

RECORDED EXEMPTION (RE) APPLICATION

FOR PLANNING DEPARTMENT USE RECEIPT/AMOUNT # _____ / \$ _____ APPLICATION RECEIVED BY _____	DATE RECEIVED: _____ CASE # ASSIGNED: <u>REC 15-0053</u> PLANNER ASSIGNED: <u>Ryob</u>
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Parcel Number 0957-34-2-00-005

(12 digit number - found on Tax I.D. information, obtainable at the Weld County Assessor's Office, or www.co.weld.co.us)

Legal Description Cor Lot B of RE-4740, Section 34, Township 5 North, Range 67 West

Has the property been divided from or had divided from it any other property since August 30, 1972? Yes No

Is this parcel of land, under consideration, the total contiguous land owned by the applicant? Yes No

FEE OWNER(S) OF THE PROPERTY:

Name: Robert & Doris Fields
 Work Phone # 970-301-6273 Home Phone # 970-587-2153 Email Address dorobobfields@gmail.com
 Address: 910 CR 52
 City/State/Zip Code Milliken CO 80543

APPLICANT OR AUTHORIZED AGENT (See Below: Authorization must accompany all applications signed by Authorized Agent)

Name: _____
 Work Phone # _____ Home Phone # _____ Email Address _____
 Address: _____
 City/State/Zip Code _____

	Lot A B (B.A.) Smaller Parcel	Lot B (A.F.M.)	Lot C	Lot D
Water Source	<u>Little Thompson</u>	<u>Little Thompson</u>		
Type of Sewer	<u>Septic</u>	<u>Septic</u>		
Proposed Use	<u>Ag/Res</u>	<u>Ag/Res</u>		
Acreage	<u>66</u>	<u>69</u>		
Existing Dwellings?	If Yes, list address below: <u>9082 CR 52</u>	If Yes, list address below: <u>9082 CR 52</u>	If Yes, list address below:	If Yes, list address below:

* If the property is vacant or unimproved write proposed water source and proposed sewer system for each parcel in the blanks above. For example, if a well and septic is proposed state: proposed well, proposed septic.

I (We) request that the following described property be designated a Recorded Exemption by the Weld County Board of County Commissioners. I (We) hereby depose and state under penalties of perjury that all statements, proposals, and/or plans submitted with or contained within the application are true and correct to the best of my (our) knowledge. Signatures of all fee owners of property must sign this application. If an Authorized Agent signs, a letter of authorization from all fee owners must be included with the application. If a corporation is the fee owner, notarized evidence must be included showing the signatory has the legal authority to sign for the corporation.

Robert D. Fields 3/27/15
 Signature: Owner or Authorized Agent Date

Doris A. Fields 3-27-15
 Signature: Owner or Authorized Agent Date

Questions Recorded Exemption – David Fields

1. Water Supply –

- a. Water source has been secured, a tap agreement has been purchased for the Little Thompson Water District. Copy of the agreement is included in the submission.
 - b. This is a dry pivot corner that is being submitted for the Recorded exemption and is not included in an irrigation activity for the current farm. The farm (Lot B) has a live stream and pond water right, filing is under the TJ Jones seepage and is part of the deed of the total Lot B.
2. The proposed recorded exemption includes a roughly 4 acre site that will include a septic system with that has been engineered to meet Weld County ISDS requirements. Initial soil core sampling has been conducted and an initial inspection by Weld County of the proposed septic and leach field has already been completed.
 3. The Lot B (Farm) currently has an older farm house (9082 CR 52) that a family member lives in. There are two sheds on the property, one is a Quonset for equipment storage and the other is a livestock shed. There are roughly 100 – 125 cow calf pair on the property with 4 bulls, 3 – 6 horses. The property is divided into three fields, two of which are pivot irrigated, the western field is irrigated by hand line sprinkler pipe. There are two live streams on the property that both congregate into a main pond that has an irrigation pump, buffer area around the streams and ponds is grass and is used for livestock grazing. There are two operating oil wells on the farm with one site in each pivot field. The collection tank battery is in the northeast field with access off of an adjoining easement. Crops raised are predominantly silage corn and alfalfa for livestock feed.
 4. The proposed recorded exemption is the southeast corner of Lot B and is roughly 4.1 acres in survey, this is a dry pivot corner that is not in production. This site is not adjacent to any county roads, but is accessed by an right of way easement road that connects the neighboring property to the south to CR 52. This easement road is defined on the map as CR 19, however, Weld County has not developed this road as it's southern route would require bridge development over the Big Thompson river. The final recorded platting will include a defined right of way easement across the lower corner of Lot B to access the proposed RE site.
 5. There are no unique structures on the proposed RE site, other than it is a dry pivot corner that has a high hill point to it that allows visibility to the north where the livestock operation resides and visibility in all directions.
 6. This is a 4 acre proposed exemption at this time no known building envelopes are requested.
 7. There is no special business or use by review request. The reason for the recorded exemption is to build a home so that I can be closer to manage the operation as my parents are aging and I have been the active manager for many years and would like to eliminate commuting distance by locating a home on the Lot B farm.



Weld County Public Works Dept.
 1111 H Street
 P.O. Box 758
 Greeley, CO 80632
 Phone: (970)304-6496
 Fax: (970)304-6497

**ACCESS PERMIT
 APPLICATION FORM**

Applicant

Name Dave Fields
 Company _____
 Address 49041 30th Street
 City Greeley State CO Zip 90634
 Business Phone 970-302-5540
 Fax N/A
 E-mail dave.wendyfields@msm.com

Property Owner (If different than Applicant)

Name Robert & Don's Fields
 Address 9190 CR 52
 City Milliken State CO Zip 80543
 Phone 970-587-2153
 Fax N/A
 E-mail robobfields@gmail.com

▲ = Existing Access △ = Proposed Access

Parcel Location & Sketch

The access is on WCR 52
 Nearest Intersection: WCR 52 & WCR 19
 Distance from Intersection 1/2 mile south 1/4 east
 Parcel Number 095734200005
 Section/Township/Range 34/5/67
 Is there an existing access to the property? YES NO
 Number of Existing Accesses one



Road Surface Type & Construction Information

Asphalt Gravel Treated Other _____
 Culvert Size & Type _____
 Materials used to construct Access _____
 Construction Start Date _____ Finish Date _____

Proposed Use

- | | | |
|--|--|--|
| <input type="checkbox"/> Temporary (Tracking Pad Required)/ \$75 | <input type="checkbox"/> Single Residential/\$75 | <input type="checkbox"/> Industrial/\$150 |
| <input type="checkbox"/> Small Commercial or Oil & Gas/\$75 | <input type="checkbox"/> Large Commercial/\$150 | <input type="checkbox"/> Subdivision/\$150 |
| <input type="checkbox"/> Field (Agriculture Only)/Exempt | | |

Is this access associated with a Planning Process? No USR RE PUD Other _____

Required Attached Documents

- Traffic Control Plan
- Certificate of Insurance
- Access Pictures (From the Left, Right, & into the access)

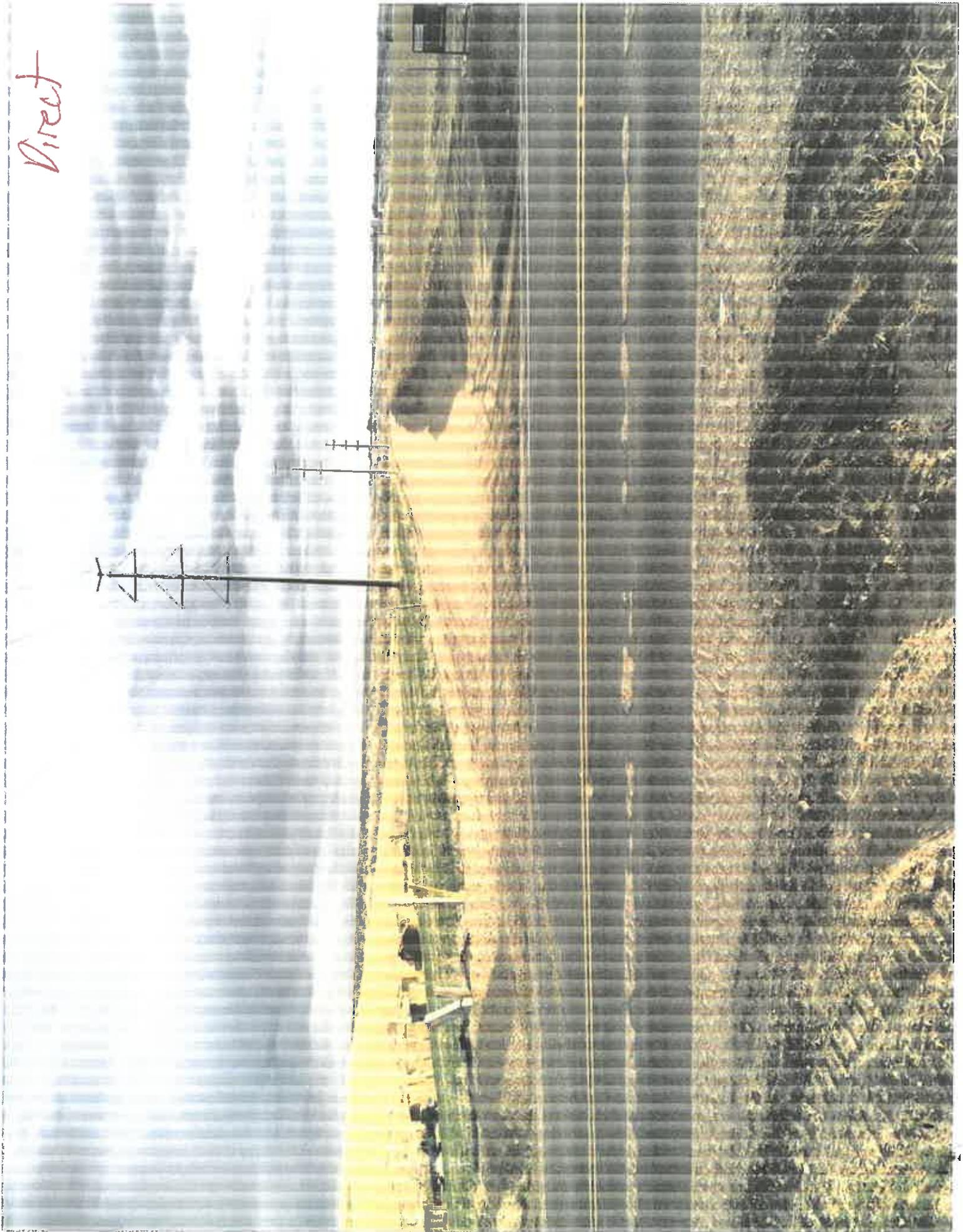
By accepting this permit, the undersigned Applicant, under penalty of perjury, verifies that they have received all pages of the permit application; they have read and understand all of the permit requirements and provisions set forth on all pages; that they have the authority to sign for and bind the Applicant, if the Applicant is a corporation or other entity; and that by virtue of their signature the Applicant is bound by and agrees to comply with all said permit requirements and provisions, all Weld County ordinances, and state laws regarding facilities construction.

Signature Dave Fields Printed Name Dave Fields Date 3/24/15

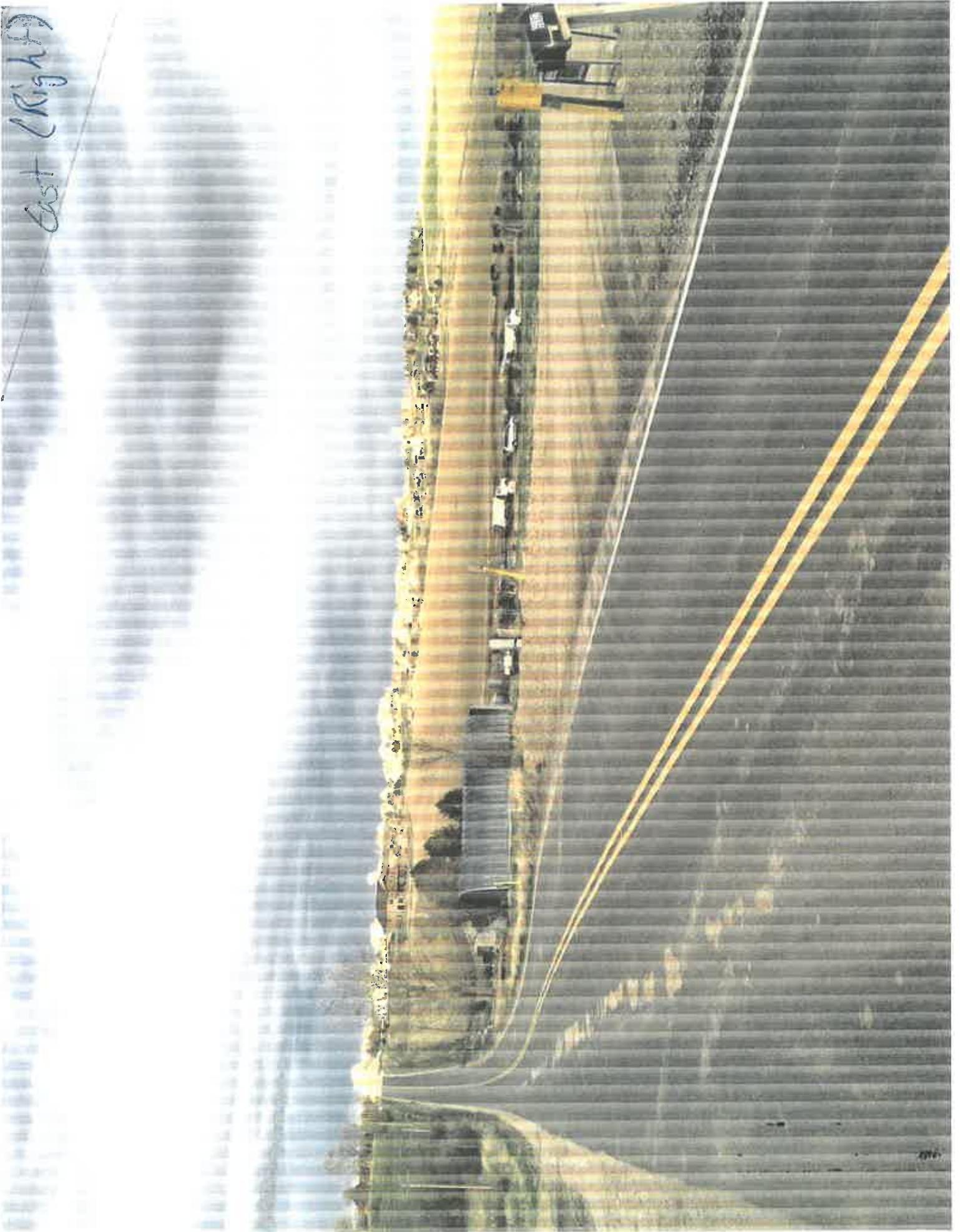
Approval or Denial will be issued in minimum of 5 days.
 Revised Date 6/29/10

