

**RESOLUTION NO. 2011-05-01**

**AMENDED AND RESTATED RESOLUTION OF THE  
JEFFERSON CENTER METROPOLITAN DISTRICT NO. 1  
IMPOSING FACILITIES FEES**

WHEREAS, Jefferson Center Metropolitan District No. 1 is a quasi-municipal corporation and political subdivision of the State of Colorado (the “**District**”), organized in 1989 to serve certain commercial properties located within the Jefferson Center Development Area, as more particularly set forth on **Exhibit A** (as such description may change from time to time by the inclusion of property into, or exclusion of property from the boundaries of the District, the “**Property**”); and

WHEREAS, the District operates pursuant to an Amended and Restated Service Plan approved by the City of Arvada, Colorado (the “**City**”) on March 4, 2005 (the “**Service Plan**”); and

WHEREAS, pursuant to its Service Plan, the District is authorized to finance, acquire, construct and install certain public infrastructure improvements, including but not limited to water, sanitation, streets, safety protection, parks and recreation, transportation, television relay and translation, limited fire protection, and mosquito control facilities and improvements (collectively, the “**Facilities**”); and

WHEREAS, the District is authorized, pursuant to Section 32-1-1001(1)(j)(I), C.R.S., and pursuant to its Service Plan, to fix fees and charges for the Facilities provided by the District; and

WHEREAS, the District has determined that, to meet the costs of providing the Facilities, it is necessary and in the best interests of the District and its taxpayers, to impose a Facilities Fee to provide for funding for the provision of the Facilities; and

WHEREAS, on March 12, 2006, the District adopted Resolution No. 2006-03-02, Resolution of the Jefferson Center Metropolitan District No. 1 Imposing Facilities Fees (the “**Original Resolution**”); and

WHEREAS, pursuant to the Original Resolution, the District imposed a Facilities Fee on all Property within the boundaries of the District at a rate based upon a percentage of the Water, Sewer and Wastewater Tap Fee rates established and imposed by the City; and

WHEREAS, the District does not intend on providing sanitary sewer or wastewater services to the Property and therefore desires to amend the Original Resolution to eliminate that portion of the Facilities Fee based upon a percentage of the Sewer and Wastewater Tap Fee rates established by the City; and

WHEREAS, in order to induce long-term relationships with developers and/or homebuilders within the District, the District desires to set forth a process by which the District may consider an exemption from the Facilities Fees, in certain circumstances; and

WHEREAS, this Resolution shall be recorded on the Property to put the property owners on notice of this imposition of Facilities Fees; and

WHEREAS, the District desires to amend and restate the Original Resolution; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Jefferson Center Metropolitan District No. 1 as follows:

1. **Definitions:** The following words and phrases used herein shall have the following meaning:

(a) Board: The duly elected or appointed Board of Directors of the District, as constituted from time to time.

(b) CIP: The then current Capital Improvement Program, as such term is defined in the FFCO, as such may be amended from time-to-time in the District's sole discretion.

(c) Commercial Fee Rate: An amount that is equivalent to twenty-five percent (25%) of the then-current Water Tap Fee rates of the City which, as such, may be increased or decreased from time to time in the discretion of the District based upon the then-current Water Tap Fee rates of the City.

(d) Commercial Unit: A commercial building located on the Property, intended for commercial, office, retail or warehouse uses, as reasonably determined by the District.

(e) Credit: The amount of Facilities Fee(s) waived by the District for the Developer's construction of Site-Specific Improvements, as determined by the District in accordance with Section 3 of this Resolution.

(f) Developer: Any owner or developer of Property within the District.

(g) District Service System: The system of water, sanitation, streets, safety protection, parks and recreation, transportation, television relay and translation, fire protection, and mosquito control facilities constructed by the District.

(h) Equivalent Unit(s): The number of Commercial Units located on the Property, as identified on the building permit issued by the City for any Commercial Unit.

(i) Exempt Properties: Those portions of the Property which the Board has, in the exercise of its sole discretion, exempted from payment of the Facilities Fee(s) upon satisfaction of the conditions set forth in Section 3 of this Resolution.

(j) Facilities Fee(s): The payment made or to be made by the owner(s) of the Property to the District as consideration for the applicable Equivalent Unit(s).

(k) FFCO: That certain Facilities Funding, Construction and Operations Agreement dated July 26, 2005 by and between the District, Jefferson Center Metropolitan District No. 2, Cimarron Metropolitan District, Vauxmont Metropolitan District, Canyon Pines Metropolitan District and Mountain Shadows Metropolitan District, as it has been and may be amended from time to time.

(l) MIP: The then current Master Infrastructure Plan, as such term is defined in the FFCO, as such may be amended from time-to-time in the District's sole discretion.

(m) Request: That certain request submitted by a Developer in accordance with Section 3(a) of this Resolution.

(n) Site-Specific Improvements: Those public improvements identified in the District's MIP and CIP as necessary to provide service to the Property which have been identified and proposed to be constructed by a Developer, at the Developer's sole cost and expense in lieu of payment of the applicable Facilities Fee(s).

2. **Imposition of Fee**. The Board of Directors hereby imposes a Facilities Fee on the Property. The Facilities Fee is hereby imposed at the Commercial Fee Rate. Revenues from collection of the Facilities Fees shall be utilized to pay debt service obligations of the District, in

the District's discretion. The Facilities Fee shall be due upon the earlier of either (a) the City's issuance of a building permit for any portion of the applicable Property, or (b) upon an alternate payment schedule agreed to in writing by the District and a Developer.

3. **Exemption from Fee.** The Board may, in the exercise of its sole discretion, exempt certain Property from payment of the Facilities Fees upon satisfaction of the following conditions:

(a) The Developer submits to the District a request to construct, at its sole cost and expense, certain Site-Specific Improvements in lieu of payment of the Facilities Fees. Such Request shall be in substantially the form set forth on **Exhibit B**, attached hereto and incorporated herein by this reference, and shall include the following information: (1) a list of the Site-Specific Improvements; (2) drawings of the Site-Specific Improvements; (3) the estimated costs to construct the Site-Specific Improvements; (4) design and construction schedules for the Site-Specific Improvements, when available; (5) a drawing and legal descriptions of the easements to be conveyed to the District or applicable entity for ownership, operation and maintenance of the Site-Specific Improvements, when available; and (6) the amount of the Facilities Fee(s) the Developer is requesting the District waive;

(b) Within forty-five (45) days of receipt of the Request, the District shall review the Site-Specific Improvements and determine to accept in whole or in part the Request or to deny the Request. In making its decision, the District shall determine if the Site-Specific Improvements are consistent with the then-current MIP and the then-current CIP. If the District accepts the Request, the District shall place a line through any Site-Specific Improvements which are not consistent with the MIP and CIP, shall specify the amount of the Facilities Fee(s) for

which a Credit is granted and shall sign and return the Request to the owner(s). If the District denies the Request, the District shall write "Denied" on the Request, and without signing the Request, shall return it to the owner(s);

(c) At the request of the District, and in the District's sole and absolute discretion, the Developer enters into a Facilities Fee Agreement with the District regarding the construction of the Site-Specific Improvements which have been approved by the District which shall address the need for the Developer to convey or cause to be conveyed to the District or another applicable approving/accepting governmental entity, fee simple title and/or easements to such property or properties as may reasonably be required to own, operate and maintain, and/or have access to the Site-Specific Improvements;

(d) At the request of the District, and in the District's sole and absolute discretion, the Developer shall provide collateral or security to assure timely performance in accordance with the design and construction schedules provided as part of the Request;

4. Construction of Site-Specific Improvements. The Developer shall, at its sole cost and expense, construct or cause to have constructed the Site-Specific Improvements in accordance with standards and specification of the City or other appropriate jurisdictions and in accordance with other applicable local, state or federal rules and regulations, within the time provided in the design and construction schedules, as the same may be extended by the District in its sole and absolute discretion, and subject to the following:

(a) The Developer shall, prior to awarding a construction contract, obtain a minimum of three (3) written bids, which shall be provided to the District;

(b) Upon completion of the Site-Specific Improvements and subject to the Developer being granted a Credit, the Developer shall provide the following to the District:

- (i) As-built drawings for the Site-Specific Improvements;
- (ii) Lien waivers and indemnifications from each contractor verifying that all amounts due to contractors, subcontractors, material providers or suppliers have been paid in full in a form acceptable to the District, and a Certificate of Lien Waivers from the Developer, in substantially the form attached hereto as **Exhibit C** and incorporated herein by this reference;
- (iii) An assignment from the Developer to the District of any warranties associated with the Site-Specific Improvements, in a form acceptable to the District;
- (iv) An executed Bill of Sale conveying the Site-Specific Improvements to the District, in substantially the form attached hereto as **Exhibit D** and incorporated herein by this reference.

5. Termination of Credit. Any Credit against payment of the Facilities Fee(s) shall terminate and become void, without notice or demand, upon any default by the Developer under or with respect to a Facilities Fee Agreement or by failure of the owner(s) to comply with the terms of this Resolution.

6. Statutory Lien. Facilities Fees shall constitute a statutory and perpetual lien upon and against the Property pursuant to Section 32-1-1001(1)(j), C.R.S., such lien being a charge imposed for the provision of the services and facilities to the Property. This Resolution shall be recorded in the Jefferson County real property records against those properties contained within

the legal description set forth on **Exhibit A**, attached hereto and incorporated herein by this reference. The lien shall be perpetual in nature as defined by the laws of the State of Colorado and shall run with and burden the Property. The lien shall be released upon payment of the Facilities Fees and/or completion and preliminary acceptance of the Site-Specific Improvements by the appropriate jurisdiction.

7.     Default. Failure to make timely payment of the Facilities Fees due hereunder shall be a default hereunder and upon such default, interest shall be imposed and shall accrue on the total amount of Facilities Fees due at the rate of 12% per annum. Upon any such default, the District shall be entitled to pursue such remedies as may be authorized by law, including but not limited to foreclosure of its lien. In the event the District pursues any such remedies, the defaulting property owner shall pay all costs suffered or incurred by the District in connection with the pursuit of its remedies, including attorneys' fees.

8.     Exempt Properties. The Facilities Fees shall not be imposed on real properties conveyed to and/or owned by non-profit owners' associations, governmental entities or utility providers.

9.     Inquiries. Any inquiries pertaining to the Facilities Fees may be directed to the District's manager at 141 Union Boulevard, Suite 150, Lakewood, CO 80228, 303-987-0835.

10.    Judicial Invalidation. Judicial invalidation of any of the provisions of this Resolution or of any paragraph, clause or portion hereof, or the application thereof in any given circumstances, shall not affect the validity of the remainder of this Resolution.



Approved and adopted this 24<sup>th</sup> day of May, 2011.

JEFFERSON CENTER METROPOLITAN  
DISTRICT NO. 1, a quasi-municipal  
corporation and political subdivision of the State  
of Colorado

By: 

\_\_\_\_\_  
President

Attest:

  
\_\_\_\_\_  
Secretary

## **EXHIBIT A**

(Property)

### **JEFFERSON CENTER METROPOLITAN DISTRICT NO. 1 LEGAL DESCRIPTION**

A TRACT OF LAND LOCATED IN SECTIONS 19 AND 30, T2S, R69W, SECTIONS 17 THROUGH 26, 28, 29 AND 30, T2S, R70W AND IN SECTIONS 11, 13, 14, 23, 24, AND 25, T2S, R71W, AND IN SECTION 12, T3S, R70W OF THE 6<sup>TH</sup> P.M., JEFFERSON COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 21, R70W;  
THENCE EAST ALONG THE NORTH LINE OF SAID SECTION 21, 22, 23, AND 24 AND THE NORTH LINE OF SAID SECTION 19, R69W TO THE EAST RIGHT-OF-WAY LINE OF INDIANA STREET;  
THENCE SOUTH ALONG SAID EAST RIGHT-OF-WAY LINE TO THE SOUTH LINE OF SAID SECTION 19;  
THENCE WEST ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER OF SAID SECTION 24;  
THENCE ALONG THE SOUTH LINE OF SAID SECTION 24 TO THE POINT OF INTERSECTION WITH THE NORTHERLY PROJECTION OF THE EAST LINE OF LOT 6 OF WESTMINSTER GARDENS;  
THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 6 AND THE NORTHERLY PROJECTION THEREOF TO THE SOUTHEAST CORNER OF SAID LOT 6;  
THENCE EAST ALONG THE NORTH LINE OF SAID LOTS 10 AND 9 AND THE EASTERLY PROJECTION THEREOF TO THE EAST RIGHT-OF-WAY LINE OF INDIANA STREET;  
THENCE SOUTH ALONG SAID EAST RIGHT-OF-WAY LINE TO THE INTERSECTION WITH THE EASTERLY PROJECTION OF THE SOUTH LINE OF THE NORTH HALF OF SAID LOT 24 OF WESTMINSTER GARDENS;  
THENCE WEST ALONG SAID SOUTH LINE OF THE NORTH HALF OF SAID LOT 24 AND THE EASTERLY PROJECTION THEREOF TO THE SOUTHWEST CORNER OF THE NORTH HALF OF SAID LOT 24;  
THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 23 TO THE SOUTH RIGHT-OF-WAY LINE OF COLORADO HIGHWAY 72;  
THENCE WEST ALONG SAID RIGHT-OF-WAY LINE TO THE SOUTHERLY PROJECTION OF THE WEST LINE OF SAID LOT 22;  
THENCE NORTH ALONG SAID WEST LINE AND ITS PROJECTION TO THE SOUTH LINE OF SAID LOT 11;  
THENCE EAST ALONG SAID SOUTH LINE TO A LINE LYING 2 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID LOTS 11 AND 6;  
THENCE NORTH ALONG SAID PARALLEL LINE AND ITS PROJECTION TO THE SOUTH LINE OF SAID SECTION 24;  
THENCE WEST ALONG SAID SOUTH LINE TO THE POINT OF INTERSECTION WITH THE NORTHERLY PROJECTION OF THE EAST LINE OF SAID LOT 1;

