

BROADWAY PARK - SUBDIVISION FILING NO. 1

LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH,
RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
CITY AND COUNTY OF DENVER
STATE OF COLORADO

LEGAL DESCRIPTION AND DEDICATIONS

KNOW ALL MEN BY THESE PRESENTS THAT PPF AMLI BROADWAY PARK, LLC, A DELAWARE LIMITED LIABILITY COMPANY, BROADWAY NE PROPERTIES LLC, A DELAWARE LIMITED LIABILITY COMPANY, BMP METROPOLITAN DISTRICT NO. 1, A QUASI-MUNICIPAL CORPORATION AND POLITICAL SUBDIVISION OF THE STATE OF COLORADO, AND BMP NORTHEAST LLC, A DELAWARE LIMITED LIABILITY COMPANY AS OWNERS, AND SECURITY LIFE OF DENVER INSURANCE COMPANY, A COLORADO CORPORATION, AS HOLDER OF DEED OF TRUST HAVE LAID OUT, PLATTED AND SUBDIVIDED INTO BLOCKS, LOTS AND TRACTS, AS SHOWN ON THIS MAP, THE LAND DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING A PORTION OF LOTS 1-49 OF BLOCK 37, BYERS' RE-SUBDIVISION OF BLOCKS 37 AND 39, BYERS; LOTS 1-44 OF BLOCK 38, LOTS 1-11 AND 38-48 OF BLOCK 43, AND LOTS 1-11 AND 38-48 OF BLOCK 44, BYERS SUBDIVISION, LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 15, THENCE ALONG THE NORTHERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15, S89°51'01"W A DISTANCE OF 74.16 FEET, THENCE S00°08'59"E A DISTANCE OF 59.88 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST ALAMEDA AVENUE, AS DEDICATED BY INSTRUMENT RECORDED MAY 31, 1995 AT RECEPTION NO. 9500062201, SAID POINT BEING THE POINT OF BEGINNING;

THENCE S43°10'18"E A DISTANCE OF 31.76 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH BROADWAY STREET;
THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, S00°10'40"W A DISTANCE OF 420.64 FEET TO A POINT ON THE NORTHERLY LINE OF LOT 48, BLOCK 38, BYERS' SUBDIVISION;
THENCE ALONG THE NORTHERLY AND WESTERLY LINE OF LOTS 45-48, BLOCK 38, BYERS SUBDIVISION, THE FOLLOWING TWO (2) COURSES:

- 1) N89°52'50"W A DISTANCE OF 122.91 FEET;
- 2) THENCE S00°16'13"W A DISTANCE OF 128.20 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF WEST DAKOTA AVENUE;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:

- 1) N89°32'11"W A DISTANCE OF 50.95 FEET;
 - 2) THENCE N00°09'53"E A DISTANCE OF 1.21 FEET;
 - 3) THENCE N89°50'45"W A DISTANCE OF 801.14 FEET;
- THENCE N00°09'08"E A DISTANCE OF 149.48 FEET;
THENCE N89°50'28"W A DISTANCE OF 285.86 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH CHEROKEE STREET;
THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N00°09'18"E A DISTANCE OF 30.00 FEET;
THENCE S89°50'28"E A DISTANCE OF 285.86 FEET;
THENCE N00°09'08"E A DISTANCE OF 391.43 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST ALAMEDA AVENUE;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES:

- 1) S89°50'26"E A DISTANCE OF 940.73 FEET;
- 2) THENCE S88°33'17"E A DISTANCE OF 12.93 FEET TO THE POINT OF BEGINNING.

