

BOARD OF COUNTY COMMISSIONERS OF ARAPAHOE COUNTY, COLORADO

TUESDAY, SEPTEMBER 27, 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 27th day of September, 2022, there were present:

Nancy Jackson, Chair	Commissioner District 4	Absent and Excused
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. 22-252 It was moved by Commissioner Sharp and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, Jefferie W. Hinkle began his employment with Arapahoe County on October 1, 1983, and will be retiring from his Road Maintenance Technician position effective October 4, 2022, with 39 years of dedicated service to our County. Jefferie joined the County after serving his Country in the United States Marine Corps, and during his County employment has served in the Facilities and Fleet Management Department for 15 years and in the Road & Bridge Division of the Public Works and Development Department (PWD) for 24 years, currently being the longest-tenured employee within PWD; and

WHEREAS, Jefferie is a third generation Arapahoe County employee, proudly following in his father's footsteps, playing a principal role in the everyday lives of Arapahoe County citizens and customers by maintaining public transportation infrastructure while striving to preserve the environment, both of which are regarded as cornerstones of a prosperous economy and safe community. The County's infrastructure is a valuable asset that each generation uses and passes onto future generations. To this end, the Hinkle family's contributions have been truly invaluable for our County; and

WHEREAS, during his tenure, Jefferie has been a true professional and held himself to the highest standards of conduct while encouraging others to do their best. He has firmly established a reputation within the County as a person of integrity and principle. He has led by demonstrating Service, Trust, Respect, Integrity, Vision and Excellence (STRIVE) in his work. He employs industry best practices and professional knowledge, while always taking a common-sense

approach to decision making. He has earned the utmost respect and admiration from his peers by way of his steadfast commitment to our County; and

WHEREAS, Jefferie will be remembered for his many positive attributes, including loyalty to the County and his fellow colleagues, his genuine dedication to serve, resource stewardship, humbleness, and professionalism. His extensive knowledge about Road and Bridge operations, and his calm but steady disposition in the workplace was a true asset. His attention to detail and quality of work with heavy equipment operations and maintenance is well known. His willingness to mentor others serves as an example for excellence; and

WHEREAS, it is fully anticipated that Jefferie will completely embrace the next chapter of his life while in retirement. He will be deeply missed by everyone who has had the wonderful opportunity to know and work with him, and we thank him for giving his gift of service and friendship for so many years. Jefferie will leave behind a solid legacy for all staff to build upon.

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

The vote was:

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

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-253 It was moved by Commissioner Baker and duly seconded by Commissioner Sharpe to adopt the following Resolution:

WHEREAS, at an August 9, 2022, Board of County Commissioner Study Session, the Human Resources Department presented proposed 2023 holiday schedule for consideration: and

WHEREAS, the Board of County Commissioners must approve annually the observed holidays for the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County, Colorado to authorize the 2023 Holiday Schedule as follows:

- New Year's Day – Monday, January 2
- Martin Luther King Day – Monday, January 16
- Presidents Day – Monday, February 20
- Memorial Day – Monday, May 29
- Juneteenth – Monday, June 19
- Independence Day – Tuesday, July 4

- Labor Day – Monday, September 4
- Arapahoe Day – Monday, October 2
- Veterans Day – Friday, November 10
- Thanksgiving Day – Thursday, November 23
- Day after Thanksgiving – Friday, November 24
- Christmas Eve – Monday, December 25
- Christmas Day – Tuesday, December 26
- Floating Holiday (1)

The vote was:

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

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-254 It was moved by Commissioner Baker and duly seconded by Commissioner Sharpe to adopt the following resolution:

WHEREAS, pursuant to C.R.S. § 39-3-206(2)(a), the Board of County Commissioners, acting as the County Board of Equalization, is required to hold hearings when any senior, who's application for a property tax exemption has been denied by the County Assessor pursuant to C.R.S. § 39-3-206(1)(b), desires to contest the denial; and

WHEREAS, pursuant to C.R.S. § 39-3-206(2)(b), the Board of County Commissioners, acting as the County Board of Equalization, may appoint independent referees to conduct these hearings on behalf of the County Board of Equalization; and

WHEREAS, after said hearings, the referee shall make findings and submit recommendations to the County Board of Equalization for its final action, and

WHEREAS, the Board is desirous of appointing a referee who will conduct these hearings on behalf of the County Board of Equalization.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County to appoint **Jeff Hamilton** as an independent referee to conduct hearings on behalf of the County Board of Equalization pursuant to C.R.S. §§ 39-3-206(2)(a) and (2)(b) for calendar year 2022 for those seniors who wish to contest the denial of their property tax exemption.

