SECOND AMENDMENT TO REVOCABLE AND NONEXCLUSIVE LICENSE (CONFLUENCE EAST IMPROVEMENTS)

THIS SECOND AMENDMENT is made and entered into by and between the **CITY AND COUNTY OF DENVER**, a home rule City and Colorado municipal corporation, whose address is 1437 Bannock, Denver, Colorado 80202 ("City"), and CONFLUENCE APARTMENTS, LLC, a Delaware limited liability company d/b/a Confluence Park Apartments, LLC, whose address is c/o PM Realty Group L.P., 1000 Main Street, Suite 2400, Houston, TX 77002-6359 ("Owner" or "Licensee" and together with the City, the Parties" or separately, a "Party").

RECITALS

WHEREAS, the City and the Licensee entered into a Development Agreement, dated March 2, 2016, found in City Clerk File Number 2016-0231, to define the Confluence East Improvements and to allow the Confluence East Improvements to be constructed; and

WHEREAS, the City granted to Licensee a Revocable License ("License"), dated July 15, 2016 ("Effective Date"), to construct certain off-site improvements within an open space parcel of land in Denver located generally on the south side of 15th Street along the east bank of the South Platte River known as "Confluence East", which improvements are known as the "Confluence East Improvements"; and

WHEREAS, the City and Licensee amended the License ("First Amendment"), dated January 25, 2017, to clarify the term of the License with respect to warranty/guarantee periods of the Confluence East Improvements as required by the City's Technical Specifications; and

WHEREAS, the City and the Licensee desire the Licensee, at no cost to the City, to cause to be constructed and complete the Confluence East Improvements to be located within Confluence East and in conformance with the Site Development Plan and the Development Agreement; and

WHEREAS, the Parties desire the Expiration Date of this License to coincide with he warranty period required by the Technical Specifications and triggered by the City's issuance of Substantial Completion;

WHEREAS, the City and the Licensee desire to amend the License so that the Licensee, and/or Licensee's contractor has access to, across and over Confluence East and to complete the construction and perform required maintenance of the Confluence East Improvements, as required by the License and First and Second Amendment and as depicted on Amended Exhibit C;

NOW, THEREFORE, the City and Licensee hereby amend the terms and conditions set forth for Licensee's access as follows:

1. Paragraph 11 is amended to read as follows:

"11. TERM. This License shall commence on the Effective Date. Substantial Completion, as that term is used in the Technical Specifications, was issued on August 31, 2017. Upon issuance of Substantial Completion, Licensee is required to comply with the warranty/guarantee provisions of the Technical Specifications. This license shall terminate upon the expiration of the warranty/guarantee periods as required by the Technical Specifications, but in no event later than August 31, 2019 ("Expiration Date")."

2. Amended Exhibit C is herby stricken and replaced with Second Amended Exhibit C, attached to this Second Amendment.

3. Amended Exhibit D is hereby stricken and replaced with Second Amended Exhibit D, attached to this Second Amendment.

[The remainder of this page is intentionally blank.]

Contract Control Number:

IN WITNESS WHEREOF, the parties have set their hands and affixed their seals at Denver, Colorado as of

SEAL	CITY AND COUNTY OF DENVER
ATTEST:	By
APPROVED AS TO FORM:	REGISTERED AND COUNTERSIGNED:
	By
By	

By_____



LICENSEE:

Confluence Apartments, LLC, a Delaware limited liability company

- By: Denver Confluence, LLC, a Delaware limited liability company its Managing Member
 - By: PMRG Confluence, LLC, a Texas limited liability company its Managing Member
 - By: PM Realty Group, L.P. a Delaware Membership its Manager

By:	Provident Investor GP, LLC,				
-	a Texas limited liability company				
	its sole General Partner				

By: Name: Rick Kirk REN Its: Manager

SECOND AMENDED EXHIBIT C

Confluence East Improvements

(Attached)

CONFLUENCE PARK

PROJECT TEAM

LANDSCAPE ARCHITECT STUDIO OUTSIDE CONTACT: BRIAN HALSELL 824 EXPOSITION AVE., SUITE 5 DALLAS, TX 75226 TEL: (214) 954-7160 FAX: (214) 954-7162

IRRIGATION HINES IRRIGATION CONTACT: NATE HINES ADDRESS: 323 West Drake Road, Suite 204 Fort Collins, Colorado 80525 TEL: 970.282.1800

HEET INDEX	PERMIT	PERMIT COMMENTS 7.26.16	PERMIT COMMENTS 8.08.16	PERMIT COMMENTS 9.01.16	PERMIT COMMENTS 9.13.16	PERMIT COMMENTS 9.20.16	PERMIT COMMENTS 10.12.16	PERMIT COMMENTS 11.28.16	PERMIT COMMENTS 12.21.16
COVER	X	X	X	X			X	X	X
L0.01 NOTES & LEGEND	X	X	X	X		X	X	X	X
L1.00 EXISTING CONDITION PLAN		X	X	X		X	X	X	X
L1.01 DEMOLITION PLAN	X	X	X	X		X	X	X	X
L2.01 HARDSCAPE PLAN	X	X	Χ	X			Χ	Χ	X
C1.01 GRADING AND UTILITY PLAN	X	X	X	X			X		
L4.01 HARDSCAPE DETAILS	X	X	X	X	X	X	X	Х	Х
S1.00 STRUCTURAL DETAILS			X	X			X	Х	Х
L5.01 PLANTING PLAN	X	X	X	X			X	Х	Х
L5.02 PLANTING DETAILS	X	Χ	Х	Х			Χ	Х	Х
L5.03 PLANT LEGEND	X	Х	Х	Х			Х	Х	Х
IR1 IRRIGATION PLAN	X	X	X	X			X		X
IR 2 IRRIGATION DETAILS	X	X	X	X			Χ		X
IR 3 IRRIGATION DETAILS		X	Χ	Х			Χ		X X
IR 4 IRRIGATION DETAILS		X	X	Х			Х		Х
E1.00 SITE ELECTRICAL		X	X	X	X		X	Х	X
			X	Х			X	X	X

Denver, Colorado **Issue for Construction** DECEMBER 21, 2016

CIVIL **BOWMAN CONSULTING** CONTACT: CHUCK WEISS ADDRESS: 603 Park Point Dr., Suite 100 Golden, CO 80401 TEL: 303.674.7355

ELECTRICAL **BLUM CONSULTING ENGINEERS** CONTACT: CHRISTOPHER MICHAEL ADDRESS: 8144 Walnut Hill Lane, Suite 200 Dallas, TX 75231 TEL: 214.373.8222

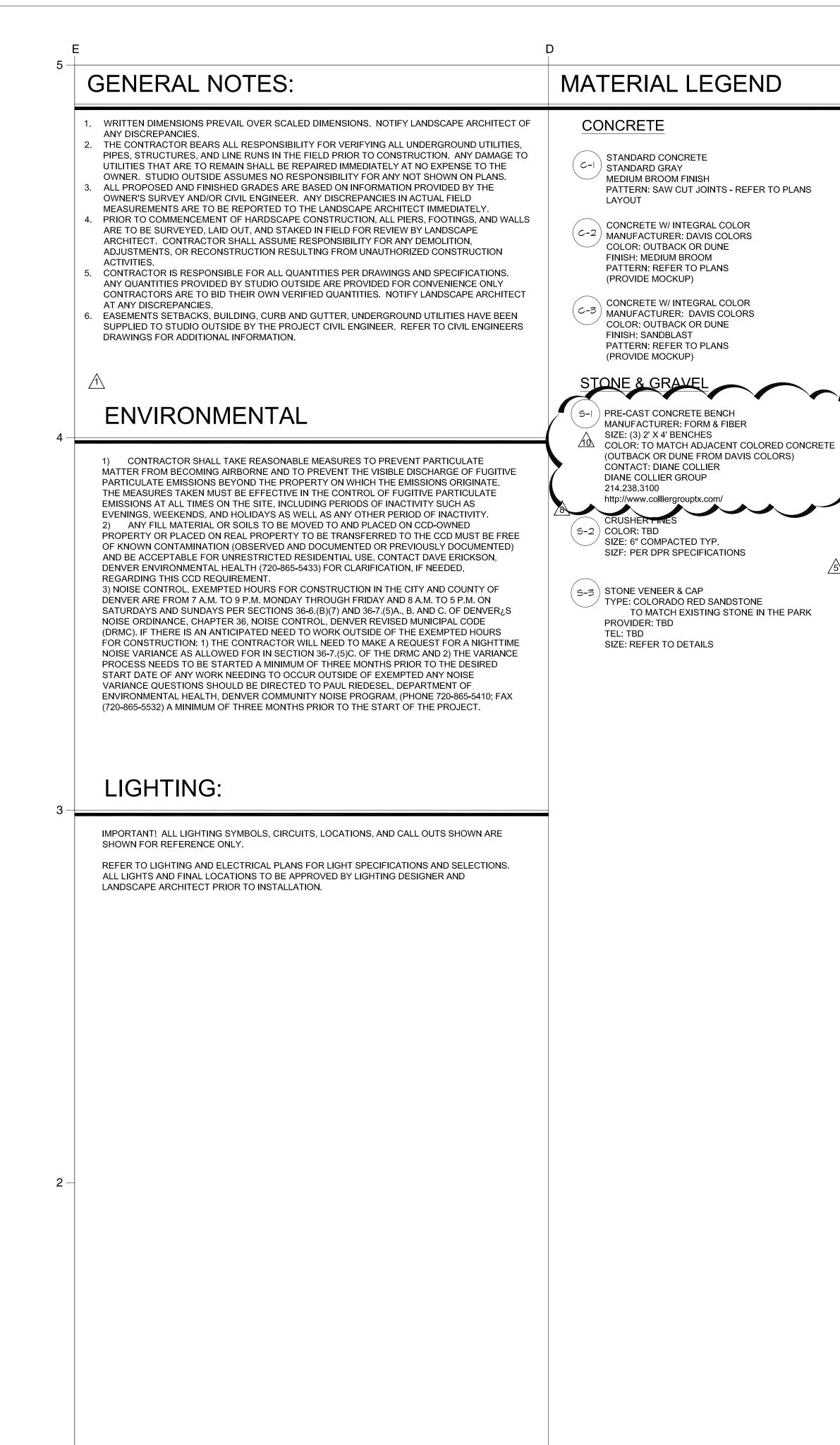
STRUCTURAL BROCKETTE-DAVIS-DRAKE CONTACT: JJ SNEED ADDRESS: 4144 N. CENTRAL EXPY., STE 1100 DALLAS, TX 75204 TEL: 214.824.3647

LOCATION MAP



City and County of Denver Parks and Recreation Department Checked for General Compliance with applicable Denver Criteria, Rules, Regulations and Standards. APPROVED (if validly signed)				
Approved by: Executive Director of Parks and Recreation Date (Note: Signature in Print)				
APPROVED AS TO FORM.				
DRAWINGS AND DESIGN ADEQUACY ARE ACCEPTED BASED UPON THE PROJECT LANDSCAPE ARCHITECT'S ATTACHED SEAL OF REGISTRATION.				
NILLAM MILLS 642 40 11/07/2008 Original Date of Licensure OF COLORID 400 FOF COLORID 400 FOF COLORID 400 FOF COLORID 400 SCAPE APP				

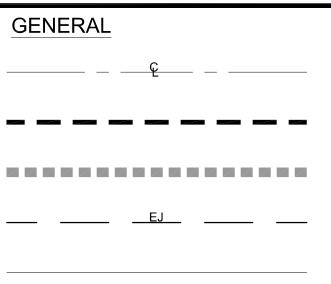


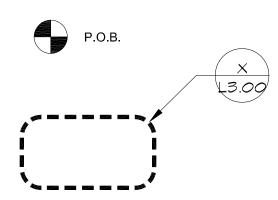


S - REFER TO PLANS	

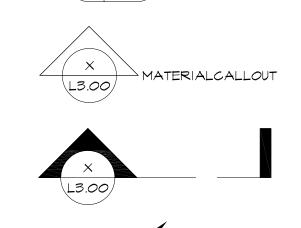
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SYMBOLS LEGEND:





 $\lfloor 4.0 \rfloor$ SHEET NUMBER DETAIL NUMBER (



C-I)-

ABBREVIATIONS

ТΜ

BΜ

FL

EJ

65

CL POB

COL

ΡA

+ 735.46

⊕ 735.46

CENTER LINE

LIMIT OF WORK

MATCHLINE

EXPANSION JOINT

- CONTROL JOINT
- POINT OF BEGINING

ENLARGEMENT REFERENCE

DETAIL REFERENCE

ELEVATION REFERENCE

SECTION REFERENCE

MATERIAL REFERENCE

PROPOSED LANDSCAPE SPOT GRADE PROPOSED CIVIL SPOT GRADE TOP OF WALL BOTTOM OF WALL TOP OF FOOTING FLOW LINE/ INVERT ELEVATION EXPANSION JOINT CONTROL/ CONSTRUCTION JOINT CENTER LINE POINT OF BEGINING TOP OF COLUMN

PLANTING AREA

SHOP DRAWING, SAMPLES, MOCK-UPS:

	PHOTOS	SHOP DRAWINGS	SAMPLES	MOCK UP	_
ALL PLANTS	Х				
COLORED CONCRETE				Х	-2
CRUSHED GRANITE			Х		
STONE SLABS, CAPS, AND VENEERS			Х	Х	
					1
	1	1			1

CONTRACTOR SHALL PREPARE/PROVIDE SHOP DRAWINGS FOR REVIEW BY LANDSCAPE ARCHITECT FOR THE FOLLOWING ITEMS:

MOCK UPS MAY BE "IN PLACE" AND USED AS PART OF THE FINAL CONSTRUCTION IF APPROVED. REFER TO SPECIFICATIONS FOR FOR MOCK UP DESCRIPTIONS.

studioOutside

824 Exposition Avenue, Ste. 5 Dallas, Texas 75226 o214.954.7160 f214.954.7162

Project Name

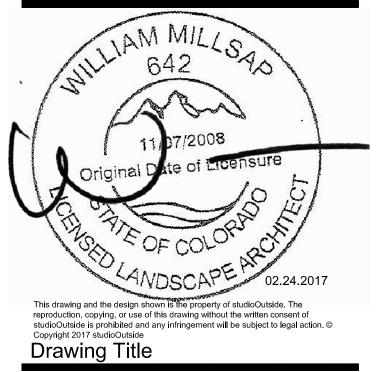
CONFLUENCE PARK EAST

Issue Title

PERMIT

Issue / Addenda / Revisions

	Date	Description
$\overline{\Lambda}$	7.26.16	Permit Comments
2	8.08.16	Permit Comments
3	9.01.16	Permit Comments
\underline{A}	9.13.16	Permit Comments
5	9.20.16	Permit Comments
\wedge	10.14.16	Permit Comments
$\overline{\mathbb{A}}$	11.28.16	Permit Comments
8	12.21.16	Permit Comments
ß	02.10.17	Permit Comments
10	03.03.17	ASI 26. R6



