

**TOWN OF ERIE**

Planning & Development – Planning Division
 645 Holbrook Street – PO Box 750 – Erie, CO 80516
 Tel: 303.926.2770 – Website: www.erieco.gov

LAND USE APPLICATION

Please fill in this form completely. Incomplete applications will not be processed. Application fees must accompany application.

STAFF USE ONLY

FILE NAME:

FILE NO:

DATE SUBMITTED:

FEES PAID:

PROJECT/BUSINESS NAME: Hammer Annexation**PROJECT ADDRESS:** Located in the west half of the southwest quarter - Section 3 T1N 68W 6th P.M.**PROJECT DESCRIPTION:** Request to annex the above mentioned property into the Town of Erie. Please see the legal description attached.**LEGAL DESCRIPTION** (attach legal description if Metes & Bounds) *Please see legal attached

Subdivision Name:

Filing #:

Lot #:

Block #:

Section:

Township:

Range:

OWNER (attach separate sheets if multiple)

Name/Company: Anadarko E&P Company LP

Contact Person: Shayelyn Marshall

Address: 1099 18th St., Suite 1800

City/State/Zip: Denver, CO 80202

Phone: 720-929-6907

Fax:

E-mail: shayelyn_marshall@oxy.com

AUTHORIZED REPRESENTATIVE

Company/Firm: Anadarko E&P Company LP

Contact Person: Danielle Piernot

Address: 1099 18th St., Suite 1800

City/State/Zip: Denver, CO 80202

Phone: 720-929-6156

Fax:

E-mail: Danielle_Piernot@oxy.com

☒ Check here if Owner is responsible for Application Billing☐ Check here if Authorized Representative is responsible for Application Billing**MINERAL RIGHTS OWNER** (attach separate sheets if multiple)

Name/Company: Anadarko Land Corporation

Address: 1099 18th St., Suite 1800

City/State/Zip: Denver, CO 8020

MINERAL LEASE HOLDER (attach separate sheets if multiple)

Name/Company: Kerr McGee Oil and Gas Onshore LP

Address: 1099 18th St., Suite 1800

City/State/Zip: Denver, CO 8020

LAND-USE & SUMMARY INFORMATION

Present Zoning: Weld County - AG

Proposed Zoning: Heavy Industrial

Gross Acreage: 47.08 Acres

Gross Site Density (du/ac):

Lots/Units Proposed: 0

Gross Floor Area: N/A

SERVICE PROVIDERS N/A

Electric:

Gas:

Metro District:

Fire District:

Water (if other than Town):

Sewer (if other than Town):

PAGE TWO MUST BE SIGNED AND NOTARIZED

DEVELOPMENT REVIEW FEES			
ANNEXATION		SUBDIVISION	
<input checked="" type="checkbox"/> Major (10+ acres)	\$ 4000.00	<input type="checkbox"/> Sketch Plan	\$ 1000.00 + 10.00 per lot
<input type="checkbox"/> Minor (less than 10 acres)	\$ 2000.00	<input type="checkbox"/> Preliminary Plat	\$ 2000.00 + 40.00 per lot
COMPREHENSIVE PLAN AMENDMENT		<input type="checkbox"/> Final Plat	\$ 2000.00 + 20.00 per lot
<input type="checkbox"/> Major	\$ 3000.00	<input type="checkbox"/> Minor Subdivision Plat	\$ 2000.00
<input type="checkbox"/> Minor	\$ 1200.00	<input type="checkbox"/> Minor Plat Amendment	\$400.00
ZONING/REZONING		<input type="checkbox"/> Road Vacation (constructed)	\$1000.00
<input checked="" type="checkbox"/> Initial Zoning	\$ 1700.00 + 10.00 per acre	<input type="checkbox"/> Road Vacation (paper)	\$100.00
<input type="checkbox"/> Rezoning	\$ 1700.00 + 10.00 per acre		
<input type="checkbox"/> PUD Rezoning	\$ 1700.00 + 10.00 per acre	SITE PLAN	
<input type="checkbox"/> PUD Amendment	\$ 1700.00 + 10.00 per acre	<input type="checkbox"/> Residential	\$ 1400.00 + 10.00 per unit
<input type="checkbox"/> Major PD Amendment	\$ 3700.00 + 10.00 per acre	<input type="checkbox"/> Non-Resi. (>10,000 sq. ft.)	\$ 2,200.00
<input type="checkbox"/> Minor PD Amendment	\$ 500.00	<input type="checkbox"/> Non-Resi. (>2,000 sq. ft.)	\$ 1000.00
SPECIAL REVIEW USE		<input type="checkbox"/> Non-Resi. (<2,000 sq. ft.)	\$ 200.00
<input type="checkbox"/> Major	\$ 1000.00	<input type="checkbox"/> Amendment (major)	\$1100.00
<input type="checkbox"/> Minor	\$ 400.00	<input type="checkbox"/> Amendment (minor)	\$350.00
<input type="checkbox"/> Oil & Gas	\$ 1200.00	VARIANCE	
MISCELLANEOUS		METRO DIST SERVICE PLAN	
<input type="checkbox"/> Outdoor Café Permit/R.O.W. Encroachment	\$50.00		\$10,000.00
<input type="checkbox"/>			

*All fees **include** both Town of Erie Planning & Engineering review. These fees **do not include** referral agency review fees, outside consultant review fees, or review fees incurred by consultants acting on behalf of staff. See Town of Erie Municipal Code, Title 2-10-5 for all COMMUNITY DEVELOPMENT FEES.*

