



Christian Brothers

A U T O M O T I V E[®]

October 20, 2017

Via Email: Justin.Metzler@CenturyLink.com

Justin Metzler

Century Link

5325 Zuni Street, Room 728

Denver, Colorado 80221

RE: PURCHASE AND SALE AGREEMENT by and between NORTH RANGE RETAIL, LLC ("Seller") and CHRISTIAN BROTHERS AUTOMOTIVE CORPORATION ("Purchaser")

Dear Mr. Metzler:

We are requesting that the City of Commerce City vacate a portion of the existing easement illustrated on the last page of the enclosed as Exhibit A. When vacating such easement, the City reserves the entire right-of way as an easement if no request has been made to remove the easement. We are requesting removal a portion of the easement as shown in the attached Exhibit A and legally described on Exhibit B, both enclosed herewith.

Please review the exhibits reflecting the area of the easement to be vacated. If you have facilities that are located within the area to be vacated that must remain in-place, please let us know so the utility can be relocated. As well, if you do not have, nor plan to have, facilities located within this easement, please let us know.

All costs associated with easement drawings and/or facility relocation will be the responsibility of CBH Properties Commerce City, LLC, the owner of the lot.

We will be Closing on this Property next week, if possible, please return this form by fax or email to the undersigned no later than October 25, 2017. If you have any questions or concerns about the proposed vacation, please contact the undersigned at your earliest convenience.

Thank you for your assistance. Please return the completed portion of this letter to the undersigned via email at Chris.barteau@cbac.com and send the original letter via mail to the above address.

CBH PROPERTIES COMMERCE CITY, LLC,

By: _____

Jacques Craig

Name: Jacques Craig

Title: Vice President

Email: jcraig@cbac.com

Nice difference.®

17725 KATY FREEWAY, SUITE 200, HOUSTON, TX 77094 • 281.675.6100 •
CHRISTIANBROTHERSAUTO.COM

Name of Utility Company or Public Works Department: CenturyLink

Utility Contact or Department Representative: Justin L. Metzler

Address: 5325 Zuni St.

Street Address: _____

City: Denver

State: CO Zip Code: 80221

Telephone: Office: 720-578-3710 Cell: 303-525-7086

X (a) We have no facilities in the proposed vacated easement area.

_____ (b) We need to maintain an easement for our facilities in the current location.

_____ (c) Arrangements need to be made for relocation of our facilities.

Utility Contact Name: Justin L. Metzler

Date: 10/27/2017

Signature: Justin L. Metzler

Email: Justin.Metzler@CenturyLink.com

EXHIBIT A

Legal Description

A portion of the 25' access and utility easement as platted in the records of Adams County, Colorado at Reception Number 2007000036158, being located in the NW 1/4, Section 17, Township 2 South, Range 66 West of the Sixth Principal Meridian in the City of Commerce City, more particularly described as follows:

Commencing at the NW corner of Lot 3, Hogan Commercial Subdivision Filing No. 7 as platted in the records of said county at Reception Number 2016000107228;

Thence S0°40'26"E along the west line of said lot, 35.00 feet to the south line of said 25' access and utility easement;

Thence N89°19'34"E along said south line, 45.18 feet to the Point of Beginning;

Thence continuing along said south line through the following three courses:

- 1) S0°40'26"E, 30.00 feet;
- 2) N89°19'34"E, 30.00 feet;
- 3) N0°40'26"W, 30.00 feet;

Thence S89°19'34"W, 30.00 feet to the Point of Beginning.

Said parcel, as described, contains an area of 900 square feet, more or less.

Basis of Bearings

The west line, NW 1/4, Section 17 bears S0°19'37"W per said plat of Hogan Commercial Subdivision Filing No. 7. It is monumented at the NW corner by a 3-1/4" aluminum cap in range box, LS 23516 and at the NW corner, SW 1/4, NW 1/4, Section 17 by a 2-1/2" aluminum cap, LS 24968.

Certification


Brian Krombein, PE, PLS

For and on behalf of
Vermilion Peak Engineering LLC
1745 Shea Center Drive, 4th Floor
Highlands Ranch, CO 80129



Date

8/4/17

EXHIBIT B
E. 104TH AVENUE

R.O.W.

