

BOARD OF COUNTY COMMISSIONERS OF ARAPAHOE COUNTY, COLORADO

TUESDAY, AUGUST 9, 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 9TH day of August, 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	Present
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
Taylor Hendrix	Assistant Clerk to the Board	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. 22-215 It was moved by Commissioner Sharpe and duly seconded by Commissioner Holen to adopt the following Resolution:

WHEREAS, Linda Haley began her employment with Arapahoe County in January 2007 as the Division Manager of Senior Resources, took on the management of the Veteran Services Division in 2010 and added the management of Housing and Community Development Services in 2011, is currently employed as the Division Manager of these three Divisions, and has been in continuous service with the County for almost sixteen years; and

WHEREAS, Linda has always held herself to high standards of service delivery to ensure the stability and support of those in need in our community as well as by her leadership and example has encouraged others to do the same; and

WHEREAS, Linda has served under two Directors and has developed productive and effective working relationships with many staff, colleagues, and community partners over the years in Community Resources and other County departments/offices; and

WHEREAS, Linda's long tenure at the County has seen her out in the community providing outreach and connections for thousands of Seniors in need and has seen her managing millions of federal housing dollars to increase affordable and attainable housing in Arapahoe county; and

WHEREAS, Linda headed the CSBG Advisory Board from 2007 to present, served on Arapahoe County's Council on Aging in various roles to include president from 2007 to present, served on the Centennial Senior Commission from 2010 to present, served on the Denver Regional

Mobility and Access Council from 2007-2018, served on the Colorado Community Action Association with 8-10 years as president, and served on the DRCOG Aging and Disability Resource Committee from 2014-2018; and

WHEREAS, Linda will be remembered for her steadfast adherence to Guidelines, policies, and procedures, her vast knowledge of the programs she administered, her care and compassion for the individuals she served, her leadership and connections with staff, her dedication to Community Resources and the County as a whole, her wit and humor, and her amazing cooking skills and generosity; and

WHEREAS, Linda's many admirable attributes will help her to transition smoothly into the next chapter of her life in her new home on the coast of Maine; and

WHEREAS, Linda will truly be missed by the many good people employed by Arapahoe County and the many customers she has served.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County to officially recognize the contributions that Linda Haley has made as a valued employee of Arapahoe County, and hereby declares that her future shall prosper as Arapahoe County has prospered under her dedication, service, and commitment.

The vote was:

Commissioner Baker Yes; Commissioner Holen, Yes; Commissioner Jackson, Yes; Commissioner Sharpe, Yes; Commissioner Warren-Gulley, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-216 It was moved by Commissioner Baker and duly seconded by Commissioner Holen to authorize the chair of the Board of County Commissioners to sign the agreement with FLOCK for mobile camera readers.

The vote was:

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

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-217 It was moved by Commissioner Baker and duly seconded by Commissioner Holen to accept, upon recommendation of the County's Case Engineer and Director of the Public Works and Development Department, the Uniform Easement Deed and Revocable Storm Drainage License Agreement for Drainage Easements within A PARCEL OF THE PROPERTY DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED UNDER

RECEPTION NO. E1158661 IN THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER, LOCATED IN SOUTHWEST ONE-QUARTER OF SECTION 5, TOWNSHIP 5 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, County of Arapahoe, State of Colorado, dated July 14 and July 19, 2022, granted by SCHULTJANN HOLDING, LLC conveying the following real property interest to the County:

LEGAL DESCRIPTION:

DRAINAGE EASEMENT A (1)

A PORTION OF THE PROPERTY DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED UNDER RECEPTION NO. E1158661 IN THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER, LOCATED IN SOUTHWEST ONE-QUARTER OF SECTION 5, TOWNSHIP 5 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 5 BEING MONUMENTED AT THE SOUTH 1/4 CORNER BY A 3.25" ALUMINUM CAP IN A RANGE BOX STAMPED "LS 25775 1196," AND THE SOUTHWEST CORNER OF SAID SECTION 5 BY A 2.5" ALUMINUM CAP IN A RANGE BOX STAMPED "LS 11434 1999," WHICH BEARS N89°41'44"W AS REFERENCED TO COLORADO STATE PLANE CENTRAL ZONE.

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 5,

THENCE N61°07'52"W A DISTANCE OF 898.66 FEET, SAID POINT BEING THE POINT OF

BEGINNING; THENCE THE FOLLOWING SIXTEEN (16) COURSES:

1. S66°35'28"W A DISTANCE OF 12.88 FEET;
2. N48°29'10"W A DISTANCE OF 74.09 FEET;
3. S85°59'06"W A DISTANCE OF 78.93 FEET, TO A POINT OF CURVE;
4. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 60.00 FEET, A CENTRAL ANGLE OF 94°19'10" AND AN ARC LENGTH OF 98.77 FEET, TO A POINT OF TANGENT;
5. N00°18'16"E A DISTANCE OF 107.19 FEET, TO A POINT OF CURVE;
6. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 68°18'57" AND AN ARC LENGTH OF 59.62 FEET, TO A POINT OF NON-TANGENT;
7. °16'36"W A DISTANCE OF 92.29 FEET;
8. N19°18'43"W A DISTANCE OF 171.58 FEET;
9. N70°41'17"E A DISTANCE OF 20.00 FEET;
10. S19°18'43"E A DISTANCE OF 173.16 FEET;
11. S10°16'36"E A DISTANCE OF 94.00 FEET;

12. S89°42'13"E A DISTANCE OF 48.79 FEET, TO A POINT OF CURVE;

13. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 149.96 FEET, A CENTRAL ANGLE OF 55°06'20", AND AN ARC LENGTH OF 144.23 FEET, TO A POINT OF COMPOUND TANGENT CURVE;

14. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 34°54'09" AND AN ARC LENGTH OF 30.46 FEET, TO A POINT OF TANGENT;

15. S00°18'16"W A DISTANCE OF 77.59 FEET;

16. S14°26'00"W A DISTANCE OF 86.99 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 52,510 SQUARE FEET OR 1.2055 ACRES.

