

CERTIFICATE OF OWNERSHIP

Know all men by these presents that Shadetree Eagle, LLC being the Owner, Mortgagee or Lienholder of certain lands in Frederick, Colorado, described herein, has caused said land to be final platted in to lots, tracts, blocks, streets and easements as shown hereon under the name of EAGLE BUSINESS PARK, FILING NO. 2, and do hereby dedicate to the public such public easements and other places designated or described for public uses as shown hereon and such other easements shown hereon for the purposes shown. The entities named on the easement, or responsible for the services and/or utilities for which the easements are established are hereby granted the perpetual right of ingress and egress from and to adjacent properties for the purposes named on the easement or for the installation, maintenance and replacement of utility lines and related facilities. The public easements, other places designated or described for public uses shown hereon and the electric and water distribution systems to be installed in the subdivision are dedicated and conveyed to the Town of Frederick, Colorado, in fee simple absolute, with marketable title, for public use and purposes. All conditions, terms and specifications designated or described herein shall be binding on the owner, its heirs, successors and assigns. The signature of any representative of any partnership or corporate entity indicates that all required partnership or corporate approvals have been obtained.

All of Parcel 1, EAGLE BUSINESS PARK, a subdivision located in a portion of the SE1/4 of Section 26, T2N, R68W of the 6th P.M., Town of Frederick, County of Weld, State of Colorado, recorded as Reception Number 3633221 of the records of Weld County, Colorado, EXCEPT that Right-of-way known as Eagle Boulevard, a tract of land conveyed to the Town of Frederick recorded with the records of Weld County, Colorado.

Area=106.364 Acres, more or less.

Have laid out this Subdivision Amendment Plat of the above described land under the name and style of EAGLE BUSINESS PARK, FILING NO. 2. Thus described Subdivision Amendment Plat contains 106.364 acres more or less, together with and subject to all easements and right-of-way existing and/or of public record.

Executed this 13th day of September A.D. 2013.

Has caused its name to be hereunto subscribed this 13th day of September 2013, BY Curtis McDonald, Manager Shadetree Eagle, LLC

BY: Shadetree
Curtis McDonald, Manager

STATE OF COLORADO } SS
COUNTY OF Weld

Has caused its name to be hereunto subscribed this 13th day of September 2013, BY Curtis McDonald, Manager

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: 11/21/2016

Kathleen L. Larson
NOTARY PUBLIC:
KATHLEEN L. LARSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20004031701
My Commission Expires Nov. 21, 2016

Has caused its name to be hereunto subscribed this _____ day of _____, 2013, BY

BY: _____
NAME: _____
TITLE: _____

STATE OF COLORADO } SS
COUNTY OF _____

Has caused its name to be hereunto subscribed this _____ day of _____, 2013.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC: _____

LENDER'S APPROVAL & SUBORINATION

The undersigned consents to the the Subdivision Plat and hereby subordinates any interest it may have to such dedication. Shadetree Eagle, LLC

BY: Arjuna Martin
Arjuna Martin, Manager

STATE OF COLORADO } SS
COUNTY OF Weld

The foregoing Lender's Approval and Subordination was acknowledged before me this 16th day of Sept, 2013 A.D.

NOTARY PUBLIC: Kathleen L. Larson

MY COMMISSION EXPIRES: 11/21/2016
KATHLEEN L. LARSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20004031701
My Commission Expires Nov. 21, 2016

