

PARKWAY CIRCLE FILING NO. 4

Final Plat

A Subdivision, being a Re-Plat of Block 1, Parkway Circle Filing No. 1, Together with a portion of Vacated Carbon Road, Situated in the Northwest 1/4 of Section 28, Township 1 South,

NW COR., SEC. 28

"15315, 1998"

N 1222752.24

E 3105151.26

N 1222405.20

E 3104269.96

N85°33'00"E 1933.65'

TIS. R69W OF THE 6TH P.M.

IN RANGE BOX STAMPED

GROUND COORDINATES

GRID COORDINATES

(COLORADO NORTH ZONE)

FND. 3 1/4" ALUMINUM CAP

LATITUDE 39°56'35.82069" N

LONGITUDE 105°07'41.23070" W

CITY OF BROOMFIELD FC-2

GROUND COORDINATES

GRID COORDINATES

(COLORADO NORTH ZONE)

N 1222606.36_

E 3104517.22

N 1222259.36

E 3103636.10

LATITUDE 39'56'34.40560 N"

LONGITUDE 105°07'49.37680 W"

Range 69 West of the 6th P.M.
City and County of Broomfield, State of Colorado.
Sheet 1 of 2

NGS Q413

LATITUDE 39°57'31.53189 N"

LONGITUDE 105°06'33.29741 W"

GROUND COORDINATES

N 1228413.78

E 3110418.86

(COLORADO NORTH ZONE)

GRID COORDINATES

N 1228065.13

E 3109536.06

-*LAПTUDE 39°56′35.80771" N*

(COLORADO NORTH ZONE)

GROUND COORDINATES

N 1222756.38

N 1222409.34

E 3105563.37

3106445.04

GRID COORDINATES

LONGITUDE 105°07'024.62392" W

LEGAL DESCRIPTION AND DEDICATION:

BY THESE PRESENTS, THE UNDERSIGNED, BEING THE OWNER OF:

A PARCEL OF LAND BEING ALL OF BLOCK 1, PARKWAY CIRCLE FILING NO. 1 AS RECORDED AT RECEPTION NO. 2003004328 OF THE CITY AND COUNTY OF BROOMFIELD CLERK AND RECORDER'S OFFICE, TOGETHER WITH A PORTION OF VACATED CARBON ROAD AS RECORDED AT RECEPTION NO. 2005011181 OF SAID COUNTY RECORDS, SITUATED IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF BROOMFIELD, STATE OF COLORADO, BEING MORE PARTICULAR DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 28, THENCE
NORTH 89°48'59" EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28, A DISTANCE OF 255.40
FEET TO THE POINT OF BEGINNING.

THENCE NORTH 89°48'59" EAST, CONTINUING ALONG SAID NORTH LINE, A DISTANCE OF 1038.40 FEET;
THENCE SOUTH 00°11'01" EAST, A DISTANCE OF 30.00 FEET TO THE NORTHEAST CORNER OF SAID BLOCK 1;
THENCE ALONG THE EASTERLY, SOUTHERLY AND WESTERLY LINE OF SAID BLOCK 1, THE FOLLOWING FOUR (4) COURSES:

1) SOUTH 00°11'01" EAST, A DISTANCE OF 288.20 FEET TO A POINT OF CURVATURE;

2) ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 90°11'46", A RADIUS OF 535.00 FEET, AND AN ARC LENGTH OF 842.20 FEET (CHORD BEARS SOUTH 44'54'52" WEST, A DISTANCE OF 757.90 FEET);

3) NORTH 89°59'16" WEST, A DISTANCE OF 504.38 FEET;
4) NORTH 00°00'44" EAST, A DISTANCE OF 821.47 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 1;
THENCE NORTH 00°11'01" WEST, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING;

CONTAINING 825,254 SQ. FT OR 18.95 ACRES MORE OR LESS.

