CENTRAL ANGLE OF  $08^{\circ}20'57''$ , A DISTANCE OF 101.71 FEET, A CHORD BEARING OF  $S02^{\circ}07'09''W$  WITH A CHORD DISTANCE OF 101.62 FEET TO A NON-TANGENT CURVE TO THE LEFT;

23) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 2,859.32 FEET, A CENTRAL ANGLE OF  $02^{\circ}37'18''$ , A DISTANCE OF 130.83 FEET, A CHORD BEARING OF  $S04^{\circ}40'06''W$  WITH A CHORD DISTANCE OF 130.82 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

24) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 938.44 FEET, A CENTRAL ANGLE OF  $07^{\circ}27'29''$ , A DISTANCE OF 122.16 FEET, A CHORD BEARING OF  $S03^{\circ}54'52''W$  WITH A CHORD DISTANCE OF 122.07 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

25) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 305.94 FEET, A CENTRAL ANGLE OF  $16^{\circ}26'49''$ , A DISTANCE OF 87.82 FEET, A CHORD BEARING OF  $S18^{\circ}39'23''W$  WITH A CHORD DISTANCE OF 87.52 FEET TO A NON-TANGENT CURVE TO THE LEFT;

26) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 1,522.18 FEET, A CENTRAL ANGLE OF  $06^{\circ}11'38''$ , A DISTANCE OF 164.55 FEET, A CHORD BEARING OF  $S28^{\circ}05'30''W$  WITH A CHORD DISTANCE OF 164.47 FEET;

27) THENCE  $S16^{\circ}32'55''W$ , A DISTANCE OF 27.08 FEET;

28) THENCE  $S28^{\circ}56'20''W$ , A DISTANCE OF 21.88 FEET;

- 29) THENCE S26°39'09"W, A DISTANCE OF 18.14 FEET;
- 30) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 76.60 FEET, A CENTRAL ANGLE OF 75°01'34", A DISTANCE OF 100.30 FEET, A CHORD BEARING OF S53°23'41"W WITH A CHORD DISTANCE OF 93.29 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 31) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 666.67 FEET, A CENTRAL ANGLE OF 09°52'30", A DISTANCE OF 114.90 FEET, A CHORD BEARING OF N85°23'12"W WITH A CHORD DISTANCE OF 114.76 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 32) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 64.93 FEET, A CENTRAL ANGLE OF 81°23'12", A DISTANCE OF 92.23 FEET, A CHORD BEARING OF S51°17'31"W WITH A CHORD DISTANCE OF 84.67 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 33) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 137.24 FEET, A CENTRAL ANGLE OF 52°47'54", A DISTANCE OF 126.47 FEET, A CHORD BEARING OF S12°40'43"E WITH A CHORD DISTANCE OF 122.04 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 34) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 194.80 FEET, A CENTRAL ANGLE OF 34°20'21", A DISTANCE OF 116.75 FEET, A CHORD BEARING OF S06°38'35"E WITH A CHORD DISTANCE OF 115.01 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 35) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 253.32 FEET, A CENTRAL ANGLE OF 38°02'39", A DISTANCE OF 168.20 FEET, A CHORD BEARING OF S00°23'05"E WITH A CHORD DISTANCE OF 165.13 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 36) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 811.83 FEET, A CENTRAL ANGLE OF 04°22'11", A DISTANCE OF 61.92 FEET, A CHORD BEARING OF S28°10'17"E WITH A CHORD DISTANCE OF 61.90 FEET;
- 37) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 811.83 FEET, A CENTRAL ANGLE OF 04°22'11", A DISTANCE OF 61.92 FEET, A CHORD BEARING OF S32°32'28"E WITH A CHORD DISTANCE OF 61.90 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 38) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 719.94 FEET, A CENTRAL ANGLE OF 10°51'06", A DISTANCE OF 136.35 FEET, A CHORD BEARING OF S33°48'20"E WITH A CHORD DISTANCE OF 136.15 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 39) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 369.53 FEET, A CENTRAL ANGLE OF 18°20'47", A DISTANCE OF 118.32 FEET, A CHORD BEARING OF S18°02'37"E WITH A CHORD DISTANCE OF 117.82 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 40) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 19,521.09 FEET, A CENTRAL ANGLE OF 00°33'10", A DISTANCE OF 188.38 FEET, A CHORD BEARING OF S08°19'10"E WITH A CHORD DISTANCE OF 188.38 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 41) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 1,121.34 FEET, A CENTRAL ANGLE OF 12°11'57", A DISTANCE OF 238.75 FEET, A CHORD BEARING OF S14°22'31"E WITH A CHORD DISTANCE OF 238.30 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

- 42) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 937.12 FEET, A CENTRAL ANGLE OF  $09^{\circ}46'56''$ , A DISTANCE OF 159.99 FEET, A CHORD BEARING OF  $S11^{\circ}30'12''E$  WITH A CHORD DISTANCE OF 159.80 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 43) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 781.06 FEET, A CENTRAL ANGLE OF  $09^{\circ}45'13''$ , A DISTANCE OF 132.96 FEET, A CHORD BEARING OF  $S02^{\circ}51'31''E$  WITH A CHORD DISTANCE OF 132.80 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 44) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 183.04 FEET, A CENTRAL ANGLE OF  $29^{\circ}55'45''$ , A DISTANCE OF 95.61 FEET, A CHORD BEARING OF  $S17^{\circ}16'39''W$  WITH A CHORD DISTANCE OF 94.53 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 45) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 461.50 FEET, A CENTRAL ANGLE OF  $23^{\circ}51'45''$ , A DISTANCE OF 192.21 FEET, A CHORD BEARING OF  $S26^{\circ}49'14''W$  WITH A CHORD DISTANCE OF 190.82 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 46) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 199.36 FEET, A CENTRAL ANGLE OF  $31^{\circ}01'33''$ , A DISTANCE OF 107.95 FEET, A CHORD BEARING OF  $S13^{\circ}34'59''E$  WITH A CHORD DISTANCE OF 106.64 FEET;
- 47) THENCE  $S27^{\circ}29'14''E$ , A DISTANCE OF 39.60 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 48) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 331.47 FEET, A CENTRAL ANGLE OF  $21^{\circ}00'31''$ , A DISTANCE OF 121.54 FEET, A CHORD BEARING OF  $S18^{\circ}47'26''E$  WITH A CHORD DISTANCE OF 120.86 FEET;
- 49) THENCE  $S14^{\circ}53'39''E$ , A DISTANCE OF 78.98 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 50) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 246.25 FEET, A CENTRAL ANGLE OF  $24^{\circ}45'45''$ , A DISTANCE OF 106.43 FEET, A CHORD BEARING OF  $S31^{\circ}57'41''E$  WITH A CHORD DISTANCE OF 105.60 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 51) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 322.52 FEET, A CENTRAL ANGLE OF  $27^{\circ}23'07''$ , A DISTANCE OF 154.15 FEET, A CHORD BEARING OF  $S36^{\circ}57'33''E$  WITH A CHORD DISTANCE OF 152.69 FEET;
- 52) THENCE  $S18^{\circ}32'34''E$ , A DISTANCE OF 52.18 FEET;
- 53) THENCE  $S18^{\circ}03'29''E$ , A DISTANCE OF 41.72 FEET;
- 54) THENCE  $S18^{\circ}56'48''E$ , A DISTANCE OF 51.81 FEET;
- 55) THENCE  $S27^{\circ}39'43''E$ , A DISTANCE OF 69.58 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 56) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 827.61 FEET, A CENTRAL ANGLE OF  $23^{\circ}36'04''$ , A DISTANCE OF 340.91 FEET, A CHORD BEARING OF  $S23^{\circ}41'54''E$  WITH A CHORD DISTANCE OF 338.50 FEET;

- 57) THENCE S14°29'57"E, A DISTANCE OF 77.27 FEET;
- 58) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 3,607.90 FEET, A CENTRAL ANGLE OF 02°27'10", A DISTANCE OF 154.45 FEET, A CHORD BEARING OF S15°46'40"E WITH A CHORD DISTANCE OF 154.44 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 59) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 2,158.26 FEET, A CENTRAL ANGLE OF 04°50'52", A DISTANCE OF 182.61 FEET, A CHORD BEARING OF S18°58'28"E WITH A CHORD DISTANCE OF 182.55 FEET;
- 60) THENCE S23°06'44"E, A DISTANCE OF 132.25 FEET;
- 61) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,304.97 FEET, A CENTRAL ANGLE OF 08°34'17", A DISTANCE OF 195.22 FEET, A CHORD BEARING OF S16°51'22"E WITH A CHORD DISTANCE OF 195.04 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 62) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 2,084.82 FEET, A CENTRAL ANGLE OF 07°23'08", A DISTANCE OF 268.74 FEET, A CHORD BEARING OF S10°10'09"E WITH A CHORD DISTANCE OF 268.55 FEET;
- 63) THENCE S07°17'12"E, A DISTANCE OF 223.01 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 64) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,259.75 FEET, A CENTRAL ANGLE OF 20°26'04", A DISTANCE OF 449.29 FEET, A CHORD BEARING OF S03°49'20"W WITH A CHORD DISTANCE OF 446.91 FEET;
- 65) THENCE S07°27'11"W, A DISTANCE OF 205.38 FEET;
- 66) THENCE S14°22'55"W, A DISTANCE OF 328.02 FEET;
- 67) THENCE S08°13'19"W, A DISTANCE OF 146.29 FEET;
- 68) THENCE S11°51'57"W, A DISTANCE OF 160.77 FEET TO THE SOUTH LINE OF THE SOUTH HALF OF SAID SECTION 23;
- THENCE S89°52'18"W, A DISTANCE OF 510.68 FEET ON SAID SOUTH LINE TO THE EAST SIXTEENTH OF SECTION 26, MONUMENTED WITH A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 2.5" ALUMINUM CAP, STAMPED "27269 HOSS 2002";
- THENCE S89°52'18"W, A DISTANCE OF 3,659.37 FEET ON SAID SOUTH LINE;
- THENCE N00°25'27"W, A DISTANCE OF 170.26 FEET;
- THENCE S89°52'18"W, A DISTANCE OF 50.00 FEET;
- THENCE S00°25'28"E, A DISTANCE OF 170.26 FEET TO SAID SOUTH LINE;
- THENCE S89°52'18"W, A DISTANCE OF 50.00 FEET ON SAID SOUTH LINE;
- THENCE N00°25'31"W, A DISTANCE OF 170.26 FEET;

THENCE S89°52'18"W, A DISTANCE OF 50.00 FEET;

THENCE S00°25'32"E, A DISTANCE OF 170.26 FEET TO SAID SOUTH LINE;

THENCE S89°52'18"W, A DISTANCE OF 50.00 FEET ON SAID SOUTH LINE;

THENCE N00°25'34"W, A DISTANCE OF 170.26 FEET;

THENCE S89°52'18"W, A DISTANCE OF 50.00 FEET;

THENCE S00°25'35"E, A DISTANCE OF 170.26 FEET TO SAID SOUTH LINE;

THENCE S89°52'18"W, A DISTANCE OF 50.00 FEET ON SAID SOUTH LINE TO THE POINT OF BEGINNING.

PARCEL CONTAINS 34,602,285.39 SQUARE FEET OR 794.359 ACRES, MORE OR LESS.

**PETITION FOR ANNEXATION  
TO  
TOWN OF LOCHBUIE, COLORADO**

**TO: THE TOWN CLERK AND THE BOARD OF TRUSTEES OF THE  
TOWN OF LOCHBUIE, COLORADO**

**RE: ANNEXATION OF APPROXIMATELY 2358.72 ACRES IN WELD  
COUNTY, COLORADO, AS DESCRIBED ON EXHIBIT 1-A,  
EXHIBIT 1-B, EXHIBIT 1-C, EXHIBIT 1-D, EXHIBIT 1-E,  
EXHIBIT 1-F, AND EXHIBIT 1-G ATTACHED HERETO**

**THE UNDERSIGNED PETITIONERS**, in accordance with Title 31, Article 12, Part 1, of the Colorado Revised Statutes, as amended (commonly known as the Municipal Annexation Act of 1965), hereby petition the Town of Lochbuie, a statutory municipality of the State of Colorado (the “**Town**”), for annexation of the unincorporated areas more particularly described in **Exhibit 1-A** (“**Annexation Property No. 1**”), **Exhibit 1-B** (“**Annexation Property No. 2**”), **Exhibit 1-C** (“**Annexation Property No. 3**”), **Exhibit 1-D** (“**Annexation Property No. 4**”), **Exhibit 1-E** (“**Annexation Property No. 5**”), **Exhibit 1-F** (“**Annexation Property No. 6**”), **Exhibit 1-G** (“**Annexation Property No. 7**”), and as shown on **Exhibit 1-H**, the map designated as “**BNSF Annexation No. 1**,” all attached hereto and incorporated herein by reference (collectively, the “**Property**”). In support of this Petition, the undersigned Petitioners allege and state the following:

1. The legal description of the real property owned by Petitioners is legally described in **Exhibit 2**, attached hereto and incorporated herein by this reference, which is located within the Property proposed to be annexed.
2. That it is desirable and necessary that the Property be annexed to the Town.
3. That either (check one)
  - a. \_\_\_\_\_ the undersigned Petitioners, together with owner(s) submitting other valid petition(s) for annexation to the Town for the Property described in **Exhibit 1**, comprise more than fifty percent (50%) of the landowners of the area proposed to be annexed exclusive of streets, and by their signatures have attested to the facts and agree to the conditions herein contained negating the necessity for any annexation election

OR

  - b.   X   the undersigned Petitioners, together with owner(s) submitting other valid petition(s) for annexation to the Town for the Property described in **Exhibit 1** are landowners of more than fifty percent (50%) of the area proposed to be annexed, excluding public streets and alleys.
4. Petitioners, together with owner(s) submitting other valid petition(s) for annexation to the Town, hereby consent to the establishment of the boundaries of the territory to be annexed



as shown in **Exhibit 1**.

5. That all requirements of Section 31-12-104 and 31-12-105 of the Municipal Annexation Act of 1965, as amended, exist or have been met in that:
  - a. Not less than one-sixth (1/6) of the perimeter of the Property is contiguous with the Town of Lochbuie, Colorado;
  - b. A community of interest exists between the Property and the Town of Lochbuie;
  - c. The Property is urban or will be urbanized in the near future, and the Property is integrated or is capable of being integrated with the Town of Lochbuie, Colorado;
  - d. The Property is integrated or is capable of being integrated with the Town of Lochbuie, Colorado;
  - e. The annexation of the Property will not result in the Property being divided into separate parts or parcels under identical ownership without the written consent of the landowners thereof;
  - f. No land area within the Property held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate comprising 20 acres or more and having a valuation for assessment in excess of \$200,000 for ad valorem tax purposes has been included in the area of the Property to be annexed without the written consent of the landowners thereof;
  - g. The Property is not presently part of any incorporated city, city and county, or town;
  - h. No annexation proceedings have been commenced for annexation of any part of the Property by any other municipality, nor has any election for annexation of the Property to the Town been held within the twelve (12) months immediately preceding the filing of this Petition;
  - i. The annexation of the Property will not result in the detachment of area from any school district or attachment of same to another school district;
  - j. Annexing the Property will not have the effect of extending the boundary of the Town of Lochbuie more than three miles in any direction from any point of the boundary of the Town of Lochbuie in any one year;
  - k. The entire width of all streets and alleys to be included within the Property are included;
  - l. Annexation by the Town of the Property will not have the effect of, and will not result in, the denial of reasonable access to landowners, owners of an easement, or owners of a franchise adjoining a platted street or alley, because annexation of the

Property will not result in annexation of a platted street or alley which is not bounded on both sides by the Town.

6. The area proposed to be annexed is comprised of (check one): \_\_\_\_\_

\_\_\_\_\_ MORE THAN TEN ACRES AND THE BOARD OF COUNTY COMMISSIONERS OF ADAMS/WELD (circle appropriate jurisdiction) COUNTY HAS AGREED TO WAIVE THE REQUIREMENT OF AN IMPACT REPORT AS PROVIDED FOR IN SECTION 31-12-108.5, C.R.S., AS AMENDED. (Copy of resolution approving such waiver is provided.)

  X   MORE THAN TEN ACRES AND AN IMPACT REPORT AS PROVIDED FOR IN SECTION 31-12-105.5, C.R.S., AS AMENDED, IS REQUIRED.

\_\_\_\_\_ TEN ACRES OR FEWER AND AN IMPACT REPORT AS PROVIDED FOR IN SECTION 31-12-105.5, C.R.S., AS AMENDED, IS NOT REQUIRED.

7. That accompanying this Petition are four (4) copies of an annexation map containing the following information:

- a. a written legal description of the Property;
- b. a map showing the boundary of the Property;
- c. with the annexation boundary map there is shown the location of each ownership tract in unplatted land, and if part or all of the area is platted, then the boundaries and the plat number of plots or of lots and blocks are shown; and
- d. next to the boundary of the Property is drawn the contiguous boundary of the Town, and the contiguous boundary of any other municipality abutting the area proposed to be annexed and the dimensions thereof.

8. That, in connection with the processing of this Petition, Petitioners request that the Town:

- a. Institute zoning approval processes for the Property in accordance with C.R.S. § 31-12-115 and Article II of Chapter 19 of the Lochbuie Municipal Code; and
- b. Undertake negotiations with respect to an annexation agreement between the Town and Petitioner in form and substance acceptable to the Town and Petitioners (“**Annexation Agreement**”) prior to the effective date of this annexation, as provided for in Chapter 31-12-112(2), Colorado Revised Statutes, as amended.

9. That the Property proposed to be annexed is located within special district(s) identified on Exhibit 3 and no other(s) and the undersigned consents to the Property’s inclusion into those special districts.

10. That the undersigned Petitioners signed this Petition not more than one hundred and eighty

(180) days prior to the date of the filing of this Petition with the Town Clerk.

11. That Petitioners have filed this Petition subject to the following conditions:
  - a. The Town approves I Industrial and TLP Transit Logistics Park zoning for the Property sufficient to support all aspects of development and operation of BNSF's Intermodal Facility and Logistics Park, in accordance with C.R.S. § 31-12-115 and Article II of Chapter 19 of the Lochbuie Municipal Code; and
  - b. The Town approves and authorizes the execution of an Annexation Agreement acceptable to the Town and Petitioners at the time of adoption of the annexation ordinance.
12. That, upon the annexation of the Property becoming effective, and subject to the conditions set forth in this Petition and to be set forth in the Annexation Agreement, the Property shall become subject to all ordinances, resolutions, rules and regulations of the Town, except as otherwise set forth in the Annexation Agreement, and except for general property taxes of the Town, which shall become effective on January 1 of the next succeeding year following adoption of the annexation ordinance.
13. That this Petition includes the signature of the Petitioners proposing the annexation, the mailing addresses of the Petitioners, the legal description of the land owned by the Petitioners, the date on which each Petitioner executed this Petition, and the circulator's affidavit required by Section 31-12-107(1)(c), C.R.S., certifying that the signatures on this Petition are the signature of each person whose name it purports to be and certifying the accuracy of the date of such signatures.
14. Petitioners hereby reserve the sole, exclusive and unilateral right to withdraw this Petition by so notifying the Town Clerk in writing at any time prior to the effective date of the ordinances annexing and zoning the Property, or in the event that the Town does not approve or grant the desired zoning for the Property.





**THEREFORE, THE PETITIONERS**, respectfully request that the Town Board of Trustees of the Town, approve the annexation of the Property. To that end, the Petitioners do hereby consent to the annexation of said area into the Town.

**PROPERTY OWNER/PETITIONERS SIGNATURES**

The signatures affixed hereon represent property owners within the Property who desire annexation to the Town of Lochbuie, Colorado.

Page 1 of 1 pages of petitioner signatures

*Note to Circulator(s): Please make copies of this page to collect signatures and necessary information, attach all signature sheets and note the quantity of pages of signature pages in the area provided above.)*

<b>Name of Petitioner (print):</b>	BNSF Railway Company
Address of parcel within Property proposed for annexation (no. street, city):	N/A
Legal description (lots, blocks and subdivision name or metes and bounds if unplatted):	See Exhibits 1 and 2
Signature of Petitioner:	 Lacy A. Kreger
Mailing address of Petitioner:	2650 Lou Menk Drive MOB2 Fort Worth, TX 76131
Date of Signature:	5/3/2024
Circulator Initials:	 Lacy A. Kreger
*****	*****
<b>Name of Petitioner (print):</b>	BNSF Development Co., LLC
Address of parcel within Property proposed for annexation (no. street, city):	N/A
Legal description (lots, blocks and subdivision name or metes and bounds if unplatted):	See Exhibits 1 and 2
Signature of Petitioner:	 Lacy A. Kreger
Mailing address of Petitioner:	2650 Lou Menk Drive MOB2 Fort Worth, TX 76131
Date of Signature:	5/3/2024
Circulator Initials:	 Lacy A. Kreger
*****	*****

**AFFIDAVIT OF CIRCULATOR**

This petition has been circulated by the undersigned (the circulator) who attests that each signature thereon is that of the person whose name it purports to be. (Each circulator shall attach a separate Affidavit). If no circulator is used the property owner shall sign below in the presence of a notary.

Page 1 of 1

By: *LA*  
Lacy A. Kreger, as duly authorized signatory  
for Petitioner BNSF Railway Company and  
Petitioner BNSF Development Co., LLC

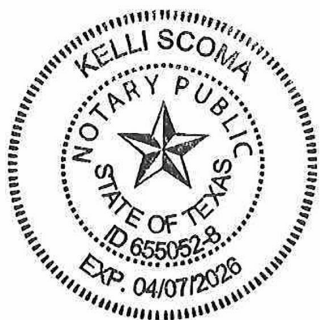
STATE OF TEXAS                     )  
  ) ss.  
COUNTY OF TARRANT            )

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 3rd  
day of May, 2024 by Lacy A. Kreger.

Witness my hand and official seal.  
My commission expires:

By: *Kelli Scoma*  
Notary Public

[SEAL]



## **EXHIBIT 1**

### **LEGAL DESCRIPTION OF BOUNDARIES OF AREA TO BE ANNEXED**

See Exhibit 1-A, Exhibit 1-B, Exhibit 1-C, Exhibit 1-D, Exhibit 1-E, Exhibit 1-F, Exhibit 1-G, and Exhibit 1-H attached hereto.

**EXBHIT 1-A**

**ANNEXATION PARCEL NO. 1 DESCRIPTION**

Legal Description  
Parcel No. 1

A TRACT OF LAND BEING A PORTION OF SECTION 29 AND THE SOUTH HALF OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 29 TO HAVE AN ASSUMED BEARING OF S00°22'50"E, A DISTANCE OF 2650.69 FEET, MONUMENTED AT THE NORTH BY NO. 6 REBAR OF UNKNOWN LENGTH WITH A 2.5" ALUMINUM CAP, STAMPED "PLS 24305 CIVIL ARTS" AND AT THE SOUTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH NO CAP AS SHOWN HEREON WITH ALL OTHER BEARINGS RELATIVE THERETO.

BEGINNING AT THE SOUTHWEST CORNER OF LOT B RECORDED EXEMPTION NO. 1473-29-1 RE-4247, RECORDED AT RECEPTION NUMBER 3365571 IN THE WELD COUNTY CLERK AND RECORDER'S OFFICE;

THENCE N35°31'18"E, A DISTANCE OF 4,132.82 FEET ON THE WESTERLY LINE OF SAID RECORDED EXEMPTION AND THE EASTERLY RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN RAILROAD TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 29;

THENCE S89°39'26"W, A DISTANCE OF 6.39 FEET ON SAID NORTH LINE;

THENCE N35°38'45"E, A DISTANCE OF 2,465.43 FEET ON THE EASTERLY RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN RAILROAD TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN THE STATE DEPARTMENT OF HIGHWAYS DIVISION OF HIGHWAYS, STATE OF COLORADO DEED RECORDED AT RECEPTION NUMBER 1911050, WELD COUNTY, CLERK AND RECORDER'S OFFICE;

THENCE ON THE WESTERLY LINE OF SAID DEED, S00°37'10"E, A DISTANCE OF 1,964.89 FEET;

THENCE S00°20'33"E, A DISTANCE OF 60.00 FEET TO THE SOUTHERLY LINE OF WELD COUNTY ROAD 6;

THENCE N89°39'27"E, A DISTANCE OF 19.55 FEET ON SAID SOUTHERLY LINE TO THE WESTERLY RIGHT OF WAY FOR WELD COUNTY ROAD 41;

THENCE ON A WESTERLY RIGHT OF WAY LINE, S00°22'50"E, A DISTANCE OF 2620.76;

THENCE S00°23'02"E, A DISTANCE OF 621.07 FEET TO THE SOUTHERLY LINE OF LOT B, RECORDED EXEMPTION NO. 1473-29-1 RE-4247, RECORDED RECEPTION NUMBER 3365571 IN THE WELD COUNTY CLERK AND RECORDER'S OFFICE;

THENCE S88°31'06"W, A DISTANCE OF 3,895.64 FEET ON THE SAID SOUTHERLY LINE TO THE POINT OF BEGINNING.

PARCEL CONTAINS 10,289,760.28 SQUARE FEET OR 236.220 ACRES, MORE OR LESS.

**EXHIBIT 1-B**

**ANNEXATION PARCEL NO. 2 DESCRIPTION**

Legal Description  
Parcel No. 2

A TRACT OF LAND BEING A PORTION OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER FOR SAID SECTION 21, SAID POINT BEING MARKED BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3 ¼" ALUMINUM CAP STAMPED LS 27269 AMERICAN WEST 2000 AND CONSIDERING THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 21 TO HAVE AN ASSUMED BEARING OF S89°59'06"E, A DISTANCE OF 2649.41 FEET, MONUMENTED AT THE WEST BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3 ¼" ALUMINUM CAP STAMPED LS 27269 AMERICAN WEST 2000 AND ON THE EAST BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 2 ½" ALUMINUM CAP STAMPED LS 19585 POWER ELEV 1994 IN A MONUMENT BOX, AS SHOWN HEREON AND WITH ALL OTHER BEARINGS RELATIVE THERETO.