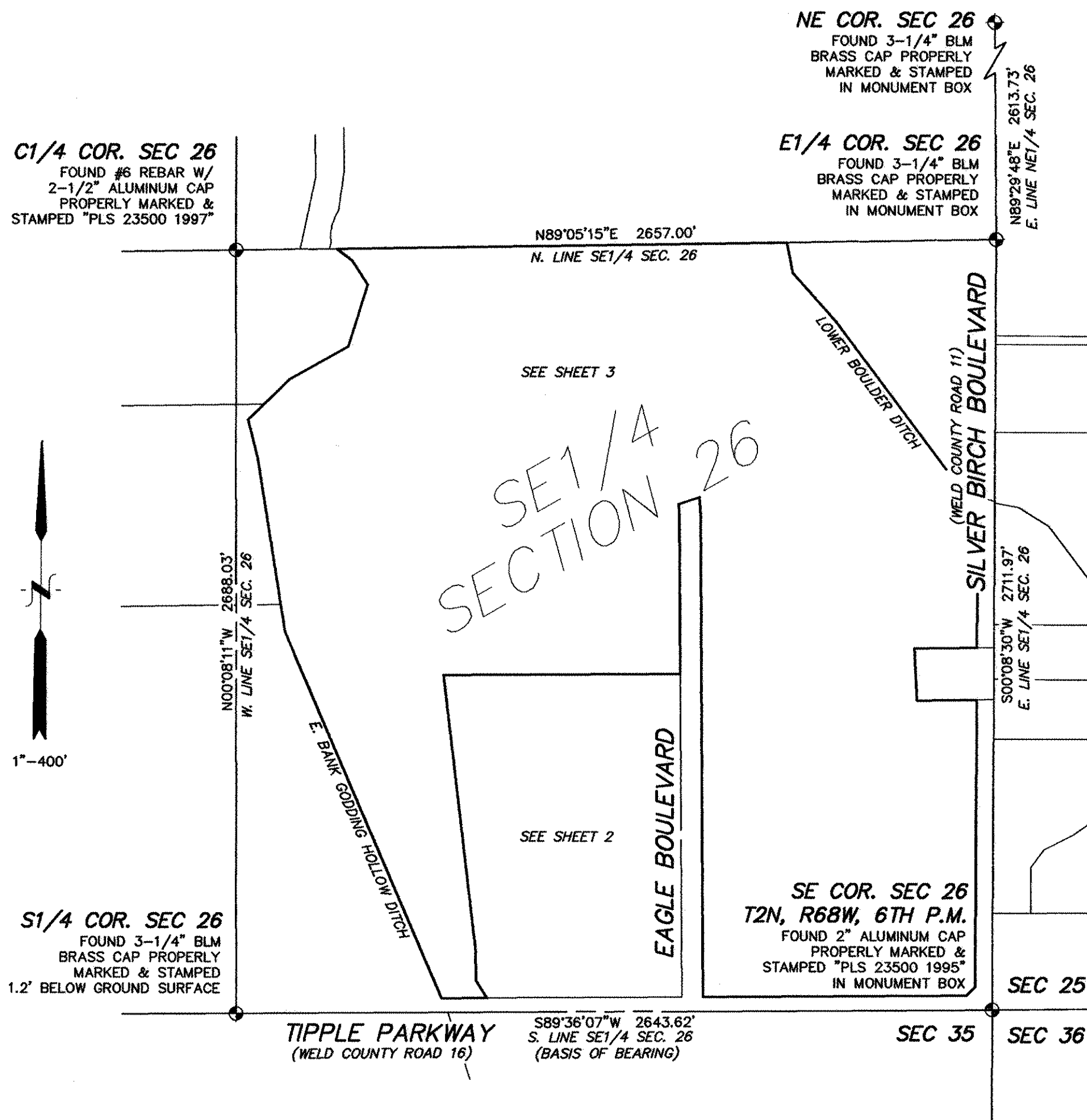
NOTES:

