

DEAN ANNEXATION MAP TO THE TOWN OF FREDERICK

Of a Parcel of Land,
 Situate in the Northeast Quarter of Section 33, Township 2 North, Range 68 West of the 6th P.M.,
 County of Weld, State of Colorado

CERTIFICATE OF OWNERSHIP

Know all men by these presents that Anne M. Dean and Jeffrey A. Dean, being the Owner(s), Mortgagee or Lender of certain lands in Frederick, Colorado, described as follows:

A tract of land, being a portion of that Parcel 2 described in General Warranty Deed recorded February 3, 2020 as Reception No. 4563490 of the Records of Weld County, located in the Northeast Quarter (NE1/4) of Section Thirty-three (33), Township Two North (T.2N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), Town of Frederick, County of Weld, State of Colorado and being more particularly described as follows:

COMMENCING at the Northeast corner of said Section 33 and assuming the East line of said NE1/4 as bearing South 00°06'53" East being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2662.34 feet with all other bearings contained herein relative thereto;

THENCE South 00°06'53" East a distance of 963.79 feet to the Northeast corner of said General Warranty Deed;
 THENCE South 89°53'07" West along the North line of said General Warranty Deed a distance of 30.00 feet to the Westerly line of Wyndham Hill Annexation No. 1 recorded June 7, 2004 as Reception No. 3187002 of the Records of Weld County and to the POINT OF BEGINNING;

THENCE South 00°06'53" East along the Westerly line of said Wyndham Hill Annexation a distance of 56.21 feet to the South line of said General Warranty Deed;
 The following Four (4) courses and distances are along the Southerly, Westerly and Northerly lines of said General Warranty Deed;

THENCE South 89°53'07" West a distance of 260.00 feet to the Easterly line of said Wyndham Hill Annexation;
 The following Three (3) courses and distances are along the Easterly and Southerly lines of said General Warranty Deed;

THENCE South 89°53'07" West a distance of 3.30 feet;
 THENCE North 00°06'53" West a distance of 56.21 feet;
 THENCE North 89°53'07" East a distance of 262.30 feet to the POINT OF BEGINNING.

Thus described tract contains 14,800 Square Feet or 0.340 acres more or less, together with all subject to all easements and rights-of-way existing and/or of public record.

Executed this 18th day of December A.D., 2020.

OWNER(S):
 By: Anne M. Dean By: Jeffrey A. Dean
 Anne M. Dean Jeffrey A. Dean

NOTARIAL CERTIFICATE
 STATE OF Colorado
 COUNTY OF Larimer ss.

The foregoing certificate of ownership was acknowledged before me by Anne M. Dean & Jeffrey A. Dean acting in his capacity as Owner of the said property above this 18th day of December, 2020.

Witness My Hand and Seal Notary Public
 My commission expires Sept 11, 2021



BASIS OF BEARINGS AND LINEAL UNIT DEFINITION

Assuming the East line of the Northeast Quarter of Section 33, T.2N., R.68W., as bearing South 00°06'53" East being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2662.34 feet with all other bearings contained herein relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

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. (13-80-105 C.R.S. 2012)

TITLE COMMITMENT NOTE

This survey does not constitute a title search by King Surveyors to determine ownership or easements of record. For all information regarding easements, rights-of-way and title of records, King Surveyors relied upon Title Commitment Number 598-H0585841-042-OCR, dated January 13, 2020 as prepared by Heritage Title Company to delineate the aforesaid information.

FLOOD PLAIN NOTE

The subject property is in flood zone "X", areas determined to be outside the 0.2% annual chance of floodplain per FEMA flood map 08123C2080E revised January 20, 2016.

SURVEYOR'S STATEMENT

I, Christopher A. DePaulis, 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, 349.02 feet contiguous, perimeter 639.02 feet.

I further certify that this map and legal description were prepared under my personal supervision on this 9th day of December, 2020.



