RECORDED EXEMPTION No. 1309-28-1 RE-4751

LEGAL DESCRIPTION:

LOT A OF RECORDED EXEMPTION NO. 1309-28-1-RE-2913, RECORDED MARCH 18, 2002 AT RECEPTION NO. 2934143 BEING A PART OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO.

CONTAINING 327,140.00 SQUARE FEET OR 7.510 ACRES, MORE OR LESS.

WELD COUNTY NOTES:

1) ALL PROPOSED OR EXISTING STRUCTURES WILL OR DO MEET THE MINIMUM SETBACK AND OFFSET REQUIREMENTS FOR THE ZONE DISTRICT IN WHICH THE PROPERTY IS LOCATED. PURSUANT TO THE DEFINITION OF SETBACK IN THE WELD COUNTY CODE, THE REQUIRED SETBACK IS MEASURED FROM THE FUTURE RIGHT-OF-WAY LINE.

* NO BUILDING OR STRUCTURE AS DEFINED AND LIMITED TO THOSE OCCUPANCIES LISTED AS GROUPS A, B, E, F,H, I, M AND R IN SECTION 302.1 OF THE 2003 INTERNATIONAL BUILDING CODE, SHALL BE CONSTRUCTED WITHIN A 200-FOOT RADIUS OF ANY TANK BATTERY OR WITHIN A 150-FOOT RADIUS OF ANY WELLHEAD. ANY CONSTRUCTION WITHIN A 200-FOOT RADIUS OF ANY TANK BATTERY OR 150-FOOT RADIUS OF ANY WELLHEAD SHALL REQUIRE A VARIANCE FROM THE TERMS OF THE SECTION 23-3-10 OF THE WELD COUNTY CODE.

2) ANY FUTURE STRUCTURES OR USES ON SITE MUST OBTAIN THE APPROPRIATE ZONING AND BUILDING PERMITS.

3) LOT A AND LOT B ARE NOT ELIGIBLE FOR A FUTURE LAND EXEMPTION IN ACCORDANCE WITH SECTION 24-8-20.C.2 OF THE WELD COUNTY CODE.

4) PRIOR TO THE RELEASE OF BUILDING PERMITS, THE APPLICANT SHALL SUBMIT A RECORDED DEED DESCRIBING THE LOT UPON WHICH THE BUILDING PERMIT IS REQUESTED WITH THE BUILDING PERMIT APPLICATIONS. THE LEGAL DESCRIPTION ON SUCH DEED SHALL INCLUDE THE LOT DESIGNATION AND RECORDED EXEMPTION NUMBER.

5) PRIOR TO THE RELEASE OF BUILDING PERMITS, THE APPLICANT SHALL SUBMIT EVIDENCE OF APPROVAL FROM THE FORT LUPTON FIRE PROTECTION DISTRICT TO THE WELD COUNTY BUILDING DEPARTMENT..

6) POTENTIAL PURCHASERS SHOULD BE AWARE THAT THE GROUNDWATER MAY NOT MEET ALL DRINKING WATER STANDARDS AS DEFINED BY THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT. THE WELD COUNTY DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT STRONGLY ENCOURAGES WELL USERS TO TEST THEIR DRINKING WATER PRIOR TO CONSUMPTION AND PERIODICALLY THERE AFTER.

7) LOTS A AND B SHALL SHARE WELL PERMIT NUMBER 269209.

8) SHOULD NOXIOUS WEEDS EXIST ON THE PROPERTY OR BECOME ESTABLISHED AS A RESULT OF THE PROPOSED DEVELOPMENT THE APPLICANT/LANDOWNER SHALL BE RESPONSIBLE FOR CONTROLLING THE NOXIOUS WEEDS, PURSUANT TO CHAPTER 15, ARTICLES I AND II OF THE WELD COUNTY CODE.