The undersigned is fully aware of the request/proposal being made and the actions being initiated on the referenced property. The undersigned understand that the application must be found to be complete by the Town of Erie before the request can officially be accepted and the development review process initiated. **The undersigned is aware that the applicant is fully responsible for all reasonable costs associated with the review of the application/request being made to the Town of Erie. Pursuant to Title 10, Section 7.2.B.5 of the Town of Erie Municipal Code, applicants shall pay all costs billed by the Town for legal, engineering and planning costs incurred by staff, including consultants acting on behalf of staff, necessary for project review. By this acknowledgement, the undersigned hereby certify that the above information is true and correct.**

Owner: _____ Date: _____

Owner: Applicant is the owner. _____ Date: _____

Applicant: Shayelyn Marshall _____ Date: 3/22/2021

STATE OF COLORADO)
 Denver) ss.
 County of _____)

The foregoing instrument was acknowledged before
 me this 22nd day of March, 2021
 by Shayelyn Marshall

My commission expires: 6/8/2024
 Witness my hand and official seal.

"NOTICE OF INTENT TO
 ELECTRONICALLY NOTARIZE"

DAN 20204019843-588243

DocuSigned by:
Elae Long
 F8060BEDF5A44C
 Notary Public

March 15, 2021

Carolynne C. White
Attorney at Law
303.223.1197 tel
303.223.0997 fax
cwhite@bhfs.com

Mr. Fred Starr
Planning and Development Director
Town of Erie
645 Holbrook Street
Erie, Colorado 80516

RE: Annexation Narrative

Dear Mr. Starr:

We represent Anadarko E&P Onshore LLC (the “**Company**”) with respect to its annexation of the approximately 47.08 acres of land as more particularly described on the attached Exhibit A (the “**Property**”), in unincorporated Weld County, Colorado. The Company is a wholly owned subsidiary of Occidental Petroleum Corporation.

For a complete description of how the Property meets the requirements for annexation, please see the cover letter to the Annexation Application, dated January 21, 2021.

This letter is the narrative required for the annexation application, as requested by Deborah Bachelder in her email dated February 9, 2021.

BACKGROUND

On January 8, 2019, the Company and the Town entered into an annexation agreement whereby the Company agreed to be annexed into the Town upon the drilling and completion of all wells on the Property in exchange for a total of 10 encroachment licenses across Town property (“**Annexation Agreement**”). On December 22, 2020, the Company drilled and completed the final well on its Property. On January 21, 2021, the Company submitted an annexation petition and application package to the Town. On February 9, 2021, the Company received a follow up email from Deborah Bachelder, acknowledging receipt of the application, and noting additional information required for the application to be deemed complete. Since that time, dialogue has occurred between counsel for the Town and the Company regarding additional issues related to the annexation, which dialogue has now concluded.

This letter is now hereby submitted with the additional information requested, and is intended to serve as the required Narrative.

Narrative

The Property consists of approximately 47 acres, presently located in unincorporated Weld County. As noted, the parties agreed that, upon the drilling and completion of all wells on the Property, the Company

would petition for annexation. The last well having been drilled and completed, the Property is now ready to be annexed pursuant to the Annexation Agreement.

The Company does not have any development plans for the property other than those outlined in the Annexation Agreement, except as may be ancillary to and in support of such activities.

Given the use of the property for extraction of oil and gas resources, the appropriate zone district under the Town's Uniform Development Code ("Code") is **Heavy Industrial**. As noted in the cover letter to the Annexation Application dated January 21, 2021, this is the requested zone district for the Property following annexation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carolynne C. White".

Carolynne C. White

Exhibit A

Legal Description

ANNEXATION AREA

Portions of the West One-half (W1/2) of the Southwest One-quarter (SW1/4) of Section 3, T1N, R68W, Weld County, Colorado, being more particularly described as follows:

Beginning at the Southwest corner of said Section 3 and proceeding N00°08'31"W, 299.93 feet along the west line of said Southwest One-quarter (SW1/4);

Thence departing said west line, N89°42'54"E, 180.15 feet;

Thence N89°42'54"E, 29.87 feet;

Thence N00°10'55"W, 120.10 feet;

Thence S89°43'03"W, 180.07 feet;

Thence S89°43'03"W, 29.87 feet to a point on the west line of said Southwest 1/4;

Thence N00°08'31"W, 1321.46 feet;

Thence departing said west line, N89°51'29"E, 827.55 feet;

Thence S00°00'00"E, 329.97 feet;

Thence N90°00'00"E, 451.88 feet;

Thence S00°08'03"E, 1408.18 feet to a point on the south line of said Section 3;

Thence along said south line, S89°45'30"W, 1278.42 feet to the Point of Beginning.

Said parcel contains 47.08 acres (2,050,683 sq. ft.), more or less.

PETITION FOR ANNEXATION

TO: THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO

RE: PROPERTY KNOWN AS: _____

The undersigned landowner, in accordance with Title 31, Article 12, Part 1, C.R.S., known as the Municipal Annexation Act of 1965, hereby petitions the Board of Trustees of the Town of Erie, Colorado (the "Board of Trustees") for annexation to the Town of Erie (the "Town") of the following described unincorporated area situate and being in the County of Weld, State of Colorado (the "Property"):

(See **Exhibit A** attached hereto and incorporated herein by reference)

In support of its Petition, Petitioner states as follows:

1. That it is desirable and necessary that the Property be annexed to the Town of Erie, Colorado.
2. That the Property meets the requirements of C.R.S. §§ 31-12-104 and 105, in that:
 - a. Not less than 1/6 of the perimeter of the Property is contiguous with the existing boundaries of the Town, disregarding for contiguity purposes, as allowed by C.R.S. § 31-12-104(1)(a), the existence of any platted street or alley, any public or private right-of-way, any public or private transportation right-of-way or area, public lands (except county-owned open space) or any lakes, reservoirs, streams or other natural or artificial waters located between the Town and the Property. The contiguity required by C.R.S. § 31-12-104(1)(a) has not been established by use of any boundary of an area that was previously annexed to the Town where the area, at the time of its annexation, was not contiguous at any point with the boundary of the Town, and was not otherwise in compliance with C.R.S. § 31-12-104(1)(a), and was located more than 3 miles from the nearest boundary of the Town, nor was the contiguity required by C.R.S. § 31-12-104(1)(a) established by use of any boundary of territory that was subsequently annexed directly to, or which was indirectly connected through, subsequent annexations of such an area.
 - b. The proposed annexation will not create any disconnected municipal satellites.
 - c. A community of interest exists between the Property and the Town.
 - d. The Property is urban or will be urbanized in the near future, and said area is integrated or is capable of being integrated with the Town.
 - e. No land held in identical ownership, whether consisting of 1 tract or parcel of real estate or 2 or more contiguous tracts or parcels of real estate:
 - i. Is divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels are separated by a dedicated street, road, or other public way.

ii. Comprising 20 acres or more and which, together with the buildings and improvements situated thereon, has a valuation for assessment in excess of two hundred thousand dollars \$200,000 for *ad valorem* tax purposes for the year next preceding the annexation is included within the Property without the written consent of the landowner(s).

f. No annexation proceedings have been commenced for the annexation to another municipality of part or all of the Property.

g. The annexation of the Property will not result in the detachment of area from any school district and the attachment of same to another school district.

h. The annexation of the Property will not have the effect of extending the boundary of the Town more than 3 miles in any direction from any point of the Town's boundary in any one year.

i. If a portion of a platted street or alley is to be annexed, the entire width of said street or alley is included within the Property.

j. Reasonable access will not be denied to landowners, owners of easements or the owners of franchises adjoining any platted street or alley to be annexed that will not be bordered on both sides by the Town.

3. That attached hereto and incorporated herein by reference are 4 prints of the annexation map, containing the following information:

a. A written legal description of the boundaries of the Property.

b. A map showing the boundary of the Property.

c. Within the annexation boundary map, a showing of the location of each ownership tract of unplatted land, and, with respect to any area which is platted, the boundaries and the plat numbers of plots or lots and blocks.

d. Next to the boundary of the Property, a drawing of the contiguous boundary of the Town and the contiguous boundary of any other municipality abutting the Property.

4. That Petitioner is the owner of more than 50% of the Property, exclusive of streets and alleys.

5. That Petitioner signed this Petition no more than 180 days prior to the date of the filing of this Petition.

6. That this Petition satisfies the requirements of Article II, § 30 of the Colorado Constitution in that it is signed by persons comprising more than 50% of the landowners of the Property who own more than 50% of the Property, excluding public streets and alleys and any land owned by the Town.

7. That no election has been held within the last 12 months for annexation of the Property to the Town.

8. That the Property is located within Weld County, the St. Vrain Valley R1J School District and the Frederick Firestone Fire Protection District.

9. That upon the effective date of the ordinance annexing the Property to the Town, the entire Property shall become subject to the ordinances, resolutions, rules and regulations of the Town, except for general property taxes which shall become effective on January 1 of the next year following passage of the annexation ordinance.

10. That Petitioner has not requested from any government entity review of a site specific development plan that would vest Petitioner with the property rights contemplated in C.R.S. § 24-68-101, *et seq.*, and that Petitioner hereby waives any vested property rights for the Property resulting from any prior approval of any site specific development plan as defined in C.R.S. § 24-68-101, *et seq.*

11. That, by the date that is 90 days after the effective date of the annexation ordinance, the Property shall be brought under the Town's zoning code and map.

12. That Petitioner reserves the right to withdraw this Petition at any time prior to the adoption of an annexation ordinance.

Therefore, the undersigned Petitioner respectfully requests that the Board of Trustees approve the annexation of the Property to the Town.

DocuSigned by:		
	1/14/2021	1099 18 th St., Denver CO 80202
DCF1AB1984DD497...		
Name	Date	Mailing Address


STATE OF COLORADO)
) ss.
 COUNTY OF Denver)

Subscribed, sworn to and acknowledged before me this 14th day of January,
 2021, by Danielle Piernot.

My Commission expires 06/08/2024.

(SEAL) "NOTICE OF INTENT TO
 ELECTRONICALLY NOTARIZE"

DAN 20204019843-606687

DocuSigned by:	
	
FB060BEDF51A44C...	
Notary Public	

HAMMER ANNEXATION TO THE TOWN OF ERIE

LOCATED IN THE WEST 1/2 OF THE SOUTHWEST 1/4 SECTION 3, T1N, R68W, 6TH P.M.

TOWN OF ERIE, WELD COUNTY, COLORADO

47.08 ACRES

AN__-__

ANNEXATION AREA

A portion of the West One-half (W1/2) of the Southwest One-quarter (SW1/4) of Section 3, T1N, R68W, Weld County, Colorado, being more particularly described as follows:

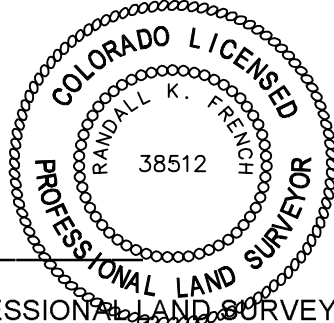
Beginning at the Southwest corner of said Section 3 and proceeding N00°08'31"W, 299.93 feet along the west line of said Southwest One-quarter (SW1/4);
Thence departing said west line, N89°42'54"E, 29.87 feet;
Thence N89°42'54"E, 180.15 feet;
Thence N00°10'55"W, 120.10 feet;
Thence S89°43'03"W, 180.07 feet;
Thence S89°43'03"W, 29.87 feet to a point on said west line;
Thence N00°08'31"W, 1321.46 feet along said west line;
Thence departing said west line, N89°51'29"E, 827.55 feet;
Thence S00°00'00"E, 329.97 feet;
Thence N90°00'00"E, 451.88 feet;
Thence S00°08'03"E, 1408.18 feet to a point on the south line of said Section 3;
Thence along said south line, S89°45'30"W, 1278.42 feet to the Point of Beginning.

