

**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 DC, LLC

whose legal address is 5055 List Drive, Colorado Springs, CO 80919

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 Lot 2, Block 1, Dove Valley Business Park Subdivision Filing No. 26 (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:

Water quality grass swale and related storm drain system

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 regional water quality facility L2, 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. ASP21-010 (the "Plan") and known as Dove Valley Business Park Subdivision Filing No. 26, Paonia Building.

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.

Owner: DC, LLC

by: Donald Cannella

Name: DONALD D CANNELLA

Title: PRESIDENT

County of _____)
State of Colorado) s.s.

This instrument was acknowledged before me this 16th day of February, 2022 by Donald Dean Cannella as Peonia, Inc., an authorized representative of the Owner.

My commission expires: June 30th, 2025

Signature: [Signature]

Name of notary: WENDY NICOLE ESTES

Address of notary: Colorado Springs, CO 70919

WENDY NICOLE ESTES
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20214026154
MY COMMISSION EXPIRES JUNE 30, 2025

ACCEPTANCE AND APPROVAL:

For the Board of County Commissioners Arapahoe County

Bryan Weimer, Director, Public Works and Development
Authorization pursuant to Resolution No. _____

EXHIBIT A

{Legal Description of the Easement}

EXHIBIT A

DRAINAGE EASEMENT NO. _____

Sheet 1 of 2

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.

ROBERT A. HALL, PROFESSIONAL LAND SURVEYOR
COLORADO P.L.S. 30098
FOR AND ON BEHALF OF GILLIANS LAND CONSULTANTS
P.O. BOX 375
BENNETT, CO 80102
www.gillianslc.com



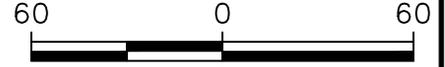
DATE _____

THIS LAND DESCRIPTION WAS PREPARED BY AMY BACHER ON 6/17/22 UNDER THE DIRECT SUPERVISION OF ROBERT A. HALL, PLS 30098.