The vote was:

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

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-255 It was moved by Commissioner Baker and duly seconded by Commissioner Sharpe to accept the Veterans Service Officer's Report for the month of August, 2022. Copies were retained for the Commissioners' files.

The vote was:

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

The Chair declared the resolution adopted and so ordered.

RESOLUTION NO. 22-256 It was moved by Commissioner Baker and seconded by Commissioner Sharpe to authorize the Office of the District Attorney, 18th Judicial District to electronically apply for the State Gray & Black Market Marijuana Enforcement Grant on behalf of the Office of the District Attorney, 18th Judicial District and to complete any electronically related requests, updates, and closing, and to authorize the Chair of the Board of County Commissioners to sign any associated documents related to the State Gray & Black Market Marijuana Enforcement Grant, as needed, for the receipt of funds, and closing of the Grant. The Grant is for to fund the salaries and benefits, and equipment used by the prosecution and investigation team members working on illegal cultivation and distribution of marijuana cases as specified by the grant requirements. The District Attorney's Office, through the Arapahoe County, is eligible to receive the award.

The vote was:

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

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-257 It was moved by Commissioner Baker and duly seconded by Commissioner Sharpe to accept, upon recommendation of the County's Engineering Services Division and Director of the Public Works and Development Department, the **Public Use Easement Agreement** for a Drainage Easement within LOT 3, BLOCK 1, DOVE VALLEY V FILING 14, granted by DV CHAMBERS LLC, A DELAWARE LIMITED LIABILITY COMPANY, granting an interest in the following real property:

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOT 3, BLOCK 1, DOVE VALLEY V - FILING NO. 14, RECORDED IN THE ARAPAHOE COUNTY CLERK AND RECORDER'S OFFICE AT RECEPTION NO. D7090353, SITUATED IN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 5 SOUTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF

ARAPAHOE, STATE OF COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT OF CURVATURE ON THE SOUTHEASTERLY LINE OF SAID LOT 3, BLOCK 1, AND CONSIDERING SAID SOUTHEASTERLY LINE TO BEAR NORTH 57°57'51" EAST, WITH ALL BEARINGS HEREON RELATIVE THERETO; THENCE NORTH 55°13'15" WEST A DISTANCE OF 208.93 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 52°21'34" EAST A DISTANCE OF 35.51 FEET;

THENCE NORTH 58°02'36" EAST A DISTANCE OF 258.67 FEET;

THENCE NORTH 57°59'06" EAST A DISTANCE OF 86.10 FEET;

THENCE NORTH 57°42'29" EAST A DISTANCE OF 71.54 FEET;

THENCE SOUTH 56°31'57" WEST A DISTANCE OF 136.05 FEET;

THENCE SOUTH 57°57'51" WEST A DISTANCE OF 315.65 FEET TO THE **POINT OF BEGINNING**;

SAID PARCEL CONTAINS AN AREA OF 1,179 SQUARE FEET, OR 0.027 ACRES, MORE OR LESS.

The Easement shall be used in connection with Arapahoe County Case No. ASP21-009, and is accepted for the easement 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.

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

The vote was:

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

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-258 It was moved by Commissioner Baker and duly seconded by Commissioner Sharpe to accept, upon recommendation of the County's Engineering Services Division and Director of the Public Works and Development Department, the **Uniform Easement Deed and Revocable Storm Drainage License Agreement** for 3 Drainage Easements within LOT 3, BLOCK 1, DOVE VALLEY V FILING 14, granted by DV CHAMBERS LLC, A DELAWARE LIMITED LIABILITY COMPANY, granting an interest in the following real property:

