

PEÑA STATION FILING NO. 1

PART OF THE EAST HALF AND THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO

LEGAL DESCRIPTION

KNOW ALL MEN BY THESE PRESENTS THAT RAIL STOP, LLC; SMT INVESTORS, LLP; AND KARL SMITH HAS LAID OUT, PLATTED AND SUBDIVIDED INTO RIGHT-OF-WAY AND TRACTS AS SHOWN ON THIS MAP, THE LAND DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED IN THE EAST HALF AND THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN MONUMENTED BY A 3-1/4" ALUMINUM CAP STAMPED "LS 27278" IN A RANGE BOX AT THE NORTHEAST CORNER AND A 3" BRASS CAP STAMPED "LS 15244" IN A RANGE BOX AT THE EAST ONE-QUARTER CORNER, BEING ASSUMED TO BEAR S00°11'13" E A DISTANCE OF 2648.91 FEET.

COMMENCING AT THE EAST ONE-QUARTER CORNER OF SAID SECTION 9;

THENCE ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9, N89°52'28"W A DISTANCE OF 70.00 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID TOWER ROAD AS DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NO. 9800143405 IN THE RECORDS OF THE DENVER COUNTY CLERK AND RECORDER, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ON SAID WESTERLY RIGHT-OF-WAY LINE, SAID LINE BEING 70.00 FEET WESTERLY OF AND PARALLEL WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9, S00°06'12"E A DISTANCE OF 63.50 FEET;

THENCE N58°59'41"W A DISTANCE OF 28.25 FEET;

THENCE ON A LINE BEING 49.00 FEET SOUTHERLY OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9, N89°52'28"W A DISTANCE OF 217.67 FEET;

THENCE N84°29'52"W A DISTANCE OF 106.72 FEET;

THENCE ON A LINE BEING 39.00 FEET SOUTHERLY OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9, N89°52'28"W A DISTANCE OF 2222.11 FEET, TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9;

THENCE ON SAID WEST LINE OF THE SOUTHEAST QUARTER, N00°21'27"W A DISTANCE OF 39.00 FEET, TO THE CENTER QUARTER CORNER OF SAID SECTION 9;

THENCE ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9, N00°21'23"W A DISTANCE OF 1324.86 FEET, TO THE SOUTHEAST CORNER OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 9;

THENCE ON THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 9, N89°51'57"W A DISTANCE OF 643.13 FEET, TO A POINT ON THE WESTERLY LINE OF THE PROPERTY DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NO. 2012179295;

THENCE ON SAID WESTERLY LINE, N00°16'33"E A DISTANCE OF 643.30 FEET;

THENCE S89°52'28"E A DISTANCE OF 636.03 FEET, TO THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9;

THENCE ON SAID WEST LINE, N00°21'23"W A DISTANCE OF 343.84 FEET, TO A POINT OF NON-TANGENT CURVE;

THENCE ON THE ARC OF A NON-TANGENT CURVE TO THE LEFT WHOSE CENTER BEARS N65°46'34"E, HAVING A RADIUS OF 647.00 FEET, A CENTRAL ANGLE OF 30°46'26" AND AN ARC LENGTH OF 347.51 FEET, TO A POINT OF NON-TANGENT;

THENCE S89°52'28"E A DISTANCE OF 1074.12 FEET;

THENCE S00°11'13"E A DISTANCE OF 264.75 FEET, TO A POINT OF CURVE;

