

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO. 13 HELD OCTOBER 1, 2020

A special meeting of the Board of Directors (referred to hereafter as the "Board") of the Colorado International Center Metropolitan District No. 13 (referred to hereafter as the "District") was convened on Thursday, the 1st day of October, 2020, at 10:30 a.m. The meeting was open to the public.

The meeting was held via conference call due to the State of Emergency declared by Governor Polis and Public Health Order 20-23 Implementing Social Distancing Measures, and the threat posed by the COVID-19 coronavirus.

ATTENDANCE

Directors In Attendance Were:

Andrew Klein
Kevin Smith
Otis Moore, III
Theodore Laudick

Also In Attendance Were:

Ann E. Finn; Special District Management Services, Inc.

Jon Hoistad, Esq.; McGeady Becher P.C. (for a portion of the meeting)

Debra Sedgeley; CliftonLarsonAllen LLP

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure of Potential Conflicts of Interest: The Board noted it was in receipt of disclosures of potential conflicts of interest statements for each of the Directors and that the statements had been filed with the Secretary of State at least seventy-two hours in advance of the meeting. Attorney Hoistad requested that the Directors review the agenda for the meeting and advise the Board of any new conflicts of interest which had not been previously disclosed. No further disclosures were made by Directors present at the meeting.

ADMINISTRATIVE MATTERS

Agenda: Ms. Finn distributed for the Board's review and approval a proposed agenda for the District's Special Meeting.

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Following discussion, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the agenda was approved, as presented.

Meeting Location and Manner / Posting of Meeting Notices: The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's board meeting. The Board determined that, due to concerns regarding the spread of the coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, the meeting would be held by telephonic means without any individuals (neither District Representatives nor the General Public) attending in person. Ms. Finn reported that notice was duly posted and that no objections to the telephonic manner of the meeting or any requests that the telephonic manner of the meeting be changed by taxing electors within the District boundaries have been received.

Minutes: The Board reviewed the Minutes of the September 16, 2020 Special Meeting.

Following discussion, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the Board approved the Minutes of the September 16, 2020 Special Meeting.

**PUBLIC
COMMENTS**

There were no public comments.

LEGAL MATTERS

Regional Fee Collections and Use of Fee Revenues for Regional Improvements: The Board deferred discussion.

Resolution No. 2020-10-01, Joint Resolution of the Boards of Directors of Denver High Point at DIA Metropolitan District and Colorado International Center Metropolitan District No. 13 Regarding the Imposition of Regional Development Fees: The Board reviewed Resolution No. 2020-10-01, Joint Resolution of the Boards of Directors of Denver High Point at DIA Metropolitan District and Colorado International Center Metropolitan District No. 13 Regarding the Imposition of Regional Development Fees, to be recorded in the real property records of the City and County of Denver, effective January 1, 2021.

Following discussion, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the Board adopted Resolution No. 2020-10-01, Joint Resolution of the Boards of Directors of Denver High Point at DIA Metropolitan District and Colorado International Center Metropolitan District No. 13 Regarding the Imposition of Regional Development Fees, to be recorded in the real property records of the City and County of Denver, effective January 1, 2021.

RECORD OF PROCEEDINGS

OTHER BUSINESS There were no other business matters at this time.

ADJOURNMENT There being no further business to come before the Board at this time, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By: Ann Finn
Secretary for the Meeting



10/26/2020 10:19 AM
City & County of Denver
Electronically Recorded

R \$68.00

MIS

D \$0.00

RESOLUTION NO. 2020-10-01

**JOINT RESOLUTION OF THE BOARDS OF DIRECTORS OF
DENVER HIGH POINT AT DIA METROPOLITAN DISTRICT
AND
COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO. 13
CONCERNING THE IMPOSITION OF REGIONAL DEVELOPMENT FEES**

RECITALS

A. Denver High Point at DIA Metropolitan District (“**Denver High Point**”) and Colorado International Center Metropolitan District No. 13 (“**CIC No. 13**”) (each a “**District**” and, collectively, the “**Districts**”) are quasi-municipal corporations and political subdivisions of the State of Colorado located in the City and County of Denver, Colorado (“**Denver**”).

