Community & Economic
Development Department
www.adcogov.org

ADAMS COUNTY
COLORADO

4430 South Adams County Parkway
1st Floor, Suite W2000
Brighton, CO 80601-8204
PHONE 720.523.6800
FAX 720.523.6998

CONDITIONAL USE PERMIT

Application submittals must include all documents on this checklist as well as this page. Please use the reference guide (pgs. 3-4) included in this packet for more information on each submittal item.

All submittals shall include one (1) hard copy of all documents and one (1) electronic copy with all documents combined in a single PDF. For hard copies, each document shall be labeled or tabbed with the corresponding checklist number.

1. Development Application Form (pg. 5)
- ☐ 2. Application Fees (see pg. 2)
- ☑ 3. Written Explanation of the Project
- ☑ 4. Site Plan Showing Proposed Development
- ☑ 5. Proof of Ownership (warranty deed or title policy)
- ☑ 6. Proof of Water and Sewer Services
- ☑ 7. Proof of Utilities (e.g. electric, gas)
- ☑ 8. Legal Description
- ☑ 9. Certificate of Taxes Paid
- * ☐ 10. Certificate of Notice to Mineral Estate Owners/and Lessees(pg. 7)
- * ☐ 11. Certificate of Surface Development (pg. 8-10)

Supplemental Items (if applicable) *Contact County staff for supplemental forms

1. Traffic Impact Study
2. Neighborhood Meeting Summary
3. Solid waste transfer station*
4. Solid waste composting facility*
5. Scrap tire recycling facility*
6. Inert fill*

* The request is not an "application for development" as defined by C.R.S. 24-65.5-102(2)(a), and therefore mineral notices are not required.

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Application Fees	Amount	Due
Conditional Use Permit	$1,000 ($300 per additional residential request/ $500 per additional non-residential)	With application submittal
Tri-County Health *made payable to Tri-County Health	$245	With application submittal

Conditional Use-Guide to Development Application Submittal

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

All development application submittals shall comprise of one (1) electronic copy (USB or CD) and one (1) hard copy of each document. **Application submittals that do not conform to these guidelines shall not be accepted.**

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3. Written Explanation:

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

4. Site Plan:

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

5. Proof of Ownership:

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

6. Proof of Water:

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

Proof of Sewer:

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

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

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

8. Legal Description:

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

9. Proof of Taxes Paid:

- All taxes on the subject property must be paid in full. Please contact the Adams County Treasurer's Office.
- Or http://adcogov.org/index.aspx?NID=812

10. Certificate of Notice to Mineral Estate Owners/ Certificate of Surface Development:

- The State of Colorado requires notification to mineral rights owners of applications for surface development (i.e. zoning, plats, etc.)
- Mineral or Surface right owners may be found in the title commitment for the subject property

- You may also search the Office of the Clerk and Recorder for any recorded deeds, easements, or other documents

SUPPLEMENTAL:

1. **Preliminary Traffic Impact Study:**
   - This shall include, but not limited to:
     - Trip generation estimates from the development,
     - Current traffic counts,
     - Projected future traffic counts to include background traffic projections and future traffic projections from the development.
     - A description of the traffic impacts that the development will have on the surrounding area.

   Final Traffic Study:
   - Shall have all of the information contained in a Preliminary Traffic Impact Study and it shall also include recommendations on how to mitigate the traffic impacts that are caused by the development. (See chapter 8 for full description of requirements).

2. **Neighborhood Meeting Summary:**
   - Please refer to Section 2-01-02 of the Adams County Development Standards and Regulations for the specific requirements regarding time, location, and notice
   - A written summary shall be prepared including the materials submittal presented at the meeting, any issues identified at the meeting, and how those issues have been addressed

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DEVELOPMENT APPLICATION FORM

Application Type:

☐ Conceptual Review	☐ Preliminary PUD	☐ Temporary Use
☐ Subdivision, Preliminary	☐ Final PUD	☐ Variance
☐ Subdivision, Final	☐ Rezone	☒ Conditional Use
☐ Plat Correction/ Vacation	☐ Special Use	☐ Other: _____

PROJECT NAME: Ascent Drive Resort

APPLICANT

Name(s): Austin Akers Phone #: 303-550-1877

Address: 518 17th Street, Suite 1800

City, State, Zip: Denver, CO 80202

2nd Phone #: Email: austin@ascentdriveresort.com; abigail@ascentdriveresport.com

---

OWNER

Name(s): Tatonka Watkins Phone #: 303-550-1877

Address: 518 17th Street, Suite 1800

City, State, Zip: Denver, CO 80202

2nd Phone #: Email: austin@ascentdriveresort.com; abigail@ascentdriveresport.com

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

Name: Brian Krombein Phone #: 720-402-6070

Address: 1745 Shea Center Drive, 4th Floor

City, State, Zip: Highlands Ranch, CO 80129

2nd Phone #: Email: brian2@vermilionpeak.com

Add Tech. Rep.: Todd Messenger, Esq., Fairfield and Woods, P.C., 1801 California St., Ste. 2600, Denver, CO 80202
Office: (303) 894-4469; email: tmessenger@fwlaw.com

DESCRIPTION OF SITE

Address:	
City, State, Zip:	
Area (acres or square feet):	319
Tax Assessor Parcel Number	0172700000048; 0172700000037;
Existing Zoning:	A3
Existing Land Use:	Agricultural
Proposed Land Use:	Recreation

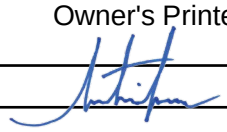
Have you attended a Conceptual Review? YES [X] NO [ ]

If Yes, please list PRE#: PRE2021-00009

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

Name: John Austin Akers Date: 5/20/21

Owner's Printed Name

Name: 

Owner's Signature

Written Explanation of the Project

A. Overview and Purpose of the Proposed Project

The applicant, Ascent Drive Resort ("ADR"), seeks conditional use permit ("CUP") approval for outdoor recreation on a roughly 319-acre parcel of land (two quarter-sections) ("SITE") zoned A-3, located East of Denver International Airport ("DEN"). The Parcel ID numbers of the Site are 0172700000048 and 0172700000037. The Site is bounded by Quail Run Road on the East and bisected by undeveloped right-of-way for East 96th Avenue (on the section line between Sections 17 and 20, Township 2 South, Range 64 West of the 6th PM). Concurrently with this application, ADR is seeking vacation of the East 96th Avenue right-of-way.

ADR proposes a "driving resort" ("RESORT") which is a place where people who enjoy driving cars, trucks, and go-karts can come to "play" with them in a controlled and safe environment. The proposed Resort is a private facility that is focused on the driver's experience. Unlike a typical racetrack (which is focused on the experience of the spectator), the Resort will not include facilities for spectators. In addition, the proposed road course (the principal track used by cars) includes left turns and right turns that allow it to be used in a variety of different ways, including breaking it up into as many as three shorter tracks that can be used simultaneously. There are no long, straight runs that would involve cars being at full throttle for hours on end.

The Resort is designed by Tilke Engineers & Architects of Germany ("TILKE"), which has designed more driving resorts and R&D facilities, in more locations, than any other company in the world. Tilke's experience and design skill will ensure that the Resort provide a thrilling experience for both guests and members,[1] with minimal impact to adjacent property owners.

B. Project Improvements

The Resort will have a number of components, which ADR intends to build out in phases. This CUP application is intended to carry out the first phase, which includes the outdoor recreation components that are permissible in the A-3 zoning district by CUP approval: (1) a "road course" (a winding paved track with both left turns and right turns that can be configured into a single long course or multiple shorter courses), (2) an outdoor karting road course (for go-karts)[2], and (3) a "vehicle dynamics skidpad" (an outdoor paved area for driver training). Supporting improvements will include high-end garages (some of which

[1] The applicant anticipates that part of the outdoor recreation experience created by this CUP will be the opportunity for both daily, non-member guests and those who have bought memberships (akin to a golf country club) to rent supercars (*e.g.*, Ferraris and McLarens) and performance cars (*e.g.*, Corvettes and Mustangs) for use on the road course.

[2] The karts will be high-performance vehicles that can safely reach speeds of up to 60 miles per hour.

will include kitchenettes and bathrooms), workshops, a multi-use "headquarters" building, fueling facilities, and concessions for food and beverages. A conceptual site plan for the proposed project improvements is provided in the CUP application materials.

C. Compliance with CUP Approval Standards

The standards for CUP approval are set out in Section 2-02-09, Adams County Development Standards and Regulations ("ACDS&R"). The proposed use meets all of the applicable standards, as follows:

1. The conditional use is permitted in the applicable zone district.

The subject property is zoned A-3.[3] Outdoor recreation is permitted in the A-3 zone by CUP. (ACDS&R 3-07-01).

2. The conditional use is consistent with the purposes of these standards and regulations.

The proposed conditional use is consistent with the stated purposes of the ACDS&R that are set out in ACDS&R § 1-01-03. It preserves health, safety, and welfare (as detailed more thoroughly herein), implements a number of policies that are articulated in the County's Comprehensive Plan, entitled IMAGINE ADAMS COUNTY ("PLAN"), and is or will be served by appropriate infrastructure at the time such infrastructure is needed.

In terms of Plan implementation:

- Plan Policy 4.1 focuses on creation of high-paying primary jobs. At full build-out, the Resort will support high-wage technical jobs in research and development.
- Plan Policy 4.2 focuses on strengthening the economic base of the County, in part by improving recreational amenities. The Resort is a unique recreational amenity that is simply not offered in the State of Colorado.
- Plan Policy 5.1 focuses on fiscally responsible growth. It is expected that the Resort will contribute more to the County's revenues than it will require in terms of County expenditures.
- Plan Policy 6.1 focuses on ensuring that new development pays its own way. ADR is not asking for any incentives or subsidies. Development of the Resort will result in road improvements that improve regional connectivity and mobility.

[3] The County's public-facing GIS erroneously shows the northern half of the property (Parcel ID No. 0172700000048) with a PUD zoning designation. The PUD (Case No. PRJ2004-00002) was never carried out (no Final Development Plan was approved after the Preliminary Development Plan was recorded). Consequently, the Preliminary Development Plan lapsed, which (under the then-applicable version of the ACDS&R) reverted the property back to the underlying A-3 Zoning District.

- Plan Policies 8.1 and 8.2 focus on sustainability. While initially, the Resort will be primarily used for gasoline powered vehicles, ADR recognizes that the future is electric vehicles. The Resort will promote that future by providing a road course that can be used to test electric and autonomous vehicles. The Resort will also have land available to generate a substantial amount of electricity using photovoltaics.
- Plan Policy 9.5 focuses on the provision of a variety of recreation opportunities in the County. The Resort is a unique recreational asset, not found anywhere else in the state.
- Plan Policy 11.4 tends to discourage residential development within two miles of DEN. Policy 17.1 focuses on encouraging uses that are "compatible with existing and planning airport operations and impacts" around DEN. The Resort is a low-intensity, noise-compatible, airport-compatible nonresidential use within two miles of DEN.
- Plan Policy 17.4 calls for the continuation of agricultural uses east of DEN "until sufficient infrastructure and market demand exist to support mixed-use employment." The Resort will likely attract companies that are new to the region and catalyze additional mixed-use employment generating uses. In the meantime, it is entirely compatible with existing agricultural uses.

In addition to plan implementation, the applicant proposes to make time available on the road course and vehicle dynamics skidpad for law enforcement training purposes. As far as the applicant is aware, there is no comparably sized and comparatively versatile closed course in Colorado for law enforcement training.