- Bearings shown on the accompanying Plat are based on the assumption that the South Line of the SE1/4 of Section 26, T2N, R68W of the 6th P.M. bears S89°36'07"W, as monumented and shown hereon.
- Set 18" long #5 rebar with 2" aluminum cap marked PLS 34592 at all exterior boundary corners and the exterior boundary corners, unless otherwise noted.
- According to the Federal Emergency Management Flood Insurance Rate Map No. 080266-0863C, dated September 28, 1982, revised date July 24, 2004; the Southwest Corner of this property may lie within Flood Zones A (area of 100-year flood) and C (areas of minimal flooding). The 100 year Flood Plain line was scaled from the FIRM and is approximate.
- The exterior boundary, recorded easements and rights-of-way, if any, are shown on the accompanying Plat as disclosed in the Land Title Guarantee Company, order number FCC25087058, dated April 23, 2013 at 5:00 p.m. Lands shown hereon may also be subject to the exceptions in said commitment number. Other interests or easements may exist. Per the request of the owner or owners agent, no additional research was completed by Kervin Inc. (See the List of Exceptions)
- The parcel may be subject to rights, interests, agreements, obligations, rights-of-way or easements in favor of any person or entity burdening the subject property which exist or are claimed to exist with respect to: a) any irrigation ditch and/or laterals; b) reservoir and/or reservoir rights; c) springs and/or spring rights; d) well and/or water rights; and e) the water and/or water laterals associated with the foregoing which may be located upon the land or associated with the land.
- A gap in title existing between the the Westerly Line of Eagle Business Park, "East Bank of the Gooding Hollow Ditch" and the Easterly Line of A and Lot B, Recorded Exemption No 1313-26-3-REB65 recorded January 6, 1988 in Book 1182 on File 0598 as Reception Number 2127162 of the records of Weld County Colorado. That said Recorded Exemption calls are to the "Centerline of Gooding Hollow Ditch as surveyed by Winger L.S. 10743 in 1982".
- A Development Agreement (MOAPI) may be filed with the Town of Frederick. That agreement should be viewed for additional stipulations or requirements that may encumber the property.
- All points of entry shall confirm to Town requirements. Where possible and as applicable, these points of entry and exit shall be combined for public safety, including but not limited combining to site access and oil and gas roads, as the site develops.
- The parcel is subject to surface agreements by K.P. Kauffman Company, Inc. and EnCana Oil & Gas (USA) Inc. The position of that 25' ROWline easement shown on sheet 2 and sheet 3 is not mathematically defined and is shown in an approximate position. It is recommended by Kervin Inc. to posthole and locate the exiting line before any construction within Lots 1A, 2A and 3A.
- Fieldwork was completed in July 2013 by Michael S. Kervin, PLS. Horizontal and vertical measurements were obtained by using a Leica 1203 and a Leica GS14 GPS system, a combination of conventional and GPS measurements were utilized.
- Final open space required is a minimum of 12% of the Eagle Business Park area or 15.287 acres. The final location of the open space shall be evaluated at the time of future development and future land division. An existing easement is provided for the future development of a trail along Gooding Hollow, subject to matters of record. The easement may be incorporated into and considered part of the overall required open space at time of development or future land division; however, future dedications or adjustments may also be required to meet the open space requirements of the Land Use Code, as amended.
- Future public Improvements shall be subject to the terms and conditions noted in the MEMORANDUM OF AGREEMENT FOR PUBLIC IMPROVEMENTS, as amended by each subsequent filing or development, as applicable.

SUBDIVISION AMENDMENT

EAGLE BUSINESS PARK, FILING NO. 2

A TRACT OF LAND LOCATED IN PORTION OF THE SE1/4 OF SECTION 26, T2N, R68W OF THE 6TH P.M. TOWN OF FREDERICK, COUNTY OF WELD, STATE OF COLORADO.
AREA = 106.364 ACRES, MORE OR LESS.



OWNER/DEVELOPER:

SHADETREE EAGLE, LLC
CURTIS McDONALD
P.O. Box 726
FAIRFIELD, IA 52556

SURVEYOR:

