

**ORDINANCE NO. 2020-04**

**AN EMERGENCY ORDINANCE AMENDING THE LEGAL DESCRIPTION FOR THE PIONEER ANNEXATION NO. 4 TO THE TOWN OF KEENESBURG, COLORADO**

**WHEREAS**, a petition for serial annexation of certain unincorporated property known as the Pioneer Annexation No. 1, 2, 3, 4 & 5 (the “Pioneer Annexation”) was filed with the Board of Trustees of the Town of Keenesburg; and

**WHEREAS**, on November 18, 2019, the Board of Trustees of the Town of Keenesburg held a duly-noticed public hearing to consider this proposed annexation, notice of which hearing was published on October 11, 18, 25, and November 1, 2019 in the Greeley Tribune; and

**WHEREAS**, the published notice of public hearing included individual legal descriptions for each of the five annexations in this serial annexation, and also provided an approximate location of the property being considered for annexation; and

**WHEREAS**, following the public hearing, the Board of Trustees adopted Resolution No. 2019-66 finding the area eligible for annexation; and

**WHEREAS**, by Ordinance No. 2019-29, the Board of Trustees of the Town of Keenesburg approved annexation of a 940.264-acre parcel known as the Pioneer Annexation No. 4 to the Town of Keenesburg; and

**WHEREAS**, the Town Engineer thereafter discovered a typographical error in a call of the legal description for Pioneer Annexation No. 4 that did not affect the size or described location of the property; and

**WHEREAS**, the legal description on the map of the Pioneer Annexation contained the same typographical error as was in the legal description appended to Ordinance No. 2019-29, and the call shown on the map depicting the area of the Pioneer Annexation was likewise incorrect, but the line was drawn correctly on the map and its positional depiction was correct; and

**WHEREAS**, a corrected legal description for the Pioneer Annexation No. 4 and a new annexation map for the Pioneer Annexation have been prepared, containing the corrected legal description; and

**WHEREAS**, the Town Engineer has advised the Town that, despite the typographical error, the perimeter length was unaffected, the reported area in acres was correct, and the correct location in terms of range, township, and section were reported; and

**WHEREAS**, the Board finds the legal description did not erroneously describe the area, nor did it cause the boundary of the property annexed by the Town to be indefinite or uncertain; and

**WHEREAS**, the Board further finds that no interested person reviewing the notices of the proposed annexation and of the hearing that was held by the Board on the annexation would have reasonably been misled or otherwise not understood what property was proposed for annexation and where such property was located, and that therefore no rights of any person to appear at and participate in the annexation hearing were impacted by the typographical error; and

**WHEREAS**, the Board desires by this ordinance to replace the legal description in the ordinance approving the Pioneer Annexation No. 4, to acknowledge the corrected annexation map, and to direct Town staff to record this ordinance and corrected map and to take all other actions necessary to effectuate the Pioneer Annexation.

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

**Section 1.** The annexation to the Town of Keenesburg of the property described in Exhibit A, attached hereto and incorporated herein by this reference, and known as the Pioneer Annexation No. 4, is hereby approved and ratified with the corrected legal description for the same.

**Section 2.** The annexation of said territory is subject to the conditions provided for in the petition for annexation of said property filed with the Town of Keenesburg.

**Section 3.** This ordinance and the revised map of the Pioneer Annexation shall be recorded with the Weld County Clerk and Recorder. Town staff is further authorized and instructed to take all other actions necessary to effectuate such annexation.

**Section 4.** Ordinance No. 2019-29, is hereby repealed to the extent such ordinance incorporates the incorrect legal description attached thereto as Exhibit A.

**Section 5.** The Board of Trustees herewith finds, determines and declares that this emergency ordinance is genuinely and urgently necessary for the immediate preservation of the public health, safety and welfare and is a matter on which immediate action is genuinely and urgently necessary for timely development of the property. Therefore, the Board of Trustees herewith further finds, determines and declares that it is necessary for this emergency ordinance to take effect immediately upon adoption, provided the same has been adopted and signed by the Mayor and approved by three-fourths of the entire Board of Trustees.

INTRODUCED, READ, ADOPTED, APPROVED AND ORDERED PUBLISHED IN FULL this 21<sup>st</sup> day of January, 2020.

