



Re-submittal Form

Case Name/ Number: PLT2021-00029/ Mapleton Addition

Case Manager: Nick Eagleson

Re-submitted Items:

- ☐ Development Plan/ Site Plan
- ☒ Plat
- ☐ Parking/ Landscape Plan
- ☐ Engineering Documents
- ☐ Subdivision Improvements Agreement
- ☐ Other: _____

*** All re-submittals must have this cover sheet and a cover letter addressing review comments.**

Please note the re-submittal review period is 21 days.

The cover letter must include the following information:

- Restate each comment that requires a response
- Provide a response below the comment with a description of the revisions
- Identify any additional changes made to the original document

For County Use Only:

Date Accepted:

Staff (accepting intake):

Resubmittal Active: Addressing, Building Safety, Neighborhood Services,

Engineering, Environmental, Parks, Planner, ROW, SIA - Finance, SIA - Attorney

Community & Economic
Development Department
www.adcogov.org



4430 South Adams County Parkway
1st Floor, Suite W2000B
Brighton, CO 80601-8218
PHONE 720.523.6880
FAX 720.523.6967
EMAIL: epermitcenter@adcogov.org

Development Review Team Comments

Date: 10/18/2021

Project Number: PLT2021-00029

Project Name: Mapleton Addition Plat Correction

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Emma Pinter
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Lynn Baca
DISTRICT 5

Commenting Division: ROW Review

Name of Reviewer: David Dittmer

Date: 10/14/2021

Email:

Resubmittal Required

ROW1: Under no circumstances will building permits be issued if a structure is to be placed on top or within an easement owned by another party, unless specifically allowed in the recorded document. Only one found in review of documents within title commitment. Applicant will need to provide this information when applying for any building permit.

ROW2: Title will be the 7th Amendment

ROW3: Add case number to the top right-hand corner of all sheets

ROW4: Vicinity map should include all lands within a 2 or 3 mile radius of the site

ROW5: Need to provide the ownership by vesting deed for both Parcel 1 and Parcel 2 in the Ownership and Dedication Certificate (2021000040368 and 202100044845)

ROW6: Need to provide information on Sheet 2 for the Right-of-way dedication as excepted in Deed recorded by Reception No: 200600071490. Need to correct the reference to provide what the Adams County Clerk and Recorder's index provides (not 20060717000714790).

ROW7: Delete "FOR THE APPROVAL OF MAPLETON ADDITION....."

ROW8: Title Commitment needs to be dated within 30 days of application. Need to update and re-submit this. Title Commitment is also missing the deed as excepted in the legal description of Parcel 2.

ROW9: Basis of Bearings call does not match that as provided on Sheet 1, on the following sheets. Revise.

ROW10: Need complete closure statement according to state statutes (one foot = ???)

ROW11: Need storm water drainage statement due to easements affecting the subject lands.

ROW12: Need access provision statement due to proximity of I-25

ROW13: If there is a storm water maintenance manual recorded for the property, need to include this in the Notes.

ROW14: Correct Basis of Bearings

ROW15: Outlot A is a platted lot. Need to show lot lines and that they are to be vacated by this plat

ROW16: Need to provide ALL parcels affected. Need to Label Lot 1, Outlot A, and Parcel 2 by lot lines and what is being vacated by plat. Need lot lines for Parcel 2. Also need to include the ROW information for Parcel 2 by deed reference and show limits.

ROW17: It appears there are easements that are not correctly shown when comparing to Amendment No. 5 that affects subject lands. If a portion has been vacated by separate instrument, need to provide this information.

ROW18: Where and how does Miscellaneous Notes 1) shown? Where is Note 4) as shown for A and B?

ROW19: Need to provide vacation or Right-of-Way as recorded in Book 1865, page 769 prior to acceptance of right-of-way dedication to the county as provided on Sheet 3. This is between private parties and vacation by reception number will need to be provided on the plat.

ROW20: Once lot lines vacated on Sheet 2, remove all lines associated with these

ROW21: Need clarity for the lots being created by the new lot lines. Remove Section Line weight for Lot 3 and delineate between Lot 3 and Lot 1 as it is not clear with current lines shown. It appears that it is creating another lot between Lot 1 and Lot 3. See notes on plat.

ROW22: Remove dimensions as shown as there are no notes associated with the 20' shown as is, even though part of the ROW dedication.

ROW23: Need to provide total width of ROW dedication where it appears 9.03' are cut off dedication, since above dedication reads 20' of ROW dedication (11.7' dedicated by this plat)

Commenting Division: Development Engineering Review

Name of Reviewer: Matthew Emmens

Date: 10/14/2021

Email: memmens@adcogov.org

Complete

There are no engineering objections to the this proposed plat correction. See doc #6241943 for comments related to the future development of this property.

Commenting Division: Addressing Review

Name of Reviewer: David Dittmer

Date: 10/12/2021

Email:

Complete

Commenting Division: Neighborhood Services Review

Name of Reviewer: Gail Moon

Date: 09/27/2021

Email: gmoon@adcogov.org

Complete

There are no OPEN violations at any of the three parcel #'s involved in this application process. NO COMMENT
Parcel# 0182510401018, 0182510401032, and 0182510401033

Commenting Division: Economic Development Review

Name of Reviewer: Ethan Rouse

Date: 09/14/2021

Email:

Complete

Supportive of PLAT CORRECTION to provide flexibility for future development.

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Emma Pinter
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Lynn Baca
DISTRICT 5

PLT2021-00029
Mapleton Addition Plat Correction
Engineering Review Comments

There are no engineering objections for the reconfiguration of these lots. The comments below are for the future development of this site.

ENG1: Flood Insurance Rate Map – FIRM Panel # (08001C0611H), Federal Emergency Management Agency, March 5, 2007. According to the above reference, the project site is NOT located within a delineated 100-year flood hazard zone; A floodplain use permit will not be required.

ENG2: The applicant shall be responsible to ensure compliance with all Federal, State, and Local water quality construction requirements. In the event that the disturbed area of the site exceeds 1 acre and the site is within the Adams County MS4 area, then the applicant shall be responsible to prepare the SWMP plan using the Adams County ESC Template, and obtain both a County SWQ Permit and State Permit COR400000.

This site is located within the Adams County MS4 permit area. An Adams County SWQ Permit is required for development of this site.

The applicant should contact Juliana Archuleta, the County's Stormwater Program Manager, to inquire about obtaining a SWQ Permit. Ms. Archuleta can be contacted at 720-523-6869 or By email at mjarchuleta@adcogov.org.

ENG3: Prior to scheduling the final plat/FDP BOCC hearing, the developer is required to submit for review and receive approval of all construction documents (construction plans and reports). Construction documents shall include, at a minimum, onsite and public improvements construction plans, drainage report, traffic impact study. All construction documents must meet the requirements of the Adams County Development Standards and Regulations. The developer shall submit to the Adams County Development Review Engineering division the following: Engineering Review Application, Engineering Review Fee, two (2) copies of all construction documents. The development review fee for an Engineering Review is dependent on the type of project and/or the size of the project. The Development Review fee can be found in the Development Services Fee Schedule, located on the following web page: <http://www.adcogov.org/one-stop-customer-center>.

ENG4: The developer is required to construct roadway improvements adjacent to the proposed site. Roadway improvements will consist of curb, gutter and sidewalk adjacent to the site and, any roadway improvements as required by the approved traffic impact study.

The County has an active Capitol Improvements Project (CIP) for E. 58th Avenue. The developer will be required to pay fee's-in-lieu for the cost of the improvements adjacent to their site on E. 58th Ave. The fee's will be paid through the Subdivision Improvements Agreement.

ENG5: Prior to the issuance of any construction or building permits, the developer shall enter into a Subdivision Improvements Agreement (SIA) with the County and provide a security bond for all public improvements. The SIA will be presented to the BoCC at the same time as the plat.

ENG6: No building permits will be issued until all public improvements have been constructed, inspected and preliminarily accepted by the County's Transportation Dept.

ENG7: The developer is responsible for the repair or replacement of any broken or damaged section of curb gutter and sidewalk.

ENG8: LOW IMPACT DEVELOPMENT (LID) STANDARDS AND REQUIREMENTS Section 9-01-03-14:

All construction projects shall reduce drainage impacts to the maximum extent practicable, and implement practices such as:

1. On-site structural and non-structural BMPs to promote infiltration, evapo-transpiration or use of stormwater,
2. Minimization of Directly Connected Impervious Area (MDCIA),
3. Green Infrastructure (GI),
4. Preservation of natural drainage systems that result in the infiltration, evapo-transpiration or use of stormwater in order to protect water quality and aquatic habitat.
5. Use of vegetation, soils, and roots to slow and filter stormwater runoff.
6. Management of stormwater as a resource rather than a waste product by creating functional, attractive, and environmentally friendly developments.
7. Treatment of stormwater flows as close to the impervious area as possible.

LID shall be designed and maintained to meet the standards of these Regulations and the Urban Drainage and Flood Control District's Urban Storm Drainage Criteria Manual, Volume 3.

Nick Eagleson

From: Carla Gutierrez <cgutierrez@acfpd.org>
Sent: Friday, October 1, 2021 4:09 PM
To: Nick Eagleson
Subject: RE: Request for Comments: PLT2021-00029 Mapleton Addition Plat Correction

Please be cautious: This email was sent from outside Adams County

Good afternoon Nick,

At this time the Fire District has no questions or concerns regarding the plat correction. As the development moves forward we will provide any applicable comments.

Thank you!

Carla Gutierrez
Deputy Fire Marshal
Adams County Fire Rescue
7980 Elmwood Lane
Denver, Colorado 80221



Sent from [Mail](#) for Windows 10

From: Nick Eagleson <NEagleson@adcogov.org>
Date: Thursday, September 16, 2021 at 11:22 AM
To: Nick Eagleson <NEagleson@adcogov.org>
Subject: Request for Comments: PLT2021-00029 Mapleton Addition Plat Correction

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

Please see the attached Request for Comments on case PLT2021-00029. You can also visit the Adams County website to review submittal items: <https://www.adcogov.org/planning/currentcases>

Please let me know if you have any questions.

Thanks!



Nick Eagleson

Senior Strategic Planner, *Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

O: 720.523.6878 | NEagleson@adcogov.org | www.adcogov.org

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Nick Eagleson

From: Loeffler - CDOT, Steven <steven.loeffler@state.co.us>
Sent: Thursday, September 23, 2021 7:00 AM
To: Nick Eagleson
Subject: PLT2021-00029, Mapleton Addition Plat Correction

Please be cautious: This email was sent from outside Adams County

Nick,

I have reviewed the Plat correction to reconfigure three existing lots in the Mapleton Addition Subdivision, located at 451 E. 58th Ave. and have no objections.

Thank you for the opportunity to review this referral.

Steve Loeffler
Permits Unit- Region 1



P 303.757.9891 | F 303.757.9053
2829 W. Howard Pl. 2nd Floor, Denver, CO 80204
steven.loeffler@state.co.us | www.codot.gov | www.cotrip.org



Nick Eagleson

From: Williams - DNR, Joanna <joanna.williams@state.co.us>
Sent: Thursday, October 7, 2021 10:51 AM
To: Nick Eagleson
Subject: Re: Request for Comments: PLT2021-00029 Mapleton Addition Plat Correction

Please be cautious: This email was sent from outside Adams County

Good Morning Nick,
Since the referral contained no information on the water demands, sources of water, or whether any wells exist on the property our office has no comments. If wells are located on the property they must be used in accordance with the terms and conditions of the well permits and any relevant decrees.

Regards,

Joanna Williams, P.E.
Water Resource Engineer



P 303.866.3581 x 8265
1313 Sherman Street, Room 821, Denver, CO 80203
Joanna.Williams@state.co.us | www.colorado.gov/water

On Thu, Sep 16, 2021 at 11:22 AM Nick Eagleson <NEagleson@adcogov.org> wrote:

Good Morning,

Please see the attached Request for Comments on case PLT2021-00029. You can also visit the Adams County website to review submittal items: <https://www.adcogov.org/planning/currentcases>

Please let me know if you have any questions.

