AGENDA

1. OPENING

1.a. CALL TO ORDER
Arapahoe County Board of County Commissioners

1.b. INTRODUCTION
Ron Carl, County Attorney
Joleen Sanchez, Clerk to the Board Administrator

1.c. ROLL CALL

1.d. PLEDGE OF ALLEGIANCE

2. MODIFICATION TO THE AGENDA

3. ADOPTION OF THE AGENDA

4. CITIZEN COMMENT PERIOD
Citizens are invited to speak to the Commissioners on non-agenda items. There is a
3-minute time limit per person, unless otherwise noted by the Chair.

5. APPROVAL OF THE MINUTES

5.a. BOCC Public Meeting Minutes: January 21, 2020
Full Board was present
6. CONSENT AGENDA

6.a. 2020 Signature Authority Resolution
Adoption of a resolution delegating signature authority to Elected Officials, Department Directors, and employees for the year 2019

Tiffanie Bleau, Senior Assistant County Attorney
Ron Carl, County Attorney

Documents:

BOARD SUMMARY REPORT SIG AUTH RES 2020.DOC
RESO SIGNATURE AUTHORITY 2020 - FINAL.DOC

6.b. Abatement (1 Resolution)
Adoption of a resolution approving the recommendations of the Assessor for an abatement petition as a result of agreements reached between taxpayers and the County regarding the value of property for property tax purposes, pursuant to the terms contained therein

Julia McQueen, Business Analyst, Assessor’s Office
PK Kaiser, Assessor
Todd Weaver, Budget Manager, Finance
Ron Carl, County Attorney

Documents:

BOARD SUMMARY REPORT FOR FEBRUARY 11 2020.DOC
CONSENT AGENDA FEBRUARY 11 2020.XLS
2020 RESOLUTION BOARD APPROVAL.DOC

6.c. C15-002 & C15-026 Iliff Avenue Corridor Improvements - Parcel 16 Eminent Domain
Adoption of a resolution to authorize the initiation of eminent domain proceedings by County Staff and Agents for Parcel 16 for Right-of-Way (ROW) and Temporary Easement (TE) to support the Iliff Avenue Corridor Improvements project. The parcel of land requested for right-of-way and temporary easement is located along the north side of East Iliff Avenue and at East Warren Drive

Ryan Seacrist, Capital Improvements Program Engineer III, Public Works and Development
Cathleen Valencia, Capital Improvements Program Manager, Public Works and Development
James Katzer, Division Manager, Public Works and Development
Bryan Weimer, Director, Public Works and Development
Todd Weaver, Budget Manager, Finance
Robert Hill, Senior Assistant County Attorney

Documents:

20200128 - C15-002 BSR CONDEMN APPROVAL PARCEL 16.PDF
RESOLUTION FOR PROPERTY ACQUISITION TE-16 AND RW-16 (00751325).DOCX
6.d. **Case Number E19-057 Approval of a Public Use Easement Agreement**
Adoption of a resolution to approve a Public Use Easement Agreement for execution and to authorize Bryan Weimer, Director, Department of Public Works and Development, to execute this specific easement agreement on behalf of the Board. A portion of a sidewalk along the west side of Copperleaf Boulevard, south of East Quincy Avenue, will be located outside of the right-of-way and existing public use easement, requiring this easement to be dedicated.

*Kurt Cotten, Engineering Services Division, Public Works and Development*
*Bryan Weimer, Director, Public Works and Development*
*Keith Ashby, Purchasing Manager, Finance*
*Robert Hill, Senior Assistant County Attorney*

Documents:

   E19-057 PUBLIC USE EASEMENT AGREEMENT CONSENT AGENDA.PDF

6.e. **Property Tax - Board of Assessment Appeals (1 Resolution)**
Adoption of a resolution approving stipulations which resulted from agreements reached between the taxpayer and the County regarding a reduction in the amount of property tax owed, pursuant to the terms contained therein.

*Ron Carl, County Attorney*
*Karen Thompsen, Paralegal, County Attorney’s Office*

Documents:

   2 FEBRUARY 11, 2020.DOC
   SAMPLE BAA RESOLUTION- 2020.DOC

7. **GENERAL BUSINESS ITEMS**

7.a. **There are no Public Hearing or General Business resolutions to consider**

8. **COMMISSIONER COMMENTS**

*Denotes a requirement by federal or state law that this item be opened to public testimony. All other items under the “General Business” agenda may be opened for public testimony at the discretion of the Board of County Commissioners.*

*Arapahoe County is committed to making its public meetings accessible to persons with disabilities. Assisted listening devices are available. Ask any staff member and we will provide one for you. If you need special accommodations, contact the Commissioners' Office at 303-795-4630 or Relay Colorado 711.*

*Please contact our office at least 5 days in advance to make arrangements.*
MINUTES OF THE ARAPAHOE COUNTY
BOARD OF COUNTY COMMISSIONERS
TUESDAY, JANUARY 21, 2020

At a public meeting of the Board of County Commissioners for Arapahoe County, State of Colorado, held at 5334 South Prince Street, Littleton, Colorado 80120 there were:

Nancy Sharpe, Chair
Bill Holen, Chair Pro Tem
Kathleen Conti
Jeff Baker
Nancy Jackson
Ron Carl
Joan Lopez
Gail Stumpo
Commissioner District 2
Commissioner District 5
Commissioner District 1
Commissioner District 3
Commissioner District 4
County Attorney
Clerk to the Board
Administrator
Present
Present
Present
Present
Present
Absent and Excused
Present

when the following proceedings, among others, were had and done, to-wit:

CALL TO ORDER
Commissioner Sharpe called the meeting to order.

INTRODUCTIONS

ROLL CALL

PLEDGE OF ALLEGIANCE

MODIFICATION(S) TO THE AGENDA
There were no modifications to the agenda.

ADOPTION OF THE AGENDA

The motion was made by Commissioner Baker and duly seconded by Commissioner Conti to adopt the Agenda as presented.

The motion passed unanimously.

CITIZEN COMMENT PERIOD
There were no citizen comments on this date.

CEREMONIES
There were no ceremonies on this date.
CONSENT AGENDA
The motion was made by Commissioner Holen, duly seconded by Commissioner Jackson to approve the consent agenda as presented.

The motion passed unanimously.

GENERAL BUSINESS ITEMS
There were no General Business Items on this date.

COMMISSIONER COMMENTS
There were no Commissioner comments.

There being no other business before the Board, Commissioner Baker adjourned the meeting at 9:33 a.m.

____________________________________________________
JOAN LOPEZ, CLERK TO THE BOARD
BY GAIL STUMPO, CLERK TO THE BOARD ADMINISTRATOR
Board Summary Report

Date: January 27, 2020

To: Board of County Commissioners

From: Tiffanie Bleau, Senior Assistant County Attorney

Subject: Resolution re: signature authority of department directors, officials and employees

Request and Recommendation
The purpose of this report is to discuss a proposed resolution scheduled for the February 11, 2020 consent agenda.

Background & Discussion
The BOCC has for a number of years adopted a resolution delegating authority to sign contracts and other documents, and to take certain actions, to department directors, and other officials and employees. Every year the resolution automatically expires on the date of the annual reorganization meeting in February, and a new resolution must be adopted in order to continue the delegation of authority. Consequently, a new signature authority resolution is proposed for adoption at the February 11th public meeting.

Alternatives
The alternative would be for the BOCC to approve and execute all contracts after public hearing.

Fiscal Impact
The signature authority resolution undoubtedly saves the County time and expense, in an amount that is unknown, by not requiring that all documents be approved through the consent agenda and signed by the Chair of the BOCC.

Attorney Comments
The County Attorney’s Office recommends the adoption of the resolution.

