CHERRY HILLS VILLAGE
COLORADO

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
FAX 303-761-9386

City Council Agenda
Tuesday, July 21, 2015

6:00 p.m. – Study Session – High Line Canal Conservancy

6:30 p.m. – Regular Meeting

1. Call to Order

2. Roll Call of Members

3. Pledge of Allegiance

4. Audience Participation Period (limit 5 minutes per speaker)

5. Consent Agenda
   a. Approval of Minutes – June 16, 2015
   b. Resolution 25, Series 2015; Adopting New Fees and Procedures Regarding the Dissolution of Water and Sewer Districts Within the City of Cherry Hills Village (*tabled from June 16th*)
   c. Resolution 26, Series 2015; Adopting the 2016 Budget Calendar
   d. Resolution 27, Series 2015; Amendment to Tolling Agreement with Denver First Church of the Nazarene
   e. Resolution 28, Series 2015; Accepting a Quitclaim Deed Conveying the South Thirty Feet of East Quincy Avenue Adjacent to Property Located at 4001 East Quincy Avenue
   f. Resolution 29, Series 2015; Reappointing Commissioner Harbaugh to the Public Art Commission
   g. Resolution 30, Series 2015; Appointing Michael LaMair to the Planning and Zoning Commission
   h. Resolution 31, Series 2015; Calling a Special Election for the City Coordinated with Arapahoe County on November 3, 2015
   i. License Agreement with Denver Water to Bore a Water Line Under the High Line Canal to Provide Water to Existing and Newly Planted Trees at Three Pond Park

6. Items Removed From Consent Agenda

7. Unfinished Business
   a. Council Bill 4, Series 2015; Amending Section 16-16-130 of the Municipal Code Concerning Wireless Communication Facilities (*first reading, tabled from June 16th)*
   b. 2015 November Election
      (i) Speaking Points
      (ii) Proposed Ballot Language

Agenda continues on second page

Notice: Agenda is subject to change.
If you will need special assistance in order to attend any of the City's public meetings, please notify the City of Cherry Hills Village at 303-789-2541, 48 hours in advance.

CHERRY HILLS VILLAGE
COLORADO

8. New Business
   a. Public Hearing – Blue Hills Subdivision, Minor Subdivision and Floodplain Development Permit Application
   b. High Street Property Report

9. Reports
   a. Mayor
   b. Members of City Council
   c. Reports from Members of City Boards and Commissions
   d. City Manager and Staff
      (i) Department Monthly Reports
      (ii) Unaudited Financial Statements
      (iii) 2016 Village Crier Advertising Rates
      (iv) Flood Documentation Report
   e. City Attorney

10. Adjournment

Notice: Agenda is subject to change.
If you will need special assistance in order to attend any of the City's public meetings, please notify the City of Cherry Hills Village at 303-789-2541, 48 hours in advance.

Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Tuesday, June 16, 2015 at 6:30 p.m.
At the Village Center

Mayor Laura Christman called the meeting to order at 6:30 p.m.

ROLL CALL

Mayor Laura Christman, Councilors Mark Griffin, Earl Hoellen, Mike Gallagher, and Katy Brown were present on silent roll call. Also present were City Manager John Patterson, City Attorney Linda Michow, Deputy City Manager and Public Works Director Jay Goldie, Finance Director Karen Proctor, Community Development Director Rob Zuccaro, Police Commander Pat Weathers, Human Resource Analyst Kathryn Ducharme, Special Projects Coordinator Emily Kropf, Parks, Trails & Recreation Administrator Ryan Berninzoni, Public Works Project and Right-of-Way Manager Ralph Mason, and City Clerk Laura Smith.

Absent: Mayor Pro Tem A. Brown and Councilor Klasina VanderWerf

PLEDGE OF ALLEGIANCE

The City Council conducted the pledge of allegiance.

AUDIENCE PARTICIPATION PERIOD

Jason Matherly of 10 Random Road presented information about the flooding of various areas of the City on June 12th and asked Council to determine what City staff should be responsible for these issues so that appropriate measures could be taken to prevent future issues. He indicated that he had photos and video of the flooding.

Mayor Christman asked Mr. Matherly to share his photos and video with staff.

CONSENT AGENDA

Councilor Hoellen removed Item 5b from the Consent Agenda.

Councilor Griffin moved, seconded by Councilor K. Brown to approve the following items on the Consent Agenda:

a. Approval of Minutes – June 2, 2015
c. Employee Handbook
d. Hutto Agreement Amendment (115 Meade Lane)

The motion passed unanimously.

ITEMS REMOVED FROM CONSENT AGENDA

Item 5b Resolution 25, Series 2015; Adopting New Fees and Procedures Regarding the Dissolution of Water and Sewer Districts within the City of Cherry Hills Village

Councilor Hoellen indicated that while the City does desire that the sewer districts be consolidated, the City does not desire to assume the operation of sewer systems. He questioned the wording in the Resolution that stated the City's desire to assume operation of the districts.

Mayor Christman agreed that the City does not desire to take over operation of sewer districts.

Councilor Gallagher clarified that the intent of the resolution was to bring the City into compliance with Title 32 of the State Statutes and while the City did want the sanitary sewer districts to be consolidated, the City was not interested in taking over the districts itself.

Mayor Christman added that the cost to the City would be prohibitive.

Councilor Griffin noted that the resolution gave the City flexibility regarding this issue. He asked how many sewer districts existed in the City.

Director Zuccaro replied that there were at least eight sewer districts in the City.

Councilor Griffin indicated that while the City's long term goal was to see the districts consolidated, the proposed resolution would give the City the flexibility to assume a district if necessary to the achievement of that goal.

Councilor K. Brown suggested that the ninth whereas clause could be amended to state that "the City desires to consolidate sanitary sewer systems", and if to achieve that process the City needs to assume the operation of a district then that action could be considered part of the overall consolidation process, but to make clear that it was not the desire of the City to assume operation of the systems.

Mayor Christman added that recent flooding in the City had shown that many of the sewer pipes in the City were old, which would entail an added cost for consolidation.

Councilor Hoellen indicated that he agreed with the sections of the resolution which brought the City into compliance with Title 32 but believed that the resolution should reflect the City's current desires and intentions. He suggested that the resolution be tabled so that staff could re-write the resolution.

City Attorney Michow noted that the underlying purpose of the resolution was to create a process for district dissolution reflective of Title 32. She added that while the whereas clauses did not reflect Council's current intentions, the language in the body of the

resolution outlined a process for special districts to dissolve and consolidate rather than a process initiated by the City.

Councilor Hoellen clarified that he had no issues with the body of the resolution.

Councilor Hoellen moved, seconded by Councilor Griffin to table Resolution 25, Series 2015 until the July 21, 2015 Council meeting to allow staff to rework the language.

The motion passed unanimously.

UNFINISHED BUSINESS

Council Bill 3, Series 2015; Amending the Municipal Code Regarding Security Guard Businesses (*second and final reading*)

City Clerk Smith presented Council Bill 3, Series 2015 on second and final reading. She explained that the proposed ordinance would clarify the requirements for obtaining a security guard license and to add a section allowing the Chief of Police to issue a provisional, temporary license while background checks were being performed for a full license. She noted no changes had been made since first reading.

Councilor K. Brown moved, seconded by Councilor Gallagher to approve Council Bill 3, Series 2015 on second and final reading, amending Article 3 of Chapter 6 regarding security guard businesses as outlined in the June 16, 2015 staff memorandum.

The following votes were recorded:

Gallagher	yes
Griffin	yes
K. Brown	yes
Hoellen	yes

Vote on the Council Bill 3-2015: 4 ayes. 0 nays. The motion carried.

NEW BUSINESS

Council Bill 4, Series 2015; Amending the Municipal Code Concerning New Wireless Co-Location Rules (*first reading*)

Special Projects Coordinator Kropf presented Council Bill 4, Series 2015 on first reading. She explained that the proposed bill would amend Section 16-16-130 of the Municipal Code to include wireless co-location rules as adopted by Congress and interpreted by the Federal Communications Commission (FCC). Co-location is defined as the mounting or installation of wireless transmission equipment on an existing eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communication purposes. In 2012, Congress adopted new rules (Section

6409 of the Middle Class Tax Relief Act of 2012) determining when a co-location request on an existing wireless site must receive zoning approval, regardless of state or local law. In 2014, the FCC adopted rules defining and interpreting various portions of Section 6409 for implementation purposes. The rules state that an eligible facilities request or application for co-location must be approved if it does not involve a substantial change. A substantial change is defined as an increase in height, width, number of cabinets or other criteria as identified in the proposed language. An application can be denied, however, if the request would result in a substantial change; impair a concealment element needed to qualify as an alternative communication facility; or fail to meet a design element or condition of approval associated with the original application or any approved amendment thereto. The Colorado Communication and Utility Alliance (CCUA) issued a memorandum regarding the new rules and a proposed model ordinance to assist municipalities with implementation. Staff has reviewed the model ordinance with the City Attorney and has incorporated the required regulations while attempting to minimize the impact. Staff recommended approval of the proposed amendment in order to comply with current federal rules.

Councilor Gallagher indicated that the underlying purpose of the proposed bill was to bring the City into compliance with the new rules and interpretation.

Special Projects Coordinator Kropf confirmed that was correct.

Councilor Hoellen suggested that "or" be added to the end of subsections (1) and (2) the definition of "Substantial change" in the proposed bill in order to clarify that any one of the criteria on its own would result in a substantial change.

Mayor Christman asked if a change was not originally anticipated and accounted for in a development agreement if additional requirements could be imposed by the City related to the change such as taller trees.

City Attorney Michow replied that the City could probably not impose additional requirements in that case. She noted that the purpose of the rules adopted by Congress was to promote telecom and wireless facility growth within parameters, essentially automatically approving up to a 10% increase in height, width or dimension.

Director Zuccaro noted that if the original approval required mitigation then mitigation would still be required and would be required to apply to any non-substantial change.

Mayor Christman noted that the City could incorporate elements in the original agreement that would apply to any non-substantial change.

Councilor K. Brown asked if the 10% increase was above the current dimension, in which case a "non-substantial change" of up to 10% could be conducted multiple times.

Director Zuccaro replied that the allowed increase was above the originally approved dimension only.

City Attorney Michow directed Council's attention to the definition of "Existing" in the proposed bill.

Councilor K. Brown indicated that the definition should be clarified.

Mayor Christman asked if wireless communication companies were able to remove trees if they interfered with a non-substantial change.

Director Zuccaro replied that they could remove trees on private property.

Mayor Christman indicated that the City would have to be very careful about how original agreements are written in order to protect trees from any non-substantial change.

Councilor K. Brown noted that the definition of substantial change for towers located in the public rights-of-way included "adding an appurtenance to the body of the tower that would protrude from the edge of the tower by more than six feet" but for towers not located in the public rights-of-way "adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet." She asked about the difference between the public and private property.

City Attorney Michow replied that location of wireless facilities on private property was subject to a lease with the property owners.

Mayor Christman directed staff to add "or" to the definition of "Substantial change".

Councilor Hoellen asked staff to clarify the definition of "Exisiting".

Councilor K. Brown moved, seconded by Councilor Gallagher to table Council Bill 4, Series 2015 until the July 21st meeting for further review.

The motion carried unanimously.

<u>2015 November Election</u>

City Clerk Smith presented information to Council related to the November 3, 2015 election. She explained that staff had prepared draft ballot language in coordination with City Attorney Michow, Mayor Pro Tem A. Brown, and Utility Line Undergrounding Study Committee (ULUSC) member Dan Lynch and was seeking Council's feedback. She noted that Arapahoe County had provided a cost estimate for participation in the coordinated election which was less than the City's budget for the election. She indicated that staff would bring a resolution calling a special election to Council for consideration at the next meeting. She added that the Charter required tax issues to be passed by Ordinance so first reading of the Council Bill to place an issue on the ballot would be August 4th. She indicated that an attorney-client privileged memo from City

Attorney Michow regarding use of public funds during an election was included with staff's memo, as well as information from the Colorado Campaign and Political Finance Manual regarding Issue Committees.

Mayor Christman noted that the draft language restricted the use of funds received from the proposed use tax. She indicated that since residents were paying this tax already, but as sales tax to other municipalities, she had no problem with the use tax itself. However she noted that the City may have other issues in the future such as flooding issues that would need funding and she was reluctant to restrict the use of these funds. She suggested that the draft language could be changed to indicate that the funds would be used for capital expenses including undergrounding and open space.

Councilor Hoellen added that most other municipalities already had a use tax on building materials so it was something the City should have as well and agreed that the taxes were already being paid and it was important to redirect that revenue to the City. He indicated that he believed in directed and targeted revenue associated with specific expenditures. He noted that he absolutely wanted this issue to pass and something to consider was whether more specific or broader language was more likely to pass.

Councilor Gallagher indicated that voters might be less likely to support broader language than more targeted language.

Mayor Christman noted that not everyone would be in favor of using the funds for any one specific purpose, such as undergrounding.

Councilor Gallagher suggested the language "such as but not limited to".

Councilor K. Brown replied that could be viewed unfavorably by both voters opposed to the listed issues and voters opposed to broad language. She indicated that hopefully the City could communicate that the tax was being paid in any case but noted that communication is always a challenge.

Councilor Griffin warned that suggesting the revenues would be used for one thing and then changing their use could result in distrust from citizens. He indicated that the Village had shown disinclination to new taxes and that educating residents that this tax was already being paid but going to other municipalities was key. He noted that the discussion came about because of the work of the ULUSC. He indicated that while he understood the concerns with restricting funds he warned against broad language as it might be perceived as giving carte blanch to Council by the voters.

Mayor Christman indicated that she was concerned with the issue becoming a referendum on undergrounding rather than a claim by the City of taxes that should be coming to the City but that are currently being paid to other municipalities.

Councilor Griffin suggested focusing the wording on the fact that the taxes were being paid already but to other municipalities.

Councilor Hoellen indicated that he would like to get Mayor Pro Tem A. Brown's opinion on this issue. He noted that while he could not speak for Mayor Pro Tem A. Brown he had heard his view previously expressed that a tax issue should be tied to a specific expenditure.

Councilor Griffin suggested the Council continue the discussion at a future meeting when Mayor Pro Tem A. Brown was present.

City Clerk Smith noted that the first reading of the council bill placing an issue on the ballot would be August 4th.

Councilor K. Brown noted that the City would be limited in terms of public outreach beginning August 18th when the ballot content was certified by Council and suggested that public education on the issue of the tax being paid to other municipalities should be begun before that date.

Councilor Griffin suggested that Mayor Christman could include information in her Mayoral Musings article in the Village Crier.

Councilor Gallagher indicated that this issue deserved its own article.

Mayor Christman agreed that a separate article would be more appropriate in order to explain the situation completely. She noted that the tax was only paid by residents engaged in construction, and that the tax was already being paid as a sales tax to other municipalities.

Councilor Hoellen noted that Council members could do a lot to advocate an issue on their own time even if City funds were limited by FCPA after August 18th.

Councilor Griffin suggested framing the issue as a tax change rather than a tax increase and providing an example of a $1 million new home to illustrate the situation.

Mayor Christman agreed and noted that in some situations it might be a tax decrease depending on the sales tax rates in other municipalities.

Councilor Hoellen asked if the contractors would still be required to pay the difference between the City's use tax and another municipality's sales tax if the City's use tax was lower.

Director Zuccaro replied that they would not and that the use tax would replace the sales tax.

Councilor K. Brown asked City Attorney Michow for clarification as to how Council members were limited in promoting the issue after August 18th given that they were unpaid volunteers.

City Attorney Michow noted that Council could continue to promote the issue on their personal time with their personal resources after August 18th but could not use City staff, facilities or resources.

Councilor Hoellen indicated Council could pass a resolution supporting the issue.

City Attorney Michow replied that was correct but that the City was required to publicize that resolution in the same manner as all other resolutions and could not promote it in any way that a resolution would not normally be promoted.

Councilor Hoellen added that a Councilor could, in their private time, send the resolution to the editor of the Villager, for example.

Mayor Christman asked if the City would publish pro and con information about the issue in a booklet.

City Clerk Smith replied that since the City would coordinate with Arapahoe County on this election the appropriate information would be included in the County's blue book.

REPORTS

Flood Event Report

City Manager Patterson reported that between Thursday June 11th and Friday June 12th the City received 3.85 inches of rain in a 16 hour timeframe. This overwhelmed the already saturated landscape and resulted in breaches or overflows of dams at Greenwood Gulch which eventually reached the area of Little Dry Creek and Cherry Hills Country Club. Locally the Village Center experienced flooding along Meade Lane and University Boulevard at Quincy Avenue. The rain stopped at approximately 9:45 a.m. on Friday June 12th and at approximately 10:15 a.m. Meade Lane was flooded. The pond in John Meade Park overflowed onto Quincy Avenue and University Boulevard and there was flooding in the southeast section of Cherry Hills Country Club and the northwest section of the City at Sanctuary Church. Over the past two days six to eight million gallons of water was pumped out of the Sanctuary Church parking lot and building. Several homes throughout the Village flooded and several sewer systems backed up. Staff was gathering information and working with City Engineer Troy Carmann to determine what could be done to mitigate or eliminate future flooding events.

City Engineer Troy Carmann explained that the watershed for this flood event was approximately 12 square miles, defined by topography and infrastructure improvements. There were several drainages that contribute to flooding in the area coming west through the contours of the High Line Canal into the City – Little Dry Creek, Greenwood Gulch, Blackmere Gulch, and Quincy Gulch. He noted that the number of rain gauges limited the data that could be analyzed. The Front Range had experienced an unusually

wet season which had saturated the ground and resulted in fast runoff. The accumulation of precipitation from past weeks filled the soil, voids and stormwater infrastructure around the Metro area. The capacity of upstream stormwater ponds was reduced by previous storms and every bit of debris in the system contributes to reduced capacity. The flood event on June 12th was an uncontrolled but understandable event given the factors. The flooding of Meade Lane and University Boulevard operated well from an engineering perspective, and luckily school was not in session. The flooding in the northwest corner of the City involved the confluence of Little Dry Creek and Greenwood Gulch into City Ditch. City Ditch was a legacy structure owned and operated by the City of Englewood. When the ditch was established over 100 years ago it served agricultural purposes, but for modern infrastructure it could be problematic. On Friday Greenwood Gulch's upstream pond capacities were maximized and the input of too much water too fast resulted in water flooding into the low point at what is now Sanctuary Church. He indicated that the map he was using to describe the event was from the 2004 Master Drainage Plan from Urban Drainage. The map included the floodplain, which was represented by FEMA's National Flood Insurance Program and many of the City's Zoning Codes. This data provided the City with early guesses as to the best steps for mitigation. He explained that there was enough information to support a drain under Clarkson Street to mitigate future capacity issues with Greenwood Gulch. The 2004 Master Drainage Plan provided information that the City could use to determine the best size and location of the drain and what other stakeholders would be responsible. The plan identified more specific information about suggested mitigation for University Boulevard, including the size and material for box culverts underneath the street that would convey excess flow and keep the street open during a future flooding event. That level of detail was now needed for Clarkson Street.
The City would continue to study the issue and plan for mitigation for both City Ditch and University Boulevard.

Councilor Griffin asked what was currently under University Boulevard.

Project Manager Mason replied that there were two 40 inch culverts currently under University Boulevard.

Councilor Griffin indicated that the water flowing under University Boulevard emptied into the lake at the Cherry Hills Country Club.

Project Manager Mason confirmed that was correct.

City Engineer Carmann noted that the State and FEMA had programs to assist communities with flood events. The Colorado Water Conservation Board had in the past conducted flood documentation reports for communities affected by flooding events and now offered funding to assist communities with flood documentation.

Councilor Griffin asked about the date of the flood study.

City Engineer Carmann replied that the Master Drainage Plan had been completed in 2004 and was an update of a previous 1994 study.

Councilor K. Brown asked if the 2004 plan was a proposal for mitigation that was never followed up on.

City Engineer Carmann replied that the plan included planning recommendations, a best guess based on the data at hand.

Councilor Gallagher asked if implementing the study's recommendations would have made a difference in Friday's flood event.

City Engineer Carmann indicated that the recommendations would have made a difference in the localized events around the Elementary School and Village Center area.

Councilor Hoellen indicated that he was more concerned with mitigation for the flooding of Village homes and Sanctuary Church.

Mayor Christman asked what mitigation measures could be taken in the short term as rains continue this summer.

City Engineer Carmann indicated that the first step was to begin a coordinated effort with stakeholders upstream to ensure that the City's neighbors maintained their ponds, as well as working with stakeholders on ponds within the City. Another mitigation option was to keep pumps on-call at the City. Maintaining coordination between stakeholders of City Ditch was important in order to understand and mitigate future flooding issues. The City could also reach out to the State and Urban Drainage to build a long-term plan.

Mayor Christman asked if City Ditch was a private irrigation ditch.

City Engineer Carmann replied that it was a quasi-governmental entity that provided some public water, held by private shareholders and managed by the City of Englewood.

Mayor Christman asked what could be done with City Ditch in the short term.

City Engineer Carmann replied that a study of City Ditch should be done to determine how best to maximize capacity.

Councilor K. Brown asked if the flooding had occurred within the floodplain.

City Engineer Carmann replied that as far as he was aware the flooding occurred within the floodplain.

Councilor Hoellen noted that the proposed area for a new Village Center, closer to Quincy Avenue, was out of the floodplain but had flooded.

City Manager Patterson indicated that the floodplain accurately predicted where the water flowed, and that the additional volume on Friday was the surprising aspect of the event.

City Engineer Carmann agreed that the water had generally followed the floodplain, but that some areas may have been missed or needed continued study to make the floodplain more accurate.

Councilor Griffin asked Project Manager Mason if he had seen a similar flood event in the time that he had worked at the City.

Project Manager Mason replied that he worked at the City for approximately 35 years and had seen Quincy Avenue flood twice, the Public Works shop once, Meade Lane had flooded previously, but he had not previously seen University Boulevard flood.

Director Zuccaro added that the City records showed flooding on University Boulevard flooded in 1973.

Councilor Griffin indicated that he had lived at his residence since 1995 and since then there had been five or six serious rain events which filled the catch basin on the north side of Cherry Hills Farm and caused water to shoot out of the culvert at Cherryridge Road. He noted that these storms had not been as large and the catch basin was only a third full during Friday's event, and therefore the flooding seemed to be triggered by a release of water from ponds upstream. He indicated that the City needed to know if water was released from ponds upstream, automatically or voluntarily. He asked what the liability was for upstream properties that released water affecting downstream properties.

City Attorney Michow replied that detention ponds could not release beyond historic flows unless the water was contained.

Councilor Griffin asked if staff had communicated with upstream owners.

City Engineer Carmann replied that he had a cursory discussion with Greenwood Village and Centennial.

Director Zuccaro added that he had reached out to Greenwood Village and that they did not provide any information of anything out of the ordinary occurring with their detention ponds.

Councilor Griffin indicated that he would like definite answers from upstream pond operators.

Mayor Christman added that she and Project Manager Mason had gone to Glenmoor on Friday.

Project Manager Mason noted that Public Works Assistant Pamela Broyles had communicated with Glenmoor's public works department who had stated that they did not open their detention pond gates but rather the water had gone over the top of the gates.

Councilor Griffin asked if eyewitness confirmation could be found.

City Engineer Carmann indicated that it was not uncommon to collect eyewitness accounts and high water marks for this kind of event.

Councilor Griffin added that staff should contact the Army Corps of Engineers to determine if they adjusted the gates at Blackmer Gulch to follow up on Mr. Matherly's comments.

City Engineer Carmann noted that there were many variables that could have affected the flood event.

Councilor K. Brown asked how Little Dry Creek was affected by the events.

City Manager Patterson replied that the bank stabilization the City had completed at Little Dry Creek had worked well, but that it had overflowed at Cherry Hills Country Club.

Councilor K. Brown indicated that there had been no flooding at Dahlia Hollow Park although it was located in the floodplain, and that it seemed that some flooding would have been expected in all areas of the floodplain if the flood event had been caused by only rain. She asked City Engineer Carmann who the City could retain to conduct a detailed study of the flood event.

City Engineer Carmann replied that Urban Drainage could assist with the study and the City could request funding from the Colorado Water Conservation Board.

Mayor Christman added that the High Line Canal had been close to breaching at several points. She noted that Denver Water had done a study to determine areas most in danger of breeching and determined none of them were in the City.

Project Manager Mason commented that the water had gotten within six to eight inches of the top of the Canal in some places.

Councilor Griffin asked staff to prepare a report on the conversations they had regarding release of water upstream and determine definitively if voluntary or involuntary releases had occurred. He suggested decreasing levels in detention ponds in a non-event time in

anticipation of storm events when the soil is already saturated and spending time with Mr. Matherly looking at his pictures of the flood.

Councilor Gallagher asked for the City Engineer's thoughts on mitigation at Clarkson and Hampden.

City Engineer Carmann replied that the earliest concepts and the simplest approach utilized gravity to bring the water flow back to Little Dry Creek, preferably downstream of the bridge at Clarkson.

Councilor Gallagher noted that would not solve the issue of the low point.

City Engineer Carmann confirmed that was correct and that the conveyance between the pond and City Ditch and the low point is impeded by roadways and development. An alternative would be to take the water flow off of the conveyance ahead of the low point.

Councilor Griffin asked if residents whose homes had been flooded were eligible for FEMA assistance.

City Engineer Carmann replied that the City could assist with the public assistance process by issuing declarations of the flood event. He added that FEMA's assistance was focused on insured structures and furnaces and would not reimburse for any belongings lost. He indicated that the City could support individual flood insurance claims by providing documentation showing evidence of the flood event. He noted that FEMA's Region 8 office was located in Lakewood.

Councilor Hoellen indicated that Council needed to know what steps the City could take that would have an impact for the residents whose homes suffered damage.

City Engineer Carmann replied that his office could assist staff in determining that information.

Councilor Griffin thanked City Engineer Carmann for his thorough report.

Councilor Hoellen asked about the sewage issues that had occurred in the northeast corner of the City in relation to the flood event.

City Engineer Carmann replied that although he did not know the specifics of the situation with the sewer issues, it was still caused by too much water for the soil and infrastructure to handle.

Councilor Hoellen indicated that the sanitation system was a closed system while the stormwater system was open.

City Engineer Carmann replied that sanitation systems were designed to be closed systems but over time the clay pipes in the sewer system deteriorate due to age and pressure, making it very permeable.

Mayor Christman noted that the City had no liability with the sewer systems but that there was potential litigation for several of the sewer districts within the City.

Councilor Hoellen indicated he believed it was important to understand all the issues affecting City residents. He asked if the sewer districts were evaluating the event and what could be done to prevent sewer leaks in the future.

City Engineer Carmann replied that it required an incredible amount of coordination beyond jurisdictional boundaries to understand watershed events.

Project Manager Mason reported that the public works staff had checked the City's storm drains in the northeast section of the City three or four times on Friday morning to ensure there was no debris buildup affecting the flood event. He noted that he had suggested residents have their sewer district scope the sewer lines to determine the cause of the leaks.

Councilor K. Brown noted that Mansfield Sewer District had scoped its sewer lines approximately three years ago and notified residents of lines going to individual homes that were deteriorated.

Project Manager Mason agreed with the City Engineer that there was too much water for the system to handle and noted that neighborhood was a low point in the area.

Councilor Gallagher asked about the technicalities of water seeping into basements.

City Engineer Carmann explained that groundwater looks for the path of least resistance and when enough pressure builds it finds the weak points in foundation walls, often at the joints which are built with flexible material to allow for natural soil movement. When the water pressure gets high enough to overwhelm the weak point it finds a crack or joint, typically on the uphill side of the basement.

Councilor K. Brown asked how many home flooding incidents occurred in the City on Friday.

City Manager Patterson replied that the City was inundated with calls on Friday from residents with flooded basements and backyards.

Director Zuccaro added that a very approximate number was four to six homes where water breached the finished floor elevations. He noted that there were a higher number of cases where accessory structures had flooded.

Mayor Christman noted that a house on Ogden Street had flooded the basement and first floor.

Director Zuccaro replied that property was in the floodplain.

Mayor Christman indicated that the homeowners were out of town but the Police Department was checking the house as part of the house watch program and noticed the flooding.

Councilor Griffin emphasized that the City should do everything it could for residents affected by the flooding.

Mayor's Report

Mayor Christman reported that the Council would meet on June 30th at 8am at the Village Center for a study session regarding the City's strategic financial plan. She asked if anything else should be added to the agenda.

Councilor Hoellen suggested adding utility line undergrounding since it was related to the possible use tax.

Mayor Christman reported that she had met with Deputy City Manager/Director Goldie, Parks Administrator Berninzoni, and Cherry Hills Land Preserve member Karen Barsch regarding the farmers market as part of the Barn Tour.

Members of City Council

Councilor Gallagher reported that the Planning and Zoning Commission (P&Z) and Parks, Trails and Recreation Commission (PTRC) had a productive joint study session to discuss the City's fence Code and Director Zuccaro would follow up.

Director Zuccaro added that P&Z and PTRC would review draft ordinance language separately before it was brought to Council for consideration.

Councilor Gallagher reported that the John Meade Park Master Planning Process meeting last Thursday had been productive. He explained that there were concerns that evening events in the amphitheater would pose life safety issues if the area were not properly lit, and neighbors continued to be concerned about noise, lights and use at the venue.

Mayor Christman noted that all City parks were open until 11 p.m.

Councilor Hoellen added that there were no lights in any of the City's parks. He commented that the High Line Canal closed at sundown or when it got dark.

Councilor K. Brown noted that the Summer Movie Night was a notable exception to the no lights standard.

Councilor Hoellen suggested that use of parks without proper lighting was a public safety issue.

Mayor Christman indicated that a balance was needed between use of parks, dark skies and public safety.

Councilor Gallagher agreed that the City was responsible for public safety if they encouraged evening events but also needed to be considerate of the neighbors and their concerns.

Councilor K. Brown suggested that rules for John Meade Park could be separate from other parks, instead of the current rules which applied to all parks.

Councilor Griffin reported that the Board of Adjustment and Appeals (BOAA) had granted a variance to a property at Franklin Street and Quincy Avenue to locate a garage within the easement.

Councilor K. Brown reported that the Centennial Airport Noise Roundtable's noise monitor had been placed in the City to begin gathering data.

Administrator Berninzoni added that the noise monitor was located in the northwest corner of Middle Annex Park at the corner of Cherry Lane Drive and Parkway Drive. He noted that the monitor was tucked away and chained down.

Councilor K. Brown explained that the noise monitors used by the Centennial Airport Noise Roundtable were each calibrated based on ambient noise level. Noise above that decibel level was considered a noise event. The monitors also distinguished between different kinds of noises, from lawnmowers to airplanes to motorcycles. The noise monitors would give the Roundtable quantitative data on the frequency and types of noise events.

Councilor K. Brown also reported that she had been contacted by the Cherry Hills North Homeowners Association which was concerned about pedestrian traffic headed to the High Line Canal and were interested in pursuing adding a pedestrian crossing at Hudson Way and Dahlia Street. She apologized for missing the last meeting and indicated she was intrigued by the proposed use tax. She also noted that some communities had a 1% transfer tax on the sale of homes.

City Attorney Michow indicated that transfer taxes were no longer authorized under state law and those communities that still had them were grandfathered.

Councilor Hoellen had no report.

Members of City Boards and Commissions

None

City Manager & Staff

Board and Commission Member Terms

City Clerk Smith reported that there was currently a vacancy on P&Z; Public Art Commission member Harbaugh's first term would end in July; and several terms on P&Z would end in September. She asked for Council direction on reappointing Commission Harbaugh to a second term and also for two Council members to assist with interviews for the P&Z vacancy.

Council had no objections to reappointing Commissioner Harbaugh. Council appointed Mayor Christman and Councilor Hoellen to assist with interviews for the P&Z vacancy.

City Attorney

City Attorney Michow reported that staff had discovered that a right-of-way portion of Quincy Avenue had never been formally conveyed to the City after the Gilman lot consolidation. She indicated that staff would bring the conveyance deed to the next Council meeting for consideration. She indicated that she had information from the legislative session but could defer until the next Council meeting.

Councilor Hoellen suggested the legislative report be deferred.

City Attorney Michow noted that the Colorado Supreme Court had upheld the employer's right to discharge an employee for medical marijuana use during nonworking hours notwithstanding Colorado's unlawful activities statute that states employees cannot discharge or discipline employees for performing lawful activities during nonworking hours because marijuana is illegal at the federal level.

ADJOURNMENT

Councilor Griffin moved, seconded by Councilor K. Brown to move into Executive Session pursuant to C.R.S. Sec. 24-6-402(4)(a) for the purpose of discussing matters related to the acquisition of real property and pursuant to C.R.S. Sec. 24-6-402(4)(e) to develop strategy for negotiations and to instruct negotiators relating to possible acquisition of such real property and to adjourn afterwards.

The following votes were recorded:

K. Brown	yes
Hoellen	yes
Gallagher	yes

Griffin yes

Vote on the Executive Session: 4 ayes. 0 nays. The motion carried.

The Executive Session began at 8:36 p.m.

The meeting adjourned at 8:55 p.m.

_____
Laura Christman, Mayor

_____
Laura Smith, City Clerk

CHERRY HILLS VILLAGE
COLORADO

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
FAX 303-761-9386

ITEM: 5b

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: JAY GOLDIE, DEPUTY CITY MANAGER/DIRECTOR OF PUBLIC WORKS

SUBJECT: RESOLUTION 25, SERIES 2015; ADOPTING NEW FEES AND PROCEDURES REGARDING THE DISSOLUTION OF WATER AND SEWER DISTRICTS WITHIN THE CITY OF CHERRY HILLS VILLAGE

DATE: JULY 21, 2015

During the process of updating the City's policies and procedures, it was determined by the City Attorney that the established procedures and fees for water and sewer district consolidations need to be updated to meet the current State Statues. On June 16, 2015 staff presented Council with the updated procedures to meet all mandatory regulations. Council raised concerns about the wording in the document asserting the fact that the City would accept the dissolution of water and sewer districts and possibly become responsible for the operations and maintenance of these entities.

The Resolution has been changed to reflect the City's willingness to help facilitate dissolutions and consolidations as required by Title 32 of the Colorado, but not necessarily take over and operate these entities. Additionally, the resolution clarifies the process required to initiate dissolutions within Cherry Hills Village and how the costs for these actions would need to be funded by the requesting district, as well as how the City would assist in these procedures. For the City to support any dissolution procedure the entity taking over a district being dissolved must be capable and willing to provide the requested service(s). The Resolution does not preclude the City from being able to take over a special district if Council so desires or a situation would arise where it would be logical for the City to take over for the health, safety and welfare of its residents.

City Attorney Michow has reviewed the resolution and made the requested changes from the June 16, 2015 meeting to reflect Council's concerns and clarify the City's involvement and commitment to these important issues. Staff has include both the redline version of the Resolution for comparison purposes and a new clean updated version for City Councils approval.

STAFF RECOMMENDATION
Staff recommends the approval of Resolution 25, Series 2015.

RECOMMENDED MOTION
"I move to approve Resolution 25, Series 2015; adopting new fees and procedures regarding the dissolution of water and sewer districts within Cherry Hills Village."

ATTACHMENTS
Exhibit A: Resolution 25, Series 2015 redline
Exhibit B: Resolution 25, Series 2015 Final Draft

EXHIBIT A

RESOLUTION NO. 25
SERIES OF 2015

A
RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
ADOPTING NEW FEES AND PROCEDURES REGARDING THE DISSOLUTION OF WATER AND SEWER DISTRICTS
WITHIN THE CITY OF CHERRY HILLS VILLAGE

WHEREAS, the City of Cherry Hills Village has a duty and responsibility to its citizens to protect the public health, safety and welfare of its residents; and

WHEREAS, the City of Cherry Hills Village (the "City") operates a sanitary sewer system that serves certain users within the City; and

WHEREAS, the City, under its Total Service Agreement with Denver Water, provides smaller water providers the opportunity to consolidate certain water distribution systems and services for management and operation under the Total Service Agreement; and

WHEREAS, there are a number of special districts that provide water service, sanitary sewer service, or both, within the boundaries of the City; and

~~WHEREAS, the City desires to promote efficiencies of water and sanitary sewer service delivery systems within its boundaries; and~~

WHEREAS, provisions exist in Part 7, Article 1, Title 32, C.R.S. pertaining to the process for dissolution of special districts under Colorado law; and

WHEREAS, the City desires to promote the efficiency of water and sanitary sewer delivery systems through assisting with the process of dissolving existing special districts where the services provided may be continued to be economically provided by: (1) the City, or (2) another existing special district in the City; and

WHEREAS, pursuant to C.R.S. § 32-1-702(4), the statutorily required plan for dissolution of a special district must specifically provide whether the services provided by the special district will be continued by the City, another special district or similar governmental entity; and

WHEREAS, the City desires to consolidate ~~assume~~ the operation of sanitary sewer systems in order to promote efficiencies in service delivery within the City, if all related costs and expenses are assumed by the residents and taxpayers of the dissolving entity; and

WHEREAS, ~~when and if the City is unable to assume the provision of water or sanitary sewer service post dissolution of an existing special district for financial or other reason(s),~~ the City encourages that existing special districts cooperate to consolidate pursuant to a dissolution/inclusion of territory model as contemplated in Parts 4 and 7, Article 1, Title 32, C.R.S. or a consolidation model as contemplated in Part 6, Article 1, Title 32, C.R.S.; and

WHEREAS, as a condition to the assumption and continuation of any sanitary sewer services by another service provider or the City, ~~by the City, the City must have~~there must be sufficient financial reserves to repair and maintain the sewer delivery systems; and

WHEREAS, the cost to repair and maintain these lines must be the responsibility of the residents who utilize these facilities~~; and~~

~~WHEREAS, the City intends that these services will be provided through revenues generated from the fees and charges collected from the water and sewer activities~~ without any costs to or subsidies from the General Fund of the City.~~; and~~

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE:

Section 1. The following rules and procedures are modified and adopted for the dissolution of special districts providing water or sanitary sewer service, or both, within the boundaries of the City.

A. Special districts located within the boundaries of the City shall not initiate dissolution proceedings under Part 7, Article 1, Title 32, C.R.S. except in accordance with these rules and procedures, unless specifically waived in writing by the City Manager or his or her designee.

B. Entities desiring to dissolve and requesting that ~~the City (or~~ another existing special district~~)~~, or the City, provide the service(s) provided by the special district on and after the effective date of the dissolution should forward a written request authorized by the Board of Directors of the district to the City Manager expressing the district's desire to formally initiate dissolution procedures and requesting City Staff's assistance with, and participation in, applicable dissolution proceedings.

Formatted: Strikethrough

C. Each written request submitted to the City Manager should be accompanied by a copy of the special district annual budget for the year in which the written request is submitted to the City, and the two (2) prior budget years.

D. The requesting district shall fully cooperate to provide the City with any supplemental financial records or operational records requested.

E. City Staff shall review each request for dissolution submitted against applicable criteria, including but not limited to the following:

- The ability and willingness of the City or other applicable service provider(s) to provide the service(s) requested if the special district is dissolved;
- The physical condition of the system(s);
- The financial condition of the special district; and
- Applicable legal requirements.

Staff shall prepare a preliminary report outlining the feasibility of the proposed dissolution, the steps that should be followed to complete the dissolution, and shall include a recommendation to the City Manager and the City Council on the

advisability of proceeding with the requested dissolution and assumption of service(s) by the City or other applicable service provider(s).

F. If the City Council authorizes the City Manager and City Staff to continue negotiations with the special district regarding a plan for dissolution, a deposit of ten thousand dollars ($10,000) shall be made by the special district into a segregated fund of the City, which funds will be withdrawn by the City to reimburse the City for all direct costs incurred by the City and its consultants related to the dissolution process. The City reserves the right to require supplemental funds as necessary to cover the City's costs related to completing the dissolution process.

G. As required by C.R.S. § 32-1-702(b)(I), any plan for dissolution shall include an intergovernmental agreement by and between the dissolving entity and ~~the City or~~ the other special district, authority, City, or other governmental entity that will be continuing the service post-dissolution which shall include the following, as applicable:

1. Provisions regarding the operation and maintenance of the system(s) of the dissolving entity post-dissolution;

2. Provisions concerning acquisition of the special district's systems or facilities;

3. Provisions regarding the inclusion of territory;

4. Procedures for contract modification or assignment; and

5. Provisions regarding the continued certification of mill levies, if and as required by C.R.S. § 32-1-702(3)(c) or other applicable provisions of state law.

H. If the service(s) of the dissolving entity will be provided by the City, the City may require the dissolving special district to furnish a reserve fund for future maintenance or capital improvements to the system(s). The amount of the reserve fund will be specifically set forth in the intergovernmental agreement required by C.R.S. § 32-1-702(b)(I) and will be primarily based on the condition of the system(s) as determined by a professional engineer or other qualified professional consultant that is mutually acceptable to the City and the dissolving special district. The City at its discretion may allow the reserve fund to be paid over time through the imposition of additional service fees or charges imposed within the area of the dissolving special district and applicable to only properties situate therein. In accordance with C.R.S. § 32-1-708(1), if services are to be continued by the City, all funds remaining in the treasury of the dissolving special district in excess of all financial obligations and outstanding bonds of said district shall be utilized, upon completion of all requirements for dissolution, to reduce the rates, fees and charges fixed by the City.

Section 2. This Resolution shall be effective immediately.

Laura Christman, Mayor

ATTEST:

Laura Smith, City Clerk

(SEAL)

APPROVED AS TO FORM:

Linda Michow, City Attorney

EXHIBIT B

RESOLUTION NO. 25
SERIES OF 2015

A
RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
ADOPTING NEW FEES AND PROCEDURES REGARDING THE DISSOLUTION OF WATER AND SEWER DISTRICTS
WITHIN THE CITY OF CHERRY HILLS VILLAGE

WHEREAS, the City of Cherry Hills Village has a duty and responsibility to its citizens to protect the public health, safety and welfare of its residents; and

WHEREAS, the City of Cherry Hills Village (the "City") operates a sanitary sewer system that serves certain users within the City; and

WHEREAS, the City, under its Total Service Agreement with Denver Water, provides smaller water providers the opportunity to consolidate certain water distribution systems and services for management and operation under the Total Service Agreement; and

WHEREAS, there are a number of special districts that provide water service, sanitary sewer service, or both, within the boundaries of the City; and

WHEREAS, provisions exist in Part 7, Article 1, Title 32, C.R.S. pertaining to the process for dissolution of special districts under Colorado law; and

WHEREAS, the City desires to promote the efficiency of water and sanitary sewer delivery systems through assisting with the process of dissolving existing special districts where the services provided may be continued to be economically provided by: (1) the City, or (2) another existing special district in the City; and

WHEREAS, pursuant to C.R.S. § 32-1-702(4), the statutorily required plan for dissolution of a special district must specifically provide whether the services provided by the special district will be continued by the City, another special district or similar governmental entity; and

WHEREAS, the City desires to consolidate the operation of sanitary sewer systems in order to promote efficiencies in service delivery within the City, if all related costs and expenses are assumed by the residents and taxpayers of the dissolving entity; and

WHEREAS, the City encourages that existing special districts cooperate to consolidate pursuant to a dissolution/inclusion of territory model as contemplated in Parts 4 and 7, Article 1, Title 32, C.R.S. or a consolidation model as contemplated in Part 6, Article 1, Title 32, C.R.S.; and

WHEREAS, as a condition to the assumption and continuation of any sanitary sewer services by another service provider or the City, there must be sufficient financial reserves to repair and maintain the sewer delivery systems; and

WHEREAS, the cost to repair and maintain these lines must be the responsibility of the residents who utilize these facilities without any costs to or subsidies from the General Fund of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE:

Section 1. The following rules and procedures are modified and adopted for the dissolution of special districts providing water or sanitary sewer service, or both, within the boundaries of the City.

A. Special districts located within the boundaries of the City shall not initiate dissolution proceedings under Part 7, Article 1, Title 32, C.R.S. except in accordance with these rules and procedures, unless specifically waived in writing by the City Manager or his or her designee.

B. Entities desiring to dissolve and requesting that another existing special district, or the City, provide the service(s) provided by the special district on and after the effective date of the dissolution should forward a written request authorized by the Board of Directors of the district to the City Manager expressing the district's desire to formally initiate dissolution procedures and requesting City Staff's assistance with, and participation in, applicable dissolution proceedings.

C. Each written request submitted to the City Manager should be accompanied by a copy of the special district annual budget for the year in which the written request is submitted to the City, and the two (2) prior budget years.

D. The requesting district shall fully cooperate to provide the City with any supplemental financial records or operational records requested.

E. City Staff shall review each request for dissolution submitted against applicable criteria, including but not limited to the following:

- The ability and willingness of the City or other applicable service provider(s) to provide the service(s) requested if the special district is dissolved;
- The physical condition of the system(s);
- The financial condition of the special district; and
- Applicable legal requirements.

Staff shall prepare a preliminary report outlining the feasibility of the proposed dissolution, the steps that should be followed to complete the dissolution, and shall include a recommendation to the City Manager and the City Council on the advisability of proceeding with the requested dissolution and assumption of service(s) by the City or other applicable service provider(s).

F. If the City Council authorizes the City Manager and City Staff to continue negotiations with the special district regarding a plan for dissolution, a deposit of ten thousand dollars ($10,000) shall be made by the special district into a segregated fund of the City, which funds will be withdrawn by the City to reimburse the City for all

direct costs incurred by the City and its consultants related to the dissolution process. The City reserves the right to require supplemental funds as necessary to cover the City's costs related to completing the dissolution process.

G. As required by C.R.S. § 32-1-702(b)(I), any plan for dissolution shall include an intergovernmental agreement by and between the dissolving entity and the other special district, authority, City, or other governmental entity that will be continuing the service post-dissolution which shall include the following, as applicable:

1. Provisions regarding the operation and maintenance of the system(s) of the dissolving entity post-dissolution;

2. Provisions concerning acquisition of the special district's systems or facilities;

3. Provisions regarding the inclusion of territory;

4. Procedures for contract modification or assignment; and

5. Provisions regarding the continued certification of mill levies, if and as required by C.R.S. § 32-1-702(3)(c) or other applicable provisions of state law.

H. If the service(s) of the dissolving entity will be provided by the City, the City may require the dissolving special district to furnish a reserve fund for future maintenance or capital improvements to the system(s). The amount of the reserve fund will be specifically set forth in the intergovernmental agreement required by C.R.S. § 32-1-702(b)(I) and will be primarily based on the condition of the system(s) as determined by a professional engineer or other qualified professional consultant that is mutually acceptable to the City and the dissolving special district. The City at its discretion may allow the reserve fund to be paid over time through the imposition of additional service fees or charges imposed within the area of the dissolving special district and applicable to only properties situate therein. In accordance with C.R.S. § 32-1-708(1), if services are to be continued by the City, all funds remaining in the treasury of the dissolving special district in excess of all financial obligations and outstanding bonds of said district shall be utilized, upon completion of all requirements for dissolution, to reduce the rates, fees and charges fixed by the City.

Section 2. This Resolution shall be effective immediately.

(SEAL)

Laura Christman, Mayor

ATTEST:

Laura Smith, City Clerk

APPROVED AS TO FORM:

Linda Michow, City Attorney

CHERRY HILLS VILLAGE
COLORADO

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
FAX 303-761-9386

ITEM: 5c

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: KAREN PROCTOR, DIRECTOR OF FINANCE AND ADMINISTRATION

SUBJECT: RESOLUTION 26, SERIES 2015; A RESOLUTION ADOPTING THE 2016 BUDGET CALENDAR

DATE: JULY 21, 2015

DISCUSSION:
As stated in Section 9.5 of the City Charter, "The Council shall adopt a budget calendar by resolution on or before the twentieth day of September of each year." The attached resolution states that a proposed 2016 budget will be presented to Council on or before September 15, 2015. A study session for the proposed 2016 budget will be held on or before October 6, 2015 and the final 2016 budget will be adopted on or before December 15, 2015.

RECOMMENDED MOTION:
"I move to approve Resolution 26, Series 2015; A Resolution Adopting the 2016 Budget Calendar."

ATTACHMENTS:
Exhibit A: Resolution 26-15; A Resolution of the City Council of the City of Cherry Hills Village Adopting a Budget Calendar for the 2016 Budget.

EXHIBIT A

RESOLUTION NO. 26
SERIES OF 2015

INTRODUCED BY:
SECONDED BY:

A
RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
ADOPTING A BUDGET CALENDAR FOR THE 2016 BUDGET

WHEREAS, Section 9.5 of the Charter of the City of Cherry Hills Village requires the adoption of a budget calendar prior to September 20th of each year, and

WHEREAS, the City Council desires to set such budget calendar and to advise the public of its budget preparation schedule.

NOW, THEREFORE, be it resolved by the City Council of the City of Cherry Hills Village, Colorado, that:

The following calendar be adopted as the budget calendar for the preparation of the 2016 annual budget.

1. The City Manager submits the Proposed 2016 Budget on or before September 15, 2015.

2. The City Council holds a study session to review the Proposed 2016 Budget on or before October 6, 2015.

3. A Public Hearing will be held concerning the Proposed 2016 Budget and first readings of the Appropriations Ordinance and Mill Levy Ordinance on or before November 17, 2015.

4. The Appropriations Ordinance and Mill Levy Ordinance be adopted on second reading before the certification of tax levies deadline of December 15, 2015 required by Arapahoe County Assessor's Office.

Introduced, passed and adopted at the regular meeting of City Council this 21th day of July 2015, by a vote of Yes and No.

(SEAL)

Laura Christman, Mayor

ATTEST:

APPROVED AS TO FORM:

Laura Smith, City Clerk

Linda C. Michow, City Attorney

WIDNER MICHOW & COX LLP

ATTORNEYS AT LAW

TO:	Honorable Mayor Christman and Members of City Council
FROM:	Linda Michow, City Attorney
CC:	John Patterson, City Manager Karen Proctor, Finance Director
DATE:	July 21, 2015
SUBJECT:	Item No. 5d: Resolution No. 27, Series 2015, Approving an Amendment to Tolling Agreement between Denver First Church of the Nazarene and City of Cherry Hills Village

---

Issue:

Resolution No. 27 approves an amendment to the Tolling Agreement between the Denver First Church of the Nazarene ("Church") and the City of Cherry Hills Village ("City") regarding a 2005 lawsuit filed by the Church against the City in U.S. District Court. The Amendment to the Tolling Agreement would finally resolve and close out the 2005 Civil Action. The City's insurance provider ("CIRSA") has reviewed the Amendment.

Discussion:

In 2007, the Church and the City entered into a Tolling Agreement regarding a lawsuit filed by the Church against the City in U.S. District Court, case no. 05-CV-2463 ("2005 Civil Action"). The Civil Action arose from the City's denial of various land use applications relating to the Church's proposed expansion. The City and Church entered into a Tolling Agreement to "toll" or suspend the parties' respective pending claims and defenses.

In the Tolling Agreement, the Church and the City agreed to administratively close the Civil Action, based on CIRSA's deposit of $75,000 into an interest bearing escrow account and the Church's submittal of new land use applications for the Church expansion project, which included a new gymnasium, and lobby and basement expansion. On April 2, 2013, the City approved the Church's expanded use permit, and related applications.

Pursuant to the terms of the Tolling Agreement, upon approval of the Church's applications, the parties agreed to file a stipulation for dismissal with prejudice on the later of:

1. 25 months following the land use approval; or
2. 90 days following the conclusion of all possible third-party litigation challenging the approvals, including appeals.

Both of these deadlines have passed, and the case is effectively closed; however, no final order of dismissal with prejudice has occurred. Filing for an order of dismissal now would be little more than checking off a technicality. The statute of limitations for the Church to file a new suit has passed and the Church has received the City's approval of its expansion project, so there is no risk of renewed litigation. Therefore, in order to release the Escrow Funds to the Church, the City (by and through CIRSA-appointed counsel) and the Church have negotiated an Amendment to the Tolling Agreement ("Amendment").

The Amendment provides for the following:

- Administrative closure of the Civil Action shall be deemed a dismissal with prejudice;
- The Church releases the City from any and all liabilities, claims, demands, attorney fees, costs, interest or taxes arising out of and in any way related to the claims asserted in the 2005 Civil Action; and
- Authorizes the City to request from CIRSA the release of Escrow Funds.

Recommended Motion:

"I move to approve Resolution No. 27 Approving an Amendment to that certain Tolling Agreement by and between the Denver First Church of the Nazarene and the City of Cherry Hills Village."

Attachment:

Resolution No. 27, Series 2015

RESOLUTION NO. 27
SERIES OF 2015

INTRODUCED BY: _____
SECONDED BY: _____

A RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
APPROVING AN AMENDMENT TO THAT CERTAIN TOLLING AREEMENT
BY AND BETWEEN THE DENVER FIRST CHURCH OF THE NAZARENE AND
THE CITY OF CHERRY HILLS VILLAGE

WHEREAS, on April 30, 2007, the Denver First Church of the Nazarene ("Church") and the City of Cherry Hills Village ("City") entered into a Tolling Agreement ("2007 Agreement") regarding a lawsuit filed by the Church in the United States District Court for the District of Colorado, captioned *Denver First Church of the Nazarene v. Cherry Hills Village, a Colorado home rule town, et al.*, Civil Action No. 05-CV-02463-WDM-MEH (hereinafter "2005 Civil Action"); and

WHEREAS, in accordance with the terms of the 2007 Agreement, the 2005 Civil Action has been administratively closed and the City's self-insurance pool deposited $75,000 into an interest bearing account (hereinafter "Escrow Funds"); and

WHEREAS, the 2007 Agreement provided that the Escrow Funds would be paid to the Church at such time as the 2005 Civil Action is dismissed with prejudice; and

WHEREAS, the 2007 Agreement required that the Church dismiss the 2005 Civil Action with prejudice upon the later of (a) 25 months following any City approval of a redevelopment plan or (b) 90 days following the conclusion of all possible third party litigation challenging the City's approval of the church's applications. Both of those deadlines have expired; and

WHEREAS, the Church and City acknowledge and agree that both deadlines set forth in the 2007 Agreement have expired and that the administrative closure of the 2005 Civil Action shall constitute dismissal with prejudice; and

WHEREAS, the Church and City desire to memorialize the dismissal of the 2005 Civil Action and release of the Escrow Funds through execution of an amendment to the 2007 Agreement, as set forth in the attached Amendment to Tolling Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO THAT:

Section 1. The City Council approves the Amendment to Tolling Agreement as set forth in **Exhibit A**, attached hereto and incorporated herein, and authorizes the Mayor to execute the same.

Section 2. Effective Date. This Resolution shall be effective immediately.

Introduced, passed and adopted at the
regular meeting of the City Council this ___ day
of _____, 2015, by a vote of ___ yes and ___ no.

(SEAL)

Laura Christman, Mayor

ATTEST:

Approved as to form:

Laura Smith, City Clerk

Linda C. Michow, City Attorney

EXHIBIT A

AMENDMENT TO TOLLING AGREEMENT

On this __ day of June, 2015, **DENVER FIRST CHURCH OF THE NAZARENE** (the "Church") and the **CITY OF CHERRY HILLS VILLAGE** ("the City") hereby enter into the following agreement to amend the Tolling Agreement (hereinafter "2007 Agreement") between them, which was entered into on April 30, 2007.

WHEREAS, on April 30, 2007, the Church and the City entered into a Tolling Agreement regarding a lawsuit filed by the Church in the United States District Court for the District of Colorado, captioned *Denver First Church of the Nazarene v. Cherry Hills Village, a Colorado home rule town, et al.*, Civil Action No. 05-cv-02463-WDM-MEH (hereinafter "2005 Civil Action").

WHEREAS, in accordance with the terms of the 2007 Agreement, the 2005 Civil Action has been Administratively Closed, without prejudice, and the City's self-insurance pool deposited $75,000 into an interest bearing account (hereinafter "Escrow Funds").

WHEREAS, the 2007 Agreement provided that the Escrow Funds will be paid to the Church at such time as the 2005 Civil Action is dismissed with prejudice. The 2007 Agreement required that the Church dismiss the 2005 Civil Action with prejudice upon the later of (a) 25 months following any City approval of a redevelopment plan or (b) 90 days following the conclusion of all possible third party litigation challenging the City's approval of the church's applications. Both of those deadlines have expired.

IN CONSIDERATION of the promises and agreements contained herein, the sufficiency and adequacy of which are hereby acknowledged, the Church and the City agree as follows:

1. The parties shall treat the administrative closure of the 2005 Civil Action as a dismissal with prejudice. The Church releases, acquits, and forever discharges the City, its past and present principals, agents, employees, employers, directors, officials, mayors, councilmembers, attorneys, insurers (including CIRSA), and any other person or entity that is any way associated with the City in the past or present of and from any and all liabilities, claims, demands, rights, controversies, agreements, damages, judgments, actions, causes of action, attorney fees, costs, interest, and taxes arising out and in any way related to the claims asserted in the 2005 Civil Action.

2. The City shall direct its self-insurance pool to release the Escrow Funds to the Church, and those Escrow Funds shall be released within 14 days of the execution of this Agreement. The Church shall cooperate and provide any information and documents necessary to effectuate this release.

3. The Church understands and agrees that it is solely responsible for any tax payments that arise from the release of the Escrow Funds.

4. The 2007 Agreement, as modified by this document, contains the entire agreement between the parties. The parties represent and warrant that their undersigned representatives have full, complete, and express authority and permission to execute this amendment to the 2007 Agreement. The parties agree that this amendment may be executed by facsimile or pdf, and in counterparts.

Dated this ___ day of July, 2015.

DENVER FIRST CHURCH OF THE NAZARENE

_____

Print Name: _____

Title: _____

APPROVED AS TO FORM:

_____

Valissa Tsoucaris, Esq.

CITY OF CHERRY HILLS VILLAGE

_____
Laura Christman, Mayor

ATTEST:

_____
Laura Smith, City Clerk

APPROVED AS TO FORM:

_____
Linda Michow, Esq., City Attorney

WIDNER MICHOW & COX LLP

ATTORNEYS AT LAW

TO:	Honorable Mayor Christman and Members of City Council
FROM:	Linda Michow, City Attorney
CC:	John Patterson, City Manager Rob Zuccaro, Community Development Director
DATE:	July 21, 2015
SUBJECT:	Item No. 5e: Resolution No. 28, Series 2015, Accepting a Quitclaim Deed for Quincy Avenue

---

Issue:

Resolution No. 28 formalizes the City's acceptance of existing East Quincy Avenue right-of-way ("ROW") that was never dedicated or conveyed to the City of Cherry Hills Village.

Discussion:

The property owner of 4001 E. Quincy Avenue ("Property") has submitted a lot consolidation plat application to the City seeking to consolidate two adjacent metes and bounds parcels into one platted lot, comprising approximately 14. acres. Through this administrative lot consolidation process, and a review of the title work for the property, City staff discovered that the south thirty feet (30') of E. Quincy Avenue ("ROW") from the center line to the Property boundary was never formally dedicated or conveyed to the City. While the City enjoys a prescriptive right to the ROW through years of public use, it is necessary for the City to obtain fee title to the ROW. The attached deed conveys the ROW, and Resolution No. 28 formalizes the City Council's acceptance of such ROW.

Recommended Motion:

"I move to approve Resolution No. 28 Accepting a Quitclaim Deed from the Gilman Family Limited Partnership Conveying the South Thirty Feet of East Quincy Avenue Adjacent to Property Located at 4001 E. Quincy Avenue."

Attachment:

Resolution No. 28, Series 2015

RESOLUTION NO. 28
SERIES OF 2015

INTRODUCED BY: _____
SECONDED BY: _____

A RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
ACCEPTING A QUITCLAIM DEED FROM
THE GILMAN FAMILY LIMITED PARTNERSHIP
CONVEYING THE SOUTH THIRTY FEET OF EAST QUINCY AVENUE
ADJACENT TO PROPERTY LOCATED AT 4001 EAST QUINCY AVENUE

WHEREAS, pursuant to Section 1.3 of its Home Rule Charter and C.R.S. § 31-15-101(1)(d), the City of Cherry Hills Village ("Village") is authorized to acquire and dispose of real property; and

WHEREAS, the property owner, Gilman Family Limited Partnership ("Property Owner"), of certain real property located at 4001 E. Quincy Avenue ("Property") has submitted a lot consolidation plat application ("Lot Consolidation") to the City seeking to consolidate two adjacent metes and bounds parcels into one platted lot, comprising approximately __ acres; and

WHEREAS, through this administrative lot consolidation process, the City and Property Owner have discovered that the south thirty feet (30') of E. Quincy Avenue adjacent to the Property ("ROW Parcel") was never conveyed or dedicated to the public for road purposes; and

WHEREAS, a condition of approval of the Lot Consolidation requires the Property Owner to convey the ROW Parcel to the City; and

WHEREAS, the Property Owner desires to comply with the condition of approval and has submitted a quitclaim deed attached to this Resolution as **Exhibit A** and incorporated herein by reference; and

WHEREAS, the City Council desires to accept the deed quitclaiming the ROW Parcel to the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO THAT:

Section 1. Acceptance of Subject Property. The City Council hereby accepts the a Quitclaim Deed from the Gilman Family Limited Partnership for the ROW Parcel, in substantially the same form as attached hereto, subject to final execution and approval by the City Attorney.

Section 2. Execution of Documents. The City staff is hereby directed to record the Quitclaim Deed and take other steps necessary to effect the conveyance.

Section 3. Effective Date. This Resolution shall be effective immediately.

Introduced, passed and adopted at the
regular meeting of the City Council this ___ day
of _____, 2015, by a vote of ___ yes and ___ no.

(SEAL)

Laura Christman, Mayor

ATTEST:

Approved as to form:

Laura Smith, City Clerk

Linda C. Michow, City Attorney

EXHIBIT A

CoPLS.COM
COLORADO ENGINEERING & SURVEYING, INC.
YOUR COLORADO PROFESSIONAL LAND SURVEYORS
39°37'48.3" North 105°00'40.3" West
4750 S Santa Fe Cr. #8 Englewood, Colorado 80110
303-761-8055-p info@CoPLS.com 303-761-0841-f
www.copls.com

A PARCEL OF LAND LOCATED WITHIN THE SOUTHWEST ¼ SECTION 6,
TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE 6P.M.,
MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SW CORNER OF SECTION 6, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE 6TH P.M., THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION 6, 30.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID SECTION 6, 30.00 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 6, 656 FEET; THENCE SOUTH AT RIGHT ANGLES, 30.00 FEET TO THE SOUTH LINE OF SAID SECTION 6, THENCE WEST ON THE SAID SOUTH LINE, 656 FEET TO THE TRUE POINT OF BEGINNING.

COUNTY OF ARAPAHOE,
STATE OF COLROADO

CHERRY HILLS VILLAGE
COLORADO

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
FAX 303-761-9386

ITEM: 5f

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: KAREN PROCTOR, DIRECTOR OF FINANCE AND ADMINISTRATION

SUBJECT: RESOLUTION 29, SERIES 2015; A RESOLUTION REAPPOINTING TERESA HARBAUGH TO THE PUBLIC ART COMMISSION

DATE: JULY 21, 2015

ISSUE:
Should the Council approve Resolution 29, Series 2015, reappointing Teresa Harbaugh to a second three-year term on the Public Art Commission?

DISCUSSION:
Commissioner Harbaugh currently serves as a member of the Public Art Commission and will be completing her first full term on July 21, 2015. Commissioner Harbaugh has expressed a desire to serve another term on the Commission and is eligible for reappointment.

RECOMMENDATION:
Staff recommends Commissioner Harbaugh be reappointed to the Public Art Commission.

RECOMMENDED MOTION:
"I move to approve Resolution 29, Series 2015; reappointing Teresa Harbaugh to the Public Art Commission."

ATTACHMENTS:
Exhibit A: Resolution 29, Series 2015

RESOLUTION NO. 29
SERIES 2015

INTRODUCED BY: _____
SECONDED BY: _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE REAPPOINTING TERESA HARBAUGH TO THE PUBLIC ART COMMISSION

WHEREAS, Section 3.1 of the City of Cherry Hills Village City Charter authorizes the City Council to "delegate to board and commissions...such functions, powers and authority of the City as it deems proper and advisable"; and

WHEREAS, Resolution 6-11 established the Public Art Commission; and

WHEREAS, Resolution 6-11 states the Commission shall consist of up to five (5) voting members, including a Council representative. All members are appointed by the City Council. Members must be residents of Cherry Hills Village; and

WHEREAS, the term of appointment of Commissioner Teresa Harbaugh will expire on the third Tuesday of July 2015; and

WHEREAS, Ms. Harbaugh has served one, three-year term on the Commission and is eligible for reappointment; and

WHEREAS, Ms. Harbaugh has expressed a desire to be reappointed for an additional term; and

WHEREAS, the City Council desires to reappoint Commissioner Harbaugh to a new term on the Public Art Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE THAT:

The City Council hereby makes the following appointment to the City of Cherry Hills Public Art Commission:

Name	**Term Expires**
Teresa Harbaugh	July 2018

This Resolution shall be effective immediately.

Introduced, passed and adopted at the regular meeting of City Council this __ day of ____, 2015, by a vote of _ yes and _ no.

(SEAL)

Laura Christman, Mayor

ATTEST:

APPROVED AS TO FORM:

Laura Smith, City Clerk

Linda C. Michow, City Attorney

CHERRY HILLS VILLAGE
COLORADO

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
FAX 303-761-9386

ITEM: 5g

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: LAURA SMITH, CITY CLERK

SUBJECT: RESOLUTION 30, SERIES 2015; A RESOLUTION APPOINTING MICHAEL LAMAIR TO THE PLANNING AND ZONING COMMISSION

DATE: JULY 21, 2015

ISSUE:
Should the Council approve Resolution 30, Series 2015, appointing Michael LaMair to the Planning and Zoning Commission?

DISCUSSION:
Commissioner Steve Szymanski resigned in April 2015. City Council appointed Mayor Christman and Councilor Hoellen to interview applicants for the vacancy. Interviews were conducted the week of July 6th. Mayor Christman and Council Hoellen directed staff to prepare a resolution to appoint Michael LaMair to fill the vacancy for Council's consideration (Exhibit A).

RECOMMENDED MOTION:
"I move to approve Resolution 30, Series 2015; appointing Michael LaMair to the Planning and Zoning Commission."

ATTACHMENTS:
Exhibit A: Resolution 30, Series 2015

EXHIBIT A

RESOLUTION NO. 30
SERIES 2015

INTRODUCED BY: _____
SECONDED BY: _____

A RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
CONCERNING THE APPOINTMENT OF MICHAEL LAMAIR
TO THE PLANNING AND ZONING COMMISSION

WHEREAS, in accordance with Section 8.3 of the City of Cherry Hills Village Home Rule Charter, members of the Planning and Zoning Commission shall be appointed by the City Council for overlapping terms of three years. Each member shall be a taxpaying elector and in addition shall have resided in the area comprising the City at the time of his appointment for at least three years immediately preceding the date of appointment; and

WHEREAS, Board member Steve Szymanski resigned prior to the end of his term; and

WHEREAS, applications to fill the position on the Commission were reviewed by the Mayor Christman and Councilor Hoellen; and

WHEREAS, the City Council desires to appoint Michael LaMair to the Commission; and

WHEREAS, Commission member Szymanski's term would end in September 2017 and City Council has determined to appoint Michael LaMair to complete the term.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE THAT:

The City Council hereby makes the following appointments to the City of Cherry Hills Village Planning and Zoning Commission:

Name	**Term Expires**
Michael LaMair	3rd Tuesday in September 2017

This Resolution shall be effective immediately.

