

TOWN OF ERIE

Community Development Department – Planning Division 645 Holbrook Street – PO Box 750 – Erie, CO 80516 Tel: 303.926.2770 – Fax: 303.926.2706 – Web: www.erieco.gov

LAND USE APPLICATION

Please fill in this form completely. Inc.	mplete applications will not be processed
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	STAFF	USE ONLY			
FILE NAME:					
FILE NO:	DATE SUBMI		FEES P.	FEES PAID:	
PROJECT/BUSINESS NAME: Erie Gatewa	ay South				
PROJECT ADDRESS: TBD - generally we	est of County Line Ro	oad and north of B	aseline Road/HWY 7		
PROJECT DESCRIPTION: Erie Gateway S	South is proposed to	be a high quality	residential addition to th	ne Town of Erie, this	
proposal will include a significant amo		n n			
Town of Erie.		,	X		
		-			
LEGAL DESCRIPTION (attach legal descrip	tion if Metes & Bounds)				
Subdivision Name:					
Filing #: Lot #: B	lock #:	Section:36	Township: 1 North	Range:69 West	
OWNER (attach separate sheets if multiple) Name/Company:	i,	AUTHORIZED R	EPRESENTATIVE DEO LLC		
Contact Person:	a)	Contact Person:			
Address:			South Alton Way		
City/State/Zip:	3	City/State/Zip:Centennial, CO - 80112			
Phone: Fax:		Phone:303.770.9111 Fax:			
E-mail:		E-mail: mjanke@e5xmanagement.com			
MINERAL RIGHTS OWNER (attach separat			E HOLDER (attach separate		
Name/Company: Extraction Oil and Gas,	LLC		Extraction Oil and Gas, L	LC	
Address: 370 17th Street, Suite 5300			th Street, Suite 5300		
City/State/Zip: Denver, CO - 80202		City/State/Zip: De	enver, CO - 80202		
LAND-USE & SUMMARY INFORMATION					
Present Zoning: LR		Gross Site Densi	ty (du/ac): 2.9 du/ac		
Proposed Zoning: PUD		# Lots/Units Prop	osed:645		
Gross Acreage:217		Gross Floor Area	<u>:</u>		
SERVICE PROVIDERS					
Electric: Public Service		Gas: Public Ser	vice		
Metro District: N/A at this time		Fire District:Mou	ntain View Fire District		
Water (if other than Town):		Sewer (if other th	an Town):		

	DEV	/ELOPMEN	TREVIEW FEES		
ANNEXATION		SUBDIVISION			
□ Major (10+ acres)	or (10+ acres) \$ 4000.00		☑ Sketch Plan	\$ 1000.00 + 10.00 per lo	
□ Minor (less than 10 acres) \$ 2000.00		□ Preliminary Plat	\$ 2000.00 + 40.00 per lot		
□ Deannexation \$ 1000.00		□ Final Plat	\$ 2000.00 + 20.00 per lot		
COMPREHENSIVE PLAN AMENDMENT		☐ Minor Subdivision Plat	\$ 2000.00		
Major \$ 3000.00		□ Minor Amendment Plat	\$ 1000.00 + 10.00 per lot		
□ Minor \$ 1200.00		□ Road Vacation (constructed)	\$ 1000.00		
ZONING/REZONING		□ Road Vacation (paper)	\$ 100.00		
□ Rezoning	\$ 1700.00 + 10.00 per acre		SITE PLAN		
□ PUD Rezoning	\$ 1700.00 + 10.00 per acre		□ Residential	\$ 1400.00 + 10.00 per uni	
□ PUD Amendment	\$ 1700.00 + 10.00 per acre		☐ Non-Resi. (>10,000 sq. ft.)	\$ 2200.00	
☐ Major PD Amendment	\$ 3700.00 + 10.00 per acre		□ Non-Resi. (>2,000 sq. ft.)	\$ 1000.00	
☐ Minor PD Amendment	\$ 500.00		□ Non-Resi. (<2,000 sq. ft.)	\$ 200.00	
SPECIAL REVIEW USE		☐ Amendment (major)	\$ 1100.00		
□ Major	Major \$ 1000.00		☐ Amendment (minor)	\$ 350.00	
□ Minor \$ 400.00		VARIANCE	\$ 600.		
□ Oil & Gas \$ 1200.00		SERVICE PLAN		\$ 10,000.00	

All fees **include** both Town of Erie Planning & Engineering review. These fees **do not include** referral agency review fees, outside consultant review fees, or review fees incurred by consultants acting on behalf of staff. See Town of Erie Municipal Code, Title 2-10-5 for all COMMUNITY DEVELOPMENT FEES.

The undersigned is fully aware of the request/proposal being made and the actions being initiated on the referenced property. The undersigned understand that the application must be found to be complete by the Town of Erie before the request can officially be accepted and the development review process initiated. The undersigned is aware that the applicant is fully responsible for all reasonable costs associated with the review of the application/request being made to the Town of Erie. Pursuant to Chapter 7 (Section 7.2.B.5) of the Unified Development Code (UDC) of the Town of Erie, applicants shall pay all costs billed by the Town for legal, engineering and planning costs incurred by staff, including consultants acting on behalf of staff, necessary for project review. By this acknowledgement, the undersigned hereby certify that the above information is true and correct.

Owner:	Date:
Owner:	Date:
Applicant:	Date:
STATE OF COLORADO)) ss.	
County of)	
The foregoing instrument was acknowledged before	
me this day of, 20,	
by	
My commission expires:	
Witness my hand and official soal	Notary Public



PROJECT TEAM

applicant:

OEO, LLC

7353 South Alton Way, Centennial, Colorado 80112 tel. 303.770.9111 - contact: Matt Janke

planning consultant:

PCS Group, Inc.