LEGAL DESCRIPTIONS

Drainage Easement 1

A PARCEL OF LAND BEING A PORTION OF LOT 3, BLOCK 1, DOVE VALLEY V - FILING NO. 14, RECORDED IN THE ARAPAHOE COUNTY CLERK AND RECORDER'S OFFICE AT RECEPTION NO. D7090353, SITUATED IN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 5 SOUTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF ARAPAHOE, STATE OF COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT OF CURVATURE ON THE SOUTHEASTERLY LINE OF SAID LOT 3, BLOCK 1, AND CONSIDERING SAID SOUTHEASTERLY LINE TO BEAR NORTH 57°57'51" EAST, WITH ALL BEARINGS HEREON RELATIVE THERETO; THENCE NORTH 17°37'56" WEST A DISTANCE OF 356.83 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 37°52'25" WEST A DISTANCE OF 6.10 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 111°10'24", A RADIUS OF 45.00 FEET, AN ARC LENGTH OF 87.32 FEET AND A CHORD THAT BEARS NORTH 86°32'23" WEST A DISTANCE OF 74.25 FEET; THENCE NORTH 30°57'11" WEST A DISTANCE OF 47.78 FEET; THENCE SOUTH 73°57'45" WEST A DISTANCE OF 4.41 FEET; THENCE NORTH 23°12'46" WEST A DISTANCE OF 20.19 FEET;

THENCE NORTH 73°57'45" EAST A DISTANCE OF 3.45 FEET TO A POINT OF CURVATURE;

THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 63°56'40", A RADIUS OF 41.84 FEET, AN ARC LENGTH OF 46.69 FEET AND A CHORD THAT BEARS NORTH 08°34'55" EAST A DISTANCE OF 44.30 FEET TO A POINT OF CURVATURE;

THENCE ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 36°29'35", A RADIUS OF 29.75 FEET, AN ARC LENGTH OF 18.95 FEET AND A CHORD THAT BEARS NORTH 20°14'52" WEST A DISTANCE OF 18.63 FEET TO A POINT OF CURVATURE;

THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 79°55'24", A RADIUS OF 80.20 FEET, AN ARC LENGTH OF 111.87 FEET AND A CHORD THAT BEARS NORTH 01°26'09" EAST A DISTANCE OF 103.02 FEET;

THENCE NORTH 41°21'57" EAST A DISTANCE OF 37.36 FEET;

THENCE SOUTH 48°38'03" EAST A DISTANCE OF 10.50 FEET;

THENCE SOUTH 41°21'57" WEST A DISTANCE OF 37.36 FEET TO A POINT OF CURVATURE;

THENCE ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 68°13'47", A RADIUS OF 69.85 FEET, AN ARC LENGTH OF 83.18 FEET AND A CHORD THAT BEARS SOUTH 07°11'40" WEST A DISTANCE OF 78.35 FEET TO A POINT OF CURVATURE;

THENCE ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 62°21'28", A RADIUS OF 29.75 FEET, AN ARC LENGTH OF 32.38 FEET AND A CHORD THAT BEARS SOUTH 58°09'22" EAST A DISTANCE OF 30.80 FEET TO A POINT OF CURVATURE;

THENCE ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 49°33'02", A RADIUS OF 29.73 FEET, AN ARC LENGTH OF 25.71 FEET AND A CHORD THAT BEARS NORTH 65°54'33" EAST A DISTANCE OF 24.92 FEET;
THENCE SOUTH 48°21'54" EAST A DISTANCE OF 19.23 FEET;
THENCE NORTH 34°46'50" EAST A DISTANCE OF 44.37 FEET;
THENCE SOUTH 55°13'10" EAST A DISTANCE OF 20.00 FEET;
THENCE SOUTH 34°46'50" WEST A DISTANCE OF 76.68 FEET;
THENCE SOUTH 48°38'37" EAST A DISTANCE OF 60.31 FEET TO A POINT OF CURVATURE;
THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 86°24'01", A RADIUS OF 30.72 FEET, AN ARC LENGTH OF 46.32 FEET AND A CHORD THAT BEARS SOUTH 05°23'06" EAST A DISTANCE OF 42.05 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS AN AREA OF 13,971 SQUARE FEET, OR 0.321 ACRES, MORE OR LESS.