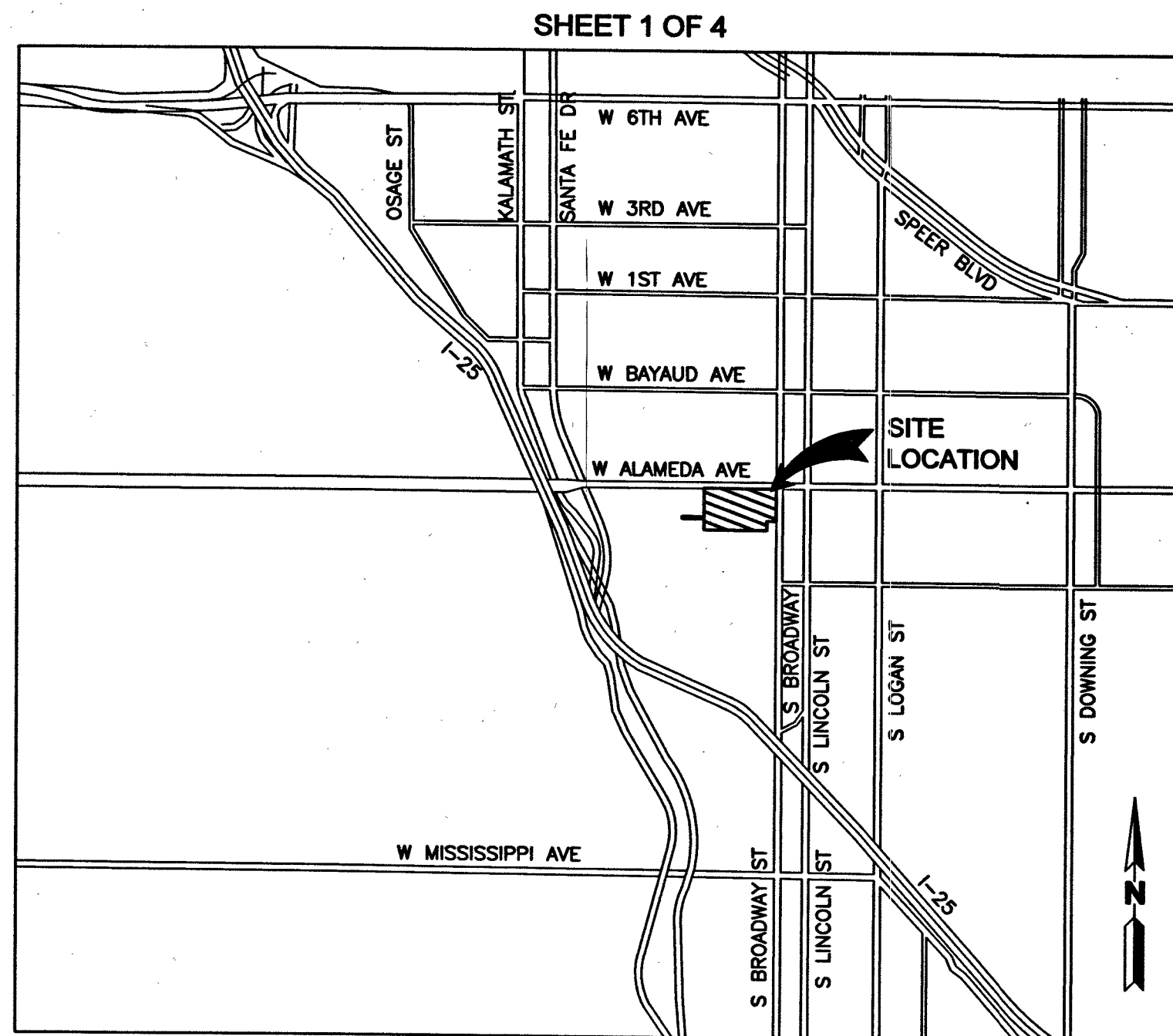
EXCEPT THAT PART DESCRIBED IN DEED RECORDED AUGUST 3, 2018 UNDER RECEPTION NO. 2018096720.

SAID PARCEL CONTAINS 549,577 SQUARE FEET (12.617 ACRES) MORE OR LESS.

ALL LINEAL DIMENSIONS ARE IN U.S. SURVEY FEET.

BEARINGS ARE BASED ON AN ASSUMED BEARING OF N00°45'32"W ALONG THE EASTERLY LINE OF THE NORTHWEST QUARTER OF SECTION 15, BEING MONUMENTED BY A FOUND STONE IN RANGE BOX AT THE NORTH QUARTER CORNER AND A FOUND STONE IN RANGE BOX AT THE CENTER QUARTER CORNER.

UNDER THE NAME AND STYLE OF BROADWAY PARK - SUBDIVISION FILING NO. 1, AND BY THESE PRESENTS DO HEREBY DEDICATE TO THE CITY AND COUNTY OF DENVER THE STREETS, AVENUE, EASEMENTS, AND OTHER PUBLIC PLACES HEREON SHOWN AND NOT ALREADY OTHERWISE DEDICATED FOR PUBLIC USE, ALSO TO THE CITY AND COUNTY OF DENVER AND APPLICABLE PUBLIC UTILITIES AND CABLE TELEVISION EASEMENTS AS SHOWN.



VICINITY MAP
SCALE: 1"=2000'

ATTORNEY'S CERTIFICATION

I HEREBY CERTIFY THAT I HAVE EXAMINED THE EVIDENCE OF TITLE TO THE LAND DESCRIBED HEREON, AND FIND THE TITLE TO THE STREETS, AVENUES, TRACTS AND OTHER PUBLIC PLACES TO BE IN THE ABOVE-NAMED DEDICATORS THIS 22ND DAY OF April, A.D. 2021 AT 5:00 O'CLOCK, P.M. FREE AND CLEAR OF ENCUMBRANCES EXCEPT THOSE AS SHOWN AND LISTED HEREIN.

Kristin M. Bronson
ATTORNEY FOR THE CITY AND COUNTY OF DENVER

Assistant City Attorney

SURVEYOR'S CERTIFICATION

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

RICHARD A. NOBBE, P.L.S.
PLS #23899
FOR AND ON BEHALF OF
MARTIN/MARTIN, INC.



APPROVALS

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

City Engineer

4/13/2021
DATE

APPROVED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE:

Executive Director of the Department of Transportation and Infrastructure

4/15/2021
DATE

APPROVED BY COMMUNITY PLANNING AND DEVELOPMENT:

Executive Director of Community Planning and Development

4.9.2021
DATE

APPROVED BY THE EXECUTIVE DIRECTOR OF PARKS AND RECREATION:

Executive Director of Parks and Recreation

4/28/21
DATE

CITY COUNCIL CERTIFICATE

APPROVED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER, COLORADO BY RESOLUTION NO. _____ OF THE SERIES OF _____

WITNESS MY HAND AND CORPORATE SEAL OF THE CITY AND COUNTY OF DENVER THIS _____ DAY OF _____ A.D., 20____

BY:

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

DEPUTY CLERK AND RECORDER

CLERK AND RECORDER'S CERTIFICATION

STATE OF COLORADO }
CITY AND COUNTY OF DENVER } SS

I HEREBY, CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE AT _____ O'CLOCK _____ M., 20____ AND DULY RECORDER UNDER RECEPTION # _____

