

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		Email	
<p>*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p>	
<p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p> <p>If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			

REVIEW CRITERIA

<p>General Review Criteria: The proposal must comply with all of the general review criteria</p> <p>DZC Sec. 12.4.10.7</p>	<input type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan. Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.
<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria</p> <p>DZC Sec. 12.4.10.8</p>	<input type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.
	<input type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.
	<p>Justifying Circumstances - One of the following circumstances exists:</p> <input type="checkbox"/> The existing zoning of the land was the result of an error. <input type="checkbox"/> The existing zoning of the land was based on a mistake of fact. <input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage. <input type="checkbox"/> Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include: a. Changed or changing conditions in a particular area, or in the city generally; or b. A City adopted plan; or c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning. <input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (Overlay Zone Districts), of this Code. Please provide an attachment describing the justifying circumstance.
	<input type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District. Please provide an attachment describing how the above criterion is met.

REQUIRED ATTACHMENTS

Please ensure the following required attachments are submitted with this application:

- ☐ Legal Description (required to be attached in Microsoft Word document format)
- ☐ Proof of Ownership Document(s)
- ☐ Review Criteria, as identified above

ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

- ☐ Written Authorization to Represent Property Owner(s)
- ☐ Individual Authorization to Sign on Behalf of a Corporate Entity

Please list any additional attachments:

REZONING GUIDE

Rezoning Application Page 3 of 3

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION/PETITION

We, the undersigned represent that we are the owners of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. I understand that without such owner consent, the requested official map amendment action cannot lawfully be accomplished.

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	YES
			<i>Karin Hajibadi</i>			

Last updated: May 24, 2018

 Return completed form to rezoning@denvergov.org

201 W. Colfax Ave., Dept. 205

Denver, CO 80202

 720-865-2974 • rezoning@denvergov.org

Address, Lot, Block	Legal Description Title	Proposed Zoning
2650 Arkins Ct Lot 1, Block 5	Exhibit "A" Legal Description District 1	C-MX-12, DO-7
2650 Arkins Ct Lot 1, Block 5	Exhibit "A" Legal Description District 2	C-MX-16, DO-7
2650 Arkins Ct Lot 1, Block 5	Exhibit "A" Legal Description District 3	C-MX-20, DO-7
2650 Arkins Ct Lot 1, Block 5	Exhibit "A" Legal Description District 4	C-MX-12, DO-7
2650 Arkins Ct Lot 1, Block 5	Exhibit "A" Legal Description Height Transition Zone	C-MX-8, DO-7
3280 Denargo St	Exhibit "A" Legal Description	C-MX-16, DO-7
2700 Wewatta Way Lot 1, Block 6	Exhibit "A" Legal Description	C-MX-16, DO-7
3205 Denargo St	Exhibit A Legal Description District No. 1	C-MX-16, DO-7
3205 Denargo St	Exhibit C Legal Description District No. 2	C-MX-16, DO-7
3205 Denargo St	Exhibit E Legal Description District No. 3	C-MX-16, DO-7

EXHIBIT "A"
LEGAL DESCRIPTION
DISTRICT 1

A PARCEL OF LAND BEING A PORTION OF LOT 1, BLOCK 5, DENARGO MARKET SUBDIVISION FILING NO. 2 RECORDED AT RECEPTION NO. 2012049308 IN THE OFFICIAL RECORDS OF THE CITY AND COUNTY OF DENVER, COLORADO CLERK AND RECORDER'S OFFICE, LYING WITHIN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY & COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHERLY CORNER OF SAID LOT 1, BLOCK 5, DENARGO MARKET SUBDIVISION FILING NO. 2, WHENCE THE NORTHWESTERLY BOUNDARY OF SAID LOT 1, BEARS SOUTH 70°49'48" WEST, A DISTANCE OF 683.55 FEET, WITH ALL BEARINGS HEREON REFERENCED TO THIS LINE;

THENCE ALONG THE NORTHEASTERLY BOUNDARY OF SAID LOT 1, BLOCK 5, SOUTH 46°11'13" EAST, A DISTANCE OF 14.49 FEET TO THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID NORTHEASTERLY BOUNDARY, SOUTH 43°48'47" WEST, A DISTANCE OF 1,005.11 FEET TO THE CENTERLINE OF DENARGO STREET, AN 80-FOOT-WIDE PUBLIC RIGHT-OF-WAY RECORDED AT BOOK 5340, PAGE 155 IN SAID RECORDS;

THENCE ALONG SAID CENTERLINE, NORTH 00°01'41" WEST, A DISTANCE OF 549.89 FEET TO THE CENTERLINE OF ARKINS COURT, A 100-FOOT-WIDE PUBLIC RIGHT-OF-WAY RECORDED AT BOOK 5309, PAGE 272 IN SAID RECORDS;

THENCE ALONG SAID CENTERLINE, NORTH 70°49'48" EAST, A DISTANCE OF 727.94 FEET TO THE CENTERLINE OF 29TH STREET, A 80-FOOT-WIDE PUBLIC RIGHT-OF-WAY RECORDED AT BOOK 5348, PAGE 374 IN SAID RECORDS;

THENCE ALONG SAID CENTERLINE, SOUTH 46°11'13" EAST, A DISTANCE OF 50.22 FEET;

THENCE DEPARTING SAID CENTERLINE, SOUTH 43°48'47" WEST, A DISTANCE OF 40.00 FEET TO THE **POINT OF BEGINNING**.

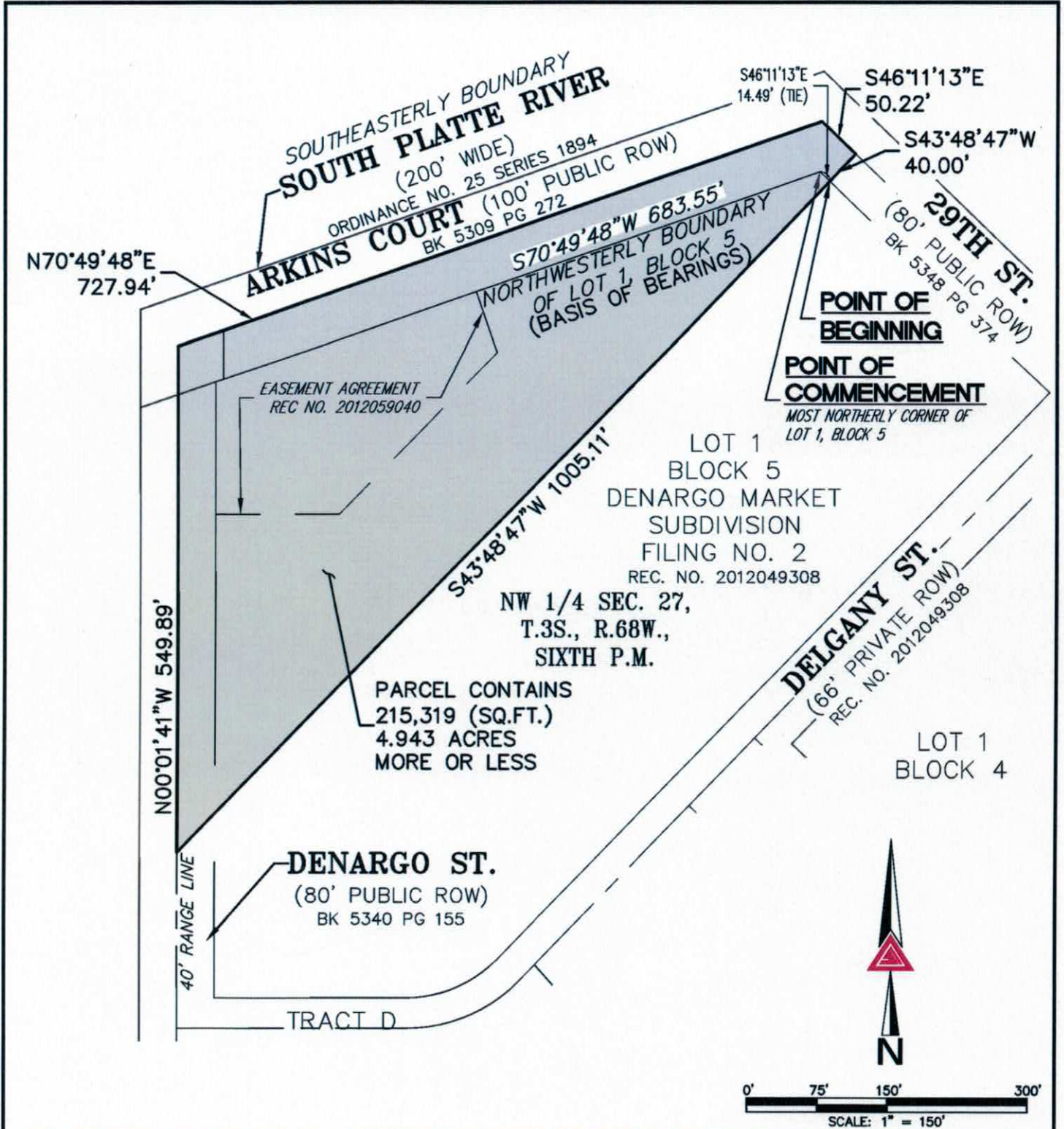
CONTAINING AN AREA OF 4.943 ACRES, (215,319 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 33204
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1, LITTLETON, CO 80122
(303) 718-1898

ILLUSTRATION TO EXHIBIT A



NOTE: THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

PATH:
 DWG NAME:
 DWG: RDR CHK: DCR
 DATE: 08-25-2020
 SCALE: 1" = 150'

Q:\155720-02 - Denargo GDP 5th Am - Survey Sheet & Zoning\Draw\EXHIBITS
 309 East Mineral Ave,
 Suite 1
 Littleton, Colorado 80122
 Phone: (303)713-1898
 Fax: (303)713-1897
 www.aztecconsultants.com
AZTEC
 CONSULTANTS, INC.
 2020-07-23 - Denargo Market Amended legals EXHIBIT 155720-02

DISTRICT 1
 LOT 1, BLOCK 5 DENARGO MARKET SUBDIVISION FILING NO. 2
 CITY AND COUNTY OF DENVER, COLORADO
 JOB NUMBER 155720-02 2 OF 2 SHEETS

EXHIBIT "A"
LEGAL DESCRIPTION
DISTRICT 2

A PARCEL OF LAND BEING A PORTION OF LOT 1, BLOCK 5, AND TRACT D, DENARGO MARKET SUBDIVISION FILING NO. 2 RECORDED AT RECEPTION NO. 2012049308 IN THE OFFICIAL RECORDS OF THE CITY AND COUNTY OF DENVER, COLORADO CLERK AND RECORDER'S OFFICE, LYING WITHIN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY & COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHERLY CORNER OF SAID LOT 1, BLOCK 5, DENARGO MARKET SUBDIVISION FILING NO. 2, WHENCE THE NORTHWESTERLY BOUNDARY OF SAID LOT 1, BEARS SOUTH 70°49'48" WEST, A DISTANCE OF 683.55 FEET, WITH ALL BEARINGS HEREON REFERENCED TO THIS LINE;

THENCE ALONG THE NORTHEASTERLY AND SOUTHEASTERLY BOUNDARIES OF SAID LOT 1, BLOCK 5 THE FOLLOWING TWO (2) COURSES:

1. SOUTH 46°11'13" EAST, A DISTANCE OF 341.51 FEET;
2. SOUTH 43°48'47" WEST, A DISTANCE OF 836.68 FEET TO THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID NORTHEASTERLY BOUNDARY, SOUTH 46°11'13" EAST, A DISTANCE OF 33.00 FEET TO THE CENTERLINE OF TRACT D, (DELGANY STREET), A 66-FOOT-WIDE PRIVATE RIGHT-OF-WAY RECORDED AT RECEPTION NO. 2012049308 IN SAID RECORDS;

THENCE ALONG SAID CENTERLINE THE FOLLOWING THREE (3) COURSES:

1. SOUTH 43°48'47" WEST, A DISTANCE OF 13.68 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 169.00 FEET;
2. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 46°09'32", AN ARC LENGTH OF 136.15 FEET ;
3. SOUTH 89°58'19" WEST, A DISTANCE OF 244.97 FEET TO THE CENTERLINE OF DENARGO STREET, AN 80-FOOT-WIDE PUBLIC RIGHT-OF-WAY RECORDED AT BOOK 5340, PAGE 155 IN SAID RECORDS;

THENCE ALONG SAID CENTERLINE, NORTH 00°01'41" WEST, A DISTANCE OF 189.69 FEET;

THENCE DEPARTING SAID CENTERLINE, NORTH 43°48'47" EAST, A DISTANCE OF 168.43 FEET;

THENCE SOUTH 46°11'13" EAST, A DISTANCE OF 327.02 FEET TO THE **POINT OF BEGINNING**.

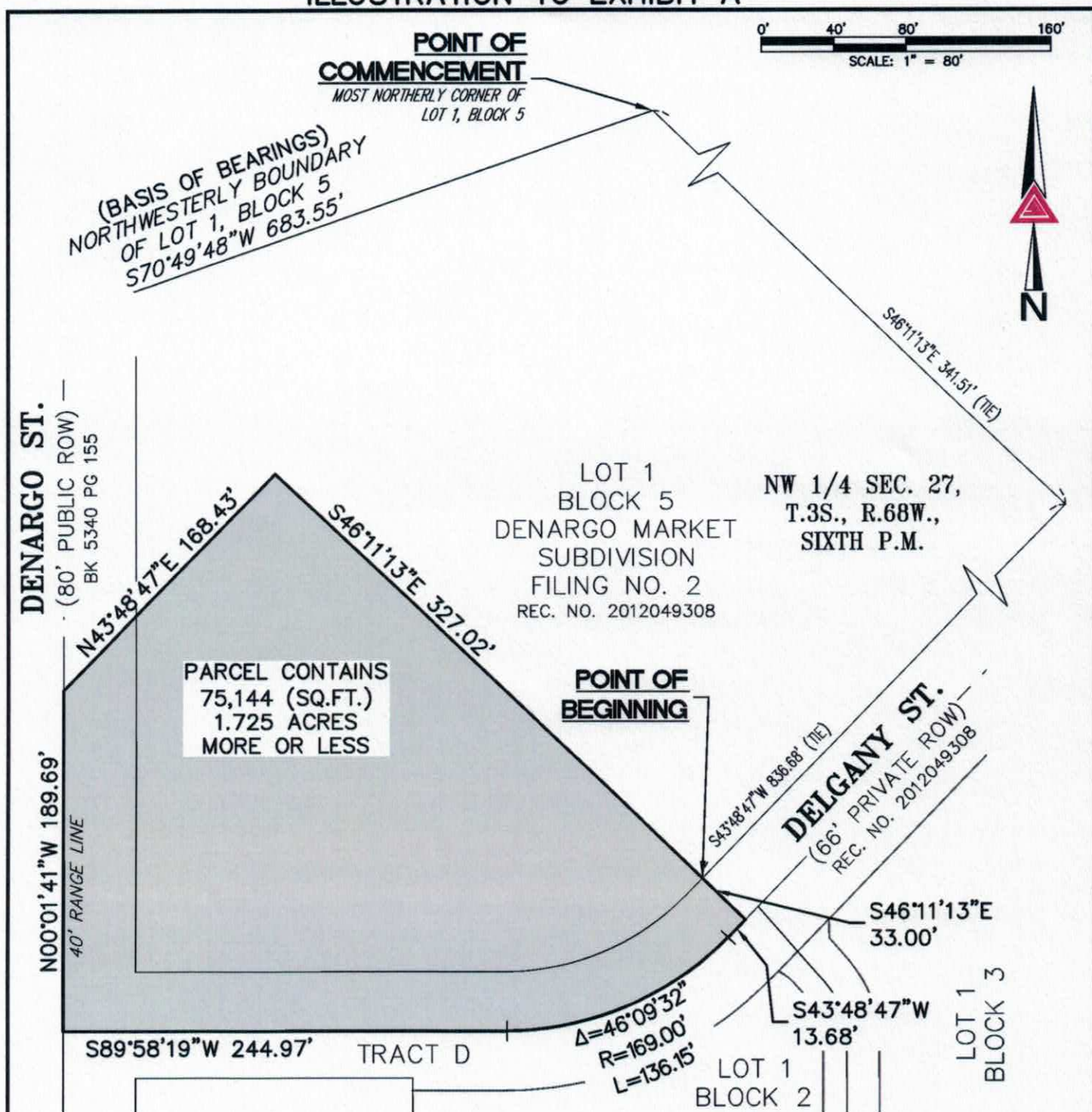
CONTAINING AN AREA OF 1.725 ACRES, (75,144 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



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300 E. MINERAL AVENUE, SUITE 1, LITTLETON, CO 80122
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ILLUSTRATION TO EXHIBIT A



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PATH:
DWG NAME:
DWG: RDR CHK: DCR
DATE: 08-25-2020
SCALE: 1" = 80'

Q:\155720-02 - Denargo GDP 5th Am - Survey Sheet & Zoning\DWG\EXHIBITS
300 East Mineral Ave,
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Littleton, Colorado 80122
Phone: (303) 713-1898
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AZTEC
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2020-07-23 - Denargo Market Amended legals EXHIBIT 155720-02

DISTRICT 2
LOT 1, BLOCK 5 DENARGO MARKET SUBDIVISION FILING NO. 2
CITY AND COUNTY OF DENVER, COLORADO
JOB NUMBER 155720-02 2 OF 2 SHEETS

EXHIBIT "A"
LEGAL DESCRIPTION
DISTRICT 3

A PARCEL OF LAND BEING A PORTION OF LOT 1, BLOCK 5, AND TRACT D, DENARGO MARKET SUBDIVISION FILING NO. 2 RECORDED AT RECEPTION NO. 2012049308 IN THE OFFICIAL RECORDS OF THE CITY AND COUNTY OF DENVER, COLORADO CLERK AND RECORDER'S OFFICE, LYING WITHIN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY & COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHERLY CORNER OF SAID LOT 1, BLOCK 5, DENARGO MARKET SUBDIVISION FILING NO. 2, WHENCE THE NORTHWESTERLY BOUNDARY OF SAID LOT 1, BEARS SOUTH 70°49'48" WEST, A DISTANCE OF 683.55 FEET, WITH ALL BEARINGS HEREON REFERENCED TO THIS LINE;

THENCE ALONG THE NORTHEASTERLY AND SOUTHEASTERLY BOUNDARIES OF SAID LOT 1, BLOCK 5 THE FOLLOWING TWO (2) COURSES:

1. SOUTH 46°11'13" EAST, A DISTANCE OF 341.51 FEET;
2. SOUTH 43°48'47" WEST, A DISTANCE OF 227.68 FEET TO THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID SOUTHEASTERLY BOUNDARY, SOUTH 46°11'13" EAST, A DISTANCE OF 33.00 FEET TO THE CENTERLINE OF TRACT D, (DELGANY STREET), A 66-FOOT-WIDE PRIVATE RIGHT-OF-WAY RECORDED AT RECEPTION NO. 2012049308 IN SAID RECORDS;

THENCE ALONG SAID CENTERLINE, SOUTH 43°48'47" WEST, A DISTANCE OF 609.00 FEET;

THENCE DEPARTING SAID CENTERLINE, NORTH 46°11'13" WEST, A DISTANCE OF 360.02 FEET;

THENCE NORTH 43°48'47" EAST, A DISTANCE OF 609.00 FEET;

THENCE SOUTH 46°11'13" EAST, A DISTANCE OF 327.02 FEET TO THE **POINT OF BEGINNING**.