Drainage Easement 2

A PARCEL OF LAND TWENTY (20) FEET IN WIDTH BEING A PORTION OF LOT 3, BLOCK 1, DOVE VALLEY V - FILING NO. 14, RECORDED IN THE ARAPAHOE COUNTY CLERK AND RECORDER'S OFFICE AT RECEPTION NO. D7090353, SITUATED IN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 5 SOUTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF ARAPAHOE, STATE OF COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT OF CURVATURE ON THE SOUTHEASTERLY LINE OF SAID LOT 3, BLOCK 1, AND CONSIDERING SAID SOUTHEASTERLY LINE TO BEAR NORTH 57°57'51" EAST, WITH ALL BEARINGS HEREON RELATIVE THERETO;

THENCE NORTH 48°35'38" WEST A DISTANCE OF 221.43 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 70°28'59" WEST A DISTANCE OF 81.81 FEET;
THENCE NORTH 19°31'01" EAST A DISTANCE OF 20.00 FEET;
THENCE SOUTH 70°28'59" EAST A DISTANCE OF 81.81 FEET;
THENCE SOUTH 19°31'01" WEST A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS AN AREA OF 1,636 SQUARE FEET, OR 0.038 ACRES, MORE OR LESS.

Drainage Easement 3

A PARCEL OF LAND TWENTY (20) FEET IN WIDTH BEING A PORTION OF LOT 3, BLOCK 1, DOVE VALLEY V - FILING NO. 14, RECORDED IN THE ARAPAHOE COUNTY CLERK AND RECORDER'S OFFICE AT RECEPTION NO. D7090353, SITUATED IN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 5 SOUTH, RANGE 66 WEST OF

THE 6TH P.M., COUNTY OF ARAPAHOE, STATE OF COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT OF CURVATURE ON THE SOUTHEASTERLY LINE OF SAID LOT 3, BLOCK 1, AND CONSIDERING SAID SOUTHEASTERLY LINE TO BEAR NORTH 57°57'51" EAST, WITH ALL BEARINGS HEREON RELATIVE THERETO;

THENCE NORTH 04°28'06" WEST A DISTANCE OF 959.40 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 63°56'20" WEST A DISTANCE OF 153.25 FEET;
THENCE NORTH 04°51'27" EAST A DISTANCE OF 21.45 FEET;
THENCE SOUTH 63°56'20" EAST A DISTANCE OF 161.01 FEET;
THENCE SOUTH 26°03'40" WEST A DISTANCE OF 20.00 FEET TO THE **POINT OF BEGINNING**;

SAID PARCEL CONTAINS AN AREA OF 3,143 SQUARE FEET, OR 0.072 ACRES, MORE OR LESS.

The Easements shall be used in connection with Arapahoe County Case No. ASP21-009, and is accepted for the easement 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.

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

The vote was:

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

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-259 It was moved by Commissioner Baker and seconded by Commissioner Sharpe to adopt the following resolution:

WHEREAS, pursuant to Section 39-6-206(2)(a) C.R.S., the County Board of Equalization is required to review qualifying senior citizens property tax exemptions appearing on the assessment roll; and

WHEREAS, pursuant to Section 39-6-206(2)(a) C.R.S., the County Board of Equalization shall correct any errors made by the Assessor and whenever in its judgment justice and right so require, it shall raise, lower, or adjust any valuation for assessment and appearing in the assessment roll to the end that all valuations for assessment of property are just and equalized within the County; and

WHEREAS, pursuant to Section 39-6-206(2)(a), the County Board of Equalization shall receive and hear petitions from any person whose objections or protests have been refused or denied by the County Assessor, which hearings may be conducted by independent referees appointed by the County Board of Equalization pursuant to Section 39-6-206(2)(a), C.R.S.; and

WHEREAS, based upon the evidence and testimony presented to the Board on this date, the Board has determined to take the following action.

The Petition of Kristina M. Watson, PIN: 031629071 is hereby denied for the following reason:

The Petitioner officially took title to the property on October 13, 2014, and therefore does not qualify for the Senior Exemption until 2025 when she has held title for 10 years.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, acting as the Arapahoe County Board of Equalization ("the Board"), as follows:

- 1) Pursuant to Section 39-8-102(2)(i), C.R.S., the Board hereby accepts the findings and recommendation of the appointed independent referee, attached hereto, and adopts said recommendation as the final action of the Arapahoe County Board of Equalization, with the understanding that the Board hereby authorizes the Clerk or the Deputy Clerk to the Arapahoe County Board of Equalization to make minor administrative modifications to said referee recommendation to correct any calculation error or other similar mistake prior the Clerk's notification to the property owner and or their representative.
- 2) The Clerk and Recorder is hereby directed to forward a copy of this Resolution to the Arapahoe County Assessor for further action as may be required by law.
- 3) The Board of County Commissioners respectfully requests the Arapahoe County Assessor to take appropriate actions with regard to this Resolution, as soon as possible.
- 4) The Clerk to the Board is hereby directed to notify the property owner of this actions.

