

After Recording, Return to:
WHITE BEAR ANKELE TANAKA & WALDRON
2154 East Commons Avenue, Suite 2000
Centennial, Colorado 80122

**RESOLUTION
OF THE BOARD OF DIRECTORS OF THE
WINDLER OPERATIONS METROPOLITAN DISTRICT**

CONCERNING THE IMPOSITION OF AN ACITIVITES AND FACILITIES FEE

WHEREAS, the Windler Operations Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado, duly organized and existing pursuant to §§ 32-1-101, *et seq.*, C.R.S., as amended (the “**Special District Act**”); and

WHEREAS, pursuant to § 32-1-1001(1)(h), C.R.S., the Board of Directors of the District (the “**Board**”) shall have the management, control, and supervision of all the business and affairs of the District; and

WHEREAS, the Board has determined it to be in the best interests of the District, and the property owners, taxpayers, and residents within the District, and the general public, for the District to own, operate and maintain Public Improvements (as defined in the District’s Service Plan) not otherwise required to be dedicated to the City or other public entity, including, street improvements (including roads, curbs, gutters, culverts, sidewalks, bridges, parking facilities, paving, lighting, grading, landscaping, and other street improvements), traffic and safety controls, retaining walls, park and recreation improvements and facilities (including, but not limited to swimming pools, swimming baths, wading pools, restrooms and changing facilities, interactive water features, gathering areas and facilities, clubhouses, play and playground areas, skate or bike parks, multi-use courts, covered picnic shelters and gazebos, fire pits, event lawns and hammock groves), gardens, outdoor performance spaces, community meeting areas, art installations, trails, open space, signage, landscaping, drainage improvements (including detention and retention ponds, trickle channels, and other drainage facilities), irrigation system improvements (including wells, pumps, storage facilities, and distribution facilities), holiday décor, and security equipment, and all necessary equipment and appurtenances incident thereto, (collectively, the “**Facilities**”); and

WHEREAS, the Board has determined it to be in the best interests of the District, and the property owners, taxpayers, and residents within the District, and the general public, for the District to provide certain services necessary for the administration, operation and maintenance of the Facilities, including but not limited to, district management, facility and general operations and maintenance, landscaping maintenance, snow removal, administration and staffing of the Facilities, , security services, social programming, trash, and utilities (collectively, the “**Services**”); and

WHEREAS, pursuant to § 32-1-1001(1)(j)(I), C.R.S., the District is authorized to fix and impose fees, rates, tolls, penalties and charges for services or facilities furnished by the District which, until paid, shall constitute a perpetual lien on and against the property served; and

WHEREAS, the District incurs certain direct and indirect costs associated with the upkeep, repair, replacement, improvement, reconstruction operation and maintenance of the Facilities, as necessary, inclusive of the costs of utilities and capital replacement costs (collectively, the “**Facility Costs**”) in order that the Facilities may be properly provided, operated and maintained; and

WHEREAS, the District incurs certain direct and indirect costs associated with the provision of the Services in order that the Services may be properly provided, the property within the District maintained, and that the health, safety and welfare of the District and its inhabitants may be safeguarded (collectively, the “**Service Costs**”); and

WHEREAS, the establishment and continuation of a fair and equitable fee (the “**Activity and Facilities Fee**”) to provide a source of funding to pay for the Facility Costs and the Service Costs, (collectively, the “**Activities Costs**”), which Activities Costs are generally attributable to the persons and/or properties subject to such Activity and Facilities Fees, is necessary to provide for the common good and for the prosperity and general welfare of the property owners, taxpayers, and residents within the District, and the general public and for the orderly and uniform administration of the District’s affairs; and

WHEREAS, the District finds that the Activity and Facilities Fee, as set forth in this Resolution, is reasonably related to the overall cost of providing the Facilities and Services and paying the Activities Costs, and that imposition thereof is necessary and appropriate.

NOW, THEREFORE, be it resolved by the Board as follows:

1. DEFINITIONS. Except as otherwise expressly provided or where the context indicates otherwise, the following capitalized terms shall have the respective meanings set forth below:

“**Apartment Unit**” means a unit within an apartment building which unit is held for lease or rent for residential occupancy and for which a final certificate of occupancy has been issued.

“**District Boundaries**” means the legal boundaries of the District, as the same are established and amended from time to time pursuant to the Special District Act, as more particularly set forth in the map and legal description attached hereto as **Exhibit B** and incorporated herein by this reference.

“**Due Date**” means the date by which the Activities and Facilities Fee is due, which Due Date is reflected on the Fee Schedule.

“**End User**” means any owner, or tenant of any owner, of any taxable improvement within the District who is intended to become burdened by the imposition of ad valorem property taxes subject to the Maximum Debt Mill Levy (as defined in the Service Plan). By way of illustration, a resident homeowner, renter, commercial property owner, or commercial tenant is an End User. The business entity that constructs homes or commercial structures is not an End User.

“**Fee Schedule**” means the schedule of fees set forth in **Exhibit A**, attached hereto and incorporated herein by this reference, until and unless otherwise amended and/or repealed.

“**Lot**” means each parcel of land established by a recorded final subdivision plat and which is located within the District Boundaries.

“**Residential Unit**” means each residential dwelling unit (including, without limitation, condominiums, townhomes, and any other attached dwelling unit and detached single family dwelling units) located on a Lot which has been Transferred to an End User.

“**Transfer**” or “**Transferred**” shall include a sale, conveyance or transfer by deed, instrument, writing, lease or any other documents or otherwise by which real property is sold, granted, let, assigned, transferred, exchanged or otherwise vested in another

2. ACTIVITIES AND FACILITIES FEE.

a. The Board has determined, and does hereby determine, that it is in the best interests of the property owners, taxpayers, and residents within the District, and the general public, to impose, and does hereby impose an Activities and Facilities Fee to fund the Activities Costs. The Activities and Facilities Fee is hereby established and imposed in an amount as set forth by the District from time to time pursuant to the “Fee Schedule” and shall constitute the rate in effect until such schedule is amended or repealed. The Fee Schedule is set forth in **Exhibit A**, attached hereto and incorporated herein by this reference. The Activities and Facilities Fee shall consist of a recurring payment (the “**Recurring Payment**”) and a separate payment imposed on the Transfer of a Residential Unit by an End User (the “**Administrative Fee**”), which together shall comprise the Activities and Facilities Fee.