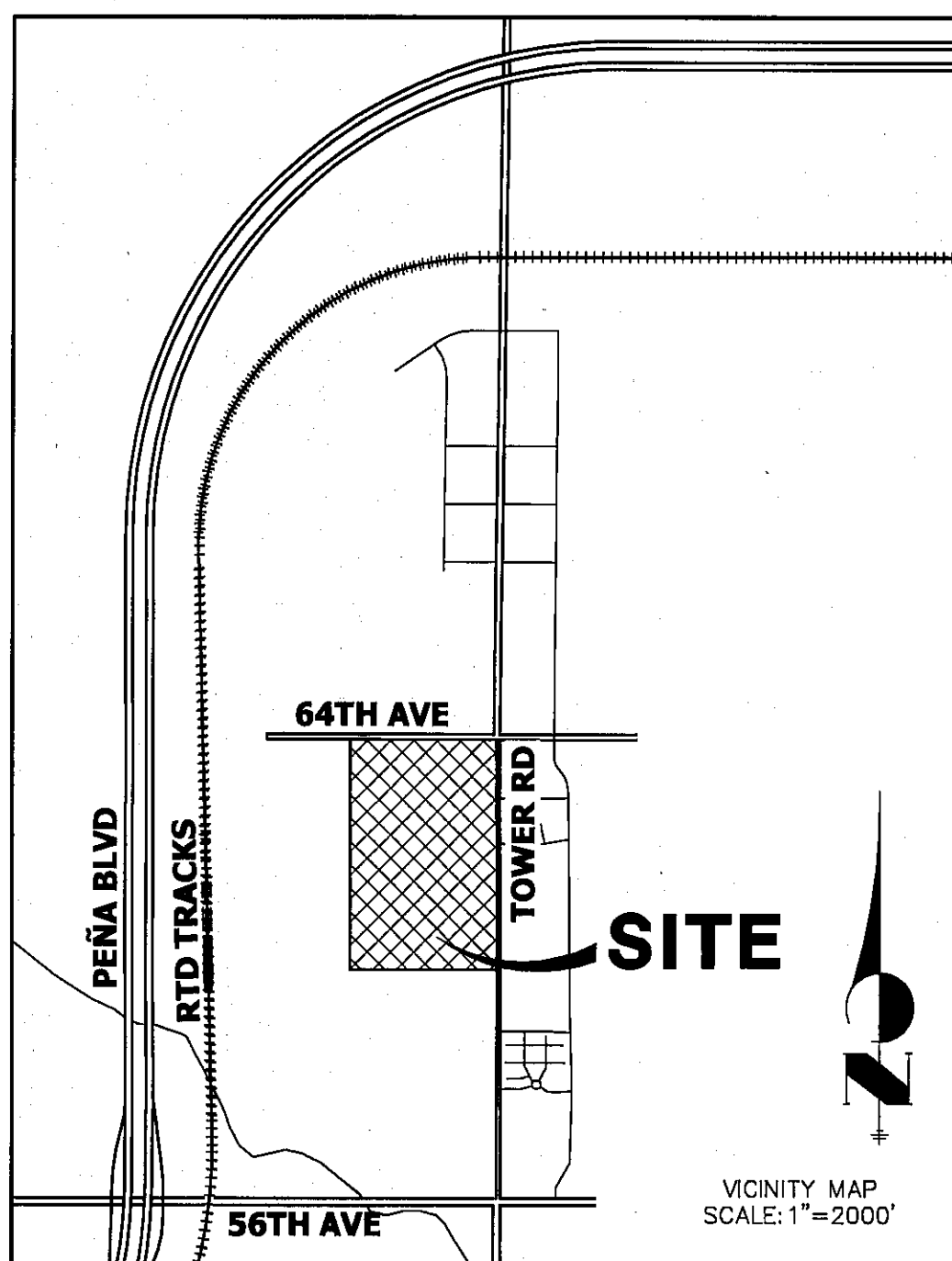
THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 505.00 FEET, A CENTRAL ANGLE OF 89°41'15" AND AN ARC LENGTH OF 790.50 FEET, TO A POINT OF TANGENT;

THENCE S89°52'28"E A DISTANCE OF 782.77 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF TOWER ROAD AS DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NO. 9600152541;

THENCE ON SAID WESTERLY RIGHT-OF-WAY LINE, SAID LINE BEING 70.00 FEET WESTERLY OF AND PARALLEL WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9, S00°11'13"E A DISTANCE OF 1281.03 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 4,876,901 SQUARE FEET OR 111.9582 ACRES.

UNDER THE NAME AND STYLE OF PEÑA STATION FILING NO. 1, AND BY THESE PRESENTS DO HEREBY DEDICATE TO THE CITY AND COUNTY OF DENVER THE STREETS, AVENUES, WASTEWATER EASEMENTS, AND OTHER PUBLIC PLACES HEREON SHOWN AND NOT ALREADY OTHERWISE DEDICATED FOR PUBLIC USE, ALSO TO THE CITY AND COUNTY OF DENVER AND APPLICABLE PUBLIC UTILITIES AND TELECOMMUNICATION COMPANIES, EASEMENTS AS SHOWN.