**NE CORNER, LOT 3
POINT OF COMMENCEMENT**

**S00° 40' 26"E
35.00'**

**POINT OF
BEGINNING**

**S89° 19' 34"W
30.00'**

**25' ACCESS &
UTILITY EASEMENT
REC. NO. 2007000036158**

**N89° 19' 34"E
45.18'**

**S00° 40' 26"E
30.00'**

**N89° 19' 34"E
30.00'**

**N00° 40' 26"W
30.00'**

900 SF

**LOT 1,
HOGAN COMMERCIAL
SUBDIVISION
FILING NO. 4**

**LOT 3,
HOGAN COMMERCIAL
SUBDIVISION
FILING NO. 7**

UNPLATTED



0 15 30

SCALE: 1" = 30'

**EASEMENT VACATION EXHIBIT
CHRISTIAN BROTHERS AUTOMOTIVE
JOB NO. 16044
DATE: AUGUST 4, 2017
SHEET 2 OF 2**



October 24, 2017

To: Eric Carroll
Comcast Cable Corporation
8000 East Iliff Ave
Denver, CO 80231
Eric_Carroll@comcast.com

Subject: Vacation of Easement on Lot 3 of the Hogan Commercial Subdivision

We are requesting that the city of Commerce City vacate a portion of the 25' access and utility easement located on Lot 3 of the Hogan Commercial Subdivision Filing No. 7 as more particularly described on Exhibits A and B attached hereto.

Please review the attached Exhibits A and B and confirm that you do not have facilities located in the easement and that you have no objections to the request.

Please return this form by email to our office after furnishing the requested information. Thank you for your assistance.

Name of Utility Company: Comcast Cable Corporation

Utility Contact or Department Representative: __Eric Carroll__

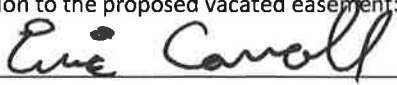
Address: __6850 South Tucson Way Englewood, CO 80112

Street Number	Street Name	City	State	Zip Code
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Telephone: Office: __303-603-2680__ Cell: __720-413-0245__

We have no facilities in the proposed vacated easement: Yes __X__ No ____

We have no objection to the proposed vacated easement: Yes __X__ No ____

Utility Contact:  Date: __10-24-2017__
Signature

Comments:

