

**CERTIFIED ORDER
INCLUSION OF REAL PROPERTY INTO THE
EVANS FIRE PROTECTION DISTRICT**

THIS MATTER comes before the Board of Directors ("**Board**") of the Evans Fire Protection District ("**District**") upon the Petition of Hunt Brothers Properties, Inc. ("**Landowner**"), which is the one hundred percent (100%) fee owner of certain real property more specifically identified in the Petition attached as **Exhibit A** ("**Property**"), for inclusion of the Property into the District's jurisdiction. The Board makes the following Findings and Order:

I. FINDINGS

1. The District is a political subdivision of the State of Colorado, formed pursuant to the Special District Act, C.R.S. § 32-1-101, *et seq.*, to provide fire protection, fire suppression, emergency medical, rescue, and hazardous materials services (collectively, "**Emergency Services**") to the citizens and property within its jurisdiction.

2. The Property currently is located within the jurisdiction and boundaries of the LaSalle Fire Protection District ("**LaSalle FPD**").

3. The Property has been annexed into the boundaries and jurisdiction of the City of Evans ("**City**").

4. In calendar year 2011, the City entered into an Intergovernmental Agreement for the Transfer of Emergency Services ("**IGA**") with the District. Pursuant to the IGA, it is the City's and District's intent that the District's boundaries and jurisdiction shall at all times include all property located within the City's corporate boundaries, as such boundaries may be adjusted from time-to-time through annexation or otherwise.

5. The Landowner is the 100% fee owner of the Property.

6. The Landowner submitted a Petition to the District for inclusion of the Property into the District's jurisdiction.

7. Pursuant to C.R.S. § 32-1-401(1)(b), the District duly published notice of a public meeting to be held on August 22, 2022 to consider the Petition for inclusion of the Property.

8. On August 22, 2022, the Board held a public meeting to consider the Landowner's request that the Property be included within the District's jurisdiction. During the public meeting, the Board received no objection to the Landowner's request to include the Property within the District's jurisdiction.

9. The Board finds it is in the best interests of the citizens within its jurisdiction, the Property, and the Landowner, and is consistent with the District's obligations under the IGA, to include the Property within the District's jurisdiction immediately upon exclusion from LaSalle FPD's jurisdiction.

10. Having received no objection to the proposed inclusion during the public meeting, and after considering the proposed inclusion during its meeting on August 22, 2022, the Board

adopted a Resolution approving the Landowner's Petition for Inclusion of Property. A copy of the Resolution is attached as **Exhibit B**.

11. The District has complied with all statutory notice and hearing requirements set forth in C.R.S. § 32-1-401.


II. ORDER OF INCLUSION

Pursuant to C.R.S. § 32-1-401, *et seq.*, the Board hereby Orders inclusion of the Property specifically identified in **Exhibit A** immediately upon exclusion of the Property from LaSalle Fire Protection District's jurisdiction.

Pursuant to C.R.S. § 32-1-402(1)(b), after the date of inclusion into the District, the Property shall be subject to all of the taxes and charges imposed by the District and shall be liable for its proportionate share of the District's existing bonded indebtedness; however, the Property shall not be liable for any taxes or charges levied or assessed prior to its inclusion into the District, nor shall its entry into the District be made subject to or contingent upon the payment or assumption of any tax, rate, fee, toll, or charge that is not uniformly made, assessed, or levied for the entire District without the prior consent of the Landowner or approval of the electors of the Property.

DATED this 22nd day of August, 2022.

BOARD OF DIRECTORS OF THE
EVANS FIRE PROTECTION DISTRICT



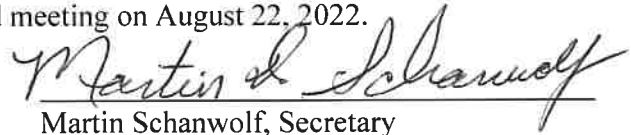
President



Secretary

CERTIFICATION

I, Martin Schanwolf, Secretary of the Board of Directors of the Evans Fire Protection District, do hereby certify that the foregoing is a true and accurate copy of the Order of Inclusion adopted by the District Board during its duly posted and held meeting on August 22, 2022.



Martin Schanwolf, Secretary

**PETITION TO THE EVANS FIRE PROTECTION DISTRICT
FOR INCLUSION OF PROPERTY**

WHEREAS, the undersigned Petitioner is the 100% fee owner of certain real property, the legal description of which is attached hereto as Exhibit A ("Property");

WHEREAS, the Property has been annexed to the City of Evans ("City"). The Property also currently is within, and receives fire and emergency services from, the LaSalle Fire Protection District ("LaSalle FPD");

WHEREAS, in 2011 the City organized the Evans Fire Protection District ("Evans FPD") to provide fire and emergency services to all property then annexed to, or that in the future may be annexed to, the City;

WHEREAS, as a condition of the Annexation Agreement entered into by and between the Petitioner and the City, the Petitioner is required to exclude the Property from LaSalle FPD's jurisdiction and include the Property into Evans FPD's jurisdiction; and

