

Land Use Plan Amendment Narrative

City of Commerce City, CO

Applicant: Adams Crossing, LLC

**Proposed
Amendment:** The annexation of 23.7 vacant acres from Brighton
City, into Commerce City

Location: Located on the N/W Corner of Chambers and 120th
Avenue.

FTK: Land Use Plan Amendment

A. General Property Information:		
1.	Property Address or Parcel Identification Number (PIN):	23.7 Vacant acres located on the N/W Corner of Chambers Rd. and 120th Ave., Brighton City, CO. - Parcel Numbers APN #0156931000028 and APN #156931400001
2.	Applicant's Name:	ADAMS CROSSING, LLC
3.	Property Owner's Name:	ADAMS CROSSING, LLC
4.	Current Zoning of the Subject Property:	The is currently Adams County Agricultural -3 (A-3)

B. Land Use Identification:			
Residential (Specify Type)		Non-Residential (Specify Type)	
Existing Future Land Use		Existing Future Land Use	Northern Range Commercial
Existing Use		Existing Use	Vacant
Acres/Number of Units		Acres/Square Feet	13.8 Acres
Requested Future Land Use		Requested Future Land Use	Commercial and Agricultural
Number of Proposed Units		Maximum Square Footage	NA
Existing Zoning		Existing Zoning	Adams County Agricultural -3 (A-3)

Adjacent Future Land Uses	N:	Vacant/ Freeway
(For example, "Commercial")	E:	Commercial
	W:	Vacant/Freeway
	S:	Commercial and Residential
Adjacent Land Uses	N:	Vacant/Freeway
(For example, "School")	E:	Commercial/Residential
	W:	Vacant/Freeway
	S:	Commercial

	Specific Details <i>(Be specific! Do not answer just ‘Yes’ or ‘No.’ Applicants should explain in detail the nature of the request and why the proposal is justified (e.g., how it meets the required approval criteria listed on page #3. Prior to being determined a complete application, clear justification statements <u>must accompany amendment requests</u>. If you have any questions, please ask for assistance.)</i>
	What is the purpose of your proposed amendment? (Describe, in general terms, what the proposed amendment is intended to accomplish.)

Site Location and Context:

The subject site consists of two vacant land parcels totaling 23.7 acres which are located at the northeast corner of East 120th Avenue and Chambers Road in Commerce City. The applicant would like to annex the two parcels into Commerce City and zone one parcel with a commercial C-2 designation, and the other with an agricultural zoning (AG).

The property is bound by:

- East 120th Avenue to the south,
- Chambers Road to the east,
- Cameron Dr. to the west,
- Obrian canal and Cameron Dr to the north.

The surrounding land uses are a mix of an established residential neighborhood and commercial services:

- To the south, Buffalo Ranch Self Storage, 7-11 Convenience and gas store and additional commercial sites for future development.
- To the east, a Shell Gasoline station with liquor store, in-line commercial spaces and the Outlook residential detached housing neighborhood.
- To the west, Cameron Drive, vacant land, railroad tracks and I-76
- To the north, vacant land, railroad tracks and I-76

The area currently boasts a blend of residential and commercial uses, and the proposed annexation, zoning and agricultural and commercial zoning logistically integrate.

Rationale for the Amendment

The proposed commercial and agricultural zoning is consistent with Commerce City’s 2045 comprehensive plan designation of Northern Neighborhood District and the General Plan’s Economic Framework map. The other contiguous properties at the intersection of Chambers and 120th Ave. are zoned and partially developed for commercial use.

It is not economically feasible to develop this property in the city of Brighton due to the distant proximity to Brighton City utilities and infrastructure. The I-76 Freeway, railways and Cameron Drive all lay between this property and the next closest property in Brighton City, creating a significant distance and challenge extending and providing utilities and services to this property.

Efficient Use of Infill Land:

This is an infill site located along two major corridors (Chambers Road and 120th Avenue), where infrastructure and services are already in place and future road design plans include widening 120th Avenue to accommodate four-six lanes of traffic at full build-out. Future additional commercial development in this location maximizes the current and future investments in roads, utilities and other infrastructure.

2.	Describe the desired Comprehensive Plan map designation as it relates to the property.
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Relationship with the Comprehensive Plan

The 2045 Commerce City Comprehensive Plan’s Economic Development Framework map currently designates the subject property as Northern Range Commercial within the Economic Development Framework.

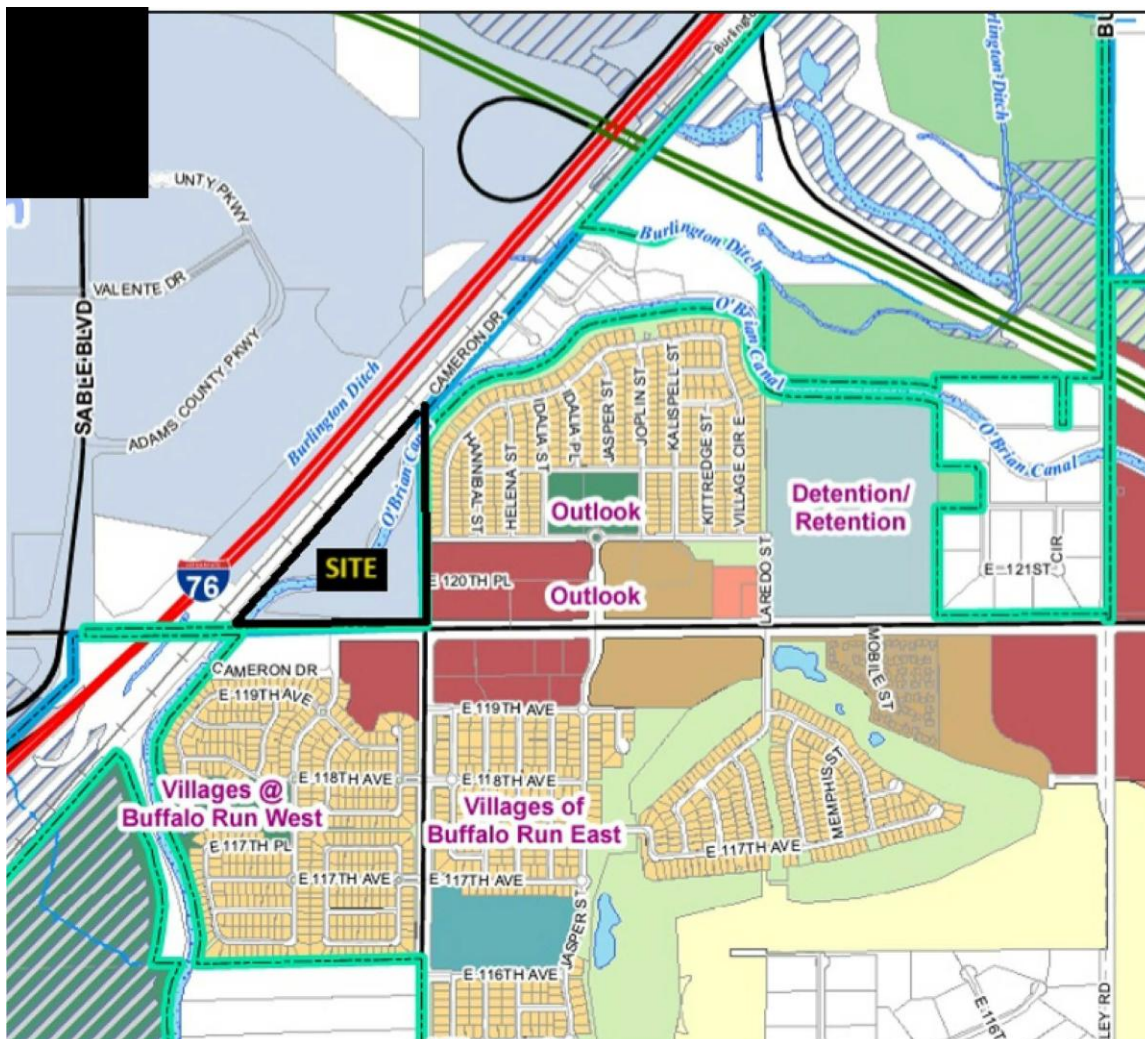
The plan amendment request for this 23.7-acre property is consistent with the City’s Northern Neighborhoods District allowing residential-scaled neighborhood commercial uses at perimeter locations. The City’s Economic Development Framework map in the City’s 2045 Comprehensive Plan denotes “Northern Range Commercial” consistent with the other three property corners at this intersection of Chambers and 120th Avenue. The City’s zoning plan identifies the contiguous parcels to this proposed annexation as commercial PUD Village zoning. The purpose of the commercial districts is to provide a wide variety of general retail, business, as well as professional and business offices to provide supporting services for existing and future residential developments in the area. The City’s Comprehensive plan suggests “A significant amount of residential growth has occurred in the Northern Range over the past two decades. There is a need for additional commercial uses to support existing and future residents and provide a balanced mix of uses.”

