

RESOLUTION NO. [Reso #] It was moved by Commissioner [Moved] and duly seconded by Commissioner [Seconded] to adopt the following Resolution:

WHEREAS, **Copperleaf Senior Living LLC**, being the owner of the following described real property located within unincorporated Arapahoe County, to wit:

ALL OF THE ACCESS, PUBLIC USE EASEMENT, UTILITY EASEMENT, AND DRAINAGE EASEMENT LYING WITHIN TRACT B AS DEPICTED ON COPPERLEAF FILING NO. 19 RECORDED AT RECEPTION NO. D9046743 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER, COUNTY OF ARAPAHOE, STATE OF COLORADO, SITUATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 5 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 1, OF SAID COPPERLEAF FILING NO. 19, WHENCE THE EASTERLY BOUNDARY OF SAID LOT 1 BEARS NORTH 00°32'49" WEST, WITH ALL BEARING HEREIN BEING REFERENCED TO SAID EASTERLY BOUNDARY;

THENCE ALONG THE EASTERLY BOUNDARY OF SAID LOT 1, NORTH 00°32'49" WEST, A DISTANCE OF 200.50 FEET TO THE SOUTHWEST CORNER OF SAID TRACT B AND THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID EASTERLY BOUNDARY, NORTH 00°32'49" WEST, A DISTANCE OF 30.00 FEET TO THE NORTHWEST CORNER OF SAID TRACT B;

THENCE DEPARTING SAID EASTERLY BOUNDARY ALONG THE NORTHERLY BOUNDARIES OF SAID TRACT B THE FOLLOWING FIVE (5) COURSES:

1. NORTH 89°27'11" EAST, A DISTANCE OF 418.76 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 235.00 FEET;
2. EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°58'21", AN ARC LENGTH OF 57.31 FEET;
3. TANGENT TO SAID CURVE, NORTH 75°28'49" EAST, A DISTANCE OF 132.80 FEET;
4. NORTH 14°31'11" WEST, A DISTANCE OF 40.00 FEET;

5. NORTH $75^{\circ}28'49''$ EAST, A DISTANCE OF 39.94 FEET TO THE NORTHEAST CORNER OF SAID TRACT B, AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1,209.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH $78^{\circ}05'16''$ EAST;

THENCE DEPARTING SAID NORTHERLY BOUNDARY ALONG THE EASTERLY BOUNDARY OF SAID TRACT B, SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $04^{\circ}30'12''$, AN ARC LENGTH OF 95.03 FEET TO THE SOUTHEAST CORNER OF SAID TRACT B;

THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID TRACT B THE FOLLOWING FIVE (5) COURSES:

1. NON-TANGENT TO SAID CURVE, SOUTH $75^{\circ}28'49''$ WEST, A DISTANCE OF 39.35 FEET;

2. NORTH $14^{\circ}31'11''$ WEST, A DISTANCE OF 25.00 FEET;

3. SOUTH $75^{\circ}28'49''$ WEST, A DISTANCE OF 132.80 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 265.00 FEET;

4. WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $13^{\circ}58'21''$, AN ARC LENGTH OF 64.63 FEET;

5. TANGENT TO SAID CURVE, SOUTH $89^{\circ}27'11''$ WEST, A DISTANCE OF 418.76 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 0.507 ACRES, (22,083 SQUARE FEET), MORE OR LESS.

TWO PARCELS OF LAND BEING THOSE CERTAIN PORTIONS OF THE DRAINAGE EASEMENT LYING WITHIN LOTS 2, 3 AND 4, BLOCK 1 AND TRACT B AS DEPICTED ON COPPERLEAF FILING NO. 19 RECORDED AT RECEPTION NO. D9046743 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER, COUNTY OF ARAPAHOE, STATE OF COLORADO, SITUATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 5 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL A

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 1, SAID COPPERLEAF FILING NO. 19, WHENCE THE EASTERLY BOUNDARY OF SAID LOT 1, BLOCK 1, BEARS NORTH $00^{\circ}32'49''$ WEST, WITH ALL BEARINGS HEREIN BEING REFERENCED TO SAID EASTERLY BOUNDARY;

THENCE ALONG THE EASTERLY BOUNDARY OF SAID LOT 1, BLOCK 1, NORTH 00°32'49" WEST, A DISTANCE OF 176.00 FEET TO THE SOUTHERLY BOUNDARY OF SAID DRAINAGE EASEMENT AND THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID EASTERLY BOUNDARY, NORTH 00°32'49" WEST, A DISTANCE OF 35.00 FEET TO THE NORTHERLY BOUNDARY OF SAID DRAINAGE EASEMENT;