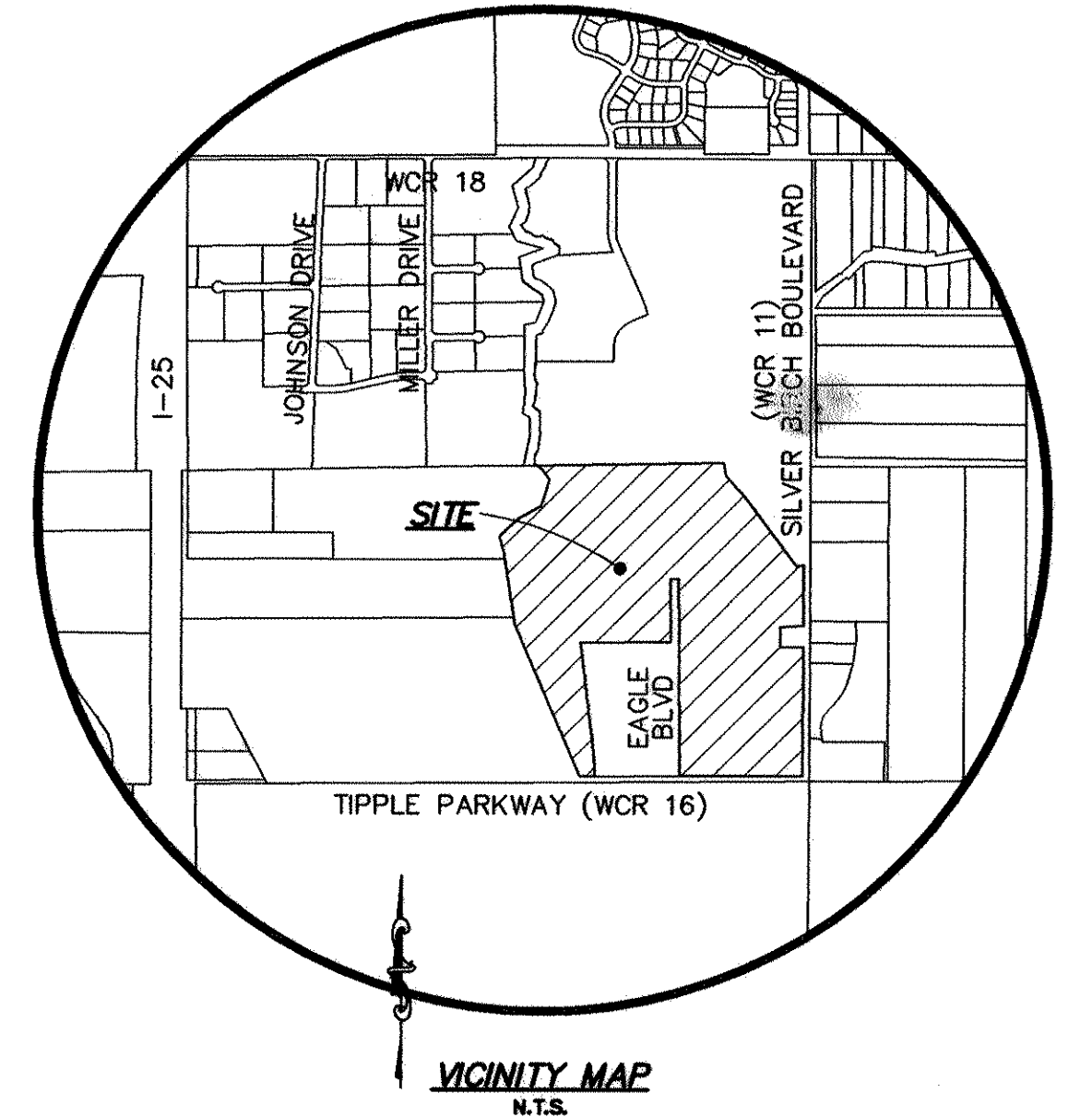
KERVIN INC.
55 ASPEN PLACE
EVERGREEN, CO 80439
970-531-8499

ENGINEER:

JLB CIVIL ENGINEERS
743 PEAR COURT
LOUISVILLE, CO 80027
303-604-1634

DATE PREPARED:

SEPTEMBER 11, 2013



SCHEDULE B EXCEPTIONS:

- RIGHT OF WAY FOR COUNTY ROADS 30 FEET ON EITHER SIDE OF SECTION AND TOWNSHIP LINES, AS ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS FOR WELD COUNTY, RECORDED OCTOBER 14, 1889 IN BOOK 86 AT PAGE 273.
- EXCEPTION 8. RIGHT OF PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES AS RESERVED IN UNITED STATES PATENT RECORDED DECEMBER 03, 1872, IN BOOK 8 AT PAGE 135.
- EXCEPTION 9. ALL OIL, GAS, MINERALS AND OTHER MINERAL RIGHTS AS RESERVED IN INSTRUMENT RECORDED MARCH 10, 1908, IN BOOK 278 AT PAGE 47.
- EXCEPTION 10. RIGHT OF WAY EASEMENT AS GRANTED TO NORTHERN COLORADO WATER CONSERVANCY DISTRICT IN INSTRUMENT RECORDED FEBRUARY 21, 1956, IN BOOK 1443 AT PAGE 261.
- EXCEPTION 11. OIL AND GAS LEASE RECORDED SEPTEMBER 14, 1970 UNDER RECEPTION NO. 1554541 IN BOOK 633 AND ANY AND ALL ASSIGNMENTS THEREOF, OR INTEREST THEREIN.
- EXCEPTION 12. OIL AND GAS LEASE RECORDED FEBRUARY 18, 1971 UNDER RECEPTION NO. 1562474 IN BOOK 640 AND ANY AND ALL ASSIGNMENTS THEREOF, OR INTEREST THEREIN.
- EXCEPTION 13. OIL AND GAS LEASE RECORDED DECEMBER 18, 1973 UNDER RECEPTION NO. 1626790 IN BOOK 705 AND ANY AND ALL ASSIGNMENTS THEREOF, OR INTEREST THEREIN.
- EXCEPTION 14. RIGHT OF WAY EASEMENT AS GRANTED TO AMOCO PRODUCTION COMPANY IN INSTRUMENT RECORDED MARCH 14, 1975, UNDER RECEPTION NO. 1656036 IN BOOK 734.
- EXCEPTION 15. RIGHT OF WAY EASEMENT AS GRANTED TO PANHANDLE EASTERN PIPE LINE CO IN INSTRUMENT RECORDED JANUARY 25, 1977, UNDER RECEPTION NO. 1709710 IN BOOK 788 AND FEBRUARY 23, 1978 AT RECEPTION NO. 1745418 IN BOOK 823.
- EXCEPTION 16. TERMS, CONDITIONS AND PROVISIONS OF DRY UP COVENANT RECORDED SEPTEMBER 09, 1980 AT RECEPTION NO. 1835511 IN BOOK 914.
- EXCEPTION 17. RIGHT OF WAY EASEMENT AS GRANTED IN INSTRUMENT RECORDED JULY 6, 1981 UNDER RECEPTION NO. 1862471 IN BOOK 940 AND RE-RECORDED NOVEMBER 25, 1981, UNDER RECEPTION NO. 1875538 IN BOOK 954 AND AGREEMENT RECORDED OCTOBER 8, 1984 UNDER RECEPTION NO. 1984275 IN BOOK 1045 AND AGREEMENT RECORDED JULY 27, 1988 AT RECEPTION NO. 2149527 IN BOOK 1203.
- EXCEPTION 18. TERMS, CONDITIONS AND PROVISIONS OF ANNEXATION AGREEMENT RECORDED FEBRUARY 15, 1989 AT RECEPTION NO. 2170876 IN BOOK 1228 AND AUGUST 19, 1991 AT RECEPTION NO. 2259958.
- EXCEPTION 19. TERMS, CONDITIONS AND PROVISIONS OF NOTICE RECORDED JANUARY 24, 1991 AT RECEPTION NO. 2239296 IN BOOK 1288.
- EXCEPTION 20. TERMS, CONDITIONS AND PROVISIONS OF ANNEXATION AGREEMENT RECORDED OCTOBER 05, 1995 AT IN BOOK 1514.
- EXCEPTION 21. RIGHT OF WAY EASEMENT AS GRANTED TO KN GAS GATHERING IN INSTRUMENT RECORDED MARCH 03, 1999, UNDER RECEPTION NO. 2677461.
- EXCEPTION 22. TERMS, CONDITIONS AND PROVISIONS OF ROADWAY LEASE RECORDED OCTOBER 31, 1977 AT RECEPTION NO. 1734645 IN BOOK 813.