DRAINAGE EASEMENT A (2)

A PORTION OF THE PROPERTY DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED UNDER RECEPTION NO. E1158661 IN THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER, LOCATED IN SOUTHWEST ONE-QUARTER OF SECTION 5, TOWNSHIP 5 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 5 BEING MONUMENTED AT THE SOUTH 1/4 CORNER BY A 3.25" ALUMINUM CAP IN A RANGE BOX STAMPED "LS 25775 1196," AND THE SOUTHWEST CORNER OF SAID SECTION 5 BY A 2.5" ALUMINUM CAP IN A RANGE BOX STAMPED "LS 11434 1999," WHICH BEARS N89°41'44"W AS REFERENCED TO COLORADO STATE PLANE CENTRAL ZONE.

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 5,

THENCE N85°05'50"W A DISTANCE OF 710.99 FEET, TO THE POINT OF BEGINNING:

THENCE ON A LINE BEING 2.00 FEET NORTHERLY AND PARALLEL TO THE NORTHERLY RIGHT-OF-WAY LINE OF QUINCY AVENUE, N89°41'44"W A DISTANCE OF 73.87 FEET;

THENCE THE FOLLOWING NINE (9) COURSES:

1. N74°35'42"E A DISTANCE OF 202.82 FEET;
2. N00°18'16"E A DISTANCE OF 547.43 FEET;
3. N28°51'07"W A DISTANCE OF 137.77 FEET;
4. N18°17'35"E A DISTANCE OF 84.14 FEET;
5. S71°42'25"E A DISTANCE OF 20.00 FEET;
6. S18°17'35"W A DISTANCE OF 75.41 FEET;
7. S28°51'07"E A DISTANCE OF 134.25 FEET;

8. S00°18'16"W A DISTANCE OF 567.78 FEET;

9. S74°35'42"W A DISTANCE OF 146.86 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 18,965 SQUARE FEET OR 0.4354 ACRES.

The Easements shall be used in connection with Arapahoe County Case No. ASP21-014, and known as Watkins Recycling Facility, and are accepted for the easement purposes expressed in the instrument.

Unless expressly stated in the instrument, Arapahoe County does not accept any 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.

Authorization is hereby given to the Director of the Department of Public Works and Development to execute the subject easements on behalf of the Board of County Commissioners.

The vote was:

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

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-218 It was moved by Commissioner Baker and duly seconded by Commissioner Holen to accept the Warranty Deed conveying to Arapahoe County the right-of-way within A PARCEL OF THE PROPERTY DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED UNDER RECEPTION NO. E1158661 IN THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER, LOCATED IN SOUTHWEST ONE-QUARTER OF SECTION 5, TOWNSHIP 5 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, County of Arapahoe, State of Colorado,, dated July 14, 2022, upon the recommendation of the County's Project Engineer and the Director of the Public Works and Development Department, granted by SCHULTJANN HOLDING, LLC, granting an interest in the following real property:

Right of Way Dedication:

A PORTION OF THE PROPERTY DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED UNDER RECEPTION NO. E1158661 IN THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER, LOCATED IN SOUTHWEST ONE-QUARTER OF SECTION 5, TOWNSHIP 5 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 5 BEING MONUMENTED AT THE SOUTH 1/4 CORNER BY A 3.25" ALUMINUM CAP IN A RANGE BOX STAMPED "LS 25775 1196," AND THE SOUTHWEST CORNER OF SAID SECTION 5 BY A 2.5" ALUMINUM CAP IN A RANGE BOX STAMPED "LS 11434 1999," WHICH BEARS N89°41'44"W AS REFERENCED TO COLORADO STATE PLANE CENTRAL ZONE.

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 5,

THENCE N83°52'49"W A DISTANCE OF 542.83 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF EAST QUINCY AVENUE, SAID POINT ALSO BEING THE SOUTHWESTERLY CORNER OF THAT PROPERTY RECORDED UNDER RECEPTION NO. A6159746 IN THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER, AND THE POINT OF BEGINNING;

THENCE ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID EAST QUINCY AVENUE, N89°41'44"W A DISTANCE OF 1226.91 FEET, TO A POINT ON THE EASTERLY LINE OF THAT PROPERTY RECORDED UNDER RECEPTION NO. D8040080;

THENCE ON SAID EASTERLY LINE, N04°32'00"E A DISTANCE OF 2.01 FEET;

THENCE DEPARTING SAID EASTERLY LINE, S89°41'44"E A DISTANCE OF 1226.76 FEET, TO A POINT ON THE WESTERLY LINE OF SAID PROPERTY RECORDED UNDER RECEPTION NO. A6159746;

THENCE ON SAID WESTERLY LINE, S00°17'51"W A DISTANCE OF 2.00 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 2,454 SQUARE FEET OR 0.0563 ACRES.

The Property shall be used in connection with Arapahoe County Project/Case No. Watkins Recycling Facility, ASP21-014 and is accepted for the right-of-way purposes expressed in the instrument.

Except as 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.

The vote was:

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

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-219 It was moved by Commissioner Baker and duly seconded by Commissioner Holen to adopt the Kiowa Creek North Master Plan as presented on this day.

