



Administration Building  
West Hearing Room  
5334 S. Prince St.  
Littleton, CO 80120  
303-795-4630  
303-738-7915 TTY  
303-795-4630 Audio Agenda Line

Nancy A. Doty, Chair, District 1  
Nancy Sharpe, District 2  
Rod Bockenfeld, District 3  
Nancy Jackson, Chair Pro-Tem, District 4  
Bill Holen, District 5

## Study Session

June 13, 2016

The Arapahoe County Board of County Commissioners typically holds weekly Study Sessions on Monday and Tuesday. Study Sessions (except for Executive Sessions) are open to the public and items for discussion are included on this agenda. Agendas (except for Executive Sessions agendas) are available through the Commissioners' Office or through the County's web site at [www.arapahoegov.com](http://www.arapahoegov.com). Please note that the Board may discuss any topic relevant to County business, whether or not the topic has been specifically noticed on this agenda. In particular, the Board typically schedules time each Monday under "Committee Updates" to discuss a wide range of topics. In addition, the Board may alter the times of the meetings throughout the day, or cancel or reschedule noticed meetings. Questions about this agenda? Contact the Commissioners' Office at 303-795-4630 or by e-mail at [commissioners@arapahoegov.com](mailto:commissioners@arapahoegov.com)

### Study Session Topics

**9:00 A.M. Calendar Updates (WHR)**

*Diana Maes  
BoCC Administration Manager*

**9:30 A.M. \*Private Activity Bonds Allocations (WHR)**

Discussion of a request from Housing and Community Development Services (HCDS) staff for the Board of County Commissioners to assign the 2016 allocation of Private Activity Bonds to the Colorado Housing and Finance Authority (CHFA)

*Request: Information/Direction*

*Liana Escott, Community Development Administrator, Community Resources  
Linda Haley, Housing and Community Development Division Manager, Community Resources  
Don Klemme, Director, Community Resources  
Janet Kennedy, Director, Finance  
Tiffanie Bleau, Senior Assistant County Attorney*

Documents: [BOARD SUMMARY REPORT PAB 2016.DOCX](#)

**9:50 A.M. \*HUD CDBG Allocation Requests (WHR)**

Discussion of requests from Housing and Community Development Services (HCDS) staff

to take action on the following two CDBG grant requests: 1. Revisiting the CDBG application from the Community Housing Development Association for repairs at Presidential Arms Apartments, and 2. A grant request for \$150,000 from Medici Communities for the acquisition of a property located at 3405 S Broadway, Englewood, CO 80113

*Request: Information/Direction*

*Liana Escott, Community Development Administrator, Community Resources  
Linda Haley, Housing and Community Development Division Manager, Community Resources  
Don Klemme, Director, Community Resources  
Janet Kennedy, Director, Finance  
Tiffanie Bleau, Senior Assistant County Attorney*

Documents: [2016 CDBG ALLOCATIONS CHDA AND MEDICI.DOCX](#)

**10:10 A.M. \*HOME HUD Actions (WHR)**

Discussion of a request from Housing and Community Development Services (HCDS) staff to take the following three actions on behalf of the HOME program: 1. The conversion of the Medici grant award of \$1,000,000 to an interest only loan with an option to purchase, 2. The request of HOME Community Housing Development Organization (CDHO) Operating funds in the amount of \$25,000 for the Community Housing Development Association (CHDA), and 3. The request for HOME funds from the Aurora Housing Authority in the amount of \$150,000 for the Villages of Westerly Creek phase 3 (VWC3)

*Request: Information/Direction*

*Liana Escott, Community Development Administrator, Community Resources  
Linda Haley, Senior Resources Division Manager, Community Resources  
Don Klemme, Director, Community Resources  
Janet Kennedy, Director, Finance  
Tiffanie Bleau, Senior Assistant County Attorney*

Documents: [BSR 2016 HOME ACTIONS.DOCX](#)

**10:30 A.M. \* Drop In (WHR)**

*Board of County Commissioners*

**1. Xcel Utility Easement**

Discussion of a request from Open Spaces to execute an Easement with Public Service Company of Colorado (Company) to allow the company to bore a gas line through Cherry Creek Valley Ecological Park (CCVEP) to provide utility service to the new construction in the area

*Request: Information/Direction*

*Bill Bauer, Operations Supervisor, Open Spaces  
Shannon Carter, Director, Open Spaces and Intergovernmental Relations  
Todd Weaver, Budget Manager, Finance  
Tiffanie Bleau, Senior Assistant County Attorney*

Documents:

[PUBLIC\\_SERVICE\\_EASEMENT\\_BRONCOSPARKWAY\\_JAMISON\\_BSR\\_5.2.16.DOC](#), [BRONCOS AND JAMISON PARCEL A ESMT 040516.PDF](#), [BRONCOS AND JAMISON PARCEL B ESMT 040516.PDF](#), [PARCEL A - BRONCOS PKWY.PDF](#), [PARCEL B - BRONCOS PKWY.PDF](#), [EXHIBIT C MAP.PDF](#), [EXHIBIT D MAP.PDF](#)