3.	Describe what type of development is envisioned for the property proposed for change:
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The intended annexation of these two parcels will benefit the community in separate ways. The proposed use of Parcel #1 is commercial C-2, which will be oriented towards providing needed services and conveniences to the surrounding community. The proposed zoning of the lower parcel

The applicant has no immediate plans to develop either of the two parcels associated with this property. Any site concept plans created on parcel #2 are strictly created for annexation and zoning purposes and are conceptual in nature. The upper Parcel #2 could potentially lend itself to 55k-65K square feet of commercial buildings.

The purpose of Commerce City's General Commercial District (C-2) is to provide a wide variety of general retail, business, and service uses, as well as professional and business offices, but not intensive, high-traffic generating activities. The requested uses are compatible with the land use patterns that currently exist adjacent to the property.



Property Access:

The property is an infill site, fully served by existing roadways on three sides, which are bisected by the Obrian Canal system. It is anticipated that access could be obtained by:

- Providing main full-movement entries to Parcel 1 from Chambers Rd.
- Utilizing any potential right-in/right-out access to Parcel 1 on East 120th Avenue approved by CDOT.
- Providing full-movement access to Parcel 2 from Cameron Drive.

Consistence with Community Goals:

This amendment provides additional opportunities to provide commercial services and goods to the immediate and connecting communities. It helps accomplish the City's goals within the Comprehensive and Economic Framework Plans by maintaining the vitality of the heavily trafficked corridor while preserving approximately 45%-50% of the two properties in less intensive and impacting agricultural and open space uses.

4.	Describe the desired future zoning for the property:
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The requested zoning for the two proposed annexation parcels included in this amendment is:

Lot 1 – 9.38 Acres - Commerce City (AG) Agricultural

Lot 2 – 13.9 Acres - Commerce City (C-2) Commercial

Explanation for requested zoning:

The proposed annexation property consists of two (2) existing parcels recently disconnected from Brighton City.

Parcel #1 is approximately 9.83 acres, and Parcel #2 is approximately 13.9 acres. Currently, the sites are undeveloped open land. On a sizable portion of Parcel #1 non-jurisdictional wetlands have been identified. Parcel #2 is not located within any floodplains and after Army Corp. review, does not contain any wetland areas.

The applicant believes that the zoning proposal meets the goals, land use designations and the criteria of the city's development code and the 2045 comprehensive plan which describes this property within the Northern Neighborhoods District allowing residential-scaled neighborhood commercial uses at perimeter locations.



Northern Range Commercial

Promote commercial centers that contain a variety of attractive retail and entertainment options for all ages, with high multimodal access, 360 architecture, pedestrian-scale development, and integrated outdoor seating and gathering spaces.

The City's 2045 economic development framework map denotes this property as "Northern Range Commercial" like the other three property corners at this Chambers Rd. and 120th Avenue intersection.

The City's zoning plan identifies the zoning of the parcels immediately contiguous to this property as Commercial PUD Village. The purpose of the commercial districts is to provide a wide variety of general retail, business, as well as professional and business offices to provide supporting services for existing and future residential developments in the area.

5.	How will your proposal affect transportation, services, and facilities? (Describe how the property is currently served, or is planned to be served, by roads and other applicable transportation systems like bus, bicycle, or pedestrian (attach copies of documents from service providers regarding available or planned services, if any).
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Considering the conceptual nature of the property, access drives are not identified currently. However, it is presumed the most direct access will be provided from Chambers Road. Overall access is expected to be provided via Chambers Road with potential for indirect access via East 121st Avenue. Pending site grading and setback requirements from the intersection of Chambers and 120th Ave., there is a possibility for a right-in/right-out access from 120th Avenue West of Chambers Rd.

Since this is an infill parcel, there are utilities available within the surrounding roadways.

- Chambers Road – Existing Sanitary Sewer and Water
- 120th Avenue – Existing Sanitary Sewer, Water and Fiber Optic at the Intersection w/ Chambers Rd.

Furthermore, 120th Avenue is currently being designed to provide multi-modal access with a wider detached sidewalk to accommodate bikes and pedestrians. This detached walk runs in an East/West direction connecting residential neighborhoods with commercial areas creating multiple transportation options for pedestrians.

6.	How will your proposal affect any utility service systems? (Describe how the property is, or is planned to be, served by sewer and water (attach copies of documents from service providers regarding available or planned services, if any).
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As mentioned previously, the current property is an infill parcel which has existing utilities currently installed on the frontages of the site. The property can be served by various utility providers as described below:

Upon successful annexation into Commerce City the utility providers will be as follows:

- Electric – United Power
- Fiber Optic – Century Link
- Water and Sanitary – South Adams County Water and San District
- Irrigation – S. Adams County
- Fire – South Metro Fire District
- Range view Library District.

7.	If your proposal would create pressure to change the designations of other properties, describe how these changes would be in the best interest of the neighborhood, city, and region:
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As noted previously, the subject property is an infill parcel, surrounded by a mix of established commercial and residential development. The proposed annexation and land use designation of C-2 Commercial within the Northern Range Commercial District will provide a logical use while benefiting the surrounding neighborhood.

The annexation property is supported by and identified in the Intergovernmental Agreement between Brighton Colorado and the City of Commerce City Colorado dated January 1, 2019. This updated intergovernmental agreement identifies the “Commerce City Annexation Area” as “that area generally south of the Annexation Boundary marked on attached Exhibit 1, except as modified by Section 2.e, attached, and reflected on attached Exhibit 3.”

8.	How will your proposal benefit the community?
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This amendment provides additional opportunities to provide commercial services and goods to the immediate and connecting communities while preserving approximately 41% of the property in less intensive and impacting agricultural uses. Residents and surrounding neighborhoods will enjoy the conveniences and services of the commercial development while the city will benefit from the ongoing sales tax revenue without any impact on parks or schools.

The applicant believes that the zoning proposal meets the goals, land use designations, and the criteria of the

city's development code and the 2045 comprehensive plan which describes this property within the Northern Neighborhoods District allowing residential-scaled neighborhood commercial uses at perimeter locations.

9.	How does your proposal support the goals, objectives, and policies of the Comprehensive Plan?
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The City's 2045 economic development framework map denotes this property as "Northern Range Commercial" like the other three property corners at this intersection of Chambers and 120th Avenue.

The City's zoning Plan identifies the parcels Immediately Contiguous to this proposed annexation as Commercial PUD Village. The purpose of the commercial districts is to provide a wide variety of general retail, business, as well as professional and business offices to provide supporting services for existing and future residential developments in the area.

10.	Is your proposal based upon changing social values, new planning concepts, or other social or economic conditions that have changed since adoption of the Comprehensive Plan or any subsequent amendments? ☒ Yes ☐ No If 'Yes,' describe what new information or changed circumstances should be considered:
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The applicant recently commissioned a study by Calibre Engineering to determine the practicality and financial feasibility for Brighton City to provide services to the proposed annexation property. It was determined that the cost to provide just sewer and water to the site would cost between \$4.4MM and \$5.6MM. South Adams County Water and Sanitation District has expressed capacity and willingness to serve the property. Sewer and water are currently located adjacent to the property in Chambers Road and in the intersection of Chambers Rd. and 120th Avenue.

11.	How will your proposal affect the following elements of the Comprehensive Plan? (Describe both positive and negative impacts and any measures you are taking to mitigate negative impacts):
➤ Housing:	There is no housing contemplated with this proposed Land Use Amendment.

➤ **Parks:**

There should not be any impact on the city's park system with this Land Use Amendment proposal. The proposal is to annex vacant land with a C-2 Commercial Zoning designation which does not allow for any residential components.