3. The conditional use will comply with the requirements of these standards and regulations including, but not limited to, all applicable performance standards.

As shown in the attached plan set, the proposed conditional use complies with the applicable requirements of the ACDS&R.

There are no performance standards that are specifically applicable to outdoor recreation.

4. The conditional use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.

The Resort is physically, functionally, and aesthetically compatible with DEN and surrounding agricultural uses. It is located less than 2,000 feet from an eastern boundary of DEN, and is located well within its 65 LdN noise contour (related to Runway 8/26 which is about 14,000 feet away from the Subject Property's western boundary). An airport noise contour map is included with the application.

ADR has identified only 34 homes within two miles of the Resort boundaries. Like the Resort, these homes are also impacted by airport noise and operations. Still, the Resort is designed to mitigate its own noise impacts on the nearby residential uses. Additionally, in the future, as increasing numbers of performance vehicles are powered by electricity, noise impacts will likely be further reduced. A preliminary noise impact study is provided with this application.

The Resort will not be detrimental to future development. In fact, as detailed in the narrative regarding the second conditional use permit approval criterion, it will support the future development of the area in a manner that is consistent with the Plan.

Since it is not a commercial racing / spectator venue, the projected traffic generation related to the Resort will be modest. Dust on the off-road tracks will be controlled. The Resort will not produce vibration, glare, heat, smoke, fumes, gas, or odors that are perceptible outside of the Resort property. Hours of operation will be appropriate to the use, and will generally be restricted to daylight hours.

5. The conditional use permit has addressed all off-site impacts.

As the application materials demonstrate, the proposed conditional use is designed to address all off-site impacts. Conversely, the use is conceived and designed to operate in an environment where nearby uses (*e.g.*, DEN and area farms) produce off-site impacts that make many other types of uses difficult to operate. As such, the Resort is an ideal fit in this location.

6. The site is suitable for the conditional use including adequate usable space, adequate access, and absence of environmental constraints.

The Site is ideally sized, shaped, and located to efficiently provide a useable multi-purpose road course, karting road course, off-road areas, vehicle dynamics skid pad, parking areas, drainage facilities, buffers, and areas for other facilities and amenities to be developed in the future under separate approvals. The plan for the Resort addresses the short reach of Horse Creek that traverses the site. The Resort will seamlessly fit into its physical context.

The Site is located within the Airport Influence Area (the noise contours of DEN), and the Resort is a noise-compatible use with a relatively low density of patrons and employees. The topography of the Site is appropriate for the Resort, allowing for development of the courses and amenities with relatively modest earthwork. The Resort is compatible with neighboring agricultural and farmstead uses and will ultimately help to catalyze development east of DEN that implements the County's land use plans. Adequate street access is available.

7. The site plan for the proposed conditional use will provide the most convenient and functional use of the lot including the parking scheme, traffic circulation, open space, fencing, screening, landscaping, signage, and lighting.

As the application materials demonstrate, the site plan for the Resort provides the most convenient and functional use of the Site, allowing for a flexible and functional road track, with room for supporting facilities and amenities, all designed in a way that mitigates the impacts of the use on nearby property owners.

8. Sewer, water, storm water drainage, fire protection, police protection, and roads are to be available and adequate to serve the needs of the conditional use as designed and proposed.

The applicant proposes that water will be provided via a commercial well (permit has been applied for) and that onsite wastewater treatment is viable in this location. The site will be engineered to provide appropriate stormwater drainage.

Fire protection is provided by Bennett Fire Protection District. Police protection is provided by the Adams County Sheriff.

According to the traffic study, the impact of the Resort on area traffic will be fairly minimal. Road improvements will be implemented as determined by the traffic study.

D. Timing

1. Timing of Construction of Facilities Approved by CUP

ADR anticipates applying for construction permits and commencing construction of the facilities authorized by the CUP promptly after issuance of the CUP.

2. Duration of CUP

ACDS&R 2-02-09-05 states that conditions such as limitations on the duration of approval (along with a non-exclusive list of other potential limitations) *may* by imposed by the Board of County Commissioners in order to "implement the Adams County Comprehensive Plan and ensure compatibility with adjacent uses." ADR understands that, historically, the Board of County Commissioners has in some cases used ACDS&R 2-02-09-05:9.c. to impose limitations on the duration of conditional use permits.

The first phase of the Resort is, by itself, a signature project. It is a multimillion-dollar investment that will create unique recreational opportunity in the State of Colorado over the long term, and potentially a "center of gravity" that attracts and supports research and development enterprises. As described in this narrative, the proposed Resort is not only compatible with existing development, but it will also likely catalyze new development that implements the Comprehensive Plan.

Limitations on the duration of approval (which are not required by the ACDS&R) will be detrimental to future development of the Resort and will likely thwart its growth and catalytic impact on the surrounding area. Consequently, ADR requests that the CUP be issued without limitations on its duration.

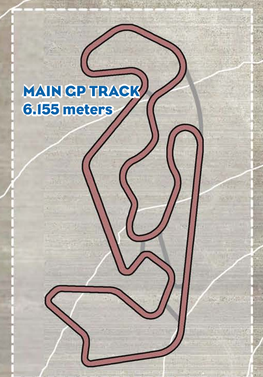
E. Future Development Within and Near the Resort

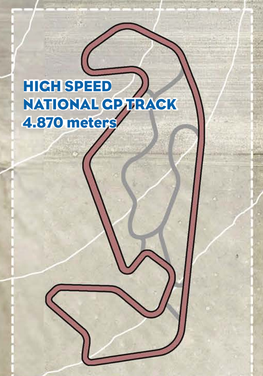
ADR anticipates that subsequent phases of the Resort will include additional related activities such as an indoor karting center and retail or restaurant uses. ADR expects that on or before build-out, the Resort will catalyze supporting development on nearby property, including but not limited to additional research and development and hospitality uses.

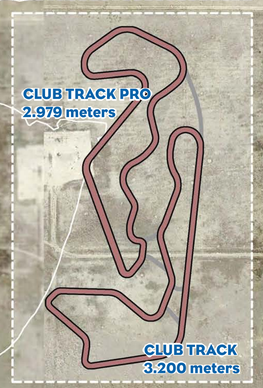
ADR recognizes that not all of these uses will be allowed under the ACDS&R in the A-3 zoning district (by CUP approval or otherwise). As such, ADR understands that implementation of future phases (depending upon their uses and design) may require additional zoning action, such as PUD or rezoning approval. ADR will file those applications at an appropriate time.

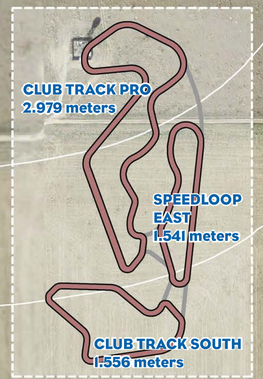
ASCENT DRIVE RESORT COLORADO

SCALE: 1/2500









MAIN ACCESS

CLUB GARAGES

CLUB HOUSE

KART PARKING

INDOOR KART TRACK
(PHASE 2)

EVENT PARKING
AND PADDOCK EXTENSION

FUTURE TRAFFIC
DEVELOPMENT ZONE/
START-UP-R&D CENTER/
DRIVING EDUCATION

TI8

TI9

CLUB PITS

CIK AND RENTAL
KART TRACK

KART STORAGE/
PRIVATE PITS

FUEL STATION

TRACK VILLAS

SOUND BERM

TI6

TI7

CLUB PITLANE

PADDOCK

T3

TI

PITS
(US-CONCEPT)

MAIN PITLANE

DRIVING SAFETY CENTER

T20

SHARED
RACECONTROL

MAIN TRACK: 6.155 meters / 3.82 miles

T24

SC2

TI0

T8

VALLEY WAVE
CORNERS

T9

T4

T2

T23

SCI

T2I

TII

T7

T6

T22

SC5

TI3

SC4

TI2

TI5

SC3

TI4

T5

835 METERS STRAIGHT

HIGH SPEED SHORT CUT

POND
(4 ACRE)

60´ GREEN BELT

NORTH ACCESS
60´ R.O.W.

TEMPORARY EXTENSION

Notes
- Runoff Areas are shown for illustrative purposes only. All run-offs need to be calculated according to FIA/FIM regulations in later planning stages.
- Racetrack road axis need to be confirmed in later planning stages based on complete site investigation.
- Illustrative masterplan preconcept only. Access- and infrastructure situation must be confirmed later.
- Overall safety concept not developed yet.

PRE-CONCEPT DESIGN / SITEPLAN

APRIL 2021

ASCENT DRIVE RESORT

Tilke INGENIEURE & ARCHITEKTEN

DocuSign Envelope ID: 2D102586-1FFE-476B-9CCF-EC80856CD62A

Doc Fee: $56.00

GENERAL WARRANTY DEED

This Deed, made **January 20, 2021**
Between **Dennis E Church and Eileen A Church** of the County **ADAMS**, State of **COLORADO**, grantor(s) and **Tatonka Watkins, LLC, a Colorado Limited Liability Company, a Tenant in Severalty** whose legal address is 518 17th Street Suite 1800 Denver CO 80202 County of Denver, and State of **COLORADO**, grantee..

WITNESS, That the grantor, for and in the consideration of the sum of **FIVE HUNDRED SIXTY THOUSAND DOLLARS AND NO/100'S ($560,000.00)** the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, their heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of **Adams**, State of **Colorado** described as follows:

DS

SEE ATTACHED EXHIBIT A - LEGAL DESCRIPTION

also known by street and number as **Parcel # 0172700000037, Denver, CO**

TOGETHER with all and singular hereditaments and appurtenances, thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the grantor, for himself, his heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantee, his heirs and assigns, that at the time of the ensealing and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind of nature so ever, **except for taxes for the current year, a lien but not yet due and payable, subject to statutory exceptions as defined in CRS 38-30-113, revised.**

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this on the date set forth above.

SELLERS:

Dennis E Church — Eileen A Church

Dennis E Church **Eileen A Church**

STATE OF COLORADO
COUNTY OF ADAMS }ss:

The foregoing instrument was acknowledged, subscribed and sworn to before me **January 18, 2021** by **Dennis E Church and Eileen A Church.**

Witness my hand and official seal.

Notary Public Curtis Kuhl
My Commission expires: 10-5-22

CURTIS KUHL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19984027692
MY COMMISSION EXPIRES 10/05/2022

HTC

DocuSign Envelope ID: 2D102586-1FFE-476B-9CCF-EC80856CD62A

Exhibit "A"

The Southeast Quarter of Section 17, Township 2 South, Range 64 West of the 6th P.M.,
County of Adams,
State of Colorado.

SPECIAL WARRANTY DEED

THIS DEED, Made this **11th** day of **January, 2021** between

Anthony and Kazuko Tu Family Partners, LLLP

of the County of Larimer and State of COLORADO, grantor(s), and

Tatonka Watkins LLC

whose legal address is **518 17th Street #1800 Denver, CO 80202**

of the City and County of Denver, State of Colorado, grantee(s):

WITNESS, That the grantor(s), for and in consideration of the sum of Five Hundred Ninety Thousand Dollars and No/100's **($590,000.00)**, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee(s), his heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Adams, State of COLORADO, described as follows:

The Northeast 1/4 of Section 20, Township 2 South, Range 64 West of the 6th P.M., County of Adams, State of Colorado.
Except the North 40 feet as conveyed to The County of Adams by Deed recorded December 29, 2008 at Reception No. 2008000100164.
County of Adams, State of Colorado.

except water rights appurtenant thereto MLT

also known by street and number as 0 96th Avenue , Watkins, CO 80137

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances except for taxes for the current year, a lien but not yet due and payable, subject to statutory exceptions as defined in CRS 38-30-113, revised.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee(s), his heirs, and assigns forever. The grantor(s), for himself, his heirs and personal representatives or successors, does covenant and agree that he shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee(s), his heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor(s).