Reviewed by:
Ron Carl, County Attorney
RESOLUTION NO. 20_______  It was moved by Commissioner ____ and duly seconded by Commissioner _____ to adopt the following Resolution:

WHEREAS, the Board of County Commissioners has the authority, pursuant to Section 30-11-107 (1) (aa), C.R.S., to establish policies and procedures regarding entering into contracts binding on the County, and to delegate its power to enter into such contracts pursuant to such policies and procedures, where amounts specified in such policies and procedures and where such contracts otherwise comply with limits and requirements set forth in such policies and procedures; and

WHEREAS, the Board of County Commissioners has authority to delegate its authority with respect to other, non-contractual matters, including certain of the powers and functions described in Section 30-11-107, C.R.S. and other statutory provisions; and

WHEREAS, the Board of County Commissioners has previously adopted a Financial Management Manual and Purchasing Policies containing financial policies and procedures related to contract amounts, limits and requirements; and

WHEREAS, the Board of County Commissioners has elected to delegate to various County officials and employees its authority concerning specific powers and functions as specified in this Resolution, and consistent with applicable law and any existing policies and procedures not specifically superseded by this Resolution;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County, that, from the date of passage of this resolution until the Board’s annual reorganization meeting in the year 2020, the following officials and employees of Arapahoe County shall have the delegated authority of the Board of County Commissioners to sign specific types of contracts, agreements, forms, and property-rights-related documents, and to exercise other functions, as follows:

NAME, DEPARTMENT, TYPE OF DOCUMENTS/CONTRACTS

PK Kaiser, Assessor

- Agreements for services or the purchase or lease of goods, in an amount not to exceed $25,000, with prior notification to the Board of County Commissioners at a Drop In session

Michelle Halstead, Communications and Administrative Services (and a designee when Michelle Halstead is on leave)

- Agreements for services, goods, or the lease/rental of property
- Advertising Agreements
- Sponsorship Agreements
Ron Carl, County Attorney (and a designee when Ron Carl is on leave)

- Agreements for services, goods, or the lease/rental of property
- Authorization to affix a facsimile of the Chairman’s signature to Board of Equalization decisions as approved by the Board of Equalization
- Board of Assessment Appeals Stipulations and Arbitration and Abatement Stipulations as agreed to by the Assessor
- Authorization to affix a facsimile of the Chair’s signature to Abatement Decisions as approved by the Board
- Confidentiality agreements for litigation purposes
- Releases/Waivers requested of the County by third-parties and/or their insurers for the County to receive reimbursement for damages caused to County property and/or workers’ compensation expenses incurred by the County as a result of the actions of third-parties

Joan Lopez, County Clerk and Recorder

- Agreements for services or the purchase or lease of goods, in an amount not to exceed $25,000, with prior notification to the Board of County Commissioners at a Drop In session
- Intergovernmental agreements for installation of mail ballot drop-off boxes
- Agreements to establish Voter Service and Polling Locations with prior approval from the Board of County Commissioners at a Drop In session
- Intergovernmental agreements for conducting coordinated elections
- Memorandums of understanding for the provision of election services that do not involve the expenditure of County funds
- Grant applications, certifications and agreements where no matching funds are required, and no FTE’s are hired or fixed assets purchased (unless approved by the BOCC)

Don Klemme, Community Resources (and a designee when Don Klemme is on leave)

- Agreements for services, goods, or the lease/rental of property
• Grant applications, certifications and agreements, where no matching funds are required, and no FTE’s are hired or fixed assets purchased (unless approved by the BOCC)

• Agreements with sub-grantees/recipient

• Contracts for programs or expenditures specifically approved by the BOCC in the budget process or plan approval process

• Service plans for submission to grant agencies

• Intergovernmental Agreements and Memorandums of Understanding related to the Douglas County TANF and Employment First programs

• Administrative documents/certifications necessary to obtain the release of grant funds or to close out grant fiscal periods

• Memorandums of Understanding that do not require BOCC signature

• WIOA Memorandums of Understanding covered by a master agreement signed by the BOCC

Dr. Kelly Lear, Coroner

• Agreements for services or the purchase or lease of goods, in an amount not to exceed $25,000, with prior notification to the Board of County Commissioners at a Drop In session

Dick Hawes, Facilities and Fleet Management (and a designee when Dick Hawes is on leave)

• Agreements for services, goods, or the lease/rental of property

• Agreements necessary for emergency purchases (as defined in the Arapahoe County Purchasing Policy) of goods and services

• Agreements pertaining to capital projects including design services, site preparation, utilities, construction services, fixtures and equipment, and amendments/change orders thereto

• Approval of contractor payment applications

• Authority to make decisions relating to design, construction, and contractor issues

• Documents necessary for capital project close-out
• Documents necessary to obtain land use or permit approvals from jurisdictions that have regulatory authority over the property being developed

• Intergovernmental Agreements and Memorandums of Understanding related to facility projects

• License Agreements for installation and maintenance of improvements or additions to facilities

• Memorandums of Understanding (MOU’s) with SEMSWA and/or other similar agencies related to facility projects

• Awards on requests for qualifications, proposal, or bid

**Janet Kennedy, Finance (and a designee, when Janet Kennedy is on leave)**

• Agreements for services, goods, or the lease/rental of property

• Agreements necessary for emergency purchases (as defined in the Arapahoe County Purchasing Policy) of goods and services

• Awards on requests for qualifications, proposal, or bid (may also be signed by a specified designee)

• Purchase Orders (may also be signed by a specified designee)

• Agreements and other documents relating to grants for North Central Region (Homeland Security)

• Waivers per the Arapahoe County Finance Policies in amounts up to $100,000

**Keith Ashby, Finance, Purchasing Manager (and a designee when Keith Ashby is on leave)**

• Purchase Orders (may also be signed by a specified designee)

• Awards on requests for qualifications, proposal or bid (may also be signed by a specified designee)

• Agreements necessary for emergency purchases (as defined in the Arapahoe County Purchasing Policy) of goods and services

• Waivers per the Arapahoe County Finance Policies in amounts up to $100,000

**Patrick Hernandez, Human Resources (and a designee when Patrick Hernandez is on leave)**
• Agreements for services, goods, or the lease/rental of property
• Advertising Contracts
• Insured Benefit Consulting Contracts
• Contracts associated with employee insurance and other benefits

Cheryl Ternes, Human Services (and a designee when Cheryl Ternes is on leave)
• Agreements for services, goods, or the lease/rental of property
• Foster Care Contracts (may also be signed by a specified designee)
• Day Care Contracts (may also be signed by a specified designee)
• Contracts for programs or expenditures specifically approved by the BOCC in the budget process or plan approval process
• Memorandums of Understanding that do not require BOCC signature
• Grant applications, certifications and agreements where no matching funds are required, and no FTE’s are hired or fixed assets purchased (unless approved by the BOCC)
• Agreements with sub-grantees/recipient
• Intergovernmental Agreements and Memorandums of Understanding related to the Collaborative Foster Care Program (CFCP)
• Colorado Works and Colorado Child Care Assistance Program Policies
• Core Services Plan specifically approved by the BOCC in the budget process or plan approval process (3 year plan, but Colorado Department of Human Services requires signature annually)
• Annual Chafee Foster Care Independence Program Plan specifically approved by the BOCC in the budget process or plan approval process
• Certification of Compliance for the County Personnel and Merit System with the Colorado Department of Human Services

David Bessen, Information Technology (and a designee when David Bessen is on leave)
• Agreements for services, goods, or the lease/rental of property
• Computer hardware, software, and other IT related agreements
- Intergovernmental Agreements for HSConnects

_Shannon Carter, Intergovernmental Relations and Open Spaces (and a designee when Shannon Carter is on leave)_

