Community & Economic Development Department
Planning & Development
4430 S. Adams County Pkwy., 1st Floor, Suite W2000B
Brighton, CO 80601-8218
Phone: 720.523.6800
Website: adcogov.org

FINAL PLAT
(MAJOR SUBDIVISION)

Required Checklist Items

- [x] Development Application Form
- [ ] Written Explanation
- [x] Final Plat
- [x] Legal Description
- [ ] Conceptual Site Plan
- [x] Proof of Ownership
- [x] Proof of Water and Sewer Services
- [x] Proof of Utilities
- [x] Certificate of Taxes Paid
- [x] Receipt of Payment to Colorado Geological Survey

Discretionary Checklist Items

- [x] School Impact Analysis
- [x] Subdivision Engineering Review Application. If already filed, please identify the case number here: TBD

Fees Due When Application is Deemed Complete	
Minor Subdivision Final Plat	$1,600

Accela Case Type: PLT – Final Plat, Major

Guide to Development Application Submittal

All applications shall be submitted electronically to epermitcenter@adcogov.org. If the submittal is too large to email as an attachment, the application may be sent as an unlocked MS OneDrive link. Alternatively, the application may be delivered on a flash drive to the Community & Economic Development Department. Once a complete application has been received, fees will be invoiced and payable online at www.permits.adcogov.org.

Required Checklist Items

Written Explanation of the Project:

- A clear and concise description of the proposal. Please include the purpose of the project, and improvements that will be made to the site.
- Identify the number of tracts and number of lots being proposed.
- Please keep written explanation to three pages or less.

Final Plat Prepared by Registered Land Surveyor:

- A map or maps together with supporting documentation of certain described land providing permanent and accurate record of the legal description, dedications, exact size, shape, and location of lots, blocks, streets, easements, and parcels

Legal Description:

- A version of the legal description (from the final plat) that we can copy and paste. You may provide this in PDF or Microsoft Word versions.

Conceptual Site Plan Showing Proposed Development:

- A detailed drawing of existing and proposed improvements
- Including:
  - Streets, roads, and intersections
  - Driveways, access points, and parking areas
  - Existing and proposed structures, wells, and septic systems,
  - Easements, utility lines, and no build or hazardous areas
  - Scale, north arrow, and date of preparation
- An Improvement Location Certificate or Survey may be required during the official review

Proof of Ownership:

- A deed may be found in the Office of the Clerk and Recorder
- A title commitment is prepared by a professional title company

Proof of Water and Sewer:

- Public utilities - A written statement from the appropriate water and/or sanitation district indicating that they will provide service to the property
- Private utilities - Well permit(s) information can be obtained from the Colorado State Division of Water Resources at (303) 866-3587. A written statement from Adams County Health Department indicating the viability of obtaining Onsite Wastewater Treatment Systems

Proof of Utilities (Gas, Electric, etc.):

- A written statement from the appropriate utility provider indicating that they will provide service to the property
- Copy of a current bill from the service provider

Certificate of Taxes Paid:

- A Statement of Taxes Paid is not the equivalent of a Certificate of Taxes Paid. Colorado State Statutes require a Certificate of Taxes Paid to be submitted with this application.
- All taxes on the subject property must be paid in full. A certificate of taxes paid can be obtained in-person at the Adams County Treasurer's office. As of July 2023, the cost is $10.
- You may also request a Certificate of Taxes Paid by e-mailing treasurer@adcogov.org, and credit card payment can be processed by telephone.

Receipt of Payment from Colorado Geological Survey:

- The Colorado Geological Survey requires a fee payment for the review of any subdivision. These payments can be made at: https://commerce.cashnet.com/MinesCGS. A receipt of this pre-payment must be provided in this application submittal.

Discretionary Checklist Items

School Impact Analysis:

- Contact the applicable school district for the analysis. If the school district does not provide this, please include an email from them.
- Should include the increase in elementary, middle, and high school students and the existing school sites and structure of the applicable district in which the subdivision is proposed to be located.

Subdivision Engineering Review Application:

- Contact the cedd-eng@adcogov.org to determine if a subdivision engineering review is required. If it is determined that an application is not required, please include an email from them.
- This is a separate application submittal from the minor subdivision final plat. Please refer to the application checklist located at: https://epermits.adcogov.org/submittal-checklists.

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COLORADO

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PHONE 720.523.6800
FAX 720.523.6998

DEVELOPMENT APPLICATION FORM

PROJECT NAME: Midtown Filing 13

APPLICANT

Name(s): Anastasia Urban
Phone #: 303-566-0654
Address: 6465 Greenwood Plaza Blvd. #700
City, State, Zip: Centennial, CO, 80111
2nd Phone #:
Email: Anastasia.Urban@brookfieldpropertiesdevelopment.com

OWNER

Name(s): Midtown LLC
Phone #: 303-566-0654
Address: 6465 Greenwood Plaza Blvd. #700
City, State, Zip: Centennial, CO, 80111
2nd Phone #:
Email: Anastasia.Urban@brookfieldpropertiesdevelopment.com

TECHNICAL REPRESENTATIVE (Consultant, Engineer, Surveyor, Architect, etc.)

Name: Evan Rumney
Phone #: 720-626-8185
Address: 1500 W. Canal Ct.
City, State, Zip: Littleton, CO, 80120
2nd Phone #: 720-283-6783
Email: erumney@redland.com

DESCRIPTION OF SITE

Address:	NA
City, State, Zip:	Denver, CO, 80221
Area (acres or square feet):	13.56 acres
Tax Assessor Parcel Number	0182504400022; 0182504400024
Existing Zoning:	PUD
Existing Land Use:	vacant
Proposed Land Use:	single family

Have you attended a Conceptual Review? YES [X] NO [ ]

If Yes, please list PRE#: PRE2023-00050

I hereby certify that I am making this application as owner of the above-described property or acting under the authority of the owner (attached authorization, if not owner). I am familiar with all pertinent requirements, procedures, and fees of the County. I understand that the Application Review Fee is non-refundable. All statements made on this form and additional application materials are true to the best of my knowledge and belief.

Name: Peter Lowrey Date: 11/2/2023

Owner's Printed Name

Name:

Owner's Signature

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Major Subdivision Final Plat Requirements

1. **Subdivision Name, Subtitle:** Name of subdivision at the top of the sheet, followed by a subtitle identifying the section, township and range information along with County and State.

2. **Property Description:** An accurate and clear property (legal) description of the overall boundary of the subdivision with the acreage of the subdivision. All courses in the property (legal) description shall be shown and labeled on the plat drawing, with all bearings having the same direction as called out in the legal description. The only exception being where more than one description is required, going a different direction over the same course. The direction shall then hold for the description having more weight (i.e., the overall boundary) for purposes of the plat. If both record and "as-measured" dimensions are being used, show both and clearly label on the plat drawing. Point of commencement and/or point of beginning shall be clearly labeled on the plat drawing.

3. **Ownership Certificate:**
    a. Know all men by these presents that (owner name(s)), being the sole owner of the following described tract of land:

    b. Legal Description

    c. Have (Has) by these presents laid out, platted and subdivided the same into lots, streets and easements as shown on this plat under the name and style of (subdivision name).

4. **Dedication Statements:** Statements of land to be dedicated to the County for parks or other public uses, grants of easements and dedication of public streets to the Adams County are required.

    a. All plats with public streets shall have the following sentence in the dedication statement: *All public streets are hereby dedicated to Adams County for public use.*

    b. All plats with public easements and/or tracts must have the following sentence in the dedication statement: *The undersigned does hereby dedicate, grant and convey to Adams County those Public Easements (and tracts) as shown on the plat; and further restricts the use of all Public Easement to Adams County and/or its assigns, provided however, that the sole right and authority to release or quitclaim all or any such Public Easements shall remain exclusively vested in Adams County.*

    c. All plats with private streets shall have the following sentence in the dedication statement: *All private streets (insert names) are privately owned and maintained by (list owner name, Owner's Association, etc.).*

    d. All plats with other tracts being dedicated to the County shall have:

i. A sentence in the dedication statement similar to "Tract X is hereby dedicated to Adams County for public use".

ii. A special numbered plat note defining the purpose and perpetual maintenance responsibility for the tract such as "Tract X is for public drainage, landscaping, trail and open space with maintenance of the surface being vested in the (District Name) Special Maintenance District".

5. **Surveyor's Statement:** Statement by a registered land surveyor, professionally licensed by the State of Colorado, to the effect that the layout represents a survey made by him and that the monuments thereon actually exist as located and that all dimensional and other details are correct.

6. **Access Provisions:**

   a. Statement Restricting Access: A statement restricting access rights across the right-of-way lines of major highways, parkways, streets or freeways, where required as a provision of approval.

7. **Easement Statement:**

   a. Six-foot (6') wide utility easements are hereby dedicated on private property adjacent to the front lot lines of each lot in the subdivision. In addition, eight-foot (8') wide dry utility easements are hereby dedicated around the perimeter of tracts, parcels and/or open space areas. These easements are dedicated to Adams County for the benefit of the applicable utility providers for the installation, maintenance, and replacement of utilities. Utility easements shall also be granted within any access easements and private streets in the subdivision. Permanent structures, improvements, objects, buildings, wells, water meters and other objects that may interfere with the utility facilities or use thereof (Interfering Objects) shall not be permitted within said utility easements and the utility providers, as grantees, may remove any Interfering Objects at no cost to such grantees, including, without limitation, vegetation.

8. **Storm Drainage Facilities Statement:**

   a. The policy of the County requires that maintenance access shall be provided to all storm drainage facilities to assure continuous operational capability of the system. The property owners shall be responsible for the maintenance of all drainage facilities including inlets, pipes, culverts, channels, ditches, hydraulic structures, and detention basins located on their land unless modified by the subdivision development agreement. Should the owner fail to maintain said facilities, the County shall have the right to enter said land for the sole purpose of operations and maintenance. All such maintenance cost will be assessed to the property owners.

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9. **Layout:**

   a. **Boundary Lines:** The subdivision boundary will be clearly distinguishable from other map lines by use of a distinct line type and/or thickness. All lines will be labeled with a complete bearing and distance, and all curves will be labeled with a central angle (delta), radius and arc length. Radial bearings and/or chord bearings will be provided for all nontangent curves. All dimensions to be determined by accurate field survey which must balance and close within limit of one in five thousand (5,000). Show adjacent and/or intersecting plat/deed lines and label appropriately to include recording information (book and page and/or reception number).

   b. **Streets:** All street rights of way defined by the plat will be clearly distinguishable from other map lines by use of a distinct line type and/or thickness. All lines will be labeled with a complete bearing and distance, and all curves will be labeled with a central angle (delta), radius and arc length. Radial bearings and/or chord bearings will be provided for all nontangent curves. Widths shall be labeled from each right-of-way line normal to the corresponding street center line. All street center lines defined by the plat will be clearly distinguishable from other map lines by use of distinct line type and/or thickness. All lines will be labeled with a complete bearing and distance and all curves will be labeled with a central angle (delta), radius and arc length. Radial bearings and/or chord bearings will be provided for all nontangent curves. The plat shall show the right-of-way lines, widths, locations and street names of all existing and proposed public or private streets:

      i. Within the proposed subdivision, and

      ii. Immediately abutting the proposed subdivision, and

      iii. Any private street shall include the designation "(Private)" immediately following street name; any other private right of way that is not named shall include the designation "(Private)" in a manner that clearly conveys such a status.

   c. **Easements:** All easements as required by Adams County and other public and quasi-public agencies. Said easements shall be clearly labeled to include width, use and identification as public or private, if necessary. Tie to property lines and annotate with bearings and distances as necessary. Clearly show and label all existing easements, to include width and recording information, that cross, abut or are located within the subdivision boundary.

   d. **Lots and Blocks:** All lines of lots, blocks and other parcels of land defined by the plat will be clearly distinguishable from other map lines by use of a distinct line type and/or thickness. All lines will be labeled with a complete bearing and distance and all curves will be labeled with a radius and arc length. Lots must close to one in five thousand (5,000).

   e. **Readability:** All line annotation and all other text will be easily and clearly readable. No text shall overwrite other text or be overwritten by map lines.

   f. **Leader Lines:** Use leader lines whenever a dimension is not clearly and unmistakably associated with a given line, line segment or arc.

g. **Multiple Sheets:** Whenever a plat drawing spans multiple sheets, clear and well labeled match lines and a key map shall be included on each sheet. Labels will be of the nature "See Sheet of ". Duplicate street names, widths, lot numbers, tract names, easement labeling or any such labeling when any feature is shown on multiple sheets.

h. **Identification System:** All lots and blocks in the subdivision shall be numbered, beginning with the numeral "1" and continuing consecutively throughout the tract, with no omissions or duplications. All tracts shall be likewise labeled beginning with the letter "A". Lots and tracts shall be labeled with the area of the lot or tract.

i. **Legend:** Provide a legend which designates all lines and symbols except where called out on plat drawing.

j. **Inundation Mark:** The plat shall clearly show the 100-year floodplain line. Reference the appropriate FEMA panel by which the location of this line has been determined.

10. **Easements:** Book and page and/or reception number for all existing and newly created easements.

11. **Adjacent Subdivision:** Names of adjacent platted areas along with the reception and/or plat book and page number shall be shown. If unplatted, so indicate. Existing street rights of way that intersect the subdivision boundary or are adjacent to said boundary lines shall be clearly labeled with the street name, right of way width and appropriate deed or plat recording information wherein the right of way is defined. Show and label all existing lots and blocks that are immediately adjacent to the subdivision boundary.

12. **Basis of Bearings:** A clearly defined basis of bearings shall be provided, both verbally and graphically. All monumentation defining said line shall be shown and labeled on the plat drawing. When said line is not common with the subdivision boundary, it shall be accurately tied to the boundary with bearings and distances.

13. **Monuments:** All monuments used to determine and/or describe a boundary (including basis of bearings, point of beginning and point of commencement) shall be shown and clearly labeled on the plat drawing. Monuments for corners defined by the plat, or otherwise found to be missing in the field, shall be placed and set in accord with the requirements of the State of Colorado.

14. **Not A Part Of Subdivision:** All areas enclosed within the subdivision boundary which do not constitute a part of the subdivision shall be labeled "Not a part of this subdivision". All lines pertaining to such areas shall be dashed.

15. **Square Footage:** The area in square feet of all lot and tracts sought to be platted.

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16. Operation and Maintenance Manual reference: Refer to the Operation and Maintenance Manual approved with this Subdivision for Additional Drainage Guidelines.

17. All other information required by State law.

15 YEARS Redland
WHERE GREAT PLACES BEGIN

720.283.6783 Office
1500 West Canal Court
Littleton, Colorado 80120

REDLAND.COM

October 16, 2023

John Stoll
Adams County Planning and Zoning
4430 South Adams County Parkway
Brighton, CO 80601

Re: Midtown Filing 13
Written Explanation of Project

Dear John Stoll:

Midtown Filing Thirteen is intended to be a residential development in the eastern most section of the Midtown community south of W. 68th Avenue, north of the Clear Creek Corridor and is the final filing of Midtown at Clear Creek. The Final Development Plan (FDP) is comprised of approximately 13.57 acres including 6.19 acres of development and 7.38 acres of park and open space. Primary access to the FDP area is from W. 68th Ave. and W. 67th Ave. This FDP is an extension of the established block structure, vehicular circulation and landscape treatment approved and constructed throughout Midtown filings.

The proposed FDP and the corresponding Final Plat offers 79 additional alley-loaded townhomes. Two types of townhome units are proposed, both alley-loaded with front porches to the street, green court or open space. The townhomes will consist of multiple residences that share one (1) or two (2) walls with an adjoining home. These residences will take access from a private drive and sizes of residence will vary in square footage. No accessory dwelling units are permitted within Filing Thirteen.

Filing Thirteen improvements will include a park and open space area south of the future townhomes. There will be several trail connections from the existing and future neighborhoods to the park and regional Clear Creek Corridor. The open space seeks to create a more naturalized park area to mirror the feel of the Open Space Park in Filings 12 and 6 on the western edge of the community. A more naturalized aesthetic will also create a visual connection to the adjacent Clear Creek Corridor and enhance the feeling of connectivity to existing open space. As the intent of this improvement is to maintain a naturalized feel, of the 4.3 AC of open space required, 30% (1.31 AC) has been activated using trails, gathering spaces / green courts, and various amenities.

Based on feedback received during the Neighborhood Meeting held on October 2, 2023 the park and open space area provides various amenities such as a dog park, pocket park with open lawns for flexible play, and fitness stations. The dog park is a relocation of the existing

feature currently on site, matches the current size (approximately 9,200 sf), and has been split into two areas for different sized dogs per neighborhood suggestion.

The estimated length of time for build-out of Filing Thirteen is approximately three (3) years from the time of approvals. A request for early grading permit will be submitted, with intent for County FDP and Plat approvals in the spring of 2024.

Sincerely,

Josie O'Connor

Josie O'Connor, PLA
Project Manager

MIDTOWN AT CLEAR CREEK – FILING NO. 13

SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO

SHEET 1 OF 9

PURPOSE

THE PURPOSE OF THIS PLAT IS TO CREATE 79 LOTS, 12 TRACTS, AND RIGHT–OF–WAY.

OWNERSHIP AND DEDICATION CERTIFICATE:

KNOW ALL MEN BY THESE PRESENTS THAT MIDTOWN FACILITY, LLC, A COLORADO LIMITED LIABILITY COMPANY, BEING THE SOLE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND:

A PARCEL OF LAND BEING A PORTION OF SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO. 2007000079792 THE OFFICIAL RECORDS OF THE ADAMS COUNTY, COLORADO CLERK AND RECORDER'S OFFICE, SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 4, WHENCE THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4 BEARS NORTH 89°48'22" WEST, A DISTANCE OF 2643.63 FEET WITH ALL BEARINGS HEREON REFERENCED TO SAID LINE;

THENCE ALONG SAID NORTH LINE, NORTH 89°48'22" WEST, A DISTANCE OF 769.03 FEET;

THENCE DEPARTING SAID NORTH LINE, SOUTH 00°11'38" WEST, A DISTANCE OF 40.00 FEET TO THE NORTHEASTERLY CORNER OF SAID SPECIAL WARRANTY DEED AND THE POINT OF BEGINNING;

THENCE ALONG THE EASTERLY AND SOUTHERLY BOUNDARY OF SAID SPECIAL WARRANTY DEED, THE FOLLOWING NINE (9) COURSES:

1. SOUTH 38°21'59" EAST, A DISTANCE OF 194.84 FEET;
2. SOUTH 51°23'53" EAST, A DISTANCE OF 128.80 FEET;
3. SOUTH 15°37'26" WEST, A DISTANCE OF 335.11 FEET;
4. SOUTH 31°14'28" EAST, A DISTANCE OF 73.46 FEET;
5. SOUTH 58°45'32" WEST, A DISTANCE OF 225.78 FEET;
6. SOUTH 54°30'23" WEST, A DISTANCE OF 236.69 FEET;
7. SOUTH 27°17'19" WEST, A DISTANCE OF 306.52 FEET;
8. SOUTH 39°46'32" WEST, A DISTANCE OF 63.23 FEET;
9. SOUTH 89°57'07" WEST, A DISTANCE OF 91.41 FEET TO THE EASTERLY BOUNDARY OF THE PLAT OF MIDTOWN AT CLEAR CREEK – FILING NO. 7, RECORDED AT RECEPTION NO. 2016000009355, IN SAID RECORDS;

THENCE ALONG SAID EASTERLY BOUNDARY, THE FOLLOWING NINE (9) COURSES:

1. NORTH 00°16'34" EAST, A DISTANCE OF 286.85 FEET;
2. NORTH 00°24'51" WEST, A DISTANCE OF 249.02 FEET;
3. NORTH 00°16'34" EAST, A DISTANCE OF 325.54 FEET;
4. SOUTH 89°43'26" EAST, A DISTANCE OF 53.51 FEET;
5. NORTH 00°16'34" EAST, A DISTANCE OF 57.02 FEET;
6. NORTH 89°43'26" WEST, A DISTANCE OF 93.51 FEET;
7. NORTH 00°16'34" EAST, A DISTANCE OF 52.00 FEET;
8. NORTH 89°43'26" WEST, A DISTANCE OF 69.50 FEET;
9. NORTH 00°16'34" EAST, A DISTANCE OF 220.48 FEET TO THE SOUTHERLY RIGHT–OF–WAY LINE OF WEST 68TH AVENUE AS DEDICATED ON SAID PLAT OF MIDTOWN AT CLEAR CREEK–FILING NO. 7;

THENCE DEPARTING SAID EASTERLY BOUNDARY ALONG SAID SOUTHERLY RIGHT–OF–WAY LINE, SOUTH 89°48'22" EAST, A DISTANCE OF 595.45 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 13.565 ACRES, (590,905 SQUARE FEET), MORE OR LESS.

HAS BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS, BLOCKS, STREETS, TRACTS AND EASEMENTS AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF **MIDTOWN AT CLEAR CREEK – FILING NO. 13,** AND DO HEREBY GRANT TO THE COUNTY OF ADAMS, STATE OF COLORADO, FOR THE USE OF THE PUBLIC, THE STREETS AND OTHER PUBLIC WAYS AND EASEMENTS AS SHOWN AND OF THE EASEMENTS AS SHOWN (EXCLUDING THOSE GRANTED AND DEDICATED TO MIDTOWN AT CLEAR CREEK METROPOLITAN DISTRICT), FOR PUBLIC UTILITY, CABLE TV AND DETENTION POND AREAS, FLOODWAY AND FLOODPLAIN LIMITS, DRAINAGE AND OTHER PUBLIC PURPOSES AS DETERMINED BY THE COUNTY OF ADAMS.

_____
BY: PETER LAUENER

ACKNOWLEDGEMENT

BY: MIDTOWN FACILITY, LLC, A COLORADO LIMITED LIABILITY COMPANY

STATE OF COLORADO)
)SS
COUNTY OF _____)

THE FOREGOING OWNERSHIP AND DEDICATION CERTIFICATE WAS ACKNOWLEDGED BEFORE ME

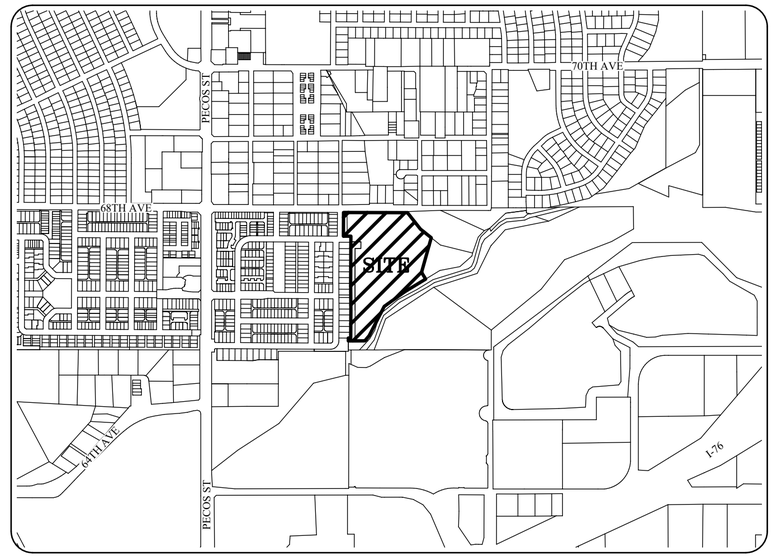
THIS _____ DAY OF _____ A.D. 20_____, BY PETER LAUENER AS PRESIDENT OF MIDTOWN, LLC, A COLORADO LIMITED LIABILITY COMPANY.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____.

MY ADDRESS IS: _____.

WITNESS MY HAND AND OFFICIAL SEAL:

_____
NOTARY PUBLIC



VICINITY MAP
1" = 1000'
NORTH

OWNERSHIP AND DEDICATION CERTIFICATE:–CONTINUED

EXECUTED THIS _____ DAY OF _____ A.D., 20_____,

BY: CLEAR CREEK STATION METROPOLITAN DISTRICT NO. 1

_____ AS _____
NAME TITLE

ACKNOWLEDGEMENT

STATE OF COLORADO)
)SS
COUNTY OF _____)

THE FOREGOING PLAT AND DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY

OF _____ A.D. 20___,

BY _____ AS _____

OF CLEAR CREEK STATION METROPOLITAN DISTRICT NO. 1.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____,

MY ADDRESS IS: _____,

WITNESS MY HAND AND OFFICIAL SEAL:

_____
NOTARY PUBLIC

TRACT SUMMARY TABLE

TRACT	AREA (S.F.±)	AREA (A.C.±)	USE	OWNERSHIP & MAINTENANCE
A	692	0.016	LS/DRAINAGE/PA/UTILITY	MCCMD
B	23,926	0.549	PRIVATE ALLEY/ACCESS/UTILITY	MCCMD
C	8,550	0.196	LS/DRAINAGE/PA/UTILITY	MCCMD
D	6,257	0.144	LS/DRAINAGE/PA/UTILITY	MCCMD
E	4,247	0.097	PRIVATE ALLEY/ACCESS/UTILITY	MCCMD
F	195	0.004	LS/DRAINAGE/PA/UTILITY	MCCMD
G	44,479	1.021	OPEN SPACE/UTILITY/DRAINAGE	MCCMD
H	9,166	0.210	LS/DRAINAGE/PA/UTILITY	MCCMD
I	30,716	0.705	PRIVATE ALLEY/ACCESS/UTILITY	MCCMD
J	1,100	0.025	LS/DRAINAGE/PA/UTILITY	MCCMD
K	1,100	0.025	LS/DRAINAGE/PA/UTILITY	MCCMD
L	294,620	6.764	OPEN SPACE/UTILITY/DRAINAGE	MCCMD
TOTAL TRACT AREA	425,048	9.756		
TOTAL LOT AREA	127,233	2.922		
ROW DEDICATION	38,624	0.887		
TOTAL SITE AREA	590,905	13.565		

MCCMD - MIDTOWN AT CLEAR CREEK METROPOLITAN DISTRICT

LS/DRAINAGE/PA = LANDSCAPING, DRAINAGE, PUBLIC ACCESS

SURVEYOR'S CERTIFICATE

I, ANTHONY K. PEALL, A DULY LICENSED PROFESSIONAL LAND SURVEYOR, LICENSED IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT THERE ARE NO ROADS, PIPELINES, IRRIGATION DITCHES, OR OTHER EASEMENTS IN EVIDENCE OR KNOWN BY ME TO EXIST ON OR ACROSS THE HEREIN BEFORE DESCRIBED PROPERTY EXCEPT AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT I HAVE PERFORMED THE SURVEY SHOWN HEREON, OR SUCH SURVEY WAS PREPARED UNDER MY DIRECT RESPONSIBILITY AND SUPERVISION, THAT THIS PLAT ACCURATELY REPRESENTS SAID SURVEY, AND THAT ALL MONUMENTS EXIST AS SHOWN HEREIN.

ANTHONY K. PEALL
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR, P.L.S. 38636
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 EAST MINERAL AVE., SUITE 1
LITTLETON, CO. 80122
(303) 713–1898

FOR REVIEW

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 FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

NOTICE: PER THE STATE OF COLORADO BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS, AND PROFESSIONAL LAND SURVEYORS RULE 1.6.B.2 THE WORD "CERTIFY" AS USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED. THE SURVEY REPRESENTED HEREON HAS BEEN PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND IS BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF.

BOARD OF COUNTY COMMISSIONERS APPROVAL

APPROVED BY THE ADAMS COUNTY BOARD OF COMMISSIONERS THIS ____ DAY OF _____, A.D., 20_____.

_____
CHAIR

ADAMS COUNTY ATTORNEY'S OFFICE

_____
APPROVED AS TO FORM

CLERK AND RECORDER'S CERTIFICATE

THIS FINAL PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER, IN THE STATE OF COLORADO, AT _____M. ON THE _____ DAY OF _____A.D., 20_____.

_____
COUNTY CLERK AND RECORDER

BY: _____ RECEPTION NO. _____.
DEPUTY

NO.	REVISION	DATE	BY	CHK
3				
2				
1				

AZTEC CONSULTANTS, INC.
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Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

AzTec Proj. No.: 54823-13
Drawn By: BAM

DATE OF PREPARATION:	10-03-2023
SCALE:	N/A
SHEET 1 OF 9	

MIDTOWN AT CLEAR CREEK – FILING NO. 13

SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4,
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO

NOTES

1. BASIS OF BEARINGS: THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN AS MONUMENTED AT THE EAST QUARTER CORNER BY A NO. 6 REBAR WITH A 3" ALUMINUM CAP STAMPED "PLS 7276" IN A MONUMENT BOX AND AT THE CENTER–EAST SIXTEENTH CORNER OF SAID SECTION 4 BY A NO. 6 REBAR WITH A 3–1/4" ALUMINUM CAP STAMPED "PLS 26970" IN A MONUMENT BOX, WAS ASSUMED TO BEAR NORTH 89°48'22" WEST, A DISTANCE OF 2,643.63 FEET.

2. STORM DRAINAGE FACILITIES STATEMENT: THE POLICY OF THE COUNTY REQUIRES THAT MAINTENANCE ACCESS SHALL BE PROVIDED TO ALL STORM DRAINAGE FACILITIES TO ASSURE CONTINUOUS OPERATIONAL CAPABILITY OF THE SYSTEM. THE PROPERTY OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE FACILITIES INCLUDING INLETS, PIPES, CULVERTS, CHANNELS, DITCHES, HYDRAULIC STRUCTURES, AND DETENTION BASINS LOCATED ON THEIR LAND UNLESS MODIFIED BY THE SUBDIVISION DEVELOPMENT AGREEMENT. SHOULD THE OWNER FAIL TO MAINTAIN SAID FACILITIES, THE COUNTY SHALL HAVE THE RIGHT TO ENTER SAID LAND FOR THE SOLE PURPOSE OF OPERATIONS AND MAINTENANCE. ALL SUCH MAINTENANCE COSTS WILL BE ASSESSED TO THE PROPERTY OWNERS.

3. ANY PERSON WHO KNOWINGLY REMOVES OR KNOWINGLY CAUSES TO BE REMOVED ANY PUBLIC LAND SURVEY MONUMENT, AS DEFINED BY SECTION 38–53–103 (18), C.R.S., OR CONTROL CORNER, AS DEFINED IN SECTION 38–53–103 (6), C.R.S., OR A RESTORATION OF ANY SUCH MONUMENT OR WHO KNOWINGLY REMOVES OR KNOWINGLY CAUSES TO BE REMOVED ANY BEARING TREE KNOWING SUCH IS A BEARING TREE OR OTHER ACCESSORY, AS DEFINED BY SECTION 38–53–103 (1), C.R.S., EVEN IF SAID PERSON HAS TITLE TO THE LAND ON WHICH SAID MONUMENT OR ACCESSORY IS LOCATED, COMMITS A CLASS 2 MISDEMEANOR UNLESS, PRIOR TO SUCH REMOVAL, SAID PERSON HAS CAUSED A COLORADO PROFESSIONAL LAND SURVEYOR TO ESTABLISH AT LEAST TWO WITNESS CORNERS OR REFERENCE MARKS FOR EACH SUCH MONUMENT OR ACCESSORY REMOVED AND HAS FILED OR CAUSED TO BE FILED A MONUMENT RECORD PURSUANT TO ARTICLE 53 OF TITLE 38, C.R.S.

4. AZTEC CONSULTANTS, INC. HAS RELIED UPON TITLE COMMITMENT _____ PREPARED BY _____, EFFECTIVE DATE _____ _____, _____ AT _:00 A.M./P.M, FOR OWNERSHIP AND FOR THE PURPOSE OF SHOWING RECORDED EASEMENTS AND RIGHTS–OF–WAY ACROSS THESE PREMISES. THIS SURVEY AND PLAT DOES NOT CONSTITUTE A TITLE SEARCH BY AZTEC CONSULTANTS, INC., TO DETERMINE OWNERSHIP OR APPLICABLE EASEMENTS AND RIGHTS–OF–WAY.

5. DISTANCES ON THIS PLAT ARE GROUND DISTANCES EXPRESSED IN U.S. SURVEY FEET AND DECIMALS THEREOF. A U.S. SURVEY FOOT IS DEFINED AS EXACTLY 1200/3937 METERS.

6. UTILITY EASEMENTS AS SHOWN HEREON, ARE DEDICATED FOR ELECTRIC, GAS, TELEVISION CABLE, AND TELECOMMUNICATIONS FACILITIES. THE HOME OWNER SHALL BE RESPONSIBLE FOR ALL MAINTENANCE WITHIN THE EASEMENT EXCEPT THAT PORTION WITHIN THE PRIVATE ALLEY TRACT WHERE APPLICABLE. THE PRIVATE ALLEY TRACTS WILL BE MAINTAINED BY MIDTOWN AT CLEAR CREEK METROPOLITAN DISTRICT. PUBLIC SERVICE COMPANY REQUESTS THESE UTILITY EASEMENTS BE DEDICATED TO ADAMS COUNTY FOR THE BENEFIT OF THE APPLICABLE UTILITY PROVIDERS FOR THE INSTALLATION, MAINTENANCE, AND REPLACEMENT OF ELECTRIC, GAS, TELEVISION, CABLE, AND TELECOMMUNICATIONS FACILITIES (DRY UTILITIES). UTILITY EASEMENTS SHALL ALSO BE GRANTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS IN THE SUBDIVISION. PERMANENT STRUCTURES, IMPROVEMENTS, OBJECTS, BUILDINGS, WELLS, WATER METERS AND OTHER OBJECTS THAT MAY INTERFERE WITH THE UTILITY FACILITIES OR USE THEREOF (INTERFERING OBJECTS) SHALL NOT BE PERMITTED WITHIN SAID UTILITY EASEMENTS AND THE UTILITY PROVIDERS, AS GRANTEES, MAY REMOVE ANY INTERFERING OBJECTS AT NO COST TO SUCH GRANTEES, INCLUDING, WITHOUT LIMITATION, VEGETATION. PUBLIC SERVICE COMPANY OF COLORADO AND ITS SUCCESSORS RESERVE THE RIGHT TO REQUIRE ADDITIONAL EASEMENTS AND TO REQUIRE THE PROPERTY OWNER TO GRANT PSCO AN EASEMENT ON ITS STANDARD FORM. WET UTILITIES (WATER, SANITARY SEWER, AND/OR STORM SEWER) SHALL CROSS DRY UTILITY EASEMENTS AT NEAR RIGHT ANGLES.

7. THE MIDTOWN AT CLEAR CREEK METROPOLITAN DISTRICT ("MCCMD") IS RESPONSIBLE FOR THE ENFORCEMENT OF LANDSCAPE MAINTENANCE REQUIREMENTS. THROUGH MCCMD, A DRC (DESIGN REVIEW COMMITTEE) WILL REVIEW PRIVATE OPEN SPACE DESIGN FOR COMPATIBILITY. PRIVATE LOT OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THEIR PROPERTY AS WELL AS ADJACENT TREE LAWN AREA(S). MAINTENANCE OF THE TREE LAWN AND LANDSCAPE TRACT BETWEEN FRONT PROPERTY LINE AND STREET SHALL BE THE PRIMARY RESPONSIBILITY OF THE HOMEOWNER UNDER THE REQUIREMENTS OF THE MCCMD COVENANTS. THE COUNTY, ITS SUCCESSOR OR ASSIGNS SHALL BE RESPONSIBLE FOR MAINTAINING ALL LOCAL STREETS. HOMEOWNER OF LAND ABUTTING A CONSTRUCTED PUBLIC RIGHT–OF–WAY IS RESPONSIBLE FOR MAINTENANCE OF CURB, GUTTER, AND SIDEWALK ALONG THE RIGHT–OF–WAY ABUTTING HIS PROPERTY INCLUDING SNOW REMOVAL FOR PEDESTRIAN ACCESS.

8. THE SURVYED PROPERTY SHOWN HEREIN LIES WITHIN OTHER AREAS – ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP INDEX NOS. 08001C0584H AND 08001C0603H, BOTH MAPS REVISED MARCH 5, 2007.

9. A PORTION OF THIS PLAT IS SUBJECT TO AN ENVIRONMENTAL COVENANT AS RECORDED AUGUST 10, 2007, UNDER RECEPTION NO. 2007000077016.

10. ALL PRIVATE STORM SEWER THAT ORIGINATE WITHIN A PRIVATELY OWNED TRACT AND OUTFALL TO A PUBLIC STORM SEWER MAIN LOCATED WITHIN THE PUBLIC RIGHT–OF–WAY, ARE TO BE OWNED AND MAINTAINED BY THE MIDTOWN AT CLEAR CREEK METROPOLITAN DISTRICT. THE OWNERSHIP AND MAINTENANCE RESPONSIBILITIES FOR THESE PRIVATE STORM SEWERS SHALL BE UP TO AND INCLUDING THE CONNECTION POINT TO THE PUBLIC STORM SEWER WITHIN THE PUBLIC RIGHT–OF–WAY. THE MIDTOWN AT CLEAR CREEK METROPOLITAN DISTRICT ITS SUCCESSORS OR ASSIGNS SHALL SECURE APPLICABLE PERMITS FOR WORK WITHIN THE ADAMS COUNTY RIGHT–OF–WAY WHENEVER MAINTENANCE IS WITHIN THE PUBLIC RIGHT–OF–WAY.

ADDRESS TABLE

BLOCK 1		BLOCK 2	
LOT	ADDRESS	LOT	ADDRESS
1	----------	1	----------
2	----------	2	----------
3	----------	3	----------
4	----------	4	----------
5	----------	5	----------
6	----------	6	----------
7	----------	7	----------
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		43	----------
		44	----------
		45	----------

LINE TABLE

LINE #	DIRECTION	LENGTH
L1	S38°21'59"E	194.84'
L2	S51°23'53"E	128.80'
L3	S31°14'28"E	73.46'
L4	S58°45'32"W	225.78'
L5	S54°30'23"W	236.69'
L6	S39°46'32"W	63.23'
L7	S89°57'07"W	91.41'
L8	N00°24'51"W	249.02'
L9	N00°16'34"E	325.54'
L10	S89°43'26"E	53.51'
L11	N00°16'34"E	57.02'
L12	N89°43'26"W	93.51'
L13	N00°16'34"E	52.00'

LINE TABLE

LINE #	DIRECTION	LENGTH
L14	N89°43'26"W	69.50'
L15	N00°16'34"E	220.48'
L16	N00°11'38"E	5.00'
L17	N89°48'22"W	13.00'
L18	S89°48'22"E	13.00'
L19	N00°11'38"E	5.05'
L20	S00°11'38"W	30.00'
L21	S00°11'38"W	30.45'
L22	S00°11'38"W	21.16'
L23	S00°11'38"W	28.39'
L24	S44°55'35"E	6.38'
L25	N00°11'53"E	13.00'
L26	S89°48'22"E	27.00'

LINE TABLE

LINE #	DIRECTION	LENGTH
L27	S00°11'53"W	13.00'
L28	S89°48'22"E	3.01'
L29	N84°05'51"E	25.15'
L30	S00°11'38"W	9.75'
L31	S89°48'22"E	13.00'
L32	N89°48'22"W	13.00'
L33	N00°11'38"E	2.36'
L34	S89°48'22"E	10.00'
L35	S00°11'38"W	8.00'
L36	S00°11'38"W	6.05'
L37	N89°48'22"W	8.50'
L38	S89°48'22"E	7.95'
L39	S00°11'38"W	9.65'

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH
C1	90°00'00"	5.00'	7.85'
C2	90°00'00"	5.00'	7.85'
C3	90°00'00"	10.00'	15.71'
C4	90°00'00"	10.00'	15.71'
C5	90°00'00"	10.00'	15.71'
C6	90°00'00"	10.00'	15.71'
C7	90°00'00"	10.00'	15.71'
C8	90°00'00"	10.00'	15.71'
C9	90°00'00"	4.50'	7.07'
C10	32°20'27"	9.00'	5.08'
C11	89°59'59"	5.00'	7.85'
C12	90°00'00"	5.00'	7.85'
C13	18°44'53"	14.00'	4.58'

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH
C14	18°44'53"	14.00'	4.58'
C15	90°00'00"	10.00'	15.71'
C16	90°00'00"	40.00'	62.83'
C17	90°00'00"	10.00'	15.71'
C18	90°00'00"	10.00'	15.71'
C19	90°00'00"	5.00'	7.85'
C20	90°00'00"	5.00'	7.85'

FOR REVIEW

FOR AND ON BEHALF OF
AZTEC CONSULTANTS, INC

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Fax: (303) 713-1897
www.aztecconsultants.com

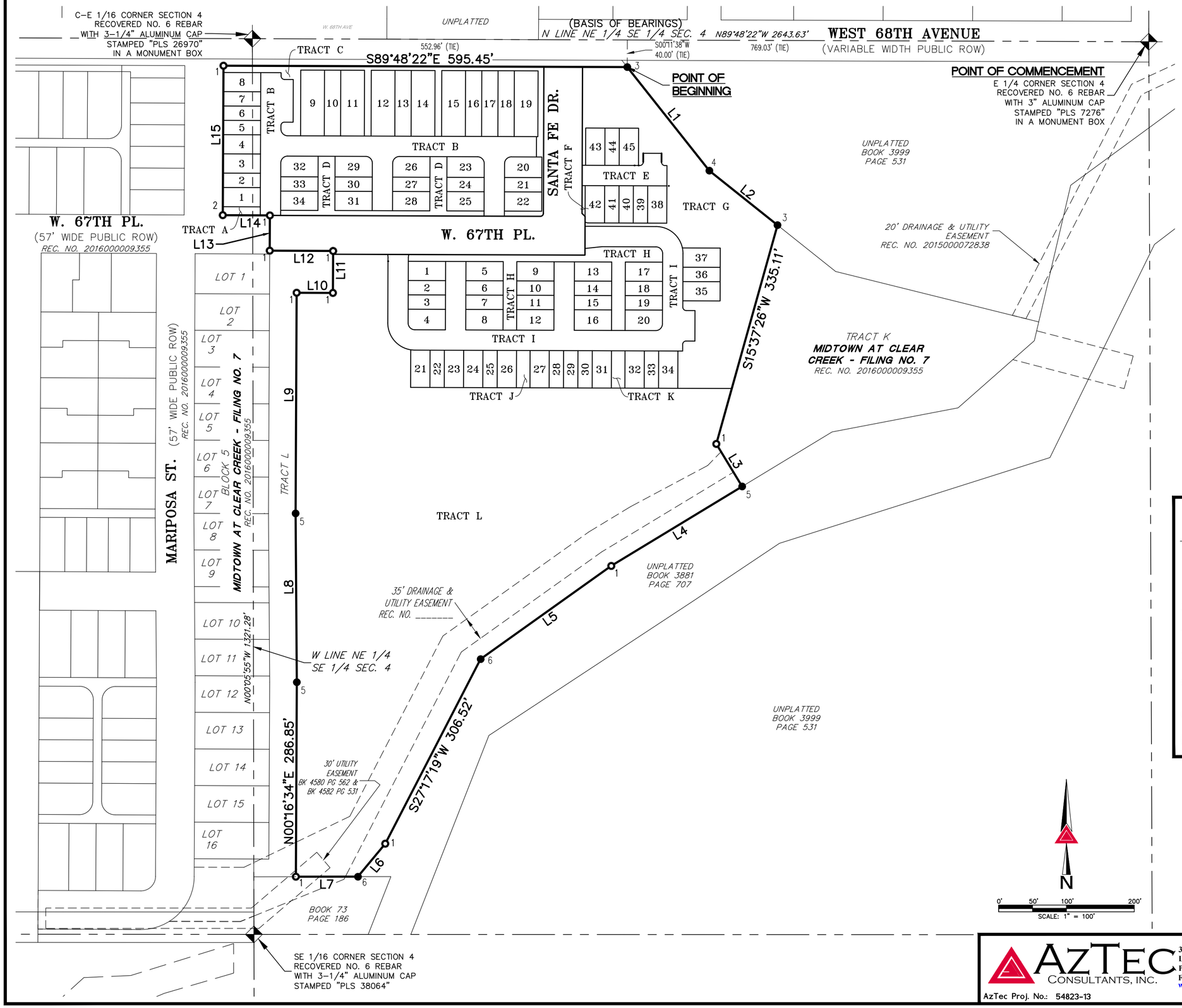
AzTec Proj. No.: 54823-13
Drawn By: BAM

DATE OF PREPARATION:	10-03-2023
SCALE:	N/A
SHEET 2 OF 9	

MIDTOWN AT CLEAR CREEK – FILING NO. 13

SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4,
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO

SHEET 3 OF 9



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LINE #	DIRECTION	LENGTH
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L2	S51°23'53"E	128.80'
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L12	N89°43'26"W	93.51'
L13	N00°16'34"E	52.00'
L14	N89°43'26"W	69.50'
L15	N00°16'34"E	220.48'

LEGEND

- FOUND ALIQUOT CORNER STAMPED AS SHOWN
- 1 SET NO. 5 X 18" REBAR WITH 1–1/4" PINK PLASTIC CAP STAMPED "AZTEC PLS 38636"
- 2 SET 1" BRASS DISK STAMPED "AZTEC PLS 38636"
- 3 FOUND 1" BRASS DISK STAMPED "AZTEC PLS 38064"
- 4 FOUND 1" BRASS DISK STAMPING ILLEGIBLE
- 5 FOUND NO. 5 REBAR WITH 1–1/4" ORANGE PLASTIC CAP STAMPED "AZTEC PLS 38064"
- 6 FOUND 1" YELLOW PLASTIC CAP STAMPED "BAYER LS 6973"
- (ROW) RIGHT–OF–WAY
- ## BLOCK NUMBER

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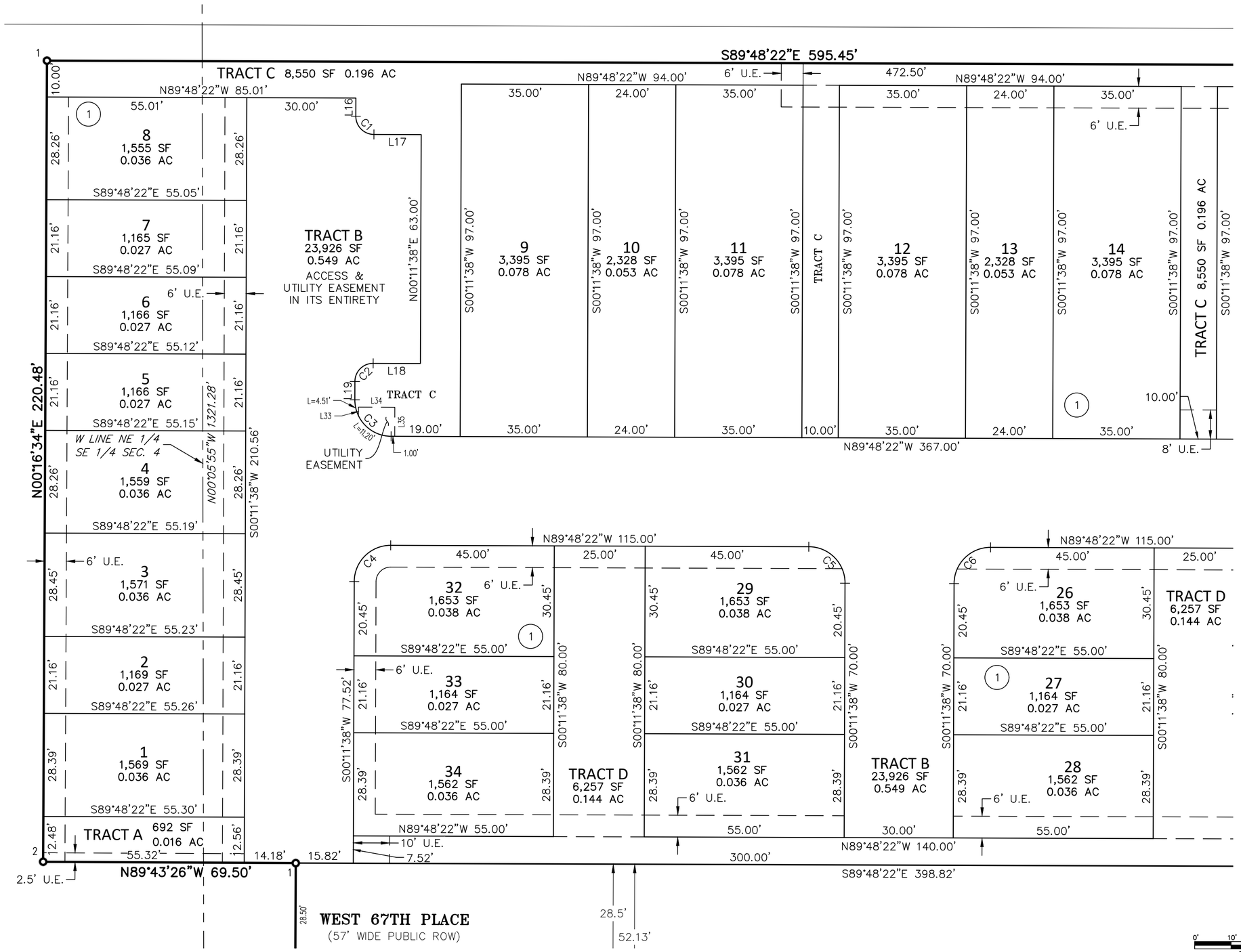
AzTec Proj. No.: 54823-13
Drawn By: BAM

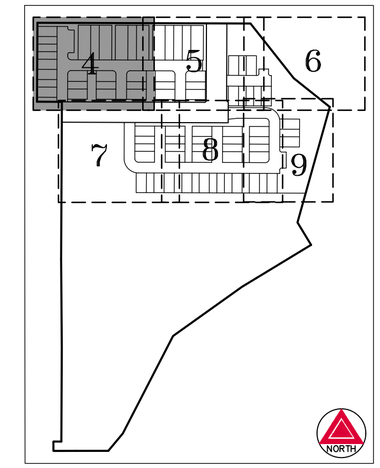
DATE OF PREPARATION:	10-03-2023
SCALE:	1" = 100'
SHEET 3 OF 9	

MIDTOWN AT CLEAR CREEK – FILING NO. 13

SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4,
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO

SHEET 4 OF 9





KEY MAP
SCALE: 1" = 300'

SEE SHEET 5

SEE SHEET 5

LEGEND

1 ○	SET NO. 5 X 18" REBAR WITH 1-1/4" PINK PLASTIC CAP STAMPED "AZTEC PLS 38636"
U.E.	UTILITY EASEMENT
(ROW)	RIGHT-OF-WAY
##	BLOCK NUMBER

SEE SHEET 2
FOR LINE &
CURVE TABLES

N

0' 10' 20' 40'
SCALE: 1" = 20'

FOR REVIEW

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DATE OF PREPARATION:	10-03-2023
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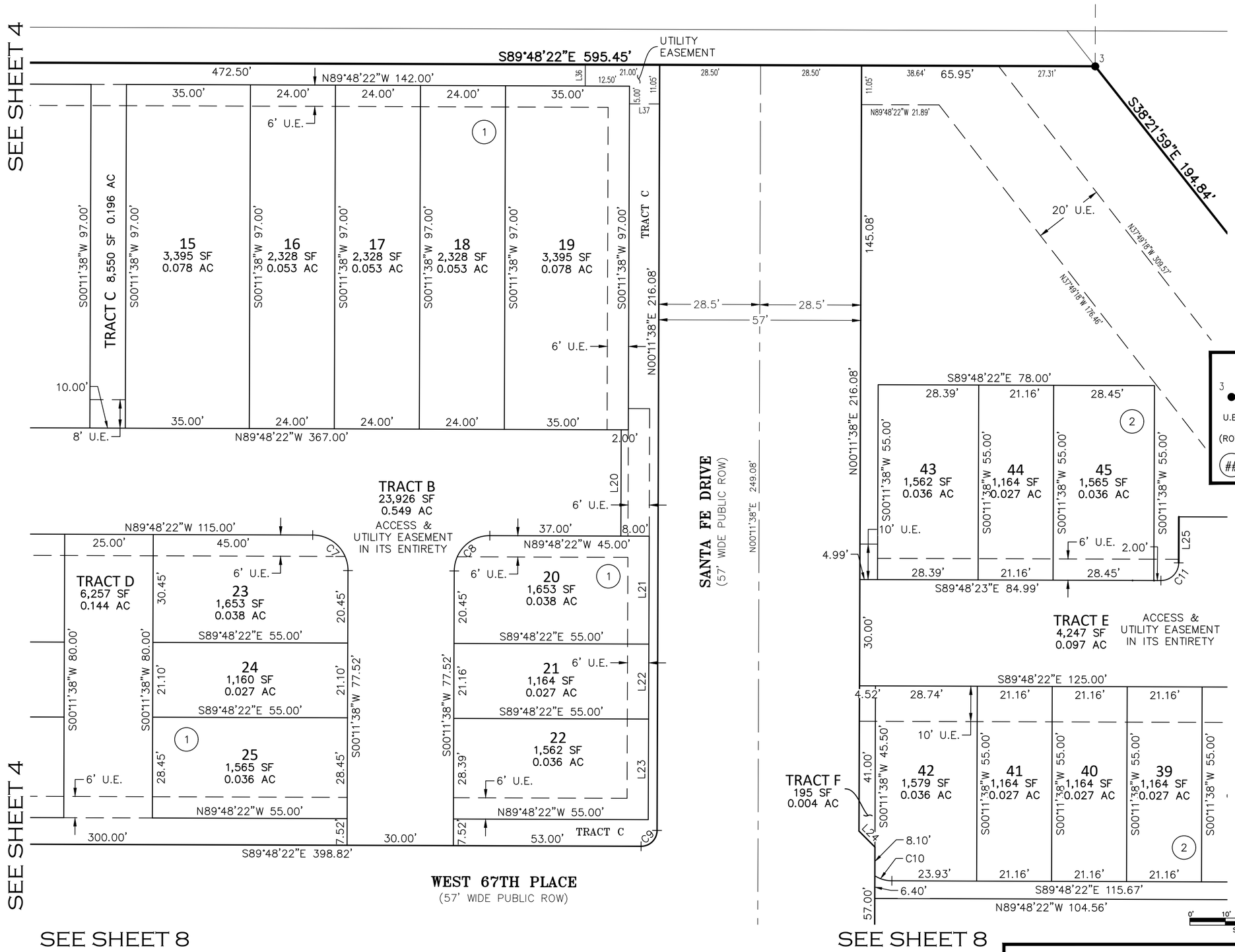
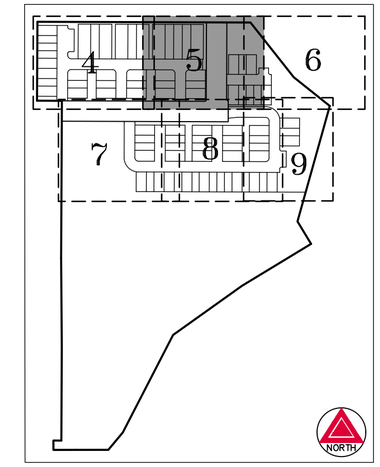
SHEET 4 OF 9	

MIDTOWN AT CLEAR CREEK – FILING NO. 13

SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4,
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO

SHEET 5 OF 9





KEY MAP
SCALE: 1" = 300'

LEGEND

- FOUND 1" BRASS DISK STAMPED "AZTEC PLS 38064"
- U.E. UTILITY EASEMENT
- (ROW) RIGHT-OF-WAY
- (##) BLOCK NUMBER

SEE SHEET 2 FOR LINE & CURVE TABLES

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SHEET 5 OF 9	

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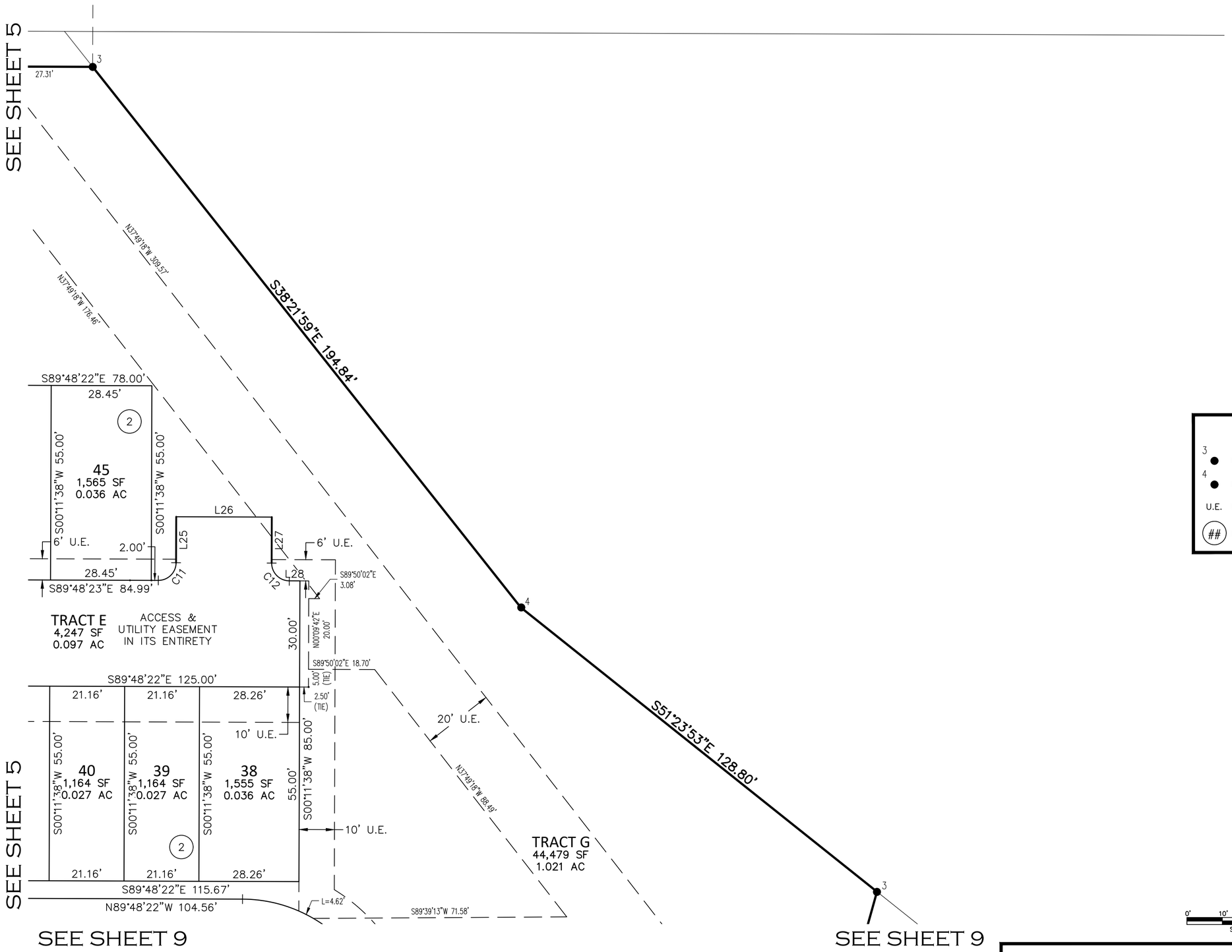
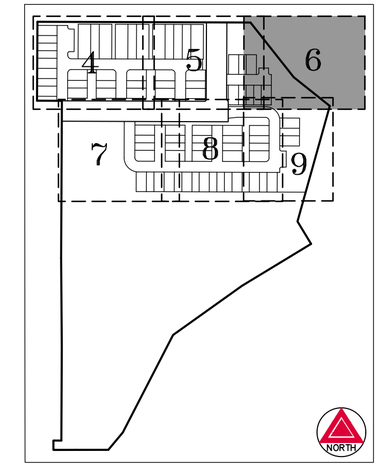
SHEET 6 OF 9





KEY MAP
SCALE: 1" = 300'

LEGEND

3 ● FOUND 1" BRASS DISK STAMPED "AZTEC PLS 38064"

4 ● FOUND 1" BRASS DISK STAMPING ILLEGIBLE

U.E. UTILITY EASEMENT

(##) BLOCK NUMBER

SEE SHEET 2
FOR LINE &
CURVE TABLES

N

0' 10' 20' 40'
SCALE: 1" = 20'

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SHEET 6 OF 9	

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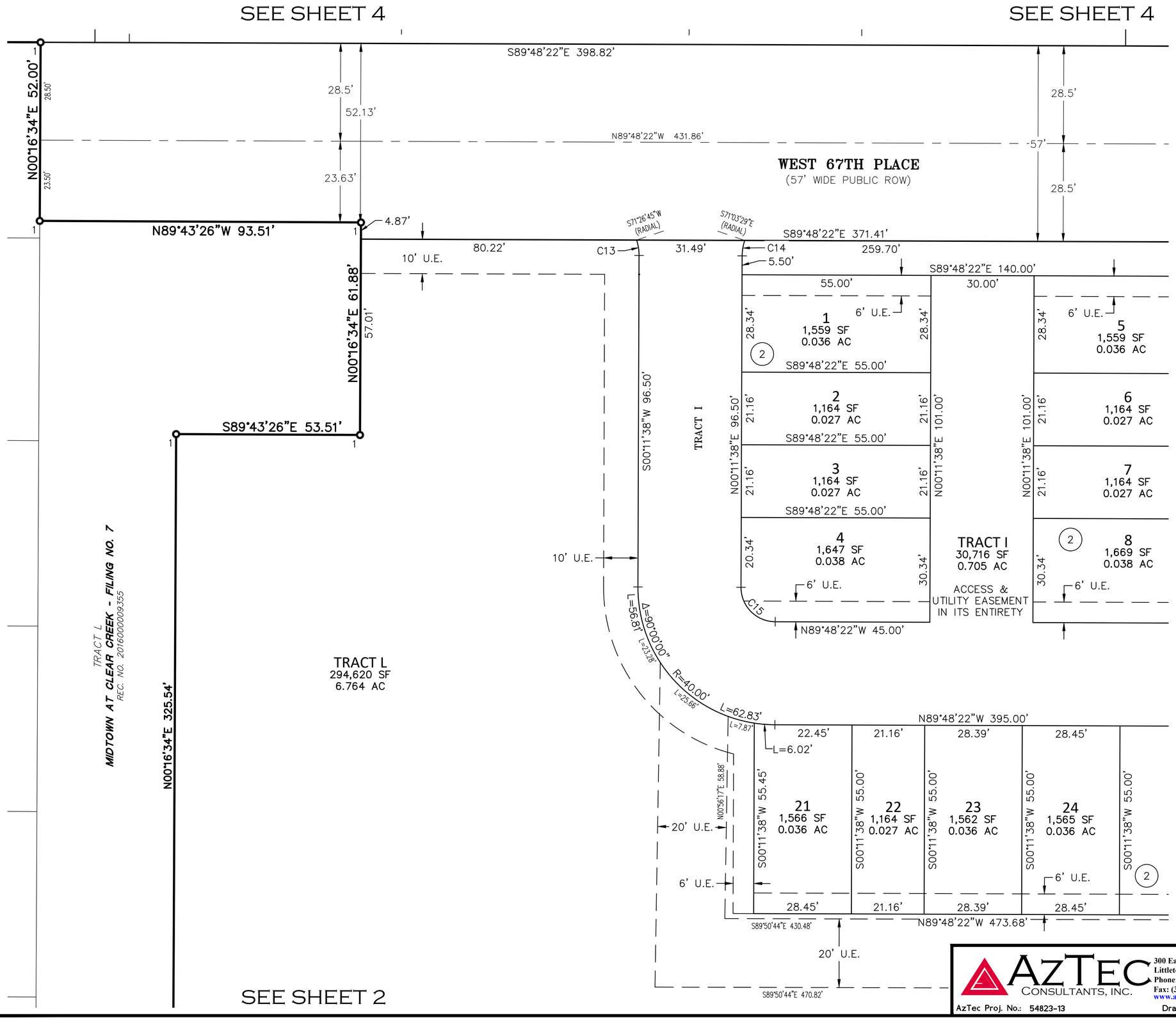
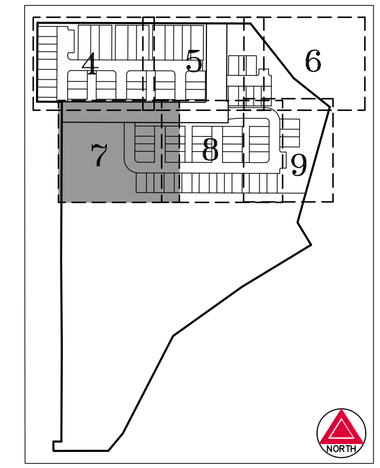
SHEET 7 OF 9





KEY MAP
SCALE: 1" = 300'

SEE SHEET 2
FOR LINE &
CURVE TABLES

LEGEND

1 ○	SET NO. 5 X 18" REBAR WITH 1-1/4" PINK PLASTIC CAP STAMPED "AZTEC PLS 38636"
U.E.	UTILITY EASEMENT
(ROW)	RIGHT-OF-WAY
(##)	BLOCK NUMBER

N

0' 10' 20' 40'
SCALE: 1" = 20'

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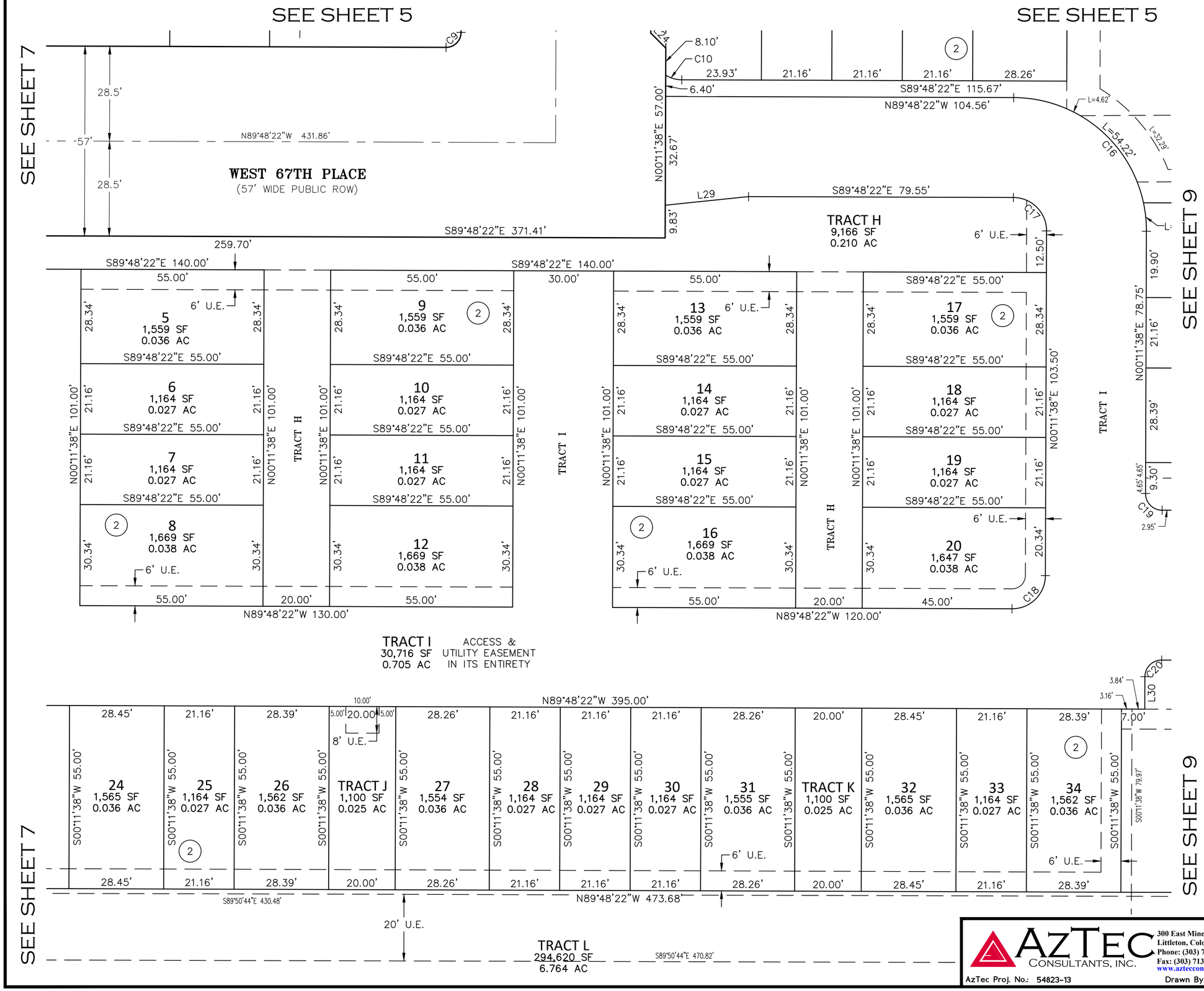
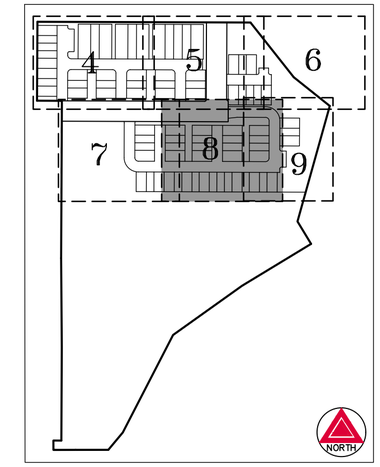
SHEET 8 OF 9





KEY MAP
SCALE: 1" = 300'

SEE SHEET 2
FOR LINE &
CURVE TABLES

LEGEND

U.E. UTILITY EASEMENT

(ROW) RIGHT-OF-WAY

(##) BLOCK NUMBER

N

0' 10' 20' 40'
SCALE: 1" = 20'

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AZTEC CONSULTANTS, INC.
300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

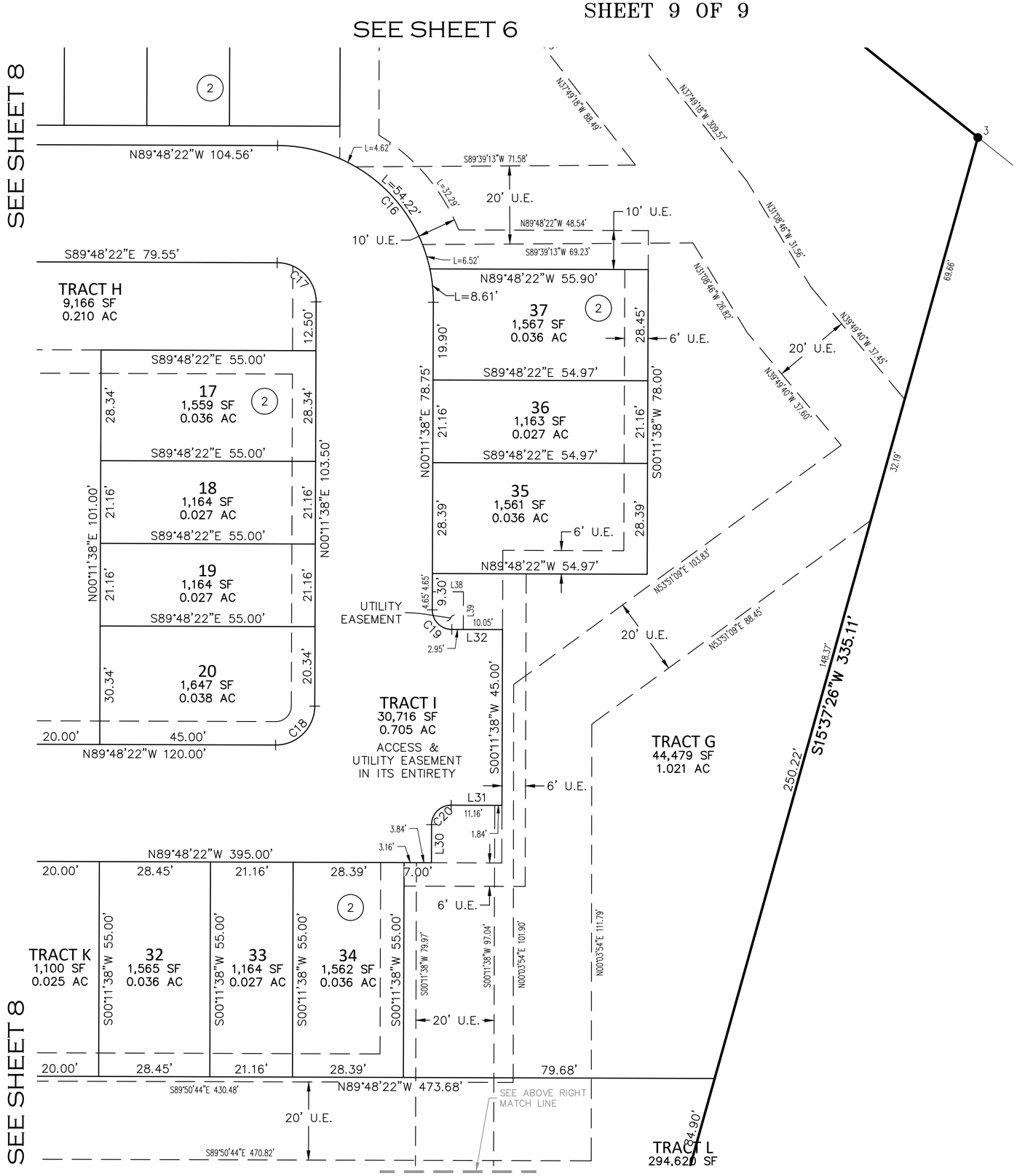
AzTec Proj. No.: 54823-13
Drawn By: BAM

DATE OF PREPARATION:	10-03-2023
SCALE:	1" = 20'
SHEET 8 OF 9	

MIDTOWN AT CLEAR CREEK – FILING NO. 13

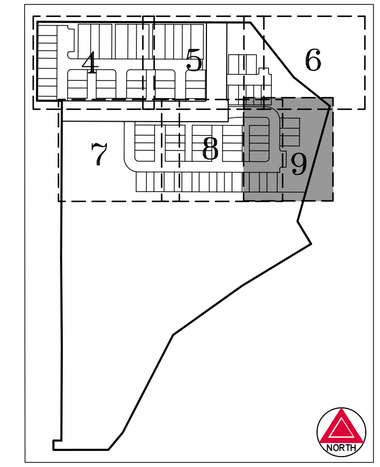
SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4,
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO

SHEET 9 OF 9

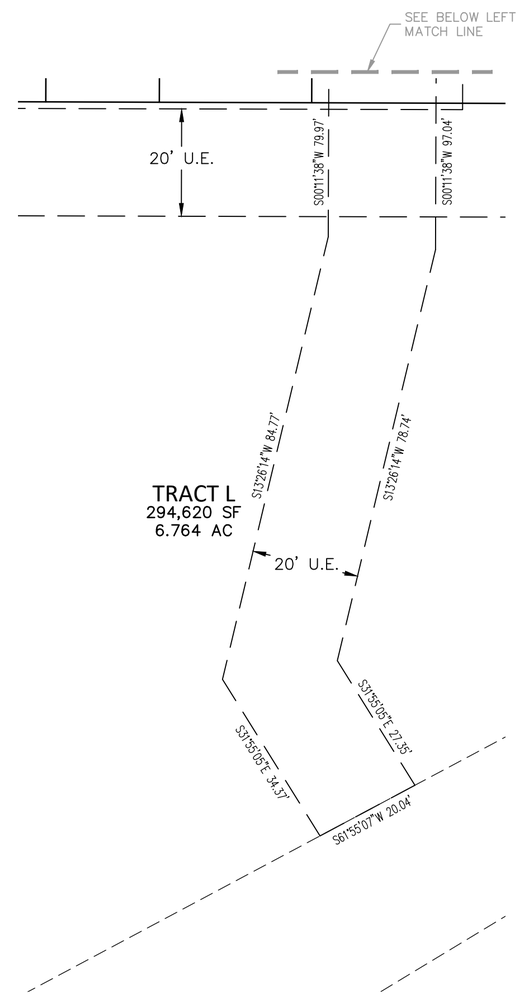


LEGEND

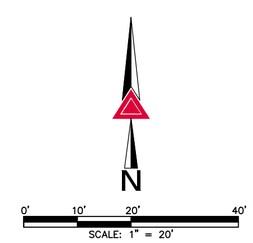
3 ●	FOUND 1" BRASS DISK STAMPED "AZTEC PLS 38064"
U.E.	UTILITY EASEMENT
(##)	BLOCK NUMBER



KEY MAP
SCALE: 1" = 300'



SEE SHEET 2
FOR LINE &
CURVE TABLES



FOR REVIEW

FOR AND ON BEHALF OF
AZTEC CONSULTANTS, INC

AZTEC CONSULTANTS, INC.
300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

AzTec Proj. No.: 54823-13
Drawn By: BAM

DATE OF PREPARATION:	10-03-2023
SCALE:	1" = 20'
SHEET 9 OF 9	

MIDTOWN FILING NO. 13
LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO. 2007000079792 THE OFFICIAL RECORDS OF THE ADAMS COUNTY, COLORADO CLERK AND RECORDER'S OFFICE, SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 4, WHENCE THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4 BEARS NORTH 89°48'22" WEST, A DISTANCE OF 2643.63 FEET WITH ALL BEARINGS HEREON REFERENCED TO SAID LINE;

THENCE ALONG SAID NORTH LINE, NORTH 89°48'22" WEST, A DISTANCE OF 769.03 FEET;

THENCE DEPARTING SAID NORTH LINE, SOUTH 00°11'38" WEST, A DISTANCE OF 40.00 FEET TO THE NORTHEASTERLY CORNER OF SAID SPECIAL WARRANTY DEED AND THE **POINT OF BEGINNING**;

THENCE ALONG THE EASTERLY AND SOUTHERLY BOUNDARY OF SAID SPECIAL WARRANTY DEED, THE FOLLOWING NINE (9) COURSES:

1. SOUTH 38°21'59" EAST, A DISTANCE OF 194.84 FEET;
2. SOUTH 51°23'53" EAST, A DISTANCE OF 128.80 FEET;
3. SOUTH 15°37'26" WEST, A DISTANCE OF 335.11 FEET;
4. SOUTH 31°14'28" EAST, A DISTANCE OF 73.46 FEET;
5. SOUTH 58°45'32" WEST, A DISTANCE OF 225.78 FEET;
6. SOUTH 54°30'23" WEST, A DISTANCE OF 236.69 FEET;
7. SOUTH 27°17'19" WEST, A DISTANCE OF 306.52 FEET;
8. SOUTH 39°46'32" WEST, A DISTANCE OF 63.23 FEET;
9. SOUTH 89°57'07" WEST, A DISTANCE OF 91.41 FEET TO THE EASTERLY BOUNDARY OF THE PLAT OF MIDTOWN AT CLEAR CREEK – FILING NO. 7, RECORDED AT RECEPTION NO. 2016000009355, IN SAID RECORDS;

THENCE ALONG SAID EASTERLY BOUNDARY, THE FOLLOWING NINE (9) COURSES:

1. NORTH 00°16'34" EAST, A DISTANCE OF 286.85 FEET;
2. NORTH 00°24'51" WEST, A DISTANCE OF 249.02 FEET;
3. NORTH 00°16'34" EAST, A DISTANCE OF 325.54 FEET;
4. SOUTH 89°43'26" EAST, A DISTANCE OF 53.51 FEET;

5. NORTH 00°16’34” EAST, A DISTANCE OF 57.02 FEET;

6. NORTH 89°43’26” WEST, A DISTANCE OF 93.51 FEET;

7. NORTH 00°16’34” EAST, A DISTANCE OF 52.00 FEET;

8. NORTH 89°43'26" WEST, A DISTANCE OF 69.50 FEET;

9. NORTH 00°16'34" EAST, A DISTANCE OF 220.48 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST 68TH AVENUE AS DEDICATED ON SAID PLAT OF MIDTOWN AT CLEAR CREEK-FILING NO. 7;

THENCE DEPARTING SAID EASTERLY BOUNDARY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, SOUTH 89°48'22" EAST, A DISTANCE OF 595.45 FEET TO THE **POINT OF BEGINNING.**

CONTAINING AN AREA OF 13.565 ACRES, (590,905 SQUARE FEET), MORE OR LESS.