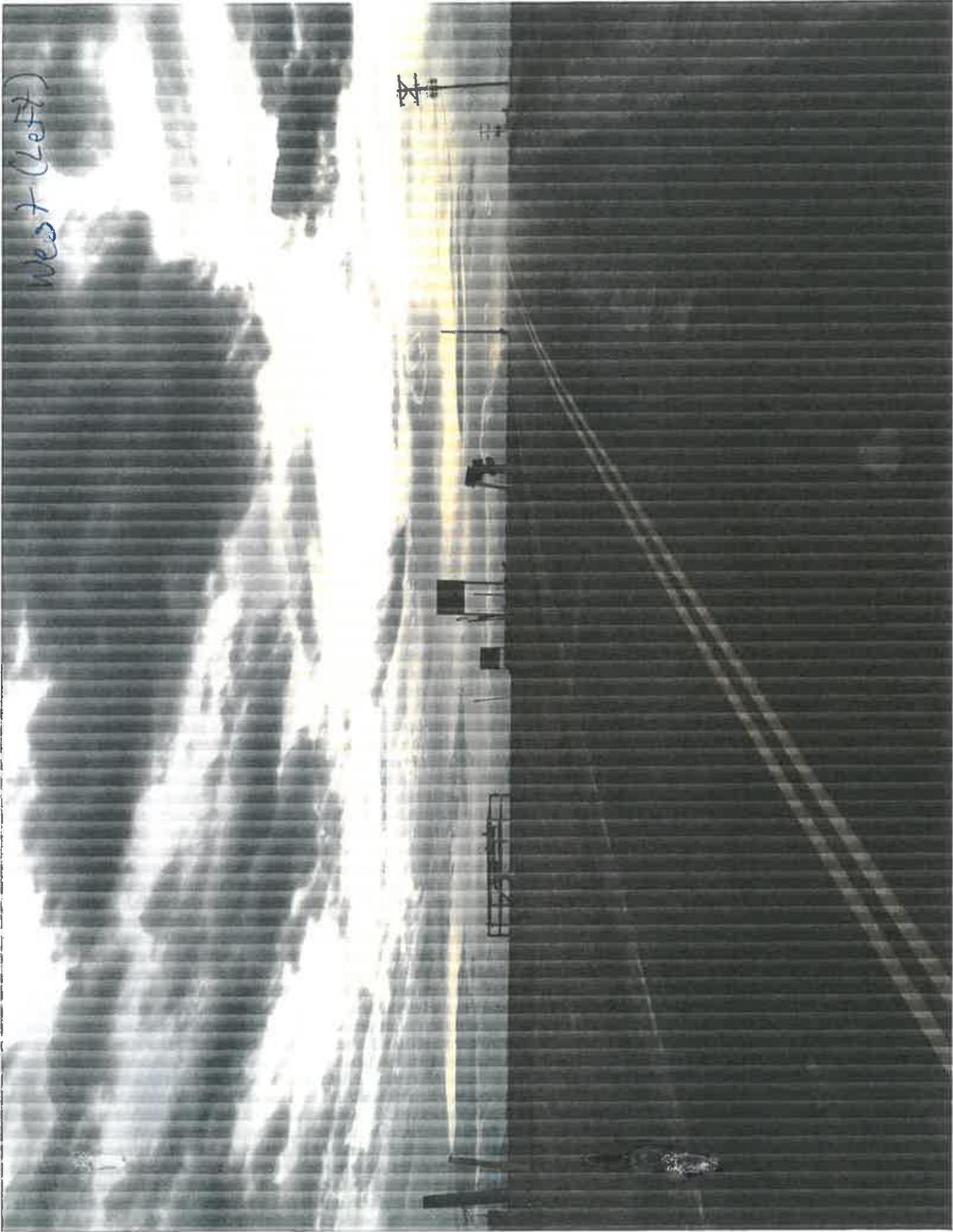
Approved by _____

Direct



East (Right)





West (left)

LITTLE THOMPSON WATER DISTRICT
Domestic Water Agreement

Tap No. 7656

This Agreement made this 29 day of July, 2005 by and between Robert & Doris Fields Land Owner, hereinafter referred to as User, and Little Thompson Water District, a statutory water district, herein referred to as the District. is upon the following terms and condition, for the property and water tap shown below:

Legal Owner of Property: Robert & Doris Fields

Street Address of Property: 9082 WCR 52

City, State and Zip: Milliken CO 80543

Purpose of Domestic Water Service: Residential Single Family
Residential Single Family; Multi-family; Commercial; or Other (describe)

WHEREAS the District is the owner of facilities for the purpose of furnishing domestic water to users within the District; and

WHEREAS the user is desirous of obtaining domestic water for his property,

NOW THEREFORE, the parties hereto agree to the following:

1. This agreement shall be the binding contract between the User and the District.
2. User hereby agrees to pay the District such sum as may be prescribed from time to time by the Board of Directors as the water rate or charge for such water service. Payments shall start when the District installs the tap and water is available for delivery. A minimum payment, as prescribed from time to time by the Board of Directors of the District, shall be due and payable regardless of water use.
3. Until paid, all rates, tools or charges shall constitute a perpetual lien on and against the property served, and any such lien may be foreclosed in the same manner as provided by the laws of the State of Colorado for the foreclosure of mechanic's lien. The District shall shut off or discontinue service for account delinquencies or other violations of the District's Rules and Regulations.
4. No water service may be obtained except upon property included within the boundaries of the District. User agrees to include the property served within the District, if this has not been previously accomplished. User further agrees that he will not permit other persons to use water furnished to him under this agreement.
5. District agrees to furnish water to User PROVIDED, that the District shall not be liable for loss to User for failure to deliver water because of war, riot, insurrection, breaks in the water system or Acts of God. The District shall endeavor to repair all breaks promptly on District lines.
6. User agrees to abide by such other rules and regulations of the District regarding the use of water as may be established from time to time by the Board of Directors.
7. The user's name and billing address for all statements and notices is:

Robert & Doris Fields

9082 WCR 52

Milliken, CO 80543

Phone: 970-587-2153

IN WITNESS WHEREOF the parties have subscribed their names the day and year first above written

Jennifer Pollock
Signature of District Representative
Cycle 340

R. L. Fields
Signature of Land Owner



Little Thompson Water District
 835 E Highway 56, Berthoud, CO 80513
 (970) 532-2096 www.ltwd.org
 Office Hours: M-F 7am - 5pm

Bill Print Date: 01/31/15

SERVICE ADDRESS		
9082 WC 52		
ACCOUNT NUMBER	DUE DATE	AMOUNT DUE
57801	02/25/15	85.03

Customer Name: ROBERT D. FIELDS

INSTRUCTIONS FOR ONLINE ACCOUNT ACCESS AND PAYMENT OPTIONS ARE ON THE BACK OF THE BILL.

Previous Billing		Current Billing		Days	Current Period Usage	Service Period Year Days																												
Read Date	Reading	Read Date	Reading																															
12/23	1446502	01/26	1468420	34	21918	11898																												
Water Usage Billing Detail				DESCRIPTION		AMOUNT																												
Usage Calculation:				Balance Forward		107.33																												
Level 1: 6000 @ .00224 = \$13.44				Payment - Thank you! 01/07/15		107.33																												
Level 2: 15918 @ .00281 = \$44.73				Adjustments		.00																												
Usage Calculation Total: \$58.17				Water Base		26.86																												
				Water Usage		58.17																												
<p>THOUSAND GALLONS USED</p> <table border="1"> <caption>Monthly Water Usage (Thousands of Gallons)</caption> <thead> <tr> <th>Month</th> <th>Usage (Thousands of Gallons)</th> </tr> </thead> <tbody> <tr><td>Jan</td><td>11</td></tr> <tr><td>Feb</td><td>18</td></tr> <tr><td>Mar</td><td>35</td></tr> <tr><td>Apr</td><td>45</td></tr> <tr><td>May</td><td>58</td></tr> <tr><td>Jun</td><td>22</td></tr> <tr><td>Jul</td><td>28</td></tr> <tr><td>Aug</td><td>15</td></tr> <tr><td>Sep</td><td>18</td></tr> <tr><td>Oct</td><td>10</td></tr> <tr><td>Nov</td><td>32</td></tr> <tr><td>Dec</td><td>35</td></tr> <tr><td>Jan</td><td>25</td></tr> </tbody> </table>				Month	Usage (Thousands of Gallons)	Jan	11	Feb	18	Mar	35	Apr	45	May	58	Jun	22	Jul	28	Aug	15	Sep	18	Oct	10	Nov	32	Dec	35	Jan	25	Total Current Charges		85.03
Month	Usage (Thousands of Gallons)																																	
Jan	11																																	
Feb	18																																	
Mar	35																																	
Apr	45																																	
May	58																																	
Jun	22																																	
Jul	28																																	
Aug	15																																	
Sep	18																																	
Oct	10																																	
Nov	32																																	
Dec	35																																	
Jan	25																																	
Message:						PAY THIS AMOUNT																												
						85.03																												

PLEASE DETACH AND RETURN BOTTOM PORTION WITH YOUR PAYMENT



Little Thompson Water District
 835 E Highway 56, Berthoud, CO 80513
 (970) 532-2096 www.ltwd.org
 Office Hours: M-F 7am - 5pm

Bill Print Date: 09/30/14

SERVICE ADDRESS		
9082 WC 52		
ACCOUNT NUMBER	DUE DATE	AMOUNT DUE
57801	10/25/14	127.60

Customer Name: ROBERT D. FIELDS

INSTRUCTIONS FOR ONLINE ACCOUNT ACCESS AND PAYMENT OPTIONS ARE ON THE BACK OF THE BILL

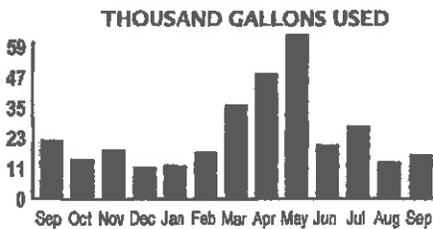
Previous Period		Current Period		Days	Current Period Usage	Same Period Year Ago
Start Date	Reading	Start Date	Reading			
08/22	1363303	09/23	1378899	32	15596	21102

Water Usage Billing Detail

Usage Calculation:

Level 1: 6000 @ .00224 = \$13.44
 Level 2: 9596 @ .00281 = \$26.96

Usage Calculation Total: \$40.40



DESCRIPTION	AMOUNT
Balance Forward	59.74
Adjustments	.00
Water Base	26.86
Water Usage	40.40
Late Fee	.60
Total Current Charges	67.86

Message: WANT AN EASY \$25.00 CREDIT ON YOUR ACCOUNT? VISIT WWW.LTWD.ORG AND CLICK ON XPRESSBILLPAY

PAY THIS AMOUNT
127.60



2nd Half Coupon

2014 TAXES DUE IN 2015

SCHEDULE # R6779840

Return this coupon with payment to: WELD COUNTY TREASURER P.O. BOX 458 1400 N 17th AVE GREELEY, CO 80632-0458

DO NOT PAY THIS BILL IF YOUR MORTGAGE COMPANY WILL MAKE THIS PAYMENT

097584



R6779840 FIELDS ROBERT D TRUST FIELDS DORIS A TRUST 9190 COUNTY ROAD 52 MILLIKEN CO 80543-9615

SECOND HALF DUE BY JUNE 15, 2015 \$609.09

TO AVOID PENALTIES AND INTEREST PAY ON OR BEFORE DUE DATE

PAGE 1 OF 3

Retain this portion for your records



WELD COUNTY TREASURER P.O. BOX 458 1400 N 17th AVE GREELEY, CO 80632-0458

Make Checks Payable To: WELD COUNTY TREASURER

POST DATED CHECKS ARE NOT ACCEPTED

REAL ESTATE TAX NOTICE 2014 TAXES DUE IN 2015

ACCOUNT # R6779840 PARCEL # 095734200005 TAX DISTRICT: 0533

Table with columns: AUTHORITY, LEVY, CREDIT, NET LEVY, TAX, VALUATION, ACTUAL, ASSESSED. Includes rows for WELD COUNTY, SCHOOL DIST RE5J, NORTHERN COLORADO W, LITTLE THOMPSON WATER, JOHNSTOWN FIRE, AIMS JUNIOR COLLEGE, HIGH PLAINS LIBRARY, WEST GREELEY CONSERV, and a summary row for TOTAL. Also includes a MESSAGES section with payment instructions and an email verification code.

R6779840 FIELDS ROBERT D TRUST FIELDS DORIS A TRUST 9190 COUNTY ROAD 52 MILLIKEN, CO 80543-9615

If you have sold this property, please forward this statement to the new owner or return to this office marked "PROPERTY SOLD".

