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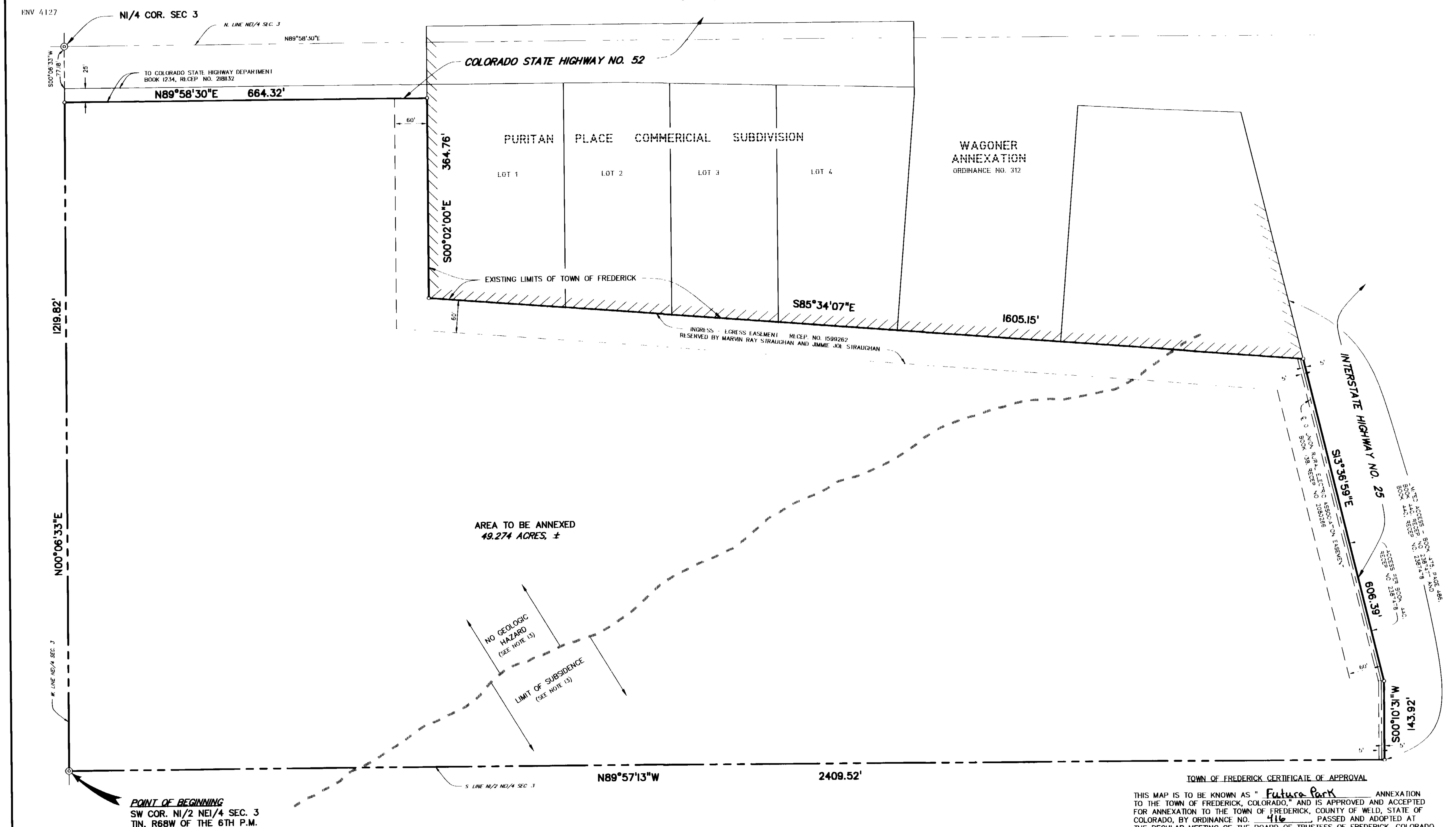
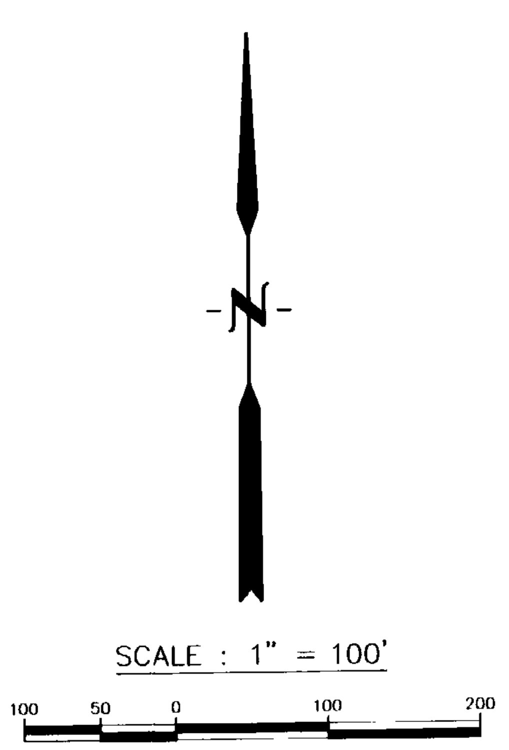
2478439 B-1534 P-506 02/29/96 01:14P PG 1 OF 1 REC DOC
Weld County CO Clerk & Recorder 11.00