The vote was:

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

The Chair declared the motion carried and so ordered

RESOLUTION NO.22-220 It was moved by Commissioner Baker and duly seconded by Commissioner Holen to adopt the following Resolution:

WHEREAS, pursuant to the Arapahoe County Marijuana Licensing Policy, the BOCC approved the initial issuance and annual renewals of a Medical Marijuana Store License for the premises located at 3431 S. Federal Boulevard, Unit G, Englewood, CO 80110 for 2013 through 2021; and

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, on July 22, 2022, Herbal Options LLC d/b/a Good Meds, applied to Arapahoe County for renewal of its Medical Marijuana Store License for premises within unincorporated Arapahoe County and located at 3431 S. Federal Boulevard, Unit G, Englewood, CO 80110; and

WHEREAS, on June 9, 2022, the Planning Division of the Arapahoe County Department of Public Works and Development confirmed that Herbal Options LLC d/b/a Good Meds, 3431 S. Federal Boulevard, Unit G, Englewood, CO 80110 has been in compliance with the Arapahoe County Land Development Code Regulations at this location; and

WHEREAS, on June 8, 2022, the Arapahoe County Sheriff's Office confirmed that there have been no material issues or concerns with Herbal Options LLC d/b/a Good Meds at this location; and

WHEREAS, Herbal Options LLC d/b/a Good Meds, also applied to the State of Colorado, Department of Revenue, for the renewal of its corresponding State Medical Marijuana Store License at 3431 S. Federal Boulevard, Unit G, Englewood, CO 80110; 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 Herbal Options LLC d/b/a Good Meds located at 3431 S. Federal Boulevard, Unit G, Englewood, CO 80110 and hereby directs the Chair to sign the Medical Marijuana Store License for Herbal Options LLC d/b/a Good 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, Yes; Commissioner Jackson, Yes; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-221 It was moved by Commissioner Baker and duly seconded by Commissioner Holen at the conclusion of the August 9, 2022 Meeting and after opportunity to comment, to approve the CDBG and HOME funding allocations and to authorize submittal of the 2022 Annual Action Plan to the U.S. Department of Housing and Urban Development.

The vote was:

Commissioner Baker Yes; Commissioner Holen, Yes; Commissioner Jackson, Yes; Commissioner Sharpe, Yes; Commissioner Warren-Gulley, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-222 It was moved by Commissioner Baker and duly seconded by Commissioner Holen to adopt the following Resolution:

WHEREAS, Section 30-11-125 of the Colorado Revised Statutes (CRS) provides that any County which has adopted a Building Code may require that persons who engage in the Building Contractor business first obtain a License from the County prior to providing Building Contractor services within the unincorporated territory of the County; and

WHEREAS, said CRS 30-11-125 authorizes Counties to include provisions in such licensing programs to, among other things, establish procedures for obtaining and renewing such License, establish testing and certification requirements for a License, establish a reasonable fee to cover the costs of the licensing program, and to specify grounds for revocation or suspension of such License; and

WHEREAS, Arapahoe County has adopted and enforces the current International Building Code (IBC) and the current approved IBC amendments and the current International Residential Code (IRC) and the current approved IRC amendments in Arapahoe County; and

WHEREAS, the Board of County Commissioners by Resolution No. 180258 adopted a Contractor Licensing Program pursuant to CRS 30-11-125, and Building Division of the Arapahoe County Public Works and Development Department has recommended that the Board adopt certain amendments to the Contractor Licensing Program previously adopted; and

WHEREAS, the Board finds that proposed amendments as described in this Resolution adopting a Contractor Licensing Program will serve to protect the public health, safety, and welfare of County residents; and

NOW, THEREFORE, the Board of County Commissioners of Arapahoe County, Colorado hereby resolves to adopt the following revised and amended Contractor Licensing Program applicable to the unincorporated territory of the County:

**BUILDING CONTRACTOR LICENSING PROGRAM
FOR UNINCORPORATED ARAPAHOE COUNTY**

Definitions

1. As used in this Resolution, the following terms shall have the following meanings:
 - a. Board of Review means the duly appointed Board of Review for Arapahoe County, Colorado as provided in CRS 30-28-206.
 - b. Building Code or Arapahoe County Building Code means the Building Code duly adopted and in force in the unincorporated territory of Arapahoe County, Colorado, currently the International Building Code (IBC) and the current approved IBC amendments and the current International Residential Code (IRC) and the current approved IRC amendments.
 - c. Building Contractor means any person who for compensation directs, supervises, or undertakes any work for which a building permit is required under the Arapahoe County Building Code.
 - d. Building Official means the Arapahoe County Building Division Manager or his or her designee.
 - e. Person means any individual, corporation, limited liability Company, partnership, association, or other legal entity.
 - f. Individual means an individual human.

Licensing Requirements and Prohibitions

1. No person shall engage in the business of a Building Contractor or perform any building, construction, remodeling or other services for which a building permit is required under the Arapahoe County Building Code in the unincorporated territory of Arapahoe County without first obtaining a License from the Building Division of the Arapahoe County Public Works and Development Department.

2. No Building Contractor shall perform any building, construction, remodeling, or other work for which a building permit is required under the Arapahoe County Building Code, unless such work is authorized under the scope or limits of the type of License for which the Building Contractor has been licensed under this Resolution.

3. Types of Licenses:

- a. CLASS "A" Building Contractor. This License shall entitle the holder to contract for the construction, alteration, installation, or repair pertaining to: tenant finish, fire suppression, elevators, and/or signs (Other than Fascia) of Commercial structures permitted by the International Building Code.
- b. CLASS "B" Building Contractor. This License shall entitle the holder to contract for the construction, alteration, or repair of Commercial and Residential structures as permitted by the International Building Code and/or the International Residential Code.
- c. CLASS "C" Building Contractor. This License shall entitle the holder to contract for the construction, alteration, or repair of Residential structures, to include: single-family homes, townhomes, duplexes, basement finishes, decks, patios covers, residential elevators, garages, carports, siding, windows, doors, Manufactured Homes, Modular Homes, and structures regulated by the MHIP program and as permitted by the International Residential Code.
- d. CLASS "D" Building Contractor. This License shall entitle the holder to contract for the performance of work related to: painting and drywall, concrete, masonry, pools/spas, demolition, excavation, sign installation (Fascia only), fire alarm / detection, access control, low-voltage / data, oil & gas, special events, green energy and special applications.
- e. CLASS "A" Mechanical Contractor. This License shall entitle the holder to perform any work in the heating, ventilation, and air-conditioning trades in nonresidential buildings