1001 16th Street - #3-B-180, Denver, Colorado 80265 tel. 720.249.8246 - contact: John Prestwich

engineering & surveyor consultant:

KT Engineering

12500 W.58th Ave #230, Arvada, Colorado 80002 tel. 720.638.5190 - contact: Ken Toland

geologic & geotechnical consultant:

CTL Thompson, Inc.

1971 West 12th Avenue, Denver, Colorado 80204 tel. 303.825.0777 - contact: Dave Glater

mine subsidence:

Western Environment and Ecology, Inc. 2217 West Powers Avenue, Littleton, Colorado 80120 tel. 303.730.3452 - contact: Greg Sherman





SKETCH PLAN NARRATIVE

GENERAL PROJECT CONCEPT AND PURPOSE OF THE REQUEST

PREFACE

OEO, LLC, (the 'Applicant') is pleased to present this document requesting a sketch plan review as part of the entitlement request for a tract of land located in section 36, township 1 north, range 69 west of the sixth principal meridian, county of Boulder, State of Colorado, being presented as Parkdale. In this document we will discuss the property background, the proposed uses and quality of the community.

The Vision.

The creative vision for Parkdale draws its inspiration from the Town of Erie's enduring innovative spirit, its commitment to sustainable design, and its small town charm. The Vision is based in the Town of Erie's Comprehensive Plan, "on the premise that the health of the Town and the quality of life of its residents are not dependent on any one factor. The



underlying premise is an understanding that the Town must seek a balance between environmental, economic and community/ social considerations. Each of these components is interrelated and essential to the continued health and sustainability of the community." (Town of Erie Comprehensive Plan)

Parkdale is designed to feel like a series of neighborhoods, while at the same time providing the means to live a modern lifestyle. Housing choices are diverse in order to appeal to a wide range of ages and lifestyles, while the proximity to the Town's commercial and recreation areas provide the community's basic retail, social, entertainment and service needs. Residences are situated within relatively easy walking or bicycling distance of parks, green spaces, and trail uses. The streets, and trails that interconnect the Parkdale neighborhoods gathering spaces are orchestrated to entice residents and visitors to enter into the social life of the community.

Parks and trails provide transitions between the built environment and natural open space areas, enhancing the connection between humans and nature. Trail connections encourage people to walk or bike rather than drive, potentially reducing car emissions and increasing human activity.

Setting the Stage.

The vision for Parkdale is a series of crafted neighborhoods that are generally organized around park areas. Park areas also are used as community identity features, and are found at the terminus of the primary entries into Parkdale.

This community will strike a balance between the natural environment and the land uses required to provide an active lifestyle with access to all the services needed to support residents of every age. The spirit of this plan and its location at the southwest

gateway to the Town of Erie provide a unique opportunity to set the bar for future development in the Town of Erie.

Design Inspiration & Guiding Principles

The inspiration for the development of Parkdale has been developed based on the following key principles: A Coordinated and Efficient Pattern of Growth, Quality Design and Development, Stewardship of the Natural Environment, Trail & Park Opportunities, and the creation of Cohesive Neighborhoods that will offer a Variety of Housing Types. The surrounding area and the natural features of the site also help shape the plan. The beautiful wetland areas are preserved to the greatest extent possible, and provide an open appealing entry experience, the gentle terrain is conducive for residential development. The plan is influenced by the reality of existing drainage patterns, the presence of existing trail corridors on the west and east edges of the property, the native grasses and trees that dot the landscape, the complex ecologies and a "spirit of the land" that constantly shifts with movement of the sun and seasons.

Incorporating the area's spirit and preserving and enhancing its natural beauty will distinguish this community in the marketplace, maximizing value in the development process for the Town, the community, and its future residents.

To achieve a strong sense of innovation and environmental stewardship, neighborhoods shall be designed as an extension of the existing natural features. The drainage areas will be showcased as defining elements of the community. A number of guiding principles have been identified to integrate the aesthetic and historic aspects of the property and the surrounding area into the physical setting, lifestyle, and experiences of future residents. The key guiding principles include:



- Environmental Stewardship
- Time-Honored Neighborhood Development
- Healthy Lifestyles
- Sense of Place
- Gateway Entry
- Multi-Generational Community

Environmental Stewardship

Environmental stewardship provides a fundamental concept for the Parkdale Community. Parkdale's goal is to extend a living legacy for future generations. This stewardship begins with the preservation of the area's hydrological function and sensitive habitat area and with future design efforts can be continued by developing environmental education signage, interpretive areas, and nature facilities as the community develops.

Environmental stewardship requires an integrated approach. Individual environmental measures on their own do not achieve the goal of sustainability unless they are considered within the scope of the larger system. Therefore, "green" features of the land use plan will be defined through the specific plans that will be developed after the initial stage of the project. Since each neighborhood is intended to establish a unique character, these green concepts should be flexible enough to allow for appropriate and innovative design techniques that address the specific needs of that neighborhood.

Some examples of green features include:

GREEN CONCEPT Create appealing and comfortable pedestrian street environments to promote pedestrian activity.

GREEN CONCEPT Promote public health through physical

activity by creating integrated and interconnected trail systems.

GREEN CONCEPT Use recycled and/or local materials in the design and construction of community monuments.

GREEN CONCEPT Reduce sky glow through the design and selection of lighting within streets and public spaces.

GREEN CONCEPT Promote community activity and engagement by creating spaces where people can come together with neighbors and friends.

GREEN CONCEPT Utilize native and noninvasive plants in the landscaping to reflect the adjacent natural landscape and ensure the long term health and viability of native habitats.

GREEN CONCEPT Minimize turf areas to reduce the demand for irrigation.

GREEN CONCEPT Provide shade for hardscape areas to reduce "heat island" effect.