b. The Activities and Facilities Fee shall be optional for any End User leasing an Apartment Unit. An End User leasing an Apartment Unit who wishes to use the Facilities must notify the District Manager in writing of their intent and complete any required applications. Additionally, the End User must prepay the Activities and Facilities Fee for a period equal to twelve (12) months before being granted access to the Facilities. Any End User leasing an Apartment Unit that is currently paying the Activities and Facilities Fee shall notify the District Manager in writing on or before October 15th of each year of their intent to renew their use of the Facilities for the following calendar year and shall prepay the Activities and Facilities Fee on or before January 1st for the next twelve (12) months. The Activities and Facilities Fee charged to an End User occupying an Apartment Unit cannot and will not be prorated, which means the End User will be charged the annual amount of the Activities and Facilities Fee regardless of how much they use the Facilities in a given calendar year.

c. The Administrative Fee shall be imposed on all Transfers of a Residential Unit by an End User. The Administrative Fee shall not apply to any of the following, except to the extent the District determines that such exception is being undertaken for the purpose of improperly avoiding the Activities and Facilities Fee:

i. Any Transfer wherein the United States, or any agency or instrumentality thereof, the State of Colorado, any county, city and county, municipality, district or other political subdivisions of this State, is either the grantor or the grantee.

ii. Any Transfer by document, decree or agreement partitioning, terminating or evidencing termination of a joint tenancy, tenancy in common or other co-ownership; however, if additional consideration or value is paid in connection with such partition or termination the Administrative Fee shall apply and be based upon such additional consideration.

iii. Any Transfer of title or change of interest in real property by reason of death, pursuant to a will, the law of descent and distribution, or otherwise.

iv. Any Transfer made and delivered without consideration for the purpose of: confirming, correcting, modifying or supplementing a Transfer previously made; making minor boundary adjustments; removing clouds of title; or granting easements, rights-of-way or licenses.

v. Any decree or order of a court of record quieting, determining or resting title, except for a decree of foreclosure.

vi. Transfers to secure a debt or other obligation, or releases other than by foreclosure, which is security for a debt or other obligation.

vii. Transfers pursuant to a decree or separation of divorce.

d. The Board has determined, and does hereby determine, that the Activities and Facilities Fee is reasonably related to the overall cost of providing the Facilities and Services, and paying the Activities Costs, and is imposed on those who are reasonably likely to benefit from or use the Facilities and Services.

e. The revenues generated by the Activities and Facilities Fee will be accounted for separately from other revenues of the District. The Activities and Facilities Fee revenue will be used solely for the purpose of paying Activities Costs, and may not be used by the District to pay for general administrative costs of the District.

3. LATE FEES AND INTEREST. Pursuant to § 29-1-1102(3), C.R.S., any Operations Fee not paid in full within fifteen (15) days after the scheduled Due Date will be assessed a late fee in the amount of Fifteen Dollars (\$15.00) or up to five percent (5%) per month, or fraction thereof, not to exceed a total of twenty-five percent (25%) of the amount due.

Interest will also accrue on any outstanding Activities and Facilities Fees, exclusive of assessed late fees, penalties, interest and any other costs of collection, specially including, but not limited, to attorneys' fees, at the rate of 18% per annum, pursuant to § 29-1-1102(7), C.R.S. The District may institute such remedies and collection procedures as authorized under Colorado law, including, but not limited to, foreclosure of its perpetual lien. The defaulting property owner shall pay all fees and costs, specifically including, but not limited to, attorneys' fees and costs and costs associated with the collection of delinquent fees, incurred by the District and/or its consultants in connection with the foregoing.

4. PAYMENT. Payment for all Activities and Facilities Fees, fees, rates, tolls, penalties, charges, interest and attorneys' fees shall be made by check or equivalent form acceptable to the District, made payable to "Windler Operations Metropolitan District" and sent to the address indicated on the Fee Schedule. The District may change the payment address from time and time and such change shall not require an amendment to this Resolution.

5. LIEN. The Activities and Facilities Fees imposed hereunder, together with any and all late fees, interest, penalties and costs of collection, shall, until paid, constitute a statutory, perpetual lien on and against the property served, and any such lien may be foreclosed in the manner provided by the laws of the State of Colorado for the foreclosure of mechanic's liens, pursuant to § 32-1-1001(1)(j)(I), C.R.S. Said lien may be foreclosed at such time as the District, in its sole discretion, may determine. The lien shall be perpetual in nature (as defined by the laws of the State of Colorado) on the property and shall run with the land. This Resolution shall be recorded in the offices of the Clerk and Recorder of Adams County, Colorado.

6. SEVERABILITY. If any portion of this Resolution is declared by any court of competent jurisdiction to be void or unenforceable, such decision shall not affect the validity of any remaining portion of this Resolution, which shall remain in full force and effect. In addition, in lieu of such void or unenforceable provision, there shall automatically be added as part of this Resolution a provision similar in terms to such illegal, invalid or unenforceable provision so that the resulting reformed provision is legal, valid and enforceable.

7. THE PROPERTY. This Resolution shall apply to all property within the District Boundaries, including, but not limited to, the property set forth in **Exhibit B**, attached hereto and incorporated herein by this reference, and any additional property included into the District after the date of this Resolution.

8. EFFECTIVE DATE. This Resolution shall become effective January 1, 2025.

[Remainder of Page Intentionally Left Blank. Signature Page Follows].

ADOPTED this 25th day of November, 2024.

WINDLER OPERATIONS METROPOLITAN
DISTRICT, a quasi-municipal corporation and
political subdivision of the State of Colorado

Christopher H. Fellows

Christopher H. Fellows (Dec 9, 2024 10:39 MST)

Officer of the District


ATTEST:



Dustin Anderson (Dec 3, 2024 15:18 MST)

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys At Law



General Counsel to the District

Signature page to Resolution Concerning the Imposition of an Operations Fee

EXHIBIT A
WINDLER OPERATIONS METROPOLITAN DISTRICT
Schedule of Fees
Effective January 1, 2025

Schedule of Fees		
Fee Type	Classifications	Rate
Operations Fee – Recurring Payment	Single-Family Residential Unit	\$15.00/quarterly
	Multi-Family Residential Unit (excluding Apartment Unit)	\$15.00/quarterly
	Apartment Unit	\$60.00/annually
The Due Date for each Operations fee is the 1 st day of each quarter (January 1 st , April 1 st , July 1 st , and October 1 st) or January 1 st for an Apartment Unit.		
Administrative Fee – Payment Due Upon a Transfer	Single-Family Residential Unit	\$100 per Transfer
	Multi-Family Residential Unit (excluding Apartment Unit)	\$100 per Transfer
The Due Date for each Operations Fee—Payment Due Upon Transfer is the date upon which the Transfer occurs.		