Thanks!



Nick Eagleson

Senior Strategic Planner, *Community & Economic Development*

ADAMS COUNTY, COLORADO

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Brighton, CO 80601

O: 720.523.6878 | NEagleson@adcogov.org | www.adcogov.org

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Nick Eagleson

From: PlatReview <PlatReview@lumen.com>
Sent: Tuesday, September 28, 2021 3:23 PM
To: Nick Eagleson
Cc: Guerin, Nicolette; Ives, Steven
Subject: FW: CENTRAL/Request for Comments: PLT2021-00029 Mapleton Addition Plat Correction
Attachments: PLT2021-00029-RFC.pdf

Please be cautious: This email was sent from outside Adams County

Requester,

Our engineer has reviewed this plat and their comments are: "There are a few possible conflicts with the proposed plat. There are some aerial lines along the East and West side of Logan St that may be in conflict, more information is needed. If you require signatures, you can contact the engineer CC'd on this email and if you have any further questions, please don't hesitate to reach out.

Thank you!

From: Easement, Nre <Nre.Easement@centurylink.com>
Sent: Friday, September 24, 2021 1:30 PM
To: PlatReview <PlatReview@lumen.com>
Subject: FW: CENTRAL/Request for Comments: PLT2021-00029 Mapleton Addition Plat Correction

Good afternoon,
We received this in the NIS inbox and I wanted double check with you and see if this would be something the plat review team would work. Please let us know if it is not. Thanks so much and have a wonderful weekend!
Best Regards,

Ndw|Eurz q#
Idxon# #lrwh#
4;4#Dxexu#Dyh#P rqrh#DD #:4534#
+64; ,#3 :0594<#
[NdwlEurz qC idxon dgg irwhu lfrp #](#)
[NdwlEurz qC oxp hq lfrp #](#)



From: Nick Eagleson <NEagleson@adcogov.org>
Sent: Thursday, September 16, 2021 12:22 PM
To: Nick Eagleson <NEagleson@adcogov.org>
Subject: CENTRAL/Request for Comments: PLT2021-00029 Mapleton Addition Plat Correction

Good Morning,

Please see the attached Request for Comments on case PLT2021-00029. You can also visit the Adams County website to review submittal items: <https://www.adcogov.org/planning/currentcases>

Please let me know if you have any questions.

Thanks!



Nick Eagleson

Senior Strategic Planner, *Community & Economic Development*

ADAMS COUNTY, COLORADO

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Brighton, CO 80601

O: 720.523.6878 | NEagleson@adcogov.org | www.adcogov.org

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COLORADO GEOLOGICAL SURVEY

1801 Moly Road
Golden, Colorado 80401



Karen Berry
State Geologist

October 5, 2021

Nick Eagleson
Adams County Community & Economic Development
4430 S. Adams County Parkway, Suite W2000B
Brighton, CO 80601

Location:
NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10,
T3S, R68W, 6th P.M.
39.8032, -104.9809

Subject: Mapleton Addition Plat Correction
Case Number PLT2021-00029; Adams County, CO; CGS Unique No. AD-22-0025

Dear Mr. Eagleson:

Colorado Geological Survey has reviewed the Mapleton Addition Plat Correction referral. I understand the applicant proposes to reconfigure three existing lots within the Mapleton Addition Subdivision for eventual redevelopment of the Denver Mart site.

The site is in an "Area of Minimal Flood Hazard," is not undermined, and does not contain, nor is it exposed to, any geologic hazards that would preclude the proposed plat correction. **CGS therefore has no objection to approval of PLT2021-00029.**

Mineral resource potential. According to the Atlas of Sand, Gravel, and Quarry Aggregate Resources, Colorado Front Range Counties (Schwochow et al, Colorado Geological Survey Special Publications 5-A and 5-B, 1974, Plate 2, and Commerce City Quadrangle, respectively), the subject property is located within a mapped "T1" resource area, described as a stream terrace deposit potentially containing a coarse aggregate resource consisting of "Gravel: relatively clean and sound." A borehole log near the subject site on the Commerce City geologic quadrangle indicates that there may be a six feet thick gravel layer beneath six feet of clay. The NRCS Soil Survey rates the site soils as a poor source of gravel, and a "fair" source of sand.

A determination regarding whether the property contains an economic mineral resource is outside the scope of CGS review. A site-specific investigation would be required to verify the presence or absence of a mineral resource.

Thank you for the opportunity to review and comment on this project. If you have questions or require additional review, please call me at (303) 384-2643, or e-mail carlson@mines.edu.

Sincerely,

A handwritten signature in black ink, appearing to read "Jill Carlson", is written over a light blue horizontal line.

Jill Carlson, C.E.G.
Engineering Geologist

Nick Eagleson

From: Hayes, John <JHayes@mwr.dst.co.us>
Sent: Thursday, September 16, 2021 12:40 PM
To: Nick Eagleson
Subject: RE: Request for Comments: PLT2021-00029 Mapleton Addition Plat Correction

Please be cautious: This email was sent from outside Adams County

Nick,
Metro's facilities are not affected by this plan. We have no comments on the submittal.
Thanks,



JOHN HAYES
Engineering Technician I
719-325-9755
MetroWaterRecovery.com

From: Simmonds, Craig <CSimmonds@mwr.dst.co.us>
Sent: Thursday, September 16, 2021 11:52 AM
To: Hayes, John <JHayes@mwr.dst.co.us>
Subject: FW: Request for Comments: PLT2021-00029 Mapleton Addition Plat Correction

From: Nick Eagleson <NEagleson@adcogov.org>
Sent: Thursday, September 16, 2021 11:22 AM
To: Nick Eagleson <NEagleson@adcogov.org>
Subject: Request for Comments: PLT2021-00029 Mapleton Addition Plat Correction

Good Morning,

Please see the attached Request for Comments on case PLT2021-00029. You can also visit the Adams County website to review submittal items: <https://www.adcogov.org/planning/currentcases>

Please let me know if you have any questions.

Thanks!



Nick Eagleson
Senior Strategic Planner, *Community & Economic Development*
ADAMS COUNTY, COLORADO
4430 South Adams County Parkway, 1st Floor, Suite W2000A
Brighton, CO 80601
O: 720.523.6878 | NEagleson@adcogov.org | www.adcogov.org

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Nick Eagleson

From: Courtney Salazar <ar@northpecoswater.org>
Sent: Monday, September 27, 2021 4:38 PM
To: Nick Eagleson
Subject: RE: Request for Comments: PLT2021-00029 Mapleton Addition Plat Correction

Please be cautious: This email was sent from outside Adams County

Hi Nick –

North Pecos Water & Sanitation District does not have any comments for the Plat Correction at 451 East 58th Avenue as this is not within our district boundaries.

Thank you for the information.

If there is anything else I can help you with, please let me know.

Fruxwqh | #Vdœ } du#
Accounts Receivable & Project Coordinator
North Pecos Water & Sanitation District
6900 Pecos Street
Denver, Colorado 80221
(303) 429-5770
ar@northpecoswater.org

From: Nick Eagleson <NEagleson@adcogov.org>
Sent: Thursday, September 16, 2021 11:22 AM
To: Nick Eagleson <NEagleson@adcogov.org>
Subject: Request for Comments: PLT2021-00029 Mapleton Addition Plat Correction

Good Morning,

Please see the attached Request for Comments on case PLT2021-00029. You can also visit the Adams County website to review submittal items: <https://www.adcogov.org/planning/currentcases>

Please let me know if you have any questions.

Thanks!



Nick Eagleson
Senior Strategic Planner, *Community & Economic Development*
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Nick Eagleson

From: Clayton Woodruff <Clayton.Woodruff@RTD-Denver.com>
Sent: Wednesday, October 6, 2021 5:30 PM
To: Nick Eagleson
Subject: RE: Request for Comments: PLT2021-00029 Mapleton Addition Plat Correction

Please be cautious: This email was sent from outside Adams County

Nick,

The RTD has no comment on this plat change

Thanks,



C. Scott Woodruff
Engineer III

Regional Transportation District
1560 Broadway, Suite 700, FAS-73 | Denver, CO 80202

o 303.299.2943 | m 303-720-2025
clayton.woodruff@rtd-denver.com

From: Nick Eagleson <NEagleson@adcogov.org>
Sent: Thursday, September 16, 2021 11:22 AM
To: Nick Eagleson <NEagleson@adcogov.org>
Subject: Request for Comments: PLT2021-00029 Mapleton Addition Plat Correction

Good Morning,

Please see the attached Request for Comments on case PLT2021-00029. You can also visit the Adams County website to review submittal items: <https://www.adcogov.org/planning/currentcases>

Please let me know if you have any questions.

Thanks!



Nick Eagleson

Senior Strategic Planner, *Community & Economic Development*
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Brighton, CO 80601

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October 1, 2021

Nick Eagleson
Adams County Community and Economic Development
4430 South Adams County Parkway, Suite W2000A
Brighton, CO 80601

RE: Mapleton Addition Plat Correction, PLT2021-00029
TCHD Case No. 7248

Dear Mr. Eagleson,

Thank you for the opportunity to review and comment on the plat correction to reconfigure lots and clean up non-conforming lot lines created by a right-of-way vacation located at 451 E 58th Avenue. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations and principles of healthy community design. After reviewing the application, TCHD has no comments.

Please feel free to contact me at 720-200-1575 or kboyer@tchd.org if you have any questions about TCHD's comments.

Sincerely,

A handwritten signature in black ink, appearing to read "K Boyer", with a horizontal line extending to the right.

Kathy Boyer, REHS
Land Use and Built Environment Specialist III

cc: Sheila Lynch, Keith Homersham, TCHD



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571. 3284
donna.l.george@xcelenergy.com

September 28, 2021

Adams County Community and Economic Development Department
4430 South Adams County Parkway, 3rd Floor, Suite W3000
Brighton, CO 80601

Attn: Nick Eagleson

Re: Mapleton Addition Plat Correction, Case # PLT2021-00029

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the documentation for **Mapleton Addition Plat Correction** and has no particular concerns with the clean-up of non-conforming lot lines that were created by an approval of a right-of-way vacation, PROVIDED THAT all PSCo existing facilities and land rights within this area remain in place.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com



WESTFIELD COMPANY, INC.
4221 BRIGHTON BOULEVARD
DENVER, COLORADO 80216
303.298.1111

www.westfield-co.com

November 15, 2021

Nick Eagleson
4430 South Adams County Pkwy
1st Floor, W2000
Brighton, CO 80601

RE: Mapleton Addition – Plat Amendment No.7 – PLT2021-00029

Dear Nick,

We have reviewed the comments provided October 18, 2021 in response to our Plat Amendment submittal for our proposed Amendment No.7 to the Mapleton Addition Subdivision and provide the following responses to each item.

1.

Commenting Division: ROW Review

Name of Reviewer: David Dittmer

Date: 10/14/2021

In addition to the comment responses below, a copy of the redlined plat amendment draft has been included with this re-submittal containing responses to each comment in the document itself as well.

- ROW1 – Acknowledged, Applicant is coordinating with United Water Ditch Company, North Washington Water and Sanitation District, and PSCO to either quit claim or replace with re-located easements all of the existing easements that may conflict with the footprint of any future buildings applicant will permit in the future on the site.
- ROW2 – Re-submittal reflects the 7th Amendment to Mapleton Addition Subdivision
- ROW3 – Case number has been added on all sheets
- ROW4 – Vicinity map revised to reflect 2-3 mile surrounding area
- ROW5 – ownership by vesting deed information added to Sheet 1
- ROW6 - ROW information for parcel 2 by deed reference and depiction of limits added along with correct reception no.
- ROW7 – Deleted as requested
- ROW8 – an updated Title Commitment dated 11/4/21 has been included with this re-submittal
- ROW9 – Basis of Bearing revised to in the General Notes on sheet 1 to agree with reference on subsequent sheets
- ROW10 – Complete closure statement according to state statutes added
- ROW11 – Storm water drainage statement added to sheet 1
- ROW12 – Provision restricting access from subject property directly to and from I-25 added to Sheet 1
- ROW13 – No storm water maintenance manual exists or is recorded for the property. Applicant intends to design, permit and construct all new storm water infrastructure on the site as a result of any future development of the site and will document and record a storm water maintenance manual at that later date.
- ROW14 – Basis of Bearing as been corrected throughout the revised document.
- ROW15 – Boundary lines for Outlot A were shown but we have changed the line color for clarity.
- ROW16 – All parcels affected are depicted. Added labels to Lot 1, Outlot A, and Parcel 2 with clearer lot lines and clarity on what is lines are being vacated by this plat amendment. Lot lines for Parcel 2 now shown. ROW information for parcel 2 by deed reference and depiction of limits added.

