

BOARD OF COUNTY COMMISSIONERS OF ARAPAHOE COUNTY, COLORADO

TUESDAY, NOVEMBER 8, 2022

At the regular meeting of the Board of County Commissioners for Arapahoe County, Colorado held at the Administration Building, 5334 South Prince Street, Littleton, Colorado on Tuesday, the 8th day of November, 2022, there were present:

Nancy Jackson, Chair	Commissioner District 4	Present
Carrie Warren-Gully, Chair Pro Tem	Commissioner District 5	Present
Bill Holen	Commissioner District 1	Absent and Excused
Jeff Baker	Commissioner District 3	Present
Nancy Sharpe	Commissioner District 2	Present
Ron Carl	County Attorney	Present
Joan Lopez	Clerk to the Board	Absent and Excused
Kendra Davis	Management Analyst II, Commissioner's Office	Present

All draft resolutions hereto presented to the Board, as may have been modified by Board review, are contained herein in final form as approved by the Board.

RESOLUTION NO. 22-300-A It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to approve and accept the deed conveying right of way interests to Arapahoe County in Parcel RW-2 and upon the recommendation of the County's Project Engineer and the Director of Public Works and Development Department, in the following described property:

PARCEL NUMBER: RW-2
February 7, 2022
DESCRIPTION

A RIGHT-OF-WAY NO. RW-2 OF THE COUNTY OF ARAPAHOE RIGHT OF WAY PROJECT NUMBER C15-004, ADD #11, AND CDOT FEDERAL AID PROJECT NUMBER ACQ C100-044, CONTAINING 530 SQ. FT. (0.012 ACRES), MORE OR LESS, IN THE EAST HALF OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 67 WEST, OF THE 6TH PRINCIPAL MERIDIAN, IN UNINCORPORATED ARAPAHOE COUNTY, COLORADO, BEING A PORTION OF LOT 1, BLOCK 2, INVERNESS SUBDIVISION FILING NO. 10 RECORDED NOVEMBER 20, 1990 AT RECEPTION NO. 90093354 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER'S OFFICE, COUNTY OF ARAPAHOE, STATE OF COLORADO, SAID RIGHT-OF-WAY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 34, THENCE NORTH 43°32'55" WEST, A DISTANCE OF 1196.83 FEET TO THE EASTERLY RIGHT-OF-WAY OF INVERNESS DRIVE WEST AND THE POINT OF BEGINNING;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY, NORTH 40°06'39" WEST, A DISTANCE OF 58.56 FEET;

THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY, NORTH 88°43'53" EAST, A DISTANCE OF 12.84 FEET;

THENCE SOUTH 40°08'16" EAST, A DISTANCE OF 47.42 FEET;

THENCE SOUTH 32°46'19" WEST, A DISTANCE OF 10.49 FEET TO THE POINT OF BEGINNING.

THE ABOVE RIGHT-OF-WAY CONTAINS AN AREA OF 0.012 ACRES, (530 SQUARE FEET), MORE OR LESS.

BASIS OF BEARINGS: BEARINGS REFERENCED HEREIN ARE GRID BEARINGS DERIVED FROM GPS OBSERVATIONS BASED UPON THE COLORADO COORDINATE SYSTEM OF 1983 CENTRAL ZONE (NAD 83, 2011) REFERENCED TO THE EAST LINE OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 67 WEST, SIXTH P.M. MONUMENTED AT THE SOUTHEAST CORNER OF SAID SECTION 34 BY A 3-1/4" ALUMINUM CAP WITH ILLEGIBLE STAMPING IN A MONUMENT BOX AND AT THE NORTHEAST CORNER OF SAID SECTION 34 BY A 3-1/4" ALUMINUM CAP STAMPED "PLS 7361 1990", TAKEN TO BEAR NORTH 00°07'57" WEST, A DISTANCE OF 5275.77 FEET.

DANIEL E. DAVIS,
COLORADO P.L.S. NO. 38256
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, COLORADO 80122
303-713-1898

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstain; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-300-B It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to approve and accept the deed conveying right of way interests to Arapahoe County in Parcel RW-4 and upon the recommendation of the County's Project Engineer and the Director of Public Works and Development Department, in the following described property:

**PARCEL NUMBER: RW-4
February 07, 2022
DESCRIPTION**

A RIGHT-OF-WAY NO. RW-4 OF THE COUNTY OF ARAPAHOE RIGHT OF WAY PROJECT NUMBER C15-004, ADD #11, AND CDOT FEDERAL AID PROJECT NUMBER ACQ C100-044, CONTAINING 2,139 SQ. FT. (0.049 ACRES), MORE OR LESS, IN THE EAST HALF OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 87 WEST, OF THE 6TH PRINCIPAL MERIDIAN, IN UNINCORPORATED ARAPAHOE COUNTY, COLORADO, BEING A PORTION OF LOT 1, INVERNESS SUBDIVISION FILING NO. 32 RECORDED NOVEMBER 22, 1999 AT RECEPTION NO. A9185223 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER'S OFFICE, COUNTY OF ARAPAHOE, STATE OF COLORADO, SAID RIGHT-OF-WAY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 34, THENCE NORTH 26°57'15" WEST, A DISTANCE OF 3483.25 FEET TO THE WESTERLY RIGHT-OF-WAY OF INVERNESS DRIVE WEST AND THE POINT OF BEGINNING;

THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY, NORTH 33°11'29" WEST, A DISTANCE OF 7.95 FEET;

THENCE NORTH 11°38'38" WEST, A DISTANCE OF 101.05 FEET;

THENCE NORTH 02°01'05" EAST, A DISTANCE OF 37.55 FEET;

THENCE NORTH 09°55'57" WEST, A DISTANCE OF 89.14 FEET;

THENCE NORTH 07°02'20" WEST, A DISTANCE OF 56.12 FEET;

THENCE NORTH 51°08'49" EAST, A DISTANCE OF 11.98 FEET TO THE WESTERLY RIGHT-OF-WAY OF SAID INVERNESS DRIVE WEST, ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1,045.85 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 84°43'43" EAST;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY, THE FOLLOWING FOUR (4) COURSES:

1. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°27'42", AN ARC LENGTH OF 44.93 FEET;
2. SOUTH 07°47'47" EAST, A DISTANCE OF 53.43 FEET;
3. SOUTH 08°01'39" EAST, A DISTANCE OF 153.11 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 313.00 FEET;
4. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08°15'02", AN ARC LENGTH OF 45.07 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED RIGHT-OF-WAY CONTAINS AN AREA OF 0.049 ACRES, (2,139 SQUARE FEET), MORE OR LESS.

BASIS OF BEARINGS: BEARINGS REFERENCED HEREIN ARE GRID BEARINGS DERIVED FROM GPS OBSERVATIONS BASED UPON THE COLORADO COORDINATE SYSTEM OF 1983 CENTRAL ZONE (NAD 83, 2011) REFERENCED TO THE EAST LINE OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 67 WEST, SIXTH P.M. MONUMENTED AT THE SOUTHEAST CORNER OF SAID SECTION 34 BY A 3-1/4" ALUMINUM CAP WITH ILLEGIBLE STAMPING IN A MONUMENT BOX AND AT THE NORTHEAST CORNER OF SAID SECTION 34 BY A 3-1/4" ALUMINUM CAP STAMPED "PLS 7361 1990", TAKEN TO BEAR NORTH 00°07'57" WEST, A DISTANCE OF 5275.77 FEET.

DANIEL E. DAVIS,
COLORADO P.L.S. NO. 38256
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, COLORADO 80122
303-713-1898

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstain; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-300-C – It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to approve and accept the deed conveying right of way interests to Arapahoe County in Parcel RW-5 and upon the recommendation of the County's Project Engineer and the Director of Public Works and Development Department, in the following described property:

PARCEL NUMBER: RW-5
February 7, 2022
DESCRIPTION

A RIGHT-OF-WAY NO. RW-5 OF THE COUNTY OF ARAPAHOE RIGHT OF WAY PROJECT NUMBER C15-004, ADD #11, AND CDOT FEDERAL AID PROJECT NUMBER ACQ C100-044, CONTAINING 688 SQ. FT. (0.016 ACRES), MORE OR LESS, IN THE EAST HALF OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 67 WEST, OF THE 6TH PRINCIPAL MERIDIAN, IN UNINCORPORATED ARAPAHOE COUNTY, COLORADO, BEING A PORTION OF LOT 1, BLOCK 15, INVERNESS SUBDIVISION FILING NO. FIVE, LOT 1, BLOCK 15 RECORDED AUGUST 14, 1979 AT RECEPTION NO. R1880159 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER'S OFFICE, COUNTY OF ARAPAHOE, STATE OF COLORADO, SAID RIGHT-OF-WAY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 34, THENCE NORTH 24°55'34" WEST, A DISTANCE OF 3689.59 FEET TO THE EASTERLY RIGHT-OF-WAY OF INVERNESS DRIVE WEST AND THE POINT OF BEGINNING;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY, THE FOLLOWING TWO (2) COURSES:

1. NORTH 08°38'38" WEST, A DISTANCE OF 34.82 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 975.00 FEET;
2. NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°22'34", AN ARC LENGTH OF 57.45 FEET;

THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY, SOUTH 18°09'56" EAST, A DISTANCE OF 42.31 FEET;

THENCE SOUTH 08°28'16" EAST, A DISTANCE OF 43.75 FEET;

THENCE SOUTH 48°14'05" WEST, A DISTANCE OF 12.22 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED RIGHT-OF-WAY CONTAINS AN AREA OF 0.016 ACRES, (688 SQUARE FEET), MORE OR LESS.

BASIS OF BEARINGS: BEARINGS REFERENCED HEREIN ARE GRID BEARINGS DERIVED FROM GPS OBSERVATIONS BASED UPON THE COLORADO COORDINATE SYSTEM OF 1983 CENTRAL ZONE (NAD 83, 2011) REFERENCED TO THE EAST LINE OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 67 WEST, SIXTH P.M. MONUMENTED AT THE SOUTHEAST CORNER OF SAID SECTION 34 BY A 3-1/4" ALUMINUM CAP WITH ILLEGIBLE STAMPING IN A MONUMENT BOX AND AT THE NORTHEAST CORNER OF SAID SECTION 34 BY A 3-1/4" ALUMINUM CAP STAMPED "PLS 7361 1980", TAKEN TO BEAR NORTH 00°07'57" WEST, A DISTANCE OF 5275.77 FEET.

DANIEL E. DAVIS,
COLORADO P.L.S. NO. 38256
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, COLORADO 80122
303-713-1898

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstain; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-300-D It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to approve and accept the easement interests conveyed to Arapahoe County in Parcel PE-2 and upon the recommendation of the County's Project Engineer and the Director of Public Works and Development Department, in the following described property:

**PARCEL NUMBER: PE-2
October 6, 2021
DESCRIPTION**

A PERMANENT EASEMENT NO. PE-2 OF THE COUNTY OF ARAPAHOE RIGHT OF WAY PROJECT NUMBER C15-004, ADD #11, AND CDOT FEDERAL AID PROJECT NUMBER ACQ C100-044, CONTAINING 140 SQ. FT. (0.003 ACRES), MORE OR LESS, IN THE EAST HALF OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 67 WEST, OF THE 6TH PRINCIPAL MERIDIAN, IN UNINCORPORATED ARAPAHOE COUNTY, COLORADO, BEING A PORTION OF LOT 1, BLOCK 2, INVERNESS SUBDIVISION FILING NO. 10 RECORDED NOVEMBER 20, 1990 AT RECEPTION NO. 90093354 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER'S OFFICE, COUNTY OF ARAPAHOE, STATE OF COLORADO, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 34, THENCE NORTH 42°02'27" WEST, A DISTANCE OF 1180.93 FEET TO A LINE PARALLEL WITH AND DISTANT 7.00 FEET NORTHEASTERLY OF THE NORTHEASTERLY LINE OF A 25' LANDSCAPE AND SIDEWALK EASEMENT AS DEPICTED ON SAID INVERNESS SUBDIVISION FILING NO. 10, AND THE POINT OF BEGINNING;

THENCE DEPARTING SAID PARALLEL LINE, SOUTH 49°53'21" WEST, A DISTANCE OF 7.00 FEET TO SAID NORTHEASTERLY LINE;

THENCE ALONG SAID NORTHEASTERLY LINE, NORTH 40°06'39" WEST, A DISTANCE OF 20.00 FEET;

THENCE DEPARTING SAID NORTHEASTERLY LINE, NORTH 49°53'21" EAST, A DISTANCE OF 7.00 FEET TO SAID PARALLEL LINE;

THENCE ALONG SAID PARALLEL LINE, SOUTH 40°06'39" EAST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PERMANENT EASEMENT CONTAINS AN AREA OF 0.003 ACRES, (140 SQUARE FEET), MORE OR LESS.

