

## **PERMANENT DRAINAGE EASEMENT**

KNOW ALL MEN BY THESE PRESENTS:

Isabelle Estates, Inc., a Colorado Corporation, whose legal address is 864 W. South Boulder Road, Suite 200, Louisville, Colorado 80027, hereinafter called "Grantor," for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, and convey to DENVER PREMIUM OUTLETS, LLC, a Delaware limited liability company, whose legal address is 60 Columbia Road, Building B, 3<sup>rd</sup> Floor, Morristown, NJ 07960 hereinafter "DPO," its successors and assigns, and to the COUNTY OF ADAMS, STATE OF COLORADO, a body politic, whose address is 4430 South Adams County Parkway, Brighton, Colorado 80601 hereinafter "County," its successors and assigns, a non-exclusive permanent storm water drainage easement ("Easement"). The Easement is granted to DPO solely for the purpose of the maintenance of the drainage facilities for a detention pond located on DPO's property as described in Exhibit "A", including maintenance of outlet pipes, ditches, maintenance roads, etc. The Easement is granted to the County to be used solely in the event that DPO fails to maintain the drainage facilities for the detention pond, including maintenance of outlet pipes, ditches, maintenance roads, etc. The Easement is to be used as described above, together with lateral and subjacent support thereto as may from time to time be required on, over, across, and through the following described land to wit:

Legal description as set forth in Exhibit "B" attached hereto and incorporated by this reference.

It is understood and agreed that Grantor, its successors and assigns, shall have the non-exclusive right to use the entire drainage facility to be constructed by DPO upon and within said Easement and shall share equally in the maintenance cost of the facility located within the easement.

In further consideration hereof, Grantor covenants and agrees that no permanent buildings or structures will be placed, erected, installed or permitted upon said easement that will cause any obstructions to prevent the proper maintenance and use of said drainage facility.

In the event the County exercises its right to maintain the detention pond, all of the County's costs to maintain the drainage facilities shall be reimbursed by DPO within thirty days of receiving the County's invoice, including any collection costs and attorney fees.

In further consideration of the granting of this easement, it is hereby agreed that all work performed by the County, its successors and assigns, in connection with this easement shall be done with care, and the surface of the property shall be restored to its original condition, or as close thereto as possible, except as necessarily modified to accommodate the facilities and appurtenances installed and any damages caused on said easement arising out of the reconstruction, maintenance and repair of said drainage

facilities and appurtenances in the exercise of the rights hereby provided shall be restored reasonably similar to its original condition following completion of the work performed.

IN WITNESS WHEREOF, Grantor has hereto set his hand on this 13<sup>th</sup> day of December, 2017.

Isabelle Estates, Inc.

By: [Signature]  
Byron R. Chrisman, President

STATE OF COLORADO  
COUNTY OF BOULDER

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of December, 2017, by Byron R. Chrisman, as President of Isabelle Estates, Inc.

IN WITNESS WHEREOF, I have hereto set my hand and official seal.

[Signature]  
Notary Public

My commission expires: 7-31-19



Denver Premium Outlets, LLC

By: 

Print Name: Danielle DeVita

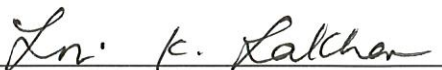
Print Title: Vice President

STATE OF NEW JERSEY

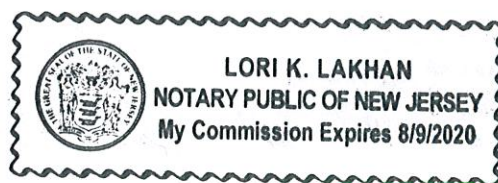
COUNTY OF MORRIS

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of January, 2018, by Danielle DeVita, as Vice President of Denver Premium Outlets, LLC.

IN WITNESS WHEREOF, I have hereto set my hand and official seal.

  
Notary Public

My commission expires: 8/9/2020



**EXHIBIT "A"**

Parcel 3 as described in the Special Warranty Deed recorded April 15, 2016 at Reception No. 2016000028770, County of Adams, State of Colorado.

## LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE TRACTS OF LAND DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED ON JULY 8, 2016 AT RECEPTION NO. 2016000054266 OF THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE, LOCATED WITHIN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 1 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE SOUTH SIXTEENTH CORNER BETWEEN SAID SECTION 22 AND SECTION 23, TOWNSHIP 1 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN AND CONSIDERING THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22 TO BEAR NORTH 89°58'36" WEST, A DISTANCE OF 1311.47 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE ALONG SAID SOUTH LINE, NORTH 89°58'36" WEST, A DISTANCE OF 282.81 FEET TO THE **POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID SOUTH LINE, NORTH 89°58'36" WEST, A DISTANCE OF 808.86 FEET;