- ROW17 – Per the document that created this easement (Book 1865, Page 769) the easement is located within only lots 41 and 42 of Mapleton Addition and does not extend into lot 47 as erroneously shown on the prior plat amendment (amendment no.5). No change is needed.
- ROW18 – Sheet 2 Miscellaneous Notes #1 is shown along the westerly boundary line adjacent to I-25, it was made a bit larger to make it easier to find. Miscellaneous Notes #4 A and B reference are located at the NE and NW corner of the intersection of E 58th Ave and Logan Street respectively.
- ROW19 – This ROW is for the benefit of United Water Ditch Company. Applicant has a written commitment from the ditch company to agree to vacate this easement in addition to several others affecting the property. Applicant is working with the ditch company now to document and record this quit claim. A copy of the draft Quit Claim document that is out for review and signature is included in this re-submittal package for reference. Easements to be released include:
 - That certain easement reserved to Grantor disclosed by deed recorded April 22, 1968 in Book 1430 at Page 404;
 - This is reflected as Exception # 15 in the updated title commitment provided.
 - That certain easement agreement for the benefit of Grantor recorded July 16, 1968 in Book 1449 at Page 244;
 - This is reflected as Exception # 16 in the updated title commitment provided.
 - That certain easement reserved to Grantor by deed recorded May 24, 1973 in Book 1865 at Page 769;
 - This is reflected as Exception # 18 in the updated title commitment provided.
 - That certain easement reserved to Grantor by deed recorded May 24, 1973 in Book 1865 at Page 772;
 - This is reflected as Exception # 19 in the updated title commitment provided.
 - That certain easement reserved to Grantor by deed recorded May 24, 1973 in Book 1865 at Page 773;
 - This is reflected as Exception # 20 in the updated title commitment provided.
 - That certain easement reserved to Grantor by deed recorded May 3, 1974 in Book 1928 at Page 25.
 - This is reflected as Exception # 25 in the updated title commitment provided.
 - That certain easement reserved to Grantor by deed recorded May 26, 1917 in Book 87 at Page 357.
 - This is reflected as Exception # 43 in the updated title commitment provided.

A fully executed and recorded quit claim will be provided prior to final approval of the Plat Amendment.

- ROW20 – The referenced lines on sheet 3 are not lot lines. Rather, they are easement lines for the 60' cross access easement between Applicant and owner of Lot 3 as called out in the reference on Sheet 3 for the lines.
- ROW21 – The section line was left in place as it is necessary to identify for future retracement but the color and line type was revised for clarity. This line change should clarify applicants intention for the boundary line of resulting Lot 3 Block 1. The area immediately south of Lot 3 Mapleton Addition Amendment No.5 is not meant to be a stand alone additional lot. It is meant to be a part of the larger Lot 3 Block 1 created by this plat amendment.
- ROW22 – The supplemental dimensions for the ROW dedication have been left in place for ease of reference for future parties reviewing the recorded plat given the long length of dedication on both the east and south site boundaries. The full area dedicated as ROW is also cross hatched matching key in Miscellaneous Notes #2 for clarity throughout the sheet.
- ROW23 – Width dimension and note added as requested.
- Additional Comment from Applicant related to title:
 - PSCO has fully documented a Quitclaim Deed that is also included for reference in this re-submittal releasing their Utility Easement recorded April 12, 2000 at Book 6094 at Page 3-6, reception # C0659424. Please note that while this is documented, it remains in PSCO's possession pending their recording of the document at their earliest convenience.
 - This is reflected as Exception # 32 in the updated title commitment provided.

The recorded quit claim will be provided prior to final approval of the Plat Amendment.

Commenting Division: Development Engineering Review

Name of Reviewer: Matthew Emmens

Date: 10/14/2021

Email: memmens@adcogov.org

Complete

There are no engineering objections to the this proposed plat correction. See doc #6241943 for comments related to the future development of this property.

Acknowledged that there are no engineering objections. Responses to each comment in the Engineering Review Comments from doc#6241943 can be found later in this response letter.

3.

Commenting Division: Addressing Review

Name of Reviewer: David Dittmer

Date: 10/12/2021

Email:

Complete

Acknowledged, Thank You

4.

Commenting Division: Neighborhood Services Review

Name of Reviewer: Gail Moon

Date: 09/27/2021

Email: gmoon@adcogov.org

Complete

There are no OPEN violations at any of the three parcel #'s involved in this application process. NO COMMENT
Parcel# 0182510401018, 0182510401032, and 0182510401033

Acknowledged, Thank You

5.

Commenting Division: Economic Development Review

Name of Reviewer: Ethan Rouse

Date: 09/14/2021

Email:

Complete

Supportive of PLAT CORRECTION to provide flexibility for future development.

Acknowledged, Thank You for your support

6.

PLT2021-00029
Mapleton Addition Plat Correction
Engineering Review Comments

There are no engineering objections for the reconfiguration of these lots. The comments below are for the future development of this site.

- Applicant is not prepared to submit for permit on any new construction on the site at this time. Our responses to these engineering comments are meant to acknowledge the requirements for permitting future structures on the site when that time comes. Several months of abatement and demolition of existing structures on the site remain and we continue to explore various opportunities for development of the site. This administrative plat amendment application is intended to re-configure the three existing lots to three new lots that provide greater flexibility for future development of the project.
- ENG1 – Acknowledged, no floodplain permit will be required
- ENG2 – Applicant will comply with all Federal, State, and Local water quality construction requirements which will include a SWMP plan in ADCO's ESC Template and obtaining both a County SWQ Permit and State Permit COR400000.
- ENG3 – No public hearings are required as a result of this Administrative Plat Amendment application. All three lots are currently platted as part of the Mapleton Addition Subdivision. We are simply re-configuring the three existing lots to three new lots. However, Applicant acknowledges the requirement to submit construction documents to include onsite and public improvements plans, drainage report, traffic impact study prior to permitting any new structures for development of the site.
- ENG4 – Acknowledged, applicant will provide a traffic impact study and proposed scope of roadway improvements adjacent to the site as part of permitting any new construction on the site.
 - CIP on E 58th Ave – It is our understanding that the scope of the County's CIP project on E 58th Avenue includes only that area from the East leg of the intersection with Washington Street heading East to the Platte River. As such, the frontage of the subject property along E 58th Avenue will be unaffected and not inside the scope of that CIP project. Our plat amendment does include ROW dedication along our southern boundary where we are contiguous with E 58th Ave. Any permitting for future development of the site will include a traffic impact study and proposed street improvements along that portion of E 58th Ave.
- ENG5 - As previously mentioned, this current application is for an administrative plat correction that does not require a public hearing process. Applicant is not pursuing a new subdivision process that would be accompanied by an SIA. Rather, Applicant will enter into a Development Agreement with the County prior to the issuance of any construction or building permits.
- ENG6 – Acknowledged, however, it has been our experience at the Pecos Logistics Park on Pecos Street and our intention with future development of this project that public improvements be allowed to be constructed, inspected, and primarily accepted in parallel paths with development of the site provided preliminary acceptance is received for all public improvements before any on site buildings can receive a Certificate of Occupancy.
- ENG7 – Acknowledged.
- ENG8 – Acknowledged. Applicant will provide appropriate LID features throughout the project as part of the future development of the site and has had preliminary discussions with Julianna Archuleta and Matt Emmens to discuss possible options and proposed elements of a possible future development plan for the site.

7. Adams County Fire Rescue – Carla Gutierrez, e-mail 10/1/21

Acknowledged no comments, Thank You.

8. CDOT – Steve Loeffler, e-mail 9/23/21

Acknowledged no objections, Thank You.

9. State Water Board – Joanna Williams, e-mail 10/7/21

Acknowledged. No wells are known to exist on the site. Any future development on the site will not rely on any on-site wells.

10. Lumen (CenturyLink) – response from “PlatReview”, e-mail 9/28/21

Acknowledged. The plat amendment will not impact in any way the overhead lines bordering either side of Logan Street. Any future development of the site is likewise unlikely to impact the overhead lines that border either the east or west side of Logan Street including the portion of Logan Street that was vacated with Mapleton Addition Amendment 5.

11. Colorado Geological Survey – Jill Carlson, letter 10/5/21

Acknowledged the site is not undermined, and does not contain, nor is it exposed to, any geologic hazards that would preclude Applicant's proposed plat correction. Thank You.

12. Metro Water Recovery – John Hayes, e-mail 9/16/21

Acknowledged no comments, Thank You.

13. North Pecos Water & Sanitation District – Courtney Salazar, e-mail 9/27/21

Acknowledged the site is not located within the district's boundaries, Thank You.

NOTE: The site is located within the boundaries of North Washington Water & Sanitation District. Applicant has met and reviewed existing easements, capacity, infrastructure, and possible required improvements with the District several times in 2021. The proposed plat amendment will not impact NWWSD infrastructure in any way at this time. Any future development of the site will be coordinated with NWWSD.

14. RTD – Clayton Woodruff, e-mail 10/6/21

Acknowledged no comment, Thank You.

15. Tri-County Health Department, Kathy Boyer, letter 10/1/21

Acknowledged no comments, Thank You.

16. Xcel Energy, Donna George, letter 9/28/21

Acknowledged no concerns provided existing facilities and land rights remain in place. Applicant has and is continuing to coordinate with Xcel Energy on terminating gas and electric service to the existing structures on site as we work through abatement and demolition of existing structure on site to prepare the site for future development. Applicant will continue to work with Xcel on infrastructure, easements, and service for future development as well.

Sincerely,



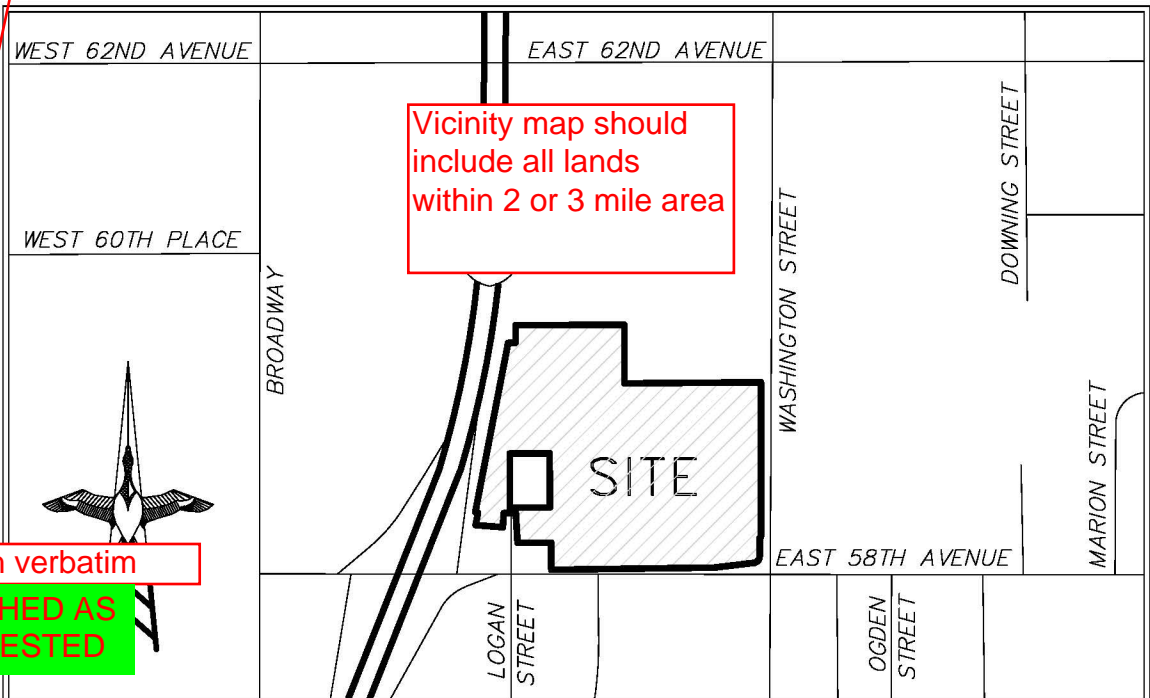
Matt Mitchell
Westfield Company

MAPLETON ADDITION AMENDMENT NO. ____

A REPLAT OF LOT 2, LOT 3 AND OUTLOT A, MAPLETON ADDITION AMENDED NO. 5, LOCATED WITHIN THE SOUTHEAST ONE-QUARTER OF SECTION 10,
TOWNSHIP 2 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO

SHEET 1 OF 3

VICINITY MAP



Scale 1" = 1000'

PLANNING COMMISSION APPROVAL

APPROVED BY THE ADAMS COUNTY PLANNING COMMISSION THIS ____ DAY OF _____, 2021.