➤ **Environmental Features:**

The applicant is proposing that 41% of the property be designates as “agricultural use”. Which will dramatically limit development on at least 9.3 acres of property. Portions of the property have been identified as non-jurisdiction wetlands. The conceptual site plan shows that approximately 2 additional acres are proposed to be set aside as “open space” intending to buffer the residential homes that back onto the property

12.	How does the proposed amendment meet a definable public need?
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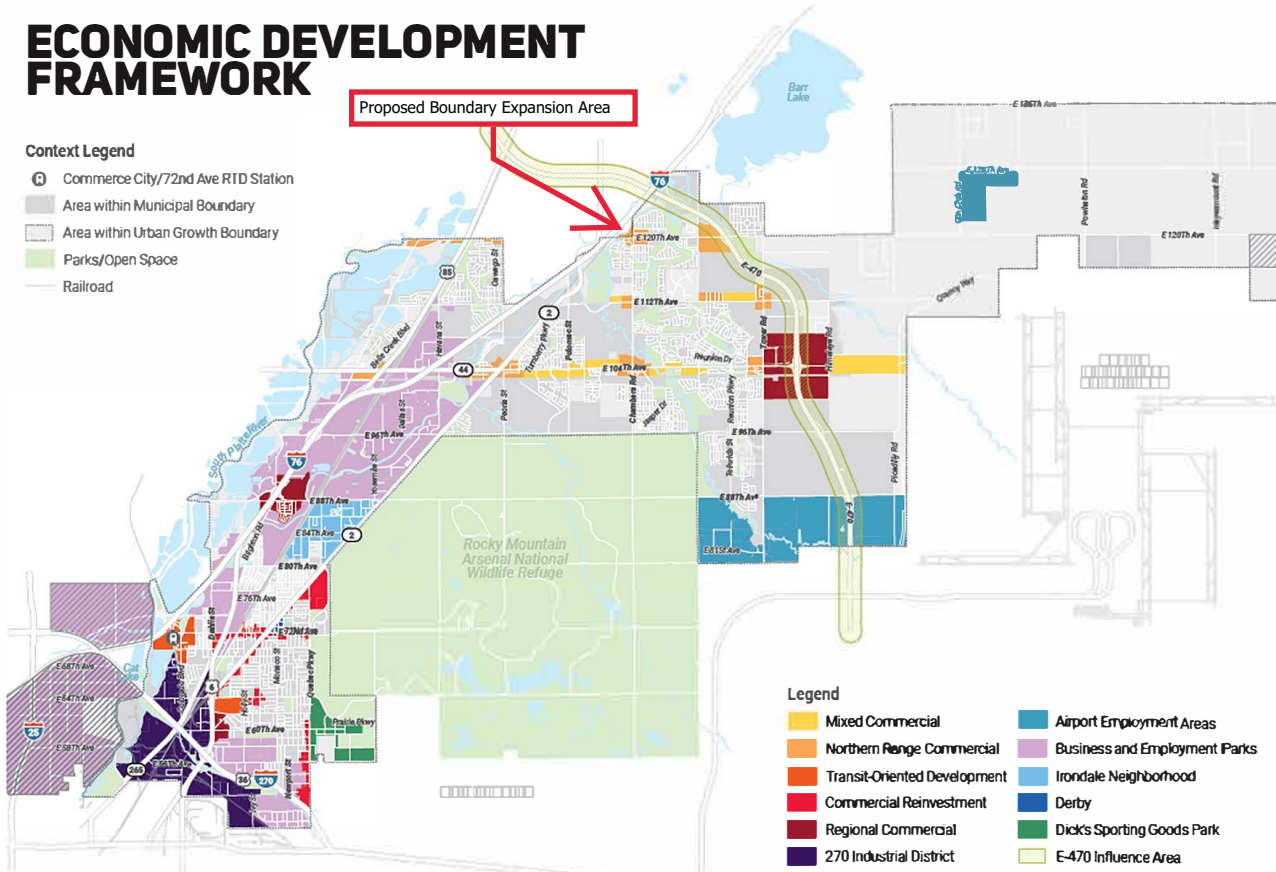
Community residents will enjoy the benefit and convenience of having small businesses and commercial tenants in proximity as the property potentially develops into restaurants, pet stores, banks, or pharmacies as allowed by the C-2 zoning designation.

Additionally, E. 120th Avenue corridor functions increasingly as a regional thoroughfare for travelers going to and from E-470 and Hwy 85. These travelers will also enjoy the convenient use of the commercial establishments and services along 120th Ave.

ECONOMIC DEVELOPMENT FRAMEWORK

Context Legend

- Commerce City/72nd Ave RTD Station
- Area within Municipal Boundary
- Area within Urban Growth Boundary
- Parks/Open Space
- Railroad

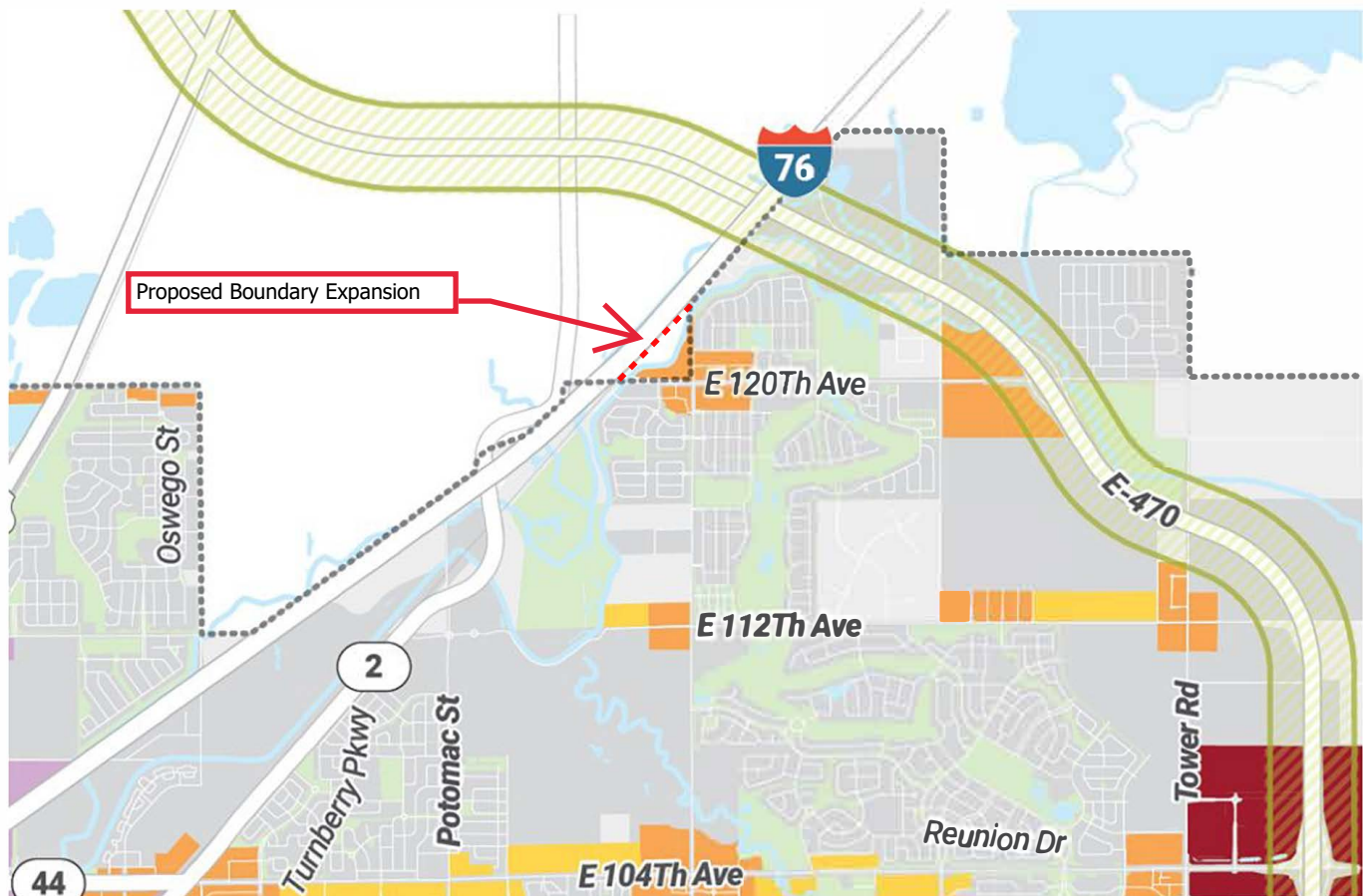


Legend

- Mixed Commercial
- Northern Range Commercial
- Transit-Oriented Development
- Commercial Reinvestment
- Regional Commercial
- 270 Industrial District
- Airport Employment Areas
- Business and Employment Parks
- Irondale Neighborhood
- Derby
- Dick's Sporting Goods Park
- E-470 Influence Area

How do the plan framework maps work with the Character Areas?

Character Areas are the foundation for all subsequent plan sections. The core elements of the Comprehensive Plan build on the Character Areas Plan and provide policies and recommendations for each contributing land use and key development area within Commerce City. While the character areas provide a broad, community-wide view of how land use should be dispersed across the City, the core elements detail the steps required for Commerce City to grow these unique places over time. The framework maps add more specific detail to the broader Character Areas Land Map.

