

RESPONSE TO COMMENTS – APRIL 23, 2025

Please be advised that we have determined the 30' strip of land adjacent to parcel 0157302400004 previously requested for vacation has not been dedicated to the County. We are pursuing that property privately.

The application is therefore being amended to vacated the E 164th Ave, E. 162nd Ave and Race Street ROW's as dedicated by the plat of the Rehfeld Subdivision in 1974. The applicant owns all the property that those 3 ROW's were dedicated from.

Development Review Team Comments – 1st Review

Date: 11/07/2024

Project Number: VAC2024-00005

Project Name: Rehfeld Vacation

Note to Applicant:

The following review comments and information from the Development Review Team is based on the information you submitted for the Roadway Vacation Application. The Development Review Team review comments may change if you provide different information during a land use submittal/ building permit. Please contact the case manager if you have any questions.

Also, please note where “Section” is referenced, it is referring to the appropriate section of the Adams County Development Standards and Regulations.

Commenting Division: Development Services, Planning

Name of Reviewer: Braylan Marin, Senior Planner

Email: Bmarin@adcogov.org

Property Notes:

Address: N/A

Parcel Number: 157302010001, 157302010002, 157302010003

Acreage: 2.02 A.C. / 88, 131 Sq. Ft.

Zoning: Agricultural-2 (A-2) & Agricultural-3 (A-3)

Future Land Use Designation:

Request:

Surrounding Zoning:

North: City of Thornton – SFD neighborhood

South: Agricultural-2 (A-2) & Agricultural-3 (A-3)

East: Agricultural-3 (A-3)

West: Agricultural-3 (A-3)

Applicable sections of code to review

A copy of Adams County Zoning Code can be found [here](#).

2-01-02 Neighborhood Meeting.

RESPONSES TO COMMENTS SHOWN IN RED

2-02-18-08 Roadway Vacation

PLN01: Certificate of taxes paid for Parcel 4 is required, please provide a copy with your resubmittal.

The Certificate for taxes paid for the parcels is included. Taxes were paid in April 2025.

PLN02: Throughout the review period, staff engaged in several discussions with members of the community who expressed concerns about the future development of the land. While not required, staff recommends that the applicant hold a neighborhood meeting to properly inform the public about the vision for the area.

Response letters to the two emails received by the County have been mailed. A copy of each is attached. The process of Annexation, Zoning and platting the property in the City of Thornton will require public outreach. That process should provide the best opportunity for community members to become informed about the future plans for the property.

Commenting Division: Development Services, Right-of-Way Agent

Name of Review: David Dittmer, ROW Agent

Email: DDittmer@adcogov.org

ROW1: Public Works has not issues with the vacation of ROW as shown as TRACT D as dedicated on the Rehfeld Subdivision, recorded in File 14, Map 104 of Adams County public records. However, the property owned under PIN: 0157302400004 will be land locked. The title note as provided for this parcel is not sufficient to support county ownership and cannot be vacated at this time.

We have determined and agree that the 30' strip of land is not County ROW and hereby remove that parcel from this vacation request. We are pursuing that parcel as a private matter. Parcel 015302400004 is owned by the applicant and is an overall part of our development strategy within the City of Thornton.

ROW2: No dedication to the county by any party has been found for this 30' wide linework currently shown on Adams County GIS. It is less and excepted out of the record chain of title for a "future road", but that will leave ownership to the Grantor of this conveyance and would retain ownership until conveyed.

As noted, we are pursuing this strip privately

ROW3: A title commitment with full record chain of title for these conveyances must be provided, or the owner/developer must obtain legal fee simple ownership through quiet title action or other legal remedy. This remedy must be included in the title work. An ALTA survey with this commitment should provide the necessary information to understand ownership and the vacation issues.

As noted, we are pursuing the identified 30' strip privately. The remaining 3 parcels shown in the attached legal descriptions were previously dedicated as ROW to the County from the plat of the Rehfeld Subdivision in 1974. The intention is to convey the ROW strips back to the parcels they were created from in anticipation of a development application in the City of Thornton. The current title of ownership is attached to this re-submittal.

ENG1: No engineering concerns regarding proposed roadway vacation.

Noted

Community member emails

Response letters to the provided emails are attached.



Community & Economic Development Department
Planning & Development
4430 S. Adams County Pkwy.
1st Floor, Suite W2000B
Brighton, CO 80601-8218
PHONE 720.523.6800 | FAX 720.523.6967
adcogov.org

Development Team Review Comments

The following comments have been provided by reviewers of your land use application. At this time, a resubmittal of your application is required before this case is ready to be scheduled for public hearing.

To prepare your resubmittal, you will be expected to provide:

- A response to each comment with a description of the revisions and the page of the response on the site plan;
- Any revised plans or renderings; and
- A list identifying any additional changes made to the original submission other than those required by staff.

Resubmittal documents must be provided electronically through e-mail or a flash drive delivered to the One-Stop Customer Service Center. The following items will be expected by our One-Stop Customer Service Center:

- One digital copy of all new materials
 - All digital materials shall be in a single PDF document
 - The single PDF document shall be bookmarked
 - If a Subdivision Improvements Agreement, Legal Description, or Development Agreement is required, then an additional Microsoft Word version of these documents shall also be provided
 - Electronic copies can be emailed to epermitcenter@adcogov.org as a PDF attachment. If the files are too large to attach, the email should include an unlocked Microsoft OneDrive link. Alternatively, the resubmittal can be delivered to the One-Stop counter on a flash drive.

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Emma Pinter
DISTRICT 3

Steve J. O'Doriso
DISTRICT 4

Lynn E. Baca
DISTRICT 5



Re-submittal Form

Case Name/ Number: _____

Case Manager: _____

Re-submitted Items:

- Development Plan/ Site Plan
- Plat
- Parking/ Landscape Plan
- Engineering Documents
- Subdivision Improvements Agreement (Microsoft Word version)
- Other: _____

*** All re-submittals must have this cover sheet and a cover letter addressing review comments.**

Please note the re-submittal review period is 21 days.

The cover letter must include the following information:

- Restate each comment that requires a response
- Provide a response below the comment with a description of the revisions
- Identify any additional changes made to the original document

For County Use Only: Date Accepted: Staff (accepting intake): Resubmittal Active: Engineering; Planner ; Right-of-Way ; Addressing; Building Safety; Neighborhood Services; Environmental; Parks; Attorney; Finance; Plan Coordination



Development Review Team Comments – 1st Review

Date: 11/07/2024

Project Number: VAC2024-00005

Project Name: Rehfeld Vacation

Note to Applicant:

The following review comments and information from the Development Review Team is based on the information you submitted for the Roadway Vacation Application. The Development Review Team review comments may change if you provide different information during a land use submittal/ building permit. Please contact the case manager if you have any questions.

Also, please note where “Section” is referenced, it is referring to the appropriate section of the Adams County Development Standards and Regulations.

Commenting Division: Development Services, Planning

Name of Reviewer: Brayan Marin, Senior Planner

Email: Bmarin@adcogov.org

Property Notes:

Address: N/A

Parcel Number: 157302010001, 157302010002, 157302010003

Acreage: 2.02 A.C. / 88, 131 Sq. Ft.

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2-01-02 Neighborhood Meeting.

2-02-18-08 Roadway Vacation

PLN01: Certificate of taxes paid for Parcel 4 is required, please provide a copy with your resubmittal. **The Certificate for taxes paid for the parcels is included. Taxes were paid in April 2025.**

PLN02: Throughout the review period, staff engaged in several discussions with members of the community who expressed concerns about the future development of the land. While not required, staff recommends that the applicant hold a neighborhood meeting to properly inform the public about the vision for the area. **Response letters to the two emails recieved by the County have been mailed. A copy of each is attached. The process of Annexation, Zoning and platting the property in the City of Thornton will require public outreach. That process should provide the best opportunity to for community members to become informed about the future plans for the property.**

Commenting Division: Development Services, Right-of-Way Agent

Name of Review: David Dittmer, ROW Agent

Email: DDittmer@adcogov.org

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ROW2: No dedication to the county by any party has been found for this 30' wide linework currently shown on Adams County GIS. It is less and excepted out of the record chain of title for a "future road", but that will leave ownership to the Grantor of this conveyance and would retain ownership until

Commenting Division: Development Services, Engineering:

Name of Review: Hugo Labouriau-Lacerda/ Civil Engineer II

Email: hlabouriau-lacerda@adcogov.org

ENG1: No engineering concerns regarding proposed roadway vacation.

ROW3: A title commitment with full record chain of title for these conveyances must be provided, or the owner/developer must obtain legal fee simple ownership through quiet title action or other legal remedy. This remedy must be included in the title work. An ALTA survey with this commitment should provide the necessary information to understand ownership and the vacation issues.

From: [Chris Deeds](#)
To: epermitcenter@adco.org; [Rebecca Deeds](#); [Brayan Marin](#)
Subject: Re: Rehfeld Property Right of Way vacation application
Date: Tuesday, November 5, 2024 7:48:12 PM

You don't often get email from deedsch@gmail.com. [Learn why this is important](#)

Please be cautious: This email was sent from outside Adams County

My apologies: I neglected to add Mr. Martin to the original email.

On Tue, Nov 5, 2024 at 7:43 PM Chris Deeds <deedsch@gmail.com> wrote:

Hello,

We own the residence located at 1882 E 164th Pl, Thornton, CO 80602 or Lot 25 of the North Creek Farms subdivision, which is located directly south of the proposed intersection of 164th Avenue and Race Street. We are highly concerned that Race Street will dead-end directly into our backyard. Even with traffic controls such as a light or stop sign we are worried that drivers will present risk of property damage and personal injury or death for us and our children. If a driver is speeding, slips on ice or doesn't see the dead-end, they'll come through our fence. We respectfully ask that the county reconsider the intersection, or at the very least create a physical gap between our property line and E 164th Ave with a physical barrier of some kind between the termination of Race St and our fence line. Additionally, the headlights from vehicles traveling south in Race St, which appears to be the only planned entrance to the subdivision, will shine directly into our home and create a significant nuisance as well as severely impact our property value.

We appreciate your consideration, especially as it relates to safety.

Respectfully,
Chris and Rebekah Deeds

From: [Rebekah Deeds](#)
To: [Chris Deeds](#)
Cc: epermitcenter@adco.org; [Brayan Marin](#)
Subject: Re: Rehfeld Property Right of Way vacation application
Date: Tuesday, November 5, 2024 8:20:04 PM

You don't often get email from rebekah.s.rice@gmail.com. [Learn why this is important](#)

Please be cautious: This email was sent from outside Adams County

Additionally, we would ask that these proposed streets be at the very least 25 feet from the fence line. We also ask that some kind of barriers are placed between the fence line and the street not only for safety reasons but for privacy and to aid in noise and light reduction, especially since that property sits higher than our home.

Thank you

On Tue, Nov 5, 2024, 7:48 PM Chris Deeds <deedsch@gmail.com> wrote:

My apologies: I neglected to add Mr. Martin to the original email.

On Tue, Nov 5, 2024 at 7:43 PM Chris Deeds <deedsch@gmail.com> wrote:

Hello,

We own the residence located at [1882 E 164th Pl, Thornton, CO 80602](#) or Lot 25 of the North Creek Farms subdivision, which is located directly south of the proposed intersection of 164th Avenue and Race Street. We are highly concerned that Race Street will dead-end directly into our backyard. Even with traffic controls such as a light or stop sign we are worried that drivers will present risk of property damage and personal injury or death for us and our children. If a driver is speeding, slips on ice or doesn't see the dead-end, they'll come through our fence. We respectfully ask that the county reconsider the intersection, or at the very least create a physical gap between our property line and E 164th Ave with a physical barrier of some kind between the termination of Race St and our fence line. Additionally, the headlights from vehicles traveling south in Race St, which appears to be the only planned entrance to the subdivision, will shine directly into our home and create a significant nuisance as well as severely impact our property value.

We appreciate your consideration, especially as it relates to safety.

Respectfully,
Chris and Rebekah Deeds

From: [Alissa Nichols](#)
To: [Brayan Marin](#)
Subject: VAC2024-00005
Date: Wednesday, November 6, 2024 2:38:12 PM

You don't often get email from alissabnichols@gmail.com. [Learn why this is important](#)

Please be cautious: This email was sent from outside Adams County

To whom it may concern

I am writing this letter in response to your mailing regarding the right of way road that will be built behind my fence line. I would like to say that I disagree that this should be built. However, if change is necessary and the road is built, I would request a set back of at least 25 feet from my fence line due to safety concerns.

Sincerely,
Alissa Nichols
1862 E 164th Place
Thornton, CO 80602

Stratus Amber Creek LLC

C/o Land Perspectives LLC
4663 South Fountain Circle
Littleton CO 80127

Chris and Rebekah Deeds
1882 E 164th Pl.
Thornton CO 80602

Re: Rehfeld ROW Vacation

Mr. and Ms. Deeds, I represent the owner of the property just south of your home. You received notification in November of 2024 from Adams County regarding the vacation of right-of-way to the south of you.

I wanted to respond to your concerns stated in your email to the County. The owner is working with the City of Thornton to develop that property into paired residential units and has the property under contract with KB Homes to do that.

Your response indicated your concerns regarding the possibility of Race Street dead ending at the rear of your property, directly into your backyard. Please be assured our planning efforts are focused on keeping any future roads away from your property. The closest road will be an east-west connection tying into the proposed roadway for the Meritage York Station subdivision being developed just southeast of your property. That road will be located approximately 150' south of your lot and as stated will be an east-west alignment.

Additionally the drainage patterns of the property will require that we install a drainage detention pond just south and adjacent to your property which will require the creation of a tract for the pond, effectively creating an open space area adjacent to you. Please note that this will not be a "filled" pond, it will only detain drainage flows during storm events but will remain dry most of the time. A Homeowners association will own and maintain the area.

You also stated a concern regarding headlight disturbances. There will not be a north-south road connecting to the aforementioned east-west road south of your home, so headlight disturbances should not be of concern.

Please let me know if you have any other concerns or would like to discuss this further.

Thankyou,



Roger Hollard
On behalf of Stratus Amber Creek LLC
303-726-2147

Stratus Amber Creek LLC

C/o Land Perspectives LLC
4663 South Fountain Circle
Littleton CO 80127

Alissa Nichols
1862 E 164th Pl.
Thornton CO 80602

Re: Rehfeld ROW Vacation

Ms. Nichols, I represent the owner of the property just south of your home. You received notification in November of 2024 from Adams County regarding the vacation of right-of-way to the south of you.

I wanted to respond to your concerns stated in your email to the County. The owner is working with the City of Thornton to develop that property into paired residential units and has the property under contract with KB Homes to do that.

Your response indicated your concerns regarding the possibility of a Street being constructed at the rear of your property, directly at your fence line. Please be assured our planning efforts are focused on keeping any future roads away from your property. The closest road will be an east-west connection tying into the proposed roadway for the Meritage York Station subdivision being developed just southeast of your property. That road will be located approximately 150' south of your lot and as stated will be an east-west alignment.