Said parcel contains 47.08 acres (2,050,683 sq. ft.), more or less.

SURVEYOR'S CERTIFICATE

I, RANDALL K. FRENCH, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ANNEXATION MAP SHOWN HEREON TRULY AND CORRECTLY REPRESENTS THE ABOVE DESCRIBED PARCEL(S) OF LAND AND THAT AT LEAST ONE SIXTH (1/6) OF THE PERIPHERAL BOUNDARY OF SAID PARCEL(S) IS CONTIGUOUS TO THE PRESENT BOUNDARY OF THE TOWN OF ERIE.

I ATTEST THE ABOVE ON THIS ____ DAY OF _____, 20____.



RANDALL K. FRENCH
COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR NO. 38512.

BOARD OF TRUSTEES APPROVAL CERTIFICATE

THIS ANNEXATION MAP IS TO BE KNOWN AS THE _____
ANNEXATION MAP TO THE TOWN OF ERIE AND IS APPROVED AND ACCEPTED BY
ORDINANCE NO. _____ PASSED AND ADOPTED AT A MEETING OF THE BOARD OF
TRUSTEES OF ERIE, COLORADO, HELD ON _____, 20____.

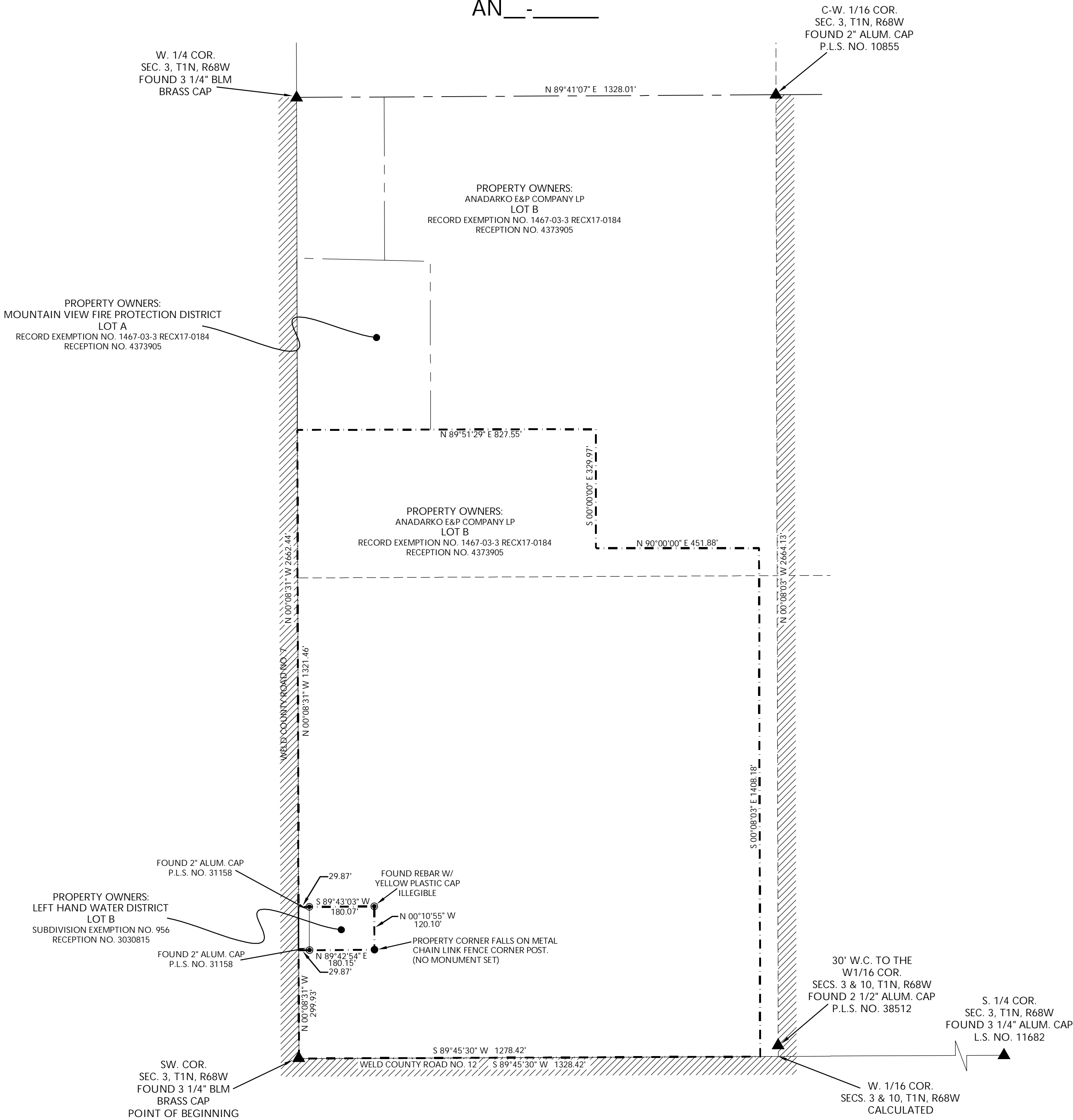
MAYOR

ATTEST _____
TOWN CLERK

CLERK & RECORDER CERTIFICATE

STATE OF COLORADO)
COUNTY OF _____) ss.
I HEREBY CERTIFY THAT THIS ANNEXATION MAP WAS FILED IN MY OFFICE ON THIS
DAY OF _____, 20____ A.D. AND WAS RECORDED AT RECEPTION NUMBER