- f. CLASS "B" Mechanical Contractor. This License shall entitle the holder to perform any work in the heating, ventilation, and air-conditioning trades in both residential and non-residential buildings.
- g. CLASS "C" Mechanical Contractor. This License shall entitle the holder to perform any work in the heating, ventilation, and air-conditioning trades in residential-only buildings.
- h. Radon Contractor. This License shall entitle the holder to perform the installation, alteration, repair of radon mitigation systems only. (Mechanical)
- i. Water Conditioner Contractor. This License shall entitle the holder to perform the installation, alteration, repair of water conditioner systems only. (Plumbing)
- j. Fire Alarm Systems Contractor. This License shall entitle the holder to perform fire alarm and detection systems installation.
- k. CLASS "A" Roofing Contractor. This License shall entitle the holder to perform roofing work as it pertains to commercial structures.
- l. CLASS "B" Roofing Contractor. This License shall entitle the holder to perform roofing work as it pertains to both residential and commercial structures.
- m. CLASS "C" Roofing Contractor. This License shall entitle the holder to perform roofing work as it pertains to residential-only structures.
- n. CLASS "A" Solar Contractor. This License shall entitle the holder to perform roofing work as it pertains to commercial structures.
- o. CLASS "B" Solar Contractor. This License shall entitle the holder to perform roofing work as it pertains to both residential and commercial structures.
- p. CLASS "C" Solar Contractor. This License shall entitle the holder to perform roofing work as it pertains to residential-only structures.
- q. CLASS "A" Retaining Wall / Fence Contractor. This License shall entitle the holder to perform retaining wall / fence work as it pertains to commercial structures.
- r. CLASS "B" Retaining Wall / Fence Contractor. This License shall entitle the holder to perform retaining wall / fence work as it pertains to both residential and commercial structures.
- s. CLASS "C" Retaining Wall / Fence Contractor. This License shall entitle the holder to perform retaining wall / fence work as it pertains to residential-only structures.

4. Unless exempted under this Resolution, prior to engaging in the business of a Building Contractor or performing any of the types of Contractor services described in this Resolution in the unincorporated territory of Arapahoe County, all persons must apply for and obtain an appropriate License for that type of Building Contractor. Such application shall be made to the Arapahoe County Building Official.

5. Upon receipt of an application for a License, the Building Official shall review such application to determine whether the applicant meets the qualifications required by this Resolution and, if so, shall issue the License forthwith. If the Building Official determines that additional time is needed to review the application, the Official shall issue a provisional License within seven (7) days of filing the application and shall make a final determination on the application either approving or denying the application within forty-five (45) days of the date the application was filed. The applicant may perform the appropriate Building Contractor services under the provisional License until such time as a non-provisional License is issued or denied. If the Building Official fails to issue or deny the non-provisional License within this forty-five (45) day period, the Contractor may continue in the business until the end of the calendar year at which time, the Contractor must apply for a License and shall not operate without a provisional or final License having been issued for that calendar year. However, no provisional License shall be issued unless the applicant provides proof of the insurance coverage required under this Resolution.

6. Licenses shall be required annually and each license issued will expire one year from when it was issued or renewed. No building permits may be obtained, nor may work already under permit be continued, until the Contractor obtains an active license.

Qualifications for Contractor's License

1. In order to qualify for a Contractor's License under this Resolution, a person shall meet the following experience and certification qualifications as appropriate for the class of License sought:

- a. Class "A" and Class "B" Building Contractors shall be required to furnish proof of ICC Building Contractor CLASS "A" or "B" certifications or equivalent certification by a recognized state or national certification entity.
- b. Class "C" Building Contractors shall be required to furnish proof of ICC Building Contractor CLASS "C" certification or equivalent certification by a recognized state or national certification entity.
- c. Class "D" Building Contractors shall be required to furnish proof of any required ICC certification where applicable for the respective trade or equivalent certification by a recognized state or national certification entity and shall be required to furnish proof of at least one (1) year experience in the respective trade.

- d. Mechanical Systems Contractors shall be required to furnish proof of ICC Building Contractor CLASS "A", CLASS "B" or CLASS "C" certification or equivalent certification by a recognized state or national certification entity or similar licensing by a state or local governmental entity in Colorado or another state in the United States.
 - e. Radon Contractors and Water Conditioner Contractors shall be required to furnish proof of active registration with the Department of Regulatory Agencies as required by State Law.
 - f. Fire Alarm Systems Contractor shall furnish proof of at least one (1) year of experience in the fire alarm systems installation trade or proof of an active NICET Level II fire alarm certificate.
 - g. All Contractors shall be required to provide active licensure as issued by the Department of Regulatory Agencies, the International Code Council and any/all other governing bodies where applicable and required by State Law.
 - h. Individuals who possess an active and direct trade-related license as a Colorado Licensed Professional Engineer, and if recognized as the Engineer in responsible charge with the project of record, may be accepted in lieu of ICC certification.
2. At the time of application for a License, all Building Contractors required to be licensed under this Resolution shall provide proof of liability insurance coverage and , if required under State law for the Contractor, workers' compensation insurance coverage (if required under State law and shall maintain such coverage(s) through the term of the Contractor's License and any renewals. Such insurance coverage shall meet following minimum standards:
- a. The liability insurance policy shall insure the Contractor against liability for damages arising out of the negligent acts, errors and omissions of the Contractor, the Contractors' partners, members, and employees in the performance of the Contractor's business.
 - b. The liability policy shall provide coverage in the minimum amount of \$2,000,000 (single occurrence) for all Contractors holding a type A or B certification and in the minimum amount of \$1,000,000 (single occurrence) for all other Contractors required to obtain a License under this Resolution.
 - c. The workers' compensation policy, if required under State law for the Contractor, shall meet the minimum coverage amounts required under State law. If the Contractor is not required under State law to maintain workers' compensation insurance as a sole proprietor with no employees, the Contractor must complete a waiver of workers' compensation insurance form as part of the Contractor's License application.

