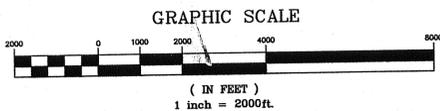


# JOHNSON FARMS/SPINDLE HILL ENERGY ANNEXATION NO. 1

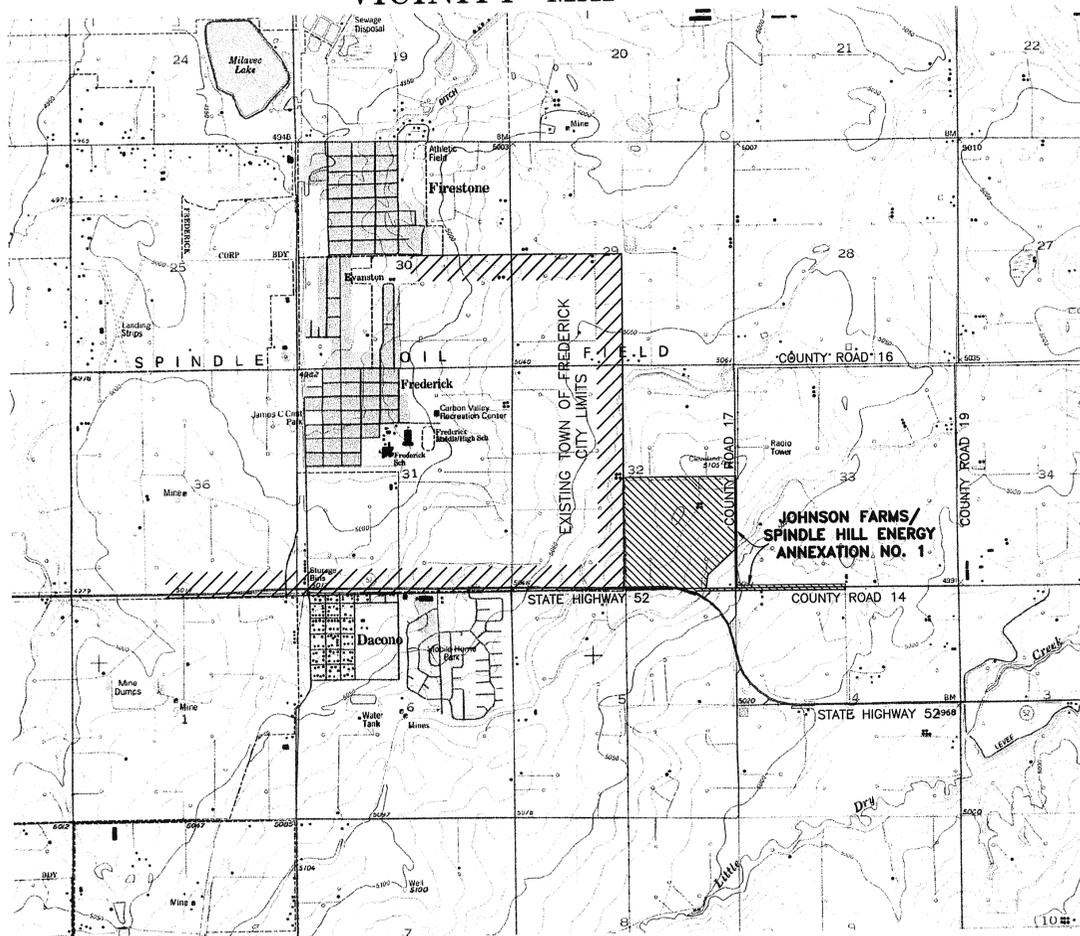
518

TO THE TOWN OF FREDERICK, COLORADO  
 A PART OF THE SOUTHEAST QUARTER SECTION 32, SOUTHWEST QUARTER SECTION 33 TOWNSHIP 2 NORTH,  
 AND THE NORTHWEST QUARTER SECTION 4, NORTHEAST QUARTER SECTION 5, TOWNSHIP 1 NORTH, RANGE 67  
 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO  
 CONTAINING 158.68 ACRES MORE OR LESS  
 SHEET 1 OF 2

3408518 03/02/2006 04:02P Weld County, CO  
 1 of 2 R 21.00 D 0.00 Steve Moreno Clerk & Recorder



## VICINITY MAP



### CERTIFICATE OF OWNERSHIP EXCEPT THAT PORTION OF RIGHT-OF-WAY LOCATED IN SECTION 4 AND 5, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6th P.M.