TOWN OF KEENESBURG, COLORADO

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Kenneth L. Gfeller, Mayor

ATTEST:

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Christina Fernandez, Town Clerk

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**EXHIBIT A – LEGAL DESCRIPTION**

**PIONEER ANNEXATION 1**

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 2 NORTH, RANGE 65 WEST AND THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 2 NORTH, RANGE 64 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN; COUNTY OF WELD, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

**COMMENCING** AT THE SOUTHEAST CORNER OF SAID SECTION 13, FROM WHENCE THE EAST QUARTER CORNER OF SAID SECTION 13 BEARS NORTH 00°32'58" WEST, A DISTANCE OF 2624.04 FEET, WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE NORTH 00°32'58" WEST, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER OF SECTION 13, A DISTANCE OF 30.00 FEET TO THE **POINT OF BEGINNING**, BEING A POINT ON THE NORTHERLY BOUNDARY OF COOK ANNEXATION NO. 1, 2, 3, 4, 5, 6, 7 & 8 TO THE TOWN OF KEENESBURG AS SHOWN ON THE MAP RECORDED UNDER RECEPTION NUMBER 4496267 IN THE RECORDS OF THE WELD COUNTY CLERK AND RECORDER;

THENCE SOUTH 89°57'07" WEST, ALONG SAID NORTHERLY BOUNDARY, A DISTANCE OF 100.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF COUNTY ROAD 49;

THENCE NORTH 00°32'58" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY, A DISTANCE OF 10.00 FEET;

THENCE THE FOLLOWING FIVE (5) COURSES;

1. NORTH 89°57'07" EAST, A DISTANCE OF 95.00 FEET;
2. NORTH 00°32'58" WEST, A DISTANCE OF 269.96 FEET;
3. NORTH 89°27'02" EAST, A DISTANCE OF 10.00 FEET;
4. SOUTH 00°32'58" EAST, A DISTANCE OF 269.97 FEET;
5. NORTH 89°07'21" EAST, A DISTANCE OF 35.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF SAID COUNTY ROAD 49;

THENCE SOUTH 00°32'58" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 10.00 FEET TO A POINT ON SAID NORTHERLY BOUNDARY OF COOK ANNEXATION;

THENCE SOUTH 89°07'21" WEST, ALONG SAID NORTHERLY BOUNDARY, A DISTANCE OF 40.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.094 ACRES, (4,100 SQUARE FEET), MORE OR LESS.

**PIONEER ANNEXATION 2**

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 2 NORTH, RANGE 65 WEST AND THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 2 NORTH, RANGE 64 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN; COUNTY OF WELD, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

**COMMENCING** AT THE SOUTHEAST CORNER OF SAID SECTION 13, FROM WHENCE THE EAST

QUARTER CORNER OF SAID SECTION 13 BEARS NORTH 00°32'58" WEST, A DISTANCE OF 2624.04 FEET, WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE SOUTH 89°57'00" WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 13, A DISTANCE OF 100.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF COUNTY ROAD 49;

THENCE NORTH 00°32'58" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY, A DISTANCE OF 40.00 FEET TO A POINT TO THE **POINT OF BEGINNING**;

THENCE, CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY, THE FOLLOWING TWO (2) COURSES;

1. NORTH 00°32'58" WEST, A DISTANCE OF 665.02 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 19770.00 FEET;
2. NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°49'33", AN ARC LENGTH OF 284.99 FEET;

THENCE THE FOLLOWING FIVE (5) COURSES:

1. NORTH 89°27'02" EAST, A DISTANCE OF 92.93 FEET;
2. SOUTH 00°32'58" EAST, A DISTANCE OF 670.87 FEET;
3. NORTH 89°27'02" EAST, A DISTANCE OF 10.00 FEET;
4. NORTH 00°32'58" WEST, A DISTANCE OF 670.80 FEET;
5. SOUTH 89°40'58" EAST, A DISTANCE OF 37.25 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF SAID COUNTY ROAD 49, BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 19630.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 89°40'58" EAST;

THENCE, ALONG SAID EASTERLY RIGHT-OF-WAY, THE FOLLOWING TWO (2) COURSES;

1. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°49'48", AN ARC LENGTH OF 284.35 FEET;
2. SOUTH 00°32'58" EAST, A DISTANCE OF 665.66 FEET;

THENCE THE FOLLOWING FIVE (5) COURSES;

1. SOUTH 89°07'21" WEST, A DISTANCE OF 35.00 FEET;
2. NORTH 00°32'58" WEST, A DISTANCE OF 269.97 FEET;
3. SOUTH 89°27'02" WEST, A DISTANCE OF 10.00 FEET;
4. SOUTH 00°32'58" EAST, A DISTANCE OF 269.96 FEET;
5. SOUTH 89°57'07" WEST, A DISTANCE OF 95.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 2.839 ACRES, (123,678 SQUARE FEET), MORE OR LESS.