- EXCEPTION 23. TERMS, CONDITIONS AND PROVISIONS OF WATER LINE EASEMENT RECORDED JULY 27, 1988 AT RECEPTION NO. 2149524 IN BOOK 1203. (NOT ON SUBJECT PROPERTY)
- EXCEPTION 24. MATTERS SET FORTH ON SURVEY BY ROCKY MOUNTAIN CONSULTANTS INC, JOB NO 10-3886-002-02, DATED DECEMBER 23, 2001 AT RECEPTION NO. 2820810.
- EXCEPTION 25. RIGHT OF WAY EASEMENT AS GRANTED TO TRI-STATE GENERATION AND TRANSMISSION ASSOCIATION, INC. IN INSTRUMENT RECORDED FEBRUARY 05, 2003, UNDER RECEPTION NO. 3030598 AND FEBRUARY 5, 2003 AT RECEPTION NO. 3030599
- EXCEPTION 26. TERMS, CONDITIONS AND PROVISIONS OF COMPATIBLE DEVELOPMENT AND SURFACE USE AGREEMENT RECORDED MARCH 09, 2006 AT RECEPTION NO. 3369246 AND AMENDED JULY 2, 2009 AT RECEPTION NO. 3634219
- EXCEPTION 27. TERMS, CONDITIONS AND PROVISIONS OF MATTERS SHOWN ON SURVEY RECORDED NOVEMBER 08, 2007 AT RECEPTION NO. 3516462
- EXCEPTION 28. TERMS, CONDITIONS AND PROVISIONS OF EASEMENT AND RIGHT OF WAY AGREEMENT RECORDED AUGUST 25, 2008 AT RECEPTION NO. 3574204
- EXCEPTION 29. TERMS, CONDITIONS AND PROVISIONS OF SURFACE USE AGREEMENT RECORDED JUNE 04, 2009 AT RECEPTION NO. 3627507
- EXCEPTION 30. TERMS, CONDITIONS AND PROVISIONS OF LAND EASEMENT AGREEMENT RECORDED JUNE 17, 2009 AT RECEPTION NO. 3630646.
- EXCEPTION 31. TERMS, CONDITIONS AND PROVISIONS OF NOTICE OF OIL AND GAS OPERATIONS RECORDED JUNE 17, 2009 AT RECEPTION NO. 3630647.
- EXCEPTION 32. TERMS, CONDITIONS AND PROVISIONS OF DEED OF DEDICATION RECORDED JUNE 24, 2009 AT RECEPTION NO. 3632302.
- EXCEPTION 33. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT RECORDED JUNE 29, 2009 AT RECEPTION NO. 3633221
- EXCEPTION 34. TERMS, CONDITIONS AND PROVISIONS OF AGREEMENT FOR PUBLIC IMPROVEMENTS RECORDED JUNE 29, 2009 AT RECEPTION NO. 3633220.
- EXCEPTION 35. RESTRICTIVE COVENANTS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS CONTAINED IN INSTRUMENT RECORDED JULY 02, 2009, UNDER RECEPTION NO. 3634222.
- EXCEPTION 36. TERMS, CONDITIONS AND PROVISIONS OF DETENTION AND DRAINAGE EASEMENT AGREEMENT RECORDED JULY 02, 2009 AT RECEPTION NO. 3634223.
- EXCEPTION 37. TERMS, CONDITIONS AND PROVISIONS OF ORDINANCE RECORDED NOVEMBER 10, 2009 AT RECEPTION NO. 3658791.
- EXCEPTION 38. TERMS, CONDITIONS AND PROVISIONS OF ORDINANCE RECORDED DECEMBER 30, 2009 AT RECEPTION NO. 3687878.
- EXCEPTION 39. TERMS, CONDITIONS AND PROVISIONS OF ORDINANCE RECORDED SEPTEMBER 29, 2010 AT RECEPTION NO. 3721790.
- EXCEPTION 40. TERMS, CONDITIONS AND PROVISIONS OF ORDINANCE RECORDED FEBRUARY 03, 2011 AT RECEPTION NO. 3748712.
- EXCEPTION 41. UNDIVIDED INTEREST IN AND TO ALL OIL, GAS AND MINERAL RIGHTS AS RESERVED BY MEREDITH O. JOHNSON IN DEED RECORDED JULY 08, 1976, UNDER RECEPTION NO. 1693182, AND IN DEED RECORDED NOVEMBER 25, 1981 AT RECEPTION NO. 1875538, AND ANY AND ALL ASSIGNMENTS THEREOF OR INTERESTS THEREIN. (SAME AS EXCEPTION 20)

