

**UNIFORM EASEMENT DEED AND REVOCABLE
STORM DRAINAGE LICENSE AGREEMENT**

This Easement Deed and Revocable Storm Drainage License Agreement is made this _____ day of _____, 2022, between SCHULTJANN HOLDING, LLC

whose legal address is 11545 HELENA ST., COMMERCE CITY, CO 80022

for itself and for its successors, tenants, licensees, heirs (if applicable) and assigns, (the "Owner"), and THE BOARD OF COUNTY COMMISSIONERS OF ARAPAHOE COUNTY, COLORADO, a body corporate and politic, whose legal address is 5334 South Prince Street, Littleton, Colorado 80166, (the "County").

Owner is the owner in fee simple of the property described in Exhibit A (the "Easement Property"), and of the property upon which the Easement Property is located, described in Exhibit B (the "Development"). Owner desires a license to use certain components of County's storm drainage facilities to discharge approved volumes of clean stormwater from the Development. County has agreed to license Owner's use upon the terms of this Agreement, which include the grant by Owner of a permanent drainage and storm drainage easement to County. For and in consideration of the sum of ten dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Owner hereby grants and conveys to County, its successors and assigns, a permanent easement to enter, re-enter, occupy and use the Easement Property, and warrants the title to the same, for the purpose of constructing, connecting, disconnecting, rerouting, enlarging, removing, repairing, operating, monitoring and testing, and maintaining above ground, surface and underground:

storm sewer facilities, detention and water quality ponds and related drainage facilities

which may include all necessary above ground, surface and underground facilities and appurtenances related thereto, including but not limited to: mains, manholes, conduits, valves, pavement, vaults, ventilators, retaining walls, drop structures, inlets, outfalls, erosion control structures, culverts, pipes, electric or other control systems, cable, wires and connections, including telephone wiring; in, upon, under, through and across the Easement Property, upon the terms and conditions stated in the instrument recorded **at Reception No. A7066570**, incorporated herein by this reference.

County hereby grants a revocable license to Owner and to the successors, heirs and permitted assigns of Owner, to discharge approved quantities and flows of clean stormwater into Deacon Run, which is tributary to Box Elder Creek, located downstream of the project site, Arapahoe County, Colorado, (the "Outfall") upon the terms and conditions stated in the instrument recorded at Reception No. A7066570, incorporated herein by this reference.

This instrument relates to that certain Administrative Site Plan, Case No. ASP21-014 (the "Plan") and known as Watkins Recycling Facility.

The Special Conditions, if any, attached to this instrument are a part of this instrument and if in conflict with any other term shall supersede and control over any other term.


Except to the extent described in any Special Conditions, the parties intend that the terms of this License Agreement be interpreted in accordance with the requirements of the subdivision improvement agreement ("SIA") and the Plan, if any. In the event of irreconcilable conflict between or among the terms of this License Agreement or the terms of the SIA or the Plan, the terms of this License Agreement shall control.

Termination, revocation or nonrenewal of the License Agreement shall not affect County's rights granted under this Easement. Each and every one of the benefits and burdens of this Easement shall inure to and be binding upon the respective legal representatives, successors and assigns of the Owner and County.

This License Agreement may be assigned, in whole or in part, by the County. Upon such assignment the County shall be released from all obligations and liabilities that run with this License Agreement.

IN WITNESS WHEREOF, the County and Owner have executed this Agreement on the date set forth above.

Owner: SCHULTEJANN HOLDINGS, LLC

By: 

Name: Erika Warren

Title: Partner

State of Colorado }
 } s.s.
County of }

The foregoing instrument was acknowledged before me this 27 day of MAY, 2022, by ERIKA WARREN, as PARTNER of SCHULTEJANN HOLDINGS, LLC

My commission expires 11/19/2022 Witness my hand and official seal.