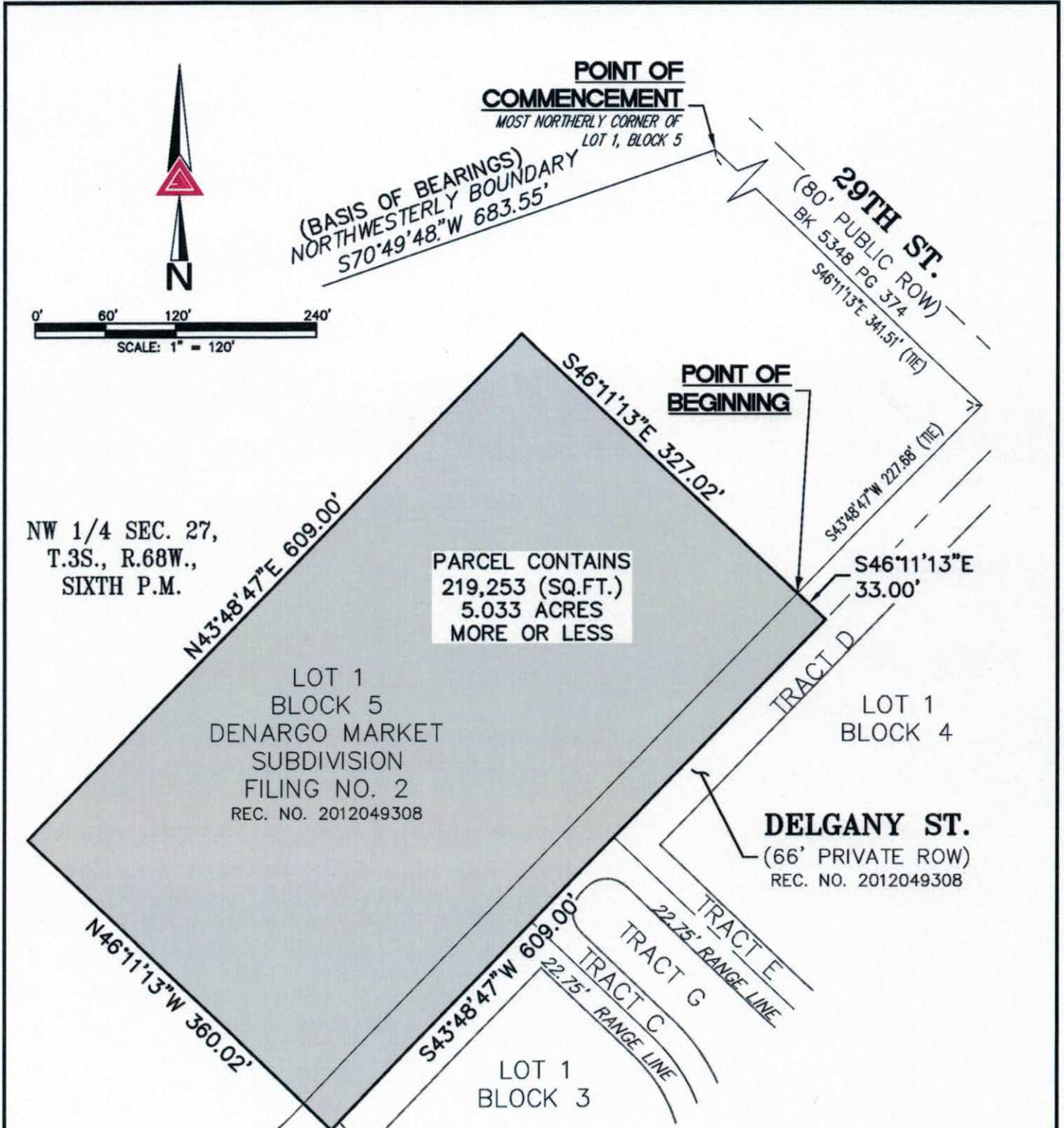
CONTAINING AN AREA OF 5.033 ACRES, (219,253 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 33204
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1, LITTLETON, CO 80122
(303) 718-1898

ILLUSTRATION TO EXHIBIT A



NW 1/4 SEC. 27,
T.3S., R.68W.,
SIXTH P.M.

PARCEL CONTAINS
219,253 (SQ.FT.)
5.033 ACRES
MORE OR LESS

LOT 1
BLOCK 5
DENARGO MARKET
SUBDIVISION
FILING NO. 2
REC. NO. 2012049308

DELGANY ST.
(66' PRIVATE ROW)
REC. NO. 2012049308

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PATH:
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DISTRICT 3
LOT 1, BLOCK 5N AND TRACT D DENARGO MARKET SUBDIVISION FILING NO. 2
CITY AND COUNTY OF DENVER, COLORADO
JOB NUMBER 155720-02 2 OF 2 SHEETS

EXHIBIT "A"
LEGAL DESCRIPTION
DISTRICT 4

A PARCEL OF LAND BEING A PORTION OF LOT 1, BLOCK 5, AND TRACT D, DENARGO MARKET SUBDIVISION FILING NO. 2 RECORDED AT RECEPTION NO. 2012049308 IN THE OFFICIAL RECORDS OF THE CITY AND COUNTY OF DENVER, COLORADO CLERK AND RECORDER'S OFFICE, LYING WITHIN THE NORTH HALF OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY & COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHERLY CORNER OF SAID LOT 1, BLOCK 5, DENARGO MARKET SUBDIVISION FILING NO. 2, WHENCE THE NORTHWESTERLY BOUNDARY OF SAID LOT 1, BEARS SOUTH 70°49'48" WEST, A DISTANCE OF 683.55 FEET, WITH ALL BEARINGS HEREON REFERENCED TO THIS LINE;

THENCE ALONG THE NORTHEASTERLY BOUNDARY OF SAID LOT 1, BLOCK 5, SOUTH 46°11'13" EAST, A DISTANCE OF 14.50 FEET TO THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID NORTHEASTERLY BOUNDARY, NORTH 43°48'47" EAST, A DISTANCE OF 40.00 FEET TO THE CENTERLINE OF 29TH STREET, AN 80-FOOT-WIDE PUBLIC RIGHT-OF-WAY RECORDED AT BOOK 5348, PAGE 374 IN SAID RECORDS;

THENCE ALONG SAID CENTERLINE, SOUTH 46°11'13" EAST, A DISTANCE OF 360.02 FEET TO THE NORTHEASTERLY EXTENSION OF THE CENTERLINE OF TRACT D, (DELGANY STREET), A 66-FOOT-WIDE PRIVATE RIGHT-OF-WAY RECORDED AT RECEPTION NO. 2012049308 IN SAID RECORDS;

THENCE ALONG SAID NORTHEASTERLY EXTENSION AND ALONG SAID CENTERLINE, SOUTH 43°48'47" WEST, A DISTANCE OF 267.68 FEET;

THENCE DEPARTING SAID CENTERLINE, NORTH 46°11'13" WEST, A DISTANCE OF 360.02 FEET;

THENCE NORTH 43°48'47" EAST, A DISTANCE OF 227.68 FEET TO THE **POINT OF BEGINNING**.

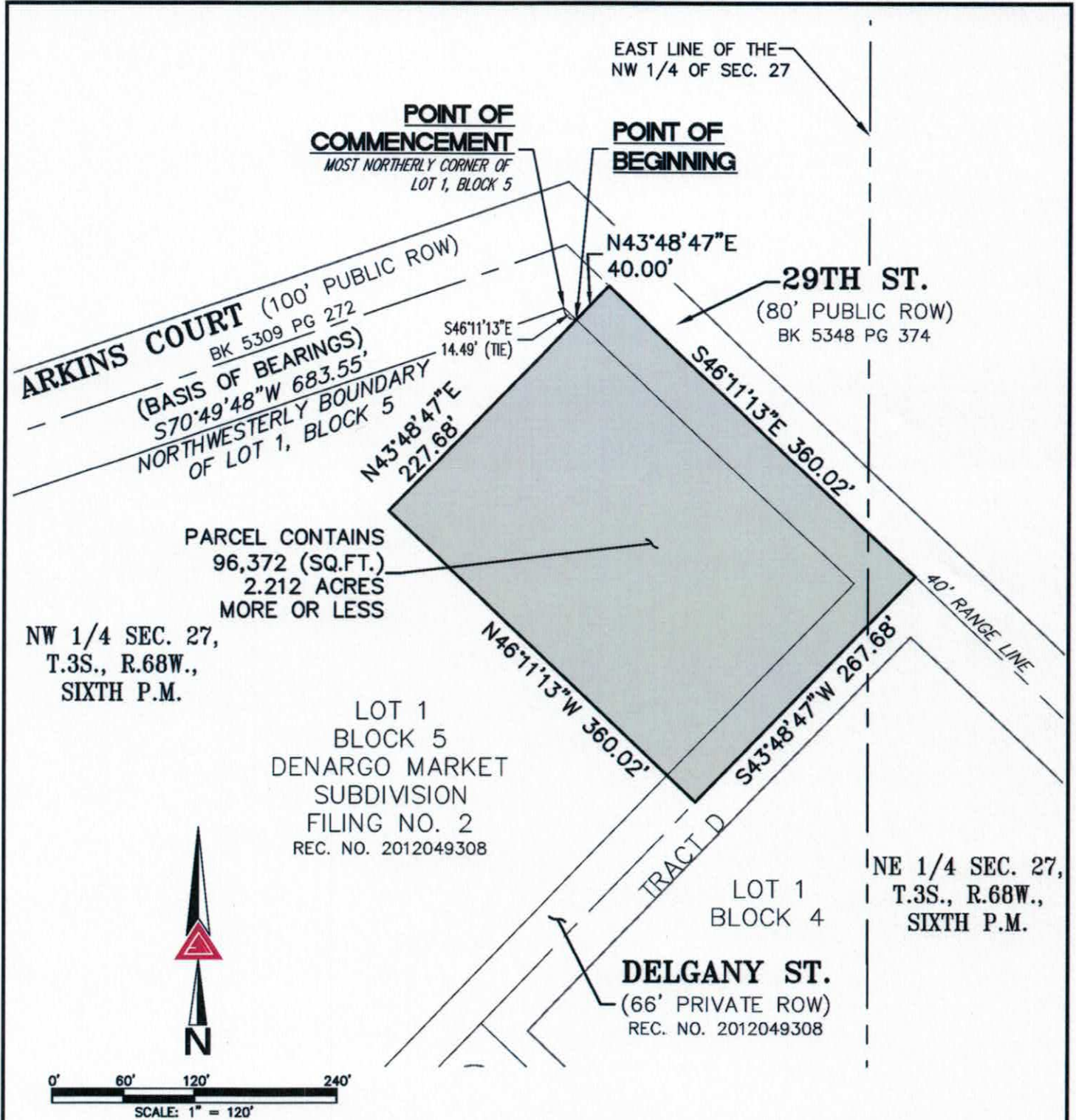
CONTAINING AN AREA OF 2.212 ACRES, (96,372 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



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DISTRICT 4
LOT 1, BLOCK 5N AND TRACT D DENARGO MARKET SUBDIVISION FILING NO. 2
CITY AND COUNTY OF DENVER, COLORADO
JOB NUMBER 155720-02 2 OF 2 SHEETS

EXHIBIT "A"
LEGAL DESCRIPTION
HEIGHT TRANSITION ZONE

A PARCEL OF LAND BEING A PORTION OF LOT 1, BLOCK 5, DENARGO MARKET SUBDIVISION FILING NO. 2 RECORDED AT RECEPTION NO. 2012049308 IN THE OFFICIAL RECORDS OF THE CITY AND COUNTY OF DENVER, COLORADO CLERK AND RECORDER'S OFFICE, LYING WITHIN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY & COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF SAID LOT 1, BLOCK 5, DENARGO MARKET SUBDIVISION FILING NO. 2, WHENCE THE NORTHWESTERLY BOUNDARY OF SAID LOT 1, BEARS SOUTH 70°49'48" WEST, A DISTANCE OF 683.55 FEET, WITH ALL BEARINGS HEREON REFERENCED TO THIS LINE;

THENCE ALONG THE NORTHEASTERLY BOUNDARY OF SAID LOT 1, BLOCK 5, SOUTH 46°11'13" EAST, A DISTANCE OF 112.25 FEET;

THENCE DEPARTING SAID NORTHEASTERLY BOUNDARY, SOUTH 70°49'48" WEST, A DISTANCE OF 769.25 FEET TO THE WESTERLY BOUNDARY OF SAID LOT 1, BLOCK 5;

THENCE ALONG SAID WESTERLY AND NORTHWESTERLY BOUNDARIES THE FOLLOWING TWO (2) COURSES:

1. NORTH 00°01'41" WEST, A DISTANCE OF 105.85 FEET;
2. NORTH 70°49'48" EAST, A DISTANCE OF 683.55 FEET TO THE POINT OF BEGINNING.

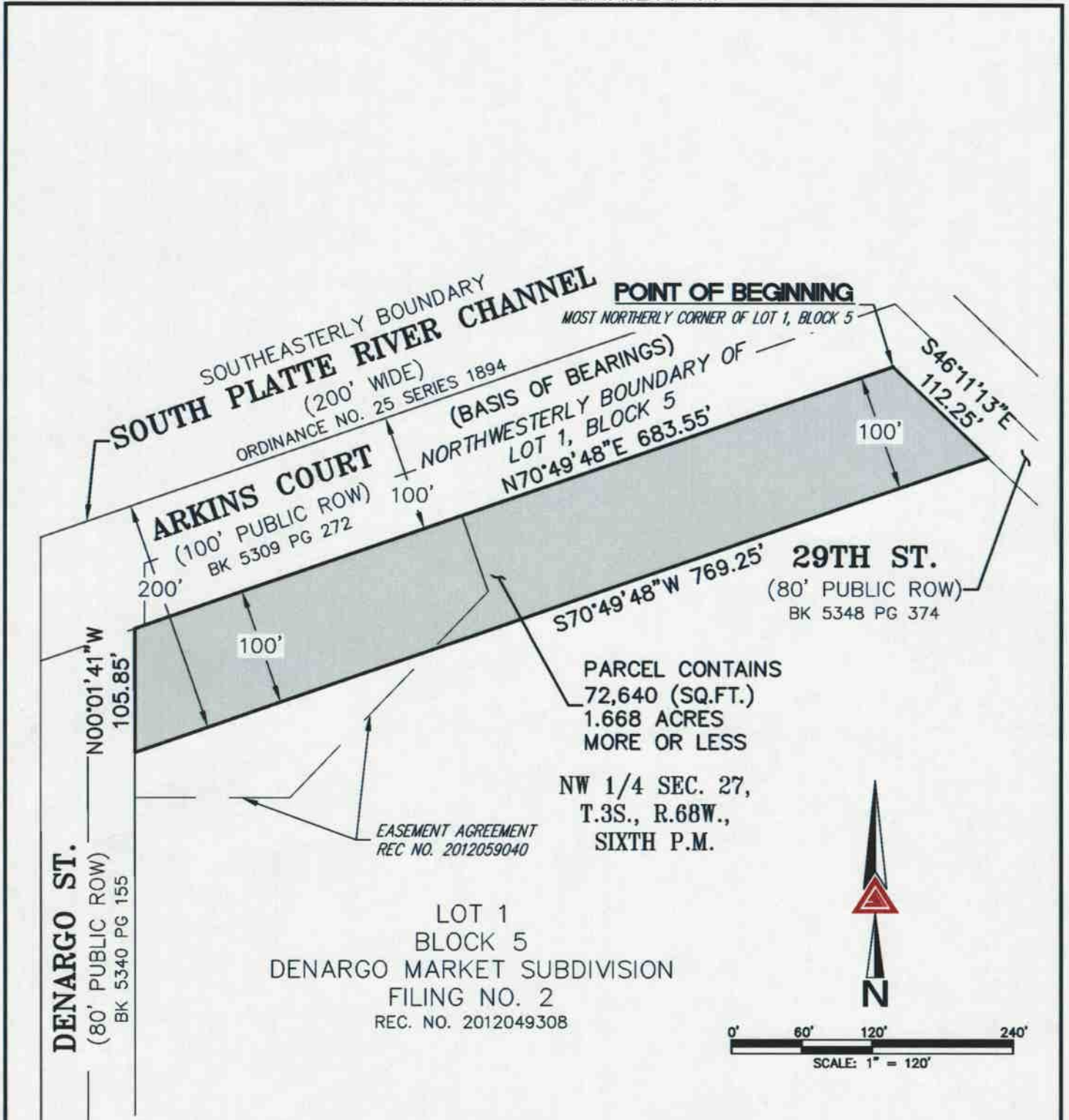
CONTAINING AN AREA OF 1.668 ACRES, (72,640 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 33204
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300 E. MINERAL AVENUE, SUITE 1, LITTLETON, CO 80122
(303) 718-1898

ILLUSTRATION TO EXHIBIT A



NOTE: THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

PATH:
DWG NAME:
DWG: RDR CHK: DCR
DATE: 08-14-2020
SCALE: 1" = 120'

© 155720-02 - Denargo GDP 5th Am - Survey Sheet & Zoning EXHIBITS
300 East Mineral Ave,
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CONSULTANTS, INC.
2020-07-23 - Denargo Market Amended legal EXHIBIT 155720-02

HEIGHT TRANS ZONE
LOT 1, BLOCK 5 DENARGO MARKET SUBDIVISION FILING NO. 2
CITY AND COUNTY OF DENVER, COLORADO
JOB NUMBER 155720-02 2 OF 2 SHEETS

EXHIBIT "A"
LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 27, WHENCE THE WEST QUARTER CORNER OF SAID SECTION 27 BEARS SOUTH 89°59'53" WEST, A DISTANCE OF 2,646.01 FEET, WITH ALL BEARINGS HEREIN BEING RELATIVE TO THIS LINE;

THENCE ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, SOUTH 89°59'53" WEST, A DISTANCE OF 903.75 FEET TO THE EAST RIGHT-OF-WAY LINE OF DENARGO STREET;

THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 00°01'41" WEST, A DISTANCE OF 207.08 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 2, DENARGO MARKET SUBDIVISION FILING NO. 2, PER THE PLAT RECORDED AT RECEPTION NO. 2012049308 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, BEING THE **POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 00°01'41" WEST, A DISTANCE OF 200.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF DELGANY STREET AS DEDICATED BY SAID PLAT;

THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE AND ALONG SAID SOUTH RIGHT-OF-WAY LINE, NORTH 89°58'19" EAST, A DISTANCE OF 152.90 FEET;

THENCE ALONG A SOUTHERLY JOG IN THE SOUTH RIGHT-OF-WAY LINE OF SAID DELGANY STREET AND ALONG THAT CERTAIN WEST BOUNDARY OF SAID LOT 1, BLOCK 2 BEING COMMON WITH THE EAST BOUNDARY OF THE HEREIN DESCRIBED PARCEL, SOUTH 00°01'41" EAST, A DISTANCE OF 156.00 FEET;

THENCE DEPARTING SAID CERTAIN WEST BOUNDARY, SOUTH 04°00'45" WEST, A DISTANCE OF 44.11 FEET TO THAT CERTAIN NORTH BOUNDARY OF SAID LOT 1, BLOCK 2 BEING COMMON WITH THE SOUTH BOUNDARY OF THE HEREIN DESCRIBED PARCEL;

THENCE ALONG SAID CERTAIN NORTH BOUNDARY, SOUTH 89°58'19" WEST, A DISTANCE OF 149.79 FEET TO THE **POINT OF BEGINNING**.

