

REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY**TO:** Ivone Avila-Ponce, City Attorney's Office**FROM:** Glen D. Blackburn, P.E., Director, Right-of-Way Services **DATE:** February 29, 2024**ROW #:** 2024-DEDICATION-0000061 **SCHEDULE #:** Fourteen Schedule # - See Page 3

TITLE: This request is to dedicate fourteen City-owned parcels of land as Public Right-of-Way as 1) East Prairie Meadow Drive, located at the intersection of East Prairie Meadow Drive and North Beeler Street, 2) North Beeler Street, located at the intersection of North Beeler Street and East 53rd Avenue, 3) East 53rd Avenue, located at the intersection of East 53rd Avenue and North Central Park Boulevard, 4) East 52nd Drive, located at the intersection of East 52nd Drive and North Beeler Street, 5) East 52nd Drive, located at the intersection of East 52nd Drive and East 53rd Avenue, 6) North Chester Street, located at the intersection of North Chester Street and East 52nd Avenue, 7) East 52nd Avenue, located at the intersection of East 52nd Avenue and North Beeler Court, 8) North Beeler Court, located at the intersection of North Beeler Court and East 52nd Avenue, 9) North Boston Court, located at the intersection of North Boston Court and East 51st Drive, 10) East 51st Drive, located at the intersection of East 51st Drive and North Beeler Court, 11) North Boston Court, located at the intersection of North Boston Court and East 51st Drive, 12) North Clinton Street, located at the intersection of North Clinton Street and East 53rd Avenue, 13) North Dallas Street, located at the intersection of North Dallas Street and East 51st Avenue and 14) East 51st Avenue, located at the intersection of East 51st Avenue and North Dallas Street.

SUMMARY: Request for a Resolution for laying out, opening and establishing certain real property as part of the system of thoroughfares of the municipality; i.e. as 1) Prairie Meadow Drive, 2) North Beeler Street, 3) East 53rd Avenue, 4) East 52nd Drive, 5) East 52nd Drive, 6) North Chester Street, 7) East 52nd Avenue, 8) North Beeler Court, 9) North Boston Court, 10) East 51st Drive, 11) North Boston Court, 12) North Clinton Street, 13) North Dallas Street, and 14) East 51st Avenue. This parcel(s) of land is being dedicated by the City and County of Denver for Public Right-of-Way, as part of the development project, "Stapleton Filing No. 47 – 2021166986."

It is requested that the above subject item be placed on the Mayor-Council Agenda for the next available date.

Therefore, you are requested to initiate Council action to dedicate a parcel of land for Public Right-of-Way purposes as 1) Prairie Meadow Drive, 2) North Beeler Street, 3) East 53rd Avenue, 4) East 52nd Drive, 5) East 52nd Drive, 6) North Chester Street, 7) East 52nd Avenue, 8) North Beeler Court, 9) North Boston Court, 10) East 51st Drive, 11) North Boston Court, 12) North Clinton Street, 13) North Dallas Street, and 14) East 51st Avenue. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2024-DEDICATION-0000061-001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014) HERE.

A map of the area to be dedicated is attached.



GB/KS/LRA

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Shontel M. Lewis, District # 8
Councilperson Aide, N/A
Councilperson Aide, N/A
City Council Staff, Luke Palmisano
Environmental Services, Andrew Ross
DOTI, Manager's Office, Alba Castro
DOTI, Manager's Office, Nicholas Williams
DOTI, Director, Right-of-Way Services, Glen Blackburn
Department of Law, Johna Varty
Department of Law, Martin Plate
Department of Law, Deanne Durfee
Department of Law, Ivone Avila-Ponce
Department of Law, Janet Valdez
DOTI Survey, Kathy Svechovsky
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2024-DEDICATION-0000061

City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services
201 W. Colfax Ave. | Denver, CO 80215
www.denvergov.org/doti
Phone: 720-913-1311