PREPARED BY:
ANTHONY K. PEALL
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 38636
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1, LITTLETON, CO 80122
(303) 718-1898

Parcel Map Check Report

Client: Prepared by:

Aztec Consultants
300 E. Mineral Ave. Ste 1 Littleton Co 80122
Date: 10/18/2023 4:57:36 PM

Parcel Name: MC - PLAT BNDY
Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False
"North:723,889.426'" "East:146,483.065'"

Segment# 1: Line
"Course: S31° 14' 28""E" Length: 73.46'
"North: 723,826.618'" "East: 146,521.165'"

Segment# 2: Line
"Course: S58° 45' 32""W" Length: 225.78'
"North: 723,709.519'" "East: 146,328.125'"

Segment# 3: Line
"Course: S54° 30' 23""W" Length: 236.69'
"North: 723,572.094'" "East: 146,135.416'"

Segment# 4: Line
"Course: S27° 17' 19""W" Length: 306.52'
"North: 723,299.687'" "East: 145,994.885'"

Segment# 5: Line
"Course: S39° 46' 32""W" Length: 63.23'
"North: 723,251.092'" "East: 145,954.432'"

Segment# 6: Line
"Course: S89° 57' 07""W" Length: 91.41'
"North: 723,251.015'" "East: 145,863.022'"

Segment# 7: Line
"Course: N0° 16' 34""E" Length: 286.85'
"North: 723,537.862'" "East: 145,864.404'"

Segment# 8: Line
"Course: N0° 24' 51""W" Length: 249.02'
"North: 723,786.875'" "East: 145,862.604'"

Segment# 9: Line
"Course: N0° 16' 34""E" Length: 325.54'
"North: 724,112.411'" "East: 145,864.173'"

Segment# 10: Line
"Course: S89° 43' 26""E" Length: 53.51'
"North: 724,112.153'" "East: 145,917.682'"

Segment# 11: Line

"Course: N0° 16' 34""E" Length: 61.88'
"North: 724,174.033'" "East: 145,917.980'"

Segment# 12: Line
"Course: N89° 43' 26""W" Length: 93.51'
"North: 724,174.483'" "East: 145,824.472'"

Segment# 13: Line
"Course: N0° 16' 34""E" Length: 52.00'
"North: 724,226.483'" "East: 145,824.722'"

Segment# 14: Line
"Course: N89° 43' 26""W" Length: 69.50'
"North: 724,226.818'" "East: 145,755.223'"

Segment# 15: Line
"Course: N0° 16' 34""E" Length: 220.48'
"North: 724,447.295'" "East: 145,756.285'"

Segment# 16: Line
"Course: S89° 48' 22""E" Length: 595.45'
"North: 724,445.280'" "East: 146,351.732'"

Segment# 17: Line
"Course: S38° 21' 59""E" Length: 194.84'
"North: 724,292.514'" "East: 146,472.667'"

Segment# 18: Line
"Course: S51° 23' 53""E" Length: 128.80'
"North: 724,212.155'" "East: 146,573.324'"

Segment# 19: Line
"Course: S15° 37' 26""W" Length: 335.11'
"North: 723,889.427'" "East: 146,483.072'"

"Perimeter: 3,663.57'" "Area: 590,905Sq.Ft."
Error Closure: 0.006 "Course: N75° 55' 57""E"
Error North : 0.0016 East: 0.0062

"Precision 1: 610,596.67"

LAND TITLE GUARANTEE COMPANY

Date: August 22, 2023

Subject: Attached Title Policy/Guarantee

Enclosed please find your product relating to the property located at VACANT LAND, MIDTOWN, CO 00000.

If you have any inquiries or require further assistance, please contact Scott Cieslewicz at (303) 850-4189 or scieslewicz@ltgc.com

Chain of Title Documents:

Adams county recorded 08/20/2007 under reception no. 2007000079792

Property Information Binder

CONDITIONS AND STIPULATIONS

1. Definition of Terms

The following terms when used in this Binder mean:

(a) "Land": The land described, specifically or by reference, in this Binder and improvements affixed thereto which by law constitute real property;

(b) "Public Records"; those records which impart constructive notice of matters relating to said land;

(c) "Date": the effective date;

(d) "the Assured": the party or parties named as the Assured in this Binder, or in a supplemental writing executed by the Company;

(e) "the Company" means Old Republic National Title Insurance Company, a Minnesota stock company.

2. Exclusions from Coverage of this Binder

The company assumes no liability including cost of defense by reason of the following:

(a) Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; taxes and assessments not yet due or payable and special assessments not yet certified to the Treasurer's office.

(b) Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.

(c) Title to any property beyond the lines of the Land, or title to streets, roads, avenues, lanes, ways or waterways on which such land abuts, or the right to maintain therein vaults, tunnels, ramps, or any other structure or improvement; or any rights or easements therein unless such property, rights or easements are expressly and specifically set forth in said description.

(d) Mechanic's lien(s), judgment(s) or other lien(s).

(e) Defects, liens, encumbrances, adverse claims or other matters: (a) created, suffered or agreed to by the Assured;(b) not known to the Company, not recorded in the Public Records as of the Date, but known to the Assured as ofthe Date; or (c) attaching or creating subsequent to the Date.

3. Prosecution of Actions

1. The Company shall have the right at its own costs to institute and prosecute any action or proceeding or do any other act which in its opinion may be necessary or desirable to establish or confirm the matters herein assured; and the Company may take any appropriate action under the terms of this Binder, whether or not it shall be liable thereunder and shall not thereby concede liability or waive any provision hereof.
2. In all cases where the Company does not institute and prosecute any action or proceeding, the Assured shall permit the Company to use, at its option, the name of the Assured for this purpose. Whenever requested by the Company, the Assured shall give the Company all reasonable aid in prosecuting such action or proceeding, and the Company shall reimburse the Assured for any expense so incurred.

4. Notice of Loss - Limitation of Action

A statement in writing of any loss or damage for which it is claimed the Company is liable under this Binder shall be furnished to the Company within sixty days after such loss or damage shall have been determined, and no right of action shall accrue to the Assured under this Binder until thirty days after such statement shall have been furnished, and no recovery shall be had by the Assured under this Binder unless action shall be commenced thereon with two years after expiration of the thirty day period. Failure to furnish the statement of loss or damage or to commence the action within the time herinbefore specified, shall be conclusive bar against maintenance by the Assured of any action under this Binder.

5. Option to Pay, Settle or Compromise Claims

The Company shall have the option to pay, settle or compromise for or in the name of the Assured any claim which could result in loss to the Assured within the coverage of this Binder, or to pay the full amount of this Binder. Such payment or tender of payment of the full amount of the Binder shall terminate all liability of the Company hereunder.

6. Limitation of Liability - Payment of Loss

(a) The liability of the Company under this Binder shall be limited to the amount of actual loss sustained by the Assured because of reliance upon the assurances herein set forth, but in no event shall the liability exceed the amount of the liability stated on the face page hereof.

(b) The Company will pay all costs imposed upon the Assured in litigation carried on by the Company for the Assured, and all costs and attorneys' fees in litigation carried on by the Assured with the written authorization of the Company.

(c) No claim for loss or damages shall arise or be maintainable under this Binder (1) if the Company after having received notice of any alleged defect, lien or encumbrance not shown as an Exception or excluded herein removes such defect, lien or encumbrance within a reasonable time after receipt of such notice, or (2) for liability voluntarily assumed by the Assured in settling any claim or suit without written consent of the Company.

(d) All payments under this Binder, except for attorney's fees as provided for in paragraph 6(b) thereof, shall reduce the amount of the liability hereunder pro tanto, and no payment shall be made without producing this Binder or an acceptable copy thereof for endorsement of the payment unless the Binder be lost or destroyed, in which case proof of the loss or destruction shall be furnished to the satisfaction of the Company.

(e) When liability has been definitely fixed in accordance with the conditions of this Binder, the loss or damage shall be payable within thirty days thereafter.

7. Subrogation Upon Payment or Settlement

Whenever the Company shall have settled a claim under this Binder, all right of subrogation shall vest in the Company unaffected by any act of the Assured, and it shall be subrogated to and be entitled to all rights and remedies which the Assured would have had against any person or property in respect to the claim had this Binder not been issued. If the payment does not cover the loss of the Assured, the Company shall be subrogated to the rights and remedies in the proportion which the payment bears to the amount of said loss. The Assured, if requested by the Company, shall transfer to the Company all rights and remedies against any person or property necessary in order to perfect the right of subrogation, and shall permit the Company to use the name of the Assured in any transaction or litigation involving the rights or remedies.

8. Binder Entire Contract

Any action or actions or rights of action that the Assured may have or may bring against the Company arising out of the subject matter hereof must be based on the provisions of this Binder. No provision or condition of this Binder can be waived or changed except by a writing endorsed or attached hereto signed by the President, a Vice President, the Secretary, an Assistant Secretary or other validating officer of the Company.

9. Notices. Where Sent

All notices required to be given the Company and any statement in writing required to be furnished the Company shall be addressed to it at 400 Second Avenue South, Minneapolis, Minnesota 55401, (612) 371-1111.

10. Arbitration

Unless prohibited by applicable law, either the Company or the insured may demand arbitration pursuant to the Title Insurance Arbitration Rules of the American Arbitration Association.

ANTI-FRAUD STATEMENT: Pursuant to CRS 10-1-128(6)(a), it is unlawful to knowingly provide false, incomplete or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado division of insurance within the department of regulatory agencies.

This anti-fraud statement is affixed and made a part of this policy.

Issued by:
Land Title Guarantee Company
3033 East First Avenue Suite 600
Denver, Colorado 80206
303-321-1880

Craig B. Rants, Senior Vice President

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Stock Company
400 Second Avenue South, Minneapolis, Minnesota 55401
(612) 371-1111

By *President*

Attest *Secretary*

AMERICAN LAND TITLE ASSOCIATION

Old Republic National Title Insurance Company

PROPERTY INFORMATION BINDER

Order Number: RND70812035 **Policy No.:** PIB70812035.25422137

Liability: $50,000.00

Fee: $1,310.00

Subject to the exclusions from coverage, the limits of liability and other provisions of the Conditions and Stipulations hereto annexed and made a part of this Binder,

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY a Corporation, herein called the Company,

GUARANTEES

BROOKFIELD PROPERTIES

Herein called the Assured, against loss, not exceeding the liability amount stated above, which the assured shall sustain by reason of any incorrectness in the assurance which the Company hereby gives that, according to the public records as of

August 16, 2023 at 5:00 P.M.

1. Title to said estate or interest at the date hereof is vested in:

CARMA WESTMINSTER, LLC, A COLORADO LIMITED LIABILITY COMPANY NOW KNOWN AS MIDTOWN LLC, A COLORADO LIMITED LIABILITY COMPANY

2. The estate or interest in the land hereinafter described or referred to covered by this Binder :

FEE SIMPLE

3. The Land referred to in this Binder is described as follows:

PARCEL A:

THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, ADAMS COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;
THENCE SOUTH 00° 46'21" WEST ALONG THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER A DISTANCE OF 30.00 FEET TO THE TRUE POINT OF BEGINNING;
THENCE SOUTH 88° 55'20" EAST PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER A DISTANCE OF 544.84 FEET;
THENCE SOUTH 37° 28'57" EAST A DISTANCE OF 207.63 FEET;
THENCE SOUTH 50° 30'51" EAST A DISTANCE OF 238.43 FEET:
THENCE SOUTH 75° 10'36" EAST A DISTANCE OF 308.66 FEET;
THENCE SOUTH 14° 03'33" WEST A DISTANCE OF 28.49 FEET:

THENCE SOUTH 49° 30'31" WEST A DISTANCE OF 149.88 FEET;
THENCE SOUTH 80° 03'37" WEST A DISTANCE OF 189.18 FEET;
THENCE SOUTH 59° 38'34" WEST A DISTANCE OF 380.89 FEET;
THENCE SOUTH 55° 23'25" WEST A DISTANCE OF 236.69 FEET;
THENCE SOUTH 28° 10'21" WEST A DISTANCE OF 306.52 FEET;
THENCE SOUTH 40° 39'34" WEST A DISTANCE OF 63.23 FEET TO A POINT ON THE NORTH LINE OF A PARCEL DESCRIBED IN BOOK 73 AT PAGE 186, ADAMS COUNTY, COLORADO RECORDS;
THENCE NORTH 89° 05'14" WEST ALONG SAID NORTH LINE A DISTANCE OF 153.15 FEET TO THE NORTHWEST CORNER OF SAID PARCEL AND A POINT ON THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;
THENCE NORTH 00° 46'21" EAST ALONG SAID WEST LINE A DISTANCE OF 1205.98 FEET TO THE TRUE POINT OF BEGINNING,
COUNTY OF ADAMS, STATE OF COLORADO.

LESS AND EXCEPT THOSE PORTIONS OF MIDTOWN AT CLEAR CREEK FILING NO. 7 RECORDED FEBRUARY 5, 2016 UNDER RECEPTION NO. 2016000009355.

PARCEL B:

THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4;
THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4 A DISTANCE OF 33.00 FEET TO A POINT;
THENCE SOUTH 89 DEGREES 59 MINUTES 30 SECONDS EAST PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4 A DISTANCE OF 50.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF PECOS STREET, SAID POINT BEING THE TRUE POINT OF BEGINNING;
THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS WEST ALONG SAID EAST RIGHT OF WAY A DISTANCE OF 1,231.67 FEET;
THENCE NORTH 45 DEGREES 04 MINUTES 38 SECONDS EAST ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 42.35 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF WEST 68TH AVENUE;
THENCE SOUTH 89 DEGREES 49 MINUTES 30 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 1,241.79 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4;
THENCE SOUTH 00 DEGREES 07 MINUTES 49 SECONDS EAST ALONG SAID EAST LINE A DISTANCE OF 1,257.98 FEET TO A POINT 33.00 FEET NORTH OF THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4; NORTH 89 DEGREES 59 MINUTES 30 SECONDS WEST PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4 A DISTANCE OF 1,274.19 FEET TO THE TRUE POINT OF BEGINNING.
COUNTY OF ADAMS, STATE OF COLORADO.

EXCEPTING THEREFROM, THAT PORTION IF ANY, AS CONTAINED IN INSTRUMENT RECORDED MARCH 27, 1990 IN BOOK 3658 AT PAGE 687, COUNTY OF ADAMS, STATE OF COLORADO.

AND EXCEPTING THOSE SUBDIVISIONS PLAT OF MIDTOWN AT CLEAR CREEK FILING NO. 5 RECORDED DECEMBER 30, 2014 UNDER RECEPTION NO. 2014000091485, MIDTOWN AT CLEAR CREEK FILING NO. 7 RECORDED FEBRUARY 5, 2016 UNDER RECEPTION NO. 2016000009355,
MIDTOWN AT CLEAR CREEK FILING NO.10 RECORDED JANUARY 12, 2018 UNDER RECEPTION NO.

Old Republic National Title Insurance Company

PROPERTY INFORMATION BINDER

Order Number: RND70812035 **Policy No.:** PIB70812035.25422137

2018000004010 AND MIDTOWN AT CLEAR CREEK FILING NO.11 RECORDED JULY 9, 2019 UNDER RECEPTION NO. 2019000053535

4. The following documents affect the land:

1. EXISTING LEASES AND TENANCIES, IF ANY.

   (AFFECTS ALL PARCELS)

   (AFFECTS PARCEL A)

2. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ARTICLES OF AGREEMENT BY AND BETWEEN THE COLORADO AGRICULTURAL DITCH AND MILL COMPANY AND WILLIAM S. ADAMS RECORDED MAY 23 1874 IN BOOK A2 AT PAGE 117.

   (AFFECTS PARCEL A)

3. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF WESTERN PAVING TRACT, FIRST FILING RECORDED AUGUST 08, 1973 UNDER RECEPTION NO. A011002.

   (AFFECTS ALL PARCELS)

4. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RESOLUTIONS RECORDED SEPTEMBER 24, 1974 IN BOOK 1955 AT PAGES 326, 332 AND 339.

   (AFFECTS ALL PARCELS)

5. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN UNDERGROUND FACILITIES INFORMATION FILING RECORDED MARCH 15, 1993 IN BOOK 4038 AT PAGE 101.

   (AFFECTS ALL PARCELS)

6. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN CONVEYANCE OF EASEMENTS RECORDED SEPTEMBER 01, 1995 IN BOOK 4580 AT PAGE 562, SEPTEMBER 6, 1995 IN BOOK 4582 AT PAGE 531 AND OCTOBER 6, 1995 IN BOOK 4603 AT PAGE 661.

   (AFFECTS ALL PARCELS)

7. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ZONING HEARING DECISIONS RECORDED MARCH 28, 2007 UNDER RECEPTION NO. 2007000031694, MAY 9, 2007 UNDER RECEPTION NO. 2007000045835 AND MARCH 21, 2008 UNDER RECEPTION NO. 2008000022620.

   (AFFECTS ALL PARCELS)

8. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ENVIRONMENTAL COVENANT RECORDED AUGUST 10, 2007 UNDER RECEPTION NO. 2007000077016.

   (AFFECTS ALL PARCELS)

9. TERMS, RESERVATIONS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS, EASEMENTS AND ANY "REVERSIONS" AS SET FORTH IN SPECIAL WARRANTY DEED RECORDED AUGUST 20, 2007 UNDER RECEPTION NO. 2007000079792.

   (AFFECTS ALL PARCELS)

10. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GROUNDWATER EASEMENT RECORDED AUGUST 20, 2007 UNDER RECEPTION NO. 2007000079794.

    (AFFECTS ALL PARCELS)

11. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN SEEP WATER REMEDIATION SYSTEM EASEMENT RECORDED AUGUST 20, 2007 UNDER RECEPTION NO. 2007000079795.

(AFFECTS ALL PARCELS)

12. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN LIMITED ACCESS AGREEMENT AND EASEMENT RECORDED AUGUST 21, 2007 UNDER RECEPTION NOS. **2007000080311** AND **2007000080312**.

    (AFFECTS ALL PARCELS)

13. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN CERTIFICATION OF NOTICE TO MINERAL ESTATE OWNERS RECORDED JANUARY 25, 2008 UNDER RECEPTION NO. **2008000006073** AND APPLICANT'S CERTIFICATION THERETO RECORDED JANUARY 25, 2008 UNDER RECEPTION NO. **2008000006072**.

14. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE CLEAR CREEK STATION METROPOLITAN DISTRICT NO. 2, AS EVIDENCED BY INSTRUMENT RECORDED OCTOBER 31, 2012 UNDER RECEPTION NO. **2012000082403**.

    (AFFECTS PARCEL A)

    CLEAR CREEK STATION METROPOLITAN DISTRICT NOS. 1-3 DISCLOSURE RECORDED NOVEMBER 18, 2013 UNDER RECEPTION NO. **2013000098104**.

    (AFFECTS PARCEL A)

15. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE DEVELOPMENT PLAN MAPS RECORDED AUGUST 16, 2012 UNDER RECEPTION NO. **2012000060630**, APRIL 11, 2014 UNDER RECEPTION NO. **2014000022044** AND JULY 18, 2014 UNDER RECEPTION NO. **2014000046992**.

    (AFFECTS PARCEL A)

16. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS TO "ANY EASEMENTS CREATED AS PER SECTION 6, AS SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR MIDTOWN, A PLANNED COMMUNITY RECORDED OCTOBER 03, 2012 UNDER RECEPTION NO. **2012000074161** AND TERMINATIONS THERETO RECORDED JUNE 27, 2013 UNDER RECEPTION NOS. **2013000055285** AND **2013000055286** AND JULY 26, 2013 UNDER RECEPTION NO. **2013000064984**. THE TERMINATIONS SUBJECT TO SECTION 15.2(B) OF SAID DECLARATION.

    (AFFECTS PARCEL A)

17. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN MEMORANDUM REGARDING A CONSOLIDATED RESOLUTION OF THE BOARD OF DIRECTORS OF CLEAR CREEK STATION METROPOLITAN DISTRICT NOS. 1-3 CONCERNING THE IMPOSITION OF A DISTRICT DEVELOPMENT FEE, GENERAL OPERATIONS FEE, WORKING CAPITAL FEE AND ADMINISTRATIVE SETUP FEE RECORDED OCTOBER 22, 2012 UNDER RECEPTION NO. **2012000079298**.

    (AFFECTS PARCEL A)

18. RESTRICTIVE COVENANTS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS CONTAINED IN DECLARATION OF EASEMENTS AND MASTER ARCHITECTURAL AND MAINTENANCE STANDARDS FOR MIDTOWN RECORDED JUNE 27, 2013, UNDER RECEPTION NO. **2013000055284** AND AFFIDAVIT OF CORRECTION RECORDED JULY 26, 2013 UNDER RECEPTION NO. **2013000064983**.

    (AFFECTS PARCEL A)

19. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN LOWER CLEAR CREEK DITCH COMPANY CROSSING AGREEMENT RECORDED OCTOBER 20, 2014 UNDER RECEPTION NO. **2014000072470**.

(AFFECTS PARCEL A)

20. QUITCLAIM DEED WITH RESERVED ACCESS EASEMENT RECORDED DECEMBER 9, 2014 UNDER RECEPTION NO. **2014000086325** AS CORRECTED BY INSTRUMENTS RECORDED FEBRUARY 18, 2015 UNDER RECEPTION NOS. **2015000011061** AND **2015000011062**.

21. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RESOLUTION APPROVING SUBDIVISION IMPROVEMENTS AGREEMENT FOR MIDTOWN AT CLEAR CREEK FILING NO. 7 RECORDED FEBRUARY 05, 2016 UNDER RECEPTION NO. **2016000009224**.

    (AFFECTS PARCEL A)

22. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN MIDTOWN PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN FILING SEVEN RECORDED FEBRUARY 05, 2016 UNDER RECEPTION NO. **2016000009225** AND MIDTOWN PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN FILING SEVEN AMENDMENT NO. 1 RECORDED AUGUST 24, 2016 UNDER RECEPTION NO. **2016000070110**.

    (AFFECTS PARCEL A)

23. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RESOLUTION APPROVING APPLICATION RECORDED FEBRUARY 05, 2016 UNDER RECEPTION NO. **2016000009227**.

    (AFFECTS PARCEL A)

24. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF MIDTOWN AT CLEAR CREEK-FILING NO. 7 RECORDED FEBRUARY 5, 2016 UNDER RECEPTION NO. **2016000009355**.

    (AFFECTS PARCEL A)

25. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN WARRANTY DEED RECORDED MARCH 15, 1961 IN BOOK 897 AT PAGE **256**.

    (AFFECTS PARCEL B)

26. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ZONING HEARING DECISION RECORDED JANUARY 23, 1987 IN BOOK 3264 AT PAGE **775**.

    (AFFECTS PARCEL B)

27. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH IN THE CRESTVIEW PRELIMINARY PUD PLAN RECORDED JUNE 26, 1987 UNDER RECEPTION NO. **B751021**.

    (AFFECTS PARCEL B)

28. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE HYLAND HILLS PARK AND RECREATION DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED SEPTEMBER 15, 1987, IN BOOK 3367 AT PAGE **411**.

    (AFFECTS PARCEL B)

29. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ZONING HEARING DECISION RECORDED MAY 07, 1991 IN BOOK 3775 AT PAGE **673**.

    (AFFECTS PARCEL B)

30. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE CLEAR CREEK STATION METROPOLITAN DISTRICT NO. 3, AS EVIDENCED BY INSTRUMENT RECORDED NOVEMBER 04, 2010, UNDER RECEPTION NO. **2010000076362**.

    (AFFECTS PARCEL B)

Old Republic National Title Insurance Company

PROPERTY INFORMATION BINDER

Order Number: RND70812035 **Policy No.:** PIB70812035.25422137

31. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF MIDTOWN AT CLEAR CREEK FILING NO. 5 RECORDED DECEMBER 30, 2014 UNDER RECEPTION NO. **2014000091485**.

    (AFFECTS PARCEL B)

32. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF MIDTOWN AT CLEAR CREEK FILING NO. 7 RECORDED FEBRUARY 5, 2016 UNDER RECEPTION NO. **2016000009355**.

    (AFFECTS PARCEL B)

33. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF MIDTOWN AT CLEAR CREEK FILING NO. 10 RECORDED JANUARY 12, 2018 UNDER RECEPTION NO. **2018000004010**.

    (AFFECTS PARCEL B)

34. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF MIDTOWN AT CLEAR CREEK FILING NO. 11 RECORDED JULY 9, 2019 UNDER RECEPTION NO. **2019000053535**.

    (AFFECTS PARCEL B)

NOTE: THIS BINDER DOES NOT REFLECT THE STATUS OF TITLE TO WATER RIGHTS OR REPRESENTATION OF SAID RIGHTS, RECORDED OR NOT.

NOTE: THIS BINDER IS NOT A REPORT OR REPRESENTATION AS TO MINERAL INTERESTS, AND SHOULD NOT BE USED, OR RELIED UPON, IN CONNECTION WITH THE NOTICE REQUIREMENTS THAT ARE SET FORTH IN CRS 24-65.5-103.

NOTE: ADDITIONAL UPDATES TO THE EFFECTIVE DATE OF THE BINDER MAY BE REQUESTED BY THE PROPOSED INSURED. ONE UPDATE IS INCLUDED WITH THIS BINDER AT NO ADDITIONAL COST. ANY ADDITIONAL UPDATES WILL BE ISSUED AT THE COST OF $135 PER UPDATE. FOR EACH UPDATE PROVIDED, A REVISED BINDER WILL BE ISSUED SHOWING A NEW EFFECTIVE DATE AND ANY MATTERS RECORDED SINCE THE EFFECTIVE DATE OF THE PREVIOUS BINDER.

THIS PRODUCT WILL ONLY BE UPDATED FOR 24 MONTHS FOLLOWING THE EFFECTIVE DATE OF THE ORIGINAL BINDER.

INVOICE

Land Title Guarantee Company
5975 Greenwood Plaza Blvd Suite 125
Greenwood Village, CO 80111
(303) 270-0445
Tax ID: 84-0572036

BROOKFIELD PROPERTIES
ATTN:
6465 S GREENWOOD PLAZA BLVD
SUITE 700
Englewood, CO 80111

Reference

Your Reference Number:	
Our Order Number:	70812035
Our Customer Number:	3002548.0
Invoice (Process) Date:	08/22/2023
Transaction Invoiced By:	Steve McQueen
Email Address:	smcqueen@ltgc.com

Invoice Number:	70812035
Property Address:	VACANT LAND, MIDTOWN, CO 00000
Parties:	CARMA WESTMINSTER, LLC, A COLORADO LIMITED LIABILITY COMPANY NOW KNOWN AS MIDTOWN LLC, A COLORADO LIMITED LIABILITY COMPANY

- Charges -

Property Information Binder	$1,310.00
Amount Credited	$0.00
Total Invoice Amount	$1,310.00
Total Amount Due	$1,310.00

Payment due upon receipt

Please reference Invoice No. 70812035 on payment
Please make check payable and send to:
Land Title Guarantee Company
5975 Greenwood Plaza Blvd Suite 125
Greenwood Village, CO 80111

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Pgs: 2 Doc Type:SPWTY Karen Long, Adams County, CO

Development Parcels

After Recording, Return to:
Keith M. Pockross, Esq.
Greenberg Traurig, LLP
1200 17th Street
Suite 2400
Denver, CO 80202

SPECIAL WARRANTY DEED

THIS DEED, dated as of August 16, 2007, between **Hamilton Sundstrand Corporation**, a Delaware corporation, whose street address is One Hamilton Road, Windsor Locks, CT 06096 ("Grantor"), and **Carma Westminster, LLC.**, a Colorado limited liability company with an office and principal place of business at 188 Inverness Drive West, Suite 150 Englewood, Colorado 80112 ("Grantee").

Doc Fee
$ 354.00

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WITNESS, that the Grantor, for and in consideration of the sum of a valuable sum in Dollars, the receipt and sufficiency of which is hereby acknowledged, **SUBJECT TO THE RESERVATIONS SET FORTH HEREIN AND IN EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF** ("Reservations"), has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee and its successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Adams and State of Colorado, described as set forth in **Exhibit A** attached hereto and made a part hereof (the "Property").

The Property is also known by street and number as: 6701 Pecos Street.

The Property is also known by assessor's schedule or parcel number: 0182504300001, 182504400002, 182504400016, and 182504402001.

SUBJECT TO THE RESERVATIONS, the Property is hereby granted **TOGETHER WITH** all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained Property; provided, however, that as to any and all water rights conveyed hereby, whether specific or implied, Grantor makes no representation or warranty as to the effect on title from historical use, or as to priority of use, or as to suitability for use by Grantee or its successors or assigns;

HART1-1271567-9

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SUBJECT TO THE RESERVATIONS, TO HAVE AND TO HOLD the said Property above bargained and described with the appurtenances, unto the Grantee and its successors and assigns forever. The Grantor, for itself, its successors and assigns does covenant and agree that it shall and will **WARRANT AND FOREVER DEFEND** the above bargained Property 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 Grantor, but only against such person or persons and none other.

Notice

Colorado law provides that a seller of real property has an affirmative duty to disclose to a purchaser any material facts that are not within the purchaser's diligent observation and attention, and which may materially affect the value of the property being sold. Grantor therefore declares and states the following facts: that certain property known as Lot 1, Block 1, Sundstrand Subdivision, as per the plat thereof recorded January 2, 1974 at Reception No. A026680, County of Adams, State of Colorado (the "Adjacent Property") was once used for manufacturing; that the soil and groundwater beneath the Adjacent Property became contaminated and the property more particularly described in Exhibit A attached hereto and made a part hereof became contaminated by migration of such contamination from the Adjacent Property; that such contamination has been remediated and such remediation was approved by the Colorado Department of Public Health and the Environment ("CDPHE") as evidenced by its issuance of a No Further Action Letter dated February 13, 2007 ("NFA"), a copy of which is available to interested parties by contacting CDPHE at 4300 Cherry Creek Drive, South, Denver, CO 80246-1530. By acceptance of title to the property, all future purchasers acknowledge and understand that Hamilton Sundstrand Corporation and its affiliates and Carma Colorado, Inc. and its affiliates are released from civil liability to the State of Colorado as a result of the issuance of the NFA.

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[Next Page is Signature Page for Hamilton Sundstrand Corporation]

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IN WITNESS WHEREOF, the Grantor has caused its corporate name to be hereunto subscribed by its Vice President Finance, Chief Financial Officer and Treasurer, the day and year first above written.

Witness:

Print Name: Edward S. Hill

Print Name: Kathleen McFadden

HAMILTON SUNDSTRAND CORPORATION

By: Peter F. Longo

Its Vice President Finance, Chief Financial Officer and Treasurer

Hamilton Sundstrand – Acknowledgement

STATE OF CONNECTICUT)
) ss: Windsor Locks
COUNTY OF HARTFORD)

The foregoing instrument was acknowledged before me this 14th day of August, 2007, by Peter F. Longo, as Vice President Finance, Chief Financial Officer and Treasurer of Hamilton Sundstrand Corporation, a corporation.

Witness my hand and official seal.
My commission expires:

Edward S. Hill
Notary Public
My Commission Expires 8/31/2012

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Name and Address of Person Creating Newly Created Legal Description (§38-35-106.5, C.R.S.):
No newly created legal description.

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Acceptance by Grantee

Grantee hereby accepts the conveyance on the terms and conditions and subject to the reservations and restrictions contained in this deed.

In Witness Whereof, Grantee has caused this Acceptance to be executed as of this 16th day of August, 2007.

Carma Westminster, LLC
By: Carma (Colorado), Inc., its sole member

By: _____
Michael E. Partheymuller
Its Vice President

-and-

By: _____
Miles S. Stephens
Its Vice President

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STATE OF COLORADO)
ARAPAHOE)
COUNTY OF ~~ADAMS~~)

The foregoing instrument was acknowledged before this 16th day of August, 2007, by Michael E. Partheymuller as Vice President of Carma (Colorado), Inc., a Nevada corporation, the sole member of Carma Westminster, LLC, a Colorado limited liability company.

Witness my hand and official seal.
My commission expires:

NOTARY PUBLIC
CAROLE DODERO
STATE OF COLORADO
My Commission Expires 4/30/2010

_____
Notary Public

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STATE OF COLORADO)
)
COUNTY OF ~~ADAMS~~ ARAPAHOE)

The foregoing instrument was acknowledged before this 16th day of August, 2007, by Miles S. Stephens as Vice President of Carma (Colorado), Inc., a Nevada corporation, the sole member of Carma Westminster, LLC, a Colorado limited liability company.

Witness my hand and official seal.
My commission expires:

NOTARY PUBLIC CAROLE DODERO STATE OF COLORADO My Commission Expires 4/30/2010

Carole Dodero

Notary Public

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Exhibit A

First Parcel (Vacant Parcel, consisting of three pieces of land.)

First Piece

The North Half of the Southwest Quarter of Section 4, Township 3 South, Range 68 West of the 6th Principal Meridian, except for Highway located and used thereon and except the West 20 feet as conveyed to the County of Adams in Deed of Grant and Conveyance recorded July 20, 1960 in Book 856 at Page 61, County of Adams, State of Colorado, more particularly described as follows:

Commencing at the Northwest corner of the Southwest Quarter of said Section 4;
thence South 89° 46' 11" East along the North line of said Southwest Quarter 20.00 feet to the point of beginning;
Thence continuing along said North line South 89° 46' 11" East 2,614.03 feet;
Thence South 00° 02' 12" East parallel with and 30 feet West of the East line of said Southwest Quarter a distance of 1,325.00 feet to the South line of the North Half of the Southwest Quarter;
Thence North 89° 58' 01" West along said South line 2,624.09 feet;
Thence North 00° 23' 47" East parallel with and 20 feet East of the West line of said Southwest Quarter 1,334.02 feet to the point of beginning,

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Except the following described property:

That part of the Northeast Quarter of the Southwest Quarter of Section 4, Township 3 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado, as conveyed to the County of Adams by Deed recorded April 25, 1990 in Book 3668 at Page 35, more particularly described as follows:

Commencing at the Southeast corner of the Southwest Quarter of said Section 4;
Thence North 00° 01' 14" West on an assumed bearing along the East line of said Southwest Quarter a distance of 2,649.64 feet to the Northeast corner of the Northeast Quarter of the Southwest Quarter of Section 4;
Thence North 89° 45' 00" West along the North line of the Northeast Quarter of the Southwest Quarter of said Section 4 a distance of 30.00 feet to the true point of beginning;
Thence South 00° 01' 14" East parallel with and 30.00 feet West of the East line of the Northeast Quarter of the Southwest Quarter of said Section 4 a distance of 1,183.31 feet to the Northeast corner of that parcel of land described in the Deed recorded in the Adams County Clerk and Recorder's office in Book 3570 at Page 309, Reception No. B8885202 on June 6, 1989;
Thence North 89° 56' 36" West along the North line of said Parcel a distance of 20.00 feet;
Thence North 00° 01' 14" West parallel with and 50.00 feet West of the East line of the Northeast Quarter of the Southwest Quarter of said Section 4 a distance of 1,113.38 feet;
Thence North 44° 53' 07" West a distance of 42.53 feet;
Thence North 89° 45' 00" West parallel with and 40.00 feet South of the North line of the Northeast Quarter of the Southwest Quarter of said Section 4 a distance of 936.98 feet;

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Thence North 00° 15' 00" East a distance of 40.00 feet to a point on the North line of the Northeast Quarter of the Southwest Quarter of said Section 4;

Thence South 89° 45' 00" East along said North line a distance of 986.79 feet to the true point of beginning,

And except the following described property:

A tract or parcel of land No. 7 of the Adams County Highway/Engineering Project No. M1377(2) in the North Half of the Southwest Quarter of Section 4, Township 3 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado, as Described in Deed recorded June 6, 1989 in Book 3570 at Page 311, being more particularly described as follows:

The West 30.00 feet of the East 60.00 feet of the South 141.61 feet of the North Half of said Southwest Quarter, County of Adams, State of Colorado.

Second Piece

That part of the Northwest Quarter of the Southeast Quarter of Section 4, Township 3 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado, described as follows:

Beginning at the Southwest corner of the Northwest Quarter of the Southeast Quarter of said Section 4;
Thence North 00° 01' 14" West along the West line of the Northwest Quarter of the Southeast Quarter of said Section 4 a distance of 33.00 feet to a point;
Thence South 89° 59' 30" East parallel with the South line of the Northwest Quarter of the Southeast Quarter of said Section 4 a distance of 50.00 feet to a point on the East right of way line of Pecos Street, said point being the true point of beginning;
Thence North 00° 01' 14" West along said East right of way a distance of 1,231.67 feet;
Thence North 45° 04' 38" East along said East right of way line a distance of 42.35 feet to a point on the South right of way line of West 68th Avenue;
Thence South 89° 49' 30" East along said South right of way line a distance of 1,241.79 feet to appoint on the East line of the Northwest Quarter of the Southeast Quarter of said Section 4;
Thence South 00° 07' 49" East along said East line a distance of 1,257.98 feet to a point 33.00 feet North of the South line of the Northwest Quarter of the Southeast Quarter of said Section 4;
Thence North 89° 59' 30" West parallel with the South line of the Northwest Quarter of the Southeast Quarter of said Section 4 a distance of 1,274.19 feet to the true point of beginning.
County of Adams, State of Colorado.

Third Piece

The North 315.55 feet of Plots 21 and 22, North Broadway Gardens, except the West 20 feet thereof conveyed to Adams County by Deed recorded November 28, 1988 in Book 3513 at Page 50, County of Adams, State of Colorado.

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Second Parcel (Reversion Parcel)

That part of the Northeast Quarter of the Southeast Quarter of Section 4, Township 3 South, Range 68 West of the 6th Principal Meridian, Adams County, Colorado, described as follows:

Beginning at the Northwest corner of said Northeast Quarter of the Southeast Quarter;
Thence South 00° 46' 21" West along the West line of said Northeast Quarter of the Southeast Quarter a distance of 30.00 feet to the true point of beginning;
Thence South 88° 55' 20" East parallel with the North line of said Northeast Quarter of the Southeast Quarter a distance of 544.84 feet;
Thence South 37° 28' 57" East a distance of 207.63 feet;
Thence South 50° 30' 51" East a distance of 238.43 feet;
Thence South 75° 10' 36" East a distance of 308.66 feet;
Thence South 14° 03' 33" West a distance of 28.49 feet;
Thence South 49° 30' 31" West a distance of 149.88 feet;
Thence South 80° 03' 37" West a distance of 189.18 feet;
Thence South 59° 38' 34" West a distance of 380.89 feet;
Thence South 55° 23' 25" West a distance of 236.69 feet;
Thence South 28° 10' 21" West a distance of 306.52 feet;
Thence South 40° 39' 34" West a distance of 63.23 feet to a point on the North line of a parcel described in Book 73 at Page 186, Adams County records;
Thence North 89° 05' 14" West along said North line a distance of 153.15 feet to the Northwest corner of said parcel and a point on the West line of said Northeast Quarter of the Southwest Quarter;
Thence North 00° 46' 21" East along said West line a distance of 1,205.98 feet to the true point of beginning, County of Adams, State of Colorado.

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Said Property is conveyed subject to the following:

1. Any and all taxes due and owing on the property.

2. **Rights of State of Colorado** and others in and to any portion of the property lying within the bed of Clear Creek. Affects Parcel 2

3. **Rights of State of Colorado** and others in and to any portion of the property lying within the bed of Little Dry Creek. Affects Parcel 1-1.

4. **Rights of Way for the Terry Ditch**, the Daddario Ditch and the Colorado Agricultural Ditch Co., as the same may affect the Property.

5. **Easement** for telecommunications lines granted to Mountain States Telephone and Telegraph Co, dated October 10, 1930 in Book 191, Page 74. Affects Parcel 1-1.

6. **Easement** for sewer lines granted to Baker Metropolitan Water and Sanitation District, recorded March 15, 1961 in Book 897, Page 256. Affects Parcel 1-2.

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7. **Order of Inclusion**: Effect of land in the First Piece being included within bounds of the Crestview Water and Sanitation District, Order recorded May 12, 1987 in Book 3316, Page 46. Affects Parcel 1-1.

8. Terms, conditions, provisions, agreements and obligations specified in the **Zoning Hearing Decision**, Case #126-86-GDP-PUD - NASH - PHILLIPS/COPUS recorded on January 23, 1987 in Book 3264, Page 775. Affects Parcels 1-1 and 1-2.

9. **Order of Inclusion**: Effect of land in the First Piece being included within the bounds of the Hyland Hills Park & Recreation District. Order recorded September 15, 1987 in Book 3367, Page 411. Affects Parces1-1 and 1-2.

10. Terms, conditions, provisions, agreements and obligations specified in the **Preliminary P.U.D. Plan for Crestview,** recorded May 26, 1987 at Reception No. 751021. Affects Parcel 1-3.

11. Terms, conditions, provisions, agreements and obligations specified in the **Zoning Hearing Decision** Case #31-91-Z GDP FIVE PARTS DEVELOPMENT – NORTH PECOS CENTER, recorded May 7, 1991 in Book 3775, Page 673. Affects Parcel 1-2.

12. Terms, conditions, provisions, agreements and obligations specified in the **Underground Facilities Information Filing** by the North Pecos Water and Sanitation District, recorded March 15, 1993 in Book 4038, Page 101. Affects Parcel 1-3.

13. Any existing leases or tenancies, and any and all parties claiming by, through or under said leases.

14. Easements or rights to easement pursuant to an unrecorded **Deed - Conservation Easement** dated Nov. 16, 1994 from Sundstrand Corporation to Adams County. Affects Parcel 1-3.

15. Easements or rights to easement pursuant to an unrecorded **Permanent Drainage Easement** dated November 11, 1998 from Sundstrand Corporation to Adams County for stormwater drainage re Kalcevic Gulch Improvement Project. Affects Parcel 1-3.

16. Hazardous substances, if any, as disclosed by off-record information.

17. Terms, conditions, provisions, agreements and obligations specified under the **Zoning Hearing Decision**, Case #PRJ2006-00023, which was recorded March 28, 2007 at Reception No. 2007000037694.

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The Property is also conveyed subject to the following obligations in favor of, and enforceable by, Grantor and its corporate successors and assigns:

(a) There shall be included in each deed of any portion of the Property from Grantee to each grantee of Grantee, or otherwise placed in the chain of title to the Property, so as to be binding on Grantee's successors in title to the Property, a release in favor of Hamilton Sundstrand Corporation, Carma Colorado, Inc., Inc. and BPI Westminster, LLC that by acceptance of title to any portion of the Property, each future owner of title to any portion of the Property for such future owner, and such future owner's heirs, successors and assigns, expressly releases from, and waives as to, Hamilton Sundstrand Corporation, Carma Colorado Inc. and BPI Westminster, LLC, and their respective affiliates, successors and assigns, any and all claims, damages and/or liability, including, but not limited to, personal injury, death, property damage, nuisance, trespass, negligence, stigma or any other impairment of property value, whether perceived or actual, on account of, related to, or arising from contamination on, in, under or that may have migrated on, in or under the Property.

(b) Each of the Grantee's successors in title to any portion of the Vacant Parcel or Reversion Parcel (as defined herein), by acceptance of title to any such portion of the Vacant Parcel or Reversion Parcel, acknowledges and agrees that no use shall be made of the groundwater beneath the Vacant Parcel or Reversion Parcel for any purpose whatsoever, including without limitation, for drinking, other potable purposes or any other purpose or use and that all beneficial or other use of the groundwater by any such successor in title is and shall be prohibited; the foregoing, however, shall not prohibit use of the "nontributary" and "not nontributary" groundwater, hereinafter described, if drawn from one or more wells not located on the Property.

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(c) No wells for the extraction of any groundwater (whether, tributary, nontributary or not nontributary) from beneath the Property shall be placed on the Property.

(d) Each owner of any portion of the Property shall allow each of Carma Colorado, Inc. and Hamilton Sundstrand Corporation (or their respective representatives and assignees) to have access to the Property for purposes of conducting environmental testing and sampling and other activities in connection with seeking to obtain additional pollution legal liability or other environmental insurance and/or to perform any requirements relating to environmental compliance of any governmental regulatory agency having jurisdiction and/or to perform any environmental investigation, monitoring and remediation to satisfy any of their contractual obligations.

RECEPTION#: 2007000079792, 08/20/2007 at 01:55:34 PM, 11 OF 12, Doc Type:SPWTY
TD Pages: 2 Karen Long, Adams County, CO

Said Property is conveyed together with the following:

Any and all unappropriated "nontributary" and "not nontributary" ground water rights (as these terms are currently defined in §§ 37-90-103(10.5) and 37-90-103(10.7), C.R.S. (2005), respectively) appurtenant to the Property, including those rights which attach to ownership of overlying land pursuant to the law and §37-90-137(4), C.R.S. (2005) including all Denver Basin Aquifers (Dawson, Upper Dawson, Lower Dawson, Denver, Arapahoe, Upper Arapahoe, Lower Arapahoe, and Laramie-Fox Hills formations), **but expressly excluding, and reserving to the Grantor and its successors and assigns, the following:**

(i) any and all water rights or other rights associated with or related to Well No. 1-481 (Well Permit No. 481-R, constructed on September 1, 1955 and registered on August 4, 1959), which well is located on the Facility Parcel, as herein defined (more particularly, in the SE ¼ of NE ¼ of Section 5, Township 3 South, Range 68 West of the 6th P.M., Adams County, Colorado, at a point 2630 feet South and 100 feet West of the NE Corner of said Section 5), including, without limitation:

(A) rights adjudicated for industrial in-plant use with an appropriation date of September 1, 1955 for Well No. 1-481, by decree on July 31, 1974 in Case No. W-3762, District Court, Water Division No. 1, State of Colorado, in the amount of 0.22 c.f.s.;

(B) as modified by decree on August 23, 1991 in Case No. 88CW068, District Court, Water Division No. 1, State of Colorado, in the amount of 147.9 acre feet per year of nontributary water from the Laramie-Fox Hills aquifer;

(C) as changed by Amended Ruling of the Referee and Judgment and Decree issued In the Matter of the Application for Water Rights and Change of Use of Water Rights of Sundstrand Corporation In Adams County (Colorado District Court, Water Division No. 1, State of Colorado, Case No. 94CW004) dated June 7, 1996 and confirmed and approved on July 29, 1996 (the "Augmentation Order"), to allow industrial use, including augmentation and remediation; and subject to the augmentation plan approved by the Augmentation Order, for use as a source of replacement water in an augmentation plan.

(ii) any and all water rights or other rights associated with or related to Well No. 2-2107-F (Well Permit No. 2107-F, registered on March 25, 1959 and constructed on August 11, 1959), which well is located on the Facility Parcel, as herein defined (more particularly, in the NE ¼ of SE ¼ of Section 5, Township 3 South, Range 68 West of the 6th P.M., Adams County, Colorado, at a point 2610 feet North and 150 feet West of the SE Corner of said Section 5), including, without limitation:

(A) rights adjudicated for industrial in-plant use with an appropriation date of August 11, 1959 for Well No. 2-2107F, by decree on July 31, 1974 in Case No. W-3762, District Court, Water Division No. 1, State of Colorado, in the amount of 0.424 c.f.s.;

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RECEPTION#: 2007000079792, 08/20/2007 at 01:55:34 PM, 12 OF 12, Doc Type:SPWTY
TD Pages: 2 Karen Long, Adams County, CO

(B) as modified by decree on August 23, 1991 in Case No. 88CW068, District Court, Water Division No. 1, State of Colorado, in the amount of 147.9 acre feet per year of nontributary water from the Arapahoe aquifer; and

(C) as changed by the Augmentation Order, to allow industrial use, including augmentation and remediation; and subject to the augmentation plan approved by the Augmentation Order, for use as a source of replacement water in an augmentation plan.

(iii) any and all water rights or other rights associated with or related to Sundstrand Recovery Wells EXW-1 (Permit No. 045051), EXW-2 (Permit No. 045052), EXW-3 (Permit No. 045053), EXW-4 (Permit No. 045054), EXW-5 (Permit No. 045055), EXW-6 (Permit No. 045056), EXW-7 (Permit No. 045057), EXW-8 (Permit No. 045058), EXW-9 (Permit No. 045059), EXW-10 (Permit No. 045060), and EXW-11 (Permit No. 045061), including rights adjudicated for the wells located on the Facility Parcel, as herein defined (more particularly, in the NE ¼ SE ¼ and the SE ¼ NE ¼ of Section 5, Township 3 South, Range 68 West of the 6th P.M. in Adams County, Colorado), by the Augmentation Order, with the total combined average annual pumping rate not to exceed 300 g.p.m. and the maximum combined pumping rate at any given time not to exceed 400 g.p.m., for year-round ground water remediation activities, and with an appropriation date of May 22, 1991; diligence of conditional water rights confirmed by decree on October 25, 2005 in Case No. 02CW111, District Court, Water Division No. 1, State of Colorado; and subject to the Augmentation Order.

(iv) any and all rights to utilize, repair and replace such wells, associated facilities and to utilize such rights to satisfy obligations under the Augmentation Order.

Said Property is conveyed together with and subject to any rights and obligations pursuant to:

(i) **Conveyance of Easement** for the remediation of seep water, dated July 27, 1995 and recorded at Book 4580, Page 562 on September 1, 1995 from Colorado Agricultural Ditch Co. and Lower Clear Creek Ditch Co. to Sundstrand Corporation.

(ii) **Conveyance of Easement** for collecting seepage water for environmental remediation, dated September 7, 1995 and recorded on October 6, 1995 at Book 4603, Page 661 from Western Paving Construction Co. to Sundstrand Corporation.

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NORTH PECOS
WATER & SANITATION
DISTRICT

6900 Pecos Street
Denver, Colorado 80221
(303) 429-5770
Fax (303) 650-8863

30 March 2011

Mike Pietschmann
Redland
8000 South Lincoln Street, Suite 206
Littleton, CO 80122

Re: Water and sanitary sewer for Midtown at Clear Creek, Formerly know as Sunstrand

Mr. Pietschmann,

Please be advised that North Pecos Water and Sanitation District (NPWSD) will consider providing water and sanitary sewer service to the proposed area for the Midtown at Clear Creek Project; providing that:

1. The plans for the Midtown at Clear Creek project are submitted to and approved by the North Washington Fire Department Fire Marshall.
2. Once the plans for the project have been approved by the Fire Marshall, plans are submitted to NPWSD for review by the District's Engineer. At this time, all applicable review fees are to be paid to NPWSD.
3. Once NPWSD has approved the plans and proper applications and licenses are completed, plans will be submitted to Denver Water for review. At this time, any applicable review fees are to be paid to Denver Water.

It will be necessary for the land owner/developer to install water and sewer mains in accordance with the approved plans. The land owner/developer is responsible for all costs associated with the engineering and development of the property. In addition, the property owner/developer is responsible for any costs associated with engineering studies that are done. All water mains, sanitary sewer mains and appurtenances shall be installed at the land owner/developer's expense. All easements must be conveyed to the District prior to the issuance of any water and/or sanitary sewer taps.

If you have any questions or required additional information, please contact the District office at (303) 429-5770.

Sincerely,

Russell M. Traska

Russell Traska
District Manager

Xcel Energy®

5460 W. 60th Ave.
Arvada, CO. 80003

April 15, 2011

Brookfield Residential
Attn: Nolan Donley
188 Inverness Drive West
Suite 150
Englewood, Co 80112

Re: Will serve letter for **Midtown at Clear Creek**

Dear **Mr. Donley**,

In accordance with our tariffs filed with and approved by the Colorado Public Utilities Commission, Gas and Electric facilities can be made available to serve your project at W. 68th Ave. & Pecos St.

Service will be provided after engineering is completed, payment is received, any easements are signed and construction can be completed. We will have better information available after design has been completed as to a scheduled in-service date.

If I can be of further assistance, please contact me at 303-425-3870.

Sincerely,

Barbara Everard

Barbara Everard
Planner
NMR

From: Scharnhorst, Stephanie N <Stephanie.N.Scharnhorst@xcelenergy.com>
Sent: Friday, August 25, 2023 11:17 AM
To: Urban, Anastasia <Anastasia.Urban@brookfieldpropertiesdevelopment.com>; Coleman, Mark <Mark.Coleman@brookfieldrp.com>; Bremner, Christopher <Christopher.Bremner@brookfieldpropertiesdevelopment.com>
Cc: Montano, Shayla A <Shayla.A.Montano@xcelenergy.com>; Kreager, Pat M <Pat.Kreager@XCELENERGY.COM>; Jiminez, Andre A <Andre.A.Jiminez@xcelenergy.com>; Bebernes, Andy G <Andy.G.Bebernes@xcelenergy.com>; Mino, David C <David.C.Mino@xcelenergy.com>
Subject: RE: 70th and Zuni Capacity Issues Electric
Importance: High

CAUTION: EXTERNAL MAIL! Do not click links, open attachments or reply, unless you recognize the sender's email address and know the content is safe! If unsure use the Report Phishing Button located in the ribbon.

Good Morning Brookfield Team!

We have been given great news from Xcel!

The proposed build-out schedule you provided, with those timeframes will work for Xcels systems! We should be clear to proceed.

Please let us know if you have any questions.

Thank you and I hope you have a great weekend!

Stephanie Scharnhorst
Xcel Energy | Responsible By Nature
New Business Advocate, Contractor for Xcel Energy
4400 Kittredge, Suite 50 Denver, CO 80239
C: 303-263-5432 **O:** 720-240-5202
E: Stephanie.N.Scharnhorst@xcelenergy.com
Direct Supervisor: Pat.Kreager@xcelenergy.com
***For additional support you may reach out to Andre.A.Jiminez@xcelenergy.com**

Link to service application: https://my.xcelenergy.com/BuildingRemodeling/s/
Builders Call Line Direct Line – 800-628-2121

From: Urban, Anastasia <Anastasia.Urban@brookfieldpropertiesdevelopment.com>
Sent: Tuesday, August 22, 2023 2:25 PM
To: Montano, Shayla A <Shayla.A.Montano@xcelenergy.com>; Scharnhorst, Stephanie N <Stephanie.N.Scharnhorst@xcelenergy.com>; Kreager, Pat M <Pat.Kreager@XCELENERGY.COM>; Coleman, Mark <Mark.Coleman@brookfieldrp.com>; Jiminez, Andre A <Andre.A.Jiminez@xcelenergy.com>; Bebernes, Andy G <Andy.G.Bebernes@xcelenergy.com>; Mino, David C <David.C.Mino@xcelenergy.com>
Cc: Bremner, Christopher <Christopher.Bremner@brookfieldpropertiesdevelopment.com>
Subject: RE: 70th and Zuni Capacity Issues Electric

EXTERNAL - STOP & THINK before opening links and attachments.

Hi Shayla –

Please see attached build-out scheduled for both Midtown Filing 12 and Filing 13. The number of units/month is when we would need electric. Both filings are attached townhomes. Please let me know if you need any more information or if there is a certain threshold/by date we can work with you on.

Thank you for your assistance with this issue.

Anastasia Urban, P.E.
Project Manager | Land & Housing Development

T +1 303.566.0654

From: Montano, Shayla A <Shayla.A.Montano@xcelenergy.com>
Sent: Tuesday, August 22, 2023 10:25 AM
To: Urban, Anastasia <Anastasia.Urban@brookfieldpropertiesdevelopment.com>; Scharnhorst, Stephanie N <Stephanie.N.Scharnhorst@xcelenergy.com>; Kreager, Pat M <Pat.Kreager@XCELENERGY.COM>; Coleman, Mark <Mark.Coleman@brookfieldrp.com>; Jiminez, Andre A <Andre.A.Jiminez@xcelenergy.com>; Bebernes, Andy G <Andy.G.Bebernes@xcelenergy.com>; Mino, David C <David.C.Mino@xcelenergy.com>
Cc: Bremner, Christopher <Christopher.Bremner@brookfieldpropertiesdevelopment.com>
Subject: RE: 70th and Zuni Capacity Issues Electric

CAUTION: EXTERNAL MAIL! Do not click links, open attachments or reply, unless you recognize the sender's email address and know the content is safe! If unsure use the Report Phishing Button located in the ribbon.

Anastasia,

Could you please provide your build out schedule for this site. We might have some options for this but need to make sure it all works based on the ramp up schedule.

Shayla Montano PMP
Xcel Energy
Senior Operations Manager
1901 E Horsetooth Rd Fort Collins, CO
P: 970-381-9734
E: Shayla.A.Montano@xcelenergy.com
Link to service application: https://my.xcelenergy.com/BuildingRemodeling/s/
Builders Call Line Direct Line – 800-628-2121

From: Urban, Anastasia <Anastasia.Urban@brookfieldpropertiesdevelopment.com>
Sent: Thursday, August 17, 2023 4:56 PM
To: Scharnhorst, Stephanie N <Stephanie.N.Scharnhorst@xcelenergy.com>; Kreager, Pat M <Pat.Kreager@XCELENERGY.COM>; Coleman, Mark <Mark.Coleman@brookfieldrp.com>; Jiminez, Andre A <Andre.A.Jiminez@xcelenergy.com>; Bebernes, Andy G <Andy.G.Bebernes@xcelenergy.com>; Mino, David C <David.C.Mino@xcelenergy.com>; Montano, Shayla A <Shayla.A.Montano@xcelenergy.com>

Cc: Bremner, Christopher <Christopher.Bremner@brookfieldpropertiesdevelopment.com>
Subject: RE: 70th and Zuni Capacity Issues Electric

> You don't often get email from anastasia.urban@brookfieldpropertiesdevelopment.com. Learn why this is important

EXTERNAL - STOP & THINK before opening links and attachments.

Thank you all for your time to discuss the Midtown project. As stated in the meeting, you have our permission to share our contact info with other projects who may be looking to discuss a collective solution.

I will be following-up with a summary of our buildout schedule under separate review for your review of phased service, and also any details on the Filing 6 project.

Anastasia Urban, P.E.
Project Manager | Land & Housing Development

T +1 303.566.0654

TREASURER & PUBLIC TRUSTEE
ADAMS COUNTY, COLORADO

ORIGINAL

Certificate Of Taxes Due

Account Number R0199896
Parcel 0182504400024
Assessed To

MIDTOWN LLC
6465 GREENWOOD PLAZA BLVD STE 700
ENGLEWOOD, CO 80111-7103

Certificate Number 2023-236824
Order Number
Vendor ID
MATTHEW CHASE HALEY

Legal Description

SECT,TWN,RNG:4-3-68 DESC: NW4 SE4 EXC ROW OF CO RD AND EXC 33 FT ON S SIDE FOR LOWER CLEAR CREEK DT AND EXC PART PLATTED MIDTOWN AT CLEAR CREEK FLG 5 REC NO 2014000091485 AND FLG 7 2016000009355 AND FLG 10 2018000004010 EXC PT PLATTED AS MIDTOWN AT CLEAR CREEK FLG NO 11 REC 2019000053535 AC 0.2120

Situs Address

0

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2022	$1,921.26	$0.00	$0.00	($1,921.26)	$0.00
Total Tax Charge					$0.00
Grand Total Due as of 10/11/2023					**$0.00**

Tax Billed at 2022 Rates for Tax Area 040 - 040

Authority	Mill Levy	Amount
RANGEVIEW LIBRARY DISTRICT	3.6150000*	$41.17
ADAMS COUNTY FIRE PROTECTIO	17.5540000	$199.94
ADAMS COUNTY	26.9670000	$307.16
HYLAND HILLS PARK & RECREAT	5.1240000	$58.36
SD 1	57.8890000	$659.36
URBAN DRAINAGE SOUTH PLATTE	0.1000000	$1.14
URBAN DRAINAGE & FLOOD CONT	0.9000000	$10.25
MIDTOWN AT CLEAR CREEK METR	56.5300000	$643.88
Taxes Billed 2022	168.6790000	$1,921.26

* Credit Levy

Values	Actual	Assessed
VACANT COMMERCIAL LD	$39,262	$11,390
Total	$39,262	$11,390

ALL TAX SALE AMOUNTS ARE SUBJECT TO CHANGE DUE TO ENDORSEMENT OF CURRENT TAXES BY THE LIENHOLDER OR TO ADVERTISING AND DISTRAINT WARRANT FEES. CHANGES MAY OCCUR; PLEASE CONTACT THE TREASURY PRIOR TO MAKING A PAYMENT AFTER AUGUST 1. TAX LIEN SALE REDEMPTION AMOUNTS MUST BE PAID BY CASH OR CASHIER'S CHECK.

SPECIAL TAXING DISTRICTS AND THE BOUNDARIES OF SUCH DISTRICTS MAY BE ON FILE WITH THE BOARD OF COUNTY COMMISSIONERS, THE COUNTY CLERK, OR, THE COUNTY ASSESSOR.

This certificate does not include land or improvements assessed under a separate account number, personal property taxes, transfer tax, or, miscellaneous tax collected on behalf of other entities, special or local improvement district assessments, or mobile homes, unless specifically mentioned.

I, the undersigned, do hereby certify that the entire amount of taxes due upon the above described parcels of real property and all outstanding lien sales for unpaid taxes as shown by the records in my office from which the same may still be redeemed with the amount required for redemption on this date are as noted herein. In witness whereof, I have hereunto set my hand and seal.

TREASURER & PUBLIC TRUSTEE, ADAMS COUNTY,

Alexander L Villagran

4430 S. Adams County Parkway

Brighton, CO 80601

OFFICIAL SEAL

COUNTY TREASURER
ALEXANDER L. VILLAGRAN
ADAMS COUNTY, COLORADO

TREASURER & PUBLIC TRUSTEE
ADAMS COUNTY, COLORADO
Certificate Of Taxes Due

ORIGINAL

Account Number R0187996
Parcel 0182504400022
Assessed To
MIDTOWN LLC
6465 GREENWOOD PLAZA BLVD STE 700
ENGLEWOOD, CO 80111-7103

Certificate Number 2023-236823
Order Number
Vendor ID
MATTHEW CHASE HALEY

Legal Description
SECT,TWN,RNG:4-3-68 DESC: NE4 SE4 EXC PT IN SW COR TO L C C AND C A DT AND EXC DT AND EXC PARCS AND EXC PART PLATTED 2016000009355

Situs Address
0

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2022	$15,822.32	$0.00	$0.00	($15,822.32)	$0.00
Total Tax Charge					$0.00
Grand Total Due as of 10/11/2023					**$0.00**

Tax Billed at 2022 Rates for Tax Area 049 - 049

Authority	Mill Levy	Amount
RANGEVIEW LIBRARY DISTRICT	3.6150000*	$349.72
ADAMS COUNTY FIRE PROTECTIO	17.5540000	$1,698.17
ADAMS COUNTY	26.9670000	$2,608.79
SD 1	57.8890000	$5,600.18
URBAN DRAINAGE SOUTH PLATTE	0.1000000	$9.67
URBAN DRAINAGE & FLOOD CONT	0.9000000	$87.07
MIDTOWN AT CLEAR CREEK METR	56.5300000	$5,468.72
Taxes Billed 2022	163.5550000	$15,822.32

* Credit Levy

Values	Actual	Assessed
VACANT COMMERCIAL LD	$333,589	$96,740
Total	$333,589	$96,740

ALL TAX SALE AMOUNTS ARE SUBJECT TO CHANGE DUE TO ENDORSEMENT OF CURRENT TAXES BY THE LIENHOLDER OR TO ADVERTISING AND DISTRAINT WARRANT FEES. CHANGES MAY OCCUR; PLEASE CONTACT THE TREASURY PRIOR TO MAKING A PAYMENT AFTER AUGUST 1. TAX LIEN SALE REDEMPTION AMOUNTS MUST BE PAID BY CASH OR CASHIER'S CHECK.

SPECIAL TAXING DISTRICTS AND THE BOUNDARIES OF SUCH DISTRICTS MAY BE ON FILE WITH THE BOARD OF COUNTY COMMISSIONERS, THE COUNTY CLERK, OR, THE COUNTY ASSESSOR.

This certificate does not include land or improvements assessed under a separate account number, personal property taxes, transfer tax, or, miscellaneous tax collected on behalf of other entities, special or local improvement district assessments, or mobile homes, unless specifically mentioned.

I, the undersigned, do hereby certify that the entire amount of taxes due upon the above described parcels of real property and all outstanding lien sales for unpaid taxes as shown by the records in my office from which the same may still be redeemed with the amount required for redemption on this date are as noted herein. In witness whereof, I have hereunto set my hand and seal.

TREASURER & PUBLIC TRUSTEE, ADAMS COUNTY,
Alexander L Villagran

4430 S. Adams County Parkway
Brighton, CO 80601

COUNTY TREASURER
ALEXANDER L. VILLAGRAN
ADAMS COUNTY, COLORADO

From: Leila Tuma
To: Urban, Anastasia; Klein, Rosi
Subject: Fwd: Thank you for your payment
Date: Monday, October 9, 2023 2:07:14 PM

CAUTION: EXTERNAL MAIL! Do not click links, open attachments or reply, unless you recognize the sender's email address and know the content is safe! If unsure use the Report Phishing Button located in the ribbon.

Hi Rosi and Anastasia,

They would not take our Brookfield emails because they were too long but here are the fees paid for Midtown F13.

Best,

Leila Tuma

---------- Forwarded message ---------
From: <CGS_LUR@mines.edu>
Date: Mon, Oct 9, 2023 at 12:44 PM
Subject: Thank you for your payment
To

Receipt Number: 788460
Colorado Geological Survey
Current Date: 10/09/2023

Description	Amount
Pre-Pay the Colorado Geological Survey Land Use Review Fee Must select project size to calculate a price: Small Subdivision - Project Name: Midtown F13 County of Project: Adams County Applicant's Name: Anastasia Urban Applicant's Address (line 1): 6465 Greenwood Plaza Blvd Applicant's Address (line 2): Suite 700 Applicant's City: Greenwood Village Applicant's State: CO Applicant's Zip Code: 80111 Applicant's Phone: 3035660654 Applicant's Email: leilat98@gmail.com Pre-Pay the Colorado Geological Survey Land Use Review Fee	$950.00
Total	$950.00

Payments Received	Amount
CC MasterCard XXXXXXXXXXXX9930	$950.00

Authorization # 024018

Total $950.00

Thank you for the payment.