ILLUSTRATION FOR EXHIBIT A

DRAINAGE EASEMENT NO. _____

Sheet 2 of 2

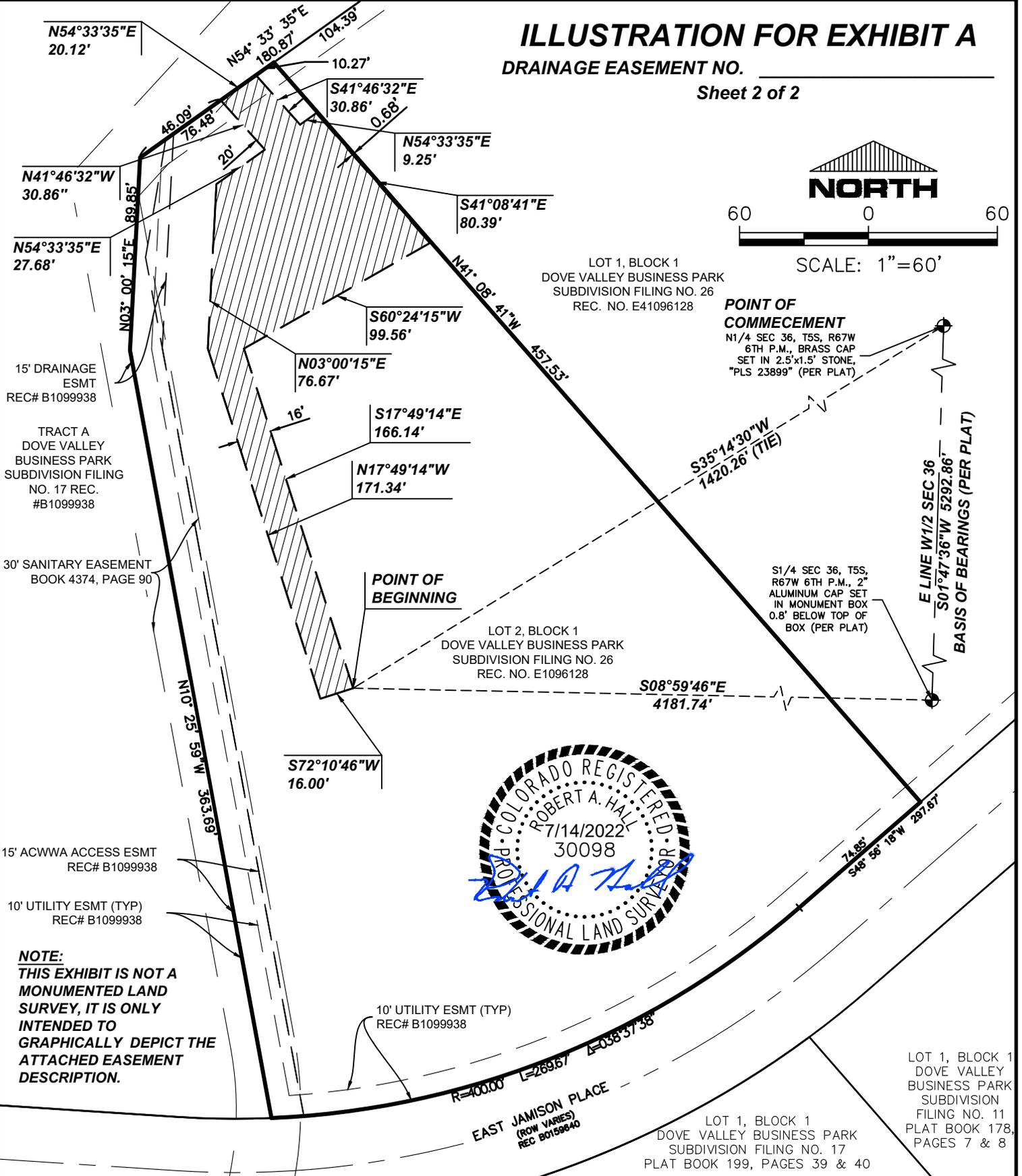


SCALE: 1"=60'

LOT 1, BLOCK 1
DOVE VALLEY BUSINESS PARK
SUBDIVISION FILING NO. 26
REC. NO. E41096128

**POINT OF
COMMENCEMENT**

N1/4 SEC 36, T5S, R67W
6TH P.M., BRASS CAP
SET IN 2.5'x1.5' STONE,
"PLS 23899" (PER PLAT)



15' DRAINAGE
ESMT
REC# B1099938

TRACT A
DOVE VALLEY
BUSINESS PARK
SUBDIVISION FILING
NO. 17 REC.
#B1099938

30' SANITARY EASEMENT
BOOK 4374, PAGE 90

15' ACWWA ACCESS ESMT
REC# B1099938

10' UTILITY ESMT (TYP)
REC# B1099938

NOTE:
THIS EXHIBIT IS NOT A
MONUMENTED LAND
SURVEY, IT IS ONLY
INTENDED TO
GRAPHICALLY DEPICT THE
ATTACHED EASEMENT
DESCRIPTION.

10' UTILITY ESMT (TYP)
REC# B1099938

LOT 2, BLOCK 1
DOVE VALLEY BUSINESS PARK
SUBDIVISION FILING NO. 26
REC. NO. E1096128



EAST JAMISON PLACE
(ROW VARIES)
REC B0150640

S1/4 SEC 36, T5S,
R67W 6TH P.M., 2"
ALUMINUM CAP SET
IN MONUMENT BOX
0.8' BELOW TOP OF
BOX (PER PLAT)

S08°59'46"E
4181.74'

S35°14'30"W
1420.26' (TIE)

LOT 1, BLOCK 1
DOVE VALLEY BUSINESS PARK
SUBDIVISION
FILING NO. 11
PLAT BOOK 178,
PAGES 7 & 8

LOT 1, BLOCK 1
DOVE VALLEY BUSINESS PARK
SUBDIVISION FILING NO. 17
PLAT BOOK 199, PAGES 39 & 40

PARCEL CONTAINS 9,875 SQ. FT.±, 0.226 ACRES MORE OR LESS

GILLIANS LAND CONSULTANTS
P.O. BOX 375
BENNETT, CO 80102
PH: 303-972-6640

PROJECT: PAONIA OFFICE BUILDING DRAINAGE EASEMENT	
DATE: 7/14/2022	T.L./ALB
JOB NO. 21004.00/21216	CHKD: T.L., R.H.
SHEET NO.	2 OF 2

EXHIBIT A

ACCESS TO DRAINAGE EASEMENT NO. _____

Sheet 1 OF 2

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.

ROBERT A. HALL, PROFESSIONAL LAND SURVEYOR
COLORADO P.L.S. 30098
FOR AND ON BEHALF OF GILLIANS LAND CONSULTANTS
P.O. BOX 375
BENNETT, CO 80102
www.gillianslc.com



DATE _____

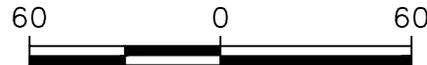
THIS LAND DESCRIPTION WAS
PREPARED BY AMY BACHER ON 9/8/22
UNDER THE DIRECT SUPERVISION OF
ROBERT A. HALL, PLS 30098.

ILLUSTRATION FOR EXHIBIT A

ACCESS TO DRAINAGE EASEMENT NO. _____

Sheet 2 OF 2

NOTE:
THIS EXHIBIT IS NOT A MONUMENTED LAND SURVEY, IT IS ONLY INTENDED TO GRAPHICALLY DEPICT THE ATTACHED EASEMENT DESCRIPTION.