CHAIR

BOARD OF COUNTY COMMISSIONERS APPROVAL:

APPROVED BY THE ADAMS COUNTY BOARD OF COMMISSIONERS THIS ____ DAY OF _____, 2021.

CHAIR

SURVEYOR'S CERTIFICATE:

I, JESUS A. LUGO, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION ON THE 31ST DAY OF AUGUST, 2021, AND THAT THE ACCOMPANYING MAP ACCURATELY AND PROPERLY SHOWS SAID SUBDIVISION.

SIGNED THIS ____ DAY OF _____, 2021.

LICENSED PROFESSIONAL LAND SURVEYOR

REGISTRATION NUMBER 38081

GENERAL NOTES:

- THIS PROPERTY IS NOT LOCATED WITHIN THE 100-YEAR FLOODPLAIN AS SHOWN ON THE FLOOD INSURANCE RATE MAP (FIRM) FOR ADAMS COUNTY COLORADO MAP NUMBER 08001C0611H, DATED MARCH 5, 2007.
- NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.
- BEARINGS ARE BASED ON THE NORTH LINE OF LOT 2, MAPLETON ADDITION AMENDED NO. 5, PER THE PLAT RECORDED JUNE 1, 2018 AT RECEPTION NO. 2018000044528 IN THE OFFICE OF THE CLERK AND RECORDER FOR THE COUNTY OF ADAMS, STATE OF COLORADO, WHICH BEARS NORTH 89°25'57" EAST, BETWEEN THE FOUND MONUMENTS AS SHOWN AND DESCRIBED HEREON.
- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY ALTURA LAND CONSULTANTS, LLC TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL TITLE INFORMATION OF RECORD, ALTURA LAND CONSULTANTS, LLC RELIED UPON TITLE COMMITMENT NO. ABD70734694, ISSUED BY LAND TITLE GUARANTEE COMPANY, HAVING AN EFFECTIVE DATE OF JULY 21, 2021.
- THE LINEAL UNITS OF MEASURE SHOWN ON THIS PLAT ARE BASED UPON THE U.S. SURVEY FOOT.
- ALL EASEMENTS WITHIN THE BOUNDARY OF THIS SUBDIVISION THAT WERE PREVIOUSLY GRANTED BY THE PLAT OF MAPLETON ADDITION AMENDED NO. 5 REMAIN, EXCEPT AS IDENTIFIED ON THIS PLAT.

LAND

GROSS		31.019±
NET		30.200±
NUMBER OF TRACTS		3
NUMBER OF TRACTS		0
NET ACREAGE FOR PUBLIC STREETS		0.819±

SHEET INDEX:

SHEET 1	COVER SHEET
SHEET 2	EXISTING BOUNDARY & EASEMENT DETAIL
SHEET 3	FINAL BOUNDARY & EASEMENT DETAIL

CERTIFICATE OF DEDICATION AND OWNERSHIP:

KNOW ALL MEN BY THESE PRESENTS THAT DENVER MART INDUSTRIAL PARTNERS JV LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP, BEING THE SOLE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND:

PARCEL 1:

LOT 2, AND OUTLOT A, MAPLETON ADDITION AMENDED NO. 5, COUNTY OF ADAMS, STATE OF COLORADO.

PARCEL 2:

THE SOUTH 200 FEET OF THE EAST 215 FEET OF BLOCK 45, MAPLETON ADDITION, COUNTY OF ADAMS, STATE OF COLORADO.

EXCEPT THAT PART CONVEYED TO THE COUNTY OF ADAMS, STATE OF COLORADO AS DESCRIBED IN DEED RECORDED JULY 7, 2006 UNDER RECEPTION NO. 20060717000714790.

CONTAINING 1,351,208 SQUARE FEET OR 31.019 ACRES, MORE OR LESS.

HAS BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS AND EASEMENTS AS SHOWN ON THIS PLAT UNDER THE NAMES AND STYLE OF MAPLETON ADDITION AMENDMENT NO. ____, A SUBDIVISION IN THE COUNTY OF ADAMS, STATE OF COLORADO.

THE UNDERSIGNED DOES HEREBY DEDICATE, GRANT AND CONVEY TO ADAMS COUNTY THOSE PUBLIC EASEMENTS AND RIGHTS-OF-WAY AS SHOWN ON THE PLAT; AND FURTHER RESTRICTS THE USE OF ALL PUBLIC EASEMENTS TO ADAMS COUNTY AND/OR ITS ASSIGNS, PROVIDED HOWEVER, THAT THE SOLE RIGHT AND AUTHORITY TO RELEASE OR QUIT CLAIM ALL OR ANY SUCH PUBLIC EASEMENTS SHALL REMAIN EXCLUSIVELY VESTED IN ADAMS COUNTY.

~~FOR THE APPROVAL OF MAPLETON ADDITION AMENDMENT NO. ____ AND THE DEDICATIONS AND CONDITIONS WHICH APPLY~~

THERETO THIS ____ DAY OF _____, 2021

OWNER: DENVER MART INDUSTRIAL PARTNERS JV LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP

BY: _____ ITS: _____

STATE OF _____)

_____)SS

COUNTY OF _____)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME _____

OF _____ A.D. 2021, BY _____

AS _____ OF DENVER MART INDUSTRIAL PARTNERS JV LLLP

COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP.

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

OWNERSHIP DEED
REFERENCE ADDED

Match verbatim

MATCHED AS
REQUESTED

REMOVED AS REQUESTED

Title Commitment
needs to be dated
within 30 days of
application
submission-Need
to update

REVISED TO
REFERENCE
CURRENT TITLE
REPORT

Need to provide note as to access
provision due to I-25 proximity:
Restricting access rights across the
right-of-way lines of major highways,
parkways, streets, or freeways where
required as a condition of approval. No
direct access from site to I-25

Is there a Storm Water
Maintenance Manuel
recorded

Vicinity map should
include all lands
within 2 or 3 mile area

This has different
calls on Sheet 2,
Why?
Sheet 2 has:
N89-47-49E

THE PROJECT BASIS OF
BEARINGS IS IN NAD83. I HAVE
ADDED REFERENCE TO NAD 83
ON THE PLAT AS WELL AS
REFERENCE OF AMENMENT 5
BEARING.

Need complete
closure statement:
a U.S. Foot =
Meters

ADDED AS
REQUESTED

Need storm water drainage
statement for any facilities,
etc.

RECORDERS CERTIFICATE:

STATE OF COLORADO)

_____)SS

COUNTY OF ADAMS)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE ON THE

____ DAY OF _____, 2021, AT _____ O'CLOCK __ M.,

RECEPTION NO. _____.

CLERK AND RECORDER _____

BY _____
DEPUTY



6551 South Tucson Way Phone: (720)488-1303
Unit C, Centennial, CO 80112

PREPARATION DATE AUGUST 31, 2021

SHEET 1 OF 3

JOB NO. 21189

MAPLETON ADDITION AMENDMENT NO. 5

Case No: PLT2021-00029

ADDED AS REQUESTED

A REPLAT OF LOT 2, LOT 3 AND OUTLOT A, MAPLETON ADDITION AMENDED NO. 5, LOCATED WITHIN THE SOUTHEAST ONE-QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 17 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO
SHEET 2 OF 3

PLEASE SEE EXPLANATION ON COVER SHEET

Per Easement will need written permission to erect any structures on top of this easement

NO REVISION TO PLAT NEEDED

Does not match Basis of Bearings Sheet 1

East Center 1/16 corner of Section 10
Calculated position per the plat of Mapleton Addition Amended No. 5

Found #5 rebar with cap stamped "PLS 20699", Held & Accepted as the Northwest corner of Lot 2

Found alloy disk, illegible, Held & Accepted as the Westerly, Northwest corner of Lot 2

30' CDOT Permanent Easement No. 202A Rev., Bk. 3921, Pg. 395 & Bk. 4190, Pg. 579

60' Reserved Easement Bk. 2341, Pg. 920

Temporary Easement Bk. 3921, Pg. 395

Parcel 202 Rev., Pg. 395 & Bk. 4190, Pg. 579

10' CDOT Permanent Easement No. 202REV Bk. 3921, Pg. 395 & Bk. 4190, Page 579

60' Cross Access Easement Rec. No. 2018000014696 & Rec. No. 2018000036177 (cross-hatched area)

30' Cross Access Easement Rec. No. 2017000094137

30' Cross Access Easement Rec. No. 2017000094137

Found alloy disk, illegible, Held & Accepted as angle points along the West line of Lot 2

CDOT Parcel 202 Rev., Bk. 3921, Pg. 395 & Bk. 4190, Pg. 579

Found alloy disk stamped "PLS 10945", Held & Accepted as the Westerly, Southwest corner of Lot 2

Perpetual Easement, Bk. 3009, Pg. 918

SPECIAL WARRANTY DEED REC. NO. 20060718 000720800 NOT A PART

West line of the Northeast 1/4 of the Southeast 1/4 of Section 10

30' S89°31'52"W 169.82'

WARRANTY DEED REC. NO. 2019000000475 NOT A PART

Found #5 rebar with cap stamped "PLS 35583", Held & Accepted as the Southerly, Southwest corner of Lot 2

30' S89°09'54"W

Found alloy disk, illegible

10' R.O.W. Dedication Rec. No. 2018000044528

South line of the Northeast 1/4 of the Southeast 1/4 of Section 10

Found #5 rebar with cap stamped "PLS 20699", Held & Accepted as the North corner of Lot 2

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20' N.W.S.W.&S.D. Utility Easement Bk. 1850, Pg. 66 & Bk. 1869, Pg. 800

North line of Lot 2 (Basis of Bearings)

20' N.W.S.W.&S.D. Utility Easement Bk. 1424, Pg. 16

20' N.W.S.W.&S.D. Utility Easement Bk. 558, Pg. 178

60' Reserved Easement Bk. 2341, Pg. 920

Temporary Easement Bk. 3921, Pg. 395

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East 1/4 corner of Section 10, Found 3.25" aluminum cap stamped "FLATIRON SURVEYING LS 16406 2010", in monument box, per the Colorado Land Survey Monument Record accepted 11/30/2010, Held & Accepted

North line of the Northeast 1/4 of the Southeast 1/4 of Section 10

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20' N.W.S.W.&S.D. Utility Easement Bk. 558, Pg. 178

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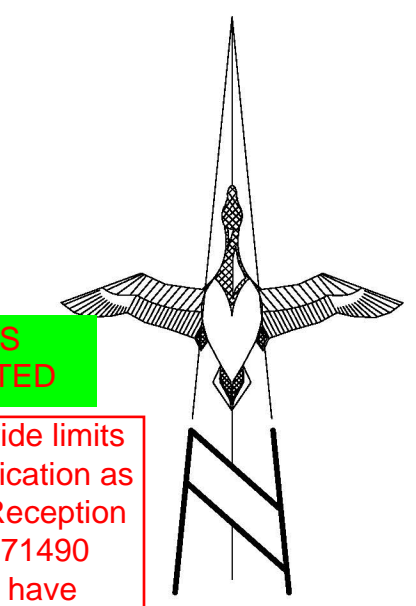
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10' R.O.W. Dedication Rec. No. 2018000044528

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GRAPHIC SCALE
120 0 60 120

Where is this on the plat?

