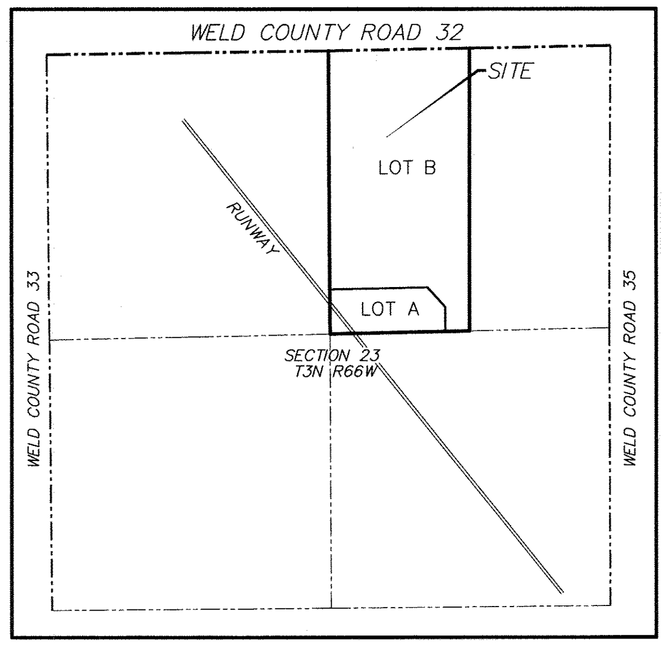
RECORDED EXEMPTION NO. 1211-23-1 RE-5071

BEING LOCATED WITHIN THE WEST ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SECTION 23, TOWNSHIP 3 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO.

727

3766727 05/05/2011 10:57A Weld County, CO
1 of 1 R 11.00 D 0.00 Steve Moreno Clerk & Recorder



VICINITY MAP
SCALE: 1"=1000'

LEGEND:

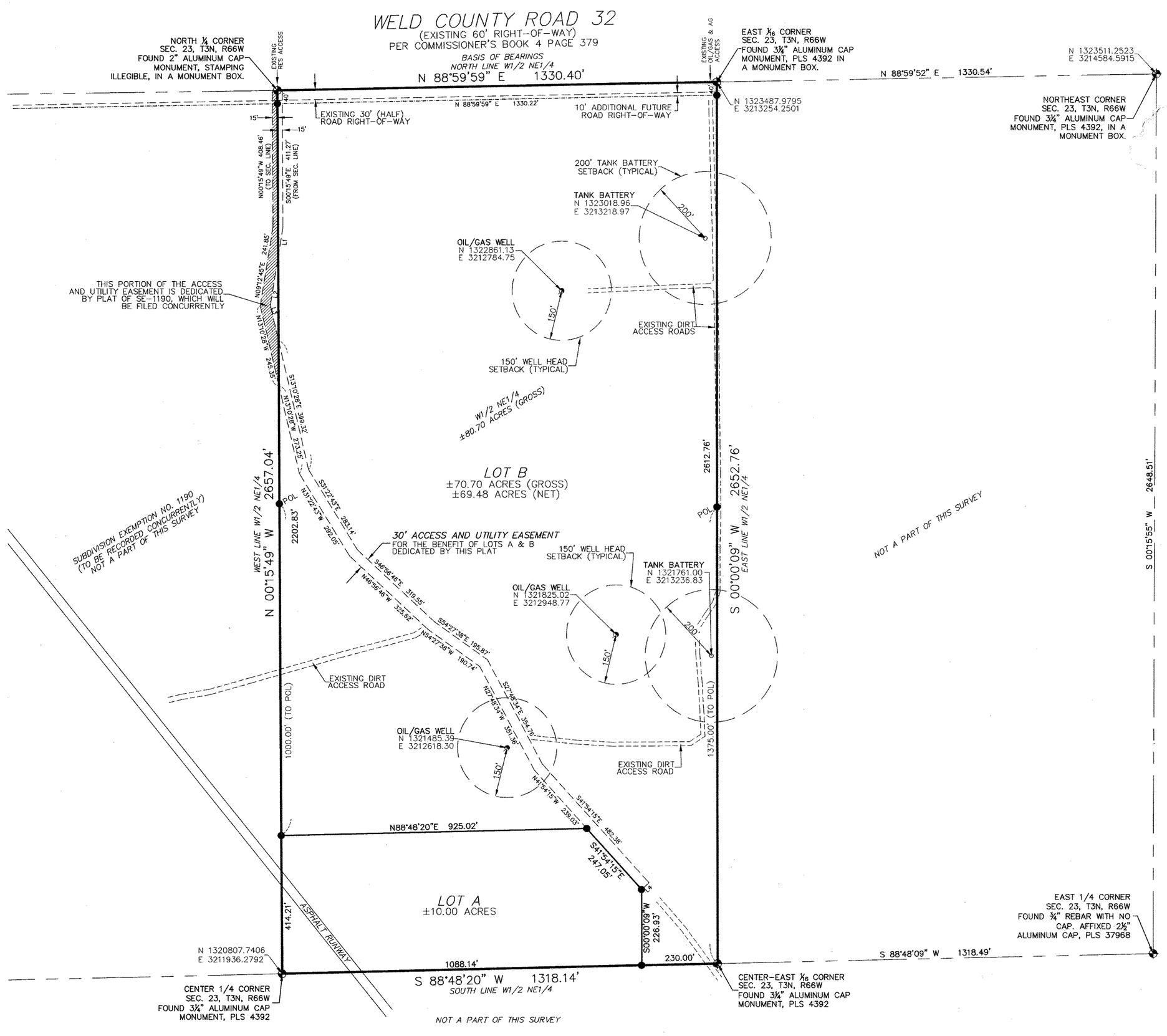
- DENOTES ALIQUOT CORNER AS DESCRIBED HEREON
- DENOTES SET 5/8" REBAR WITH PLASTIC CAP, PLS 37968