**10:50 A.M. \* Executive Session (WHR)**

Executive Study Session and County Attorney Administrative Meeting [Section 24-6-402 (4)(b)C.R.S.](As required by law, specific agenda topics will be announced in open meeting prior to the commencement of the closed and confidential portion of this session) (WHR)

*Ron Carl, County Attorney*

**\* To Be Recorded As Required By Law**

WHR - West Hearing Room

*Arapahoe County is committed to making its public meetings accessible to persons with disabilities.*

*Assisted listening devices are available. Ask any staff member and we will provide one for you.*

*If you need special accommodations, contact the Commissioners' Office at 303-795-4630 or 303-738-7915 TTY.*

*Please contact our office at least 3 days in advance to make arrangements.*



## Board Summary Report

**Date:** May 11, 2016  
**To:** Board of County Commissioners  
**Through:** Don Klemme, Community Resources Department Director  
**From:** Liana Escott, Community Development Representative  
**Subject:** Private Activity Bond Assignment to CHFA

### Request and Recommendation

Housing and Community Development Services (HCDS) staff are requesting approval from the Board of County Commissioners to assign the 2016 allocation of Private Activity Bonds to the Colorado Housing and Finance Authority (CHFA).

### Background

Private Activity Bonds (PAB) are tax-exempt bonding authority, used either to create a loan for a project at a tax-exempt rate, or to create a mortgage credit certificate. The State of Colorado established its PAB allocation program by state statute (24-32-1701 et seq, C.R.S.) to provide for the allocation of Colorado's PAB authority.

PAB's may be used for a variety of qualifying projects, including:

- Financing new construction or acquisition/rehabilitation of housing for low and moderate income persons;
- Single-family mortgage revenue bonds or mortgage credit certificates for persons with low and moderate incomes;
- Providing low interest loans to eligible students at institutions of higher education;
- Manufacturing 'small issue' industrial development bonds;
- Qualified redevelopment bonds to acquire property in blighted areas; prepare land for redevelopment; and relocate occupants of structures on the acquired property;
- Exempt facility bonds-Hazardous waste facilities; solid waste disposal facilities, water and sewer facilities, mass commuting facilities; local district heating and cooling facilities, local electric energy or gas facilities, and multi-family housing bonds; and
- Qualified 501 (c) (3) bonds for use by non-profit hospitals and private universities.

In a number of the past 10 years, Arapahoe County has relinquished the PAB's to the State of Colorado at the end of the PAB program year. The PAB's are then redistributed throughout the State as needed. This year CHFA has reached out and asked Arapahoe County to assign our PAB's to them so that they

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can generate additional 4% Low Income Housing Tax Credit (LIHTC) deals. This has been done in the past, in 2009 and prior, the County did assign its PAB's to CHFA. The 2016 PAB allocation to Arapahoe County is: \$6,463,950.

### **Links to Align Arapahoe**

Increase Community and Regional Partnerships. Assigning the PAB bonds to CHFA promotes intergovernmental cooperation by allowing these bonds to fund 4% LIHTC projects in and around Arapahoe County.

### **Staff Recommendation**

The County does not have any interested entities for the County's PAB allocations. By assigning the PABs to CHFA we are enabling CHFA to generate more 4% LIHTC deals, the County cannot generate a 4% LIHTC independently.

Staff recommends assigning the PAB's to CHFA.

### **Alternatives**

The BOCC may choose not to assign the PAB's to CHFA and can relinquish them to the State of Colorado at the end of the PAB program year.

### **Fiscal Impact**

There is no fiscal impact to Arapahoe County as the PAB allocation is made by the federal government.

### **Attorney Comments**

#### **Reviewed By:**

Linda Haley, Housing and Community Development Division Manager  
Don Klemme, Community Resources Department Director  
Janet Kennedy, Finance Department Director  
Tiffanie Bleau, Assistant County Attorney



## Board Summary Report

**Date:** May 11, 2016

**To:** Board of County Commissioners

**Through:** Don Klemme, Director, Community Resources

**From:** Liana Escott, Community Development Administrator, Housing and Community Development Services

**Subject:** Additional CDBG Allocations

### Request:

Housing and Community Development Services (HCDS) staff are requesting action on the following two CDBG grant requests: 1. Revisiting the CDBG application from the Community Housing Development Association for repairs at Presidential Arms Apartments and 2. A grant request for \$150,000 from Medici Communities for the acquisition of a property located at 3405 S Broadway, Englewood, CO 80113.

### Background

#### **1. Revisiting the CDBG application from the Community Housing Development Association for repairs at Presidential Arms Apartments.**

The Community Housing Development Association (CHDA) applied for 2016 CDBG funds in the amount of \$225,000 for steel and concrete repairs at Presidential Arms, a 33-unit affordable housing project, located in Englewood. Staff recommended that this project not be funded, and the Board of County Commissioners agreed with staff decision.

The reason for the denial of funding was due to the fact that CHDA came to the County with a request for 47% of the project costs, and the request was 21% of the County's total CDBG allocation and 35% of the non-public service CDBG allocation. The County has HOME dollars invested in this project and staff did not feel that this was the best use of the limited 2016 CDBG funds. The only other funds into this project were CHDA's Debt, Reserves and Equity.