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor(s) has executed this deed on the date set forth above.

SELLERS:

Anthony and Kazuko Tu Family Partners, LLLP

Marcia L Tu
Marcia Lynn Tu, General Partner

STATE OF NEW YORK
COUNTY OF QUEENS } ss:

The foregoing instrument was acknowledged before me this 8th day of **January, 2021** by **Marcia L. Tu as General Partner of Anthony and Kazuko Tu Family Partners, LLLP**

Jiju Abraham
Notary Public

Witness my hand and official seal.
My Commission expires:

JIJU ABRAHAM
NOTARY PUBLIC-STATE OF NEW YORK
Reg. No: 01AB6278537
Qualified in Nassau County
My Commission Expires March 25,2021

Anthony and Kazuko Tu Family Partners, LLLP

C. Tu Jr, General Partner

Caroline Tu Farley, General Partner

STATE OF WI
COUNTY OF Dane } ss:

The foregoing instrument was acknowledged before me this 8th day of **January, 2021** by **Caroline Tu Farley as General Partner of Anthony and Kazuko Tu Family Partners, LLLP**

Notary Public

Witness my hand and official seal.
My Commission expires: 3-20-21

Steven Andrew Adams
Notary Public
State of Wisconsin

WILL SERVE LETTER

December 15, 2020

Vermilion Peak Engineering

Re: Electric Service at Parcels 0172700000037 & 0172700000048

Dear Brian Krombein,

This letter is to confirm that Xcel Energy is your utility provider for electrical service. In accordance with our tariffs, on file with and approved by the Colorado Public Utilities Commission, electric facilities can be made available to serve the project at 4970 Monaco St, Unit D, Commerce City 80246.

Your utility service(s) will be provided after the following steps are completed:

- ***Application submitted to Public Service's "Builders Call Line (BCL)"*** – once your application is accepted you will be assigned a design department representative who will be your primary point of contact
- ***Utility design is completed*** – you must provide your design representative with the site plan, the one line diagrams, and panel schedules for electric and gas loads if applicable
- ***All documents provided by design representative are signed and returned***
- ***Payment is received***
- ***Required easements are granted*** - you must sign and return applicable easement documents to your Right-of-Way agent
- ***Site is ready for utility construction***

A scheduled in-service date will be provided once these requirements have been met.

It is important to keep in mind that the terms and conditions of utility service, per our tariffs, require that you provide adequate space and an easement on your property for all gas and electric facilities required to serve your project, including but not limited to gas and electrical lines and meters, transformers, and pedestals. General guidelines for these requirements can be found at Site Requirements. https://www.xcelenergy.com/staticfiles/xe-responsive/Admin/Managed Documents & PDFs/Xcel-Energy-Standard-For-Electric-Installation-and-Use.pdfEasement requirements can be found at Utility Design and Layout.

Xcel Energy looks forward to working with you on your project and if I can be of further assistance, please contact me at the phone number or email listed below.

Sincerely,

Owi Effiongudo
Xcel Energy Planner
720-305-8135

Mailing address: Xcel Energy
1123 W 3rd Ave
Denver, CO 80223

Vermilion Peak Engineering
1745 Shea Center Drive, 4th Floor
Highlands Ranch, Colorado 80129
www.vermilionpeak.com
720-402-6070

December 15, 2020

Adams County
Community & Economic Development
4430 S. Adams County Parkway, Suite W2000
Brighton, CO 80601

Re: Ascent Drive Resort
Suitability for Onsite Wastewater Treatment Facility

Today, I spoke with Jeff McCarron, the water quality specialist in the Commerce City office of the Tri-County Health Department. Mr. McCarron explained to me that Tri-County Health no longer provides any letters or comments at the pre-submittal stage of a project. He stated that comments will be issued as a part of the land use review. If you would like to speak directly to Mr. McCarron about this matter he can be reached at 303-439-5913.

Sincerely,

Brian Krombein, PE, PLS
Vermilion Peak Engineering

COLORADO DIVISION OF WATER RESOURCES
DEPARTMENT OF NATURAL RESOURCES
1313 SHERMAN ST, RM 821, DENVER, CO 80203
Main: (303) 866-3581 dwrpermitsonline@state.co.us

Office Use Only

Form GWS-45 (01/2020)

GENERAL PURPOSE
Water Well Permit Application

Review instructions on reverse side prior to completing form.
The form must be computer generated, typed or in black or blue ink.

1. Applicant Information

Name of applicant
John Austin Akers

Mailing address
518 17th Street, Suite 1800

City	State	Zip code
Denver	CO	80202

Telephone # (area code & number)	E-mail (online filing required)
720-644-6997	aakers@bisonog.com

2. Type Of Application (check applicable boxes)

- [x] Construct new well
- [ ] Use existing well
- [ ] Replace existing well
- [ ] Change or increase use
- [ ] Change source (aquifer)
- [ ] Reapplication (expired permit)
- [ ] COGCC Well
- [ ] Other: _____

3. Refer To (if applicable)

Well permit #	Water Court case #
Designated Basin Determination #	**Well name or #**

4. Location Of Proposed Well

County: Adams

NE 1/4 of the NE 1/4

Section	Township	N or S	Range	E or W	Principal Meridian
20	2	[ ] N [x] S	64	[ ] E [x] W	6th

Distance of well from section lines (section lines are typically not property lines)
1300 Ft. from [x] N [ ] S 120 Ft. from [ ] E [x] W

For replacement wells only – distance and direction from old well to new well
feet direction

Well location address (Include City, State, Zip) [ ] Check if well address is same as in Item 1.
none

Optional: GPS well location information in UTM format You must check GPS unit for required settings as follows:

Format must be UTM
[ ] Zone 12 or [x] Zone 13
Units must be Meters
Datum must be NAD83
Unit must be set to true north
Was GPS unit checked for above? [ ] YES

Easting 326011
Northing 1741745
Remember to set Datum to NAD83

5. Parcel On Which Well Will Be Located
(PLEASE ATTACH A CURRENT DEED FOR THE SUBJECT PARCEL)

A. Legal Description (may be provided as an attachment):
The NE 1/4, Section 20, T2S, R64W, 6th P.M., except the north 40 feet, County of Adams, State of Colorado.

B. # of acres in parcel	C. Owner
159	Tatonka Watkins LLC

D. Will this be the only well on this parcel? [x] YES [ ] NO (if no list other wells)

E. State Parcel ID# (optional):
0172700000048

6. Use Of Well (check applicable boxes)

Attach a detailed description of uses applied for.

- [ ] Industrial
- [ ] Municipal
- [ ] Irrigation
- [x] Commercial
- [ ] Dewatering System
- [ ] Geothermal (production or reinjection
- [ ] Other (describe): _____

7. Well Data (proposed)

Maximum pumping rate	Annual amount to be withdrawn
100 gpm	10 acre-feet
Total depth	**Aquifer**
? feet	?

8. Land On Which Ground Water Will Be Used

Legal Description of Land (may be provided as an attachment):
Please see attachment

(If used for crop irrigation, attach a scaled map that shows irrigated area.)

A. # Acres	B. Owner
396.96	See attachment

C. List any other wells or water rights used on this land:

9. Proposed Well Driller License #(optional):

10. Sign or Entered Name Of Applicant(s) Or Authorized Agent

The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104 (13)(a). I have read the statements herein, know the contents thereof and state that they are true to my knowledge.

Sign or enter name(s) of person(s) submitting application	Date (mm/dd/yyyy)
	04/22/2021

If signing print name and title
John Austin Akers, Managing Member

Office Use Only

USGS map name	DWR map no.	Surface elev.

Receipt area only

AQUAMAP
WE
WR
CWCB
TOPO
MYLAR
SB5

DIV _____ WD _____ BA _____ MD _____

Parcel #1 Detail:
SECT,TWN,RNG:20-2-64 DESC: NE4 EXC THE N 40 FT FOR RD 160A
Parcel: 0172700000048
Acres: 159
Owner: Tatonka Watkins, LLC
John Austin Akers, Managing Member

Parcel #2 Detail:
SECT,TWN,RNG:17-2-64 DESC: SE4
Parcel: 0172700000037
Acres: 160
Owner: Tatonka Watkins, LLC
John Austin Akers, Managing Member

Parcel #3 Details:
A PORTION OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT SAID NORTHEAST CORNER OF SECTION 17; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE EAST LINE OF SAID NORTHEAST 1/4 A DISTANCE OF 39.50 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG A LINE 40.00 FEET WESTERLY OF AND PARALLEL WITH SAID EAST LINE A DISTANCE OF 1336.99 FEET; THENCE NORTH 89 DEGREES 13 MINUTES 38 SECONDS WEST A DISTANCE OF 1270.96 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 50 SECONDS EAST A DISTANCE OF 1336.01 FEET; THENCE SOUTH 89 DEGREES 16 MINUTES 15 SECONDS EAST ALONG A LINE 40.00 FEET SOUTHERLY OF AND PARALEL WITH THE NORTH LINE OF SAID NORTHEAST 1/4 A DISTANCE OF 1270.13 FEET TO THE POINT OF BEGINNING.

Parcel: 0172717100004
Acres: 38.979
Owner: Sidetrack LLC
John Austin Akers, Managing Member

Parcel #4 Details:
A PORTION OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT SAID NORTHEAST CORNER OF SECTION 17; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE EAST LINE A DISTANCE OF 1376.49 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG A LINE 40.00 FEET WESTERLY OF AND PARALLEL WITH SAID EAST LINE A DISTANCE OF 1274.66 FEET TO THE SOUTH LINE OF SAID NORTHEAST 1/4; THENCE NORTH 89 DEGREES 11 MINUTES 02 SECONDS WEST ALONG SAID SOUTH LINE A DISTANCE OF 1301.55 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 50 SECONDS EAST A

DISTANCE OF 2609.66 FEET; THENCE SOUTH 89 DEGREES 16 MINUTES 15 SECONDS EAST ALONG A LINE 40.00 FEET SOUTHERLY OF AND PARALLEL WITH SAID NORTH LINE OF THE NORTHEAST 1/4 A DISTANCE OF 30.00 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 50 SECONDS WEST A DISTANCE OF 1336.01 FEET; THENCE SOUTH 89 DEGREES 13 MINUTES 38 SECONDS EAST A DISTANCE OF 1270.86 FEET TO THE POINT OF BEGINNING.

Parcel: 0172717100003
Acres: 38.983
Owner: Sidetrack LLC
John Austin Akers, Managing Member

State Documentary Fee
Date 4/16/21
$ 20.00

PERSONAL REPRESENTATIVE'S DEED (*Testate Estate)*

THIS DEED is made by ANDREA KATHERINE HERR, as the Personal Representative of the Estate of Jacob Frederick Herr, deceased, **Grantor,** to

SIDETRACK, LLC, A COLORADO LIMITED LIABILITY COMPANY, whose legal address is 518 17th Street, Suite 1800, Denver, CO 80202, **Grantee.**

WHEREAS, the above named decedent died Intestate in Arapahoe County, Colorado, on the 23rd day of December, 2020.