BASIS OF BEARINGS: BEARINGS REFERENCED HEREIN ARE GRID BEARINGS DERIVED FROM GPS OBSERVATIONS BASED UPON THE COLORADO COORDINATE SYSTEM OF 1983 CENTRAL ZONE (NAD 83, 2011) REFERENCED TO THE EAST LINE OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 67 WEST, SIXTH P.M. MONUMENTED AT THE SOUTHEAST CORNER OF SAID SECTION 34 BY A 3-1/4" ALUMINUM CAP WITH ILLEGIBLE STAMPING IN A MONUMENT BOX AND AT THE NORTHEAST CORNER OF SAID SECTION 34 BY A 3-1/4" ALUMINUM CAP STAMPED "PLS 7361 1990", TAKEN TO BEAR NORTH 00°07'57" WEST, A DISTANCE OF 5275.77 FEET.

DANIEL E. DAVIS,
COLORADO P.L.S. NO. 38256
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, COLORADO 80122
303.327.7488

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstain; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-300-E It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to approve and accept the easement interests conveyed to Arapahoe County in Parcel PE-2A and upon the recommendation of the County's Project Engineer and the Director of Public Works and Development Department, in the following described property:

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PARCEL NUMBER: PE-2A
October 6, 2021
DESCRIPTION

A PERMANENT EASEMENT NO. PE-2A OF THE COUNTY OF ARAPAHOE RIGHT OF WAY PROJECT NUMBER C15-004, ADD #11, AND CDOT FEDERAL AID PROJECT NUMBER ACQ C100-044, CONTAINING 202 SQ. FT. (0.005 ACRES), MORE OR LESS, IN THE EAST HALF OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 67 WEST, OF THE 6TH PRINCIPAL MERIDIAN, IN UNINCORPORATED ARAPAHOE COUNTY, COLORADO, BEING A PORTION OF LOT 1, BLOCK 2, INVERNESS SUBDIVISION FILING NO. 10 RECORDED NOVEMBER 20, 1990 AT RECEPTION NO. 90093354 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER'S OFFICE, COUNTY OF ARAPAHOE, STATE OF COLORADO, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 34, THENCE NORTH 41°42'59" WEST, A DISTANCE OF 1255.88 FEET TO THE NORTHWESTERLY BOUNDARY OF SAID LOT 1 AND THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID NORTHWESTERLY BOUNDARY, SOUTH 84°59'43" EAST, A DISTANCE OF 2.05 FEET;

THENCE SOUTH 40°13'22" EAST, A DISTANCE OF 14.06 FEET;

THENCE SOUTH 49°46'37" WEST, A DISTANCE OF 13.05 FEET TO THE NORTHEASTERLY LINE OF A 25' LANDSCAPE AND SIDEWALK EASEMENT AS DEPICTED ON SAID INVERNESS SUBDIVISION FILING NO. 10;

THENCE ALONG SAID NORTHEASTERLY LINE, NORTH 40°06'39" WEST, A DISTANCE OF 15.59 FEET TO SAID NORTHWESTERLY BOUNDARY;

THENCE ALONG SAID NORTHWESTERLY BOUNDARY, NORTH 50°10'36" EAST, A DISTANCE OF 11.58 FEET TO THE **POINT OF BEGINNING**;

THE ABOVE DESCRIBED PERMANENT EASEMENT CONTAINS AN AREA OF 0.005 ACRES, (202 SQUARE FEET), MORE OR LESS.

BASIS OF BEARINGS: BEARINGS REFERENCED HEREIN ARE GRID BEARINGS DERIVED FROM GPS OBSERVATIONS BASED UPON THE COLORADO COORDINATE SYSTEM OF 1983 CENTRAL ZONE (NAD 83, 2011) REFERENCED TO THE EAST LINE OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 67 WEST, SIXTH P.M. MONUMENTED AT THE SOUTHEAST CORNER OF SAID SECTION 34 BY A 3-1/4" ALUMINUM CAP WITH ILLEGIBLE STAMPING IN A MONUMENT BOX AND AT THE NORTHEAST CORNER OF SAID SECTION 34 BY A 3-1/4" ALUMINUM CAP STAMPED "PLS 7361 1990", TAKEN TO BEAR NORTH 00°07'57" WEST, A DISTANCE OF 5275.77 FEET.

DANIEL E. DAVIS,
COLORADO P.L.S. NO. 38256
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, COLORADO 80122
303-713-1898

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstain; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-300-F It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to approve and accept the easement interests conveyed to Arapahoe County in Parcel PE-4 and upon the recommendation of the County's Project Engineer and the Director of Public Works and Development Department, in the following described property:

**PARCEL NUMBER: PE-4
February 7, 2022
DESCRIPTION**

A PERMANENT EASEMENT NO. PE-4 OF THE COUNTY OF ARAPAHOE RIGHT OF WAY PROJECT NUMBER C15-004, ADD #11, AND CDOT FEDERAL AID PROJECT NUMBER ACQ C100-D44, CONTAINING 460 SQ. FT. (0.011 ACRES), MORE OR LESS, IN THE EAST HALF OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 67 WEST, OF THE 6TH PRINCIPAL MERIDIAN, IN UNINCORPORATED ARAPAHOE COUNTY, COLORADO, BEING A PORTION OF LOT 1, INVERNESS SUBDIVISION FILING NO. 32 RECORDED NOVEMBER 22, 1999 AT RECEPTION NO. A9185223 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER'S OFFICE, COUNTY OF ARAPAHOE, STATE OF COLORADO, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 34, THENCE NORTH 26°06'17" WEST, A DISTANCE OF 3709.34 FEET TO THE WESTERLY LINE OF A TWENTY-FIVE (25) FOOT WIDE LANDSCAPE EASEMENT AS DEPICTED ON SAID INVERNESS SUBDIVISION FILING NO. 32 AND THE POINT OF BEGINNING;

THENCE DEPARTING SAID WESTERLY LINE, SOUTH 82°42'36" WEST, A DISTANCE OF 23.00 FEET TO A LINE PARALLEL WITH AND DISTANT 23.00 FEET WESTERLY OF SAID WESTERLY LINE;

THENCE ALONG SAID PARALLEL LINE, NORTH 07°47'47" WEST, A DISTANCE OF 20.00 FEET;

THENCE DEPARTING SAID PARALLEL LINE, NORTH 82°42'36" EAST, A DISTANCE OF 23.00 FEET TO SAID WESTERLY LINE;

THENCE ALONG SAID WESTERLY LINE, SOUTH 07°47'47" EAST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PERMANENT EASEMENT CONTAINS AN AREA OF 0.011 ACRES, (460 SQUARE FEET), MORE OR LESS.

BASIS OF BEARINGS: BEARINGS REFERENCED HEREIN ARE GRID BEARINGS DERIVED FROM GPS OBSERVATIONS BASED UPON THE COLORADO COORDINATE SYSTEM OF 1983 CENTRAL ZONE (NAD 83, 2011) REFERENCED TO THE EAST LINE OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 67 WEST, SIXTH P.M. MONUMENTED AT THE SOUTHEAST CORNER OF SAID SECTION 34 BY A 3-1/4" ALUMINUM CAP WITH ILLEGIBLE STAMPING IN A MONUMENT BOX AND AT THE NORTHEAST CORNER OF SAID SECTION 34 BY A 3-1/4" ALUMINUM CAP STAMPED "PLS 7361 1990", TAKEN TO BEAR NORTH 00°07'57" WEST, A DISTANCE OF 5275.77 FEET.

DANIEL E. DAVIS,
COLORADO P.L.S. NO. 38256
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, COLORADO 80122
303-713-1898

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstain; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-300-G It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to approve and accept the easement interests conveyed to Arapahoe County in Parcel PE-4A and upon the recommendation of the County's Project Engineer and the Director of Public Works and Development Department, in the following described property:

PARCEL NUMBER: PE-4A
February 7, 2022
DESCRIPTION

A PERMANENT EASEMENT NO. PE-4A OF THE COUNTY OF ARAPAHOE RIGHT OF WAY PROJECT NUMBER C15-004, ADD #11, AND CDOT FEDERAL AID PROJECT NUMBER ACQ C100-044, CONTAINING 520 SQ. FT. (0.012 ACRES), MORE OR LESS, IN THE EAST HALF OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 67 WEST, OF THE 6TH PRINCIPAL MERIDIAN, IN UNINCORPORATED ARAPAHOE COUNTY, COLORADO, BEING A PORTION OF LOT 1, INVERNESS SUBDIVISION FILING NO. 32 RECORDED NOVEMBER 22, 1999 AT RECEPTION NO. A9185223 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER'S OFFICE, COUNTY OF ARAPAHOE, STATE OF COLORADO, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 34, THENCE NORTH 25°52'20" WEST, A DISTANCE OF 3754.25 FEET TO THE WESTERLY LINE OF A TWENTY-FIVE (25) FOOT WIDE LANDSCAPE EASEMENT AS DEPICTED ON SAID INVERNESS SUBDIVISION FILING NO. 32 AND THE **POINT OF BEGINNING**:

THE DEPARTING SAID WESTERLY LINE, SOUTH 85°29'17" WEST, A DISTANCE OF 26.01 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1,096.85 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 83°45'40" EAST;

THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°02'42", AN ARC LENGTH OF 20.00 FEET;

THENCE NORTH 85°29'08" EAST, A DISTANCE OF 26.00 FEET TO SAID WESTERLY LINE, ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1,070.85 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 84°47'22" EAST;

THENCE ALONG SAID WESTERLY LINE, SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°04'14", AN ARC LENGTH OF 20.01 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED PERMANENT EASEMENT CONTAINS AN AREA OF 0.012 ACRES, (520 SQUARE FEET), MORE OR LESS.

BASIS OF BEARINGS: BEARINGS REFERENCED HEREIN ARE GRID BEARINGS DERIVED FROM GPS OBSERVATIONS BASED UPON THE COLORADO COORDINATE SYSTEM OF 1983 CENTRAL ZONE (NAD 83, 2011) REFERENCED TO THE EAST LINE OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 67 WEST, SIXTH P.M. MONUMENTED AT THE SOUTHEAST CORNER OF SAID SECTION 34 BY A 3-1/4" ALUMINUM CAP WITH ILLEGIBLE STAMPING IN A MONUMENT BOX AND AT THE NORTHEAST CORNER OF SAID SECTION 34 BY A 3-1/4" ALUMINUM CAP STAMPED "PLS 7361 1990", TAKEN TO BEAR NORTH 00°07'57" WEST, A DISTANCE OF 5275.77 FEET.

DANIEL E. DAVIS,
COLORADO P.L.S. NO. 38256
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, COLORADO 80122
303-713-1898

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstain; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-300-H It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to approve and accept the easement interests conveyed to Arapahoe County in Parcel PE-5 and upon the recommendation of the County's Project Engineer and the Director of Public Works and Development Department, in the following described property:

PARCEL NUMBER: PE-5
October 6, 2021
DESCRIPTION

A PERMANENT EASEMENT NO. PE-5 OF THE COUNTY OF ARAPAHOE RIGHT OF WAY PROJECT NUMBER C15-004, ADD #11, AND CDOT FEDERAL AID PROJECT NUMBER ACQ C100-044, CONTAINING 450 SQ. FT. (0.010 ACRES), MORE OR LESS, IN THE EAST HALF OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 67 WEST, OF THE 6TH PRINCIPAL MERIDIAN, IN UNINCORPORATED ARAPAHOE COUNTY, COLORADO, BEING A PORTION OF LOT 1, BLOCK 15, INVERNESS SUBDIVISION FILING NO. 5 LOT 1, BLOCK 15 RECORDED AUGUST 14, 1979 AT RECEPTION NO. R1880159 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER'S OFFICE, COUNTY OF ARAPAHOE, STATE OF COLORADO, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 34, THENCE NORTH 23°56'53" WEST, A DISTANCE OF 3692.36 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 05°47'43" EAST, A DISTANCE OF 12.68 FEET;

THENCE SOUTH 69°23'24" WEST, A DISTANCE OF 35.00 FEET TO THE EASTERLY LINE OF A 25' LANDSCAPE EASEMENT AS DEPICTED ON SAID INVERNESS SUBDIVISION FILING NO. 5;

THENCE ALONG SAID EASTERLY LINE, NORTH 08°39'38" WEST, A DISTANCE OF 13.03 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 286.62 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 23°28'26" EAST;

THENCE DEPARTING SAID EASTERLY LINE, EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°01'16", AN ARC LENGTH OF 35.12 FEET TO THE **POINT OF BEGINNING.**

THE ABOVE DESCRIBED PERMANENT EASEMENT CONTAINS AN AREA OF 0.010 ACRES, (450 SQUARE FEET), MORE OR LESS.