WHEREAS, Petitioner has petitioned the Board of Directors of LaSalle FPD to exclude the Property from LaSalle FPD's jurisdiction, and desires to include the Property into Evans FPD's jurisdiction immediately upon its exclusion from LaSalle FPD, stating:

1. The Petitioner assents to and requests the inclusion of the Property into Evans FPD's jurisdiction;
2. The Petitioner understands and agrees that, pursuant to C.R.S. § 32-1-401(1)(c)(I), the Evans FPD Board may grant or deny this Petition in whole or in part, and with any conditions it deems necessary and appropriate;
3. The Petitioner understands and agrees that, pursuant to C.R.S. § 32-1-402, upon inclusion into Evans FPD, the Property shall be subject to all of the taxes and charges imposed by Evans FPD and shall be liable for its proportionate share of existing bonded indebtedness of Evans FPD; but the Property shall not be liable for any taxes or charges levied or assessed prior to its inclusion into Evans FPD; nor shall inclusion of the Property be made subject to or contingent upon the payment or assumption of any tax, rate, fee, toll, or charge, other than the taxes, rates, fees, tolls and charges which are uniformly made, assessed or levied for all of Evans FPD, without the prior consent of the Petitioner. The Property shall also be liable for its proportionate share of annual operation and maintenance charges and the cost of facilities of Evans FPD and taxes, rates, fees, tolls or charges shall be certified and levied or assessed therefore;
4. The Petitioner understands and agrees that, pursuant to C.R.S. § 32-1-402(1)(c), the Petitioner may be required to pay a one-time processing fee incident to inclusion of the Property within Evans FPD. If a fee is required, Petitioner agrees to pay the fee contemporaneously with the filing of this Petition; and
5. The Petitioner understands and agrees it cannot withdraw this Petition without the consent of the Evans FPD Board of Directors after Evans FPD has published notice of a public hearing on the Petition.

EXHIBIT A

PARCEL I: LOT B, RECORDED EXEMPTION NO. 0959-36-03 RECX17-0197, RECORDED JANUARY 17, 2018 AT RECEPTION NO. 4368408, LOCATED IN THE W 1/2 OF THE SW 1/4 OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO. EXCEPT THOSE PARCELS DEEDED JUNE 18, 2018 AT RECEPTION NO. 4407999 AND NOVEMBER 9, 2018 AT RECEPTION NO. 4445526 AND JANUARY 29, 2020 AT RECEPTION NO. 4562229.

PARCEL II: LOT B, AMENDED RECORDED EXEMPTION NO. 0959-36-03 1AMRECX18-85-803, RECORDED SEPTEMBER 18, 2019 AT RECEPTION NO. 4524591, LOCATED IN THE SW 1/4 OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO EXCEPT THOSE PARCELS DEEDED NOVEMBER 9, 2018 AT RECEPTION NO. 4445526 AND JANUARY 29, 2020 AT RECEPTION NO. 4562229.

PARCEL III: THE E 1/2 OF THE E 1/2 OF THE SE 1/4 OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO, EXCEPT THAT PART OF THE E 1/2 OF THE E 1/2 OF THE SE 1/4 LYING SOUTH OF A LINE BEGINNING AT THE SE CORNER OF SAID SECTION 35; THENCE NORTH 00 DEGREES 00 SECONDS WEST 172.15 FEET; THENCE NORTH 86 DEGREES 00 SECONDS WEST TO THE WEST LINE OF THE E 1/2 OF THE E 1/2 OF SAID SECTION 35. COUNTY OF WELD, STATE OF COLORADO.

EXCEPTING FROM ABOVE PARCELS THE RIGHT OF WAY FOR FOR 35TH AVENUE CONTAINED IN INSTRUMENTS RECORDED DECEMBER 29, 2003 AT RECEPTION NO. 3139615, 3139614 AND JUNE 20, 2006 AT RECEPTION NO. 3397576

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GENERAL WARRANTY DEED

State Documentary Fee

Date
\$ 350.39

THIS GENERAL WARRANTY DEED is dated on the 28th day of May 2021, between **Rolling T Livestock, LLC, a Colorado limited liability company** (“Grantor”), and **Hunt Brothers Properties, Inc., a Colorado corporation** (“Grantee”), whose address is 10100 Dallas Street, Henderson, CO 80640.

WITNESSETH, that Grantor, for and in consideration of the sum of TEN DOLLARS (\$10) and other good and valuable consideration, which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm unto Grantee, its successors and assigns, all of that certain real property, including all the improvements and *specifically including, but not limited to all sand, gravel, aggregate, rock, and topsoil* lying in, on and under the following described lands in the County of Weld and State of Colorado that are legally described as follows:

See Exhibit “A” attached hereto and incorporated herein by reference.

TOGETHER WITH all water, water rights, ditches, ditch rights, storage rights, wells, well permits, stock certificates, reservoir rights, canals, canal rights and other rights in and to the use of water, whether or not adjudicated, which are appurtenant to or used on or in connection with the Property, together with all associated structures for the diversion, conveyance, measurement, storage or use of said water rights and all easements, rights of way, licenses, permits and contract rights.