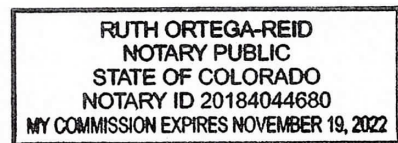
Signature

RUTH ORTEGA-REID

Name of Notary

34352 E. 142PL. HUDSON CO. 80642

Address of Notary



(SEAL)

For the Board of County Commissioners:

Bryan D. Weimer
Director, Department of Public Works and Development
Pursuant to Resolution No.

EXHIBIT A

{Legal Description of the Easements}



EXHIBIT A (1)

DRAINAGE EASEMENT 01

PROPERTY DESCRIPTION

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. N10°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.

EXHIBIT ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF.

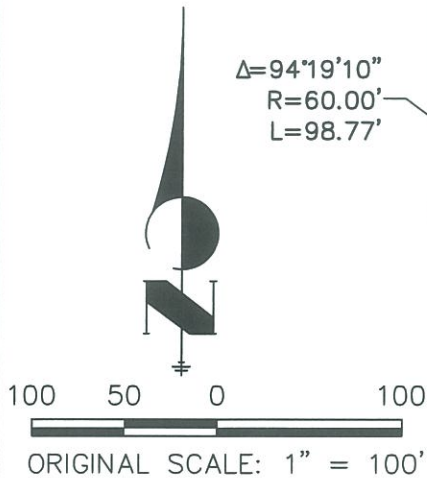
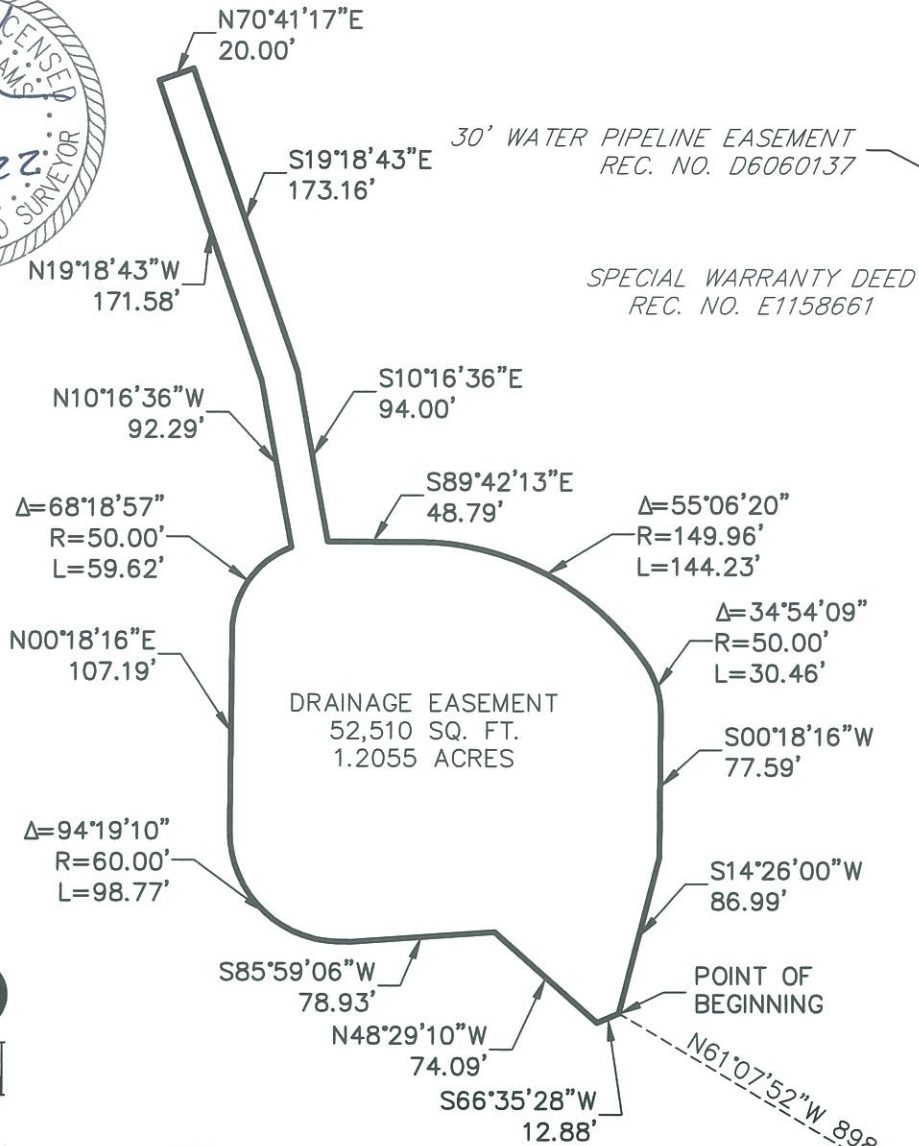
PROPERTY DESCRIPTION STATEMENT