- d. All Building Contractor's policies of liability insurance coverage shall name Arapahoe County as an additional insured and the policies shall provide for notification to Arapahoe County of the cancellation or termination of such policies.
3. Provided that the respective insurance and certification and/or experience requirements are met, the Building Official may recognize similar licensing by another local governmental entity in Colorado or another state in the United States as evidence of qualification, provided that such other licensing is based on contractor qualification requirements that meet or exceed those set forth in this Resolution.

Exemptions

1. The licensing requirements of this Resolution do not apply to any individual desiring to perform repair or maintenance work on his or her own property; nor shall they prohibit a person from employing an individual who is not licensed under this Resolution, on either a full or part-time basis, to perform repair or maintenance work on his or her own property.
2. Electrical Contractors, required to be licensed under Article 23 of Title 12 of the Colorado Revised Statutes, and Plumbing Contractors, required to be licensed under Article 58 of Title 12 of the Colorado Revised Statutes, are not required to obtain a License under this Resolution.
3. Any individual whose sole function is to perform labor under the supervision or direction of a Building Contractor, Licensed under this Resolution, is not required to obtain a separate License for purposes of performing labor under the direction of the Building Contractor.

Suspension or Revocation of a License

1. The Building Official is authorized to initiate revocation or suspension of any license for the following reasons:
 - a. Failure to maintain required insurance coverage through the full term of the License.
 - b. Having made any false or misleading statement or submitted any false or misleading documentation in making application for the License.
 - c. Failure to comply with any lawful order of the Building Official or any other authorized representative of the Building Division pertaining to the administration of the Building Code, including, but not limited to, the failure to observe any stop work order or correction notice.
 - d. Using a Contractor's License to obtain a building permit for any other person required to be licensed under this Resolution who is not so licensed or whose License has been suspended or revoked.

- e. Failure to obtain a proper building permit for any work for which a permit is required.
 - f. The knowing violation of any of the requirements or prohibitions stated in this Resolution.
2. Prior to any proposed suspension or revocation of a License, the Building Official shall provide written notice to the Building Contractor stating the grounds for such proposed suspension or revocation. Such notice shall specify a time and date for a hearing before Board of Review at which hearing the Building Contractor shall appear to show cause why his or her License should not be suspended or revoked. At such hearing, the Building Official shall present evidence to the Board of the grounds for such proposed suspension or revocation and the Contractor shall have the right to present evidence to rebut or refute the Building Official and to conduct reasonable cross-examination of the Building Official or any witnesses. At the conclusion of such hearing, as warranted by the evidence presented, the Board may revoke or suspend the License as it determines appropriate or dismiss the proceedings and reinstate the License.
3. A License may be suspended for a period of up to thirty (30) days. If a Building Contractor's License is suspended, the Contractor shall not perform any contracting services for which a License is required under this Resolution in unincorporated Arapahoe County for the duration of the period of suspension. If a License is suspended for failure to maintain required insurance coverage such License shall remain suspended and may not be reinstated until the Contractor provides proof that he or she has obtained or re-instated the required insurance coverage.
4. If a License is revoked, the Building Contractor shall not perform any contracting services in unincorporated Arapahoe County for the remainder of that calendar year and must then apply for reinstatement and obtain a new License prior to performing any Contractor services in the unincorporated Arapahoe County for the next and subsequent calendar years.
5. During the period from the date of the Building Official's written notice to the Building Contractor to show cause to the date of the hearing before the Board of Review, no building permits will be issued to the Contractor or his or her representatives. If the Board of Review suspends or revokes a License, no building permits will be issued to the Contractor or his or her representatives for the duration of the suspension or until a revoked License has been reinstated.

Fees

1. The Board hereby authorizes the Building Division to charge a fee for the issuance and renewal of Contractor Licenses to cover the cost of operating this Contractor Licensing Program. The fees for an annual (12-month) License shall be as follows:

- a. Class "A" and "B" Building, Solar, Mechanical, Roofing, Retaining Wall Contractor: \$360.
- b. Class "C" Building Contractor: \$180.
- c. Class "D" Building Contractor: \$84.
- d. Class "A" and "B" Mechanical Systems Contractor: \$360.
- e. Class "C" Mechanical Systems Contractor: \$180.
- f. Fire Alarm Systems Contractor: \$132.

2. Contractors shall pay, at the time of submission of the License application, the amount due for each particular class of Contractor's License applied for as provided in section 19 above. Licenses shall be deemed active for a period of one year from the date of initial application or date of renewal.

3. Class "D" Contractors, other than Fire Alarm / Detection Contractors shall be subject to a flat fee of \$84.00 for a one-year license.

4. The above fees are established in the amounts determined to be to reasonably necessary cover the County's expenses in operating and maintaining this Contractor Licensing program. However, the Arapahoe County Building Official is hereby directed to evaluate the fees established under this Resolution at least every two (2) years, and shall then report and recommend to the Board on whether the amount of the fees should be modified in order to reasonably cover the costs to the program.

Miscellaneous

1. Unless a person is exempted from the Licensing requirement under this Resolution, building permits for work within unincorporated Arapahoe County will be only be issued to Building Contractors who are licensed under this Resolution or their authorized representatives.

2. The failure to comply with the requirements of this Resolution may be enforced through legal proceedings in a court of competent jurisdiction for injunctive relief to enjoin any violation.

3. The Contractor Licensing Program established under this Resolution is an emergency measure for the protection of the public health, safety, and welfare.

4. The revised Contractor Licensing Program established under this Resolution shall take effect on August 30, 2022. Contractor Licenses already in effect on August 30, 2022, shall remain in effect until their current expiration date. All new license applications or renewals of existing licenses applied for on or after August 30, 2022, will be processed in accordance with this revised program. No Building Contractor required to obtain a License hereunder shall perform any contract services for which a building permit is required under the Arapahoe County Building Code in unincorporated Arapahoe County, except as authorized herein.
5. This Resolution replaces in its entirety Resolution Number 180258.