PAYMENTS: Payment for each fee shall be made payable to the Windler Operations Metropolitan District and sent to the following address for receipt by the Due Date:

Windler Operations Metropolitan District
 c/o Advance HOA Management, Inc.
 P. O. Box 370390
 Denver, CO 80237

EXHIBIT B

WINDLER OPERATIONS METROPOLITAN DISTRICT

District Boundaries

Westwood

WINDLER OPERATIONS METROPOLITAN DISTRICT

PROPERTY DESCRIPTION

THREE PARCELS OF LAND, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 13, AND THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 66 WEST, AND SECTION 18, TOWNSHIP 3 SOUTH, RANGE 65 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

PARCEL 1

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 13, BEING MONUMENTED BY A NO. 6 REBAR WITH 3.25 INCH ALUMINUM CAP, IN A RANGE BOX, STAMPED "MK CENTENNIAL T3S R66W/R65W S13/S18/S24/S19 PLS 24313 1999", FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION, BEING MONUMENTED BY A NO. 6 REBAR WITH 3.25 INCH ALUMINUM CAP STAMPED "WESTWOOD T3S R66W ¼ S13/S24 2023 PLS 38004", IS ASSUMED TO BEAR SOUTH 89°38'39" WEST, A DISTANCE OF 2646.53 FEET, WITH ALL BEARINGS HEREIN BEING RELATIVE THERETO;

THENCE NORTH 73°00'45" WEST, A DISTANCE OF 604.14 FEET TO A POINT ON THE WEST BOUNDARY LINE OF COLORADO E-470 PARCEL TK-114, AS DESCRIBED IN THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER IN BOOK 5849 AT PAGE 596, BEING THE **POINT OF BEGINNING**.

THENCE THE FOLLOWING FIFTEEN (15) COURSES;

1. SOUTH 36°31'28" WEST, ALONG THE BOUNDARY LINE OF SAID PARCEL TK-114, A DISTANCE OF 74.68 FEET;
2. CONTINUING ON SAID BOUNDARY LINE, SOUTH 85°53'59" WEST, A DISTANCE OF 702.97 FEET TO A POINT ON THE EAST BOUNDARY LINE OF LOT 1, BLOCK 1, WINDLER SUBDIVISION, AS RECORDED IN THE RECORDS OF SAID CLERK AND RECORDER AT RECEPTION NUMBER 984962;
3. NORTH 00°07'08" WEST, ALONG THE EAST BOUNDARY LINE OF SAID WINDLER SUBDIVISION, A DISTANCE OF 587.60 FEET, TO THE NORTHEAST CORNER THEREOF;
4. SOUTH 89°38'39" WEST, ALONG THE NORTH BOUNDARY LINE OF SAID WINDLER SUBDIVISION, A DISTANCE OF 1265.72 FEET;
5. NORTH 02°01'49" WEST, A DISTANCE OF 76.16 FEET TO A POINT ON THE EAST BOUNDARY LINE OF THAT PARCEL OF LAND DESCRIBED IN THAT SPECIAL WARRANTY DEED RECORDED IN THE RECORDS OF SAID CLERK AND RECORDER AT RECEPTION NO. 2022000041363;
6. ALONG THE EAST BOUNDARY LINE OF SAID SPECIAL WARRANTY DEED, BEING PARALLEL WITH AND 55.00 FEET EAST OF THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 13, NORTH 00°07'08" WEST, A DISTANCE OF 1649.48 FEET;
7. DEPARTING SAID EAST BOUNDARY, NORTH 03°41'42" EAST, A DISTANCE OF 165.37 FEET;
8. NORTH 00°07'08" WEST, A DISTANCE OF 97.79 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 13;
9. NORTH 89°40'25" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 2227.93 FEET TO A POINT ON THE WEST BOUNDARY LINE OF SAID COLORADO E-470 PARCEL TK-114;

THENCE THE FOLLOWING SIX (6) COURSES TO FOLLOW SAID WEST BOUNDARY LINE;

10. SOUTH 01°08'45" EAST, A DISTANCE OF 96.29 FEET;

Westwood

11. SOUTH 04°07'05" WEST, A DISTANCE OF 1049.33 FEET TO A POINT OF CURVATURE;
12. SOUTHWESTERLY, A DISTANCE OF 347.90 FEET ON THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 3729.44 FEET, A CENTRAL ANGLE OF 05°20'41", A CHORD BEARING OF SOUTH 06°47'26" WEST, AND A CHORD LENGTH OF 347.77 FEET TO A POINT OF TANGENCY;
13. SOUTH 09°27'47" WEST, A DISTANCE OF 488.36 FEET TO A POINT OF CURVATURE;
14. SOUTHWESTERLY, A DISTANCE OF 360.45 FEET ON THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1999.86 FEET, A CENTRAL ANGLE OF 10°19'36", A CHORD BEARING OF SOUTH 04°17'58" WEST, AND A CHORD LENGTH OF 359.96 FEET TO A POINT OF TANGENCY;
15. SOUTH 00°51'50" EAST, A DISTANCE OF 141.69 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINING A CALCULATED AREA OF 4,717,999 SQUARE FEET OR 108.310 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EXISTING EASEMENTS AND/OR RIGHTS OF WAY OF WHATSOEVER NATURE.

PARCEL 2

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 24, BEING MONUMENTED BY A NO. 6 REBAR WITH 3.25 INCH ALUMINUM CAP, IN A RANGE BOX, STAMPED "MK CENTENNIAL T3S R66W/R65W S13/S18/S24/S19 PLS 24313 1999", FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION, BEING MONUMENTED BY A NO. 6 REBAR WITH 3.25 INCH ALUMINUM CAP STAMPED "WESTWOOD T3S R66W ¼ S13/S24 2023 PLS 38004", IS ASSUMED TO BEAR SOUTH 89°38'39" WEST, A DISTANCE OF 2646.53 FEET, WITH ALL BEARINGS HEREIN BEING RELATIVE THERETO;

THENCE SOUTH 76°39'29" WEST, A DISTANCE OF 634.97 FEET TO A POINT ON THE WESTERLY BOUNDARY LINE OF COLORADO E-470 PARCEL TK-112, AS DESCRIBED IN THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER IN BOOK 5849 AT PAGE 596, BEING THE **POINT OF BEGINNING**.

THENCE THE FOLLOWING FIVE (5) COURSES TO FOLLOW SAID WESTERLY BOUNDARY.

