

**PLANNING COMMISSION FOR
ADAMS COUNTY, STATE OF COLORADO**

**RESOLUTION RECOMMENDING ACCEPTANCE OF A PERMANENT DRAINAGE
EASEMENT FROM 53 FED PARTNERS, LLLP TO ADAMS COUNTY FOR STORM
WATER DRAINAGE PURPOSES**

At a regular meeting of the Planning Commission for Adams County, Colorado, held at the County Government Center in Brighton, Colorado, on Thursday the 25th day of March 2021, the following proceedings, among others, were had and done, to wit:

WHEREAS, the Adams County Planning Commission has considered the advisability of approving a permanent drainage easement from 53 Fed Partners, LLLP, for storm water drainage purposes, being on the following described property:

See Legal Description as set forth in Exhibit "A" attached hereto and incorporated herein by this reference.

WHEREAS, this Permanent Drainage Easement is in conjunction with a building permit for a property located in the Northwest quarter of Section 17, Township 3 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado.

NOW, THEREFORE, BE IT RESOLVED that the Adams County Planning Commission recommends to the Board of County Commissioners that said Permanent Drainage Easement be accepted by the Board of County Commissioners.

Upon a motion duly made and seconded, the foregoing resolution was adopted.

I, Justin Martinez, Chair of the Adams County Planning Commission, do here by certify that the annexed foregoing resolution is a true and correct record of the proceedings of the Adams County Planning Commission.



Chair
Adams County Planning Commission

PERMANENT DRAINAGE EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That **53 FED PARTNERS, LLLP**, whose legal address is 2921 W. 38th Avenue, Suite 343, Denver, Colorado, 80211, 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 permanent storm water drainage easement for the purpose of maintenance of all drainage facilities including inlets, pipes, culverts, channels, ditches, hydraulic structures, detention basins, catch grates, maintenance roads, etc., said easement to be used solely in the event Grantor fails to maintain such drainage facilities, 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 Exhibits "A" attached hereto and incorporated herein by this reference.

Together with the right to ingress and egress over and across the land of Grantor by means of roads and lanes thereon if such there be; otherwise by such route as shall cause the least practical damage and inconvenience to the Grantor.

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 detention pond 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 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 8th day of March, 2021.

By: 53 Fed Partners, LLP

Print Name: By: Transom West Development, LLC

General Partner

By: Hampton Barclay

STATE OF COLORADO)

COUNTY OF Denver) §

The foregoing instrument was acknowledged before me this 8th day of March, 2021 by Hampton Barclay, as General Manager of 53 Fed Partners, LLLP of Transom West Development LLC, General Manager

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

[Signature]

Notary Public

My commission expires: 9/25/2024

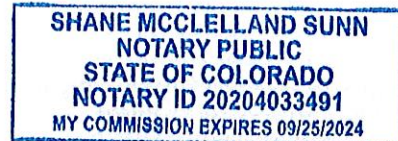


EXHIBIT A

A PARCEL OF LAND BEING A PORTION OF LOT 1, BERKELEY GARDENS NUMBER TWO – SECOND AMENDMENT, A SUBDIVISION FILED AT RECEPTION NO. 2020000038980 IN THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE; SITUATED IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS N00°20'19"W, ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17; SAID BEARING IS AS PER THE PLAT OF SAID BERKELEY GARDENS NUMBER TWO – SECOND AMENDMENT.

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE S58°51'31"E A DISTANCE OF 76.20 FEET TO THE POINT OF BEGINNING;

THENCE N65°21'34"E A DISTANCE OF 8.82 FEET; THENCE S44°41'40"E A DISTANCE OF 30.08 FEET; THENCE S60°07'06"E A DISTANCE OF 11.62 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 27.50 FEET, AN ARC LENGTH OF 36.25 FEET, A CENTRAL ANGLE OF 75°31'39", AND A CHORD BEARING N82°07'04"E A DISTANCE OF 33.68 FEET; THENCE N89°39'41"E A DISTANCE OF 12.95 FEET; THENCE S00°20'19"E A DISTANCE OF 70.46 FEET; THENCE S89°39'41"W A DISTANCE OF 12.11 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 370.68 FEET, AN ARC LENGTH OF 55.10 FEET, A CENTRAL ANGLE OF 08°31'02", AND A CHORD BEARING N33°34'29"W A DISTANCE OF 55.05 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 302.92 FEET, AN ARC LENGTH OF 13.58 FEET, A CENTRAL ANGLE OF 02°34'04", AND A CHORD BEARING N60°25'34"W A DISTANCE OF 13.57 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 365.68 FEET, AN ARC LENGTH OF 29.89 FEET, A CENTRAL ANGLE OF 04°41'00", AND A CHORD BEARING N42°08'21"W A DISTANCE OF 29.88 FEET; THENCE N43°41'51"W A DISTANCE OF 19.00 FEET TO THE POINT OF BEGINNING.

CONTAINING: 2699 SQUARE FEET, 0.062 ACRES, MORE OR LESS.

THIS LEGAL DESCRIPTION WAS PREPARED BY:
DON LAMBERT, PLS 30830
FOR AND ON BEHALF OF Esi land surveying, llc



SHEET 1 OF 3

*Esi land
surveying, llc*

3531 S. Logan St. D-324
Englewood, CO 80113
Ph: 303-340-0113

EXHIBIT A

PLOT 39

Scale: 1" = 40'

BERKELEY
GARDENS
NUMBER TWO

PLAT BK. 1, PG. 56

LOT 1

BERKELEY GARDENS NUMBER
TWO - SECOND AMENDMENT

REC. NO. 2020000038980

PLOT 40

FEDERAL BOULEVARD

(110' PUBLIC RIGHT OF WAY)

E'LY LINE NW $\frac{1}{4}$ SEC. 17



POINT OF
COMMENCEMENT

POINT OF
BEGINNING

REGIS ROAD
(40' PUBLIC RIGHT OF WAY)

WEST 53rd AVE.
(VARIABLE WIDTH PUBLIC RIGHT OF WAY)

LOT 5

RANNEY'S RESUBDIVISION OF
PLOT 41 BERKELEY GARDENS
NUMBER TWO

FILE 10, MAP 184

LOT 6



BASIS OF BEARINGS

N00°20'19"W

SHEET 2 OF 3

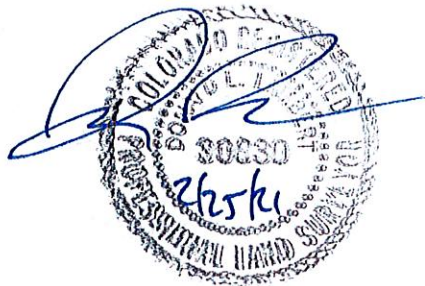
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EXHIBIT A

PARCEL LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S58°51'31"E	76.20
L2	N65°23'34"E	8.82
L3	S44°41'40"E	30.08
L4	S60°07'06"E	11.62
L5	N89°39'41"E	12.95
L6	S00°20'19"E	70.46
L7	S89°39'41"W	12.11
L8	N43°41'51"W	19.00

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	36.25	27.50	75°31'39"	N82°07'04"E	33.68
C2	55.10	370.68	8°31'02"	N33°34'29"W	55.05
C3	13.58	302.92	2°34'04"	N60°25'34"W	13.57
C4	29.89	365.68	4°41'00"	N42°08'21"W	29.88



SHEET 3 OF 3

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