SHOWN ALONG I25 ROW INCREASE LIMIT SIZE OF MATCH FOR CLARITY

- MISCELLANEOUS NOTES
- INDICATES POINTS OF NO ACCESS TO INTERSTATE HIGHWAY 25 PER BOOK 3921, PAGE 395.
 - INDICATES OUTLOT A, MAPLETON ADDITION AMENDED NO. 5
 - FOR RECORD DIMENSIONS OF EASEMENTS SHOWN HEREON REFER TO THE RECORDING INFORMATION AS INDICATED. IN THE EVENT THAT THERE IS A DISCREPANCY IN THE LOCATION OF THE RECORDED EASEMENT AS SHOWN HEREON, THE RECORD DOCUMENT WILL TAKE PRECEDENCE.
 - (A) BOOK 842, PAGE 40
(B) BOOK 842, PAGE 36

- LINE LEGEND
- SUBJECT PARCEL BOUNDARY LINES
 - SECTION LINES
 - ADJOINING PARCEL BOUNDARY LINES
 - EXISTING EASEMENT LINES

- ABBREVIATION LEGEND
- N.W.S.W.&S.D. = NORTH WASHINGTON STREET WATER & SANITATION DISTRICT
 - U.W.C. = UNITED WATER COMPANY
 - PSCo = PUBLIC SERVICE COMPANY OF COLORADO
 - CDOT = COLORADO DEPARTMENT OF TRANSPORTATION
 - REC. NO. = RECEPTION NUMBER
 - PLS = PROFESSIONAL LAND SURVEYOR
 - R.O.W. = RIGHT-OF-WAY
 - BK./PG. = BOOK/PAGE

Where are these located? I'm missing them

MONUMENT NOTES

- INDICATES FOUND ALIQUOT CORNER
- INDICATES FOUND MONUMENT AS SHOWN
- INDICATES FOUND PK NAIL TO BE SET WITH 1/2" BRASS WASHER STAMPED "ALTURA LAND PLS 38081"
- INDICATES SET MONUMENT BEING A #5 REBAR, 18" LONG, WITH A 1 1/2" GREEN PLASTIC CAP STAMPED "ALTURA LAND PLS 38081"

ROW needs to be vacated so no encumbrance on ROW Dedication to Adams County as to any portion within the ROW

VACATION IN PROCESS, REMOVED FROM PLAT

EXISTING BOUNDARY & EASEMENT DETAIL

ALTURA LAND CONSULTANTS
6551 South Tucson Way Unit C, Centennial, CO 80112
Phone: (720)488-1303

PREPARATION DATE AUGUST 31, 2021

SHEET 2 OF 3

JOB NO. 21189

BOUNDARY LINES WERE SHOWN, CHANGED LINE COLOR FOR CLARITY

Outlot A is a Lot and was created in Amendment No. 5. Need to show lot lines ac/sq. ft and lot lines to be vacated

NOTE ADDED

Lot lines to be vacated by this plat

Label Parcel 1 and provide sq. ft./Ac.

BOUNDARY LINES WERE SHOWN, CHANGED LINE COLOR FOR CLARITY

Label Parcel 2 and provide sq. ft./Ac

Need to provide the boundaries of Parcel 1 (Lot 2) and Parcel 2 (Part of Lot 45) and will need notes showing lot lines to be vacated

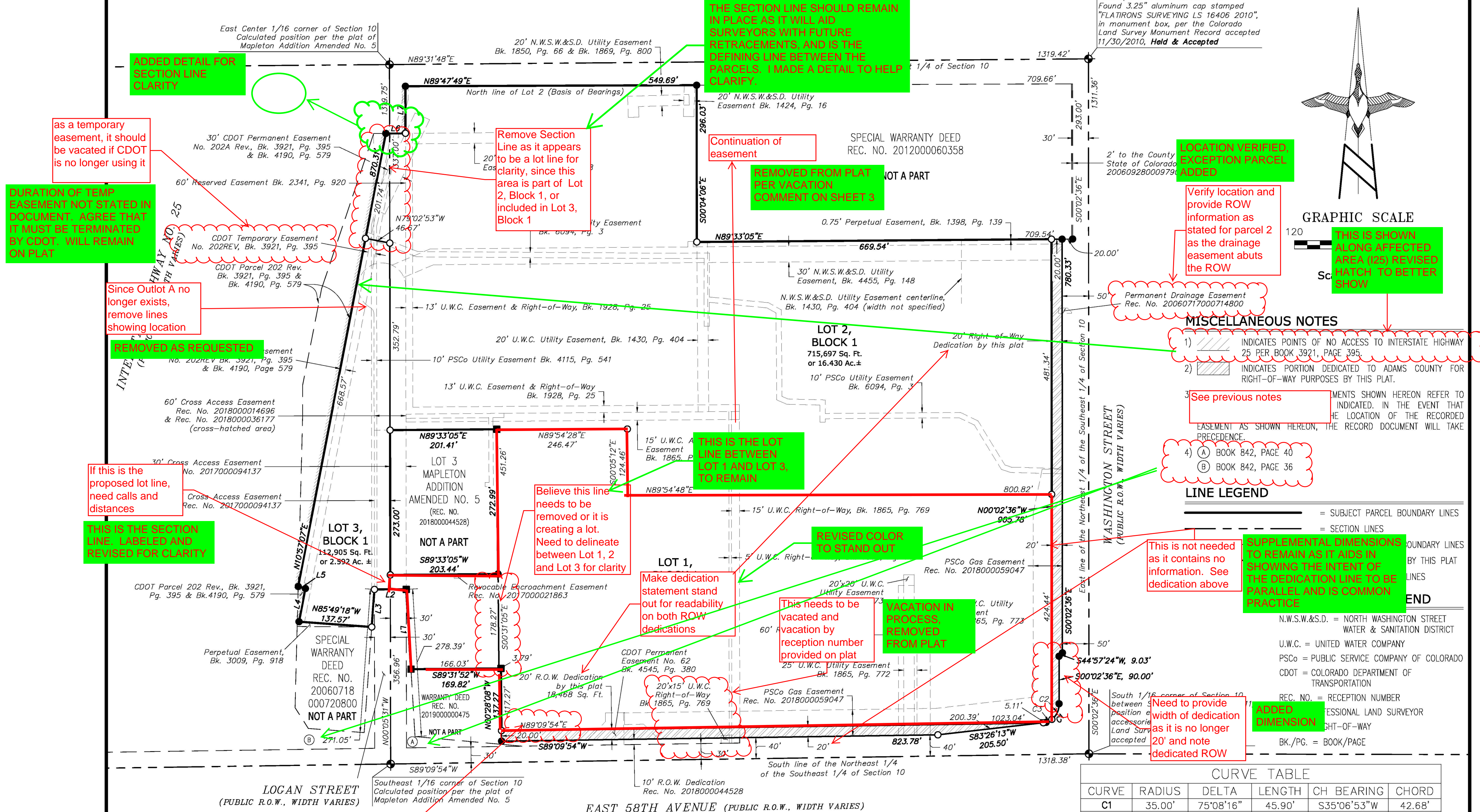
According to previous plat, this easement continues through

REMOVED PER NOTE BELOW

MAPLETON ADDITION AMENDMENT NO. _____

A REPLAT OF LOT 2, LOT 3 AND OUTLOT A, MAPLETON ADDITION AMENDED NO. 5, LOCATED WITHIN THE SOUTHEAST ONE-QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO

SHEET 3 OF 3



LINE TABLE								
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	N03°24'38"W	151.00'	L4	N10°47'42"E	63.77'	L7	N00°05'31"W	88.87'
L2	S89°54'29"W	59.99'	L5	N73°54'49"W	14.06'			
L3	S04°08'22"W	71.09'	L6	N89°31'47"E	37.16'			

- MONUMENT NOTES**
- INDICATES FOUND ALIQUOT CORNER AS NOTED
 - INDICATES FOUND MONUMENT AS NOTED
 - INDICATES FOUND PK NAIL TO BE RE-SET WITH SPIKE & 1.5" BRASS WASHER STAMPED "ALTURA LAND PLS 38081"
 - INDICATES SET MONUMENT BEING A #5 REBAR, 18" LONG, WITH A 1 1/2" GREEN PLASTIC CAP STAMPED "ALTURA LAND PLS 38081"

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CH BEARING	CHORD
C1	35.00'	75°08'16"	45.90'	S35°06'53"W	42.68'
C2	35.00'	54°48'45"	33.48'	S24°57'08"W	32.22'
C3	35.00'	20°19'30"	12.42'	S62°31'16"W	12.35'

FINAL BOUNDARY & EASEMENT DETAIL

PREPARATION DATE AUGUST 31, 2021

ALTURA
LAND CONSULTANTS
6551 South Tucson Way
Unit C, Centennial, CO 81012
Phone: (720)488-1303

SHEET 3 OF 3

JOB NO. 21189

MAPLETON ADDITION AMENDMENT NO. 7

A REPLAT OF LOT 2, LOT 3 AND OUTLOT A, MAPLETON ADDITION AMENDED NO. 5, LOCATED WITHIN THE SOUTHEAST ONE-QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO

SHEET 1 OF 3

CERTIFICATE OF DEDICATION AND OWNERSHIP:

KNOW ALL MEN BY THESE PRESENTS THAT DENVER MART INDUSTRIAL PARTNERS JV LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP, BEING THE SOLE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND:

PARCEL 1:

LOT 2, AND OUTLOT A, MAPLETON ADDITION AMENDED NO. 5, COUNTY OF ADAMS, STATE OF COLORADO.

PARCEL 2:

THE SOUTH 200 FEET OF THE EAST 215 FEET OF BLOCK 45, MAPLETON ADDITION, COUNTY OF ADAMS, STATE OF COLORADO.

EXCEPT THAT PART CONVEYED TO THE COUNTY OF ADAMS, STATE OF COLORADO AS DESCRIBED IN DEED RECORDED JULY 7, 2006 UNDER RECEPTION NO. 20060717000714790.

CONTAINING 1,351,208 SQUARE FEET OR 31.098 ACRES, MORE OR LESS.

HAS BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS AND EASEMENTS AS SHOWN ON THIS PLAT UNDER THE NAMES AND STYLE OF MAPLETON ADDITION AMENDMENT NO. 7, A SUBDIVISION IN THE COUNTY OF ADAMS, STATE OF COLORADO.

THE UNDERSIGNED DOES HEREBY DEDICATE, GRANT AND CONVEY TO ADAMS COUNTY THOSE PUBLIC EASEMENTS AND RIGHTS-OF-WAY AS SHOWN ON THE PLAT; AND FURTHER RESTRICTS THE USE OF ALL PUBLIC EASEMENTS TO ADAMS COUNTY AND/OR ITS ASSIGNS, PROVIDED HOWEVER, THAT THE SOLE RIGHT AND AUTHORITY TO RELEASE OR QUIT CLAIM ALL OR ANY SUCH PUBLIC EASEMENTS SHALL REMAIN EXCLUSIVELY VESTED IN ADAMS COUNTY.

THERE TO THIS ____ DAY OF _____, 2021

OWNER: DENVER MART INDUSTRIAL PARTNERS JV LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP, PER REC. NO. 2021000040368 AND REC. NO. 2021000044845.

BY: _____ ITS: _____

STATE OF _____)
)SS
COUNTY OF _____)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____ A.D. 2021, BY _____ AS _____ OF DENVER MART INDUSTRIAL PARTNERS JV LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP.