Please see reverse side of this form for additional information.



Full Payment or 1st Half Coupon

2014 TAXES DUE IN 2015

SCHEDULE # R6779840

Return this coupon with payment to: WELD COUNTY TREASURER P.O. BOX 458 1400 N 17th AVE GREELEY, CO 80632-0458

PAGE 1 OF 3

DO NOT PAY THIS BILL IF YOUR MORTGAGE COMPANY WILL MAKE THIS PAYMENT

R6779840 FIELDS ROBERT D TRUST FIELDS DORIS A TRUST 9190 COUNTY ROAD 52 MILLIKEN, CO 80543-9615

TO AVOID PENALTIES AND INTEREST PAY ON OR BEFORE DUE DATE

FULL PAYMENT DUE BY APRIL 30, 2015 \$1,218.18 FIRST HALF DUE BY MARCH 2, 2015 \$609.09



Weld County Environmental Health Services Department

1555 N. 17th Avenue
Greeley, CO 80631
Phone: (970) 304-6415
Fax: (970) 304-6411
www.co.weld.co.us

10/25/2007

FIELDS ROBERT D
9082 COUNTY RD 52
MILLIKEN, CO 80543

RE: FIELDS ROBERT D

Application Number: ISDS-0701055
Septic Permit Ref Number: SE-0701057
SE Permit Ref Number:

On 10/15/2007 an evaluation of the existing individuals septic disposal system at: 9082 CR 52 was conducted by Steve Wiatrowski, an Environmental Specialist of this department.

The existing individual septic disposal system is of sufficient size and capacity to adequately handle the proposed load. This evaluation is based on a final treatment capacity for a 3 bedroom residence.

Be advised, neither the County of Weld nor any of its agents or employees undertake or assume any liability to the owner of the above property, to any purchaser of the above property or to any lending agency making a loan on the above property or in the report.

This inspection was conducted for the purpose of determining compliance with current regulations and for detecting health hazards observable at the time of inspection. This does not constitute a warranty that the system is without flaw or that it will continue to function in the future. Inspections requested during periods of snow cover and high soil saturation may be of questionable value to potential buyers due to adverse conditions. Evaluations based on Statements of Existing (S.O.E) relies on information the property owner provides, under oath, indicating current status of the system and representing to the best of his/her knowledge the system is not failing to function properly.

If we can be of any further assistance, please contact our office at (970) 304-6415.

Steve Wiatrowski
Environmental Health Specialist



WELD COUNTY DEPARTMENT OF PUBLIC
HEALTH AND ENVIRONMENT
1555 N. 17TH AVENUE
GREELEY, COLORADO 80631
PHONE: (970) 304-6415
FAX: (970) 304-6411

SOE# 0701057
ORG PERMIT # _____
REPAIR # _____
LOAN # _____
ISDS # 0701055

STATEMENT OF EXISTING FOR SEPTIC SYSTEM
(PLEASE FILL OUT IN BLACK INK ONLY)

PARCEL NO. 095734000015
PROPERTY OWNER Robert D. Fields PHONE NO. (970) 587-2153
MAILING ADDRESS 9082 Weld County Rd. 52 Milliken Co. 80543
City State Zip

DESCRIPTION OF BUILDING (ex. house, mobile/modular home, shop, office) _____

SITE/LOCATION ADDRESS 17 home _____
City State Zip

LEGAL DESCRIPTION PT W 1/2 PT NW 1/4 SECTION 34 TOWNSHIP 5 RANGE 67
SUBDIVISION _____ LOT _____ BLOCK _____ FILING _____

CENSUS TRACT _____ LOT SIZE/ACRES 80

COMMERCIAL YES/NO RESIDENTIAL YES/NO
NUMBER OF PERSONS 2 BASEMENT PLUMBING YES/NO
BEDROOMS 3 BATHROOMS - FULL 2 3/4 _____ 1/2 _____
WATER SUPPLY - PUBLIC YES/NO NAME Carter Lake
PRIVATE YES/NO WELL YES/NO CISTERN YES/NO WELL/CISTERN# _____

SYSTEM SIZE: Septic tank material is constructed of Pancrete and has 1250 gallons capacity.
FIELD: Trench 132 square feet or Bed 264 square feet YEAR INSTALLED 1970

You are required to draw a diagram of the system on the reverse side of this form in black ink only and indicate location, length, width, and distance from the dwelling.

The undersigned property owner hereby certifies that the above described septic system is in fact installed, as described, and exists at this time on the parcel of ground identified by the above legal description and further states that the system is/is not in good working order and to the best of his/her knowledge is/is not failing to function properly.

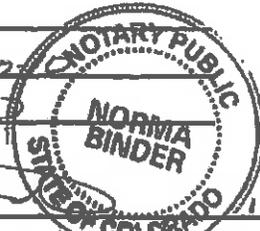
I further understand that any falsification or misrepresentation may result in revocation of any permit granted based upon this information hereby submitted and in legal action for perjury as provided by law.

Oct 8/07 DATE Robert D. Fields OWNER SIGNATURE

Subscribed and sworn to before me this 8th day of October, 2007,
By Robert D. Fields

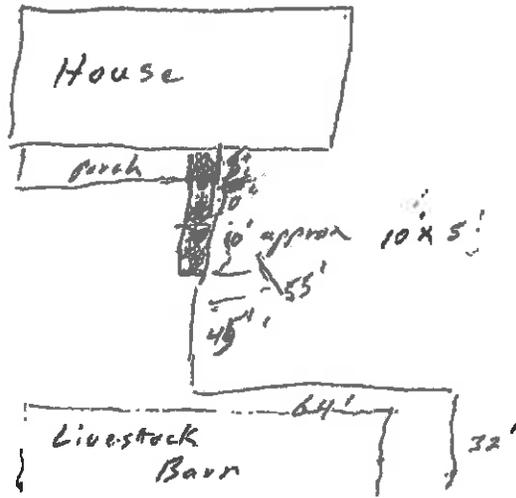
Witness my hand and official seal.
October 8, 2007 DATE

My commission expires 5.30
Norma Binder NOTARY PUBLIC



STATEMENT OF EXISTING INSPECTED & REVIEWED BY [Signature] ENVIRONMENTAL HEALTH SPECIALIST DATE 10.18.07

Mike Cook





RECEIVED
MAR 16 2015
Weld County Planning Department
GREELEY OFFICE

Weld County Planning and Building Department
Attn: Michele Martin
155 North 17th Avenue
Greeley, Colorado 80631

Dear Ms. Martin:

At the request of David Fields, I am writing with respect to his application to Weld County for a residential building permit on a parcel listed with the County Assessor as No. 095734000052. The parcel is currently within the boundaries of the Town of Milliken but is currently the subject of Mr. Fields' application for disconnection or de-annexation. If it proceeds absent any hitches, the Town Board will act on the disconnection application at its regular board meeting on April 22, 2015. The disconnection application has been copied to Tom Parko in Weld County's Planning department.

Please be advised that the Town of Milliken has no objection to Weld County proceeding with all normal steps in Mr. Fields' residential building application, short of actually issuing any permit to build, before the parcel in question becomes disconnected from Milliken and becomes part of unincorporated Weld County. Furthermore, although the final decision on the disconnection application will be made by the Town Board of Trustees; at this point the disconnection application is in order and is being submitted to the appropriate municipal bodies.

If you have any other questions about the progress of Mr. Fields' disconnection application or the process it will undergo, please contact me at your earliest convenience or contact Martha Perkins, Community Development Director, at (970) 660-5046.

Thank you.

Sincerely Yours,

Kent Brown
Town Administrator
Town of Milliken

cc: David Fields (c/o Christian J. Schulte via email)



Christian J. Schulte
The Doyle Building
1812 56th Avenue
Greeley, CO 80634
970-330-6700
cschulte@nocoattorneys.com

Wednesday, February 18, 2015

Martha Perkins, Community Development Director
Town of Milliken
1101 Broad Street
Milliken, Colorado 80543

Re: *Petition to disconnect certain land from the Town of Milliken*

Dear Ms. Perkins:

Accompanying this letter, please find three copies of Robert and Doris Fields' PETITION FOR DISCONNECTION and exhibits thereto. Please bring this material to the attention of all persons necessary to fairly consider the Fields' request.

It is my clients' request that this petition be brought before the Board of Trustees as quickly as possible for consideration, as an agenda item at the next meeting if feasible. To that end, I will make myself available as necessary. In particular, if I may answer any questions or address any concerns, I would be glad to.

Please let me know if you need additional materials or information from me or my client. Thank you for your attention to this matter.

Yours truly,

Otis, Bedingfield & Peters, LLC



Christian J. Schulte

/cjs
cc: David Fields (via email only)
Tom Parko (via email only)

**TOWN OF MILLIKEN
P.O. BOX 290
MILLIKEN, CO 80543**

APPLICATION FOR DISCONNECTION

Applicants

1. ROBERT DAVID FIELDS and DORIS ANN FIELDS (“Applicants”) own a certain tract of land within and adjacent to the boundary of the Town of Milliken that is the subject of this Application (“the Subject Land”).
2. DAVID NELSON FIELDS is the Applicants’ son and has their powers of attorney authorizing him to act on their behalf in this matter. [See attached Ex. 1 (Power of Attorney—Robert David Fields); Ex. 2 (Power of Attorney—Doris Ann Fields).]

The Subject Land (Description and Relevant History)

3. The Subject Land is a parcel located in the East One-Half Northwest One-Quarter (E ½ NW ¼) of Section 34, Township 5 North, Range 63 West of the 6 P.M., Weld County, Colorado, more particularly described in a PERSONAL REPRESENTATIVE’S DEED dated February 22, 2007, signed by James T. McDowell, III, recorded with the Clerk and Recorder of Weld County, Colorado at Reception No. 3463387 on March 21, 2007. [See attached Ex. 3.]
4. By way of general description, which is not meant to modify the above legal description but only to provide perspective, the Subject Land is roughly six to seven acres immediately west of the Mill Iron subdivision. It has a long, thin trapezoidal shape, about a half mile long along its east and west boundaries, about 160 feet along its south boundary, and about 68 feet along its north boundary. [See attached Ex. 4 (GIS map of northwest Town of Milliken).]
5. Applicants’ family has utilized the Subject Land for agricultural purposes continuously since 1972, along with contiguous parcels comprising the bulk of the west half of the Northwest quarter of Section 34, Township 5 N, Range 67 W of the 6th Prime Meridian, which parcels are owned by Applicants or by family trusts controlled by them.
6. The Subject Land was annexed by the Town of Milliken pursuant to Ordinance No. 367 effective Dec. 20, 1997, as part of the “Mill Iron 5 Annexation to the Town of Milliken, Colorado”. [See attached Ex. 5.]
7. However, the Subject Land was never platted for development as part of the Mill Iron subdivision or any other project.
8. There is a fence line along the east boundary of the Subject Land that historically marked the agreed-upon boundary line since at least the 1930s. Although Applicants were generally aware of the Mill Iron 5 Annexation to the Town of Milliken at the time it occurred, they did not then realize that said annexation was described to include the Subject Land, but believed instead that the annexation was to the east boundary of the Subject Land.
9. Applicants maintain they have owned the Subject Land since before the annexation, by adverse possession. After the annexation of the Subject Land came to Applicants’ attention, and after the

death of the developer, Applicants resolved the matter of record ownership by settlement agreement with the personal representative of the developer's estate, who agreed to deed the Subject Land to Applicants for \$878.00, an amount well below the market value for the Subject Land at the time. [See Ex. 3.]

10. The north, west and south boundaries of the Subject Land run along the Town of Milliken's municipal boundary in that location.

Grounds for Disconnection

11. C.R.S. § 31-12-501 provides for disconnection of a tract of land from a town by ordinance as follows:

When the owner of a tract of land within and adjacent to the boundary of a city or town desires to have said tract disconnected from such city or town, such owner may apply to the governing body of such city or town for the enactment of an ordinance disconnecting such tract of land from such city or town. On receipt of such application, it is the duty of such governing body to give due consideration to such application, and, if such governing body is of the opinion that the best interests of the city or town will not be prejudiced by the disconnection of such tract, it shall enact an ordinance effecting such disconnection. If such an ordinance is enacted, it shall be immediately effective upon the required filing with the county clerk and recorder to accomplish the disconnection, and two certified copies thereof shall be filed by the clerk in the office of the county clerk and recorder of the county in which such tract lies. The county clerk and recorder shall file the second certified copy with the division of local government in the department of local affairs, as provided by section 24-32-109, C.R.S.

The cross-referenced C.R.S. § 24-32-109 states that any such detachment becomes effective upon notice of such action with a legal description and map of the area concerned are filed in duplicate with the appropriate county clerk and recorder.

12. The best interests of the Town of Milliken will not be prejudiced by granting this Application, because:
13. **No community of interest exists between the Subject Land and the Town of Milliken.** No roads maintained by the Town of Milliken connect to the Subject Land. The Town of Milliken provides no water to or sewage removal from the Subject Land.
14. Rather, the Subject Land is and has been part of a larger agricultural operation consisting otherwise entirely of land situated in unincorporated Weld County. Therefore, any community of interest that exists with the Subject Land is the broader agricultural community outside the boundaries of the Town of Milliken.
15. Furthermore, on information and belief, Town of Milliken residents proximate to the Subject Land have expressed a desire to Town officials that the Subject Land *not* be connected by road to the Town of Milliken.
16. **The Subject Land is not integrated with the Town of Milliken, as shown above, nor is it readily capable of being integrated with the Town of Milliken.** The Town of Milliken would have to lay road to directly connect the Subject Land to the rest of the Town. On information and

belief, providing sewage removal would require the construction of infrastructure that does not currently exist, including at least one lift station. Additionally, to provide water to the Subject Land would require the Town to incur an undue expense.

