

After Recording, Return to:
WHITE BEAR ANKELE TANAKA & WALDRON
2154 East Commons Avenue, Suite 2000
Centennial, Colorado 80122

Resolution No. 2023-11-12

**RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
FIRELIGHT IRRIGATION METROPOLITAN DISTRICT**

**CONCERNING THE IMPOSITION OF VARIOUS FEES, RATES, PENALTIES AND
CHARGES FOR NON-POTABLE WATER SERVICES AND FACILITIES**

WHEREAS, the Firelight Irrigation Metropolitan District (the “**District**”) was formed pursuant to §§ 32-1-101, *et seq.*, C.R.S., as amended (the “**Special District Act**”), by order of the District Court for Weld County, Colorado, and after approval of the District’s eligible electors at an election; and

WHEREAS, pursuant to § 32-1-1001(1)(h), C.R.S., the Board of Directors of the District (the “**Board**”) shall have the management, control, and supervision of all the business and affairs of the District; and

WHEREAS, the Board has determined it to be in the best interests of the District, and the property owners, taxpayers, and residents of the District, to acquire, construct, operate and maintain certain amenities and facilities benefitting property and inhabitants within the District, which amenities and facilities generally include non-potable water improvements, facilities, appurtenances and rights-of-way (collectively, the “**Facilities**”); and

WHEREAS, the Board has determined it to be in the best interests of the District, and the property owners, taxpayers, and residents of the District, to provide certain non-potable water services to property and inhabitants within and without the boundaries of the District (collectively, the “**Services**”); and

WHEREAS, pursuant to § 32-1-1001(1)(j)(I), C.R.S., the District is authorized to fix and impose fees, rates, tolls, penalties and charges for services or facilities furnished by the District which, until such fees, rates, tolls, penalties and charges are paid, shall constitute a perpetual lien on and against the property served; and

WHEREAS, the District incurs certain direct and indirect costs associated with the acquisition, construction, installation, repair, replacement, improvement, reconstruction operation and maintenance of the Facilities, as necessary, inclusive of the costs of utilities and capital replacement costs (collectively, the “**Facility Costs**”) in order that the Facilities may be properly provided and maintained; and

WHEREAS, the District incurs certain direct and indirect costs associated with the provision of the Services in order that the Services may be properly provided, the property within

and without the District maintained, and that the health, safety and welfare of the District, its users and its inhabitants may be safeguarded (collectively, the “**Service Costs**”); and

WHEREAS, the establishment and continuation of fair and equitable fees and charges (collectively, the “**Fees and Charges**”) to provide a source of funding to pay for the Facility Costs and the Service Costs, (collectively, the “**Costs**”), which Costs are generally attributable to the persons and/or properties subject to such Fees and Charges, is necessary to provide for the common good and for the prosperity and general welfare of the District and its inhabitants and for the orderly and uniform administration of the District’s affairs; and

WHEREAS, pursuant to § 32-1-1006(1)(g), C.R.S., the District is empowered to fix and from time to time increase or decrease tap fees; and

WHEREAS, the establishment of a fair and equitable fee (the “**Water Tap Fee**”) to provide a source of funding to pay for the initial capital direct and indirect costs associated with the construction, installation and acquisition of the Facilities (the “**Capital Facilities Costs**”), which Capital Facilities Costs are generally attributable to each Lot and Commercial Lot (defined below), is necessary to provide for the common good and for the prosperity and general welfare of the District, its users and its inhabitants; and

WHEREAS, the establishment of a fair and equitable fee (the “**Water Resource Fee**”) to provide a source of funding to pay for the initial capital direct and indirect costs associated with the water rights acquisition (the “**Water Resource Costs**”), which Water Resource Costs are generally attributable to each Lot and Commercial Lot (defined below), is necessary to provide for the common good and for the prosperity and general welfare of the District, its users and its inhabitants; and

WHEREAS, pursuant to § 32-1-1001(2), C.R.S., the Board, as a governing body furnishing domestic water or sanitary sewer services directly to residents and property owners within or outside of the District, may fix or increase fees, rates, tolls, penalties or charges for domestic water or sanitary sewer services only after consideration of the action at a public meeting held at least thirty (30) days after providing notice stating that the action is being considered and stating the date, time and place of the meeting at which the action is being considered; and