- Agreements for services, goods, or the lease/rental of property
- Agreements pertaining to capital projects including design services, site preparation, utilities, construction services, fixtures and equipment, and amendments/change orders thereto
- Approval of contractor payment applications
- Authority to make decisions relating to design, construction, and contractor issues
- Documents necessary for capital project close-out
- Documents necessary to obtain land use or permit approvals from jurisdictions that have regulatory authority over the property being developed
- Maintenance and repair contracts for all copiers, FAX machines, printers, filmer/endorsers or other similar office equipment
- Awards on requests for qualifications, proposal or bid
- Intergovernmental Agreements with other governmental entities related to the Arapahoe County Recreation District and the Open Spaces Program
- Rental Agreements for the use of the Arapahoe County Fairgrounds
- Arapahoe County Fair Exhibitor/Vendor/Services Agreements
- Closing documents related to open space transactions approved by the BOCC
- Grant applications, certifications and agreements, where no matching funds are required, and no FTE’s are hired or fixed assets purchased (unless approved by the BOCC)
- Memorandums of Understanding that do not require BOCC signature
- Authority to approve and sign temporary construction, access, or use easements
- Authority to approve sponsorship and advertising agreements
Bryan Weimer, Public Works and Development (and a designee when Bryan Weimer is on leave)

- Agreements for services, goods, or the lease/rental of property
- Granting probationary or final acceptance for public improvements associated with private development, including both partial reductions of and complete releases of collateral
- Placement of signs in accordance with the adopted Manual on Uniform Traffic Control Devices (MUTCD)
- Community Acknowledgements for Conditional Letters of Map Revisions (CLOMR’s), Letters of Map Revisions (LOMR’s) and Letters of Map Amendments (LOMA’s) and public notification letters regarding floodplain and floodway revisions
- Agreements pertaining to capital projects including design services, site preparation, utilities, construction services, and amendments/change orders thereto
- Documents necessary for capital project administration, management, and close-out
- Limited authority/power as designated by the BOCC regarding contracts for manpower and for equipment in emergency situations (i.e. blizzards, tornadoes, floods, etc.)
- Draws on Letters of Credit
- Intergovernmental Agreements and Memorandums of Understanding related to Public Works and Development projects and issues
- Authorization to sign reimbursement agreements with developers for reimbursement of funds in excess of the developer’s requirements
- Waivers of public improvement requirements and or GESC collateral for projects involving public entities
- Traffic Signal Escrow Agreements
- Landscape Agreements
- Agreements to Abate Zoning Violations
- Private Street Agreements
- Transit Shelter Agreements
- Memorandums of Agreement for conveyance of rights-of-way and easements to the County (Board required to accept conveyances)

- License Agreements for installation and maintenance of improvements or additions within public rights-of-way and easements

- Fee waivers or reductions where land use applications are withdrawn

- Closure of roads within unincorporated Arapahoe County for a period of time not to exceed 20 days where due to construction activities closure is necessary for traffic safety and for protection of work crews and road equipment

- Subdivision improvement agreements, including any amendments, extensions, releases of collateral, escrow agreements, and consent to conveyance and assumption of liability agreements

- Intergovernmental agreements with CDOT related to the utilization of federal funds on County Capital Improvement Projects, including provisions requiring the County to provide matching funds and to expend funds as authorized in the department’s approved budget

- MS4 Permit security agreements for public or partner agencies

- Stormwater Facility Maintenance Agreements

- Partnership Agreements and MS4 Partnerships (with SEMSWA or similar agencies)

- Memorandums of Understanding (MOU’s) with SEMSWA and/or other similar agencies

- National Flood Insurance Program (NFIP) Community Rating System (CRS) Annual Recertification and Cycle Verification Forms

- Energy Facility Memorandums of Understanding in such form approved by the Board

- Agreements with HOA’s to allow private snowplowing of HOA property

- Approval of permits to locate roadside memorials along county roads pursuant to County policy

- Site Supplements pursuant to a BOCC approved Master License Agreement for small cell wireless facilities within County public rights-of-way

- Real time signal progression and timing traffic data sharing agreements with private and public entities.
Tyler S. Brown, Sheriff

- Agreements for services or the purchase or lease of goods, in an amount not to exceed $25,000, with prior notification to the Board of County Commissioners at a Drop In session

- Agreements and other documents relating to grants for the North Central Region (Homeland Security)

- Extensions of and amendments to agreements for services for up to three subsequent years

- Ambulance licenses

- Emergency management grant applications

- County drive track rental agreements

- Mutual aid agreements that do not bind the County to the expenditure of funds

- Intergovernmental agreements after review and approval by the Board of County Commissioners

- Renewals, extensions, and amendments to existing intergovernmental agreements that do not bind the County to the expenditure of funds

- Grant applications, certifications and agreements where no matching funds are required, and no FTE’s are hired or fixed assets purchased (unless approved by the BOCC)

- Administrative documents/certifications necessary to obtain the release of grant funds or to close out grant fiscal periods

- Extensions to/renewals of existing task force agreements

- Agreements to provide dispatch services for the City of Sheridan, the Towns of Bow Mar and Columbine Valley, Cheery Creek Village, and Cherry Creek State Park.

- Agreements for the provision of education/training services to the ACSO

- Agreements for the shared use of the County radio communications network

- Law enforcement agreements with the Towns of Deer Trail, Bennett and Foxfield unless there are changes to the scope of services that affect the cost or changes to the formula that is used to determine the cost

Manisha Singh, Strategic Performance (and a designee when Manisha Singh is on leave)
• Agreements for services, goods or the lease/rental of property

Sue Sandstrom, Treasurer

• Agreements for services or the purchase or lease of goods, in an amount not to exceed $25,000, with prior notification to the Board of County Commissioners at a Drop In session

All said authority is subject to all applicable statutory and regulatory limitations and restrictions, including any law, policy or procedure that is adopted subsequent to the date of this Resolution. In addition, all authority granted herein must be exercised in conformance with all budgets, policies, plans and resolutions of the Board of County Commissioners, and all documents which create legal rights or obligations must be approved as to form by the County Attorney’s Office.

Said authority is granted at the pleasure of the Board of County Commissioners, and may be withdrawn by the Board of County Commissioners at any time, in whole or in part, with or without reason or cause.

The vote was:

Commissioner Baker, ___; Commissioner Conti, ___; Commissioner Holen, ___; Commissioner Jackson, ___; Commissioner Sharpe, ___.

The Chair declared the motion carried and so ordered.
Board Summary Report

Date: January 24, 2020
To: Board of County Commissioners
Through: PK Kaiser, Assessor
From: Julia McQueen, Business Analyst
Subject: Abatements (1 Resolution Number)

Purpose and Recommendation
The purpose of this request is to obtain the authorization for the Chair to sign a resolution approving the recommendations of the Assessor concerning the listed abatements.

Background
These abatements were filed by the Assessor's Office. C.R.S. 39-1-113(1) states, "...no decision on any petition regarding abatement or refund of taxes shall be made unless a hearing is had thereon..."

Discussion
The following approved abatements are the recommendation of the Assessor.

<table>
<thead>
<tr>
<th>Parcel/Schedule Number</th>
<th>Petitioner Name and Address</th>
<th>Year(s)</th>
<th>previous tax</th>
<th>new tax</th>
<th>refund</th>
</tr>
</thead>
<tbody>
<tr>
<td>1975-17-3-21-001</td>
<td>STAR HEARTHTONE LLC 932 S HELANA ST</td>
<td>2019</td>
<td>$506,480.32</td>
<td>$493,151.89</td>
<td>$13,328.43</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2075-20-1-24-012</td>
<td>Yanni Kalasountas 6928 E LAKE CIRCLE</td>
<td>2019</td>
<td>$35,126.09</td>
<td>$16,833.43</td>
<td>$18,292.67</td>
</tr>
</tbody>
</table>

A clerical error has resulted in a value other than the value intended by the Assessor.

Assessed land value erroneously calculated at the vacant land rate of 29%, should be residential, 7.15%.
No change to actual value.

Totals
$541,606.41 $523,313.75 $31,621.10

I NEED 1 RESOLUTION NUMBER

Alternatives

Fiscal Impact
A decrease in the taxes collected on approved petitions.

Concurrence
The Assessor and County Attorney support these recommendations.