WHEREAS, the Grantor was duly appointed as the Personal Representatives of the said Estate by the Probate Court in and for the County of Arapahoe, State of Colorado, Probate No. 21PR30003 on the 4th day of January, 2021.

NOW THEREFORE, pursuant to the powers conferred upon Grantor by the Colorado Probate Code, Grantor do hereby convey, assign, transfer and release unto Grantee, as the party entitled to distribution, 100% interest in the real property in the proportions mentioned above and described below of Arapahoe County, State of Colorado, to wit:

See Attached Exhibit A.

also known as: ~~10333 QUAIL RUN ROAD~~ **(VACANT LAND), Bennett, CO 80102,** with all appurtenances, subject to covenants, easements and restrictions of record, and subject to general property taxes for the year 2021.

EXECUTED this 16 day of April, 2021

Andrea Katherine Herr
Andrea Katherine Herr, Personal Representative of the Estate of Jacob Frederick Herr, Deceased

STATE OF COLORADO
COUNTY OF Arapahoe

The foregoing instrument was acknowledged before me on this 16 day of April, 2021, by Andrea Katherine Herr as the Personal Representative of the Estate of Frederick Jacob Herr, Deceased. Witness my hand and official seal.

My Commission Expires: 6.10.24

Notary Public for the State of Colorado

MALLORY M SALAK
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20044019960
My Commission Expires: June 10, 2024

Land Title GUARANTEE COMPANY

EXHIBIT A

PARCEL A:

A PORTION OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT SAID NORTHEAST CORNER OF SECTION 17; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE EAST LINE OF SAID NORTHEAST 1/4 A DISTANCE OF 39.50 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG A LINE 40.00 FEET WESTERLY OF AND PARALLEL WITH SAID EAST LINE A DISTANCE OF 1336.99 FEET; THENCE NORTH 89 DEGREES 13 MINUTES 38 SECONDS WEST A DISTANCE OF 1270.96 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 50 SECONDS EAST A DISTANCE OF 1336.01 FEET; THENCE SOUTH 89 DEGREES 16 MINUTES 15 SECONDS EAST ALONG A LINE 40.00 FEET SOUTHERLY OF AND PARALEL WITH THE NORTH LINE OF SAID NORTHEAST 1/4 A DISTANCE OF 1270.13 FEET TO THE POINT OF BEGINNING.

PARCEL B:

A PORTION OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT SAID NORTHEAST CORNER OF SECTION 17; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE EAST LINE A DISTANCE OF 1376.49 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG A LINE 40.00 FEET WESTERLY OF AND PARALLEL WITH SAID EAST LINE A DISTANCE OF 1274.66 FEET TO THE SOUTH LINE OF SAID NORTHEAST 1/4; THENCE NORTH 89 DEGREES 11 MINUTES 02 SECONDS WEST ALONG SAID SOUTH LINE A DISTANCE OF 1301.55 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 50 SECONDS EAST A DISTANCE OF 2609.66 FEET; THENCE SOUTH 89 DEGREES 16 MINUTES 15 SECONDS EAST ALONG A LINE 40.00 FEET SOUTHERLY OF AND PARALLEL WITH SAID NORTH LINE OF THE NORTHEAST 1/4 A DISTANCE OF 30.00 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 50 SECONDS WEST A DISTANCE OF 1336.01 FEET; THENCE SOUTH 89 DEGREES 13 MINUTES 38 SECONDS EAST A DISTANCE OF 1270.86 FEET TO THE POINT OF BEGINNING.

DocuSign Envelope ID: 2D102586-1FFE-476B-9CCF-EC80856CD62A

Doc Fee: $56.00

GENERAL WARRANTY DEED

This Deed, made **January 20, 2021**
Between **Dennis E Church and Eileen A Church** of the County **ADAMS**, State of **COLORADO**, grantor(s) and **Tatonka Watkins, LLC, a Colorado Limited Liability Company, a Tenant in Severalty** whose legal address is 518 17th Street Suite 1800 Denver CO 80202 County of Denver, and State of **COLORADO**, grantee..

WITNESS, That the grantor, for and in the consideration of the sum of **FIVE HUNDRED SIXTY THOUSAND DOLLARS AND NO/100'S ($560,000.00)** the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, their heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of **Adams**, State of **Colorado** described as follows:

DS

SEE ATTACHED EXHIBIT A - LEGAL DESCRIPTION

also known by street and number as **Parcel # 0172700000037, Denver, CO**

TOGETHER with all and singular hereditaments and appurtenances, thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the grantor, for himself, his heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantee, his heirs and assigns, that at the time of the ensealing and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind of nature so ever, **except for taxes for the current year, a lien but not yet due and payable, subject to statutory exceptions as defined in CRS 38-30-113, revised.**

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this on the date set forth above.

SELLERS:

Dennis E Church — Eileen A Church

Dennis E Church **Eileen A Church**

STATE OF COLORADO
COUNTY OF ADAMS }ss:

The foregoing instrument was acknowledged, subscribed and sworn to before me **January 18, 2021** by **Dennis E Church and Eileen A Church.**

Witness my hand and official seal.

Notary Public Curtis Kuhl
My Commission expires: 10-5-22

CURTIS KUHL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19984027692
MY COMMISSION EXPIRES 10/05/2022

HTC

DocuSign Envelope ID: 2D102586-1FFE-476B-9CCF-EC80856CD62A

Exhibit "A"

The Southeast Quarter of Section 17, Township 2 South, Range 64 West of the 6th P.M.,
County of Adams,
State of Colorado.

SPECIAL WARRANTY DEED

THIS DEED, Made this **11th** day of **January, 2021** between

Anthony and Kazuko Tu Family Partners, LLLP

of the County of Larimer and State of COLORADO, grantor(s), and

Tatonka Watkins LLC

whose legal address is **518 17th Street #1800 Denver, CO 80202**

of the City and County of Denver, State of Colorado, grantee(s):

WITNESS, That the grantor(s), for and in consideration of the sum of Five Hundred Ninety Thousand Dollars and No/100's **($590,000.00)**, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee(s), his heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Adams, State of COLORADO, described as follows:

The Northeast 1/4 of Section 20, Township 2 South, Range 64 West of the 6th P.M., County of Adams, State of Colorado.
Except the North 40 feet as conveyed to The County of Adams by Deed recorded December 29, 2008 at Reception No. 2008000100164.
County of Adams, State of Colorado.

except water rights appurtenant thereto MLT

also known by street and number as 0 96th Avenue , Watkins, CO 80137

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances except for taxes for the current year, a lien but not yet due and payable, subject to statutory exceptions as defined in CRS 38-30-113, revised.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee(s), his heirs, and assigns forever. The grantor(s), for himself, his heirs and personal representatives or successors, does covenant and agree that he shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee(s), his heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor(s).

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor(s) has executed this deed on the date set forth above.

SELLERS:

Anthony and Kazuko Tu Family Partners, LLLP

Marcia L Tu
Marcia Lynn Tu, General Partner

STATE OF NEW YORK
COUNTY OF QUEENS } ss:

The foregoing instrument was acknowledged before me this 8th day of **January, 2021** by **Marcia L. Tu as General Partner of Anthony and Kazuko Tu Family Partners, LLLP**

Jiju Abraham
Notary Public

Witness my hand and official seal.
My Commission expires:

JIJU ABRAHAM
NOTARY PUBLIC-STATE OF NEW YORK
Reg. No: 01AB6278537
Qualified in Nassau County
My Commission Expires March 25,2021

Anthony and Kazuko Tu Family Partners, LLLP

C. Tu Jr, General Partner

Caroline Tu Farley, General Partner

STATE OF WI
COUNTY OF Dane } ss:

The foregoing instrument was acknowledged before me this 8th day of **January, 2021** by **Caroline Tu Farley as General Partner of Anthony and Kazuko Tu Family Partners, LLLP**

Notary Public

Witness my hand and official seal.
My Commission expires: 3-20-21

Steven Andrew Adams
Notary Public
State of Wisconsin

Legal Description:

The SE 1/4 of Section 17, Township 2 South, Range 64 West of the 6th P.M., County of Adams, State of Colorado,

Together with:

The NE 1/4 of Section 20, Township 2 South, Range 64 West of the 6th P.M., County of Adams, State of Colorado,
Except the north 40 feet as conveyed to the County of Adams by deed recorded December 29, 2008 at Reception No. 2008000100164, County of Adams, State of Colorado.

Statement Of Taxes Due

Account Number R0080462
Parcel 0172700000037

Assessed To
CHURCH DENNIS E AND
C/O:CHURCH EILEEN A
650 3RD ST
BENNETT, CO 80102-8002

Legal Description
SECT,TWN,RNG:17-2-64 DESC: SE4 160A

Situs Address
0

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2020	$621.00	$0.00	$0.00	($621.00)	$0.00
Total Tax Charge					$0.00
Grand Total Due as of 05/26/2021					**$0.00**

Tax Billed at 2020 Rates for Tax Area 351 - 351

Authority	Mill Levy	Amount
RANGEVIEW LIBRARY DISTRICT	3.6700000	$24.41
FIRE DISTRICT 7 - BENNETT	13.0700000	$86.92
GENERAL	22.7730000	$151.42
RETIREMENT	0.3140000	$2.09
ROAD/BRIDGE	1.3000000	$8.65
DEVELOPMENTALLY DISABLED	0.2570000	$1.71
SD 27 BOND (Brighton)	22.0690000	$146.76
SD 27 GENERAL (Brighton)	26.6760000*	$177.40
URBAN DRAINAGE SOUTH PLATTE	0.1000000	$0.67
URBAN DRAINAGE & FLOOD CONT	0.9000000	$5.99
SOCIAL SERVICES	2.2530000	$14.98
Taxes Billed 2020	93.3820000	$621.00

* Credit Levy

Values	Actual	Assessed
AG DRY FARMING LAND	$22,928	$6,650
Total	$22,928	$6,650

Tax amounts are subject to change due to endorsement, advertising, or fees.
Please call the office to confirm amount due after August 1st.

All Tax Lien Redemption payments must be made with cash or cashier's check.

Adams County Treasurer & Public Trustee
4430 S Adams County Parkway, Suite W1000
Brighton, CO 80601
720-523-6160

Statement Of Taxes Due

Account Number R0080470
Parcel 0172700000048

Assessed To
ANTHONY AND KAZUKO TU FAMILY PARTNERS
C/O:LLLP
360 MANOR RD
LITTLE NECK, NY 11363-1116

Legal Description	Situs Address
SECT,TWN,RNG:20-2-64 DESC: NE4 EXC THE N 40 FT FOR RD 160A	0

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2020	$594.84	$0.00	$0.00	($594.84)	$0.00
Total Tax Charge					$0.00
Grand Total Due as of 05/26/2021					**$0.00**

Tax Billed at 2020 Rates for Tax Area 351 - 351

Authority	Mill Levy	Amount
RANGEVIEW LIBRARY DISTRICT	3.6700000	$23.38
FIRE DISTRICT 7 - BENNETT	13.0700000	$83.26
GENERAL	22.7730000	$145.05
RETIREMENT	0.3140000	$2.00
ROAD/BRIDGE	1.3000000	$8.28
DEVELOPMENTALLY DISABLED	0.2570000	$1.64
SD 27 BOND (Brighton)	22.0690000	$140.58
SD 27 GENERAL (Brighton)	26.6760000*	$169.93
URBAN DRAINAGE SOUTH PLATTE	0.1000000	$0.64
URBAN DRAINAGE & FLOOD CONT	0.9000000	$5.73
SOCIAL SERVICES	2.2530000	$14.35
Taxes Billed 2020	93.3820000	$594.84

* Credit Levy

Values	Actual	Assessed
AG DRY FARMING LAND	$21,970	$6,370
Total	$21,970	$6,370

Tax amounts are subject to change due to endorsement, advertising, or fees.
Please call the office to confirm amount due after August 1st.