GRAPHIC SCALE

200 0 100 200 400 800

(IN FEET)
1 inch = 200 ft.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S09°12'45"W	91.11'
L2	S09°12'45"W	147.29'
L3	S13°10'28"E	108.53'
L4	N48°05'45"E	30.00'



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 is not eligible for a future land exemption in accordance with Section 24-8-20.C.1 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 permit, the applicant shall submit evidence of approval from the Platteville/Gilcrest Fire Protection District to the Weld County Building Department.

6) Potential purchasers should be aware that Lot A may not be eligible for a domestic well permit which allows for outside irrigation and/or watering of stock animals. The State Division of Water Resources issues all well permits.

7) Potential purchasers should be aware that 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 stongly encourages well users to test their drinking water prior to consumption and periodically there after.

8) Potential purchasers should be aware that approval of this Recorded Exemption does not guarantee that well permits will be issued for the lots. Any lot may be deemed non-buildable if the lot owner is unable to obtain a well permit. The State Division of Water Resources issues all well permits.

9) 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 Chapter 15, Articles I and II of the Weld County Code.

10) Recorded Exemptions on adjacent properties may raise the issue of compliance with the intent of the Recorded Exemption Process. Approval of this Recorded Exemption does not guarantee approval of future applications on adjacent properties.

11) 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)

12) 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 Impace Fee. (Ordinance 2005-8 Section 5-8-40)

13) WELD COUNTY'S RIGHT TO FARM: Weld County is one of the most productive agricultural counties in the United States, typically ranking in the top ten counties in the country 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 long-standing 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 areas: 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; hunting and trapping activities; shooting sports, legal hazing of nuisance wildlife; and the use of pesticides and fertilizers in the fields, including the use of aerial spraying. It is common practice for agricultural producers to utilize an accumulation of agricultural machinery and supplies to assist in their agricultural operations. A concentration of miscellaneous agricultural materials often produces a visual disparity between rural and urban areas of the County. 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.

Water has been, and continues to be, the lifeline for the agricultural community. It is unrealistic to assume that ditches and reservoirs may simply be moved "out of the way" of residential development. When moving to the County, property owners and residents must realize they cannot take water from irrigation ditches, lakes, or other structures, unless they have an adjudicated right to the water.

Weld County covers a land area of approximately four thousand (4,000) square miles in size (twice the size of the State of Delaware) with more than three thousand seven hundred (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. 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.

People 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, and open burning present real threats. Controlling children's activities is important, not only for their safety, but also for the protection of the farmer's livelihood.

PROPERTY DESCRIPTION:

THE WEST ONE-HALF OF THE NORTHEAST ONE-QUARTER (W½NE¼) OF SECTION 23, TOWNSHIP 3 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO.

CONTAINS 80.70 ACRES MORE OR LESS (GROSS) BY THIS SURVEY.

PROPERTY OWNER'S CERTIFICATE:

I, THE UNDERSIGNED, BEING THE OWNER IN FEE OF THE HEREON DESCRIBED PROPERTY DO HEREBY SUBDIVIDE THE SAME AS SHOWN ON THE ATTACHED MAP. I UNDERSTAND THAT THIS PROPERTY IS LOCATED IN AN AGRICULTURAL ZONE DISTRICT AND IS ALSO INTENDED TO PROVIDE AREAS FOR THE CONDUCT OF OTHER USED BY RIGHT, ACCESSORY USES AND USES BY SPECIAL REVIEW.

OWNER: MELBA L. FARLEY TRUST

Melba L. Farley
TRUSTEE, MELBA L. FARLEY

STATE OF COLORADO)
) SS
COUNTY OF Weld)

THE FOREGOING CERTIFICATE WAS ACKNOWLEDGED BEFORE ME THIS 27th DAY OF April A.D., 2011 BY Melba L. Farley as Trustee of the Melba L. Farley Trust

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC Dale Leigh Downing

MY COMMISSION EXPIRES: 8-5-13

DALE LEIGH DOWNING
NOTARY PUBLIC
STATE OF COLORADO

EASEMENT DECICATION CERTIFICATE:

THE UNDERSIGNED, DOES HEREBY DEDICATE, FOR THE BENEFIT OF THE PROPERTIES SHOWN OR DESCRIBED HEREON, EASEMENTS FOR THE PURPOSES SHOWN OR DESCRIBED HEREON.