**PIONEER ANNEXATION 3**

A PARCEL OF LAND SITUATED IN THE EAST HALF OF SECTION 13, TOWNSHIP 2 NORTH, RANGE 65 WEST AND THE WEST HALF OF SECTION 18, TOWNSHIP 2 NORTH, RANGE 64 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN; COUNTY OF WELD, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

**COMMENCING** AT THE SOUTHEAST CORNER OF SAID SECTION 13, FROM WHENCE THE EAST QUARTER CORNER OF SAID SECTION 13 BEARS NORTH 00°32'58" WEST, A DISTANCE OF 2624.04 FEET, WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE SOUTH 89°57'00" WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 13, A DISTANCE OF 100.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF COUNTY ROAD 49;

THENCE, ALONG SAID WESTERLY RIGHT-OF-WAY, THE FOLLOWING TWO (2) COURSES;

3. NORTH 00°32'58" WEST, A DISTANCE OF 705.02 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 19770.00 FEET;
4. NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°49'33", AN ARC LENGTH OF 284.99 FEET TO THE **POINT OF BEGINNING**;

THENCE, CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY AND SAID CURVE THROUGH A CENTRAL ANGLE OF 00°01'44", AN ARC LENGTH OF 10.00 FEET;

THENCE THE FOLLOWING SEVEN (7) COURSES;

1. NORTH 89°27'02" EAST, A DISTANCE OF 92.79 FEET;
2. NORTH 00°32'58" WEST, A DISTANCE OF 1623.23 FEET;
3. NORTH 00°32'58" WEST, A DISTANCE OF 1996.77 FEET;
4. NORTH 89°27'02" EAST, A DISTANCE OF 10.00 FEET;
5. SOUTH 00°32'58" EAST, A DISTANCE OF 1996.79 FEET;
6. SOUTH 00°32'58" EAST, A DISTANCE OF 1623.29 FEET;
7. SOUTH 89°40'58" EAST, A DISTANCE OF 37.40 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF SAID COUNTY ROAD 49, BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 19630.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 89°39'13" EAST;

THENCE SOUTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY AND SAID CURVE THROUGH A CENTRAL ANGLE OF 00°01'45", AN ARC LENGTH OF 10.00 FEET;

THENCE THE FOLLOWING FIVE (5) COURSES;

1. NORTH 89°40'58" WEST, A DISTANCE OF 37.25 FEET;

2. SOUTH 00°32'58" EAST, A DISTANCE OF 670.80 FEET;
3. SOUTH 89°27'02" WEST, A DISTANCE OF 10.00 FEET;
4. NORTH 00°32'58" WEST, A DISTANCE OF 670.87 FEET;
5. SOUTH 89°27'02" WEST, A DISTANCE OF 92.93 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 1.017 ACRES, (44,311 SQUARE FEET), MORE OR LESS.

#### **PIONEER ANNEXATION 4**

A PARCEL OF LAND SITUATED IN SECTION 7 AND THE WEST HALF OF SECTION 8, TOWNSHIP 2 NORTH, RANGE 64 WEST; THE SOUTHEAST QUARTER OF SECTION 12 AND THE EAST HALF OF SECTION 13, TOWNSHIP 2 NORTH, RANGE 65 WEST; AND THE WEST HALF OF SECTION 18, TOWNSHIP 2 NORTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN; COUNTY OF WELD, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 13, FROM WHENCE THE EAST QUARTER CORNER OF SAID SECTION 13 BEARS NORTH 00°32'58" WEST, A DISTANCE OF 2624.04 FEET, WITH ALL BEARINGS HEREIN RELATIVE THERETO; THENCE SOUTH 89°57'00" WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 13, A DISTANCE OF 100.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF COUNTY ROAD 49;

THENCE, ALONG SAID WESTERLY RIGHT-OF-WAY, THE FOLLOWING TWO (2) COURSES;

1. NORTH 00°32'58" WEST, A DISTANCE OF 705.02 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 19770.00 FEET;
2. NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°49'33", AN ARC LENGTH OF 294.99 FEET TO THE **POINT OF BEGINNING**;

THENCE, CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY OF COUNTY ROAD 49, THE FOLLOWING NINETEEN (19) COURSES;

1. NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°22'43", AN ARC LENGTH OF 475.69 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE WESTERLY HAVING A RADIUS OF 19630.00 FEET;
2. NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°14'10", AN ARC LENGTH OF 766.11 FEET;
3. NORTH 00°32'58" WEST, A DISTANCE OF 382.65 FEET;
4. NORTH 00°32'59" WEST, A DISTANCE OF 2376.05 FEET;
5. NORTH 26°37'57" WEST, A DISTANCE OF 157.56 FEET;
6. NORTH 13°36'22" WEST, A DISTANCE OF 144.28 FEET;
7. NORTH 59°02'22" EAST, A DISTANCE OF 94.05 FEET;
8. NORTH 00°30'42" WEST, A DISTANCE OF 185.24 FEET;
9. NORTH 09°00'12" EAST, A DISTANCE OF 125.91 FEET;
10. NORTH 00°30'42" WEST, A DISTANCE OF 1964.54 FEET;
11. NORTH 07°38'14" WEST, A DISTANCE OF 182.16 FEET;
12. NORTH 00°30'42" WEST, A DISTANCE OF 80.16 FEET;
13. SOUTH 89°01'07" EAST, A DISTANCE OF 2.62 FEET;
14. NORTH 00°30'28" WEST, A DISTANCE OF 583.92 FEET;
15. NORTH 89°29'32" EAST, A DISTANCE OF 20.00 FEET;
16. NORTH 00°30'28" WEST, A DISTANCE OF 1300.00 FEET;
17. SOUTH 89°29'32" WEST, A DISTANCE OF 20.00 FEET;
18. NORTH 00°30'28" WEST, A DISTANCE OF 157.36 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 15790.00 FEET;

19. NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°58'02", AN ARC LENGTH OF 542.15 FEET;  
 THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY, SOUTH 88°24'23" EAST, A DISTANCE OF 80.74 FEET TO A POINT ON THE WEST SECTION LINE OF THE NORTHWEST QUARTER OF SAID SECTION 7 SAID POINT BEING 30 FEET SOUTHERLY OF THE NORTHWEST QUARTER CORNER OF SAID SECTION 7;  
 THENCE NORTH 88°34'37" EAST, ALONG A LINE 30 FEET SOUTHERLY AND PARALLEL WITH THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 7, A DISTANCE OF 2479.61 FEET TO A POINT 30 FEET SOUTH OF THE NORTH QUARTER CORNER OF SAID SECTION 7;

THENCE NORTH 88°33'56" EAST, ALONG A LINE 30 FEET SOUTHERLY AND PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7, A DISTANCE OF 2654.73 FEET;

THENCE NORTH 00°36'47" WEST, A DISTANCE OF 29.81 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 8, 30 FEET EASTERLY OF THE NORTHWEST QUARTER OF SAID SECTION 8;

THENCE ALONG SAID NORTH LINE, NORTH 88°56'01" EAST, A DISTANCE OF 2607.15 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 8;

THENCE SOUTH 00°16'10" WEST, ALONG THE NORTH/SOUTH CENTERLINE OF SAID SECTION 8, A DISTANCE OF 5215.14 FEET TO A POINT 30 FEET NORTH OF THE SOUTH QUARTER CORNER OF SAID SECTION 8;

THENCE SOUTH 88°55'01" WEST, ALONG A LINE 30 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 8, A DISTANCE OF 2650.32 FEET TO A POINT 30 FEET NORTHERLY OF THE SOUTHEAST CORNER OF SAID SECTION 7;

THENCE SOUTH 88°46'20" WEST, ALONG A LINE 30 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTH EAST QUARTER OF SAID SECTION 7, A DISTANCE OF 2609.81 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER OF SAID SECTION 7;

THENCE SOUTH 88°47'07" WEST A DISTANCE OF 2340.15 FEET TO A POINT ON THE NORTHERLY EXTENSION OF THE EASTERLY RIGHT-OF-WAY OF SAID COUNTY ROAD 49;  
 THENCE SOUTH 00°32'58" EAST, ALONG SAID NORTHERLY EXTENSION AND SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 571.19 FEET;  
 THENCE, ALONG SAID EASTERLY RIGHT-OF-WAY, THE FOLLOWING TEN (10) COURSES;

1. SOUTH 01°39'11" EAST, A DISTANCE OF 215.08 FEET;
2. SOUTH 02°27'06" WEST, A DISTANCE OF 79.14 FEET;
3. SOUTH 00°32'58" EAST, A DISTANCE OF 716.34 FEET;
4. SOUTH 05°59'13" EAST, A DISTANCE OF 68.46 FEET;
5. SOUTH 03°35'43" EAST, A DISTANCE OF 76.57 FEET;
6. SOUTH 04°24'34" WEST, A DISTANCE OF 122.12 FEET;
7. SOUTH 00°32'58" EAST, A DISTANCE OF 808.01 FEET;
8. SOUTH 00°33'00" EAST, A DISTANCE OF 656.06 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 19770.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 89°35'28" WEST;
9. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°26'32", AN ARC LENGTH OF 497.65 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 19630.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 88°16'43" EAST;
10. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°22'30", AN ARC LENGTH OF 471.13 FEET;