17. **The Subject Land is rural, not urban, and will not be urbanized in the foreseeable future.** Notably, the Mill Iron development of residential lots does not presently include the Subject Land and was never intended to include the Subject Land. [See attached Ex. 6 (Maps of Mill Iron Ranch Estates).] With the exception of building one family home for David Nelson Fields in the South part of the Subject Land, Applicants intend to continue to utilize the Subject Land for agricultural purposes into the foreseeable future, and their son after them.
18. Applicants hereby represent that while they or David Nelson Fields are able to farm the Subject Land, they will not pursue or agree to annexation of the Subject Land by any City or Town other than the Town of Milliken for a period of six years after the effective date of disconnection.
19. Applicants hereby further represent that while they or David Nelson Fields are able to farm the Subject Land, for a period of six years after the effective date of disconnection, the Subject Land will not be subdivided into lots or plots of smaller area than is required during said period for lots within the Town of Milliken adjoining the Subject Land under the applicable ordinances or regulations of the Town of Milliken, and will not be used during said period for non-agricultural use except for a family home for David Nelson Fields and as required for the exploitation of mineral rights attached to the Subject Land.
20. Applicants acknowledge that the Subject Land, if disconnected, shall not thereby be exempt from the payment of any taxes lawfully assessed against it for the purpose of paying any indebtedness lawfully contracted by the governing body of such city or town while such land was within the limits thereof and which remains unpaid and for the payment of which said land could be lawfully taxed, pursuant to C.R.S. § 31-12-502. However, on information and belief, there are no such taxes assessed against the Subject Land.

Conclusion

21. Based on the above, the best interests of the Town of Milliken will not be prejudiced by disconnection of the Subject Land from the Town of Milliken.

RECEIVED

FEB 02 2015

Weld County Planning Department
GREELEY OFFICE

Christian J. Schulte
The Doyle Building
1812 56th Avenue
Greeley, CO 80634
970-330-6700
cschulte@nocoattorneys.com

January 29, 2015

Tom Parko, Planning Director
Weld County Department of Planning Services
1555 North 17th Avenue
Greeley, Colorado 80631

Re: *David Fields Milliken de-annexation issue*

Dear Mr. Parko:

My client David Fields and his family own some ranch land near Milliken, Colorado, about six acres of which was purportedly annexed by Milliken some fifteen years ago. Mr. Fields' learned of this situation recently from Kim Ogle in your Department, when Mr. Fields sought a home building permit from the County. I am writing you now at Mr. Ogle's suggestion.

Mr. Fields has retained me to pursue disconnection or de-annexation of his family's six acres from Milliken. He also asked me to reach out to the Department of Planning and Zoning to request that in the meanwhile, he be allowed to pursue a building permit from the County *contingent upon the land in question being successfully disconnected*. I recognize as does Mr. Fields that the County cannot issue an actual permit for the land until disconnection from Milliken is complete.

The reason for this request is so that Mr. Fields can hit the ground running with his home building plans as soon as possible. Otherwise, the time spent pursuing disconnection is wasted with respect to pursuing his County permit. I am myself just now familiarizing myself with the various documents Mr. Fields provided me, but there is reason to believe disconnection from Milliken is warranted, as Milliken does not even have any roads connecting to the land in question.

Please contact me if I can provide additional information. I appreciate your consideration in this matter.

Yours truly,

Otis, Bedingfield & Peters, LLC


Christian J. Schulte

/cjs
cc: David Fields

Michelle Martin

From: Christian Schulte [CSchulte@nocoattorneys.com]
Sent: Monday, February 23, 2015 12:18 PM
To: Tom Parko Jr.
Cc: Michelle Martin
Subject: RE: David Fields/Milliken/boundary issue

Tom,

Thank you for responding. We'll see how it goes with Milliken. Thus far, no one with the town has expressed any opposition, but obviously that will be the town board's call, not its employees.

Did you get the email with the petition for an ordinance? That's what was sent to Milliken.

At this point, I believe Mr. Fields is determined to pursue disconnection even if it means a court case. Obviously, we hope the town sees things our way and it never comes to that!

I'll keep you and Ms. Martin up to date as information comes to me.

Thank you.

From: Tom Parko Jr. [<mailto:tparko@co.weld.co.us>]
Sent: Monday, February 23, 2015 12:03 PM
To: Christian Schulte
Cc: Michelle Martin
Subject: RE: David Fields/Milliken/boundary issue

Christian,

Good morning. I don't know if I responded to this email, but if I did not please accept my apologies. I have handed this over to my Planning Manager, Michelle Martin. Michelle has had some conversations with your

client, Mr. Fields and have provided some options for him. It sounded like from Mr. Field's that correspondence had been sent to Milliken officials to review. At this point I think we need to get some certainty (one way or another) from Milliken officials before we proceed on our end. We would like to see some official position from the Town on whether or not they will entertain disconnection. If Milliken's Board does not pass an Ordinance to disconnect will your client then proceed through Court action to disconnect which is an avenue afforded under Colorado Revised Statutes? It's difficult for us to issue building permits on a property that we don't have jurisdiction over. If disconnection is successful we will also need to amend the existing Recorded Exemption to take in the lot that was once part of Milliken. I copied Michelle on this reply in case you have further questions.

Regards,

Tom Parko, M.A.

Director of Planning Services

Weld County Dept. of Planning Services

1555 N. 17th Avenue

Greeley, CO. 80631

Office: 970-353-6100, ext 3572

Mobile: 970-302-5333



Confidentiality Notice: This electronic transmission and any attached documents or other writings are intended only for the person or entity to which it is addressed and may contain information that is privileged, confidential or otherwise protected from disclosure. If you have received this communication in error, please immediately notify sender by return e-mail and destroy the communication. Any disclosure, copying, distribution or the taking of any action concerning the contents of this communication or any attachments by anyone other than the named recipient is strictly prohibited.

From: Christian Schulte [<mailto:CSchulte@nocoattorneys.com>]
Sent: Friday, February 20, 2015 3:12 PM

To: Tom Parko Jr.
Subject: David Fields/Milliken/boundary issue

Dear Mr. Parko:

This email is to follow up on our conversation earlier this month and my letter to you of January 29, 2015. I hope all is well.

You will recall that my client, David Fields, is seeking to disconnect his family's property from the Town of Milliken, so it will become once again part of unincorporated Weld County along with all the rest of the family land in that area. It remains Mr. Fields' hope to that he can take all necessary steps to pursue a home building permit from Weld County, recognizing that no actual permit could be issued until the land is actually and formally disconnected. The goal is to minimize delay during this period of application.

To demonstrate that Mr. Fields is taking concrete steps to pursue disconnection from Milliken, please see the attached application and exhibits which my office is mailing to the Town of Milliken today. At your convenience, please review these documents and let me know if you would like any additional information.

Thank you.

Yours truly:

Christian J. Schulte, Esq.

Otis, Bedingfield & Peters, LLC

1812 56th Avenue

Greeley, Colorado 80634

(970) 330-6700

cschulte@nocoattorneys.com

www.nocoattorneys.com

THIS EMAIL IS CONFIDENTIAL: The information contained in this email or any attachment hereto is confidential. It may also be privileged. If you are not the intended recipient, notify the sender by return email and immediately delete this email.

Exhibit 1

SPECIAL AND DURABLE POWER OF ATTORNEY

I, ROBERT DAVID FIELDS (DOB 9/25/1942) of 9190 Weld County Road 52, Milliken, Colorado, as Principal, appoint my son DAVID NELSON FIELDS (DOB 5/29/1973) of 4904 30th Street, Greeley, Colorado, my lawful agent and attorney and give my son DAVID NELSON FIELDS full power and authority to act for me to prosecute any action to clear title, re-zone, de-annex, disconnect or otherwise affect certain real property belonging to me ("the Property") described as a parcel located in the East One-Half Northwest One-quarter (E ½ NW ¼) of Section 34, Township 5 North, Range 63 West of the 6 P.M., Weld County, Colorado, more particularly described as follows:

A parcel of land being part of the East One-Half Northwest One-Quarter (E 1/2 NW 1/4) Section Thirty-Four (34), Township Five (5) North, Range Sixty-Seven (67) West of the 6th Principal Meridian, Weld County, Colorado, being more particularly described as:

Considering the north line of the East One-Half Northwest One-Quarter (E 1/2 NW 1/4) of said Section Thirty-Four (34) to bear North 89°54'43" East and all bearings contained herein relative thereto.

Beginning at the West One-Sixteenth (W 1/16) Corner of said Section Thirty-Four (34); thence along the north line of the East One-Half Northwest One-Quarter (E 1/2 NW 1/4) of said Section Thirty-Four (34), North 89°54'43" East, 68.00 feet; thence leaving the north line of the East One-Half Northwest One-Quarter (E 1/2 NW 1/4) of said Section Thirty-Four (34), South 00°34'44" East, 2593.94 feet to a fence line north of the south line of the East One-Half Northwest One-Quarter (E 1/2 NW 1/4) of said Section Thirty-Four (34); thence, North 89°20'22" West, 158.22 feet along a fence line to a point on the west line of the East One-Half Northwest One-Quarter (E 1/2 NW 1/4) of said Section Thirty-Four (34); thence, North 01°24'53" East, 2592.66 feet to the Point of Beginning.

The above-described parcel contains 6.73 acres, more or less, including rights-of-way and/or easements reserved for Weld County Road 52 along the northerly side of said parcel and is also subject to rights-of-way and/or easements of record as recorded and/or as now exist.

1. Said agent is authorized to execute and deliver any and all documents reasonably necessary to consummate the disconnection of the Property from the Town of Milliken.
2. Such authority to act on my behalf, includes, without limitation, the authority to assert and maintain before a court or administrative agency or municipal body a claim, claim for relief, cause of action, counterclaim, offset, recoupment, or defense, including an action to recover property or other thing of value, recover damages sustained by the principal, eliminate or modify tax liability, or seek an injunction, specific performance, or other relief.
3. Subject to the restrictions set forth in this Power of Attorney, said agent and attorney shall have the powers conferred upon power of attorney by the Colorado Uniform Power of Attorney Act (as amended) as it exists at the time of the execution of this Power of Attorney.

Therefore, the undersigned hereby requests that the Town of Milliken, after due consideration to this Application, enact an ordinance effecting disconnection of the Subject Land from the Town of Milliken.

Dated: 2/19/15

**Robert David Fields and Doris Ann Fields,
Applicants**

By: David N. Fields
DAVID NELSON FIELDS
Power of Attorney for Robert David Fields
and Doris Ann Fields

4. Said agent and attorney shall have the power to appoint substitute attorneys-in-fact and make such appointments in writing.

5. This Power of Attorney shall not be affected by my disability.

6. This Power of Attorney shall be construed and interpreted as a special power of attorney.

7. Third parties may rely upon the representations of my agent and attorney as to all matters relating to any power granted herein. Any person who acts in reliance upon the representations of my agent and attorney or the authority granted to DAVID NELSON FIELDS pursuant to this power shall not incur any liability to me as the result of permitting said agent and attorney to exercise any power granted herein.

EXECUTED and delivered this 13th day of February, 2015.

Doris Ann Fields
Doris Ann Fields, Principal

David Nelson Fields
David Nelson Fields, Agent

STATE OF COLORADO)
) ss.
COUNTY OF WELD)

The foregoing instrument was subscribed, sworn to, and acknowledged before me this 13th day of February, by Doris Ann Fields, Principal, and by David Nelson Fields, Agent.

WITNESS my hand and official seal.

My commission expires: 7.10.2016

ANNA M. GEISENHOF
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20084023933
MY COMMISSION EXPIRES JULY 10, 2016

Anna M Geisloff
Notary Public

The Board of Trustees of the Town of Milliken herewith finds, determines and designates that this Ordinance shall take effect and be in force 30 days after publication.

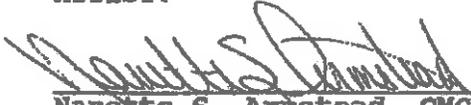
At its meeting of October 22, 1997, a public hearing was set by the Board of Trustees of the Town of Milliken for its meeting held on the 12th day of November, 1997. After the public hearing, the Ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 12th day of November, 1997.

TOWN OF MILLIKEN:



Ted Chavez - Mayor

ATTEST:



Nanette S. Armstead, CMC
Town Clerk

Published: 11/20/97

ORDINANCE NO. 367

AN ORDINANCE APPROVING THE ANNEXATION AND ZONING OF LAND TO THE TOWN OF MILLIKEN, COUNTY OF WELD, STATE OF COLORADO, TO BE KNOWN AND DESIGNATED AS THE MILL IRON 5 ANNEXATION TO THE TOWN OF MILLIKEN, COLORADO.

WHEREAS, a Petition for Annexation together with seven copies of a Plat of said land as required by ordinance were filed with the Town of Milliken by the owners of one hundred percent (100%) of the area of the land hereinafter described; and,

WHEREAS, the Board of Trustees by motion at its regular meeting accepted said Petition and found that the Petition substantially complied with the statutory requirements set forth in Sections 31-12-104, 31-12-105 and 31-12-107, C.R.S.; and,

WHEREAS, the Board of Trustees has determined that an election is not required under Section 31-12-107(2), C.R.S. as provided in Section 31-12-111, C.R.S.; and,

WHEREAS, the Board of Trustees has determined that additional terms and conditions were not to be imposed and that the Petition was signed by owners of one hundred percent (100%) of the property proposed to be annexed, exclusive of streets and alleys. Therefore, in accordance with Section 31-12-107, C.R.S., the Board of Trustees of the Town of Milliken has determined that an ordinance to annex such land to the municipality should be considered.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MILLIKEN, COLORADO:

Section 1.