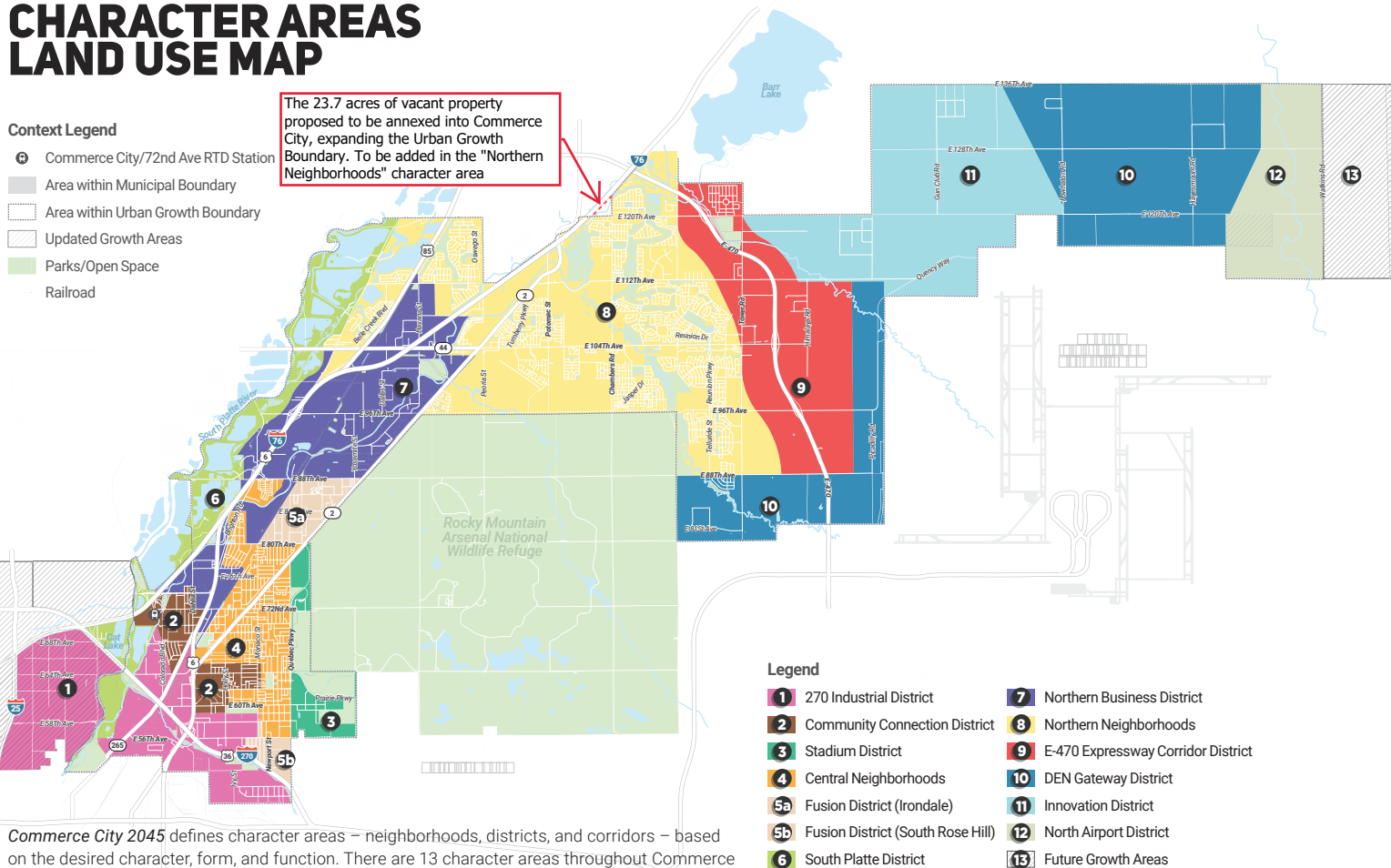


CHARACTER AREAS LAND USE MAP

Context Legend

- Commerce City/72nd Ave RTD Station
- Area within Municipal Boundary
- Area within Urban Growth Boundary
- Updated Growth Areas
- Parks/Open Space
- Railroad

The 23.7 acres of vacant property proposed to be annexed into Commerce City, expanding the Urban Growth Boundary. To be added in the "Northern Neighborhoods" character area



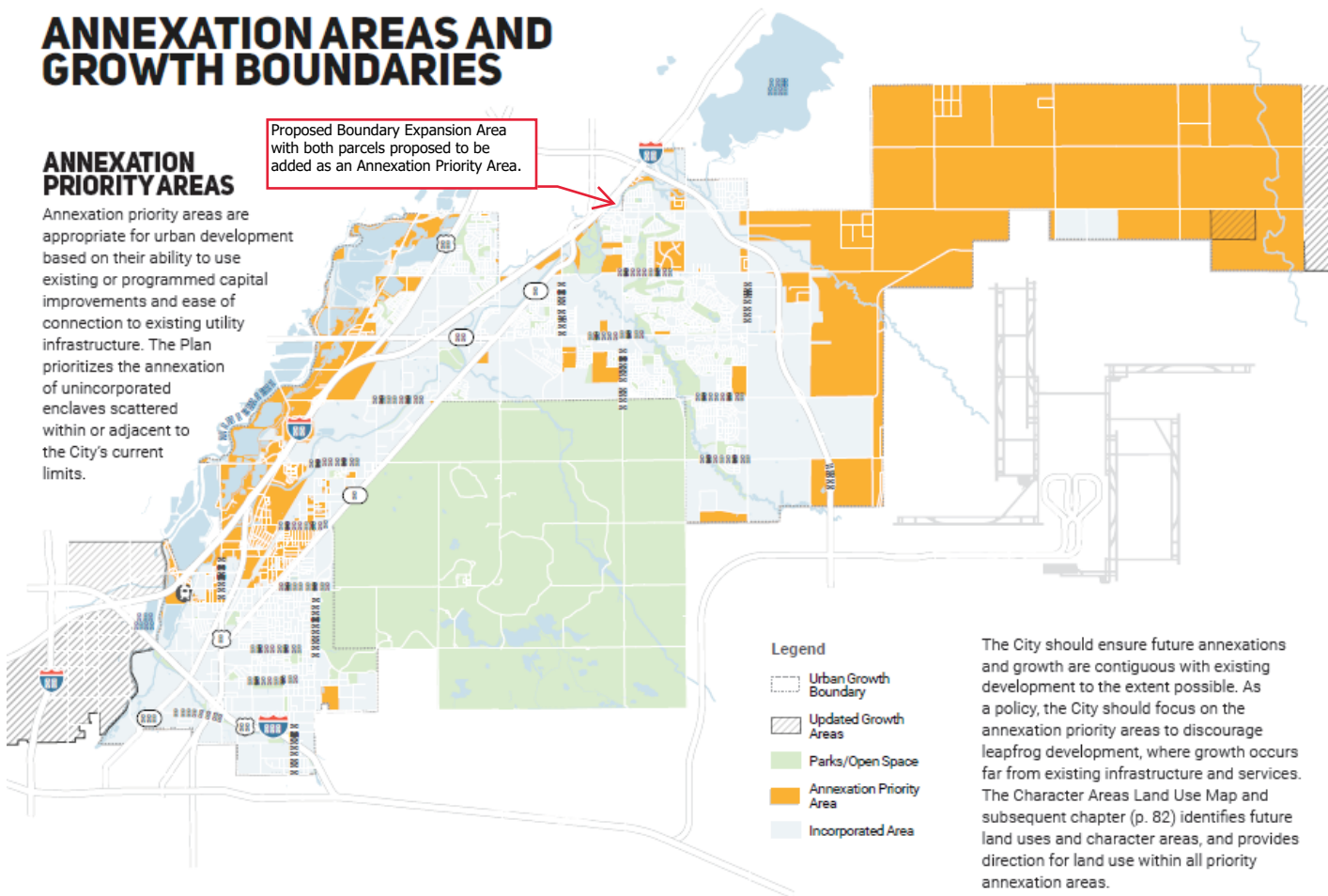
Commerce City 2045 defines character areas – neighborhoods, districts, and corridors – based on the desired character, form, and function. There are 13 character areas throughout Commerce City. These character areas address common land uses, including housing and residential areas, commercial areas, and industrial areas. The map depicts the general location of each character area rather than the land use designation of each parcel, focusing on the mix of uses that function together to establish an identifiable place within the community.

ANNEXATION AREAS AND GROWTH BOUNDARIES

ANNEXATION PRIORITY AREAS

Annexation priority areas are appropriate for urban development based on their ability to use existing or programmed capital improvements and ease of connection to existing utility infrastructure. The Plan prioritizes the annexation of unincorporated enclaves scattered within or adjacent to the City's current limits.

Proposed Boundary Expansion Area with both parcels proposed to be added as an Annexation Priority Area.



The City should ensure future annexations and growth are contiguous with existing development to the extent possible. As a policy, the City should focus on the annexation priority areas to discourage leapfrog development, where growth occurs far from existing infrastructure and services. The Character Areas Land Use Map and subsequent chapter (p. 82) identifies future land uses and character areas, and provides direction for land use within all priority annexation areas.

