

**RESOLUTION AND ORDER FOR INCLUSION OF REAL PROPERTY
BY THE BOARD OF DIRECTORS OF
ASPEN PARK METROPOLITAN DISTRICT**

(EAGLE CLIFF PARCEL)

WHEREAS, there was filed with the Board of Directors of **ASPEN PARK METROPOLITAN DISTRICT** (the "District") a duly acknowledged Petition for Inclusion of Property (the "Petition"), a copy of which is attached hereto as **Exhibit A** and incorporated herein by this reference, signed on behalf of **ASPEN PARK INVESTORS, LTD.**, a Texas limited partnership, the one hundred percent (100%) fee owner of the real property described in the Petition (the "Property"), requesting that the Board of Directors of the District (the "Board") include such Property into the District; and

WHEREAS, said Petition was heard at a duly called public meeting of the Board on August 6, 2013, at the hour of 12:00 noon after publication of the notice of filing of such petition and the place, time, and date of such meeting, the name and address of the Petitioner, and notice that all persons interested shall appear at such time and place and show cause in writing why the petition should not be granted, was made in the *High Timber Times* on July 24, 2013; and

WHEREAS, no written objection to the inclusion was filed by any person; and

WHEREAS, the Board has reviewed the Petition and all relevant information related thereto; and

WHEREAS, subject to the conditions set forth herein, the Board desires to approve the inclusion of the Property into the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DISTRICT AS FOLLOWS:

1. The Board of Directors hereby grants the Petition and orders the inclusion of the Property into the boundaries of the District.
2. This Resolution shall become effective as of this 6th day of August, 2013.
3. This Resolution and Order is hereby certified and shall be filed with the Clerk of the District Court of Jefferson County, Colorado in accordance with §32-1-401(1)(c)(I), C.R.S.

Signature page follows


ADOPTED AND APPROVED THIS 6th DAY OF AUGUST, 2013.

ASPEN PARK METROPOLITAN DISTRICT, a
quasi-municipal corporation and political subdivision
of the State of Colorado



President

ATTEST:



Secretary

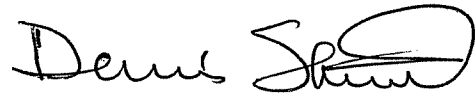
CERTIFICATION OF RESOLUTION

STATE OF COLORADO)
) CERTIFICATE
COUNTY OF JEFFERSON)

ASPEN PARK METROPOLITAN DISTRICT

I hereby certify that the foregoing resolution constitutes a true and correct copy of the resolution adopted by the Board of Directors of Aspen Park Metropolitan District at a duly called and held meeting of the Board of Directors on August 6, 2013, as recorded in the official record of the proceedings of the District.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 6th day of August, 2013.



Officer, Aspen Park Metropolitan District
Name: Dennis Shirilla

Signature page to Resolution and Order for Inclusion of Real Property/API

EXHIBIT A
TO RESOLUTION AND ORDER FOR INCLUSION OF REAL PROPERTY
(ASPEN PARK INVESTORS, LTD.)

(Petition for Inclusion)

PETITION FOR INCLUSION OF PROPERTY
(Eagle Cliff Parcel)

TO: ASPEN PARK METROPOLITAN DISTRICT BOARD OF DIRECTORS
JEFFERSON COUNTY, COLORADO

Pursuant to and in accordance with the provisions of § 32-1-401, *et seq.*, C.R.S., ASPEN PARK INVESTORS, LTD., a Texas limited partnership (the "Petitioner") hereby respectfully requests that the ASPEN PARK METROPOLITAN DISTRICT (the "District"), by and through its Board of Directors (the "Board"), include the real property described in **Exhibit A**, attached hereto and incorporated herein by this reference (the "Property"), into the boundaries of the District, subject to the conditions described herein.

The Petitioner hereby represents and warrants to the District that it is the one hundred percent (100%) fee owner of the Property and that no other person, persons, entity or entities own an interest therein except as beneficial holders of encumbrances, if any. Further, the Petitioner hereby acknowledges that there shall be no withdrawal of this Petition from consideration by the Board after publication of notice of the hearing therefore, without the Board's consent.

Petitioner hereby consents to the inclusion of the Property into the District and the issuance of an Order by the District Court in and for the County of Jefferson, State of Colorado (the "District Court") including the Property into the boundaries of the District. The Petitioner acknowledges that, upon entry of an Order by the District Court including the Property into the boundaries of the District, the Property shall be liable for any and all taxes, assessments, or other obligations of the District.

The Petitioner acknowledges that the District is not required to enlarge or extend its current facilities to serve the Property, and that any such enlargement or extension shall be made by the Board, in its sole discretion, as a governmental function in the interest of public health, safety and welfare.

The Petitioner acknowledges that acceptance of this Petition by the District does not constitute any assurance from the District that the Property can be served by the District.