B. The Districts each operate pursuant to Service Plans approved by Denver on March 13, 2006, as amended from time to time.

C. Pursuant to their respective Service Plans and that certain Facilities Funding, Construction, and Operations Agreement between Denver High Point, CIC No. 13, and Colorado International Center Metropolitan District No. 14 (“**CIC No. 14**”) dated June 28, 2007, as amended by that certain First Amendment to Facilities Funding, Construction, and Operations Agreement dated October 29, 2009 with an effective date of September 2, 2008 (collectively, the “**FFCOA**”), Denver High Point is responsible for providing for the design, acquisition, construction, installation, and financing of certain water, sanitation (including stormwater and sanitary sewer), street, safety protection, park and recreation, transportation, and mosquito control facilities and services (the “**Facilities**”) for its benefit and for the benefit of CIC Nos. 13 and 14.

D. The Districts are authorized pursuant to Section 32-1-1001(1)(J)(I), C.R.S., to fix fees and charges for services or facilities provided by the Districts.

E. Pursuant to that certain City Intergovernmental Agreement between the Districts and Denver, dated September 2, 2008, as amended by that certain First Amendment to the City Intergovernmental Agreement, dated March 17, 2014 (collectively, the “**City IGA**”), the Districts are obligated to impose the Regional Mill Levy and impose a Regional Development Fee (the “**Regional Development Fee**”) within the District Boundaries (defined below) for the purposes of financing certain improvements (the “**Regional Improvements**”).

F. The Districts have determined it is necessary to impose the Regional Development Fee on the Property according to the most recent calculations provided by Denver.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARDS OF DIRECTORS OF DENVER HIGH POINT AT DIA METROPOLITAN DISTRICT AND COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO. 13, AS FOLLOWS:

1. **DEFINITIONS.** Except as otherwise expressly provided or where the context indicates otherwise, the following capitalized terms shall have the respective meanings as set forth below:

“**Commercial Unit**” means each office space, unit, building, or other structure within the District Boundaries that is used and/or zoned for general commercial, industrial, office, retail, or other non-residential uses.

“**District Boundaries**” means the legal boundaries of the Districts, as the same are established and amended from time to time pursuant to Section 32-1-101, *et seq.*, C.R.S., as more particularly described on the map and legal description attached hereto as **Exhibit B** and incorporated herein by this reference.

“**Due Date**” means the date by which the Regional Development Fee is due, which Due Date is reflected on the Schedule of Fees.

“**End User**” means any third-party owner or tenant occupying or intending to occupy a Residential Unit and any third-party owner or tenant occupying or intending to occupy a Commercial Unit. End User excludes a tenant occupying an Apartment Unit.

“**Fee Schedule**” or “**Schedule of Fees**” means the fees set forth in **Exhibit A**, attached hereto and incorporated herein by this reference, until and unless otherwise amended and/or repealed.

“**Residential Unit**” means each residential dwelling unit (including, without limitation, condominiums, townhomes, and any other attached dwelling unit and detached single-family dwelling units) located within the District Boundaries which has been Transferred to an End User.

“**Transfer**” or “**Transferred**” shall include a sale, conveyance, or transfer by deed, instrument, writing, lease, or any other documents or otherwise by which real property is sold, granted, let, assigned, transferred, exchanged, or otherwise vested in a tenant, tenants, purchaser, or purchasers.

“**Zone Lot**” means the zone lot designated by a property owner as defined in Section 13.3 of the Denver Zoning Code, as republished May 24, 2018, on which a building permit is sought for construction.