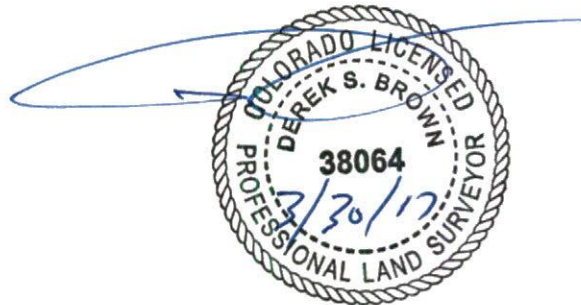
THENCE DEPARTING SAID SOUTH LINE, NORTH 00°01'24" EAST, A DISTANCE OF 20.00 FEET;

THENCE SOUTH 89°58'36" EAST, A DISTANCE OF 808.86 FEET;

THENCE SOUTH 00°01'24" WEST, A DISTANCE OF 20.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.371 ACRES, (16,177 SQUARE FEET), MORE OR LESS.

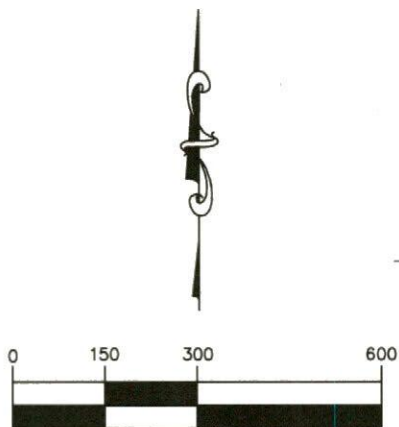
EXHIBIT ATTACHED AND MADE A PART HEREOF.



DEREK S. BROWN, PLS  
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.  
300 E. MINERAL AVE., SUITE 1, LITTLETON, CO 80122  
303-713-1898



ILLUSTRATION TO EXHIBIT B


$$1 \text{ inch} = 300 \text{ ft.}$$

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°01'24"E	20.00'
L2	S00°01'24"W	20.00'

SE 1/16 CORNER SECTION 22,  
T.1S., R.68W., 6TH P.M.  
RECOVERED NO. 6 REBAR  
WITH 2-1/2" ALUM. CAP  
STAMPED "D.B. & CO. PLS  
23529 2005"

E. LINE, NW 1/4, SE 1/4, SECTION 22  
S00°46'25"E 1321.48'

C-E 1/16 CORNER SECTION 22, T.1S., R.68W., 6TH P.M.  
RECOVERED NO. 6 REBAR WITH 3-1/4" ALUM. CAP  
STAMPED "AZTEC PLS 38064 2014" N. I.

E 1/4 CORNER SECTION 22,  
T.1S, R.68W., 6TH P.M.  
RECOVERED NO. 6 REBAR WITH  
2-1/2" ALUMINUM CAP STAMPED  
"ZBS INC. PLS 34579 2008" IN MONUMENT BOX

N. LINE, SE 1/4, SECTION 22

N89°57'30"W 2622.46'

RIGHT-OF-WAY TO CITY OF THORNTON  
BOOK 3767, PAGE 170

UNPLATTED  
(REC. NO. C0749423)

NE 1/4, SE 1/4 SEC. 22,  
T.1S., R.68W., SIXTH P.M.

RIGHT-OF-WAY TO ADAMS COUNTY  
BOOK 3749, PAGE 341

RIGHT-OF-WAY TO ADAMS COUNTY  
BOOK 236, PAGE 71

UNPLATTED  
(REC. NO. 2016000054266)

PARCEL CONTAINS  
16,177 (SQ.FT.)  
0.371 ACRES  
MORE OR LESS

N89°58'36"W  
282.81' (TIE)

S89°58'36"E  
808.86'

S. LINE, NE 1/4, SE 1/4, SECTION 22  
N89°58'36"W 1311.47'  
(BASIS OF BEARINGS)

N89°58'36"W  
808.86'

### POINT OF BEGINNING

UNPLATTED  
(REC. NO. 2016000028770)

SE 1/4, SE 1/4 SEC. 22,  
T.1S., R.68W., SIXTH P.M.

### POINT OF COMMENCEMENT

S 1/16 CORNER SECTION 22  
T.1S., R.68W., 6TH P.M.  
RECOVERED 2-1/2" IRON PIPE  
WITH 3-1/4" ALUMINUM CAP  
STAMPED "PLS 1995"

NOTE: THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

PATH: Q:48115-11\DWG\EXHIBTS  
 DWG NAME: OFFSITE STORM EASEMENT.DWG  
 DWG: TP CHK: DSB  
 DATE: 2017-01-12  
 SCALE: 1" = 300'



**AZTEC**  
CONSULTANTS, INC.

**300 East Mineral Ave,  
Suite 1  
Littleton, Colorado 80122  
Phone: (303)713-1898  
Fax: (303)713-1897  
[www.azteconsultants.com](http://www.azteconsultants.com)**

## DRAINAGE EASEMENT

ADAMS COUNTY LAND DEDICATION

NE 1/4, SE 1/4, SEC. 22, T.1S., R.68W., 6TH P.M.

JOB NUMBER 48115-11

2 OF 2 SHEETS