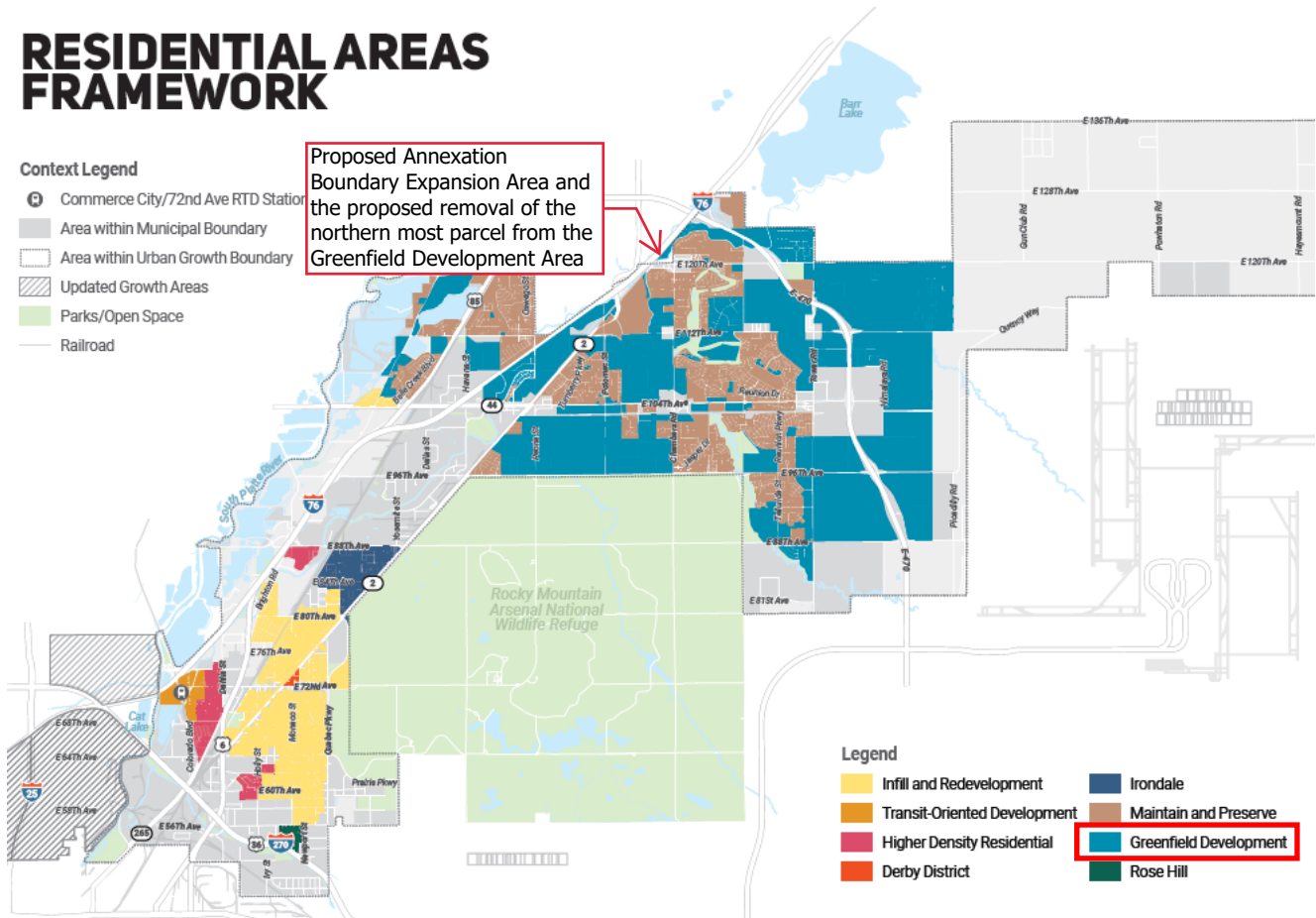


RESIDENTIAL AREAS FRAMEWORK

Context Legend

- Commerce City/72nd Ave RTD Station
- Area within Municipal Boundary
- Area within Urban Growth Boundary
- Updated Growth Areas
- Parks/Open Space
- Railroad

Proposed Annexation
Boundary Expansion Area and
the proposed removal of the
northern most parcel from the
Greenfield Development Area



Legend

- Infill and Redevelopment
- Transit-Oriented Development
- Higher Density Residential
- Derby District
- Irondale
- Maintain and Preserve
- Greenfield Development
- Rose Hill

How do the plan framework maps work with the Character Areas?

Character Areas are the foundation for all subsequent plan sections. The core elements of the Comprehensive Plan build on the Character Areas Plan and provide policies and recommendations for each contributing land use and key development area within Commerce City. While the character areas provide a broad, community-wide view of how land use should be dispersed across the City, the core elements detail the steps required for Commerce City to grow these unique places over time. The framework maps add more specific detail to the broader Character Areas Land Map.





Exhibit 1

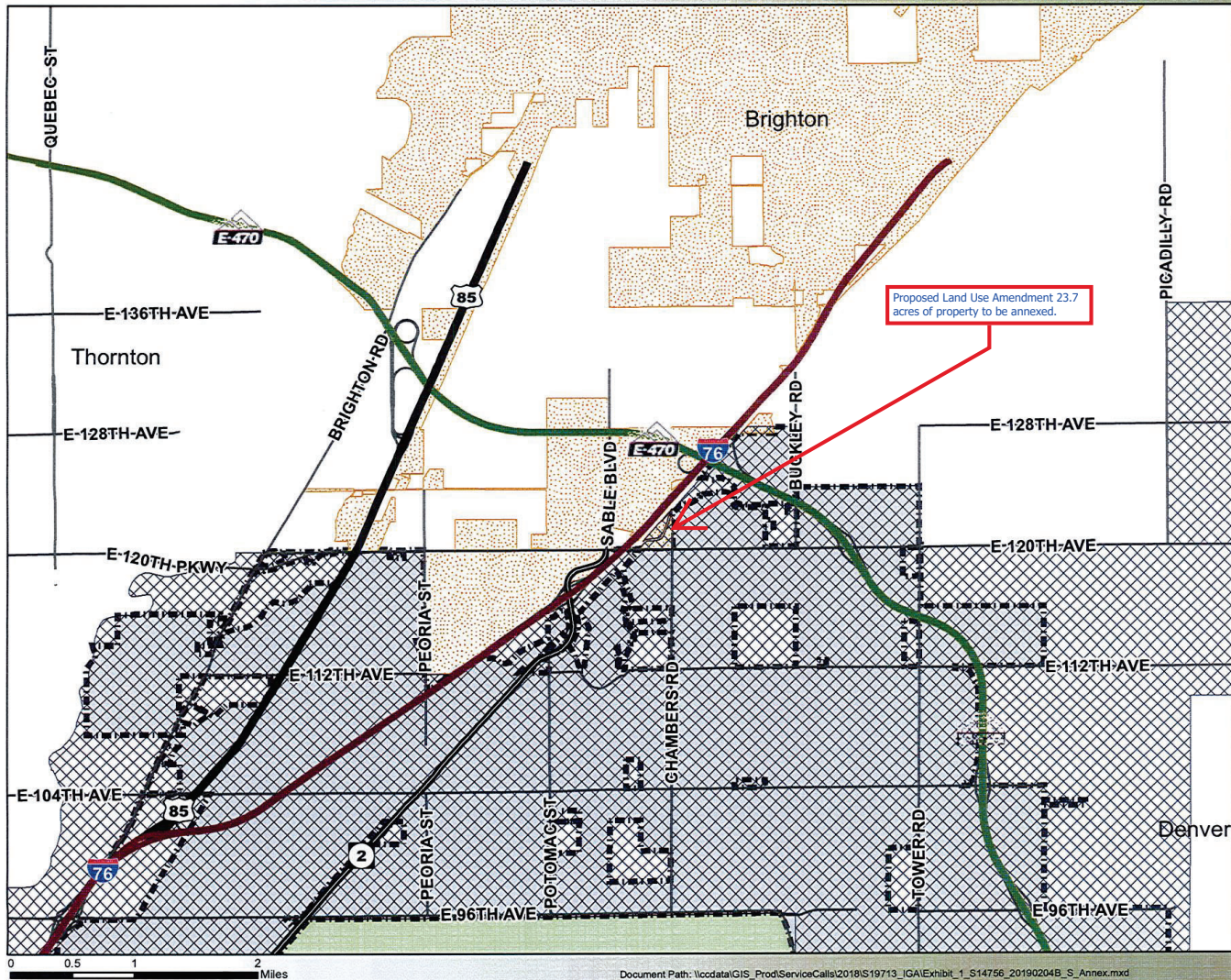
- City Limit -CC
- CC IGA
- Growth Boundary
- Brighton City Limit
- Interstate
- US Highway
- State Highway
- Tollway
- Major Streets

Data Date: 2/5/2019

GIS Maps and geospatial data are available for review at:
City of Commerce City
GIS Division
7387 E 60th Ave
Commerce City, CO 80022
303-289-3737
GIS@cc3gov.com
www.cc3gov.com