THENCE SOUTH ALONG SAID PROJECTION AND THE EAST LINE OF SAID LOTS 1, 16, AND 17 TO THE SOUTH RIGHT-OF-WAY LINE OF COLORADO HIGHWAY 72;  
 THENCE WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE EAST LINE OF SAID SECTION 26;  
 THENCE SOUTH ALONG SAID EAST LINE TO THE NORTH RIGHT-OF-WAY LINE OF THE DENVER & RIO GRANDE WESTERN RAILROAD;  
 THENCE NORTHWEST ALONG SAID RIGHT-OF-WAY LINE TO THE NORTH LINE OF SAID SECTION 26;  
 THENCE EAST ALONG SAID NORTH LINE TO THE SOUTH RIGHT-OF-WAY LINE OF COLORADO HIGHWAY 72;  
 THENCE WESTERLY ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE INTERSECTION OF SAID RIGHT-OF-WAY LINE WITH THE SOUTHERLY PROJECTION OF THE WEST LINE OF THAT PARCEL DESCRIBED IN THE BOUNDARY SURVEY LOCATED IN SAID SECTION 22, RANGE 70 WEST, RECORDED IN BOOK 88 AT PAGE 38, RECEPTION NUMBER 86040743;  
 THENCE NORTH ALONG SAID WEST LINE AND ITS SOUTHERLY PROJECTION TO THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 22;  
 THENCE WESTERLY ALONG SAID SOUTH LINE TO THE EAST LINE OF SAID SECTION 21;  
 THENCE ALONG THE EAST LINE OF SAID SECTION 21 TO THE SOUTHEAST CORNER OF SAID SECTION 21;  
 THENCE ALONG THE SOUTH LINE OF SAID SECTION 21 TO THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 21;  
 THENCE ALONG THE WEST LINE OF SAID EAST HALF TO THE NORTHWEST CORNER OF SAID EAST HALF;  
 THENCE ALONG THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 21 TO THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 21;  
 THENCE ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 21;  
 THENCE ALONG THE SOUTH LINE OF SAID NORTH HALF TO THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 21;  
 THENCE SOUTHERLY ALONG SAID EAST LINE TO THE SOUTHEAST CORNER OF SAID WEST HALF;  
 THENCE ALONG THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 21 TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 21;  
 THENCE ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER TO THE EAST RIGHT-OF-WAY LINE OF COLORADO HIGHWAY 93;  
 THENCE SOUTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE TO THE SOUTH LINE OF SAID SECTION 21;  
 THENCE WEST ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER OF SAID WEST HALF OF THE SOUTHWEST QUARTER;  
 THENCE SOUTH ALONG THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 28 TO THE SOUTHEAST CORNER OF SAID WEST HALF;

THENCE WEST ALONG THE SOUTH LINE OF SAID WEST HALF TO THE EAST  
 QUARTER CORNER OF SAID SECTION 29;  
 THENCE WEST ALONG THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION  
 29 TO THE WEST QUARTER CORNER OF SAID SECTION 29;  
 THENCE WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID  
 SECTION 30 TO THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER;  
 THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE  
 SOUTHEAST QUARTER OF SAID SECTION 30 TO THE SOUTHWEST CORNER OF  
 SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER;  
 THENCE ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE  
 SOUTHEAST QUARTER OF SAID SECTION 30 TO THE SOUTHEAST CORNER OF SAID  
 NORTHWEST QUARTER OF THE SOUTHEAST QUARTER;  
 THENCE ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE  
 SOUTHEAST QUARTER OF SAID SECTION 30 TO THE SOUTHEAST CORNER OF SAID  
 SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER;  
 THENCE ALONG THE SOUTH LINE OF SAID SECTION 30 TO THE SOUTHWEST  
 CORNER OF SAID SECTION 30;  
 THENCE NORTHERLY ALONG THE WEST LINE OF SAID SECTION 30 TO A POINT AT  
 WHICH SAID WEST LINE INTERSECTS THAT LINE WHICH APPROXIMATELY  
 REPRESENTS THE 7,400 FOOT CONTOUR LINE SHOWN ON THAT SURVEY BY  
 MEURER SERAFINI MEURER, FILE NO. 40835, DATED FEBRUARY 14, 1972;  
 THENCE DEPARTING SAID WEST LINE, NORTHWESTERLY ALONG THAT LINE  
 THAT APPROXIMATELY REPRESENTS SAID 7,400-FOOT CONTOUR TO THE NORTH  
 LINE OF SECTION 25, RANGE 71 WEST;  
 THENCE ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF SAID  
 SECTION 25;  
 THENCE ALONG THE EAST LINE OF SAID SECTION 25 TO THE SOUTHWEST  
 CORNER OF THAT PARCEL OF LAND RECORDED IN BOOK 1901, PAGE 535 IN THE  
 OFFICE OF THE JEFFERSON COUNTY CLERK AND RECORDER;  
 THENCE ALONG THE SOUTH LINE OF SAID PARCEL TO THE SOUTHEAST CORNER  
 OF SAID PARCEL;  
 THENCE ALONG THE EAST LINE OF SAID PARCEL TO THE NORTH LINE OF SAID  
 SECTION 30, RANGE 70 WEST;  
 THENCE ALONG SAID NORTH LINE TO THE SOUTHWEST CORNER OF THE EAST  
 HALF OF SAID SECTION 19;  
 THENCE ALONG THE WEST LINE OF SAID EAST HALF TO THE NORTHWEST  
 CORNER OF SAID EAST HALF;  
 THENCE ALONG THE NORTH LINE OF SAID SECTION 19 TO THE NORTHWEST  
 CORNER OF SAID SECTION 19;  
 THENCE ALONG THE NORTH LINE OF SAID SECTION 24, RANGE 71 WEST, TO THE  
 NORTH QUARTER CORNER OF SAID SECTION 24 AND THE NORTHEAST CORNER  
 OF THAT PARCEL OF LAND DESCRIBED IN THE OFFICE OF THE JEFFERSON  
 COUNTY CLERK AND RECORDER AT RECEPTION NO. 86125392, DATED OCTOBER  
 15, 1986;  
 THENCE ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION  
 24 TO THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL;

THENCE WESTERLY ALONG SAID SOUTHERLY LINE TO THE EASTERLY LINE OF THAT EXISTING ROAD REFERRED TO IN SAID DOCUMENT;  
THENCE NORTHERLY ALONG SAID EASTERLY LINE TO THE WESTERLY BOUNDARY OF SAID PARCEL;  
THENCE NORTHERLY ALONG SAID WESTERLY BOUNDARY TO THE SOUTHWEST CORNER OF SAID SECTION 13;  
THENCE ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 13 TO THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER;  
THENCE WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14 TO THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER;  
THENCE ALONG THE WEST LINE OF SAID NORTHEAST QUARTER TO THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER;  
THENCE NORTHERLY ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 11 TO THE NORTHERLY RIGHT-OF-WAY LINE OF COLORADO HIGHWAY 72;  
THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF COLORADO HIGHWAY 72 AND THE WESTERLY RIGHT-OF-WAY OF COLORADO HIGHWAY 93;  
THENCE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE TO THE NORTH LINE OF SAID SECTION 20, TOWNSHIP 2 SOUTH;  
THENCE EAST ALONG SAID NORTH LINE TO THE POINT OF BEGINNING OF THIS DESCRIPTION, EXCEPTING THERE FROM THOSE PROPERTIES CONTAINED IN THE WARRANTY DEED RECORDED AT RECEPTION NUMBER 88026433 ON MARCH 22, 1988, AND ALSO EXCEPTING THAT PARCEL DESCRIBED IN THAT DEED RECORDED IN BOOK 2052 AT PAGE 21.

**AND ALSO: THE FOLLOWING FIVE (5) PARCELS AS SHOWN IN THE ORDER OF INCLUSION RECORDED OCTOBER 31, 1997 AT RECEPTION NO. F0501383.**

PARCEL A:

A TRACT OF LAND LOCATED IN SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF JEFFERSON, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE W  $\frac{1}{4}$  CORNER OF SAID SECTION 21, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 21 BEARS N 00°, 03 MIN. 10 SEC. W, THENCE N 89° 34 MIN 32 SEC E, 3968.04 FEET ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 21 TO THE SOUTHEAST CORNER OF THE SW  $\frac{1}{4}$  OF THE NE  $\frac{1}{4}$  OF SAID SECTION 21 AND THE TRUE POINT OF BEGINNING;  
THENCE S00° 23 MIN. 21 SEC. E, 518.56 FEET ALONG THE EAST LINE OF THE NW  $\frac{1}{4}$  OF THE SE  $\frac{1}{4}$  OF SAID SECTION 21 TO THE NORTHERLY RIGHT-OF-WAY LINE OF THE DENVER AND RIO GRANDE RAILROAD;  
THE FOLLOWING COURSES AND DISTANCES ARE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID DENVER & RIO GRANDE RAILROAD;  
THENCE SOUTHWESTERLY, 1819.39 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST, SAID ARC HAVING A RADIUS 2962.65 FEET, A CENTRAL

ANGLE OF 35° 11 MIN. 09 SEC. AND BEING SUBTENDED BY A CHORD THAT BEARS  
 S 74° 22 MIN. 15 SEC. W, 1790.94 FEET;  
 THENCE S 55° 15 MIN. 10 SEC. W, 263.77 FEET;  
 THENCE S 54° 37 MIN. 08 SEC. W, 88.20 FEET;  
 THENCE S 56° 54 MIN. 26 SEC. W 192.22 FEET;  
 THENCE SOUTHWESTERLY, 62.85 FEET ALONG THE ARC OF A CURVE CONCAVE  
 TO THE NORTHWEST TO THE SOUTH LINE OF THE NE ¼ OF THE SW ¼ OF SAID  
 SECTION 21, THE ARC OF SAID CURVE HAVING A RADIUS 855.00 FEET, A CENTRAL  
 ANGLE OF 4° 12 MIN. 43 SEC. AND BEING SUBTENDED BY A CHORD THAT BEARS  
 S61° 11 MIN. 10 SEC. W, 62.84 FEET;  
 THENCE S 89° 27 MIN. 09 SEC. W, 9.54 FEET ALONG THE SOUTH LINE OF THE NE ¼  
 OF THE SW ¼ OF SAID SECTION 21 TO THE NORTHEASTERLY LINE OF THAT  
 EASEMENT FOR RIGHT-OF-WAY AS DESCRIBED IN BOOK 902 AT PAGE 290 OF THE  
 RECORDS OF JEFFERSON COUNTY, COLORADO;  
 THENCE N 33° 17MIN.00 SEC. W, 437.97 FEET ALONG THE NORTHEASTERLY LINE  
 OF THAT EASEMENT FOR RIGHT-OF-WAY AS DESCRIBED IN SAID BOOK 902 AT  
 PAGE 290;  
 THENCE N 34° 12 MIN. 00 SEC. W, 261.85 FEET ALONG THE NORTHEASTERLY LINE  
 OF THAT EASEMENT FOR RIGHT-OF-WAY AS DESCRIBED IN SAID BOOK 902 AT  
 PAGE 290 TO THE SOUTHEASTERLY LINE OF THAT TRACT OF LAND AS  
 DESCRIBED IN BOOK 374 AT PAGE 433 OF THE RECORDS OF JEFFERSON COUNTY,  
 COLORADO;  
 THENCE N 30° 24 MIN. 00 SEC. E, 619.35 FEET ALONG THE SOUTHEASTERLY LINE  
 OF THAT TRACT OF LAND AS DESCRIBED IN SAID BOOK 374 AT PAGE 433 TO A  
 POINT OF CURVE TO THE LEFT;  
 THENCE NORTHEASTERLY, 203.47 FEET ALONG THE ARC OF SAID CURVE AND  
 ALONG THE SOUTHEASTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED IN  
 SAID BOOK 374 AT PAGE 433 TO A POINT TANGENT, SAID ARC HAVING A RADIUS  
 OF 633.00 FEET, A CENTRAL ANGLE 18° 25 MIN. 00 SEC. AND BEING SUBTENDED  
 BY A CHORD THAT BEARS N 21° 11 MIN. 30 SEC. E, 202.59 FEET;  
 THENCE N 11° 59 MIN. 00 SEC. E, 693.57 FEET ALONG THE SOUTHEASTERLY LINE  
 OF THAT TRACT OF LAND AS DESCRIBED IN SAID BOOK 374 AT PAGE 433 TO THE  
 SOUTHERLY LINE OF PARCEL PE-1 AS DESCRIBED IN AGREEMENT RECORDED AT  
 RECEPTION NO. 86158538 OF THE RECORDS OF JEFFERSON COUNTY, COLORADO;  
 THENCE N 48° 19 MIN. 34 SEC. E, 37.24 FEET ALONG THE SOUTHERLY LINE OF  
 PARCEL PE-1 AS DESCRIBED AT SAID RECEPTION NO. 86158538;  
 THENCE S 83° 45 MIN. 20 SEC. E, 177.50 FEET ALONG THE SOUTHERLY LINE OF  
 PARCEL PE-1 AS DESCRIBED AT SAID RECEPTION NO 86158538 TO THE  
 SOUTHEAST CORNER OF PARCEL PE-1 AS DESCRIBED AT SAID RECEPTION NO.  
 86158538;  
 THENCE N 06° 14 MIN. 40 SEC. E, 60.80 FEET ALONG THE EASTERLY LINE OF  
 PARCEL PE-1 AS DESCRIBED AT SAID RECEPTION NO. 86158538 TO THE  
 SOUTHERLY LINE OF THAT TRACT OF LAND DESCRIBED IN BOOK 421 AT PAGE 86  
 OF THE RECORDS OF JEFFERSON COUNTY, COLORADO.