Time-Honored Neighborhood Development

Parkdale's goal is to embrace elements of Traditional Neighborhood Development (TND) principles, within the context of the property's setting and anticipated density, we are calling these principles Time-Honored Neighborhood Development.

Time-Honored Development will focus on creating a community that embraces many of the traditional patterns of small towns. This pattern of development is typically centered around a distinct "center" such as a park, providing an identity and a place for neighbors to come together as a community. Time-Honored



Development will promote walking by providing and locating small parks within walking distance of all homes. Streets are designed to incorporate the planting of trees to shade streets and sidewalks, creating an attractive and comfortable pedestrian atmosphere. Circulation patterns will limit block lengths, include few cul-desacs, and provide multiple connections to distribute traffic more efficiently, provide multiple routes, and allow pedestrians to move more freely through the community. The primary features are as follows:

- Discernible Center/Park
- Community Identity features such as unique planting or signage
- Five-minute walk to parks or trail areas for all homes
- · Variety of housing types
- Multiple street connections
- Park areas, or natural features used as focal points and community "icons"

Healthy lifestyles

To many people, the dream of a better life includes the opportunity for a healthier life.

Parkdale, and the Town of Erie in general, provides residents with every opportunity for exceptional health. Today's builders employ green building techniques to provide healthier indoor living environments. The community trail system through this property, and connecting to larger regional trails, allow people to walk or bike, increasing their physical activity and reducing their contribution to air pollution. Energy efficient building practices and energy conservation design measures improve the quality of homes being built and ultimately create a healthier place for everyone.

All of these factors work together to provide a healthier lifestyle for all the area's residents.

Sense of Place

A "sense of place" refers to unique characteristics that help define that location from any other place. This sense of place can be expressed in a number of ways including the natural and built environment. Parkdale's natural setting provides an already established sense of place with the wetland area, drainage corridors, and proximity to the Coal Creek trail and its views of the mountains. Whether residents are walking along the internal trails, playing and socializing in the parks throughout the community, bicycling to the Coal Creek trail, or taking in the view of the Front Range, they will always recognize this area as a unique "place" and a place they are proud to call home.

Gateway Entry

The Parkdale property is positioned to provide a gateway entry for the southwest entry to the Town.

The Parkdale plan provides an opportunity to redefine this corridor, and establish a quality entry experience with a strong sense of community and a high quality living environment.



Multi-Generational Community

The Parkdale community is intended to become a community where all residents can achieve an optimal lifestyle regardless of age, thus creating a multi-generational community. The Parkdale plan provides an array of amenities that equally address the needs and inspirations of residents of multiple life stages, from young, single professionals to families; from empty nesters to retirees. Programming and infrastructure for Parkdale will be universal in accommodation and appeal to all age groups. This philosophy recognizes that a successful multi-generational community requires seamless integration of all age groups, engaging people across all life stages, and recognizing the independence and value of all generations. The community's physical and activity structure should support to the fullest extent possible each individual's journey toward fulfilling their ultimate human potential through all life stages.

The Request

The total property is approximately 218 acres, and at the sketch plan level we are depicting 652 single family homes ranging in size from a minimum 45'x110', to 60'x115' single family lots, as well as duplex homes. This equates to approximately 2.9 dwelling units per acre. Approximately 73 acres of the property is anticipated to remain as open space or park uses, which equates to approximately one third of the property.

Land development is a complex process. As we are all aware, the current home building market has strengthened significantly from the previous recession. Erie is a strong market, with families desiring to live in this growing and thriving community.

The development team assembled for this project has been active in the metropolitan market for over 30 years, bringing to this project a significant amount of expertise to ensure that what we are proposing is flexible enough to be attractive to a number of

Development Summary				
Land Use	Acres	% of Total		
Residential	76.26	34.91%		
Dedicated	40,92	18.73%		
Open Space	40.02	10.1370		
Non-Dedicated				
Park & Open	31.76	14.54%		
Space				
ROW	69.54	31.83%		
Total	218.48			



high quality home builders. Our team has had the opportunity to work very closely with the Town of Erie Planning and Engineering staff to ensure that the proposal complies with the Town zoning requirements, as well as provides options for future roadway connections, and is positioned for success as soon as the project can get to the market.

The Sketch Plan concept identifies the location, anticipated function, of public and private open space, parks, trails and other common areas. In general a large portion of the area to the east of the new Gateway entrance to the Town of Erie will remain as open space and will incorporate a trail connection to the Coal Creek trail corridor, this area is anticipated to be dedicated to the Town of Erie. In addition, several pocket parks of varying size and amenities will be built throughout the community. There are approximately 3 miles of trails anticipated in the Community, part of which is a trail connection between larger trails to both the west and east of the Gateway South property.

Thank you for your time reviewing this initial step in the process for moving this exciting community forward to reality.



PROVIDED DESCRIPTION:

LAFAYETTE 7 LLP PROPERTY:

FIRST AMERICAN TITLE INSURANCE COMPANY FILE NO. NCS-766895-CO EFFECTIVE DATE OCTOBER 31, 2016

PARCEL I

A TRACT OF LAND LOCATED IN SECTION 36, TIN, R69W OF THE 6TH P.M., BOULDER COUNTY, COLORADO DESCRIBED AS FOLLOWS: BEGINNING AT THE N1/4 CORNER OF SECTION 36, THENCE SOUTH 0°11'35" WEST ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION. A DISTANCE OF 2.653.24 FEET TO THE CENTER OF SECTION 36: THENCE SOUTH 89°56'20" EAST ALONG THE EAST-WEST CENTER-LINE OF SECTION 36, A DISTANCE OF 1,327.92 FEET TO THE NORTHWEST CORNER OF THE NE1/4 OF THE SE1/4 OF SECTION 36 AND THE TRUE POINT OF BEGINNING: THENCE SOUTH 0°21'10" WEST, 1,323.16 FEET TO THE SOUTHWEST CORNER OF THE NE1/4 OF THE SE1/4 OF SECTION 36; THENCE NORTH 89°55'19" EAST A DISTANCE OF 314.82 FEET ALONG THE SOUTH LINE OF THE NE1/4 OF THE SE1/4 TO A POINT ON A CURVE, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY OF THE BURLINGTON RAILROAD. FROM WHICH A RADIAL LINE BEARS NORTH 23°08'41" WEST; THENCE ALONG A CURVE TO THE LEFT, WHOSE CENTRAL ANGLE IS 40°34′, AND WHOSE RADIUS IS 666.26 FEET, A DISTANCE OF 471.70 FEET TO THE POINT OF TANGENCY; THENCE NORTH 26°17'19" EAST ALONG SAID WESTERLY RIGHT-OF-WAY A DISTANCE OF 525.34 FEET TO THE PC OF A CURVE WITH A CENTRAL ANGLE OF 4°20′04" AND A RADIUS OF 5450.80 FEET; THENCE ALONG SAID CURVE TO THE LEFT, A DISTANCE OF 413.24 FEET ALONG RAILROAD R.O.W. TO A POINT ON A CURVE, THENCE NORTH 68°02'45" WEST ALONG A RADIAL LINE A DISTANCE OF 421.85 FEET; THENCE NORTH 89°56′20" WEST ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 36, 652.08 FEET TO THE TRUE POINT OF

PARCEL II:

TRACT R-9, A TRACT OF LAND LOCATED IN SECTION 36, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH P.M. BOULDER COUNTY, COLORADO, DESCRIBED AS FOLLOWS: BEGINNING AT THE N1/4 CORNER, THENCE SOUTH 0°11'35" WEST ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 36, 2,653.24 FEET TO THE CENTER OF SECTION 36; THENCE SOUTH 89°56'20" EAST ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 36, A DISTANCE OF 1,320 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°56'20" EAST ALONG THE EAST-WEST CENTERLINE A DISTANCE OF 660 FEET; THENCE NORTH 0°11'35" EAST ALONG THE WEST LINE OF A TRACT SHOWN AS TRACT I-2 ON SURVEY RECORDED BOULDER COUNTY, RECEPTION NO. 807363 A DISTANCE OF 1,321.63; THENCE NORTH 89°48'25" WEST ALONG THE SOUTH LINE OF A TRACT SHOWN AS TRACT R-6 ON A SURVEY RECORDED BOULDER COUNTY, RECEPTION NO. 807363, A DISTANCE OF 660 FEET; THENCE SOUTH 0°11'35" WEST ALONG THE EAST LINE OF A TRACT SHOWN AS TRACT R-8 ON SURVEY RECORDED BOULDER COUNTY, RECEPTION NO. 807363, A DISTANCE OF 1,323.17 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL III:

THOSE CERTAIN EASEMENTS AS SET FORTH IN DOCUMENT RECORDED MARCH 6, 1967, AT RECEPTION NO. 840827, FILM NUMBER 596. COUNTY OF BOULDER, STATE OF COLORADO.

THE MILLICAN REVOCABLE TRUST PROPERTY:

FIRST AMERICAN TITLE INSURANCE COMPANY FILE NO. NCS-766885-CO EFFECTIVE DATE OCTOBER 31, 2016

THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER (NW 1/4, SE 1/4) AND THE NORTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER (NE 1/4, SW 1/4) AND THE SOUTH ONE-HALF OF THE NORTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER (S 1/2, N1/2, NW 1/4, SW 1/4) OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6 TH P.M., COUNTY OF BOULDER, STATE OF COLORADO.

LESS AND EXCEPT ANY PORTION THEREOF LYING WITHIN THE RIGHT OF WAY OF THE BNSF RAILWAY.

RICHARD SCHILLAWSKI PROPERTY:

FIRST AMERICAN TITLE INSURANCE COMPANY FILE NO. NCS-766894-CO EFFECTIVE DATE OCTOBER 31, 2016

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, SECTION 36, T1N, R69W OF THE 6TH P.M., BOULDER COUNTY, COLORADO, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER FROM WHENCE THE NORTHWEST CORNER OF SECTION 36 BEARS N 01°17'40" W, 1333.00 FEET AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELAIVE THERETO, THENCE N 89°03'27" E, 1332.38 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER, NORTHWEST QUARTER, THENCE S 01°08'00" E, 1329.72 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER, NORTHWEST QUARTER, THENCE S 88°54'59" W, 1328.62 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER, NORTHWEST QUARTER, NORTHWEST QUARTER, THENCE N 01°17'40" W, 1333.00 TO THE POINT OF

COUNTY OF BOULDER, STATE OF COLORADO.

LINN S. McDONALD PROPERTY:

FIRST AMERICAN TITLE INSURANCE COMPANY FILE NO. NCS-773939-CO EFFECTIVE DATE OCTOBER 31, 2016

THAT PART OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 (S1/2 SE1/4) OF SECTION 36, TWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH P.M. DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF THE SE1/4 OF SAID SECTION 36 FROM WHICH THE SOUTHWEST CORNER OF THE SE1/4 OF SAID SECTION BEARS S 0°11'E, A DISTANCE OF 75.0 FEET, THE TRUE POINT OF BEGINNING; THENCE N 89°48' E ALONG THE NORTH RIGHT OF WAY LINE OF ST. HGHWY NO. 7, A DISTANCE OF 850.33 FEET; THENCE N 26°59' E, A DISTANCE OF 1320 FEET; THENCE N 89°48' E, A DISTANCE OF 371 FEET TO A POINT IN THE WESTERLY RIGHT OF WAY OF BOULDER COUNTY ROAD NO. 901; THENCE NORTHEASTERLY ALONG THE WESTERLY LINE OF SAID ROAD TO NORTH LINE OF S1/2 SE1/4 OF SECTION 36; THENCE S 89°44' W ALONG SAID NORTH LINE OF S1/2 SE1/4 OF SECTION 36, A DISTANCE OF 1864.18 FEET, TO THE NW CORNER OF S1/2 SE1/4 OF SECTION 36; THENCE S 0°11' E, ALONG THE WEST LINE OF S1/2 SE1/4 OF SECTION 36, A DISTANCE OF 1242.80 FEET TO THE TRUE POINT OF BEGINNING.