BASIS OF BEARINGS: BEARINGS REFERENCED HEREIN ARE GRID BEARINGS DERIVED FROM GPS OBSERVATIONS BASED UPON THE COLORADO COORDINATE SYSTEM OF 1983 CENTRAL ZONE (NAD 83, 2011) REFERENCED TO THE EAST LINE OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 67 WEST, SIXTH P.M. MONUMENTED AT THE SOUTHEAST CORNER OF SAID SECTION 34 BY A 3-1/4" ALUMINUM CAP WITH ILLEGIBLE STAMPING IN A MONUMENT BOX AND AT THE NORTHEAST CORNER OF SAID SECTION 34 BY A 3-1/4" ALUMINUM CAP STAMPED "PLS 7361 1990", TAKEN TO BEAR NORTH 00°07'57" WEST, A DISTANCE OF 5275.77 FEET.

DANIEL E. DAVIS,
COLORADO P.L.S. NO. 38258
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, COLORADO 80122
303-713-1898

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstain; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-300-I It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to approve and accept the easement interests conveyed to Arapahoe County in Parcel PE-5A and upon the recommendation of the County's Project Engineer and the Director of Public Works and Development Department, in the following described property:

**PARCEL NUMBER: PE-5A
October 6, 2021
DESCRIPTION**

A PERMANENT EASEMENT NO. PE-5A OF THE COUNTY OF ARAPAHOE RIGHT OF WAY PROJECT NUMBER C15-004, ADD #11, AND CDOT FEDERAL AID PROJECT NUMBER ACQ C100-044, CONTAINING 800 SQ. FT. (0.014 ACRES), MORE OR LESS, IN THE EAST HALF OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 67 WEST, OF THE 6TH PRINCIPAL MERIDIAN, IN UNINCORPORATED ARAPAHOE COUNTY, COLORADO, BEING A PORTION OF LOT 1, BLOCK 15, INVERNESS SUBDIVISION FILING NO. 5 LOT 1, BLOCK 15 RECORDED AUGUST 14, 1979 AT RECEPTION NO. R1880159 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER'S OFFICE, COUNTY OF ARAPAHOE, STATE OF COLORADO, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 34, THENCE NORTH 24°13'44" WEST, A DISTANCE OF 3746.39 FEET TO THE EASTERLY LINE OF A 25' LANDSCAPE EASEMENT AS DEPICTED ON SAID INVERNESS SUBDIVISION FILING NO. 5 AND THE POINT OF BEGINNING;

THENCE DEPARTING SAID EASTERLY LINE, NORTH 85°13'04" EAST, A DISTANCE OF 24.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 653.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 84°07'32" WEST;

THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°11'37", AN ARC LENGTH OF 25.00 FEET;

THENCE SOUTH 85°13'04" WEST, A DISTANCE OF 23.73 FEET TO SAID EASTERLY LINE AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 950.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 83°49'50" EAST;

THENCE ALONG SAID EASTERLY LINE, NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°30'29", AN ARC LENGTH OF 25.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PERMANENT EASEMENT CONTAINS AN AREA OF 0.014 ACRES, (800 SQUARE FEET), MORE OR LESS.

BASIS OF BEARINGS: BEARINGS REFERENCED HEREIN ARE GRID BEARINGS DERIVED FROM GPS OBSERVATIONS BASED UPON THE COLORADO COORDINATE SYSTEM OF 1983 CENTRAL ZONE (NAD 83, 2011) REFERENCED TO THE EAST LINE OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 67 WEST, SIXTH P.M. MONUMENTED AT THE SOUTHEAST CORNER OF SAID SECTION 34 BY A 3-1/4" ALUMINUM CAP WITH ILLEGIBLE STAMPING IN A MONUMENT BOX AND AT THE NORTHEAST CORNER OF SAID SECTION 34 BY A 3-1/4" ALUMINUM CAP STAMPED "PLS 7361 1990", TAKEN TO BEAR NORTH 00°07'57" WEST, A DISTANCE OF 5275.77 FEET.

DANIEL E. DAVIS,
COLORADO P.L.S. NO. 38256
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, COLORADO 80122
303-713-1898

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstain; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-300-J It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to approve and accept the temporary easement interests to Arapahoe County in Parcel TCE-2 and upon the recommendation of the County's Project Engineer and the Director of Public Works and Development Department, in the following described property:

PARCEL NUMBER: TCE-2
October 6, 2021
DESCRIPTION

A TEMPORARY CONSTRUCTION EASEMENT NO. TCE-2 OF THE COUNTY OF ARAPAHOE RIGHT OF WAY PROJECT NUMBER C15-004, ADD #11, CONTAINING 303 SQ. FT. (0.007 ACRES), MORE OR LESS, IN THE EAST HALF OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 67 WEST, OF THE 6TH PRINCIPAL MERIDIAN, IN UNINCORPORATED ARAPAHOE COUNTY, COLORADO, BEING A PORTION OF LOT 1, BLOCK 2, INVERNESS SUBDIVISION FILING NO. 10 RECORDED NOVEMBER 20, 1990 AT RECEPTION NO. 90093354 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER'S OFFICE, COUNTY OF ARAPAHOE, STATE OF COLORADO, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 34, THENCE NORTH 40°40'35" WEST, A DISTANCE OF 990.01 FEET TO A LINE PARALLEL WITH AND DISTANT 5.00 FEET NORTHEASTERLY OF THE NORTHEASTERLY LINE OF A 25' LANDSCAPE AND SIDEWALK EASEMENT AS DEPICTED ON SAID INVERNESS SUBDIVISION FILING NO. 10, AND THE POINT OF BEGINNING;

THENCE DEPARTING SAID PARALLEL LINE, SOUTH 23°20'20" WEST, A DISTANCE OF 5.00 FEET TO SAID NORTHEASTERLY LINE AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 285.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 22°14'08" EAST;

THENCE ALONG SAID NORTHEASTERLY LINE, NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°18'55", AN ARC LENGTH OF 61.09 FEET;

THENCE DEPARTING SAID NORTHEASTERLY LINE, NORTH 34°31'04" EAST, A DISTANCE OF 5.00 FEET TO SAID PARALLEL LINE AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 280.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 34°31'04" EAST;

THENCE ALONG SAID PARALLEL LINE, SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°18'06", AN ARC LENGTH OF 60.12 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PERMANENT EASEMENT CONTAINS AN AREA OF 0.007 ACRES, (303 SQUARE FEET), MORE OR LESS.

BASIS OF BEARINGS: BEARINGS REFERENCED HEREIN ARE GRID BEARINGS DERIVED FROM GPS OBSERVATIONS BASED UPON THE COLORADO COORDINATE SYSTEM OF 1983 CENTRAL ZONE (NAD 83, 2011) REFERENCED TO THE EAST LINE OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 67 WEST, SIXTH P.M. MONUMENTED AT THE SOUTHEAST CORNER OF SAID SECTION 34 BY A 3-1/4" ALUMINUM CAP WITH ILLEGIBLE STAMPING IN A MONUMENT BOX AND AT THE NORTHEAST CORNER OF SAID SECTION 34 BY A 3-1/4" ALUMINUM CAP STAMPED "PLS 7361 1990", TAKEN TO BEAR NORTH 00°07'57" WEST, A DISTANCE OF 5275.77 FEET.

DANIEL E. DAVIS,
COLORADO P.L.S. NO. 38258
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, COLORADO 80122
303-713-1898

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstain; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-301 It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to accept and approve, including the stated Special Conditions, the Amended and Restated Uniform Easement Deed and Revocable Storm Drainage License Agreement, upon the recommendation of the County's Project Engineer and the Director of the Development Services and Infrastructure Management Department, granted by South Hannibal, LLC., and granting an interest to the County in the following real property:

LEGAL DESCRIPTION – EASEMENT:

That portion of the Drainage Easement recorded in Reception No. D7015425, records of Arapahoe County, lying over a portion of Lot 1, Block 1, DOVE VALLEY V, FILING NO. 22, as recorded at Reception No. E2012467, records of Arapahoe County, Colorado, located in the west half, Section 32, Township 5 South, Range 66 West of the Sixth Principal Meridian, County of Arapahoe, State of Colorado, more particularly described as follows:

Beginning at the southeasterly most corner of said Lot 1, Block 1, DOVE VALLEY V, FILING NO. 22,

Thence along the southerly line of said Lot 1, Block 1, South 59°43'06" West, a distance of 25.66 feet, with all bearings hereon relative thereto;

Thence departing said southerly line, North 17°17'26" West, 25 feet westerly of and parallel with the easterly line of said Lot 1, Block 1, a distance of 249.62 feet;

Thence North 40°33'03" West, 25 feet southwesterly and parallel with the northeasterly line of said Lot 1, Block 1, a distance of 285.28 feet;

Thence North 05°14'41" West, a distance of 109.50 feet to the easterly line of said Lot 1, Block 1;

Thence along said easterly line of said Lot 1, Block 1, South 17°17'26" East, a distance of 96.95 feet;

Thence along said northeasterly line of said Lot 1, Block 1, South 40°33'03" East, a distance of 290.72 feet;

Thence along said easterly line of said Lot 1, Block 1, South 17°17'26" East,

a distance of 249 feet to the Point of Beginning.

Containing 14,541 square feet or 0.3338 acres, more or less.

The Property shall be used in connection with Arapahoe County Project/Case No. ASP21-007, and is accepted for the easement purposes expressed in the instrument

Unless expressly stated in the instrument, Arapahoe County does not accept any other interest in the property, including any responsibility for maintenance, repair, decontamination, cleanup, or hazardous material response on any portion of the real estate other than the improvements installed by or for Arapahoe County.

Title to the real property affected by the above instrument shall remain in the grantor and shall not be deemed transferred to Arapahoe County.

The Board Chair, Chair Pro Tem, or the Director of Public Works and Development are hereby authorized to execute the Amended and Restated Uniform Easement Deed and Revocable Storm Drainage License Agreement on behalf of Arapahoe County.

The Clerk is hereby directed to record the above instrument in the real estate records of Arapahoe County, Colorado.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstain; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so order

RESOLUTION NO. 22-302 It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, Section 42-4-1210, C.R.S., allows the Board of County Commissioners to designate certain areas on private property for use by authorized vehicles only; and

WHEREAS, on August 25, 1981, the Board of County Commissioners adopted Resolution No. 891-81 which established certain procedures to be utilized to designate such areas for enforcement by the Arapahoe County Sheriff's Office; and

WHEREAS, in relation to this matter, the owner of Caliber at Copperleaf has submitted a request to designate certain parking and drive areas within Caliber at Copperleaf for use by authorized vehicles only; and

WHEREAS, a map has been submitted with said request showing said areas to be designated as required by the Board of County Commissioners; and

WHEREAS, the Transportation Division of the Arapahoe County Department of Public Works and Development has referred this matter to the Arapahoe County Attorney, Arapahoe County Sheriff's Office and the South Metro Fire District for review and comment as required by the Board of County Commissioners; and

WHEREAS, there has been no objection to said designation by any of the aforementioned agencies; and

WHEREAS, on the basis of the above request and referrals, and the authority of the Board of County Commissioners pursuant to Section 42-4-1210, C.R.S., the Board desires to designate certain areas within Caliber at Copperleaf as Fire Lanes and/or Emergency Parking Only.