Reviewed By
Ronald A. Carl, County Attorney
PK Kaiser, Assessor
### Consent Agenda 2/11/2020

<table>
<thead>
<tr>
<th>Parcel/Schedule Number</th>
<th>Petitioner Name and Address</th>
<th>Year(s)</th>
<th>previous tax</th>
<th>new tax</th>
<th>refund</th>
</tr>
</thead>
<tbody>
<tr>
<td>1975-17-3-21-001</td>
<td>STAR HEARTHTONE LLC 932 S HELANA ST</td>
<td>2019</td>
<td>$506,480.32</td>
<td>$493,151.89</td>
<td>$13,328.43</td>
</tr>
</tbody>
</table>

A clerical error has resulted in a value other than the value intended by the Assessor.

<table>
<thead>
<tr>
<th>Parcel/Schedule Number</th>
<th>Petitioner Name and Address</th>
<th>Year(s)</th>
<th>previous tax</th>
<th>new tax</th>
<th>refund</th>
</tr>
</thead>
<tbody>
<tr>
<td>2075-20-1-24-012</td>
<td>Yanni Kalasountas 6928 E LAKE CIRCLE</td>
<td>2019</td>
<td>$35,126.09</td>
<td>$16,833.43</td>
<td>$18,292.67</td>
</tr>
</tbody>
</table>

Assessed land value erroneously calculated at the vacant land rate of 29%, should be residential, 7.15%. No change to actual value.

| Totals                  |                                 |         | $541,606.41  | $523,313.75 | $31,621.10 |
when the following proceedings, among others, were had and done to-wit:

**RESOLUTION NO. 200**  
It was moved by Commissioner ______ and duly seconded by Commissioner ________ to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on Tuesday, ________, 2020; and

WHEREAS, the Board at that time considered Petitions for Abatement or Refund of Taxes as submitted by various taxpayers and as contained within an Agenda Memorandum to the Board; and

WHEREAS, applicable procedures, due process, and requirements of notice were followed pursuant to Sections 39-1-113 and 39-10-114, C.R.S.; and

WHEREAS, no Petitioners or representatives of the Arapahoe County Assessor were present, although both parties were afforded notice; and

WHEREAS, the Board received comments from the County Attorney, received exhibits and reviewed the record as represented by an Agenda Memorandum summarizing the Petitions and the Arapahoe County Assessor recommendations.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

1. That the Petition (per attached list), presented this date to the Board and relating to the schedule number set forth therein, shall be and are hereby granted, the recommendation of the Assessor is hereby adopted and abatements or refunds in the amounts approved by the Assessor are hereby approved by the Board.

<table>
<thead>
<tr>
<th>Parcel/Schedule Number</th>
<th>Petitioner Name and Address</th>
<th>Year(s)</th>
<th>previous tax</th>
<th>new tax</th>
<th>refund</th>
</tr>
</thead>
<tbody>
<tr>
<td>1975-17-3-21-001</td>
<td>STAR HEARTHTONE LLC 932 S HELANA ST</td>
<td>2019</td>
<td>$506,480.32</td>
<td>$493,151.89</td>
<td>$13,328.43</td>
</tr>
</tbody>
</table>

A clerical error has resulted in a value other than the value intended by the Assessor.

2075-20-1-24-012  
Yanni Kalasountas 6928 E LAKE CIRCLE

2019 $35,126.09 $16,833.43 $18,292.67

Assessed land value erroneously calculated at the vacant land rate of 29%, should be residential, 7.15%. No change to actual value.

Totals $541,606.41 $523,313.75 $31,621.10

The vote was:

Commissioner Conti; Commissioner Sharpe; Commissioner Baker; Commissioner Jackson; Commissioner Holen.
The Chair declared the motion carried and so ordered.
BOARD SUMMARY REPORT

Date: January 23, 2020

To: Arapahoe County Board of County Commissioners

Through: Bryan Weimer, Director
Public Works and Development

Through: James Katzer, Division Manager
Public Works and Development – Transportation Division

Through: Cathy Valencia, CIP Manager
Public Works and Development – Transportation Division

From: Ryan Seacrist, CIP Engineer III
Public Works and Development – Transportation Division

Subject: C15-002 & C15-026: ILIFF AVENUE CORRIDOR IMPROVEMENTS, AUTHORIZATION TO INITIATE EMINENT DOMAIN PROCEEDINGS FOR PARCEL 16 AT 7351 EAST WARREN DRIVE, DENVER

Request and Recommendation:
The purpose of this report is to request and recommend that the Board of County Commissioners adopt a resolution to authorize the initiation of eminent domain proceedings by County Staff and Agents for Parcel 16 for Right-of-Way (ROW) and Temporary Easement (TE) to support the Iliff Avenue Corridor Improvements project (Project).

Background:
The Iliff Project will add drainage facilities, new and wider sidewalks, turn lanes, bicycle lanes, and intersection improvements with new traffic signals from Quebec Street to Parker Road (SH 83) all with the purpose of improving operations and safety along the corridor. The Project will also resurface the roadway and provide some lighting as a pilot project for Arapahoe County.

Parcel 16 – 7351 East Warren Drive, Denver
The parcel of land requested for right-of-way and temporary easement is located along the north side of East Iliff Avenue and at East Warren Drive. The parcel of land to be acquired for ROW is 0.056 acres and TE is 0.054 acres with both adjacent to current East Iliff Avenue Right-of-Way.

County Staff and Agents have notified, coordinated, and negotiated in accordance with the Uniform Relocation Act with the Property Owner(s) and have determined that ownership of this parcel is in question. The Property Owner, listed by the County Assessor, PCC Partners, LLC has agreed that they do not have any ownership interest in this parcel. The previous Property Owner, Quebec-Iliff RLLLP, does not appear to exist anymore and all attempts to contact them have not been answered. The process will be to condemn the parcel for quieting the title and putting the property into Arapahoe County’s name.
Links to Align Arapahoe

Quality of Life
This Project will improve operation and reduce congestion on Iliff Avenue and adjacent roadways. In addition, the project will provide multimodal improvements such as sidewalks, bike lanes and transit elements. Storm water and air quality will also be improved by the Project.

Fiscally Responsible
Leveraging federal and/or outside funding increases the impact of Arapahoe County investment for needed public infrastructure improvements, which allows the County funds to accomplish more. In addition, investments in County infrastructure improves the County’s economic environment.

Service First
This project will provide excellent customer service to the users of Iliff Avenue and adjacent facilities by improving operation and the overall experience of using the corridor. In particular, safety and efficiency improvements will optimize the corridor and its performance.

Discussion:
If approved by the Board of County Commissioners, the condemnation process in this case will help clarify the ownership of this parcel and allow the Iliff Avenue Corridor Improvement project to continue on schedule. See attached map for location of parcel.

Alternatives
Approving of the condemnation process to proceed will allow the Project to widen the Iliff Avenue and tie into existing driveway entrance. Alternatively, taking no action would result in the Project having to redesign and probably decrease the capacity and safety that the project is trying to achieve. This would also be at additional expense to the Project and great impact to the Projects schedule.

Fiscal Impact
Compensation for this ROW and TE currently have no costs associated since ownership is in question. It is possible that during the eminent domain process that a previous owner (Quebec-Illif RLLLP) could make a claim to this parcel. Funding source would be determined and follow our current ROW process if this occurs.

Concurrence:
The Transportation Division recommends that authorization of eminent domain process be granted.

Attorney Comments:
County legal staff have reviewed this Board Summary Report and has no comments.

