

DISTRICT COURT, LARIMER COUNTY, COLORADO		COPY
Court Address: 201 LaPorte Avenue, Fort Collins, Colorado 80521		
IN RE THE ORGANIZATION OF VDW METROPOLITAN DISTRICT NO. 2, CITY OF LOVELAND, LARIMER COUNTY, COLORADO		COURT USE ONLY
Attorney: Alysse A. Emery Address: WHITE AND ASSOCIATES Professional Corporation 8005 S. Chester Street, Suite 125 Englewood, CO 80112 Phone Number: (303) 858-1800 Fax Number: (303) 858-1801 Atty. Reg. #: 032457		Case No: 02 CV 403 Div: Ctrm:

ORDER AND DECREE ORGANIZING DISTRICT, ISSUING CERTIFICATES OF ELECTION AND RELEASING BOND

THIS MATTER comes before the Court on the Motion for Order and Decree Organizing District, for Issuance of Certificates of Election and for Release of Bonds, filed by the Petitioners in regard to the organization of VDW Metropolitan District No. 2 (the "District"). This Court, being fully advised in the premises, hereby FINDS AND ORDERS:

- 1) That a majority of the votes cast at the election held on May 7, 2002, in which the question of organization of the District was submitted to eligible electors, were in favor of organization, and that the election was held in accordance with Articles 1 to 13 of Title 1, C.R.S.
- 2) That the District shall be and is hereby duly and regularly organized in accordance with the requirements of Article 1 of Title 32, C.R.S.
- 3) That the District shall be known as "VDW Metropolitan District No. 2," the corporate name as designated in the Petition filed with this Court.
- 4) That the District is located in the City of Loveland, Larimer County, Colorado, as more particularly described in Exhibit A, attached hereto and made a part hereof.

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- 5) That the District shall be a quasi-municipal corporation and a political subdivision of the State of Colorado with all the powers thereof.
- 6) That the following qualified persons were duly elected as members of the District's first Board of Directors for the indicated terms, and as further shown on the Certificates of Election, issued by this Court in accordance with Section 32-1-305.5(5), C.R.S., which Certificates are attached hereto:

<u>Name</u>	<u>Term</u>
Nicholas Christensen	to May 2006
Kathleen P. Cherroff	to May 2006
Troy McWhinney	to May 2006
Daniel Herlihy	to May 2004

- 7) That the Clerk of this Court shall release to Petitioners the Bond in the amount of \$500 submitted in connection with the organization of VDW Metropolitan District No. 2.
- 8) That in accordance with Section 32-1-205(2), C.R.S., a copy of the approved Service Plan and the Loveland City Council Resolution of Approval shall be incorporated by reference in and appended to this Order establishing the District after all other legal procedures have been complied with.

DONE IN COURT this 6th day of June, 2002.

BY THE COURT:

Charles H. Hester
District Court Judge

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EXHIBIT A

Legal Description

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[To District Court Order and Decree Organizing District
and Issuing Certificates of Election]

LEGAL DESCRIPTION-VAN DE WATER METRO DISTRICT 2

UNRECORDED COPY

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 68 WEST, OF THE SIXTH PRINCIPAL MERIDIAN; CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 17 AND CONSIDERING THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17 TO HAVE AN ASSUMED BEARING OF S00°06'12"W WITH ALL OTHER BEARINGS RELATIVE THERETO;

THENCE ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17, N89°47'28"E, 2606.50 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION 17;

THENCE ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 17, N89°47'28"E, 105.67 FEET TO A POINT ON THE NORTHWESTERLY EDGE OF A 70 FOOT WIDE FARMER'S IRRIGATION DITCH;

THENCE ALONG SAID NORTHWESTERLY EDGE OF FARMER'S IRRIGATION DITCH THE FOLLOWING EIGHTEEN COURSES:

1. A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 782.08 FEET, AN ARC LENGTH OF 65.76 FEET, A CENTRAL ANGLE OF 4°49'03", AND A CHORD WHICH BEARS S40°24'32"W, 65.74 FEET;
2. S38°00'01"W, 49.35 FEET;
3. A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 40.00 FEET, AN ARC LENGTH OF 25.99 FEET, A CENTRAL ANGLE OF 37°13'48", AND A CHORD WHICH BEARS S56°36'55"W, 25.54 FEET;
4. A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 449.89 FEET, AN ARC LENGTH OF 122.11 FEET, A CENTRAL ANGLE OF 15°33'07", AND A CHORD WHICH BEARS S83°00'22"W, 121.74 FEET;
5. N89°13'04"W, 111.68 FEET;
6. A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 350.00 FEET, AN ARC LENGTH OF 200.54 FEET, A CENTRAL ANGLE OF 32°49'46", AND A CHORD WHICH BEARS S74°22'03"W, 197.81 FEET;
7. S57°57'10"W, 386.13 FEET;
8. A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 13084.20 FEET, AN ARC LENGTH OF 580.48 FEET, A CENTRAL ANGLE OF 2°32'31", AND A CHORD WHICH BEARS S57°04'24"W, 580.43 FEET;
9. S54°50'43"W, 621.04 FEET;
10. A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 165.00 FEET, AN ARC LENGTH OF 18.77 FEET, A CENTRAL ANGLE OF 6°31'03", AND A CHORD WHICH BEARS S58°06'15"W, 18.76 FEET;
11. A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 423.41 FEET, AN ARC LENGTH OF 157.12 FEET, A CENTRAL ANGLE OF 21°15'40", AND A CHORD WHICH BEARS S50°43'56"W, 156.22 FEET;
12. A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 235.00 FEET, AN ARC LENGTH OF 58.98 FEET, A CENTRAL ANGLE OF 14°22'50"W, S32°54'41"W, 58.83 FEET;
13. S25°43'16"W, 62.77 FEET;
14. A TANGENT CURVE TO THE RIGHT HAVING RADIUS OF 165.00 FEET, AN ARC LENGTH OF 58.79 FEET, A CENTRAL ANGLE OF 20°24'52", AND A CHORD WHICH BEARS S35°55'41"W, 58.48 FEET;
15. S46°08'07"W, 211.50 FEET;
16. A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 975.00 FEET, AN ARC LENGTH OF 216.00 FEET, A CENTRAL ANGLE OF 12°41'36", AND A CHORD WHICH BEARS S52°28'55"W, 215.56 FEET;
17. A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1260.00 FEET, AN ARC LENGTH OF 279.87 FEET, A CENTRAL ANGLE OF 12°43'35", AND A CHORD WHICH BEARS S52°27'56"W, 279.29 FEET;
18. S46°06'08"W, 139.61 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17;

THENCE ALONG SAID WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 17 N00°06'12"E, 524.44 FEET TO THE SOUTH SIXTEENTH CORNER OF SECTIONS 17 AND 18;
THENCE CONTINUING ALONG SAID WEST LINE N00°06'12"E, 1320.12 FEET TO THE POINT OF BEGINNING.

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ALSO: A TRACT OF LAND LOCATED IN THE SOUTH HALF OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 68 WEST, OF THE SIXTH PRINCIPAL MERIDIAN; CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

UNOFFICIAL COPY
COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 17 AND CONSIDERING THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17 TO HAVE AN ASSUMED BEARING OF S89°47'28"W WITH ALL OTHER BEARINGS RELATIVE THERETO;

THENCE ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 17, N89°47'28"E, 205.93 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 17, N89°47'28"E, 1111.96 FEET TO THE CENTER EAST SIXTEENTH CORNER OF SAID SECTION 17;

THENCE ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 17, S00°42'06"W, 1319.30 FEET TO THE SOUTHEAST SIXTEENTH CORNER OF SAID SECTION 17;

THENCE ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17, S89°38'56"W, 1313.75 FEET TO THE CENTER SOUTH SIXTEENTH CORNER OF SAID SECTION 17;

THENCE ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 17 S00°31'12"W, 1322.50 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 17;

THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17, S89°55'16"W, 2587.24 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 17;

THENCE ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17, N00°06'12"E, 697.08 FEET TO THE SOUTHEASTERLY EDGE OF THE 70 FOOT WIDE FARMER'S IRRIGATION DITCH;

THENCE ALONG SAID SOUTHEASTERLY EDGE OF THE FARMER'S IRRIGATION DITCH THE FOLLOWING EIGHTEEN COURSES:

1. N46°06'08"E, 207.21 FEET;
2. A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1190.00 FEET, AN ARC LENGTH OF 264.32, A CENTRAL ANGLE OF 12°43'34", AND A CHORD WHICH BEARS N52°27'56"E, 263.77 FEET;
3. A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1045.00 FEET, AN ARC LENGTH OF 231.51 FEET, A CENTRAL ANGLE OF 12°41'35", AND A CHORD WHICH BEARS N52°28'55"E, 231.03 FEET;
4. N46°08'07"E, 211.50 FEET;
5. A TANGENT CURVE WHICH BEARS TO THE LEFT HAVING A RADIUS OF 235.00 FEET, AN ARC LENGTH OF 83.73 FEET, A CENTRAL ANGLE OF 20°24'52", AND A CHORD WHICH BEARS N35°55'41"E, 83.29 FEET;
6. N25°43'16"E, 62.77 FEET;
7. A TANGENT CURVE WHICH BEARS RIGHT HAVING A RADIUS OF 165.00 FEET, AN ARC LENGTH OF 41.41 FEET, A CENTRAL ANGLE OF 14°22'51", AND A CHORD WHICH BEARS N32°54'41"E, 41.31 FEET;
8. A TANGENT CURVE WHICH BEARS RIGHT HAVING A RADIUS OF 353.41 FEET, AN ARC LENGTH OF 131.14 FEET, A CENTRAL ANGLE OF 21°15'40", AND A CHORD WHICH BEARS N50°43'56"E, 130.39 FEET;
9. A TANGENT CURVE WHICH BEARS LEFT HAVING A RADIUS OF 235.00 FEET, AN ARC LENGTH OF 26.73 FEET, A CENTRAL ANGLE OF 6°31'03", AND A CHORD WHICH BEARS N58°06'15"E, 26.72 FEET;
10. N54°50'43"E, 620.45 FEET;
11. A TANGENT CURVE WHICH BEARS RIGHT HAVING A RADIUS OF 13014.20 FEET, AN ARC LENGTH OF 577.06 FEET, A CENTRAL ANGLE OF 2°32'25", AND A CHORD WHICH BEARS N57°04'31"E, 576.98 FEET;
12. N57°57'10"E, 386.37 FEET;
13. A TANGENT CURVE WHICH BEARS RIGHT HAVING A RADIUS OF 280.00 FEET, AN ARC LENGTH OF 160.43 FEET, A CENTRAL ANGLE OF 32°49'46", AND A CHORD WHICH BEARS N74°22'03"E, 158.25 FEET;
14. S89°13'04"E, 111.68 FEET;
15. A TANGENT CURVE WHICH BEARS LEFT HAVING A RADIUS OF 519.89 FEET, AN ARC LENGTH OF 141.12 FEET, A CENTRAL ANGLE OF 15°33'07", AND A CHORD WHICH BEARS N83°00'22"E, 140.68 FEET;

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16. A TANGENT CURVE WHICH BEARS LEFT HAVING A RADIUS OF 110.00 FEET, AN ARC LENGTH OF 71.48 FEET, A CENTRAL ANGLE OF 37°13'48", AND A CHORD WHICH BEARS N56°36'33"E, 70.23 FEET.
17. N88°00'01"E, 49.35 FEET.
18. A TANGENT CURVE WHICH BEARS RIGHT HAVING A RADIUS OF 712.03 FEET, AN ARC LENGTH OF 128.39 FEET, A CENTRAL ANGLE OF 10°19'58", AND A CHORD WHICH BEARS N43°09'56"E, 128.21 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT A 0.255 ACRE (11,109 S.F.) PARCEL, BEING PARCEL F-2 OF THE MILLENNIUM ADDITION, RECORDED OCTOBER 12, 2000, AT RECEPTION NO. 2000070611, AND

LESS AND EXCEPT A 2.618 ACRE (114,041 S.F.) PARCEL, BEING PARCEL G-2 OF SAID MILLENNIUM ADDITION.

SAID DESCRIBED LAND CONTAINS A TOTAL OF 188.997 ACRES (8232,709 S.F.) MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS AND RIGHT-OF-WAYS ON RECORD OR THAT NOW EXIST ON THE GROUND.