That the following described land to be known and described as the Mill Iron 5 Annexation to the Town of Milliken, is hereby annexed:

The above described parcel exhibit "A" contains 99.1 acres and shall be zoned Agricultural-E (AE) and described parcel exhibit "B" contains 54.11 acres and shall be zoned Agricultural (A).

Section 2. Effective Date: Dec 20, 1997

Exhibit 2

SPECIAL AND DURABLE POWER OF ATTORNEY

I, DORIS ANN FIELDS (DOB 12/27/1942) of 9190 Weld County Road 52, Milliken, Colorado, as Principal, appoint my son DAVID NELSON FIELDS (DOB 5/29/1973) of 4904 30th Street, Greeley, Colorado, my lawful agent and attorney and give my son DAVID NELSON FIELDS full power and authority to act for me to prosecute any action to clear title, re-zone, de-annex, disconnect or otherwise affect certain real property belonging to me ("the Property") described as a parcel located in the East One-Half Northwest One-quarter (E ½ NW ¼) of Section 34, Township 5 North, Range 63 West of the 6 P.M., Weld County, Colorado, more particularly described as follows:

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The above-described parcel contains 6.73 acres, more or less, including rights-of-way and/or easements reserved for Weld County Road 52 along the northerly side of said parcel and is also subject to rights-of-way and/or easements of record as recorded and/or as now exist.

1. Said agent is authorized to execute and deliver any and all documents reasonably necessary to consummate the disconnection of the Property from the Town of Milliken.

2. Such authority to act on my behalf, includes, without limitation, the authority to assert and maintain before a court or administrative agency or municipal body a claim, claim for relief, cause of action, counterclaim, offset, recoupment, or defense, including an action to recover property or other thing of value, recover damages sustained by the principal, eliminate or modify tax liability, or seek an injunction, specific performance, or other relief.

3. Subject to the restrictions set forth in this Power of Attorney, said agent and attorney shall have the powers conferred upon power of attorney by the Colorado Uniform Power of Attorney Act (as amended) as it exists at the time of the execution of this Power of Attorney.

4. Said agent and attorney shall have the power to appoint substitute attorneys-in-fact and make such appointments in writing.

5. This Power of Attorney shall not be affected by my disability.

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7. Third parties may rely upon the representations of my agent and attorney as to all matters relating to any power granted herein. Any person who acts in reliance upon the representations of my agent and attorney or the authority granted to DAVID NELSON FIELDS pursuant to this power shall not incur any liability to me as the result of permitting said agent and attorney to exercise any power granted herein.

EXECUTED and delivered this 13th day of February, 2015.

Robert David Fields
Robert David Fields, Principal

David Nelson Fields
David Nelson Fields, Agent

STATE OF COLORADO)
) ss.
COUNTY OF WELD)

The foregoing instrument was subscribed, sworn to, and acknowledged before me this 13th day of February, by Robert David Fields, Principal, and by David Nelson Fields, Agent.

WITNESS my hand and official seal.

My commission expires: 7.10.2016

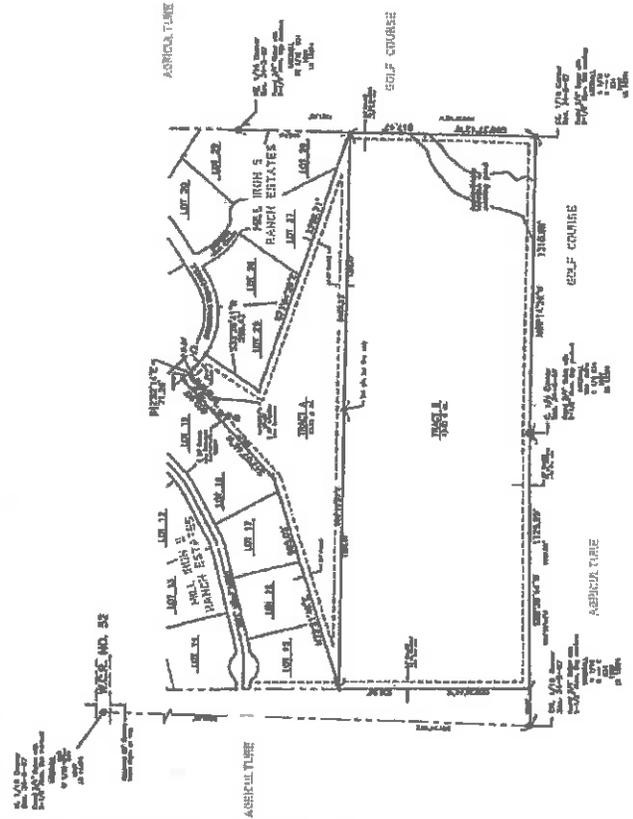
ANNA M. GEISENHOF
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20084023933
MY COMMISSION EXPIRES JULY 10, 2016

Anna M Geischoff
Notary Public

REPLAT OF TRACTS A AND B U - MILL IRON 5 RANCH ESTATES - 15

BEING A PORTION OF THE NORTH HALF OF SECTION 34, TOWNSHIP 5 NORTH,
RANGE 07 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO.

W.E.S.E. NO. 52



CURVE DATA TABLE

NO.	BEARING	LENGTH	CHORD	ANGLE	PIECE
1	N 89° 00' 00" E	100.00	100.00	0° 00' 00"	100.00
2	S 89° 00' 00" E	100.00	100.00	0° 00' 00"	100.00
3	S 00° 00' 00" E	100.00	100.00	0° 00' 00"	100.00
4	N 89° 00' 00" W	100.00	100.00	0° 00' 00"	100.00
5	N 00° 00' 00" W	100.00	100.00	0° 00' 00"	100.00
6	N 89° 00' 00" W	100.00	100.00	0° 00' 00"	100.00
7	S 89° 00' 00" W	100.00	100.00	0° 00' 00"	100.00
8	S 00° 00' 00" W	100.00	100.00	0° 00' 00"	100.00
9	S 89° 00' 00" E	100.00	100.00	0° 00' 00"	100.00
10	S 00° 00' 00" E	100.00	100.00	0° 00' 00"	100.00
11	N 89° 00' 00" E	100.00	100.00	0° 00' 00"	100.00
12	S 89° 00' 00" E	100.00	100.00	0° 00' 00"	100.00
13	S 00° 00' 00" E	100.00	100.00	0° 00' 00"	100.00
14	N 89° 00' 00" W	100.00	100.00	0° 00' 00"	100.00
15	N 00° 00' 00" W	100.00	100.00	0° 00' 00"	100.00
16	N 89° 00' 00" W	100.00	100.00	0° 00' 00"	100.00
17	S 89° 00' 00" W	100.00	100.00	0° 00' 00"	100.00
18	S 00° 00' 00" W	100.00	100.00	0° 00' 00"	100.00
19	S 89° 00' 00" E	100.00	100.00	0° 00' 00"	100.00
20	S 00° 00' 00" E	100.00	100.00	0° 00' 00"	100.00

JAMES T. LADDWELL, JR.
Surveyor
1000 14th St., Denver, CO 80202
303-733-1111

Scale: 1" = 200'

INTERMILL LAND SURVEYING, INC.
1000 14th St., Denver, CO 80202
303-733-1111

STATE OF COLORADO
COUNTY OF WELD
I, James T. Laddwell, Jr., Surveyor, do hereby certify that the above and foregoing plat is a true and correct copy of the original plat on file in my office, and that the same has been duly recorded in my office.

Recorded on 15th day of April, 1995.
Surveyor
James T. Laddwell, Jr.
County of Weld

The Intermill Land Surveying, Inc. hereby certifies that the above and foregoing plat is a true and correct copy of the original plat on file in my office, and that the same has been duly recorded in my office.

STATE OF COLORADO
COUNTY OF WELD
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County of Weld

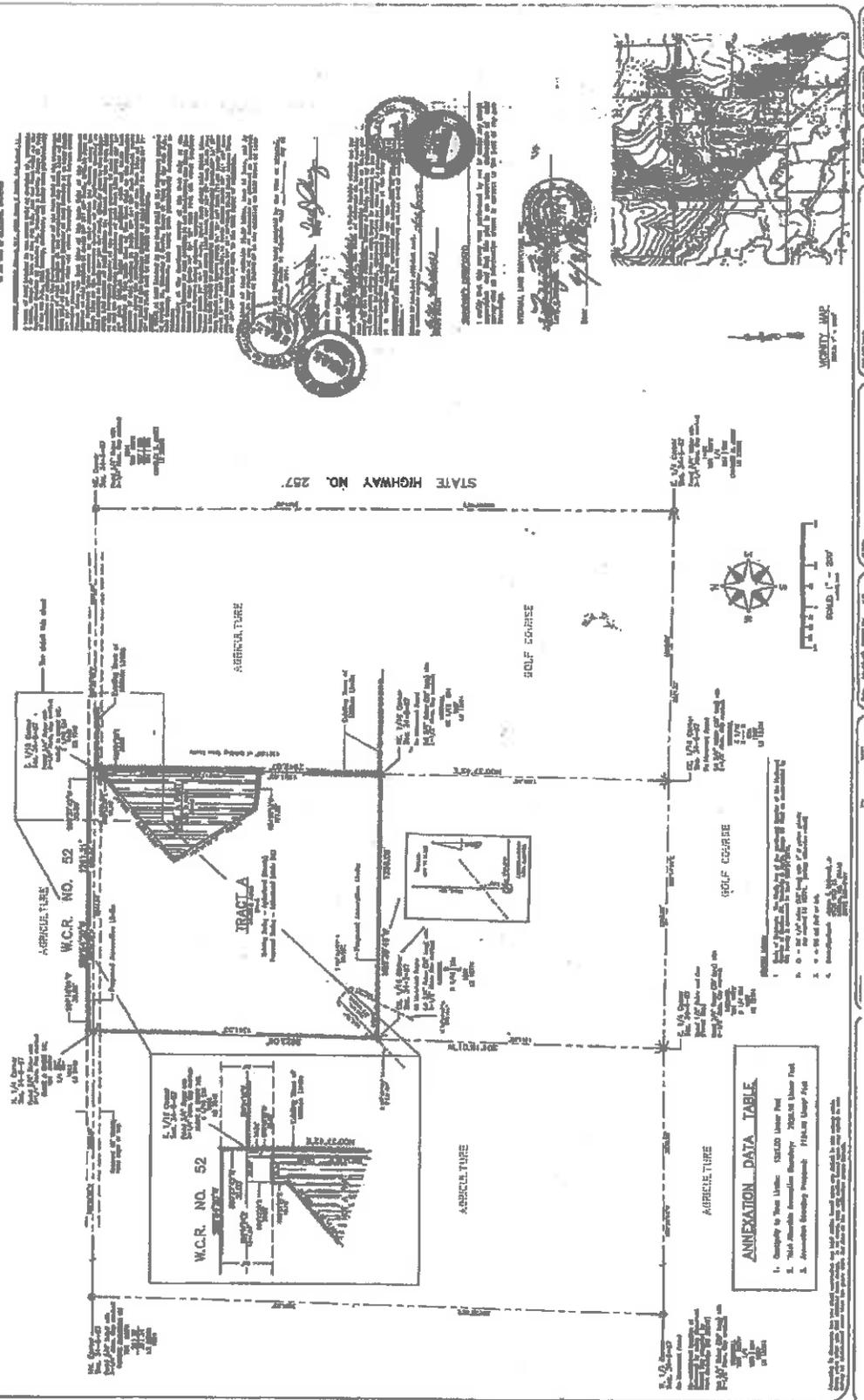
The Intermill Land Surveying, Inc. hereby certifies that the above and foregoing plat is a true and correct copy of the original plat on file in my office, and that the same has been duly recorded in my office.

STATE OF COLORADO
COUNTY OF WELD
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Recorded on 15th day of April, 1995.
Surveyor
James T. Laddwell, Jr.
County of Weld

5 - MILL IRON 5 RANCH FIRST ANNEXATION - 78
 BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 27, AND A PORTION OF
 THE SOUTH HALF OF SECTION 27, ALL IN TOWNSHIP 3 NORTH, RANGE 17 WEST OF THE 6TH PAI.
 COUNTY OF WELLS STATE OF COLORADO

65
 1957



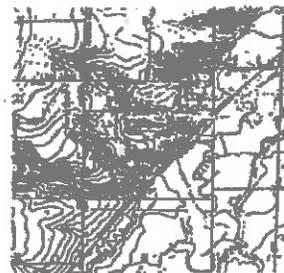
ANNEXATION DATA TABLE

1. Description of Tract: (SEE) (SEE) (SEE)
2. Total Acreage: (SEE) (SEE) (SEE)
3. Information: (SEE) (SEE) (SEE)

THE STATE OF COLORADO, COUNTY OF WELLS, I, the undersigned, a duly qualified and licensed Surveyor, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the same, and that the same has been compared with the original survey and found to be correct.