Christopher A. DePaulis - On Behalf Of King Surveyors
 Colorado Licensed Professional
 Land Surveyor #38105

PLANNING COMMISSION CERTIFICATE

Approved by the Frederick Planning Commission with Planning Commission Resolution 2020-116A
 this 19 day of November, 2020

Chairman
 Planning Commission Secretary

CERTIFICATE OF APPROVAL BY THE BOARD OF TRUSTEES

This annexation map is to be known as the Dean Annexation and is approved and accepted along with the Zoning Designation by Ordinances No. 1331 and 1331, passed and adopted at the regular meeting of the Board of Trustees of Frederick, Colorado,

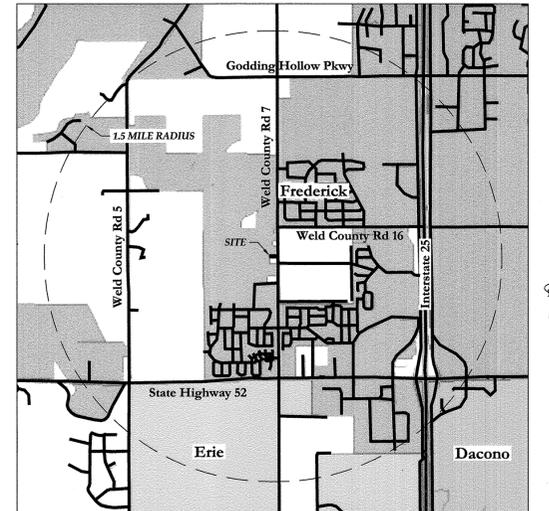
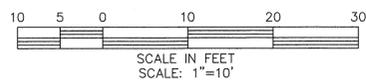
held on December 8, 2020
 Mayor
 Attest: Michelle R.
 Town Clerk

CONTIGUOUS BOUNDARY = 349.02 L.F.
 TOTAL BOUNDARY = 639.02 L.F.
 RATIO = 1 : 1.831
 AREA = 0.340 ACRES

////// DENOTES CONTIGUOUS BOUNDARY

LEGEND

- SECTION LINE
- - - RIGHT OF WAY LINE
- BOUNDARY LINE
- FOUND ALIQUOT CORNER AS DESCRIBED
- ◆ FOUND #4 REBAR WITH RED PLASTIC CAP KS, LS 38105



VICINITY MAP
 SCALE: 1"=3000'

OWNER:

ANNE DEAN & JEFFERY DEAN
 1147 TWIN PEAKS CIRCLE
 LONGMONT, CO 80503

SURVEYOR:

KING SURVEYORS
 650 GARDEN DRIVE
 WINDSOR, CO 80550
 PHONE: (970) 686-5011

Mineral Owners:

Anadarko E&P Company LP
 c/o Anadarko Petroleum Corporation
 Attn: Manager Land-Western Division
 P.O. Box 9149
 The Woodlands, TX 77387-9147

Anadarko Land Corporation
 c/o Anadarko Petroleum Corporation
 Attn: Manager Property & Rights-of-Way
 P.O. Box 9149
 The Woodlands, TX 77387-9147

Mineral Leasehold Owners:

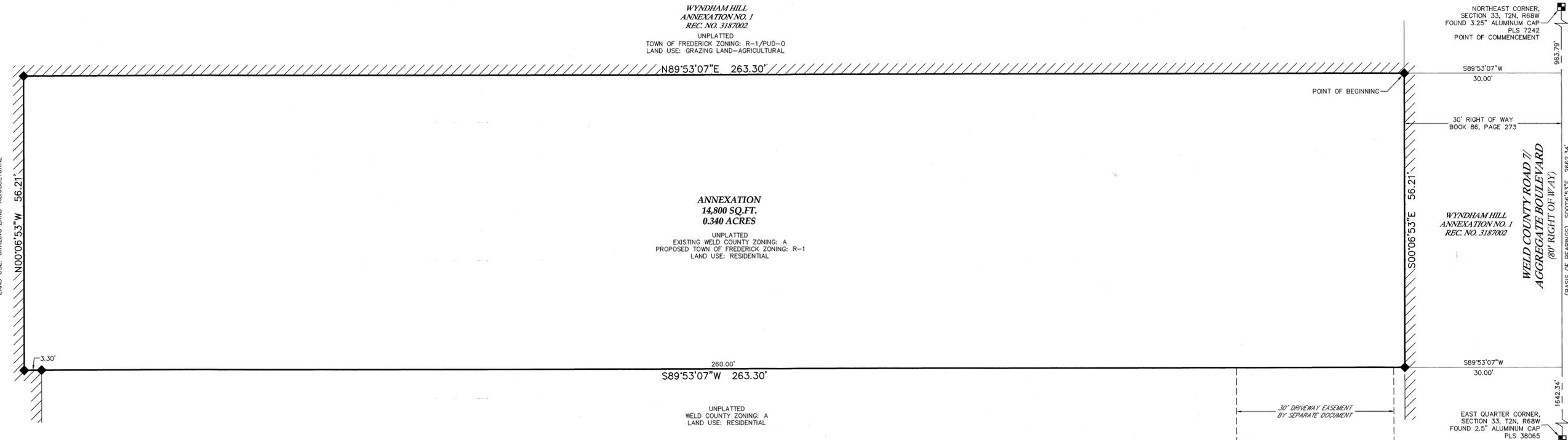
Noble Energy, Inc.
 Attn: Wattenberg Land Department
 1625 Broadway, Suite 2000
 Denver, CO 80202

Kerr-McGee Oil & Gas Onshore LP
 Attn: Land Manager/Wattenberg
 1099 18th Street, Suite 1500
 Denver, CO 80202

K.P. Kauffman Company, Inc. (KPK)
 1675 Broadway, Suite 2800
 Denver, CO 80202

WYNDHAM HILL
 ANNEXATION NO. 1
 REC. NO. 3187002
 UNPLATTED
 TOWN OF FREDERICK ZONING: R-1/PUD-O
 LAND USE: GRAZING LAND-AGRICULTURAL

ANNEXATION
 14,800 SQ.FT.
 0.340 ACRES
 UNPLATTED
 EXISTING WELD COUNTY ZONING: A
 PROPOSED TOWN OF FREDERICK ZONING: R-1
 LAND USE: RESIDENTIAL



DATE:	6/23/2020
FILE NAME:	20200205ANX
SCALE:	1"=10'
DRAWN BY:	CSK
CHECKED BY:	CAD

KING SURVEYORS
 650 E. Garden Drive | Windsor, Colorado 80550
 phone: (970) 686-5011 | email: contact@KingSurveyors.com



DATE:	
REVISIONS:	

DEAN ANNEXATION MAP
 FOR
 ANNE DEAN
 1147 TWIN PEAKS CIRCLE
 LONGMONT, CO 80503

PROJECT #:
 20200205

Record and Return to:

Meghan Martinez
Town of Frederick
401 Locust Street
Frederick, CO 80530

AFFIDAVIT TO CORRECT SCRIVENER'S ERROR

Meghan Martinez, Town Clerk of the Town of Frederick ("**AFFIANT**") being first duly sworn upon oath, depose and say that I am a person of legal age having personal knowledge of the facts and no record interest in the real property described below. I am competent to testify to the facts stated in this affidavit, and so testify under penalty of perjury.

1. This affidavit ("**AFFIDAVIT**") is provided pursuant to C.R.S. § 38-35-109(5)(b)(IV).
2. On December 8, 2020 the Frederick Board of Trustees approved an annexation of real property into the Town by the adoption of Ordinance 1348A and recorded January 22, 2021 at Reception No. 4674677 (the "**ORDINANCE**").
3. This Affidavit affects land described in Exhibit A to the ORDINANCE, a full copy of which is attached hereto and made a part hereof as **EXHIBIT 1** in which the error to the legal description was caused (the "**PROPERTY**").
4. The ORDINANCE contains a scrivener's error to the legal description of the PROPERTY caused during the recordation of the ORDINANCE.
5. This Affidavit is submitted under C.R.S. 38-35-109(5)(b)(IV) and serves to correct the scrivener's error by inclusion of the correct legal description for the PROPERTY, attached hereto as **EXHIBIT 2**.
6. This Affidavit is intended to relate back to the original recorded ORDINANCE, solely to correct the scrivener's error identified herein.