DISTRICT COURT, LARIMER COUNTY, COLORADO

Court Address: 201 LaPorte Avenue, Fort Collins, Colorado
80521

**IN RE THE ORGANIZATION OF VDW
METROPOLITAN DISTRICT NO. 3, CITY OF
LOVELAND, LARIMER COUNTY, COLORADO**

COURT USE ONLY

Attorney: Alysse A. Emery
Address: WHITE AND ASSOCIATES
Professional Corporation
8005 S. Chester Street, Suite 125
Englewood, CO 80112
Phone Number: (303) 858-1800
Fax Number: (303) 858-1801
Atty. Reg. #: 032457

Case No: 02 CV 406

Div: Ctm:

**ORDER AND DECREE ORGANIZING DISTRICT, ISSUING CERTIFICATES
OF ELECTION AND RELEASING BOND**

THIS MATTER comes before the Court on the Motion for Order and Decree Organizing District, for Issuance of Certificates of Election and for Release of Bonds, filed by the Petitioners in regard to the organization of VDW Metropolitan District No. 3 (the "District"). This Court, being fully advised in the premises, hereby FINDS AND ORDERS:

- 1) That a majority of the votes cast at the election held on May 7, 2002, in which the question of organization of the District was submitted to eligible electors, were in favor of organization, and that the election was held in accordance with Articles 1 to 13 of Title 1, C.R.S.
- 2) That the District shall be and is hereby duly and regularly organized in accordance with the requirements of Article 1 of Title 32, C.R.S.
- 3) That the District shall be known as "VDW Metropolitan District No. 3," the corporate name as designated in the Petition filed with this Court.
- 4) That the District is located in the City of Loveland, Larimer County, Colorado, as more particularly described in Exhibit A, attached hereto and made a part hereof.

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5) That the District shall be a quasi-municipal corporation and a political subdivision of the State of Colorado with all the powers thereof.

6) That the following qualified persons were duly elected as members of the District's first Board of Directors for the indicated terms, and as further shown on the Certificates of Election, issued by this Court in accordance with Section 32-1-305.5(5), C.R.S., which Certificates are attached hereto:

<u>Name</u>	<u>Term</u>
Nicholas Christensen	to May 2006
Kathleen P. Cherroff	to May 2006
Troy McWhinney	to May 2006
Daniel Herlihy	to May 2004

7) That the Clerk of this Court shall release to Petitioners the Bond in the amount of \$500 submitted in connection with the organization of VDW Metropolitan District No. 3.

8) That in accordance with Section 32-1-205(2), C.R.S., a copy of the approved Service Plan and the Loveland City Council Resolution of Approval shall be incorporated by reference in and appended to this Order establishing the District after all other legal procedures have been complied with.

DONE IN COURT this 16th day of June, 2002.

BY THE COURT:

Chantal Newton
District Court Judge

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EXHIBIT A

Legal Description

UNOFFICIAL COPY

Fto District Court Order and Decree Organizing District
and Issuing Certificates of Election

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LEGAL DESCRIPTION-VAN DE WATER METRO DISTRICT 3

ORIGINAL COPY
A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 6 NORTH, RANGE 68 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 17 AND CONSIDERING THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17 TO HAVE AN ASSUMED BEARING OF S89°39'42"W WITH ALL OTHER BEARINGS RELATIVE THERETO;

THENCE ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17, S00°31'12"W, 572.82 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID EAST LINE, S00°31'12"W, 2014.93 FEET;

THENCE S89°47'28"W, 2606.92 FEET TO A POINT ON THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 17;

THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 17, N00°05'34"E, 2531.65 FEET;

THENCE S89°51'21"E, 1596.16 FEET;

THENCE N89°27'40"E, 285.30 FEET;

THENCE S02°43'50"W, 386.38 FEET;

THENCE S03°46'39"E, 458.90 FEET;

THENCE N53°24'40"E, 806.11 FEET;

THENCE S29°27'50"E, 163.79 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT A 4.90 ACRE (213,380 S.F.) TRACT, BEING THAT PORTION OF PARCEL E-2 OF THE MILLENNIUM ADDITION AS SHOWN ON THE PLAT RECORDED OCTOBER 12, 2000 AT RECEPTION NO. 2000070611, LYING WITHIN THE ABOVE DESCRIBED PARCEL.

SAID DESCRIBED LAND CONTAINS A TOTAL OF 136.61 ACRES (5,950,803 S.F.) MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS AND RIGHT-OF-WAYS ON RECORD OR THAT NOW EXIST ON THE GROUND.