CLERK AND RECORDER; EX-OFFICIO CLERK OF THE CITY AND COUNTY OF DENVER

BY _____ DEPUTY
FEE _____
REV. DECEMBER 18, 2020
REV. NOVEMBER 23, 2020
REV. JULY 5, 2020
REV. JUNE 9, 2020
REV. APRIL 26, 2020
REV. DECEMBER 23, 2019
REV. OCTOBER 25, 2019
REV. AUGUST 12, 2019
MAY 10, 2019



MARTIN/MARTIN
CONSULTING ENGINEERS
12499 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80215
MAIN 303.431.6100 MARTINMARTIN.COM
SURVEY@MARTINMARTIN.COM

HOLDER OF DEED OF TRUST:

SECURITY LIFE OF DENVER INSURANCE COMPANY, A COLORADO CORPORATION
BY VOYANT INVESTMENT MANAGEMENT LLC, AS AUTHORIZED AGENT

SIGNATURE
NAME: Chris Gorman
TITLE: SENIOR VP

STATE OF GEORGIA }
COUNTY OF FULTON } SS

THE FORGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 4TH DAY OF March 2021 BY Chris Gorman

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES May 16, 2022

Notary Public
Deloral Reinhardt
Atlanta, GA
ADDRESS



OWNER

BROADWAY NE PROPERTIES LLC, A DELAWARE LIMITED LIABILITY COMPANY

SIGNATURE
NAME: CHRISTOPHER WAGGETT
TITLE: PRESIDENT

STATE OF COLORADO }
CITY AND COUNTY OF DENVER } SS

THE FORGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 18TH DAY OF March 2021, BY Christopher Waggett

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES February 25, 2024

Notary Public
Eman Paj
Denver, CO
ADDRESS

OWNER

BROADWAY PARK NORTH METROPOLITAN DISTRICT NO. 1, A QUASI-MUNICIPAL CORPORATION AND POLITICAL SUBDIVISION OF THE STATE OF COLORADO

SIGNATURE
NAME: CHRISTOPHER WAGGETT
TITLE: SECRETARY

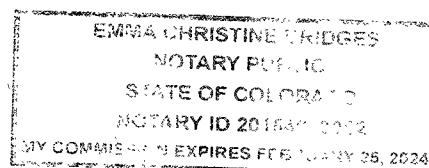
STATE OF COLORADO }
CITY AND COUNTY OF DENVER } SS

THE FORGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 18TH DAY OF March 2021, BY Christopher Waggett

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES February 25, 2024

Notary Public
Eman Paj
Denver, CO
ADDRESS



OWNER

BMP NORTHEAST LLC, A DELAWARE LIMITED LIABILITY COMPANY

SIGNATURE
NAME: CHRISTOPHER WAGGETT
TITLE: PRESIDENT

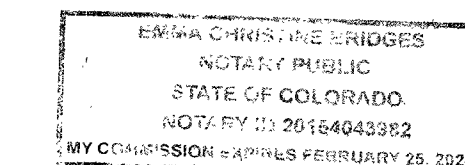
STATE OF COLORADO }
CITY AND COUNTY OF DENVER } SS

THE FORGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 18TH DAY OF March 2021, BY Christopher Waggett

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES February 25, 2024

Notary Public
Eman Paj
Denver, CO
ADDRESS



OWNER

PPF AMLI BROADWAY PARK, LLC,
A DELAWARE LIMITED LIABILITY COMPANY

BY: PPF AMLI DEVCO, LLC, A DELAWARE LIMITED LIABILITY COMPANY,
ITS SOLE MEMBER

BY: PPF AMLI CO-INVESTMENT, LLC, A DELAWARE LIMITED LIABILITY COMPANY,
ITS MANAGER

BY: AMLI RESIDENTIAL PROPERTIES, L.P., A DELAWARE LIMITED LIABILITY
PARTNERSHIP, ITS MANAGER

BY: AMLI RESIDENTIAL PARTNERS, LLC, A DELAWARE LIMITED LIABILITY COMPANY,
ITS GENERAL PARTNER

BY: Philip Tague

PHILIP TAGUE
AUTHORIZED PERSON

STATE OF GEORGIA }
COUNTY OF FULTON } SS:

THE FORGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 9TH DAY OF March 2021, BY PHILIP TAGUE, AS AUTHORIZED PERSON OF AMLI RESIDENTIAL PARTNERS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, GENERAL PARTNER OF AMLI RESIDENTIAL PROPERTIES, L.P., A DELAWARE LIMITED LIABILITY PARTNERSHIP, MANAGER OF PPF AMLI CO-INVESTMENT, LLC, A DELAWARE LIMITED LIABILITY COMPANY, MANAGER OF PPF AMLI DEVCO LLC, A DELAWARE LIMITED LIABILITY COMPANY, SOLE MEMBER OF PPF AMLI BROADWAY PARK, LLC, A DELAWARE LIMITED LIABILITY COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: Sept 7, 2024

Cynthia Gunniewicz

BROADWAY PARK - SUBDIVISION FILING NO. 1

LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH,
RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
CITY AND COUNTY OF DENVER
STATE OF COLORADO

SHEET 2 OF 4

NON-PLOTTABLE TITLE COMMITMENT SCHEDULE B-2 EXCEPTIONS

8. (THIS ITEM WAS INTENTIONALLY DELETED)

11. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS TO OIL, GAS AND OTHER MINERALS EXCEPTED AND SET FORTH IN WARRANTY DEED RECORDED APRIL 20, 1954 IN BOOK 7461 AT PAGE 219.