School Impact Analysis
Midtown at Clear Creek – Filing Twelve
Preliminary Plat

October 11, 2023

Student Generation Calculations

The proposed Midtown at Clear Creek Filing Thirteen Development Plan includes the following general estimate for student generation. Student quantities for Filing Thirteen are based on 79 single family attached residential units.

Midtown at Clear Creek - Student Generation Calculations

	Homes	Population Multiplier (P/HH)	Population	Student Generation Multiplier (S/HH)	Students (total)	Elementary Students (50%)	Middle School Students (25%)	High School Students (25%)
Townhome	79	2.216	175	0.303	53	27	13	13

*P/HH: Persons per House Hold
*S/HH: Students per House Hold

Included in the overall Midtown at Clear Creek master plan is an approximately 5-acre school site. This site was recently developed and is now Trailside Academy and part of the Mapleton School District.

Existing Mapleton School District Schools:

Mapleton schools located nearest the site include: Trailside Academy (K-8), Adventure Elementary at Western Hills (K-6), Welby Montessori (PK-6), Valley View (K-8), New America Charter School (9-12) and Global Leadership Academy (K-12) & Mapleton Early College (9-13). These schools cover the entire age range of students; however the School District has a progressive approach to education and has a somewhat open enrollment option for families. Students will potentially have options for choosing their school(s).

Below is a full listing of schools in the District and their locations:

Academy High School (9- 12)
8970 York Street
Thornton, CO 80229
303-853-1730

Achieve Academy at Bertha Heid (PK-8)
9100 Poze Blvd.
Thornton, CO 80229
303-853-1300

Adventure Elementary at Western Hills (PK-6)
7700 Delta Street
Denver, CO 80221

Trailside Academy (K-8)
2300 W. 67th Dr.
Denver, CO 80221
303-853-3050

Meadow Community School (PK-8)
9150 Monroe Street
Thornton, CO 80229
303-853-1500

Monterey Community School (PK-8)
2201 McElwain Blvd.
Denver, CO 80229

303-853-1410

Clayton Partnership School (K-8)
8970 York St.
Thornton, CO 80229
303-853-1460

Colorado Connections Academy
Online K-12
1-800-382-6010
http://www.connectionsacademy.com

Explore Elementary (PK-6)
2410 Poze Blvd.
Thornton, CO 80229
303-853-1170

Global Leadership Academy (PK-12)
7480 Conifer Road
Denver, CO 80221
303-853-1930

Mapleton Early College High School (9-13)
8980 York St.
Thornton, CO 80229
Phone: (303) 853-1960

303-853-1360

North Valley School for Young Adults
8990 York St.
Thornton, CO 80229
303-853-1790

Valley View (K-8)
660 West 70th Avenue
Denver, CO 80221
303-853-1560

Welby Montessori School (PK-6)
1200 E. 78th Avenue
Denver, CO 80229
303-853-1700

York International School (K-12)
9200 York Street
Thornton, CO 80229
303-853-1600

Mapleton Expeditionary School of the
(7-12)
8980 York Street
Thornton, CO 80229
303-853-1270

720.283.6783 Office
1500 West Canal Court
Littleton, Colorado 80120
REDLAND.COM

MEETING MINUTES

Meeting Topic:	Midtown Filing 13 Neighborhood Meeting Notes
Date of Meeting:	Monday October 2, 2023
Date of Minutes:	Tuesday October 4, 2023
Location:	The Shed at Midtown
Attendees:	Residents – see sign-in below
	Brookfield: Anastasia Urban and Leila Tuma
	Redland: Evan Rumney and Susan Wade
Distribution:	Brookfield and Adams County
By:	Susan Wade – Redland

The following is a synopsis of the major points of discussion and the direction/conclusions related to the discussion points:

OVERVIEW:

Approximately 25 people attended the meeting – see sign-in sheet below

Redland and Brookfield shared a presentation including: project location, design goals, timeframe, site plan and open space plan.

RESIDENT COMMENTS AND QUESTIONS PERTAINING TO FILING 13:

General:

- How long will the home construction take?
  - *Approximately 2 years*
- The existing Townhomes on the east side have a two-foot driveway apron and people park large trucks on this area, it does not work. Will these Townhomes have a two-foot apron?
  - *The aprons are planned to be approximately 8 feet in length, this length will allow parallel parking as allowed in the rest of Midtown.*
- *We heard there may be hazardous waste and an old bridge buried on the site. Will you prepare a test of Lead based paint on the bridge? Does the site ground water contain PFAS?*
  - *Brookfield has prepared several borings/studies to determine the site contents and no contaminants were found. There is also a No Further Action Letter from*

the State that clears the property for all residential uses. The construction for the site will still abide by the recommendations in the Midtown Soil Management Plan as done in previous filings.

- Concerned with additional new THs and the effects on resale.
    - *Filing 13 is the last filing for Midtown and proposes 79 total units. These units are different models than any existing homes already built in Midtown. New housing may have an impact on resale but for only a short period of time.*
- Phasing – what will be built first?
    - *Phasing has not yet been determined; construction process will dictate the future phasing.*
- We were told there would be retail on the east side – is there any retail planned for this filing?
    - *This filing is too far east for successful retail. No retail is planned for this filing. Additionally, the PDP identifies residential uses for this Planning Area.*
- Will the wetlands be preserved and will the site detention be in the SE corner?
    - *Yes, the wetlands will be preserved and the site stormwater will be handled in the existing detention pond.*
- Since this is the last phase for Midtown, will our metro district taxes be reduced?
    - Please ask the Metro District Board for this information.
- Will you be using sustainable building materials?
    - We continue to look at building materials and regulations on a continuing basis.
- Does Brookfield own the 2 small houses north of 68th Ave?
    - No
- Is Adams County planning on improving W 68th Ave to the east to Huron?
    - *Not to our knowledge*
- How does this unit count compare to the original unit count?
- There have been many iterations over the years but overall we have lowered the unit count in Midtown from 1,600 units to approximately 1,200 units. What is the timeline for the park being opened and homes being finished?
    - *Park is anticipated to be under construction in Q3 2024 into 2025 and homes likely in 2025*
- Will there be rooftop decks?
    - That is an option for both types of townhomes.
- Is there any single story product?
    - It is anticipated there will be some ranch options in the Horizon townhomes.

Parks and Open Space:

- When will the park be built?
    - *The park will start with the infrastructure phase– no completion date yet.*

- The existing trail connection to Clear Creek is steep with a gravel surface – will you be improving this area?
    - *We will investigate who owns this section of the trail.*
- The permanent dog park seems small – please increase the size to meet the temporary park size and split into small dog and large dog sections. The material used in the west dog park hurts dogs' paws, please do not sure this product.
    - *Comment Acknowledged – we will incorporate your suggestion.*
    - *We will research a material options for the permanent dog park.*
- How do you plan to protect the wetlands from Dog and how will you secure the internal trail from the Clear Creek regional trial users.
    - *The existing trail on the west side of the wetlands does not currently pose an issue with dogs near the wetlands and there are no plans to fence the wetlands. As for security, all the Midtown trails are open to the public and no gates are planned currently. The current trail ditch crossings are located to the west and the east of this neighborhood.*
- There are so many kid-focused parks in Midtown, could you provide adult fitness stations for the adults in the neighborhood?
    - *Comment Acknowledged, great suggestion, we will investigate the option and associated costs.*
- There are several dying trees on the east side, who is responsible?
    - *The homeowner is responsible for Single family homes and the Metro District is generally responsible for tree lawns along attached housing product.*
- Pothole on East side entrance
    - It is likely an Adams County roadway.
- Suggests more usable grass area in the park.
    - This park is intended to be a more naturalized park and relate to the Clear Creek corridor. We try to balance the amount of high-water demand grass as it relates to water usage. We will investigate moderately increasing the grass areas.
- Who owns the Clear Creek path? Can we connect into it?
    - We will look into both of those questions. (Parcel is owned by Adams County)
    - https://adcogov.org/sites/default/files/Adams%20County%20Trail%20Guide%20-%20Updated%20July%202020.pdf
- Pecos security concerns accessing RTD.
    - It is recommend that comments be directed to the County.
- What types of trees will be used?
    - There will be a clustered variety of trees to avoid monocultures and minimize risk of disease that could impact a single species.

This constitutes the writer's understanding of the items discussed and agreements reached at the aforementioned meeting. Any corrections and/or additions to this memorandum should be sent to the writer within five (5) business days of receipt of this memorandum.

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WHERE GREAT PLACES BEGIN

PLEASE SIGN-IN

MIDTOWN FILING 13 Neighborhood Meeting
OCTOBER 2, 2023

Name	Email	Phone number
1. Mander Debnath	—	—
2. Abel Wurmnest	abel.wurmnest@gmail.com	
3. Lucy Lipch	—	—
4. Tom Otten	~~thomas.otten@~~ thomas.otten.ko@gmail.com	402-740-1214
5. Solomon Adenle	Solomonadenle@gmail.com	
6. Matt Newman	—	—
7. Stephan Bodilis	sbodilis@yahoo.com	
8. Jaclyn Iarussi	jiarussi22@gmail.com	720-292-0416
9. Matt & Sarah Bokenevitz	troubleinc@gmail.com	
10. Thomas Meester	boulderton@gmail	303-503-9581
11. Jerome Odell	odie.branson@gmail	626-755-4878
12. Jodi Odell	Jodiodell.designs@yahoo	213-519-5919
13. Chad Hamel	chadahamel@gmail.com	408-529-3248
14. Mark Nelson	mrn2846@comcast.net	303 464-1361
15. Adrianne Borlace	ADR.SCHNOS@Gmail.com	2024130358
16. Christina Proctor	cstinap@gmail.com	303-520-5205
17. Christy Fitzarick	christy4f@gmail.com	720.469.5857
18. Robert Pickering	robert@pickering.place	303 809 1848
19. Nick Thorniburg	nickthorniburg@gmail.com	303.506.9824
20. Anakita Behrad	anakita.behrad@gmail.com	720.819.3906
21. Brandon Cox	Brandoncox5280@gmail.com	
22. Brandon Murray-M	BMURRAYM@gmail.com	816-824-6989
23. MARK COLVIN	mwcolvin@aol.com	3-883-1809
24. Kyle Blume	KyleABlume@yahoo.com	720-982-6232
25. Emily Carr		
26.		
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Redland
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SUBDIVISION-MAJOR / PRELIMINARY

Application submittals must include all documents on this checklist as well as this page. Please use the reference guide (pg. 3) included in this packet for more information on each submittal item.

All applications shall be submitted electronically to epermitcenter@adcogov.org. If the submittal is too large to email as an attachment, the application may be sent as an unlocked OneDrive link. Alternatively, the application may be delivered on a flash drive to the One-Stop Customer Service Center. All documents should be combined in a single PDF. Once a complete application has been received, fees will be invoiced and payable online at https://permits.adcogov.org/CitizenAccess/.

1. Development Application Form (pg. 4)
2. Application Fees (pg. 2)
3. Written Explanation of the Project
4. Site Plan Showing Proposed Development

✔ 5. Copy of Plat prepared by Registered Land Surveyor (pg. 7)

✔ 6. School Impact Analysis (contact applicable District)

✔ 7. Fire Protection Report (required prior to public hearing)

✔ 8. Proof of Ownership (title policy dated within 30 days of submittal)

✔ 9. Proof of Water and Sewer Services

✔ 10. Proof of Utilities (e.g. electric, gas)

✔ 11. Legal Description

✔ 12. Statement of Taxes Paid

☐ 13. Certificate of Notice to Mineral Estate Owners/and Lessees (pg. 12)

☐ 14. Certificate of Surface Development (pg. 13)

Required Engineering Documents (see notes on next page)

1. Preliminary Drainage Report
2. Preliminary Traffic Impact Study
3. Preliminary Erosion and Sediment Control Plans
4. Preliminary Construction/ Engineering Design Plans

continued on next page...

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Application Fees	Amount	Due
Major Subdivision (preliminary plat)	$1,400	After complete application received
Adams County Health Department	$210 (central utilities - Level 2) $360 (with individual septic - Level 3)	After 1st Staff Review is Completed
Soil Conservation	$100 (less than 5 lots) $150 (more than 5 lots)	After complete application received[1]
Colorado Geological Survey	$600 (1-3 dwellings and >100 acres) $900 (< 3 dwellings and > 100 acres) $1,550 (between 100 and 500 acres) $2,500 (500 acres or more)	After complete application received[1]
Engineering Review	$1,000 (less than 5 lots) $2,500 (5-25 lots) $7,500 (greater than 25 lots)	Separate application[1, 2]

[1] - These notated fees are one-time. The Colorado Geological Survey and Soils Conservation District will honor the fee from Preliminary to Final Plat. Engineering Review will include both preliminary and final and does not need to be submitted a second time. Adams County Health Department will require a review fee for both preliminary and final.

[2] - A subdivision engineering review may not be required if the project is determined not to require public improvements

Major Subdivision (Preliminary Plat) - Guide to Development Application Submittal

The submittal documents for all Land Use/Development Applications are listed below. Detailed explanations of the submittal documents are also provided.

All development application submittals shall comprise of one (1) electronic copy (emailed or delivered on a USB).**Application submittals that do not conform to these guidelines shall not be accepted.**

---

3. Written Explanation of the Project:

- A clear and concise, yet thorough, description of the proposal. Please include, if applicable, timeframe, purpose of project, and improvements that will be made to the site

4. Site Plan Showing Proposed Development:

- A detailed drawing of existing and proposed improvements
- Including:
  - Streets, roads, and intersections
  - Driveways, access points, and parking areas
  - Existing and proposed structures, wells, and septic systems,
  - Easements, utility lines, and no build or hazardous areas
  - Scale, north arrow, and date of preparation
- An Improvement Location Certificate or Survey <u>may be required</u> during the official review

5. Copy of Plat Prepared by Registered Land Surveyor

- A map or maps together with supporting documentation of certain described land providing permanent and accurate record of the legal description, dedications, exact size, shape, and location of lots, blocks, streets, easements, and parcels

6. School Impact Analysis:

- Contact the applicable school district for the analysis
- Should include the increase in elementary, middle, and high school students and the existing school sites and structure of the applicable district in which the subdivision is proposed to be located

7. Fire Protection Report:

- Shall discuss the adequacy of protection within the propose subdivision and be approved by the appropriate fire district

8. Proof of Ownership:

- A deed may be found in the Office of the Clerk and Recorder
- A title commitment is prepared by a professional title company

9. Proof of Water:

- Public utilities - A written statement from the appropriate water district indicating that they will provide service to the property **OR** a copy of a current bill from the service provider
- Private utilities - Well permit(s) information can be obtained from the Colorado State Division of Water Resources at (303) 866-3587

Proof of Sewer:

- Public utilities - A written statement from the appropriate sanitation district indicating that they will provide service to the property **OR** a copy of a current bill from the service provider
- Private utilities - A written statement from Adams County Health indicating the viability of obtaining Onsite Wastewater Treatment Systems

10. Proof of Utilities (Gas, Electric, etc):

- A written statement from the appropriate utility provider indicating that they will provide service to the property
- Copy of a current bill from the service provider

11. Legal Description:

- Geographical description used to locate and identify a property
- Visit http://gisapp.adcogov.org/quicksearch/ to find the legal description for your property

12. Statement of Taxes Paid:

- All taxes on the subject property must be paid in full. Please contact the Adams County Treasurer's Office
- Or https://adcotax.com/treasurer/web/

13-14. Certificate of Notice to Mineral Estate Owners/ Certificate of Surface Development:

- The State of Colorado requires notification to mineral rights owners of applications for surface development (i.e. zoning, plats, etc.)
- Mineral or Surface right owners may be found in the title commitment for the subject property
- You may also search the Office of the Clerk and Recorder for any recorded deeds, easements, or other documents.

Required Engineering Documents

1. Level 1-Storm Drainage Plan:

- A level 1 Storm Drainage Plan is a preliminary design plan showing existing and proposed site drainage features or improvements and, is intended to show how the storm drainage will be mitigated.
- See Appendix B of the Development Standards for a plan preparation checklist

Level 2-Storm Drainage Study (SDS):

- A level 2 SDS is a preliminary design report that describes the existing and proposed drainage features and, includes a hydrologic analysis of the proposed site. A Level 2 SDS also includes a drainage plan.
- See Appendix B of the Development Standards for a plan preparation checklist

Level 3-Storm Drainage Study (SDS):

- A level 3 SDS is a preliminary design report that describes the existing and proposed drainage features, includes a hydrologic analysis of the proposed site and hydraulic analysis of all proposed drainage mitigation measures. A Level 3 SDS also includes a drainage plan and construction plans for all drainage mitigation features.
- See Appendix B of the Development Standards for a plan preparation checklist

2. Traffic Impact Study:

- Intended to forecast and mitigate the transportation and traffic impacts of a proposed land use development or redevelopment project
- See Chapter 8 of the Adams County Development Standards for requirements

3. Erosion and Sediment Control Plans:

- Erosion and Sediment Control (ESC) plans are construction plans showing the proposed Best Management Practices (BMP) that will be used to mitigate erosion and the transport of sediment from a site under construction.

- ESC plans are often done in three (3) phases: Initial, Interim and, Final.
- These plans must also include installation details for each of the BMP's.

4. Construction / Engineering Design Plans:

- A set of maps and/or drawings showing how a proposed development is to be constructed.
- The plans must include:
  - site maps of the existing conditions and proposed improvements,
  - installation/construction details for all proposed improvements,
  - survey control (horizontal and vertical) for locating the improvements and,
  - all necessary specification for the products to be used.
- Construction plans are often broken out for specific improvements; for example: site plan, grading plan, waterline improvement plans, roadways improvements plans, etc.

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DEVELOPMENT APPLICATION FORM

PROJECT NAME: Midtown Filing 13

APPLICANT

Name(s): Anastasia Urban
Phone #: 303-566-0654
Address: 6465 Greenwood Plaza Blvd. #700
City, State, Zip: Centennial, CO, 80111
2nd Phone #:
Email: Anastasia.Urban@brookfieldpropertiesdevelopment.com

OWNER

Name(s): Midtown LLC
Phone #: 303-566-0654
Address: 6465 Greenwood Plaza Blvd. #700
City, State, Zip: Centennial, CO, 80111
2nd Phone #:
Email: Anastasia.Urban@brookfieldpropertiesdevelopment.com

TECHNICAL REPRESENTATIVE (Consultant, Engineer, Surveyor, Architect, etc.)

Name: Evan Rumney
Phone #: 720-626-8185
Address: 1500 W. Canal Ct.
City, State, Zip: Littleton, CO, 80120
2nd Phone #: 720-283-6783
Email: erumney@redland.com

DESCRIPTION OF SITE

Address:	NA
City, State, Zip:	Denver, CO, 80221
Area (acres or square feet):	13.56 acres
Tax Assessor Parcel Number	0182504400022; 0182504400024
Existing Zoning:	PUD
Existing Land Use:	vacant
Proposed Land Use:	single family

Have you attended a Conceptual Review? YES [X] NO [ ]

If Yes, please list PRE#: PRE2023-00050

I hereby certify that I am making this application as owner of the above-described property or acting under the authority of the owner (attached authorization, if not owner). I am familiar with all pertinent requirements, procedures, and fees of the County. I understand that the Application Review Fee is non-refundable. All statements made on this form and additional application materials are true to the best of my knowledge and belief.

Name: [illegible] Date: 11/2/2023

Owner's Printed Name

Name:

Owner's Signature

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Preliminary Plat Subdivision Checklist Requirements

1. **Subdivision Name, Subtitle:** Name of subdivision at the top of the sheet, followed by a subtitle identifying the section, township and range information along with County and State.

2. **Property Description:** An accurate and clear property (legal) description of the overall boundary of the subdivision with the acreage of the subdivision. All courses in the property (legal) description shall be shown and labeled on the plat drawing, with all bearings having the same direction as called out in the legal description. The only exception being where more than one description is required, going a different direction over the same course. The direction shall then hold for the description having more weight (i.e., the overall boundary) for purposes of the plat. If both record and "as-measured" dimensions are being used, show both and clearly label on the plat drawing. Point of commencement and/or point of beginning shall be clearly labeled on the plat drawing.

3. **Ownership Certificate**:

   Know all men by these presents that (owner name(s)), being the sole owner of the following described tract of land:

   Legal Description

   Have (Has) by these presents laid out, platted and subdivided the same into lots, streets and easements as shown on this plat under the name and style of (subdivision name).

4. **Dedication Statements:** Statements of land to be dedicated to the County for parks or other public uses, grants of easements and dedication of public streets to the Adams County are required.

   a. All plats with public streets shall have the following sentence in the dedication statement:

      All public streets are hereby dedicated to Adams County for public use.

   b. All plats with public easements and/or tracts must have the following sentence in the dedication statement:

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The undersigned does hereby dedicate, grant and convey to Adams County those Public Easements (and tracts) as shown on the plat; and further restricts the use of all Public Easement to Adams County and/or its assigns, provided however, that the sole right and authority to release or quitclaim all or any such Public Easements shall remain exclusively vested in Adams County.

c. All plats with private streets shall have the following sentence in the dedication statement:

   All private streets (insert names) are privately owned and maintained by (list owner name, Owner's Association, etc.).

d. All plats with other tracts being dedicated to the County shall have:

   (1) A sentence in the dedication statement similar to "Tract X is hereby dedicated to Adams County for public use".

   (2) A special numbered plat note defining the purpose and perpetual maintenance responsibility for the tract such as "Tract X is for public drainage, landscaping, trail and open space with maintenance of the surface being vested in the (District Name) Special Maintenance District".

5. **Surveyor's Statement:** Statement by a registered land surveyor, professionally licensed by the State of Colorado, to the effect that the layout represents a survey made by him and that the monuments thereon actually exist as located and that all dimensional and other details are correct.

6. **Access Provisions:**

   a. Statement Restricting Access: A statement restricting access rights across the right-of-way lines of major highways, parkways, streets or freeways, where required as a provision of approval.

7. **Easement Statement:**

   Six-foot (6') wide utility easements are hereby dedicated on private property adjacent to the front lot lines of each lot in the subdivision. In addition, eight-foot (8') wide dry utility easements are hereby dedicated around the perimeter of tracts, parcels and/or open space areas. These easements are dedicated to Adams County for the benefit of the applicable utility providers for the installation, maintenance, and replacement of utilities.

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Utility easements shall also be granted within any access easements and private streets in the subdivision. Permanent structures, improvements, objects, buildings, wells, water meters and other objects that may interfere with the utility facilities or use thereof (Interfering Objects) shall not be permitted within said utility easements and the utility providers, as grantees, may remove any Interfering Objects at no cost to such grantees, including, without limitation, vegetation.

8. **Storm Drainage Facilities Statement:**

The policy of the County requires that maintenance access shall be provided to all storm drainage facilities to assure continuous operational capability of the system. The property owners shall be responsible for the maintenance of all drainage facilities including inlets, pipes, culverts, channels, ditches, hydraulic structures, and detention basins located on their land unless modified by the subdivision development agreement. Should the owner fail to maintain said facilities, the County shall have the right to enter said land for the sole purpose of operations and maintenance. All such maintenance cost will be assessed to the property owners.

9. **Layout:** The exact layout including:

a. **Boundary Lines:** The subdivision boundary will be clearly distinguishable from other map lines by use of a distinct line type and/or thickness. All lines will be labeled with a complete bearing and distance, and all curves will be labeled with a central angle (delta), radius and arc length. Radial bearings and/or chord bearings will be provided for all nontangent curves. All dimensions to be determined by accurate field survey which must balance and close within limit of one in five thousand (5,000). Show adjacent and/or intersecting plat/deed lines and label appropriately to include recording information (book and page and/or reception number).

b. **Streets:** All street rights of way defined by the plat will be clearly distinguishable from other map lines by use of a distinct line type and/or thickness. All lines will be labeled with a complete bearing and distance, and all curves will be labeled with a central angle (delta), radius and arc length. Radial bearings and/or chord bearings will be provided for all nontangent curves. Widths shall be labeled from each right-of-way line normal to the corresponding street center line. All street center lines defined by the plat will be clearly distinguishable from other map lines by use of distinct line type and/or thickness. All lines will be labeled with a complete bearing and distance and all curves will be labeled with a central angle (delta), radius and arc length. Radial bearings and/or chord bearings will be provided for all nontangent curves. The

plat shall show the right-of-way lines, widths, locations and street names of all existing and proposed public or private streets:

(1) Within the proposed subdivision, and

(2) Immediately abutting the proposed subdivision, and

(3) Any private street shall include the designation "(Private)" immediately following street name; any other private right of way that is not named shall include the designation "(Private)" in a manner that clearly conveys such a status.

c. **Easements:** All easements as required by Adams County and other public and quasi-public agencies. Said easements shall be clearly labeled to include width, use and identification as public or private, if necessary. Tie to property lines and annotate with bearings and distances as necessary. Clearly show and label all existing easements, to include width and recording information, that cross, abut or are located within the subdivision boundary.

d. **Lots And Blocks:** All lines of lots, blocks and other parcels of land defined by the plat will be clearly distinguishable from other map lines by use of a distinct line type and/or thickness. All lines will be labeled with a complete bearing and distance and all curves will be labeled with a radius and arc length. Lots must close to one in five thousand (5,000).

e. **Readability:** All line annotation and all other text will be easily and clearly readable. No text shall overwrite other text or be overwritten by map lines.

f. **Leader Lines:** Use leader lines whenever a dimension is not clearly and unmistakably associated with a given line, line segment or arc.

g. **Multiple Sheets:** Whenever a plat drawing spans multiple sheets, clear and well labeled match lines and a key map shall be included on each sheet. Labels will be of the nature "See Sheet of ". Duplicate street names, widths, lot numbers, tract names, easement labeling or any such labeling when any feature is shown on multiple sheets.

h. **Identification System:** All lots and blocks in the subdivision shall be numbered, beginning with the numeral "1" and continuing consecutively throughout the tract, with no omissions or duplications. All tracts shall be likewise labeled beginning with the letter "A". Lots and tracts shall be labeled with the area of the lot or tract.

i. Legend: Provide a legend which designates all lines and symbols except where called out on plat drawing.

j. Inundation Mark: The plat shall clearly show the 100-year floodplain line. Reference the appropriate FEMA panel by which the location of this line has been determined.

10. **Easements:** Book and page and/or reception number for all existing and newly created easements.

11. **Adjacent Subdivision:** Names of adjacent platted areas along with the reception and/or plat book and page number shall be shown. If unplatted, so indicate. Existing street rights of way that intersect the subdivision boundary or are adjacent to said boundary lines shall be clearly labeled with the street name, right of way width and appropriate deed or plat recording information wherein the right of way is defined. Show and label all existing lots and blocks that are immediately adjacent to the subdivision boundary.

12. **Basis Of Bearing:** A clearly defined basis of bearings shall be provided, both verbally and graphically. All monumentation defining said line shall be shown and labeled on the plat drawing. When said line is not common with the subdivision boundary, it shall be accurately tied to the boundary with bearings and distances.

13. **Monuments:** All monuments used to determine and/or describe a boundary (including basis of bearings, point of beginning and point of commencement) shall be shown and clearly labeled on the plat drawing. Monuments for corners defined by the plat, or otherwise found to be missing in the field, shall be placed and set in accord with the requirements of the State of Colorado.

14. **Not A Part Of Subdivision:** All areas enclosed within the subdivision boundary which do not constitute a part of the subdivision shall be labeled "Not a part of this subdivision". All lines pertaining to such areas shall be dashed.

15. **Square Footage:** The area in square feet of all lot and tracts sought to be platted.

16. **Closure Sheets:** One copy of the computed closure sheets for the subdivision boundary.

17. **Other Information:** All other information required by State law.

15 YEARS Redland
WHERE GREAT PLACES BEGIN

720.283.6783 Office
1500 West Canal Court
Littleton, Colorado 80120

REDLAND.COM

October 16, 2023

John Stoll
Adams County Planning and Zoning
4430 South Adams County Parkway
Brighton, CO 80601

Re: Midtown Filing 13
Written Explanation of Project

Dear John Stoll:

Midtown Filing Thirteen is intended to be a residential development in the eastern most section of the Midtown community south of W. 68th Avenue, north of the Clear Creek Corridor and is the final filing of Midtown at Clear Creek. The Final Development Plan (FDP) is comprised of approximately 13.57 acres including 6.19 acres of development and 7.38 acres of park and open space. Primary access to the FDP area is from W. 68th Ave. and W. 67th Ave. This FDP is an extension of the established block structure, vehicular circulation and landscape treatment approved and constructed throughout Midtown filings.

The proposed FDP and the corresponding Final Plat offers 79 additional alley-loaded townhomes. Two types of townhome units are proposed, both alley-loaded with front porches to the street, green court or open space. The townhomes will consist of multiple residences that share one (1) or two (2) walls with an adjoining home. These residences will take access from a private drive and sizes of residence will vary in square footage. No accessory dwelling units are permitted within Filing Thirteen.

Filing Thirteen improvements will include a park and open space area south of the future townhomes. There will be several trail connections from the existing and future neighborhoods to the park and regional Clear Creek Corridor. The open space seeks to create a more naturalized park area to mirror the feel of the Open Space Park in Filings 12 and 6 on the western edge of the community. A more naturalized aesthetic will also create a visual connection to the adjacent Clear Creek Corridor and enhance the feeling of connectivity to existing open space. As the intent of this improvement is to maintain a naturalized feel, of the 4.3 AC of open space required, 30% (1.31 AC) has been activated using trails, gathering spaces / green courts, and various amenities.

Based on feedback received during the Neighborhood Meeting held on October 2, 2023 the park and open space area provides various amenities such as a dog park, pocket park with open lawns for flexible play, and fitness stations. The dog park is a relocation of the existing

feature currently on site, matches the current size (approximately 9,200 sf), and has been split into two areas for different sized dogs per neighborhood suggestion.

The estimated length of time for build-out of Filing Thirteen is approximately three (3) years from the time of approvals. A request for early grading permit will be submitted, with intent for County FDP and Plat approvals in the spring of 2024.

Sincerely,

Josie O'Connor

Josie O'Connor, PLA
Project Manager

MIDTOWN AT CLEAR CREEK – FILING NO. 13

SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO

SHEET 1 OF 9

PRELIMINARY PLAT

PURPOSE

THE PURPOSE OF THIS PLAT IS TO CREATE 79 LOTS, 12 TRACTS, AND RIGHT–OF–WAY.

OWNERSHIP AND DEDICATION CERTIFICATE:

KNOW ALL MEN BY THESE PRESENTS THAT MIDTOWN FACILITY, LLC, A COLORADO LIMITED LIABILITY COMPANY, BEING THE SOLE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND:

A PARCEL OF LAND BEING A PORTION OF SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO. 2007000079792 THE OFFICIAL RECORDS OF THE ADAMS COUNTY, COLORADO CLERK AND RECORDER'S OFFICE, SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 4, WHENCE THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4 BEARS NORTH 89°48'22" WEST, A DISTANCE OF 2643.63 FEET WITH ALL BEARINGS HEREON REFERENCED TO SAID LINE;

THENCE ALONG SAID NORTH LINE, NORTH 89°48'22" WEST, A DISTANCE OF 769.03 FEET;

THENCE DEPARTING SAID NORTH LINE, SOUTH 00°11'38" WEST, A DISTANCE OF 40.00 FEET TO THE NORTHEASTERLY CORNER OF SAID SPECIAL WARRANTY DEED AND THE POINT OF BEGINNING;

THENCE ALONG THE EASTERLY AND SOUTHERLY BOUNDARY OF SAID SPECIAL WARRANTY DEED, THE FOLLOWING NINE (9) COURSES:

1. SOUTH 38°21'59" EAST, A DISTANCE OF 194.84 FEET;
2. SOUTH 51°23'53" EAST, A DISTANCE OF 128.80 FEET;
3. SOUTH 15°37'26" WEST, A DISTANCE OF 335.11 FEET;
4. SOUTH 31°14'28" EAST, A DISTANCE OF 73.46 FEET;
5. SOUTH 58°45'32" WEST, A DISTANCE OF 225.78 FEET;
6. SOUTH 54°30'23" WEST, A DISTANCE OF 236.69 FEET;
7. SOUTH 27°17'19" WEST, A DISTANCE OF 306.52 FEET;
8. SOUTH 39°46'32" WEST, A DISTANCE OF 63.23 FEET;
9. SOUTH 89°57'07" WEST, A DISTANCE OF 91.41 FEET TO THE EASTERLY BOUNDARY OF THE PLAT OF MIDTOWN AT CLEAR CREEK – FILING NO. 7, RECORDED AT RECEPTION NO. 2016000009355, IN SAID RECORDS;

THENCE ALONG SAID EASTERLY BOUNDARY, THE FOLLOWING NINE (9) COURSES:

1. NORTH 00°16'34" EAST, A DISTANCE OF 286.85 FEET;
2. NORTH 00°24'51" WEST, A DISTANCE OF 249.02 FEET;
3. NORTH 00°16'34" EAST, A DISTANCE OF 325.54 FEET;
4. SOUTH 89°43'26" EAST, A DISTANCE OF 53.51 FEET;
5. NORTH 00°16'34" EAST, A DISTANCE OF 57.02 FEET;
6. NORTH 89°43'26" WEST, A DISTANCE OF 93.51 FEET;
7. NORTH 00°16'34" EAST, A DISTANCE OF 52.00 FEET;
8. NORTH 89°43'26" WEST, A DISTANCE OF 69.50 FEET;
9. NORTH 00°16'34" EAST, A DISTANCE OF 220.48 FEET TO THE SOUTHERLY RIGHT–OF–WAY LINE OF WEST 68TH AVENUE AS DEDICATED ON SAID PLAT OF MIDTOWN AT CLEAR CREEK–FILING NO. 7;

THENCE DEPARTING SAID EASTERLY BOUNDARY ALONG SAID SOUTHERLY RIGHT–OF–WAY LINE, SOUTH 89°48'22" EAST, A DISTANCE OF 595.45 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 13.565 ACRES, (590,905 SQUARE FEET), MORE OR LESS.

HAS BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS, BLOCKS, STREETS, TRACTS AND EASEMENTS AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF **MIDTOWN AT CLEAR CREEK – FILING NO. 13,** AND DO HEREBY GRANT TO THE COUNTY OF ADAMS, STATE OF COLORADO, FOR THE USE OF THE PUBLIC, THE STREETS AND OTHER PUBLIC WAYS AND EASEMENTS AS SHOWN AND THE EASEMENTS AS SHOWN (EXCLUDING THOSE GRANTED AND DEDICATED TO MIDTOWN AT CLEAR CREEK METROPOLITAN DISTRICT), FOR PUBLIC UTILITY, CABLE TV AND DETENTION POND AREAS, FLOODWAY AND FLOODPLAIN LIMITS, DRAINAGE AND OTHER PUBLIC PURPOSES AS DETERMINED BY THE COUNTY OF ADAMS.

_____
BY: PETER LAUENER

ACKNOWLEDGEMENT

BY: MIDTOWN FACILITY, LLC, A COLORADO LIMITED LIABILITY COMPANY

STATE OF COLORADO)
)SS
COUNTY OF _____)

THE FOREGOING OWNERSHIP AND DEDICATION CERTIFICATE WAS ACKNOWLEDGED BEFORE ME

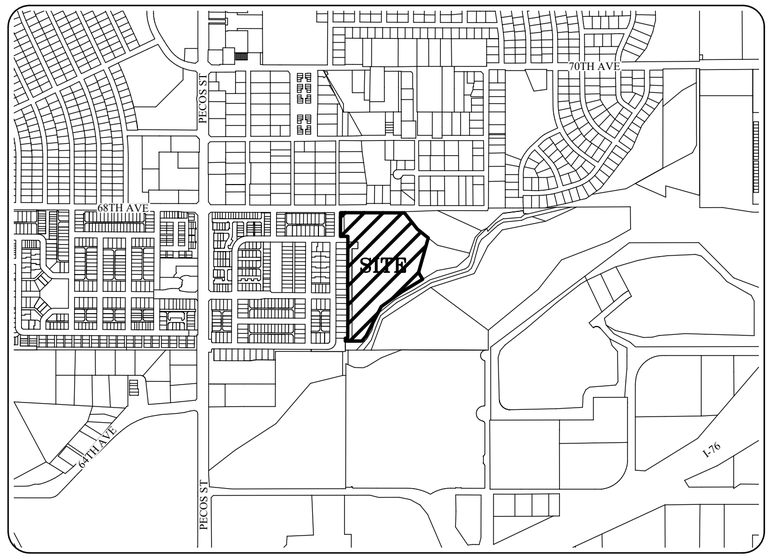
THIS _____ DAY OF _____ A.D. 20_____, BY PETER LAUENER AS PRESIDENT OF MIDTOWN, LLC, A COLORADO LIMITED LIABILITY COMPANY.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____.

MY ADDRESS IS: _____.

WITNESS MY HAND AND OFFICIAL SEAL:

_____
NOTARY PUBLIC



VICINITY MAP
1" = 1000'
NORTH

OWNERSHIP AND DEDICATION CERTIFICATE:–CONTINUED

EXECUTED THIS _____ DAY OF _____ A.D., 20_____,

BY: CLEAR CREEK STATION METROPOLITAN DISTRICT NO. 1

_____ AS _____
NAME TITLE

ACKNOWLEDGEMENT

STATE OF COLORADO)
)SS
COUNTY OF _____)

THE FOREGOING PLAT AND DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY

OF _____ A.D. 20___,

BY _____ AS _____

OF CLEAR CREEK STATION METROPOLITAN DISTRICT NO. 1.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____,

MY ADDRESS IS: _____,

WITNESS MY HAND AND OFFICIAL SEAL:

_____
NOTARY PUBLIC

TRACT SUMMARY TABLE

TRACT	AREA (S.F.±)	AREA (A.C.±)	USE	OWNERSHIP & MAINTENANCE
A	692	0.016	LS/DRAINAGE/PA/UTILITY	MCCMD
B	23,926	0.549	PRIVATE ALLEY/ACCESS/UTILITY	MCCMD
C	8,550	0.196	LS/DRAINAGE/PA/UTILITY	MCCMD
D	6,257	0.144	LS/DRAINAGE/PA/UTILITY	MCCMD
E	4,247	0.097	PRIVATE ALLEY/ACCESS/UTILITY	MCCMD
F	195	0.004	LS/DRAINAGE/PA/UTILITY	MCCMD
G	44,479	1.021	OPEN SPACE/UTILITY/DRAINAGE	MCCMD
H	9,166	0.210	LS/DRAINAGE/PA/UTILITY	MCCMD
I	30,716	0.705	PRIVATE ALLEY/ACCESS/UTILITY	MCCMD
J	1,100	0.025	LS/DRAINAGE/PA/UTILITY	MCCMD
K	1,100	0.025	LS/DRAINAGE/PA/UTILITY	MCCMD
L	294,620	6.764	OPEN SPACE/UTILITY/DRAINAGE	MCCMD
TOTAL TRACT AREA	425,048	9.756		
TOTAL LOT AREA	127,233	2.922		
ROW DEDICATION	38,624	0.887		
TOTAL SITE AREA	590,905	13.565		

MCCMD - MIDTOWN AT CLEAR CREEK METROPOLITAN DISTRICT

LS/DRAINAGE/PA = LANDSCAPING, DRAINAGE, PUBLIC ACCESS

SURVEYOR'S CERTIFICATE

I, ANTHONY K. PEALL, A DULY LICENSED PROFESSIONAL LAND SURVEYOR, LICENSED IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT THERE ARE NO ROADS, PIPELINES, IRRIGATION DITCHES, OR OTHER EASEMENTS IN EVIDENCE OR KNOWN BY ME TO EXIST ON OR ACROSS THE HEREIN BEFORE DESCRIBED PROPERTY EXCEPT AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT I HAVE PERFORMED THE SURVEY SHOWN HEREON, OR SUCH SURVEY WAS PREPARED UNDER MY DIRECT RESPONSIBILITY AND SUPERVISION, THAT THIS PLAT ACCURATELY REPRESENTS SAID SURVEY, AND THAT ALL MONUMENTS EXIST AS SHOWN HEREIN.

ANTHONY K. PEALL
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR, P.L.S. 38636
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 EAST MINERAL AVE., SUITE 1
LITTLETON, CO. 80122
(303) 713–1898

FOR REVIEW

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 FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

NOTICE: PER THE STATE OF COLORADO BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS, AND PROFESSIONAL LAND SURVEYORS RULE 1.6.B.2 THE WORD "CERTIFY" AS USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED. THE SURVEY REPRESENTED HEREON HAS BEEN PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND IS BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF.

PLANNING COMMISSION APPROVAL

APPROVED BY THE ADAMS COUNTY PLANNING COMMISSION THIS _____ DAY OF _____, A.D., 20___.

_____
CHAIR

BOARD OF COUNTY COMMISSIONERS APPROVAL

APPROVED BY THE ADAMS COUNTY BOARD OF COMMISSIONERS THIS _____ DAY OF _____, A.D., 20___.

_____
CHAIR

ADAMS COUNTY ATTORNEY'S OFFICE

_____
APPROVED AS TO FORM

NO.	REVISION	DATE	BY	CHK
3				
2				
1				

AzTec Consultants, Inc.
300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com
AzTec Proj. No.: 54823-13
Drawn By: BAM

DATE OF PREPARATION:	10-03-2023
SCALE:	N/A
SHEET 1 OF 9	

MIDTOWN AT CLEAR CREEK – FILING NO. 13

SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4,
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO

NOTES

1. BASIS OF BEARINGS: THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN AS MONUMENTED AT THE EAST QUARTER CORNER BY A NO. 6 REBAR WITH A 3" ALUMINUM CAP STAMPED "PLS 7276" IN A MONUMENT BOX AND AT THE CENTER–EAST SIXTEENTH CORNER OF SAID SECTION 4 BY A NO. 6 REBAR WITH A 3–1/4" ALUMINUM CAP STAMPED "PLS 26970" IN A MONUMENT BOX, WAS ASSUMED TO BEAR NORTH 89°48'22" WEST, A DISTANCE OF 2,643.63 FEET.

2. STORM DRAINAGE FACILITIES STATEMENT: THE POLICY OF THE COUNTY REQUIRES THAT MAINTENANCE ACCESS SHALL BE PROVIDED TO ALL STORM DRAINAGE FACILITIES TO ASSURE CONTINUOUS OPERATIONAL CAPABILITY OF THE SYSTEM. THE PROPERTY OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE FACILITIES INCLUDING INLETS, PIPES, CULVERTS, CHANNELS, DITCHES, HYDRAULIC STRUCTURES, AND DETENTION BASINS LOCATED ON THEIR LAND UNLESS MODIFIED BY THE SUBDIVISION DEVELOPMENT AGREEMENT. SHOULD THE OWNER FAIL TO MAINTAIN SAID FACILITIES, THE COUNTY SHALL HAVE THE RIGHT TO ENTER SAID LAND FOR THE SOLE PURPOSE OF OPERATIONS AND MAINTENANCE. ALL SUCH MAINTENANCE COSTS WILL BE ASSESSED TO THE PROPERTY OWNERS.

3. ANY PERSON WHO KNOWINGLY REMOVES OR KNOWINGLY CAUSES TO BE REMOVED ANY PUBLIC LAND SURVEY MONUMENT, AS DEFINED BY SECTION 38–53–103 (18), C.R.S., OR CONTROL CORNER, AS DEFINED IN SECTION 38–53–103 (6), C.R.S., OR A RESTORATION OF ANY SUCH MONUMENT OR WHO KNOWINGLY REMOVES OR KNOWINGLY CAUSES TO BE REMOVED ANY BEARING TREE KNOWING SUCH IS A BEARING TREE OR OTHER ACCESSORY, AS DEFINED BY SECTION 38–53–103 (1), C.R.S., EVEN IF SAID PERSON HAS TITLE TO THE LAND ON WHICH SAID MONUMENT OR ACCESSORY IS LOCATED, COMMITS A CLASS 2 MISDEMEANOR UNLESS, PRIOR TO SUCH REMOVAL, SAID PERSON HAS CAUSED A COLORADO PROFESSIONAL LAND SURVEYOR TO ESTABLISH AT LEAST TWO WITNESS CORNERS OR REFERENCE MARKS FOR EACH SUCH MONUMENT OR ACCESSORY REMOVED AND HAS FILED OR CAUSED TO BE FILED A MONUMENT RECORD PURSUANT TO ARTICLE 53 OF TITLE 38, C.R.S.

4. AZTEC CONSULTANTS, INC. HAS RELIED UPON TITLE COMMITMENT _____ PREPARED BY _____, EFFECTIVE DATE _____ _____, _____ AT _:00 A.M./P.M, FOR OWNERSHIP AND FOR THE PURPOSE OF SHOWING RECORDED EASEMENTS AND RIGHTS–OF–WAY ACROSS THESE PREMISES. THIS SURVEY AND PLAT DOES NOT CONSTITUTE A TITLE SEARCH BY AZTEC CONSULTANTS, INC., TO DETERMINE OWNERSHIP OR APPLICABLE EASEMENTS AND RIGHTS–OF–WAY.

5. DISTANCES ON THIS PLAT ARE GROUND DISTANCES EXPRESSED IN U.S. SURVEY FEET AND DECIMALS THEREOF. A U.S. SURVEY FOOT IS DEFINED AS EXACTLY 1200/3937 METERS.

6. UTILITY EASEMENTS AS SHOWN HEREON, ARE DEDICATED FOR ELECTRIC, GAS, TELEVISION CABLE, AND TELECOMMUNICATIONS FACILITIES. THE HOME OWNER SHALL BE RESPONSIBLE FOR ALL MAINTENANCE WITHIN THE EASEMENT EXCEPT THAT PORTION WITHIN THE PRIVATE ALLEY TRACT WHERE APPLICABLE. THE PRIVATE ALLEY TRACTS WILL BE MAINTAINED BY MIDTOWN AT CLEAR CREEK METROPOLITAN DISTRICT. PUBLIC SERVICE COMPANY REQUESTS THESE UTILITY EASEMENTS BE DEDICATED TO ADAMS COUNTY FOR THE BENEFIT OF THE APPLICABLE UTILITY PROVIDERS FOR THE INSTALLATION, MAINTENANCE, AND REPLACEMENT OF ELECTRIC, GAS, TELEVISION, CABLE, AND TELECOMMUNICATIONS FACILITIES (DRY UTILITIES). UTILITY EASEMENTS SHALL ALSO BE GRANTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS IN THE SUBDIVISION. PERMANENT STRUCTURES, IMPROVEMENTS, OBJECTS, BUILDINGS, WELLS, WATER METERS AND OTHER OBJECTS THAT MAY INTERFERE WITH THE UTILITY FACILITIES OR USE THEREOF (INTERFERING OBJECTS) SHALL NOT BE PERMITTED WITHIN SAID UTILITY EASEMENTS AND THE UTILITY PROVIDERS, AS GRANTEES, MAY REMOVE ANY INTERFERING OBJECTS AT NO COST TO SUCH GRANTEES, INCLUDING, WITHOUT LIMITATION, VEGETATION. PUBLIC SERVICE COMPANY OF COLORADO AND ITS SUCCESSORS RESERVE THE RIGHT TO REQUIRE ADDITIONAL EASEMENTS AND TO REQUIRE THE PROPERTY OWNER TO GRANT PSCO AN EASEMENT ON ITS STANDARD FORM. WET UTILITIES (WATER, SANITARY SEWER, AND/OR STORM SEWER) SHALL CROSS DRY UTILITY EASEMENTS AT NEAR RIGHT ANGLES.

7. THE MIDTOWN AT CLEAR CREEK METROPOLITAN DISTRICT ("MCCMD") IS RESPONSIBLE FOR THE ENFORCEMENT OF LANDSCAPE MAINTENANCE REQUIREMENTS. THROUGH MCCMD, A DRC (DESIGN REVIEW COMMITTEE) WILL REVIEW PRIVATE OPEN SPACE DESIGN FOR COMPATIBILITY. PRIVATE LOT OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THEIR PROPERTY AS WELL AS ADJACENT TREE LAWN AREA(S). MAINTENANCE OF THE TREE LAWN AND LANDSCAPE TRACT BETWEEN FRONT PROPERTY LINE AND STREET SHALL BE THE PRIMARY RESPONSIBILITY OF THE HOMEOWNER UNDER THE REQUIREMENTS OF THE MCCMD COVENANTS. THE COUNTY, ITS SUCCESSOR OR ASSIGNS SHALL BE RESPONSIBLE FOR MAINTAINING ALL LOCAL STREETS. HOMEOWNER OF LAND ABUTTING A CONSTRUCTED PUBLIC RIGHT–OF–WAY IS RESPONSIBLE FOR MAINTENANCE OF CURB, GUTTER, AND SIDEWALK ALONG THE RIGHT–OF–WAY ABUTTING HIS PROPERTY INCLUDING SNOW REMOVAL FOR PEDESTRIAN ACCESS.

8. THE SURVYED PROPERTY SHOWN HEREIN LIES WITHIN OTHER AREAS – ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP INDEX NOS. 08001C0584H AND 08001C0603H, BOTH MAPS REVISED MARCH 5, 2007.

9. A PORTION OF THIS PLAT IS SUBJECT TO AN ENVIRONMENTAL COVENANT AS RECORDED AUGUST 10, 2007, UNDER RECEPTION NO. 2007000077016.

10. ALL PRIVATE STORM SEWER THAT ORIGINATE WITHIN A PRIVATELY OWNED TRACT AND OUTFALL TO A PUBLIC STORM SEWER MAIN LOCATED WITHIN THE PUBLIC RIGHT–OF–WAY, ARE TO BE OWNED AND MAINTAINED BY THE MIDTOWN AT CLEAR CREEK METROPOLITAN DISTRICT. THE OWNERSHIP AND MAINTENANCE RESPONSIBILITIES FOR THESE PRIVATE STORM SEWERS SHALL BE UP TO AND INCLUDING THE CONNECTION POINT TO THE PUBLIC STORM SEWER WITHIN THE PUBLIC RIGHT–OF–WAY. THE MIDTOWN AT CLEAR CREEK METROPOLITAN DISTRICT ITS SUCCESSORS OR ASSIGNS SHALL SECURE APPLICABLE PERMITS FOR WORK WITHIN THE ADAMS COUNTY RIGHT–OF–WAY WHENEVER MAINTENANCE IS WITHIN THE PUBLIC RIGHT–OF–WAY.

ADDRESS TABLE

BLOCK 1		BLOCK 2	
LOT	ADDRESS	LOT	ADDRESS
1	----------	1	----------
2	----------	2	----------
3	----------	3	----------
4	----------	4	----------
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		40	----------
		41	----------
		42	----------
		43	----------
		44	----------
		45	----------

LINE TABLE

LINE #	DIRECTION	LENGTH
L1	S38°21'59"E	194.84'
L2	S51°23'53"E	128.80'
L3	S31°14'28"E	73.46'
L4	S58°45'32"W	225.78'
L5	S54°30'23"W	236.69'
L6	S39°46'32"W	63.23'
L7	S89°57'07"W	91.41'
L8	N00°24'51"W	249.02'
L9	N00°16'34"E	325.54'
L10	S89°43'26"E	53.51'
L11	N00°16'34"E	57.02'
L12	N89°43'26"W	93.51'
L13	N00°16'34"E	52.00'

LINE TABLE

LINE #	DIRECTION	LENGTH
L14	N89°43'26"W	69.50'
L15	N00°16'34"E	220.48'
L16	N00°11'38"E	5.00'
L17	N89°48'22"W	13.00'
L18	S89°48'22"E	13.00'
L19	N00°11'38"E	5.05'
L20	S00°11'38"W	30.00'
L21	S00°11'38"W	30.45'
L22	S00°11'38"W	21.16'
L23	S00°11'38"W	28.39'
L24	S44°55'35"E	6.38'
L25	N00°11'53"E	13.00'
L26	S89°48'22"E	27.00'

LINE TABLE

LINE #	DIRECTION	LENGTH
L27	S00°11'53"W	13.00'
L28	S89°48'22"E	3.01'
L29	N84°05'51"E	25.15'
L30	S00°11'38"W	9.75'
L31	S89°48'22"E	13.00'
L32	N89°48'22"W	13.00'
L33	N00°11'38"E	2.36'
L34	S89°48'22"E	10.00'
L35	S00°11'38"W	8.00'
L36	S00°11'38"W	6.05'
L37	N89°48'22"W	8.50'
L38	S89°48'22"E	7.95'
L39	S00°11'38"W	9.65'

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH
C1	90°00'00"	5.00'	7.85'
C2	90°00'00"	5.00'	7.85'
C3	90°00'00"	10.00'	15.71'
C4	90°00'00"	10.00'	15.71'
C5	90°00'00"	10.00'	15.71'
C6	90°00'00"	10.00'	15.71'
C7	90°00'00"	10.00'	15.71'
C8	90°00'00"	10.00'	15.71'
C9	90°00'00"	4.50'	7.07'
C10	32°20'27"	9.00'	5.08'
C11	89°59'59"	5.00'	7.85'
C12	90°00'00"	5.00'	7.85'
C13	18°44'53"	14.00'	4.58'

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH
C14	18°44'53"	14.00'	4.58'
C15	90°00'00"	10.00'	15.71'
C16	90°00'00"	40.00'	62.83'
C17	90°00'00"	10.00'	15.71'
C18	90°00'00"	10.00'	15.71'
C19	90°00'00"	5.00'	7.85'
C20	90°00'00"	5.00'	7.85'

FOR REVIEW

FOR AND ON BEHALF OF
AZTEC CONSULTANTS, INC

AZTEC CONSULTANTS, INC.
300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

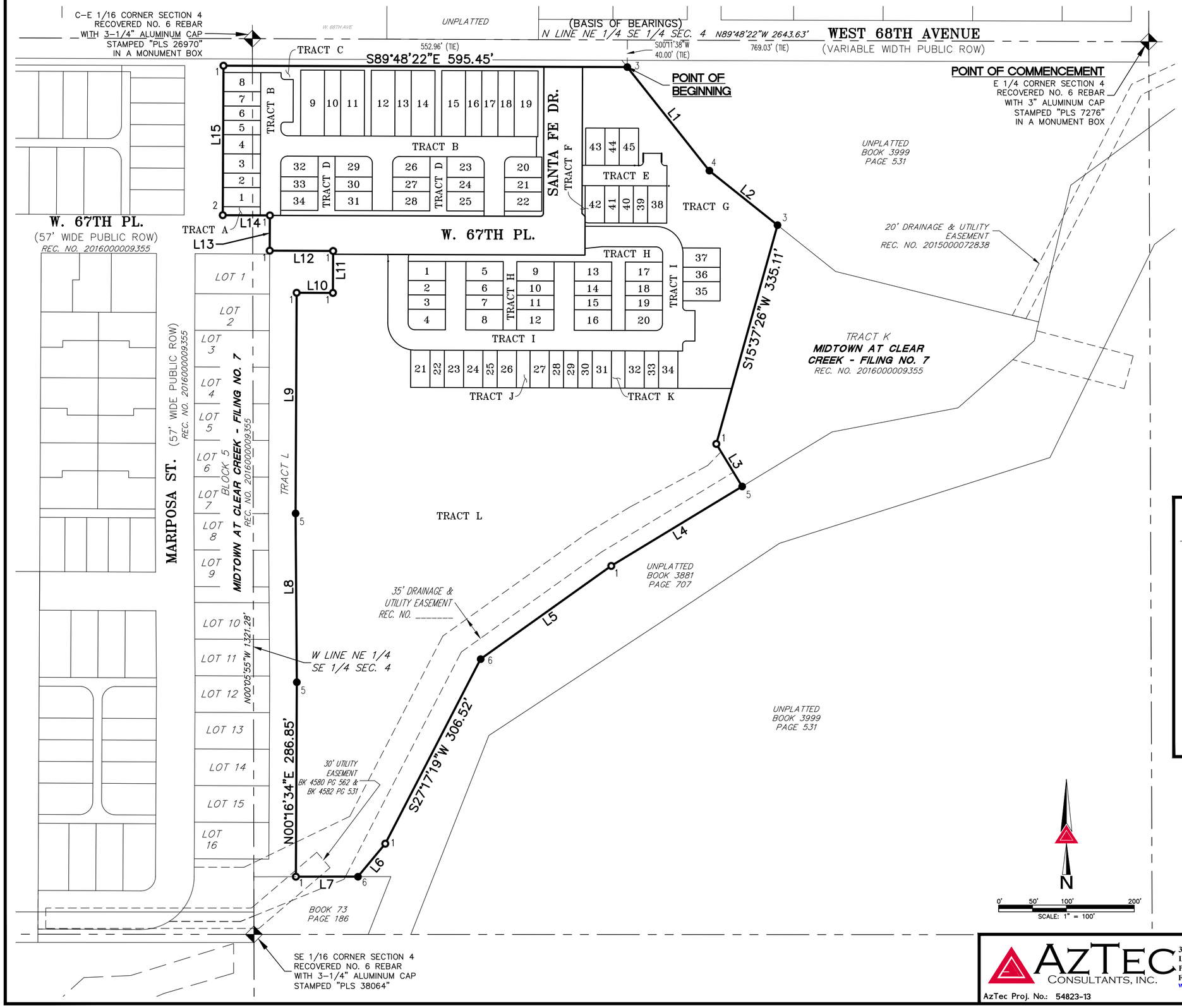
AzTec Proj. No.: 54823-13
Drawn By: BAM

DATE OF PREPARATION:	10-03-2023
SCALE:	N/A
SHEET 2 OF 9	

MIDTOWN AT CLEAR CREEK – FILING NO. 13

SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4,
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO

SHEET 3 OF 9



LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S38°21'59"E	194.84'
L2	S51°23'53"E	128.80'
L3	S31°14'28"E	73.46'
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L8	N00°24'51"W	249.02'
L9	N00°16'34"E	325.54'
L10	S89°43'26"E	53.51'
L11	N00°16'34"E	57.02'
L12	N89°43'26"W	93.51'
L13	N00°16'34"E	52.00'
L14	N89°43'26"W	69.50'
L15	N00°16'34"E	220.48'

LEGEND

- FOUND ALIQUOT CORNER STAMPED AS SHOWN
- 1 SET NO. 5 X 18" REBAR WITH 1–1/4" PINK PLASTIC CAP STAMPED "AZTEC PLS 38636"
- 2 SET 1" BRASS DISK STAMPED "AZTEC PLS 38636"
- 3 FOUND 1" BRASS DISK STAMPED "AZTEC PLS 38064"
- 4 FOUND 1" BRASS DISK STAMPING ILLEGIBLE
- 5 FOUND NO. 5 REBAR WITH 1–1/4" ORANGE PLASTIC CAP STAMPED "AZTEC PLS 38064"
- 6 FOUND 1" YELLOW PLASTIC CAP STAMPED "BAYER LS 6973"
- (ROW) RIGHT–OF–WAY
- ## BLOCK NUMBER

FOR REVIEW

FOR AND ON BEHALF OF
AZTEC CONSULTANTS, INC

AZTEC CONSULTANTS, INC.
300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

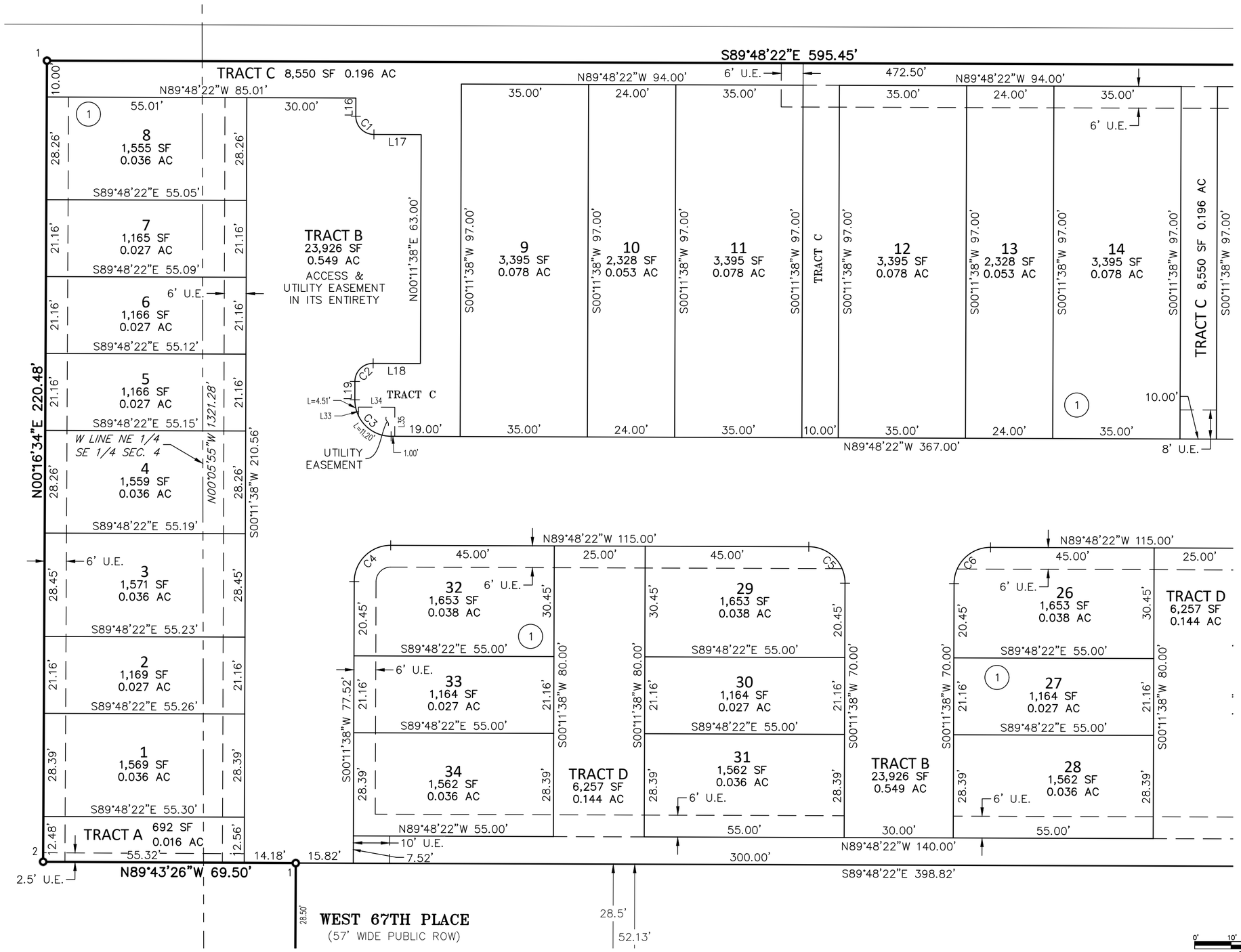
AzTec Proj. No.: 54823-13
Drawn By: BAM

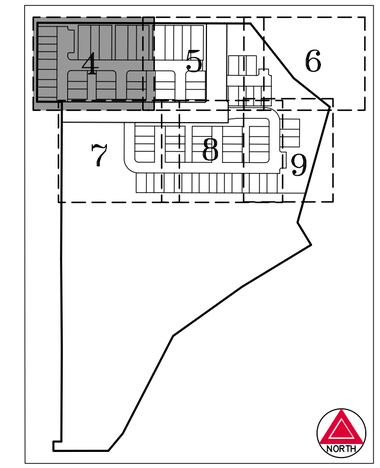
DATE OF PREPARATION:	10-03-2023
SCALE:	1" = 100'
SHEET 3 OF 9	

MIDTOWN AT CLEAR CREEK – FILING NO. 13

SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4,
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO

SHEET 4 OF 9





KEY MAP
SCALE: 1" = 300'

SEE SHEET 5

SEE SHEET 5

LEGEND

1 ○	SET NO. 5 X 18" REBAR WITH 1-1/4" PINK PLASTIC CAP STAMPED "AZTEC PLS 38636"
U.E.	UTILITY EASEMENT
(ROW)	RIGHT-OF-WAY
##	BLOCK NUMBER

SEE SHEET 2
FOR LINE &
CURVE TABLES

N

0' 10' 20' 40'
SCALE: 1" = 20'

FOR REVIEW

FOR AND ON BEHALF OF
AZTEC CONSULTANTS, INC

AZTEC CONSULTANTS, INC.
300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

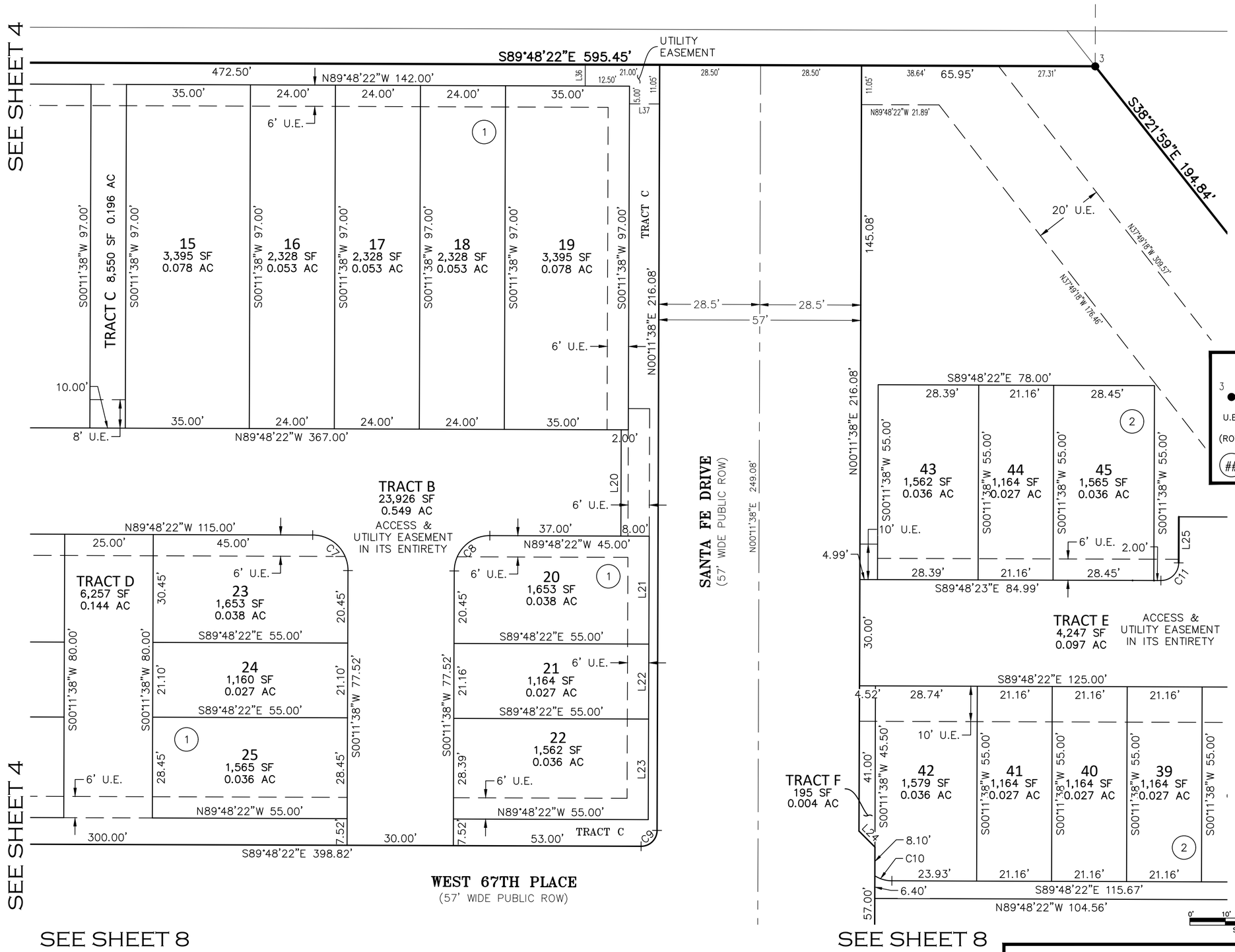
AzTec Proj. No.: 54823-13
Drawn By: BAM

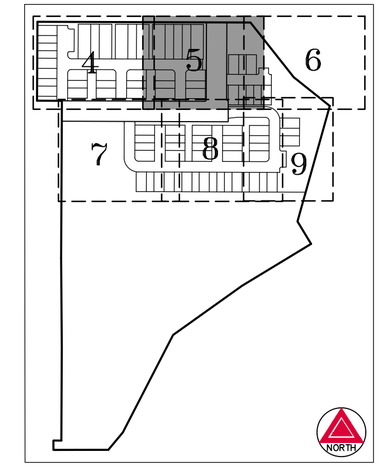
DATE OF PREPARATION:	10-03-2023
SCALE:	1" = 20'
SHEET 4 OF 9	

MIDTOWN AT CLEAR CREEK – FILING NO. 13

SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4,
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO

SHEET 5 OF 9





KEY MAP
SCALE: 1" = 300'

LEGEND

- FOUND 1" BRASS DISK STAMPED "AZTEC PLS 38064"
- U.E. UTILITY EASEMENT
- (ROW) RIGHT-OF-WAY
- (##) BLOCK NUMBER

SEE SHEET 2 FOR LINE & CURVE TABLES

FOR REVIEW

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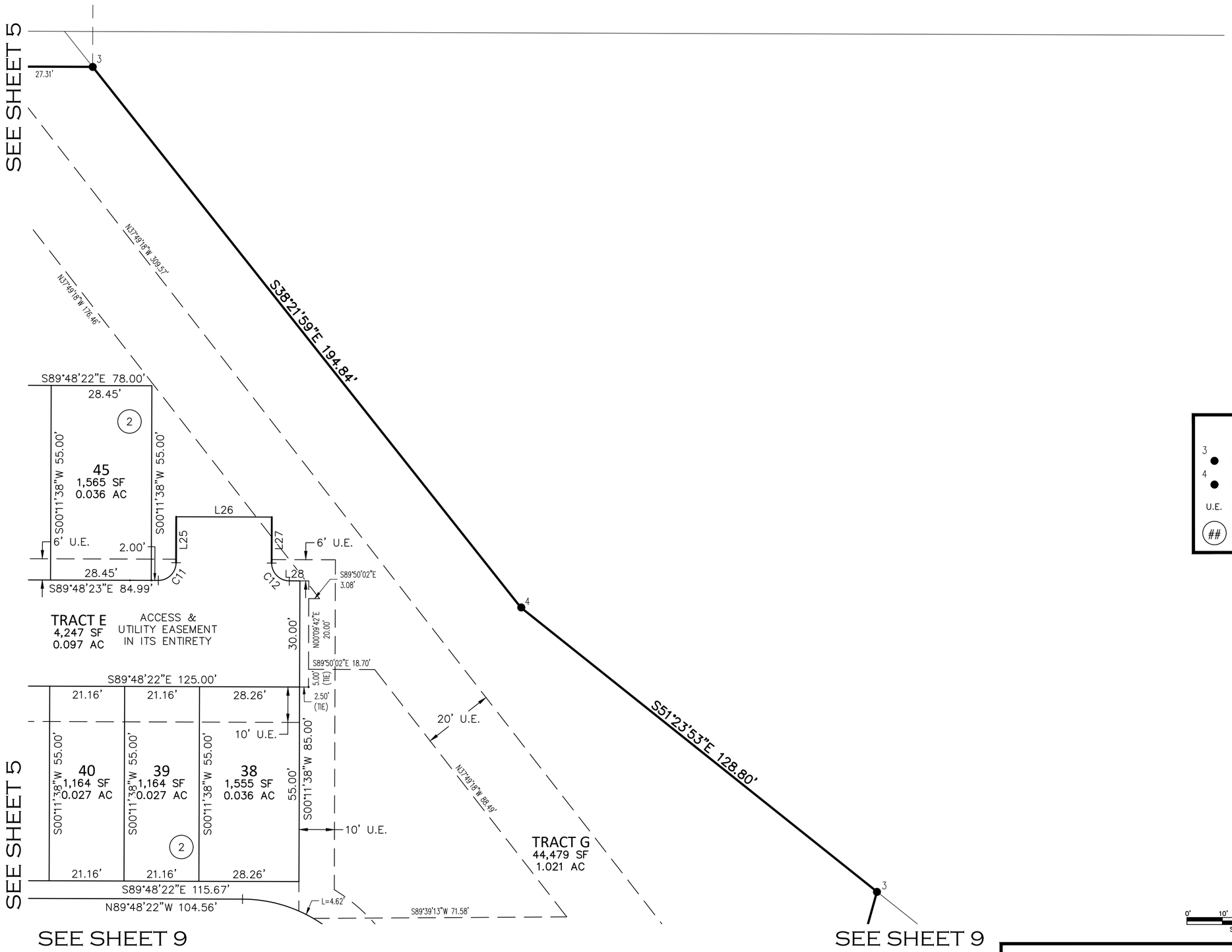
AzTec Proj. No.: 54823-13
Drawn By: BAM