THENCE S 83° 45 MIN. 20 SEC. E, 1889.23 FEET ALONG THE SOUTHERLY LINE OF THAT TRACT OF LAND AS DESCRIBED IN SAID BOOK 421 AT PAGE 86 TO THE EAST LINE OF THE SW ¼ OF THE NE¼ OF SAID SECTION 21;  
THENCE S 00° 23 MIN. 25 SEC. E, 506.87 FEET ALONG THE EAST LINE OF THE SW ¼ OF THE NE ¼ OF SAID SECTION 21 TO THE TRUE POINT OF BEGINNING, COUNTY OF JEFFERSON, STATE OF COLORADO.

PARCEL B:

A TRACT OF LAND LOCATED IN THE SE ¼ OF THE NW ¼ AND IN THE NE ¼ OF THE SW ¼ OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF JEFFERSON, STATE OF COLORADO, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE W ¼ CORNER OF SAID SECTION 21, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 21 BEARS N 00° 03 MIN. 10 SEC. W,  
THENCE N 89° 34 MIN. 32 SEC. E, 1322.84 FEET ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 21 TO THE SOUTHWEST CORNER OF THE SE ¼ OF THE NW ¼ OF SAID SECTION 21 AND THE TRUE POINT OF BEGINNING;  
THENCE N 00° 10 MIN. 06 SEC. W, 815.76 FEET ALONG THE WEST LINE OF THE SE ¼ OF THE NW ¼ OF SAID SECTION 21 TO THE SOUTHERLY LINE OF THAT EASEMENT FOR RIGHT-OF-WAY AS DESCRIBED IN BOOK 421 AT PAGE 86 OF THE RECORDS OF JEFFERSON COUNTY, COLORADO;  
THENCE S 83° 45 MIN. 20 SEC. E, 476.54 FEET ALONG THE SOUTHERLY LINE OF THAT EASEMENT FOR RIGHT-OF-WAY AS DESCRIBED IN SAID BOOK 421 AT PAGE 86 TO THE NORTHWESTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED IN BOOK 374 AT PAGE 433 OF THE RECORDS OF JEFFERSON COUNTY, COLORADO;  
THENCE S11° 59 MIN. 00 SEC. W, 772.40 FEET ALONG THE NORTHWESTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED IN SAID BOOK 374 AT PAGE 433 TO A POINT OF CURVE TO THE RIGHT;  
THENCE SOUTHWESTERLY, 171.32 FEET ALONG THE ARC OF SAID CURVE AND ALONG THE NORTHWESTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED IN SAID BOOK 374 AT PAGE 433 TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 533.00 FEET, A CENTRAL ANGLE OF 18° 25 MIN. 00 SEC. AND BEING SUBTENDED BY A CHORD THAT BEARS S 21° 11 MIN. 30 SEC. W, 170.59 FEET;  
THENCE S 30° 24 MIN. 00 SEC. W, 488.14 FEET ALONG THE NORTHWESTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED IN SAID BOOK 374 AT PAGE 433 TO THE WEST LINE OF THE NE ¼ OF THE SW ¼ OF SAID SECTION 21;  
THENCE N 00° 13 MIN 39 SEC. W, 571.72 FEET ALONG THE WEST LINE OF THE NE ¼ OF THE SW1/4 OF SAID SECTION 21 TO THE TRUE POINT OF BEGINNING, COUNTY OF JEFFERSON, STATE OF COLORADO.

PARCEL C:

A TRACT OF LAND LOCATED IN THE NE ¼ OF THE SW 1/4 OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF JEFFERSON, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE W  $\frac{1}{4}$  CORNER OF SAID SECTION 21 BEARS N 00° 03 MIN. 10 SEC. W,  
THENCE N 89° 34 MIN. 32 SEC. E, 1322.84 FEET ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 21 TO THE SOUTHWEST CORNER OF THE SE  $\frac{1}{4}$  OF THE NW  $\frac{1}{4}$  OF SAID SECTION 21;  
THENCE S 00° 13 MIN. 39 SEC. E, 886.03 FEET ALONG THE WEST LINE OF THE NE  $\frac{1}{4}$  OF THE SW  $\frac{1}{4}$  OF SAID SECTION 21 TO THE SOUTHWESTERLY LINE OF THAT EASEMENT FOR RIGHT-OF-WAY AS DESCRIBED IN BOOK 902 AT PAGE 290 OF THE RECORDS OF JEFFERSON COUNTY, COLORADO AND THE TRUE POINT OF BEGINNING;  
THENCE S 34° 12 MIN. 00 SEC. E, 147.01 FEET ALONG THE SOUTHWESTERLY LINE OF THAT EASEMENT FOR RIGHT-OF-WAY AS DESCRIBED IN SAID BOOK 902 AT PAGE 290;  
THENCE S 33° 17 MIN. 00 SEC. E, 372.88 FEET ALONG THE SOUTHWESTERLY LINE OF THAT EASEMENT FOR RIGHT-OF-WAY AS DESCRIBED IN SAID BOOK 902 AT PAGE 290 TO THE SOUTH LINE OF THE NE  $\frac{1}{4}$  OF THE SW  $\frac{1}{4}$  OF SAID SECTION 21;  
THENCE S 89° 27 MIN. 09 SEC. W, 285.54 FEET ALONG THE SOUTH LINE OF THE NE  $\frac{1}{4}$  OF THE SW  $\frac{1}{4}$  OF SAID SECTION 21 TO THE SOUTHWEST CORNER OF THE NE  $\frac{1}{4}$  OF THE SW  $\frac{1}{4}$  OF SAID SECTION 21;  
THENCE N 00° 13 MIN. 39 SEC. W, 436.04 FEET ALONG THE WEST LINE OF THE NE  $\frac{1}{4}$  OF THE SW  $\frac{1}{4}$  OF SAID SECTION 21 TO THE TRUE POINT OF BEGINNING, COUNTY OF JEFFERSON, STATE OF COLORADO.

PARCEL D:

A TRACT OF LAND LOCATED IN THE SE  $\frac{1}{4}$  OF THE NW  $\frac{1}{4}$  OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF JEFFERSON, STATE OF COLORADO, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE W  $\frac{1}{4}$  CORNER OF SAID SECTION 21, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 21 BEARS N 00° 03 MIN. 10 SEC. W,  
THENCE N 89° 34 MIN. 32 SEC. E, 1322.84 FEET ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 21 TO THE SOUTHWEST CORNER OF THE SE  $\frac{1}{4}$  OF THE NW  $\frac{1}{4}$  OF SAID SECTION 21;  
THENCE N 00° 10 MIN. 06 SEC. W, 916.39 FEET ALONG THE WEST LINE OF THE SE  $\frac{1}{4}$  OF THE NW  $\frac{1}{4}$  OF SAID SECTION 21 TO THE NORTH LINE OF THAT EASEMENT FOR RIGHT-OF-WAY AS DESCRIBED IN BOOK 421 AT PAGE 86 OF THE RECORDS OF JEFFERSON COUNTY, COLORADO AND THE TRUE POINT OF BEGINNING;  
THENCE CONTINUING N 00° 10 MIN. 06 SEC. W, 409.69 FEET ALONG THE WEST LINE OF THE SE  $\frac{1}{4}$  OF THE NW  $\frac{1}{4}$  OF SAID SECTION 21 TO THE NORTHWEST CORNER OF THE SE  $\frac{1}{4}$  OF THE NW  $\frac{1}{4}$  OF SAID SECTION 21;  
THENCE N 89° 40 MIN. 01 SEC. E, 595.28 FEET ALONG THE NORTH LINE OF THE SE  $\frac{1}{4}$  OF THE NW  $\frac{1}{4}$  OF SAID SECTION 21 TO THE NORTHWESTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED IN BOOK 374 AT PAGE 433 OF THE RECORDS OF JEFFERSON COUNTY, COLORADO;



THENCE S 11° 59 MIN. 00 SEC. W, 477.70 FEET ALONG THE NORTHWESTERLY LINE OF THAT EASEMENT FOR RIGHT-OF-WAY AS DESCRIBED IN SAID BOOK 374 AT PAGE 433 TO THE NORTHERLY LINE OF THAT EASEMENT FOR RIGHT-OF-WAY AS DESCRIBED IN SAID BOOK 421 AT PAGE 86;

THENCE N 83° 45 MIN. 20 SEC. W, 497.83 FEET ALONG THE NORTHERLY LINE OF THAT EASEMENT FOR RIGHT-OF-WAY AS DESCRIBED IN SAID BOOK 421 AT PAGE 86 TO THE TRUE POINT OF BEGINNING, COUNTY OF JEFFERSON, STATE OF COLORADO.

PARCEL E:

A TRACT OF LAND LOCATED IN THE SE ¼ OF THE NW ¼ AND IN THE SW ¼ OF THE NE ¼ OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF JEFFERSON, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE W ¼ CORNER OF SAID SECTION 21, FROM WHICH THE

NORTHWEST CORNER OF SAID SECTION 21 BEARS N 00° 03 MIN. 10 SEC. W,

THENCE N 89° 34 MIN. 32 SEC. E, 1322.84 FEET ALONG THE EAST-WEST

CENTERLINE OF SAID SECTION 21 TO THE SOUTHWEST CORNER OF THE SE ¼ OF THE NW ¼ OF SAID SECTION 21;

THENCE N 00° 10 MIN. 06 SEC. W, 1326.08 FEET ALONG THE WEST LINE OF THE SE ¼ OF THE NW ¼ OF SAID SECTION 21 TO THE NORTHWEST CORNER OF THE SE ¼ OF THE NW ¼ OF SAID SECTION 21;

THENCE N 89° 40 MIN. 01 SEC. E, 697.64 FEET ALONG THE NORTH LINE OF THE SE ¼ OF THE NW¼ OF SAID SECTION 21 TO THE SOUTHEASTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED IN BOOK 374 AT PAGE 433 OF THE RECORDS OF JEFFERSON COUNTY, COLORADO AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING N 89° 40 MIN. 01 SEC. E, 1942.43 FEET ALONG THE NORTH LINE OF THE S ½ OF THE N ½ OF SAID SECTION 21 TO THE NORTHEAST CORNER OF THE SW ¼ OF THE NE ¼ OF SAID SECTION 21;

THENCE S 00° 23 MIN. 25 SEC. E, 714.32 FEET ALONG THE EAST LINE OF THE SW ¼ OF THE NE ¼ OF SAID SECTION 21 TO THE NORTHERLY LINE OF THAT EASEMENT FOR RIGHT-OF-WAY AS DESCRIBED IN BOOK 421 AT PAGE 86 OF THE RECORDS OF JEFFERSON COUNTY, COLORADO;

THENCE N 83° 45 MIN. 20 SEC. W, 1876.82 FEET ALONG THE NORTHERLY LINE OF THE EASEMENT FOR RIGHT-OF-WAY AS DESCRIBED IN SAID BOOK 421 AT PAGE 86 TO THE EASTERLY LINE OF PARCEL PE-1A AS DESCRIBED IN AGREEMENT RECORDED AT RECEPTION NO. 86158538 OF THE RECORDS OF JEFFERSON COUNTY, COLORADO;

THENCE N 06° 14 MIN. 40 SEC. E, 64.96 FEET ALONG THE EASTERLY LINE OF PARCEL PE-1A AS DESCRIBED AT SAID RECEPTION NO. 86158538 TO THE NORTHERLY LINE THEREOF;

THENCE N 83° 45 MIN. 20 SEC. W, 113.86 FEET ALONG THE NORTHERLY LINE OF PARCEL PE-1A AS DESCRIBED AT SAID RECEPTION NO. 86158538;

THENCE N 61° 19 MIN. 16 SEC. W., 40.60 FEET ALONG THE NORTHEASTERLY LINE OF PARCEL PE-1A AS DESCRIBED AT SAID RECEPTION NO. 86158538;

THENCE N 29° 20 MIN. 57 SEC. W, 37.40 FEET ALONG THE NORTHEASTERLY LINE OF PARCEL PE-1A AS DESCRIBED AT SAID RECEPTION NO. 86158538 TO THE SOUTHEASTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED IN SAID BOOK 374 AT PAGE 433;

THENCE N 11° 59 MIN. 00 SEC. E, 378.06 FEET ALONG THE SOUTHEASTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED IN SAID BOOK 374 AT PAGE 433 TO THE TRUE POINT OF BEGINNING, COUNTY OF JEFFERSON, STATE OF COLORADO.