12. (THIS ITEM WAS INTENTIONALLY DELETED)

13. (THIS ITEM WAS INTENTIONALLY DELETED)

14. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS TO THE RESTRICTIONS SET FORTH IN WARRANTY DEED RECORDED NOVEMBER 29, 1979 IN BOOK 2060 AT PAGE 446.

17. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN RECIPROCAL EASEMENT AGREEMENT RECORDED OCTOBER 06, 1988 UNDER RECEPTION NO. R-88-0318598.

FIRST AMENDMENT RECORDED JUNE 28, 1990 UNDER RECEPTION NO. R-90-0056770, PARTIAL RELEASE OF CERTAIN PROPERTY AND SECOND AMENDMENT RECORDED DECEMBER 21, 1992 UNDER RECEPTION NO. R-92-0151494 AND THIRD AMENDMENT RECORDED AUGUST 26, 1993 UNDER RECEPTION NO. 9300115235.

QUIT CLAIM ASSIGNMENT AND ASSUMPTION OF RECIPROCAL EASEMENT AGREEMENTS RECORDED NOVEMBER 24, 1995 UNDER RECEPTION NO. 9500146838.

NOTE: THIS EXCEPTION WILL NOT AFFECT BANNOCK STREET TO BE DEDICATED ON THE PROPOSED SUBDIVISION PLAT.

18. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE STREET AND SIDEWALK IMPROVEMENT DISTRICT NO. 1115, AS EVIDENCED BY INSTRUMENT RECORDED JANUARY 09, 1989, UNDER R-89-0002885.

19. (THIS ITEM WAS INTENTIONALLY DELETED)

20. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN ACCESS, ENCROACHMENT AND EASEMENT AGREEMENT RECORDED DECEMBER 21, 1992 UNDER RECEPTION NO. R-92-0151499, AND FIRST AMENDMENT THERETO RECORDED NOVEMBER 18, 1994 UNDER RECEPTION NO. 9400174330.

BARGAIN AND SALE DEED IN CONNECTION THEREWITH RECORDED MARCH 12, 2018 UNDER RECEPTION NO. 2018028970 AND RE-RECORDED OCTOBER 23, 2018 UNDER RECEPTION NO. 2018137487.

NOTE: THIS EXCEPTION WILL NOT AFFECT BANNOCK STREET TO BE DEDICATED ON THE PROPOSED SUBDIVISION PLAT.

21. (THIS ITEM WAS INTENTIONALLY DELETED)

23. (THIS ITEM WAS INTENTIONALLY DELETED)

24. (THIS ITEM WAS INTENTIONALLY DELETED)

25. (THIS ITEM WAS INTENTIONALLY DELETED)

26. (THIS ITEM WAS INTENTIONALLY DELETED)

27. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN AGREEMENT RECORDED JUNE 29, 1993 UNDER RECEPTION NO. R-93-0083953.

28. (THIS ITEM WAS INTENTIONALLY DELETED)

29. (THIS ITEM WAS INTENTIONALLY DELETED)

31. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN DECLARATION OF RESTRICTIONS RECORDED OCTOBER 19, 1993 UNDER RECEPTION NO. 9300144069, AND AMENDMENTS RECORDED FEBRUARY 2, 2006 UNDER RECEPTION NOS. 2006021483 AND 2006021484 AND SECOND AMENDMENT RECORDED MAY 21, 2019 UNDER RECEPTION NO. 2019061825.

32. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE PHASE II BROADWAY PEDESTRIAN WALL LOCAL MAINTENANCE DISTRICT, AS EVIDENCED BY ORDINANCE NO. 819, SERIES OF 1993 RECORDED NOVEMBER 3, 1993 UNDER RECEPTION NO. 9300153714.

NOTICE OF ANNUAL ASSESSMENTS RECORDED NOVEMBER 22, 2019 UNDER RECEPTION NO. 2019165442.

33. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN DECLARATION OF RESTRICTIONS RECORDED NOVEMBER 08, 1993 UNDER RECEPTION NO. 9300155139.

BARGAIN AND SALE DEED IN CONNECTION THEREWITH RECORDED MARCH 12, 2018 UNDER RECEPTION NO. 2018028970 AND RE-RECORDED OCTOBER 23, 2018 UNDER RECEPTION NO. 2018137487.

34. LEASE BETWEEN HOMART DEVELOPMENT CO., LESSOR, AND ALBERTSON'S, INC., LESSEE, AS SHOWN BY MEMORANDUM OF LEASE RECORDED NOVEMBER 08, 1993, UNDER RECEPTION NO. 9300155140 AND FIRST AMENDMENT RECORDED AUGUST 12, 1994 UNDER RECEPTION NO. 9400126529, ANY AND ALL ASSIGNMENTS THEREOF OR INTERESTS THEREIN.

NOTE: THE PRESENT OWNERSHIP OF THE LEASEHOLD CREATED BY SAID LEASE AND OTHER MATTERS AFFECTING THE INTEREST OF THE LESSEE ARE NOT SHOWN HEREIN.

NOTE: THIS EXCEPTION WILL NOT AFFECT BANNOCK STREET TO BE DEDICATED ON THE PROPOSED SUBDIVISION PLAT.

35. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN DEVELOPMENT AGREEMENT RECORDED NOVEMBER 08, 1993 UNDER RECEPTION NO. 9300155141.

AFFIDAVIT OF FACTS RELATING TO TITLE RECORDED NOVEMBER 24, 1995 UNDER RECEPTION NO. 9500146843. SAID AFFIDAVIT IS EXECUTED BY ONE PARTY ONLY OF SAID MEMORANDUM.