COUNTY CLERK AND RECORDER



PERIMETER SUMMARY:

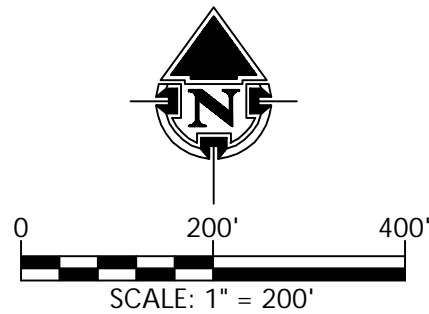
6457.44'	ANNEXATION BOUNDARY PERIMETER
2899.81'	CONTIGUOUS BOUNDARY
44.9%	PERCENTAGE MATCHING CONTIGUOUS BOUNDARY

SURVEYOR'S NOTES:

1. BASIS OF BEARING DERIVED FROM COLORADO COORDINATE SYSTEM OF 1983 NORTH ZONE.
2. ALL MEASURED DISTANCES ARE GROUND.

NOTICE:

ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS AFTER THE DATE OF THE CERTIFICATION SHOWN HEREON.



LEGEND

- | | |
|-------------|----------------------------------|
| ▲ | FOUND PLSS MONUMENT AS INDICATED |
| ● | FOUND PROPERTY CORNER AS NOTED |
| - - - - - | ANNEXATION BOUNDARY |
| — — — — — | SECTION LINE |
| - . - . - . | QUARTER SECTION LINE |
| - . - . - . | SIXTEENTH SECTION LINE |
| ▨ | TOWN OF ERIE LIMITS |

HAMMER ANNEXATION TO THE TOWN OF ERIE

LOCATED IN THE WEST 1/2 OF THE SOUTHWEST 1/4 SECTION 3, T1N, R68W, 6TH P.M.

TOWN OF ERIE, WELD COUNTY, COLORADO



CONSULTING, LLC
1095 Saberton Avenue
Sheridan, Wyoming 82801
Phone: 307-674-0609
Fax: 307-674-0182

DRAWN BY:	RZF
CHECKED BY:	RKF
DATE:	3/2/21
JOB:	14-106

REVISIONS:

SHEET NO:
1
1 OF 1



Document must be filed electronically.
Paper documents are not accepted.
Fees & forms are subject to change.
For more information or to print copies
of filed documents, visit www.sos.state.co.us.

Colorado Secretary of State
Date and Time: 01/07/2013 02:47 PM
ID Number: 19871035828
Document number: 20131014706
Amount Paid: \$1.00

ABOVE SPACE FOR OFFICE USE ONLY

Statement of Conversion

filed pursuant to § 7-90-201.7 (3) of the Colorado Revised Statutes (C.R.S.)

1. For the converting entity, its ID number (if applicable), entity name or true name, form of entity, jurisdiction under the law of which it is formed, and principal address are

ID number	<u>19871035828</u> <small>(Colorado Secretary of State ID number)</small>		
Entity name or true name	<u>ANADARKO E&P COMPANY LP</u>		
Form of entity	<u>Foreign Limited Partnership</u>		
Jurisdiction	<u>Delaware</u>		
Street address	<u>1201 Lake Robbins Drive</u> <small>(Street number and name)</small>		
	<u>The Woodlands</u> <small>(City)</small>	<u>TX</u> <small>(State)</small>	<u>77380</u> <small>(ZIP/Postal Code)</small>
	<u></u> <small>(Province – if applicable)</small>	<u>United States</u> <small>(Country)</small>	
Mailing address (leave blank if same as street address)	<u></u> <small>(Street number and name or Post Office Box information)</small>		
	<u></u> <small>(City)</small>	<u></u> <small>(State)</small>	<u></u> <small>(ZIP/Postal Code)</small>
	<u></u> <small>(Province – if applicable)</small>	<u>United States</u> <small>(Country)</small>	

2. The entity name of the resulting entity is Anadarko E&P Onshore LLC.
(Caution: The use of certain terms or abbreviations are restricted by law. Read instructions for more information.)
3. The converting entity has been converted into the resulting entity pursuant to section 7-90-201.7, C.R.S.
4. (If applicable, adopt the following statement by marking the box and include an attachment.)
☐ This document contains additional information as provided by law.
5. (Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)
(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)
The delayed effective date and, if applicable, time of this document are _____.
(mm/dd/yyyy hour:minute am/pm)

Notice:

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that such document is such individual's act and deed, or that such individual in good faith believes such document is the act and deed of the person on whose behalf such individual is causing such document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S. and, if applicable, the constituent documents and the organic statutes, and that such individual in good faith believes the facts stated in such document are true and such document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is identified in this document as one who has caused it to be delivered.

6. The true name and mailing address of the individual causing this document to be delivered for filing are

Roark	Margaret	E	
(Last)	(First)	(Middle)	(Suffix)
1201 Lake Robbins Drive			
(Street number and name or Post Office Box information)			
<hr/>			
The Woodlands	TX	77380	
(City)	(State)	(ZIP/Postal Code)	
United States			
(Province – if applicable)		(Country)	

(If applicable, adopt the following statement by marking the box and include an attachment.)

- ☐ This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

Disclaimer:

This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).



Document must be filed electronically.
Paper documents are not accepted.
Fees & forms are subject to change.
For more information or to print copies
of filed documents, visit www.sos.state.co.us.