THENCE S0°00'54"E, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE SOUTHERLY RIGHT OF WAY FOR WELD COUNTY ROAD 8;

THENCE ON SAID SOUTHERLY LINE, S89°59'06"E, A DISTANCE OF 2,619.60 FEET;

THENCE S00°21'04"E, A DISTANCE OF 2,615.13 FEET ON THE WESTERLY RIGHT OF WAY FOR WELD COUNTY ROAD 43;

THENCE CONTINUING ON SAID WESTERLY LINE, S00°32'50"E, A DISTANCE OF 325.62 FEET TO THE NORTHERLY BOUNDARY OF THE NERES CANAL, RECORDED AT BOOK 383, PAGE 373 IN THE WELD COUNTY CLERK AND RECORDER'S OFFICE;

THENCE ON SAID NORTHERLY AND WESTERLY RIGHT-OF-WAY LINE FOR THE FOLLOWING (14) COURSES:

- 1) N68°21'42"W, A DISTANCE OF 138.07 FEET;
- 2) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 432.28 FEET, A CENTRAL ANGLE OF 22°10'34", A DISTANCE OF 167.31 FEET, A CHORD BEARING OF N79°27'00"W WITH A CHORD DISTANCE OF 166.27 FEET;
- 3) S89°27'42"W, A DISTANCE OF 832.24 FEET;
- 4) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 482.28 FEET, A CENTRAL ANGLE OF 58°12'05", A DISTANCE OF 489.90 FEET, A CHORD BEARING OF S60°21'41"W WITH A CHORD DISTANCE OF 469.11 FEET;
- 5) S31°15'39"W, A DISTANCE OF 129.77 FEET;



- 6) CURVE TO THE RIGHT, HAVING A RADIUS OF 267.72 FEET, A CENTRAL ANGLE OF 36°20'16", A DISTANCE OF 169.79 FEET, A CHORD BEARING OF S49°25'47"W WITH A CHORD DISTANCE OF 166.96 FEET;
- 7) S67°35'55"W, A DISTANCE OF 173.45 FEET;
- 8) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 457.28 FEET, A CENTRAL ANGLE OF 28°00'41", A DISTANCE OF 223.56 FEET, A CHORD BEARING OF S53°35'36"W WITH A CHORD DISTANCE OF 221.34 FEET;
- 9) S39°35'16"W, A DISTANCE OF 422.16 FEET;
- 10) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 382.28 FEET, A CENTRAL ANGLE OF 29°27'47", A DISTANCE OF 196.58 FEET, A CHORD BEARING OF S24°51'23"W WITH A CHORD DISTANCE OF 194.42 FEET;
- 11) S10°07'29"W, A DISTANCE OF 160.34 FEET;
- 12) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 457.28 FEET, A CENTRAL ANGLE OF 42°03'23", A DISTANCE OF 335.65 FEET, A CHORD BEARING OF S10°54'12"E WITH A CHORD DISTANCE OF 328.17 FEET;
- 13) S31°55'54"E, A DISTANCE OF 703.32 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 14) THENCE ON SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 519.21 FEET, A CENTRAL ANGLE OF 19°11'07", A DISTANCE OF 173.86 FEET, A CHORD BEARING OF S22°20'57"E WITH A CHORD DISTANCE OF 173.05 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD 6;

THENCE S89°14'14"W, A DISTANCE OF 3,248.32 FEET ON SAID NORTHERLY RIGHT-OF-WAY LINE TO THE EASTERLY LINE OF THE STATE DEPARTMENT OF HIGHWAYS RIGHT-OF-WAY, RECORDED AT RECEPTION NUMBER 1913279, RECORDED IN THE WELD COUNTY CLERK AND RECORDER'S OFFICE;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE FOR THE FOLLOWING FOUR (4) COURSES:

- 1) THENCE N00°36'12"W, A DISTANCE OF 1,585.62 FEET;
- 2) THENCE N18°44'25"E, A DISTANCE OF 675.39 FEET;
- 3) THENCE N36°00'25"E, A DISTANCE OF 442.80 FEET;
- 4) THENCE N27°52'26"E, A DISTANCE OF 75.93 FEET;

THENCE N89°36'10"E, A DISTANCE OF 1.99 FEET TO THE EASTERLY LINE OF THE STATE DEPARTMENT OF HIGHWAYS RIGHT-OF-WAY, RECORDED AT RECEPTION NUMBER 2018424, RECORDED IN THE WELD COUNTY CLERK AND RECORDER'S OFFICE;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE FOR THE FOLLOWING THREE (3) COURSES:

- 1) N32°38'54"E, A DISTANCE OF 120.67 FEET;

- 2) THENCE N35°30'39"E, A DISTANCE OF 2,200.00 FEET;
- 3) THENCE N42°41'24"E, A DISTANCE OF 1,028.50 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY FOR WELD COUNTY ROAD 8;
- 4) THENCE ON SAID RIGHT OF WAY, S89°59'06"E, A DISTANCE OF 14.32 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 18,279,204.87 SQUARE FEET OR 419.633 ACRES, MORE OR LESS.

**EXHIBIT 1-C**

**ANNEXATION PARCEL NO. 3 DESCRIPTION**

Legal Description  
Parcel No. 3

A TRACT OF LAND BEING A PORTION OF THE WEST HALF OF SECTION 15 AND THE EAST HALF OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER FOR SAID SECTION 16, SAID POINT BEING MARKED BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3 ¼" ALUMINUM CAP STAMPED LS 27269 AMERICAN WEST 2000 AND CONSIDERING THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 16 TO HAVE AN ASSUMED BEARING OF S89°59'06"E, A DISTANCE OF 2649.41 FEET, MONUMENTED AT THE WEST BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3 ¼" ALUMINUM CAP STAMPED LS 27269 AMERICAN WEST 2000 AND ON THE EAST BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 2 ½" ALUMINUM CAP STAMPED LS 19585 POWER ELEV 1994 IN A MONUMENT BOX, AS SHOWN HEREON AND WITH ALL OTHER BEARINGS RELATIVE THERETO.

THENCE ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 16, N89°59'06"E, A DISTANCE OF 1,293.79 FEET;

THENCE N00°00'54"E, A DISTANCE OF 30.00 FEET TO THE TO THE EASTERLY RIGHT-OF-WAY LINE OF I-76, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE FOR THE FOLLOWING THREE (3) COURSES:

- 1) N77°57'21"W, A DISTANCE OF 1,326.70 FEET;
- 2) THENCE N00°42'36"W, A DISTANCE OF 138.35 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN RAILROAD IN DEED RECORDED SEPTEMBER 29, 1882 IN BOOK 36 AT PAGE 100;
- 3) THENCE N35°31'38"E, A DISTANCE OF 4,481.88 FEET ON SAID EASTERLY LINE TO A POINT ON THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 16;

THENCE ON SAID EAST LINE, N89°23'41"E, A DISTANCE OF 30.05 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY FOR WELD COUNTY ROAD 43;

THENCE S00°41'57"E, A DISTANCE OF 1,440.39 FEET, ON SAID EASTERLY RIGHT-OF-WAY LINE TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 15;

THENCE N89°29'45"E, A DISTANCE OF 2,382.58 FEET ON SAID EAST LINE TO THE WESTERLY RIGHT-OF-WAY LINE OF THE NERES CANAL RIGHT-OF-WAY AS DESCRIBED IN THE INSTRUMENT RECORDED SEPTEMBER 25, 1913 IN BOOK 383 AT PAGE 373;

THENCE ON SAID NERES CANAL WESTERLY RIGHT-OF-WAY LINE FOR THE FOLLOWING (18) COURSES:

- 1) S20°26'50"W, A DISTANCE OF 115.23 FEET;
- 2) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 395.00 FEET, A CENTRAL ANGLE OF 42°44'25", A DISTANCE OF 294.65 FEET, A CHORD BEARING OF S00°55'21"E WITH A CHORD DISTANCE OF 287.87 FEET;
- 3) S22°17'33"E, A DISTANCE OF 147.72 FEET;
- 4) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 665.00 FEET, A CENTRAL ANGLE OF 33°25'54", A DISTANCE OF 388.02 FEET, A CHORD BEARING OF S39°00'30"E WITH A CHORD DISTANCE OF 382.54 FEET;
- 5) S55°43'26"E, A DISTANCE OF 310.59 FEET;
- 6) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 1,245.00 FEET, A CENTRAL ANGLE OF 09°22'21", A DISTANCE OF 203.66 FEET, A CHORD BEARING OF S60°24'36"E WITH A CHORD DISTANCE OF 203.43 FEET;
- 7) S65°05'46"E, A DISTANCE OF 176.11 FEET;
- 8) ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 275.00 FEET, A CENTRAL ANGLE OF 24°54'28", A DISTANCE OF 119.55 FEET, A CHORD BEARING OF S52°38'31"E WITH A CHORD DISTANCE OF 118.61 FEET;
- 9) S40°11'16"E, A DISTANCE OF 161.83 FEET;
- 10) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 315.00 FEET, A CENTRAL ANGLE OF 79°41'59", A DISTANCE OF 438.17 FEET, A CHORD BEARING OF S00°20'16"E WITH A CHORD DISTANCE OF 403.69 FEET;
- 11) S39°30'44"W, A DISTANCE OF 81.18 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 12) THENCE ON SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 155.00 FEET, A CENTRAL ANGLE OF 55°50'03", A DISTANCE OF 151.05 FEET, A CHORD BEARING OF S67°25'49"W WITH A CHORD DISTANCE OF 145.14 FEET;
- 13) N84°39'06"W, A DISTANCE OF 239.86 FEET;
- 14) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 845.00 FEET, A CENTRAL ANGLE OF 42°24'43", A DISTANCE OF 625.49 FEET, A CHORD BEARING OF S74°08'33"W WITH A CHORD DISTANCE OF 611.31 FEET;
- 15) S52°56'12"W, A DISTANCE OF 50.98 FEET;
- 16) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 645.00 FEET, A CENTRAL ANGLE OF 35°51'32", A DISTANCE OF 403.68 FEET, A CHORD BEARING OF S35°00'25"W WITH A CHORD DISTANCE OF 397.12 FEET;
- 17) S17°04'39"W, A DISTANCE OF 129.21 FEET;

18) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 645.02 FEET, A CENTRAL ANGLE OF 9°31'52", A DISTANCE OF 107.30 FEET, A CHORD BEARING OF S12°18'44"W WITH A CHORD DISTANCE OF 107.17 FEET TO THE NORTHERLY RIGHT OF WAY LINE FOR WELD COUNTY ROAD 8;  
THENCE S89°30'00"W, A DISTANCE OF 2,093.70 FEET ON SAID NORTHERLY RIGHT-OF-WAY;  
THENCE S89°59'05"E, A DISTANCE OF 1,355.35 FEET ON SAID NORTHERLY RIGHT OF WAY LINE TO THE POINT OF BEGINNING.  
PARCEL CONTAINS 12,949,489.53 SQUARE FEET OR 297.279 ACRES, MORE OR LESS.

**EXHIBIT 1-D**

**ANNEXATION PARCEL NO. 4 DESCRIPTION**

Legal Description  
Parcel No. 4

A TRACT OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 21, THE SOUTHWEST OF SECTION 22, AND THE NORTHWEST OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 21 TO HAVE AN ASSUMED BEARING OF S00°32'50"E, A DISTANCE OF 2640.69 FEET, MONUMENTED AT THE NORTH BY NO. 6 REBAR OF UNKNOWN LENGTH WITH AN ILLEGIBLE ALUMINUM CAP, AND AT THE SOUTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "PLS 10855 1995" AS SHOWN HEREON WITH ALL OTHER BEARINGS RELATIVE THERETO.

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 21, MONUMENTED BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "PLS 10855 1995";

THENCE N00°32'50"W, A DISTANCE OF 30.00 FEET ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 21 TO THE NORTH RIGHT OF WAY LINE OF WCR 6;

THENCE S89°09'15"W, A DISTANCE OF 1913.40 FEET ON THE SAID NORTH RIGHT OF WAY LINE TO THE EASTERLY RIGHT OF WAY LINE OF THE NERES CANAL RIGHT-OF-WAY AS DESCRIBED IN THE INSTRUMENT RECORDED SEPTEMBER 25, 1913 IN BOOK 383 AT PAGE 373;

THENCE ON THE SAID EASTERLY RIGHT-OF-WAY LINE FOR THE FOLLOWING (15) COURSES:

- 1) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 599.76 FEET, A CENTRAL ANGLE OF 20°47'22", A DISTANCE OF 217.62 FEET, A CHORD BEARING OF N21°30'58"W WITH A CHORD DISTANCE OF 216.43 FEET;
- 2) N31°58'51"W, A DISTANCE OF 703.39 FEET;
- 3) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 377.28 FEET, A CENTRAL ANGLE OF 42°03'07", A DISTANCE OF 276.90 FEET, A CHORD BEARING OF N10°54'13"W WITH A CHORD DISTANCE OF 270.73 FEET;
- 4) THENCE N10°05'40"E, A DISTANCE OF 160.39 FEET;
- 5) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 302.27 FEET, A CENTRAL ANGLE OF 29°27'47", A DISTANCE OF 155.44 FEET, A CHORD BEARING OF N24°51'23"E WITH A CHORD DISTANCE OF 153.73 FEET;
- 6) THENCE N39°35'16"E, A DISTANCE OF 422.16 FEET;

- 7) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 377.29 FEET, A CENTRAL ANGLE OF 28°00'41", A DISTANCE OF 184.45 FEET, A CHORD BEARING OF N53°35'36"E WITH A CHORD DISTANCE OF 182.62 FEET;
- 8) THENCE N67°35'55"E, A DISTANCE OF 173.45 FEET;
- 9) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 347.72 FEET, A CENTRAL ANGLE OF 36°20'16", A DISTANCE OF 220.53 FEET, A CHORD BEARING OF N49°25'47"E WITH A CHORD DISTANCE OF 216.85 FEET;
- 10) THENCE N31°15'39"E, A DISTANCE OF 129.77 FEET;
- 11) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 402.28 FEET, A CENTRAL ANGLE OF 58°12'08", A DISTANCE OF 408.64 FEET, A CHORD BEARING OF N60°21'44"E WITH A CHORD DISTANCE OF 391.30 FEET;
- 12) THENCE N89°27'42"E, A DISTANCE OF 832.24 FEET;
- 13) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 352.28 FEET, A CENTRAL ANGLE OF 22°03'13", A DISTANCE OF 135.60 FEET, A CHORD BEARING OF S79°30'43"E WITH A CHORD DISTANCE OF 134.76 FEET;
- 14) THENCE S67°12'54"E, A DISTANCE OF 172.89 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF WCR 43;

THENCE S00°32'50"E, A DISTANCE OF 1,305.95 FEET ON SAID RIGHT-OF-WAY LINE;

THENCE N89°27'10"E, A DISTANCE OF 60.00 FEET;

THENCE S00°32'50"E, A DISTANCE OF 27.71 FEET TO THE SOUTHERLY LINE OF THE DENVER-HUDSON CANAL;

THENCE ON THE SAID SOUTHERLY LINE FOR THE FOLLOWING THREE (3) COURSES:

- 1) THENCE S40°01'05"E, A DISTANCE OF 252.39 FEET;
- 2) THENCE S64°33'10"E, A DISTANCE OF 129.56 FEET;
- 3) THENCE N82°22'03"E, A DISTANCE OF 246.11 FEET;

THENCE S00°00'00"W, A DISTANCE OF 3,316.69 FEET TO THE NORTH LINE OF THE NORTH HALF OF SAID SECTION 27;

THENCE S89°41'07"W, A DISTANCE OF 540.64 FEET ON SAID NORTH LINE TO THE WEST QUARTER OF SAID SECTION 27, MONUMENTED WITH A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 2.5" ALUMINUM CAP, STAMPED "LS 13482 AW FREDENBURG";

THENCE N00°05'09"W, A DISTANCE OF 271.78 FEET ON THE WEST LINE OF THE NORTH HALF OF SAID SECTION 27 TO THE EASTERLY LINE OF THE DENVER-HUDSON CANAL;

THENCE ON THE SAID EASTERLY LINE FOR THE FOLLOWING FOUR (4) COURSES:

- 1) THENCE N19°38'26"E, A DISTANCE OF 74.77 FEET;

- 2) THENCE N08°33'54"E, A DISTANCE OF 380.53 FEET;
- 3) THENCE N19°04'24"W, A DISTANCE OF 139.71 FEET;
- 4) THENCE N35°39'27"W, A DISTANCE OF 63.69 FEET TO THE WESTERLY LINE OF THE NORTH HALF OF SAID SECTION 27;

THENCE N00°05'18"W, A DISTANCE OF 1,742.07 FEET ON SAID WESTERLY LINE TO THE POINT OF BEGINNING;

PARCEL CONTAINS 6,465,689.62 SQUARE FEET OR 148.437 ACRES, MORE OR LESS.

LESS AND EXCEPT:

A TRACT OF LAND BEING A PORTION OF THE LAND DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 346, PAGE 258 IN THE RECORDS OF WELD COUNTY, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER FOR SAID SECTION 21, SAID POINT BEING MARKED BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3 ¼" ALUMINUM CAP STAMPED PLS 10855 AND CONSIDERING THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 21 TO HAVE AN ASSUMED BEARING OF N00°32'50"W, A DISTANCE OF 2640.69 FEET, MONUMENTED AT THE SOUTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH NO CAP, AS SHOWN HEREON AND WITH ALL OTHER BEARINGS RELATIVE THERETO.

THENCE ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 21, S89°09'15"W, A DISTANCE OF 1,056.55 FEET;

THENCE N00°50'45"E, A DISTANCE OF 30.00 FEET TO THE TO THE POINT OF BEGINNING;

THENCE ON THE WESTERLY, NORTHERLY, EASTERLY AND SOUTHERLY BOUNDARY OF SAID PROPERTY RECORDED IN BOOK 346, PAGE 258 FOR THE FOLLOWING TWENTY SEVEN (27) COURSES:

- 1) ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 162.50 FEET, A CENTRAL ANGLE OF 64°14'44", A DISTANCE OF 182.21 FEET, A CHORD BEARING OF N41°57'37"E WITH A CHORD DISTANCE OF 172.81 FEET;
- 2) N74°03'09"E, A DISTANCE OF 69.33 FEET;
- 3) ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 70.00 FEET, A CENTRAL ANGLE OF 77°33'49", A DISTANCE OF 94.76 FEET, A CHORD BEARING OF N35°53'08"E WITH A CHORD DISTANCE OF 87.69 FEET;
- 4) N02°52'15"W, A DISTANCE OF 209.19 FEET;
- 5) ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 204.95 FEET, A CENTRAL ANGLE OF 54°29'57", A DISTANCE OF 194.95 FEET, A CHORD BEARING OF N24°18'19"E WITH A CHORD DISTANCE OF 187.68 FEET;



- 6) N51°33'54"E, A DISTANCE OF 46.07 FEET;
- 7) ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 387.86 FEET, A CENTRAL ANGLE OF 44°25'37", A DISTANCE OF 300.75 FEET, A CHORD BEARING OF N29°28'47"E WITH A CHORD DISTANCE OF 293.27 FEET;
- 8) N07°23'40"E, A DISTANCE OF 124.41 FEET;
- 9) ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 177.95 FEET, A CENTRAL ANGLE OF 85°08'19", A DISTANCE OF 264.42 FEET, A CHORD BEARING OF N49°57'48"E WITH A CHORD DISTANCE OF 240.76 FEET;
- 10) S87°28'03"E, A DISTANCE OF 82.63 FEET;
- 11) S72°06'00"E, A DISTANCE OF 131.58 FEET;
- 12) S58°24'16"E, A DISTANCE OF 150.20 FEET;
- 13) S00°32'50"E, A DISTANCE OF 133.68 FEET;
- 14) N48°58'01"W, A DISTANCE OF 75.48 FEET;
- 15) N58°22'45"W, A DISTANCE OF 133.87 FEET;
- 16) N72°04'29"W, A DISTANCE OF 106.08 FEET;
- 17) 87°26'32"W, A DISTANCE OF 69.14 FEET;
- 18) LONG A CURVE TO THE LEFT, HAVING A RADIUS OF 77.95 FEET, A CENTRAL ANGLE OF 85°08'24", A DISTANCE OF 115.83 FEET, A CHORD BEARING OF S49°59'19"W WITH A CHORD DISTANCE OF 105.46 FEET;
- 19) S07°25'11"W, A DISTANCE OF 124.41 FEET;
- 20) LONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 490.00 FEET, A CENTRAL ANGLE OF 44°10'16", A DISTANCE OF 377.76 FEET, A CHORD BEARING OF S29°30'18"W WITH A CHORD DISTANCE OF 368.47 FEET;
- 21) S51°35'25"W, A DISTANCE OF 46.07 FEET;
- 22) ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 105.08 FEET, A CENTRAL ANGLE OF 54°22'21", A DISTANCE OF 99.71 FEET, A CHORD BEARING OF S24°22'05"W WITH A CHORD DISTANCE OF 96.01 FEET;
- 23) S02°49'28"E, A DISTANCE OF 209.35 FEET;
- 24) ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 170.00 FEET, A CENTRAL ANGLE OF 77°16'57", A DISTANCE OF 229.30 FEET, A CHORD BEARING OF S35°49'02"W WITH A CHORD DISTANCE OF 212.31 FEET;
- 25) S74°27'31"W, A DISTANCE OF 67.94 FEET;

26) ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 62.50 FEET, A CENTRAL ANGLE OF 46°25'40", A DISTANCE OF 50.64 FEET, A CHORD BEARING OF S51°15'00"W WITH A CHORD DISTANCE OF 49.27 FEET;

27) S89°09'15"W, A DISTANCE OF 105.33 FEET; TO THE POINT OF BEGINNING.

PARCEL CONTAINS 178,818.22 SQUARE FEET OR 4.105 ACRES, MORE OR LESS.

**EXHIBIT 1-E**

**ANNEXATION PARCEL NO. 5 DESCRIPTION**

A TRACT OF LAND BEING A PORTION OF THE SOUTH HALF OF SECTION 22, AND THE NORTH HALF OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 21 TO HAVE AN ASSUMED BEARING OF S00°32'50"E, A DISTANCE OF 2640.69 FEET, MONUMENTED AT THE NORTH BY NO. 6 REBAR OF UNKNOWN LENGTH WITH AN ILLEGIBLE ALUMINUM CAP, AND AT THE SOUTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "PLS 10855 1995" AS SHOWN HEREON WITH ALL OTHER BEARINGS RELATIVE THERETO.

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 21, MONUMENTED WITH A NO. 6 REBAR OF UNKNOWN LENGTH WITH 3.25" ALUMINUM CAP, STAMPED "PLS 10855 1995"

THENCE N38°53'23"E, A DISTANCE OF 867.60 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE DENVER-HUDSON CANAL;

THENCE ON SAID SOUTHERLY RIGHT-OF-WAY FOR THE FOLLOWING (33) COURSES:

- 1) THENCE S55°36'50"E, A DISTANCE OF 433.97 FEET;
- 2) THENCE S82°42'52"E, A DISTANCE OF 190.72 FEET;
- 3) THENCE N28°42'27"E, A DISTANCE OF 205.45 FEET;
- 4) THENCE N16°36'38"W, A DISTANCE OF 311.65 FEET;
- 5) THENCE N09°16'59"E, A DISTANCE OF 183.31 FEET;
- 6) THENCE N61°37'08"E, A DISTANCE OF 115.13 FEET;
- 7) THENCE N88°34'42"E, A DISTANCE OF 435.02 FEET;
- 8) THENCE N46°24'18"E, A DISTANCE OF 235.17 FEET;
- 9) THENCE S89°27'56"E, A DISTANCE OF 97.29 FEET;
- 10) THENCE S63°30'17"E, A DISTANCE OF 183.56 FEET;
- 11) THENCE S53°23'10"E, A DISTANCE OF 113.54 FEET;
- 12) THENCE S26°19'41"E, A DISTANCE OF 162.12 FEET;
- 13) THENCE S51°22'47"E, A DISTANCE OF 193.68 FEET;
- 14) THENCE S81°59'53"E, A DISTANCE OF 216.87 FEET;
- 15) THENCE S81°59'53"E, A DISTANCE OF 8.57 FEET;
- 16) THENCE N86°50'08"E, A DISTANCE OF 171.45 FEET;

- 17) THENCE S66°48'48"E, A DISTANCE OF 105.27 FEET;
- 18) THENCE S35°08'10"E, A DISTANCE OF 85.93 FEET;
- 19) THENCE S18°35'15"E, A DISTANCE OF 153.68 FEET;
- 20) THENCE S52°45'21"E, A DISTANCE OF 119.55 FEET;
- 21) THENCE N82°49'43"E, A DISTANCE OF 161.83 FEET;
- 22) THENCE N63°25'24"E, A DISTANCE OF 187.18 FEET;
- 23) THENCE N25°41'46"E, A DISTANCE OF 149.56 FEET;
- 24) THENCE N00°30'44"E, A DISTANCE OF 152.37 FEET;
- 25) THENCE N34°59'10"E, A DISTANCE OF 66.44 FEET;
- 26) THENCE N73°56'04"E, A DISTANCE OF 43.18 FEET;
- 27) THENCE S78°01'13"E, A DISTANCE OF 535.45 FEET;
- 28) THENCE S54°01'54"E, A DISTANCE OF 218.39 FEET;
- 29) THENCE S28°34'19"E, A DISTANCE OF 189.08 FEET;
- 30) THENCE S41°16'52"E, A DISTANCE OF 295.58 FEET;
- 31) THENCE S49°55'41"E, A DISTANCE OF 131.64 FEET;
- 32) THENCE S82°33'21"E, A DISTANCE OF 135.61 FEET;
- 33) THENCE S84°54'47"E, A DISTANCE OF 453.03 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF WCR 45;

THENCE S00°25'43"E, A DISTANCE OF 173.10 FEET ON SAID WESTERLY RIGHT-OF-WAY LINE;

THENCE S00°06'32"E, A DISTANCE OF 2,649.99 FEET ON SAID WESTERLY RIGHT-OF-WAY LINE TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27;

THENCE S89°34'34"W, A DISTANCE OF 2,596.64 FEET ON SAID SOUTH LINE TO THE CENTER QUARTER OF SECTION 27, MONUMENTED WITH A 2.5" PIPE OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS 6973 1986";

THENCE S89°41'07"W, A DISTANCE OF 2,109.69 FEET ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27;

THENCE N00°00'00"E, A DISTANCE OF 3,316.69 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 15,911,635.11 SQUARE FEET OR 365.281 ACRES, MORE OR LESS.

**EXHIBIT 1-F**

**ANNEXATION PARCEL NO. 6 DESCRIPTION**

A TRACT OF LAND BEING A PORTION OF THE SOUTH EAST QUARTER OF SECTION 23 AND THE NORTH HALF OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 26 TO HAVE AN ASSUMED BEARING OF S00°06'32"E, A DISTANCE OF 2650.19 FEET, MONUMENTED AT THE NORTH BY NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS27269", AND AT THE SOUTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS 27269 AMERICAN WEST 2002" AS SHOWN HEREON WITH ALL OTHER BEARINGS RELATIVE THERETO.

COMMENCING AT THE NORTHWEST CORNER OF SECTION 26 MONUMENTED BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS27269";

THENCE N89°52'18"E, A DISTANCE OF 31.00 FEET TO THE POINT OF BEGINNING;

THENCE N89°52'18"E, A DISTANCE OF 50.00 FEET ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 23;

THENCE N00°25'35"W, A DISTANCE OF 170.26 FEET;

THENCE N89°52'18"E, A DISTANCE OF 50.00 FEET;

THENCE S00°25'34"E, A DISTANCE OF 170.26 FEET TO SAID SOUTH LINE;

THENCE N89°52'18"E, A DISTANCE OF 50.00 FEET ON SAID SOUTH LINE;

THENCE N00°25'32"W, A DISTANCE OF 170.26 FEET;

THENCE N89°52'18"E, A DISTANCE OF 50.00 FEET;

THENCE S00°25'31"E, A DISTANCE OF 170.26 FEET TO SAID SOUTH LINE;

THENCE N89°52'18"E, A DISTANCE OF 50.00 FEET ON SAID SOUTH LINE;

THENCE N00°25'28"W, A DISTANCE OF 170.26 FEET;

THENCE N89°52'18"E, A DISTANCE OF 50.00 FEET;

THENCE S00°25'27"E, A DISTANCE OF 170.26 FEET TO SAID SOUTH LINE;

THENCE N89°52'18"E, A DISTANCE OF 3,659.37 FEET TO THE EAST SIXTEENTH OF SECTION 26, MONUMENTED WITH A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 2.5" ALUMINUM CAP, STAMPED "27269 HOSS 2002";

THENCE S00°22'28"E, A DISTANCE OF 2,650.28 FEET ON THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 26 TO THE CENTER EAST SIXTEENTH CORNER OF

SAID SECTION 26, MONUMENTED BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS 27269 AMERICAN WEST 2002";

THENCE S89°52'21"W, A DISTANCE OF 3,971.65 FEET ON SAID SOUTH LINE OF THE NORTH HALF OF SAID SECTION 26;

THENCE N00°06'32"W, A DISTANCE OF 2,650.19 FEET TO THE POINT OF BEGINNING;

PARCEL CONTAINS 10,535,004.92 SQUARE FEET OR 241.850 ACRES, MORE OR LESS.