NOTE:

Development shall occur in accordance with the adopted Comprehensive Plan for the Town of Frederick and is subject to the requirements of the Land Use Code including but not limited to the site plan process, road rights-of-way requirements, parks and open space dedications, and landscaping requirements. Dedications as noted in Section 2.7 Roads and in Section 2.11 Parks and Open Space of the Land Use Code shall be satisfied prior to recording any plat within Lot 1 and Parcel 1. Prior to the issuance of any building permit for Lot 1 or Parcel 1 specific roads, parks and open space dedications, and / or a cash in lieu payment may be required. For purposes of compliance with the Land Use Code, dedications located within Lot 1 shall be given only weight in proportion to the size of that lot relative to the combined acreage of Lot 1 and Parcel 1. At no time shall satisfaction of a proportionate share of public dedications located in Lot 1 be deemed to satisfy the overall dedication requirements imposed by the Land Use Code for the combined acreage of Lot 1 and Parcel 1, as that area is depicted on the Westervelt Rezone and Comprehensive Plan Amendment Map

STAFF CERTIFICATE OF APPROVAL:

This Subdivision Amendment Plat of the EAGLE BUSINESS PARK, FILING NO. 2 is approved and accepted by the Town of Frederick Staff this 11th day of September 2013 A.D. in accordance with Section 4.11.2 of the Land Use Code for Subdivision amendments.

Shadetree
Staff Planner or Planning Director or Town Manager

CLERK AND RECORDERS CERTIFICATE:

This plat was filed for record in the office of the County Clerk and Recorder of Weld County at the time of _____ m. on the _____ day of the month of _____ A.D. 2013, in the Book numbered _____ Page _____ Map _____ as Reception Number _____

FEES _____

RECORDER

BY: _____
DEPUTY

NOTICE:

According to Colorado law you MUST commence any legal action based upon any defect in this survey within three years after you first discovered 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.

SURVEYOR'S CERTIFICATE:

I, Michael Sean Kervin, a registered Professional Land Surveyor in the State of Colorado, do hereby certify that the Subdivision Amendment Plat shown hereon is a correct delineation of the above described parcel of land. I further certify that this Subdivision Amendment Plat and legal description were prepared under my personal supervision and in accord with applicable State of Colorado requirements, this day of Sept, 2013 A.D.



SHEET INDEX

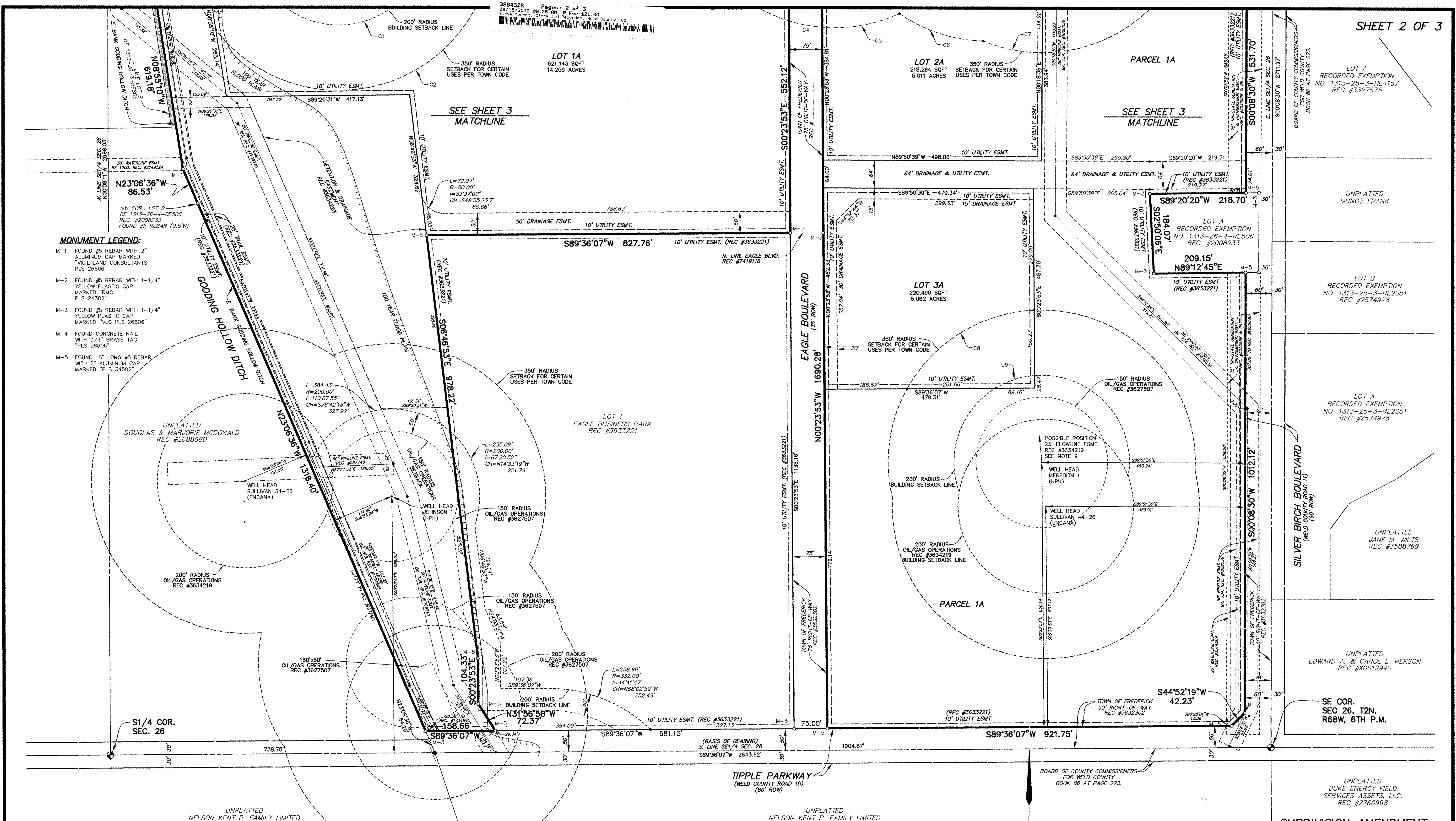
- | | |
|---|-----------------------|
| 1 | COVER SHEET |
| 2 | SOUTH 1/2 OF PROPERTY |
| 3 | NORTH 1/2 OF PROPERTY |