ENV 4127

FUTURA PARK ANNEXATION MAP





PERIPHERY OF AREA TO BE ANNEXED = 7013.88 FEET.
CONTIGUITY OR DISTANCE OF AREA ADJACENT TO EXISTING CITY LIMITS = 1969.91 FEET.
ONE-SIXTH OF TOTAL PERIPHERY = 1168.98 FEET.

NOTES

1. THIS MAP IS NOT A LAND SURVEY PLAT OR AN IMPROVEMENT SURVEY PLAT. THE PURPOSE OF THIS MAP IS TO SHOW THE AREA TO BE ANNEXED TO THE TOWN OF FREDERICK.
2. THIS MAP IS BASED ON A SURVEY OF FUTURA PARK NORTH P.U.D. PREPARED BY MERLE D. JOHNSON, DATED NOVEMBER 10, 1988.
3. RECORDED EASEMENTS AND RIGHTS-OF-WAY ARE SHOWN ACCORDING TO OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY COMMITMENT ORDER NO. FCM2117-4, EFFECTIVE DATE: MAY 31, 1995. APPARENT EASEMENTS AND RIGHTS-OF-WAY WERE NOT RESEARCHED AND ARE NOT SHOWN AS REQUESTED BY THE CLIENT.
4. IN THE WARRANTY DEED RECORDED IN BOOK 201 AT PAGE 1, THE UNION PACIFIC RAILROAD COMPANY RESERVED MINERAL RIGHTS AND RIGHTS OF INGRESS AND EGRESS OVER ALL OF SECTION 3.
5. IN THE WARRANTY DEED RECORDED IN BOOK 320 AT PAGE 180, THE DENVER LAND COMPANY RESERVED THE RIGHT TO CONSTRUCT AND MAINTAIN DITCHES AND LATERALS OVER THE NI/2 OF THE NEI/4 OF SECTION 3.
6. IN THE AGREEMENT RECORDED IN BOOK 912 AT PAGE 474, THE NATIONAL FUEL COMPANY WAS GRANTED THE RIGHT TO REMOVE COAL FROM THE NI/2 OF THE NEI/4 OF SECTION 3.
7. THE INSTRUMENT RECORDED IN BOOK 504 AS RECEPTION NO. 1426954 IS A SUBORDINATION AGREEMENT TO FOOTHILLS WATER USERS ASSOCIATION FOR AN EASEMENT FOR A WATER PIPELINE WHICH IS NOT SPECIFICALLY DESCRIBED AND THEREFORE CANNOT BE SHOWN ON THIS MAP.
8. THE NEI/4 OF THE NEI/4 OF SECTION 3 IS SUBJECT TO THE TERMS AND CONDITIONS OF THE AGREEMENT RECORDED IN BOOK 806 AS RECEPTION NO. 1727987 BETWEEN FUTURA HORSE VILLAGE AND AMOCO PRODUCTION COMPANY REGARDING SURFACE RIGHTS, AND THE AGREEMENT RECORDED IN BOOK 809 AS RECEPTION NO. 1730777.

NOTES (CONT.)

