

# TOWER 160 SUBDIVISION FILING NO. 5

A RESUBDIVISION OF TRACT A, TOWER 160 SUBDIVISION  
SITUATED IN THE SE QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH,  
RANGE 66 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO

**DEDICATION:**

KNOW ALL MEN BY THESE PRESENTS THAT EVC-WDG TOWER, LLC, A COLORADO LIMITED LIABILITY COMPANY, AS OWNER, AND INTRUST BANK, N.A. AS HOLDER OF DEED OF TRUST, HAVE LAID OUT, PLATTED AND SUBDIVIDED INTO A BLOCK AND LOT AS SHOWN ON THIS PLAT, THE LAND DESCRIBED AS FOLLOWS:  
TRACT A, TOWER 160 SUBDIVISION, CITY AND COUNTY OF DENVER, STATE OF COLORADO CONTAINING 55,329 SQUARE FEET OR 1.2702 ACRES, MORE OR LESS

UNDER THE NAME AND STYLE OF TOWER 160 SUBDIVISION FILING NO. 5, AND BY THESE PRESENTS DOES HEREBY DEDICATE TO THE CITY AND COUNTY OF DENVER THE EASEMENTS STATED IN THE PLAT NOTES AND OTHER PUBLIC PLACES HEREON SHOWN AND NOT ALREADY OTHERWISE DEDICATED FOR PUBLIC USE.