TOGETHER WITH all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever, of Grantor, either in law or equity, of, in and to the Property;

TO HAVE AND TO HOLD the Property, with the appurtenances, unto the Grantee, its, successors and assigns forever. And, Grantor, for itself, and its successors and assigns, do covenant, grant, bargain and agree to and with the Grantee, its successors, and assigns, that at the time of the signing and delivery of these presents, it is well seized of the premises above conveyed and have good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple

EXHIBIT "A"

**TO GENERAL WARRANTY DEED
(Legal Descriptions)**

PARCEL I:

LOT B, RECORDED EXEMPTION NO. 0959-36-03 RECX17-0197, RECORDED JANUARY 17, 2018 AT RECEPTION NO. 4368408, LOCATED IN THE W 1/2 OF THE SW 1/4 OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, EXCEPT THOSE PARCELS DEEDED JUNE 18, 2018 AT RECEPTION NO. 4407999 AND NOVEMBER 9, 2018 AT RECEPTION NO. 4445526 AND JANUARY 29, 2020 AT RECEPTION NO. 4562229.

PARCEL II:

LOT B, AMENDED RECORDED EXEMPTION NO. 0959-36-03 1AMRECX18-85-803, RECORDED SEPTEMBER 18, 2019 AT RECEPTION NO. 4524591, LOCATED IN THE SW 1/4 OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO EXCEPT THOSE PARCELS DEEDED NOVEMBER 9, 2018 AT RECEPTION NO. 4445526 AND JANUARY 29, 2020 AT RECEPTION NO. 4562229.

PARCEL III:

THE E 1/2 OF THE E 1/2 OF THE SE 1/4 OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO, EXCEPT THAT PART OF THE E 1/2 OF THE E 1/2 OF THE SE 1/4 LYING SOUTH OF A LINE BEGINNING AT THE SE CORNER OF SAID SECTION 35; THENCE NORTH 00 DEGREES 00 SECONDS WEST 172.15 FEET; THENCE NORTH 86 DEGREES 00 SECONDS WEST TO THE WEST LINE OF THE E 1/2 OF THE E 1/2 OF SAID SECTION 35, COUNTY OF WELD, STATE OF COLORADO.

EXCEPTING FROM ABOVE PARCELS THE RIGHT OF WAY FOR 35TH AVENUE CONTAINED IN INSTRUMENTS RECORDED DECEMBER 29, 2003 AT RECEPTION NO. 3139615, 3139614 AND JUNE 20, 2006 AT RECEPTION NO. 3397576

EXHIBIT "B"
EXCEPTIONS TO TITLE

1. **TAXES FOR THE YEAR OF CLOSING AND SUBSEQUENT YEARS.**
2. **RIGHT OF WAY FOR COUNTY ROADS 30 FEET ON EITHER SIDE OF SECTION AND TOWNSHIP LINES, AS ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS FOR WELD COUNTY, RECORDED OCTOBER 14, 1889 IN BOOK 86 AT PAGE 273.**
3. **RIGHT OF WAY EASEMENT AS GRANTED TO THE STATE OF COLORADO IN INSTRUMENT RECORDED SEPTEMBER 15, 1952, IN BOOK 1339 AT PAGE 633 (SECTION 36).**
4. **RESERVATION OF MINERALS AND MINERAL RIGHTS AS CONTAINED IN DEED RECORDED MARCH 4, 1959 IN BOOK 1526 AT PAGE 39 AND 41 AND ANY AND ALL INTERESTS THEREIN OR RIGHTS THEREUNDER. (SECTION 36).**
5. **OIL AND GAS LEASE RECORDED OCTOBER 21, 1982 UNDER RECEPTION NO. 1907065 AND ANY AND ALL ASSIGNMENTS THEREOF, OR INTEREST THEREIN. (SECTIONS 35 AND 36).**
6. **OIL AND GAS LEASE RECORDED SEPTEMBER 29, 1983 UNDER RECEPTION NO. 1942031 AND ANY AND ALL ASSIGNMENTS THEREOF, OR INTEREST THEREIN. (SECTION 36)**
NOTE: AFFIDAVIT OF PRODUCTION RECORDED JULY 9, 1984 AT RECEPTION NO. 1973243.
7. **OIL AND GAS LEASE RECORDED DECEMBER 13, 1985 UNDER RECEPTION NO. 2035750 AND ANY AND ALL ASSIGNMENTS THEREOF, OR INTEREST THEREIN. (SECTION 36)**
DECLARATION OF POOLING AND UNITIZATION RECORDED APRIL 24, 2014 UNDER RECEPTION NO. 4011449.
8. **OIL AND GAS LEASE RECORDED DECEMBER 13, 1985 UNDER RECEPTION NO. 2035773 AND ANY AND ALL ASSIGNMENTS THEREOF, OR INTEREST THEREIN. (SECTION 35)**
WELLBORE SPECIFIC DECLARATION OF POOLING RECORDED MAY 4, 2010 UNDER RECEPTION NO. 3691124.
9. **RIGHT OF WAY EASEMENT AS GRANTED TO ASSOCIATED NATURAL GAS, INC IN INSTRUMENT RECORDED APRIL 07, 1986, UNDER RECEPTION NO. 2049046. (AFFECTS SECTION 35 AND 36).**
10. **TERMS, CONDITIONS AND PROVISIONS OF AGREEMENT RECORDED JUNE 02, 1986 AT RECEPTION NO. 2055554 IN BOOK 1114. (SECTION 35)**
11. **RIGHT OF WAY EASEMENT AS GRANTED TO ASSOCIATED NATURAL GAS, INC IN INSTRUMENT RECORDED APRIL 12, 1988, UNDER RECEPTION NO. 2137583 (SECTION 36).**
12. **RIGHT OF WAY EASEMENT AS GRANTED TO ELK EXPLORATION IN INSTRUMENT RECORDED JULY 27, 1988, UNDER RECEPTION NO. 2149567 (SECTIONS 35 AND 36).**