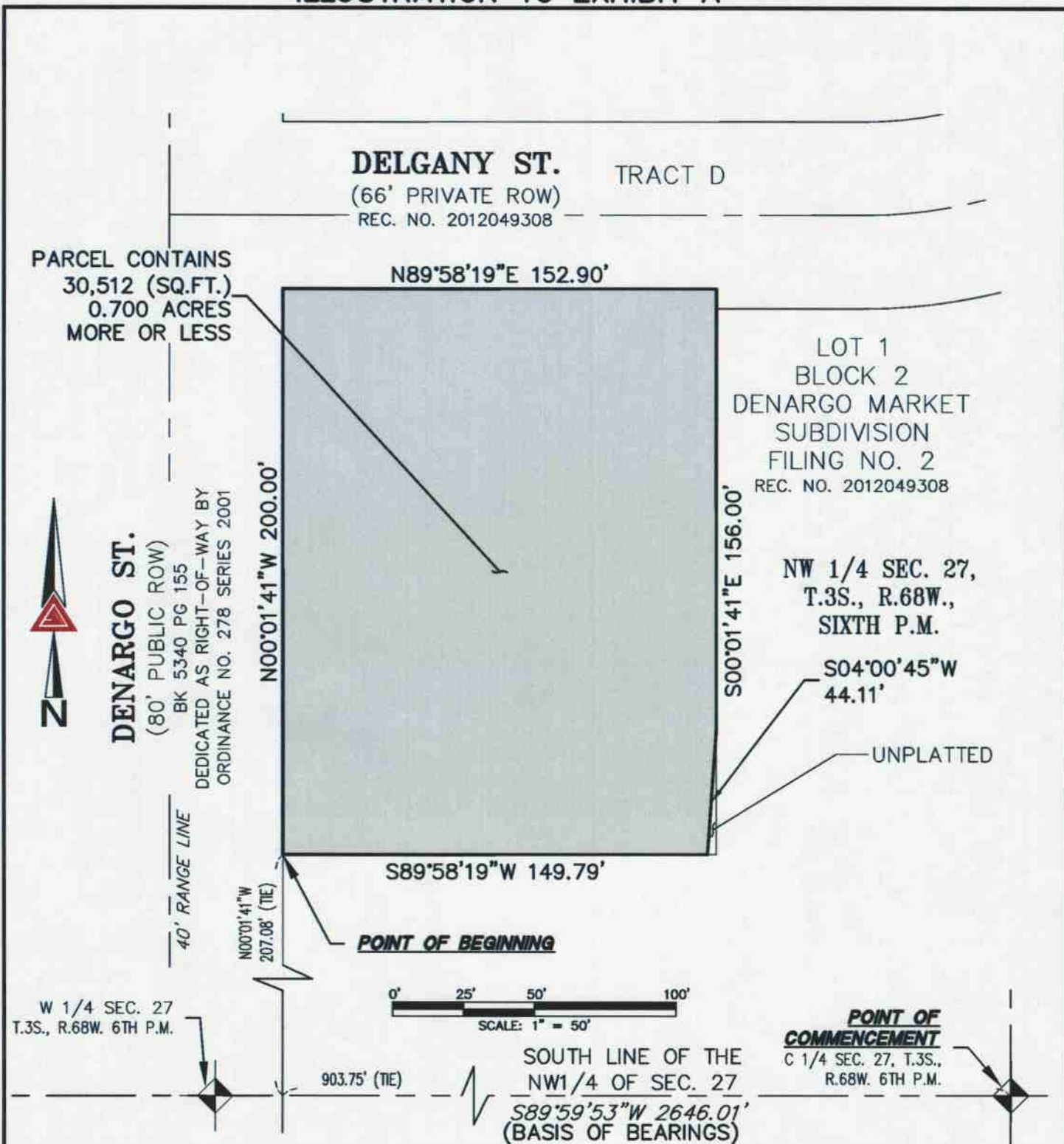
CONTAINING AN AREA OF 0.700 ACRES (30,512 SQUARE FEET) MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 33204
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1, LITTLETON, CO 80122
(303) 718-1898

ILLUSTRATION TO EXHIBIT A



NOTE: THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

PATH:
DWG NAME:
DWG: **RDR** CHK: **DCR**
DATE: **08-19-2020**
SCALE: **1" = 50'**

155720-02 - Denargo GRP 5th Am - Survey Sheet & Zoning Map EXHIBITS
300 East Mineral Ave,
Suite 1
Littleton, Colorado 80122
Phone: (303)713-1898
Fax: (303)713-1897
www.aztecconsultants.com
AZTEC
CONSULTANTS, INC.
2020-08-17 - Denargo Market Amended legal 3280 DENARGO STREET 155720-02

EXHIBIT A
NW 1/4, SEC. 27, T.3S., R.68W., 6TH P.M.
CITY AND COUNTY OF DENVER, COLORADO
JOB NUMBER 155720-02
2 OF 2 SHEETS

EXHIBIT "A"
LEGAL DESCRIPTION

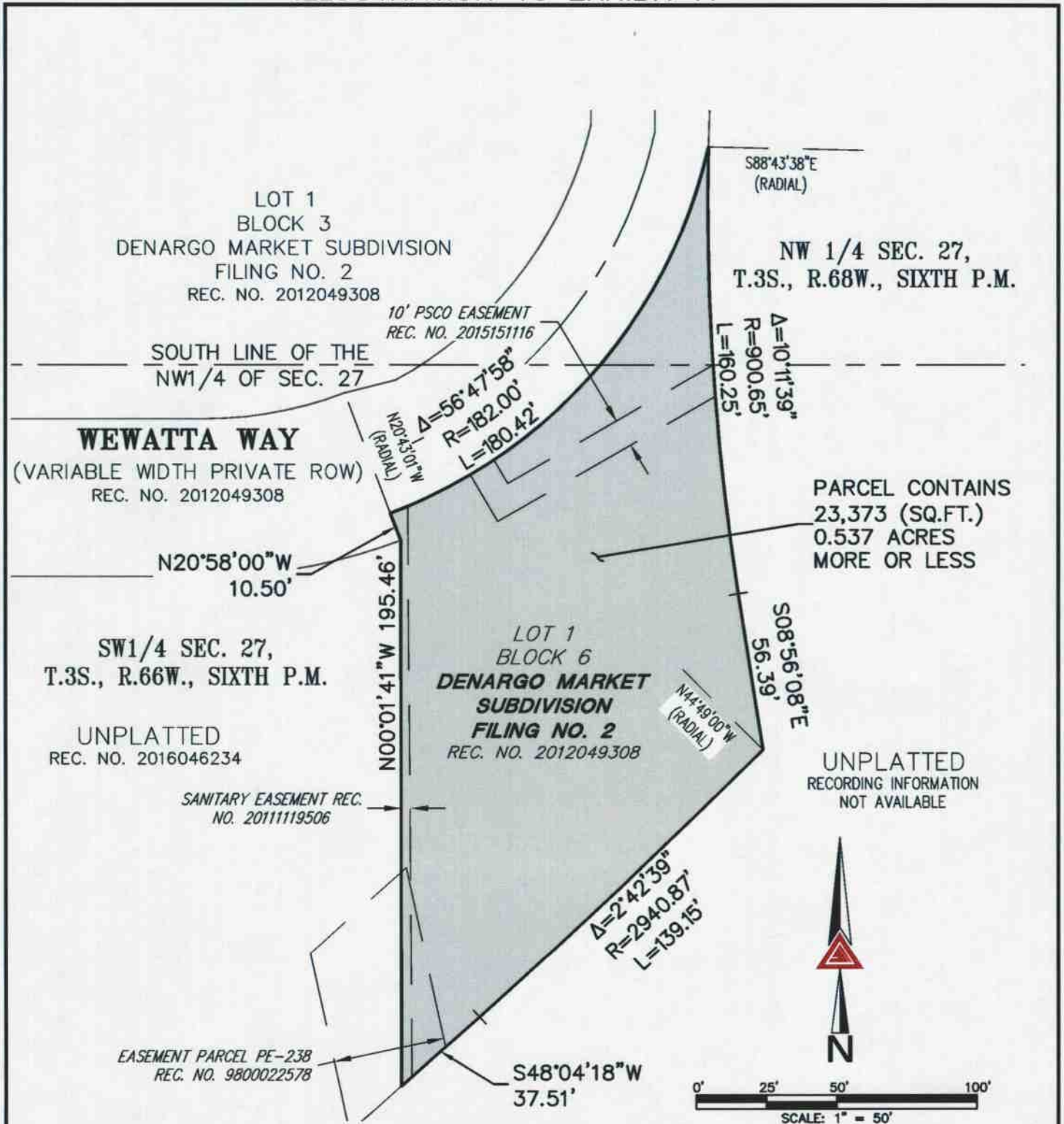
A PARCEL OF LAND BEING ALL OF LOT 1, BLOCK 6, DENARGO MARKET SUBDIVISION FILING NO. 2 RECORDED AT RECEPTION NO. 2012049308 IN THE OFFICIAL RECORDS OF THE CITY AND COUNTY OF DENVER, COLORADO CLERK AND RECORDER'S OFFICE, LYING WITHIN THE WEST HALF OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY & COUNTY OF DENVER, STATE OF COLORADO CONTAINING AN AREA OF 0.537 ACRES (23,373 SQUARE FEET) MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 33204
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1, LITTLETON, CO 80122
(303) 718-1898

ILLUSTRATION TO EXHIBIT A



NOTE: THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

PATH: _____
 DWG NAME: _____
 DWG: **RDR** CHK: **DCR**
 DATE: **08-14-2020**
 SCALE: **1" = 50'**

AZTEC
 CONSULTANTS, INC.
 300 East Mineral Ave,
 Suite 1
 Littleton, Colorado 80122
 Phone: (303) 713-1898
 Fax: (303) 713-1897
 www.aztecconsultants.com
 2020-08-17 - Denargo Market Amended legal LOT 1 BLOCK 6 155720-02

LOT 1, BLOCK 6
LOT 1, BLOCK 5 DENARGO MARKET SUBDIVISION FILING NO. 2
CITY AND COUNTY OF DENVER, COLORADO
JOB NUMBER 155720-02
2 OF 2 SHEETS

**EXHIBIT A
LEGAL DESCRIPTION
DISTRICT NO. 1**

A PARCEL OF LAND BEING A PORTION OF TRACT F, DENARGO MARKET SUBDIVISION FILING NO. 1, A SUBDIVISION RECORDED UNDER RECEPTION NO. 2009018921 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER, COLORADO, CLERK AND RECORDER'S OFFICE ON FEBRUARY 17, 2009, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SAID CITY, COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF SAID TRACT F, WHENCE THE NORTHERLY BOUNDARY OF SAID TRACT F BEARS NORTH 89°58'19" EAST, A DISTANCE OF 150.21 FEET, WITH ALL BEARINGS HEREON RELATIVE THERETO;

THENCE ALONG SAID NORTHERLY BOUNDARY OF TRACT F, NORTH 89°58'19" EAST, A DISTANCE OF 13.43 FEET;

THENCE DEPARTING SAID NORTHERLY BOUNDARY, SOUTH 00°01'41" EAST, A DISTANCE OF 15.05 FEET TO THE SOUTHWESTERLY BOUNDARY OF SAID TRACT F;

THENCE ALONG SAID SOUTHWESTERLY BOUNDARY, NORTH 41°46'12" WEST, A DISTANCE OF 20.16 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.002 ACRES, (101 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



DALE C. RUSH
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 33204
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.

EXHIBIT B

SW 1/4 SEC. 27
T3S, R68W, 6TH PM

GARDEN ADDITION TO DENVER
BLOCK 10

PARCEL CONTAINS
0.002 ACRES
(101 SQ.FT.),
MORE OR LESS.

POINT OF BEGINNING

MOST WESTERLY
CORNER TRACT F

N89°58'19"E
13.43'

(BASIS OF BEARINGS)
NORTHERLY BOUNDARY OF TRACT F

150.21'
N89°58'19"E

N41°46'12"W
20.16'

S00°01'41"E
15.05'

VACATED W.32ND AVE

TRACT F
DENARGO MARKET
SUBDIVISION FILING NO. 1
REC. NO. 2009018921
2/17/2009

BLOCK 15

GARDEN ADDITION TO DENVER

10

11

12

13



1 inch = 20 ft.

NOTE: THIS DRAWING DOES NOT REPRESENT A FIELD MONUMENTED
SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED
LEGAL DESCRIPTION.

PATH: P:\52109-01\DWG
DWG NAME: LEGAL - MD-1.DWG
DWG: JJP CHK: DCR
DATE: 11/06/2009
SCALE: 1" = 20'



AZTEC
CONSULTANTS, INC.

300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

MAP OF DISTRICT 1 BOUNDARIES

PART OF THE SW 1/4 SEC 27, T3S, R68W, 6TH PM
CITY & COUNTY OF DENVER, COLORADO

JOB NUMBER 52109-01

2 OF 2 SHEETS

EXHIBIT C
LEGAL DESCRIPTION
DISTRICT NO. 2 BOUNDARIES

A PARCEL OF LAND BEING A PORTION OF TRACT F, DENARGO MARKET SUBDIVISION FILING NO. 1, A SUBDIVISION RECORDED UNDER RECEPTION NO. 2009018921 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER, COLORADO, CLERK AND RECORDER'S OFFICE ON FEBRUARY 17, 2009, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SAID CITY, COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST WESTERLY CORNER OF SAID TRACT F, WHENCE THE NORTHERLY BOUNDARY OF SAID TRACT F BEARS NORTH 89°58'19" EAST, A DISTANCE OF 150.21 FEET, WITH ALL BEARINGS HEREON RELATIVE THERETO;

THENCE ALONG SAID NORTHERLY BOUNDARY, NORTH 89°58'19" EAST, A DISTANCE OF 13.43 FEET TO THE **POINT OF BEGINNING**;

THENCE ALONG SAID NORTHERLY BOUNDARY, NORTH 89°58'19" EAST, A DISTANCE OF 132.74 FEET;

THENCE DEPARTING SAID NORTHERLY BOUNDARY, SOUTH 00°01'41" EAST, A DISTANCE OF 153.92 FEET TO THE SOUTHWESTERLY BOUNDARY OF SAID TRACT F AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 564.03 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 38°48'07" EAST;

THENCE ALONG SAID SOUTHWESTERLY BOUNDARY AND NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°53'50" AN ARC LENGTH OF 126.96 FEET;

THENCE CONTINUING ALONG SAID SOUTHWESTERLY BOUNDARY AND NON-TANGENT TO SAID CURVE, NORTH 41°46'12" WEST, A DISTANCE OF 65.47 FEET;

THENCE DEPARTING SAID SOUTHWESTERLY BOUNDARY, NORTH 00°01'41" WEST, A DISTANCE OF 15.05 FEET TO THE **POINT OF BEGINNING**.

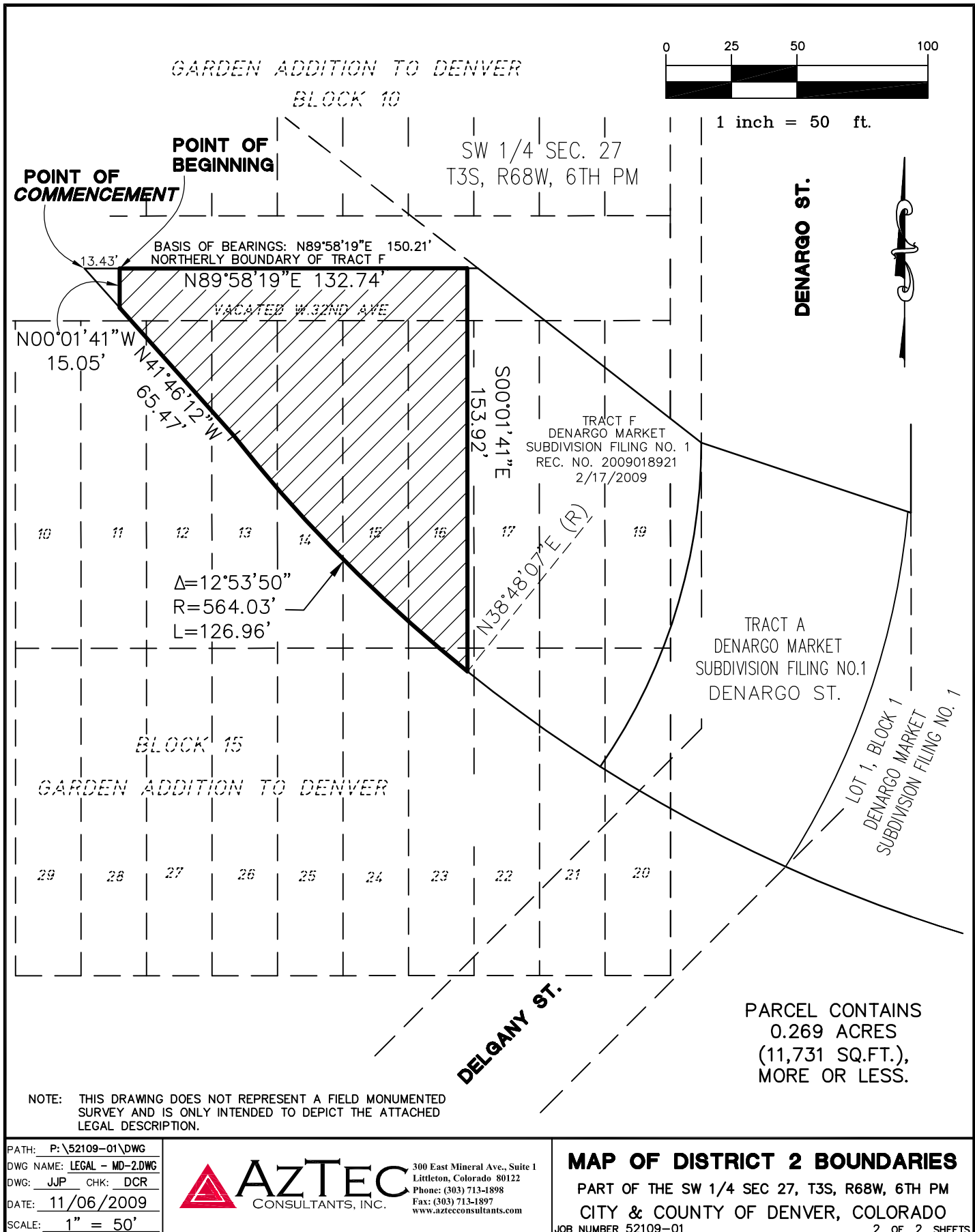
CONTAINING AN AREA OF 0.269 ACRES, (11,731 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



DALE C. RUSH
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 33204
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.

EXHIBIT D



**EXHIBIT E
LEGAL DESCRIPTION
DISTRICT NO. 3 BOUNDARIES**

A PARCEL OF LAND BEING A PORTION OF TRACT F, DENARGO MARKET SUBDIVISION FILING NO. 1, A SUBDIVISION RECORDED UNDER RECEPTION NO. 2009018921 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER, COLORADO, CLERK AND RECORDER'S OFFICE ON FEBRUARY 17, 2009, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SAID CITY, COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID TRACT F, WHENCE THE NORTHEASTERLY BOUNDARY OF SAID TRACT F BEARS NORTH 51°59'48" WEST, A DISTANCE OF 108.21 FEET, WITH ALL BEARINGS HEREON RELATIVE THERETO; SAID MOST EASTERLY CORNER ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 217.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 89°58'19" WEST;

THENCE ALONG THE EASTERLY BOUNDARY OF SAID TRACT F AND SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 34°43'06" AN ARC LENGTH OF 131.49 FEET TO THE MOST SOUTHERLY CORNER OF SAID TRACT F AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 564.03 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 32°27'58" EAST;

THENCE ALONG THE SOUTHWESTERLY BOUNDARY OF SAID TRACT F, AND NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 06°20'09" AN ARC LENGTH OF 62.37 FEET;

THENCE DEPARTING SAID SOUTHWESTERLY BOUNDARY, NORTH 00°01'41" WEST, A DISTANCE OF 153.92 FEET TO THE NORTH BOUNDARY OF SAID TRACT F;

THENCE ALONG SAID NORTH BOUNDARY, NORTH 89°58'19" EAST, A DISTANCE OF 4.04 FEET;

THENCE ALONG THE NORTHEASTERLY BOUNDARY OF SAID TRACT F, SOUTH 51°59'48" EAST, A DISTANCE OF 108.21 FEET TO THE **POINT OF BEGINNING**.

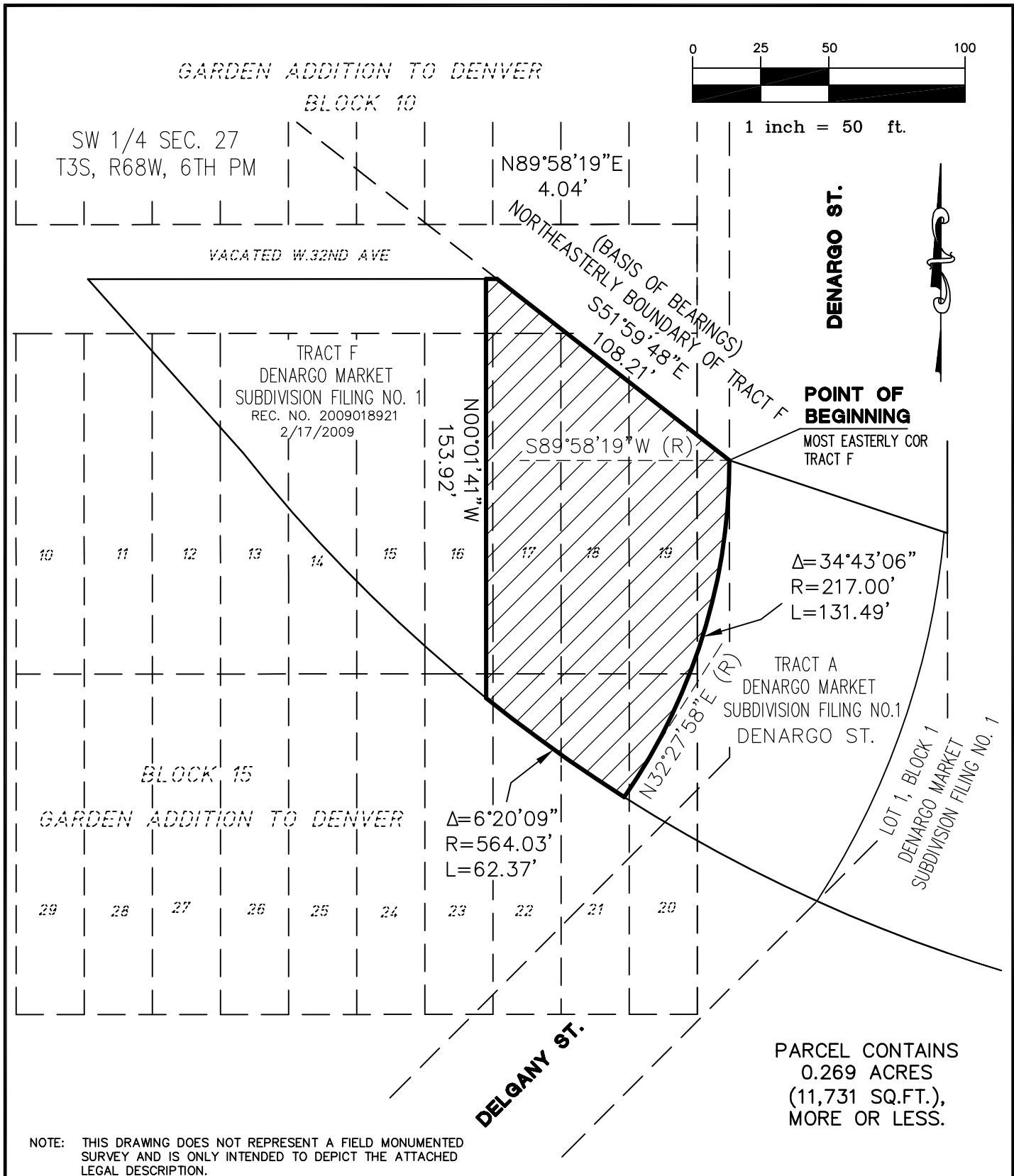
CONTAINING AN AREA OF 0.269 ACRES, (11,731 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



DALE C. RUSH
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 33204
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.