KERVIN INC SURVEYING		55 ASPEN PLACE EVERGREEN, CO 303-232-3648 970-531-8499	
DRAWN BY: MSK	DATE: 09/11/13	REVISIONS & DATE:	
CHECKED BY: MSK	SCALE: 1"=400'		
JOB NO: 09-003	NAME: PLAT F1		

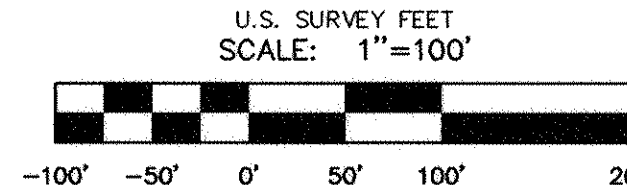
3984328 Pages: 2 of 3
09/19/2013 09:35 AM R Fee: \$21.00
Steve Moreno, Clerk and Recorder, Weld County, CO

MONUMENT LEGEND:

- M-1 FOUND #5 REBAR WITH 2" ALUMINUM CAP MARKED "VIGIL LAND CONSULTANTS PLS 24302"
- M-2 FOUND #5 REBAR WITH 1-1/4" YELLOW PLASTIC CAP MARKED "RMC PLS 24302"
- M-3 FOUND #5 REBAR WITH 1-1/4" YELLOW PLASTIC CAP MARKED "VLC PLS 26606"
- M-4 FOUND CONCRETE NAIL WITH 3/4" BRASS TAG "PLS 26606"
- M-5 FOUND 18" LONG #5 REBAR WITH 2" ALUMINUM CAP MARKED "PLS 34592"



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	C DIST
C1	441.25'	200.00'	126°24'30"	N85°58'25"E 357.05'	
C2	795.67'	350.00'	130°15'10"	N77°56'59"E 635.07'	
C3	202.38'	350.00'	33°07'48"	S56°18'59"E 199.57'	
C4	76.62'	350.00'	12°32'35"	S79°09'10"E 76.47'	
C5	180.99'	350.00'	29°37'45"	N79°45'40"E 178.98'	
C6	203.90'	350.00'	33°22'46"	S71°48'36"E 201.03'	
C7	137.82'	350.00'	22°33'41"	S78°50'40"E 136.93'	
C8	356.49'	350.00'	58°21'28"	S58°01'40"W 341.28'	
C9	94.41'	200.00'	27°02'45"	S71°53'05"W 93.53'	



**SUBDIVISION AMENDMENT
EAGLE
BUSINESS PARK
FILING NO. 2**

DRAWN BY: MSK	DATE: 09/11/13	REVISIONS & DATE:
CHECKED BY: MSK	SCALE: 1"=100'	
JOB NO: 09-003	NAME: PLAT F1	

2N 68W 26