KNOW ALL MEN BY THESE PRESENTS THAT SUSAN J. TROUDT, THE ESTATE OF MARIAN J. BOTINELLI (DECEASED), CARLA JOHNSON HOBBS, AND WELD COUNTY BEING THE OWNER(S), MORTGAGEE OR LIENHOLDER OF CERTAIN LANDS IN WELD COUNTY, COLORADO DESCRIBED AS FOLLOWS:

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 32, THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 2 NORTH, RANGE 67 WEST OF THE 6TH P.M., AND THE NORTHWEST QUARTER OF SECTION 4, THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

- BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 32;
- THENCE NORTH 89°52'30" EAST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 32, A DISTANCE OF 2619.63 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 32;
- THENCE NORTH 89°51'36" EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, A DISTANCE OF 30.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF WELD COUNTY ROAD 17;
- THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, SOUTH 00°13'59" WEST, AND ALONG A LINE 30.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, A DISTANCE OF 2614.81 FEET TO THE NORTH RIGHT-OF-WAY LINE OF WELD COUNTY ROAD 14;
- THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, NORTH 89°50'33" EAST, AND ALONG A LINE 30.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, A DISTANCE OF 2570.52 FEET;
- THENCE SOUTH 00°09'27" EAST, A DISTANCE OF 60.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID WELD COUNTY ROAD 14;
- THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 89°50'33" WEST, AND ALONG A LINE 30.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 2600.93 FEET;
- THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 89°50'37" WEST, AND ALONG A LINE 30.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 771.83 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 52 AS DESCRIBED ON DEED RECORDED SEPTEMBER 8, 1961 AT RECEPTION NO. 1363337 IN THE RECORDS OF WELD COUNTY, COLORADO, AND THE WEST RIGHT-OF-WAY OF LATERAL NO. 5 OF THE BULL CANAL;
- THENCE ALONG SAID WEST RIGHT-OF-WAY LINE OF LATERAL NO. 5 OF THE BULL CANAL AND THE SOUTH RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 52, SOUTH 08°48'37" WEST, A DISTANCE OF 184.74 FEET;
- THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 52 AND ALONG THE ARC OF A CURVE TO THE LEFT NON-TANGENT TO THE PREVIOUS COURSE HAVING A RADIUS OF 1357.50 FEET A DISTANCE OF 495.90 FEET, THROUGH A CENTRAL ANGLE OF 20°55'49", HAVING A CHORD WHICH BEARS NORTH 71°41'23" WEST A DISTANCE OF 493.10 FEET;
- THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE NORTH 87°31'23" WEST, A DISTANCE OF 354.30 FEET;
- THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 89°50'37" WEST, AND ALONG A LINE 40.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 1016.73 FEET;
- THENCE NORTH 00°09'23" WEST, A DISTANCE OF 40.00 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 32;
- THENCE NORTH 00°39'26" EAST ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 32, A DISTANCE OF 2646.45 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THOSE PARCELS OF LAND DESCRIBED IN INSTRUMENTS RECORDED JUNE 19, 1912 IN BOOK 323, PAGE 505; AND JANUARY 31, 1968 IN BOOK 591 AS RECEPTION NO. 1512592.

HAVE LAID OUT THIS ANNEXATION MAP OF THE ABOVE DESCRIBED LAND UNDER THE NAME AND STYLE OF SPINDLE HILL ENERGY CENTER ANNEXATION NO. 1.

THIS DESCRIBED TRACT CONTAINS 158.68 ACRES AS MEASURED, MORE OR LESS, TOGETHER WITH AND SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY EXISTING AND/OR OF PUBLIC RECORD.