WHEREAS, pursuant to § 32-1-1001(2)(a)(III), C.R.S., on October 2, 2023, the Board provided the required thirty (30) days’ notice to the residents and property owners within and outside of the District by posting the information on the official website of the District, a link to which is on the official website of the Division of Local Government; and

WHEREAS, pursuant to § 32-1-1001(2)(a)(IV), C.R.S., on October 3, 2023, the Board provided the required (30) days’ notice by posting the notice on the official website of the Colorado Special District Association, the statewide association of special districts forms pursuant to § 29-1-401, C.R.S., which association posted the notice of a publicly accessible section of its website; and

WHEREAS, the District finds that the Fees and Charges, Water Tap Fee, and Water Resource Fee, as set forth in this Resolution, are reasonably related to the overall cost of paying the Capital Facilities Costs and Water Resource Costs, and that imposition thereof is necessary and appropriate.

NOW, THEREFORE, be it resolved by the Board as follows:

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

“**Commercial Lot**” means each Lot, regardless of the number of Commercial Units thereon, within the District Boundaries that is used and/or zoned for general commercial, industrial, office, retail or other non-residential uses.

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

“**District Boundaries**” means the legal boundaries of the District, as the same are established and amended from time to time pursuant to §§ 32-1-101, *et seq.*, C.R.S., as well as properties outside of the District’s legal boundaries which receive service from the District, all as more particularly set forth in the map and legal description attached hereto as **Exhibit B** and incorporated herein by this reference.

“**Due Date**” means the date by which the Fees and Charges and Tap Fee are due, which Due Date is reflected on the Schedule of Fees.

“**End User**” means any third-party homeowner or tenant of any homeowner occupying or intending to occupy a Residential Unit or a Commercial Unit.

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

“**Lot**” means each parcel of land established by a recorded final subdivision plat and which is located within the District Boundaries.

“**Property Owner**” shall include all owners of real property, customers, users, residents, leaseholders and other recipients of District services.

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

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

“**Vacant Lot**” means each parcel of land within the District established by a recorded final subdivision plat, but specifically excluding any parcel upon which one or more Residential Units or Commercial Units are situated and specifically excluding any parcel owned by the District.

2. THE FEES AND CHARGES.

a. Service Fees and Charges. The Board has determined, and does hereby determine, that it is in the best interests of the District and its respective residents, users and property owners to impose, and does hereby impose the Fees and Charges set forth in the Schedule of Fees and Charges to fund the Costs. The Fees and Charges are hereby established and imposed in an amount as set forth by the District from time to time pursuant to an annual “Fee Schedule” and shall constitute the rate in effect until such schedule is amended or repealed. The initial Fee Schedule is set forth in **Exhibit A**, attached hereto and incorporated herein by this reference.

b. The Board has determined, and does hereby determine, that the Fees and Charges are reasonably related to the overall cost of providing the Facilities and Services, and is imposed on those who are reasonably likely to benefit from or use the Facilities and Services.

3. WATER TAP FEE. A one-time Water Tap Fee is hereby established and imposed upon each Residential Unit and each Commercial Unit within the District Boundaries in the amounts set forth in the Schedule of Fees and Charges.

4. WATER RESOURCE FEE. A one-time Water Resource Fee is hereby established and imposed upon each Residential Unit and each Commercial Unit within the District Boundaries in the amounts set forth in the Schedule of Fees and Charges.

5. LATE FEES AND INTEREST. Pursuant to § 29-1-1102(3), C.R.S., any Fees and Charges, Water Tap Fee, and Water Resource Fee not paid in full within fifteen (15) days after the scheduled due date will be assessed a late fee in the amount of Fifteen Dollars (\$15.00) or up to five percent (5%) per month, or fraction thereof, not to exceed a total of twenty-five percent (25%) of the amount due. Interest will also accrue on any outstanding Fees and Charges, Water Tap Fee, and Water Resource Fee exclusive of assessed late fees, penalties, interest and any other costs of collection, specially including, but not limited, to attorney fees, at the rate of 1% per annum, pursuant to § 32-1-1006(1)(d), C.R.S. The District may institute such remedies and collection procedures as authorized under Colorado law, including, but not limited to, foreclosure of its perpetual lien. The defaulting property owner shall pay all fees and costs, specifically including, but not limited to, attorneys’ fees and costs and costs associated with the collection of delinquent fees, incurred by the District and/or its consultants in connection with the foregoing.