NOTES & LEGEND

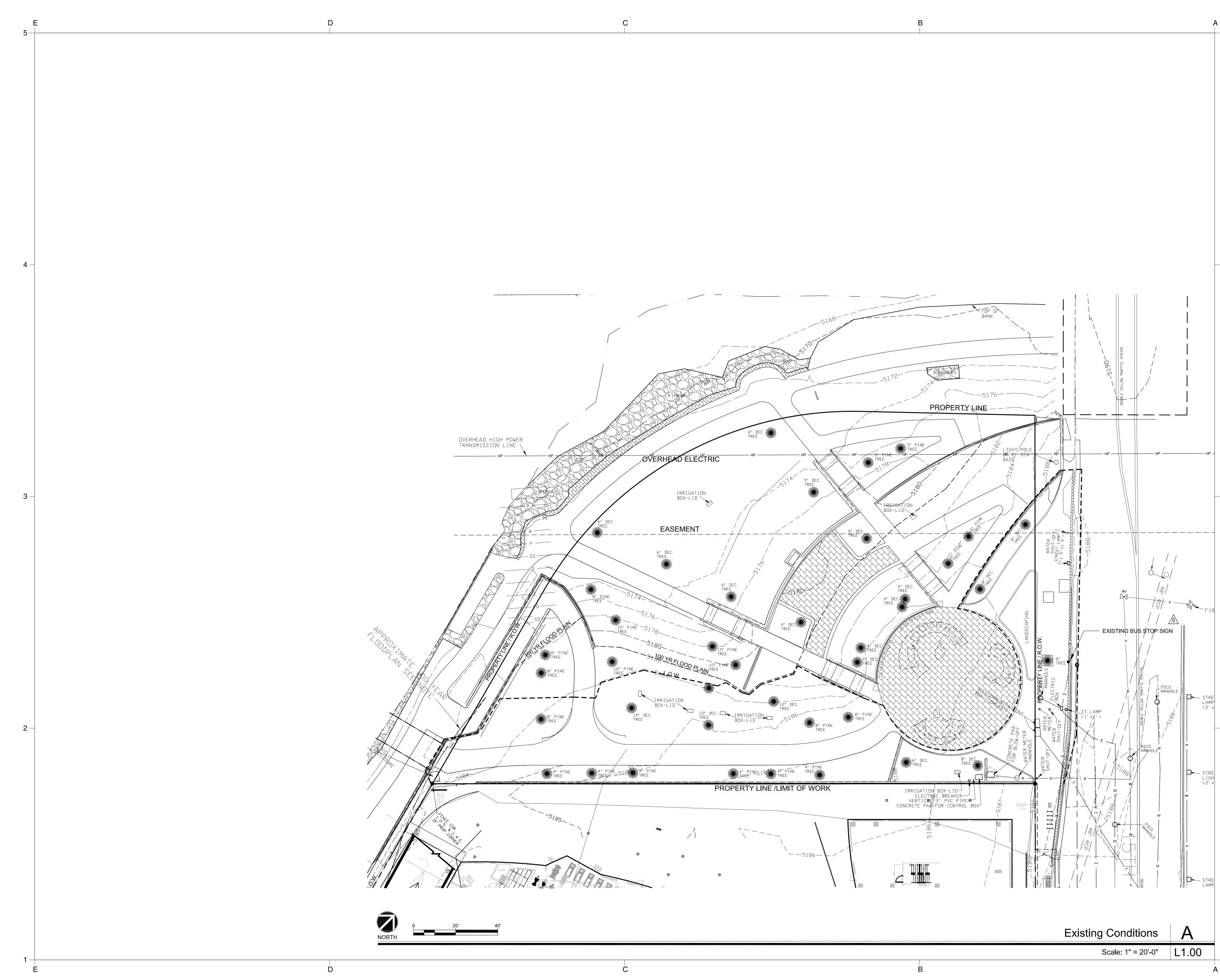
Issue Date:	03.03.2017
Project No:	14047
Reviewed By:	MF
Drawn By:	BH

ASI 26-R6

3/3/2017

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o214.954.7160 f214.954.7162

Project Name

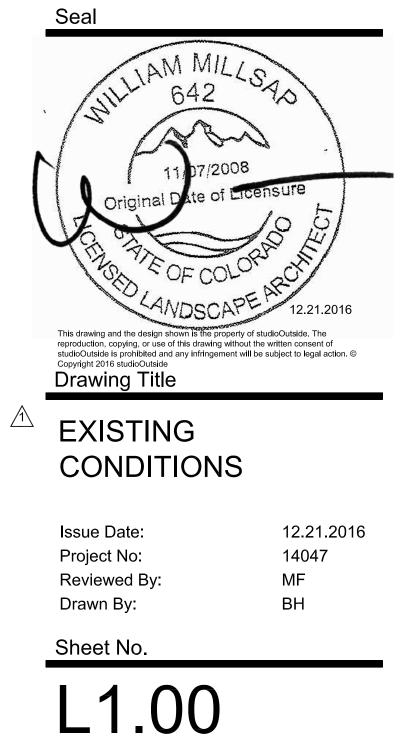


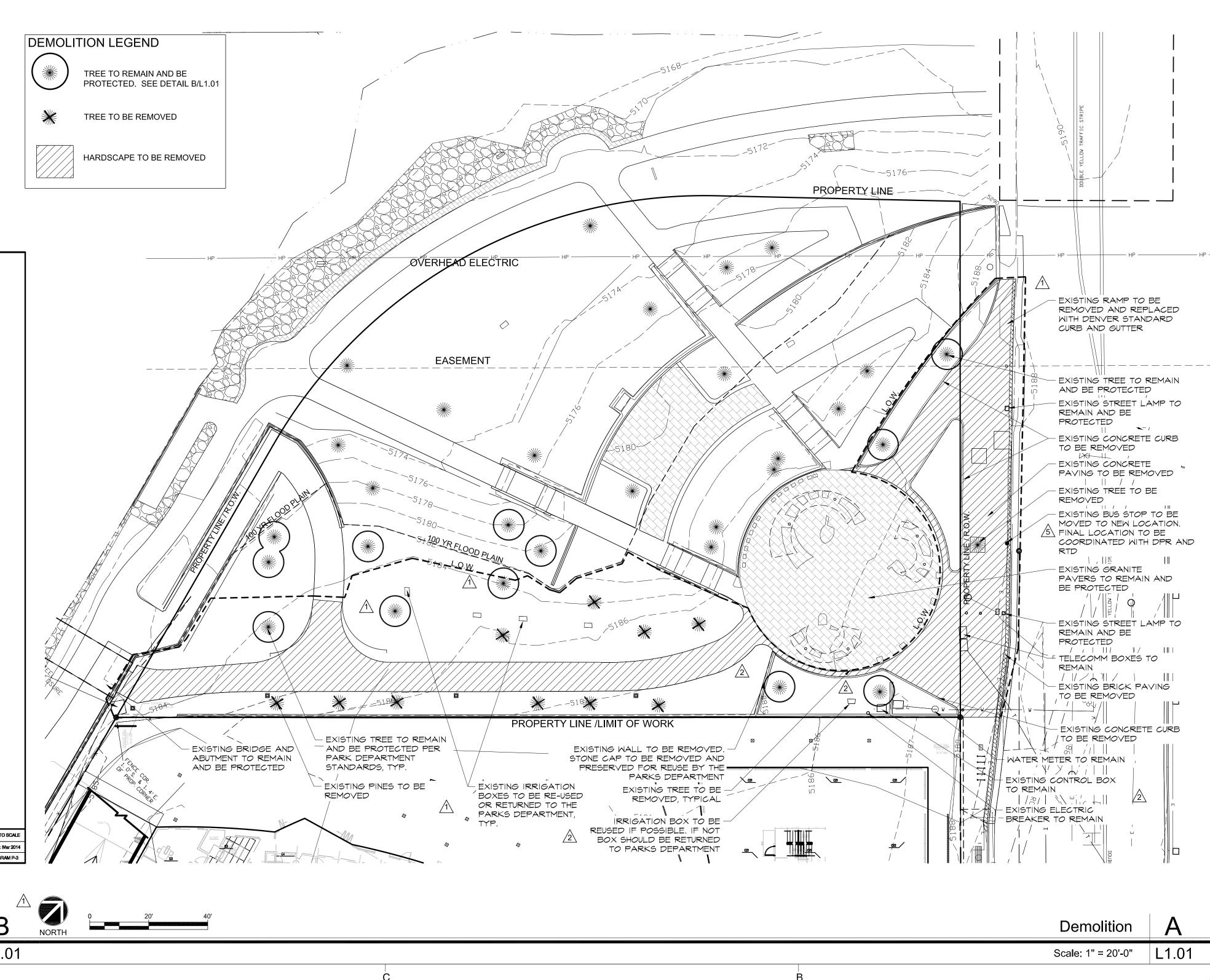


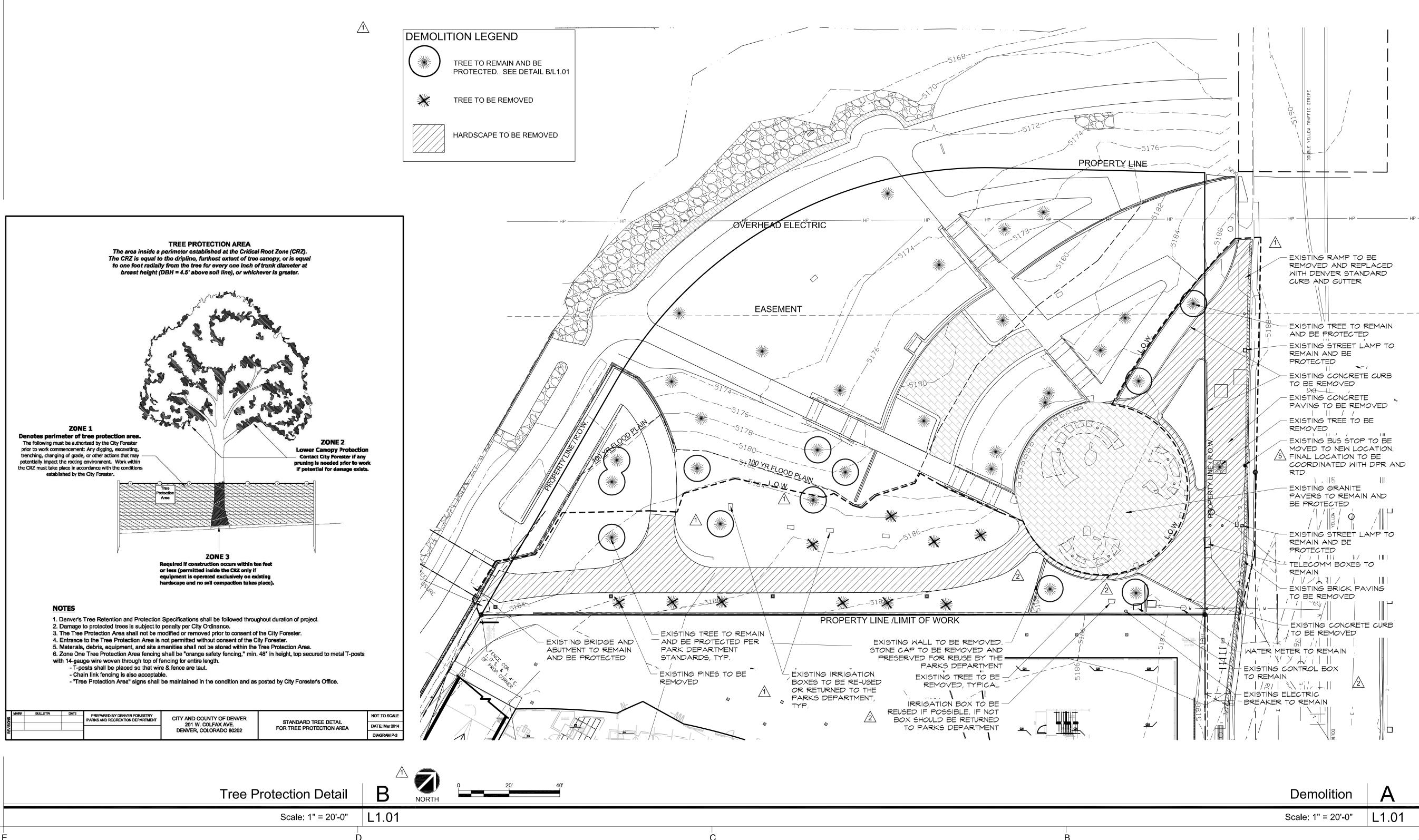
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$\overline{4}$	9.13.16	Permit Comments
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6	10.14.16	Permit Comments
\wedge	11.28.16	Permit Comments
8	12.21.16	Permit Comments







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Project Name



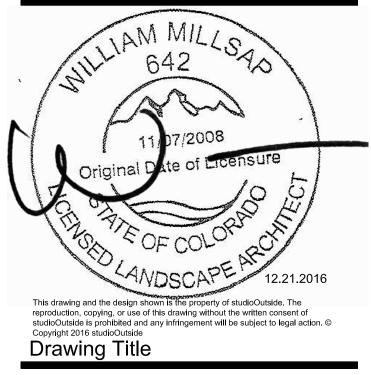
Issue Title

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Issue / Addenda / Revisions

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\wedge	11.28.16	Permit Comments
/8	12.21.16	Permit Comments
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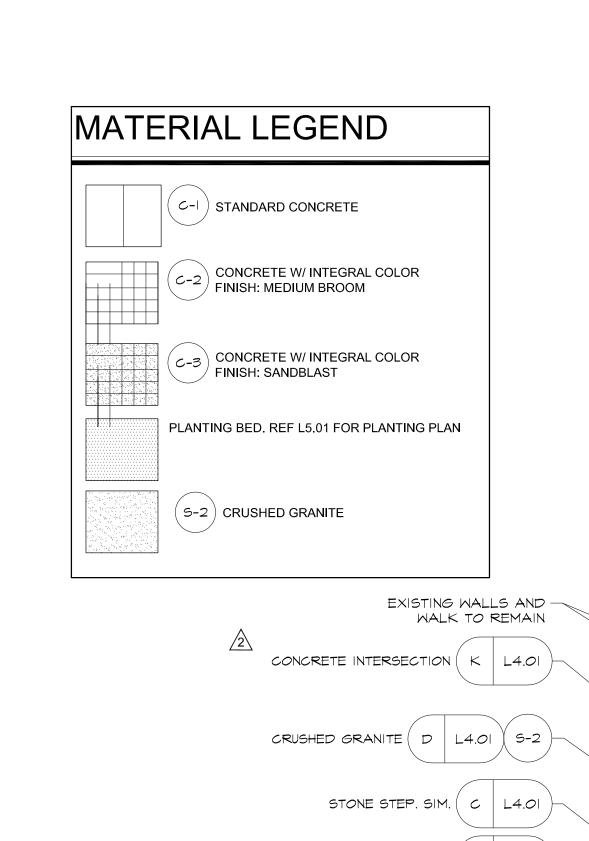


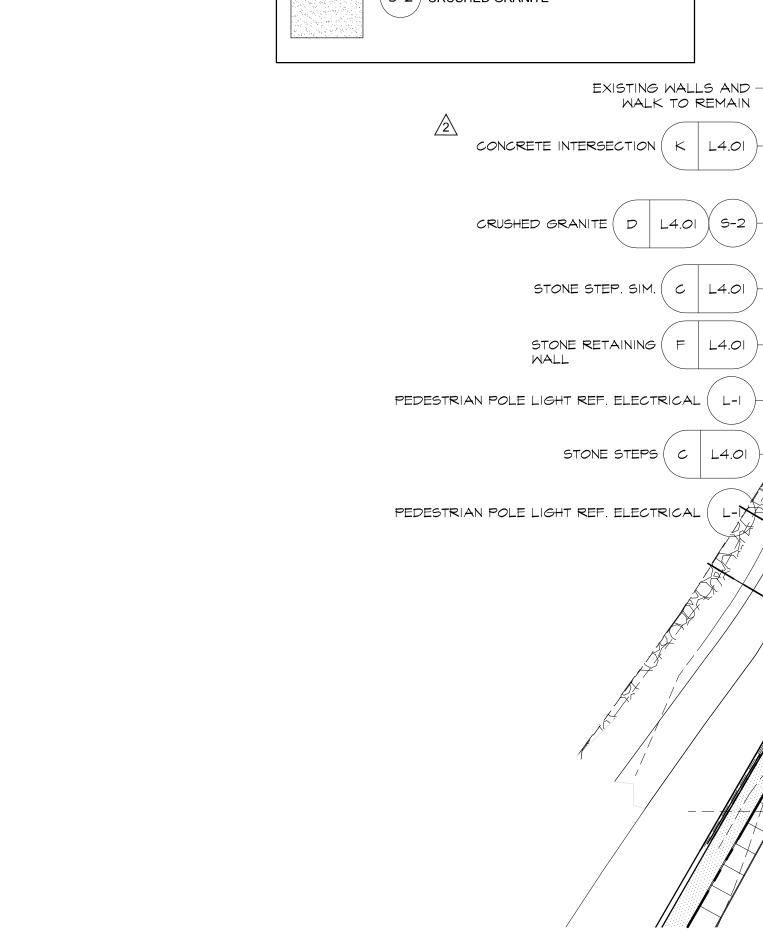
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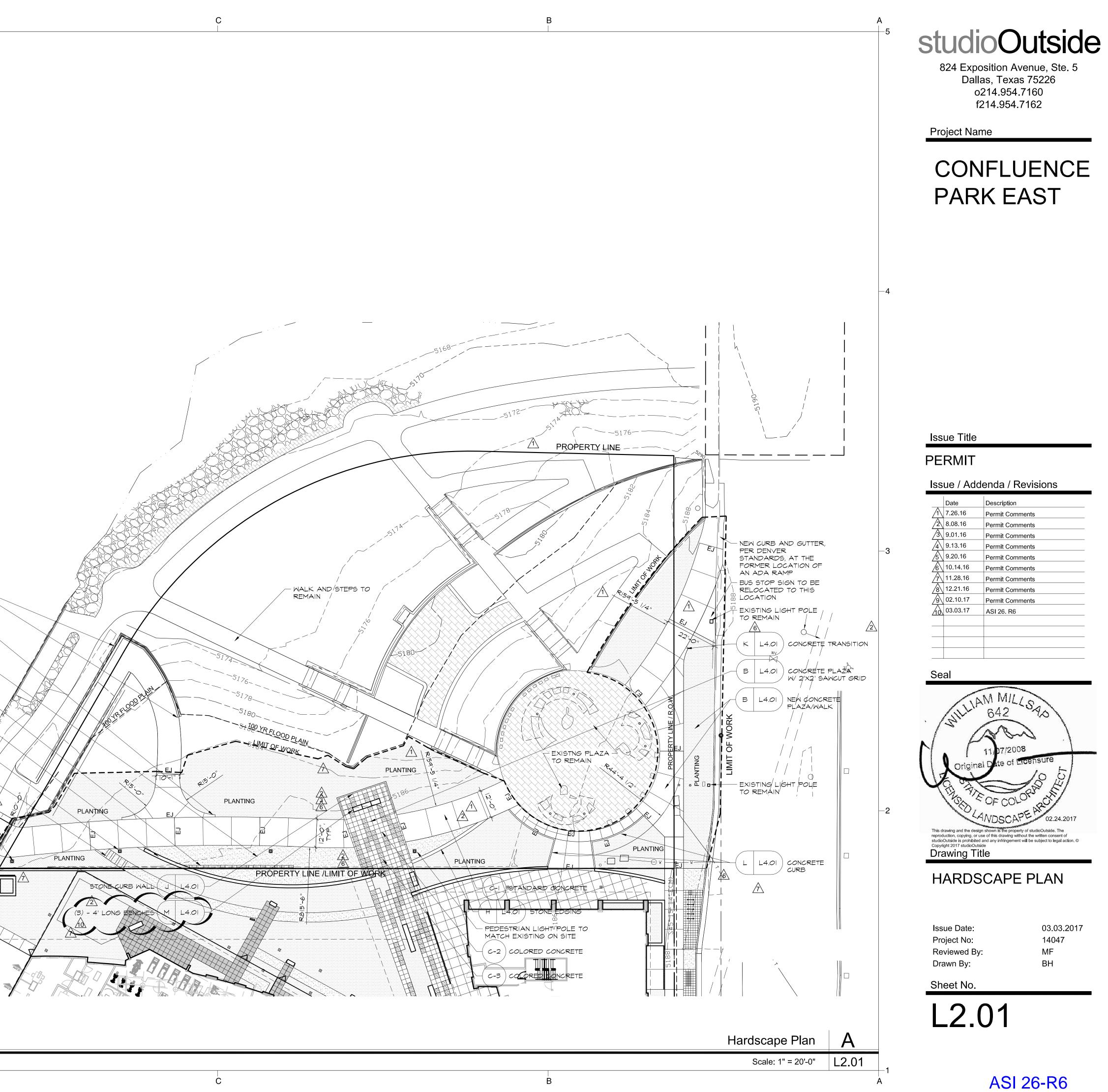
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Project No:	14047
Reviewed By:	MF
Drawn By:	BH

Sheet No.