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

1. The Board hereby designates those areas within Caliber at Copperleaf as shown on the map as submitted, as Fire Lanes and/or Emergency Vehicle Parking Only.
2. The Board hereby directs the Transportation Division of the Department of Public Works and Development to notify the Arapahoe County Sheriff's Office, the South Metro Fire District, and the Caliber at Copperleaf of said designation by the Board.
3. The Board hereby directs that enforcement of said designated areas begin as soon as the Arapahoe County Traffic Engineer approves the signage and markings as being consistent with the Manual on Uniform Traffic Control Devices.
4. In the event that additional or different signage or markings for this site are required by the Arapahoe County Transportation Division, no cost shall be borne by Arapahoe County for installation of said signage or markings.
5. All said signs and markings shall be keyed to the Manual on Uniform Traffic Control Devices for all classes of streets and highways as adopted by the Colorado Department of Transportation and said signs shall be erected in accordance with said Manual at approximately the location(s) designated on the diagram submitted with said request and as approved by the Arapahoe County Transportation Division.
6. Designation of said areas shall continue until further order of the Board of County Commissioners.
7. Any fines or forfeitures collected by the courts for violations of Section 42-4-1210, C.R.S., shall be paid into the treasury of Arapahoe County monthly.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstain; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-303 It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, on September 22, 2020, the BOCC adopted Resolution No. 200621, which adopted and established the Arapahoe County Marijuana Licensing Policy (the "Policy") to establish standards for the licensing of medical and retail marijuana businesses in the unincorporated territory of Arapahoe County; and

WHEREAS, pursuant to the Policy, the BOCC approved the initial issuance and annual renewals of a Medical Marijuana Store License for the premises located at 2280 S. Quebec St., Unit G, Denver, CO 80231 for 2012 through 2021; and

WHEREAS, on October 21, 2022, GM 2280, LLC d/b/a Golden Meds, applied to Arapahoe County for renewal of its Medical Marijuana Store License for premises within unincorporated Arapahoe County and located at 2280 S. Quebec St., Unit G, Denver, CO 80231; and

WHEREAS, on August 10, 2022, the Planning Division of the Arapahoe County Department of Public Works and Development confirmed that GM 2280, LLC d/b/a Golden Meds, 2280 S. Quebec St., Unit G, Denver, CO 80231 has been in compliance with the Arapahoe County Land Development Code Regulations at this location; and

WHEREAS, on August 16, 2022, the Arapahoe County Sheriff's Office confirmed that there have been no material issues or concerns with GM 2280, LLC d/b/a Golden Meds at this location; and

WHEREAS, GM 2280, LLC d/b/a Golden Meds, also applied to the State of Colorado, Department of Revenue, for the renewal of its corresponding State medical marijuana license at 2280 S. Quebec St., Unit G, Denver, CO 80231; and

WHEREAS, the Medical Marijuana Store License shall be valid only if the renewal is also approved by the State Licensing Authority.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County, Colorado, that pursuant to the Arapahoe County Marijuana Licensing Policy, the Board of County Commissioners of Arapahoe County, Colorado hereby approves the annual renewal of the Medical Marijuana Store License for GM 2280, LLC d/b/a Golden Meds located at 2280 S. Quebec St., Unit G, Denver, CO 80231 and hereby directs the Chair to sign the Medical Marijuana Store License for GM 2280, LLC d/b/a Golden Meds to be valid for the period

corresponding with that specified in the approved State of Colorado Medical Marijuana Store License.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstain; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-304 It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, on September 22, 2020, the BOCC adopted Resolution No. 200621, which adopted and established the Arapahoe County Marijuana Licensing Policy (the "Policy") to establish standards for the licensing of medical and retail marijuana businesses in the unincorporated territory of Arapahoe County; and

WHEREAS, pursuant to the Policy, the BOCC approved the initial issuance and annual renewals of a Retail Marijuana Store License for the premises located at 2280 S. Quebec St., Unit G, Denver, CO 80231 for 2020 through 2021; and

WHEREAS, on October 21, 2022, GM 2280, LLC d/b/a Golden Meds, applied to Arapahoe County for renewal of its Retail Marijuana Store License for premises within unincorporated Arapahoe County and located at 2280 S. Quebec St., Unit G, Denver, CO 80231; and

WHEREAS, on October 10, 2022, the Planning Division of the Arapahoe County Department of Public Works and Development confirmed that GM 2280, LLC d/b/a Golden Meds, 2280 S. Quebec St., Unit G, Denver, CO 80231 has been in compliance with the Arapahoe County Land Development Code Regulations at this location; and

WHEREAS, on October 5, 2022, the Arapahoe County Sheriff's Office confirmed that there have been no material issues or concerns with GM 2280, LLC d/b/a Golden Meds at this location; and

WHEREAS, GM 2280, LLC d/b/a Golden Meds, also applied to the State of Colorado, Department of Revenue, for the renewal of its corresponding State retail marijuana license at 2280 S. Quebec St., Unit G, Denver, CO 80231; and

WHEREAS, the Retail Marijuana Store License shall be valid only if the renewal is also approved by the State Licensing Authority.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County, Colorado, that pursuant to the Arapahoe County Marijuana Licensing Policy,

the Board of County Commissioners of Arapahoe County, Colorado hereby approves the annual renewal of the Retail Marijuana Store License for GM 2280, LLC d/b/a Golden Meds located at 2280 S. Quebec St., Unit G, Denver, CO 80231 and hereby directs the Chair to sign the Retail Marijuana Store License for GM 2280, LLC d/b/a Golden Meds to be valid for the period corresponding with that specified in the approved State of Colorado Retail Marijuana Store License.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstain; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-305 It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, pursuant to Section 30-15-401(1)(a)(I.5)(A), the Board of County Commissioners adopted Arapahoe County Ordinance 2021-1 relating to the accumulation of weeds and brush on residential lots; and

WHEREAS, pursuant to said Ordinance all residential property owners are required to cut the weeds growing on their lots; and

WHEREAS, a complaint was filed with the Zoning Section of the Public Works and Development Department on the property located at 8311 E. Iowa Dr., Denver, CO 80247; and

WHEREAS, after investigation, the Zoning Administrator determined that weeds existed on said property; and

WHEREAS, the Zoning Administrator notified the property owner of her determination and ordered the weeds to be removed; and

WHEREAS, said notice was provided by posting the property for a period of ten days with the notice as required by said Ordinance; and

WHEREAS, the Zoning Administrator also caused the notice to be sent to the property owner by registered or certified mail return receipt requested at the address as shown on the tax rolls of Arapahoe County; and

WHEREAS, the property owner failed to comply with the notices; and

WHEREAS, the Zoning Administrator caused the weeds to be removed by the hiring of a private contractor; and

WHEREAS, a Statement and Notice of Costs was prepared showing the cost of removal, including an additional ten percent of incidental costs; and

WHEREAS, said Statement and Notice of Costs was served on the property owner by registered or certified mail, return receipt requested, at the address shown on the tax rolls of Arapahoe County; and

WHEREAS, the property owner failed to pay the statement within thirty days as required by the Statement and Notice; and

WHEREAS, the property owner did not appeal or otherwise object to the Statement of Costs as allowed by Arapahoe County Ordinance No. 2021-1; and

WHEREAS, the Zoning Administrator has forwarded the Statement of Costs to the Board of County Commissioners for an assessment against the property in the amount as shown on said Statement.

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

FINDINGS OF FACT

The Board makes the following findings of fact:

1. Notice of the existence of weeds and an order to remove said weeds was properly given to the property owner in accordance with Arapahoe County Ordinance No. 2021-1
2. A Statement and Notice of Costs has been prepared and served upon the property owner in accordance with Arapahoe County Ordinance 2021-1
3. The property owner has failed to pay said statement and has not appealed or otherwise objected to the statement
4. This matter is properly before the Board for a Resolution of Assessment against the property.

DETERMINATION AND DECISION

It is hereby ordered that an assessment in the amount of \$400.00 is hereby placed against the following described property:

Address:	8311 E. Iowa Dr., Denver, CO 80247
Schedule No.:	1973-21-4-01-006
Legal Description:	Lot 6 Blk 1 Mountainview Gardens 2 nd Flg

Said assessment constitutes a lien against the property effective as of the date of this Resolution until paid.

The Clerk to the Board is hereby directed to record a certified copy of this Resolution and to certify this Assessment Resolution to the Arapahoe County Treasurer who shall collect the assessment, together with an additional ten percent penalty for the cost of collection, in the same manner as other taxes are collected. Once the Arapahoe County Treasurer has collected the assessment, the Treasurer shall remove the lien from the above described property.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-306 It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, pursuant to Section 30-15-401(1)(a)(I.5)(A), the Board of County Commissioners adopted Arapahoe County Ordinance 2021-1 relating to the accumulation of weeds and brush on residential lots; and

WHEREAS, pursuant to said Ordinance all residential property owners are required to cut the weeds growing on their lots; and

WHEREAS, a complaint was filed with the Zoning Section of the Public Works and Development Department on the property located at 172 S. Fetzer St., Byers, CO 80103; and

WHEREAS, after investigation, the Zoning Administrator determined that weeds existed on said property; and

WHEREAS, the Zoning Administrator notified the property owner of her determination and ordered the weeds to be removed; and

WHEREAS, said notice was provided by posting the property for a period of ten days with the notice as required by said Ordinance; and

WHEREAS, the Zoning Administrator also caused the notice to be sent to the property owner by registered or certified mail return receipt requested at the address as shown on the tax rolls of Arapahoe County; and

WHEREAS, the property owner failed to comply with the notices; and

WHEREAS, the Zoning Administrator caused the weeds to be removed by the hiring of a private contractor; and

WHEREAS, a Statement and Notice of Costs was prepared showing the cost of removal, including an additional ten percent of incidental costs; and

WHEREAS, said Statement and Notice of Costs was served on the property owner by registered or certified mail, return receipt requested, at the address shown on the tax rolls of Arapahoe County; and

WHEREAS, the property owner failed to pay the statement within thirty days as required by the Statement and Notice; and

WHEREAS, the property owner did not appeal or otherwise object to the Statement of Costs as allowed by Arapahoe County Ordinance No. 2021-1; and

WHEREAS, the Zoning Administrator has forwarded the Statement of Costs to the Board of County Commissioners for an assessment against the property in the amount as shown on said Statement.

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

FINDINGS OF FACT

The Board makes the following findings of fact:

1. Notice of the existence of weeds and an order to remove said weeds was properly given to the property owner in accordance with Arapahoe County Ordinance No. 2021-1
2. A Statement and Notice of Costs has been prepared and served upon the property owner in accordance with Arapahoe County Ordinance 2021-1
3. The property owner has failed to pay said statement and has not appealed or otherwise objected to the statement
4. This matter is properly before the Board for a Resolution of Assessment against the property.

DETERMINATION AND DECISION

It is hereby ordered that an assessment in the amount of \$375.00 is hereby placed against the following described property:

Address: 172 S. Fetzer St., Byers, CO 80103

Schedule No.: 1985-16-2-02-005

Legal Description:

Lots 19-20 Blk 7 Town of Byers

Said assessment constitutes a lien against the property effective as of the date of this Resolution until paid.

The Clerk to the Board is hereby directed to record a certified copy of this Resolution and to certify this Assessment Resolution to the Arapahoe County Treasurer who shall collect the assessment, together with an additional ten percent penalty for the cost of collection, in the same manner as other taxes are collected. Once the Arapahoe County Treasurer has collected the assessment, the Treasurer shall remove the lien from the above described property.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-307 It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, pursuant to Section 30-15-401(1)(a)(I.5)(A), the Board of County Commissioners adopted Arapahoe County Ordinance 2021-1 relating to the accumulation of weeds and brush on residential lots; and

WHEREAS, pursuant to said Ordinance all residential property owners are required to cut the weeds growing on their lots; and

WHEREAS, a complaint was filed with the Zoning Section of the Public Works and Development Department on the property located at 2400 S. Wabash St., Denver, CO 80231; and

WHEREAS, after investigation, the Zoning Administrator determined that weeds existed on said property; and

WHEREAS, the Zoning Administrator notified the property owner of her determination and ordered the weeds to be removed; and

WHEREAS, said notice was provided by posting the property for a period of ten days with the notice as required by said Ordinance; and

WHEREAS, the Zoning Administrator also caused the notice to be sent to the property owner by registered or certified mail return receipt requested at the address as shown on the tax rolls of Arapahoe County; and

WHEREAS, the property owner failed to comply with the notices; and

WHEREAS, the Zoning Administrator caused the weeds to be removed by the hiring of a private contractor; and

WHEREAS, a Statement and Notice of Costs was prepared showing the cost of removal, including an additional ten percent of incidental costs; and

WHEREAS, said Statement and Notice of Costs was served on the property owner by registered or certified mail, return receipt requested, at the address shown on the tax rolls of Arapahoe County; and

WHEREAS, the property owner failed to pay the statement within thirty days as required by the Statement and Notice; and

WHEREAS, the property owner did not appeal or otherwise object to the Statement of Costs as allowed by Arapahoe County Ordinance No. 2021-1; and

WHEREAS, the Zoning Administrator has forwarded the Statement of Costs to the Board of County Commissioners for an assessment against the property in the amount as shown on said Statement.

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

FINDINGS OF FACT

The Board makes the following findings of fact:

1. Notice of the existence of weeds and an order to remove said weeds was properly given to the property owner in accordance with Arapahoe County Ordinance No. 2021-1
2. A Statement and Notice of Costs has been prepared and served upon the property owner in accordance with Arapahoe County Ordinance 2021-1
3. The property owner has failed to pay said statement and has not appealed or otherwise objected to the statement
4. This matter is properly before the Board for a Resolution of Assessment against the property.