SCALE: 1"=60'

LOT 1, BLOCK 1
DOVE VALLEY BUSINESS PARK
SUBDIVISION FILING NO. 26
REC. NO. E41096128

POINT OF COMMENCEMENT

N1/4 SEC 36, T5S, R67W
6TH P.M., BRASS CAP
SET IN 2.5'x1.5' STONE,
"PLS 23899" (PER PLAT)



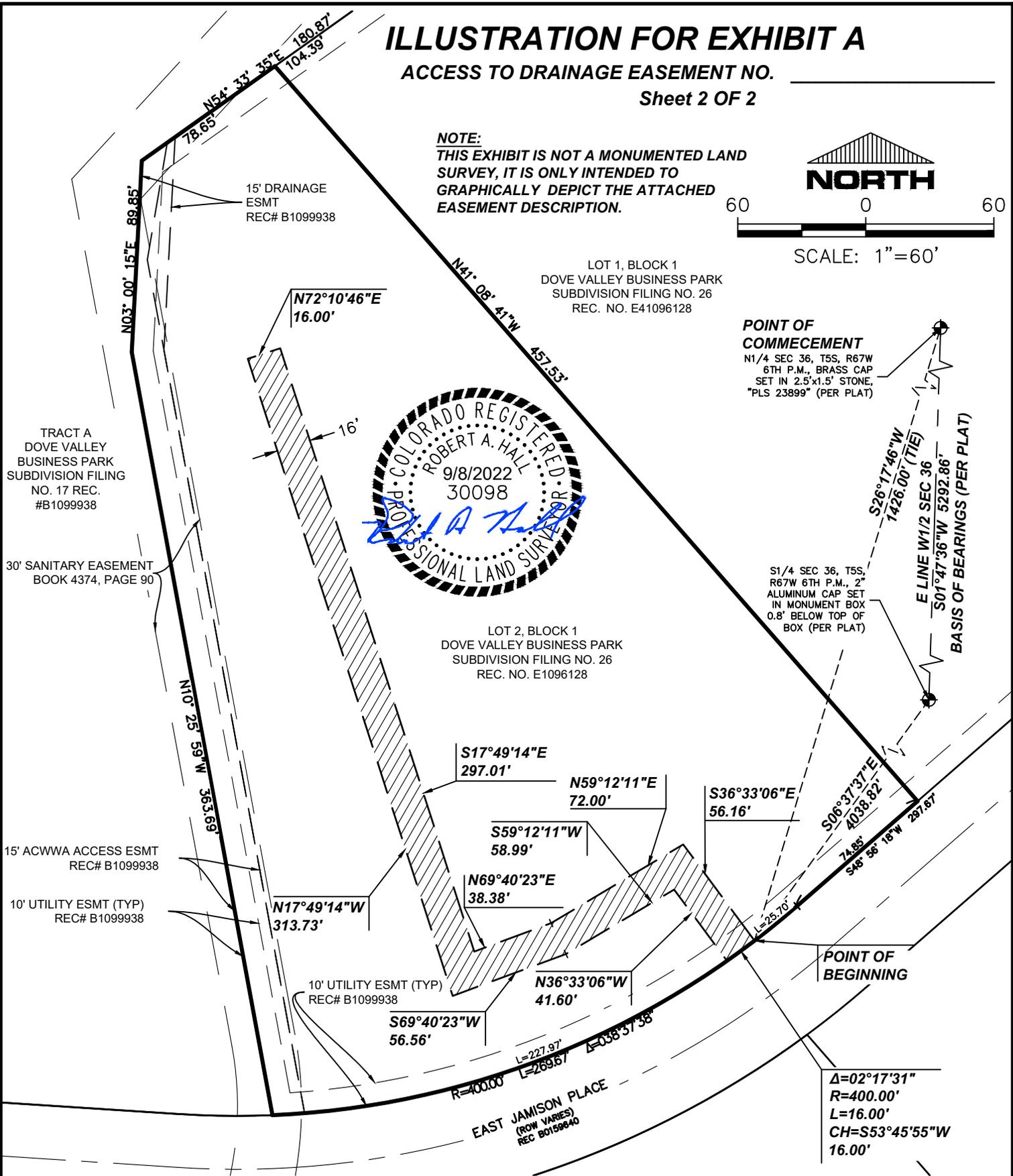
LOT 2, BLOCK 1
DOVE VALLEY BUSINESS PARK
SUBDIVISION FILING NO. 26
REC. NO. E1096128

S1/4 SEC 36, T5S,
R67W 6TH P.M., 2"
ALUMINUM CAP SET
IN MONUMENT BOX
0.8' BELOW TOP OF
BOX (PER PLAT)

S26°17'46"W
1426.00' (TIE)
E LINE W1/2 SEC 36
S01°47'36"W 5292.86'
BASIS OF BEARINGS (PER PLAT)

POINT OF BEGINNING

Δ=02°17'31"
R=400.00'
L=16.00'
CH=S53°45'55"W
16.00'



PARCEL CONTAINS 7,476 SQ. FT.±, 0.171 ACRES MORE OR LESS

GILLIANS LAND CONSULTANTS
P.O. BOX 375
BENNETT, CO 80102
PH: 303-972-6640

PROJECT: PAONIA OFFICE BUILDING
ACCESS TO DRAINAGE EASEMENT

DATE: 9/8/2022 T.L./ALB CHKD: T.L., R.H.

JOB NO. 21004.00/21216 SHEET NO.