[Signature]
 Surveyor

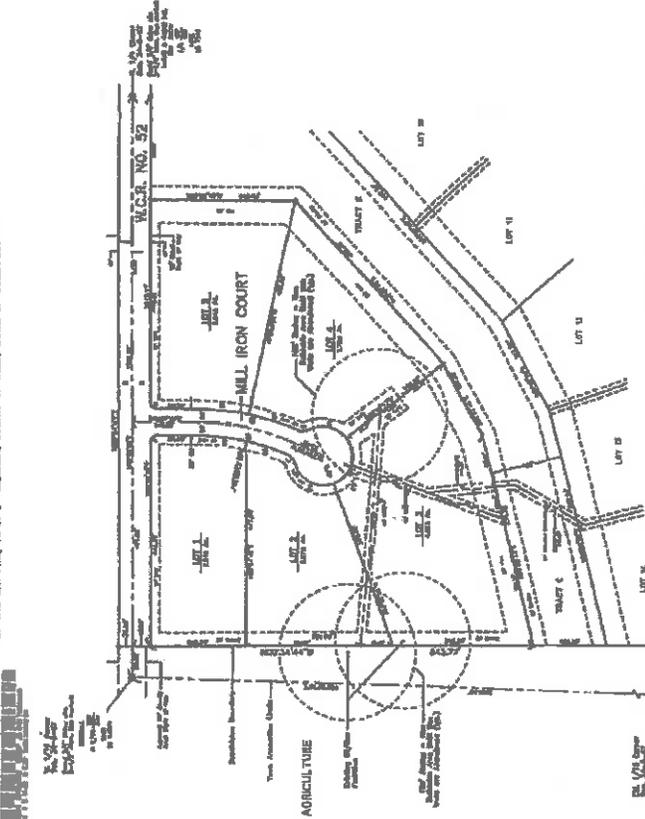
STATE HIGHWAY NO. 257



PROPERTY LINE

REPLAT OF LOTS 1, 2, 3, 4, 5 AND 6
 5 - MILL IRON 5 RANCH ESTATES - 5

SHOWS A PORTION OF THE NORTH HALF OF SECTION 34, TOWNSHIP 3 NORTH, RANGE 87 WEST
 OF THE 6TH P.M., TERRY OF MALLARD, COUNTY OF WELLS, STATE OF COLORADO.



CURVE DATA TABLE

STATION	CHORD BEARING	CHORD DISTANCE	ARC BEARING	ARC DISTANCE
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THIS PLAT IS SUBJECT TO THE REVERSE SIDE OF THIS PLAT AND TO THE REVERSE SIDE OF THE REVERSE SIDE OF THIS PLAT.

INTERMILL LAND SURVEYING, INC.
 1000 W. 10TH AVENUE, SUITE 100, DENVER, CO 80202
 TEL: 303.733.1111 FAX: 303.733.1112

STATE OF COLORADO
 COUNTY OF WELLS
 DISTRICT OF WELLS

APPROVED BY THE PUBLIC SCHOOLS COMMISSIONER OF COLORADO FOR THE COUNTY OF WELLS



APPROVED BY THE PUBLIC SCHOOLS COMMISSIONER OF COLORADO FOR THE COUNTY OF WELLS

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APPROVED BY THE PUBLIC SCHOOLS COMMISSIONER OF COLORADO FOR THE COUNTY OF WELLS

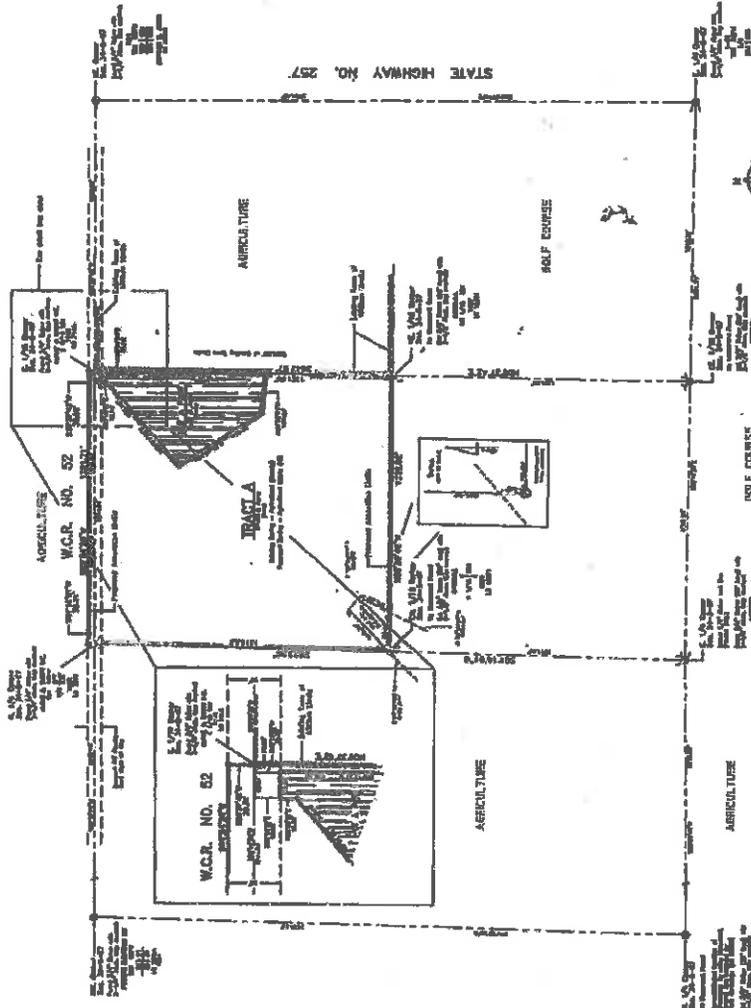
APPROVED BY THE PUBLIC SCHOOLS COMMISSIONER OF COLORADO FOR THE COUNTY OF WELLS

APPROVED BY THE PUBLIC SCHOOLS COMMISSIONER OF COLORADO FOR THE COUNTY OF WELLS

5 - MILL IRON 5 RANCH FIRST ANNEXATION - 5

ANNEXATION MAP FOR

BEING A PART OF THE ANNEXATION MAP OF THE MILL IRON 5 RANCH, A PORTION OF
 THE SOUTHERN LAND OF SECTION 35, T10N, R10E, S10E, COUNTY OF WYOMING, STATE OF WYOMING.



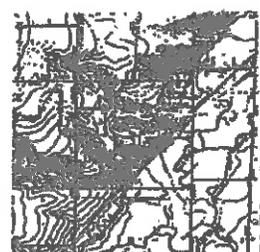
ANNEXATION DATA TABLE

1. Grouping to New Index: 02242 State Act
2. Well Abandonment Inventory: 02013 State Act
3. Abandonment Inventory: 02014 State Act

[Handwritten notes and signatures]

STATE OF WYOMING
 COUNTY OF WYOMING

[Signature]
 Surveyor



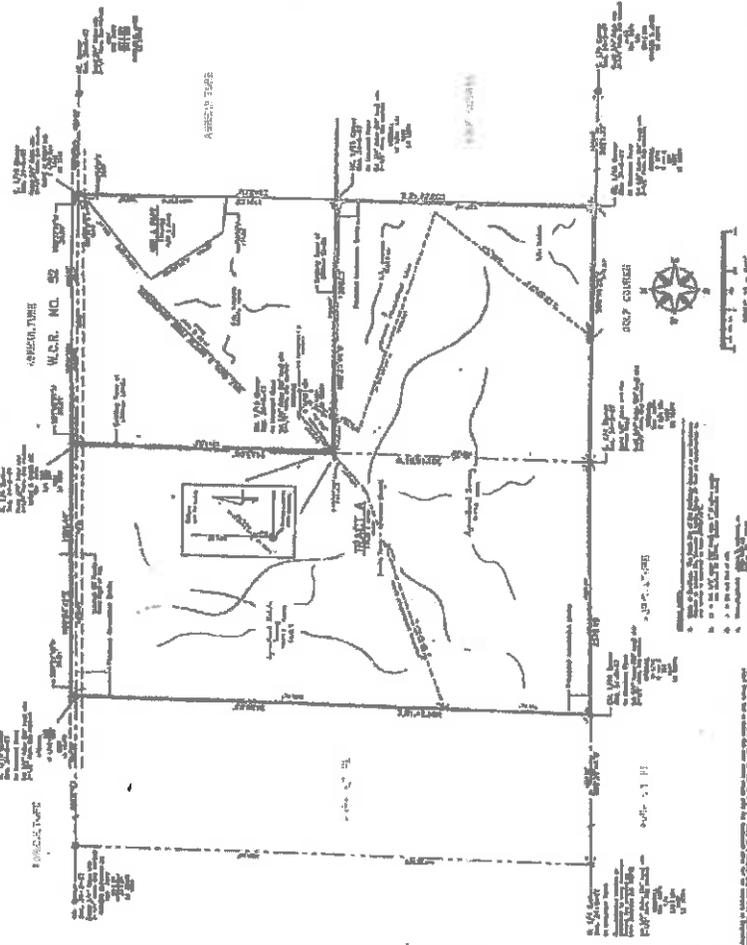
Y - MILL IRON 5 RANCH SECOND ANNEXATION - 3

APPROXIMATE MAP FOR

SECTION 16, TOWNSHIP 33 N., RANGE 107 W., COUNTY OF HERRING, STATE OF COLORADO

LEGEND

1. Property to Iron Works 200000 Acres A-1
 2. 1000 Acres Reservoir 200000 Acres A-2
 3. 1000 Acres Reservoir 200000 Acres A-3
 4. 1000 Acres Reservoir 200000 Acres A-4



INTERMILL LAND SURVEYING, INC.
 1000 W. 10th Street, Suite 100, Denver, Colorado 80202
 Phone: (303) 733-1111
 Fax: (303) 733-1112
 E-mail: info@intermill.com
 Website: www.intermill.com

DATE: 10/15/2010
BY: JAMES T. BURNELL, JR.
SCALE: AS SHOWN
PROJECT: Y - MILL IRON 5 RANCH SECOND ANNEXATION - 3



NOTICE TO CONTRACTORS

THIS SURVEY MAP IS A PRELIMINARY MAP AND IS NOT TO BE USED FOR CONSTRUCTION PURPOSES. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND NO OBVIOUS ENCUMBRANCES OR EASEMENTS. THE SURVEYOR HAS ALSO CONDUCTED A VISUAL INSPECTION OF THE SURROUNDING AREAS AND HAS FOUND NO OBVIOUS ENCUMBRANCES OR EASEMENTS. THE SURVEYOR HAS ALSO CONDUCTED A VISUAL INSPECTION OF THE SURROUNDING AREAS AND HAS FOUND NO OBVIOUS ENCUMBRANCES OR EASEMENTS.

APPROVED:

[Signature]
 JAMES T. BURNELL, JR.
 SURVEYOR



Weld County Referral

April 06, 2015

The Weld County Department of Planning Services has received the following item for review:

Applicant: ROBERT AND DORIS FIELDS

Case Number: RECX15-0053

Please Reply By: May 03, 2015

Planner: Ryder Reddick

Project: Amend Lot B of corrected RE-4740

Location: South of and adjacent to County Road 52 & Approximately 0.5 Mile East of County Road 17.5

Parcel Number: 095734200005-R6779840 Legal: PT W2NW4 SECTION 34, T5N, R67W LOT B CORR REC EXEMPT RE-4740 of the 6th P.M., Weld County, Colorado.

The application is submitted to you for review and recommendation. Any comments or recommendation you consider relevant to this request would be appreciated. Please reply by the above listed date so that we may give full consideration to your recommendation. Any response not received before or on this date may be deemed to be a positive response to the Department of Planning Services. **Please note that new information may be added to applications under review during the review process. If you desire to examine or obtain this additional information, please call the Department of Planning Services.**

- We have reviewed the request and find that it does / does not comply with our Comprehensive Plan because: _____*
- We have reviewed the request and find no conflicts with our interests.*
- See attached letter.*

Signature _____

Date _____

Agency _____

CERTIFICATE OF CONVEYANCES
STATE OF COLORADO
COUNTY OF WELD

WELD COUNTY
DEPARTMENT OF PLANNING SERVICES

Land Title Order No.: FIELDS 34 5 67

The Land Title Guarantee Company (TITLE INSURANCE or ABSTRACT COMPANY) hereby certifies that it has made a careful search of its records, and finds the following conveyances affecting the real estate described herein since August 30, 1972, and the most recent deed recorded prior to August 30, 1972.

Legal Description:

LOT B, CORRECTED RECORDED EXEMPTION NO. 0957-34-2 RE-4740 ACCORDING TO MAP RECORDED MAY 11, 2011 AT RECEPTION NO. 3767954 BEING A PORTION OF THE WEST ½ OF NW1/4 OF SECTION 34, TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH P. M., COUNTY OF WELD, STATE OF COLORADO, AND THE E1/2 NW1/4 SECTION 34, TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH P. M., EXCEPT MILL IRON 5 RANCH ESTATES, COUNTY OF WELD, STATE OF COLORADO.

CONVEYANCES (if none appear, so state):

Book 1132 page 477
Book 555 Reception No. 1476909
Reception No. 1584185
Reception No. 2929610
Reception No. 3512156
Reception No. 3512157
Reception No. 3767954 (For Information Only)
Reception No. 3571642 (For Information Only)
Book 1523 Page 275
Book 815 Reception No. 1736843
Book 817 Reception No. 1739325
Book 817 Reception No. 1739326
Reception No. 3463387

This Certificate is made for the use and benefit of the Department of Planning Services of Weld County, Colorado.

This Certificate is not to be construed as an Abstract of Title, nor an opinion of Title, nor a guarantee of Title, and the liability of Land Title Guarantee COMPANY, is hereby limited to the fee paid for this Certificate.

It Witness Whereof, Land Title Guarantee COMPANY, has caused this certificate to be signed by its proper officer this 26th day of March, 2015 at 5:00 o'clock P.M.