HAS LAID OUT, PLATTED AND SUBDIVIDED THE ABOVE DESCRIBED LAND, UNDER THE NAME AND STYLE OF PARKWAY CIRCLE FILING NO. 4, A REPLAT OF BLOCK 1, PARKWAY CIRCLE FILING NO. 1 TOGETHER WITH A PORTION OF VACATED CARBON ROAD; AND BY THESE PRESENTS GRANT TO THE CITY AND COUNTY OF BROOMFIELD ALL UTILITY EASEMENTS AS SHOWN OR NOTED ON THE PLAT FOR PUBLIC AND MUNICIPAL USES AND FOR USE BY FRANCHISEES OF THE CITY AND COUNTY AND FOR USE BY PUBLIC AND PRIVATE UTILITIES.

EXECUTED THIS 23 DAY OF October, A.D. 2007

ACKNOWLEDGMENT:

OWNER: MI DEVELOPMENT CORPORATION-TEXAS, A TEXAS CORPORATION, AS TO THAT PORTION LYING WITHIN BLOCK 1 OF PARKWAY CIRCLE FILING NO. 1;

BY: John K. Scott, JR. TITLE: PRESIDENT

STATE OF <u>Colorado</u> } COUNTY OF <u>DENVIR</u>

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 23 DAY OF OCHOLE, A.D. 2007 BY: JOHN K. SCOTT, JR., AS PRESIDENT OF MI DEVELOPMENT CORPORATION—TEXAS

WITNESS MY HAND AND OFFICIAL SEAL.
MY COMMISSION EXPIRES 12.22.2008



ACKNOWLEDGMENT:

OWNER: NJD, LTD., A TEXAS LIMITED PARTNERSHIP DOING BUSINESS IN COLORADO AS BROOMFIELD/NJD, LTD., AS TO THAT PORTION LYING WITHIN VACATED CARBON ROAD.

PLAN SCALE: 1"=200'

BY: PCS, INC.
A COLORADO CORPORATION, ITS GENERAL PARTNER

BY: Mh. Sully Vine Built
NAME: JOHN K. SCOTT, JR.
TITLE: VICE PRESIDENT

STATE OF <u>Colorado</u> ss COUNTY OF <u>Denuer</u>

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 23 DAY OF October, A.D. 2007, BY: JOHN K. SCOTT, JR., AS VICE PRESIDENT OF PCS, INC. A GENERAL PARTNER OF NJD, LTD., A TEXAS LIMITED PARTNERSHIP

WITNESS MY HAND AND OFFICIAL SE

MY COMMISSION EXPIRES

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HOLDER OF DEED OF TRUST:

PARKWAY CIRCLE

FILING NO. 4

VIA VARRA

LATITUDE 39°56'35.81818" N

GROUND COORDINATES

(COLORADO NORTH ZONE)

N 1222753.05

E 3105406.65

N 1222406.01

E 3104525.27

255.40'

GRID COORDINATES

LONGITUDE 105'07'37.95253" W

HOLDER: NJD, LTD., A TEXAS LIMITED PARTNERSHIP DOING BUSINESS IN COLORADO AS BROOMFIELD/NJD, LTD.,

PARKWAY CIRCLE

FILING NO. 4

BY: PCS, INC.
A COLORADO CORPORATION, ITS GENERAL PARTNER

-LATITUDE 39°56'27.40576" N

GROUND COORDINATES

GRID COORDINATES

(COLORADO NORTH ZONE)

N 1221901.58 E 3105406.57

N 1221554.78 E 3104525.19

LONGITUDE 105°07'37.99949" W

BY: Whi West VI Vie - President
NAME: JOHN K. SCOTT, JR.
TITLE: VICE PRESIDENT

STATE OF <u>Colorado</u> } SS COUNTY OF <u>Denver</u> }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY OF OCHOBIL, A.D. 2007, BY: JOHN K. SCOTT, JR., AS VICE PRESIDENT OF PCS, INC., GENERAL PARTNER OF NJD, LTD, A TEXAS LIMITED PARTNERSHIP