THENCE ALONG THE BOUNDARIES OF SAID DRAINAGE EASEMENT THE FOLLOWING 17 COURSES:

- 1) DEPARTING SAID EASTERLY BOUNDARY, NORTH 89°27'11" EAST, A DISTANCE OF 11.09 FEET;
- 2) SOUTH 00°32'40" EAST, A DISTANCE OF 10.00 FEET;
- 3) NORTH 89°27'11" EAST, A DISTANCE OF 262.35 FEET;
- 4) NORTH 00°32'47" WEST, A DISTANCE OF 49.49 FEET;
- 5) NORTH 82°19'12" WEST, A DISTANCE OF 24.88 FEET;
- 6) NORTH 07°32'03" EAST, A DISTANCE OF 20.00 FEET;
- 7) SOUTH 82°19'12" EAST, A DISTANCE OF 22.04 FEET;
- 8) NORTH 00°32'47" WEST, A DISTANCE OF 231.61 FEET;
- 9) NORTH 89°27'11" EAST, A DISTANCE OF 45.80 FEET;
- 10) SOUTH 00°39'59" EAST, A DISTANCE OF 22.56 FEET;
- 11) SOUTH 89°20'01" WEST, A DISTANCE OF 25.84 FEET;
- 12) SOUTH 00°32'51" EAST, A DISTANCE OF 18.70 FEET;
- 13) NORTH 89°20'01" EAST, A DISTANCE OF 45.15 FEET;
- 14) SOUTH 00°39'59" EAST, A DISTANCE OF 20.00 FEET;
- 15) SOUTH 89°20'01" WEST, A DISTANCE OF 45.19 FEET;
- 16) SOUTH 00°32'46" EAST, A DISTANCE OF 264.99 FEET;
- 17) SOUTH 89°27'11" WEST, A DISTANCE OF 293.44 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 0.354 ACRES, (15,428 SQUARE FEET), MORE OR LESS.

PARCEL B

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 2, BLOCK 1, WHENCE THE WESTERLY BOUNDARY OF SAID LOT 2, BLOCK 1, BEARS SOUTH 00°32'49" EAST, WITH ALL BEARINGS HEREIN BEING REFERENCED TO SAID EASTERLY BOUNDARY;

THENCE ALONG THE WESTERLY BOUNDARY OF SAID LOT 2, BLOCK 1, SOUTH 00°32'49" EAST, A DISTANCE OF 57.93 FEET TO THE NORTHERLY BOUNDARY OF SAID EASEMENT AND THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WESTERLY BOUNDARY, SOUTH 00°32'49" EAST, A DISTANCE OF 20.00 FEET TO THE SOUTHERLY BOUNDARY OF SAID DRAINAGE EASEMENT;

THENCE ALONG THE BOUNDARIES OF SAID EASEMENT THE FOLLOWING 9 COURSES:

- 1) DEPARTING SAID WESTERLY BOUNDARY, NORTH 89°15'39" EAST, A DISTANCE OF 16.49 FEET;
- 2) SOUTH 00°37'52" EAST, A DISTANCE OF 21.97 FEET;
- 3) NORTH 89°22'08" EAST, A DISTANCE OF 20.00 FEET;
- 4) NORTH 00°37'52" WEST, A DISTANCE OF 22.01 FEET;
- 5) NORTH 89°15'39" EAST, A DISTANCE OF 58.96 FEET;
- 6) NORTH 00°32'49" WEST, A DISTANCE OF 53.80 FEET;
- 7) SOUTH 89°19'13" WEST, A DISTANCE OF 20.00 FEET;
- 8) SOUTH 00°32'49" EAST, A DISTANCE OF 33.82 FEET;
- 9) SOUTH 89°15'39" WEST, A DISTANCE OF 75.45 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 0.069 ACRES, (3,025 SQUARE FEET), MORE OR LESS.