Please return to: chris.barteau@cbac.com

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Certification



Brian Krombein, PE, PLS

For and on behalf of

Vermilion Peak Engineering LLC

1745 Shea Center Drive, 4th Floor

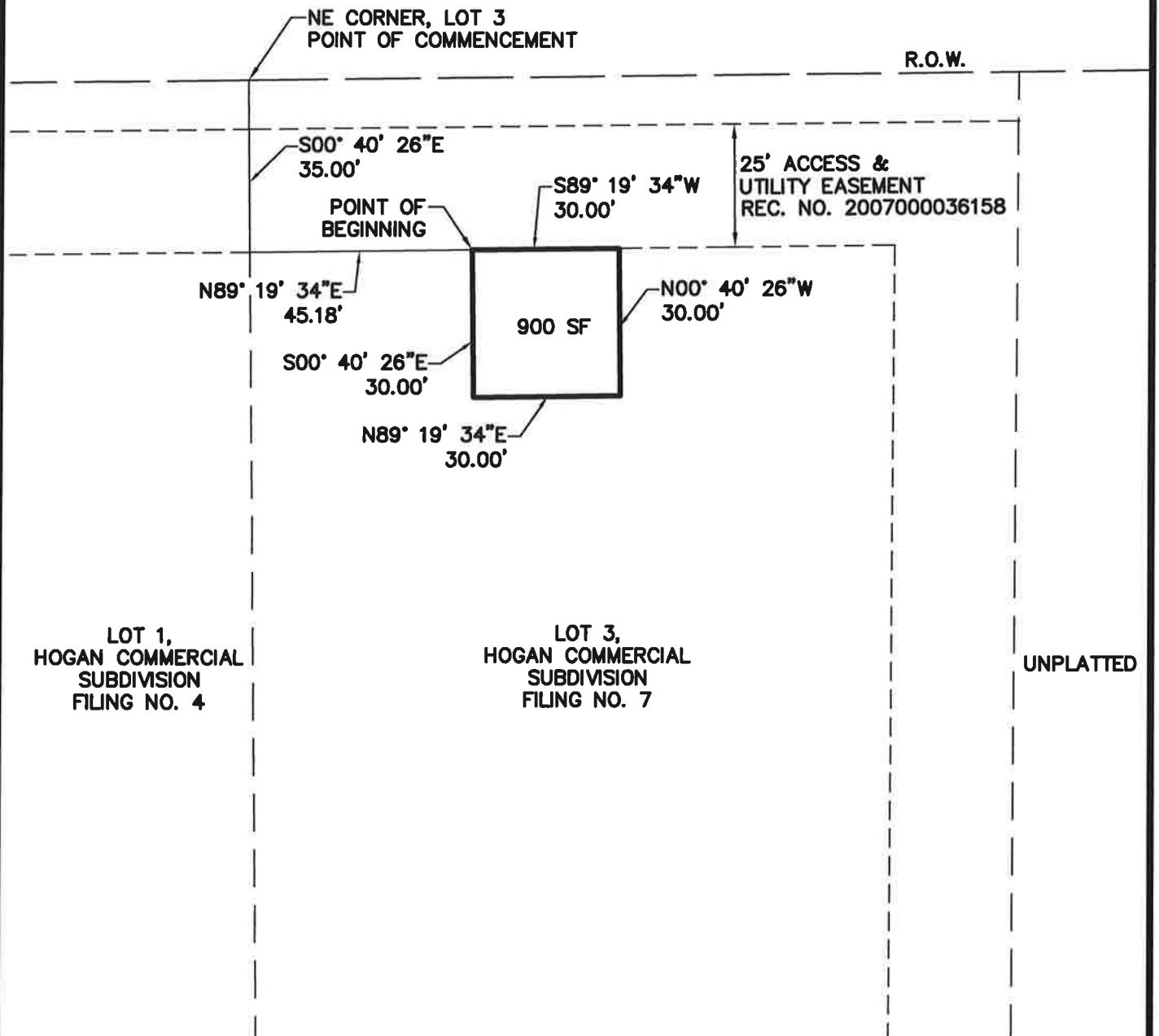
Highlands Ranch, CO 80129



Date

8/4/17

EXHIBIT B
E. 104TH AVENUE



0 15 30
SCALE: 1" = 30'

EASEMENT VACATION EXHIBIT
CHRISTIAN BROTHERS AUTOMOTIVE
JOB NO. 16044
DATE: AUGUST 4, 2017
SHEET 2 OF 2


**Vermilion
Peak
Engineering**
Civil Engineering & Land Surveying
1745 Shea Center Drive, 4th Floor
Highlands Ranch, CO 80129
720-402-6070 / www.vermilionpeak.com



Christian Brothers

A U T O M O T I V E®

October 20, 2017

Via Email: jnelson@sacwsd.org
Jeff Nelson
South Adams County Water & Sanitation District:
6595 E 70th Ave.
Commerce City, Colorado 80022

RE: PURCHASE AND SALE AGREEMENT by and between **NORTH RANGE RETAIL, LLC** ("Seller") and **CHRISTIAN BROTHERS AUTOMOTIVE CORPORATION** ("Purchaser")

Dear Mr. Nelson:

We are requesting that the City of Commerce City vacate a portion of the existing easement illustrated on the last page of the enclosed as Exhibit A. When vacating such easement, the City reserves the entire right-of way as an easement if no request has been made to remove the easement. We are requesting removal a portion of the easement as shown in the attached Exhibit A and legally described on Exhibit B, both enclosed herewith.

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Thank you for your assistance. Please return the completed portion of this letter to the undersigned via email at Chris.barteau@cbac.com and send the original letter via mail to the above address.