The vote was:

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

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-223 It was moved by Commissioner Baker and duly seconded by Commissioner Holen to adopt the following Resolution:

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

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

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

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

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

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

1. NORTH $89^{\circ}27'11''$ EAST, A DISTANCE OF 418.76 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 235.00 FEET;
2. EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $13^{\circ}58'21''$, AN ARC LENGTH OF 57.31 FEET;
3. TANGENT TO SAID CURVE, NORTH $75^{\circ}28'49''$ EAST, A DISTANCE OF 132.80 FEET;
4. NORTH $14^{\circ}31'11''$ WEST, A DISTANCE OF 40.00 FEET;
5. NORTH $75^{\circ}28'49''$ EAST, A DISTANCE OF 39.94 FEET TO THE NORTHEAST CORNER OF SAID TRACT B, AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1,209.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH $78^{\circ}05'16''$ EAST;

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

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

1. NON-TANGENT TO SAID CURVE, SOUTH $75^{\circ}28'49''$ WEST, A DISTANCE OF 39.35 FEET;
2. NORTH $14^{\circ}31'11''$ WEST, A DISTANCE OF 25.00 FEET;
3. SOUTH $75^{\circ}28'49''$ WEST, A DISTANCE OF 132.80 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 265.00 FEET;
4. WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $13^{\circ}58'21''$, AN ARC LENGTH OF 64.63 FEET;
5. TANGENT TO SAID CURVE, SOUTH $89^{\circ}27'11''$ WEST, A DISTANCE OF 418.76 FEET TO THE POINT OF BEGINNING.

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

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

PARCEL A

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

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

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

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

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

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

PARCEL B

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

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

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

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

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

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

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

BEGINNING AT THE SOUTHEAST CORNER OF THE LAND DESCRIBED IN THE WARRANTY DEED RECORDED MARCH 9, 2016 AT RECEPTION NO. D6024231 IN SAID OFFICE OF THE CLERK AND RECORDER, BEING A POINT ON THE WESTERLY RIGHT-OF-WAY OF COPPERLEAF BOULEVARD, AS DEPICTED ON SAID COPPERLEAF FILING NO. 14,

WHENCE THE EAST LINE OF SAID TRACT A, BEARS SOUTH 00°32'49" EAST WITH ALL BEARINGS HEREIN BEING REFERENCED TO SAID EAST BOUNDARY;

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

1. SOUTH 00°32'49" EAST, A DISTANCE OF 63.35 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1,209.00 FEET;

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

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

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

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

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

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

and

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

Various Public Use, Drainage and Utility Easements

and

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

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

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

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

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

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

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

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

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

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

1. NORTH 89°27'11" EAST, A DISTANCE OF 418.76 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 235.00 FEET;

2. EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°58'21", AN ARC LENGTH OF 57.31 FEET;

3. TANGENT TO SAID CURVE, NORTH 75°28'49" EAST, A DISTANCE OF 132.80 FEET;

4. NORTH 14°31'11" WEST, A DISTANCE OF 40.00 FEET;

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

THENCE DEPARTING SAID NORTHERLY BOUNDARY ALONG THE EASTERLY BOUNDARY OF SAID TRACT B, SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04°30'12", AN ARC LENGTH OF 95.03 FEET TO THE SOUTHEAST CORNER OF SAID TRACT B;

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

1. NON-TANGENT TO SAID CURVE, SOUTH 75°28'49" WEST, A DISTANCE OF 39.35 FEET;

2. NORTH 14°31'11" WEST, A DISTANCE OF 25.00 FEET;

3. SOUTH 75°28'49" WEST, A DISTANCE OF 132.80 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 265.00 FEET;

4. WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°58'21", AN ARC LENGTH OF 64.63 FEET;

5. TANGENT TO SAID CURVE, SOUTH 89°27'11" WEST, A DISTANCE OF 418.76 FEET TO THE POINT OF BEGINNING.

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

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

SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL A

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

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

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

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

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

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

PARCEL B

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

THENCE ALONG THE WESTERLY BOUNDARY OF SAID LOT 2, BLOCK 1, SOUTH 00°32'49" EAST, A DISTANCE OF 57.93 FEET TO THE NORTHERLY BOUNDARY OF SAID EASEMENT AND THE POINT OF BEGINNING;
THENCE CONTINUING ALONG SAID WESTERLY BOUNDARY, SOUTH 00°32'49" EAST, A DISTANCE OF 20.00 FEET TO THE SOUTHERLY BOUNDARY OF SAID DRAINAGE EASEMENT;
THENCE ALONG THE BOUNDARIES OF SAID EASEMENT THE FOLLOWING 9 COURSES:
1) DEPARTING SAID WESTERLY BOUNDARY, NORTH 89°15'39" EAST, A DISTANCE OF 16.49 FEET;
2) SOUTH 00°37'52" EAST, A DISTANCE OF 21.97 FEET;
3) NORTH 89°22'08" EAST, A DISTANCE OF 20.00 FEET;
4) NORTH 00°37'52" WEST, A DISTANCE OF 22.01 FEET;
5) NORTH 89°15'39" EAST, A DISTANCE OF 58.96 FEET;
6) NORTH 00°32'49" WEST, A DISTANCE OF 53.80 FEET;
7) SOUTH 89°19'13" WEST, A DISTANCE OF 20.00 FEET;
8) SOUTH 00°32'49" EAST, A DISTANCE OF 33.82 FEET;
9) SOUTH 89°15'39" WEST, A DISTANCE OF 75.45 FEET TO THE POINT OF BEGINNING.