DETERMINATION AND DECISION

It is hereby ordered that an assessment in the amount of \$225.00 is hereby placed against the following described property:

Address: 2400 S. Wabash St., Denver, CO 80231

Schedule No.: 1973-28-4-18-001

Legal Description: Blk 7 Cherry Creek Country Club 1st Flg

Said assessment constitutes a lien against the property effective as of the date of this Resolution until paid.

The Clerk to the Board is hereby directed to record a certified copy of this Resolution and to certify this Assessment Resolution to the Arapahoe County Treasurer who shall collect the assessment, together with an additional ten percent penalty for the cost of collection, in the same manner as other taxes are collected. Once the Arapahoe County Treasurer has collected the assessment, the Treasurer shall remove the lien from the above described property.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-308 It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, pursuant to Section 30-15-401(1)(a)(I.5)(A), the Board of County Commissioners adopted Arapahoe County Ordinance 2021-1 relating to the accumulation of weeds and brush on residential lots; and

WHEREAS, pursuant to said Ordinance all residential property owners are required to cut the weeds growing on their lots; and

WHEREAS, a complaint was filed with the Zoning Section of the Public Works and Development Department on the property located at 5170 S. Grant St., Littleton, CO 80121; and

WHEREAS, after investigation, the Zoning Administrator determined that weeds existed on said property; and

WHEREAS, the Zoning Administrator notified the property owner of her determination and ordered the weeds to be removed; and

WHEREAS, said notice was provided by posting the property for a period of ten days with the notice as required by said Ordinance; and

WHEREAS, the Zoning Administrator also caused the notice to be sent to the property owner by registered or certified mail return receipt requested at the address as shown on the tax rolls of Arapahoe County; and

WHEREAS, the property owner failed to comply with the notices; and

WHEREAS, the Zoning Administrator caused the weeds to be removed by the hiring of a private contractor; and

WHEREAS, a Statement and Notice of Costs was prepared showing the cost of removal, including an additional ten percent of incidental costs; and

WHEREAS, said Statement and Notice of Costs was served on the property owner by registered or certified mail, return receipt requested, at the address shown on the tax rolls of Arapahoe County; and

WHEREAS, the property owner failed to pay the statement within thirty days as required by the Statement and Notice; and

WHEREAS, the property owner did not appeal or otherwise object to the Statement of Costs as allowed by Arapahoe County Ordinance No. 2021-1; and

WHEREAS, the Zoning Administrator has forwarded the Statement of Costs to the Board of County Commissioners for an assessment against the property in the amount as shown on said Statement.

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

FINDINGS OF FACT

The Board makes the following findings of fact:

1. Notice of the existence of weeds and an order to remove said weeds was properly given to the property owner in accordance with Arapahoe County Ordinance No. 2021-1
2. A Statement and Notice of Costs has been prepared and served upon the property owner in accordance with Arapahoe County Ordinance 2021-1
3. The property owner has failed to pay said statement and has not appealed or otherwise objected to the statement
4. This matter is properly before the Board for a Resolution of Assessment against the property.

DETERMINATION AND DECISION

It is hereby ordered that an assessment in the amount of \$215.00 is hereby placed against the following described property:

Address:	5170 S. Grant St., Littleton, CO 80121
Schedule No.:	2077-15-1-05-008
Legal Description:	Lot 8 Blk 7 Brookridge Hts

Said assessment constitutes a lien against the property effective as of the date of this Resolution until paid.

The Clerk to the Board is hereby directed to record a certified copy of this Resolution and to certify this Assessment Resolution to the Arapahoe County Treasurer who shall collect the assessment, together with an additional ten percent penalty for the cost of collection, in the same manner as other taxes are collected. Once the Arapahoe County Treasurer has collected the assessment, the Treasurer shall remove the lien from the above described property.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-309 It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, pursuant to Section 30-15-401(1)(a)(I.5)(A), the Board of County Commissioners adopted Arapahoe County Ordinance 2021-1 relating to the accumulation of weeds and brush on residential lots; and

WHEREAS, pursuant to said Ordinance all residential property owners are required to cut the weeds growing on their lots; and

WHEREAS, a complaint was filed with the Zoning Section of the Public Works and Development Department on the property located at 9382 E. Jewell Cir., Denver, CO 80231; and

WHEREAS, after investigation, the Zoning Administrator determined that weeds existed on said property; and

WHEREAS, the Zoning Administrator notified the property owner of her determination and ordered the weeds to be removed; and

WHEREAS, said notice was provided by posting the property for a period of ten days with the notice as required by said Ordinance; and

WHEREAS, the Zoning Administrator also caused the notice to be sent to the property owner by registered or certified mail return receipt requested at the address as shown on the tax rolls of Arapahoe County; and

WHEREAS, the property owner failed to comply with the notices; and

WHEREAS, the Zoning Administrator caused the weeds to be removed by the hiring of a private contractor; and

WHEREAS, a Statement and Notice of Costs was prepared showing the cost of removal, including an additional ten percent of incidental costs; and

WHEREAS, said Statement and Notice of Costs was served on the property owner by registered or certified mail, return receipt requested, at the address shown on the tax rolls of Arapahoe County; and

WHEREAS, the property owner failed to pay the statement within thirty days as required by the Statement and Notice; and

WHEREAS, the property owner did not appeal or otherwise object to the Statement of Costs as allowed by Arapahoe County Ordinance No. 2021-1; and

WHEREAS, the Zoning Administrator has forwarded the Statement of Costs to the Board of County Commissioners for an assessment against the property in the amount as shown on said Statement.

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

FINDINGS OF FACT

The Board makes the following findings of fact:

1. Notice of the existence of weeds and an order to remove said weeds was properly given to the property owner in accordance with Arapahoe County Ordinance No. 2021-1
2. A Statement and Notice of Costs has been prepared and served upon the property owner in accordance with Arapahoe County Ordinance 2021-1
3. The property owner has failed to pay said statement and has not appealed or otherwise objected to the statement
4. This matter is properly before the Board for a Resolution of Assessment against the property.

DETERMINATION AND DECISION

It is hereby ordered that an assessment in the amount of \$475.00 is hereby placed against the following described property:

Address: 9382 E. Jewell Cir., Denver, CO 80231
Schedule No.: 1973-27-2-03-011
Legal Description: Tract 17 Welch Sub

Said assessment constitutes a lien against the property effective as of the date of this Resolution until paid.

The Clerk to the Board is hereby directed to record a certified copy of this Resolution and to certify this Assessment Resolution to the Arapahoe County Treasurer who shall collect the assessment, together with an additional ten percent penalty for the cost of collection, in the same manner as other taxes are collected. Once the Arapahoe County Treasurer has collected the assessment, the Treasurer shall remove the lien from the above described property.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-310 It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, pursuant to Section 30-15-401(1)(a)(I.5)(A), the Board of County Commissioners adopted Arapahoe County Ordinance 2021-1 relating to the accumulation of weeds and brush on residential lots; and

WHEREAS, pursuant to said Ordinance all residential property owners are required to cut the weeds growing on their lots; and

WHEREAS, a complaint was filed with the Zoning Section of the Public Works and Development Department on the property located at 3391 S. Irving St., Englewood, CO 80110; and

WHEREAS, after investigation, the Zoning Administrator determined that weeds existed on said property; and

WHEREAS, the Zoning Administrator notified the property owner of her determination and ordered the weeds to be removed; and

WHEREAS, said notice was provided by posting the property for a period of ten days with the notice as required by said Ordinance; and

WHEREAS, the Zoning Administrator also caused the notice to be sent to the property owner by registered or certified mail return receipt requested at the address as shown on the tax rolls of Arapahoe County; and

WHEREAS, the property owner failed to comply with the notices; and

WHEREAS, the Zoning Administrator caused the weeds to be removed by the hiring of a private contractor; and

WHEREAS, a Statement and Notice of Costs was prepared showing the cost of removal, including an additional ten percent of incidental costs; and

WHEREAS, said Statement and Notice of Costs was served on the property owner by registered or certified mail, return receipt requested, at the address shown on the tax rolls of Arapahoe County; and

WHEREAS, the property owner failed to pay the statement within thirty days as required by the Statement and Notice; and

WHEREAS, the property owner did not appeal or otherwise object to the Statement of Costs as allowed by Arapahoe County Ordinance No. 2021-1; and

WHEREAS, the Zoning Administrator has forwarded the Statement of Costs to the Board of County Commissioners for an assessment against the property in the amount as shown on said Statement.

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

FINDINGS OF FACT

The Board makes the following findings of fact:

1. Notice of the existence of weeds and an order to remove said weeds was properly given to the property owner in accordance with Arapahoe County Ordinance No. 2021-1
2. A Statement and Notice of Costs has been prepared and served upon the property owner in accordance with Arapahoe County Ordinance 2021-1

3. The property owner has failed to pay said statement and has not appealed or otherwise objected to the statement
4. This matter is properly before the Board for a Resolution of Assessment against the property.

DETERMINATION AND DECISION

It is hereby ordered that an assessment in the amount of \$280.00 is hereby placed against the following described property:

Address:	3391 S. Irving St., Englewood, CO 80110
Schedule No.:	1971-32-3-02-007
Legal Description:	Lots 12-13 Blk 1 Loretto Add

Said assessment constitutes a lien against the property effective as of the date of this Resolution until paid.

The Clerk to the Board is hereby directed to record a certified copy of this Resolution and to certify this Assessment Resolution to the Arapahoe County Treasurer who shall collect the assessment, together with an additional ten percent penalty for the cost of collection, in the same manner as other taxes are collected. Once the Arapahoe County Treasurer has collected the assessment, the Treasurer shall remove the lien from the above described property.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-311 It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, pursuant to Section 30-15-401(1)(a)(I.5)(A), the Board of County Commissioners adopted Arapahoe County Ordinance 2021-1 relating to the accumulation of weeds and brush on residential lots; and

WHEREAS, pursuant to said Ordinance all residential property owners are required to cut the weeds growing on their lots; and

WHEREAS, a complaint was filed with the Zoning Section of the Public Works and Development Department on the property located at 22755 E. Maplewood Ln., Aurora, CO 80015; and

WHEREAS, after investigation, the Zoning Administrator determined that weeds existed on said property; and

WHEREAS, the Zoning Administrator notified the property owner of her determination and ordered the weeds to be removed; and

WHEREAS, said notice was provided by posting the property for a period of ten days with the notice as required by said Ordinance; and

WHEREAS, the Zoning Administrator also caused the notice to be sent to the property owner by registered or certified mail return receipt requested at the address as shown on the tax rolls of Arapahoe County; and

WHEREAS, the property owner failed to comply with the notices; and

WHEREAS, the Zoning Administrator caused the weeds to be removed by the hiring of a private contractor; and

WHEREAS, a Statement and Notice of Costs was prepared showing the cost of removal, including an additional ten percent of incidental costs; and

WHEREAS, said Statement and Notice of Costs was served on the property owner by registered or certified mail, return receipt requested, at the address shown on the tax rolls of Arapahoe County; and

WHEREAS, the property owner failed to pay the statement within thirty days as required by the Statement and Notice; and

WHEREAS, the property owner did not appeal or otherwise object to the Statement of Costs as allowed by Arapahoe County Ordinance No. 2021-1; and

WHEREAS, the Zoning Administrator has forwarded the Statement of Costs to the Board of County Commissioners for an assessment against the property in the amount as shown on said Statement.

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

FINDINGS OF FACT

The Board makes the following findings of fact:

1. Notice of the existence of weeds and an order to remove said weeds was properly given to the property owner in accordance with Arapahoe County Ordinance No. 2021-1

2. A Statement and Notice of Costs has been prepared and served upon the property owner in accordance with Arapahoe County Ordinance 2021-1
3. The property owner has failed to pay said statement and has not appealed or otherwise objected to the statement
4. This matter is properly before the Board for a Resolution of Assessment against the property.

DETERMINATION AND DECISION

It is hereby ordered that an assessment in the amount of \$400.00 is hereby placed against the following described property:

Address:	22755 E. Maplewood Ln., Aurora, CO 80015
Schedule No.:	2073-24-1-15-030
Legal Description:	Lot 30 Blk 3 Saddle Rock Ridge 5 th Flg Ex M/R's

Said assessment constitutes a lien against the property effective as of the date of this Resolution until paid.