CBH PROPERTIES COMMERCE CITY, LLC,

By: *Jacques Craig*
Name: Jacques Craig
Title: Vice President
Email: jcraig@cbac.com

Nice difference.®

Name of Utility Company or Public Works Department: South Adams County Water and Sanitation District

Utility Contact or Department Representative: Abel Moreno

Address: 6595 E. 70th Avenue

Street Address: _____

City: Commerce City

State: CO Zip Code: 80022

Telephone: Office: 720-206-0590 Cell: _____

X (a) We have no facilities in the proposed vacated easement area.

_____ (b) We need to maintain an easement for our facilities in the current location.

_____ (c) Arrangements need to be made for relocation of our facilities.

Utility Contact Name: Abel Moreno

Date: 10/25/17

Signature: _____

Email: amoreno@sacwsd.org

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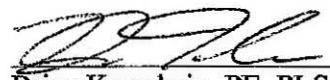
Thence S89°19'34"W, 30.00 feet to the Point of Beginning.

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Basis of Bearings

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Certification


Brian Krombein, PE, PLS

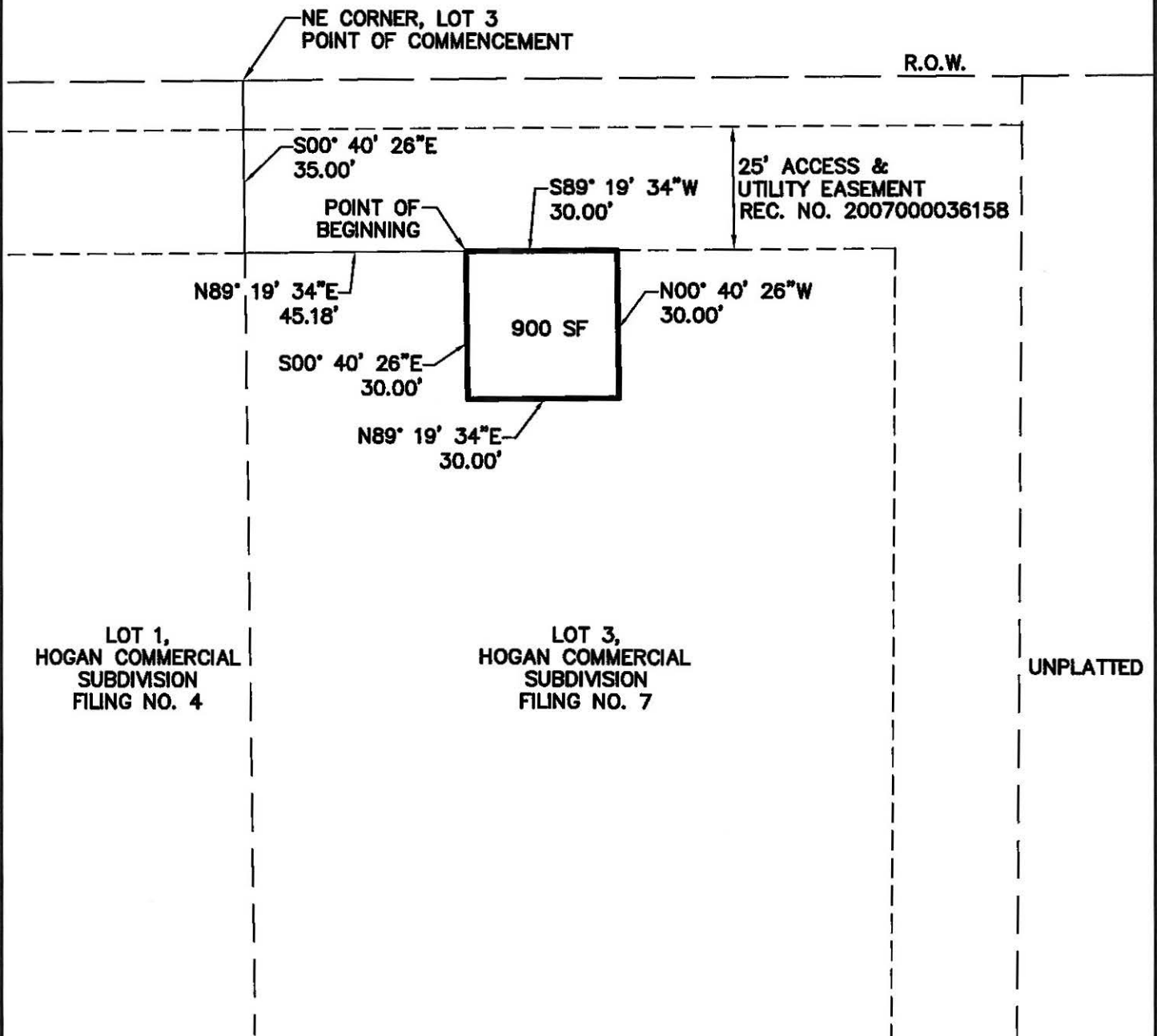
For and on behalf of
Vermilion Peak Engineering LLC
1745 Shea Center Drive, 4th Floor
Highlands Ranch, CO 80129