**EXHIBIT 1-G**

**ANNEXATION PARCEL NO. 7 DESCRIPTION**

A TRACT OF LAND BEING A PORTION SECTION 23 AND SECTION 14, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 23 TO HAVE AN ASSUMED BEARING OF S00°25'37"E, A DISTANCE OF 2645.96 FEET, MONUMENTED AT THE NORTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 2.5" ALUMINUM CAP, STAMPED "LS 28273 M. JOHNSON" IN A MONUMENT BOX, AND AT THE SOUTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS27269" AS SHOWN HEREON WITH ALL OTHER BEARINGS RELATIVE THERETO.

COMMENCING AT THE NORTHWEST CORNER OF SECTION 26, MONUMENTED BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS27269";

THENCE N89°52'18"W, A DISTANCE OF 31.00 FEET TO THE POINT OF BEGINNING;

THENCE N00°25'37"W, A DISTANCE OF 170.26 FEET;

THENCE N00°25'37"W, A DISTANCE OF 2,475.86 FEET;

THENCE N00°25'31"W, A DISTANCE OF 2,645.92 FEET;

THENCE S89°34'29"W, A DISTANCE OF 1.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF WCR 45;

THENCE N00°08'56"E, A DISTANCE OF 2,333.37 FEET ON THE EASTERLY LINE WCR 45 TO THE SOUTHERLY LINE OF THE NERES CANAL;

THENCE ON SAID SOUTH LINE OF THE NERES CANAL FOR THE FOLLOWING (28) COURSES:

1) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 331.13 FEET, A CENTRAL ANGLE OF 27°09'37", A DISTANCE OF 156.97 FEET, A CHORD BEARING OF N76°42'45"E WITH A CHORD DISTANCE OF 155.50 FEET TO A NON-TANGENT CURVE TO THE LEFT;

2) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 209.52 FEET, A CENTRAL ANGLE OF 29°10'41", A DISTANCE OF 106.70 FEET, A CHORD BEARING OF N45°29'31"E WITH A CHORD DISTANCE OF 105.55 FEET TO A NON-TANGENT CURVE TO THE LEFT;

3) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 188.35 FEET, A CENTRAL ANGLE OF 41°28'48", A DISTANCE OF 136.36 FEET, A CHORD BEARING OF N15°54'04"E WITH A CHORD DISTANCE OF 133.40 FEET TO A NON-TANGENT CURVE TO THE LEFT;

4) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 3,779.63 FEET, A CENTRAL ANGLE OF 01°03'06", A DISTANCE OF 69.37 FEET, A CHORD BEARING OF N04°05'27"W WITH A CHORD DISTANCE OF 69.37 FEET TO A NON-TANGENT CURVE TO THE LEFT;

- 5) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 464.17 FEET, A CENTRAL ANGLE OF  $09^{\circ}51'54''$ , A DISTANCE OF 79.92 FEET, A CHORD BEARING OF  $N14^{\circ}31'23''W$  WITH A CHORD DISTANCE OF 79.82 FEET;
- 6) THENCE  $N28^{\circ}08'42''W$ , A DISTANCE OF 105.65 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 7) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 2,306.17 FEET, A CENTRAL ANGLE OF  $03^{\circ}35'19''$ , A DISTANCE OF 144.44 FEET, A CHORD BEARING OF  $N25^{\circ}44'44''W$  WITH A CHORD DISTANCE OF 144.42 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 8) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 2,248.51 FEET, A CENTRAL ANGLE OF  $02^{\circ}32'29''$ , A DISTANCE OF 99.74 FEET, A CHORD BEARING OF  $N23^{\circ}59'46''W$  WITH A CHORD DISTANCE OF 99.73 FEET;
- 9) THENCE  $N20^{\circ}58'32''W$ , A DISTANCE OF 70.68 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 10) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 152.27 FEET, A CENTRAL ANGLE OF  $47^{\circ}25'45''$ , A DISTANCE OF 126.05 FEET, A CHORD BEARING OF  $N03^{\circ}13'07''W$  WITH A CHORD DISTANCE OF 122.48 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 11) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 150.46 FEET, A CENTRAL ANGLE OF  $38^{\circ}27'34''$ , A DISTANCE OF 101.00 FEET, A CHORD BEARING OF  $N34^{\circ}11'24''E$  WITH A CHORD DISTANCE OF 99.11 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 12) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 504.55 FEET, A CENTRAL ANGLE OF  $12^{\circ}53'36''$ , A DISTANCE OF 113.54 FEET, A CHORD BEARING OF  $N67^{\circ}16'42''E$  WITH A CHORD DISTANCE OF 113.30 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 13) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 212.10 FEET, A CENTRAL ANGLE OF  $21^{\circ}16'35''$ , A DISTANCE OF 78.76 FEET, A CHORD BEARING OF  $N81^{\circ}30'20''E$  WITH A CHORD DISTANCE OF 78.31 FEET;
- 14) THENCE  $N88^{\circ}54'45''E$ , A DISTANCE OF 32.27 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 15) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 225.60 FEET, A CENTRAL ANGLE OF  $25^{\circ}38'56''$ , A DISTANCE OF 100.99 FEET, A CHORD BEARING OF  $S78^{\circ}01'05''E$  WITH A CHORD DISTANCE OF 100.15 FEET;
- 16) THENCE  $S63^{\circ}59'05''E$ , A DISTANCE OF 205.76 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 17) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 475.48 FEET, A CENTRAL ANGLE OF  $19^{\circ}21'41''$ , A DISTANCE OF 160.67 FEET, A CHORD BEARING OF  $S83^{\circ}11'05''E$  WITH A CHORD DISTANCE OF 159.91 FEET TO A NON-TANGENT CURVE TO THE RIGHT;



18) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 420.14 FEET, A CENTRAL ANGLE OF 20°10'27", A DISTANCE OF 147.93 FEET, A CHORD BEARING OF S88°19'16"E WITH A CHORD DISTANCE OF 147.17 FEET TO A NON-TANGENT CURVE TO THE LEFT;

19) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 197.25 FEET, A CENTRAL ANGLE OF 41°36'45", A DISTANCE OF 143.26 FEET, A CHORD BEARING OF N76°39'12"E WITH A CHORD DISTANCE OF 140.13 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

20) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 456.13 FEET, A CENTRAL ANGLE OF 12°44'09", A DISTANCE OF 101.39 FEET, A CHORD BEARING OF N65°38'20"E WITH A CHORD DISTANCE OF 101.18 FEET TO A NON-TANGENT CURVE TO THE LEFT;

21) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 2,596.53 FEET, A CENTRAL ANGLE OF 05°31'14", A DISTANCE OF 250.18 FEET, A CHORD BEARING OF N77°31'06"E WITH A CHORD DISTANCE OF 250.08 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

22) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,595.32 FEET, A CENTRAL ANGLE OF 08°54'09", A DISTANCE OF 247.88 FEET, A CHORD BEARING OF N78°39'13"E WITH A CHORD DISTANCE OF 247.63 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

23) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 992.69 FEET, A CENTRAL ANGLE OF 05°24'37", A DISTANCE OF 93.73 FEET, A CHORD BEARING OF S88°56'30"E WITH A CHORD DISTANCE OF 93.70 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

24) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 7,511.77 FEET, A CENTRAL ANGLE OF 01°17'51", A DISTANCE OF 170.09 FEET, A CHORD BEARING OF S76°40'25"E WITH A CHORD DISTANCE OF 170.09 FEET TO A NON-TANGENT CURVE TO THE LEFT;

25) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 382.03 FEET, A CENTRAL ANGLE OF 24°53'03", A DISTANCE OF 165.92 FEET, A CHORD BEARING OF S87°28'46"E WITH A CHORD DISTANCE OF 164.62 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

26) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,824.94 FEET, A CENTRAL ANGLE OF 07°04'44", A DISTANCE OF 225.47 FEET, A CHORD BEARING OF N87°08'13"E WITH A CHORD DISTANCE OF 225.33 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

27) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 660.51 FEET, A CENTRAL ANGLE OF 12°34'29", A DISTANCE OF 144.96 FEET, A CHORD BEARING OF S77°18'34"E WITH A CHORD DISTANCE OF 144.67 FEET TO A NON-TANGENT CURVE TO THE LEFT;

28) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 1,649.74 FEET, A CENTRAL ANGLE OF 07°36'29", A DISTANCE OF 219.06 FEET, A CHORD BEARING OF S78°04'22"E WITH A CHORD DISTANCE OF 218.90 FEET;

THENCE S00°07'50"E, A DISTANCE OF 607.52 FEET;

THENCE N89°25'50"E, A DISTANCE OF 887.30 FEET TO A NON-TANGENT CURVE TO THE RIGHT TO THE WESTERLY LINE OF THE BOX ELDER LATERAL;

THENCE ON SAID WESTERLY LINE OF THE BOX ELDER LATERAL FOR THE FOLLOWING (68) COURSES:

- 1) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 32.33 FEET, A CENTRAL ANGLE OF 85°38'21", A DISTANCE OF 48.32 FEET, A CHORD BEARING OF S06°36'10"E WITH A CHORD DISTANCE OF 43.95 FEET;
- 2) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 58.63 FEET, A CENTRAL ANGLE OF 92°17'01", A DISTANCE OF 94.43 FEET, A CHORD BEARING OF S09°55'29"E WITH A CHORD DISTANCE OF 84.55 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 3) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 2,782.63 FEET, A CENTRAL ANGLE OF 02°30'43", A DISTANCE OF 122.00 FEET, A CHORD BEARING OF S42°02'49"E WITH A CHORD DISTANCE OF 121.99 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 4) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 251.38 FEET, A CENTRAL ANGLE OF 22°06'57", A DISTANCE OF 97.03 FEET, A CHORD BEARING OF S26°54'10"E WITH A CHORD DISTANCE OF 96.43 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 5) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 2,609.37 FEET, A CENTRAL ANGLE OF 02°20'13", A DISTANCE OF 106.43 FEET, A CHORD BEARING OF S17°07'49"E WITH A CHORD DISTANCE OF 106.42 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 6) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 431.75 FEET, A CENTRAL ANGLE OF 14°50'27", A DISTANCE OF 111.83 FEET, A CHORD BEARING OF S17°08'45"E WITH A CHORD DISTANCE OF 111.52 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 7) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 521.50 FEET, A CENTRAL ANGLE OF 07°11'56", A DISTANCE OF 65.52 FEET, A CHORD BEARING OF S19°53'07"E WITH A CHORD DISTANCE OF 65.48 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 8) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 755.26 FEET, A CENTRAL ANGLE OF 07°05'16", A DISTANCE OF 93.43 FEET, A CHORD BEARING OF S10°15'23"E WITH A CHORD DISTANCE OF 93.37 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 9) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 869.59 FEET, A CENTRAL ANGLE OF 07°01'53", A DISTANCE OF 106.72 FEET, A CHORD BEARING OF S18°50'31"E WITH A CHORD DISTANCE OF 106.65 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 10) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 457.81 FEET, A CENTRAL ANGLE OF 12°52'35", A DISTANCE OF 102.89 FEET, A CHORD BEARING OF S18°36'50"E WITH A CHORD DISTANCE OF 102.67 FEET;
- 11) THENCE S13°54'03"E, A DISTANCE OF 141.89 FEET;
- 12) THENCE S16°45'25"E, A DISTANCE OF 128.22 FEET TO A NON-TANGENT CURVE TO THE LEFT;

- 13) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 897.64 FEET, A CENTRAL ANGLE OF 12°56'20", A DISTANCE OF 202.71 FEET, A CHORD BEARING OF S20°36'00"E WITH A CHORD DISTANCE OF 202.28 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 14) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 435.88 FEET, A CENTRAL ANGLE OF 12°25'31", A DISTANCE OF 94.53 FEET, A CHORD BEARING OF S26°14'37"E WITH A CHORD DISTANCE OF 94.34 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 15) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 422.57 FEET, A CENTRAL ANGLE OF 10°39'23", A DISTANCE OF 78.59 FEET, A CHORD BEARING OF S12°05'52"E WITH A CHORD DISTANCE OF 78.48 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 16) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 329.44 FEET, A CENTRAL ANGLE OF 15°02'56", A DISTANCE OF 86.53 FEET, A CHORD BEARING OF S10°52'54"E WITH A CHORD DISTANCE OF 86.28 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 17) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 741.99 FEET, A CENTRAL ANGLE OF 08°48'17", A DISTANCE OF 114.02 FEET, A CHORD BEARING OF S27°29'54"E WITH A CHORD DISTANCE OF 113.91 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 18) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 123.20 FEET, A CENTRAL ANGLE OF 33°44'32", A DISTANCE OF 72.55 FEET, A CHORD BEARING OF S13°47'46"E WITH A CHORD DISTANCE OF 71.51 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 19) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 269.95 FEET, A CENTRAL ANGLE OF 20°03'12", A DISTANCE OF 94.48 FEET, A CHORD BEARING OF S09°41'10"W WITH A CHORD DISTANCE OF 94.00 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 20) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 483.98 FEET, A CENTRAL ANGLE OF 14°01'20", A DISTANCE OF 118.45 FEET, A CHORD BEARING OF S01°33'50"W WITH A CHORD DISTANCE OF 118.15 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 21) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 758.37 FEET, A CENTRAL ANGLE OF 06°02'22", A DISTANCE OF 79.94 FEET, A CHORD BEARING OF S05°17'34"E WITH A CHORD DISTANCE OF 79.90 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 22) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 697.97 FEET, A CENTRAL ANGLE OF 08°20'57", A DISTANCE OF 101.71 FEET, A CHORD BEARING OF S02°07'09"W WITH A CHORD DISTANCE OF 101.62 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 23) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 2,859.32 FEET, A CENTRAL ANGLE OF 02°37'18", A DISTANCE OF 130.83 FEET, A CHORD BEARING OF S04°40'06"W WITH A CHORD DISTANCE OF 130.82 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 24) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 938.44 FEET, A CENTRAL ANGLE OF 07°27'29", A DISTANCE OF 122.16 FEET, A CHORD BEARING OF S03°54'52"W WITH A CHORD DISTANCE OF 122.07 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

- 25) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 305.94 FEET, A CENTRAL ANGLE OF 16°26'49", A DISTANCE OF 87.82 FEET, A CHORD BEARING OF S18°39'23"W WITH A CHORD DISTANCE OF 87.52 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 26) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 1,522.18 FEET, A CENTRAL ANGLE OF 06°11'38", A DISTANCE OF 164.55 FEET, A CHORD BEARING OF S28°05'30"W WITH A CHORD DISTANCE OF 164.47 FEET;
- 27) THENCE S16°32'55"W, A DISTANCE OF 27.08 FEET;
- 28) THENCE S28°56'20"W, A DISTANCE OF 21.88 FEET;
- 29) THENCE S26°39'09"W, A DISTANCE OF 18.14 FEET;
- 30) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 76.60 FEET, A CENTRAL ANGLE OF 75°01'34", A DISTANCE OF 100.30 FEET, A CHORD BEARING OF S53°23'41"W WITH A CHORD DISTANCE OF 93.29 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 31) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 666.67 FEET, A CENTRAL ANGLE OF 09°52'30", A DISTANCE OF 114.90 FEET, A CHORD BEARING OF N85°23'12"W WITH A CHORD DISTANCE OF 114.76 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 32) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 64.93 FEET, A CENTRAL ANGLE OF 81°23'12", A DISTANCE OF 92.23 FEET, A CHORD BEARING OF S51°17'31"W WITH A CHORD DISTANCE OF 84.67 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 33) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 137.24 FEET, A CENTRAL ANGLE OF 52°47'54", A DISTANCE OF 126.47 FEET, A CHORD BEARING OF S12°40'43"E WITH A CHORD DISTANCE OF 122.04 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 34) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 194.80 FEET, A CENTRAL ANGLE OF 34°20'21", A DISTANCE OF 116.75 FEET, A CHORD BEARING OF S06°38'35"E WITH A CHORD DISTANCE OF 115.01 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 35) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 253.32 FEET, A CENTRAL ANGLE OF 38°02'39", A DISTANCE OF 168.20 FEET, A CHORD BEARING OF S00°23'05"E WITH A CHORD DISTANCE OF 165.13 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 36) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 811.83 FEET, A CENTRAL ANGLE OF 04°22'11", A DISTANCE OF 61.92 FEET, A CHORD BEARING OF S28°10'17"E WITH A CHORD DISTANCE OF 61.90 FEET;
- 37) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 811.83 FEET, A CENTRAL ANGLE OF 04°22'11", A DISTANCE OF 61.92 FEET, A CHORD BEARING OF S32°32'28"E WITH A CHORD DISTANCE OF 61.90 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 38) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 719.94 FEET, A CENTRAL ANGLE OF 10°51'06", A DISTANCE OF 136.35 FEET, A CHORD BEARING OF S33°48'20"E WITH A CHORD DISTANCE OF 136.15 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

- 39) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 369.53 FEET, A CENTRAL ANGLE OF 18°20'47", A DISTANCE OF 118.32 FEET, A CHORD BEARING OF S18°02'37"E WITH A CHORD DISTANCE OF 117.82 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 40) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 19,521.09 FEET, A CENTRAL ANGLE OF 00°33'10", A DISTANCE OF 188.38 FEET, A CHORD BEARING OF S08°19'10"E WITH A CHORD DISTANCE OF 188.38 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 41) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 1,121.34 FEET, A CENTRAL ANGLE OF 12°11'57", A DISTANCE OF 238.75 FEET, A CHORD BEARING OF S14°22'31"E WITH A CHORD DISTANCE OF 238.30 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 42) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 937.12 FEET, A CENTRAL ANGLE OF 09°46'56", A DISTANCE OF 159.99 FEET, A CHORD BEARING OF S11°30'12"E WITH A CHORD DISTANCE OF 159.80 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 43) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 781.06 FEET, A CENTRAL ANGLE OF 09°45'13", A DISTANCE OF 132.96 FEET, A CHORD BEARING OF S02°51'31"E WITH A CHORD DISTANCE OF 132.80 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 44) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 183.04 FEET, A CENTRAL ANGLE OF 29°55'45", A DISTANCE OF 95.61 FEET, A CHORD BEARING OF S17°16'39"W WITH A CHORD DISTANCE OF 94.53 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 45) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 461.50 FEET, A CENTRAL ANGLE OF 23°51'45", A DISTANCE OF 192.21 FEET, A CHORD BEARING OF S26°49'14"W WITH A CHORD DISTANCE OF 190.82 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 46) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 199.36 FEET, A CENTRAL ANGLE OF 31°01'33", A DISTANCE OF 107.95 FEET, A CHORD BEARING OF S13°34'59"E WITH A CHORD DISTANCE OF 106.64 FEET;
- 47) THENCE S27°29'14"E, A DISTANCE OF 39.60 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 48) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 331.47 FEET, A CENTRAL ANGLE OF 21°00'31", A DISTANCE OF 121.54 FEET, A CHORD BEARING OF S18°47'26"E WITH A CHORD DISTANCE OF 120.86 FEET;
- 49) THENCE S14°53'39"E, A DISTANCE OF 78.98 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 50) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 246.25 FEET, A CENTRAL ANGLE OF 24°45'45", A DISTANCE OF 106.43 FEET, A CHORD BEARING OF S31°57'41"E WITH A CHORD DISTANCE OF 105.60 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 51) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 322.52 FEET, A CENTRAL ANGLE OF 27°23'07", A DISTANCE OF 154.15 FEET, A CHORD BEARING OF S36°57'33"E WITH A CHORD DISTANCE OF 152.69 FEET;

- 52) THENCE S18°32'34"E, A DISTANCE OF 52.18 FEET;
- 53) THENCE S18°03'29"E, A DISTANCE OF 41.72 FEET;
- 54) THENCE S18°56'48"E, A DISTANCE OF 51.81 FEET;
- 55) THENCE S27°39'43"E, A DISTANCE OF 69.58 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 56) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 827.61 FEET, A CENTRAL ANGLE OF 23°36'04", A DISTANCE OF 340.91 FEET, A CHORD BEARING OF S23°41'54"E WITH A CHORD DISTANCE OF 338.50 FEET;
- 57) THENCE S14°29'57"E, A DISTANCE OF 77.27 FEET;
- 58) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 3,607.90 FEET, A CENTRAL ANGLE OF 02°27'10", A DISTANCE OF 154.45 FEET, A CHORD BEARING OF S15°46'40"E WITH A CHORD DISTANCE OF 154.44 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 59) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 2,158.26 FEET, A CENTRAL ANGLE OF 04°50'52", A DISTANCE OF 182.61 FEET, A CHORD BEARING OF S18°58'28"E WITH A CHORD DISTANCE OF 182.55 FEET;
- 60) THENCE S23°06'44"E, A DISTANCE OF 132.25 FEET;
- 61) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,304.97 FEET, A CENTRAL ANGLE OF 08°34'17", A DISTANCE OF 195.22 FEET, A CHORD BEARING OF S16°51'22"E WITH A CHORD DISTANCE OF 195.04 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 62) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 2,084.82 FEET, A CENTRAL ANGLE OF 07°23'08", A DISTANCE OF 268.74 FEET, A CHORD BEARING OF S10°10'09"E WITH A CHORD DISTANCE OF 268.55 FEET;
- 63) THENCE S07°17'12"E, A DISTANCE OF 223.01 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 64) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,259.75 FEET, A CENTRAL ANGLE OF 20°26'04", A DISTANCE OF 449.29 FEET, A CHORD BEARING OF S03°49'20"W WITH A CHORD DISTANCE OF 446.91 FEET;
- 65) THENCE S07°27'11"W, A DISTANCE OF 205.38 FEET;
- 66) THENCE S14°22'55"W, A DISTANCE OF 328.02 FEET;
- 67) THENCE S08°13'19"W, A DISTANCE OF 146.29 FEET;
- 68) THENCE S11°51'57"W, A DISTANCE OF 160.77 FEET TO THE SOUTH LINE OF THE SOUTH HALF OF SAID SECTION 23;
- THENCE S89°52'18"W, A DISTANCE OF 510.68 FEET ON SAID SOUTH LINE TO THE EAST SIXTEENTH OF SECTION 26, MONUMENTED WITH A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 2.5" ALUMINUM CAP, STAMPED "27269 HOSS 2002";

THENCE S89°52'18"W, A DISTANCE OF 3,659.37 FEET ON SAID SOUTH LINE;  
THENCE N00°25'27"W, A DISTANCE OF 170.26 FEET;  
THENCE S89°52'18"W, A DISTANCE OF 50.00 FEET;  
THENCE S00°25'28"E, A DISTANCE OF 170.26 FEET TO SAID SOUTH LINE;  
THENCE S89°52'18"W, A DISTANCE OF 50.00 FEET ON SAID SOUTH LINE;  
THENCE N00°25'31"W, A DISTANCE OF 170.26 FEET;  
THENCE S89°52'18"W, A DISTANCE OF 50.00 FEET;  
THENCE S00°25'32"E, A DISTANCE OF 170.26 FEET TO SAID SOUTH LINE;  
THENCE S89°52'18"W, A DISTANCE OF 50.00 FEET ON SAID SOUTH LINE;  
THENCE N00°25'34"W, A DISTANCE OF 170.26 FEET;  
THENCE S89°52'18"W, A DISTANCE OF 50.00 FEET;  
THENCE S00°25'35"E, A DISTANCE OF 170.26 FEET TO SAID SOUTH LINE;  
THENCE S89°52'18"W, A DISTANCE OF 50.00 FEET ON SAID SOUTH LINE TO THE POINT OF  
BEGINNING.

PARCEL CONTAINS 34,602,285.39 SQUARE FEET OR 794.359 ACRES, MORE OR LESS.

**EXHIBIT 1-H**

**BNSF ANNEXATION NO. 1 ANNEXATION MAP**









# BNSF ANNEXATIONS PROPERTIES 1 THRU 7

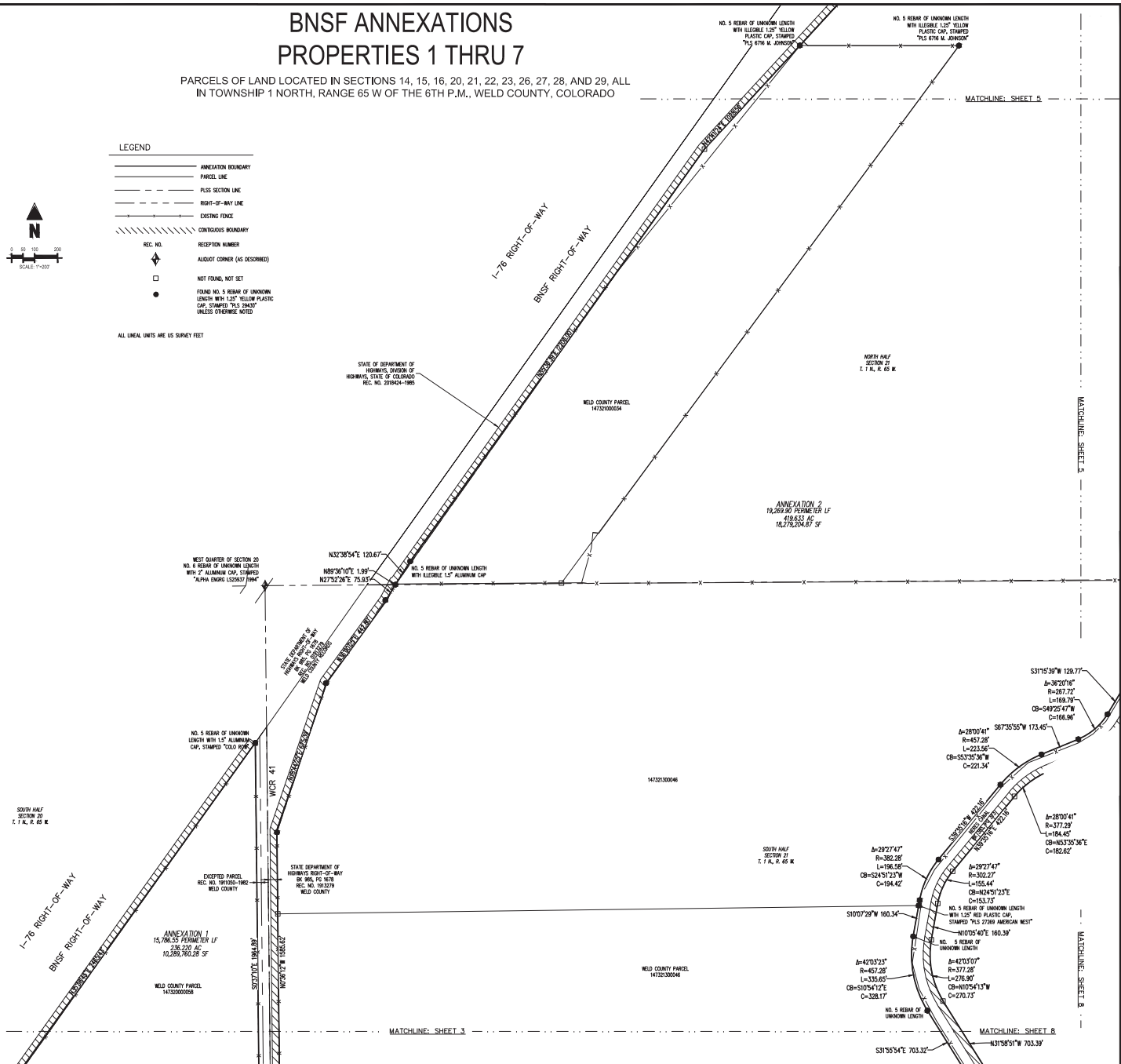
PARCELS OF LAND LOCATED IN SECTIONS 14, 15, 16, 20, 21, 22, 23, 26, 27, 28, AND 29, ALL  
IN TOWNSHIP 1 NORTH, RANGE 65 W OF THE 6TH P.M., WELD COUNTY, COLORADO

**LEGEND**

- ANNEXATION BOUNDARY
- FENCE LINE
- PLSS SECTION LINE
- RIGHT-OF-WAY LINE
- - - EXISTING FENCE
- ▨ CONTIGUOUS BOUNDARY

REC. NO.  
 ◆ ALIQUOT CORNER (AS DESCRIBED)  
 □ NOT FOUND, NOT SET  
 ○ FOUND NO. 5 REBAR OF UNKNOWN LENGTH WITH ALLEGED 1.25" YELLOW PLASTIC CAP, STAMPED "PLS 2942" UNLESS OTHERWISE NOTED

ALL LINEAL UNITS ARE US SURVEY FEET



**Galloway**  
 8385 Ronald Reagan Blvd, Suite 210  
 Johnston, CO 80534  
 970.800.3300  
 GallowayUS.com

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**BNSF ANNEXATIONS PROPERTIES 1 THRU 7**  
 PARCELS OF LAND LOCATED IN SECTIONS 14, 15, 16, 20, 21, 22, 23, 26, 27, 28, AND 29, ALL IN TOWNSHIP 1 NORTH, RANGE 65 W OF THE 6TH P.M., WELD COUNTY, COLORADO

#	Date	Issue / Description	Init.

Project No.	160310
Drawn By	ACS
Checked By	ROC
Date	04/05/2024









**BNSF ANNEXATIONS PROPERTIES 1 THRU 7**  
 PARCELS OF LAND LOCATED IN SECTIONS 14, 15, 16, 20, 21, 22, 23, 26, 27, 28, AND 29, ALL IN TOWNSHIP 1 NORTH, RANGE 65 W OF THE 6TH P.M., WELD COUNTY, COLORADO

#	Date	Issue / Description	Int.
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

Project No: 160310  
 Drawn By: ACS  
 Checked By: RCR  
 Date: 04/25/2024

# BNSF ANNEXATIONS PROPERTIES 1 THRU 7

PARCELS OF LAND LOCATED IN SECTIONS 14, 15, 16, 20, 21, 22, 23, 26, 27, 28, AND 29, ALL IN TOWNSHIP 1 NORTH, RANGE 65 W OF THE 6TH P.M., WELD COUNTY, COLORADO

**LEGEND**

- ANNEXATION BOUNDARY
- PARCEL LINE
- PLSS SECTION LINE
- - - RIGHT-OF-WAY LINE
- - - EXISTING FENCE
- /// CONTIGUOUS BOUNDARY

REC. NO.  