LAND TITLE GUARANTEE COMPANY

By: Nancy Dehn

REAL ESTATE CONVEYANCE COMPLIANT WITH 1958 ACT 1-40
 ANN FROMER RECORDER

This Deed, Made this thirteenth day of January in the year of our Lord one thousand nine hundred and fifty-nine between **CHARLES R. BOSWORTH** of the County of Boulder and State of Colorado; and **HELEN RICHEY BOSWORTH** of the City and County of Denver and State of Colorado, of the first part, and **ADAM HELZER and MOLLIE HELZER** of the County of Weld and State of Colorado, of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of One Thousand Dollars and other valuable considerations to the said parties of the first part in hand paid by the said parties of the second part, the receipt whereof is hereby confessed and acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, to pass not in tenancy in common but in joint tenancy, the survivor of them, their assigns and the heirs and assigns of such survivor forever, all the following described lot or parcel of land, situate, lying and being in the County of Weld and State of Colorado, ~~to-wit:~~ the Northern Colorado Water Conservancy District, West Greeley Soil Conservation District and The Johnstown Fire Protection District,

to-wit: The $W\frac{1}{2}$ of the $NE\frac{1}{4}$ and the $E\frac{1}{2}$ of the $NW\frac{1}{4}$ of Section 34, Township 5 North, Range 67 West of the 6th P.M., together with all ditch, reservoir and water rights appurtenant to or belonging to said land and used thereon, and especially four shares of the capital stock of The Greeley and Loveland Irrigation Company, one-half water right in the Loveland and Greeley Reservoir, commonly known as Lake Loveland, and represented by Contract No. 177, an allotment of 75 acre-feet of water by the Northern Colorado Water Conservancy District as evidenced by order recorded in Book 1044, Page 373, Weld County Records, together with all rights of way for ditches

appertaining, and the reversion and reversion, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the said parties of the first part, either in law or equity, of, in and to the above bargained premises, the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with appurtenances, unto the said parties of the second part, the survivor of them, their assigns and the heirs and assigns of such survivor forever. And the said parties of the first part, for themselves, their heirs, executors, and administrators, do covenant, grant, bargain and agree to and with the said parties of the second part, the survivor of them, their assigns and the heirs and assigns of such survivor, that at the time of the enclosing and delivering of these presents, they are well seized of the premises above conveyed, as of good, sure, perfect, absolute and inalienable estate of inheritance, in law, in fee simple, and have good right, full power and lawful authority to grant, bargain, sell and convey, the same in manner and form aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments and incumbrances of whatever kind or nature soever: subject to 1959 taxes and future years' taxes,

and the above bargained premises in the quiet and peaceable possession of the said parties of the second part, the survivor of them, their assigns and the heirs and assigns of such survivor, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said parties of the first part shall and will **WARRANT AND FOREVER DEFEND.**

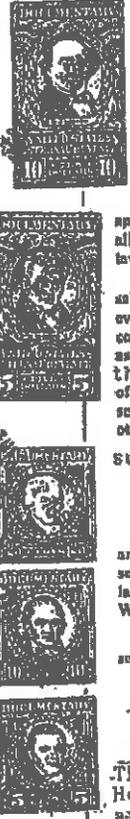
IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of
 Charles R. Bosworth (SEAL)
 Helen Richey Bosworth (SEAL)
 The acknowledgment of Helen Richey Bosworth appears on reverse side.

STATE OF COLORADO, County of Boulder. The foregoing instrument was acknowledged before me this 17 day of January, 19 59, by Charles R. Bosworth.

Witness My Hand and Official Seal
 My Commission Expires Jan 30 1963
Ann Fromer
 Notary Public.

WARRANTY DEED—To Joint Tenants—Tribune, Greeley, Colorado.



STATE OF COLORADO }
City and } ss:
County of Denver }

The foregoing instrument was acknowledged before me this
day of September, 1959, by Helen Richey Bosworth.

Witness my Hand and Official Seal.

My Commission Expires: March 11, 1961

Henry J. Hansen
Notary Public



JAN-27-59 00236 B - Rfd 280

No. 1296535

WARRANTY DEED
JOINT TENANTS

Charles F. Bosworth et al
Adrian Helge et al

STATE OF COLORADO, }
County of Weld, }

I hereby certify that this instrument was filed

for record in my office this

day of JAN 27 1959 A. D. 19

at 3:30 o'clock P.M., and is duly recorded

in Book 1523 Page 276

Ann Spornik Recorder
By Henry J. Hansen Deputy

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Fees & c.

Ward & Ward
Box 512
Sturley, Colo.

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BOOK 330 P
1736843
NOV 23 1977
MARY ANN FEURSTEIN
Recorder

ADAM HELZER and MOLLIE HELZER
whose address is 9726 Road 52, Milliken,
County of Weld, and State of
Colorado, for the consideration of other valuable
consideration and TEN AND NO/100—Dollars, in hand paid,
hereby sell(s) and quit claim(s) to ADAM HELZER and
MOLLIE HELZER as tenants in common,
whose address is 9726 Road 52, Milliken;

County of Weld, and State of Colorado, the following real
property, in the County of Weld, and State of Colorado; to wit:
The West Half (W/2) of the Northeast Quarter (NE/4) and the East Half (E/2) of the
Northeast Quarter (NE/4) of Section 34, Township 3 North, Range 67 West of the
6th P.M., together with all ditch, culvert and water rights appurtenant to
or belonging to said land and used thereon, including four (4) shares of the
capital stock of the Ordway and Loveland Irrigation Co., and water
right in the Loveland and Granlay Reservoir, commonly known as Lake Loveland,
and represented by Contract No. 177, and an allotment of 75 acre feet of water
from the Northern Colorado Water Conservancy District;

with all its appurtenances.

Signed this 23 day of Nov, 1977,
Adam Helzer
Adam Helzer
Mollie Helzer
Mollie Helzer

STATE OF COLORADO,
County of BOULDER

The foregoing instrument was acknowledged before me this 23
day of Nov, 1977, by Adam Helzer and Mollie Helzer

My commission expires 02 27, 1977
Witness my hand and official seal
James J. [Signature]



1739325 9 --

Recorded at 25 DEC 21 1977
Reception No. 1739325 MARY ANN FEURSTEIN Secretary

THIS DEED, Made this 19th day of December, 1977
between **ADAM HELSER and MOLLIE HELSER**, tenants
in common, previously owned as joint tenants
of the
County of Weld and State of Colorado of the first part, and
WESLEY MCDONNELL, JR. whose legal address is
County Road #2 Milliken, Colorado 80543
County of Weld and State of
Colorado, of the second part:

State Documentary Fee
Date DEC 21 1977
26.50

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of Ten Dollars and other valuable considerations to the said parties of the first part in hand paid by said party of the second part, the receipt whereof is hereby confessed and acknowledged, he/she granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm, unto the said party of the second part, his heirs and assigns forever, all the following described lot or parcel of land, situate, lying and being in the County of Weld and State of Colorado, to-wit:
The West Half (W $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) and the East Half (E $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Thirty-Four (34), Township Five (5) North, Range Sixty-seven (67) West of the 6th P.M. of Weld County, together with four (4) shares of the capital stock of the Greeley and Loveland Irrigation Company, represented by Stock Certificate No. 1834, one-half (1/2) water right in the Loveland and Greeley Reservoir, commonly known as Lake Loveland, and represented by Contract No. 177, and an allotment of seventy-five (75) acre-feet of water of the Northern Colorado Water Conservancy District, as evidenced by order recorded in Book 1044, at Page 373, Weld County, Colorado records, together with all rights of way for ditches, also known as street and number 926 County Road 5A, Milliken, Colorado 80543

TOGETHER with all and singular the benefits and appurtenances thereto in anywise appertaining, and the reversions and remainders, rents, issues and profits thereof, and all the claims, rights, title, interest, claim and demand whatsoever of the said parties of the first part, either in law or equity, of, in and to the above described premises, with the benefits and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto the said party of the second part, his heirs and assigns forever. And the said parties of the first part, for their selves, heirs, executors, and administrators, do covenant, grant, bargain, and agree to and with the said party of the second part, his heirs and assigns, that at the time of the executing and delivery of these presents, they know well and of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and have good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, leases, tenements, encumbrances and whatsoever of whatever kind or nature soever, except restrictions, agreements, reservations and easements of record

and the above bargained premises in the quiet and peaceful possession of the said party of the second part, his heirs and assigns against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said parties of the first part shall and will WARRANT AND FOREVER DEFEND.
IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Adam Helszer (SEAL)
Mollie Helszer (SEAL)
Mollie Helszer (SEAL)

STATE OF COLORADO,
County of Weld) ss.
I, Wesley McDonnell, Jr. was acknowledged before me this 19th day of December, 1977, by Adam Helszer and Mollie Helszer, tenants in common, present, and I, the undersigned, a Notary Public in and for the State of Colorado, do hereby certify that the foregoing is a true and correct copy of the original as the same appears from the records of my office.
Witness my hand and official seal.
Notary Public.

2006

1739326 9 1739326 9 1739326 9

No. 29,458

Received at 125
 Reception No. 1739326
 DEC 21 1977
 MARY ANN FRONSTEN, Recorder

ADAM HELZER and MOLLIE HELZER
 whose address is 9726 Road 52, Hilliken,
 County of Weld, and State of
 Colorado, for the consideration of other valuable
 consideration and TEN AND NO/100 -Dollars, in hand paid,
 hereby sell(s) and quit claim(s) to ADAM HELZER and
 MOLLIE HELZER as tenants in common,
 whose address is 9726 Road 52, Hilliken,
 County of Weld, and State of Colorado, the following real
 property, in the County of Weld, and State of Colorado, to wit:
 The West Half (1/2) of the Northwest Quarter (NW1/4) and the East Half (1/2) of the
 Northwest Quarter (NW1/4) of Section 34, Township 5 North, Range 67 West of the
 6th P.M., together with all ditch, reservoir and water rights appurtenant to
 or belonging to said land and used thereon, including four (4) shares of the
 capital stock of the Greeley and Loveland Irrigation Co., one-half (1/2) water
 right in the Loveland and Greeley Reservoirs, commonly known as Lake Loveland,
 and represented by Contract No. 177, and an allotment of 75 acre feet of water
 from the Northern Colorado Water Conservancy District.

This deed is given to correct an error in a prior deed between the same parties.

with all its appurtenances.

Signed this 19th day of December 1977.
 Adam Helzer
 Mollie Helzer

STATES OF COLORADO,
 County of _____

The foregoing instrument was acknowledged before me this 19th
 day of December, 1977, by Adam Helzer and Mollie Helzer.

My commission expires Aug. 22, 1981.
 Witness my hand and official seal

Karen K. Bennett
 Notary Public

EXHIBIT "A"

3463387 03/21/2007 11:43A Weld County, CO
2 of 2 R 11.00 D 0.00 Steve Moreno Clerk & Recorder

DESCRIPTION

A parcel of land being part of the East One-Half Northwest One-Quarter (E 1/2 NW 1/4) Section Thirty-Four (34), Township Five (5) North, Range Sixty-Seven (67) West of the 6th Principal Meridian, Weld County, Colorado, being more particularly described as:

Considering the north line of the East One-Half Northwest One-Quarter (E 1/2 NW 1/4) of said Section Thirty-Four (34) to bear North 89°54'43" East and all bearings contained herein relative thereto.

Beginning at the West One-Sixteenth (W 1/16) Corner of said Section Thirty-Four (34); thence along the north line of the East One-Half Northwest One-Quarter (E 1/2 NW 1/4) of said Section Thirty-Four (34), North 89°54'43" East, 68.00 feet; thence leaving the north line of the East One-Half Northwest One-Quarter (E 1/2 NW 1/4) of said Section Thirty-Four (34), South 00°34'44" East, 2593.94 feet to a fence line north of the south line of the East One-Half Northwest One-Quarter (E 1/2 NW 1/4) of said Section Thirty-Four (34); thence, North 89°20'22" West, 158.22 feet along a fence line to a point on the west line of the East One-Half Northwest One-Quarter (E 1/2 NW 1/4) of said Section Thirty-Four (34); thence, North 01°24'53" East, 2592.66 feet to the Point of Beginning.

The above-described parcel contains 6.73 acres, more or less, including rights-of-way and/or easements reserved for Weld County Road 52 along the northerly side of said parcel and is also subject to rights-of-way and/or easements of record as recorded and/or as now exist.

SURVEYOR'S CERTIFICATE

I, Kenneth R. Alles, a Registered Professional Land Surveyor in the State of Colorado do hereby certify that the survey represented by this description was made under my personal supervision and checking. I further certify that the survey and this description complies with all applicable rules, regulations, and laws of the State of Colorado, State Board of Licensure for Professional Engineers and Professional Land Surveyors, to the best of my knowledge.



Kenneth R. Alles, Colorado PLS 9644

September 09, 2006

Date
STATE OF COLORADO

KNOW ALL MEN BY THESE PRESENTS, That I, ROBERT NELSON

of the County of Weld, and State of Colorado,
for the consideration of TEN DOLLARS and other consideration
in hand paid, hereby sell and convey to JAMES R. NELSON and MARY NELSON
of the County of Weld, and State of Colorado,
the following real property, situate in the County of Weld
and State of Colorado, to-wit:

The west half (W. 1/2) of the northwest quarter of section thirty-four (34), in township five (5) north, of range sixty-seven (67) west of the 6th P.M., together with all right, title and interest in and to the entire system of the T. J. Jones Seepage Ditch and Reservoir used and operated in connection with said land, and all rights, franchises and appropriations in connection therewith; also the pumping plant now used for the irrigation of said premises, including all pipe, pump and engines; except two (2) rods off the West (W) side of said premises reserved for private driveway.

with all its appurtenances, and warrant the title to the point, subject to The premises herein described are hereby expressly declared to pass not in tenancy in common but in joint tenancy.

The actual consideration is less than one hundred dollars.

Signed and delivered this 25th day of April, A. D. 19 44
In the presence of *R. Nelson* (SEAL)

(SEAL)

(SEAL)



STATE OF COLORADO,
County of Boulder } ss.
I, the foregoing instrument was acknowledged before me this 25th day of April, 1944, by ROBERT NELSON
WITNESS my hand and official seal.
My commission expires November 24th, 1945

Gay Law
Notary Public.

*If by natural person or persons here insert name or names; if by person acting in representative or official capacity or an attorney-in-fact, then insert name of person as executor, attorney-in-fact or other capacity as designated; if by officer or corporation, then insert name of such officer or officers, or the president or other officer of such corporation, including its statutory designation, besides the name.
No. 397. WARRANTY DEED--Statutory Form--The Bradford-Robinson Fig. Co., Mrs. Robinson's Legal Blanks, 1224 Stout St., Denver, Colo.