6. PAYMENT. Payment for all fees, rates, tolls, penalties, charges, interest and attorney fees shall be made by check or equivalent form acceptable to the District, made payable to “Firelight Irrigation Metropolitan District” and sent to the address indicated on the Fee Schedule. The District may change the payment address from time to time and such change shall not require an amendment to this Resolution.

7. LIEN. The fees imposed hereunder, together with any and all late fees, interest, penalties and costs of collection, shall, until paid, constitute a statutory, perpetual lien on and against the property served, and any such lien may be foreclosed in the manner provided by the laws of the State of Colorado for the foreclosure of mechanic’s liens, pursuant to § 32-1-1001(1)(j)(I), C.R.S. Said lien may be foreclosed at such time as the District, in its sole discretion, may determine. The lien shall be perpetual in nature (as defined by the laws of the State of Colorado) on the property and shall run with the land. This Resolution shall be recorded in the offices of the Clerk and Recorder of Weld County, Colorado.

8. CERTIFICATION OF ACCOUNT TO COUNTY TREASURER. Pursuant to §32-1-1101(1)(e), C.R.S., the Board may elect to certify any delinquent account and late fees satisfying the criteria established therein to the Weld County Treasurer for collection with the District’s *ad valorem* property taxes. The certification process may be in addition to or in lieu of any procedures set forth in this Resolution in the Board’s sole discretion. The fees for the certification process shall be in accordance with Colorado law and Weld County policy.

9. SHUT OFF OR DISCONTINUATION OF SERVICE. Pursuant to § 32-1-1006(1)(d), C.R.S., the Board may elect to shut off or discontinue water service for delinquencies. The shut off or discontinuation of service may be in addition to or in lieu of any procedures set forth in this Resolution in the Board’s sole discretion. The fees associated with the shut off or discontinuation of service as set forth in the Schedule of Fees and Charges.

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


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

12. EFFECTIVE DATE. This Resolution shall become effective as of November 13, 2023.

[Remainder of Page Intentionally Left Blank. Signature Page to Follow].


ADOPTED this 13th day of November 2023.

FIRELIGHT IRRIGATION METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado

DocuSigned by:


CC: 704F25D9E11743E
Officer of the District


ATTEST:

DocuSigned by:


2330926B9FDB4B1...

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys At Law

DocuSigned by:


B99ED4482911403
General Counsel to the District

Signature page to Resolution Concerning the Imposition of Various Fees and Charges for Non-Potable Water Services and Facilities

EXHIBIT A
FIRELIGHT IRRIGATION METROPOLITAN DISTRICT
Schedule of Fees and Charges
Effective November 13, 2023

WATER TAP FEE

This fee is a one-time contribution per meter capacity ratio for new connections to each Residential Unit and each Commercial Unit to be used for the Capital Facilities Costs.

Meter Size	Meter Safe Operating Capacity (GPM)	Meter Capacity Ratio	Water Tap Fee
¾	20	1	\$14,710
1"	50	1.67	\$24,520
1.5"	100	3.33	\$49,030
2"	160	6.67	\$78,450

WATER RESOURCE FEE

This fee is a one-time contribution per meter capacity ratio for each Residential Unit and each Commercial Unit to be used for the Water Resource Costs.

Meter Size	Meter Safe Operating Capacity (GPM)	Meter Capacity Ratio	Water Resource Fee
¾	20	1	\$4,325
1"	50	1.67	\$7,240
1.5"	100	3.33	\$14,480
2"	160	6.67	\$23,170

PAYMENTS: Payment for each fee shall be made payable to the Firelight Irrigation Metropolitan District and sent to the following address for receipt by the Due Date:

Firelight Irrigation Metropolitan District
c/o Public Alliance, LLC
405 Urban Street, Unit 310
Lakewood, CO 80228