Further Affiant sayeth naught.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF Affiant has executed this affidavit on the 10th day of May, 2021.


Meghan Martinez, CMC, Town Clerk

STATE OF COLORADO)
) ss.
COUNTY OF WELD)

Subscribed and sworn to before me this 10th day of May, 2021, by Meghan Martinez.



Notary Public

My commission expires: 02/12/2025
[SEAL]

**AMANDA KRISTINE PURCELL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID: 20174003965
MY COMMISSION EXPIRES FEBRUARY 12, 2025**

Attachments:
Exhibit 1 – Recorded Ordinance
Exhibit 2 – Corrected Legal Description

TOWN OF FREDERICK, COLORADO
ORDINANCE NO. 1348A

AN ORDINANCE OF THE TOWN OF FREDERICK, COLORADO ANNEXING
THE PROPERTY KNOWN AS THE "DEAN ANNEXATION."

WHEREAS, a Petition for Annexation ("Petition") has been filed by the Town of Frederick and Anne and Jeffrey Dean, for the annexation to the Town of the following described real property, to wit:

See attached **Exhibit A** ("Subject Property").

WHEREAS, 100 percent of the Subject Property consists of private property; and

WHEREAS, a public hearing was held on the Petition pursuant to statute on December 8, 2020; and

WHEREAS, the Board of Trustees adopted Resolution No. 20-R-85A and determined that the applicable provisions of Section 30 of Article II of the Colorado Constitution and C.R.S. 31-12-104 and 31-12-105 have been met; and

WHEREAS, the Board of Trustees finds that it is desirable and necessary that the Subject Property be annexed to the Town of Frederick, Colorado:

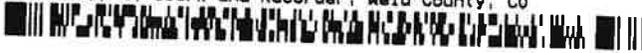
BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, WELD COUNTY, COLORADO, AS FOLLOWS:

Section 1. Annexation. The Subject Property is hereby annexed to and included within the town limits of the Town of Frederick.

Section 2. Three-Mile Plan. The *Comprehensive Plan, Frederick, Colorado* published by the Town of Frederick Planning and Zoning Commission on March 22, 2016, along with accompanying maps, plats, charts and descriptive material, has been adopted as the master plan for the three-mile area surrounding the Town of Frederick as required by C.R.S. § 31-12-105(1)(e). The "Three-Mile Annexation Plan" as adopted is hereby amended to the extent necessary to incorporate the Subject Property, and to update said Plan thereby.

Section 3. Further Procedure.

- a. The Mayor and Town Clerk are authorized and directed to complete all the necessary procedures required for annexation of said property to the Town including filing the required certified copies of the annexation ordinance and a map of the area to be annexed containing a legal description of such area with the Weld County Clerk and Recorder.



- b. The signatures on the annexation map and this annexation ordinance and the recording of the same shall be withheld until an annexation agreement is completed and accepted by the Town.

Section 4. Effective Date. This ordinance shall become effective as of the latest to occur of:

- a. Thirty (30) days after publication; or
- b. Upon the affixation of signatures on the annexation map and this annexation ordinance and the recording of the same; or
- c. Full execution of the annexation agreement, including exhibits, in the form attached to Resolution No. 20-R-85A; or
- d. Satisfaction of [one or more conditions] set out in Section 2, above.

Section 5. Validity. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases be declared invalid.

Section 6. Necessity. The Board of Trustees of the Town of Frederick finds that this ordinance is necessary for the immediate preservation and protection of the health, safety, welfare and property of the inhabitants and owners of property in the Town of Frederick.