2. **REGIONAL DEVELOPMENT FEE.**

(a) A one-time Regional Development Fee is hereby established and imposed upon each Residential Unit and each Commercial Unit within the District Boundaries. The Fees are in accordance with the Fee Structure set forth in **Exhibit A**. The Districts reserve the right to amend this Resolution in the future to increase or decrease the Fee rates. Notwithstanding the foregoing, the Regional Development Fee shall be amended annually by any “**Construction Cost Adjustment**” provided by the City.

(b) The Regional Development Fee shall be based upon the square footage within the applicable Zone Lot, as defined in the Fee Schedule. The Regional Development Fee shall be first due and owing upon transfer of title of any portion of the property from the developer to a builder in accordance with the Fee formula set forth in the Fee Schedule, but in no event later than the date of issuance of a building permit for the designated Zone Lot.

(c) The Construction Cost Adjustment is provided annually to the Districts by the City and County of Denver.

(d) The Boards have determined that the Regional Development Fee is reasonably related to the overall cost of providing the Regional Improvements and is imposed on those who are reasonably likely to benefit from or use the Regional Improvements.

(e) The revenues generated by the Regional Development Fee will be accounted for separately from other revenues of the Districts. The Regional Development Fee revenue will be used solely for the purposes of paying Regional Improvement costs and may not be used by the Districts to pay for general administrative costs of the Districts. This restriction on the use of the Regional Development Fee revenue shall be absolute and without qualification.

(f) The Boards have determined that the Regional Development Fee is calculated to defray the cost of funding construction of the Facilities and reasonably distributes the burden of defraying the Facilities' costs in a manner based on the benefits received by persons paying the Fees and using the Facilities.

3. **LATE FEES AND INTEREST.** Pursuant to Section 29-1-1102(3), C.R.S., any Regional Development Fee not paid in full within fifteen (15) days after the scheduled due date will be assessed a late fee in the amount of Fifteen Dollars (\$15.00) or up to five percent (5%) per month, or fraction thereof, not to exceed a total of twenty-five percent (25%) of the amount due. Interest will also accrue on any outstanding Regional Development Fee, exclusive of assessed late fees, penalties, interest, and any other costs of collection, specifically including, but not limited to, attorneys' fees, at the rate of eighteen percent (18%) per annum, pursuant to Section 29-1-1102(7), C.R.S. The Districts may institute such remedies and collection procedures as authorized under Colorado law, including, but not limited to, foreclosure of its perpetual lien. The defaulting property owner shall pay all fees and costs, specifically including, but not limited to, attorneys' fees and costs and costs associated with the collection of delinquent fees, incurred by the Districts and/or their consultants in connection with the foregoing.

4. **PAYMENT.** Payment of all Fees, rates, tolls, penalties, charges, interest, and attorneys' fees shall be made by check or equivalent form acceptable to the Districts, made payable to "Colorado International Center Metropolitan District No. 13" and sent to the address indicated on the Fee Schedule. The Districts may change the payment address from time to time and such change shall not require amendment to this Resolution.

5. **LIEN.** The Fees imposed hereunder, together with any and all late fees, interest, penalties, and costs of collection, shall, until paid, constitute a statutory, perpetual lien on and against the property served, and any such lien may be foreclosed in the manner provided by the laws of the State of Colorado for the foreclosure of mechanics' liens pursuant to Section 32-1-

1001(1)(J)(I), C.R.S. Said lien may be foreclosed at such time as the District, in its sole discretion, may determine. The lien shall be perpetual in nature (as defined by the laws of the State of Colorado) on the property and shall run with the land. This Resolution shall be recorded in the offices of the Clerk and Recorder of the City and County of Denver, Colorado.

6. **SEVERABILITY**. If any portion of this Resolution is declared by any court of competent jurisdiction to be void or unenforceable, such decision shall not affect the validity of any remaining portion of this Resolution, which shall remain in full force and effect. In addition, in lieu of such void or unenforceable provision, there shall automatically be added as part of this Resolution a provision similar in terms to such provision so that the resulting reformed provision is enforceable.

7. **PROPERTY**. This Resolution shall apply to all property within the District Boundaries, including but not limited to, the property set forth in **Exhibit B**, attached hereto and incorporated herein by this reference, and any additional property included into the Districts after the date of this Resolution.