THAT CERTAIN PORTION OF A 15.00-FOOT-WIDE PUBLIC USE EASEMENT LYING WITHIN TRACT A AND LOT 4, BLOCK 1, AS DEPICTED ON COPPERLEAF FILING NO. 14 RECORDED AT RECEPTION NO. D7096276 IN THE OFFICE OF THE CLERK AND RECORDER, COUNTY OF ARAPAHOE, STATE OF COLORADO, LYING IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 5 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE LAND DESCRIBED IN THE WARRANTY DEED RECORDED MARCH 9, 2016 AT RECEPTION NO. D6024231 IN SAID OFFICE OF THE CLERK AND RECORDER, BEING A POINT ON THE WESTERLY RIGHT-OF-WAY OF COPPERLEAF BOULEVARD, AS DEPICTED ON SAID COPPERLEAF FILING NO. 14, WHENCE THE EAST LINE OF SAID TRACT A, BEARS SOUTH 00°32'49" EAST WITH ALL BEARINGS HEREIN BEING REFERENCED TO SAID EAST BOUNDARY;

THENCE ALONG THE EAST LINE OF SAID TRACT A, AND LOT 4, BLOCK 1 AND SAID WESTERLY RIGHT-OF-WAY, THE FOLLOWING 2 COURSES:

1. SOUTH 00°32'49" EAST, A DISTANCE OF 63.35 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1,209.00 FEET;
2. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11°21'55", AN ARC LENGTH OF 239.82 FEET TO THE NORTHEASTERLY CORNER OF TRACT B, SAID COPPERLEAF FILING NO. 19;

THENCE NON-TANGENT TO SAID CURVE, ALONG THE NORTH BOUNDARY OF SAID TRACT B, COPPERLEAF FILING NO. 19, SOUTH

75°28'49" WEST, A DISTANCE OF 15.02 FEET TO THE WEST BOUNDARY OF SAID 15.00-FOOT-WIDE PUBLIC USE EASEMENT, BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1,224.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 78°03'21" EAST;

THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11°23'50", AN ARC LENGTH OF 243.48 FEET TO THE SOUTH BOUNDARY OF SAID TRACT A;

THENCE NON-TANGENT TO SAID CURVE, ALONG SAID SOUTH BOUNDARY, NORTH 89°27'11" EAST, A DISTANCE OF 9.31 FEET;

THENCE DEPARTING SAID SOUTH LINE, NORTH 04°34'53" EAST, A DISTANCE OF 63.61 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 0.087 ACRES, (3,805 SQUARE FEET), MORE OR LESS.

and

WHEREAS, **Copperleaf Senior Living LLC** has petitioned the Board of County Commissioners of Arapahoe County, in Case No. **VAC22-001, Caliber at Copperleaf** for vacation of the following described Easements:

Various **Public Use, Drainage and Utility** Easements

and

WHEREAS, it appears that the above described Easement(s) sought to be vacated **lies** entirely within the County of Arapahoe and that said Easements do not constitute the boundary line of any city or town and unincorporated Arapahoe County within Arapahoe County; and

WHEREAS, it appears the petition to vacate said Easement(s) and the vacation thereof are in compliance with the requirements of the Arapahoe County Land Development Code; and

WHEREAS, it appears that there are no rights of way or easements presently in use across the same which need be reserved except as hereinafter delineated.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

1. That the following described Easement(s) situate in the unincorporated portion of Arapahoe County and State of Colorado, are hereby vacated, to-wit:

ALL OF THE ACCESS, PUBLIC USE EASEMENT, UTILITY EASEMENT, AND DRAINAGE EASEMENT LYING WITHIN TRACT B AS DEPICTED ON

COPPERLEAF FILING NO. 19 RECORDED AT RECEPTION NO. D9046743 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER, COUNTY OF ARAPAHOE, STATE OF COLORADO, SITUATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 5 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 1, OF SAID COPPERLEAF FILING NO. 19, WHENCE THE EASTERLY BOUNDARY OF SAID LOT 1 BEARS NORTH $00^{\circ}32'49''$ WEST, WITH ALL BEARING HEREIN BEING REFERENCED TO SAID EASTERLY BOUNDARY;

THENCE ALONG THE EASTERLY BOUNDARY OF SAID LOT 1, NORTH $00^{\circ}32'49''$ WEST, A DISTANCE OF 200.50 FEET TO THE SOUTHWEST CORNER OF SAID TRACT B AND THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID EASTERLY BOUNDARY, NORTH $00^{\circ}32'49''$ WEST, A DISTANCE OF 30.00 FEET TO THE NORTHWEST CORNER OF SAID TRACT B;

THENCE DEPARTING SAID EASTERLY BOUNDARY ALONG THE NORtherly BOUNDARIES OF SAID TRACT B THE FOLLOWING FIVE (5) COURSES:

1. NORTH $89^{\circ}27'11''$ EAST, A DISTANCE OF 418.76 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORtherly HAVING A RADIUS OF 235.00 FEET;

2. EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $13^{\circ}58'21''$, AN ARC LENGTH OF 57.31 FEET;

3. TANGENT TO SAID CURVE, NORTH $75^{\circ}28'49''$ EAST, A DISTANCE OF 132.80 FEET;

4. NORTH $14^{\circ}31'11''$ WEST, A DISTANCE OF 40.00 FEET;

5. NORTH $75^{\circ}28'49''$ EAST, A DISTANCE OF 39.94 FEET TO THE NORTHEAST CORNER OF SAID TRACT B, AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1,209.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH $78^{\circ}05'16''$ EAST;

THENCE DEPARTING SAID NORtherly BOUNDARY ALONG THE EASTERLY BOUNDARY OF SAID TRACT B, SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $04^{\circ}30'12''$, AN ARC LENGTH OF 95.03 FEET TO THE SOUTHEAST CORNER OF SAID TRACT B;

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THENCE ALONG THE EASTERLY BOUNDARY OF SAID LOT 1, BLOCK 1, NORTH 00°32'49" WEST, A DISTANCE OF 176.00 FEET TO THE SOUTHERLY BOUNDARY OF SAID DRAINAGE EASEMENT AND THE POINT OF BEGINNING;

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PARCEL B

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 2, BLOCK 1, WHENCE THE WESTERLY BOUNDARY OF SAID LOT 2, BLOCK 1, BEARS SOUTH 00°32'49" EAST, WITH ALL BEARINGS HEREIN BEING REFERENCED TO SAID EASTERLY BOUNDARY;

THENCE ALONG THE WESTERLY BOUNDARY OF SAID LOT 2, BLOCK 1, SOUTH 00°32'49" EAST, A DISTANCE OF 57.93 FEET TO THE NORTHERLY BOUNDARY OF SAID EASEMENT AND THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WESTERLY BOUNDARY, SOUTH 00°32'49" EAST, A DISTANCE OF 20.00 FEET TO THE SOUTHERLY BOUNDARY OF SAID DRAINAGE EASEMENT;

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- 3) NORTH 89°22'08" EAST, A DISTANCE OF 20.00 FEET;
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THENCE ALONG THE EAST LINE OF SAID TRACT A, AND LOT 4, BLOCK 1 AND SAID WESTERLY RIGHT-OF-WAY, THE FOLLOWING 2 COURSES:

1. SOUTH $00^{\circ}32'49''$ EAST, A DISTANCE OF 63.35 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1,209.00 FEET;

2. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $11^{\circ}21'55''$, AN ARC LENGTH OF 239.82 FEET TO THE NORTHEASTERLY CORNER OF TRACT B, SAID COPPERLEAF FILING NO. 19;

THENCE NON-TANGENT TO SAID CURVE, ALONG THE NORTH BOUNDARY OF SAID TRACT B, COPPERLEAF FILING NO. 19, SOUTH $75^{\circ}28'49''$ WEST, A DISTANCE OF 15.02 FEET TO THE WEST BOUNDARY OF SAID 15.00-FOOT-WIDE PUBLIC USE EASEMENT, BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1,224.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH $78^{\circ}03'21''$ EAST;

THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $11^{\circ}23'50''$, AN ARC LENGTH OF 243.48 FEET TO THE SOUTH BOUNDARY OF SAID TRACT A;

THENCE NON-TANGENT TO SAID CURVE, ALONG SAID SOUTH BOUNDARY, NORTH 89°27'11" EAST, A DISTANCE OF 9.31 FEET;

THENCE DEPARTING SAID SOUTH LINE, NORTH 04°34'53" EAST, A DISTANCE OF 63.61 FEET TO THE POINT OF BEGINNING.

CONTAINING

2. Easements are vacated, subject to the following condition:
 - a. The approval of Caliber at Copperleaf Vacation of Easements is contingent upon approval of Copperleaf #30 Final Plat, PF21-007, and Copperleaf #30 Final Development Plan, FDP21-005.
3. That the Arapahoe County Clerk and Recorder is hereby directed to send a certified copy of this vacation resolution to the Planning Division of the Department of Public Works and Development for recording.
4. That the Board of County Commissioners hereby directs that a copy of this resolution be delivered to the Arapahoe County Assessor and the Support Services Division of the Public Works and Development Department for appropriate action as required.

The vote was:

Commissioner Baker, ; Commissioner Holen, ; Commissioner Jackson, ; Commissioner Sharpe, ; Commissioner Warren-Gully, ;

The Chair declared the motion carried and so ordered.