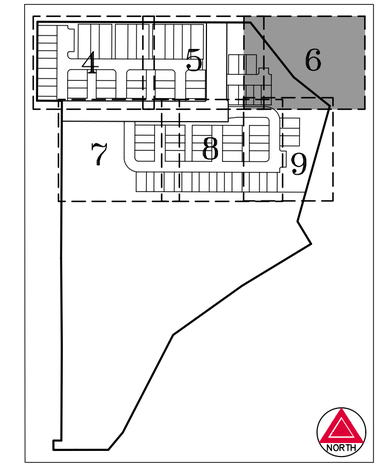
DATE OF PREPARATION:	10-03-2023
SCALE:	1" = 20'
SHEET 5 OF 9	

MIDTOWN AT CLEAR CREEK – FILING NO. 13

SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4,
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO

SHEET 6 OF 9





KEY MAP
SCALE: 1" = 300'

LEGEND

3 ● FOUND 1" BRASS DISK STAMPED "AZTEC PLS 38064"

4 ● FOUND 1" BRASS DISK STAMPING ILLEGIBLE

U.E. UTILITY EASEMENT

(##) BLOCK NUMBER

SEE SHEET 2
FOR LINE &
CURVE TABLES

N

0' 10' 20' 40'
SCALE: 1" = 20'

FOR REVIEW

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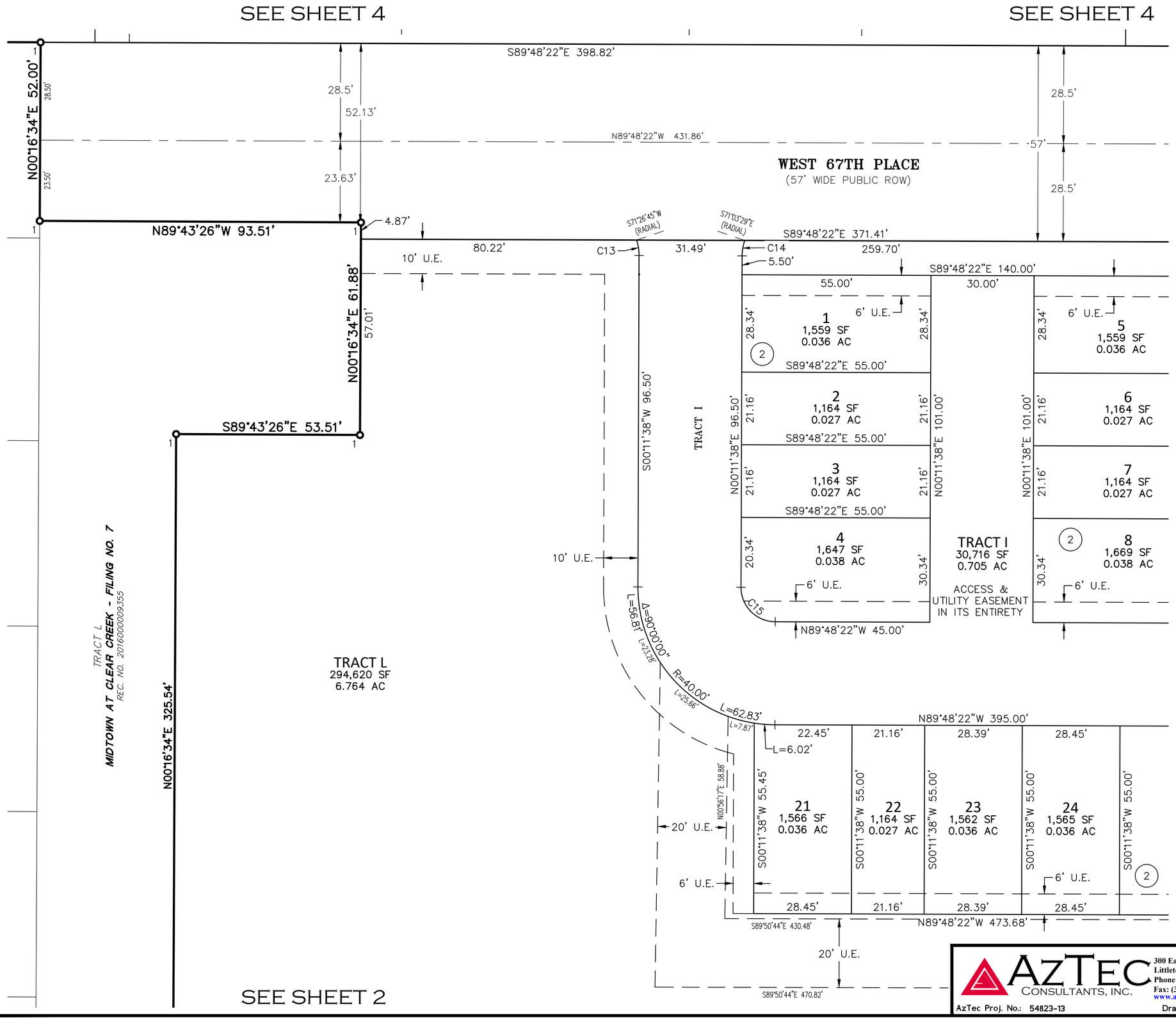
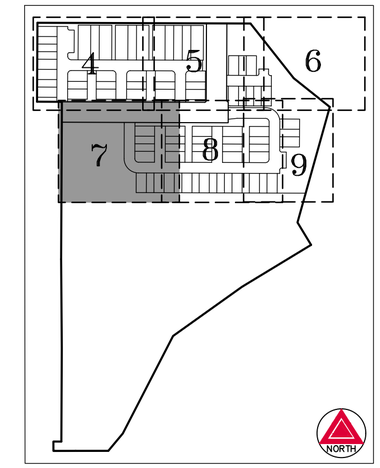
DATE OF PREPARATION:	10-03-2023
SCALE:	1" = 20'
SHEET 6 OF 9	

MIDTOWN AT CLEAR CREEK – FILING NO. 13

SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4,
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO

SHEET 7 OF 9





KEY MAP
SCALE: 1" = 300'

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FOR LINE &
CURVE TABLES

LEGEND

1 ○	SET NO. 5 X 18" REBAR WITH 1-1/4" PINK PLASTIC CAP STAMPED "AZTEC PLS 38636"
U.E.	UTILITY EASEMENT
(ROW)	RIGHT-OF-WAY
(##)	BLOCK NUMBER

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0' 10' 20' 40'
SCALE: 1" = 20'

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DATE OF PREPARATION:	10-03-2023
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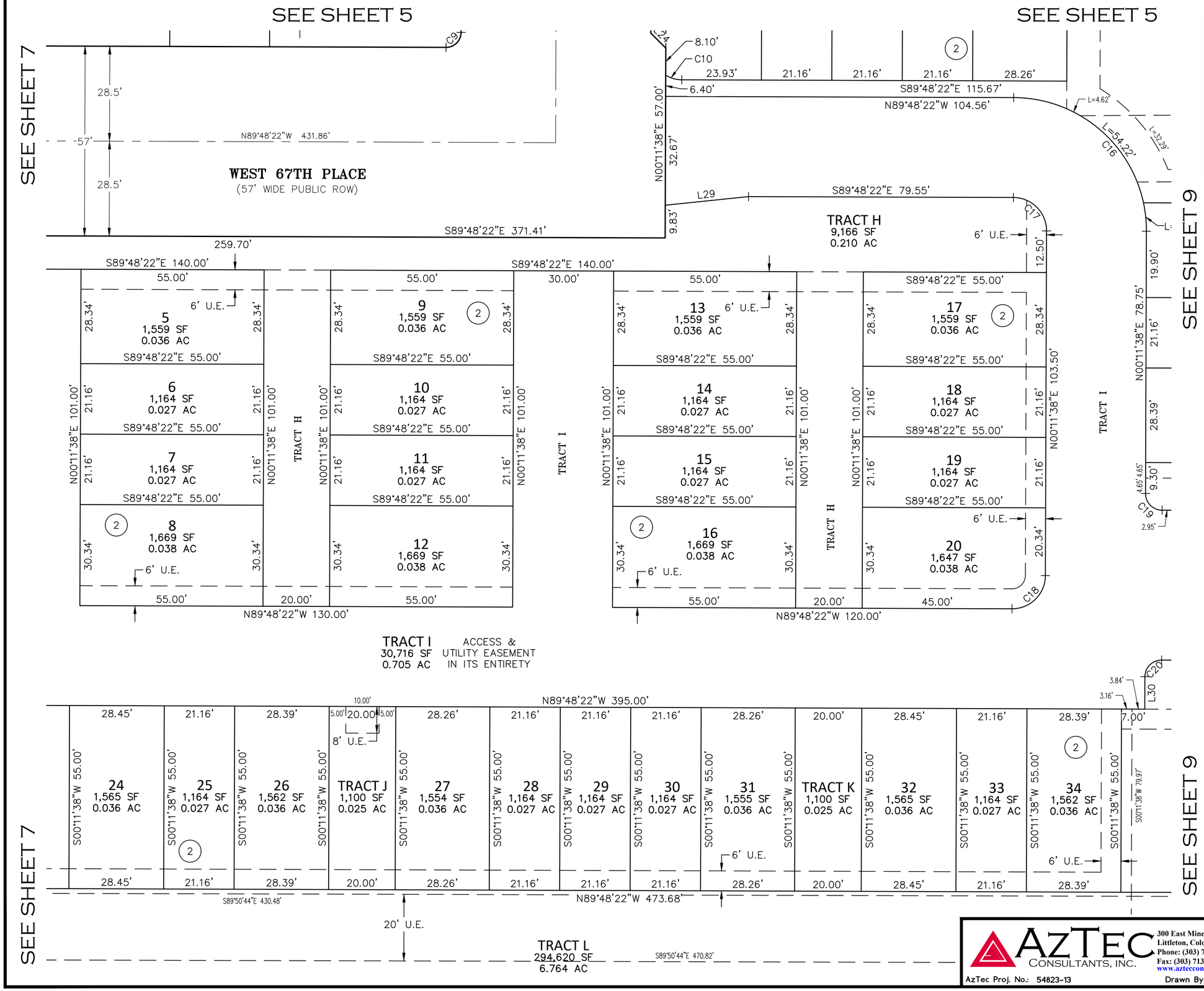
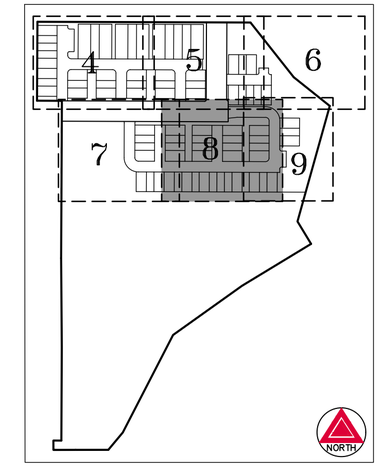
SHEET 7 OF 9	

MIDTOWN AT CLEAR CREEK – FILING NO. 13

SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4,
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO

SHEET 8 OF 9





KEY MAP
SCALE: 1" = 300'

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FOR LINE &
CURVE TABLES

LEGEND

U.E. UTILITY EASEMENT

(ROW) RIGHT-OF-WAY

(##) BLOCK NUMBER

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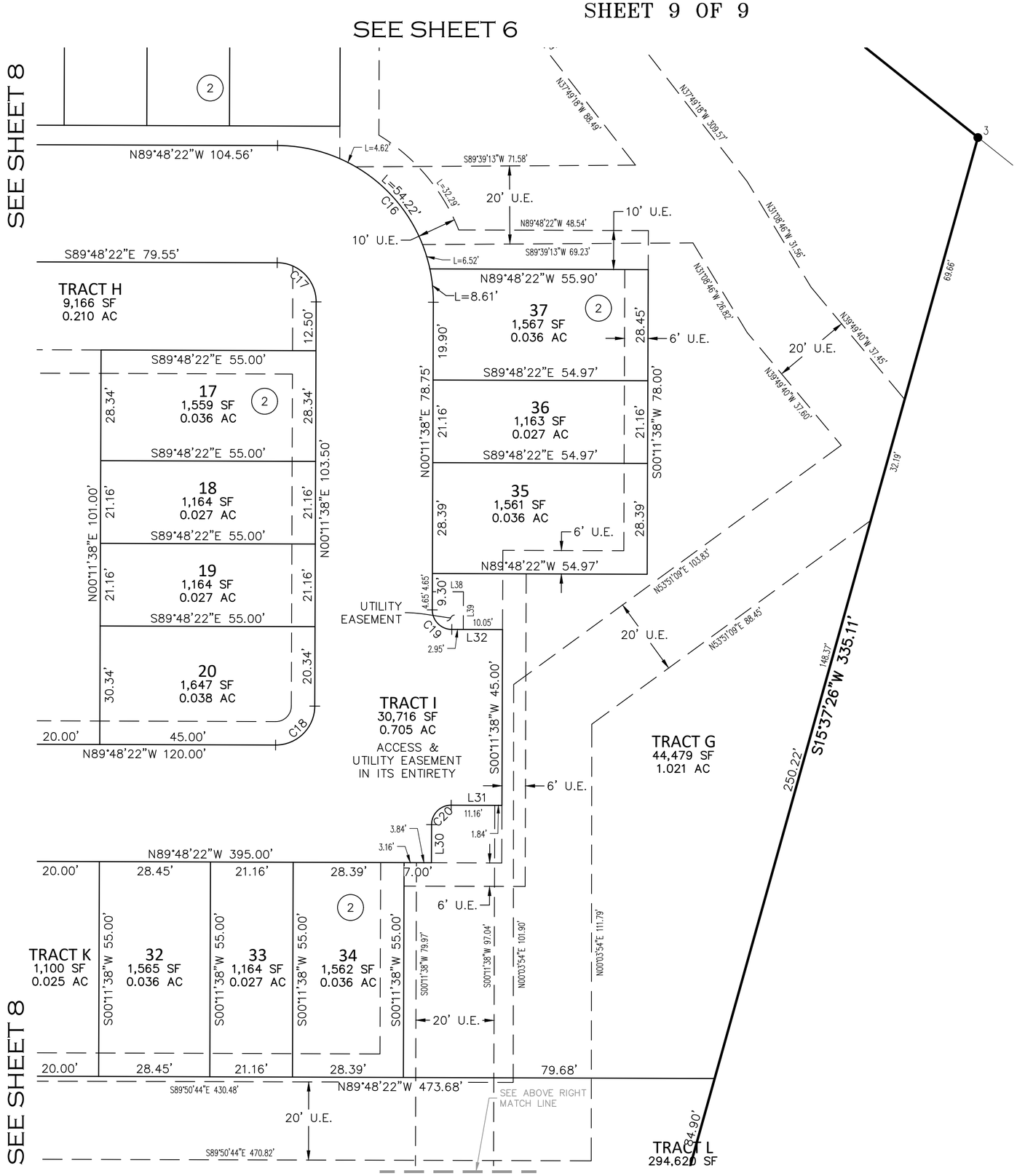
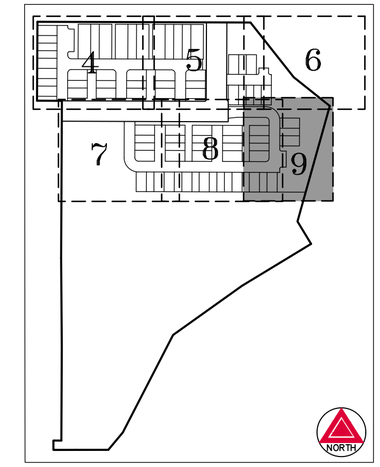
SHEET 9 OF 9

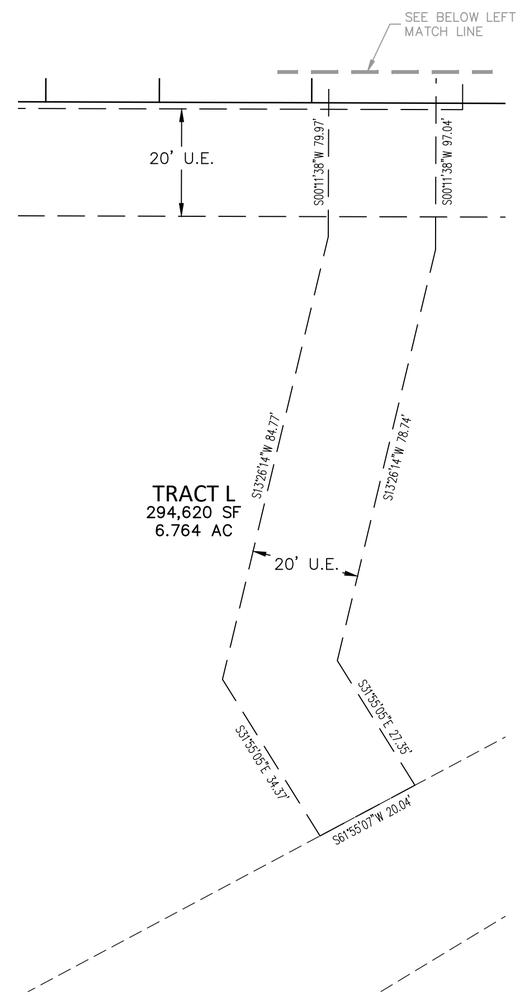


LEGEND

3 ●	FOUND 1" BRASS DISK STAMPED "AZTEC PLS 38064"
U.E.	UTILITY EASEMENT
(##)	BLOCK NUMBER



KEY MAP
SCALE: 1" = 300'



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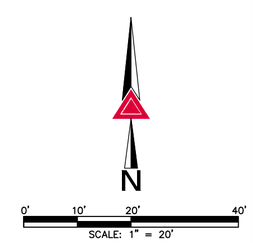

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DATE OF PREPARATION:	10-03-2023
SCALE:	1" = 20'
SHEET 9 OF 9	

School Impact Analysis
Midtown at Clear Creek – Filing Twelve
Preliminary Plat

October 11, 2023

Student Generation Calculations

The proposed Midtown at Clear Creek Filing Thirteen Development Plan includes the following general estimate for student generation. Student quantities for Filing Thirteen are based on 79 single family attached residential units.

Midtown at Clear Creek - Student Generation Calculations

	Homes	Population Multiplier (P/HH)	Population	Student Generation Multiplier (S/HH)	Students (total)	Elementary Students (50%)	Middle School Students (25%)	High School Students (25%)
Townhome	79	2.216	175	0.303	53	27	13	13

*P/HH: Persons per House Hold
*S/HH: Students per House Hold

Included in the overall Midtown at Clear Creek master plan is an approximately 5-acre school site. This site was recently developed and is now Trailside Academy and part of the Mapleton School District.

Existing Mapleton School District Schools:

Mapleton schools located nearest the site include: Trailside Academy (K-8), Adventure Elementary at Western Hills (K-6), Welby Montessori (PK-6), Valley View (K-8), New America Charter School (9-12) and Global Leadership Academy (K-12) & Mapleton Early College (9-13). These schools cover the entire age range of students; however the School District has a progressive approach to education and has a somewhat open enrollment option for families. Students will potentially have options for choosing their school(s).

Below is a full listing of schools in the District and their locations:

Academy High School (9- 12)
8970 York Street
Thornton, CO 80229
303-853-1730

Achieve Academy at Bertha Heid (PK-8)
9100 Poze Blvd.
Thornton, CO 80229
303-853-1300

Adventure Elementary at Western Hills (PK-6)
7700 Delta Street
Denver, CO 80221

Trailside Academy (K-8)
2300 W. 67th Dr.
Denver, CO 80221
303-853-3050

Meadow Community School (PK-8)
9150 Monroe Street
Thornton, CO 80229
303-853-1500

Monterey Community School (PK-8)
2201 McElwain Blvd.
Denver, CO 80229

303-853-1410

Clayton Partnership School (K-8)
8970 York St.
Thornton, CO 80229
303-853-1460

Colorado Connections Academy
Online K-12
1-800-382-6010
http://www.connectionsacademy.com

Explore Elementary (PK-6)
2410 Poze Blvd.
Thornton, CO 80229
303-853-1170

Global Leadership Academy (PK-12)
7480 Conifer Road
Denver, CO 80221
303-853-1930

Mapleton Early College High School (9-13)
8980 York St.
Thornton, CO 80229
Phone: (303) 853-1960

303-853-1360

North Valley School for Young Adults
8990 York St.
Thornton, CO 80229
303-853-1790

Valley View (K-8)
660 West 70th Avenue
Denver, CO 80221
303-853-1560

Welby Montessori School (PK-6)
1200 E. 78th Avenue
Denver, CO 80229
303-853-1700

York International School (K-12)
9200 York Street
Thornton, CO 80229
303-853-1600

Mapleton Expeditionary School of the
(7-12)
8980 York Street
Thornton, CO 80229
303-853-1270

LAND TITLE GUARANTEE COMPANY

Date: August 22, 2023

Subject: Attached Title Policy/Guarantee

Enclosed please find your product relating to the property located at VACANT LAND, MIDTOWN, CO 00000.

If you have any inquiries or require further assistance, please contact Scott Cieslewicz at (303) 850-4189 or scieslewicz@ltgc.com

Chain of Title Documents:

Adams county recorded 08/20/2007 under reception no. 2007000079792

Property Information Binder

CONDITIONS AND STIPULATIONS

1. Definition of Terms

The following terms when used in this Binder mean:

(a) "Land": The land described, specifically or by reference, in this Binder and improvements affixed thereto which by law constitute real property;

(b) "Public Records"; those records which impart constructive notice of matters relating to said land;

(c) "Date": the effective date;

(d) "the Assured": the party or parties named as the Assured in this Binder, or in a supplemental writing executed by the Company;

(e) "the Company" means Old Republic National Title Insurance Company, a Minnesota stock company.

2. Exclusions from Coverage of this Binder

The company assumes no liability including cost of defense by reason of the following:

(a) Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; taxes and assessments not yet due or payable and special assessments not yet certified to the Treasurer's office.

(b) Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.

(c) Title to any property beyond the lines of the Land, or title to streets, roads, avenues, lanes, ways or waterways on which such land abuts, or the right to maintain therein vaults, tunnels, ramps, or any other structure or improvement; or any rights or easements therein unless such property, rights or easements are expressly and specifically set forth in said description.

(d) Mechanic's lien(s), judgment(s) or other lien(s).

(e) Defects, liens, encumbrances, adverse claims or other matters: (a) created, suffered or agreed to by the Assured;(b) not known to the Company, not recorded in the Public Records as of the Date, but known to the Assured as ofthe Date; or (c) attaching or creating subsequent to the Date.

3. Prosecution of Actions

1. The Company shall have the right at its own costs to institute and prosecute any action or proceeding or do any other act which in its opinion may be necessary or desirable to establish or confirm the matters herein assured; and the Company may take any appropriate action under the terms of this Binder, whether or not it shall be liable thereunder and shall not thereby concede liability or waive any provision hereof.
2. In all cases where the Company does not institute and prosecute any action or proceeding, the Assured shall permit the Company to use, at its option, the name of the Assured for this purpose. Whenever requested by the Company, the Assured shall give the Company all reasonable aid in prosecuting such action or proceeding, and the Company shall reimburse the Assured for any expense so incurred.

4. Notice of Loss - Limitation of Action

A statement in writing of any loss or damage for which it is claimed the Company is liable under this Binder shall be furnished to the Company within sixty days after such loss or damage shall have been determined, and no right of action shall accrue to the Assured under this Binder until thirty days after such statement shall have been furnished, and no recovery shall be had by the Assured under this Binder unless action shall be commenced thereon with two years after expiration of the thirty day period. Failure to furnish the statement of loss or damage or to commence the action within the time herinbefore specified, shall be conclusive bar against maintenance by the Assured of any action under this Binder.

5. Option to Pay, Settle or Compromise Claims

The Company shall have the option to pay, settle or compromise for or in the name of the Assured any claim which could result in loss to the Assured within the coverage of this Binder, or to pay the full amount of this Binder. Such payment or tender of payment of the full amount of the Binder shall terminate all liability of the Company hereunder.

6. Limitation of Liability - Payment of Loss

(a) The liability of the Company under this Binder shall be limited to the amount of actual loss sustained by the Assured because of reliance upon the assurances herein set forth, but in no event shall the liability exceed the amount of the liability stated on the face page hereof.

(b) The Company will pay all costs imposed upon the Assured in litigation carried on by the Company for the Assured, and all costs and attorneys' fees in litigation carried on by the Assured with the written authorization of the Company.

(c) No claim for loss or damages shall arise or be maintainable under this Binder (1) if the Company after having received notice of any alleged defect, lien or encumbrance not shown as an Exception or excluded herein removes such defect, lien or encumbrance within a reasonable time after receipt of such notice, or (2) for liability voluntarily assumed by the Assured in settling any claim or suit without written consent of the Company.

(d) All payments under this Binder, except for attorney's fees as provided for in paragraph 6(b) thereof, shall reduce the amount of the liability hereunder pro tanto, and no payment shall be made without producing this Binder or an acceptable copy thereof for endorsement of the payment unless the Binder be lost or destroyed, in which case proof of the loss or destruction shall be furnished to the satisfaction of the Company.

(e) When liability has been definitely fixed in accordance with the conditions of this Binder, the loss or damage shall be payable within thirty days thereafter.

7. Subrogation Upon Payment or Settlement

Whenever the Company shall have settled a claim under this Binder, all right of subrogation shall vest in the Company unaffected by any act of the Assured, and it shall be subrogated to and be entitled to all rights and remedies which the Assured would have had against any person or property in respect to the claim had this Binder not been issued. If the payment does not cover the loss of the Assured, the Company shall be subrogated to the rights and remedies in the proportion which the payment bears to the amount of said loss. The Assured, if requested by the Company, shall transfer to the Company all rights and remedies against any person or property necessary in order to perfect the right of subrogation, and shall permit the Company to use the name of the Assured in any transaction or litigation involving the rights or remedies.

8. Binder Entire Contract

Any action or actions or rights of action that the Assured may have or may bring against the Company arising out of the subject matter hereof must be based on the provisions of this Binder. No provision or condition of this Binder can be waived or changed except by a writing endorsed or attached hereto signed by the President, a Vice President, the Secretary, an Assistant Secretary or other validating officer of the Company.

9. Notices. Where Sent

All notices required to be given the Company and any statement in writing required to be furnished the Company shall be addressed to it at 400 Second Avenue South, Minneapolis, Minnesota 55401, (612) 371-1111.

10. Arbitration

Unless prohibited by applicable law, either the Company or the insured may demand arbitration pursuant to the Title Insurance Arbitration Rules of the American Arbitration Association.

ANTI-FRAUD STATEMENT: Pursuant to CRS 10-1-128(6)(a), it is unlawful to knowingly provide false, incomplete or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado division of insurance within the department of regulatory agencies.

This anti-fraud statement is affixed and made a part of this policy.

Issued by:
Land Title Guarantee Company
3033 East First Avenue Suite 600
Denver, Colorado 80206
303-321-1880

Craig B. Rants, Senior Vice President

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Stock Company
400 Second Avenue South, Minneapolis, Minnesota 55401
(612) 371-1111

By *President*

Attest *Secretary*

AMERICAN LAND TITLE ASSOCIATION

Old Republic National Title Insurance Company

PROPERTY INFORMATION BINDER

Order Number: RND70812035 **Policy No.:** PIB70812035.25422137

Liability: $50,000.00

Fee: $1,310.00

Subject to the exclusions from coverage, the limits of liability and other provisions of the Conditions and Stipulations hereto annexed and made a part of this Binder,

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY a Corporation, herein called the Company,

GUARANTEES

BROOKFIELD PROPERTIES

Herein called the Assured, against loss, not exceeding the liability amount stated above, which the assured shall sustain by reason of any incorrectness in the assurance which the Company hereby gives that, according to the public records as of

August 16, 2023 at 5:00 P.M.

1. Title to said estate or interest at the date hereof is vested in:

CARMA WESTMINSTER, LLC, A COLORADO LIMITED LIABILITY COMPANY NOW KNOWN AS MIDTOWN LLC, A COLORADO LIMITED LIABILITY COMPANY

2. The estate or interest in the land hereinafter described or referred to covered by this Binder :

FEE SIMPLE

3. The Land referred to in this Binder is described as follows:

PARCEL A:

THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, ADAMS COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;
THENCE SOUTH 00° 46'21" WEST ALONG THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER A DISTANCE OF 30.00 FEET TO THE TRUE POINT OF BEGINNING;
THENCE SOUTH 88° 55'20" EAST PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER A DISTANCE OF 544.84 FEET;
THENCE SOUTH 37° 28'57" EAST A DISTANCE OF 207.63 FEET;
THENCE SOUTH 50° 30'51" EAST A DISTANCE OF 238.43 FEET:
THENCE SOUTH 75° 10'36" EAST A DISTANCE OF 308.66 FEET;
THENCE SOUTH 14° 03'33" WEST A DISTANCE OF 28.49 FEET:

THENCE SOUTH 49° 30'31" WEST A DISTANCE OF 149.88 FEET;
THENCE SOUTH 80° 03'37" WEST A DISTANCE OF 189.18 FEET;
THENCE SOUTH 59° 38'34" WEST A DISTANCE OF 380.89 FEET;
THENCE SOUTH 55° 23'25" WEST A DISTANCE OF 236.69 FEET;
THENCE SOUTH 28° 10'21" WEST A DISTANCE OF 306.52 FEET;
THENCE SOUTH 40° 39'34" WEST A DISTANCE OF 63.23 FEET TO A POINT ON THE NORTH LINE OF A PARCEL DESCRIBED IN BOOK 73 AT PAGE 186, ADAMS COUNTY, COLORADO RECORDS;
THENCE NORTH 89° 05'14" WEST ALONG SAID NORTH LINE A DISTANCE OF 153.15 FEET TO THE NORTHWEST CORNER OF SAID PARCEL AND A POINT ON THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;
THENCE NORTH 00° 46'21" EAST ALONG SAID WEST LINE A DISTANCE OF 1205.98 FEET TO THE TRUE POINT OF BEGINNING,
COUNTY OF ADAMS, STATE OF COLORADO.

LESS AND EXCEPT THOSE PORTIONS OF MIDTOWN AT CLEAR CREEK FILING NO. 7 RECORDED FEBRUARY 5, 2016 UNDER RECEPTION NO. 2016000009355.

PARCEL B:

THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4;
THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4 A DISTANCE OF 33.00 FEET TO A POINT;
THENCE SOUTH 89 DEGREES 59 MINUTES 30 SECONDS EAST PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4 A DISTANCE OF 50.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF PECOS STREET, SAID POINT BEING THE TRUE POINT OF BEGINNING;
THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS WEST ALONG SAID EAST RIGHT OF WAY A DISTANCE OF 1,231.67 FEET;
THENCE NORTH 45 DEGREES 04 MINUTES 38 SECONDS EAST ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 42.35 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF WEST 68TH AVENUE;
THENCE SOUTH 89 DEGREES 49 MINUTES 30 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 1,241.79 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4;
THENCE SOUTH 00 DEGREES 07 MINUTES 49 SECONDS EAST ALONG SAID EAST LINE A DISTANCE OF 1,257.98 FEET TO A POINT 33.00 FEET NORTH OF THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4; NORTH 89 DEGREES 59 MINUTES 30 SECONDS WEST PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4 A DISTANCE OF 1,274.19 FEET TO THE TRUE POINT OF BEGINNING.
COUNTY OF ADAMS, STATE OF COLORADO.

EXCEPTING THEREFROM, THAT PORTION IF ANY, AS CONTAINED IN INSTRUMENT RECORDED MARCH 27, 1990 IN BOOK 3658 AT PAGE 687, COUNTY OF ADAMS, STATE OF COLORADO.

AND EXCEPTING THOSE SUBDIVISIONS PLAT OF MIDTOWN AT CLEAR CREEK FILING NO. 5 RECORDED DECEMBER 30, 2014 UNDER RECEPTION NO. 2014000091485, MIDTOWN AT CLEAR CREEK FILING NO. 7 RECORDED FEBRUARY 5, 2016 UNDER RECEPTION NO. 2016000009355,
MIDTOWN AT CLEAR CREEK FILING NO.10 RECORDED JANUARY 12, 2018 UNDER RECEPTION NO.

Old Republic National Title Insurance Company

PROPERTY INFORMATION BINDER

Order Number: RND70812035 **Policy No.:** PIB70812035.25422137

2018000004010 AND MIDTOWN AT CLEAR CREEK FILING NO.11 RECORDED JULY 9, 2019 UNDER RECEPTION NO. 2019000053535

4. The following documents affect the land:

1. EXISTING LEASES AND TENANCIES, IF ANY.

   (AFFECTS ALL PARCELS)

   (AFFECTS PARCEL A)

2. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ARTICLES OF AGREEMENT BY AND BETWEEN THE COLORADO AGRICULTURAL DITCH AND MILL COMPANY AND WILLIAM S. ADAMS RECORDED MAY 23 1874 IN BOOK A2 AT PAGE 117.

   (AFFECTS PARCEL A)

3. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF WESTERN PAVING TRACT, FIRST FILING RECORDED AUGUST 08, 1973 UNDER RECEPTION NO. A011002.

   (AFFECTS ALL PARCELS)

4. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RESOLUTIONS RECORDED SEPTEMBER 24, 1974 IN BOOK 1955 AT PAGES 326, 332 AND 339.

   (AFFECTS ALL PARCELS)

5. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN UNDERGROUND FACILITIES INFORMATION FILING RECORDED MARCH 15, 1993 IN BOOK 4038 AT PAGE 101.

   (AFFECTS ALL PARCELS)

6. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN CONVEYANCE OF EASEMENTS RECORDED SEPTEMBER 01, 1995 IN BOOK 4580 AT PAGE 562, SEPTEMBER 6, 1995 IN BOOK 4582 AT PAGE 531 AND OCTOBER 6, 1995 IN BOOK 4603 AT PAGE 661.

   (AFFECTS ALL PARCELS)

7. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ZONING HEARING DECISIONS RECORDED MARCH 28, 2007 UNDER RECEPTION NO. 2007000031694, MAY 9, 2007 UNDER RECEPTION NO. 2007000045835 AND MARCH 21, 2008 UNDER RECEPTION NO. 2008000022620.

   (AFFECTS ALL PARCELS)

8. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ENVIRONMENTAL COVENANT RECORDED AUGUST 10, 2007 UNDER RECEPTION NO. 2007000077016.

   (AFFECTS ALL PARCELS)

9. TERMS, RESERVATIONS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS, EASEMENTS AND ANY "REVERSIONS" AS SET FORTH IN SPECIAL WARRANTY DEED RECORDED AUGUST 20, 2007 UNDER RECEPTION NO. 2007000079792.

   (AFFECTS ALL PARCELS)

10. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GROUNDWATER EASEMENT RECORDED AUGUST 20, 2007 UNDER RECEPTION NO. 2007000079794.

    (AFFECTS ALL PARCELS)

11. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN SEEP WATER REMEDIATION SYSTEM EASEMENT RECORDED AUGUST 20, 2007 UNDER RECEPTION NO. 2007000079795.

(AFFECTS ALL PARCELS)

12. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN LIMITED ACCESS AGREEMENT AND EASEMENT RECORDED AUGUST 21, 2007 UNDER RECEPTION NOS. **2007000080311** AND **2007000080312**.

    (AFFECTS ALL PARCELS)

13. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN CERTIFICATION OF NOTICE TO MINERAL ESTATE OWNERS RECORDED JANUARY 25, 2008 UNDER RECEPTION NO. **2008000006073** AND APPLICANT'S CERTIFICATION THERETO RECORDED JANUARY 25, 2008 UNDER RECEPTION NO. **2008000006072**.

14. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE CLEAR CREEK STATION METROPOLITAN DISTRICT NO. 2, AS EVIDENCED BY INSTRUMENT RECORDED OCTOBER 31, 2012 UNDER RECEPTION NO. **2012000082403**.

    (AFFECTS PARCEL A)

    CLEAR CREEK STATION METROPOLITAN DISTRICT NOS. 1-3 DISCLOSURE RECORDED NOVEMBER 18, 2013 UNDER RECEPTION NO. **2013000098104**.

    (AFFECTS PARCEL A)

15. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE DEVELOPMENT PLAN MAPS RECORDED AUGUST 16, 2012 UNDER RECEPTION NO. **2012000060630**, APRIL 11, 2014 UNDER RECEPTION NO. **2014000022044** AND JULY 18, 2014 UNDER RECEPTION NO. **2014000046992**.

    (AFFECTS PARCEL A)

16. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS TO "ANY EASEMENTS CREATED AS PER SECTION 6, AS SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR MIDTOWN, A PLANNED COMMUNITY RECORDED OCTOBER 03, 2012 UNDER RECEPTION NO. **2012000074161** AND TERMINATIONS THERETO RECORDED JUNE 27, 2013 UNDER RECEPTION NOS. **2013000055285** AND **2013000055286** AND JULY 26, 2013 UNDER RECEPTION NO. **2013000064984**. THE TERMINATIONS SUBJECT TO SECTION 15.2(B) OF SAID DECLARATION.

    (AFFECTS PARCEL A)

17. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN MEMORANDUM REGARDING A CONSOLIDATED RESOLUTION OF THE BOARD OF DIRECTORS OF CLEAR CREEK STATION METROPOLITAN DISTRICT NOS. 1-3 CONCERNING THE IMPOSITION OF A DISTRICT DEVELOPMENT FEE, GENERAL OPERATIONS FEE, WORKING CAPITAL FEE AND ADMINISTRATIVE SETUP FEE RECORDED OCTOBER 22, 2012 UNDER RECEPTION NO. **2012000079298**.

    (AFFECTS PARCEL A)

18. RESTRICTIVE COVENANTS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS CONTAINED IN DECLARATION OF EASEMENTS AND MASTER ARCHITECTURAL AND MAINTENANCE STANDARDS FOR MIDTOWN RECORDED JUNE 27, 2013, UNDER RECEPTION NO. **2013000055284** AND AFFIDAVIT OF CORRECTION RECORDED JULY 26, 2013 UNDER RECEPTION NO. **2013000064983**.

    (AFFECTS PARCEL A)

19. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN LOWER CLEAR CREEK DITCH COMPANY CROSSING AGREEMENT RECORDED OCTOBER 20, 2014 UNDER RECEPTION NO. **2014000072470**.

(AFFECTS PARCEL A)

20. QUITCLAIM DEED WITH RESERVED ACCESS EASEMENT RECORDED DECEMBER 9, 2014 UNDER RECEPTION NO. **2014000086325** AS CORRECTED BY INSTRUMENTS RECORDED FEBRUARY 18, 2015 UNDER RECEPTION NOS. **2015000011061** AND **2015000011062**.

21. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RESOLUTION APPROVING SUBDIVISION IMPROVEMENTS AGREEMENT FOR MIDTOWN AT CLEAR CREEK FILING NO. 7 RECORDED FEBRUARY 05, 2016 UNDER RECEPTION NO. **2016000009224**.

    (AFFECTS PARCEL A)

22. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN MIDTOWN PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN FILING SEVEN RECORDED FEBRUARY 05, 2016 UNDER RECEPTION NO. **2016000009225** AND MIDTOWN PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN FILING SEVEN AMENDMENT NO. 1 RECORDED AUGUST 24, 2016 UNDER RECEPTION NO. **2016000070110**.

    (AFFECTS PARCEL A)

23. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RESOLUTION APPROVING APPLICATION RECORDED FEBRUARY 05, 2016 UNDER RECEPTION NO. **2016000009227**.

    (AFFECTS PARCEL A)

24. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF MIDTOWN AT CLEAR CREEK-FILING NO. 7 RECORDED FEBRUARY 5, 2016 UNDER RECEPTION NO. **2016000009355**.

    (AFFECTS PARCEL A)

25. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN WARRANTY DEED RECORDED MARCH 15, 1961 IN BOOK 897 AT PAGE **256**.

    (AFFECTS PARCEL B)

26. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ZONING HEARING DECISION RECORDED JANUARY 23, 1987 IN BOOK 3264 AT PAGE **775**.

    (AFFECTS PARCEL B)

27. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH IN THE CRESTVIEW PRELIMINARY PUD PLAN RECORDED JUNE 26, 1987 UNDER RECEPTION NO. **B751021**.

    (AFFECTS PARCEL B)

28. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE HYLAND HILLS PARK AND RECREATION DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED SEPTEMBER 15, 1987, IN BOOK 3367 AT PAGE **411**.

    (AFFECTS PARCEL B)

29. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ZONING HEARING DECISION RECORDED MAY 07, 1991 IN BOOK 3775 AT PAGE **673**.

    (AFFECTS PARCEL B)

30. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE CLEAR CREEK STATION METROPOLITAN DISTRICT NO. 3, AS EVIDENCED BY INSTRUMENT RECORDED NOVEMBER 04, 2010, UNDER RECEPTION NO. **2010000076362**.

    (AFFECTS PARCEL B)

Old Republic National Title Insurance Company

PROPERTY INFORMATION BINDER

Order Number: RND70812035 **Policy No.:** PIB70812035.25422137

31. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF MIDTOWN AT CLEAR CREEK FILING NO. 5 RECORDED DECEMBER 30, 2014 UNDER RECEPTION NO. **2014000091485**.

    (AFFECTS PARCEL B)

32. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF MIDTOWN AT CLEAR CREEK FILING NO. 7 RECORDED FEBRUARY 5, 2016 UNDER RECEPTION NO. **2016000009355**.

    (AFFECTS PARCEL B)

33. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF MIDTOWN AT CLEAR CREEK FILING NO. 10 RECORDED JANUARY 12, 2018 UNDER RECEPTION NO. **2018000004010**.

    (AFFECTS PARCEL B)

34. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF MIDTOWN AT CLEAR CREEK FILING NO. 11 RECORDED JULY 9, 2019 UNDER RECEPTION NO. **2019000053535**.

    (AFFECTS PARCEL B)

NOTE: THIS BINDER DOES NOT REFLECT THE STATUS OF TITLE TO WATER RIGHTS OR REPRESENTATION OF SAID RIGHTS, RECORDED OR NOT.

NOTE: THIS BINDER IS NOT A REPORT OR REPRESENTATION AS TO MINERAL INTERESTS, AND SHOULD NOT BE USED, OR RELIED UPON, IN CONNECTION WITH THE NOTICE REQUIREMENTS THAT ARE SET FORTH IN CRS 24-65.5-103.

NOTE: ADDITIONAL UPDATES TO THE EFFECTIVE DATE OF THE BINDER MAY BE REQUESTED BY THE PROPOSED INSURED. ONE UPDATE IS INCLUDED WITH THIS BINDER AT NO ADDITIONAL COST. ANY ADDITIONAL UPDATES WILL BE ISSUED AT THE COST OF $135 PER UPDATE. FOR EACH UPDATE PROVIDED, A REVISED BINDER WILL BE ISSUED SHOWING A NEW EFFECTIVE DATE AND ANY MATTERS RECORDED SINCE THE EFFECTIVE DATE OF THE PREVIOUS BINDER.

THIS PRODUCT WILL ONLY BE UPDATED FOR 24 MONTHS FOLLOWING THE EFFECTIVE DATE OF THE ORIGINAL BINDER.

INVOICE

Land Title Guarantee Company
5975 Greenwood Plaza Blvd Suite 125
Greenwood Village, CO 80111
(303) 270-0445
Tax ID: 84-0572036

BROOKFIELD PROPERTIES
ATTN:
6465 S GREENWOOD PLAZA BLVD
SUITE 700
Englewood, CO 80111

Reference

Your Reference Number:	
Our Order Number:	70812035
Our Customer Number:	3002548.0
Invoice (Process) Date:	08/22/2023
Transaction Invoiced By:	Steve McQueen
Email Address:	smcqueen@ltgc.com

Invoice Number:	70812035
Property Address:	VACANT LAND, MIDTOWN, CO 00000
Parties:	CARMA WESTMINSTER, LLC, A COLORADO LIMITED LIABILITY COMPANY NOW KNOWN AS MIDTOWN LLC, A COLORADO LIMITED LIABILITY COMPANY

- Charges -

Property Information Binder	$1,310.00
Amount Credited	$0.00
Total Invoice Amount	$1,310.00
Total Amount Due	$1,310.00

Payment due upon receipt

Please reference Invoice No. 70812035 on payment
Please make check payable and send to:
Land Title Guarantee Company
5975 Greenwood Plaza Blvd Suite 125
Greenwood Village, CO 80111

RECEPTION#: 2007000079792, 08/20/2007 at 01:55:34 PM, 1 OF 12, D $354.00 TD
Pgs: 2 Doc Type:SPWTY Karen Long, Adams County, CO

Development Parcels

After Recording, Return to:
Keith M. Pockross, Esq.
Greenberg Traurig, LLP
1200 17th Street
Suite 2400
Denver, CO 80202

SPECIAL WARRANTY DEED

THIS DEED, dated as of August 16, 2007, between **Hamilton Sundstrand Corporation**, a Delaware corporation, whose street address is One Hamilton Road, Windsor Locks, CT 06096 ("Grantor"), and **Carma Westminster, LLC.**, a Colorado limited liability company with an office and principal place of business at 188 Inverness Drive West, Suite 150 Englewood, Colorado 80112 ("Grantee").

Doc Fee
$ 354.00

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WITNESS, that the Grantor, for and in consideration of the sum of a valuable sum in Dollars, the receipt and sufficiency of which is hereby acknowledged, **SUBJECT TO THE RESERVATIONS SET FORTH HEREIN AND IN EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF** ("Reservations"), has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee and its successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Adams and State of Colorado, described as set forth in **Exhibit A** attached hereto and made a part hereof (the "Property").

The Property is also known by street and number as: 6701 Pecos Street.

The Property is also known by assessor's schedule or parcel number: 0182504300001, 182504400002, 182504400016, and 182504402001.

SUBJECT TO THE RESERVATIONS, the Property is hereby granted **TOGETHER WITH** all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained Property; provided, however, that as to any and all water rights conveyed hereby, whether specific or implied, Grantor makes no representation or warranty as to the effect on title from historical use, or as to priority of use, or as to suitability for use by Grantee or its successors or assigns;

HART1-1271567-9

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TD Pages: 2 Karen Long, Adams County, CO

SUBJECT TO THE RESERVATIONS, TO HAVE AND TO HOLD the said Property above bargained and described with the appurtenances, unto the Grantee and its successors and assigns forever. The Grantor, for itself, its successors and assigns does covenant and agree that it shall and will **WARRANT AND FOREVER DEFEND** the above bargained Property 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 Grantor, but only against such person or persons and none other.

Notice

Colorado law provides that a seller of real property has an affirmative duty to disclose to a purchaser any material facts that are not within the purchaser's diligent observation and attention, and which may materially affect the value of the property being sold. Grantor therefore declares and states the following facts: that certain property known as Lot 1, Block 1, Sundstrand Subdivision, as per the plat thereof recorded January 2, 1974 at Reception No. A026680, County of Adams, State of Colorado (the "Adjacent Property") was once used for manufacturing; that the soil and groundwater beneath the Adjacent Property became contaminated and the property more particularly described in Exhibit A attached hereto and made a part hereof became contaminated by migration of such contamination from the Adjacent Property; that such contamination has been remediated and such remediation was approved by the Colorado Department of Public Health and the Environment ("CDPHE") as evidenced by its issuance of a No Further Action Letter dated February 13, 2007 ("NFA"), a copy of which is available to interested parties by contacting CDPHE at 4300 Cherry Creek Drive, South, Denver, CO 80246-1530. By acceptance of title to the property, all future purchasers acknowledge and understand that Hamilton Sundstrand Corporation and its affiliates and Carma Colorado, Inc. and its affiliates are released from civil liability to the State of Colorado as a result of the issuance of the NFA.

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[Next Page is Signature Page for Hamilton Sundstrand Corporation]

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IN WITNESS WHEREOF, the Grantor has caused its corporate name to be hereunto subscribed by its Vice President Finance, Chief Financial Officer and Treasurer, the day and year first above written.

Witness:

Print Name: Edward S. Hill

Print Name: Kathleen McFadden

HAMILTON SUNDSTRAND CORPORATION

By: Peter F. Longo

Its Vice President Finance, Chief Financial Officer and Treasurer

Hamilton Sundstrand – Acknowledgement

STATE OF CONNECTICUT)
) ss: Windsor Locks
COUNTY OF HARTFORD)

The foregoing instrument was acknowledged before me this 14th day of August, 2007, by Peter F. Longo, as Vice President Finance, Chief Financial Officer and Treasurer of Hamilton Sundstrand Corporation, a corporation.

Witness my hand and official seal.
My commission expires:

Edward S. Hill
Notary Public
My Commission Expires 8/31/2012

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Name and Address of Person Creating Newly Created Legal Description (§38-35-106.5, C.R.S.):
No newly created legal description.

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Acceptance by Grantee

Grantee hereby accepts the conveyance on the terms and conditions and subject to the reservations and restrictions contained in this deed.

In Witness Whereof, Grantee has caused this Acceptance to be executed as of this 16th day of August, 2007.

Carma Westminster, LLC
By: Carma (Colorado), Inc., its sole member

By: _____
Michael E. Partheymuller
Its Vice President

-and-

By: _____
Miles S. Stephens
Its Vice President

UNOFFICIAL COPY

STATE OF COLORADO)
ARAPAHOE)
COUNTY OF ~~ADAMS~~)

The foregoing instrument was acknowledged before this 16th day of August, 2007, by Michael E. Partheymuller as Vice President of Carma (Colorado), Inc., a Nevada corporation, the sole member of Carma Westminster, LLC, a Colorado limited liability company.

Witness my hand and official seal.
My commission expires:

NOTARY PUBLIC
CAROLE DODERO
STATE OF COLORADO
My Commission Expires 4/30/2010

_____
Notary Public

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STATE OF COLORADO)
)
COUNTY OF ~~ADAMS~~ ARAPAHOE)

The foregoing instrument was acknowledged before this 16th day of August, 2007, by Miles S. Stephens as Vice President of Carma (Colorado), Inc., a Nevada corporation, the sole member of Carma Westminster, LLC, a Colorado limited liability company.

Witness my hand and official seal.
My commission expires:

NOTARY PUBLIC CAROLE DODERO STATE OF COLORADO My Commission Expires 4/30/2010

Carole Dodero

Notary Public

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Exhibit A

First Parcel (Vacant Parcel, consisting of three pieces of land.)

First Piece

The North Half of the Southwest Quarter of Section 4, Township 3 South, Range 68 West of the 6th Principal Meridian, except for Highway located and used thereon and except the West 20 feet as conveyed to the County of Adams in Deed of Grant and Conveyance recorded July 20, 1960 in Book 856 at Page 61, County of Adams, State of Colorado, more particularly described as follows:

Commencing at the Northwest corner of the Southwest Quarter of said Section 4;
thence South 89° 46' 11" East along the North line of said Southwest Quarter 20.00 feet to the point of beginning;
Thence continuing along said North line South 89° 46' 11" East 2,614.03 feet;
Thence South 00° 02' 12" East parallel with and 30 feet West of the East line of said Southwest Quarter a distance of 1,325.00 feet to the South line of the North Half of the Southwest Quarter;
Thence North 89° 58' 01" West along said South line 2,624.09 feet;
Thence North 00° 23' 47" East parallel with and 20 feet East of the West line of said Southwest Quarter 1,334.02 feet to the point of beginning,

UNOFFICIAL COPY

Except the following described property:

That part of the Northeast Quarter of the Southwest Quarter of Section 4, Township 3 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado, as conveyed to the County of Adams by Deed recorded April 25, 1990 in Book 3668 at Page 35, more particularly described as follows:

Commencing at the Southeast corner of the Southwest Quarter of said Section 4;
Thence North 00° 01' 14" West on an assumed bearing along the East line of said Southwest Quarter a distance of 2,649.64 feet to the Northeast corner of the Northeast Quarter of the Southwest Quarter of Section 4;
Thence North 89° 45' 00" West along the North line of the Northeast Quarter of the Southwest Quarter of said Section 4 a distance of 30.00 feet to the true point of beginning;
Thence South 00° 01' 14" East parallel with and 30.00 feet West of the East line of the Northeast Quarter of the Southwest Quarter of said Section 4 a distance of 1,183.31 feet to the Northeast corner of that parcel of land described in the Deed recorded in the Adams County Clerk and Recorder's office in Book 3570 at Page 309, Reception No. B8885202 on June 6, 1989;
Thence North 89° 56' 36" West along the North line of said Parcel a distance of 20.00 feet;
Thence North 00° 01' 14" West parallel with and 50.00 feet West of the East line of the Northeast Quarter of the Southwest Quarter of said Section 4 a distance of 1,113.38 feet;
Thence North 44° 53' 07" West a distance of 42.53 feet;
Thence North 89° 45' 00" West parallel with and 40.00 feet South of the North line of the Northeast Quarter of the Southwest Quarter of said Section 4 a distance of 936.98 feet;

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Thence North 00° 15' 00" East a distance of 40.00 feet to a point on the North line of the Northeast Quarter of the Southwest Quarter of said Section 4;

Thence South 89° 45' 00" East along said North line a distance of 986.79 feet to the true point of beginning,

And except the following described property:

A tract or parcel of land No. 7 of the Adams County Highway/Engineering Project No. M1377(2) in the North Half of the Southwest Quarter of Section 4, Township 3 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado, as Described in Deed recorded June 6, 1989 in Book 3570 at Page 311, being more particularly described as follows:

The West 30.00 feet of the East 60.00 feet of the South 141.61 feet of the North Half of said Southwest Quarter, County of Adams, State of Colorado.

Second Piece

That part of the Northwest Quarter of the Southeast Quarter of Section 4, Township 3 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado, described as follows:

Beginning at the Southwest corner of the Northwest Quarter of the Southeast Quarter of said Section 4;
Thence North 00° 01' 14" West along the West line of the Northwest Quarter of the Southeast Quarter of said Section 4 a distance of 33.00 feet to a point;
Thence South 89° 59' 30" East parallel with the South line of the Northwest Quarter of the Southeast Quarter of said Section 4 a distance of 50.00 feet to a point on the East right of way line of Pecos Street, said point being the true point of beginning;
Thence North 00° 01' 14" West along said East right of way a distance of 1,231.67 feet;
Thence North 45° 04' 38" East along said East right of way line a distance of 42.35 feet to a point on the South right of way line of West 68th Avenue;
Thence South 89° 49' 30" East along said South right of way line a distance of 1,241.79 feet to appoint on the East line of the Northwest Quarter of the Southeast Quarter of said Section 4;
Thence South 00° 07' 49" East along said East line a distance of 1,257.98 feet to a point 33.00 feet North of the South line of the Northwest Quarter of the Southeast Quarter of said Section 4;
Thence North 89° 59' 30" West parallel with the South line of the Northwest Quarter of the Southeast Quarter of said Section 4 a distance of 1,274.19 feet to the true point of beginning.
County of Adams, State of Colorado.

Third Piece

The North 315.55 feet of Plots 21 and 22, North Broadway Gardens, except the West 20 feet thereof conveyed to Adams County by Deed recorded November 28, 1988 in Book 3513 at Page 50, County of Adams, State of Colorado.

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Second Parcel (Reversion Parcel)

That part of the Northeast Quarter of the Southeast Quarter of Section 4, Township 3 South, Range 68 West of the 6th Principal Meridian, Adams County, Colorado, described as follows:

Beginning at the Northwest corner of said Northeast Quarter of the Southeast Quarter;
Thence South 00° 46' 21" West along the West line of said Northeast Quarter of the Southeast Quarter a distance of 30.00 feet to the true point of beginning;
Thence South 88° 55' 20" East parallel with the North line of said Northeast Quarter of the Southeast Quarter a distance of 544.84 feet;
Thence South 37° 28' 57" East a distance of 207.63 feet;
Thence South 50° 30' 51" East a distance of 238.43 feet;
Thence South 75° 10' 36" East a distance of 308.66 feet;
Thence South 14° 03' 33" West a distance of 28.49 feet;
Thence South 49° 30' 31" West a distance of 149.88 feet;
Thence South 80° 03' 37" West a distance of 189.18 feet;
Thence South 59° 38' 34" West a distance of 380.89 feet;
Thence South 55° 23' 25" West a distance of 236.69 feet;
Thence South 28° 10' 21" West a distance of 306.52 feet;
Thence South 40° 39' 34" West a distance of 63.23 feet to a point on the North line of a parcel described in Book 73 at Page 186, Adams County records;
Thence North 89° 05' 14" West along said North line a distance of 153.15 feet to the Northwest corner of said parcel and a point on the West line of said Northeast Quarter of the Southwest Quarter;
Thence North 00° 46' 21" East along said West line a distance of 1,205.98 feet to the true point of beginning, County of Adams, State of Colorado.

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Said Property is conveyed subject to the following:

1. Any and all taxes due and owing on the property.

2. **Rights of State of Colorado** and others in and to any portion of the property lying within the bed of Clear Creek. Affects Parcel 2

3. **Rights of State of Colorado** and others in and to any portion of the property lying within the bed of Little Dry Creek. Affects Parcel 1-1.

4. **Rights of Way for the Terry Ditch**, the Daddario Ditch and the Colorado Agricultural Ditch Co., as the same may affect the Property.

5. **Easement** for telecommunications lines granted to Mountain States Telephone and Telegraph Co, dated October 10, 1930 in Book 191, Page 74. Affects Parcel 1-1.

6. **Easement** for sewer lines granted to Baker Metropolitan Water and Sanitation District, recorded March 15, 1961 in Book 897, Page 256. Affects Parcel 1-2.

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7. **Order of Inclusion**: Effect of land in the First Piece being included within bounds of the Crestview Water and Sanitation District, Order recorded May 12, 1987 in Book 3316, Page 46. Affects Parcel 1-1.

8. Terms, conditions, provisions, agreements and obligations specified in the **Zoning Hearing Decision**, Case #126-86-GDP-PUD - NASH - PHILLIPS/COPUS recorded on January 23, 1987 in Book 3264, Page 775. Affects Parcels 1-1 and 1-2.

9. **Order of Inclusion**: Effect of land in the First Piece being included within the bounds of the Hyland Hills Park & Recreation District. Order recorded September 15, 1987 in Book 3367, Page 411. Affects Parces1-1 and 1-2.

10. Terms, conditions, provisions, agreements and obligations specified in the **Preliminary P.U.D. Plan for Crestview,** recorded May 26, 1987 at Reception No. 751021. Affects Parcel 1-3.

11. Terms, conditions, provisions, agreements and obligations specified in the **Zoning Hearing Decision** Case #31-91-Z GDP FIVE PARTS DEVELOPMENT – NORTH PECOS CENTER, recorded May 7, 1991 in Book 3775, Page 673. Affects Parcel 1-2.

12. Terms, conditions, provisions, agreements and obligations specified in the **Underground Facilities Information Filing** by the North Pecos Water and Sanitation District, recorded March 15, 1993 in Book 4038, Page 101. Affects Parcel 1-3.

13. Any existing leases or tenancies, and any and all parties claiming by, through or under said leases.

14. Easements or rights to easement pursuant to an unrecorded **Deed - Conservation Easement** dated Nov. 16, 1994 from Sundstrand Corporation to Adams County. Affects Parcel 1-3.

15. Easements or rights to easement pursuant to an unrecorded **Permanent Drainage Easement** dated November 11, 1998 from Sundstrand Corporation to Adams County for stormwater drainage re Kalcevic Gulch Improvement Project. Affects Parcel 1-3.

16. Hazardous substances, if any, as disclosed by off-record information.

17. Terms, conditions, provisions, agreements and obligations specified under the **Zoning Hearing Decision**, Case #PRJ2006-00023, which was recorded March 28, 2007 at Reception No. 2007000037694.

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TD Pages: 2 Karen Long, Adams County, CO

The Property is also conveyed subject to the following obligations in favor of, and enforceable by, Grantor and its corporate successors and assigns:

(a) There shall be included in each deed of any portion of the Property from Grantee to each grantee of Grantee, or otherwise placed in the chain of title to the Property, so as to be binding on Grantee's successors in title to the Property, a release in favor of Hamilton Sundstrand Corporation, Carma Colorado, Inc., Inc. and BPI Westminster, LLC that by acceptance of title to any portion of the Property, each future owner of title to any portion of the Property for such future owner, and such future owner's heirs, successors and assigns, expressly releases from, and waives as to, Hamilton Sundstrand Corporation, Carma Colorado Inc. and BPI Westminster, LLC, and their respective affiliates, successors and assigns, any and all claims, damages and/or liability, including, but not limited to, personal injury, death, property damage, nuisance, trespass, negligence, stigma or any other impairment of property value, whether perceived or actual, on account of, related to, or arising from contamination on, in, under or that may have migrated on, in or under the Property.

(b) Each of the Grantee's successors in title to any portion of the Vacant Parcel or Reversion Parcel (as defined herein), by acceptance of title to any such portion of the Vacant Parcel or Reversion Parcel, acknowledges and agrees that no use shall be made of the groundwater beneath the Vacant Parcel or Reversion Parcel for any purpose whatsoever, including without limitation, for drinking, other potable purposes or any other purpose or use and that all beneficial or other use of the groundwater by any such successor in title is and shall be prohibited; the foregoing, however, shall not prohibit use of the "nontributary" and "not nontributary" groundwater, hereinafter described, if drawn from one or more wells not located on the Property.

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(c) No wells for the extraction of any groundwater (whether, tributary, nontributary or not nontributary) from beneath the Property shall be placed on the Property.

(d) Each owner of any portion of the Property shall allow each of Carma Colorado, Inc. and Hamilton Sundstrand Corporation (or their respective representatives and assignees) to have access to the Property for purposes of conducting environmental testing and sampling and other activities in connection with seeking to obtain additional pollution legal liability or other environmental insurance and/or to perform any requirements relating to environmental compliance of any governmental regulatory agency having jurisdiction and/or to perform any environmental investigation, monitoring and remediation to satisfy any of their contractual obligations.

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TD Pages: 2 Karen Long, Adams County, CO

Said Property is conveyed together with the following:

Any and all unappropriated "nontributary" and "not nontributary" ground water rights (as these terms are currently defined in §§ 37-90-103(10.5) and 37-90-103(10.7), C.R.S. (2005), respectively) appurtenant to the Property, including those rights which attach to ownership of overlying land pursuant to the law and §37-90-137(4), C.R.S. (2005) including all Denver Basin Aquifers (Dawson, Upper Dawson, Lower Dawson, Denver, Arapahoe, Upper Arapahoe, Lower Arapahoe, and Laramie-Fox Hills formations), **but expressly excluding, and reserving to the Grantor and its successors and assigns, the following:**

(i) any and all water rights or other rights associated with or related to Well No. 1-481 (Well Permit No. 481-R, constructed on September 1, 1955 and registered on August 4, 1959), which well is located on the Facility Parcel, as herein defined (more particularly, in the SE ¼ of NE ¼ of Section 5, Township 3 South, Range 68 West of the 6th P.M., Adams County, Colorado, at a point 2630 feet South and 100 feet West of the NE Corner of said Section 5), including, without limitation:

(A) rights adjudicated for industrial in-plant use with an appropriation date of September 1, 1955 for Well No. 1-481, by decree on July 31, 1974 in Case No. W-3762, District Court, Water Division No. 1, State of Colorado, in the amount of 0.22 c.f.s.;

(B) as modified by decree on August 23, 1991 in Case No. 88CW068, District Court, Water Division No. 1, State of Colorado, in the amount of 147.9 acre feet per year of nontributary water from the Laramie-Fox Hills aquifer;

(C) as changed by Amended Ruling of the Referee and Judgment and Decree issued In the Matter of the Application for Water Rights and Change of Use of Water Rights of Sundstrand Corporation In Adams County (Colorado District Court, Water Division No. 1, State of Colorado, Case No. 94CW004) dated June 7, 1996 and confirmed and approved on July 29, 1996 (the "Augmentation Order"), to allow industrial use, including augmentation and remediation; and subject to the augmentation plan approved by the Augmentation Order, for use as a source of replacement water in an augmentation plan.

(ii) any and all water rights or other rights associated with or related to Well No. 2-2107-F (Well Permit No. 2107-F, registered on March 25, 1959 and constructed on August 11, 1959), which well is located on the Facility Parcel, as herein defined (more particularly, in the NE ¼ of SE ¼ of Section 5, Township 3 South, Range 68 West of the 6th P.M., Adams County, Colorado, at a point 2610 feet North and 150 feet West of the SE Corner of said Section 5), including, without limitation:

(A) rights adjudicated for industrial in-plant use with an appropriation date of August 11, 1959 for Well No. 2-2107F, by decree on July 31, 1974 in Case No. W-3762, District Court, Water Division No. 1, State of Colorado, in the amount of 0.424 c.f.s.;

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(B) as modified by decree on August 23, 1991 in Case No. 88CW068, District Court, Water Division No. 1, State of Colorado, in the amount of 147.9 acre feet per year of nontributary water from the Arapahoe aquifer; and

(C) as changed by the Augmentation Order, to allow industrial use, including augmentation and remediation; and subject to the augmentation plan approved by the Augmentation Order, for use as a source of replacement water in an augmentation plan.

(iii) any and all water rights or other rights associated with or related to Sundstrand Recovery Wells EXW-1 (Permit No. 045051), EXW-2 (Permit No. 045052), EXW-3 (Permit No. 045053), EXW-4 (Permit No. 045054), EXW-5 (Permit No. 045055), EXW-6 (Permit No. 045056), EXW-7 (Permit No. 045057), EXW-8 (Permit No. 045058), EXW-9 (Permit No. 045059), EXW-10 (Permit No. 045060), and EXW-11 (Permit No. 045061), including rights adjudicated for the wells located on the Facility Parcel, as herein defined (more particularly, in the NE ¼ SE ¼ and the SE ¼ NE ¼ of Section 5, Township 3 South, Range 68 West of the 6th P.M. in Adams County, Colorado), by the Augmentation Order, with the total combined average annual pumping rate not to exceed 300 g.p.m. and the maximum combined pumping rate at any given time not to exceed 400 g.p.m., for year-round ground water remediation activities, and with an appropriation date of May 22, 1991; diligence of conditional water rights confirmed by decree on October 25, 2005 in Case No. 02CW111, District Court, Water Division No. 1, State of Colorado; and subject to the Augmentation Order.

(iv) any and all rights to utilize, repair and replace such wells, associated facilities and to utilize such rights to satisfy obligations under the Augmentation Order.

Said Property is conveyed together with and subject to any rights and obligations pursuant to:

(i) **Conveyance of Easement** for the remediation of seep water, dated July 27, 1995 and recorded at Book 4580, Page 562 on September 1, 1995 from Colorado Agricultural Ditch Co. and Lower Clear Creek Ditch Co. to Sundstrand Corporation.

(ii) **Conveyance of Easement** for collecting seepage water for environmental remediation, dated September 7, 1995 and recorded on October 6, 1995 at Book 4603, Page 661 from Western Paving Construction Co. to Sundstrand Corporation.

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NORTH PECOS
WATER & SANITATION
DISTRICT

6900 Pecos Street
Denver, Colorado 80221
(303) 429-5770
Fax (303) 650-8863

30 March 2011

Mike Pietschmann
Redland
8000 South Lincoln Street, Suite 206
Littleton, CO 80122

Re: Water and sanitary sewer for Midtown at Clear Creek, Formerly know as Sunstrand

Mr. Pietschmann,

Please be advised that North Pecos Water and Sanitation District (NPWSD) will consider providing water and sanitary sewer service to the proposed area for the Midtown at Clear Creek Project; providing that:

1. The plans for the Midtown at Clear Creek project are submitted to and approved by the North Washington Fire Department Fire Marshall.
2. Once the plans for the project have been approved by the Fire Marshall, plans are submitted to NPWSD for review by the District's Engineer. At this time, all applicable review fees are to be paid to NPWSD.
3. Once NPWSD has approved the plans and proper applications and licenses are completed, plans will be submitted to Denver Water for review. At this time, any applicable review fees are to be paid to Denver Water.

It will be necessary for the land owner/developer to install water and sewer mains in accordance with the approved plans. The land owner/developer is responsible for all costs associated with the engineering and development of the property. In addition, the property owner/developer is responsible for any costs associated with engineering studies that are done. All water mains, sanitary sewer mains and appurtenances shall be installed at the land owner/developer's expense. All easements must be conveyed to the District prior to the issuance of any water and/or sanitary sewer taps.

If you have any questions or required additional information, please contact the District office at (303) 429-5770.

Sincerely,

Russell M. Traska

Russell Traska
District Manager

Xcel Energy®

5460 W. 60th Ave.
Arvada, CO. 80003

April 15, 2011

Brookfield Residential
Attn: Nolan Donley
188 Inverness Drive West
Suite 150
Englewood, Co 80112

Re: Will serve letter for **Midtown at Clear Creek**

Dear **Mr. Donley**,

In accordance with our tariffs filed with and approved by the Colorado Public Utilities Commission, Gas and Electric facilities can be made available to serve your project at W. 68th Ave. & Pecos St.

Service will be provided after engineering is completed, payment is received, any easements are signed and construction can be completed. We will have better information available after design has been completed as to a scheduled in-service date.

If I can be of further assistance, please contact me at 303-425-3870.

Sincerely,

Barbara Everard

Barbara Everard
Planner
NMR

From: Scharnhorst, Stephanie N <Stephanie.N.Scharnhorst@xcelenergy.com>
Sent: Friday, August 25, 2023 11:17 AM
To: Urban, Anastasia <Anastasia.Urban@brookfieldpropertiesdevelopment.com>; Coleman, Mark <Mark.Coleman@brookfieldrp.com>; Bremner, Christopher <Christopher.Bremner@brookfieldpropertiesdevelopment.com>
Cc: Montano, Shayla A <Shayla.A.Montano@xcelenergy.com>; Kreager, Pat M <Pat.Kreager@XCELENERGY.COM>; Jiminez, Andre A <Andre.A.Jiminez@xcelenergy.com>; Bebernes, Andy G <Andy.G.Bebernes@xcelenergy.com>; Mino, David C <David.C.Mino@xcelenergy.com>
Subject: RE: 70th and Zuni Capacity Issues Electric
Importance: High

CAUTION: EXTERNAL MAIL! Do not click links, open attachments or reply, unless you recognize the sender's email address and know the content is safe! If unsure use the Report Phishing Button located in the ribbon.

Good Morning Brookfield Team!

We have been given great news from Xcel!

The proposed build-out schedule you provided, with those timeframes will work for Xcels systems! We should be clear to proceed.

Please let us know if you have any questions.

Thank you and I hope you have a great weekend!

Stephanie Scharnhorst
Xcel Energy | Responsible By Nature
New Business Advocate, Contractor for Xcel Energy
4400 Kittredge, Suite 50 Denver, CO 80239
C: 303-263-5432 **O:** 720-240-5202
E: Stephanie.N.Scharnhorst@xcelenergy.com
Direct Supervisor: Pat.Kreager@xcelenergy.com
***For additional support you may reach out to Andre.A.Jiminez@xcelenergy.com**

Link to service application: https://my.xcelenergy.com/BuildingRemodeling/s/
Builders Call Line Direct Line – 800-628-2121

From: Urban, Anastasia <Anastasia.Urban@brookfieldpropertiesdevelopment.com>
Sent: Tuesday, August 22, 2023 2:25 PM
To: Montano, Shayla A <Shayla.A.Montano@xcelenergy.com>; Scharnhorst, Stephanie N <Stephanie.N.Scharnhorst@xcelenergy.com>; Kreager, Pat M <Pat.Kreager@XCELENERGY.COM>; Coleman, Mark <Mark.Coleman@brookfieldrp.com>; Jiminez, Andre A <Andre.A.Jiminez@xcelenergy.com>; Bebernes, Andy G <Andy.G.Bebernes@xcelenergy.com>; Mino, David C <David.C.Mino@xcelenergy.com>
Cc: Bremner, Christopher <Christopher.Bremner@brookfieldpropertiesdevelopment.com>
Subject: RE: 70th and Zuni Capacity Issues Electric

EXTERNAL - STOP & THINK before opening links and attachments.

Hi Shayla –

Please see attached build-out scheduled for both Midtown Filing 12 and Filing 13. The number of units/month is when we would need electric. Both filings are attached townhomes. Please let me know if you need any more information or if there is a certain threshold/by date we can work with you on.

Thank you for your assistance with this issue.

Anastasia Urban, P.E.
Project Manager | Land & Housing Development

T +1 303.566.0654

From: Montano, Shayla A <Shayla.A.Montano@xcelenergy.com>
Sent: Tuesday, August 22, 2023 10:25 AM
To: Urban, Anastasia <Anastasia.Urban@brookfieldpropertiesdevelopment.com>; Scharnhorst, Stephanie N <Stephanie.N.Scharnhorst@xcelenergy.com>; Kreager, Pat M <Pat.Kreager@XCELENERGY.COM>; Coleman, Mark <Mark.Coleman@brookfieldrp.com>; Jiminez, Andre A <Andre.A.Jiminez@xcelenergy.com>; Bebernes, Andy G <Andy.G.Bebernes@xcelenergy.com>; Mino, David C <David.C.Mino@xcelenergy.com>
Cc: Bremner, Christopher <Christopher.Bremner@brookfieldpropertiesdevelopment.com>
Subject: RE: 70th and Zuni Capacity Issues Electric

CAUTION: EXTERNAL MAIL! Do not click links, open attachments or reply, unless you recognize the sender's email address and know the content is safe! If unsure use the Report Phishing Button located in the ribbon.

