

**LANDOWNER'S PETITION AND CONSENT
TO INCLUDE REAL ESTATE**

The undersigned, Second Creek Holdings LLC and the City of Commerce City (collectively, "Petitioner"), is the fee owner of one hundred percent of the real property situated in Adams County, Colorado, described in the attached **Exhibit A** ("Property"). The Property is capable of being served by the water and sanitation facilities of the South Adams County Water and Sanitation District ("District"). Petitioner hereby petitions the Board of Directors of the District to take all legal steps necessary to include the Property into the boundaries of the District. Petitioner notes that a portion of the Property was previously included within the District pursuant to Order of District Court, Adams County, Colorado dated October 9, 2018 and recorded with the Adams County Clerk and Recorder at Reception No. 2018000083671. The intent of this Petition is to supplement the prior Inclusion and include property which is part of the Petitioner's project but might have not been included in the prior Inclusion.

Petitioner covenants and agrees that as part of the inclusion of the Property into the District, and prior to receiving any water or sanitation service from the District for the Property, Petitioner will convey to the District all of Petitioner's rights, title and interest to all groundwater whether tributary, not nontributary or nontributary (including all decrees, permits and other evidence of any right, title or interest thereto), underlying, appurtenant to, or in any manner associated with the Property, by executing the District's Conveyance of Groundwater Rights document.

Petitioner agrees that this Petition for inclusion of real estate shall be filed with the District and considered by the District's Board of Directors at a public hearing, acknowledges that the District's Board of Directors may enter an Order of Inclusion, and consents in advance to the District's Motion to the Adams County District Court to include the Property within the boundaries of the District.

Date: _____

JUNE 19, 2020

Ph

SECOND CREEK HOLDINGS, LLC, a
Colorado limited liability company

By: _____

Name: Joel H. Farkas

Its: Manager

By: _____

Name: Thomas R. Kowalski

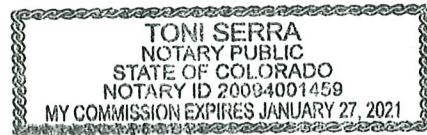
Its: Manager

STATE OF COLORADO)
COUNTY OF Arapahoe) ss.

The foregoing instrument was acknowledged before me this 22ND day of June,
20 20, by Joel H. Farkas as Manager of Second Creek Holdings LLC.

Witness my hand and official seal.

Toni Serra
Notary Public



My commission expires: 01-27-2021

STATE OF COLORADO)
COUNTY OF _____) ss.

The foregoing instrument was acknowledged before me this _____ day of _____,
20____, by Thomas R. Kowalski as Manager of Second Creek Holdings,
LLC

Witness my hand and official seal.

Notary Public

My commission expires: _____

SECOND CREEK HOLDINGS, LLC, a
Colorado limited liability company

By: _____

Name: Joel H. Farkas

Its: Manager

By:  _____

Name: Thomas R. Kowalski

Its: Manager

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____,
20____, by Joel H. Farkas as Manager of Second Creek Holdings LLC.

Witness my hand and official seal.

Notary Public

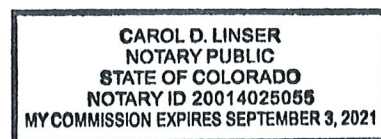
My commission expires: _____

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this 19TH day of
June, 2020, by Thomas R. Kowalski as Manager of Second Creek Holdings,
LLC

Witness my hand and official seal.

 _____
Notary Public



My commission expires: 9/3/2021



By: _____
Name: _____
Its: _____
80022

Address:
7887 E. 60th Avenue
Commerce City, Colorado

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by Brian McBroom as City Manager of the City of Commerce City, Colorado.

Witness my hand and official seal.

Notary Public

My commission expires: _____

PH

EXHIBIT A

PARCEL A:

SECOND CREEK FARM FILING NO. 1, AMENDMENT NO. 1, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21, AND THE EAST HALF OF SECTION 28, TOWNSHIP 2 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 30, 2019 AT RECEPTION NO. 2019000071790, COUNTY OF ADAMS, STATE OF COLORADO, EXCEPT,

LOTS 1 THROUGH 30, INCLUSIVE, BLOCK 1,
LOTS 1 THROUGH 30, INCLUSIVE, BLOCK 2,
LOTS 1 THROUGH 30, INCLUSIVE, BLOCK 3,
LOTS 1 THROUGH 30, INCLUSIVE, BLOCK 4,
LOTS 1 THROUGH 30, INCLUSIVE, BLOCK 5,
LOTS 1 THROUGH 22, INCLUSIVE, BLOCK 6
TRACTS AA, BB, CC, DD, EE, FF, GG, HH, II, JJ, KK, LL & M.

PARCEL B:

SECOND CREEK FARM FILING NO. 2, LOCATED IN THE EAST HALF OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 28, 2006 AT RECEPTION NO. 20060428000434700, COUNTY OF ADAMS, STATE OF COLORADO

EXCEPT,

SECOND CREEK FARM FILING NO. 2 - AMENDMENT NO. 1, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 10, 2020 AT RECEPTION NO. 2020000052269, COUNTY OF ADAMS, STATE OF COLORADO.

PARCEL C:

SECOND CREEK FARM FILING NO. 2 - AMENDMENT NO. 1, LOCATED IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 10, 2020 AT RECEPTION NO. 2020000052269, COUNTY OF ADAMS, STATE OF COLORADO.

I, BRIAN J. PFOHL, A SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING.

BRIAN J. PFOHL, P.L.S. 38445
FOR AND ON BEHALF OF MANHARD CONSULTING