Additionally the drainage patterns of the property will require that we install a drainage detention pond just south of your property which will require the creation of a tract for the pond, effectively creating an open space area adjacent to you. Please note that this will not be a "filled" pond, it will only detain drainage flows during storm events but will remain dry most of the time. A Homeowners association will own and maintain the area.

Please let me know if you have any other concerns or would like to discuss this further.

Thankyou,



Roger Hollard
On behalf of Stratus Amber Creek LLC
303-726-2147

ALTA/NSPS LAND TITLE SURVEY

TRACTS "A", "B" AND "C", REHFELD SUBDIVISION
 BEING A PART OF THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 2,
 TOWNSHIP 1 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,
 COUNTY OF ADAMS, STATE OF COLORADO

EAST ONE-QUARTER CORNER OF SECTION 2
 FOUND AXLE WITH 6" RING GEAR IN CONCRETE,
 0.8' BELOW ASPHALT ROADWAY SURFACE.

30.00' WITNESS CORNER TO THE EAST
 ONE-QUARTER CORNER OF SECTION 2
 FOUND 3.25" ALUMINUM CAP, FLUSH WITH GROUND
 SURFACE, STAMPED "VIGIL LAND CONSULTANTS
 30.00' W.C. 1/4 S2 S1 T15 R68W 1999 LS 20699"

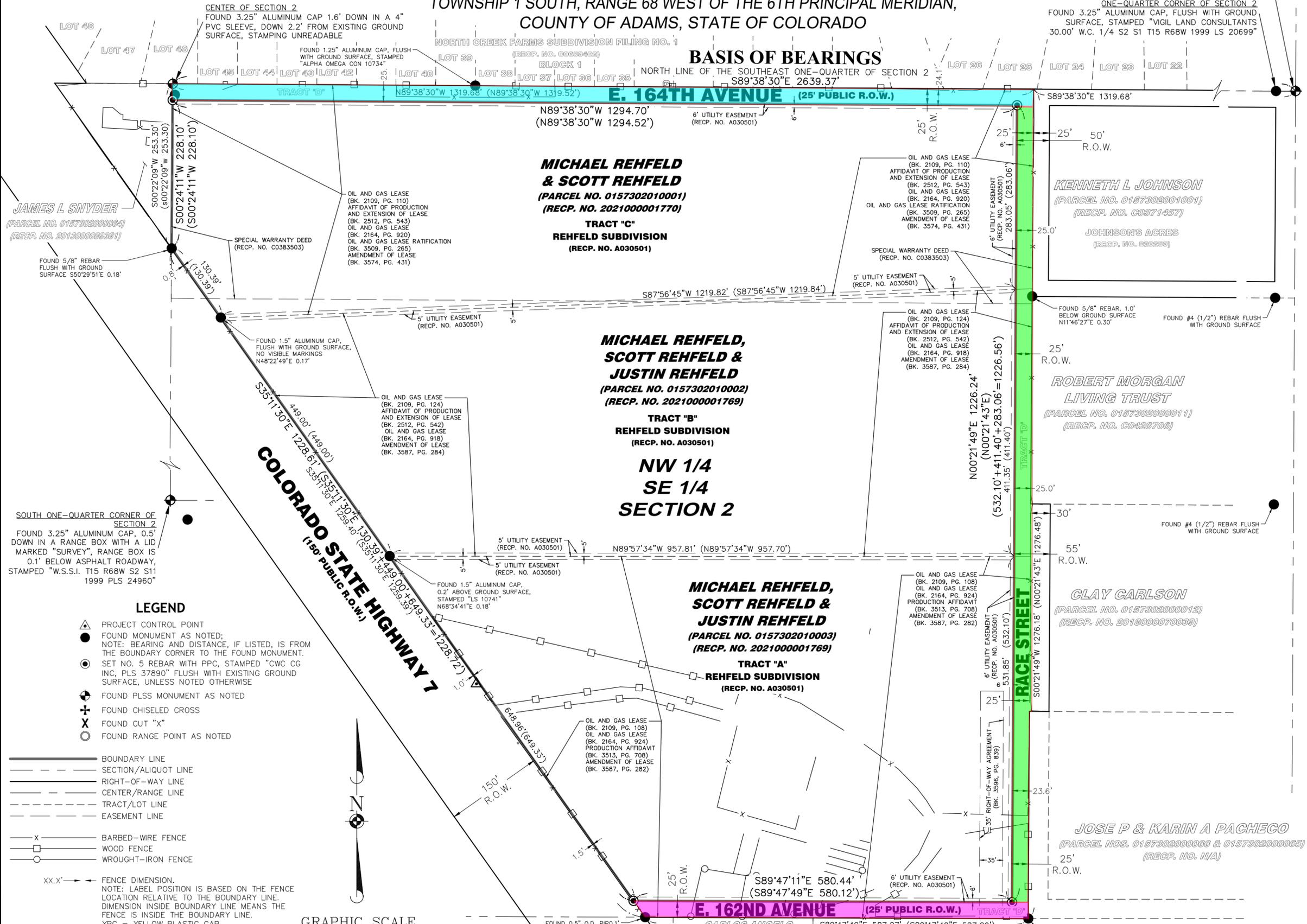
9380 TEDDY LANE SUITE #203
 LOUISVILLE, COLORADO 80124
 TEL: 303-955-7200
 FAX: 303-955-7201
CWC CONSULTING GROUP
 CIVIL ENGINEERING - LAND SURVEYING - CONSTRUCTION SERVICES

DATE	REVISION	BY

ALTA/NSPS LAND TITLE SURVEY
 SHOWING
 "16200" HIGHWAY 7 (ADDRESS POSTED), THORNTON, COLORADO 80602
 SHEET 2 - BOUNDARY AND EXCEPTIONS

DRAFTED: S.L.G.3
 CHECKED: E.D.C.
 DATE: 08/03/2021
 JOB NO. 120-00380
 SURVEY PREPARED FOR: STRATUS INVESTMENT PARTNERS

BASIS OF BEARINGS

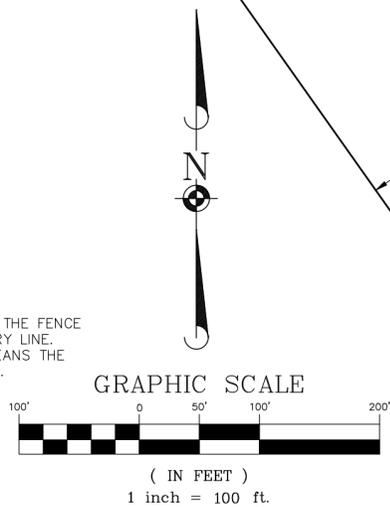


T:_JOBS\1-20_Survey\120-00380-16200_Highway 7-Thornton-SA\dwg\120-00380-SA_Adams_County.dwg Date: 08/03/21 02:06p ECarson

- ### LEGEND
- ▲ PROJECT CONTROL POINT
 - FOUND MONUMENT AS NOTED; NOTE: BEARING AND DISTANCE, IF LISTED, IS FROM THE BOUNDARY CORNER TO THE FOUND MONUMENT.
 - SET NO. 5 REBAR WITH PPC, STAMPED "CWC CG INC, PLS 37890" FLUSH WITH EXISTING GROUND SURFACE, UNLESS NOTED OTHERWISE
 - ⊕ FOUND PLSS MONUMENT AS NOTED
 - ⊕ FOUND CHISELED CROSS
 - ✕ FOUND CUT "X"
 - FOUND RANGE POINT AS NOTED

- BOUNDARY LINE
- - - SECTION/ALIQUOT LINE
- - - RIGHT-OF-WAY LINE
- - - CENTER/RANGE LINE
- - - TRACT/LOT LINE
- - - EASEMENT LINE
- X — BARBED-WIRE FENCE
- □ — WOOD FENCE
- ○ — WROUGHT-IRON FENCE

xx.x' — FENCE DIMENSION.
 NOTE: LABEL POSITION IS BASED ON THE FENCE LOCATION RELATIVE TO THE BOUNDARY LINE. DIMENSION INSIDE BOUNDARY LINE MEANS THE FENCE IS INSIDE THE BOUNDARY LINE.
 YPC = YELLOW PLASTIC CAP
 RPC = RED PLASTIC CAP
 PPC = PINK PLASTIC CAP
 ESMT. = EASEMENT
 R.O.W. = RIGHT OF WAY
 BK. PG. = BOOK, PAGE
 RECP. NO. = RECEPTION NUMBER



R.O.W. VACATION PARCEL 1

DESCRIPTION

A parcel of land in the Southeast One-Quarter of Section 2, Township 1 South, Range 68 West, of the Sixth Principal Meridian, in the County of Adams, State of Colorado, said parcel being more particularly described as follows:

Basis of Bearings: Bearings are based upon the North Line of the Southeast One-Quarter of Section 2, said to bear S89°38'30"E a distance of 2639.37 Feet between the monuments listed below:

CENTER OF SECTION 2 -Monumented by a 3.25" ALUMINUM CAP 1.6' DOWN IN A 4" PVC SLEEVE, DOWN 2.2' FROM EXISTING GROUND SURFACE, STAMPING UNREADABLE

EAST ONE-QUARTER CORNER OF SECTION 2- Monumented by an AXLE WITH 6" RING GEAR IN CONCRETE, 0.8' BELOW ASPHALT ROADWAY SURFACE

BEGINNING (P.O.B.) at the CENTER OF SECTION 2, Thence South 89°38'30" East along the North Line of the said Southeast One-Quarter of Section 2 also being the North Line of Tract "D" of Rehfeld Subdivision (Reception No. A030501), a distance of 1,319.68 Feet to the East Line of said Tract "D";

Thence South 0°21'49" West along the East Line of said Tract "D", a distance of 25.00 Feet to the Extension of the South Line of said Tract "D";

Thence North 89°38'30" West along the Extension of the South Line of said Tract "D", a distance of 25.00 Feet to the South Line of said Tract "D";

Thence continuing North 89°38'30" West along said South Line of said Tract "D", a distance of 1,294.70 Feet to the West Line of the Southeast One-Quarter of said Section 2;

Thence North 0°24'11" East along said West Line of the Southeast One-Quarter of said Section 2, a distance of 25.00 Feet to the **POINT OF BEGINNING (P.O.B.)**.

The above-described parcel description contains 32,992 Square Feet (0.757 Acres), more or less.

I hereby certify that the above parcel description was prepared under my direct supervision.



Eric D. Carson, PLS

Prepared For and on Behalf of
CWC Consulting Group Inc.
9360 Teddy Lane, Suite #203
Lone Tree, Colorado 80124
Phone: (303) 395-2700

CENTER OF SECTION 2 (POINT OF BEGINNING P.O.B.)
 FOUND 3.25" ALUMINUM CAP 1.6' DOWN IN A 4"
 PVC SLEEVE, DOWN 2.2' FROM EXISTING GROUND
 SURFACE, STAMPING UNREADABLE

NORTH CREEK FARMS SUBDIVISION FILING NO. 1
 (RECP. NO. C0659402)

N00°24'11"E 25.00'
 S89°38'30"E 1319.68'
 N89°38'30"W 1294.70'

TRACT "D"

TRACT "C"
 REHFELD SUBDIVISION
 (RECP. NO. A030501)

NORTH CREEK FARMS SUBDIVISION FILING NO. 1
 (RECP. NO. C0659402)

BASIS OF BEARINGS

NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 2
 S89°38'30"E 2639.37'

TRACT "D"

S89°38'30"E 1319.68'

N89°38'30"W 1294.70'

TRACT "C"
 REHFELD SUBDIVISION
 (RECP. NO. A030501)

N89°38'30"W 25.00'

S00°21'49"W 25.00'

EAST ONE-QUARTER CORNER OF SECTION 2
 FOUND AXLE WITH 6" RING GEAR IN CONCRETE,
 0.8' BELOW ASPHALT ROADWAY SURFACE.

30.00' WITNESS CORNER TO THE EAST
 ONE-QUARTER CORNER OF SECTION 2
 FOUND 3.25" ALUMINUM CAP, FLUSH WITH GROUND
 SURFACE, STAMPED "VIGIL LAND CONSULTANTS
 30.00' W.C. 1/4 S2 S1 T15 R68W 1999 LS 20699"

GRAPHIC SCALE



(IN FEET)

1 inch = 100' ft.



9360 TEDDY LANE, SUITE #203
 LONE TREE, COLORADO 80124
 TELEPHONE: 303-395-2700
 FAX 303-395-2701

CWC CONSULTING GROUP
 CIVIL ENGINEERING · LAND SURVEYING · CONSTRUCTION SERVICES

Exhibit E. 164TH AVENUE RIGHT-OF-WAY VACATION

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

DRAFTED: JEC/EDC

DATE: 09/XX/2024

PAGE: 2 OF 2

PREPARED FOR:

CHECKED: EDC

JOB NO. CWC#120-00380

SCALE: 1"=100

STRATUS COMPANIES

R.O.W. VACATION PARCEL 2

DESCRIPTION

A parcel of land in the Southeast One-Quarter of Section 2, Township 1 South, Range 68 West, of the Sixth Principal Meridian, in the County of Adams, State of Colorado, said parcel being more particularly described as follows:

Basis of Bearings: Bearings are based upon the North Line of the Southeast One-Quarter of Section 2, said to bear S89°38'30"E a distance of 2639.37 Feet between the monuments listed below:

CENTER OF SECTION 2 -Monumented by a 3.25" ALUMINUM CAP 1.6' DOWN IN A 4" PVC SLEEVE, DOWN 2.2' FROM EXISTING GROUND SURFACE, STAMPING UNREADABLE

EAST ONE-QUARTER CORNER OF SECTION 2- Monumented by an AXLE WITH 6" RING GEAR IN CONCRETE, 0.8' BELOW ASPHALT ROADWAY SURFACE

COMMENCING (P.O.C.) at the CENTER OF SECTION 2, Thence South 89°38'30" East along the North Line of the said Southeast One-Quarter of Section 2 also being the North Line of Tract "D" of Rehfeld Subdivision (Reception No. A030501), a distance of 1,319.68 Feet to the East Line of said Tract "D";

Thence South 0°21'49" West along the East Line of said Tract "D", a distance of 25.00 Feet to the Extension of the South Line of said Tract "D" and the **POINT OF BEGINNING (P.O.B.)**;

Thence continuing South 0°21'49" West along said East Line of Tract "D" also being the East Line of the Northwest One-Quarter of the Southeast One-Quarter of Section 2, a distance of 1,226.18 Feet to the Extension of the Northerly Line of Tract "D";

Thence North 89°47'11" West along the Extension of the Northerly Line of said Tract "D", a distance of 25.00 Feet to the West Line of Tract "D";

Thence North 0°21'49" East along said West Line of Tract "D", a distance of 1,226.24 Feet;

Thence South 89°38'30" East along the Extension of the South Line of said Tract "D", a distance of 25.00 Feet to the **POINT OF BEGINNING (P.O.B.)**.