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

VICINITY MAP



GENERAL NOTES:

- THIS PROPERTY IS NOT LOCATED WITHIN THE 100-YEAR FLOODPLAIN AS SHOWN ON THE FLOOD INSURANCE RATE MAP (FIRM) FOR ADAMS COUNTY COLORADO MAP NUMBER 08001C0611H, DATED MARCH 5, 2007.
- NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.
- BEARINGS ARE BASED ON THE NORTH LINE OF LOT 2, MAPLETON ADDITION AMENDED NO. 5, PER THE PLAT RECORDED JUNE 1, 2018 AT RECEPTION NO. 2018000044528 IN THE OFFICE OF THE CLERK AND RECORDER FOR THE COUNTY OF ADAMS, STATE OF COLORADO, WHICH BEARS NORTH 89°47'49" EAST (NAD 83), BETWEEN THE FOUND MONUMENTS AS SHOWN AND DESCRIBED HEREON. REFERENCE PLATTED BEARING FOR SAME IS N89°25'57"E.
- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY ALTURA LAND CONSULTANTS, LLC TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL TITLE INFORMATION OF RECORD, ALTURA LAND CONSULTANTS, LLC RELIED UPON TITLE COMMITMENT NO. ABD70734694-2, ISSUED BY LAND TITLE GUARANTEE COMPANY, HAVING AN EFFECTIVE DATE OF NOVEMBER 4, 2021.
- THE LINEAL UNITS OF MEASURE SHOWN ON THIS PLAT ARE BASED UPON THE U.S. SURVEY FOOT. METER TO U.S. SURVEY FOOT - 1m = 0.3048006096 U.S. SURVEY FOOT.
- ALL EASEMENTS WITHIN THE BOUNDARY OF THIS SUBDIVISION THAT WERE PREVIOUSLY GRANTED BY THE PLAT OF MAPLETON ADDITION AMENDED NO. 5 REMAIN, EXCEPT AS IDENTIFIED ON THIS PLAT.
- RESTRICTING ACCESS RIGHTS ACROSS THE RIGHT-OF-WAY LINES OF MAJOR HIGHWAYS, PARKWAYS, STREETS, OR FREEWAYS WHERE REQUIRED AS A CONDITION OF APPROVAL. NO DIRECT ACCESS FROM SITE TO I-25.
- THE POLICY OF THE COUNTY REQUIRES THAT MAINTENANCE ACCESS SHALL BE PROVIDED TO ALL STORM DRAINAGE FACILITIES TO ASSURE CONTINUOUS OPERATIONAL CAPABILITY OF THE SYSTEM. THE PROPERTY OWNER(S) SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE FACILITIES INCLUDING INLETS, PIPES, CULVERTS, CHANNELS, DITCHES, HYDRAULIC STRUCTURES, AND DETENTION BASINS LOCATED ON THEIR LAND UNLESS MODIFIED BY THE SUBDIVISION DEVELOPMENT AGREEMENT. SHOULD THE OWNER(S) FAIL TO MAINTAIN SAID FACILITIES, THE COUNTY SHALL HAVE THE RIGHT TO ENTER SAID LAND FOR THE SOLE PURPOSE OF OPERATIONS AND MAINTENANCE. ALL SUCH MAINTENANCE CAST WILL BE ASSESSED TO THE PROPERTY OWNER(S).

LAND USE TABLE:

GROSS ACREAGE	31.098±
NET ACREAGE	30.200±
NUMBER OF LOTS	3
NUMBER OF TRACTS	0
NET ACREAGE FOR PUBLIC STREETS	0.898±

SHEET INDEX:

SHEET 1	COVER SHEET
SHEET 2	EXISTING BOUNDARY & EASEMENT DETAIL
SHEET 3	FINAL BOUNDARY & EASEMENT DETAIL

PLANNING COMMISSION APPROVAL

APPROVED BY THE ADAMS COUNTY PLANNING COMMISSION THIS ____ DAY OF _____, 2021.

CHAIR

BOARD OF COUNTY COMMISSIONERS APPROVAL:

APPROVED BY THE ADAMS COUNTY BOARD OF COMMISSIONERS THIS ____ DAY OF _____, 2021.

CHAIR

SURVEYOR'S CERTIFICATE:

I, JESUS A. LUGO, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION ON THE 31ST DAY OF AUGUST, 2021, AND THAT THE ACCOMPANYING MAP ACCURATELY AND PROPERLY SHOWS SAID SUBDIVISION.

SIGNED THIS ____ DAY OF _____, 2021.

LICENSED PROFESSIONAL LAND SURVEYOR

REGISTRATION NUMBER 38081

RECORDERS CERTIFICATE:

STATE OF COLORADO)
)SS
COUNTY OF ADAMS)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE ON THE ____ DAY OF _____, 2021, AT ____ O'CLOCK __. M.,
RECEPTION NO. _____.

CLERK AND RECORDER _____

BY _____
DEPUTY

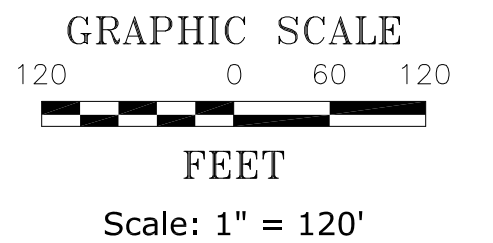


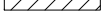

PREPARATION DATE	AUGUST 31, 2021
1ST SUBMITTAL REV.	NOVEMBER 4, 2021

SHEET 1 OF 3

JOB NO. 21189

SHEET 2 OF 3



- 1)  INDICATES POINTS OF NO ACCESS TO INTERSTATE HIGHWAY 25 PER BOOK 3921, PAGE 395.
- 2)  INDICATES OUTLOT A, MAPLETON ADDITION AMENDED NO. 5
- 3) FOR RECORD DIMENSIONS OF EASEMENTS SHOWN HEREON REFER TO THE RECORDING INFORMATION AS INDICATED. IN THE EVENT THAT THERE IS A DISCREPANCY IN THE LOCATION OF THE RECORDED EASEMENT AS SHOWN HEREON, THE RECORD DOCUMENT WILL TAKE PRECEDENCE.
- 4) (A) BOOK 842, PAGE 40
(B) BOOK 842, PAGE 36

LINE LEGEND





- _____ = SUBJECT PARCEL BOUNDARY LINES
 - - - - - = SECTION LINES
 _____ = ADJOINING PARCEL BOUNDARY LINES
 - - - - - = EXISTING EASEMENT LINES

ABBREVIATION LEGEND

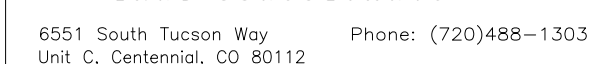
- N.W.S.W.&S.D. = NORTH WASHINGTON STREET
WATER & SANITATION DISTRICT
U.W.C. = UNITED WATER COMPANY
PSCo = PUBLIC SERVICE COMPANY OF COLORADO
CDOT = COLORADO DEPARTMENT OF
TRANSPORTATION
REC. NO. = RECEPTION NUMBER
PLS = PROFESSIONAL LAND SURVEYOR
R.O.W. = RIGHT-OF-WAY
BK./PG. = BOOK/PAGE

LINE TABLE								
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	N03°24'38"W	151.00'	L4	N10°47'42"E	63.77'	L7	N00°05'31"W	88.87'
L2	S89°54'29"W	59.99'	L5	N73°54'49"W	14.06'	L8	S89°33'05"W	18.00'
L3	S04°08'22"W	71.09'	L6	N89°31'47"W	37.16'	L9	S45°14'48"E	25.37'

MONUMENT NOTES

- | | |
|---|--|
|  | INDICATES FOUND ALIQUOT CORNER AS NOTED |
|  | INDICATES FOUND MONUMENT AS NOTED |
|  | INDICATES FOUND PK NAIL TO BE RE-SET WITH SPIKE & 1.5" BRASS WASHER STAMPED "ALTURA LAND PLS 38081" |
|  | INDICATES SET MONUMENT BEING A #5 REBAR, 18" LONG, WITH A 1 1/2" GREEN PLASTIC CAP STAMPED "ALTURA LAND PLS 38081" |

EXISTING BOUNDARY & EASEMENT DETAIL

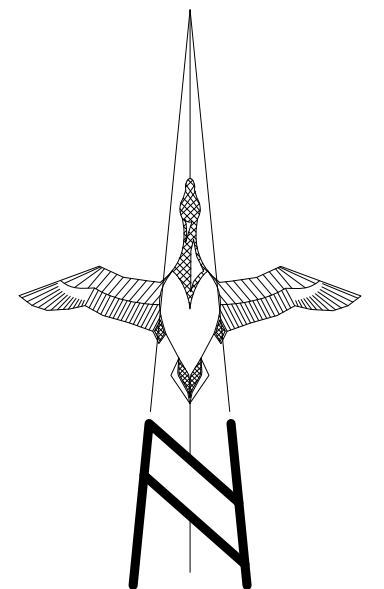


PREPARATION DATE	AUGUST 31, 2021
1ST SUBMITTAL REV.	NOVEMBER 4, 2021

SHEET 2 OF 3

JOB NO. 21189

SHEET 3 OF 3



120 0 60 120

Scale: 1" = 120'

(B) BOOK 842, PAGE 36

_____	=	SUBJECT PARCEL BOUNDARY LINES
_____ - - - -	=	SECTION LINES
_____ - - - -	=	ADJOINING PARCEL BOUNDARY LINES
_____	=	LOT LINES CREATED BY THIS PLAT
- - - - -	=	EXISTING EASEMENT LINES

BK./PG. = BOOK/PAGE

FINAL BOUNDARY & EASEMENT DETAIL

SHEET 3 OF 3

JOB NO. 21189

LINE TABLE								
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	N03°24'38"W	151.00'	L4	N10°47'42"E	63.77'	L7	N00°05'31"W	88.87'
L2	S89°54'29"W	59.99'	L5	N73°54'49"W	14.06'			
L3	S04°08'22"W	71.09'	L6	N89°31'47"E	37.16'			

○ INDICATES SET MONUMENT BEING A #5 REBAR, 18" LONG, WITH A 1 1/2" GREEN PLASTIC CAP STAMPED "ALTURA LAND PLS 38081"





**Land Title Guarantee Company
Customer Distribution**



PREVENT FRAUD - Please remember to call a member of our closing team when initiating a wire transfer or providing wiring instructions.

Order Number: **ABD70734694-2**

Date: **11/04/2021**

Property Address: **5901-5925 WASHINGTON STREET AND 451 EAST 58TH AVENUE, DENVER, CO 80216**

PLEASE CONTACT YOUR CLOSER OR CLOSER'S ASSISTANT FOR WIRE TRANSFER INSTRUCTIONS

For Closing Assistance

For Title Assistance

David Knapp
5975 GREENWOOD PLAZA BLVD
GREENWOOD VILLAGE, CO 80111
(303) 850-4174 (Work)
dknapp@ltgc.com

Buyer/Borrower

WESTFIELD COMPANY INC
Attention: JASON MILLER
4221 BRIGHTON BLVD
DENVER, CO 80216
(303) 917-7549 (Cell)
(303) 260-4397 (Work)
jmiller@westfield-co.com
Delivered via: Electronic Mail

Attorney for Buyer

FOX ROTHSCHILD LLP
Attention: JUDITH BREGMAN
1225 17TH ST #2200
DENVER, CO 80202
(303) 292-1200 (Work)
(303) 292-1300 (Work Fax)
jbregman@foxrothschild.com
Delivered via: Electronic Mail

Buyer/Borrower

WESTFIELD COMPANY INC
Attention: MATT MITCHELL
4221 BRIGHTON BLVD
DENVER, CO 80216
(303) 892-1111 (Work)
mmitchell@westfield-co.com
Delivered via: Electronic Mail

LAND TITLE GUARANTEE COMPANY
Attention: MINDY HUMPHREY
3033 EAST FIRST AVENUE SUITE 600
DENVER, CO 80206
(303) 618-6569 (Cell)
(303) 331-6274 (Work)
(303) 393-4912 (Work Fax)
mhumphrey@ltgc.com
Delivered via: Electronic Mail

Attorney for Buyer

FOX ROTHSCHILD LLP
Attention: CATHERINE HILDRETH
1225 17TH ST #2200
DENVER, CO 80202
(303) 253-4044 (Cell)
(303) 383-7662 (Work)
(303) 292-1300 (Work Fax)
childreth@foxrothschild.com
Delivered via: Electronic Mail

JESSE LUGO
Attention: JESSE LUGO
jesse@alturaland.com
Delivered via: Electronic Mail



Land Title Guarantee Company
Estimate of Title Fees

Order Number: **ABD70734694-2** Date: **11/04/2021**
Property Address: **5901-5925 WASHINGTON STREET AND 451 EAST 58TH AVENUE, DENVER, CO 80216**
Parties: **A BUYER TO BE DETERMINED**
DENVER MART INDUSTRIAL PARTNERS JV LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP

Visit Land Title's Website at www.ltgc.com for directions to any of our offices.