8. **EFFECTIVE DATE**. This Resolution was adopted by the Boards of Directors of the Districts on October 1, 2020 to be recorded in the real property records of the City and County of Denver and effective January 1, 2021. Upon recording and the effective date of this Resolution No. 2020-10-01, Resolution No. 2020-05-02, recorded at Reception No. 2020070667 shall have no further force or effect.

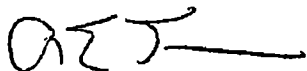
APPROVED AND ADOPTED this 1st day of October, 2020.

**DENVER HIGH POINT AT DIA
METROPOLITAN DISTRICT**, a quasi-
municipal corporation and political subdivision
of the State of Colorado

By: 

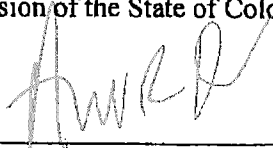
President

Attest:



Secretary or Assistant Secretary

**COLORADO INTERNATIONAL CENTER
METROPOLITAN DISTRICT NO. 13, a
quasi-municipal corporation and political
subdivision of the State of Colorado**

By: 
President

Attest:


Secretary or Assistant Secretary

EXHIBIT A

**DENVER HIGH POINT AT DIA METROPOLITAN DISTRICT
AND
COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO. 13**

Schedule of Regional Development Fees

**Denver High Point at DIA Metropolitan District
2020 Regional Development Fee Amount Calculation**

By: Daisy Murphy, CCD DOTI
Date: 7/28/2020

Year 2000 Engineering News-Record Inflation Construction Index	6005
Year 2019-2020 Engineering News-Record Inflation Construction Index	11371
Year 2000 Colorado Department of Transportation Composite Construction Index	162.3
Year 2019-2020 Colorado Department of Transportation Composite Construction Index	371.39

The escalation of the Regional Development Fee shall be calculated based on 40% using the Engineering News-Record Inflation Construction Index and 60% using the Colorado Department of Transportation Composite Construction Index.

	ENR ICI Component	CDOT CCI Component	Total
Calculation of the Escalation of the Regional Development Fee	$11371 / 6005 = 1.89$	$371.39 / 162.3 = 2.29$	
Portion of Regional Development Fee	40%	60%	
	$40\% \times 1.89 = 0.756$	$60\% \times 2.29 = 1.374$	2.13
Location	2020 Fee Amount Calculation Methodology	2020 Fee Amount Calculation	2020 Fee Amount Per Square Foot
Zone Lots within 660' east of the centerline of Tower Road or north or south of the centerline of 56 th Avenue within the District.	\$0.50 per square foot of designated Zone Lot, adjusted per the Construction Cost Adjustment occurring between year 2000 and August of year prior to the year in which the fee will be imposed.	$= 2.13 \times \$0.50$	\$ 1.07
Zone Lots between 660'; and 1320' east of the centerline of Tower Road or north or south of the centerline of 56 th Avenue within the District.	\$0.40 per square foot of designated Zone Lot, adjusted per the Construction Cost Adjustment occurring between year 2000 and August of year prior to the year in which the fee will be imposed.	$= 2.13 \times \$0.40$	\$ 0.85
Zone Lots further than 1320' east of the centerline of Tower Road or north or south of the centerline of 56 th Avenue within the District.	\$0.20 per square foot of designated Zone Lot, adjusted per the Construction Cost Adjustment occurring between year 2000 and August of year prior to the year in which the fee will be imposed.	$= 2.13 \times \$0.20$	\$ 0.43

EXHIBIT B**DENVER HIGH POINT AT DIA METROPOLITAN DISTRICT
AND
COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO. 13****District Boundaries**

DENVER HIGH POINT AT DIA
METROPOLITAN DISTRICT
LGID NO.65666
LAND DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL NO.1