1. SOUTH 51°30'05" EAST, A DISTANCE OF 58.63 FEET TO A POINT OF NON-TANGENTIAL CURVATURE;
2. SOUTHEASTERLY, A DISTANCE OF 305.26 FEET ON THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 914.38 FEET, A CENTRAL ANGLE OF 19°07'39", A CHORD BEARING OF SOUTH 11°55'26" EAST, AND A CHORD LENGTH OF 303.84 FEET TO A POINT OF TANGENCY;
3. SOUTH 21°29'16" EAST, A DISTANCE OF 226.63 FEET TO A POINT OF CURVATURE;
4. SOUTHEASTERLY, A DISTANCE OF 319.53 FEET ON THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 851.97 FEET, A CENTRAL ANGLE OF 21°29'19", A CHORD BEARING OF SOUTH 10°44'37" EAST, AND A CHORD LENGTH OF 317.66 FEET TO A POINT OF TANGENCY;
5. SOUTH 00°00'03" WEST, A DISTANCE OF 1647.20 FEET TO A POINT ON THE SOUTH BOUNDARY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 24;
6. SOUTH 89°35'41" WEST, ALONG SAID SOUTH BOUNDARY LINE, A DISTANCE OF 2226.93 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF NORTH TIBET STREET, AS DESCRIBED IN THE RECORDS OF SAID CLERK AND RECORDER AT RECEPTION NO. 2022000041363;
7. NORTH 00°16'24" WEST, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 359.11 FEET TO A POINT OF CURVATURE;
8. CONTINUING ALONG SAID EAST RIGHT OF WAY LINE, NORTHWESTERLY, A DISTANCE OF 303.09 FEET ON THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1141.58 FEET, A CENTRAL ANGLE OF

Westwood

15°12'44", A CHORD BEARING OF NORTH 07°52'46" WEST, AND A CHORD LENGTH OF 302.20 FEET TO A POINT OF NON-TANGENCY. SAID POINT BEING ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 24;

9. DEPARTING SAID EAST RIGHT OF WAY LINE, NORTH 00°16'24" WEST, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 1047.76 FEET TO A POINT OF NON-TANGENTIAL CURVATURE, SAID POINT BEING ON THE EAST RIGHT OF WAY LINE OF SAID NORTH TIBET STREET;
10. NORTHEASTERLY, ON SAID EAST RIGHT OF WAY, AND DEPARTING THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 289.37 FEET ON THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1040.00 FEET, A CENTRAL ANGLE OF 15°56'32", A CHORD BEARING OF NORTH 07°41'52" EAST, AND A CHORD LENGTH OF 288.44 FEET TO A POINT OF TANGENCY;
11. CONTINUING ON SAID EAST RIGHT OF WAY, NORTH 00°16'24" WEST, A DISTANCE OF 523.04 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF THAT PUBLIC RIGHT OF WAY DEDICATION RECORDED IN THE RECORDS OF SAID CLERK AND RECORDER AT RECEPTION NUMBER 2007000085459;

THENCE THE FOLLOWING FOUR (4) COURSES TO FOLLOW SAID SOUTH RIGHT OF WAY LINE

12. SOUTH 89°59'46" EAST, A DISTANCE OF 29.00 FEET;
13. NORTH 00°16'24" WEST, A DISTANCE OF 38.18 FEET TO A POINT OF CURVATURE;
14. NORTHEASTERLY, A DISTANCE OF 39.23 FEET ON THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 89°55'02", A CHORD BEARING OF NORTH 44°41'07" EAST, AND A CHORD LENGTH OF 35.33 FEET TO A POINT OF TANGENCY, SAID POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF EAST 48TH AVENUE AS RECORDED AT SAID RECEPTION NO. 2007000085459;
15. NORTH 89°38'39" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 1193.28 FEET TO A POINT ON THE WESTERLY BOUNDARY OF SAID COLORADO E-470 PARCEL TK-112;
16. SOUTH 84°54'15" EAST, ALONG SAID WESTERLY BOUNDARY, A DISTANCE OF 744.02 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING A CALCULATED AREA OF 5,668,626 SQUARE FEET OR 130.134 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EXISTING EASEMENTS AND/OR RIGHTS OF WAY OF WHATSOEVER NATURE.

PARCEL 3

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 18, BEING MONUMENTED BY A NO. 6 REBAR WITH 3.25 INCH ALUMINUM CAP, IN A RANGE BOX, STAMPED "MK CENTENNIAL T3S R66W/R65W S13/S18/S24/S19 PLS 24313 1999", FROM WHICH THE SOUTH QUARTER CORNER OF SECTION 13, TOWNSHIP 3 SOUTH, RANGE 66 WEST, SIXTH PRINCIPAL MERIDIAN, BEING MONUMENTED BY A NO. 6 REBAR WITH 3.25 INCH ALUMINUM CAP STAMPED "WESTWOOD T3S R66W ¼ S13/S24 2023 PLS 38004", IS ASSUMED TO BEAR SOUTH 89°38'39" WEST, A DISTANCE OF 2646.53 FEET, WITH ALL BEARINGS HEREIN BEING RELATIVE THERETO;

THENCE NORTH 58°45'42" EAST, A DISTANCE OF 237.65 FEET TO A POINT ON THE EAST BOUNDARY LINE OF COLORADO E-470 PARCEL TK-113, AS DESCRIBED IN THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER IN BOOK 5849 AT PAGE 596, BEING THE **POINT OF BEGINNING**.

THENCE THE FOLLOWING SIX (6) COURSES TO FOLLOW SAID THE EAST BOUNDARY OF SAID E-470 PARCEL TK-113;

Westwood

1. NORTH 00°51'50" WEST, A DISTANCE OF 134.17 FEET TO A POINT OF CURVATURE;
2. NORTHWESTERLY, A DISTANCE OF 406.87 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1999.86 FEET, A CENTRAL ANGLE OF 11°39'25", A CHORD BEARING OF NORTH 06°41'32" WEST, AND A CHORD LENGTH OF 406.17 FEET TO A POINT OF TANGENCY;
3. NORTH 12°31'14" WEST, A DISTANCE OF 476.04 FEET TO A POINT OF CURVATURE;
4. NORTHWESTERLY, A DISTANCE OF 492.30 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2252.81 FEET, A CENTRAL ANGLE OF 12°31'14", A CHORD BEARING OF NORTH 06°15'37" WEST, AND A CHORD LENGTH OF 491.32 FEET TO A POINT OF TANGENCY;
5. NORTH 00°00'00" EAST, A DISTANCE OF 935.52 FEET;
6. NORTH 13°50'55" WEST, A DISTANCE OF 30.54 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 18;
7. NORTH 00°13'40" WEST, ALONG SAID WEST LINE, A DISTANCE OF 69.97 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 18;
8. NORTH 00°14'00" WEST, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION, A DISTANCE OF 902.42 FEET TO THE SOUTHERLY MOST CORNER OF E-470 PARCEL TK-115, AS DESCRIBED IN THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER IN BOOK 5849 AT PAGE 596;