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

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

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

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

1. SOUTH 00°32'49" EAST, A DISTANCE OF 63.35 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1,209.00 FEET;

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

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

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

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

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

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

2. Easements are vacated, subject to the following condition:
 - a. The approval of Caliber at Copperleaf Vacation of Easements is contingent upon approval of Copperleaf #30 / Final Plat, Case No. PF21-007, and Copperleaf #30 / Final Development Plan, Case No. FDP21-005.
3. That the Arapahoe County Clerk and Recorder is hereby directed to send a certified copy of this vacation resolution to the Planning Division of the Department of Public Works and Development for recording.
4. That the Board of County Commissioners hereby directs that a copy of this resolution be delivered to the Arapahoe County Assessor and the Support Services Division of the Public Works and Development Department for appropriate action as required.

The vote was:

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

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-224 It was moved by Commissioner Baker and duly seconded by Commissioner Holen 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
2021BAA2208	Tara Enterprises LLC	2021/2022
2021BAA2231	Alma Partners LLC	2021/2022
2021BAA2232	C & M Colorado Real Estate Holdings	2021/2022
2021BAA2244	Design Library & Scene Shop LLC	2021/2022
2021BAA2250	Umatilla Land Corp	2021/2022
2021BAA2256	T & D 2001	2021/2022
2021BAA2261	The Olen C Crockett Living Trust	2021/2022
2021BAA2475	Walter Properties, Inc.	2021/2022
2021BAA2523	Thomas A Malott, Jennifer L Malott, The Joshua R Gehrke Disability Trust	2021/2022
2021BAA2581	Spirit CC Aurora CO LLC	2021/2022
2021BAA2587	KW Fund VI Arapahoe II LLC	2021/2022
2021BAA2588	GKT Belleview Promenade LLC	2021/2022
2021BAA2592	Carriage Green LLC	2021/2022
2021BAA2893	Dimond, Navin C, Dimond Rita	2021/2022
2021BAA2894	Cole of Centennial CO LLC	2021/2022
2021AAA2924	5500 Greenwood LLC	2021/2022

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, Yes; Commissioner Jackson, Yes; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-225 It was moved by Commissioner Baker and duly seconded by Commissioner Holen to authorize Arapahoe County Sheriff Tyler S. Brown to apply for and accept the subsequent award for the 2022 Department of Justice, Office of Justice Programs, Bureau of

Justice Assistance grant, and to sign the Memorandum of Understanding with the Aurora Police Department related to any disbursements and/or payments awarded under such grant, and any documents for the closure of the grant.

The vote was:

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

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-226 It was moved by Commissioner Baker and seconded by Commissioner Holen to approve the submitted warrant disbursement register, dated July 05 through 18, 2022, reviewed by the Board of County Commissioners on this date. The Arapahoe County Finance Officer, Chair of the Board of Social Services, and the Chair of the Board of County Commissioners are hereby authorized to sign same. All pre-paid and statutory Social Service warrants are hereby authorized for payment this week, subject to inclusion on the warrant disbursement register next week and ratification by the Board of County Commissioners.

The vote was:

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

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-227 It was moved by Commissioner Baker and duly seconded by Commissioner Holen to authorize the signature of the Coroner for the purchase of postmortem imaging equipment using American Rescue Plan Act funds as approved at an April 5, 2022 study session.

The vote was:

Commissioner Baker Yes; Commissioner Holen Yes; Commissioner Jackson Yes; Commissioner Sharpe Yes; Commissioner Warren-Gully Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-228 It was moved by Commissioner Baker and duly seconded by Commissioner Holen to approve and authorize the Chair of the Board of County Commissioners to sign Amendment No. 1 to the Master Agreement with the Colorado Department of Labor and Employment to include additional federal compliance and reporting provisions, and to authorize

the Chair to sign similar amendments to the Master Agreement after a drop-in meeting with the Board.

The vote was:

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

RESOLUTION NO. 22-229 It was moved by Commissioner Baker and duly seconded by Commissioner Sharpe to approve the Final Plat for Tiedeman / Minor Subdivision, Case No. PM22-001. Said approval is subject to applicant agreeing to adhere to any and all Arapahoe County staff recommendations and/or conditions of approval as set forth within the record and/or as determined by the Board on this date, including:

1. Prior to signature of the final copy of these plans, the applicant will address all Public Works and Development Staff comments.
2. Prior to recording the final mylar, the applicant shall pay a total cash-in-lieu fee of \$2,449.09. This cash-in-lieu fee shall be distributed as follows: Bennett School District: \$2,079.09; Public Parks: \$355.20; and Other Public Purposes: \$14.80.

Subject to review and approval of the Final Plat mylar by the Arapahoe County Public Works and Development Department, including the Planning, Support Services and Land Development Services Divisions, and the County Attorney's Office, the Chair of the Board is hereby authorized to sign said mylar pursuant to the terms contained therein.

The vote was:

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

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-230 It was moved by Commissioner Warren-Gully and duly seconded by Commissioner Baker to approve the Final Plat for Copperleaf #30, Case No. PF21-007. Said approval is subject to applicant agreeing to adhere to any and all Arapahoe County staff recommendations and/or conditions of approval as set forth within the record and/or as determined by the Arapahoe County Board of County Commissioners on this date, including the following conditions of approval:

1. Prior to signature of the final copy of these plans the applicant must address Public Works and Development Staff comments and concerns.
2. This approval is contingent upon Arapahoe County Board of County Commissioners approval of the associated Caliber at Copperleaf Vacation of Easements case, VAC22-001.

3. The applicant shall submit a letter from East Cherry Creek Valley Water and Sanitation District indicating the District can, will and has the resources to serve the site prior to the signature of the Final Plat.

Subject to review and approval of the Final Plat mylar by the Arapahoe County Department of Public Works and Development, including the Planning, Mapping and Engineering Divisions, and the County Attorney's Office, the Board Chair is hereby authorized to sign said mylar pursuant to the terms contained therein.