Reviewed by:
Bryan Weimer, Director of Public Works and Development
Robert Hill, Assistant County Attorney
James Katzer, Transportation Division Manager
John Svechovsky, Mapping Manager
Actions Requested:

1. Adopt a resolution to authorize legal counsel to commence eminent domain proceedings in court for Parcel 16 for Iliff Road Corridor Improvements Project (C15-002) in the best interest of the public.

cc: Email
Ron Carl, Arapahoe County Attorney
Robert Hill, Assistant County Attorney
James Katzer, Transportation Div. Manager
Cathleen Valencia, CIP Program Manager
Ryan Seacrist, CIP Engineer III
Keith Ashby, Purchasing Division
Leanna Quint, Finance Budget Analyst
Loren Kohler, Fixed Asset Accountant
Kim Lynch, Administration
Scan to Files (Listed under hard copy)
RESOLUTION NO.________ It was moved by Commissioner ______ and duly seconded by Commissioner _______ to adopt the following Resolution:

WHEREAS, Arapahoe County (the “County”) is a Colorado County and political subdivision of the State of Colorado; and

WHEREAS, the County has determined that the expansion and improvements to Iliff Avenue from Quebec Street to Parker Road (the “Project”) would be in the public interest and would benefit the health, safety and welfare of the County, its citizens, taxpayers, property owners and developers within the County and the traveling public; and

WHEREAS, the County also has determined that certain property and property rights are needed and necessary for the Project; and

WHEREAS, the necessary property consists of the fee simple interest in that property known as Parcel Number: PW-16 as described in Exhibit A and a temporary easement for construction purposes across that property known as Temporary Easement Number: TE-16 described in Exhibit B, which Exhibits A and B are attached hereto and incorporated herein (the “Property”); and

WHEREAS, the County also has determined that delays in the acquisition of the right to enter on and take possession of the Property will result in increased costs to the County and its taxpayers and delay the Project which will be detrimental to the County and the general public; and

WHEREAS, C.R.S. § 43-2-112(2) provides that the County has and may exercise the power of eminent domain to acquire property necessary to lay out, widen, alter or change any county road.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County, Colorado as follows:

FINDINGS OF FACT

The Board makes the following findings of fact:

1. The construction and undertaking of the Project is in the interest of the public health, safety and welfare and is for a public purpose;

2. There is a need and necessity to acquire the Property for the Project;

3. Possession of the Property is needed as soon as possible and before any trial in any condemnation proceeding in order to prevent delays of and cost increases to the Project.
DETERMINATION AND DECISION

It is hereby ordered that the County Attorney, Special Counsel and consultants to the County in their respective capacities are authorized to take all action necessary to acquire the Property and to obtain the County’s right to take immediate possession of the Property as soon as possible through voluntary agreements or the exercise of the County’s powers of eminent domain.

The vote was:

Commissioner Baker,___; Commissioner Conti,___; Commissioner Holen,___; Commissioner Jackson,___; Commissioner Sharpe,___.

The Chair declared the motion carried and so ordered.
EXHIBIT "A"

PROJECT NUMBER: STU C100-038
PARCEL NUMBER: RW-16
PROJECT CODE: 20992
DATE: January 16, 2020

DESCRIPTION

A tract or parcel of land No. RW-16 of the Department of Transportation, State of Colorado Project No. STU C100-038 containing 2,436 sq. ft. (0.056 acres), more or less, being a portion of vacated Rosemary Street, as described in Book 4959 at Page 613, at Reception Number R2756077, as recorded in the Arapahoe County Clerk and Recorder's Office on November 19, 1986, and being located in the Northwest Quarter of Section 28, Township 4 South, Range 67 West, of the 6th Principal Meridian, in Arapahoe County, Colorado, said parcel being more particularly described as follows:

Beginning at the southeast corner of said parcel of land described in Reception Number R2756077, said corner lying at the intersection of the east line of said vacated Rosemary Street and the north Right of Way line of Iliff Avenue, from whence the Southeast Corner of the said Northwest Quarter of Section 28 (monumented by a 3 ¼ inch brass cap in a range box stamped “DMWW LS7104 1977”) bears South 88°14'19" East for a distance of 1563.39 feet, said corner being the TRUE POINT OF BEGINNING;

1. Thence South 89°49'49" West, along the south line of said Reception Number R2756077, also being the said north Right of Way line of Iliff Avenue, for a distance of 60.00 feet, to the southwest corner of said Reception Number R2756077, said corner being at the intersection of said north Right of Way line of Iliff Avenue and the west line of said vacated Rosemary Street;

2. Thence North 00°10'11" West, along the west line of said Reception Number R2756077, also being the said west line of vacated Rosemary Street, for a distance of 40.60 feet;

3. Thence North 89°49'49" East for a distance of 60.00 feet, to a point on the east line of said Reception Number R2756077, also being the said east line of vacated Rosemary Street;

4. Thence South 00°10'11" East, along said east line of Reception Number R2756077, also being the said east line of vacated Rosemary Street, for a distance of 40.60 feet, more or less, to the TRUE POINT OF BEGINNING.

The above described parcel contains 2,436 sq. ft. (0.056 acres), more or less.

BASIS OF BEARINGS: All bearings shown herein are based on a Grid Bearing of North 22°58'58"West from NGS Station "JOG", being a 3 ½ inch NGS Brass Cap in concrete stamped “JOG 1977”, to NGS Station "TRANSPORTATION", being a 9/16 inch stainless steel rod in a sleeve set in a 5 inch CDOT well box stamped "TRANSPORTATION 1995".

James A. Daley, Colorado Licensed Surveyor, PLS 37044
For and on behalf of
David Evans and Associates
1600 Broadway, Suite 800
Denver, CO  80202
This Temporary Construction Easement is granted this _____ day of _____________, 20___, by ____________________ ("the Owner(s)") of certain property needed for a Temporary Construction Easement on the Iliff Avenue – Quebec Street to Parker Road Project (the “Project”) to the County of Arapahoe ("the County") for use of said parcel by the County’s contractor in the construction of the Project.

In consideration of the sum of __________________ and 00/100 Dollars ($_______) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the Owners for the purpose of construction of the Project, the Owner(s) hereby grants to the County a Temporary Construction Easement on, through, over, under, and along a certain parcel of land owned by the Owner(s), which parcel is described in the attached Exhibit “A” (TE-16), which is hereby incorporated by reference. The Project includes but is not limited to construction, reconstruction and relocation of existing improvements along with any other uses incidental to the construction of the project as identified in the Iliff Avenue – Quebec Street to Parker Road Plan set.

The term of the Temporary Construction Easement shall commence after the County has provided 30 days prior written notice to the Owner(s), and shall extend for a period of one year. The Owner(s) also grant(s) to the County the option to extend this Temporary Construction Easement for a period not to exceed one year from the date of expiration hereof. The County shall provide notice in writing to the Owner(s) 30 days prior to expiration of the initial period, for the desire to exercise the extension period. If the Temporary Construction Easement is so extended, the County shall pay the Owner a reasonable sum not to exceed the original established FMV amount for each month that the County or its contractor occupies Easement beyond the original term stated herein. At the end of the term and any extension thereto, all rights granted under this Temporary Easement are released and the Temporary Easement Property shall be considered free and clear of this Temporary Construction Easement.

The Owner(s) hereby covenants and agrees that it has good title to the Temporary Easement Property and that it has good and lawful right to grant this Easement.

The Owner(s) warrant that no building, structure, or other above or below ground obstruction that may interfere with the purposes for which this Easement is granted may be placed, erected, installed or permitted upon the Temporary Construction Easement Property. The Owner(s) further agree that in the event the terms of this Easement are violated, that such violation shall immediately be corrected upon receipt of written notice from the County, or the County may elect to correct or eliminate such violation at the Owners expense. The Owner(s) shall promptly reimburse the County for any expenses incurred by the County in enforcing the terms of this paragraph.

This Easement is granted by the Owner(s) with the understanding that all work performed by the County in connection with this Easement shall be done with care, and except for items in which the Owner(s) is/are being paid to restore or cure, the surface of the Temporary Construction Easement Property damaged or disturbed during the use of this Easement shall be
restored in a reasonably similar manner to its condition immediately preceding the use of this Easement.