**AND ALSO: THE FOLLOWING FIVE (5) PARCELS AS DESCRIBED IN THE AMENDED ORDER FOR INCLUSION RECORDED NOVEMBER 2, 1999 AT RECEPTION NO. F0970878:**

PARCEL A:

THAT PART OF THE NE ¼ OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 70 WEST OF THE 6<sup>TH</sup> P.M., JEFFERSON COUNTY, COLORADO, DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT, WHICH IS 30.00 FEET EAST AND 30.00 FEET SOUTH OF THE NORTH ¼ CORNER OF THE SAID SECTION 12;

THENCE S 89° 06 MIN. 44 SEC. E PARALLEL TO THE NORTH LINE OF THE SAID NE ¼ SECTION 12, 592.31 FEET;

THENCE S 0° 29 MIN. 49 SEC. W PARALLEL TO THE WEST LINE OF THE SAID NE ¼ SECTION 12, 1175.86 FEET;

THENCE S 56° 13 MIN. 47 SEC. W, 192.85 FEET;

THENCE ALONG THE ARC OF A 945.00-FOOT RADIUS CURVE TO THE LEFT (CENTRAL ANGLE OF 19° 36 MIN. 13 SEC.) AN ARC DISTANCE OF 323.33 FEET AND WHOSE CHORD BEARS S 46° 25 MIN. 40 SEC. W, 321.75 FEET;

THENCE N 89° 06 MIN. 44 SEC. W, 132.04 FEET;

THENCE ALONG THE ARC OF A NON-TANGENTIAL 1055.00-FOOT RADIUS CURVE TO THE RIGHT (CENTRAL ANGLE OF 23° 47 MIN. 45 SEC.) AN ARC DISTANCE OF 438.16 FEET AND WHOSE CHORD BEARS N 44° 19 MIN. 54 SEC. E, 435.02 FEET;

THENCE N 56° 13 MIN. 47 SEC. E, 205.17 FEET;

THENCE ALONG THE ARC OF A NON-TANGENTIAL 25.00-FOOT RADIUS CURVE TO THE RIGHT (CENTRAL ANGLE OF 90° 00 MIN. 00 SEC.) AN ARC DISTANCE OF 39.27 FEET AND WHOSE CHORD BEARS N 78° 46 MIN. 13 SEC. W, 35.36 FEET;

THENCE N 33° 46 MIN. 13 SEC. W, 9.24 FEET;

THENCE ALONG THE ARC OF A 261.41 RADIUS CURVE TO THE LEFT (CENTRAL ANGLE OF 35° 00 MIN.) AN ARC DISTANCE OF 159.69 FEET AND WHOSE CHORD BEARS N 51° 16 MIN. 13 SEC. W, 157.22 FEET;

THENCE N 68° 46 MIN. 13 SEC. W 63.86 FEET;

THENCE ALONG THE ARC OF A 475.00-FOOT RADIUS CURVE TO THE RIGHT (CENTRAL ANGLE OF 18° 53 MIN. 02 SEC.) AN ARC DISTANCE OF 156.55 FEET WHOSE CHORD BEARS N 59° 19 MIN. 42 SEC. W, 155.85 FEET;

THENCE N 49° 53 MIN. 11 SEC. W, 99.16 FEET;

THENCE ALONG THE ARC OF A 258.00 FOOT RADIUS CURVE TO THE LEFT (CENTRAL ANGLE OF 26° 34 MIN. 14 SEC.) AN ARC DISTANCE OF 119.65 FEET AND

WHOSE CHORD BEARS N 63° 10 MIN. 18 SEC. W, 118.58 FEET TO A POINT THAT IS 30.00 FEET EAST OF THE WEST LINE OF THE SAID NE ¼ SECTION 12;  
THENCE N 0° 29 MIN. 49 SEC. E, PARALLEL TO THE SAID WEST LINE OF THE NE ¼, 753.78 FEET TO THE POINT OF BEGINNING, CONTAINING 14.13 ACRES MORE OR LESS.

PARCEL B:

THAT PART OF THE NW ¼ NE ¼ OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 70 WEST OF THE 6<sup>TH</sup> P.M., JEFFERSON COUNTY, COLORADO, DESCRIBED AS FOLLOWS:  
COMMENCING AT A POINT, WHICH IS 30.00 FEET EAST AND 30.00 FEET SOUTH OF THE NORTH ¼ CORNER OF THE SAID SECTION 12;  
THENCE S 89° 06 MIN. 44 SEC. E PARALLEL TO THE NORTH LINE OF THE SAID NW ¼ NE ¼ SECTION 12, 592.31 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE CONTINUING S 89° 06 MIN. 44 SEC. E, 216.26 FEET;  
THENCE S 85° 32 MIN. 09 SEC. E, 160.31 FEET;  
THENCE S 89° 06 MIN. 44 SEC. E, 240.00 FEET;  
THENCE ALONG THE ARC OF A 90.00-FOOT RADIUS CURVE TO THE RIGHT (CENTRAL ANGLE OF 52° 22 MIN. 41 SEC.) AN ARC DISTANCE OF 82.28 FEET AND WHOSE CHORD BEARS S 62° 55 MIN. 21 SEC. E, 79.44 FEET TO A POINT ON THE EAST LINE OF THE SAID NW ¼ NE ¼ SECTION 12;  
THENCE S 0° 22 MIN. 58 SEC. W ALONG THE SAID EAST LINE, 775.97 FEET;  
THENCE N 53° 17 MIN. 53 SEC. W, 157.67 FEET;  
THENCE S 42° 29 MIN. 23 SEC. W, 96.08 FEET;  
THENCE ALONG THE ARC OF A 955.00-FOOT RADIUS CURVE TO THE RIGHT (CENTRAL ANGLE OF 13° 44 MIN. 24 SEC.) AN ARC DISTANCE OF 229.02 FEET AND WHOSE CHORD BEARS S 49° 21 MIN. 35 SEC. W, 228.47 FEET;  
THENCE S 56° 13 MIN. 47 SEC. W, 393.50 FEET;  
THENCE N 0° 29 MIN. 49 SEC. E, 1175.86 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 14.70 ACRES MORE OR LESS.

PARCEL C:

THAT PART OF THE SW ¼ NE ¼ OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 70 WEST OF THE 6<sup>TH</sup> P.M., JEFFERSON COUNTY, COLORADO, DESCRIBED AS FOLLOWS:  
COMMENCING AT A POINT, WHICH IS 30.00 FEET EAST AND 352.12 FEET SOUTH OF THE NW CORNER OF THE SAID SW ¼ NE ¼ SECTION 12;  
THENCE ALONG AN ARC ON A 1055.00-FOOT RADIUS NON-TANGENTIAL CURVE TO THE RIGHT (CENTRAL ANGLE OF 8° 05 MIN. 56 SEC.) AN ARC DISTANCE OF 149.13 FEET AND WHOSE CHORD BEARS N 28° 23 MIN. 04 SEC. E, 149.00 FEET;  
THENCE S 89° 06 MIN. 44 SEC. E, 132.04 FEET;

THENCE ALONG THE ARC OF A 945.00-FOOT RADIUS NON-TANGENTIAL CURVE TO THE LEFT (CENTRAL ANGLE OF 36° 12 MIN. 14 SEC.) AN ARC DISTANCE OF 597.12 FEET AND WHOSE CHORD BEARS S 18° 31 MIN. 27 SEC. W, 587.24 FEET;  
THENCE S 0° 29 MIN. 49 SEC. E, PARALLEL TO THE WEST LINE OF THE SAID SW ¼ NE ¼ SECTION 12, 97.56 FEET;  
THENCE N 89° 10 MIN 40 SEC. W, 20.00 FEET TO A POINT THAT IS 30.00 FEET EAST OF THE WEST LINE OF THE SAID SW ¼ NE ¼ SECTION 12;  
THENCE N 0° 29 MIN. 49 SEC. E, PARALLEL TO THE SAID WEST LINE, 525.06 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 0.95 ACRE MORE OR LESS.

PARCEL D:

BLOCK 4 AND BLOCK 5, ARVADA TECHNOLOGICAL CENTER, THE PLAT OF WHICH IS RECORDED IN BOOK 51 AT PAGES 58 AND 59, COUNTY OF JEFFERSON, STATE OF COLORADO.

PARCEL E:

TRACT D, WESTWOODS RIDGE, FILING NO. 1. THE PLAT OF WHICH IS RECORDED IN BOOK 131 AT PAGE 52, WITH RECEPTION NO. F0497417, COUNTY OF JEFFERSON, STATE OF COLORADO.

**AND EXCLUDING THE FOLLOWING TEN (10) PROPERTIES AS DESCRIBED IN THE ORDER OF EXCLUSION OF REAL PROPERTY AS RECORDED APRIL 21, 2000 AT RECEPTION NO. F1045549:**

1. LOT 1, FILING 1, JEFFERSON CENTER HIGHLANDS  
COUNTY OF JEFFERSON, STATE OF COLORADO  
ALSO KNOWN AND NUMBERED AS 25441 WESTRIDGE ROAD, GOLDEN, CO 80403  
TOD W ANDERSON AND K. KELLY ANDERSON
2. LOT 5, FILING 2, JEFFERSON CENTER HIGHLANDS  
COUNTY OF JEFFERSON, STATE OF COLORADO  
ALSO KNOWN AND NUMBERED AS 25411 WESTRIDGE ROAD, GOLDEN, CO 80403  
AINSLIE M BELL AND DARLENE D. BELL
3. LOT 8, FILING 2, JEFFERSON CENTER HIGHLANDS  
COUNTY OF JEFFERSON, STATE OF COLORADO  
ALSO KNOWN AND NUMBERED AS 25462 WESTRIDGE ROAD, GOLDEN, CO 80403  
LACY FAMILY LLLP
4. LOT 4, FILING 1, JEFFERSON CENTER HIGHLANDS  
COUNTY OF JEFFERSON, STATE OF COLORADO  
ALSO KNOWN AND NUMBERED AS 8785 BLUE MOUNTAIN DRIVE, GOLDEN, CO 80403

CHRISTOPHER M. BIETY AND MONNIE M. BIETY

5. LOT 3, FILING 1, JEFFERSON CENTER HIGHLANDS  
COUNTY OF JEFFERSON, STATE OF COLORADO  
LACY FAMILY, LLLP

6. LOT 6, FILING 2, JEFFERSON CENTER HIGHLANDS  
COUNTY OF JEFFERSON, STATE OF COLORADO  
LACY FAMILY, LLLP

7. LOT 7, FILING 2, JEFFERSON CENTER HIGHLANDS  
COUNTY OF JEFFERSON, STATE OF COLORADO  
LACY FAMILY, LLLP

8. A PARCEL OF LAND LOCATED IN THE NW ¼ OF SECTION 30, TOWNSHIP 2  
SOUTH, RANGE 70 WEST,  
AND A PARCEL OF LAND LOCATED IN THE NE ¼ OF SECTION 25, TOWNSHIP 2  
SOUTH, RANGE 71 WEST, BOTH OF THE 6<sup>TH</sup> P.M., CITY OF ARVADA, COUNTY OF  
JEFFERSON, STATE OF COLORADO BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SAID SECTION 30, SAID POINT ALSO BEING  
THE NE CORNER OF SAID SECTION 25 AND CONSIDERING THE NORTH LINE OF  
THE SAID NW ¼ SECTION 30 TO BEAR S 89° 45 MIN. 47 SEC. E AND ALL BEARINGS  
CONTAINED HEREIN RELATIVE THERETO:

THENCE S 89° 45 MIN. 47 SEC. E ALONG THE NORTH LINE OF SAID NW 1/4, 660.00  
FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG THE SAID NORTH LINE, S 89° 45 MIN. 47 SEC. E,  
306.33 FEET;

THENCE LEAVING THE SAID NORTH LINE, S 25° 44 MIN. 08 SEC. W, 611.94 FEET;

THENCE S 0° 00 MIN. 00 SEC. E, 55.48 FEET;

THENCE S 44° 55 MIN. 00 SEC. W, 73.32 FEET;

THENCE N 00° 00 MIN. 00 SEC. W, 660.00 FEET TO THE TRUE POINT OF BEGINNING

AND

COMMENCING AT THE NW CORNER OF SAID SECTION 30, SAID POINT ALSO BEING  
THE NE CORNER OF SAID SECTION 25 AND CONSIDERING THE NORTH LINE OF  
THE SAID NW ¼ SECTION 30 TO BEAR S 89° 45 MIN. 47 SEC. E AND ALL BEARINGS  
CONTAINED HEREIN RELATIVE THERETO:

THENCE S 89° 45 MIN. 47 SEC. E, ALONG THE NORTH LINE OF SAID NW 1/4, 1252.81  
FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG THE SAID NORTH LINE, S 89° 45 MIN. 47 SEC. E,  
440.00 FEET;

THENCE LEAVING THE SAID NORTH LINE, S 0° 58 MIN. 08 SEC. W, 447.95 FEET;

THENCE N 59° 52 MIN. 25 SEC. W, 49.85 FEET;

THENCE N 63° 35 MIN. 09 SEC. W, 174.87 FEET;

THENCE N 73° 15 MIN. 53 SEC. W, 75.66 FEET;  
THENCE N 86° 06 MIN. 18 SEC. W, 204.27 FEET;  
THENCE S 84° 40 MIN. 15 SEC. W, 146.54 FEET;  
THENCE N 86° 37 MIN. 57 SEC. W, 31.09 FEET  
THENCE ALONG A CURVE TO THE LEFT HAVING A DELTA OF 111° 58 MIN. 46 SEC.  
A RADIUS OF 35.00 FEET, AND A LENGTH OF 68.40 FEET;  
THENCE N 25° 20 MIN., 49 SEC. E, 106.71 FEET;  
THENCE N 48° 28 MIN. 48 SEC. E, 143.32 FEET;  
THENCE N 41° 09 MIN. 14 SEC. E, 148.29 FEET TO THE TRUE POINT OF BEGINNING.