Introduced, passed and adopted at the
regular meeting of City Council this __day
of ____, 2015, by a vote of _ yes and _ no.

(SEAL)

_____
Laura Christman, Mayor

ATTEST:

_____
Laura Smith, City Clerk

APPROVED AS TO FORM:

_____
Linda C. Michow, City Attorney

CHERRY HILLS VILLAGE
COLORADO

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
FAX 303-761-9386

ITEM: 5h

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: LAURA SMITH, CITY CLERK

SUBJECT: RESOLUTION 31, SERIES 2015; CALLING A SPECIAL ELECTION PURSUANT TO CITY CHARTER SECTION 2.10 TO BE HELD ON NOVEMBER 3, 2015 IN COORDINATION WITH ARAPAHOE COUNTY

DATE: JULY 21, 2015

ISSUE

Shall the City Council approve Resolution 31, Series 2015, calling a special election pursuant to City Charter Section 2.10 to be held on November 3, 2015 in coordination with Arapahoe County?

DISCUSSION

Because the City's regular municipal elections are in even-numbered years, holding an election in 2015 will be considered a special election. Section 2.10 of the Charter states "Any special City election may be called by resolution of the Council at least 30 days in advance of such election. The resolution calling the special election shall set forth the purpose or purposes of such election."

The proposed resolution has been reviewed by City Attorney Linda Michow.

RECOMMENDED MOTION

"I move to approve Resolution 31, Series 2015, calling a special election pursuant to City Charter Section 2.10 to be held on November 3, 2015 in coordination with Arapahoe County."

ATTACHMENTS

Exhibit A – Resolution 31, Series 2015

EXHIBIT A

RESOLUTION NO. 31
SERIES 2015

INTRODUCED BY: _____
SECONDED BY: _____

A
RESOLUTION
OF THE CITY COUNCIL
CALLING A SPECIAL ELECTION PURSUANT TO
CITY CHARTER SECTION 2.10 TO BE HELD ON NOVEMBER 3, 2015
IN COORDINATION WITH ARAPAHOE COUNTY

WHEREAS, Section 2.10 of the City Charter for the City of Cherry Hills Village requires that any special election be called by resolution of the City Council at least 30 days in advance of such election; and

WHEREAS, the City Council desires to conduct a special election in coordination with the Clerk and Recorder for Arapahoe County on November 3, 2015 to present to the registered electors one or more ballot questions or issues approved by the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE:

Section 1. Pursuant to City Charter Section 2.10, the City Council calls a special election to be held on November 3, 2015. Such special election shall be coordinated by the Clerk and Recorder for Arapahoe County with the general election of the same date. The purpose of such special election shall be to submit to the registered electors of Cherry Hills Village one or more ballot questions or issues approved by the City Council.

Section 2. The City Clerk is hereby appointed as the Election Official of the City for the special election. The City Clerk shall have full authority and is hereby directed to perform and discharge all functions and duties imposed upon the City by law or pursuant to the intergovernmental agreement with the Arapahoe County Clerk and Recorder's Office.

This Resolution shall be effective immediately.

Introduced, passed and adopted at the
regular meeting of City Council this __day
of ____, 2015, by a vote of _ yes and _ no.

(SEAL)

_____
Laura Christman, Mayor

ATTEST:

_____
Laura Smith, City Clerk

APPROVED AS TO FORM:

_____
Linda C. Michow, City Attorney

CHERRY HILLS VILLAGE
COLORADO

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
FAX 303-761-9386

ITEM: 5i

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: JAY GOLDIE; DEPUTY CITY MANAGER/PUBLIC WORKS DIRECTOR & RYAN BERNINZONI; PARKS, TRAILS AND RECREATION ADMINISTRATOR

SUBJECT: LICENSE AGREEMENT WITH DENVER WATER TO BORE A WATER LINE UNDER THE HIGH LINE CANAL TO PROVIDE WATER TO EXISTING AND NEWLY PLANTED TREES AT THREE POND PARK

DATE: JULY 21, 2015

ISSUE

Staff is requesting approval of a license agreement between the City of Cherry Hills Village and Denver Water to move forward with its approved 2015 Arapahoe County Open Space Grant (**Three Pond Park Tree Planting and Irrigation Installation**). Approval of the license agreement to cross the High Line Canal with directionally bored conduit at Three Pond Park is needed for this improvement. This initial phase is essential to begin the construction and to move forward with the full project.

DISCUSSION

In February 2015, City staff applied for an Arapahoe County Open Space grant to assist in funding an irrigation project at Three Pond Park with City Council approval. The proposed project includes purchasing a new water tap (see exhibit C) that will feed an irrigation system within Three Pond Park. The system will provide water to all existing and newly planted trees. The proposal included a tree planting plan that identifies 34 newly planted trees that will be established within the park over the next 5 years.

NOTE: This irrigation will not be used to water naturally occurring trees or other vegetation. When necessary staff may utilize the irrigation system to establish new native grasses and vegetation on a temporary basis as restoration and weed removal are conducted.

In May 2015, the City was awarded $25,000.00 from Arapahoe County to move forward with the project. Prior to the installation of irrigation and newly planted trees, the application for a license agreement between the City and Denver Water must be completed. If approved, the agreement will allow for a directional bore under the High Line Canal to install a 4" conduit that will provide access for the water line to be installed in Three Pond Park.

In the future this tap will also be utilized to water newly planted trees on the High Line Canal as part of the City's planting plan that has been approved by Denver Water. The Pilot Program that was initiated by Cherry Hills Village on the High Line is being monitored by Denver Water and City staff, and will be the standard for all agencies once approved for further expansion. This second tap will allow Cherry Hills Village the ability to establish new trees along the entire length of the Canal within its boundaries.

The City Engineer "Icon" has prepared the necessary documents (application, survey and design) needed for the license agreement application. There is a $2,000.00 fee that will be assessed with the approval of the application and paid to the Denver Water Board. The fee has been identified and budgeted for in the 2015 Arapahoe County Open Space Fund 14. Under line item: 14-45-9092 (Park Improvements) $10,000.00 was budgeted to account for miscellaneous Parks and Open Space Improvements.

RECOMMENDED MOTION

"I move to approve the application for a license agreement between the City of Cherry Hills Village and Denver Water to cross the High Line Canal with directionally bored conduit at Three Pond Park. Additionally, I move to approve the expenditure of $2,000.00 for the license agreement application fee with the Denver Water Board."

ATTACHMENTS

Exhibit A: Letter for License Agreement Application
Exhibit B: Three Pond Design and Cross Section
Exhibit C: Proposed Tree Planting and Irrigation Design

EXHIBIT A

ICONENGINEERING, INC.
7000 S. Yosemite Street, Suite 120, Centennial, CO 80112
303.221.0802 | www.iconeng.com

June 25, 2015

Denver Water Property Management Section
1600 W. 12th Ave.
Denver, CO 80204-3412

RE: License Agreement to Cross Denver Water Property

The purpose of this letter is to request a license agreement from Denver Water to cross Denver Water Board property at the High Line Canal with directionally bored conduit in the City of Cherry Hills Village. The purpose of the crossing is to create an irrigation system for existing and proposed trees at 3 Pond Park. The proposed water service line will originate from a new tap in S Bellaire St and be directionally bored to a depth of at least 3-ft below the existing Highline Canal Invert before resurfacing to a proposed meter pit in 3 Pond Park on the City of Cherry Hills Village Property.

The term of the license will be the permanent right for the City of Cherry Hills Village to operate the water service line across Denver Water Property.

The proposed licensee is:

Jay Goldie – City of Cherry Hills Village Public Works Director
jgoldie@cherryhillsvillage.com
(303) 783-2731

The installation of the water line will involve an open cut in the ROW of S Bellaire St to allow for a directional bore across Denver Water property and underneath the highline canal. The open cut will also serve as the excavation required to complete the tap to the existing Denver Water line in S Bellaire Ct. The completed line will be maintained and operated by the City of Cherry Hills Village.

Sincerely,

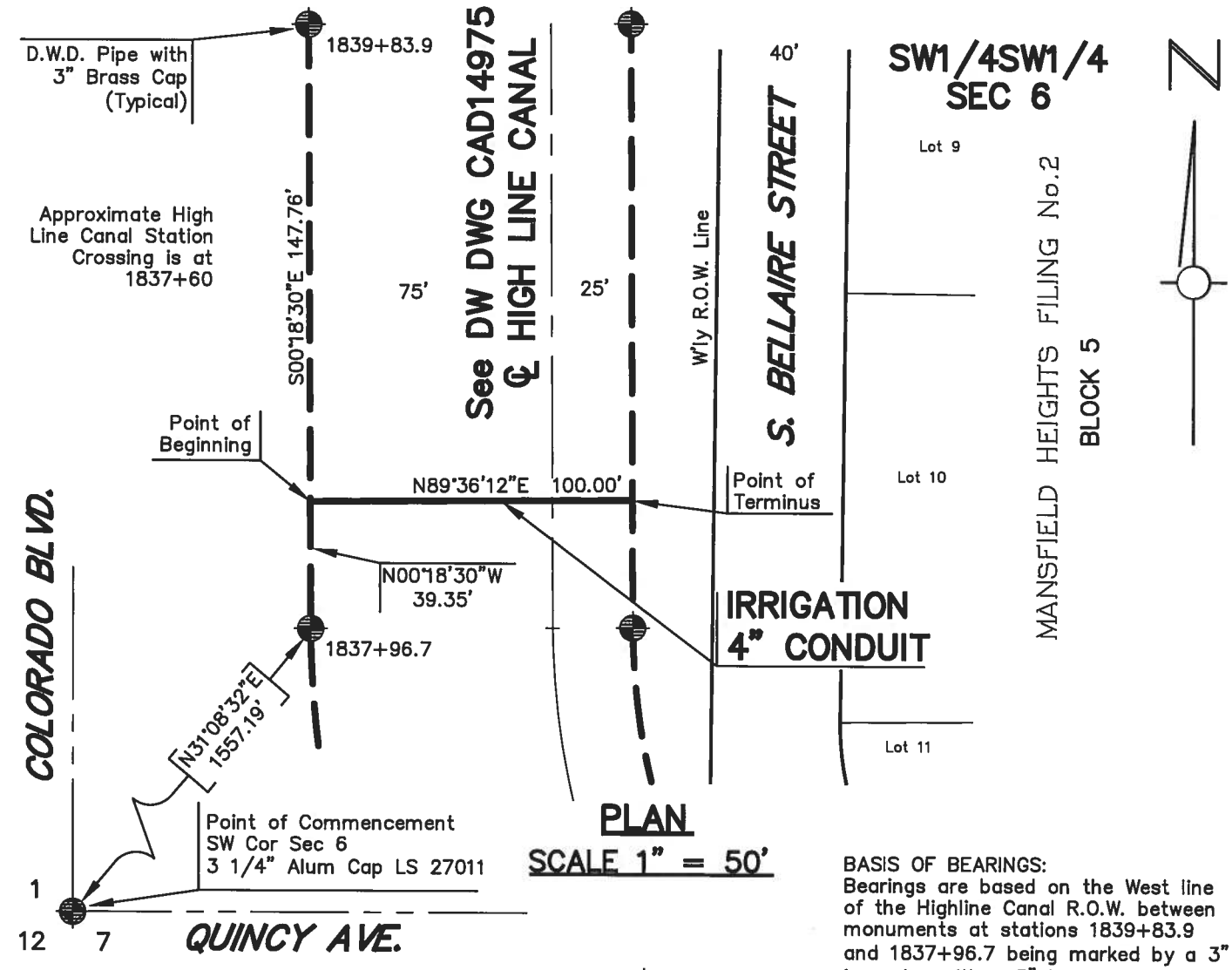
Daniel Loewen
Project Engineer
ICON ENGINEERING, INC

Enclosures:
CAD Drawing File
Application Review Fee

EXHIBIT B

SW 1/4 SECTION 6, TOWNSHIP 5 SOUTH, RANGE 67 WEST 6th PM

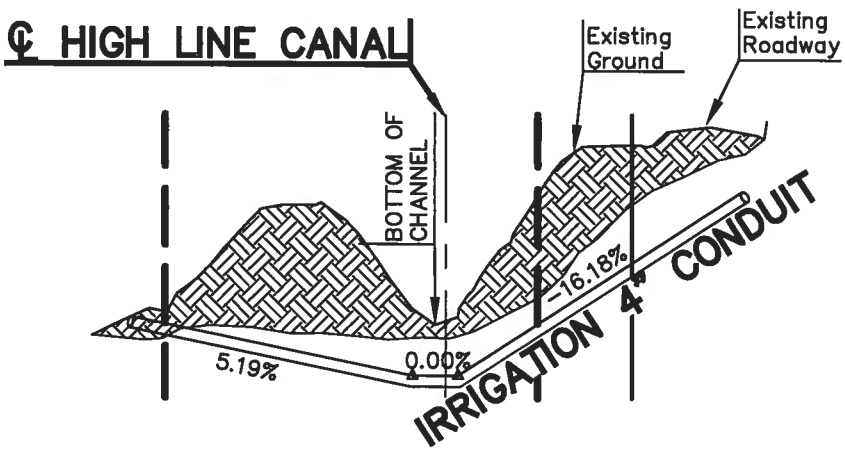
---- ARAPAHOE COUNTY ----



PLAN

SCALE 1" = 50'

BASIS OF BEARINGS:
Bearings are based on the West line of the Highline Canal R.O.W. between monuments at stations 1839+83.9 and 1837+96.7 being marked by a 3" iron pipe with a 3" brass cap. Said line bears S00°18'30"E based D.W.D. bearing between said monuments.)



PROFILE

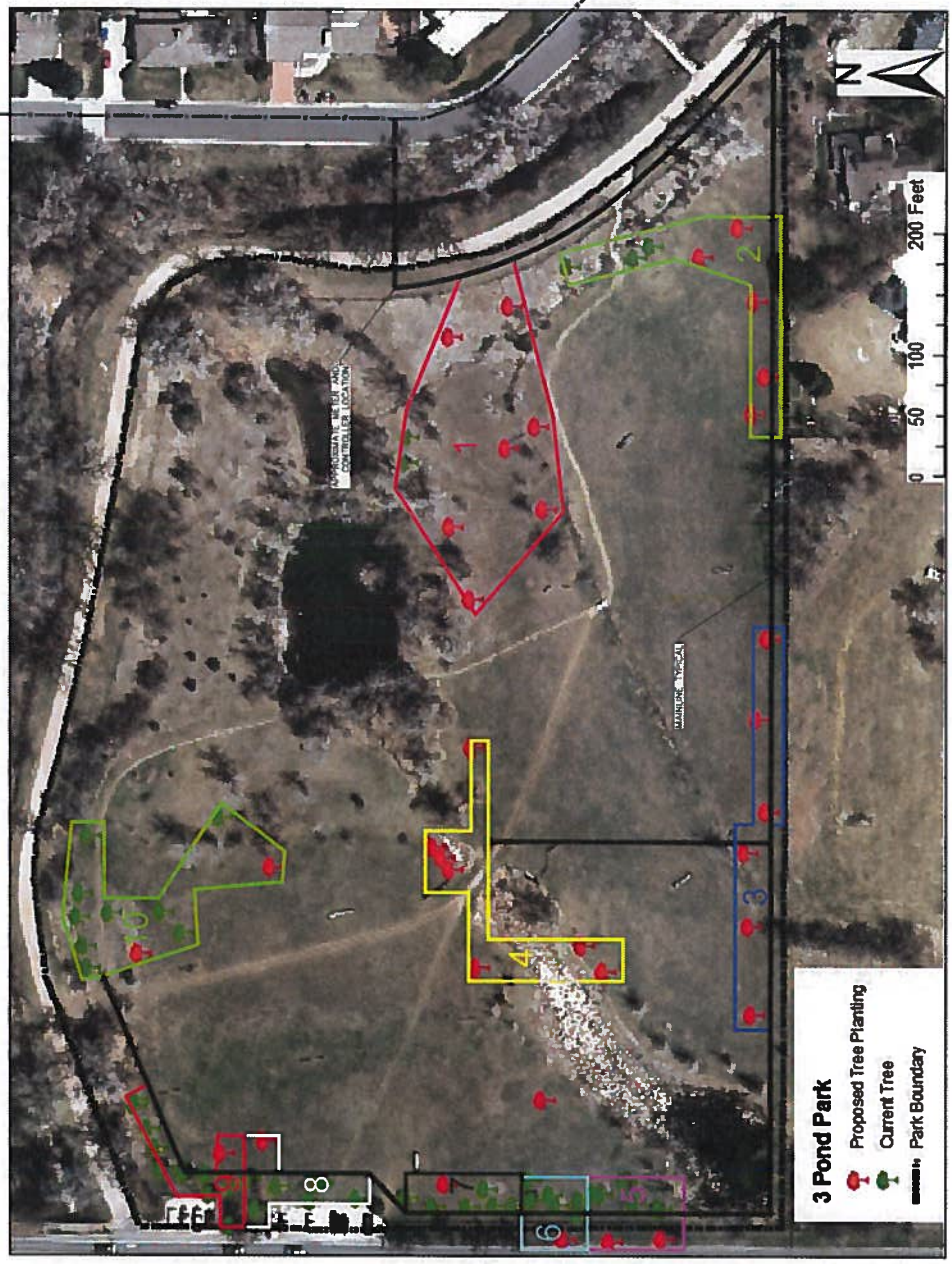
NO SCALE

LEGEND	DOCUMENT DATED: SEC'Y FILE DOC. RIMS ITEM NO. CARD NO.	HIGH LINE CANAL LICENSE GRANTED TO CITY OF CHERRY HILLS VILLAGE FOR IRRIGATION CONDUIT	DENVER WATER 1600 West 12th Avenue Denver, Colorado 80204 Phone (303)628-6000 Fax (303)628-6224 www.denverwater.org
LICENSE GRANTED	DRN. RD PM. S.		
BNDRY EXISTING DW PROP	APPD.		SCALE: 1" = 50'
	SHEET 1 OF 1 SHEET	DATE: JUNE 16, 2015	CAD 1 8142-1_PMGT

D.W.D. PROPERTY MANAGEMENT STANDARDS: 03232012

EXHIBIT C

3 Pond Park Proposed Tree Planting



CHERRY HILLS VILLAGE
COLORADO

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
FAX 303-761-9386

ITEM: 7a

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: EMILY KROPF, SPECIAL PROJECTS COORDINATOR

SUBJECT: COUNCIL BILL 4, SERIES 2015; PROPOSED AMENDMENT TO MUNICIPAL CODE SECTION 16-16-130 CONCERNING WIRELESS COMMUNICATION FACILITIES (FIRST READING)

DATE: JULY 21, 2015

ISSUE:
Should the City Council approve Council Bill 4, Series 2015 on first reading amending Municipal Code Section 16-16-130 to include wireless co-location rules as adopted by Congress and interpreted by the Federal Communications Commission (FCC) (Exhibit A)?

BACKGROUND:
Co-location is defined as the mounting or installation of wireless transmission equipment on an existing eligible support structure (i.e. tower or base station) for the purpose of transmitting and/or receiving radio frequency signals for communications purposes. In 2012, Congress adopted new rules (Section 6409 of the Middle Class Tax Relief Act of 2012) determining when a co-location request on an existing wireless site, or when the removal or replacement of equipment on an existing wireless site, must receive zoning approval, regardless of state or local law. In 2014, the FCC adopted rules defining and interpreting various portions of Section 6409 for implementation purposes. The rules state that an eligible facilities request or application for co-location must be approved if it does not involve a substantial change.

A substantial change is defined as an increase in height, width, number of cabinets or other criteria as identified in the proposed language. For instance, the City would be required to approve a co-location request for new equipment on an existing tower in the public right-of-way if the height of the structure did not increase by more than 10% or 10 feet, whichever is greater, as a result of the additional equipment despite the City's maximum height allowance. An application can be denied, however, if the request would result in a substantial change; impair a concealment element needed to qualify as an alternative communication facility; or fail to meet a design element or condition of approval associated with the original application or any approved amendment thereto.

DISCUSSION:

The Colorado Communication and Utility Alliance (CCUA) issued a memorandum regarding the new rules and a proposed model ordinance to assist municipalities with implementation (Exhibit B). Staff has reviewed the model ordinance with the City Attorney and has incorporated the required regulations while attempting to minimize the impact of mandatory co-location on the City's semi-rural character. A summary of the most significant changes resulting from the rules can be found in a 2014 CCUA memorandum (Exhibit C).

City Council Review

The City Council reviewed the draft ordinance on June 16, 2015 and asked staff to revise the language to state that meeting any of the criteria listed under the definition of substantial change would result in the denial of a co-location request and that the original height of the existing structure would not increase if a co-location request is approved (Exhibit D).

Planning and Zoning Commission Review

The Planning and Zoning Commission reviewed the proposed language and recommended approval to the City Council on June 9, 2015 (Exhibit E).

RECOMMENDATION:

Staff recommends approval of the proposed amendment to Municipal Code Section 16-16-130 to include new wireless co-location rules as drafted in order to comply with current federal rules.

RECOMMENDED MOTION:

"I move to approve on first reading Council Bill 4, Series 2015 as submitted in Exhibit A of the July 21, 2015 staff memorandum, amending Municipal Code Section 16-16-130 to include new wireless co-location rules.

ATTACHMENTS:

Exhibit A: Council Bill 4, Series 2015
Exhibit B: 2015 CCUA Memorandum
Exhibit C: 2014 CCUA Memorandum
Exhibit D: City Council Minutes
Exhibit E: Planning and Zoning Minutes

EXHIBIT A

COUNCIL BILL NO. 4 INTRODUCED BY: _____

SERIES OF 2015 SECONDED BY: _____

A BILL FOR AN ORDINANCE
OF THE CITY OF CHERRY HILLS VILLAGE
AMENDING SECTION 16-16-130 OF CHAPTER 16 OF THE CHERRY HILLS VILLAGE MUNICIPAL CODE CONCERNING WIRELESS COMMUNICATION FACILITIES

WHEREAS, the City of Cherry Hills Village ("City") is a home rule municipal corporation organized in accordance with Article XX of the Colorado Constitution; and

WHEREAS, pursuant to its home rule authority and Article 23, Title 31 of the Colorado Revised Statutes, the City has authority to regulate the development of land within the City for the purposes of promoting the public health, safety, convenience, and the general welfare of the community; and

WHEREAS, the City has adopted zoning regulations codified in Chapter 16 of the Municipal Code that, in relevant part, establish requirements for approval and siting of wireless communication facilities, codified in Section 16-16-130 of the Municipal Code; and

WHEREAS, the City has determined that it is necessary to amend Section 16-16-130 to implement federal requirements imposed through section 6409 ("Section 6409") of the Middle Class Tax Relief and Job Creation Act of 2012, as interpreted by the Federal Communications Commission's Acceleration of Broadband Deployment Report and Order, 29 FCC Rcd 12865; and

WHEREAS, Section 6409 requires a state or local government to approve certain eligible wireless facilities for a co-location on, or modification of a facility that does not substantially change the physical dimensions of such facility.

NOW, THEREFORE, THE CITY COUNCIL FOR THE CITY OF CHERRY HILLS VILLAGE, COLORADO, ORDAINS:

Section 1. Section 16-16-130 of the Cherry Hills Village Municipal Code, entitled "Wireless communication facilities," is hereby amended to read in full as follows, with new text shown in underline and deleted text shown in strikethrough:

Sec. 16-16-130. - Wireless communication facilities.

(a) Purpose, intent and applicability: The purpose and intent of this Section is to accommodate the communication needs of residents and businesses while protecting the public health, safety and general welfare of the community. The City Council finds that these regulations are necessary in order to:

(1) Facilitate the provision of wireless communication services to the residents and businesses of the City;
(2) Minimize adverse visual effects of towers through careful design and siting standards;
(3) Avoid potential damage to adjacent properties from tower failure through structural standards and setback requirements; and
(4) Encourage and maximize the use of existing and approved towers, buildings and other structures to accommodate new wireless communication antennas in order to reduce the number of towers needed to serve the community.

This Section shall not govern any tower or wireless communication facilities owned or operated by a federally licensed amateur radio station operator or used exclusively for receive-only antennas, provided that all other zoning district requirements are met.

(b) Definitions. For purposes of this section, ~~T~~the following listed specific words and terms are defined as follows:

Co-location means the mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

~~*Communication site* means the site or lot utilized for an unmanned wireless transmission facility that uses radio signals to transmit conversation, visual imagery or data to a user.~~

Eligible facilities request means any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station as measured from the original tower or base station zoning or siting approval, involving:

(1) Co-location of new transmission equipment;
(2) Removal of transmission equipment; or
(3) Replacement of transmission equipment.

Eligible support structure means any existing tower or base station as defined in this Section.

Existing means a constructed tower or base station that was reviewed, approved and lawfully constructed in accordance with all requirements of applicable law as of the time of an eligible facilities request, provided that a tower that exists as a legal, non-conforming use and was lawfully constructed, is existing for purposes of this Section.

Owner means an individual or entity holding an ownership interest in property that is subject to this Section, as well as any other applicant for approval under this Section who is acting with authority of a record owner. Once any approvals are granted pursuant to this Section, any references to *Owner* shall also mean operators, managers or any other person or entity authorized by an Owner with responsibility for the approved facilities. Any other such person or entity shall be jointly and severally liable with an Owner for any violations of this Code arising out of the approved facilities.

Site means the specific boundaries of the leased or owned property or specifically defined area of the wireless communication facility subject to review under this Section and any access or utility easements related to the site. For towers in the public rights-of-way, a site is limited to that area comprising the base of the structure and to associated transmission equipment located on the ground.

Substantial change means a modification that substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:

(1) For towers located in the public rights-of-way, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater; or it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower by more than six feet; or it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the tower; or it involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the tower; or
(2) For towers not located in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; or it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower at the level of the appurtenance, whichever is greater; or
(3) For base stations, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater; or it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet; or it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure; or
(4) For any eligible support structure, it involves the installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or it entails any excavation or placement outside the existing site; or it impairs the concealment elements of the eligible support structure necessary to qualify as an alternative communication facility; or it does not comply with the original application design elements or conditions of approval, including but not limited to colors, textures, surfaces, scale, character and siting, or any approved amendments thereto, subject to the thresholds established in subsections 1-4 of this definition.

Transmission equipment means equipment that facilitates transmission for any FCC-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

Wireless communication facilities mean facilities that transmit and/or receive electromagnetic wireless communication signals. It includes antennas, microwave dishes, horns and other types of equipment for the transmission or receipt of such signals, communication towers or similar structures supporting said equipment, equipment buildings, parking area and other accessory development. The following types of facilities are included within this definition:

> *Alternative communication facility* shall mean a communication facility with an alternative design that camouflages or conceals the presence of antennas or towers such as, but not limited to, artificial trees, clock and bell towers and steeples.

Antenna means any exterior apparatus designed for telephonic, radio or television communications through the sending and/or receiving of wireless communications signals.

Base station means a structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network. The definition of a base station does not include or encompass a tower as defined herein or any equipment associated with a tower. Base station includes, without limitation:

(1) Equipment associated with wireless communications services such as private, broadcast and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul that, at the time the relevant application is filed with the City under this Section, has been reviewed and approved under the applicable zoning or siting process, or under another State or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support.
(2) Radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems ("DAS") and small-cell networks) that, at the time the relevant application is filed with the City under this Section, has been reviewed and approved under the applicable zoning or siting process, or under another State or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support.

Base station does not include any structure that, at the time the relevant application is filed with the City under this Section, does not support or house equipment described in subparagraphs (b)(1) or(2) above.

Freestanding communication facility means a communication facility that consists of a stand-alone support structure or tower, antennas and accessory equipment.

Roof-mounted communication facility means a communication facility that is mounted and supported on the roof or any rooftop appurtenance of a legally existing building or structure.

Temporary mobile wireless communication facility means a wireless communication facility that is capable of being moved and consists of a cellular antenna tower and electronic radio transceiver equipment on a truck or trailer designed to provide expanded cellular network coverage or capacity.

~~*Tower* means any structure that is designed and constructed primarily for the purpose of supporting one (1) or more antenna, including self-supporting lattice towers, guy towers or monopole towers. The term includes, but is not limited to, radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers and alternative telecommunication facilities.~~

Tower means any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to,

private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.

Wall-mounted communication facility means a communication facility that is mounted and supported entirely on the wall of a legally existing building, including the walls of architectural features such as parapets, chimneys and similar appurtenances.

(c) General requirements/location and design criteria. ~~In addition to the criteria set forth in Section 16-3-40, a~~ All wireless communication facilities and sites shall be designed and located using the criteria set forth in this Subsection. The City Council may withhold approval of any facility that does not meet any of these criteria.

(1) Applications must contain an applicant's name, address, general contact telephone number and an emergency number where a representative of the applicant can be contacted twenty-four (24) hours per day, seven (7) days per week. Should any information represented on the application change, the applicant must contact the City in writing and provide the updated information.
(2) Wireless communication facilities should be co-located with other wireless communication facilities or public utilities whenever possible, and to the extent the total facility remains consistent with the scale of the surrounding structures.
(3) The applicant shall (i) demonstrate how the proposed ~~communication~~ site fits into the overall communication network for the community, to confirm the necessity for the site; (ii) to the extent that it seeks approval to address gaps in coverage or capacity, demonstrate by a preponderance of the evidence that there are no viable alternatives to remedy gaps in the applicant's network; and (iii) to the extent that the applicant provides services under a license granted by a governmental authority, that a failure to approve the application will result in the applicant's inability to provide the minimum coverage or capacity it is required to provide pursuant to its license and any applicable law.
(4) The location and development of wireless communication facilities should, to the maximum extent possible, preserve the existing character of the topography and vegetation.
(5) Wireless communication facilities should be designed and located to avoid dominant silhouettes and to preserve view corridors of surrounding areas to the maximum extent possible.
(6) The visual impact of the wireless communication facilities shall be mitigated through the use of compatible architectural elements such as: colors, textures, surfaces, scale and character. The facilities shall be screened with vegetation, structures or topographical features. The facility should be integrated to the maximum extent possible, through its location and design, into the natural setting and the structural environment of the area. Accessory equipment in areas of high visibility shall, where possible, be sited below the ridgeline or designed (e.g., placed underground, depressed or located behind earth berms or structures) to minimize its profile.
(7) Where possible, wireless communication facilities should be concealed in accessory structures consistent with the architectural scale and character of the area.
(8) Roof- and wall-mounted facilities shall be architecturally compatible with and colored to match the building or structure to which they are attached. Wall-mounted facilities shall be mounted as flush to the building wall as possible. A wall-mounted facility may encroach a maximum of thirty (30) inches into the required setback for the building to which it is attached, but shall not extend across the property line. Roof-mounted facilities shall only be permitted if the applicant has demonstrated that wall-mounted facilities cannot be installed due to physical or operational infeasibility.

(9) Freestanding wireless communication facilities shall not be artificially lighted, unless required by the FAA or other applicable governmental authority. If lighting is required, the City may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views. Lighting must be shielded or directed to the greatest extent possible so as to minimize the amount of light falling onto nearby properties, particularly residences.

(10) Towers shall be designed to allow for co-location to the maximum extent possible.

(11) No portion of any antenna array may extend beyond the property line.

(12) Wireless communication facilities should be screened to mitigate visual impacts to the maximum extent practicable.

(13) The use of any portion of a wireless communication facility for signs for promotional or advertising purposes, including but not limited to company name, phone numbers, banners, streamers and balloons, is prohibited. The City may require the installation of signage with safety information.

(14) Fencing should not be used exclusively (it must be supplemented with vegetation and other things) to screen wireless communication facilities. Security fencing should be of a design which blends into the character of the existing environment.

(15) The wireless communication facilities shall be designed, maintained and operated as required by applicable FCC licenses and regulations.

(16) All wireless communication facilities shall comply with the setbacks within the zone district applicable to accessory structures or a setback equal to the height of the facilities as measured from the natural grade to the highest point of the wireless communication facility, whichever is greater, unless physical characteristics of the property and the facility allow for placement of the facility pursuant to Paragraph (c)(6) above. On land where the setback is measured from a property line that is not adjacent to residentially zoned property, the setback shall be the setback required for an accessory structure in that zone district.

(17) Notwithstanding any other provision of this ~~Chapter~~ Section, towers shall not exceed ~~fifty~~ forty (~~5~~40) feet in height, as measured from the natural grade to the highest point of the wireless communication facility.

(18) All owners and operators of wireless communication facilities shall comply with federal regulations for radio frequency emissions. At the time of application for a wireless communication facility, and thereafter at the request of the City upon complaint (but not more than annually), the owner or operator shall submit a project implementation report that provides cumulative field measurements of radio frequency emissions of all antennas installed at the subject site, and that compares the results with established federal standards. If, upon review, or at any time any wireless communication facility within the City is operational, the City finds that the facility does not meet federal regulations, the City may require corrective action within a reasonable period of time, and if not corrected, may require removal of the wireless communication facilities at the owner's expense. Any reasonable costs incurred by the City, including reasonable consulting costs to verify compliance with these requirements, shall be paid by the owner.

(19) To ensure the structural integrity of towers and any other freestanding communications facilities upon which other wireless communication facilities may be mounted, the owner of such structure shall ensure that it is of sufficient structural strength to accommodate reasonable co-location, if required, and is maintained in compliance with standards contained in applicable City building codes~~, the applicable standards for towers that are published by the Electronic Industries Alliance, as amended from time to time (presently TIA/EIA-222-G as of January 1, 2006),~~ and all other applicable codes of the City. In

addition to any other applicable standards and requirements, the following shall apply to all structures upon which wireless communication facilities are located:

a. Sufficient anti-climbing measures must be incorporated into each facility to reduce potential for trespass and injury.
b. No guy wires employed may be anchored within the area in front of any principal building or structure on a parcel.
c. All wireless communication facilities shall comply with the power line clearance standards set forth by the Colorado Public Utilities Commission.
d. All wireless communication facilities must be structurally designed and physically sited so that they do not pose a potential hazard to nearby residences or surrounding properties or improvements. Any tower or freestanding communication facility shall be designed and maintained to withstand without failure maximum forces expected from wind, tornadoes, hurricanes and other natural occurrences, when the facility is fully loaded with antennas, transmitters, other wireless communication facilities and camouflaging. Initial demonstration of compliance with this requirement shall be provided via submission of a report to the City Manager and/or designee prepared by a structural engineer licensed in the State describing the structure, specifying the number and type of antennas it is designed to accommodate, providing the basis for the calculations done and documenting the actual calculations performed. Proof of ongoing compliance shall be provided upon request.

If, upon inspection, the City concludes that a wireless communication facility fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of a wireless communication facility, the owner shall have thirty (30) days to bring such facility into compliance with such standards. Upon good cause shown by the owner, the City Manager and/or designee may extend such compliance period not to exceed ninety (90) days from the date of said notice. If the owner fails to bring such facility into compliance within said time limit, the City may remove such facility at the owner's expense.

(20) The fee and any additional application requirements for wireless communication facilities shall be the same as those for conditional uses contained in Section 16-18-50 of this Code.

(d) Approval process.

(1) Wireless communication facilities may be allowed as accessory structures on private property, or public property owned by an entity other than the City, within all zone districts, if specifically authorized as a conditional use after public hearing by the City Council after recommendation from the Planning and Zoning Commission.
(2) Wireless communication facilities may be allowed as accessory structures on property owned by the City, in any zone district, if approved by the City Council as a conditional use after a public hearing.
(3) Notwithstanding any provisions of this Subsection, applications for some wireless communication facilities may be approved administratively. Applications for alternative communication facilities and wall-mounted communication facilities shall be determined by the City Manager or his designee in accordance with the criteria set forth in this Subsection and Section 16-3-40 of this Chapter. Upon receipt of an application for administrative approval of an alternative communication facility, the City shall schedule a meeting to discuss the application with the applicant and interested parties. The applicant shall be responsible for providing written notice to all adjacent property owners to the proposed wireless communication facility or five hundred (500) feet from the

wireless communication facility if such facility is located within a public right-of-way ("affected property owners"). Such notice shall occur at least fifteen (15) days prior to the meeting date and shall be sent by certified mail, return receipt requested, and must include the time and place of the meeting and a description of the application. Within five (5) days after such meeting, provided that no affected property owner makes a written request that the matter be considered by the Planning and Zoning Commission and City Council as a conditional use, the City Manager or his designee may approve or deny the application administratively. Denial of an application may be appealed to the City Council. If an affected property owner makes a written request that the matter be heard by the Planning and Zoning Commission and City Council, it shall proceed as a request for a conditional use pursuant to Paragraph (d)(1) above.

(4) Notwithstanding any provisions of this Section, the following procedures shall apply to the use of temporary mobile wireless communication facilities.
   a. Use of temporary mobile wireless communication facilities for television broadcasts or to increase capacity of a wireless network for major events may be approved through the major event permit process under Article XXI of this Chapter, taking into consideration the general requirements/location and design criteria set forth in Paragraphs (c)(1), (11), (15) and (16) of this Section.
   b. Use of temporary mobile wireless communication facilities or television broadcast equipment in conjunction with federal, state or local emergencies, natural disasters or similar major public interest events may be approved administratively by the City Manager or his or her designee, subject to reasonable time limitations approved by the City Manager based on the nature, scope and duration of the emergency, disaster or similar public interest event.

(e) Wireless communication facilities in public rights-of-way: Subject to the City's permitting process, wireless communication facilities located solely within public rights-of-way shall be permitted by administrative action, based upon the following criteria:

(1) The facilities must be placed on existing poles, upon replacement poles of the same dimensions or upon replacement poles of a dimension that would otherwise be permitted under existing regulations for any utility operating in the City.
(2) Any necessary wiring or cabling shall be located within the pole or, if not technically feasible, located within fully enclosed sheathing attached to the pole. Such sheathing shall be of the same color as the pole, shall be limited in size to that necessary to cover the wiring or cabling and may not extend out from the pole more than three (3) inches.
(3) The area of the facilities on any pole, other than sheathing enclosing wiring or cabling described in Paragraph (2) above, may not exceed fifteen (15) square feet, the facilities add no more than ten (10) feet of additional height to the pole and do not project outward in any direction a distance of more than twenty-four (24) inches.
(4) Any ground equipment shall be buried or screened by landscaping approved by the City. The owner of the facilities shall maintain such landscaping.
(5) Notwithstanding the administrative approval set forth in this Subsection, if an applicant is proposing to add to the total number of poles located in the area impacted by its application, or if the request does not otherwise meet the criteria contained in this Subsection, the request shall require a conditional use permit.

(f) Co-location <u>for new towers and other freestanding communication facilities.</u> The shared use of existing towers or other freestanding communication facilities upon which wireless communication facilities can be mounted shall be preferred to the construction of new facilities. As a condition of approval of any tower or other freestanding communication facilities, the

applicant shall be required to allow co-location on such facilities in the future if the facility is capable of supporting co-location, the entity wishing to co-locate is willing to pay fair market value for the space and the City requests such co-location. The application for any wireless communication facility involving a new tower or other freestanding communication facility shall include evidence that reasonable efforts have been made to co-locate within or upon an existing wireless communication facility within a reasonable distance of the proposed site, regardless of municipal boundaries. The applicant must demonstrate that the proposed wireless communication facility cannot be accommodated on existing facilities due to one (1) or more of the following reasons:

(1) The planned equipment would exceed the structural capacity of existing and approved wireless telecommunication facilities, considering existing and planned use for those facilities.
(2) The planned equipment, if co-located, would cause radio frequency interference with other existing or planned equipment, or exceed radio frequency emission standards which cannot be reasonably prevented.
(3) Existing or approved wireless communication facilities do not have space on which proposed equipment can be placed so it can function effectively and reasonably.
(4) Other technical reasons make it impracticable to place the equipment proposed by the applicant on existing facilities or structures.
(5) The landowner or owner of the existing wireless communication facility refuses to allow such co-location or requests an unreasonably high fee for such co-location compared to current industry rates.
(6) No existing wireless communication facilities upon which the applicant's facilities can be mounted are located within the geographic area required to meet the applicant's engineering requirements.
(7) Existing wireless communication facilities are not of sufficient height to meet the applicant's engineering requirements.
(8) Existing wireless communication facilities upon which the applicant's facilities can be mounted do not have sufficient structural strength to support the applicant's proposed antennas and related equipment.
(9) Any other reason, in the reasonable discretion of the City Manager or his designee.

<u>(g) Eligible facilities request for existing towers and base stations. The following Subsection shall apply to eligible facilities requests for co-location on, or modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station.</u>

(1) <u>Review required. No co-location or modification to any existing tower or base station may occur except after a written request from an applicant, reviewed and approved by the City in accordance with this subsection (g).</u>

(2) <u>Application. The City shall prepare, and from time to time revise, and make publicly available an application form which shall be limited to the information necessary for the City to consider whether an application is an eligible facilities request.</u>

(3) <u>Review criteria. Upon receipt of an application for an eligible facilities request pursuant to this Section, the City shall review administratively such application to determine whether the application meets the following criteria for an eligible facilities request:</u>
   a. <u>Does not result in a substantial change;</u>

b. Does not violate a generally applicable law, regulation or other rule reasonably related to public health and safety and complies with generally applicable building, structural, electrical and safety codes;
c. Complies with the original application design elements or conditions of approval, including but not limited to colors, textures, surfaces, scale, character and siting, or any approved amendments thereto, subject to the thresholds established in subsections 1-4 of the definition of substantial change; and
d. Complies with concealment elements of the eligible support structure necessary to qualify as an alternative communication facility.

(4) Timeframe for review. Subject to the tolling provisions of subparagraph (5) below, within 60 days of the date on which the applicant submits an application seeking approval under this subsection (g), the City shall approve the application unless it determines that the application is not covered by this subsection (g). If the application is not considered an eligible facilities request, then the City shall process the application in accordance with section 16-16-130(d) within applicable timeframes.

(5) Tolling of the timeframe for review. The 60-day review period begins to run when the application is filed, and may be tolled only by mutual agreement of the City and the applicant, or in cases where the City determines that the application is incomplete.
a. To toll the timeframe for incompleteness, the City must provide written notice to the applicant within 30 days of receipt of the application, specifically delineating all missing documents or information required in the application.
b. The timeframe for review begins running again when the applicant makes a supplemental written submission in response to the City's notice of incompleteness.
c. Following a supplemental submission, the City will notify the applicant within 10 days that the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is tolled in the case of second or subsequent notices pursuant to the procedures identified in this Subsection. Subsequent notices of incompleteness may not specify missing documents or information that were not delineated in the original notice of incompleteness.

(6) Failure to act. In the event the City fails to act on a request seeking approval for an eligible facilities request under this subsection (g) within the timeframe for review (accounting for any tolling), the request shall be deemed granted. Such automatic grant of approval becomes effective when the applicant notifies the City in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted.

(7) Remedies; Judicial Review. Applicants and/or the City may bring claims related to this Section 16-16-130 of the Code implementing Section 6409 in any court of competent jurisdiction.

~~(g)~~(h) Decision: The decision on whether to approve or deny an application to construct or erect a wireless communication facility shall be in writing, based upon evidence presented to the City.

~~(h)~~(i) Abandonment/removal of wireless communication facilities:

a. At the time of submission of the application for a wireless communication facility, the applicant shall execute an agreement in a form acceptable to the City, to remove all

antennas, driveways, structures, buildings, equipment sheds, lighting, utilities, fencing, gates, accessory equipment or structures, as well as any tower or freestanding communication facility used as a wireless communication facility if such facility becomes technologically obsolete or ceases to perform its originally intended function for more than one hundred eighty (180) days. Upon removal, the land shall be restored, including but not limited to the landscaping of exposed soils.

b. If, upon inspection, the City concludes that a wireless communication facility fails to comply with any applicable conditions of approval, or constitutes a danger to persons or property, then, upon written notice, the owner shall have thirty (30) days to bring such facility into compliance. If the owner fails to bring such facility into compliance within said thirty (30) days, the City may remove the facility at the owner's expense.

c. Any wireless communication facility that is not operated for a continuous period of one hundred eighty (180) days shall be considered abandoned. The City, in its sole discretion, may require any abandoned wireless communication facility to be removed within ninety (90) days of receipt of notice from the City notifying the owner of such abandonment. Upon removal, the site shall be restored or revegetated to blend with the surrounding environment. If such removal is not completed within said ninety (90) days, the City may consider the facility a nuisance under Subparagraph 7-1-30(12)c of this Code, and the City may remove and dispose of the same at the owner's expense. If there are two (2) or more users of a structure upon which wireless communication facilities are mounted, then this provision shall not become effective until all users cease using the structure.

~~(i)~~(j) Application to existing wireless communication facilities. Any wireless communication facilities approved before the effective date of the amendments to this Section and related sections of this Code shall comply with all applicable sections herein with respect to modification of such facilities.

Section 2. Severability. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this ordinance that can be given effect without the invalid portion, provided that such remaining portions or applications of this ordinance are not determined by the court to be inoperable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid.

Section 3. Effective Date. This Ordinance shall become effective ten (10) days after publication on second reading in accordance with Section 4.5 of the Charter for the City of Cherry Hills Village.

Adopted as Ordinance No. 4, Series 2015, by the City Council of the City of Cherry Hills Village, Colorado this _____ day of _____, 2015.

_____

Laura Christman, Mayor

ATTEST:

APPROVED AS TO FORM:

Laura Smith, City Clerk

Linda C. Michow, City Attorney

Published in *The Villager*
Published:_____
Legal #:_____

resolution outlined a process for special districts to dissolve and consolidate rather than a process initiated by the City.

Councilor Hoellen clarified that he had no issues with the body of the resolution.

Councilor Hoellen moved, seconded by Councilor Griffin to table Resolution 25, Series 2015 until the July 21, 2015 Council meeting to allow staff to rework the language.

The motion passed unanimously.

UNFINISHED BUSINESS

Council Bill 3, Series 2015; Amending the Municipal Code Regarding Security Guard Businesses (*second and final reading*)

City Clerk Smith presented Council Bill 3, Series 2015 on second and final reading. She explained that the proposed ordinance would clarify the requirements for obtaining a security guard license and to add a section allowing the Chief of Police to issue a provisional, temporary license while background checks were being performed for a full license. She noted no changes had been made since first reading.

Councilor K. Brown moved, seconded by Councilor Gallagher to approve Council Bill 3, Series 2015 on second and final reading, amending Article 3 of Chapter 6 regarding security guard businesses as outlined in the June 16, 2015 staff memorandum.

The following votes were recorded:

Gallagher	yes
Griffin	yes
K. Brown	yes
Hoellen	yes

Vote on the Council Bill 3-2015: 4 ayes. 0 nays. The motion carried.

NEW BUSINESS

Council Bill 4, Series 2015; Amending the Municipal Code Concerning New Wireless Co-Location Rules (*first reading*)

Special Projects Coordinator Kropf presented Council Bill 4, Series 2015 on first reading. She explained that the proposed bill would amend Section 16-16-130 of the Municipal Code to include wireless co-location rules as adopted by Congress and interpreted by the Federal Communications Commission (FCC). Co-location is defined as the mounting or installation of wireless transmission equipment on an existing eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communication purposes. In 2012, Congress adopted new rules (Section

6409 of the Middle Class Tax Relief Act of 2012) determining when a co-location request on an existing wireless site must receive zoning approval, regardless of state or local law. In 2014, the FCC adopted rules defining and interpreting various portions of Section 6409 for implementation purposes. The rules state that an eligible facilities request or application for co-location must be approved if it does not involve a substantial change. A substantial change is defined as an increase in height, width, number of cabinets or other criteria as identified in the proposed language. An application can be denied, however, if the request would result in a substantial change; impair a concealment element needed to qualify as an alternative communication facility; or fail to meet a design element or condition of approval associated with the original application or any approved amendment thereto. The Colorado Communication and Utility Alliance (CCUA) issued a memorandum regarding the new rules and a proposed model ordinance to assist municipalities with implementation. Staff has reviewed the model ordinance with the City Attorney and has incorporated the required regulations while attempting to minimize the impact. Staff recommended approval of the proposed amendment in order to comply with current federal rules.

Councilor Gallagher indicated that the underlying purpose of the proposed bill was to bring the City into compliance with the new rules and interpretation.

Special Projects Coordinator Kropf confirmed that was correct.

Councilor Hoellen suggested that "or" be added to the end of subsections (1) and (2) the definition of "Substantial change" in the proposed bill in order to clarify that any one of the criteria on its own would result in a substantial change.

Mayor Christman asked if a change was not originally anticipated and accounted for in a development agreement if additional requirements could be imposed by the City related to the change such as taller trees.

City Attorney Michow replied that the City could probably not impose additional requirements in that case. She noted that the purpose of the rules adopted by Congress was to promote telecom and wireless facility growth within parameters, essentially automatically approving up to a 10% increase in height, width or dimension.

Director Zuccaro noted that if the original approval required mitigation then mitigation would still be required and would be required to apply to any non-substantial change.

Mayor Christman noted that the City could incorporate elements in the original agreement that would apply to any non-substantial change.

Councilor K. Brown asked if the 10% increase was above the current dimension, in which case a "non-substantial change" of up to 10% could be conducted multiple times.

Director Zuccaro replied that the allowed increase was above the originally approved dimension only.

City Attorney Michow directed Council's attention to the definition of "Existing" in the proposed bill.

Councilor K. Brown indicated that the definition should be clarified.

Mayor Christman asked if wireless communication companies were able to remove trees if they interfered with a non-substantial change.

Director Zuccaro replied that they could remove trees on private property.

Mayor Christman indicated that the City would have to be very careful about how original agreements are written in order to protect trees from any non-substantial change.

Councilor K. Brown noted that the definition of substantial change for towers located in the public rights-of-way included "adding an appurtenance to the body of the tower that would protrude from the edge of the tower by more than six feet" but for towers not located in the public rights-of-way "adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet." She asked about the difference between the public and private property.

City Attorney Michow replied that location of wireless facilities on private property was subject to a lease with the property owners.

Mayor Christman directed staff to add "or" to the definition of "Substantial change".

Councilor Hoellen asked staff to clarify the definition of "Exisiting".

Councilor K. Brown moved, seconded by Councilor Gallagher to table Council Bill 4, Series 2015 until the July 21st meeting for further review.

The motion carried unanimously.

<u>2015 November Election</u>

City Clerk Smith presented information to Council related to the November 3, 2015 election. She explained that staff had prepared draft ballot language in coordination with City Attorney Michow, Mayor Pro Tem A. Brown, and Utility Line Undergrounding Study Committee (ULUSC) member Dan Lynch and was seeking Council's feedback. She noted that Arapahoe County had provided a cost estimate for participation in the coordinated election which was less than the City's budget for the election. She indicated that staff would bring a resolution calling a special election to Council for consideration at the next meeting. She added that the Charter required tax issues to be passed by Ordinance so first reading of the Council Bill to place an issue on the ballot would be August 4th. She indicated that an attorney-client privileged memo from City

Commissioner Niederman asked who the members of the Blue Hill Land Company were.

Mr. Semler replied that he was the sole member.

Commissioner Wyman asked about the status of the section of Kenyon Avenue leading into the property.

Mr. Zuccaro replied that the website of the assessor shows it to be public right-of-way.

Commissioner Blum made a motion, which was seconded by Commissioner Niederman, to recommend approval of the proposed Blue Hill Minor Subdivision and associated floodplain development permit with the following conditions:

1. Prior to recordation of the plat, the applicant shall provide an appraisal in order to determine fair market value of the property and the required amount of cash in lieu of land dedication in accordance municipal code section 17-3-30. Such appraisal shall be performed by a certified appraiser and current within three months of full execution and recordation of the plat.
2. Prior to recordation of the plat, the applicant shall provide documentation satisfactory to the City demonstrating: (a) successful and final resolution of the current litigation, *Spears et al v. Parker Semler, et al*, Arapahoe County District Court, Case No. 2014CV031853; and (b) applicant's clear title to and legal ownership of the property.
3. Immediately prior to and contemporaneously with the recordation of the plat, the applicant shall record the Declaration of Drainage Easement and Declaration of Easement granting a shared driveway access easement to Lot 1 of Blue Hill Subdivision, which are included in Exhibit B to the staff memorandum.

He stated that such recommendation is based on the findings and analysis in the June 9, 2015 staff memorandum.

The motion passed unanimously.

b. Proposed Amendment to Municipal Code Section 16-16-130 Concerning Wireless Co-Location Rules

Ms. Kropf stated that staff is presenting for consideration an amendment to Municipal Code Section 16-16-130 to include wireless co-location rules as adopted by the Federal Communications Commission (FCC). Co-location is the mounting or installation of wireless equipment on an existing eligible support structure for the purpose of sending or receiving radio frequency signals. She continued to say that in 2014, the FCC adopted new rules that determine when a co-location request on an existing wireless site must receive zoning approval regardless of state or local law. The rules state that a co-location request must be approved if it does not involve a substantial change.

Ms. Kropf stated that the proposed language includes the definition of substantial change, which might include an increase in height, width, and number of cabinets or other criteria. For example, the City would be required to approve a co-location request for new equipment to be installed on an existing tower in the right-of-way if the height of the structure did not increase by more than 10% or 10 feet, whichever is greater, despite the City's maximum height limit. An application can be denied if the request would result in a substantial change, impair a concealment element needed to qualify as an alternative communication facility or fail to meet a design element or condition of approval from the original application or any amendment thereto.

Ms. Kropf stated that the Colorado Communication and Utility Alliance (CCUA) issued a memo addressing the new rules and a proposed model ordinance to assist with implementation. She continued to say that staff and the City Attorney have reviewed the model ordinance and incorporated the requirements while attempting to minimize their impact.

Ms. Kropf stated that staff recommends approval of the proposed amendment as drafted in order to comply with current federal regulations.

Commissioner Wyman asked if this posed any conflicts to the implementation of undergrounding utilities.

Mr. Zuccaro replied that the City has an agreement with Crown Castle to remove/relocate any sites if the City poles are moved underground.

Vice Chair Rubin asked if this was going to give the City less ability to regulate the towers.

Ms. Kropf replied that there height increases will be allowed, but that the City will have the right to deny any substantial changes.

Mr. Zuccaro replied that any previously approved conditions would still apply to existing single pole and wall mount structures.

Commissioner Niederman stated that many residents are unhappy with their cellular coverage in the City and asked if there was a map of existing tower locations.

Mr. Zuccaro replied that there was not a map only of towers but that he could provide the locations of each. He continued to say that the City has made many efforts to improve coverage for residents, but have been unable to compel the carriers to provide the contracts. He stated that Crown Castle is glad to build whatever the City needs, but the providers have to agree to provide the services. He stated that it is often a business decision, and many carriers feel that the City does not have enough population to support their costs of new equipment.

Mr. Zuccaro stated that the ordinance in question is not related to the issue of current coverage in the City. He stated that regardless if the ordinance is passed, it will have to be followed as it is a federal regulation.

Commissioner Blum made a motion, which was seconded by Commissioner Niederman to recommend approval of the proposed amendment to Municipal Code Section 16-16-130 to include new wireless co-location rules as proposed in Exhibit A of the June 9, 2015 staff memorandum.

The motion passed unanimously.

ADJOURNMENT

Commissioner Wyman made a motion, which was seconded by Commissioner Niederman, to adjourn the meeting.

The motion passed unanimously.

The meeting was adjourned at 7:42 p.m.

DRAFT

_____

Peter Savoie, Chairman

_____

Cesarina Dancy, Community Development Clerk

CHERRY HILLS VILLAGE
COLORADO

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
FAX 303-761-9386

ITEM: 7b

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: LAURA SMITH, CITY CLERK

SUBJECT: 2015 NOVEMBER ELECTION

DATE: JULY 21, 2015

ISSUE:
The 2015 Coordinated Election will be held on Tuesday, November 3, 2015. If Council decides to call a special election in order to place a TABOR issue on the ballot the City will coordinate with Arapahoe County for this election.

DISCUSSION:
Speaking Points
At the June 30th study session the Council discussed coordination of speaking points related to the proposed ballot issue.

Proposed Ballot Language
Staff is seeking Council's direction on the wording of the ballot language. Staff proposes a study session for Council to discuss the language if necessary.

CHERRY HILLS VILLAGE
COLORADO

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
FAX 303-761-9386

ITEM: 8a

MEMORANDUM

TO: MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: ROBERT A. ZUCCARO, COMMUNITY DEVELOPMENT DIRECTOR

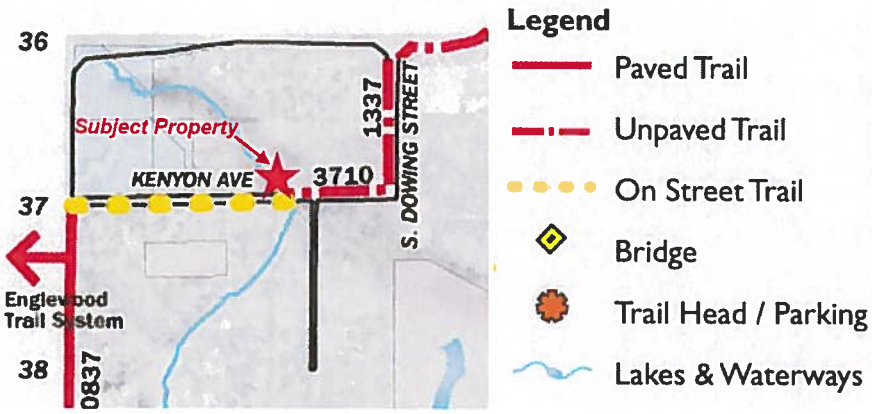
SUBJECT: BLUE HILL SUBDIVISION – MINOR SUBDIVISION AND FLOODPLAIN DEVELOPMENT PERMIT APPLICATION (PUBLIC HEARING)

DATE: JULY 21, 2015

ISSUE:
Blue Hill Land Company, LLC requests review of a minor subdivision plat to subdivide an approximately 2.2-acre parcel into two, 1.1-acre residential lots (see Exhibit A for vicinity map and Exhibit B for minor subdivision application). A floodplain development permit is also requested for minor modifications to the street curb in the floodplain associated with the drainage plan for the subdivision (see Exhibit C for floodplain development permit application).

BACKGROUND:
The subject property is zoned R-3, 1-Acre Residential District and is currently vacant. Surrounding properties are all zoned R-3. The adjacent properties to the north, west and south are developed with single family residences and the adjacent property to the east is vacant. The southwest portion of the subject property is covered by the Englewood City Ditch and floodplain.

There is a designated on-street trail adjacent to the subject property along East Kenyon Avenue. This trail connects to an unpaved trail to the east along the East Kenyon Avenue alignment and then turns north along the South Downing Street alignment. To the west, the on-street trail connects to a paved trail along South Clarkson Street.



PLANNING AND ZONING COMMISSION REVIEW:

The Planning and Zoning Commission held a public hearing and reviewed the request on April 14, 2015 (see Exhibit D for minutes). The Commission continued the hearing to the June 9, 2015 meeting for the purpose of obtaining additional information from the property owner on a pending lawsuit over ownership of the property (see Exhibit E for draft minutes). At the June 9, 2015 meeting, the Commission voted to recommend approval of the proposals with the following conditions:

1. Prior to recordation of the plat, the applicant shall provide an appraisal in order to determine fair market value of the property and the required amount of cash in lieu of land dedication in accordance municipal code section 17-3-30. Such appraisal shall be performed by a certified appraiser and current within three months of full execution and recordation of the plat.
2. Prior to recordation of the plat, the applicant shall provide documentation satisfactory to the City demonstrating: (a) successful and final resolution of the current litigation, *Spears et al v. Parker Semler, et al*, Arapahoe County District Court, Case No. 2014CV031853; and (b) applicant's clear title to and legal ownership of the property.
3. Immediately prior to and contemporaneously with the recordation of the plat, the applicant shall record the Declaration of Drainage Easement and Declaration of Easement granting a shared driveway access easement to Lot 1 of Blue Hill Subdivision, which are included in Exhibit B to the staff memorandum.

CODE REQUIREMENTS:

Minor Subdivision:

Article III, Division 4 of the City's Subdivision Ordinance outlines procedures for minor subdivisions. A minor subdivision is any subdivision that: 1) divides a parcel of land held in single or common ownership into two parcels, and 2) does not create or result in the creation of a lot or parcel of land that would violate or fail to conform to any applicable zoning or other standard, including but not limited to lot area, building height, setback, private road or private drive standards, parking, drainage requirements or access or public amenities, including public roads, easements, rights-of-way, parks, open spaces or trails. Following review and recommendation by the Planning and Zoning Commission, the City Council is to hold a public hearing to consider the proposal's conformance with the submittal and review criteria in Article III and may approve, conditional approve or deny the request. Standards for approval are outlined in Section 17-3-360 and discussed in detail in the Analysis section below.

Land dedication requirements for subdivisions are outlined in Section 17-3-30 of the City's Subdivision Ordinance. An area of land not less than 7.5% of all of the land being subdivided shall be dedicated to the City for parks, open space and trails development or community recreational, cultural, educational or civic amenities. Land dedication may be fee simple or by easement, cash in lieu of land or some combination thereof. The City and Subdivider are to determine the dedication requirement, provided that the City's reasonable determination shall control in the event the City and Subdivider do not agree.

Floodplain Development Permit:
Municipal Code Section 16-17-60 outlines procedures and criteria for floodplain development permits. No structure or land may be constructed, located, extended, converted, altered or improved within the floodplain, unless specifically authorized by the City Council as an exception to the floodplain regulations. An applicant must also demonstrate that the development will not cause a rise in base flood elevations.

ANALYSIS:
Access:
The southern lot (Lot 2) is proposed to have frontage with East Kenyon Avenue and a northern lot (Lot 1) is proposed to have access via an easement through Lot 2. The access easement will be recorded by separate document from the plat. The City Attorney and City Engineer have reviewed the easement and recommend approval.

Drainage:
A Phase III Drainage Report has been submitted for the proposed subdivision. The drainage plan proposes a stormwater detention pond located on Lot 2 to accommodate stormwater from both properties. A drainage easement for the detention pond will be established by separate document from the plat and maintenance responsibility will be shared between both property owners. The detained stormwater would outlet onto Kenyon Avenue, bypass the Englewood City Ditch and drain into Greenwood Gulch Bypass. The City Engineer has reviewed the Phase III Drainage Report and recommends approval.

South Metro Fire Rescue Authority:
A referral was sent to South Metro Fire Rescue. No requested revisions to the plat or adverse comments were submitted.

Parks, Trails and Open Space Dedication
The applicant proposed that the full 7.5% dedication be made as cash in lieu of land (see Exhibit B for application materials). Based on appraisals from August 22, 2013, the value of each proposed lot are $506,000 and $508,000, totaling $1,014,000 (see Exhibit B). Based on this appraisal price, the 7.5% cash in lieu dedication requirement would be $76,050. Staff has informed the applicant that current appraisals are required to determine the final dedication amount. As previously noted, the applicant is currently in a quiet title lawsuit over the property and has requested that the subdivision review continue pending the outcome of the lawsuit. Because of the unknown timeframe for the lawsuit, the applicant has requested that the final appraisals not be submitted until after the lawsuit is settled.

The Parks, Trails and Recreation Commission (PTRC) reviewed the proposal for cash in lieu of land dedication at their March 12, 2015 meeting (see Exhibit F for minutes). The PTRC recommended approval with two conditions:

1. PTRC's acceptance of an appraisal current within three months of full execution and recordation of the plat shall be provided to the City and that the final dedication amount shall be based on such appraisal.
2. Blue Hill Land Company's successful resolution of current and any future litigation such that it provides clean title of its ownership of the parcel.

Minor Subdivision Review Criteria:
The following list includes the standards of approval for minor subdivisions provided in Section 17-3-360 along with staff's recommended findings:

1) *The proposed subdivision meets the definition of a minor subdivision or minor amendment contained in this Division;*
   Affirmative: The proposed subdivision divides a parcel of land in common ownership into two parcels and does not appear to create zoning or other nonconformities. There are no existing structures on the property.

2) *The proposed subdivision fully conforms to all applicable requirements for the zone district in which the property is located, including but not limited to requirements for setbacks and minimum lot sizes;*
   Affirmative: The two proposed lots will each be 1.1 net acres, exceeding the minimum lot area for the R-3 zone district.

3) *The proposed subdivision meets or satisfies all other applicable requirements of this Code;*
   Affirmative: All applicable submittal requirements have been reviewed by staff and appear to meet the requirements of the Code.

4) *The streets, whether public or private, and all public improvements necessary to serve the subdivision meet or exceed the requirements of the City;*
   Affirmative: No public or private streets are proposed. A private shared driveway access easement is proposed to access the north not (Lot 1) through the south lot (Lot 2). The City Attorney and City Engineer have reviewed the easement and recommend approval.

5) *Adequate utility easements are established within the affected property to provide service to the lots created by or illustrated upon the minor plat;*
   Affirmative: 10' wide perimeter drainage and utility easements are proposed. Referrals were sent to Denver Water, Cherry Hills Village Sanitation District, Xcel Energy, Comcast and CenturyLink. No requested revisions to the plat or adverse comments were submitted by the utility companies.

6) *Existing public trails located within the lots illustrated upon the minor plat are preserved or new trails are dedicated by the plat that will provide, in the opinion of the City, a substantially similar or improved trail system in terms of route, grade, access, surface quality, ease of maintenance and safety;*
   Affirmative: There are no existing trails on the property. Kenyon Avenue to the south of the subdivisions includes a designated on-street trail that connects to an unpaved, off-street trail to the east along the East Kenyon Avenue alignment and then turns north along the South Downing Street alignment. To the west, the on-street trail connects to a off-street paved trail along South Clarkson Street. Rather than have additional off-street

trails through the proposed subdivision, the PTRC recommends that a cash in lieu dedication for 7.5% land dedication requirement.

7) *The proposed configuration, shape, arrangement and layout of the lots, conditions placed on the lots and any streets do not, in the opinion of the City, create a lot or street that is inconsistent or incompatible with other lots or streets within the neighborhood or the vicinity, or do not substantially and adversely affect adjacent properties; and*
Affirmative: Floodplain encumbers both lots and limits the developable area. Multiple lot configurations were discussed with the applicant to try and minimize the impact of the floodplain encumbrances. The southern lot (Lot 2) is the most encumbered and has about a 4,000 square foot building area outside of the floodplain and setbacks. The buildable area is approximately 75' wide north to south and varies in depth from approximately 50' on the south side to 110' on the north side. Although this buildable area is less than a typical R-3 one-acre lot, staff believes an adequate building envelope is available.

8) *The proposed subdivision substantially conforms to the goals and policies of the City's Master Plan to the extent that such goals and policies establish requirements that are sufficiently specific to permit the Commission or Council to decide that the application and subdivision plat meets or fails to meet such goal or policy.*
Affirmative: The Master Plan Land Use/Development Goal is to "Maintain the existing land use and development pattern." The Master Plan Land Use/Development map designates the property as Low-Density Residential, which is defined as having one-acre or larger parcels. The proposal for 1.1 acre lots is consistent with the Master Plan Land Use/Development Goal and Map.