EXECUTED THIS 3RD DAY OF MAY, 2006.  
 \_\_\_\_\_  
 SUSAN J. TROUDT  
 OWNER, MORTGAGEE OR LIENHOLDER

STATE OF COLORADO )  
 COUNTY OF WELD ) SS

THE FOREGOING CERTIFICATE OF OWNERSHIP WAS ACKNOWLEDGED BEFORE ME BY SUSAN TROUDT AND \_\_\_\_\_ THIS 27th DAY OF July, 2006

WITNESS MY HAND AND SEAL \_\_\_\_\_ NOTARY PUBLIC  
 MY COMMISSION EXPIRES 6-30-07

TOGETHER WITH THE FOLLOWING HAVING A LEASEHOLD INTEREST:

- MINERAL RIGHTS:**
- ACCORDING TO THE MINERAL OWNERSHIP REPORT PROVIDED, THE SURFACE RIGHTS TO MINERALS LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32 ARE AS FOLLOWS.
- SUSAN JOHNSON TROUDT & GLENN TROUDT, INDIVIDUALLY AND JOINTLY C/O JOHNSON FARMS-JOHN R. HAILEY HAVE A 16.665% INTEREST.
- MARIAN J. BOTINELLI, (DECEASED) C/O JOHNSON FARMS-JOHN R. HAILEY HAS A 16.665% INTEREST.
- CARLA JOHNSON HOBBS & ALAN L. HOBBS, C/O JOHNSON FARMS-JOHN R. HAILEY HAVE A 16.67% INTEREST.
- CARL A. MILLER, ET AL HAS A 50% INTEREST
- ENCANA OIL & GAS (USA) INC 370 17th STREET, SUITE 700 DENVER, CO 80202
- MACHII-ROSS PETROLEUM CO PO BOX 430 FT. LUPTON, CO 80621

- NOTES:**
- THE SUBJECT PARCEL TO BE ANNEXED SATISFIES THE 1/6th CONTIGUITY REQUIREMENT AS FOUND IN THE STATE STATUTES. THE PERIMETER OF THE PARCEL TO BE ANNEXED IS 15,870.5 FEET HAVING 2646.5 FEET CONTIGUOUS WITH THE CURRENT TOWN OF FREDERICK BOUNDARY, SATISFYING THE MINIMUM REQUIREMENT OF AT LEAST 2645.1 FEET FOR THIS PARCEL.
  - THE BASIS OF BEARINGS FOR THIS SURVEY IS THE NORTH LINE OF THE SOUTH HALF OF SECTION 33, TOWNSHIP 2 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN BEARING NORTH 89°51'36" EAST FROM A FOUND 2" ALUMINUM CAP STAMPED "ALPHA ENGRG 1995" AT THE WEST QUARTER CORNER 5244.77 FEET TO A FOUND 2.5" ALUMINUM CAP IN A RANGE BOX STAMPED "PLS 12330" AT THE EAST QUARTER CORNER OF SAID SECTION 33.
  - THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH OF PUBLIC OR PRIVATE RECORDS BY DAVID EVANS AND ASSOCIATES, INC. FOR THE DISCOVERY OR DETERMINATION OF TITLE, OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER ENCUMBRANCES, DAVID EVANS AND ASSOCIATES, INC. RELIED UPON TITLE COMMITMENT NOS. 32858-REVISION NO. 4 DATED JUNE 19, 2006 PREPARED BY STEWART TITLE GUARANTY COMPANY AND 32817-REVISION NO. 4 DATED APRIL 16, 2006 PREPARED BY LONGMONT TITLE HOLDINGS, INC.
  - THE SUBJECT PARCEL LIES WITHIN ZONE C, "AREAS OF MINIMAL FLOODING" ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP PANEL NO. S 080266-0863 C AND 0864 C, DATED SEPTEMBER 28, 1982.

### SURVEYING CERTIFICATE

I, GARY LEAK, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ANNEXATION MAP SHOWN HEREON IS A CORRECT DELINEATION OF THE ABOVE DESCRIBED PARCEL OF LAND AND THAT AT LEAST ONE-SIXTH (1/6) OF THE PERIPHERAL BOUNDARY OF SAID PARCEL IS CONTIGUOUS TO THE PRESENT BOUNDARY OF THE TOWN OF FREDERICK, 2646.45 FEET CONTIGUOUS, PERIMETER 16,005.82 FEET.

I FURTHER CERTIFY THAT THIS MAP AND LEGAL DESCRIPTION WERE PREPARED UNDER MY PERSONAL SUPERVISION ON THIS 25TH DAY OF JULY, 2006.