9) BUILDING PERMITS SHALL BE OBTAINED PRIOR TO THE CONSTRUCTION OF ANY BUILDING. BUILDINGS THAT MEET THE DEFINITION OF AN AG.EXEMPT BUILDING PER THE REQUIREMENTS OF SECTION 29-1-20 AND SECTION 29-3-20.B.13 OF THE WELD COUNTY CODE DO NOT NEED BUILDING PERMITS, HOWEVER, A CERTIFICATE OF COMPLIANCE MUST BE FILED WITH THE PLANNING DEPARTMENT AND AN ELECTRICAL AND/OR PLUMBING PERMIT IS REQUIRED FOR ANY ELECTRICAL SERVICE TO THE BUILDING OR WATER FOR WATERING OR WASHING OF LIVESTOCK OR POULTRY.

10) EFFECTIVE JANUARY 1, 2003, BUILDING PERMITS ISSUED ON THE PROPOSED LOTS WILL BE REQUIRED TO ADHERE TO THE FEE STRUCTURE OF THE COUNTY ROAD IMPACT PROGRAM. (ORDINANCE 2002-11)

11) EFFECTIVE AUGUST 1, 2005, BUILDING PERMITS ISSUED ON THE SUBJECT SITE WILL BE REQUIRED TO ADHERE TO THE FEE STRUCTURE OF THE CAPITAL EXPANSION IMPACT FEE AND THE STORMWATER/DRAINAGE IMPACT FEE. (ORDINANCE 2005-8 SECTION 5-8-40)

12) THE PROPERTY OWNER ACKNOWLEDGES THAT MINERAL OWNERS AND LESSEES HAVE REAL PROPERTY INTERESTS THAT ENTITLE THEM TO SURFACE USE IN ACCORDANCE WITH COLORADO STATE STATUTES AND APPLICABLE COLORADO OIL AND GAS CONSERVATION COMMISSION REGULATIONS.

13) WELD COUNTY'S RIGHT TO FARM: WELD COUNTY IS ONE OF THE MOST PRODUCTIVE AGRICULTURAL COUNTIES IN THE UNITED STATES, RANKING FIFTH IN TOTAL MARKET VALUE OF AGRICULTURAL PRODUCTS SOLD. THE RURAL AREAS OF WELD COUNTY MAY BE OPEN AND SPACIOUS, BUT THEY ARE INTENSIVELY USED FOR AGRICULTURE. PERSONS MOVING INTO A RURAL AREA MUST RECOGNIZE AND ACCEPT THERE ARE DRAWBACKS, INCLUDING CONFLICTS WITH LONGSTANDING AGRICULTURAL PRACTICES AND A LOWER LEVEL OF SERVICES THAN IN TOWN. ALONG WITH THE DRAWBACKS COME THE INCENTIVES WHICH ATTRACT URBAN DWELLERS TO RELOCATE TO RURAL AREA: OPEN VIEWS, SPACIOUSNESS, WILDLIFE, LACK OF CITY NOISE AND CONGESTION, AND THE RURAL ATMOSPHERE AND WAY OF LIFE. WITHOUT NEIGHBORING FARMS, THOSE FEATURES WHICH ATTRACT URBAN DWELLERS TO RURAL WELD COUNTY WOULD QUICKLY BE GONE FOREVER.

AGRICULTURAL USERS OF THE LAND SHOULD NOT BE EXPECTED TO CHANGE THEIR LONG-ESTABLISHED AGRICULTURAL PRACTICES TO ACCOMMODATE THE INTRUSIONS OF URBAN USERS INTO A RURAL AREA. WELL RUN AGRICULTURAL ACTIVITIES WILL GENERATE OFF-SITE IMPACTS, INCLUDING NOISE FROM TRACTORS AND EQUIPMENT; SLOW-MOVING FARM VEHICLES ON RURAL ROADS; DUST FROM ANIMAL PENS, FIELD WORK, HARVEST, AND GRAVEL ROADS; ODOR FROM ANIMAL CONFINEMENT, SILAGE, AND MANURE; SMOKE FROM DITCH BURNING; FLIES AND MOSQUITOES; AND THE USE OF PESTICIDES AND FERTILIZERS IN THE FIELDS, INCLUDING THE USE OF AERIAL SPRAYING. DITCHES AND RESERVOIRS CANNOT SIMPLY BE MOVED OUT OF THE WAY OF RESIDENTIAL DEVELOPMENT WITHOUT THREATENING THE EFFICIENT DELIVERY OF IRRIGATION TO FIELDS WHICH IS ESSENTIAL TO FARM PRODUCTION.