Floodplain Development Permit:
Staff finds that the proposed floodplain development meets the review criteria in Section 16-17-60. The applicant's engineer has provided a letter stating that the street curb improvement will not adversely affect existing floodplain limits or base flood elevations. The improvements are necessary to adequately channel stormwater runoff down a short section of E. Kenyon Avenue into the Greenwood Gulch Bypass. The City Engineer has reviewed the floodplain development permit and recommends approval.

PUBLIC NOTICE AND COMMENT:
Notice of the public hearing is required as provided in Municipal Code Subsection 16-2-40(c). A minimum of 15 days prior to the hearing date the applicant was required to mail notice of the hearing to all adjacent property owners by certified mail with return receipt requested and post a public notice sign on the property facing Quincy Avenue. Notice of the hearing was also published in the June 25, 2015 edition of The Villager newspaper and was posted on the Village Center notice board and Village web site. All notice requirements have been met.

Public Comment:
Staff has not received any public comments on the proposal.

RECOMMENDATIONS:

Planning and Zoning Commission:

The Planning and Zoning Commission recommends approval of the proposed Blue Hill minor subdivision and floodplain development permit with the following conditions:

1. Prior to recordation of the plat, the applicant shall provide an appraisal in order to determine fair market value of the property and the required amount of cash in lieu of land dedication in accordance municipal code section 17-3-30. Such appraisal shall be performed by a certified appraiser and current within three months of full execution and recordation of the plat.
2. Prior to recordation of the plat, the applicant shall provide documentation satisfactory to the City demonstrating: (a) successful and final resolution of the current litigation, *Spears et al v. Parker Semler, et al*, Arapahoe County District Court, Case No. 2014CV031853; and (b) applicant's clear title to and legal ownership of the property.
3. Immediately prior to and contemporaneously with the recordation of the plat, the applicant shall record the Declaration of Drainage Easement and Declaration of Easement granting a shared driveway access easement to Lot 1 of Blue Hill Subdivision, which are included in Exhibit B to the staff memorandum.

PTRC:

The PTRC recommends approval of the 7.5% land dedication as cash in lieu for the Blue Hill minor subdivision with two conditions:

1. PTRC's acceptance of an appraisal current within three months of full execution and recordation of the plat shall be provided to the City and that the final dedication amount shall be based on such appraisal.
2. Blue Hill Land Company's successful resolution of current and any future litigation such that it provides clean title of its ownership of the parcel.

Staff:

Staff recommends approval of the proposed Blue Hill minor subdivision and floodplain development permit with the following conditions:

1. Prior to recordation of the plat, the applicant shall provide an appraisal in order to determine fair market value of the property and the required amount of cash in lieu of land dedication in accordance municipal code section 17-3-30. Such appraisal shall be performed by a certified appraiser and current within three months of full execution and recordation of the plat.
2. Prior to recordation of the plat, the applicant shall provide documentation satisfactory to the City demonstrating: (a) successful and final resolution of the current litigation, *Spears et al v. Parker Semler, et al*, Arapahoe County District Court, Case No. 2014CV031853; and (b) applicant's clear title to and legal ownership of the property.
3. Immediately prior to and contemporaneously with the recordation of the plat, the applicant shall record the Declaration of Drainage Easement and Declaration of Easement granting a shared driveway access easement to Lot 1 of Blue Hill Subdivision, which are included in Exhibit B to the staff memorandum.

RECOMMENDED MOTION:
"I move to approve the proposed Blue Hill minor subdivision and associated floodplain development permit with the following conditions:

1. Prior to recordation of the plat, the applicant shall provide an appraisal in order to determine fair market value of the property and the required amount of cash in lieu of land dedication in accordance municipal code section 17-3-30. Such appraisal shall be performed by a certified appraiser and current within three months of full execution and recordation of the plat.
2. Prior to recordation of the plat, the applicant shall provide documentation satisfactory to the City demonstrating: (a) successful and final resolution of the current litigation, *Spears et al v. Parker Semler, et al*, Arapahoe County District Court, Case No. 2014CV031853; and (b) applicant's clear title to and legal ownership of the property.
3. Immediately prior to and contemporaneously with the recordation of the plat, the applicant shall record the Declaration of Drainage Easement and Declaration of Easement granting a shared driveway access easement to Lot 1 of Blue Hill Subdivision, which are include in Exhibit B to the staff memorandum.

Such approval is based on the analysis and findings in the July 21, 2015 staff memorandum."

ATTACHMENTS:
Exhibit A: Vicinity Map
Exhibit B: Minor Subdivision Application Materials
Exhibit C: Floodplain Development Permit Application Materials
Exhibit D: April 14, 2015 Planning and Zoning Commission Minutes
Exhibit E: June 9, 2015 Draft Planning and Zoning Commission Minutes
Exhibit F: March 12, 2015 Parks, Trails and Recreation Commission Minutes

Blue Hill Subdivision Vicinity Map

Exhibit A

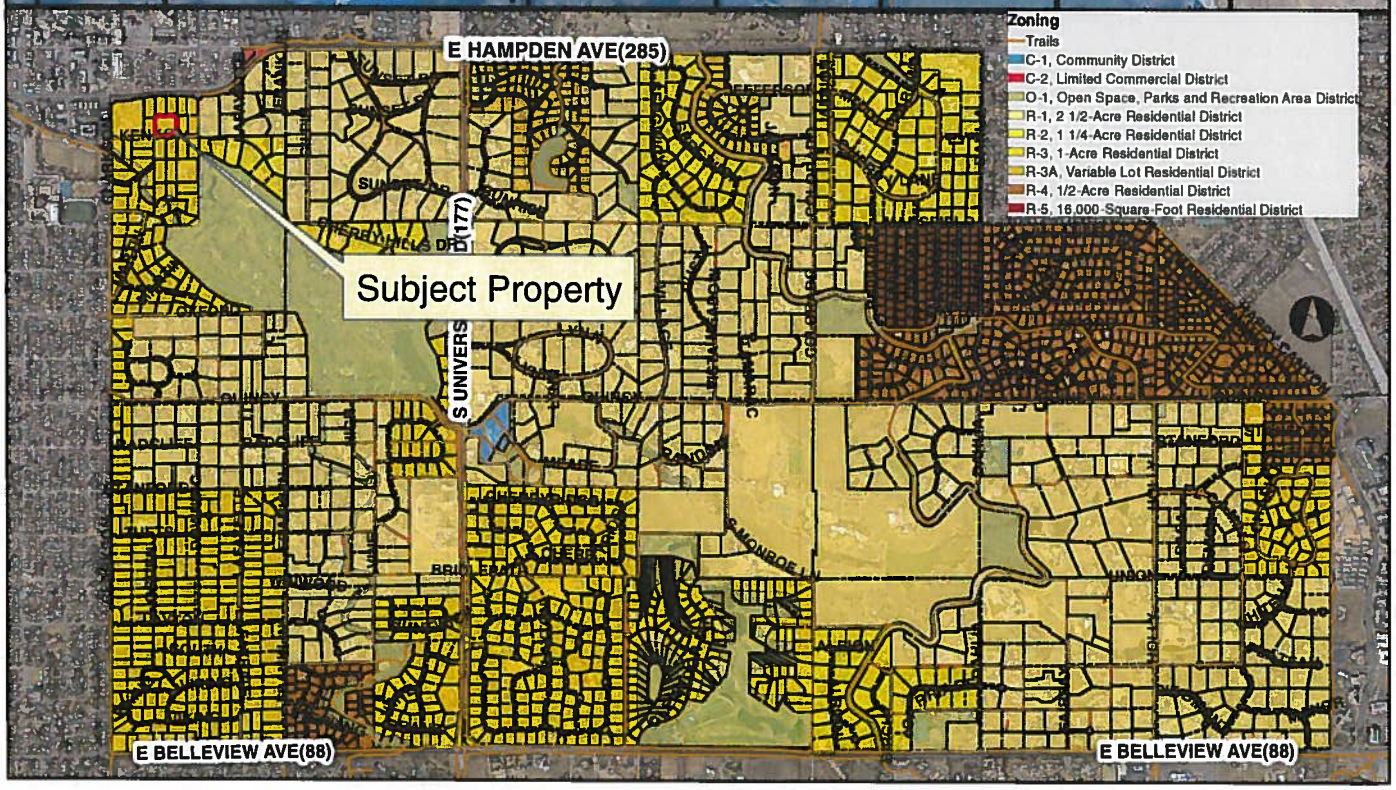


EXHIBIT B

Blue Hill Subdivision
Minor Subdivision
Application, Narrative & Project Summary

The Blue Hill Subdivision property consist of one parcels of land located approximately 500 feet west of the corner of Downing Street and East Kenyon Avenue, City of Cherry Hills Village, Colorado. The parcel is located within the south half of blocks 7 & 8, Higgins South Broadway Heights, together with vacated East Kenyon Avenue adjacent on the south, being part of the northwest quarter of the northwest quarter of Section 2, Township 5 South, Range 68 West of the 6th Principal Meridian, County of Arapahoe, State of Colorado. The property is owned by The Blue Hill Land Company, a Colorado Limited Liability Company, of 775 Sherman St, Suite 2015, Denver, Colorado 80203-4319 United States.

This minor subdivision application proposes the division of this parcel of land into two lots, Lot 1 and Lot 2. Lot 1, the eastern lot, is approximately 1.02 acre and generally consists of undeveloped land covered with native grasses and vegetation. Lot 2, the western lot, is approximately 1.17 acre and also consists of undeveloped land covered with native grasses and vegetation with a drainage channel traversing the site. The applicant anticipates a payment equivalent in lieu of land dedication per City requirements.

Denver Water will service the water demands of the lots. A letter addressed to Mr. Zuccaro is provided to support Denver Water's service. Sanitary services will be provided by Cherry Hills Village Sanitation District (CHVSD). A letter from CHVSD is provided to support their service.

No cultural, archaeological, or historical resources exist onsite. No natural or man-made hazards exist on site. There is an existing drainage ditch, Greenwood Gulch Bypass, traversing Lot 2. The 100-Year Floodplain for this drainageway encompasses the southwest corner of the site. The FEMA FIRM Map 08005C0163K, December 17, 2010 is provided for reference. Existing flora and fauna will be preserved as much as possible upon development.

A drainage letter has been prepared for the site. The minor subdivision of this site is not anticipated to adversely impact upstream or downstream drainage facilities. The lots have been subdivided in a manner in which residential construction shall not impact the floodplain.

The applicant representative for this project, planner, and civil engineer is Bob Kelsey from Peak Civil Consultants, Inc.

Submitted by:

Robert Kelsey

Bob Kelsey, Vice President
Peak Civil Consultants, Inc.

EXHIBIT B

MINOR SUBDIVISION PLAT

BLUE HILL SUBDIVISION

A PARCEL OF LAND LOCATED IN THE SOUTH ONE-HALF OF BLOCK 7, HIGGINS SOUTH BROADWAY HEIGHTS,
A PART OF THE NW1/4 OF THE NW1/4 OF SECTION 2, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF ARAPAHOE, STATE OF COLORADO

SHEET 1 OF 2

LEGAL DESCRIPTION:

A PARCEL OF LAND IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH HALF OF BLOCK 7, HIGGINS SOUTH BROADWAY HEIGHTS.

CONTAINING 95,333 SQUARE FEET (2.189 ACRES) MORE OR LESS.

BASIS OF BEARINGS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN BEARING SOUTH 89°32'14"W A DISTANCE OF 1323.31 FEET.

SURVEYORS STATEMENT:

I, L. KELLEY STEVENSON, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE SURVEY REPRESENTED BY THIS PLAT WAS MADE UNDER MY SUPERVISION AND THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AND THIS PLAT ACCURATELY REPRESENTS SAID SURVEY. THE UNDERSIGNED HAS RELIED UPON A COMMITMENT FOR TITLE INSURANCE ISSUED BY CHICAGO TITLE INSURANCE COMPANY, COMMITMENT NUMBER 596-C2006710-095-095, AMENDMENT NO. 1, WITH AN EFFECTIVE DATE OF OCTOBER 3, 2014 AT 7:00 A.M. FOR OWNERSHIP AND FOR THE PURPOSE OF SHOWING RECORDED EASEMENTS AND RIGHTS-OF-WAYS ACROSS SAID PREMISES. THE SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY PEAK CIVIL CONSULTANTS, INC TO DETERMINE OWNERSHIP, EASEMENTS AND RIGHTS-OF-WAYS ACROSS SAID PROPERTY.

PLANS UNDER
REVIEW
NOT FOR
CONSTRUCTION

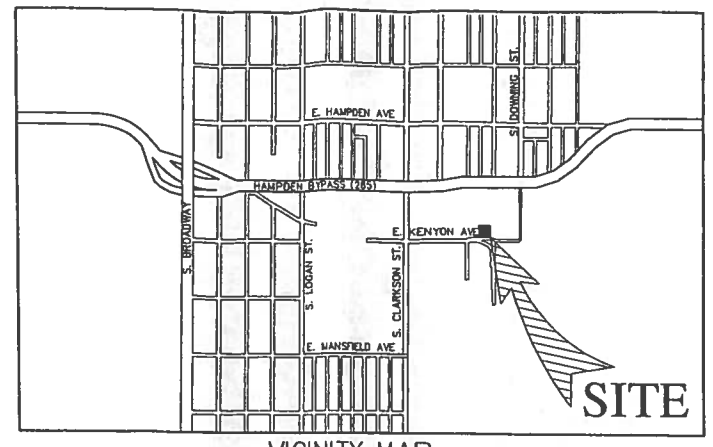
_____ _____
L. KELLEY STEVENSON DATE
COLORADO P.L.S. NO. 38231
FOR AND ON BEHALF OF PEAK CIVIL CONSULTANTS, INC.

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE AND LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED 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.

TITLE CERTIFICATE:

I, _____, AN ATTORNEY LICENSED TO PRACTICE LAW IN THE STATE OF COLORADO, CERTIFY THAT I HAVE EXAMINED TITLE TO THE ABOVE-DESCRIBED LAND DEDICATION TO THE CITY OF CHERRY HILLS VILLAGE, AND THAT THE PARTY(IES) EXECUTING THE DEDICATION HAVE MERCHANTABLE TITLE TO THE ABOVE-DESCRIBED REAL PROPERTY AND ARE WELL SEIZED OF THE PROPERTY DEDICATED BY THIS PLAT AND HAVE GOOD, SURE, PERFECT, ABSOLUTE AND INDEFEASIBLE ESTATE OF INHERITANCE, IN LAW, IN FEE SIMPLE AND HAVE GOOD RIGHT, FULL POWER AND LAWFUL AUTHORITY TO DEDICATE THE SAME IN MANNER AND FORM AS AFORESAID, AND THAT SAME IS FREE AND CLEAR FROM ALL FORMER AND OTHER GRANTS, BARGAINS, SALES, LIENS, TAXES, ASSESSMENTS, ENCUMBRANCES AND RESTRICTIONS OF WHATEVER KIND OR NATURE EXCEPT THOSE OF RECORD AND ACCEPTABLE TO THE CITY.

BY_____ ATTORNEY AT LAW



VICINITY MAP
1"=1,000'

CERTIFICATE OF DEDICATION AND OWNERSHIP:

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, HEREBY CERTIFY THAT THEY ARE ALL OF THE OWNER(S), MORTGAGEE(S) AND LIENHOLDER(S) OF CERTAIN LANDS IN THE CITY OF CHERRY HILLS VILLAGE, ARAPAHOE COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

THE UNDERSIGNED HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS, BLOCKS AND TRACTS, AS SHOWN ON THIS PLAT, UNDER THE NAME AND STYLE OF "BLUE HILL SUBDIVISION" AND DO HEREBY DEDICATE TO THE CITY OF CHERRY HILLS VILLAGE FOR PUBLIC USE THE PUBLIC WAYS SHOWN HEREON, INCLUDING BUT NOT LIMITED TO, STREETS, ROADS, DRIVES AND LANES; THE PUBLIC LANDS SHOWN HEREON FOR THEIR INDICATED PUBLIC USE; AND THE RECREATIONAL TRAILS SHOWN HEREON FOR NON-MOTORIZED, RECREATIONAL USE BY THE PUBLIC IN THE MANNER SIMILAR TO OTHER PUBLIC TRAILS THROUGHOUT THE CITY OF CHERRY HILLS VILLAGE, SUBJECT TO THE APPLICABLE LAWS AND ORDINANCES OF THE CITY OF CHERRY HILLS VILLAGE, AND FOR USE BY VEHICLES APPROPRIATE FOR THE MAINTENANCE OF THE TRAIL EASEMENTS BY THE CITY OR ITS CONTRACTORS. THE UNDERSIGNED HEREBY FURTHER DEDICATE TO THE CITY OF CHERRY HILLS VILLAGE THE UTILITY EASEMENTS SHOWN HEREON FOR UTILITY PURPOSES ONLY. THE UNDERSIGNED HEREBY FURTHER DEDICATE TO THE CITY OF CHERRY HILLS VILLAGE ALL DRAINAGE EASEMENTS SHOWN HEREON FOR DRAINAGE PURPOSES ONLY.

THE UNDERSIGNED HEREBY FURTHER DEDICATE TO THE CITY ON BEHALF OF THE PUBLIC UTILITIES THE RIGHT TO INSTALL, MAINTAIN AND OPERATE MAINS, TRANSMISSION LINES, SERVICE LINES AND APPURTENANCES TO PROVIDE SUCH UTILITY SERVICES WITHIN THIS SUBDIVISION OF PROPERTY CONTIGUOUS THERETO, UNDER, ALONG AND ACROSS PUBLIC WAYS, INCLUDING BUT NOT LIMITED TO, ROADS, STREETS, LANES AND DRIVES AS SHOWN HEREON, AND ALSO UNDER, ALONG AND ACROSS UTILITY EASEMENTS AS SHOWN HEREON.

THE LANDS COMPRISING THIS SUBDIVISION ARE SUBJECT TO CERTAIN COVENANTS WHICH ARE RECORDED IN BOOK _____ AT PAGE _____ OF THE RECORDS OF ARAPAHOE COUNTY, COLORADO.
EXECUTED THIS _____ DAY OF _____, 20___.

_____
OWNER: BLUE HILL LAND COMPANY, LLC
PARKER SEMLER, MANAGER
1775 SHERMAN ST. STE 2015
DENVER, CO 80203

STATE OF COLORADO, }
} SS.
COUNTY OF ARAPAHOE }

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS_____ DAY OF _____, 20____ BY PARKER SEMLER
AS MANAGER OF BLUE HILL LAND COMPANY, LLC.

WITNESS MY HAND AND SEAL.
MY COMMISSION EXPIRES _____

STANDARD PLAT NOTES:

1. COVENANT CONCERNING MAINTENANCE OF DRAINAGE FACILITIES: THE OWNER(S), ITS LEGAL REPRESENTATIVES, HEIRS, EXECUTORS, ADMINISTRATORS, SUCCESSORS IN INTEREST AND ASSIGNS SHALL BE JOINTLY AND SEVERALLY LIABLE AND RESPONSIBLE FOR MAINTAINING THE STRUCTURAL INTEGRITY AND OPERATIONAL FUNCTIONS OF ALL DRAINAGE FACILITIES LOCATED ON THE PROPERTY SHOWN HEREON UNLESS OTHERWISE SPECIFIED HEREIN INCLUDING, BUT NOT LIMITED TO, PRIVATE DRAINAGE FACILITIES OTHER THAN EASEMENTS AND PUBLIC AND PRIVATE DRAINAGE EASEMENTS. THE BENEFITS AND BURDENS DESCRIBED IN THIS COVENANT SHALL RUN WITH THE LAND AND BIND THE PRESENT OWNER(S), ITS SUCCESSORS AND ASSIGNS.

STANDARD NOTES:

1. MAINTENANCE OF DRAINAGE FACILITIES: THE OWNER(S) IN POSSESSION SHALL BE RESPONSIBLE FOR MAINTAINING THE STRUCTURAL INTEGRITY AND OPERATIONAL FUNCTIONS OF ALL DRAINAGE FACILITIES LOCATED THEREON. IF AT ANY TIME, FOLLOWING CERTIFICATION OF SAID DRAINAGE FACILITIES, THE CITY DEEMS THAT SAID DRAINAGE FACILITIES NO LONGER COMPLY WITH THE APPROVED PLANS, THE OWNER(S) IN POSSESSION SHALL RESTORE SUCH FACILITIES TO THE STANDARDS AND SPECIFICATIONS AS SHOWN ON THE APPROVED DRAINAGE PLANS. FAILURE TO MAINTAIN THE STRUCTURAL INTEGRITY AND OPERATIONAL FUNCTION OF SAID DRAINAGE FACILITIES FOLLOWING CERTIFICATION WILL RESULT IN THE CITY NOTIFYING ALL PROPERTY OWNERS WHOSE PROPERTY CONTRIBUTES TO THE FACILITY AS TO THE NATURE OF THE WORK REQUIRED TO BRING THE FACILITY INTO COMPLIANCE, TOGETHER WITH A REQUEST FOR THE WORK TO BE PERFORMED IN A REASONABLE TIME PERIOD. IF THE DRAINAGE FACILITY IS NOT SUBSEQUENTLY BROUGHT INTO COMPLIANCE WITH THE APPROVED DRAINAGE PLANS BY THE OWNER(S) IN POSSESSION, OR AN EMERGENCY SITUATION EXISTS, THE CITY MAY ENTER ONTO THE PROPERTY, CAUSE THE NECESSARY WORK TO BE PERFORMED AND FILE A LIEN AGAINST ALL PROPERTIES CONTRIBUTING TO THE DRAINAGE FACILITY.

PLANNING AND ZONING COMMISSION APPROVAL:

THIS PLAT WAS RECOMMENDED FOR APPROVAL BY THE CITY OF CHERRY HILLS VILLAGE PLANNING AND ZONING COMMISSION THIS _____ DAY OF _____, 20___.

BY_____ CHAIRMAN

CITY APPROVAL:

THIS PLAT IS APPROVED FOR FILING AND THE CITY HEREBY ACCEPTS THE DEDICATION OF THE PUBLIC WAYS SHOWN HEREON, INCLUDING, BUT NOT LIMITED TO, THE STREETS, ROADS, DRIVES AND LANES FOR PUBLIC USE SUBJECT TO THE PROVISIONS CONTAINED IN THE STREET MAINTENANCE NOTE HEREIN, THE DEDICATION OF PUBLIC LANDS SHOWN HEREON, AND THE DEDICATION OF THE UTILITY EASEMENTS, DRAINAGE EASEMENTS AND RECREATIONAL TRAILS SHOWN HEREON.

SIGNED THIS _____ DAY OF _____, 20___.

CITY OF CHERRY HILLS VILLAGE

BY_____
MAYOR

RECORDER'S CERTIFICATE:

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF ARAPAHOE COUNTY AT _____M. ON THE _____ DAY OF _____ 20___ IN BOOK _____ PAGE _____ MAP _____ RECEPTION NUMBER _____.

ARAPAHOE COUNTY CLERK AND RECORDER

BY_____
DEPUTY

DATE: 12/10/14
JOB NO.: 13.69

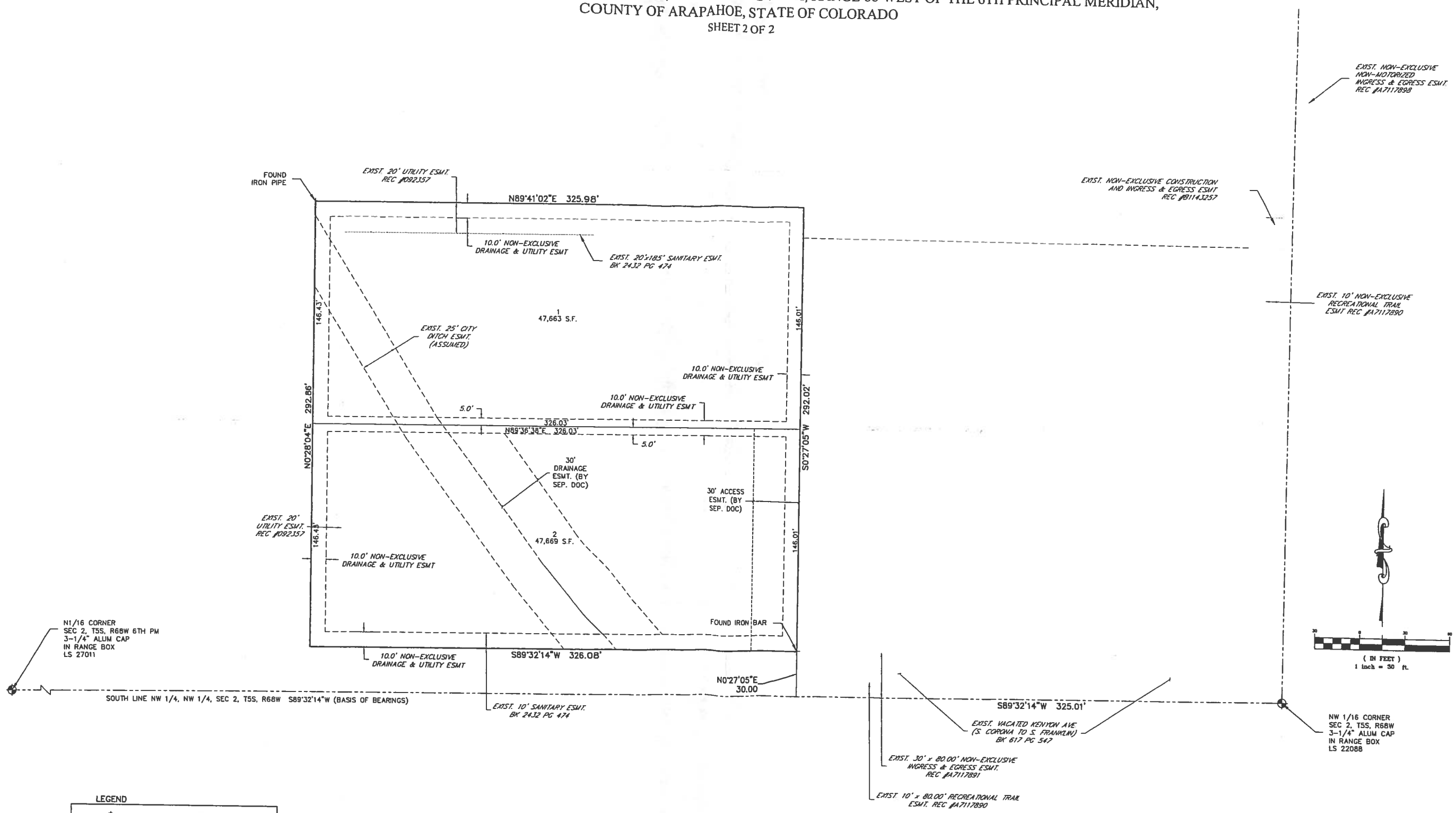
Peak
Civil Consultants
200 W. HAMPDEN AVE., SUITE 200
ENGLEWOOD, COLORADO 80110
PH. 720 855 3859
FAX. 720 528 8167
CONTACT: BOB KELSEY, P.E.

MINOR SUBDIVISION PLAT

BLUE HILL SUBDIVISION

A PARCEL OF LAND LOCATED IN THE SOUTH ONE-HALF OF BLOCKS 7, HIGGINS SOUTH BROADWAY HEIGHTS
A PART OF THE NW1/4 OF THE NW1/4 OF SECTION 2, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF ARAPAHOE, STATE OF COLORADO

SHEET 2 OF 2



LEGEND

- ALIQUOT CORNER AS NOTED
- ALIQUOT LINE
- PROPERTY BOUNDARY
- ADJACENT PROPERTY LINE
- EXISTING EASEMENT
- FOUND PIN (AS DESCRIBED)
- SET REBAR & CAP (LS 38231)

SITE BENCHMARK

NGS SURVEY POINT W409 LOCATED NEAR THE INTERSECTION OF JEFFERSON AVE. (HAMPDEN BYPASS) AND SOUTH DOWNING STREET. FOUND STEEL ROD IN RANGE BOX.

NAD 83
STATE PLANE COORDINATE X = 3148289.390
STATE PLANE COORDINATE Y = 1662483.740
NAVD 88 ELEV. = 5381.07

LAND USE TABLE:

LOT 1:	47,663 SQ.FT/1.0942 AC	
LOT 2:	47,669 SQ.FT/1.0943 AC	
TOTAL AREA:	95,332 SQ.FT/2.1885 AC	

TOTAL EASEMENT AREA: 34,658 SQ.FT/0.796 ACRES (36.4%)

SHEET 2 OF 2
BLUE HILL SUBDIVISION
PROJECT NO. XXX-0001

DATE: 12/10/14
JOB NO.: 13.69

Peak Civil Consultants
200 W. HAMPDEN AVE., SUITE 200
ENGLEWOOD, COLORADO 80110
PH: 720.859.3859
FAX: 720.528.8187
CONTACT: BOB KELSEY, P.E.

Chicago Title of Colorado

950 South Cherry Street, Suite 1400, Denver, CO 80246

Phone: (720) 324-5897
Fax: (303) 295-9693

DATE: October 10, 2014
FILE NUMBER: 596-C2006710-095-095, Amendment No. 1
PROPERTY ADDRESS: Vacant land, Cherry Hills Village, CO
BUYER/BORROWER: Blue Hill Land Company, a Colorado limited liability company
OWNER(S):
YOUR REFERENCE NUMBER: C2006710
ASSESSOR PARCEL NUMBER:

PLEASE TAKE NOTE OF THE FOLLOWING REVISED TERMS CONTAINED HEREIN:

Updated effective date and legal description.

WIRED FUNDS ARE REQUIRED ON ALL CASH PURCHASE TRANSACTIONS. FOR WIRING INSTRUCTIONS, PLEASE CONTACT YOUR ESCROW OFFICE AS NOTED ON THE TRANSMITTAL PAGE OF THIS COMMITMENT.

TO:	**Chicago Title of Colorado** **950 South Cherry Street** **Suite 1400** **Denver, CO 80246**	**ATTN:** **PHONE:** **FAX:** **E-MAIL:**	**Title Only 095 EO** **(720) 324-5897** **(303) 295-9693**
TO:	**Semler & Associates, P.C.** **1775 Sherman Street** **Suite 2015** **Denver, CO 80203**	**ATTN:** **PHONE:** **FAX:** **E-MAIL:**	**Bailey Dotson** **(303) 839-1680** **(303) 839-1642** **bdotson30@gmail.com**
TO:	**Production "Title Only"** **950 South Cherry Street** **Suite 1400** **Denver, CO 80246**	**ATTN:** **PHONE:** **FAX:** **E-MAIL:**	**Title Only 095 EO** **(720) 324-5897** **(303) 295-9693**

END OF TRANSMITTAL

Chicago Title Insurance Company
COMMITMENT
SCHEDULE A

Commitment No: **596-C2006710-095-095, Amendment No. 1**

1. **Effective Date:** **October 3, 2014 at 7:00 A.M.**

2. **Policy or policies to be issued:**

Proposed Insured	Policy Amount
(a) ALTA Loan Policy (6-17-06)	**$0.00**
To Be Determined	
	$
	$

3. **The estate or interest in the land described or referred to in this Commitment is:**

   A Fee Simple

4. **Title to the estate or interest in the land is at the Effective Date vested in:**

   Blue Hill Land Company, a Colorado limited liability company

5. **The land referred to in this Commitment is described as follows:**

   See Attached Legal Description

(for informational purposes only) Vacant land, Cherry Hills Village, CO

PREMIUMS:

Lenders Coverage: To be Determined

Attached Legal Description

The South 1/2 of Block 7, Higgins South Broadway Heights,
County of Arapahoe,
State of Colorado.

SCHEDULE B – Section 1
Requirements

The following requirements must be met:

a. Pay the agreed amounts for the interest in the land and/or for the mortgage to be insured.

b. Pay us the premiums, fees and charges for the policy.

c. The Company will require that an Affidavit and Indemnity Agreement be completed by the party(s) named below before the issuance of any policy of title insurance.

Party(s): Blue Hill Land Company, a Colorado limited liability company

The Company reserves the right to add additional items or make further requirements after review of the requested Affidavit.

d. Deed of Trust sufficient to encumber the estate or interest in the Land described or referred to herein for the benefit of the Proposed Insured Lender.

e. Dismiss the pending court action referred to below and furnish for recordation a release of the lis pendens:

Court: District
Case No: Unknown
County: Arapahoe
Plaintiff: Spears John S. & Spears Michael H. & Spears William R. & Et Al
Defendant: Parker R. Semler and Assoc Pc Semler and Hill Land Co Llc Blue and Al Et
Lis Pendens Recording Date: July 11, 2014
Lis Pendens Recording No: D4061579

f. Recordation of Statement of Authority for Blue Hill Land Company, a Colorado limited liability company pursuant to Colorado Revised Statutes evidencing the existence of the entity and authority of the person(s) authorized to execute and deliver instruments affecting title to real property on behalf of the entity and containing other information required by Colorado Revised Statutes.

Click to view Tax Info

NOTE: Bundled Loan Premium Rate includes: Loan Policy Premium, Included Loan Endorsement Charges and Tax Certificate Charge. (Contact your Escrow Officer for the Tax Certificate)

NOTE: Exception(s) number(ed) 1-4 will not appear on the Loan Policy. Exception number 5 will be removed from the policy provided the company conducts the closing.

24 MONTH CHAIN OF TITLE, FOR INFORMATIONAL PURPOSES ONLY:

The following vesting deeds relating to the subject property have been recorded in the Clerk and Recorder's office of the County in which the property is located:

There are no conveyances affecting said land recorded within 24 months of the date of this report.
END OF REQUIREMENTS

SCHEDULE B – Section 2
Exceptions

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction:

1. Any facts, rights, interests or claims that are not shown by the Public Records but which could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.

2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.

3. Any encroachments, encumbrances, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by Public Records.

4. Any lien or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the Public Records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires of record for the value the estate or interest or mortgage thereon covered by this Commitment.

6. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof, (c) water rights, claims of title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.

7. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.

8. All taxes and assessments, now or heretofore assessed, due or payable.

9. Covenants, conditions and restrictions and other instruments recorded in the Public Records purporting to impose a transfer fee or a conveyance fee payable upon the transfer of an interest in real property or payable for the right to make or accept such a transfer, and any and all fees, liens, or charges, whether recorded or unrecorded, if any, currently due and payable or that will become due and payable, and any other rights deriving therefrom, that are assessed pursuant thereto.

10. All existing roads, highways, ditches, utilities, reservoirs, canals, pipelines, power, telephone, or water lines, railroads, aircraft overflight paths and rights of way and easements thereof.

11. All restrictions, covenants, declarations, conditions, leases, agreements and mineral reservations of record, and any and all modifications thereof if any.

NOTE FOR BUNDLED LOAN POLICY: Unless stated contrary herein, the Company will incorporate and provide the following ALTA/Colorado endorsement(s) (including the versions of ALTA 06 endorsements) on the ALTA Short Form Residential Loan Policy or ALTA Loan Policy, together with or included in said loan policy is a tax status letter, commitment vesting and all-inclusive rate.

Copyright American Land Title Association. All rights reserved. The use of this Form is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

AMERICAN LAND TITLE ASSOCIATION

Endorsement ALTA 9 or 9.3/Form 100 Restrictions
Endorsement ALTA 8.1 Environmental Protection Lien
Endorsement ALTA 4.1/Form 115.1B Condominium or ALTA 5.1/Form 115.04 Planned Unit Development
Endorsement ALTA 4/Form 115.1 Condominium or ALTA 5/Form 115.2 Planned Unit Development
Endorsement ALTA 22/Form 116 Location
Endorsement ALTA 28-06/Form 103.1 Damage to or Forced Removal of Improvements
Endorsement Form 100.29 or Form 100.30 Mineral Rights
Endorsement ALTA 14.3A/ALTA 14.3A-06 Future Advance – Reverse Mortgage with Construction Lien Coverage/Form 111.11 Revolving Line of Credit (Lender)

<u>And any "one' of the following optional endorsements:</u>

Endorsement Form 111.9 FNMA Balloon
Endorsement ALTA 6/Form 110.7 Variable
Endorsement Form 110.9 Adjustable
Endorsement ALTA 6.2/Form 110.8 Negative Amortization

END OF EXCEPTIONS

Copyright American Land Title Association. All rights reserved. The use of this Form is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

AMERICAN LAND TITLE ASSOCIATION

AFFIDAVIT AND INDEMNITY AGREEMENT

TO Chicago Title of Colorado a Colorado Corporation and Chicago Title Insurance Company, a Nebraska Corporation.

1. This is written evidence to you that there are no unpaid bills, and to the extent there may be unpaid bills, that the undersigned undertakes and agrees to cause the same to be paid such that there shall be no mechanics or materialmen's liens affecting the property for materials or labor furnished for construction and erection, repairs or improvements contracted by or on behalf of the undersigned on property:

   legally described as:
   See Attached Affidavit and Indemnity Agreement Legal Description

   Property Address: **Vacant land, Cherry Hills Village, CO**

2. We further represent that to the actual knowledge and belief of the undersigned there are no public improvements affecting the property prior to the date of closing that would give rise to a special property tax assessment against the property after the date of closing.
3. We further represent that to the actual knowledge and belief of the undersigned there are no pending proceedings or unsatisfied judgments of record, in any Court, State, or Federal, nor any tax liens filed or taxes assessed against us which may result in liens, and that if there are judgments, bankruptcies, probate proceedings, state or federal tax liens of record against parties with same or similar names, that they are not against us.
4. We further represent that there are no unrecorded contracts, leases, easements, or other agreements or interests relating to said premises of which we have knowledge.
5. We further represent that to the actual knowledge and belief of the undersigned we are in sole possession of the real property described herein other than leasehold estates reflected as recorded items under the subject commitment for title insurance.
6. We further represent that there are no unpaid charges and assessments that could result in a lien in favor of any association of homeowners which are provided for in any document referred to in Schedule B of Commitment referenced above.
7. We further understand that any payoff figures shown on the settlement statement have been supplied to Chicago Title of Colorado as settlement agent by the seller's/borrower's lender and are subject to confirmation upon tender of the payoff to the lender. If the payoff figures are inaccurate, we hereby agree to immediately pay any shortage(s) that may exist. If applicable as disclosed or referred to on Schedule A of Commitment referenced above.

   The undersigned affiant(s) know the matters herein stated are true and indemnifies **Chicago Title of Colorado**, a Colorado Corporation and Chicago Title Insurance Company, a Nebraska Corporation against loss, costs, damages and expenses of every kind incurred by it by reason of its reliance on the statements made herein.

   This agreement is executed with and forms a part of the sale and/or financing of the above described premises, and is given in addition to the conveyance and/or financing of the premises in consideration for the conveyance and/or financing, and forms a complete agreement by itself for any action thereon.

BORROWER: **BORROWER:**

_____ _____

Blue Hill Land Company, a Colorado limited liability company

State of Colorado }ss:
County of Arapahoe

The foregoing instrument was acknowledged, subscribed, and sworn to before me on _____ by Blue Hill Land Company, a Colorado limited liability company.

(SEAL) _____
Notary Public
My Commission Expires:

ATTACHED AFFIDAVIT AND INDEMNITY AGREEMENT
LEGAL DESCRIPTION

The South 1/2 of Block 7, Higgins South Broadway Heights,
County of Arapahoe,
State of Colorado.

Chicago Title Insurance Company

COMMITMENT FOR TITLE INSURANCE

Issued by

Chicago Title of Colorado

AS AGENT FOR

Chicago Title Insurance Company

Chicago Title Insurance Company, a Nebraska corporation ("Company"), for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the Requirements; all subject to the provisions of Schedule A and B and to the Conditions of this Commitment.

The Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company.

All liability and obligation under this Commitment shall cease and terminate 6 months after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue the policy or policies is not fault of the Company.

The Company will provided a sample of the policy form upon request.

IN WITNESS WHEREOF, Chicago Title Insurance Company has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A.

Countersigned:

By: _____
Authorized Signature

Copyright American Land Title Association. All rights reserved. The use of this Form is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

AMERICAN LAND TITLE ASSOCIATION

CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions.
3. Liability of the Company under this Commitment shall be only to the named proposed insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policies or policies committed for and such liability is subject to the insuring provisions and Conditions and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is $2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at http://www.alta.org.

Copyright American Land Title Association. All rights reserved. The use of this Form is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

AMERICAN LAND TITLE ASSOCIATION

DISCLOSURE STATEMENT

- Pursuant to Section 38-25-125 of Colorado Revised Statutes and Colorado Division of Insurance Regulation 3-5-1 (Section 6), if the parties to the subject transaction request us to provide escrow-settlement and disbursement services to facilitate the closing of the transaction, then all funds submitted for disbursement must be available for immediate withdrawal.
- Colorado Division of Insurance Regulation 3-5-1, Paragraph C of Article VII, requires that "every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed". Provided that Chicago Title of Colorado conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception No. 5 in Schedule B-2 will not appear in the Owner's Title Policy and Lender's Title Policy when issued.
- If the sales price of the subject property exceeds $100,000.00 the seller shall be required to comply with the Disclosure of Withholding Provisions of C.R.S. 39-22-604.5 (Nonresident Withholding).
- Section 39-14-102 of Colorado Revised Statutes requires that a Real Property Transfer Declaration accompany any conveyance document presented for recordation in the State of Colorado. Said Declaration shall be completed and signed by either the grantor or grantee.
- Recording statutes contained in Section 30-10-406(3)(a) of the Colorado Revised Statutes require that all documents received for recording or filing in the clerk and recorder's office shall contain a top margin of at least one inch and a left, right, and bottom margin of at least one-half of an inch. The clerk and recorder may refuse to record or file an document that does not conform to requirements of this paragraph.
- Section 38-25-109 (2) of the Colorado Revised Statutes, 1973, requires that a notation of the purchasers legal address, (not necessarily the same as the property address) be included on the face of the deed to be recorded.
- Regulations of County Clerk and Recorder's offices require that all documents submitted for recording must contain a return address on the front page of every document being recorded.
- Pursuant to Section 10-11-122 of the Colorado Revised Statutes, 1987 the Company is required to disclose the following information:
    - The subject property may be located in a special taxing district.
    - A Certificate of Taxes Due listing each taxing jurisdiction shall be obtained from the County Treasurer or the County Treasurer's authorized agent.
    - Information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder or the County Assessor.
- Pursuant to Section 10-11-123 of the Colorado Revised Statutes, when it is determined that a mineral estate has been severed from the surface estate, the Company is required to disclose the following information: that there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is a substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and that such mineral estate may include the right to enter and use the property without the surface owner's permission.
- Note: Notwithstanding anything to the contrary in this Commitment, if the policy to be issued is other than an ALTA Owner's Policy (6/17/06), the policy may not contain an arbitration clause, or the terms of the arbitration clause may be different from those set forth in this Commitment. If the policy does contain an arbitration clause, and the Amount of Insurance is less than the amount, if any, set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties..

Copyright American Land Title Association. All rights reserved. The use of this Form is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

AMERICAN LAND TITLE ASSOCIATION

FIDELITY NATIONAL FINANCIAL
PRIVACY NOTICE

Fidelity National Financial, Inc. and its majority-owned subsidiary companies providing real estate- and loan-related services (collectively, "FNF", "our" or "we") respect and are committed to protecting your privacy. This Privacy Notice lets you know how and for what purposes your Personal Information (as defined herein) is being collected, processed and used by FNF. We pledge that we will take reasonable steps to ensure that your Personal Information will only be used in ways that are in compliance with this Privacy Notice.

This Privacy Notice is only in effect for any generic information and Personal Information collected and/or owned by FNF, including collection through any FNF website and any online features, services and/or programs offered by FNF (collectively, the "Website"). This Privacy Notice is not applicable to any other web pages, mobile applications, social media sites, email lists, generic information or Personal Information collected and/or owned by any entity other than FNF.

Collection and Use of Information

The types of personal information FNF collects may include, among other things (collectively, "Personal Information"): (1) contact information (*e.g.*, name, address, phone number, email address); (2) demographic information (*e.g.*, date of birth, gender marital status); (3) Internet protocol (or IP) address or device ID/UDID; (4) social security number (SSN), student ID (SIN), driver's license, passport, and other government ID numbers; (5) financial account information; and (6) information related to offenses or criminal convictions.

In the course of our business, we may collect Personal Information about you from the following sources:

- Applications or other forms we receive from you or your authorized representative;
- Information we receive from you through the Website;
- Information about your transactions with or services performed by us, our affiliates, or others; and
- From consumer or other reporting agencies and public records maintained by governmental entities that we either obtain directly from those entities, or from our affiliates or others.

Information collected by FNF is used for three main purposes:

- To provide products and services to you or one or more third party service providers (collectively, "Third Parties") who are obtaining services on your behalf or in connection with a transaction involving you.
- To improve our products and services that we perform for you or for Third Parties.
- To communicate with you and to inform you about FNF's, FNF's affiliates and third parties' products and services.

Additional Ways Information is Collected Through the Website

Browser Log Files. Our servers automatically log each visitor to the Website and collect and record certain information about each visitor. This information may include IP address, browser language, browser type, operating system, domain names, browsing history (including time spent at a domain, time and date of your visit), referring/exit web pages and URLs, and number of clicks. The domain name and IP address reveal nothing personal about the user other than the IP address from which the user has accessed the Website.

Cookies. From time to time, FNF or other third parties may send a "cookie" to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive and that can be re-sent to the serving website on subsequent visits. A cookie, by itself, cannot read other data from your hard disk or read other cookie files already on your computer. A cookie, by itself, does not damage your system. We, our advertisers and other third parties may use cookies to identify and keep track of, among other things, those areas of the Website and third party websites that you have visited in the past in order to enhance your next visit to the Website. You can choose whether or not to accept cookies by changing the settings of your Internet browser, but some functionality of the Website may be impaired or not function as intended. See the Third Party Opt Out section below.

Web Beacons. Some of our web pages and electronic communications may contain images, which may or may not be visible to you, known as Web Beacons (sometimes referred to as "clear gifs"). Web Beacons collect only limited information that includes a cookie number; time and date of a page view; and a description of the page on which the Web Beacon resides. We may also carry Web Beacons placed by third party advertisers. These Web Beacons do not carry any Personal Information and are only used to track usage of the Website and activities associated with the Website. See the Third Party Opt Out section below.

Unique Identifier. We may assign you a unique internal identifier to help keep track of your future visits. We may use this information to gather aggregate demographic information about our visitors, and we may use it to personalize the information you see on the Website and some of the electronic communications you receive from us. We keep this information for our internal use, and this information is not shared with others.

Third Party Opt Out. Although we do not presently, in the future we may allow third-party companies to serve advertisements and/or collect certain anonymous information when you visit the Website. These companies may use non-personally identifiable information (*e.g.*, click stream information, browser type, time and date, subject of advertisements clicked or scrolled over) during your visits to the Website in order to provide advertisements about products and services likely to be of greater interest to you. These companies typically use a cookie or third party Web Beacon to collect this information, as further described above. Through these technologies, the third party may have access to and use non-personalized information about your online usage activity.

You can opt-out of online behavioral services through any one of the ways described below. After you opt-out, you may continue to receive advertisements, but those advertisements will no longer be as relevant to you.

- You can opt-out via the Network Advertising Initiative industry opt-out at http://www.networkadvertising.org/.
- You can opt-out via the Consumer Choice Page at www.aboutads.info.
- For those in the U.K., you can opt-out via the IAB UK's industry opt-out at www.youronlinechoices.com.
- You can configure your web browser (Chrome, Firefox, Internet Explorer, Safari, etc.) to delete and/or control the use of cookies.

More information can be found in the Help system of your browser. Note: If you opt-out as described above, you should not delete your cookies. If you delete your cookies, you will need to opt-out again.

When Information Is Disclosed By FNF

We may provide your Personal Information (excluding information we receive from consumer or other credit reporting agencies) to various individuals and companies, as permitted by law, without obtaining your prior authorization. Such laws do not allow consumers to restrict these disclosures. Disclosures may include, without limitation, the following:

- To agents, brokers, representatives, or others to provide you with services you have requested, and to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure in connection with an insurance transaction;
- To third-party contractors or service providers who provide services or perform marketing services or other functions on our behalf;
- To law enforcement or other governmental authority in connection with an investigation, or civil or criminal subpoenas or court orders; and/or
- To lenders, lien holders, judgment creditors, or other parties claiming an encumbrance or an interest in title whose claim or interest must be determined, settled, paid or released prior to a title or escrow closing.

In addition to the other times when we might disclose information about you, we might also disclose information when required by law or in the good-faith belief that such disclosure is necessary to: (1) comply with a legal process or applicable laws; (2) enforce this Privacy Notice; (3) respond to claims that any materials, documents, images, graphics, logos, designs, audio, video and any other information provided by you violates the rights of third parties; or (4) protect the rights, property or personal safety of FNF, its users or the public.

We maintain reasonable safeguards to keep the Personal Information that is disclosed to us secure. We provide Personal Information and non-Personal Information to our subsidiaries, affiliated companies, and other businesses or persons for the purposes of processing such information on our behalf and promoting the services of our trusted business partners, some or all of which may store your information on servers outside of the United States. We require that these parties agree to process such information in compliance with our Privacy Notice or in a similar, industry-standard manner, and we use reasonable efforts to limit their use of such information and to use other appropriate confidentiality and security measures. The use of your information by one of our trusted business partners may be subject to that party's own Privacy Notice. We do not, however, disclose information we collect from consumer or credit reporting agencies with our affiliates or others without your consent, in conformity with applicable law, unless such disclosure is otherwise permitted by law.

We also reserve the right to disclose Personal Information and/or non-Personal Information to take precautions against liability, investigate and defend against any third-party claims or allegations, assist government enforcement agencies, protect the security or integrity of the Website, and protect the rights, property, or personal safety of FNF, our users or others.

We reserve the right to transfer your Personal Information, as well as any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets. We also cannot make any representations regarding the use or transfer of your Personal Information or other information that we may have in the event of our bankruptcy, reorganization, insolvency, receivership or an assignment for the benefit of creditors, and you expressly agree and consent to the use and/or transfer of your Personal Information or other information in connection with a sale or transfer of some or all of our assets in any of the above described proceedings. Furthermore, we cannot and will not be responsible for any breach of security by any third parties or for any actions of any third parties that receive any of the information that is disclosed to us.

Information from Children

We do not collect Personal Information from any person that we know to be under the age of thirteen (13). Specifically, the Website is not intended or designed to attract children under the age of thirteen (13). You affirm that you are either more than 18 years of age, or an emancipated minor, or possess legal parental or guardian consent, and are fully able and competent to enter into the terms, conditions, obligations, affirmations, representations, and warranties set forth in this Privacy Notice, and to abide by and comply with this Privacy Notice. In any case, you affirm that you are over the age of 13, as **THE WEBSITE IS NOT INTENDED FOR CHILDREN UNDER 13 THAT ARE UNACCOMPANIED BY HIS OR HER PARENT OR LEGAL GUARDIAN.**

Parents should be aware that FNF's Privacy Notice will govern our use of Personal Information, but also that information that is voluntarily given by children – or others – in email exchanges, bulletin boards or the like may be used by other parties to generate unsolicited communications. FNF encourages all parents to instruct their children in the safe and responsible use of their Personal Information while using the Internet.

Privacy Outside the Website

The Website may contain various links to other websites, including links to various third party service providers. FNF is not and cannot be responsible for the privacy practices or the content of any of those other websites. Other than under agreements with certain reputable organizations and companies, and except for third party service providers whose services either we use or you voluntarily elect to utilize, we do not share any of the Personal Information that you provide to us with any of the websites to which the Website links, although we may share aggregate, non-Personal Information with those other third parties. Please check with those websites in order to determine their privacy policies and your rights under them.

European Union Users

If you are a citizen of the European Union, please note that we may transfer your Personal Information outside the European Union for use for any of the purposes described in this Privacy Notice. By providing FNF with your Personal Information, you consent to both our collection and such transfer of your Personal Information in accordance with this Privacy Notice.

Choices with Your Personal Information

Whether you submit Personal Information to FNF is entirely up to you. You may decide not to submit Personal Information, in which case FNF may not be able to provide certain services or products to you.

You may choose to prevent FNF from disclosing or using your Personal Information under certain circumstances ("opt out"). You may opt out of any disclosure or use of your Personal Information for purposes that are incompatible with the purpose(s) for which it was originally collected or for which you subsequently gave authorization by notifying us by one of the methods at the end of this Privacy Notice. Furthermore, even where your Personal Information is to be disclosed and used in accordance with the stated purposes in this Privacy Notice, you may elect to opt out of such disclosure to and use by a third party that is not acting as an agent of FNF. As described above, there are some uses from which you cannot opt-out.

Please note that opting out of the disclosure and use of your Personal Information as a prospective employee may prevent you from being

hired as an employee by FNF to the extent that provision of your Personal Information is required to apply for an open position.

If FNF collects Personal Information from you, such information will not be disclosed or used by FNF for purposes that are incompatible with the purpose(s) for which it was originally collected or for which you subsequently gave authorization unless you affirmatively consent to such disclosure and use.

You may opt out of online behavioral advertising by following the instructions set forth above under the above section "Additional Ways That Information Is Collected Through the Website," subsection "Third Party Opt Out."

Access and Correction

To access your Personal Information in the possession of FNF and correct inaccuracies of that information in our records, please contact us in the manner specified at the end of this Privacy Notice. We ask individuals to identify themselves and the information requested to be accessed and amended before processing such requests, and we may decline to process requests in limited circumstances as permitted by applicable privacy legislation.

Your California Privacy Rights

Under California's "Shine the Light" law, California residents who provide certain personally identifiable information in connection with obtaining products or services for personal, family or household use are entitled to request and obtain from us once a calendar year information about the customer information we shared, if any, with other businesses for their own direct marketing uses. If applicable, this information would include the categories of customer information and the names and addresses of those businesses with which we shared customer information for the immediately prior calendar year (e.g., requests made in 2013 will receive information regarding 2012 sharing activities).

To obtain this information on behalf of FNF, please send an email message to privacy@fnf.com with "Request for California Privacy Information" in the subject line and in the body of your message. We will provide the requested information to you at your email address in response.

Please be aware that not all information sharing is covered by the "Shine the Light" requirements and only information on covered sharing will be included in our response.

Additionally, because we may collect your Personal Information from time to time, California's Online Privacy Protection Act requires us to disclose how we respond to "do not track" requests and other similar mechanisms. Currently, our policy is that we do not recognize "do not track" requests from Internet browsers and similar devices.

Your Consent to This Privacy Notice

By submitting Personal Information to FNF, you consent to the collection and use of information by us as specified above or as we otherwise see fit, in compliance with this Privacy Notice, unless you inform us otherwise by means of the procedure identified below. If we decide to change this Privacy Notice, we will make an effort to post those changes on the Website. Each time we collect information from you following any amendment of this Privacy Notice will signify your assent to and acceptance of its revised terms for all previously collected information and information collected from you in the future. We may use comments, information or feedback that you may submit in any manner that we may choose without notice or compensation to you.

If you have additional questions or comments, please let us know by sending your comments or requests to:

Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, Florida 32204
Attn: Chief Privacy Officer
(888) 934-3354
privacy@fnf.com

Copyright © 2014. Fidelity National Financial, Inc. All Rights Reserved.

EFFECTIVE AS OF: JANUARY 24, 2014

LAST UPDATED: JANUARY 24, 2014

DENVER WATER
1600 West 12th Avenue • Denver, Colorado 80204-3412
Phone 303-628-6000 • Fax No. 303-628-6199 • denverwater.org

September 13, 2013

Mr. Rob Zuccaro
Community Development Director
2450 E Quincy Avenue
Cherry Hills Village, CO 80113

RE: ~~13.69 Minor Subdivision Plat~~ (Blue Hills Subdivision)

Dear Mr. Zuccaro:

The property described as ~~13.69 Minor Subdivision Plat~~ (Blue Hills Subdivision) is in the City and County of Denver. This site is eligible to receive water service subject to compliance with Denver Water's Operating Rules, Regulations and Charges. Please check the fire requirements for the proposed development with the Fire Prevention Bureau and the availability of the fire flow from existing mains with Denver Water's Hydraulics Department prior to proceeding with the project.

If there are questions on the information being provided, or you would like to schedule a meeting to discuss the proposed project, please contact a Tap Sales Representative at 303-628-6100.

Sincerely,

Timothy E. Lowe
Distributor Services Supervisor

CITY OF CHERRY HILLS VILLAGE
SANITATION DISTRICT
3333 So. Bannock Street, Suite 250
Englewood, CO 80110

Phone: 303-762-8222
Fax: 303-762-8381

September 5, 2013

To Whom it May Concern:

Re: Blue Hill Subdivison
Kenyon Street

Based upon the information submitted by the developer, the City of Cherry Hills Village Sanitation District ("CHVSD") will be able to serve the proposed Blue Hill Subdivision. This commitment to serve is conditioned upon compliance with CHVSD's Design Standards; the recommendations of CHVSD's engineers; CHVSD's approval of the sewer connection construction; and other conditions of CHVSD's user and disposal agreements. The District will need to review the design submittal once the developer moves ahead with the development plans for the site.

If you need any further information, please do not hesitate to contact us.

Sincerely,

CITY OF CHERRY HILLS VILLAGE
SANITATION DISTRICT

Kathy L. McKune

Kathy L. McKune
Administrator

/klm
D:\CHVSD\Kenyon-Blue Hill Sub-Divide Will Serve ltr.wpd

Arapahoe County
Colorado's First

Sue Sandstrom, Treasurer
5334 S Prince St
Littleton, CO 80120-1136
TEL 303-795-4550
TDD 303-795-4646

CERTIFICATE OF TAXES DUE

THIS IS TO CERTIFY THAT ON THIS DATE THERE WERE THE FOLLOWING TAXES DUE AGAINST THE PROPERTY DESCRIBED HEREIN

PROPERTY ADDRESS	PARCEL ID	DATE
	034224319	05 01 2014

LEGAL DESCRIPTION
S 1/2 BLK 7 HIGGINS S BROADWAY HTS TOG WITH VACATED E KENYON AVE & S DOWNING ST ADJ ON SE

REQUESTOR

ORDER NO.

ISSUED TO
BLUE HILL LAND COMPANY, LLC
C/O PARKER SEMLER CEO
1775 SHERMAN ST SUITE 2015
DENVER CO 80203-4319

NOTE: Interest on taxes is computed on a monthly basis. Please request up to date figures if you do not pay by the end of the current month. This certificate does not include special assessments which may be due, but which on the above date have not been certified to this office for collection.

Information regarding special taxing districts and the boundaries of such districts may be on file or deposit with the Board of County Commissioners, the County Clerk and Recorder or the County Assessor.

ASSESSED VALUE 168,943

FOR OFFICE USE ONLY
2013-0003481

TAXES DUE

Current Year Tax Roll

Tax	$	0.00
Fees	$	0.00
Interest	$	0.00
Special Assessments	$	0.00
Amortized Special Assessments	$	0.00

Delinquent Years

Tax	$	0.00
Fees	$	0.00
Interest	$	0.00
Special Assessments	$	0.00
Amortized Special Assessments	$	0.00

Unredeemed Liens $ 0.00

CURRENT TAX DISTRIBUTION

TAX RATE	TAX AMOUNT	DESCRIPTION
0.046874	7,919.03	ENGLEWOOD SCHOOL DIST # 1
0.016130	2,725.05	ARAPAHOE COUNTY
0.001000	168.94	DEVELOPMENTAL DISABILITY
0.013374	2,259.44	CHERRY HILLS VILLAGE
0.004861	821.23	ARAPAHOE LIBRARY DISTRICT
0.000500	84.47	CHERRY HILLS FIRE BOND
0.000000	0.00	CITY OF CH. HILLS SAN
0.000000	0.00	REGIONAL TRANSPORTATION
0.001368	231.11	S SBRBN P&R DIS BNDS (CH)
0.009444	1,595.50	SOUTH METRO FIRE RESCUE
0.000608	102.72	URBAN DRAINAGE & FLOOD
0.000064	10.81	URBN DRNGE&FLD (S PLATTE)
0.094223	15,918.30	TOTAL

MESSAGES
If you have recently filed bankruptcy, this is not a demand for payment.
-The special assessment payoff indicated on this document, if any, includes any unpaid installment indicated above.
-This statement reflects taxes assessed on Land only. If there are improvements on this property, additional taxes may be due.

Pay off of Amortized Special Assessment 0.00

Susan R Sandstrom
COUNTY TREASURER

Total Amount Due $ 0.00

CR
PREPARED BY

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, THIS MATERIAL MAY BE MADE AVAILABLE IN ALTERNATIVE FORMATS UPON REQUEST. PLEASE CONTACT THE TREASURER'S OFFICE AS STATED AT THE TOP OF THIS NOTICE.

SEMLER & ASSOCIATES, P.C.

ATTORNEYS AND COUNSELORS AT LAW

R. Parker Semler
Email parker@semlerlaw.com

Colorado & California Bars

Mr. Robert A. Zuccaro
Community Development Director
Cherry Hills Village
2450 E. Quincy Ave.
Cherry Hills Village, CO 80113

July 18, 2014

Re: Blue Hill Minor Subdivision Cash Payment in Lieu of Land Dedication

Dear Mr. Zuccaro:

In a meeting with the Parks Commissions on June 13, 2013, it was determined that no land dedication would be requested within the Minor Subdivision.

Rather than a land dedication, the Parks Commission requested an in lieu fee of 7.5% of the appraisal value of the property to be paid.

An appraisal is attached which will be updated prior to recording of the plat when the fee is payable.

Yours truly,

R. Parker Semler

RPS/mr

1775 Sherman Street • Suite 2015 • Denver • Colorado • 80203 • Telephone 303-839-1680 • Facsimile 303-839-1642

DECLARATION OF DRAINAGE EASEMENT

THIS DECLARATION OF DRAINAGE EASEMENT (the "Declaration") is dated this _____ day of _____, 2015, is made by Blue Hill Land Company, LLC (the "Declarant"), having an address at 1775 Sherman Street, Suite 2015, Denver Colorado 80203, for the mutual private benefit of Lots 1 and 2 of the Blue Hill Subdivision, the Plat of which will be recorded simultaneously with this Declaration both of which are currently owned by the Declarant.

WHEREAS, the Declarant wishes to establish an easement for the purpose of the maintenance of a drainage pipe and appurtenant drainage facilities on and through the property more particularly described and depicted in **Exhibit A** ("Easement Property"), attached hereto and incorporated herein by this reference; and

WHEREAS, the Declarant wishes to establish this easement ("Easement Agreement") for the aforesaid purposes on the terms and conditions set forth hereinbelow.

NOW, THEREFORE, the Declarant does establish the following Drainage Easement for the mutual private benefit of Lots 1 and 2 of the Blue Hill Subdivision, the Plat of which will be recorded simultaneously with this Declaration both of which are currently owned by the Declarant (the "Subdivided Properties").

1. Grant of Easement. Declarant does establish for the mutual private benefit of the Subdivided Properties, and their successors, assigns, lessees, licensees and agents, an easement under and through the Easement Property, for the purpose of providing the maintenance of a drainage pipe and appurtenant drainage facilities. The Subdivided Properties shall also have the specific rights of ingress and egress, consistent with this Easement Agreement, for the construction, reconstruction, operation and maintenance of a drainage pipe and appurtenant drainage facilities, consistent with the easement provided herein. Subject to the other terms and conditions of this Easement Agreement, the Subdivided Properties shall also have the right to remove impediments to operation and maintenance of the Easement Property such as trees, asphalt and sidewalks. The Subdivided Properties further agree that all construction, reconstruction, operation, maintenance, removal and any other activities which disturb the Easement Property will be coordinated with the other Subdivided Properties so as to minimize any disruption to Subdivided Properties upon which work is conducted.

2. Operation and Maintenance.

The operation and maintenance of the drainage facilities described herein and located within the Easement Property shall be the mutual and joint responsibility of the Subdivided Properties. Costs of operation and maintenance shall be shared equally by the Subdivided Properties if one of the Subdivided Properties makes a proposal in writing for the operation and maintenance of the Easement Property to which the other does not object within

four weeks of delivery of the proposal by First Class mail to the address in question or by other sufficient and equivalent means of service. If a timely objection is made, either party may request mediation, and if not granted, may refer the question of the necessity and scope of the operation and maintenance of the Easement Property to a mutually agreed arbitrator for binding and final arbitration, or if no such person is identified to an arbitrator appointed by a court of competent jurisdiction. Either of the Owners of the Subdivided Properties may unilaterally operate and maintain the Easement Property at their sole expense, subject to division in arbitration after the fact. An unpaid agreed or arbitration awarded share of operation and maintenance costs for the Easement Property, shall constitute a first lien upon the Subdivided Property that has not paid its share of the operation and maintenance costs, subject only to purchase money security interests in the subject property, or refinancings of the same debt, together with interest at the statutory rate from the time the lien is recorded and reasonable attorneys' fees incurred in the enforcement of the lien.

3. Indemnification. Each owner of a Subdivided Property shall protect the Easement Property, and the adjacent lands over which this Easement creates rights of ingress and egress, from damage caused, in whole or in part, by acts or omissions of that Owner, its employees, agents, contractors, subcontractors, assigns, lessees, licensees and agents, and shall indemnify and defend the other owner of the Subdivided Property from such liability or damage incurred.

4. Environmental Covenant. No owner of Subdivided Property shall cause or permit to be caused by any of its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees, any hazardous substances, as defined by the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA"), pollutants or contaminants, as defined by CERCLA, or hazardous waste, as defined by the Resource, Conservation and Recovery Act ("RCRA"), including, but not limited to, asbestos and/or urea formaldehyde, or any pollutants or toxic pollutants as defined by the Clean Water Act, and any amendments thereto, to be dumped, spilled, released, permanently stored or deposited on, over or beneath the Easement Property or any other lands owned by Grantor.

5. Retained Rights. The Owner of the Subdivided Property over which the Easement Property is located shall have all rights to the Easement Property not granted hereby.

6. Miscellaneous

a. This Easement Agreement shall not modify any existing setback or siting requirement of either owner of the Subdivided Properties.

b. Except as otherwise expressly provided herein, all provisions herein contained, including the benefits, burdens and covenants, are intended to run with the land and shall be binding upon and inure to the benefit of the respective successors and assigns of the parties hereto.

c. This Easement Agreement constitutes all of the agreements, understandings and promises between the parties hereto, with respect to the subject matter hereof.

d. This Easement Agreement shall be of no force and effect until this easement is duly and validly executed and recorded by the Declarant in the real property records of the Arapahoe County Clerk and Recorder.

DONE THIS ____ day of _____, 2015.

DECLARANT:
BLUE HILL LAND COMPANY, LLC

By:_____
R. Parker Semler, Manager

STATE OF COLORADO)
) ss.
CITY AND COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this _____ day of _____, 2015, by R. Parker Semler, as Manager of Blue Hill Land Company, LLC, a Colorado limited liability company which is the Declarant herein.

My commission expires: _____

(S E A L)

_____
Notary Public

DECLARATION OF EASEMENT

This Declaration pertains to the use and maintenance of that certain easement hereinafter described, which lies within the Portion of the Northwest Quarter of the Northwest Quarter of Section 2, Township 5 South, Range 68 West of the Sixth Principal Meridian, County of Arapahoe, State of Colorado,

RECITALS:

1. Declarant Blue Hill Land Company, LLC, Owner of a Portion of the Northwest Quarter of the Northwest Quarter of Section 2, Township 5 South, Range 68 West of the Sixth Principal Meridian, County of Arapahoe, State of Colorado, more particularly described as follows:

Commencing at the Northwest 1/16 Corner of Section 2: Thence North 85'13'39" West a Distance of 325.89' to the Point of Beginning;

Thence North 00'27'05" East for a Distance of 146.01 Feet;
Thence South 89'36'38" West for a Distance of 30.00 Feet;
Thence South 00'27'05" West for a Distance of 146.05 Feet;
Thence North 89'32'14" East for a Distance of 30.00 Feet; To the Point of beginning.