LESS AND EXCEPT ANY PORTION THEREOF CONVEYED TO THE DENVER, UTAH AND PACIFIC RAILROAD CO. BY INSTRUMENTS RECORDED JUNE 4, 1890 IN BOOK 113 AT PAGE 407, JANUARY 4, 1892 IN BOOK 149 AT PAGE 267, MAY 3, 1892 IN BOOK 149 AT PAGE 470 AND JANUARY 23, 1896 IN BOOK 176 AT PAGE 454.

BNSF RAILWAY COMPANY:

FIRST AMERICAN TITLE INSURANCE COMPANY FILE NO. NCS-773938-CO EFFECTIVE DATE NOVEMBER 2, 2016

THAT PORTION OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH P.M., AS DESCRIBED IN DEED RECORDED JUNE 4, 1890 IN BOOK 113 AT PAGE 407, JANUARY 4, 1892 IN BOOK 149 AT PAGE 267, MAY 3, 1892 IN BOOK 149 AT PAGE 470 AND JANUARY 23, 1896 IN BOOK 176 AT PAGE 454, COUNTY OF BOULDER, STATE OF COLORADO.

SONJA J. LEWIS PROPERTY:

FIRST AMERICAN TITLE INSURANCE COMPANY FILE NO. NCS-773940-CO EFFECTIVE DATE OCTOBER 31, 2016

THE NORTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO.

ALTA / NSPS LAND TITLE SURVEY

LOCATED IN SECTION 36,
TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH P.M.,
COUNTY OF BOULDER, STATE OF COLORADO

NOTES REGARDING THE TITLE COMMITMENTS:

LAFAYETTE7 LLP

THE FOLLOWING ARE TAKEN FROM AND CORRESPOND TO THE SCHEDULE B, SECTION TWO ITEMS WITHIN FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. NCS-766895-CO, EFFECTIVE DATE OCTOBER 31, 2016 AT 5:00 P.M.

- ITEMS 1-6 ARE STANDARD EXCEPTIONS.
- TEM 7 REFERS TO AND INGRESS AND EGRESS EASEMENT RECORDED AT REC. NO. 840827.

 AS SHOWN ON THE NORTHEASTERLY AREA OF THE SURVEY.
- ITEM 8 REFERS TO AND OIL AND GAS LEASE RECORDED AT REC. NO. 487551. NOTHING TO SHOW.
- TEM 9 REFERS TO AND OIL AND GAS LEASE RECORDED AT REC. NO. 792819. NOTHING TO SHOW.
- ITEM 10 REFERS TO A NOTICE OF OIL AND GAS SURFACE USE RECORDED AT REC. NO.2112331.

 NOTHING TO SHOW.
- ITEM 11 REFERS TO A REQUEST FOR NOTIFICATION OF SURFACE DEVELOPMENT RECORDED AT REC. NO. 2890878.

 NOTHING TO SHOW.
- ITEM 12 REFERS TO EXISTING LEASES AND TENANCIES. **NOTHING TO SHOW.**
- TEM 13 REFERS TO A PREVIOUS, UNRECORDED VERSION OF THIS ALTA/ASCM LAND TITLE SURVEY.

 AS SHOWN

THE MILLICAN REVOCABLE LIVING TRUST

THE FOLLOWING ARE TAKEN FROM AND CORRESPOND TO THE SCHEDULE B, SECTION TWO ITEMS WITHIN FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. NCS-766885-CO, EFFECTIVE DATE OCTOBER 31, 2016 AT 5:00 P.M.

ITEMS 1-6 ARE STANDARD EXCEPTIONS.

- TEM 7 REFERS TO AN OIL AND GAS LEASE RECORDED AT REC. NO. 475619. NOTHING TO SHOW.
- REFERS TO A NOTICE OF OIL AND GAS INTEREST AND SURFACE USE RECORDED AT REC. NO. 2112330 AND REC. NO. 2112331.

 NOTHING TO SHOW.
- THIS ITEM WAS INTENTIONALLY DELETED. **NOTHING TO SHOW.**
- ITEM 10 REFERS TO A REQUEST FROM NOTIFICATION OF SURFACE DEVELOPMENT RECORDED AT REC. NO. 2890878.

 NOTHING TO SHOW.
- TEM 11 REFERS TO A REQUEST FROM NOTIFICATION RECORDED AT REC. NO. 2900941.

 NOTHING TO SHOW.
- ITEM 12 REFERS TO EXISTING LEASES AND TENANCIES. **NOTHING TO SHOW.**
- EM 13 REFERS TO 119TH STREET RIGHT OF WAY.

 APPARENT 60' RIGHT OF WAY SHOWN HERON. NO RECORDING INFORMATION FOUND.
- EM 14 REFERS TO A PREVIOUS, UNRECORDED VERSION OF THIS ALTA/ASCM LAND TITLE SURVEY.

 AS SHOWN
- ITEM 15 REFERS TO BNSF RAILWAY RIGHT OF WAY RECORDED IN BOOK 149, PAGE 267.

 AS SHOWN HERON.