All Tax Lien Redemption payments must be made with cash or cashier's check.

Adams County Treasurer & Public Trustee
4430 S Adams County Parkway, Suite W1000
Brighton, CO 80601
720-523-6160

ALDRIDGE TRANSPORTATION CONSULTANTS, LLC

Advanced Transportation Planning and Traffic Engineering

John M.W. Aldridge, PE
Colorado Licensed Professional Engineer

1082 Chimney Rock Road
Highlands Ranch, **CO 80126**
303-703-9112
Cell: 303-594-4132
Email: john@atceng.com

April 8, 2021

Mr. Shane Wells
Apex Builders, LLC
6123 Buffalo Run
Littleton, CO 80125

RE: Transportation Impact Study
Ascent Drive Resort -- Adams County, CO

Dear Mr. Wells:

Aldridge Transportation Consultants (ATC) is pleased to present this traffic impact study regarding the proposed development of the Ascent Drive Resort located on 96th Ave. one-half mile east of Imboden Road in rural Adams County. Figure 1 shows the location of the project and relationship to DIA and the Metro area.

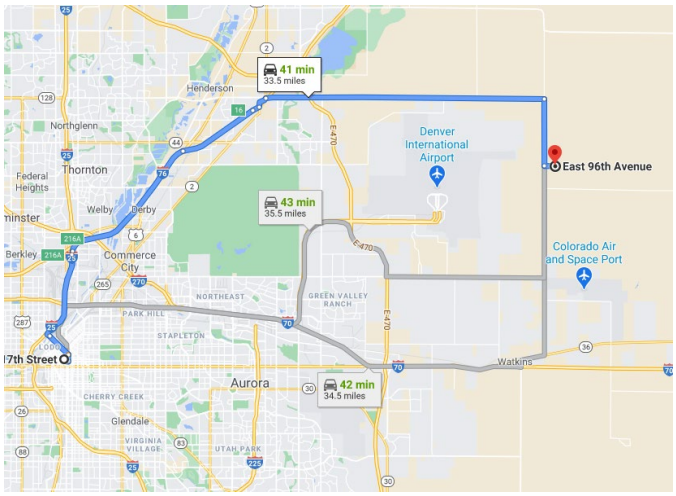


Figure 1 Site Location

This traffic impact study has been prepared in accord with Chapter 8 of the Adams County Development Standards and Regulations. It is a Level 2 TIS based on the average daily trip generation of more than 50 but less than 500 vehicle trips per day.

PROJECT OVERVIEW

Ascent Drive Resort is a private membership and semi-public use motorsport destination with opportunities for research & development, education and outdoor entertainment. Ascent Drive Resort will have 4 full-time staff, and 5 part-time staff on site on an average weekday. Approximately 10-30 club members may use the facility on a typical weekday.

The site is located on 96th Ave. on the east side of Imboden Road. It covers about 320 acres. The site is currently zoned A-3 for agricultural use. The proposed zoning is PUD. Figure 2 shows the location of the site and surrounding area which is predominately agriculture and a smattering of larger homesteads. There are no known other development proposals in the vicinity of the resort.

Figure 2 Site and Surrounding Area

Figure 3 shows the proposed layout of the track and associated facilities.

EXISTING TRAFFIC CONDITIONS

Imboden Road is a rural arterial. It is a paved two-lane roadway that carries 631 trips per day according to the Adams County Transportation Plan and recent traffic counts on the Adams County website. 96th Ave. is classified as a rural collector west of Imboden Road. It is not a maintained county road to the east and dead ends at the site. On the west side it is unpaved and although there are no recorded traffic counts it is doubtful that it carries more than 100 vpd. The intersection of Imboden Road and 96th Ave. is two-way stop-sign controlled (there are no stop signs on the westbound approach). The 2035 forecasts in the Adams County Transportation Plan show a fairly substantial increase in traffic. North of 120th Ave. the increase goes from 300 vpd to 2,000 vpd. Widening from two to four lanes is not indicated by these increases. Forecasts for 96th Ave. were not provided in the plan.

Figure 3 Site and Track Layout (north is to the right)

PROPOSED PROJECT TRAFFIC

The following table presents the probable trip generation for the project on an average weekday. The estimates are based on data provided by the owners as there are no comparable observations in the ITE Trip Generation Manual. The ADT for staff assumes some trips for mail, garbarge, and other deliveries.

Trip Generation Worksheet

ITE Code	Land Use	Unit	Quantity	ADT	AM In	AM Out	PM In	PM Out
Owner	Drive Resort	Staff	9	**24**	**10**	**2**	**2**	**10**
Owner	Drive Resort	Members	30	**60**	**5**	**5**	**5**	**5**
	Total Trips			**84**	**15**	**7**	**7**	**15**

In terms of trip distribution, it is likely that the majority (60 percent) of the trips will come northbound on Imboden Road via 56th Ave. or I-70/US-36. Zero trips from eastbound 96th and possibly 40 percent from the north via 104 Ave. were assumed.

PROJECT IMPACTS

The increase in daily traffic on Imboden Road is marginal 84 vpd raising the volume from its current 631 vpd to 715 vph. In terms of LOS this is too small to be measured meaninfully. Likewise the peak hour impacts on the intersection at Imboden Road and 96th Ave. are insignificant. It will operate at LOS A in all conditions.

A left turn deceleration lane is required when the left turn in movement is greater than 10 vph and the speed limit is greater than 40 mph (posted at 55 mph). In this case, though, the left turn is less than 10 at approximately 6 vph. In the 20th design year, Imboden Road is planned to become a Principal Arterial with a cross-section of 140 feet including an 18 foot center median. This is not likely to be any time prior to 2040. But when it occurs, the reconstruction may well include a left turn pocket in the landscaped median. No other auxiliary lanes including a right turn in deceleration lane meet the threshold volume.

The entering sight distance requirement for a posted 55 mph roadway assuming a design speed of 60 mph, is 575 feet per AASHTO and Chapter 7 of the Adams County Roadway Design and Construction Standards. The terrain is mostly level in this section of Imboden Road and the sight distance is adequate.

Site improvements include paving of the entry road (96th Ave.) and stop sign control at Imboden Road. A south access will be provided for emergency purposes.

FINDINGS AND RECOMMENDATIONS

Based on the analysis herein, it is my professional opinion that the traffic generated by the Ascent Drive Resort is minimal and can be absorbed and function harmoniously with the adjacent streets and intersections. No improvements to the intersections and roadways are necessary to mitigate the impact. In the future, when the County improves Imboden Road to a Principal Arterial, then consideration should be given to a left turn deceleration lane with in the landscaped median.

Respectfully submitted,
Aldridge Transportation Consultants, LLC

John M.W. Aldridge, PE
Principal

ATC is professional service firm specializing in traffic engineering and transportation planning. ATC's principal, John M.W. Aldridge, is a Colorado licensed professional engineer. In the past 20 years, ATC has prepared over 1,200 traffic impact studies, designed over 100 traffic signals, and has provided expert witness testimony on engineering design and access issues on multi-million-dollar interchange and highway projects in Kansas and Colorado.

Community & Economic
Development Department
www.adcogov.org

ADAMS COUNTY
COLORADO

4430 South Adams County Parkway
1st Floor, Suite W2000
Brighton, CO 80601-8204
PHONE 720.523.6800
FAX 720.523.6998

Application Type:

☐ Conceptual Review	☐ Preliminary PUD	☐ Temporary Use
☐ Subdivision, Preliminary	☐ Final PUD	☐ Variance
☐ Subdivision, Final	☐ Rezone	☐ Conditional Use
☐ Plat Correction/ Vacation	☐ Special Use	☒ Other: ROW Vacation

PROJECT NAME: Ascent Drive Resort

APPLICANT

Name(s): John Austin Akers Phone #: 720-644-6997

Address: 518 17th Street, Suite 1800

City, State, Zip: Denver, CO 80202

2nd Phone #: Email: austin@ascentdriveresort.com; abigail@ascentdriveresort.com

---

OWNER

Name(s): Tatonka Watkins LLC Phone #: 720-644-6997

Address: 518 17th Street, Suite 1800

City, State, Zip: Denver, CO 80202

2nd Phone #: Email: aakers@bisonog.com; awenk@bisonog.com

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

Name: Brian Krombein Phone #: 720-402-6070

Address: 1745 Shea Center Drive, 4th Floor

City, State, Zip: Highlands Ranch, CO 80129

2nd Phone #: Email: brian2@vermilionpeak.com

Add'l Tech. Rep.: Todd Messenger, Esq., Fairfield and Woods, P.C., 1801 California St., Ste. 2600, Denver, CO 80202
office: (303) 894-4469; email: tmessenger@fwlaw.com

DESCRIPTION OF SITE

Address:	
City, State, Zip:	
Area (acres or square feet):	319
Tax Assessor Parcel Number	017270000048 and 017270000037
Existing Zoning:	A3
Existing Land Use:	Agricultural
Proposed Land Use:	Recreation

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

If Yes, please list PRE#: PRE2021-00009

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

Name: John Austin Akers Date: 7/2/2021

Owner's Printed Name

Name:

Owner's Signature

Written Explanation of the Project

A. Overview of the Proposed Project

The applicant, Ascent Drive Resort ("ADR"), seeks is seeking vacation of the 40-foot wide right-of-way for East 96th Avenue. The vacation application is filed concurrently with ADR's conditional use permit ("CUP") application for outdoor recreation on a roughly 319-acre parcel of land (two quarter-sections) ("SITE") zoned A-3, located East of Denver International Airport ("DEN").

The Parcel ID numbers of the Site are 0172700000048 and 0172700000037. The Site is bounded by Quail Run Road on the East and bisected by undeveloped right-of-way for East 96th Avenue (on the section line between Sections 17 and 20, Township 2 South, Range 64 West of the 6th PM). The unimproved right-of-way for 96th Avenue (40 feet in width) bisects the Site and inhibits its development for the intended conditional use.