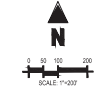
ALLOTMENT NUMBER  

RECEPTION CORNER (AS DESCRIBED)

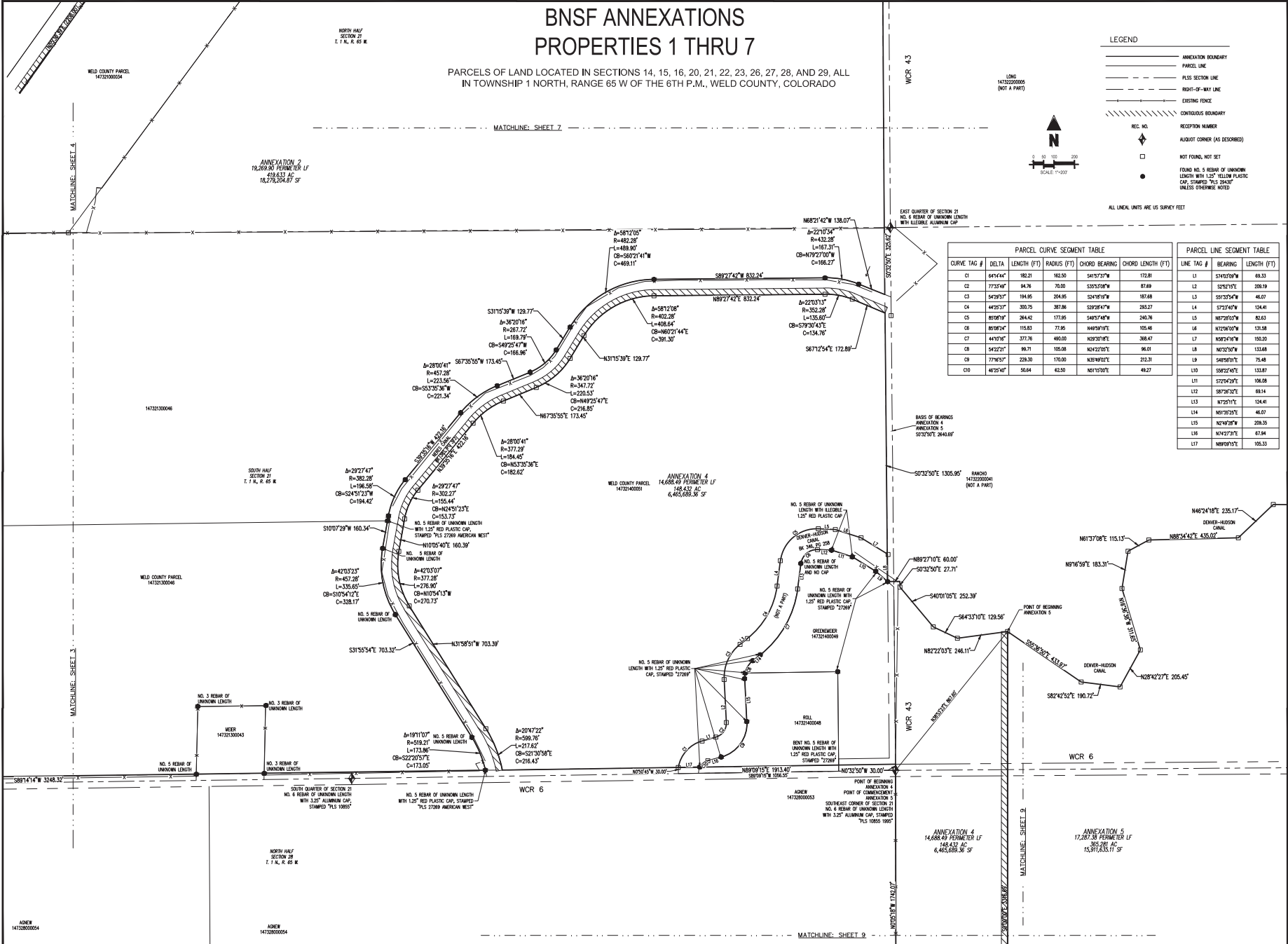
NOT FOUND, NOT SET

FOUND NO. 5 REBAR OF UNKNOWN LENGTH WITH 1.25" YELLOW PLASTIC CAP, STAMPED "TLS 2043" UNLESS OTHERWISE NOTED

ALL LINEAL UNITS ARE US SURVEY FEET



PARCEL CURVE SEGMENT TABLE						PARCEL LINE SEGMENT TABLE	
CURVE TAG #	DELTA	LENGTH (FT)	RADIUS (FT)	CHORD BEARING	CHORD LENGTH (FT)	LINE TAG #	BEARING
C1	64°44'	182.21	162.50	S41°57'37"W	172.81	L1	S14°03'00"W
C2	77°25'49"	84.76	70.00	S33°33'00"W	87.89	L2	S2°52'15"W
C3	54°29'37"	104.85	204.95	S24°19'10"W	187.68	L3	S51°35'51"W
C4	44°25'27"	300.75	387.86	S39°18'47"W	283.27	L4	S72°54'57"W
C5	85°08'24"	284.42	177.85	S49°57'48"W	240.76	L5	N72°28'57"W
C7	44°12'18"	377.76	490.00	N29°30'18"E	388.47	L7	N52°24'10"W
C8	54°22'21"	99.71	105.08	N42°22'02"E	86.01	L8	N67°32'50"W
C9	77°46'37"	229.30	170.00	N35°49'02"E	212.31	L9	S49°58'15"E
C10	46°25'40"	56.04	62.50	N61°15'00"E	49.27	L10	S59°22'45"E
						L11	S27°04'25"E
						L12	S87°36'25"E
						L13	N72°57'15"E
						L14	N61°30'25"E
						L15	N2°47'28"E
						L16	N74°27'31"E
						L17	N69°09'15"E













**EXHIBIT 2**

**LEGAL DESCRIPTION OF LAND OWNED BY PETITIONERS**

**LAND OWNED BY BNSF WITHIN ANNEXATION**

A PARCEL OF LAND LOCATED IN THE SECTIONS 14, 15, 16, 20, 21, 22, 23, 26, 27 AND 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF WELD, STATE OF COLORADO; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS A AND B, RECORDED EXEMPTION NO. 1473-29-1 RE-4247 RECORDED FEBRUARY 24, 2006 AT RECEPTION NO. 3365571, BEING A PART OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

LOT A OF CORRECTED RECORDED EXEMPTION NO. 1473-29-1-RE-909 RECORDED DECEMBER 19, 1988 AT RECEPTION NO. 2165331, BEING A PART OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

LOT A OF RECORDED EXEMPTION NO. 1473-29-1 RECX 15-0095, AS PER THE PLAT THEREOF RECORDED NOVEMBER 9, 2016, AT RECEPTION NO. 4252309, AND BEING A PART OF THE EAST 1/2 OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

LOT A, RECORDED EXEMPTION NO. 1473-29-1 RE-3670 ACCORDING TO THE PLAT THEREOF RECORDED JULY 21, 2004 AT RECEPTION NO. 3200793, BEING A PART OF THE EAST ½ OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO.

NON-EXCLUSIVE JOINT ACCESS AND UTILITY EASEMENTS AS SHOWN ON THE RECORDED EXEMPTION NO. 1473-29-1 RE-3670 RECORDED JULY 21, 2004 AT RECEPTION NO. 3200793, COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

LOT B, RECORDED EXEMPTION NO. 1473-29-1 RE-3760, ACCORDING TO THE MAP THEREOF RECORDED JULY 21, 2004 AT RECEPTION NO. 3200793, BEING A PORTION OF THE EAST HALF OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

LOT B OF RECORDED EXEMPTION NO. 1473-29-1 RECX 15-0095, AS PER THE PLAT THEREOF RECORDED MAY 11, 2016 AT RECEPTION NO. 4202708, BEING A PART OF THE EAST ½ OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

LOT A OF RECORDED EXEMPTION NO. 1473-29-1-RE-3571, RECORDED SEPTEMBER 25, 2003 AT RECEPTION NO. 3109984, BEING A PART OF THE E1/2 OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

SUBDIVISION EXEMPTION 981 PARCEL, AS PER THE SUBDIVISION EXEMPTION NO. 981 RECORDED SEPTEMBER 25, 2003 AS RECEPTION NO. 3109982, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PART OF THE NE ¼ OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 29;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ON AN ASSUMED BEARING ALONG THE EASTERLY LINE OF SAID NE ¼ OF SECTION 29, A DISTANCE OF 529.64 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID EASTERLY LINE OF THE NE ¼ OF SECTION 29, A DISTANCE OF 335.00 FEET;

THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 150.00 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 20.00 FEET;

THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 331.00 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 315.00 FEET;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 481.00 FEET TO THE TRUE POINT OF BEGINNING.

AND ALSO

THAT PART OF THE SE1/4 OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, LYING SOUTH AND EAST OF THE RIGHT OF WAY FOR THE BURLINGTON NORTHERN RAILROAD (FORMERLY C. B. & Q. R. R.) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., AND CONSIDERING THE EAST LINE OF THE SE1/4 OF SAID SECTION 20 TO BEAR NORTH 00°05'15" WEST AND WITH ALL OTHER BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 00°05'15" WEST, A DISTANCE OF 2063.2 FEET TO THE BURLINGTON NORTHER RAILROAD RIGHT OF WAY;

THENCE SOUTH 36°02'30" WEST, A DISTANCE OF 2557.0 FEET ALONG THE SOUTH SIDE OF SAID RIGHT OF WAY OF BURLINGTON NORTHERN RAILROAD TO A POINT ON THE SOUTH SIDE OF SAID SECTION 20;

THENCE NORTH 89°50'15" EAST, A DISTANCE OF 1507.63 FEET ALONG THE SOUTH LINE OF SAID SECTION 20 TO THE POINT OF BEGINNING,

EXCEPT PORTION CONVEYED TO THE DEPARTMENT OF HIGHWAYS, STATE OF COLORADO IN INSTRUMENT RECORDED NOVEMBER 13, 1952 IN BOOK 1344 AT PAGE 5, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A TRACT OR PARCEL OF LAND, NO. 40 OF GRANTEE'S PROJECT NO. FI 003-4(2), MORE OR LESS, IN THE SE1/4 OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST, FROM WHICH POINT THE SE CORNER OF SECTION 20 BEARS NORTH 88°59'30" EAST A DISTANCE OF 1776.1 FEET;

THENCE NORTH 36°02'30" EAST A DISTANCE OF 3010.6 FEET TO THE EAST LINE OF SECTION 20;

THENCE ALONG THE EAST LINE OF SECTION 20, NORTH 00°06'30" WEST A DISTANCE OF 258.9 FEET TO THE NE CORNER OF THE SE1/4 OF SECTION 20;

THENCE ALONG THE NORTH LINE OF THE SE1/4 OF SECTION 20, SOUTH 88°59'30" WEST A DISTANCE OF 59.3 FEET;

THENCE SOUTH 36°02'30" WEST A DISTANCE OF 3334.9 FEET TO THE SOUTH LINE OF SECTION 20;

THENCE ALONG THE SOUTH LINE OF SECTION 20, NORTH 88°59'30" EAST A DISTANCE OF 250.6 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ALSO EXCEPT:

A TRACT OR PARCEL OF LAND NO. 22 OF THE STATE DEPARTMENT OF HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO, PROJECT NO. I 076-1(48) IN THE SE1/4 OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., IN THE INSTRUMENT RECORDED JULY 18, 1980 AT RECEPTION NO. 1830484, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE SE1/4 OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 5TH P.M., FROM WHICH THE SE CORNER OF SECTION 20 BEARS SOUTH 01°57'15" EAST, A DISTANCE OF 2676.4 FEET; THENCE NORTH 86°32'30" EAST ALONG SAID NORTH LINE, A DISTANCE OF 40.2 FEET TO THE NORTHWESTERLY RIGHT OF WAY LINE OF I 76 (AUG. 1978); THENCE SOUTH 36°02'30" WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 3318.1 FEET TO THE SOUTH LINE OF SECTION 20; THENCE SOUTH 89°50'15" WEST, ALONG SAID SECTION LINE, A DISTANCE OF 38.4 FEET; THENCE NORTH 36°02'30" EAST A DISTANCE OF 3315.2 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ALSO EXCEPT:

A TRACT OR PARCEL OF LAND NO. 22A REV. OF THE STATE DEPARTMENT OF HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO, PROJECT NO. I076-1(48) IN THE SE1/4 OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., AS SET FORTH IN INSTRUMENT RECORDED DECEMBER 10, 1982 AT RECEPTION NO. 1911050, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD 6 (SEPT. 1981) FROM WHICH THE SE CORNER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M. BEARS SOUTH 59°10'45" EAST A DISTANCE OF 58.3 FEET; THENCE NORTH 00°05'15" WEST, A DISTANCE OF 1964.8 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN RAILROAD (SEPT. 1981); THENCE NORTH 36°02'30" EAST, ALONG SAID RAILROAD RIGHT OF WAY LINE, A DISTANCE OF 84.8 FEET TO THE EAST LINE OF SECTION 20; THENCE SOUTH 00°05'15" EAST, ALONG SAID SECTION LINE, A DISTANCE OF 2033.2 FEET; THENCE SOUTH 89°50'15" WEST, A DISTANCE OF 50.0 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

AND ALSO

LOT A, AMENDED RECORDED EXEMPTION NO. 1473-21-3-RE-58, AS PER THE PLAT THEREOF RECORDED JULY 25, 2005 AT RECEPTION NO. 3306006, BEING A PART OF THE SOUTH ½ OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

ALL THAT PART OF THE SOUTH ½ OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M. LYING EAST OF THE R.O.W. OF THE C.B. & Q. RR, COUNTY OF WELD, STATE OF COLORADO, EXCEPTING THEREFROM, THAT PORTION SOLD TO THE HENRYLYN IRRIGATION DISTRICT BY DEED RECORDED IN BOOK 346 AT PAGE 258; AND

EXCEPTING THEREFROM, THAT PORTION CONVEYED TO THE FARMERS RESERVOIR AND IRRIGATION CO. BY DEED RECORDED IN BOOK 383 AT PAGE 373; AND

EXCEPTING THEREFROM, THAT PORTION LYING SOUTH AND EAST OF THE DENVER-HUDSON CANAL AS DESCRIBED IN BOOK 346 AT PAGE 258 AS MORE PARTICULARLY DESCRIBED IN THE DEED TO ROBERT F. SCHMALHAUS AND SHARON L. SCHMALHAUS RECORDED MAY 9, 1995 AT RECEPTION NO. 2437464; AND

EXCEPTING THEREFROM, THAT PORTION CONTAINED IN THE AMENDED RECORDED EXEMPTION NO. 1473-21-3-RE-58 PLAT RECORDED JULY 25, 2005 AT RECEPTION NO. 3306006.

EXCEPTION THEREFROM THAT PORTION CONVEYED TO STATE DEPARTMENT OF HIGHWAYS, STATE OF COLORADO BY INSTRUMENT RECORDED JANUARY 4, 1983 AT RECEPTION NO. 1913279.

AND ALSO



A TRACT OF LAND LOCATED IN THE NORTH ½, SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT ON THE NORTH LINE OF THE NORTHWEST ¼, SECTION 21 FROM WHENCE THE NORTHWEST CORNER OF SAID NORTHWEST ¼ BEARS S89°12'49"W, 2634.90 FEET AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE S00°47'11"E, 30.00 FEET;  
THENCE S41°53'19"W, 416.21 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE N89°12'44"E, 691.22 FEET;  
THENCE S35°41'46"W, 2904.77 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST ¼, SECTION 21;  
THENCE S88°49'54"W, 720.00 FEET ALONG SAID SOUTH LINE;  
THENCE N31°50'49"E, 117.60 FEET;  
THENCE N34°42'34"E, 2200.00 FEET;  
THENCE N41°53'19"E, 612.29 FEET TO THE TRUE POINT OF BEGINNING,

EXCEPTING THEREFROM, THAT PORTION TAKEN BY THE STATE DEPARTMENT OF HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO, IN THE RULE AND ORDER RECORDED JULY 25, 1985 AT RECEPTION NO. 2018424.

AND ALSO

ALL THAT PART OF THE NORTH ½ OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO, LYING EAST OF THE RIGHT-OF-WAY OF THE CHICAGO, BURLINGTON AND QUINCY RAILROAD, COUNTY OF WELD, STATE OF COLORADO,

EXCEPT A TRACT OF LAND LOCATED IN THE NORTH ½ OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M. IN WELD COUNTY AS CONVEYED TO MARVIN H. SPAYD AND JOANN T. SPAYD IN THE DEED RECORDED AUGUST 4, 1982 AT RECEPTION NO. 1899546, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE NORTHWEST ¼, SECTION 21, FROM WHENCE THE NORTHWEST CORNER OF SAID NORTHWEST ¼ BEARS S89°12'49"W, 2634.90 FEET AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE S00°47'11"E, 30.00 FEET;  
THENCE S41°53'19"W, 416.21 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE N89°12'44"E, 691.22 FEET;  
THENCE S35°41'46"W, 2904.77 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST ¼, SECTION 21;  
THENCE S88°49'54"W, 720.00 FEET ALONG SAID SOUTH LINE;  
THENCE N31°50'49"E, 117.60 FEET;  
THENCE N34°42'34"E, 2200.00 FEET;  
THENCE N41°53'19"E, 612.29 FEET TO THE TRUE POINT OF BEGINNING,

ALSO EXCEPTING ANY PORTION THEREOF CONTAINED IN THE RULE AND ORDER BY THE STATE DEPARTMENT OF HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO RECORDED JULY 25, 1985 AT RECEPTION NO. 2018424.

AND ALSO

THAT PART OF THE E1/2 OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 16;  
THENCE N89°27'29"W ON AN ASSUMED BEARING ALONG THE SOUTH LINE OF SAID E1/2 OF SECTION 16, A DISTANCE OF 1,355.71 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF I-76;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE AS FOLLOWS:

1. N00°42'49"E A DISTANCE OF 30.00 FEET;
2. N77°25'44"W A DISTANCE OF 1,326.70 FEET;
3. N00°10'59"W A DISTANCE OF 138.35 FEET TO A POINT ON THE EASTERLY RIGHT-OF-LINE OF THE BURLINGTON NORTHERN RAILROAD AS SET FORTH IN THE DEED TO SAID RAILROAD RECORDED SEPTEMBER 29, 1882 IN BOOK 36 AT PAGE 100;

THENCE N36°03'15"E ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 4,481.88 FEET TO A POINT ON THE EAST LINE OF SAID E1/2 OF SECTION 16;

THENCE S00°10'45"E ALONG SAID EAST LINE A DISTANCE OF 4,093.36 FEET TO THE POINT OF BEGINNING.

AND ALSO

THAT PART OF THE SOUTH ½ OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, WELD COUNTY, COLORADO, LYING WESTERLY OF THE WEST RIGHT-OF-WAY LINE OF THE NERES CANAL RIGHT-OF-WAY AS DESCRIBED IN THE INSTRUMENT RECORDED SEPTEMBER 25, 1913 IN BOOK 383 AT PAGE 373.

AND ALSO

ALL THAT PART OF THE SOUTH ½ OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M. LYING EAST OF THE R.O.W. OF THE C.B. & Q. RR, COUNTY OF WELD, STATE OF COLORADO, EXCEPTING THEREFROM, THAT PORTION SOLD TO THE HENRYLYN IRRIGATION DISTRICT BY DEED RECORDED IN BOOK 346 AT PAGE 258; AND

EXCEPTING THEREFROM, THAT PORTION CONVEYED TO THE FARMERS RESERVOIR AND IRRIGATION CO. BY DEED RECORDED IN BOOK 383 AT PAGE 373; AND

EXCEPTING THEREFROM, THAT PORTION LYING SOUTH AND EAST OF THE DENVER-HUDSON CANAL AS DESCRIBED IN BOOK 346 AT PAGE 258 AS MORE PARTICULARLY DESCRIBED IN THE DEED TO ROBERT F. SCHMALHAUS AND SHARON L. SCHMALHAUS RECORDED MAY 9, 1995 AT RECEPTION NO. 2437464; AND

EXCEPTING THEREFROM, THAT PORTION CONTAINED IN THE AMENDED RECORDED EXEMPTION NO. 1473-21-3-RE-58 PLAT RECORDED JULY 25, 2005 AT RECEPTION NO. 3306006. AND

EXCEPTING THEREFROM ANY PART OF THE N½ OF THE SW¼ OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M.

AND ALSO

LOT B, RECORDED EXEMPTION NO. 1473-21-4-RE4080, ACCORDING TO MAP RECORDED SEPTEMBER 30, 2005 AT RECEPTION NO. 3327676 BEING A PART OF THE SE 1/4 OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, EXCEPTING THEREFROM ANY PORTION THAT MAY LIE WITHIN THE RIGHT OF WAY LIMITS OF WELD COUNTY ROAD #6.

AND ALSO

LOT A OF RECORDED EXEMPTION NO. 1473-21-4-RE4080, ACCORDING TO THE PLAT RECORDED SEPTEMBER 30, 2005 UNDER RECEPTION NO. 3327676, BEING A PART OF THE SOUTHEAST ¼ OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

PARCEL 1:

THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO, EXCEPT A PARCEL OF LAND CONVEYED TO BRUCE B. ANDREWS BY DEED RECORDED IN BOOK 1135, PAGE

331, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THAT PART OF SAID SOUTHWEST QUARTER CONTAINING 1 ACRE, MORE OR LESS, LYING NORTH AND WEST OF AND BELOW OR NERES CANAL; AND THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., WELD COUNTY, COLORADO, EXCEPT A PARCEL OF LAND CONVEYED TO E. F. GAUMER BY DEED RECORDED IN BOOK 1084, PAGE 306, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THAT PART OF SAID NORTH HALF OF THE SOUTHEAST QUARTER LYING BELOW AND EASTERLY FROM THE BOX ELDER LATERAL; AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THAT PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., WELD COUNTY, COLORADO, LYING SOUTHERLY FROM AND ABOVE THE NERES CANAL AND BOX ELDER LATERAL.

PARCEL II:

THE EAST HALF OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., WELD COUNTY, COLORADO, LYING WESTERLY FROM AND ABOVE THE BOX ELDER LATERAL.

PARCEL III:

THE WEST HALF OF THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., WELD COUNTY, COLORADO.