SECTION 35-3.5-102, C. R. S., PROVIDES THAT AN AGRICULTURAL OPERATION SHALL NOT BE FOUND TO BE A PUBLIC OR PRIVATE NUISANCE IF THE AGRICULTURAL OPERATION ALLEGED TO BE A NUISANCE EMPLOYS METHODS OR PRACTICES THAT ARE COMMONLY OR REASONABLY ASSOCIATED WITH AGRICULTURAL PRODUCTION.
WELD COUNTY COVERS A LAND AREA OF OVER 4,000 SQUARE MILES IN SIZE (TWICE THE STATE OF DELAWARE) WITH MORE THAN 3,700 MILES OF STATE AND COUNTY ROADS OUTSIDE OF MUNICIPALITIES. THE SHEER MAGNITUDE OF THE AREA TO BE SERVED STRETCHES AVAILABLE RESOURCES. LAW ENFORCEMENT IS BASED ON RESPONSES TO COMPLAINTS MORE THAN ON PATROLS OF THE COUNTY AND THE DISTANCES WHICH MUST BE TRAVELED MAY DELAY ALL EMERGENCY RESPONSES, INCLUDING LAW ENFORCEMENT, AMBULANCE, AND FIRE. FIRE PROTECTION IS USUALLY PROVIDED BY VOLUNTEERS WHO MUST LEAVE THEIR JOBS AND FAMILIES TO RESPOND TO EMERGENCIES. COUNTY GRAVEL ROADS, NO MATTER HOW OFTEN THEY ARE BLADED, WILL NOT PROVIDE THE SAME KIND OF SURFACE EXPECTED FROM A PAVED ROAD. SNOW REMOVAL PRIORITIES MEAN THAT ROADS FROM SUBDIVISIONS TO ARTERIALS MAY NOT BE CLEARED FOR SEVERAL DAYS AFTER A MAJOR SNOWSTORM. SNOW REMOVAL FOR ROADS WITHIN SUBDIVISIONS ARE OF THE LOWEST PRIORITY FOR PUBLIC WORKS OR MAY BE THE PRIVATE RESPONSIBILITY OF THE HOMEOWNERS. SERVICES IN RURAL AREAS, IN MANY CASES, WILL NOT BE EQUIVALENT TO MUNICIPAL SERVICES. RURAL DWELLERS MUST, BY NECESSITY, BE MORE SELF-SUFFICIENT THAN URBAN DWELLERS.

CHILDREN ARE EXPOSED TO DIFFERENT HAZARDS IN THE COUNTY THAN IN AN URBAN OR SUBURBAN SETTING. FARM EQUIPMENT AND OIL FIELD EQUIPMENT, PONDS AND IRRIGATION DITCHES, ELECTRICAL POWER FOR PUMPS AND CENTER PIVOT OPERATIONS, HIGH SPEED TRAFFIC, SAND BURS, PUNCTURE VINES, TERRITORIAL FARM DOGS, AND LIVESTOCK PRESENT REAL THREATS TO CHILDREN. CONTROLLING CHILDREN'S ACTIVITIES IS IMPORTANT, NOT ONLY FOR THEIR SAFETY, BUT ALSO FOR THE PROTECTION OF THE FARMER'S LIVELIHOOD. PARENTS ARE RESPONSIBLE FOR THEIR CHILDREN.