WITNESS MY HAND AND OFFICIAL SEAL MY COMMISSION EXPIRES

NOTARY PUBLIC OF CONTROL OF CONTR

NOTES:

1. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY HARRIS KOCHER SMITH TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS—OF—WAY AND TITLE OF RECORD, HARRIS, KOCHER AND SMITH RELIED UPON COMMITMENT FOR TITLE INSURANCE, COMMITMENT NO. ABD70189592 ISSUED BY LAND TITLE GUARANTEE COMPANY AND HAVING AN EFFECTIVE DATE OF JULY 16, 2007 AT 5:00 P.M.

- 2. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- 3. SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION "X" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY ON FLOOD INSURANCE RATE MAP NO. 0015D, WITH A DATE OF IDENTIFICATION OF SEPTEMBER 30, 1997, FOR COMMUNITY NUMBER 085073, IN THE CITY OF AND COUNTY OF BROOMFIELD, STATE OF COLORADO, WHICH IS IN THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
- 4. BASIS OF BEARINGS: BASED ON THE LINE BETWEEN CITY AND COUNTY OF BROOMFIELD MONUMENTS, #FC-2 AND Q-413 AS BEARING NORTH 45°27'40" EAST. #FC-2 IS A 2" ROUND CAP SET IN THE CONCRETE CURB. Q-413 IS MONUMENTED BY A STAINLESS STEEL ROD, ENCLOSED IN A 5-INCH PVC PIPE WITH LOGO LID, SURROUNDED BY A CONCRETE AND RECESSED 2 CM BELOW THE GROUND.
- THE COLORADO COORDINATE SYSTEM HEREON SHOWN IS DEFINED AS C ORDER. CLASS 2-II, 1:20,000 AS DESCRIBED IN THE "GEOMETRIC GEODETIC ACCURACY STANDARDS AND SPECIFICATIONS FOR USING GPS RELATIVE POSITIONING TECHNIQUES AND/OR STANDARDS AND SPECIFICATIONS FOR GEODETIC CONTROL NETWORKS" BY THE FEDERAL GEODETIC CONTROL COMMITTEE.
- 6. COMBINED SCALE FACTOR TO REDUCE MODIFIED STATE PLANE GRID COORDINATES TO STATE PLANE VALUES = 0.99971618.
- 7. AN EASEMENT FOR EMERGENCY ACCESS FOR POLICE, FIRE AND EMERGENCY VEHICLES IS HEREBY GRANTED OVER THE DRIVEWAYS AND PARKING AREAS AS THEY EXIST FROM TIME TO TIME.
- 8. THE OWNER AND USERS OF THE REAL PROPERTY DESCRIBED AS LOT 3. BLOCK 1. OVERLOOK DISTRICT FILING NO. 1, REPLAT A, REC. NO. 2006006816 (LOT 3, BLOCK 1") SHALL BE ALLOWED ACCESS OVER THE NORTH-SOUTH PRIVATE ROAD DEPICTED IN THIS SUBDIVISION PLAT (THE "PRIVATE ROAD") FOR THE BENEFIT OF LOT 3, BLOCK 1 ON THE FOLLOWING CONDITIONS: (I) LOT 3. BLOCK 1 IS DEVELOPED AS RETAIL AND OFFICE USES ONLY AND THE ACCESS OVER THE PRIVATE PRIVATE IN THE RETAIL AND OFFICE USE; (II) THE PRIVATE ROAD SHALL NOT BE USED FOR CONSTRUCTION ACCESS OR DELIVERIES: (III) THE OWNER OF LOT 3, BLOCK 1 AGREES TO ENTER INTO A CROSS ACCESS AGREEMENT WITH THE OWNERS OF LOTS 1 AND 2. PARKWAY CIRCLE FILING NO. 4 SUBSTANTIALLY IN THE FORM TO BE ENTERED INTO BETWEEN THE OWNERS OF LOTS 1 AND 2. PARKWAY CIRCLE FILING NO. 4 AND (IV) IN THAT CROSS ACCESS AGREEMENT. THE OWNER OF LOT 3, BLOCK 1 AGREES TO PAY ITS PROPORTIONATE SHARE (BASED ON THE USE OF LOT 3. BLOCK 1) OF THE COSTS TO CONSTRUCT, REPAIR. AND MAINTAIN THE PRIVATE ROAD. THE OBLIGATIONS IN THIS NOTE SHALL EXPIRE TWO (2) YEARS FOLLOWING THE RECORDATION OF THIS SUBDIVISION PLAT OF PARKWAY CIRCLE FILING NO. 4 IF THE OWNER OF LOT 3, BLOCK 1 HAS NOT ENTERED INTO SUCH AN AGREEMENT ACCEPTABLE TO THE OWNERSHIP OF THIS FILING NO. 4 BEFORE THE EXPIRATION OF SUCH TWO (2) YEAR PERIOD.
- 9. NO BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY SHALL BE ISSUED FOR THIS FINAL PLAT UNLESS AND UNTIL AN OWNER'S TITLE POLICY HAS BEEN DELIVERED TO THE CITY AND COUNTY OF BROOMFIELD AND THE PREMIUM PAID THEREON IN ACCORDANCE WITH THE PROVISIONS OF SECTION 16-20-030(0) OF THE BROOMFIELD MUNICIPAL CODE.