THENCE THE FOLLOWING SEVEN (7) COURSES TO FOLLOW THE EAST BOUNDARY OF SAID E-470 PARCEL TK-115;

9. NORTH 04°06'07" EAST, A DISTANCE OF 865.62 FEET TO A POINT OF CURVATURE;
10. NORTHEASTERLY, A DISTANCE OF 234.24 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1055.92 FEET, A CENTRAL ANGLE OF 12°42'37", A CHORD BEARING OF NORTH 10°27'25" EAST, AND A CHORD LENGTH OF 233.76 FEET TO A POINT OF TANGENCY;
11. NORTH 16°48'44" EAST, A DISTANCE OF 247.48 FEET TO A POINT OF CURVATURE;
12. NORTHEASTERLY, A DISTANCE OF 248.65 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1044.93 FEET, A CENTRAL ANGLE OF 13°38'02", A CHORD BEARING OF NORTH 09°59'43" EAST, AND A CHORD LENGTH OF 248.06 FEET TO A POINT OF NON-TANGENCY;
13. NORTH 48°50'48" EAST, A DISTANCE OF 75.85 FEET;
14. NORTH 87°43'32" EAST, A DISTANCE OF 853.88 FEET;
15. NORTH 00°00'15" EAST, A DISTANCE OF 15.82 FEET TO A POINT ON THE APPARENT SOUTH RIGHT OF WAY LINE OF EAST 56TH AVENUE;

THENCE THE FOLLOWING FOURTEEN (14) COURSES TO FOLLOW SAID SOUTH RIGHT OF WAY;

16. NORTH 89°19'43" EAST, A DISTANCE OF 525.61 FEET TO A POINT OF CURVATURE;
17. SOUTHEASTERLY, A DISTANCE OF 39.57 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°41'20", A CHORD BEARING OF SOUTH 45°19'37" EAST, AND A CHORD LENGTH OF 35.57 FEET TO A POINT OF NON-TANGENCY;

Westwood

18. NORTH 88°49'20" EAST, A DISTANCE OF 68.01 FEET TO A POINT OF NON-TANGENTIAL CURVATURE;
19. NORTHEASTERLY, A DISTANCE OF 38.97 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 89°18'40", A CHORD BEARING OF NORTH 44°40'23" EAST, AND A CHORD LENGTH OF 35.14 FEET TO A POINT OF TANGENCY;
20. NORTH 89°19'43" EAST, A DISTANCE OF 730.24 FEET TO A POINT OF NON-TANGENTIAL CURVATURE;
21. SOUTHEASTERLY, A DISTANCE OF 38.95 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 89°16'25", A CHORD BEARING OF SOUTH 46°01'56" EAST, AND A CHORD LENGTH OF 35.13 FEET TO A POINT OF TANGENCY;
22. SOUTH 01°23'44" EAST, A DISTANCE OF 0.51 FEET;
23. NORTH 88°41'44" EAST, A DISTANCE OF 150.08 FEET TO A POINT OF NON-TANGENTIAL CURVATURE;
24. NORTHEASTERLY, A DISTANCE OF 38.77 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 88°50'41", A CHORD BEARING OF NORTH 44°10'47" EAST, AND A CHORD LENGTH OF 35.00 FEET TO A POINT OF TANGENCY;
25. NORTH 88°36'07" EAST, A DISTANCE OF 1146.38 FEET TO A POINT OF CURVATURE;
26. SOUTHEASTERLY, A DISTANCE OF 39.77 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 91°09'19", A CHORD BEARING OF SOUTH 45°49'13" EAST, AND A CHORD LENGTH OF 35.71 FEET TO A POINT OF NON-TANGENCY;
27. NORTH 87°49'35" EAST, A DISTANCE OF 75.04 FEET TO A POINT OF NON-TANGENTIAL CURVATURE;
28. NORTHEASTERLY, A DISTANCE OF 38.76 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 88°49'37", A CHORD BEARING OF NORTH 44°11'19" EAST, AND A CHORD LENGTH OF 34.99 FEET TO A POINT OF TANGENCY;
29. NORTH 88°36'07" EAST, A DISTANCE OF 1195.19 FEET TO A POINT OF CURVATURE;
30. SOUTHEASTERLY, A DISTANCE OF 39.84 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 91°18'25", A CHORD BEARING OF SOUTH 45°44'40" EAST, AND A CHORD LENGTH OF 35.76 FEET TO A POINT OF TANGENCY, SAID POINT BEING ON THE WEST RIGHT OF WAY LINE OF HARVEST ROAD, AS RECORDED IN THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER AT RECEPTION NUMBER 20060516000505740;
31. SOUTH 00°05'28" EAST, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 2545.53 FEET;
32. CONTINUING ALONG THE WEST RIGHT OF WAY OF HARVEST ROAD, AS RECORDED IN THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER AT RECEPTION NUMBERS 20060515000496490 AND 200605240005333770, SOUTH 00°01'51" EAST, A DISTANCE OF 2584.72 TO A POINT ON THE NORTH RIGHT OF WAY LINE OF EAST 48TH AVENUE, AS RECORDED IN THE RECORDS OF SAID CLERK AND RECORDER AT RECEPTION NUMBER 2018000045211;
33. ALONG SAID NORTH RIGHT OF WAY, SOUTH 89°08'07" WEST, A DISTANCE OF 2577.98 FEET;
34. SOUTH 00°51'51" EAST, A DISTANCE OF 72.00 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 18;
35. SOUTH 89°08'09" WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 18, A DISTANCE OF 94.00 FEET;

Westwood

36. NORTH 00°51'51" WEST, A DISTANCE OF 72.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF EAST 48TH AVENUE, AS RECORDED IN THE RECORDS OF SAID CLERK AND RECORDER AT RECEPTION NUMBER 2007000085459;

THENCE THE FOLLOWING FIVE (5) COURSES TO FOLLOW SAID NORTH RIGHT OF WAY LINE;

37. SOUTH 89°08'09" WEST, A DISTANCE OF 1159.09 FEET TO A POINT OF NON-TANGENTIAL CURVATURE;
38. NORTHWESTERLY, A DISTANCE OF 39.28 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°00'54", A CHORD BEARING OF NORTH 45°51'51" WEST, AND A CHORD LENGTH OF 35.36 FEET TO A POINT OF NON-TANGENCY;
39. SOUTH 89°08'09" WEST, A DISTANCE OF 84.00 FEET TO A POINT OF NON-TANGENTIAL CURVATURE;
40. SOUTHWESTERLY, A DISTANCE OF 39.28 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°00'54", A CHORD BEARING OF SOUTH 44°08'09" WEST, AND A CHORD LENGTH OF 35.36 FEET TO A POINT OF NON-TANGENCY;
41. SOUTH 89°08'09" WEST, A DISTANCE OF 609.88 FEET TO A POINT ON THE NORTHEASTERLY BOUNDARY LINE OF SAID E-470 TRACT TK113;
42. NORTH 84°07'05" WEST, ALONG SAID NORTHEASTERLY BOUNDARY, A DISTANCE OF 410.02 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINING A CALCULATED AREA OF 26,327,158 SQUARE FEET OR 604.388 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EXISTING EASEMENTS AND/OR RIGHTS OF WAY OF WHATSOEVER NATURE.