AND

COMMENCING AT THE NE CORNER OF SAID SECTION 25, SAID POINT ALSO BEING  
THE NW CORNER OF SAID SECTION 30;  
THENCE S 87° 07 MIN. 05 SEC. W, ALONG THE NORTH LINE OF SAID NE ¼ SECTION  
25, 1865.48 FEET;  
THENCE S 60° 18 MIN. 27 SEC. E, 500.57 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE CONTINUING ALONG THE SAID LINE S 60° 18 MIN. 27 SEC. E, 22.86 FEET;  
THENCE S 28° 04 MIN. 42 SEC. E, 172.36 FEET;  
THENCE S 33° 50 MIN. 52 SEC. W, 452.99 FEET;  
THENCE N 44° 26 MIN. 02 SEC. W, 59.53 FEET;  
THENCE N 22° 05 MIN. 45 SEC. W, 96.69 FEET;  
THENCE N 9° 51 MIN. 26 SEC. W, 117.36 FEET;  
THENCE N 39° 40 MIN. 12 SEC. E, 389.53 FEET TO THE TRUE POINT OF BEGINNING,  
TO BE KNOWN AS JEFFERSON CENTER HIGHLANDS FILING NO. 3, MINOR PLAT,  
COUNTY OF JEFFERSON, STATE OF COLORADO.

9. A PORTION OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 2  
SOUTH, RANGE 70 WEST AND A PORTION OF THE NORTH EAST QUARTER OF  
SECTION 25, TOWNSHIP 2 SOUTH, RANGE 71 WEST, BOTH OF THE 6<sup>TH</sup> P.M.,  
JEFFERSON COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE QUARTER CORNER COMMON TO THE SAID SECTIONS 30 AND  
25;  
THENCE N00°58'07" E ALONG THE EAST LINE OF SAID SECTION 25, 376.68 FEET;  
THENCE LEAVING THE SAID EAST LINE N74°39'24"W, 127.92 FEET;  
THENCE N19°55'32"W, 107.98 FEET;  
THENCE N39°34'00"W, 1423.88 FEET;  
THENCE N71°02'41"W, 521.26 FEET;  
THENCE N44°26'02"W, 59.53 FEET;  
THENCE N22°05'45"W, 96.69 FEET;  
THENCE N9°51'26"W, 0.64 FEET;  
THENCE N87°07'05"E, 280.39 FEET;  
THENCE N11°48'58"E, 242.47 FEET;  
THENCE S42°12'13"E, 109.82 FEET;

THENCE S70°27'11"E, 109.82 FEET;  
THENCE S77°14'38"E, 15.01 FEET;  
THENCE N41°44'01"E, 34.29 FEET;  
THENCE S77°14'38"E, 210.55 FEET;  
THENCE S59°13'49"E, 237.52 FEET;  
THENCE S33°52'10"E, 301.67 FEET;  
THENCE S46°40'13"E, 277.24 FEET;  
THENCE S38°00'46"E, 218.20 FEET;  
THENCE S35°13'37"E, 331.28 FEET TO A POINT ON THE SAID EAST LINE OF SECTION 25;  
THENCE N00°58'07"E ALONG THE SAID EAST LINE, 520.09 FEET;  
THENCE LEAVING THE SAID EAST LINE, S89°45'47"E, 392.11 FEET;  
THENCE S00°58'07"W, 252.09 FEET;  
THENCE S06°00'00"E, 500.00 FEET;  
THENCE S15°00'00"E, 812.76 FEET TO A POINT ON THE SOUTH LINE OF THE SAID NORTHWEST QUARTER OF SECTION 30;  
THENCE S89°59'44"W ALONG THE SAID SOUTH LINE, 676.44 FEET TO THE QUARTER CORNER COMMON TO SAID SECTIONS 25 AND 30 AND THE TRUE POINT OF BEGINNING, CONTAINING 38.12 ACRES MORE OR LESS.

10. THAT PART OF THE NORTH HALF OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE 6<sup>TH</sup> P.M., JEFFERSON COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER QUARTER OF SAID SECTION 30;  
THENCE N00°19'48"E, ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 30, 375.00 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE LEAVING SAID CENTERLINE S89°59'44"W, 851.56 FEET;  
THENCE N00°00'16"W, 1103.00 FEET;  
THENCE N89°59'44"E, 600.00 FEET;  
THENCE S00°00'16"E, 782.24 FEET;  
THENCE S82°56'57"E, 43.30 FEET;  
THENCE N83°03'59"E, 172.21 FEET;  
THENCE N00°00'16"W, 50.54 FEET;  
THENCE N89°59'44"E, 386.42 FEET;  
THENCE S00°00'16"E, 386.76 FEET;  
THENCE S89°59'44"W, 350.01 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 20.23 ACRES MORE OR LESS.

**AND INCLUDING THE FOLLOWING PROPERTY DESCRIBED IN THE ORDER OF INCLUSION OF LANDS RECORDED JUNE 28, 2001 AT RECEPTION NO. F1264840; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

LOT 3, EXCEPT TRACT B, BEING THE NORTHEASTERLY ONE-FOOT OF SAID LOT, ROCKY FLATS INDUSTRIAL DISTRICT FILING NO. 1.

**AND EXCLUDING THE FOLLOWING PROPERTY DESCRIBED IN THE ORDER OF EXCLUSION OF LANDS RECORDED FEBRUARY 25, 2004 AT RECEPTION NO. F1969534; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

PARCEL A: LOTS OR BLOCKS 9 AND 10, WESTMINSTER GARDENS, EXCEPT THAT PART OF BLOCK 9 PLATTED AS PET MEMORIAL PARK, COUNTY OF JEFFERSON, STATE OF COLORADO;

PARCEL B: ALL OF PET MEMORIAL PARK, COUNTY OF JEFFERSON, STATE OF COLORADO.

**AND INCLUDING THE FOLLOWING PROPERTY DESCRIBED IN THE ORDER OF INCLUSION OF LANDS RECORDED DECEMBER 16, 2005 AT RECEPTION NO. 2005128710; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

PARCEL A

A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF SECTION 19 AND THE NORTH HALF OF THE NORTH HALF OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS.

**BASIS OF BEARINGS:** BEARINGS ARE BASED ON THE ASSUMPTION THAT THE SOUTH LINE OF THE NORTH HALF OF THE NORTH HALF OF SECTION 30 BEARS N 88°02'31" E AND MONUMENTED AS FOLLOWS:

*-THE SOUTHWEST CORNER OF THE NORTH HALF OF THE NORTHWEST QUARTER OF WHICH BEING 2.5" ALUM. CAP L.S.20683.*

*-THE SOUTHEAST CORNER OF THE NORTH HALF OF THE NORTHEAST QUARTER OF WHICH BEING A 3.25"ALUM. CAP LS 16837.*

**COMMENCING** AT SAID SOUTHWEST CORNER OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 30;

THENCE N 00°16'39" W, ALONG THE WEST LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 30 A DISTANCE OF 1322.59 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 19;

THENCE N 00°07'39" E ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 19, A DISTANCE OF 58.09 FEET TO **THE POINT OF BEGINNING**;

THENCE CONTINUING N 00°07'39" E ALONG SAID WEST LINE, A DISTANCE OF 409.15 FEET;

THENCE N 88°28'48" E, A DISTANCE OF 35.01 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF INDIANA STREET;



THENCE CONTINUING N 88°28'48" E, ALONG THE SOUTHERLY LINE OF THE TWO PARCELS OF LAND RECORDED AT RECEPTION NO. 79024504 AND F0665155, JEFFERSON COUNTY PUBLIC RECORDS, A DISTANCE OF 683.98 FEET;

THENCE S 02°16'39" E A DISTANCE OF 776.01 FEET;

THENCE ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 34°04'16", A RADIUS OF 548.00 FEET, AN ARC LENGTH OF 325.87 FEET AND A CHORD BEARING N 62°15'32" W A DISTANCE OF 321.09 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 9°14'07", A RADIUS OF 500.00 FEET, AN ARC LENGTH OF 80.59 FEET AND A CHORD BEARING N 40°36'21" W A DISTANCE OF 80.51 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 22°44'54", A RADIUS OF 300.00 FEET, AN ARC LENGTH OF 119.11 FEET AND A CHORD BEARING N 47°21'44" W A DISTANCE OF 118.33 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 31°27'08", A RADIUS OF 395.00 FEET, AN ARC LENGTH OF 216.83 FEET AND A CHORD BEARING N 74°27'45" W A DISTANCE OF 214.12 FEET;

THENCE S 89°48'41" W A DISTANCE OF 58.48 FEET TO THE A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF INDIANA STREET;

THENCE CONTINUING S 89°48'41" W, A DISTANCE OF 35.00 FEET TO THE **POINT OF BEGINNING**. CONTAINING AN AREA OF 9.2888 ACRES, MORE OR LESS.

AND ALSO,

#### PARCEL B

A PARCEL OF LAND LOCATED IN THE NORTH HALF OF THE NORTH HALF OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS.

**BASIS OF BEARINGS:** BEARINGS ARE BASED ON THE ASSUMPTION THAT THE SOUTH LINE OF THE NORTH HALF OF THE NORTH HALF OF SECTION 30 BEARS N 88°02'31" E AND MONUMENTED AS FOLLOWS:

*-THE SOUTHWEST CORNER OF THE NORTH HALF OF THE NORTHWEST QUARTER OF WHICH BEING 2.5" ALUM. CAP L.S.20683.*

*-THE SOUTHEAST CORNER OF THE NORTH HALF OF THE NORTHEAST QUARTER OF WHICH BEING A 3.25"ALUM. CAP LS 16837.*

**BEGINNING AT SAID SOUTHWEST CORNER OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 30;**

THENCE N 00°16'39" W, ALONG THE WEST LINE OF SAID NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 30, A DISTANCE OF 1034.54 FEET;

THENCE N 89°43'21" E, A DISTANCE OF 30.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF INDIANA STREET, RECORDED AT RECEPTION NO. F0327915, JEFFERSON COUNTY PUBLIC RECORDS;

THENCE CONTINUING N 89°43'21" E, A DISTANCE OF 35.00 FEET;

THENCE S 82°52'48" E, A DISTANCE OF 149.55 FEET;

THENCE S 67°31'59" E, A DISTANCE OF 339.62 FEET;

THENCE S 55°29'24" E, A DISTANCE OF 179.03 FEET;

THENCE S 00°16'39" E, A DISTANCE OF 762.08 FEET TO A POINT ON SAID SOUTH LINE OF THE NORTH HALF OF THE NORTH HALF OF SECTION 30;

THENCE S 88°02'31" W ALONG SAID SOUTH LINE A DISTANCE OF 643.83 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF INDIANA STREET;

THENCE CONTINUING S 88°02'31" W, A DISTANCE OF 30.01 FEET TO THE **POINT OF BEGINNING**. CONTAINING AN AREA OF 14.5201 ACRES, MORE OR LESS.

**AND EXCLUDING THE FOLLOWING PARCEL AS DESCRIBED IN THE ORDER OF EXCLUSION OF LANDS RECORDED FEBRUARY 14, 2006 AT RECEPTION NO. 2006018418; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**PSM PROPERTIES, INC.:**

A TRACT OF LAND SITUATE IN THE NORTH HALF OF SECTION 22 AND THE NORTH HALF OF SECTION 23, TOWNSHIP 2 SOUTH, RANGE 70 WEST, OF THE 6TH P.M.; CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 23, TOWNSHIP 2 SOUTH, RANGE 70 WEST AND CONSIDERING THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 23 TO BEAR N89°36'33"E, (ENDS OF SAID LINES MONUMENTED AS SHOWN ON THE PLAT OF PSM PROPERTIES, INC. LOCATED IN THE JEFFERSON COUNTY CLERK AND RECORDER'S OFFICE AT RECEPTION NO. F0967966) WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23, S00°57'09"E, 1,311.84 FEET TO A POINT ON THE CENTERLINE OF PROPOSED FOOTHILLS BOULEVARD;  
 THENCE ALONG SAID CENTERLINE THE FOLLOWING FOUR COURSES:  
 N62°19'15"W, 210.11 FEET;  
 N54°57'58"W, 862.22 FEET;  
 684.66 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1,145.65 FEET, A CENTRAL ANGLE OF 34°14'28", AND A CHORD WHICH BEARS N71°01'40"W, 674.52 FEET;  
 1,043.88 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1,077.98 FEET, A CENTRAL ANGLE OF 55°29'01", AND A CHORD WHICH BEARS S62°45'44"W, 1,003.57 FEET;  
 THENCE N59°41'44"W, 236.92 FEET;  
 THENCE N58°01'02"W, 108.61 FEET;  
 THENCE N56°11'57"W, 23.25 FEET;  
 THENCE S74°36'28"W, 5,473.60 FEET;  
 THENCE S02°38'06"W, 274.24 FEET;  
 THENCE S03°13'59"W, 50.07 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 72;  
 THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO COURSES:  
 N83°39'16"W, 1,289.94 FEET;  
 N83°39'14"W, 113.45 FEET;  
 THENCE 1,303.97 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 972.79 FEET, A CENTRAL ANGLE OF 76°48'07", AND A CHORD WHICH BEARS N28°29'19"W, 1,208.52 FEET;  
 THENCE N26°08'39"E, 641.48 FEET;  
 THENCE N00°00'00"W, 691.77 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 22;  
 THENCE ALONG SAID NORTH LINE, N89°04'03"E, 1,733.25 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 22;  
 THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 22, S89°52'58"E, 2,678.86 FEET TO THE NORTHEAST CORNER OF SECTION 22;  
 THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 23, N89°33'43"E, 2,640.45 FEET TO THE NORTH QUARTER CORNER OF SECTION 23;  
 THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23, N89°36'33"E, 2,645.50 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 317.07 ACRES (13,811,388 SQUARE FEET) MORE OR LESS.