OWNER:

*NAME OF OWNER*

____________________________________
By: __________________________________
Title: ________________________________

STATE OF ____________________ )
)SS.
COUNTY OF ____________________)

The foregoing instrument was acknowledged before me this _____ day of _____________, 20___,
by _________________________ as _________________________ for
____________________________.

WITNESS my hand and official seal.

My commission expires:

Notary Public

By:
Bryan D. Weimer, PWLF
Director of PW&D, Arapahoe County
Pursuant to Resolution No.______________
EXHIBIT "A"

PROJECT NUMBER: STU C100-038
TEMPORARY EASEMENT NUMBER: TE-16
PROJECT CODE: 20992
DATE: January 16, 2020
DESCRIPTION

A Temporary Easement No. TE-16 of the Department of Transportation, State of Colorado Project No. STU C100-038 containing 2,372 sq. ft. (0.054 acres), more or less, being a portion of vacated Rosemary Street, as described in Book 4959 at Page 613, at Reception Number R2756077, as recorded in the Arapahoe County Clerk and Recorder’s Office on November 19, 1986, and being located in the Northwest Quarter of Section 28, Township 4 South, Range 67 West, of the 6th Principal Meridian, in Arapahoe County, Colorado, said temporary easement being more particularly described as follows:

Commencing at the southeast corner of said parcel of land described in Reception Number R2756077, said corner lying at the intersection of the east line of said vacated Rosemary Street and the north Right of Way line of Iliff Avenue, from whence the Southeast Corner of the said Northwest Quarter of Section 28 (monumented by a 3 ¼ inch brass cap in a range box stamped “DMWW LS7104 1977”) bears South 88°14’19” East for a distance of 1563.39 feet; Thence North 00°10’11” West, along the east line of Reception Number R2756077, also being the said east line of vacated Rosemary Street, for a distance of 40.60 feet to the TRUE POINT OF BEGINNING;

1. Thence South 89°49’49" West for a distance of 60.00 feet to a point on the west line of said Reception Number R2756077, also being the west line of vacated Rosemary Street;

2. Thence North 00°10’11” West, along said west line of Reception Number R2756077, also being the said west line of vacated Rosemary Street, for a distance of 39.65 feet;

3. Thence South 89°55’53" East for a distance of 60.00 feet to a point on said east line of Reception Number R2756077, also being the said east line of vacated Rosemary Street;

4. Thence South 00°10’11" East, along said east line of Reception Number R2756077, also being the said east line of vacated Rosemary Street, for a distance of 39.40 feet, more or less, to the TRUE POINT OF BEGINNING.

The above described Temporary Easement contains 2,372 sq. ft. (0.054 acres), more or less.

The purpose of the above-described Temporary Easement is for reconstruction of a driveway and construction of a roadway, sidewalks, slopes and other public improvements.

BASIS OF BEARINGS: All bearings shown herein are based on a Grid Bearing of North 22°58’58"West from NGS Station "JOG", being a 3 ½ inch NGS Brass Cap in concrete stamped “JOG 1977”, to NGS Station "TRANSPORTATION", being a 9/16 inch stainless steel rod in a sleeve set in a 5 inch CDOT well box stamped "TRANSPORTATION 1995".

James A. Daley, Colorado Licensed Surveyor, PLS 37044
For and on behalf of
David Evans and Associates
1600 Broadway, Suite 800 Denver, CO 80202
RESOLUTION NO.________ It was moved by Commissioner _______ and duly seconded by Commissioner _______ to adopt the following Resolution:

WHEREAS, Arapahoe County (the “County”) is a Colorado County and political subdivision of the State of Colorado; and

WHEREAS, the County has determined that the expansion and improvements to Iliff Avenue from Quebec Street to Parker Road (the “Project”) would be in the public interest and would benefit the health, safety and welfare of the County, its citizens, taxpayers, property owners and developers within the County and the traveling public; and

WHEREAS, the County also has determined that certain property and property rights are needed and necessary for the Project; and

WHEREAS, the necessary property consists of the fee simple interest in that property known as Parcel Number: PW-16 as described in Exhibit A and a temporary easement for construction purposes across that property known as Temporary Easement Number: TE-16 described in Exhibit B, which Exhibits A and B are attached hereto and incorporated herein (the “Property”); and

WHEREAS, the County also has determined that delays in the acquisition of the right to enter on and take possession of the Property will result in increased costs to the County and its taxpayers and delay the Project which will be detrimental to the County and the general public; and

WHEREAS, C.R.S. § 43-2-112(2) provides that the County has and may exercise the power of eminent domain to acquire property necessary to lay out, widen, alter or change any county road.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County, Colorado as follows:

FINDINGS OF FACT

The Board makes the following findings of fact:

1. The construction and undertaking of the Project is in the interest of the public health, safety and welfare and is for a public purpose;

2. There is a need and necessity to acquire the Property for the Project;

3. Possession of the Property is needed as soon as possible and before any trial in any condemnation proceeding in order to prevent delays of and cost increases to the Project.
DETERMINATION AND DECISION

It is hereby ordered that the County Attorney, Special Counsel and consultants to the County in their respective capacities are authorized to take all action necessary to acquire the Property and to obtain the County’s right to take immediate possession of the Property as soon as possible through voluntary agreements or the exercise of the County’s powers of eminent domain.

The vote was:

Commissioner Baker,___; Commissioner Conti,___; Commissioner Holen,___; Commissioner Jackson,___; Commissioner Sharpe,___.

The Chair declared the motion carried and so ordered.
Board Summary Report

Date: February 11, 2020

To: Arapahoe County Board of County Commissioners

From: Kurtis Cotten, PE
Engineering Services Division

Case name: Copperleaf Filing 19 Lot 2 Tract B
Engineering Case
E19-057

Subject: Approval of a Public Use Easement Agreement Related to a Proposed Sidewalk along Copperleaf Blvd

Purpose and Recommendation:
The purpose of this report is to request the Board to approve the attached Public Use Easement Agreement, ATTACHMENT A, for execution and recordation and to authorize Bryan D. Weimer, PWLF, Director, Department of Public Works and Development, to execute this specific easement agreement on behalf of the Board.

Staff has reviewed the easement and has determined that it is sufficient for its intended purpose. Staff recommends said easement, granted by Copperleaf Senior Living, LLC, be accepted by the Board.

Background:
A portion of the sidewalk along the west side of Copperleaf Blvd, south of E Quincy Ave, will be located outside of the right-of-way and existing public use easement, requiring this easement to be dedicated.

Actions Requested:
1. Approval and acceptance of the Public Use Easement Agreement, ATTACHMENT A, within Lot 4 Block 1, Copperleaf Filing No. 19.
2. Authorize Bryan D. Weimer, PWLF, Director, Department of Public Works and Development to execute this specific easement on behalf of the Board.

Concurrence:
Engineering Services Staff recommends acceptance of the Public Use Easement Agreement.

Reviewed by:
Kurtis Cotten, PE, Case Engineer, Engineering Services Division
Robert Hill, Senior Assistant County Attorney, Attorney’s Office

Attachments:
Attachment A: Public Use Easement Agreement
Exhibit 1: Resolution for said document
PUBLIC USE

EASEMENT AGREEMENT

For and in consideration of the sum of Ten Dollars ($10.00) and other good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, ___Copperleaf Senior Living LLC______, (the "Grantor"), hereby grants, bargains, sells and conveys to the COUNTY OF ARAPAHOE, COLORADO, a body corporate and politic duly organized and existing under and by virtue of the laws of the state of Colorado, whose address is 5334 South Prince Street, Littleton, Colorado 80166 (the "Grantee"), its successors and permitted assigns, a perpetual non-exclusive easement (the "Easement") to construct and maintain slopes and cuts and fills; to construct or reconstruct, install, operate, use, maintain, repair, replace and/or remove certain utilities, including but not limited to, gas, electric, irrigation, underground telephone lines, and street lights, and appurtenances thereto; sidewalks and pedestrian use; certain public signage; and for purposes of snow storage (collectively the "Improvements") in, to, through, over, under and across a certain parcel of real property located in Arapahoe County, Colorado, as more particularly described in Exhibit A attached hereto and incorporated herein by this reference (the "Premises"), pursuant to the following terms and conditions:

1. The Grantee, its agents, successors and permitted assigns, shall have and exercise the right of ingress and egress in, to, through, over, under and across the Premises for any purpose necessary for the construction, reconstruction, installation, operation, use, maintenance, repair, replacement and/or removal of the Improvements.