As a result, CHDA did reach out to other funders and has now secured funding for the project through the Colorado State Department of Housing (DOH), but there remains a gap of \$33,000. Additionally, the DOH will not contribute funds if there is no local financial support. The funding identified for the \$33,000 gap is generated from Program Income from the City of Englewood. The funding sources are as follows:

<b>SOURCES:</b>	
Owner Equity - Paid as of 4-16	19,572.65
Colorado DOH HDG	330,000.00
Arapahoe County CDBG	33,000.00
Project Reserves	70,000.00
Additional Owner Equity	21,823.86
<b>Total Uses</b>	<b>474,396.51</b>

The funding will be used for the following repairs:

<b>USES:</b>	
Architect	3,450.00
Structural Engineer	4,485.00
Environmental Testing	400.00
Construction/Demo	5,619.00
Project Management - design/bid	8,846.51
Environmental Abatement	14,080.00
Steel and Concrete Repair	390,000.00
Inspection	4,500.00
Construction Management	18,500.00
Misc. Soft Costs	200.00
Contingency - Material/labor	24,316.00
<b>Total</b>	<b>474,396.51</b>

### Staff Recommendation

HCDS staff recommends funding CHDA the \$33,000 for the repairs at Presidential Arm's. CHDA did make an effort to find additional funding sources, originally not identified in the original application. This is less of a financial burden on the County's CDBG program and the County does have the funding available.

### Alternatives

The BOCC may choose not to grant CHDA the CDBG funds needed for repair.

### **2. Take Action on a grant request for \$150,000 from Medici Communities for the acquisition of a property located at 3405 S Broadway, Englewood, CO 80113.**

Medici was awarded a 4% LIHTC award from CHFA along with a \$1 million dollar allocation from the County HOME funds. Medici plans to close on the property in June and they have revised their budget to move forward with updating and finalizing the construction budget.

There have been two unexpected items that have occurred and raised the construction budget by \$500,000. They are as follows:

1. Energy efficiency measures: CHFA's Green Communities program requires upgrades to the building standards to meet a higher level of energy efficiency. While these measures are more costly at the construction phase, it will save residents with reduced utility bills.
2. Private Utilities: Medici did not anticipate that the provision of service to the site would first require an extensive relocation of existing utility services to businesses along Broadway. Furthermore, Xcel will not provide service from the existing lines in the alley. Consequently, Medici needs to provide an extensive underground service loop extending from lines on adjacent roadways. This system requires several large borings underneath existing right of way. Furthermore, because Medici cannot utilize the pole mounted service in the alley Medici needs to locate the transformers on the ground, which is more expensive than pole mounted transformers.

Medici approached HCDS staff and asked if there were additional HOME funds available. Given the future demands for HOME funds, staff said that HOME funds were not available. Medici then asked if there were any CDBG funds available to assist with the acquisition of the property. There are funds available to assist with the acquisition of the property.

Englewood has been very supportive of this project. They are selling the parcel of land for \$500,000 and will defer the remaining payment until the project is complete. The total cost for acquisition is \$1.7 million.

### **Staff Recommendation**

HCDS staff recommends awarding Medici the \$150,000 of CDBG funds to assist with the acquisition of the property, freeing up additional funds for the additional construction costs.

### **Alternatives**

The BOCC may choose not to award the \$150,000 in CDBG funds to Medici.

### **Links to Align Arapahoe**

1. Enhance Quality of Life. Citizens' lives may be enhanced by utilizing federal HOME funds for housing activities that will benefit lower income families.

### **Fiscal Impact for both requests:**

CDBG funds are allocated by the U.S. Department of Housing and Urban Development. No County funds are affected.

### **Attorney Comments**

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**Reviewed By:**

Liana Escott, Community Development Administrator

Linda Haley, Housing and Community Development Division Manager

Don Klemme, Community Resources Department Director

Janet Kennedy, Finance Department Director

Tiffanie Bleau, Assistant County Attorney



## Board Summary Report

**Date:** May 11, 2016

**To:** Board of County Commissioners

**Through:** Don Klemme, Director, Community Resources

**From:** Liana Escott, Community Development Administrator, Housing and Community Development Services

**Subject:** HOME Commitments and Allocations

### Request:

Housing and Community Development Services (HCDS) staff are requesting to take the following three actions on behalf of the HOME program: 1. The conversion of the Medici grant award of \$1,000,000 to an interest only loan with an option to purchase. 2. The request of HOME Community Housing Development Organization (CDHO) Operating funds in the amount of \$25,000 for the Community Housing Development Association (CHDA) and 3. The Request for HOME funds from the Aurora Housing Authority in the amount of \$150,000 for the Villages of Westerly Creek phase 3 (VWC3).

### Background

#### **1. The conversion of the Medici grant award of \$1,000,000 to an interest only loan with an option to purchase.**

On March 23, 2015 the BoCC approved granting \$1,000,000 in HOME funds to Medici for the construction of 111 units of affordable housing in Englewood (3405 S Broadway, Englewood, CO 80113) known as the Broadway Lofts.