I, JARROD ADAMS, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE PROPERTY DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED UNDER MY RESPONSIBLE CHARGE, AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, ARE CORRECT.

JARROD ADAMS, PROFESSIONAL LAND SURVEYOR
COLORADO NO. 38252
FOR AND ON BEHALF OF JR ENGINEERING, LLC



EXHIBIT



SW COR S.5, T.5S, R.64W, 6TH P.M.
RECOVERED 2.5" ALUMINUM CAP IN RANGE BOX
STAMPED "LS 11434 1999"

BASIS OF BEARINGS
S. LINE, SW1/4, SEC. 5,
T5S, R64W, 6TH P.M.
N89°41'44"W 2635.91'

POINT OF COMMENCEMENT
S 1/4 COR S.5, T.5S, R.64W, 6TH P.M.
RECOVERED 3.25" ALUMINUM CAP IN RANGE BOX
STAMPED "LS 25775 1996"

QUINCY ELECTRIC SUBSTATION
SUBDIVISION EXEMPTION
REC. NO. A6159746

DRAINAGE EASEMENT NO. 1
WATKINS RECYCLING FACILITY
PROJECT NO.: 15694.00
DATE: 7/11/2022

SHEET: 3 OF 3



J-R ENGINEERING

A Westrian Company

Centennial 303-740-9393 • Colorado Springs 719-593-2593
Fort Collins 970-491-9888 • www.jrengineering.com

NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED PROPERTY DESCRIPTION.



J-R ENGINEERING

EXHIBIT A (2)

DRAINAGE EASEMENT 02

PROPERTY DESCRIPTION

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.

EXHIBIT ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF.

PROPERTY DESCRIPTION STATEMENT

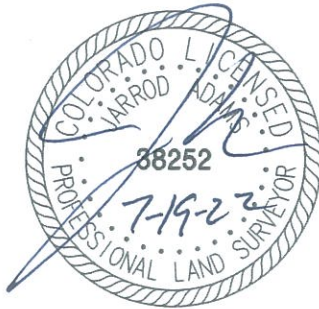
I, JARROD ADAMS, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE PROPERTY DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED UNDER MY RESPONSIBLE CHARGE, AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, ARE CORRECT.

JARROD ADAMS, PROFESSIONAL LAND SURVEYOR
COLORADO NO. 38252
FOR AND ON BEHALF OF JR ENGINEERING, LLC



EXHIBIT

SHEET 4



50 25 0 50

ORIGINAL SCALE: 1" = 50'

30' WATER PIPELINE EASEMENT
REC. NO. D6060137

SPECIAL WARRANTY DEED
REC. NO. E1158661

DRAINAGE EASEMENT
18,965 SQ. FT. 0.4354 ACRES

QUINCY ELECTRICAL SUBSTATION
SUBDIVISION EXEMPTION
REC. NO. A6159746

NORTH R.O.W. LINE
QUINCY AVE.
BOOK 2826, PAGE 722
REC. NO. 1761586

N74°35'42"E 202.82'

N00°18'16"E 547.43'

S00°18'16"W 567.78'

S74°35'42"W
146.86'

N89°41'44"W
73.87'