Date

8/4/17

EXHIBIT B
E. 104TH AVENUE



0 15 30
SCALE: 1" = 30'

EASEMENT VACATION EXHIBIT
CHRISTIAN BROTHERS AUTOMOTIVE
JOB NO. 16044
DATE: AUGUST 4, 2017
SHEET 2 OF 2



**Vermilion
Peak
Engineering**
Civil Engineering & Land Surveying
1745 Shea Center Drive, 4th Floor
Highlands Ranch, CO 80129
720-402-6070 / www.vermilionpeak.com

Name of Utility Company or Public Works Department: United Power, Inc.

Utility Contact or Department Representative: Marisa Dale, RWA

Address: 500 Cooperative Way

Street Address: Hogan Commercial Subdivision Filing No 7, Lot 3 @ 15690 E 104th Ave

City: Brighton

State: CO Zip Code: 80603

Telephone: Office: 303-637-1387 Cell: _____

x (a) We have no facilities in the ^{30'x30' utility pocket as described on Exhibit A and illustrated on Exhibit B.} ~~proposed vacated easement area.~~

_____ (b) We need to maintain an easement for our facilities in the current location.

_____ (c) Arrangements need to be made for relocation of our facilities.

Utility Contact Name: Marisa Dale

Date: 10/23/2017

Signature: Marisa Dale

Email: mdale@unitedpower.com

United Power, Inc. has electric facilities in place within the 25' Access and Utility Easement Reception No. 20017000036158 parallel with 104th Avenue.

None within the 30'x30' utility easement pocket portion being vacated.

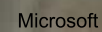


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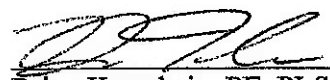
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Certification


Brian Krombein, PE, PLS

For and on behalf of
Vermilion Peak Engineering LLC
1745 Shea Center Drive, 4th Floor
Highlands Ranch, CO 80129



8/4/17
Date

E. 104TH AVENUE





Right of Way & Permits
1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

October 24, 2017

City of Commerce City Community Development Department
7887 East 60th Avenue
Commerce City, CO 80022

Re: Christian Brothers Automotive Easement Vacation

To Whom It May Concern:

Public Service Company of Colorado's Right of Way & Permits Referral Desk has reviewed the proposed vacation of a 900 square foot portion of the 25-foot access and utility easement within Lot 3 of Hogan Commercial Subdivision Filing No. 7 and has **no apparent conflict**.

If you have any questions about this response, please contact me at (303) 571-3306.

Donna George
Contract Right of Way Referral Processor
Public Service Company of Colorado

Name of Utility Company or Public Works Department: Public Service Company of ColoradoUtility Contact or Department Representative: Donna George Xcel EnergyAddress: 1123 W. 3rd Ave.

Street Address: _____

City: DenverState: CO Zip Code: 80223Telephone: Office: 303-571-~~cell~~ 3306☒ (a) We have no facilities in the proposed vacated easement area.☐ (b) We need to maintain an easement for our facilities in the current location.☐ (c) Arrangements need to be made for relocation of our facilities.Utility Contact Name: Donna GeorgeDate: 10/24/2017Signature: D. GeorgeEmail: donna.l.george@xcelenergy.com