**GENERAL NOTES**

- ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
- THIS PROPERTY IS LOCATED WITHIN ZONE X, OTHER AREAS - DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR CITY AND COUNTY OF DENVER, COMMUNITY PANEL NUMBER 0800460117H, MAP EFFECTIVE DATE NOVEMBER 20, 2013. THE ACCURACY OF ANY FLOOD HAZARD DATA SHOWN ON THIS SURVEY IS SUBJECT TO MAP SCALE UNCERTAINTY AND TO ANY OTHER UNCERTAINTY IN LOCATION OR ELEVATION ON THE REFERENCED FLOOD INSURANCE RATE MAPS.
- BEARINGS ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEARING S 89°52'23" W, A DISTANCE OF 2645.65 FEET, AS MONUMENTED AT THE SOUTHEAST CORNER BY A FOUND 3-1/4" ALUMINUM CAP STAMPED "PLS 36053", AND AT THE SOUTH QUARTER CORNER BY A FOUND 3-1/4" ALUMINUM CAP STAMPED "PLS 36053".
- ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES IN U.S. SURVEY FEET.
- THE WORD "CERTIFY" OR "CERTIFICATE" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.
- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY KIMLEY-HORN AND ASSOCIATES, INC. TO DETERMINE OWNERSHIP OF THIS TRACT, VERIFY THE DESCRIPTION SHOWN, VERIFY THE COMPATIBILITY OF THIS DESCRIPTION WITH THAT OF ADJACENT TRACTS, OR VERIFY EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY OR TITLE OF RECORD, KIMLEY-HORN AND ASSOCIATES, INC. RELIED UPON TITLE COMMITMENT FILE NO. 100-N0050042-010-T02, AMENDMENT NO. 3, EFFECTIVE DATE DECEMBER 1, 2023, PREPARED BY FIDELITY NATIONAL TITLE, NATIONAL COMMERCIAL SERVICES.
- TOWER 160 SUBDIVISION FILING NO. 5 HAS 1 LOT AND 1 BLOCK.
- A RIGHT OF ACCESS FOR EMERGENCY SERVICES IS HEREBY GRANTED ON AND ACROSS ALL AREAS FOR POLICE, FIRE, MEDICAL AND OTHER EMERGENCY VEHICLES AND FOR THE PROVISION OF EMERGENCY SERVICES.
- AN ACCESS EASEMENT FOR MUNICIPAL SERVICES PROVIDED BY THE CITY AND COUNTY OF DENVER IS HEREBY GRANTED TO THE CITY AND COUNTY OF DENVER ON AND ACROSS ALL PRIVATE DRIVES WITHIN THE PLATTED PROPERTY.
- NOTE 8 ON THE SUBDIVISION PLAT TOWER 160 SUBDIVISION, CITY AND COUNTY OF DENVER, STATE OF COLORADO, IS DELETED AND HAS NO FORCE OR EFFECT.
- FIELD WORK WAS COMPLETED ON SEPTEMBER 8, 2023.
- THE FOLLOWING DOCUMENTS AFFECT THE SUBJECT PROPERTY:
  - PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE ORDER AS SET FORTH BELOW:  
RECORDING DATE: JULY 29, 1980  
RECORDING NO.: BOOK 2477 PAGE 159, AND  
RECORDING DATE: AUGUST 13, 1981  
RECORDING NO.: BOOK 2584 PAGE 355, ADAMS COUNTY RECORDS AND RECORDED AUGUST 13, 1981 IN BOOK 2432 PAGE 361
  - PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE INTERGOVERNMENTAL AGREEMENT ON ANNEXATION AS SET FORTH BELOW:  
RECORDING DATE: MAY 26, 1988  
RECORDING NO.: BOOK 3450 PAGE 751, ADAMS COUNTY RECORDS AND  
RECORDING NO.: RECEPTION NO. R-88-0270668  
ANNEXATION PLAT I:  
RECORDING DATE: MAY 26, 1988  
RECORDING NO.: RECEPTION NO. 817174, ADAMS COUNTY RECORDS
  - PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE INTERGOVERNMENTAL AGREEMENT ON A NEW AIRPORT AS SET FORTH BELOW:  
RECORDING DATE: FEBRUARY 13, 1990  
RECORDING NO.: BOOK 3647 PAGE 699
  - PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE INTERGOVERNMENTAL AGREEMENT ON ANNEXATION AND BOUNDARIES AS SET FORTH BELOW:  
RECORDING DATE: JANUARY 16, 1990  
RECORDING NO.: BOOK 3639 PAGE 318, ADAMS COUNTY RECORDS AND  
RECORDING DATE: FEBRUARY 20, 1990  
RECORDING NO.: RECEPTION NO. R-90-0015551
  - PROPERTY IS SUBJECT TO EASEMENTS, NOTES, TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS AS SHOWN ON THE PLAT OF TOWER 160 SUBDIVISION:  
RECORDING DATE: JUNE 10, 2008  
RECORDING NO.: RECEPTION NO. 2008079854  
SURVEYOR'S AFFIDAVIT OF CORRECTION:  
RECORDING DATE: JUNE 4, 2019  
RECORDING NO.: RECEPTION NO. 2019067834  
SURVEYOR'S AFFIDAVIT OF CORRECTION:  
RECORDING DATE: JUNE 5, 2019  
RECORDING NO.: RECEPTION NO. 2019070686
  - PROPERTY IS SUBJECT TO RESERVATIONS CONTAINED IN THE PATENT:  
FROM: THE STATE OF COLORADO  
FROM: EVC-WDG TOWER, LLC, A COLORADO LIMITED LIABILITY COMPANY  
RECORDING DATE: MAY 6, 2019  
RECORDING NO.: RECEPTION NO. 2019054951  
NO SURFACE OCCUPANCY AGREEMENT:  
RECORDING DATE: MAY 6, 2019  
RECORDING NO.: RECEPTION NO. 2019055007
  - PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE GENERAL ASSIGNMENT AND ASSUMPTION AGREEMENT AS SET FORTH BELOW:  
RECORDING DATE: MAY 6, 2019  
RECORDING NO.: RECEPTION NO. 2019054952

**ATTORNEY'S CERTIFICATION**

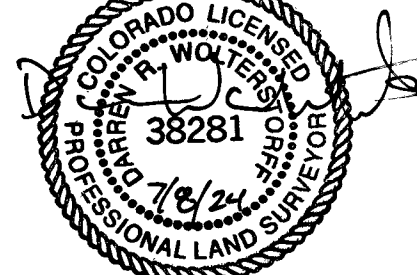
I HEREBY CERTIFY THAT I HAVE EXAMINED THE EVIDENCE OF TITLE TO THE LAND DESCRIBED HEREON, AND FIND THE TITLE TO THE PUBLIC PLACES TO BE IN THE ABOVE-NAMED DEDICATORS. THIS 1st DAY OF October A.D. 2024 AT 10 O'CLOCK — M., FREE AND CLEAR OF ENCUMBRANCES EXCEPT AS SHOWN AND LISTED HEREIN.