Anastasia,

Could you please provide your build out schedule for this site. We might have some options for this but need to make sure it all works based on the ramp up schedule.

Shayla Montano PMP
Xcel Energy
Senior Operations Manager
1901 E Horsetooth Rd Fort Collins, CO
P: 970-381-9734
E: Shayla.A.Montano@xcelenergy.com
Link to service application: https://my.xcelenergy.com/BuildingRemodeling/s/
Builders Call Line Direct Line – 800-628-2121

From: Urban, Anastasia <Anastasia.Urban@brookfieldpropertiesdevelopment.com>
Sent: Thursday, August 17, 2023 4:56 PM
To: Scharnhorst, Stephanie N <Stephanie.N.Scharnhorst@xcelenergy.com>; Kreager, Pat M <Pat.Kreager@XCELENERGY.COM>; Coleman, Mark <Mark.Coleman@brookfieldrp.com>; Jiminez, Andre A <Andre.A.Jiminez@xcelenergy.com>; Bebernes, Andy G <Andy.G.Bebernes@xcelenergy.com>; Mino, David C <David.C.Mino@xcelenergy.com>; Montano, Shayla A <Shayla.A.Montano@xcelenergy.com>

Cc: Bremner, Christopher <Christopher.Bremner@brookfieldpropertiesdevelopment.com>
Subject: RE: 70th and Zuni Capacity Issues Electric

> You don't often get email from anastasia.urban@brookfieldpropertiesdevelopment.com. Learn why this is important

EXTERNAL - STOP & THINK before opening links and attachments.

Thank you all for your time to discuss the Midtown project. As stated in the meeting, you have our permission to share our contact info with other projects who may be looking to discuss a collective solution.

I will be following-up with a summary of our buildout schedule under separate review for your review of phased service, and also any details on the Filing 6 project.

Anastasia Urban, P.E.
Project Manager | Land & Housing Development

T +1 303.566.0654

MIDTOWN FILING NO. 13
LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO. 2007000079792 THE OFFICIAL RECORDS OF THE ADAMS COUNTY, COLORADO CLERK AND RECORDER'S OFFICE, SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 4, WHENCE THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4 BEARS NORTH 89°48'22" WEST, A DISTANCE OF 2643.63 FEET WITH ALL BEARINGS HEREON REFERENCED TO SAID LINE;

THENCE ALONG SAID NORTH LINE, NORTH 89°48'22" WEST, A DISTANCE OF 769.03 FEET;

THENCE DEPARTING SAID NORTH LINE, SOUTH 00°11'38" WEST, A DISTANCE OF 40.00 FEET TO THE NORTHEASTERLY CORNER OF SAID SPECIAL WARRANTY DEED AND THE **POINT OF BEGINNING**;

THENCE ALONG THE EASTERLY AND SOUTHERLY BOUNDARY OF SAID SPECIAL WARRANTY DEED, THE FOLLOWING NINE (9) COURSES:

1. SOUTH 38°21'59" EAST, A DISTANCE OF 194.84 FEET;
2. SOUTH 51°23'53" EAST, A DISTANCE OF 128.80 FEET;
3. SOUTH 15°37'26" WEST, A DISTANCE OF 335.11 FEET;
4. SOUTH 31°14'28" EAST, A DISTANCE OF 73.46 FEET;
5. SOUTH 58°45'32" WEST, A DISTANCE OF 225.78 FEET;
6. SOUTH 54°30'23" WEST, A DISTANCE OF 236.69 FEET;
7. SOUTH 27°17'19" WEST, A DISTANCE OF 306.52 FEET;
8. SOUTH 39°46'32" WEST, A DISTANCE OF 63.23 FEET;
9. SOUTH 89°57'07" WEST, A DISTANCE OF 91.41 FEET TO THE EASTERLY BOUNDARY OF THE PLAT OF MIDTOWN AT CLEAR CREEK – FILING NO. 7, RECORDED AT RECEPTION NO. 2016000009355, IN SAID RECORDS;

THENCE ALONG SAID EASTERLY BOUNDARY, THE FOLLOWING NINE (9) COURSES:

1. NORTH 00°16'34" EAST, A DISTANCE OF 286.85 FEET;
2. NORTH 00°24'51" WEST, A DISTANCE OF 249.02 FEET;
3. NORTH 00°16'34" EAST, A DISTANCE OF 325.54 FEET;
4. SOUTH 89°43'26" EAST, A DISTANCE OF 53.51 FEET;

5. NORTH 00°16’34” EAST, A DISTANCE OF 57.02 FEET;

6. NORTH 89°43’26” WEST, A DISTANCE OF 93.51 FEET;

7. NORTH 00°16’34” EAST, A DISTANCE OF 52.00 FEET;

8. NORTH 89°43'26" WEST, A DISTANCE OF 69.50 FEET;

9. NORTH 00°16'34" EAST, A DISTANCE OF 220.48 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST 68TH AVENUE AS DEDICATED ON SAID PLAT OF MIDTOWN AT CLEAR CREEK-FILING NO. 7;

THENCE DEPARTING SAID EASTERLY BOUNDARY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, SOUTH 89°48'22" EAST, A DISTANCE OF 595.45 FEET TO THE **POINT OF BEGINNING.**

CONTAINING AN AREA OF 13.565 ACRES, (590,905 SQUARE FEET), MORE OR LESS.

PREPARED BY:
ANTHONY K. PEALL
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 38636
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1, LITTLETON, CO 80122
(303) 718-1898

Parcel Map Check Report

Client: Prepared by:

Aztec Consultants
300 E. Mineral Ave. Ste 1 Littleton Co 80122
Date: 10/18/2023 4:57:36 PM

Parcel Name: MC - PLAT BNDY
Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False
"North:723,889.426'" "East:146,483.065'"

Segment# 1: Line
"Course: S31° 14' 28""E" Length: 73.46'
"North: 723,826.618'" "East: 146,521.165'"

Segment# 2: Line
"Course: S58° 45' 32""W" Length: 225.78'
"North: 723,709.519'" "East: 146,328.125'"

Segment# 3: Line
"Course: S54° 30' 23""W" Length: 236.69'
"North: 723,572.094'" "East: 146,135.416'"

Segment# 4: Line
"Course: S27° 17' 19""W" Length: 306.52'
"North: 723,299.687'" "East: 145,994.885'"

Segment# 5: Line
"Course: S39° 46' 32""W" Length: 63.23'
"North: 723,251.092'" "East: 145,954.432'"

Segment# 6: Line
"Course: S89° 57' 07""W" Length: 91.41'
"North: 723,251.015'" "East: 145,863.022'"

Segment# 7: Line
"Course: N0° 16' 34""E" Length: 286.85'
"North: 723,537.862'" "East: 145,864.404'"

Segment# 8: Line
"Course: N0° 24' 51""W" Length: 249.02'
"North: 723,786.875'" "East: 145,862.604'"

Segment# 9: Line
"Course: N0° 16' 34""E" Length: 325.54'
"North: 724,112.411'" "East: 145,864.173'"

Segment# 10: Line
"Course: S89° 43' 26""E" Length: 53.51'
"North: 724,112.153'" "East: 145,917.682'"

Segment# 11: Line

"Course: N0° 16' 34""E" Length: 61.88'
"North: 724,174.033'" "East: 145,917.980'"

Segment# 12: Line
"Course: N89° 43' 26""W" Length: 93.51'
"North: 724,174.483'" "East: 145,824.472'"

Segment# 13: Line
"Course: N0° 16' 34""E" Length: 52.00'
"North: 724,226.483'" "East: 145,824.722'"

Segment# 14: Line
"Course: N89° 43' 26""W" Length: 69.50'
"North: 724,226.818'" "East: 145,755.223'"

Segment# 15: Line
"Course: N0° 16' 34""E" Length: 220.48'
"North: 724,447.295'" "East: 145,756.285'"

Segment# 16: Line
"Course: S89° 48' 22""E" Length: 595.45'
"North: 724,445.280'" "East: 146,351.732'"

Segment# 17: Line
"Course: S38° 21' 59""E" Length: 194.84'
"North: 724,292.514'" "East: 146,472.667'"

Segment# 18: Line
"Course: S51° 23' 53""E" Length: 128.80'
"North: 724,212.155'" "East: 146,573.324'"

Segment# 19: Line
"Course: S15° 37' 26""W" Length: 335.11'
"North: 723,889.427'" "East: 146,483.072'"

"Perimeter: 3,663.57'" "Area: 590,905Sq.Ft."
Error Closure: 0.006 "Course: N75° 55' 57""E"
Error North : 0.0016 East: 0.0062

"Precision 1: 610,596.67"

TREASURER & PUBLIC TRUSTEE
ADAMS COUNTY, COLORADO

ORIGINAL

Certificate Of Taxes Due

Account Number R0199896
Parcel 0182504400024
Assessed To

MIDTOWN LLC
6465 GREENWOOD PLAZA BLVD STE 700
ENGLEWOOD, CO 80111-7103

Certificate Number 2023-236824
Order Number
Vendor ID
MATTHEW CHASE HALEY

Legal Description

SECT,TWN,RNG:4-3-68 DESC: NW4 SE4 EXC ROW OF CO RD AND EXC 33 FT ON S SIDE FOR LOWER CLEAR CREEK DT AND EXC PART PLATTED MIDTOWN AT CLEAR CREEK FLG 5 REC NO 2014000091485 AND FLG 7 2016000009355 AND FLG 10 2018000004010 EXC PT PLATTED AS MIDTOWN AT CLEAR CREEK FLG NO 11 REC 2019000053535 AC 0.2120

Situs Address

0

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2022	$1,921.26	$0.00	$0.00	($1,921.26)	$0.00
Total Tax Charge					$0.00
Grand Total Due as of 10/11/2023					**$0.00**

Tax Billed at 2022 Rates for Tax Area 040 - 040

Authority	Mill Levy	Amount
RANGEVIEW LIBRARY DISTRICT	3.6150000*	$41.17
ADAMS COUNTY FIRE PROTECTIO	17.5540000	$199.94
ADAMS COUNTY	26.9670000	$307.16
HYLAND HILLS PARK & RECREAT	5.1240000	$58.36
SD 1	57.8890000	$659.36
URBAN DRAINAGE SOUTH PLATTE	0.1000000	$1.14
URBAN DRAINAGE & FLOOD CONT	0.9000000	$10.25
MIDTOWN AT CLEAR CREEK METR	56.5300000	$643.88
Taxes Billed 2022	168.6790000	$1,921.26

* Credit Levy

Values	Actual	Assessed
VACANT COMMERCIAL LD	$39,262	$11,390
Total	$39,262	$11,390

ALL TAX SALE AMOUNTS ARE SUBJECT TO CHANGE DUE TO ENDORSEMENT OF CURRENT TAXES BY THE LIENHOLDER OR TO ADVERTISING AND DISTRAINT WARRANT FEES. CHANGES MAY OCCUR; PLEASE CONTACT THE TREASURY PRIOR TO MAKING A PAYMENT AFTER AUGUST 1. TAX LIEN SALE REDEMPTION AMOUNTS MUST BE PAID BY CASH OR CASHIER'S CHECK.

SPECIAL TAXING DISTRICTS AND THE BOUNDARIES OF SUCH DISTRICTS MAY BE ON FILE WITH THE BOARD OF COUNTY COMMISSIONERS, THE COUNTY CLERK, OR, THE COUNTY ASSESSOR.

This certificate does not include land or improvements assessed under a separate account number, personal property taxes, transfer tax, or, miscellaneous tax collected on behalf of other entities, special or local improvement district assessments, or mobile homes, unless specifically mentioned.

I, the undersigned, do hereby certify that the entire amount of taxes due upon the above described parcels of real property and all outstanding lien sales for unpaid taxes as shown by the records in my office from which the same may still be redeemed with the amount required for redemption on this date are as noted herein. In witness whereof, I have hereunto set my hand and seal.

TREASURER & PUBLIC TRUSTEE, ADAMS COUNTY,

Alexander L Villagran

4430 S. Adams County Parkway

Brighton, CO 80601

OFFICIAL SEAL

COUNTY TREASURER
ALEXANDER L. VILLAGRAN
ADAMS COUNTY, COLORADO

TREASURER & PUBLIC TRUSTEE
ADAMS COUNTY, COLORADO
Certificate Of Taxes Due

ORIGINAL

Account Number R0187996
Parcel 0182504400022
Assessed To
MIDTOWN LLC
6465 GREENWOOD PLAZA BLVD STE 700
ENGLEWOOD, CO 80111-7103

Certificate Number 2023-236823
Order Number
Vendor ID
MATTHEW CHASE HALEY

Legal Description
SECT,TWN,RNG:4-3-68 DESC: NE4 SE4 EXC PT IN SW COR TO L C C AND C A DT AND EXC DT AND EXC PARCS AND EXC PART PLATTED 2016000009355

Situs Address
0

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2022	$15,822.32	$0.00	$0.00	($15,822.32)	$0.00
Total Tax Charge					$0.00
Grand Total Due as of 10/11/2023					**$0.00**

Tax Billed at 2022 Rates for Tax Area 049 - 049

Authority	Mill Levy	Amount
RANGEVIEW LIBRARY DISTRICT	3.6150000*	$349.72
ADAMS COUNTY FIRE PROTECTIO	17.5540000	$1,698.17
ADAMS COUNTY	26.9670000	$2,608.79
SD 1	57.8890000	$5,600.18
URBAN DRAINAGE SOUTH PLATTE	0.1000000	$9.67
URBAN DRAINAGE & FLOOD CONT	0.9000000	$87.07
MIDTOWN AT CLEAR CREEK METR	56.5300000	$5,468.72
Taxes Billed 2022	163.5550000	$15,822.32

* Credit Levy

Values	Actual	Assessed
VACANT COMMERCIAL LD	$333,589	$96,740
Total	$333,589	$96,740

ALL TAX SALE AMOUNTS ARE SUBJECT TO CHANGE DUE TO ENDORSEMENT OF CURRENT TAXES BY THE LIENHOLDER OR TO ADVERTISING AND DISTRAINT WARRANT FEES. CHANGES MAY OCCUR; PLEASE CONTACT THE TREASURY PRIOR TO MAKING A PAYMENT AFTER AUGUST 1. TAX LIEN SALE REDEMPTION AMOUNTS MUST BE PAID BY CASH OR CASHIER'S CHECK.

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TREASURER & PUBLIC TRUSTEE, ADAMS COUNTY,
Alexander L Villagran

4430 S. Adams County Parkway
Brighton, CO 80601

COUNTY TREASURER
ALEXANDER L. VILLAGRAN
ADAMS COUNTY, COLORADO

720.283.6783 Office
1500 West Canal Court
Littleton, Colorado 80120
REDLAND.COM

MEETING MINUTES

Meeting Topic:	Midtown Filing 13 Neighborhood Meeting Notes
Date of Meeting:	Monday October 2, 2023
Date of Minutes:	Tuesday October 4, 2023
Location:	The Shed at Midtown
Attendees:	Residents – see sign-in below
	Brookfield: Anastasia Urban and Leila Tuma
	Redland: Evan Rumney and Susan Wade
Distribution:	Brookfield and Adams County
By:	Susan Wade – Redland

The following is a synopsis of the major points of discussion and the direction/conclusions related to the discussion points:

OVERVIEW:

Approximately 25 people attended the meeting – see sign-in sheet below

Redland and Brookfield shared a presentation including: project location, design goals, timeframe, site plan and open space plan.

RESIDENT COMMENTS AND QUESTIONS PERTAINING TO FILING 13:

General:

- How long will the home construction take?
  - *Approximately 2 years*
- The existing Townhomes on the east side have a two-foot driveway apron and people park large trucks on this area, it does not work. Will these Townhomes have a two-foot apron?
  - *The aprons are planned to be approximately 8 feet in length, this length will allow parallel parking as allowed in the rest of Midtown.*
- *We heard there may be hazardous waste and an old bridge buried on the site. Will you prepare a test of Lead based paint on the bridge? Does the site ground water contain PFAS?*
  - *Brookfield has prepared several borings/studies to determine the site contents and no contaminants were found. There is also a No Further Action Letter from*

the State that clears the property for all residential uses. The construction for the site will still abide by the recommendations in the Midtown Soil Management Plan as done in previous filings.

- Concerned with additional new THs and the effects on resale.
    - *Filing 13 is the last filing for Midtown and proposes 79 total units. These units are different models than any existing homes already built in Midtown. New housing may have an impact on resale but for only a short period of time.*
- Phasing – what will be built first?
    - *Phasing has not yet been determined; construction process will dictate the future phasing.*
- We were told there would be retail on the east side – is there any retail planned for this filing?
    - *This filing is too far east for successful retail. No retail is planned for this filing. Additionally, the PDP identifies residential uses for this Planning Area.*
- Will the wetlands be preserved and will the site detention be in the SE corner?
    - *Yes, the wetlands will be preserved and the site stormwater will be handled in the existing detention pond.*
- Since this is the last phase for Midtown, will our metro district taxes be reduced?
    - Please ask the Metro District Board for this information.
- Will you be using sustainable building materials?
    - We continue to look at building materials and regulations on a continuing basis.
- Does Brookfield own the 2 small houses north of 68th Ave?
    - No
- Is Adams County planning on improving W 68th Ave to the east to Huron?
    - *Not to our knowledge*
- How does this unit count compare to the original unit count?
- There have been many iterations over the years but overall we have lowered the unit count in Midtown from 1,600 units to approximately 1,200 units. What is the timeline for the park being opened and homes being finished?
    - *Park is anticipated to be under construction in Q3 2024 into 2025 and homes likely in 2025*
- Will there be rooftop decks?
    - That is an option for both types of townhomes.
- Is there any single story product?
    - It is anticipated there will be some ranch options in the Horizon townhomes.

Parks and Open Space:

- When will the park be built?
    - *The park will start with the infrastructure phase– no completion date yet.*

- The existing trail connection to Clear Creek is steep with a gravel surface – will you be improving this area?
    - *We will investigate who owns this section of the trail.*
- The permanent dog park seems small – please increase the size to meet the temporary park size and split into small dog and large dog sections. The material used in the west dog park hurts dogs' paws, please do not sure this product.
    - *Comment Acknowledged – we will incorporate your suggestion.*
    - *We will research a material options for the permanent dog park.*
- How do you plan to protect the wetlands from Dog and how will you secure the internal trail from the Clear Creek regional trial users.
    - *The existing trail on the west side of the wetlands does not currently pose an issue with dogs near the wetlands and there are no plans to fence the wetlands. As for security, all the Midtown trails are open to the public and no gates are planned currently. The current trail ditch crossings are located to the west and the east of this neighborhood.*
- There are so many kid-focused parks in Midtown, could you provide adult fitness stations for the adults in the neighborhood?
    - *Comment Acknowledged, great suggestion, we will investigate the option and associated costs.*
- There are several dying trees on the east side, who is responsible?
    - *The homeowner is responsible for Single family homes and the Metro District is generally responsible for tree lawns along attached housing product.*
- Pothole on East side entrance
    - It is likely an Adams County roadway.
- Suggests more usable grass area in the park.
    - This park is intended to be a more naturalized park and relate to the Clear Creek corridor. We try to balance the amount of high-water demand grass as it relates to water usage. We will investigate moderately increasing the grass areas.
- Who owns the Clear Creek path? Can we connect into it?
    - We will look into both of those questions. (Parcel is owned by Adams County)
    - https://adcogov.org/sites/default/files/Adams%20County%20Trail%20Guide%20-%20Updated%20July%202020.pdf
- Pecos security concerns accessing RTD.
    - It is recommend that comments be directed to the County.
- What types of trees will be used?
    - There will be a clustered variety of trees to avoid monocultures and minimize risk of disease that could impact a single species.

This constitutes the writer's understanding of the items discussed and agreements reached at the aforementioned meeting. Any corrections and/or additions to this memorandum should be sent to the writer within five (5) business days of receipt of this memorandum.

Redland
WHERE GREAT PLACES BEGIN

PLEASE SIGN-IN

MIDTOWN FILING 13 Neighborhood Meeting
OCTOBER 2, 2023

Name	Email	Phone number
1. Mander Debnath	—	—
2. Abel Wurmnest	abel.wurmnest@gmail.com	
3. Lucy Lipch	—	—
4. Tom Otten	~~thomas.otten@~~ thomas.otten.ko@gmail.com	402-740-1214
5. Solomon Adenle	Solomonadenle@gmail.com	
6. Matt Newman	—	—
7. Stephan Bodilis	sbodilis@yahoo.com	
8. Jaclyn Iarussi	jiarussi22@gmail.com	720-292-0416
9. Matt & Sarah Bokenevitz	troubleinc@gmail.com	
10. Thomas Meester	boulderton@gmail	303-503-9581
11. Jerome Odell	odie.branson@gmail	626-755-4878
12. Jodi Odell	Jodiodell.designs@yahoo	213-519-5919
13. Chad Hamel	chadahamel@gmail.com	408-529-3248
14. Mark Nelson	mrn2846@comcast.net	303 464-1361
15. Adrianne Borlace	ADR.SCHNOS@Gmail.com	2024130358
16. Christina Proctor	cstinap@gmail.com	303-520-5205
17. Christy Fitzarick	christy4f@gmail.com	720.469.5857
18. Robert Pickering	robert@pickering.place	303 809 1848
19. Nick Thorniburg	nickthorniburg@gmail.com	303.506.9824
20. Anakita Behrad	anakita.behrad@gmail.com	720.819.3906
21. Brandon Cox	Brandoncox5280@gmail.com	
22. Brandon Murray-M	BMURRAYM@gmail.com	816-824-6989
23. MARK COLVIN	mwcolvin@aol.com	3-883-1809
24. Kyle Blume	KyleABlume@yahoo.com	720-982-6232
25. Emily Carr		
26.		
27.		
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30.		
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33.		
34.		
35.		

Redland
WHERE GREAT PLACES BEGIN

LANTZ ASSOCIATES, LLC
13335 W 72nd Cir
Arvada, Co 80005

303-887-3714
303-423-4949 fax
FredLantz@comcast.net

October 9, 2023

Evan Rumney
Redland
1500 West Canal Ct
Littleton, CO 80120

RE: Midtown Filing 13
Traffic Impact Study
Conformance Letter

Dear Evan,

This letter is to confirm that Filing 13 of Midtown at Clear Creek is in conformance with the Updated Traffic Impact Study prepared by LANTZ ASSOCIATES and submitted on February 7, 2014. Filing 13 changes the type of residential unit from Apartment and Attached Single Family to 79 Single-Family Attached units. The trips generated by the single-family attached units will be considerably less than those projected for the apartments. The Conformance Letter for Filing 11 also on the east side of Pecos St and south of 68th Ave indicated daily trips would be reduced by 1758 trips, the AM peak hour trips would decrease by 181 trips and the PM peak hour trips would decrease by 220 trips.

Filing 13 will have 79 single-family attached townhomes. Table 1 shows the Trip Generation Rates and Table 2 shows the number of trips that will be generated in Filing 13.

			Trip Generation Rates						
ITE Code	Land Use	Unit	Daily	AM Street Peak Hour			PM Street Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total
215	Single-Family Attached	units	7.2	0.12	0.36	0.48	0.34	0.23	0.57

Table 1 – Trip Generation Rates

			Generated Trips						
ITE Code	Land Use	Size	Daily	AM Street Peak Hour			PM Street Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total
215	Single-Family Attached	79	568	9	28	37	27	18	45

Table 2 – Generated Trips

Filing 13 also included 48 attached single family units that were included in the 2014 Updated Traffic Impact Study. Comparing the Filing 13 trips with the 2014 Study indicates that the trips on the east side of Pecos St that includes Filing 11 and Filing 13 will decrease the number of trips that were predicted in the 2014 Study.

With the addition of Filing 13, the trips generated on the east side of Pecos St and south of 68th Ave will decrease the trips predicted in the 2014 study by 165 trips in the AM peak hour and 200 trips in the PM peak hour.

The decrease in the number of trips will make the traffic flow more freely, but these changes do not significantly change the findings in the 2014 Updated Traffic Impact Study. No changes are expected at the intersections at 68th Ave & Pecos St, and 67th Ave & Pecos St. The operations will be slightly better than originally predicted. The internal streets on the east side of Pecos St and south of 68th Ave will operate slightly better than previously predicted with the decrease in trips.

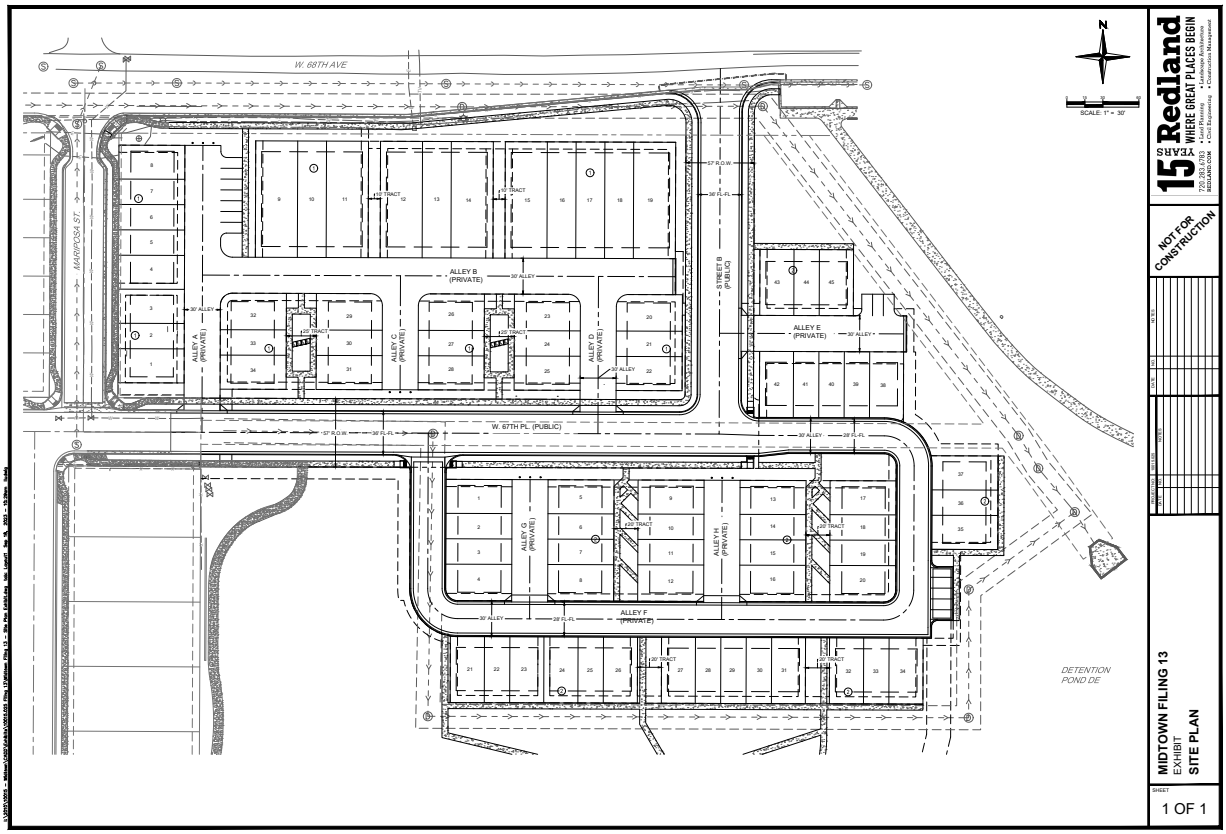
No changes to the updated Traffic Impact Study are anticipated due to the Filing 13 submittal.

The preliminary site plan for filing 13 is attached.

Respectfully Submitted,

Fred Lantz, PE
Traffic Engineer

COLORADO REGISTERED
FREDERICK G. LANTZ
23410
10/9/23
PROFESSIONAL ENGINEER



Midtown Filing 13

Community & Economic
Development Department
www.adcogov.org

ADAMS COUNTY
COLORADO

4430 South Adams County Parkway
1st Floor, Suite W2000
Brighton, CO 80601-8204
PHONE 720.523.6800
FAX 720.523.6998

PLANNED UNIT DEVELOPMENT / FINAL DEVELOPMENT PLAN

Application submittals must include all documents on this checklist as well as this page. Please use the reference guide (pg. 2) included in this packet for more information on each submittal item.

All applications shall be submitted electronically to epermitcenter@adcogov.org. If the submittal is too large to email as an attachment, the application may be sent as an unlocked OneDrive link. Alternatively, the application may be delivered on a flash drive to the One-Stop Customer Service Center. All documents should be combined in a single PDF. Once a complete application has been received, fees will be invoiced and payable online at https://permits.adcogov.org/CitizenAccess/.

- ☑ 1. Development Application Form (pg. 4)
- ☑ 2. Application Fees (see table)
- ☐ 3. Written Explanation of the Project
- ☐ 4. Site Plan Showing Proposed Development
- ☐ 5. Copy of Final Development Plan
- ☑ 6. Application for Final Plat, including:
    - All Applicable Engineering Documents
- ☑ 7. Proof of Ownership (warranty deed or title policy)
- ☑ 8. Proof of Water and Sewer Services
- ☑ 9. Proof of Utilities (e.g. electric, gas)
- ☑ 10. Legal Description
- ☑ 11. Certificate of Taxes Paid

Applications Fees	Amount	Due
Final Development Plan	$2,200	After complete application received
Application for Final Plat	See Associated Application Fees	After complete application received
Copying	$5 per page	Prior to Final Public Hearing
Recording	$13 (first page); $10 (ea. additional)	Prior to Final Public Hearing

Planned Unit Development – Final Development Plan Guide to Development Application Submittal

All development application submittals shall comprise of one (1) electronic copy (emailed or delivered on a USB).**Application submittals that do not conform to these guidelines shall not be accepted.**

---

3. Written Explanation of the Project:

- A clear and concise, yet thorough, description of the proposal. Please include, if applicable, timeframe, purpose of project, and improvements that will be made to the site

4. Site Plan Showing Proposed Development:

- A detailed drawing of existing and proposed improvements
- Including:
  - Streets, roads, and intersections
  - Driveways, access points, and parking areas
  - Existing and proposed structures, wells, and septic systems,
  - Easements, utility lines, and no build or hazardous areas
  - Scale, north arrow, and date of preparation
- An Improvement Location Certificate or Survey may be required during the official review

5. Copy of Final Development Plan:

- Site specific development plan, which describes and establishes the type and intensity of uses for a specific parcel or parcels of land.
- Includes a final subdivision plat, development agreement, and utility plan, as well as any detailed engineering that may be required.

6. Application for Final Plat:

- The final map and engineering documents of all or a portion of a subdivision, which is presented for final approval.
- Plat requirements are included in the application packet.

7. Proof of Ownership:

- A deed may be found in the Office of the Clerk and Recorder
- A title commitment is prepared by a professional title company

8. Proof of Water:

- Public utilities-A written statement from the appropriate water district indicating that they will provide service to the property **OR** a copy of a current bill from the service provider
- Private utilities- Well permit(s) information can be obtained from the Colorado State Division of Water Resources at (303) 866-3587

8. Proof of Sewer:

- Public utilities-A written statement from the appropriate sanitation district indicating that they will provide service to the property **OR** a copy of a current bill from the service provider
- Private utilities-A written statement from Tri-County Health indicating the viability of obtaining Onsite Wastewater Treatment Systems

9. Proof of Utilities (Gas, Electric, etc):

- A written statement from the appropriate utility provider indicating that they will provide service to the property
- Copy of a current bill from the service provider

10. Legal Description:

- Geographical description used to locate and identify a property
- Visit http://gisapp.adcogov.org/quicksearch/ to find the legal description for your property

11. Certificate of Taxes Paid:

- All taxes on the subject property must be paid in full. Please contact the Adams County Treasurer's Office
- Or http://adcogov.org/index.aspx?NID=812

Community & Economic
Development Department
www.adcogov.org

ADAMS COUNTY
COLORADO

4430 South Adams County Parkway
1st Floor, Suite W2000
Brighton, CO 80601-8204
PHONE 720.523.6800
FAX 720.523.6998

Application Type:

☐ Conceptual Review	☐ Preliminary PUD	☐ Temporary Use
☐ Subdivision, Preliminary	☒ Final PUD	☐ Variance
☐ Subdivision, Final	☐ Rezone	☐ Conditional Use
☐ Plat Correction/ Vacation	☐ Special Use	☐ Other: _____

PROJECT NAME: Midtown Filing 13

APPLICANT

Name(s): Anastasia Urban
Phone #: 303-566-0654
Address: 6465 Greenwood Plaza Blvd. #700
City, State, Zip: Centennial, CO, 80111
2nd Phone #:
Email: Anastasia.Urban@brookfieldpropertiesdevelopment.com

OWNER

Name(s): Midtown LLC
Phone #: 303-566-0654
Address: 6465 Greenwood Plaza Blvd. #700
City, State, Zip: Centennial, CO, 80111
2nd Phone #:
Email: Anastasia.Urban@brookfieldpropertiesdevelopment.com

TECHNICAL REPRESENTATIVE (Consultant, Engineer, Surveyor, Architect, etc.)

Name: Evan Rumney
Phone #: 720-626-8185
Address: 1500 W. Canal Ct.
City, State, Zip: Littleton, CO, 80120
2nd Phone #: 720-283-6783
Email: erumney@redland.com

DESCRIPTION OF SITE

Address:	NA
City, State, Zip:	Denver, CO, 80221
Area (acres or square feet):	13.56 acres
Tax Assessor Parcel Number	0182504400022; 0182504400024
Existing Zoning:	PUD
Existing Land Use:	vacant
Proposed Land Use:	single family

Have you attended a Conceptual Review? YES [X] NO [ ]

If Yes, please list PRE#: PRE2023-00050

I hereby certify that I am making this application as owner of the above-described property or acting under the authority of the owner (attached authorization, if not owner). I am familiar with all pertinent requirements, procedures, and fees of the County. I understand that the Application Review Fee is non-refundable. All statements made on this form and additional application materials are true to the best of my knowledge and belief.

Name: Robert Lauren Date: 11/2/2023

Owner's Printed Name

Name:

Owner's Signature

15 YEARS Redland
WHERE GREAT PLACES BEGIN

720.283.6783 Office
1500 West Canal Court
Littleton, Colorado 80120

REDLAND.COM

October 16, 2023

John Stoll
Adams County Planning and Zoning
4430 South Adams County Parkway
Brighton, CO 80601

Re: Midtown Filing 13
Written Explanation of Project

Dear John Stoll:

Midtown Filing Thirteen is intended to be a residential development in the eastern most section of the Midtown community south of W. 68th Avenue, north of the Clear Creek Corridor and is the final filing of Midtown at Clear Creek. The Final Development Plan (FDP) is comprised of approximately 13.57 acres including 6.19 acres of development and 7.38 acres of park and open space. Primary access to the FDP area is from W. 68th Ave. and W. 67th Ave. This FDP is an extension of the established block structure, vehicular circulation and landscape treatment approved and constructed throughout Midtown filings.

The proposed FDP and the corresponding Final Plat offers 79 additional alley-loaded townhomes. Two types of townhome units are proposed, both alley-loaded with front porches to the street, green court or open space. The townhomes will consist of multiple residences that share one (1) or two (2) walls with an adjoining home. These residences will take access from a private drive and sizes of residence will vary in square footage. No accessory dwelling units are permitted within Filing Thirteen.

Filing Thirteen improvements will include a park and open space area south of the future townhomes. There will be several trail connections from the existing and future neighborhoods to the park and regional Clear Creek Corridor. The open space seeks to create a more naturalized park area to mirror the feel of the Open Space Park in Filings 12 and 6 on the western edge of the community. A more naturalized aesthetic will also create a visual connection to the adjacent Clear Creek Corridor and enhance the feeling of connectivity to existing open space. As the intent of this improvement is to maintain a naturalized feel, of the 4.3 AC of open space required, 30% (1.31 AC) has been activated using trails, gathering spaces / green courts, and various amenities.

Based on feedback received during the Neighborhood Meeting held on October 2, 2023 the park and open space area provides various amenities such as a dog park, pocket park with open lawns for flexible play, and fitness stations. The dog park is a relocation of the existing

feature currently on site, matches the current size (approximately 9,200 sf), and has been split into two areas for different sized dogs per neighborhood suggestion.

The estimated length of time for build-out of Filing Thirteen is approximately three (3) years from the time of approvals. A request for early grading permit will be submitted, with intent for County FDP and Plat approvals in the spring of 2024.

Sincerely,

Josie O'Connor

Josie O'Connor, PLA
Project Manager

MIDTOWN AT CLEAR CREEK – FILING NO. 13

SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO

SHEET 1 OF 9

PURPOSE

THE PURPOSE OF THIS PLAT IS TO CREATE 79 LOTS, 12 TRACTS, AND RIGHT–OF–WAY.

OWNERSHIP AND DEDICATION CERTIFICATE:

KNOW ALL MEN BY THESE PRESENTS THAT MIDTOWN FACILITY, LLC, A COLORADO LIMITED LIABILITY COMPANY, BEING THE SOLE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND:

A PARCEL OF LAND BEING A PORTION OF SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO. 2007000079792 THE OFFICIAL RECORDS OF THE ADAMS COUNTY, COLORADO CLERK AND RECORDER'S OFFICE, SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 4, WHENCE THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4 BEARS NORTH 89°48'22" WEST, A DISTANCE OF 2643.63 FEET WITH ALL BEARINGS HEREON REFERENCED TO SAID LINE;

THENCE ALONG SAID NORTH LINE, NORTH 89°48'22" WEST, A DISTANCE OF 769.03 FEET;

THENCE DEPARTING SAID NORTH LINE, SOUTH 00°11'38" WEST, A DISTANCE OF 40.00 FEET TO THE NORTHEASTERLY CORNER OF SAID SPECIAL WARRANTY DEED AND THE POINT OF BEGINNING;

THENCE ALONG THE EASTERLY AND SOUTHERLY BOUNDARY OF SAID SPECIAL WARRANTY DEED, THE FOLLOWING NINE (9) COURSES:

1. SOUTH 38°21'59" EAST, A DISTANCE OF 194.84 FEET;
2. SOUTH 51°23'53" EAST, A DISTANCE OF 128.80 FEET;
3. SOUTH 15°37'26" WEST, A DISTANCE OF 335.11 FEET;
4. SOUTH 31°14'28" EAST, A DISTANCE OF 73.46 FEET;
5. SOUTH 58°45'32" WEST, A DISTANCE OF 225.78 FEET;
6. SOUTH 54°30'23" WEST, A DISTANCE OF 236.69 FEET;
7. SOUTH 27°17'19" WEST, A DISTANCE OF 306.52 FEET;
8. SOUTH 39°46'32" WEST, A DISTANCE OF 63.23 FEET;
9. SOUTH 89°57'07" WEST, A DISTANCE OF 91.41 FEET TO THE EASTERLY BOUNDARY OF THE PLAT OF MIDTOWN AT CLEAR CREEK – FILING NO. 7, RECORDED AT RECEPTION NO. 2016000009355, IN SAID RECORDS;

THENCE ALONG SAID EASTERLY BOUNDARY, THE FOLLOWING NINE (9) COURSES:

1. NORTH 00°16'34" EAST, A DISTANCE OF 286.85 FEET;
2. NORTH 00°24'51" WEST, A DISTANCE OF 249.02 FEET;
3. NORTH 00°16'34" EAST, A DISTANCE OF 325.54 FEET;
4. SOUTH 89°43'26" EAST, A DISTANCE OF 53.51 FEET;
5. NORTH 00°16'34" EAST, A DISTANCE OF 57.02 FEET;
6. NORTH 89°43'26" WEST, A DISTANCE OF 93.51 FEET;
7. NORTH 00°16'34" EAST, A DISTANCE OF 52.00 FEET;
8. NORTH 89°43'26" WEST, A DISTANCE OF 69.50 FEET;
9. NORTH 00°16'34" EAST, A DISTANCE OF 220.48 FEET TO THE SOUTHERLY RIGHT–OF–WAY LINE OF WEST 68TH AVENUE AS DEDICATED ON SAID PLAT OF MIDTOWN AT CLEAR CREEK–FILING NO. 7;

THENCE DEPARTING SAID EASTERLY BOUNDARY ALONG SAID SOUTHERLY RIGHT–OF–WAY LINE, SOUTH 89°48'22" EAST, A DISTANCE OF 595.45 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 13.565 ACRES, (590,905 SQUARE FEET), MORE OR LESS.

HAS BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS, BLOCKS, STREETS, TRACTS AND EASEMENTS AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF **MIDTOWN AT CLEAR CREEK – FILING NO. 13,** AND DO HEREBY GRANT TO THE COUNTY OF ADAMS, STATE OF COLORADO, FOR THE USE OF THE PUBLIC, THE STREETS AND OTHER PUBLIC WAYS AND EASEMENTS AS SHOWN AND OF THE EASEMENTS AS SHOWN (EXCLUDING THOSE GRANTED AND DEDICATED TO MIDTOWN AT CLEAR CREEK METROPOLITAN DISTRICT), FOR PUBLIC UTILITY, CABLE TV AND DETENTION POND AREAS, FLOODWAY AND FLOODPLAIN LIMITS, DRAINAGE AND OTHER PUBLIC PURPOSES AS DETERMINED BY THE COUNTY OF ADAMS.

_____
BY: PETER LAUENER

ACKNOWLEDGEMENT

BY: MIDTOWN FACILITY, LLC, A COLORADO LIMITED LIABILITY COMPANY

STATE OF COLORADO)
)SS
COUNTY OF _____)

THE FOREGOING OWNERSHIP AND DEDICATION CERTIFICATE WAS ACKNOWLEDGED BEFORE ME

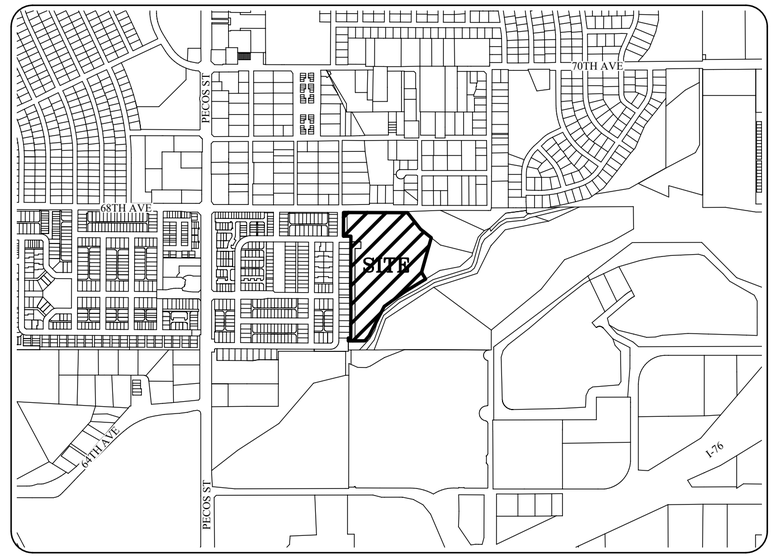
THIS _____ DAY OF _____ A.D. 20_____, BY PETER LAUENER AS PRESIDENT OF MIDTOWN, LLC, A COLORADO LIMITED LIABILITY COMPANY.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____.

MY ADDRESS IS: _____.

WITNESS MY HAND AND OFFICIAL SEAL:

_____
NOTARY PUBLIC



VICINITY MAP
1" = 1000'
NORTH

OWNERSHIP AND DEDICATION CERTIFICATE:–CONTINUED

EXECUTED THIS _____ DAY OF _____ A.D., 20_____,

BY: CLEAR CREEK STATION METROPOLITAN DISTRICT NO. 1

_____ AS _____
NAME TITLE

ACKNOWLEDGEMENT

STATE OF COLORADO)
)SS
COUNTY OF _____)

THE FOREGOING PLAT AND DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY

OF _____ A.D. 20___,

BY _____ AS _____

OF CLEAR CREEK STATION METROPOLITAN DISTRICT NO. 1.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____,

MY ADDRESS IS: _____,

WITNESS MY HAND AND OFFICIAL SEAL:

_____
NOTARY PUBLIC

TRACT SUMMARY TABLE

TRACT	AREA (S.F.±)	AREA (A.C.±)	USE	OWNERSHIP & MAINTENANCE
A	692	0.016	LS/DRAINAGE/PA/UTILITY	MCCMD
B	23,926	0.549	PRIVATE ALLEY/ACCESS/UTILITY	MCCMD
C	8,550	0.196	LS/DRAINAGE/PA/UTILITY	MCCMD
D	6,257	0.144	LS/DRAINAGE/PA/UTILITY	MCCMD
E	4,247	0.097	PRIVATE ALLEY/ACCESS/UTILITY	MCCMD
F	195	0.004	LS/DRAINAGE/PA/UTILITY	MCCMD
G	44,479	1.021	OPEN SPACE/UTILITY/DRAINAGE	MCCMD
H	9,166	0.210	LS/DRAINAGE/PA/UTILITY	MCCMD
I	30,716	0.705	PRIVATE ALLEY/ACCESS/UTILITY	MCCMD
J	1,100	0.025	LS/DRAINAGE/PA/UTILITY	MCCMD
K	1,100	0.025	LS/DRAINAGE/PA/UTILITY	MCCMD
L	294,620	6.764	OPEN SPACE/UTILITY/DRAINAGE	MCCMD
TOTAL TRACT AREA	425,048	9.756		
TOTAL LOT AREA	127,233	2.922		
ROW DEDICATION	38,624	0.887		
TOTAL SITE AREA	590,905	13.565		

MCCMD - MIDTOWN AT CLEAR CREEK METROPOLITAN DISTRICT

LS/DRAINAGE/PA = LANDSCAPING, DRAINAGE, PUBLIC ACCESS

SURVEYOR'S CERTIFICATE

I, ANTHONY K. PEALL, A DULY LICENSED PROFESSIONAL LAND SURVEYOR, LICENSED IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT THERE ARE NO ROADS, PIPELINES, IRRIGATION DITCHES, OR OTHER EASEMENTS IN EVIDENCE OR KNOWN BY ME TO EXIST ON OR ACROSS THE HEREIN BEFORE DESCRIBED PROPERTY EXCEPT AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT I HAVE PERFORMED THE SURVEY SHOWN HEREON, OR SUCH SURVEY WAS PREPARED UNDER MY DIRECT RESPONSIBILITY AND SUPERVISION, THAT THIS PLAT ACCURATELY REPRESENTS SAID SURVEY, AND THAT ALL MONUMENTS EXIST AS SHOWN HEREIN.

ANTHONY K. PEALL
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR, P.L.S. 38636
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 EAST MINERAL AVE., SUITE 1
LITTLETON, CO. 80122
(303) 713–1898

FOR REVIEW

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 FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

NOTICE: PER THE STATE OF COLORADO BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS, AND PROFESSIONAL LAND SURVEYORS RULE 1.6.B.2 THE WORD "CERTIFY" AS USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED. THE SURVEY REPRESENTED HEREON HAS BEEN PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND IS BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF.

BOARD OF COUNTY COMMISSIONERS APPROVAL

APPROVED BY THE ADAMS COUNTY BOARD OF COMMISSIONERS THIS ____ DAY OF _____, A.D., 20_____.

_____
CHAIR

ADAMS COUNTY ATTORNEY'S OFFICE

_____
APPROVED AS TO FORM

CLERK AND RECORDER'S CERTIFICATE

THIS FINAL PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER, IN THE STATE OF COLORADO, AT _____M. ON THE _____ DAY OF _____A.D., 20_____.

_____
COUNTY CLERK AND RECORDER

BY: _____ RECEPTION NO. _____.
DEPUTY

NO.	REVISION	DATE	BY	CHK
3				
2				
1				

AZTEC CONSULTANTS, INC.
300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

AzTec Proj. No.: 54823-13
Drawn By: BAM

DATE OF PREPARATION:	10-03-2023
SCALE:	N/A
SHEET 1 OF 9	

MIDTOWN AT CLEAR CREEK – FILING NO. 13

SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4,
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO

NOTES

1. BASIS OF BEARINGS: THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN AS MONUMENTED AT THE EAST QUARTER CORNER BY A NO. 6 REBAR WITH A 3" ALUMINUM CAP STAMPED "PLS 7276" IN A MONUMENT BOX AND AT THE CENTER–EAST SIXTEENTH CORNER OF SAID SECTION 4 BY A NO. 6 REBAR WITH A 3–1/4" ALUMINUM CAP STAMPED "PLS 26970" IN A MONUMENT BOX, WAS ASSUMED TO BEAR NORTH 89°48'22" WEST, A DISTANCE OF 2,643.63 FEET.

2. STORM DRAINAGE FACILITIES STATEMENT: THE POLICY OF THE COUNTY REQUIRES THAT MAINTENANCE ACCESS SHALL BE PROVIDED TO ALL STORM DRAINAGE FACILITIES TO ASSURE CONTINUOUS OPERATIONAL CAPABILITY OF THE SYSTEM. THE PROPERTY OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE FACILITIES INCLUDING INLETS, PIPES, CULVERTS, CHANNELS, DITCHES, HYDRAULIC STRUCTURES, AND DETENTION BASINS LOCATED ON THEIR LAND UNLESS MODIFIED BY THE SUBDIVISION DEVELOPMENT AGREEMENT. SHOULD THE OWNER FAIL TO MAINTAIN SAID FACILITIES, THE COUNTY SHALL HAVE THE RIGHT TO ENTER SAID LAND FOR THE SOLE PURPOSE OF OPERATIONS AND MAINTENANCE. ALL SUCH MAINTENANCE COSTS WILL BE ASSESSED TO THE PROPERTY OWNERS.

3. ANY PERSON WHO KNOWINGLY REMOVES OR KNOWINGLY CAUSES TO BE REMOVED ANY PUBLIC LAND SURVEY MONUMENT, AS DEFINED BY SECTION 38–53–103 (18), C.R.S., OR CONTROL CORNER, AS DEFINED IN SECTION 38–53–103 (6), C.R.S., OR A RESTORATION OF ANY SUCH MONUMENT OR WHO KNOWINGLY REMOVES OR KNOWINGLY CAUSES TO BE REMOVED ANY BEARING TREE KNOWING SUCH IS A BEARING TREE OR OTHER ACCESSORY, AS DEFINED BY SECTION 38–53–103 (1), C.R.S., EVEN IF SAID PERSON HAS TITLE TO THE LAND ON WHICH SAID MONUMENT OR ACCESSORY IS LOCATED, COMMITS A CLASS 2 MISDEMEANOR UNLESS, PRIOR TO SUCH REMOVAL, SAID PERSON HAS CAUSED A COLORADO PROFESSIONAL LAND SURVEYOR TO ESTABLISH AT LEAST TWO WITNESS CORNERS OR REFERENCE MARKS FOR EACH SUCH MONUMENT OR ACCESSORY REMOVED AND HAS FILED OR CAUSED TO BE FILED A MONUMENT RECORD PURSUANT TO ARTICLE 53 OF TITLE 38, C.R.S.

4. AZTEC CONSULTANTS, INC. HAS RELIED UPON TITLE COMMITMENT _____ PREPARED BY _____, EFFECTIVE DATE _____ _____, _____ AT _:00 A.M./P.M, FOR OWNERSHIP AND FOR THE PURPOSE OF SHOWING RECORDED EASEMENTS AND RIGHTS–OF–WAY ACROSS THESE PREMISES. THIS SURVEY AND PLAT DOES NOT CONSTITUTE A TITLE SEARCH BY AZTEC CONSULTANTS, INC., TO DETERMINE OWNERSHIP OR APPLICABLE EASEMENTS AND RIGHTS–OF–WAY.

5. DISTANCES ON THIS PLAT ARE GROUND DISTANCES EXPRESSED IN U.S. SURVEY FEET AND DECIMALS THEREOF. A U.S. SURVEY FOOT IS DEFINED AS EXACTLY 1200/3937 METERS.

6. UTILITY EASEMENTS AS SHOWN HEREON, ARE DEDICATED FOR ELECTRIC, GAS, TELEVISION CABLE, AND TELECOMMUNICATIONS FACILITIES. THE HOME OWNER SHALL BE RESPONSIBLE FOR ALL MAINTENANCE WITHIN THE EASEMENT EXCEPT THAT PORTION WITHIN THE PRIVATE ALLEY TRACT WHERE APPLICABLE. THE PRIVATE ALLEY TRACTS WILL BE MAINTAINED BY MIDTOWN AT CLEAR CREEK METROPOLITAN DISTRICT. PUBLIC SERVICE COMPANY REQUESTS THESE UTILITY EASEMENTS BE DEDICATED TO ADAMS COUNTY FOR THE BENEFIT OF THE APPLICABLE UTILITY PROVIDERS FOR THE INSTALLATION, MAINTENANCE, AND REPLACEMENT OF ELECTRIC, GAS, TELEVISION, CABLE, AND TELECOMMUNICATIONS FACILITIES (DRY UTILITIES). UTILITY EASEMENTS SHALL ALSO BE GRANTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS IN THE SUBDIVISION. PERMANENT STRUCTURES, IMPROVEMENTS, OBJECTS, BUILDINGS, WELLS, WATER METERS AND OTHER OBJECTS THAT MAY INTERFERE WITH THE UTILITY FACILITIES OR USE THEREOF (INTERFERING OBJECTS) SHALL NOT BE PERMITTED WITHIN SAID UTILITY EASEMENTS AND THE UTILITY PROVIDERS, AS GRANTEES, MAY REMOVE ANY INTERFERING OBJECTS AT NO COST TO SUCH GRANTEES, INCLUDING, WITHOUT LIMITATION, VEGETATION. PUBLIC SERVICE COMPANY OF COLORADO AND ITS SUCCESSORS RESERVE THE RIGHT TO REQUIRE ADDITIONAL EASEMENTS AND TO REQUIRE THE PROPERTY OWNER TO GRANT PSCO AN EASEMENT ON ITS STANDARD FORM. WET UTILITIES (WATER, SANITARY SEWER, AND/OR STORM SEWER) SHALL CROSS DRY UTILITY EASEMENTS AT NEAR RIGHT ANGLES.

7. THE MIDTOWN AT CLEAR CREEK METROPOLITAN DISTRICT ("MCCMD") IS RESPONSIBLE FOR THE ENFORCEMENT OF LANDSCAPE MAINTENANCE REQUIREMENTS. THROUGH MCCMD, A DRC (DESIGN REVIEW COMMITTEE) WILL REVIEW PRIVATE OPEN SPACE DESIGN FOR COMPATIBILITY. PRIVATE LOT OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THEIR PROPERTY AS WELL AS ADJACENT TREE LAWN AREA(S). MAINTENANCE OF THE TREE LAWN AND LANDSCAPE TRACT BETWEEN FRONT PROPERTY LINE AND STREET SHALL BE THE PRIMARY RESPONSIBILITY OF THE HOMEOWNER UNDER THE REQUIREMENTS OF THE MCCMD COVENANTS. THE COUNTY, ITS SUCCESSOR OR ASSIGNS SHALL BE RESPONSIBLE FOR MAINTAINING ALL LOCAL STREETS. HOMEOWNER OF LAND ABUTTING A CONSTRUCTED PUBLIC RIGHT–OF–WAY IS RESPONSIBLE FOR MAINTENANCE OF CURB, GUTTER, AND SIDEWALK ALONG THE RIGHT–OF–WAY ABUTTING HIS PROPERTY INCLUDING SNOW REMOVAL FOR PEDESTRIAN ACCESS.

8. THE SURVYED PROPERTY SHOWN HEREIN LIES WITHIN OTHER AREAS – ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP INDEX NOS. 08001C0584H AND 08001C0603H, BOTH MAPS REVISED MARCH 5, 2007.

9. A PORTION OF THIS PLAT IS SUBJECT TO AN ENVIRONMENTAL COVENANT AS RECORDED AUGUST 10, 2007, UNDER RECEPTION NO. 2007000077016.

10. ALL PRIVATE STORM SEWER THAT ORIGINATE WITHIN A PRIVATELY OWNED TRACT AND OUTFALL TO A PUBLIC STORM SEWER MAIN LOCATED WITHIN THE PUBLIC RIGHT–OF–WAY, ARE TO BE OWNED AND MAINTAINED BY THE MIDTOWN AT CLEAR CREEK METROPOLITAN DISTRICT. THE OWNERSHIP AND MAINTENANCE RESPONSIBILITIES FOR THESE PRIVATE STORM SEWERS SHALL BE UP TO AND INCLUDING THE CONNECTION POINT TO THE PUBLIC STORM SEWER WITHIN THE PUBLIC RIGHT–OF–WAY. THE MIDTOWN AT CLEAR CREEK METROPOLITAN DISTRICT ITS SUCCESSORS OR ASSIGNS SHALL SECURE APPLICABLE PERMITS FOR WORK WITHIN THE ADAMS COUNTY RIGHT–OF–WAY WHENEVER MAINTENANCE IS WITHIN THE PUBLIC RIGHT–OF–WAY.

ADDRESS TABLE

BLOCK 1		BLOCK 2	
LOT	ADDRESS	LOT	ADDRESS
1	----------	1	----------
2	----------	2	----------
3	----------	3	----------
4	----------	4	----------
5	----------	5	----------
6	----------	6	----------
7	----------	7	----------
8	----------	8	----------
9	----------	9	----------
10	----------	10	----------
11	----------	11	----------
12	----------	12	----------
13	----------	13	----------
14	----------	14	----------
15	----------	15	----------
16	----------	16	----------
17	----------	17	----------
18	----------	18	----------
19	----------	19	----------
20	----------	20	----------
21	----------	21	----------
22	----------	22	----------
23	----------	23	----------
24	----------	24	----------
25	----------	25	----------
26	----------	26	----------
27	----------	27	----------
28	----------	28	----------
29	----------	29	----------
30	----------	30	----------
31	----------	31	----------
32	----------	32	----------
33	----------	33	----------
34	----------	34	----------
		35	----------
		36	----------
		37	----------
		38	----------
		39	----------
		40	----------
		41	----------
		42	----------
		43	----------
		44	----------
		45	----------

LINE TABLE

LINE #	DIRECTION	LENGTH
L1	S38°21'59"E	194.84'
L2	S51°23'53"E	128.80'
L3	S31°14'28"E	73.46'
L4	S58°45'32"W	225.78'
L5	S54°30'23"W	236.69'
L6	S39°46'32"W	63.23'
L7	S89°57'07"W	91.41'
L8	N00°24'51"W	249.02'
L9	N00°16'34"E	325.54'
L10	S89°43'26"E	53.51'
L11	N00°16'34"E	57.02'
L12	N89°43'26"W	93.51'
L13	N00°16'34"E	52.00'

LINE TABLE

LINE #	DIRECTION	LENGTH
L14	N89°43'26"W	69.50'
L15	N00°16'34"E	220.48'
L16	N00°11'38"E	5.00'
L17	N89°48'22"W	13.00'
L18	S89°48'22"E	13.00'
L19	N00°11'38"E	5.05'
L20	S00°11'38"W	30.00'
L21	S00°11'38"W	30.45'
L22	S00°11'38"W	21.16'
L23	S00°11'38"W	28.39'
L24	S44°55'35"E	6.38'
L25	N00°11'53"E	13.00'
L26	S89°48'22"E	27.00'

LINE TABLE

LINE #	DIRECTION	LENGTH
L27	S00°11'53"W	13.00'
L28	S89°48'22"E	3.01'
L29	N84°05'51"E	25.15'
L30	S00°11'38"W	9.75'
L31	S89°48'22"E	13.00'
L32	N89°48'22"W	13.00'
L33	N00°11'38"E	2.36'
L34	S89°48'22"E	10.00'
L35	S00°11'38"W	8.00'
L36	S00°11'38"W	6.05'
L37	N89°48'22"W	8.50'
L38	S89°48'22"E	7.95'
L39	S00°11'38"W	9.65'

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH
C1	90°00'00"	5.00'	7.85'
C2	90°00'00"	5.00'	7.85'
C3	90°00'00"	10.00'	15.71'
C4	90°00'00"	10.00'	15.71'
C5	90°00'00"	10.00'	15.71'
C6	90°00'00"	10.00'	15.71'
C7	90°00'00"	10.00'	15.71'
C8	90°00'00"	10.00'	15.71'
C9	90°00'00"	4.50'	7.07'
C10	32°20'27"	9.00'	5.08'
C11	89°59'59"	5.00'	7.85'
C12	90°00'00"	5.00'	7.85'
C13	18°44'53"	14.00'	4.58'

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH
C14	18°44'53"	14.00'	4.58'
C15	90°00'00"	10.00'	15.71'
C16	90°00'00"	40.00'	62.83'
C17	90°00'00"	10.00'	15.71'
C18	90°00'00"	10.00'	15.71'
C19	90°00'00"	5.00'	7.85'
C20	90°00'00"	5.00'	7.85'

FOR REVIEW

FOR AND ON BEHALF OF
AZTEC CONSULTANTS, INC

AZTEC CONSULTANTS, INC.
300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

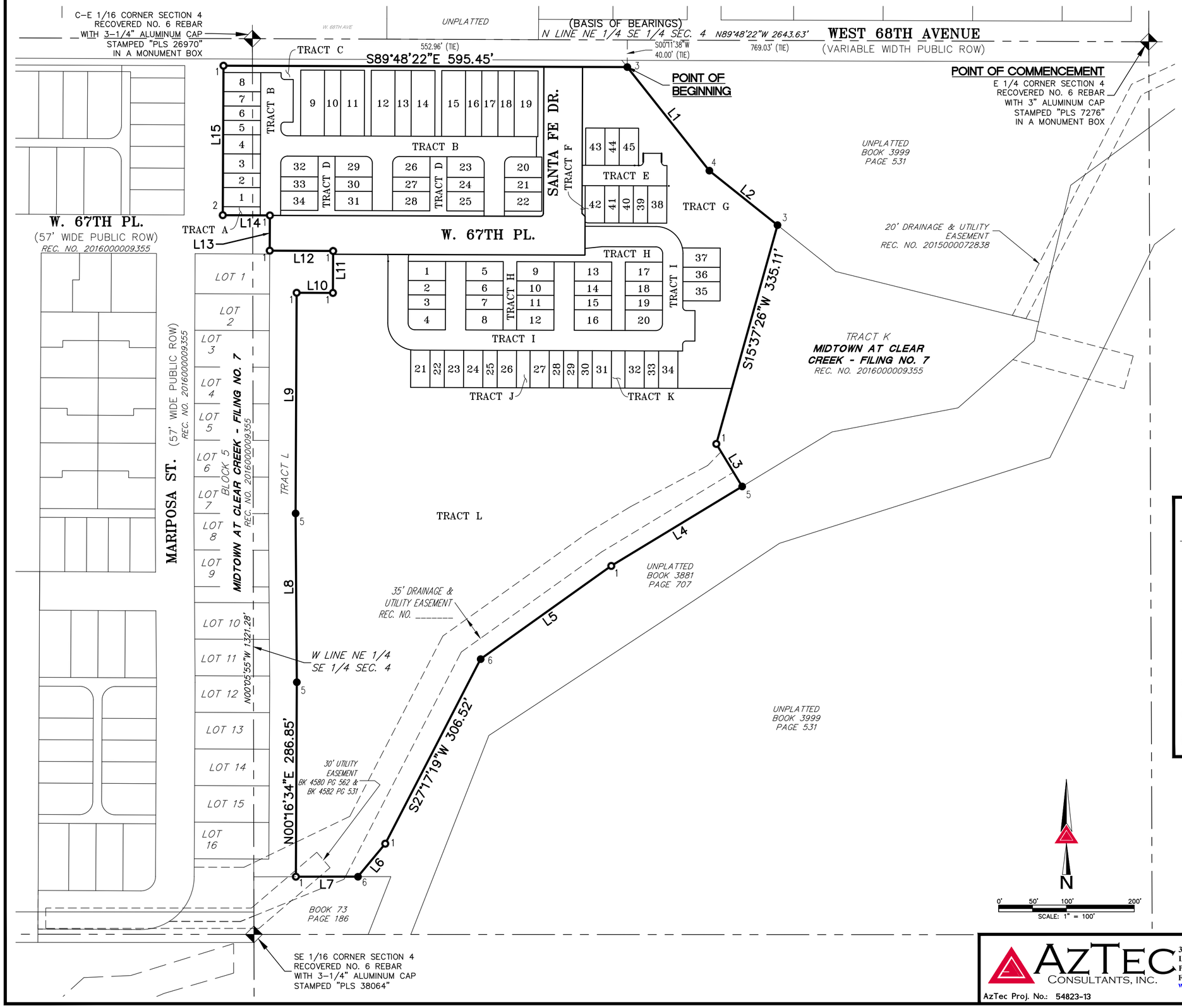
AzTec Proj. No.: 54823-13
Drawn By: BAM

DATE OF PREPARATION:	10-03-2023
SCALE:	N/A
SHEET 2 OF 9	

MIDTOWN AT CLEAR CREEK – FILING NO. 13

SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4,
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO

SHEET 3 OF 9



LINE TABLE		
LINE #	DIRECTION	LENGTH
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L2	S51°23'53"E	128.80'
L3	S31°14'28"E	73.46'
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L9	N00°16'34"E	325.54'
L10	S89°43'26"E	53.51'
L11	N00°16'34"E	57.02'
L12	N89°43'26"W	93.51'
L13	N00°16'34"E	52.00'
L14	N89°43'26"W	69.50'
L15	N00°16'34"E	220.48'

LEGEND

- FOUND ALIQUOT CORNER STAMPED AS SHOWN
- 1 SET NO. 5 X 18" REBAR WITH 1–1/4" PINK PLASTIC CAP STAMPED "AZTEC PLS 38636"
- 2 SET 1" BRASS DISK STAMPED "AZTEC PLS 38636"
- 3 FOUND 1" BRASS DISK STAMPED "AZTEC PLS 38064"
- 4 FOUND 1" BRASS DISK STAMPING ILLEGIBLE
- 5 FOUND NO. 5 REBAR WITH 1–1/4" ORANGE PLASTIC CAP STAMPED "AZTEC PLS 38064"
- 6 FOUND 1" YELLOW PLASTIC CAP STAMPED "BAYER LS 6973"
- (ROW) RIGHT–OF–WAY
- ## BLOCK NUMBER

FOR REVIEW

FOR AND ON BEHALF OF
AZTEC CONSULTANTS, INC

AZTEC CONSULTANTS, INC.
300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

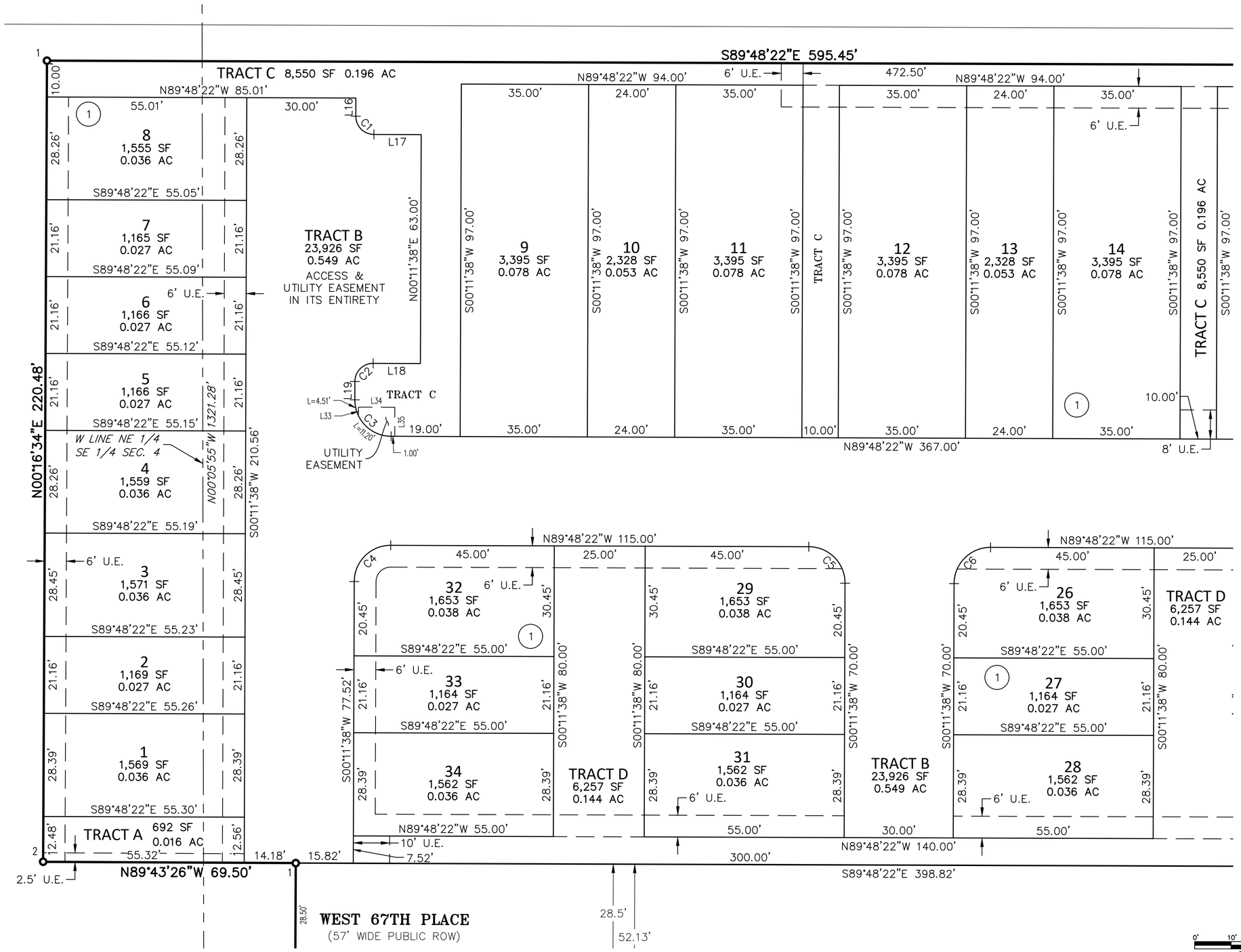
AzTec Proj. No.: 54823-13
Drawn By: BAM

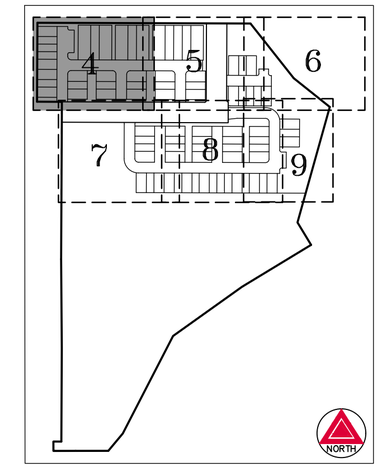
DATE OF PREPARATION:	10-03-2023
SCALE:	1" = 100'
SHEET 3 OF 9	

MIDTOWN AT CLEAR CREEK – FILING NO. 13

SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4,
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO

SHEET 4 OF 9





KEY MAP
SCALE: 1" = 300'

SEE SHEET 5

SEE SHEET 5

LEGEND

1 ○	SET NO. 5 X 18" REBAR WITH 1-1/4" PINK PLASTIC CAP STAMPED "AZTEC PLS 38636"
U.E.	UTILITY EASEMENT
(ROW)	RIGHT-OF-WAY
##	BLOCK NUMBER

SEE SHEET 2
FOR LINE &
CURVE TABLES

N

0' 10' 20' 40'
SCALE: 1" = 20'

