

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

Drainage Easement 3

This Uniform Easement Deed and Revocable Storm Drainage License Agreement is made this _____ day of _____, 2022, between DV CHAMBERS LLC, A DELAWARE LIMITED LIABILITY COMPANY whose legal address 630 W Germantown Pike Ste. 300; Plymouth Meeting, PA 19462 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"). 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 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 County's storm drainage collector facility Dove Creek Drainageway and Regional Extended Detention Basin Pond D-1 in 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. ASP21-009 (the "Plan") and known as Dove Valley Industrial located at Dove Valley V, Filing No. 14, Lot 3, Block 1, County of Arapahoe, State of Colorado.

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.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

Owner: DV CHAMBERS LLC, A DELAWARE LIMITED LIABILITY COMPANY

By: *[Signature]*

Name: G. DOUGLAS WILEY, II

Title: PRESIDENT

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

The foregoing instrument was acknowledged before me this 31 day of August, 2022,
by G. Douglas Wiley, II, as President
of DV CHAMBERS LLC, A DELAWARE LIMITED LIABILITY COMPANY.

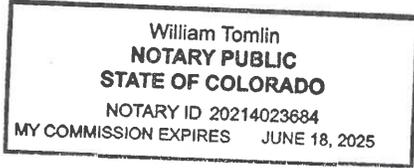
My commission expires June 18, 2025. Witness my hand and official seal.

[Signature]

Signature
Will Tomlin

Name of Notary
1720 S Bellaire St PH, Denver CO 80222

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 Easement}

ARAPAHOE COUNTY CASE NO. ASP21-009

DRAINAGE EASEMENT 3

EXHIBIT A

LEGAL DESCRIPTION

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 LINEAL DISTANCE UNIT USED IN THE PREPARATION OF THIS LEGAL DESCRIPTION IS THE UNITED STATES SURVEY FOOT. THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY DEFINES THE UNITED STATES SURVEY FOOT AS 1200/3937 METERS.

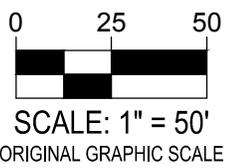
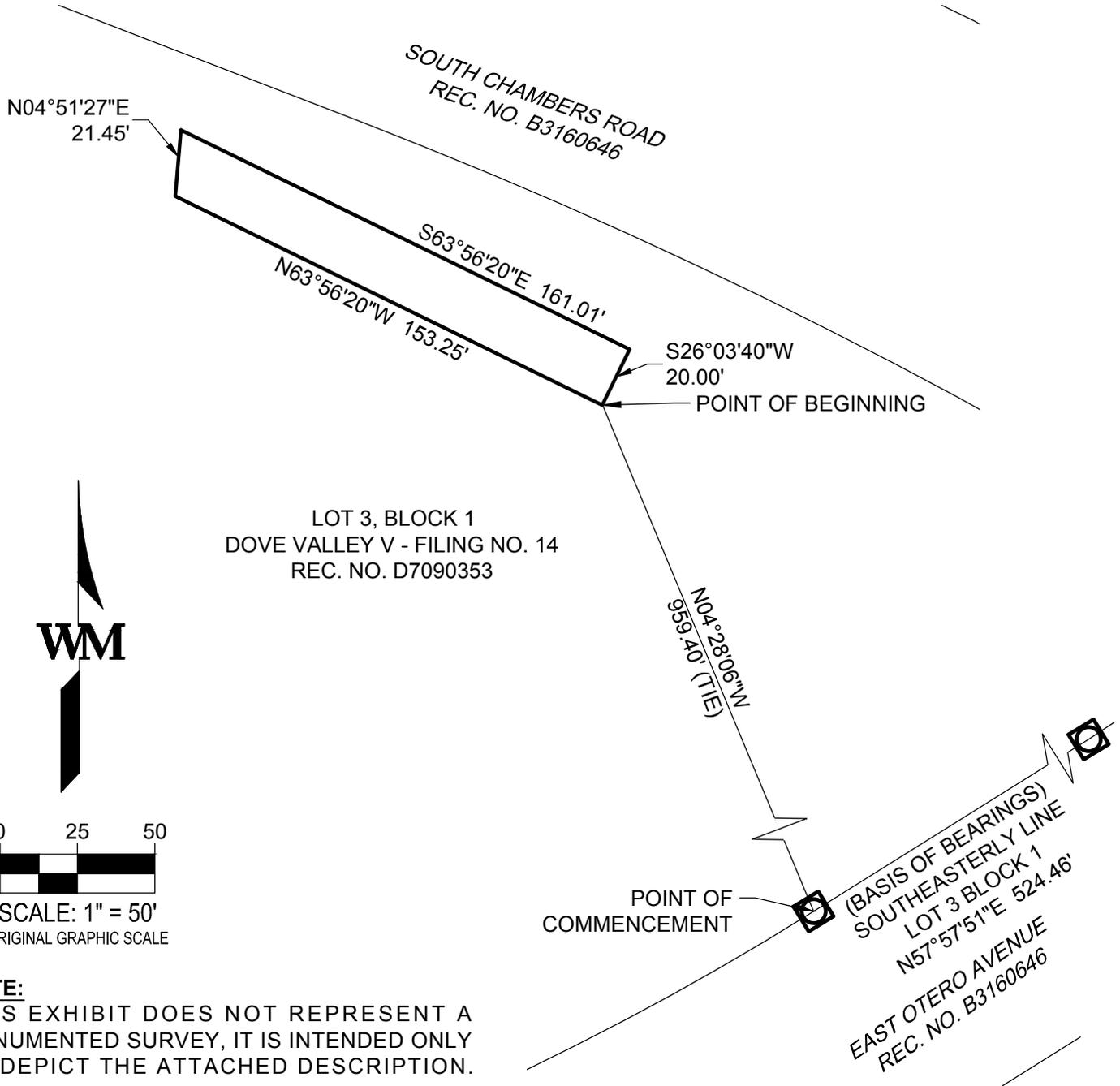
I, JUSTIN C. SCHEITLER, A SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING, IS BASED ON MY KNOWLEDGE, INFORMATION AND BELIEF, AND IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE.

JUSTIN C. SCHEITLER, P.L.S. 38430
 FOR AND ON BEHALF OF WARE MALCOMB
 900 SOUTH BROADWAY, SUITE 320, DENVER, COLORADO 80209
 P 303.561.3333



900 south broadway suite 320 denver, co 80209 p 303.561.3333 waremalcomb.com WARE MALCOMB CIVIL ENGINEERING & SURVEYING	WM	PROJECT NAME: DOVE VALLEY INDUSTRIAL			SHEET 1 OF 2
	JOB NO.: DEN21-0056		DATE : 07/25/2022		
	DRAWN: AJ	PA/PM: JCS	SCALE: NA		

ARAPAHOE COUNTY CASE NO. ASP21-009 DRAINAGE EASEMENT 3 EXHIBIT A



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

900 south broadway suite 320 denver, co 80209 p 303.561.3333 waremalcomb.com WM WARE MALCOMB CIVIL ENGINEERING & SURVEYING	PROJECT NAME: DOVE VALLEY INDUSTRIAL			SHEET <h2 style="margin: 0;">2 OF 2</h2>
	JOB NO.: DEN21-0056	DATE : 07/25/2022		
	DRAWN: AJ	PA/PM: JCS	SCALE: 1" = 50'	