EXHIBIT F



PATH: P:\52109-01\DWG
DWG NAME: LEGAL - MD-1.DWG
DWG: JJP CHK: DCR
DATE: 11/06/2009
SCALE: 1" = 50'



AZTEC
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MAP OF DISTRICT 3 BOUNDARIES

PART OF THE SW 1/4 SEC 27, T3S, R68W, 6TH PM
CITY & COUNTY OF DENVER, COLORADO

JOB NUMBER 52109-01

2 OF 2 SHEETS

DENARGO MARKET

Project Narrative

November 19, 2020

This Denargo Market Revised Project Plan (the “Project Plan”) comprises a proposed rezoning and an Amended and Restated Denargo Market General Development Plan (GDP) to allow for, among other things, greater density on the undeveloped parcels and significant public space improvements. The proposed Amended and Restated GDP requests alignment changes to the existing street network, location changes to the planned open spaces, and additions to the bicycle network. Current City & County of Denver adopted plans, including **Comprehensive Plan 2040**, **Blueprint Denver**, and the **River North Plan**, all support this proposal to add density and connectivity to this site as a designated urban center. Further detail on alignment with those and other plans is detailed below. This site’s proximity to downtown Denver positions it well for high density development that can serve a transition to the existing and planned new development along the Brighton Boulevard corridor.

Adopted Plan Alignment

The Project Plan aligns with the following adopted City & County of Denver plans and agreements:

Plan Title	Adoption	Key Areas of Alignment
River North Plan	2003	The River North Plan calls out Denargo Market for “significant mixed-use development with destination commercial uses, anchored by housing, and benefitting from its relationship to the river corridor and downtown,” (p. 75).
Urban Design Standards & Guidelines for Denargo Market	2008	The proposed Denargo Project Area goals align with the existing Denargo Urban Design Standards & Guidelines to create “an urban center destination that maximizes citywide assets, integrates with the existing and emerging neighborhoods and captures the benefits of its strategic location, visibility and recreational accessibility,” (p. 2).
38 th & Blake Station Area Plan	2009	The 38th and Blake Station Area Plan makes limited references to pending development at Denargo Market, but does not provide guidance on this specific area other than to note it is classified as an “Area of Change” (per the former Blueprint Denver designation) and that adjacent development should relate to plans at Denargo Market.
Form-Based Denver Zoning Code	2010	The proposed zoning aligns with the City’s goals to update parcels zoned under the former Chapter 59 Zoning Code to current Form-Based Denver Zoning Code designations. Please reference the “Land Use and Zoning” section below for more information.

Denver Moves: Bikes	2011	The proposed Project Plan supports the Denver Moves: Bikes plan by enhancing and increasing bicycle facilities in the Project area and providing key connections to the City's existing bicycle facility infrastructure. The Project will help the City achieve the goal outlined in Denver Moves: Bikes to create a bicycle network where people will "be no more than a half mile from a designated bicycle route." Please reference the "Bicycle Network" section below for more information about the Project's specific planned bicycle improvements.
River North Design Overlay District (DO-7)	2017	The Project supports many key purpose statements from the River North Design Overlay , including the promotion of "creative, high-quality design," the activation of "the South Platte River frontage to promote the river as a neighborhood asset," the promotion of "vibrant pedestrian street frontages with active uses and street-fronting building entries," the promotion of "active transportation options such as walking and biking," (DZC 9.4.5.11.B, numbers 2, 4, 6, and 9).
Denargo Market General Development Plan, 4 th Amendment	2017 (<i>Original Adoption 2003</i>)	The proposed Project aligns with the statements of intent from the current Denargo Market General Development Plan, 4th Amendment , including the creation of "an urban environment with a mix of uses including residential and retail/commercial uses." The existing GDP is further supported by the proposed Project by "reducing the height of buildings adjacent to the river and putting greater densities closer to Brighton Boulevard." Lastly, the Project further supports the goals of the GDP to include "improvements that will enhance connectivity within and outside of the project." (All quotations from the GDP Statement of Intent, Sheet 2 of 14).
Housing an Inclusive Denver	2018	The Project's anticipated affordable housing provisions under the forthcoming Development Agreement (as part of the LDR process) will align with the Housing an Inclusive Denver goal to "promote development of new affordable, mixed-income and mixed-use housing stock," (p. 120). It further supports the goals of this plan by creating affordable housing in "areas of opportunity...that have strong amenities such as transit, jobs, high quality education and health care," (p. 7).

Comprehensive Plan 2040	2019	<p>The Project as currently planned supports many key goals of Comprehensive Plan 2040, including those listed below. Specifics and details of how the Project meets these goals will be finalized during the GDP Amendment process, rezoning process, anticipated Development Agreement negotiations, and updates to the Urban Design Standards and Guidelines.</p> <p>1.2 – Support housing as a continuum to serve residents across a range of incomes, ages and needs.</p> <p>1.5 – Reduce the involuntary displacement of residents and businesses.</p> <p>2.2 – Enhance Denver’s neighborhoods through high-quality urban design.</p> <p>2.5 – Create and preserve parks and public spaces that reflect the identity of Denver’s neighborhoods.</p> <p>2.7 – Leverage the arts and support creative placemaking to strengthen community.</p> <p>3.1 Deliver a multimodal network that encourages more trips by walking, rolling, biking and transit.</p> <p>3.3 – Maximize the public right-of-way to create great places.</p> <p>3.6 – Build and maintain safe bicycle and pedestrian networks.</p> <p>4.3 – sustain and grow Denver’s local neighborhood businesses.</p> <p>4.7 – Accelerate Denver’s economic vitality through arts, culture and creativity.</p> <p>4.8 – Expand participation in arts and culture and ensure that arts and culture are accessible to all.</p> <p>5.4 – Integrate stormwater into the built environment by using green infrastructure to improve water quality and reduce runoff.</p> <p>5.5 – Enhance and protect the South Platte River.</p> <p>5.6 – Protect and expand the city’s green infrastructure network.</p> <p>6.1 – Create and enhance environments that support physical activity and healthy living.</p> <p>Provide high-quality parks, recreation facilities and programs that serve all Denver residents.</p>
Blueprint Denver	2019	<p>The Project supports many goals of Blueprint Denver, only some of which are highlighted below:</p> <p>The “Urban Center Places” section of Blueprint Denver recommends the Denargo Project Area as a High-Density Residential Area, that would create an urban</p>

		<p>center neighborhood where development is “the most intense...of the city outside of downtown,” (p. 255). The plan continues to support a ‘mix of uses throughout-including many large-scale multi-unit residential buildings....[and where] buildings are generally the tallest of the residential places in this context,” (p. 261).</p> <p>The “Growth Strategy” section of Blueprint Denver recommends the Denargo Project Area as a High Growth Residential Area, where “a strategic and intentional approach to direct most of our growth to key centers and corridors helps to achieve citywide equity goals to benefit all residents,” (p. 248).</p>
Denver Moves: Transit	2019	<p>The Project supports the Denver Moves: Transit plan by achieving the goal of creating “transit-friendly communities.” The adopted plan notes existing bus routes on Denargo Street and Arkins Court, which the Project seeks to enhance. The plan proposes Bus Rapid Transit facilities on Brighton Boulevard, which the Project would support and which would support the high-density development planned for this neighborhood.</p>
Denver Moves: Pedestrians & Trails	2019	<p>The Project supports many of the specific goals of the Denver Moves: Pedestrians & Trails plan, and in particular aligns with the vision for a pedestrian network “that provides residents, employees and visitors with a walkable environment that is safe and comfortable for all users and treats all users with dignity,” (p. 6). The Project will continue to align with the adopted Plan’s guidance as the pedestrian realm and trail connections are further detailed during the anticipated Denargo GDP Major Amendment process and revisions to the Denargo Urban Design Standards and Guidelines.</p>
Parks & Recreation Game Plan	2019	<p>The Project and anticipated support of off-site improvements to the Riverfront (to be determined as part of the anticipated Development Agreement) will help the city achieve the following goals from page 16 of the Parks & Recreation Game Plan:</p> <ul style="list-style-type: none"> 5. Increase opportunities for people to experience and connect to nature. 7. Achieve equitable access for underserved communities to parks and recreation amenities for all members of the community.

		11. Explore alternative and additional funding options for park, trail and recreation needs. 12. Broaden system investments and services with allied individuals, agencies and organizations. 13. Increase the supply of parks, facilities, and resources relative to Denver’s population growth. 15. Recognize parks and public spaces as vital elements of urban infrastructure for the City. 16. Protect and enhance Denver’s legacy pathways: its parkways, greenways and trails. 19. Design parks, facilities and programs that reflect Denver’s distinct places and neighborhood identities. 20. Provide opportunities to expand Denver’s healthy outdoor lifestyle to all.
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Adopted Plan Alignment: Goals and Intent Statements

Denargo Market has been envisioned as a dense mixed-use destination within the River North neighborhood dating back to the 2003 River North Plan. When the original Denargo Market GDP was established in 2007 (reception number 2007054152) and the Denargo Market parcels were rezoned to R-MU-30 with waivers, the site was positioned to become a neighborhood center. At the time of the rezoning, R-MU-30 provided the most density for residential mixed-use districts. The Former Chapter 59 zoning describes R-MU-30 as “a primarily residential district allowing higher density multiple unit dwellings of a density appropriate to the center-city and other activity centers such as light rail transit stations.” (p.377). Since then, many of the parcels surrounding the site were rezoned to allow for greater heights than the parcels within the Denargo Market GDP boundary. This proposed map amendment reestablishes Denargo Market as the neighborhood center by allowing for greater height allowances in this area. The terms neighborhood center and urban center are used throughout this document to describe Denargo Market per plan guidance documents. The urban center context is described as:

“Urban center neighborhoods are dense and vibrant areas that support residents and visitors. This context contains high intensity residential and significant employment areas. Development typically contains a high mix of uses, with good street activation and connectivity. Residents living in this context are well served by high-capacity transit and have access to ample amenities and entertainment options.” (Blueprint Denver p. 251)

The River North plan includes the goals listed below. The proposed map amendment supports the goals as follows:

1. *Adequate parking should be efficiently provided in the most appropriate form while maximizing development opportunities. (p.75)*

The proposed C-MX zoning designations and DO-7 overlay require parking strategies that support a pedestrian-friendly public realm while prohibiting surface parking. Structured parking will be used throughout the Denargo Market development within the new building envelopes to maximize development opportunities. Street-level parallel parking is included to support neighborhood retail and businesses and is depicted in the conceptual street sections within the Amended and Restated GDP.

2. *Provide direct and pleasant multi-modal connections to residents and businesses in surrounding neighborhoods to access the development area and residents and businesses to access downtown, the South Platte River, and Brighton Blvd. (p. 75, 76)*

The proposed street network connects Denargo Market to the surrounding neighborhood streets to strengthen vehicular, bicycle, and pedestrian access to the site and the public open spaces along the South Platte River. Denargo Street, 29th Street, and Arkins Court will continue to serve as primary ingress to the site. The conceptual street network plan in the Amended and Restated GDP realigns Denargo St to bisect the site as the main collector street. The Platte River Loop, a new local pedestrian-oriented street will tie into the realigned Denargo Street and run parallel to the South Platte River to provide public access to open space while also allowing for fire access and service to future buildings. This street will also serve as a festival street for special events with the ability to limit access for certain times of day. Overall, the new street network in the Amended and Restated GDP breaks the existing superblock down into pedestrian-friendly block sizes.

Denargo Market is currently bordered by the Brighton Blvd cycle track to the southeast and the South Platte River Trail to the north. The proposed bicycle network includes two protected bicycle lanes on 29th Street extending from Brighton Blvd to the existing South Platte Trail access ramp. Additionally, two protected bicycle lanes will be located on the existing and realigned portions of Denargo Street and connect to a new access ramp to the South Platte River Trail at the north west tip of the development by way of the new plaza or shared Platte River Loop. Local bicycle traffic can access the center of the site via 28th Street, which will carry low-speed vehicular traffic for two blocks before terminating into the pedestrian/ bike plaza between Denargo Street and the riverfront. Limited vehicular traffic, narrow vehicular travel lanes and sharrows are proposed for this block to provide local bicycle infrastructure on this street.

The primary pedestrian circulation path is a direct route along 28th Street from Brighton Blvd to the Riverfront Open Space adjacent to the South Platte River. Two existing RTD bus stops are located at the intersection of 29th Street and Brighton Blvd. Two additional RTD bus stops are proposed at the intersection of 28th Street and Denargo Street, providing access to downtown and surrounding neighborhoods. Pedestrian-scale design elements are planned along streetscapes as outlined in the Denargo Market Urban Design Standards and Guidelines to create quality walkable streets.

3. *Create a compact, mixed-use, pedestrian-friendly development. (p. 76)*

The proposed map amendment will support dense mixed-use development in Denargo Market. The C-MX zoning designation with the DO-7 overlay will further diversify current uses by providing opportunities for office, residential, and retail uses in what is now primarily a residential area with few ground-level active uses. With the increased height allowed by the requested zoning, the future development on those parcels will be more compact than development of a lower density. The conceptual street network within the Amended and Restated GDP further supports walkability by breaking down the existing superblock into pedestrian-friendly block sizes. The increase in daytime and nighttime workers, residents, and visitors will provide more people walking around the development and customers for potential retail, both of which will add to the pedestrian experience.

4. *Ensure that urban design reinforces the pedestrian oriented and transit-supportive character of the area and creates friendly and useable public spaces. (p. 76)*

The Denargo Market Urban Design Standards and Guidelines address the design features required in the public realm for all future development. The River North Design Overlay (DO-7) zoning provides additional requirements to support a pedestrian-friendly public realm. For example, the DO-7 limits the visibility of vehicular parking and preserves access to daylight with incremental mass reductions. Transparency, build-to, and street level active use requirements are also included in the DO-7 to support pedestrian-oriented streets.

The Denver Comprehensive Plan 2040 includes the goals listed below. The proposed map amendment supports these goals as follows:

1. *Equitable, Affordable, and Inclusive 1.2 – Support housing as a continuum to serve residents across a range of incomes, ages and needs. (p. 18)*

Conversations are currently underway with the Denver Department of Housing Stability (HOST) to finalize a Development Agreement that would ensure housing built on the parcels in question would serve a range of incomes, including “deep affordable” units. The Developer plans to provide a mix of affordable housing units in the Project, with deeply affordable units constructed on a single parcel located on a well-located parcel within the GDP area that is adjacent to already built structures on Brighton Blvd, and workforce affordable units throughout the remaining parcels. A commercial linkage fee is planned to be paid for all commercial development

2. *Equitable, Affordable, and Inclusive 1.5 – Reduce the involuntary displacement of residences and businesses. (p.18)*

The Developer intends to support neighborhood organizations, such as the RiNo Arts District, via the provision of community gathering spaces, artist studio, and/or gallery space. They also intend to include local businesses and retailers and will consider rent subsidies to support specific tenants on a case-by-case basis. The affordable housing plan incorporated in the Development Agreement ensures housing will be provided for residents with varying levels of income and needs. The Denargo Market project is comprised of approximately 13 acres of vacant and contaminated land, the development of which will therefore not displace any existing residents or businesses.

3. *Strong & Authentic Neighborhoods 2.2 - Enhance Denver’s neighborhoods through high-quality urban design. (p.18)*

The currently vacant parcels included in this application represent a large void in the neighborhood. The proposed map amendment and Amended and Restated GDP will transform an underutilized portion of the South Platte River into an amenity for the River North neighborhood and the neighborhoods beyond. The Denargo Market Design Standards and Guidelines will ensure quality design, particularly within the public realm for all development within the Amended and Restated GDP boundary.

For the subject parcels, the proposed map amendment calls for a mix of C-MX-12 DO-7, C-MX-16 DO-7, and C-MX-20 DO-7 zoning designations and a transition zone parallel to the South Platte River with C-MX-8 DO-7 zoning. The tallest proposed zoning designations are in the middle of the GDP boundary and are intended to establish a neighborhood center that transitions down from C-MX-20 (250’ maximum height) to C-MX-12 (150’ maximum height) in order to align with the surrounding parcels’ zoning designations. Ultimately, the proposed zoning designations draw

from the urban fabric of the adjacent developed parcels for a context-driven urban design solution on a vacant site.

4. *Strong & Authentic Neighborhoods 2.5 – Create and preserve parks and public spaces that reflect the identity of Denver’s neighborhoods. (p. 18)*

The new riverfront open spaces will serve as a focal point of the Denargo Market development. As accessible public spaces, these parks and plazas will activate the surrounding development and serve as a public destination and gathering place for the communities of the River North neighborhood and beyond. The riverfront open spaces will be directly accessible from the South Platte River Trail, a highly trafficked regional trail system. Direct access points will create welcoming points of entry for the public. A robust public art program, to be incorporated into the parks and open spaces, is planned for the development to build on the neighborhood's already strong identity as an art district.

5. *Strong & Authentic Neighborhoods 2.5 – Leverage the arts and support creative placemaking to strengthen community. (p. 18)*

The open spaces provide opportunities for local artists to display their works and represent cultures of surrounding communities. The two gateway corner parks are key components of the project’s art installations. The Developer has been actively engaged with The RiNo Arts District to collaborate on a future art program during design and implementation phases.

6. *Connected, Safe, & Accessible Place 3.1 - Deliver a multimodal network that encourages more trips by walking, rolling, biking and transit. (p. 18)*

The proposed concept plan in the Amended and Restated GDP supports multimodal transportation. Bicyclists can access the site via protected bike lanes from the 29th St & Brighton Blvd, 29th St & Arkins Ct, and the Denargo St access points. Two existing RTD stops on Brighton Blvd are adjacent to the primary pedestrian path through the center of the site along 28th Street. A South Platte River Trail access ramp currently exists on the northern portion of the site. The concept plan in the Amended and Restated GDP introduces an additional access ramp on the northwest tip of the site to further strengthen pedestrian and bicycle connection.

7. *Connected, Safe, & Accessible Place 3.1 - Maximize the public right-of-way to create great places. (p. 18)*

The proposed circulation strategy shown in the Amended and Restated GDP realigns Denargo Street to bisect the existing large super block while maintaining public access along the former Denargo Street location (in the form of the Platte River Loop). This proposal increases the total amount of public right-of-way or Metro-District-owned right-of-way to increase circulation, serve the public and create great places.

The proposed Platte River Loop will be located within public right-of-way. As a shared street, the Platte River Loop will provide a street made for people – pedestrians as well as those who choose to bike or drive. Enhanced materials such as stained and scored concrete will be used along with a curbless design to create a seamless open space environment. An extension of the RiNo Promenade will be located within this portion of public right-of-way to link into the public improvements further north on Arkins Ct. The 28th Street right-of-way is planned to be Metro District owned and maintained but will feature publicly accessible open space along its length to link the existing Brighton Blvd open space with the new Riverfront Open Space.

8. Connected, Safe, & Accessible Place 3.6 – Build and maintain safe bicycle and pedestrian networks. (p. 18)

The proposed street network includes narrow traffic lanes to encourage lower travel speeds for cars and a safer bicycle and pedestrian experience. Protected bike lanes are separated from pedestrian zones with street trees and separated from travel lanes with curbed buffer zones. 28th Street serves as a sharrow with low traffic speeds and narrow travel lanes for local bicycle routes. All the pedestrian and bicycle infrastructure within the private property boundary will be provided and maintained by the Metro District.

9. Economically Diverse & Vibrant 4.7 – Accelerate Denver’s economic vitality through arts, culture and creativity.

Economically Diverse & Vibrant 4.8 – Expand participation in arts and culture and ensure that arts and culture are accessible to all. (p. 19)

The proposed plan includes key locations for art throughout the open space network. These opportunities for public art provide avenues for potential collaboration with the RiNo Arts District, Denver Public Schools, local artists and more. The Developer has been actively engaged with The RiNo Arts District to collaborate on a future art program during design and implementation phases.

10. Environmentally Resilient 5.4 – Integrate stormwater into the built environment by using green infrastructure to improve water quality and reduce runoff. (p. 19)

Locations for sustainable stormwater surface quality basins have been included in the Amended and Restated GDP conceptual stormwater plans for the development. These basins are planned to be fully integrated into the streetscape and landscape designs to improve water quality, paying close attention to the site's proximity to the Platte River.