Containing 4380.88 Square Feet (0.101 Acres) More or Less.

(All Lineal Distances are U.S. Survey Feet.)

2. The Dominant Estate, also owned by the Declarant, is real property in a portion of the Northwest Quarter of the Northwest Quarter of Section 2, Township 5 South, Range 68 West of the Sixth Principal Meridian, County of Arapahoe, State of Colorado, which shall be known, when Platted contemporaneously with the recording of this Declaration of Easement as Lot 1, Blue Hill Subdivision.

3. This Declaration establishes and relates to the following described easement lying wholly within said Portion of the Northwest Quarter of the Northwest Quarter of Section 2, Township 5 South, Range 68 West of the Sixth Principal Meridian, County of Arapahoe, State of Colorado:

(Refer to Attached Exhibit A for Legal Description)

4. This Declaration is to establish for the public record the status and purpose of the above described easement, to identify its contemplated uses and its users, and establish a framework for assignment of responsibility for maintenance of the same.

NOW THEREFORE, THIS DECLARATION IS AS FOLLOWS:

1. The above described easement is for the benefit and use of the Declarants and all successors in title of the owners of the Dominant Estate and their invitees and licensees, in and to property presently owned by Declarant in the Portion of the Northwest Quarter of the Northwest Quarter of Section 2, Township 5 South, Range 68 West of the Sixth Principal Meridian, County of Arapahoe, State of Colorado, for shared driveway purposes.

2. The property owners of the Dominant Estate who require the use of said easement for access to a public or private driveway from such owner's property may use the shared driveway within the easement for access purposes.

3. Cost of such shared driveway, as well as maintenance thereof, including snow removal, shall be shared among all owners requiring use of any segment thereof for access to their respective properties. Such construction and maintenance costs shall be equally shared by all owners who require use of any segment thereof for residential access, measured by the number of linear feet of such shared driveway segment required for such access by each owner. If a requirement by any owner for use of such shared driveway for residential access commences after the construction of such shared driveway and payment of the cost thereof by another owner or owners, the owner or owners who paid the cost of construction thereof shall be entitled to recover from the owner whose requirement to use the same commenced thereafter, a portion of the construction cost of the segment of shared driveway required by said owner based upon equal responsibility by all owners who use such segment for such access for the construction thereof.

4. The easement may not be used for long term (exceeding 24 hours) parking or storage of any vehicle, equipment, supplies or other property whatsoever.

5. At such time as a driveway is constructed and in use in the easement, there shall be no barricades, gates or fencing within the easement. Fencing on property abutting the easement shall not be placed in the easement itself.

6. The terms and provisions hereof, and the rights and obligations set forth herein shall operate as covenants running with the land and shall inure to the benefit and be binding upon the Declarants and their successors in title to lands presently owned by Declarants. This easement shall be duly and validly executed and recorded by the Declarant in the real property records of the Arapahoe County Clerk and Recorder.

7. The landowner who first requires the use of the shared driveway shall be responsible to cause the construction of the entire shared driveway before first

proposed use. All negotiations of the cost sharing of the shared driveway will be the responsibility of the owners, their successors and assigns and not the City of Cherry Hills Village. The City of Cherry Hills Village shall have no maintenance obligations for the shared driveway.

Dated this _____ day of _____, 2015.

By: BLUE HILL LAND COMPANY, LLC

_____

R.Parker Semler, Manager

STATE OF COLORADO)
) ss
COUNTY OF Arapahoe)

The foregoing Declaration of Easement was acknowledged before me this ____ day of _____, 2015 by R. Parker Semler as Manager of Blue Hill Land Company, LLC.

Witness my hand and official seal,
My commission expires _____

_____

Notary Public

INVOICE

FROM:

Jeff Bernatow
2727 W. 92nd Ave.
Suite 200E
Thornton, CO 80260
Telephone Number: 303.200.4779 Fax Number: 303.200.4788

INVOICE NUMBER
Semler1
DATE
08/22/2013
REFERENCE
Internal Order #:
Lender Case #:
Client File #:
Main File # on form:
Other File # on form:
Federal Tax ID:
Employer ID:

TO:

Blue Hill Land Company LLC/Parker Semler

,

Telephone Number: Fax Number:
Alternate Number: E-Mail:

DESCRIPTION

Lender: Blue Hill Land Company LLC/Parker Semler Client: Owner
Purchaser/Borrower: N/A
Property Address: 2077-02-2-08-045 #1
City: Cherry Hills Village
County: Arapahoe State: CO Zip: 80113
Legal Description: S 1/2 BLK 7HIGGINS S BROADWAY HTS TOG WITH VACATED E KENYON AVE & S DOWNING ST ADERS NO J

FEES	AMOUNT
Land Appraisal	500.00
SUBTOTAL	500.00

PAYMENTS			AMOUNT
Check #:	Date:	Description:	
Check #:	Date:	Description:	
Check #:	Date:	Description:	
		SUBTOTAL	
		TOTAL DUE	$ 500.00

LAND APPRAISAL REPORT

Summary Appraisal Report

File No.

SUBJECT

Borrower N/A | Census Tract 0059.51 | Map Reference Pierson Page 344

Property Address 2077-02-2-08-045 #1

City Cherry Hills Village | County Arapahoe | State CO | Zip Code 80113

Legal Description S 1/2 BLK 7HIGGINS S BROADWAY HTS TOG WITH VACATED E KENYON AVE & S DOWNING ST ADERS NO J

Sale Price $ 0 | Date of Sale | Loan Term yrs. | Property Rights Appraised ☒ Fee ☐ Leasehold ☐ De Minimis PUD

Actual Real Estate Taxes $ 21,180 (yr) | Loan charges to be paid by seller $ | Other sales concessions

Lender/Client Blue Hill Land Company LLC/Parker Semler | Address 1775 Sherman St #2015, Denver, CO 80203

Occupant N/A | Appraiser Jeffrey J. Bernatow | Instructions to Appraiser See General Text Addendum

NEIGHBORHOOD

Location	☐ Urban	☒ Suburban	☐ Rural
Built Up	☐ Over 75%	☒ 25% to 75%	☐ Under 25%
Growth Rate ☐ Fully Dev.	☐ Rapid	☐ Steady	☒ Slow
Property Values	☐ Increasing	☒ Stable	☐ Declining
Demand/Supply	☐ Shortage	☒ In Balance	☐ Oversupply
Marketing Time	☐ Under 3 Mos.	☐ 4-6 Mos.	☒ Over 6 Mos.

	Good	Avg.	Fair	Poor
Employment Stability	☒	☐	☐	☐
Convenience to Employment	☒	☐	☐	☐
Convenience to Shopping	☒	☐	☐	☐
Convenience to Schools	☒	☐	☐	☐
Adequacy of Public Transportation	☒	☐	☐	☐
Recreational Facilities	☒	☐	☐	☐
Adequacy of Utilities	☒	☐	☐	☐
Property Compatibility	☒	☐	☐	☐
Protection from Detrimental Conditions	☒	☐	☐	☐
Police and Fire Protection	☒	☐	☐	☐
General Appearance of Properties	☒	☐	☐	☐
Appeal to Market	☒	☐	☐	☐

Present Land Use: 55 % One-Unit, 5 % 2-4 Unit, 5 % Apts., 10 % Condo, 10 % Commercial, 0 % Industrial, 15 % Vacant, % ____

Change in Present Land Use: ☐ Not Likely ☒ Likely (*) ☐ Taking Place (*) (*) From Vacant land To Residential Property

Predominant Occupancy: ☒ Owner ☐ Tenant 5 % Vacant

One-Unit Price Range $ 75 to $ 2,700 Predominant Value $ 275

One-Unit Age Range 0 yrs. to 127 yrs. Predominant Age 66 yrs.

Comments including those factors, favorable or unfavorable, affecting marketability (e.g. public parks, schools, view, noise) The subject is located in Arapahoe County in the City of Cherry Hills Village. It's area is comprised primarily of single family detached homes of good to very good quality, located on small acreages. Noise levels are considered low. Views are primarily of plains, the mountains, and various water bodies in the area. Proximity to all support facilities is good.

SITE

Dimensions Irregular = 1.02 Acres ☐ Corner Lot

Zoning Classification R3- Residential Acreage | Present Improvements ☒ Do ☐ Do Not Conform to Zoning Regulations

Highest and Best Use ☒ Present Use ☐ Other (specify)

	Public	Other (Describe)
Elec.	☐	None
Gas	☐	None
Water	☐	None
San. Sewer	☐	None
	☐ Underground Elect. & Tel.	

OFF SITE IMPROVEMENTS

Street Access ☒ Public ☐ Private

Surface Asphalt

Maintenance ☒ Public ☐ Private

☐ Storm Sewer ☐ Curb/Gutter

☐ Sidewalk ☐ Street Lights

Topo Slope to the Southwest

Size 1.02 Acres

Shape Irregular

View Residential/Natural surroundings

Drainage Slope to the Southwest

Is the property located in a FEMA Special Flood Hazard Area? ☒ Yes ☐ No

Comments (favorable or unfavorable including any apparent adverse easements, encroachments, or other adverse conditions) Typical access and utility easements with no encroachments observed at the time of inspection. Exact easements and site dimensions are known, survey is included.

MARKET DATA ANALYSIS

The undersigned has recited the following recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to or more favorable than the subject property, a minus (–) adjustment is made, thus reducing the indicated value of subject; if a significant item in the comparable is inferior to or less favorable than the subject property, a plus (+) adjustment is made thus increasing the indicated value of the subject.

ITEM	SUBJECT PROPERTY	COMPARABLE NO. 1		COMPARABLE NO. 2		COMPARABLE NO. 3	
Address	2077-02-2-08-045 #1 Cherry Hills Village, CO 80113	11 E Layton Ln Cherry Hills Village, CO 80113		15 Layton Ln Englewood, CO 80113		2 Brookside Drive Greenwood Village, CO 80121	
Proximity to Subject		1.39 MILES S		1.40 MILES S		1.86 MILES S	
Sales Price	$ 0		$ 572,500		$ 535,000		$ 536,801
Price $/Sq. Ft.	$		$ 11.429		$ 12.282		$ 12.323
Data Source(s)	Inspection	Realtor#1135550		Realtor#1060034		Realtor#1061630	
ITEM	DESCRIPTION	DESCRIPTION	+(–)$ Adjust.	DESCRIPTION	+(–)$ Adjust.	DESCRIPTION	+(–)$ Adjust.
Date of Sale/Time Adj.		12/17/2012		06/07/2012		03/30/2012	
Location	Cherry Hills Village	Cherry Hills Village		Cherry Hills Village		Greenwood Village	
Site/View	1.02 ac,Interior	1.05 ac,Interior		1 ac,Interior		1.0 ac,Interior	
Water/sewer/Gas Tap	None/Not paid	None/Partial Paid		None/Not paid		Installed/paid	-20,000
Topography	Slope to the Southwest	Generally Level	-25,000	Generally Level	-28,600	Generally Level	-25,000
Sales or Financing Concessions		No Concessions CONV 16 DOM		No Concessions CASH 928 DOM		No Concessions CASH 552 DOM	
Net Adj. (Total)		☐ + ☒ –	$ -25,000	☐ + ☒ –	$ -28,600	☐ + ☒ –	$ -45,000
Indicated Value of Subject		Net 4.4 % Gross 4.4 %	$ 547,500	Net 5.3 % Gross 5.3 %	$ 506,400	Net 8.4 % Gross 8.4 %	$ 491,801

Comments on Market Data Most weight is given sale one, two, three and four as these are the most similar to the subject in terms of size and location. Similar weight is given each remaining sale considering location, and overall market appeal. See addendum for comments on sales comparisons.

RECONCILIATION

Comments and Conditions of Appraisal Subject Property is appraised "as is" reflecting no apparent adverse conditions. No personal property, or chattel, is included in the final value estimate of this appraisal.

Final Reconciliation A weighted average is utilized in determining value. Each sale is weighted considering size and overall appeal. Sold comparables are all given similar weight as they are the best indicators of value these comparables are given the most weight. The remaining comparables are given little weight, although they are similar in many ways these comparables are not closest comparables and only demonstrate current market activity.

I (WE) ESTIMATE THE MARKET VALUE, AS DEFINED, OF THE SUBJECT PROPERTY AS OF 08/21/2013 TO BE $ 506,000

Appraiser Jeffrey J. Bernatow	Supervisory Appraiser (if applicable)
Date of Signature and Report August 29, 2013	Date of Signature
Title State Certified Appraiser	Title
State Certification # CR40013179 ST CO	State Certification # ST
Or State License # ST	Or State License # ST
Expiration Date of State Certification or License 12/31/2013	Expiration Date of State Certification or License
Date of Inspection (if applicable) 08/21/2013	☐ Did ☐ Did Not Inspect Property Date of Inspection

ADDITIONAL COMPARABLE SALES

File No.

ITEM	SUBJECT PROPERTY	COMPARABLE NO. 4		COMPARABLE NO. 5		COMPARABLE NO. 6	
Address	2077-02-2-08-045 #1 Cherry Hills Village, CO 80113	24 Cherry Lane Dr Cherry Hills Village, CO 80113		1009 E Belleview Ave Cherry Hills Village, CO 80113		4080 Preserve Pkwy Greenwood Village, CO 80121	
Proximity to Subject		2.07 MILES E		1.75 MILES S		3.01 MILES SE	
Sales Price	$ 0		$ 530,000		$ 300,000		$ 550,000
Price $/Sq. Ft.	$		$ 11		$ 12		$ 15
Data Source(s)	Inspection	Realtor#1062627		Realtor#1117893		Realtor#692172	
ITEM	DESCRIPTION	DESCRIPTION	+(−)$ Adjust.	DESCRIPTION	+(−)$ Adjust.	DESCRIPTION	+(−)$ Adjust.
Date of Sale/Time Adj.		05/01/2012		10/12/2012		Active Listing	-24,000
Location	Cherry Hills Village	Cherry Hills Village		Cherry Hills Village		Greenwood Village	
Site/View	1.02 ac,Interior	1.14 ac,Interior		1.04 ac,Traffic	+25,000	.82 ac,Interior	
Water/sewer/Gas Tap	None/Not paid	Installed/paid	-20,000	Installed/Well,Septic	-20,000	Installed/paid	-20,000
Topography	Slope to the Southwest	Generally Level	-25,000	Generally Level	-25,000	Generally Level	-25,000
Sales or Financing Concessions		No Concessions CONV 107 DOM		No Concessions CASH 59 DOM		Active List date 08/15/2008	
Net Adj. (Total)		☐ + ☒ −	$ -45,000	☐ + ☒ −	$ -20,000	☐ + ☒ −	$ -69,000
Indicated Value of Subject		Net 8.5 % Gross 8.5 %	$ 485,000	Net 6.7 % Gross 23.3 %	$ 280,000	Net 12.5 % Gross 12.5 %	$ 481,000

Comments on Market Data

MARKET DATA ANALYSIS

Form LAND.(AC) — "WinTOTAL" appraisal software by a la mode, inc. — 1-800-ALAMODE

ADDITIONAL COMPARABLE SALES

File No.

ITEM	SUBJECT PROPERTY	COMPARABLE NO. 7		COMPARABLE NO. 8		COMPARABLE NO. 9	
Address	2077-02-2-08-045 #1 Cherry Hills Village, CO 80113	4068 Preserve Pkwy Greenwood Village, CO 80121		5080 S Clarkson St Cherry Hills Village, CO 80113			
Proximity to Subject		3.02 MILES SE		1.76 MILES S			
Sales Price	$ 0		$ 550,000		$ 600,000		$
Price $/Sq. Ft.	$		$ 16		$ 9.062		$
Data Source(s)	Inspection	Realtor#693281		Realtor#1213694			
ITEM	DESCRIPTION	DESCRIPTION	+(−)$ Adjust.	DESCRIPTION	+(−)$ Adjust.	DESCRIPTION	+(−)$ Adjust.
Date of Sale/Time Adj.		Active Listing	-24,000	Active Listing	-24,000		
Location	Cherry Hills Village	Greenwood Village		Cherry Hills Village			
Site/View	1.02 ac,Interior	.79 ac,Interior		1.52 ac,Traffic	+10,000		
Water/sewer/Gas Tap	None/Not paid	Installed/paid	-20,000	Installed/Well,Septic	-20,000		
Topography	Slope to the Southwest	Generally Level	-25,000	Generally Level	-25,000		
Sales or Financing Concessions		Active List date 08/19/2008		Active List date 02/26/2013			
Net Adj. (Total)		☐ + ☒ −	$ -69,000	☐ + ☒ −	$ -59,000	☐ + ☐ −	$
Indicated Value of Subject		Net 12.5 % Gross 12.5 %	$ 481,000	Net 9.8 % Gross 13.2 %	$ 541,000	Net % Gross %	$

Comments on Market Data

MARKET DATA ANALYSIS

Form LAND.(AC) — "WinTOTAL" appraisal software by a la mode, inc. — 1-800-ALAMODE

File No.

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he considers his own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale. (Source: FDIC Interagency Appraisal and Evaluation Guidelines, October 27, 1994.)

*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgement.

STATEMENT OF LIMITING CONDITIONS AND CERTIFICATION

CONTINGENT AND LIMITING CONDITIONS: The appraiser's certification that appears in the appraisal report is subject to the following conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is valued on the basis of it being under responsible ownership.

2. Any sketch provided in the appraisal report may show approximate dimensions of the improvements and is included only to assist the reader of the report in visualizing the property. The appraiser has made no survey of the property.

3. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand, or as otherwise required by law.

4. Any distribution of valuation between land and improvements in the report applies only under the existing program of utilization. These separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used.

5. The appraiser has no knowledge of any hidden or unapparent conditions of the property or adverse environmental conditions (including the presence of hazardous waste, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. This appraisal report must not be considered an environmental assessment of the subject property.

6. The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.

7. The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice, and any applicable federal, state or local laws.

8. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that completion of the improvements will be performed in a workmanlike manner.

9. The appraiser must provide his or her prior written consent before the lender/client specified in the appraisal report can distribute the appraisal report (including conclusions about the property value, the appraiser's identity and professional designations, and references to any professional appraisal organizations or the firm with which the appraiser is associated) to anyone other than the borrower; the mortgagee or its successors and assigns; the mortgage insurer; consultants; professional appraisal organizations; any state or federally approved financial institution; or any department, agency, or instrumentality of the United States or any state or the District of Columbia; except that the lender/client may distribute the property description section of the report only to data collection or reporting service(s) without having to obtain the appraiser's prior written consent. The appraiser's written consent and approval must also be obtained before the appraisal can be conveyed by anyone to the public through advertising, public relations, news, sales, or other media.

10. The appraiser is not an employee of the company or individual(s) ordering this report and compensation is not contingent upon the reporting of a predetermined value or direction of value or upon an action or event resulting from the analysis, opinions, conclusions, or the use of this report. This assignment is not based on a required minimum, specific valuation, or the approval of a loan.

Form ACR2 — "WinTOTAL" appraisal software by a la mode, inc. — 1-800-ALAMODE

File No.

CERTIFICATION: The appraiser certifies and agrees that:

1. The statements of fact contained in this report are true and correct.

2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial and unbiased professional analyses, opinions, and conclusions.

3. Unless otherwise indicated, I have no present or prospective interest in the property that is the subject of this report and no personal interest interest with respect to the parties involved.

4. Unless otherwise indicated, I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

5. I have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.

6. My engagement in this assignment was not contingent upon developing or reporting predetermined results.

7. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

8. My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.

9. Unless otherwise indicated, I have made a personal inspection of the interior and exterior areas of the property that is the subject of this report, and the exteriors of all properties listed as comparables.

10. Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification (if there are exceptions, the name of each individual providing significant real property appraisal assistance is stated elsewhere in this report).

ADDRESS OF PROPERTY ANALYZED: 2077-02-2-08-045 #1, Cherry Hills Village, CO 80113

APPRAISER:

Signature:
Name: Jeffrey J. Bernatow
Designation: State Certified Appraiser
State Certification #: CR40013179
or State License #:
State: CO Expiration Date of Certification or License: 12/31/2013
Date Signed: August 29, 2013

SUPERVISORY or CO-APPRAISER (if applicable):

Signature:
Name:
Designation:
State Certification #:
or State License #:
State: Expiration Date of Certification or License:
Date Signed:
☐ Did ☐ Did Not Inspect Property

Form ACR2 — "WinTOTAL" appraisal software by a la mode, inc. — 1-800-ALAMODE

Borrower/Client	N/A			File No.	
Property Address	2077-02-2-08-045 #1				
City	Cherry Hills Village	County Arapahoe		State CO	Zip Code 80113
Lender	Blue Hill Land Company LLC/Parker Semler				

APPRAISAL AND REPORT IDENTIFICATION

This Appraisal Report is one of the following types:

- ☐ Self Contained (A written report prepared under Standards Rule 2-2(a) , pursuant to the Scope of Work, as disclosed elsewhere in this report.)
- ☒ Summary (A written report prepared under Standards Rule 2-2(b) , pursuant to the Scope of Work, as disclosed elsewhere in this report.)
- ☐ Restricted Use (A written report prepared under Standards Rule 2-2(c) , pursuant to the Scope of Work, as disclosed elsewhere in this report, restricted to the stated intended use by the specified client or intended user.)

Comments on Standards Rule 2-3

I certify that, to the best of my knowledge and belief:

— The statements of fact contained in this report are true and correct.

— The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.

— Unless otherwise indicated, I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.

— Unless otherwise indicated, I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

— I have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.

— My engagement in this assignment was not contingent upon developing or reporting predetermined results.

— My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

— My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.

— Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.

— Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification (if there are exceptions, the name of each individual providing significant real property appraisal assistance is stated elsewhere in this report).

Comments on Appraisal and Report Identification

Note any USPAP related issues requiring disclosure and any State mandated requirements:

This is a SUMMARY REPORT. As such the report contains a summary of all information significant to the solution of the appraisal problem. Therefore, the reader of the report should expect to find all significant data reported in tabular or abbreviated narrative formats. The report does not contain all information that the appraiser may have considered, researched and analyzed. That supplemental and supporting data is retained in the appraiser's work file.

HIGHEST & BEST USE: The existing use of the subject currently, as of the effective date of this report, is improved residential as described herein. The Highest and Best Use is what is physically possible, legally permissible and feasible (appropriate within the context of various factors including economic, neighborhood characteristics and overall property analysis). Current zoning (R3- Residential) permits residential, and that is what currently exists on the site. The dwelling, as detailed herein, in the appraiser's opinion is appropriate in terms of design, size and quality which are typical for this neighborhood (similar to the comparables used in this report). The highest and best use, in the appraiser's opinion, is the current use with the existing improvements.

APPRAISER:

Signature:
Name: Jeffrey C. Bernatow
Designation: State Certified Appraiser
Date Signed: August 29, 2013
State Certification #: CR40013179
or State License #:
State: CO
Expiration Date of Certification or License: 12/31/2013

Effective Date of Appraisal: 08/21/2013

SUPERVISORY APPRAISER (only if required):

Signature:
Name:
Designation:
Date Signed:
State Certification #:
or State License #:
State:
Expiration Date of Certification or License:
Supervisory Appraiser inspection of Subject Property:
☐ Did Not ☐ Exterior-only from street ☐ Interior and Exterior

Supplemental Addendum

File No.

Borrower/Client	N/A				
Property Address	2077-02-2-08-045 #1				
City	Cherry Hills Village	County Arapahoe		State CO	Zip Code 80113
Lender	Blue Hill Land Company LLC/Parker Semler				

EFFECTIVE DATE OF VALUATION:

The effective data of this valuation is 08/21/2013. This date coincides with the valuation (inspection) date in this report. The appraiser accepts no responsibility for any event which would affect market value subsequent to 08/21/2013.

PURPOSE OF THE REPORT:

The purpose of this analysis is to measure the market value of the fee simple interest in the subject property. The intended use is to assist the client (Blue Hill Land Company LLC/Parker Semler) and the client's client in financial decisions relative to a future subdivision of the land as well as for tax purposes. The intended users include the client and the client's assigns as necessary. This analysis and report is prepared for the sole and exclusive use of the client, and its use or reliance on by anyone other than the client or their assigns as noted herein is prohibited. Neither the appraiser nor appraiser's firm have a financial liability beyond the fee collected for this appraisal analysis.

Property rights being appraised are fee simple. Fee Simple is defined as "absolute ownership unencumbered by any other interest or estate, subject only domain, police power, and escheat". (The Dictionary of Real Estate Appraisal, Appraisal Institute, Third Edition, Published 1993)

OBJECTIVE/SCOPE:

The scope of this appraisal analysis includes inspection of the subject property and it's immediate geographic location; collection of general market information relative to items that may have an impact on the value of the subject property; collection of specific market information that forms the basis for the market's interpretation of the subject property's value under the definition of Market Value; determination and application of the appropriate methodologies and approaches to value; reconciliation of the analyses into an opinion of market value as defined for the subject property. No personal property is included in the opinion of value. The LAND form is an integral part of the scope of this appraisal. The LAND form has been completed for the subject property as requested by the intended user, Blue Hill Land Company LLC/Parker Semler.

Data sources include, but are not limited to cost estimating services, rental property agencies, newspapers, professional journals and articles, the local metrolist system and county data as available through public sources. Confirmation and verification of information provided by others is made through multiple sources including agents, buyers, sellers and county data. In cases where direct confirmation by an active participant in the transaction was not possible, the data is verified through county sources. Metrolist type information is assumed to be correct unless otherwise identified, then corrected or not used.

The form utilizes the steps, data analysis, and reasoning essential to the valuation process. This addendum further explains the reasoning of the final value estimate.

Although estimating marketing time for the subject is difficult, based on sold information of homes in the area coupled with an aggressive marketing plan, the subject home in the current market would sell in 9 to 36 months. Information on days on market were researched from Information Advantage and the Multiple Listing Service.

EXTRAORDINARY ASSUMPTIONS:

This is an "Extraordinary Assumption" which is defined by the Uniform Standards of Professional Appraisal Practice as "An assumption, directly related to a specific assignment, as of the effective date of the assignment results, which, if found to be false, could alter the appraiser's opinions or conclusions."

Supplemental Addendum

File No.

Borrower/Client	N/A				
Property Address	2077-02-2-08-045 #1				
City	Cherry Hills Village	County Arapahoe		State CO	Zip Code 80113
Lender	Blue Hill Land Company LLC/Parker Semler				

Extraordinary assumptions presume as fact otherwise uncertain information about the property.

- *Hypothetical conditions* are defined as that which is contrary to what exists but is supposed for the purpose of analysis. The comment to the definition explain that hypothetical conditions assume conditions contrary to known facts
- about physical, legal, or economic conditions,
- or about conditions or facts lying outside the observable scope of discussion or analysis but potentially affecting the scope or results of analysis or direction of discussion (such as market conditions or trends known to be contrary to known conditions),
- or about the accuracy, reliability, or integrity of data on which an analysis may be based.
-

Hypothetical conditions are assumptions made for the purpose of discussion or analysis which are known to be contrary to known facts and are distinguished from *extraordinary assumptions* which are assumptions made also for the purpose of discussion or analysis, but regarding facts or conditions which are merely uncertain or undetermined.

The distinction between hypothetical conditions and extraordinary assumptions can carry a legal consequence and are most important in analytical fields where calculations or representations of professional opinions based on such assumptions are communicated by a professional to a client or end user, such as through an attest function.

Appraiser Instructions from page one of the report:

The appraiser has been asked to complete this assignment utilizing a Hypothetical condition Appraise the 2.39 acre parcel as if had already been subdivided into two separate 1.1 acre parcels of land and are deeded separately.

TAX INFORMATION:

The subject property is located within the following taxing jurisdictions:

a. City of Cherry Hills Village
b. Arapahoe County
c. Arapahoe County School District
d. Regional Transportation District

A search of the public records revealed no other special taxing district which would adversely affect the market value of the subject property.

SALES COMPARISON COMMENTS:

The subject is a typical parcel of land for the area. There are few parcels of land for sale within the general market area, generating an under supply within the market. The subject along with the comparables are all located in the same Cherry Hills Village/Greenwood Village metro market area.

ADDITIONAL COMMENTS:

AC = central air conditioning; AF = attic fan; BA = burglar alarm; CF = ceiling fans; CPT = carpeting; CV = central vacuum; DE = deck; DET = detached; EC = evaporative cooler; FE = fence; FLG = flagstone; GL = fireplace with gas log; HW = hardwood flooring; HT = hot tub; HU = humidifier; HW = hardwood flooring; IC = intercom; JA = Jacuzzi tub; MB = marble; NC = new carpet; PL = swimming pool; PR = porch; PT = patio; SF = square feet; SKYS = sky lights; SPK = sprinkler system; SW = storm windows; TL = tiles; UT = utility shed; WB = wet bar; WO = walkout basement; 6P = six panel doors.

F.I.R.R.E.A. guidelines state cash or cash equivalent is utilized for the basis of comparison; this appraisal has been completed according to these guidelines.

Supplemental Addendum

File No.

Borrower/Client	N/A				
Property Address	2077-02-2-08-045 #1				
City	Cherry Hills Village	County Arapahoe	State CO	Zip Code 80113	
Lender	Blue Hill Land Company LLC/Parker Semler				

Land use and utility are demonstrated within the appraisal report as percentages. The other land use within the appraisal report is for miscellaneous differing uses and utility. "Other" uses encompass uses that in this case are land that is NOT one unit, 2-4 unit, multi family or commercial. Examples of this are vacant land, streets, sidewalks and alleys that are maintained by City or County municipality, easements for utility companies, libraries, schools and maintenance facilities, RTD park and ride lots as well as egress and ingress. Greenbelts, lakes, parks and open space areas and "other" publicly incorporated land that do not fit into the following uses, one unit, 2-4 unit, multi family or commercial are included in this percentage.

PERSONAL PROPERTY: No personal property is included in the estimate of value.

Concessions are typical in this market and are contributed in most transactions, down payment assist programs that effect sales prices are adjusted dollar for dollar that the seller contributed to such programs as per state and H.U.D mandates.

Exposure time is estimated at three to nine months. The date the report is signed should also be known as the date of the report.

I have inspected the property noted above, and based on these inspection, find it to be safe, sound and sanitary. There are no visible signs of damage requiring repairs. This is not a guaranty of warranty of any kind.

I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report, within the three year period immediately preceding acceptance of this agreement.

THE FINAL VALUE CONCLUSION FOR THE SUBJECT PROPERTY IS 506,000.

08/21/2013

APPRAISER(s):

Jeffrey J. Bernatow
CR 40013179
Certified Residential Appraiser

Licence

STATE OF COLORADO
Department of Regulatory Agencies
Division of Real Estate

Active
Cert Residential Appraiser

PRINTED ON SECURE PAPER

Number	Issue Date	Expires
4001319	Jan 1 2011	Dec 31 2013

JEFFREY JAMES BERNATOW
THORNTON, CO 80260

COPY

Marcia Waters
Program Administrator

Licensee Signature

Subject Land Photo Page

Borrower/Client	N/A				
Property Address	2077-02-2-08-045 #1				
City	Cherry Hills Village	County	Arapahoe	State CO	Zip Code 80113
Lender	Blue Hill Land Company LLC/Parker Semler				

Subject

2077-02-2-08-045 #1

Sales Price	0
Date of Sale	
Site Area	
Location	Cherry Hills Village
Water/sewer/Gas Tap	None/Not paid
Topography	Slope to the Southwes

$/Sq. Ft.

Subject

Subject

Subject Land Photo Page

Borrower/Client	N/A						
Property Address	2077-02-2-08-045 #1						
City	Cherry Hills Village	County	Arapahoe	State	CO	Zip Code	80113
Lender	Blue Hill Land Company LLC/Parker Semler						

Subject

2077-02-2-08-045 #1

Sales Price	0
Date of Sale	
Site Area	
Location	Cherry Hills Village
Water/sewer/Gas Tap	None/Not paid
Topography	Slope to the Southwes

$/Sq. Ft.

Subject

Subject Street

Subject Land Photo Page

Borrower/Client	N/A						
Property Address	2077-02-2-08-045 #1						
City	Cherry Hills Village	County	Arapahoe	State	CO	Zip Code	80113
Lender	Blue Hill Land Company LLC/Parker Semler						

Subject Street

2077-02-2-08-045 #1

Sales Price	0
Date of Sale	
Site Area	
Location	Cherry Hills Village
Water/sewer/Gas Tap	None/Not paid
Topography	Slope to the Southwes
$/Sq. Ft.	

Subject Rear

Subject Street

Comparable Photo Page

Borrower/Client	N/A						
Property Address	2077-02-2-08-045 #1						
City	Cherry Hills Village	County	Arapahoe	State	CO	Zip Code	80113
Lender	Blue Hill Land Company LLC/Parker Semler						

Comparable 1

11 E Layton Ln

Prox. to Subj.	1.39 MILES S
Sales Price	572,500
G.L.A.	
Tot. Rooms	
Tot. Bedrms.	
Tot. Bathrms.	
Location	Cherry Hills Village
View	1.05 ac,Interior
Site	
Quality	
Age	

Comparable 2

15 Layton Ln

Prox. to Subj.	1.40 MILES S
Sales Price	535,000
G.L.A.	
Tot. Rooms	
Tot. Bedrms.	
Tot. Bathrms.	
Location	Cherry Hills Village
View	1 ac,Interior
Site	
Quality	
Age	

Comparable 3

2 Brookside Drive

Prox. to Subj.	1.86 MILES S
Sales Price	536,801
G.L.A.	
Tot. Rooms	
Tot. Bedrms.	
Tot. Bathrms.	
Location	Greenwood Village
View	1.0 ac,Interior
Site	
Quality	
Age	

Comparable Photo Page

Borrower/Client	N/A						
Property Address	2077-02-2-08-045 #1						
City	Cherry Hills Village	County	Arapahoe	State	CO	Zip Code	80113
Lender	Blue Hill Land Company LLC/Parker Semler						

Comparable 4

24 Cherry Lane Dr
Prox. to Subj. 2.07 MILES E
Sales Price 530,000
G.L.A.
Tot. Rooms
Tot. Bedrms.
Tot. Bathrms.
Location Cherry Hills Village
View 1.14 ac,Interior
Site
Quality
Age

Comparable 5

1009 E Belleview Ave
Prox. to Subj. 1.75 MILES S
Sales Price 300,000
G.L.A.
Tot. Rooms
Tot. Bedrms.
Tot. Bathrms.
Location Cherry Hills Village
View 1.04 ac,Traffic
Site
Quality
Age

Comparable 6

4080 Preserve Pkwy
Prox. to Subj. 3.01 MILES SE
Sales Price 550,000
G.L.A.
Tot. Rooms
Tot. Bedrms.
Tot. Bathrms.
Location Greenwood Village
View .82 ac,Interior
Site
Quality
Age

Comparable Photo Page

Borrower/Client	N/A						
Property Address	2077-02-2-08-045 #1						
City	Cherry Hills Village	County	Arapahoe	State	CO	Zip Code	80113
Lender	Blue Hill Land Company LLC/Parker Semler						

Comparable 7

4068 Preserve Pkwy

Prox. to Subj.	3.02 MILES SE
Sales Price	550,000
G.L.A.	
Tot. Rooms	
Tot. Bedrms.	
Tot. Bathrms.	
Location	Greenwood Village
View	.79 ac,Interior
Site	
Quality	
Age	

Comparable 8

5080 S Clarkson St

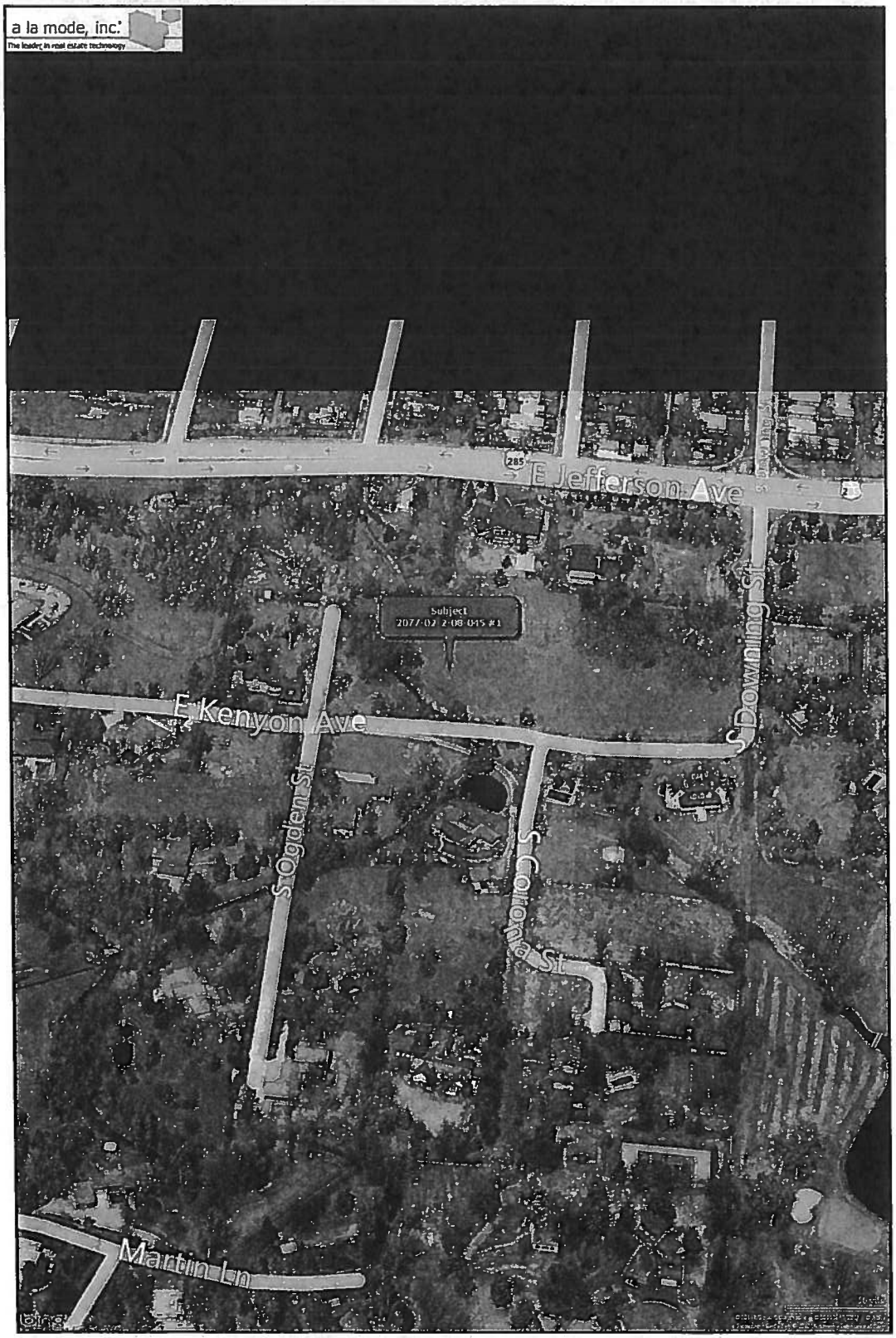
Prox. to Subj.	1.76 MILES S
Sales Price	600,000
G.L.A.	
Tot. Rooms	
Tot. Bedrms.	
Tot. Bathrms.	
Location	Cherry Hills Village
View	1.52 ac,Traffic
Site	
Quality	
Age	

Comparable 9

Prox. to Subj.	
Sales Price	
G.L.A.	
Tot. Rooms	
Tot. Bedrms.	
Tot. Bathrms.	
Location	
View	
Site	
Quality	
Age	

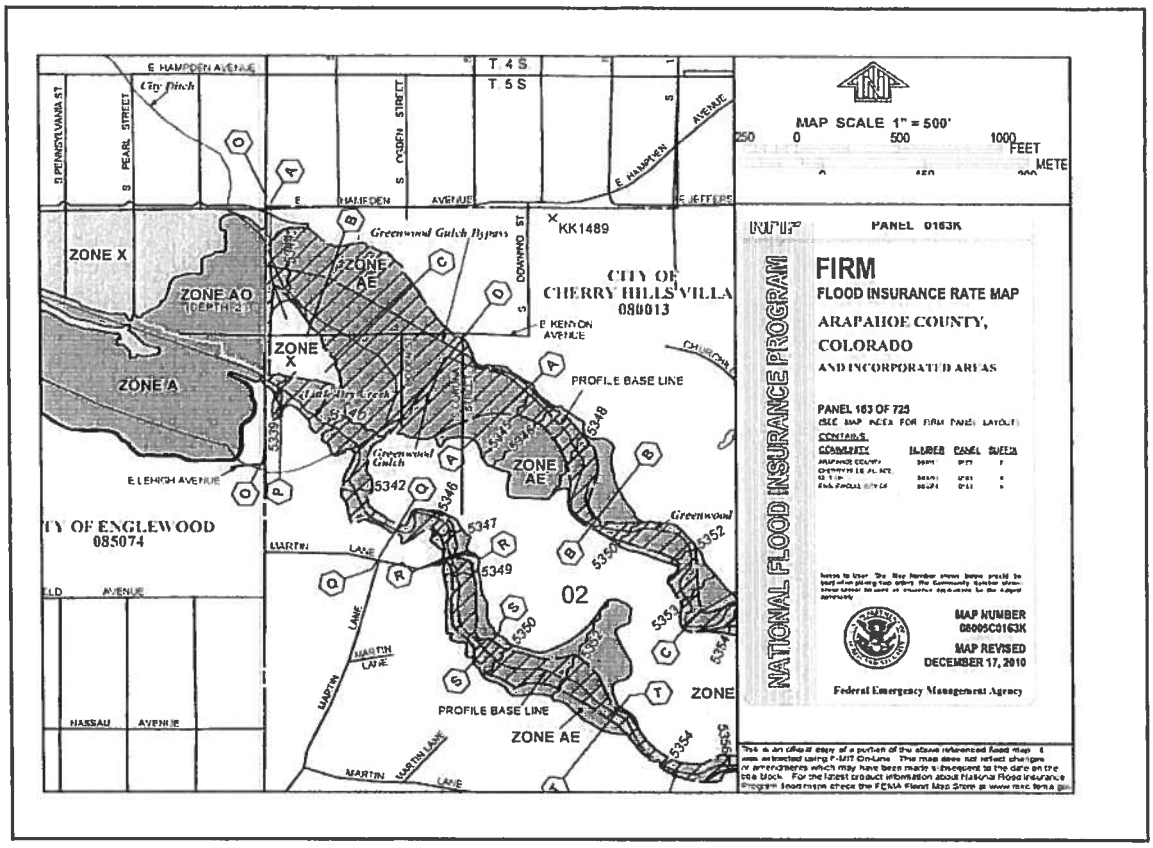
Aerial Map

Borrower/Client	N/A				
Property Address	2077-02-2-08-045 #1				
City	Cherry Hills Village	County	Arapahoe	State CO	Zip Code 80113
Lender	Blue Hill Land Company LLC/Parker Semler				



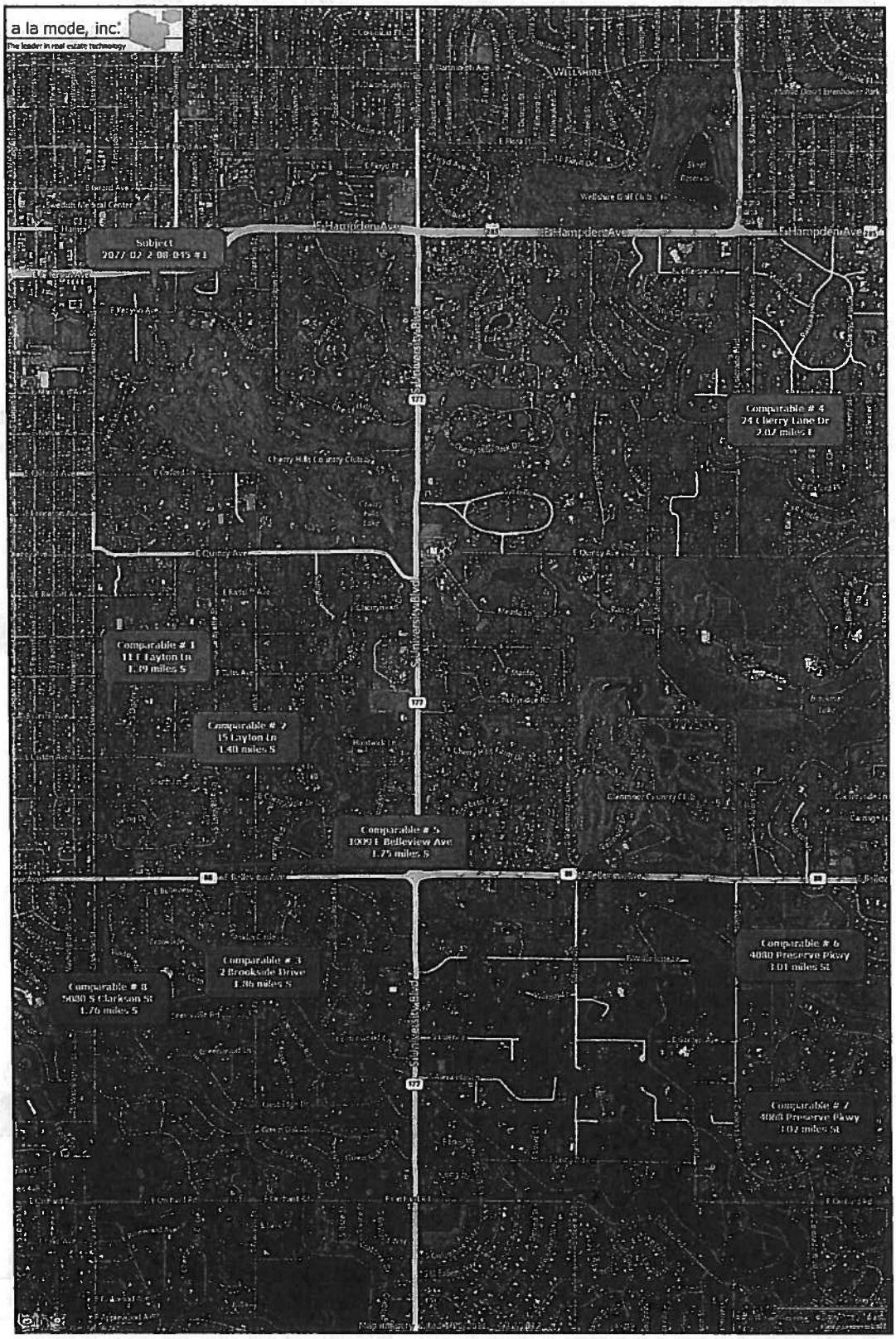
Survey

Flood Map


E HAMPDEN AVENUE
City Ditch
T 4 S
T 5 S
S PENNSYLVANIA ST
S PEARL STREET
S OGDEN STREET
E HAMPDEN AVENUE
MAP SCALE 1" = 500'
250 0 500 1000 FEET
ZONE X
ZONE AO
ZONE A
ZONE X
ZONE AE
Greenwood Gulch Bypass
KK1489
CITY OF CHERRY HILLS VILLA
080013
E KENYON AVENUE
PROFILE BASE LINE
ZONE AE
E LEHIGH AVENUE
CITY OF ENGLEWOOD
085074
MARTIN LANE
5339
5342
5346
5347
5348
5349
5350
5352
5353
5354
02
ZONE
ZONE AE
NASSAU AVENUE
NATIONAL FLOOD INSURANCE PROGRAM
PANEL 0163K
FIRM
FLOOD INSURANCE RATE MAP
ARAPAHOE COUNTY, COLORADO
AND INCORPORATED AREAS
PANEL 163 OF 725
CONTAINS:
COMMUNITY NUMBER PANEL SUFFIX
MAP NUMBER
08005C0163K
MAP REVISED
DECEMBER 17, 2010
Federal Emergency Management Agency

Location Map

Borrower/Client	N/A						
Property Address	2077-02-2-08-045 #1						
City	Cherry Hills Village	County	Arapahoe	State	CO	Zip Code	80113
Lender	Blue Hill Land Company LLC/Parker Semler						



INVOICE

FROM:

Jeff Bernatow
2727 W. 92nd Ave
Suite 200E
Thornton, CO 80260
Telephone Number: 303.200.4779 Fax Number: 303.200.4788

INVOICE NUMBER
Semler2

DATE
08/22/2013

TO:

Blue Hill Land Company LLC/Parker Semler

Telephone Number: Fax Number:
Alternate Number: E-Mail:

REFERENCE

Internal Order #:
Lender Case #:
Client File #:
Main File # on form:
Other File # on form:
Federal Tax ID:
Employer ID:

DESCRIPTION

Lender: Blue Hill Land Company LLC/Parker Semler Client: Blue Hill Land Company LLC/Parker Semler
Purchaser/Borrower: N/A
Property Address: 2077-02-2-08-045 #2
City: Cherry Hills Village
County: Arapahoe State: CO Zip: 80113
Legal Description: S 1/2 BLK 7HIGGINS S BROADWAY HTS TOG WITH VACATED E KENYON AVE & S DOWNING ST ADERS NO J

FEES	AMOUNT
Land Appraisal	200.00
SUBTOTAL	200.00

PAYMENTS			AMOUNT
Check #:	Date:	Description:	
Check #:	Date:	Description:	
Check #:	Date:	Description:	
		SUBTOTAL	
		TOTAL DUE	$ 200.00

LAND APPRAISAL REPORT

Summary Appraisal Report

File No.

SUBJECT

Borrower N/A Census Tract 0059.51 Map Reference Pierson Page 344

Property Address 2077-02-2-08-045 #2

City Cherry Hills Village County Arapahoe State CO Zip Code 80113

Legal Description S 1/2 BLK 7HIGGINS S BROADWAY HTS TOG WITH VACATED E KENYON AVE & S DOWNING ST ADERS NO J

Sale Price $ 0 Date of Sale Loan Term yrs. Property Rights Appraised ☒ Fee ☐ Leasehold ☐ De Minimis PUD

Actual Real Estate Taxes $ 21,180 (yr) Loan charges to be paid by seller $ Other sales concessions

Lender/Client Blue Hill Land Company LLC/Parker Semler Address

Occupant N/A Appraiser Jeffrey J. Bernatow Instructions to Appraiser See General Text Addendum

NEIGHBORHOOD

Location	☐ Urban	☒ Suburban	☐ Rural
Built Up	☐ Over 75%	☒ 25% to 75%	☐ Under 25%
Growth Rate	☐ Fully Dev. ☐ Rapid	☐ Steady	☒ Slow
Property Values	☐ Increasing	☒ Stable	☐ Declining
Demand/Supply	☐ Shortage	☒ In Balance	☐ Oversupply
Marketing Time	☐ Under 3 Mos.	☐ 4-6 Mos.	☒ Over 6 Mos.

	Good	Avg.	Fair	Poor
Employment Stability	☒	☐	☐	☐
Convenience to Employment	☒	☐	☐	☐
Convenience to Shopping	☒	☐	☐	☐
Convenience to Schools	☒	☐	☐	☐
Adequacy of Public Transportation	☒	☐	☐	☐
Recreational Facilities	☒	☐	☐	☐
Adequacy of Utilities	☒	☐	☐	☐
Property Compatibility	☒	☐	☐	☐
Protection from Detrimental Conditions	☒	☐	☐	☐
Police and Fire Protection	☒	☐	☐	☐
General Appearance of Properties	☒	☐	☐	☐
Appeal to Market	☒	☐	☐	☐

Present Land Use 55 % One-Unit 5 % 2-4 Unit 5 % Apts. 10 % Condo 10 % Commercial 0 % Industrial 15 % Vacant %

Change in Present Land Use ☐ Not Likely ☒ Likely (*) ☐ Taking Place (*) (*) From Vacant land To Residential Property

Predominant Occupancy ☒ Owner ☐ Tenant 5 % Vacant

One-Unit Price Range $ 75 to $ 2,700 Predominant Value $ 275

One-Unit Age Range 0 yrs. to 127 yrs. Predominant Age 66 yrs.

Comments including those factors, favorable or unfavorable, affecting marketability (e.g. public parks, schools, view, noise) The subject is located in Arapahoe County in the City of Cherry Hills Village. It's area is comprised primarily of single family detached homes of good to very good quality, located on small acreages. Noise levels are considered low. Views are primarily of plains, the mountains, and various water bodies in the area. Proximity to all support facilities is good.

SITE

Dimensions Roughly Rectangular = 1.18 Acres ☐ Corner Lot

Zoning Classification R3- Residential Acreage Present Improvements ☒ Do ☐ Do Not Conform to Zoning Regulations

Highest and Best Use ☒ Present Use ☐ Other (specify)

	Public	Other (Describe)
Elec.	☐	None
Gas	☐	None
Water	☐	None
San. Sewer	☐	None
	☐ Underground Elect. & Tel.	

OFF SITE IMPROVEMENTS

Street Access ☒ Public ☐ Private

Surface Asphalt

Maintenance ☒ Public ☐ Private

☐ Storm Sewer ☐ Curb/Gutter

☐ Sidewalk ☐ Street Lights

Topo Slope to the Southwest

Size 1.18 Acres

Shape Roughly Rectangular

View Residential/Natural surroundings

Drainage Slope to the Southwest

Is the property located in a FEMA Special Flood Hazard Area? ☒ Yes ☐ No

Comments (favorable or unfavorable including any apparent adverse easements, encroachments, or other adverse conditions) Typical access and utility easements with no encroachments observed at the time of inspection. Exact easements and site dimensions are unknown, no survey was provided. The City Ditch runs through the property with no water rights are attached to the property.

MARKET DATA ANALYSIS

The undersigned has recited the following recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to or more favorable than the subject property, a minus (–) adjustment is made, thus reducing the indicated value of subject; if a significant item in the comparable is inferior to or less favorable than the subject property, a plus (+) adjustment is made thus increasing the indicated value of the subject.

ITEM	SUBJECT PROPERTY	COMPARABLE NO. 1		COMPARABLE NO. 2		COMPARABLE NO. 3	
Address	2077-02-2-08-045 #2 Cherry Hills Village, CO 80113	11 E Layton Ln Cherry Hills Village, CO 80113		15 Layton Ln Englewood, CO 80113		2 Brookside Drive Greenwood Village, CO 80121	
Proximity to Subject		1.35 MILES S		1.40 MILES S		1.87 MILES S	
Sales Price	$ 0		$ 572,500		$ 535,000		$ 536,801
Price $/Sq. Ft.	$		$ 11.429		$ 12.282		$ 12.323
Data Source(s)	Inspection	Realtor#1135550		Realtor#1060034		Realtor#1061630	
ITEM	DESCRIPTION	DESCRIPTION	+(–)$ Adjust.	DESCRIPTION	+(–)$ Adjust.	DESCRIPTION	+(–)$ Adjust.
Date of Sale/Time Adj.		12/17/2012		06/07/2012		03/30/2012	
Location	Cherry Hills Village	Cherry Hills Village		Cherry Hills Village		Greenwood Village	
Site/View	1.18 Ac,Interior	1.15 ac,Interior		1 ac,Interior		1 ac,Interior	
Water/sewer/Gas Tap	None/Not paid	None/Partial Paid		None/Not paid		Installed/paid	-20,000
Topography	Slope to the Southwest	Generally Level	-25,000	Generally Level	-28,600	Generally Level	-25,000
Sales or Financing Concessions		No Concessions CONV 16 DOM		No Concessions CASH 928 DOM		No Concessions CASH 552 DOM	
Net Adj. (Total)		☐ + ☒ –	$ -25,000	☐ + ☒ –	$ -28,600	☐ + ☒ –	$ -45,000
Indicated Value of Subject		Net 4.4 % Gross 4.4 %	$ 547,500	Net 5.3 % Gross 5.3 %	$ 506,400	Net 8.4 % Gross 8.4 %	$ 491,801

Comments on Market Data Most weight is given sale one, two, three and four as these are the most similar to the subject in terms of size and location. Similar weight is given each remaining sale considering location, and overall market appeal. See addendum for comments on sales comparisons.

RECONCILIATION

Comments and Conditions of Appraisal Subject Property is appraised "as is" reflecting no apparent adverse conditions. No personal property, or chattel, is included in the final value estimate of this appraisal.

Final Reconciliation A weighted average is utilized in determining value. Each sale is weighted considering size and overall appeal. Sold comparables are all given similar weight as they are the best indicators of value. These comparables are given the most weight. The remaining comparables are given little weight, although they are similar in many ways these comparables are not closest comparables and only demonstrate current market activity.

I (WE) ESTIMATE THE MARKET VALUE, AS DEFINED, OF THE SUBJECT PROPERTY AS OF 08/21/2013 TO BE $ 508,000

Appraiser Jeffrey J. Bernatow	Supervisory Appraiser (if applicable)
Date of Signature and Report August 29, 2013	Date of Signature
Title State Certified Appraiser	Title
State Certification # CR40013179 ST CO	State Certification # ST
Or State License # ST	Or State License # ST
Expiration Date of State Certification or License 12/31/2013	Expiration Date of State Certification or License
Date of Inspection (if applicable) 08/21/2013	☐ Did ☐ Did Not Inspect Property Date of Inspection

ADDITIONAL COMPARABLE SALES

File No.

ITEM	SUBJECT PROPERTY	COMPARABLE NO. 4		COMPARABLE NO. 5		COMPARABLE NO. 6	
Address	2077-02-2-08-045 #2 Cherry Hills Village, CO 80113	24 Cherry Lane Dr Cherry Hills Village, CO 80113		1009 E Belleview Ave Cherry Hills Village, CO 80113		4080 Preserve Pkwy Greenwood Village, CO 80121	
Proximity to Subject		2.08 MILES E		1.76 MILES S		3.04 MILES SE	
Sales Price	$ 0		$ 530,000		$ 300,000		$ 550,000
Price $/Sq. Ft.	$		$ 11		$ 12		$ 15
Data Source(s)	Inspection	Realtor#1062627		Realtor#1117893		Realtor#692172	
ITEM	DESCRIPTION	DESCRIPTION	+(−)$ Adjust.	DESCRIPTION	+(−)$ Adjust.	DESCRIPTION	+(−)$ Adjust.
Date of Sale/Time Adj.		05/01/2012		10/12/2012		Active Listing	-24,000
Location	Cherry Hills Village	Cherry Hills Village		Cherry Hills Village		Greenwood Village	
Site/View	1.18 Ac,Interior	1.14 ac,Interior		1.04 ac,Traffic	+25,000	.82 ac,Interior	
Water/sewer/Gas Tap	None/Not paid	Installed/paid	-20,000	Installed/Well,Septic	-20,000	Installed/paid	-20,000
Topography	Slope to the Southwest	Generally Level	-25,000	Generally Level	-25,000	Generally Level	-25,000
Sales or Financing Concessions		No Concessions CONV 107 DOM		No Concessions CASH 59 DOM		Active List date 08/15/2008	
Net Adj. (Total)		☐ + ☒ −	$ -45,000	☐ + ☒ −	$ -20,000	☐ + ☒ −	$ -69,000
Indicated Value of Subject		Net 8.5 % Gross 8.5 %	$ 485,000	Net 6.7 % Gross 23.3 %	$ 280,000	Net 12.5 % Gross 12.5 %	$ 481,000

Comments on Market Data

MARKET DATA ANALYSIS

Form LAND.(AC) — "WinTOTAL" appraisal software by a la mode, inc. — 1-800-ALAMODE

ADDITIONAL COMPARABLE SALES

File No.

ITEM	SUBJECT PROPERTY	COMPARABLE NO. 7		COMPARABLE NO. 8		COMPARABLE NO. 9	
Address	2077-02-2-08-045 #2 Cherry Hills Village, CO 80113	4068 Preserve Pkwy Greenwood Village, CO 80121		5080 S Clarkson St Cherry Hills Village, CO 80113			
Proximity to Subject		3.05 MILES SE		1.77 MILES S			
Sales Price	$ 0		$ 550,000		$ 600,000		$
Price $/Sq. Ft.	$		$ 16		$ 9.062		$
Data Source(s)	Inspection	Realtor#693281		Realtor#1213694			
ITEM	DESCRIPTION	DESCRIPTION	+(−)$ Adjust.	DESCRIPTION	+(−)$ Adjust.	DESCRIPTION	+(−)$ Adjust.
Date of Sale/Time Adj.		Active Listing	-24,000	Active Listing	-24,000		
Location	Cherry Hills Village	Greenwood Village		Cherry Hills Village			
Site/View	1.18 Ac,Interior	.79 ac,Interior		1.52 ac,Traffic	+25,000		
Water/sewer/Gas Tap	None/Not paid	Installed/paid	-20,000	Installed/Well,Septic	-20,000		
Topography	Slope to the Southwest	Generally Level	-25,000	Generally Level	-25,000		
Sales or Financing Concessions		Active List date 08/19/2008		Active List date 02/26/2013			
Net Adj. (Total)		☐ + ☒ −	$ -69,000	☐ + ☒ −	$ -44,000	☐ + ☐ −	$
Indicated Value of Subject		Net 12.5 % Gross 12.5 %	$ 481,000	Net 7.3 % Gross 15.7 %	$ 556,000	Net % Gross %	$

Comments on Market Data

MARKET DATA ANALYSIS

Form LAND.(AC) — "WinTOTAL" appraisal software by a la mode, inc. — 1-800-ALAMODE

File No.

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he considers his own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale. (Source: FDIC Interagency Appraisal and Evaluation Guidelines, October 27, 1994.)

*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgement.

STATEMENT OF LIMITING CONDITIONS AND CERTIFICATION

CONTINGENT AND LIMITING CONDITIONS: The appraiser's certification that appears in the appraisal report is subject to the following conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is valued on the basis of it being under responsible ownership.

2. Any sketch provided in the appraisal report may show approximate dimensions of the improvements and is included only to assist the reader of the report in visualizing the property. The appraiser has made no survey of the property.

3. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand, or as otherwise required by law.

4. Any distribution of valuation between land and improvements in the report applies only under the existing program of utilization. These separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used.

5. The appraiser has no knowledge of any hidden or unapparent conditions of the property or adverse environmental conditions (including the presence of hazardous waste, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. This appraisal report must not be considered an environmental assessment of the subject property.

6. The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.

7. The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice, and any applicable federal, state or local laws.

8. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that completion of the improvements will be performed in a workmanlike manner.

9. The appraiser must provide his or her prior written consent before the lender/client specified in the appraisal report can distribute the appraisal report (including conclusions about the property value, the appraiser's identity and professional designations, and references to any professional appraisal organizations or the firm with which the appraiser is associated) to anyone other than the borrower; the mortgagee or its successors and assigns; the mortgage insurer; consultants; professional appraisal organizations; any state or federally approved financial institution; or any department, agency, or instrumentality of the United States or any state or the District of Columbia; except that the lender/client may distribute the property description section of the report only to data collection or reporting service(s) without having to obtain the appraiser's prior written consent. The appraiser's written consent and approval must also be obtained before the appraisal can be conveyed by anyone to the public through advertising, public relations, news, sales, or other media.

10. The appraiser is not an employee of the company or individual(s) ordering this report and compensation is not contingent upon the reporting of a predetermined value or direction of value or upon an action or event resulting from the analysis, opinions, conclusions, or the use of this report. This assignment is not based on a required minimum, specific valuation, or the approval of a loan.

Form ACR2 — "WinTOTAL" appraisal software by a la mode, inc. — 1-800-ALAMODE

File No.

CERTIFICATION: The appraiser certifies and agrees that:

1. The statements of fact contained in this report are true and correct.

2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial and unbiased professional analyses, opinions, and conclusions.

3. Unless otherwise indicated, I have no present or prospective interest in the property that is the subject of this report and no personal interest interest with respect to the parties involved.

4. Unless otherwise indicated, I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

5. I have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.

6. My engagement in this assignment was not contingent upon developing or reporting predetermined results.

7. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

8. My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.

9. Unless otherwise indicated, I have made a personal inspection of the interior and exterior areas of the property that is the subject of this report, and the exteriors of all properties listed as comparables.

10. Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification (if there are exceptions, the name of each individual providing significant real property appraisal assistance is stated elsewhere in this report).

ADDRESS OF PROPERTY ANALYZED: 2077-02-2-08-045 #2, Cherry Hills Village, CO 80113

APPRAISER:

Signature:
Name: Jeffrey J. Bernatow
Designation: State Certified Appraiser
State Certification #: CR40013179
or State License #:
State: CO Expiration Date of Certification or License: 12/31/2013
Date Signed: August 29, 2013

SUPERVISORY or CO-APPRAISER (if applicable):

Signature:
Name:
Designation:
State Certification #:
or State License #:
State: Expiration Date of Certification or License:
Date Signed:
☐ Did ☐ Did Not Inspect Property

Form ACR2 — "WinTOTAL" appraisal software by a la mode, inc. — 1-800-ALAMODE

Borrower/Client	N/A			File No.	
Property Address	2077-02-2-08-045 #2				
City	Cherry Hills Village	County Arapahoe		State CO	Zip Code 80113
Lender	Blue Hill Land Company LLC/Parker Semler				

APPRAISAL AND REPORT IDENTIFICATION

This Appraisal Report is one of the following types:

- ☐ Self Contained (A written report prepared under Standards Rule 2-2(a) , pursuant to the Scope of Work, as disclosed elsewhere in this report.)
- ☒ Summary (A written report prepared under Standards Rule 2-2(b) , pursuant to the Scope of Work, as disclosed elsewhere in this report.)
- ☐ Restricted Use (A written report prepared under Standards Rule 2-2(c) , pursuant to the Scope of Work, as disclosed elsewhere in this report, restricted to the stated intended use by the specified client or intended user.)

Comments on Standards Rule 2-3

I certify that, to the best of my knowledge and belief:

— The statements of fact contained in this report are true and correct.

— The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.

— Unless otherwise indicated, I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.

— Unless otherwise indicated, I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

— I have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.

— My engagement in this assignment was not contingent upon developing or reporting predetermined results.

— My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

— My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.

— Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.

— Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification (if there are exceptions, the name of each individual providing significant real property appraisal assistance is stated elsewhere in this report).

Comments on Appraisal and Report Identification

Note any USPAP related issues requiring disclosure and any State mandated requirements:

This is a SUMMARY REPORT. As such the report contains a summary of all information significant to the solution of the appraisal problem. Therefore, the reader of the report should expect to find all significant data reported in tabular or abbreviated narrative formats. The report does not contain all information that the appraiser may have considered, researched and analyzed. That supplemental and supporting data is retained in the appraiser's work file.

HIGHEST & BEST USE: The existing use of the subject currently, as of the effective date of this report, is improved residential as described herein. The Highest and Best Use is what is physically possible, legally permissible and feasible (appropriate within the context of various factors including economic, neighborhood characteristics and overall property analysis). Current zoning (R3- Residential) permits residential, and that is what currently exists on the site. The dwelling, as detailed herein, in the appraiser's opinion is appropriate in terms of design, size and quality which are typical for this neighborhood (similar to the comparables used in this report). The highest and best use, in the appraiser's opinion, is the current use with the existing improvements.