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3/3/2017





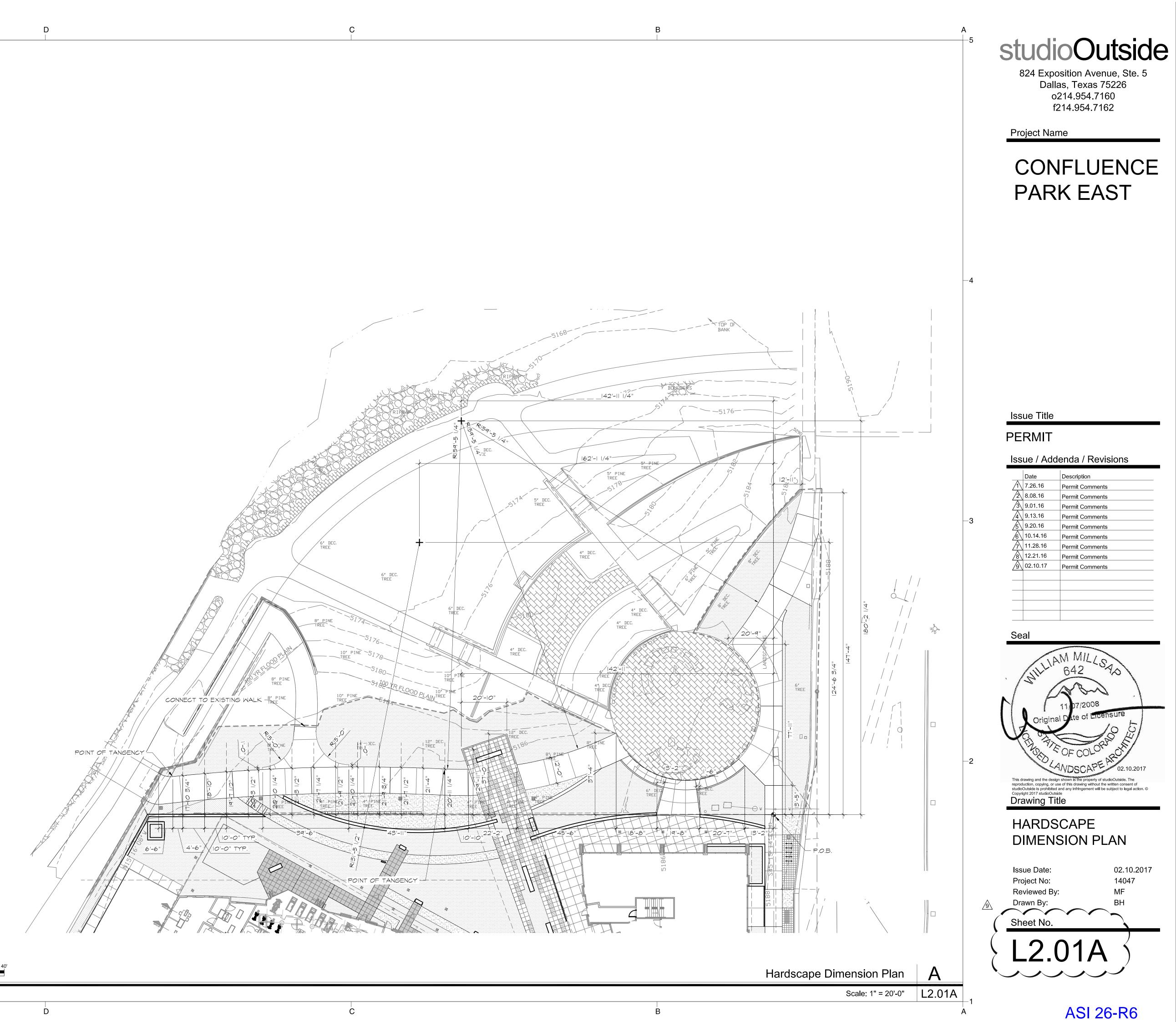




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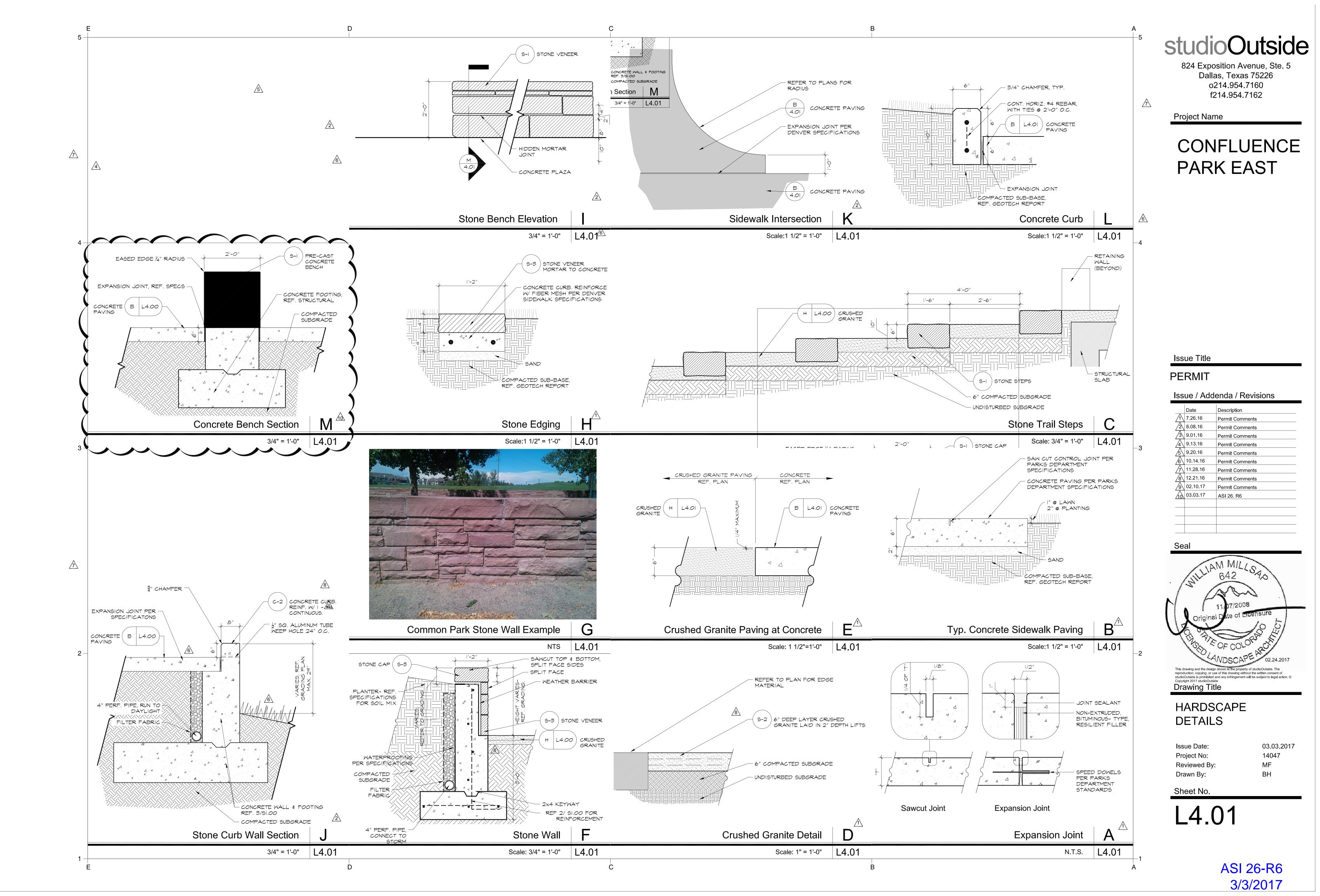