11. Environmentally Resilient 5.5 – Enhance and protect the South Platte River. (p. 19)

Per the Revised and Restated GDP and pending Development Agreement, the Developer is committing to make significant improvements on the publicly owned land alongside the South Platte River. The proposed plan will transform a currently underutilized portion of the riverfront into an activated public open space for residents, workers, and visitors. Improvements will be designed in collaboration with Denver Parks and the Greenway Foundation to ensure they align with future plans for the South Platte River restoration.

12. Healthy & Active 6.1 – Create and enhance environments that support physical activity and healthy living.

Provide high-quality parks, recreation facilities and programs that serve all Denver residents. (p.19)

The proposed Denargo Market open space network within the Amended and Restated GDP provides 3.17 acres of publicly accessible open space on both publicly owned and privately owned land. These future open spaces will provide critical areas for relaxation and recreation

within an Urban Center context. All of the proposed open spaces are easily accessible from public rights-of-way.

Blueprint Denver includes the goals listed below. The proposed map amendment supports these goals as follows:

1. *Land Use & Built Form, General – Policy 1: Promote and anticipate planned growth in major centers and corridors and key residential areas connected by rail service and transit priority streets. (p. 72)*

The proposed map amendment utilizes strategy A to meet this goal (Use zoning and land use regulations to encourage higher-density, mixed-use development in transit-rich areas including: High and medium-high residential areas in the downtown and urban center contexts). Blueprint Denver labels Denargo Market as an Urban Center and designates it as an area where “High Residential” use is appropriate (p.255).

2. *Land Use & Built Form, General – Policy 3: Ensure the Denver Zoning Code continues to respond to the needs of the city, while remaining modern and flexible. (p. 73)*

With the exception of the parcel zoned I-A and half of the parcel zoned as I-B, all of the parcels contained in the proposed map amendment will transition from the Former Chapter 59 zoning to the new Denver Zoning Code (DZC) utilizing strategy A to meet this goal (Rezone properties from the Former Chapter 59 zoning code so that the entire city is covered by the DZC, including continuing to incentivize owners to come out of the old code).(p. 73)

3. *Land Use & Built Form, General – Policy 9: Promote coordinated development on large infill sites to ensure new development integrates with its surroundings and provides appropriate community benefits. (p. 78)*

The following strategies have been utilized to meet this goal:

Strategy B (Use large development review, or similar tools, to coordinate infrastructure and open space on large infill sites while minimizing and mitigating negative impacts on surrounding communities) and

Strategy C (Implement regulatory tools to set clear and predictable requirements for large redevelopments to provide benefits to the community such as affordable housing and open space).

Conversations are currently underway with the Department of Housing Stability (HOST) to finalize an affordable housing plan for the Denargo Market development. Another large component of the community benefits package includes the South Platte riverfront improvements on public land and the new network of public open space on both public and privately owned land. The Denargo Market project plan includes a Large Development Framework and an Amended and Restated General Development Plan to outline the requirements for the proposed open spaces.

4. *Land Use & Built Form, Housing – Policy 6: Increase the development of affordable housing and mixed-income housing, particularly in areas near transit, services and amenities. (p. 85)*

In collaboration with the Denver Department of Housing Stability (HOST), the Developer is finalizing the affordable housing provisions of the Development Agreement that would ensure housing built on the parcels in question would serve a range of incomes, including “deep affordable” units. The Developer plans to provide a mix of deep affordability on a single parcel

that is adjacent to existing apartment buildings developed since the 2007 GDP and also to disperse workforce-accessible units in residential development on the remaining parcels. A commercial linkage fee is planned be paid for all commercial development.

5. Land Use & Built Form, Housing – Policy 7: Expand family-friendly housing throughout the city. (p. 85)

Based on the current draft of affordable terms being negotiated with HOST, a portion of the affordable units will include two bedrooms or more to support varying family needs.

6. Land Use & Built Form, Housing – Policy 8: Capture 80 percent of new housing growth in regional centers, community centers and corridors, high-intensity residential areas, greenfield residential areas, innovation flex districts and university campus districts. (p. 86)

Denargo Market is designated as an Urban Center and a High-Density Residential Area (p.255).

The proposed map amendment supports this goal by adding dense residential and commercial development in an Urban Center so residents can live near job providers. There is clear alignment between plan guidance and the proposed zoning designations.

7. Land Use & Built Form, Economics – Policy 3: Preserve high-value manufacturing areas and allow low-value manufacturing areas to transition to higher intensity uses. (p. 91)

There are two existing industrial zoning designations in this map amendment. 3280 Denargo St is currently zoned as I-A, Light Industrial, and a portion of 2700 Wewatta Way is zoned as I-B, General Industrial. Given the designation of Denargo Market as an Urban Center with High Residential uses, these parcels should be rezoned for high intensity uses consistent with the surrounding parcels. As isolated industrial parcels surrounded by mixed-use zoning and development, they are low-value manufacturing sites and thus should transition to higher intensity uses.

8. Land Use & Built Form, Economics – Policy 6: Ensure Denver and its neighborhoods have a vibrant and authentic retail and hospitality marketplace meeting the full range of experiences and goods demanded by residents and visitors. (p. 93)

The mix of proposed C-MX zoning designations with the DO-7 overlay creates the opportunity for an urban center with commercial, residential, hotel, and retail uses. The intent of the proposed map amendment and Amended and Restated GDP is to establish a new destination in River North with a distinct identity reflective of the neighborhood.

9. Land Use & Built Form, Design Quality & Preservation – Policy 2: Ensure residential neighborhoods retain their unique character as infill development occurs. (p. 99)

This plan uses strategy C to meet this goal. (Use design overlays as targeted tools in developing or redeveloping areas that have a specific design vision, ideally one articulated through a planning process. Although these overlays tend to be specific to a particular area — such as a river corridor or newly developing neighborhood — it is also appropriate to create design overlays for multiple areas where common design outcomes are desired). (p.99)

The inclusion of the River North Design Overlay (DO-7) will connect the Denargo Market development to the surrounding neighborhood. The Denargo Market Design Standard &

Guidelines will be applied to all the parcels within the Denargo Market GDP boundary to ensure consistency in design, particularly in the public realm features.

10. *Land Use & Built Form, Design Quality & Preservation – Policy 3: Create exceptional design outcomes in key centers and corridors. (p. 102)*

This plan uses strategy C to meet this goal. (Create a system of design tools, including standards and guidelines, that are scalable and repeatable to enable baseline design requirements that can be applied to a range of contexts and locations and be modified with a smaller subset of locally-applicable features). (p.102)

An administrative design review of the Denargo Market Design Standards & Guidelines by City of Denver staff will be required prior to SDP approval for all parcels within the Denargo Market GDP boundary.

11. *Land Use & Built Form, Design Quality & Preservation – Policy 4: Ensure an active and pedestrian-friendly environment that provides a true mixed-use character in centers and corridors. (p. 103)*

The introduction of C-MX and DO-7 zoning across the site will create an active mixed-use environment. The street level active use and transparency requirements within the DO-7 ensure building edges along primary streets contribute to the vibrancy of the public realm. Additional build-to and setback requirements in the C-MX and DO-7 zoning establish criteria for pedestrian-oriented streets.

12. *Mobility – Policy 1: Encourage mode-shift — more trips by walking and rolling, biking and transit — through efficient land use and infrastructure improvements. (p. 108)*

The street network within the Amended and Restated GDP incorporates narrow travel lanes to encourage pedestrian and bicycle activity and increase safety. Bicyclists will have the option to use protected bike lanes along 29th Street and Denargo Street or a sharrow along 28th Street. Direct connections to surrounding pedestrian and bicycle infrastructure reduces conflict points and enhances the experience for residents, visitors, and commuters.

13. *Mobility – Policy 2: Align the impacts of private development with transportation infrastructure and promote development that creates walkable, transit-friendly communities. (p. 108)*

The plan uses strategy A to meet this goal (Adopt policies that require Transportation Demand Management programs for developments to maximize use of alternative modes and reduce single-occupancy vehicle trips on Denver's streets). (p.108)

A TDM proposal will be included in the Development Agreement or as an exhibit to the mobility study for the Amended & Restated GDP.

14. *Mobility – Policy 3: On all streets, prioritize people walking and rolling over other modes of transportation. (p.109)*

Within the Amended and Restated GDP street sections, sidewalk dimensions are the Denver standard of 8 ft at a minimum throughout the development. For areas designated for heavy pedestrian use such as the Platte River Loop and 28th Street, the pedestrian zone (sidewalk) dimensions are larger.

15. Mobility – Policy 8: Connect centers and corridors across the city through a variety of modal choices. (p.111)

The street, sidewalk, and bicycle networks proposed directly connect to the existing (or planned) street and bicycle networks surrounding the site. Two access points to the South Platte River Trail connect Denargo Market to a regional system in alignment with *Denver Moves*.

16. Quality of Life Infrastructure – Policy 1: Expand tools and regulations to ensure high-quality parks and outdoor public spaces keep pace with Denver’s growth. (p. 118)

This map amendment includes a robust contribution to open space and improvements on publicly owned land along the South Platte River. The plans for funding and maintaining the open spaces are currently being documented in the Development Agreement between the Developer and the City of Denver. Final open space designs will require approval by Denver Parks during the site development phase.

17. Quality of Life Infrastructure – Policy 5: Ensure attractive streets and outdoor spaces in all centers and corridors, giving priority to pedestrian spaces and amenities. (p. 121)

The street network within the Amended and Restated GDP uses Strategy E to meet this goal (Identify opportunities to creatively use right-of-way as special shared streets that prioritize pedestrians, provide amenities, and encourage gathering and socializing). The South Platte River Loop is planned to be a shared street that favors the pedestrian experience. Materials such as stained and scored concrete will be used in lieu of the standard Denver asphalt or concrete to create a design unique to Denargo Market. The plans for 28th Street similarly favor the pedestrian experience with the incorporation of a 15 ft promenade that will function as a linear park connecting the existing Brighton Blvd open space with the future Riverfront Open Space.

18. Quality of Life Infrastructure – Policy 7: Recognize greenways and trails as multimodal connections providing a variety of experiences and habitats for people, plants and wildlife. (p. 122)

The proposed map amendment and Amended and Restated GDP use Strategies A & B to meet this goal. (Study and implement tools to incentivize environmentally-sensitive, trail-oriented development along river and creek corridors.) and (Explore opportunities for public and private development to enhance and expand Denver's trail network). (p.122)

The Developer has collaborated with Denver Parks over the past year and a half to ensure the conceptual plans for open space along the South Platte River align with plan guidance goals for restoration and activation. More recently we have met with the Mile High Flood District and DOTI to ensure riverfront improvements support plans for the South Platte River. During final design collaboration will continue to ensure the health of the South Platte River.

Blueprint Denver Street Typology Alignment:

The following Blueprint Denver street types are included in the Denargo Market plan:

1. Mixed-Use Street:

Blueprint Denver designates Denargo St and Arkins Ct as Mixed-Use Collector streets (p.157). The conceptual street network documented in the Amended and Restated GDP similarly designates these streets as Mixed-Use Collectors. Blueprint Denver describes Mixed Use streets with the following: “Varied mix of uses including retail, office, residential and restaurants. Buildings are pedestrian-oriented, typically multi-story, usually with high building coverage with a shallow front setback. A street wall is present but may vary.” (p.159)

The application of C-MX and DO-7 zoning ensures a mix of office, residential, hotel, and/or retail uses in conformance with the appropriate uses listed for this street type. In fact, the DO-7 provides additional criteria for street level active uses to create a pedestrian-friendly environment. The street sections proposed for Denargo St in the Amended and Restated GDP meet Denver standards for Mixed-Use street as documented in the *Complete Streets* guide.

2. Main Street:

28th Street serves as a Main Street with the primary pedestrian route in the Denargo Market plan. Blueprint Denver does not specify a street type for 28th Street but it lists Main Street as an appropriate typology for Urban Centers with a high level of pedestrian activity (p.262). Like Mixed-Use streets, Main Streets are characterized with a mix of uses such as office, residential, and retail. Main Streets should also feature a high level of transparency with street level active uses. (p.158). The Street Level Activation Requirements included in the DO-7 directly support the goals outlined in the Main Street typology. Per Blueprint Denver, “Sidewalks are generally wider with fewer driveways to prioritize people walking or rolling.” The 28th St section in the Amended and Restated GDP includes a 15 ft pedestrian zone to serve as a promenade (a primary pedestrian path).

3. Shared Street:

The Denargo Market plan includes a Shared Street with the Platte River Loop. Blueprint Denver does not specify locations for Shared Streets but includes the following for application of the street typology: “These streets are most appropriate where vehicle volumes and speeds are already low or where they are expected to be sufficiently reduced through implementation of a shared street.” (p.162) The existing Denargo St and Arkins Ct are realigned in the proposed Denargo Market plan to allow for a shared street with low speeds and low traffic counts. Denargo Street will carry traffic through the site as the collector street. The Platte River Loop will provide access to the new Riverfront Open Space as well as the two buildings closest to the South Platte River. The conceptual design of the Platte River Loop in the Amended and Restated GDP conforms to the guidelines in the *Complete Streets* document.

4. Local:

The remainder of the streets in the proposed Denargo Market plan will be local streets to provide access to future buildings. Blueprint Denver designates local street as appropriate for all contexts, including Urban Centers. (p.155)

Blueprint Denver Equity Goals:

Equity - Blueprint Denver includes three equity concepts:

1. Improving Access to Opportunity
2. Reducing Vulnerability to Displacement
3. Expanding Housing & Job Diversity

1. Improving Access to Opportunity

The “Measuring Access to Opportunity” map on page 35 designates Denargo Market as an area with somewhat less access to opportunity. Blueprint Denver describes access to opportunity with the following:

“The proximity of an amenity (including quality jobs, schools, parks, health care services and healthy food), the affordability of that amenity, and the safety and ease of access to that amenity are important elements of access to opportunity.” (p.32)

The proposed map amendment introduces opportunities for a mix of uses currently lacking in Denargo Market. Presently there is a high number of rental apartments while jobs, neighborhood retail, and amenities are lacking. The mix of C-MZ zoning with the DO-7 overlay provides opportunities to create a complete neighborhood. The introduction of office and residential uses will support new retail in Denargo Market. New office and retail development translate into new jobs for those living in Denargo Market and beyond. The Developer plans to provide a mix of “deep affordability” on a single parcel and disperse workforce accessible housing in residential development on the remaining parcels as outlined in the Development Agreement.

The proposed Denargo Market plan also provides 3.17 acres of public open space in future development. The open spaces are strategically located near the South Platte River Trail to ensure public access from a regional Denver trail network. The 28th Street Linear park will serve as a promenade through the site to provide pedestrians with a safe and direct path between the Brighton Blvd Open Space and the Riverfront Open Space. These open spaces provide a free recreational area for residents, workers, and visitors. The design of the riverfront open space on publicly owned land will be finalized in collaboration with Denver Parks to ensure it meets City of Denver criteria for accessibility, equity, and maintainability. Ultimately the new development at Denargo Market will provide housing options for residents with varying incomes who can live near jobs and high-quality open spaces.

2. Reducing Vulnerability to Displacement

The “Measuring Vulnerability to Displacement” map on page 39 designates Denargo Market with a low-medium risk for vulnerability to involuntary displacement. The existing site is a brownfield site with no current or historic residents so there is no direct displacement of residents in the Denargo Market area.

To minimize involuntary displacement of residents in surrounding areas and neighborhoods, there is an affordable housing plan for all new residential and commercial development on the parcels included in this map amendment. The details of the affordability plan are being finalized in a Development Agreement, but the goal is to stabilize any residents who are at risk of displacement.

This map amendment supports the Blueprint Denver housing policy 8 to “Capture 80 percent of new housing growth in regional centers, community centers and corridors, high-intensity residential areas, greenfield residential areas, innovation flex districts and university campus districts.” (p.87)

Blueprint designates Denargo Market as an Urban Center with High-Residential Uses. (p.255) According to this plan guidance, density is not only appropriate in this location, but it also presents an opportunity to minimize involuntary displacement by providing affordable housing options as detailed above (and in the Development Agreement).

3. Expanding Housing & Job Diversity

The “Measuring Housing Diversity” map on page 43 designates Denargo Market as an area with medium-low diversity. Given the proximity to downtown, this area primarily features rental apartment buildings.

Similar to the efforts to combat involuntary displacement mentioned above, the efforts to provide housing and job diversity focus on the affordable housing plan.

Based on current conversations with HOST, the affordable housing plan will include “deep affordability” on a single parcel with workforce accessible housing dispersed throughout the remaining residential development. A portion of the affordable units will include two bedrooms or more. This supports the Blueprint Denver Housing goal to “Expand family-friendly housing throughout the city.” (p.85) Affordable units will be the same level of quality as the market-rate units. Ultimately this plan will ensure a spectrum of options for residents with varying incomes and family needs.

Uniformity of District Regulations and Restrictions:

The parcels subject to this map amendment were originally rezoned in 2003 with waivers and conditions. Rezoning these parcels from the Former Chapter 59 zoning code to the current form-based Denver Zoning Code ensures uniformity by removing ‘non-standard’ zone districts. The application of C-MX and DO-7 zoning provides consistency with neighboring C-MX parcels within the DO-7 boundary that currently surround the Denargo Market site. The parcels within the Denargo Market GDP boundary will have further restrictions based on the Denargo Market Design Standards and Guidelines. These guidelines establish criteria for consistency with the neighborhood, particularly for design elements in the public realm.

Public Health, Safety, and Welfare

The nature of the proposed map amendment is to permit redevelopment of six parcels of land located within an area defined as an Urban Center in *Blueprint Denver*. Currently, these parcels create a significant void within the neighborhood fabric and serve as a barrier to the South Platte River and the South Platte River trail network. The proposed map amendment allows for development as envisioned in *Blueprint Denver* and it aligns with the following goals and recommendations relating to health, safety, and welfare as outlined in *Blueprint Denver*.

1. *Promote coordinated development on large infill sites to ensure new development integrates with its surroundings and provides appropriate community benefits.*

Community benefits comprise a large component of the proposed rezoning. Conversations are currently underway with HOST to finalize an affordable housing plan to ensure equity in future development. Collaboration is also ongoing with the Denver Parks Department to advance the plans for public open space on both privately and publicly owned land to promote wellbeing in the community. The applicant plans to contribute to the design, construction, and/or maintenance of improvements to publicly owned land alongside the South Platte River Trail. The largest planned open spaces are located with direct access from the South Platte River Trail to ensure these spaces are easily accessible for the public. The applicant also plans to support neighborhood organizations, such as the RiNo Arts District, via the provision of community gathering space(s) and artist studio or gallery space.

2. *Promote and anticipate planned growth in major centers and corridors and key residential areas connected by rail service and transit priority streets. (A) Use zoning and land use regulations to encourage higher-density, mixed-use development in transit-rich areas*

including...High and medium-high residential areas in the downtown and urban center contexts.

Denargo Market is designated as an Urban Center where “residential uses are high intensity” and “While the focus is typically residential, these are typically mixed-use areas with many commercial, retail, and other complementary uses.”(p. 149 *Blueprint Denver*).

Dense mixed- use development will provide necessary housing, commercial office space, and amenities in this growing neighborhood. Currently the Denargo Market neighborhood contains a significant amount of multifamily development with few amenities. Introducing dense mixed-use C-MX zoning with the DO-7 overlay will provide opportunities for the neighborhood amenities necessary for a vibrant community.

3. *Ensure an active and pedestrian-friendly environment that provides a true mixed-use character in centers and corridors.*

The proposed CM-X DO-7 zoning supports safe and active streets by including requirements such as build-to, transparency, and street level active uses. The proposed street network prioritizes pedestrians by breaking larger blocks down into typical downtown Denver block sizes. A central linear park along 28th Street provides pedestrians with a direct route to the future Riverfront Open Space, the largest open space area on the site. The DO-7 active use requirements will ensure this pedestrian experience is further enhanced with retail uses or street-level activity.

4. *Encourage mode-shift – more trips by walking and rolling, biking and transit – through efficient land use and infrastructure.*

The proposed C-MX DO-7 provides opportunities for mixed-use development where residents can live, work, and recreate easily in the same neighborhood. The parcels subject to the proposed map amendment can be accessed via the South Platte River Trail as well as the Brighton Boulevard cycle track, providing commuters with safe alternative transportation options. The planned bicycle routes align with plans in *Denver Moves* to ensure appropriate levels of protection for bicyclists.

Justifying Circumstances:

The parcels subject to this map amendment were originally zoned in 2003 and they retain the Former Chapter 59 zoning. It is in the public interest to rezone these parcels under the City adopted Denver Zoning Code. The rezoning of these parcels would not only realign the zoning with plan guidance documents, but it will also make the zoning consistent with surrounding parcels that underwent rezoning to C-MX since 2010. Applying the DO-7 overlay to these parcels provides further consistency with the neighborhood since these parcels are located within the DO-7 boundary outlined by the City of Denver.