2. The Grantor shall not construct or place any structure or building, street light, power pole, yard light, mail box or sign, whether temporary or permanent, or plant any shrub, tree,
woody plant, nursery stock, garden or other landscaping design feature on any part of the
Premises, except with the prior consent of the Grantee. Any structure or building, street light,
power pole, yard light, mail box or sign, whether temporary or permanent, or shrub, tree, woody
plant, nursery stock, garden or other landscaping design feature of any kind situated on the
Premises as of the date of this Easement or subsequently placed thereon may, except where the
Grantee has consented thereto, be removed by the Grantee without liability for damages arising
therefrom.

3. Upon completion of its activities, the Grantee, to the extent practicable, shall restore the
Premises, including the surface of the ground and all landscaping, reasonably to the condition it
was in immediately prior to the initiation of construction, except as necessarily modified to
accommodate the Improvements.

4. The Grantee shall have the right to enter upon the Premises and to survey, construct,
reconstruct, operate, use, maintain, repair, replace, and remove the Improvements, and to remove
objects interfering therewith, including but not limited to these items placed on the Premises
under paragraph 2 hereof. In addition, the Grantee shall have the right, subject to the Grantor's
approval, to use so much of the adjoining premises of the Grantor during surveying,
construction, reconstruction, use, maintenance, repair, replacement and/or removal of the
Improvements as may be reasonably required.

5. The Grantee shall have and exercise the right of subjacent and lateral support to whatever
extent is necessary or desirable for the operation and maintenance of the Improvements. It is
specifically agreed between and among the parties that, except as provided in this Agreement,
the Grantor shall not take any action which would impair the lateral or subjacent support for the
Improvements.
6. It is expressly acknowledged and agreed that the Grantee shall have the right and authority to assign to any appropriate local governmental entity or to any public utility provider all rights to use, and all obligations associated with, the Easement as are granted to and assumed by the Grantee herein. In addition, the Grantee shall have the right and authority to grant temporary construction easements or license agreements to any appropriate local governmental entity or public utility provider for purposes authorized herein with respect to the Improvements.

7. The Grantee agrees that at such time and in the event that the Easement described herein be abandoned by the Grantee and any permitted assignee under paragraph 6 hereof, such Easement shall terminate and the real property interest represented by such Easement shall revert to the Grantor, its heirs, successors and/or assigns.

8. The Grantor warrants, covenants, grants, bargains and agrees to and with the Grantee that the Grantor is well seized of the premises above conveyed and has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature so-ever, except matters of record. The Grantor further promises and agrees to warrant and forever defend the Grantee in its quiet and peaceful possession of the Premises in the exercise of its rights hereunder against all and every person or person lawfully claiming or to claim the whole or any part thereof.

9. Each and every one of the benefits and burdens of this Easement shall inure to and be binding upon the respective legal representatives, heirs, administrators, successors and permitted assigns of the Grantor and the Grantee.

10. Nothing in this Agreement is intended to waive or shall be interpreted as waiving any
governmental immunity available to Grantee under Sections 24-10-101, et seq., Colorado Revised Statutes, or otherwise available to Grantee under any other law or the common law, which immunity Grantee intends to rely to the fullest extent available under such laws or common laws.

11. Snow removal and maintenance of the sidewalk within the easement shall be the responsibility of the Grantor.
For the Board of County Commissioners

Bryan D. Weimer, Director, Public Works and Development
Authorization pursuant to Resolution No.___________________________

GRANTOR: 
By: ____________________________
Name: __________________________
Title: ___________________________

State of Colorado } 
} ss 
County of Denver

The foregoing instrument was acknowledged before me this ___ day of January 2022, by Michael Zeitlin, as Managing Member of Copperleaf.

Michelle Rivera 
Signature
Michelle Rivera 
Name of Notary 
3300 E. 1st Avenue, Denver, CO 
Address of Notary 80206
EXHIBIT "A"

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOT 4, BLOCK 1, COPPERLEAF FILING NO. 19, AS RECORDED AT RECEPTION NUMBER D9046743 IN THE RECORDS OF THE ARAPAHOE COUNTY, COLORADO CLERK AND RECORDER, SITUATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 5 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THAT PORTION OF THE SOUTHERLY BOUNDARY OF TRACT B, SAID COPPERLEAF FILING NO. 19, PLATTED TO BEAR NORTH 75°28'49" EAST, A DISTANCE OF 132.80 FEET;

COMMENCING AT THE SOUTHEAST CORNER OF TRACT B, SAID COPPERLEAF FILING NO. 19;

THENCE SOUTH 75°28'49" WEST, ALONG THE SOUTHERLY BOUNDARY OF SAID TRACT B, A DISTANCE OF 15.01 FEET TO THE POINT OF BEGINNING, BEING A POINT ON THE WESTERLY LINE OF A 15-FOOT PUBLIC USE EASEMENT AS PLATTED UNDER RECEPTION NUMBER D7096276 IN SAID RECORDS, ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1224.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 73°36'27" EAST;

THENCE SOUTHERLY ALONG SAID 15-FOOT PUBLIC USE EASEMENT AND SAID CURVE THROUGH A CENTRAL ANGLE OF 01°21'20", AN ARC LENGTH OF 28.96 FEET TO A POINT OF CUSP WITH A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 12.50 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 72°15'08" WEST;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 44°54'27", AN ARC LENGTH OF 9.80 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 27.50 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 47°48'21", AN ARC LENGTH OF 22.95 FEET TO A POINT ON SAID SOUTHERLY BOUNDARY OF TRACT B;

THENCE NORTH 75°28'49" EAST, ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 12.00 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 0.005 ACRES, (204 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.

JAMES E. LYNCH PLS NO. 37933
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVE., SUITE 1, LITTLETON, CO 80122
303-713-1898

ARAPAHOE COUNTY CASE NO. E19-057
RESOLUTION NO. ________  It was moved by Commissioner _______ and duly seconded by Commissioner _________ to approve, upon recommendation of the County’s Engineering Services Division, the Public Use Easement Agreement within Lot 4 Block 1, Copperleaf Filing No. 19, granted by Copperleaf Senior Living, LLC, and to authorize Bryan D. Weimer, PWLF, as the Director of Public Works and Development, to execute and record the easement document on behalf of the Board of County Commissioners.

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOT 4, BLOCK 1, COPPERLEAF FILING NO. 19, AS RECORDED AT RECEPTION NUMBER D9046743 IN THE RECORDS OF THE ARAPAHOE COUNTY, COLORADO CLERK AND RECORDER, SITUATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 5 SOUTH. RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN; COUNTY OF ARAPAHOE, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THAT PORTION OF THE SOUTHERLY BOUNDARY OF TRACT B, SAID COPPERLEAF FILING NO. 19, PLATTED TO BEAR NORTH 75°28'49'' EAST, A DISTANCE OF 132.80 FEET,

COMMENCING AT THE SOUTHEAST CORNER OF TRACT B, SAID COPPERLEAF FILING NO. 19;

THENCE SOUTH 75°28'49'' WEST, ALONG THE SOUTHERLY BOUNDARY OF SAID TRACT B, A DISTANCE OF 15.01 FEET TO THE POINT OF BEGINNING, BEING A POINT ON THE WESTERLY LINE OF A 15-FOOT PUBLIC USE EASEMENT AS PLATTED UNDER RECEPTION NUMBER D7096276 IN SAID RECORDS, ALSO BEING THE BEGINNING UF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1224.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 73°36'27" EAST;

THENCE SOUTHERLY ALONG SAID 15-FOOT PUBLIC USE EASEMENT AND SAID CURVE THROUGH A CENTRAL ANGLE OF 01°21'20", AN ARC LENGTH OF 28.96 FEET TO A POINT OF CUSP WITH A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 12.50 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 72°15'08" WEST;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 44°54'27", AN ARC LENGTH OF 9.80 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 27.50 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 47°48'21". AN ARC LENGTH OF 22.95 FEET TO A POINT ON SAID SOUTHERLY BOUNDARY OF TRACT B;

THENCE NORTH 75°28'49" EAST, ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 12.00 FEET TO THE POINT OF BEGINNING.
CONTAINING AN AREA OF 0.005 ACRES, (204 SQUARE FEET), MORE OR LESS.