Melba L. Farley
TRUSTEE, MELBA L. FARLEY

DEPARTMENT OF PLANNING SERVICES APPROVAL:

THIS PLAT IS ACCEPTED AND APPROVED BY THE DEPARTMENT OF PLANNING SERVICES FOR FILING.

M Parko
DEPARTMENT of PLANNING SERVICES DIRECTOR

THE FOREGOING CERTIFICATE WAS ACKNOWLEDGED BEFORE ME THIS 4th DAY OF May A.D., 2011.

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC

MY COMMISSION EXPIRES: 10/26/14

BILLIE J. MOORE
NOTARY PUBLIC
STATE OF COLORADO

SURVEYOR'S CERTIFICATE:

I, ROBERT M. EDMONDS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT THIS SURVEY REPRESENTED BY THIS PLAT WAS MADE UNDER MY PERSONAL SUPERVISION, AND THAT THIS PLAT 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.

Robert M. Edmonds
4/14/11

ROBERT M. EDMONDS, PLS 37968

DATE

SURVEYOR'S NOTES:

1) THIS RECORDED EXEMPTION PLAT WAS PREPARED FOR SUBMITTAL TO THE WELD COUNTY DEPARTMENT OF PLANNING.

2) THIS RECORDED EXEMPTION PLAT AND THE INFORMATION HEREON, MAY NOT BE USED FOR ANY ADDITIONAL OR EXTENDED PURPOSES BEYOND THAT FOR WHICH IT WAS INTENDED AND MAY NOT BE USED BY ANY PARTIES OTHER THAN THOSE TO WHICH IT IS CERTIFIED.

3) THIS RECORDED EXEMPTION PLAT DOES NOT CONSTITUTE A "TITLE SEARCH" BY EDMONDS LAND SURVEYING, INC. OF THE PROPERTY SHOWN AND DESCRIBED HEREON TO DETERMINE OWNERSHIP OF THIS TRACT OF LAND, COMPATIBILITY OF THIS DESCRIPTION WITH THOSE ADJACENT TRACTS OF LAND, OR RIGHTS-OF-WAY, EASEMENTS AND ENCUMBRANCES OF RECORD AFFECTING THIS TRACT OF LAND. A COMPLETE TITLE COMMITMENT POLICY WAS NOT PROVIDED TO THE SURVEYOR IN THE PREPARATION OF THIS PLAT. THERE MAY BE EASEMENTS AND/OR RIGHTS-OF-WAY ON RECORD, WHICH ARE NOT SHOWN ON THIS PLAT. THE PROPERTY DESCRIPTION WAS PROVIDED BY THE CLIENT.

4) 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 CERTIFICATION SHOWN HEREON.

5) GROSS AREA INCLUDES THOSE PORTIONS WITHIN THE 40' WIDE (HALF) COUNTY ROAD RIGHT-OF-WAY. NET AREA EXCLUDES THE 40' WIDE (HALF) COUNTY ROAD RIGHT-OF-WAY.

6) THE LINEAL UNIT OF MEASUREMENT FOR THE SURVEY OF THIS PROPERTY IS U.S. SURVEY FEET.

BASIS OF BEARINGS:

BEARINGS FOR THIS SURVEY ARE BASED ON THE NORTH LINE OF THE WEST ONE-HALF OF THE NORTHEAST ONE-QUARTER (W½NE¼) OF SECTION 23, TOWNSHIP 3 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN BETWEEN TWO FOUND SURVEY MONUMENTS AS SHOWN AND DESCRIBED HEREON. SAID LINE BEARS N88°59'59"E, BEING A GRID BEARING ON THE COLORADO STATE PLANE COORDINATE SYSTEM, COLORADO NORTH ZONE, NAD83/2007.

COORDINATE DATA:

THE COORDINATES LISTED HEREON FOR THE OIL/GAS WELL AND TANK BATTERY SETBACKS ARE "GROUND" COORDINATES, DERIVED FROM STATE PLANE VALUES (COLORADO NORTH ZONE, NAD1983/2007 BY USING A CALCULATED COMBINED FACTOR OF 0.999724244 (1.000275832) SCALED FROM AN ORIGIN OF 0,0)

DATE: FEBRUARY 25, 2011 | BK: 101
SCALE: 1"=200' | CHK: RME
DWG: RME
PLAT: 03N66W23-104

CLIENT:
MELBA L. FARLEY TRUST
AND
OTIS, COAN & PETERS, LLC

EDMONDS LAND SURVEYING, INC.
PO BOX 641 KERSEY, CO 80644
P: (970) 686-6970
F: (970) 284-6802
www.EdmondsLandSurveying.com

REVISIONS

RECORDED EXEMPTION PLAT
RECORDED EXEMPTION NO. 1211-23-1 RE-5071
THE W1/2 OF THE NE1/4 OF SECTION 23, T3N, R66W OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO.

PROJECT NO.: 11-0139

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SHEET 1 OF 1