APPRAISER:

Signature:
Name: Jeffrey J. Bernatow
Designation: State Certified Appraiser
Date Signed: August 29, 2013
State Certification #: CR40013179
or State License #:
State: CO
Expiration Date of Certification or License: 12/31/2013

Effective Date of Appraisal: 08/21/2013

SUPERVISORY APPRAISER (only if required):

Signature:
Name:
Designation:
Date Signed:
State Certification #:
or State License #:
State:
Expiration Date of Certification or License:
Supervisory Appraiser inspection of Subject Property:
☐ Did Not ☐ Exterior-only from street ☐ Interior and Exterior

Supplemental Addendum

File No.

Borrower/Client	N/A						
Property Address	2077-02-2-08-045 #2						
City	Cherry Hills Village	County	Arapahoe	State	CO	Zip Code	80113
Lender	Blue Hill Land Company LLC/Parker Semler						

EFFECTIVE DATE OF VALUATION:

The effective data of this valuation is 08/21/2013. This date coincides with the valuation (inspection) date in this report. The appraiser accepts no responsibility for any event which would affect market value subsequent to 08/21/2013.

PURPOSE OF THE REPORT:

The purpose of this analysis is to measure the market value of the fee simple interest in the subject property. The intended use is to assist the client (Blue Hill Land Company LLC/Parker Semler) and the client's client in financial decisions relative to a future subdivision of the land as well as for tax purposes. The intended users include the client and the client's assigns as necessary. This analysis and report is prepared for the sole and exclusive use of the client, and its use or reliance on by anyone other than the client or their assigns as noted herein is prohibited. Neither the appraiser nor appraiser's firm have a financial liability beyond the fee collected for this appraisal analysis.

Property rights being appraised are fee simple. Fee Simple is defined as "absolute ownership unencumbered by any other interest or estate, subject only domain, police power, and escheat". (The Dictionary of Real Estate Appraisal, Appraisal Institute, Third Edition, Published 1993)

OBJECTIVE/SCOPE:

The scope of this appraisal analysis includes inspection of the subject property and it's immediate geographic location; collection of general market information relative to items that may have an impact on the value of the subject property; collection of specific market information that forms the basis for the market's interpretation of the subject property's value under the definition of Market Value; determination and application of the appropriate methodologies and approaches to value; reconciliation of the analyses into an opinion of market value as defined for the subject property. No personal property is included in the opinion of value. The LAND form is an integral part of the scope of this appraisal. The LAND form has been completed for the subject property as requested by the intended user, Blue Hill Land Company LLC/Parker Semler.

Data sources include, but are not limited to cost estimating services, rental property agencies, newspapers, professional journals and articles, the local metrolist system and county data as available through public sources. Confirmation and verification of information provided by others is made through multiple sources including agents, buyers, sellers and county data. In cases where direct confirmation by an active participant in the transaction was not possible, the data is verified through county sources. Metrolist type information is assumed to be correct unless otherwise identified, then corrected or not used.

The form utilizes the steps, data analysis, and reasoning essential to the valuation process. This addendum further explains the reasoning of the final value estimate.

Although estimating marketing time for the subject is difficult, based on sold information of homes in the area coupled with an aggressive marketing plan, the subject home in the current market would sell in 9 to 36 months. Information on days on market were researched from Information Advantage and the Multiple Listing Service.

EXTRAORDINARY ASSUMPTIONS:

This is an "Extraordinary Assumption" which is defined by the Uniform Standards of Professional Appraisal Practice as "An assumption, directly related to a specific assignment, as of the effective date of the assignment results, which, if found to be false, could alter the appraiser's opinions or conclusions."

Supplemental Addendum

File No.

Borrower/Client	N/A				
Property Address	2077-02-2-08-045 #2				
City	Cherry Hills Village	County Arapahoe		State CO	Zip Code 80113
Lender	Blue Hill Land Company LLC/Parker Semler				

Extraordinary assumptions presume as fact otherwise uncertain information about the property.

- *Hypothetical conditions* are defined as that which is contrary to what exists but is supposed for the purpose of analysis. The comment to the definition explain that hypothetical conditions assume conditions contrary to known facts
- about physical, legal, or economic conditions,
- or about conditions or facts lying outside the observable scope of discussion or analysis but potentially affecting the scope or results of analysis or direction of discussion (such as market conditions or trends known to be contrary to known conditions),
- or about the accuracy, reliability, or integrity of data on which an analysis may be based.
-

Hypothetical conditions are assumptions made for the purpose of discussion or analysis which are known to be contrary to known facts and are distinguished from *extraordinary assumptions* which are assumptions made also for the purpose of discussion or analysis, but regarding facts or conditions which are merely uncertain or undetermined.

The distinction between hypothetical conditions and extraordinary assumptions can carry a legal consequence and are most important in analytical fields where calculations or representations of professional opinions based on such assumptions are communicated by a professional to a client or end user, such as through an attest function.

Appraiser Instructions from page one of the report:

The appraiser has been asked to complete this assignment utilizing a Hypothetical condition Appraise the 2.39 acre parcel as if had already been subdivided into two separate 1.1 acre parcels of land and are deeded separately.

TAX INFORMATION:

The subject property is located within the following taxing jurisdictions:

a. City of Cherry Hills Village
b. Arapahoe County
c. Arapahoe County School District
d. Regional Transportation District

A search of the public records revealed no other special taxing district which would adversely affect the market value of the subject property.

SALES COMPARISON COMMENTS:

The subject is a typical parcel of land for the area. There are few parcels of land for sale within the general market area, generating an under supply within the market. The subject along with the comparables are all located in the same Cherry Hills Village/Greenwood Village metro market area.

ADDITIONAL COMMENTS:

AC = central air conditioning; AF = attic fan; BA = burglar alarm; CF = ceiling fans; CPT = carpeting; CV = central vacuum; DE = deck; DET = detached; EC = evaporative cooler; FE = fence; FLG = flagstone; GL = fireplace with gas log; HW = hardwood flooring; HT = hot tub; HU = humidifier; HW = hardwood flooring; IC = intercom; JA = Jacuzzi tub; MB = marble; NC = new carpet; PL = swimming pool; PR = porch; PT = patio; SF = square feet; SKYS = sky lights; SPK = sprinkler system; SW = storm windows; TL = tiles; UT = utility shed; WB = wet bar; WO = walkout basement; 6P = six panel doors.

F.I.R.R.E.A. guidelines state cash or cash equivalent is utilized for the basis of comparison; this appraisal has been completed according to these guidelines.

Supplemental Addendum

File No.

Borrower/Client	N/A				
Property Address	2077-02-2-08-045 #2				
City	Cherry Hills Village	County Arapahoe	State CO	Zip Code 80113	
Lender	Blue Hill Land Company LLC/Parker Semler				

Land use and utility are demonstrated within the appraisal report as percentages. The other land use within the appraisal report is for miscellaneous differing uses and utility. "Other" uses encompass uses that in this case are land that is NOT one unit, 2-4 unit, multi family or commercial. Examples of this are vacant land, streets, sidewalks and alleys that are maintained by City or County municipality, easements for utility companies, libraries, schools and maintenance facilities, RTD park and ride lots as well as egress and ingress. Greenbelts, lakes, parks and open space areas and "other" publicly incorporated land that do not fit into the following uses, one unit, 2-4 unit, multi family or commercial are included in this percentage.

PERSONAL PROPERTY: No personal property is included in the estimate of value.

Concessions are typical in this market and are contributed in most transactions, down payment assist programs that effect sales prices are adjusted dollar for dollar that the seller contributed to such programs as per state and H.U.D mandates.

Exposure time is estimated at three to nine months. The date the report is signed should also be known as the date of the report.

I have inspected the property noted above, and based on these inspection, find it to be safe, sound and sanitary. There are no visible signs of damage requiring repairs. This is not a guaranty of warranty of any kind.

I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report, within the three year period immediately preceding acceptance of this agreement.

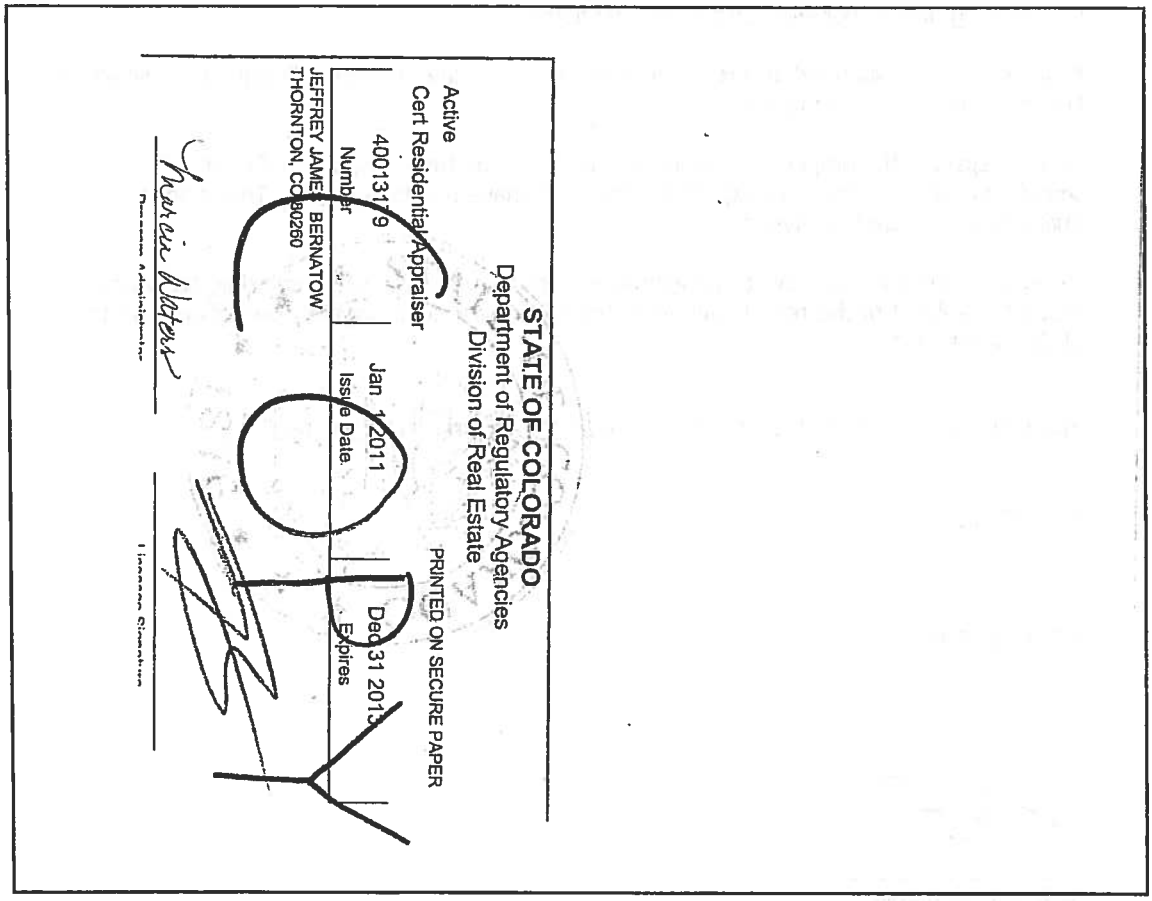
THE FINAL VALUE CONCLUSION FOR THE SUBJECT PROPERTY IS 508,000.

08/21/2013

APPRAISER(s):

Jeffrey J. Bernatow
CR 40013179
Certified Residential Appraiser

Licence



STATE OF COLORADO
Department of Regulatory Agencies
Division of Real Estate

PRINTED ON SECURE PAPER

Active
Cert Residential Appraiser

Number	Issue Date	Expires
40013179	Jan 1 2011	Dec 31 2013

JEFFREY JAMES BERNATOW
THORNTON, CO 80260

Marcia Waters
Director, Administrator

Licensee Signature

Subject Land Photo Page

Borrower/Client	N/A						
Property Address	2077-02-2-08-045 #2						
City	Cherry Hills Village	County	Arapahoe	State	CO	Zip Code	80113
Lender	Blue Hill Land Company LLC/Parker Semler						

Subject

2077-02-2-08-045 #2

Sales Price	0
Date of Sale	
Site Area	
Location	Cherry Hills Village
Water/sewer/Gas Tap	None/Not paid
Topography	Slope to the Southwes
$/Sq. Ft.	

Subject

Subject

Subject Land Photo Page

Borrower/Client	N/A				
Property Address	2077-02-2-08-045 #2				
City	Cherry Hills Village	County	Arapahoe	State CO	Zip Code 80113
Lender	Blue Hill Land Company LLC/Parker Semler				

Subject

2077-02-2-08-045 #2

Sales Price	0
Date of Sale	
Site Area	
Location	Cherry Hills Village
Water/sewer/Gas Tap	None/Not paid
Topography	Slope to the Southwes

$/Sq. Ft.

Subject

Subject Street

Subject Land Photo Page

Borrower/Client	N/A						
Property Address	2077-02-2-08-045 #2						
City	Cherry Hills Village	County	Arapahoe	State	CO	Zip Code	80113
Lender	Blue Hill Land Company LLC/Parker Semler						

Subject Street

2077-02-2-08-045 #2

Sales Price	0
Date of Sale	
Site Area	
Location	Cherry Hills Village
Water/sewer/Gas Tap	None/Not paid
Topography	Slope to the Southwes
$/Sq. Ft.	

Subject Rear

Subject Street

Comparable Photo Page

Borrower/Client	N/A						
Property Address	2077-02-2-08-045 #2						
City	Cherry Hills Village	County	Arapahoe	State	CO	Zip Code	80113
Lender	Blue Hill Land Company LLC/Parker Semler						

Comparable 1

11 E Layton Ln
Prox. to Subj. 1.35 MILES S
Sales Price 572,500
G.L.A.
Tot. Rooms
Tot. Bedrms.
Tot. Bathrms.
Location Cherry Hills Village
View 1.15 ac,Interior
Site
Quality
Age

Comparable 2

15 Layton Ln
Prox. to Subj. 1.40 MILES S
Sales Price 535,000
G.L.A.
Tot. Rooms
Tot. Bedrms.
Tot. Bathrms.
Location Cherry Hills Village
View 1 ac,Interior
Site
Quality
Age

Comparable 3

2 Brookside Drive
Prox. to Subj. 1.87 MILES S
Sales Price 536,801
G.L.A.
Tot. Rooms
Tot. Bedrms.
Tot. Bathrms.
Location Greenwood Village
View 1 ac,Interior
Site
Quality
Age

Comparable Photo Page

Borrower/Client	N/A						
Property Address	2077-02-2-08-045 #2						
City	Cherry Hills Village	County	Arapahoe	State	CO	Zip Code	80113
Lender	Blue Hill Land Company LLC/Parker Semler						

Comparable 4

24 Cherry Lane Dr

Prox. to Subj.	2.08 MILES E
Sales Price	530,000
G.L.A.	
Tot. Rooms	
Tot. Bedrms.	
Tot. Bathrms.	
Location	Cherry Hills Village
View	1.14 ac,Interior
Site	
Quality	
Age	

Comparable 5

1009 E Belleview Ave

Prox. to Subj.	1.76 MILES S
Sales Price	300,000
G.L.A.	
Tot. Rooms	
Tot. Bedrms.	
Tot. Bathrms.	
Location	Cherry Hills Village
View	1.04 ac,Traffic
Site	
Quality	
Age	

Comparable 6

4080 Preserve Pkwy

Prox. to Subj.	3.04 MILES SE
Sales Price	550,000
G.L.A.	
Tot. Rooms	
Tot. Bedrms.	
Tot. Bathrms.	
Location	Greenwood Village
View	.82 ac,Interior
Site	
Quality	
Age	

Comparable Photo Page

Borrower/Client	N/A						
Property Address	2077-02-2-08-045 #2						
City	Cherry Hills Village	County	Arapahoe	State	CO	Zip Code	80113
Lender	Blue Hill Land Company LLC/Parker Semler						

Comparable 7

4068 Preserve Pkwy

Prox. to Subj.	3.05 MILES SE
Sales Price	550,000
G.L.A.	
Tot. Rooms	
Tot. Bedrms.	
Tot. Bathrms.	
Location	Greenwood Village
View	.79 ac,Interior
Site	
Quality	
Age	

Comparable 8

5080 S Clarkson St

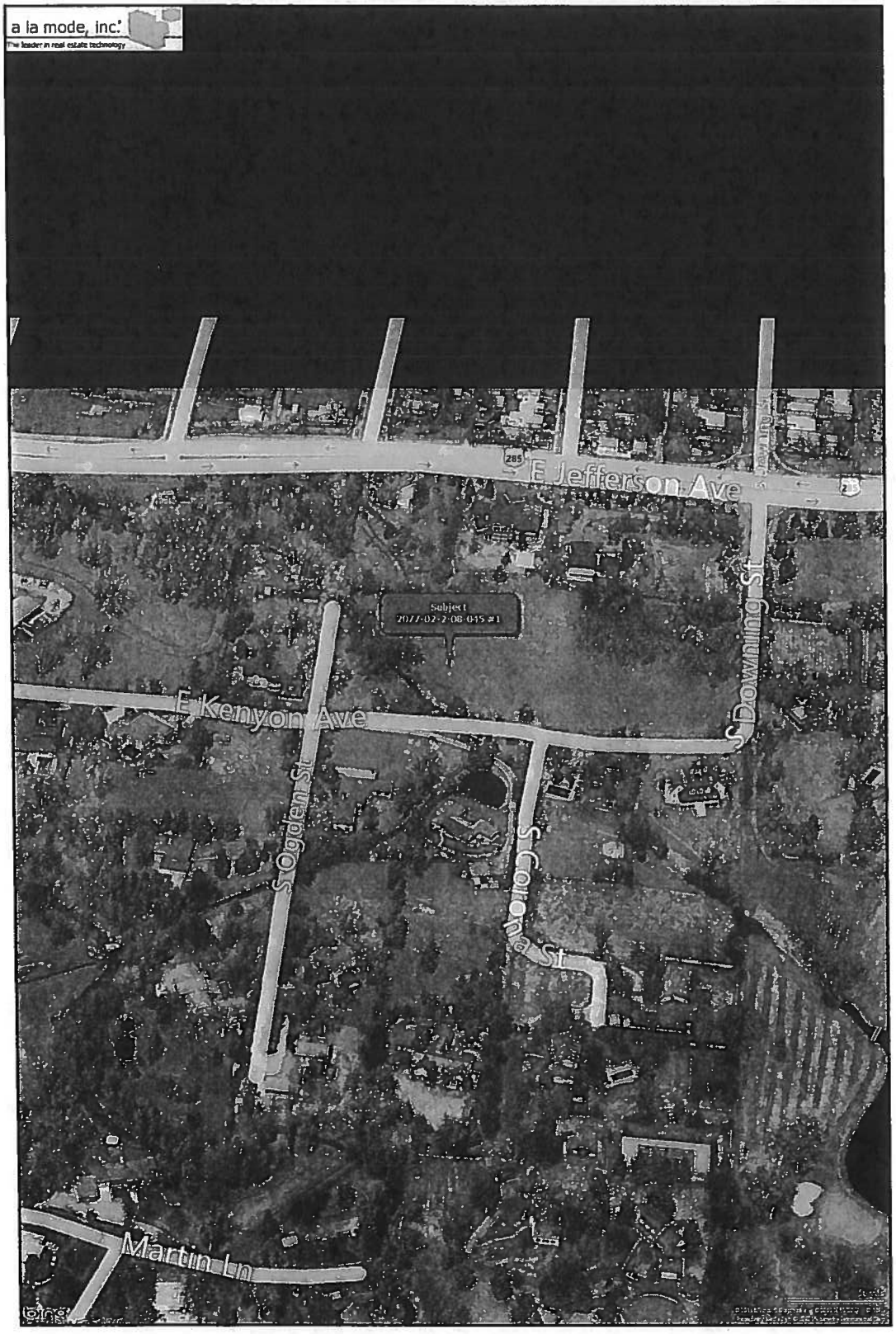
Prox. to Subj.	1.77 MILES S
Sales Price	600,000
G.L.A.	
Tot. Rooms	
Tot. Bedrms.	
Tot. Bathrms.	
Location	Cherry Hills Village
View	1.52 ac,Traffic
Site	
Quality	
Age	

Comparable 9

Prox. to Subj.	
Sales Price	
G.L.A.	
Tot. Rooms	
Tot. Bedrms.	
Tot. Bathrms.	
Location	
View	
Site	
Quality	
Age	

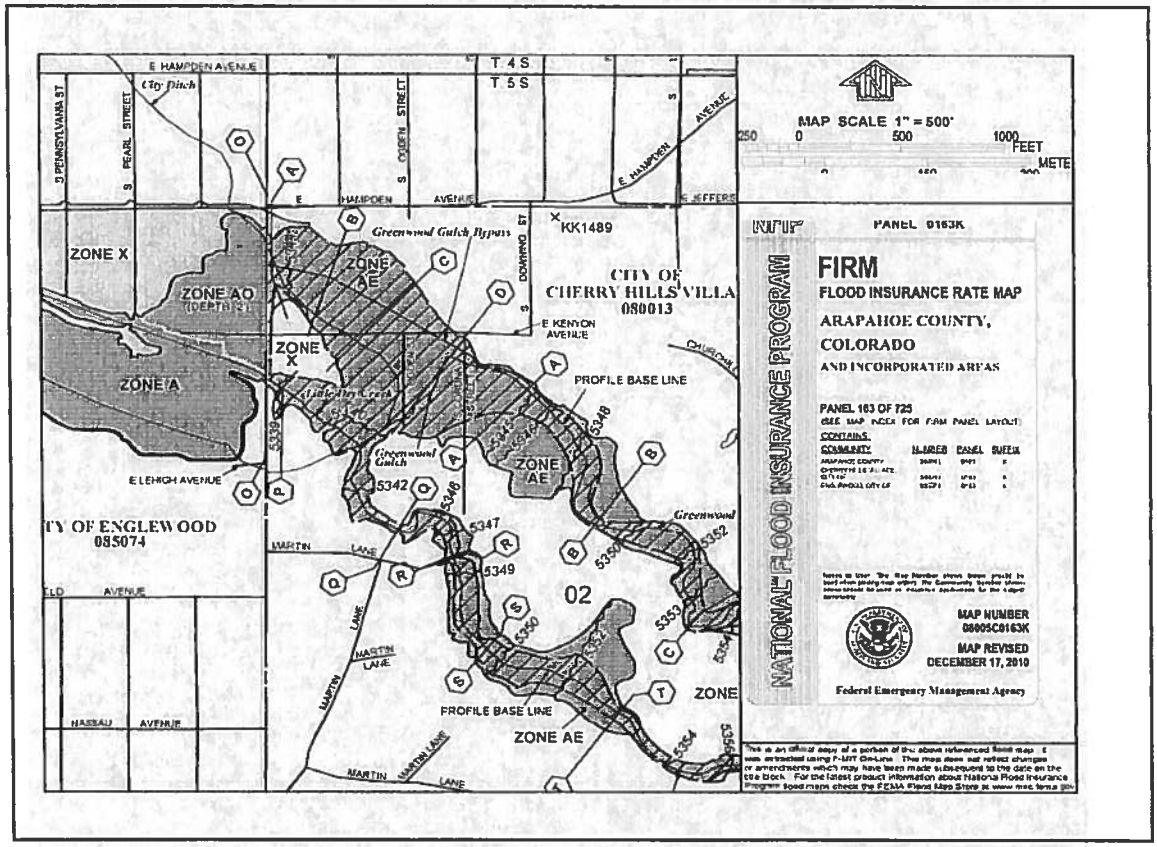
Aerial Map

Borrower/Client	N/A				
Property Address	2077-02-2-08-045 #2				
City	Cherry Hills Village	County	Arapahoe	State CO	Zip Code 80113
Lender	Blue Hill Land Company LLC/Parker Semler				



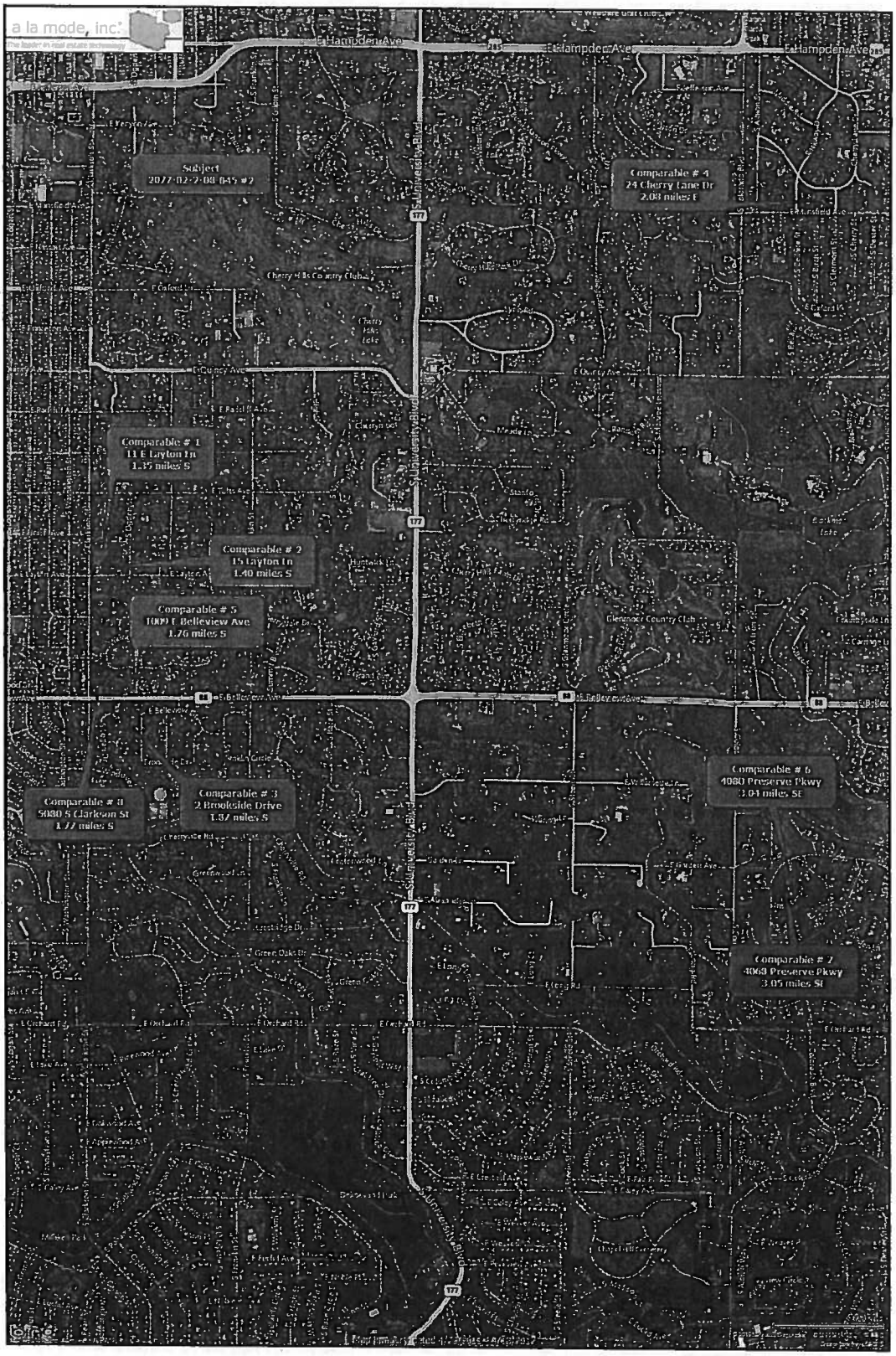
Survey

Flood Map


E HAMPDEN AVENUE
City Ditch
T 4 S
T 5 S
S PENNSYLVANIA ST
S PEARL STREET
S OGDEN STREET
E HAMPDEN AVENUE
E JEFFERS
MAP SCALE 1" = 500'
250 0 500 1000 FEET
METE
ZONE X
ZONE AO
(DEPTH 2)
ZONE AE
ZONE X
ZONE A
Greenwood Gulch Bypass
KK1489
CITY OF
CHERRY HILLS VILLA
080013
E KENYON AVENUE
PROFILE BASE LINE
Little Dry Creek
Greenwood Gulch
E LEHIGH AVENUE
TY OF ENGLEWOOD
085074
MARTIN LANE
AVENUE
NASSAU AVENUE
5339
5342
5346
5347
5348
5349
5350
5352
5353
5354
5356
02
PROFILE BASE LINE
ZONE AE
ZONE
NATIONAL FLOOD INSURANCE PROGRAM
PANEL 0163K
FIRM
FLOOD INSURANCE RATE MAP
ARAPAHOE COUNTY,
COLORADO
AND INCORPORATED AREAS
PANEL 163 OF 725
MAP NUMBER
08005C0163K
MAP REVISED
DECEMBER 17, 2010
Federal Emergency Management Agency

Location Map

Borrower/Client	N/A				
Property Address	2077-02-2-08-045 #2				
City	Cherry Hills Village	County	Arapahoe	State CO	Zip Code 80113
Lender	Blue Hill Land Company LLC/Parker Semler				



Peak
Civil Consultants

200 W. Hampden Ave.
Suite 200
Englewood, Colorado 80110
PH: 720.855.3859
FAX: 720.855.3860

Drainage Report
for the
Blue Hill Subdivision

Cherry Hills Village, Colorado

Developer:
Blue Hill Land Company, LLC
1775 Sherman Street, Suite 2015
Denver, CO 80203
303.839.6080
Contact: Parker Semler

Engineer:
Peak Civil Consultants, Inc.
200 W. Hampden, Suite 200
Englewood, CO 80110
720.855.3859
Contact: Robert Kelsey, P.E.

Project Number 13.69
September 2014

ENGINEER CERTIFICATION

I hereby affirm that this report and plan for the drainage design of Blue Hill Subdivision was prepared by me (or under my direct supervision) in accordance with the provisions of the Arapaheo County Stormwater Mangement Manual and the Urban Drainage and Flood Control District Criteria Manual and approved variances and exceptions thereto. I understand that Arapaheo County does not and will not assume liability for drainage facilities designed by others.

SIGNATURE:_____
Registered Professional Engineer State
Of Colorado No._____

Table of Contents

General Location and Description	1
Drainage Basins and Sub-basins	1 - 2
Existing Stormwater Conveyance or Storage Facilities	2
Design Criteria	3
Stormwater Conveyance or Storage Facilities	4 - 5
Water Quality Enhancement Best Management Practices	5
Floodplain	5
Additional Permitting Requirements	5
Conclusions	6
References	6

Appendix A – Maps, Charts & Graphs
- Vicinity Map
- Firm Map
- Soils Map
- Recommended Impervious Values (Table RO-3)
- Recommended Runoff Coefficients
- Overland Time of Flow

Appendix B – Runoff Calculations
- Composite Run-off Coefficients
- Time of Concentration
- Runoff Calculations
- Detention Area/PLD Calculations

Appendix C – Excerpts from Other Drainage Reports & Construction Plans
- Flood Hazard Area Delineation, Little Dry Creek (ArapCo) & Tributaries (Reference 4)

Historic Drainage Plan	Back Pocket
Conceptual Drainage Plan	Back Pocket

II. General Location and Description

The purpose of this report is to provide a guide to Cherry Hills Village and the future developer to use for the planning of drainage facilities for the Blue Hill Subdivision. The intent of this report is to demonstrate that development will be feasible from a drainage standpoint and meet the City of Cherry Hills Village criteria and regulations.

Blue Hill Subdivision (SITE) lies in part of the northwest quarter of Section 2, Township 5 South, Range 68 West of the 6th Principle Meridian, Cherry Hills Village, Arapahoe County, Colorado. The SITE is bounded on the north by a part of Block 7 of Higgins South Broadway Heights (residential land use), on the south by the public street Kenyon Avenue (public R.O.W.), on the west by Block 6 of Higgins South Broadway Heights (residential land use), on the east by Block 8 of Higgins South Broadway Heights (residential land use). A vicinity map is included within Appendix A of this report.

The site contains approximately 2.2 acres to subdivide into two lots. The site currently sits vacant with native grasses, shrubbery and trees. The site generally slopes from northeast to southwest at slopes ranging from 7 to 15 percent over most of the project area. Onsite soils are classified in the SCS Type B categories. Soil types onsite are Bresser-Truckton sandy loams (49.2%) and Loamy alluvial land (50.8%). Refer to the soils map in Appendix A of this report for additional information.

The proposed land use is a residential subdivision of two equal size lots. Each lot shall have a single family home with a shared driveway to access Kenyon Avenue.

III. DRAINAGE BASINS AND SUB-BASINS

The SITE is located within the Little Dry Creek Basin. The Site is directly tributary to Greenwood Gulch, which flows into Little Dry Creek and ultimately the South Platte River. The City Ditch flows along the east side of the drainageway.

Currently, runoff from the east two-thirds of the site flows from the northeast to the southwest towards the drainageway, Greenwood Gulch Bypass, which traverses the rears of the proposed lots. Historically, flows are intercepted by the City Ditch and

conveyed northwest. The western one-third of the SITE is directly tributary to Greenwood Gulch and flows are conveyed north in the drainageway. The 100-Year Floodplain for this drainageway encompasses the southwest corner of the site. The FEMA FIRM Map 08005C0163K, December 17, 2010 is provided in the Appendix (Reference 3). The parcel is in Zone AE, which is an area subject to a one percent or greater annual chance of flooding in any given year. Base flood elevations are shown as derived from detailed hydraulic analyses, as this floodplain was studied under Flood Hazard Area Delineation, Little Dry Creek (ArapCo) & Tributaries by WRC Engineering, Inc. in August of 2003 (Reference 4). The base flood elevation for this area is 5344.5 feet. Future development shall not occur within the 100-year Floodplain. The proposed lot dimensions support residences and a driveway that will not impact the 100-year floodplain. See Appendix C for excerpts from Reference 4. The Greenwood Gulch Bypass is the City Ditch for the City of Cherry Hills Village. Apart from the Greenwood Gulch, there are no significant geologic features on-site.

Basins OS-1 and H-1 generally sheetflow overland to Kenyon Avenue and are intercepted by the City Ditch at Design Point 2. Basin H-2 sheetflows overland and is directly tributary to the City Ditch. Basins OS-2 and H-3 flow overland to a small existing low point in the drainageway at Design Point 5. Flows eventually overtop the low point to the northwest and are conveyed offsite in the Greenwood Gulch Bypass drainageway. Refer to the Historic Drainage Map in the Appendix of this report for additional historic information. Historic runoff calculations are also presented in the Appendix.

IV. EXISTING STORMWATER CONVEYANCE OR STORAGE FACILITIES

Apart from the previously mentioned Greenwood Gulch drainageway and City Ditch, which acts as an irrigation ditch, there are no other existing conveyance facilities onsite. Discharge from this SITE will be to Greenwood Gulch.

Cherry Hills Village requires a no-rise certification for any development within the FEMA designated area. No development is anticipated with this development within the existing Greenwood Gulch, floodplain, and City Ditch. Therefore, these existing facilities will not be adversely impacted by the proposed development (Refer to Section VI). There are no existing storage facilities on-site.

V. DRAINAGE DESIGN CRITERIA

This study has been prepared based on the Arapahoe County (Reference 1) and the Urban Drainage Criteria Manual (Reference 2). The site is constrained by the Greenwood Gulch and FEMA Floodplain. As the City requires a no-rise certification in the floodplain, detention may be required to detain developed runoff from the SITE to existing flow rates. A conceptual plan for mitigating developed flows from the homesites is presented on the Conceptual Drainage Map and within Section VI. The final house footprints and driveway locations for the lots are unknown at this time, so this concept is presented for informational purposes and may need to be adjusted at time of building permit.

The Rational Method was used to develop peak discharges corresponding to the 5-year and 100-year events. Rainfall intensities are from Table 6-1 from (Reference 1). Times of concentration and peak flowrate calculations for the various basins are presented in the appendices of this report. A drainage plan is presented for the initial storm and accommodation is made for the major storm so there will be no impact to structures.

The Modified FAA method was used to determine the storage volumes required for each detention area to restrict the outflow to historic flows. The average historic 100-year runoff rate for basins H-1, H-2, and OS-1 ranges between 2.2 to 2.4 cfs/acre. Based on this information, a 100-year peak release rate of 2.0 cfs/acre was used in the PLD design. The software program UD-Detention (Reference 2) was used for the FAA detention area sizing, refer to the Appendix.

The capacity of the proposed grass swales was determined using the Flowmaster hydraulic software program. The capacity of the curb head was determined using UD-Inlet for street capacity (Reference 2).

Proposed BMPs include the porous landscape detention for water quality. The WQCV was determined through methods described in Reference 2.

VI. STORMWATER CONVEYANCE OR STORAGE FACILITIES

It is anticipated that the developed runoff flow patterns will generally follow the historic patterns, with exception to the proposed swales and detention areas that will be used to mitigate developed runoff into the City Ditch.

The drainage pattern for each proposed lot follows a similar pattern. Runoff from the impervious area will be conveyed overland to a proposed grass swale. This swale will convey stormwater flows to a proposed porous landscape detention (PLD) area. The detention area is designed to detain the 100-year developed peak flows to 100-year historic peak flows through methods described in Section V and Reference 2. As this is a conceptual drainage report and construction documents for future homes have not been prepared, the type, location, size, and final details of these facilities may need to be verified at time of building permit. Conceptual pond sizes and water surface elevations have been presented in the Appendix of this report. The pond elevations presented are representative and preliminary design is based on a generic PLD with the bottom designated as elevation 0 ft. The storm runoff will outfall to the surface to existing Kenyon Avenue. A section of vertical curb and gutter is proposed along Kenyon Avenue (above the City Ditch crossing), west of the driveway intersection of Lot 1 and Kenyon Avenue to prevent the stormwater discharge from entering the City Ditch. Flows will discharge to the west side of the City Ditch to Greenwood Gulch. Construction of the curb within Kenyon Avenue may require a Floodplain Permit be completed for the City prior to home building permit. Based on engineering judgement, this small curb improvement will not affect the larger Greenwood Gulch floodplain and therefore will not raise floodplain elevations.

The Historic Basins have been divided into developed basins on the Conceptual Drainage Map. Historic basins OS-1, OS-2, and H-3 patterns remain unchanged from the descriptions in Section III. Basins 1 and 2 delineate the proposed lot areas. Runoff from the lots generally sheet flows southwest to a proposed swale on the downhill side of each development area. The swale conveys flows south to the proposed PLD on Lot 2, prior to discharge to Kenyon Avenue and the Greenwood Gulch drainageway. Basin 3 represents the area that will be directly tributary to the City Ditch, which will be much smaller than the historic basin. See the Conceptual Drainage Plan for additional information.

PLD's have been proposed to attenuate the developed runoff from the proposed lots as one potential scenario for the purposes of this report. Other options for attenuation may be available, but will need to be presented to the City at time of building permit for the homes. Both lots are tributary to PLD-1, which is located on Lot 1 within a drainage easement. The PLD area has been designed via the FAA method to detain the 100-year developed runoff from each lot as well as provide water quality. PLD calculations are presented in the Appendix of this report. An outlet structure will be constructed on the south end of theh PLD to control the stormwater release to historic levels. Release will be to the surface to a grass swale or concrete pan to Kenyon Avenue. The PLD's will incorporate an emergency overflow weir. Since final house locations and configurations are unknown at this time, final PLD sizing and construction details for the facilities will need to be provided at time of house building permit. The concept presented in this report is preliminary and to be used as a guideline.

The conceptual grass swales are designed to convey the 100-year storm event. Final locations and grading information will be provided with the building permit submittal.

VII. WATER QUALITY ENHANCEMENT BEST MANAGEMENT PRACTICES

A porous landscape detention area has been proposed to treat the impervious area from the proposed lots. The PLD will be private and owned/maintained by the lot owners. The water quality facility will be final designed with the building permits for the lots and per Reference 2 criteria.

VIII. FLOODPLAIN

The floodplain for Greenwood Gulch is described in Section II. There shall be no development within the floodplain.

IX. ADDITIONAL PERMITTING REQUIREMENTS

Additional permitting requirements shall be identified at the time of home building permit.

X. CONCLUSIONS

This study is in compliance with Cherry Hills Village, Arapahoe County, and the Urban Drainage Manual, (References 1, and 2 respectively). The conceptual drainage system is in compliance with the Flood Hazard Area Delineation, Little Dry Creek (ArapCo) & Tributaries (Reference 4), with no development anticipated in the floodplain or City Ditch. This drainage report is to be used as a guideline for future home construction. Additional construction details and design of the PLD will need to be completed with the homes building permit applications. The proposed development and proposed drainage facilities will minimize adverse impacts created by the quantity or quality of storm water generated by this project.

XI. REFERENCES

1. Arapahoe County Stormwater Management Manual; Arapahoe County, Rev. July 5, 2011.

2. Urban Storm Drainage Criteria Manual; Denver Regional Council of Governments; Latest Revision.

3. Flood Insurance Rate Maps, Arapahoe County, Panel 163 of 725, Map Number 08005CO163K; Federal Emergency Management Agency: December 17, 2010.

4. Flood Hazard Area Delineation, Little Dry Creek (ArapCo) & Tributaries by WRC Engineering, Inc. in August of 2003

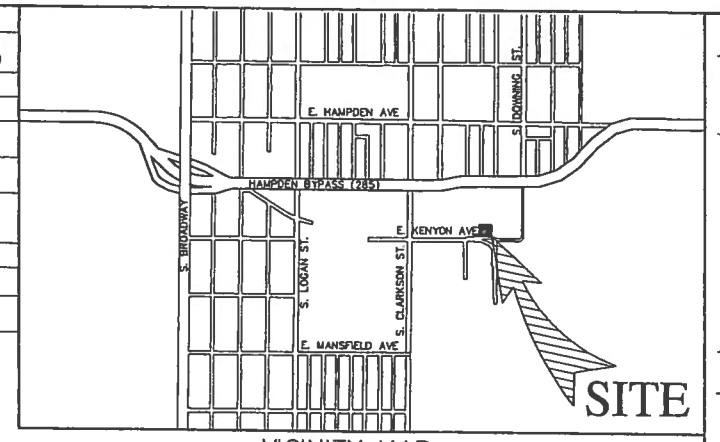
LEGEND

- PROPERTY BOUNDARY
- EXISTING RIGHT-OF-WAY
- EXISTING STORM SEWER PIPE
- EXISTING INLET
- EXISTING STORM MH
- DRAINAGE BASIN
- FLOW DIRECTION ARROW
- A=BASIN DESIGNATION
- B=BASIN AREA (ACRE)
- C=5-YEAR RUNOFF COEFFICIENT
- D=100-YEAR RUNOFF COEFFICIENT
- E=DESIGN POINT
- EXISTING CONTOURS

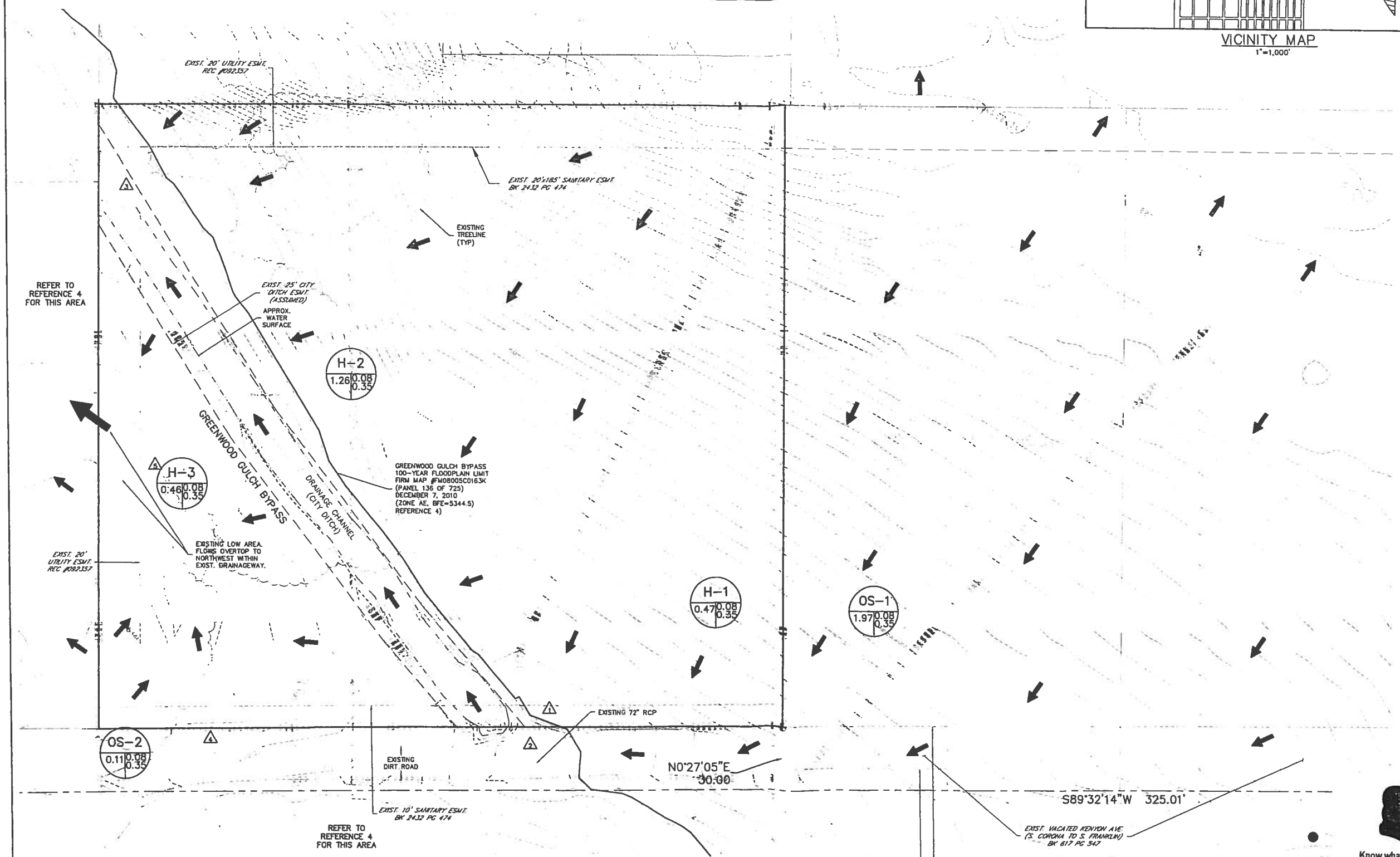
(IN FEET)
1 inch = 20 ft.

HISTORIC SUMMARY RUNOFF TABLE

DESIGN POINT	BASIN ID	CONTRIBUTING AREA	PEAK 5 YEAR (CFS)	PEAK 100 YEAR (CFS)
1	H-1	0.47	0.1	1.1
2	OS-1	1.97	0.5	4.6
2	OS-1, H-1	2.44	0.7	5.7
3	H-2	1.26	0.3	2.8
3	OS-1, H-1, H-2	3.70	1.0	8.3
4	OS-2	0.11	0.0	0.3
5	H-3	0.46	0.1	1.1
5	OS-2, H-3	0.57	0.2	1.4



VICINITY MAP
1"=1,000'



NO.	REVISION	DATE	BY
1	CITY COMMENTS	09/18/14	BK

BLUE HILL SUBDIVISION

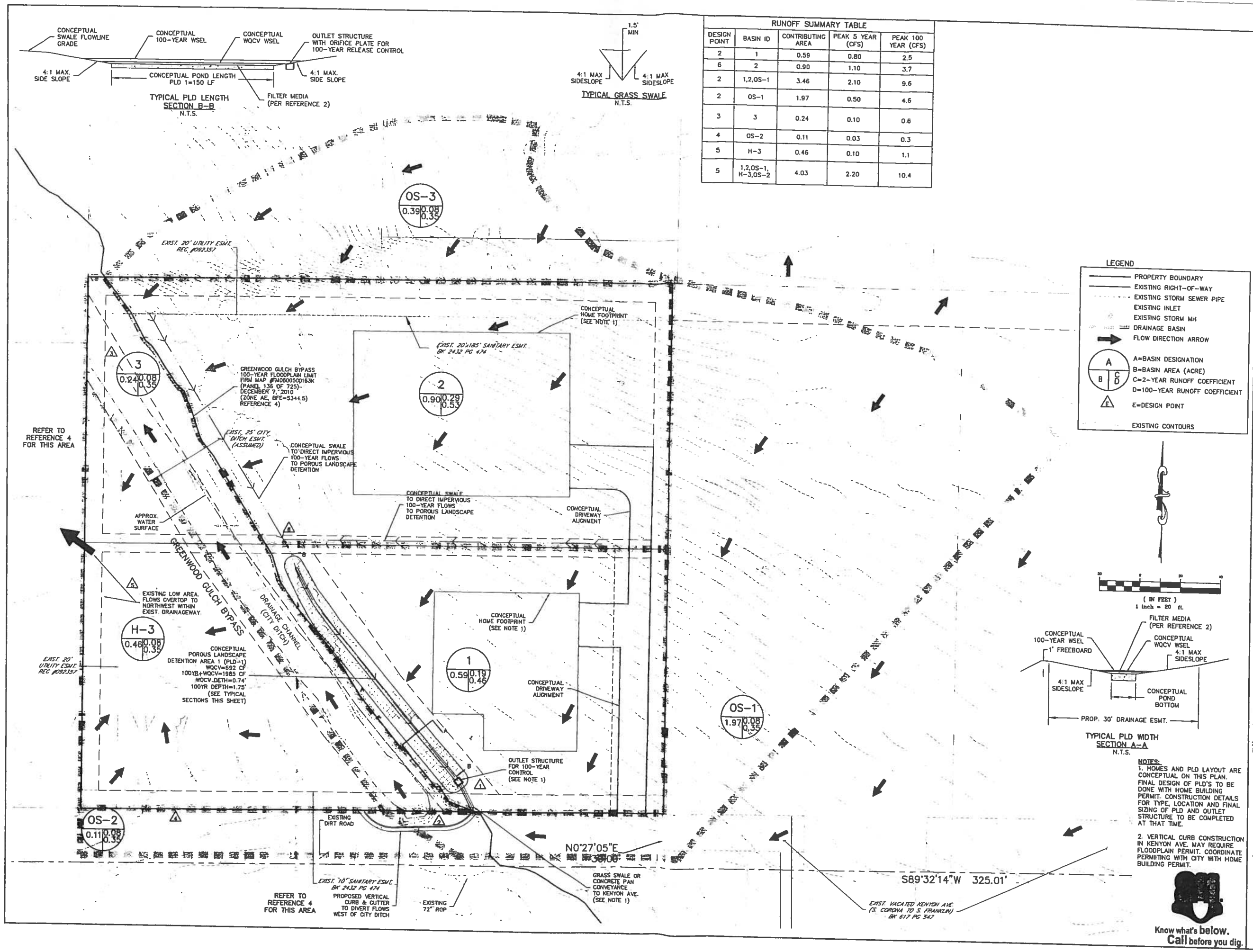
HISTORIC DRAINAGE MAP

DEVELOPER
BLUE HILL LAND COMPANY
1775 SHERMAN STREET
SUITE 2015
DENVER, CO 80203
CONTACT: PARKER SEMLER

Peak Civil Consultants
200 W. HAMPDEN AVE., SUITE 200
ENGLEWOOD, COLORADO 80110
PH: 720.855.3859
FAX: 720.528.8167
CONTACT: BOB KELSEY, P.E.

Know what's below. Call before you dig.

DATE: 07/30/14
JOB NO: 13.69
DRAWN BY: CS
APPROVED:
CADD FILE:



RUNOFF SUMMARY TABLE

DESIGN POINT	BASIN ID	CONTRIBUTING AREA	PEAK 5 YEAR (CFS)	PEAK 100 YEAR (CFS)
2	1	0.59	0.80	2.5
6	2	0.90	1.10	3.7
2	1,2,OS-1	3.46	2.10	9.6
2	OS-1	1.97	0.50	4.6
3	3	0.24	0.10	0.6
4	OS-2	0.11	0.03	0.3
5	H-3	0.46	0.10	1.1
5	1,2,OS-1, H-3,OS-2	4.03	2.20	10.4

NO.	REVISION	DATE	BY
1	CITY COMMENTS	09/18/14	BK

BLUE HILL SUBDIVISION

CONCEPTUAL DEVELOPED DRAINAGE MAP

DEVELOPER

BLUE HILL LAND COMPANY

1775 SHERMAN STREET
SUITE 2015
DENVER, CO 80203

CONTACT: PARKER SEMLER

Peak Civil Consultants

200 W. HAMPDEN AVE., SUITE 200
ENGLEWOOD, COLORADO 80110
PH. 720.855.3859
FAX. 720.528.8167
CONTACT: BOB KELSEY, P.E.

DATE: 07/30/14
JOB NO: 13.69
DRAWN BY: CS
APPROVED:
CADD FILE:

EXHIBIT C

THE CITY OF CHERRY HILLS VILLAGE
FLOOD PLAIN DEVELOPMENT PERMIT

Office Use Only
Date Recv'd _____
Application Fee $300 _____
+ $50/Lot or Unit _____
Escrow $3,000 _____

Application Information

Date: 2/4/15

Parcel Number 0342243 19 Permit Number

Owner BLUE HILL LAND COMPANY, LLC	Telephone: 303-839-1680
Address 1775 SHERMAN ST. #2015 DENVER, CO 80203	
Engineer PEAK CIVIL CONSULTANTS, INC.	Telephone: 720-855-3859
Address 200 W. HAMPDEN AVE. #200 ENGLEWOOD, CO 80110	Contact: BOB KELSEY

Project Location: E. KENYON AVE. & S. OGDEN ST.

Project Description (Please Circle All That Apply)

Single Family	New Construction	Channelization
Substantial Improvement	Fill	Manufactured Home
Improvement (<50%)	Bridge/Culvert	Non-Residential
Rehabilitation	Levee	

Other/Explanations:
CURB IMPROVEMENT IN KENYON AVENUE, SEE ATTACHED FLOODPLAIN NO ADVERSE IMPACT LETTER.

Flood Hazard Data

Water Course Name: GREENWOOD GULCH BYPASS
The project is proposed to be in the (Circle one) Floodway----Floodplain
Base (100-year) flood elevations at the project site 5344.5
Elevation required for lowest floor N/A Floodproofing: N/A
Document/Report/Maps FIRM MAP #FM08005C0163K

For Administrative Use Only

Permit Action

— Permit Approved: The information submitted for the proposed project was reviewed and is in compliance with approved flood plain management standards and the Cherry Hills Village Municipal Code §16-17 (Site development plans are on file).
— Permit Denied: The proposed project does not meet approved flood plain management standards (explanation is on file).
— Variance Granted: A variance was granted from the base (100-yr) flood elevations established by FEMA consistent with variance requirements of NFIP regulations Part 60.6 (variance action documentation is on file).

Development Documentation

— Map Revision Data: Certified documentation by a registered professional engineer of as-built conditions for flood plain alterations were received and submitted to FEMA for a flood insurance map revision.
— Fill Certificate: A community official certified the elevation, compaction, slope and slope protection for all fill placed in the flood plain consistent with NFIP regulations Part 65.5 for flood insurance map revisions.
— Elevation Certificate: Certified as-built elevations of the building's lowest floor_____: Floodproofing level_____. An Elevation Certificate completed by a registered professional engineer or land surveyor certifying this elevation is on file.

_____CERTIFICATE OF OCCUPANCY OR COMPLIANCE ISSUED_____(Date)

Peak
Civil Consultants

200 W. Hampden Ave.
Suite 200
Englewood, Colorado 80110
PH: 720.855.3859
FAX: 720.855.3860

February 4, 2015

Rob Zuccaro, AICP
Community Development Director
City of Cherry Hills Village
2450 E. Quincy Avenue
Cherry Hills Village, CO 80113

RE: Blue Hill Minor Subdivision - Floodplain No Adverse Impact Letter

Dear Rob,

The Blue Hill Subdivision Conceptual Developed Drainage Map proposes a minor curb improvement within the Kenyon Avenue right-of-way, which is also within the existing Greenwood Gulch Bypass 100-year floodplain limits (Firm Map #FM08005C0163K, Panel 136 of 725, December 7, 2010). The 100-year floodplain is Zone AE with a Base Flood Elevation (BFE) of 5344.5. The 6" vertical curb is necessary to direct developed flows from the two proposed lots around the City Irrigation Ditch.

After discussing the proposed curb with Troy with Icon Engineering (the City's engineering consultant) and based upon sound engineering judgment, it is our opinion that the minor curb improvement will not adversely affect the existing floodplain limits or base flood elevations.

The Owner is hereby applying for a Floodplain Permit with this letter and the attached application.

If you have any questions feel free to call me.

Sincerely,

COLORADO REGISTERED PROFESSIONAL ENGINEER
ROBERT F. KELSEY
2/4/15
31697

Bob Kelsey, P.E., LEED AP
Vice President
Peak Civil Consultants, Inc.

cc: Baily Dotson, Applicant's Representative (via email)
Parker Semler (via email)

EXHIBIT D

Minutes of the
Planning and Zoning Commission of the City of Cherry Hills Village, Colorado
Held on Tuesday, April 14, 2015 at 6:30 p.m.
At the Village Center

CALL TO ORDER

Vice Chair Rubin called the meeting to order at 6:35 p.m.

ROLL CALL

Present at the meeting were the following Planning and Zoning Commissioners: Vice Chair Jim Rubin, Commissioner David Wyman, Commissioner Peter Niederman, and Commissioner Doris Kaplan.

Present at the meeting were the following staff members: Kathie Guckenberger, Deputy City Attorney; Tory Carmann, City Engineer; Robert Zuccaro, Community Development Director and Cesarina Dancy, Community Development Clerk.

Absent from the meeting were Chair Peter Savoie and Commissioner Al Blum.

APPROVAL OF MINUTES

Commissioner Niederman made a motion, which was seconded by Commissioner Wyman to approve the March 10, 2015 minutes as written.

The motion passed unanimously.

AGENDA ITEMS

a. *Request by Blue Hill Land Company LLC, for a Minor Subdivision and Floodplain Development Permit*

Mr. Zuccaro stated that staff is presenting a request for review of a minor subdivision plat to subdivide an approximately 2.2-acre parcel into two, 1.1-acre residential lots. He stated that a floodplain development permit is also included in the application for minor modifications to the street curb in the floodplain associated with the drainage plan for the subdivision.

Mr. Zuccaro displayed a vicinity map and indicated the location of several trails.
Mr. Zuccaro stated that the property is zoned R-3, 1-Acre Residential District and is currently vacant. Surrounding properties are all zoned R-3. The adjacent properties to the north, west and south are developed with single family residences and the adjacent property to the east is vacant. The southwest portion of the subject property is covered by the Englewood City Ditch and floodplain.

Mr. Zuccaro stated that there is a designated on-street trail adjacent to the subject property along East Kenyon Avenue that connects to an unpaved trail to the east along the East Kenyon Avenue alignment and then turns north along the South Downing Street alignment. To the west, the on-street trail connects to a paved trail along South Clarkson Street.

Mr. Zuccaro outlined the code requirements for minor subdivisions and floodplain development permits.

Mr. Zuccaro stated that staff has prepared an analysis of all requirements.

Mr. Zuccaro stated that the southern lot (Lot 2) is proposed to have frontage with East Kenyon Avenue and a northern lot (Lot 1) is proposed to have access via an easement through Lot 2. The access easement will be recorded by separate document from the plat. He continued to say that the City Attorney and City Engineer have reviewed the easement and recommend approval.

Mr. Zuccaro stated that a Phase III Drainage Report has been submitted for the proposed subdivision and the drainage plan proposes a stormwater detention pond located on Lot 2 to accommodate stormwater from both properties. A drainage easement for the detention pond will be established by separate document from the plat and maintenance responsibility will be shared between both property owners. The detained stormwater would outlet onto Kenyon Avenue, bypass the Englewood City Ditch and drain into Greenwood Gulch Bypass. The City Engineer has reviewed the Phase III Drainage Report and recommends approval.

Mr. Zuccaro stated that a referral was sent to South Metro Fire Rescue. No requested revisions to the plat or adverse comments were submitted.

Mr. Zuccaro stated that the applicant has proposed that the full 7.5% dedication be made as cash in lieu of land. He continued to say that based on appraisals from August 22, 2013, the value of each proposed lot are $506,000 and $508,000, totaling $1,014,000. Based on this appraisal price, the 7.5% cash in lieu dedication requirement would be $76,050. He stated that staff has

informed the applicant that current appraisals are required to determine the final dedication amount. Mr. Zuccaro stated that the applicant is currently in a quiet title lawsuit over the property and has requested that the subdivision review continue pending the outcome of the lawsuit. He continued to say that because of the unknown timeframe for the lawsuit, the applicant has requested that the final appraisals not be submitted until after the lawsuit is settled.

Mr. Zuccaro stated that the Parks, Trails and Recreation Commission (PTRC) reviewed the proposal for cash in lieu of land dedication at their March 12, 2015 meeting and the PTRC recommended approval with the following two conditions:

1. PTRC's acceptance of an appraisal current within three months of full execution and recordation of the plat shall be provided to the City and that the final dedication amount shall be based on such appraisal.
2. Blue Hill Land Company's successful resolution of current and any future litigation such that it provides clean title of its ownership of the parcel.

Mr. Zuccaro stated that all 8 minor subdivision review criteria were found to be in the affirmative.

Mr. Zuccaro stated that the proposed subdivision divides a parcel of land in common ownership into two parcels and does not appear to create zoning or other nonconformities. There are no existing structures on the property.

Mr. Zuccaro stated that the two proposed lots will each be 1.1 net acres, exceeding the minimum lot area for the R-3 zone district.

Mr. Zuccaro stated that all applicable submittal requirements have been reviewed by staff and appear to meet the requirements of the Code.

Mr. Zuccaro stated that no public or private streets are proposed. A private shared driveway access easement is proposed to access the north not (Lot 1) through the south lot (Lot 2). He continued to say that the City Attorney and City Engineer have reviewed the easement and recommend approval.

Mr. Zuccaro stated that 10' wide perimeter drainage and utility easements are proposed. Referrals were sent to Denver Water, Cherry Hills Village Sanitation District, Xcel Energy,

Comcast and Century Link, and no requested revisions to the plat or adverse comments were submitted by the utility companies.

Mr. Zuccaro stated that there are no existing trails on the property. Kenyon Avenue to the south of the subdivisions includes a designated on-street trail that connects to an unpaved, off-street trail to the east along the East Kenyon Avenue alignment and then turns north along the South Downing Street alignment. To the west, the on-street trail connects to an off-street paved trail along South Clarkson Street. He continued to say that rather than have additional off-street trails through the proposed subdivision, the PTRC recommends that a cash in lieu dedication for 7.5% land dedication requirement.

Mr. Zuccaro stated that floodplain encumbers both lots and limits the developable area, and that multiple lot configurations were discussed with the applicant to try and minimize the impact of the floodplain encumbrances. The southern lot (Lot 2) is the most encumbered and has about a 4,000 square foot building area outside of the floodplain and setbacks. The buildable area is approximately 75' wide north to south and varies in depth from approximately 50' on the south side to 110' on the north side. Although this buildable area is less than a typical R-3 one-acre lot, he stated that staff believes an adequate building envelope is available.

Mr. Zuccaro stated that the Master Plan Land Use/Development Goal is to "Maintain the existing land use and development pattern." The Master Plan Land Use/Development map designates the property as Low-Density Residential, which is defined as having one-acre or larger parcels. He continued to say that the proposal for 1.1 acre lots is consistent with the Master Plan Land Use/Development Goal and Map.

Mr. Zuccaro stated that staff finds that the proposed floodplain development meets the review criteria in Section 16-17-60. He continued to say that the applicant's engineer has provided a letter stating that the street curb improvement will not adversely affect existing floodplain limits or base flood elevations. The improvements are necessary to adequately channel stormwater runoff down a short section of E. Kenyon Avenue into the Greenwood Gulch Bypass. He continued to say that he City Engineer has reviewed the floodplain development permit and recommends approval.

Mr. Zuccaro stated that there were two conditions of approval in the staff memo and that a third was added by the City Attorney. He stated that copies of the new condition are located on the dais.

Mr. Zuccaro stated that staff recommends approval of the Blue Hill Minor Subdivision and floodplain development permit with the following conditions:

1. Prior to recordation of the plat, the applicant shall provide an appraisal in order to determine fair market value of the property and the required amount of cash in lieu of land dedication in accordance municipal code section 17-3-30. Such appraisal shall be performed by a certified appraiser and current within three months of full execution and recordation of the plat.
2. Prior to recordation of the plat, the applicant shall provide documentation satisfactory to the City demonstrating: (a) successful and final resolution of the current litigation, *Spears et al v. Parker Semler, et al*, Arapahoe County District Court, Case No. 2014CV031853; and (b) applicant's clear title to and legal ownership of the property.
3. Immediately prior to and contemporaneously with the recordation of the plat, the applicant shall record the Declaration of Drainage Easement and Declaration of Easement granting a shared driveway access easement to Lot 1 of the Blue Hill Subdivision, which is included in Exhibit B to the staff memorandum.

Vice Chair Rubin asked where would the application go after Planning and Zoning approval.

Mr. Zuccaro replied that the application would then be presented to City Council at a public hearing.

Commissioner Wyman asked about a discrepancy of the lot size indicated in Exhibit B.

Mr. Zuccaro replied that the original letter that was submitted is out of date and the lot configuration has since been revised to address the floodplain.

Commissioner Wyman asked what the capacity of the detention pond was.

Troy Carmann, City Engineer, replied that it was a 100 year detention pond.

Commissioner Wyman asked was it an actual pond or a swale.

Mr. Carmann replied that it was a porous landscape detention facility which contains pervious soils and sands.

Commissioner Wyman asked if this is similar to the field at St. Mary's Academy.

Mr. Carmann replied that it is similar.

Commissioner Wyman asked if there was standing water how long would it take to drain.

Mr. Carmann replied that 72 hours is the standard. He continued to say that it is not an exact science and it could take anywhere from 24-124 hours to drain.

Commissioner Wyman asked what is the probability of a reduction in capacity or delay in drain over time.

Mr. Carmann replied that the porous detention facilities are less susceptible to deterioration over time and that they are easier to maintain. He continued to say that any storm water detention facility requires some degree of maintenance and that this proposed facility is favorable to this application.

Commissioner Wyman asked what direction is the flow of the water.

Mr. Carmann replied that it is in a southwest slope.

Commissioner Kaplan asked what the purpose of the curb is.

Mr. Carmann replied that the curb provides separation between the stormwater flow and irrigation flow. He continued to say that the flow of water will go into Greenwood Gulch and not into the ditch.

Commissioner Niederman asked if Blue Hill is the current owner of the property.

Mr. Zuccaro replied yes.

Commissioner Niederman asked what date the property was closed on.

Bob Kelsey, representative for the applicant stated that it was purchased approximately 10 years ago.

Commissioner Niederman asked what information staff could provide regarding the lawsuit.

Mr. Zuccaro replied that he was limited on what information he had. He continued to say that the owner was not present at the meeting, but had answered these questions when the application was reviewed by the PTRC.

Mr. Kelsey stated that the applicant is in a quiet title lawsuit which was filed by a previous landowner. He continued to say that the current owner is confident in their victory and would like the subdivision plans to proceed concurrently with the lawsuit.