PARTIAL TERMINATION OF DEVELOPMENT AGREEMENT RECORDED MAY 21, 1997 UNDER RECEPTION NO. 9700065357.

NOTE: THIS EXCEPTION WILL NOT AFFECT BANNOCK STREET TO BE DEDICATED ON THE PROPOSED SUBDIVISION PLAT.

36. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN RECIPROCAL EASEMENT AGREEMENT RECORDED DECEMBER 30, 1993 UNDER RECEPTION NO. 9300179096, AND QUIT CLAIM ASSIGNMENT AND ASSUMPTION RECORDED NOVEMBER 24, 1995 UNDER RECEPTION NO. 9500146838.

NOTE: THIS EXCEPTION WILL NOT AFFECT BANNOCK STREET TO BE DEDICATED ON THE PROPOSED SUBDIVISION PLAT.

37. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN RECIPROCAL EASEMENT AGREEMENT RECORDED JANUARY 19, 1994 UNDER RECEPTION NO. 9400009824, AND QUIT CLAIM ASSIGNMENT AND ASSUMPTION RECORDED NOVEMBER 24, 1995 UNDER RECEPTION NO. 9500146838.

NOTE: THE EXCEPTION WILL NOT AFFECT BANNOCK STREET TO BE DEDICATED ON THE PROPOSED SUBDIVISION PLAT.

38. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN RECIPROCAL EASEMENT AGREEMENT RECORDED JANUARY 24, 1994 UNDER RECEPTION NO. 9400012529, AND QUIT CLAIM ASSIGNMENT AND ASSUMPTION RECORDED NOVEMBER 24, 1995 UNDER RECEPTION NO. 9500146838.

NOTE: THIS EXCEPTION WILL NOT AFFECT BANNOCK STREET TO BE DEDICATED ON THE PROPOSED SUBDIVISION PLAT.

39. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS TO ANY INTEREST OF THE CITY AND COUNTY OF DENVER, COLORADO, AS SET FORTH IN RULE AND ORDER RECORDED FEBRUARY 11, 1994 UNDER RECEPTION NO. 9400026296.

NON-PLOTTABLE TITLE COMMITMENT SCHEDULE B-2 EXCEPTIONS

40. (THIS ITEM WAS INTENTIONALLY DELETED)

41. (THIS ITEM WAS INTENTIONALLY DELETED)

42. (THIS ITEM WAS INTENTIONALLY DELETED)

43. (THIS ITEM WAS INTENTIONALLY DELETED)

45. LEASE BETWEEN HOMART DEVELOPMENT CO., LESSOR, AND THE PEP BOYS - MANNY, MOE & JACK, LESSEE, AS SHOWN BY MEMORANDUM OF LEASE RECORDED APRIL 28, 1994, UNDER RECEPTION NO. 9400070204, AND ASSIGNMENT AND ASSUMPTION OF LEASE RECORDED FEBRUARY 10, 1995 UNDER RECEPTION NO. 9500016668, ANY AND ALL ASSIGNMENTS THEREOF OR INTERESTS THEREIN.

NOTE: THE PRESENT OWNERSHIP OF THE LEASEHOLD CREATED BY SAID LEASE AND OTHER MATTERS AFFECTING THE INTEREST OF THE LESSEE ARE NOT SHOWN HEREIN.

NOTE: THIS EXCEPTION WILL NOT AFFECT BANNOCK STREET TO BE DEDICATED ON THE PROPOSED SUBDIVISION PLAT.

46. (THIS ITEM WAS INTENTIONALLY DELETED)

49. (THIS ITEM WAS INTENTIONALLY DELETED)

50. (THIS ITEM WAS INTENTIONALLY DELETED)

51. (THIS ITEM WAS INTENTIONALLY DELETED)

52. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN EASEMENT AND INDEMNITY AGREEMENT RECORDED FEBRUARY 28, 1995 UNDER RECEPTION NO. 9500022666.

53. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN BROADWAY MARKETPLACE PLANNED BUILDING GROUP MAP RECORDED FEBRUARY 28, 1995 UNDER RECEPTION NO. 9500022667.

56. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE BMP METROPOLITAN DISTRICTS NO. 1, NO. 2 AND NO. 3, AS EVIDENCED BY INSTRUMENTS RECORDED JANUARY 31, 2011, UNDER RECEPTION NO. 2011011530; JANUARY 24, 2014 UNDER RECEPTION NO. 2014008299; OCTOBER 15, 2014 UNDER RECEPTION NO. 2014124851, AND JANUARY 29, 2015 UNDER RECEPTION NO. 2015010503.

NOTICE CONCERNING BROADWAY PARK NORTH METROPOLITAN DISTRICT NO. 3 RECORDED JANUARY 15, 2019 UNDER RECEPTION NO. 2019005236.

57. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH IN ORDER REGARDING PROPERTY INTERESTS AND FACILITIES OF PUBLIC SERVICE COMPANY OF COLORADO RECORDED JULY 08, 2013 UNDER RECEPTION NO. 2013098146 AND RULE AND ORDER RECORDED OCTOBER 30, 2013 UNDER RECEPTION NO. 2013157909.

58. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ESTOPPEL CERTIFICATE REGARDING PROPERTY TAXES RECORDED DECEMBER 12, 2013 UNDER RECEPTION NO. 2013177044.