The above-described parcel description contains 30,655 Square Feet (0.704 Acres), more or less.

I hereby certify that the above parcel description was prepared under my direct supervision.



Eric D. Carson, PLS

Prepared For and on Behalf of
CWC Consulting Group Inc.
9360 Teddy Lane, Suite #203
Lone Tree, Colorado 80124
Phone: (303) 395-2700

CENTER OF SECTION 2 (POINT OF COMMENCEMENT P.O.C.)
 FOUND 3.25" ALUMINUM CAP 1.6' DOWN IN A 4" PVC
 SLEEVE, DOWN 2.2' FROM EXISTING GROUND SURFACE,
 STAMPING UNREADABLE

NORTH CREEK FARMS SUBDIVISION FILING NO. 1
 (RECP. NO. C0659402)

S89°38'30"E 1319.68' (TIE)

TRACT "D"

TRACT "C"
 REHFELD SUBDIVISION
 (RECP. NO. A030501)

NORTH CREEK FARMS SUBDIVISION FILING NO. 1
 (RECP. NO. C0659402)

BASIS OF BEARINGS

S00°21'49"W 25.00' (TIE)
 NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 2
 S89°38'30"E 2639.37'

TRACT "D"

S89°38'30"E 1319.68' (TIE)

TRACT "C"
 REHFELD SUBDIVISION
 (RECP. NO. A030501)

S89°38'30"E 25.00'

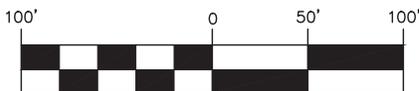
POINT OF BEGINNING (P.O.B.)

MATCH LINE 'C'
 SEE PAGE 3

EAST ONE-QUARTER CORNER OF SECTION 2
 FOUND AXLE WITH 6" RING GEAR IN CONCRETE,
 0.8' BELOW ASPHALT ROADWAY SURFACE.

30.00' WITNESS CORNER TO THE EAST
 ONE-QUARTER CORNER OF SECTION 2
 FOUND 3.25" ALUMINUM CAP, FLUSH WITH GROUND
 SURFACE, STAMPED "VIGIL LAND CONSULTANTS
 30.00' W.C. 1/4 S2 S1 T15 R68W 1999 LS 20699"

GRAPHIC SCALE



(IN FEET)

1 inch = 100' ft.



9360 TEDDY LANE, SUITE #203
 LONE TREE, COLORADO 80124
 TELEPHONE: 303-395-2700
 FAX 303-395-2701

CWC CONSULTING GROUP
 CIVIL ENGINEERING · LAND SURVEYING · CONSTRUCTION SERVICES

**Exhibit
 RACE STREET
 RIGHT-OF-WAY VACATION**

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

DRAFTED: JEC/EDC

DATE: 09/06/2024

PAGE: 2 OF 3

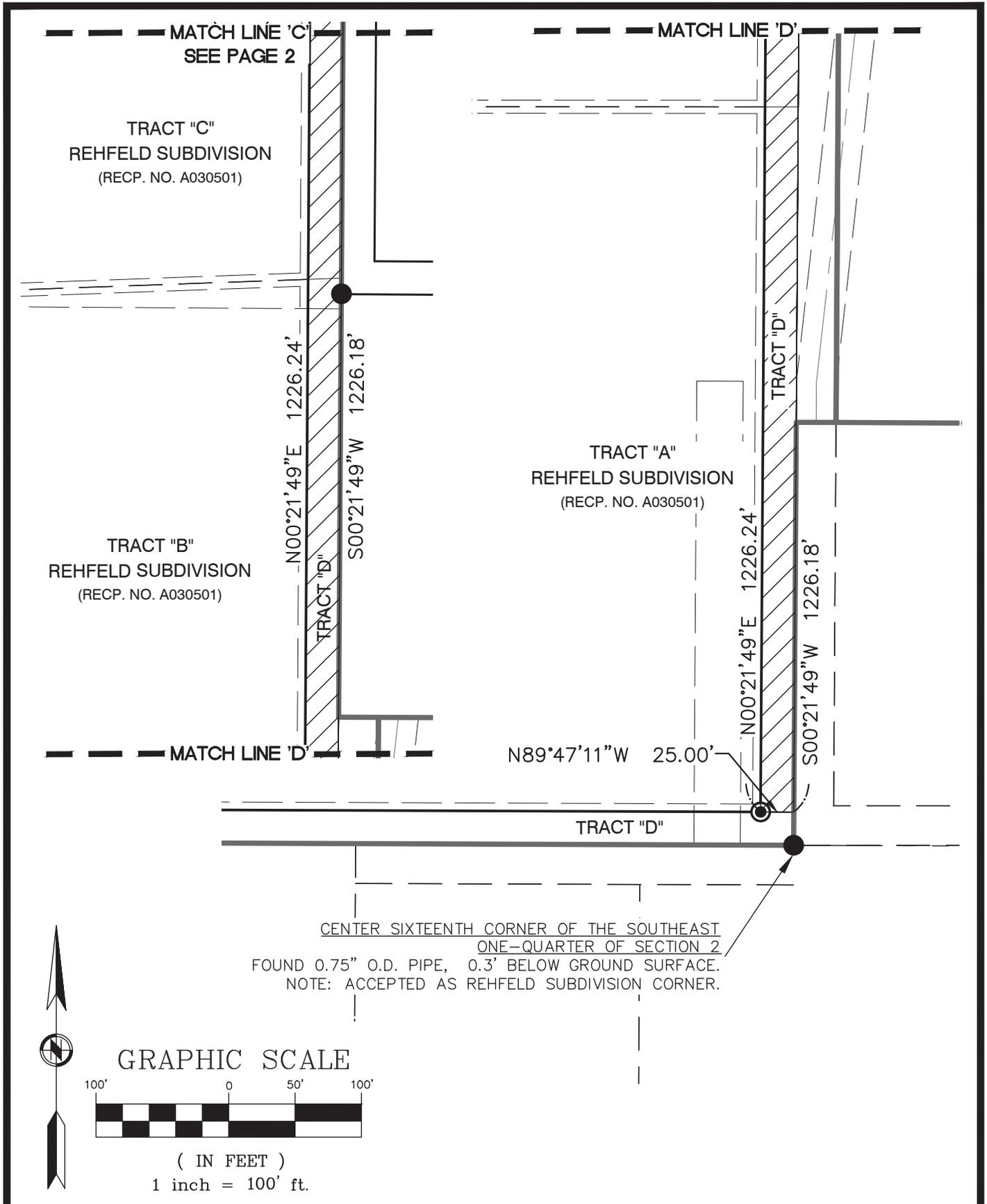
PREPARED FOR:

CHECKED: EDC

JOB NO. CWC#120-00380

SCALE: 1"=100'

STRATUS COMPANIES



9360 TEDDY LANE, SUITE #203
LONE TREE, COLORADO 80124
TELEPHONE: 303-395-2700
FAX 303-395-2701

CWC CONSULTING GROUP
CIVIL ENGINEERING · LAND SURVEYING · CONSTRUCTION SERVICES

**Exhibit
RACE STREET
RIGHT-OF-WAY VACATION**

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

DRAFTED: JEC/EDC	CHECKED: EDC
DATE: 09/06/2024	JOB NO. CWC#120-00380
PAGE: 3 OF 3	SCALE: 1"=100
PREPARED FOR: STRATUS COMPANIES	

R.O.W. VACATION PARCEL 3

DESCRIPTION

A parcel of land in the Southeast One-Quarter of Section 2, Township 1 South, Range 68 West, of the Sixth Principal Meridian, in the County of Adams, State of Colorado, said parcel being more particularly described as follows:

Basis of Bearings: Bearings are based upon the North Line of the Southeast One-Quarter of Section 2, said to bear S89°38'30"E a distance of 2639.37 Feet between the monuments listed below:

CENTER OF SECTION 2 -Monumented by a 3.25" ALUMINUM CAP 1.6' DOWN IN A 4" PVC SLEEVE, DOWN 2.2' FROM EXISTING GROUND SURFACE, STAMPING UNREADABLE

EAST ONE-QUARTER CORNER OF SECTION 2 - Monumented by an AXLE WITH 6" RING GEAR IN CONCRETE, 0.8' BELOW ASPHALT ROADWAY SURFACE

COMMENCING (P.O.C.) at the CENTER OF SECTION 2, Thence South 89°38'30" East along the North Line of the said Southeast One-Quarter of Section 2 also being the North Line of Tract "D" of Rehfeld Subdivision (Reception No. A030501), a distance of 1,319.68 Feet to the East Line of said Tract "D";

Thence South 0°21'49" West along the East Line of said Tract "D", a distance of 1,276.18 Feet to the CENTER SIXTEENTH CORNER OF THE SOUTHEAST ONE-QUARTER OF SECTION 2 and the **POINT OF BEGINNING (P.O.B.)**;

Thence North 89°47'11" West along the South Line of the Northwest One-Quarter of the Southeast One-Quarter of said Section 2 also being the South Line of said Tract "D", a distance of 587.60 Feet to the Westerly Line of Tract "D";

Thence North 35°11'30" West along said Westerly Line of Tract "D", a distance of 30.67 Feet to the Northerly Line of Tract "D";

Thence South 89°47'11" East along said Northerly Line of Tract "D", a distance of 580.44 Feet:

Thence continuing South 89°47'11" East along the Extension of the Northerly Line of Tract "D", a distance of 25.00 feet to the said East Line of Tract "D";

Thence South 0°21'49" West along said East Line of Tract "D", a distance of 25.00 Feet to the **POINT OF BEGINNING (P.O.B.)**.

The above-described parcel description contains 14,913 Square Feet (0.342 Acres), more or less.

I hereby certify that the above parcel description was prepared under my direct supervision.



Eric D. Carson, PLS

Prepared For and on Behalf of
CWC Consulting Group Inc.
9360 Teddy Lane, Suite #203
Lone Tree, Colorado 80124
Phone: (303) 395-2700

CENTER OF SECTION 2 (POINT OF COMMENCEMENT P.O.C.)
 FOUND 3.25" ALUMINUM CAP 1.6' DOWN IN A 4" PVC
 SLEEVE, DOWN 2.2' FROM EXISTING GROUND SURFACE,
 STAMPING UNREADABLE

NORTH CREEK FARMS SUBDIVISION FILING NO. 1
 (RECP. NO. C0659402)

S89°38'30"E 1319.68' (TIE)

TRACT "D"

TRACT "C"
 REHFELD SUBDIVISION
 (RECP. NO. A030501)

NORTH CREEK FARMS SUBDIVISION FILING NO. 1
 (RECP. NO. C0659402)

BASIS OF BEARINGS

NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 2
 S89°38'30"E 2639.37'

TRACT "D"

S89°38'30"E 1319.68' (TIE)

TRACT "C"
 REHFELD SUBDIVISION
 (RECP. NO. A030501)

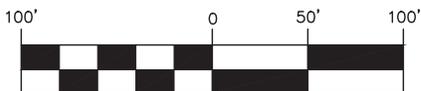
S00°21'49"W
 1276.18' (TIE)

MATCH LINE 'C'
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 0.8' BELOW ASPHALT ROADWAY SURFACE.

30.00' WITNESS CORNER TO THE EAST
 ONE-QUARTER CORNER OF SECTION 2
 FOUND 3.25" ALUMINUM CAP, FLUSH WITH GROUND
 SURFACE, STAMPED "VIGIL LAND CONSULTANTS
 30.00' W.C. 1/4 S2 S1 T15 R68W 1999 LS 20699"

GRAPHIC SCALE



(IN FEET)

1 inch = 100' ft.



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CWC CONSULTING GROUP
 CIVIL ENGINEERING · LAND SURVEYING · CONSTRUCTION SERVICES

Exhibit E. 162ND AVENUE RIGHT-OF-WAY VACATION

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

DRAFTED: JEC/EDC

DATE: 09/06/2024

PAGE: 3 OF 4

PREPARED FOR:

CHECKED: EDC

JOB NO. CWC#120-00380

SCALE: 1"=100'

STRATUS COMPANIES



ADAMS COUNTY COLORADO

TREASURER'S OFFICE RECEIPT OF PAYMENT

Account	Parcel Number	Receipt Date	Receipt Number
R0014035	0157302010003	Apr 9, 2025	2025-04-09-NetVantage-18633

STRATUS AMBER CREEK LLC
 8480 E ORCHARD RD STE 1100
 GREENWOOD VILLAGE, CO 80111-5015

Situs Address	Payor
---------------	-------

16200 HIGHWAY 7

Legal Description

SUB:REHFELD SUBD DESC: TRACT A

Property Code	Actual	Assessed	Year	Area	Mill Levy
RES IMPRV LAND - 1112	187,000	11,940	2024	270	102.928
SINGLE FAMILY RES - 1212	978,717	62,480	2024	270	102.928

Payments Received

Check Multi-Account Payment
 Check Number 00050002

Payments Applied

Year	Charges	Billed	Prior Payments	New Payments	Balance
2024	Tax Charge	\$7,659.90	\$0.00	\$7,659.90	\$0.00
				\$7,659.90	\$0.00
Balance Due as of Apr 9, 2025					\$0.00

ALL CHECKS ARE SUBJECT TO FINAL COLLECTION. THANK YOU FOR YOUR PAYMENT!

EMAIL: treasurer@adco.gov | PHONE: 720.523.6160 | WEBSITE: www.adcotax.com



ADAMS COUNTY COLORADO

TREASURER'S OFFICE RECEIPT OF PAYMENT

Account	Parcel Number	Receipt Date	Receipt Number
R0014034	0157302010002	Apr 9, 2025	2025-04-09-NetVantage-18633

STRATUS AMBER CREEK LLC
 8480 E ORCHARD RD STE 1100
 GREENWOOD VILLAGE, CO 80111-5015

Situs Address	Payor
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0	
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Legal Description

SUB:REHFELD SUBD DESC: TRACT B

Property Code	Actual	Assessed	Year	Area	Mill Levy
RES IMPRV LAND - 1112	121,550	8,140	2024	270	102.928

Payments Received

Check	Multi-Account Payment
Check Number 00050002	

Payments Applied					
Year	Charges	Billed	Prior Payments	New Payments	Balance

2024	Tax Charge	\$837.84	\$0.00	\$837.84	\$0.00
				\$837.84	\$0.00
Balance Due as of Apr 9, 2025					\$0.00

ALL CHECKS ARE SUBJECT TO FINAL COLLECTION. THANK YOU FOR YOUR PAYMENT!

