

TEMPORARY ACCESS EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That SEC 2-3 Phoenix, LLC, whose legal address is 9200 East Mineral Avenue, Suite 365, Centennial, CO, 80112, hereinafter called "Grantor", for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, and convey 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 temporary access easement for the purpose of ingress, egress, maintenance, emergency access, and pedestrian use, together with lateral and subjacent support thereto as may from time to time be required on, over, across, and through a portion of a cul-de-sac on Galena Court and Florence Way. Said easement to be used for temporary access until such a time as the road is extended beyond the cul-de-sac, construction of the road is completed, and the road has been dedicated to and accepted by the County, at which point this easement shall terminate.

Legal description of the property subject to this easement is set forth in Exhibit "A" attached hereto and incorporated by this reference.

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 access.

In the event the County exercises its right to maintain the access all of the County's costs to maintain the temporary access shall be reimbursed by Grantor 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 damage caused on said easement arising out of the reconstruction, maintenance and repair of said temporary access 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, the parties hereto have set their hand and seal this

10TH day of May 2019.

Name,

By

Print Name: GEORGE R. HANLON, JR

Print Title: MANAGER

STATE OF CO)
COUNTY OF Douglas) S

The foregoing instrument was acknowledged before me this 10 day of May,
2019 by George Hanlon, as member of
Section 2-3 Phoebe Colorado, LLC

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

Kim Harrison
Notary Public

My commission expires: 5/23/2020

KIM T. HARRISON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20084015674
MY COMMISSION EXPIRES MAY 23, 2020