PARCEL IV:

THE NORTH HALF OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., WELD COUNTY, COLORADO, EXCEPTING THEREFROM THAT PORTION OF THE 100 FOOT RIGHT OF WAY FOR THE DENVER HUDSON CANAL, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 27 FROM WHENCE THE WEST QUARTER CORNER OF SAID SECTION 27 BEARS SOUTH 00°09'25" WEST 2644.69 FEET AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE SOUTH 89°57'04" EAST 2641.98 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 27; THENCE CONTINUING SOUTH 89°57'04" EAST 2641.98 FEET TO THE NORTHEAST CORNER OF SAID SECTION 27; THENCE SOUTH 00°25'10" WEST 2650.06 FEET ALONG THE APPROXIMATE CENTERLINE OF COUNTY ROAD 45 TO THE EAST QUARTER OF SAID SECTION 27; THENCE NORTH N89°53'36" WEST 5271.81 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 27; THENCE NORTH 00°09'25" EAST 272.47 FEET ALONG THE WEST LINE OF SAID SECTION 27 TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THE DENVER HUDSON CANAL; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES AND DISTANCES; NORTH 20°38'24" EAST 74.77 FEET; THENCE NORTH 09°16'33" EAST 380.39 FEET; THENCE NORTH 17°28'41" WEST 139.71 FEET; THENCE NORTH 43°41'31" WEST 63.69 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 27; THENCE LEAVING SAID CANAL RIGHT OF WAY, NORTH 00°09'25" EAST 1777.51 FEET TO THE POINT OF BEGINNING, COUNTY OF WELD, STATE OF COLORADO

PARCE V

A TRACT OF LAND IN THE SOUTH HALF OF SECTION 22, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., WELD COUNTY, COLORADO, LYING SOUTH OF THE SOUTH RIGHT OF WAY LINE OF DENVER HUDSON CANAL AS SURVEYED, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 22 (1-1/2 INCH ALUMINUM CAP); THENCE NORTH 89°57'04" WEST 5283.96 FEET TO THE SOUTHWEST CORNER (A 3 INCH ALUMINUM CAP) OF SAID SECTION 22 AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE NORTH 00°08'52" EAST 917.05 FEET ALONG THE WEST LINE OF SAID SECTION 22 TO THE SOUTH RIGHT OF WAY LINE OF THE DENVER HUDSON CANAL; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE OF THE DENVER HUDSON CANAL THE FOLLOWING COURSES AND DISTANCES:

THENCE SOUTH 47°35'18" EAST 29.64 FEET;  
THENCE SOUTH 39°32'19" EAST 259.77 FEET;  
THENCE SOUTH 64°04'24" EAST 129.56 FEET;  
THENCE NORTH 82°50'49" EAST 246.11 FEET;  
THENCE SOUTH 55°08'04" EAST 433.97 FEET;

THENCE SOUTH 82°14'06" EAST 190.72 FEET;  
THENCE NORTH 29°11'13" EAST 205.45 FEET;  
THENCE NORTH 16°07'52" WEST 311.65 FEET;  
THENCE NORTH 09°45'45" EAST 183.31 FEET;  
THENCE NORTH 62°05'24" EAST 115.13 FEET;  
THENCE NORTH 89°03'28" EAST 435.02 FEET;  
THENCE NORTH 46°53'04" EAST 235.17 FEET;  
THENCE SOUTH 89°59'10" EAST 97.29 FEET;  
THENCE SOUTH 63°01'31" EAST 183.56 FEET;  
THENCE SOUTH 52°54'24" EAST 113.54 FEET;  
THENCE SOUTH 25°50'55" EAST 162.12 FEET;  
THENCE SOUTH 50°54'01" EAST 193.68 FEET;  
THENCE SOUTH 81°31'07" EAST 225.44 FEET;  
THENCE NORTH 87°18'54" EAST 171.45 FEET;  
THENCE SOUTH 66°20'02" EAST 105.27 FEET;  
THENCE SOUTH 34°39'24" EAST 85.93 FEET;  
THENCE SOUTH 18°06'29" EAST 153.68 FEET;  
THENCE SOUTH 52°16'35" EAST 119.55 FEET;  
THENCE NORTH 83°18'29" EAST 161.83 FEET;  
THENCE NORTH 63°54'10" EAST 187.18 FEET;  
THENCE NORTH 26°10'32" EAST 149.56 FEET;  
THENCE NORTH 00°59'30" EAST 152.37 FEET;  
THENCE NORTH 35°27'56" EAST 66.44 FEET;  
THENCE NORTH 74°24'50" EAST 43.18 FEET;  
THENCE SOUTH 77°32'27" EAST 535.45 FEET;  
THENCE SOUTH 53°33'08" EAST 218.39 FEET;  
THENCE SOUTH 28°05'33" EAST 189.08 FEET;  
THENCE SOUTH 40°48'06" EAST 295.58 FEET;  
THENCE SOUTH 49°26'55" EAST 131.64 FEET;  
THENCE SOUTH 82°04'35" EAST 135.61 FEET;  
THENCE SOUTH 84°26'01" EAST 491.24 FEET TO A POINT ON THE EAST LINE OF SECTION 22; THENCE LEAVING SAID CANAL RIGHT OF WAY, SOUTH 00°05'48" WEST 169.40 FEET TO THE POINT OF BEGINNING, COUNTY OF WELD, STATE OF COLORADO

### **EXHIBIT 3**

#### **SPECIAL DISTRICTS WITH BOUNDARIES THAT INCLUDE PROPERTY PROPOSED TO BE INCLUDED**

Weld County RE-3J School District

High Plains Library

Hudson Fire Protection District

AIMS Junior College

Central Colorado Water Subdistrict

West Adams Conservation District

Platte Valley Conservation District



# BNSF ANNEXATIONS PROPERTIES 1 THRU 7

PARCELS OF LAND LOCATED IN SECTIONS 14, 15, 16, 20, 21, 22, 23, 26, 27, 28, AND 29, ALL  
IN TOWNSHIP 1 NORTH, RANGE 65 W OF THE 6TH P.M., WELD COUNTY, COLORADO

## ANNEXATION PROPERTY NO. 4

A TRACT OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 21, THE SOUTHWEST OF SECTION 22, AND THE NORTHWEST OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 21 TO HAVE AN ASSUMED BEARING OF S00°32'50"E, A DISTANCE OF 2640.69 FEET, MONUMENTED AT THE NORTH BY NO. 6 REBAR OF UNKNOWN LENGTH WITH AN ILLEGIBLE ALUMINUM CAP, AND AT THE SOUTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "PLS 10855 1995" AS SHOWN HEREON WITH ALL OTHER BEARINGS RELATIVE THERETO.

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 21, MONUMENTED BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "PLS 10855 1995";

THENCE N00°32'50"W, A DISTANCE OF 30.00 FEET ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 21 TO THE NORTH RIGHT OF WAY LINE OF WCR 6;

THENCE S89°09'15"W, A DISTANCE OF 1913.40 FEET ON THE SAID NORTH RIGHT OF WAY LINE TO THE EASTERLY RIGHT OF WAY LINE OF THE NERES CANAL RIGHT-OF-WAY AS DESCRIBED IN THE INSTRUMENT RECORDED SEPTEMBER 25, 1913 IN BOOK 383 AT PAGE 373;

THENCE ON THE SAID EASTERLY RIGHT-OF-WAY LINE FOR THE FOLLOWING (15) COURSES:

- 1) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 599.76 FEET, A CENTRAL ANGLE OF 20°47'22", A DISTANCE OF 217.62 FEET, A CHORD BEARING OF N21°30'58"W WITH A CHORD DISTANCE OF 216.43 FEET;
- 2) N15°36'5"W, A DISTANCE OF 703.39 FEET;
- 3) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 377.28 FEET, A CENTRAL ANGLE OF 42°03'07", A DISTANCE OF 276.90 FEET, A CHORD BEARING OF N10°54'13"W WITH A CHORD DISTANCE OF 270.73 FEET;
- 4) THENCE N10°05'40"E, A DISTANCE OF 160.39 FEET;
- 5) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 302.27 FEET, A CENTRAL ANGLE OF 29°27'47", A DISTANCE OF 155.44 FEET, A CHORD BEARING OF N24°52'32"E WITH A CHORD DISTANCE OF 153.73 FEET;
- 6) THENCE N39°35'16"E, A DISTANCE OF 422.16 FEET;
- 7) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 377.28 FEET, A CENTRAL ANGLE OF 28°00'41", A DISTANCE OF 184.45 FEET, A CHORD BEARING OF N53°35'36"E WITH A CHORD DISTANCE OF 182.62 FEET;
- 8) THENCE N67°35'55"E, A DISTANCE OF 173.45 FEET;
- 9) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 347.72 FEET, A CENTRAL ANGLE OF 36°20'16", A DISTANCE OF 220.53 FEET, A CHORD BEARING OF N49°25'47"E WITH A CHORD DISTANCE OF 216.85 FEET;
- 10) THENCE N31°55'39"E, A DISTANCE OF 129.77 FEET;
- 11) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 402.28 FEET, A CENTRAL ANGLE OF 58°12'08", A DISTANCE OF 408.64 FEET, A CHORD BEARING OF N02°21'4"E WITH A CHORD DISTANCE OF 391.30 FEET;
- 12) THENCE N89°22'42"E, A DISTANCE OF 839.24 FEET;
- 13) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 377.28 FEET, A CENTRAL ANGLE OF 22°03'13", A DISTANCE OF 135.60 FEET, A CHORD BEARING OF S79°30'45"E WITH A CHORD DISTANCE OF 134.76 FEET;
- 14) THENCE S67°12'54"E, A DISTANCE OF 172.89 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF WCR 43;

THENCE S00°32'50"E, A DISTANCE OF 1,305.95 FEET ON SAID RIGHT-OF-WAY LINE;

THENCE N89°27'10"E, A DISTANCE OF 60.00 FEET;

THENCE S00°32'50"E, A DISTANCE OF 27.71 FEET TO THE SOUTHERLY LINE OF THE DENVER-HUDSON CANAL;

THENCE ON THE SAID SOUTHERLY LINE FOR THE FOLLOWING THREE (3) COURSES:

- 1) THENCE S40°01'50"E, A DISTANCE OF 252.39 FEET;
- 2) THENCE S84°33'10"E, A DISTANCE OF 129.56 FEET;
- 3) THENCE N82°22'03"E, A DISTANCE OF 246.11 FEET;

THENCE S00°00'00"W, A DISTANCE OF 3,316.69 FEET TO THE NORTH LINE OF THE NORTH HALF OF SAID SECTION 27;

THENCE S89°41'07"W, A DISTANCE OF 540.64 FEET ON SAID NORTH LINE TO THE WEST QUARTER OF SAID SECTION 27, MONUMENTED WITH A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 2.5" ALUMINUM CAP, STAMPED "L'S 13482 AW FREDENBURG";

THENCE N00°05'09"W, A DISTANCE OF 271.78 FEET ON THE WEST LINE OF THE NORTH HALF OF SAID SECTION 27 TO THE EASTERLY LINE OF THE DENVER-HUDSON CANAL;

THENCE ON THE SAID EASTERLY LINE FOR THE FOLLOWING FOUR (4) COURSES:

- 1) THENCE N18°39'26"E, A DISTANCE OF 74.77 FEET;
- 2) THENCE N08°33'54"E, A DISTANCE OF 380.53 FEET;
- 3) THENCE N19°04'24"W, A DISTANCE OF 139.71 FEET;
- 4) THENCE N35°39'27"W, A DISTANCE OF 63.69 FEET TO THE WESTERLY LINE OF THE NORTH HALF OF SAID SECTION 27;

THENCE N00°15'18"W, A DISTANCE OF 1,742.07 FEET ON SAID WESTERLY LINE TO THE POINT OF BEGINNING;

PARCEL CONTAINS 6,465,688.62 SQUARE FEET OR 148.437 ACRES, MORE OR LESS.

## LESS AND EXCEPT:

A TRACT OF LAND BEING A PORTION OF THE LAND DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 346, PAGE 258 IN THE RECORDS OF WELD COUNTY, LOCATED IN SECTION 27, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER FOR SAID SECTION 21, SAID POINT BEING MARKED BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP STAMPED "PLS 10855 1995" AND CONSIDERING THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 21 TO HAVE AN ASSUMED BEARING OF N00°32'50"W, A DISTANCE OF 2640.69 FEET, MONUMENTED AT THE SOUTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH NO CAP, AS SHOWN HEREON AND WITH ALL OTHER BEARINGS RELATIVE THERETO.

THENCE ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 21, S89°09'15"W, A DISTANCE OF 1,056.55 FEET;

THENCE N00°50'45"E, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING;

THENCE ON THE WESTERLY, NORTHERLY, EASTERLY AND SOUTHERLY BOUNDARY OF SAID PROPERTY RECORDED IN BOOK 346, PAGE 258 FOR THE FOLLOWING TWENTY SEVEN (27) COURSES:

- 1) ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 162.50 FEET, A CENTRAL ANGLE OF 64°14'44", A DISTANCE OF 182.21 FEET, A CHORD BEARING OF N41°37'37"E WITH A CHORD DISTANCE OF 172.81 FEET;
- 2) N74°03'09"E, A DISTANCE OF 69.33 FEET;
- 3) ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 70.00 FEET, A CENTRAL ANGLE OF 77°33'49", A DISTANCE OF 94.76 FEET, A CHORD BEARING OF N35°53'08"E WITH A CHORD DISTANCE OF 87.69 FEET;
- 4) N02°52'15"W, A DISTANCE OF 289.19 FEET;
- 5) ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 204.95 FEET, A CENTRAL ANGLE OF 54°29'57", A DISTANCE OF 194.95 FEET, A CHORD BEARING OF N24°16'19"E WITH A CHORD DISTANCE OF 187.68 FEET;
- 6) N51°33'54"E, A DISTANCE OF 46.07 FEET;
- 7) ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 387.86 FEET, A CENTRAL ANGLE OF 44°25'37", A DISTANCE OF 300.75 FEET, A CHORD BEARING OF N2°28'47"E WITH A CHORD DISTANCE OF 293.27 FEET;
- 8) N07°23'40"E, A DISTANCE OF 124.41 FEET;
- 9) ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 177.95 FEET, A CENTRAL ANGLE OF 85°08'19", A DISTANCE OF 264.42 FEET, A CHORD BEARING OF N49°57'48"E WITH A CHORD DISTANCE OF 240.76 FEET;
- 10) S87°28'03"E, A DISTANCE OF 62.63 FEET;
- 11) S72°05'00"E, A DISTANCE OF 131.58 FEET;
- 12) S58°24'16"E, A DISTANCE OF 150.20 FEET;
- 13) S00°32'50"E, A DISTANCE OF 133.68 FEET;
- 14) N48°38'01"W, A DISTANCE OF 75.48 FEET;
- 15) N05°22'45"W, A DISTANCE OF 133.67 FEET;
- 16) N72°04'20"W, A DISTANCE OF 106.08 FEET;
- 17) 87°26'32"W, A DISTANCE OF 69.14 FEET;
- 18) LONG A CURVE TO THE LEFT, HAVING A RADIUS OF 77.95 FEET, A CENTRAL ANGLE OF 85°08'24", A DISTANCE OF 115.83 FEET, A CHORD BEARING OF S49°59'19"W WITH A CHORD DISTANCE OF 105.46 FEET;
- 19) S07°25'17"W, A DISTANCE OF 126.41 FEET;
- 20) LONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 490.00 FEET, A CENTRAL ANGLE OF 44°10'16", A DISTANCE OF 377.76 FEET, A CHORD BEARING OF S29°30'18"W WITH A CHORD DISTANCE OF 368.47 FEET;
- 21) S51°35'25"W, A DISTANCE OF 46.07 FEET;
- 22) ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 105.08 FEET, A CENTRAL ANGLE OF 54°22'21", A DISTANCE OF 99.71 FEET, A CHORD BEARING OF S24°02'00"W WITH A CHORD DISTANCE OF 96.01 FEET;
- 23) S02°49'25"E, A DISTANCE OF 209.35 FEET;
- 24) ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 170.00 FEET, A CENTRAL ANGLE OF 77°16'57", A DISTANCE OF 229.30 FEET, A CHORD BEARING OF S35°49'02"W WITH A CHORD DISTANCE OF 212.31 FEET;
- 25) S74°27'31"W, A DISTANCE OF 67.94 FEET;
- 26) ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 62.50 FEET, A CENTRAL ANGLE OF 46°25'40", A DISTANCE OF 50.64 FEET, A CHORD BEARING OF S51°05'00"W WITH A CHORD DISTANCE OF 49.27 FEET;
- 27) S89°09'15"W, A DISTANCE OF 105.33 FEET; TO THE POINT OF BEGINNING.

PARCEL CONTAINS 178,818.22 SQUARE FEET OR 4.105 ACRES, MORE OR LESS.

## ANNEXATION PROPERTY NO. 5

A TRACT OF LAND BEING A PORTION OF THE SOUTH HALF OF SECTION 22, AND THE NORTH HALF OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 21 TO HAVE AN ASSUMED BEARING OF S00°32'50"E, A DISTANCE OF 2640.69 FEET, MONUMENTED AT THE NORTH BY NO. 6 REBAR OF UNKNOWN LENGTH WITH AN ILLEGIBLE ALUMINUM CAP, AND AT THE SOUTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "PLS 10855 1995" AS SHOWN HEREON WITH ALL OTHER BEARINGS RELATIVE THERETO.

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 21, MONUMENTED WITH A NO. 6 REBAR OF UNKNOWN LENGTH WITH 3.25" ALUMINUM CAP, STAMPED "PLS 10855 1995"

THENCE N38°53'23"E, A DISTANCE OF 867.60 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE DENVER-HUDSON CANAL;

THENCE ON SAID SOUTHERLY RIGHT-OF-WAY FOR THE FOLLOWING (33) COURSES:

- 1) THENCE S55°36'50"E, A DISTANCE OF 433.67 FEET;
- 2) THENCE S82°42'52"E, A DISTANCE OF 190.72 FEET;
- 3) THENCE N28°42'27"E, A DISTANCE OF 205.45 FEET;
- 4) THENCE N16°36'38"W, A DISTANCE OF 311.65 FEET;
- 5) THENCE N08°16'59"E, A DISTANCE OF 183.81 FEET;
- 6) THENCE N81°37'08"E, A DISTANCE OF 115.13 FEET;
- 7) THENCE N88°54'42"E, A DISTANCE OF 435.02 FEET;
- 8) THENCE N48°24'18"E, A DISTANCE OF 235.17 FEET;
- 9) THENCE S89°27'56"E, A DISTANCE OF 97.29 FEET;
- 10) THENCE S83°20'17"E, A DISTANCE OF 183.56 FEET;
- 11) THENCE S53°23'10"E, A DISTANCE OF 113.54 FEET;
- 12) THENCE S28°19'41"E, A DISTANCE OF 162.12 FEET;
- 13) THENCE S31°22'47"E, A DISTANCE OF 193.68 FEET;
- 14) THENCE S01°59'53"E, A DISTANCE OF 216.87 FEET;
- 15) THENCE S81°59'53"E, A DISTANCE OF 8.57 FEET;
- 16) THENCE N86°50'08"E, A DISTANCE OF 171.45 FEET;
- 17) THENCE S68°48'48"E, A DISTANCE OF 102.27 FEET;
- 18) THENCE S35°08'10"E, A DISTANCE OF 85.93 FEET;
- 19) THENCE S18°05'15"E, A DISTANCE OF 153.68 FEET;
- 20) THENCE S52°45'21"E, A DISTANCE OF 119.55 FEET;
- 21) THENCE N82°46'43"E, A DISTANCE OF 161.83 FEET;
- 22) THENCE N63°25'24"E, A DISTANCE OF 167.18 FEET;
- 23) THENCE N25°14'45"E, A DISTANCE OF 149.56 FEET;
- 24) THENCE N00°30'44"E, A DISTANCE OF 152.37 FEET;
- 25) THENCE N34°59'10"E, A DISTANCE OF 68.44 FEET;
- 26) THENCE N73°56'04"E, A DISTANCE OF 45.18 FEET;
- 27) THENCE S78°01'31"E, A DISTANCE OF 536.45 FEET;
- 28) THENCE S18°01'54"E, A DISTANCE OF 218.39 FEET;
- 29) THENCE S28°34'19"E, A DISTANCE OF 189.08 FEET;
- 30) THENCE S41°16'52"E, A DISTANCE OF 295.58 FEET;
- 31) THENCE S48°55'41"E, A DISTANCE OF 131.64 FEET;
- 32) THENCE S82°33'21"E, A DISTANCE OF 135.61 FEET;
- 33) THENCE S84°54'47"E, A DISTANCE OF 453.03 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF WCR 45;

THENCE S00°25'45"E, A DISTANCE OF 173.10 FEET ON SAID WESTERLY RIGHT-OF-WAY LINE;

THENCE S00°06'32"E, A DISTANCE OF 2,649.99 FEET ON SAID WESTERLY RIGHT-OF-WAY LINE TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27;

THENCE S89°34'34"W, A DISTANCE OF 2,596.64 FEET ON SAID SOUTH LINE TO THE CENTER QUARTER OF SECTION 27, MONUMENTED WITH A 2.5" PIPE OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "L'S 8973 1986";

THENCE S89°41'07"W, A DISTANCE OF 2,109.69 FEET ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27;

THENCE N00°00'00"E, A DISTANCE OF 3,316.69 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 15,911,635.11 SQUARE FEET OR 365.281 ACRES, MORE OR LESS.

## ANNEXATION PROPERTY NO. 6

A TRACT OF LAND BEING A PORTION OF THE SOUTH EAST QUARTER OF SECTION 23 AND THE NORTH HALF OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 26 TO HAVE AN ASSUMED BEARING OF S00°05'32"E, A DISTANCE OF 2650.10 FEET, MONUMENTED AT THE NORTH BY NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS27269", AND AT THE SOUTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS 27269 AMERICAN WEST 2002" AS SHOWN HEREON WITH ALL OTHER BEARINGS RELATIVE THERETO.

COMMENCING AT THE NORTHWEST CORNER OF SECTION 26 MONUMENTED BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS27269";

THENCE N89°52'18"E, A DISTANCE OF 31.00 FEET TO THE POINT OF BEGINNING;

THENCE N89°52'18"E, A DISTANCE OF 50.00 FEET ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 23;

THENCE N00°25'35"W, A DISTANCE OF 170.26 FEET;

THENCE N89°52'18"E, A DISTANCE OF 50.00 FEET;

THENCE S00°25'34"E, A DISTANCE OF 170.26 FEET TO SAID SOUTH LINE;

THENCE N89°52'18"E, A DISTANCE OF 50.00 FEET ON SAID SOUTH LINE;

THENCE N00°25'32"W, A DISTANCE OF 170.26 FEET;

THENCE N89°52'18"E, A DISTANCE OF 50.00 FEET;

THENCE S00°25'31"E, A DISTANCE OF 170.26 FEET TO SAID SOUTH LINE;

THENCE N89°52'18"E, A DISTANCE OF 50.00 FEET ON SAID SOUTH LINE;

THENCE N00°25'28"W, A DISTANCE OF 170.26 FEET;

THENCE N89°52'18"E, A DISTANCE OF 50.00 FEET;

THENCE S00°25'27"E, A DISTANCE OF 170.26 FEET TO SAID SOUTH LINE;

THENCE N89°52'18"E, A DISTANCE OF 3,659.37 FEET TO THE EAST SIXTEENTH OF SECTION 26, MONUMENTED WITH A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 2.5" ALUMINUM CAP, STAMPED "27269 HOSS 2002";

THENCE S00°22'28"E, A DISTANCE OF 2,650.28 FEET ON THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 26 TO THE CENTER EAST SIXTEENTH CORNER OF SAID SECTION 26, MONUMENTED BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "L'S 27269 AMERICAN WEST 2002";

THENCE S89°52'21"W, A DISTANCE OF 3,971.65 FEET ON SAID SOUTH LINE OF THE NORTH HALF OF SAID SECTION 26;

THENCE N00°06'32"W, A DISTANCE OF 2,650.10 FEET TO THE POINT OF BEGINNING;

PARCEL CONTAINS 10,535,004.92 SQUARE FEET OR 241,850 ACRES, MORE OR LESS.

## ANNEXATION PROPERTY NO. 7

A TRACT OF LAND BEING A PORTION SECTION 23 AND SECTION 14, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 23 TO HAVE AN ASSUMED BEARING OF S00°25'37"E, A DISTANCE OF 2645.96 FEET, MONUMENTED AT THE NORTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 2.5" ALUMINUM CAP, STAMPED "LS 28273 M. JOHNSON" IN A MONUMENT BOX, AND AT THE SOUTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS27269" AS SHOWN HEREON WITH ALL OTHER BEARINGS RELATIVE THERETO.

COMMENCING AT THE NORTHWEST CORNER OF SECTION 26, MONUMENTED BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS27269";

THENCE N89°52'18"W, A DISTANCE OF 31.00 FEET TO THE POINT OF BEGINNING;

THENCE N00°25'37"W, A DISTANCE OF 170.26 FEET;

THENCE N00°25'37"W, A DISTANCE OF 2,475.86 FEET;

THENCE N00°25'31"W, A DISTANCE OF 2,645.92 FEET;

THENCE S89°34'29"W, A DISTANCE OF 1.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF WCR 45;

THENCE N00°08'56"E, A DISTANCE OF 2,333.37 FEET ON THE EASTERLY LINE WCR 45 TO THE SOUTHERLY LINE OF THE NERES CANAL;

THENCE ON SAID SOUTH LINE OF THE NERES CANAL FOR THE FOLLOWING (28) COURSES:

- 1) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 331.13 FEET, A CENTRAL ANGLE OF 27°09'37", A DISTANCE OF 156.97 FEET, A CHORD BEARING OF N76°42'45"E WITH A CHORD DISTANCE OF 155.50 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 2) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 209.52 FEET, A CENTRAL ANGLE OF 29°10'41", A DISTANCE OF 106.70 FEET, A CHORD BEARING OF N45°29'31"E WITH A CHORD DISTANCE OF 105.55 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 3) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 188.35 FEET, A CENTRAL ANGLE OF 47°28'48", A DISTANCE OF 136.36 FEET, A CHORD BEARING OF N15°54'04"E WITH A CHORD DISTANCE OF 135.54 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 4) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 3,778.63 FEET, A CENTRAL ANGLE OF 01°03'06", A DISTANCE OF 69.37 FEET, A CHORD BEARING OF N04°05'27"W WITH A CHORD DISTANCE OF 69.37 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 5) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 464.17 FEET, A CENTRAL ANGLE OF 09°51'54", A DISTANCE OF 79.92 FEET, A CHORD BEARING OF N41°31'23"W WITH A CHORD DISTANCE OF 79.92 FEET;
- 6) THENCE N08°42'4"W, A DISTANCE OF 105.85 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 7) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 2,306.17 FEET, A CENTRAL ANGLE OF 03°35'19", A DISTANCE OF 144.44 FEET, A CHORD BEARING OF N25°44'44"W WITH A CHORD DISTANCE OF 144.42 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 8) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 2,248.51 FEET, A CENTRAL ANGLE OF 02°32'29", A DISTANCE OF 99.74 FEET, A CHORD BEARING OF N23°59'46"W WITH A CHORD DISTANCE OF 99.73 FEET;
- 9) THENCE N02°58'2"W, A DISTANCE OF 70.68 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 10) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 152.27 FEET, A CENTRAL ANGLE OF 47°25'45", A DISTANCE OF 126.05 FEET, A CHORD BEARING OF N00°31'07"W WITH A CHORD DISTANCE OF 122.48 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 11) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 150.46 FEET, A CENTRAL ANGLE OF 38°27'34", A DISTANCE OF 101.00 FEET, A CHORD BEARING OF S45°47'24"E WITH A CHORD DISTANCE OF 101.00 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 12) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 504.55 FEET, A CENTRAL ANGLE OF 01°03'06", A DISTANCE OF 113.54 FEET, A CHORD BEARING OF N67°16'42"E WITH A CHORD DISTANCE OF 113.30 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 13) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 212.10 FEET, A CENTRAL ANGLE OF 21°16'35", A DISTANCE OF 78.76 FEET, A CHORD BEARING OF N81°30'20"E WITH A CHORD DISTANCE OF 78.76 FEET;
- 14) THENCE N85°45'4"E, A DISTANCE OF 32.27 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 15) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 225.60 FEET, A CENTRAL ANGLE OF 25°38'56", A DISTANCE OF 100.99 FEET, A CHORD BEARING OF S78°01'05"E WITH A CHORD DISTANCE OF 100.15 FEET;
- 16) THENCE S63°59'05"E, A DISTANCE OF 205.76 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 17) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 475.48 FEET, A CENTRAL ANGLE OF 49°21'41", A DISTANCE OF 160.67 FEET, A CHORD BEARING OF S83°10'5"E WITH A CHORD DISTANCE OF 159.91 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 18) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 420.14 FEET, A CENTRAL ANGLE OF 20°10'27", A DISTANCE OF 147.93 FEET, A CHORD BEARING OF S88°19'16"E WITH A CHORD DISTANCE OF 147.17 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 19) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 197.25 FEET, A CENTRAL ANGLE OF 41°36'45", A DISTANCE OF 143.26 FEET, A CHORD BEARING OF N76°39'12"E WITH A CHORD DISTANCE OF 140.13 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 20) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 456.13 FEET, A CENTRAL ANGLE OF 12°44'09", A DISTANCE OF 101.39 FEET, A CHORD BEARING OF N65°32'02"E WITH A CHORD DISTANCE OF 101.18 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 21) ON A CURVE TO THE LEFT, HAVING A RADIUS OF 250.08 FEET, A CENTRAL ANGLE OF 05°31'14", A DISTANCE OF 250.18 FEET, A CHORD BEARING OF N77°31'06"E WITH A CHORD DISTANCE OF 250.08 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 22) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,565.32 FEET, A CENTRAL ANGLE OF 08°54'09", A DISTANCE OF 247.88 FEET, A CHORD BEARING OF N02°59'17"E WITH A CHORD DISTANCE OF 247.88 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 23) ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 992.69 FEET, A CENTRAL ANGLE OF 05°24'37", A DISTANCE OF 93.73 FEET, A CHORD BEARING OF S88°56'30"E WITH A CHORD DIST

























**TOWN OF LOCHBUIE  
COUNTIES OF WELD AND ADAMS  
STATE OF COLORADO**

**RESOLUTION NO. 2024-22**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF LOCHBUIE,  
COLORADO, ACCEPTING AND FINDING SUBSTANTIAL COMPLIANCE OF AN  
ANNEXATION PETITION FOR CERTAIN REAL PROPERTY LOCATED IN WELD  
COUNTY, COLORADO, TO BE KNOWN AS THE BNSF ANNEXATION NO. 2, AND  
SETTING A PUBLIC HEARING ON SUCH PETITION IN ACCORDANCE WITH THE  
MUNICIPAL ANNEXATION ACT OF 1965**

**WHEREAS**, a written petition requesting the annexation of certain real property, to be known as the Burlington Northern Santa Fe Annexation No. 2 (“Petition”), and as further described in Exhibit A (“Property”), has been filed of record with the Town Clerk of the Town of Lochbuie, State of Colorado (“Town”), who has provided copies of such petition to the Board of Trustees (“Board”) upon receipt; and

**WHEREAS**, the Petition has been referred to the Town Board for a determination of substantial compliance with the requirements of C.R.S. § 31-12-107(1); and

**WHEREAS**, the Town Board has taken official notice of all maps, records, and other information and materials on file with the Town, regarding the Petition; and

**WHEREAS**, the Town Board has examined the Petition and finds as follows:

1. That the Petition contains:
  - (a) An allegation that it is desirable and necessary that such area be annexed to the Town of Lochbuie and the requirements of C.R.S. §§ 31-12-104 and 31-12-105 exist or are met.
  - (b) An allegation that the signers of the Petition, comprise more than fifty percent (50%) of the landowners of the area proposed to be annexed and own more than fifty percent (50%) of the area proposed to be annexed, exclusive of public streets and alleys and any land owned by the Town of Lochbuie.
  - (c) A request that the Town of Lochbuie approve the annexation of the Property, as more particularly described in Exhibit A.
  - (d) The signature of the landowners that executed the petition.
  - (e) The mailing address of the landowner signers.
  - (f) The legal description of the Property and a legal description of the specific real property owned by the landowners that executed the petition.
  - (g) The date that the landowners executed the petition.