59. (THIS ITEM WAS INTENTIONALLY DELETED)

60. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN PUBLIC TRANSIT EASEMENT (BROADWAY MARKETPLACE) RECORDED APRIL 23, 2014 UNDER RECEPTION NO. 2014046015.

61. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN EMERGENCY ACCESS PERMANENT EASEMENT (ALAMEDA STATION VILLAGE/VIRGINIA/ALASKA PLACE) RECORDED APRIL 23, 2014 UNDER RECEPTION NO. 2014046017.

62. (THIS ITEM WAS INTENTIONALLY DELETED)

63. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS WITH RECIPROCAL EASEMENTS FOR BROADWAY MARKETPLACE AT DENVER DESIGN DISTRICT RECORDED NOVEMBER 12, 2014, UNDER RECEPTION NOS. 2014137314 AND 2014137336, 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. BARGAIN AND SALE DEED IN CONNECTION THEREWITH RECORDED MARCH 12, 2018 UNDER RECEPTION NO. 2018028970 AND RE-RECORDED OCTOBER 23, 2018 UNDER RECEPTION NO. 2018137487.

FIRST AMENDMENT THERETO RECORDED OCTOBER 23, 2018 UNDER RECEPTION NO. 2018137488. SECOND AMENDMENT THERETO RECORDED APRIL 17, 2020 UNDER RECEPTION NO. 2020048518.

NOTE: THIS EXCEPTION WILL NOT AFFECT BANNOCK STREET TO BE DEDICATED ON THE PROPOSED SUBDIVISION PLAT.

64. (THIS ITEM WAS INTENTIONALLY DELETED)

71. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE BMP METROPOLITAN DISTRICT NO. 2, AS EVIDENCED BY INSTRUMENT RECORDED JANUARY 30, 2018, UNDER RECEPTION NO. 2018011718. NOTICE CONCERNING BMP METROPOLITAN DISTRICT NO. 2 RECORDED JANUARY 24, 2018 UNDER RECEPTION NO. 2018009142.

PETITION FOR NAME CHANGE TO BROADWAY PARK NORTH METROPOLITAN DISTRICT NO. 2 RECORDED AUGUST 2, 2018 UNDER RECEPTION NO. 2018095732. NOTICE CONCERNING BROADWAY METROPOLITAN DISTRICT NO. 2 RECORDED JANUARY 15, 2019 UNDER RECEPTION NO. 2019005235. FIRST AMENDMENT TO SPECIAL DISTRICT PUBLIC DISCLOSURE DOCUMENT RECORDED DECEMBER 20, 2019 UNDER RECEPTION NO. 2019178719. NOTICE CONCERNING BROADWAY PARK NORTH METROPOLITAN DISTRICT NO. 2 (F/K/A BMP METROPOLITAN DISTRICT NO. 2) RECORDED JANUARY 16, 2020 UNDER RECEPTION NO. 2020007209.

72. ALL MATTERS AS DISCLOSED ON BROADWAY MARKETPLACE PBG ZONE LOT AMENDMENT RECORDED JULY 25, 2018 UNDER RECEPTION NO. 2018091846.

73. ALL MATTERS AS DISCLOSED ON BROADWAY MARKETPLACE PBG - ZONE LOT 3 SITE DEVELOPMENT PLAN RECORDED JULY 25, 2018 UNDER RECEPTION NO. 2018091869. BROADWAY MARKETPLACE PBG - ZONE LOT 3 SITE DEVELOPMENT PLAN, MODIFICATION NO. 1 RECORDED DECEMBER 27, 2018 UNDER NO. 2018163094.

76. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN DENVER ASSESSOR'S PARCEL RECONFIGURATION FORM (SPLIT) RECORDED OCTOBER 02, 2019 UNDER RECEPTION NO. 2019136288 AND RECORDED NOVEMBER 21, 2019 UNDER RECEPTION NO. 2019164883.

77. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN DENVER ASSESSOR'S PARCEL RECONFIGURATION FORM (SPLIT) RECORDED JANUARY 03, 2020 UNDER RECEPTION NO. 2020001241.

NON-PLOTTABLE TITLE COMMITMENT SCHEDULE B-2 EXCEPTIONS

80. TERMS, CONDITIONS AND PROVISIONS OF NOTICE OF MODIFICATION OF COMMON AREAS RECORDED JUNE 6, 2020 AT RECEPTION NO. 2020076436

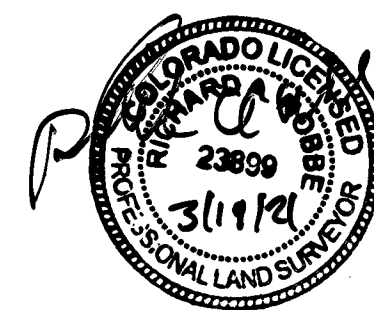
81. RESTRICTIVE COVENANTS, WHICH DO NOT INCLUDE A FORFEITURE OR REVERTER CLAUSE, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET 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 AND RESTRICTIONS RECORDED APRIL 07, 2020 UNDER RECEPTION NO. 2020048076

82. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN MEMORANDUM OF REPURCHASE AGREEMENT RECORDED APRIL 07, 2020 UNDER RECEPTION NO. 2020048520.