**AND EXCLUDING THE FOLLOWING PROPERTY AS DESCRIBED IN THE ORDER OF INCLUSION OF LANDS INTO THE VAUXMONT METROPOLITAN DISTRICT (F/K/A JEFFERSON CENTER METROPOLITAN DISTRICT NO. 3) RECORDED JUNE 22, 2007 AT RECEPTION NO. 2007072733; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

A TRACT OF LAND SITUATE IN THE NORTH HALF OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE 6TH P.M.; CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 24, AND CONSIDERING THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 24 TO HAVE A BEARING OF S00°57'09"E, (NORTHWEST CORNER IS MARKED BY A 2" PIPE WITH 2" STEEL CAP, NO LS NUMBER, AND THE WEST QUARTER CORNER IS MARKED BY A FOUND 3"X12"X10" STONE) AS DESCRIBED ON THE LAND SURVEY PLAT OF PSM PROPERTIES, INC. RECORDED AT THE JEFFERSON COUNTY CLERK AND RECORDERS OFFICE, RECEPTION NO. F0967966, WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;  
THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 24, S89°46'30"E, 50.01 FEET, TO THE POINT OF BEGINNING;

THENCE S89°46'30"E, 2,607.51 FEET TO THE NORTH QUARTER CORNER OF SECTION 24;  
THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 24, S89°31'08"E, 1,484.57 FEET;  
THENCE S00°28'52"W, 116.17 FEET;  
THENCE S63°32'43"W, 274.61 FEET;  
THENCE S48°46'05"W, 375.56 FEET;  
THENCE S24°51'42"W, 157.92 FEET;  
THENCE S55°04'41"E, 64.84 FEET;  
THENCE S34°42'11"W, 150.32 FEET;  
THENCE 62.15 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 429.00 FEET, A CENTRAL ANGLE OF 08°18'03", AND A CHORD WHICH BEARS S51°08'48"E, 62.10 FEET;  
THENCE S46°59'47"E, 30.77 FEET;  
THENCE S43°00'13"W, 58.00 FEET;  
THENCE CONTINUING ALONG SAID LINE, S43°00'13"W, 110.00 FEET;  
THENCE N51°21'19"W, 90.59 FEET;  
THENCE N63°39'44"W, 31.65 FEET;  
THENCE N79°33'58"W, 113.75 FEET;  
THENCE S26°26'40"W, 72.30 FEET;  
THENCE S22°53'24"W, 148.71 FEET;  
THENCE 6.07 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 454.00 FEET, A CENTRAL ANGLE OF 00°46'00", AND A CHORD WHICH BEARS N67°29'36"W, 6.07 FEET;  
THENCE S22°07'24"W, 58.00 FEET;  
THENCE 4.15 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 396.00 FEET, A CENTRAL ANGLE OF 00°36'02", AND A CHORD WHICH BEARS N68°10'37"W, 4.15 FEET;  
THENCE S16°33'06"W, 289.22 FEET;

THENCE S48°31'19"W, 188.39 FEET;  
THENCE S17°55'35"W, 67.56 FEET TO A POINT ON THE PROPOSED NORTHERLY  
RIGHT-OF-WAY LINE OF CIMARRON PARKWAY;  
THENCE ALONG SAID PROPOSED NORTHERLY RIGHT-OF-WAY LINE THE  
FOLLOWING FOUR (4) COURSES:

1. 472.72 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT,  
HAVING A RADIUS OF 730.00 FEET, A CENTRAL ANGLE OF 37°06'10", AND A  
CHORD WHICH BEARS S89°22'30"W, 464.51 FEET;
2. S70°49'24"W, 433.02 FEET;
3. THENCE 929.93 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING  
A RADIUS OF 1,245.00 FEET, A CENTRAL ANGLE OF 42°47'46", AND A CHORD  
WHICH BEARS N87°46'43"W, 908.47 FEET;
4. N66°22'50"W, 1,191.18 FEET TO A POINT ON THE WEST LINE OF THE  
NORTHWEST QUARTER OF SAID SECTION 24;

THENCE ALONG SAID WEST LINE, N00°57'09"W, 821.64 FEET;  
THENCE S89°50'37"E, 50.01 FEET;  
THENCE N00°57'09"W, 435.72 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 128.84 ACRES (5,612,169 SQUARE FEET) MORE OR LESS.  
THE ABOVE AND FOREGOING DESCRIBES A SURFACE ESTATE ONLY. EXPRESSLY  
EXCLUDED FROM THIS LEGAL DESCRIPTION ARE ANY ESTATES BELOW THE  
SURFACE INCLUDING SAND AND GRAVEL AND ANY RELATED RIGHTS OF  
SURFACE USE.

**AND EXCLUDING A PARCEL OF LAND LOCATED IN THE NORTHWEST  
QUARTER OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE  
SIXTH PRINCIPAL MERIDIAN, CITY OF ARVADA, COUNTY OF JEFFERSON,  
STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS  
FOLLOWS:**

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 24;  
THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION  
24, S89°50'37"E, 50.01 FEET;  
THENCE S00°57'09"E, 435.72 FEET;  
THENCE N89°50'37"W, 50.01 FEET TO A POINT ON THE WEST LINE OF SAID  
NORTHWEST QUARTER OF SECTION 24;  
THENCE ALONG SAID WEST LINE, N00°57'09"W, 435.72 FEET TO THE POINT OF  
BEGINNING.

SAID PARCEL CONTAINS 0.50 ACRES (21,786 SQUARE FEET) MORE OR LESS.  
THE ABOVE AND FOREGOING DESCRIBES A SURFACE ESTATE ONLY. EXPRESSLY  
EXCLUDED FROM THIS LEGAL DESCRIPTION ARE ANY ESTATES BELOW THE  
SURFACE INCLUDING SAND AND GRAVEL AND ANY RELATED RIGHTS OF  
SURFACE USE.

**AND EXCLUDING THE FOLLOWING PARCEL AS DESCRIBED IN THE ORDER OF**

**EXCLUSION OF REAL PROPERTY AS RECORDED JUNE 22, 2007 AT RECEPTION NO. 2007072735; A PARCEL OF LAND BEING A PORTION OF THAT LAND DESCRIBED IN BOOK 1412 AT PAGE 214 IN THE RECORDS OF JEFFERSON COUNTY, SAID PARCEL BEING A PORTION OF THE SOUTHEAST ONE QUARTER OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 70 WEST, CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO, MORE FULLY DESCRIBED AS FOLLOWS:**

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 24, A FOUND ALUMINUM CAP, THENCE S89°33'57"W ALONG THE SOUTH LINE OF SAID SECTION 24, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING;

THENCE S89°33'57"W, CONTINUING ALONG THE SOUTH LINE OF SAID SECTION 24, A DISTANCE 2231.25 FEET;

THENCE N00°17'11"W, DEPARTING SAID SOUTH LINE, A DISTANCE OF 1378.55 FEET;

THENCE N89°35'07"E, 50.00 FEET NORTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTH ONE HALF OF THE SOUTHEAST ONE QUARTER OF SAID SECTION 24, A DISTANCE OF 2227.78 FEET TO A POINT ON THE WEST RIGHT OF WAY OF INDIANA STREET;

THENCE S00°25'51"E, ALONG SAID WEST RIGHT OF WAY LINE AND 30.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 24, A DISTANCE OF 1377.79 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 70 ACRES MORE OR LESS.

**AND EXCLUDING THE FOLLOWING PROPERTY AS DESCRIBED IN THE ORDER OF EXCLUSION OF LANDS RECORDED JUNE 22, 2007 AT RECEPTION NO. 2007072736; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

TRACTS OF LAND SITUATE IN SECTIONS 21, 22, 23, THE NORTHEAST QUARTER OF SECTION 24, AND THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE 6TH P.M.; CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**TRACT 1:**

COMMENCING AT THE NORTHWEST SIXTEENTH CORNER OF SAID SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST, AND CONSIDERING THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 21 TO HAVE AN ASSUMED BEARING OF S00°11'02"E (NORTHWEST SIXTEENTH CORNER IS MARKED BY A 2 1/2" ALUMINUM CAP ATOP 1" PIPE SET IN CONCRETE L.S. 28285, AND THE WEST SIXTEENTH CORNER OF SECTION 21 IS MARKED BY A 2 1/2" ALUMINUM CAP ATOP 1" PIPE SET IN CONCRETE L.S. 28285), WITH ALL OTHER BEARINGS RELATIVE THERETO;

THENCE S14°24'30"W, 420.81 FEET TO A POINT AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 72 AND THE BOUNDARY OF TXI OPERATIONS PARCEL DESCRIBED IN THE INSTRUMENT RECORDED AT RECEPTION NO. 2006017543, ALSO BEING THE POINT OF BEGINNING;  
THENCE ALONG SAID EASTERLY BOUNDARY, N03°58'12"E, 1,737.85 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21;  
THENCE ALONG SAID NORTH LINE, N89°45'29"E, 585.91 FEET TO A POINT ON THE WESTERLY BOUNDARY OF THE SOUTH BOULDER DIVERSION DITCH PARCEL DESCRIBED IN THE INSTRUMENT RECORDED AT BOOK 389 PAGE 544;  
THENCE ALONG SAID WESTERLY BOUNDARY, THE FOLLOWING FIVE (5) COURSES:

1. S46°12'18"E, 30.01 FEET;
2. 102.32 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 532.96 FEET, A CENTRAL ANGLE OF 11°00'00", AND A CHORD WHICH BEARS S40°42'18"E, 102.16 FEET;
3. S35°12'18"E, 111.84 FEET;
4. 203.05 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 246.48 FEET, A CENTRAL ANGLE OF 47°12'00", AND A CHORD WHICH BEARS S11°36'18"E, 197.36 FEET;
5. S11°56'47"W, 1,440.71 FEET TO A POINT ON THE NORTHERLY RIGHT-OF WAY LINE OF STATE HIGHWAY 72;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N83°45'36"W, 497.38 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 21;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE AND ALONG SAID EAST LINE, S00°11'02"E, 9.25 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N83°49'47"W, 106.67 FEET TO THE POINT OF BEGINNING.

**TRACT 2:**

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 22 SAID POINT BEING MARKED BY A NO. 6 REBAR WITH 2 ½" ALUMINUM CAP STAMPED PLS 28285; AND CONSIDERING THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 22 TO HAVE A BEARING OF N89°04'03"E, AS SHOWN ON THE VAUXMONT MINOR SUBDIVISION PLAT RECORDED JANUARY 4, 2006 AT RECEPTION NO. 200600089 (NORTH QUARTER CORNER IS MARKED BY A 2 1/2" ALUMINUM CAP STAMPED L.S. 31169) WITH ALL OTHER BEARINGS RELATIVE THERETO;

THENCE ALONG SAID NORTH LINE, N89°04'03"E, 922.09 FEET TO A POINT ON THE WESTERLY BOUNDARY OF THAT PARCEL DESCRIBED IN THE ORDER FOR INCLUSION TO METROPOLITAN DISTRICT NO. 3 RECORDED AT RECEPTION NO. 2005128712;

THENCE ALONG SAID WESTERLY BOUNDARY S00°00'02"W, 691.68 FEET;

THENCE CONTINUING ALONG SAID WESTERLY BOUNDARY S26°08'41"W, 641.48 FEET;

THENCE CONTINUING ALONG SAID WESTERLY BOUNDARY 1,298.96 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 972.79 FEET, A CENTRAL ANGLE OF 76°30'23", AND A CHORD WHICH BEARS S28°38'09"E, 1,204.58 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 72;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N83°39'14"W, 570.31 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF THE HERBERT MARUYAMA PROPERTY;

THENCE ALONG THE EASTERLY, NORTHERLY, AND WESTERLY BOUNDARY LINES OF SAID HERBERT MARUYAMA PROPERTY THE FOLLOWING THREE (3) COURSES:

1. N00°37'52"W, 931.91 FEET;
2. S89°34'47"W, 628.01 FEET;
3. S00°29'55"E, 857.12 FEET TO A POINT ON SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 72;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N83°57'13"W, 1,330.04 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE AND ALONG SAID WEST LINE, S00°22'32"E, 5.06 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N83°45'36"W, 1,877.28 FEET TO A POINT ON THE EASTERLY BOUNDARY OF THAT PARCEL DESCRIBED IN THE INSTRUMENT RECORDED AT RECEPTION NO. 86158538;

THENCE ALONG THE EASTERLY AND NORTHERLY BOUNDARIES OF SAID PARCEL THE FOLLOWING FOUR (4) COURSES:

1. N06°14'24"E, 64.20 FEET;
2. N83°45'36"W, 114.00 FEET;
3. N61°19'32"W, 40.60 FEET;
4. N29°49'04"W, 36.68 FEET TO A POINT ON THE EASTERLY BOUNDARY OF THE SOUTH BOULDER DIVERSION DITCH PARCEL AS DESCRIBED IN THE INSTRUMENT RECORDED AT BOOK 389, PAGE 544;

THENCE ALONG SAID EASTERLY BOUNDARY THE FOLLOWING FOUR (4) COURSES:

1. N11°56'47"E, 1320.75 FEET;
2. 285.43 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 346.48 FEET, A CENTRAL ANGLE OF 47°12'00", AND A CHORD WHICH BEARS N11°36'17"W, 277.43 FEET;
3. N35°12'18"W, 111.84 FEET;
4. 51.92 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 632.96 FEET, A CENTRAL ANGLE OF 04°42'00", AND A CHORD WHICH BEARS N37°33'18"W, 51.91 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21;

THENCE ALONG SAID NORTH LINE, N89°45'29"E, 292.19 FEET TO A POINT ON THE WESTERLY BOUNDARY LINE OF TRACT 1 VAUXMONT MINOR SUBDIVISION



RECORDED AT RECEPTION NO. 2006000891;  
THENCE ALONG THE WESTERLY, SOUTHERLY, AND EASTERLY BOUNDARY LINE  
OF SAID TRACT 1 THE FOLLOWING NINE (9) COURSES:

1. S05°45'28"W, 219.57 FEET;
2. S10°41'54"W, 332.43 FEET;
3. S08°28'45"W, 501.70 FEET;
4. S24°40'53"E, 105.07 FEET;
5. S71°59'16"E, 93.95 FEET;
6. N89°39'45"E, 433.23 FEET;
7. N38°10'20"E, 511.55 FEET;
8. N10°16'10"W, 283.25 FEET;
9. N31°28'07"E, 570.43 FEET TO A POINT ON THE NORTH LINE OF THE  
NORTHEAST QUARTER OF SAID SECTION 21;

THENCE ALONG SAID NORTH LINE, N89°45'29"E, 1,944.19 FEET TO THE POINT OF  
BEGINNING.