Colorado Secretary of State
Date and Time: 01/07/2013 02:47 PM
ID Number: 19871035828
Document number: 20131014706
Amount Paid: \$1.00

ABOVE SPACE FOR OFFICE USE ONLY

Articles of Organization

filed pursuant to § 7-80-203 and § 7-80-204 of the Colorado Revised Statutes (C.R.S.)

1. The domestic entity name of the limited liability company is

Anadarko E&P Onshore LLC

(The name of a limited liability company must contain the term or abbreviation "limited liability company", "ltd. liability company", "limited liability co.", "ltd. liability co.", "limited", "l.l.c.", "llc", or "ltd.". See §7-90-601, C.R.S.)

(Caution: The use of certain terms or abbreviations are restricted by law. Read instructions for more information.)

2. The principal office address of the limited liability company's initial principal office is

Street address

1201 Lake Robbins Drive

(Street number and name)

The Woodlands

(City)

TX

(State)

77380

(ZIP/Postal Code)

United States

(Country)

(Province – if applicable)

Mailing address

(leave blank if same as street address)

(Street number and name or Post Office Box information)

(City)

(State)

(ZIP/Postal Code)

United States

(Country)

(Province – if applicable)

3. The registered agent name and registered agent address of the limited liability company's initial registered agent are

Name

(if an individual)

(Last)

(First)

(Middle)

(Suffix)

or

(if an entity)

The Corporation Company

(Caution: Do not provide both an individual and an entity name.)

Street address

1675 Broadway, Suite 1200

(Street number and name)

Denver

(City)

CO

(State)

80202

(ZIP Code)

Mailing address

(leave blank if same as street address)

(Street number and name or Post Office Box information)

(City) CO (State) _____
(ZIP Code)

(The following statement is adopted by marking the box.)

☒ The person appointed as registered agent has consented to being so appointed.

4. The true name and mailing address of the person forming the limited liability company are

Name

(if an individual)

(Last) (First) (Middle) (Suffix)

or

(if an entity)

Anadarko General Resources LLC

(Caution: Do not provide both an individual and an entity name.)

Mailing address

1201 Lake Robbins Drive

(Street number and name or Post Office Box information)

The Woodlands

TX

77380

(City)

(State)

(ZIP/Postal Code)

United States

(Province – if applicable)

(Country)

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

☐ The limited liability company has one or more additional persons forming the limited liability company and the name and mailing address of each such person are stated in an attachment.

5. The management of the limited liability company is vested in

(Mark the applicable box.)

☐ one or more managers.

or

☒ the members.

6. (The following statement is adopted by marking the box.)

☒ There is at least one member of the limited liability company.

7. (If the following statement applies, adopt the statement by marking the box and include an attachment.)

☐ This document contains additional information as provided by law.

8. (Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document is/are _____
(mm/dd/yyyy hour:minute am/pm)

Notice:

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is named in the document as one who has caused it to be delivered.

9. The true name and mailing address of the individual causing the document to be delivered for filing are

<u>Roark</u>	<u>Margaret</u>	<u>E</u>	
<small>(Last)</small>	<small>(First)</small>	<small>(Middle)</small>	<small>(Suffix)</small>
<u>1201 Lake Robbins Drive</u>			
<small>(Street number and name or Post Office Box information)</small>			
<hr/>			
<u>The Woodlands</u>	<u>TX</u>	<u>77380</u>	
<small>(City)</small>	<small>(State)</small>	<small>(ZIP/Postal Code)</small>	
<u></u>	<u>United States</u>	<u></u>	
<small>(Province – if applicable)</small>	<small>(Country)</small>		

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

- ☐ This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

Disclaimer:

This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).

January 21, 2021

Carolynne C. White
Attorney at Law
303.223.1197 tel
303.223.0997 fax
cwhite@bhfs.com

Mr. Fred Starr
Planning and Development Director
Town of Erie
645 Holbrook Street
Erie, Colorado 80516

RE: Annexation Request for Anadarko E&P Onshore LLC

Dear Mr. Starr:

We represent Anadarko E&P Onshore LLC (the "**Company**") with respect to its annexation of the approximately 47.08 acres of land as more particularly described on the attached Exhibit A (the "**Property**"), in unincorporated Weld County, Colorado.

As evidenced by the petition, the Company desires to annex the Property into the Town of Erie, Colorado (the "**Town**"). This letter is delivered in connection with such application to provide the Town with additional information that may aid the Town in reviewing and approving the proposed annexation.

BACKGROUND

On January 8, 2019, the Company and the Town entered into an annexation agreement whereby the Company agreed to be annexed into the Town upon the drilling and completion of all wells on the Property in exchange for a total of 10 encroachment licenses across Town property. On December 22, 2020, the Company drilled and completed the final well on its Property. Therefore, the Company has submitted the application materials necessary for it to be annexed into the Town.

ANALYSIS

The remainder of this letter will discuss how the petition for annexation satisfies the applicable criteria for approval provided in the Town's Unified Development Code (the "**Code**").

I. Criteria for Approval of an Annexation

As described above, the Company proposes to annex the Property into the Town. Chapter 7.3 of the Code, Title 10 requires annexations to be in compliance with the Colorado Municipal Annexation Act of 1965 (the "**Act**"), which establish the requirements for annexations.

Below is summary of how the petition complies with the requirements for approval of an annexation.

A. The Proposed Annexation Conforms with the Requirements in the Act

Section 10.7.3 of the Code requires that annexations conform to the requirements of the Act in order to be approved. This letter demonstrates that the proposed annexation complies with the material requirements of the Act as applicable to the proposed annexation of the Property.