FOR REVIEW

FOR AND ON BEHALF OF
AZTEC CONSULTANTS, INC

AZTEC CONSULTANTS, INC.
300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

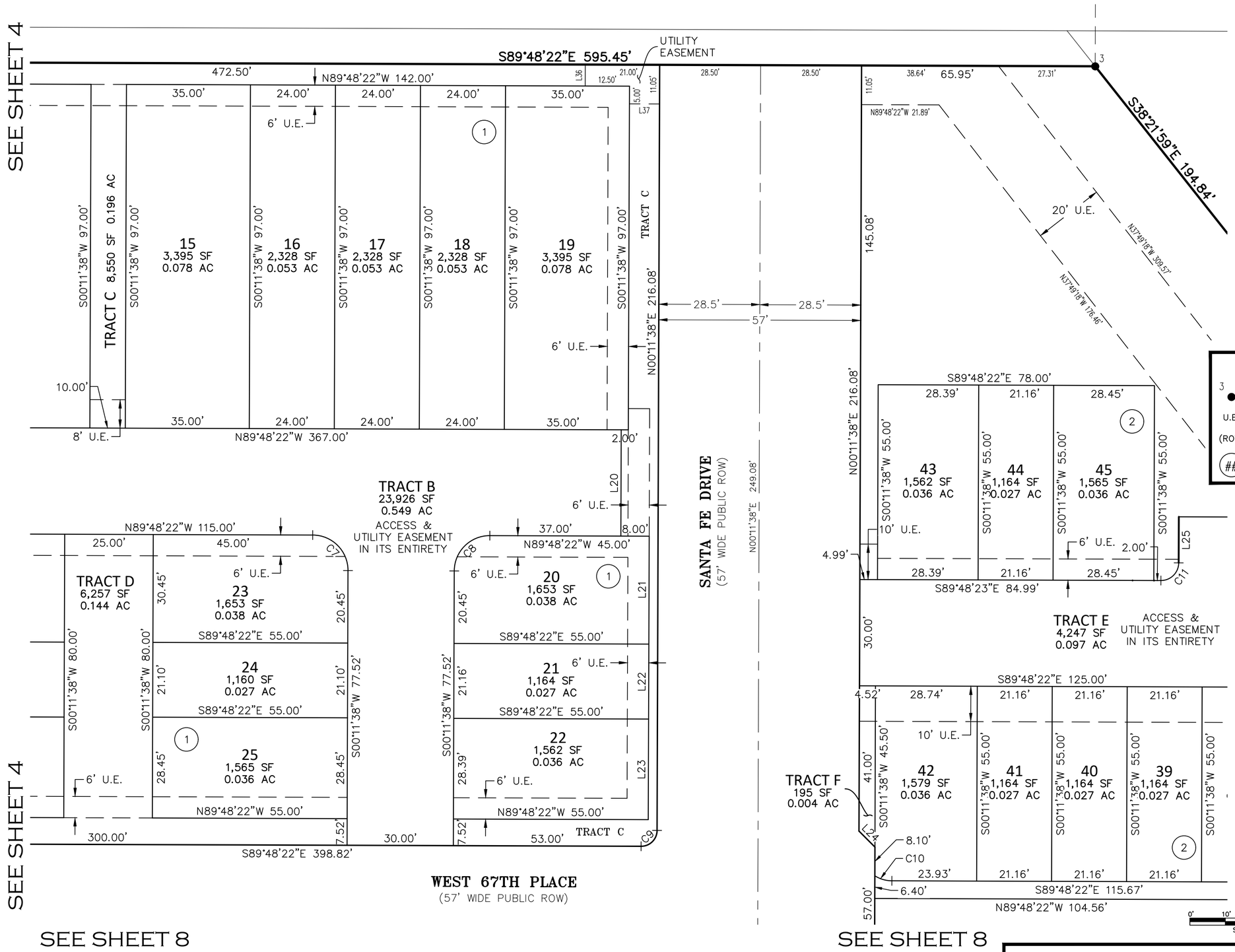
AzTec Proj. No.: 54823-13
Drawn By: BAM

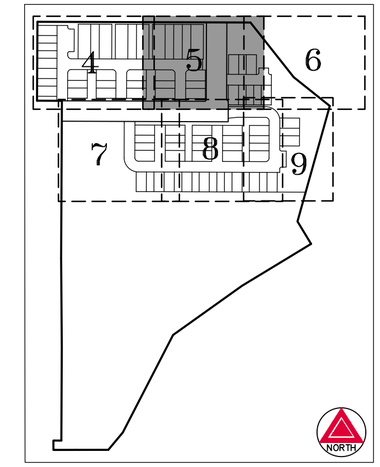
DATE OF PREPARATION:	10-03-2023
SCALE:	1" = 20'
SHEET 4 OF 9	

MIDTOWN AT CLEAR CREEK – FILING NO. 13

SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4,
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO

SHEET 5 OF 9





KEY MAP
SCALE: 1" = 300'

LEGEND

- FOUND 1" BRASS DISK STAMPED "AZTEC PLS 38064"
- U.E. UTILITY EASEMENT
- (ROW) RIGHT-OF-WAY
- (##) BLOCK NUMBER

SEE SHEET 2 FOR LINE & CURVE TABLES

FOR REVIEW

FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC

AZTEC CONSULTANTS, INC.
300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

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DATE OF PREPARATION:	10-03-2023
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SHEET 5 OF 9	

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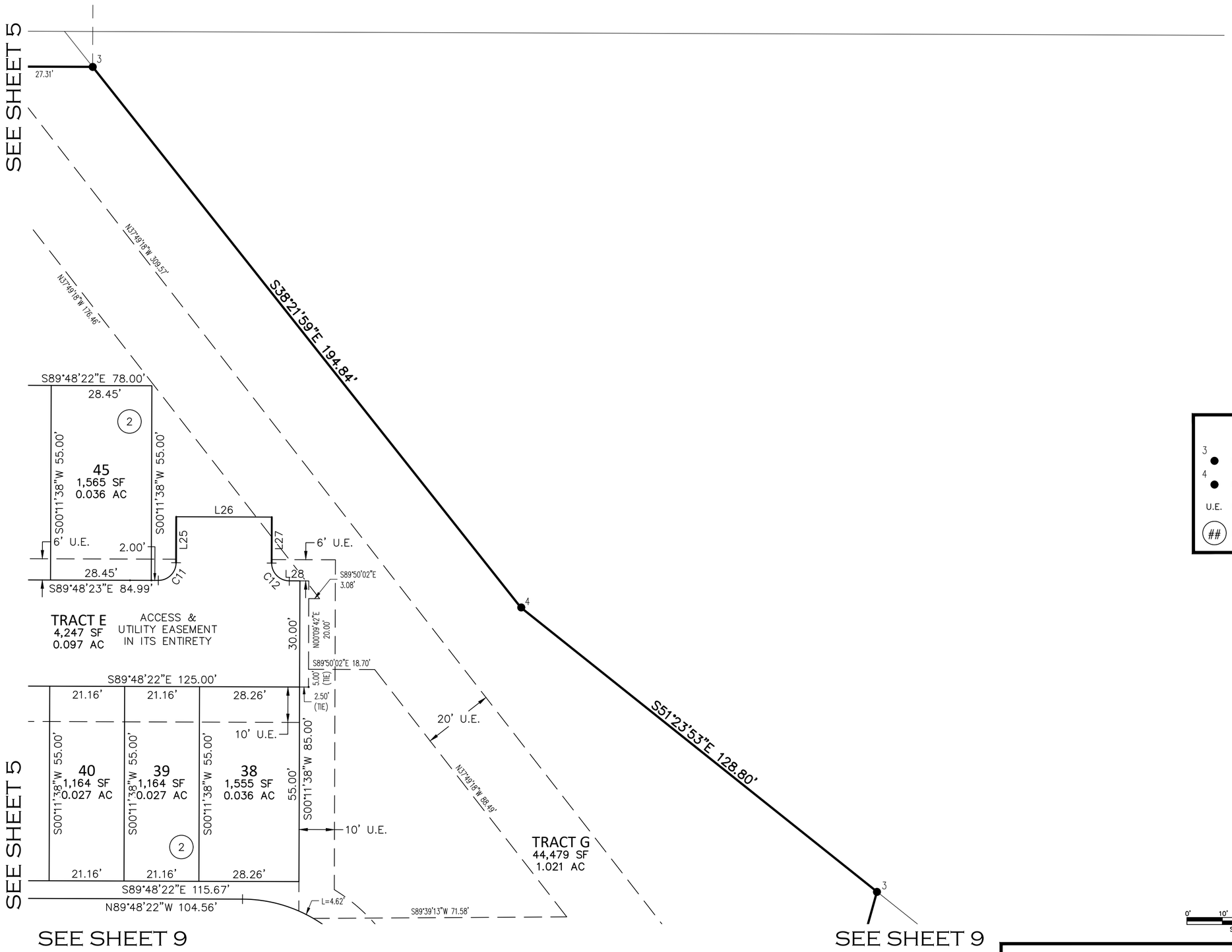
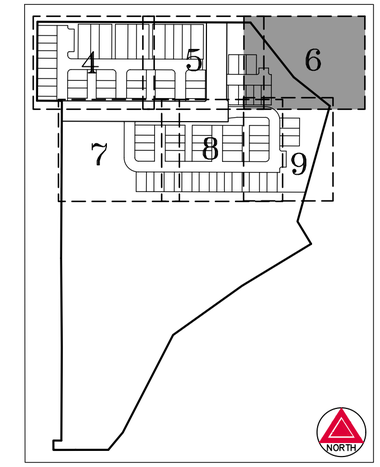
COUNTY OF ADAMS, STATE OF COLORADO

SHEET 6 OF 9





KEY MAP
SCALE: 1" = 300'

LEGEND

3 ● FOUND 1" BRASS DISK STAMPED "AZTEC PLS 38064"

4 ● FOUND 1" BRASS DISK STAMPING ILLEGIBLE

U.E. UTILITY EASEMENT

(##) BLOCK NUMBER

SEE SHEET 2
FOR LINE &
CURVE TABLES

N

0' 10' 20' 40'
SCALE: 1" = 20'

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MIDTOWN AT CLEAR CREEK – FILING NO. 13

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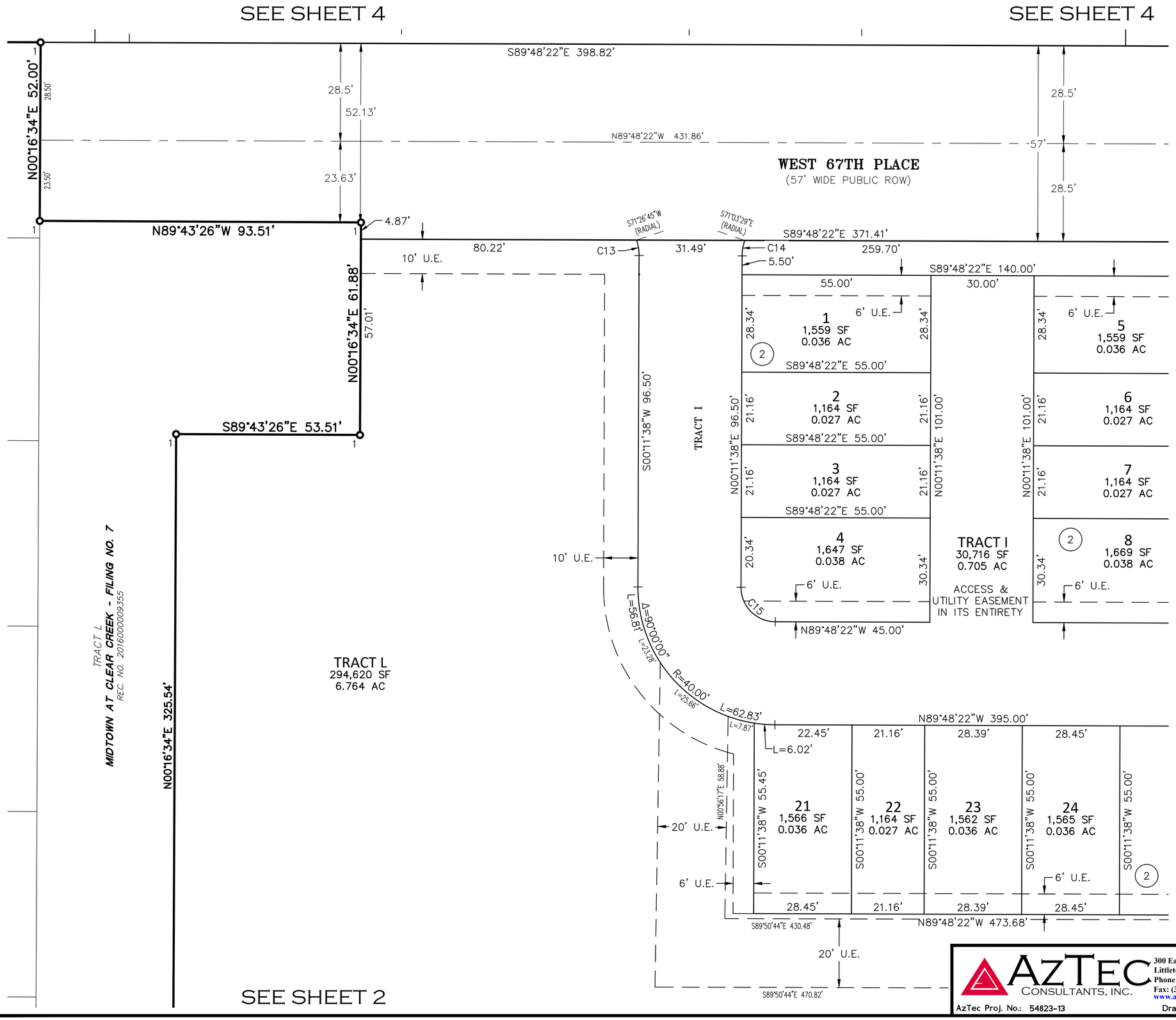
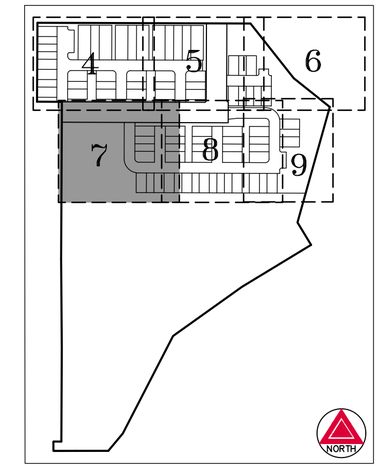
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO

SHEET 7 OF 9





KEY MAP
SCALE: 1" = 300'

SEE SHEET 2
FOR LINE &
CURVE TABLES

LEGEND

1 ○	SET NO. 5 X 18" REBAR WITH 1-1/4" PINK PLASTIC CAP STAMPED "AZTEC PLS 38636"
U.E.	UTILITY EASEMENT
(ROW)	RIGHT-OF-WAY
(##)	BLOCK NUMBER

N

0' 10' 20' 40'
SCALE: 1" = 20'

FOR REVIEW

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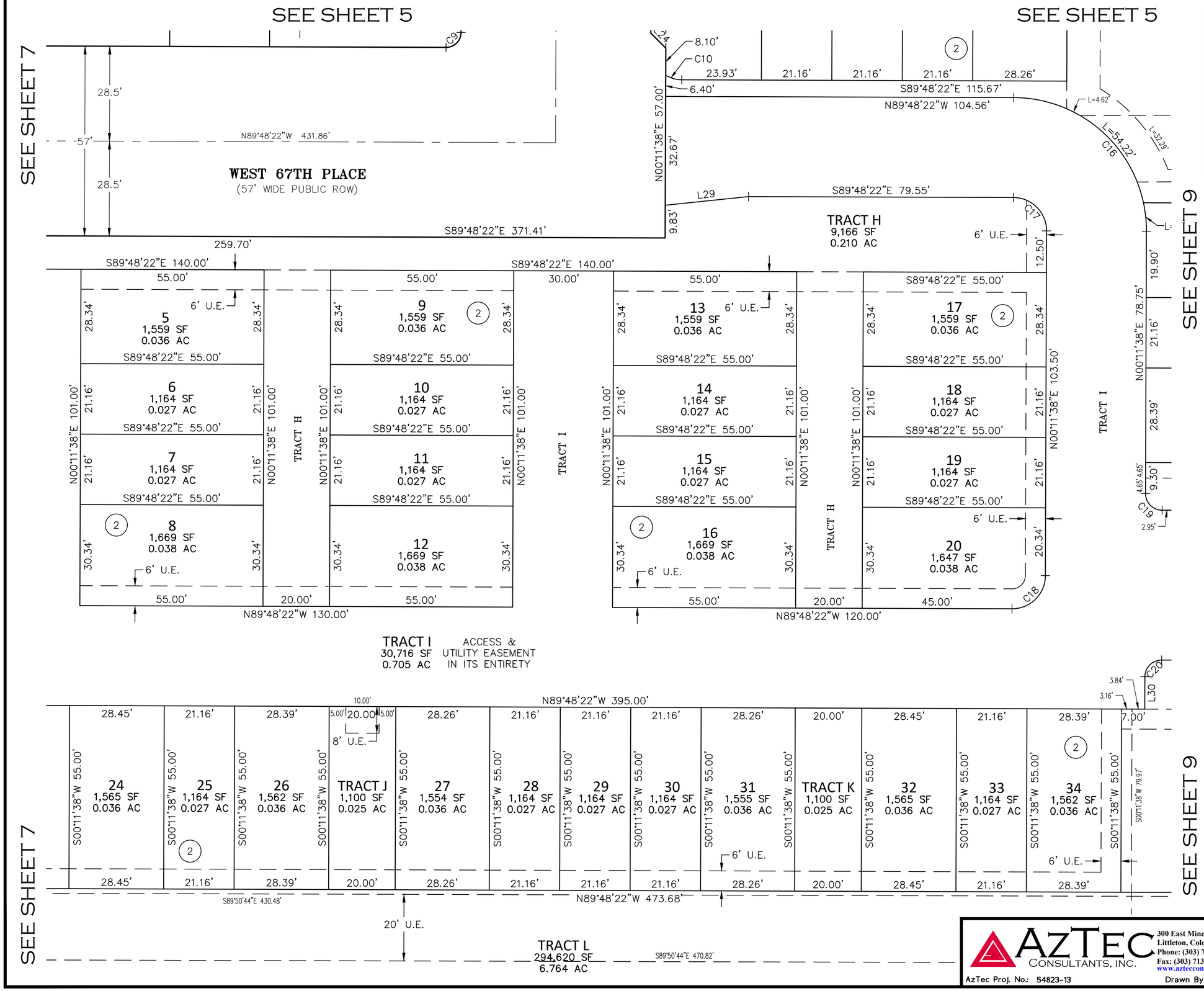
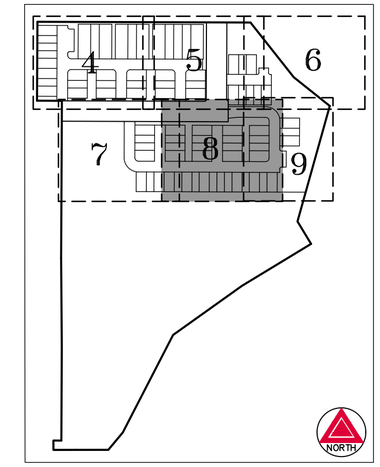
COUNTY OF ADAMS, STATE OF COLORADO

SHEET 8 OF 9





KEY MAP
SCALE: 1" = 300'

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CURVE TABLES

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U.E. UTILITY EASEMENT

(ROW) RIGHT-OF-WAY

(##) BLOCK NUMBER

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0' 10' 20' 40'
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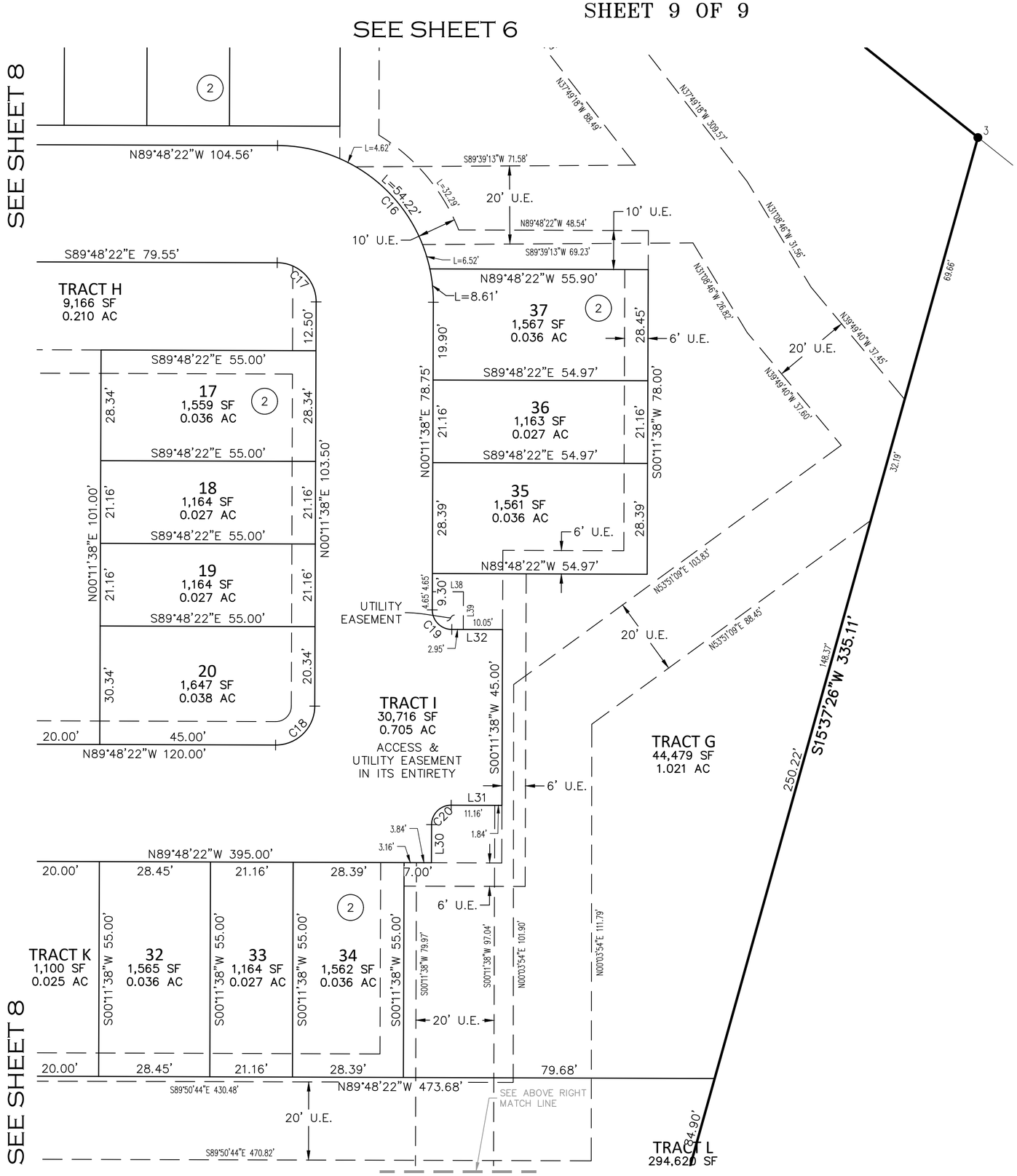
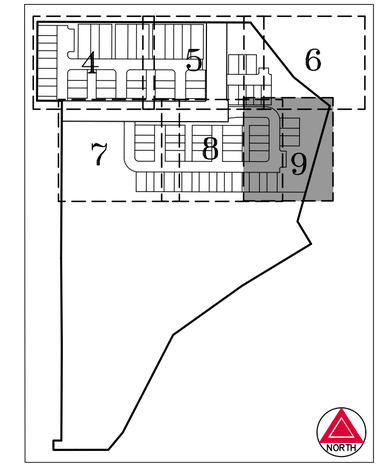
SHEET 9 OF 9

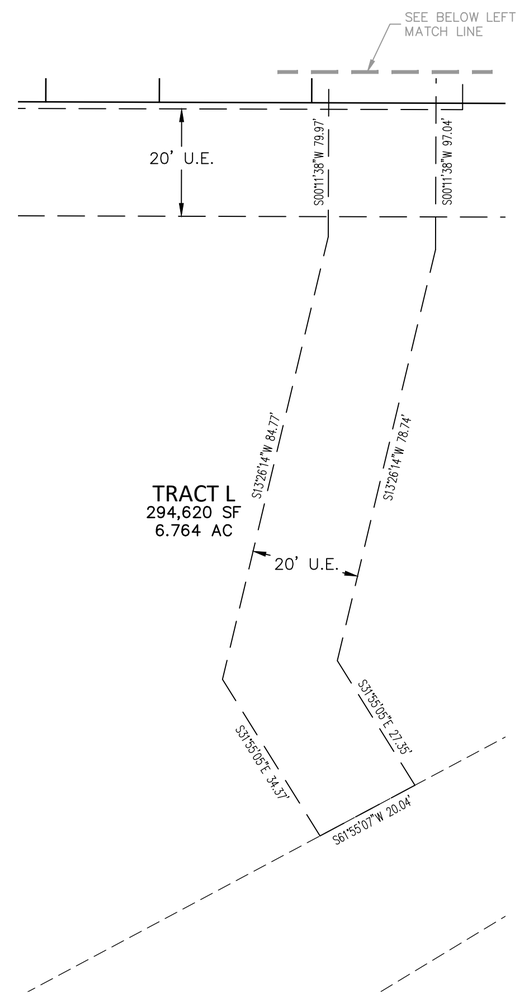


LEGEND

3 ●	FOUND 1" BRASS DISK STAMPED "AZTEC PLS 38064"
U.E.	UTILITY EASEMENT
(##)	BLOCK NUMBER



KEY MAP
SCALE: 1" = 300'



SEE SHEET 2
FOR LINE &
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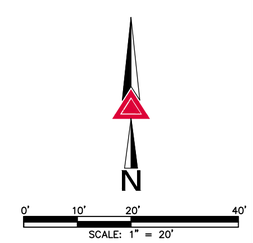

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Drawn By: BAM

DATE OF PREPARATION:	10-03-2023
SCALE:	1" = 20'
SHEET 9 OF 9	

CASE NO. DP XXXX-XXX

MIDTOWN FILING 13

PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 68 WEST

OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO

PROJECT TEAM

OWNER / DEVELOPER

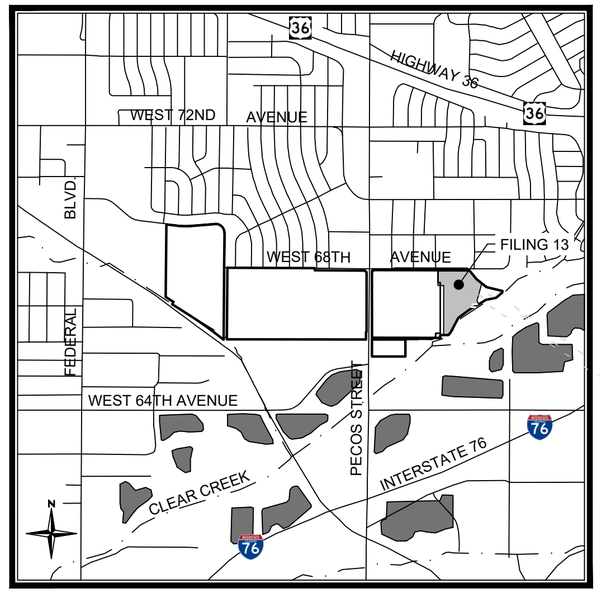
Midtown, LLC
6465 S. Greenwood Village Blvd., Suite 700
Centennial, Colorado 80111
303.790.6613 voice
Contact: Anastasia Urban
Email: anastasia.urban@brookfieldpropertiesdevelopment.com

CIVIL ENGINEER

Redland
1500 W. Canal Ct., Bldg A
Littleton, Colorado 80120
720.283.6783 voice
Contact: Evan Rumney, P.E.
Email: erumney@redland.com

PLANNER/LANDSCAPE ARCHITECT

Redland
1500 W. Canal Ct., Bldg A
Littleton, Colorado 80120
303.283.6783 voice
Contact: Susan Wade
Email: swade@redland.com



VICINITY MAP
1" = 2000'

Sheet List Table

Sheet Number	Sheet Title
1 OF 21	COVER SHEET
2 OF 21	WRITTEN NARRATIVE
3 OF 21	SITE PLAN
4 OF 21	NOTES AND PLANT SCHEDULE
5 OF 21	OVERALL LANDSCAPE PLAN
6 OF 21	DETAILED LANDSCAPE PLAN
7 OF 21	DETAILED LANDSCAPE PLAN
8 OF 21	DETAILED LANDSCAPE PLAN
9 OF 21	DETAILED LANDSCAPE PLAN
10 OF 21	DETAILED LANDSCAPE PLAN
11 OF 21	LANDSCAPE TYPICALS
12 OF 21	LANDSCAPE TYPICALS
13 OF 21	LANDSCAPE DETAILS
14 OF 21	LANDSCAPE DETAILS
15 OF 21	LANDSCAPE DETAILS
16 OF 21	LANDSCAPE DETAILS
17 OF 21	LANDSCAPE DETAILS
18 OF 21	OPEN SPACE
19 OF 21	OWNERSHIP AND MAINTENANCE
20 OF 21	PARKING EXHIBIT
21 OF 21	ARCHITECTURAL STANDARDS

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO. 2007000079792 AND TRACT L, MIDTOWN AT CLEAR CREEK - FILING NO. 7, RECORDED AT RECEPTION NO. 2016000009355, BOTH IN SAID OFFICIAL RECORDS OF THE ADAMS COUNTY, COLORADO CLERK AND RECORDER'S OFFICE, SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.

CONTAINING AN AREA OF 13.565 ACRES, (590,905 SQUARE FEET), MORE OR LESS.

ADDITIONS AND DELETIONS

THE FOLLOWING ADDITIONS AND DELETIONS IN THE PUD WERE MADE BY THE BOARD OF COUNTY COMMISSIONERS AT THE TIME OF APPROVAL:

_____

_____

_____

BOARD OF COUNTY COMMISSIONERS APPROVAL

APPROVED BY ADAMS COUNTY BOARD OF COMMISSIONERS THIS _____ DAY OF _____ 20____.

_____
CHAIR

CERTIFICATE OF THE CLERK AND RECORDER

THIS FINAL DEVELOPMENT PLAN WAS FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER IN THE STATE OF COLORADO AT _____ M. ON THE _____ DAY OF _____ 20____.

_____
COUNTY CLERK AND RECORDER

BY DEPUTY:_____

CERTIFICATE OF OWNERSHIP

MIDTOWN, LC BEING AN OWNER OF MIDTOWN AT CLEAR CREEK - FILING NO. 13 LOCATED IN THE COUNTY OF ADAMS, STATE OF COLORADO, HEREBY SUBMIT THIS PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN AND AGREES TO PERFORM UNDER THE TERMS NOTED HEREON

BY: _____

_____

NOTARY ACKNOWLEDGEMENT

STATE OF _____)
)SS
COUNTY OF _____)

THE FOREGOING CERTIFICATE OF DEDICATION AND OWNERSHIP WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20_____ BY _____ AS _____ OF MIDTOWN, LLC A COLORADO LIMITED LIABILITY COMPANY.

WITNESS MY HAND AND SEAL:

_____ _____
NOTARY PUBLIC MY COMMISSION EXPIRES

ADDRESS OF NOTARY: _____

15 YEARS Redland WHERE GREAT PLACES BEGIN
720.283.6783 ▪ Land Planning ▪ Landscape Architecture
REDLAND.COM ▪ Civil Engineering ▪ Construction Management

PROJECT NO: 22036.01

DATE	NO.	NOTES
10/16/2023	1	1ST SUBMITTAL TO COUNTY

MIDTOWN FILING 13
FINAL DEVELOPMENT PLAN
COVER SHEET

SHEET
1 OF 21

NOT FOR CONSTRUCTION

I:\2010\10015 – Midtown\CADD\Sheet Sets\10015.025 Filing 13 FDP\Midtown Filing 13–Cover Sheet_FDP.dwg tab: 1 OF X COVER SHEET Oct 20, 2023 – 12:20pm jaconnor

CASE NO. DP XXXX-XXX

MIDTOWN FILING 13

PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 68 WEST

OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO

NARRATIVE:

A. EXPLANATION OF CHARACTERISTICS OF THE PUD

THE FILING THIRTEEN FINAL DEVELOPMENT PLAN (FDP) AREA AT MIDTOWN IS COMPRISED OF APPROXIMATELY 13.57 ACRES INCLUDING 6.19 ACRES OF DEVELOPMENT AND 7.38 ACRES OF PARK AND OPEN SPACE. THIS FDP IS LOCATED IN THE EASTERN MOST SECTION OF THE MIDTOWN COMMUNITY SOUTH OF W 68TH AVENUE AND NORTH OF THE CLEAR CREEK CORRIDOR. PRIMARY ACCESS TO THIS FDP AREA IS FROM W. 68TH AVE AND W. 67TH AVE. THIS FDP IS AN EXTENSION OF THE ESTABLISHED BLOCK STRUCTURE, VEHICULAR CIRCULATION AND LANDSCAPE TREATMENT APPROVED AND CONSTRUCTED THROUGHOUT MIDTOWN FILINGS.

THE PROPOSED NEIGHBORHOOD OFFERS 79 ADDITIONAL ALLEY-LOADED TOWNHOMES. THE OPEN SPACE IMPROVEMENTS IN THIS FDP SEEKS TO CREATE A MORE NATURALIZED PARK AREA ADJACENT TO THE CLEAR CREEK CORRIDOR FOR THE GREATER MIDTOWN COMMUNITY.

FILING THIRTEEN WILL INCLUDE A PARK AND OPEN SPACE AREA SOUTH OF THE FUTURE TOWNHOMES. THERE WILL BE SEVERAL TRAIL CONNECTIONS FROM THE EXISTING AND FUTURE NEIGHBORHOODS TO THE PARK AND REGIONAL CLEAR CREEK CORRIDOR.

B. POTENTIAL IMPACT OR PROPOSED MITIGATION ON THE SURROUNDING AREA

THE FPD IS CONSISTENT WITH THE APPROVED PUD. THE COMPLETED MIDTOWN PUD IS COMPRISED OF APPROXIMATELY 181.8 ACRES. INCORPORATED INTO THE OVERALL COMMUNITY VISION IS A LOCAL COMMERCIAL/MIXED USE AREA, A VARIETY OF RESIDENTIAL HOME TYPES AND A SYSTEM OF OPEN SPACE, PARKS AND TRIALS WHICH INCLUDES A DEDICATED OPEN SPACE AREA. MIDTOWN PROVIDES GREAT ACCESS TO EXISTING LIGHT RAIL SYSTEMS, LOCATED APPROXIMATELY 1 MILE FROM THE PECOS STATION AND WESTMINSTER STATION, THE PROXIMITY TO PUBLIC TRANSPORTATION WILL HELP SUPPORT THE RTD RIDERSHIP.

C. CONTEMPLATED INTENSITY AND DENSITY OF LAND USE

79 ATTACHED TOWNHOME USES ARE PROPOSED IN THE FILING THIRTEEN FDP AND THE CORRESPONDING FINAL PLAT. THE PROPOSED DENSITY AND LAND COVERAGE IS CONSISTENT WITH THE THIRD AMENDMENT TO THE PRELIMINARY DEVELOPMENT PLAN FOR MIDTOWN PUD.

PER THE APPROVED PDP FOR MIDTOWN, THE OVERALL NUMBER OF ALLOWABLE RESIDENTIAL UNITS IS 1,208 WITH A GROSS DENSITY OF APPROXIMATELY 6.6 DWELLING UNITS PER ACRES, FILING 13 IS PROPOSING 5.8 GROSS DWELLING UNITS PER ACRES AND MAINTAINING OVERALL 7.38 ACRES OF PARKS, OPEN SPACE, DETENTION, LANDSCAPE BUFFERS, GREEN COURTS AND RIGHT-OF-WAY.

BASED ON PLANNED BUILDING-OUT, THE MIDTOWN COMMUNITY WILL PROVIDE OPEN SPACE AREAS CONSISTENT WITH THIS TYPE OF URBAN INFILL DEVELOPMENT AND MEETS OR EXCEED THE ADAMS COUNTY STANDARDS FOR OPEN SPACE REQUIREMENTS.

D. NUMBER, TYPE, AND SIZE OF BUILDINGS AND/OR UNITS

79 ATTACHED RESIDENTIAL TOWNHOMES UNITS ARE PROPOSED IN THE FILING THIRTEEN FDP AND THE CORRESPONDING FINAL PLAT. TWO TYPES OF TOWNHOME UNITS ARE PROPOSED, BOTH ALLEY-LOADED WITH FRONT PORCHES TO THE STREET, GREEN COURT OR OPEN SPACE.

THE TOWNHOMES WILL CONSISTS OF MULTIPLE RESIDENCES THAT SHARE ONE (1) OR TWO (2) WALLS WITH AN ADJOINING HOME. THESE RESIDENCES WILL TAKE ACCESS FROM A PRIVATE DRIVE AND SIZES OF RESIDENCE WILL VARY IN SQUARE FOOTAGE. NO ACCESSORY DWELLING UNITS ARE PERMITTED WITHIN FILING THIRTEEN.

E. PROVISIONS FOR PARKING

PER THE PDP, MIDTOWN SHALL HAVE 2.5 PARKING SPACES PER DWELLING UNIT OVERALL. FILING THIRTEEN EXCEEDS THE REQUIRED PARKING SPACES PER DWELLING UNIT BY PROVIDING 2.6 SPACES PER DWELLING UNITS. OVERALL QUANTITY OF PARKING SPACES PROVIDE WITHIN MIDTOWN EXCEED THE MINIMUM PARKING REQUIREMENT. THE MIDTOWN COMMUNITY AS A WHOLE IS PROVIDING APPROXIMATELY 3.84 SPACES PER DWELLING UNIT. ALLEYS AND PRIVATE DRIVES WILL BE USE TO ACCESS GARAGES AND PARKING FOR THE HOMES IN THE FDP. A 26-FOOT AND 30-FOOT WIDE FIRE WIDE FIRE ACCESS ALLEYS ARE FOR PASSENGER VEHICLES, GARBAGE TRUCK ACCESS AND FIRE TRUCK ACCESS ONLY AND ALLOW FOR ALLEY-ACCESSED GARAGES. EACH HOME WILL PROVIDE A MINIMUM OF TWO (2) GARAGE PARKING SPACES. PARALLEL PARKING IS NOT ALLOWED BETWEEN THE GARAGE AND PAVED ALLEY IN FIRE ACCESS ALLEY, BUT IS PERMITTED ALONG INTERNAL ROADWAYS. REFER TO ARCHITECTURAL STANDARDS ON SHEET 21. THE PARKING EXHIBIT IS ON SHEET 20.

F. CIRCULATION AND ROAD PATTERNS

THE HELP ENSURE A PEDESTRIAN-FRIENDLY ENVIRONMENT, THE PLANNED CIRCULATION PATTERNS ALLOW FOR DISTRIBUTION AND DISBURSEMENT OF INTERNAL TRAFFIC THROUGH THE DEVELOPMENT. FILING THIRTEEN WILL GAIN ACCESS FROM W 68TH AVE. AND W 67TH AVE. AND ALL PUBLIC STREETS SHALL MEET THE STANDARDS APPROVED AS PART OF THE PUD. THE PRIVATE DRIVES WILL ALSO PROVIDE LOOPING CIRCULATION INTERNAL TO THE NEIGHBORHOOD.

G. OWNERSHIP AND MAINTENANCE OF COMMON AREAS

ALL COMMON AREAS WILL BE MAINTAINED BY THE MIDTOWN CLEAR CREEK METROPOLITAN DISTRICT ("MCCMD"). MCCMD IS RESPONSIBLE FOR THE ENFORCEMENT OF LANDSCAPE MAINTENANCE REQUIREMENTS, THROUGH THE MCCMD, A DRC (DESIGN REVIEW COMMITTEE) WILL REVIEW PRIVATE OPEN SPACE DESIGN FOR COMPATIBILITY. ALL LOTS SHALL NOT BE FENCED IN FILLING THIRTEEN, THEREFORE MAKING FRONT LAWNS A PART OF THE OPEN SPACE OR GREEN COURTS. THE COUNTY, ITS ACCESSOR OR ASSIGNS SHALL BE RESPONSIBLE FOR MAINTAINING ALL LOCAL STREET AFTER DEDICATION, CONSTRUCTION AND ACCEPTANCE HAS BEEN GRANTED. ALLEYS, PRIVATE DRIVES AND LAND ABUTTING THE RIGHT-OF WAY SHALL BE PRIVATELY MAINTAINED BY MCCMD. DOG STATIONS WILL BE MAINTAINED BY MCCMD.

H. TYPE, LOCATION, EXAMPLES OF COPY AND CONSTRUCTION OF SIGNS

ENTRY MONUMENTS AT MIDTOWN ARE LOCATED AT KEY INTERSECTIONS AND CROSSINGS. THIS FDP INCLUDES NO ADDITIONAL MONUMENTATION.

I. TYPE AND ALLOCATION OF ALL USES INCLUDING PERMITTED USES, USES PERMITTED AFTER AMENDMENT TO THE PUD AND PROHIBITED USES

THE DESIGN INTENT FOR MIDTOWN IS CREATE A MIXED-USE INFILL COMMUNITY THAT INCLUDED A VARIETY OF HOME TYPES.

J. LOCATION AND TYPES OF LANDSCAPING AND MAINTENANCE PROVISIONS

THE APPROVED MIDTOWN PUD INCLUDED A VARIETY OF PARKS AND OPEN SPACES STRATEGICALLY LOCATED THROUGHOUT THE COMMUNITY. THIS FDP INCLUDES STREETSCAPE LANDSCAPE, GREEN COURTS, AND A 6.76 ACRE PARK AND OPEN SPACE AREA. THE PARK, LANDSCAPE TRACTS, AND TREE LAWNS SHALL BE MAINTAINED BY THE MCCMD.

K. DESCRIPTION OF BUILDING ENVELOPES INCLUDING SQUARE FOOTAGE AND/OR NUMBER OF UNITS, MINIMUM BUILDING SETBACKS(S), HEIGHT AND GENERAL EXTERNAL CHARACTERISTICS

BUILDING SETBACKS AND BUILD HEIGHT ARE BASED ON THE DEVELOPMENT STANDARDS APPROVED IN THE PUD. SHEET 21 OF THIS FDP FURTHER DESCRIBES LOT AND BUILDING STANDARDS. REAR-LOADED TOWNHOMES WILL RANGE IN SIZE FROM 1,500 TO 2,100 SF.

ARCHITECTURAL DESIGN ALLOWS FOR INCORPORATION OF A VARIETY OF ARCHITECTURAL STYLES FROM CONTEMPORARY TO CRAFTSMAN OR PRAIRIE. ALL COMMUNITY DEVELOPMENT ON THE PROPERTY SHOULD COMPLY WITH THESE STANDARDS WHEN THEY ARE ADOPTED BY THE DESIGN REVIEW COMMITTEE. IN ADDITION, 3RD FLOOR OPTIONS MAY BE AVAILABLE ON SELECT UNITS AND RANCH UNITS WILL BE PERMITTED ONLY ON ZERO STEP (ACCESSIBLE) LOTS.

L. COVENANTS TO BE IMPOSED ON THE PUD

ARCHITECTURAL AND LANDSCAPE DESIGN GUIDELINES HAVE BEEN DEVELOPED FOR MIDTOWN. ALL BUILDERS AND HOME OWNERS WILL BE REQUIRED TO GO THROUGH THE DRC.

M. ADDITIONAL CONTROLS SUCH AS ARCHITECTURAL CONTROL COMMITTEE OF A PROPERTY OWNER'S ASSOCIATION

THE COMMUNITY WILL HAVE A METROPOLITAN DISTRICT THAT WILL CREATE A DESIGN REVIEW COMMITTEE (DRC) THAT WILL ENFORCE DESIGN STANDARDS THROUGH DECLARATION OF EASEMENTS AND MASTER ARCHITECTURAL AND MAINTENANCE STANDARDS FOR MIDTOWN. ALL ARCHITECTURAL STYLES OF PROPOSED BUILDINGS SHALL REQUIRE APPROVAL BY THE DESIGN REVIEW COMMITTEE OVERSEEN BY THE MCCMD AND SHALL BE CONSISTENT WITH THE DESIGN GUIDELINES FOR THIS COMMUNITY.

N. UTILIZATION AND LOCATION OF OUTDOOR STORAGE

ALL PROPOSED MARKETING / TEMPORARY SIGNAGE WILL BE SUBMITTED FOR APPROVAL AND MEET COUNTY SIGNAGE STANDARDS OR ORDINANCES.

O. UTILITY SERVICES

CRESTVIEW WATER AND SANITATION DISTRICT HAVE INDICATED THEY HAVE ADEQUATE CAPABILITY TO SERVE THIS PROPERTY WITH BOTH WATER AND SANITARY SEWER. XCEL ENERGY WILL PROVIDE GAS AND ELECTRIC SERVICES TO THE PROPERTY. APPROPRIATE EASEMENTS FOR ASSOCIATED IMPROVEMENTS AND UTILITY LINES ARE INCLUDED ON THE FILING THIRTEEN SUBDIVISION FINAL PLAT.

P. ESTIMATED TIME TABLE FOR DEVELOPMENT

THE ESTIMATED LENGTH OF TIME FOR BUILD-OUT OF THE FILING THIRTEEN FDP ARE OF MIDTOWN IS APPROXIMATELY THREE (3) YEARS FROM TIME OF APPROVALS. GRADING WOULD COMMENCE DIRECTLY AFTER COUNTY APPROVAL WITH AN INTENT FOR INITIAL ACCEPTANCE TO START CONSTRUCTION OCCURRING IN THE SPRING SUMMER OF 2024. FULL BUILD-OUT FOR THE MIDTOWN NEIGHBORHOOD IS APPROXIMATELY FIVE (5) TO TEN (10) YEARS.

Q. ANY OTHER PERTINENT FACTORS CONCERNING THE DEVELOPMENT

ADAMS COUNTY FIRE DISTRICT WILL SERVE MIDTOWN PROPERTY EAST OF PECOS, INCLUDING FILING THIRTEEN FDP AREA.

R. DEFINITIONS

ALLEY LOADED / REAR LOADED GARAGE: A GARAGE WITH A VEHICULAR DOOR ACCESS LOCATED ONTO AN ALLEY AT THE REAR (SOMETHING SIDE) OF THE LOT.

S. STAGING:

STAGING WILL BE PER THE APPROVED SIA FOR FILING THIRTEEN.

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PROJECT NO: 22036.01

DATE	NO.	NOTES
10/16/2023	1	1ST SUBMITTAL TO COUNTY

MIDTOWN FILING 13
FINAL DEVELOPMENT PLAN
WRITTEN NARRATIVE

SHEET
2 OF 21

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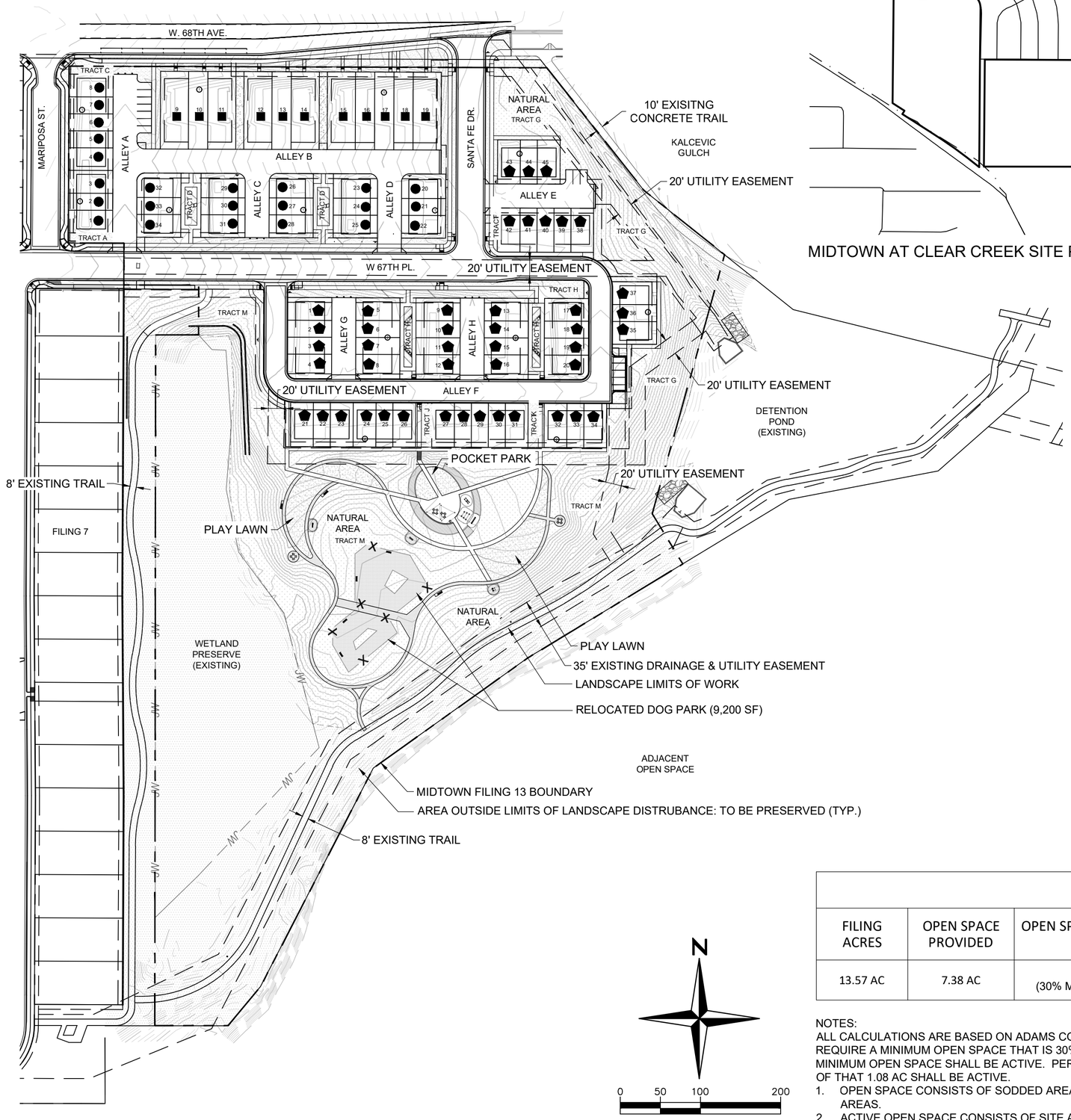
CASE NO. DP XXXX-XXX

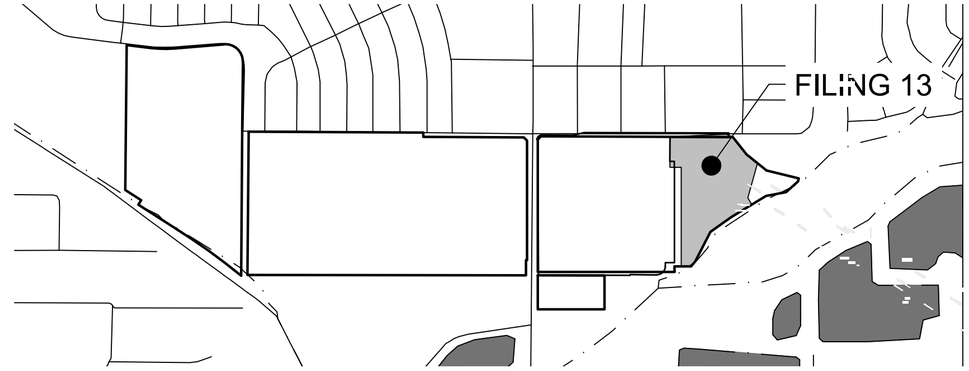
MIDTOWN FILING 13

PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 68 WEST

OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO





MIDTOWN AT CLEAR CREEK SITE PLAN - CONTEXT MAP

NOT TO SCALE

DEVELOPMENT AREA		
FILING 13 AREA	13.57 AC	590,905 SF
TOTAL DEVELOPMENT (ALL PHASES)	181.8 AC	1,208 MAX. UNITS ALLOWED

LOT SUMMARY	
LOT TYPE	QUANTITY
■ ALLEY LOADED - TYPE 1 (BLOCK 1)	11
● ALLEY LOADED - TYPE 2 (BLOCK 1)	23
⬟ ALLEY LOADED - TYPE 2 (BLOCK 2)	45
TOTAL	79

PARKING COUNT		
DESCRIPTION	BLOCKS & LOTS	QUANTITY
ALLEY LOADED SINGLE FAMILY ATTACHED TOWNHOMES WITH 2 CAR GARAGE	BLOCK 1 - LOTS 1-34 BLOCK 2 - LOTS 1 - 45	158 SPACES (2 SPACES PER UNIT)
ON-STREET PARKING	W. 68TH AVE, W. 67TH PL., AND SANTA FE DR.	35 SPACES
OFF-STREET PARKING	ALLEY A, ALLEY E, ALLEY F	15 SPACES
TOTAL PARKING		208 SPACES
SPACES PER UNIT		2.63

OPEN SPACE SUMMARY				
FILING ACRES	OPEN SPACE PROVIDED	OPEN SPACE AS A % OF FILING	ACTIVE ACREAGE	% OF MINIMUM REQUIRED OPEN SPACE THAT IS ACTIVE
13.57 AC	7.38 AC	54.4% (30% MIN. REQUIRED)	1.31 AC	30% (1)(2)

N

0 50 100 200

SCALE: 1" = 100'

NOTES:
ALL CALCULATIONS ARE BASED ON ADAMS COUNTY DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS, WHICH REQUIRE A MINIMUM OPEN SPACE THAT IS 30% OF THE TOTAL ACREAGE, AND THAT 25% (BUT NO MORE THAN 50%) OF THE MINIMUM OPEN SPACE SHALL BE ACTIVE. PER THE PDP, FILING 13 SHALL HAVE A MINIMUM OF 4.3 AC OF OPEN SPACE, AND OF THAT 1.08 AC SHALL BE ACTIVE.

1. OPEN SPACE CONSISTS OF SODDED AREAS, STREETSIDE LANDSCAPE, WETLAND PRESERVE, AND NATIVE / NATURAL AREAS.
2. ACTIVE OPEN SPACE CONSISTS OF SITE AMENITIES, DOG PARK, WALKS, TRAILS, PLAY LAWNS, GREEN COURTS, GATHERING SPACES, AND FITNESS AREAS.

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PROJECT NO.	22036.01
DATE	NO.	NOTES
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MIDTOWN FILING 13
FINAL DEVELOPMENT PLAN
SITE PLAN

SHEET
3 OF 21

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CASE NO. DP XXXX-XXX

MIDTOWN FILING 13

PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 68 WEST

OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO

PLANT SCHEDULE

DECIDUOUS TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER
	BOA	4	Quercus macrocarpa	Burr Oak	2" Cal.	B&B
	EOA	33	Quercus robur	English Oak	2" Cal.	B&B
	FE	6	Ulmus x 'Frontier'	Frontier Elm	2" Cal.	B&B
	HAC	4	Celtis occidentalis	Common Hackberry	2" Cal.	B&B
	ROA	17	Quercus rubra	Red Oak	2" Cal.	B&B

EVERGREEN TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER
	AUS	17	Pinus nigra	Austrian Pine	6' Ht.	B&B
	PE	2	Pinus edulis	Pinyon Pine	6' Ht.	B&B

ORNAMENTAL TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER
	PPM	31	Acer tataricum 'Patdell'	Pattern Perfect® Tatarian Maple	1.5" Cal.	B&B
	QS	11	Quercus robur 'Fastigiata'	Skyrocket® English Oak	1.5" Cal.	B&B
	RAD	3	Malus x 'Radiant'	Radiant Crabapple	1.5" Cal.	B&B
	WAS	6	Crataegus phaenopyrum	Washington Hawthorn	1.5" Cal.	B&B

DECIDUOUS SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER
	PMA	64	Potentilla megalantha	Cinquefoil	#5	Pot
	SNB	66	Symphoricarpos oreophilus	Mountain Snowberry	#5	Pot
	WSC	9	Prunus besseyi	Western Sand Cherry	#5	Pot

EVERGREEN SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER
	MPA	50	Arctostaphylos × coloradoensis 'Panchito'	Panchito Manzanita	#5	Pot

ORNAMENTAL GRASSES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER
	AVG	223	Helictotrichon sempervirens	Blue Avena	#1	Pot
	PDG	65	Sporobolus heterolepis	Prairie Dropseed	#1	Pot

PERENNIALS	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER
	CPM	220	Echinacea purpurea 'Magnus'	Purple Coneflower	#1	Pot

NATIVE SEED MIXES:

NATIVE SEED TYPE 1:

- 40% LITTLE BLUESTEM (SCHIZACHYRIUM SCOPARIUM) 15 LBS./ACRE
- 20% SIDE OATS GRAMA (BOUTELOUA CURTIPENDULA) 10 LBS./ACRE
- 20% BLUE GRAMA (BOUTELOUA GRACILIS) 3 LBS./ACRE
- 20% BUFFALOGRASS (BUCHLOE DACTYLOIDES) 12 LBS./ACRE

40 LBS./ACRE

NATIVE SEED TYPE 2 - SHORTGRASS:

- 60% BUFFALOGRASS (BUCHLOE DACTYLOIDES) 37 LBS./ACRE
- 40% BLUE GRAMA (BOUTELOUA GRACILIS) 8 LBS./ACRE

45 LBS./ACRE

TURF SOD BLEND: SOD

COMMON NAME:

- 90/10 FESCUE MIX
- 90 FESCUE 90%
- 10 BLUEGRASS 10%

TOTAL: 100%

LANDSCAPE NOTES:

1. ALL LANDSCAPED AREAS ARE TO RECEIVE ORGANIC SOIL PREPARATION AT A MINIMUM OF 5.0 CU.YRDS/1,000SF, UNLESS OTHERWISE NOTED IN THE TECHNICAL SPECIFICATIONS.
2. SHRUB BEDS ARE TO BE MULCHED WITH 3" MIN. DEPTH $\frac{3}{4}$" ANGULAR ROCK MULCH OR CRUSHER FINES OVER SPECIFIED GEOTEXTILE WEED CONTROL FABRIC. NO WEED CONTROL FABRIC IS REQUIRED IN PERENNIAL AREAS.
3. SHRUB BEDS ARE TO BE CONTAINED BY EITHER $\frac{3}{16}$" MIN. THICK METAL EDGER OR SPADE DUG EDGER. EDGER IN NOT REQUIRED WHEN ADJACENT TO CURBS OR WALKS.
4. THE CONTRACTOR IS RESPONSIBLE FOR THE COST TO REPAIR UTILITIES. ADJACENT LANDSCAPE, PUBLIC AND PRIVATE PROPERTY THAT IS DAMAGED BY THE CONTRACTOR OR THEIR SUBCONTRACTOR'S OPERATIONS DURING INSTALLATION OR DURING THE SPECIFIED MAINTENANCE PERIOD. CALL FOR UTILITY LOCATIONS PRIOR TO ANY EXCAVATION.
5. THE CONTRACTOR SHALL REPORT ANY DISCREPANCY IN PLAN VS. FIELD CONDITIONS IMMEDIATELY TO THE OWNER'S REPRESENTATIVE, PRIOR TO CONTINUING WITH THAT PORTION OF WORK.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIR OF ANY OF THEIR TRENCHES OR EXCAVATIONS THAT SETTLE.
7. DO NOT DISTURB THE EXISTING PAVING, LIGHTING, LANDSCAPING, OR IRRIGATION THAT EXISTS ADJACENT TO THE SITE UNLESS OTHERWISE NOTED ON PLAN.
8. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL PLANT QUANTITIES. QUANTITIES REPRESENTED GRAPHICALLY TAKE PRECEDENCE OVER LABELS.
9. CALL FOR UTILITY LOCATIONS PRIOR TO BEGINNING OF CONSTRUCTION. THE UTILITIES SHOWN HEREON CONTAIN ONLY GENERAL INFORMATION AS TO THEIR DESCRIPTION, NATURE, AND GENERAL LOCATION. CONTRACTOR IS RESPONSIBLE FOR THE COST TO REPAIR ANY UTILITIES OF EXISTING SITE FEATURES DAMAGED DUE TO CONSTRUCTION ACTIVITIES.
10. LANDSCAPE AREAS SHALL BE WATERED BY AN UNDERGROUND, AUTOMATIC IRRIGATION SYSTEM AND SHALL PROVIDE 100% COVERAGE TO ALL AREAS UNLESS OTHERWISE NOTED. 20% OF NATIVE SEED TO BE IRRIGATED.

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PROJECT NO: 22036.01

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MIDTOWN FILING 13
FINAL DEVELOPMENT PLAN
NOTES AND PLANT SCHEDULE

NOT FOR CONSTRUCTION

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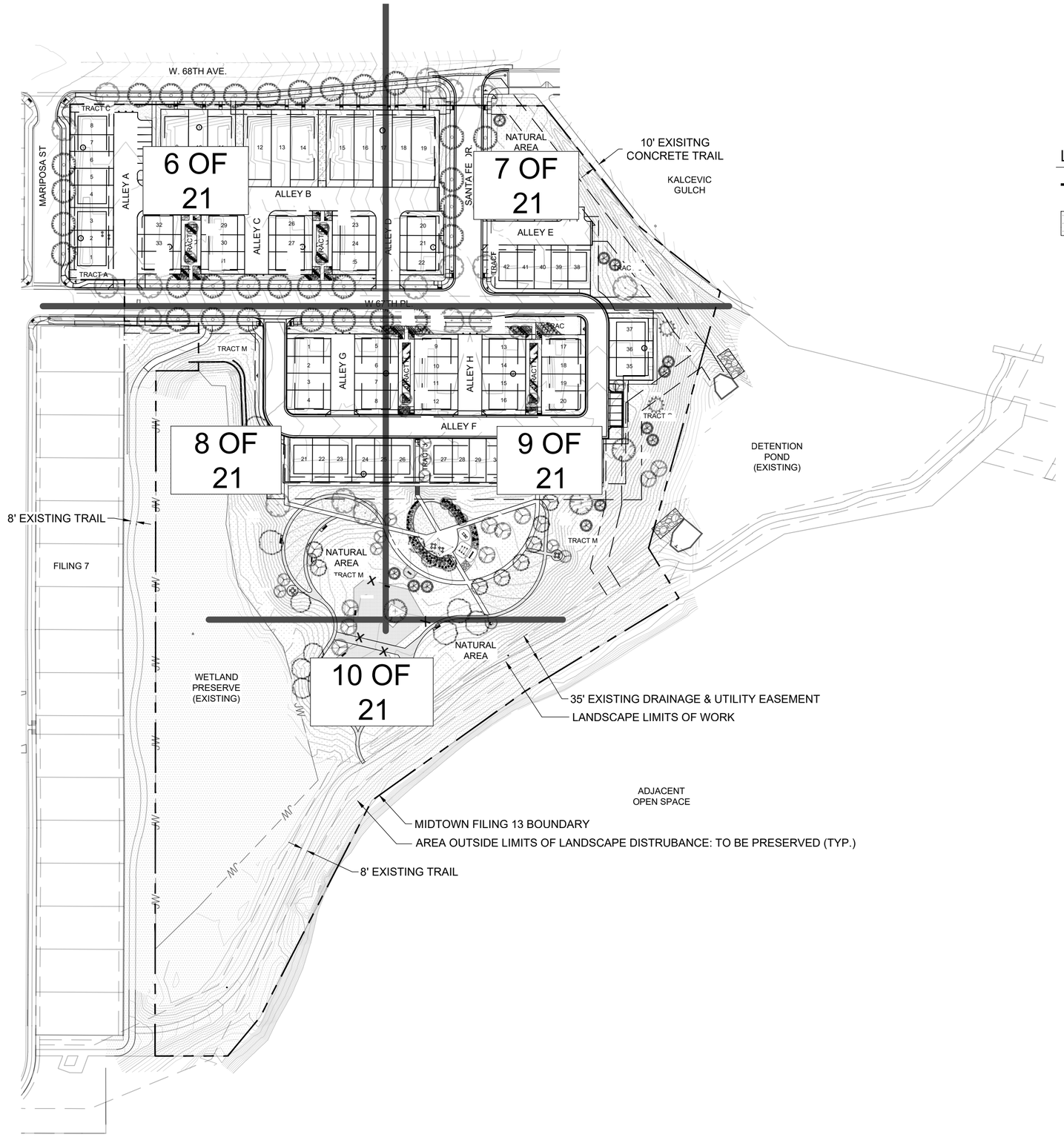
CASE NO. DP XXXX-XXX

MIDTOWN FILING 13

PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 68 WEST

OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO



LEGEND

LIMITS OF FILING 13

AREA OUTSIDE LANDSCAPE LIMITS OF DISTURBANCE - TO BE PRESERVED IN EXISTING CONDITION

N

0 50 100 200

SCALE: 1" = 100'

15 YEARS Redland WHERE GREAT PLACES BEGIN

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PROJECT NO:	22036.01
DATE	NOTES
10/16/2023	1 1ST SUBMITTAL TO COUNTY

MIDTOWN FILING 13
FINAL DEVELOPMENT PLAN
OVERALL LANDSCAPE PLAN

SHEET

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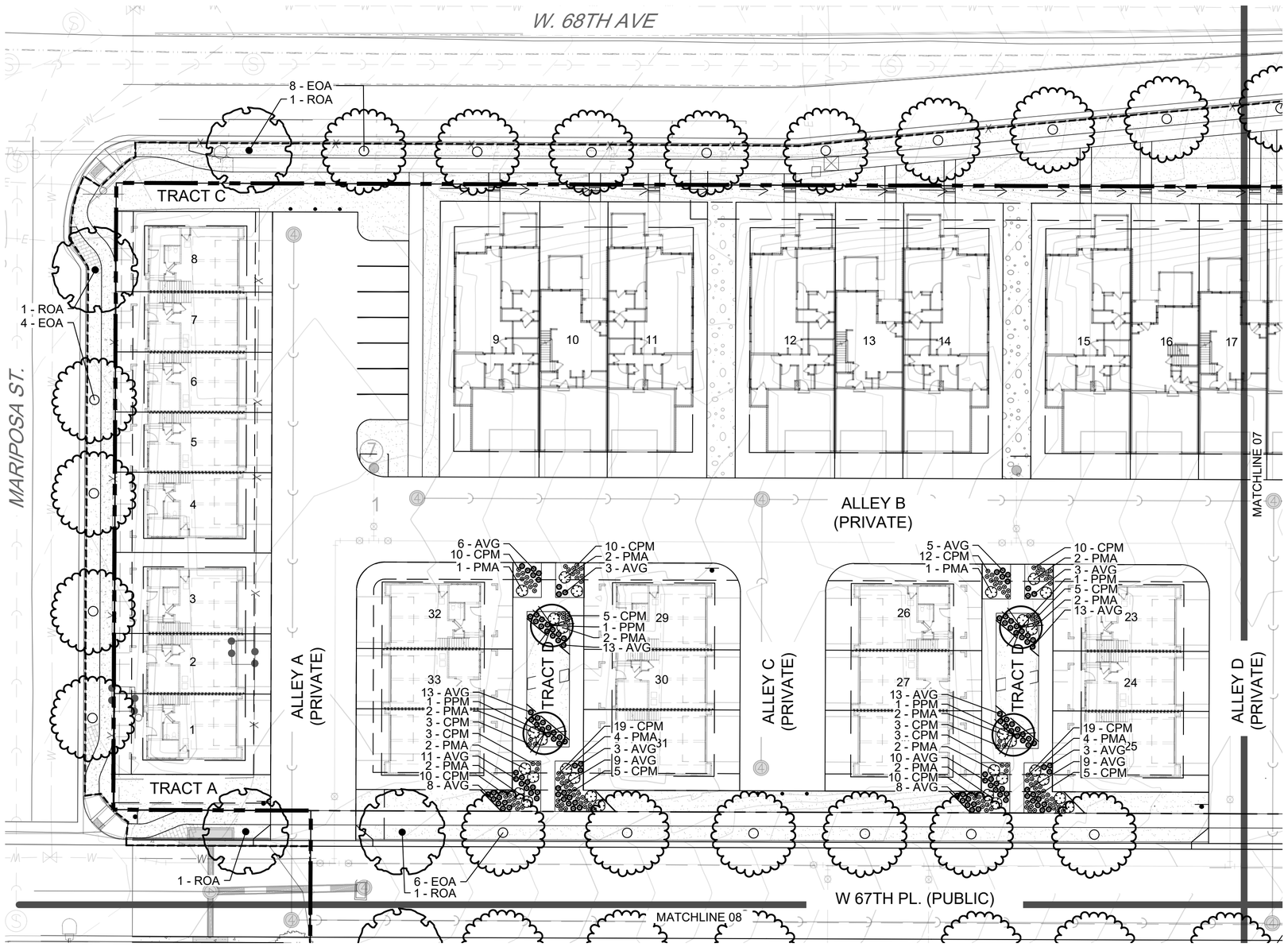
CASE NO. DP XXXX-XXX

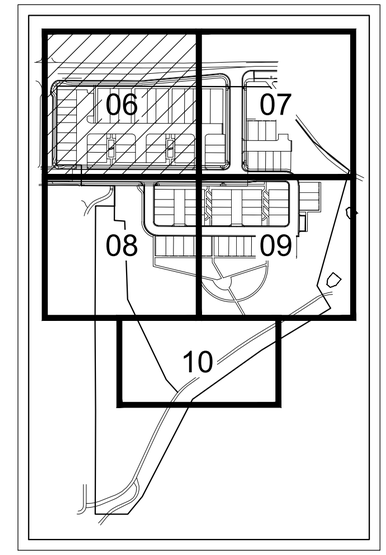
MIDTOWN FILING 13

PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 68 WEST

OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO





KEY MAP

LEGEND

- PROPERTY LINE
- R.O.W.
- LOT LINE
- EASEMENT LINE
- FIRE ACCESS EASEMENT
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- CURB AND GUTTER; SEE CIVIL
- SIDEWALK; SEE CIVIL
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- CRUSHER FINES
- AREA OUTSIDE LANDSCAPE LIMITS OF DISTURBANCE: TO BE PRESERVED

N

0 15 30 60

SCALE: 1" = 30'

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MIDTOWN FILING 13
FINAL DEVELOPMENT PLAN
DETAILED LANDSCAPE PLAN

SHEET
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CASE NO. DP XXXX-XXX

MIDTOWN FILING 13

PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 68 WEST

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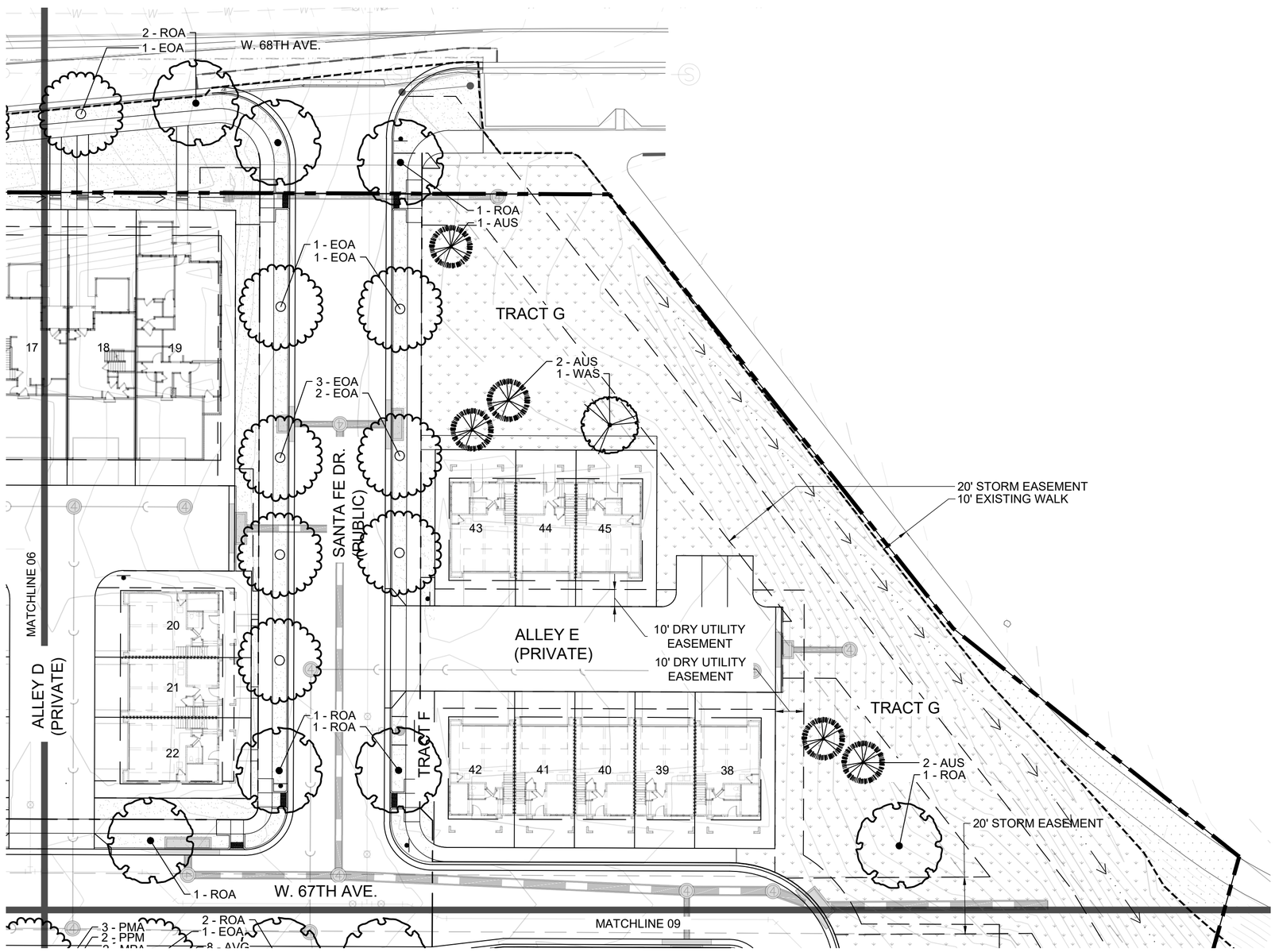