RICHARD DOUGLAS SCHILLAWSKI

THE FOLLOWING ARE TAKEN FROM AND CORRESPOND TO THE SCHEDULE B, SECTION TWO ITEMS WITHIN FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. NCS-766894-CO, EFFECTIVE DATE OCTOBER 31, 2016 AT 5:00 P.M.

ITEMS 1-6 ARE STANDARD EXCEPTIONS.

- PEM 7 REFERS TO AN OIL AND GAS LEASE RECORDED AT REC. NO. 432902.
 LEASE EXTENSIONS RECORDED AT REC. NO. 571669, AND AT REC. NO. 2670961.
 NOTHING TO SHOW.
- REFERS TO AN EASEMENT FOR ACCESS, INGRESS AND EGRESS AND UTILITIES RECORDED AT REC. NO. 1551894.

 AS SHOWN LOCATED IN NORTHWEST AREA OF PROPERTY.
- TEM 9 THIS ITEM WAS INTENTIONALLY DELETED.
 NOTHING TO SHOW.
- ITEM 10 REFERS TO A NOTICE OF OIL AND GAS INTEREST AND SURFACE USE RECORDED AT REC. NO.2112330.

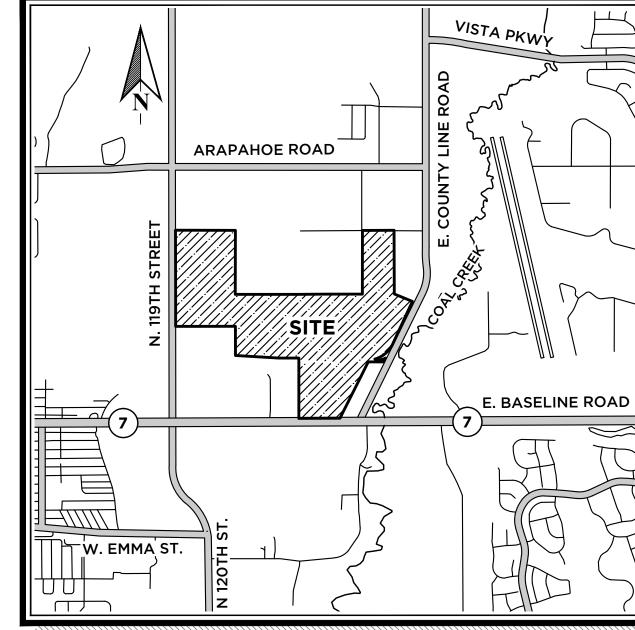
 NOTHING TO SHOW.
- ITEM 11 REFERS TO ANY PORTION OF LAND LYING WITHIN N. 119TH ST.

 APPARENT 30' ROW SHOWN HEREON. NO RECORDING INFORMATION
 FOUND.
- THIS ITEM WAS INTENTIONALLY DELETED. **NOTHING TO SHOW.**
- THIS ITEM WAS INTENTIONALLY DELETED.

 NOTHING TO SHOW.
- TEM 14 REFERS TO WATER RIGHTS, CLAIMS OR TITLE TO WATER.
 NOTHING TO SHOW.
- ITEM 15 REFERS TO EXISTING LEASES AND TENANCIES. **NOTHING TO SHOW.**
- ITEM 16 REFERS TO A PREVIOUS, UNRECORDED VERSION OF THIS ALTA/ASCM LAND TITLE SURVEY.

 AS SHOWN

SHEET 1 OF 3



VICINITY MAP1" = 2000'

NOTES REGARDING THE TITLE COMMITMENTS:

LINN S. McDONALD

THE FOLLOWING ARE TAKEN FROM AND CORRESPOND TO THE SCHEDULE B, SECTION TWO ITEMS WITHIN FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. NCS-773939-CO, EFFECTIVE DATE OCTOBER 31, 2016 AT 5:00 P.M.

ITEMS 1-6 ARE STANDARD EXCEPTIONS.

NOTHING TO SHOW.

- ITEM 7 REFERS TO A SEWER TRANSMISSION LINE EASEMENT RECORDED AT REC. NO. 344081.

 AS SHOWN ON THE SOUTHEASTERLY AREA OF THE SURVEY.
- TEM 8 REFERS TO A SEWER TRANSMISSION LINE EASEMENT RECORDED AT REC. NO. 344082.

 AS SHOWN ON THE SOUTHEASTERLY AREA OF THE SURVEY.
- ITEM 9 REFERS TO AND OIL AND GAS LEASE RECORDED AT REC. NO. 592569.
- REFERS TO A NOTICE OF GENERAL DESCRIPTION BY PANHANDLE EASTERN PIPE LINE COMPANY RECORDED AT REC. NO. 768891.

 NOTHING TO SHOW.
- REFERS TO A NOTICE OF OIL AND GAS INTEREST AND SURFACE USE RECORDED AT REC. NO. 2112331.

 NOTHING TO SHOW.
- REFERS TO A REQUEST FROM NOTIFICATION OF SURFACE DEVELOPMENT RECORDED AT REC. NO. 2890878.

 NOTHING TO SHOW.
- TEM 13 REFERS TO A REQUEST FROM NOTIFICATION RECORDED AT REC. NO. 2900941.

 NOTHING TO SHOW.
- REFERS TO RIGHT OF WAY FOR A RAILROAD AS DISCLOSED BY BOULDER COUNTY PARCEL MAP RECORDED AT REC. NO. 1465360.

 RAILROAD R.OW. SHOWN ALONG IN NORTHERN PORTION OF PROPERTY.
- ITEM 15 REFERS TO EXISTING LEASES AND TENANCIES. **NOTHING TO SHOW.**

NOTES REGARDING THE TITLE COMMITMENTS:

BNSF RAILWAY COMPANY

THE FOLLOWING ARE TAKEN FROM AND CORRESPOND TO THE SCHEDULE B, SECTION TWO ITEMS WITHIN FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. NCS-773938-CO, EFFECTIVE DATE NOVEMBER 2, 2016 AT 5:00 P.M.