GENERAL NOTES:

- DEFINITION: CERTIFY, CERTIFICATION - A PROFESSIONAL'S OPINION BASED ON HIS OR HER OBSERVATION OF CONDITIONS, KNOWLEDGE, INFORMATION AND BELIEFS. IT IS EXPRESSLY UNDERSTOOD THAT THE PROFESSIONAL'S CERTIFICATION OF A CONDITION'S EXISTENCE RELIEVES NO OTHER PARTY OF ANY RESPONSIBILITY OR OBLIGATION HE OR SHE HAS ACCEPTED BY CONTRACT OR CUSTOM.
- PER C.R.S. 18-04-508, ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR.
- ALL REFERENCES HEREON TO BOOKS, PAGES, MAPS AND RECEPTION NUMBERS ARE PUBLIC DOCUMENTS FILED IN THE RECORDS OF DENVER COUNTY, COLORADO.
- THIS SURVEY/PLAT DOES NOT CONSTITUTE A TITLE SEARCH BY JR ENGINEERING LLC FOR RECORDED INFORMATION ON EASEMENTS OR ENCUMBRANCES WHICH AFFECT THIS PROPERTY, JR ENGINEERING LLC RELIED UPON TITLE COMMITMENT BY LAND TITLE GUARANTEE COMPANY, ORDER NO. ABB70357148-2 DATED NOVEMBER 29, 2012 AT 5:00 P.M.
- EASEMENTS AND PUBLIC DOCUMENTS SHOWN OR NOTED HEREON WERE EXAMINED AS TO LOCATION AND PURPOSE AND WERE NOT EXAMINED AS TO RESERVATIONS, RESTRICTIONS, CONDITIONS, OBLIGATIONS, TERMS, OR AS TO THE RIGHT TO GRANT THE SAME.
- THE BASIS OF BEARING IS THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN MONUMENTED BY A 3-1/4" ALUMINUM CAP STAMPED "LS 27278" IN A RANGE BOX AT THE NORTHEAST CORNER AND A 3" BRASS CAP STAMPED "LS 15244" IN A RANGE BOX AT THE EAST ONE-QUARTER CORNER, BEING ASSUMED TO BEAR S00°11'13" E A DISTANCE OF 2648.91 FEET.
- BOUNDARY LINES IDENTIFIED ON DIA PROPERTY ARE FOR REFERENCE ONLY. DIA PROPERTY WILL NOT BE SUBDIVIDED. USE OF DEVELOPMENT AREAS WILL BE IDENTIFIED WITH SEPARATE DOCUMENT.
- AIR COVENANTS AND AVIGATION EASEMENTS EXIST THAT AFFECT THE SUBJECT PROPERTY. AIR COVENANTS AND AVIGATION EASEMENT REC. NO. 20000016832 AND ZONING ORDINANCE 131 REC. NO. 20000266709; AIR COVENANTS AND AVIGATION EASEMENT REC. NO. 20000016834 AND ZONING ORDINANCE 137 REC. NO. 2000026685.
- THERE ARE 7 BLOCKS, AND 6 TRACTS IN PEÑA STATION FILING NO. 1.
- TRACT A WILL BE USED FOR DRAINAGE, OPEN SPACE AND PEDESTRIAN ACCESS. THE TRACT WILL BE OWNED BY SMT INVESTORS, ET AL., AND MAINTAINED BY THE AVIATION STATION NORTH METROPOLITAN DISTRICT NO. 1.
- TRACTS B, C AND D WILL BE USED FOR DRAINAGE, OPEN SPACE AND PEDESTRIAN ACCESS. THE TRACTS WILL BE OWNED BY RAIL STOP LLC AND MAINTAINED BY THE AVIATION STATION NORTH DISTRICT NO. 1.
- TRACT E WILL BE USED FOR THE SANITARY LIFT STATION. THE TRACT WILL BE MAINTAINED BY THE AVIATION STATION NORTH METROPOLITAN DISTRICT NO. 1 UNTIL SUCH TRACT WILL BE CONVEYED TO THE CITY AND COUNTY OF DENVER BY SEPARATE DOCUMENT.
- TRACT F WILL BE USED FOR A PARK. THIS TRACT WILL BE OWNED AND MAINTAINED BY THE AVIATION STATION NORTH METROPOLITAN DISTRICT NO. 1.
- RIGHT OF ACCESS FOR EMERGENCY SERVICES ON AND ACROSS ALL PLATTED PROPERTY FOR POLICE, FIRE, MEDICAL AND OTHER EMERGENCY VEHICLES AND FOR THE PROVISION OF EMERGENCY SERVICES IS HEREBY GRANTED.