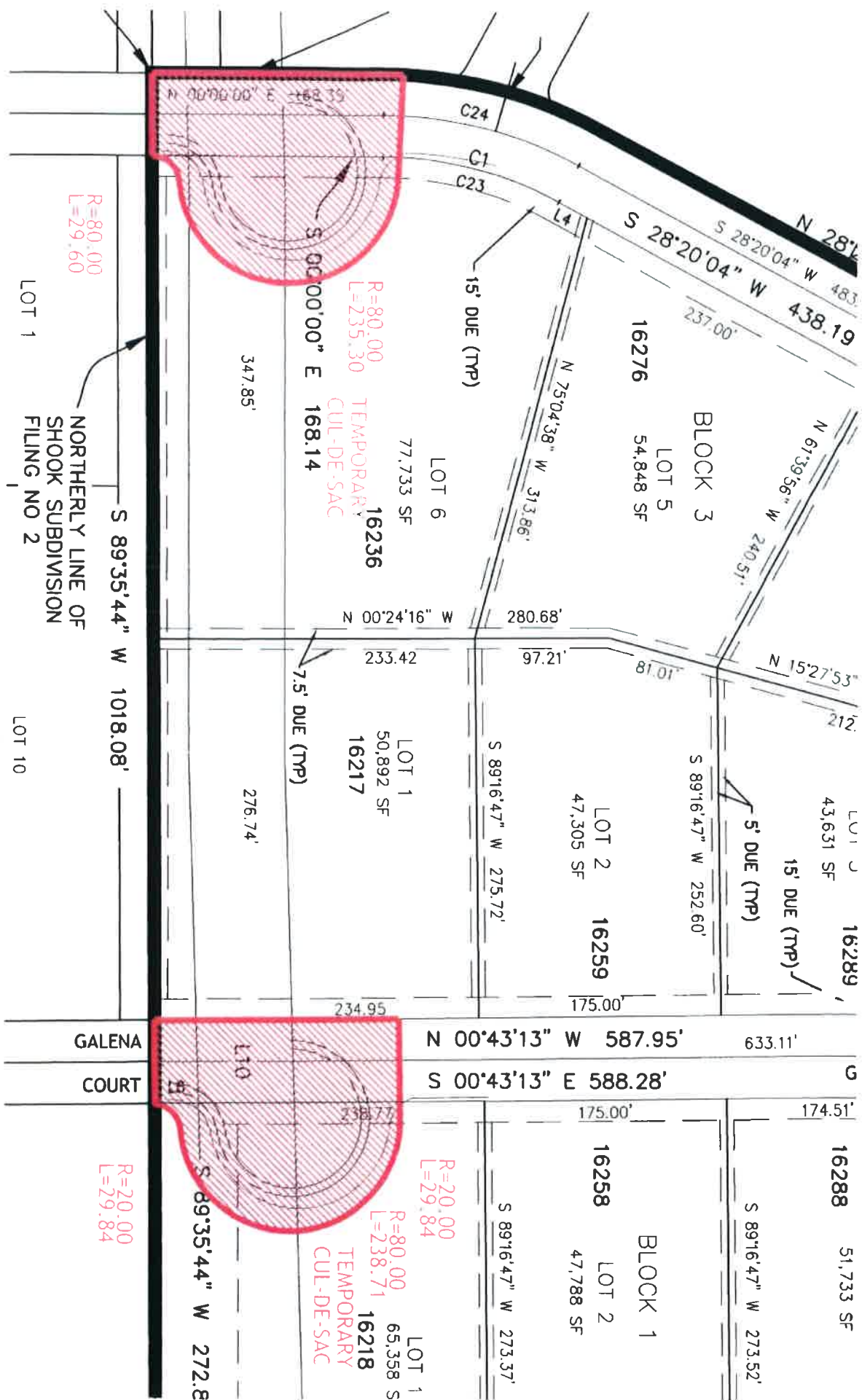


EXHIBIT A

LEGAL DESCRIPTION: TEMPORARY EASEMENT FOR GALENA COURT CUL-DE-SAC

THAT PART OF THE SOUTHEAST ONE-QUARTER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 5, BLOCK 4, SHOOK SUBDIVISION FILING NO. 2 AS RECORDED IN RECEPTION NO. 2018000099790, ADAMS COUNTY RECORDS; THENCE NORTH $00^{\circ}43'13''$ WEST ALONG THE PROPOSED WEST RIGHT-OF-WAY LINE OF GALENA COURT, A DISTANCE OF 177.40 FEET; THENCE NORTH $89^{\circ}16'47''$ EAST A DISTANCE OF 65.82 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, THE DELTA OF SAID CURVE IS $180^{\circ}00'00''$, THE RADIUS OF SAID CURVE 80.00 FEET, THE CHORD OF SAID CURVE BEARS SOUTH $05^{\circ}14'19''$ EAST, 160.00 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 251.33 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, THE DELTA OF SAID CURVE IS $80^{\circ}34'47''$, THE RADIUS OF SAID CURVE 20.00 FEET, THE CHORD OF SAID CURVE BEARS SOUTH $44^{\circ}28'17''$ WEST, 25.87 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 28.13 FEET TO THE NORTH LINE OF SAID SHOOK SUBDIVISION FILING NO. 2; THENCE SOUTH $89^{\circ}35'44''$ WEST ALONG SAID NORTH LINE, A DISTANCE OF 60.07 FEET TO THE POINT OF BEGINNING. CONTAINS 22,725 SQUARE FEET OR 0.5217 ACRES MORE OR LESS.



RAYMOND W. BAYER
REG. P.L.S. NO. 6973

Prepared By:

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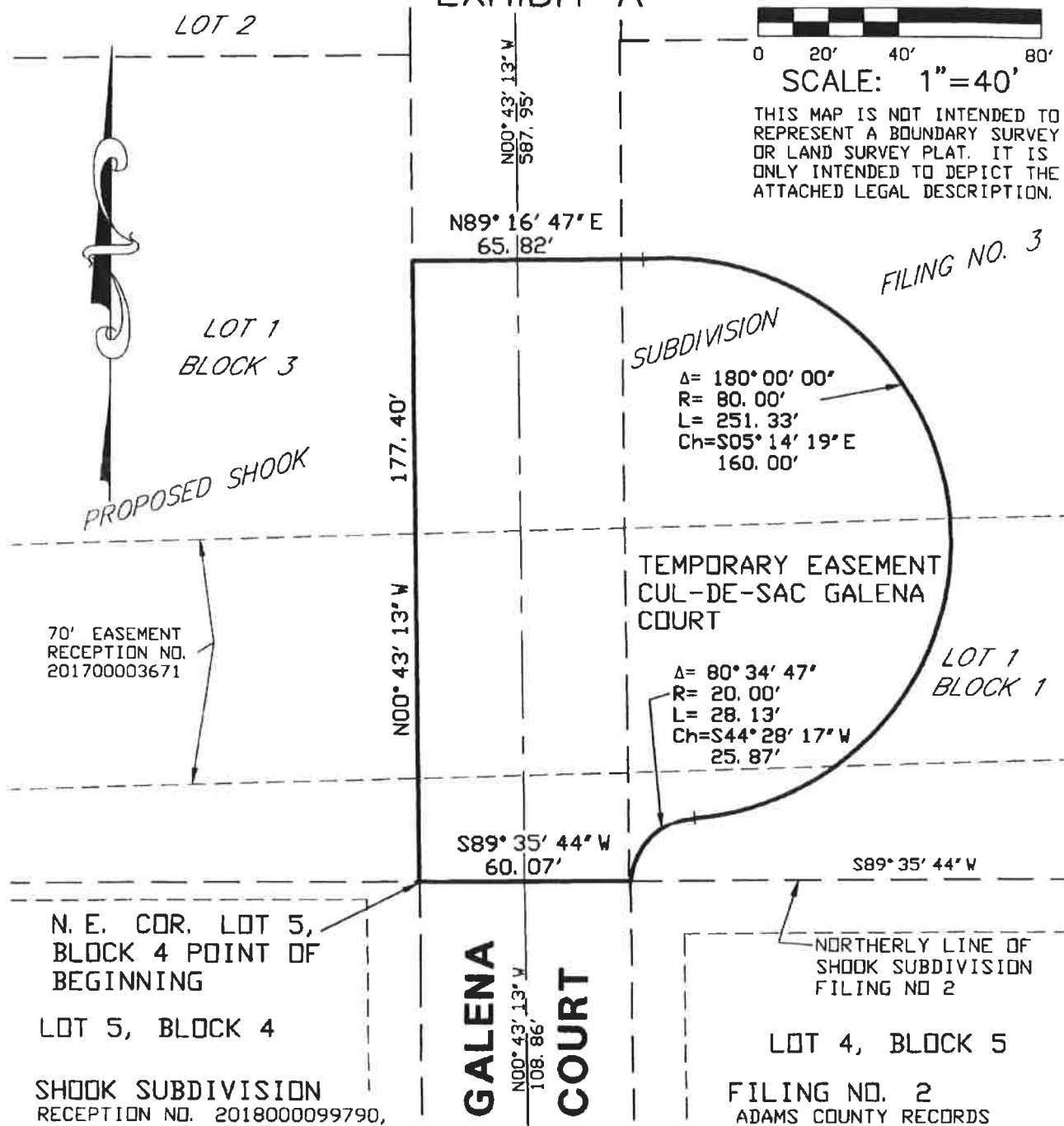
Date Prepared: JANUARY 30, 2019
SHEET 1 OF 2