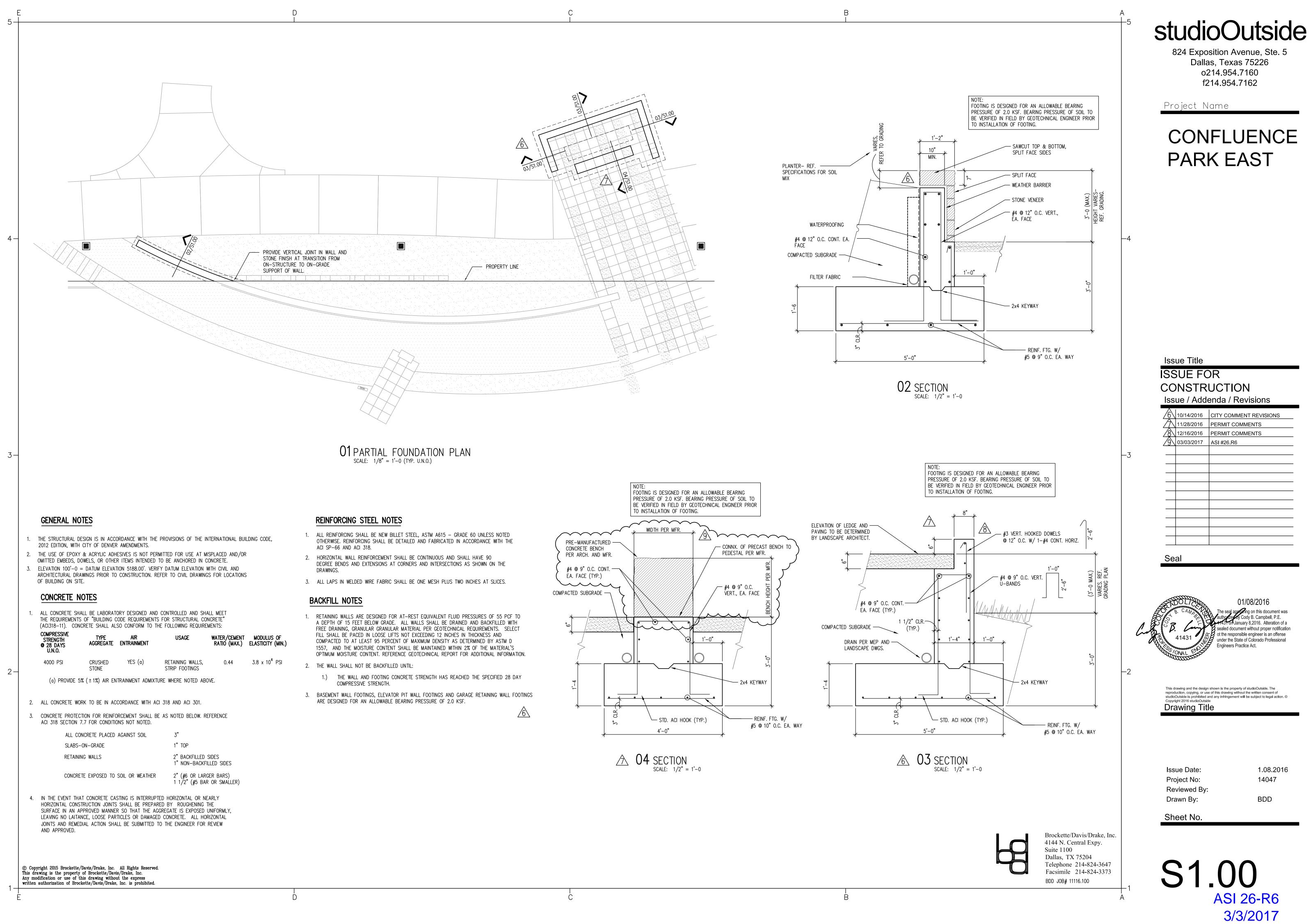


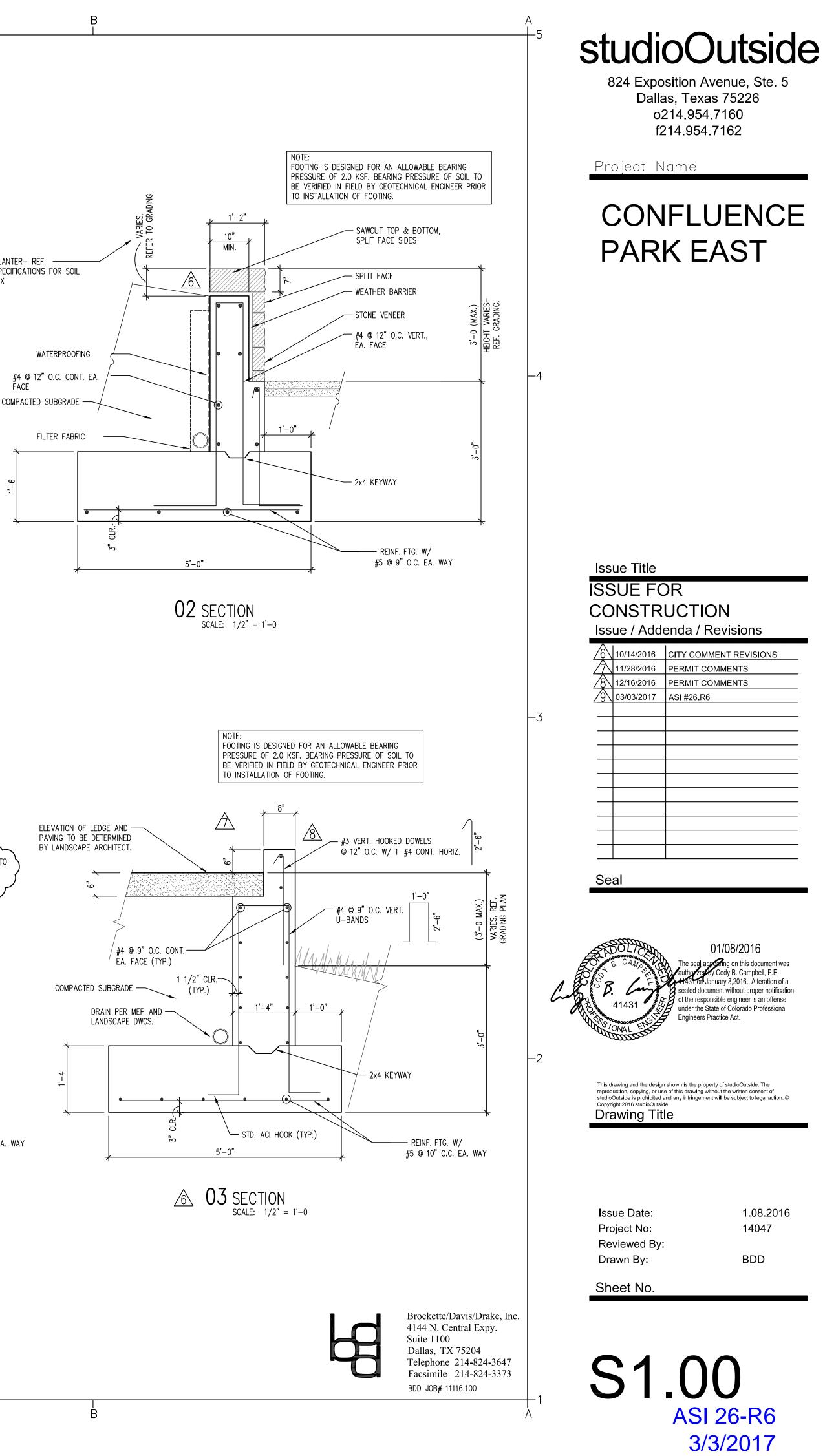




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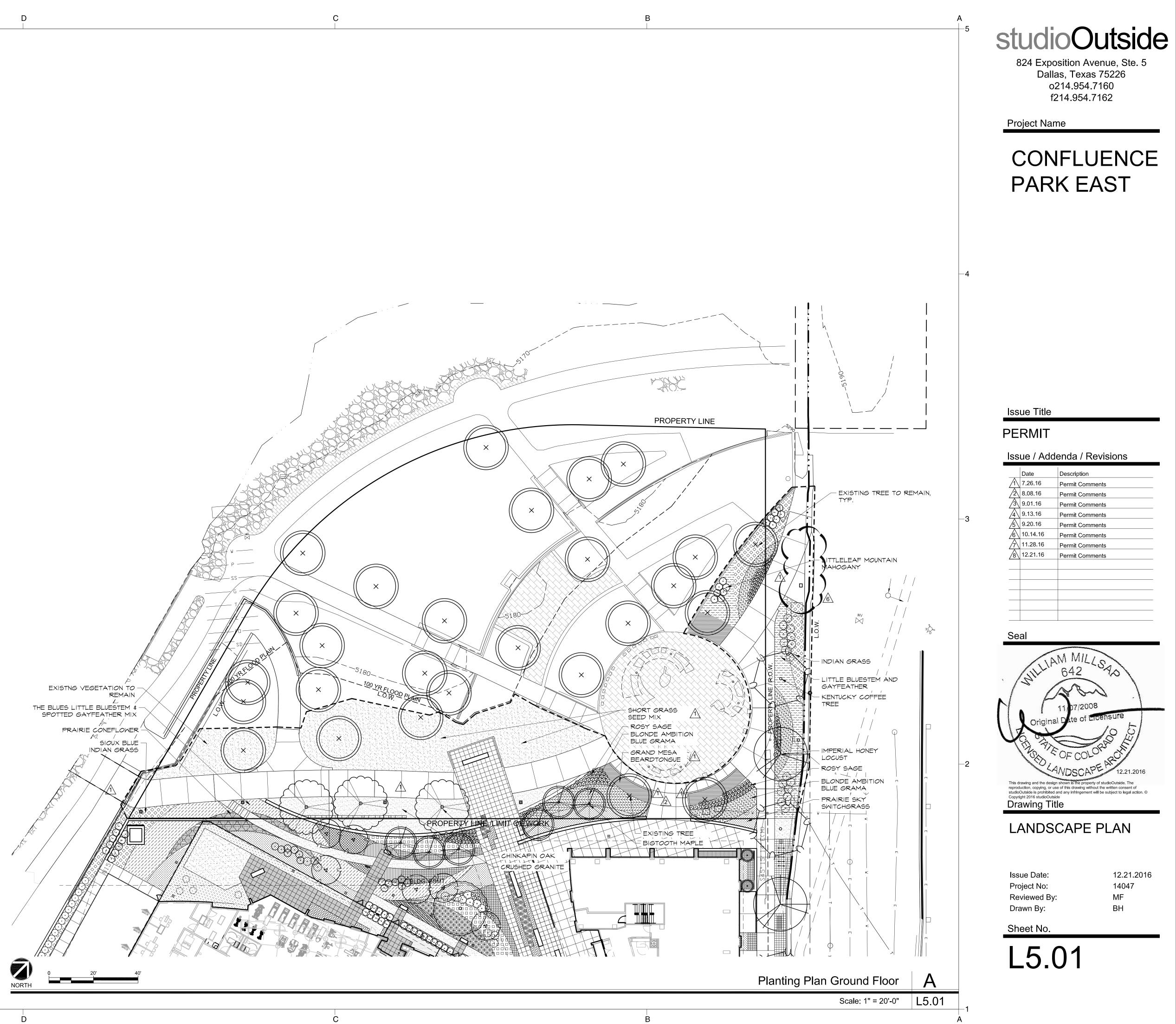


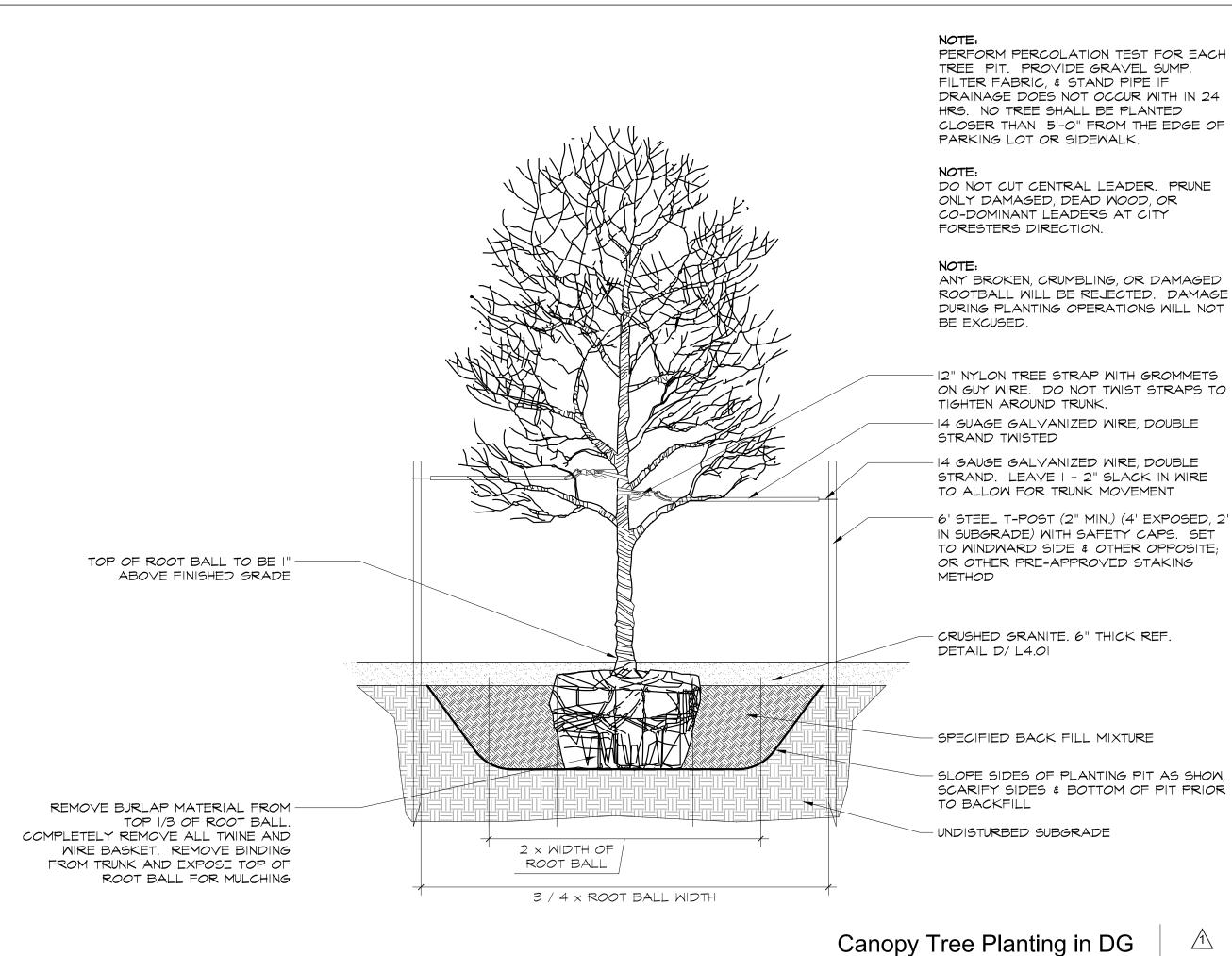


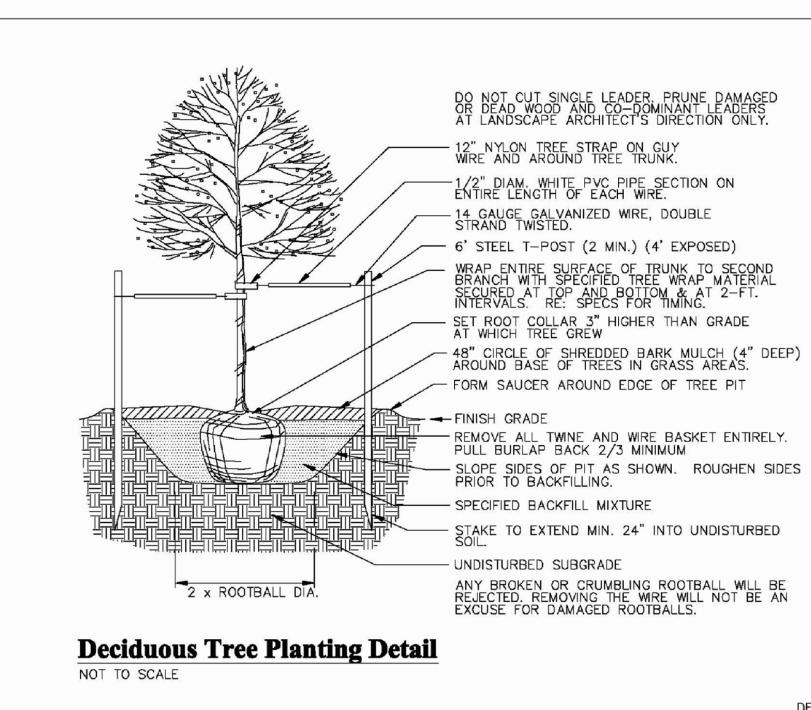


	PLANT LEO	GEND					
	PLANT SYMBOL	COMMON NAME BOTANICAL NAME					
		TREES					
	\bigcirc	IMPERIAL HONEY LOCUST Gleditsia triacanthos var. inermis 'Impcole'					
		KENTUCKY COFFEE TREE Gymnocladus dioicus					
7		CHINKAPIN OAK Quercus muehlenergia					
		ORNAMENTAL TREES					
	\bigcirc	BIGTOOTH MAPLE Acer grandidentatum					
		GROUNDCOVERS, SHRUBS, & PERRENIALS					
		BLONDE AMBITION BLUE GRAMA Bouteloua gracilis 'Blonde Ambition'					
))))))))))))))))))))))))))))))))))))))	LITTLELEAF MOUNTAIN MAHOGANY Cercocarpus intricatus					
	 • 	FERNBUSH Chamaebatiaria millefolium					
		PRAIRIE SKY SWITCHGRASS Panicum virgatum 'Prairie Sky'					
<u>.</u>		GRAND MESA BEARDTONGUE Penstemon mensarum					
		PRAIRIE CONEFLOWER Ratibida columnifera					
	\bigotimes	ROSE SAGE Sal∨ia pachyphylla					
	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	THE BLUES LITTLE BLUESTEM & SPOTTED GAYFEATHER MIX Schizachyrum scoparium 'The Blues' & Liatris punctata					
		SIOUX BLUE INDIANGRASS Sorghastrum nutans 'Sioux Blue'					
7		SHORT GRASS SEED MIX per Denver Parks Department Specifications					

Proposed Canopy removed (square footage):	
(9) Austrian Pines (83 sq.ft. each)	750
(1) Linden	400
(1) Cottonwood	900
Total: Contractor Proposed Canopy Removed	2,050
Proposed Canopy replacement (square footage):	
(2) Chinkapin Oak (490 sf each)	980
(2) Bigtooth Maple (450 sf each)	900
(1) Honey locust	600
(1) Kentucky Coffeetree	600
Total: Contractor Proposed Canopy Replacement	3,080





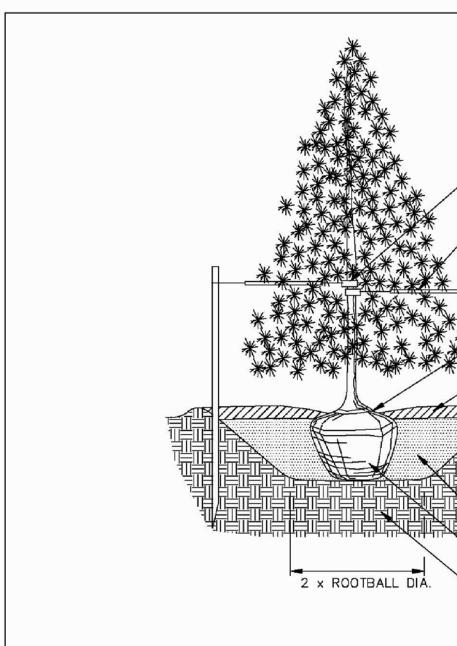


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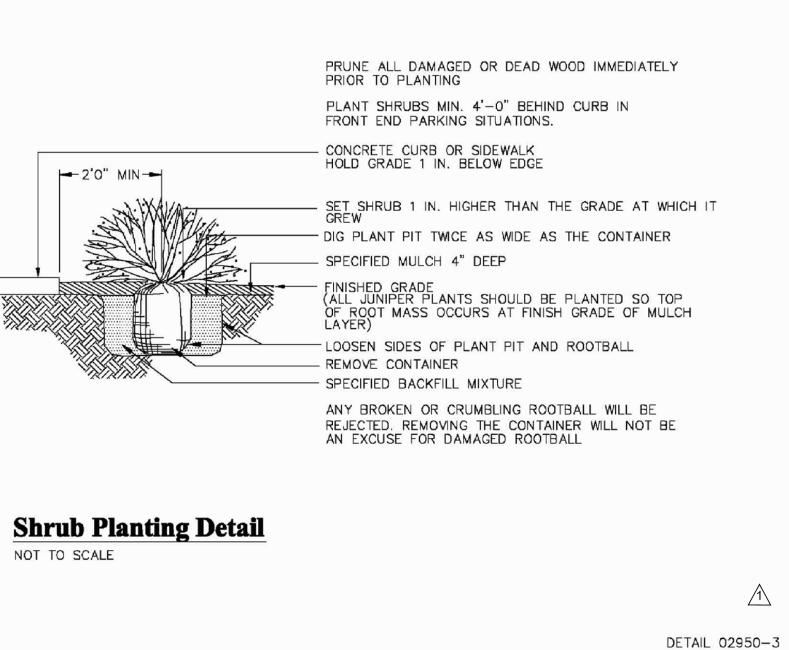
Scale: 1/2" = 1' - 0"

DETAIL 02950-1

<u>/1</u>



Evergreen Tree Planting Detail NOT TO SCALE



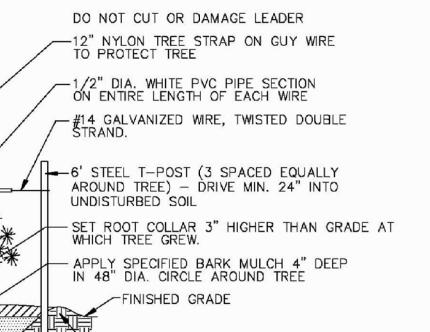
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824 Exposition Avenue, Ste. 5 Dallas, Texas 75226 o214.954.7160 f214.954.7162

Project Name





-FORM SAUCER AROUND EDGE OF TREE PIT SLOPE SIDES OF PIT AS SHOWN. ROUGHEN SIDES

PRIOR TO BACKFILLING. SPECIFIED BACKFILL MIXTURE

- REMOVE BURLAP FROM TOP 2/3 OF ROOTBALL REMOVE WIRE BASKET AND TWINE COMPLETELY. - UNDISTURBED SUBGRADE

DETAIL 02950-2

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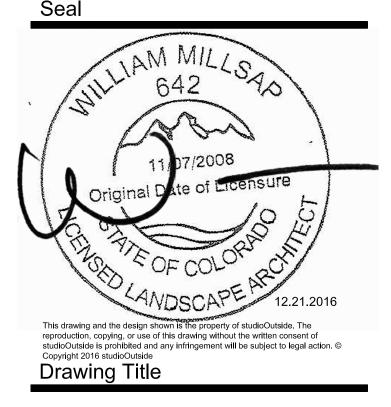
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Issue Title

PERMIT

Issue / Addenda / Revisions

	Date	Description
Λ	7.26.16	Permit Comments
2	8.08.16	Permit Comments
3	9.01.16	Permit Comments
A	9.13.16	Permit Comments
$\sqrt{5}$	9.20.16	Permit Comments
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\wedge	11.28.16	Permit Comments
$\overline{\mathbb{A}}$	12.21.16	Permit Comments



PLANTING DETAILS

12.21.2016
14047
MF
BH

Sheet No.