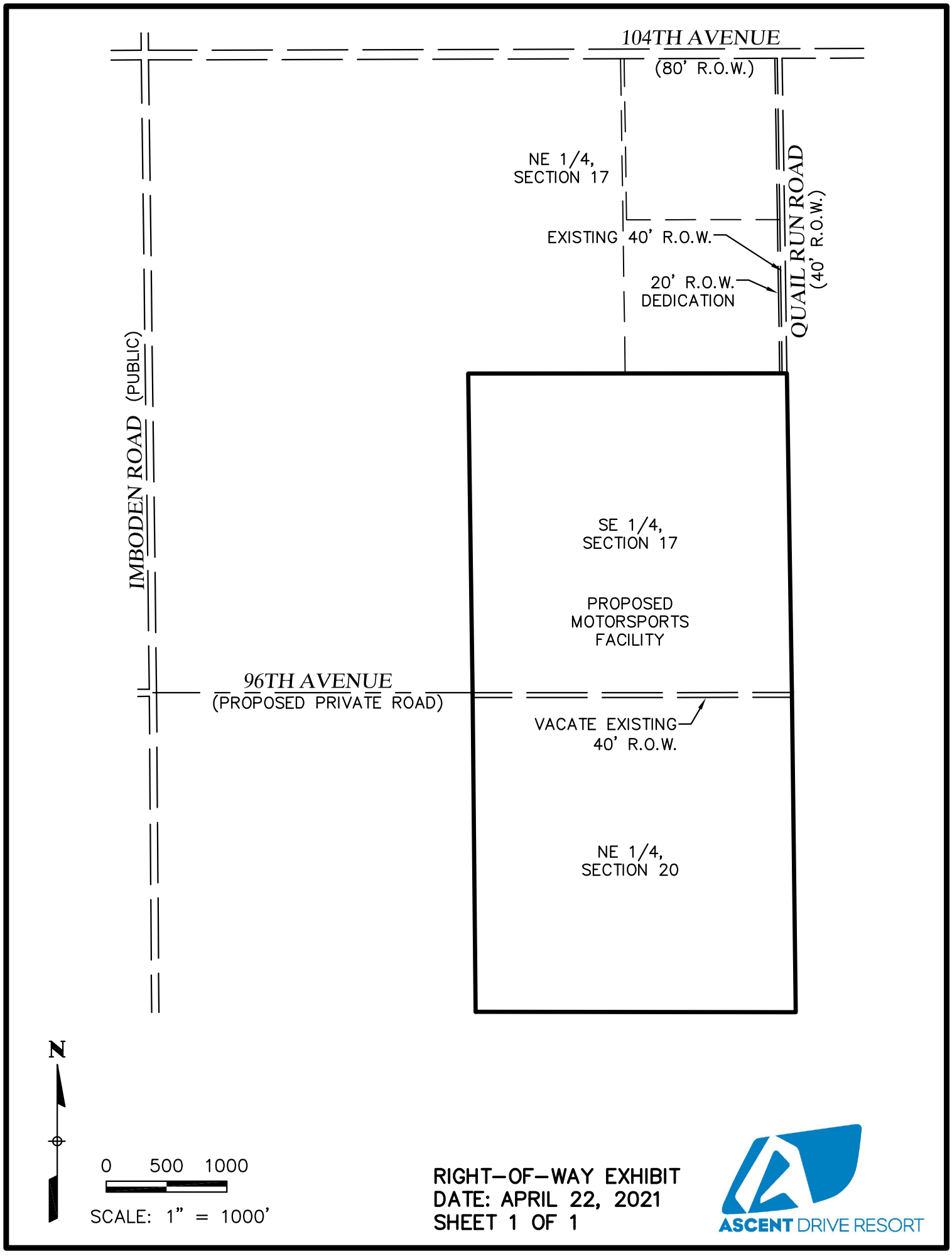
B. Compliance with Standards

The request complies with the standards of Adams County Development Standards and Regulations ("ACDS&R") section 2-02-18-08-05, in that:

1. The requested roadway vacation complies with the applicable requirements of the ACDS&R, and will not create any nonconforming lots.
2. The vacation is in keeping with the purpose and intent of the subdivision regulations. Alternative access will be provided around the subject property.
3. The vacation will not adversely affect the public health, safety, and welfare.
4. The vacation will not leave any land adjoining the roadway without an established public road or private access easement connecting the land with another public roadway.
5. The roadway is not a state or federal highway.

C. Mineral Notice Not Required.

The request is not an "application for development" as defined by C.R.S. 24-65.5-102(2)(a), and therefore mineral notices are not required



RIGHT-OF-WAY EXHIBIT
DATE: APRIL 22, 2021
SHEET 1 OF 1

ASCENT DRIVE RESORT

ASCENT DRIVE RESORT VACATION PLAT

THE NE 1/4 OF SECTION 20

TOWNSHIP 2 SOUTH, RANGE 64 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO

PURPOSE STATEMENT

THIS VACATION PLAT HAS BEEN PREPARED TO VACATE THE EXISTING PUBLIC RIGHT-OF-WAY FOR E. 96TH AVENUE WHICH CURRENTLY EXISTS OVER THE MOST NORTHERLY 40 FEET OF THE NE 1/4 OF SECTION 20.

CERTIFICATE OF OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS THAT TATONKA WATKINS, LLC., BEING THE SOLE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND:

THE NORTHEAST ONE-QUARTER OF SECTION 20, TOWNSHIP 2 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO;

HAS BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO ONE LOT AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF ASCENT DRIVE RESORT VACATION PLAT.

_____

BY: JOHN AUSTIN AKERS DATE

STATE OF COLORADO)
) SS
COUNTY OF _____)

THE FOREGOING OWNERSHIP CERTIFICATE WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20___.

_____

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

ATTORNEY'S CERTIFICATE

I, _____, AN ATTORNEY AT LAW LICENSED TO PRACTICE IN THE STATE OF COLORADO CERTIFY THAT THE OWNER AND SUBDIVIDER DEDICATING ANY STREET, EASEMENT, ALLEY, TRACT, PUBLIC WAY OR RIGHT-OF-WAY HEREON OWNS THEM IN FEE SIMPLE, FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES.

_____

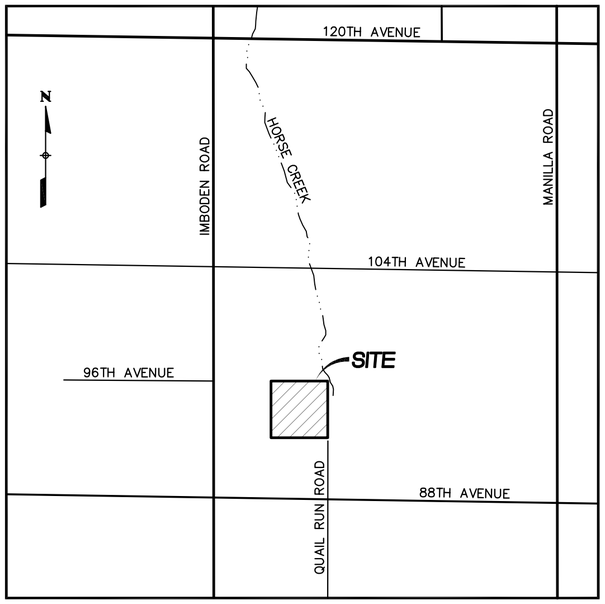
BY DATE

SURVEYOR CERTIFICATE

I BRIAN KROMBEIN, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS LAYOUT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE MONUMENTS HEREON ACTUALLY EXIST AS LOCATED AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE CORRECT.

_____

BRIAN KROMBEIN, PE, PLS DATE
COLORADO PLS NO. 38344
FOR AND ON BEHALF OF
VERMILION PEAK ENGINEERING LLC



VICINITY MAP
SCALE: 1"=5000'

INDEX OF SHEETS

COVER SHEET	SHEET 1
PLAT EXHIBIT	SHEET 2

GENERAL NOTES

1. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
2. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED ON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREIN.
3. BASIS OF BEARINGS: THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 2 SOUTH, RANGE 64 WEST OF THE 6TH P.M., BEING MONUMENTED AS SHOWN HEREON, IS ASSUMED TO BEAR N89°56'43"E. ALL OTHER BEARINGS ARE RELATIVE THERETO.
4. ACCORDING TO FEMA FLOOD INSURANCE RATE MAPS 08001C0680J AND 08001C0390J, BOTH DATED SEPTEMBER 28, 2016, THIS PROPERTY LIES WITHIN ZONE X, WHICH IS DEFINED AS, "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".
5. BENCHMARK: NGS MONUMENT "G-457", PID DH9143, BEING A STEEL ROD ENCASED IN FLANGE. ELEVATION: 5305.44 FEET (NAVD88 DATUM)
6. RESERVING, HOWEVER, AN EASEMENT FOR THE CONTINUED USE OF EXISTING SEWER, GAS, WATER AND SIMILAR PIPELINES AND APPURTENANCES, AND FOR ELECTRIC, TELEPHONE, AND SIMILAR LINES AND APPURTENANCES WITHIN SAID STREET RIGHT-OF-WAY.

STAFF REVIEW

APPROVED AS TO FORM BY:

_____
DIRECTOR OF PLANNING

_____
COUNTY ATTORNEY

PLANNING COMMISSION APPROVAL:

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

_____
CHAIRMAN

BOARD OF COUNTY COMMISSIONERS APPROVAL:

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

_____
CHAIRMAN

CLERK AND RECORDER CERTIFICATE:

THIS VACATION PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER IN THE STATE OF COLORADO AT __.M. ON THE ___ DAY OF _____, 20___.

_____
COUNTY CLERK AND RECORDER

BY DEPUTY: _____

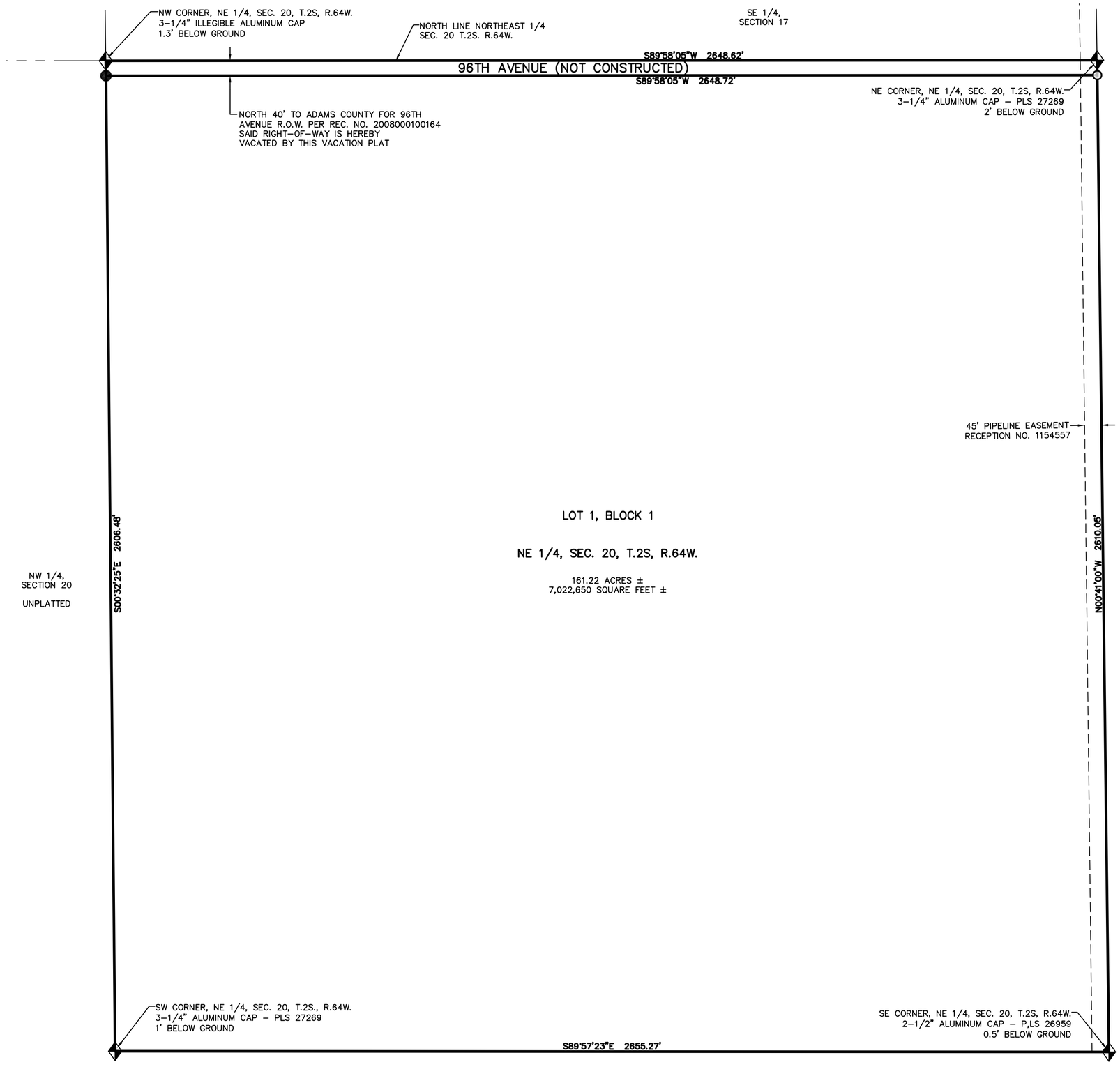
COVER SHEET
ASCENT DRIVE RESORT
JOB NO. 20025
DATE: JULY 2, 2021
SHEET 1 OF 2

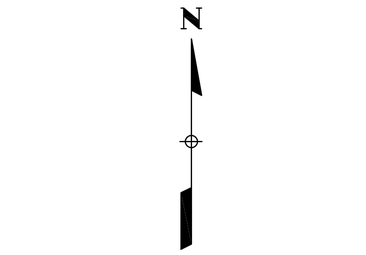
Vermilion Peak Engineering
Civil Engineering & Land Surveying
1745 Shea Center Drive, 4th Floor
Highlands Ranch, CO 80129
720-402-6070 / vermilionpeak.com