Estimate of Title insurance Fees	
"TBD" Commitment	\$423.00
	Total \$423.00
If Land Title Guarantee Company will be closing this transaction, the fees listed above will be collected at closing.	
Thank you for your order!	

Note: The documents linked in this commitment should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the effect of these documents on your property.

Chain of Title Documents:

[Adams county recorded 04/01/2021 under reception no. 2021000040368](#)

[Adams county recorded 04/13/2021 under reception no. 2021000044845](#)

Plat Map(s):

[Adams county recorded 05/03/1966 under reception no. 785275 at book F12 page 13](#)

[Adams county recorded 06/01/2018 under reception no. 2018000044528](#)

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule A

Order Number: ABD70734694-2

Property Address:

5901-5925 WASHINGTON STREET AND 451 EAST 58TH AVENUE, DENVER, CO 80216

1. Effective Date:

10/29/2021 at 5:00 P.M.

2. Policy to be Issued and Proposed Insured:

"TBD" Commitment

\$0.00

Proposed Insured:

A BUYER TO BE DETERMINED

3. The estate or interest in the land described or referred to in this Commitment and covered herein is:

A FEE SIMPLE, AS TO PARCELS 1 AND 2; AN EASEMENT, AS TO PARCEL 1A

4. Title to the estate or interest covered herein is at the effective date hereof vested in:

DENVER MART INDUSTRIAL PARTNERS JV LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP

5. The Land referred to in this Commitment is described as follows:

PARCEL 1:

LOT 2, AND OUTLOT A, MAPLETON ADDITION AMENDED NO. 5, COUNTY OF ADAMS, STATE OF COLORADO.

PARCEL 1A:

A NON-EXCLUSIVE EASEMENT FOR BOTH PEDESTRIAN AND AUTOMOTIVE INGRESS, EGRESS AND PASSAGE UPON AND OVER THAT PORTION OF "VACATED LOGAN STREET" LYING WITHIN LOT 3 OF MAPLETON ADDITION AMENDED NO. 5, ALL AS MORE FULLY DESCRIBED AND DEFINED IN CROSS ACCESS EASEMENT AND MAINTENANCE AGREEMENT RECORDED OCTOBER 26, 2017 UNDER RECEPTION NO. [2017000094137](#), COUNTY OF ADAMS, STATE OF COLORADO.

PARCEL 2:

THE SOUTH 200 FEET OF THE EAST 215 FEET OF BLOCK 45, MAPLETON ADDITION, COUNTY OF ADAMS, STATE OF COLORADO.

EXCEPT THAT PART CONVEYED TO THE COUNTY OF ADAMS, STATE OF COLORADO AS DESCRIBED IN DEED RECORDED JULY 7, 2006 UNDER RECEPTION NO. [20060717000714790](#).

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ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule B, Part I

(Requirements)

Order Number: ABD70734694-2

All of the following Requirements must be met:

This proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.

Pay the agreed amount for the estate or interest to be insured.

Pay the premiums, fees, and charges for the Policy to the Company.

Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

1. A FULL COPY OF THE PARTNERSHIP AGREEMENT AND ANY AND ALL AMENDMENTS THERETO FOR DENVER MART INDUSTRIAL PARTNERS JV LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP MUST BE FURNISHED TO LAND TITLE GUARANTEE COMPANY.

NOTE: ADDITIONAL REQUIREMENTS MAY BE NECESSARY UPON REVIEW OF THIS DOCUMENT.

2. DULY EXECUTED AND ACKNOWLEDGED STATEMENT OF AUTHORITY SETTING FORTH THE NAME OF DENVER MART INDUSTRIAL PARTNERS JV LLLP AS A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP. THE STATEMENT OF AUTHORITY MUST STATE UNDER WHICH LAWS THE ENTITY WAS CREATED, THE MAILING ADDRESS OF THE ENTITY, AND THE NAME AND POSITION OF THE PERSON(S) AUTHORIZED TO EXECUTE INSTRUMENTS CONVEYING, ENCUMBERING, OR OTHERWISE AFFECTING TITLE TO REAL PROPERTY ON BEHALF OF THE ENTITY AND OTHERWISE COMPLYING WITH THE PROVISIONS OF SECTION 38-30-172, CRS.

NOTE: THE STATEMENT OF AUTHORITY MUST BE RECORDED WITH THE CLERK AND RECORDER.

3. WARRANTY DEED FROM DENVER MART INDUSTRIAL PARTNERS JV LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP TO A BUYER TO BE DETERMINED CONVEYING SUBJECT PROPERTY.

NOTE: ADDITIONAL REQUIREMENTS OR EXCEPTIONS MAY BE NECESSARY WHEN THE BUYERS NAMES ARE ADDED TO THIS COMMITMENT. COVERAGES AND/OR CHARGES REFLECTED HEREIN, IF ANY, ARE SUBJECT TO CHANGE UPON RECEIPT OF THE CONTRACT TO BUY AND SELL REAL ESTATE AND ANY AMENDMENTS THERETO.

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part II
(Exceptions)

Order Number: [ABD70734694-2](#)

This commitment does not republish any covenants, condition, restriction, or limitation contained in any document referred to in this commitment to the extent that the specific covenant, conditions, restriction, or limitation violates state or federal law based on race, color, religion, sex, sexual orientation, gender identity, handicap, familial status, or national origin.

- 1. Any facts, rights, interests, or claims thereof, not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.**
- 2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.**
- 3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.**
- 4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.**
- 5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date of the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.**
- 6. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.**
- 7. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.**
- 8. EXISTING LEASES AND TENANCIES, IF ANY.**
(AFFECTS PARCELS 1 AND 2)
- 9. RIGHT OF THE PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM, SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES HEREBY GRANTED, AND A RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES, AS RESERVED IN UNITED STATES PATENT DATED JUNE 10, 1874. SAID INSTRUMENT IS REFERENCED AS IMAGE [37024182](#).**
- 10. EASEMENT GRANTED TO NORTH WASHINGTON STREET WATER AND SANITATION DISTRICT, FOR SEWER LINE, AND INCIDENTAL PURPOSES, BY INSTRUMENT RECORDED JULY 12, 1955, IN BOOK 558 AT PAGE [178](#).**
- 11. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN AGREEMENT RECORDED JANUARY 08, 1965 IN BOOK 1202 AT PAGE [20](#).**
- 12. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN EASEMENT RECORDED NOVEMBER 02, 1967 IN BOOK 1398 AT PAGE [139](#).**

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part II
(Exceptions)

Order Number: ABD70734694-2

13. EASEMENTS FOR THE CONTINUED USE OF EXISTING SEWER, GAS, WATER OR SIMILAR PIPE LINES AND APPURTENANCES AND FOR ELECTRIC, TELEPHONE, AND SIMILAR LINES AND APPURTENANCES, AS RESERVED IN VACATION RESOLUTION RECORDED FEBRUARY 14, 1968 IN BOOK 1417 AT PAGE [108](#).
14. EASEMENT GRANTED TO NORTH WASHINGTON STREET WATER AND SANITATION DISTRICT, FOR SEWER LINE, AND INCIDENTAL PURPOSES, BY INSTRUMENT RECORDED MARCH 20, 1968, IN BOOK 1424 AT PAGE [16](#).
15. EASEMENT FOR THE MAIN DITCH OF THE UNITED WATER COMPANY, AS DISCLOSED BY DEED RECORDED APRIL 22, 1968 IN BOOK 1430 AT PAGE [404](#).
16. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN EASEMENT AGREEMENT WITH THE UNITED WATER COMPANY RECORDED JULY 16, 1968 IN BOOK 1449 AT PAGE [244](#).
17. EASEMENT GRANTED TO NORTH WASHINGTON STREET WATER AND SANITATION DISTRICT, FOR SEWER LINES, AND INCIDENTAL PURPOSES, BY INSTRUMENT RECORDED MARCH 09, 1973, IN BOOK 1850 AT PAGE [66](#).
18. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND RESERVED, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS, IN DEED RECORDED MAY 24, 1973 IN BOOK 1865 AT PAGE [769](#).
19. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND RESERVED, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS, IN DEED RECORDED MAY 24, 1973 IN BOOK 1865 AT PAGE [772](#).
20. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND RESERVED, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS, IN DEED RECORDED MAY 24, 1973 IN BOOK 1865 AT PAGE [773](#).
21. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN EASEMENT TO NORTH WASHINGTON STREET WATER AND SANITATION DISTRICT RECORDED JUNE 14, 1973 IN BOOK 1869 AT PAGE [800](#).
22. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN CROSS EASEMENT AND RECIPROCAL PARKING AGREEMENT RECORDED SEPTEMBER 14, 1973 IN BOOK 1888 AT PAGE [577](#). ASSIGNMENT THEREOF RECORDED JULY 19, 1974 IN BOOK 1943 AT PAGE [305](#).
23. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN CROSS EASEMENT AND RECIPROCAL PARKING AGREEMENT RECORDED SEPTEMBER 14, 1973 IN BOOK 1888 AT PAGE [583](#). ASSIGNMENT THEREOF RECORDED JULY 19, 1974 IN BOOK 1943 AT PAGE [305](#).
24. EASEMENT GRANTED TO PUBLIC SERVICE COMPANY OF COLORADO, FOR UTILITY LINES, AND INCIDENTAL PURPOSES, BY INSTRUMENT RECORDED SEPTEMBER 25, 1973, IN BOOK 1890 AT PAGE [312](#).

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part II
(Exceptions)

Order Number: ABD70734694-2

25. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND RESERVED, TOGETHER WITH RIGHT OF INGRESS AND EGRESS, IN DEED RECORDED MAY 03, 1974 IN BOOK 1928 AT PAGE [25](#).
26. EASEMENTS FOR THE CONTINUED USE OF EXISTING SEWER, GAS, WATER OR SIMILAR PIPE LINES AND APPURTENANCES AND FOR ELECTRIC, TELEPHONE, AND SIMILAR LINES AND APPURTENANCES, AS RESERVED IN VACATION RESOLUTION RECORDED MAY 2, 1979 IN BOOK 2341 AT PAGE [920](#).
27. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN EASEMENT AGREEMENT RECORDED JUNE 07, 1985 IN BOOK 3009 AT PAGE [918](#).
28. EASEMENT GRANTED TO PUBLIC SERVICE COMPANY OF COLORADO, FOR UTILITY LINES, AND INCIDENTAL PURPOSES, BY INSTRUMENT RECORDED JULY 22, 1993, IN BOOK 4115 AT PAGE [541](#).
29. PERMANENT EASEMENTS AND EACH AND EVERY RIGHT OR RIGHTS OF ACCESS TO AND FROM ANY PART OF THE RIGHT OF WAY OF COLORADO STATE HIGHWAY 25 AS SET FORTH IN RULE AND ORDER RECORDED NOVEMBER 10, 1993 IN BOOK 4190 AT PAGE [579](#).
30. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN EASEMENT AGREEMENT WITH NORTH WASHINGTON STREET WATER AND SANITATION DISTRICT RECORDED JANUARY 19, 1995 IN BOOK 4455 AT PAGE [148](#).