Kerry Tiper 10-8-24  
ATTORNEY FOR THE CITY AND COUNTY OF DENVER DATE  
Ma Pllh 10-8-24  
ASSISTANT CITY ATTORNEY DATE

**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.

I FURTHER CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS ACCURATE AND IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE TO MY KNOWLEDGE, INFORMATION AND BELIEF, AND THAT THIS CERTIFICATION IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.



DARREN R. WOLTERSTORFF, PLS 38281  
FOR AND ON BEHALF OF KIMLEY-HORN AND ASSOCIATES, INC.  
DARREN.WOLTERSTORFF@KIMLEY-HORN.COM

**APPROVALS**

I HEREBY CERTIFY THAT THIS MAP AND 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.

James S. Blay 8/20/2024  
CITY ENGINEER DATE  
APPROVED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE:  
Amey Ford 21 Aug 2024  
EXECUTIVE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE DATE  
APPROVED BY THE EXECUTIVE DIRECTOR OF COMMUNITY PLANNING AND DEVELOPMENT:  
Choler 8.15.2024  
EXECUTIVE DIRECTOR OF COMMUNITY PLANNING AND DEVELOPMENT DATE  
APPROVED BY THE EXECUTIVE DIRECTOR OF PARKS AND RECREATION:  
Miller 8/28/24  
EXECUTIVE DIRECTOR OF PARKS AND RECREATION DATE

APPROVED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER, COLORADO, BY RESOLUTION NO. \_\_\_\_\_ OF THE SERIES 20\_\_\_\_, WITNESS MY HAND AND OFFICIAL SEAL OF THE CITY AND COUNTY OF DENVER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_.