THENCE THE FOLLOWING SEVEN (7) COURSES;



1. NORTH 89°40'58" WEST, A DISTANCE OF 37.40 FEET;
  2. NORTH 00°32'58" WEST, A DISTANCE OF 1623.29 FEET;
  3. NORTH 00°32'58" WEST, A DISTANCE OF 1996.79 FEET;
  4. SOUTH 89°27'02" WEST, A DISTANCE OF 10.00 FEET;
  5. SOUTH 00°32'58" EAST, A DISTANCE OF 1996.77 FEET;
  6. SOUTH 00°32'58" EAST, A DISTANCE OF 1623.23 FEET;
  7. SOUTH 89°27'02" WEST, A DISTANCE OF 92.79 FEET TO THE POINT OF BEGINNING.
- CONTAINING AN AREA OF 940.264 ACRES, (40,957,911 SQUARE FEET), MORE OR LESS.

#### **PIONEER ANNEXATION 5**

A PARCEL OF LAND SITUATED IN THE SOUTH HALF OF SECTION 5, THE EAST HALF OF SECTION 8 AND A PORTION OF SECTION 9, TOWNSHIP 2 NORTH, RANGE 64 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN; COUNTY OF WELD, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

**COMMENCING** AT THE SOUTHWEST CORNER OF SAID SECTION 5, FROM WHENCE THE SOUTH QUARTER CORNER OF SAID SECTION 5 BEARS NORTH 88°56'01" EAST, A DISTANCE OF 2637.15 FEET, WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5, NORTH 88°56'01" EAST A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 00°36'47" WEST, ALONG A LINE 30 FEET EASTERLY OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2625.34 FEET TO THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 5;

THENCE NORTH 88°58'12" EAST, ALONG THE NORTH LINE OF SAID SOUTH HALF OF SECTION 5, A DISTANCE OF 5199.92 FEET TO A POINT 30 FEET WESTERLY OF THE EAST QUARTER CORNER OF SAID SECTION 5;

THENCE SOUTH 00°14'41" EAST, ALONG A LINE 30 FEET WESTERLY OF THE EAST LINE OF SAID SOUTH HALF OF SECTION 5, A DISTANCE OF 2621.99 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST CORNER OF SAID SECTION 5;

THENCE SOUTH 00°12'41" EAST, ALONG A LINE 30 FEET WESTERLY OF AND PARALLEL WITH THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 9, A DISTANCE OF 150.00 FEET;

THENCE NORTH 89°13'14" EAST, A DISTANCE OF 5235.84 FEET TO A POINT ON A LINE 30 FEET WESTERLY OF AND PARALLEL WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9;

THENCE SOUTH 01°13'22" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 2493.08 FEET TO THE SOUTH LINE OF SAID NORTHEAST QUARTER;

THENCE SOUTH 01°13'29" EAST, ALONG A LINE 30 FEET WESTERLY OF AND PARALLEL WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9, A DISTANCE OF 1818.21 FEET TO THE NORTHERLY BOUNDARY OF THAT PARCEL OF LAND DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NUMBER 4380175 IN THE RECORDS OF THE WELD COUNTY CLERK AND RECORDER;

THENCE, ALONG THE BOUNDARY OF SAID PARCEL, THE FOLLOWING TWO (2) COURSES;

1. SOUTH 89°40'46" WEST, A DISTANCE OF 975.00 FEET;
2. SOUTH 01°13'28" EAST, A DISTANCE OF 795.00 FEET TO A POINT ON A LINE 30 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 9;

THENCE SOUTH 89°40'46" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 1657.74 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER;

THENCE SOUTH 89°40'34" WEST, ALONG A LINE 30 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9, A DISTANCE OF 2662.61 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER;

THENCE SOUTH 88°55'40" WEST, ALONG A LINE 30 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 8, A DISTANCE OF 2650.18 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER;

THENCE NORTH 00°16'10" EAST, ALONG THE NORTH/SOUTH CENTERLINE OF SAID SECTION 8, A DISTANCE OF 5215.14 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 5;

THENCE SOUTH 88°56'01" WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5, A DISTANCE OF 2607.15 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 1222.251 ACRES, (53,741,234 SQUARE FEET), MORE OR LESS.