DISCLAIMER

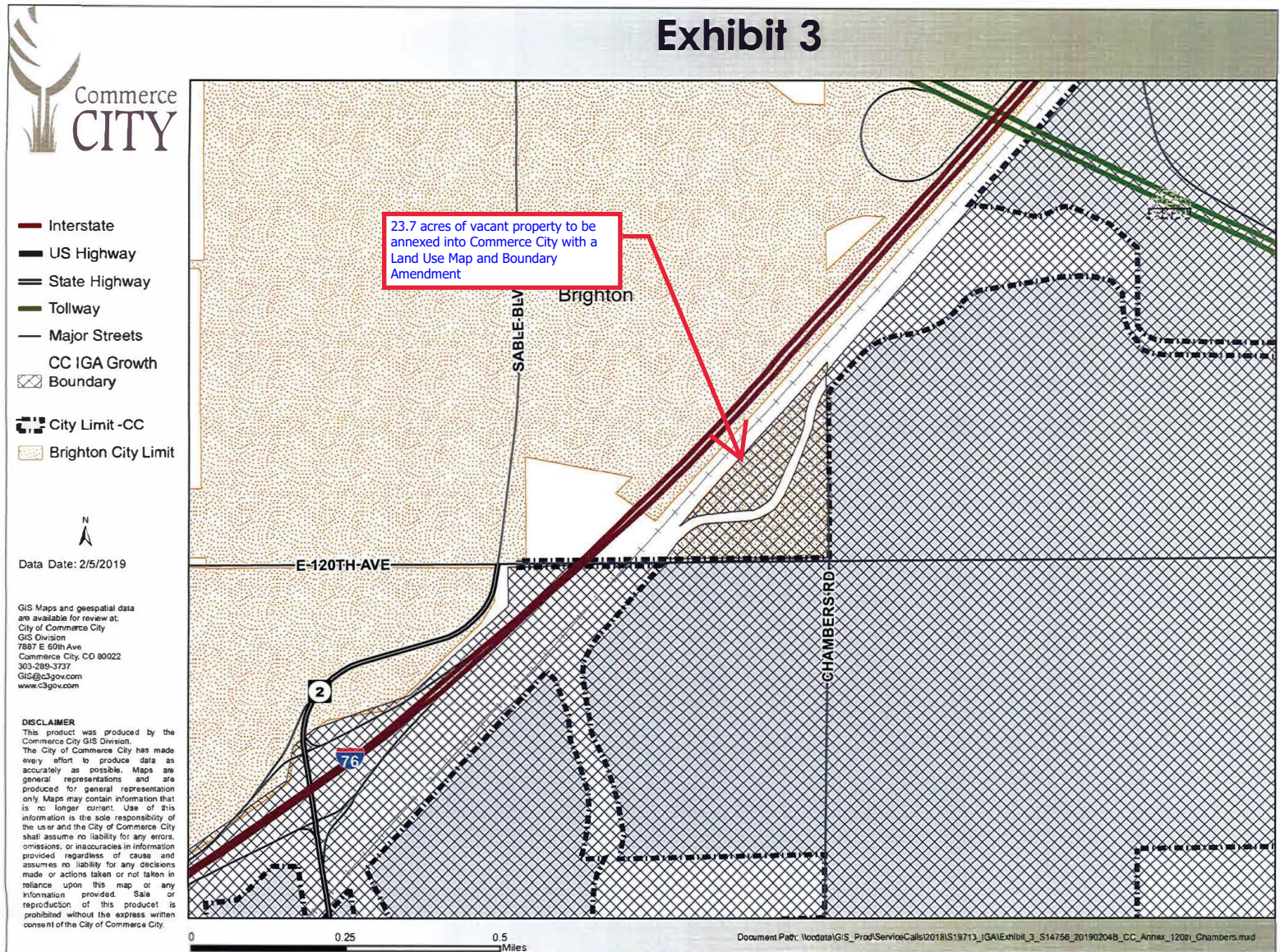
This product was produced by the Commerce City GIS Division. The City of Commerce City has made every effort to produce data as accurately as possible. Maps are general representations and are produced for general representation only. Maps may contain information that is no longer current. Use of this information is the sole responsibility of the user and the City of Commerce City shall assume no liability for any errors, omissions, or inaccuracies in information provided regardless of cause and assumes no liability for any decisions made or actions taken or not taken in reliance upon this map or any information provided. Sale or reproduction of this product is prohibited without the express written consent of the



Document Path: \\ccdata\\GIS_Prod\\ServiceCalls\\2018\\S19713_IGA\\Exhibit_1_S14756_20190204B_S_Annex.mxd

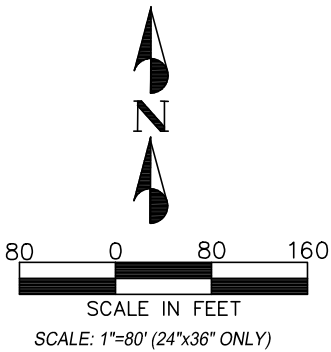
Intergovernment Agreement Between Brighton City and City of Commerce City - January 1, 2019

Exhibit #3



Annexation Property Concept Study

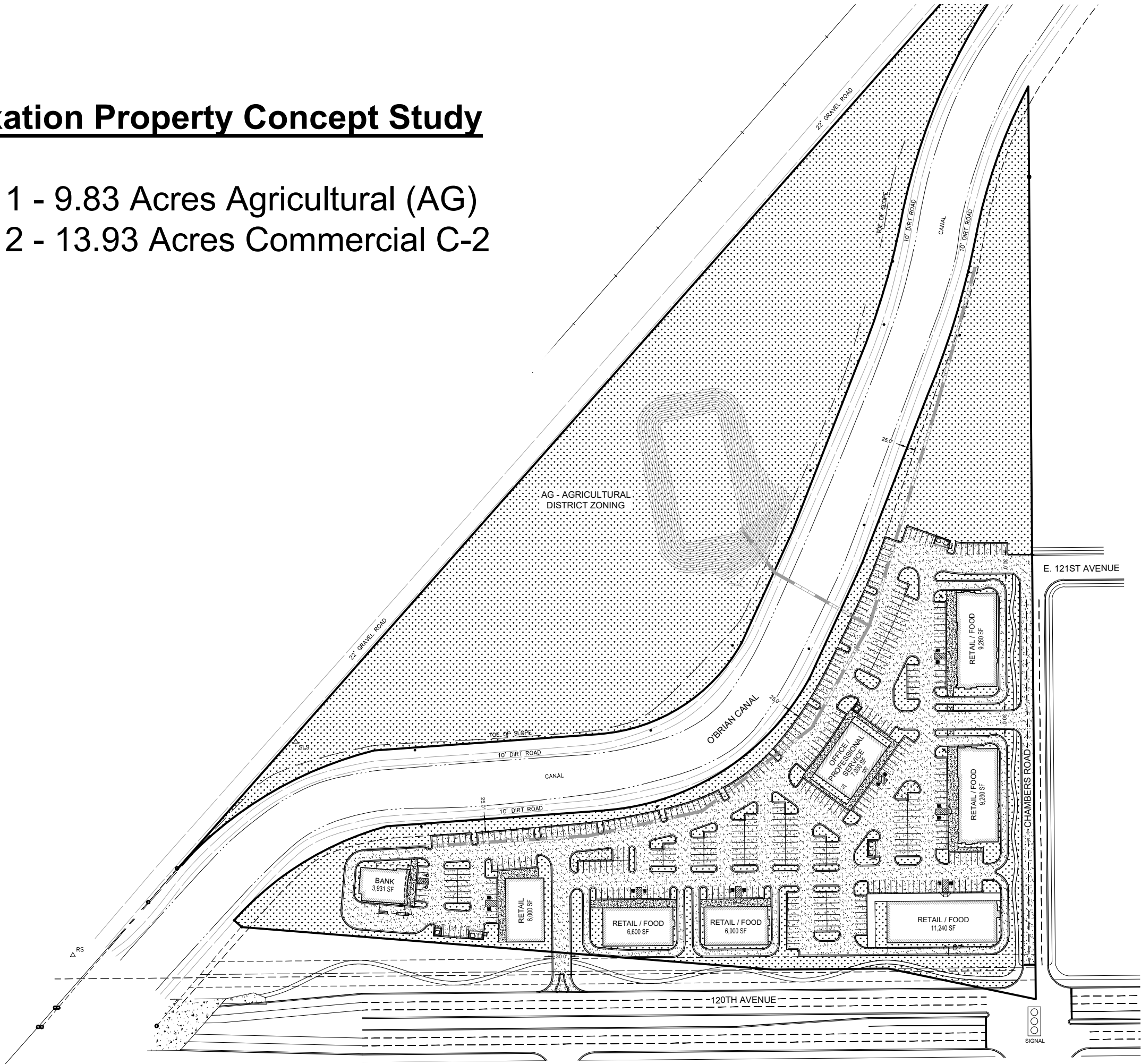
Parcel 1 - 9.83 Acres Agricultural (AG)
Parcel 2 - 13.93 Acres Commercial C-2



LAND USE SUMMARY		
BUILDING AREA	59,360 SF	11.6%
LANDSCAPE AREA	191,905 SF	37.4%
IMPERVIOUS AREA	261,357 SF	51.0%
TOTAL AREA	512,622 SF	100.0%

NOTES

1. ALL DIMENSIONS ARE FROM FACE OF CURB TO FACE OF CURB UNLESS OTHERWISE NOTED.
2. PARKING STALL SHOWN ARE A MINIMUM DIMENSION OF 9 FEET BY 19 FEET, AND MINIMUM DRIVE AISLE WIDTHS OF 24 FEET FOR TWO-WAY TRAFFIC.
3. BICYCLE PARKING PROVIDED PER CITY STANDARDS.
4. LANDSCAPE AREAS MAY WILL INCLUDE SUCH ELEMENTS AS TURF GRASS, PLANTING BEDS, TREE LAWNS, HARDSCAPE, DETENTION AND RETENTION PONDS, AND DRAINAGE ZONES PER CITY STANDARDS.

