

RESOLUTION NO. 2019-02- 04

RESOLUTION OF THE BOARD OF DIRECTORS OF
COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO. 5
FOR INCLUSION OF REAL PROPERTY

A. ACM High Point VI LLC, a Delaware limited liability company, the 100% fee owner of the Property (hereinafter defined) has petitioned the Colorado International Center Metropolitan District No. 5 (the “**District**”) for the inclusion into the District’s boundaries of the real property hereinafter described (“**Property**”).

B. Public Notice has been published in accordance with law, calling for a public hearing on the request for approval of said Petition.

C. The statutory requirements of Section 32-1-401(1)(a), C.R.S., for submission of a petition for inclusion to the Board of Directors of the District (“**Board**”), including a legal description of the Property, a statement that assent to the inclusion of the Property was obtained by the 100% fee owner thereof and acknowledgment in the same manner as required for conveyances of land, were presented to and have been satisfied and approved by the Board.

D. The District may consider the enlargement or extension of its facilities in the exercise of discretion as a governmental function in the interest of public health, safety and welfare.

E. The District is capable of serving the Property with facilities of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO. 5, CITY OF AURORA, ADAMS COUNTY, COLORADO:

1. That the Board of Directors of the District shall and hereby does order the inclusion of the Property described herein within the boundaries of the District.

2. The name and address of the Petitioner and the legal description of the Property are as follows:

Petitioner:	ACM High Point VI LLC
Address of Petitioner:	4100 E. Mississippi Ave., Suite 500 Glendale, CO 80246
Legal Description:	Approximately 130.201 acres of land legally described on <u>Exhibit A</u> attached hereto and incorporated herein by this reference.

3. That approval of this inclusion is further subject to the following:

(a) On and after the effective date of this inclusion (which shall be the date of recording of the Court Order approving the inclusion by the Clerk and Recorder of Adams County, Colorado, unless otherwise specified in the Court Order), the Property shall be subject to the rules and regulations of the District, and the payment of any and all taxes, fees, rates and charges of the District.

RESOLUTION APPROVED AND ADOPTED on February 19, 2019.

**COLORADO INTERNATIONAL CENTER
METROPOLITAN DISTRICT NO. 5**

By: 

President

Attest:

assistant

Secretary

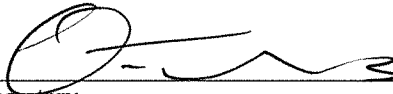


EXHIBIT A

Legal Description

CICMD NO.5
PARCEL NO.1

LAND DESCRIPTION

A PARCEL OF LAND SITUATED IN THE SOUTH HALF OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 2; THENCE ALONG THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 2, N00°25'38"E A DISTANCE OF 72.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF 64TH AVENUE SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES: 1) N89°36'23"W A DISTANCE OF 2645.88 FEET TO A POINT ON THE WESTERLY LINE OF SAID SOUTHEAST QUARTER ; 2) THENCE N89°36'15"W A DISTANCE OF 144.16 FEET; THENCE N00°09'26"E A DISTANCE OF 211.72 FEET; THENCE N01°18'45"W A DISTANCE OF 389.90 FEET; THENCE S89°36'23"E A DISTANCE OF 157.46 FEET TO A POINT ON THE WESTERLY LINE OF SAID SOUTHEAST QUARTER ; THENCE S89°36'15"E A DISTANCE OF 106.55 FEET; THENCE N00°09'13"E A DISTANCE OF 68.00 FEET; THENCE N00°09'26"E A DISTANCE OF 276.00 FEET; THENCE N89°36'15"W A DISTANCE OF 104.66 FEET TO A POINT ON THE WESTERLY LINE OF SAID SOUTHEAST QUARTER ; THENCE N89°36'28"W A DISTANCE OF 251.35 FEET; THENCE S00°09'26"W A DISTANCE OF 920.35 FEET TO A POINT OF CURVATURE; THENCE 39.37 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 90°14'11", A RADIUS OF 25.00 FEET AND A CHORD WHICH BEARS S45°16'31"W A DISTANCE OF 35.43 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID 64TH AVENUE; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N89°36'23"W A DISTANCE OF 79.89 FEET; THENCE N00°09'26"E A DISTANCE OF 2566.22 FEET TO A POINT ON THE NORTHERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 2; THENCE ALONG SAID NORTHERLY LINE, S89°35'52"E A DISTANCE OF 365.24 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION 2; THENCE ALONG THE NORTHERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 2, S89°36'04"E A DISTANCE OF 110.38 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE EAST 470 HIGHWAY; THENCE ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES: 1) 2458.97 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 35°29'27", A RADIUS OF 3969.72 FEET AND A CHORD WHICH BEARS S63°31'57"E A DISTANCE OF 2419.85 FEET; 2) THENCE S81°16'41"E A DISTANCE OF 102.96 FEET; 3) THENCE S83°31'41"E A DISTANCE OF 258.85 FEET TO A POINT ON THE EASTERLY LINE OF SAID SOUTHEAST QUARTER OF SECTION 2; THENCE ALONG SAID EASTERLY LINE, S00°25'38"W A DISTANCE OF 1460.22 FEET TO THE POINT OF BEGINNING.