L5.02

PLANTING NOTES:

- 1. CONTRACTOR SHALL STAKE OUT ALL INFORMAL TREE LOCATIONS IN FIELD FOR REVIEW BY THE LANDSCAPE ARCHITECT PRIOR TO PLANTING L.A. RESERVES THE RIGHT TO ADJUST PLANTS TO EXACT LOCATION IN FIELD. 2. PLANTING BEDS SHALL BE STAKED FOR REVIEW BY LANDSCAPE ARCHITECT PRIOR TO
- EXCAVATION. 3. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL
- UNDERGROUND UTILITIES, PIPES, STRUCTURES, AND LINE RUNS IN THE FIELD PRIOR TO THE INSTALLATION OF ANY PLANT MATERIAL.
- 4. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ADVISE THE LANDSCAPE ARCHITECT OF ANY CONDITION FOUND ON THE SITE WHICH PROHIBITS INSTALLATION AS SHOWN ON THESE DRAWINGS.
- 5. TREES OVERHANGING WALKS AND PARKING SHALL HAVE A MINIMUM CLEAR TRUNK HEIGHT OF SEVEN (7') FEET. TREES OVERHANGING PUBLIC STREET PAVEMENT DRIVE AISLES AND FIRE LANES SHALL HAVE A MINIMUM CLEAR TRUNK HEIGHT OF FOURTEEN (14') FEET. 6. ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AND MUST
- BE REPLACED WITH PLANT MATERIAL OF SAME VARIETY AND SIZE IF DAMAGED, DESTROYED, OR REMOVED. 7. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR FINE GRADING AND REMOVAL OF DEBRIS
- PRIOR TO PLANTING IN ALL AREAS. 8. FINAL FINISH GRADING SHALL BE REVIEWED BY THE LANDSCAPE CONTRACTOR THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR ANY ADDITIONAL TOPSOIL REQUIRED TO CREATE A
- SMOOTH CONDITION PRIOR TO PLANTING. 9. ALL PLANT MATERIAL SHALL CONFORM TO THE SPECIFICATIONS AND SIZES GIVEN IN THE PLANT LIST AND SHALL BE NURSERY GROWN IN ACCORDANCE WITH THE U.S.A. STANDARD FOR NURSERY
- STOCK. LATEST EDITION AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS. ANY PLANT SUBSTITUTION SHALL BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO PURCHASE. 10. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR ANY COORDINATION WITH OTHER CONTRACTORS ON SITE AS REQUIRED TO ACCOMPLISH ALL PLANTING OPERATIONS.
- 16. WRITTEN DIMENSIONS & GRADES PREVAIL OVER SCALED DIMENSIONS. NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES PRIOR TO INSTALLATION.
- 17. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UNDERGROUND UTILITIES, PIPES, STRUCTURES, AND LINE RUNS IN THE FIELD PRIOR TO THE INSTALLATION OF ANY PLANT MATERIAL.
- 18. STUDIO OUTSIDE ASSUMES NO RESPONSIBILITY FOR ANY EXCAVATION OR GRADING NOT SHOWN ON SURVEYS OR CIVIL ENGINEER'S PLANS SUPPLIED TO STUDIO OUTSIDE. ALL PROPOSED AND FINISHED GRADES ARE BASED ON INFORMATION PROVIDED BY THE OWNER'S SURVEY AND/OR CIVIL ENGINEER. ANY DISCREPANCIES IN ACTUAL FIELD MEASUREMENTS ARE TO BE REPORTED TO THE ARCHITECT IMMEDIATELY.
- 19. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR ALL FINAL QUANTITIES PER DRAWINGS AND SPECIFICATIONS. ANY QUANTITIES PROVIDED BY STUDIO OUTSIDE ARE PROVIDED FOR CONVENIENCE ONLY AND SHALL NOT BE CONSIDERED ABSOLUTE. NOTIFY ARCHITECT IF ANY DISCREPANCIES OCCUR. CONTRACTORS ARE TO BID THEIR OWN VERIFIED QUANTITIES.

PLANT	LEGEND

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	PLANT SYMBOL	COMMON NAME BOTANICAL NAME	SIZE MIN.	HEIGHT MIN.	SPREAD MIN.	COMMENTS
		TREES				
-	\bigcirc	IMPERIAL HONEY LOCUST Gleditsia triacanthos var. inermis 'Impcole'	З" CAL.	4'- 6'	5'-6'	NURSERY GRO
		KENTUCKY COFFEE TREE Gymnocladus dioicus	З" CAL.	14'-16'	4'-6'	NURSERY GRO
7	IP	CHINKAPIN OAK Quercus muehlenergia	З" CAL.	14'-16'	4'-6'	NURSERY GRO
		ORNAMENTAL TREES	· ·			
	\bigcirc	BIGTOOTH MAPLE Acer grandidentatum	45 GAL.	10'	5'-6'	B¢B, MATCHE
2		GROUNDCOVERS, SHRUBS, & PERRENIALS				
		BLONDE AMBITION BLUE GRAMA Bouteloua gracilis 'Blonde Ambition'	GAL.	8"-10"	8"-10"	NURSERY GRO GROWN, PLAN
	20 E	LITTLELEAF MOUNTAIN MAHOGANY Cercocarpus intricatus	5 GAL.	24"	24"	NURSERY GRO GROWN, PLAN
		FERNBUSH Chamaebatiaria millefolium	5 GAL.	36"	36"	NURSERY GRO GROWN, PLAN
		PRAIRIE SKY SWITCHGRASS Panicum virgatum 'Prairie Sky'	I GAL.	30"	18"	NURSERY GRO GROWN, PLAN
2		GRAND MESA BEARDTONGUE Penstemon mensarum	GAL.	6"	6"	NURSERY GRO GROWN, PLAN
		PRAIRIE CONEFLOWER Ratibida columnifera	l GAL.	18"	10"	NURSERY GRO GROWN, PLAN
	\bigotimes	ROSE SAGE Salvia pachyphylla	GAL.	18"	18"	NURSERY GRO GROWN, PLAN
		THE BLUES LITTLE BLUESTEM & SPOTTED GAYFEATHER MIX Schizachyrum scoparium 'The Blues' & Liatris punctata	GAL.	4"- 6"	2"	50/50 MIX, A WELL ROOTE
		SIOUX BLUE INDIANGRASS Sorghastrum nutans 'Sioux Blue'	GAL.	30"	24"	NURSERY GRO GROWN, PLAN
		SHORT GRASS SEED MIX per Denver Parks Department Specifications	SEED	-	-	REFER TO DE

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studioOutside

824 Exposition Avenue, Ste. 5 Dallas, Texas 75226 o214.954.7160 f214.954.7162

Project Name



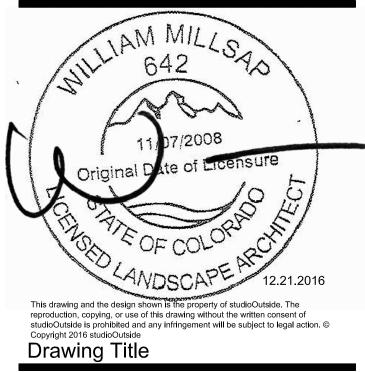
Issue Title

PERMIT

Issue / Addenda / Revisions

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PLANT LEGEND

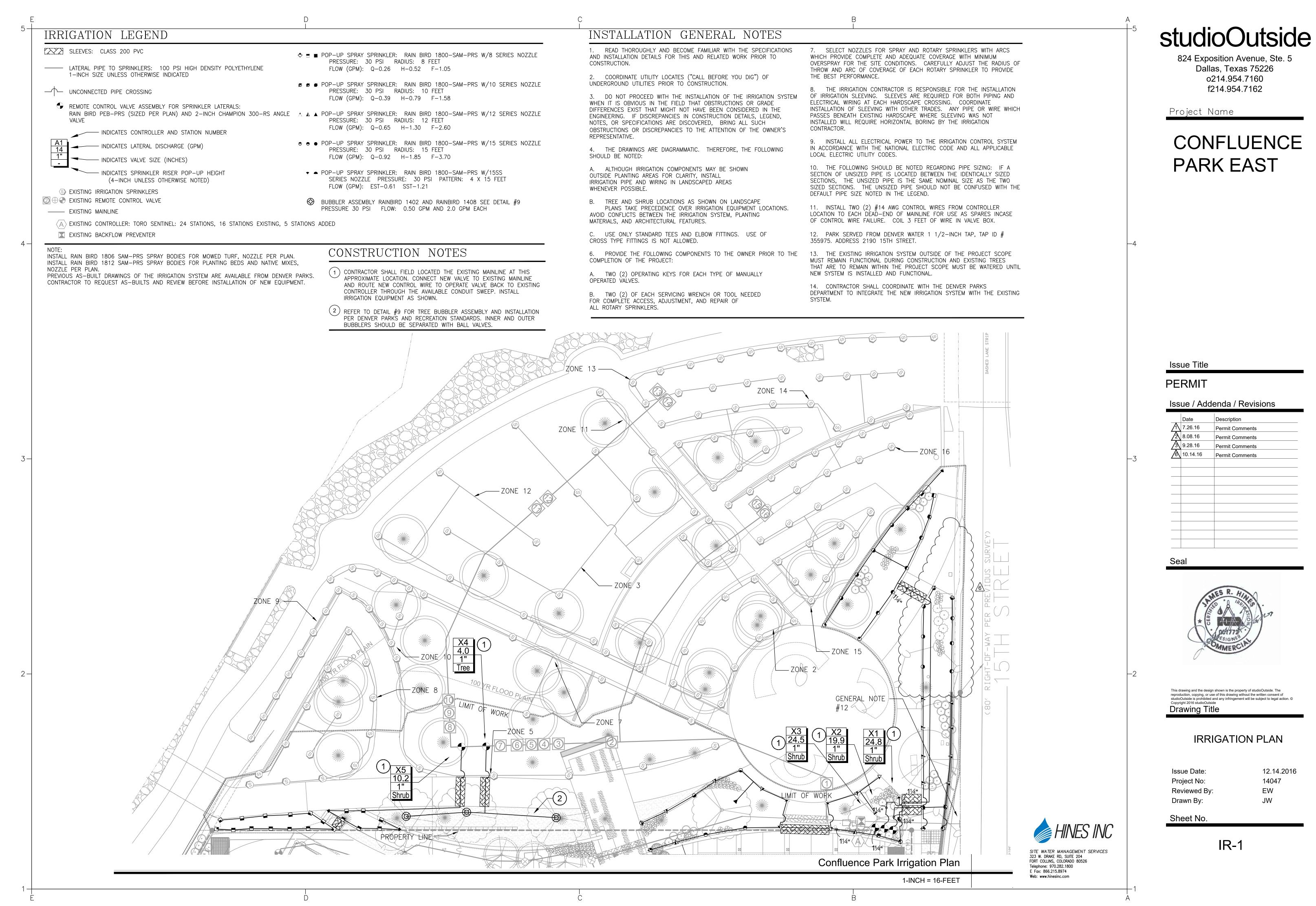
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Reviewed By:	MF
Drawn By:	BH