The vote was:

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

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-260 It was moved by Commissioner Baker and duly seconded by Commissioner Sharpe to approve \$2,133,333 in Open Space Acquisition and Development funds for a pedestrian underpass at Quebec and Colfax #1 along the High Line Canal Trail.

The vote was:

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

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-261 It was moved by Commissioner Baker and duly seconded by Commissioner Sharpe to authorize a road closure extension of Copperleaf Boulevard and Radcliff Parkway from October 1, 2022 to December 31, 2022 for construction of a new roundabout intersection and roadway widening. The aforementioned road closure is subject to the provision of notice of the closure of Copperleaf Boulevard and Radcliff Parkway to the Arapahoe County Sheriff's Office, the appropriate school, fire and emergency district and other governmental agencies, and Richmond Homes agreeing to the implementation of the detour plan and adequate posting of the closure as may be determined by the Arapahoe County Public Works and Development Department.

The vote was:

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

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-262 It was moved by Commissioner Baker and duly seconded by Commissioner Sharpe 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 the Easements within Lot 2, Block 1, Dove Valley Business Park Subdivision Filing No. 26, County of Arapahoe, State of Colorado, dated July 14, 2022 and September 8, 2022, granted by DC, LLC., conveying the following real property interest to the County:

LEGAL DESCRIPTION:

DRAINAGE EASEMENT

A PARCEL OF LAND LOCATED IN LOT 2, BLOCK 1, DOVE VALLEY BUSINESS PARK SUBDIVISION FILING NO. 26, AS RECORDED AT RECEPTION NO. E1096128 OF THE ARAPAHOE COUNTY RECORDS, LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 36, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL

MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 36, WHENCE THE SOUTH 1/4 CORNER OF SAID SECTION 36 BEARS S01°47'36"W, A DISTANCE OF 5292.86 FEET, PER SAID DOVE VALLEY BUSINESS PARK SUBDIVISION FILING NO. 26, ON WHICH ALL BEARINGS HEREON ARE BASED;

THENCE S35°14'30"W, A DISTANCE OF 1420.26 FEET TO THE POINT OF BEGINNING;

THENCE S72°10'46"W, A DISTANCE OF 16.00 FEET;

THENCE N17°49'14"W, A DISTANCE OF 171.34 FEET;

THENCE N03°00'15"E, A DISTANCE OF 76.67 FEET;

THENCE N54°33'35"E, A DISTANCE OF 27.68 FEET;

THENCE N41°46'32"W, A DISTANCE OF 30.86 FEET;

THENCE ALONG THE NORTHWESTERLY LINE OF SAID LOT 2, N54°33'35"E, A DISTANCE OF 20.12 FEET;

THENCE S41°46'32"E, A DISTANCE OF 30.86 FEET;

THENCE N54°33'35"E, A DISTANCE OF 9.25 FEET;

THENCE S41°08'41"E, A DISTANCE OF 80.39 FEET;

THENCE S60°24'15"W, A DISTANCE OF 99.56 FEET;

THENCE S17°49'14"E, A DISTANCE OF 166.14 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 9,875 SQUARE FEET OR 0.226 ACRES, MORE OR LESS.