- (h) The affidavit of petition circulator(s); stating that the signature of each landowner therein is the signature of the person whose name it purports to be.

2. That four (4) copies of the annexation map corresponding to the Property have been submitted to the Town with the Petition, and that each annexation map contains the following information:

- (a) A written legal description of the boundaries of the property proposed to be annexed.
- (b) A map showing the boundary of the property proposed to be annexed.
- (c) Within the map, the boundaries and the plat numbers of plots or of lots and blocks.
- (d) Next to the boundary of the property proposed to be annexed is drawn the contiguous boundary of the Town of Lochbuie.

3. That no signature on the Petition is dated more than one hundred eighty (180) days prior to the date of filing of the Petition for Annexation with the Town Clerk of the Town of Lochbuie, State of Colorado.

**NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Lochbuie, Colorado that:**

**Section 1.** That the foregoing recitals and findings are incorporated herein as findings and conclusions of the Town Board.

**Section 2.** The Petition for Annexation of the real property described and shown in Exhibit A, attached hereto and incorporated herein by this reference, to be known as the Burlington Northern Santa Fe Annexation No. 2, is determined to be in substantial compliance with C.R.S. § 31-12-107(1).

**Section 3.** No election is required under C.R.S. § 31-12-107(2).

**Section 4.** No additional terms and conditions are to be imposed except as provided in each Petition for Annexation and in any annexation agreement which may be entered into by and between the Town of Lochbuie and the petitioner(s), which are not to be considered additional terms and conditions within the meaning of C.R.S. §31-12-112.

**Section 5.** The Town Board shall hold a public hearing on the proposed annexation at a special meeting to be held on Tuesday, **June 11, 2024**, at 6:30 p.m., or as soon as thereafter possible, at the Lochbuie Town Hall, 703 WCR 37, Lochbuie Colorado 80603 and via teleconference with details on accessing such teleconference platform to be made publicly available on the Town web site at least 24 hours before the hearing, to determine if the proposed annexation as described in the Petition complies with Section 30 of Article II of the Colorado Constitution and C.R.S. §§ 31-12-104 and -105, or such parts thereof, as may be required to establish eligibility for annexation.

**Section 6.** The Town Clerk shall publish a Notice of Public Hearing once a week for four successive weeks in a newspaper of general circulation in the area proposed to be annexed,

with the first publication of such notice to be at least thirty days prior to the date of the hearing. The Town Clerk shall further provide notice to the Clerk of the Board of County Commissioners of Weld County, the Weld County Attorney, and to any special district or school district having territory within the area proposed to be annexed, in the manner and within the time provided in C.R.S. § 31-12-108(2).

**Section 7.** The Town staff and Town Attorney are hereby directed to take all such actions, including making any legal filings, as are necessary to comply with state law governing the process for annexing the Property.

**Section 8.** This Resolution shall be effective immediately upon adoption.

**ADOPTED THIS 6<sup>TH</sup> DAY OF MAY, 2024.**

**TOWN OF LOCHBUIE, COLORADO**

\_\_\_\_\_  
Michael Mahoney, Mayor

ATTEST:

By: \_\_\_\_\_  
Heather Bowen, Town Clerk

**EXHIBIT A**

**BURLINGTON NORTHERN SANTA FE ANNEXATION NO. 2  
LEGAL DESCRIPTION**

**Annexation Property No. 1**

A TRACT OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 22, THE SOUTHWEST QUARTER OF SECTION 23, THE NORTHWEST QUARTER OF SECTION 26, THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 26 TO HAVE AN ASSUMED BEARING OF S00°06'32"E, A DISTANCE OF 2650.19 FEET, MONUMENTED AT THE NORTH BY NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS27269", AND AT THE SOUTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS 27269 AMERICAN WEST 2002" AS SHOWN HEREON WITH ALL OTHER BEARINGS RELATIVE THERETO.

BEGINNING AT THE EAST QUARTER OF SAID SECTION 27, MONUMENTED WITH A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS 27269 AMERICAN WEST 2002";

THENCE S89°53'28"W, A DISTANCE OF 30.00 FEET TO THE WESTERLY RIGHT-OF-WAY OF WCR 45;

THENCE N00°06'32"W, A DISTANCE OF 2,649.99 FEET ON SAID WESTERLY RIGHT-OF-WAY LINE TO A POINT ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27;

THENCE N00°25'43"W, A DISTANCE OF 173.10 FEET ON SAID WESTERLY RIGHT-OF-WAY LINE TO THE SOUTH LINE OF THE DENVER-HUDSON CANAL;

THENCE S84°54'47"E, A DISTANCE OF 30.14 FEET;

THENCE N89°42'47"E, A DISTANCE OF 31.00 FEET;

THENCE S00°25'37"E, A DISTANCE OF 170.26 FEET;

THENCE S00°06'32"E, A DISTANCE OF 2,650.19 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 26;

THENCE S89°52'21"W, A DISTANCE OF 31.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 172,080.75 SQUARE FEET OR 3.950 ACRES, MORE OR LESS.

**PETITION FOR ANNEXATION  
TO  
TOWN OF LOCHBUIE, COLORADO**

**TO: THE TOWN CLERK AND THE BOARD OF TRUSTEES OF THE  
TOWN OF LOCHBUIE, COLORADO**

**RE: ANNEXATION OF APPROXIMATELY 3.95 ACRES IN WELD  
COUNTY, COLORADO, AS DESCRIBED ON EXHIBIT 1-A,  
ATTACHED HERETO**

**THE UNDERSIGNED PETITIONER**, in accordance with Title 31, Article 12, Part 1, of the Colorado Revised Statutes, as amended (commonly known as the Municipal Annexation Act of 1965), hereby petitions the Town of Lochbuie, a statutory municipality of the State of Colorado (the “**Town**”), for annexation of the unincorporated areas more particularly described in **Exhibit 1-A** (“**Annexation Property No. 1**”), and as shown on **Exhibit 1-B**, the map designated as “**BNSF Annexation No. 1**,” all attached hereto and incorporated herein by reference (collectively, the “**Property**”). In support of this Petition, the undersigned Petitioner alleges and states the following:

1. The legal description of the real property owned by Petitioner is legally described in **Exhibit 2**, attached hereto and incorporated herein by this reference, which is located within the Property proposed to be annexed.
2. That it is desirable and necessary that the Property be annexed to the Town.
3. That either (check one)
  - a. \_\_\_\_\_ the undersigned Petitioners, together with owner(s) submitting other valid petition(s) for annexation to the Town for the Property described in **Exhibit 1**, comprise more than fifty percent (50%) of the landowners of the area proposed to be annexed exclusive of streets, and by their signatures have attested to the facts and agree to the conditions herein contained negating the necessity for any annexation election

OR

  - b.   X   the undersigned Petitioner, together with owner(s) submitting other valid petition(s) for annexation to the Town for the Property described in **Exhibit 1** are landowners of more than fifty percent (50%) of the area proposed to be annexed, excluding public streets and alleys.
4. Petitioner, together with owner(s) submitting other valid petition(s) for annexation to the Town, hereby consent to the establishment of the boundaries of the territory to be annexed as shown in **Exhibit 1**.
5. That all requirements of Section 31-12-104 and 31-12-105 of the Municipal Annexation

Act of 1965, as amended, exist or have been met in that:

- a. Not less than one-sixth (1/6) of the perimeter of the Property is contiguous with the Town of Lochbuie, Colorado;
  - b. A community of interest exists between the Property and the Town of Lochbuie;
  - c. The Property is urban or will be urbanized in the near future, and the Property is integrated or is capable of being integrated with the Town of Lochbuie, Colorado;
  - d. The Property is integrated or is capable of being integrated with the Town of Lochbuie, Colorado;
  - e. The annexation of the Property will not result in the Property being divided into separate parts or parcels under identical ownership without the written consent of the landowners thereof;
  - f. No land area within the Property held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate comprising 20 acres or more and having a valuation for assessment in excess of \$200,000 for ad valorem tax purposes has been included in the area of the Property to be annexed without the written consent of the landowners thereof;
  - g. The Property is not presently part of any incorporated city, city and county, or town;
  - h. The annexation of the Property will not result in the detachment of area from any school district or attachment of same to another school district;
  - i. Annexing the Property will not have the effect of extending the boundary of the Town of Lochbuie more than three miles in any direction from any point of the boundary of the Town of Lochbuie in any one year;
  - j. The entire width of all streets and alleys to be included within the Property are included;
  - k. Annexation by the Town of the Property will not have the effect of, and will not result in, the denial of reasonable access to landowners, owners of an easement, or owners of a franchise adjoining a platted street or alley, because annexation of the Property will not result in annexation of a platted street or alley which is not bounded on both sides by the Town.
6. Petitioner is aware that additional requirements apply to enable landowners that abut WCR 45 to annex under the same terms and conditions and within the same annexation proceeding.
7. The area proposed to be annexed is comprised of (check one): \_\_\_\_\_

\_\_\_\_\_ MORE THAN TEN ACRES AND THE BOARD OF COUNTY COMMISSIONERS OF ADAMS/WELD (circle appropriate jurisdiction) COUNTY HAS AGREED TO WAIVE THE REQUIREMENT OF AN IMPACT REPORT AS PROVIDED FOR IN SECTION 31-12-108.5, C.R.S., AS AMENDED. (Copy of resolution approving such waiver is provided.)

\_\_\_\_\_ MORE THAN TEN ACRES AND AN IMPACT REPORT AS PROVIDED FOR IN SECTION 31-12-105.5, C.R.S., AS AMENDED, IS REQUIRED.

  X   TEN ACRES OR FEWER AND AN IMPACT REPORT AS PROVIDED FOR IN SECTION 31-12-105.5, C.R.S., AS AMENDED, IS NOT REQUIRED.

8. That accompanying this Petition are four (4) copies of an annexation map containing the following information:
  - a. a written legal description of the Property;
  - b. a map showing the boundary of the Property;
  - c. with the annexation boundary map there is shown the location of each ownership tract in unplatted land, and if part or all of the area is platted, then the boundaries and the plat number of plots or of lots and blocks are shown; and
  - d. next to the Property, a drawing of all contiguous municipal boundaries.
9. That, in connection with the processing of this Petition, Petitioner requests that the Town:
  - a. Institute zoning approval processes for the Property in accordance with C.R.S. § 31-12-115 and Article II of Chapter 19 of the Lochbuie Municipal Code; and
  - b. Undertake negotiations with respect to an annexation agreement between the Town and Petitioner in form and substance acceptable to the Town and Petitioner (“**Annexation Agreement**”) prior to the effective date of this annexation, as provided for in Chapter 31-12-112(2), Colorado Revised Statutes, as amended.
10. That the Property proposed to be annexed is located within special district(s) identified on Exhibit 3 and no other(s) and the undersigned consents to the Property’s inclusion into those special districts.
11. That the undersigned Petitioner signed this Petition not more than one hundred and eighty (180) days prior to the date of the filing of this Petition with the Town Clerk.
12. That Petitioner has filed this Petition subject to the following conditions:
  - a. The Town approves I Industrial and TLP Transit Logistics Park zoning for the Property sufficient to support all aspects of development and operation of BNSF’s Intermodal Facility and Logistics Park, in accordance with C.R.S. § 31-12-115 and Article II of Chapter 19 of the Lochbuie Municipal Code; and



- b. The Town approves and authorizes the execution of an Annexation Agreement acceptable to the Town and Petitioner at the time of adoption of the annexation ordinance.
- 13. That, upon the annexation of the Property becoming effective, and subject to the conditions set forth in this Petition and to be set forth in the Annexation Agreement, the Property shall become subject to all ordinances, resolutions, rules and regulations of the Town, except as otherwise set forth in the Annexation Agreement, and except for general property taxes of the Town, which shall become effective on January 1 of the next succeeding year following adoption of the annexation ordinance.
- 14. That this Petition includes the signature of the Petitioner proposing the annexation, the mailing addresses of the Petitioner, the legal description of the land owned by the Petitioner, the date on which the Petitioner executed this Petition, and the circulator's affidavit required by Section 31-12-107(1)(c), C.R.S., certifying that the signatures on this Petition are the signature of each person whose name it purports to be and certifying the accuracy of the date of such signatures.
- 15. Petitioner hereby reserves the sole, exclusive and unilateral right to withdraw this Petition by so notifying the Town Clerk in writing at any time prior to the effective date of the ordinances annexing and zoning the Property, or in the event that the Town does not approve or grant the desired zoning for the Property.



**THEREFORE, THE PETITIONER**, respectfully requests that the Town Board of Trustees of the Town, approve the annexation of the Property. To that end, the Petitioner does hereby consent to the annexation of said area into the Town.

**PROPERTY OWNER/PETITIONER SIGNATURES**

The signatures affixed hereon represent property owners within the Property who desire annexation to the Town of Lochbuie, Colorado.

Page 1 of 1 pages of petitioner signatures


*Note to Circulator(s): Please make copies of this page to collect signatures and necessary information, attach all signature sheets and note the quantity of pages of signature pages in the area provided above.)*

<b>Name of Petitioner (print):</b>	BNSF Development Co., LLC
Address of parcel within Property proposed for annexation (no. street, city):	N/A
Legal description (lots, blocks and subdivision name or metes and bounds if unplatted):	See Exhibits 1 and 2
Signature of Petitioner:	 Lacy A. Kreger
Mailing address of Petitioner:	2650 Lou Menk Drive MOB2 Fort Worth, TX 76131
Date of Signature:	5/3/2024
Circulator Initials:	 Lacy A. Kreger

**AFFIDAVIT OF CIRCULATOR**

This petition has been circulated by the undersigned (the circulator) who attests that each signature thereon is that of the person whose name it purports to be. (Each circulator shall attach a separate Affidavit). If no circulator is used the property owner shall sign below in the presence of a notary.

Page 1 of 1

By:   
Lacy A. Kreger, as duly authorized signatory  
for Petitioner BNSF Development Co., LLC

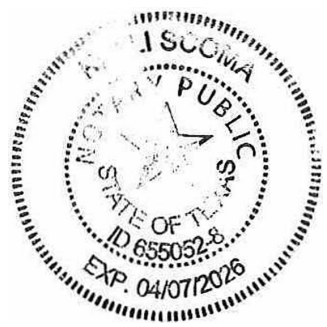
STATE OF TEXAS                    )  
  ) ss.  
COUNTY OF TARRANT         )

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 3rd  
day of May, 2024 by C. A. Kreger.

Witness my hand and official seal.  
My commission expires:

By:   
Notary Public

[SEAL]



**EXHIBIT 1**

**LEGAL DESCRIPTION OF BOUNDARIES OF AREA TO BE ANNEXED**

See Exhibit 1-A, attached hereto.

**EXBHIT 1-A**

**ANNEXATION PARCEL NO. 1 DESCRIPTION**

Legal Description  
Parcel No. 1

A TRACT OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 22, THE SOUTHWEST QUARTER OF SECTION 23, THE NORTHWEST QUARTER OF SECTION 26, THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 26 TO HAVE AN ASSUMED BEARING OF S00°06'32"E, A DISTANCE OF 2650.19 FEET, MONUMENTED AT THE NORTH BY NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS27269", AND AT THE SOUTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS 27269 AMERICAN WEST 2002" AS SHOWN HEREON WITH ALL OTHER BEARINGS RELATIVE THERETO.

BEGINNING AT THE EAST QUARTER OF SAID SECTION 27, MONUMENTED WITH A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS 27269 AMERICAN WEST 2002";

THENCE S89°53'28"W, A DISTANCE OF 30.00 FEET TO THE WESTERLY RIGHT-OF-WAY OF WCR 45;

THENCE N00°06'32"W, A DISTANCE OF 2,649.99 FEET ON SAID WESTERLY RIGHT-OF-WAY LINE TO A POINT ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27;

THENCE N00°25'43"W, A DISTANCE OF 173.10 FEET ON SAID WESTERLY RIGHT-OF-WAY LINE TO THE SOUTH LINE OF THE DENVER-HUDSON CANAL;

THENCE S84°54'47"E, A DISTANCE OF 30.14 FEET;

THENCE N89°42'47"E, A DISTANCE OF 31.00 FEET;

THENCE S00°25'37"E, A DISTANCE OF 170.26 FEET;

THENCE S00°06'32"E, A DISTANCE OF 2,650.19 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 26;

THENCE S89°52'21"W, A DISTANCE OF 31.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 172,080.75 SQUARE FEET OR 3.950 ACRES, MORE OR LESS.

**EXHIBIT 1-B**

**BNSF ANNEXATION NO. 1 ANNEXATION MAP**







**EXHIBIT 2**  
**LEGAL DESCRIPTION OF LAND OWNED BY**  
**PETITIONER**

## LAND OWNED BY BNSF WITHIN ANNEXATION

A PARCEL OF LAND LOCATED IN THE SECTIONS 14, 15, 16, 20, 21, 22, 23, 26, 27 AND 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF WELD, STATE OF COLORADO; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS A AND B, RECORDED EXEMPTION NO. 1473-29-1 RE-4247 RECORDED FEBRUARY 24, 2006 AT RECEPTION NO. 3365571, BEING A PART OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

LOT A OF CORRECTED RECORDED EXEMPTION NO. 1473-29-1-RE-909 RECORDED DECEMBER 19, 1988 AT RECEPTION NO. 2165331, BEING A PART OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

LOT A OF RECORDED EXEMPTION NO. 1473-29-1 RECX 15-0095, AS PER THE PLAT THEREOF RECORDED NOVEMBER 9, 2016, AT RECEPTION NO. 4252309, AND BEING A PART OF THE EAST 1/2 OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

LOT A, RECORDED EXEMPTION NO. 1473-29-1 RE-3670 ACCORDING TO THE PLAT THEREOF RECORDED JULY 21, 2004 AT RECEPTION NO. 3200793, BEING A PART OF THE EAST ½ OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO.

NON-EXCLUSIVE JOINT ACCESS AND UTILITY EASEMENTS AS SHOWN ON THE RECORDED EXEMPTION NO. 1473-29-1 RE-3670 RECORDED JULY 21, 2004 AT RECEPTION NO. 3200793, COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

LOT B, RECORDED EXEMPTION NO. 1473-29-1 RE-3760, ACCORDING TO THE MAP THEREOF RECORDED JULY 21, 2004 AT RECEPTION NO. 3200793, BEING A PORTION OF THE EAST HALF OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

LOT B OF RECORDED EXEMPTION NO. 1473-29-1 RECX 15-0095, AS PER THE PLAT THEREOF RECORDED MAY 11, 2016 AT RECEPTION NO. 4202708, BEING A PART OF THE EAST ½ OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

LOT A OF RECORDED EXEMPTION NO. 1473-29-1-RE-3571, RECORDED SEPTEMBER 25, 2003 AT RECEPTION NO. 3109984, BEING A PART OF THE E1/2 OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

SUBDIVISION EXEMPTION 981 PARCEL, AS PER THE SUBDIVISION EXEMPTION NO. 981 RECORDED SEPTEMBER 25, 2003 AS RECEPTION NO. 3109982, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PART OF THE NE ¼ OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 29;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ON AN ASSUMED BEARING ALONG THE EASTERLY LINE OF SAID NE ¼ OF SECTION 29, A DISTANCE OF 529.64 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID EASTERLY LINE OF THE NE ¼ OF SECTION 29, A DISTANCE OF 335.00 FEET;

THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 150.00 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 20.00 FEET;

THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 331.00 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 315.00 FEET;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 481.00 FEET TO THE TRUE POINT OF BEGINNING.

AND ALSO

THAT PART OF THE SE1/4 OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, LYING SOUTH AND EAST OF THE RIGHT OF WAY FOR THE BURLINGTON NORTHERN RAILROAD (FORMERLY C. B. & Q. R. R.) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., AND CONSIDERING THE EAST LINE OF THE SE1/4 OF SAID SECTION 20 TO BEAR NORTH 00°05'15" WEST AND WITH ALL OTHER BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 00°05'15" WEST, A DISTANCE OF 2063.2 FEET TO THE BURLINGTON NORTHERN RAILROAD RIGHT OF WAY;

THENCE SOUTH 36°02'30" WEST, A DISTANCE OF 2557.0 FEET ALONG THE SOUTH SIDE OF SAID RIGHT OF WAY OF BURLINGTON NORTHERN RAILROAD TO A POINT ON THE SOUTH SIDE OF SAID SECTION 20;

THENCE NORTH 89°50'15" EAST, A DISTANCE OF 1507.63 FEET ALONG THE SOUTH LINE OF SAID SECTION 20 TO THE POINT OF BEGINNING,

EXCEPT PORTION CONVEYED TO THE DEPARTMENT OF HIGHWAYS, STATE OF COLORADO IN INSTRUMENT RECORDED NOVEMBER 13, 1952 IN BOOK 1344 AT PAGE 5, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A TRACT OR PARCEL OF LAND, NO. 40 OF GRANTEE'S PROJECT NO. FI 003-4(2), MORE OR LESS, IN THE SE1/4 OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST, FROM WHICH POINT THE SE CORNER OF SECTION 20 BEARS NORTH 88°59'30" EAST A DISTANCE OF 1776.1 FEET;

THENCE NORTH 36°02'30" EAST A DISTANCE OF 3010.6 FEET TO THE EAST LINE OF SECTION 20;

THENCE ALONG THE EAST LINE OF SECTION 20, NORTH 00°06'30" WEST A DISTANCE OF 258.9 FEET TO THE NE CORNER OF THE SE1/4 OF SECTION 20;

THENCE ALONG THE NORTH LINE OF THE SE1/4 OF SECTION 20, SOUTH 88°59'30" WEST A DISTANCE OF 59.3 FEET;

THENCE SOUTH 36°02'30" WEST A DISTANCE OF 3334.9 FEET TO THE SOUTH LINE OF SECTION 20;

THENCE ALONG THE SOUTH LINE OF SECTION 20, NORTH 88°59'30" EAST A DISTANCE OF 250.6 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ALSO EXCEPT:

A TRACT OR PARCEL OF LAND NO. 22 OF THE STATE DEPARTMENT OF HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO, PROJECT NO. I 076-1(48) IN THE SE1/4 OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., IN THE INSTRUMENT RECORDED JULY 18, 1980 AT RECEPTION NO. 1830484, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE SE1/4 OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 5TH P.M., FROM WHICH THE SE CORNER OF SECTION 20 BEARS SOUTH 01°57'15" EAST, A DISTANCE OF 2676.4 FEET; THENCE NORTH 86°32'30" EAST ALONG SAID NORTH LINE, A DISTANCE OF 40.2 FEET TO THE NORTHWESTERLY RIGHT OF WAY LINE OF I 76 (AUG. 1978); THENCE SOUTH 36°02'30" WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 3318.1 FEET TO THE SOUTH LINE OF SECTION 20; THENCE SOUTH 89°50'15" WEST, ALONG SAID SECTION LINE, A DISTANCE OF 38.4 FEET; THENCE NORTH 36°02'30" EAST A DISTANCE OF 3315.2 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ALSO EXCEPT:

A TRACT OR PARCEL OF LAND NO. 22A REV. OF THE STATE DEPARTMENT OF HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO, PROJECT NO. I076-1(48) IN THE SE1/4 OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., AS SET FORTH IN INSTRUMENT RECORDED DECEMBER 10, 1982 AT RECEPTION NO. 1911050, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD 6 (SEPT. 1981) FROM WHICH THE SE CORNER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M. BEARS SOUTH 59°10'45" EAST A DISTANCE OF 58.3 FEET; THENCE NORTH 00°05'15" WEST, A DISTANCE OF 1964.8 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN RAILROAD (SEPT. 1981); THENCE NORTH 36°02'30" EAST, ALONG SAID RAILROAD RIGHT OF WAY LINE, A DISTANCE OF 84.8 FEET TO THE EAST LINE OF SECTION 20; THENCE SOUTH 00°05'15" EAST, ALONG SAID SECTION LINE, A DISTANCE OF 2033.2 FEET; THENCE SOUTH 89°50'15" WEST, A DISTANCE OF 50.0 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

AND ALSO

LOT A, AMENDED RECORDED EXEMPTION NO. 1473-21-3-RE-58, AS PER THE PLAT THEREOF RECORDED JULY 25, 2005 AT RECEPTION NO. 3306006, BEING A PART OF THE SOUTH ½ OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

ALL THAT PART OF THE SOUTH ½ OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M. LYING EAST OF THE R.O.W. OF THE C.B. & Q. RR, COUNTY OF WELD, STATE OF COLORADO, EXCEPTING THEREFROM, THAT PORTION SOLD TO THE HENRYLYN IRRIGATION DISTRICT BY DEED RECORDED IN BOOK 346 AT PAGE 258; AND

EXCEPTING THEREFROM, THAT PORTION CONVEYED TO THE FARMERS RESERVOIR AND IRRIGATION CO. BY DEED RECORDED IN BOOK 383 AT PAGE 373; AND

EXCEPTING THEREFROM, THAT PORTION LYING SOUTH AND EAST OF THE DENVER-HUDSON CANAL AS DESCRIBED IN BOOK 346 AT PAGE 258 AS MORE PARTICULARLY DESCRIBED IN THE DEED TO ROBERT F. SCHMALHAUS AND SHARON L. SCHMALHAUS RECORDED MAY 9, 1995 AT RECEPTION NO. 2437464; AND

EXCEPTING THEREFROM, THAT PORTION CONTAINED IN THE AMENDED RECORDED EXEMPTION NO. 1473-21-3-RE-58 PLAT RECORDED JULY 25, 2005 AT RECEPTION NO. 3306006.