13. RESERVATION OF MINERALS AND MINERAL RIGHTS AS CONTAINED IN DEED RECORDED AUGUST 23, 1994 AT RECEPTION NO. 2403621 AND ANY AND ALL INTERESTS THEREIN OR RIGHTS THEREUNDER. (SECTION 36)
14. RIGHT OF WAY EASEMENT AS GRANTED TO ASSOCIATED NATURAL GAS INC IN INSTRUMENT RECORDED NOVEMBER 23, 1994, UNDER RECEPTION NO. 2416511 IN BOOK 1468. (SECTION 35)
15. RIGHT OF WAY EASEMENT AS GRANTED TO GETTY OIL AND GAS CORP IN INSTRUMENT RECORDED OCTOBER 17, 1996, UNDER RECEPTION NO. 2516140 (SECTION 36).
16. RIGHT OF WAY EASEMENT AS GRANTED TO PANENERGY FIELD SERVICES IN INSTRUMENT RECORDED JANUARY 06, 1997, UNDER RECEPTION NO. 2527890 (SECTIONS 35 AND 36).
17. RIGHT OF WAY EASEMENT AS GRANTED TO DUKE ENERGY FIELD SERVICES INC IN INSTRUMENT RECORDED JULY 22, 1998, UNDER RECEPTION NO. 2627623. (SECTION 35)
18. RESERVATION OF MINERALS AND MINERAL RIGHTS AS CONTAINED IN DEED RECORDED JANUARY 7, 1999 AT RECEPTION NO. 2665464 AND ANY AND ALL INTERESTS THEREIN OR RIGHTS THEREUNDER. (SECTION 36).
19. RESERVATION OF MINERALS AND MINERAL RIGHTS AS CONTAINED IN DEED RECORDED SEPTEMBER 17, 1999 AT RECEPTION NO. 2721283 AND ANY AND ALL INTERESTS THEREIN OR RIGHTS THEREUNDER. (SECTION 36).
20. RESERVATION OF MINERALS AND MINERAL RIGHTS AS CONTAINED IN DEED RECORDED MARCH 10, 2000 AT RECEPTION NO. 2754792 AND ANY AND ALL INTERESTS THEREIN OR RIGHTS THEREUNDER. (SECTION 36)
21. NOTICE OF OIL AND GAS INTERESTS AND SURFACE USE IN INSTRUMENT RECORDED DECEMBER 07, 2000 UNDER RECEPTION NO. 2811901 (SECTION 35)
22. TERMS, CONDITIONS AND PROVISIONS OF NOTICE OF OIL AND GAS INTERESTS AND SURFACE USE RECORDED JANUARY 23, 2001 AT RECEPTION NO. 2820926.
23. RESERVATION OF MINERALS AND MINERAL RIGHTS AS CONTAINED IN DEED RECORDED FEBRUARY 4, 2005 AT RECEPTION NO. 3258855 AND ANY AND ALL INTERESTS THEREIN OR RIGHTS THEREUNDER. (SECTIONS 35 AND 36)
24. REQUEST FOR NOTIFICATION OF SURFACE DEVELOPMENT AS EVIDENCED BY INSTRUMENT RECORDED OCTOBER 15, 2007 UNDER RECEPTION NO. 3511023.
25. REQUEST FOR NOTIFICATION OF SURFACE DEVELOPMENT AS EVIDENCED BY INSTRUMENT RECORDED DECEMBER 21, 2007 UNDER RECEPTION NO. 3525268.
26. TERMS, CONDITIONS AND PROVISIONS OF AGREEMENT RECORDED JULY 27, 2009 AT RECEPTION NO. 3638592 (SECTIONS 35 AND 36).
27. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE NORTHERN COLORADO WATER CONSERVANCY DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED SEPTEMBER 29, 2010, UNDER RECEPTION NO. 3721790.
28. RIGHTS AND EASEMENTS FOR NAVIGATION AND FISHERY IN FAVOR OF THE PUBLIC WHICH MAY EXIST OVER THAT PORTION OF SAID LAND LYING BENEATH

THE WATER OF THE SOUTH PLATTE RIVER.