9. THE INSTRUMENT RECORDED IN BOOK 922 AS RECEPTION NO. 1844276 GRANTED AN EASEMENT FOR A PIPE LINE TO PANHANDLE EASTERN PIPE LINE COMPANY WHICH IS NOT SPECIFICALLY DESCRIBED AND THEREFORE CANNOT BE SHOWN ON THIS MAP.
10. THIS PROPERTY IS SUBJECT TO EASEMENTS, RESTRICTED ACCESS AND LIMITATIONS CONTAINED ON FUTURA PARK NORTH P.U.D. PLANNED UNIT DEVELOPMENT. DISTRICT PLAT RECORDED IN BOOK 1202 AS RECEPTION NO. 2147505.
11. THIS PROPERTY IS SUBJECT TO THE TERMS AND CONDITIONS BETWEEN FUTURA HORSE VILLAGE AND THE CITY OF LOUISVILLE CONTAINED IN THE NON-IRRIGATION COVENANT RECORDED IN BOOK 1225 AS RECEPTION NO. 2172046.
12. THIS PROPERTY IS SUBJECT TO THE NOTICES CONCERNING UNDERGROUND FACILITIES LISTED AS FOLLOWS:
    1) MOUNTAIN BELL TELEPHONE COMPANY, RECORDED IN BOOK 949 AS RECEPTION NO. 1870705.
    2) COLORADO INTERSTATE GAS COMPANY, RECORDED IN BOOK 1041 AS RECEPTION NO. 1979784.
    3) ASSOCIATED NATURAL GAS, INC., RECORDED IN BOOK 1229 AS RECEPTION NO. 2175917.
    4) WESTERN SLOPE GAS COMPANY, RECORDED IN BOOK 990 AS RECEPTION NO. 1919757.
    5) WESTERN GAS SUPPLY COMPANY, RECORDED IN BOOK 1063 AS RECEPTION NO. 2004300.
    6) PANHANDLE EASTERN PIPELINE COMPANY, RECORDED IN BOOK 1117 AS RECEPTION NO. 2058722.
    7) UNITED POWER, INC., RECORDED IN BOOK 1228 AS RECEPTION NO. 02239296.
13. THE GEOLOGIC HAZARD AREA WAS INTERPRETED FROM OLD MINING MAPS AND RECORDS WHOSE ACCURACY CANNOT BE GUARANTEED. THE BUYER OF ANY LOT WITHIN THIS PROPERTY IS SOLELY RESPONSIBLE TO CONSTRUCT SO AS TO PROTECT HIS PROPERTY AGAINST ANY POSSIBLE GEOLOGIC HAZARD.

TOWN OF FREDERICK CERTIFICATE OF APPROVAL

THIS MAP IS TO BE KNOWN AS " Futura Park ANNEXATION TO THE TOWN OF FREDERICK, COLORADO," AND IS APPROVED AND ACCEPTED FOR ANNEXATION TO THE TOWN OF FREDERICK, COUNTY OF WELD, STATE OF COLORADO, BY ORDINANCE NO. 416, PASSED AND ADOPTED AT THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF FREDERICK, COLORADO, HELD ON October 26, 1995, AND RECORDED ON ________, 199__, AS RECEPTION NO. ________, IN THE RECORDS OF THE CLERK & RECORDER OF Weld COUNTY, COLORADO.

Karen Dekarek
TOWN CLERK

SURVEYOR'S CERTIFICATE

I, WILLIAM K. WRIGHT, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ACCOMPANYING MAP WAS MADE UNDER MY DIRECT RESPONSIBILITY, SUPERVISION AND CHECKING AND THAT IT IS A TRUE AND CORRECT REPRESENTATION OF THE AREA TO BE ANNEXED TO THE TOWN OF FREDERICK, COLORADO. I ALSO CERTIFY THAT THERE IS THE REQUIRED CONTIGUITY NECESSARY FOR ANNEXATION TO THE TOWN OF FREDERICK, COLORADO.

William K. Wright
WILLIAM K. WRIGHT
COLORADO REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 23529

10/3/95
DATE:

RECORDER'S CERTIFICATE

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF WELD COUNTY AT ___.M. ON THE ____ DAY OF ________ A.D., 19___ IN BOOK ______, PAGE ______, MAP ______, RECEPTION NO. ________.

____
COUNTY CLERK AND RECORDER

BY: ______________________
DEPUTY

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE NI/2 OF THE NEI/4 OF SECTION 3, TIN, R68W OF THE 6TH P.M., WELD COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

<u>BEGINNING</u> AT THE SOUTHWEST CORNER OF THE NI/2 OF THE NEI/4 OF SAID SECTION 3, THENCE N00°06'33"E, 1219.82 FEET ALONG THE WEST LINE OF THE NEI/4 OF SAID SECTION 3 TO THE SOUTHWEST CORNER OF THAT TRACT OF LAND CONVEYED TO THE COLORADO STATE HIGHWAY DEPARTMENT AS DESCRIBED IN DEED RECORDED IN BOOK 1234 AS RECEPTION NO. 2181132 OF THE RECORDS OF WELD COUNTY, COLORADO;