Commissioner Kaplan asked why the owner was not present.

Mr. Kelsey said he did not know that it was his understanding that the owner would be present.

Mr. Zuccaro stated that the PTRC draft minutes in the packets indicate that the land was acquired by the applicant in 2003, and was previously sold in 1994. He continued to say that these dates have not been verified and that the owner is being sued by the original owner. He stated that the applicant has requested that the application move forward and that the applicant has agreed to all of the conditions of approval.

Deputy City Attorney Guckenberger stated that the conditions of approval implicitly indicate that clear title and legal ownership is established prior to recordation of the plat.

Commissioner Niederman asked what the intent of the owner regarding the property was.

Mr. Kelsey replied that he intended to sell the lots for home sites.

Commissioner Niederman asked if the lawsuit was contesting rightful ownership.

Mr. Kelsey replied yes.

Mr. Zuccaro stated that if the Commission was comfortable with the conditions they could move forward or if they wanted to continue the meeting to a date certain so that the owner could address the Commission that was an option as well.

Commissioner Niederman stated that he would like to hear from the applicant directly.

Deputy City Attorney Guckenberger stated that the case is set for trial in December and that each party does not anticipate settlement.

Commissioner Wyman made a motion, which was seconded by Commissioner Kaplan, to continue the application to the May 12, 2015 meeting of the Planning and Zoning Commission at 6:30 pm at the Village Center so that the owner could address the Commission on the ownership issues.

The motion passed unanimously.

REPORTS

Mr. Zuccaro stated that City Council has asked for the Commission to hold a joint study session with the PTRC to study and review fence codes for fences adjacent to public trails. He stated that an email would be sent to confirm availability for dates.

ADJOURNMENT

Commissioner Kaplan made a motion, which was seconded by Commissioner Niederman, to adjourn the meeting.

The motion passed unanimously.

The meeting was adjourned at 7:11 p.m.

_____

Peter Savoie, Chairman

_____

Cesarina Dancy, Community Development Clerk

EXHIBIT E

---DRAFT---

Minutes of the
Planning and Zoning Commission of the City of Cherry Hills Village, Colorado
Held on Tuesday, June 9, 2015 at 6:30 p.m.
At the Village Center

STUDY SESSION

The Planning and Zoning Commission participated in a joint study session with the Parks, Trails and Recreation Commission from 5:30-6:30.

CALL TO ORDER

Vice Chair Rubin called the meeting to order at 6:47 p.m.

ROLL CALL

Present at the meeting were the following Planning and Zoning Commissioners: Vice Chair Jim Rubin, Commissioner David Wyman, Commissioner Peter Niederman, and Commissioner Al Blum

Present at the meeting were the following staff members: Rob Zuccaro, Community Development Director; Marcus McAskin, Deputy City Attorney; Troy Carmann, City Engineer; and Cesarina Dancy, Community Development Clerk.

APPROVAL OF MINUTES

Commissioner Wyman made a motion, which was seconded by Commissioner Niederman to approve the April 14, 2015 and May 12, 2015 minutes as written.

The motion passed unanimously.

AGENDA ITEMS

a. *Request by Blue Hill Land Company LLC, for a Minor Subdivision and Floodplain Development Permit (Public Hearing; Continued from March 10, 2015; April 4, 2015; and May 12, 2015 meetings).*

Mr. Zuccaro stated that staff is presenting an applicant request for review of a minor subdivision plat to subdivide an approximately 2.2-acre parcel into two, 1.1-acre residential lots. He stated that a floodplain development permit is also included in the application for minor modifications to the street curb in the floodplain associated with the drainage plan for the subdivision.

Mr. Zuccaro stated that the Commission originally reviewed the request at the April 14, 2015 meeting. Due to a pending lawsuit regarding the subject property, the Commission continued the request and asked that the owner of the property be present at the next meeting to address the commission and answer questions about the lawsuit.

Mr. Zuccaro stated that staff recommends approval of the Blue Hill Minor Subdivision and floodplain development permit with the following conditions:

1. Prior to recordation of the plat, the applicant shall provide an appraisal in order to determine fair market value of the property and the required amount of cash in lieu of land dedication in accordance municipal code section 17-3-30. Such appraisal shall be performed by a certified appraiser and current within three months of full execution and recordation of the plat.
2. Prior to recordation of the plat, the applicant shall provide documentation satisfactory to the City demonstrating: (a) successful and final resolution of the current litigation, *Spears et al v. Parker Semler, et al*, Arapahoe County District Court, Case No. 2014CV031853; and (b) applicant's clear title to and legal ownership of the property.
3. Immediately prior to and contemporaneously with the recordation of the plat, the applicant shall record the Declaration of Drainage Easement and Declaration of Easement granting a shared driveway access easement to Lot 1 of the Blue Hill Subdivision, which is included in Exhibit B to the staff memorandum.

The applicant, Parker Semler, gave a history of the lawsuit and how he came to acquire the property. Mr. Semler also gave information on the timing of the pending litigation. He stated that depositions would be happening over the next two weeks and trial is set to start December 2015. Mr. Semler stated that he is aware of and is in agreement with all of the conditions of approval that have been set forth.

Commissioner Blum asked if the City Attorney had anything in writing regarding the lawsuit.

Deputy City Attorney McAskin replied that nothing has been received in writing. He continued to say that the conditions of approval provide that the plat would not be effective until the lawsuit is settled.

Commissioner Blum asked if there were any FEMA requirements that needed to be addressed.

Mr. Zuccaro replied that there were not as long as building stayed out of the floodplain. He continued to say that for structures in the floodplain, there is a floodplain development process. He stated that the only proposed improvement with this application that is in the floodplain is the road.

Commissioner Niederman asked what the value per acre of the property was.

Mr. Semler replied that the value was $500,000 per acre.

Commissioner Niederman asked who the members of the Blue Hill Land Company were.

Mr. Semler replied that he was the sole member.

Commissioner Wyman asked about the status of the section of Kenyon Avenue leading into the property.

Mr. Zuccaro replied that the website of the assessor shows it to be public right-of-way.

Commissioner Blum made a motion, which was seconded by Commissioner Niederman, to recommend approval of the proposed Blue Hill Minor Subdivision and associated floodplain development permit with the following conditions:

1. Prior to recordation of the plat, the applicant shall provide an appraisal in order to determine fair market value of the property and the required amount of cash in lieu of land dedication in accordance municipal code section 17-3-30. Such appraisal shall be performed by a certified appraiser and current within three months of full execution and recordation of the plat.
2. Prior to recordation of the plat, the applicant shall provide documentation satisfactory to the City demonstrating: (a) successful and final resolution of the current litigation, *Spears et al v. Parker Semler, et al*, Arapahoe County District Court, Case No. 2014CV031853; and (b) applicant's clear title to and legal ownership of the property.
3. Immediately prior to and contemporaneously with the recordation of the plat, the applicant shall record the Declaration of Drainage Easement and Declaration of Easement granting a shared driveway access easement to Lot 1 of Blue Hill Subdivision, which are included in Exhibit B to the staff memorandum.

He stated that such recommendation is based on the findings and analysis in the June 9, 2015 staff memorandum.

The motion passed unanimously.

b. Proposed Amendment to Municipal Code Section 16-16-130 Concerning Wireless Co-Location Rules

Ms. Kropf stated that staff is presenting for consideration an amendment to Municipal Code Section 16-16-130 to include wireless co-location rules as adopted by the Federal Communications Commission (FCC). Co-location is the mounting or installation of wireless equipment on an existing eligible support structure for the purpose of sending or receiving radio frequency signals. She continued to say that in 2014, the FCC adopted new rules that determine when a co-location request on an existing wireless site must receive zoning approval regardless of state or local law. The rules state that a co-location request must be approved if it does not involve a substantial change.

EXHIBIT F

Minutes of the Parks, Trails & Recreation Commission
City of Cherry Hills Village, Colorado
Thursday, March 12, 2015
at the Village Center

Commission members in attendance: Bill Lucas, Robert Eber, Joshua DiCarlo, Rob Ganger, Nina Itin, John Kokish and Councilor Mike Gallagher. Employees present: Ryan Berninzoni, Parks, Trails and Recreation Administrator, Matt Krebsbach, Parks Crew Chief, Pamela Broyles, Administrative Assistant.

Absent: Colleen Dougherty

CALL TO ORDER

Chair Bill Lucas called the John Meade Park study session to order at 5:30 p.m.

STUDY SESSION – JOHN MEADE PARK

Design Concepts

THK Associates presented three design concepts for John Meade Park to the Parks, Trails and Recreation Commission (PTRC). The project is a long term vision that will be completed in phases. The Commission discussed parking, paved trails versus crusher fine trails and the process for placing structures in the floodplain.

Project Schedule

The next Public Input meeting is scheduled for April 9th at St. Mary Academy.

The PTRC will meet on Monday, March 23, 2015 at 8:00 a.m. with THK Associates at the Village Center.

PARKS, TRAILS AND RECREATION COMMISSION (PTRC) MEETING

CALL TO ORDER

Chair Bill Lucas called the PTRC meeting to order at 6:30 p.m.

APPROVAL OF THE FEBRUARY 12, 2015 MINUTES

Mr. Rob Ganger moved to approve the February 12, 2015 minutes as presented. Ms. Nina Itin seconded the motion and the motion passed unanimously.

AUDIENCE PARTICIPATION

There was no audience participation

BLUE HILLS SUBDIVISION PROPOSAL – ROB ZUCCARO

Mr. Rob Zuccaro, Community Development Director, presented an application for a minor subdivision located on the north side of East Kenyon Avenue between South Ogden Street and South Corona Street. The request is to subdivide an approximately 2.2 acre parcel into two, 1.1

acre residential lots. The subject property is zoned R-3 and is currently vacant. The PTRC is being asked to recommend to City Council that the 7.5% land dedication be made as cash in lieu. The applicant presented a sketch plat to the PTRC on June 13, 2013 and requested preliminary feedback on the land dedication requirement prior to making a formal application. The general consensus of the PTRC at that time was to recommend cash in lieu of land as there are no trail connection opportunities or view corridors. Based on appraisals from August 22, 2013, the value of each proposed lot are $506,000 and $508,000 totaling $1,014,000. Based on this appraisal price the 7.5% cash in lieu dedication would be $76,050. Staff has informed the applicant that current appraisals are required to determine the final dedication amount.

Mr. Zuccaro informed the Commission that the applicant is currently in a quiet title lawsuit over the property and has requested that the subdivision review continue pending the outcome of the lawsuit. Because of the unknown timeframe for the lawsuit, the applicant has requested that the final appraisals not be submitted until after the lawsuit is settled.

Mr. Kokish had questions about the timeframe of the lawsuit and expressed concern that making a decision on the land dedication might be premature at this point.

Mr. Zuccaro reported that staff has reviewed the City ordinance and feels the applicant has provided all of the requested information to continue the review. He confirmed that the City would not execute or record the subdivision plat until the title is clean and the lawsuit is settled in favor of the current owner.

Mr. Kokish expressed concern that a recommendation for approval could have some effect on the legal status of the case. He recommended tabling the recommendation until the lawsuit is over.

Mr. Zuccaro suggested that if the Commission has concerns he can have the City Attorney review their concerns before proceeding with a recommendation. If the Commission has concerns that the lawsuit could impact their recommendation on the land dedication then it would be appropriate to make a continuance.

Mr. Lucas reported that the Commission would only be making a recommendation on the 7.5 % land dedication. He agreed that the request may be premature, but he does not believe PTRC's decision will affect the case.

Mr. Parker Semler, the applicant and owner of the Blue Hill Land Company, addressed the Commission regarding their concerns. He stated that he acquired the parcel in 2003 and has been paying taxes on the vacant land throughout that time. He said a lawsuit has been filed that arises out of a series of transactions that started in 1994. He said the Speer brothers sold the property in question in 1994 for $110,000. The lawsuit is in District Court and they are seeking a judicial declaration that the Speer brothers were incompetent in 1994 and did not have the legal capacity to sell the property. A trial date has been set for December 2015. Mr. Semler is asking for approval to move forward so he does not have to start from scratch when the lawsuit is resolved.

Mr. Robert Eber moved, seconded by Ms. Nina Itin to recommend approval of the 7.5% land dedication for the proposed Blue Hill Subdivision to be made as cash in lieu of land dedication with the following two conditions:

1. PTRC's acceptance of an appraisal current within three months of full execution and recordation of the plat shall be provided to the City and that the final dedication amount shall be based on such appraisal.
2. Blue Hill Land Company's successful resolution of current and any future litigation such that it provides clean title of its ownership of the parcel.

The motion carried with 5 ayes and 1 nay.

SUBCOMMITTEE DISCUSSIONS

a. Summary Sheet

Trail Enhancement Update

Mr. DiCarlo reported that the High Line Canal tunnel that goes under Belleview was recently vandalized. He suggested that security cameras should be placed in that area as there has also been an issue with graffiti.

Mr. Berninzoni reported that the tunnel lights were broken and the total damage was approximately $6,000. The City has filed an insurance claim. The Police have no witnesses or suspects. Mr. Berninzoni agreed to place temporary cameras at the site.

Special Events Update

The annual movie night is scheduled for Saturday evening August 22nd. The car show will be September 13th or September 20th depending on the Bronco's schedule that comes out in April. The Holiday Tree Lighting event is scheduled for Friday, December 11th.

Open Space Update

Mr. Zuccaro is working on changes to the ordinance to address fencing restrictions. He will present to the PTRC at the May 2015 meeting.

Ms. Itin stressed that the Commission needs to take a strong stand on what they want to recommend for fencing restrictions to protect the rural sense of the community. She noted that some communities are thinking aggressively about what the worst case scenario would be in 25 years and what codes need to be established to prevent that from happening.

Ms. Itin will talk with Mr. Zuccaro in advance to express the concerns and recommendation of the PTRC to establish restrictions on fencing and walls throughout the Community.

Mr. DiCarlo emphasized the importance of establishing criteria for the PTRC when considering land dedications. The criterion needs to support the master plan and protect view corridors. This would also be beneficial for the developers so they know the expectations. It is important for future PTRC members to know the guidelines and what to advocate for. He believes establishing criteria should be a priority because there are potential land dedications that the Commission could be deciding in the near future.

CHERRY HILLS VILLAGE
COLORADO

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
FAX 303-761-9386

ITEM: 9d(i)

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: ROBERT ZUCCARO, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: COMMUNITY DEVELOPMENT DEPARTMENT MONTH END REPORT FOR JUNE 2015

DATE: JULY 21, 2015

BUILDING PERMITS SUMMARY:

	June 2015	*YTD 2015*	*YTD 2014*	*YTD % Change*
Total Permits	94	440	445	-1%
Total Revenue	$86,518	$457,216	$530,042	-14%
New Home Permits	1	7	1	600%
New Home Revenue	$55,299	$244,806	$31,824	669%
Remodel/Addition Permits	11	67	73	-8%
Remodel/Addition Revenue	$8,353	$100,826	$117,204	-14%

PLANNING AND ZONING COMMISSION:

- June 9, 2015 Regular Meeting: The Planning and Zoning Commission and Parks, Trails and Recreation Commission held a joint study session to discuss possible fence code amendments and an update and formal implementation plan for the Master Plan. The Commission voted to recommend conditionally of a request by Blue Hill Land Company, LLC for a minor subdivision proposal near E. Kenyon Avenue and S. Ogden Street.

BOARD OF ADJUSTMENT AND APPEALS:

- June 4, 2015 Regular Meeting: The Board voted to approve a setback and bulk plane variance request to allow a detached garage at 4300 S. Lafayette Street. The property is nonconforming in lot area.

ATTACHMENTS:

Exhibit A: Planning Project Activity List
Exhibit B: Year-to-Date Permit Activity Graphs
Exhibit C: Permit Summary Table
Exhibit D: Issued Permit Report

EXHIBIT A

Planning Project Activity List

Community Development Department

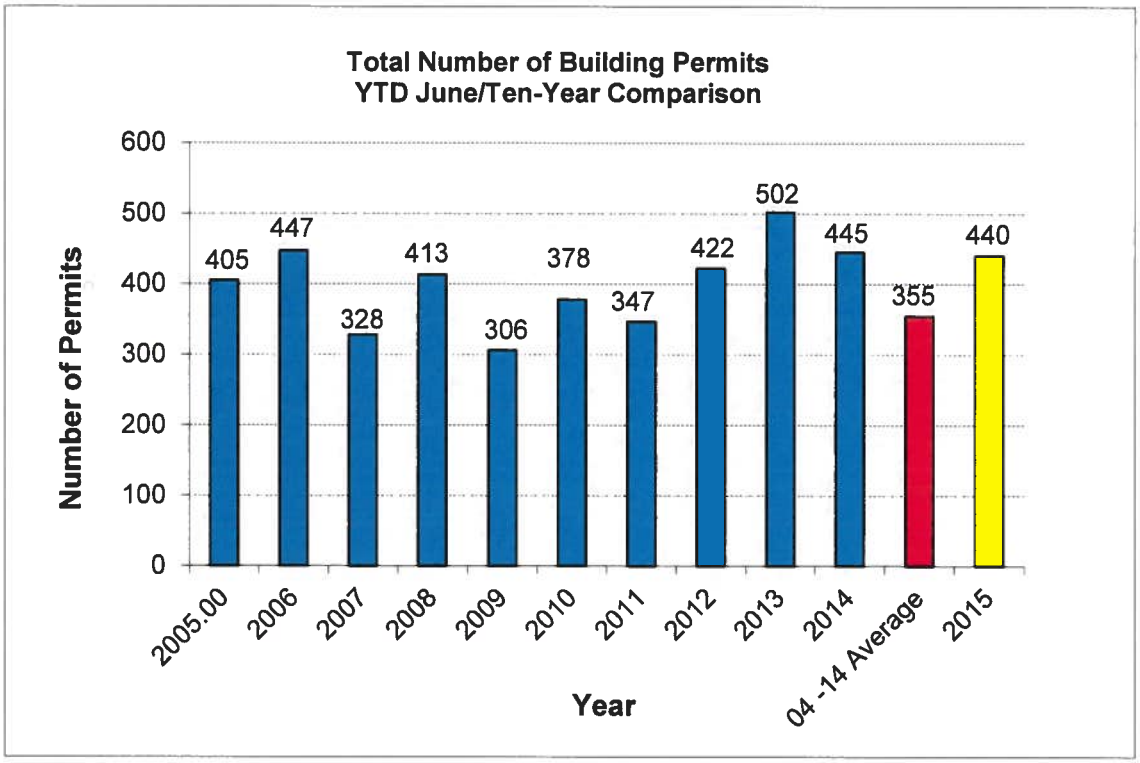
Report Date: July 6, 2015

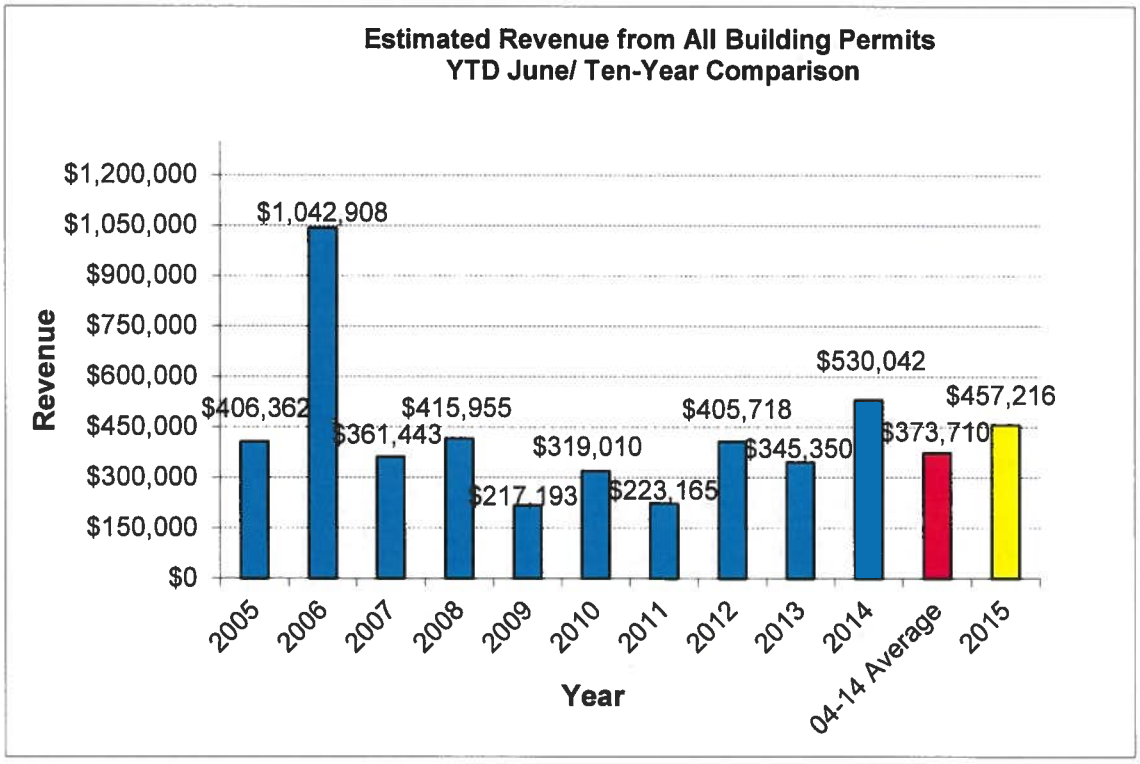
City Council and Planning and Zoning Commission Members are advised to avoid discussing quasi-judicial land use matters with any person outside of the public hearing process. The restriction on discussion of quasi-judicial matters is generally considered to take effect when a formal application has been filed with the City. The following list includes only those matters for which the City has received a formal application. City Council and Planning and Zoning Commission Members are nevertheless advised to use caution in discussing any land use matter that may become quasi-judicial, even before the filing of a formal application.

Quasi-Judicial Cases					
Applicant	*Address*	*Description*	*PTRC Review*	*P&Z Review*	*Council Review*
Helen	1530 E. Oxford Lane	Floodplain Development Permit and Boundary Amendment for New Home	n/a	Pending	Pending
St. Mary's Academy	4545 University Blvd	Expanded Use Permit – Ground Mounted Solar Installation	n/a	07/14	Pending
4501SM, LLC	4501 Monroe Ln	Floodplain Development Permit for Stream Realignment and Bank Stabilization	n/a	Pending	Pending
Blue Hill Land Company, LLC	Kenyon Ave/Ogden St	Minor Subdivision – 2 Lots, R-3 1 Acre & Floodplain Development Permit	3/12	04/14 05/12 06/09	07/21
Maven Properties, LLC	2 Tenaya Ln/5050 Quincy Ave	Minor Subdivision Amendment, Cantitoe – Vacation and Relocation of Trail Easement	Pending	Pending	Pending
Denver First Church of the Nazarene	3800 Hampden Ave	Conditional Use Permit – Roof-Mounted Wireless Facility	n/a	Pending	Pending
Non Quasi-Judicial Cases and Ordinance Amendments					
Applicant	*Address*	*Description*	*PTRC Review*	*P&Z Review*	*Council Review*
Clearview Farm LLC	4001 E. Quincy	Lot Consolidation Plat (Administrative)	n/a	n/a	n/a
City Council Initiated	n/a	Fencing Code Amendments	06/09 07/09	06/09 07/14	Pending
P&Z Initiated	n/a	Amendments to Sec. 16-16-50 – Clarify Recreational Use Lighting Code for Residences and Expanded Use Applications	n/a	07/14	Pending
Staff Initiated	n/a	Amendments to Sec. 16-16-130 – Amend Collocation Process and Create Non-Substantial Change Process for Wireless Facilities in Compliance with FCC Rule and Order	n/a	06/09	06/16 1st Reading 07/21 2nd Reading
City Council Initiated	n/a	Cat Anderson Property Zoning Category	Pending	Pending	Pending
Cherry Hills Farm HOA	n/a	Amendment to Sec. 16-1-10 and 16-18-20 – Amend Guardhouse Review Process for Public Roads	n/a	1/13	2/3 Tabled Indefinitely
Board of Adjustment and Appeals Cases					
Applicant	*Address*	*Description*			*BOAA Review*

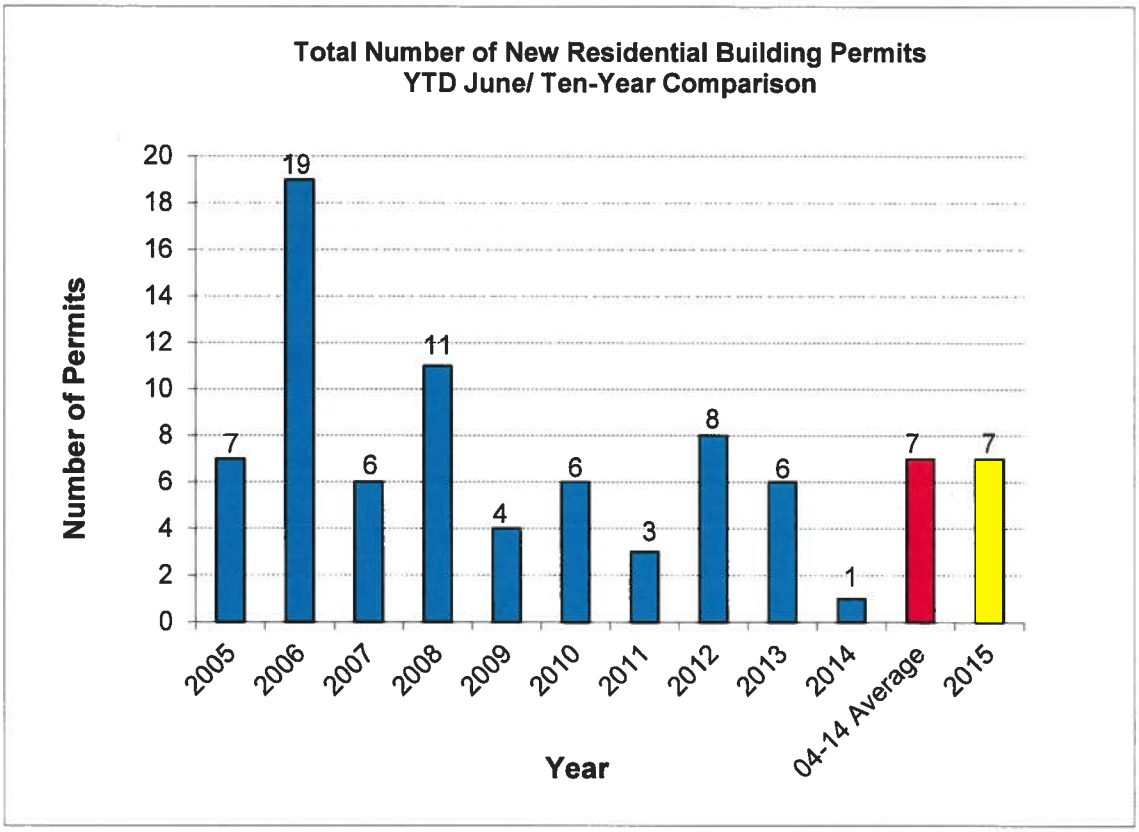
EXHIBIT B

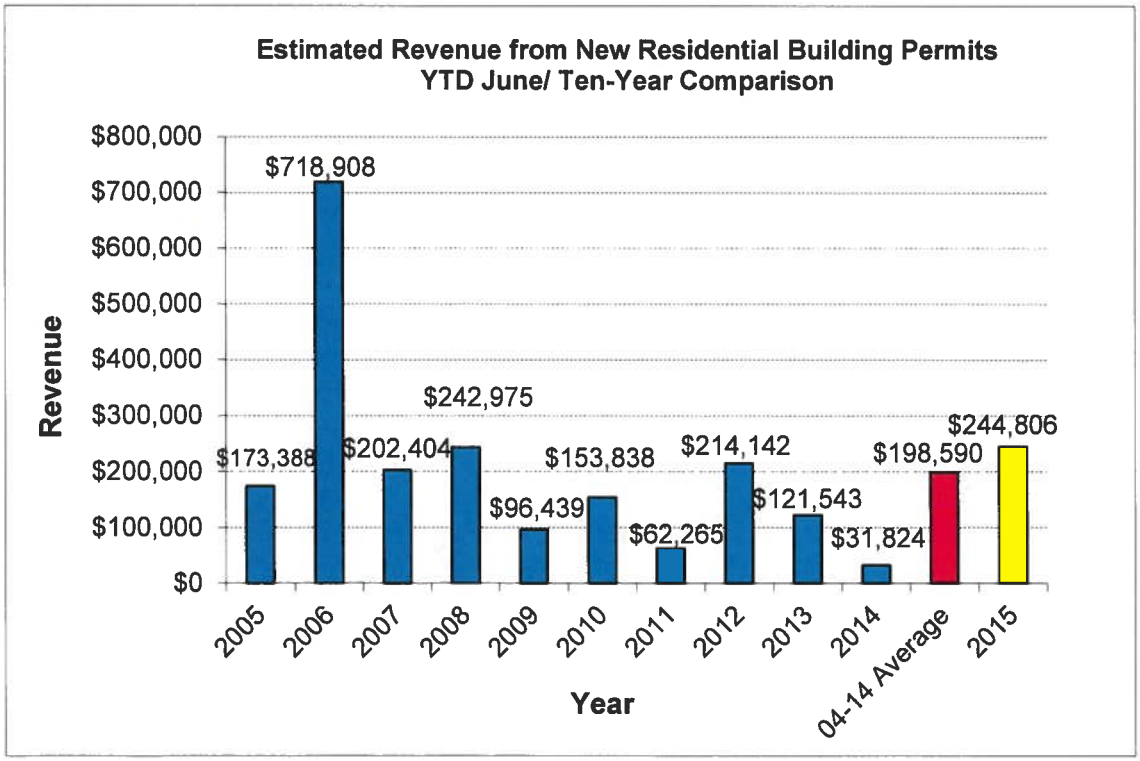
TOTAL PERMITS
YTD THROUGH JUNE
10 YEAR COMPARISON



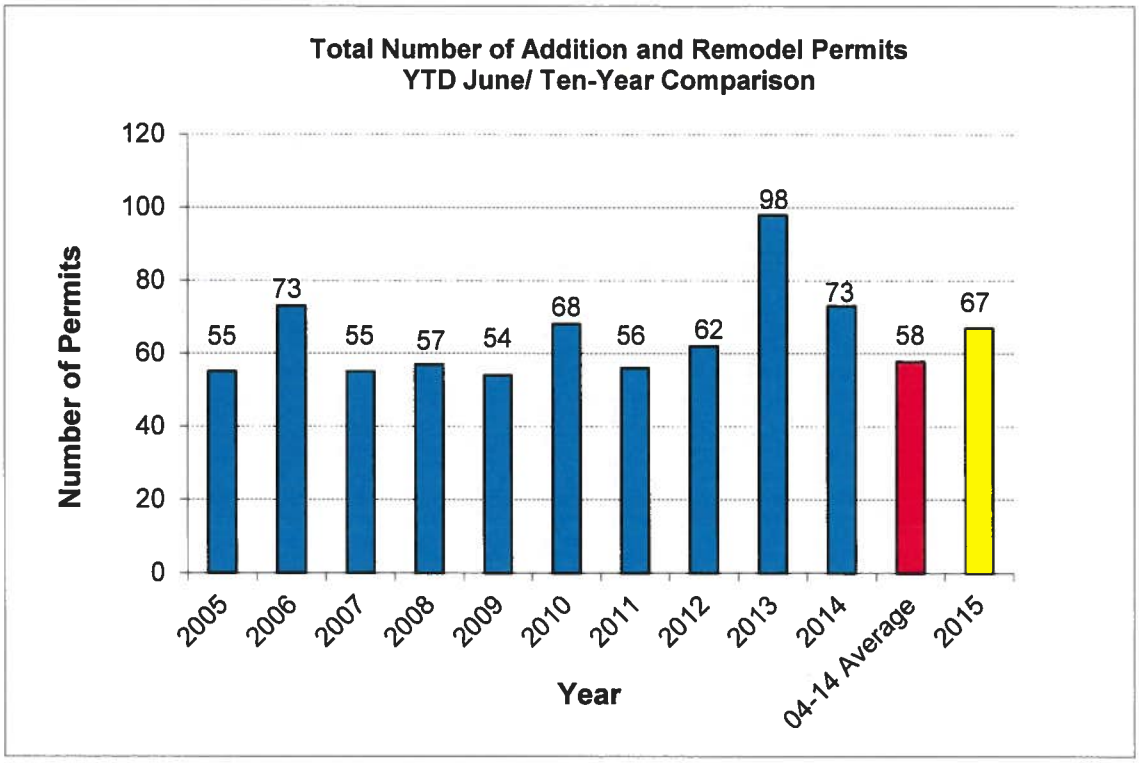


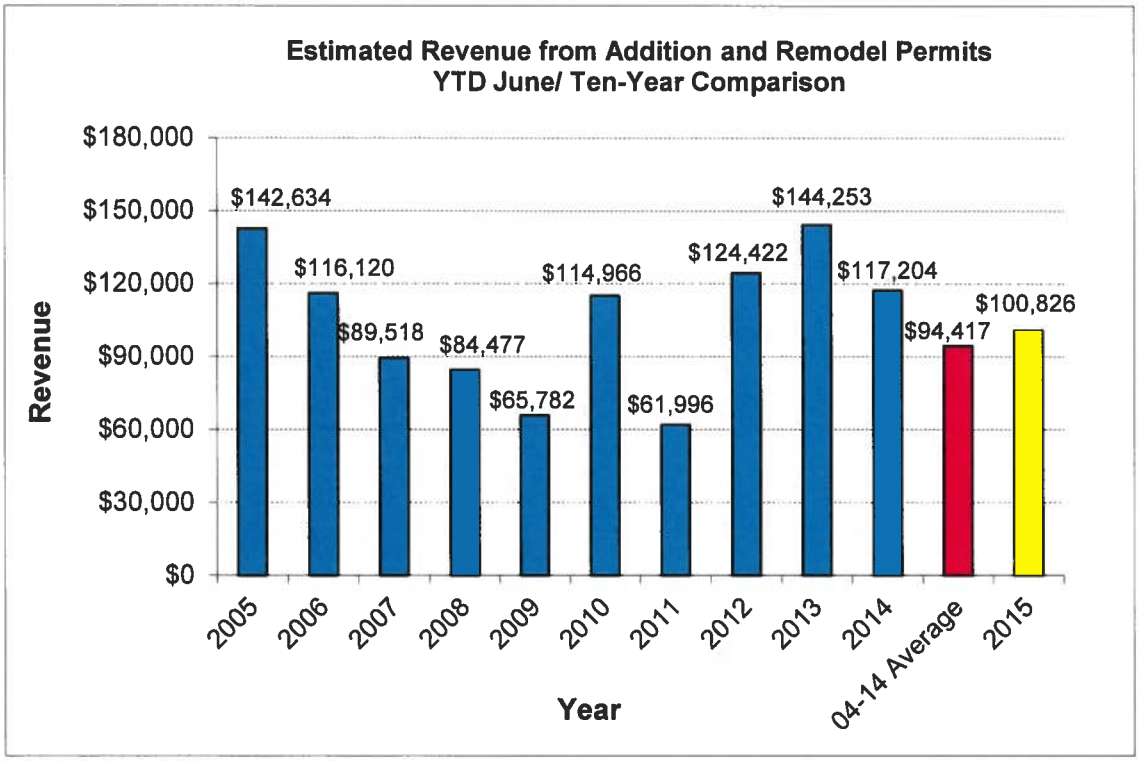
NEW RESIDENCES
YTD THROUGH JUNE
10 YEAR COMPARISON





ADDITIONS & REMODELS
YTD THROUGH JUNE
10 YEAR COMPARISON





CITY OF CHERRY HILLS VILLAGE BUILDING DEPARTMENT
MONTHLY REPORT FOR
JUNE 1-30, 2015

		2015 YTD	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
I	**Residences**													
	Number Issued	7	0	1	1	2	2	1						
	Project Valuation	$15,409,885.00	$0.00	$816,385.00	$6,273,500.00	$1,620,000.00	$2,700,000.00	$4,000,000.00						
	Bldg. Permits	$154,098.00	$0.00	$8,163.00	$62,735.00	$16,200.00	$27,000.00	$40,000.00						
	Reinspection/Investigation Fee	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00						
	Plan Check Fee	$22,875.00	$0.00	$3,300.00	$5,475.00	$5,400.00	$5,400.00	$3,300.00						
	Service Exp. Fee	$67,832.80	$0.00	$7,016.20	$17,744.70	$13,020.30	$18,052.70	$11,998.90						
II	**Additions & Remodels/Alterations**													
	Number Issued	67	12	11	7	15	11	11						
	Project Valuation	$6,833,139.13	$1,074,721.13	$774,500.00	$1,914,217.00	$1,301,445.00	$1,265,256.00	$503,000.00						
	Bldg. Permits	$68,386.09	$10,747.22	$7,745.00	$19,142.17	$13,014.45	$12,707.25	$5,030.00						
	Reinspection/Investigation Fee	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00						
	Plan Check Fee	$24,450.00	$4,050.00	$3,600.00	$3,450.00	$5,550.00	$4,500.00	$3,300.00						
	Service Exp. Fee	$7,989.60	$1,458.40	$1,070.10	$545.10	$2,383.20	$2,509.80	$23.00						
III	**Accessory & Recreational**													
	Number Issued	2	2	4	3	7	8	8						
	Project Valuation	$1,411,645.00	$132,100.00	$184,250.00	$234,795.00	$194,000.00	$320,000.00	$346,500.00						
	Bldg. Permits	$14,216.98	$1,321.10	$1,842.50	$2,347.95	$1,940.00	$3,200.00	$3,565.43						
	Reinspection/Investigation Fee	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00						
	Plan Check Fee	$10,050.00	$600.00	$1,350.00	$900.00	$2,250.00	$2,400.00	$2,550.00						
	Service Exp. Fee	$3,790.40	$435.20	$0.00	$698.40	$340.00	$977.60	$1,339.20						
IV	**Other Bldgs, Structures, & Misc.**													
	Number Issued	231	31	31	43	44	30	52						
	Project Valuation	$5,650,654.57	$812,123.37	$804,870.00	$711,100.13	$2,075,480.01	$457,162.06	$789,919.00						
	Bldg. Permits	$55,000.08	$7,847.96	$8,018.56	$6,533.88	$20,337.39	$4,505.12	$7,757.17						
	Reinspection/Investigation Fee	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00						
	Plan Check Fee	$8,880.50	$900.00	$780.50	$1,700.00	$2,400.00	$2,500.00	$600.00						
	Service Exp. Fee	$1,216.80	$0.00	$0.00	$1,216.80	$0.00	$0.00	$0.00						
V	**Electrical**													
	Number Issued	103	16	11	15	22	17	22						
	Project Valuation	$781,797.00	$151,464.00	$70,600.00	$40,085.00	$122,380.00	$75,128.00	$322,140.00						
	Reinspection/Investigation Fee	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00						
	Bldg. Permits	$18,129.50	$3,506.00	$1,667.00	$1,169.50	$3,046.25	$1,686.25	$7,054.50						
	Plan Check Fee	$300.00	$0.00	$300.00	$0.00	$0.00	$0.00	$0.00						
VI	**Totals**													
	Number Issued	440	61	58	69	90	68	94	0	0	0	0	0	0
	Project Valuation	$30,087,120.70	$2,170,408.50	$2,650,605.00	$9,173,697.13	$5,313,305.01	$4,817,546.06	$5,961,559.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
	Bldg. Permits	$309,830.65	$23,422.28	$27,436.06	$91,928.50	$54,538.09	$49,098.62	$63,407.10	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
	Reinspection/Investigation Fee	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
	Plan Check Fee	$66,555.50	$5,550.00	$9,330.50	$11,525.00	$15,600.00	$14,800.00	$9,750.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
	Service Exp. Fee	$80,829.60	$1,893.60	$8,086.30	$20,205.00	$15,743.50	$21,540.10	$13,361.10	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00

EXHIBIT C

Grouped By:	Sorted By:	Parameters:
Permit Type (Asc)	Work Start (Asc)	Date Issued Is between 6/1/2015 and 6/30/2015

Permit Listing - Monthly Report

Permits Issued

Cherry Hills Village, CO
2450 E. Quincy Avenue
Phone : (303) 789-2541
Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
Accessory Structure				
76326 113 Accessory Structure 5/26/15 6/2/15	5 SOUTH LN ENGLEWOOD, CO 80113-7022	R-3 Smith's Gardens 2nd Flng	ELKEN, STEPHEN / ELKEN, STEPHEN / MOUNTAIN MACK CONSTRUCTION / 303-82	50,000 / 1,121.70 6/2/15 / 12/1/16 Active
Description of Work: CONCRETE POOL CONSTRUCTION				
76308 513 Accessory Structure 5/14/15 6/5/15	4930 S GAYLORD ST ENGLEWOOD, CO 80113-7129	R-3 Chry Hls Farm Flng 4	ZANECCHIA, THOMAS E & / ZANECCHIA, THOMAS E & / SINGING HILLS LANDSCAPE LLC / 720-427-2	50,000 / 862.50 6/5/15 / 12/4/16 Active
Description of Work: PATIO, WATER FEATURE, FIREPLACE (GAS), SEATING WALL, PATHS, KITCHEN AREA, LIGHTING				
76345 1332 Accessory Structure 6/2/15 6/10/15	4260 S BELLAIRE CIR ENGLEWOOD, CO 80113-5052	R-4	TURNER, MARTHA A SOLIS / TURNER, MARTHA A SOLIS / JIM FAIRBAIRN / 303-919-2208	4,000 / 345.00 6/10/15 / 12/9/16 Active
Description of Work: BBQ				
76342 2475 Accessory Structure 6/2/15 6/16/15	4350 S HIGH ST ENGLEWOOD, CO 80113	R-1 Highline Mdws in Chry Hls	JOHNSON, TIM / 303-523-9887 JOHNSON, TIM / 303-523-9887 MOUNTAIN MACK CONSTRUCTION / 303-82	70,000 / 1,591.50 6/16/15 / 12/15/16 Active
Description of Work: NEW CONCRETE POOL AND SPA				
76317 2174 Accessory Structure 5/19/15 6/22/15	14 COVINGTON DR ENGLEWOOD, CO 80113-4145	R-3A Highline Mdws in Chry Hls	PERRY, BRETT M & CASEY / PERRY, BRETT M & CASEY / EXCEL PLUMBING AND HEATING / 303-699-	2,500 / 328.13 6/22/15 / 12/21/16 Active
Description of Work: GAS LINE AND FIRE PIT				
76386 224 Accessory Structure 6/18/15 6/23/15	201 SUMMIT BLVD ENGLEWOOD, CO 80113-7044	R-4 Chry Hls Farm West	JOHNSON, ERIK / 303-865-1124 JOHNSON, ERIK / 303-865-1124 BROWNE & ASSOCIATES / 720-849-0959	45,000 / 806.25 6/23/15 / 12/22/16 Active
Description of Work: OUTDOOR KITCHEN, PATIO, PERGOLA, FIREPIT				
76372 537 Accessory Structure 6/12/15 6/25/15	51 GLENMOOR WAY ENGLEWOOD, CO 80113-7120	R-3	ANDERSON, CLINTON M & JANET B / ANDERSON, CLINTON M & JANET B / DESIGNSCAPES COLORADO / 303-912-6959	90,000 / 2,212.50 6/25/15 / 12/24/16 Active
Description of Work: FIREPIT, COLUMNS, DECREASING SIZE OF DRIVEWAY				

EXHIBIT D

Phone : (303) 789-2541
Fax : (303) 761-9386

Cherry Hills Village, CO

2450 E. Quincy Avenue

Phone : (303) 789-2541
Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
76376 170 Accessory Structure 6/15/15 6/25/15	4300 S LAFAYETTE ST ENGLEWOOD, CO 80113-5942	R-1	HARDING, CHELSEA / 303-917-7398 HARDING, CHELSEA / 303-917-7398 BARNS BY LAWSON / 303-301-4495	35,000 / 1,532.73 6/25/15 / 12/24/16 Active
Description of Work: POLE BARN/GARAGE				

Total Permits Issued (**Accessory Structure**) : 8 **Total Cost:** 346,500.00 **Total Fees:** 8,800.31

Phone : (303) 789-2541
Fax : (303) 761-9386

Cherry Hills Village, CO
2450 E. Quincy Avenue
Phone : (303) 789-2541
Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
Building Permit - Other				
76358 880 Building Permit - Other 6/8/15 6/8/15	5134 E PRINCETON AVE ENGLEWOOD, CO 80113-5020	R-4	HOLLENBECK & VEYNA, HEIDI & KEITH / 30 HOLLENBECK & VEYNA, HEIDI & KEITH / 30 SERVICE EXPERTS / 303-217-4835	1,315 / 20.00 6/8/15 / 12/7/16 Active
Description of Work: REPLACE 50 GAL WATER HEATER				
76360 296 Building Permit - Other 6/8/15 6/8/15	1701 E TUFTS AVE ENGLEWOOD, CO 80113-6018	R-1	ABEYTA, ROBERT / ABEYTA, ROBERT / DIG BOSS / 303-856-7476	5,250 / 59.06 6/8/15 / 12/7/16 Complete
Description of Work: 10' SPOT REPAIR ON SEWER LINE IN BACKYARD				
76349 2104 Building Permit - Other 6/3/15 6/10/15	107 GLENMOOR DR ENGLEWOOD, CO 80113-7118	R-3 Council District 3 Glenmoor	LOGAN, STEVE / 917-882-3480 LOGAN, STEVE / 917-882-3480 HARRISON CUSTOM BUILDERS LTD / 303-9	5,000 / 356.25 6/10/15 / 12/9/16 Active
Description of Work: ADDD GARAGE DOOR AND ELEVATOR SHAFT				
76363 1647 Building Permit - Other 6/10/15 6/10/15	4701 DASA DR ENGLEWOOD, CO 80111-1113	R-1	SCHRIER, BARBARA L / SCHRIER, BARBARA L / APEX PLUMBING INC / 303-215-1348	1,800 / 20.00 6/10/15 / 12/9/16 Complete
Description of Work: REPAIR ON 4' SEWER SERVICE LINE IN YARD ONLY.				
76364 358 Building Permit - Other 6/10/15 6/10/15	85 MEADE LN ENGLEWOOD, CO 80113-6030	R-1	DIECIDUE, RICHARD / 303-358-1001 DIECIDUE, RICHARD / 303-358-1001 BLUE SKY PLUMBING & HEATING / 303-421-	18,000 / 202.50 6/10/15 / 12/9/16 Active
Description of Work: REPLACING THREE CONDENSERS				
76370 1436 Building Permit - Other 6/12/15 6/12/15	17 MARTIN LN ENGLEWOOD, CO 80113-4820	R-3	OVERSTREET, JACK F / OVERSTREET, JACK F / AFORDAROOTER / 720-296-7972	1,200 / 20.00 6/12/15 / 12/11/16 Complete
Description of Work: SEWER REPAIR IN YARD				
76371 2104 Building Permit - Other 6/12/15 6/12/15	107 GLENMOOR DR ENGLEWOOD, CO 80113-7118	R-3 Council District 3 Glenmoor	LOGAN, STEVE / 917-882-3480 LOGAN, STEVE / 917-882-3480 AFORDAROOTER / 720-296-7972	1,200 / 20.00 6/12/15 / 12/11/16 Complete
Description of Work: SEWER REPAIR IN YARD				
76378 1122 Building Permit - Other 6/15/15 6/15/15	4040 S BELLAIRE ST ENGLEWOOD, CO 80113-5028	R-5	BOWMAN, DAVID L & SUSAN K / BOWMAN, DAVID L & SUSAN K / D&H HEATING AND AIR LLC / 720-936-9281	3,000 / 33.75 6/15/15 / 12/15/16 Active
Description of Work: REPLACE HOT WATER HEATER, 2-40 GALLON, 38 K BTU				

Phone : (303) 789-2541
Fax : (303) 761-9386

Cherry Hills Village, CO
2450 E. Quincy Avenue
Phone : (303) 789-2541
Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
76379 1110 Building Permit - Other 6/15/15 6/15/15	4060 S BELLAIRE ST ENGLEWOOD, CO 80113-5028	R-5	4060 S BELLAIRE ST / 303-564-3983 DENTON, DAVID / 720-933-6947 D&H HEATING AND AIR LLC / 720-936-9281	1,500 / 21.88 6/15/15 / 12/15/16 Active
Description of Work: REPLACE 50 GALLON WATER HEATER 38,000 BTU				
76380 1207 Building Permit - Other 6/15/15 6/15/15	4021 S BELLAIRE ST ENGLEWOOD, CO 80113-5027	R-5	WYMAN, STEVEN M & MARGARET C / WYMAN, STEVEN M & MARGARET C / D&H HEATING AND AIR LLC / 720-936-9281	8,000 / 90.00 6/15/15 / 12/15/16 Active
Description of Work: REPLACE BOILER AND HOT WATER MAKER 198,000 BTU				
76357 1953 Building Permit - Other 6/8/15 6/16/15	4737 S FILLMORE CT ENGLEWOOD, CO 80113-7104	R-3 Council District 1 Chry Hls Farm Flng 4	ROBERT KAUFMANN LIVING TRUST / ROBERT KAUFMANN LIVING TRUST / CLASSIQUE COLORADO INC / 720-298-0824	2,000 / 322.50 6/16/15 / 12/15/16 Active
Description of Work: REPLACE DRYWALL DUE TO WATER DAMAGE				
76381 876 Building Permit - Other 6/16/15 6/16/15	4173 S HUDSON PKY ENGLEWOOD, CO 80113-5012	R-4	SMITH, BRYAN M & / SMITH, BRYAN M & / STONE AND CONCRETE / 720-450-7819	4,000 / 45.00 6/16/15 / 12/16/16 Complete
Description of Work: APPROX 60 FT SEWER LINE REPAIR, 10 FT DEEP				
76383 2104 Building Permit - Other 6/18/15 6/18/15	107 GLENMOOR DR ENGLEWOOD, CO 80113-7118	R-3 Council District 3 Glenmoor	LOGAN, STEVE / 917-882-3480 LOGAN, STEVE / 917-882-3480 HARRISON CUSTOM BUILDERS LTD / 303-9	85,000 / 956.25 6/18/15 / 12/17/16 Active
Description of Work: REPLACE EXTERIOR STUCCO				
76389 1278 Building Permit - Other 6/22/15 6/22/15	4217 S BELLAIRE CIR ENGLEWOOD, CO 80113-5030	R-4	JOHNSON, ROGER FRANK & / JOHNSON, ROGER FRANK & / TRENCH RIGHT / 303-287-9009	5,730 / 64.46 6/22/15 / 12/21/16 Complete
Description of Work: 8' SEWER REPAIR IN FRONT YARD				
76390 117 Building Permit - Other 6/22/15 6/22/15	1515 E TUFTS AVE ENGLEWOOD, CO 80113-5951		VAN LOUCKS, MARK / VAN LOUCKS, MARK / STONE AND CONCRETE / 720-450-7819	8,300 / 93.38 6/22/15 / 12/21/16 Active
Description of Work: NEW SEWER LINE. YARD ONLY.				
76396 296 Building Permit - Other 6/23/15 6/23/15	1701 E TUFTS AVE ENGLEWOOD, CO 80113-6018	R-1	ABEYTA, ROBERT / ABEYTA, ROBERT / DIG BOSS / 303-856-7476	8,575 / 96.47 6/23/15 / 12/22/16 Active
Description of Work: 120' FULL SEWER LINE REPAIR FROM OPEN TRENCH TO TAP IN BACK YARD				

Phone : (303) 789-2541
Fax : (303) 761-9386

Cherry Hills Village, CO
2450 E. Quincy Avenue
Phone : (303) 789-2541
Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
76398 1545 Building Permit - Other 6/24/15 6/24/15	5810 S HAPPY CANYON DR ENGLEWOOD, CO 80111-1007	R-4 Council District 3	MILLER, TED / 303-756-3023 MILLER, TED / 303-756-3023 LIFETIME WINDOWS & SIDING / 303-934-45(	3,200 / 36.00 6/24/15 / 12/23/16 Active
Description of Work: DEMO SOLARIUM. ADD SIDING TO GABLES.				
76405 1068 Building Permit - Other 6/25/15 6/25/15	5232 NASSAU CIR E ENGLEWOOD, CO 80113-5104	R-4	MCASKIN, MARCUS / 303-517-5293 MCASKIN, MARCUS / 303-517-5293 MARCUS MCASKIN / 303-517-5293	2,700 / 30.38 6/24/15 / 12/26/16 Active
Description of Work: EXTEND PATIO				
76402 1407 Building Permit - Other 6/25/15 6/25/15	3600 S CLARKSON ST ENGLEWOOD, CO 80113-7526		SANCTUARY CHRISTIAN FELLOWSHIP / 30: SANCTUARY CHRISTIAN FELLOWSHIP / 30: ALLIANCE PLUMBING / 303-237-8800	500 / 20.00 6/25/15 / 12/24/16 Active
Description of Work: REPLACE GAS HOT WATER HEATER DAMAGED IN FLOOD				
76404 427 Building Permit - Other 6/25/15 6/25/15	4675 S VINE WAY ENGLEWOOD, CO 80113-6044	R-1 Council District 1 Chry's Gdns	WILKS, LEW / WILKS, LEW / MESA PROPERTIES / 720-313-9459	45,000 / 506.25 6/25/15 / 12/24/16 Active
Description of Work: REMOVE SIDING AND REPLACE WITH CULTURED STONE				
76401 358 Building Permit - Other 6/24/15 6/26/15	85 MEADE LN ENGLEWOOD, CO 80113-6030	R-1	DIECIDUE, RICHARD / 303-358-1001 DIECIDUE, RICHARD / 303-358-1001 BLUE SKY PLUMBING & HEATING / 303-421-	18,500 / 208.13 6/26/15 / 12/26/16 Active
Description of Work: REPLACING 3 A/C UNITS				
76408 837 Building Permit - Other 6/26/15 6/26/15	4245 S FOREST CIR ENGLEWOOD, CO 80113-5008	R-4	ADDIS, BRENDAN & DANA / ADDIS, BRENDAN & DANA / APEX PLUMBING INC / 303-215-1348	2,100 / 23.63 6/26/15 / 12/25/16 Active
Description of Work: IN YARD ONLY SEWER LINE SPOT REPAIR W/CLEANOUTS				
76409 1331 Building Permit - Other 6/26/15 6/26/15	4191 S COLORADO BLVD ENGLEWOOD, CO 80113-5039	R-1 Council District 2 Smith's Gardens	CARSON, STANLEY D & BONITA S / CARSON, STANLEY D & BONITA S / SERVICE EXPERTS / 303-217-4835	11,579 / 130.26 6/26/15 / 12/25/15 Active
Description of Work: REPLACE 2 FURNACES & 2 AIR CONDITIONERS (SIDE BY SIDE)				
76414 322 Building Permit - Other 6/29/15 6/29/15	3201 CHERRYRIDGE RD ENGLEWOOD, CO 80113-6009	R-3 Council District 1 Chryridge	HENRY, BEVERLEE B LIVING TRUST / HENRY, BEVERLEE B LIVING TRUST / RENEWAL BY ANDERSEN / 303-945-1519	31,806 / 357.82 6/29/15 / 12/28/16 Active
Description of Work: REPLACING LIKE FOR LIKE 15 WINDOWS; UFACTOR .30 OR BETTER				

Phone : (303) 789-2541
Fax : (303) 761-9386

Cherry Hills Village, CO

2450 E. Quincy Avenue

Phone : (303) 789-2541
Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
76420 123 Building Permit - Other 6/29/15 6/29/15	110 SUMMIT BLVD ENGLEWOOD, CO 80113-7043	R-4 Council District 1 Chry Vale Acrs Flng 4	GARAFALO, JAMES L JR & / 720-350-0045 GARAFALO, JAMES L JR & / 720-350-0045 GARAFALO, JAMES L JR & / 720-350-0045	2,500 / 28.13 6/29/15 / 12/28/16 Active
Description of Work: FINSIH DRYWALL IN EXISTING STORAGE AREA.				
76425 329 Building Permit - Other 6/30/15 6/30/15	1401 E QUINCY AVE ENGLEWOOD, CO 80113-4806	R-1	SHAW, PAT / 303-748-2725 SHAW, PAT / 303-748-2725 EARTHWOOD CUSTOM REMODELING / 720	17,500 / 371.88 6/30/15 / 12/29/16 Active
Description of Work: REPLACING 19 WINDOWS- LIKE FOR LIKE				

Total Permits Issued (**Building Permit - Other**) : 26 **Total Cost:** 295,255.00 **Total Fees:** 4,133.98

Phone : (303) 789-2541
Fax : (303) 761-9386

Cherry Hills Village, CO
2450 E. Quincy Avenue
Phone : (303) 789-2541
Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved		Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
Demo					
76338 Demo 6/1/15	2483 6/1/15	4815 S ALBION ST LITTLETON, CO	East Belleview	PITTMAN, CLINT PAM / PITTMAN, CLINT PAM / PBM EXCAVATION / 303-944-9287	3,000 / 20.00 6/1/15 / 12/1/16 Active
Description of Work: DEMOLITION OF EXISTING BARN					
76302 Demo 5/13/15	1845 6/8/15	4857 S ALBION ST LITTLETON, CO 80121-2001	R-2 Council District 3 East Belleview	BOGGIO, DENNIS / BOGGIO, DENNIS / ALPINE DEMOLITION / 303-421-3366	16,813 / 20.00 6/8/15 / 12/7/16 Active
Description of Work: COMPLETE STRUCTURE DEMOLITION OF SFR					
76365 Demo 6/11/15	2249 6/11/15	1 WILDROSE TRL ENGLEWOOD, CO 80113-4199	R-3A Council District 2 Buell Mansion	PATEL, VIKRAM & MEERA / PATEL, VIKRAM & MEERA / DB CONSTRUCTION / 303-472-2243	1,000 / 20.00 6/11/15 / 12/10/16 Active
Description of Work: DEMO WALLS FOR KITCHEN REMODEL					
76354 Demo 6/5/15	167 6/16/15	9 SOUTH LN ENGLEWOOD, CO 80113-7022	R-3 Council District 4	DIAMOND HOMES / 303-789-4451 DIAMOND, STEVE / 303-789-4451 PBM EXCAVATING / 303-979-0880	8,000 / 20.00 6/16/15 / 12/16/16 Active
Description of Work: DEMOLITION OF HOUSE, GARAGE AND SHED					
76407 Demo 6/26/15	1365 6/26/15	3941 S DAHLIA ST ENGLEWOOD, CO 80113-5121	R-5	EVANS, DONALD S JR / EVANS, DONALD S JR / RENOVATORS WEST GROUP / 303-908-406	1,000 / 20.00 6/26/15 / 12/25/16 Active
Description of Work: INVESTIGATION WORK ONLY ON SETTLED OVERHANG ON FRONT ELEVATION					

Total Permits Issued (**Demo**) : 5 **Total Cost:** 29,813.00 **Total Fees:** 100.00

Phone : (303) 789-2541
Fax : (303) 761-9386

Cherry Hills Village, CO
2450 E. Quincy Avenue
Phone : (303) 789-2541
Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved		Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
Electrical					
76336 Electrical 6/1/15	436 6/1/15	4601 S VINE WAY ENGLEWOOD, CO 80113-6044	R-1 Council District 1	BITTMAN/NOBLE TRUST / BITTMAN/NOBLE TRUST / ADVANTAGE ELECTRIC INC / 303-430-1050	800 / 55.00 6/1/15 / 12/1/16 Active
Description of Work: WIRE MASTER DECK CONVERTED TO CLOSET					
76340 Electrical 6/1/15	595 6/1/15	1 BUELL MANSION PKY ENGLEWOOD, CO 80113-4100	O-1 Council District 2 Buell Mansion	BUELL MANSION OWNERS / 303-783-8789 BUELL MANSION OWNERS / 303-783-8789 AXIS ELECTRICAL SERVICES /	4,000 / 87.00 6/1/15 / 12/1/16 Active
Description of Work: REPAIR UNDERGROUND ELECTRICAL, UPDATE LIGHTING					
76347 Electrical 6/3/15	221 6/3/15	851 E RADCLIFF AVE ENGLEWOOD, CO 80113-5921	R-3	COLBURN, PAUL H & MAE STANLEE / COLBURN, PAUL H & MAE STANLEE / LET THERE BE LIGHT ELECTRIC / 303-359-3	900 / 55.00 6/3/15 / 12/2/16 Complete
Description of Work: TEMPORARY CONSTRUCTION METER					
76350 Electrical 6/3/15	378 6/3/15	3250 CHERRYRIDGE RD ENGLEWOOD, CO 80113-6010	R-3 Council District 1 Chryridge	KANOUFF, COURTNEY AND KEVIN / 303-52(KANOUFF, COURTNEY AND KEVIN / 303-52(MATZEN ELECTRIC LLC / 303-437-0084	6,000 / 130.50 6/3/15 / 12/3/16 Active
Description of Work: WIRING AS PART OF REMODELING SEVERAL ROOMS					
76351 Electrical 6/4/15	2181 6/4/15	44 COVINGTON CT ENGLEWOOD, CO 80113-4143	R-3A Council District 6 Highline Mdws in Chry Hls	SHIPMAN, RUSSELL P & LAURA A / SHIPMAN, RUSSELL P & LAURA A / BADGER ELECTRIC LLC / 303-549-4124	18,000 / 391.50 6/4/15 / 12/3/16 Active
Description of Work: INSIDE REMODEL/ CODE UPDATE					
76356 Electrical 6/8/15	1089 6/8/15	4720 E PRINCETON AVE ENGLEWOOD, CO 80113-5016	R-4	WOELLNER, ROBERT A & / WOELLNER, ROBERT A & / ELECTRA ENTERPRISES / 303-489-1519	5,000 / 108.75 6/8/15 / 12/7/16 Active
Description of Work: ADD SUBPANEL FOR ADDITION					
76362 Electrical 6/9/15	1459 6/9/15	4450 S DAHLIA ST ENGLEWOOD, CO 80113-6107	O-1 Council District 3 Cantitoe	ARAPAHOE TENNIS CLUB / ARAPAHOE TENNIS CLUB / KELLY ELECTRICAL SERVICES INC / 303-20	10,000 / 217.50 6/9/15 / 12/8/16 Active
Description of Work: INSTALL ELECTRICAL FOR NEW PADDLE COURT					
76367 Electrical 6/11/15	1957 6/11/15	54 GLENMOOR WAY ENGLEWOOD, CO 80113-7120	R-3	LIST, BONNIE / 720-529-1122 LIST, BONNIE / 720-529-1122 SATO ELECTRICAL SOLUTIONS / 720-209-8:	600 / 55.00 6/11/15 / 12/10/16 Active
Description of Work: ADD TWO SWITCHES AND 2 CEILING FANS. ADD/RELOCATE OUTLET.					