EMAIL: treasurer@adcgov.org | PHONE: 720.523.6160 | WEBSITE: www.adcotax.com



ADAMS COUNTY COLORADO

TREASURER'S OFFICE RECEIPT OF PAYMENT

Account	Parcel Number	Receipt Date	Receipt Number
R0014033	0157302010001	Apr 9, 2025	2025-04-09-NetVantage-18633

STRATUS AMBER CREEK LLC
 8480 E ORCHARD RD STE 1100
 GREENWOOD VILLAGE, CO 80111-5015

Situs Address	Payor
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0	
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Legal Description

SUB:REHFELD SUBD DESC: TRACT C

Property Code	Actual	Assessed	Year	Area	Mill Levy
VACANT RESIDENTIAL - 0100	121,550	33,910	2024	270	102.928

Payments Received

Check	Multi-Account Payment
Check Number 00050002	

Payments Applied					
Year	Charges	Billed	Prior Payments	New Payments	Balance

2024	Tax Charge	\$3,490.30	\$0.00	\$3,490.30	\$0.00
				\$3,490.30	\$0.00
Balance Due as of Apr 9, 2025					\$0.00

ALL CHECKS ARE SUBJECT TO FINAL COLLECTION. THANK YOU FOR YOUR PAYMENT!

EMAIL: treasurer@adcogov.org | PHONE: 720.523.6160 | WEBSITE: www.adcotax.com

ALTA/NSPS LAND TITLE SURVEY

BEING A PART OF THE NORTH ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF SECTION 2,
TOWNSHIP 1 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO

PARKING SPACES

0 REGULAR SPACES + 0 DISABLED PARKING SPACES = 0 TOTAL SPACES
NOTE: SPACE COUNT IS BASED ON ACTUAL STRIPED PARKING SPACES.

SURVEYOR'S NOTES

- DISTANCES ARE MARKED IN U.S. SURVEY FEET AND DECIMAL PLACES THEREOF. NO DIMENSION SHALL BE ASSUMED BY SCALE MEASUREMENT HEREON. DISTANCES AND/OR BEARINGS SHOWN IN PARENTHESIS (0.00') ARE RECORD OR DEED VALUES, NOT FIELD MEASURED.
- MANHOLES, INLETS AND OTHER UTILITY RIMS OR GRATES SHOWN HEREON ARE FROM FIELD LOCATION OF SUCH, AND ONLY REPRESENT SUCH UTILITY IMPROVEMENTS WHICH ARE VISIBLE FROM ABOVE GROUND AT TIME OF SURVEY, THROUGH A NORMAL SEARCH AND WALK THROUGH OF THE SITE. THE LABELING OF THESE MANHOLES (SANITARY, WATER, ETC.) IS BASED SOLELY ON THE "STAMPED" MARKINGS OF THE RIM. NO UNDERGROUND OBSERVATIONS HAVE BEEN MADE TO VERIFY THE ACTUAL USE OF EXISTENCE OF UNDERGROUND UTILITIES.
- ONLY THE IMPROVEMENTS WHICH WERE VISIBLE FROM ABOVE GROUND AT TIME OF SURVEY AND THROUGH A NORMAL SEARCH AND WALK THROUGH OF THE SITE ARE SHOWN ON THE FACE OF THIS PLAT. LAWN SPRINKLER SYSTEMS, IF ANY, ARE NOT SHOWN ON THIS SURVEY.
- THIS SURVEY MAY NOT REFLECT ALL UTILITIES, OR IMPROVEMENTS, IF SUCH ITEMS ARE HIDDEN BY LANDSCAPING, OR ARE COVERED BY SUCH ITEMS AS DUMPSTERS OR TRAILERS, OR WHEN THE SITE WAS COVERED WITH SNOW. AT THE TIME OF THE SURVEY THE SITE WAS/NOT COVERED IN SNOW.
- OTHER THAN VISIBLE OBSERVATIONS NOTED HEREON, THIS SURVEY MAKES NO STATEMENT REGARDING THE ACTUAL PRESENCE OR ABSENCE OF ANY SERVICE OR UTILITY LINE. CONTROLLED UNDERGROUND EXPLORATORY EFFORT TOGETHER WITH "UNCC" MARKINGS IS RECOMMENDED TO DETERMINE THE FULL EXTENT OF UNDERGROUND SERVICE AND UTILITY LINES. CONTACT UTILITY NOTIFICATION CENTER OF COLORADO.
- THE LOCATION OF THE PROPERTY LINES SHOWN ON THE FACE OF THIS PLAT ARE BASED ON THE DESCRIPTION AND INFORMATION FURNISHED BY THE CLIENT, TOGETHER WITH THE TITLE COMMITMENT. THE PARCEL WHICH IS DEFINED MAY NOT REFLECT ACTUAL OWNERSHIP, BUT REFLECTS WHAT WAS SURVEYED. FOR OWNERSHIP, CONSULT YOUR TITLE COMPANY.
- COMPARE THIS PLAT, LEGAL DESCRIPTION AND ALL SURVEY MONUMENTS BEFORE BUILDING, AND IMMEDIATELY REPORT ANY DISCREPANCIES TO THE SURVEYOR.
- RESTRICTIONS THAT MAY BE FOUND IN LOCAL BUILDING AND/OR ZONING CODES HAVE NOT BEEN SHOWN. HEIGHT AND BULK RESTRICTIONS (IF ANY) HAVE NOT BEEN SHOWN. ONLY THOSE SETBACK RESTRICTIONS SHOWN ON THE RECORDED SUBDIVISION PLAT OR IN THE TITLE COMMITMENT HAVE BEEN SHOWN. NOTE: IF SURVEY IS CERTIFIED TO ALTA TABLE A ITEM 6, THEN SEE ZONING/BULK REGULATIONS SECTION FOR ADDITIONAL INFORMATION.
- SURFACE INDICATIONS OF UTILITIES ON THE SURVEYED PARCEL HAVE BEEN SHOWN. UNDERGROUND AND OFFSITE OBSERVATIONS HAVE NOT BEEN MADE TO DETERMINE THE EXTENT OF UTILITIES SERVING OR EXISTING ON THE PROPERTY. PUBLIC AND/OR PRIVATE RECORDS HAVE NOT BEEN SEARCHED TO PROVIDE ADDITIONAL INFORMATION. OVERHEAD WIRES AND POLES (IF ANY) HAVE BEEN SHOWN, HOWEVER THEIR FUNCTION AND DIMENSIONS HAVE NOT BEEN SHOWN.
- PHYSICAL ACCESS TO THE PROPERTY IS NOT RESTRICTED.
- THIS LAND SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY CWC CONSULTING GROUP, INC. TO DETERMINE OWNERSHIP OF THIS TRACT, VERIFY THE DESCRIPTION SHOWN, VERIFY THE COMPATIBILITY OF THIS DESCRIPTION WITH THAT OF ADJACENT TRACTS, OR VERIFY EASEMENTS OF RECORD. REFERENCE IS MADE TO FIRST AMERICAN TITLE COMMITMENT NUMBER: NCS-1232255-CO, WITH A COMMITMENT DATE: AUGUST 30, 2024 AT 5:00 P.M. FROM WHICH THIS SURVEY IS BASED. THIS PROPERTY IS SUBJECT TO ALL COVENANTS AND RESTRICTIONS RELATING TO THE USE AND CHARACTER OF THE LAND AND ALL MATTERS APPEARING OF PUBLIC RECORD AND AS MAY BE DISCLOSED BY A MORE RECENT TITLE COMMITMENT OR REPORT.
- ALL REFERENCES HEREON TO BOOKS, PAGES, MAPS AND RECEPTION NUMBERS ARE PUBLIC DOCUMENTS FILED IN THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE.
- EASEMENTS AND PUBLIC DOCUMENTS SHOWN OR NOTED HEREON WERE EXAMINED AS TO LOCATION AND PURPOSE AND WERE NOT EXAMINED AS TO RESERVATIONS, RESTRICTIONS, CONDITIONS, OBLIGATIONS, TERMS, OR AS TO THE RIGHT TO GRANT THE SAME.
- ALL TIES TO RECORD TITLE LINES FROM THE BUILDING CORNERS OR OTHER IMPROVEMENTS SHOWN HEREON ARE PERPENDICULAR TO THE RECORD TITLE LINE.
- BASIS OF BEARINGS: BEARINGS ARE BASED ON THE NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 2, TOWNSHIP 1 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, SAID TO BEAR N89°38'30"W, A DISTANCE OF 2639.37 FEET, FROM THE CENTER OF SECTION 2, BEING MONUMENTED BY A 3.25" ALUMINUM CAP 1.6" DOWN IN A 4" PVC SLEEVE, STAMPING UNREADABLE TO THE EAST ONE-QUARTER CORNER OF SECTION 2 BEING MONUMENTED BY A AXLE AND RING GEAR IN CONCRETE, 0.8' DOWN FROM THE ASPHALT ROAD SURFACE.
- ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
- DEFINITION: CERTIFY, CERTIFICATION - A PROFESSIONAL'S OPINION BASED ON HIS OR HER OBSERVATION OF CONDITIONS, KNOWLEDGE, INFORMATION AND BELIEFS. IT IS EXPRESSLY UNDERSTOOD THAT THE PROFESSIONAL'S CERTIFICATION OF A CONDITION'S EXISTENCE RELIEVES NO OTHER PARTY OF ANY RESPONSIBILITY OR OBLIGATION HE OR SHE HAS ACCEPTED BY CONTRACT OR CUSTOM.
- CWC CONSULTING GROUP, INC. DOES NOT WARRANT THAT THE PARCEL, AS DESCRIBED HEREON, COMPLIES WITH COLORADO SENATE BILL 35. (30-28-101).
- 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 IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

SURVEYOR'S NOTES

20. TITLE COMMITMENT SCHEDULE B - SECTION 2 - ITEMS

SCHEDULE B - ITEM 1: THE PROPERTY IS SUBJECT TO ANY FACTS, RIGHTS, INTERESTS, OR CLAIMS THEREOF, NOT SHOWN BY THE PUBLIC RECORDS BUT THAT COULD BE ASCERTAINED BY AN INSPECTION OF THE LAND OR THAT MAY BE ASSERTED BY PERSONS IN POSSESSION OF THE LAND.

SCHEDULE B - ITEM 2: THE PROPERTY IS SUBJECT TO EASEMENTS, LIENS OR ENCUMBRANCES, OR CLAIMS THEREOF, NOT SHOWN BY THE PUBLIC RECORDS.

SCHEDULE B - ITEM 3: THE PROPERTY IS SUBJECT TO ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND AND NOT SHOWN BY THE PUBLIC RECORDS.

SCHEDULE B - ITEM 4-8: NOT SURVEY RELATED.

THE FOLLOWING MATTERS AFFECT PARCELS A & B:

SCHEDULE B - ITEMS 9 & 10: THE PROPERTY IS SUBJECT TO WARRANTY DEED DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 69 AT PAGE 467.

SCHEDULE B - ITEM 11: THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS TO THE OIL, GAS AND MINERAL INTERESTS SET FORTH IN THE DEED RECORDED IN BOOK 286 AT PAGE 85.

SCHEDULE B - ITEM 12: THE PROPERTY IS SUBJECT TO RESOLUTION BY COMMISSIONERS DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 590 AT PAGE 400.

SCHEDULE B - ITEM 13: THE 5' AND 6' UTILITY EASEMENTS SHOWN OR NOTED ON REHFELD SUBDIVISION, RECORDED UNDER RECEPTION NO. A030501 ARE SHOWN HEREON. THE AFFIDAVIT DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 1946 AT PAGE 371; AFFECTS TRACT "D".

SCHEDULE B - ITEM 14: THE PROPERTY IS SUBJECT TO AN OIL AND GAS LEASE AS CONTAINED IN THE DOCUMENT RECORDED IN BOOK 2109 AT PAGE 108 IS SHOWN HEREON.

SCHEDULE B - ITEM 15: THE PROPERTY IS SUBJECT TO AN OIL AND GAS LEASE AS CONTAINED IN THE DOCUMENT RECORDED IN BOOK 2109 AT PAGE 110 IS SHOWN HEREON. THE AFFIDAVIT OF PRODUCTION AND EXTENSION OF LEASE DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 2512 AT PAGE 543 IS SHOWN HEREON. THE AFFIDAVIT OF NON-PRODUCTION DESCRIBED IN THE DOCUMENT RECORDED AT RECEPTION NO. 2022000006126.

SCHEDULE B - ITEM 16: THE PROPERTY IS SUBJECT TO AN OIL AND GAS LEASE AS CONTAINED IN THE DOCUMENT RECORDED IN BOOK 2109 AT PAGE 124 IS SHOWN HEREON. THE AFFIDAVIT OF PRODUCTION AND EXTENSION OF LEASE DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 2512 AT PAGE 542 IS SHOWN HEREON. THE AFFIDAVIT OF NON-PRODUCTION DESCRIBED IN THE DOCUMENT RECORDED AT RECEPTION NO. 2022000006126.

SCHEDULE B - ITEM 17: THE PROPERTY IS SUBJECT TO AN OIL AND GAS LEASE AS CONTAINED IN THE DOCUMENT RECORDED IN BOOK 2164 AT PAGE 918 IS SHOWN HEREON. THE AMENDMENT OF LEASE DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 3587 AT PAGE 284 IS SHOWN HEREON.

SCHEDULE B - ITEM 18: THE PROPERTY IS SUBJECT TO AN OIL AND GAS LEASE AS CONTAINED IN THE DOCUMENT RECORDED IN BOOK 2164 AT PAGE 920 IS SHOWN HEREON. THE OIL AND GAS LEASE RATIFICATION DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 3509 AT PAGE 265 IS SHOWN HEREON. THE DECLARATION OF UNITIZATION DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 3556 AT PAGE 56 AND AMENDMENT TO DECLARATION OF UNITIZATION DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 3954 AT PAGE 329. THE AMENDMENT OF LEASE DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 3574 AT PAGE 431 IS SHOWN HEREON. THE DECLARATION OF POOLING AS DESCRIBED IN THE DOCUMENT RECORDED AT RECEPTION NO. 2020000130090.

SCHEDULE B - ITEM 19: THE PROPERTY IS SUBJECT TO AN OIL AND GAS LEASE AS CONTAINED IN THE DOCUMENT RECORDED IN BOOK 2164 AT PAGE 924 IS SHOWN HEREON. THE POOLING AGREEMENT DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 2359 AT PAGE 395. THE PRODUCTION AFFIDAVIT DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 3513 AT PAGE 708 IS SHOWN HEREON AND AFFIDAVIT OF PRODUCTION DESCRIBED IN THE DOCUMENT RECORDED AT RECEPTION NO. C0768081.

SCHEDULE B - ITEM 20: THE PROPERTY IS SUBJECT TO NOTICE OF DECLARATION DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 3019 AT PAGE 593. THE PROPERTY IS SUBJECT TO SEGREGATION AGREEMENT DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 3350 AT PAGE 487. THE PROPERTY IS SUBJECT TO MEMORANDUM OF GAS PURCHASE AND PROCESSING AGREEMENT DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 4364 AT PAGE 275.