The vote was:

Commissioner Baker,____; Commissioner Conti,____; Commissioner Holen,____;
Commissioner Jackson,____; Commissioner Sharpe,____.

The Chair declared the motion carried and so ordered.
Board Summary Report

Date: January 31, 2020

To: Board of County Commissioners

Through: Ronald A. Carl, County Attorney

From: Karen Thompsen, Paralegal

Subject: Approval of BAA Stipulations (1 Resolution Number)

Request and Recommendation
The purpose of this request is for the adoption of a resolution approving the Board of Assessment Appeals (BAA) stipulations listed below.

Background
These stipulations are a result of agreements reached between the taxpayers and the County regarding a reduction in the amount of property tax owed, settling tax protests filed with the BAA.

Discussion
The following BAA docket numbers have been stipulated to for the tax years indicated below.

<table>
<thead>
<tr>
<th>Tax Years</th>
<th>Docket#</th>
<th>Property Owner</th>
<th>Property Address</th>
<th>Reason</th>
<th>Original Value</th>
<th>Stipulated Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019/2020</td>
<td>75551</td>
<td>Dallas W. Tourney Inc.</td>
<td>3201 West Hampden Avenue</td>
<td>3.</td>
<td>$5,003,000</td>
<td>$4,900,000</td>
</tr>
<tr>
<td>2019/2020</td>
<td>75552</td>
<td>Diamond Assets Inc.</td>
<td>4666 South Lafayette Street</td>
<td>2.</td>
<td>$1,300,000</td>
<td>$1,200,000</td>
</tr>
<tr>
<td>2019/2020</td>
<td>75632</td>
<td>Joseph W. Zimmerman Revocable Trust et al</td>
<td>5727 South Green Oaks Drive</td>
<td>2.</td>
<td>$1,426,700</td>
<td>$1,115,000</td>
</tr>
<tr>
<td>2019/2020</td>
<td>75637</td>
<td>9200 E. Mineral LLC</td>
<td>9200 East Mineral Avenue</td>
<td>3.</td>
<td>$9,999,000</td>
<td>$9,200,000</td>
</tr>
<tr>
<td>2019/2020</td>
<td>75816</td>
<td>Summit Willow Creek LLC</td>
<td>8220 South Quebec Street, 8260 South Quebec Street and 7305 East County Line Road</td>
<td>4.</td>
<td>$17,274,733</td>
<td>$16,596,733</td>
</tr>
<tr>
<td>Tax Years</td>
<td>Docket#</td>
<td>Property Owner</td>
<td>Property Address</td>
<td>Reason</td>
<td>Original Value</td>
<td>Stipulated Value</td>
</tr>
<tr>
<td>-----------</td>
<td>---------</td>
<td>----------------</td>
<td>------------------</td>
<td>--------</td>
<td>----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>2019/2020</td>
<td>75886</td>
<td>Southglenn Property Holdings LLC</td>
<td>6707 South Vine Street</td>
<td>4.</td>
<td>$17,303,000</td>
<td>$14,500,000</td>
</tr>
<tr>
<td>2019/2020</td>
<td>76143</td>
<td>MCSS LLC</td>
<td>1255 South Gun Club Road</td>
<td>3.</td>
<td>$5,107,287</td>
<td>$4,800,000</td>
</tr>
<tr>
<td>2019/2020</td>
<td>76166</td>
<td>University Preschool &amp; Kindergarten Inc.</td>
<td>350 East Orchard Road</td>
<td>2.</td>
<td>$508,400</td>
<td>$419,900</td>
</tr>
<tr>
<td>2019/2020</td>
<td>76168</td>
<td>John and Joanne Baker</td>
<td>5660 South Hickory Circle</td>
<td>5.</td>
<td>$392,600</td>
<td>$320,000</td>
</tr>
<tr>
<td>2019/2020</td>
<td>76173</td>
<td>Ziernicki Family Trust</td>
<td>9 Vista Road</td>
<td>2.</td>
<td>$4,866,800</td>
<td>$4,600,000</td>
</tr>
<tr>
<td>2019/2020</td>
<td>76209</td>
<td>1900 LLC</td>
<td>1900 West Littleton Boulevard</td>
<td>3.</td>
<td>$1,176,200</td>
<td>$1,110,000</td>
</tr>
<tr>
<td>2019/2020</td>
<td>76257</td>
<td>Faris Holdings LLC</td>
<td>835 South Havana Street</td>
<td>7.</td>
<td>$2,723,000</td>
<td>$2,650,000</td>
</tr>
<tr>
<td>2019/2020</td>
<td>76615</td>
<td>Roxanne L. England</td>
<td>6679 South Helena Street</td>
<td>2.</td>
<td>$768,600</td>
<td>$750,000</td>
</tr>
<tr>
<td>2019/2020</td>
<td>76649</td>
<td>Dennis M. and Constance C. Swenson</td>
<td>5360 Lakeshore Drive</td>
<td>2.</td>
<td>$1,732,200</td>
<td>$1,493,000</td>
</tr>
<tr>
<td>2019/2020</td>
<td>76656</td>
<td>Phyllis R. Thomas</td>
<td>7233 South Olive Way</td>
<td>2.</td>
<td>$602,300</td>
<td>$590,200</td>
</tr>
</tbody>
</table>

1. Income and comparable market sales indicate that adjustment to this value is correct.
2. Comparable market sales indicate that adjustment to this value is correct.
3. Income and sales comparison approaches indicate that adjustment to this value is correct.
4. Income approach indicates that adjustment to this value is correct.
5. Comparable market sales, considering cost to cure subject improvements, indicate that adjustment to this value is correct.
6. Cost approach indicates that adjustment to this value is correct.
7. Income, cost and market sales indicate that adjustment to this value is correct.

**Alternatives**
Let protests proceed to the BAA for a decision. Said alternative would involve unnecessary time and expense for the County and the taxpayer.
**Fiscal Impact**
Reduction in the amount of property taxes collected for the above listed properties.

**Concurrence**
The negotiator for the County Board of Equalization, the County Assessor and the County Attorney all support this recommendation.

**Reviewed By:**
Ronald A. Carl, County Attorney
Karen Thompsen, Paralegal
RESOLUTION NO. 200XXX  It was moved by Commissioner ____________ and duly seconded by Commissioner ____________ to authorize the Arapahoe County Attorney to settle the following Board of Assessment Appeals Case (Docket Number), for the tax year listed below:

<table>
<thead>
<tr>
<th>Docket #</th>
<th>Property Owner</th>
<th>Tax Year</th>
</tr>
</thead>
</table>

After review by the County Attorney’s Office, in conjunction with the Arapahoe County Assessor’s Office and the Petitioners, evidence was submitted which supported the Stipulation and Petitioner agreed to a new value. The Assessor has recommended approval pursuant to the terms contained within the Stipulation. Based upon the evidence submitted to the Board on this date, the Board has no reason not to concur with the proposed Stipulation.

The vote was:

Commissioner Baker, ; Commissioner Conti, ; Commissioner Holen, ; Commissioner Jackson, ; Commissioner Sharpe, .

The Chair declared the motion carried and so ordered.