Phone : (303) 789-2541
Fax : (303) 761-9386

Cherry Hills Village, CO
2450 E. Quincy Avenue
Phone : (303) 789-2541
Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved		Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
76374 Electrical 6/15/15	1762 6/15/15	6472 E RADCLIFF AVE ENGLEWOOD, CO 80111-1160	R-4	MASTINI, CHRISTINE & CHARLES / 303-564- MASTINI, CHRISTINE & CHARLES / 303-564- GENESIS 1:3 ELECTRIC LLC / 720-280-4544	3,000 / 65.25 6/15/15 / 12/15/16 Active
Description of Work: BASEMENT ROUGH WIRING					
76377 Electrical 6/15/15	592 6/15/15	88 GLENMOOR PL ENGLEWOOD, CO 80113-7122	R-3	BINNING, THOMAS W & NAOMI G / BINNING, THOMAS W & NAOMI G / PICUCCI ELECTRIC / 303-628-7576	900 / 55.00 6/15/15 / 12/15/16 Active
Description of Work: INSTALL HEAT MAT IN MASTER BATH, ADD RECEPTACLE FOR TV NEAR FIREPLACE					
76384 Electrical 6/18/15	1160 6/18/15	3501 S COLORADO BLVD ENGLEWOOD, CO 80113-4211		FIRST PLYMOUTH CHURCH / 303-762-0616 WILLIAMSON, RHONDA / 303-762-0616 DURO ELECTRIC / 303-934-3303	217,170 / 4,526.50 6/18/15 / 12/17/16 Active
Description of Work: REMODEL OF EXISTING POWER AND LIGHTING					
76385 Electrical 6/18/15	1407 6/18/15	3600 S CLARKSON ST ENGLEWOOD, CO 80113-7526		SANCTUARY CHRISTIAN FELLOWSHIP / 30: SANCTUARY CHRISTIAN FELLOWSHIP / 30: MOUNTAIN BROTHERS ELECTRIC / 303-422	500 / 0.00 6/18/15 / 12/17/16 Complete
Description of Work: RECONNECT AFTER FLOOD					
76388 Electrical 6/22/15	1016 6/22/15	4041 NASSAU CIR W ENGLEWOOD, CO 80113-5149	R-4	LEBECK, ANN / 720-548-0012 LEBECK, ANN / 720-548-0012 ANN LEBECK / 720-548-0012	3,000 / 65.25 6/22/15 / 12/21/16 Active
Description of Work: ADD 4 CANS, WALL SCONCES AND 20 AMP CIRCUIT FOR RADIANT FLOOR HEATING SYSTEM IN BATHROOM					
76397 Electrical 6/23/15	2315 6/23/15	2 HAYSTACK ROW ENGLEWOOD, CO 80113-4198	R-1 Council District 2 Buell Mansion	LEAFFER, STEVEN M & KAREN E / LEAFFER, STEVEN M & KAREN E / BRANT ELECTRIC / 720-641-2189	1,500 / 55.00 6/23/15 / 12/22/16 Active
Description of Work: ELECTRICAL FOR THEATER ROOM					
76399 Electrical 6/24/15	113 6/24/15	5 SOUTH LN ENGLEWOOD, CO 80113-7022	R-3 Smith's Gardens 2nd Flng	ELKEN, STEPHEN / ELKEN, STEPHEN / CROTZER ELECTRIC LLC / 720-876-8936	4,800 / 108.75 6/24/15 / 12/23/16 Active
Description of Work: ELECTRICAL FOR POOL					
76400 Electrical 6/24/15	513 6/24/15	4930 S GAYLORD ST ENGLEWOOD, CO 80113-7129	R-3 Chry Hls Farm Flng 4	ZANECCHIA, THOMAS E & / ZANECCHIA, THOMAS E & / HIGH COUNTRY ELECTRIC SERVICE / 303-5	870 / 55.00 6/24/15 / 12/23/16 Active
Description of Work: ADD CIRCUIT TO EXTERIOR LANDSCAPE					

Phone : (303) 789-2541
Fax : (303) 761-9386

Cherry Hills Village, CO

2450 E. Quincy Avenue

Phone : (303) 789-2541
Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved		Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
76403 Electrical 6/25/15	2104 6/25/15	107 GLENMOOR DR ENGLEWOOD, CO 80113-7118	R-3 Council District 3 Glenmoor	LOGAN, STEVE / 917-882-3480 LOGAN, STEVE / 917-882-3480 BRANT ELECTRIC / 720-641-2189	4,000 / 87.00 6/25/15 / 12/24/16 Active
Description of Work: WIRE ELEVATOR, BATHROOMS & MUDROOM					
76410 Electrical 6/26/15	1770 6/26/15	6200 PLATEAU DR ENGLEWOOD, CO 80111-7202	R-1	PHELPS, JUSTIN / 850-399-0120 PHELPS, JUSTIN / 850-399-0120 CREATIVE WIRING / 303-435-6078	25,000 / 543.75 6/26/15 / 12/25/16 Active
Description of Work: WIRE REMODEL					
76413 Electrical 6/29/15	2249 6/29/15	1 WILDROSE TRL ENGLEWOOD, CO 80113-4199	R-3A Council District 2 Buell Mansion	PATEL, VIKRAM & MEERA / PATEL, VIKRAM & MEERA / ELECTRICAL REMODEL SERVICES / 303-94	4,000 / 87.00 6/29/15 / 12/2/16 Active
Description of Work: WIRE KITCHEN TO CODE					
76416 Electrical 6/29/15	1253 6/29/15	3900 S CHERRY ST ENGLEWOOD, CO 80113-5034	R-5	FURER, STEVEN A & / FURER, STEVEN A & / PLATINUM ELECTRIC INC / 720-620-7041	9,000 / 195.75 6/29/15 / 12/28/16 Active
Description of Work: ELECTRICAL FOR REMODEL					
76422 Electrical 6/30/15	2377 6/30/15	4000 E QUINCY AVE ENGLEWOOD, CO 80113-4916	R-1 Council District 3 Highline Park	KENT-DENVER COUNTRY DAY SCHOOL / 3(KENT-DENVER COUNTRY DAY SCHOOL / 3(CURRENT INSTALLATIONS LLC / 720-458-84	1,800 / 55.00 6/30/15 / 12/29/16 Active
Description of Work: WIRING FOR REMODELED BATHROOM					
76436 Electrical 6/30/15	1842 6/30/15	4601 E BELLEVIEW AVE LITTLETON, CO 80121-8107	O-1 Council District 3 Pheasant Ridge	VILLAGE TENNIS, RIDING AND / 303-771-813 VILLAGE TENNIS, RIDING AND / 303-771-813 MZ ELECTRIC CO / 720-532-4956	1,300 / 55.00 6/30/15 / 12/30/16 Active
Description of Work: TEMPORARY POWER FOR CONSTRUCTION AND CLUBHOUSE					

Total Permits Issued (**Electrical**) : 22 **Total Cost:** 322,140.00 **Total Fees:** 7,054.50

Phone : (303) 789-2541
Fax : (303) 761-9386

Cherry Hills Village, CO

2450 E. Quincy Avenue

Phone : (303) 789-2541
Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
Exterior Remodel				
76339 1774 Exterior Remodel 6/1/15 6/10/15	5000 S EL CAMINO DR ENGLEWOOD, CO 80111-1122	R-1	STULL, PHILIP A / 303-905-2454 STULL, PHILIP A / 303-905-2454 WARREN 'SKIP' MAXWELL / 303-995-3700	45,000 / 806.25 6/10/15 / 12/9/16 Active
Description of Work: PATIO STRUCTURE ATTACHED TO HOUSE				
76335 403 Exterior Remodel 6/1/15 6/23/15	2900 E STANFORD DR ENGLEWOOD, CO 80113-6025	R-3	WATKINS, JEFF / 303-829-7406 WATKINS, JEFF / 303-829-7406 JEFF WATKINS / 303-829-7406	10,000 / 412.50 6/23/15 / 12/22/16 Active
Description of Work: BUILD BRICK FIREPLACE PETERSON LOGS ON EXISTING PATIO. GAS LINE EXISTING 3/4', 25,000 BTU. BUILD BRICK MAILBOX				

Total Permits Issued (**Exterior Remodel**) : 2 **Total Cost:** 55,000.00 **Total Fees:** 1,218.75

Phone : (303) 789-2541
Fax : (303) 761-9386

Cherry Hills Village, CO
2450 E. Quincy Avenue
Phone : (303) 789-2541
Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
Fence/Wall/Gate				
76337 464 Fence/Wall/Gate 6/1/15 6/1/15	3 HUNTWICK LN ENGLEWOOD, CO 80113-7110	R-3 Council District 1 Chrymoor South Flng 3	UNTERMEYER, BRIAN / 303-588-0448 UNTERMEYER, BRIAN / 303-588-0448 RON HURTADO / 720-224-8170	3,084 / 34.70 6/1/15 / 12/1/16 Complete
Description of Work: INSTALL 6' CEDAR PRIVACY FENCE				
76331 1334 Fence/Wall/Gate 5/28/15 6/2/15	1 PARKWAY DR ENGLEWOOD, CO 80113-4224	R-2 Council District 6 Chry Hls Annex	MALIK, OMAR / 303-641-6640 MALIK, OMAR / 303-641-6640 ELCAR FENCE / 303-841-7662	2,000 / 20.00 6/2/15 / 12/1/16 Active
Description of Work: ORNAMENTAL IRON FENCE, ONE 14' MANUAL GATE, ONE 14' ELECTRIC GATE				
76333 1807 Fence/Wall/Gate 5/29/15 6/2/15	4800 S ALBION ST LITTLETON, CO 80121-2002	R-2 Council District 3 East Belleview	GROTHE, JEFF / 303-324-7517 GROTHE, JEFF / 303-324-7517 ELCAR FENCE / 303-887-5146	875 / 20.00 6/2/15 / 12/1/16 Active
Description of Work: EXTEND EXISITING 3 RAIL FENCE SOUTH OF EXISITING LOCATION				
76352 2429 Fence/Wall/Gate 6/4/15 6/8/15	2 GOOSEBERRY LN ENGLEWOOD, CO 80113-4126	R-3A	LURCOTT, GREGG L & REBECCA S / 303-99 LURCOTT, GREGG L & REBECCA S / 303-99 MALIBU HOMES INC / 303-790-0909	8,000 / 90.00 6/8/15 / 12/7/16 Expired
Description of Work: INSTALL WROUGHT IRON FENCE BETWEEN FIVE STONE COLUMNS. TOTAL LENGTH APPROX 73'.				
76361 977 Fence/Wall/Gate 6/9/15 6/10/15	1 TENAYA LN ENGLEWOOD, CO 80113-6108	R-1 Council District 3 Cantitoe	KEATING, STEPHANIE A / KEATING, STEPHANIE A / COLUMBINE DESIGN LLC / 303-434-7762	50,000 / 562.50 6/10/15 / 12/9/16 Active
Description of Work: ELECTRONIC GATE, MASONRY COLUMNS, PAVER DRIVEWAY APRON, AND WROUGHT IRON FENCE				
76394 415 Fence/Wall/Gate 6/23/15 6/24/15	1000 E QUINCY AVE ENGLEWOOD, CO 80113-4803	R-1 Council District 4 Chry's Bdwy Gdns	RUST, SUSAN & RICHARD / 303-806-8824 RUST, SUSAN & RICHARD / 303-806-8824 ALPINE FENCE CO / 303-995-4226	4,000 / 45.00 6/24/15 / 12/23/16 Active
Description of Work: REPLACE PRIVACY FENCE ALONG QUINCY AVE WITH 3 RAIL VINYL RANCH FENCE				

Total Permits Issued (**Fence/Wall/Gate**) : 6 **Total Cost:** 67,959.00 **Total Fees:** 772.20

Phone : (303) 789-2541
Fax : (303) 761-9386

Cherry Hills Village, CO
2450 E. Quincy Avenue
Phone : (303) 789-2541
Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
Interior Remodel				
76332 1770 Interior Remodel 5/29/15 6/4/15	6200 PLATEAU DR ENGLEWOOD, CO 80111-7202	R-1	PHELPS, JUSTIN / 850-399-0120 PHELPS, JUSTIN / 850-399-0120 JOHN M VOLPE CONSTRUCTION COMPANY	62,000 / 997.50 6/4/15 / 12/3/16 Active
Description of Work: REMODEL 3 BEDROOM, 2 BATHROOMS. REFRAME & SHEETROCK BASEMENT COPYING EXISTING LAYOUT W/ONE ADDITIO				
76334 1729 Interior Remodel 5/29/15 6/4/15	6345 E TUFTS AVE ENGLEWOOD, CO 80111-1164	R-4	TOPALIAN, STEVE / 310-505-9617 TOPALIAN, STEVE / 310-505-9617 RC BROWN CO / 720-530-5443	95,000 / 1,368.75 6/4/15 / 12/3/16 Active
Description of Work: REMODEL OF EXISTING MASTER BATHROOMS, MASTER CLOSET, UPSTAIRS SECONDARY BEDROOM/BATHROOM, AND MAI				
76341 1437 Interior Remodel 6/1/15 6/4/15	27 MARTIN LN ENGLEWOOD, CO 80113-4826	R-3 Chryridge	FOURTIQU, GRETCHAN / FOURTIQU, GRETCHAN / MALIBU REMODELING / 720-933-6947	20,000 / 525.00 6/4/15 / 12/3/16 Active
Description of Work: CHANGE DIRECTION OF STAIRS				
76328 669 Interior Remodel 5/26/15 6/10/15	38 SEDGWICK DR ENGLEWOOD, CO 80113-4110	R-2	LEWIS, ROBERT G / LEWIS, ROBERT G / BOA CONSTRUCTION INC / 303-435-3776	86,000 / 1,267.50 6/10/15 / 12/9/16 Active
Description of Work: 2ND FLOOR REMODEL				
76373 1213 Interior Remodel 6/12/15 6/16/15	4600 E OXFORD PL ENGLEWOOD, CO 80113-5042		BACON & PETER SUTHERLAND, TERESA / : BACON & PETER SUTHERLAND, TERESA / : REFERENCE CONSTRUCTION / 303-472-376	50,000 / 862.50 6/16/15 / 12/16/16 Active
Description of Work: KITCHEN & FAMILY ROOM REMODEL				
76355 2381 Interior Remodel 6/5/15 6/18/15	6 GRAY OWL RD ENGLEWOOD, CO 80113-4197	R-3A	KING, BRENDA / 303-810-6084 KING, BRENDA / 303-810-6084 CHRISTOPHER KAVANAUGH / 303-919-2058	25,000 / 581.25 6/18/15 / 12/17/16 Active
Description of Work: REMODELING MASTER BATH AND 2ND FLOOR				
76375 2377 Interior Remodel 6/15/15 6/22/15	4000 E QUINCY AVE ENGLEWOOD, CO 80113-4916	R-1 Council District 3 Highline Park	KENT-DENVER COUNTRY DAY SCHOOL / 3(KENT-DENVER COUNTRY DAY SCHOOL / 3(MENDEL & COMPANY CONSTRUCTION / 30	26,000 / 560.00 6/22/15 / 12/21/16 Active
Description of Work: ADD 1 CHILD'S TOILET ROOM TO EXISTING DAYCARE FACILITY				
76382 2249 Interior Remodel 6/16/15 6/25/15	1 WILDROSE TRL ENGLEWOOD, CO 80113-4199	R-3A Council District 2 Buell Mansion	PATEL, VIKRAM & MEERA / PATEL, VIKRAM & MEERA / DB CONSTRUCTION / 303-472-2243	22,000 / 570.50 6/25/15 / 12/24/16 Active
Description of Work: KITCHEN REMODEL, MOVE 2 WALLS, OUT 2' INTO GARAGE AND 2' FEET INTO LAUNDRY ROOM				

Phone : (303) 789-2541
Fax : (303) 761-9386

Cherry Hills Village, CO

2450 E. Quincy Avenue

Phone : (303) 789-2541
Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
76392 1313 Interior Remodel 6/23/15 6/25/15	4255 S BELLAIRE CIR ENGLEWOOD, CO 80113-5030	R-4	ZIMMERMAN, KEVIN & WHITNEY / ZIMMERMAN, KEVIN & WHITNEY / BUILDERS DENVER / 303-910-6191	62,000 / 997.50 6/25/15 / 12/24/16 Active

Description of Work: INTERIOR REMODEL

Total Permits Issued (**Interior Remodel**) : 9 **Total Cost:** 448,000.00 **Total Fees:** 7,730.50

Phone : (303) 789-2541
Fax : (303) 761-9386

Cherry Hills Village, CO
2450 E. Quincy Avenue
Phone : (303) 789-2541
Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
Roof				
76343 27 Roof 6/2/15 6/2/15	4665 S OGDEN ST ENGLEWOOD, CO 80113-5919	R-3	KUHLMANN, BARBARA LOOPS / KUHLMANN, BARBARA LOOPS / M & R ROOFING / 303-795-1400	20,000 / 225.00 6/2/15 / 12/1/16 Complete
Description of Work: REMOVE EXISTING ROOF. REPLACE WITH 51 SQ MALARKEY SHINGLES. NO WEIGHT INCREASE.				
76344 378 Roof 6/2/15 6/2/15	3250 CHERRYRIDGE RD ENGLEWOOD, CO 80113-6010	R-3 Council District 1 Chryridge	KANOUFF, COURTNEY AND KEVIN / 303-52(KANOUFF, COURTNEY AND KEVIN / 303-52(NORTH WEST ROOFING / 303-804-0303	26,270 / 295.54 6/2/15 / 12/1/16 Complete
Description of Work: REROF WITH OWENS CORNING SHINGLES. 70 SQ. WEIGHT NOT INCREASING.				
76346 2274 Roof 6/2/15 6/2/15	27 FOXTAIL CIR ENGLEWOOD, CO 80113-4125	R-3A Council District 2 Buell Mansion	COHEN, STANLEY D & BARBARA M / COHEN, STANLEY D & BARBARA M / ACADEMY ROOFING INC / 303-360-0708	17,452 / 196.34 6/2/15 / 12/1/16 Active
Description of Work: REROOF BALLASTED CARLISLE EPDM 16 SQ. NO WEIGHT INCREASE.				
76348 1089 Roof 6/3/15 6/3/15	4720 E PRINCETON AVE ENGLEWOOD, CO 80113-5016	R-4	WOELLNER, ROBERT A & / WOELLNER, ROBERT A & / ARAPAHOE ROOFING & S/M INC / 303-466-7	28,235 / 317.64 6/3/15 / 12/2/16 Active
Description of Work: REPLACE BROKEN TILES, PATCH RUBBER, GLUE RUBBER IN VALLEY PER LOCAL BLDG CODES. NO INCREASE IN WEIGHT.				
76353 533 Roof 6/5/15 6/5/15	2230 E GRAND AVE ENGLEWOOD, CO 80113-7174	R-3 Council District 1	MICHAAN, MICHAEL / MICHAAN, MICHAEL / ADVANCED EXTERIORS / 303-756-7663	47,000 / 528.75 6/5/15 / 12/4/16 Active
Description of Work: REROOF 58 SQ SHAKE. NO WEIGHT INCREASE				
76359 863 Roof 6/8/15 6/8/15	5370 NASSAU CIR E ENGLEWOOD, CO 80113-5142	R-4	HASHIMOTO, ASHLEY / 303-321-6155 HASHIMOTO, ASHLEY / 303-321-6155 ROOFCORP OF METRO DENVER INC / 303-!	16,000 / 180.00 6/8/15 / 12/7/16 Active
Description of Work: REROOF NO INCREASE IN WEIGHT				
76366 755 Roof 6/11/15 6/11/15	7 SEDGWICK DR ENGLEWOOD, CO 80113-4104	R-2	PIPER, BILL / PIPER, BILL / TILEY ROOFING INC / 303-426-7370	38,474 / 432.83 6/11/15 / 12/10/16 Active
Description of Work: COMPLETE REROOF. REMOVEL OF SHAKE AND REPLACEMENT WITH TILE BORAL SLATE. STRUCTURAL REPORT RECEIVEI				
76387 674 Roof 6/19/15 6/19/15	18 SEDGWICK DR ENGLEWOOD, CO 80113-4110		ASAAD A MUBARAK TRUST DATED / ASAAD A MUBARAK TRUST DATED / RALLY ROOFING AND RESTORATION / 303-	57,985 / 652.33 6/19/15 / 12/18/16 Complete
Description of Work: REROOF. NO INCREASE IN WEIGHT				

Phone : (303) 789-2541
Fax : (303) 761-9386

Cherry Hills Village, CO
2450 E. Quincy Avenue
Phone : (303) 789-2541
Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved		Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
76391 Roof 6/23/15	234 6/23/15	10 STERLING AVE ENGLEWOOD, CO 80113-7041	R-4 Council District 1 Chry Vale Acrs East	NIDLINGER, JIM / 812-249-1116 NIDLINGER, JIM / 812-249-1116 LAKOTA ROOFING / 720-612-4744	7,117 / 80.07 6/23/15 / 12/22/16 Active
Description of Work: REPLACE ROOFING WITH EPDM OVER PORCH AND PATIO. NO WEIGHT INCREASE					
76393 Roof 6/23/15	932 6/23/15	5460 E OXFORD AVE ENGLEWOOD, CO 80113-5138	R-4	WOLFF, MARCIE N / WOLFF, MARCIE N / TILEY ROOFING INC / 303-426-7370	13,878 / 156.13 6/23/15 / 12/22/16 Active
Description of Work: COMPLETE REROOF. REMOVAL OF 1 LAYER. 38 SQ. NO WEIGHT INCREASE PER CONTRACTOR					
76406 Roof 6/25/15	1227 6/25/15	4001 S DEXTER ST ENGLEWOOD, CO 80113-5123	R-5	POLUMBUS, GARY M & ANN M / POLUMBUS, GARY M & ANN M / SF CONSTRUCTION / 303-808-2243	31,600 / 355.50 6/25/15 / 12/24/16 Active
Description of Work: REROOF. WEIGHT NOT INCREASING.					
76415 Roof 6/29/15	1790 6/29/15	5700 DUNBARTON DR ENGLEWOOD, CO 80111-1117	R-1	JANG, JEROME K. / 303-523-4810 JANG, JEROME K. / 303-523-4810 DANIEL LOPEZ / 480-343-9334	9,000 / 101.25 6/29/15 / 12/28/16 Active
Description of Work: REROOF WITH COMPOSITE SHINGLES. NO INCREASE IN WEIGHT					
76421 Roof 6/30/15	1562 6/30/15	5607 SOUTHMOOR CIR ENGLEWOOD, CO 80111-1042	R-4 Council District 1	WILDE, DONALD E & JEANNE W / WILDE, DONALD E & JEANNE W / SUNNY CONSTRUCTION / 303-734-0956	15,500 / 174.38 6/30/15 / 12/29/16 Active
Description of Work: REROOF. NO INCREASE IN WEIGHT LOAD.					
76429 Roof 6/30/15	697 6/30/15	43 SUNSET DR ENGLEWOOD, CO 80113-4030	R-1 Council District 3	HUDGENS, MOYNA N / HUDGENS, MOYNA N / PERFORMANCE CONSTRUCTION / 303-761-	44,000 / 495.00 6/30/15 / 12/30/16 Review - Active
Description of Work: REMOVE 54 AQUARES OF WOOD SHAKE AND REPLACE WITH DAVINCI SHAKER					
76430 Roof 6/30/15	132 6/30/15	37 VIKING DR ENGLEWOOD, CO 80113-7004	R-3 Council District 4 Chry-Moor Acres	MASON, ROBERT JAMES / 303-781-0056 MASON, ROBERT JAMES / 303-781-0056 PREMIER ROOFING / 303-949-9825	24,382 / 274.30 6/30/15 / 12/29/16 Active
Description of Work: REROOF. NO INCREASE IN WEIGHT.					

Total Permits Issued (**Roof**) : 15 **Total Cost:** 396,892.50 **Total Fees:** 4,465.06

Phone : (303) 789-2541
Fax : (303) 761-9386

Cherry Hills Village, CO

2450 E. Quincy Avenue

Phone : (303) 789-2541
Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
Single Family Residence				
76178 677 Single Family Residence 3/30/15 6/30/15	4 TAMARAC LN ENGLEWOOD, CO 80113-4920	R-1 Council District 2	MCCLINTOCK, RICH / 303-298-1111 MCCLINTOCK, RICH / 303-298-1111 NEWMYER CONSTRUCTION INC / 303-806-6	4,000,000 / 60,598.90 6/30/15 / 12/29/16 Active
Description of Work: SINGLE FAMILY RESIDENCE				

Total Permits Issued (**Single Family Residence**) : 1 **Total Cost:** 4,000,000.00 **Total Fees:** 60,598.90

Phone : (303) 789-2541
Fax : (303) 761-9386

Cherry Hills Village, CO
2450 E. Quincy Avenue
Phone : (303) 789-2541
Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status

Total Permits Issued : 94

Total Cost: 5,961,559.50

Total Fees: 94,874.20

Phone : (303) 789-2541
Fax : (303) 761-9386

CHERRY HILLS VILLAGE
COLORADO

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
FAX 303-761-9386

Item 9d(i)

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: MICHELLE TOVREA, POLICE CHIEF

SUBJECT: JUNE REPORT

DATE: JULY 21, 2015

In June Officer Jeremy Gunther and Officer Noah Rolfing completed Critical Intervention Training at Denver PD. This specialized course requires a 40-hour curriculum and is a comprehensive police officer mental health training program. I received an e-mail from the program coordinator, Technician Susan Gann, recognizing Officer Rolfing for "exceptional performance." It is so very impressive that Officer Rolfing was the only officer from a non-DPD agency who was singled out for his performance (the other five were all from DPD). Great job representing this agency in such an impressive manner!

Final plans for the National Night Out event on August 4th are wrapping up. CHVPD will be taking the opportunity to connect with the community at our Joint Public Safety Building. The department will have pizza, ice cream and beverages along with some fun giveaway items. On display will be police cars and motorcycles, fire trucks and more. There will be a visit from Miles, the Bronco Mascot and tours of the PD and Fire Department. This promises to be a great celebration for public safety and community partnerships.

Commander Weather represented CHVPD and assisted the Lone Tree Police Department with a Sergeants promotional process. Chief Streeter was appreciated Pat's knowledge and experience with regard to this important process.

The hiring process has concluded with offers going out to three candidates.

Investigations Case Summary:
There was 1 burglary report in the month of June:

- The victim reported that someone gained access to the residence by breaking the glass of the entry door into the kitchen. Several items were taken from the home, including laptop computers and jewelry items. The value of the stolen items is currently unknown. **This case remains under investigation.**

There was 1 identity theft report in the month of June:

- The victim reported that she received a letter from the Internal Revenue Service stating her refund check was mailed to her, but according to her accountant her taxes were not filed yet. A representative of the Internal Revenue Service suggested that the victim report the fact someone

fraudulently filed a tax return using her personal information. **This case is closed – referred to Internal Revenue Service.**

There was 1 criminal attempt (burglary) report in the month of June:

- The victim stated that he was awoken by a loud noise and that he observed two unknown individuals running from the residence and driving away in dark colored vehicle. Officers discovered what appeared to be scuff marks on an entry door at the rear of the entrance. **This case is inactive – no new leads.**

There were 2 criminal mischief reports in the month of June:

- In the first, the victim reported that she parked her vehicle at a trail head and upon return she noticed a broken rear window. Nothing appeared to be taken from the vehicle. **This case is inactive – no new leads.**
- In the second, the victim reported that he noticed that all four tires on his vehicles were flat and observed slash marks on the tires. The replacement cost of the tires is estimated at $1000.00. **This case is inactive – no new leads.**

There were 2 fraud reports in the month of June:

- In the first, the reporting party stated that someone stole (3) credit cards from a wallet belonging to a member. Several purchases were made with the stolen credit cards at local area businesses. **This case remains under investigation.**
- In the second, the victim reported that someone hacked into his personal email account and email went out to all his contacts requesting money. The victim was advised to check bank accounts for any suspicious activity. **This case remains under investigation.**

There was 1 assault report in the month of June:

- Officers responded to a call in regards to several individuals trespassing into a yard of a residence. Upon arrival, officers contacted a female individual and after determining the female subject was trespassing and intoxicated she was placed under arrest. During the arrest, the subject bit the arresting officer multiple time on his arm. The suspect was jailed on multiple charges. **This case is closed – cleared by arrest.**

There was 1 theft report in the month of June:

- The victim reported that an unknown male individual approached her while in the backyard of her residence and explained to her there was a water main break on Quincy Avenue and he needed to check her water lines. After the individual left her home, the victim noticed that two pieces of jewelry were missing from her residence. The stolen items have an estimated value of $2500.00. **This case is inactive – no new leads.**

There were 2 vehicle trespass reports in the month of June:

- In the first, the victim reported that he discovered the rear passenger side window of his vehicle was broken while the vehicle was parked on the driveway of the residence.A few coins were taken from the vehicle. **This case remains under investigation.**
- In the second, the victim reported that she discovered the left rear passenger side window of her vehicle was broken while the vehicle was parked on the driveway of the residence. A handbag containing a wallet with her driver's license, credit cards and approximately $80.00 in cash was taken from the car. **This case remains under investigation.**

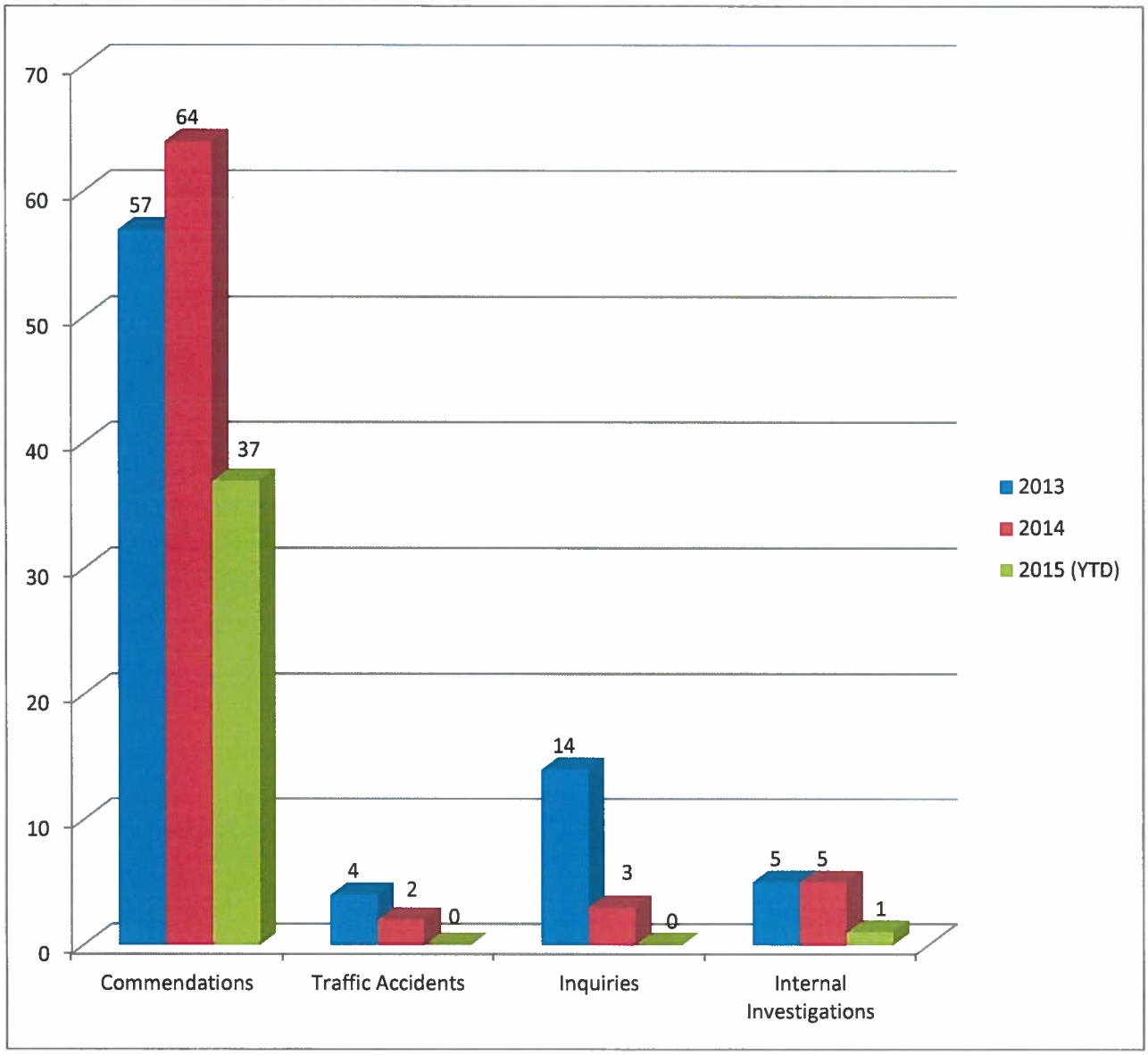
There was an unlawful sexual assault contact report in the month of June:

- The victim reported a crime of unlawful sexual contact that occurred in the city of Cherry Hills Village. The victim declined to further pursue any charges on this case. **This case is closed – victim unwilling to pursue charges in this case.**

There was a false imprisonment report in the month of June:
The victim reported that a male subject who was a professional acquaintance of the victim unlawfully gained entry into her residence and refused to let her leave. The victim managed to escape and contacted the Cherry Hills Village Police Department to report the crime. The male subject was located, arrested and jailed on multiple felony charges.. **This case is closed – cleared by arrest.**

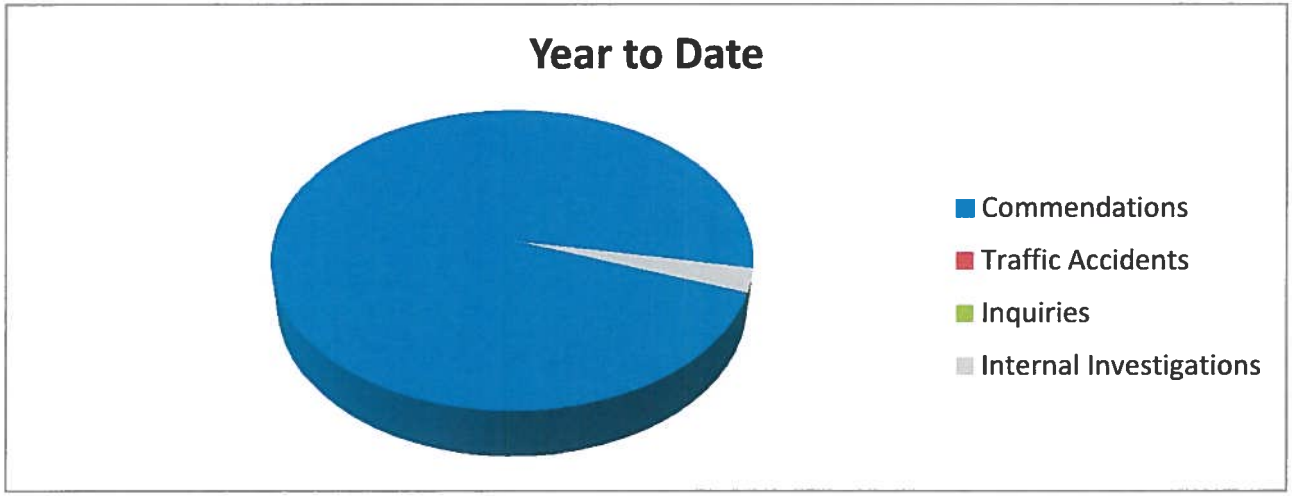
Cherry Hills Village Police
Personnel Summary Comparison

Year	Commendations	Traffic Accidents	Inquiries	Internal Investigations
2013	57	4	14	5
2014	64	2	3	5
2015 (YTD)	37	0	0	1

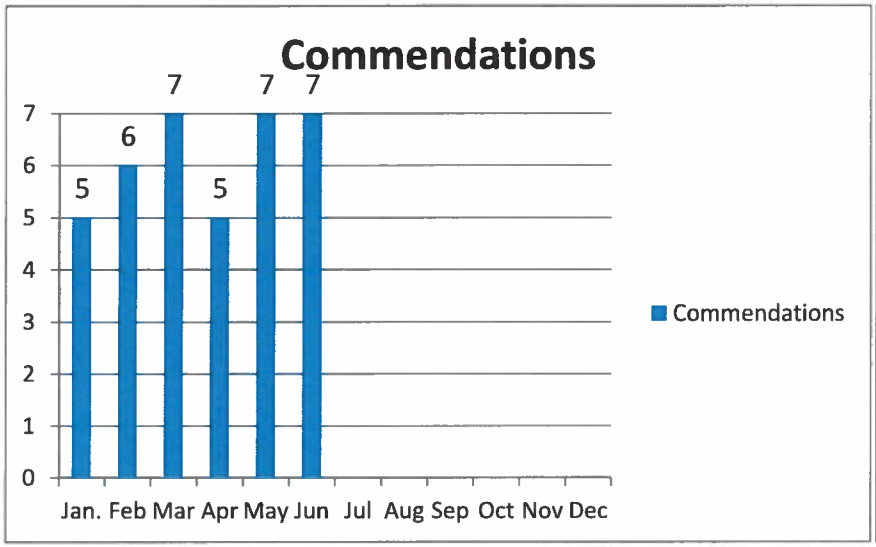


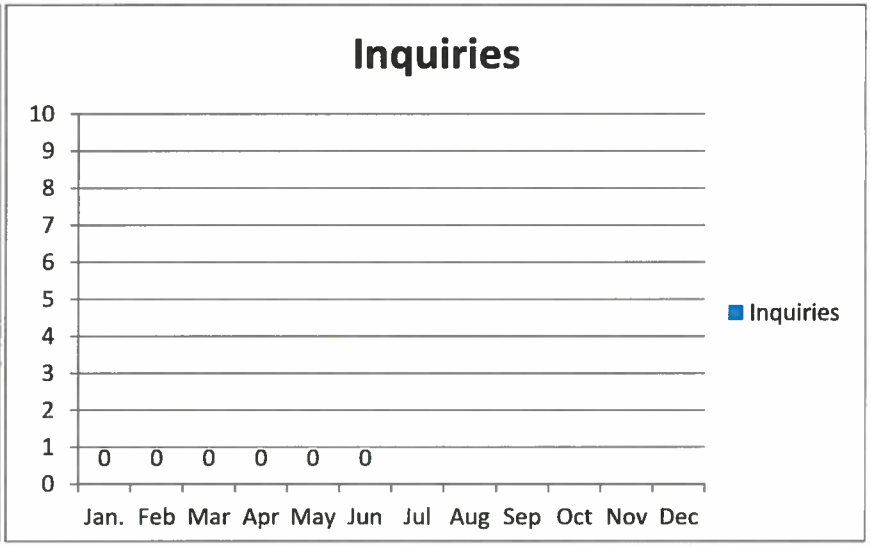
Cherry Hills Village Police
Personnel Summary Report 2015

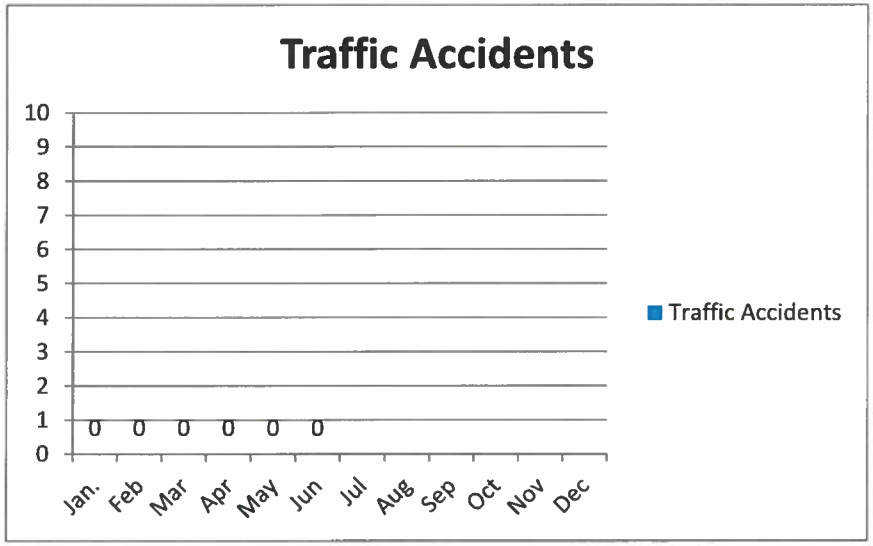
Month	Commendations	Traffic Accidents	Inquiries	Internal Investigations
Jan.	5	0	0	0
Feb	6	0	0	1
Mar	7	0	0	0
Apr	5	0	0	0
May	7	0	0	0
Jun	7	0	0	0
Jul				
Aug				
Sep				
Oct				
Nov				
Dec				
Year to Date	37	0	0	1

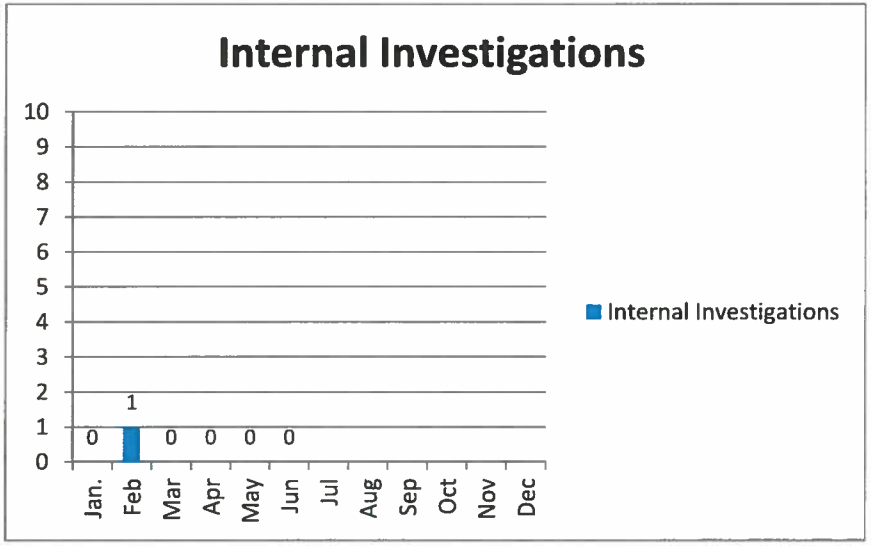


Cherry Hills Village Police
Personnel Summary Report 2015







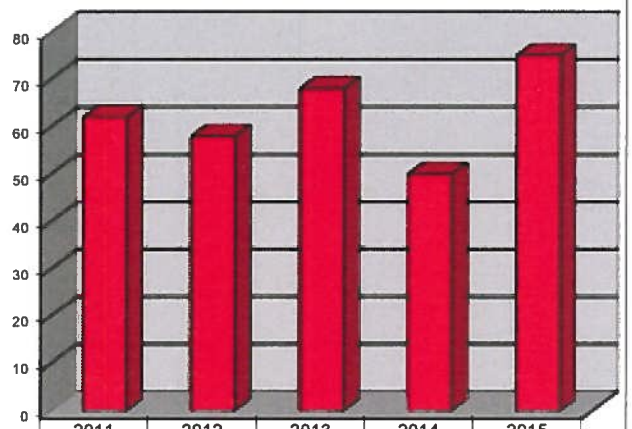


CHERRY HILLS POLICE DEPARTMENT STATISTICS

	June 2015	YEAR TO DATE 2015	YEAR TO DATE 2014	PERCENT CHANGE
TRAFFIC ACCIDENT	28	140	141	-1%
ALL CITATIONS	254	1574	1532	3%
PARKING TICKETS	19	78	25	212%
TRAFFIC WARNINGS	150	692	1091	-37%
DUI ARRESTS	7	21	35	-40%
DUS ARRESTS	11	56	76	-26%
# CRIME REPORTS	14	75	50	50%
# ALARMS	52	240	243	-1%
# ARRESTS (INCLUDES DUI'S & DUS's)	26	86	152	-43%
CITIZEN ASSISTS	14	72	111	-35%
ASSIST TO OTHER AGENCY	28	110	115	-4%
PROPERTY CHECKS (HW&BLDG)	1581	7358	9384	-22%
CRIME PREVENTION NOTICES	64	301	225	34%
FIELD INTERVIEW CARDS	11	41	56	-27%

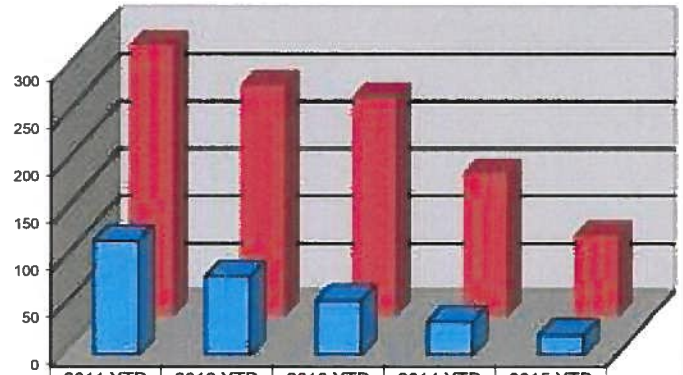
CHERRY HILLS VILLAGE / YEAR-TO-DATE THROUGH JUNE (2011-2015)

CRIME REPORTS



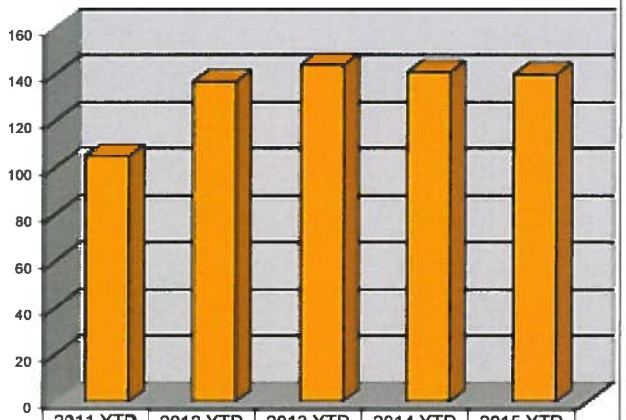
	2011 YTD	2012 YTD	2013 YTD	2014 YTD	2015 YTD
# CRIME REPORTS	62	58	68	50	75

ARRESTS



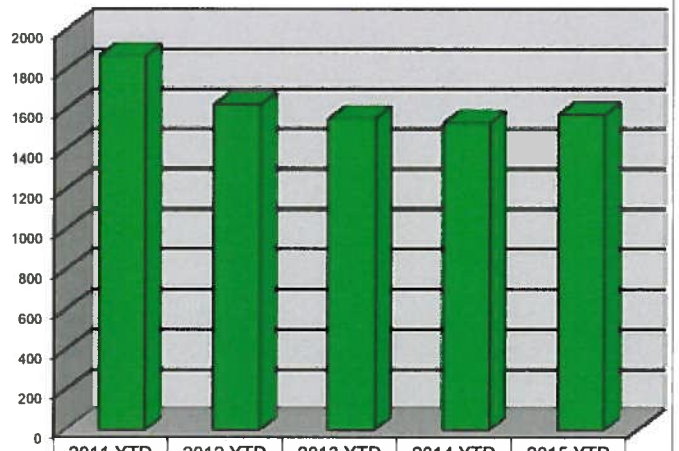
	2011 YTD	2012 YTD	2013 YTD	2014 YTD	2015 YTD
DUI ARRESTS	121	83	58	35	21
ALL ARRESTS	287	245	232	152	86

TRAFFIC ACCIDENTS



	2011 YTD	2012 YTD	2013 YTD	2014 YTD	2015 YTD
TRAFFIC ACCIDENT	105	137	144	141	140

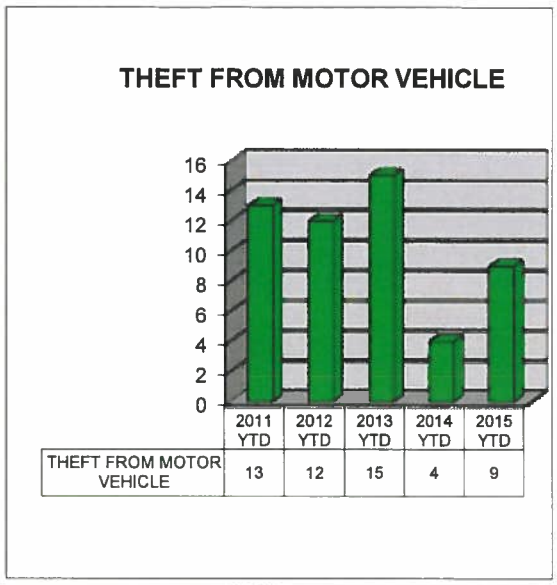
CITATIONS

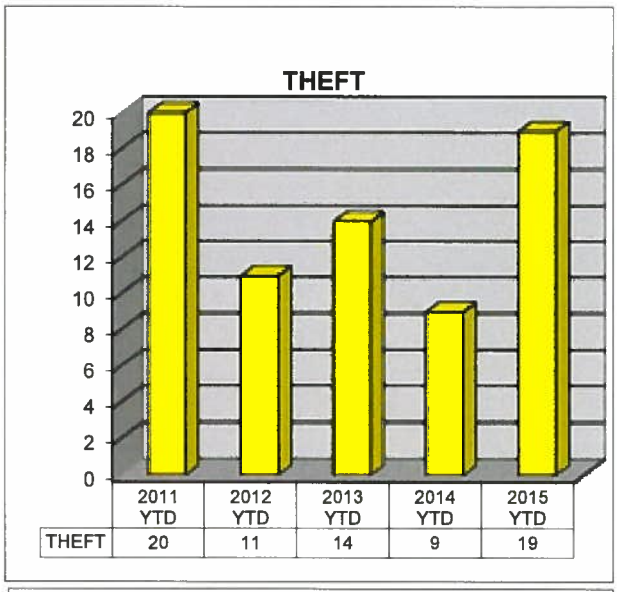


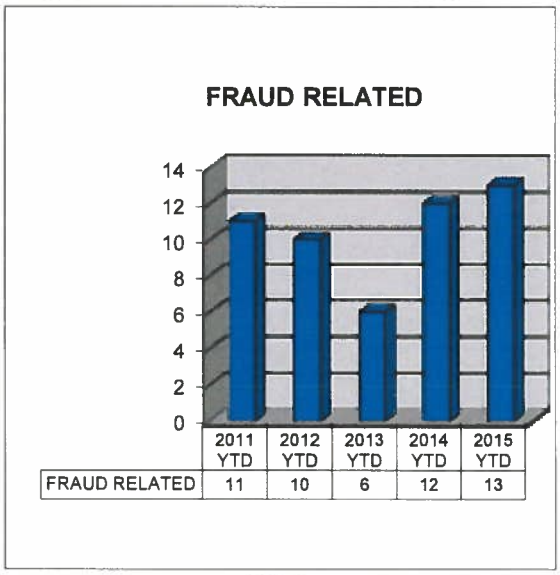
	2011 YTD	2012 YTD	2013 YTD	2014 YTD	2015 YTD
ALL CITATIONS	1870	1624	1555	1532	1574

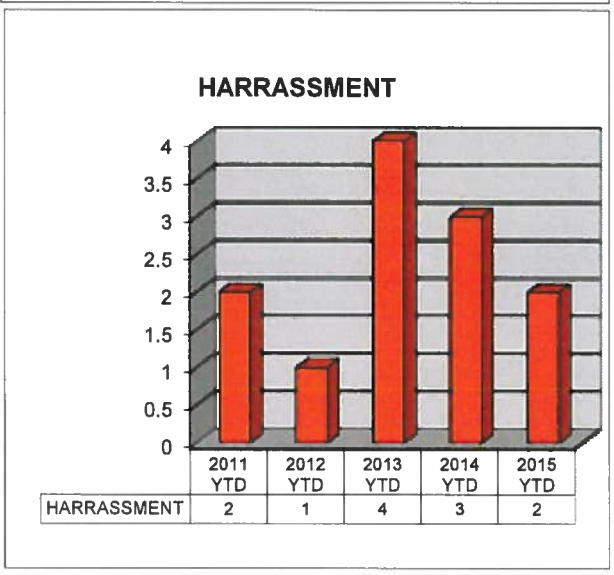
Cherry Hills Village Crime Statistics

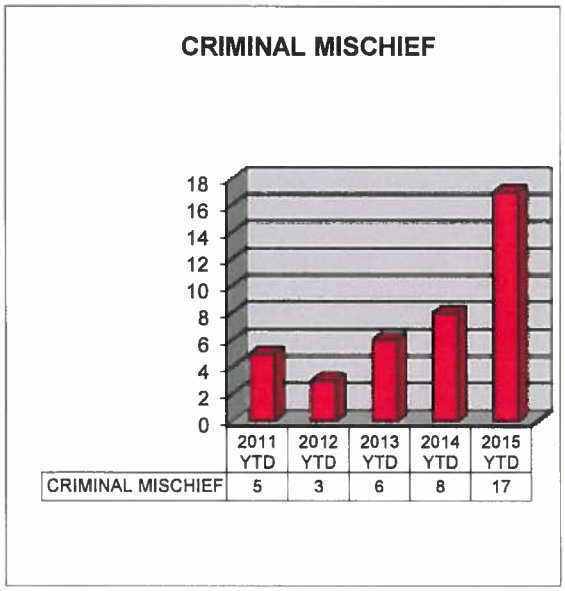
YEAR-TO-DATE THROUGH JUNE (2011-2015)

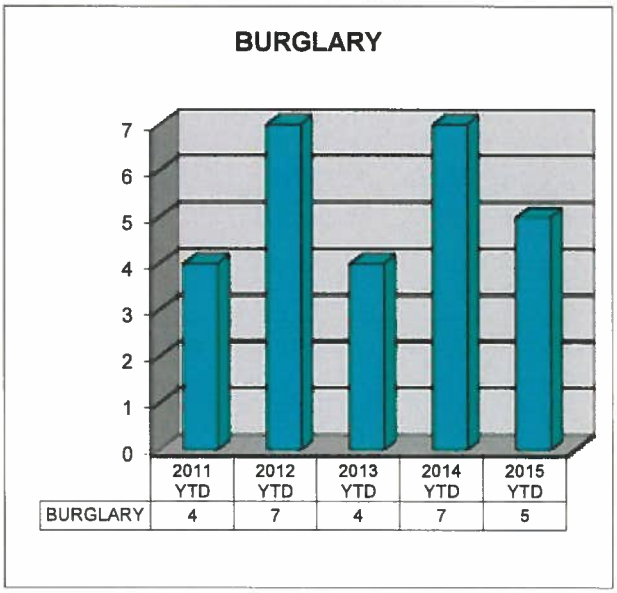






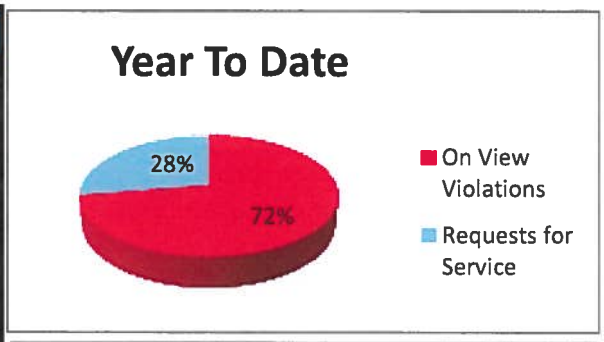


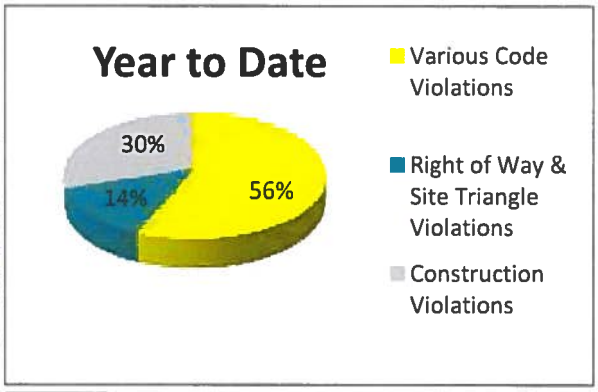


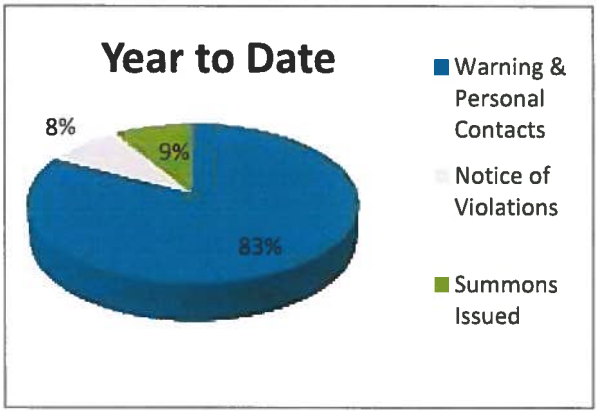


Cherry Hills Village
Code Enforcement Statistics
June 2015

Code Enforcement Issues	Month	YTD
On View Violations	71	291
Requests for Service	46	129
Sight Triangle Violations	4	10
Construction Site Violations	19	185
Permit Violations	7	21
Stop Work Orders Served	3	18
Fence Violations	1	4
Weed Violations	53	65
Trash, Debris and Junk	3	7
Trees/Bushes Violations	13	34
Zoning Violations	2	14
Right of Way Violations	22	91
Roll-offs/Port-a-let Violations	1	15
Sign Violations	31	124
Warnings/Personal Contacts	62	272
Letters/Posted Notices	27	45
Summons Issued	7	29
Notice of Violations	9	28
Misc. Code Violations	36	159

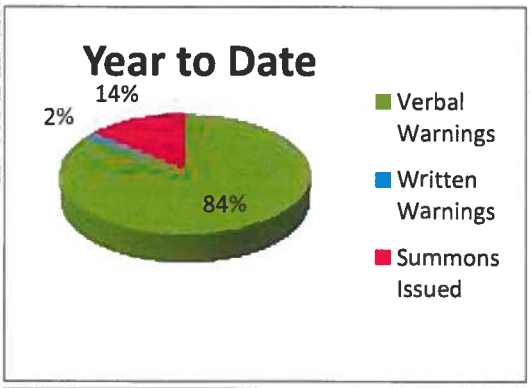


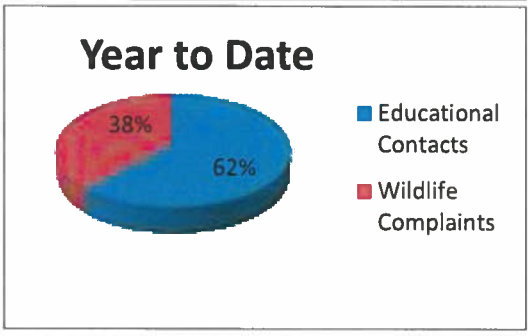


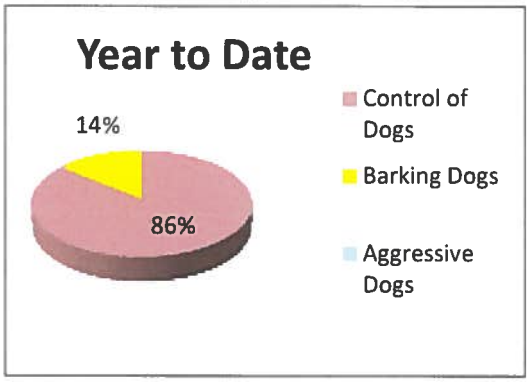


Cherry Hills Village
Animal Control Statistics
June 2015

Animal Control Issues	Month	YTD
Educational Contacts	20	94
Control of Dogs	20	73
Barking Dogs	5	12
Aggressive Dogs	0	0
Wildlife Complaints	20	58
Verbal Warnings	20	89
Written Warnings	1	2
Summons Issued	3	15







CHERRY HILLS VILLAGE
COLORADO

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
FAX 303-761-9386

ITEM: 9d(i)

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: TERRI LITTLEFORD, COURT CLERK

SUBJECT: MUNICIPAL COURT MONTH END REPORT FOR JUNE 2015

DATE: JULY 21, 2015

DISCUSSION
Municipal Court Statistics

Monthly Totals	2015	2014	Difference
Citations filed	235	222	6%
Court appearances/guilty to original	130	102	22%
Plea by mail letters sent	163	134	18%
Revenue	$23,780.00	$25,040.00	- $1,260.00

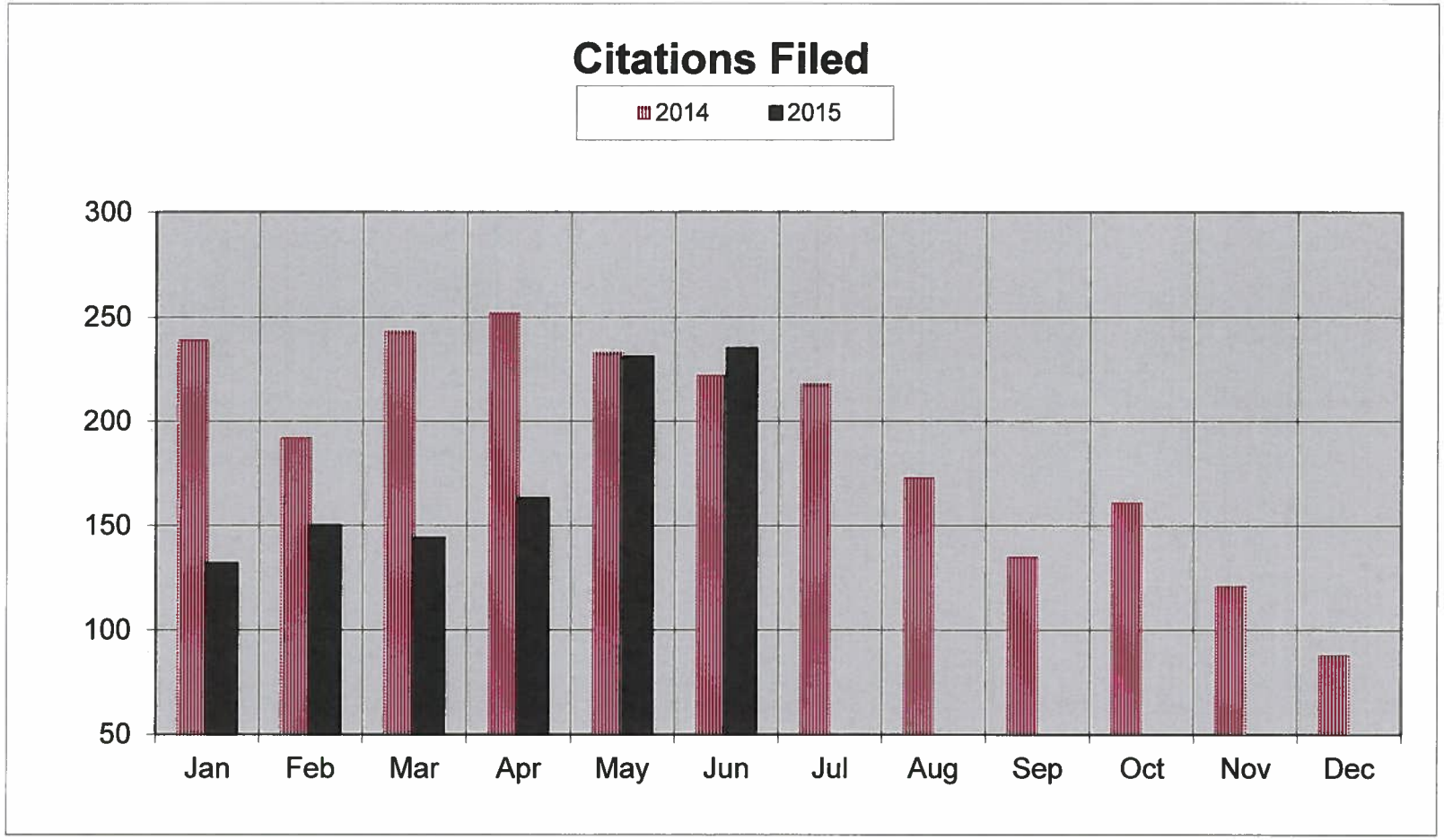
BUDGET IMPACT STATEMENT
Through June 2015, the Municipal Court has collected 42% of the total budgeted revenue amount.