ITEMS 1-6 ARE STANDARD EXCEPTIONS.

- TEM 7 REFERS TO A RESERVATION OF RIGHT TO MINE RECORDED IN BOOK 113, PAGE 407.

 NOTHING TO SHOW.
- TEM 8 REFERS TO RESTRICTIONS RECORDED IN BOOK 113, PAGE 407. NOTHING TO SHOW.
- ITEM 9 REFERS TO OIL AND GAS LEASE RECORDED AT REC. NO. 592569. NOTHING TO SHOW.
- ITEM 10 THIS ITEM WAS INTENTIONALLY DELETED.

 NOTHING TO SHOW.
- REFERS TO A NOTICE OF OIL AND GAS INTEREST AND SURFACE USE RECORDED AT REC. NO. 2112331.

 NOTHING TO SHOW.
- ITEM 12 REFERS TO A REQUEST FROM NOTIFICATION OF SURFACE DEVELOPMENT RECORDED AT REC. NO. 2890878.

 NOTHING TO SHOW.
- ITEM 13 REFERS TO A REQUEST FROM NOTIFICATION RECORDED AT REC. NO. 2900941.

 NOTHING TO SHOW.
- ITEM 14 REFERS TO EXISTING LEASES AND TENANCIES NOTHING TO SHOW.

SONYA J. LEWIS

THE FOLLOWING ARE TAKEN FROM AND CORRESPOND TO THE SCHEDULE B, SECTION TWO ITEMS WITHIN FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. NCS-773940-CO, EFFECTIVE DATE OCTOBER 31, 2016 AT 5:00 P.M.

ITEMS 1-6 ARE STANDARD EXCEPTIONS...

NOTHING TO SHOW.

NOTHING TO SHOW.

- ITEM 7 REFERS TO AN OIL AND GAS LEASE RECORDED AT REC. NO. 481867. NOTHING TO SHOW.
- THIS ITEM WAS INTENTIONALLY DELETED.

 NOTHING TO SHOW.
- REFERS TO A NOTICE OF OIL AND GAS INTEREST AND SURFACE USE RECORDED AT REC. NO. 2112330.

 NOTHING TO SHOW.
- ITEM 10 REFERS TO A REQUEST FROM NOTIFICATION OF SURFACE DEVELOPMENT RECORDED AT REC. NO. 2890878.
- ITEM 11 REFERS TO A REQUEST FROM NOTIFICATION RECORDED AT REC. NO. 2900941.
- ITEM 12 REFERS TO WATER RIGHTS, CLAIMS OR TITLE TO WATER, DITCHES AND DITCH RIGHTS.

 IRRIGATION DITCH LATERALS AND DOMESTIC WATER WELLS SHOWN
- ITEM 13 REFERS TO 119TH STREET RIGHT OF WAY.

 APPARENT 60' RIGHT OF WAY SHOWN HERON. NO RECORDING INFORMATION FOUND.
- ITEM 14 REFERS TO EXISTING LEASES AND TENANCIES. NOTHING TO SHOW.
- ITEM 15 REFERS TO A PREVIOUS, UNRECORDED VERSION OF THIS ALTA / ASCM LAND TITLE SURVEY.

SURVEYOR'S CERTIFICATE:

AS SHOWN

TO: LAFAYETTE 7 LLP
THE MILLICAN REVOCABLE LIVING TRUST
RICHARD DOUGLAS SCHILLAWSKI
LINN S. McDONALD
BNSF RAILWAY COMPANY
SONJA J. LEWIS

FIRST AMERICAN TITLE INSURANCE COMPANY.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 13, AND 18 OF TABLE "A" THEREOF. THE FIELD WORK WAS COMPLETED ON 2/10/16.

DATE OF PLAT OR MAP:

CHRISTOPHER H. McELVAIN
REGISTERED COLORADO LAND SURVEYOR NO. 36561
FOR AND ON BEHALF OF KT ENGINEERING, LLC.

GENERAL NOTES:

- 1. ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE SURVEYOR'S CERTIFICATE SHOWN HEREON.
- 2. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY KT ENGINEERING, INC. TO DETERMINE OWNERSHIP OF THIS TRACT OR TO VERIFY THE DESCRIPTION HEREON, OR THE COMPATIBILITY OF THIS DESCRIPTION WITH THAT OF ADJACENT TRACTS. OR EASEMENTS OF RECORD.
- 3. KT ENGINEERING HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS RECORDED/UNRECORDED, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE INSURANCE COMMITMENT(S) MAY DISCLOSE.
- 4. THE LINEAL UNITS USED ON THIS SURVEY ARE U.S. SURVEY FEET, THE BEARINGS ARE IN DEGREES-MINUTES-SECONDS.
- 5. BASIS OF BEARINGS: BEARINGS ARE BASED ON THE ASSUMPTION THAT THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 36 BEARS S 89°36'44" W AS SHOWN HEREON. BEARINGS ARE GRID BASED ON NAD 83 (2011) (EPOCH: 2010.0000), COLORADO STATE PLANE NORTH ZONE 0501.
- 6. AREA OF THIS SURVEY IS 9,516,935 S.F. OR 218.4788 ACRES MORE OR LESS.
- DISTANCES ON THIS SURVEY ARE EXPRESSED IN U.S. SURVEY FEET AND DECIMALS THEREOF. A UNITED STATES (U.S.) FOOT IS DEFINED AS EXACTLY 1200/3937 METERS
- 8. THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE PARTIES NAMED IN THE CERTIFICATION HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON OR ENTITY WITHOUT AN EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SUCH PERSON OR ENTITY.
- 9. THIS SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR
- 10. DATE OF SURVEY FEBRUARY 10, 2016
- 11. THIS IS AN ABOVE GROUND SURVEY. THE UNDERGROUND UTILITIES SHOWN, IF ANY, ARE BASED ON ABOVE GROUND EVIDENCE AND THESE LOCATIONS SHOULD BE CONSIDERED APPROXIMATE AND UNVERIFIED. THERE ARE MOST LIKELY UNDERGROUND UTILITIES NOT SHOWN ON THIS SURVEY.
- 12. A SEARCH WAS MADE FOR THE OIL & GAS WELL HEADS LOCATED ON THE SUBJECT PROPERTY AS DEPICTED IN GIS MAPPING SHOWN ON THE COLORADO OIL & GAS COMMISSION (COGCC) WEB SITE. ALL WELLS APPEARING ON COGCC GIS MAPPING WERE LOCATED AND THEIR POSTIONS SHOWN ON SHEET 2. TWO LISTED WELLS (DONLEY MC #36-10 AND DONLEY MC #36-8) HAVE A STATUS OF "ABANDONED LOCATION (AL),"APPEARENTLY HAVE NOT BEEN DRILLED, AND DO NOT APPEAR ON THIS SURVEY. THERE MAY BE BUILDING RESTRICTIONS ASSOCIATED WITH THE GAS AND OIL WELL FACILITIES. A 150' DIAMETER SETBACK LINE WAS DEPICTED AROUND THE POSITION OF EXISTING FACILITIES. SPECIFIC RESTRICTIONS SHOULD BE VERIFIED WITH THE COGCC, LOCAL FIRE PROTECTION DISTRICTS, AND LOCAL JURISDICTIONS.
- 13. ACCORDING TO THE FIRM FLOOD INSURANCE RATE MAP PANEL 0443J, MAP NO. 08013C0443J (REVISED TO REFLECT LOMR, EFFECTIVE: DECEMBER 28, 2012.) NO PORTION OF THE SITE LIES WITHIN THE 100 YR FLOODPLAIN.
- 14. LOCATIONS OF WETLANDS ARE PLOTTED ON SHEET 2. PER THE U.S. FISH AND WILDLIFE SERVICE NATIONAL INVENTORY MAP THE WETLANDS ARE CLASSIFIED AS SEASONALLY FLOODED PALUSTRINE EMERGENT (PEMC). WETLANDS BOUNDARIES HAVE BEEN FIELD LOCATED BY AN QUALIFIED ECOLOGIST. NO MARKERS WERE FOUND. LIMITS SHOWN HEREON PROVIDED BY QUALIFIED ECOLOGIST.
- 15. PROPERTY LINE WERE HELD AS SHOWN ON LS-03-0102. CORNERS WERE FOUND MATCHING THIS SURVEY. THE PROPERTY LINES DO NOT MATCH ALIQUOT LINES AS DESCRIBED IN DEEDS AT RN: 2033255 & RN: 2039599.
- 16. PER DEED RN: 00551020 THE NORTH LINE OF TRACT R-9 DOES NOT GO TO ALIQUOT SECTION LINE AS MONUMENTED, AND CREATES A GAP OF APPROXIMATELY 1.7'. DISTANCES PER 00551020 WERE HELD.
- 17. THE RAILROAD RIGHT-OF-WAYS SHOWN HEREON WERE RECORDED AT THE
 - FOLLOWING INSTRUMENTS:

 -50' WIDE ROW, BOOK 149, PAGE 470
 -50' WIDE ROW, BOOK 149, PAGE 267

-100' WIDE ROW, BOOK 113, PAGE 407 AND WERE LOCATED ON THIS SURVEY BASED ON THE REMNANTS OF THE THREE 10' WIDE RAISED BEDS (CIRCA 1890).

A 25' WIDE RIGHT-OF-WAY RECORDED AT BOOK 176, PAGE 454 APPEARS TO FALL OUTSIDE OF THE SUBJECT PROPERTY.

- 18. THE APPARENT GOODHUE DITCH RUNS EAST-WEST ALONG THE SOUTHERN PROPERTY LINE OF THE RICHARD SCHILLAWSKI WITHOUT THE BENEFIT OF RECORDED EASEMENT. AN APPARENT LATERAL OF THE GOODHUE DITCH RUNS ALONG THE NORTHERN AND EASTERN LINES OF THE NEIL S. BRESLER PROPERTY. THIS LATERAL ENCROACHES INTO THE SUBJECT PROPERTY ALONG THE BRESLER EASTERN LINE WITHOUT THE BENEFIT OF RECORDED EASEMENT.
- 19. COORDINATE DATUM: PROJECT COORDINATES ARE GROUND BASED MODIFIED NAD 83 (2011) (EPOCH: 2010.0000), COLORADO STATE PLANE NORTH ZONE 0501. THE POINT OF ORIGIN FOR SCALING THE PROJECT TO GRID DISTANCES WAS SET AS THE CENTER 1/4 CORNER OF SECTION 36, TOWNSHIP 1 N, RANGE 69 W OF THE 6TH P.M. BEING MONUMENTED AS FOLLOWS: 2.5" ALUMINUM CAP ON A 3/4" REBAR, "RLS 4846." SAID POINT HAS COLORADO STATE PLANE NORTH ZONE COORDINATES OF N: 1245868.3460 E: 3121837.0864 AND A GROUND TO GRID COMBINED SCALE FACTOR OF 0.99972350. LOCAL COORDINATES MATCH GRID COORDINATES AT THIS POINT. THE CONVERGENCE ANGLE AT SAID POINT IS 0.28103142 DEGREES.

DATE: 11/11/2016