Blueprint Denver explains that “Centers should be consistent with the character of the surrounding area in scale and design” and “They should have an active street level presence and contain a good mix of commercial, retail, office, and residential uses.” (p.256) The intent statements of the proposed C-MX-8, C-MX-12, C-MX-16, AND C-MX-20 zone districts and the DO-7 support this. Further, the applicant’s proposed plan aligns with the *Blueprint Denver* and CM-X zoning goals of creating a dense pedestrian-focused neighborhood with community benefits.

The following intent statements for Mixed Use zone districts (C-MX-8, C-MX-12, C-MX-16, C-MX-20) are consistent with Urban Centers as described in Blueprint Denver:

- A. *The Mixed Use zone districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of building forms that clearly define and activate public street edge.*
The proposed plan extends the surrounding Denver street grid into the site to create walkable blocks with clear and direct pedestrian connections extending from Brighton Boulevard to the South Platte River. The application of the DO-7 overlay, and the Denargo Market Design Standards and Guidelines establish criteria for an active public realm with high levels of transparency, street level active uses, and building articulation at ground level.
- B. *Mixed Use zone districts are intended to enhance the convenience, ease, and enjoyment of transit, walking, shopping, and public gathering within and around the city's neighborhoods.*
The proposed plan will introduce new bicycle and pedestrian improvements to enhance circulation of residents, workers, and visitors. New high-quality open spaces throughout the site provide different types of recreation experiences for users. Streetscape enhancements per Denargo Market Design Standards and Guidelines support active streets for shopping and other activities.
- C. *The Mixed Use zone district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.*
The proposed zoning is intended to establish a neighborhood center that transitions down from CMX-20 DO-7 to C-MX-12 DO-7 in order to align with the surrounding parcels' zoning designations.
- D. *Compared to the Main Street districts, the Mixed Use districts are focused on creating mixed, diverse neighborhoods. Where Main Street districts are applied to key corridors and retail streets within a neighborhood, the Mixed Use districts are intended for a broader application at the neighborhood scale.*
This proposal includes the application of CM-X and DO-7 zoning across the site to establish a larger cohesive mixed use community.
- F. *Mixed Use buildings have a shallow front setback range. The build-to requirements are high.*
The proposed street network reinforces the intent of the Denver Zoning Code by creating regular walkable blocks that create an urban street edge throughout the site. The build-to-requirements reinforce the *Blueprint Denver* intent statement that Urban Centers "should have an active street level presence and contain a good mix of commercial, retail, office, and residential uses (p.256)."

There are currently two parcels that are not rezoning from the Former Chapter 59 zone districts (3280 Denargo Street is currently I-A UO-2 and a portion of 2700 Wewatta Way is currently I-B UO-2). Given that 2700 Wewatta Way contains two zoning designations with conflicting goals, the rezoning should apply consistent zoning designations to optimize future development opportunities. Blueprint Denver designates Denargo Market (including 2700 Wewatta Way) as an Urban Center with High Residential uses.

Within the Denver Zoning Code, I-B states that “No new residential uses may be established in the I-B zone district in order to promote and continue a stable employment base for the city.” This is in direct conflict with the plan guidance goals for this area. This map amendment proposes C-MX-16 DO-7 zoning for this parcel to align with the adjacent parcel directly to the west. Blueprint Denver describes this “High Residential Area” as “A high mix of uses throughout, including many large-scale multi-unit residential uses. Commercial uses are prevalent.” (p.261) The proposed zoning designation directly aligns with that description.

The inclusion of 3280 Denargo Street in this map amendment provides consistency within the neighborhood. The 3280 Denargo Street parcel is isolated in terms of zoning designations; it exists as a vestige of the former industrial landscape that existed. The plan guidance for this area to transform into a High Residential Urban Center supports rezoning this parcel to Urban Center, C-MX zoning. Blueprint Denver Economics Policy 3 states, “Preserve high-value manufacturing areas and allow low-value manufacturing areas to transition to higher intensity uses.” (p.91) The C-MX-16 DO-7 zoning designation provides more residents to support the transition to a residential area than the current low density I-A UO-2 zoning can allow.

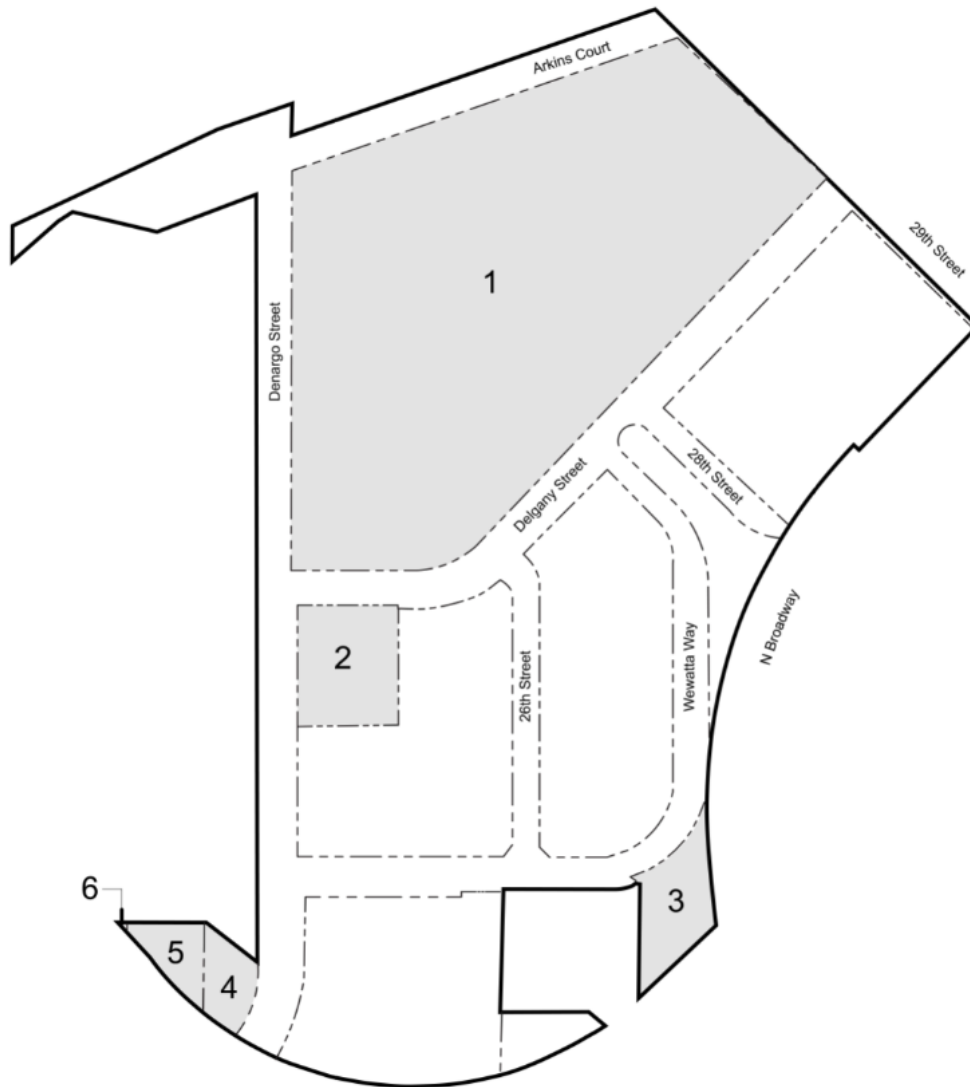
Land Use and Zoning

The current GDP site area is generally bounded by industrial land uses and light rail lines to the west, the South Platte River to the north, and Brighton Boulevard to the south. The current GDP boundary contains 32.73 acres. The Applicant owns six land parcels, five of which are in the current GDP boundary, one of which is immediately adjacent to it. The Project seeks to amend the GDP boundary to include the parcel at 3280 Denargo Street, bringing the total acreage to 33.80 acres.

Current zoning for the six subject parcels is R-MU-30 with waivers and conditions for a 75 ft maximum height throughout the site and a 55 ft transition zone on the north-west portion of the site parallel to the South Platte River. One parcel, currently outside the GDP, is zoned I-A. Those six parcels amount to 13.0 acres of the GDP’s proposed 33.80 total acres and the largest parcel among them is 11.2 acres. Zoning changes are not proposed for all remaining parcels within the GDP boundary.

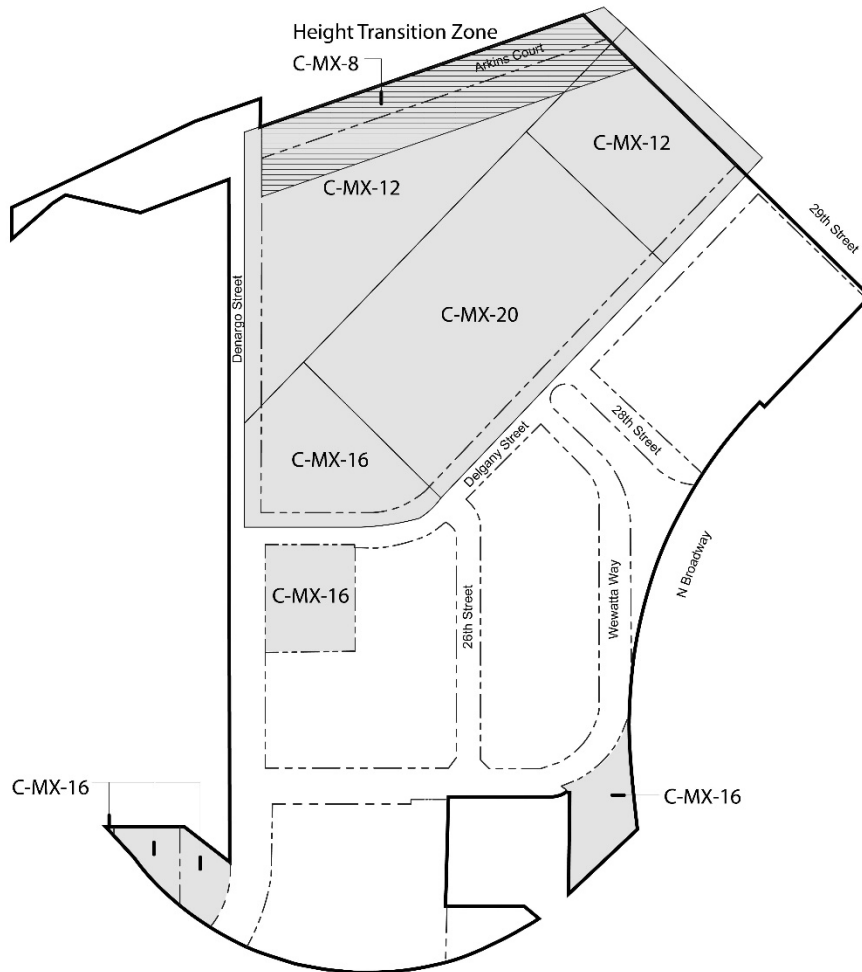
For the six subject parcels, the proposal calls for a mix of C-MX-12 DO-7, C-MX-16 DO-7, and C-MX-20 DO-7 zoning designations and a transition zone parallel to the South Platte River with C-MX-8 DO-7 zoning. Note the largest parcel would be separated into multiple parcels to include multiple zoning designations, as listed in the table below. The tallest proposed zoning designations are in the middle of the GDP boundary and are intended to establish a neighborhood center that transitions down from CMX-20 to C-MX-12 in order to align with the surrounding parcels’ zoning designations. Three PUDs within the GDP (604, 605, 606) currently allow higher maximum heights of 200 ft, 220 ft, and 180 ft respectively. This proposal requests changing PUD 605 only; the other two PUDs would remain in place.

GDP Boundary and Parcel Key Map
(Shaded parcels are subject parcels)

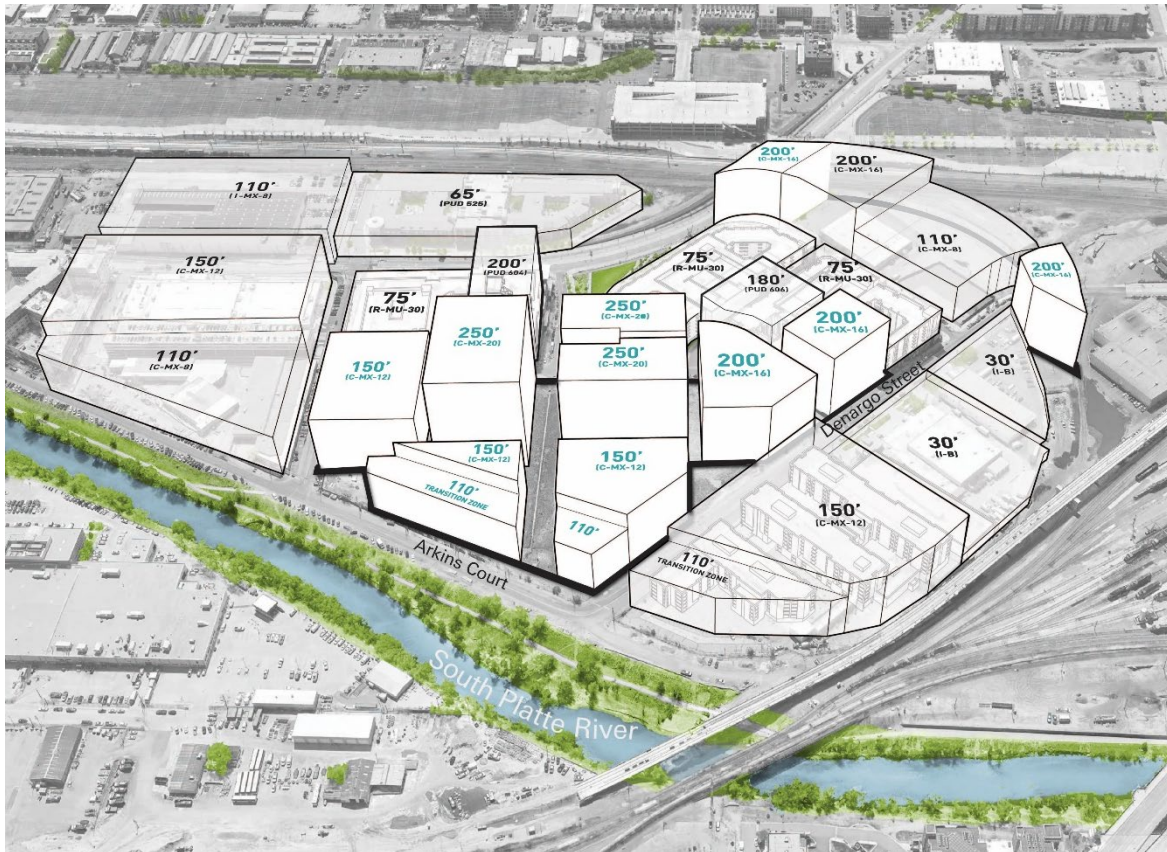


Key Map Number	Parcel Schedule No., Size & Address	Existing Zoning and/or PUD	Proposed Zoning
1	0227416001000 (11.2 acres) 2650 Arkins Ct	R-MU-30 with waivers (75-foot max height) PUD 605 (220-foot max height)	C-MX-8 (110-foot max height) (Height Transition Zone) C-MX-12 (150-foot max height) C-MX-16 (200-foot max height) C-MX-20 (250-foot max height)
2	0227400024000 (0.7 acres) 3280 Denargo St	I-A, UO-2 ** <i>**Parcel currently excluded from the GDP.</i>	C-MX-16 (200-foot max height)
3	0227417001000 (0.5 acres) 2700 Wewatta Wy	R-MU-30 and I-B, UO-2 with waivers (75-foot max height)	C-MX-16 (200-foot max height)
4	0227400119000 (0.3 acres) 3205 Denargo St	R-MU-30 with waivers (75-foot max height)	C-MX-16 (200-foot max height)
5	0227400118000 (0.3 acres) 3205 Denargo St	R-MU-30 with waivers (75-foot max height)	C-MX-16 (200-foot max height)
6	0227400117000 (0.002 acres) 3205 Denargo St	R-MU-30 with waivers (75-foot max height)	C-MX-16 (200-foot max height)

GDP Boundary and Zoning District Map
(Shaded parcels are subject parcels)



The image below highlights the existing surrounding zoning context with slightly transparent height envelopes with black text and the proposed zoning for the subject parcels with solid white height envelopes with teal blue text.



Historically, uses within the Denargo Market site GDP area have been primarily industrial along with small businesses and retail throughout. New apartment buildings have in recent years replaced former industrial sites to align with plans for Denargo Market as a high-density district. Proposed C-MX zoning will further diversify current uses by providing an opportunity for office as well as more residential, and retail uses in what is now primarily a residential area with few ground-level active uses. While specific land uses are not prescribed as part of the requested zoning changes, the current conceptual development plans project the addition of up to approximately 1.5M sf of office, 1,400 residential units, and 80,000 sf of retail on the remaining vacant parcels within the modified GDP area, with integrated parking structures to support that development.

Street Network

The Project plan creates a new street grid that subdivides the largest existing land parcel (11.2 acres) into eight walkable development blocks. The planning impacts of the grid are as follows:

- The Project's proposed street network connects the surrounding urban grid to the site
- The plan realigns Denargo Street to bisect the site as the main collector street.
- A new local pedestrian-oriented street will run parallel to the South Platte River to provide public access to open space while also allowing for fire access and service to future buildings. This street would also serve as a festival street for special events with the ability to limit access for certain times of day.
- Denargo Street, 29th Street, and Arkins Court will continue to serve as primary ingress to the site.
- Pedestrian-friendly block sizes, the largest of which is only 1.5 acres and with a maximum linear block length less than 340 feet.

Bicycle Network

Denargo Market is currently bordered by the Brighton Blvd cycle track to the south and the South Platte River Trail to the north. The proposed bicycle network includes two buffered bicycle lanes on 29th Street extending from Brighton Blvd to the existing South Platte Trail access ramp. Additionally, two protected bicycle lanes will be located on Denargo Street and connect to the larger bicycle network surrounding the site. Local bicycle traffic can access the center of the site via 28th Street, which will carry low-speed vehicular traffic for two blocks before terminating into the pedestrian/bike plaza between Denargo Street and the riverfront. Limited vehicular traffic, narrow vehicular travel lanes and sharrows are proposed for this short street to serve as local bicycle infrastructure on this street. A new access point to the South Platte River Trail is planned for the north west tip of the development to provide a high level of public access to the Riverfront open space.

Open Space

The current GDP calls for 3.02 acres (12% of the existing GDP net developable area excluding ROW) of open space in three locations: 1) Riverfront Open Space, 2) Corner Parks, and 3) Brighton Blvd Open Space, the last of which is already constructed and operational today. The proposed plan calls for 3.17 acres (13% of the proposed net developable area) and adjusts the locations of the open spaces. The Riverfront Open Space will serve as the largest contiguous open space. This plan calls for a mix of both hard and soft scape surfaces in this zone to provide a flexible lawn and a pedestrian-only plaza. A Linear Park running parallel to 28th Street will connect the existing open space at Brighton Boulevard with the riverfront. Serving as an urban park, the streetscape along 28th Street will provide shade and visual interest for pedestrians by incorporating enhanced street trees, generous sidewalks, and the opportunity for innovative stormwater management facilities. Two corner parks are located on Denargo Street. The North Corner Park is located at the intersection of Denargo St, Arkins Ct, and 29th Street. The Southwest Corner Park is located near the intersection of Denargo Street and the new shared street, Platte River Loop. These parks are intended to be a mix of hard scape and soft scape surfaces. These parks will serve as gateway sites for the development and offer excellent opportunities for neighborhood-defining iconic public art.

STATISTICAL INFORMATION

Total Gross GDP Area (AC)	33.80
Total City ROW Area (AC)	3.15
Total Metro District ROW Area (AC)	6.53
Total Net GDP Area (Total Gross GDP Area - All ROW Area) (AC)	24.12
Minimum GDP Open Space Required, 12% of Net GDP Area	2.89
Total GDP Open Space To Be Provided (AC)	3.17
Total Existing (Constructed) Open Space Area (AC)	0.76
Minimum Remaining Open Space Area to be Constructed (AC)	2.41

OPEN SPACE LOCATIONS, AREA & OWNERSHIP

AREA	EXISTING / CONSTRUCTED	CITY OWNED (AC)	METRO DISTRICT OWNED (AC)	TOTAL (AC)
Riverfront Open Space	No	1.05	0.92	1.97
Corner Park (North)	No	0.11	0.01	0.12
Corner Park (Southwest)	No	0.19	0.03	0.22
28th Street Linear Park	No		0.10	0.10
Brighton Blvd Open Space (Not In Ownership Boundary)	Yes		0.76	0.76
TOTAL OPEN SPACE	N/A	1.35	1.82	3.17
TOTAL OPEN SPACE IN OWNERSHIP BOUNDARY			1.06	1.06

Summary

This proposed Denargo Market project plan significantly expands on the existing public and private investment in the neighborhood and realigns the current GDP with Denver's various approved plans for future development. The proposed rezoning recalibrates the current designation to better align with the original intent of the GDP and positions Denargo Market as the neighborhood center. The proposed street and bicycle network will more successfully connect the site with the surrounding infrastructure improvements to provide locals, commuters, and visitors with options for safe multi-modal transportation. The new network of open spaces will activate a currently underutilized riverfront and make green spaces and plazas accessible throughout the development.