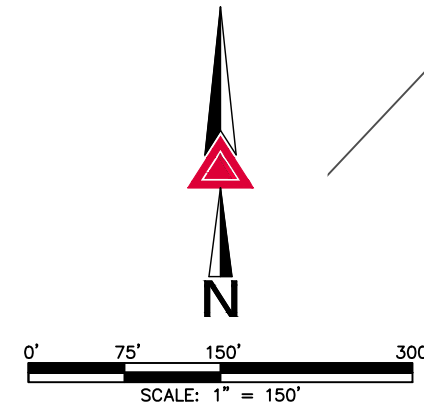


AN-256-23 ANNEXATION MAP
ADAMS CROSSING

TO THE CITY OF COMMERCE CITY, COLORADO (FOR ANNEXATION PURPOSES ONLY)
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 1 SOUTH,
RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO
SHEET 2 OF 2

LINE TABLE		
LINE	BEARING	LENGTH
L1	S21°17'39"W	281.14'
L2	S24°30'30"W	191.07'
L3	S00°28'32"E	66.31'
L4	N41°29'42"E	166.71'
L5	N48°09'17"W	15.95'
L6	N24°30'30"E	198.95'
L7	N21°17'39"E	283.13'

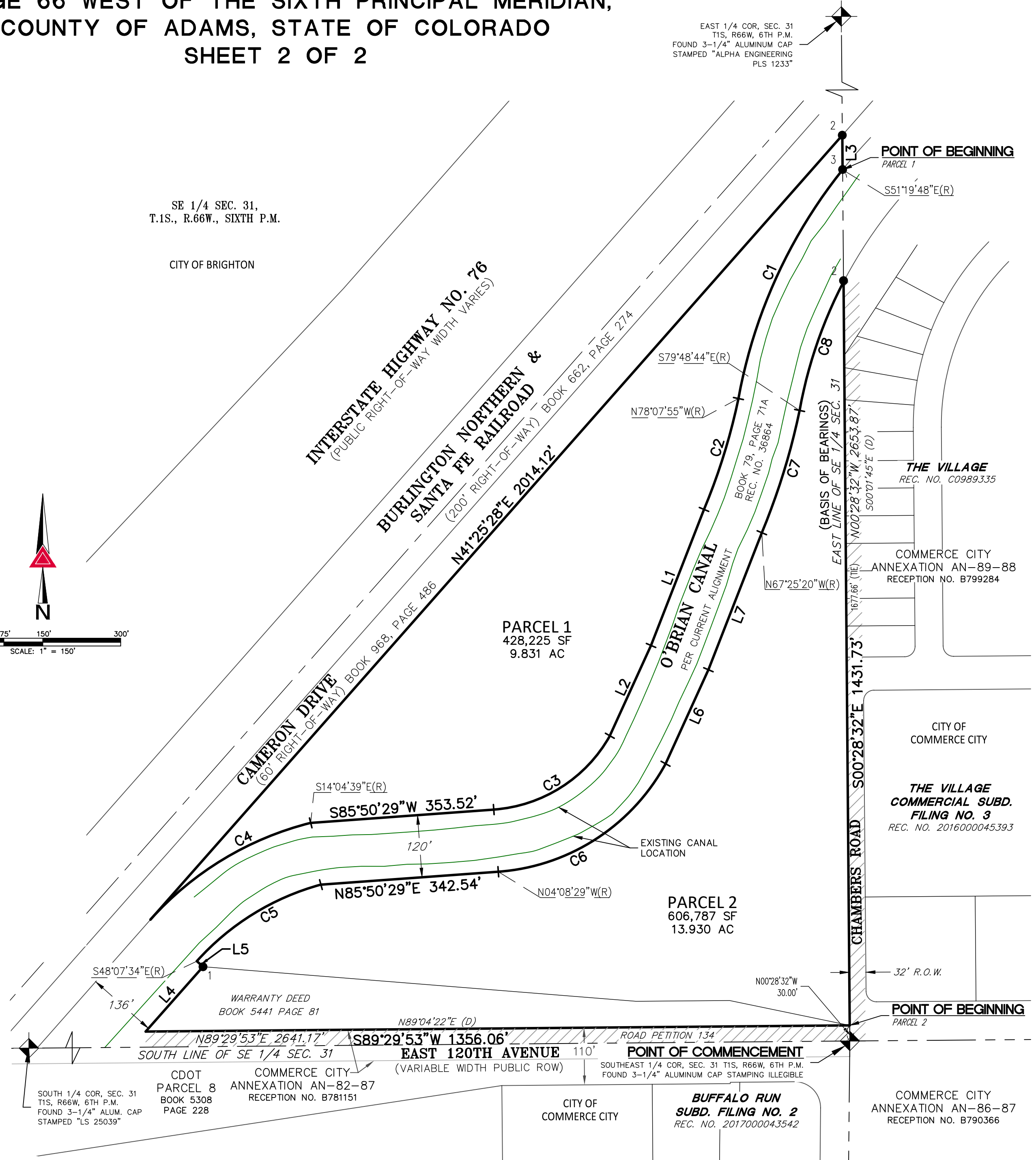
CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	28°22'46"	987.49'	489.11'
C2	10°46'22"	1190.73'	223.88'
C3	56°37'02"	279.33'	276.02'
C4	34°03'15"	615.66'	365.92'
C5	32°54'34"	495.66'	284.69'
C6	57°23'33"	399.29'	399.96'
C7	10°47'10"	1310.73'	246.75'
C8	17°21'06"	867.49'	262.71'



LEGEND	
	ANNEXATION BOUNDARY
	SECTION LINE
	DENOTES PRESENT CITY OF COMMERCE CITY LIMITS

MONUMENT SYMBOL LEGEND

- 1 FOUND NO. 6 REBAR WITH 3-1/2" ALUMINUM CAP STAMPED "CDOT ROW PLS 22088"
 - 2 FOUND NO. 5 REBAR WITH 2-1/4" ALUMINUM CAP STAMPED "PLS 24305"
 - 3 FOUND #3 REBAR
- FOUND SECTION CORNER AS DESCRIBED



AZTEC
CONSULTANTS, INC.

300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

ADAMS CROSSING
SE 1/4 SEC. 31, T.1S., R.66W., 6TH P.M.
COUNTY OF ADAMS, STATE OF COLORADO
PREPARED FOR
LANDMARK DEVELOPMENT
4852 E. BASELINE RD., #105, MESA, ARIZONA 85206

SCALE	1" = 150'
DATE	2019-01-30
BY	JEL
DATE	2/14/23
COMMENT	REVISED BOUNDARY
PER CITY COMMENTS	JEL
DATE	9/15/25
BY	JEL
COMMENT	PER CITY COMMENTS
DATE	
BY	
COMMENT	

Commerce City Annexation Parcels

Parcel C - 0156931000028

Parcel D - 0156931400001



①
3pg

SPECIAL WARRANTY DEED

THIS DEED, dated this 15th day of December, 2004, between Airport Interstate Land Associates LTD, a Colorado limited partnership of the County of Arapahoe and State of Colorado, grantor(s) and Adams Crossing LLC, a Colorado limited liability company whose legal address is 12460 1st Street, East Lake of the County of Adams and State of Colorado, grantee(s):

WITNESS, that the grantor(s), for and in consideration of the sum of TEN AND 00/100 DOLLARS (\$10.00), the receipt and sufficiency of which is hereby acknowledged, has/have granted, bargained, sold and conveyed, and by these presents do(es) grant, bargain, sell, convey and confirm unto the grantee(s), its heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Adams and State of Colorado, described as follows:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

also known by street and number as: Vacant Land, Adams, CO
assessor's schedule or parcel number:

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee(s), its heirs and assigns forever. The grantor(s), for its heirs, personal representatives, successors and assigns, do(es) covenant and agree that its shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the grantee(s), its and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor(s), except:

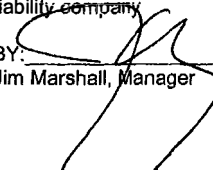
general taxes for the current year and subsequent years subject to restrictions, reservations, and covenants of record and except easements and rights of way of record, if any.

IN WITNESS WHEREOF, the grantor(s) has/have executed this deed on the date set forth above.