CONNECT WITH US | 311 | DENVERGOV.ORG | DENVER 8 TV

PARCEL #	TRACT	STREET NAME	SCHEDULE #
1	A	East Prairie Meadow Drive	0115200090000
2	B	North Beeler Street	0115200091000
3	C	East 53 rd Avenue	0115200092000
4	D	East 52 nd Drive	0115200093000
5	E	East 52 nd Drive	0115200094000
6	G	North Chester Street	0115200096000
7	H	East 52 nd Avenue	0115200097000
8	J	North Beeler Court	0115200098000
9	K	North Boston Court	0115200099000
10	L	East 51 st Drive	0115200100000
11	M	North Boston Court	0115200101000
12	N	North Clinton Street	0115200102000
13	P	North Dallas Street	0115200103000
14	Q	East 51 st Avenue	0115200104000

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team

at MileHighOrdinance@DenverGov.org by 9 a.m. Friday. Contact the Mayor's Legislative team with questions

Date of Request: February 29, 2024

Please mark one: Bill Request or Resolution Request

1. Type of Request:

- Contract/Grant Agreement Intergovernmental Agreement (IGA) Rezoning/Text Amendment
 Dedication/Vacation Appropriation/Supplemental DRMC Change
 Other:

2. **Title:** Dedicate fourteen City-owned parcels of land as Public Right-of-Way as 1) East Prairie Meadow Drive, located at the intersection of East Prairie Meadow Drive and North Beeler Street, 2) North Beeler Street, located at the intersection of North Beeler Street and East 53rd Avenue, 3) East 53rd Avenue, located at the intersection of East 53rd Avenue and North Central Park Boulevard, 4) East 52nd Drive, located at the intersection of East 52nd Drive and North Beeler Street, 5) East 52nd Drive, located at the intersection of East 52nd Drive and East 53rd Avenue, 6) North Chester Street, located at the intersection of North Chester Street and East 52nd Avenue, 7) East 52nd Avenue, located at the intersection of East 52nd Avenue and North Beeler Court, 8) North Beeler Court, located at the intersection of North Beeler Court and East 52nd Avenue, 9) North Boston Court, located at the intersection of North Boston Court and East 51st Drive, 10) East 51st Drive, located at the intersection of East 51st Drive and North Beeler Court, 11) North Boston Court, located at the intersection of North Boston Court and East 51st Drive, 12) North Clinton Street, located at the intersection of North Clinton Street and East 53rd Avenue, 13) North Dallas Street, located at the intersection of North Dallas Street and East 51st Avenue and 14) East 51st Avenue, located at the intersection of East 51st Avenue and North Dallas Street.

3. **Requesting Agency:** DOTI, Right-of-Way Services
Agency Section: Survey

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution (e.g., subject matter expert)	Contact person for council members or mayor-council
Name: Lisa R. Ayala	Name: Nicholas Williams
Email: Lisa.ayala@denvergov.org	Email: Nicholas.Williams@denvergov.org

5. General description or background of proposed request. Attach executive summary if more space needed:

As part of Stapleton Filing No. 47, fourteen parcels of land are to be dedicated as 1) Prairie Meadow Drive, 2) North Beeler Street, 3) East 53rd Avenue, 4) East 52nd Drive, 5) East 52nd Drive, 6) North Chester Street, 7) East 52nd Avenue, 8) North Beeler Court, 9) North Boston Court, 10) East 51st Drive, 11) North Boston Court, 12) North Clinton Street, 13) North Dallas Street, and 14) East 51st Avenue.

6. **City Attorney assigned to this request (if applicable):**

7. **City Council District:** Shontel M. Lewis, District # 8

8. ****For all contracts, fill out and submit accompanying Key Contract Terms worksheet****

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Key Contract Terms

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):

Vendor/Contractor Name (including any dba's):

Contract control number (legacy and new):

Location:

Is this a new contract? Yes No Is this an Amendment? Yes No If yes, how many? _____

Contract Term/Duration (for amended contracts, include existing term dates and amended dates):

Contract Amount (indicate existing amount, amended amount and new contract total):

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>

Scope of work:

Was this contractor selected by competitive process?

If not, why not?

Has this contractor provided these services to the City before? Yes No

Source of funds:

Is this contract subject to: W/MBE DBE SBE XO101 ACDBE N/A

WBE/MBE/DBE commitments (construction, design, Airport concession contracts):

Who are the subcontractors to this contract?