THE LINEAL UNIT USED IN THE PREPARATION OF THIS PROPERTY DESCRIPTION IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.

I, PATRICK M. STEENBURG, 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.

PATRICK M. STEENBURG, PLS 38004
FOR AND ON BEHALF OF
WESTWOOD PROFESSIONAL SERVICES, INC.
10333 EAST DRY CREEK ROAD, SUITE 400
ENGLEWOOD, COLORADO 80122

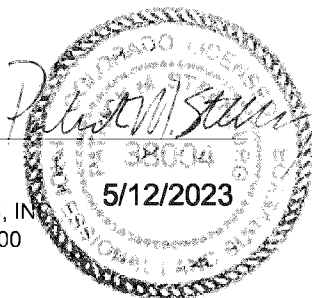
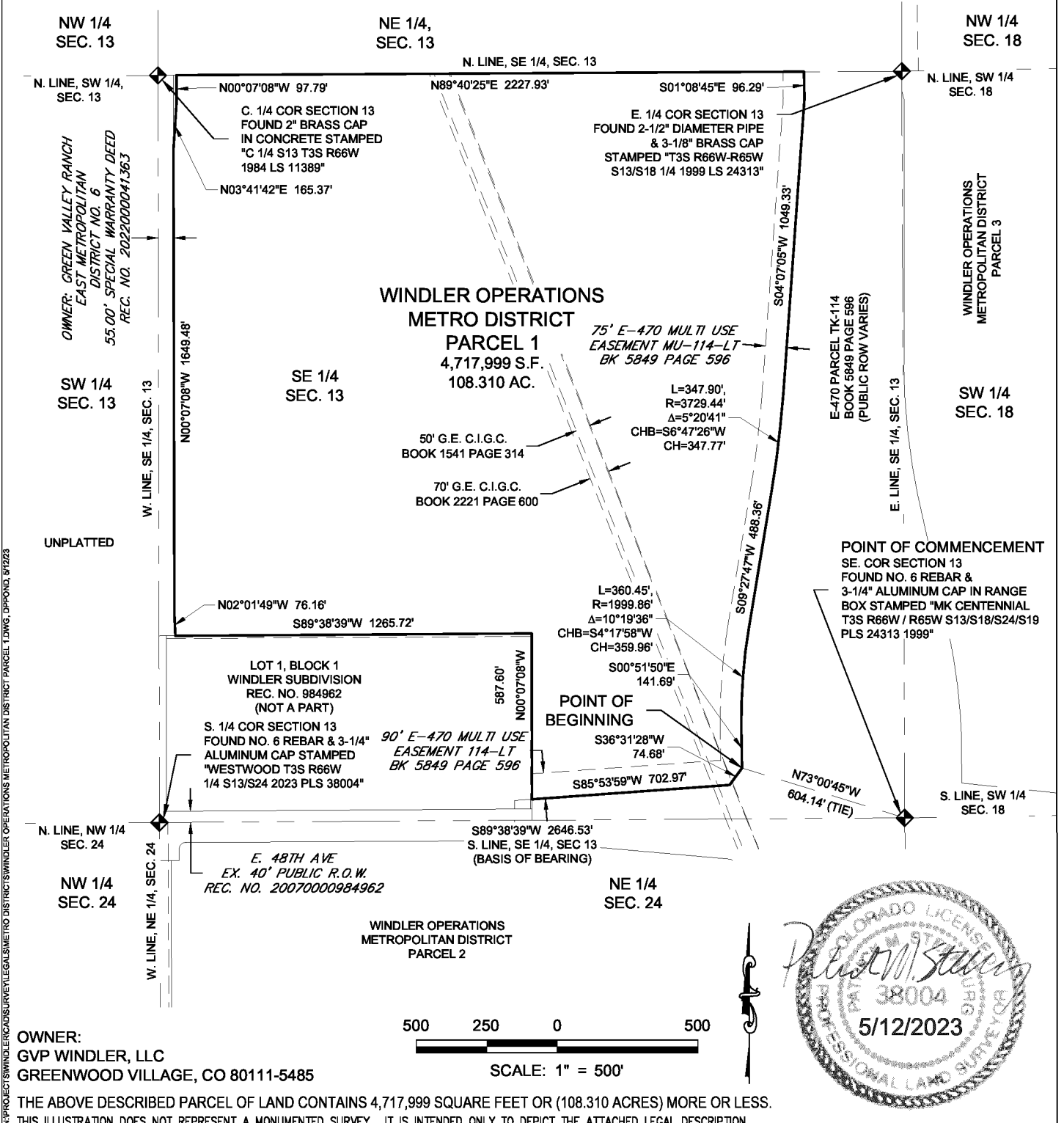
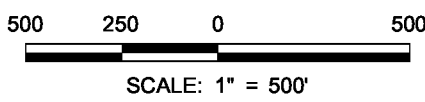