Historically the County has allocated HOME funds to non-profit, housing developers, as grants. Medici is a for-profit business, and therefore, by accepting a grant they are creating a taxable event and the \$1,000,000 would be taxed at a 40% rate, not desirable for Medici. In order to prevent the taxable event it is being proposed that the grant be converted to a loan with the following terms:

A 40 year loan with interest-only payments to be made annually at a rate of 1% (\$10,000), with payments starting once the building is occupied. Payments will only be made annually if there is sufficient cash flow, if there is not, the interest payment will be deferred to the following year.

Medici will pay in year two of the loan a \$5,000 Options fee to allow for the sale of the loan in year 20 to Medici for \$20,000.

### **Staff Recommendation**

HCDS staff recommends converting the grant to an interest-only bearing loan with the option for Medici to buy an Option to purchase the loan in year 20.

### **Alternatives**

The BOCC may choose not to convert the Medici grant to a loan, or other terms could be applied.

### **2. The request of HOME Community Housing Development Organization (CHDO) Operating funds in the amount of \$25,000 for the Community Housing Development Association (CHDA).**

CHDA, the County's CHDO, has applied for \$25,000 in Operating Expenses for the 2016 Program Year. HUD requires that Entitlement Communities use 15% of the HOME funds for CHDO activities. CHDA is the only CHDO that the County has been working with and CHDA has two potential projects planned for the coming year, both are contingent on other funding awards.

HOME allows for 5% of the HOME allocation to be used for CHDO Operating expenses. The 2016 allocation is \$541,289, 5% is \$27,064.45. The request for \$25,000 is below the 5% amount.

### **Staff Recommendation**

HCDS staff recommends awarding CHDA the \$25,000 in CHDO Operating Expenses or award a lesser amount.

### **Alternatives**

The BOCC may choose not to award CHDA \$25,000 in Operating Costs.

### **3. The Request for HOME funds from the Aurora Housing Authority in the amount of \$150,000 for the Villages of Westerly Creek phase 3 (VWC3).**

The Aurora Housing Authority (AHA) has applied for \$150,000 for phase three of the Villages of Westerly Creek project. The AHA was awarded a 4% Low Income Housing Tax Credit (LHTC) and is ready to move forward with the project. The project will create:

- 24 Senior One-Bedroom Flats
- 50 Family Townhome Units
  - o 24, 2-Bedroom Units
  - o 22, 3-Bedroom Units
  - o 4, 4-Bedroom Units

The units will be available to households at 30% - 60% of the County Area Median Income (AMI) and 6 of the units will be new Public Housing Units with 6 new Section 8 vouchers.

The total project cost is \$22,065,429. The funding sources are as follows:

<b>SOURCE</b>	<b>AMOUNT</b>	<b>% of Total</b>
Federal LIHTC	\$7,761,202	35%
State LIHTC	\$4,320,000	20%
Permanent Mortgage	\$5,600,000	25%
Aurora HOME funds	\$600,000	3%
Arapahoe County HOME funds	\$150,000	1%
State of Colorado HOME funds	\$750,000	3%
Deferred Developer's Fee	\$900,000	4%
AHA Funds	\$684,227	3%
Public Housing Capital	\$950,000	4%
Sale Proceeds 2008 Disposition	\$350,000	2%
Total	\$22,065,429	100%

### **Staff Recommendation**

HCDS staff recommends awarding the \$150,000 grant to the Aurora Housing Authority.

### **Links to Align Arapahoe**

1. Enhance Quality of Life. Citizens' lives may be enhanced by utilizing federal HOME funds for housing activities that will benefit lower income families.
2. Service First. Using HOME funds to help residents of Arapahoe County obtain stable housing will reduce the number of homeless persons and persons with inadequate housing.

### **Alternatives**

The BOCC may choose not to award the Aurora Housing Authority the \$150,000 in HOME funds or award a different amount.

### **Fiscal Impact for all three requests:**

HOME funds are allocated by the U.S. Department of Housing and Urban Development. No County funds are affected.

### **Attorney Comments**

#### **Reviewed By:**

Liana Escott, Community Development Administrator  
Linda Haley, Housing and Community Development Division Manager  
Don Klemme, Community Resources Department Director  
Janet Kennedy, Finance Department Director  
Tiffanie Bleau, Assistant County Attorney



## Board Summary Report

**Date:** May 25, 2016  
**To:** Board of County Commissioners  
**Through:** Shannon Carter, Open Spaces Director  
**From:** Bill Bauer, Open Space Operations Supervisor  
**Subject:** **Utility Easement for Public Service Company of Colorado**

### Request and Recommendation

Request the BOCC to authorize the Chair (or designee) to execute an Easement with Public Service Company of Colorado (Company) to bore a gas line through Cherry Creek Valley Ecological Park (CCVEP) to provide utility service to the new construction in the area. Easement subject to approval as to the form of the Agreement by the County Attorney's Office.

### Background

This new gas line is needed to support the growth in the area. The existing gas system is out of capacity. With additional residential & commercial gas service applications coming into Xcel Energy, this gas main is needed in order to ensure reliable gas service to these new customers and maintain that same reliable service to existing customers. This new gas line will operate with a Maximum Allowable Operating Pressure (MAOP) of 60 psi. This is their normal distribution operating pressure in this area. In order to provide service to its new customers Public Service Company of Colorado must add a new service line that would need to go through CCVEP.