ATTORNEY'S CERTIFICATION:

I HEREBY CERTIFY THAT I HAVE EXAMINED THE EVIDENCE OF TITLE TO THE LAND DESCRIBED HEREON, AND FIND THE TITLE TO THE STREETS, AVENUES, TRACTS AND OTHER PUBLIC PLACES TO BE IN THE ABOVE-NAMED DEDICATORS

THIS 15th DAY OF July A.D., 2015, AT 10:18 O'CLOCK, A.M.,

FREE AND CLEAR OF ENCUMBRANCES, EXCEPT AS SHOWN HEREIN.

D. Scott Martinez

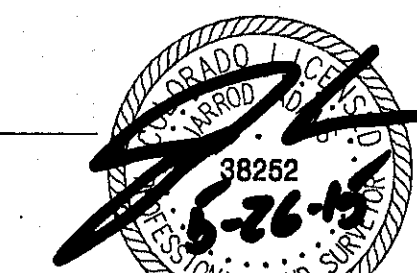
ATTORNEY FOR THE CITY AND COUNTY OF DENVER

ASSISTANT CITY ATTORNEY

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THE SURVEY FOR THIS PLAT HAS BEEN MADE IN AGREEMENT WITH RECORDS ON FILE IN THE OFFICE OF THE CITY ENGINEER OF THE CITY AND COUNTY OF DENVER, AND THIS PLAT IS IN CONFORMITY WITH SUCH RECORDS AND ALL MONUMENTS SHOWN HEREON EXIST AS DESCRIBED AND ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.

JARROD ADAMS, PROFESSIONAL LAND SURVEYOR
COLORADO NO. 38252
FOR AND ON BEHALF OF JR ENGINEERING, LLC



APPROVALS:

I, HEREBY CERTIFY THAT THIS MAP AND THE SURVEY REPRESENTED THEREBY ARE ACCURATE AND IN CONFORMITY WITH THE REQUIREMENTS OF CHAPTER 49, ARTICLE III OF THE REVISED MUNICIPAL CODE OF THE CITY AND COUNTY OF DENVER, AND THAT THE REQUIRED IMPROVEMENTS HAVE BEEN PROVIDED FOR.

Carole B. Serna 7.14.15
CITY ENGINEER DATE

APPROVED BY THE MANAGER OF PUBLIC WORKS:
M. Serna 7/13/15
MANAGER OF PUBLIC WORKS DATE

APPROVED BY THE PLANNING AND DEVELOPMENT OFFICE:
Mike O'Leary 7.10.2015
DIRECTOR OF PLANNING AND DEVELOPMENT DATE

APPROVED BY THE MANAGER OF PARKS AND RECREATION:
Scott Hill 7-13-2015
MANAGER OF PARKS AND RECREATION DATE

APPROVED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER, COLORADO, BY ORDINANCE NO. _____ OF THE SERIES OF _____
WITNESS MY HAND AND CORPORATE SEAL OF THE CITY AND COUNTY OF DENVER THIS ____ DAY OF _____ A.D., 2015.

CLERK AND RECORDER, EX-OFFICIO CLERK OF THE CITY AND COUNTY OF DENVER
BY _____ DEPUTY CLERK AND RECORDER

CLERK & RECORDER'S CERTIFICATION

STATE OF COLORADO } SS
CITY AND COUNTY OF DENVER }
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE AT _____ O'CLOCK _____ M., _____ 2015, AND DULY RECORDED IN
BOOK _____ PAGE _____, RECEPTION NO. _____
CLERK AND RECORDER _____ DEPUTY
FEE _____

OWNER:

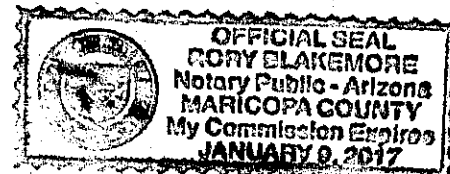
SMT INVESTORS LIMITED PARTNERSHIP, AN AND DC IRREVOCABLE TRUST, SAN ISIDRO SIX INVESTMENTS, LLC, SCM-NEAL, LLLP, SCM-WHEATMAN, LLLP, SCM-ZAHARIS, LLLP, SCM-PENDLETON, LLLP, SCM-WILSON, LLLP, SCM-D HAT, LLLP, SCM-LASKY, LLLP, SCM-SPECTRUM, LLLP, SCM-POG, LLLP, SCM-WAYNE, LLLP, AND SCM-KOL, LLLP
BY: COWLEY MANAGEMENT LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS MANAGER FOR THE ABOVE LISTED OWNERS

BY: Michael T. Cowley
MICHAEL T. COWLEY, MANAGER

STATE OF COLORADO } SS.
CITY AND COUNTY OF DENVER }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF ____ 2015 BY Michael T. Cowley AS Manager of Cowley Management, LLC MANAGER
MY COMMISSION EXPIRES 1-9-2017 WITNESS MY HAND AND OFFICIAL SEAL.