The Clerk to the Board is hereby directed to record a certified copy of this Resolution and to certify this Assessment Resolution to the Arapahoe County Treasurer who shall collect the assessment, together with an additional ten percent penalty for the cost of collection, in the same manner as other taxes are collected. Once the Arapahoe County Treasurer has collected the assessment, the Treasurer shall remove the lien from the above described property.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-312 It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, on September 22, 2020, the BOCC adopted Resolution No. 200621, which adopted and established the Arapahoe County Marijuana Licensing Policy (the "Policy") to establish standards for the licensing of medical and retail marijuana businesses in the unincorporated territory of Arapahoe County; and

WHEREAS, pursuant to the Policy, the BOCC approved the initial issuance and annual renewals of a Medical Marijuana Store License for the premises located at 1842 S. Parker Rd.,

#18, Denver, CO 80231 for 2012 through 2022; and

WHEREAS, on October 25, 2022, NuVue Pharma, LLC, applied to Arapahoe County for renewal of its Medical Marijuana Store License for premises within unincorporated Arapahoe County and located at 1842 S. Parker Rd., #18, Denver, CO 80231; and

WHEREAS, on October 14, 2022, the Planning Division of the Arapahoe County Department of Public Works and Development confirmed that NuVue Pharma, LLC, 1842 S. Parker Rd., #18, Denver, CO 80231 has been in compliance with the Arapahoe County Land Development Code Regulations at this location; and

WHEREAS, on October 14, 2022, the Arapahoe County Sheriff's Office confirmed that there have been no material issues or concerns with NuVue Pharma, LLC at this location; and

WHEREAS, NuVue Pharma, LLC, also applied to the State of Colorado, Department of Revenue, for the renewal of its corresponding State Medical Marijuana License at 1842 S. Parker Rd., #18, Denver, CO 80231; and

WHEREAS, the Medical Marijuana Store License shall be valid only if the renewal is also approved by the State Licensing Authority.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County, Colorado, that pursuant to the Arapahoe County Marijuana Licensing Policy, the Board of County Commissioners of Arapahoe County, Colorado hereby approves the annual renewal of the Medical Marijuana Store License for NuVue Pharma, LLC located at 1842 S. Parker Rd., #18, Denver, CO 80231 and hereby directs the Chair to sign the Medical Marijuana Store License for NuVue Pharma, LLC to be valid for the period corresponding with that specified in the approved State of Colorado Medical Marijuana Store License.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstain; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-313 It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, on September 22, 2020, the BOCC adopted Resolution No. 200621, which adopted and established the Arapahoe County Marijuana Licensing Policy (the "Policy") to establish standards for the licensing of medical and retail marijuana businesses in the unincorporated territory of Arapahoe County; and

WHEREAS, pursuant to the Policy, the BOCC approved the initial issuance and annual

renewals of a Retail Marijuana Store License for the premises located at 1842 S. Parker Rd., #18, Denver, CO 80231 for 2020 through 2021; and

WHEREAS, on October 25, 2022, NuVue Pharma, LLC, applied to Arapahoe County for renewal of its Retail Marijuana Store License for premises within unincorporated Arapahoe County and located at 1842 S. Parker Rd., #18, Denver, CO 80231; and

WHEREAS, on October 14, 2022, the Planning Division of the Arapahoe County Department of Public Works and Development confirmed that NuVue Pharma, LLC, located at 1842 S. Parker Rd., #18, Denver, CO 80231 has been in compliance with the Arapahoe County Land Development Code Regulations at this location; and

WHEREAS, on October 14, 2022, the Arapahoe County Sheriff's Office confirmed that there have been no material issues or concerns with NuVue Pharma, LLC at this location; and

WHEREAS, NuVue Pharma, LLC, also applied to the State of Colorado, Department of Revenue, for the renewal of its corresponding State retail marijuana license at 1842 S. Parker Rd., #18, Denver, CO 80231; and

WHEREAS, the Retail Marijuana Store License shall be valid only if the renewal is also approved by the State Licensing Authority.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County, Colorado, that pursuant to the Arapahoe County Marijuana Licensing Policy, the Board of County Commissioners of Arapahoe County, Colorado hereby approves the annual renewal of the Retail Marijuana Store License for NuVue Pharma, LLC located at 1842 S. Parker Rd., #18, Denver, CO 80231 and hereby directs the Chair to sign the Retail Marijuana Store License for NuVue Pharma, LLC to be valid for the period corresponding with that specified in the approved State of Colorado Retail Marijuana Store License.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstain; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-314 It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on Tuesday, November 8, 2022; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes as submitted by taxpayer and as contained within an Agenda Memorandum to the Board;

and

WHEREAS, applicable procedures, due process, and requirements of notice were followed pursuant to Sections 39-1-113 and 39-10-114, C.R.S.; and

WHEREAS, no Petitioner or representatives of the Arapahoe County Assessor were present, although both parties were afforded notice; and

WHEREAS, the Board received comments from the County Attorney, received exhibits and reviewed the record as represented by an Agenda Memorandum summarizing the Petition and the Arapahoe County Assessor recommendation.

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

1. That the Petition listed below, presented this date to the Board and relating to the schedule numbers set forth therein, shall be and are hereby granted, the recommendations of the Assessor are hereby adopted and abatements or refunds in the amounts approved by the Assessor are hereby approved by the Board.

Petitioner	Parcel Number	Year	Refund
Gemini Mountain Medical LLC	27299-78552-001	2021	\$703,716.62

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes, and Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-315 It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to authorize the Arapahoe County Attorney to settle the following Board of Assessment Appeal Cases (Docket Numbers), for the tax years listed below:

Docket #	Property Owner	Tax Year
2021BAA2524	First Federal Mortgage & Investment Co.	2021/2022
2022BAA149	Englewood Colorado Investment Company LLC	2019/2020

After review by the County Attorney's Office, in conjunction with the Arapahoe County Assessor's Office and the Petitioners, evidence was submitted which supported the Stipulations and the Petitioners agreed to a new value. The Assessor has recommended approval pursuant to the terms contained within the Stipulations. Based upon the evidence submitted to the Board on this date, the Board has no reason not to concur with the proposed Stipulations.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent & Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-316A It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on November 8, 2022; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

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

The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 1973-27-2-02-051 is hereby denied for tax years 2020 and 2021. The original actual value for tax year 2020 is \$455,200, and the original actual value for tax year 2021 is \$566,600 for and no refund shall be allowed for the following reason:

I considered the evidence submitted & testimony given by both the Assessor & the petitioner/agent at this hearing. I find in this case that the Assessor's determination of value is better supported by all of the facts presented.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes, and Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-316B It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on November 8, 2022; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

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

The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 1975-28-1-04-017 is hereby denied for tax year 2021. The original actual value is \$347,300, and no refund shall be allowed for the following reason:

I considered the evidence submitted & testimony given by both the Assessor & the petitioner/agent at this hearing. I find in this case that the Assessor's determination of value is better supported by all of the facts presented.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes, and Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-316C It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on November 8, 2022; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

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

The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 1973-02-2-04-001 is hereby withdrawn for tax year 2021. The original actual value is \$907,000, and no refund shall be allowed for the following reason:

Petitioner/agent voluntarily withdrew this petition prior to the hearing. Withdrawal of the petition is hereby accepted as final action by the Board of County Commissioners. Therefore, the final actual value of this parcel for 2021 for \$907,000.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes, and Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-316D It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on November 8, 2022; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

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

- A. The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 2077-03-4-09-002 is hereby withdrawn for tax year 2021. The original actual value is \$579,115, and no refund shall be allowed for the following reason:

Petitioner/agent voluntarily withdrew this petition prior to the hearing. Withdrawal of the petition is hereby accepted as final action by the Board of County Commissioners. Therefore, the final actual value of this parcel for 2021 for \$579,115.

- B. The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 1971-33-2-11-009 is hereby withdrawn for tax year 2021. The original actual value is \$621,000, and no refund shall be allowed for the following reason:

Petitioner/agent voluntarily withdrew this petition prior to the hearing. Withdrawal of the petition is hereby accepted as final action by the Board of County Commissioners. Therefore, the final actual value of this parcel for 2021 for \$621,000.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson,

Abstained; Commissioner Sharpe, Yes, and Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-316E It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on November 8, 2022; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

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

- A. The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 2077-36-3-27-001 is hereby denied for tax year 2021. The original actual value is \$12,058,000, and no refund shall be allowed for the following reason:

Petitioner/agent requested an administrative denial.

- B. The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 2077-36-3-27-002 is hereby denied for tax year 2021. The original actual value is \$2,225,000, and no refund shall be allowed for the following reason:

Petitioner/agent requested an administrative denial.

- C. The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 2077-36-3-27-006 is hereby denied for tax year 2021. The original actual value is \$1,795,000, and no refund shall be allowed for the following reason:

Petitioner/agent requested an administrative denial.

- D. The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 2077-36-3-27-008 is hereby denied for tax year 2021. The original actual value is \$1,565,000, and no refund shall be allowed for the following reason:

Petitioner/agent requested an administrative denial.

- E. The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 2077-36-3-27-009 is hereby denied for tax year 2021. The original actual value is \$567,000, and no refund shall be allowed for the following reason:

Petitioner/agent requested an administrative denial.

- F. The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 2077-36-3-27-010 is hereby denied for tax year 2021. The original actual value is \$1,272,000, and no refund shall be allowed for the following reason:

Petitioner/agent requested an administrative denial.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes, and Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-316F It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on November 8, 2022; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

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

A. The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 2075-34-1-32-031 is hereby denied for tax year 2021. The original actual value is \$8,408,925, and no refund shall be allowed for the following reason:

Petitioner/agent requested an administrative denial.

B. The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 2075-34-1-32-032 is hereby denied for tax year 2021. The original actual value is \$5,057,325, and no refund shall be allowed for the following reason:

Petitioner/agent requested an administrative denial.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Yes; Commissioner Sharpe, Yes, and Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-316G It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on November 8, 2022; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

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

The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 2073-32-2-27-003 is hereby denied for tax year 2021. The original actual value is \$2,294,000, and no refund shall be allowed for the following reason:

Petitioner/agent requested an administrative denial.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes, and Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-316H It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on November 8, 2022; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

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

The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 2075-28-1-26-004 is hereby denied for tax year 2021. The original actual value is \$2,077,000, and no refund shall be allowed for the following reason:

Petitioner/agent requested an administrative denial.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes, and Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-3161 It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on November 8, 2022; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

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

The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 2075-21-4-24-001 is hereby denied for tax year 2021. The original actual value is \$5,921,000, and no refund shall be allowed for the following reason:

Petitioner/agent requested an administrative denial.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes, and Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-316J It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on November 8, 2022; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

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

The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 2075-25-1-25-001 is hereby denied for tax year 2021. The original actual value is \$3,986,000, and no refund shall be allowed for the following reason:

Petitioner/agent requested an administrative denial.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes, and Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-316K It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on November 8, 2022; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

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

The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 2075-27-2-02-054 is hereby denied for tax year 2021. The original actual value is \$6,660,000, and no refund shall be allowed for the following reason:

Petitioner/agent requested an administrative denial.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes, and Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-316L It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on November 8, 2022; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

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

The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 1973-18-3-05-040 is hereby denied for tax year 2021. The original actual value is \$3,275,000, and no refund shall be allowed for the following reason:

Petitioner/agent requested an administrative denial.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes, and Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-316M It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on November 8, 2022; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. §39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

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

The recommendation of the referee is hereby adopted, and the Petition for Abatement or

Refund of Taxes relating to schedule number 2075-26-2-01-001 is hereby denied for tax year 2021. The original actual value is \$31,905,000, and no refund shall be allowed for the following reason:

Petitioner/agent requested an administrative denial.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes, and Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-316N It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on November 8, 2022; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

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

The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 1975-06-3-13-001 is hereby denied for tax year 2020. The original actual value is \$8,800,000, and no refund shall be allowed for the following reason:

Petitioner/agent requested an administrative denial.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes, and Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-3160 It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on November 8, 2022; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

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

The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 2077-26-1-34-001 is hereby denied for tax year 2021. The original actual value is \$9,731,000, and no refund shall be allowed for the following reason:

Petitioner/agent requested an administrative denial.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes, and Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-316P It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on November 8, 2022; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

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

The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 2073-24-4-35-002 is hereby denied for tax year 2021. The original actual value is \$2,050,000, and no refund shall be allowed for the following reason:

Petitioner/agent requested an administrative denial.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes, and Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-316Q It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on November 8, 2022; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

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

The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 2077-33-1-01-009 is hereby denied for tax year 2021. The original actual value is \$1,590,809, and no refund shall be allowed for the following reason:

Petitioner/agent requested an administrative denial.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes, and Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-316R It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on November 8, 2022; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