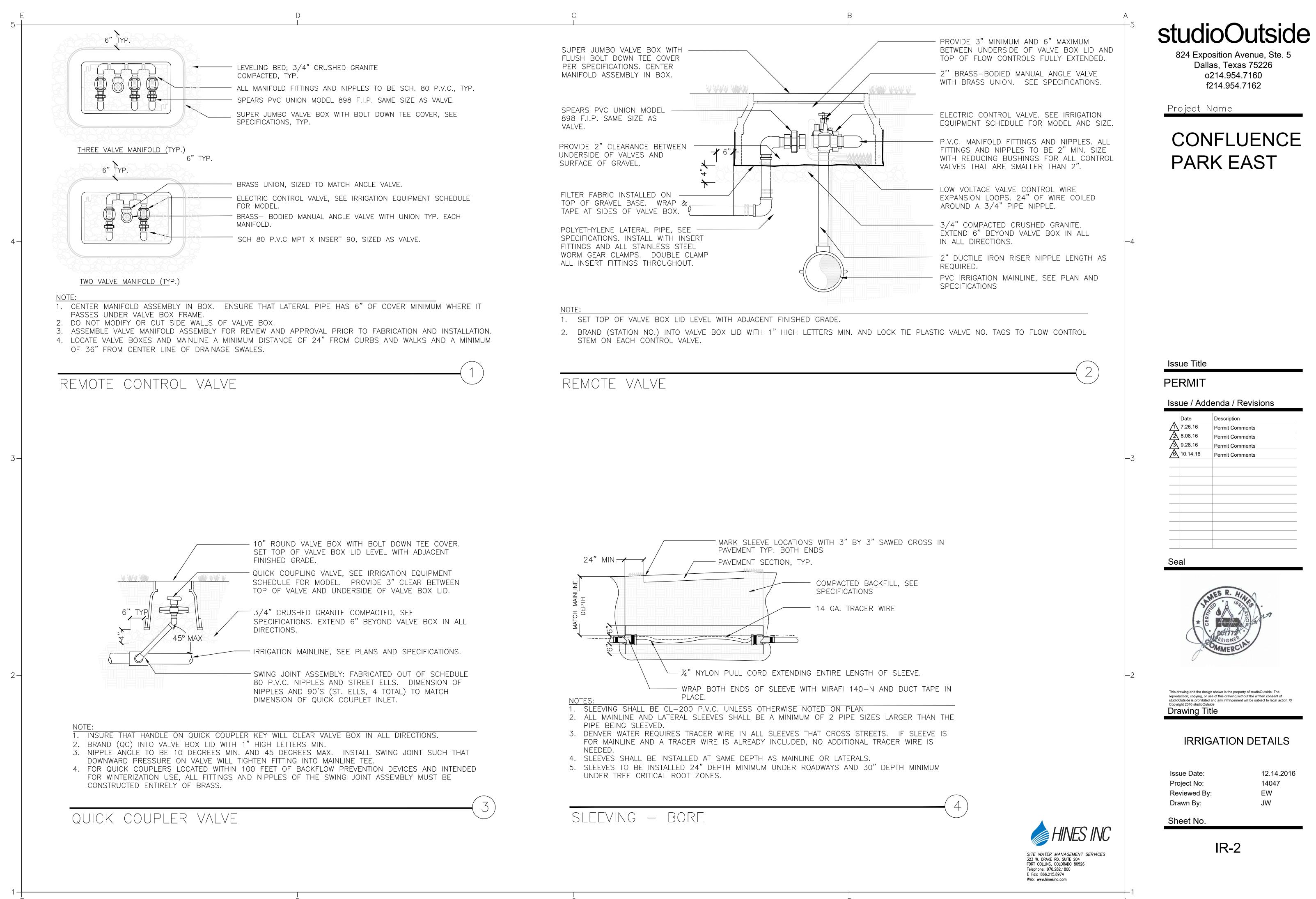
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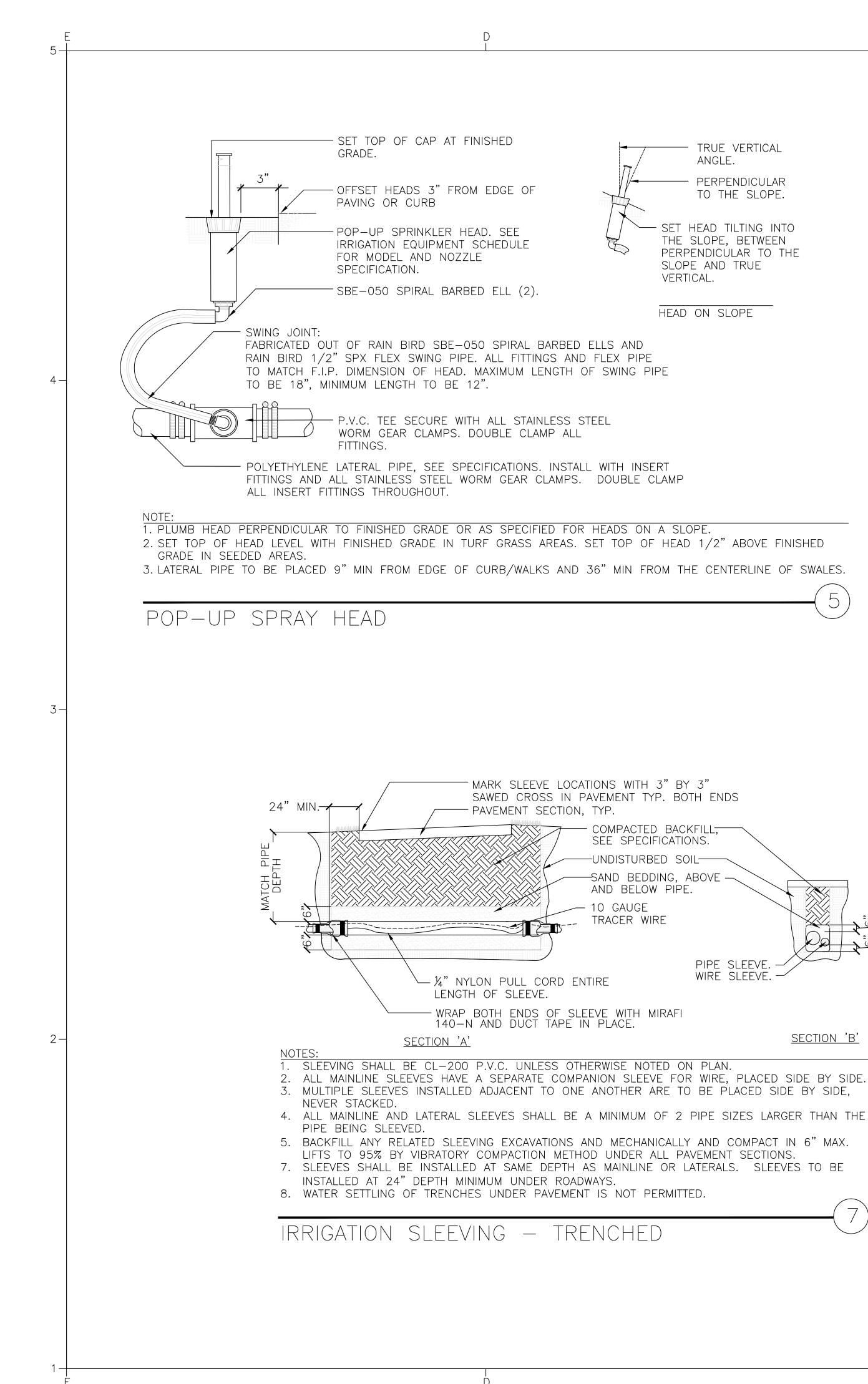
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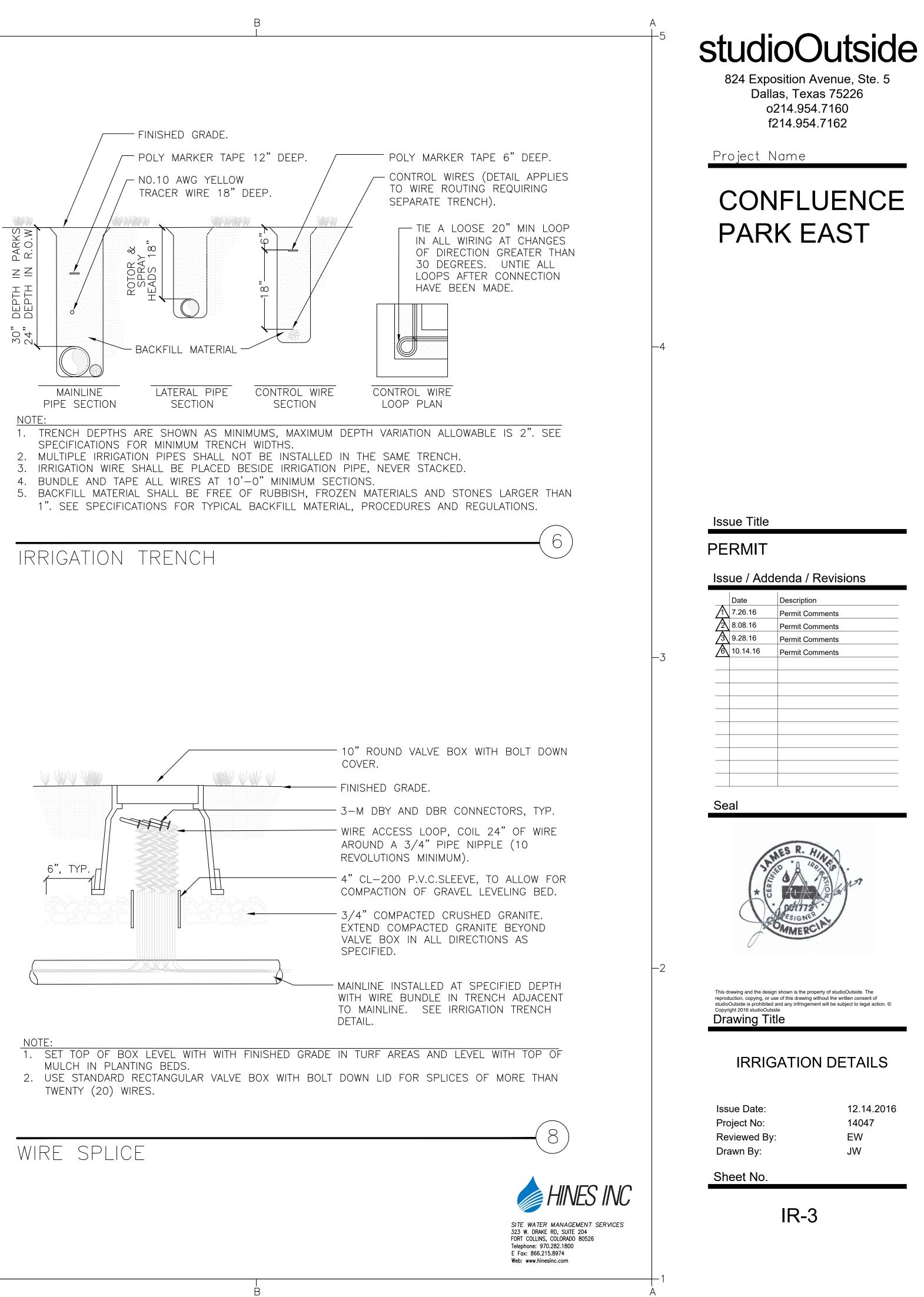
NURSERY GROWN, MATCHED, WELL BRANCHED, STRONG CENTRAL LEADER, BALLED AND BURLAPPED NURSERY GROWN, MATCHED, WELL BRANCHED, STRONG CENTRAL LEADER, BALLED AND BURLAPPED NURSERY GROWN, MATCHED, WELL BRANCHED, STRONG CENTRAL LEADER, BALLED AND BURLAPPED B&B, MATCHED, WELL BRANCHED, MULTI-TRUNK NURSERY GROWN, MATCHED AND WELL ROOTED, CONTAINER GROWN, PLANT 15" O.C. TRIANGULAR SPACING NURSERY GROWN, MATCHED AND WELL ROOTED, CONTAINER GROWN, PLANT 30" O.C. SPACING NURSERY GROWN, MATCHED AND WELL ROOTED, CONTAINER GROWN, PLANT 4' O.C. SPACING NURSERY GROWN, MATCHED AND WELL ROOTED, CONTAINER GROWN, PLANT 30" O.C. TRIANGULAR SPACING NURSERY GROWN, MATCHED AND WELL ROOTED, CONTAINER GROWN, PLANT 8" O.C. NURSERY GROWN, MATCHED AND WELL ROOTED, CONTAINER GROWN, PLANT 18" O.C. SPACING. NURSERY GROWN, MATCHED AND WELL ROOTED, CONTAINER GROWN, PLANT 18" O.C. 50/50 MIX, ALTERNATE SPECIES. NURSERY GROWN, MATCHED AND WELL ROOTED, CONTAINER GROWN, PLANT 12" O.C. TRIANGULAR. NURSERY GROWN, MATCHED AND WELL ROOTED, CONTAINER GROWN, PLANT 3' O.C. SPACING