### Links to Align Arapahoe

The granting of the proposed Easement to the Public Service Company of Colorado will support the following Align Arapahoe outcomes:

Quality of Life: The Easement supports the growth in the area which directly impacts the quality of life for City residents who also live in within Arapahoe County.

Service First: The Easement supports a positive relationship between utility companies who serves the citizens of Arapahoe County.

### Discussion

Public Service Company of Colorado will be boring the gas pipe to provide minimal disturbance to the area. The only disturbance will be various stock piles that will be restored substantially to its original condition.

### Alternatives

1. Approve the Easement as submitted.
2. Deny the request for an Easement.
3. Re-negotiate the terms of the Easement.

**Fiscal Impact**

The only fiscal impact will be the staff time to make sure the contractor adheres to the terms of the easement.

**Attachments**

Easement Agreement  
Maps / Diagrams of Easement location

**Attorney Comments**

No Changes needed to be made

**Reviewed By**

Glen Poole, Open Space Operations Manager  
Shannon Carter, Open Spaces Director  
Tiffanie Bleau, Senior Assistant County Attorney

DIVISION SEMD

ROW AGENT Russ McClung

DOC. NO.

LOCATION Broncos Pkwy and Jamison  
(approx.)

DESCRIPTION AUTHOR SEH, Inc.  
AUTHOR ADDRESS 12640 w Cedar Dr, Ste F  
Lakewood, CO 80228

PLAT/GRID NO.  
WO/JO/CREG NO.

## PUBLIC SERVICE COMPANY OF COLORADO EASEMENT

The undersigned Grantor hereby acknowledges receipt of good and valuable consideration from PUBLIC SERVICE COMPANY OF COLORADO (Company), 1800 Larimer Street, Suite 1100, Street, Denver, Colorado, 80202, in consideration of which Grantor(s) hereby grants unto said Company, its successors and assigns, a non-exclusive easement to construct, operate, maintain, repair, and replace utility lines and all fixtures and devices, used or useful in the operation of said lines, through, over, under, across, and along a course as said lines may be hereafter constructed in a parcel of land in the northeast one-quarter (NE1/4) of Section 32, Township 5 South, Range 66 West of the 6th Principal Meridian in the County of Arapahoe, State of Colorado, the easement being described as follows:

See "EXHIBIT A – BRONCOS PKWY PERMANENT EASEMENT – PARCEL A" attached hereto and made a part hereof.

The easement is 10.0 feet in width. The side boundary lines of the easement shall be lengthened and shortened as necessary to encompass a continuous strip of not less than the above width at all points on Grantor's property crossed by the above described easement and extending to the boundaries of adjacent properties

Together with the right to enter upon said premises, to survey, construct, maintain, operate, repair, replace, control, and use said utility lines and related fixtures and devices, and to remove objects interfering therewith, including the trimming or felling of trees and bushes, and together with the right to use so much of the adjoining premises of Grantor during surveying, construction, maintenance, repair, removal, or replacement of said utility lines and related fixtures and devices as may be required to permit the operation of standard utility construction or repair machinery. The Grantor reserves the right to use and occupy the easement for any purpose consistent with the rights and privileges above granted and which will not interfere with or endanger any of the said Company's facilities therein or use thereof. Such reservations by Grantor shall in no event include the right to erect or cause to be erected any buildings or structures upon the easement granted or to locate any mobile home or trailer units thereon. In case of the permanent abandonment of the easement, all right, privilege, and interest granted shall terminate.

The work of installing and maintaining said lines and fixtures shall be done with care; the surface along the easement shall be restored substantially to its original level and condition.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

(Type or print name below each signature line with official title if corporation, partnership, etc.):

**GRANTOR:** Arapahoe County

**By:** \_\_\_\_\_

**Its:** \_\_\_\_\_

STATE OF COLORADO, )  
)ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016  
by [Grantor name(s) from above]:

Witness my hand and official seal.

My commission Expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public

SEAL

DIVISION SEMD

ROW AGENT Russ McClung

DOC. NO.

LOCATION Broncos Pkwy and Jamison  
(approx.)

DESCRIPTION AUTHOR SEH, Inc.  
AUTHOR ADDRESS 12640 w Cedar Dr, Ste F  
Lakewood, CO 80228

PLAT/GRID NO.  
WO/JO/CREG NO.

## PUBLIC SERVICE COMPANY OF COLORADO EASEMENT

The undersigned Grantor hereby acknowledges receipt of good and valuable consideration from PUBLIC SERVICE COMPANY OF COLORADO (Company), 1800 Larimer Street, Suite 1100, Street, Denver, Colorado, 80202, in consideration of which Grantor(s) hereby grants unto said Company, its successors and assigns, a non-exclusive easement to construct, operate, maintain, repair, and replace utility lines and all fixtures and devices, used or useful in the operation of said lines, through, over, under, across, and along a course as said lines may be hereafter constructed in a parcel of land in the northwest one-quarter (NW1/4) of Section 32, Township 5 South, Range 66 West of the 6th Principal Meridian in the County of Arapahoe, State of Colorado, the easement being described as follows:

See "EXHIBIT A – BRONCOS PKWY PERMANENT EASEMENT – PARCEL B" attached hereto and made a part hereof.