TITLE EXCEPTIONS:

(PER SECURITY TITLE GUARANTY CO., COMMITMENT NO. S0123730, AMEND. NO. 2)

7) RIGHT OF THE PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES HEREBY GRANTED AND A RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES, AS RESERVED IN UNITED STATES PATENT RECORDED MARCH 24, 1893 IN BOOK 51 AT PAGE 205.

8) UNDIVIDED 1/2 INTEREST IN AND TO ALL OIL, GAS AND OTHER MINERALS AS RESERVED BY HENRY C. BOSTON AND BYERS C. BOSTON IN DEED TO JAMES K. NICKERSON AND THELMA FRANCES NICKERSON, RECORDED FEBRUARY 21, 1952 IN BOOK 1324 AT PAGE 202, AND ANY AND ALL ASSIGNMENTS THEREOF OR INTERESTS THEREIN.

9) OIL AND GAS LEASE BETWEEN J. KEITH BRIGHT AND JERALDINE H. BRIGHT AND ENERGY MINERALS CORPORATION, RECORDED JULY 09, 1970 UNDER RECEPTION NO. 1550978 AND ANY AND ALL ASSIGNMENTS THEREOF, OR INTEREST THEREIN.

10) AN OIL AND GAS LEASE, FROM EDNA M. BOSTON AND MARY ELIZABETH BOSTON AS LESSOR(S) TO ENERGY MINERALS CORPORATION DATED JUNE 12, 1970, RECORDED AUGUST 24, 1970, IN BOOK 631 RECEPTION NO 1553496, AND ALL INTERESTS THEREIN

11) RIGHT OF WAY GRANT FOR PIPELINE GRANTED TO PANHANDLE WESTERN GAS COMPANY, RECORDED MARCH 5, 1973 UNDER RECEPTION NO. 1608438, SAID RIGHT OF WAY NOT DEFINED.

12) AN OIL AND GAS LEASE, FROM ESTATE OF JOHN THOMAS BOSTON TO MARTIN OIL SERVICE, INC. AS DATED DECEMBER 22, 1973, RECORDED JANUARY 7, 1974 IN BOOK 706 RECEPTION 1627815 AND ALL INTERESTS THEREIN