Recorded on 9 43 A DEC 5 - 1965
1476909

QUIT CLAIM DEED IN JOINT TENANCY

1.75

D - Ref

REC-165 00045

KNOW ALL MEN BY THESE PRESENTS, That Robert Nelson, of the County of Weld and State of Colorado, for the consideration of Ten Dollars and other valuable considerations in hand paid, hereby sells and quit claims to James E. Nelson and Mary Nelson, of the County of Weld and State of Colorado in joint tenancy and it is declared that the property is conveyed in joint tenancy, to the said James E. Nelson and Mary Nelson, the survivor of them, their assigns, and the heirs and assigns of such survivor, the following real estate and property, situate in the County of Weld and State of Colorado, to-wit:

A strip of land two (2) rods in width along the West side of the West Half (W¹/₂) of the Northwest Quarter (NW¹/₄) Section Thirty-four (34), Township Five (5) North, Range Sixty-seven (67) West of the 6th Principal Meridian, being that same tract of land excepted by Robert Nelson as the grantor in Warranty Deed recorded in Book 1132 at Page 477 of the Weld County records.

with all its appurtenances.

Signed and delivered this 2nd day of December A.D. 1965.

Robert Nelson
Robert Nelson

STATE OF COLORADO }
COUNTY OF WELD } SS.

The foregoing instrument was acknowledged before me this 2nd day of December, 1965, by Robert Nelson.
WITNESS my hand and official seal.
My commission expires:

My Commission expires September 13, 1967

Salvatore
Notary Public



75 EK km

SCHEDULE "A"

W¹ of the NW¹ of Section 34, Township 8 North, Range 67 West of the 6th P. M., Weld County, Colorado, together with all water, water rights, ditches, ditch rights, reservoirs and reservoir rights appertaining thereto or in any wise used in connection therewith, including, but not limited to all right, title and interest in and to the entire system of The T. J. Jones Storage Ditch and Reservoir used and operated in connection with said land, and all rights, franchises and appropriations in connection therewith, subject, however, to the following:

- (1) 1972 taxes due and payable in 1973, and future assessments of Northern Colorado Water Conservancy District, Johnstown Fire Protection District, Little Thompson Valley Water District and West Overlay Soil Conservation District;
- (2) Any and all reservations, limitations, conditions and exceptions contained in instruments of record which in any way relate to or burden the above described premises. The grantors herein, as joint tenants, hereby except and reserve an undivided one-half interest in and to all oil, gas and other minerals and mineral rights in, upon and under said real estate, together with the full and free right to enter upon said premises and use so much of the surface thereof as may be reasonably necessary for operating, drilling and marketing the production thereof, and for the purpose of this reservation;
- (3) Rights of way or other easements as granted or reserved by instruments of record or as now existing on said premises, including, but not limited to that certain easement and right of way granted under instrument recorded December 3, 1985 under Reception No. 1476910 in Book 558 of the Weld County records, and that certain right of way heretofore conveyed to the Union Pacific Railroad Company by deed recorded December 21, 1986 in Book 148 at page 464 of the Weld County records;
- (4) Oil, gas and mineral leases recorded May 25, 1970 under Reception No. 1547566 in Book 628 of the Weld County records.

3512156 10/18/2007 04:02P Weld County, CO
1 of 1 R 6.00 D 0.00 Steve Moreno Clerk & Recorder

QUITCLAIM DEED

THIS DEED is dated October 17, 2007, and is made between Robert D. & Doris A. Fields

(whether one, or more than one), the "Grantor," of the * County of Weld and State of Colorado and

Robert D. & Doris A. Fields

(whether one, or more than one), the "Grantee," whose legal address is 9082 CR 52, Milliken, CO 80543

of the County of Weld and State of Colorado

WITNESS, that the Grantor, for and in consideration of the sum of Ten and no/100 DOLLARS, (\$ 10.00), the receipt and sufficiency of which is hereby acknowledged, does hereby remise, release, sell and QUITCLAIM unto the Grantee and the Grantee's heirs and assigns, forever, all the right, title, interest, claim and demand which the Grantor has in and to the real property, together with any improvements thereon, located in the County of Weld and State of Colorado, described as follows:

A tract of land being the West One-Half Northwest One-Quarter (W2 NW4) Section Thirty-Four (34), Township Five (5) North, Range Sixty-seven (67) West of the 6th Principal Meridian, Weld County, Colorado and lying North of the Union Pacific Railroad right of way.

also known by street address as:
and assessor's schedule or parcel number:

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the Grantor, either in law or equity, to the only proper use, benefit and behoof of the Grantee, and the Grantee's heirs and assigns, forever.

IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.

Robert D. Fields
Doris A. Fields

STATE OF COLORADO
County of Weld } ss.

The foregoing instrument was acknowledged before me this 17th day of October, 2007, by ROBERT D FIELDS AND DORIS A FIELDS

Witness my hand and official seal.
My commission expires: 4/5/2011

*Insert "City and" where applicable.

[Signature]
Notary Public


Kenneth R. Allis, PLS 9644, 428 N. 2nd Street, LaSalle, Colorado 80645
Name and Address of Person Creating Notary Created Legal Description (§ 38-35 106.5, C.R.S.)

3612157 10/18/2007 04:02P Weld County, CO
1 of 1 R 8.00 B 0.00 Steve Marano Clerk & Recorder

QUITCLAIM DEED

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(whether one, or more than one), the "Grantor," of the County of Weld and State of Colorado and Robert D. & Doris A. Fields

(whether one, or more than one), the "Grantee," whose legal address is 9082 CR 52, Milliken, CO 80543 of the County of Weld and State of Colorado

WITNESS, that the Grantor, for and in consideration of the sum of Ten and no/100 DOLLARS, (\$ 10.00), the receipt and sufficiency of which is hereby acknowledged, does hereby remise, release, sell and QUITCLAIM unto the Grantee and the Grantee's heirs and assigns, forever, all the right, title, interest, claim and demand which the Grantor has in and to the real property, together with any improvements thereon, located in the County of Weld and State of Colorado, described as follows:

A tract of land being the West One-Half Northwest One-Quarter (W2 NW4) Section Thirty-Four (34), Township Five (5) North, Range Sixty-seven (67) West of the 6th Principal Meridian, Weld County, Colorado and lying South of the Union Pacific Railroad right of way.

also known by street address as: and assessor's schedule or parcel number:

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the Grantor, either in law or equity, to the only proper use, benefit and behoof of the Grantee, and the Grantee's heirs and assigns, forever. IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.

Robert D. Fields
Doris A. Fields

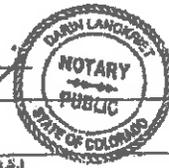
STATE OF COLORADO
County of WELD

The foregoing instrument was acknowledged before me this 17th day of October, 2007 by ROBERT D. FIELDS AND DORIS A. FIELDS

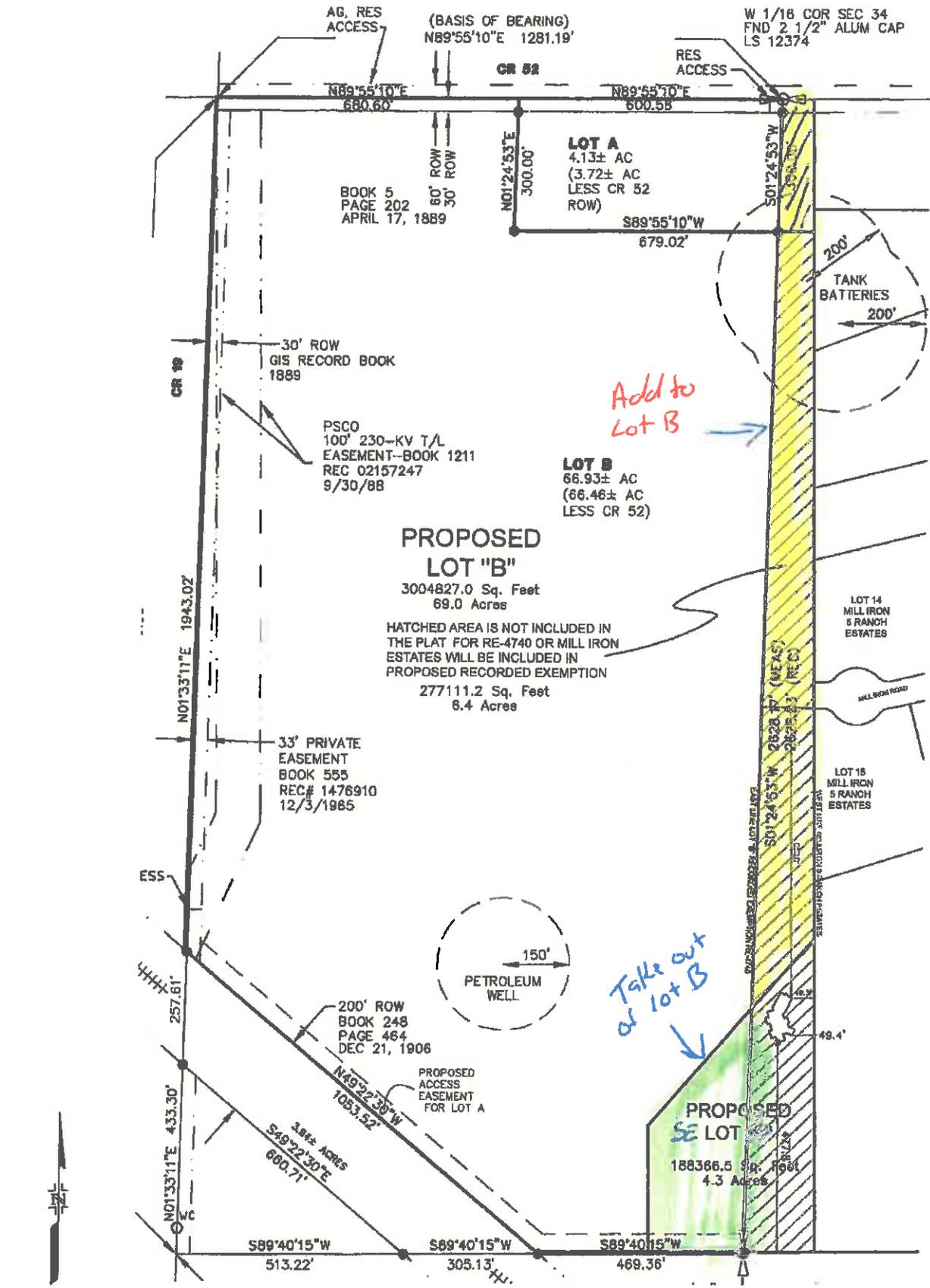
Witness my hand and official seal. My commission expires: 4/5/2011

*Insert "City and" where applicable.

[Signature]
Notary Public



Kenneth R. Ailes, PLS 0644, 428 N. 2nd Street, LaSalle, Colorado 80645
Name and Address of Person Creating Newly Created Legal Description (s 38-33-106.5, C.R.S.)



PROPOSED RECORDED EXEMPTION OF WELD CO RE 4740 AND A PORTION OF THE NORTHWEST 1/4 OF SECTION 34 T. 5 N., R. 67 W, 6th PM, WELD COUNTY, COLORADO



Weld County Referral

April 06, 2015

The Weld County Department of Planning Services has received the following item for review:

Applicant: ROBERT AND DORIS FIELDS

Case Number: RECX15-0053

Please Reply By: May 03, 2015

Planner: Ryder Reddick

Project: Amend Lot B of corrected RE-4740

Location: South of and adjacent to County Road 52 & Approximately 0.5 Mile East of County Road 17.5

Parcel Number: 095734200005-R6779840 Legal: PT W2NW4 SECTION 34, T5N, R67W LOT B CORR REC EXEMPT RE-4740 of the 6th P.M., Weld County, Colorado.

The application is submitted to you for review and recommendation. Any comments or recommendation you consider relevant to this request would be appreciated. Please reply by the above listed date so that we may give full consideration to your recommendation. Any response not received before or on this date may be deemed to be a positive response to the Department of Planning Services. If you have any further questions regarding the application, please call the Planner associated with the request. **Please note that new information may be added to applications under review during the review process. If you desire to examine or obtain this additional information, please call the Department of Planning Services.**

- We have reviewed the request and find that it does / does not comply with our Comprehensive Plan because: _____*
- We have reviewed the request and find no conflicts with our interests.*
- See attached letter.*

Signature BPascoe
 Agency Zoning Compliance

Date 04/06/2015



Weld County Referral

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- We have reviewed the request and find that it does / does not comply with our Comprehensive Plan because: _____*
- We have reviewed the request and find no conflicts with our interests.*
- See attached letter.*

Signature John Franklin
 Agency Town of Johnstown

Date 4-6-15

- [Home](#)
- [Planning](#)
- [Building](#)
- [Public Works](#)
- [Health](#)
- [Enforcement](#)

[Search Applications](#)

**Record RECX15-0053:
Planning Recorded Exemption**

▼ **Work Location**

9082 CR 52
WELD CO 80543

▼ **Record Details**

Applicant:

ROBERT FIELDS
9190 COUNTY ROAD 52
MILLIKEN, CO, 80543-9615
United States
Home Phone:970-587-2153
Mobile Phone:970-301-6273
dobobfields@gmail.com

Project Description:

Amend Lot B of corrected RE-4740

Owner:

FIELDS ROBERT D TRUST
9190 COUNTY ROAD 52
MILLIKEN CO 80543-9615
United States

▶ **More Details**

▶ **Fees**

▼ **Inspections**

Upcoming

*You have not added any inspections.
Click the link above to schedule or request one.*

Completed

There are no completed inspections on this record.

▶ **Processing Status**

▶ **Attachments**

▶ **Related Records**

▶ **Valuation Calculator**