EXHIBIT B

FIRELIGHT IRRIGATION METROPOLITAN DISTRICT

District Boundaries

PARCEL DESCRIPTIONS SITUATED IN SECTION 5, T2N, R68W, 6TH P.M. COUNTY OF WELD, STATE OF COLORADO														
<u>LEGAL DESCRIPTION - FIRELIGHT RESIDENTIAL PARCEL</u>														
A PORTION OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF FIRESTONE, COUNTY OF WELD, STATE OF COLORADO, ALSO BEING A PORTION OF LOT A & B RECORDED EXEMPTION NO. 1313-05-3-RE-2794 RECORDED AT RECEPTION NO. 3841084, WELD COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:														
BASIS OF BEARINGS: BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, MONUMENTED AT THE SOUTH END BY A 3-1/4" ALUMINUM CAP, ILLEGIBLE, AND AT THE NORTH END BY A 2" ALUMINUM CAP STAMPED "1994 LS 35937". SAID WEST LINE BEARS NORTH 00°44'38" EAST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;														
COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 5;														
THENCE ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER SOUTH 89°29'45" EAST 60.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF FAIRVIEW STREET, ALSO BEING THE NORTHWEST CORNER OF SAID RECORDED EXEMPTION, AND THE POINT OF BEGINNING;														
THENCE CONTINUING ALONG SAID NORTH LINE AND ALONG THE NORTH LINE OF SAID RECORDED EXEMPTION SOUTH 89°29'45" EAST 1195.77 FEET TO THE NORTHEAST CORNER OF SAID RECORDED EXEMPTION;														
THENCE DEPARTING SAID NORTH LINES AND ALONG THE EAST LINE OF SAID RECORDED EXEMPTION SOUTH 00°45'54" WEST 1382.55 FEET;														
THENCE DEPARTING SAID EAST LINE NORTH 89°14'06" WEST 136.35 FEET;														
THENCE NORTH 54°16'16" WEST 53.45 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 270.00 FEET AND A CENTER WHICH BEARS NORTH 57°35'22" WEST;														
THENCE 2.95 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 0°37'31";														
THENCE SOUTH 33°02'09" WEST 100.00 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 210.00 FEET;														
THENCE 118.28 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 32°16'14";														
THENCE SOUTH 00°45'54" WEST 60.00 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 58.00 FEET;														
THENCE 91.11 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00";														
THENCE NORTH 89°14'06" WEST 115.00 FEET;														
(CONTINUED ON SHEET 2)														
FIRELIGHT RESIDENTIAL PARCEL														
SEC. 5 T2N, R68W, 6TH P.M. WELD COUNTY, COLORADO	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">DATE:</td> <td style="padding: 2px;">03/04/2022</td> </tr> <tr> <td style="padding: 2px;">DRAWN:</td> <td style="padding: 2px;">TWK</td> </tr> <tr> <td style="padding: 2px;">CHECKED:</td> <td style="padding: 2px;">MLP</td> </tr> <tr> <td style="padding: 2px;">JOB NO.:</td> <td style="padding: 2px;">20003029</td> </tr> </table>	DATE:	03/04/2022	DRAWN:	TWK	CHECKED:	MLP	JOB NO.:	20003029	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">SHT.</td> <td style="padding: 2px;">1</td> </tr> <tr> <td style="padding: 2px;">OF</td> <td style="padding: 2px;">3</td> </tr> </table>	SHT.	1	OF	3
DATE:	03/04/2022													
DRAWN:	TWK													
CHECKED:	MLP													
JOB NO.:	20003029													
SHT.	1													
OF	3													
ATWELL <small>866.650.4200 www.atwell-group.com 143 UNION BOULEVARD, SUITE 700 LAKEWOOD, CO 80228 303.462.1100</small>														

K:\1800353\OWDS\5-100\18003533_RESIDENTIAL PARCEL.dwg DISTRICT 2 3/4/2022 1:17:19 PM

PARCEL DESCRIPTIONS
 SITUATED IN SECTION 5, T2N, R68W, 6TH P.M.
 COUNTY OF WELD, STATE OF COLORADO

(CONTINUED FROM SHEET 1)

THENCE SOUTH 00°45'54" WEST 110.00 FEET;
 THENCE NORTH 89°14'06" WEST 205.00 FEET;
 THENCE SOUTH 00°45'54" WEST 33.29 FEET;
 THENCE NORTH 89°14'06" WEST 272.18 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 58.00 FEET;
 THENCE 80.76 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 79°46'47";
 THENCE NORTH 89°15'27" WEST 220.29 FEET TO SAID EAST RIGHT-OF-WAY LINE, ALSO BEING THE WEST LINE OF SAID RECORDED EXEMPTION;
 THENCE ALONG SAID EAST RIGHT-OF-WAY LINE AND SAID WEST LINE NORTH 00°44'38" EAST 1759.32 FEET TO THE POINT OF BEGINNING;
 CONTAINING 2,007,837 SQUARE FEET, OR 46.09 ACRES, MORE OR LESS.