JV DENARGO LLC

August 4, 2020

Community Planning and Development
Rezoning
201 West Colfax Avenue, Department 205
Denver, Colorado 80202

RE: Rezoning Application

Dear Rezoning Department:

The undersigned represents that I am an authorized owner of the property described opposite my name and that I do hereby request initiation of the rezoning application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate.

Property Owner Name: JV DENARGO LLC

Property Address: 3205 & 3280 Denargo Street, 2809 Delgany Street, 2700 Wewatta Way, Denver, CO 80216

Property Ownership: 100%

Ownership Document: Old Republic National Title Commitment order number: ABD70615589.1

Authorized Representative: Nina Najmabadi, Tryba Architects
1620 Logan Street, Denver, Colorado 80203
303-831-4010

Thank you,



JV DENARGO LLC
Authorized Signatory
Lee Golub

CERTIFICATE OF

JV DENARGO LLC

JV Denargo LLC, a Delaware limited liability company, hereby certifies as follows as of this 31st day of July, 2020:

1. Attached hereto as Exhibit A is a true, correct and complete copy of the written consent of the majority of the Board of Managers of Golub Sponsor Fund Manager, LLC ("Fund Manager") setting forth the signing authority of certain officers of Fund Manager on behalf of JV Denargo LLC.
2. Below are the specimen signatures of certain authorized signatories of Fund Manager authorized pursuant to the Consent to execute certain documents on behalf of JV Denargo LLC.

Name and Title

Signature

Michael Newman, Member of the
Board of Managers

Lee Golub, Member of the
Board of Managers

The image shows two handwritten signatures in blue ink. The first signature, on the left, appears to be 'Michael Newman' and the second, on the right, appears to be 'Lee Golub'. Both signatures are written over horizontal lines.

Dated: July 31, 2020

JV Denargo LLC,
a Delaware limited liability company

By: GF Denargo Investor, LLC
a Delaware limited liability company
its Manager

By: GOCO Denargo Investors, LLC
its Authorized Representative

By: Golub & Company Sponsor Fund, LLC
its Authorized Representative

By: Golub Sponsor Fund Manager, LLC
its Managing Member

By: _____

Name: Michael Newman

Title: Member of the Board of Managers

**WRITTEN CONSENT
OF THE MAJORITY OF THE BOARD OF MANAGERS OF
GOLUB SPONSOR FUND MANAGER, LLC**

JULY 31, 2020

The undersigned, being a majority of the members of the Board of Managers (collectively, the **“Board”**) of Golub Sponsor Fund Manager, LLC, a Delaware limited liability company (the **“Company”**), do hereby adopt the following resolutions by written consent:

WHEREAS, pursuant to the Limited Liability Company Agreement of the Company, as amended from time to time (as amended, the **“Company’s LLCA”**), the Board has the full, exclusive and complete power of management and control of the conduct and operation of the Company business subject to the terms of the Company’s LLCA;

WHEREAS, the Company is the managing member of Golub & Company Sponsor Fund, LLC, which is the authorized representative of GOCO Denargo Investors, LLC, which is the administrative manager and authorized representative of GF Denargo Investor, LLC, which is the manager of JV Denargo LLC (**“JV Denargo”**);

WHEREAS, JV Denargo owns that certain real property commonly known as 2650 Arkins Court, 3280 and 3205 Denargo Street and 2700 Wewatta Way, Denver, Colorado (collectively, the **“Property”**);

WHEREAS, JV Denargo will enter into certain applications and agreements relating to the zoning of the Property (the **“Zoning Applications”**);

SIGNATURE AUTHORITY

WHEREAS, the Board desires to grant to and confirm that each of the officers of the Company (each, an **“Officer”**) has the authority to enter into and bind the Company with respect to any and all Zoning Applications to be executed by the Company in its capacity as the managing member of Golub & Company Sponsor Fund, LLC, the authorized representative of GOCO Denargo Investors, LLC, the administrative manager and authorized representative of GF Denargo Investor, LLC, the manager of JV Denargo LLC.

RESOLVED, that each Officer is authorized to act on behalf of the Company in its capacity as the managing member of Golub & Company Sponsor Fund, LLC, the authorized representative of GOCO Denargo Investors, LLC, the administrative manager and authorized representative of GF Denargo Investor, LLC, the manager of JV Denargo LLC with respect to the Zoning Applications. The execution and delivery by the Company (in its capacity as the managing member of Golub & Company Sponsor Fund, LLC, the authorized representative of GOCO Denargo Investors, LLC, the administrative manager and authorized representative of GF Denargo Investor, LLC, the manager of JV Denargo LLC) prior to the date of this Written Consent by the Board is hereby ratified, confirmed and approved in all respects as acts of the Company.

ENABLING RESOLUTION

RESOLVED, that each Officer, be and hereby is authorized and directed in the name of and on behalf of the Company to make all such arrangements, to do and perform all such acts, to execute and the Zoning Applications, and to do everything that such Officer may deem to be reasonable and necessary or appropriate in order to fully implement the foregoing resolutions, and that any and all prior acts done on behalf of the Company consistent with the foregoing resolutions be, and the same are hereby, ratified, confirmed and approved in all respects as acts of the Company.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, a majority of the Board of Managers have made, executed and delivered this Consent as of the date written above.

BOARD OF MANAGERS MEMBERS:

Michael Newman



Lee Golub

CERTIFICATE OF

JV DENARGO LLC

JV Denargo LLC, a Delaware limited liability company, hereby certifies as follows as of this 31st day of July, 2020:

1. Attached hereto as Exhibit A is a true, correct and complete copy of the written consent of the majority of the Board of Managers of Golub Sponsor Fund Manager, LLC ("Fund Manager") setting forth the signing authority of certain officers of Fund Manager on behalf of JV Denargo LLC.
2. Below are the specimen signatures of certain authorized signatories of Fund Manager authorized pursuant to the Consent to execute certain documents on behalf of JV Denargo LLC.

Name and Title

Michael Newman, Member of the
Board of Managers

Lee Golub, Member of the
Board of Managers

Signature



Dated: July 31, 2020

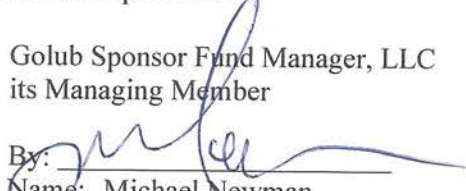
JV Denargo LLC,
a Delaware limited liability company

By: GF Denargo Investor, LLC
a Delaware limited liability company
its Manager

By: GOCO Denargo Investors, LLC
its Authorized Representative

By: Golub & Company Sponsor Fund, LLC
its Authorized Representative

By: Golub Sponsor Fund Manager, LLC
its Managing Member

By: 
Name: Michael Newman
Title: Member of the Board of Managers

**WRITTEN CONSENT
OF THE MAJORITY OF THE BOARD OF MANAGERS OF
GOLUB SPONSOR FUND MANAGER, LLC**

JULY 31, 2020

The undersigned, being a majority of the members of the Board of Managers (collectively, the **“Board”**) of Golub Sponsor Fund Manager, LLC, a Delaware limited liability company (the **“Company”**), do hereby adopt the following resolutions by written consent:

WHEREAS, pursuant to the Limited Liability Company Agreement of the Company, as amended from time to time (as amended, the **“Company’s LLCA”**), the Board has the full, exclusive and complete power of management and control of the conduct and operation of the Company business subject to the terms of the Company’s LLCA;

WHEREAS, the Company is the managing member of Golub & Company Sponsor Fund, LLC, which is the authorized representative of GOCO Denargo Investors, LLC, which is the administrative manager and authorized representative of GF Denargo Investor, LLC, which is the manager of JV Denargo LLC (**“JV Denargo”**);

WHEREAS, JV Denargo owns that certain real property commonly known as 2650 Arkins Court, 3280 and 3205 Denargo Street and 2700 Wewatta Way, Denver, Colorado (collectively, the **“Property”**);

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SIGNATURE AUTHORITY

WHEREAS, the Board desires to grant to and confirm that each of the officers of the Company (each, an **“Officer”**) has the authority to enter into and bind the Company with respect to any and all Zoning Applications to be executed by the Company in its capacity as the managing member of Golub & Company Sponsor Fund, LLC, the authorized representative of GOCO Denargo Investors, LLC, the administrative manager and authorized representative of GF Denargo Investor, LLC, the manager of JV Denargo LLC.

RESOLVED, that each Officer is authorized to act on behalf of the Company in its capacity as the managing member of Golub & Company Sponsor Fund, LLC, the authorized representative of GOCO Denargo Investors, LLC, the administrative manager and authorized representative of GF Denargo Investor, LLC, the manager of JV Denargo LLC with respect to the Zoning Applications. The execution and delivery by the Company (in its capacity as the managing member of Golub & Company Sponsor Fund, LLC, the authorized representative of GOCO Denargo Investors, LLC, the administrative manager and authorized representative of GF Denargo Investor, LLC, the manager of JV Denargo LLC) prior to the date of this Written Consent by the Board is hereby ratified, confirmed and approved in all respects as acts of the Company.

ENABLING RESOLUTION

RESOLVED, that each Officer, be and hereby is authorized and directed in the name of and on behalf of the Company to make all such arrangements, to do and perform all such acts, to execute and the Zoning Applications, and to do everything that such Officer may deem to be reasonable and necessary or appropriate in order to fully implement the foregoing resolutions, and that any and all prior acts done on behalf of the Company consistent with the foregoing resolutions be, and the same are hereby, ratified, confirmed and approved in all respects as acts of the Company.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, a majority of the Board of Managers have made, executed and delivered this Consent as of the date written above.

BOARD OF MANAGERS MEMBERS:



Michael Newman

Lee Golub



**Land Title Guarantee Company
Customer Distribution**



PREVENT FRAUD - Please remember to call a member of our closing team when initiating a wire transfer or providing wiring instructions.

Order Number: **ABD70615589.1**

Date: **07/29/2020**

Property Address: **3205 & 3280 DENARGO STREET, 2809 DELGANY STREET, AND 2700 WEWATTA WAY,
DENVER, CO 80216**

PLEASE CONTACT YOUR CLOSER OR CLOSER'S ASSISTANT FOR WIRE TRANSFER INSTRUCTIONS

For Closing Assistance

For Title Assistance

David Knapp
5975 GREENWOOD PLAZA BLVD
GREENWOOD VILLAGE, CO 80111
(303) 850-4174 (Work)
dknapp@ltgc.com

Buyer/Borrower

GOLUB & COMPANY LLC
Attention: LAURA NEWMAN
2724 WALNUT STREET
Denver, CO 80205
(303) 835-1167 (Work)
lnewman@goco.com
Delivered via: Electronic Mail

LAND TITLE GUARANTEE COMPANY
Attention: LUKE DAVIDSON
3033 EAST FIRST AVENUE SUITE 600
DENVER, CO 80206
(303) 321-1880 (Work)
(303) 393-4912 (Work Fax)
ldavidson@ltgc.com
Delivered via: Electronic Mail



Land Title Guarantee Company Estimate of Title Fees

Order Number: **ABD70615589.1** Date: **07/29/2020**
Property Address: **3205 & 3280 DENARGO STREET, 2809 DELGANY STREET, AND 2700 WEWATTA WAY,
DENVER, CO 80216**
Parties: **JV DENARGO LLC, A DELAWARE LIMITED LIABILITY COMPANY
JV DENARGO LLC, A DELAWARE LIMITED LIABILITY COMPANY**

Visit Land Title's Website at www.ltgc.com for directions to any of our offices.

Estimate of Title insurance Fees	
"ALTA" Owner's Policy 06-17-06	TBD
	Total TBD
If Land Title Guarantee Company will be closing this transaction, the fees listed above will be collected at closing.	
Thank you for your order!	

Note: The documents linked in this commitment should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the effect of these documents on your property.

Chain of Title Documents:

[Denver county recorded 06/27/2019 under reception no. 2019082693](#)

Plat Map(s):

[Denver county recorded 04/12/2012 under reception no. 2012049308](#)

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule A

Order Number: ABD70615589.1

Property Address:

3205 & 3280 DENARGO STREET, 2809 DELGANY STREET, AND 2700 WEWATTA WAY, DENVER, CO 80216

1. Effective Date:

07/24/2020 at 5:00 P.M.

2. Policy to be Issued and Proposed Insured:

"ALTA" Owner's Policy 06-17-06

TBD

Proposed Insured:

JV DENARGO LLC, A DELAWARE LIMITED LIABILITY
COMPANY

3. The estate or interest in the land described or referred to in this Commitment and covered herein is:

A Fee Simple

4. Title to the estate or interest covered herein is at the effective date hereof vested in:

JV DENARGO LLC, A DELAWARE LIMITED LIABILITY COMPANY

5. The Land referred to in this Commitment is described as follows:

Parcel 1:

LOT 1, BLOCK 5, DENARGO MARKET SUBDIVISION FILING NO. 2, ACCORDING TO THE PLAT THEREOF
RECORDED APRIL 12, 2012, AT RECEPTION NO. [2012049308](#), CITY AND COUNTY OF DENVER, STATE OF
COLORADO.

Parcel 2:

LOT 1, BLOCK 6, DENARGO MARKET SUBDIVISION FILING NO. 2, ACCORDING TO THE PLAT THEREOF
RECORDED APRIL 12, 2012, AT RECEPTION NO. [2012049308](#), CITY AND COUNTY OF DENVER, STATE OF
COLORADO.

Parcel 3:

TRACT F, DENARGO MARKET SUBDIVISION FILING NO. 2, ACCORDING TO THE PLAT THEREOF
RECORDED APRIL 12, 2012, AT RECEPTION NO. [2012049308](#), CITY AND COUNTY OF DENVER, STATE OF
COLORADO.

Parcel 4 (HISTORIC LEGAL DESCRIPTION):

PARCEL OF LAND SITUATE IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF
SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, IN THE CITY
AND COUNTY OF DENVER, COLORADO, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EAST LINE OF DENARGO STREET, AS NOW ESTABLISHED 80.0 FEET
WIDE THAT IS 407.20 FEET DISTANT NORTH, MEASURED ALONG SAID EAST LINE OF DENARGO
STREET, FROM THE EAST AND WEST CENTRAL LINE OF SAID SECTION 27;
THENCE SOUTH ALONG SAID EAST LINE OF DENARGO STREET A DISTANCE OF 200.00 FEET;
THENCE EAST AT RIGHT ANGLES TO SAID EAST LINE OF DENARGO STREET, A DISTANCE OF 147.94

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule A

Order Number: ABD70615589.1

FEET, MORE OR LESS, TO A POINT THAT IS 8.5 FEET DISTANT WESTERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTER LINE OF SPUR TRACK NO. V-494 OF THE UNION PACIFIC RAILROAD COMPANY AS NOW CONSTRUCTED AND OPERATED;
THENCE NORTHERLY ALONG A STRAIGHT LINE FORMING AN ANGLE OF 85 DEGREES 57 MINUTES 34 SECONDS FROM EAST TO NORTH WITH THE EASTERLY EXTENSION OF THE LAST DESCRIBED LINE AND WHICH IS APPROXIMATELY PARALLEL WITH AND 8.5 FEET DISTANT WESTERLY, MEASURED AT RIGHT ANGLES, FROM SAID CENTER LINE OF SPUR TRACK NO. V-494, A DISTANCE OF 44.11 FEET;
THENCE NORTH ALONG A STRAIGHT LINE FORMING AN ANGLE OF 04 DEGREES 02 MINUTES 26 SECONDS FROM NORTHEAST TO NORTH WITH THE NORTHERLY EXTENSION OF THE LAST DESCRIBED STRAIGHT LINE AND WHICH IS APPROXIMATELY PARALLEL WITH AND 8.5 FEET DISTANT WEST, MEASURED AT RIGHT ANGLES, FROM THE CENTER LINE OF SAID SPUR TRACK NO. V-494, A DISTANCE OF 156.0 FEET, MORE OR LESS, TO A POINT IN A STRAIGHT LINE DRAWN AT RIGHT ANGLES TO SAID EAST LINE OF DENARGO STREET FROM THE POINT OF BEGINNING;
THENCE WEST ALONG SAID STRAIGHT LINE DRAWN AT RIGHT ANGLES TO THE EAST LINE OF DENARGO STREET A DISTANCE OF 151.05 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL 4 (AS SURVEYED):

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 27, WHENCE THE WEST QUARTER CORNER OF SAID SECTION 27 BEARS SOUTH 89°59'53" WEST, A DISTANCE OF 2646.01 FEET, WITH ALL BEARINGS HEREIN BEING RELATIVE TO THIS LINE;

THENCE ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, SOUTH 89°59'53" WEST, A DISTANCE OF 903.75 FEET TO THE EAST RIGHT OF WAY LINE OF DENARGO STREET;

THENCE ALONG SAID EAST RIGHT OF WAY LINE, NORTH 00°01'41" WEST, A DISTANCE OF 207.08 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 2, DENARGO MARKET SUBDIVISION FILING NO. 2, PER THE PLAT RECORDED AT RECEPTION NO. [2012049308](#) IN THE RECORDS OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, BEING THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID EAST RIGHT OF WAY LINE, NORTH 00°01'41" WEST, A DISTANCE OF 200.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF DELGANY STREET AS DEDICATED BY SAID PLAT;

THENCE DEPARTING SAID EAST RIGHT OF WAY LINE AND ALONG SAID SOUTH RIGHT OF WAY LINE, NORTH 89°58'19" EAST, A DISTANCE OF 152.90 FEET;

THENCE ALONG A SOUTHERLY JOG IN THE SOUTH RIGHT OF WAY LINE OF SAID DELGANY STREET AND ALONG THAT CERTAIN WEST BOUNDARY OF SAID LOT 1, BLOCK 2 BEING COMMON WITH THE EAST BOUNDARY OF THE HEREIN DESCRIBED PARCEL, SOUTH 00°01'41" EAST, A DISTANCE OF 156.00 FEET;

THENCE DEPARTING SAID CERTAIN WEST BOUNDARY, SOUTH 04°00'45" WEST, A DISTANCE OF 44.11 FEET TO THAT CERTAIN NORTH BOUNDARY OF SAID LOT 1, BLOCK 2 BEING COMMON WITH THE SOUTH BOUNDARY OF THE HEREIN DESCRIBED PARCEL;

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule A

Order Number: ABD70615589.1

THENCE ALONG SAID CERTAIN NORTH BOUNDARY, SOUTH 89°58'19" WEST, A DISTANCE OF 149.79 FEET TO THE POINT OF BEGINNING.

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ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule B, Part I

(Requirements)

Order Number: ABD70615589.1

All of the following Requirements must be met:

This proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.

Pay the agreed amount for the estate or interest to be insured.

Pay the premiums, fees, and charges for the Policy to the Company.

Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

THIS COMMITMENT IS FOR INFORMATION ONLY, AND NO POLICY WILL BE ISSUED PURSUANT HERETO.

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part II
(Exceptions)

Order Number: ABD70615589.1

This commitment does not republish any covenants, condition, restriction, or limitation contained in any document referred to in this commitment to the extent that the specific covenant, conditions, restriction, or limitation violates state or federal law based on race, color, religion, sex, sexual orientation, gender identity, handicap, familial status, or national origin.

- 1. Any facts, rights, interests, or claims thereof, not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.**
- 2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.**
- 3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.**
- 4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.**
- 5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date of the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.**
- 6. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.**
- 7. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.**
- 8. EXISTING LEASES AND TENANCIES, IF ANY.**
- 9. RESERVATION OF ALL MINERALS AND ALL MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED, BY UNION PACIFIC RAILROAD COMPANY AS CONTAINED IN DEED RECORDED APRIL 26, 1949 IN BOOK 6535 AT PAGE [466](#).**

NOTE: RELINQUISHMENT AND QUITCLAIM FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION, RECORDED MARCH 22, 2007 UNDER RECEPTION NO. [2007046903](#).

NOTE: RELINQUISHMENT AND QUITCLAIM DEED FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION, RECORDED FEBRUARY 23, 2010 UNDER RECEPTION NO. [2010020617](#).

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10. RESERVATION OF ALL MINERALS AND ALL MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED, WITHOUT THE RIGHT TO USE THE SURFACE, BY UNION PACIFIC RAILROAD COMPANY, AS CONTAINED IN DEED RECORDED JUNE 09, 1964 IN BOOK 9250 AT PAGE [44](#).