1. *Landowner Consent*

Except in limited circumstances, an annexation may only be approved with the consent of the landowners of the property subject to the annexation, which can be demonstrated through a public election or through submittal of an annexation petition that is "signed by persons comprising more than 50% of the landowners in the area and owning more than 50% of the area, excluding public streets, and alleys and any land owned by the annexing municipality." Colo. Const. Art. II, Section 30; C.R.S. § 31-12-104(1). Here, the Company, which owns all of the property to be annexed, has signed the petition for annexation attached to the annexation application.

2. *One-Sixth Contiguity*

Further, the subject property must meet a minimum contiguity requirement. More specifically, the Town must find that "not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the annexing municipality." C.R.S. §31-12-104(1)(a). The Property far exceeds the one-sixth contiguity requirement in the Act. The Property is contiguous to the Town along its western and southern borders. Therefore, the Property satisfies the one sixth contiguity requirement in the Act.

3. *Community of Interest*

The Town also must find that "a community of interest exists between the area proposed to be annexed and the annexing municipality; that said area is urban or will be urbanized in the near future; and that said area is integrated with or is capable of being integrated with the annexing municipality." C.R.S. § 31-12-104(1)(b). The fact that the subject property has satisfied the one sixth contiguity requirement described above "shall be a basis for a finding of compliance with these requirements," unless certain facts, which are not applicable here, are demonstrated at a hearing.

Therefore, the proposed annexation satisfies the community of interest requirement.

II. **Zoning**

As requested by the Town in communications that occurred after the annexation agreement, the Company requests that the Town zone the Property as Heavy Industrial (HI).

III. **Conclusion**

As summarized in this letter, the proposed annexation satisfies the applicable criteria for approval in the Code and the Act. The Company respectfully requests approval of its application, and looks forward to working with the Town.

Sincerely,

Carolynne C. White

Exhibit A

Legal Description

ANNEXATION AREA

Portions of the West One-half (W1/2) of the Southwest One-quarter (SW1/4) of Section 3, T1N, R68W, Weld County, Colorado, being more particularly described as follows:

Beginning at the Southwest corner of said Section 3 and proceeding N00°08'31"W, 299.93 feet along the west line of said Southwest One-quarter (SW1/4);

Thence departing said west line, N89°42'54"E, 180.15 feet;

Thence N89°42'54"E, 29.87 feet;

Thence N00°10'55"W, 120.10 feet;

Thence S89°43'03"W, 180.07 feet;

Thence S89°43'03"W, 29.87 feet to a point on the west line of said Southwest 1/4;

Thence N00°08'31"W, 1321.46 feet;

Thence departing said west line, N89°51'29"E, 827.55 feet;

Thence S00°00'00"E, 329.97 feet;

Thence N90°00'00"E, 451.88 feet;

Thence S00°08'03"E, 1408.18 feet to a point on the south line of said Section 3;

Thence along said south line, S89°45'30"W, 1278.42 feet to the Point of Beginning.

Said parcel contains 47.08 acres (2,050,683 sq. ft.), more or less.

To Whom It May Concern:

I, Matt Hartford, acting as Senior Counsel for Anadarko E&P Onshore LLC ("AEP"), hereby state and confirm that Danielle Piernot, was authorized under that certain Power of Attorney for AEP, dated July, 15, 2020, to sign as Attorney-in-Fact for AEP that Petition for Annexation dated and submitted to the Town of Erie on January 14, 2021.

ANADARKO E&P ONSHORE LLC

By: 

Name: Matt Hartford

Title: Senior Counsel

Recording requested by and
when recorded mail to:

Anadarko E&P Company, L.P.
1099 18th Street, Suite 1800
Denver, Colorado 80202
Attn: Mike James

SPECIAL WARRANTY DEED

THIS DEED (this "Deed"), is made as of this 24th day of September, 2008, between SMT Investors Limited Partnership, an Arizona limited partnership, ANC Irrevocable Trust Dated October 18, 2004, and Neal Management, LLC, an Arizona limited liability company, as tenants in common (individually, the "Grantor" and collectively, the "Grantors") whose address is 625 S. Fifth Street, Suite E2, Phoenix, AZ 85004 and ANADARKO E & P COMPANY LP, ("Grantee") whose legal address is 1099 18th Street, Suite 1800, Denver, Colorado 80202.

WITNESSETH, that the Grantors, for and in consideration of the sum of Ten U.S. Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, have granted, bargained, sold, and conveyed, and by these presents do hereby grant, bargain, sell, convey and confirm, unto the Grantee, and its successors and assigns forever, the real property, together with all improvements thereon owned by the Grantors, if any, situate, lying and being in the County of Weld, State of Colorado, (the "Property") more particularly described as follows:

Lot 2, Subdivision Exemption No. 664, recorded October 6, 1997 at Reception No. 2572552, being a part of the W ½ of the SW ¼ of Section 3, Township 1 North, Range 68 West of the 6th PM, EXCEPT that portion described in deed recorded December 26, 2002 at Reception No. 3017889 and re-recorded March 10, 2003 at Reception No. 3040384; County of Weld, State of Colorado.

TOGETHER WITH all rights, privileges and easements appurtenant to Property owned by the Grantors and appurtenant to the Property except that the Grantors do not convey to Grantee and the Grantors expressly reserve to themselves (i) any and all minerals and mineral rights, including oil and gas, other hydrocarbon substances, hard rock minerals, and sand and gravel deposits and royalties or payments due under any agreements relating to minerals, including but not limited to mineral leases, sand and gravel leases, surface damage agreements or surface use agreements and (ii) any and all water and water rights, wells and well rights, ditches and ditch rights, reservoir and reservoir rights on, underlying or appurtenant to or associated with the Property, whether non-tributary, tributary, or not non-tributary, whether decreed or un-decreed, and whether appropriated, conditional, or un-appropriated, together with all evidences of any such rights, including, without limitation, any well permits, and any stock in any ditch and water companies.