THENCE N89°58'30"E, 664.32 FEET ALONG THE SOUTH LINE OF THAT TRACT OF LAND AS DESCRIBED IN SAID BOOK 1234 AS RECEPTION NO. 2181132 TO THE SOUTHEAST CORNER THEREOF, THE WEST LINE OF PURITAN PLACE COMMERCIAL SUBDIVISION, A SUBDIVISION IN THE COUNTY OF WELD, STATE OF COLORADO, ACCORDING TO THE RECORDED PLAT THEREOF, AND A WESTERLY LINE OF THE EXISTING TOWN LIMITS OF THE TOWN OF FREDERICK;

THENCE S00°02'00"E, 364.76 FEET ALONG THE WEST LINE OF SAID PURITAN PLACE COMMERCIAL SUBDIVISION AND ALONG THE EXISTING TOWN LIMITS OF THE TOWN OF FREDERICK TO THE SOUTHWEST CORNER OF SAID PURITAN PLACE COMMERCIAL SUBDIVISION;

THENCE S85°34'07"E, 1605.15 FEET ALONG THE SOUTH LINE OF SAID PURITAN PLACE COMMERCIAL SUBDIVISION AND ALONG THE SOUTHERLY LINE OF THOSE TRACTS OF LAND AS DESCRIBED IN DEEDS RECORDED IN BOOK 583 AS RECEPTION NO. 1505462 AND BOOK 832 AS RECEPTION NO. 1754420, ALL OF THE RECORDS OF WELD COUNTY, COLORADO, AND ALONG THE SOUTHERLY LINE OF THE EXISTING TOWN LIMITS OF THE TOWN OF FREDERICK TO THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 25;

THENCE S13°36'59"E, 606.39 FEET ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID INTERSTATE HIGHWAY NO. 25;

THENCE S00°10'31"W, 143.92 FEET ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID INTERSTATE HIGHWAY NO. 25 TO THE SOUTH LINE OF THE NI/2 OF THE NEI/4 OF SAID SECTION 3;

THENCE N89°57'13"W, 2409.52 FEET ALONG THE SOUTH LINE OF THE NI/2 OF THE NEI/4 OF SAID SECTION 3 TO THE <u>POINT OF BEGINNING</u>.

AREA = 49.274 ACRES, MORE OR LESS.

CERTIFICATION OF OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS THAT BLACKFOX REAL ESTATE GROUP LLC, A COLORADO LIMITED LIABILITY COMPANY, IS THE OWNER IN FEE OF THAT REAL PROPERTY AS DESCRIBED ON THE ACCOMPANYING MAP AND THAT FUTURA HORSE VILLAGE, A PARTNERSHIP, HAS AN EQUITABLE INTEREST IN THE PROPERTY.

BLACKFOX REAL ESTATE GROUP LLC,
A COLORADO LIMITED LIABILITY COMPANY

BY: John M. Hepp

FUTURA HORSE VILLAGE,
A PARTNERSHIP

BY: James S. Santilippo
BY: Joseph M. Catanti
BY: Frank A. Pompinio

ACKNOWLEDGEMENT

STATE OF COLORADO)
) SS
COUNTY OF Harper)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 10th DAY OF November, 1995, BY John M. Hepp AS Manager OF BLACKFOX REAL ESTATE GROUP LLC, A COLORADO LIMITED LIABILITY COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES 10/7/98

[signature]
NOTARY PUBLIC

ACKNOWLEDGEMENT

STATE OF COLORADO)
) SS
COUNTY OF Denver)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 28th DAY OF November, 1995, BY James S. Santilippo AS partner BY Joseph M. Catanti AS partner, AND BY Frank A. Pompinio AS Partner, OF FUTURA HORSE VILLAGE, A PARTNERSHIP.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES 10/3/97

Judy Willmarth
NOTARY PUBLIC

ANNEXATION MAP OF A TRACT OF LAND LOCATED IN THE NI/2 OF THE NEI/4 OF SECTION 3, TIN, R68W OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO.
FOR: BLACKFOX REAL ESTATE GROUP

IN ACCORDANCE WITH CRS 13-80-105,
<u>NOTICE</u>: ACCORDING TO COLORADO LAW YOU <u>MUST</u> COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

Drexel Barrell Engineers/Surveyors Incorporated
4840 Pearl East Cr., #114 Boulder, Co 80301 (303)442-4338
740 Wooten Rd #108 Colorado Springs, Co. 80915 (719) 591-5151

Revisions	Date	Date	Drawn By	Job No.
9/8/95		8/29/95	GJM	5621
9/14/95		Scale 1" = 100'	Checked By WKW	Drawing No. B66-80
10/3/95				