NOTE: RELINQUISHMENT AND QUITCLAIM FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION, RECORDED MARCH 22, 2007 UNDER RECEPTION NO. [2007046903](#).

NOTE: RELINQUISHMENT AND QUITCLAIM DEED FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION RECORDED FEBRUARY 23, 2010 UNDER RECEPTION NO. [2010020617](#).

11. RESERVATION OF ALL MINERALS AND ALL MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED, BY UNION PACIFIC RAILROAD COMPANY, AS CONTAINED IN DEED RECORDED APRIL 05, 1973 IN BOOK 671 AT PAGE [334](#).

NOTE: RELINQUISHMENT AND QUITCLAIM FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION, RECORDED MARCH 22, 2007 UNDER RECEPTION NO. [2007046903](#).

NOTE: RELINQUISHMENT AND QUITCLAIM DEED FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION RECORDED FEBRUARY 23, 2010 UNDER RECEPTION NO. [2010020617](#).

12. RESERVATION OF ALL MINERALS AND ALL MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED, BY UNION PACIFIC RAILROAD COMPANY, AS CONTAINED IN DEED RECORDED JANUARY 07, 1975 IN BOOK 994 AT PAGE [637](#).

NOTE: RELINQUISHMENT AND QUITCLAIM FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION, RECORDED MARCH 22, 2007 UNDER RECEPTION NO. [2007046903](#).

NOTE: RELINQUISHMENT AND QUITCLAIM DEED FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION RECORDED FEBRUARY 23, 2010 UNDER RECEPTION NO. [2010020617](#).

13. RESERVATION OF ALL MINERALS AND ALL MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED, BY UNION PACIFIC RAILROAD COMPANY AS CONTAINED IN DEED RECORDED DECEMBER 22, 1975 IN BOOK 1171 AT PAGE [630](#).

NOTE: RELINQUISHMENT AND QUITCLAIM FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION, RECORDED MARCH 22, 2007 UNDER RECEPTION NO. [2007046903](#).

NOTE: RELINQUISHMENT AND QUITCLAIM DEED FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION RECORDED FEBRUARY 23, 2010 UNDER RECEPTION NO. [2010020617](#).

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14. RESERVATION OF ALL MINERALS AND ALL MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED, WITHOUT THE RIGHT TO USE THE SURFACE, BY UNION PACIFIC LAND RESOURCES CORPORATION, AS CONTAINED IN DEED RECORDED DECEMBER 30, 1975 IN BOOK 1175 AT PAGE [106](#).

NOTE: RELINQUISHMENT AND QUITCLAIM FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION, RECORDED MARCH 22, 2007 UNDER RECEPTION NO. [2007046903](#).

NOTE: RELINQUISHMENT AND QUITCLAIM DEED FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION RECORDED FEBRUARY 23, 2010 UNDER RECEPTION NO. [2010020617](#).

15. RESERVATION OF ALL MINERALS AND ALL MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED, WITHOUT THE RIGHT TO USE THE SURFACE BY UNION PACIFIC RAILROAD COMPANY AS CONTAINED IN DEED RECORDED APRIL 02, 1976 IN BOOK 1222 AT PAGE [276](#).

NOTE: RELINQUISHMENT AND QUITCLAIM FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION, RECORDED MARCH 22, 2007 UNDER RECEPTION NO. [2007046903](#).

NOTE: RELINQUISHMENT AND QUITCLAIM DEED FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION RECORDED FEBRUARY 23, 2010 UNDER RECEPTION NO. [2010020617](#).

16. RESERVATION OF ALL MINERALS AND ALL MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED, WITHOUT THE RIGHT TO USE THE SURFACE BY UNION PACIFIC LAND RESOURCES CORPORATION AS CONTAINED IN DEED RECORDED DECEMBER 08, 1976 IN BOOK 1357 AT PAGE [675](#).

NOTE: RELINQUISHMENT AND QUITCLAIM FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION, RECORDED MARCH 22, 2007 UNDER RECEPTION NO. [2007046903](#).

NOTE: RELINQUISHMENT AND QUITCLAIM DEED FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION RECORDED FEBRUARY 23, 2010 UNDER RECEPTION NO. [2010020617](#).

17. AN EASEMENT FOR SUBSURFACE USE, AND INCIDENTAL PURPOSES, AS TAKEN BY THE CITY AND COUNTY OF DENVER IN RULE AND DECREE IN CONDEMNATION RECORDED FEBRUARY 17, 1998 UNDER RECEPTION NO. [9800022578](#).

(AFFECTS LOT 1, BLOCK 6)

18. RESERVATION BY UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION OF ALL MINERALS AND MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED UNDERLYING THE PROPERTY, BUT WITHOUT ENTERING UPON OR USING THE SURFACE OF THE PROPERTY, AND IN SUCH MANNER AS NOT TO DAMAGE THE SURFACE OF THE PROPERTY, OR TO INTERFERE WITH THE USE THEREOF BY THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, AS CONTAINED IN DEED RECORDED MARCH 15, 2004 UNDER RECEPTION NO. [2004068945](#).

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19. RESERVATION BY UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION OF ALL MINERALS AND ALL MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED, BUT WITHOUT ENTERING UPON OR USING THE SURFACE OF THE PROPERTY, AND IN SUCH MANNER AS NOT TO DAMAGE THE SURFACE OF THE PROPERTY, OR TO INTERFERE WITH THE USE THEREOF BY THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, AS CONTAINED IN DEED RECORDED NOVEMBER 06, 2006 UNDER RECEPTION NO. [2006178107](#).
20. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN AND IMPOSED BY ZONING ORDINANCE #227, SERIES OF 2007, RECORDED JUNE 08, 2007 UNDER RECEPTION NO. [2007089032](#).
21. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN AND IMPOSED BY ZONING ORDINANCE #228, SERIES OF 2007, RECORDED JUNE 08, 2007 UNDER RECEPTION NO. [2007089033](#).
22. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN AND IMPOSED BY ZONING ORDINANCE #229, SERIES OF 2007, RECORDED JUNE 08, 2007 UNDER RECEPTION NO. [2007089034](#).
23. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN AND IMPOSED BY ZONING ORDINANCE #230, SERIES OF 2007, RECORDED JUNE 08, 2007 UNDER RECEPTION NO. [2007089035](#).
24. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN PERMANENT EASEMENT AGREEMENT BY AND BETWEEN DENARGO MARKET L.P., A DELAWARE LIMITED PARTNERSHIP AND THE CITY AND COUNTY OF DENVER RECORDED JULY 14, 2008 UNDER RECEPTION NO. [2008096448](#), AS CORRECTED BY INSTRUMENT RECORDED OCTOBER 28, 2008 UNDER RECEPTION NO. [2008146409](#), AS AMENDED BY FIRST AMENDMENT TO PERMANENT EASEMENT RECORDED OCTOBER 21, 2011 UNDER RECEPTION NO. [2011119506](#).
(AFFECTS LOT 1, BLOCK 6)
25. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN DENARGO MARKET GENERAL DEVELOPMENT PLAN RECORDED APRIL 4, 2007 UNDER RECEPTION NO. [2007054152](#) AND RECORDED OCTOBER 7, 2008 UNDER RECEPTION NO. [2008136480](#), 2ND MINOR AMENDMENT RECORDED SEPTEMBER 1, 2009 UNDER RECEPTION NO. [2009115958](#) AND 3RD AMENDMENT - MINOR RECORDED JANUARY 10, 2014 UNDER RECEPTION NO. [2014003001](#), AND DENARGO MARKET GENERAL DEVELOPMENT PLAN, 4TH AMENDMENT-MINOR RECORDED NOVEMBER 02, 2017 UNDER RECEPTION NO. [2017144227](#).
26. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN CITY AND COUNTY OF DENVER HOUSING & NEIGHBORHOOD DEVELOPMENT SERVICES INCLUSIONARY HOUSING PROGRAM AFFORDABLE HOUSING PLAN RECORDED NOVEMBER 07, 2008 UNDER RECEPTION NO. [2008152785](#).
27. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN COVENANT AND AGREEMENT BY AND BETWEEN DENARGO MARKET L.P., A DELAWARE LIMITED PARTNERSHIP AND PUBLIC SERVICE COMPANY OF COLORADO RECORDED DECEMBER 04, 2008 UNDER RECEPTION NO. [2008164065](#).

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28. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN AMENDED AND RESTATED FRAMEWORK AGREEMENT FOR DENARGO MARKET RECORDED JANUARY 10, 2012 UNDER RECEPTION NO. [2012003134](#) AND FIRST AMENDMENT THERETO RECORDED JANUARY 31, 2013 UNDER RECEPTION NO. [2013014036](#).
29. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN DENARGO MARKET DEVELOPMENT PLAN RECORDED FEBRUARY 25, 2009 UNDER RECEPTION NO. [2009023565](#).
30. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN COVENANT BY DENARGO MARKET, L.P., A DELAWARE LIMITED PARTNERSHIP RECORDED FEBRUARY 23, 2010 UNDER RECEPTION NO. [2010020701](#).
(AFFECTS LOT 1, BLOCK 6)
31. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF DENARGO MARKET SUBDIVISION FILING NO. 2 RECORDED APRIL 12, 2012 UNDER RECEPTION NO. [2012049308](#).
(AFFECTS PARCELS 1, 2 AND 3)
32. EASEMENT GRANTED TO DENARGO MARKET METROPOLITAN DISTRICT NO. 1, FOR QUALITY, DRAINAGE AND DETENTION FACILITIES, AND INCIDENTAL PURPOSES, BY INSTRUMENT RECORDED MAY 04, 2012, UNDER RECEPTION NO. [2012059040](#).
(AFFECTS LOT 1, BLOCK 5)
33. RESTRICTIVE COVENANTS, INCLUDING EASEMENTS AND ASSESSMENTS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS CONTAINED IN DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR DENARGO MARKET RECORDED MAY 04, 2012, UNDER RECEPTION NO. [2012059131](#).

ASSIGNMENT OF DECLARANT RIGHTS RECORDED DECEMBER 24, 2015 UNDER RECEPTION NO. [2015177880](#) AND RE-RECORDED NOVEMBER 02, 2016 UNDER RECEPTION NO. [2016152991](#).

FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR DENARGO MARKET RECORDED JUNE 27, 2019 AT RECEPTION NO. [2019082692](#).

ASSIGNMENT OF DECLARANT RIGHTS RECORDED JUNE 27, 2019 AT RECEPTION NO. [2019082694](#).
(AFFECTS PARCELS 1, 2 AND 3)
34. EASEMENT GRANTED TO PUBLIC SERVICE COMPANY OF COLORADO, FOR UTILITY LINES, AND INCIDENTAL PURPOSES, BY INSTRUMENT RECORDED OCTOBER 27, 2015, UNDER RECEPTION NO. [2015151116](#).
(AFFECTS LOT 1, BLOCK 6)

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35. ALL MINERALS AND ALL MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER BE DISCOVERED, INCLUDING, WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, OIL AND GAS AND RIGHTS THERETO, TOGETHER WITH THE SOLE, EXCLUSIVE AND PERPETUAL RIGHT TO EXPLORE FOR, REMOVE AND DISPOSE OF, SAID MINERALS BY ANY MEANS OR METHODS SUITABLE, BUT WITHOUT ENTERING UPON OR USING THE SURFACE OF THE LANDS AND IN SUCH MANNER AS TO NOT DAMAGE THE SURFACE OF THE LANDS OR TO INTERFERE WITH THE USE THEREOF, AS RESERVED IN DEED RECORDED MAY 5, 1964 IN BOOK 9230 AT PAGE [91](#).

RELINQUISHMENT AND QUITCLAIM DEED CONTAINING AS SET FORTH IN PARAGRAPH 3 THEREIN, RECORDED FEBRUARY 23, 2010 UNDER RECEPTION NO. [2010020617](#).

(AFFECTS PARCEL 4)

36. RESERVATION OF THE RIGHT TO CONSTRUCT, MAINTAIN AND REMOVE SEWERS, WATER PIPES AND APPURTENANCES, AND TO AUTHORIZE THE CONSTRUCTION, MAINTENANCE AND REMOVAL OF THE SAME BY THE CITY AND COUNTY OF DENVER AS CONTAINED IN ORDINANCE #98, SERIES OF 1927, WITHIN THE VACATED PORTION OF WEST 32ND AVENUE RECORDED JANUARY 5, 1987 UNDER RECEPTION NO. [72494](#).

(AFFECTS PARCEL 3)

37. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE DENARGO MARKET METROPOLITAN DISTRICT NO. 1, AS EVIDENCED BY INSTRUMENT RECORDED JUNE 30, 2010, UNDER RECEPTION NO. [2010071743](#).

NOTICES CONCERNING DENARGO MARKET METROPOLITAN DISTRICT NO. 1 RECORDED JANUARY 31, 2011 UNDER RECEPTION NO. [2011011515](#), JANUARY 26, 2012 UNDER RECEPTION NO. [2012009810](#) AND JANUARY 31, 2013 UNDER RECEPTION NO. [2013014637](#).

SPECIAL DISTRICT PUBLIC DISCLOSURE DOCUMENT DENARGO MARKET METROPOLITAN DISTRICT NO. 1 RECORDED DECEMBER 19, 2014 UNDER RECEPTION NO. [2014155257](#).

NOTICE CONCERNING DENARGO MARKET METROPOLITAN DISTRICT NOS. 1-3 RECORDED JANUARY 31, 2014 UNDER RECEPTION NO. [2014010444](#) AND JANUARY 30, 2015 UNDER RECEPTION NO. [2015010938](#).

NOTICE CONCERNING DENARGO MARKET METROPOLITAN DISTRICT NO. 1 RECORDED JANUARY 17, 2019 UNDER RECEPTION NO. [2019006162](#).

(AFFECTS PARCEL 3)

38. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE DENARGO MARKET METROPOLITAN DISTRICT NO. 2, AS EVIDENCED BY INSTRUMENT RECORDED JUNE 30, 2010, UNDER RECEPTION NO. [2010071744](#).

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SPECIAL DISTRICT PUBLIC DISCLOSURE DOCUMENT DENARGO MARKET METROPOLITAN DISTRICT NO. 2 RECORDED DECEMBER 29, 2014 UNDER RECEPTION NO. [2014157900](#) AND FIRST AMENDMENT TO SPECIAL DISTRICT PUBLIC DISCLOSURE DOCUMENT DENARGO MARKET METROPOLITAN DISTRICT NO. 2 RECORDED MAY 01, 2017 UNDER RECEPTION NO. [2017057038](#)..

NOTICE CONCERNING DENARGO MARKET METROPOLITAN DISTRICT NOS. 1-3 RECORDED JANUARY 31, 2014 UNDER RECEPTION NO. [2014010444](#) AND JANUARY 30, 2015 UNDER RECEPTION NO. [2015010938](#).

NOTICE CONCERNING DENARGO MARKET METROPOLITAN DISTRICT NO. 2 RECORDED JANUARY 17, 2019 UNDER RECEPTION NO. [2019006163](#)

(AFFECTS PARCEL 3)

39. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE DENARGO MARKET METROPOLITAN DISTRICT NO. 3, AS EVIDENCED BY INSTRUMENT RECORDED JUNE 30, 2010, UNDER RECEPTION NO. [2010071745](#).

NOTICE CONCERNING DENARGO MARKET METROPOLITAN DISTRICT NOS. 1-3 RECORDED JANUARY 31, 2014 UNDER RECEPTION NO. [2014010444](#) AND JANUARY 30, 2015 UNDER RECEPTION NO. [2015010938](#).

NOTICE CONCERNING DENARGO MARKET METROPOLITAN DISTRICT NO. 3 RECORDED JANUARY 17, 2019 UNDER RECEPTION NO. [2019006164](#).

(AFFECTS PARCEL 3)

40. TERMS, CONDITIONS AND PROVISIONS OF BARGAIN AND SALE DEED RECORDED DECEMBER 24, 2015 AT RECEPTION NO. [2015177879](#).

(AFFECTS ALL PARCELS)

41. TERMS, CONDITIONS AND PROVISIONS OF AMENDMENT TO DEED RESTRICTIONS RECORDED JUNE 27, 2019 AT RECEPTION NO. [2019082691](#).

42. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN LARGE DEVELOPMENT FRAMEWORK DENARGO MARKET RECORDED MAY 26, 2020 UNDER RECEPTION NO. [2020069689](#).



LAND TITLE GUARANTEE COMPANY DISCLOSURE STATEMENTS

Note: Pursuant to CRS 10-11-122, notice is hereby given that:

- (A) The Subject real property may be located in a special taxing district.
- (B) A certificate of taxes due listing each taxing jurisdiction will be obtained from the county treasurer of the county in which the real property is located or that county treasurer's authorized agent unless the proposed insured provides written instructions to the contrary. (for an Owner's Policy of Title Insurance pertaining to a sale of residential real property).
- (C) The information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor.

Note: Effective September 1, 1997, CRS 30-10-406 requires that all documents received for recording or filing in the clerk and recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one half of an inch. The clerk and recorder may refuse to record or file any document that does not conform, except that, the requirement for the top margin shall not apply to documents using forms on which space is provided for recording or filing information at the top margin of the document.

Note: Colorado Division of Insurance Regulations 8-1-2 requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed". Provided that Land Title Guarantee Company conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lenders Policy when issued.

Note: Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- (A) The land described in Schedule A of this commitment must be a single family residence which includes a condominium or townhouse unit.
- (B) No labor or materials have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
- (C) The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.
- (D) The Company must receive payment of the appropriate premium.
- (E) If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

Note: Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments disclosing that a mineral estate has been severed from the surface estate, in Schedule B-2.

- (A) That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and
- (B) That such mineral estate may include the right to enter and use the property without the surface owner's permission.

Note: Pursuant to CRS 10-1-128(6)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

Note: Pursuant to Colorado Division of Insurance Regulations 8-1-3, notice is hereby given of the availability of a closing protection letter for the lender, purchaser, lessee or seller in connection with this transaction.



**JOINT NOTICE OF PRIVACY POLICY OF
LAND TITLE GUARANTEE COMPANY,
LAND TITLE GUARANTEE COMPANY OF SUMMIT COUNTY
LAND TITLE INSURANCE CORPORATION AND
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY**

This Statement is provided to you as a customer of Land Title Guarantee Company as agent for Land Title Insurance Corporation and Old Republic National Title Insurance Company.

We want you to know that we recognize and respect your privacy expectations and the requirements of federal and state privacy laws. Information security is one of our highest priorities. We recognize that maintaining your trust and confidence is the bedrock of our business. We maintain and regularly review internal and external safeguards against unauthorized access to your non-public personal information ("Personal Information").

In the course of our business, we may collect Personal Information about you from:

- applications or other forms we receive from you, including communications sent through TMX, our web-based transaction management system;
 - your transactions with, or from the services being performed by us, our affiliates, or others;
 - a consumer reporting agency, if such information is provided to us in connection with your transaction;
- and
- The public records maintained by governmental entities that we obtain either directly from those entities, or from our affiliates and non-affiliates.

Our policies regarding the protection of the confidentiality and security of your Personal Information are as follows:

- We restrict access to all Personal Information about you to those employees who need to know that information in order to provide products and services to you.
- We may share your Personal Information with affiliated contractors or service providers who provide services in the course of our business, but only to the extent necessary for these providers to perform their services and to provide these services to you as may be required by your transaction.
- We maintain physical, electronic and procedural safeguards that comply with federal standards to protect your Personal Information from unauthorized access or intrusion.
- Employees who violate our strict policies and procedures regarding privacy are subject to disciplinary action.
- We regularly assess security standards and procedures to protect against unauthorized access to Personal Information.

WE DO NOT DISCLOSE ANY PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT STATED ABOVE OR PERMITTED BY LAW.

Consistent with applicable privacy laws, there are some situations in which Personal Information may be disclosed. We may disclose your Personal Information when you direct or give us permission; when we are required by law to do so, for example, if we are served a subpoena; or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

Our policy regarding dispute resolution is as follows: Any controversy or claim arising out of or relating to our privacy policy, or the breach thereof, shall be settled by arbitration in accordance with the rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.



Commitment For Title Insurance

Issued by Old Republic National Title Insurance Corporation

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON. .

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Old Republic National Title Insurance Company, a Minnesota corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured. If all of the Schedule B, Part I—Requirements have not been met within 6 months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I—Requirements; and
- (f) Schedule B, Part II—Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - i. comply with the Schedule B, Part I—Requirements;
 - ii. eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - iii. acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.

- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

IN WITNESS WHEREOF, Land Title Insurance Corporation has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A to be valid when countersigned by a validating officer or other authorized signatory.

Issued by:
Land Title Guarantee Company
3033 East First Avenue Suite 600
Denver, Colorado 80206
303-321-1880



Senior Vice President



OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Stock Company
400 Second Avenue South, Minneapolis, Minnesota 55401
(612) 371-1111

By



President

Attest



Secretary

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Land Title Insurance Corporation. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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