I, MICHAEL LLOYD POOL, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND THE SURVEY UPON WHICH IT WAS BASED, WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND ACCURATE, TO THE BEST OF MY KNOWLEDGE.



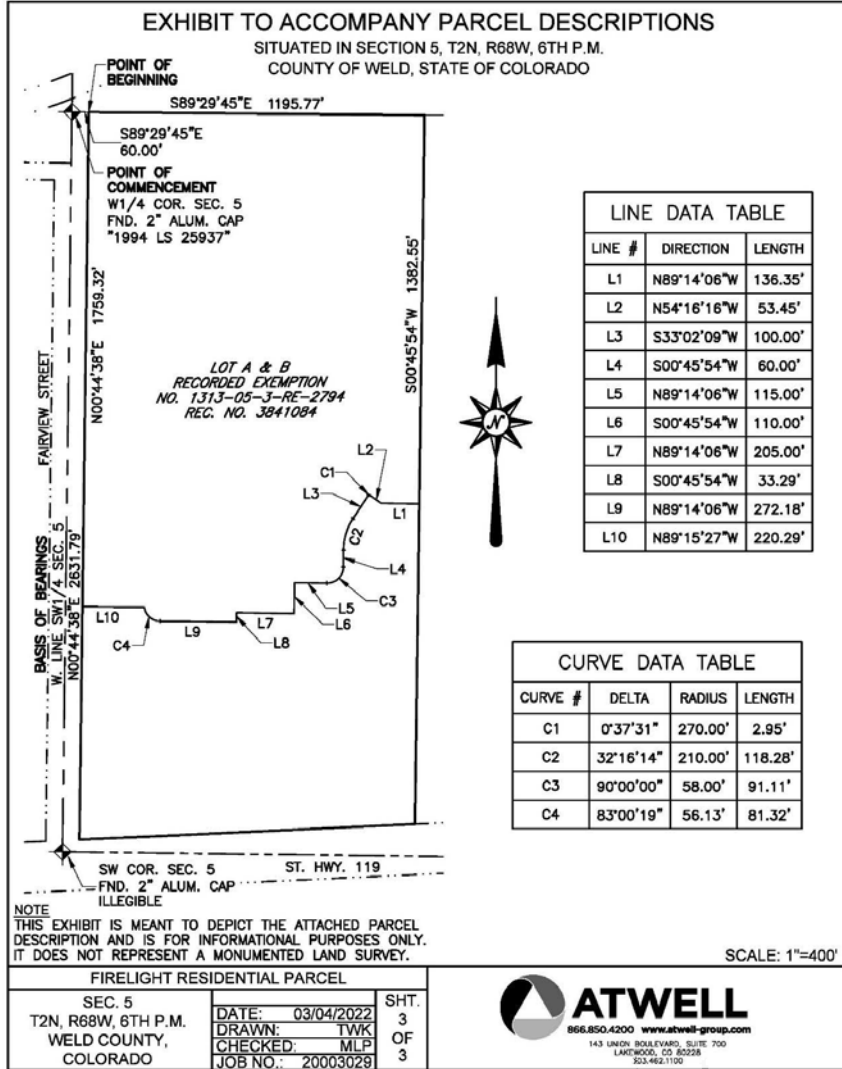
MICHAEL LLOYD POOL, PLS
 COLORADO REG. NO. 38304
 FOR AND ON BEHALF OF ATWELL, LLC

NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE (3) 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 (10) YEARS FROM THE DATE OF THE CERTIFICATE SHOWN HEREON.