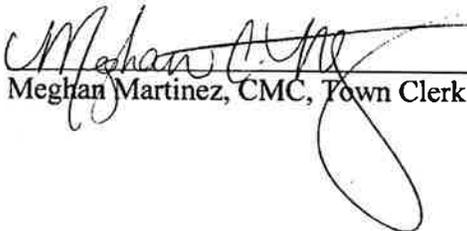
Section 7. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED THIS 8th DAY DECEMBER, 2020.

ATTEST:

TOWN OF FREDERICK

By


Meghan Martinez, CMC, Town Clerk

By


Tracie Crites, Mayor

EXHIBIT A

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER (NE1/4) OF SECTION 33, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M. DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 33, THENCE SOUTH 00°00'00" WEST, 963.79 FEET ALONG THE EAST LINE OF THE NE1/4 OF SAID SECTION 33 TO THE TRUE POINT OF BEGINNING; THENCE NORTH 90°00'00" WEST, 293.30 FEET; THENCE SOUTH 00°00'00" WEST, 56.21 FEET TO THE NORTH LINE EXTENDED WESTERLY OF THAT TRACT OF LAND CONVEYED TO NICK HARKALIS AND KATHERINE MAUL AS TO JOINT TENANTS AS DESCRIBED IN WARRANTY DEED RECORDED JUNE 5, 1959 IN BOOK 1504 AT PAGE 514 AS RECEPTION NO. 1279675, WELD COUNTY RECORDS; THENCE SOUTH 90°00'00" EAST, 293.30 FEET ALONG THE NORTH LINE EXTENDED WESTERLY AND ALONG THE NORTH LINE OF THAT TRACT OF LAND AS DESCRIBED AT SAID RECEPTION NO. 1279675 TO THE EAST LINE OF THE NE1/4 OF SAID SECTION 33, THENCE NORTH 00°00'00" EAST, 56.21 FEET ALONG THE EAST LINE OF THE NE1/4 OF SAID SECTION 33 TO THE TRUE POINT OF BEGINNING

COUNTY OF WELD, STATE OF COLORADO.

EXHIBIT 2
Corrected Legal Description

A tract of land, being a portion of that Parcel 2 described in General Warranty Deed recorded February 3, 2020 as Reception No. 4563490 of the Records of Weld County, located in the Northeast Quarter (NE1/4) of Section Thirty-three (33), Township Two North (T.2N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), Town of Frederick, County of Weld, State of Colorado and being more particularly described as follows:

COMMENCING at the Northeast corner of said Section 33 and assuming the East line of said NE1/4 as bearing South 00°06'53" East being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2662.34 feet with all other bearings contained herein relative thereto;

THENCE South 00°06'53" East a distance of 963.79 feet to the Northeast corner of said General Warranty Deed;

THENCE South 89°53'07" West along the North line of said General Warranty Deed a distance of 30.00 feet to the Westerly line of Wyndham Hill Annexation No. 1 recorded June 7, 2004 as Reception No. 3187002 of the Records of Weld County and to the **POINT OF BEGINNING**;

THENCE South 00°06'53" East along the Westerly line of said Wyndham Hill Annexation a distance of 56.21 feet to the South line of said General Warranty Deed;

The following Four (4) courses and distances are along the Southerly, Westerly and Northerly lines of said General Warranty Deed;

THENCE South 89°53'07" West a distance of 260.00 feet to the Easterly line of said Wyndham Hill Annexation;

The following Three (3) courses and distances are along the Easterly and Southerly lines of said General Warranty Deed;

THENCE South 89°53'07" West a distance of 3.30 feet;

THENCE North 00°06'53" West a distance of 56.21 feet;

THENCE North 89°53'07" East a distance of 262.30 feet to the **POINT OF BEGINNING**.

Said described parcel of land contains 14,800 Square Feet or 0.340 Acres, more or less (±), and is subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.