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

EXECUTIVE SUMMARY

Project Title: 2024-DEDICATION-0000061

Description of Proposed Project: As part of Stapleton Filing No. 47, fourteen parcels of land are to be dedicated as 1) Prairie Meadow Drive, 2) North Beeler Street, 3) East 53rd Avenue, 4) East 52nd Drive, 5) East 52nd Drive, 6) North Chester Street, 7) East 52nd Avenue, 8) North Beeler Court, 9) North Boston Court, 10) East 51st Drive, 11) North Boston Court, 12) North Clinton Street, 13) North Dallas Street, and 14) East 51st Avenue.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: The City and County of Denver was deeded this land to be dedicated as 1) Prairie Meadow Drive, 2) North Beeler Street, 3) East 53rd Avenue, 4) East 52nd Drive, 5) East 52nd Drive, 6) North Chester Street, 7) East 52nd Avenue, 8) North Beeler Court, 9) North Boston Court, 10) East 51st Drive, 11) North Boston Court, 12) North Clinton Street, 13) North Dallas Street, and 14) East 51st Avenue.

Has a Temp MEP been issued, and if so, what work is underway: N/A

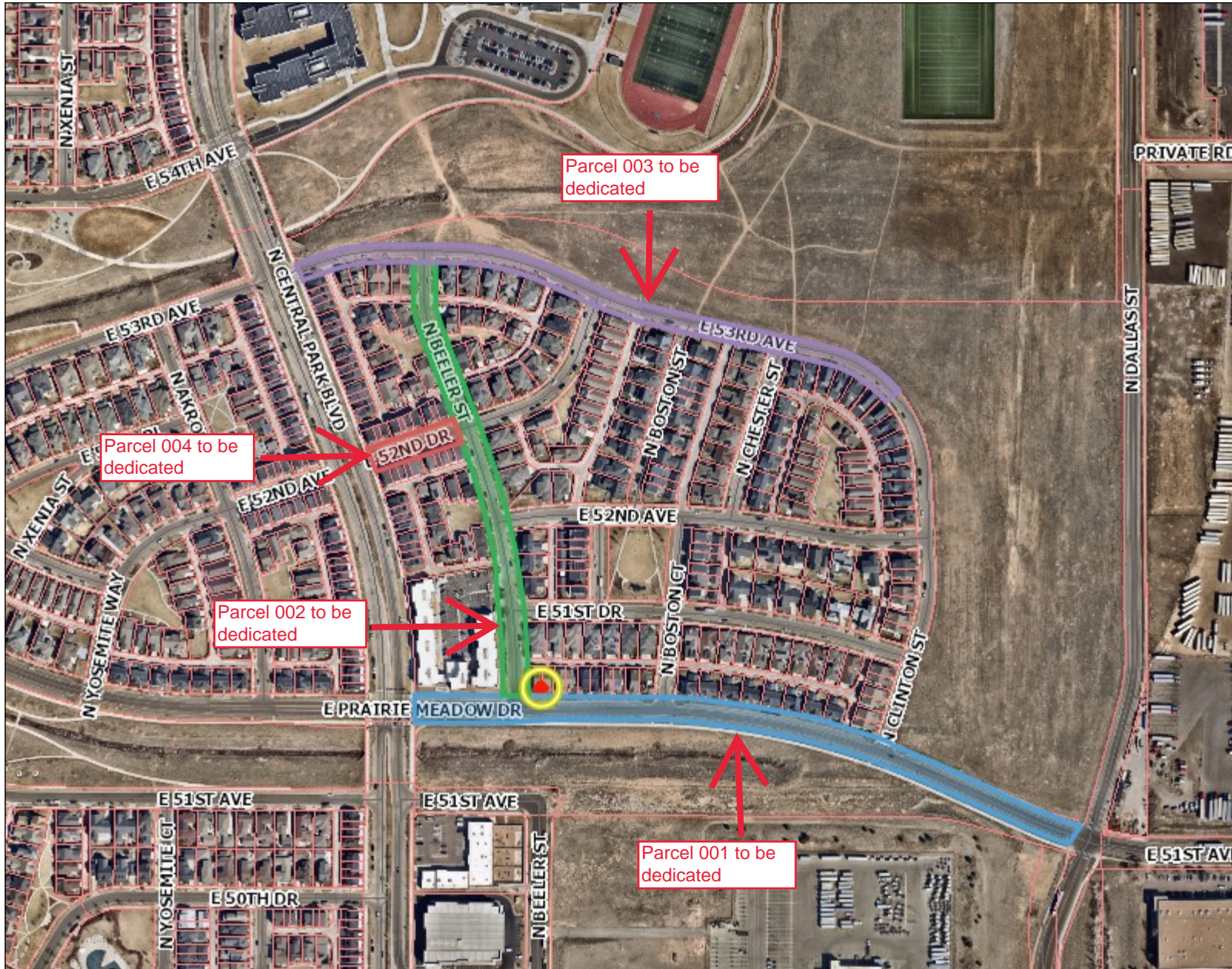
What is the known duration of a MEP: N/A