NOTES

1. BASIS OF BEARINGS: BEARINGS ARE BASED ON AN ASSUMED BEARING OF N00°45'32"W ALONG THE EASTERLY LINE OF THE NORTHWEST QUARTER OF SECTION 15, BEING MONUMENTED BY A FOUND STONE IN RANGE BOX AT THE NORTH QUARTER CORNER AND A FOUND STONE IN RANGE BOX AT THE CENTER QUARTER CORNER.
2. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-580, C.R.S.
3. ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON A DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THIS CERTIFICATION SHOWN HEREON.
4. THIS SUBDIVISION COVERS LAND AS SHOWN ON THE BROADWAY MARKETPLACE PBG ZONE LOT 3 RECORDED UNDER 2018163215.
5. A RIGHT OF ACCESS FOR EMERGENCY SERVICES IS HEREBY GRANTED ON AND ACROSS ALL AREAS FOR POLICE, FIRE, MEDICAL AND OTHER EMERGENCY VEHICLES AND FOR THE PROVISION OF EMERGENCY SERVICES.
6. TRACT 'A' AS SHOWN HEREON IS CREATED FOR THE PURPOSE OF PUBLIC OPEN SPACE IN PARTIAL SATISFACTION OF THE OPEN SPACE REQUIREMENT DEFINED IN THE DENVER DESIGN DISTRICT GDP (RECEPTION NO. 2009099467) ON SHEET 09 OF 13. THE OPEN SPACE SHALL INCLUDE LIMITED USE FOR UNDERGROUND STORM WATER UTILITIES SUBJECT TO APPROVAL BY THE CITY, AND WILL BE OWNED, CONSTRUCTED AND MAINTAINED BY BROADWAY PARK NORTH METROPOLITAN DISTRICT NO. 1.
7. IN COMPLIANCE WITH THE REQUIREMENT FOR EXPANDED STREETSCAPES DEFINED IN THE DENVER DESIGN DISTRICT GDP (RECEPTION NO. 2009099467) ON SHEET 09 OF 13, A 4.0' PUBLIC ACCESS EASEMENT IS HEREBY GRANTED TO THE CITY AND COUNTY OF DENVER ON AND ACROSS THE EAST SIDE OF LOT 1, BLOCK 1.
8. TRACT 'B' AS SHOWN HEREON IS CREATED FOR THE PURPOSE OF PRIVATE ROADWAY, PEDESTRIAN SIDEWALK, LANDSCAPING AND THE USE OF UTILITIES AND RELATED APPURTENANCES AND WILL BE OWNED, CONSTRUCTED AND MAINTAINED BY BROADWAY PARK NORTH METROPOLITAN DISTRICT NO. 1.
9. THIS SURVEY DOES NOT CONSTITUTE A TITLE OR OWNERSHIP SEARCH BY MARTIN/MARTIN ENGINEERING. ALL OWNERSHIP, EASEMENT AND PUBLIC RECORD INFORMATION WAS BASED ON THE TITLE COMMITMENT PREPARED BY LAND TITLE GUARANTEE COMPANY, COMMITMENT NO. ABD70615785-14, WITH AN EFFECTIVE DATE OF DECEMBER 15, 2020.
10. ACCESS RIGHTS NECESSARY FOR THE INSTALLATION AND MAINTENANCE OF ELECTRIC, TELEPHONE, GAS, CABLE TELEVISION AND POSTAL FACILITIES, OR FACILITIES TO BE CONSTRUCTED ON BEHALF OF THE CITY AND COUNTY OF DENVER WASTEWATER DIVISION OR THE DENVER WATER BOARD WITHIN FUTURE RIGHTS-OF-WAY PRIOR TO DEDICATION SHALL BE LICENSED BY BROADWAY PARK NORTH METROPOLITAN DISTRICT NO. 1 AND BMP NORTHEAST LLC, A DELAWARE LIMITED LIABILITY COMPANY.
11. A PUBLIC ACCESS EASEMENT IS HEREBY GRANTED TO THE CITY AND COUNTY OF DENVER ON AND ACROSS TRACTS A AND B.

REV. DECEMBER 18, 2020
REV. NOVEMBER 23, 2020
REV. JULY 5, 2020
REV. JUNE 9, 2020
REV. APRIL 26, 2020
REV. DECEMBER 23, 2019
REV. OCTOBER 25, 2019
REV. AUGUST 12, 2019
MAY 10, 2019



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CONSULTING ENGINEERS
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MAIN 303.431.6100 MARTINMARTIN.COM
SURVEY@MARTINMARTIN.COM