The vote was:

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

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-231 It was moved by Commissioner Baker and duly seconded by Commissioner Sharpe to adopt the following Resolution:

WHEREAS, The Garrett Companies, applicant, has applied for a Final Development Plan designated as Copperleaf No. 30, Case No. FDP21-005; and

WHEREAS, after a hearing on this matter, the Arapahoe County Planning Commission made a favorable recommendation of the Final Development Plan subject to certain recommended conditions of approval as shown in the record of said Planning Commission hearing; and

WHEREAS, following the Planning Commission hearing, public notice of a hearing on the proposed Final Development Plan before the Arapahoe County Board of County Commissioners ("the Board") was properly given by publication on July 21, 2022 in the Littleton Independent, Englewood Herald, and Centennial Citizen newspapers of general circulation within the County of Arapahoe, by posting of said property, and by mail notification to adjacent property owners in accordance with the Arapahoe County Land Development Code; and

WHEREAS, a public hearing was held before the Board at the Arapahoe County Administration Building, 5334 South Prince Street, Littleton, Colorado, on the 9th day of August 2022, at 9:30 o'clock AM at which time evidence and testimony were presented to the Board concerning the Final Development Plan; and

WHEREAS, the administrative record for this Case includes, but is not limited to, all duly adopted ordinances, resolutions and regulations, together with all Department of Public Works and Development processing policies which relate to the subject matter of the public hearing, the staff files and reports of the Planning and Engineering case managers, and all submittals of the applicant; and

WHEREAS, representations, statements and positions were made by or attributed to the applicant or its representatives on the record, including representations contained in the materials submitted to the Board by the applicant and County staff; and

WHEREAS, the applicant has agreed to all conditions of approval recommended by County staff, and has agreed to execute all agreements and to convey all rights of way and easements recommended by staff, except as stated in this resolution; and

WHEREAS, the Board finds that the proposed Final Development Plan generally conforms to the Arapahoe County Comprehensive Plan and complies with the approval criteria found in the Land Development Code; and

WHEREAS, this Board has considered the recommendation of the Arapahoe County Planning Commission, the testimony and evidence presented at the public hearing and has concluded that the public health, safety, convenience and general welfare, as well as good zoning practice, justifies the approval of the Final Development Plan of Copperleaf No. 30, (Case No. FDP21-005) subject to the conditions precedent and/or stipulations as hereinafter delineated.

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

1. That the Final Development Plan of Copperleaf No 30, Case No. FDP21-005, be approved on the grounds that the Final Development Plan is compatible with development standards for the area and complies with the requirements of the approved Preliminary Development Plan; and that said development is the result of a desirable plan for land use presented by the applicant in the form of the above-mentioned Final Development Plan.
2. Approval of this Final Development Plan is based upon the following understandings, agreements and/or representations:
 - a. The applicant's assent and/or agreement to make all modifications to the final version of the documents that are necessary to conform the documents to the form and content requirements of the County in existence at the time the documents are submitted for signature.
 - b. The representations, statements and positions contained in the record that were made by or attributed to the applicant and its representatives, including all such statements contained in materials submitted to the Board by the applicant and County staff.
3. Approval of this Final Development Plan shall be and is subject to the following stipulations and/or conditions precedent, which the applicant has accepted and which the applicant is also deemed to accept by continuing with the development of the property:
 - a. The applicant's compliance with the recommended stipulations of the Arapahoe County Planning Commission as set forth in the record of its proceedings, except as may be modified by this Board.

- b. The applicant's compliance with all conditions of approval recommended by the staff case managers in the written staff reports presented to the Board, and any conditions stated by staff on the record.
 - 1) Prior to signature of the final copy of these plans the applicant must address Public Works and Development Staff comments and concerns.
 - 2) This approval is contingent upon Board of County Commissioners approval of the associated Final Plat application, case number PF21-007.
 - 3) The applicant shall submit a letter from East Cherry Creek Valley Water and Sanitation indicating the District can, will and has the resources to serve the site prior to the signature of the associated Final Plat.
 - c. The applicant's compliance with all additional conditions of approval stated by the Board imposed no additional stipulations.
 - d. The applicant's performance of all commitments and promises made by the applicant or its representatives and stated to the Board on the record or contained within the materials submitted to the Board.
- 4. Except to the extent expressly disclosed in the underlying staff reports and set forth in a finding of fact in this Resolution, this approval action does not accept or approve any plan language that varies, in any respect, from the standard notes and language required by the Arapahoe County Land Development Code and applicable department policies. Any nonstandard language appearing on the Final Development Plan shall be of no effect unless so disclosed and unless expressly approved in a Finding of Fact. This Board reserves the power to take further action without further notice, by Resolution, to either remove or ratify any such language at any time.
 - 5. County planning, engineering and legal staff are authorized to make any changes to the mylar form of the approved document as may be needed to conform the documents to the form and content requirements of the County in existence at the time the documents are submitted for signature, and to make such other changes that are expressly stated by staff before the Board, or are recommended by staff in the written staff reports, or are referred to by the movant Commissioner. No other deviation or variance from the form and content of the documents submitted for the Board's consideration are approved except to the extent stated in this resolution.
 - 6. The County Attorney, with the concurrence of the planning and/or engineering case managers, is authorized to make appropriate modifications to the resolution and plan documents as needed to accurately reflect the matters presented to the Board and to record and clarify, as necessary, other aspects and ramifications of the Board's action.
 - 7. The foregoing approval is conditioned upon, and subject to, submission by the applicant of

a mylar from of the Final Development Plan, containing the above changes, within sixty (60) days of the date of this decision. In the event the applicant fails to submit a conforming mylar by the above deadline, this decision shall be voidable by resolution of the Board of County Commissioners and of no effect whatsoever.

8. Upon the applicant's completion of all changes to the Final Development Plan mylar as required by this Resolution, the Chair of the Board of County Commissioners is hereby authorized to sign same. In the event of a discrepancy between the terms of this Resolution and the content of the executed mylar, the terms of this Resolution will control.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Yes; 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 August 9, 2022 have been reviewed and approved.

BOARD OF COUNTY COMMISSIONERS

Nancy Jackson

COUNTY ATTORNEY'S OFFICE

[Signature]

CLERK TO THE BOARD

[Signature]