K:\1500\150000\DWG\DWG\150000\150000.DWG

FIRELIGHT RESIDENTIAL PARCEL		
SEC. 5	DATE: 03/04/2022	SHT. 2
T2N, R68W, 6TH P.M.	DRAWN: TWR	OF 3
WELD COUNTY,	CHECKED: MLP	
COLORADO	JOB NO. 20003029	





K:\1600333\DWG\SURVEY\1600333_3_RESIDENTIAL_PARCEL.dwg, DISTRICT 2, 3/4/2022, 1:25:23 PM

PARCEL DESCRIPTION

SITUATED IN SECTION 5, T2N, R68W, 6TH P.M.
 COUNTY OF WELD, STATE OF COLORADO

THE FOLLOWING PARCEL TO BE THE ENTIRETY OF THE HIGHWAY 119 METROPOLITAN DISTRICT NO. 2:

A PORTION OF THAT PARCEL OF LAND KNOWN AS LOT A AND LOT B, RECORDED EXEMPTION NO. 1313-05-3-RE-2794, RECORDED AT RECEPTION NO. 1313-05-3-RE-2794, WELD COUNTY RECORDS, AND AS DESCRIBED AT RECEPTION NO. 3841084, WELD COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, MONUMENTED AT THE SOUTH END BY A 3-1/4" ALUMINUM CAP, ILLEGIBLE, AND AT THE NORTH END BY A 2" ALUMINUM CAP STAMPED "1994 LS 35937". SAID WEST LINE BEARS NORTH 00°44'38" EAST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 5;

THENCE ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER SOUTH 89°29'45" EAST 60.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF FAIRVIEW STREET, ALSO BEING THE NORTHWEST CORNER OF SAID RECORDED EXEMPTION;

THENCE ALONG SAID EAST RIGHT-OF-WAY LINE AND ALONG THE WEST LINE OF SAID RECORDED EXEMPTION SOUTH 00°44'38" WEST 1759.32 FEET TO THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE AND SAID WEST LINE SOUTH 89°15'27" EAST 220.15 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 58.00 FEET AND A CENTER WHICH BEARS NORTH 80°32'42" EAST;

THENCE 80.76 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 79°46'47";

THENCE SOUTH 89°14'06" EAST 272.18 FEET;

THENCE NORTH 00°45'54" EAST 33.29 FEET;

THENCE SOUTH 89°14'06" EAST 205.00 FEET;

THENCE NORTH 00°45'54" EAST 110.00 FEET;


THENCE SOUTH 89°14'06" EAST 115.00 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 58.00 FEET;

THENCE 91.11 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00";

THENCE NORTH 00°45'54" EAST 60.00 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 210.00 FEET;

(CONTINUED ON SHEET 6)

K:\10003353\DWG\Survey\18003353_DISTRICT 2.dwg, DISTRICT 2, 3/2/2022 3:49:13 PM

COMMERCIAL DISTRICT PARCEL			 <p>ATWELL 866.850.4200 www.atwell-group.com 143 UNION BOULEVARD, SUITE 700 LAKEWOOD, CO 80228 303.462.1100</p>
SEC. 5	DATE: 03/03/2022	SHT.	
T2N, R68W, 6TH P.M.	DRAWN: TWK	5	
WELD COUNTY, COLORADO	CHECKED: MLP JOB NO.: 20003029	OF 7	

PARCEL DESCRIPTION

SITUATED IN SECTION 5, T2N, R68W, 6TH P.M.
 COUNTY OF WELD, STATE OF COLORADO

(CONTINUED FROM SHEET 5)

THENCE 118.28 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 32°16'14";

THENCE NORTH 33°02'09" EAST 100.00 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 270.00 FEET;

THENCE 2.95 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 0°37'31";

THENCE SOUTH 54°16'16" EAST 53.45 FEET;

THENCE SOUTH 89°14'06" EAST 136.35 FEET TO THE EAST LINE OF SAID RECORDED EXEMPTION;

THENCE ALONG SAID EAST LINE SOUTH 00°45'54" WEST 1139.58 FEET TO THE SOUTHEAST CORNER OF SAID RECORDED EXEMPTION;

THENCE ALONG THE SOUTH LINE OF SAID RECORDED EXEMPTION THE FOLLOWING TWO (2) COURSES:

1. SOUTH 87°16'17" WEST 945.89 FEET;
2. SOUTH 87°35'24" WEST 251.03 FEET TO THE SOUTHWEST CORNER OF SAID RECORDED EXEMPTION, ALSO BEING SAID EAST RIGHT-OF-WAY LINE;

THENCE ALONG THE WEST LINE OF SAID RECORDED EXEMPTION AND ALONG SAID EAST RIGHT-OF-WAY LINE NORTH 00°44'19" EAST 828.91 FEET TO THE POINT OF BEGINNING;

CONTAINING 1,046,966 SQUARE FEET, OR 24.04 ACRES, MORE OR LESS.