LAND USE REVIEW COMMISSION CERTIFICATE:

THIS FINAL PLAT IS RECOMMENDED FOR APPROVAL BY THE CITY AND COUNTY OF BROOMFIELD LAND USE REVIEW COMMISSION, THIS HAD DAY OF _______, A.D. 2007.

CHAIRMAN

SECRETARY SECRETARY

CITY COUNCIL CERTIFICATE:

THIS FINAL PLAT IS HEREBY APPROVED AND THE DEDICATIONS ACCEPTED BY THE COUNCIL OF THE CITY AND COUNTY OF BROOMFIELD, COLORADO ON THIS 14th DAY OF August, A.D. 2007.

Mun Shart

CITY CLERK, Deputy



SURVEYOR'S CERTIFICATION:

I, MARK T. WILSON, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO. DO HEREBY STATE THAT THIS RE-PLAT OF "BLOCK 1, PARKWAY CIRCLE FILING NO. 1" TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE UNDER MY RESPONSIBLE CHARGE, SUPERVISION AND CHECKING AND HAS BEEN PERFORMED IN ACCORDANCE WITH COLORADO STATE LAW.

NAME: MARK T. WILSON.
TITLE: SURVEY MANAGER
REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTRATION NO.: 36062
ADDRESS:1391 SPEER BLVD. SUITE 390
DENVER CO. 80204

TELEPHONE NO.: 303-623-6300

REVISED: 3-29-07 REVISED: 7-05-07 REVISED: 7-10-07 REVISED: 7-16-07 REVISED: 7-17-07 REVISED: 7-20-07 REVISED: 7-24-07 REVISED: 7-26-07