**TRACT 3:**

BLOCK 2, VAUXMONT MINOR SUBDIVISION; BLOCKS 1C, 1D, AND TRACT E  
VAUXMONT MINOR SUBDIVISION NO. 2; AND THAT REAL PROPERTY DESCRIBED  
IN THE DEED RECORDED IN BOOK 2048, PAGE 540 IN THE RECORDS OF THE  
JEFFERSON COUNTY CLERK AND RECORDER, ALL OF THE ABOVE MENTIONED  
PROPERTY ALSO BEING DESCRIBED AS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 23 SAID POINT  
BEING MARKED BY A 3"X12"X10" STONE MARKED "1/4"; AND CONSIDERING THE  
EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 23 TO HAVE A  
BEARING OF S00°57'45"E, AS SHOWN ON THE VAUXMONT MINOR SUBDIVISION  
PLAT RECORDED JANUARY 4, 2006 AT RECEPTION NO. 200600089 (SOUTH  
SIXTEENTH CORNER OF SECTIONS 23 AND 24 IS MARKED BY A 2 1/2" ALUMINUM  
CAP STAMPED L.S. 22097) WITH ALL OTHER BEARINGS RELATIVE THERETO;

THENCE ALONG SAID EAST LINE, S00°57'45"E, 2,658.08 FEET TO THE SOUTHEAST  
CORNER OF SAID SECTION 23;

THENCE ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION  
26, S00°17'58"W, 653.52 FEET;

THENCE ALONG THE NORTH LINE OF LOT 16, WHEAT RIDGE GARDENS 2<sup>ND</sup> FILING  
AND ITS EXTENSION, S89°50'42"W, 204.17 FEET TO A POINT ON THE EXISTING  
NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 72;

THENCE ALONG SAID EXISTING NORTHERLY RIGHT-OF-WAY LINE THE  
FOLLOWING NINE (9) COURSES:

1. N49°34'44"W, 991.22 FEET;
2. N78°17'43"W, 88.09 FEET;
3. N50°06'02"W, 597.27 FEET;
4. N50°05'52"W, 354.16 FEET;
5. N52°13'52"W, 202.99 FEET;

6. N53°56'49"W, 153.10 FEET;
7. N54°51'09"W, 203.96 FEET;
8. N54°16'19"W, 1,624.78 FEET;
9. 116.19 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 3,409.10 FEET, A CENTRAL ANGLE OF 01°57'10", AND A CHORD WHICH BEARS N55°15'51"W, 116.19 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF BLOCK 1, VAUXMONT MINOR SUBDIVISION;

THENCE ALONG SAID SOUTHERLY BOUNDARY N51°58'40"E, 5.26 FEET TO A POINT ON THE PROPOSED NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 72, AS SHOWN ON VAUXMONT MINOR SUBDIVISION NO. 2;

THENCE ALONG SAID PROPOSED NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES:

1. 191.27 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 3,293.33 FEET, A CENTRAL ANGLE OF 03°19'40", AND A CHORD WHICH BEARS N57°54'57"W, 191.25 FEET;
2. N63°20'46"W, 202.04 FEET;
3. N62°00'02"W, 101.93 FEET;
4. 815.67 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2,920.00 FEET, A CENTRAL ANGLE OF 16°00'18", AND A CHORD WHICH BEARS N74°22'57"W, 813.02 FEET;
5. N83°12'54"W, 513.61 FEET;
6. N83°55'22"W, 2,213.00 FEET;
7. N83°39'14"W, 535.19 FEET TO A POINT ON THE EASTERLY BOUNDARY OF THAT PARCEL DESCRIBED IN THE ORDER FOR INCLUSION TO JEFFERSON CENTER METROPOLITAN DISTRICT NO. 3 RECORDED AT RECEPTION NO. 2005128712;

THENCE ALONG THE EASTERLY AND SOUTHERLY BOUNDARIES OF SAID PARCEL THE FOLLOWING TEN (10) COURSES:

1. N03°14'01"E, 45.06 FEET;
2. N02°38'08"E, 274.24 FEET;
3. N74°36'30"E, 5,473.60 FEET;
4. S56°11'55"E, 23.25 FEET;
5. S58°01'00"E, 108.61 FEET;
6. S59°41'42"E, 236.92 FEET;
7. 1,043.88 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1,077.97 FEET, A CENTRAL ANGLE OF 55°29'02", AND A CHORD WHICH BEARS N62°45'44"E, 1,003.57 FEET;
8. 684.66 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1,145.65 FEET, A CENTRAL ANGLE OF 34°14'28", AND A CHORD WHICH BEARS S71°01'38"E, 674.52 FEET;
9. S54°57'56"E, 862.29 FEET;
10. S62°19'13"E, 210.06 FEET TO A POINT ON THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23;

THENCE ALONG SAID EAST LINE, S00°57'09"E, 1351.44 FEET TO THE POINT OF BEGINNING.

**EXCEPTING THEREFROM** TRACT 2 VAUXMONT MINOR SUBDIVISION PLAT  
RECORDED AT RECEPTION NO. 200600089;

**AND EXCEPTING THEREFROM** ANY PORTION OF THE ABOVE DESCRIBED  
PARCEL LYING WITHIN TRACT D OF VAUXMONT MINOR SUBDIVISION NO. 2, SAID  
TRACT D BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 23 SAID POINT  
BEING MARKED BY A 2" PIPE WITH 2" STEEL CAP, NO L.S. NUMBER; AND  
CONSIDERING THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23  
TO HAVE A BEARING OF S00°57'09"E, AS SHOWN ON THE VAUXMONT MINOR  
SUBDIVISION PLAT RECORDED JANUARY 4, 2006 AT RECEPTION NO. 200600089  
(EAST QUARTER CORNER IS MARKED BY A 3"X12"X10" STONE MARKED "1/4")  
WITH ALL OTHER BEARINGS RELATIVE THERETO;

THENCE ALONG SAID EAST LINE, S00°57'09"E, 1,257.36 FEET TO THE POINT OF  
BEGINNING;

THENCE CONTINUING ALONG SAID EAST LINE, S00°57'09"E, 120.95 FEET TO A  
POINT ON THE PROPOSED SOUTHERLY RIGHT-OF-WAY LINE OF CIMARRON  
PARKWAY;

THENCE ALONG SAID PROPOSED SOUTHERLY AND EASTERLY RIGHT-OF-WAY  
LINE OF CIMARRON PARKWAY THE FOLLOWING FIFTEEN (15) COURSES:

1. N66°22'50"W, 389.25 FEET;
2. 544.23 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS  
OF 745.00 FEET, A CENTRAL ANGLE OF 41°51'17", AND A CHORD WHICH  
BEARS N87°18'29"W, 532.20 FEET;
3. S71°45'53"W, 676.89 FEET;
4. 350.78 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A  
RADIUS OF 955.00 FEET, A CENTRAL ANGLE OF 21°02'43", AND A CHORD  
WHICH BEARS S82°17'14"W, 348.81 FEET;
5. N87°11'24"W, 266.21 FEET;
6. 242.56 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS  
OF 845.00 FEET, A CENTRAL ANGLE OF 16°26'50", AND A CHORD WHICH  
BEARS S84°35'11"W, 241.73 FEET;
7. S76°21'46"W, 883.95 FEET;
8. THENCE 159.43 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING  
A RADIUS OF 1,055.00 FEET, A CENTRAL ANGLE OF 08°39'30", AND A CHORD  
WHICH BEARS S80°41'31"W, 159.28 FEET;
9. S85°01'16"W, 643.44 FEET;
10. S84°52'25"W, 675.90 FEET;
11. 109.99 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS  
OF 1,945.00 FEET, A CENTRAL ANGLE OF 03°14'24", AND A CHORD WHICH  
BEARS S83°15'13"W, 109.97 FEET;
12. S81°38'01"W, 587.72 FEET;
13. T979.89 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A

RADIUS OF 745.00 FEET, A CENTRAL ANGLE OF 75°21'39", AND A CHORD WHICH BEARS S43°57'12"W, 910.77 FEET;

14. S06°16'22"W, 142.11 FEET;

15. S32°21'46"E, 60.66 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 72;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N83°55'22"W, 186.26 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF THE PROPOSED CIMARRON PARKWAY;

THENCE ALONG SAID WESTERLY AND NORTHERLY RIGHT-OF-WAY LINE OF THE PROPOSED CIMARRON PARKWAY THE FOLLOWING FIFTEEN (15) COURSES:

1. N44°54'30"E, 61.48 FEET;
2. N06°16'22"E, 142.11 FEET;
3. 1,124.58 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 855.00 FEET, A CENTRAL ANGLE OF 75°21'39", AND A CHORD WHICH BEARS N43°57'11"E, 1,045.25 FEET;
4. N81°38'01"E, 587.72 FEET;
5. 116.21 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 2,055.00 FEET, A CENTRAL ANGLE OF 03°14'24", AND A CHORD WHICH BEARS N83°15'13"E, 116.19 FEET;
6. N84°52'25"E, 676.05 FEET;
7. N85°01'16"E, 643.59 FEET;
8. 142.81 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 945.00 FEET, A CENTRAL ANGLE OF 08°39'30", AND A CHORD WHICH BEARS N80°41'31"E, 142.67 FEET;
9. N76°21'46"E, 883.95 FEET;
10. 274.14 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 955.00 FEET, A CENTRAL ANGLE OF 16°26'50", AND A CHORD WHICH BEARS N84°35'11"E, 273.20 FEET;
11. S87°11'24"E, 266.21 FEET;
12. 310.37 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 845.00 FEET, A CENTRAL ANGLE OF 21°02'43", AND A CHORD WHICH BEARS N82°17'15"E, 308.63 FEET;
13. N71°45'53"E, 676.89 FEET;
14. 624.58 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 855.00 FEET, A CENTRAL ANGLE OF 41°51'17", AND A CHORD WHICH BEARS S87°18'28"E, 610.79 FEET;
15. S66°22'50"E, 338.95 FEET TO THE POINT OF BEGINNING.

**TRACT 4:**

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 24 SAID POINT BEING MARKED BY A 2" PIPE WITH 2" STEEL CAP, NO L.S. NUMBER; AND CONSIDERING THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 24 TO HAVE A BEARING OF S00°57'09"E, AS SHOWN ON THE VAUXMONT MINOR SUBDIVISION PLAT RECORDED JANUARY 4, 2006 AT RECEPTION NO. 200600089

(WEST QUARTER CORNER IS MARKED BY A 3"X12"X10" STONE MARKED "1/4") WITH ALL OTHER BEARINGS RELATIVE THERETO;

THENCE ALONG SAID WEST LINE, S00°57'09"E, 1,378.32 FEET TO THE POINT OF BEGINNING;

THENCE S66°22'46"E, 54.96 FEET;

THENCE S00°57'05"E, 425.61 FEET;

THENCE N88°08'16"W, 50.03 FEET TO A POINT ON SAID WEST LINE;

THENCE ALONG SAID WEST LINE, N00°57'09"W, 446.00 FEET TO THE POINT OF BEGINNING.

**TRACT 5:**

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 24, TOWNSHIP 2 SOUTH, RANGE 70 WEST, AND CONSIDERING THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 24 TO HAVE AN ASSUMED BEARING OF N89°31'08"W (NORTHEAST CORNER IS MARKED BY A 3 1/4" ALUMINUM CAP IN RANGE BOX STAMPED L.S. 16837, AND THE NORTH QUARTER CORNER OF SECTION 24 IS MARKED BY A FOUND STONE), WITH ALL OTHER BEARINGS RELATIVE THERETO;

THENCE S29°13'50"W, 1,969.21 FEET TO THE POINT OF BEGINNING;

THENCE 208.77 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 2,150.00 FEET, A CENTRAL ANGLE OF 05°33'49", AND A CHORD WHICH BEARS S48°18'35"W, 208.69 FEET;

THENCE S55°43'14"W, 159.67 FEET;

THENCE S66°25'29"W, 204.68 FEET;

THENCE CONTINUING ALONG SAID LINE, S66°25'29"W, 86.14 FEET;

THENCE N89°25'19"W, 396.20 FEET TO A POINT ON THE PROPOSED NORTHERLY RIGHT-OF-WAY LINE OF CIMARRON PARKWAY;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 625.31 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 730.02 FEET, A CENTRAL ANGLE OF 49°04'41", AND A CHORD WHICH BEARS N42°29'40"W, 606.37 FEET;

THENCE N20°24'59"E, 664.02 FEET;

THENCE 552.10 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1,400.00 FEET, A CENTRAL ANGLE OF 22°35'42", AND A CHORD WHICH BEARS S63°52'10"E, 548.53 FEET;

THENCE S52°34'19"E, 800.92 FEET TO THE POINT OF BEGINNING.