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto the Grantee, and its successors and assigns forever. The Grantors, for themselves and their respective successors and assigns do covenant and agree that the Grantors shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet

**Recording requested by and
when recorded mail to:**

Anadarko E&P Company, L.P.
1099 18th Street, Suite 1800
Denver, Colorado 80202
Attn: Mike James

SPECIAL WARRANTY DEED

THIS DEED (this "Deed"), is made as of this 24th day of ~~September~~ 2008, between **SMT Investors Limited Partnership**, an Arizona limited partnership, **ANC Irrevocable Trust Dated October 18, 2004**, and **Neal Management, LLC**, an Arizona limited liability company, as tenants in common (individually, the "Grantor" and collectively, the "Grantors") whose address is 625 S. Fifth Street, Suite E2, Phoenix, AZ 85004 and **ANADARKO E & P COMPANY LP**, ("Grantee") whose legal address is 1099 18th Street, Suite 1800, Denver, Colorado 80202.

WITNESSETH, that the Grantors, for and in consideration of the sum of Ten U.S. Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, have granted, bargained, sold, and conveyed, and by these presents do hereby grant, bargain, sell, convey and confirm, unto the Grantee, and its successors and assigns forever, the real property, together with all improvements thereon owned by the Grantors, if any, situate, lying and being in the County of Weld, State of Colorado, (the "Property") more particularly described as follows:

Lot 2, Subdivision Exemption No. 664, recorded October 6, 1997 at Reception No. 2572552, being a part of the W ½ of the SW ¼ of Section 3, Township 1 North, Range 68 West of the 6th PM, EXCEPT that portion described in deed recorded December 26, 2002 at Reception No. 3017889 and re-recorded March 10, 2003 at Reception No. 3040384; County of Weld, State of Colorado.

TOGETHER WITH all rights, privileges and easements appurtenant to Property owned by the Grantors and appurtenant to the Property except that the Grantors do not convey to Grantee and the Grantors expressly reserve to themselves (i) any and all minerals and mineral rights, including oil and gas, other hydrocarbon substances, hard rock minerals, and sand and gravel deposits and royalties or payments due under any agreements relating to minerals, including but not limited to mineral leases, sand and gravel leases, surface damage agreements or surface use agreements and (ii) any and all water and water rights, wells and well rights, ditches and ditch rights, reservoir and reservoir rights on, underlying or appurtenant to or associated with the Property, whether non-tributary, tributary, or not non-tributary, whether decreed or un-decreed, and whether appropriated, conditional, or un-appropriated, together with all evidences of any such rights, including, without limitation, any well permits, and any stock in any ditch and water companies.

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto the Grantee, and its successors and assigns forever. The Grantors, for themselves and their respective successors and assigns do covenant and agree that the Grantors shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet

and peaceable possession of the Grantee, and its successors and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the Grantors and not otherwise, except for restrictions, covenants, easements and other encumbrances of record against the Property.

IN WITNESS WHEREOF, the Grantors have executed this deed on the date set forth above.

SMT Investors Limited Partnership,
an Arizona limited partnership
By: MRW Management Company,
an Arizona corporation
Its: General Partner

By: [Signature]
Michael T. Cowley, Vice President

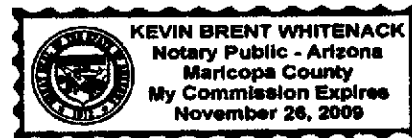
Michael T. Cowley as Trustee,
ANC Irrevocable Trust Dated October 18, 2004

By: [Signature]
Michael T. Cowley, Trustee

Neal Management, LLC
an Arizona limited liability company

By: [Signature]
David Neal, Managing Member

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)



This instrument was ACKNOWLEDGED before me this 29th day of Sept, 2008, by Michael T. Cowley, Vice President of MRW Management Company, an Arizona corporation, General Partner for **SMT Investors Limited Partnership**, an Arizona limited partnership, on behalf of such entity.

11/26/09
Notary Expiration Date

[Signature]
Notary Public

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)



This instrument was ACKNOWLEDGED before me this 29th day of Sept, 2008, by David Neal, Managing Member of **Neal Management, LLC**, an Arizona limited liability company, on behalf of such entity.

11/26/09
Notary Expiration Date

[Signature]
Notary Public

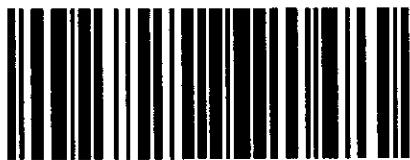
STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)



This instrument was ACKNOWLEDGED before me this 29 day of Sept, 2008,
by Michael T. Cowley, as Trustee, of ANC Irrevocable Trust Dated October 18, 2004, an
Arizona trust.

11/26/09
Notary Expiration Date

[Signature]
Notary Public

Land > Fee Property > Deed**1127232**

Sender Name: Renee Garon
Date Created: 10/05/2009
Barcode Expires: **11/04/2009**
Department: Land Record
Security: Non-Privileged
BLACK AND WHITE DOCUMENT

Attribute	Value
Description	Original and Recorded Copy of Special Warranty Deed
Document Date	09/24/2008
New Lease Packet	No
Document Number	D00000075277
Fee Property Number	CO-FP0005771
Prospect Name	FEE MINERALS
State County	COLORADO:WELD(123)

[Create a new submittal sheet](#)

Create another submittal based on this one:

[Same Classification](#) | [Different Classification](#)