The easement is 10.0 feet in width. The side boundary lines of the easement shall be lengthened and shortened as necessary to encompass a continuous strip of not less than the above width at all points on Grantor's property crossed by the above described easement and extending to the boundaries of adjacent properties

Together with the right to enter upon said premises, to survey, construct, maintain, operate, repair, replace, control, and use said utility lines and related fixtures and devices, and to remove objects interfering therewith, including the trimming or felling of trees and bushes, and together with the right to use so much of the adjoining premises of Grantor during surveying, construction, maintenance, repair, removal, or replacement of said utility lines and related fixtures and devices as may be required to permit the operation of standard utility construction or repair machinery. The Grantor reserves the right to use and occupy the easement for any purpose consistent with the rights and privileges above granted and which will not interfere with or endanger any of the said Company's facilities therein or use thereof. Such reservations by Grantor shall in no event include the right to erect or cause to be erected any buildings or structures upon the easement granted or to locate any mobile home or trailer units thereon. In case of the permanent abandonment of the easement, all right, privilege, and interest granted shall terminate.

The work of installing and maintaining said lines and fixtures shall be done with care; the surface along the easement shall be restored substantially to its original level and condition.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

(Type or print name below each signature line with official title if corporation, partnership, etc.):

**GRANTOR:** Arapahoe County

**By:** \_\_\_\_\_

**Its:** \_\_\_\_\_

STATE OF COLORADO, )  
)ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016  
by [Grantor name(s) from above]:

Witness my hand and official seal.

My commission Expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public

SEAL



**EXHIBIT A – BRONCOS PKWY  
PERMANENT EASEMENT-PARCEL A**

A 10 foot wide strip of land lying in the northeast one-quarter (NE1/4) of Section 32, Township 5 South, Range 66 West, of the 6th Principal Meridian, County of Arapahoe, State of Colorado, being a portion of that Tract of land described in Book 5641, Page 421, Arapahoe County Records, lying 5 feet on each side of the following described line:

Beginning on the west line of said Tract, from which the north one-quarter corner of said Section 32 bears N01°06'52"E, 489.88 feet;

thence along a curve to the right, having a radius of 1215.00 feet, a central angle of 36°08'52", a length of 766.54 feet and a chord that bears N86°02'59"E, 753.89 feet, along a line that lies 5 feet north of and parallel with the north right-of-way line of Broncos Parkway, to the east line of said Tract, the Point of Terminus.

The sidelines of said 10 foot wide strip are to be lengthened or shortened to terminate on said west and east lines.

Parcel A contains 7,665 square feet (0.176 acres) more or less.

As shown and described on Exhibit A Sheet 2 of 2 attached hereto and made a part hereof.

For the purpose of this description, bearings are based on said west line, which is assumed to bear N01°06'52"E.

The author of this description is Monte L. Sudbeck, PLS 38503, prepared on behalf of SEH, 12640 West Cedar Drive, Suite F, Lakewood, CO 80228, on March 24, 2016, under Job No. 135940-6.0, for Public Service Company of Colorado, and is not to be construed as representing a monumented land survey.



Monte L. Sudbeck, PLS 38503

# EXHIBIT A - BRONCOS PKWY PERMANENT EASEMENT - PARCEL A

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CH BEARING	CHORD
C1	1215.00'	36°08'52"	766.54'	N86°02'59"E	753.89'

TRACT G,  
CREEKVIEW AT RIVER RUN II

**PARCEL A**  
7,665 S.F. (0.176 AC.) M/L

NE1/4,  
SEC. 32,  
T5S, R66W

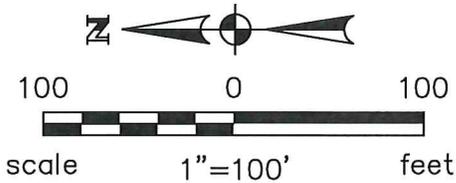
**E BRONCOS PKWY**  
(E DRY CREEK RD)

ARAPAHOE COUNTY  
BK. 5641, PG. 421

ARAPAHOE COUNTY  
BK. 5641, PG. 421



12640 West Cedar Drive  
Suite F  
Lakewood, Colorado 80228  
Phone: 303-586-5800  
FAX: 303-586-5801  
www.sehinc.com



N01°06'52"E (BASIS OF BEARINGS) W. LINE, NE1/4, SEC. 32  
N1/4 SEC. 32 489.88'

ARAPAHOE COUNTY  
REC. NO. B0071989

ARAPAHOE COUNTY  
REC. NO. B3117379

REC. NO. A8206706

NORMAN SHELDON

LOT 1, BLOCK 1,  
SOUTHVIEW SUB. FLG 4

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**EXHIBIT A – BRONCOS PKWY  
PERMANENT EASEMENT-PARCEL B**

A 10 foot wide strip of land lying in the northwest one-quarter (NW1/4) of Section 32, Township 5 South, Range 66 West, of the 6th Principal Meridian, County of Arapahoe, State of Colorado, being a portion of that Tract of land described in Reception Number B0071989, Arapahoe County Records, lying 5 feet on each side of the following described line:

Beginning on the east line of said Tract, from which the north one-quarter corner of said Section 32 bears N01°06'52"E, 489.88 feet;

thence S57°59'49"W, 71.64 feet, to the west line of said Tract, the Point of Terminus.