SHEET 3 OF 4

TEMP. CONSTR. EASEMENT
ORD. 20161265, SERIES 2017
REC. #2017003934

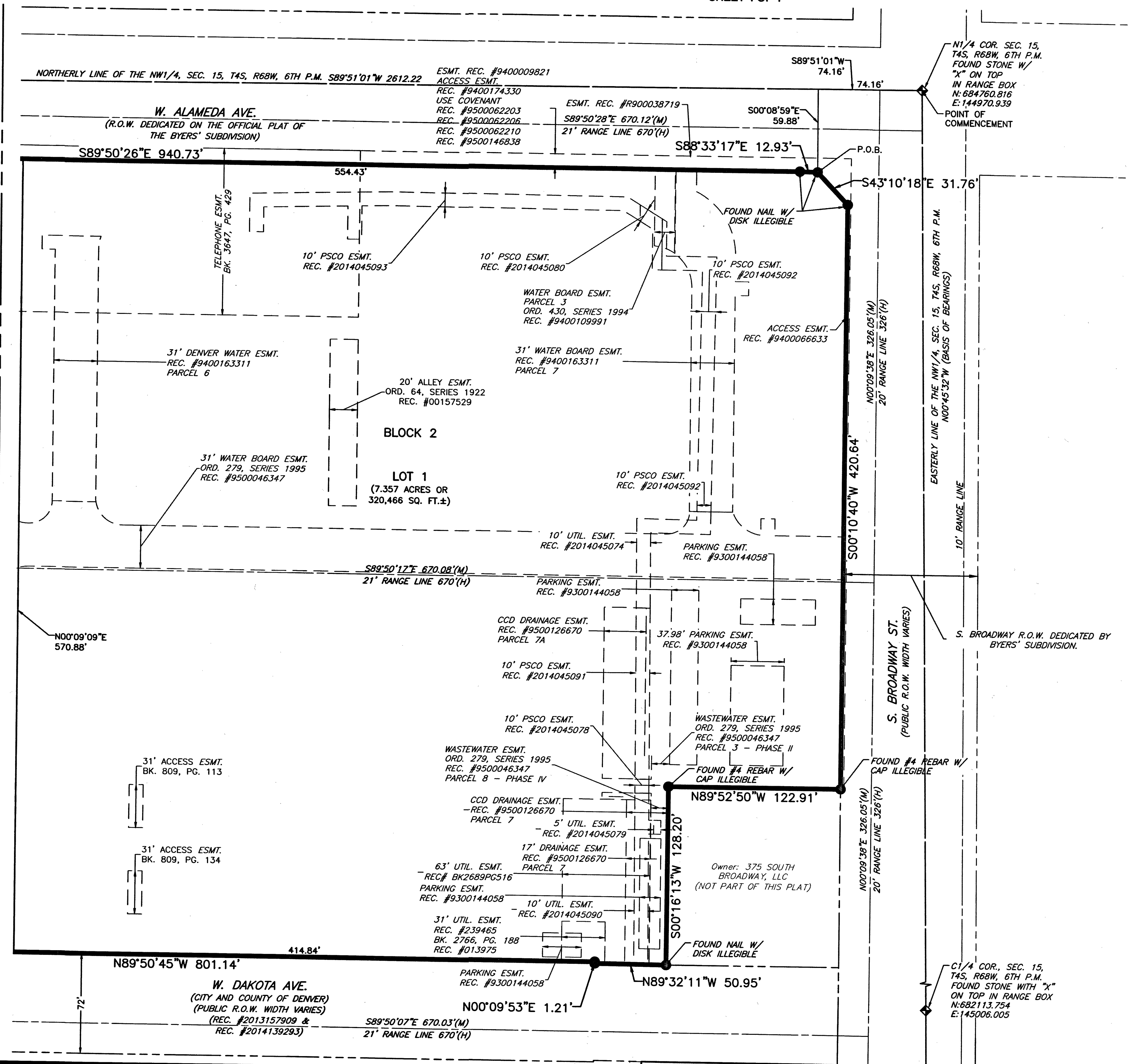
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LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH,
RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
CITY AND COUNTY OF DENVER
STATE OF COLORADO

SHEET 4 OF 4

MATCHLINE SHEET 3 OF 4



LEGEND

EXISTING		PLATTED
_____	RIGHT-OF-WAY LINE	_____
_____	SUBDIVISION BOUNDARY	_____
_____	EASEMENT	_____
_____	RANGE LINE	_____
_____	LOT LINE	_____
●	FOUND #4 REBAR W/ CAP	
	PLS #23899 UNLESS	
	OTHERWISE NOTED	
✕	RANGE POINT TO BE SET	☒
	AFTER CONSTRUCTION	
(H)	HISTORIC	
(M)	MEASURED	
CCD	CITY AND COUNTY OF	
	DENVER	
ESMT.	EASEMENT	
PSCO	PUBLIC SERVICE COMPANY	
	OF COLORADO	
P.A.E.	PUBLIC ACCESS EASEMENT	
DWD	DENVER WATER DISTRICT	
TEMP. CONSTR.	TEMPORARY CONSTRUCTION	

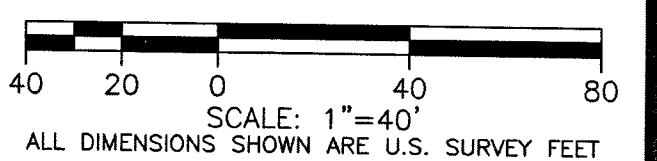
BASIS OF BEARINGS

BEARINGS ARE BASED ON AN ASSUMED BEARING OF N00°45'32"W ALONG THE EASTERLY LINE OF THE NORTHWEST QUARTER OF SECTION 15, BEING MONUMENTED BY A FOUND STONE IN RANGE BOX AT THE NORTH QUARTER CORNER AND A FOUND STONE IN RANGE BOX AT THE CENTER QUARTER CORNER.

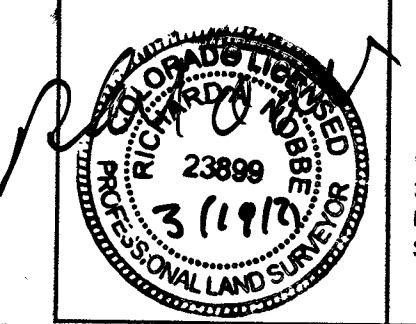
BENCHMARK

CITY AND COUNTY OF DENVER BM #35A - 2" DIAMETER BRASS CAP AT THE TOP BACK OF CURB AT THE NORTHEAST CORNER OF ALAMEDA AVENUE AND BROADWAY.

ELEVATION: 5260.26 FEET (NAVD 1988 DATUM)



REV. DECEMBER 18, 2020
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