WHEREFORE, the Petitioner hereby requests that the Board of Directors order this Petition granted in accordance with Section 32-1-401(1)(c)(I), C.R.S.

Name and Address of Petitioner: Aspen Park Investors, Ltd.
8235 Douglas Avenue, Suite 1300
Dallas, Texas 75225

Signature page follows.

Signature Page for Petition for Inclusion of Property

PETITIONER:

Aspen Park Investors, Ltd.

Al Allred
By: *Al Allred*
Its: *President, Colorado Hunt Interests, Inc.,*
Manager of its General Partner
Aspen Park GP, LLC

STATE OF *TEXAS*)
COUNTY OF *DALLAS*) ss.

The above and foregoing signature of *Al Allred*, as *President* of ASPEN PARK INVESTORS, LTD., a Texas limited partnership, was subscribed under oath before me this *18th* day of *July* 2013.

Witness my hand and official seal.

Barbara J Burnett
Notary Public

My commission expires:

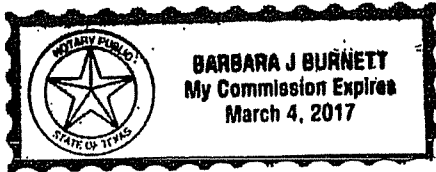


EXHIBIT A
(Legal Description)

0644.0900
Doc. # 506985_2

EXHIBIT A

SHEET 1 OF 2

LAND DESCRIPTION

A PARCEL OF LAND LOCATED IN THE EAST HALF OF SECTION 12, TOWNSHIP 6 SOUTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: PER THE PLAT OF THE VILLAGE AT CONIFER-ASPEN PARK AS RECORDED AT RECEPTION NO. F2104753, BEARINGS ARE BASED UPON THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER WHICH BEARS N89°18'26"W BETWEEN A 3.25" ALUMINUM CADPPED MONUMENT ON THE EAST END, MARKED "PLS 22094, E/16 S12 T6S R71W" AND A 3.25" ALUMINUM CAPPED MONUMENT ON THE WEST END, MARKED "LS 16401 C1/4 S12 T6S R71W 1999".

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 (CENTER EAST 1/16 CORNER) OF SAID SECTION 12; THENCE ALONG THE EASTERLY LINE OF TRACT B, SAID PLAT OF THE VILLAGE AT CONIFER-ASPEN PARK, ALSO BEING THE WEST LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 12, N00°01'30"W, A DISTANCE OF 38.01 FEET; THENCE ALONG THE SOUTH LINE OF THE RIGHT-OF-WAY RECORDED AT RECEPTION NO. F2104755 THE FOLLOWING TWO COURSES:

- 1) THENCE N82°10'12"E, A DISTANCE OF 126.37 FEET;
- 2) THENCE A DISTANCE OF 45.45 FEET ON A CURVE TO THE RIGHT WHICH HAS A RADIUS OF 30.00 FEET, A DELTA OF 86°47'59", A CHORD WHICH BEARS S54°25'48"E AND HAS A CHORD LENGTH OF 41.23 FEET;

THENCE ALONG THE WEST LINE OF THE RIGHT OF WAY OF EAGLE CLIFF ROAD AS RECORDED IN BOOK 1273 AT PAGE 293, S11°01'48"E, A DISTANCE OF 142.06', MORE OR LESS TO THE NORTHERLY RIGHT-OF WAY OF HIGHWAY 285 AS RECORDED IN BOOK 699 AT PAGE 419, THE LOCATION OF WHICH IS UNDER QUESTION;

THENCE ALONG THE NORTHERLY LINE OF SAID HIGHWAY 285 RIGHT-OF-WAY (APPROXIMATE LOCATION ONLY), A DISTANCE OF 205.69 FEET ON A NON-TANGENT CURVE TO THE LEFT WHICH HAS A RADIUS OF 2765.00 FEET, A DELTA OF 04°15'44", A CHORD WHICH BEARS S64°27'39"W AND HAS A CHORD LENGTH OF 205.64 FEET; THENCE ALONG THE EAST LINE OF THE PROPERTY AS RECORDED AT RECEPTION NO. F1089321, ALSO BEING THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 12, N00°06'00"W, A DISTANCE OF 196.85 FEET, MORE OR LESS, TO THE POINT OF BEGINNING,

SAID PARCEL CONTAINS 34,544 SQUARE FEET OR 0.79 ACRES, MORE OR LESS.