SAID TRACTS CONTAIN A TOTAL OF 624.28 ACRES (27,193,730 SQUARE FEET) MORE OR LESS. THE ABOVE AND FOREGOING DESCRIBES A SURFACE ESTATE ONLY. EXPRESSLY EXCLUDED FROM THIS LEGAL DESCRIPTION ARE ANY ESTATES BELOW THE SURFACE INCLUDING SAND AND GRAVEL AND ANY RELATED RIGHTS OF SURFACE USE.

**LESS AND EXCEPT A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 24, TOWNSHIP 2 SOUTH, RANGE 70 WEST, AND CONSIDERING THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 24 TO HAVE AN ASSUMED BEARING OF N89°31'04"W (NORTHEAST CORNER IS MARKED BY A 3 1/4" ALUMINUM CAP STAMPED L.S. 16837, AND THE NORTH QUARTER CORNER OF SAID SECTION 24 IS MARKED BY A FOUND STONE, WITH ALL OTHER BEARINGS RELATIVE THERETO;

THENCE ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 24, N89°31'04"W, 350.07 FEET TO A POINT ON THE WESTERLY BOUNDARY LINE OF THE PROPERTY AS DESCRIBED IN THE JEFFERSON CENTER METROPOLITAN DISTRICT NO. 1 INCLUSION AS RECORDED ON JUNE 22, 2007 AT RECEPTION NO. 2007072732, ALSO BEING THE POINT OF BEGINNING;

THENCE ALONG SAID WESTERLY LINE THE FOLLOWING TWO (2) COURSES:

1. S00°44'21"E, 159.16 FEET;
2. 1,736.19 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 2,150.00 FEET, A CENTRAL ANGLE OF 46°16'05", AND A CHORD WHICH BEARS S22°23'42"W, 1,689.40 FEET TO A POINT ON THE NORTHERLY BOUNDARY LINE OF TRACT 5 OF THE PROPERTY AS DESCRIBED IN THE JEFFERSON CENTER METROPOLITAN DISTRICT NO. 1 EXCLUSION AS RECORDED ON JUNE 22, 2007 AT RECEPTION NO. 2007072736;

THENCE ALONG SAID NORTHERLY BOUNDARY LINE, N52°34'14"W, 800.91 FEET; THENCE CONTINUING ALONG SAID NORTHERLY BOUNDARY LINE, 534.25 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1,400.00 FEET, A CENTRAL ANGLE OF 21°51'52", AND A CHORD WHICH BEARS N63°30'14"W, 531.01 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF THE PROPERTY AS DESCRIBED IN THE JEFFERSON CENTER METROPOLITAN DISTRICT NO. 3 INCLUSION AS RECORDED ON JUNE 22, 2007 AT RECEPTION NO. 2007072733; THENCE ALONG SAID EASTERLY BOUNDARY LINE THE FOLLOWING FOURTEEN (14) COURSES:

1. THENCE N22°53'28"E, 62.91 FEET;
2. THENCE N26°26'44"E, 72.30 FEET;
3. THENCE S79°33'54"E, 113.75 FEET;
4. THENCE S63°39'40"E, 31.65 FEET;
5. THENCE S51°21'15"E, 90.59 FEET;
6. THENCE N43°00'17"E, 168.00 FEET;
7. THENCE N46°59'43"W, 30.77 FEET;
8. THENCE 62.15 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 429.00 FEET, A CENTRAL ANGLE OF 08°18'03", AND A CHORD

WHICH BEARS N51°08'44"W, 62.10 FEET;  
9. THENCE N34°42'15"E, 150.32 FEET;  
10. THENCE N55°04'37"W, 64.84 FEET;  
11. THENCE N24°51'46"E, 157.92 FEET;  
12. THENCE N48°46'09"E, 375.56 FEET;  
13. THENCE N63°32'47"E, 274.61 FEET;  
14. THENCE N00°28'56"E, 116.17 FEET TO A POINT ON THE NORTH LINE OF THE  
NORTHEAST QUARTER OF SAID SECTION 24;  
THENCE ALONG SAID NORTH LINE, S89°31'04"E, 813.40 FEET TO THE POINT OF  
BEGINNING.

SAID TRACT CONTAINS 40.60 ACRES (1,768,642 SQUARE FEET) MORE OR LESS.

**AND INCLUDING THE FOLLOWING TWO (2) TRACTS AS DESCRIBED IN THE  
ORDER OF INCLUSION OF REAL PROPERTY AS RECORDED JUNE 22, 2007 AT  
RECEPTION NO. 2007072732; TRACTS OF LAND SITUATE IN SECTION 24, AND  
THE EAST HALF OF SECTION 23, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE  
6TH P.M.; CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO;  
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**TRACT 1:**

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 24, AND  
CONSIDERING THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 24 TO  
HAVE AN ASSUMED BEARING OF N89°31'08"W, (NORTHEAST CORNER IS MARKED  
BY 3 1/4" ALUMINUM CAP STAMPED L.S. 16837, AND THE NORTH QUARTER  
CORNER IS MARKED BY A FOUND STONE) WITH ALL OTHER BEARINGS  
CONTAINED HEREIN RELATIVE THERETO;

THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID  
SECTION 24, N89°31'08"W, 30.01 FEET TO THE POINT OF BEGINNING;  
THENCE ALONG A LINE PARALLEL TO AND 30 FEET WESTERLY (AS MEASURED  
AT RIGHT ANGLES) OF THE EAST LINE OF THE NORTHEAST QUARTER OF SAID  
SECTION 24, S00°44'25"E, 2,638.34 FEET;  
THENCE ALONG A LINE PARALLEL TO AND 30 FEET WESTERLY (AS MEASURED  
AT RIGHT ANGLES) OF THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID  
SECTION 24, S00°03'05"W, 282.26 FEET;  
THENCE N89°48'18"W, 465.00 FEET;  
THENCE 863.66 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A  
RADIUS OF 840.00 FEET, A CENTRAL ANGLE OF 58°54'35", AND A CHORD WHICH  
BEARS N60°21'01"W, 826.12 FEET;  
THENCE N30°53'43"W, 373.83 FEET;  
THENCE ALONG SAID PROPOSED CENTERLINE 629.04 FEET ALONG THE ARC OF A  
NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2,300.00 FEET, A  
CENTRAL ANGLE OF 15°40'12", AND A CHORD WHICH BEARS N52°49'54"E, 627.08  
FEET;  
THENCE N52°34'19"W, 151.41 FEET;

THENCE 1,736.19 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2,150.00 FEET, A CENTRAL ANGLE OF 46°16'05", AND A CHORD WHICH BEARS N22°23'38"E, 1,689.39 FEET;  
THENCE CONTINUING ALONG SAID NORTHWESTERLY LINE, N00°44'25"W, 159.16 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 24;  
THENCE ALONG SAID NORTH LINE, S89°31'08"E, 320.07 FEET TO THE POINT OF BEGINNING.

**TRACT 2:**

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 24 (NORTHWEST CORNER IS MARKED BY A 2" PIPE WITH 2" STEEL CAP, NO L.S. NUMBER).

THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 24, S00°57'09"E, 1,257.36 FEET TO A POINT ON THE PROPOSED NORTHERLY RIGHT-OF-WAY LINE OF CIMARRON PARKWAY, ALSO BEING THE POINT OF BEGINNING;  
THENCE ALONG SAID PROPOSED NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES:

1. S66°22'50"E, 1,191.18 FEET;
2. 929.93 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,245.00 FEET, A CENTRAL ANGLE OF 42°47'46", AND A CHORD WHICH BEARS S87°46'43"E, 908.47 FEET;
3. N70°49'24"E, 433.02 FEET;
4. 536.94 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 730.00 FEET, A CENTRAL ANGLE OF 42°08'34", AND A CHORD WHICH BEARS S88°06'19"E, 524.91 FEET;

THENCE S20°24'59"W, 55.05 FEET TO A POINT ON THE PROPOSED CENTERLINE OF CIMARRON PARKWAY;

THENCE ALONG SAID CENTERLINE THE FOLLOWING FOUR (4) COURSES:

1. 498.93 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 675.00 FEET, A CENTRAL ANGLE OF 42°21'02", AND A CHORD WHICH BEARS N88°00'07"W, 487.65 FEET;
2. S70°49'24"W, 433.02 FEET;
3. 971.01 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,300.00 FEET, A CENTRAL ANGLE OF 42°47'46", AND A CHORD WHICH BEARS N87°46'43"W, 948.60 FEET;
4. N66°22'50"W, 1,166.03 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 24;

THENCE ALONG SAID WEST LINE, N00°57'09"W, 5.99 FEET;

THENCE N62°19'13"W, 210.13 FEET;

THENCE N54°57'56"W, 174.17 FEET TO A POINT ON THE PROPOSED NORTHERLY RIGHT-OF-WAY LINE OF CIMARRON PARKWAY;

THENCE ALONG SAID PROPOSED NORTHERLY RIGHT-OF-WAY LINE, 18.72 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 855.00 FEET, A CENTRAL ANGLE OF 01°15'15", AND A CHORD WHICH BEARS



S67°00'27"E, 18.71 FEET;  
THENCE CONTINUING ALONG SAID PROPOSED NORTHERLY RIGHT-OF-WAY LINE,  
S66°22'50"E, 338.95 FEET TO THE POINT OF BEGINNING.

SAID TRACTS CONTAIN 54.16 ACRES (2,359,191 SQUARE FEET) MORE OR LESS.  
THE ABOVE AND FOREGOING DESCRIBES A SURFACE ESTATE ONLY. EXPRESSLY  
EXCLUDED FROM THIS LEGAL DESCRIPTION ARE ANY ESTATES BELOW THE  
SURFACE INCLUDING SAND AND GRAVEL AND ANY RELATED RIGHTS OF  
SURFACE USE.

SAID TOTAL DESCRIBED LANDS CONTAIN APPROXIMATELY 3,735 ACRES MORE  
OR LESS.

THE BOUNDARIES USED TO CALCULATE THE AREA ARE BASED ON SECTION  
LINES TAKEN FROM 7.5 MINUTE U.S.G.S. QUADS AND LEGAL DESCRIPTIONS  
PROVIDED TO THE SURVEYOR BY THE DISTRICT. TO DETERMINE WHETHER AN  
INDIVIDUAL PROPERTY LIES WITHIN THE DISTRICT, THE DISTRICT'S  
DOCUMENTS SHOULD BE EXAMINED, AND A BOUNDARY SURVEY MAY BE  
NECESSARY.

**AND INCLUDING THE FOLLOWING PARCEL AS DESCRIBED IN THE ORDER  
FOR INCLUSION RECORDED OCTOBER 29, 2010 AT RECEPTION NO. 2010096854L  
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

TRACT A,  
WHISPER CREEK II AT WILD GRASS,  
COUNTY OF JEFFERSON,  
STATE OF COLORADO,

ACCORDING TO THE PLAT RECORDED IN THE RECORDS OF THE JEFFERSON  
COUNTY CLERK AND RECORDER ON MARCH 18, 2010 AT RECEPTION NO.  
2010023617.

**EXHIBIT B**

(Request)

\_\_\_\_\_ (Developer (name, address, contact)) hereby requests authorization from the District to construct the following Site-Specific Improvements and receive a credit against the Facilities Fees owed by the Developer.

**Infrastructure Improvements**

Attached hereto are drawings of the Site-Specific Improvements, estimated costs to construct the Site-Specific Improvements, and design and construction schedules.

DEVELOPER

By: \_\_\_\_\_

The District hereby consents to the construction of the Site-Specific Improvements contained above, except for those which have not been struck out, and a Credit against the Facilities Fees owed by the Developer in the amount of \_\_\_\_\_ Dollars (\$\_\_\_\_\_) subject to the following:

(a) The Developer is hereby required to provide collateral or security in the amount of \_\_\_\_\_ Dollars (\$\_\_\_\_\_).

(b) The Developer is hereby required to provide [fee simple title/easements] for the following property(ies) within \_\_\_\_ ( ) days of receipt of this Request.

JEFFERSON CENTER METROPOLITAN  
DISTRICT NO. 1

By: \_\_\_\_\_  
Its: President \_\_\_\_\_

## EXHIBIT C

## Certificate of Lien Waivers

**Improvements: Those certain public infrastructure improvements set forth on Exhibit 1, attached hereto and incorporated herein by this reference.**

[DEVELOPER NAME], a [STATE AND TYPE OF ENTITY] (“Developer”), hereby warrants and represents to **JEFFERSON CENTER METROPOLITAN DISTRICT NO. 1** (“District”) that all laborers and suppliers supplying labor or materials to the undersigned in connection with the Improvements, as such have been constructed by Developer and are being conveyed to the District, have been paid in full. Developer further represents that with respect to the property within the District’s boundaries and the Improvements, there are no outstanding liens from contractors, subcontractors, material providers or suppliers on such property or Improvements and that if any such liens are filed, Developer agrees to indemnify the District with regard to such liens, agrees to have such liens removed and/or agrees to pay any and all of the District’s costs associated with the removal of such liens. A list of contractors for the Improvements are set forth on **Exhibit 2** attached hereto and incorporated herein by this reference.

GRANTOR:

[DEVELOPER NAME]

By: \_\_\_\_\_  
Its: \_\_\_\_\_

STATE OF COLORADO )  
 ) ss.  
COUNTY OF )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_, as \_\_\_\_\_ of [DEVELOPER NAME], a [STATE AND TYPE OF ENTITY].

Witness my hand and official seal.

My commission expires: \_\_\_\_\_

Notary Public

**EXHIBIT 1**  
**TO CERTIFICATE OF LIEN WAIVERS**  
**Improvements**

**EXHIBIT 2**  
**TO CERTIFICATE OF LIEN WAIVERS**  
**List of Contractors**

## Bill of Sale

D-1

**EXHIBIT 1  
TO BILL OF SALE  
Improvements**