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

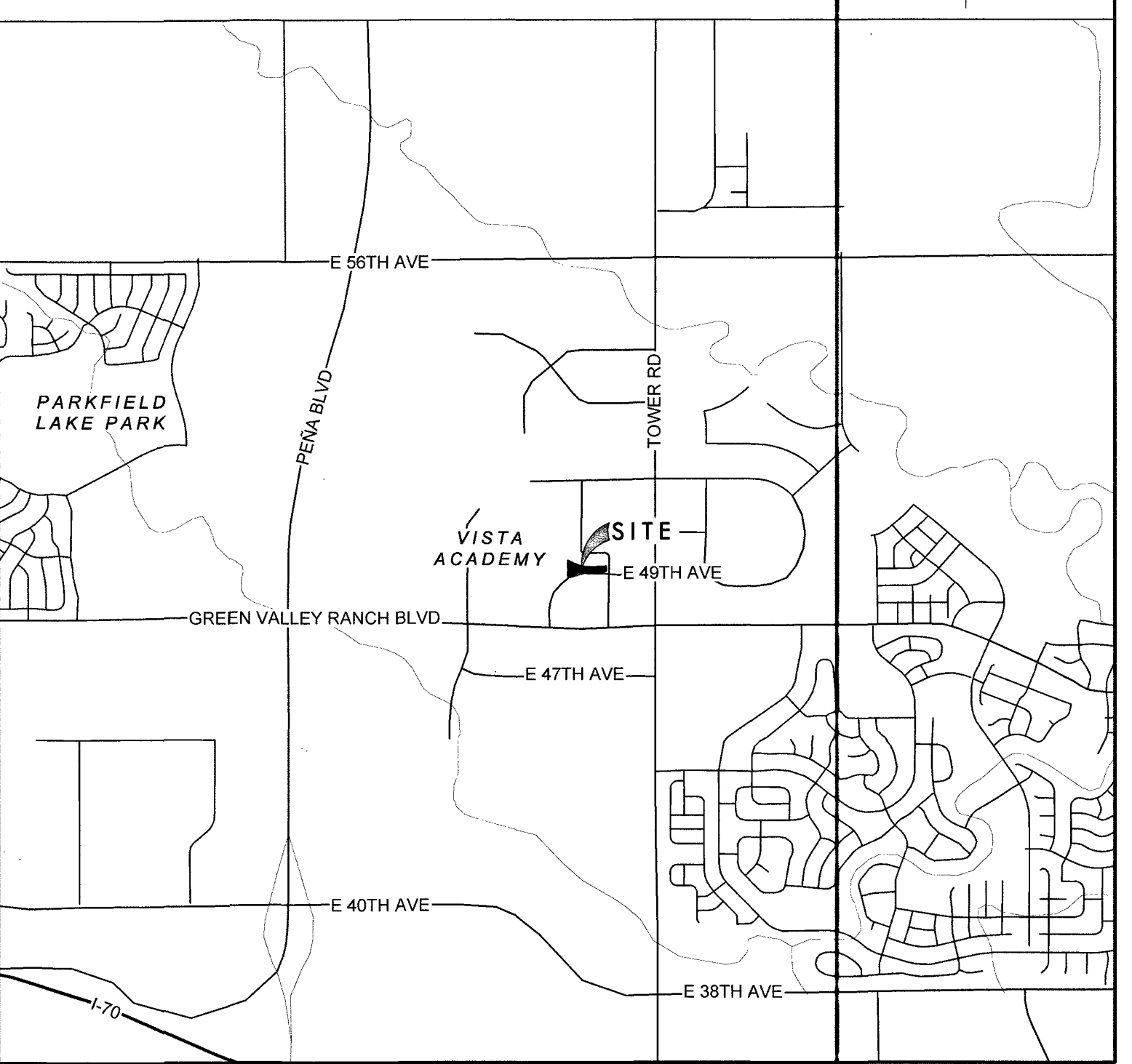
**CLERK & RECORDER'S CERTIFICATION**

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. \_\_\_\_\_ 202\_\_\_\_, AND DULY RECORDED AT RECEPTION NO. \_\_\_\_\_.

CLERK AND RECORDER  
BY \_\_\_\_\_ DEPUTY  
FEE \_\_\_\_\_

**VICINITY MAP** 1" = 2,000'



**OWNER:**

EVC-WDG TOWER, LLC, A COLORADO LIMITED LIABILITY COMPANY

BY: Luke R. Spallmaier  
STATE OF KANSAS )  
  ) SS  
COUNTY OF SHAWNEE )

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 1st DAY OF July  
BY Luke R. Spallmaier AS Authorized Manager

MY COMMISSION EXPIRES 8-24-2024, WITNESS MY HAND AND OFFICIAL SEAL

Kelley D. Donovan  
SIGNATURE  
Kelley D. Donovan  
NAME OF NOTARY



SIGNATURE  
3501 SW Fairlawn Rd, Ste 200, Topeka, KS 66614  
ADDRESS

**HOLDER OF DEED OF TRUST:**

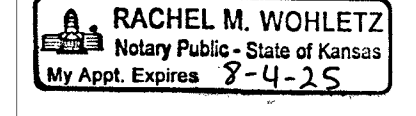
INTRUST BANK, N.A.

BY: Ben Tenpenney Sr Comm. Relationship Mgr  
STATE OF Kansas )  
  ) SS  
COUNTY OF Shawnee )

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 1st DAY OF July  
BY Ben Tenpenney Sr AS Senior Commercial Relationship Manager

MY COMMISSION EXPIRES 8-4-2025, WITNESS MY HAND AND OFFICIAL SEAL

Rachel Wohletz  
SIGNATURE  
Rachel Wohletz  
NAME OF NOTARY



SIGNATURE  
1035 Topeka Blvd Topeka, KS 66612  
ADDRESS

5	12/11/23	REV. T.C.
4	11/1/23	REV. T.C.
3	9/7/23	REV.
2	7/27/23	REV. T.C.
1	7/12/23	REV.
No.	DATE	REVISION DESCRIPTION

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	PTM	DRW	Dec. 2023	096516009	1 OF 2

## Kimley»Horn

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www.kimley-horn.com