NOTE: QUIT CLAIM DEED IN CONNECTION THEREWITH RECORDED NOVEMBER 27, 1995 IN BOOK 4632 AT PAGE [932](#).

31. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND IN RULE AND ORDER FOR A PERMANENT EASEMENT RECORDED JULY 12, 1995 IN BOOK 4545 AT PAGE [380](#).
32. EASEMENT GRANTED TO PUBLIC SERVICE COMPANY OF COLORADO, FOR UNDERGROUND ELECTRIC DISTRIBUTION LINES, AND INCIDENTAL PURPOSES, BY INSTRUMENT RECORDED APRIL 12, 2000, IN BOOK 6094 AT PAGE [3](#).
33. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RESOLUTION 2015-038 APPROVING APPLICATION IN CASE #RCU2014-00022 DENVER MART DRIVE-IN MOVIE THEATER RECORDED JANUARY 29, 2015 UNDER RECEPTION NO. [2015000006603](#).
34. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RESOLUTION 2016-205 RECORDED APRIL 15, 2016 UNDER RECEPTION NO. [2016000028884](#).
35. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN REVOCABLE ENCROACHMENT EASEMENT FOR AWNING RECORDED MARCH 13, 2017 UNDER RECEPTION NO. [20170000021863](#).
36. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN RESOLUTION 2017-386 APPROVING NORTH METRO GAS PIPELINE RECORDED AUGUST 14, 2017 UNDER RECEPTION NO. [2017000070421](#).
37. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN CROSS ACCESS EASEMENT AND MAINTENANCE AGREEMENT RECORDED OCTOBER 26, 2017 UNDER RECEPTION NO. [2017000094137](#).

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part II
(Exceptions)

Order Number: [ABD70734694-2](#)

38. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN CROSS ACCESS EASEMENT AND MAINTNANCE EASEMENT RECORDED FEBRUARY 21, 2018 UNDER RECEPTION NO. [2018000014696](#).
39. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN CROSS ACCESS EASEMENT AND MAINTENANCE AGREEMENT RECORDED MAY 03, 2018 UNDER RECEPTION NO. [2018000036177](#).
40. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RESOLUTION 2018-393 RECORDED JUNE 01, 2018 UNDER RECEPTION NO. [2018000044265](#).
41. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF MAPLETON ADDITION AMENDED NO. 5 RECORDED JUNE 01, 2018 UNDER RECEPTION NO. [2018000044528](#).
42. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GAS EASEMENT TO PUBLIC SERVICE COMPANY OF COLORADO FOR TRANSMISSION OR DISTRIBUTION, OR BOTH, OF GAS AND RELATED COMMUNICATION SIGNALS, AND INCIDENTAL PURPOSES RECORDED JULY 23, 2018 UNDER RECEPTION NO. [2018000059047](#).
(ITEMS 9 THROUGH 42 AFFECT PARCEL 1)
43. EASEMENTS FOR DITCHES AS GRANTED TO UNITED WATER CO., IN DEED RECORDED MAY 26, 1917 IN BOOK 87 AT PAGE [357](#).
44. TERMS, CONDITIONS AND PROVISIONS OF NOTICE RECORDED AUGUST 11, 1967 IN BOOK 1381 AT PAGE [317](#).
45. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ZONING HEARING DECISION - CASE #088-94-C RECORDED SEPTEMBER 14, 1994 IN BOOK 4391 AT PAGE [372](#).
46. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN PERMANENT DRAINAGE EASEMENT TO THE COUNTY OF ADAMS RECORDED JULY 17, 2006 UNDER RECEPTION NO. [2006071700714800](#).
(ITEMS 43 THROUGH 46 AFFECT PARCEL 2)



LAND TITLE GUARANTEE COMPANY DISCLOSURE STATEMENTS

Note: Pursuant to CRS 10-11-122, notice is hereby given that:

- (A) The Subject real property may be located in a special taxing district.
- (B) A certificate of taxes due listing each taxing jurisdiction will be obtained from the county treasurer of the county in which the real property is located or that county treasurer's authorized agent unless the proposed insured provides written instructions to the contrary. (for an Owner's Policy of Title Insurance pertaining to a sale of residential real property).
- (C) The information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor.

Note: Effective September 1, 1997, CRS 30-10-406 requires that all documents received for recording or filing in the clerk and recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one half of an inch. The clerk and recorder may refuse to record or file any document that does not conform, except that, the requirement for the top margin shall not apply to documents using forms on which space is provided for recording or filing information at the top margin of the document.

Note: Colorado Division of Insurance Regulations 8-1-2 requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed". Provided that Land Title Guarantee Company conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lenders Policy when issued.

Note: Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- (A) The land described in Schedule A of this commitment must be a single family residence which includes a condominium or townhouse unit.
- (B) No labor or materials have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
- (C) The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.
- (D) The Company must receive payment of the appropriate premium.
- (E) If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

Note: Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments disclosing that a mineral estate has been severed from the surface estate, in Schedule B-2.

- (A) That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and
- (B) That such mineral estate may include the right to enter and use the property without the surface owner's permission.

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

Note: Pursuant to Colorado Division of Insurance Regulations 8-1-3, notice is hereby given of the availability of a closing protection letter for the lender, purchaser, lessee or seller in connection with this transaction.

Note: Pursuant to CRS 10-1-11(4)(a)(1), Colorado notaries may remotely notarize real estate deeds and other documents using real-time audio-video communication technology. You may choose not to use remote notarization for any document.



**JOINT NOTICE OF PRIVACY POLICY OF
LAND TITLE GUARANTEE COMPANY,
LAND TITLE GUARANTEE COMPANY OF SUMMIT COUNTY
LAND TITLE INSURANCE CORPORATION AND
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY**

This Statement is provided to you as a customer of Land Title Guarantee Company as agent for Land Title Insurance Corporation and Old Republic National Title Insurance Company.

We want you to know that we recognize and respect your privacy expectations and the requirements of federal and state privacy laws. Information security is one of our highest priorities. We recognize that maintaining your trust and confidence is the bedrock of our business. We maintain and regularly review internal and external safeguards against unauthorized access to your non-public personal information ("Personal Information").

In the course of our business, we may collect Personal Information about you from:

- applications or other forms we receive from you, including communications sent through TMX, our web-based transaction management system;
 - your transactions with, or from the services being performed by us, our affiliates, or others;
 - a consumer reporting agency, if such information is provided to us in connection with your transaction;
- and
- The public records maintained by governmental entities that we obtain either directly from those entities, or from our affiliates and non-affiliates.

Our policies regarding the protection of the confidentiality and security of your Personal Information are as follows:

- We restrict access to all Personal Information about you to those employees who need to know that information in order to provide products and services to you.
- We may share your Personal Information with affiliated contractors or service providers who provide services in the course of our business, but only to the extent necessary for these providers to perform their services and to provide these services to you as may be required by your transaction.
- We maintain physical, electronic and procedural safeguards that comply with federal standards to protect your Personal Information from unauthorized access or intrusion.
- Employees who violate our strict policies and procedures regarding privacy are subject to disciplinary action.
- We regularly assess security standards and procedures to protect against unauthorized access to Personal Information.

WE DO NOT DISCLOSE ANY PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT STATED ABOVE OR PERMITTED BY LAW.

Consistent with applicable privacy laws, there are some situations in which Personal Information may be disclosed. We may disclose your Personal Information when you direct or give us permission; when we are required by law to do so, for example, if we are served a subpoena; or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

Our policy regarding dispute resolution is as follows: Any controversy or claim arising out of or relating to our privacy policy, or the breach thereof, shall be settled by arbitration in accordance with the rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.



Commitment For Title Insurance

Issued by Old Republic National Title Insurance Company

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON. .

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Old Republic National Title Insurance Company, a Minnesota corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured. If all of the Schedule B, Part I—Requirements have not been met within 6 months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

- 2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, Commitment terminates and the Company's liability and obligation end.

- 3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I—Requirements; and
- (f) Schedule B, Part II—Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - i. comply with the Schedule B, Part I—Requirements;
 - ii. eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - iii. acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.

- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

IN WITNESS WHEREOF, Land Title Insurance Corporation has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A to be valid when countersigned by a validating officer or other authorized signatory.

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



Craig B. Rants, Senior Vice President



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

By



President

Attest



Secretary

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Land Title Insurance Corporation. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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When recorded return to:
Fox Rothschild LLP
Attn: Catherine Hildreth, Esq.
1225 17th Street, Suite 2200
Denver, CO 80202

QUITCLAIM DEED

THIS DEED is dated _____, 2021, and is made from United Water Company, a _____ (the "Grantor"), to Denver Mart Industrial Partners JV LLLP, a Colorado limited liability limited partnership (the "Grantee").

Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00), the receipt and sufficiency of which is hereby acknowledged, releases and forever quitclaims to the Grantee, and the Grantee's successors and assigns, all the right, title, interest, estate, claim, and demand, both at law and in equity, of Grantor, of, in, and to that certain real property, together with any improvements, ways, easements, dedications, rights, privileges, and appurtenances held or owned by or of Grantor thereon, located in Adams County, State of Colorado, described as follows:

1. That certain easement reserved to Grantor disclosed by deed recorded April 22, 1968 in Book 1430 at Page 404;
2. That certain easement agreement for the benefit of Grantor recorded July 16, 1968 in Book 1449 at Page 244;
3. That certain easement reserved to Grantor by deed recorded May 24, 1973 in Book 1865 at Page 769;
4. That certain easement reserved to Grantor by deed recorded May 24, 1973 in Book 1865 at Page 772;
5. That certain easement reserved to Grantor by deed recorded May 24, 1973 in Book 1865 at Page 773;
6. That certain easement reserved to Grantor by deed recorded May 3, 1974 in Book 1928 at Page 25.
7. That certain easement reserved to Grantor by deed recorded May 26, 1917 in Book 87 at Page 357.

Together with all appurtenances and improvement therein.

[SIGNATURE ON FOLLOWING PAGE]

128000793.1

S-T-R: 10-3S-68W

County: Adams

Division-City/Town: North Metro-Arvada

LAT & LONG GPS: 39°48'13.68"N & 104°58'48.65"W

Grantor: PSCo

Address/Intersection: 451 East 58th Avenue

DIST/TRANS: DISTRIBUTION

Doc No: 164170

ROW Agent: Brett McGrath

Descript/Author: Brett McGrath

Reception No.:

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that Public Service Company of Colorado, a Colorado corporation, of Denver, Colorado for good and valuable consideration hereby sells and quitclaims to:

Denver Mart Industrial Partners JV LLLP
a Colorado limited liability limited partnership

As present owner(s) of record and whose address is:

4221 Brighton Blvd.
Denver, CO 80216-3719

The following described real property in the County of Adams, State of Colorado, to-wit:

That certain Public Service Company of Colorado Utility Easement recorded April 12, 2000, at Book 6094, Pages 3-6, Reception Number C0659424 in the Adams County records; said Public Service Company of Colorado Easement being situated within Section 10, Township 3 South, Range 68 West of the 6th Principal Meridian in the City of Denver, County of Adams, State of Colorado.

Address of Property: 451 East 58th Avenue, Denver, CO 80216-1404

Consideration: (less than \$500) with all its appurtenances.

Signed this 5TH day of November, 2021.

PUBLIC SERVICE COMPANY OF COLORADO

By

Richard J. Grady

Manager, Right of Way & Permits

Public Service Company of Colorado, a Colorado corporation

STATE OF COLORADO)
) ss.
COUNTY OF Jefferson)

The foregoing instrument was acknowledged before me this 5th day of November, 2021
by Richard J. Grady, Manager, Right of Way & Permits Public Service Company of Colorado.

Witness my hand and official seal.

My commission expires: June 23, 2025

Brett McGrath
Notary Public

BRETT MCGRATH
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20114069748
MY COMMISSION EXPIRES JUNE 23, 2025