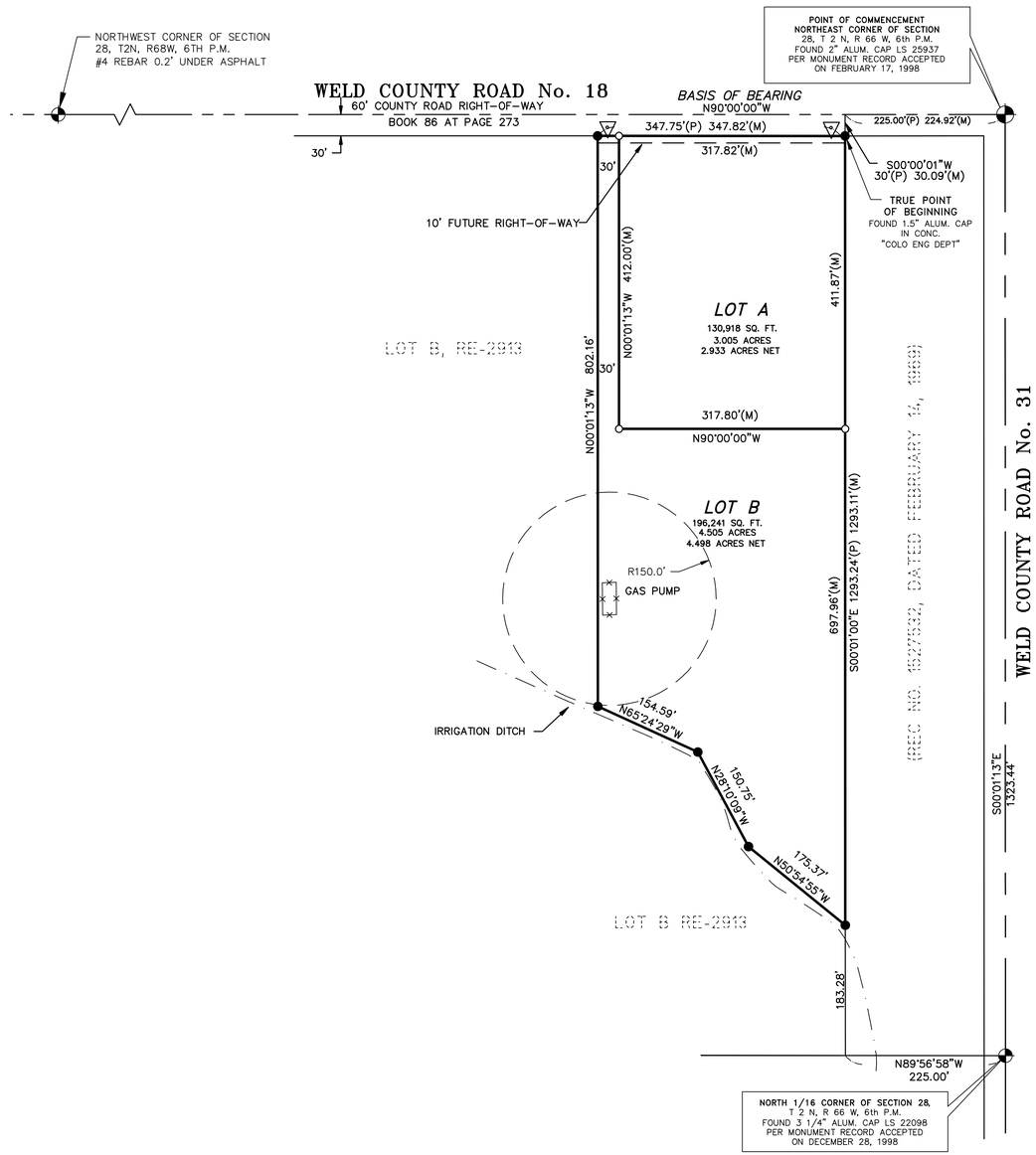
13) AN UNDIVIDED FULL PRESENT INTEREST IN ALL OIL, GAS AND OTHER MINERALS CONVEYED TO ROBERT SCHOLL BY MINERAL DEED, RECORDED JANUARY 13, 1977 IN BOOK 787 AT RECEPTION 1908689 AND ALL INTERESTS THEREIN.

14) TERMS, CONDITIONS AND PROVISIONS OF RIGHT OF WAY AGREEMENT BETWEEN GERHARD MAIER AND BOBBY MAIER AND CONTINENTAL PIPE LINE COMPANY, A DELAWARE CORPORATION RECORDED AT RECEPTION NO. 1817712.

15) ITEMS AS SET FORTH ON THE PLAT OF RECORDED EXEMPTION 1309-28-1-RE-2913

16) RIGHT OF WAY FOR COUNTY ROADS 30 FEET 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.

17) FACT, AS DISCLOSED BY DOCUMENTS RECORDED MARCH 18, 2002 AT RECEPTION NO. 2934143, THAT SOME VIOLATION OF THE ENVIRONMENTAL PROTECTION LAWS MAY HAVE OCCURRED WHICH MAY AFFECT THE LAND.



NORTH

SCALE: 1" = 100'

0 50 100 200

SURVEYOR'S NOTES:

1) SECURITY TITLE GUARANTY CO., COMMITMENT NO. S0123730, AMEND. NO. 2, DATED MARCH 29, 2006, WAS ENTIRELY RELIED UPON FOR RECORDED INFORMATION REGARDING RIGHTS- OF-WAY, EASEMENTS AND ENCUMBRANCES IN THE PREPARATION OF THIS SURVEY.