29. **ANY INCREASE OR DECREASE IN THE AREA OF THE LAND AND ANY ADVERSE CLAIM TO ANY PORTION OF THE LAND WHICH HAS BEEN CREATED BY OR CAUSED BY ACCRETION OR RELICTION, WHETHER NATURAL OR ARTIFICIAL; AND THE EFFECT OF THE GAIN OR LOSS OF AREA BY ACCRETION OR RELICTION UPON THE MARKETABILITY OF THE TITLE OF THE LAND.**
30. **ENCROACHMENTS AND RIGHT OF WAY FOR THE SOUTH PLATTE RIVER AS DISCLOSED BY MAPS MAINTAINED BY THE WELD COUNTY ASSESSORS OFFICE.**
31. **RIGHT OF WAY EASEMENT AS GRANTED TO WELD COUNTY IN INSTRUMENT RECORDED SEPTEMBER 15, 1952, IN BOOK 1339 AT PAGE 642.**
32. **OIL AND GAS LEASE RECORDED JUNE 11, 1985 UNDER RECEPTION NO. 2012984 AND ANY AND ALL ASSIGNMENTS THEREOF, OR INTEREST THEREIN.

DECLARATION OF POOLING RECORDED APRIL 24, 2014 UNDER RECEPTION NO. 4011449 AND AMENDMENT RECORDED OCTOBER 14, 2016 UNDER RECEPTION NO. 4243851.**
33. **RIGHT OF WAY EASEMENT AS GRANTED TO NATURAL GAS ASSOCIATES IN INSTRUMENT RECORDED JULY 08, 1985, UNDER RECEPTION NO. 2016020.**
34. **EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF RECORDED EXEMPTION NO. 0959-36-3-RE803 RECORDED NOVEMBER 13, 1985 UNDER RECEPTION NO. 2032075.**
35. **RIGHT OF WAY EASEMENT AS GRANTED TO NATURAL GAS ASSOCIATES, INC. IN INSTRUMENT RECORDED DECEMBER 17, 1986, UNDER RECEPTION NO. 2081012.**
36. **RESERVATION OF MINERALS AND MINERAL RIGHTS AS CONTAINED IN DEED RECORDED OCTOBER 2, 1989 AT RECEPTION NO. 2193475 AND ANY AND ALL INTERESTS THEREIN OR RIGHTS THEREUNDER.**
37. **RIGHT OF WAY EASEMENT AS GRANTED TO SNYDER OIL CORPORATION IN INSTRUMENT RECORDED JULY 07, 1995, UNDER RECEPTION NO. 2445647.**
38. **RIGHT OF WAY EASEMENT AS GRANTED TO SNYDER OIL CORPORATION IN INSTRUMENT RECORDED JULY 07, 1995, UNDER RECEPTION NO. 2445648.**
39. **ROAD RIGHT OF WAY AS RESERVED IN DEED RECORDED DECEMBER 23, 2003 AT RECEPTION NO. 3138232**
40. **ENCROACHMENTS AND RIGHT OF WAY FOR THE ROAD TO OIL AND GAS WELL AND OIL AND GAS WELL LOCATED UPON SUBJECT PROPERTY AS DISCLOSED BY MAPS MAINTAINED BY THE WELD COUNTY ASSESSORS OFFICE.**
41. **THE RIGHTS OF ACCESS TO AND FROM THE PREMISES AFFORDED BY THIS POLICY IS INSURED AS LONG AS ALL PARCELS THAT COMPRISE SAID PREMISES REMAIN IN COMMON OWNERSHIP.**
42. **ANY FACTS, RIGHTS, INTERESTS OR CLAIMS WHICH MAY EXIST OR ARISE BY REASON OF THE FOLLOWING FACTS SHOWN ON IMPROVEMENT LOCATION CERTIFICATE CERTIFIED AUGUST 14, 2017 PREPARED BY KING SURVEYORS, JOB #20170559
SAID DOCUMENT STORED AS OUR ESI 34074689
A) FENCE LINES DO NOT COINCIDE WITH PROPERTY LINES**
43. **TERMS, CONDITIONS AND PROVISIONS OF EASEMENT DEED AND AGREEMENT RECORDED FEBRUARY 06, 2018 AT RECEPTION NO. 4373305.**

44. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF EXEMPTION RECORDED JANUARY 17, 2018 UNDER RECEPTION NO. 4368408.
45. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF EXEMPTION RECORDED SEPTEMBER 18, 2019 UNDER RECEPTION NO. 4524591.
46. LEASES AND/OR TENANCIES.
47. ANY FACTS, RIGHTS, INTERESTS OR CLAIMS WHICH MAY EXIST OR ARISE BY REASON OF THE FOLLOWING FACTS SHOWN ON ALTA/NSPS LAND TITLE SURVEY CERTIFIED JUNE 22, 2020 PREPARED BY AMERICAN WEST LAND SURVEYING CO., JOB #20-262 SAID DOCUMENT STORED AS OUR ESI 38312276
 - A) FENCE LINES DO NOT COINCIDE WITH PROPERTY LINES
 - B) GAS LINES OUTSIDE EASEMENTS
 - C) DITCH AND RIGHTS OF USE
48. MINERAL DEED RECORDED JUNE 5, 2014 AT RECEPTION NO. 4021514, MINERAL AND ROYALTY DEED RECORDED APRIL 12, 2018 AT RECEPTION NO. 4390421, CORRECTION MINERAL AND ROYALTY DEED RECORDED OCTOBER 8, 2018 AT RECEPTION NO. 4436762, AND MINERAL DEED RECORDED MAY 15, 2018 AT RECEPTION NO. 4399138, AND ANY AND ALL INTERESTS THEREIN OR RIGHTS THEREUNDER.
49.
 - (A) MOUNTAIN BELL TELEPHONE COMPANY, RECORDED OCTOBER 1, 1981 AT RECEPTION NO. 1870705.
 - (B) WESTERN SLOPE GAS COMPANY, RECORDED MARCH 9, 1983 AT RECEPTION NO. 1919757.
 - (C) ASSOCIATED NATURAL GAS, INC., RECORDED JULY 20, 1984 AT RECEPTION NO. 1974810 AND RECORDED OCTOBER 1, 1984 AT RECEPTION NO. 1983584 AND RECORDED MARCH 3, 1988 AT RECEPTION NO. 2132709 AND RECORDED APRIL 10, 1989 AT RECEPTION NO. 2175917.
 - (D) PANHANDLE EASTERN PIPE LINE COMPANY, RECORDED OCTOBER 1, 1981 AT RECEPTION NO. 1870756 AND RECORDED JUNE 26, 1986 AT RECEPTION NO. 2058722.
 - (E) COLORADO INTERSTATE GAS COMPANY, RECORDED AUGUST 31, 1984 AT RECEPTION NO. 1979784.
 - (F) UNION RURAL ELECTRIC ASSOCIATION, INC., RECORDED OCTOBER 5, 1981 AT RECEPTION NO. 1871004.
 - (G) WESTERN GAS SUPPLY COMPANY, RECORDED APRIL 2, 1985 AT RECEPTION NO. 2004300.
 - (H) PUBLIC SERVICE COMPANY OF COLORADO, RECORDED NOVEMBER 9, 1981 AT RECEPTION NO. 1874084.
 - (I) ST. VRAIN SANITATION DISTRICT, RECORDED DECEMBER 14, 1988 AT RECEPTION NO. 2164975.
 - (J) LEFT HAND WATER DISTRICT, RECORDED AUGUST 28, 1990 AT RECEPTION NO. 2224977.
 - (K) UNITED POWER, INC., RECORDED JANUARY 24, 1991 AT RECEPTION NO. 2239296.
 - (L) WIGGINS TELEPHONE ASSOCIATION RECORDED OCTOBER 14, 1992 AT RECEPTION NO. 2306829

**PETITION TO THE LASALLE FIRE PROTECTION DISTRICT
FOR EXCLUSION OF PROPERTY**

WHEREAS, the undersigned Petitioner is the 100% fee owner of certain real property, the legal description of which is attached as Exhibit A ("Property");

WHEREAS, the Property is currently within the jurisdiction and boundaries of the LaSalle Fire Protection District ("LaSalle FPD");

WHEREAS, in 2011, the City organized the Evans Fire Protection District ("Evans FPD") to provide fire and emergency services to all property then annexed to, or that in the future may be annexed to, the City;

WHEREAS, by Ordinance No. _____, dated _____, the City annexed the Property. A copy of the Ordinance is attached as Exhibit B.

WHEREAS, as a condition of the Annexation Agreement entered into by and between the Petitioner and the City, the Petitioner is required to exclude the Property from LaSalle FPD's jurisdiction and include the Property into Evans FPD's jurisdiction; and

WHEREAS, the Petitioner believes each of the requirements for exclusion set forth in C.R.S. § 32-1-501(3) have been met, and respectfully petitions LaSalle FPD to exclude the Property, stating:

1. It is in the best interests of the Property to be excluded from LaSalle FPD's jurisdiction and subsequently included into Evans FPD's jurisdiction because: a) it enables the Petitioner to comply with the Annexation Agreement; b) it will ensure uniform fire and emergency services are provided to the Property and the individuals owning or occupying the Property; c) it will ensure the Petitioner is not subjected to inconsistent interpretation and application of the City's Fire Code by two different fire protection districts; and d) the Petitioner reasonably believes Evans FPD will be able to provide comparable fire and emergency services to the Property and its occupants (C.R.S. § 32-1-501(3)(a)(I));

2. It is in LaSalle FPD's best interest to exclude the Property, as doing so relieves LaSalle FPD of the statutory duty and obligation to provide fire and emergency services to the Property, enabling it to devote its resources to the remaining property within its jurisdiction (C.R.S. § 32-1-501(3)(a)(II));