***This Deed is being recorded to correct
the Deed recorded on 12-16-04 at Rec.
No. 20041216001276310.**

Airport Interstate Land Associates LTD, a
Colorado limited liability company

By: Airport Land LLC, a Colorado limited
liability company

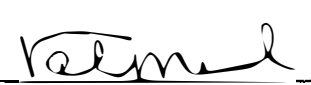
BY: 
Jim Marshall, Manager

STATE OF Colorado

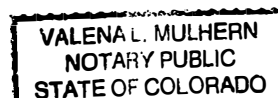
COUNTY OF Denver

The foregoing instrument was acknowledged before me this 10th day of January, 2005 by
Jim Marshall, Manager of Airport Land, LLC, a Colorado limited liability company as General Partner of
Airport Interstate Land Associates LTD, a Colorado limited partnership

Witness my hand and official seal


Notary Public

My Commission Expires:



My Commission Expires Sept. 4, 2008

Name and Address of Person Creating Newly Created Legal Description (§ 38-35-106.5, C.R.S.)

After Recording Return to:

Return to:
CT National Business Unit
8110 E. Union Ave., #400
Denver, CO 80237
Attn: Kate

EXHIBIT A
LEGAL DESCRIPTION

PARCEL A:

Part of the Southeast one-quarter of Section 31, Township Range 66 West of the Sixth Principal Meridian, Adams County, being more particularly described as:

Beginning at the center of said Section 31;
thence N 89°54'16"E on an assumed bearing along the North line of said Southeast one-quarter a distance of 60.00 feet to the True Point of Beginning;
thence S 00°00'00" W parallel with and 60.00 feet East to the West line of said Southeast one-quarter and along the East line of a parcel described in Book 65 at Page 537, recorded July 19, 1918, a distance of 576.84 feet;
thence N 90°00'00" E perpendicular to said West line, a distance of 728.57 feet;
thence S 00°00'00" W parallel with said West line, a distance of 350.00 feet;
thence S 90°00'00" W, a distance of 728.57 feet to a point 60.00 feet East of said West line of the Southeast one-quarter;
thence S 00°00'00" W, a distance of 800.00 feet to a point on the North line of the Tomahawk Subdivision, said point being 60.00 feet East of said West line;
thence S 78°56'30" E along said North line, a distance of 939.35 feet to a point on the westerly line of State Highway R.O.W., said R.O.W., being described in Book 641 at Page 517, recorded January 3, 1957; thence N 45°37'15" E along said R.O.W. line, a distance of 267.25 feet to the beginning of a curve to the left;
thence along said curve having a radius of 11,362.00 feet, a delta angle of 03° 41'30" (a chord that bears N 43°46'30" E, 731.95 feet), and on arc length of 732.07 feet;
thence N 41°55'45" E and parallel with and 425.00 feet West of the centerline of the Burlington Northern Railroad, a distance of 884.51 feet to the southerly line of that parcel described in Book A-64 at Page 319, recorded June 9, 1900;
thence along said southerly line, being a line located at the approximate base of the existing Rutherford Reservoir being necessary for the reservoir at high water mark the following courses:
N 81°30'00" W, a distance of 275.00 feet; thence N 39°00'00" W, a distance of 313.93 feet; thence N 00°00'00" E a distance of 106.37 feet;
thence N 36°00'00" E, a distance of 180.00 feet to a point on the North line of Southeast one-quarter of Section 31, said point being 736.00 feet West of the East one-quarter corner of Section 31;
thence S 89°54'16" W along said North line, a distance of 1846.60 feet to the True Point Of Beginning.
County of Adams, State of Colorado.

PARCEL B:

Part of the Southeast one-quarter of Section 31, Township 1 South, Range 66 West of the Sixth Principal Meridian, Adams County, Colorado, being more particularly described as:

Beginning at the East one-quarter corner of said Section 31; thence S 89°54'16" W on an assumed bearing along the North line of said Southeast one-quarter, a distance of 136.00 feet to the easterly line of that parcel described in Book A-64 at Page 319, recorded June 9, 1900;
thence S 16°20'29" W along said easterly line a distance of 145.00 feet; thence S 09°18'2" E, a distance of 155.00 feet to the westerly line of State Highway R.O.W.;
thence N 41°55'45" E parallel with and 425.00 feet West of the centerline of the Burlington Northern Railroad, a distance of 227.00 feet to the East line of said Southeast one-quarter of Section 31; thence N 0°01'45" E along said East line, a distance of 123.45 feet to the Point Of Beginning.
County of Adams, State of Colorado.

PARCEL C: 0156931000028

Part of the Southeast one-quarter of Section 31, Township 1 South, Range 66 West of the Sixth Principal Meridian, Adams County, Colorado, being more particularly described as:

Beginning at the Southeast corner of said Section 31;
thence N 00°01'45" E on an assumed bearing along the East line of said Southeast one-quarter, a distance of 1677.48 feet to the True Point Of Beginning, said point being on the approximate northwesterly R.O.W. line of the O'Brian Canal, being described in Book 79 at Page 71, recorded April 14, 1916;
thence southwesterly along said approximate R.O.W. line, said R.O.W. being 120.00 feet wide, 60.00 feet each side of the centerline, the following courses:

1. Along a curve to the left having a radius of 1,014.93 feet, a delta of 30°29'34" (a chord that bears S 23°45'18" W, 533.79 feet) and an arc length of 540.15 feet;
2. S 08°30'32" W, a distance of 100.00 feet;
3. Along a curve to the right having a radius of 398.37 feet, a delta of 37°30'00" (a chord that bears S 27°15'33" W, 256.10 feet) and an arc length of 260.73 feet;
4. Along a curve to the left having a radius of 410.00 feet, a delta of 43°00'32" (a chord that bears S 24°30'16" W, 300.59 feet) and an arc length of 307.77 feet;
5. Along a curve to the right having a radius of 140.00 feet, a delta of 82°45'04" (a chord that bears S



EXHIBIT A
LEGAL DESCRIPTION
(Continued)

44°22'32" W, 185.08 feet) and an arc length of 202.20 feet;

6. S 85°45'04" W, a distance of 371.14 feet; -

7. Along a curve to the left having a radius of 560.00 feet, a delta of 43°49'19" (a chord that bears S 63°50'25" W, 417.95 feet) and an arc length of 425.31 feet to a point on the southeasterly R.O.W. line of the Burlington Northern Railroad;

thence N 41°55'45" E parallel with and 100.00 feet southeasterly of the centerline of said Burlington Northern Railroad, a distance of 2015.12 feet to the East line of said Southeast one-quarter of Section 31 and the West line of Cam Mar Estates;

□thence S 00°1'45" W along said East line of the Southeast one-quarter, a distance of 66.50 feet to the True Point Of Beginning.

County of Adams, State of Colorado

PARCEL D: 0156931400001

Part of the Southeast one-quarter of Section 31, Township 1 South, Range 66 West of the Sixth Principal Meridian, Adams County, Colorado, being more particularly described as:

Beginning at the Southeast corner of said Section 31;

thence N 00°01'45" E on an assumed bearing along the East line of said Southeast one-quarter, a distance of 1461.39 feet to the approximate southeasterly R.O.W. line of the O'Brian Canal, being described in Book 79 at Page 71, recorded April 14, 1916;

thence Southwesterly along said approximate Southeasterly R.O.W. line, said R.O.W. being 120.00 feet wide, 60.00 feet each side of the centerline, the following nine (9) courses:

1. □Along a curve to the left having a radius of 894.93 feet, a delta of 19°4'22" (a chord that bears S 18°20'43" W, 305.77 feet) and an arc length of 307.28 feet;

2. S 08°30'32" W, a distance of 100.00 feet;

3. □Along a curve to the right having a radius of 518.37 feet, a delta of 37°30'00" (a chord that bears S 27°15'33" W, 333.25 feet) and an arc length of 339.27 feet;

4. □Along a curve to the left having a radius of 290.00 feet, a delta of 43°00'32" (a chord that bears S 24°30'16" W, 212.61 feet) and an arc length of 217.69 feet;

5. □Along a curve to the right having a radius of 260.00 feet, a delta of 82°45'04" (a chord that bears S 44°22'32" W, 343.72 feet) and an arc length of 375.51 feet; -

6. S 85°45'04" W, a distance of 371.14 feet;

7. □Along a curve to the left having a radius of 440.00 feet, a delta of 43°4'19" (a chord that bears S 63°50'25" W, 328.39 feet) and an arc length of 336.53 feet;

8. □S 48°04'15" E, a distance of 16.00 feet to the point 76.00 feet southeasterly of the centerline of said O'Brian Canal;

9. S 41°55'45" W, a distance of 206.75 feet to the South line of said Southeast one-quarter of Section 31;

thence S 89°59'45" E along said South line, a distance of 1382.60 feet to the Point Of Beginning, County of Adams, State of Colorado.

Excepting Therefrom the South 30.00 feet for East 120th Avenue by Adams County Road Petition Number 134, Also Excepting that portion conveyed to the Department of Transportation State of Colorado in Book 5441 at Page 81.