REFER TO DENVER PARKS DEPARTMENT SPECIFICATIONS

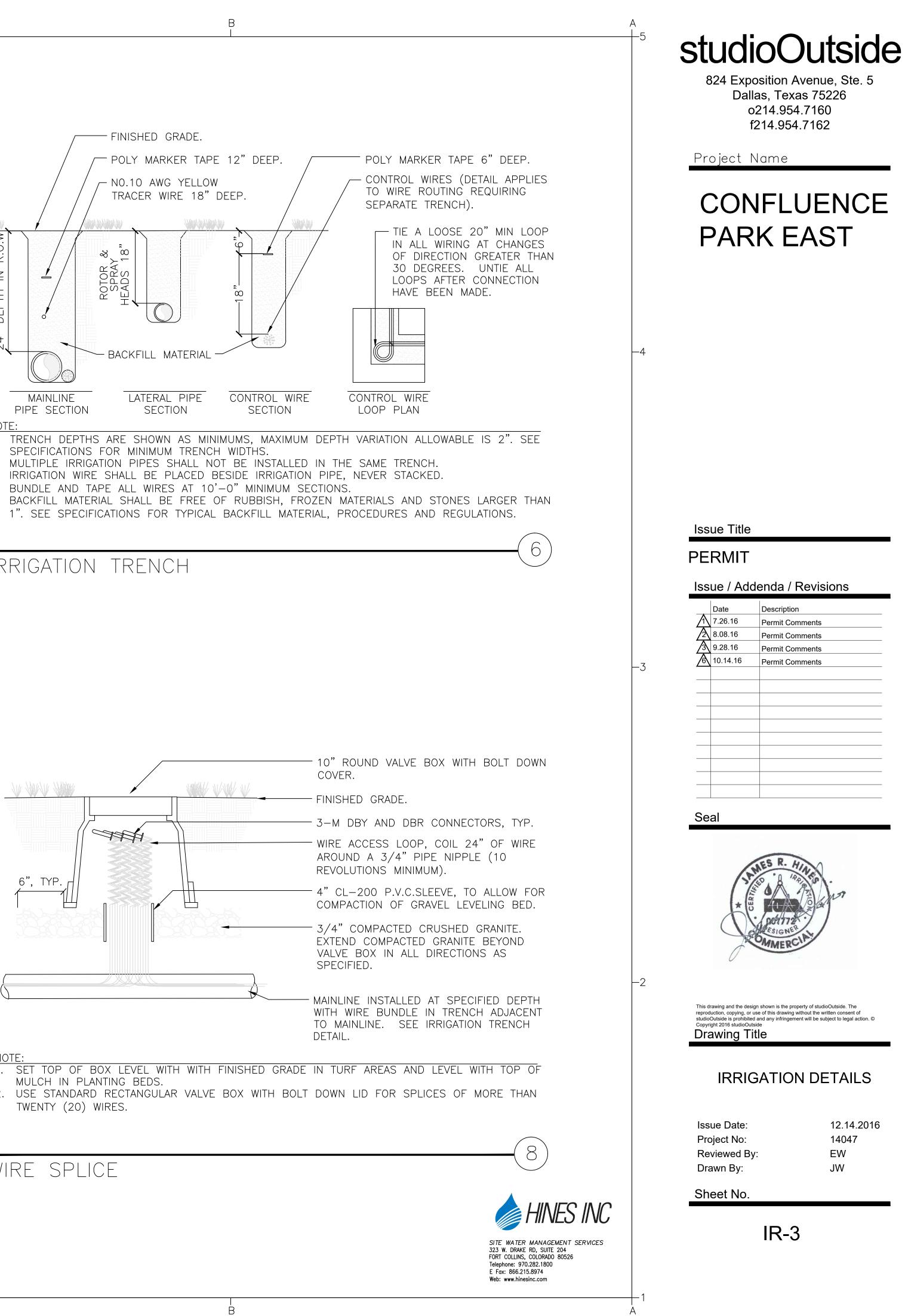


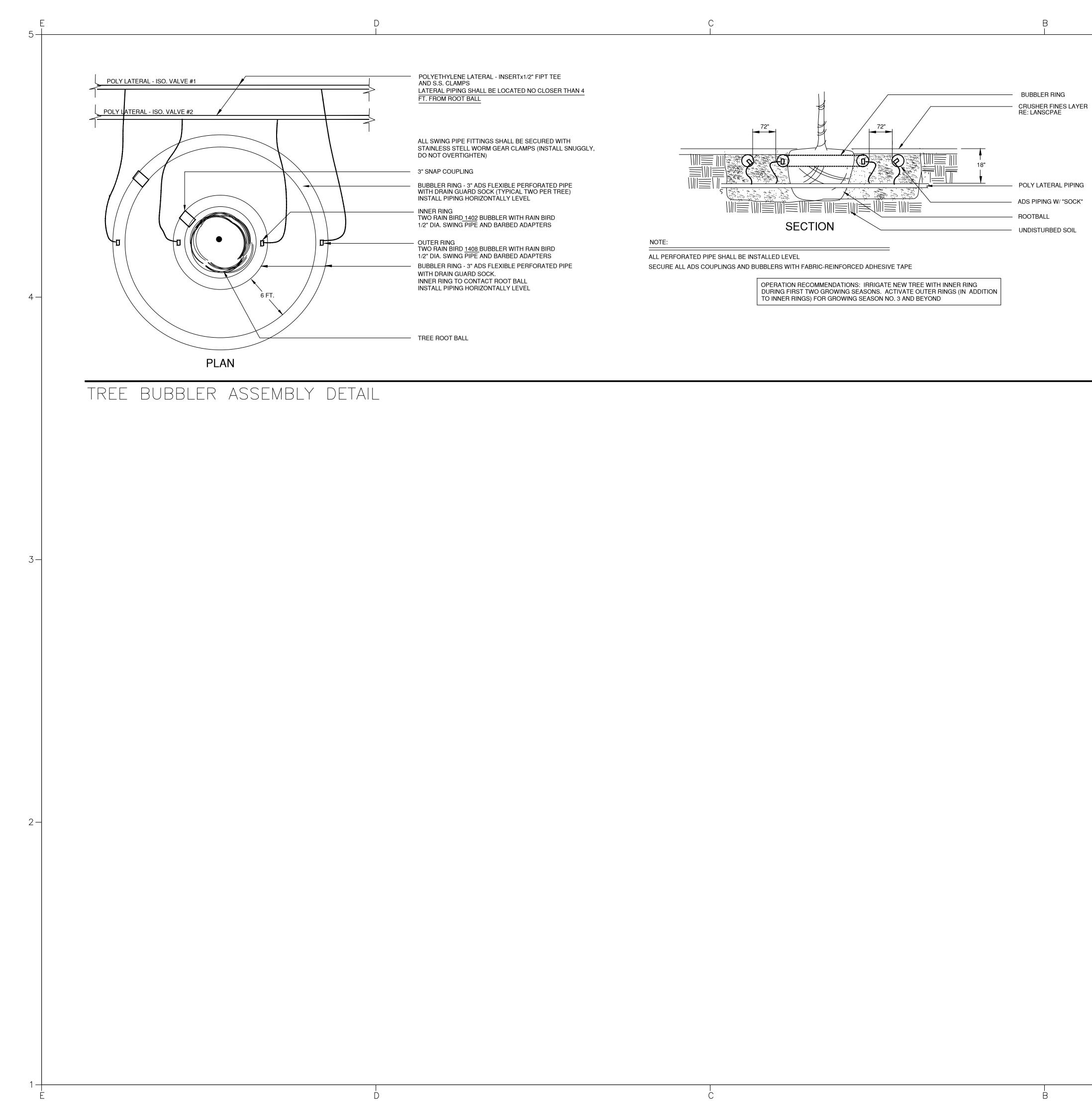




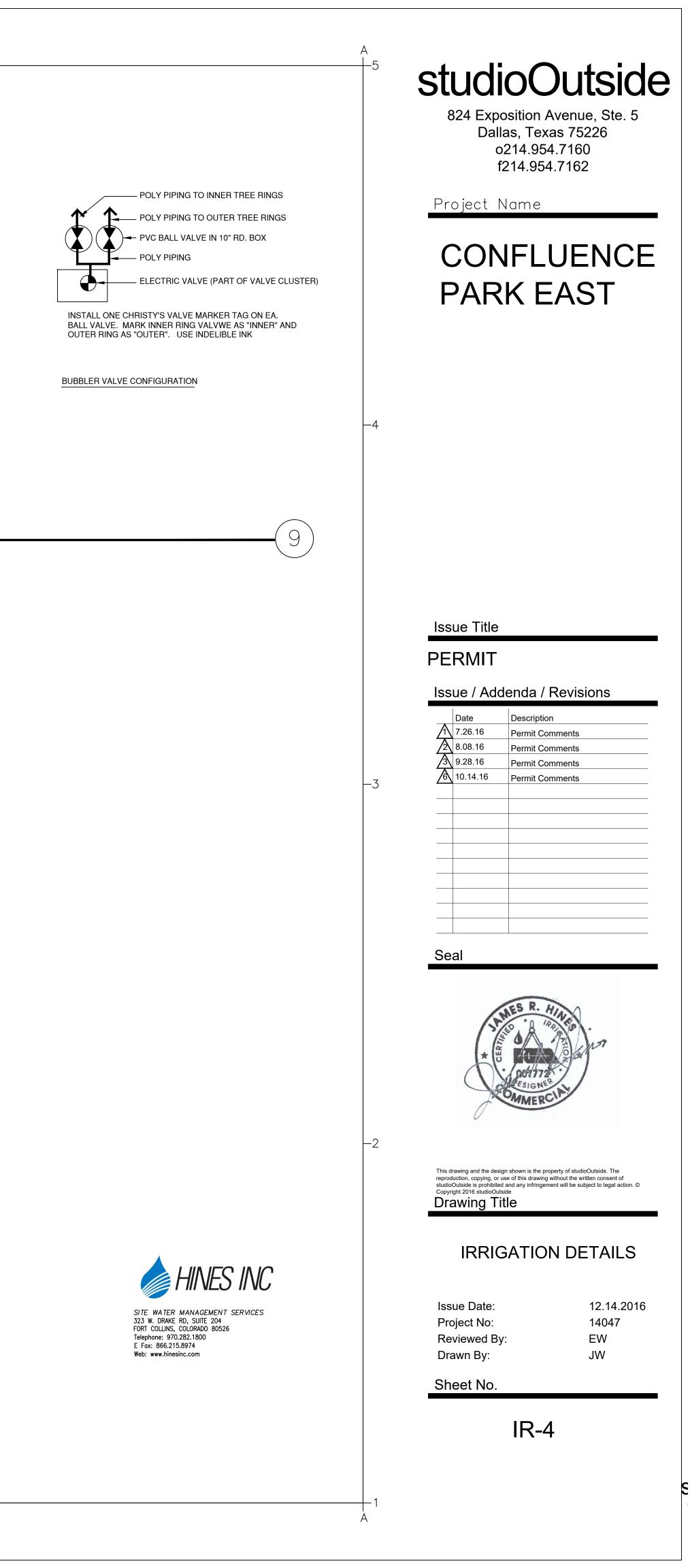


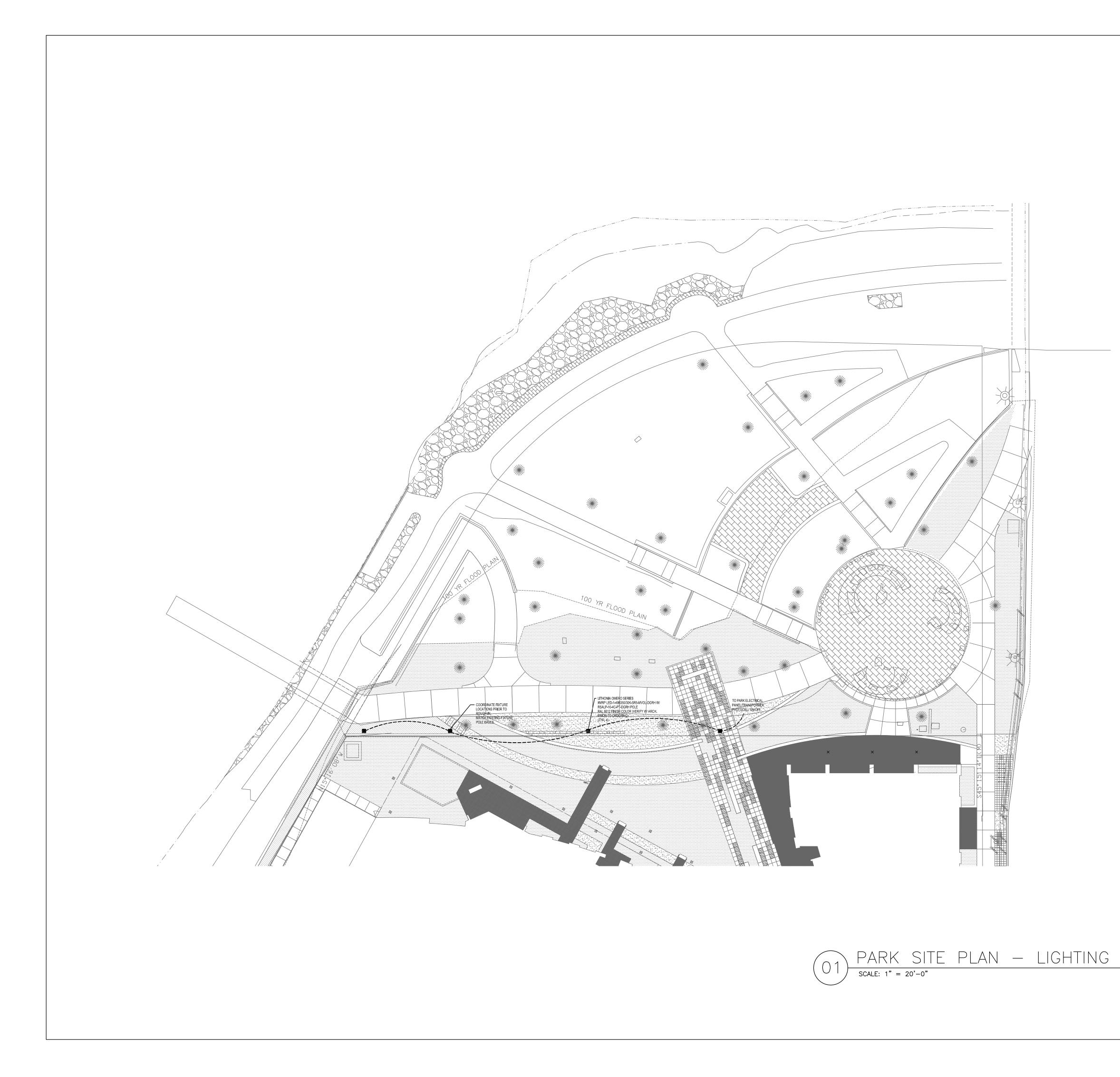












	BLUM CONSULTING ENGINEERS, INC.
	8144 Walnut Hill Lane, Suite 200 Dallas, Texas 75231-4316 www.blumeng.com
JOB NO. 11-084	(214) 373-8222 Fax (214) 361-2667

Project Name

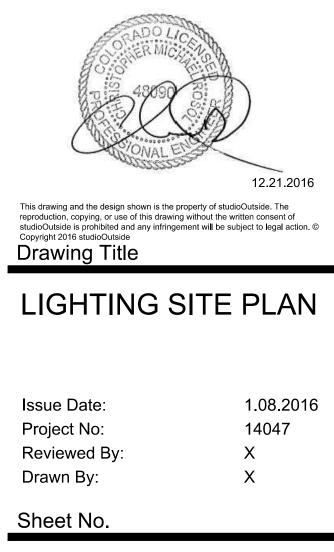
CONFLUENCE PARK EAST

Issue Title

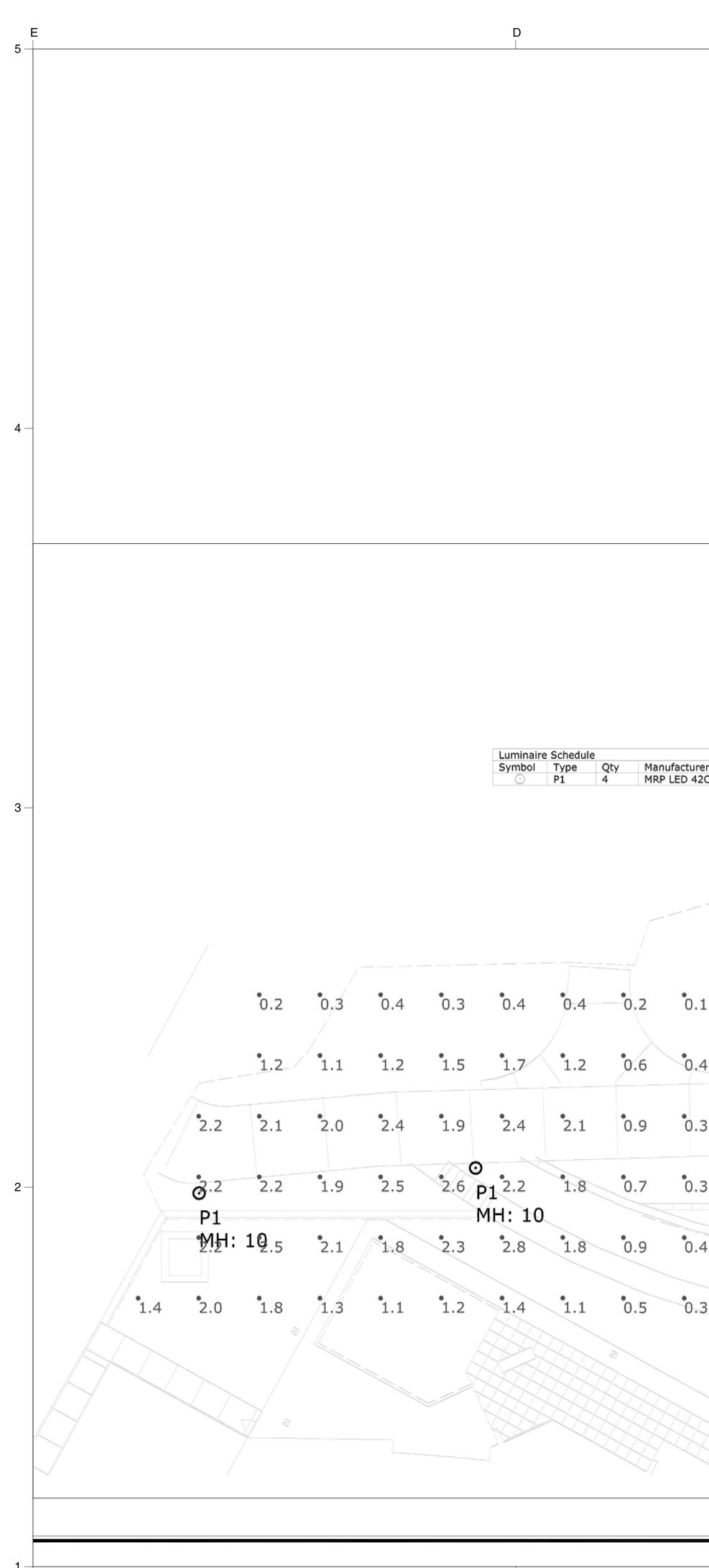
PERMIT

Issue / Addenda / Revisions

	Date	Description			
Λ	7.26.16	Permit Comments			
A	9.13.16	Permit Comments			
	9.20.16	Permit Comments			
A	11.28.16	Permit Comments			
A	12.21.16	Permit Comments			
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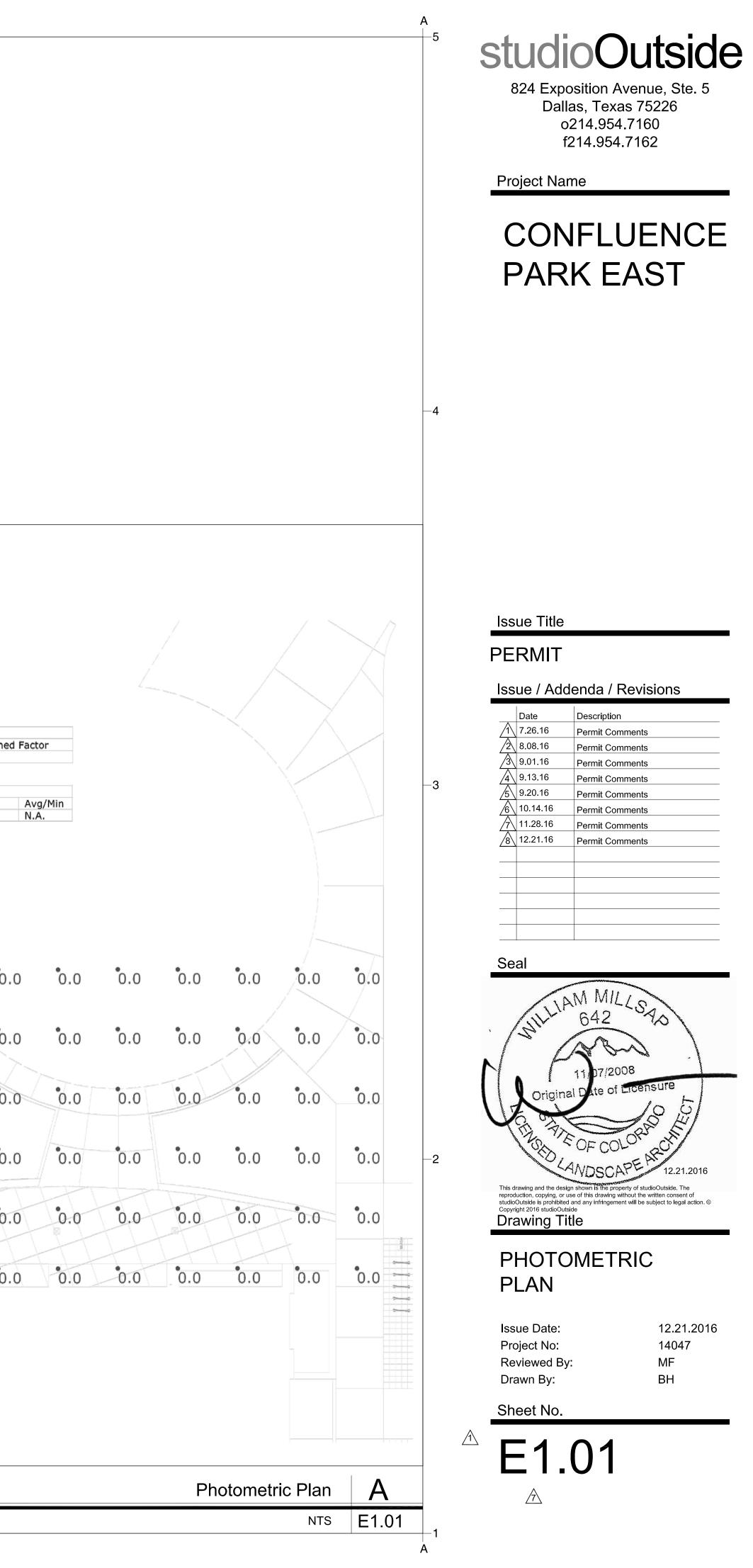
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ARCHITECT'S SUPPLMENTAL INSTRUCTION (ASI) 26-R8 CONFLUENCE PARK EAST WITH CITY REVISIONS

Date:	November 16, 2017						
Distribution	Name	Company	Team Member				
X	Bryant Nail bnail@pmrg.com	PMRG (972) 421-3378	Owner/Developer				
X	Steve Kelly skelly@pmrg.com	PMRG (303) 999-1628	Owner/Developer				
X	Kevin Schaffer	OZ Architecture	Associate				
	kschaffer@ozarch.com	(303) 861-5704	Architect				
X	Greg Ruhl	Clark (Denver)	General				
	Greg.ruhl@clarkconstruction.com	(202) 280-9550	Contractor				
X	Darin Bigus	Clark (Denver)	General				
	Darin.Bigus @clarkconstruction.com	(720) 616-0061	Contractor				
X	Justin Wilhelm	Clark (Denver)	General				
	justin.wilhelm@clarkconstruction.com	(518) 231-3721	Contractor				

CONTRACT MODIFICATIONS

PMRG Developer, LLC requests that Clark Construction review this ASI with affected parties and respond, provided the response shall not alter the time within which the Contractor is required to submit a claim pursuant to Section 2.3.5 of the General Conditions to the Construction Contract. If Clark Construction believes there is any cost/time impact associated with this Submittal/RFI/ASI or response, Clark shall provide notice and request for adjustment as described above and shall not proceed with the Work until directed by PMRG and any cost/time increase has been determined. Requests for adjustments shall not be considered by PMRG unless prior written notice of the proposed change is submitted, together with documentation detailing the proposed increase or decrease in the Contract Sum, before commencement of the Work contemplated therein. Adjustments, if any, to the Contract Sum and/or to the Scheduled Completion Date or to any Milestone Date shall be pursuant to the provisions and procedures set forth in the Construction Contract.

Description/Response:

The ASI, in general, reflects revisions required by the City of Denver for work related to the Confluence East Improvements. Revisions from <u>26-R7</u> are highlighted in <u>yellow</u>. These revisions relate to the grading at the SW corner of the park.