NOTES

1. GILLIANS LAND CONSULTANTS PREPARED THIS LEGAL DESCRIPTION AND EXHIBIT WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND NO ADDITIONAL DOCUMENTS WERE PROVIDED BY THE CLIENT TO DEFINE THE BOUNDARIES OF THE SUBJECT PROPERTY. THIS DOCUMENT IS NOT INTENDED TO SUBDIVIDE OR CONVEY ANY PROPERTY AND ONLY SHOWS JEFFERSON COUNTY TAX PARCEL NUMBER 61-121-00-09 WHICH ACCORDING TO THE JEFFERSON COUNTY TAX ASSESSOR MAP AND THE JEFFERSON COUNTY ON-LINE PROPERTY APPRAISAL SYSTEM AND APPEARS TO BE BOUNDED BY THE FOLLOWING RECORDED DOCUMENTS:

TO WEST - REC. #F1089321 (06/30/2000)
TO NORTH (CONIFER ROAD) - REC. #F2104755 (10/1/2004)
TO EAST (EAGLE CLIFF ROAD) - REC. #902986 (04/28/1960)
TO SOUTH (HIGHWAY 285) - BOOK 699, PAGE 419 (11/6/1950)

GILLIANS LAND CONSULTANTS IS NOT AWARE OF ANY OTHER DEEDS OR DOCUMENTS THAT MAY EXIST WHICH COULD AFFECT THIS SUBJECT PROPERTY.

2. THIS EXHIBIT DOES NOT REPRESENT A BOUNDARY SURVEY, LAND SURVEY PLAT OR IMPROVEMENT SURVEY.

3. THIS LEGAL DESCRIPTION WAS PREPARED BY AMY BACHER ON BEHALF OF GILLIANS LAND CONSULTANTS ON 7/10/13.

Gillians

GILLIANS LAND CONSULTANTS
8474 W. RICE AVENUE
LITTLETON, COLORADO 80123
303-972-6640 www.gillianslc.com

JOB NO.: 13019
DRAWN: ALB
ISSUE DATE: 7/10/13
FILE: 13019EXHIBIT

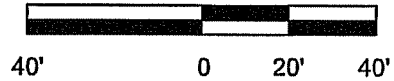
ROBERT A. HALL
P.L.S. NO. 30098
FOR AND BEHALF OF
GILLIANS LAND
CONSULTANTS



EXHIBIT A

SHEET 2 OF 2

SCALE: 1" = 40 US SURVEY FEET



TRACT B
THE VILLAGE AT
CONIFER-ASPEN PARK
 (REC. #F2104753)

RIGHT-OF-WAY
 (REC. #F2104755)

N82°10'12"E 126.37'
 (126.42' PER REC. #F2104755)

BASIS OF
BEARINGS
 N89°18'26"W
 1308.24'

N00°01'30"W
 38.01'

WEST LINE OF THE SE1/4 NE1/4

P.O.B.

L=45.45'
 R=30.00'
 $\Delta=86^{\circ}47'59''$
 Ch B=S54°25'48"E
 Ch L=41.23'

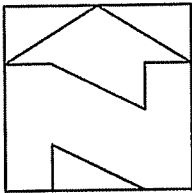
CENTER OF
SECTION 12, T6S,
R71W, FOUND 3.25"
ALUMINUM CAP,
PLS 16401

NE CORNER NW1/4 SE1/4 (EAST 1/16 CORNER)
SECTION 12, FOUND 3.25" ALUM. CAP INSIDE 9"
DIAMETER PIPE APPROXIMATELY 4' DOWN FROM
TOP OF PIPE; PLS APPEARS TO BE 22094

EAGLE CLIFF ROAD
50' RIGHT-OF-WAY
 (BOOK 1273, PAGE 293)

S11°01'48"E
 142.06'

UNPLATTED
 (BOOK 991, PAGE 558 &
 REC. #F1089321)



WEST LINE OF
 THE NE1/4 SE1/4

POSSIBLE LOCATION OF SOUTH
LINE OF HIGHWAY 285
RIGHT-OF-WAY PER DEED
RECORDED AT BOOK 699, PAGE
419. HELD NW CORNER OF
RECEPTION NO. F0729876 FOR
THE LOCATION OF THE SW
CORNER OF BOOK 699, PAGE 419

STATE HIGHWAY NO 285
 (BOOK 699, PAGE 419)

L=205.69'
 R=2765.00'
 $\Delta=4^{\circ}15'44''$
 Ch B=S64°27'39"W
 Ch L=205.64'

NOTE

THIS EXHIBIT IS NOT A BOUNDARY SURVEY. IT IS INTENDED ONLY TO GRAPHICALLY REPRESENT THE ATTACHED LAND DESCRIPTION. SEE NOTES ON SHEET 1.

Gillians

GILLIANS LAND CONSULTANTS
 8474 W. RICE AVENUE
 LITTLETON, COLORADO 80123
 303-972-6640 www.gillianslc.com

JOB NO.: 13019
 DRAWN: ALB
 ISSUE DATE: 7/10/13
 FILE: 13019EXHIBIT

ROBERT A. HALL
 P.L.S. NO. 30098
 FOR AND BEHALF OF
 GILLIANS LAND
 CONSULTANTS

