

TERMINATION AGREEMENT

THIS TERMINATION AGREEMENT (the “Agreement”) is made this __ day of __, 2026, by and between DC, LLC, a Colorado Limited Liability Corporation, whose legal mailing address is 6275 Lake Shore Ct., Colorado Springs, Colorado 80915 (the “Developer”), Regal Colorado, LLC, a Colorado Limited Liability Corporation, whose legal mailing address is 5085 Brian Dr., Parker, Colorado 80134 (“Regal”), and the BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ARAPAHOE, STATE OF COLORADO, whose legal address is 5334 S. Prince Street, Littleton, Colorado 80120 (the “County”).

RECITALS

WHEREAS, Developer submitted, and the County approved, Phase III Drainage Report and Civil Construction Plans (the “Plans”) as part of its Paonia Building Development for property described as Lot 2, Block 1, Dove Valley Business Park Subdivision Filing No. 26 (the “Subject Property”);

WHEREAS, the Plans provide for stormwater management facilities located on the Subject Property including without limitation such facilities intended to reduce, detain, convey, and manage stormwater runoff, and provide water quality benefits (the “Facilities”);

WHEREAS, the County required Developer to submit an Operation and Maintenance Site Plan and further required Developer to inspect and maintain the Facilities in accordance with the County’s Stormwater Management Manual;

WHEREAS, the County and Developer entered into a Stormwater Facility Maintenance Agreement (the “SFMA”) dated October 20, 2022, and recorded at Reception No. E3045406 with the Arapahoe County Clerk and Recorder on July 6, 2023, attached hereto and incorporated herein by this reference as **Exhibit A**;

WHEREAS, the SFMA establishes that the maintenance responsibilities and duties of Developer shall constitute a covenant running with the land and shall be binding upon all present and subsequent owners, administrators, executors, assigns, heirs, and any other successors in interest;

WHEREAS, the SFMA required Developer to grant, bargain, and convey an easement to the County for access from public rights-of-way, abutting private roadways, and private driveways to the Facilities for the purpose of inspecting, operating, installing, constructing, reconstructing, maintaining, repairing or replacing the Facilities;

WHEREAS, Developer sold or otherwise conveyed the Subject Property prior to completing the Facilities and further assigned and transferred all rights, interests, responsibilities, obligations, and duties of Developer to Regal Colorado, LLC (“Regal”);

WHEREAS, the County no longer needs the Facilities as described in the Plans due to Regal submitting updated and revised plans along with a new Stormwater Facility Maintenance Agreement;

WHEREAS, the County and Regal entered into a Stormwater Facility Maintenance Agreement concerning the Subject Property as part of Regal's new land use application dated June 1, 2026, recorded at Reception No. E6038761 with the Arapahoe County Clerk and Recorder on June 4, 2026; and

WHEREAS, the County desires to terminate the SFMA with Developer.

NOW, THEREFORE, in consideration of the terms, conditions, and covenants set forth in this Termination Agreement, the Parties state as follows:

TERMS

I. TERMINATION

- a. The Parties agree that the SFMA no longer serves a purpose given the Subject Property is no longer owned by Developer.
- b. The County agrees to release Developer, and Regal as assignee thereof, from all responsibilities, obligations, and duties as set forth under the SFMA and terminate the same.
- c. The subsequent Stormwater Facility Maintenance Agreement executed directly between the County and Regal secures the County's rights and satisfies Regal's obligations to execute a maintenance agreement pursuant to the Arapahoe County Stormwater Management Manual.

IN WITNESS WHEREOF the Parties have caused this Termination Agreement to be executed as of the Effective Date.

**BOARD OF COUNTY
COMMISSIONERS FOR ARAPAHOE
COUNTY**

Leslie Summey, Chairperson
Board of County Commissioners

DC, LLC

Donald Cannella
Managing Member

Regal Colorado, LLC

[Name]
[Title]

EXHIBIT A
2022 Stormwater Facility Maintenance Agreement