ILLUSTRATION FOR WINDLER OPERATIONS METROPOLITAN DISTRICT PARCEL 1

SHEET 2 OF 5



OWNER:
 GVP WINDLER, LLC
 GREENWOOD VILLAGE, CO 80111-5485

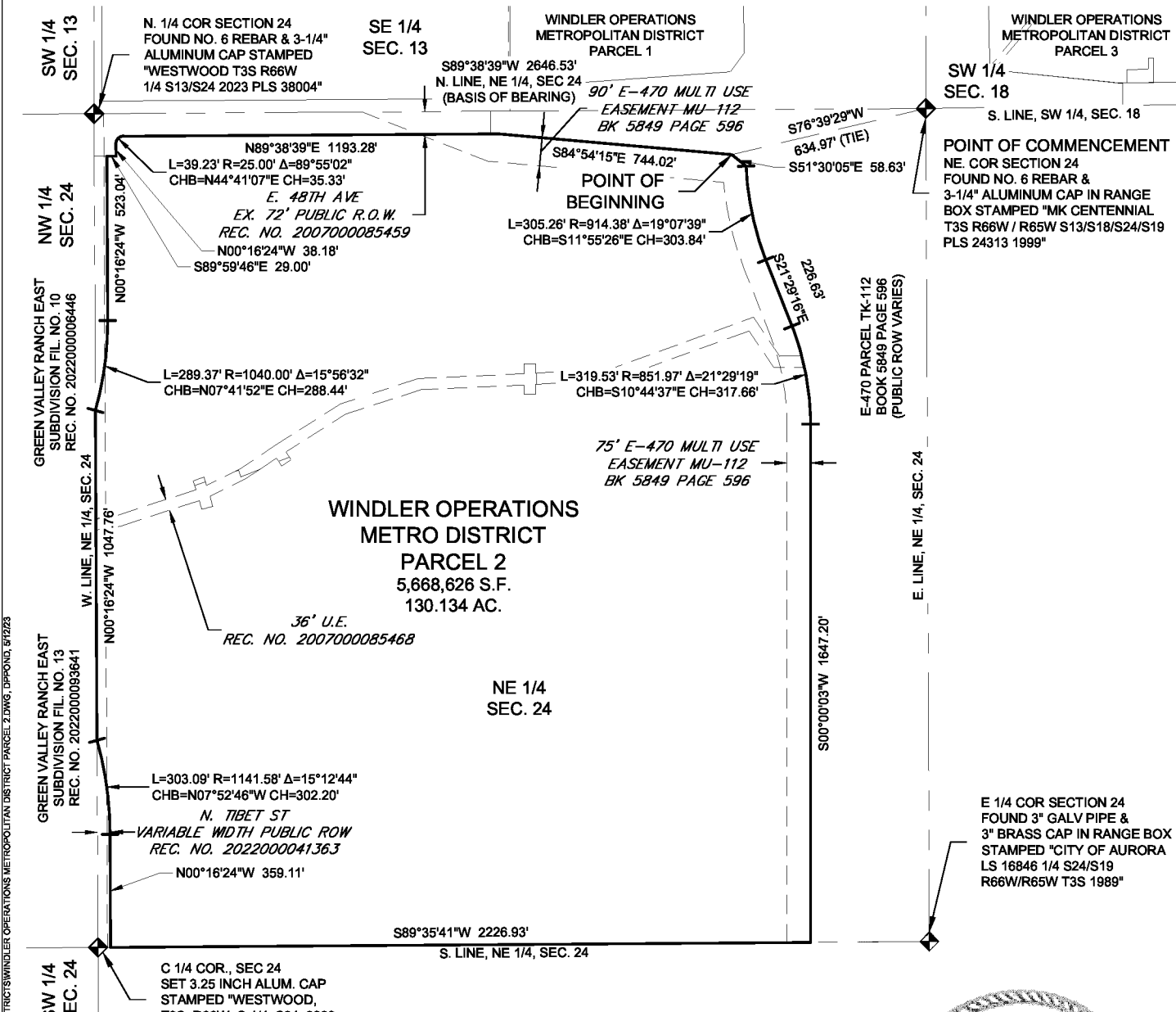


THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 4,717,999 SQUARE FEET OR (108.310 ACRES) MORE OR LESS.
 THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

CITY OF AURORA, COLORADO			A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH P.M., CITY OF AURORA, ADAMS COUNTY, COLORADO.
DRAWN BY: DPP	SCALE: 1" = 500'	R.O.W. FILE NUMBER ---	
CHECKED BY: PMS	DATE: 5/12/2023	JOB NUMBER: ---	

ILLUSTRATION FOR WINDLER OPERATIONS METROPOLITAN DISTRICT PARCEL 2

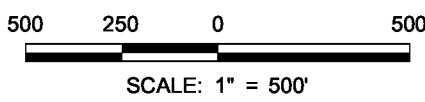
SHEET 3 OF 5



NE 1/4
 SEC. 24

OWNER:
 GVP WINDLER, LLC
 GREENWOOD VILLAGE, CO 80111-5485

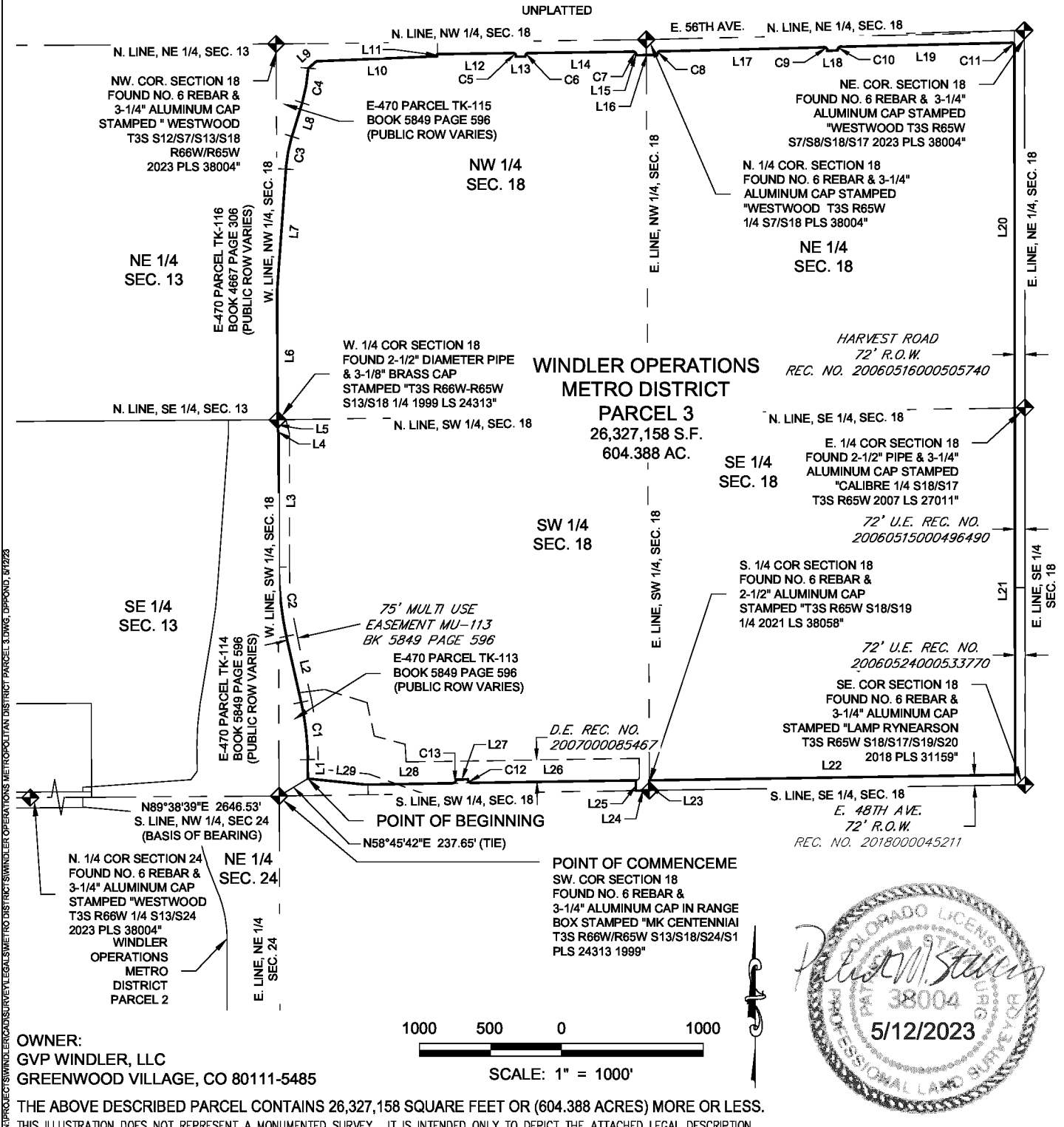
THE ABOVE DESCRIBED PARCEL CONTAINS 5,668,626 SQUARE FEET OR (130.134 ACRES) MORE OR LESS.
 THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED LEGAL DESCRIPTION.