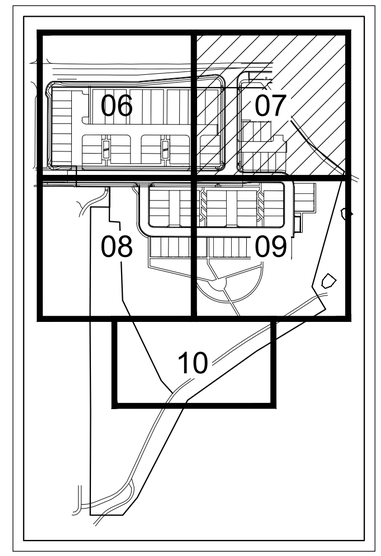

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SCALE: 1" = 30'

15 YEARS Redland WHERE GREAT PLACES BEGIN
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MIDTOWN FILING 13
FINAL DEVELOPMENT PLAN
DETAILED LANDSCAPE PLAN

SHEET
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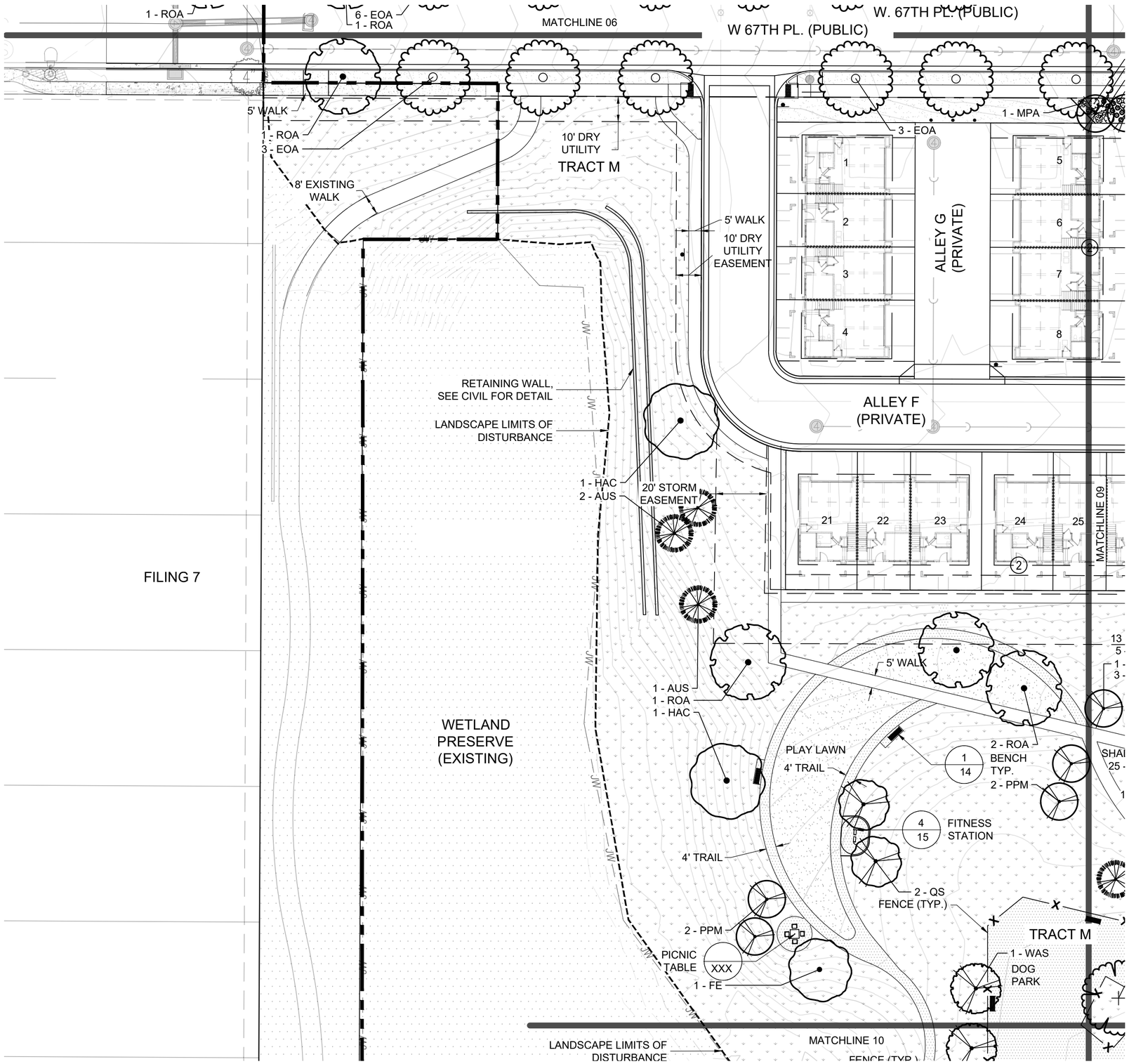
CASE NO. DP XXXX-XXX

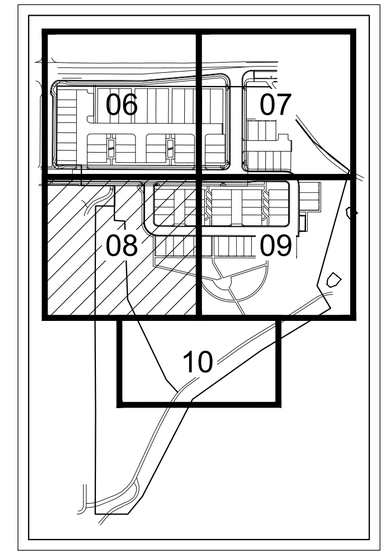
MIDTOWN FILING 13

PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 68 WEST

OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO





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MIDTOWN FILING 13
FINAL DEVELOPMENT PLAN
DETAILED LANDSCAPE PLAN

SHEET
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CASE NO. DP XXXX-XXX

MIDTOWN FILING 13

PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN

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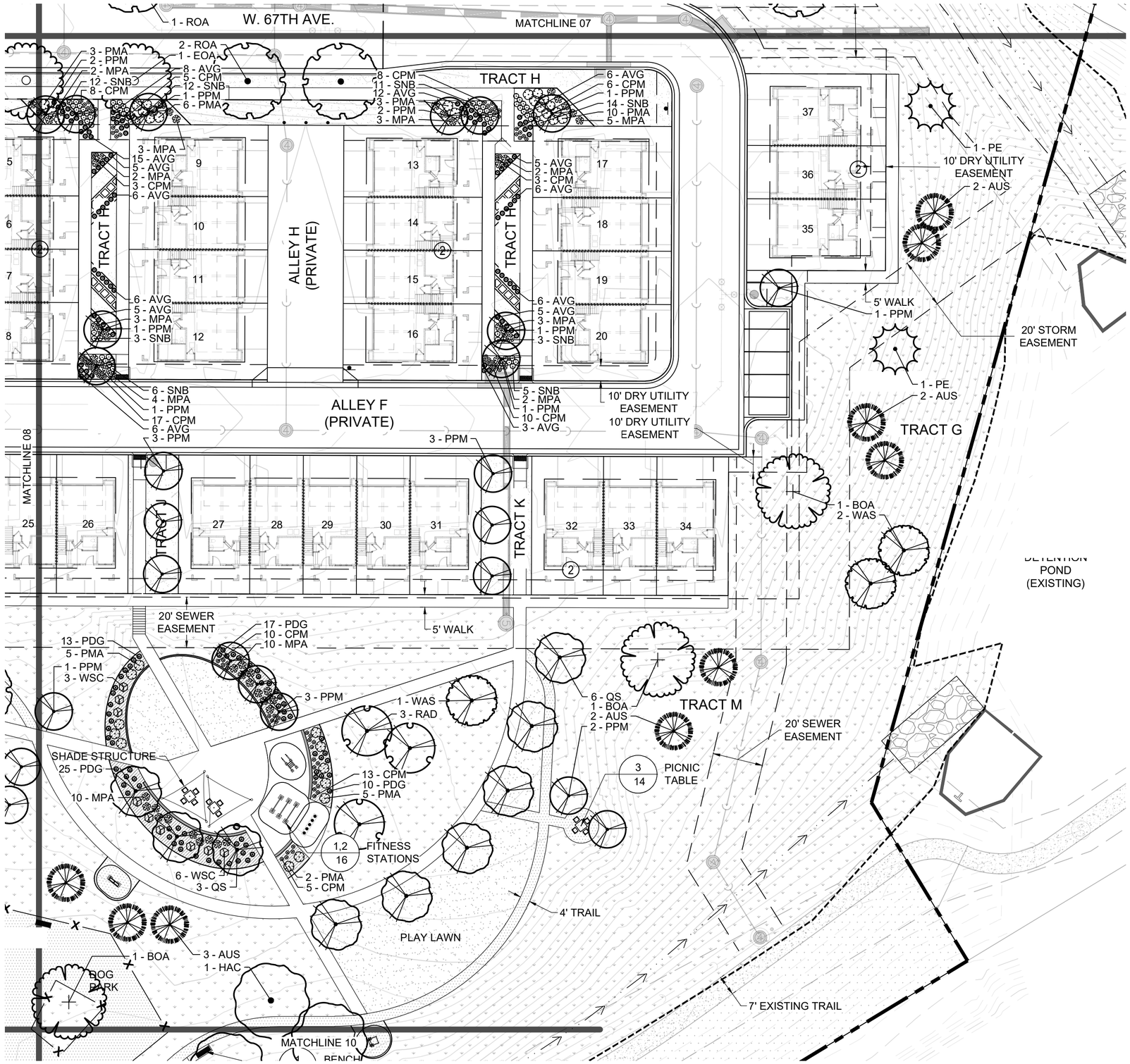

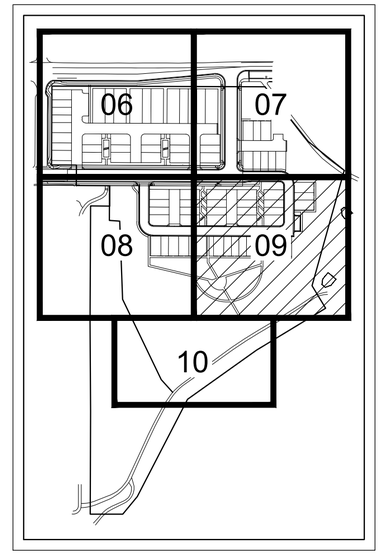

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15 YEARS Redland WHERE GREAT PLACES BEGIN
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MIDTOWN FILING 13
FINAL DEVELOPMENT PLAN
DETAILED LANDSCAPE PLAN

SHEET
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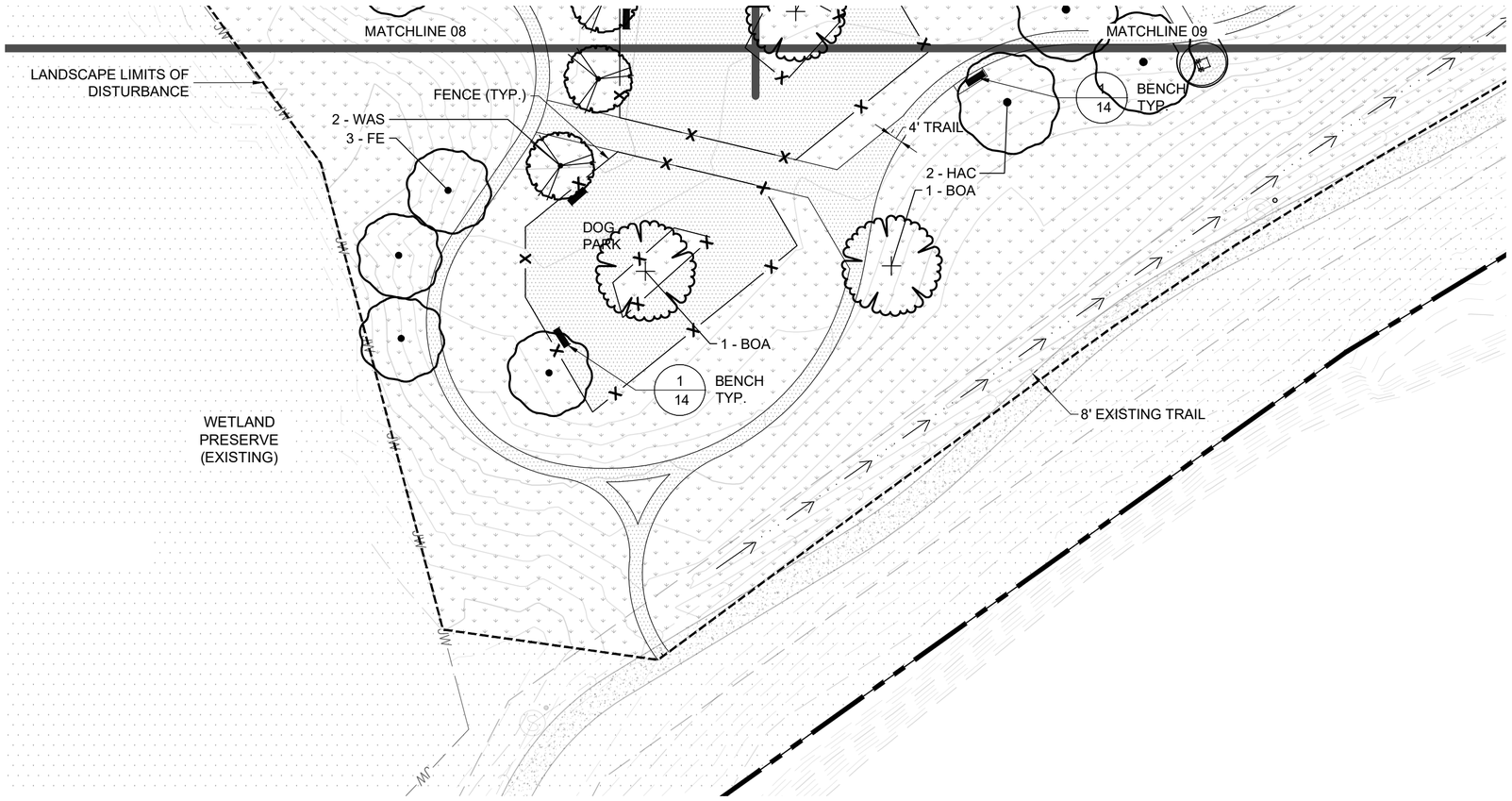
CASE NO. DP XXXX-XXX

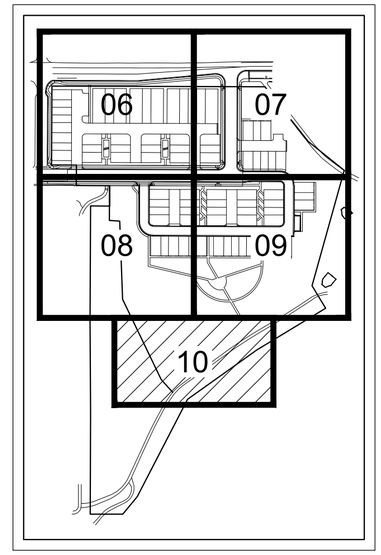
MIDTOWN FILING 13

PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 68 WEST

OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO





KEY MAP

LEGEND

- PROPERTY LINE
- R.O.W.
- LOT LINE
- EASEMENT LINE
- FIRE ACCESS EASEMENT
- ROAD CENTERLINE
- CURB AND GUTTER; SEE CIVIL
- SIDEWALK; SEE CIVIL
- W — EXISTING WATER LINE
- G — EXISTING GAS LINE
- T — EXISTING TELEPHONE LINE
- FO — EXISTING FIBER OPTICS LINE
- OH — EXISTING OVERHEAD ELECTRIC LINE
- PROPOSED STORM SEWER
- PROPOSED SANITARY SEWER
- W — PROPOSED WATER LINE
- LANDSCAPE EDGER
- SWALE
- RETAINING WALL
- PROPOSED STREET LIGHT
- PROPOSED ROCK COBBLE
- WOOD MULCH (NOT HATCHED)
- SHORTGRASS NATIVE SEED MIX
- STANDARD NATIVE SEED MIX
- EXISTING WETLAND
- SOD
- CRUSHER FINES
- AREA OUTSIDE LANDSCAPE LIMITS OF DISTURBANCE: TO BE PRESERVED

N

0 15 30 60

SCALE: 1" = 30'

15 YEARS Redland WHERE GREAT PLACES BEGIN
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▪ Civil Engineering ▪ Construction Management

PROJECT NO: 22036.01

DATE	NO.	NOTES
10/16/2023	1	1ST SUBMITTAL TO COUNTY

MIDTOWN FILING 13
FINAL DEVELOPMENT PLAN
DETAILED LANDSCAPE PLAN

SHEET
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CASE NO. DP XXXX-XXX

MIDTOWN FILING 13

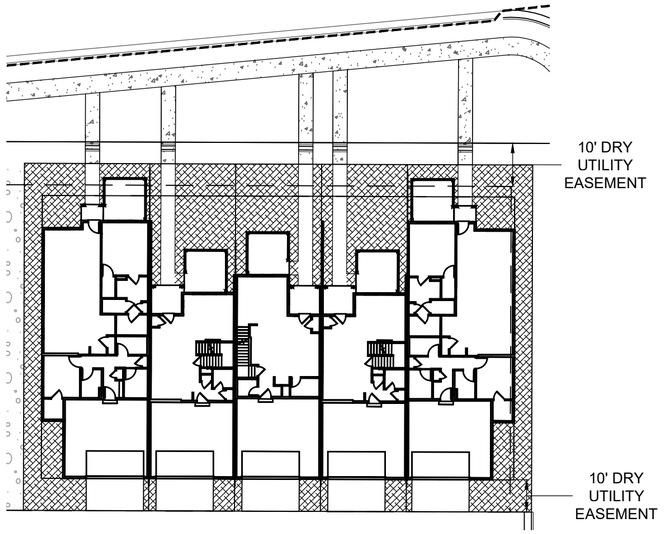
PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 68 WEST

OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO

REAR-LOADED TOWNHOME LOT TYPICAL - LANDSCAPE INSTALLING AND MAINTENANCE REQUIREMENTS N.T.S.

REAR-LOADED TOWNHOME CONDITION



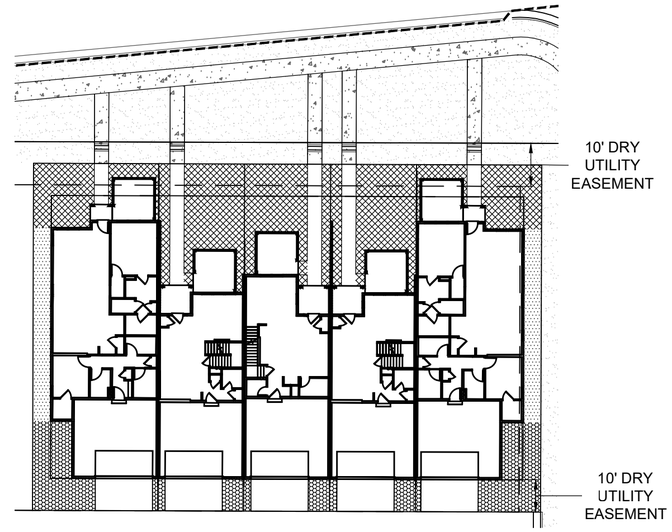
LEGEND

- LANDSCAPE TO BE INSTALLED BY BUILDER
- LOT LINE

LOT TYPICAL - LANDSCAPE AREA DEFINITIONS N.T.S.

LANDSCAPE INSTALLED BY BUILDER

REAR-LOADED TOWNHOME CONDITION



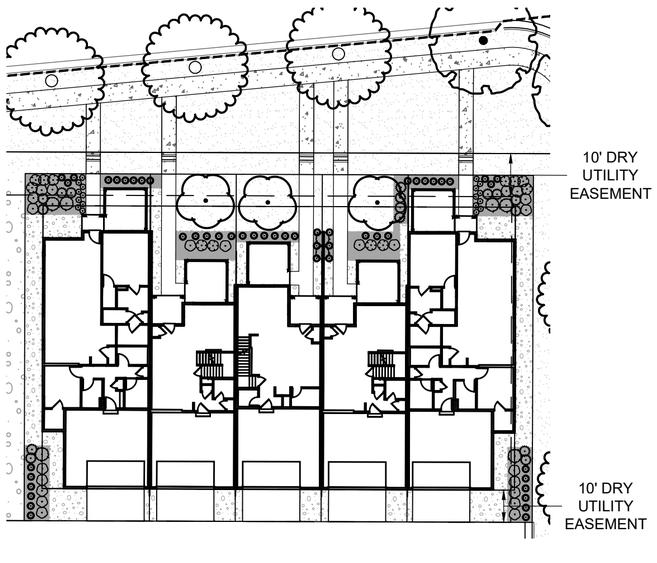
LEGEND

- FRONT YARD
- SIDE YARD
- ALLEY
- TREE LAWN
- LOT LINE

LANDSCAPE TYPICALS N.T.S.

LANDSCAPE INSTALLED BY BUILDER

REAR-LOADED TOWNHOME CONDITION



LEGEND

- COBBLE
- WOOD MULCH
- SOD
- LOT LINE
- ORNAMENTAL TREE
- DECIDUOUS SHRUB - TYPE 1
- DECIDUOUS SHRUB - TYPE 2
- EVERGREEN SHRUB
- UPRIGHT EVERGREEN SHRUB
- ORNAMENTAL GRASS
- PERENNIAL - TYPE 1
- PERENNIAL - TYPE 2

REAR-LOADED TOWNHOME LOT TYPICAL	REQUIRED QUANTITIES BY LOT TYPE AND LOCATION						
	CORNER LOT			INTERNAL LOT		INTERNAL LOT	
MATERIAL	FRONT/ ALLEY	SIDE YARD	BACKYARD	FRONT/ ALLEY	BACKYARD	FRONT/ ALLEY	BACKYARD
ORNAMENTAL OR EVERGREEN TREE	0	0	NA	1	NA	1	NA
DECIDUOUS/ EVERGREEN SHRUBS	22	0	NA	4	NA	2	NA
ORNAMENTAL GRASSES	14	0	NA	6	NA	9	NA
PERENNIALS	9	0	NA	0	NA	0	NA
TURF	NONE	NONE	NONE	NONE	NONE	NONE	NONE

NOTES:
1. PLANT MATERIAL IS INSTALLED BY BUILDER AND MAINTAINED BY THE MCCMD.
2. LOTS MAY REQUIRE ADDITIONAL OR REDUCED PLANTING, SUBJECT TO DRC APPROVAL.

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PROJECT NO:	22036.01	
DATE	NO.	NOTES
10/16/2023	1	1ST SUBMITTAL TO COUNTY

MIDTOWN FILING 13
FINAL DEVELOPMENT PLAN
LANDSCAPE TYPICALS

SHEET
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CASE NO. DP XXXX-XXX

MIDTOWN FILING 13

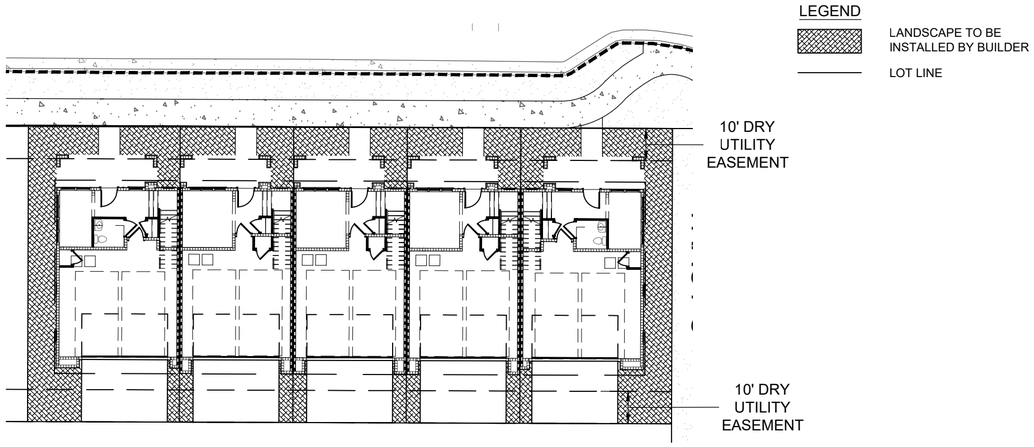
PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 68 WEST

OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO

REAR-LOADED TOWNHOME LOT TYPICAL - LANDSCAPE INSTALLING AND MAINTENANCE REQUIREMENTS N.T.S.

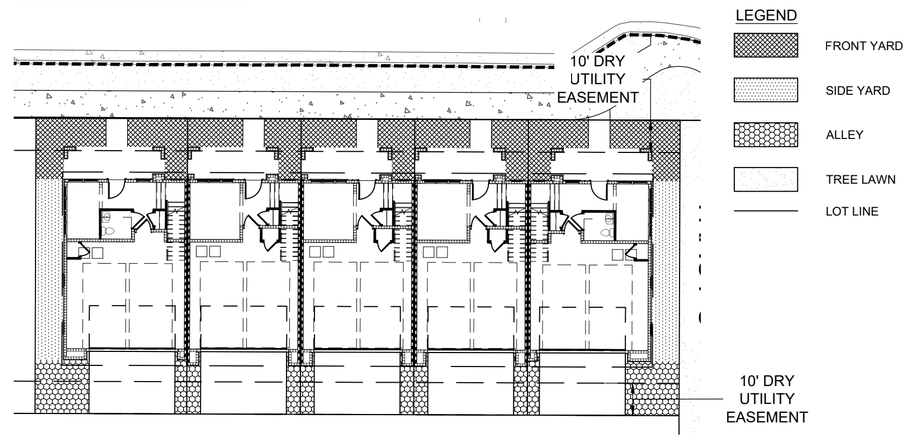
REAR-LOADED TOWNHOME CONDITION



LOT TYPICAL - LANDSCAPE AREA DEFINITIONS N.T.S.

LANDSCAPE INSTALLED BY BUILDER

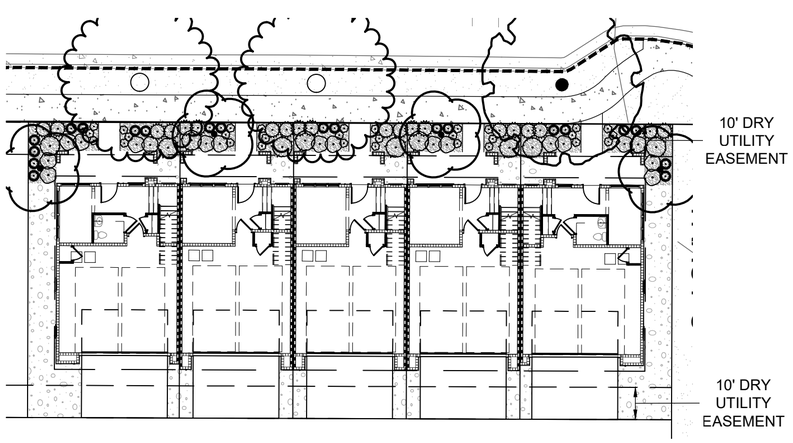
REAR-LOADED TOWNHOME CONDITION



LANDSCAPE TYPICALS N.T.S.

LANDSCAPE INSTALLED BY BUILDER

REAR-LOADED TOWNHOME CONDITION



LEGEND

- COBBLE
- WOOD MULCH
- SOD
- LOT LINE
- ORNAMENTAL TREE
- DECIDUOUS SHRUB - TYPE 1
- DECIDUOUS SHRUB - TYPE 2
- EVERGREEN SHRUB
- UPRIGHT EVERGREEN SHRUB
- ORNAMENTAL GRASS
- PERENNIAL - TYPE 1
- PERENNIAL - TYPE 2

REAR-LOADED TOWNHOME LOT TYPICAL	REQUIRED QUANTITIES BY LOT TYPE AND LOCATION				
	CORNER LOT			INTERNAL LOT	
MATERIAL	FRONT/ ALLEY	SIDE YARD	BACKYARD	FRONT/ ALLEY	BACKYARD
ORNAMENTAL OR EVERGREEN TREE	1	0	BY HOMEOWNER	1	BY HOMEOWNER
DECIDUOUS/ EVERGREEN SHRUBS	12	0		8	
ORNAMENTAL GRASSES	8	0		2	
PERENNIALS	6	0		6	
TURF	6' MIN	NONE	NONE	6' MIN	NONE

NOTES:
1. ADDITIONAL ALLEY LANDSCAPE IS TO BE INSTALLED BY HOMEOWNER AND MAINTAINED BY MCCMD.
2. FRONTYARD LANDSCAPE IS TO BE INSTALLED BY HOMEBUILDER, AND MAINTAINED BY MCCMD.
3. LOTS MAY REQUIRE ADDITIONAL OR REDUCED PLANTING, SUBJECT TO DRC APPROVAL.

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PROJECT NO: 22036.01

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MIDTOWN FILING 13
FINAL DEVELOPMENT PLAN
LANDSCAPE TYPICALS

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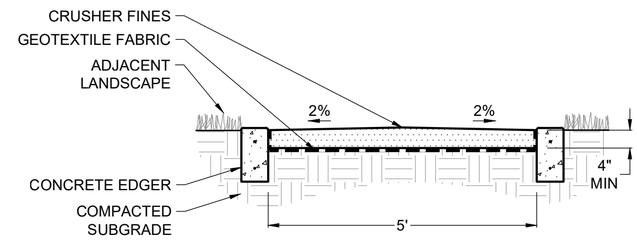
MIDTOWN FILING 13

PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 68 WEST

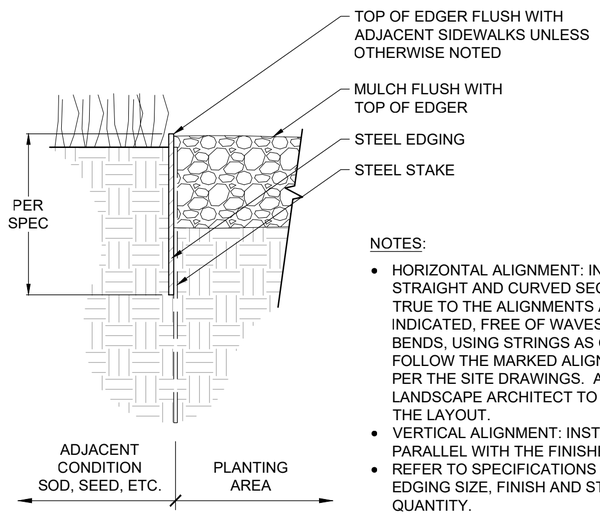
OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO



NOTES:
- ALL CRUSHER FINES SHALL BE GRAY BREEZE, WET AND COMPACTED TO 95% SPD IN TWO (2) INCH LIFTS.
- CROWN PATH ALONG CENTERLINE, 2% IN BOTH DIRECTIONS FOR DRAINAGE.

2 CRUSHER FINE TRAIL

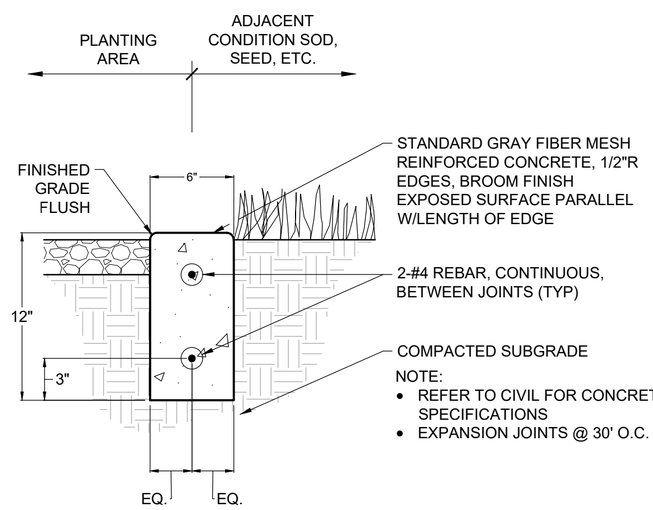
SCALE: 1/2" = 1'-0"



NOTES:
- HORIZONTAL ALIGNMENT: INSTALL STRAIGHT AND CURVED SECTIONS TRUE TO THE ALIGNMENTS AS INDICATED, FREE OF WAVES OR BENDS, USING STRINGS AS GUIDES. FOLLOW THE MARKED ALIGNMENTS AS PER THE SITE DRAWINGS. ALLOW THE LANDSCAPE ARCHITECT TO REVIEW THE LAYOUT.
- VERTICAL ALIGNMENT: INSTALL PARALLEL WITH THE FINISHED GRADE.
- REFER TO SPECIFICATIONS FOR EDGING SIZE, FINISH AND STAKE QUANTITY.

3 LANDSCAPE EDGER

SCALE: 3"=1'-0"



NOTE:
- REFER TO CIVIL FOR CONCRETE SPECIFICATIONS
- EXPANSION JOINTS @ 30' O.C. MAX

1 CONCRETE EDGER

SCALE: 1 1/2"=1'-0"

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PROJECT NO: 22036.01

DATE	NO.	NOTES
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MIDTOWN FILING 13
FINAL DEVELOPMENT PLAN
LANDSCAPE DETAILS

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MIDTOWN FILING 13

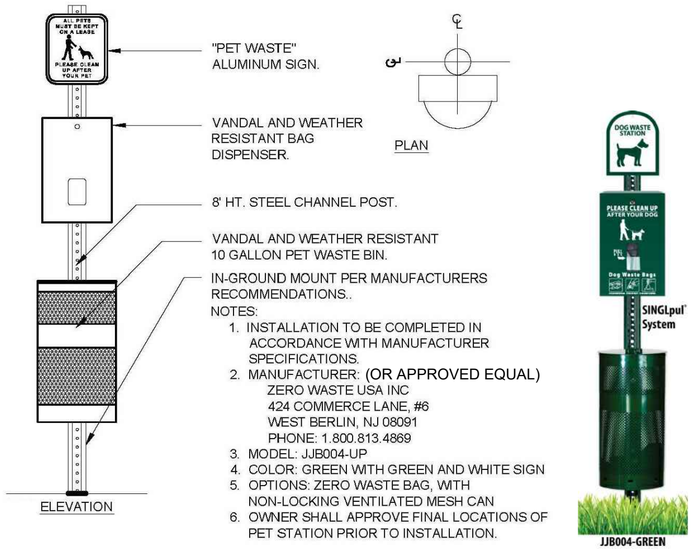
PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 68 WEST

OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO

MANUFACTURER: TREE TOP PRODUCTS (WWW.TREETOPPRODUCTS.COM)
MODEL: COMMERCIAL STEEL WASTE 32 GAL FLAT LID RECEPTACLE
COLOR: BLACK ONYX
SIZE: 28" W x 35.5" H
SURFACE MOUNT, PRE-DRILLED
INCLUDES RIGID 32-GAL. LINER
INSTALL PER MANUFACTURER'S SPECIFICATIONS

4 LITTER RECEPTACLE
SCALE: NTS



NOTES:
1. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER SPECIFICATIONS.
2. MANUFACTURER: (OR APPROVED EQUAL)
   ZERO WASTE USA INC
   424 COMMERCE LANE, #6
   WEST BERLIN, NJ 08091
   PHONE: 1.800.813.4869
3. MODEL: JJB004-UP
4. COLOR: GREEN WITH GREEN AND WHITE SIGN
5. OPTIONS: ZERO WASTE BAG, WITH NON-LOCKING VENTILATED MESH CAN
6. OWNER SHALL APPROVE FINAL LOCATIONS OF PET STATION PRIOR TO INSTALLATION.

2 DOG WASTE STATION
SCALE: 1" = 1'-0"

MANUFACTURER: TREE TOP PRODUCTS (WWW.TREETOPPRODUCTS.COM)
MODEL: NORTHGATE PICNIC TABLE (SQUARE PEDESTAL)
COLOR: BLACK ONYX
SIZE:
- TABLE: 46" x 46"
- SEATS: 36" L x 12" W x 19" H
- FOOTPRINT: 82" L x 82" W x 31" H

SURFACE MOUNT, PRE-DRILLED
SEATS EIGHT (8) ADULTS, ADA SEATS ONE (1) WHEELCHAIR AND SIX (6) ADULTS
INSTALL PER MANUFACTURER'S SPECIFICATIONS

3 PICNIC TABLE
SCALE: NTS

MANUFACTURER: TREE TOP PRODUCTS (WWW.TREETOPPRODUCTS.COM)
MODEL: NORTHGATE BENCH WITH ARCHED BACK, NO CENTER ARMREST
COLOR: BLACK ONYX
SIZE: 6'
SURFACE MOUNT, PRE-DRILLED
INSTALL PER MANUFACTURER'S SPECIFICATIONS

1 BENCH
SCALE: NTS

15 YEARS Redland WHERE GREAT PLACES BEGIN
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PROJECT NO: 22036.01	
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MIDTOWN FILING 13
FINAL DEVELOPMENT PLAN
LANDSCAPE DETAILS

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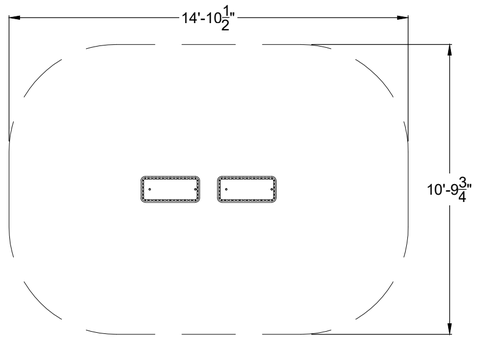
MIDTOWN FILING 13

PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN

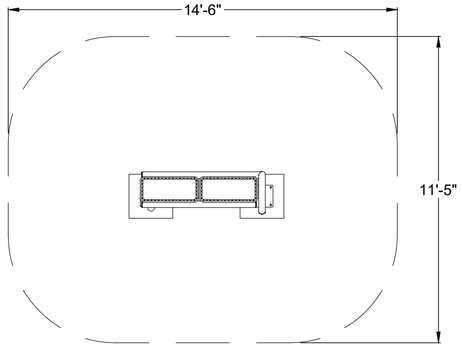
A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 68 WEST

OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO



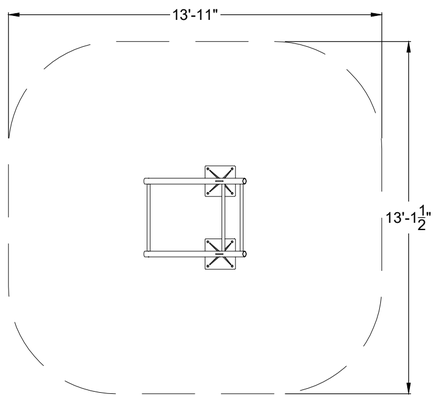
MANUFACTURER: NORWELL OUTDOOR FITNESS
MODEL: NWSW112 STEP BLOCKS
CONTACT: STERLING WEST, KEVIN THERRIEN, (877) 537-3470, KEVINT@STERLINGWEST.NET
INSTALL PER MANUFACTURER'S SPECIFICATIONS.

4 STEP BLOCKS
SCALE: NTS



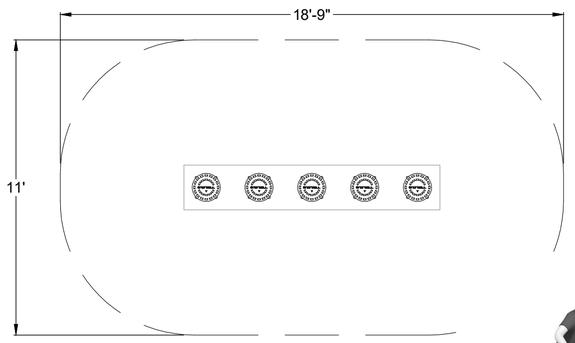
MANUFACTURER: NORWELL OUTDOOR FITNESS
MODEL: NW501B BENCH
CONTACT: STERLING WEST, KEVIN THERRIEN, (877) 537-3470, KEVINT@STERLINGWEST.NET
INSTALL PER MANUFACTURER'S SPECIFICATIONS.

2 BENCH
SCALE: NTS



MANUFACTURER: NORWELL OUTDOOR FITNESS
MODEL: NW107 DUAL PULL UP
CONTACT: STERLING WEST, KEVIN THERRIEN, (877) 537-3470, KEVINT@STERLINGWEST.NET
INSTALL PER MANUFACTURER'S SPECIFICATIONS.

3 DUAL PULL UP
SCALE: NTS



MANUFACTURER: NORWELL OUTDOOR FITNESS
MODEL: NW303 BALANCER
CONTACT: STERLING WEST, KEVIN THERRIEN, (877) 537-3470, KEVINT@STERLINGWEST.NET
INSTALL PER MANUFACTURER'S SPECIFICATIONS.

1 BALANCER
SCALE: NTS

15 YEARS Redland WHERE GREAT PLACES BEGIN
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PROJECT NO: 22036.01	
DATE	NO.	NOTES
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MIDTOWN FILING 13
FINAL DEVELOPMENT PLAN
LANDSCAPE DETAILS

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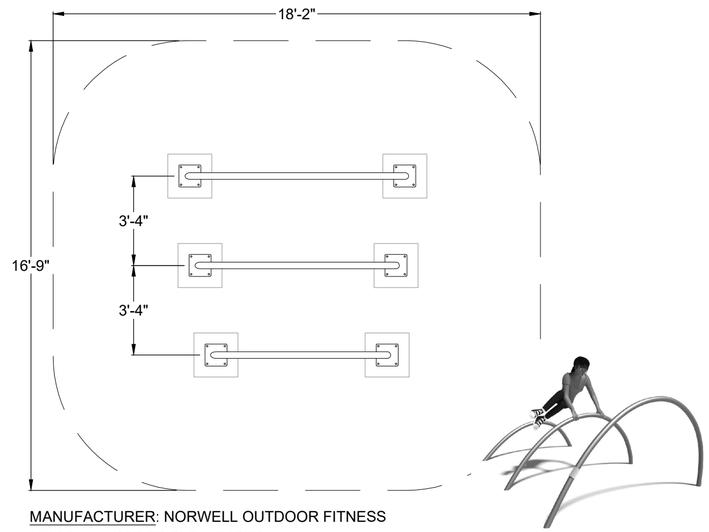
CASE NO. DP XXXX-XXX

MIDTOWN FILING 13

PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 68 WEST

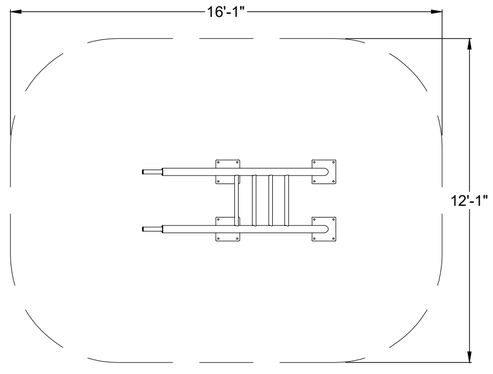
OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO



MANUFACTURER: NORWELL OUTDOOR FITNESS
MODEL: NW207 TRIPLE JUMPER
CONTACT: STERLING WEST, KEVIN THERRIEN, (877) 537-3470, KEVINT@STERLINGWEST.NET
INSTALL PER MANUFACTURER'S SPECIFICATIONS.

2 TRIPLE JUMPER

SCALE: NTS



MANUFACTURER: NORWELL OUTDOOR FITNESS
MODEL: NW110 MULTI LADDER
CONTACT: STERLING WEST, KEVIN THERRIEN, (877) 537-3470, KEVINT@STERLINGWEST.NET
INSTALL PER MANUFACTURER'S SPECIFICATIONS.

1 MULTI LADDER

SCALE: NTS

15 YEARS Redland WHERE GREAT PLACES BEGIN
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MIDTOWN FILING 13
FINAL DEVELOPMENT PLAN
LANDSCAPE DETAILS

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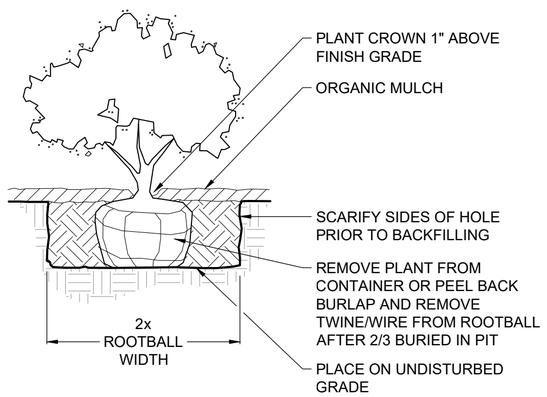
MIDTOWN FILING 13

PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN

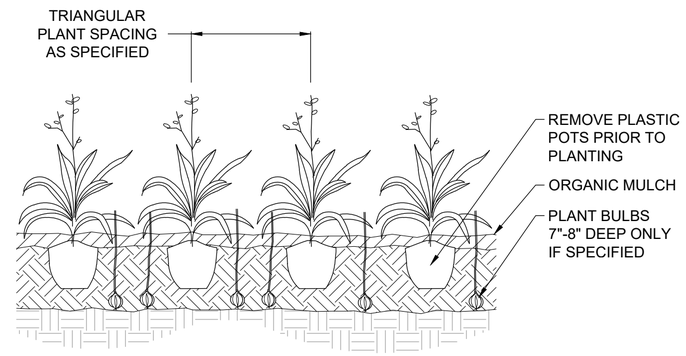
A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 68 WEST

OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO



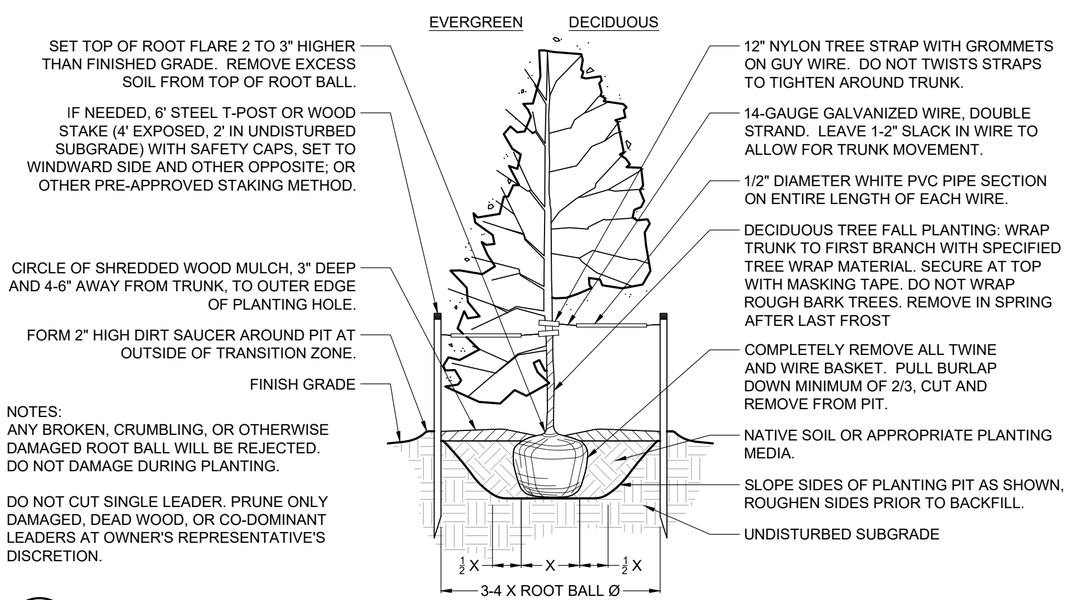
NOTES:
- AMEND SOILS WITH ORGANIC SOIL AMENDMENT AS SPECIFIED.
- APPLY ORGANIC FERTILIZER AND SOIL CONDITIONERS AS SPECIFIED.

3 SHRUB PLANTING
SCALE: NTS



NOTES:
- AMEND SOILS WITH ORGANIC SOIL AMENDMENT AS SPECIFIED.
- APPLY ORGANIC FERTILIZER AND SOIL CONDITIONERS AS SPECIFIED.
- MULCH DEPTH AROUND PLANT BASE MAY BE THINNER. DO NOT BURY PLANT WITH MULCH.

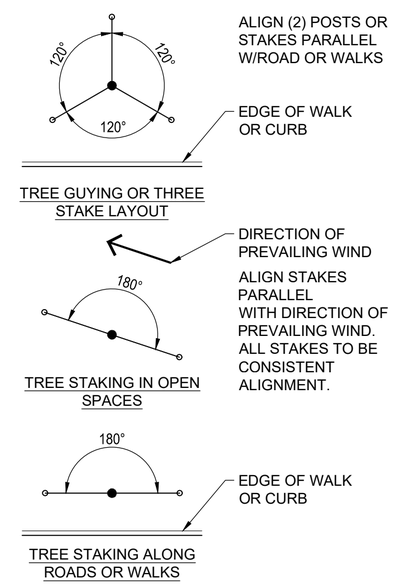
2 PERENNIAL PLANTING
SCALE: NTS



NOTES:
ANY BROKEN, CRUMBLING, OR OTHERWISE DAMAGED ROOT BALL WILL BE REJECTED. DO NOT DAMAGE DURING PLANTING.

DO NOT CUT SINGLE LEADER. PRUNE ONLY DAMAGED, DEAD WOOD, OR CO-DOMINANT LEADERS AT OWNER'S REPRESENTATIVE'S DISCRETION.

1 TREE PLANTING
SCALE: NTS



15 YEARS Redland WHERE GREAT PLACES BEGIN
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PROJECT NO: 22036.01	
DATE	NOTES
10/16/2023	1ST SUBMITTAL TO COUNTY

MIDTOWN FILING 13
FINAL DEVELOPMENT PLAN
LANDSCAPE DETAILS

SHEET
17 OF 21

NOT FOR CONSTRUCTION

I:\2010\10015 – Midtown\CADD\Sheet Sets\10015.025 Filing 13 FDP\Midtown Filing 13–LA Details_FDP.dwg tab: 16 OF X LANDSCAPE DETAILS Oct 20, 2023 – 12:27pm joconnor

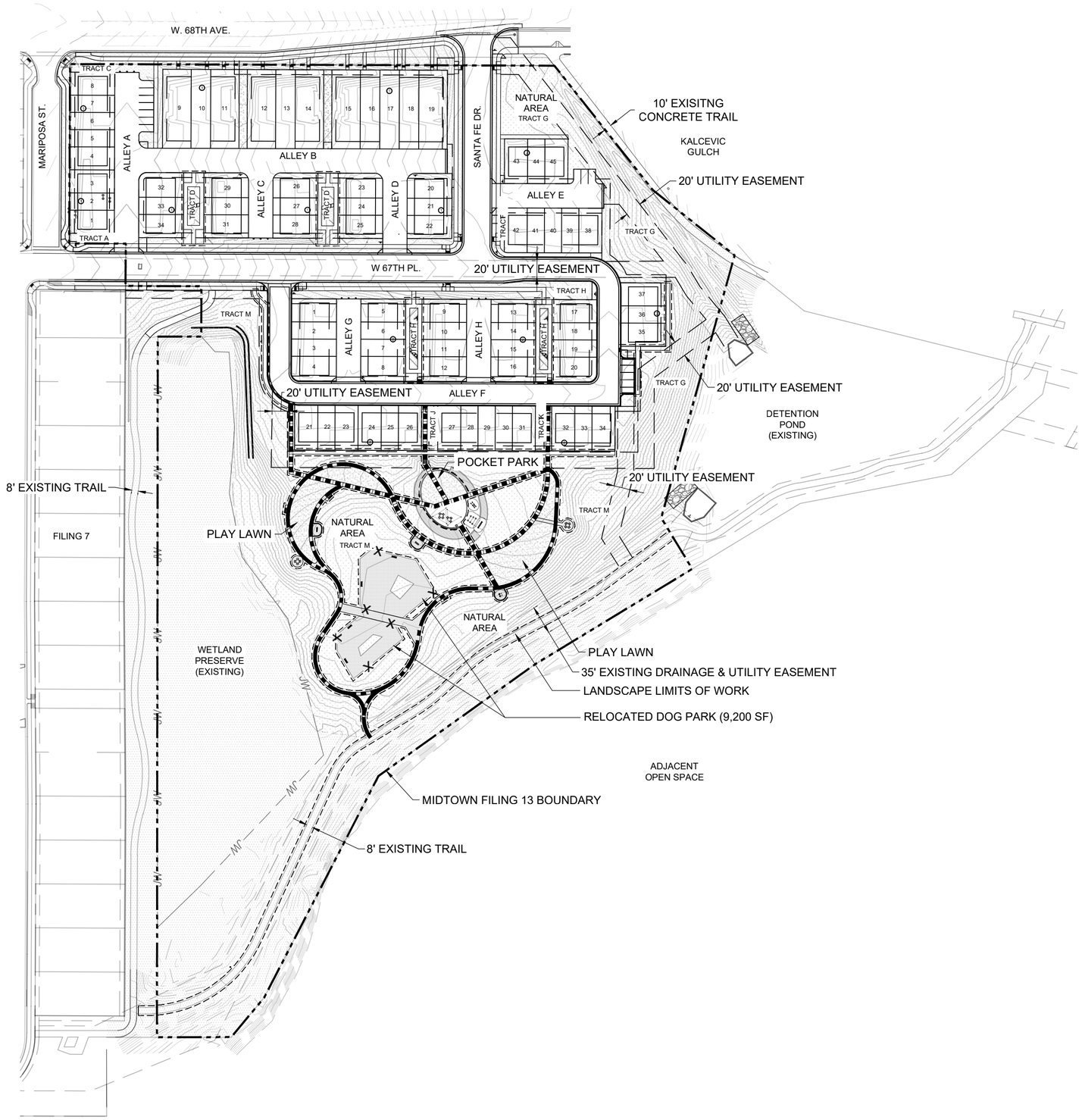
CASE NO. DP XXXX-XXX

MIDTOWN FILING 13

PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 68 WEST

OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO



LEGEND

- OPEN SPACE BOUNDARY
- ACTIVE OPEN SPACE BOUNDARY
- PROPOSED CONCRETE TRAIL (5')
- PROPOSED CRUSHER FINE TRAIL (4')
- AREA OUTSIDE LANDSCAPE LIMITS OF DISTURBANCE - TO BE PRESERVED IN EXISTING CONDITION

FILING NO. 13 OPEN SPACE CALCULATIONS

DESCRIPTION	SIZE
OPEN SPACE	
NATIVE SEED, SOD, & FLOWER BEDS	264,405 SF
	6.07 AC
OPEN SPACE TOTAL	**321,603 SF**
	7.38 AC
ACTIVE OPEN SPACE TOTAL	
PARK PLAZA	1,188 SF
FITNESS STATIONS	1,448 SF
CONCRETE TRAILS	8,060 SF
CRUSHER FINE TRAILS	12,130 SF
PLAY FIELD	9,746 SF
DOG PARK	9,206 SF
GREEN COURTS	15,420 SF
ACTIVE OPEN SPACE TOTAL	**57,198 SF**
	1.31 AC

N

0 50 100 200

SCALE: 1" = 100'

15 YEARS Redland WHERE GREAT PLACES BEGIN
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REDLAND.COM ▪ Civil Engineering ▪ Construction Management

PROJECT NO.	22036.01
DATE	NO.	NOTES
10/16/2023	1	1ST SUBMITTAL TO COUNTY

MIDTOWN FILING 13
FINAL DEVELOPMENT PLAN
OPEN SPACE

SHEET
18 OF 21

NOT FOR CONSTRUCTION

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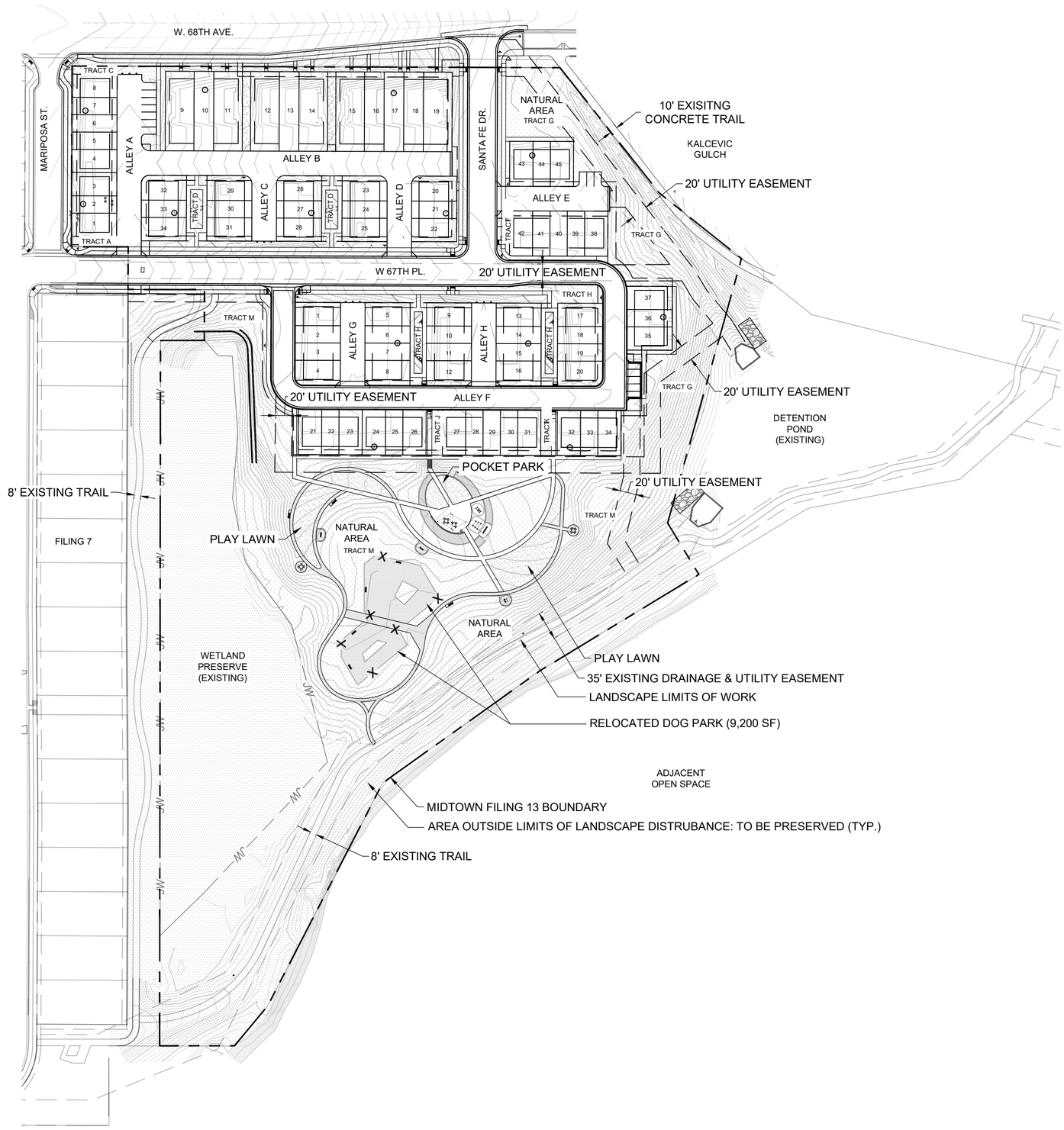
CASE NO. DP XXXX-XXX

MIDTOWN FILING 13

PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 68 WEST

OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO



	RESPONSIBLE PARTY	
	INSTALLATION	MAINTENANCE
ENTIRE TRACTS:		
A	BUILDER/DEVELOPER	MCCMD
B	BUILDER/DEVELOPER	MCCMD
C	BUILDER/DEVELOPER	MCCMD
D	BUILDER/DEVELOPER	MCCMD
E	BUILDER/DEVELOPER	MCCMD
F	BUILDER/DEVELOPER	MCCMD
G	BUILDER/DEVELOPER	MCCMD
H	BUILDER/DEVELOPER	MCCMD
I	BUILDER/DEVELOPER	MCCMD
J	BUILDER/DEVELOPER	MCCMD
K	BUILDER/DEVELOPER	MCCMD
M	BUILDER/DEVELOPER	MCCMD
TREE LAWNS ADJACENT TO:		
TRACT:		
C	BUILDER/DEVELOPER	MCCMD
D	BUILDER/DEVELOPER	MCCMD
H	BUILDER/DEVELOPER	MCCMD
BLOCKS:		
1	BUILDER/DEVELOPER	MCCMD
2	BUILDER/DEVELOPER	MCCMD

LANDSCAPE AND INSTALLATION MAINTENANCE NOTES:

1. REFER TO THE INSTALLATION AND MAINTENANCE CHART AND DIAGRAMS ON THIS SHEET FOR A REPRESENTATION OF COMMON AREA INSTALLATION AND MAINTENANCE RESPONSIBILITIES.
2. TREE LAWNS ARE LOCATED BETWEEN SIDEWALKS AND ROADWAYS, GENERALLY WITHIN THE RIGHT-OF-WAY. THE CHART AND DIAGRAMS ON THIS SHEET WILL SPECIFY THE PARTIES RESPONSIBLE FOR INSTALLATION AND MAINTENANCE OF TREE LAWNS. IN MANY CASES, ONE PARTY MAY BE REQUIRED TO INSTALL THE TREE LAWN (E.G. THE HOMEBUILDER) BUT MAINTENANCE WILL BE PERFORMED BY ANOTHER PARTY (E.G. THE MCCMD).
3. OTHER COMMON AREA LANDSCAPE INSTALLATION AND MAINTENANCE REQUIREMENTS ARE ALSO SHOWN ON THE CHART LOCATED ON THIS SHEET.
4. THE INSTALLATION OF LANDSCAPING, REGARDLESS OF RESPONSIBLE PARTY OR LOCATION, INCLUDES, AT A MINIMUM, THE COST AND EFFORT TO PROVIDE FOR ALL OF THE FOLLOWING: IRRIGATION WATER TAPS, PLANT MATERIAL, GROUND COVER, OTHER LANDSCAPING ELEMENTS, AND IRRIGATION INSTALLATION AS CALLED FOR ON THE PLANS.
5. ONCE THE LANDSCAPE IS INSTALLED AND COMPLETED, THE MCCMD WILL REVIEW THE INSTALLATION FOR COMPLETENESS. IF APPROVED, THE DISTRICT WILL THEN ACCEPT THE IMPROVEMENTS AND BEGIN THE PROCESS OF MAINTAINING THE LANDSCAPE FOR THE AREAS IDENTIFIED ON THIS SHEET. MAINTENANCE OF OTHER COMPLETED LANDSCAPE AREAS WILL BECOME THE RESPONSIBILITY OF THE PARTIES IDENTIFIED ON THIS SHEET.
6. IF THE MCCMD DETERMINES THAT THE LANDSCAPE WAS NOT CORRECTLY INSTALLED, THE RESPONSIBILITY FOR ENSURING THAT THE LANDSCAPE IS CORRECTED FALLS TO THE PARTY RESPONSIBLE FOR INSTALLATION, AS SHOWN ON THE INSTALLATION CHART ON THIS SHEET.
7. THE CONTRACTOR SHALL WARRANTY ALL CONTRACTED WORK AND MATERIALS FOR A PERIOD OF ONE YEAR AFTER SUBSTANTIAL COMPLETION HAS BEEN ISSUED. WARRANTY WORK AND REPAIRS SHALL BE COMPLETED BY THE CONTRACTOR BEFORE THE MCCMD ACCEPTS RESPONSIBILITY.
8. MAINTAINING LANDSCAPES INCLUDES THE MOWING OF TURF AREAS, PRUNING TREES AND SHRUBS, WEED CONTROL, AND OTHER MAINTENANCE TASKS.

N

0 50 100 200

SCALE: 1" = 100'

15 YEARS Redland WHERE GREAT PLACES BEGIN
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PROJECT NO:	22036.01	
DATE	NO.	NOTES
10/16/2023	1	1ST SUBMITTAL TO COUNTY

MIDTOWN FILING 13
FINAL DEVELOPMENT PLAN
OWNERSHIP AND MAINTENANCE

SHEET
19 OF 21

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CASE NO. DP XXXX-XXX

MIDTOWN FILING 13

PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 68 WEST

OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO

LEGEND:

158 SPACES - TOTAL TOWNHOME PARKING

- 136 SPACES - TYPE A TOWNHOME (TWO CAR GARAGE UNITS) 2 SPACES GARAGE
- 22 SPACES - TYPE B TOWNHOME (TWO CAR GARAGE UNITS) 2 SPACES GARAGE
- 15 SPACES - BAY PARKING (9'x18'; 9'x20')
- 35 SPACES - PARALLEL PARKING - GUEST (8'x23')

PARKING REQUIRED	
198	PER THE APPROVED PDP, MIDTOWN FILING 13 SHALL HAVE 2.5 SPACES / UNIT OVERALL (79 X 2.5)
198	TOTAL PARKING REQUIRED (2.5 SP/UNIT)

PARKING PROVIDED PER PDP REQUIREMENTS	
158	TOWNHOMES 158 SPACES (2 SPACES X 79 TWO CAR GARAGES)
35	ON STREET PARKING SPACES
15	OFF STREET PARKING SPACES
208	TOTAL PARKING SPACES (2.6 SP/UNIT)*

* PARKING PROVIDED (2.6 SP/UNIT) EXCEEDS PDP REQUIRED (2.5 SP/UNIT)

N

0 40 80 160

SCALE: 1" = 80'

15 YEARS Redland WHERE GREAT PLACES BEGIN

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PROJECT NO: 22036.01

DATE	NO.	NOTES
10/16/2023	1	1ST SUBMITTAL TO COUNTY

MIDTOWN FILING 13

FINAL DEVELOPMENT PLAN

PARKING EXHIBIT

SHEET

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CASE NO. DP XXXX-XXX

MIDTOWN FILING 13

PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 68 WEST

OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO

SETBACK & HEIGHT RESTRICTIONS CHART

USE	MIN. LOT SIZE	MIN. LOT WIDTH	MAX. LOT COVERAGE	MAX. DENSITY	MIN. FRONT YARD SETBACK FROM ALL STRUCTURES ADJACENT TO:		MIN. FRONT YARD SETBACK FOR PRINCIPAL STRUCTURE	MIN. FRONT YARD SETBACK FROM GARAGE STRUCTURE	MIN. SIDE YARD SETBACK FOR ALL STRUCTURES	MIN. REAR YARD SETBACK FOR PRINCIPAL STRUCTURES EXCLUDING GARAGES	MIN. REAR YARD SETBACK FOR DETACHED ACCESSORY STRUCTURES		MIN. REAR YARD SETBACK TO GARAGE DOOR FACE FOR ALLEY LOAD HOMES		MAX. BUILDING HEIGHT	MAX. ACCESSORY STRUCTURE HEIGHT
					Arterial	Collector See Note 6					13' ALLEY	20' ALLEY	13' ALLEY	20' ALLEY		
SINGLE FAMILY ATTACHED TOWNHOME WITH REAR LOADED GARAGE	1,000 SF	15'	80%	16 DU/ACRE	20'	15'	10'	10'	5' EXTERIOR WALL 0' COMMON WALL	15'	8'	4.5'	8'	4.5'	45'	28'

THE PROPOSED SETBACK AND HEIGHT RESTRICTIONS ARE DUPLICATED FROM THE SECOND AMENDMENT TO THE PDP FOR THE MIDTOWN PUD AS APPLICABLE TO FILING 13.

NOTES:

(REFERENCES COPIED FROM THE SECOND AMENDMENT TO THE PDP)

5. SIDE SETBACKS MAY BE REDUCED TO NO LESS THAN 3' AS MEASURED FROM THE FINISHED MATERIAL OF THE EXTERIOR WALL TO THE PROPOERTY LINE. WHEN REDUCED TO LESS THAN 5' AS MEASURED FROM THE FINISHED MATERIAL OF THE EXTERIOR WALL TO THE PROPERTY LINE, THE THEN CURRENT IBC AND/OR IRC CODE REQUIREMENTS AND AMENDMENTS WITHIN THE GOVERNING MUNICIPALITY WILL BE ENFORCED WITH REGARD TO EXTERIOR WALL FIRE-RESISTANT RATING AND MINIMUM FIRE-SEPARATION DISTANCE REQUIREMENTS.

6. SETBACKS WILL FOLLOW LOCAL STREET STANDARDS ON W. 68TH AVE.

7. BUILDING HEIGHT EXCLUDED PARAPETS AND OTHER ARCHITECTURAL TREATMENTS THAT SCREEN ROOFTOP MECHANICAL EQUIPMENT FROM VIEW. THESE ITEMS ARE SUBJECT TO HEIGHT LIMITATIONS AS DEEMED APPROPRIATE DURING THE DEVELOPMENT REVIEW PROCESS.

8. BAY WINDOWS, CANTILEVERS, CHIMNEYS, EXTERIOR POSTS/COLUMNS, SOLAR PANELS, MECHANICAL EQUIPMENT, LIGHT FIXTURES, BALCONIES, STAIRS AND OTHER SIMILAR ARCHITECTURAL FEATURES ARE ALLOWED TO EXTEND OUTWARD FROM THE PRINCIPAL IN FRONT, SIDE, AND REAR YARDS. IN NO INSTANCE MAY AN ENCROACHMENT CROSS THE PROPERTY LINE OR BE LOCATED LESS THAN SIX FEET FROM THE FINISHED MATERIAL OF THE ENCROACHMENT TO THE ADJACENT PROPERTY. WHEN AN ENCROACHMENT IS LESS THAN 5' FROM THE PROPERTY LINE, THEN THE CURRENT IBC AND/OR IRC CODE REQUIREMENTS AND AMENDMENTS WITHIN THE GOVERNING MUNICIPALITY WILL BE ENFORCED WITH REGARD TO EXTERIOR WALL FIRE-RESISTANT RATING AND MINIMUM FIRE SEPARATION DISTANCE REQUIREMENTS.

10. SETBACK MEASURED FROM RIGHT-OF-WAY/PROPERTY LINE TO THE BUILDING PLANE OF THE LIVABLE SPACE, COMMERCIAL SPACE OR OTHER NON-GARGE DOOR SIDE OF A BUILDING. SIDE LOADED GARAGES AND NON-LIVABLE SPACES SUCH AS COVERED PORCHES AND COURTYARDS CAN ENCROACH INTO A SETBACK UP TO 5' PROVIDED THE ENCROACHMENT IS NOT WITHIN THE PUBLIC RIGHT-OF-WAY OR TRANSPORTATION AND UTILITY EASEMENTS.

11. THE MINIMUM SETBACK OF A SIDE LOADED GARAGE IS DEFINED FROM THE RIGHT-OF-WAY / PROPERTY LINE TO THE STREET FACING BUILDING PLANE/

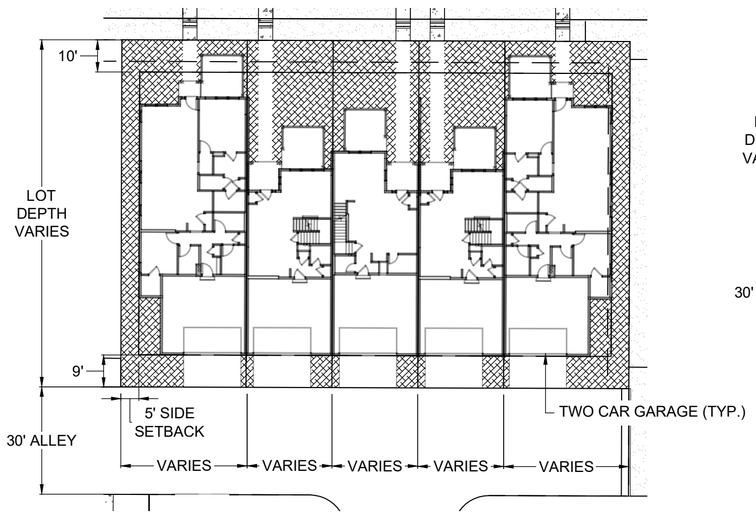
12. PORTIONS OF THE FOUNDATIONS AND CORRESPONDING ELEVATIONS FOR FRONTS OF HOMES DESIGNED TO ACHIEVE THE DESIRED "ZEST" CHARACTER ARE PERMITTED TO ENCROACH INTO THE FRONT SETBACK AREA UP TO 3'. "ZEST" CHARACTER MAY BE ACHIEVED BY ANGLING A PORTION OF THE BUILDING FOUNDATION, PROJECTING A PORTION OF THE BUILDING FOUNDATION OR A CHANGE IN THE MATERIAL IN THE BUILDING FACADE.

MIDTOWN ARCHITECTURE CHARACTER:

MIDTOWN WILL PROVIDE A "FRESH ARCHITECTURAL CHARACTER" FOR THE FRONT RANGE RESIDENTIAL OFFERINGS. HARNESSING OUR "FREE-RANGE SPIRIT", THE TRADITIONAL CRAFTSMAN, PRAIRIE, AND FARMHOUSE ROOTS WILL EVOLVE INTO INNOVATIVE STYLES FOR THE NEW DEVELOPMENT THAT SIMULTANEOUSLY BLENDS WITH THE ESTABLISHED MIDTOWN CHARACTER. SIMPLE FORMS, RICH COLORS, AND ARTFUL DETAILS WILL COMBINE TO CREATE DISTINCTIVE AND REASONABLY PRICED HOMES. REFERENCE THE APPROVED SECOND AMENDMENT TO THE PRELIMINARY DEVELOPMENT PLAN FOR FURTHER INFORMATION.