EXCEPTION THEREFROM THAT PORTION CONVEYED TO STATE DEPARTMENT OF HIGHWAYS, STATE OF COLORADO BY INSTRUMENT RECORDED JANUARY 4, 1983 AT RECEPTION NO. 1913279.

AND ALSO

A TRACT OF LAND LOCATED IN THE NORTH ½, SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT ON THE NORTH LINE OF THE NORTHWEST ¼, SECTION 21 FROM WHENCE THE NORTHWEST CORNER OF SAID NORTHWEST ¼ BEARS S89°12'49"W, 2634.90 FEET AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE S00°47'11"E, 30.00 FEET;  
THENCE S41°53'19"W, 416.21 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE N89°12'44"E, 691.22 FEET;  
THENCE S35°41'46"W, 2904.77 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST ¼, SECTION 21;  
THENCE S88°49'54"W, 720.00 FEET ALONG SAID SOUTH LINE;  
THENCE N31°50'49"E, 117.60 FEET;  
THENCE N34°42'34"E, 2200.00 FEET;  
THENCE N41°53'19"E, 612.29 FEET TO THE TRUE POINT OF BEGINNING,

EXCEPTING THEREFROM, THAT PORTION TAKEN BY THE STATE DEPARTMENT OF HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO, IN THE RULE AND ORDER RECORDED JULY 25, 1985 AT RECEPTION NO. 2018424.

AND ALSO

ALL THAT PART OF THE NORTH ½ OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO, LYING EAST OF THE RIGHT-OF-WAY OF THE CHICAGO, BURLINGTON AND QUINCY RAILROAD, COUNTY OF WELD, STATE OF COLORADO,

EXCEPT A TRACT OF LAND LOCATED IN THE NORTH ½ OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M. IN WELD COUNTY AS CONVEYED TO MARVIN H. SPAYD AND JOANN T. SPAYD IN THE DEED RECORDED AUGUST 4, 1982 AT RECEPTION NO. 1899546, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE NORTHWEST ¼, SECTION 21, FROM WHENCE THE NORTHWEST CORNER OF SAID NORTHWEST ¼ BEARS S89°12'49"W, 2634.90 FEET AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE S00°47'11"E, 30.00 FEET;  
THENCE S41°53'19"W, 416.21 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE N89°12'44"E, 691.22 FEET;  
THENCE S35°41'46"W, 2904.77 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST ¼, SECTION 21;  
THENCE S88°49'54"W, 720.00 FEET ALONG SAID SOUTH LINE;  
THENCE N31°50'49"E, 117.60 FEET;  
THENCE N34°42'34"E, 2200.00 FEET;  
THENCE N41°53'19"E, 612.29 FEET TO THE TRUE POINT OF BEGINNING,

ALSO EXCEPTING ANY PORTION THEREOF CONTAINED IN THE RULE AND ORDER BY THE STATE DEPARTMENT OF HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO RECORDED JULY 25, 1985 AT RECEPTION NO. 2018424.

AND ALSO

THAT PART OF THE E1/2 OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 16;  
THENCE N89°27'29"W ON AN ASSUMED BEARING ALONG THE SOUTH LINE OF SAID E1/2 OF SECTION 16, A DISTANCE OF 1,355.71 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF I-76;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE AS FOLLOWS:

1. N00°42'49"E A DISTANCE OF 30.00 FEET;
2. N77°25'44"W A DISTANCE OF 1,326.70 FEET;
3. N00°10'59"W A DISTANCE OF 138.35 FEET TO A POINT ON THE EASTERLY RIGHT-OF-LINE OF THE BURLINGTON NORTHERN RAILROAD AS SET FORTH IN THE DEED TO SAID RAILROAD RECORDED SEPTEMBER 29, 1882 IN BOOK 36 AT PAGE 100;

THENCE N36°03'15"E ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 4,481.88 FEET TO A POINT ON THE EAST LINE OF SAID E1/2 OF SECTION 16;

THENCE S00°10'45"E ALONG SAID EAST LINE A DISTANCE OF 4,093.36 FEET TO THE POINT OF BEGINNING.

AND ALSO

THAT PART OF THE SOUTH ½ OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, WELD COUNTY, COLORADO, LYING WESTERLY OF THE WEST RIGHT-OF-WAY LINE OF THE NERES CANAL RIGHT-OF-WAY AS DESCRIBED IN THE INSTRUMENT RECORDED SEPTEMBER 25, 1913 IN BOOK 383 AT PAGE 373.

AND ALSO

ALL THAT PART OF THE SOUTH ½ OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M. LYING EAST OF THE R.O.W. OF THE C.B. & Q. RR, COUNTY OF WELD, STATE OF COLORADO, EXCEPTING THEREFROM, THAT PORTION SOLD TO THE HENRYLYN IRRIGATION DISTRICT BY DEED RECORDED IN BOOK 346 AT PAGE 258; AND

EXCEPTING THEREFROM, THAT PORTION CONVEYED TO THE FARMERS RESERVOIR AND IRRIGATION CO. BY DEED RECORDED IN BOOK 383 AT PAGE 373; AND

EXCEPTING THEREFROM, THAT PORTION LYING SOUTH AND EAST OF THE DENVER-HUDSON CANAL AS DESCRIBED IN BOOK 346 AT PAGE 258 AS MORE PARTICULARLY DESCRIBED IN THE DEED TO ROBERT F. SCHMALHAUS AND SHARON L. SCHMALHAUS RECORDED MAY 9, 1995 AT RECEPTION NO. 2437464; AND

EXCEPTING THEREFROM, THAT PORTION CONTAINED IN THE AMENDED RECORDED EXEMPTION NO. 1473-21-3-RE-58 PLAT RECORDED JULY 25, 2005 AT RECEPTION NO. 3306006. AND

EXCEPTING THEREFROM ANY PART OF THE N½ OF THE SW¼ OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M.

AND ALSO

LOT B, RECORDED EXEMPTION NO. 1473-21-4-RE4080, ACCORDING TO MAP RECORDED SEPTEMBER 30, 2005 AT RECEPTION NO. 3327676 BEING A PART OF THE SE 1/4 OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, EXCEPTING THEREFROM ANY PORTION THAT MAY LIE WITHIN THE RIGHT OF WAY LIMITS OF WELD COUNTY ROAD #6.

AND ALSO

LOT A OF RECORDED EXEMPTION NO. 1473-21-4-RE4080, ACCORDING TO THE PLAT RECORDED SEPTEMBER 30, 2005 UNDER RECEPTION NO. 3327676, BEING A PART OF THE SOUTHEAST ¼ OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

PARCEL 1:

THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO, EXCEPT A PARCEL OF LAND CONVEYED TO BRUCE B. ANDREWS BY DEED RECORDED IN BOOK 1135, PAGE

331, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THAT PART OF SAID SOUTHWEST QUARTER CONTAINING 1 ACRE, MORE OR LESS, LYING NORTH AND WEST OF AND BELOW OR NERES CANAL; AND THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., WELD COUNTY, COLORADO, EXCEPT A PARCEL OF LAND CONVEYED TO E. F. GAUMER BY DEED RECORDED IN BOOK 1084, PAGE 306, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THAT PART OF SAID NORTH HALF OF THE SOUTHEAST QUARTER LYING BELOW AND EASTERLY FROM THE BOX ELDER LATERAL; AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THAT PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., WELD COUNTY, COLORADO, LYING SOUTHERLY FROM AND ABOVE THE NERES CANAL AND BOX ELDER LATERAL.

PARCEL II:

THE EAST HALF OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., WELD COUNTY, COLORADO, LYING WESTERLY FROM AND ABOVE THE BOX ELDER LATERAL.

PARCEL III:

THE WEST HALF OF THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., WELD COUNTY, COLORADO.

PARCEL IV:

THE NORTH HALF OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., WELD COUNTY, COLORADO, EXCEPTING THEREFROM THAT PORTION OF THE 100 FOOT RIGHT OF WAY FOR THE DENVER HUDSON CANAL, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 27 FROM WHENCE THE WEST QUARTER CORNER OF SAID SECTION 27 BEARS SOUTH 00°09'25" WEST 2644.69 FEET AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE SOUTH 89°57'04" EAST 2641.98 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 27; THENCE CONTINUING SOUTH 89°57'04" EAST 2641.98 FEET TO THE NORTHEAST CORNER OF SAID SECTION 27; THENCE SOUTH 00°25'10" WEST 2650.06 FEET ALONG THE APPROXIMATE CENTERLINE OF COUNTY ROAD 45 TO THE EAST QUARTER OF SAID SECTION 27; THENCE NORTH N89°53'36" WEST 5271.81 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 27; THENCE NORTH 00°09'25" EAST 272.47 FEET ALONG THE WEST LINE OF SAID SECTION 27 TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THE DENVER HUDSON CANAL; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES AND DISTANCES; NORTH 20°38'24" EAST 74.77 FEET; THENCE NORTH 09°16'33" EAST 380.39 FEET; THENCE NORTH 17°28'41" WEST 139.71 FEET; THENCE NORTH 43°41'31" WEST 63.69 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 27; THENCE LEAVING SAID CANAL RIGHT OF WAY, NORTH 00°09'25" EAST 1777.51 FEET TO THE POINT OF BEGINNING, COUNTY OF WELD, STATE OF COLORADO

PARCE V

A TRACT OF LAND IN THE SOUTH HALF OF SECTION 22, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., WELD COUNTY, COLORADO, LYING SOUTH OF THE SOUTH RIGHT OF WAY LINE OF DENVER HUDSON CANAL AS SURVEYED, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHEAST CORNER OF SECTION 22 (1-1/2 INCH ALUMINUM CAP); THENCE NORTH 89°57'04" WEST 5283.96 FEET TO THE SOUTHWEST CORNER (A 3 INCH ALUMINUM CAP) OF SAID SECTION 22 AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;  
THENCE NORTH 00°08'52" EAST 917.05 FEET ALONG THE WEST LINE OF SAID SECTION 22 TO THE SOUTH RIGHT OF WAY LINE OF THE DENVER HUDSON CANAL; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE OF THE DENVER HUDSON CANAL THE FOLLOWING COURSES AND DISTANCES:  
THENCE SOUTH 47°35'18" EAST 29.64 FEET;  
THENCE SOUTH 39°32'19" EAST 259.77 FEET;  
THENCE SOUTH 64°04'24" EAST 129.56 FEET;  
THENCE NORTH 82°50'49" EAST 246.11 FEET;  
THENCE SOUTH 55°08'04" EAST 433.97 FEET;

THENCE SOUTH 82°14'06" EAST 190.72 FEET;  
THENCE NORTH 29°11'13" EAST 205.45 FEET;  
THENCE NORTH 16°07'52" WEST 311.65 FEET;  
THENCE NORTH 09°45'45" EAST 183.31 FEET;  
THENCE NORTH 62°05'24" EAST 115.13 FEET;  
THENCE NORTH 89°03'28" EAST 435.02 FEET;  
THENCE NORTH 46°53'04" EAST 235.17 FEET;  
THENCE SOUTH 89°59'10" EAST 97.29 FEET;  
THENCE SOUTH 63°01'31" EAST 183.56 FEET;  
THENCE SOUTH 52°54'24" EAST 113.54 FEET;  
THENCE SOUTH 25°50'55" EAST 162.12 FEET;  
THENCE SOUTH 50°54'01" EAST 193.68 FEET;  
THENCE SOUTH 81°31'07" EAST 225.44 FEET;  
THENCE NORTH 87°18'54" EAST 171.45 FEET;  
THENCE SOUTH 66°20'02" EAST 105.27 FEET;  
THENCE SOUTH 34°39'24" EAST 85.93 FEET;  
THENCE SOUTH 18°06'29" EAST 153.68 FEET;  
THENCE SOUTH 52°16'35" EAST 119.55 FEET;  
THENCE NORTH 83°18'29" EAST 161.83 FEET;  
THENCE NORTH 63°54'10" EAST 187.18 FEET;  
THENCE NORTH 26°10'32" EAST 149.56 FEET;  
THENCE NORTH 00°59'30" EAST 152.37 FEET;  
THENCE NORTH 35°27'56" EAST 66.44 FEET;  
THENCE NORTH 74°24'50" EAST 43.18 FEET;  
THENCE SOUTH 77°32'27" EAST 535.45 FEET;  
THENCE SOUTH 53°33'08" EAST 218.39 FEET;  
THENCE SOUTH 28°05'33" EAST 189.08 FEET;  
THENCE SOUTH 40°48'06" EAST 295.58 FEET;  
THENCE SOUTH 49°26'55" EAST 131.64 FEET;  
THENCE SOUTH 82°04'35" EAST 135.61 FEET;  
THENCE SOUTH 84°26'01" EAST 491.24 FEET TO A POINT ON THE EAST LINE OF SECTION 22; THENCE LEAVING SAID CANAL RIGHT OF WAY, SOUTH 00°05'48" WEST 169.40 FEET TO THE POINT OF BEGINNING, COUNTY OF WELD, STATE OF COLORADO



### **EXHIBIT 3**

#### **SPECIAL DISTRICTS WITH BOUNDARIES THAT INCLUDE PROPERTY PROPOSED TO BE INCLUDED**

Weld County RE-3J School District

High Plains Library

Hudson Fire Protection District

AIMS Junior College

Central Colorado Water Subdistrict

West Adams Conservation District

Platte Valley Conservation District





**TOWN OF LOCHBUIE  
COUNTIES OF WELD AND ADAMS  
STATE OF COLORADO**

**RESOLUTION NO. 2024-23**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF LOCHBUIE,  
COLORADO, ACCEPTING AND FINDING SUBSTANTIAL COMPLIANCE OF AN  
ANNEXATION PETITION FOR CERTAIN REAL PROPERTY LOCATED IN WELD  
COUNTY, COLORADO, TO BE KOWN AS THE BNSF ANNEXATION NO. 3, AND  
SETTING A PUBLIC HEARING ON SUCH PETITION IN ACCORDANCE WITH THE  
MUNICIPAL ANNEXATION ACT OF 1965**

**WHEREAS**, a written petition requesting the annexation of certain real property, to be known as the Burlington Northern Santa Fe Annexation No. 3 (“Petition”), and as further described in Exhibit A (“Property”), has been filed of record with the Town Clerk of the Town of Lochbuie, State of Colorado (“Town”), who has provided copies of such petition to the Board of Trustees (“Board”) upon receipt; and

**WHEREAS**, the Petition has been referred to the Town Board for a determination of substantial compliance with the requirements of C.R.S. § 31-12-107(1); and

**WHEREAS**, the Town Board has taken official notice of all maps, records, and other information and materials on file with the Town, regarding the Petition; and

**WHEREAS**, the Town Board has examined the Petition and finds as follows:

1. That the Petition contains:
  - (a) An allegation that it is desirable and necessary that such area be annexed to the Town of Lochbuie and the requirements of C.R.S. §§ 31-12-104 and 31-12-105 exist or are met.
  - (b) An allegation that the signers of the Petition, comprise more than fifty percent (50%) of the landowners of the area proposed to be annexed and own more than fifty percent (50%) of the area proposed to be annexed, exclusive of public streets and alleys and any land owned by the Town of Lochbuie.
  - (c) A request that the Town of Lochbuie approve the annexation of the Property, as more particularly described in Exhibit A.
  - (d) The signature of the landowners that executed the petition.
  - (e) The mailing address of the landowner signers.
  - (f) The legal description of the Property and a legal description of the specific real property owned by the landowners that executed the petition.
  - (g) The date that the landowners executed the petition.

- (h) The affidavit of petition circulator(s); stating that the signature of each landowner therein is the signature of the person whose name it purports to be.

2. That four (4) copies of the annexation map corresponding to the Property have been submitted to the Town with the Petition, and that each annexation map contains the following information:

- (a) A written legal description of the boundaries of the property proposed to be annexed.
- (b) A map showing the boundary of the property proposed to be annexed.
- (c) Within the map, the boundaries and the plat numbers of plots or of lots and blocks.
- (d) Next to the boundary of the property proposed to be annexed is drawn the contiguous boundary of the Town of Lochbuie.

3. That no signature on the Petition is dated more than one hundred eighty (180) days prior to the date of filing of the Petition for Annexation with the Town Clerk of the Town of Lochbuie, State of Colorado.

**NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Lochbuie, Colorado that:**

**Section 1.** That the foregoing recitals and findings are incorporated herein as findings and conclusions of the Town Board.

**Section 2.** The Petition for Annexation of the real property described and shown in Exhibit A, attached hereto and incorporated herein by this reference, to be known as the Burlington Northern Santa Fe Annexation No. 3, is determined to be in substantial compliance with C.R.S. § 31-12-107(1).

**Section 3.** No election is required under C.R.S. § 31-12-107(2).

**Section 4.** No additional terms and conditions are to be imposed except as provided in each Petition for Annexation and in any annexation agreement which may be entered into by and between the Town of Lochbuie and the petitioner(s), which are not to be considered additional terms and conditions within the meaning of C.R.S. §31-12-112.

**Section 5.** The Town Board shall hold a public hearing on the proposed annexation at a special meeting to be held on Tuesday, **June 11, 2024**, at 6:30 p.m., or as soon as thereafter possible, at the Lochbuie Town Hall, 703 WCR 37, Lochbuie Colorado 80603 and via teleconference with details on accessing such teleconference platform to be made publicly available on the Town web site at least 24 hours before the hearing, to determine if the proposed annexation as described in the Petition complies with Section 30 of Article II of the Colorado Constitution and C.R.S. §§ 31-12-104 and -105, or such parts thereof, as may be required to establish eligibility for annexation.

**Section 6.** The Town Clerk shall publish a Notice of Public Hearing once a week for four successive weeks in a newspaper of general circulation in the area proposed to be annexed,

with the first publication of such notice to be at least thirty days prior to the date of the hearing. The Town Clerk shall further provide notice to the Clerk of the Board of County Commissioners of Weld County, the Weld County Attorney, and to any special district or school district having territory within the area proposed to be annexed, in the manner and within the time provided in C.R.S. § 31-12-108(2).

**Section 7.** The Town staff and Town Attorney are hereby directed to take all such actions, including making any legal filings, as are necessary to comply with state law governing the process for annexing the Property.

**Section 8.** This Resolution shall be effective immediately upon adoption.

**ADOPTED THIS 6<sup>TH</sup> DAY OF MAY, 2024.**

**TOWN OF LOCHBUIE, COLORADO**

\_\_\_\_\_  
Michael Mahoney, Mayor

ATTEST:

By: \_\_\_\_\_  
Heather Bowen, Town Clerk

**EXHIBIT A**

**BURLINGTON NORTHERN SANTA FE ANNEXATION NO. 3  
LEGAL DESCRIPTION**

**Annexation Property No. 1**

A TRACT OF LAND BEING A PORTION OF THE EAST HALF OF SECTION 22 AND THE WEST HALF OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 23 TO HAVE AN ASSUMED BEARING OF S00°25'37"E, A DISTANCE OF 2645.96 FEET, MONUMENTED AT THE NORTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 2.5" ALUMINUM CAP, STAMPED "LS 28273 M. JOHNSON" IN A MONUMENT BOX, AND AT THE SOUTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS27269" AS SHOWN HEREON WITH ALL OTHER BEARINGS RELATIVE THERETO.

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 22, MONUMENTED BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS 27269";

THENCE N10°15'42"W, A DISTANCE OF 175.65 FEET TO THE WESTERLY LINE OF WELD COUNTY ROAD 45 AND TO THE POINT OF BEGINNING;

THENCE N00°25'36"W, A DISTANCE OF 2,472.89 FEET ON SAID WESTERLY LINE;

THENCE N00°25'31"W, A DISTANCE OF 2,615.88 FEET ON SAID WESTERLY LINE TO THE SOUTHERLY RIGHT OF WAY OF WELD COUNTY ROAD 8;

THENCE N89°32'20"E, A DISTANCE OF 61.00 FEET;

THENCE S00°25'31"E, A DISTANCE OF 2,615.92 FEET;

THENCE S00°25'37"E, A DISTANCE OF 2,475.86 FEET;

THENCE S89°42'47"W, A DISTANCE OF 31.00 FEET;

THENCE N84°54'47"W, A DISTANCE OF 30.14 FEET; TO THE POINT OF BEGINNING.

PARCEL CONTAINS 310,554 SQUARE FEET OR 7.129 ACRES, MORE OR LESS

**PETITION FOR ANNEXATION  
TO  
TOWN OF LOCHBUIE, COLORADO**

**TO: THE TOWN CLERK AND THE BOARD OF TRUSTEES OF THE  
TOWN OF LOCHBUIE, COLORADO**

**RE: ANNEXATION OF APPROXIMATELY 7.12 ACRES IN WELD  
COUNTY, COLORADO, AS DESCRIBED ON EXHIBIT 1-A,  
ATTACHED HERETO**

**THE UNDERSIGNED PETITIONER**, in accordance with Title 31, Article 12, Part 1, of the Colorado Revised Statutes, as amended (commonly known as the Municipal Annexation Act of 1965), hereby petitions the Town of Lochbuie, a statutory municipality of the State of Colorado (the “**Town**”), for annexation of the unincorporated areas more particularly described in **Exhibit 1-A (“Annexation Property No. 1”)**, and as shown on **Exhibit 1-B**, the map designated as “**BNSF Annexation No. 1,**” all attached hereto and incorporated herein by reference (collectively, the “**Property**”). In support of this Petition, the undersigned Petitioner alleges and states the following:

1. The legal description of the real property owned by Petitioner is legally described in **Exhibit 2**, attached hereto and incorporated herein by this reference, which is located within the Property proposed to be annexed.
2. That it is desirable and necessary that the Property be annexed to the Town.
3. That either (check one)
  - a. \_\_\_\_\_ the undersigned Petitioners, together with owner(s) submitting other valid petition(s) for annexation to the Town for the Property described in **Exhibit 1**, comprise more than fifty percent (50%) of the landowners of the area proposed to be annexed exclusive of streets, and by their signatures have attested to the facts and agree to the conditions herein contained negating the necessity for any annexation election

OR

  - b.   X   the undersigned Petitioner, together with owner(s) submitting other valid petition(s) for annexation to the Town for the Property described in **Exhibit 1** are landowners of more than fifty percent (50%) of the area proposed to be annexed, excluding public streets and alleys.
4. Petitioner, together with owner(s) submitting other valid petition(s) for annexation to the Town, hereby consent to the establishment of the boundaries of the territory to be annexed as shown in **Exhibit 1**.
5. That all requirements of Section 31-12-104 and 31-12-105 of the Municipal Annexation



Act of 1965, as amended, exist or have been met in that:

- a. Not less than one-sixth (1/6) of the perimeter of the Property is contiguous with the Town of Lochbuie, Colorado;
  - b. A community of interest exists between the Property and the Town of Lochbuie;
  - c. The Property is urban or will be urbanized in the near future, and the Property is integrated or is capable of being integrated with the Town of Lochbuie, Colorado;
  - d. The Property is integrated or is capable of being integrated with the Town of Lochbuie, Colorado;
  - e. The annexation of the Property will not result in the Property being divided into separate parts or parcels under identical ownership without the written consent of the landowners thereof;
  - f. No land area within the Property held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate comprising 20 acres or more and having a valuation for assessment in excess of \$200,000 for ad valorem tax purposes has been included in the area of the Property to be annexed without the written consent of the landowners thereof;
  - g. The Property is not presently part of any incorporated city, city and county, or town;
  - h. The annexation of the Property will not result in the detachment of area from any school district or attachment of same to another school district;
  - i. Annexing the Property will not have the effect of extending the boundary of the Town of Lochbuie more than three miles in any direction from any point of the boundary of the Town of Lochbuie in any one year;
  - j. The entire width of all streets and alleys to be included within the Property are included;
  - k. Annexation by the Town of the Property will not have the effect of, and will not result in, the denial of reasonable access to landowners, owners of an easement, or owners of a franchise adjoining a platted street or alley, because annexation of the Property will not result in annexation of a platted street or alley which is not bounded on both sides by the Town.
6. Petitioner is aware that additional requirements apply to enable landowners that abut WCR 45 to annex under the same terms and conditions and within the same annexation proceeding.
7. The area proposed to be annexed is comprised of (check one): \_\_\_\_\_

\_\_\_\_\_ MORE THAN TEN ACRES AND THE BOARD OF COUNTY COMMISSIONERS OF ADAMS/WELD (circle appropriate jurisdiction) COUNTY HAS AGREED TO WAIVE THE REQUIREMENT OF AN IMPACT REPORT AS PROVIDED FOR IN SECTION 31-12-108.5, C.R.S., AS AMENDED. (Copy of resolution approving such waiver is provided.)

\_\_\_\_\_ MORE THAN TEN ACRES AND AN IMPACT REPORT AS PROVIDED FOR IN SECTION 31-12-105.5, C.R.S., AS AMENDED, IS REQUIRED.

  X   TEN ACRES OR FEWER AND AN IMPACT REPORT AS PROVIDED FOR IN SECTION 31-12-105.5, C.R.S., AS AMENDED, IS NOT REQUIRED.

8. That accompanying this Petition are four (4) copies of an annexation map containing the following information:
  - a. a written legal description of the Property;
  - b. a map showing the boundary of the Property;
  - c. with the annexation boundary map there is shown the location of each ownership tract in unplatted land, and if part or all of the area is platted, then the boundaries and the plat number of plots or of lots and blocks are shown; and
  - d. next to the Property, a drawing of all contiguous municipal boundaries.
9. That, in connection with the processing of this Petition, Petitioner requests that the Town:
  - a. Institute zoning approval processes for the Property in accordance with C.R.S. § 31-12-115 and Article II of Chapter 19 of the Lochbuie Municipal Code; and
  - b. Undertake negotiations with respect to an annexation agreement between the Town and Petitioner in form and substance acceptable to the Town and Petitioner (“**Annexation Agreement**”) prior to the effective date of this annexation, as provided for in Chapter 31-12-112(2), Colorado Revised Statutes, as amended.
10. That the Property proposed to be annexed is located within special district(s) identified on Exhibit 3 and no other(s) and the undersigned consents to the Property’s inclusion into those special districts.
11. That the undersigned Petitioner signed this Petition not more than one hundred and eighty (180) days prior to the date of the filing of this Petition with the Town Clerk.
12. That Petitioner has filed this Petition subject to the following conditions:
  - a. The Town approves I Industrial and TLP Transit Logistics Park zoning for the Property sufficient to support all aspects of development and operation of BNSF’s

Intermodal Facility and Logistics Park, in accordance with C.R.S. § 31-12-115 and Article II of Chapter 19 of the Lochbuie Municipal Code; and

- b. The Town approves and authorizes the execution of an Annexation Agreement acceptable to the Town and Petitioner at the time of adoption of the annexation ordinance.
13. That, upon the annexation of the Property becoming effective, and subject to the conditions set forth in this Petition and to be set forth in the Annexation Agreement, the Property shall become subject to all ordinances, resolutions, rules and regulations of the Town, except as otherwise set forth in the Annexation Agreement, and except for general property taxes of the Town, which shall become effective on January 1 of the next succeeding year following adoption of the annexation ordinance.
  14. That this Petition includes the signature of the Petitioner proposing the annexation, the mailing addresses of the Petitioner, the legal description of the land owned by the Petitioner, the date on which each Petitioner executed this Petition, and the circulator's affidavit required by Section 31-12-107(1)(c), C.R.S., certifying that the signatures on this Petition are the signature of each person whose name it purports to be and certifying the accuracy of the date of such signatures.
  15. Petitioner hereby reserves the sole, exclusive and unilateral right to withdraw this Petition by so notifying the Town Clerk in writing at any time prior to the effective date of the ordinances annexing and zoning the Property, or in the event that the Town does not approve or grant the desired zoning for the Property.