ASCENT DRIVE RESORT VACATION PLAT

THE NE 1/4 OF SECTION 20

TOWNSHIP 2 SOUTH, RANGE 64 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO





SCALE: 1" = 200'

LEGEND

PLAT BOUNDARY	———
SECTION LINE	—— – – ——
EXISTING EASEMENT	– – – – – – –
SECTION CORNER AS DESCRIBED	◆
5/8" REBAR & CAP - PLS 33178	●
5/8" REBAR & ILLEGIBLE CAP	○

PLAT EXHIBIT
ASCENT DRIVE RESORT
JOB NO. 20025
DATE: JULY 2, 2021
SHEET 2 OF 2

Vermilion Peak Engineering
Civil Engineering & Land Surveying
1745 Shea Center Drive, 4th Floor
Highlands Ranch, CO 80129
720-402-6070 / vermilionpeak.com

SPECIAL WARRANTY DEED

THIS DEED, Made this **11th** day of **January, 2021** between

Anthony and Kazuko Tu Family Partners, LLLP

of the County of Larimer and State of COLORADO, grantor(s), and

Tatonka Watkins LLC

whose legal address is **518 17th Street #1800 Denver, CO 80202**

of the City and County of Denver, State of Colorado, grantee(s):

WITNESS, That the grantor(s), for and in consideration of the sum of Five Hundred Ninety Thousand Dollars and No/100's **($590,000.00)**, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee(s), his heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Adams, State of COLORADO, described as follows:

The Northeast 1/4 of Section 20, Township 2 South, Range 64 West of the 6th P.M., County of Adams, State of Colorado.
Except the North 40 feet as conveyed to The County of Adams by Deed recorded December 29, 2008 at Reception No. 2008000100164.
County of Adams, State of Colorado.

except water rights appurtenant thereto MLT

also known by street and number as 0 96th Avenue , Watkins, CO 80137

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances except for taxes for the current year, a lien but not yet due and payable, subject to statutory exceptions as defined in CRS 38-30-113, revised.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee(s), his heirs, and assigns forever. The grantor(s), for himself, his heirs and personal representatives or successors, does covenant and agree that he shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee(s), his heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor(s).

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor(s) has executed this deed on the date set forth above.

SELLERS:

Anthony and Kazuko Tu Family Partners, LLLP

Marcia L Tu
Marcia Lynn Tu, General Partner

STATE OF NEW YORK
COUNTY OF QUEENS } ss:

The foregoing instrument was acknowledged before me this 8th day of **January, 2021** by **Marcia L. Tu as General Partner of Anthony and Kazuko Tu Family Partners, LLLP**

Jiju Abraham
Notary Public

Witness my hand and official seal.
My Commission expires:

JIJU ABRAHAM
NOTARY PUBLIC-STATE OF NEW YORK
Reg. No: 01AB6278537
Qualified in Nassau County
My Commission Expires March 25,2021

Anthony and Kazuko Tu Family Partners, LLLP

C. Tu Jr, General Partner

Caroline Tu Farley, General Partner

STATE OF WI
COUNTY OF Dane } ss:

The foregoing instrument was acknowledged before me this 8th day of **January, 2021** by **Caroline Tu Farley as General Partner of Anthony and Kazuko Tu Family Partners, LLLP**

Notary Public

Witness my hand and official seal.
My Commission expires: 3-20-21

Steven Andrew Adams
Notary Public
State of Wisconsin

Vermilion Peak Engineering
1745 Shea Center Drive, 4th Floor
Highlands Ranch, Colorado 80129
www.vermilionpeak.com
720-402-6070

December 15, 2020

Adams County
Community & Economic Development
4430 S. Adams County Parkway, Suite W2000
Brighton, CO 80601

Re: Ascent Drive Resort
Suitability for Onsite Wastewater Treatment Facility

Today, I spoke with Jeff McCarron, the water quality specialist in the Commerce City office of the Tri-County Health Department. Mr. McCarron explained to me that Tri-County Health no longer provides any letters or comments at the pre-submittal stage of a project. He stated that comments will be issued as a part of the land use review. If you would like to speak directly to Mr. McCarron about this matter he can be reached at 303-439-5913.

Sincerely,

Brian Krombein, PE, PLS
Vermilion Peak Engineering

COLORADO DIVISION OF WATER RESOURCES
DEPARTMENT OF NATURAL RESOURCES
1313 SHERMAN ST, RM 821, DENVER, CO 80203
Main: (303) 866-3581 dwrpermitsonline@state.co.us

Office Use Only

Form GWS-45 (01/2020)

GENERAL PURPOSE
Water Well Permit Application

Review instructions on reverse side prior to completing form.
The form must be computer generated, typed or in black or blue ink.

1. Applicant Information

Name of applicant
John Austin Akers

Mailing address
518 17th Street, Suite 1800

City	State	Zip code
Denver	CO	80202

Telephone # (area code & number)	E-mail (online filing required)
720-644-6997	aakers@bisonog.com

2. Type Of Application (check applicable boxes)

- [x] Construct new well
- [ ] Use existing well
- [ ] Replace existing well
- [ ] Change or increase use
- [ ] Change source (aquifer)
- [ ] Reapplication (expired permit)
- [ ] COGCC Well
- [ ] Other: _____

3. Refer To (if applicable)

Well permit #	Water Court case #
Designated Basin Determination #	**Well name or #**

4. Location Of Proposed Well

County: Adams

NE 1/4 of the NE 1/4

Section	Township	N or S	Range	E or W	Principal Meridian
20	2	[ ] N [x] S	64	[ ] E [x] W	6th

Distance of well from section lines (section lines are typically not property lines)
1300 Ft. from [x] N [ ] S 120 Ft. from [ ] E [x] W

For replacement wells only – distance and direction from old well to new well
feet direction

Well location address (Include City, State, Zip) [ ] Check if well address is same as in Item 1.
none

Optional: GPS well location information in UTM format You must check GPS unit for required settings as follows:

Format must be UTM
[ ] Zone 12 or [x] Zone 13
Units must be Meters
Datum must be NAD83
Unit must be set to true north
Was GPS unit checked for above? [ ] YES

Easting 326011
Northing 1741745
Remember to set Datum to NAD83

5. Parcel On Which Well Will Be Located
(PLEASE ATTACH A CURRENT DEED FOR THE SUBJECT PARCEL)

A. Legal Description (may be provided as an attachment):
The NE 1/4, Section 20, T2S, R64W, 6th P.M., except the north 40 feet, County of Adams, State of Colorado.

B. # of acres in parcel	C. Owner
159	Tatonka Watkins LLC

D. Will this be the only well on this parcel? [x] YES [ ] NO (if no list other wells)

E. State Parcel ID# (optional):
0172700000048

6. Use Of Well (check applicable boxes)

Attach a detailed description of uses applied for.

- [ ] Industrial
- [ ] Municipal
- [ ] Irrigation
- [x] Commercial
- [ ] Dewatering System
- [ ] Geothermal (production or reinjection
- [ ] Other (describe): _____

7. Well Data (proposed)

Maximum pumping rate	Annual amount to be withdrawn
100 gpm	10 acre-feet
Total depth	**Aquifer**
? feet	?

8. Land On Which Ground Water Will Be Used

Legal Description of Land (may be provided as an attachment):
Please see attachment

(If used for crop irrigation, attach a scaled map that shows irrigated area.)

A. # Acres	B. Owner
396.96	See attachment

C. List any other wells or water rights used on this land:

9. Proposed Well Driller License #(optional):

10. Sign or Entered Name Of Applicant(s) Or Authorized Agent

The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104 (13)(a). I have read the statements herein, know the contents thereof and state that they are true to my knowledge.

Sign or enter name(s) of person(s) submitting application	Date (mm/dd/yyyy)
	04/22/2021

If signing print name and title
John Austin Akers, Managing Member

Office Use Only

USGS map name	DWR map no.	Surface elev.

Receipt area only

AQUAMAP
WE
WR
CWCB
TOPO
MYLAR
SB5

DIV _____ WD _____ BA _____ MD _____

Parcel #1 Detail:
SECT,TWN,RNG:20-2-64 DESC: NE4 EXC THE N 40 FT FOR RD 160A
Parcel: 0172700000048
Acres: 159
Owner: Tatonka Watkins, LLC
John Austin Akers, Managing Member

Parcel #2 Detail:
SECT,TWN,RNG:17-2-64 DESC: SE4
Parcel: 0172700000037
Acres: 160
Owner: Tatonka Watkins, LLC
John Austin Akers, Managing Member

Parcel #3 Details:
A PORTION OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT SAID NORTHEAST CORNER OF SECTION 17; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE EAST LINE OF SAID NORTHEAST 1/4 A DISTANCE OF 39.50 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG A LINE 40.00 FEET WESTERLY OF AND PARALLEL WITH SAID EAST LINE A DISTANCE OF 1336.99 FEET; THENCE NORTH 89 DEGREES 13 MINUTES 38 SECONDS WEST A DISTANCE OF 1270.96 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 50 SECONDS EAST A DISTANCE OF 1336.01 FEET; THENCE SOUTH 89 DEGREES 16 MINUTES 15 SECONDS EAST ALONG A LINE 40.00 FEET SOUTHERLY OF AND PARALEL WITH THE NORTH LINE OF SAID NORTHEAST 1/4 A DISTANCE OF 1270.13 FEET TO THE POINT OF BEGINNING.