The sidelines of said 10 foot wide strip are to be lengthened or shortened to terminate on said east and west lines.

Parcel B contains 716 square feet (0.016 acres) more or less.

As shown and described on Exhibit A Sheet 2 of 2 attached hereto and made a part hereof.

For the purpose of this description, bearings are based on said east line, which is assumed to bear N01°06'52"E.

The author of this description is Monte L. Sudbeck, PLS 38503, prepared on behalf of SEH, 12640 West Cedar Drive, Suite F, Lakewood, CO 80228, on April 4, 2016, under Job No. 135940-6.0, for Public Service Company of Colorado, and is not to be construed as representing a monumented land survey.



Monte L. Sudbeck, PLS 38503

EXHIBIT A - BRONCOS PKWY  
PERMANENT EASEMENT - PARCEL B

TRACT G,  
CREEKVIEW AT RIVER RUN II

NE1/4,  
SEC. 32,  
T5S, R66W

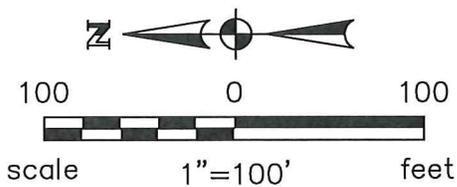
E BRONCOS PKWY  
(E DRY CREEK RD)

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N1/4 SEC. 32  
489.88'  
N01°06'52"E (BASIS OF BEARINGS) E. LINE, NW1/4, SEC. 32

ARAPAHOE COUNTY  
REC. NO. B0071989

NW1/4,  
SEC. 32,  
T5S, R66W

PARCEL B  
716 S.F. (0.016 AC.) M/L

NORMAN SHELDON

POINT OF BEGINNING

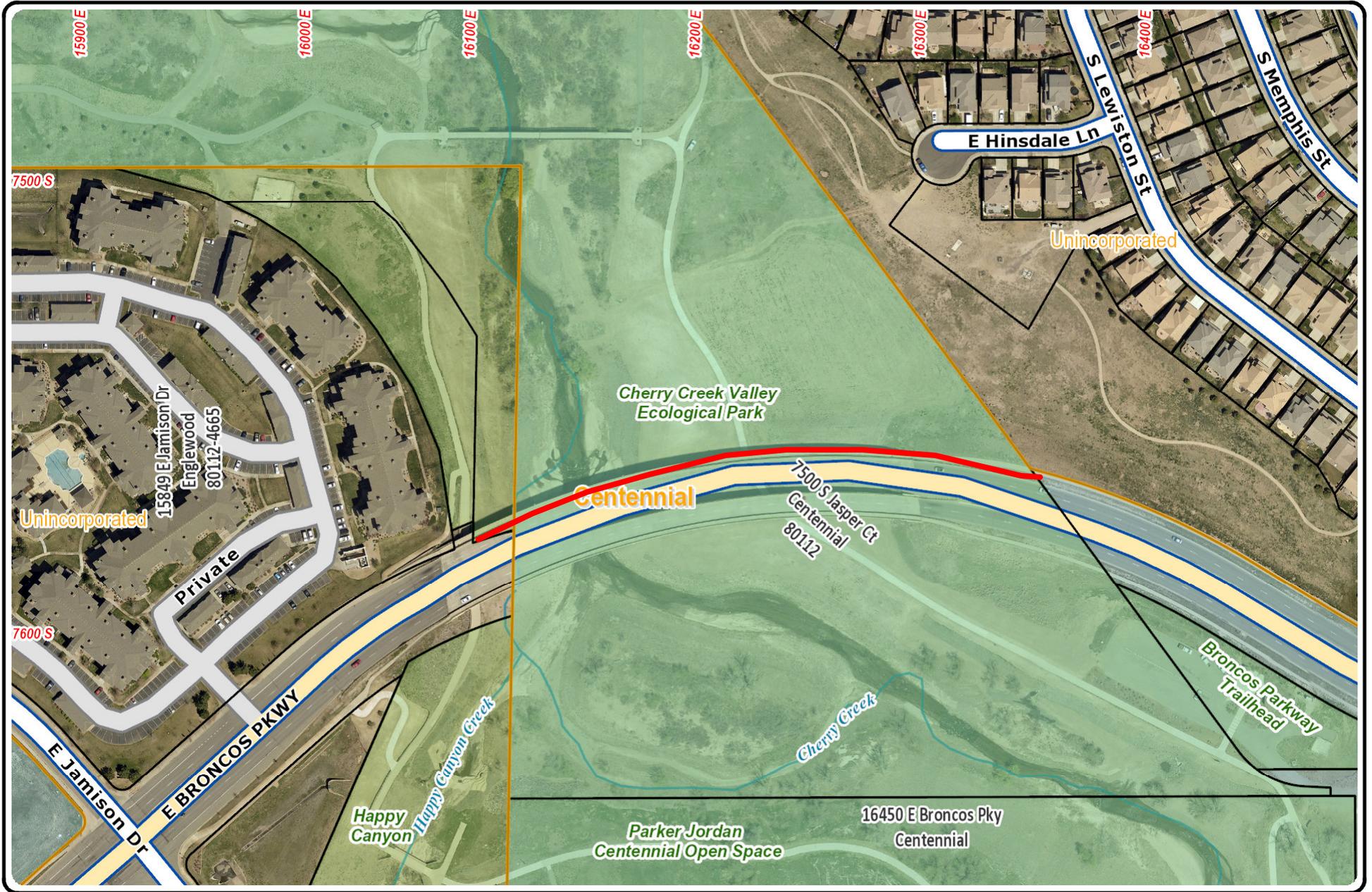
5'  
10'  
S57°59'49"W  
71.64'