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

The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 1971-34-4-13-005 is hereby approved for tax year 2021. The original actual value is adjusted from \$363,700 to \$350,000, and a refund in the amount of \$69.39 shall be allowed for the following reason:

Petitioner/agent did not appear for hearing. I considered the evidence submitted & testimony given by the Assessor and the evidence submitted by petitioner/agent with the original petition. I find in this case that the Assessor's determination of value is better supported by all of the facts presented.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes, and Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-316S It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on November 8, 2022; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

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

The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 9000-42-9-10-001 is hereby approved for tax year 2021. The original actual value is adjusted from \$56,600 to \$34,000, and a refund in the amount of \$159.01 shall be allowed for the following reason:

Petitioner/agent did not appear for hearing. I considered the evidence submitted & testimony given by the Assessor and the evidence submitted by petitioner/agent with the original petition. I find in this case that the Assessor's determination of value is better supported by all of the facts presented.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes, and Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-316T It was moved by Commissioner Sharpe and duly seconded

by Commissioner Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on November 8, 2022; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

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

The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 1973-36-1-48-059 is hereby approved for tax year 2021. The original actual value is adjusted from \$345,300 to \$308,300, and a refund in the amount of \$215.21 shall be allowed for the following reason:

Petitioner/agent did not appear for hearing. I considered the evidence submitted & testimony given by the Assessor and the evidence submitted by petitioner/agent with the original petition. I find in this case that the Assessor's determination of value is better supported by all of the facts presented.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes, and Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-316U It was moved by Commissioner Sharpe and duly

seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on November 8, 2022; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

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

The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 2075-34-2-38-017 is hereby approved for tax year 2021. The original actual value is adjusted from \$668,500 to \$628,400, and a refund in the amount of \$1,225.91 shall be allowed for the following reason:

The Assessor recommended & the petitioner/agent agreed to this value prior to the hearing. Based upon all information supplied, I concur with this value.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes, and Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-316V It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on November 8, 2022; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

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

The recommendation of the referee is hereby adopted, and the Petition for Abatement or Refund of Taxes relating to schedule number 2077-26-1-34-004 is hereby approved for tax year 2021. The original actual value is adjusted from \$3,844,000 to \$2,450,000, and a refund in the amount of \$67,598.73 shall be allowed for the following reason:

The Assessor recommended & the petitioner/agent agreed to this value prior to the hearing. Based upon all information supplied, I concur with this value.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Abstained; Commissioner Sharpe, Yes, and Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-319 Hearing was held on November 8, 2022, as published on proposed Ordinance No. 2022-01 establishing the operation of limited commercial marijuana stores within unincorporated Arapahoe County was held pursuant to Section 30-15-406, C.R.S. After public comment, evidence, and testimony were received by the Board of County Commissioners, the matter was taken under advisement for further consideration and decision. It

was then moved by Commissioner Baker and duly seconded by Commissioner Sharpe to adopt the following Ordinance and direct staff to publish notice of the Ordinance as required by state statute:

**ARAPAHOE COUNTY, COLORADO
ORDINANCE NO. 2022-01**

**AN ORDINANCE ESTABLISHING THE OPERATION OF LIMITED COMMERCIAL
MARIJUANA STORES WITHIN UNINCORPORATED ARAPAHOE COUNTY**

WHEREAS, pursuant to Colorado Revised Statutes §§ 30-11-101(2) and 30-15-401(1), Arapahoe County has the power to adopt and enforce ordinances regarding health, safety, and welfare issues otherwise prescribed by law; and

WHEREAS, pursuant to C.R.S. § 30-11-103, the Board of County Commissioners has the authority to exercise all powers for the County; and

WHEREAS, C.R.S. §44-10-104(1) authorizes the County to adopt an ordinance licensing, regulating, and prohibiting the sale of medical marijuana; and

WHEREAS, Colorado Constitution Article XVIII, Section 16(5)(f) authorizes the County to enact an ordinance governing the time, place, manner, and number of retail marijuana businesses, which may include a local licensing requirement; and

WHEREAS, similar authorization to govern the time, place, manner, and number of retail marijuana businesses, which may include a local licensing requirement is found in C.R.S. §44-10-104(3); and

WHEREAS, by prior action on August 27, 2013, the Board adopted Resolution No. 130560 enacting Ordinance No. 2013-01 Prohibiting the Establishment, Maintenance, and Operation of Marijuana Establishments Within unincorporated Arapahoe County; and

WHEREAS, by prior action on July 28, 2020, the Board adopted Resolution No. 200505 terminating Ordinance No. 2013-01 and enacting Ordinance No. 2020-02 Establishing Limited Retail Marijuana Stores in Unincorporated Arapahoe County; and

WHEREAS, four (4) licensed commercial marijuana stores existing as of August 1, 2022, and located at 1842 South Parker Road, Unit 18, Denver, Colorado 80231; 2280 South Quebec Street, Unit G, Denver, Colorado 80231; 3431 South Federal Boulevard, Unit G, Englewood, Colorado 80110; and 6200 East Yale Avenue, Unit B, Denver, Colorado 80222 (the "Licensed Stores") have been in operation within unincorporated Arapahoe County for around ten (10) years; and

WHEREAS, the Licensed Stores have operated in compliance with the Arapahoe County Land Development Code non-conforming use regulations and in conformity with the Colorado Constitution and State and County laws, regulations, and policies; and

WHEREAS, it is the decision of the Board of County Commissioners of Arapahoe County to terminate Ordinance No. 2020-02 and allow the Licensed Stores to continue to be used as a medical marijuana store and/or a retail marijuana store, and to allow the Licensed Stores the opportunity to move locations and/or increase in square footage as limited by the restrictions contained in this Ordinance and all applicable State and County laws, regulations, and policies.

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Arapahoe County, the following:

SECTION I. INTENT

The Board of County Commissioners finds, determines, and declares that Ordinance No. 2020-02 is terminated, and the establishment of commercial marijuana stores as described herein are authorized, and no other marijuana businesses are authorized within unincorporated Arapahoe County.

SECTION II. DEFINITIONS

Unless otherwise specified or the context otherwise requires, any terms used in this Ordinance shall have the same meanings as provided in Colorado Constitution Article XVIII, Sections 14 and 16, and the Colorado Marijuana Code. These terms and definitions include, but are not limited to:

A. Colorado Marijuana Code

Shall mean the Colorado Marijuana Code, C.R.S. Section 44-10-101 *et seq.*, as amended.

B. Commercial Marijuana Store

Shall mean a business licensed under State and County laws and regulations to sell marijuana and/or marijuana products as a medical marijuana store, retail marijuana store, or as a combined medical and retail marijuana store. See definitions for medical marijuana store and retail marijuana store.

C. Marijuana

Shall mean all parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marijuana concentrate. Marijuana shall not mean industrial hemp. Marijuana includes marijuana as defined in Colorado Constitution Article XVIII, Sections 14 and 16, and the Colorado Marijuana Code.

D. Medical Marijuana Store

Shall mean a person or entity licensed pursuant to the Colorado Marijuana Code to operate a business as described in C.R.S. Section 44-10-501, as amended, that sells medical marijuana to registered patients or primary caregivers as defined in Colorado Constitution Article XVIII, Section 14, but is not a primary caregiver.

E. Marijuana Business

Shall mean a medical marijuana business as defined by C.R.S. Section 44-10-103(35) as amended and a retail marijuana business as defined by C.R.S. Section 44-10-103(58) as amended.

F. Retail Marijuana Store

Shall mean an entity licensed to purchase marijuana from marijuana cultivation facilities and marijuana products from marijuana product manufacturing facilities and to sell marijuana and marijuana products to consumers, as defined by Colorado Constitution Article XVIII, Section 16 and the Colorado Marijuana Code.

SECTION III. MARIJUANA ESTABLISHMENTS

Commercial marijuana stores that prior to August 1, 2022, were licensed, operating, and open to the public in compliance with all applicable State and County laws, regulations, and policies may continue in business at their existing locations for medical marijuana stores and/or a retail marijuana stores. Any relocation of a commercial marijuana store from its existing location or increase in square footage shall only be upon such terms and conditions as provided in State and County laws, regulations, and policies including but not limited to the provisions of the Colorado Constitution, the Colorado Marijuana Code, the Arapahoe County Land Development Code Sec. 3-3.5 Marijuana Land Uses, as amended, and the Arapahoe County Marijuana Licensing Policy. No more than four (4) commercial marijuana stores are permitted to operate within unincorporated Arapahoe County. The establishment and operation of all other marijuana businesses within unincorporated Arapahoe County is prohibited.

SECTION IV. APPLICABILITY

This Ordinance shall apply to all portions of unincorporated Arapahoe County, including public lands.

SECTION V. ENFORCEMENT

The Arapahoe County Sheriff shall enforce the provisions of this Ordinance.

SECTION VI. PENALTY FOR VIOLATIONS

The County may seek such criminal and/or civil penalties against any person violating this Ordinance as are provided by law.

SECTION VII. DISPOSITION OF FINES

Any and all penalties, fines, costs, and/or assessments for violations of this Ordinance shall be paid into the General Fund of Arapahoe County.

SECTION VIII. SEVERABILITY

If any one or more of the provisions of this Ordinance is determined by a competent court of law to be invalid, such determination shall not affect the validity of the remaining portions of this Ordinance.

SECTION IX. EFFECTIVE DATE

This Ordinance shall take effect upon thirty (30) days after notice of its adoption has been published.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Yes; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-318 It was moved by Commissioner Sharpe and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, Section 29-20-101, *et seq.*, Colorado Revised Statutes (C.R.S.), and Sections 30-28-113, -116 and -133, C.R.S., provide broad land use authority within the unincorporated territory of Arapahoe County to the Board of County Commissioners (the Board) and further provide that the Board has the power to adopt and amend the zoning regulations and subdivision regulations after notice to and recommendation from the Planning Commission, all as set forth in such statutes; and

WHEREAS, the Board has adopted the Arapahoe County Land Development Code, which establishes the zoning and subdivision regulations for unincorporated Arapahoe County, and from time to time the Board considers proposed amendments to the Land Development Code and such zoning and subdivision regulations, all in accordance with such statutory authority; and

WHEREAS, the Department of Public Works and Development, Planning Division staff, has made recommendations for certain amendments to the Arapahoe County Land Development Code, Case No. LDC22-004, concerning marijuana land uses, and forwarded such proposed amendments to the Arapahoe Planning Commission for review and recommendation; and

WHEREAS, on October 18, 2022, the Planning Commission held a duly noticed public hearing, heard such public comment as was presented, and reviewed and considered the Planning Division staff's proposed recommended amendments to the Land Development Code, and following such public hearing, a majority of the Planning Commission voted to recommend approval of the proposed amendments to Land Development Code; and

WHEREAS, Notice of a Public Hearing to be held on November 8, 2022 on the proposed amendments to the Land Development Code was published on October 20, 2022 in the Centennial Citizen, the Englewood Herald, and the Littleton Independent, newspapers of general circulation in

the County, and was also published on October 18, 2022 in the I-70 Scout, a newspaper with circulation in the eastern part of Arapahoe County; and

WHEREAS, on November 8, 2022, in accordance with the published notice, the Board held a Public Hearing on the proposed amendments to the Land Development Code; and

WHEREAS, evidence was presented to establish that all notice and other procedural requirements required by law for amending the Land Development Code were followed, and to establish the Board's jurisdiction to hear and decide on the proposed amendments; and

WHEREAS, Planning Division and Legal staff presented and explained the proposed amendments, and responded to Board questions and comments concerning the proposed amendment; and

WHEREAS, following the presentation by County staff, the Chair opened the Hearing for public comment and the Board heard and considered such public comment as was presented on the proposed amendment; and

WHEREAS, the Board hereby makes the following findings:

A. The Board finds and determines:

1. That the statutory jurisdictional requirements have been met.
2. That the Public Hearing was opened and that the public had opportunity for public input and comment on the proposed amendments.
3. That the Board has jurisdiction to hear, consider and act upon the proposed amendments to the Land Development Code.
4. That the proposed amendments to the Land Development Code are consistent with the Arapahoe County Comprehensive Plan.

B. The Board further finds and concludes that the proposed amendments to the Land Development Code are appropriate and lawful land use regulations for the unincorporated territory of Arapahoe County, that the proposed amendments will promote the community's interest in reasonable stability in zoning and subdivision regulations, and that the proposed amendments are in the public interest and for the public good.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County, Colorado to adopt the following revisions to the Land Development Code:

3-3.5. Marijuana Land Uses

A. INTENT

To provide regulations pertaining to the commercial and non-commercial use of land, buildings and structures for the purpose of growing, selling, producing, distributing, manufacturing, and consuming marijuana and marijuana products.