POINT OF BEGINNING

E. QUINCY AVE.
(110' R.O.W.)

BASIS OF BEARINGS
S. LINE, SW1/4, SEC. 5,
T5S, R64W, 6TH P.M.
N89°41'44"W 2635.91'

N85°05'50"W 710.99'

SW COR S.5, T.5S, R.64W, 6TH P.M.
RECOVERED 2.5" ALUMINUM CAP IN RANGE BOX
STAMPED "LS 11434 1999"

POINT OF COMMENCEMENT
S 1/4 COR S.5, T.5S, R.64W, 6TH P.M.
RECOVERED 3.25" ALUMINUM CAP IN RANGE BOX
STAMPED "LS 25775 1996"

NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED PROPERTY DESCRIPTION.

DRAINAGE EASEMENT NO. 2
WATKINS RECYCLING FACILITY
PROJECT NO.: 15694.00
DATE: 7/19/2022



J-R ENGINEERING

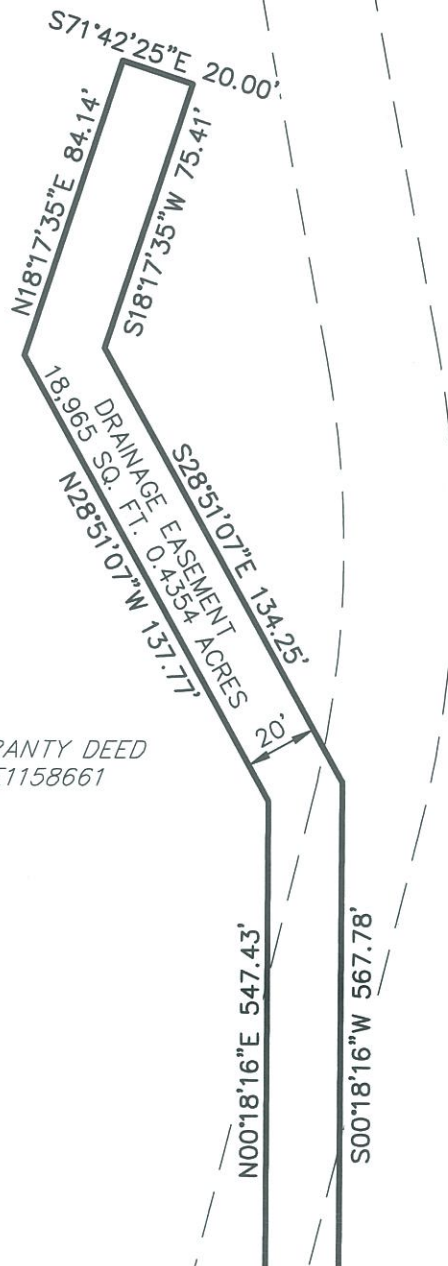
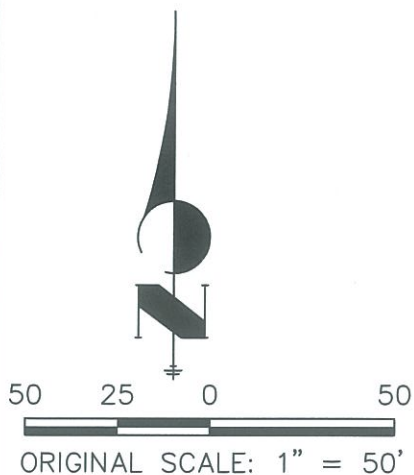
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SHEET: 3 OF 4

EXHIBIT

30' WATER PIPELINE EASEMENT
REC. NO. D6060137



SPECIAL WARRANTY DEED
REC. NO. E1158661

SHEET 3

NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED PROPERTY DESCRIPTION.

DRAINAGE EASEMENT NO. 2
WATKINS RECYCLING FACILITY
PROJECT NO.: 15694.00
DATE: 7/19/2022

SHEET: 4 OF 4



J-R ENGINEERING

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EXHIBIT B

{Legal Description of the Site}

A PARCLE 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.