Will land be dedicated to the City if the vacation goes through: N/A

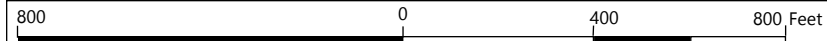
Will an easement be placed over a vacated area, and if so explain: N/A

Will an easement relinquishment be submitted at a later date: N/A

Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as 1) Prairie Meadow Drive, 2) North Beeler Street, 3) East 53rd Avenue, 4) East 52nd Drive, 5) East 52nd Drive, 6) North Chester Street, 7) East 52nd Avenue, 8) North Beeler Court, 9) North Boston Court, 10) East 51st Drive, 11) North Boston Court, 12) North Clinton Street, 13) North Dallas Street, and 14) East 51st Avenue, as part of the development project called, "Stapleton Filing No. 47 – 2021166986."



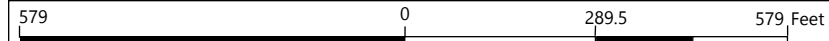
- Legend**
- Streets
 - Alleys
 - ▭ County Boundary
 - ▭ Parcels





Legend

- Streets
- Alleys
- ▭ County Boundary
- ▭ Parcels





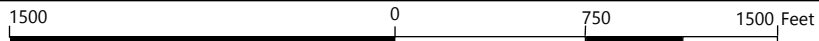
Legend

-  Streets
-  Alleys
-  County Boundary
-  Parcels





- Legend
- Streets
 - Alleys
 - County Boundary



PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000061-001:

LEGAL DESCRIPTION – STREET PARCEL 1: - E PRAIRIE MEADOW DR

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 2ND DAY OF SEPTEMBER, 2021, AT RECEPTION NUMBER 2021166986 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER’S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT A, STAPLETON FILING NO. 47, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000061-002:

LEGAL DESCRIPTION – STREET PARCEL 2: - N BEELER ST

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 2ND DAY OF SEPTEMBER, 2021, AT RECEPTION NUMBER 2021166986 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER’S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT B, STAPLETON FILING NO. 47, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000061-003:

LEGAL DESCRIPTION – STREET PARCEL 3: - E 53RD AVE

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 2ND DAY OF SEPTEMBER, 2021, AT RECEPTION NUMBER 2021166986 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER’S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT C, STAPLETON FILING NO. 47, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000061-004:

LEGAL DESCRIPTION – STREET PARCEL 4: - E 52ND DR

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 2ND DAY OF SEPTEMBER, 2021, AT RECEPTION NUMBER 2021166986 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER’S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT D, STAPLETON FILING NO. 47, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000061-005:

LEGAL DESCRIPTION – STREET PARCEL 5: - E 52ND DR

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 2ND DAY OF SEPTEMBER, 2021, AT RECEPTION NUMBER 2021166986 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER’S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT E, STAPLETON FILING NO. 47, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000061-006:

LEGAL DESCRIPTION – STREET PARCEL 6: - N CHESTER ST

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 2ND DAY OF SEPTEMBER, 2021, AT RECEPTION NUMBER 2021166986 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT G, STAPLETON FILING NO. 47, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000061-007:

LEGAL DESCRIPTION – STREET PARCEL 7: - E 52ND AVE

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 2ND DAY OF SEPTEMBER, 2021, AT RECEPTION NUMBER 2021166986 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT H, STAPLETON FILING NO. 47, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000061-008:

LEGAL DESCRIPTION – STREET PARCEL 8: - N BEELER CT

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 2ND DAY OF SEPTEMBER, 2021, AT RECEPTION NUMBER 2021166986 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT J, STAPLETON FILING NO. 47, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000061-009:

LEGAL DESCRIPTION – STREET PARCEL 9: - N BOSTON CT

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 2ND DAY OF SEPTEMBER, 2021, AT RECEPTION NUMBER 2021166986 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT K, STAPLETON FILING NO. 47, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000061-010:

LEGAL DESCRIPTION – STREET PARCEL 10: - E 51ST DR

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 2ND DAY OF SEPTEMBER, 2021, AT RECEPTION NUMBER 2021166986 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS

FOLLOWS:

TRACT L, STAPLETON FILING NO. 47, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000061-011:

LEGAL DESCRIPTION – STREET PARCEL 11: - N BOSTON CT

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 2ND DAY OF SEPTEMBER, 2021, AT RECEPTION NUMBER 2021166986 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT M, STAPLETON FILING NO. 47, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000061-012:

LEGAL DESCRIPTION – STREET PARCEL 12: - N CLINTON ST

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 2ND DAY OF SEPTEMBER, 2021, AT RECEPTION NUMBER 2021166986 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT N, STAPLETON FILING NO. 47, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000061-013:

LEGAL DESCRIPTION – STREET PARCEL 13: - N DALLAS ST

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 2ND DAY OF SEPTEMBER, 2021, AT RECEPTION NUMBER 2021166986 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT P, STAPLETON FILING NO. 47, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000061-014:

LEGAL DESCRIPTION – STREET PARCEL 14: - E 51ST AVE

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 2ND DAY OF SEPTEMBER, 2021, AT RECEPTION NUMBER 2021166986 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT Q, STAPLETON FILING NO. 47, CITY AND COUNTY OF DENVER, STATE OF COLORADO.



2021166986

Page: 1 of 5

09/02/2021 12:25 PM
City & County of Denver
Electronically Recorded

R \$33.00

WD

D \$0.00

After Recording Return to:
201 West Colfax Avenue
Department 1010
Denver, Colorado 80202
Attention: Division of Real Estate

SPECIAL WARRANTY DEED

**(Stapleton Filing No. 47 – Road Right-of-Way Tracts
and
Open Space Tract)**

THIS SPECIAL WARRANTY DEED (“Deed”) is made this 19th day of AUGUST, 2021, between **PARK CREEK METROPOLITAN DISTRICT**, a quasi-municipal corporation and political subdivision of the State of Colorado, whose address is 7350 East 29th Avenue, Suite 300, Denver, Colorado 80238 (“Grantor”) and the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (“Grantee”), whose address is 1437 Bannock Street, Denver, Colorado 80202.

WITNESSETH, that the Grantor, for and in consideration of less than Five Hundred Dollars (\$500.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, and conveyed, and by these presents does hereby grant, bargain, sell, convey and confirm unto the Grantee and its successors and assigns forever, all the real property, together with all improvements thereon owned by Grantor, if any, situate, lying and being in the City and County of Denver, State of Colorado, described as follows (the “Property”):

Stapleton Filing No. 47

Tracts A,B,C,D,E,G,H,J,K,L,M,N,P,Q, and AK, Stapleton
Filing No. 47, City and County of Denver, State of Colorado.

RESERVING, HOWEVER, unto Grantor, its successors and assigns, any and all minerals, oil, gas, and other hydrocarbon substances, on or under the Property, to the extent owned by Grantor.

TOGETHER with all rights, privileges and easements appurtenant to the Property, if any, including without limitation, any and all development rights, air rights, ditches and ditch rights (including shares, if any, in any ditch company) appurtenant to the Property.