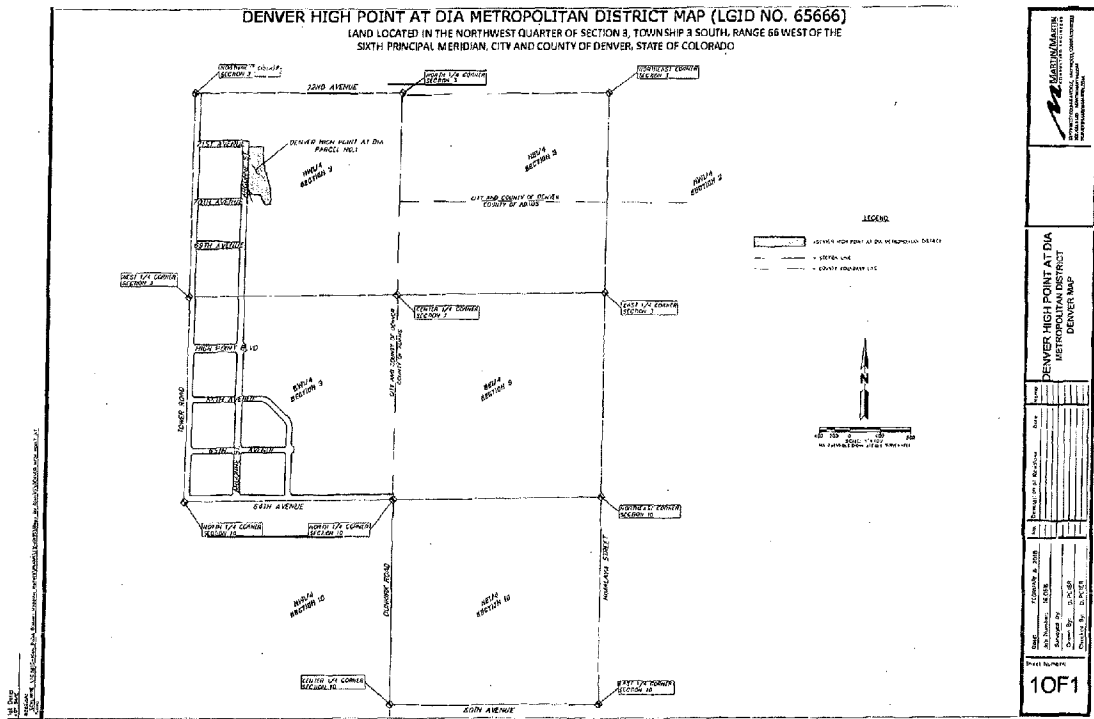
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3;
 THENCE S00°49'25"W A DISTANCE OF 704.49 FEET ALONG THE WESTERLY LINE OF SAID NORTHWEST QUARTER TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE EXTENDED OF 71ST AVENUE;
 THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE EXTENDED, N89°57'08"E A DISTANCE OF 701.20 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF ARGONNE STREET AND THE POINT OF BEGINNING;
 THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N00°46'58"E A DISTANCE OF 11.00 FEET;
 THENCE S89°54'36"E A DISTANCE OF 191.58 FEET;
 THENCE S00°49'56"W A DISTANCE OF 152.03 FEET;
 THENCE S09°09'07"E A DISTANCE OF 150.28 FEET;
 THENCE S24°18'56"E A DISTANCE OF 48.82 FEET;
 THENCE S15°14'54"E A DISTANCE OF 197.61 FEET;
 THENCE S03°27'43"E A DISTANCE OF 59.02 FEET;
 THENCE S10°07'32"E A DISTANCE OF 91.62 FEET;
 THENCE S28°55'59"W A DISTANCE OF 35.32 FEET;
 THENCE S00°19'00"E A DISTANCE OF 22.84 FEET;
 THENCE S77°40'30"W A DISTANCE OF 62.07 FEET;
 THENCE N35°58'53"W A DISTANCE OF 27.53 FEET;
 THENCE N10°07'06"W A DISTANCE OF 34.38 FEET TO A POINT OF CURVATURE;
 THENCE 7.28 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 10°25'17", A RADIUS OF 40.00 FEET AND A CHORD THAT BEARS N15°19'45"W A DISTANCE OF 7.27 FEET;
 THENCE S52°42'05"W A DISTANCE OF 10.61 FEET;
 THENCE 11.84 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 22°36'36", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N25°59'37"W A DISTANCE OF 11.76 FEET;
 THENCE N37°17'55"W A DISTANCE OF 28.47 FEET;
 THENCE N08°32'02"W A DISTANCE OF 20.78 FEET;
 THENCE 56.25 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 59°08'05", A RADIUS OF 57.00 FEET AND A CHORD THAT BEARS N66°51'57"W A DISTANCE OF 56.25 FEET TO A POINT OF REVERSE CURVATURE;
 THENCE 151.98 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 70°13'22", A RADIUS OF 124.00 FEET AND A CHORD THAT BEARS N61°19'19"W A DISTANCE OF 142.64 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF ARGONNE STREET;
 THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N00°46'58"E A DISTANCE OF 539.96 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS 3.590 ACRES (156,392 SQUARE FEET), MORE OR LESS.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE SOUTHERLY LINE OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ASSUMED TO BEAR N89°32'04"E AND BEING MONUMENTED BY A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX PLS #27278 AT THE WEST QUARTER CORNER AND A FOUND 3-1/4" ALUMINUM CAP PLS #36580 AT THE CENTER QUARTER CORNER.