3. It is in the best interest of Weld County to have the Property excluded from LaSalle FPD and included into Evans FPD, as it will enabled Petitioner to comply with the Annexation Agreement, which is essential for the development of the Property; and development of the Property enhances the quality of life, and promotes economic growth, within the County (C.R.S. § 32-1-501(3)(a)(III));

4. Other than the Petitioner's statutory obligation to pay the actual costs incurred by LaSalle FPD in processing this Petition, there are no costs associated with excluding the Property from LaSalle FPD. In contrast, excluding the Property from LaSalle FPD and including it into Evans

FPD will result in a significant benefit to the Petitioner and the Property because: a) it enables the Petitioner to comply with the Annexation Agreement; b) it will ensure uniform fire and emergency services are provided to the Property and the individuals owning or occupying the Property; c) it will ensure the Petitioner is not subjected to inconsistent interpretation and application of the City's Fire Code by two different fire protection districts; d) the Petitioner reasonably believes Evans FPD will be able to provide comparable fire and emergency services to the Property and the individuals occupying the Property; and e) the fire and emergency services to be provided by Evans FPD will be economical and sufficient (C.R.S. § 32-1-501(3)(a)(I), (b), (c), (d) & (g));

5. Excluding the Property from LaSalle FPD and including the Property into Evans FPD will promote development of the Property, which development is likely to have a positive economic impact on the Property, the surrounding area, the County, and the State of Colorado, and there is no economically feasible alternative, as exclusion of the Property from LaSalle FPD is a condition of annexation of the Property (C.R.S. § 32-1-501(3)(e), (f) & (g));

6. Exclusion will not have an adverse impact on employment or other economic conditions for LaSalle FPD, the surrounding area, or the State as a whole (C.R.S. § 32-1-501(3)(e) & (f)); and

7. Excluding the Property from LaSalle FPD's jurisdiction will not cause or require LaSalle FPD to increase the mill levy it assesses against other properties in its jurisdiction to maintain its current level of fire and emergency services (C.R.S. § 32-1-501(3)(h)).

NOW THEREFORE, pursuant to C.R.S. § 32-1-501(1), the Petitioner hereby assets to and requests that the Board of Directors of the LaSalle FPD exclude the Property from the jurisdiction of LaSalle FPD.

Dated: July 20, 2022

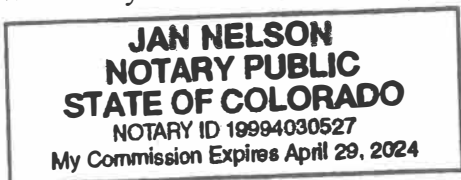
Property Owner:
Hunt Brothers Properties, Inc.

By: [Signature]
Title: Daniel W. Hunt, President
Address: 10100 Dallas St
Henderson CO 80640

STATE OF COLORADO)
 Adams) ss.
COUNTY OF WELD)

The foregoing instrument was acknowledged before me this 20th day of July, 2022 by Daniel W. Hunt, (on behalf of Hunt Brothers Properties, Inc.).

Witness my hand and official seal.



Jan Nelson
Notary Public
My commission expires: April 29, 2024

Resolution No. 2022-06

**RESOLUTION OF THE BOARD OF DIRECTORS OF
EVANS FIRE PROTECTION DISTRICT
FOR INCLUSION OF REAL PROPERTY**

THIS MATTER comes before the Board of Directors ("**Board**") of the Evans Fire Protection District ("**District**") upon the Petition of Hunt Brothers Properties, Inc. ("**Landowner**"), which is the one hundred percent (100%) fee owner of certain real property more specifically identified in the Petition attached as **Exhibit A** ("**Property**"), to include the Property into the District's jurisdiction pursuant to C.R.S. § 32-1-401 of the Special District Act.

WHEREAS, the District is a political subdivision of the State of Colorado, formed pursuant to C.R.S. § 32-1-101, *et seq.* of the Special District Act, to provide fire suppression, fire prevention, rescue, hazardous materials, and emergency medical services (collectively, "**Emergency Services**") to the citizens and property within its jurisdiction;

WHEREAS, the Property currently is located within the jurisdiction and boundaries of the LaSalle Fire Protection District ("**LaSalle FPD**");

WHEREAS, the Property has been annexed into the jurisdiction and boundaries of the City of Evans ("**Evans**");

WHEREAS, in calendar year 2011, the City entered into an Intergovernmental Agreement for the Transfer of Emergency Services ("**IGA**") with the District. Pursuant to the IGA, it is the City's and District's intent that the District's boundaries and jurisdiction shall at all times include all property located within the City's corporate boundaries, as such boundaries may be adjusted from time-to-time through annexation or otherwise;

WHEREAS, pursuant to C.R.S. § 32-1-401(1)(b), the District duly published notice of a public meeting to be held on August 22, 2022 to consider the Landowner's Petition for Inclusion. The Notice of Public Meeting is attached as **Exhibit B**;

WHEREAS, on August 22, 2022, the District Board held a public meeting to consider the Landowner's request that the Property be included within the District's jurisdiction;

WHEREAS, during the August 22, 2022 public meeting, the District Board received no objection to the Landowner's request that the Property be included within the District's jurisdiction; and

WHEREAS, the Board of Directors has determined it is in the best interests of the District, the District's constituents, the Property, and the Landowner, and is consistent with the District's obligations under the IGA, that the Property be included within the District's jurisdiction immediately upon exclusion from LaSalle FPD's jurisdiction.