B. GENERAL: MARIJUANA LAND USES NOT ALLOWED

The use of land, buildings, or structures to grow, produce, cultivate, sell, dispense, distribute, store, test, or manufacture marijuana and/or marijuana products, or as a marijuana club, is not allowed or permitted throughout unincorporated Arapahoe County, except to the extent specifically identified in Section 3-3.5.C, below.

C. EXCEPTIONS

1. Commercial Marijuana Store.

An exception to the prohibition of marijuana land uses is the Commercial Marijuana Store, provided that, as of August 1, 2022, the store is licensed by the State of Colorado and under the Arapahoe County Marijuana Licensing Policy and operating and open to the public in compliance with all applicable State and County laws and regulations, including but not limited to the provisions of the Colorado Constitution, the Colorado Marijuana Code, the Arapahoe County Land Development Code, and the Arapahoe County Marijuana Licensing Policy.

a. Limit on Commercial Marijuana Stores Allowed In Unincorporated Arapahoe County.

No more than four (4) commercial marijuana stores are permitted to operate within unincorporated Arapahoe County. For purposes of this regulation, a commercial marijuana store is considered as counting toward this limit whether the store is licensed for medical sales only, retail sales only, or both medical and retail sales. Moreover, where multiple commercial marijuana stores are under common ownership and located within unincorporated Arapahoe County, each location is counted towards this limit.

b. Relocation or Replacement of Commercial Marijuana Stores.

Commercial marijuana stores may be moved to alternate locations within unincorporated Arapahoe County or may be replaced by other commercial marijuana stores at other locations in unincorporated Arapahoe County provided all of the following apply:

- 1) Approval of a commercial marijuana store at the alternate or replacement location shall not increase the total number of commercial marijuana stores in unincorporated Arapahoe County above any limitation on the total number of stores as provided in Section 3-3.5.C.1.a above.
- 2) The alternate or replacement location shall:
 - a) Be located in an area zoned B-3, B-4, B-5, I-1, I-2 or in an approved PUD zoned for retail or industrial use that does not otherwise prohibit retail or retail marijuana uses in the PUD;
 - b) Meet the following additional locational requirements:

- i. Not be located east of the North-South alignment of Watkins Road;
 - ii. Not be located within one quarter mile of the center point of the intersection of East Belleview Avenue and South Quebec Street;
 - iii. Not be located south of Arapahoe Road, between I-25 and South Parker Road;
 - iv. Not increase the number of commercial marijuana stores to more than two within a one and one-half mile radius around any existing licensed commercial marijuana store in unincorporated Arapahoe County;
 - c) Be approved through a Use by Special Review in accordance with Section 5-3.4 of this Land Development Code, except that Use by Special Review approval is not required to replace, repair, or expand within the same structure, subject to any other requirements or restrictions stated in this Land Development Code, or other applicable law, ordinance, policy, or regulation, at an existing approved and licensed location; and
 - d) Be in compliance with all State and County requirements for commercial marijuana uses and facilities, such as and without limitation, setbacks from other uses, store number limitations, distance limitations, or other location restriction established by applicable law or regulation.
- 3) The commercial marijuana store building at the alternate or replacement location shall:
- a) Not exceed 5,000 square feet in size; and
 - b) Utilize effective measures to mitigate the perceptible odor of marijuana at the exterior of the building at the licensed premises or at any adjoining use of the property.
- 4) The owner shall obtain, prior to any operations, all required State and County licenses or permits, and shall operate in compliance with all applicable State and County laws and regulations, including but not limited to the provisions of the Colorado Constitution, the Colorado Marijuana Code, the Arapahoe County Land Development Code, and the Arapahoe County Marijuana Licensing Policy.

2. Non-Commercial Uses.

An exception to the prohibition of marijuana land uses is the non-commercial growing, cultivation, storage or production of marijuana or marijuana products, by a person, patient or his or her primary caregiver, to the extent that such activity is specifically authorized as a lawful personal use pursuant to Article XVIII, Section 16 of the Colorado Constitution, or is specifically exempt from criminal prosecution under Article XVIII, Section 14 of the Colorado Constitution, is in compliance with all applicable state and local statutes, rules and regulations and with all applicable building and fire codes, and subject to the following:

a. Dwelling Units.

The non-commercial growing, cultivation, storage or production of marijuana or marijuana products may only be conducted as a non-primary use in an agricultural

(A-1, AE), rural residential (RR-A, RR-B, RR-C), or residential (R-1-A, R-1-B, R-1-C, R1-D, R-2-A, R-2-B, or R-M), obsolete residential (R-2, R-3, R-3S, R-4, R-5), or the residential portion of a PUD zone district (including those originally zoned in a R-P, R-PSF, R-PM, R-PH, MU, or SH), and may only be conducted within a dwelling unit (and not on a porch or within a shed, greenhouse or other such structure) by a person residing at the dwelling unit, for such person's own use, or by a primary caregiver on behalf of a patient who resides at the same dwelling unit as the primary caregiver; however, in no event shall more than six plants, with three or fewer being mature flowering plants, be grown or cultivated at any one time by each person or primary caregiver residing at such dwelling unit, up to a maximum of 12 plants total per dwelling unit.

b. Additional Restrictions.

The marijuana land uses authorized by subsection 3-3.5.C.2 are subject to the following additional restrictions:

- (a) All uses shall be conducted in an enclosed and secure area within a dwelling unit and shall not be visible to the public; and
- (b) All such uses shall not cause odors, smoke, heat, glare or light that is detectable to a person of normal senses beyond the property line of the property upon which the use is being conducted, or in an adjacent dwelling unit or public area.

D. APPLICATION TO EXISTING USES

All marijuana land uses are subject to all restrictions contained within this Section 3-3.5 including those uses that were in existence prior to the adoption of this Section 3-3.5 including any amendments thereto, except, and to the extent, that state or federal law requires that the marijuana land uses be exempt from such restrictions.

Chapter 7 Definitions:

Marijuana, Colorado Marijuana Code and CMC

Shall mean the Colorado Marijuana Code, C.R.S. Section 44-10-101 *et seq.*, as amended.

Marijuana, Commercial

For the purposes of Section 3-3.5, Marijuana Land Uses, commercial shall mean for purposes of obtaining a profit or remuneration.

Marijuana

All parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marijuana concentrate. Marijuana shall not mean industrial hemp. Marijuana includes both medical and retail marijuana that is grown, sold, or otherwise used for a purpose authorized by and as defined in Article XVIII, Section 14 of the Colorado Constitution, Article XVIII, Section 16 of the Colorado Constitution, and the Colorado Marijuana Code.

Marijuana, Medical

Medical marijuana that is grown, sold, or otherwise used for a purpose authorized by Article XVIII, Section 14 of the Colorado Constitution as defined in the CMC.

Marijuana, Retail

Retail marijuana that is grown, sold, or otherwise used for a purpose authorized by Article XVIII, Section 16 of the Colorado Constitution as defined in the Colorado Marijuana Code.

Marijuana Store, Commercial

A business licensed under State and County law and regulations to sell marijuana and/or marijuana products. Any business operating as a medical marijuana store, retail marijuana store or as a combined medical and retail marijuana store. See, definitions for medical marijuana store and retail marijuana store.

Marijuana Store, Medical

A medical marijuana store includes stores selling marijuana or marijuana products for personal medical use as defined in Article XVIII, Section 14 of the Colorado Constitution and the Colorado Marijuana Code.

Marijuana Store, Retail

A retail marijuana store includes stores selling marijuana or marijuana products for retail recreational use in accordance with Article XVIII, Section 16 of the Colorado Constitution, and the Colorado Marijuana Code.

Marijuana Use, Non-commercial

Non-commercial marijuana use shall mean not for the purpose of obtaining a profit or remuneration.

Marijuana, Patient

For the purposes of Section 3-3.5, Marijuana Land Uses, patient has the meaning set forth in Colorado Constitution Article XVIII, Section 14(1)(d).

Marijuana, Plants

Marijuana plants, seedlings, or any part thereof in a living condition that are lawfully grown or otherwise used for a purpose authorized by Article XVIII, Section 14 of the Colorado Constitution, Article XVIII, Section 16 of the Colorado Constitution, or the Colorado Marijuana Code.

Marijuana, Primary Caregiver

Primary caregiver has the meaning set forth in Article XVIII, Section 14(1)(f) of the Colorado Constitution.

5-3.4 USE BY SPECIAL REVIEW

C. APPROVAL CRITERIA

1. The following criteria shall be used to assist in determining that the proposed Use by Special Review is appropriate:
 - a. Recognize the limitations of existing and planned infrastructure, by thoroughly examining the availability and capability of water, sewer, drainage, and transportation systems to serve present and future land uses.
 - b. Assure compatibility between the proposed development, surrounding land uses, and the natural environment.
 - c. Allow for the efficient and adequate provision of public services. Applicable public services include, but are not limited to, police, fire, school, park, and libraries.
 - d. Enhance convenience for the present and future residents of Arapahoe County by ensuring that appropriate supporting activities, such as employment, housing, leisure-time, and retail centers are in close proximity to one another.
 - e. Ensure that public health and safety is adequately protected against natural and man-made hazards which include, but are not limited to, traffic noise, water pollution, airport hazards, and flooding.
 - f. Provide for accessibility within the proposed development, and between the development and existing adjacent uses. Adequate on-site interior traffic circulation, public transit, pedestrian avenues, parking and thoroughfare connections are all factors to be examined when determining the accessibility of a site.
 - g. Minimize disruption to existing physiographic features, including vegetation, streams, lakes, soil types and other relevant topographical elements.
 - h. Ensure that the amenities provided adequately enhance the quality of life in the area, by creating a comfortable and aesthetically enjoyable environment through conventions such as, the preservation of mountain views, the creation of landscaped open areas, and the establishment of recreational activities.
 - i. Enhance the useable open spaces in Arapahoe County, and provide sufficient unobstructed open space and recreational area to accommodate a project's residents and employees.
2. All of the criteria listed in Section 5-3.4.B.1 must be addressed prior to approval of any Use by Special Review requests, and are intended to provide clarity of purpose and direction for applicants, neighbors, concerned citizens, and Arapahoe County decision-makers.
3. In addition to the criteria in Section 5-3.4.B above, the criteria set forth in the Regulations Governing Areas and Activities of State Interest in Arapahoe County ("1041 Regulations") shall also be considered in the evaluation of an application for a Use by Special Review for Major Electrical, Natural Gas, and Petroleum-Derivative Facilities of a Private Company in the A-E, A-1 and I-2 Zone Districts. Part V, sections A. and C., along with Appendix A, of the 1041 Regulations shall be used in determining whether such Use by Special Review should be approved.
4. In addition to the criteria listed in Section 5-3.4.B.1 above, an application for Use by Special Review approval for any commercial marijuana store shall also comply with all requirements and criteria set forth in Section 3-3.5.C. of this Land Development Code.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Arapahoe County that the provisions of the Land Development Code amended by this Resolution are hereby repealed.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Arapahoe County that Planning Division staff with the approval of the County Attorney is hereby authorized to correct typographical errors and make such text revisions to this Code amendment as are reasonably necessary to incorporate the approved amendment into the Land Development Code for publication.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Arapahoe County that the amendments to the Land Development Code approved by this Resolution shall be effective upon the effective date of Ordinance No. 22-001 adopted herewith and shall be included in the next printing of the Land Development Code.

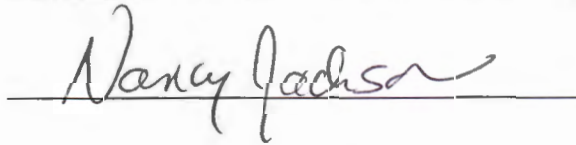
The vote was:

Commissioner Baker, Yes; Commissioner Holen, Absent and Excused; Commissioner Jackson, Yes; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

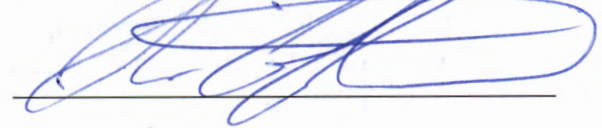
The Chair declared the motion carried and so ordered.

The foregoing Resolutions from the meeting of November 8, 2022 have been reviewed and approved.

BOARD OF COUNTY COMMISSIONERS

A handwritten signature in black ink, appearing to read "Nancy Jackson", written over a horizontal line.

COUNTY ATTORNEY'S OFFICE

A handwritten signature in blue ink, written over a horizontal line.

CLERK TO THE BOARD

A handwritten signature in black ink, written over a horizontal line.