REVISED: 8-03-07

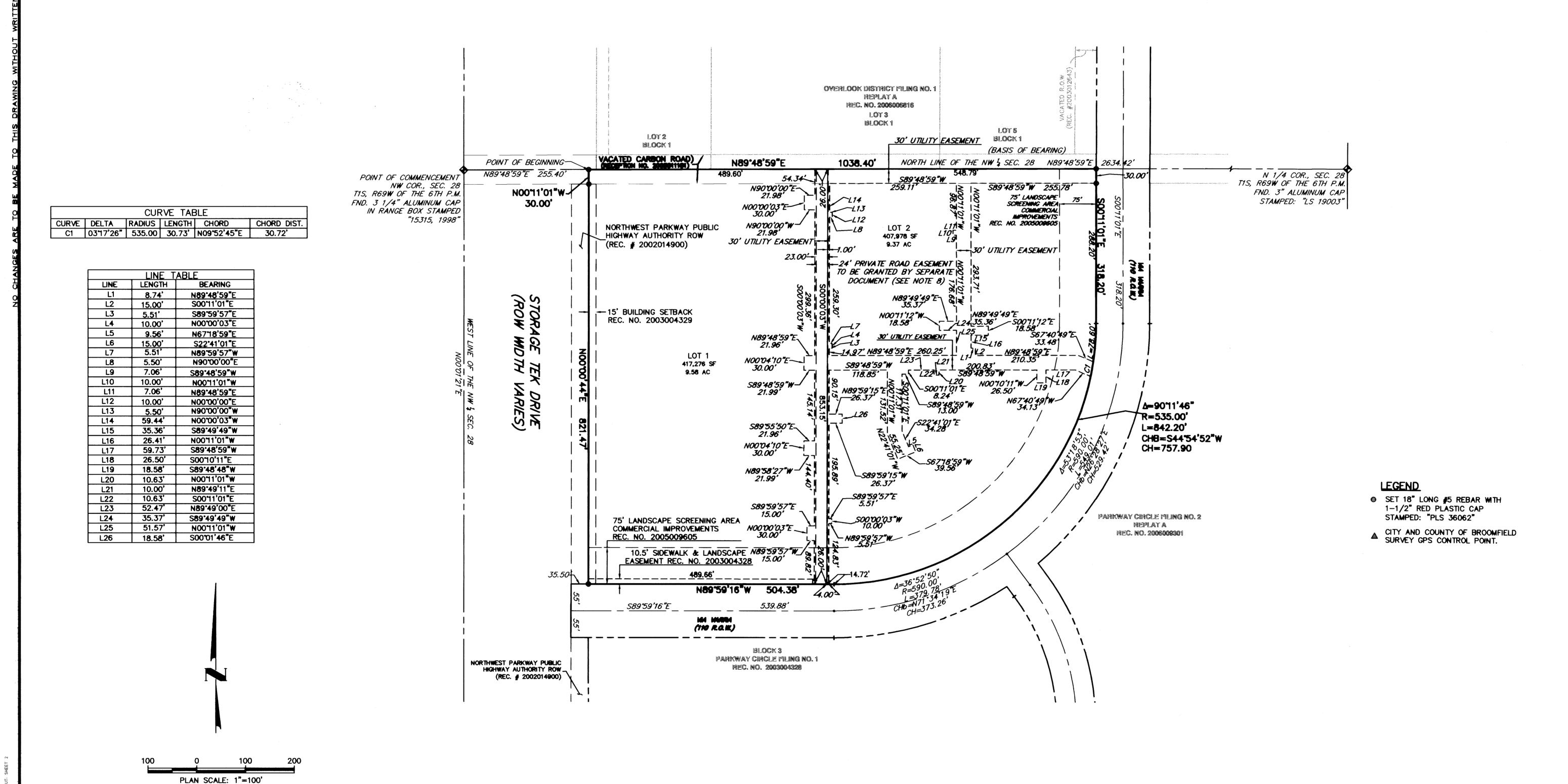
Harris Kocher Smith

1391 Speer Blvd. — Suite 390 Denver, Colorado 80204 Phone (303) 623—6300 Fax (303) 623—6311

PARKWAY CIRCLE FILING NO. 4

Final Plat

A Subdivision, being a Re-Plat of Block 1, Parkway Circle Filing No. 1,
Together with a portion of Vacated Carbon Road,
Situated in the Northwest 1/4 of Section 28, Township 1 South,
Range 69 West of the 6th P.M.
City and County of Broomfield, State of Colorado.
Sheet 2 of 2



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Harris Kocher Smith

ineers • land surveyor 1391 Speer Blvd. — Suite 390 Denver, Colorado 80204 Phone (303) 623-6300 Fax (303) 623-6311