NOW THEREFORE, pursuant to C.R.S. § 32-1-401, the District Board hereby approves the inclusion of the Property identified in Exhibit A within the boundaries and jurisdiction of the Evans Fire Protection District immediately upon exclusion of the Property from LaSalle Fire Protection District's jurisdiction.

Pursuant to C.R.S. § 32-1-402(1)(b), after the date of inclusion into the District, the Property shall be subject to all of the taxes and charges imposed by the District and shall be liable for its proportionate share of the District's existing bonded indebtedness; however, the Property shall not be liable for any taxes or charges levied or assessed prior to its inclusion into the District, nor shall its entry into the District be made subject to or contingent upon the payment or assumption of any tax, rate, fee, toll, or charge that is not uniformly made, assessed, or levied for the entire District without the prior consent of the Landowner or approval of the electors of the Property.

ADOPTED this 22nd day of August, 2022.

BOARD OF DIRECTORS OF THE
EVANS FIRE PROTECTION DISTRICT


President


Secretary

**NOTICE OF PUBLIC MEETING
ON PETITION FOR INCLUSION OF PROPERTY INTO THE
EVANS FIRE PROTECTION DISTRICT**

PLEASE TAKE NOTICE that at 6:30 p.m. on August 22, 2022, the Board of Directors of the Evans Fire Protection District ("District") will hold a public meeting to consider a Petition by Hunt Brothers Properties, Inc., 10100 Dallas St., Henderson, CO 80640, to include into the District's jurisdiction and boundaries the following real property, which currently is located within the LaSalle Fire Protection District:

PARCEL I: LOT B, RECORDED EXEMPTION NO. 0959-36-03 RECX17-0197, RECORDED JANUARY 17, 2018 AT RECEPTION NO. 4368408, LOCATED IN THE W 1/2 OF THE SW 1/4 OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO. EXCEPT THOSE PARCELS DEEDED JUNE 18, 2018 AT RECEPTION NO. 4407999 AND NOVEMBER 9, 2018 AT RECEPTION NO. 4445526 AND JANUARY 29, 2020 AT RECEPTION NO. 4562229.

PARCEL II: LOT B, AMENDED RECORDED EXEMPTION NO. 0959-36-03 1AMRECX18-85-803, RECORDED SEPTEMBER 18, 2019 AT RECEPTION NO. 4524591, LOCATED IN THE SW 1/4 OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO EXCEPT THOSE PARCELS DEEDED NOVEMBER 9, 2018 AT RECEPTION NO. 4445526 AND JANAURY 29, 2020 AT RECEPTION NO. 4562229.

PARCEL III: THE E 1/2 OF THE E 1/2 OF THE SE 1/4 OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO, EXCEPT THAT PART OF THE E 1/2 OF THE E 1/2 OF THE SE 1/4 LYING SOUTH OF A LINE BEGINNING AT THE SE CORNER OF SAID SECTION 35; THENCE NORTH 00 DEGREES 00 SECONDS WEST 172.15 FEET; THENCE NORTH 86 DEGREES 00 SECONDS WEST TO THE WEST LINE OF THE E 1/2 OF THE E 1/2 OF SAID SECTION 35. COUNTY OF WELD, STATE OF COLORADO.

EXCEPTING FROM ABOVE PARCELS THE RIGHT OF WAY FOR 35TH AVENUE CONTAINED IN INSTRUEMNTS RECORDED DECEMBER 29, 2003 AT RECEPTION NO. 3139615, 3139614 AND JUNE 20, 2006 AT RECEPTION NO. 3397576

Copies of the Petition and the legal description of the real property subject to the requested inclusion may be obtained from the District at its Administrative Office, located at Fire Station 2, 2100 37th Street, Evans, CO 80620; (970) 339-3920.

The public meeting will be held at the District's Fire Station 2 at the address above. Questions prior to the public meeting should be directed to Fire Chief Joe DeSalvo, (970) 339-3920.

All interested persons, municipalities, or counties that may be able to provide service to the above-identified real property shall appear at the public meeting and show cause in writing why the Board of Directors of the District should not adopt a final resolution and order approving inclusion of the real property. The Board of Directors may continue the public meeting to a subsequent meeting. The failure of any person within the District to file a written objection shall be taken as an assent on his or her part to the inclusion of the property into the District's jurisdiction.

BY ORDER OF THE BOARD OF DIRECTORS OF THE
EVANS FIRE PROTECTION DISTRICT

By: /s/ Martin Schanwolf
Secretary