PREPARED BY DENNIS PETER
REVIEWED BY RICHARD A. NOBBE, PLS
FOR AND ON BEHALF OF MARTIN/MARTIN, INC.
12499 WEST COLFAX AVENUE
LAKEWOOD, COLORADO 80215
MARCH 23, 2018
REVISED APRIL 4, 2018



DENVER HIGH POINT AT DIA METROPOLITAN DISTRICT DENVER MAP

Map	Scale
Prepared by: City of Denver Date: 10/10/2017	Scale: AS SHOWN Date: 10/10/2017
10F1	

COLORADO INTERNATIONAL CENTER
 METROPOLITAN DISTRICT NO.13
 LGID NO. 65664
 LAND DESCRIPTION

TWO (2) PARCELS OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL NO.1

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 3; THENCE ALONG THE EASTERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 3, N89°39'14"E A DISTANCE OF 72.02 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 64TH AVENUE AND THE POINT OF BEGINNING;
 THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, THE FOLLOWING TWO (2) COURSES; (1)
 S89°25'17"W A DISTANCE OF 1272.01 FEET TO A POINT OF CURVATURE;
 2) THENCE 47.86 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 91°24'24", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N44°52'31"W A DISTANCE OF 42.94 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF BISCAV STREET;
 THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING TEN (10) COURSES;
 1) N00°49'41"E A DISTANCE OF 493.15 FEET TO A POINT OF CURVATURE;
 2) THENCE 46.39 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 88°33'36", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N45°07'29"E A DISTANCE OF 41.90 FEET;
 3) THENCE N02°01'57"E A DISTANCE OF 70.07 FEET;
 4) THENCE 47.86 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 91°24'32.4", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N44°52'31"W A DISTANCE OF 42.94 FEET;
 5) THENCE N00°49'41"E A DISTANCE OF 217.51 FEET TO A POINT OF CURVATURE;
 6) THENCE 159.53 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 45°42'12", A RADIUS OF 200.00 FEET AND A CHORD THAT BEARS N22°01'25"W A DISTANCE OF 155.34 FEET;
 7) THENCE N44°52'31"W A DISTANCE OF 289.09 FEET TO A POINT OF CURVATURE;
 8) THENCE 159.53 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 45°42'12", A RADIUS OF 200.00 FEET AND A CHORD THAT BEARS N67°43'37"W A DISTANCE OF 155.34 FEET;
 9) THENCE S89°25'17"W A DISTANCE OF 211.50 FEET TO A POINT OF CURVATURE;
 10) THENCE 47.86 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 91°24'24", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N44°52'31"W A DISTANCE OF 42.94 TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF ARGONNE STREET;
 THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSE;
 1) N00°49'41"E A DISTANCE OF 514.15' FEET TO A POINT OF CURVATURE;
 2) THENCE 46.39 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 88°33'36", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N45°07'29"E A DISTANCE OF 41.90 FEET;
 THENCE N89°25'17"E A DISTANCE OF 102.02 FEET TO A POINT OF CURVATURE;
 THENCE 508.97 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 36°38'07", A RADIUS OF 796.00 FEET AND A CHORD THAT BEARS N71°06'13"E A DISTANCE OF 500.34 FEET TO A POINT OF REVERSE CURVATURE;
 THENCE 43.11 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 82°20'19", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS S86°02'41"E A DISTANCE OF 39.50 FEET;
 THENCE S44°52'31"E A DISTANCE OF 1089.90 FEET TO A POINT OF CURVATURE;