CITY OF AURORA, COLORADO			A PARCEL OF LAND SITUATED IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH P.M., CITY OF AURORA, ADAMS COUNTY, COLORADO.
DRAWN BY: DPP	SCALE: 1" = 500'	R.O.W. FILE NUMBER ---	
CHECKED BY: PMS	DATE: 5/12/2023	JOB NUMBER: ---	

ILLUSTRATION FOR WINDLER OPERATIONS METROPOLITAN DISTRICT PARCEL 3

SHEET 4 OF 5



OWNER:
 GVP WINDLER, LLC
 GREENWOOD VILLAGE, CO 80111-5485

THE ABOVE DESCRIBED PARCEL CONTAINS 26,327,158 SQUARE FEET OR (604.388 ACRES) MORE OR LESS.
 THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

CITY OF AURORA, COLORADO			A PARCEL OF LAND SITUATED IN SECTION 18, TOWNSHIP 3 SOUTH, RANGE 65 WEST OF THE SIXTH P.M., CITY OF AURORA, ADAMS COUNTY, COLORADO.
DRAWN BY: DPP	SCALE: 1" = 1000'	R.O.W. FILE NUMBER ---	
CHECKED BY: PMS	DATE: 5/12/2023	JOB NUMBER: ---	
CITY OF AURORA, COLORADO PROFESSIONAL LAND SURVEYOR LICENSE NO. 38004 5/12/2023			

ILLUSTRATION FOR SHEET 5 OF 5
WINDLER OPERATIONS METROPOLITAN DISTRICT PARCEL 3

LINE TABLE		
LINE NO.	DIRECTION	LENGTH
L1	N00°51'50"W	134.17'
L2	N12°31'14"W	476.04'
L3	N00°00'00"E	935.52'
L4	N13°50'55"W	30.54'
L5	N00°13'40"W	69.97'
L6	N00°14'00"W	902.42'
L7	N04°06'07"E	865.62'
L8	N16°48'44"E	247.48'
L9	N48°50'48"E	75.85'
L10	N87°43'32"E	853.88'
L11	N00°00'15"E	15.82'
L12	N89°19'43"E	525.61'
L13	N88°49'20"E	68.01'
L14	N89°19'43"E	730.24'
L15	S01°23'44"E	0.51'

LINE TABLE		
LINE NO.	DIRECTION	LENGTH
L16	N88°41'44"E	150.08'
L17	N88°36'07"E	1146.38'
L18	N87°49'35"E	75.04'
L19	N88°36'07"E	1195.19'
L20	S00°05'28"E	2545.53'
L21	S00°01'51"E	2584.72'
L22	S89°08'07"W	2577.98'
L23	S00°51'51"E	72.00'
L24	S89°08'09"W	94.00'
L25	N00°51'51"W	72.00'
L26	S89°08'09"W	1159.09'
L27	S89°08'09"W	84.00'
L28	S89°08'09"W	609.88'
L29	N84°07'05"W	410.02'

CURVE TABLE					
CURVE NO.	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	1999.86'	11°39'25"	406.87'	N06°41'32"W	406.17'
C2	2252.81'	12°31'14"	492.30'	N06°15'37"W	491.32'
C3	1055.92'	12°42'37"	234.24'	N10°27'25"E	233.76'
C4	1044.93'	13°38'02"	248.65'	N09°59'43"E	248.06'
C5	25.00'	90°41'20"	39.57'	S45°19'37"E	35.57'
C6	25.00'	89°18'40"	38.97'	N44°40'23"E	35.14'
C7	25.00'	89°16'25"	38.95'	S46°01'56"E	35.13'
C8	25.00'	88°50'41"	38.77'	N44°10'47"E	35.00'
C9	25.00'	91°09'19"	39.77'	S45°49'13"E	35.71'
C10	25.00'	88°49'37"	38.76'	N44°11'19"E	34.99'
C11	25.00'	91°18'25"	39.84'	S45°44'40"E	35.76'
C12	25.00'	90°00'54"	39.28'	N45°51'51"W	35.36'
C13	25.00'	90°00'54"	39.28'	S44°08'09"W	35.36'



OWNER:
 GVP WINDLER, LLC
 GREENWOOD VILLAGE, CO 80111-5485

THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

CITY OF AURORA, COLORADO			A PARCEL OF LAND SITUATED IN SECTION 18, TOWNSHIP 3 SOUTH, RANGE 65 WEST OF THE SIXTH P.M., CITY OF AURORA, ADAMS COUNTY, COLORADO.
DRAWN BY: DPP	SCALE: N/A	R.O.W. FILE NUMBER ---	
CHECKED BY: PMS	DATE: 5/12/2023	JOB NUMBER: ---	

N:\PROJECTS\WINDLER\CADS\SURVEY\LEGAL\SWIETO DISTRICT WINDLER OPERATIONS METROPOLITAN DISTRICT PARCEL 3.DWG, DIPPOND, 07/23