ARAPAHOE COUNTY  
REC. NO. B3117379

LOT 1, BLOCK 1,  
SOUTHVIEW SUB. FLG 4

REC. NO. A8206706

P:\PT\IPSCC\135940 SE 2016\6.0 Broncos & Jamison\9-survey\92-CAD\10-C3dt\Broncos Pkwy.dwg



# Public Service Utility Easement



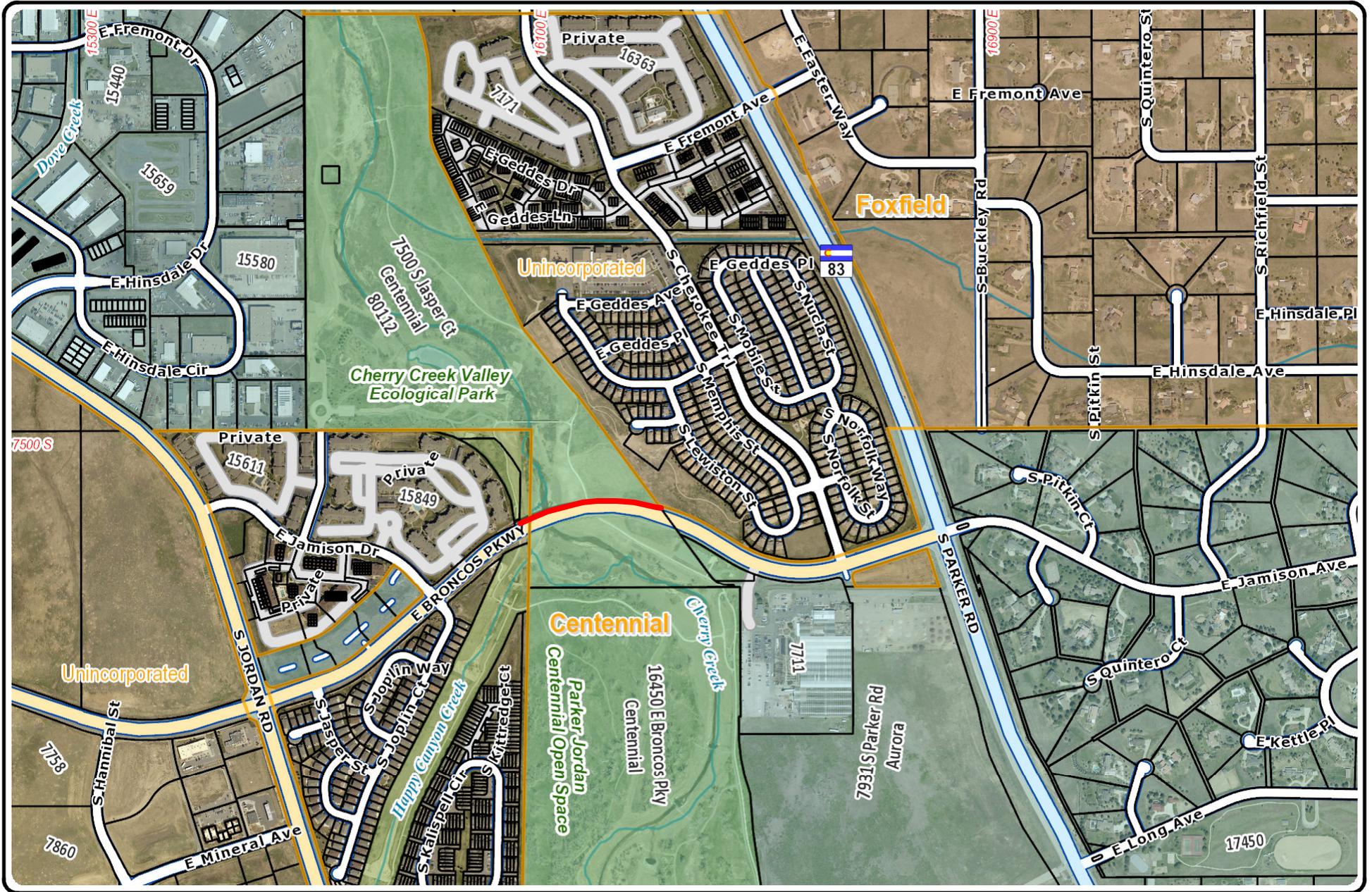
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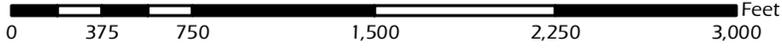
Generated by Arapahoe County's **ArapaMAP**



Map Location



# Public Service Utility Easement



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Map Location