SCHEDULE B - ITEM 21: THE 35' RIGHT-OF-WAY AGREEMENT DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 3596 AT PAGE 839 IS SHOWN HEREON.

SCHEDULE B - ITEM 22: THE SPECIAL WARRANTY DEED DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 5292 AT PAGE 577 IS SHOWN HEREON. THE WARRANTY DEED DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NO. 2008000051850 COULD NOT BE SHOWN HEREON BECAUSE THE DESCRIPTION IS AMBIGUOUS.

SCHEDULE B - ITEM 23: THE PROPERTY IS SUBJECT TO REQUEST FOR NOTIFICATION DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NO. C0991856.

SCHEDULE B - ITEM 24: THE PROPERTY IS SUBJECT TO REQUEST FOR NOTIFICATION OF SURFACE DEVELOPMENT DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NO. 20060331000327360. THE PROPERTY IS SUBJECT TO CORRECTED REQUEST FOR NOTIFICATION OF SURFACE DEVELOPMENT DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NO. 20060512000493700. THE PROPERTY IS SUBJECT TO REQUEST FOR NOTIFICATION OF SURFACE DEVELOPMENT DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NO. 2007000097421.

SCHEDULE B - ITEM 25: THE PROPERTY IS SUBJECT TO REQUEST FOR NOTIFICATION OF APPLICATION FOR DEVELOPMENT DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NO. 2016000055794.

SURVEYOR'S NOTES

THE FOLLOWING MATTERS AFFECT PARCEL C:

SCHEDULE B - ITEM 26: THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS TO THE OIL, GAS AND MINERAL INTERESTS SET FORTH IN DEEDS RECORDED IN BOOK 286 AT PAGE 85.

SCHEDULE B - ITEM 27: THE PROPERTY IS SUBJECT TO RESOLUTION BY COMMISSIONERS DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 590 AT PAGE 400.

SCHEDULE B - ITEM 28: THE PROPERTY IS SUBJECT TO AN OIL AND GAS LEASE AS CONTAINED IN THE DOCUMENT RECORDED IN BOOK 2101 AT PAGE 402 AND IN BOOK 2101 AT PAGE 404. AFFECTS THAT PORTION OF THE SUBJECT PROPERTY LYING IN THE SE1/4 OF SECTION 2.

SCHEDULE B - ITEM 29: THE PROPERTY IS SUBJECT TO AN OIL AND GAS LEASE AS CONTAINED IN THE DOCUMENT RECORDED IN BOOK 2109 AT PAGE 112 AND IN BOOK 2109 AT PAGE 114 AND IN BOOK 2109 AT PAGE 116. AFFECTS THAT PORTION OF THE SUBJECT PROPERTY LYING IN THE SE1/2 NE1/4 SE1/4 S2, TOWNSHIP 1 SOUTH, RANGE 68 WEST.

SCHEDULE B - ITEM 30: THE PROPERTY IS SUBJECT TO AN OIL AND GAS LEASE AS CONTAINED IN THE DOCUMENT RECORDED IN BOOK 2109 AT PAGE 118 AND IN BOOK 2109 AT PAGE 120. AFFECTS THAT PORTION OF THE SUBJECT PROPERTY LYING IN THE SE1/2 NE1/4 SE1/4 S2, TOWNSHIP 1 SOUTH, RANGE 68 WEST.

SCHEDULE B - ITEM 31: THE PROPERTY IS SUBJECT TO AN OIL AND GAS LEASE AS CONTAINED IN THE DOCUMENT RECORDED IN BOOK 2120 AT PAGE 468 AND IN BOOK 2165 AT PAGE 732. AFFECTS THAT PORTION OF THE SUBJECT PROPERTY LYING IN THE SE1/4 SECTION 2, TOWNSHIP 1 SOUTH, RANGE 68 WEST, COUNTY OF ADAMS, STATE OF COLORADO.

SCHEDULE B - ITEM 32: THE PROPERTY IS SUBJECT TO NOTICE OF DECLARATION DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 3019 AT PAGE 593.

SCHEDULE B - ITEM 33: THE PROPERTY IS SUBJECT TO THE RIGHT-OF-WAY CONTRACT DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 3596 AT PAGE 833. THE CORRECTION RIGHT-OF-WAY AGREEMENT DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 3606 AT PAGE 541 IS SHOWN HEREON.

SCHEDULE B - ITEM 34: THE PROPERTY IS SUBJECT TO REQUEST FOR NOTIFICATION DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NO. C0991856.

SCHEDULE B - ITEM 35: THE PROPERTY IS SUBJECT TO REQUEST FOR NOTIFICATION OF SURFACE DEVELOPMENT DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NO. 20060331000327360. THE PROPERTY IS SUBJECT TO CORRECTED REQUEST FOR NOTIFICATION OF SURFACE DEVELOPMENT DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NO. 20060512000493700.

SCHEDULE B - ITEM 36: THE PROPERTY IS SUBJECT TO REQUEST FOR NOTIFICATION OF SURFACE DEVELOPMENT DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NO. 2007000097421.

SCHEDULE B - ITEM 37: THE PROPERTY IS SUBJECT TO REQUEST FOR NOTIFICATION OF APPLICATION FOR DEVELOPMENT DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NO. 2016000055794.

SCHEDULE B - ITEM 38: THE PROPERTY IS SUBJECT TO THE EASEMENT AGREEMENT AND ACKNOWLEDGEMENT OF INTEREST DESCRIBED IN THE DOCUMENT RECORDED AT RECEPTION NO. 2020000100186.

SCHEDULE B - ITEM 39: THE PROPERTY IS SUBJECT TO THE SPECIAL WARRANTY DEED AS DESCRIBED IN THE DOCUMENT RECORDED AT RECEPTION NO. 2024000029563.

SCHEDULE B - ITEM 40: THE EASEMENT AGREEMENT DESCRIBED IN THE DOCUMENT RECORDED AT RECEPTION NO. 2024000029564 IS SHOWN HEREON. DOES NOT LIE WITHIN THE SUBJECT PROPERTY.

21. THE PROPERTY IS LOCATED WITHIN "OTHER AREAS - ZONE X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS IDENTIFIED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP - COMMUNITY PANEL NUMBERED 08001C0302J WITH AN EFFECTIVE DATE OF JANUARY 20, 2016.

INDEXING STATEMENT

DEPOSITED THIS _____ DAY OF _____, 20____, AT _____, M.,
IN BOOK _____ OF THE COUNTY SURVEYOR'S LAND SURVEY/RIGHT-OF-WAY SURVEYS
AT PAGE(S) _____, RECEPTION NUMBER _____.

COUNTY SURVEYOR/DEPUTY COUNTY SURVEYOR



DATE	REVISION	BY

ALTA/NSPS LAND TITLE SURVEY
SHOWING
"16200" HIGHWAY 7 (ADDRESS POSTED), THORNTON, COLORADO 80602
SHEET 2 - NOTES AND EXCEPTIONS

DRAFTED: E.D.C.	CHECKED: E.D.C.
DATE: 10/08/2024	JOB NO. 120-00470
SURVEY PREPARED FOR: STRATUS INVESTMENT PARTNERS	

SHEET NO.
2 OF 6 SHEETS

ALTA/NSPS LAND TITLE SURVEY

BEING A PART OF THE NORTH ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF SECTION 2,
TOWNSHIP 1 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO

EAST ONE-QUARTER CORNER OF SECTION 2
FOUND AXLE WITH 6" RING GEAR IN CONCRETE,
0.8' BELOW ASPHALT ROADWAY SURFACE.

30.00' WITNESS CORNER TO THE EAST
ONE-QUARTER CORNER OF SECTION 2
FOUND 3.25" ALUMINUM CAP, FLUSH WITH GROUND
SURFACE, STAMPED "VIGIL LAND CONSULTANTS
30.00' W.C. 1/4 S2 S1 T15 R68W 1999 LS 20699"

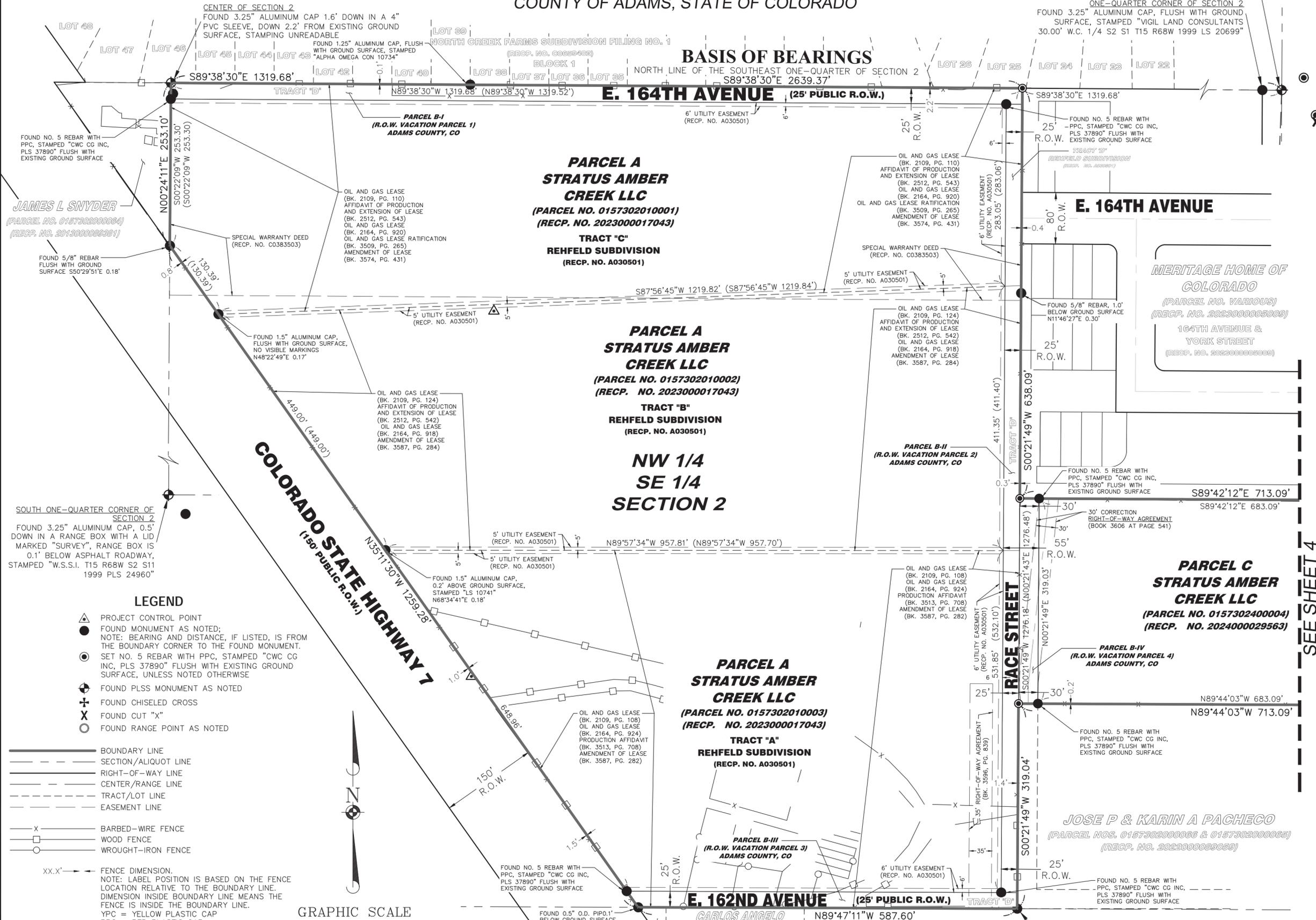
9380 TEDDY LANE SUITE #203
LOUISVILLE, CO 80224
TEL: 303-955-7200
FAX: 303-955-7201
CWC CONSULTING GROUP
CIVIL ENGINEERING - LAND SURVEYING - CONSTRUCTION SERVICES

DATE	REVISION	BY

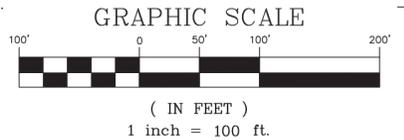
SHOWING
"16200" HIGHWAY 7 (ADDRESS POSTED), THORNTON, COLORADO 80602
SHEET 3 - BOUNDARY AND EXCEPTIONS

SEE SHEET 4

DRAFTED: E.D.C.
DATE: 10/08/2024
JOB NO. 120-00470
SURVEY PREPARED FOR: STRATUS INVESTMENT PARTNERS



- LEGEND**
- ▲ PROJECT CONTROL POINT
 - FOUND MONUMENT AS NOTED; NOTE: BEARING AND DISTANCE, IF LISTED, IS FROM THE BOUNDARY CORNER TO THE FOUND MONUMENT.
 - SET NO. 5 REBAR WITH PPC, STAMPED "CWC CG INC, PLS 37890" FLUSH WITH EXISTING GROUND SURFACE, UNLESS NOTED OTHERWISE
 - ⊕ FOUND PLSS MONUMENT AS NOTED
 - ⊕ FOUND CHISELED CROSS
 - ✕ FOUND CUT "X"
 - FOUND RANGE POINT AS NOTED
 - BOUNDARY LINE
 - - - SECTION/ALIQUOT LINE
 - - - RIGHT-OF-WAY LINE
 - - - CENTER/RANGE LINE
 - - - TRACT/LOT LINE
 - - - EASEMENT LINE
 - X — BARBED-WIRE FENCE
 - □ — WOOD FENCE
 - ○ — WROUGHT-IRON FENCE
 - XX.X' — FENCE DIMENSION. NOTE: LABEL POSITION IS BASED ON THE FENCE LOCATION RELATIVE TO THE BOUNDARY LINE. DIMENSION INSIDE BOUNDARY LINE MEANS THE FENCE IS INSIDE THE BOUNDARY LINE.
 - YPC = YELLOW PLASTIC CAP
 - RPC = RED PLASTIC CAP
 - PPC = PINK PLASTIC CAP
 - ESMT. = EASEMENT
 - R.O.W. = RIGHT OF WAY
 - BK., PG. = BOOK, PAGE
 - RECP. NO. = RECEPTION NUMBER



T:_JOBS\1-20 Survey\120-00470_Rehfeld Development\dwg\120-00470-SA_Adams_County.dwg Date:10/08/24 11:38a ecarson

ALTA/NSPS LAND TITLE SURVEY

BEING A PART OF THE NORTH ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF SECTION 2,
TOWNSHIP 1 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO

9390 TEDDY LANE, SUITE #203
LOUISVILLE, COLORADO 80124
TEL: 303-985-2700
FAX: 303-985-2701

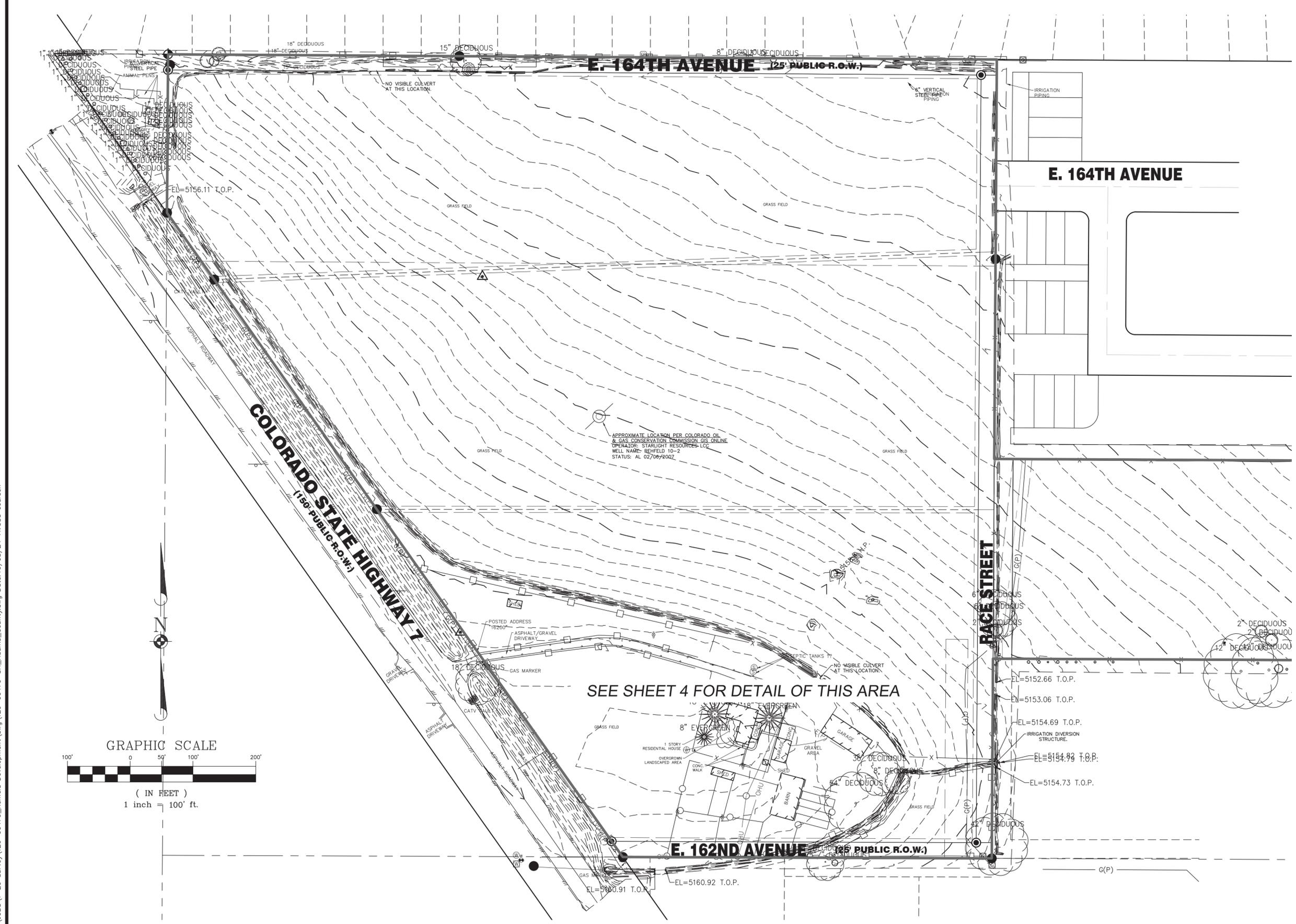
CWC CONSULTING GROUP
CIVIL ENGINEERING • LAND SURVEYING • CONSTRUCTION SERVICES

DATE	REVISION	BY

ALTA/NSPS LAND TITLE SURVEY
SHOWING
"16200" HIGHWAY 7 (ADDRESS POSTED), THORNTON, COLORADO 80602
SHEET 5 - TOPOGRAPHY AND IMPROVEMENTS

DRAFTED:	CHECKED:
E.D.C.	E.D.C.
DATE:	JOB NO.
10/08/2024	120-00470
SURVEY PREPARED FOR:	PARTNERS
STRATUS INVESTMENT	

SHEET NO.
5 OF **6** SHEETS



T:\JOBS\1-20 Survey\120-00470_Rehfield Development\dwg\120-00470-SA_Adams_County.dwg Date:10/08/24 11:38a ecarson

ALTA/NSPS LAND TITLE SURVEY

BEING A PART OF THE NORTH ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF SECTION 2,
TOWNSHIP 1 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO

9390 TEDDY LANE, SUITE #203
LOUISVILLE, COLO. 80124
TEL: 303-998-2700
FAX: 303-998-2701

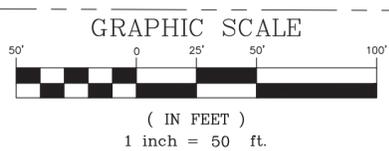
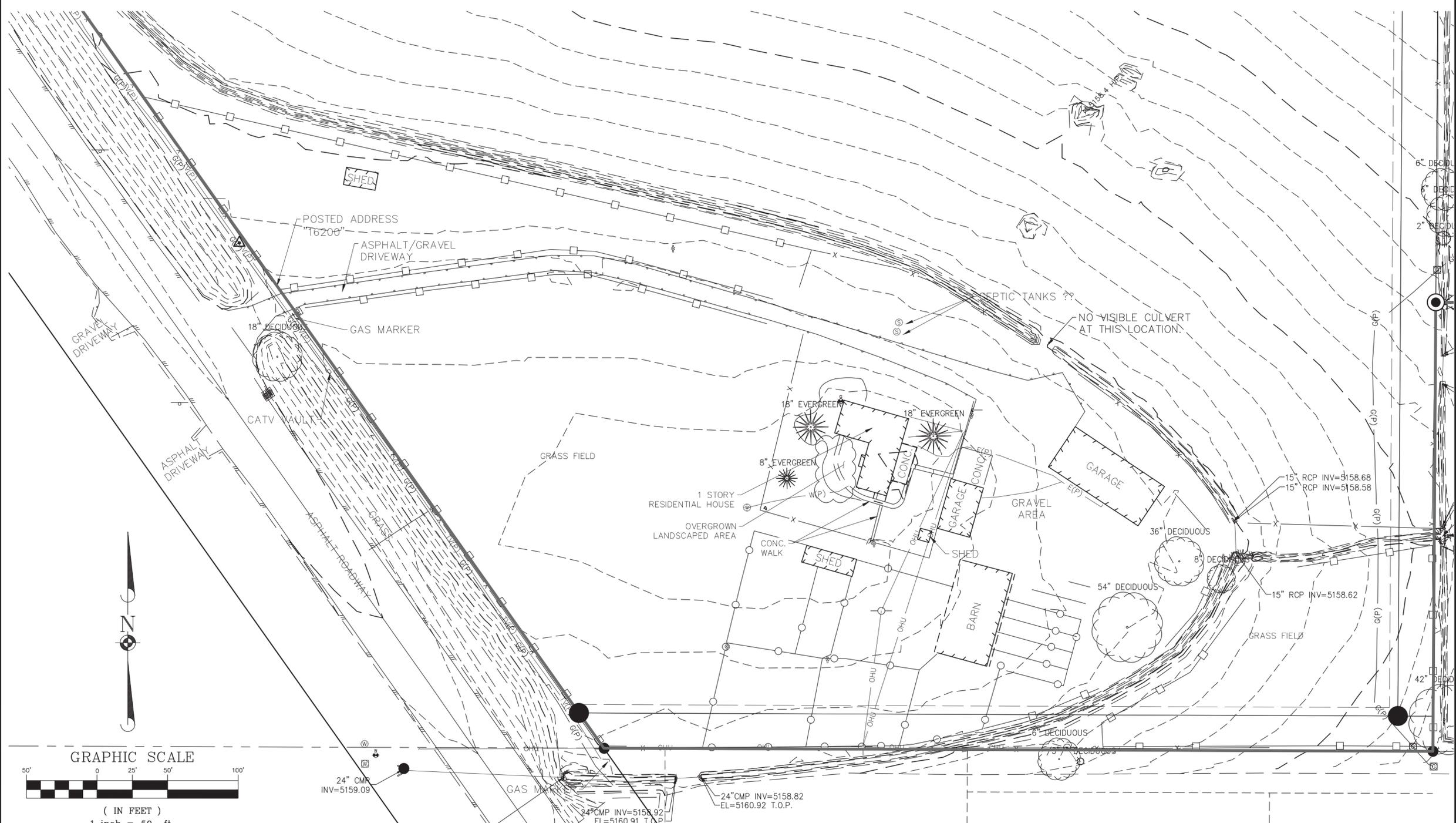
CWC CONSULTING GROUP
CIVIL ENGINEERING - LAND SURVEYING - CONSTRUCTION SERVICES

DATE	REVISION	BY

ALTA/NSPS LAND TITLE SURVEY
SHOWING
"16200" HIGHWAY 7 (ADDRESS POSTED), THORNTON, COLORADO 80602
SHEET 6 - TOPOGRAPHY AND IMPROVEMENTS

DRAFTED: E.D.C.
CHECKED: E.D.C.
DATE: 10/08/2024
JOB NO.: 120-00470
SURVEY PREPARED FOR: STRATUS INVESTMENT PARTNERS

SHEET NO. 6 OF 6 SHEETS



LEGEND

- | | | | | | |
|-----|-----------------------------|-------|------------------------|--|------------------------|
| — | BOUNDARY LINE | ⊗ | LIGHT POLE/ELECTROLIER | --- | OVERHEAD ELECTRIC LINE |
| --- | RIGHT-OF-WAY LINE | ⊙ | SANITARY SEWER MANHOLE | ⊙ | TELEPHONE MANHOLE |
| --- | CENTER/RANGE LINE | SS(P) | SANITARY SEWER LINE | ⊠ | TELEPHONE PULLBOX |
| --- | EASEMENT LINE | SD(P) | STORM DRAIN MANHOLE | --- | TELEPHONE LINE |
| x | BARBED-WIRE/CHAINLINK FENCE | SS(P) | STORM DRAIN LINE | Ⓜ | CABLE TV MANHOLE |
| □ | WOOD FENCE | W(P) | WATER VALVE | Ⓜ | CABLE TV PULLBOX |
| ○ | WROUGHT-IRON FENCE | --- | WATER LINE | --- | CABLE TV LINE |
| ▭ | BUILDING FOOTPRINT | G(P) | GAS METER | XX.X' | BUILDING DIMENSION. |
| ▨ | EDGE OF ASPHALT | --- | GAS LINE | NOTE: LABEL POSITION IS BASED ON THE BUILDING LOCATION RELATIVE TO THE BOUNDARY LINE. DIMENSION INSIDE BOUNDARY LINE MEANS THE BUILDING IS INSIDE THE BOUNDARY LINE. | |
| — | SIGN | E(P) | ELECTRIC METER | ABBREVIATIONS: | |
| ○ | UTILITY POLE | --- | ELECTRIC PULLBOX | LSA = LANDSCAPED AREA | |
| | | --- | ELECTRIC LINE | CONC. = CONCRETE | |

T:\JOBS\1-20 Survey\120-00470_Rehfield Development\dwg\120-00470-SA_Adams_County.dwg Date:10/08/24 11:39a ecarson



Transaction Identification Data, for which the Company assumes no liability as set forth in Commitment Condition 5.e.:

Issuing Agent: First American Title Insurance Company National Commercial Services	Escrow Officer Name: Gail Anderson Escrow Officer Number: (303)876-1156
Issuing Office: 1380 17th Street, Denver, CO 80202	Escrow Officer Email: gmccurley@firstam.com
Issuing Office's ALTA® Registry ID: 1105402	Escrow Assistant Name: Jesus Navarro-lujan Escrow Assistant Number: (303)876-1175
Commitment Number: NCS-1232255-CO	Escrow Assistant Email: jnavarro-lujan@firstam.com
Issuing Office File Number: NCS-1232255-CO	Title Officer Name: Cassandra Dorr Title Officer Number: (303)876-1210
Property Address: 16200 Highway 7, Brighton, CO 80602	Title Officer Email: cdorr@firstam.com
Revision Number:	Title Assistant Name: Emma Philipp Title Assistant Number: (412)789-7613 Title Assistant Email: ephilipp@firstam.com

SCHEDULE A

1. Commitment Date: August 30, 2024 at 5:00 P.M.
2. Policy to be issued:
 - a. ALTA® Owner's Policy (7-1-21)
Proposed Insured: KB Home Colorado Inc., a Colorado corporation
Proposed Amount of Insurance: \$8,668,800.00
The estate or interest to be insured: See Item 3 below
3. The estate or interest in the Land at the Commitment Date is:

Fee Simple
4. The Title is, [at the Commitment Date, vested in:](#)

Stratus Amber Creek, LLC, a Colorado limited liability company, as to Parcels A & C, and County of Adams, State of Colorado, as to Tract D (Parcels B-I, B-II, B-III & B-VI)
5. The Land is described as follows:

See Exhibit A attached hereto and made a part hereof

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Commitment No. NCS-1232255-CO

EXHIBIT A

The Land referred to herein below is situated in the County of Adams, State of Colorado, and is described as follows:

Parcel A:

Tracts A, B and C, Rehfeld Subdivision, County of Adams, State of Colorado.

Parcel B-I (R.O.W. Vacation Parcel 1):

A parcel of land in the Southeast One-Quarter of Section 2, Township 1 South, Range 68 West, of the Sixth Principal Meridian, in the County of Adams, State of Colorado, said parcel being more particularly described as follows:

Basis of Bearings: Bearings are based upon the North Line of the Southeast One-Quarter of Section 2, said to bear S89°38'30"E a distance of 2639.37 Feet between the monuments listed below:

CENTER OF SECTION 2 -Monumented by a 3.25" ALUMINUM CAP 1.6' DOWN IN A 4" PVC SLEEVE, DOWN 2.2' FROM EXISTING GROUND SURFACE, STAMPING UNREADABLE

EAST ONE-QUARTER CORNER OF SECTION 2- Monumented by an AXLE WITH 6" RING GEAR IN CONCRETE, 0.8' BELOW ASPHALT ROADWAY SURFACE

BEGINNING (P.O.B.) at the CENTER OF SECTION 2, Thence South 89°38'30" East along the North Line of the said Southeast One-Quarter of Section 2 also being the North Line of Tract "D" of Rehfeld Subdivision (Reception No. [A030501](#)), a distance of 1,319.68 Feet to the East Line of said Tract "D";

Thence South 0°21'49" West along the East Line of said Tract "D", a distance of 25.00 Feet to the Extension of the South Line of said Tract "D";

Thence North 89°38'30" West along the Extension of the South Line of said Tract "D", a distance of 25.00 Feet to the South Line of said Tract "D";

Thence continuing North 89°38'30" West along said South Line of said Tract "D", a distance of 1,294.70 Feet to the West Line of the Southeast One-Quarter of said Section 2;

Thence North 0°24'11" East along said West Line of the Southeast One-Quarter of said Section 2, a distance of 25.00 Feet to the POINT OF BEGINNING (P.O.B.), County of Adams, State of Colorado.