ACCESS TO DRAINAGE EASEMENT

A PARCEL OF LAND LOCATED IN LOT 2, BLOCK 1, DOVE VALLEY BUSINESS PARK SUBDIVISION FILING NO. 26, AS RECORDED AT RECEPTION NO. E1096128 OF THE ARAPAHOE COUNTY RECORDS, LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 36, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 36, WHENCE THE SOUTH 1/4 CORNER OF SAID SECTION 36 BEARS S01°47'36"W, A DISTANCE OF

5292.86 FEET, PER SAID DOVE VALLEY BUSINESS PARK SUBDIVISION FILING NO. 26, ON WHICH ALL BEARINGS HEREON ARE BASED;

THENCE S26°17'46"W, A DISTANCE OF 1426.00 FEET TO THE POINT OF BEGINNING;

THENCE ALONG THE SOUTHEASTERLY LINE OF SAID LOT 2, 16.00 FEET ON A CURVE TO THE RIGHT HAVING A RADIUS OF 400.00 FEET, A CENTRAL ANGLE OF 02°17'31", WITH A CHORD BEARING S53°45'55"W AND A CHORD LENGTH OF 16.00 FEET;

THENCE N36°33'06"W, A DISTANCE OF 41.60 FEET;

THENCE S59°12'11"W, A DISTANCE OF 58.99 FEET;

THENCE S69°40'23"W, A DISTANCE OF 56.56 FEET;

THENCE N17°49'14"W, A DISTANCE OF 313.73 FEET;

THENCE N72°10'46"E, A DISTANCE OF 16.00 FEET;

THENCE S17°49'14"E, A DISTANCE OF 297.01 FEET;

THENCE N69°40'23"E, A DISTANCE OF 38.38 FEET;

THENCE N59°12'11"E, A DISTANCE OF 72.00 FEET;

THENCE S36°33'06"E, A DISTANCE OF 56.16 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 7,476 SQUARE FEET OR 0.171 ACRES, MORE OR LESS.

The Easements shall be used in connection with Arapahoe County Case No. ASP21-010, and known as Dove Valley Bs Pk #26 Paonia Building, 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, Absent and Excused; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-263

It was moved by Commissioner Baker and duly seconded by Commissioner Sharpe to authorize the Chair of the Board of County Commissioners to sign the First Amendment to Incentive Payment Agreement by and between Arapahoe County and Charter Communications Holding Company LLC relating to the refund of one-hundred percent (100%) of the County levied personal property taxes for tax years 2018 through 2027, pursuant to Section 30-11-123, C.R.S., in connection with the new business facility located at 6175 South Willow Drive, Greenwood Village, Colorado 80111 and to sign the Second Amendment to the Incentive Payment Agreement by and between Arapahoe County and Charter Communications Holding Company LLC to the refund of one-hundred percent (100%) of the County levied personal property taxes for tax years 2017 through 2026, pursuant to Section 30-11-123, C.R.S., in connection with the new and expanded facilities located at 6350, 6360, and 6399 South Fiddler's Green Circle, Greenwood Village, Colorado 80111, pursuant to the terms contained therein.

The vote was:

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

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-264

It was moved by Commissioner Baker and duly seconded by Commissioner Sharpe to approve the award of \$3,900,000 in Open Space Acquisition and Trail Development funds over three years for the Reynolds Landing improvements, contingent upon the execution of an intergovernmental agreement between the County and the City of Littleton.

The vote was:

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

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-265

It was moved by Commissioner Baker and duly seconded by Commissioner Sharpe to approve the submitted warrant disbursement register, dated August 28-September 19, 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, Absent and Excused; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the resolution adopted and so ordered.

RESOLUTION NO. 22-266 It was moved by Commissioner Baker and duly seconded by Commissioner Sharpe 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
2021BAA1896	Jubilee Fellowship Church	2021/2022
2021BAA2299	Wenco Leeds West Property Group LLC	2021/2022
2021BAA2594	Northern Englewood LP	2021
2022BAA321	Northern Englewood LP	2022
2022BAA325	Affinity At Cloverleaf LLC	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, Absent and Excused; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 22-267 It was moved by Commissioner Baker and duly seconded by Commissioner Sharpe to amend Resolution No. 22-244BB adopted on September 13, 2022 in order to correct the refund amount. Petitioner, CJ CO parcel number 1973-24-1-15-001 for tax year 2021. The correct refund amount is \$11,796.40.

The vote was:

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

The Chair declared the motion carried and so ordered.

The foregoing Resolutions from the meeting of September 27, 2022 have been reviewed and approved.

BOARD OF COUNTY COMMISSIONERS

COUNTY ATTORNEY'S OFFICE

Nancy Jackson

[Signature]

CLERK TO THE BOARD

[Signature]