THENCE 367.74 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 45°42'19", A RADIUS OF 461.00 FEET AND A CHORD THAT BEARS S67°43'41"E A DISTANCE OF 358.07 FEET;
THENCE N89°25'10"E A DISTANCE OF 198.06 FEET TO A POINT ON THE EASTERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 3;
THENCE ALONG SAID EASTERLY LINE S00°39'14"W A DISTANCE OF 1092.26 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 2,296,434 SQUARE FEET (52.719 ACRES) MORE OR LESS.

TOGETHER WITH PARCEL NO. 2

BEING A PORTION OF LOT 2, AND TRACT A, BLOCK 5, HIGH POINT SUBDIVISION FILING NO. 1, RECORDED AT RECEPTION NO. 2008085984; COMMENCING AT A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF TOWER ROAD, SAID POINT ALSO BEING THE SOUTHWESTERLY CORNER OF SAID TRACT A, SAID POINT BEING THE POINT OF BEGINNING; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF TOWER ROAD, N00°49'41"E A DISTANCE OF 197.06 FEET;
THENCE N45°00'00"E A DISTANCE OF 66.00 FEET;
THENCE N90°00'00"E A DISTANCE OF 260.00 FEET;
THENCE S45°00'00"E A DISTANCE OF 67.00 FEET;
THENCE N90°00'00"E A DISTANCE OF 94.00 FEET;
THENCE N45°00'00"E A DISTANCE OF 30.00 FEET;
THENCE N90°00'00"E A DISTANCE OF 82.10 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF ARGONNE STREET;
THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF ARGONNE STREET, S00° 49' 41"W A DISTANCE OF 213.47 FEET TO A POINT OF CURVATURE;
THENCE 46.39 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 88°35'36" AND A CHORD THAT BEARS S45°07'29"W A DISTANCE OF 41.90 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 66TH AVENUE;
THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF 66TH AVENUE, S89°25'17"W A DISTANCE OF 491.15 FEET TO A POINT OF CURVATURE;
THENCE 42.94 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 91°24'24" AND A CHORD THAT BEARS N44°52'31" A DISTANCE OF 42.94 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 139,733 SQUARE FEET OR 3.208 ACRES, MORE OR LESS.

ALL LINEAL DISTANCES ARE IN U.S. SURVEY FEET.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE SOUTHERLY LINE OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ASSUMED TO BEAR N89°32'04"E AND BEING MONUMENTED BY A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX PLS #27278 AT THE WEST QUARTER CORNER AND A FOUND 3-1/4" ALUMINUM CAP PLS #36580 AT THE CENTER QUARTER CORNER.

PREPARED BY DENNIS PETER
REVIEWED BY RICHARD A. NOBBE, PLS
FOR AND ON BEHALF OF MARTIN/MARTIN, INC.
12499 WEST COLFAX AVENUE
LAKEWOOD, COLORADO 80215
MARCH 23, 2018