Parcel: 0172717100004
Acres: 38.979
Owner: Sidetrack LLC
John Austin Akers, Managing Member

Parcel #4 Details:
A PORTION OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT SAID NORTHEAST CORNER OF SECTION 17; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE EAST LINE A DISTANCE OF 1376.49 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG A LINE 40.00 FEET WESTERLY OF AND PARALLEL WITH SAID EAST LINE A DISTANCE OF 1274.66 FEET TO THE SOUTH LINE OF SAID NORTHEAST 1/4; THENCE NORTH 89 DEGREES 11 MINUTES 02 SECONDS WEST ALONG SAID SOUTH LINE A DISTANCE OF 1301.55 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 50 SECONDS EAST A

DISTANCE OF 2609.66 FEET; THENCE SOUTH 89 DEGREES 16 MINUTES 15 SECONDS EAST ALONG A LINE 40.00 FEET SOUTHERLY OF AND PARALLEL WITH SAID NORTH LINE OF THE NORTHEAST 1/4 A DISTANCE OF 30.00 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 50 SECONDS WEST A DISTANCE OF 1336.01 FEET; THENCE SOUTH 89 DEGREES 13 MINUTES 38 SECONDS EAST A DISTANCE OF 1270.86 FEET TO THE POINT OF BEGINNING.

Parcel: 0172717100003
Acres: 38.983
Owner: Sidetrack LLC
John Austin Akers, Managing Member

State Documentary Fee
Date 4/16/21
$ 20.00

PERSONAL REPRESENTATIVE'S DEED (*Testate Estate)*

THIS DEED is made by ANDREA KATHERINE HERR, as the Personal Representative of the Estate of Jacob Frederick Herr, deceased, **Grantor,** to

SIDETRACK, LLC, A COLORADO LIMITED LIABILITY COMPANY, whose legal address is 518 17th Street, Suite 1800, Denver, CO 80202, **Grantee.**

WHEREAS, the above named decedent died Intestate in Arapahoe County, Colorado, on the 23rd day of December, 2020.

WHEREAS, the Grantor was duly appointed as the Personal Representatives of the said Estate by the Probate Court in and for the County of Arapahoe, State of Colorado, Probate No. 21PR30003 on the 4th day of January, 2021.

NOW THEREFORE, pursuant to the powers conferred upon Grantor by the Colorado Probate Code, Grantor do hereby convey, assign, transfer and release unto Grantee, as the party entitled to distribution, 100% interest in the real property in the proportions mentioned above and described below of Arapahoe County, State of Colorado, to wit:

See Attached Exhibit A.

also known as: ~~10333 QUAIL RUN ROAD~~ **(VACANT LAND), Bennett, CO 80102,** with all appurtenances, subject to covenants, easements and restrictions of record, and subject to general property taxes for the year 2021.

EXECUTED this 16 day of April, 2021

Andrea Katherine Herr
Andrea Katherine Herr, Personal Representative of the Estate of Jacob Frederick Herr, Deceased

STATE OF COLORADO
COUNTY OF Arapahoe

The foregoing instrument was acknowledged before me on this 16 day of April, 2021, by Andrea Katherine Herr as the Personal Representative of the Estate of Frederick Jacob Herr, Deceased. Witness my hand and official seal.

My Commission Expires: 6.10.24

Notary Public for the State of Colorado

MALLORY M SALAK
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20044019960
My Commission Expires: June 10, 2024

Land Title GUARANTEE COMPANY

EXHIBIT A

PARCEL A:

A PORTION OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT SAID NORTHEAST CORNER OF SECTION 17; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE EAST LINE OF SAID NORTHEAST 1/4 A DISTANCE OF 39.50 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG A LINE 40.00 FEET WESTERLY OF AND PARALLEL WITH SAID EAST LINE A DISTANCE OF 1336.99 FEET; THENCE NORTH 89 DEGREES 13 MINUTES 38 SECONDS WEST A DISTANCE OF 1270.96 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 50 SECONDS EAST A DISTANCE OF 1336.01 FEET; THENCE SOUTH 89 DEGREES 16 MINUTES 15 SECONDS EAST ALONG A LINE 40.00 FEET SOUTHERLY OF AND PARALEL WITH THE NORTH LINE OF SAID NORTHEAST 1/4 A DISTANCE OF 1270.13 FEET TO THE POINT OF BEGINNING.

PARCEL B:

A PORTION OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT SAID NORTHEAST CORNER OF SECTION 17; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE EAST LINE A DISTANCE OF 1376.49 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG A LINE 40.00 FEET WESTERLY OF AND PARALLEL WITH SAID EAST LINE A DISTANCE OF 1274.66 FEET TO THE SOUTH LINE OF SAID NORTHEAST 1/4; THENCE NORTH 89 DEGREES 11 MINUTES 02 SECONDS WEST ALONG SAID SOUTH LINE A DISTANCE OF 1301.55 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 50 SECONDS EAST A DISTANCE OF 2609.66 FEET; THENCE SOUTH 89 DEGREES 16 MINUTES 15 SECONDS EAST ALONG A LINE 40.00 FEET SOUTHERLY OF AND PARALLEL WITH SAID NORTH LINE OF THE NORTHEAST 1/4 A DISTANCE OF 30.00 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 50 SECONDS WEST A DISTANCE OF 1336.01 FEET; THENCE SOUTH 89 DEGREES 13 MINUTES 38 SECONDS EAST A DISTANCE OF 1270.86 FEET TO THE POINT OF BEGINNING.

DocuSign Envelope ID: 2D102586-1FFE-476B-9CCF-EC80856CD62A

Doc Fee: $56.00

GENERAL WARRANTY DEED

This Deed, made **January 20, 2021**
Between **Dennis E Church and Eileen A Church** of the County **ADAMS**, State of **COLORADO**, grantor(s) and **Tatonka Watkins, LLC, a Colorado Limited Liability Company, a Tenant in Severalty** whose legal address is 518 17th Street Suite 1800 Denver CO 80202 County of Denver, and State of **COLORADO**, grantee..

WITNESS, That the grantor, for and in the consideration of the sum of **FIVE HUNDRED SIXTY THOUSAND DOLLARS AND NO/100'S ($560,000.00)** the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, their heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of **Adams**, State of **Colorado** described as follows:

DS

SEE ATTACHED EXHIBIT A - LEGAL DESCRIPTION

also known by street and number as **Parcel # 0172700000037, Denver, CO**

TOGETHER with all and singular hereditaments and appurtenances, thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the grantor, for himself, his heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantee, his heirs and assigns, that at the time of the ensealing and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind of nature so ever, **except for taxes for the current year, a lien but not yet due and payable, subject to statutory exceptions as defined in CRS 38-30-113, revised.**

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this on the date set forth above.

SELLERS:

Dennis E Church — Eileen A Church

Dennis E Church **Eileen A Church**

STATE OF COLORADO
COUNTY OF ADAMS }ss:

The foregoing instrument was acknowledged, subscribed and sworn to before me **January 18, 2021** by **Dennis E Church and Eileen A Church.**

Witness my hand and official seal.

Notary Public Curtis Kuhl
My Commission expires: 10-5-22

CURTIS KUHL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19984027692
MY COMMISSION EXPIRES 10/05/2022

HTC

DocuSign Envelope ID: 2D102586-1FFE-476B-9CCF-EC80856CD62A

Exhibit "A"

The Southeast Quarter of Section 17, Township 2 South, Range 64 West of the 6th P.M.,
County of Adams,
State of Colorado.

SPECIAL WARRANTY DEED

THIS DEED, Made this **11th** day of **January, 2021** between

Anthony and Kazuko Tu Family Partners, LLLP

of the County of Larimer and State of COLORADO, grantor(s), and

Tatonka Watkins LLC

whose legal address is **518 17th Street #1800 Denver, CO 80202**

of the City and County of Denver, State of Colorado, grantee(s):

WITNESS, That the grantor(s), for and in consideration of the sum of Five Hundred Ninety Thousand Dollars and No/100's **($590,000.00)**, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee(s), his heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Adams, State of COLORADO, described as follows:

The Northeast 1/4 of Section 20, Township 2 South, Range 64 West of the 6th P.M., County of Adams, State of Colorado.
Except the North 40 feet as conveyed to The County of Adams by Deed recorded December 29, 2008 at Reception No. 2008000100164.
County of Adams, State of Colorado.

except water rights appurtenant thereto MLT

also known by street and number as 0 96th Avenue , Watkins, CO 80137

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances except for taxes for the current year, a lien but not yet due and payable, subject to statutory exceptions as defined in CRS 38-30-113, revised.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee(s), his heirs, and assigns forever. The grantor(s), for himself, his heirs and personal representatives or successors, does covenant and agree that he shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee(s), his heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor(s).

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor(s) has executed this deed on the date set forth above.

SELLERS:

Anthony and Kazuko Tu Family Partners, LLLP

Marcia L Tu
Marcia Lynn Tu, General Partner

STATE OF NEW YORK
COUNTY OF QUEENS } ss:

The foregoing instrument was acknowledged before me this 8th day of **January, 2021** by **Marcia L. Tu as General Partner of Anthony and Kazuko Tu Family Partners, LLLP**

Jiju Abraham
Notary Public

Witness my hand and official seal.
My Commission expires:

JIJU ABRAHAM
NOTARY PUBLIC-STATE OF NEW YORK
Reg. No: 01AB6278537
Qualified in Nassau County
My Commission Expires March 25,2021

Anthony and Kazuko Tu Family Partners, LLLP

C. Tu Jr, General Partner

Caroline Tu Farley, General Partner

STATE OF WI
COUNTY OF Dane } ss:

The foregoing instrument was acknowledged before me this 8th day of **January, 2021** by **Caroline Tu Farley as General Partner of Anthony and Kazuko Tu Family Partners, LLLP**

Notary Public

Witness my hand and official seal.
My Commission expires: 3-20-21

Steven Andrew Adams
Notary Public
State of Wisconsin

Statement Of Taxes Due

Account Number R0080470
Parcel 0172700000048

Assessed To
ANTHONY AND KAZUKO TU FAMILY PARTNERS
C/O:LLLP
360 MANOR RD
LITTLE NECK, NY 11363-1116

Legal Description	Situs Address
SECT,TWN,RNG:20-2-64 DESC: NE4 EXC THE N 40 FT FOR RD 160A	0

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2020	$594.84	$0.00	$0.00	($594.84)	$0.00
Total Tax Charge					$0.00
Grand Total Due as of 05/26/2021					**$0.00**

Tax Billed at 2020 Rates for Tax Area 351 - 351

Authority	Mill Levy	Amount
RANGEVIEW LIBRARY DISTRICT	3.6700000	$23.38
FIRE DISTRICT 7 - BENNETT	13.0700000	$83.26
GENERAL	22.7730000	$145.05
RETIREMENT	0.3140000	$2.00
ROAD/BRIDGE	1.3000000	$8.28
DEVELOPMENTALLY DISABLED	0.2570000	$1.64
SD 27 BOND (Brighton)	22.0690000	$140.58
SD 27 GENERAL (Brighton)	26.6760000*	$169.93
URBAN DRAINAGE SOUTH PLATTE	0.1000000	$0.64
URBAN DRAINAGE & FLOOD CONT	0.9000000	$5.73
SOCIAL SERVICES	2.2530000	$14.35
Taxes Billed 2020	93.3820000	$594.84

* Credit Levy

Values	Actual	Assessed
AG DRY FARMING LAND	$21,970	$6,370
Total	$21,970	$6,370

Tax amounts are subject to change due to endorsement, advertising, or fees.
Please call the office to confirm amount due after August 1st.

All Tax Lien Redemption payments must be made with cash or cashier's check.

Adams County Treasurer & Public Trustee
4430 S Adams County Parkway, Suite W1000
Brighton, CO 80601
720-523-6160

Ascent Drive Resort Vacation Plat

Legal Description:

The northeast one-quarter of Section 20, Township 2 South, Range 64 West of the 6th P.M., County of Adams, State of Colorado.