I, MICHAEL LLOYD POOL, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND THE SURVEY UPON WHICH IT WAS BASED, WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND ACCURATE, TO THE BEST OF MY KNOWLEDGE.



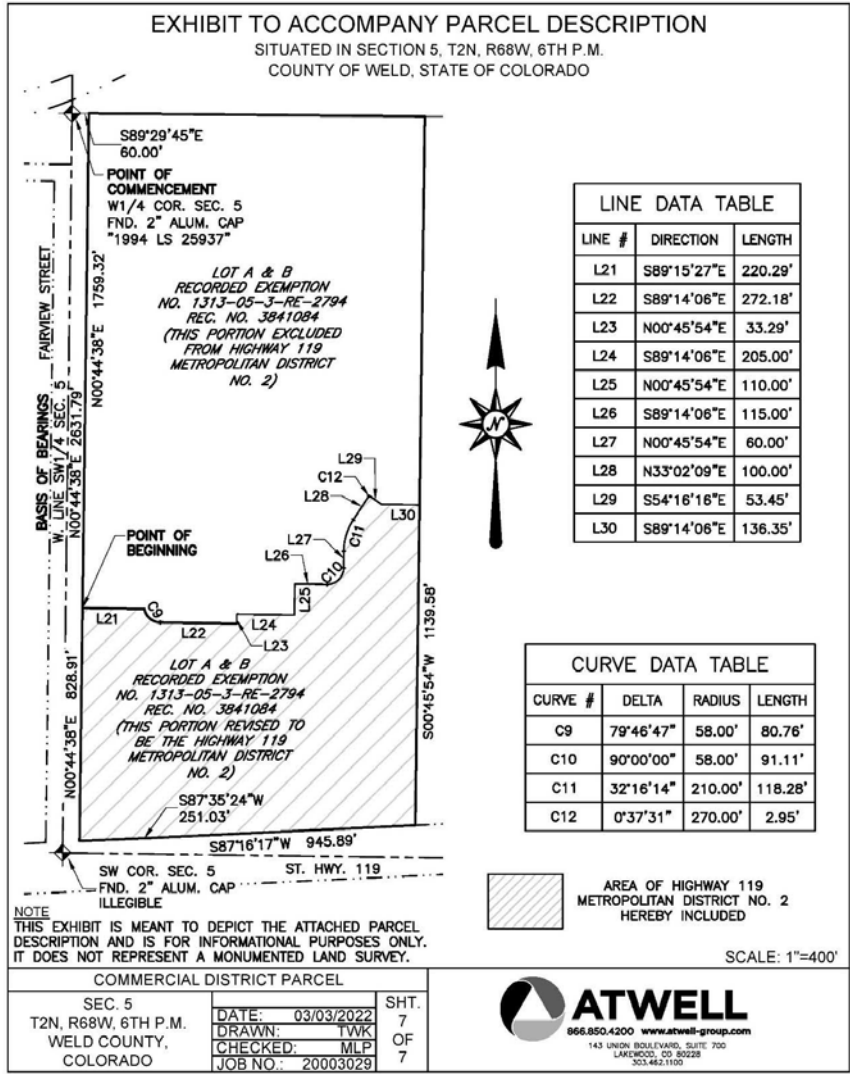
MICHAEL LLOYD POOL, PLS
 COLORADO REG. NO. 38304
 FOR AND ON BEHALF OF ATWELL, LLC

NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE (3) 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 (10) YEARS FROM THE DATE OF THE CERTIFICATE SHOWN HEREON.

V:\11008153\DW\WORK\NEW\1806\3035\DISTRICT 2\DWG\022 3 4 4 51.PLM

COMMERCIAL DISTRICT PARCEL		SHT. 6 OF 7
SEC. 5 T2N, R68W, 6TH P.M. WELD COUNTY, COLORADO	DATE: 03/03/2022 DRAWN: TWK CHECKED: MLP JOB NO. 20003029	





K:\10003353\DWG\Survey\18003353_DISTRICT 2.dwg, DISTRICT 2, 04/2022, 2:13:12 PM