TO HAVE AND TO HOLD the said Property above bargained and described with the appurtenances, unto the Grantee and its successors and assigns forever. The Grantor, for itself and its successors and assigns, does hereby covenant and agree that it shall and

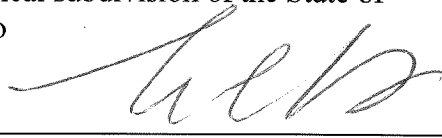
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First American Title Insurance
National Commercial Services
NCS-972934-1-CO

will **WARRANT AND FOREVER DEFEND** the above bargained Property in the quiet and peaceable possession of the Grantee, its successors and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the Grantor, except those Permitted Exceptions set forth on Exhibit A (consisting of three pages), as attached hereto and incorporated by this reference.

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

PARK CREEK METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado

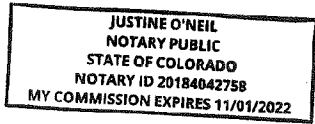
By: 
Tammi Holloway, Assistant Secretary

STATE OF COLORADO)
CITY AND COUNTY OF DENVER) ss.

The foregoing Special Warranty Deed was acknowledged before me by Tammi Holloway, as Assistant Secretary of Park Creek Metropolitan District, this 19th day of August, 2021.

Witness my hand and official seal.

My commission expires: 11/1/22



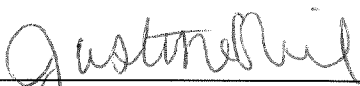

Notary Public

EXHIBIT A**PERMITTED EXCEPTIONS**

(Attached to and made a part of Special Warranty Deed – Stapleton Filing No. 47 – Road Right-of-Way Tracts and Open Space Tract between Park Creek Metropolitan District “Grantor” and City and County of Denver “Grantee” dated Aug 1974, 2021)

10. Terms, conditions, provisions, obligations and agreements as set forth in the Stapleton Development Plan - North Area recorded July 27, 2004 at Reception No. 2004157615 as amended by Amendment No. 1 to said development plan recorded October 10, 2007 at Reception No. 2007158161 and recorded July 22, 2009 at Reception No. 2009093987 and Amendment No. 2 to said development plan recorded August 15, 2012 at Reception No. 2012109675.
11. Reservations, including mineral rights, underground water rights, covenants and restrictions as set forth in Property Deed from the City and County of Denver, a Colorado municipal corporation to Stapleton Development Corporation recorded April 28, 2004 at Reception No. 2004097612.

Release of Open Space Restrictions in connection therewith was recorded September 24, 2015 at Reception No. 2015134331.

NOTE: All minerals, oil, gas and other hydrocarbon substances as reserved in the above deed were conveyed to Stapleton Development Corporation by Quit Claim Deed recorded April 28, 2004 at Reception No. 2004097613 and subsequently conveyed to Park Creek Metropolitan District by Quit Claim Deed recorded April 28, 2004 at Reception No. 2004097616 and then to FC Stapleton II, LLC by Quit Claim Deed recorded October 22, 2015 at Reception No. 2015149382 and the interest of FC Stapleton II, LLC in and to Tracts B, M, and N being conveyed to Park Creek Metropolitan District by Quitclaim Deed Recorded June 14, 2021 at Reception No. 2021111268.

12. Reservations, including mineral rights, underground water rights, covenants and restrictions as set forth in Property Deed from the City and County of Denver, a Colorado municipal corporation to Stapleton Development Corporation recorded September 24, 2015 at Reception No. 2015134332.

NOTE: All minerals, oil, gas and other hydrocarbon substances as reserved in the above deed were conveyed to Stapleton Development Corporation by Quit Claim Deed recorded September 24, 2015 at Reception No. 2015134333 and subsequently conveyed to FC Stapleton I, LLC by Quit Claim Deed recorded September 24, 2015 at Reception No. 2015134338 and to FC Stapleton II, LLC by Quit Claim Deed recorded September 24, 2015 at Reception No. 2015134350 and to Park Creek Metropolitan District by Quit Claim Deed recorded September 24, 2015 at Reception No. 2015134346.

13. Reservations, including all minerals, oil, gas and other hydrocarbon substances and all water and water rights, and restrictive covenants as set forth in Property Deed from

the City and County of Denver to Stapleton Development Corporation recorded September 20, 2013 at Reception No. 2013138776.