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Parcel B-II (R.O.W. Vacation Parcel 2):

A parcel of land in the Southeast One-Quarter of Section 2, Township 1 South, Range 68 West, of the Sixth Principal Meridian, in the County of Adams, State of Colorado, said parcel being more particularly described as follows:

Basis of Bearings: Bearings are based upon the North Line of the Southeast One-Quarter of Section 2, said to bear S89°38'30"E a distance of 2639.37 Feet between the monuments listed below:

CENTER OF SECTION 2 -Monumented by a 3.25" ALUMINUM CAP 1.6' DOWN IN A 4" PVC SLEEVE, DOWN 2.2' FROM EXISTING GROUND SURFACE, STAMPING UNREADABLE

EAST ONE-QUARTER CORNER OF SECTION 2- Monumented by an AXLE WITH 6" RING GEAR IN CONCRETE, 0.8' BELOW ASPHALT ROADWAY SURFACE

COMMENCING (P.O.C.) at the CENTER OF SECTION 2, Thence South 89°38'30" East along the North Line of the said Southeast One-Quarter of Section 2 also being the North Line of Tract "D" of Rehfeld Subdivision (Reception No. [A030501](#)), a distance of 1,319.68 Feet to the East Line of said Tract "D";

Thence South 0°21'49" West along the East Line of said Tract "D", a distance of 25.00 Feet to the Extension of the South Line of said Tract "D" and the POINT OF BEGINNING (P.O.B.);

Thence continuing South 0°21'49" West along said East Line of Tract "D" also being the East Line of the Northwest One-Quarter of the Southeast One-Quarter of Section 2, a distance of 1,226.18 Feet to the Extension of the Northerly Line of Tract "D";

Thence North 89°47'11" West along the Extension of the Northerly Line of said Tract "D", a distance of 25.00 Feet to the West Line of Tract "D";

Thence North 0°21'49" East along said West Line of Tract "D", a distance of 1,226.24 Feet;

Thence South 89°38'30" East along the Extension of the South Line of said Tract "D", a distance of 25.00 Feet to the POINT OF BEGINNING (P.O.B.), County of Adams, State of Colorado.

Parcel B-III (R.O.W. Vacation Parcel 3):

A parcel of land in the Southeast One-Quarter of Section 2, Township 1 South, Range 68 West, of the Sixth Principal Meridian, in the County of Adams, State of Colorado, said parcel being more particularly described as follows:

Basis of Bearings: Bearings are based upon the North Line of the Southeast One-Quarter of Section 2, said to bear S89°38'30"E a distance of 2639.37 Feet between the monuments listed below:

CENTER OF SECTION 2 -Monumented by a 3.25" ALUMINUM CAP 1.6' DOWN IN A 4" PVC SLEEVE,

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DOWN 2.2' FROM EXISTING GROUND SURFACE, STAMPING UNREADABLE

EAST ONE-QUARTER CORNER OF SECTION 2- Monumented by an AXLE WITH 6" RING GEAR IN CONCRETE, 0.8' BELOW ASPHALT ROADWAY SURFACE

COMMENCING (P.O.C.) at the CENTER OF SECTION 2, Thence South 89°38'30" East along the North Line of the said Southeast One-Quarter of Section 2 also being the North Line of Tract "D" of Rehfeld Subdivision (Reception No. [A030501](#)), a distance of 1,319.68 Feet to the East Line of said Tract "D";

Thence South 0°21'49" West along the East Line of said Tract "D", a distance of 1,276.18 Feet to the CENTER SIXTEENTH CORNER OF THE SOUTHEAST ONE-QUARTER OF SECTION 2 and the POINT OF BEGINNING (P.O.B.);

Thence North 89°47'11" West along the South Line of the Northwest One-Quarter of the Southeast One-Quarter of said Section 2 also being the South Line of said Tract "D", a distance of 587.60 Feet to the Westerly Line of Tract "D";

Thence North 35°11'30" West along said Westerly Line of Tract "D", a distance of 30.67 Feet to the Northerly Line of Tract "D";

Thence South 89°47'11" East along said Northerly Line of Tract "D", a distance of 580.44 Feet:

Thence continuing South 89°47'11" East along the Extension of the Northerly Line of Tract "D", a distance of 25.00 feet to the said East Line of Tract "D";

Thence South 0°21'49" West along said East Line of Tract "D", a distance of 25.00 Feet to the POINT OF BEGINNING (P.O.B.), County of Adams, State of Colorado.

Parcel B-IV (R.O.W. Vacation Parcel 4):

A parcel of land in the Southeast One-Quarter of Section 2, Township 1 South, Range 68 West, of the Sixth Principal Meridian, in the County of Adams, State of Colorado, said parcel being more particularly described as follows:

Basis of Bearings: Bearings are based upon the North Line of the Southeast One-Quarter of Section 2, said to bear S89°38'30"E a distance of 2639.37 Feet between the monuments listed below:

CENTER OF SECTION 2 -Monumented by a 3.25" ALUMINUM CAP 1.6' DOWN IN A 4" PVC SLEEVE, DOWN 2.2' FROM EXISTING GROUND SURFACE, STAMPING UNREADABLE

EAST ONE-QUARTER CORNER OF SECTION 2- Monumented by an AXLE WITH 6" RING GEAR IN CONCRETE, 0.8' BELOW ASPHALT ROADWAY SURFACE

COMMENCING (P.O.C.) at the CENTER OF SECTION 2, Thence South 89°38'30" East along the North Line
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of the said Southeast One-Quarter of Section 2 also being the North Line of Tract "D" of Rehfeld Subdivision (Reception No. [A030501](#)), a distance of 1,319.68 Feet to the East Line of said Tract "D";

Thence South 0°21'49" West along the East Line of said Tract "D", a distance of 638.09 Feet to the POINT OF BEGINNING (P.O.B.);

Thence South 89°42'12" East, a distance of 30.00 Feet to a line being 30.00 Feet Easterly of and parallel with the East Line of said Tract "D";

Thence South 0°21'49" West along said parallel line, a distance of 319.03 Feet;

Thence North 89°44'03" West, a distance of 30.00 Feet to said East Line of Tract "D";

Thence North 0°21'49" East along said East Line of Tract "D", a distance of 319.04 Feet to the POINT OF BEGINNING (P.O.B.), County of Adams, State of Colorado.

The above Parcels A and B consolidated and more particularly described as follows:

A parcel of land in the Southeast One-Quarter of Section 2, Township 1 South, Range 68 West, of the Sixth Principal Meridian, in the County of Adams, State of Colorado, said parcel being more particularly described as follows:

Basis of Bearings: Bearings are based upon the North Line of the Southeast One-Quarter of Section 2, said to bear S89°38'30"E a distance of 2639.37 Feet between the monuments listed below:

CENTER OF SECTION 2 -Monumented by a 3.25" ALUMINUM CAP 1.6' DOWN IN A 4" PVC SLEEVE, DOWN 2.2' FROM EXISTING GROUND SURFACE, STAMPING UNREADABLE

EAST ONE-QUARTER CORNER OF SECTION 2- Monumented by an AXLE WITH 6" RING GEAR IN CONCRETE, 0.8' BELOW ASPHALT ROADWAY SURFACE

BEGINNING (P.O.B.) at the CENTER OF SECTION 2, Thence South 89°38'30" East along the North Line of the said Southeast One-Quarter of Section 2 also being the North Line of Tract "D" of Rehfeld Subdivision (Reception No. [A030501](#)), a distance of 1,319.68 Feet to the East Line of said Tract "D";

Thence South 0°21'49" West along said East Line of Tract "D", a distance of 638.09;

Thence South 89°42'12" East, a distance of 30.00 Feet to a line being 30.00 Feet Easterly of and parallel with the said East Line of Tract "D";

Thence South 0°21'49" West along said parallel line, a distance of 319.03 feet;

Thence North 89°44'03" West, a distance of 30.00 Feet to said East Line of Tract "D";

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Thence South 0°21'49" West along said East Line of Tract "D", a distance of 319.04 Feet to the Center Sixteenth Corner of the Southeast One-Quarter of Section 2 monumented by a 0.75" O.D. Pipe, 0.3' below the ground surface, also being accepted as the Southeast Corner of the Rehfeld Subdivision;

Thence North 89°47'11" West along the South Line of the Northwest One-Quarter of the Southeast One-Quarter of said Section 2, also being the South Line of said Tract "D", a distance of 587.60 Feet to the Southwesterly Line of said Rehfeld Subdivision;

Thence North 35°11'30" West along said Southwesterly Line of Rehfeld Subdivision, a distance of 1,259.28 Feet to the West Line of said Rehfeld Subdivision;

Thence North 0°24'11" East along said West Line of Rehfeld Subdivision, a distance of 253.10 feet to the POINT OF BEGINNING (P.O.B.), County of Adams, State of Colorado.

The above legal descriptions were prepared by:

Eric D. Carson, PLS

Prepared For and on Behalf of
CWC Consulting Group Inc.
9360 Teddy Lane, Suite #203
Lone Tree, Colorado 80124
Phone: (303) 395-2700

Parcel C:

A parcel of land in the Northeast One-Quarter of the Southeast One-Quarter of Section 2, Township 1 South, Range 68 West, of the Sixth Principal Meridian, in the County of Adams, State of Colorado, said parcel being more particularly described as follows:

Basis of Bearings: Bearings are based on the North Line of the Southeast One-Quarter of Section 2, Township 1 South, Range 68 West of the 6th Principal Meridian, said to bear N89°38'30"W, a distance of 2639.37 Feet between the monuments listed below:

CENTER OF SECTION 2 - Monumented by a 3.25" Aluminum Cap, 1.6' down in a 4" PVC Sleeve, Stamping unreadable.

EAST ONE-QUARTER CORNER OF SECTION 2 - Monumented by a Axle and Ring Gear in Concrete, 0.8' below the Asphalt Road Surface.

COMMENCING (P.O.C.) at the East One-Quarter Corner of Section 2, Thence S02°05'31"W, a distance of 955.48 Feet to the Southeast Corner of a Parcel of Land recorded at Reception No. [2018000070039](#) being on the Westerly Right-of-Way Line of York Street, Thence N89°44'03"W along the Southerly Line of said
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Parcel of Land recorded at Reception No. [2018000070039](#), a distance of 577.77 Feet to the POINT OF BEGINNING (P.O.B.);

Thence continuing N89°44'03"W along said Southerly Line, a distance of 683.09 Feet to the Westerly Line of said Parcel of Land recorded at Reception No. [2018000070039](#);

Thence N00°21'49"E along said Westerly Line, a distance of 319.03 Feet to the Northerly Line of said Parcel of Land recorded at Reception No. [2018000070039](#);

Thence S89°42'12"E along said Northerly Line, a distance of 683.09 Feet;

Thence S00°21'49"W, a distance of 318.66 Feet to the POINT OF BEGINNING (P.O.B.), County of Adams, State of Colorado.

NOTE: THE ABOVE LEGAL DESCRIPTION WILL BE AMENDED UPON SATISFACTION OF THE REQUIREMENTS HEREIN SET FORTH

For informational purposes only: APN(s): 0157302010001, 0157302010002, 0157302010003 and 0157302400004

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Commitment No. NCS-1232255-CO

SCHEDULE B, PART I—Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. Payment of all taxes and assessments now due and payable as shown on a certificate of taxes due from the County Treasurer or the County Treasurer's Authorized Agent.

NOTE: Tax certificate(s) must be ordered by or provided to the Company at least one week prior to closing.
6. Evidence that all assessments for common expenses, if any, have been paid.
7. Final Affidavit and Agreement executed by Owners and/or Purchasers must be provided to the Company.
8. Local ordinances may impose inchoate liens on the Land for unpaid water, sewer, stormwater drainage, or other utilities charges. If this transaction includes a sale of the Land, a Utilities Agreement and/or escrow is required.
9. Receipt by the Company of an ALTA/NSPS Land Title Survey, certified to First American Title Insurance Company, and in form and content satisfactory to the Company. The Company reserves the right to make further requirements and/or exceptions upon review of this survey.
10. Receipt by the Company of a true and accurate Legal Description prepared and certified by a licensed surveyor, of the property to be insured hereunder. This commitment is subject to further requirements and/or exceptions upon review.

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11. Recordation of a Vacation Ordinance(s) from County of Adams, State of Colorado, to vacate the following Tract D on the recorded Plat of Rehfeld Subdivision recorded February 7, 1974 at Reception No. [A030501](#):

See new proposed Right-of-Ways provided by surveyor.

12. Recordation of a Release of the Deed of Trust from Stratus Amber Creek, LLC to the Public Trustee of Adams County for the use of Michael Rehfeld, Scott Rehfeld, The Donelda Rehfeld Trust, Ronald Rehfeld and Justin S. Rehfeld to secure an indebtedness in the principal sum of \$2,043,700.00, and any other amounts and/or obligations secured thereby, dated March 30, 2023 and recorded March 30, 2023 at Reception No. [2023000017044](#) (affects Parcel A).

13. Receipt by the Company of the following documentation for Stratus Amber Creek, LLC, a Colorado limited liability company:

Operating Agreement, and all amendments thereto, if any.

NOTE: The Company reserves the right to make further requirements and/or exceptions upon review of the above item(s).

14. Receipt by the Company of a Corporate Resolution executed by the officers of KB Home Colorado Inc., a Colorado corporation, authorizing the transaction herein contemplated and setting forth the names and authority of those authorized to sign for the corporation.

NOTE: The Company reserves the right to make further requirements and/or exceptions upon review of the above item(s).

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Commitment No. NCS-1232255-CO

SCHEDULE B, PART II—Exceptions

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.

The Policy will not insure against loss or damage resulting from the terms and conditions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any facts, rights, interests, or claims that are not shown by the Public Records at Date of Policy but that could be (a) ascertained by an inspection of the Land, or (b) asserted by persons or parties in possession of the Land.
2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records at Date of Policy.
3. Any encroachment, encumbrance, violation, variation, easement, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records at Date of Policy.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown in the Public Records.
5. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.

Note: Exception number 5 will be removed from the policy provided the Company conducts the closing and settlement service for the transaction identified in the commitment.

6. Any and all unpaid taxes, assessments and unredeemed tax sales.
7. Any water rights, claims or title to water, in, on or under the Land, whether or not the matters excepted are shown by the Public Records.
8. Any existing leases or tenancies.