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

3) BASIS OF BEARINGS: N90°00'00"E (ASSUMED), ALONG THE NORTH LINE OF SECTION 28. T2N, R68W, 6TH P.M., BEING MONUMENTED AS SHOWN.

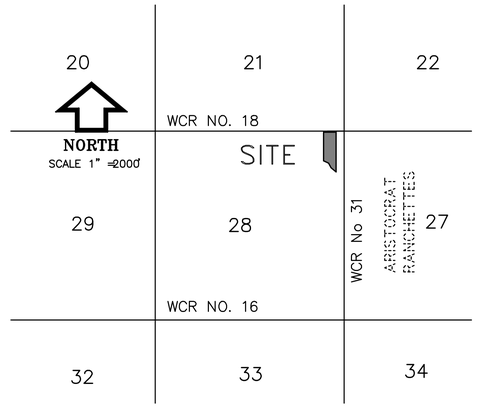
4) THE PURPOSE OF THIS EXEMPTION SURVEY IS TO CREATE TWO SEPARATE PROPERTIES FROM ONE PROPERTY.

5) ALL DISTANCES AS PLATTED AND MEASURED, UNLESS NOTED OTHERWISE

LEGEND:

- ● FOUND #5 REBAR W/ YELLOW CAP EHRHART LS 29414 UNLESS NOTED OTHERWISE
- O SET #5 REBAR W/ YELLOW CAP EHRHART LS 29414
- EXISTING ACCESS
- (P) PLATTED DISTANCE (RE-2913)
- (M) MEASURED DISTANCE

VICINITY MAP
1" = 2000'



DEPARTMENT OF PLANNING SERVICES CERTIFICATE:

THIS PLAT IS ACCEPTED AND APPROVED FOR FILING.

_____.
DEPARTMENT OF PLANNING SERVICES DIRECTOR

THE FOREGOING CERTIFICATION WAS ACKNOWLEDGED BEFORE ME

THIS _____ DAY OF _____, A.D., 2008.

MY COMMISSION EXPIRES: _____.

NOTARY PUBLIC

_____.
WITNESS MY HAND AND SEAL

OWNERSHIP CERTIFICATE:

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

_____ _____.
ROBIN VALOIS MICHELLE VALOIS

THE FOREGOING CERTIFICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, A.D., 2008.

MY COMMISSION EXPIRES: _____.

NOTARY PUBLIC

_____.
WITNESS MY HAND AND SEAL

SURVEYOR'S CERTIFICATE:

I, JOHN P. EHRHART, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS RECORDED EXEMPTION PLAT WAS PREPARED UNDER MY PERSONAL SUPERVISION, AND THAT THIS IS AN ACCURATE REPRESENTATION THEREOF. I FURTHER CERTIFY THAT THE SURVEY AND THIS PLAT COMPLIES WITH ALL APPLICABLE RULES, REGULATIONS, AND LAWS OF THE STATE OF COLORADO, STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS, AND WELD COUNTY.

COLORADO REGISTERED JOHN P. EHRHART 29414 PROFESSIONAL LAND SURVEYOR

_____
JOHN P. EHRHART
COLORADO P.L.S. #29414
PRESIDENT, INTEGRAL SURVEYING, INC.
P.O. BOX 930, 568 BRIGGS STREET
ERIE, COLORADO 80516, (303) 828-3340

RECORDED EXEMPTION PLAT
VALOIS PROPERTY -- RE-4751
N 1/2 OF THE NE 1/4 OF SECTION 28
TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M.
COUNTY OF WELD, STATE OF COLORADO

Integral Surveying
Mapping the Future
P.O. Box 930 • 568 Briggs Street • Erie, Colorado 80516
(303) 828-3340 • FAX: (303) 828-3418
www.integralsurveying.com • www.coloradoalta.com

SHEET:	1 OF 1
DATE:	02/25/08
DRAWN BY:	SRA
PROJECT:	S085002

Drawing file: S085002.dwg