EXHIBIT A



SCALE: 1"=40'

THIS MAP IS NOT INTENDED TO REPRESENT A BOUNDARY SURVEY OR LAND SURVEY PLAT. IT IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.



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 SHEET 2 OF 2

EXHIBIT A

LEGAL DESCRIPTION: TEMPORARY EASEMENT FOR FLORENCE WAY CUL-DE-SAC

THAT PART OF THE SOUTHEAST ONE-QUARTER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF OUTLOT H, SHOOK SUBDIVISION FILING NO. 2 AS RECORDED IN RECEPTION NO. 2018000099790, ADAMS COUNTY RECORDS; THENCE NORTH 00°00'00" EAST ALONG THE PROPOSED WEST RIGHT-OF-WAY LINE OF FLORENCE WAY, A DISTANCE OF 168.56 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, THE DELTA OF SAID CURVE IS 02°28'21", THE RADIUS OF SAID CURVE 330.00 FEET, THE CHORD OF SAID CURVE BEARS NORTH 01°14'11" EAST, 14.24 FEET; THENCE ALONG THE ARC OF SAID CURVE AND ALONG SAID PROPOSED WEST RIGHT-OF-WAY LINE, A DISTANCE OF 14.24 FEET; THENCE SOUTH 87°31'39" EAST A DISTANCE OF 79.47 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, THE DELTA OF SAID CURVE IS 168°31'27", THE RADIUS OF SAID CURVE 80.00 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 00°32'40" WEST, 159.20 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 235.30 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, THE DELTA OF SAID CURVE IS 87°36'28", THE RADIUS OF SAID CURVE 19.186 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 41°56'54" WEST, 26.56 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 29.34 FEET TO THE NORTH LINE OF SAID SHOOK SUBDIVISION FILING NO. 2; THENCE SOUTH 89°35'44" WEST ALONG SAID NORTH LINE, A DISTANCE OF 60.44 FEET TO THE POINT OF BEGINNING. CONTAINS 22,763 SQUARE FEET OR 0.5226 ACRES MORE OR LESS.



RAYMOND W. BAYER
REG. P.L.S. NO. 6973

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SCALE: 1"=40'

THIS MAP IS NOT INTENDED TO REPRESENT A BOUNDARY SURVEY OR LAND SURVEY PLAT. IT IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.



$\Delta = 02^{\circ}28'21"$
 $R = 330.00'$
 $L = 14.24'$
 $Ch = N01^{\circ}14'11"E$
 $14.24'$

$S87^{\circ}31'39"E$
 $79.47'$

BLOCK 3

LOT 6

FILING NO. 3

$\Delta = 168^{\circ}31'27"$
 $R = 80.00'$
 $L = 235.30'$
 $Ch = S00^{\circ}32'40"W$
 $159.20'$

SUBDIVISION
 TEMPORARY
 EASEMENT
 CUL-DE-SAC
 FLORENCE WAY

$\Delta = 87^{\circ}36'28"$
 $R = 19.186'$
 $L = 29.34'$
 $Ch = S41^{\circ}56'54"W$
 $26.56'$

70' EASEMENT
 RECEPTION NO.
 201700003671

N. E. COR.
 OUTLOT H
 POINT OF
 BEGINNING

$N00^{\circ}00'00"E$
 $168.56'$

$N00^{\circ}00'00"E$
 $168.35'$

$S89^{\circ}35'44"W$

$S89^{\circ}35'44"W$
 $60.44'$

$S89^{\circ}35'44"W$

OUTLOT H

SHOOK
 RECEPTION NO.

LOT 5
 BLOCK 1

**FLORENCE
 WAY**

$N00^{\circ}00'00"E$
 $287.06'$

NORTHERLY LINE OF
 SHOOK SUBDIVISION
 FILING NO 2

LOT 4, BLOCK 4

SUBDIVISION FILING NO. 2
 2018000099790, ADAMS COUNTY RECORDS

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