Rory Blakemore
SIGNATURE



NAME OF NOTARY
Rory Blakemore
1242 E. Jackson St. Phoenix, AZ 85034
ADDRESS OF NOTARY

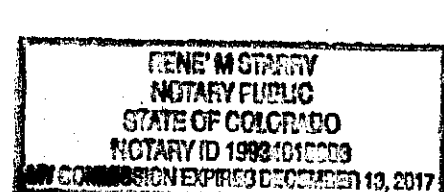
OWNER:

KARL D. SMITH ESTATE
BY: Harvey Bolshoun Morey Brooks
NAME: Harvey Bolshoun TITLE: Personal Representative

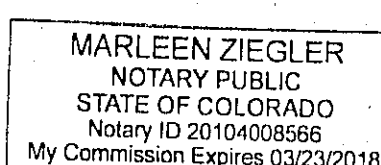
STATE OF Colorado } SS.
COUNTY OF Denver }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 01 DAY OF May 2015 BY Harvey Bolshoun AS Personal Representative and Morey Brooks AS Personal Representative
MY COMMISSION EXPIRES 12-13-17 WITNESS MY HAND AND OFFICIAL SEAL.

Rene M. Stary
SIGNATURE



NAME OF NOTARY
Rene M. Stary
3532 Craftsburg Dr., Highlands Ranch, CO 80126
ADDRESS OF NOTARY



OWNER:

RAIL STOP, LLC

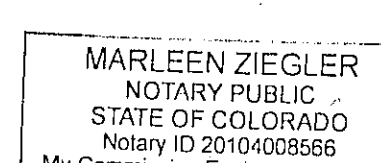
BY: L.C. Fulemwidder III

L.C. FULEMWIDDER, III, PRESIDENT, L.C. FULEMWIDDER, INC., MANAGER

STATE OF Colorado } SS.
COUNTY OF Denver }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 1 DAY OF June 2015 BY L.C. Fulemwidder III AS PRESIDENT of L.C. Fulemwidder, Inc. MANAGER
MY COMMISSION EXPIRES 3/23/2018 WITNESS MY HAND AND OFFICIAL SEAL.

Marleen Ziegler
SIGNATURE



NAME OF NOTARY
Marleen Ziegler
1125 17th St #4500
ADDRESS OF NOTARY DENVER, CO

MORTGAGEE:

DIBC RETAIL, LLC AND DIBC RESIDENTIAL, LLC

By: L.C. Fulemwidder III
L.C. FULEMWIDDER, III, PRESIDENT, L.C. FULEMWIDDER, INC., MANAGER

STATE OF COLORADO }
CITY AND COUNTY OF DENVER }

The foregoing instrument was acknowledged before me this 1 day of July 2015, by L.C. Fulemwidder III as President of L.C. Fulemwidder, Inc. Manager
Witness my hand and official seal.

My Commission expires: 3/23/2018

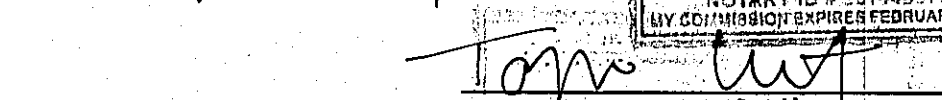
HOLDER OF DEED OF TRUST
MIDFIRST BANK, a federally chartered savings association

By: Geoffrey M. Long
Name: Geoffrey M. Long
Title: Senior Vice President

STATE OF COLORADO } SS.
CITY AND COUNTY OF DENVER }

The foregoing instrument was acknowledged before me this 01 day of July 2015, by Geoffrey M. Long as SVP of MidFirst Bank, a federally chartered savings bank
Witness my hand and official seal.

My Commission expires: Feb 14, 2018



COVER
PEÑA STATION FILING NO. 1
JOB NO. 15500.01
APRIL 29, 2015
SHEET 1 OF 4



Centennial 303-740-9993 • Colorado Springs 719-580-2593
Fort Collins 970-491-9888 • www.jrengineering.com