DRAWING REVISION SHEET INDEX

LANDSCAPE/CIVIL		SUMMARY OF REVISIONS
COVER	COVER	
L0.01	NOTES AND LEGEND	PRE-FABRICATED PARK BENCH
L1.00	EXISTING CONDITION PLAN	
L1.01	DEMOLITION PLAN	
L2.01	HARDSCAPE PLAN	PRE-FABRICATED PARK BENCH
L2.01A	HARDSCAPE PLAN-DIMENSIONS	DIMENSIONAL CONTROL
C1.01	GRADING AND UTILITY PLAN	
L4.01	HARDSCAPE DETAILS	PRE-FABRICATED PARK BENCH ATTACHMENT AND CHAMFER
S1.00	STRUCTURAL DETAILS	PRE-FABRICATED PARK BENCH
L5.01	PLANTING PLAN	
L5.02	PLANTING DETAILS	
L5.03	PLANT LEGEND	
IR	AS-BUILT IRRIGATION	
IR-1	IRRIGATION PLAN	
IR-2	IRRIGATION DETAILS	
IR-3	IRRIGATION DETAILS	
IR-4	IRRIGATION DETAILS	
E1.00	SITE ELECTRICAL	
E1.01	PHOTOMETRIC PLAN	
FR6.2	STONE WALL AT BRIDGE	DETAIL FOR STONE SLAB WALL
	PARK STONE SLAB WALL -	SITE PLAN WITH LIMITS OF WALL
FR6.4	GRADING EXHIBIT PARK STONE SLAB WALL	NEW SHEET AS REQUIRED BY DPR
L4.0x	ELEVATION	

SPECIFICATIONS				
01 11 10	SUMMARY OF WORK			
01 31 13	COORDINATION			
01 31 19	PROJECT MEETINGS			
01 32 13	SCHEDULE			
01 32 19	SUBMITTALS			
01 33 23	SHOP AND WORKING DRAWINGS, PRODUCT DATA AND SAMPLES			
01 35 23	CONSTRUCTION SAFETY			
01 43 00	QUALITY ASSURANCE			
01 45 16	CONTRACTOR QUALITY CONTROL			
01 56 39	TREE RETENTION AND PROTECTION			
01 57 13	EROSION AND SEDIMENTATION CONTROL			
01 60 00	MATERIAL AND EQUIPMENT			
01 66 00	STORAGE AND PROTECTION			
01 71 23	LAYOUT OF WORK AND SURVEYS			
01 74 23	CLEANING			
01 77 00	CONTRACT CLOSEOUT			
01 78 23	OPERATION AND MAINTENANCE DATA			
01 78 35	WARRANTIES AND BONDS			
01 78 39	CONTRACT RECORD DOCUMENTS			
02 41 00	DEMOLITION			
03 30 00	CAST-IN-PLACE CONCRETE			
31 11 10	CLEARING AND GRUBBING			
31 20 00	EARTH MOVING			
31 23 16	EXCAVATION AND BACKFILLING OF TRENCHES			
31 32 50	WATERING			
32 13 13	CONCRETE WALKS, CURBS, AND MISCELLANEOUS FLATWORK			
32 15 40	CRUSHED STONE PAVING			
32 80 00	IRRIGATION SYSTEMS			
32 84 33	AUTOMATIC IRRIGATION CONTROLLERS			
32 91 13	SOIL PREPARATION			
32 91 20	TOPSOIL			
32 92 20	NATIVE SEEDING			
32 93 00	TREES, PLANTS, AND GROUNDCOVERS			

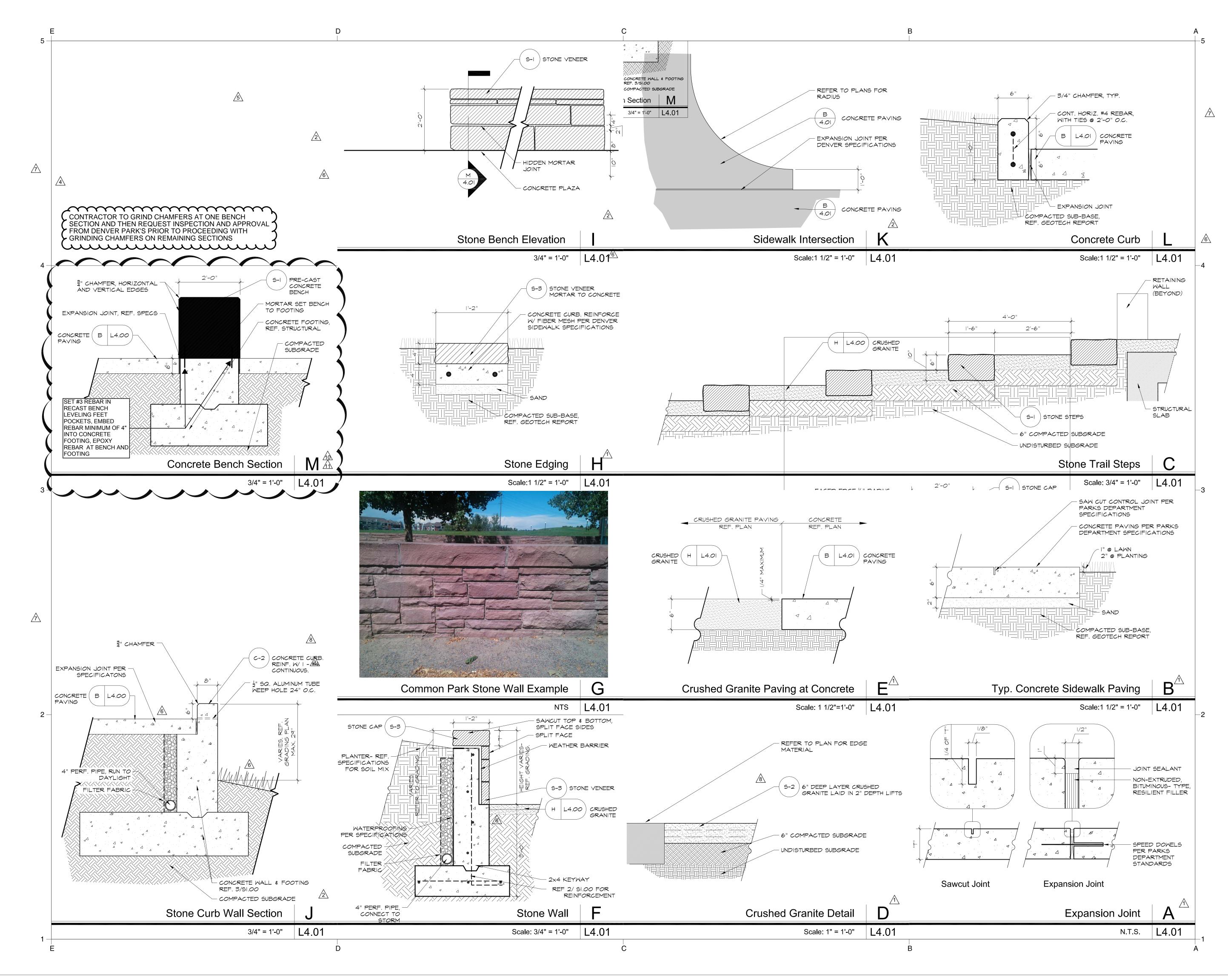
32 97 00	LANDSCAPE MAINTENANCE	
33 44 00	STORM SEWERAGE	
33 46 00	SUBDRAINAGE SYSTEMS	

ISSUED BY Glen Morgenweck, GDA ACCEPTED BY:

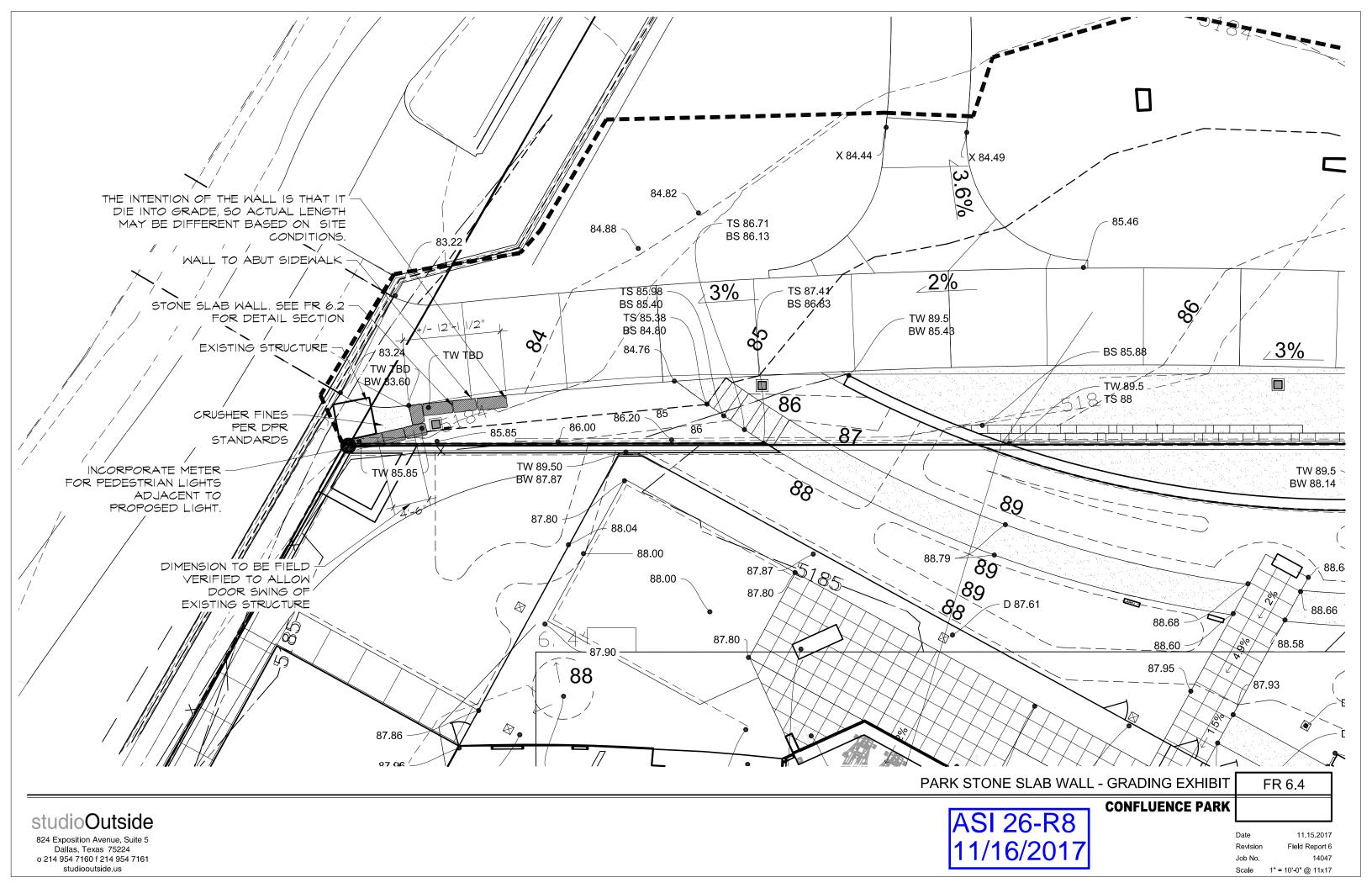
Clark Construction

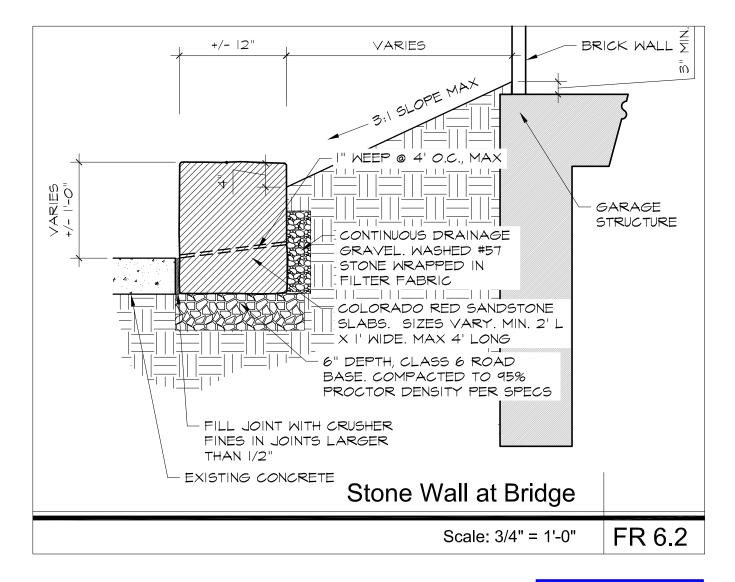
Date

Printed Name

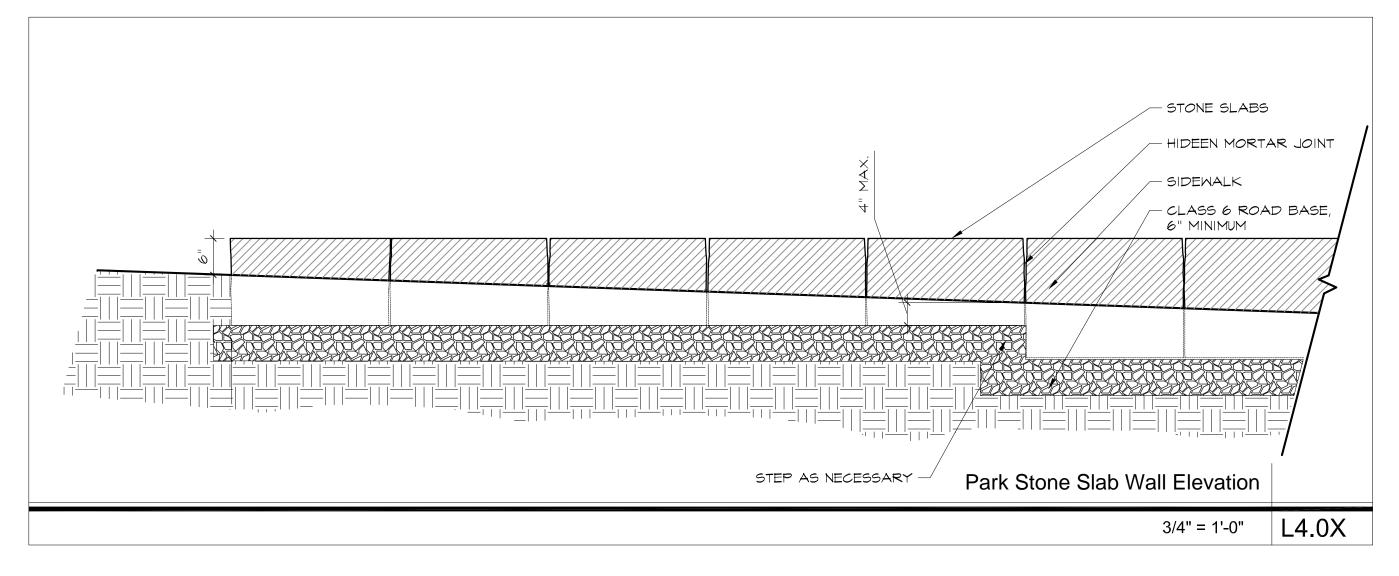


studioOutside 824 Exposition Avenue, Ste. 5 Dallas, Texas 75226 o214.954.7160 f214.954.7162 Project Name CONFLUENCE PARK EAST Issue Title PERMIT Issue / Addenda / Revisions Date Description /1 7.26.16 Permit Comments /2 8.08.16 Permit Comments /3 9.01.16 Permit Comments 4 9.13.16 Permit Comments 5 9.20.16 Permit Comments 6 10.14.16 Permit Comments /7 11.28.16 |Permit Comments 8 12.21.16 Permit Comments 9 02.10.17 Permit Comments 40 03.03.17 ASI 26. R6 10.10.17 Bench Revisions Seal ILLIAM MILLS 642 5 7/2008 te of Licensu. * FOFCOLOR St. ANDSCAPE 10.26.2017 This drawing and the design shown is the property of studioOutside. The reproduction, copying, or use of this drawing without the written consent of studioOutside is prohibited and any infringement will be subject to legal action. © Copyright 2017 studioOutside Drawing Title HARDSCAPE DETAILS 03.03.2017 Issue Date: 14047 Project No: Reviewed By: MF ΒH Drawn By: Sheet No. L4.01 ASI 26-R8 11/16/2017











SECOND AMENDED EXHIBIT D

Construction Specifications and Timeframes

SPECIFICATIONS

The improvements to Confluence Park will follow the plans attached this this License as Exhibit C. In addition, the improvements and work performed shall comply with the City's Departments of Public Works and Parks & Recreation technical specifications and standards.

TIME FRAMES

1. Mobilize, fence, install protection and survey	Aug. 1 – Aug. 31, 2016
2. Clear, grub and demo	Sept. 1 – Sept. 30, 2016
3. Underground utilities, curbs walkways and stone	Oct. 1 – Nov. 30, 2016
4. Appurtenances and landscape/plantings	Nov. 1 – Dec. 31, 2016
5. Clean up and punch work (shown below but not limited to)	Jan. 2 2017– Aug. 31, 2018
• Punch List Item 18: Reseed the disturbed area	
• Punch List Item 20: Energize the 4 light poles	
• Punch List Item 23: Install/mark the conduit & pull box	
• Punch List Item 27: Construct the Stone Wall at Bridge	
• Punch List Item 27: Light Pole/Caisson Reset at Bridge	
• Punch List Item 27: Planting and Irrigation at Bridge	
• Punch List Item 28 & 32: Install correct caissons to	
support correct light pole bases	
6. Acceptance and demobilization	Sept. 1, 2018-Sept. 30, 2018