By \_\_\_\_\_  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 STATE OF COLORADO  
 2006

### PLANNING COMMISSION CERTIFICATE

APPROVED BY THE FREDERICK PLANNING COMMISSION ON THIS DAY OF May, 2006

\_\_\_\_\_  
 CHAIRMAN  
 Kathy Larson  
 PLANNING COMMISSION SECRETARY

### CERTIFICATE OF APPROVAL BY THE BOARD OF TRUSTEES

THIS ANNEXATION MAP OF THE "JOHNSON FARMS/SPINDLE HILL ENERGY ANNEXATION NO. 1 TO THE TOWN OF FREDERICK" IS APPROVED AND ACCEPTED BY ORDINANCE NO. 835, PASSED AND ADOPTED AT THE REGULAR (SPECIAL) MEETING OF THE BOARD OF TRUSTEES OF FREDERICK, COLORADO, HELD ON MAY 11, 2006, AND RECORDED ON \_\_\_\_\_ AT RECEPTION NO. \_\_\_\_\_ IN THE RECORDS OF THE CLERK AND RECORDER OF WELD COUNTY, COLORADO, BY THE BOARD OF TRUSTEES OF FREDERICK, COLORADO.

\_\_\_\_\_  
 MAYOR

ATTEST:  
 \_\_\_\_\_  
 TOWN CLERK



### RECORDER'S CERTIFICATE

STATE OF COLORADO  
 COUNTY OF WELD  
 I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006  
 AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M., FILE \_\_\_\_\_ MAP \_\_\_\_\_  
 RECEPTION NUMBER \_\_\_\_\_  
 CLERK AND RECORDER  
 BY: \_\_\_\_\_

\_\_\_\_\_  
 OWNER, MORTGAGEE OR LIENHOLDER

STATE OF COLORADO )  
 COUNTY OF WELD ) SS

THE FOREGOING CERTIFICATE OF OWNERSHIP WAS ACKNOWLEDGED BEFORE ME BY \_\_\_\_\_ AND \_\_\_\_\_ THIS 27th DAY OF July, 2006

WITNESS MY HAND AND SEAL \_\_\_\_\_ NOTARY PUBLIC  
 MY COMMISSION EXPIRES 6-30-07

\_\_\_\_\_  
 OWNER, MORTGAGEE OR LIENHOLDER

STATE OF COLORADO )  
 COUNTY OF WELD ) SS

THE FOREGOING CERTIFICATE OF OWNERSHIP WAS ACKNOWLEDGED BEFORE ME BY \_\_\_\_\_ AND \_\_\_\_\_ THIS 27th DAY OF July, 2006

WITNESS MY HAND AND SEAL \_\_\_\_\_ NOTARY PUBLIC  
 MY COMMISSION EXPIRES 6-30-07

DATE	ADDRESS CITY COMMENTS	BSS
6/14/06	ADDRESS CITY COMMENTS	BSS
5/24/06	CHANGE ANNEXATION AT HWY 52	BSS
5/18/06	ADDRESS CITY COMMENTS	BSS
5/1/06	ADDRESS CITY ATTORNEY COMMENTS	BSS
4/6/06	ADDRESS CITY COMMENTS	BSS
3/15/06	ADDRESS ATTORNEY COMMENTS	BSS
3/1/06	ADD EASEMENTS AND ROW DEDICATION	BSS
1/1/06	PREPARE ANNEXATION MAP	BSS
DATE	DESCRIPTION	BY

OWNER	SUSAN J. TROUDT	14491 WELD CR 5, LONGMONT, CO	(303)-776-6195
OWNER	CARLA JOHNSON HOBBS	14491 WELD CR 5, LONGMONT, CO	(303)-776-3200
OWNER	PERSONAL REPRESENTATIVE OF MARIAN J. BOTINELLI	14491 WELD CR 5, LONGMONT, CO	(303) 444-9060
DEVELOPER	SPINDLE HILL ENERGY, LLC	1 SOUTH WACKER SUITE 2020, CHICAGO, IL	(312)-224-1400
ENGINEER	AMEC	1979 LAKESIDE PKWY, STE 150, TUCKER, GA	(770)-668-2524
SURVEYOR	DAVID EVANS AND ASSOCIATES, INC.	1331 17th ST, SUITE 900, DENVER, CO	(720) 946-0969

**DAVID EVANS AND ASSOCIATES, INC.**  
 1331 17th Street, Suite 900  
 Denver, CO  
 Tel: 720-946-0969  
 Fax: 720-946-0973  
 Engineers • Surveyors • Planners