Note: All minerals, oil, gas and other hydrocarbon substances were subsequently conveyed to Stapleton Development Corporation by Quit Claim Deed recorded September 20, 2013 at Reception No. 2013138777 and to FC Stapleton I, LLC by Quit Claim Deed recorded September 20, 2013 at Reception No. 2013138890 and to FC Stapleton II, LLC by Quit Claim Deed recorded September 20, 2013 at Reception No. 2013138894 and to Park Creek Metropolitan District by Quit Claim Deed recorded September 23, 2013 at Reception No. 2013139184.

14. Reservations, including all minerals, oil, gas and other hydrocarbon substances and all water and water rights, and restrictive covenants as set forth in Property Deed from the City and County of Denver to Stapleton Development Corporation recorded April 28, 2004 at Reception No. 2004097619.

Note: All minerals, oil, gas and other hydrocarbon substances were conveyed to Stapleton Development Corporation by Quit Claim Deed recorded April 28, 2004 at Reception No. 2004097620 and then to Park Creek Metropolitan District by Quit Claim Deed recorded April 28, 2004 at Reception No. 2004097623.

15. Reservations, including all minerals, oil, gas and other hydrocarbon substances and all water and water rights, and restrictive covenants as set forth in Property Deed from the City and County of Denver to Stapleton Development Corporation recorded April 27, 2013 at Reception No. 2013054933.

Note: All minerals, oil, gas and other hydrocarbon substances were conveyed to Stapleton Development Corporation by Quit Claim Deed recorded April 17, 2013 at Reception No. 2013054934 and then to Park Creek Metropolitan District by Quit Claim Deed recorded April 17, 2013 at Reception No. 2013054946.

16. Reservations, including all minerals, oil, gas and other hydrocarbon substances and all water and water rights, and restrictive covenants as set forth in Property Deed from the City and County of Denver to Stapleton Development Corporation recorded June 4, 2004 at Reception No. 2004120463.

Note: All minerals, oil, gas and other hydrocarbon substances were conveyed to Stapleton Development Corporation by Quit Claim Deed recorded June 4, 2004 at Reception No. 2004120464 and then to Park Creek Metropolitan District by Quit Claim Deed recorded April 4, 2004 at Reception No. 2004120467.

17. Intentionally deleted.
18. Intentionally deleted.
19. Intentionally deleted.
20. Intentionally deleted.

21. Terms, conditions, provisions, obligations and agreements as set forth in the Recordation of Development Agreement recorded August 25, 2004 at Reception No. 2004176011 and Agreements Regarding Recordation of Development Agreement recorded September 20, 2013 at Reception No. 2013138891, September 23, 2013 at Reception No. 2013139185, and September 24, 2015 at Reception Nos. 2015134343 and 2015134347.
22. Terms, conditions, provisions, obligations and agreements as set forth in the Recordation of Development Agreement recorded April 28, 2004 at Reception No. 2004097625.
23. Intentionally deleted.
24. Any tax, lien, fee or assessment by reason of inclusion of subject property in the Westerly Creek Metropolitan District, as evidenced by instruments recorded June 17, 2004 at Reception No. 2004128627, September 15, 2004 at Reception No. 2004193224, August 23, 2013 at Reception No. 2013125596, January 21, 2014 at Reception No. 2014006434, December 18, 2015 at Reception No. 2015174888.
25. Intentionally deleted.
26. Intentionally deleted.
27. Easements, notes, covenants, restrictions and rights-of-way as shown on the plat of Stapleton Filing No. 47, recorded September 16, 2015 at Reception No. 2015130371 and amended by Affidavit of Correction recorded July 17, 2019 at Reception No. 2019092358.
28. Terms, conditions, provisions, obligations and agreements as set forth in the Stapleton Site Development Plan for Filing No. 47 recorded October 14, 2015 at Reception No. 2015145055.
29. Intentionally deleted.
30. Intentionally deleted.
31. Easements, notes, covenants, restrictions and rights-of-way as shown on the plat of Stapleton Filing No. 13, recorded September 29, 2004 at Reception No. 2004204799.
32. Intentionally deleted.

END OF PERMITTED EXCEPTIONS