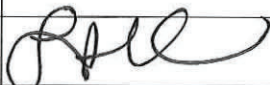

**THEREFORE, THE PETITIONER**, respectfully requests that the Town Board of Trustees of the Town, approve the annexation of the Property. To that end, the Petitioner does hereby consent to the annexation of said area into the Town.

**PROPERTY OWNER/PETITIONER SIGNATURES**

The signatures affixed hereon represent property owners within the Property who desire annexation to the Town of Lochbuie, Colorado.

Page 1 of 1 pages of petitioner signatures


*Note to Circulator(s): Please make copies of this page to collect signatures and necessary information, attach all signature sheets and note the quantity of pages of signature pages in the area provided above.)*

<b>Name of Petitioner (print):</b>	BNSF Development Co., LLC
Address of parcel within Property proposed for annexation (no. street, city):	N/A
Legal description (lots, blocks and subdivision name or metes and bounds if unplatted):	See Exhibits 1 and 2
Signature of Petitioner:	 Lacy A. Kreger
Mailing address of Petitioner:	2650 Lou Menk Drive MOB2 Fort Worth, TX 76131
Date of Signature:	5/3/2024
Circulator Initials:	 Lacy A. Kreger

**AFFIDAVIT OF CIRCULATOR**

This petition has been circulated by the undersigned (the circulator) who attests that each signature thereon is that of the person whose name it purports to be. (Each circulator shall attach a separate Affidavit). If no circulator is used the property owner shall sign below in the presence of a notary.

Page 1 of 1

By:   
Lacy A. Kreger, as duly authorized signatory  
for Petitioner BNSF Development Co., LLC

STATE OF TEXAS                    )  
  ) ss.  
COUNTY OF TARRANT         )

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 3rd  
day of May, 2024, by Lacy A. Kreger.

Witness my hand and official seal.  
My commission expires:

By:   
Notary Public

[SEAL]



**EXHIBIT 1**

**LEGAL DESCRIPTION OF BOUNDARIES OF AREA TO BE ANNEXED**

See Exhibit 1-A, attached hereto.

**EXHIBIT 1-A**

**ANNEXATION PARCEL NO. 1 DESCRIPTION**

Legal Description  
Parcel No. 1

A TRACT OF LAND BEING A PORTION OF THE EAST HALF OF SECTION 22 AND THE WEST HALF OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 23 TO HAVE AN ASSUMED BEARING OF S00°25'37"E, A DISTANCE OF 2645.96 FEET, MONUMENTED AT THE NORTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 2.5" ALUMINUM CAP, STAMPED "LS 28273 M. JOHNSON" IN A MONUMENT BOX, AND AT THE SOUTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS27269" AS SHOWN HEREON WITH ALL OTHER BEARINGS RELATIVE THERETO.

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 22, MONUMENTED BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH A 3.25" ALUMINUM CAP, STAMPED "LS 27269";

THENCE N10°15'42"W, A DISTANCE OF 175.65 FEET TO THE WESTERLY LINE OF WELD COUNTY ROAD 45 AND TO THE POINT OF BEGINNING;

THENCE N00°25'36"W, A DISTANCE OF 2,472.89 FEET ON SAID WESTERLY LINE;

THENCE N00°25'31"W, A DISTANCE OF 2,615.88 FEET ON SAID WESTERLY LINE TO THE SOUTHERLY RIGHT OF WAY OF WELD COUNTY ROAD 8;

THENCE N89°32'20"E, A DISTANCE OF 61.00 FEET;

THENCE S00°25'31"E, A DISTANCE OF 2,615.92 FEET;

THENCE S00°25'37"E, A DISTANCE OF 2,475.86 FEET;

THENCE S89°42'47"W, A DISTANCE OF 31.00 FEET;

THENCE N84°54'47"W, A DISTANCE OF 30.14 FEET; TO THE POINT OF BEGINNING.

PARCEL CONTAINS 310,554 SQUARE FEET OR 7.129 ACRES, MORE OR LESS.

**EXHIBIT 1-B**

**BNSF ANNEXATION NO. 1 ANNEXATION MAP**









**EXHIBIT 2**  
**LEGAL DESCRIPTION OF LAND OWNED BY**  
**PETITIONER**

## LAND OWNED BY BNSF WITHIN ANNEXATION

A PARCEL OF LAND LOCATED IN THE SECTIONS 14, 15, 16, 20, 21, 22, 23, 26, 27 AND 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF WELD, STATE OF COLORADO; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS A AND B, RECORDED EXEMPTION NO. 1473-29-1 RE-4247 RECORDED FEBRUARY 24, 2006 AT RECEPTION NO. 3365571, BEING A PART OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

LOT A OF CORRECTED RECORDED EXEMPTION NO. 1473-29-1-RE-909 RECORDED DECEMBER 19, 1988 AT RECEPTION NO. 2165331, BEING A PART OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

LOT A OF RECORDED EXEMPTION NO. 1473-29-1 RECX 15-0095, AS PER THE PLAT THEREOF RECORDED NOVEMBER 9, 2016, AT RECEPTION NO. 4252309, AND BEING A PART OF THE EAST 1/2 OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

LOT A, RECORDED EXEMPTION NO. 1473-29-1 RE-3670 ACCORDING TO THE PLAT THEREOF RECORDED JULY 21, 2004 AT RECEPTION NO. 3200793, BEING A PART OF THE EAST ½ OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO.

NON-EXCLUSIVE JOINT ACCESS AND UTILITY EASEMENTS AS SHOWN ON THE RECORDED EXEMPTION NO. 1473-29-1 RE-3670 RECORDED JULY 21, 2004 AT RECEPTION NO. 3200793, COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

LOT B, RECORDED EXEMPTION NO. 1473-29-1 RE-3760, ACCORDING TO THE MAP THEREOF RECORDED JULY 21, 2004 AT RECEPTION NO. 3200793, BEING A PORTION OF THE EAST HALF OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

LOT B OF RECORDED EXEMPTION NO. 1473-29-1 RECX 15-0095, AS PER THE PLAT THEREOF RECORDED MAY 11, 2016 AT RECEPTION NO. 4202708, BEING A PART OF THE EAST ½ OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

LOT A OF RECORDED EXEMPTION NO. 1473-29-1-RE-3571, RECORDED SEPTEMBER 25, 2003 AT RECEPTION NO. 3109984, BEING A PART OF THE E1/2 OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

SUBDIVISION EXEMPTION 981 PARCEL, AS PER THE SUBDIVISION EXEMPTION NO. 981 RECORDED SEPTEMBER 25, 2003 AS RECEPTION NO. 3109982, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PART OF THE NE ¼ OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 29;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ON AN ASSUMED BEARING ALONG THE EASTERLY LINE OF SAID NE ¼ OF SECTION 29, A DISTANCE OF 529.64 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID EASTERLY LINE OF THE NE ¼ OF SECTION 29, A DISTANCE OF 335.00 FEET;

THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 150.00 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 20.00 FEET;

THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 331.00 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 315.00 FEET;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 481.00 FEET TO THE TRUE POINT OF BEGINNING.

AND ALSO

THAT PART OF THE SE¼ OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, LYING SOUTH AND EAST OF THE RIGHT OF WAY FOR THE BURLINGTON NORTHERN RAILROAD (FORMERLY C. B. & Q. R. R.) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., AND CONSIDERING THE EAST LINE OF THE SE¼ OF SAID SECTION 20 TO BEAR NORTH 00°05'15" WEST AND WITH ALL OTHER BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 00°05'15" WEST, A DISTANCE OF 2063.2 FEET TO THE BURLINGTON NORTHER RAILROAD RIGHT OF WAY;  
THENCE SOUTH 36°02'30" WEST, A DISTANCE OF 2557.0 FEET ALONG THE SOUTH SIDE OF SAID RIGHT OF WAY OF BURLINGTON NORTHERN RAILROAD TO A POINT ON THE SOUTH SIDE OF SAID SECTION 20;  
THENCE NORTH 89°50'15" EAST, A DISTANCE OF 1507.63 FEET ALONG THE SOUTH LINE OF SAID SECTION 20 TO THE POINT OF BEGINNING,

EXCEPT PORTION CONVEYED TO THE DEPARTMENT OF HIGHWAYS, STATE OF COLORADO IN INSTRUMENT RECORDED NOVEMBER 13, 1952 IN BOOK 1344 AT PAGE 5, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A TRACT OR PARCEL OF LAND, NO. 40 OF GRANTEE'S PROJECT NO. FI 003-4(2), MORE OR LESS, IN THE SE¼ OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST, FROM WHICH POINT THE SE CORNER OF SECTION 20 BEARS NORTH 88°59'30" EAST A DISTANCE OF 1776.1 FEET;  
THENCE NORTH 36°02'30" EAST A DISTANCE OF 3010.6 FEET TO THE EAST LINE OF SECTION 20;  
THENCE ALONG THE EAST LINE OF SECTION 20, NORTH 00°06'30" WEST A DISTANCE OF 258.9 FEET TO THE NE CORNER OF THE SE¼ OF SECTION 20;  
THENCE ALONG THE NORTH LINE OF THE SE¼ OF SECTION 20, SOUTH 88°59'30" WEST A DISTANCE OF 59.3 FEET;  
THENCE SOUTH 36°02'30" WEST A DISTANCE OF 3334.9 FEET TO THE SOUTH LINE OF SECTION 20;  
THENCE ALONG THE SOUTH LINE OF SECTION 20, NORTH 88°59'30" EAST A DISTANCE OF 250.6 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ALSO EXCEPT:

A TRACT OR PARCEL OF LAND NO. 22 OF THE STATE DEPARTMENT OF HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO, PROJECT NO. I 076-1(48) IN THE SE¼ OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., IN THE INSTRUMENT RECORDED JULY 18, 1980 AT RECEPTION NO. 1830484, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE SE1/4 OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 5TH P.M., FROM WHICH THE SE CORNER OF SECTION 20 BEARS SOUTH 01°57'15" EAST, A DISTANCE OF 2676.4 FEET; THENCE NORTH 86°32'30" EAST ALONG SAID NORTH LINE, A DISTANCE OF 40.2 FEET TO THE NORTHWESTERLY RIGHT OF WAY LINE OF I 76 (AUG. 1978); THENCE SOUTH 36°02'30" WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 3318.1 FEET TO THE SOUTH LINE OF SECTION 20; THENCE SOUTH 89°50'15" WEST, ALONG SAID SECTION LINE, A DISTANCE OF 38.4 FEET; THENCE NORTH 36°02'30" EAST A DISTANCE OF 3315.2 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ALSO EXCEPT:

A TRACT OR PARCEL OF LAND NO. 22A REV. OF THE STATE DEPARTMENT OF HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO, PROJECT NO. I076-1(48) IN THE SE1/4 OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., AS SET FORTH IN INSTRUMENT RECORDED DECEMBER 10, 1982 AT RECEPTION NO. 1911050, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD 6 (SEPT. 1981) FROM WHICH THE SE CORNER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M. BEARS SOUTH 59°10'45" EAST A DISTANCE OF 58.3 FEET; THENCE NORTH 00°05'15" WEST, A DISTANCE OF 1964.8 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN RAILROAD (SEPT. 1981); THENCE NORTH 36°02'30" EAST, ALONG SAID RAILROAD RIGHT OF WAY LINE, A DISTANCE OF 84.8 FEET TO THE EAST LINE OF SECTION 20; THENCE SOUTH 00°05'15" EAST, ALONG SAID SECTION LINE, A DISTANCE OF 2033.2 FEET; THENCE SOUTH 89°50'15" WEST, A DISTANCE OF 50.0 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

AND ALSO

LOT A, AMENDED RECORDED EXEMPTION NO. 1473-21-3-RE-58, AS PER THE PLAT THEREOF RECORDED JULY 25, 2005 AT RECEPTION NO. 3306006, BEING A PART OF THE SOUTH ½ OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

ALL THAT PART OF THE SOUTH ½ OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M. LYING EAST OF THE R.O.W. OF THE C.B. & Q. RR, COUNTY OF WELD, STATE OF COLORADO, EXCEPTING THEREFROM, THAT PORTION SOLD TO THE HENRYLYN IRRIGATION DISTRICT BY DEED RECORDED IN BOOK 346 AT PAGE 258; AND

EXCEPTING THEREFROM, THAT PORTION CONVEYED TO THE FARMERS RESERVOIR AND IRRIGATION CO. BY DEED RECORDED IN BOOK 383 AT PAGE 373; AND

EXCEPTING THEREFROM, THAT PORTION LYING SOUTH AND EAST OF THE DENVER-HUDSON CANAL AS DESCRIBED IN BOOK 346 AT PAGE 258 AS MORE PARTICULARLY DESCRIBED IN THE DEED TO ROBERT F. SCHMALHAUS AND SHARON L. SCHMALHAUS RECORDED MAY 9, 1995 AT RECEPTION NO. 2437464; AND

EXCEPTING THEREFROM, THAT PORTION CONTAINED IN THE AMENDED RECORDED EXEMPTION NO. 1473-21-3-RE-58 PLAT RECORDED JULY 25, 2005 AT RECEPTION NO. 3306006.

EXCEPTION THEREFROM THAT PORTION CONVEYED TO STATE DEPARTMENT OF HIGHWAYS, STATE OF COLORADO BY INSTRUMENT RECORDED JANUARY 4, 1983 AT RECEPTION NO. 1913279.

AND ALSO

A TRACT OF LAND LOCATED IN THE NORTH ½, SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT ON THE NORTH LINE OF THE NORTHWEST ¼, SECTION 21 FROM WHENCE THE NORTHWEST CORNER OF SAID NORTHWEST ¼ BEARS S89°12'49"W, 2634.90 FEET AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE S00°47'11"E, 30.00 FEET;  
THENCE S41°53'19"W, 416.21 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE N89°12'44"E, 691.22 FEET;  
THENCE S35°41'46"W, 2904.77 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST ¼, SECTION 21;  
THENCE S88°49'54"W, 720.00 FEET ALONG SAID SOUTH LINE;  
THENCE N31°50'49"E, 117.60 FEET;  
THENCE N34°42'34"E, 2200.00 FEET;  
THENCE N41°53'19"E, 612.29 FEET TO THE TRUE POINT OF BEGINNING,

EXCEPTING THEREFROM, THAT PORTION TAKEN BY THE STATE DEPARTMENT OF HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO, IN THE RULE AND ORDER RECORDED JULY 25, 1985 AT RECEPTION NO. 2018424.

AND ALSO

ALL THAT PART OF THE NORTH ½ OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO, LYING EAST OF THE RIGHT-OF-WAY OF THE CHICAGO, BURLINGTON AND QUINCY RAILROAD, COUNTY OF WELD, STATE OF COLORADO,

EXCEPT A TRACT OF LAND LOCATED IN THE NORTH ½ OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M. IN WELD COUNTY AS CONVEYED TO MARVIN H. SPAYD AND JOANN T. SPAYD IN THE DEED RECORDED AUGUST 4, 1982 AT RECEPTION NO. 1899546, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE NORTHWEST ¼, SECTION 21, FROM WHENCE THE NORTHWEST CORNER OF SAID NORTHWEST ¼ BEARS S89°12'49"W, 2634.90 FEET AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE S00°47'11"E, 30.00 FEET;  
THENCE S41°53'19"W, 416.21 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE N89°12'44"E, 691.22 FEET;  
THENCE S35°41'46"W, 2904.77 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST ¼, SECTION 21;  
THENCE S88°49'54"W, 720.00 FEET ALONG SAID SOUTH LINE;  
THENCE N31°50'49"E, 117.60 FEET;  
THENCE N34°42'34"E, 2200.00 FEET;  
THENCE N41°53'19"E, 612.29 FEET TO THE TRUE POINT OF BEGINNING,

ALSO EXCEPTING ANY PORTION THEREOF CONTAINED IN THE RULE AND ORDER BY THE STATE DEPARTMENT OF HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO RECORDED JULY 25, 1985 AT RECEPTION NO. 2018424.

AND ALSO

THAT PART OF THE E1/2 OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 16;  
THENCE N89°27'29"W ON AN ASSUMED BEARING ALONG THE SOUTH LINE OF SAID E1/2 OF SECTION 16, A DISTANCE OF 1,355.71 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF I-76;



THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE AS FOLLOWS:

1. N00°42'49"E A DISTANCE OF 30.00 FEET;
2. N77°25'44"W A DISTANCE OF 1,326.70 FEET;
3. N00°10'59"W A DISTANCE OF 138.35 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN RAILROAD AS SET FORTH IN THE DEED TO SAID RAILROAD RECORDED SEPTEMBER 29, 1882 IN BOOK 36 AT PAGE 100;

THENCE N36°03'15"E ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 4,481.88 FEET TO A POINT ON THE EAST LINE OF SAID E1/2 OF SECTION 16;

THENCE S00°10'45"E ALONG SAID EAST LINE A DISTANCE OF 4,093.36 FEET TO THE POINT OF BEGINNING.

AND ALSO

THAT PART OF THE SOUTH ½ OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, WELD COUNTY, COLORADO, LYING WESTERLY OF THE WEST RIGHT-OF-WAY LINE OF THE NERES CANAL RIGHT-OF-WAY AS DESCRIBED IN THE INSTRUMENT RECORDED SEPTEMBER 25, 1913 IN BOOK 383 AT PAGE 373.

AND ALSO

ALL THAT PART OF THE SOUTH ½ OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M. LYING EAST OF THE R.O.W. OF THE C.B. & Q. RR, COUNTY OF WELD, STATE OF COLORADO, EXCEPTING THEREFROM, THAT PORTION SOLD TO THE HENRYLYN IRRIGATION DISTRICT BY DEED RECORDED IN BOOK 346 AT PAGE 258; AND

EXCEPTING THEREFROM, THAT PORTION CONVEYED TO THE FARMERS RESERVOIR AND IRRIGATION CO. BY DEED RECORDED IN BOOK 383 AT PAGE 373; AND

EXCEPTING THEREFROM, THAT PORTION LYING SOUTH AND EAST OF THE DENVER-HUDSON CANAL AS DESCRIBED IN BOOK 346 AT PAGE 258 AS MORE PARTICULARLY DESCRIBED IN THE DEED TO ROBERT F. SCHMALHAUS AND SHARON L. SCHMALHAUS RECORDED MAY 9, 1995 AT RECEPTION NO. 2437464; AND

EXCEPTING THEREFROM, THAT PORTION CONTAINED IN THE AMENDED RECORDED EXEMPTION NO. 1473-21-3-RE-58 PLAT RECORDED JULY 25, 2005 AT RECEPTION NO. 3306006. AND

EXCEPTING THEREFROM ANY PART OF THE N½ OF THE SW¼ OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M.

AND ALSO

LOT B, RECORDED EXEMPTION NO. 1473-21-4-RE4080, ACCORDING TO MAP RECORDED SEPTEMBER 30, 2005 AT RECEPTION NO. 3327676 BEING A PART OF THE SE 1/4 OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, EXCEPTING THEREFROM ANY PORTION THAT MAY LIE WITHIN THE RIGHT OF WAY LIMITS OF WELD COUNTY ROAD #6.

AND ALSO

LOT A OF RECORDED EXEMPTION NO. 1473-21-4-RE4080, ACCORDING TO THE PLAT RECORDED SEPTEMBER 30, 2005 UNDER RECEPTION NO. 3327676, BEING A PART OF THE SOUTHEAST ¼ OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO.

AND ALSO

PARCEL 1:

THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO, EXCEPT A PARCEL OF LAND CONVEYED TO BRUCE B. ANDREWS BY DEED RECORDED IN BOOK 1135, PAGE

331, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THAT PART OF SAID SOUTHWEST QUARTER CONTAINING 1 ACRE, MORE OR LESS, LYING NORTH AND WEST OF AND BELOW OR NERES CANAL; AND THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., WELD COUNTY, COLORADO, EXCEPT A PARCEL OF LAND CONVEYED TO E. F. GAUMER BY DEED RECORDED IN BOOK 1084, PAGE 306, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THAT PART OF SAID NORTH HALF OF THE SOUTHEAST QUARTER LYING BELOW AND EASTERLY FROM THE BOX ELDER LATERAL; AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THAT PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., WELD COUNTY, COLORADO, LYING SOUTHERLY FROM AND ABOVE THE NERES CANAL AND BOX ELDER LATERAL.

PARCEL II:

THE EAST HALF OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., WELD COUNTY, COLORADO, LYING WESTERLY FROM AND ABOVE THE BOX ELDER LATERAL.

PARCEL III:

THE WEST HALF OF THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., WELD COUNTY, COLORADO.

PARCEL IV:

THE NORTH HALF OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., WELD COUNTY, COLORADO, EXCEPTING THEREFROM THAT PORTION OF THE 100 FOOT RIGHT OF WAY FOR THE DENVER HUDSON CANAL, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 27 FROM WHENCE THE WEST QUARTER CORNER OF SAID SECTION 27 BEARS SOUTH 00°09'25" WEST 2644.69 FEET AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE SOUTH 89°57'04" EAST 2641.98 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 27; THENCE CONTINUING SOUTH 89°57'04" EAST 2641.98 FEET TO THE NORTHEAST CORNER OF SAID SECTION 27; THENCE SOUTH 00°25'10" WEST 2650.06 FEET ALONG THE APPROXIMATE CENTERLINE OF COUNTY ROAD 45 TO THE EAST QUARTER OF SAID SECTION 27; THENCE NORTH N89°53'36" WEST 5271.81 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 27; THENCE NORTH 00°09'25" EAST 272.47 FEET ALONG THE WEST LINE OF SAID SECTION 27 TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THE DENVER HUDSON CANAL; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES AND DISTANCES; NORTH 20°38'24" EAST 74.77 FEET; THENCE NORTH 09°16'33" EAST 380.39 FEET; THENCE NORTH 17°28'41" WEST 139.71 FEET; THENCE NORTH 43°41'31" WEST 63.69 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 27; THENCE LEAVING SAID CANAL RIGHT OF WAY, NORTH 00°09'25" EAST 1777.51 FEET TO THE POINT OF BEGINNING, COUNTY OF WELD, STATE OF COLORADO

PARCE V

A TRACT OF LAND IN THE SOUTH HALF OF SECTION 22, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., WELD COUNTY, COLORADO, LYING SOUTH OF THE SOUTH RIGHT OF WAY LINE OF DENVER HUDSON CANAL AS SURVEYED, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHEAST CORNER OF SECTION 22 (1-1/2 INCH ALUMINUM CAP); THENCE NORTH 89°57'04" WEST 5283.96 FEET TO THE SOUTHWEST CORNER (A 3 INCH ALUMINUM CAP) OF SAID SECTION 22 AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;  
THENCE NORTH 00°08'52" EAST 917.05 FEET ALONG THE WEST LINE OF SAID SECTION 22 TO THE SOUTH RIGHT OF WAY LINE OF THE DENVER HUDSON CANAL; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE OF THE DENVER HUDSON CANAL THE FOLLOWING COURSES AND DISTANCES:  
THENCE SOUTH 47°35'18" EAST 29.64 FEET;  
THENCE SOUTH 39°32'19" EAST 259.77 FEET;  
THENCE SOUTH 64°04'24" EAST 129.56 FEET;  
THENCE NORTH 82°50'49" EAST 246.11 FEET;  
THENCE SOUTH 55°08'04" EAST 433.97 FEET;

THENCE SOUTH 82°14'06" EAST 190.72 FEET;  
THENCE NORTH 29°11'13" EAST 205.45 FEET;  
THENCE NORTH 16°07'52" WEST 311.65 FEET;  
THENCE NORTH 09°45'45" EAST 183.31 FEET;  
THENCE NORTH 62°05'24" EAST 115.13 FEET;  
THENCE NORTH 89°03'28" EAST 435.02 FEET;  
THENCE NORTH 46°53'04" EAST 235.17 FEET;  
THENCE SOUTH 89°59'10" EAST 97.29 FEET;  
THENCE SOUTH 63°01'31" EAST 183.56 FEET;  
THENCE SOUTH 52°54'24" EAST 113.54 FEET;  
THENCE SOUTH 25°50'55" EAST 162.12 FEET;  
THENCE SOUTH 50°54'01" EAST 193.68 FEET;  
THENCE SOUTH 81°31'07" EAST 225.44 FEET;  
THENCE NORTH 87°18'54" EAST 171.45 FEET;  
THENCE SOUTH 66°20'02" EAST 105.27 FEET;  
THENCE SOUTH 34°39'24" EAST 85.93 FEET;  
THENCE SOUTH 18°06'29" EAST 153.68 FEET;  
THENCE SOUTH 52°16'35" EAST 119.55 FEET;  
THENCE NORTH 83°18'29" EAST 161.83 FEET;  
THENCE NORTH 63°54'10" EAST 187.18 FEET;  
THENCE NORTH 26°10'32" EAST 149.56 FEET;  
THENCE NORTH 00°59'30" EAST 152.37 FEET;  
THENCE NORTH 35°27'56" EAST 66.44 FEET;  
THENCE NORTH 74°24'50" EAST 43.18 FEET;  
THENCE SOUTH 77°32'27" EAST 535.45 FEET;  
THENCE SOUTH 53°33'08" EAST 218.39 FEET;  
THENCE SOUTH 28°05'33" EAST 189.08 FEET;  
THENCE SOUTH 40°48'06" EAST 295.58 FEET;  
THENCE SOUTH 49°26'55" EAST 131.64 FEET;  
THENCE SOUTH 82°04'35" EAST 135.61 FEET;  
THENCE SOUTH 84°26'01" EAST 491.24 FEET TO A POINT ON THE EAST LINE OF SECTION 22; THENCE LEAVING SAID CANAL RIGHT OF WAY, SOUTH 00°05'48" WEST 169.40 FEET TO THE POINT OF BEGINNING, COUNTY OF WELD, STATE OF COLORADO

### **EXHIBIT 3**

#### **SPECIAL DISTRICTS WITH BOUNDARIES THAT INCLUDE PROPERTY PROPOSED TO BE INCLUDED**

Weld County RE-3J School District

High Plains Library

Hudson Fire Protection District

AIMS Junior College

Central Colorado Water Subdistrict

West Adams Conservation District

Platte Valley Conservation District