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The Following Matters Affect Parcels A & B:

9. Reservation of oil, gas and other minerals as reserved in Warranty Deed recorded June 25, 1914 in [Book 69 at Page 467](#), and any and all assignments thereof or interests therein.
10. Any and all rights of the Farmers Reservoir and Irrigation Company relating to any ditch or canal which traverses subject property or is described as a boundary of subject property, including but not limited to ditch maintenance and access rights to lands adjoining the ditch or canal, as disclosed by Deed recorded June 25, 1914 in [Book 69 at Page 467](#).
11. Reservation of oil, gas and other minerals as reserved in Deed recorded February 23, 1943 in [Book 286 at Page 85](#), and any and all assignments thereof or interests therein.
12. Terms, conditions, provisions, obligations and agreements as set forth in the Zoning Resolution recorded January 19, 1956 in [Book 590 at Page 400](#).
13. Easements, notes, covenants, restrictions and rights-of-way as shown on the plat of Rehfeld Subdivison, recorded February 7, 1974 at Reception No. [A030501](#).

Affidavit in connection therewith recorded August 6, 1974 in [Book 1946 at Page 371](#).

14. Oil and Gas Lease recorded December 10, 1976 in [Book 2109 at Page 108](#) (Affects Tract A), and any and all assignments thereof or interests therein.
15. Oil and Gas Lease recorded December 10, 1976 in [Book 2109 at Page 110](#), and any and all assignments thereof or interests therein.

Affidavit of Production and Extension of Lease in connection therewith recorded December 3, 1980 in [Book 2512 at Page 543](#).

Affidavit of Non-Production in connection therewith recorded January 20, 2022 at Reception No. [2022000006126](#) (Affects Tract C).

16. Oil and Gas Lease recorded December 10, 1976 in [Book 2109 at Page 124](#), and any and all assignments thereof or interests therein.

Affidavit of Production and Extension of Lease in connection therewith recorded December 3, 1980 in [Book 2512 at Page 542](#).

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Affidavit of Non-Production in connection therewith recorded January 20, 2022 at Reception No. [2022000006126](#) (Affects Tract B).

17. Oil and Gas Lease recorded August 11, 1977 in [Book 2164 at Page 918](#), and any and all assignments thereof or interests therein.

Amendment of Lease in connection therewith recorded August 1, 1989 in Book 3587 at Page 284 (Affects Tract B).

18. Oil and Gas Lease recorded August 11, 1977 in [Book 2164 at Page 920](#), and any and all assignments thereof or interests therein.

Oil and Gas Lease Ratification in connection therewith recorded November 14, 1988 in [Book 3509 at Page 265](#).

Declaration of Unitization in connection therewith recorded April 20, 1989 in [Book 3556 at Page 56](#), and Amendment to Declaration of Unitization recorded September 14, 1992 in [Book 3954 at Page 329](#).

Amendment of Lease in connection therewith recorded June 19, 1989 in [Book 3574 at Page 431](#).

Declaration of Pooling in connection therewith recorded December 10, 2020 at Reception No. [2020000130090](#) (Affects Tract C).

19. Oil and Gas Lease recorded August 11, 1977 in [Book 2164 at Page 924](#), and any and all assignments thereof or interests therein.

Pooling Agreement in connection therewith recorded June 22, 1979 in [Book 2359 at Page 395](#).

Production Affidavit in connection therewith recorded November 29, 1988 in [Book 3513 at Page 708](#) and Affidavit of Production recorded March 5, 2001 at Reception No. [C0768081](#) (Affects Tract A).

20. Terms, conditions, provisions, obligations and agreements as set forth in the Notice and Declaration recorded July 1, 1985 in [Book 3019 at Page 593](#).

Segregation Agreement in connection therewith recorded August 4, 1987 in [Book 3350 at Page 487](#).

Memorandum of Gas Purchase and Processing Agreement in connection therewith recorded July 29, 1994 in [Book 4364 at Page 275](#).

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21. Terms, conditions, provisions, obligations, easements and agreements as set forth in the Right of Way Agreement recorded August 30, 1989 in [Book 3596 at Page 839](#).
22. Water rights as set forth in Deeds recorded April 9, 1998 in [Book 5292 at Page 577](#) and recorded June 27, 2008 at Reception No. [2008000051850](#).
23. Request for Notification recorded July 3, 2002 at Reception No. [C0991856](#).
24. Terms, conditions, provisions, obligations and agreements as set forth in the Requests for Notifications of Surface Development recorded March 31, 2006 at Reception No. [20060331000327360](#), and May 12, 2006 at Reception No. [20060512000493700](#), and October 15, 2007 at Reception No. [2007000097421](#).
25. Terms, conditions, provisions, obligations and agreements as set forth in the Request for Notification of Application for Development recorded July 13, 2016 at Reception No. [2016000055794](#).

The Following Matters Affect Parcel C:

26. Reservation of oil, gas and other minerals as reserved in Deed recorded February 23, 1943 in [Book 286 at Page 85](#), and any and all assignments thereof or interests therein.
27. Terms, conditions, provisions, obligations and agreements as set forth in the Zoning Resolution recorded January 19, 1956 in [Book 590 at Page 400](#).
28. Oil and Gas Leases recorded November 4, 1976 in [Book 2101 at Page 402](#) and in Book 2101 at Page [404](#), and any and all assignments thereof or interests therein.
29. Oil and Gas Leases recorded December 10, 1976 in [Book 2109 at Page 112](#) and in Book 2109 at Page [114](#) and in [Book 2109 at Page 116](#), and any and all assignments thereof or interests therein.
30. Oil and Gas Leases recorded December 26, 1976 in [Book 2109 at Page 118](#) and in Book 2109 at Page [120](#), and any and all assignments thereof or interests therein.
31. Oil and Gas Leases recorded February 3, 1977 in [Book 2120 at Page 468](#) and recorded August 15, 1977 in [Book 2165 at Page 732](#), and any and all assignments thereof or interests therein.
32. Terms, conditions, provisions, obligations and agreements as set forth in the Notice and Declaration recorded July 1, 1985 in [Book 3019 at Page 593](#).

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33. Terms, conditions, provisions, obligations, easements and agreements as set forth in the Right-of-Way Contract recorded August 30, 1989 in [Book 3596 at Page 833](#).

Correction Right-of-Way Agreement in connection therewith recorded September 29, 1989 in [Book 3606 at Page 541](#).
34. Terms, conditions, provisions, obligations and agreements as set forth in the Request for Notification recorded July 3, 2002 at Reception No. [C0991856](#).
35. Terms, conditions, provisions, obligations and agreements as set forth in the Request for Notification of Surface Development recorded March 31, 2006 at Reception No. [20060331000327360](#) and recorded May 12, 2006 at Reception No. [20060512000493700](#).
36. Terms, conditions, provisions, obligations and agreements as set forth in the Request for Notification of Surface Development recorded October 15, 2007 at Reception No. [2007000097421](#).
37. Terms, conditions, provisions, obligations and agreements as set forth in the Request for Notification of Application for Development recorded July 13, 2016 at Reception No. [2016000055794](#).
38. Terms, conditions, provisions, obligations, easements and agreements as set forth in the Easement Agreement and Acknowledgement of Interest recorded October 2, 2020 at Reception No. [2020000100186](#).
39. Reservation of water and sewer taps, oil, gas and other minerals as reserved in Special Warranty Deed recorded June 3, 2024 at Reception No. [2024000029563](#), and any and all assignments thereof or interests therein.
40. An easement for utilities and incidental purposes as reserved in Easement Agreement recorded June 3, 2024 at Reception No. [2024000029564](#).

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DISCLOSURE STATEMENT

Pursuant to C.R.S. 30-10-406(3)(a) all documents received for recording or filing in the Clerk and Recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one-half of an inch. The Clerk and Recorder will refuse to record or file any document that does not conform to the requirements of this section.

NOTE: If this transaction includes a sale of the property and the price exceeds \$100,000.00, the seller must comply with the disclosure/withholding provisions of C.R.S. 39-22-604.5 (Nonresident withholding).

NOTE: Colorado Division of Insurance Regulations 8-1-2 requires that "Every title insurance company shall be responsible to the proposed insured(s) subject to the terms and conditions of the title commitment, other than the effective date of the title commitment, for all matters which appear of record prior to the time of recording whenever the title insurance company, or its agent, conducts the closing and settlement service that is in conjunction with its issuance of an owner's policy of title insurance and is responsible for the recording and filing of legal documents resulting from the transaction which was closed.

Pursuant to C.R.S. 10-11-122, the company will not issue its owner's policy or owner's policies of title insurance contemplated by this commitment until it has been provided a Certificate of Taxes due or other equivalent documentation from the County Treasurer or the County Treasurer's authorized agent; or until the Proposed Insured has notified or instructed the company in writing to the contrary.

The subject property may be located in a special taxing district. A Certificate of Taxes due listing each taxing jurisdiction shall be obtained from the County Treasurer or the County Treasurer's authorized agent. Information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor.

C.R.S. 10-11-122 (4), Colorado Notaries may remotely notarize real estate deeds and other documents using real-time audio-video communication technology. You may choose not to use remote notarization for any document.

NOTE: Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments containing a mineral severance instrument exception, or exceptions, in Schedule B, Section 2.

- A. **That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is a substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and**
- B. **That such mineral estate may include the right to enter and use the property without the surface owner's permission.**

NOTE: Pursuant to Colorado Division of Insurance Regulations 8-1-2, Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of

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Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- A. **The land described in Schedule A of this commitment must be a single family residence which includes a condominium or townhouse unit.**
- B. **No labor or materials have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.**
- C. **The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.**
- D. **The Company must receive payment of the appropriate premium.**
- E. **If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of the Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium, fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.**

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

NOTE: Pursuant to C.R.S. 38-35-125(2) no person or entity that provides closing and settlement services for a real estate transaction shall disburse funds as a part of such services until those funds have been received and are available for immediate withdrawal as a matter of right.

NOTE: C.R.S. 39-14-102 requires that a real property transfer declaration accompany any conveyance document presented for recordation in the State of Colorado. Said declaration shall be completed and signed by either the grantor or grantee.

NOTE: Pursuant to CRS 10-1-128(6)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado division of insurance within the department of regulatory agencies.

Nothing herein contained will be deemed to obligate the company to provide any of the coverages referred to herein unless the above conditions are fully satisfied.

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**ALTA COMMITMENT FOR TITLE INSURANCE
issued by
FIRST AMERICAN TITLE INSURANCE COMPANY**

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY’S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, First American Title Insurance Company, a Nebraska Corporation (the “Company”), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Amount of Insurance and the name of the Proposed Insured.

If all of the Schedule B, Part I—Requirements have not been met within six months after the Commitment Date, this Commitment terminates and the Company’s liability and obligation end.

FIRST AMERICAN TITLE INSURANCE COMPANY

By: 
Kenneth D. DeGiorgio, President

By: 
Lisa W. Cornehl, Secretary

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COMMITMENT CONDITIONS

1. DEFINITIONS

- a. "Discriminatory Covenant": Any covenant, condition, restriction, or limitation that is unenforceable under applicable law because it illegally discriminates against a class of individuals based on personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or other legally protected class.
- b. "Knowledge" or "Known": Actual knowledge or actual notice, but not constructive notice imparted by the Public Records.
- c. "Land": The land described in Item 5 of Schedule A and improvements located on that land that by State law constitute real property. The term "Land" does not include any property beyond that described in Schedule A, nor any right, title, interest, estate, or easement in any abutting street, road, avenue, alley, lane, right-of-way, body of water, or waterway, but does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- d. "Mortgage": A mortgage, deed of trust, trust deed, security deed, or other real property security instrument, including one evidenced by electronic means authorized by law.
- e. "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- f. "Proposed Amount of Insurance": Each dollar amount specified in Schedule A as the Proposed Amount of Insurance of each Policy to be issued pursuant to this Commitment.
- g. "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- h. "Public Records": The recording or filing system established under State statutes in effect at the Commitment Date under which a document must be recorded or filed to impart constructive notice of matters relating to the Title to a purchaser for value without Knowledge. The term "Public Records" does not include any other recording or filing system, including any pertaining to environmental remediation or protection, planning, permitting, zoning, licensing, building, health, public safety, or national security matters.
- i. "State": The state or commonwealth of the United States within whose exterior boundaries the Land is located. The term "State" also includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and Guam.
- j. "Title": The estate or interest in the Land identified in Item 3 of Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:
 - a. the Notice;
 - b. the Commitment to Issue Policy;
 - c. the Commitment Conditions;
 - d. Schedule A;

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- e. Schedule B, Part I—Requirements; and
- f. Schedule B, Part II—Exceptions; and
- g. a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company is not liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- a. The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - i. comply with the Schedule B, Part I—Requirements;
 - ii. eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - iii. acquire the Title or create the Mortgage covered by this Commitment.
- b. The Company is not liable under Commitment Condition 5.a. if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- c. The Company is only liable under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- d. The Company's liability does not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Condition 5.a. or the Proposed Amount of Insurance.
- e. The Company is not liable for the content of the Transaction Identification Data, if any.
- f. The Company is not obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
- g. The Company's liability is further limited by the terms and provisions of the Policy to be issued to the Proposed Insured.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT; CHOICE OF LAW AND CHOICE OF FORUM

- a. Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- b. Any claim must be based in contract under the State law of the State where the Land is located and is restricted to the terms and provisions of this Commitment. Any litigation or other proceeding brought by the Proposed Insured against the Company must be filed only in a State or federal court having jurisdiction.
- c. This Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or

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- oral, express or implied, relating to the subject matter of this Commitment.
- d. The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
 - e. Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
 - f. When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.
- 7. IF THIS COMMITMENT IS ISSUED BY AN ISSUING AGENT**
The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for closing, settlement, escrow, or any other purpose.
- 8. PRO-FORMA POLICY**
The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.
- 9. CLAIMS PROCEDURES**
This Commitment incorporates by reference all Conditions for making a claim in the Policy to be issued to the Proposed Insured. Commitment Condition 9 does not modify the limitations of liability in Commitment Conditions 5 and 6.
- 10. CLASS ACTION**
ALL CLAIMS AND DISPUTES ARISING OUT OF OR RELATING TO THIS COMMITMENT, INCLUDING ANY SERVICE OR OTHER MATTER IN CONNECTION WITH ISSUING THIS COMMITMENT, ANY BREACH OF A COMMITMENT PROVISION, OR ANY OTHER CLAIM OR DISPUTE ARISING OUT OF OR RELATING TO THE TRANSACTION GIVING RISE TO THIS COMMITMENT, MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS OR REPRESENTATIVE PROCEEDING. ANY POLICY ISSUED PURSUANT TO THIS COMMITMENT WILL CONTAIN A CLASS ACTION CONDITION.
- 11. ARBITRATION**
The Policy contains an arbitration clause. All arbitrable matters when the Proposed Amount of Insurance is \$2,000,000 or less may be arbitrated at the election of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

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