THE FOLLOWING ARE THE PRODUCT TYPES PROPOSED IN THIS FDP. TYPICAL PRODUCT IMAGE AND PLAN VIEWS ARE A REPRESENTATION OF ARCHITECTURE CHARACTER AND FORM: FINAL ARCHITECTURE MAY VARY. LOT LAYOUT IS CONCEPTUAL.

REAR-LOADED TOWNHOME PLAN VIEW



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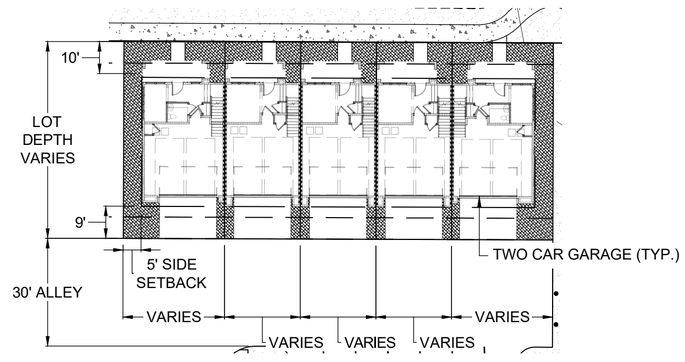

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PROJECT NO: 22036.01		
DATE	NO.	NOTES
10/16/2023	1	1ST SUBMITTAL TO COUNTY

MIDTOWN FILING 13
FINAL DEVELOPMENT PLAN
ARCHITECTURAL STANDARDS

SHEET
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LAND TITLE GUARANTEE COMPANY

Date: August 22, 2023

Subject: Attached Title Policy/Guarantee

Enclosed please find your product relating to the property located at VACANT LAND, MIDTOWN, CO 00000.

If you have any inquiries or require further assistance, please contact Scott Cieslewicz at (303) 850-4189 or scieslewicz@ltgc.com

Chain of Title Documents:

Adams county recorded 08/20/2007 under reception no. 2007000079792

Property Information Binder

CONDITIONS AND STIPULATIONS

1. Definition of Terms

The following terms when used in this Binder mean:

(a) "Land": The land described, specifically or by reference, in this Binder and improvements affixed thereto which by law constitute real property;

(b) "Public Records"; those records which impart constructive notice of matters relating to said land;

(c) "Date": the effective date;

(d) "the Assured": the party or parties named as the Assured in this Binder, or in a supplemental writing executed by the Company;

(e) "the Company" means Old Republic National Title Insurance Company, a Minnesota stock company.

2. Exclusions from Coverage of this Binder

The company assumes no liability including cost of defense by reason of the following:

(a) Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; taxes and assessments not yet due or payable and special assessments not yet certified to the Treasurer's office.

(b) Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.

(c) Title to any property beyond the lines of the Land, or title to streets, roads, avenues, lanes, ways or waterways on which such land abuts, or the right to maintain therein vaults, tunnels, ramps, or any other structure or improvement; or any rights or easements therein unless such property, rights or easements are expressly and specifically set forth in said description.

(d) Mechanic's lien(s), judgment(s) or other lien(s).

(e) Defects, liens, encumbrances, adverse claims or other matters: (a) created, suffered or agreed to by the Assured;(b) not known to the Company, not recorded in the Public Records as of the Date, but known to the Assured as ofthe Date; or (c) attaching or creating subsequent to the Date.

3. Prosecution of Actions

1. The Company shall have the right at its own costs to institute and prosecute any action or proceeding or do any other act which in its opinion may be necessary or desirable to establish or confirm the matters herein assured; and the Company may take any appropriate action under the terms of this Binder, whether or not it shall be liable thereunder and shall not thereby concede liability or waive any provision hereof.
2. In all cases where the Company does not institute and prosecute any action or proceeding, the Assured shall permit the Company to use, at its option, the name of the Assured for this purpose. Whenever requested by the Company, the Assured shall give the Company all reasonable aid in prosecuting such action or proceeding, and the Company shall reimburse the Assured for any expense so incurred.

4. Notice of Loss - Limitation of Action

A statement in writing of any loss or damage for which it is claimed the Company is liable under this Binder shall be furnished to the Company within sixty days after such loss or damage shall have been determined, and no right of action shall accrue to the Assured under this Binder until thirty days after such statement shall have been furnished, and no recovery shall be had by the Assured under this Binder unless action shall be commenced thereon with two years after expiration of the thirty day period. Failure to furnish the statement of loss or damage or to commence the action within the time herinbefore specified, shall be conclusive bar against maintenance by the Assured of any action under this Binder.

5. Option to Pay, Settle or Compromise Claims

The Company shall have the option to pay, settle or compromise for or in the name of the Assured any claim which could result in loss to the Assured within the coverage of this Binder, or to pay the full amount of this Binder. Such payment or tender of payment of the full amount of the Binder shall terminate all liability of the Company hereunder.

6. Limitation of Liability - Payment of Loss

(a) The liability of the Company under this Binder shall be limited to the amount of actual loss sustained by the Assured because of reliance upon the assurances herein set forth, but in no event shall the liability exceed the amount of the liability stated on the face page hereof.

(b) The Company will pay all costs imposed upon the Assured in litigation carried on by the Company for the Assured, and all costs and attorneys' fees in litigation carried on by the Assured with the written authorization of the Company.

(c) No claim for loss or damages shall arise or be maintainable under this Binder (1) if the Company after having received notice of any alleged defect, lien or encumbrance not shown as an Exception or excluded herein removes such defect, lien or encumbrance within a reasonable time after receipt of such notice, or (2) for liability voluntarily assumed by the Assured in settling any claim or suit without written consent of the Company.

(d) All payments under this Binder, except for attorney's fees as provided for in paragraph 6(b) thereof, shall reduce the amount of the liability hereunder pro tanto, and no payment shall be made without producing this Binder or an acceptable copy thereof for endorsement of the payment unless the Binder be lost or destroyed, in which case proof of the loss or destruction shall be furnished to the satisfaction of the Company.

(e) When liability has been definitely fixed in accordance with the conditions of this Binder, the loss or damage shall be payable within thirty days thereafter.

7. Subrogation Upon Payment or Settlement

Whenever the Company shall have settled a claim under this Binder, all right of subrogation shall vest in the Company unaffected by any act of the Assured, and it shall be subrogated to and be entitled to all rights and remedies which the Assured would have had against any person or property in respect to the claim had this Binder not been issued. If the payment does not cover the loss of the Assured, the Company shall be subrogated to the rights and remedies in the proportion which the payment bears to the amount of said loss. The Assured, if requested by the Company, shall transfer to the Company all rights and remedies against any person or property necessary in order to perfect the right of subrogation, and shall permit the Company to use the name of the Assured in any transaction or litigation involving the rights or remedies.

8. Binder Entire Contract

Any action or actions or rights of action that the Assured may have or may bring against the Company arising out of the subject matter hereof must be based on the provisions of this Binder. No provision or condition of this Binder can be waived or changed except by a writing endorsed or attached hereto signed by the President, a Vice President, the Secretary, an Assistant Secretary or other validating officer of the Company.

9. Notices. Where Sent

All notices required to be given the Company and any statement in writing required to be furnished the Company shall be addressed to it at 400 Second Avenue South, Minneapolis, Minnesota 55401, (612) 371-1111.

10. Arbitration

Unless prohibited by applicable law, either the Company or the insured may demand arbitration pursuant to the Title Insurance Arbitration Rules of the American Arbitration Association.

ANTI-FRAUD STATEMENT: Pursuant to CRS 10-1-128(6)(a), it is unlawful to knowingly provide false, incomplete or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado division of insurance within the department of regulatory agencies.

This anti-fraud statement is affixed and made a part of this policy.

Issued by:
Land Title Guarantee Company
3033 East First Avenue Suite 600
Denver, Colorado 80206
303-321-1880

Craig B. Rants, Senior Vice President

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Stock Company
400 Second Avenue South, Minneapolis, Minnesota 55401
(612) 371-1111

By *President*

Attest *Secretary*

AMERICAN LAND TITLE ASSOCIATION

Old Republic National Title Insurance Company

PROPERTY INFORMATION BINDER

Order Number: RND70812035 **Policy No.:** PIB70812035.25422137

Liability: $50,000.00

Fee: $1,310.00

Subject to the exclusions from coverage, the limits of liability and other provisions of the Conditions and Stipulations hereto annexed and made a part of this Binder,

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY a Corporation, herein called the Company,

GUARANTEES

BROOKFIELD PROPERTIES

Herein called the Assured, against loss, not exceeding the liability amount stated above, which the assured shall sustain by reason of any incorrectness in the assurance which the Company hereby gives that, according to the public records as of

August 16, 2023 at 5:00 P.M.

1. Title to said estate or interest at the date hereof is vested in:

CARMA WESTMINSTER, LLC, A COLORADO LIMITED LIABILITY COMPANY NOW KNOWN AS MIDTOWN LLC, A COLORADO LIMITED LIABILITY COMPANY

2. The estate or interest in the land hereinafter described or referred to covered by this Binder :

FEE SIMPLE

3. The Land referred to in this Binder is described as follows:

PARCEL A:

THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, ADAMS COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;
THENCE SOUTH 00° 46'21" WEST ALONG THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER A DISTANCE OF 30.00 FEET TO THE TRUE POINT OF BEGINNING;
THENCE SOUTH 88° 55'20" EAST PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER A DISTANCE OF 544.84 FEET;
THENCE SOUTH 37° 28'57" EAST A DISTANCE OF 207.63 FEET;
THENCE SOUTH 50° 30'51" EAST A DISTANCE OF 238.43 FEET:
THENCE SOUTH 75° 10'36" EAST A DISTANCE OF 308.66 FEET;
THENCE SOUTH 14° 03'33" WEST A DISTANCE OF 28.49 FEET:

THENCE SOUTH 49° 30'31" WEST A DISTANCE OF 149.88 FEET;
THENCE SOUTH 80° 03'37" WEST A DISTANCE OF 189.18 FEET;
THENCE SOUTH 59° 38'34" WEST A DISTANCE OF 380.89 FEET;
THENCE SOUTH 55° 23'25" WEST A DISTANCE OF 236.69 FEET;
THENCE SOUTH 28° 10'21" WEST A DISTANCE OF 306.52 FEET;
THENCE SOUTH 40° 39'34" WEST A DISTANCE OF 63.23 FEET TO A POINT ON THE NORTH LINE OF A PARCEL DESCRIBED IN BOOK 73 AT PAGE 186, ADAMS COUNTY, COLORADO RECORDS;
THENCE NORTH 89° 05'14" WEST ALONG SAID NORTH LINE A DISTANCE OF 153.15 FEET TO THE NORTHWEST CORNER OF SAID PARCEL AND A POINT ON THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;
THENCE NORTH 00° 46'21" EAST ALONG SAID WEST LINE A DISTANCE OF 1205.98 FEET TO THE TRUE POINT OF BEGINNING,
COUNTY OF ADAMS, STATE OF COLORADO.

LESS AND EXCEPT THOSE PORTIONS OF MIDTOWN AT CLEAR CREEK FILING NO. 7 RECORDED FEBRUARY 5, 2016 UNDER RECEPTION NO. 2016000009355.

PARCEL B:

THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4;
THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4 A DISTANCE OF 33.00 FEET TO A POINT;
THENCE SOUTH 89 DEGREES 59 MINUTES 30 SECONDS EAST PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4 A DISTANCE OF 50.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF PECOS STREET, SAID POINT BEING THE TRUE POINT OF BEGINNING;
THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS WEST ALONG SAID EAST RIGHT OF WAY A DISTANCE OF 1,231.67 FEET;
THENCE NORTH 45 DEGREES 04 MINUTES 38 SECONDS EAST ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 42.35 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF WEST 68TH AVENUE;
THENCE SOUTH 89 DEGREES 49 MINUTES 30 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 1,241.79 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4;
THENCE SOUTH 00 DEGREES 07 MINUTES 49 SECONDS EAST ALONG SAID EAST LINE A DISTANCE OF 1,257.98 FEET TO A POINT 33.00 FEET NORTH OF THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4; NORTH 89 DEGREES 59 MINUTES 30 SECONDS WEST PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4 A DISTANCE OF 1,274.19 FEET TO THE TRUE POINT OF BEGINNING.
COUNTY OF ADAMS, STATE OF COLORADO.

EXCEPTING THEREFROM, THAT PORTION IF ANY, AS CONTAINED IN INSTRUMENT RECORDED MARCH 27, 1990 IN BOOK 3658 AT PAGE 687, COUNTY OF ADAMS, STATE OF COLORADO.

AND EXCEPTING THOSE SUBDIVISIONS PLAT OF MIDTOWN AT CLEAR CREEK FILING NO. 5 RECORDED DECEMBER 30, 2014 UNDER RECEPTION NO. 2014000091485, MIDTOWN AT CLEAR CREEK FILING NO. 7 RECORDED FEBRUARY 5, 2016 UNDER RECEPTION NO. 2016000009355,
MIDTOWN AT CLEAR CREEK FILING NO.10 RECORDED JANUARY 12, 2018 UNDER RECEPTION NO.

Old Republic National Title Insurance Company

PROPERTY INFORMATION BINDER

Order Number: RND70812035 **Policy No.:** PIB70812035.25422137

2018000004010 AND MIDTOWN AT CLEAR CREEK FILING NO.11 RECORDED JULY 9, 2019 UNDER RECEPTION NO. 2019000053535

4. The following documents affect the land:

1. EXISTING LEASES AND TENANCIES, IF ANY.

   (AFFECTS ALL PARCELS)

   (AFFECTS PARCEL A)

2. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ARTICLES OF AGREEMENT BY AND BETWEEN THE COLORADO AGRICULTURAL DITCH AND MILL COMPANY AND WILLIAM S. ADAMS RECORDED MAY 23 1874 IN BOOK A2 AT PAGE 117.

   (AFFECTS PARCEL A)

3. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF WESTERN PAVING TRACT, FIRST FILING RECORDED AUGUST 08, 1973 UNDER RECEPTION NO. A011002.

   (AFFECTS ALL PARCELS)

4. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RESOLUTIONS RECORDED SEPTEMBER 24, 1974 IN BOOK 1955 AT PAGES 326, 332 AND 339.

   (AFFECTS ALL PARCELS)

5. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN UNDERGROUND FACILITIES INFORMATION FILING RECORDED MARCH 15, 1993 IN BOOK 4038 AT PAGE 101.

   (AFFECTS ALL PARCELS)

6. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN CONVEYANCE OF EASEMENTS RECORDED SEPTEMBER 01, 1995 IN BOOK 4580 AT PAGE 562, SEPTEMBER 6, 1995 IN BOOK 4582 AT PAGE 531 AND OCTOBER 6, 1995 IN BOOK 4603 AT PAGE 661.

   (AFFECTS ALL PARCELS)

7. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ZONING HEARING DECISIONS RECORDED MARCH 28, 2007 UNDER RECEPTION NO. 2007000031694, MAY 9, 2007 UNDER RECEPTION NO. 2007000045835 AND MARCH 21, 2008 UNDER RECEPTION NO. 2008000022620.

   (AFFECTS ALL PARCELS)

8. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ENVIRONMENTAL COVENANT RECORDED AUGUST 10, 2007 UNDER RECEPTION NO. 2007000077016.

   (AFFECTS ALL PARCELS)

9. TERMS, RESERVATIONS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS, EASEMENTS AND ANY "REVERSIONS" AS SET FORTH IN SPECIAL WARRANTY DEED RECORDED AUGUST 20, 2007 UNDER RECEPTION NO. 2007000079792.

   (AFFECTS ALL PARCELS)

10. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GROUNDWATER EASEMENT RECORDED AUGUST 20, 2007 UNDER RECEPTION NO. 2007000079794.

    (AFFECTS ALL PARCELS)

11. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN SEEP WATER REMEDIATION SYSTEM EASEMENT RECORDED AUGUST 20, 2007 UNDER RECEPTION NO. 2007000079795.

(AFFECTS ALL PARCELS)

12. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN LIMITED ACCESS AGREEMENT AND EASEMENT RECORDED AUGUST 21, 2007 UNDER RECEPTION NOS. **2007000080311** AND **2007000080312**.

    (AFFECTS ALL PARCELS)

13. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN CERTIFICATION OF NOTICE TO MINERAL ESTATE OWNERS RECORDED JANUARY 25, 2008 UNDER RECEPTION NO. **2008000006073** AND APPLICANT'S CERTIFICATION THERETO RECORDED JANUARY 25, 2008 UNDER RECEPTION NO. **2008000006072**.

14. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE CLEAR CREEK STATION METROPOLITAN DISTRICT NO. 2, AS EVIDENCED BY INSTRUMENT RECORDED OCTOBER 31, 2012 UNDER RECEPTION NO. **2012000082403**.

    (AFFECTS PARCEL A)

    CLEAR CREEK STATION METROPOLITAN DISTRICT NOS. 1-3 DISCLOSURE RECORDED NOVEMBER 18, 2013 UNDER RECEPTION NO. **2013000098104**.

    (AFFECTS PARCEL A)

15. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE DEVELOPMENT PLAN MAPS RECORDED AUGUST 16, 2012 UNDER RECEPTION NO. **2012000060630**, APRIL 11, 2014 UNDER RECEPTION NO. **2014000022044** AND JULY 18, 2014 UNDER RECEPTION NO. **2014000046992**.

    (AFFECTS PARCEL A)

16. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS TO "ANY EASEMENTS CREATED AS PER SECTION 6, AS SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR MIDTOWN, A PLANNED COMMUNITY RECORDED OCTOBER 03, 2012 UNDER RECEPTION NO. **2012000074161** AND TERMINATIONS THERETO RECORDED JUNE 27, 2013 UNDER RECEPTION NOS. **2013000055285** AND **2013000055286** AND JULY 26, 2013 UNDER RECEPTION NO. **2013000064984**. THE TERMINATIONS SUBJECT TO SECTION 15.2(B) OF SAID DECLARATION.

    (AFFECTS PARCEL A)

17. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN MEMORANDUM REGARDING A CONSOLIDATED RESOLUTION OF THE BOARD OF DIRECTORS OF CLEAR CREEK STATION METROPOLITAN DISTRICT NOS. 1-3 CONCERNING THE IMPOSITION OF A DISTRICT DEVELOPMENT FEE, GENERAL OPERATIONS FEE, WORKING CAPITAL FEE AND ADMINISTRATIVE SETUP FEE RECORDED OCTOBER 22, 2012 UNDER RECEPTION NO. **2012000079298**.

    (AFFECTS PARCEL A)

18. RESTRICTIVE COVENANTS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS CONTAINED IN DECLARATION OF EASEMENTS AND MASTER ARCHITECTURAL AND MAINTENANCE STANDARDS FOR MIDTOWN RECORDED JUNE 27, 2013, UNDER RECEPTION NO. **2013000055284** AND AFFIDAVIT OF CORRECTION RECORDED JULY 26, 2013 UNDER RECEPTION NO. **2013000064983**.

    (AFFECTS PARCEL A)

19. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN LOWER CLEAR CREEK DITCH COMPANY CROSSING AGREEMENT RECORDED OCTOBER 20, 2014 UNDER RECEPTION NO. **2014000072470**.

(AFFECTS PARCEL A)

20. QUITCLAIM DEED WITH RESERVED ACCESS EASEMENT RECORDED DECEMBER 9, 2014 UNDER RECEPTION NO. **2014000086325** AS CORRECTED BY INSTRUMENTS RECORDED FEBRUARY 18, 2015 UNDER RECEPTION NOS. **2015000011061** AND **2015000011062**.

21. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RESOLUTION APPROVING SUBDIVISION IMPROVEMENTS AGREEMENT FOR MIDTOWN AT CLEAR CREEK FILING NO. 7 RECORDED FEBRUARY 05, 2016 UNDER RECEPTION NO. **2016000009224**.

    (AFFECTS PARCEL A)

22. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN MIDTOWN PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN FILING SEVEN RECORDED FEBRUARY 05, 2016 UNDER RECEPTION NO. **2016000009225** AND MIDTOWN PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN FILING SEVEN AMENDMENT NO. 1 RECORDED AUGUST 24, 2016 UNDER RECEPTION NO. **2016000070110**.

    (AFFECTS PARCEL A)

23. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RESOLUTION APPROVING APPLICATION RECORDED FEBRUARY 05, 2016 UNDER RECEPTION NO. **2016000009227**.

    (AFFECTS PARCEL A)

24. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF MIDTOWN AT CLEAR CREEK-FILING NO. 7 RECORDED FEBRUARY 5, 2016 UNDER RECEPTION NO. **2016000009355**.

    (AFFECTS PARCEL A)

25. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN WARRANTY DEED RECORDED MARCH 15, 1961 IN BOOK 897 AT PAGE **256**.

    (AFFECTS PARCEL B)

26. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ZONING HEARING DECISION RECORDED JANUARY 23, 1987 IN BOOK 3264 AT PAGE **775**.

    (AFFECTS PARCEL B)

27. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH IN THE CRESTVIEW PRELIMINARY PUD PLAN RECORDED JUNE 26, 1987 UNDER RECEPTION NO. **B751021**.

    (AFFECTS PARCEL B)

28. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE HYLAND HILLS PARK AND RECREATION DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED SEPTEMBER 15, 1987, IN BOOK 3367 AT PAGE **411**.

    (AFFECTS PARCEL B)

29. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ZONING HEARING DECISION RECORDED MAY 07, 1991 IN BOOK 3775 AT PAGE **673**.

    (AFFECTS PARCEL B)

30. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE CLEAR CREEK STATION METROPOLITAN DISTRICT NO. 3, AS EVIDENCED BY INSTRUMENT RECORDED NOVEMBER 04, 2010, UNDER RECEPTION NO. **2010000076362**.

    (AFFECTS PARCEL B)

Old Republic National Title Insurance Company

PROPERTY INFORMATION BINDER

Order Number: RND70812035 **Policy No.:** PIB70812035.25422137

31. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF MIDTOWN AT CLEAR CREEK FILING NO. 5 RECORDED DECEMBER 30, 2014 UNDER RECEPTION NO. **2014000091485**.

    (AFFECTS PARCEL B)

32. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF MIDTOWN AT CLEAR CREEK FILING NO. 7 RECORDED FEBRUARY 5, 2016 UNDER RECEPTION NO. **2016000009355**.

    (AFFECTS PARCEL B)

33. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF MIDTOWN AT CLEAR CREEK FILING NO. 10 RECORDED JANUARY 12, 2018 UNDER RECEPTION NO. **2018000004010**.

    (AFFECTS PARCEL B)

34. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF MIDTOWN AT CLEAR CREEK FILING NO. 11 RECORDED JULY 9, 2019 UNDER RECEPTION NO. **2019000053535**.

    (AFFECTS PARCEL B)

NOTE: THIS BINDER DOES NOT REFLECT THE STATUS OF TITLE TO WATER RIGHTS OR REPRESENTATION OF SAID RIGHTS, RECORDED OR NOT.

NOTE: THIS BINDER IS NOT A REPORT OR REPRESENTATION AS TO MINERAL INTERESTS, AND SHOULD NOT BE USED, OR RELIED UPON, IN CONNECTION WITH THE NOTICE REQUIREMENTS THAT ARE SET FORTH IN CRS 24-65.5-103.

NOTE: ADDITIONAL UPDATES TO THE EFFECTIVE DATE OF THE BINDER MAY BE REQUESTED BY THE PROPOSED INSURED. ONE UPDATE IS INCLUDED WITH THIS BINDER AT NO ADDITIONAL COST. ANY ADDITIONAL UPDATES WILL BE ISSUED AT THE COST OF $135 PER UPDATE. FOR EACH UPDATE PROVIDED, A REVISED BINDER WILL BE ISSUED SHOWING A NEW EFFECTIVE DATE AND ANY MATTERS RECORDED SINCE THE EFFECTIVE DATE OF THE PREVIOUS BINDER.

THIS PRODUCT WILL ONLY BE UPDATED FOR 24 MONTHS FOLLOWING THE EFFECTIVE DATE OF THE ORIGINAL BINDER.

INVOICE

Land Title Guarantee Company
5975 Greenwood Plaza Blvd Suite 125
Greenwood Village, CO 80111
(303) 270-0445
Tax ID: 84-0572036

BROOKFIELD PROPERTIES
ATTN:
6465 S GREENWOOD PLAZA BLVD
SUITE 700
Englewood, CO 80111

Reference

Your Reference Number:	
Our Order Number:	70812035
Our Customer Number:	3002548.0
Invoice (Process) Date:	08/22/2023
Transaction Invoiced By:	Steve McQueen
Email Address:	smcqueen@ltgc.com

Invoice Number:	70812035
Property Address:	VACANT LAND, MIDTOWN, CO 00000
Parties:	CARMA WESTMINSTER, LLC, A COLORADO LIMITED LIABILITY COMPANY NOW KNOWN AS MIDTOWN LLC, A COLORADO LIMITED LIABILITY COMPANY

- Charges -

Property Information Binder	$1,310.00
Amount Credited	$0.00
Total Invoice Amount	$1,310.00
Total Amount Due	$1,310.00

Payment due upon receipt

Please reference Invoice No. 70812035 on payment
Please make check payable and send to:
Land Title Guarantee Company
5975 Greenwood Plaza Blvd Suite 125
Greenwood Village, CO 80111

RECEPTION#: 2007000079792, 08/20/2007 at 01:55:34 PM, 1 OF 12, D $354.00 TD
Pgs: 2 Doc Type:SPWTY Karen Long, Adams County, CO

Development Parcels

After Recording, Return to:
Keith M. Pockross, Esq.
Greenberg Traurig, LLP
1200 17th Street
Suite 2400
Denver, CO 80202

SPECIAL WARRANTY DEED

THIS DEED, dated as of August 16, 2007, between **Hamilton Sundstrand Corporation**, a Delaware corporation, whose street address is One Hamilton Road, Windsor Locks, CT 06096 ("Grantor"), and **Carma Westminster, LLC.**, a Colorado limited liability company with an office and principal place of business at 188 Inverness Drive West, Suite 150 Englewood, Colorado 80112 ("Grantee").

Doc Fee
$ 354.00

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WITNESS, that the Grantor, for and in consideration of the sum of a valuable sum in Dollars, the receipt and sufficiency of which is hereby acknowledged, **SUBJECT TO THE RESERVATIONS SET FORTH HEREIN AND IN EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF** ("Reservations"), has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee and its successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Adams and State of Colorado, described as set forth in **Exhibit A** attached hereto and made a part hereof (the "Property").

The Property is also known by street and number as: 6701 Pecos Street.

The Property is also known by assessor's schedule or parcel number: 0182504300001, 182504400002, 182504400016, and 182504402001.

SUBJECT TO THE RESERVATIONS, the Property is hereby granted **TOGETHER WITH** all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained Property; provided, however, that as to any and all water rights conveyed hereby, whether specific or implied, Grantor makes no representation or warranty as to the effect on title from historical use, or as to priority of use, or as to suitability for use by Grantee or its successors or assigns;

HART1-1271567-9

F203922

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TD Pages: 2 Karen Long, Adams County, CO

SUBJECT TO THE RESERVATIONS, TO HAVE AND TO HOLD the said Property above bargained and described with the appurtenances, unto the Grantee and its successors and assigns forever. The Grantor, for itself, its successors and assigns does covenant and agree that it shall and will **WARRANT AND FOREVER DEFEND** the above bargained Property 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 Grantor, but only against such person or persons and none other.

Notice

Colorado law provides that a seller of real property has an affirmative duty to disclose to a purchaser any material facts that are not within the purchaser's diligent observation and attention, and which may materially affect the value of the property being sold. Grantor therefore declares and states the following facts: that certain property known as Lot 1, Block 1, Sundstrand Subdivision, as per the plat thereof recorded January 2, 1974 at Reception No. A026680, County of Adams, State of Colorado (the "Adjacent Property") was once used for manufacturing; that the soil and groundwater beneath the Adjacent Property became contaminated and the property more particularly described in Exhibit A attached hereto and made a part hereof became contaminated by migration of such contamination from the Adjacent Property; that such contamination has been remediated and such remediation was approved by the Colorado Department of Public Health and the Environment ("CDPHE") as evidenced by its issuance of a No Further Action Letter dated February 13, 2007 ("NFA"), a copy of which is available to interested parties by contacting CDPHE at 4300 Cherry Creek Drive, South, Denver, CO 80246-1530. By acceptance of title to the property, all future purchasers acknowledge and understand that Hamilton Sundstrand Corporation and its affiliates and Carma Colorado, Inc. and its affiliates are released from civil liability to the State of Colorado as a result of the issuance of the NFA.

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[Next Page is Signature Page for Hamilton Sundstrand Corporation]

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TD Pages: 2 Karen Long, Adams County, CO

IN WITNESS WHEREOF, the Grantor has caused its corporate name to be hereunto subscribed by its Vice President Finance, Chief Financial Officer and Treasurer, the day and year first above written.

Witness:

Print Name: Edward S. Hill

Print Name: Kathleen McFadden

HAMILTON SUNDSTRAND CORPORATION

By: Peter F. Longo

Its Vice President Finance, Chief Financial Officer and Treasurer

Hamilton Sundstrand – Acknowledgement

STATE OF CONNECTICUT)
) ss: Windsor Locks
COUNTY OF HARTFORD)

The foregoing instrument was acknowledged before me this 14th day of August, 2007, by Peter F. Longo, as Vice President Finance, Chief Financial Officer and Treasurer of Hamilton Sundstrand Corporation, a corporation.

Witness my hand and official seal.
My commission expires:

Edward S. Hill
Notary Public
My Commission Expires 8/31/2012

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Name and Address of Person Creating Newly Created Legal Description (§38-35-106.5, C.R.S.):
No newly created legal description.

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Acceptance by Grantee

Grantee hereby accepts the conveyance on the terms and conditions and subject to the reservations and restrictions contained in this deed.

In Witness Whereof, Grantee has caused this Acceptance to be executed as of this 16th day of August, 2007.

Carma Westminster, LLC
By: Carma (Colorado), Inc., its sole member

By: _____
Michael E. Partheymuller
Its Vice President

-and-

By: _____
Miles S. Stephens
Its Vice President

UNOFFICIAL COPY

STATE OF COLORADO)
ARAPAHOE)
COUNTY OF ~~ADAMS~~)

The foregoing instrument was acknowledged before this 16th day of August, 2007, by Michael E. Partheymuller as Vice President of Carma (Colorado), Inc., a Nevada corporation, the sole member of Carma Westminster, LLC, a Colorado limited liability company.

Witness my hand and official seal.
My commission expires:

NOTARY PUBLIC
CAROLE DODERO
STATE OF COLORADO
My Commission Expires 4/30/2010

_____
Notary Public

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TD Pages: 2 Karen Long, Adams County, CO

STATE OF COLORADO)
)
COUNTY OF ~~ADAMS~~ ARAPAHOE)

The foregoing instrument was acknowledged before this 16th day of August, 2007, by Miles S. Stephens as Vice President of Carma (Colorado), Inc., a Nevada corporation, the sole member of Carma Westminster, LLC, a Colorado limited liability company.

Witness my hand and official seal.
My commission expires:

NOTARY PUBLIC CAROLE DODERO STATE OF COLORADO My Commission Expires 4/30/2010

Carole Dodero

Notary Public

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RECEPTION#: 2007000079792, 08/20/2007 at 01:55:34 PM, 6 OF 12, Doc Type:SPWTY
TD Pages: 2 Karen Long, Adams County, CO

Exhibit A

First Parcel (Vacant Parcel, consisting of three pieces of land.)

First Piece

The North Half of the Southwest Quarter of Section 4, Township 3 South, Range 68 West of the 6th Principal Meridian, except for Highway located and used thereon and except the West 20 feet as conveyed to the County of Adams in Deed of Grant and Conveyance recorded July 20, 1960 in Book 856 at Page 61, County of Adams, State of Colorado, more particularly described as follows:

Commencing at the Northwest corner of the Southwest Quarter of said Section 4;
thence South 89° 46' 11" East along the North line of said Southwest Quarter 20.00 feet to the point of beginning;
Thence continuing along said North line South 89° 46' 11" East 2,614.03 feet;
Thence South 00° 02' 12" East parallel with and 30 feet West of the East line of said Southwest Quarter a distance of 1,325.00 feet to the South line of the North Half of the Southwest Quarter;
Thence North 89° 58' 01" West along said South line 2,624.09 feet;
Thence North 00° 23' 47" East parallel with and 20 feet East of the West line of said Southwest Quarter 1,334.02 feet to the point of beginning,

UNOFFICIAL COPY

Except the following described property:

That part of the Northeast Quarter of the Southwest Quarter of Section 4, Township 3 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado, as conveyed to the County of Adams by Deed recorded April 25, 1990 in Book 3668 at Page 35, more particularly described as follows:

Commencing at the Southeast corner of the Southwest Quarter of said Section 4;
Thence North 00° 01' 14" West on an assumed bearing along the East line of said Southwest Quarter a distance of 2,649.64 feet to the Northeast corner of the Northeast Quarter of the Southwest Quarter of Section 4;
Thence North 89° 45' 00" West along the North line of the Northeast Quarter of the Southwest Quarter of said Section 4 a distance of 30.00 feet to the true point of beginning;
Thence South 00° 01' 14" East parallel with and 30.00 feet West of the East line of the Northeast Quarter of the Southwest Quarter of said Section 4 a distance of 1,183.31 feet to the Northeast corner of that parcel of land described in the Deed recorded in the Adams County Clerk and Recorder's office in Book 3570 at Page 309, Reception No. B8885202 on June 6, 1989;
Thence North 89° 56' 36" West along the North line of said Parcel a distance of 20.00 feet;
Thence North 00° 01' 14" West parallel with and 50.00 feet West of the East line of the Northeast Quarter of the Southwest Quarter of said Section 4 a distance of 1,113.38 feet;
Thence North 44° 53' 07" West a distance of 42.53 feet;
Thence North 89° 45' 00" West parallel with and 40.00 feet South of the North line of the Northeast Quarter of the Southwest Quarter of said Section 4 a distance of 936.98 feet;

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TD Pages: 2 Karen Long, Adams County, CO

Thence North 00° 15' 00" East a distance of 40.00 feet to a point on the North line of the Northeast Quarter of the Southwest Quarter of said Section 4;

Thence South 89° 45' 00" East along said North line a distance of 986.79 feet to the true point of beginning,

And except the following described property:

A tract or parcel of land No. 7 of the Adams County Highway/Engineering Project No. M1377(2) in the North Half of the Southwest Quarter of Section 4, Township 3 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado, as Described in Deed recorded June 6, 1989 in Book 3570 at Page 311, being more particularly described as follows:

The West 30.00 feet of the East 60.00 feet of the South 141.61 feet of the North Half of said Southwest Quarter, County of Adams, State of Colorado.

Second Piece

That part of the Northwest Quarter of the Southeast Quarter of Section 4, Township 3 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado, described as follows:

Beginning at the Southwest corner of the Northwest Quarter of the Southeast Quarter of said Section 4;
Thence North 00° 01' 14" West along the West line of the Northwest Quarter of the Southeast Quarter of said Section 4 a distance of 33.00 feet to a point;
Thence South 89° 59' 30" East parallel with the South line of the Northwest Quarter of the Southeast Quarter of said Section 4 a distance of 50.00 feet to a point on the East right of way line of Pecos Street, said point being the true point of beginning;
Thence North 00° 01' 14" West along said East right of way a distance of 1,231.67 feet;
Thence North 45° 04' 38" East along said East right of way line a distance of 42.35 feet to a point on the South right of way line of West 68th Avenue;
Thence South 89° 49' 30" East along said South right of way line a distance of 1,241.79 feet to appoint on the East line of the Northwest Quarter of the Southeast Quarter of said Section 4;
Thence South 00° 07' 49" East along said East line a distance of 1,257.98 feet to a point 33.00 feet North of the South line of the Northwest Quarter of the Southeast Quarter of said Section 4;
Thence North 89° 59' 30" West parallel with the South line of the Northwest Quarter of the Southeast Quarter of said Section 4 a distance of 1,274.19 feet to the true point of beginning.
County of Adams, State of Colorado.

Third Piece

The North 315.55 feet of Plots 21 and 22, North Broadway Gardens, except the West 20 feet thereof conveyed to Adams County by Deed recorded November 28, 1988 in Book 3513 at Page 50, County of Adams, State of Colorado.

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TD Pages: 2 Karen Long, Adams County, CO

Second Parcel (Reversion Parcel)

That part of the Northeast Quarter of the Southeast Quarter of Section 4, Township 3 South, Range 68 West of the 6th Principal Meridian, Adams County, Colorado, described as follows:

Beginning at the Northwest corner of said Northeast Quarter of the Southeast Quarter;
Thence South 00° 46' 21" West along the West line of said Northeast Quarter of the Southeast Quarter a distance of 30.00 feet to the true point of beginning;
Thence South 88° 55' 20" East parallel with the North line of said Northeast Quarter of the Southeast Quarter a distance of 544.84 feet;
Thence South 37° 28' 57" East a distance of 207.63 feet;
Thence South 50° 30' 51" East a distance of 238.43 feet;
Thence South 75° 10' 36" East a distance of 308.66 feet;
Thence South 14° 03' 33" West a distance of 28.49 feet;
Thence South 49° 30' 31" West a distance of 149.88 feet;
Thence South 80° 03' 37" West a distance of 189.18 feet;
Thence South 59° 38' 34" West a distance of 380.89 feet;
Thence South 55° 23' 25" West a distance of 236.69 feet;
Thence South 28° 10' 21" West a distance of 306.52 feet;
Thence South 40° 39' 34" West a distance of 63.23 feet to a point on the North line of a parcel described in Book 73 at Page 186, Adams County records;
Thence North 89° 05' 14" West along said North line a distance of 153.15 feet to the Northwest corner of said parcel and a point on the West line of said Northeast Quarter of the Southwest Quarter;
Thence North 00° 46' 21" East along said West line a distance of 1,205.98 feet to the true point of beginning, County of Adams, State of Colorado.

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Said Property is conveyed subject to the following:

1. Any and all taxes due and owing on the property.

2. **Rights of State of Colorado** and others in and to any portion of the property lying within the bed of Clear Creek. Affects Parcel 2

3. **Rights of State of Colorado** and others in and to any portion of the property lying within the bed of Little Dry Creek. Affects Parcel 1-1.

4. **Rights of Way for the Terry Ditch**, the Daddario Ditch and the Colorado Agricultural Ditch Co., as the same may affect the Property.

5. **Easement** for telecommunications lines granted to Mountain States Telephone and Telegraph Co, dated October 10, 1930 in Book 191, Page 74. Affects Parcel 1-1.

6. **Easement** for sewer lines granted to Baker Metropolitan Water and Sanitation District, recorded March 15, 1961 in Book 897, Page 256. Affects Parcel 1-2.

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7. **Order of Inclusion**: Effect of land in the First Piece being included within bounds of the Crestview Water and Sanitation District, Order recorded May 12, 1987 in Book 3316, Page 46. Affects Parcel 1-1.

8. Terms, conditions, provisions, agreements and obligations specified in the **Zoning Hearing Decision**, Case #126-86-GDP-PUD - NASH - PHILLIPS/COPUS recorded on January 23, 1987 in Book 3264, Page 775. Affects Parcels 1-1 and 1-2.

9. **Order of Inclusion**: Effect of land in the First Piece being included within the bounds of the Hyland Hills Park & Recreation District. Order recorded September 15, 1987 in Book 3367, Page 411. Affects Parces1-1 and 1-2.

10. Terms, conditions, provisions, agreements and obligations specified in the **Preliminary P.U.D. Plan for Crestview,** recorded May 26, 1987 at Reception No. 751021. Affects Parcel 1-3.

11. Terms, conditions, provisions, agreements and obligations specified in the **Zoning Hearing Decision** Case #31-91-Z GDP FIVE PARTS DEVELOPMENT – NORTH PECOS CENTER, recorded May 7, 1991 in Book 3775, Page 673. Affects Parcel 1-2.

12. Terms, conditions, provisions, agreements and obligations specified in the **Underground Facilities Information Filing** by the North Pecos Water and Sanitation District, recorded March 15, 1993 in Book 4038, Page 101. Affects Parcel 1-3.

13. Any existing leases or tenancies, and any and all parties claiming by, through or under said leases.

14. Easements or rights to easement pursuant to an unrecorded **Deed - Conservation Easement** dated Nov. 16, 1994 from Sundstrand Corporation to Adams County. Affects Parcel 1-3.

15. Easements or rights to easement pursuant to an unrecorded **Permanent Drainage Easement** dated November 11, 1998 from Sundstrand Corporation to Adams County for stormwater drainage re Kalcevic Gulch Improvement Project. Affects Parcel 1-3.

16. Hazardous substances, if any, as disclosed by off-record information.

17. Terms, conditions, provisions, agreements and obligations specified under the **Zoning Hearing Decision**, Case #PRJ2006-00023, which was recorded March 28, 2007 at Reception No. 2007000037694.

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TD Pages: 2 Karen Long, Adams County, CO

The Property is also conveyed subject to the following obligations in favor of, and enforceable by, Grantor and its corporate successors and assigns:

(a) There shall be included in each deed of any portion of the Property from Grantee to each grantee of Grantee, or otherwise placed in the chain of title to the Property, so as to be binding on Grantee's successors in title to the Property, a release in favor of Hamilton Sundstrand Corporation, Carma Colorado, Inc., Inc. and BPI Westminster, LLC that by acceptance of title to any portion of the Property, each future owner of title to any portion of the Property for such future owner, and such future owner's heirs, successors and assigns, expressly releases from, and waives as to, Hamilton Sundstrand Corporation, Carma Colorado Inc. and BPI Westminster, LLC, and their respective affiliates, successors and assigns, any and all claims, damages and/or liability, including, but not limited to, personal injury, death, property damage, nuisance, trespass, negligence, stigma or any other impairment of property value, whether perceived or actual, on account of, related to, or arising from contamination on, in, under or that may have migrated on, in or under the Property.

(b) Each of the Grantee's successors in title to any portion of the Vacant Parcel or Reversion Parcel (as defined herein), by acceptance of title to any such portion of the Vacant Parcel or Reversion Parcel, acknowledges and agrees that no use shall be made of the groundwater beneath the Vacant Parcel or Reversion Parcel for any purpose whatsoever, including without limitation, for drinking, other potable purposes or any other purpose or use and that all beneficial or other use of the groundwater by any such successor in title is and shall be prohibited; the foregoing, however, shall not prohibit use of the "nontributary" and "not nontributary" groundwater, hereinafter described, if drawn from one or more wells not located on the Property.

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(c) No wells for the extraction of any groundwater (whether, tributary, nontributary or not nontributary) from beneath the Property shall be placed on the Property.

(d) Each owner of any portion of the Property shall allow each of Carma Colorado, Inc. and Hamilton Sundstrand Corporation (or their respective representatives and assignees) to have access to the Property for purposes of conducting environmental testing and sampling and other activities in connection with seeking to obtain additional pollution legal liability or other environmental insurance and/or to perform any requirements relating to environmental compliance of any governmental regulatory agency having jurisdiction and/or to perform any environmental investigation, monitoring and remediation to satisfy any of their contractual obligations.

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TD Pages: 2 Karen Long, Adams County, CO

Said Property is conveyed together with the following:

Any and all unappropriated "nontributary" and "not nontributary" ground water rights (as these terms are currently defined in §§ 37-90-103(10.5) and 37-90-103(10.7), C.R.S. (2005), respectively) appurtenant to the Property, including those rights which attach to ownership of overlying land pursuant to the law and §37-90-137(4), C.R.S. (2005) including all Denver Basin Aquifers (Dawson, Upper Dawson, Lower Dawson, Denver, Arapahoe, Upper Arapahoe, Lower Arapahoe, and Laramie-Fox Hills formations), **but expressly excluding, and reserving to the Grantor and its successors and assigns, the following:**

(i) any and all water rights or other rights associated with or related to Well No. 1-481 (Well Permit No. 481-R, constructed on September 1, 1955 and registered on August 4, 1959), which well is located on the Facility Parcel, as herein defined (more particularly, in the SE ¼ of NE ¼ of Section 5, Township 3 South, Range 68 West of the 6th P.M., Adams County, Colorado, at a point 2630 feet South and 100 feet West of the NE Corner of said Section 5), including, without limitation:

(A) rights adjudicated for industrial in-plant use with an appropriation date of September 1, 1955 for Well No. 1-481, by decree on July 31, 1974 in Case No. W-3762, District Court, Water Division No. 1, State of Colorado, in the amount of 0.22 c.f.s.;

(B) as modified by decree on August 23, 1991 in Case No. 88CW068, District Court, Water Division No. 1, State of Colorado, in the amount of 147.9 acre feet per year of nontributary water from the Laramie-Fox Hills aquifer;

(C) as changed by Amended Ruling of the Referee and Judgment and Decree issued In the Matter of the Application for Water Rights and Change of Use of Water Rights of Sundstrand Corporation In Adams County (Colorado District Court, Water Division No. 1, State of Colorado, Case No. 94CW004) dated June 7, 1996 and confirmed and approved on July 29, 1996 (the "Augmentation Order"), to allow industrial use, including augmentation and remediation; and subject to the augmentation plan approved by the Augmentation Order, for use as a source of replacement water in an augmentation plan.

(ii) any and all water rights or other rights associated with or related to Well No. 2-2107-F (Well Permit No. 2107-F, registered on March 25, 1959 and constructed on August 11, 1959), which well is located on the Facility Parcel, as herein defined (more particularly, in the NE ¼ of SE ¼ of Section 5, Township 3 South, Range 68 West of the 6th P.M., Adams County, Colorado, at a point 2610 feet North and 150 feet West of the SE Corner of said Section 5), including, without limitation:

(A) rights adjudicated for industrial in-plant use with an appropriation date of August 11, 1959 for Well No. 2-2107F, by decree on July 31, 1974 in Case No. W-3762, District Court, Water Division No. 1, State of Colorado, in the amount of 0.424 c.f.s.;

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TD Pages: 2 Karen Long, Adams County, CO

(B) as modified by decree on August 23, 1991 in Case No. 88CW068, District Court, Water Division No. 1, State of Colorado, in the amount of 147.9 acre feet per year of nontributary water from the Arapahoe aquifer; and

(C) as changed by the Augmentation Order, to allow industrial use, including augmentation and remediation; and subject to the augmentation plan approved by the Augmentation Order, for use as a source of replacement water in an augmentation plan.

(iii) any and all water rights or other rights associated with or related to Sundstrand Recovery Wells EXW-1 (Permit No. 045051), EXW-2 (Permit No. 045052), EXW-3 (Permit No. 045053), EXW-4 (Permit No. 045054), EXW-5 (Permit No. 045055), EXW-6 (Permit No. 045056), EXW-7 (Permit No. 045057), EXW-8 (Permit No. 045058), EXW-9 (Permit No. 045059), EXW-10 (Permit No. 045060), and EXW-11 (Permit No. 045061), including rights adjudicated for the wells located on the Facility Parcel, as herein defined (more particularly, in the NE ¼ SE ¼ and the SE ¼ NE ¼ of Section 5, Township 3 South, Range 68 West of the 6th P.M. in Adams County, Colorado), by the Augmentation Order, with the total combined average annual pumping rate not to exceed 300 g.p.m. and the maximum combined pumping rate at any given time not to exceed 400 g.p.m., for year-round ground water remediation activities, and with an appropriation date of May 22, 1991; diligence of conditional water rights confirmed by decree on October 25, 2005 in Case No. 02CW111, District Court, Water Division No. 1, State of Colorado; and subject to the Augmentation Order.

(iv) any and all rights to utilize, repair and replace such wells, associated facilities and to utilize such rights to satisfy obligations under the Augmentation Order.

Said Property is conveyed together with and subject to any rights and obligations pursuant to:

(i) **Conveyance of Easement** for the remediation of seep water, dated July 27, 1995 and recorded at Book 4580, Page 562 on September 1, 1995 from Colorado Agricultural Ditch Co. and Lower Clear Creek Ditch Co. to Sundstrand Corporation.

(ii) **Conveyance of Easement** for collecting seepage water for environmental remediation, dated September 7, 1995 and recorded on October 6, 1995 at Book 4603, Page 661 from Western Paving Construction Co. to Sundstrand Corporation.

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NORTH PECOS
WATER & SANITATION
DISTRICT

6900 Pecos Street
Denver, Colorado 80221
(303) 429-5770
Fax (303) 650-8863

30 March 2011

Mike Pietschmann
Redland
8000 South Lincoln Street, Suite 206
Littleton, CO 80122

Re: Water and sanitary sewer for Midtown at Clear Creek, Formerly know as Sunstrand

Mr. Pietschmann,

Please be advised that North Pecos Water and Sanitation District (NPWSD) will consider providing water and sanitary sewer service to the proposed area for the Midtown at Clear Creek Project; providing that:

1. The plans for the Midtown at Clear Creek project are submitted to and approved by the North Washington Fire Department Fire Marshall.
2. Once the plans for the project have been approved by the Fire Marshall, plans are submitted to NPWSD for review by the District's Engineer. At this time, all applicable review fees are to be paid to NPWSD.
3. Once NPWSD has approved the plans and proper applications and licenses are completed, plans will be submitted to Denver Water for review. At this time, any applicable review fees are to be paid to Denver Water.

It will be necessary for the land owner/developer to install water and sewer mains in accordance with the approved plans. The land owner/developer is responsible for all costs associated with the engineering and development of the property. In addition, the property owner/developer is responsible for any costs associated with engineering studies that are done. All water mains, sanitary sewer mains and appurtenances shall be installed at the land owner/developer's expense. All easements must be conveyed to the District prior to the issuance of any water and/or sanitary sewer taps.

If you have any questions or required additional information, please contact the District office at (303) 429-5770.

Sincerely,

Russell M. Traska

Russell Traska
District Manager

Xcel Energy®

5460 W. 60th Ave.
Arvada, CO. 80003

April 15, 2011

Brookfield Residential
Attn: Nolan Donley
188 Inverness Drive West
Suite 150
Englewood, Co 80112

Re: Will serve letter for **Midtown at Clear Creek**

Dear **Mr. Donley**,

In accordance with our tariffs filed with and approved by the Colorado Public Utilities Commission, Gas and Electric facilities can be made available to serve your project at W. 68th Ave. & Pecos St.

Service will be provided after engineering is completed, payment is received, any easements are signed and construction can be completed. We will have better information available after design has been completed as to a scheduled in-service date.

If I can be of further assistance, please contact me at 303-425-3870.

Sincerely,

Barbara Everard

Barbara Everard
Planner
NMR

From: Scharnhorst, Stephanie N <Stephanie.N.Scharnhorst@xcelenergy.com>
Sent: Friday, August 25, 2023 11:17 AM
To: Urban, Anastasia <Anastasia.Urban@brookfieldpropertiesdevelopment.com>; Coleman, Mark <Mark.Coleman@brookfieldrp.com>; Bremner, Christopher <Christopher.Bremner@brookfieldpropertiesdevelopment.com>
Cc: Montano, Shayla A <Shayla.A.Montano@xcelenergy.com>; Kreager, Pat M <Pat.Kreager@XCELENERGY.COM>; Jiminez, Andre A <Andre.A.Jiminez@xcelenergy.com>; Bebernes, Andy G <Andy.G.Bebernes@xcelenergy.com>; Mino, David C <David.C.Mino@xcelenergy.com>
Subject: RE: 70th and Zuni Capacity Issues Electric
Importance: High

CAUTION: EXTERNAL MAIL! Do not click links, open attachments or reply, unless you recognize the sender's email address and know the content is safe! If unsure use the Report Phishing Button located in the ribbon.

Good Morning Brookfield Team!

We have been given great news from Xcel!

The proposed build-out schedule you provided, with those timeframes will work for Xcels systems! We should be clear to proceed.

Please let us know if you have any questions.

Thank you and I hope you have a great weekend!

Stephanie Scharnhorst
Xcel Energy | Responsible By Nature
New Business Advocate, Contractor for Xcel Energy
4400 Kittredge, Suite 50 Denver, CO 80239
C: 303-263-5432 **O:** 720-240-5202
E: Stephanie.N.Scharnhorst@xcelenergy.com
Direct Supervisor: Pat.Kreager@xcelenergy.com
***For additional support you may reach out to Andre.A.Jiminez@xcelenergy.com**

Link to service application: https://my.xcelenergy.com/BuildingRemodeling/s/
Builders Call Line Direct Line – 800-628-2121

From: Urban, Anastasia <Anastasia.Urban@brookfieldpropertiesdevelopment.com>
Sent: Tuesday, August 22, 2023 2:25 PM
To: Montano, Shayla A <Shayla.A.Montano@xcelenergy.com>; Scharnhorst, Stephanie N <Stephanie.N.Scharnhorst@xcelenergy.com>; Kreager, Pat M <Pat.Kreager@XCELENERGY.COM>; Coleman, Mark <Mark.Coleman@brookfieldrp.com>; Jiminez, Andre A <Andre.A.Jiminez@xcelenergy.com>; Bebernes, Andy G <Andy.G.Bebernes@xcelenergy.com>; Mino, David C <David.C.Mino@xcelenergy.com>
Cc: Bremner, Christopher <Christopher.Bremner@brookfieldpropertiesdevelopment.com>
Subject: RE: 70th and Zuni Capacity Issues Electric

EXTERNAL - STOP & THINK before opening links and attachments.

Hi Shayla –

Please see attached build-out scheduled for both Midtown Filing 12 and Filing 13. The number of units/month is when we would need electric. Both filings are attached townhomes. Please let me know if you need any more information or if there is a certain threshold/by date we can work with you on.

Thank you for your assistance with this issue.

Anastasia Urban, P.E.
Project Manager | Land & Housing Development

T +1 303.566.0654

From: Montano, Shayla A <Shayla.A.Montano@xcelenergy.com>
Sent: Tuesday, August 22, 2023 10:25 AM
To: Urban, Anastasia <Anastasia.Urban@brookfieldpropertiesdevelopment.com>; Scharnhorst, Stephanie N <Stephanie.N.Scharnhorst@xcelenergy.com>; Kreager, Pat M <Pat.Kreager@XCELENERGY.COM>; Coleman, Mark <Mark.Coleman@brookfieldrp.com>; Jiminez, Andre A <Andre.A.Jiminez@xcelenergy.com>; Bebernes, Andy G <Andy.G.Bebernes@xcelenergy.com>; Mino, David C <David.C.Mino@xcelenergy.com>
Cc: Bremner, Christopher <Christopher.Bremner@brookfieldpropertiesdevelopment.com>
Subject: RE: 70th and Zuni Capacity Issues Electric

CAUTION: EXTERNAL MAIL! Do not click links, open attachments or reply, unless you recognize the sender's email address and know the content is safe! If unsure use the Report Phishing Button located in the ribbon.

Anastasia,

Could you please provide your build out schedule for this site. We might have some options for this but need to make sure it all works based on the ramp up schedule.

Shayla Montano PMP
Xcel Energy
Senior Operations Manager
1901 E Horsetooth Rd Fort Collins, CO
P: 970-381-9734
E: Shayla.A.Montano@xcelenergy.com
Link to service application: https://my.xcelenergy.com/BuildingRemodeling/s/
Builders Call Line Direct Line – 800-628-2121

From: Urban, Anastasia <Anastasia.Urban@brookfieldpropertiesdevelopment.com>
Sent: Thursday, August 17, 2023 4:56 PM
To: Scharnhorst, Stephanie N <Stephanie.N.Scharnhorst@xcelenergy.com>; Kreager, Pat M <Pat.Kreager@XCELENERGY.COM>; Coleman, Mark <Mark.Coleman@brookfieldrp.com>; Jiminez, Andre A <Andre.A.Jiminez@xcelenergy.com>; Bebernes, Andy G <Andy.G.Bebernes@xcelenergy.com>; Mino, David C <David.C.Mino@xcelenergy.com>; Montano, Shayla A <Shayla.A.Montano@xcelenergy.com>

Cc: Bremner, Christopher <Christopher.Bremner@brookfieldpropertiesdevelopment.com>
Subject: RE: 70th and Zuni Capacity Issues Electric

> You don't often get email from anastasia.urban@brookfieldpropertiesdevelopment.com. Learn why this is important

EXTERNAL - STOP & THINK before opening links and attachments.

Thank you all for your time to discuss the Midtown project. As stated in the meeting, you have our permission to share our contact info with other projects who may be looking to discuss a collective solution.

I will be following-up with a summary of our buildout schedule under separate review for your review of phased service, and also any details on the Filing 6 project.

Anastasia Urban, P.E.
Project Manager | Land & Housing Development

T +1 303.566.0654

MIDTOWN FILING NO. 13
LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO. 2007000079792 THE OFFICIAL RECORDS OF THE ADAMS COUNTY, COLORADO CLERK AND RECORDER'S OFFICE, SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 4, WHENCE THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4 BEARS NORTH 89°48'22" WEST, A DISTANCE OF 2643.63 FEET WITH ALL BEARINGS HEREON REFERENCED TO SAID LINE;

THENCE ALONG SAID NORTH LINE, NORTH 89°48'22" WEST, A DISTANCE OF 769.03 FEET;

THENCE DEPARTING SAID NORTH LINE, SOUTH 00°11'38" WEST, A DISTANCE OF 40.00 FEET TO THE NORTHEASTERLY CORNER OF SAID SPECIAL WARRANTY DEED AND THE **POINT OF BEGINNING**;

THENCE ALONG THE EASTERLY AND SOUTHERLY BOUNDARY OF SAID SPECIAL WARRANTY DEED, THE FOLLOWING NINE (9) COURSES:

1. SOUTH 38°21'59" EAST, A DISTANCE OF 194.84 FEET;
2. SOUTH 51°23'53" EAST, A DISTANCE OF 128.80 FEET;
3. SOUTH 15°37'26" WEST, A DISTANCE OF 335.11 FEET;
4. SOUTH 31°14'28" EAST, A DISTANCE OF 73.46 FEET;
5. SOUTH 58°45'32" WEST, A DISTANCE OF 225.78 FEET;
6. SOUTH 54°30'23" WEST, A DISTANCE OF 236.69 FEET;
7. SOUTH 27°17'19" WEST, A DISTANCE OF 306.52 FEET;
8. SOUTH 39°46'32" WEST, A DISTANCE OF 63.23 FEET;
9. SOUTH 89°57'07" WEST, A DISTANCE OF 91.41 FEET TO THE EASTERLY BOUNDARY OF THE PLAT OF MIDTOWN AT CLEAR CREEK – FILING NO. 7, RECORDED AT RECEPTION NO. 2016000009355, IN SAID RECORDS;

THENCE ALONG SAID EASTERLY BOUNDARY, THE FOLLOWING NINE (9) COURSES:

1. NORTH 00°16'34" EAST, A DISTANCE OF 286.85 FEET;
2. NORTH 00°24'51" WEST, A DISTANCE OF 249.02 FEET;
3. NORTH 00°16'34" EAST, A DISTANCE OF 325.54 FEET;
4. SOUTH 89°43'26" EAST, A DISTANCE OF 53.51 FEET;

5. NORTH 00°16’34” EAST, A DISTANCE OF 57.02 FEET;

6. NORTH 89°43’26” WEST, A DISTANCE OF 93.51 FEET;

7. NORTH 00°16’34” EAST, A DISTANCE OF 52.00 FEET;

8. NORTH 89°43'26" WEST, A DISTANCE OF 69.50 FEET;

9. NORTH 00°16'34" EAST, A DISTANCE OF 220.48 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST 68TH AVENUE AS DEDICATED ON SAID PLAT OF MIDTOWN AT CLEAR CREEK-FILING NO. 7;

THENCE DEPARTING SAID EASTERLY BOUNDARY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, SOUTH 89°48'22" EAST, A DISTANCE OF 595.45 FEET TO THE **POINT OF BEGINNING.**

CONTAINING AN AREA OF 13.565 ACRES, (590,905 SQUARE FEET), MORE OR LESS.

PREPARED BY:
ANTHONY K. PEALL
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 38636
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1, LITTLETON, CO 80122
(303) 718-1898

TREASURER & PUBLIC TRUSTEE
ADAMS COUNTY, COLORADO

ORIGINAL

Certificate Of Taxes Due

Account Number R0199896
Parcel 0182504400024
Assessed To

MIDTOWN LLC
6465 GREENWOOD PLAZA BLVD STE 700
ENGLEWOOD, CO 80111-7103

Certificate Number 2023-236824
Order Number
Vendor ID
MATTHEW CHASE HALEY

Legal Description

SECT,TWN,RNG:4-3-68 DESC: NW4 SE4 EXC ROW OF CO RD AND EXC 33 FT ON S SIDE FOR LOWER CLEAR CREEK DT AND EXC PART PLATTED MIDTOWN AT CLEAR CREEK FLG 5 REC NO 2014000091485 AND FLG 7 2016000009355 AND FLG 10 2018000004010 EXC PT PLATTED AS MIDTOWN AT CLEAR CREEK FLG NO 11 REC 2019000053535 AC 0.2120

Situs Address

0

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2022	$1,921.26	$0.00	$0.00	($1,921.26)	$0.00
Total Tax Charge					$0.00
Grand Total Due as of 10/11/2023					**$0.00**

Tax Billed at 2022 Rates for Tax Area 040 - 040

Authority	Mill Levy	Amount
RANGEVIEW LIBRARY DISTRICT	3.6150000*	$41.17
ADAMS COUNTY FIRE PROTECTIO	17.5540000	$199.94
ADAMS COUNTY	26.9670000	$307.16
HYLAND HILLS PARK & RECREAT	5.1240000	$58.36
SD 1	57.8890000	$659.36
URBAN DRAINAGE SOUTH PLATTE	0.1000000	$1.14
URBAN DRAINAGE & FLOOD CONT	0.9000000	$10.25
MIDTOWN AT CLEAR CREEK METR	56.5300000	$643.88
Taxes Billed 2022	168.6790000	$1,921.26

* Credit Levy

Values	Actual	Assessed
VACANT COMMERCIAL LD	$39,262	$11,390
Total	$39,262	$11,390

ALL TAX SALE AMOUNTS ARE SUBJECT TO CHANGE DUE TO ENDORSEMENT OF CURRENT TAXES BY THE LIENHOLDER OR TO ADVERTISING AND DISTRAINT WARRANT FEES. CHANGES MAY OCCUR; PLEASE CONTACT THE TREASURY PRIOR TO MAKING A PAYMENT AFTER AUGUST 1. TAX LIEN SALE REDEMPTION AMOUNTS MUST BE PAID BY CASH OR CASHIER'S CHECK.

SPECIAL TAXING DISTRICTS AND THE BOUNDARIES OF SUCH DISTRICTS MAY BE ON FILE WITH THE BOARD OF COUNTY COMMISSIONERS, THE COUNTY CLERK, OR, THE COUNTY ASSESSOR.

This certificate does not include land or improvements assessed under a separate account number, personal property taxes, transfer tax, or, miscellaneous tax collected on behalf of other entities, special or local improvement district assessments, or mobile homes, unless specifically mentioned.

I, the undersigned, do hereby certify that the entire amount of taxes due upon the above described parcels of real property and all outstanding lien sales for unpaid taxes as shown by the records in my office from which the same may still be redeemed with the amount required for redemption on this date are as noted herein. In witness whereof, I have hereunto set my hand and seal.

TREASURER & PUBLIC TRUSTEE, ADAMS COUNTY,

Alexander L Villagran

4430 S. Adams County Parkway

Brighton, CO 80601

OFFICIAL SEAL

COUNTY TREASURER
ALEXANDER L. VILLAGRAN
ADAMS COUNTY, COLORADO

TREASURER & PUBLIC TRUSTEE
ADAMS COUNTY, COLORADO
Certificate Of Taxes Due

ORIGINAL

Account Number R0187996
Parcel 0182504400022
Assessed To
MIDTOWN LLC
6465 GREENWOOD PLAZA BLVD STE 700
ENGLEWOOD, CO 80111-7103

Certificate Number 2023-236823
Order Number
Vendor ID
MATTHEW CHASE HALEY

Legal Description
SECT,TWN,RNG:4-3-68 DESC: NE4 SE4 EXC PT IN SW COR TO L C C AND C A DT AND EXC DT AND EXC PARCS AND EXC PART PLATTED 2016000009355

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Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2022	$15,822.32	$0.00	$0.00	($15,822.32)	$0.00
Total Tax Charge					$0.00
Grand Total Due as of 10/11/2023					**$0.00**

Tax Billed at 2022 Rates for Tax Area 049 - 049

Authority	Mill Levy	Amount
RANGEVIEW LIBRARY DISTRICT	3.6150000*	$349.72
ADAMS COUNTY FIRE PROTECTIO	17.5540000	$1,698.17
ADAMS COUNTY	26.9670000	$2,608.79
SD 1	57.8890000	$5,600.18
URBAN DRAINAGE SOUTH PLATTE	0.1000000	$9.67
URBAN DRAINAGE & FLOOD CONT	0.9000000	$87.07
MIDTOWN AT CLEAR CREEK METR	56.5300000	$5,468.72
Taxes Billed 2022	163.5550000	$15,822.32

* Credit Levy

Values	Actual	Assessed
VACANT COMMERCIAL LD	$333,589	$96,740
Total	$333,589	$96,740

ALL TAX SALE AMOUNTS ARE SUBJECT TO CHANGE DUE TO ENDORSEMENT OF CURRENT TAXES BY THE LIENHOLDER OR TO ADVERTISING AND DISTRAINT WARRANT FEES. CHANGES MAY OCCUR; PLEASE CONTACT THE TREASURY PRIOR TO MAKING A PAYMENT AFTER AUGUST 1. TAX LIEN SALE REDEMPTION AMOUNTS MUST BE PAID BY CASH OR CASHIER'S CHECK.

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TREASURER & PUBLIC TRUSTEE, ADAMS COUNTY,
Alexander L Villagran

4430 S. Adams County Parkway
Brighton, CO 80601

COUNTY TREASURER
ALEXANDER L. VILLAGRAN
ADAMS COUNTY, COLORADO

720.283.6783 Office
1500 West Canal Court
Littleton, Colorado 80120
REDLAND.COM

MEETING MINUTES

Meeting Topic:	Midtown Filing 13 Neighborhood Meeting Notes
Date of Meeting:	Monday October 2, 2023
Date of Minutes:	Tuesday October 4, 2023
Location:	The Shed at Midtown
Attendees:	Residents – see sign-in below
	Brookfield: Anastasia Urban and Leila Tuma
	Redland: Evan Rumney and Susan Wade
Distribution:	Brookfield and Adams County
By:	Susan Wade – Redland

The following is a synopsis of the major points of discussion and the direction/conclusions related to the discussion points:

OVERVIEW:

Approximately 25 people attended the meeting – see sign-in sheet below

Redland and Brookfield shared a presentation including: project location, design goals, timeframe, site plan and open space plan.

RESIDENT COMMENTS AND QUESTIONS PERTAINING TO FILING 13:

General:

- How long will the home construction take?
  - *Approximately 2 years*
- The existing Townhomes on the east side have a two-foot driveway apron and people park large trucks on this area, it does not work. Will these Townhomes have a two-foot apron?
  - *The aprons are planned to be approximately 8 feet in length, this length will allow parallel parking as allowed in the rest of Midtown.*
- *We heard there may be hazardous waste and an old bridge buried on the site. Will you prepare a test of Lead based paint on the bridge? Does the site ground water contain PFAS?*
  - *Brookfield has prepared several borings/studies to determine the site contents and no contaminants were found. There is also a No Further Action Letter from*

the State that clears the property for all residential uses. The construction for the site will still abide by the recommendations in the Midtown Soil Management Plan as done in previous filings.

- Concerned with additional new THs and the effects on resale.
    - *Filing 13 is the last filing for Midtown and proposes 79 total units. These units are different models than any existing homes already built in Midtown. New housing may have an impact on resale but for only a short period of time.*
- Phasing – what will be built first?
    - *Phasing has not yet been determined; construction process will dictate the future phasing.*
- We were told there would be retail on the east side – is there any retail planned for this filing?
    - *This filing is too far east for successful retail. No retail is planned for this filing. Additionally, the PDP identifies residential uses for this Planning Area.*
- Will the wetlands be preserved and will the site detention be in the SE corner?
    - *Yes, the wetlands will be preserved and the site stormwater will be handled in the existing detention pond.*
- Since this is the last phase for Midtown, will our metro district taxes be reduced?
    - Please ask the Metro District Board for this information.
- Will you be using sustainable building materials?
    - We continue to look at building materials and regulations on a continuing basis.
- Does Brookfield own the 2 small houses north of 68th Ave?
    - No
- Is Adams County planning on improving W 68th Ave to the east to Huron?
    - *Not to our knowledge*
- How does this unit count compare to the original unit count?
- There have been many iterations over the years but overall we have lowered the unit count in Midtown from 1,600 units to approximately 1,200 units. What is the timeline for the park being opened and homes being finished?
    - *Park is anticipated to be under construction in Q3 2024 into 2025 and homes likely in 2025*
- Will there be rooftop decks?
    - That is an option for both types of townhomes.
- Is there any single story product?
    - It is anticipated there will be some ranch options in the Horizon townhomes.

Parks and Open Space:

- When will the park be built?
    - *The park will start with the infrastructure phase– no completion date yet.*

- The existing trail connection to Clear Creek is steep with a gravel surface – will you be improving this area?
    - *We will investigate who owns this section of the trail.*
- The permanent dog park seems small – please increase the size to meet the temporary park size and split into small dog and large dog sections. The material used in the west dog park hurts dogs' paws, please do not sure this product.
    - *Comment Acknowledged – we will incorporate your suggestion.*
    - *We will research a material options for the permanent dog park.*
- How do you plan to protect the wetlands from Dog and how will you secure the internal trail from the Clear Creek regional trial users.
    - *The existing trail on the west side of the wetlands does not currently pose an issue with dogs near the wetlands and there are no plans to fence the wetlands. As for security, all the Midtown trails are open to the public and no gates are planned currently. The current trail ditch crossings are located to the west and the east of this neighborhood.*
- There are so many kid-focused parks in Midtown, could you provide adult fitness stations for the adults in the neighborhood?
    - *Comment Acknowledged, great suggestion, we will investigate the option and associated costs.*
- There are several dying trees on the east side, who is responsible?
    - *The homeowner is responsible for Single family homes and the Metro District is generally responsible for tree lawns along attached housing product.*
- Pothole on East side entrance
    - It is likely an Adams County roadway.
- Suggests more usable grass area in the park.
    - This park is intended to be a more naturalized park and relate to the Clear Creek corridor. We try to balance the amount of high-water demand grass as it relates to water usage. We will investigate moderately increasing the grass areas.
- Who owns the Clear Creek path? Can we connect into it?
    - We will look into both of those questions. (Parcel is owned by Adams County)
    - https://adcogov.org/sites/default/files/Adams%20County%20Trail%20Guide%20-%20Updated%20July%202020.pdf
- Pecos security concerns accessing RTD.
    - It is recommend that comments be directed to the County.
- What types of trees will be used?
    - There will be a clustered variety of trees to avoid monocultures and minimize risk of disease that could impact a single species.

This constitutes the writer's understanding of the items discussed and agreements reached at the aforementioned meeting. Any corrections and/or additions to this memorandum should be sent to the writer within five (5) business days of receipt of this memorandum.

Redland
WHERE GREAT PLACES BEGIN

PLEASE SIGN-IN

MIDTOWN FILING 13 Neighborhood Meeting
OCTOBER 2, 2023

Name	Email	Phone number
1. Mander Debnath	—	—
2. Abel Wurmnest	abel.wurmnest@gmail.com	
3. Lucy Lipch	—	—
4. Tom Otten	~~thomas.otten@~~ thomas.otten.ko@gmail.com	402-740-1214
5. Solomon Adenle	Solomonadenle@gmail.com	
6. Matt Newman	—	—
7. Stephan Bodilis	sbodilis@yahoo.com	
8. Jaclyn Iarussi	jiarussi22@gmail.com	720-292-0416
9. Matt & Sarah Bokenevitz	troubleinc@gmail.com	
10. Thomas Meester	boulderton@gmail	303-503-9581
11. Jerome Odell	odie.branson@gmail	626-755-4878
12. Jodi Odell	Jodiodell.designs@yahoo	213-519-5919
13. Chad Hamel	chadahamel@gmail.com	408-529-3248
14. Mark Nelson	mrn2846@comcast.net	303 464-1361
15. Adrianne Borlace	ADR.SCHNOS@Gmail.com	2024130358
16. Christina Proctor	cstinap@gmail.com	303-520-5205
17. Christy Fitzarick	christy4f@gmail.com	720.469.5857
18. Robert Pickering	robert@pickering.place	303 809 1848
19. Nick Thorniburg	nickthorniburg@gmail.com	303.506.9824
20. Anakita Behrad	anakita.behrad@gmail.com	720.819.3906
21. Brandon Cox	Brandoncox5280@gmail.com	
22. Brandon Murray-M	BMURRAYM@gmail.com	816-824-6989
23. MARK COLVIN	mwcolvin@aol.com	3-883-1809
24. Kyle Blume	KyleABlume@yahoo.com	720-982-6232
25. Emily Carr		
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Redland
WHERE GREAT PLACES BEGIN