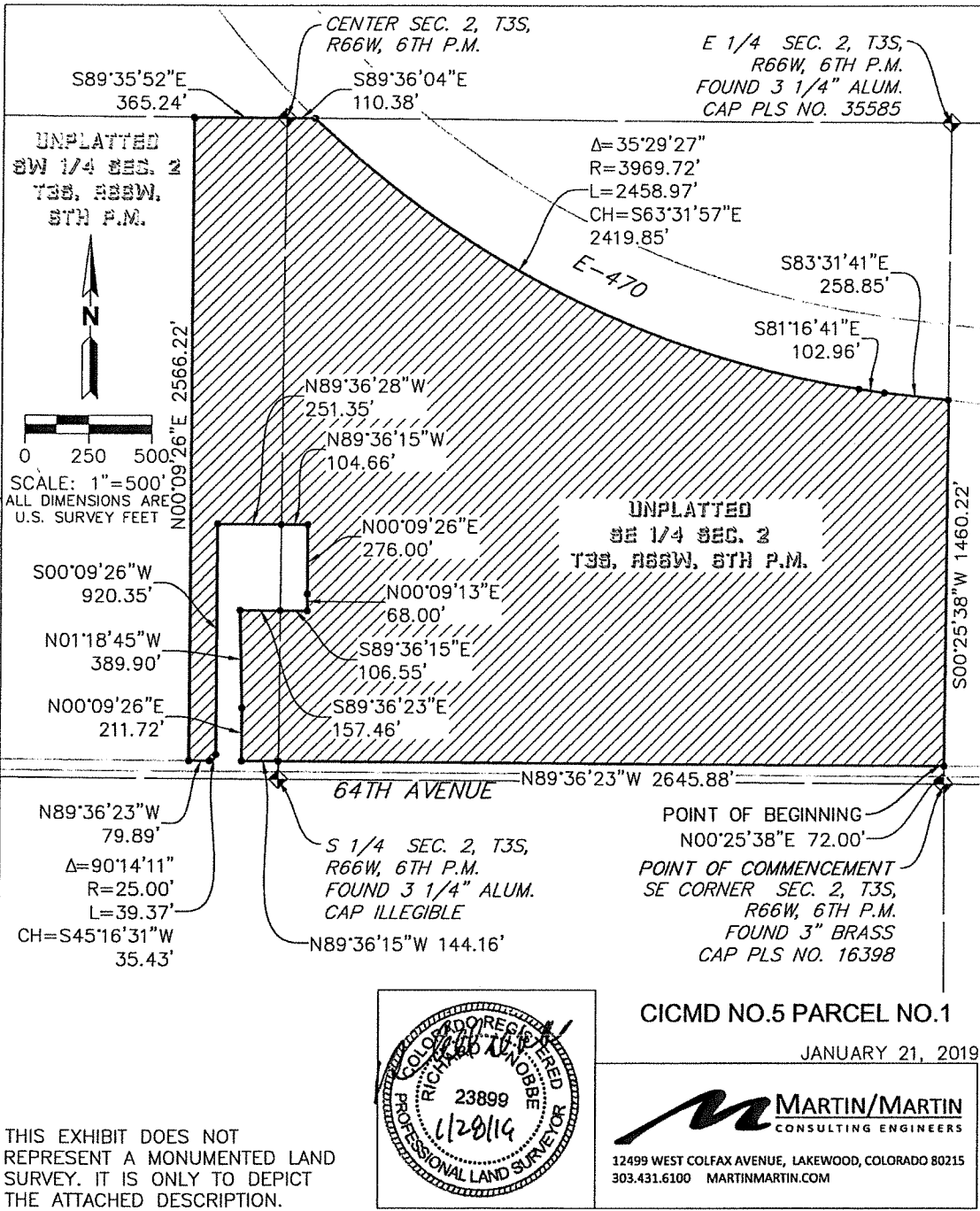
SAID PARCEL CONTAINS 130.201 ACRES, (5,671,577 SQUARE FEET), MORE OR LESS.

ALL LINEAR DIMENSIONS ARE IN U.S. SURVEY FEET.

BASIS OF BEARING: BEARINGS ARE BASED ON THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ASSUMED TO BEAR S00°39'14"W AND BEING MONUMENTED BY A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX PLS #36580 AT THE CENTER CORNER AND A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX PLS #29412 AT THE SOUTH QUARTER CORNER.

PREPARED BY DENNIS PETER
REVIEWED BY RICHARD A. NOBBE, PLS
FOR AND ON BEHALF OF MARTIN/MARTIN, INC.
12499 WEST COLFAX AVENUE
LAKEWOOD, COLORADO 80215
JANUARY 21, 2019





CERTIFICATION

I hereby certify that the foregoing is a true and correct copy of Resolution No. 2019-02-_____, Resolution of the Board of Directors of Colorado International Center Metropolitan District No. 5, Resolution for Inclusion of Real Property.

**COLORADO INTERNATIONAL CENTER
METROPOLITAN DISTRICT NO. 5**

Date: _____

By: _____
Secretary