

RESOLUTION NO. 26-XXX It was moved by Commissioner ____ and duly seconded by Commissioner ____ to approve four documents as they relate to property located at Lot 2, Block 1, Dove Valley Business Park Subdivision Filing No. 26: 1) a Release and Waiver Agreement, concerning potential claims originating from an obsolete 2023 Subdivision Improvement Agreement involving DC, LLC and Regal Colorado, LLC; 2) a Termination Agreement terminating an obsolete Stormwater Facility Maintenance Agreement with DC, LLC and Regal Colorado, LLC; 3) a Revocation of Storm Drainage License revoking a license granted to DC, LLC pursuant to an obsolete Uniform Easement Deed and Revocable Storm Drainage License and assigned to Regal Colorado, LLC; and 4) a Quitclaim Deed conveying the original easement property to Regal Colorado, LLC.

It is understood that the Release and Waiver Agreement shall release DC, LLC, the initial developer, and Regal Colorado, LLC, as the current property owner and DC, LLC's assignee, from all responsibilities, obligations, and duties as set forth under that certain 2023 Subdivision Improvement Agreement, recorded with the Clerk and County Recorder at reception number E3045407 on July 6, 2023, as well as waive all claims that originate or could originate from any past and future breach by DC, LLC and Regal Colorado, LLC of the 2023 Subdivision Improvement Agreement.

It is understood that the Termination Agreement shall terminate a Stormwater Facility Maintenance Agreement entered between the County and DC, LLC, the initial developer, and Regal, Colorado, LLC, as the current property owner and DC, LLC's assignee, and release DC, LLC and Regal Colorado, LLC from all responsibilities, obligations, and duties as set forth under the Stormwater Facility Maintenance Agreement, recorded with the Clerk and County Recorder at reception number E3045406 on July 6, 2023.

It is understood that the Revocation of Storm Drainage License shall revoke the license granted to DC, LLC, the initial developer, and Regal Colorado, LLC, as the current property owner and DC, LLC's assignee, pursuant to a 2022 Uniform Easement Deed and Revocable Storm Drainage License Agreement, recorded with the Clerk and County Recorder at reception number E2099305 on September 30, 2022.

It is understood that the Quitclaim Deed conveys the original easement property from the County to Regal Colorado, LLC in order to vacate the original easements conveyed from DC, LLC to the County pursuant to a Uniform Easement Deed and Revocable Storm Drainage License Agreement dated September 27, 2022, recorded at Reception No. E2099305 with the Arapahoe County Clerk and Recorder on September 30, 2022.

Authorization is hereby given to the Chairperson of the Board of County Commissioners of Arapahoe County, Colorado, to execute the Release and Wavier Agreement, the Termination Agreement, and the Revocation of Storm Drainage License documents, and the Quitclaim deed, and all such supporting documents as may be necessary on behalf of the Board of County Commissioners to effectuate these purposes.

The County Attorney is authorized to make appropriate modifications to this Resolution and the underlying document(s), as needed, to correct errors and omissions, and to accurately reflect the matters presented to the Board and to record and clarify, as necessary, the Board's action.

The vote was:

Commissioner Baker, __; Commissioner Campbell, __; Commissioner Fields, __;
Commissioner Summey, __; Commissioner Warren-Gully, __.

The Chair declared the resolution adopted and ordered.