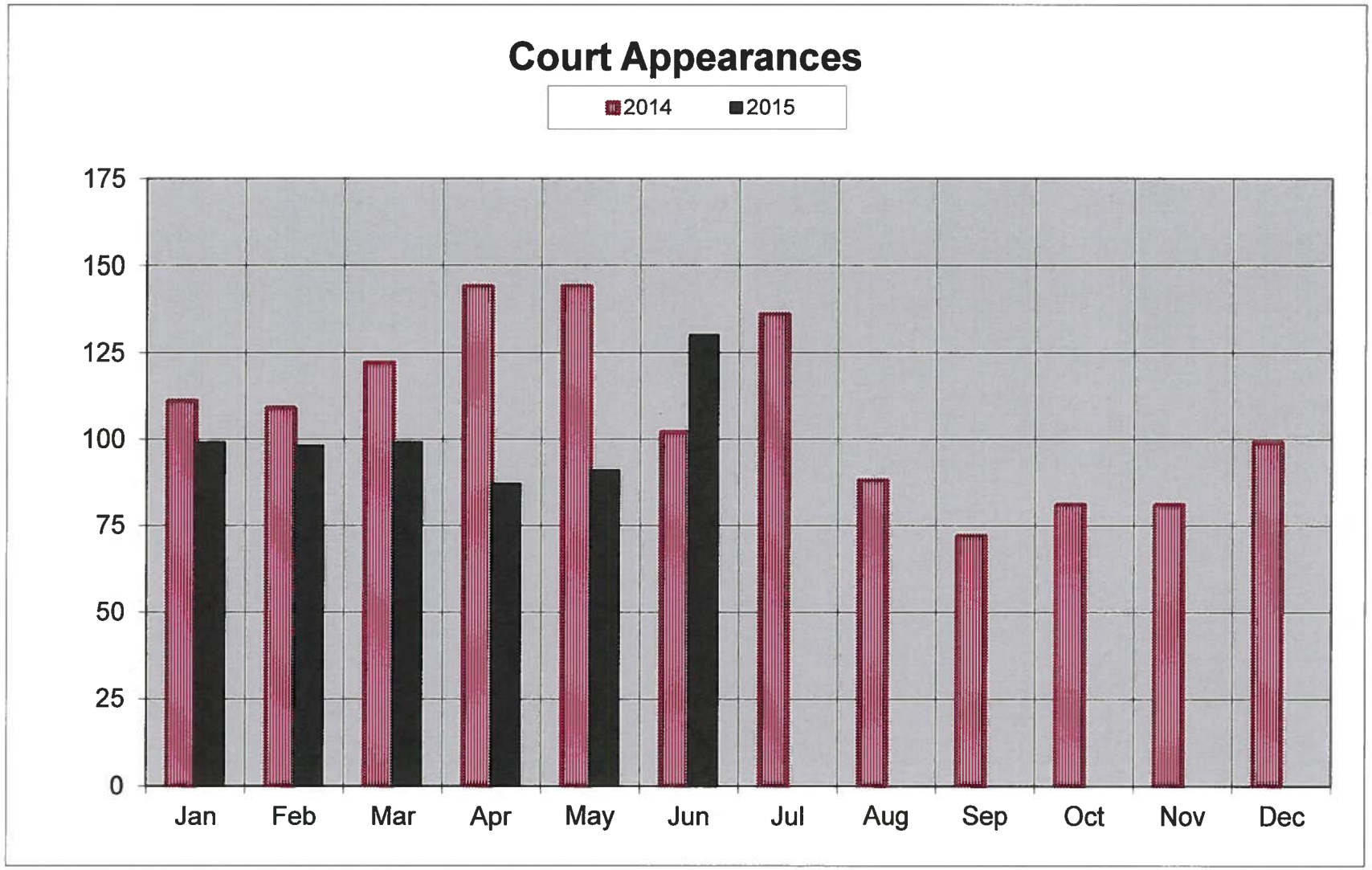
ATTACHMENTS
Exhibit A: Municipal Court Monthly Activity and Graphs

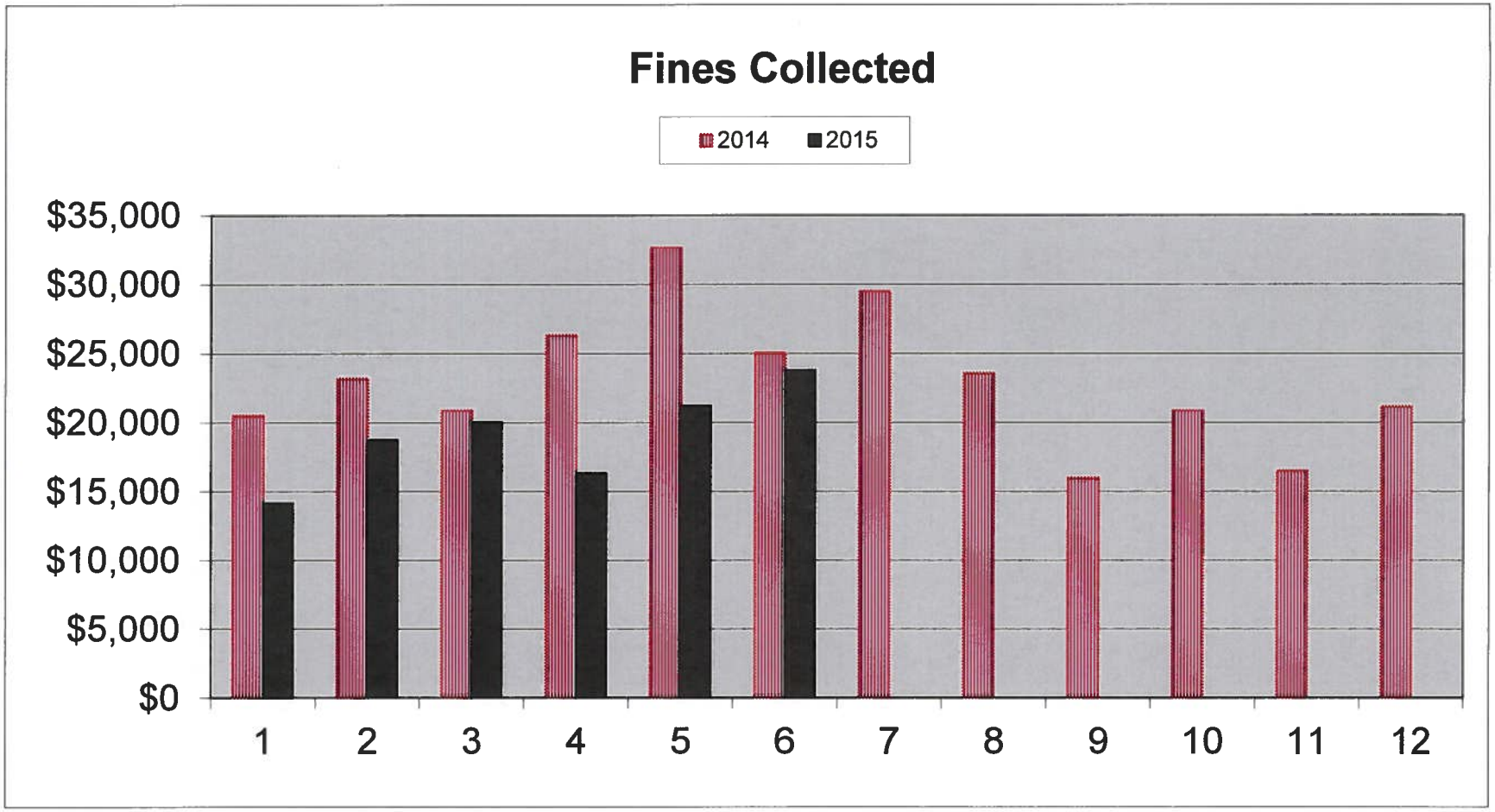
EXHIBIT A

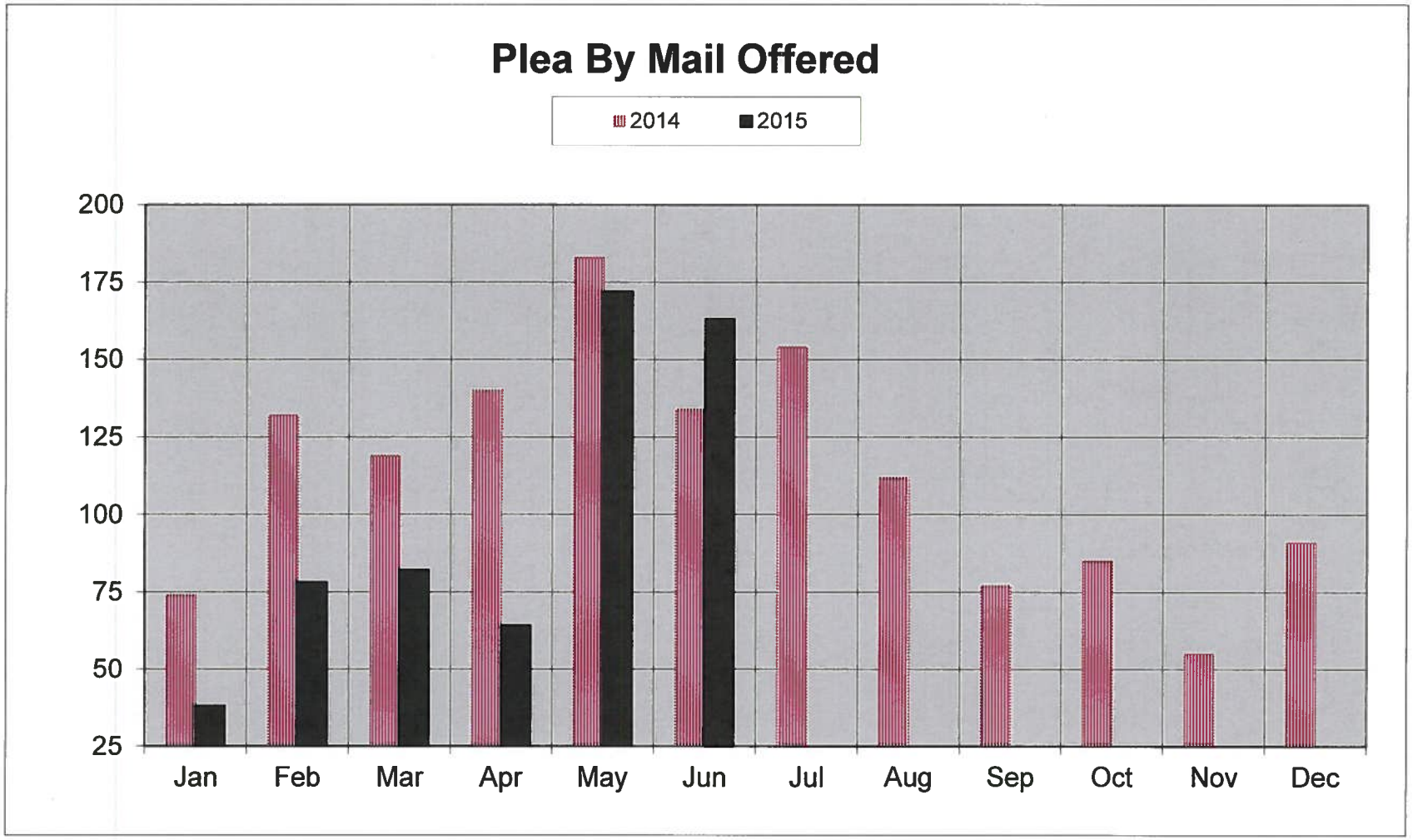
CHERRY HILLS VILLAGE MUNICIPAL COURT
MONTHLY ACTIVITY
Jun-15

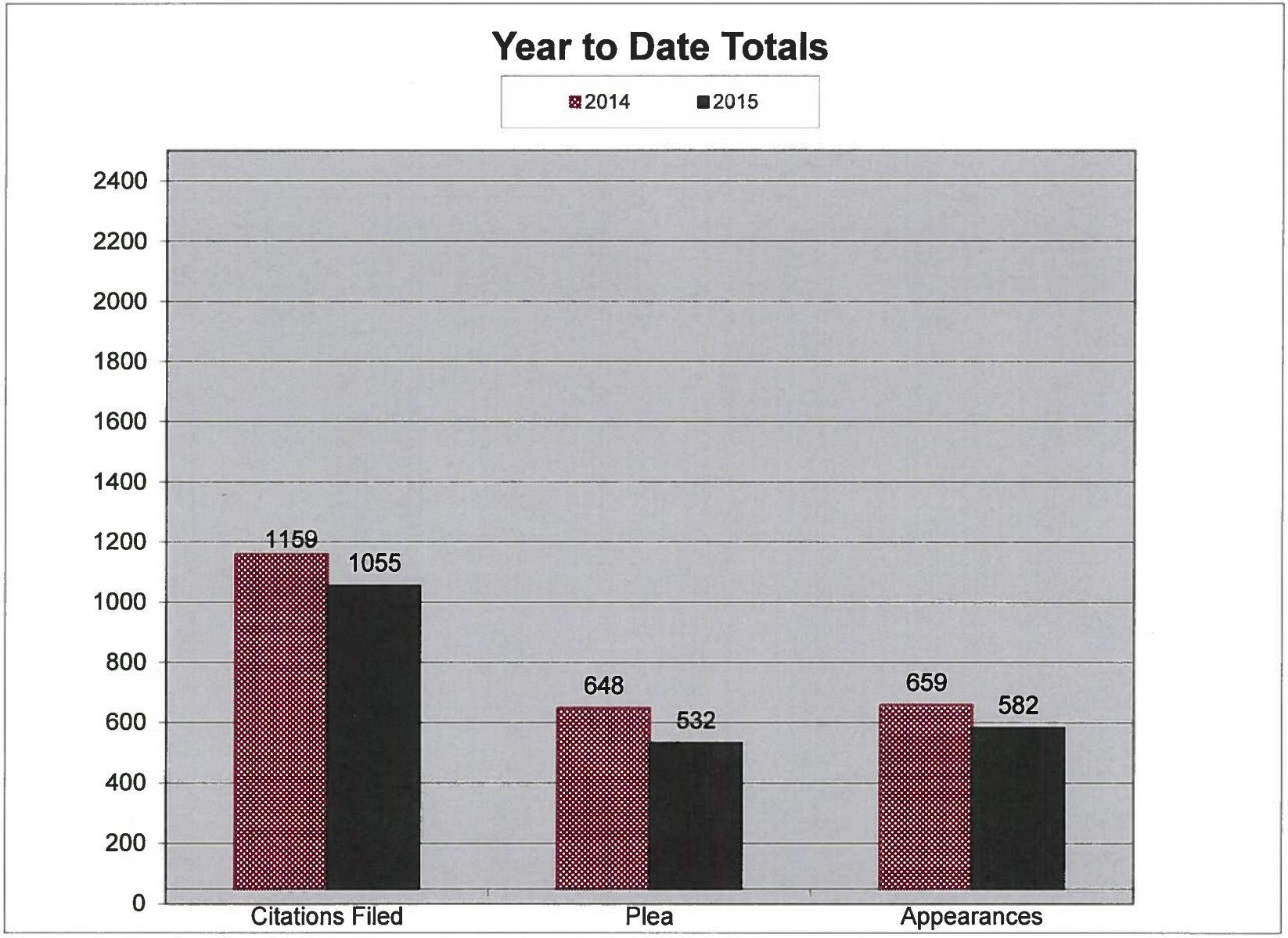
	MONTH	YTD	PRIOR YTD
COMPLAINTS FILED			
TRAFFIC	198	912	1,313
PARKING	19	69	26
DOG	3	24	10
OTHER	15	50	51
TOTAL	**235**	**1,055**	**1,400**
CLOSED BY CLERK			
CLOSED BY CLERK	29	133	92
TOTAL	**29**	**133**	**92**
PLEA BY MAIL			
GLTY PLEA BY MAIL	134	532	690
TOTAL	**134**	**532**	**690**
COURT ACTIVITY			
GLTY TO ORIG	17	117	202
GUILTY TO AMENDED	70	292	290
DEFERRED JUDGMENTS	17	46	50
NOT GUILTY (set to trial)	0	4	13
NOT GUILTY (set to jury)	0	0	0
DISMISSED (proof of ins provided)	22	117	146
DISMISSED	4	4	26
SHOW CAUSE HEARINGS	0	1	2
TRIAL TO COURT			
CONVICTIONS	0	0	2
AQUITTALS	0	0	0
DISMISSED	0	1	0
TRIAL TO JURY			
CONVICTIONS	0	0	0
ACQUITTALS	0	0	0
DISMISSED	0	0	0
MISTRIALS	0	0	0
NUMBER OF PEOPLE IN COURT	**130**	**582**	**731**
TOTAL MONEY COLLECTED	$23,780.00	$114,120.00	


Citations Filed
2014
2015
300
250
200
150
100
50
Jan
Feb
Mar
Apr
May
Jun
Jul
Aug
Sep
Oct
Nov
Dec


Court Appearances
2014
2015
175
150
125
100
75
50
25
0
Jan
Feb
Mar
Apr
May
Jun
Jul
Aug
Sep
Oct
Nov
Dec


Fines Collected
2014
2015
$35,000
$30,000
$25,000
$20,000
$15,000
$10,000
$5,000
$0
1
2
3
4
5
6
7
8
9
10
11
12


Plea By Mail Offered
2014
2015
200
175
150
125
100
75
50
25
Jan
Feb
Mar
Apr
May
Jun
Jul
Aug
Sep
Oct
Nov
Dec


Year to Date Totals
2014
2015
2400
2200
2000
1800
1600
1400
1200
1000
800
600
400
200
0
1159
1055
648
532
659
582
Citations Filed
Plea
Appearances

CHERRY HILLS VILLAGE
COLORADO

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
FAX 303-761-9386

ITEM: 9d(i)

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: JAY GOLDIE, DEPUTY CITY MANAGER/DIRECTOR OF PUBLIC WORKS

SUBJECT: PUBLIC WORKS JUNE 2015-MONTH END REPORT

DATE: JULY 21, 2015

The June 2015 Public Works month end report will be included in the August 4th Council packet.

AMERICAN PUBLIC WORKS ASSOCIATION

Your Comprehensive Public Works Resource

www.apwa.net

2345 Grand Blvd., Suite 700
Kansas City, MO 64108-2625
816-472-6100 800-848-APWA
fax 816-472-1610

1275 K Street NW, Suite 750
Washington, DC 20005-4083
202-408-9541
fax 202-408-9542

BOARD OF DIRECTORS

PRESIDENT
Larry Stevens, P.E., PWLF
Johnston, IA

PRESIDENT – ELECT
Brian R. Usher, PWLF
Largo, FL

PAST PRESIDENT
Ed Gottko, PWLF
Westfield, NJ

DIRECTOR, REGION I
Richard F. Stinson, PWLF
Wakefield, MA

DIRECTOR, REGION II
Harry L. Weed, II, PWLF
Rockville Centre, NY

DIRECTOR, REGION III
William "Bo" Mills,Jr., PWLF
Germantown, TN

DIRECTOR, REGION IV
Tommy J. Brown, PWLF
La Grange, GA

DIRECTOR, REGION V
Richard T. Berning
Springfield, IL

DIRECTOR, REGION VI
Chuck Williams, PWLF
Lenexa, KS

DIRECTOR, REGION VII
Maher Hazine, P.E. PWLF
Pine, AZ

DIRECTOR, REGION VIII
Ron Calkins, P.E., PWLF
Oak View, CA

DIRECTOR, REGION IX
Jill M. Marilley, P.E., MPA, PWLF
Shoreline, WA

ENGINEERING & TECHNOLOGY
David L. Lawry, P.E.
Schaumburg, IL

ENVIRONMENTAL MANAGEMENT
William E. (Bill) Spearman, III, P.E.
Columbia, SC

FLEET AND FACILITIES MANAGEMENT
Mary Joyce Ivers, CPFP, PWLF
Ventura, CA

LEADERSHIP & MANAGEMENT
Cora Jackson-Fossett, PWLF
Los Angeles, CA

TRANSPORTATION
Kathleen B. Davis
Olympia, WA

EXECUTIVE DIRECTOR
Peter B. King

June 18, 2015

Mr. John Patterson
City Manager
City of Cherry Hills Village
2450 E. Quincy Ave
Cherry Hills Village, CO 80113

Dear Mr. Patterson:

On behalf of the American Public Works Association (APWA) Board of Directors, I want to thank you for your support of Jay Goldie, serving APWA through a volunteer leadership position as a member of the Public Works Projects of the Year Committee for the term August 30, 2015 to August 28, 2016

Through our volunteer leadership, APWA is able to fulfill its mission "…to develop and support the people, agencies, and organizations that plan, build, maintain, and improve our communities." We have also experienced that by serving in a leadership position in a volunteer association, individuals bring those leadership skills back to their workplace. We trust you will see great benefit in Jay's service to APWA.

Thank you again for your support. If you have any questions, please contact APWA Staff Liaison, Rhonda Wilhite, at (800) 848-APWA, ext. 5261 or rwilhite@apwa.net.

Sincerely,

Brian R Usher

Brian Usher, PWLF
APWA President-elect, 2015-16

Copy: Jay Goldie

CHERRY HILLS VILLAGE
COLORADO

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
FAX 303-761-9386

ITEM: 9d(ii)

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: KAREN PROCTOR, DIRECTOR OF FINANCE AND ADMINISTRATION

SUBJECT: UNAUDITED FINANCIAL STATEMENTS-JUNE 2015

DATE: JULY 21, 2015

ISSUE How do the City of Cherry Hills Village finances through June compare to budget?

DISCUSSION

- **Background**
  The City Council approved the 2015 General Fund budget with revenues equal to expenditures and a Capital Fund with an approved 2015 budget deficit of ($2,878,305).

- **Analysis**
  At the end of June actual General Fund revenues exceeded expenditures by $978,475. Forecasted revenue and expenditures through December 2015 show revenues exceeding expenditures by approximately $5,174.

  At the end of June, actual Capital Fund expenditures exceed revenues by ($106,171). Forecasted revenues and expenditures through December 2015 show expenditures exceeding revenue by approximately ($2,878,305), which is equal to what was budgeted.

ATTACHMENTS

Exhibit A: General Fund Financial Graphs
Exhibit B: General Fund Statement of Revenue and Expenditures Summary
Exhibit C: June 2015 Financial Statements

EXHIBIT A

The City of Cherry Hills Village Financial Snapshot For June 2015

			% of 2015 Budget	Notes:
GENERAL FUND (01)				
Revenues				
Budget:	$	6,735,576		
Received to Date:	$	4,053,600		
% of Year Completed:		50%		
% Received YTD:		60%		
Expenditures				
Administration				
Budget:	$	1,823,988		
Expended to Date:	$	945,983		
% of Year Completed:		50%		
% Expended YTD:		52%		
Community Development				
Budget:	$	603,776		
Expended to Date:	$	201,227		
% of Year Completed:		50%		
% Expended YTD:		33%		
Public Safety				
Budget:	$	3,040,862		
Expended to Date:	$	1,353,239		
% of Year Completed:		50%		
% Expended YTD:		45%		
Public Works				
Budget:	$	1,059,562		
Expended to Date:	$	490,759		
% of Year Completed:		50%		
% Expended YTD:		46%		

To Year End General Fund Revenues are Projected to Exceed Expenditures By:
$5,174

CAPITAL FUND (02) EXPENDITURES				
Budget:	$	3,170,600		$1.5 million possible land purchase not yet spent. Parks vehicle not yet purchased and road projects expense in July and August.
Expended to Date:	$	521,598		
% of Year Completed:		50%		
% Expended YTD:		16%		
PARKS AND RECREATION (30) EXPENDITURES				
Budget:	$	1,703,350		Principal and Interest payment to be made in December. Approximately $755,000.
Expended to Date:	$	352,315		
% of Year Completed:		50%		
% Expended YTD:		21%		

GENERAL FUND
STATEMENT OF REVENUES AND EXPENDITURES

	2012 ACTUAL	2013 ACTUAL	2014 ACTUAL	2015 ESTIMATE	2015 BUDGET
REVENUE					
Current Property Taxes @ 7.30 Mills	2,187,185	2,196,853	2,123,466	2,133,756	2,133,756
Use/Tax Motor Vehicles	870,486	1,101,958	1,146,976	981,513	1,102,905
Sales Tax	956,783	1,205,914	1,225,012	877,066	1,005,047
Service Expansion Fees	139,217	160,094	164,276	142,131	150,000
Building Permits	500,905	477,725	811,537	557,515	550,000
Franchise Fees	394,361	431,275	455,827	359,159	359,700
Highway Users Tax	241,851	242,555	246,369	222,018	239,252
Municipal Court Fines	243,971	277,314	278,297	234,120	270,000
County Road & Bridge Levy	120,153	120,336	113,504	115,796	116,480
Specific Ownership Tax	22,481	(17,680)	-	274,000	274,000
Other Revenues	609,239	584,678	733,539	485,030	534,436
TOTAL OPERATING REVENUE	6,286,632	6,781,022	7,298,803	6,382,103	6,735,575
EXPENDITURES					
Administration	1,400,081	1,572,634	1,799,030	1,899,315	1,823,988
Judicial	81,888	82,124	90,501	71,066	72,740
Data Processing	84,465	98,899	130,595	106,274	116,548
Community Development	393,762	424,062	431,478	531,941	603,776
Crier	17,009	16,364	19,854	14,701	18,100
Public Safety	2,447,430	2,507,255	2,529,088	2,742,166	3,040,862
Public Works	727,320	787,375	901,474	1,011,467	1,059,562
Capital Improvements	-	-	-	-	-
TOTAL OPERATING EXPENDITURES	5,151,955	5,488,714	5,902,020	6,376,929	6,735,575
Management Contingency/Transfer Out	-	-	-		
TOTAL EXPENDITURES	5,151,955	5,488,714	5,902,020	6,376,929	6,735,575
OPERATING GAIN/(LOSS)	1,134,677	1,292,309	1,396,783	5,174	(0)
EXTRAORDINARY EXPENSES					
Transfer to Parks and Rec Fund	-	-	-	1,542,491	1,542,491
Transfer to Capital Fund	-	965,056	1,065,944	1,893,047	1,893,047
TOTAL EXTRAORDINARY EXPENSES	-	965,056	1,065,944	3,435,538	3,435,538
BEGINNING FUND BALANCE	5,008,028	6,142,705	6,469,958	6,800,797	7,420,864
ADD/(SUBTRACT) OPERATING DIFFERENCE	1,134,677	1,292,309	1,396,783	5,174	(0)
LESS: EXTRAORDINARY EXPENSES	-	(965,056)	(1,065,944)	(3,435,538)	(3,435,538)
ENDING FUND BALANCE	6,142,705	6,469,958	6,800,797	3,370,433	3,985,326
EMERGENCY RESERVE	515,195	548,871	590,202	637,693	673,558
AVAILABLE FUND BALANCE	5,627,510	5,921,086	6,210,595	2,732,740	3,311,768

EXHIBIT B

EXHIBIT C

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
JUNE 30, 2015

GENERAL FUND

ASSETS

01-1000	CASH - COMBINED FUND	(1,707,823.28)	
01-1011	CASH ON HAND-GEN FUND	350.00	
01-1015	XPRESS DEPOSIT ACCOUNT	921.00	
01-1029	CASH ON DEPOSIT-CRIER	(46,363.75)	
01-1031	CASH-COUNTY TREASURER GENERAL	397,775.93	
01-1032	CASH-CTY CLERK USE TAX	102,993.62	
01-1041	INVEST ACCT GEN'L FUND	123,370.63	
01-1042	INVESTMENT ACCT-CSAFE	102,849.07	
01-1043	INVEST ACCT-COLOTRUST+	6,563,988.43	
01-1045	1ST BANK CD'S	505,636.74	
01-1046	STEELE STREET BANK CD'S	508,313.94	
01-1051	TAXES RECEIVABLE	69,065.71	
01-1151	ACCOUNTS RECEIVABLE	4,186.34	
01-1152	SALES TAX RECEIVABLE	(.01)	
01-1311	DUE FROM OTHER FUNDS	1,542,490.56	
01-1551	PREPAID INSURANCE	96,204.29	
01-1601	LAND	15,169,580.08	
01-1631	BUILDINGS	4,986,859.61	
01-1632	GROUND IMPROVEMENTS	223,820.14	
01-1641	PUBLIC WORKS EQUIPMENT	1,552,875.56	
01-1642	PUBLIC SAFETY EQUIPMENT	629,410.47	
01-1643	ADMINISTRATION EQUIPMENT	232,947.35	
01-1701	COMPUTER LOAN PROGRAM	6,907.94	
	TOTAL ASSETS		31,066,360.37

LIABILITIES AND EQUITY

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
JUNE 30, 2015

GENERAL FUND

	LIABILITIES			
01-2014	PAYROLL PAYABLES-ZERO BALANCE		.08	
01-2015	FICA/FWH PAYABLES		29,079.62	
01-2016	401K PAYABLES		4,615.57	
01-2017	457 PAYABLES		6,710.74	
01-2020	HEALTH SAVINGS PAYABLES		36,043.57	
01-2021	DEPENDENT FLEX PAYABLES		346.14	
01-2022	FSA PAYABLES		10,000.00	
01-2023	RETIREMENT PAYABLES		(11,345.48)	
01-2025	HEALTH/DENTAL INSUR PAYABLES		41,020.71	
01-2030	MISC PR PAYABLES		17,143.19	
01-2101	HEALTH CARE SPENDING ACCT		(5,046.72)	
01-2201	RECOGNIZANCE BONDS		260.00	
01-2202	JURY FEES - ESCROW		(50.00)	
01-2221	RESERVE-TAXES RECEIV.		69,065.71	
01-2251	CHERRY HILLS GIFT FUND ESCROW		17,328.56	
01-2252	ART COMMISSION DONATIONS		53,832.35	
01-2253	BUTTERFIELD DONATIONS		104,050.00	
01-2261	POLICE DEPT SEIZURE ESCROW		.35	
01-2370	BUILDING ESCROW		118,179.45	
01-2381	HIGHLINE CANAL MAYORS CONTEST		362.59	
01-2641	INVESTMENT IN FIXED ASSETS		22,795,493.21	
	TOTAL LIABILITIES			23,287,089.64
	FUND EQUITY			
01-2952	TABOR EXCESS		1,078,951.30	
	UNAPPROPRIATED FUND BALANCE:			
01-2900	FUND BALANCE	5,721,844.51		
	REVENUE OVER EXPENDITURES - YTD	978,474.92		
	BALANCE - CURRENT DATE		6,700,319.43	
	TOTAL FUND EQUITY			7,779,270.73
	TOTAL LIABILITIES AND EQUITY			31,066,360.37

CITY OF CHERRY HILLS VILLAGE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2015

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	TAX REVENUES					
01-310-3111	CURRENT PROPERTY TAXES	400,249.66	2,073,465.70	2,133,756.00	60,290.30	97.2
01-310-3121	SPECIFIC OWNERSHIP TAXES	.00	.00	274,000.00	274,000.00	.0
01-310-3161	UTILITY FRANCHISE FEE	32,850.85	148,906.69	359,700.00	210,793.31	41.4
01-310-3162	CABLE TELEVISION FEES	.00	35,742.47	130,000.00	94,257.53	27.5
01-310-3191	CURRENT TAX INTEREST	974.92	1,937.08	6,000.00	4,062.92	32.3
01-310-3192	DELINQUENT TAXES	.00	.00	(15,000.00)	(15,000.00)	.0
01-310-3193	DELINQUENT INT	.00	.00	(100.00)	(100.00)	.0
01-310-3311	SALES TAX	81,238.74	397,065.94	1,005,047.00	607,981.06	39.5
01-310-3312	USE TAX/MOTOR VEHICLES	108,414.37	531,512.78	1,102,905.00	571,392.22	48.2
	TOTAL TAX REVENUES	623,728.54	3,188,630.66	4,996,308.00	1,807,677.34	63.8
	LICENSE AND PERMIT REVENUES					
01-320-3211	LIQUOR LICENSES	.00	1,600.00	7,176.00	5,576.00	22.3
01-320-3213	SECURITY ALARM PERMITS	25.00	30,179.66	26,000.00	(4,179.66)	116.1
01-320-3221	BUILDING PERMITS	23,459.42	321,514.60	550,000.00	228,485.40	58.5
01-320-3222	SERVICE EXPANSION FEES	914.60	67,698.90	150,000.00	82,301.10	45.1
01-320-3223	ZONING & SUBDIVISION FEES	500.00	1,900.00	2,000.00	100.00	95.0
01-320-3224	ELEVATOR INSPECTION FEE	.00	.00	3,600.00	3,600.00	.0
01-320-3225	PLAN REVIEW FEE	7,050.00	62,600.50	85,000.00	22,399.50	73.7
01-320-3226	REINSPECTION FEES	.00	.00	500.00	500.00	.0
01-320-3227	DOG LICENSES	80.00	1,860.00	3,200.00	1,340.00	58.1
01-320-3228	STREET CUT PERMITS	3,800.00	33,325.00	50,000.00	16,675.00	66.7
01-320-3229	STORMWATER CONSTRUCTION PERMIT	.00	900.00	2,000.00	1,100.00	45.0
01-320-3230	PLAN REVIEW-STORMWATER CONSTRU	.00	5,175.00	8,000.00	2,825.00	64.7
	TOTAL LICENSE AND PERMIT REVENUES	35,829.02	526,753.66	887,476.00	360,722.34	59.4
	INTERGOVERNMENTAL REVENUES					
01-330-3321	MOTOR VEH.REGISTRATION	1,563.50	12,680.50	25,000.00	12,319.50	50.7
01-330-3342	CIGARETTE TAX	251.72	1,573.45	2,800.00	1,226.55	56.2
01-330-3352	HIGHWAY USERS TAX	20,185.85	101,417.98	239,252.00	137,834.02	42.4
01-330-3371	CNTY RD/BRDGE LEVY	.00	39,898.31	116,480.00	76,581.69	34.3
	TOTAL INTERGOVERNMENTAL REVENUES	22,001.07	155,570.24	383,532.00	227,961.76	40.6

CITY OF CHERRY HILLS VILLAGE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2015

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	CHARGES FOR SERVICES REVENUES					
01-350-3420	EXTRA DUTY SERVICE CHARGES	5,500.00	22,020.00	55,000.00	32,980.00	40.0
01-350-3421	FALSE ALARM FEES	500.00	500.00	1,000.00	500.00	50.0
01-350-3511	MUNICIPAL COURT FINES	23,780.02	114,120.02	270,000.00	155,879.98	42.3
01-350-3512	DUI FINES	768.32	5,948.72	18,000.00	12,051.28	33.1
01-350-3513	FUEL SURCHARGE	2,040.00	9,725.00	24,000.00	14,275.00	40.5
01-350-3514	PHOTO RED LIGHT FINES	.00	25.00	40,000.00	39,975.00	.1
	TOTAL CHARGES FOR SERVICES REVENUES	32,588.34	152,338.74	408,000.00	255,661.26	37.3
	MISCELLANEOUS REVENUES					
01-360-3611	INTEREST INCOME	1,976.51	6,450.51	10,000.00	3,549.49	64.5
01-360-3612	PENALTY-BUILDING PERMITS	1,175.00	4,775.00	3,000.00	(1,775.00)	159.2
01-360-3650	CRIER CONTRIBUTIONS	175.00	6,506.00	10,000.00	3,494.00	65.1
01-360-3660	CRIER ADVERTISEMENT	200.00	4,020.00	10,000.00	5,980.00	40.2
01-360-3680	OTHER REVENUES	462.85	4,683.50	20,000.00	15,316.50	23.4
01-360-3690	LEASE PROCEEDS	665.50	3,872.00	7,260.00	3,388.00	53.3
	TOTAL MISCELLANEOUS REVENUES	4,654.86	30,307.01	60,260.00	29,952.99	50.3
	TOTAL FUND REVENUE	718,801.83	4,053,600.31	6,735,576.00	2,681,975.69	60.2

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2015

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	ADMINISTRATION DEPARTMENT					
01-411-1011	PERSONNEL SERVICES	37,338.54	267,488.59	483,198.00	215,709.41	55.4
01-411-1012	FEE PERSONNEL	1,200.00	6,000.00	17,600.00	11,600.00	34.1
01-411-1013	SOCIAL SECURITY TAXES	2,909.77	21,039.69	38,656.00	17,616.31	54.4
01-411-1014	RETIREMENT 401-NONSWORN	1,092.90	7,013.77	30,000.00	22,986.23	23.4
01-411-1015	RETIREMENT	929.14	7,870.77	65,000.00	57,129.23	12.1
01-411-1016	HEALTH-LIFE-DENTAL INSURANCE	5,920.26	38,290.00	531,038.00	492,748.00	7.2
01-411-1017	UNEMPLOY-WORKMENS COMP INS	9,568.00	55,313.00	85,000.00	29,687.00	65.1
01-411-1019	OVERTIME	42.34	428.67	.00	(428.67)	.0
01-411-2021	OFC-SUPPLIES-POSTAGE	399.24	9,119.83	15,500.00	6,380.17	58.8
01-411-2022	PRINTING-REPRODUCTION	.00	851.80	1,500.00	648.20	56.8
01-411-2028	SPECIAL MATERIALS	470.00	795.44	2,500.00	1,704.56	31.8
01-411-3031	GAS-HEAT-LIGHT	1,342.22	9,230.44	21,000.00	11,769.56	44.0
01-411-3033	COMMUNICATIONS	2,934.81	17,367.74	33,000.00	15,632.26	52.6
01-411-3035	SEWER	.00	.00	3,136.00	3,136.00	.0
01-411-4040	COUNTY TREASURER FEES	4,521.66	23,393.00	21,338.00	(2,055.00)	109.6
01-411-4041	COUNTY USE TAX FEES	5,420.72	26,575.67	55,145.00	28,569.33	48.2
01-411-4042	AUDIT	.00	8,500.00	8,500.00	.00	100.0
01-411-4043	LEGAL	10,898.00	60,881.50	120,000.00	59,118.50	50.7
01-411-4049	OTHER CONTRACTUAL SERVICES	370.96	6,156.59	18,000.00	11,843.41	34.2
01-411-6061	INSURANCE-BONDS	(5,312.90)	57,751.80	130,000.00	72,248.20	44.4
01-411-6062	ELECTION EXPENSE	.00	.00	6,000.00	6,000.00	.0
01-411-6063	TRAIN.-DUES-TRAVEL-SUBSC	170.00	30,737.97	101,277.00	70,539.03	30.4
01-411-6064	TESTING-PHYSICALS	.00	56.50	500.00	443.50	11.3
01-411-6066	LEGAL PUBLICATIONS	.00	.00	500.00	500.00	.0
01-411-6067	SPECIAL EVENTS	.00	1,538.83	2,100.00	561.17	73.3
01-411-6068	MISCELLANEOUS EXPENSES	4,452.56	26,008.22	32,000.00	5,991.78	81.3
01-411-7071	EQUIPMENT	510.00	2,250.00	1,500.00	(750.00)	150.0
	TOTAL ADMINISTRATION DEPARTMENT	85,178.22	684,659.82	1,823,988.00	1,139,328.18	37.5
	JUDICIAL DEPARTMENT					
01-412-1011	PERSONAL SERVICES	3,904.76	24,765.94	49,907.00	25,141.06	49.6
01-412-1012	FEE PERSONNEL	2,000.00	5,000.00	10,800.00	5,800.00	46.3
01-412-1013	SOCIAL SECURITY TAXES	292.08	1,854.80	3,993.00	2,138.20	46.5
01-412-1016	HEALTH-LIFE-DENTAL INSURANCE	1,085.07	6,510.42	.00	(6,510.42)	.0
01-412-2021	OFC SUPPLIES-POSTAGE	.00	.00	150.00	150.00	.0
01-412-2022	PRINTING-REPRODUCTION	.00	.00	500.00	500.00	.0
01-412-4050	JURY-WITNESS FEES	.00	.00	150.00	150.00	.0
01-412-6063	TRAIN.-DUES-TRAVEL-SUBSC	.00	350.00	560.00	210.00	62.5
01-412-6067	INTERPRETERS	157.50	218.75	1,000.00	781.25	21.9
01-412-6068	MISCELLANEOUS EXPENSES	.00	.00	5,680.00	5,680.00	.0
	TOTAL JUDICIAL DEPARTMENT	7,439.41	38,699.91	72,740.00	34,040.09	53.2

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2015

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	DATA PROCESSING DEPARTMENT					
01-414-2028	SOFTWARE	.00	8,151.00	10,616.00	2,465.00	76.8
01-414-4049	OTHER CONTRACTUAL SERVICES	2,330.00	31,945.00	95,432.00	63,487.00	33.5
01-414-5052	EQUIPMENT MAINTENANCE	.00	395.02	3,000.00	2,604.98	13.2
01-414-7071	EQUIPMENT	.00	5,953.43	7,500.00	1,546.57	79.4
	TOTAL DATA PROCESSING DEPARTMENT	2,330.00	46,444.45	116,548.00	70,103.55	39.9
	COMMUNITY DEVELOPMENT DEPARTME					
01-418-1011	PERSONNEL SERVICES	19,042.02	98,327.78	243,033.00	144,705.22	40.5
01-418-1013	SOCIAL SECURITY TAXES	1,493.77	7,692.49	19,443.00	11,750.51	39.6
01-418-1014	RETIREMENT 401-NONSWORN	478.62	3,111.03	.00	(3,111.03)	.0
01-418-1015	RETIREMENT	473.48	1,779.55	.00	(1,779.55)	.0
01-418-1016	HEALTH-LIFE-DENTAL INSURANCE	2,290.61	10,971.06	.00	(10,971.06)	.0
01-418-2021	OFCE SUPPLIES-POSTAGE	753.21	2,116.74	4,500.00	2,383.26	47.0
01-418-2022	PRINTING-REPRODUCTION	.00	553.00	3,200.00	2,647.00	17.3
01-418-2028	SPECIAL MATERIALS	.00	85.05	200.00	114.95	42.5
01-418-3033	TELEPHONE	50.33	251.65	1,700.00	1,448.35	14.8
01-418-4041	GREEN BUILDING REBATES	.00	.00	20,000.00	20,000.00	.0
01-418-4042	CONTRACTED PLAN REVIEW	.00	24,650.00	68,600.00	43,950.00	35.9
01-418-4045	ENGINEERING SERVICES	.00	7,919.84	30,000.00	22,080.16	26.4
01-418-4047	BUILDING INSPECTION	.00	45,204.75	150,000.00	104,795.25	30.1
01-418-4049	OTHER CONTRACTUAL SERVICES	750.00	9,821.54	50,000.00	40,178.46	19.6
01-418-6063	TRAIN.-DUES-TRAVEL-SUBSC	.00	2,993.80	7,300.00	4,306.20	41.0
01-418-6068	MISCELLANEOUS EXPENSE	268.00	1,609.94	4,000.00	2,390.06	40.3
01-418-7071	EQUIPMENT	.00	.00	1,800.00	1,800.00	.0
	TOTAL COMMUNITY DEVELOPMENT DEPARTME	25,600.04	217,088.22	603,776.00	386,687.78	36.0
	VILLAGE CRIER DEPARTMENT					
01-419-1012	FEE PERSONNEL	280.00	280.00	4,500.00	4,220.00	6.2
01-419-2021	OFFICE SUPPLIES, POSTAGE	.00	1,940.00	5,600.00	3,660.00	34.6
01-419-2022	PRINTING	.00	3,064.00	8,000.00	4,936.00	38.3
	TOTAL VILLAGE CRIER DEPARTMENT	280.00	5,284.00	18,100.00	12,816.00	29.2

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2015

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	PUBLIC SAFETY DEPARTMENT					
01-421-1011	PERSONNEL SERVICES	153,981.61	1,005,406.84	2,163,052.00	1,157,645.16	46.5
01-421-1013	SOCIAL SECURITY TAXES	3,959.78	25,316.52	64,892.00	39,575.48	39.0
01-421-1014	POLICE PENSION CONTRIBUTIONS	10,260.35	67,984.65	145,000.00	77,015.35	46.9
01-421-1015	RETIREMENT	3,172.70	20,654.89	.00	(20,654.89)	.0
01-421-1016	HEALTH-LIFE-DENTAL INSURANCE	26,313.20	154,916.61	.00	(154,916.61)	.0
01-421-1018	UNIFORM EXPENSE	3,309.31	7,352.14	23,750.00	16,397.86	31.0
01-421-1019	OVERTIME	2,624.50	21,706.08	65,000.00	43,293.92	33.4
01-421-1020	EXTRA DUTY	4,882.00	21,943.98	70,000.00	48,056.02	31.4
01-421-2021	OFC SUPPLIES-POSTAGE	544.51	3,219.31	8,500.00	5,280.69	37.9
01-421-2022	PRINTING-REPRODUCTION	1,240.40	2,319.31	5,665.00	3,345.69	40.9
01-421-2023	CRIME PREVENTION	.00	.00	2,000.00	2,000.00	.0
01-421-2024	DARE	.00	.00	2,000.00	2,000.00	.0
01-421-2028	SPECIAL MATERIALS	171.15	6,193.29	14,000.00	7,806.71	44.2
01-421-2029	ANIMAL CONTROL	.00	169.97	1,000.00	830.03	17.0
01-421-3031	ELECTRIC/GAS	2,798.94	13,859.82	27,300.00	13,440.18	50.8
01-421-3032	WATER	123.76	79.80	3,250.00	3,170.20	2.5
01-421-3033	TELEPHONE	1,576.01	9,061.71	29,350.00	20,288.29	30.9
01-421-3035	SEWER	.00	.00	650.00	650.00	.0
01-421-4048	VEHICLE MAINTENANCE CONTRACT	2,901.11	9,910.55	47,000.00	37,089.45	21.1
01-421-4049	OTHER CONTRACTUAL SERVICES	21,582.63	111,304.35	160,128.00	48,823.65	69.5
01-421-4050	PHOTO RED LIGHT EXPENSES	.00	.00	40,000.00	40,000.00	.0
01-421-5051	BUILDING MAINTENCE	411.76	1,795.11	29,625.00	27,829.89	6.1
01-421-5052	EQUIPMENT MAINTENANCE	130.00	1,561.00	4,500.00	2,939.00	34.7
01-421-5053	VEHICLE MAINTENANCE	1,788.98	2,372.16	6,600.00	4,227.84	35.9
01-421-5054	GASOLINE-OIL	.00	10,621.00	60,000.00	49,379.00	17.7
01-421-6063	TRNG-DUES-TRAVEL-SUBSC	1,231.92	7,219.60	22,000.00	14,780.40	32.8
01-421-6064	TESTING AND PHYSICAL EXAMS	1,610.00	10,986.08	10,000.00	(986.08)	109.9
01-421-6065	PRISONER EXPENSES	525.00	1,689.64	7,800.00	6,110.36	21.7
01-421-6066	SPECIAL INVESTIGATIONS	100.00	504.60	2,800.00	2,295.40	18.0
01-421-6068	MISCELLANEOUS EXPENSES	579.73	9,948.49	15,000.00	5,051.51	66.3
01-421-7071	EQUIPMENT	.00	712.88	10,000.00	9,287.12	7.1
	TOTAL PUBLIC SAFETY DEPARTMENT	245,819.35	1,528,810.38	3,040,862.00	1,512,051.62	50.3

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2015

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	PUBLIC WORKS DEPARTMENT					
01-431-1011	PERSONNEL SERVICES	50,070.54	284,592.87	617,743.00	333,150.13	46.1
01-431-1013	SOCIAL SECURITY TAXES	3,871.96	22,267.63	49,419.00	27,151.37	45.1
01-431-1014	RETIREMENT 401-NONSWORN	982.66	6,387.29	.00	(6,387.29)	.0
01-431-1015	RETIREMENT	466.44	2,755.51	.00	(2,755.51)	.0
01-431-1016	HEALTH-LIFE-DENTAL INSURANCE	10,701.48	54,237.24	.00	(54,237.24)	.0
01-431-1018	UNIFORM EXPENSE	118.94	4,116.88	4,400.00	283.12	93.6
01-431-1019	OVERTIME	1,266.00	10,619.77	10,000.00	(619.77)	106.2
01-431-2021	OFC SUPPLIES-POSTAGE	.00	656.19	1,750.00	1,093.81	37.5
01-431-2024	SNOW-ICE MATERIALS	.00	17,318.50	24,300.00	6,981.50	71.3
01-431-2025	ROAD MAINT. MATERIALS	9,941.17	19,887.57	50,000.00	30,112.43	39.8
01-431-2026	CURB-GUTTER-SIDEWALKS	85.36	1,782.48	5,000.00	3,217.52	35.7
01-431-2027	TRAFFIC CONTROL DEVICES	510.00	6,425.94	8,500.00	2,074.06	75.6
01-431-2028	SPECIAL MATERIALS	158.03	2,324.31	6,000.00	3,675.69	38.7
01-431-3032	WATER	.00	218.72	2,100.00	1,881.28	10.4
01-431-3033	COMMUNICATIONS	250.23	2,856.29	7,050.00	4,193.71	40.5
01-431-3034	STREET LIGHTING	305.73	1,601.82	5,000.00	3,398.18	32.0
01-431-4045	ENGINEERING SERVICES	.00	4,112.50	10,000.00	5,887.50	41.1
01-431-4048	VEHICLE MAINTENANCE CONTRACT	4,779.11	9,964.15	51,500.00	41,535.85	19.4
01-431-4049	OTHER CONTRACTUAL SERVICES	18,266.28	31,347.49	65,000.00	33,652.51	48.2
01-431-5051	BUILDING MAINTENANCE	2,253.46	19,727.15	45,000.00	25,272.85	43.8
01-431-5052	EQUIPMENT MAINTENANCE	53.45	1,374.37	8,500.00	7,125.63	16.2
01-431-5053	VEHICLE MAINTENANCE	20.24	3,133.25	20,000.00	16,866.75	15.7
01-431-5054	GASOLINE-OIL	2,456.82	22,863.45	30,000.00	7,136.55	76.2
01-431-6063	TRNG-DUES-TRAVEL-SUBSC	1,862.38	6,844.58	8,000.00	1,155.42	85.6
01-431-6064	TESTING PHYSICALS	95.50	824.00	1,800.00	976.00	45.8
01-431-6068	MISCELLANEOUS EXPENSES	778.53	8,576.41	8,500.00	(76.41)	100.9
01-431-7000	PUBLIC ART	962.94	1,454.88	15,000.00	13,545.12	9.7
01-431-7071	EQUIPMENT	53.73	5,867.37	5,000.00	(867.37)	117.4
	TOTAL PUBLIC WORKS DEPARTMENT	110,310.98	554,138.61	1,059,562.00	505,423.39	52.3
	TOTAL FUND EXPENDITURES	476,958.00	3,075,125.39	6,735,576.00	3,660,450.61	45.7
	NET REVENUE OVER EXPENDITURES	241,843.83	978,474.92	.00	(978,474.92)	.0

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
JUNE 30, 2015

CAPITAL FUND

	ASSETS			
02-1000	CASH - COMBINED FUND		4,349,336.80	
02-1031	CASH-COUNTY TREASURER GENERAL		57,995.24	
02-1043	INVSEST ACCOUNT-COLOTRUST		2,286,383.60	
02-1051	TAXES RECEIVABLE		(121,739.78)	
	TOTAL ASSETS			6,571,975.86
	LIABILITIES AND EQUITY			
	LIABILITIES			
02-2012	S. METRO JOINT FACILITY FUNDS		.01	
02-2221	RESERVE-TAXES RECEIVABLE		(121,739.78)	
	TOTAL LIABILITIES			(121,739.77)
	FUND EQUITY			
	UNAPPROPRIATED FUND BALANCE:			
02-2900	FUND BALANCE	6,799,886.62		
	REVENUE OVER EXPENDITURES - YTD	(106,170.99)		
	BALANCE - CURRENT DATE		6,693,715.63	
	TOTAL FUND EQUITY			6,693,715.63
	TOTAL LIABILITIES AND EQUITY			6,571,975.86

CITY OF CHERRY HILLS VILLAGE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2015

CAPITAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	TAX REVENUES					
02-310-3111	CURRENT PROPERTY TAX	50,940.87	263,895.63	292,295.00	28,399.37	90.3
02-310-3121	SPECIFIC OWNERSHIP TAX	24,970.63	150,139.15	.00	(150,139.15)	.0
	TOTAL TAX REVENUES	75,911.50	414,034.78	292,295.00	(121,739.78)	141.7
	MISCELLANEOUS REVENUES					
02-360-3611	INTEREST INCOME	282.95	1,392.29	.00	(1,392.29)	.0
	TOTAL MISCELLANEOUS REVENUES	282.95	1,392.29	.00	(1,392.29)	.0
	TOTAL FUND REVENUE	76,194.45	415,427.07	292,295.00	(123,132.07)	142.1

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2015

CAPITAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	CAPITAL FUND EXPENDITURES					
02-441-1000	TRAIL IMPROVEMENTS	.00	.00	140,000.00	140,000.00	.0
02-441-1101	VILLAGE CENTER IMPROVEMENTS	.00	1,245.50	50,000.00	48,754.50	2.5
02-441-2103	POLICE EQUIPMENT	4,150.70	42,932.99	52,400.00	9,467.01	81.9
02-441-2104	POLICE VEHICLES	13,669.93	144,473.96	181,200.00	36,726.04	79.7
02-441-3101	STREET IMPROVEMENT PROGRAM	658.96	658.96	400,000.00	399,341.04	.2
02-441-3102	PUBLIC WORKS EQUIPMENT	.00	187,500.00	225,000.00	37,500.00	83.3
02-441-3103	PARKS EQUIPMENT	.00	91,065.00	95,000.00	3,935.00	95.9
02-441-3104	PUBLIC WORKS VEHICLES	28,929.00	28,929.00	30,000.00	1,071.00	96.4
02-441-3105	PARKS VEHICLES	.00	.00	30,000.00	30,000.00	.0
02-441-3106	STORM SEWERS	(1,390.00)	12,800.00	50,000.00	37,200.00	25.6
02-441-3108	BUILDINGS	.00	.00	25,000.00	25,000.00	.0
02-441-3109	TRAFFIC CALMING	.00	.00	75,000.00	75,000.00	.0
02-441-3110	CRACK SEAL	306.96	6,772.70	27,000.00	20,227.30	25.1
02-441-3111	CURB AND GUTTER	.00	489.00	40,000.00	39,511.00	1.2
02-441-3112	RIGHTS-OF-WAY IMPROVEMENTS	.00	.00	250,000.00	250,000.00	.0
02-441-4000	LAND PURCHASE	.00	4,730.95	1,500,000.00	1,495,269.05	.3
	TOTAL CAPITAL FUND EXPENDITURES	46,325.55	521,598.06	3,170,600.00	2,649,001.94	16.5
	TOTAL FUND EXPENDITURES	46,325.55	521,598.06	3,170,600.00	2,649,001.94	16.5
	NET REVENUE OVER EXPENDITURES	29,868.90	(106,170.99)	(2,878,305.00)	(2,772,134.01)	(3.7)

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
JUNE 30, 2015

CONSERVATION TRUST FUND

	ASSETS			
07-1000	CASH - COMBINED FUND		585,543.73	
07-1041	INVESTMENT ACCT CONSER TRUST		167,855.27	
	TOTAL ASSETS			753,399.00
	LIABILITIES AND EQUITY			
	FUND EQUITY			
	UNAPPROPRIATED FUND BALANCE:			
07-2900	FUND BALANCE	724,257.95		
	REVENUE OVER EXPENDITURES - YTD	29,141.05		
	BALANCE - CURRENT DATE		753,399.00	
	TOTAL FUND EQUITY			753,399.00
	TOTAL LIABILITIES AND EQUITY			753,399.00

CITY OF CHERRY HILLS VILLAGE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2015

CONSERVATION TRUST FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	INTERGOVERNMENTAL REVENUES					
07-330-3358	COLORADO LOTTERY	17,192.50	31,689.44	50,000.00	18,310.56	63.4
	TOTAL INTERGOVERNMENTAL REVENUES	17,192.50	31,689.44	50,000.00	18,310.56	63.4
	MISCELLANEOUS REVENUES					
07-360-3611	INTEREST ON INVESTMENTS	20.77	110.21	200.00	89.79	55.1
	TOTAL MISCELLANEOUS REVENUES	20.77	110.21	200.00	89.79	55.1
	TOTAL FUND REVENUE	17,213.27	31,799.65	50,200.00	18,400.35	63.4

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2015

CONSERVATION TRUST FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	CONSERVATION TRUST EXPENDITURE					
07-450-4521	TRAIL IMPROVEMENTS	.00	2,658.60	35,000.00	32,341.40	7.6
	TOTAL CONSERVATION TRUST EXPENDITURE	.00	2,658.60	35,000.00	32,341.40	7.6
	TOTAL FUND EXPENDITURES	.00	2,658.60	35,000.00	32,341.40	7.6
	NET REVENUE OVER EXPENDITURES	17,213.27	29,141.05	15,200.00	(13,941.05)	191.7

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
JUNE 30, 2015

CH ANDERSON LAND DONATION FUND

	ASSETS			
08-1000	CASH - COMBINED FUND		(164,608.76)	
08-1041	INVESTMENT ACCT LAND DONATION		814,583.38	
	TOTAL ASSETS			649,974.62
	LIABILITIES AND EQUITY			
	FUND EQUITY			
	UNAPPROPRIATED FUND BALANCE:			
08-2900	FUND BALANCE	648,598.84		
	REVENUE OVER EXPENDITURES - YTD	1,375.78		
	BALANCE - CURRENT DATE		649,974.62	
	TOTAL FUND EQUITY			649,974.62
	TOTAL LIABILITIES AND EQUITY			649,974.62

CITY OF CHERRY HILLS VILLAGE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2015

CH ANDERSON LAND DONATION FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	LICENSE AND PERMIT REVENUES					
08-320-3221	RECREATION REIMBURSEMENT DONAT	.00	50.00	1,000.00	950.00	5.0
	TOTAL LICENSE AND PERMIT REVENUES	.00	50.00	1,000.00	950.00	5.0
	MISCELLANEOUS REVENUES					
08-360-3611	INTEREST-INVESTMENTS	100.81	534.83	1,000.00	465.17	53.5
08-360-3680	MISCELLANEOUS REVENUES	.00	1,410.00	4,000.00	2,590.00	35.3
	TOTAL MISCELLANEOUS REVENUES	100.81	1,944.83	5,000.00	3,055.17	38.9
	TOTAL FUND REVENUE	100.81	1,994.83	6,000.00	4,005.17	33.3

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2015

CH ANDERSON LAND DONATION FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	LAND DONATION FUND EXPENDITURE					
08-450-6068	MISCELLANEOUS	.00	.00	5,000.00	5,000.00	.0
08-450-9093	THREE POND PARK WATER RIGHTS	.00	619.05	620.00	.95	99.9
	TOTAL LAND DONATION FUND EXPENDITURE	.00	619.05	5,620.00	5,000.95	11.0
	TOTAL FUND EXPENDITURES	.00	619.05	5,620.00	5,000.95	11.0
	NET REVENUE OVER EXPENDITURES	100.81	1,375.78	380.00	(995.78)	362.1

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
JUNE 30, 2015

SID # 7 BOND FUND

	ASSETS			
13-1000	CASH - COMBINED FUND		267.56	
13-1031	CASH COUNTY TREASURER SID #7		10,739.22	
13-1047	COLOTRUST		7,868.77	
	TOTAL ASSETS			18,875.55
	LIABILITIES AND EQUITY			
	FUND EQUITY			
	UNAPPROPRIATED FUND BALANCE:			
13-2900	FUND BALANCE	25,360.69		
	REVENUE OVER EXPENDITURES - YTD	(6,485.14)		
	BALANCE - CURRENT DATE		18,875.55	
	TOTAL FUND EQUITY			18,875.55
	TOTAL LIABILITIES AND EQUITY			18,875.55

CITY OF CHERRY HILLS VILLAGE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2015

SID # 7 BOND FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	MISCELLANEOUS REVENUES					
13-360-3611	INTEREST INCOME	.97	26.54	50.00	23.46	53.1
13-360-3612	INTEREST ON ASSESSMENT	1,968.88	12,688.37	13,330.00	641.63	95.2
13-360-3630	ASSESSMENTS REVENUE	8,878.82	57,219.03	66,371.00	9,151.97	86.2
	TOTAL MISCELLANEOUS REVENUES	10,848.67	69,933.94	79,751.00	9,817.06	87.7
	TOTAL FUND REVENUE	10,848.67	69,933.94	79,751.00	9,817.06	87.7

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2015

SID # 7 BOND FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	SID # 7 BOND FUND EXPENDITURES					
13-470-4041	COUNTY TREASURER FEES	108.48	699.08	797.00	97.92	87.7
13-470-7072	INTEREST EXPENSE	5,720.00	5,720.00	11,151.00	5,431.00	51.3
13-470-7073	BOND PRINCIPAL PAYMENT	70,000.00	70,000.00	80,000.00	10,000.00	87.5
	TOTAL SID # 7 BOND FUND EXPENDITURES	75,828.48	76,419.08	91,948.00	15,528.92	83.1
	TOTAL FUND EXPENDITURES	75,828.48	76,419.08	91,948.00	15,528.92	83.1
	NET REVENUE OVER EXPENDITURES	(64,979.81)	(6,485.14)	(12,197.00)	(5,711.86)	(53.2)

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
JUNE 30, 2015

ARAPAPAHOE COUNTY OPEN SPACE F

	ASSETS			
14-1000	CASH - COMBINED FUND		(808,052.71)	
14-1042	INVESTMENT ACCOUNT-CSAFE		260,710.04	
14-1043	INVEST ACCT-COLOTRUST		1,197,701.78	
	TOTAL ASSETS			650,359.11
	LIABILITIES AND EQUITY			
	LIABILITIES			
14-2071	ARAP CO SALES TAX COLLECTED		12,166.68	
14-2221	DEFERRED REVENUE		29,130.00	
	TOTAL LIABILITIES			41,296.68
	FUND EQUITY			
	UNAPPROPRIATED FUND BALANCE:			
14-2900	FUND BALANCE	671,338.76		
	REVENUE OVER EXPENDITURES - YTD	(62,276.33)		
	BALANCE - CURRENT DATE		609,062.43	
	TOTAL FUND EQUITY			609,062.43
	TOTAL LIABILITIES AND EQUITY			650,359.11

CITY OF CHERRY HILLS VILLAGE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2015

ARAPAPAHOE COUNTY OPEN SPACE F

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	LICENSE AND PERMIT REVENUES					
14-320-3200	OPEN SPACE SHAREBACK	.00	.00	125,000.00	125,000.00	.0
14-320-3220	SALES TAX COLLECTION FEE	.00	1,162.39	2,000.00	837.61	58.1
	TOTAL LICENSE AND PERMIT REVENUES	.00	1,162.39	127,000.00	125,837.61	.9
	MISCELLANEOUS REVENUES					
14-360-3611	INTEREST INCOME	196.88	963.11	1,200.00	236.89	80.3
	TOTAL MISCELLANEOUS REVENUES	196.88	963.11	1,200.00	236.89	80.3
	TOTAL FUND REVENUE	196.88	2,125.50	128,200.00	126,074.50	1.7

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2015

ARAPAPAHOE COUNTY OPEN SPACE F

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	OPEN SPACE FUND EXPENDITURES					
14-450-9090	ARAPAHOE COUNTY OPEN SPACE TAX	.00	92.13	.00	(92.13)	.0
14-450-9091	TRAIL IMPROVEMENTS	.00	.00	70,000.00	70,000.00	.0
14-450-9092	PARK IMPROVEMENTS	.00	252.50	10,000.00	9,747.50	2.5
14-450-9093	OTHER EXPENDITURES	19,998.04	39,546.67	50,000.00	10,453.33	79.1
14-450-9098	JOHN MEADE PARK MASTER PLAN	.00	24,510.53	.00	(24,510.53)	.0
	TOTAL OPEN SPACE FUND EXPENDITURES	19,998.04	64,401.83	130,000.00	65,598.17	49.5
	TOTAL FUND EXPENDITURES	19,998.04	64,401.83	130,000.00	65,598.17	49.5
	NET REVENUE OVER EXPENDITURES	(19,801.16)	(62,276.33)	(1,800.00)	60,476.33	(3459.

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
JUNE 30, 2015

WATER AND SEWER FUND

	ASSETS			
20-1000	CASH - COMBINED FUND		71,360.92	
20-1041	INVESTMENT ACCOUNT		735,494.25	
20-1151	ACCOUNTS RECEIVABLE		4,788.00	
20-1551	SEWER LINES		708,364.00	
20-1601	ACCUMULATED DEPRECIATION		(483,715.00)	
	TOTAL ASSETS			1,036,292.17
	LIABILITIES AND EQUITY			
	LIABILITIES			
20-2212	FAIRFAX WATER LINE		29,116.50	
20-2214	LEVY WATER LINE ESCROW		950.00	
	TOTAL LIABILITIES			30,066.50
	FUND EQUITY			
20-2901	RETAINED EARNINGS		345,894.62	
20-2951	CONTRIBUTED CAPITAL-TAPS		438,450.00	
20-2961	CONTRIBUTED CAPITAL-SEWER		571,808.00	
	UNAPPROPRIATED FUND BALANCE:			
20-2900	FUND BALANCE	(461,382.25)		
	REVENUE OVER EXPENDITURES - YTD	111,455.30		
	BALANCE - CURRENT DATE		(349,926.95)	
	TOTAL FUND EQUITY			1,006,225.67
	TOTAL LIABILITIES AND EQUITY			1,036,292.17

CITY OF CHERRY HILLS VILLAGE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2015

WATER AND SEWER FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	LICENSE AND PERMIT REVENUES					
20-320-3220	SEWER TAP FEES	.00	16,700.00	.00	(16,700.00)	.0
20-320-3221	WATER TAP FEES	.00	29,000.00	.00	(29,000.00)	.0
20-320-3225	WATER ADMINISTRATION FEES	.00	11,584.00	.00	(11,584.00)	.0
20-320-3226	SEWER ADMINISTRATION FEES	.00	.00	2,328.00	2,328.00	.0
20-320-3228	W/S REPAIR & REPLACEMENT FEES	4,648.75	63,654.75	56,700.00	(6,954.75)	112.3
	TOTAL LICENSE AND PERMIT REVENUES	4,648.75	120,938.75	59,028.00	(61,910.75)	204.9
	MISCELLANEOUS REVENUES					
20-360-3611	INTEREST INCOME	91.02	482.88	800.00	317.12	60.4
20-360-3680	MISCELLANEOUS INCOME	.00	1,399.55	.00	(1,399.55)	.0
	TOTAL MISCELLANEOUS REVENUES	91.02	1,882.43	800.00	(1,082.43)	235.3
	TOTAL FUND REVENUE	4,739.77	122,821.18	59,828.00	(62,993.18)	205.3

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2015

WATER AND SEWER FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	WATER & SEWER EXPENDITURES					
20-461-4042	LEGAL COUNSEL	.00	1,571.00	1,000.00	(571.00)	157.1
20-461-4049	OTHER CONTRACTUAL	.00	.00	25,000.00	25,000.00	.0
20-461-5052	SEWER REPAIRS & MAINTENANCE	900.00	8,940.88	300,000.00	291,059.12	3.0
20-461-6063	TRAINING, DUES & SUB	.00	854.00	1,000.00	146.00	85.4
20-461-7050	DEPRECIATION	.00	.00	26,750.00	26,750.00	.0
	TOTAL WATER & SEWER EXPENDITURES	900.00	11,365.88	353,750.00	342,384.12	3.2
	TOTAL FUND EXPENDITURES	900.00	11,365.88	353,750.00	342,384.12	3.2
	NET REVENUE OVER EXPENDITURES	3,839.77	111,455.30	(293,922.00)	(405,377.30)	37.9

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
JUNE 30, 2015

PARKS AND RECREATION FUND

	ASSETS			
30-1000	CASH - COMBINED FUND		(318,582.66)	
30-1031	CASH-COUNTY TREASURER GENERAL		274,899.18	
30-1041	INVEST ACCT. WF		139,861.63	
30-1042	INVESTMENT ACCOUNT-CSAFE		(25,111.57)	
30-1043	INVEST ACCT-COLOTRUST+		3,496,716.62	
30-1051	TAXES RECEIVABLE		60,763.45	
30-1551	PREPAID INSURANCE		16,984.67	
30-1632	GROUND IMPROVEMENTS		39,485.00	
30-1646	PARKS & TRAILS EQUIPMENT		220,226.57	
30-1701	COMPUTER LOAN PROGRAM		(103.88)	
	TOTAL ASSETS			3,905,139.01
	LIABILITIES AND EQUITY			
	LIABILITIES			
30-2011	VOUCHERS PAYABLE		(2,013.39)	
30-2014	PAYROLL PAYABLES-ZERO BALANCE		2,286.57	
30-2015	FICA/FWH PAYABLES		1,542,495.37	
30-2101	HEALTH CARE SPENDING ACCT		(44.09)	
30-2221	DEFERRED TAX REVENUE		60,763.45	
30-2371	ASPHALT OVERLAY PROJECT GRANT		2,277.72	
30-2372	VOLUNTEER PARK PROJECT		439.41	
30-2373	LITTLE DRY CREEK PROJECT GRANT		(625.41)	
30-2374	JOHN MEADE PARK HORSE ARENA GR		(87.72)	
30-2375	ASHPALT TRAIL OVERLAY PHASE 3		(134.88)	
30-2641	INVESTMENT IN FIXED ASSETS		259,711.57	
	TOTAL LIABILITIES			1,865,068.60
	FUND EQUITY			
	UNAPPROPRIATED FUND BALANCE:			
30-2900	FUND BALANCE	957,488.98		
	REVENUE OVER EXPENDITURES - YTD	1,082,581.43		
	BALANCE - CURRENT DATE		2,040,070.41	
	TOTAL FUND EQUITY			2,040,070.41
	TOTAL LIABILITIES AND EQUITY			3,905,139.01

CITY OF CHERRY HILLS VILLAGE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2015

PARKS AND RECREATION FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	TAX REVENUES					
30-310-3111	CURRENT PROPERTY TAXES	276,536.13	1,432,576.32	1,479,014.00	46,437.68	96.9
	TOTAL TAX REVENUES	276,536.13	1,432,576.32	1,479,014.00	46,437.68	96.9
	MISCELLANEOUS REVENUES					
30-360-3611	INTEREST INCOME	462.38	2,319.88	5,000.00	2,680.12	46.4
30-360-3680	OTHER REVENUES	.00	.00	1,542,491.00	1,542,491.00	.0
	TOTAL MISCELLANEOUS REVENUES	462.38	2,319.88	1,547,491.00	1,545,171.12	.2
	TOTAL FUND REVENUE	276,998.51	1,434,896.20	3,026,505.00	1,591,608.80	47.4

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2015

PARKS AND RECREATION FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	PARKS & RECREATION EXPENDITURE					
30-432-1011	PERSONAL SERVICES	31,015.65	166,835.81	355,000.00	188,164.19	47.0
30-432-1013	SOCIAL SECURITY TAXES	2,369.58	13,174.87	28,400.00	15,225.13	46.4
30-432-1014	RETIREMENT 401-MGMT	353.08	2,295.02	4,500.00	2,204.98	51.0
30-432-1015	RETIREMENT 457 DEF COMP	610.18	4,017.46	8,000.00	3,982.54	50.2
30-432-1016	HEALTH-LIFE-DENTAL INSURANCE	5,447.53	32,581.18	58,860.00	26,278.82	55.4
30-432-1018	UNIFORM EXPENSE	.00	1,487.94	2,500.00	1,012.06	59.5
30-432-1019	OVERTIME	.00	4,298.70	2,500.00	(1,798.70)	172.0
30-432-2021	OFC-SUPPLIES-POSTAGE	136.40	412.84	1,000.00	587.16	41.3
30-432-2023	PLANT SUPPLIES	202.80	446.00	2,500.00	2,054.00	17.8
30-432-2025	GENERAL INFRASTRUCTURE MAINT	171.63	11,404.83	15,500.00	4,095.17	73.6
30-432-2026	SNOW AND ICE MELT	.00	.00	1,000.00	1,000.00	.0
30-432-2027	PARK SIGNAGE	.00	631.21	1,000.00	368.79	63.1
30-432-2028	SPECIAL MATERIALS	(34.18)	1,531.23	3,500.00	1,968.77	43.8
30-432-3032	WATER	1,971.00	3,053.93	30,000.00	26,946.07	10.2
30-432-3033	COMMUNICATIONS	135.85	677.32	3,200.00	2,522.68	21.2
30-432-4041	COUNTY TREASURER FEES	2,765.36	14,325.76	14,790.00	464.24	96.9
30-432-4043	LEGAL/SURVEYING	.00	.00	4,000.00	4,000.00	.0
30-432-4046	ENGINEERING	.00	5,940.78	14,000.00	8,059.22	42.4
30-432-4047	FORESTRY/ROW TREE MAINT.	301.13	6,410.71	30,000.00	23,589.29	21.4
30-432-4048	VEHICLE MAINTENANCE CONTRACT	1,154.63	4,150.17	18,200.00	14,049.83	22.8
30-432-4049	OTHER CONTRACTUAL SERVICES	.00	.00	4,350.00	4,350.00	.0
30-432-5052	EQUIPMENT MAINTENANCE	.00	.00	6,000.00	6,000.00	.0
30-432-5053	VEHICLE MAINTENANCE	80.16	1,347.16	4,500.00	3,152.84	29.9
30-432-5054	GASOLINE-OIL	.00	5,311.98	25,000.00	19,688.02	21.3
30-432-5055	GROUNDS MAINTENANCE	867.26	4,104.57	20,000.00	15,895.43	20.5
30-432-6063	TRAIN-DUES-TRAVEL-SUBSC	237.00	2,655.82	5,200.00	2,544.18	51.1
30-432-6064	TESTING-PHYSICALS	.00	110.00	500.00	390.00	22.0
30-432-6067	SPECIAL EVENTS	35.00	701.75	15,000.00	14,298.25	4.7
30-432-6068	MISCELLANEOUS EXPENSES	250.00	2,149.00	5,000.00	2,851.00	43.0
30-432-6069	RECREATION REIMBURSEMENT PROGR	2,624.00	51,282.40	225,000.00	173,717.60	22.8
30-432-7071	EQUIPMENT	1,250.00	10,976.33	15,800.00	4,823.67	69.5
30-432-7072	INTEREST EXPENSE	.00	.00	18,925.00	18,925.00	.0
30-432-7073	PRINCIPAL EXPENSE	.00	.00	734,625.00	734,625.00	.0
30-432-7075	ADMINISTRATIVE SERVICES	.00	.00	25,000.00	25,000.00	.0
	TOTAL PARKS & RECREATION EXPENDITURE	51,944.06	352,314.77	1,703,350.00	1,351,035.23	20.7
	TOTAL FUND EXPENDITURES	51,944.06	352,314.77	1,703,350.00	1,351,035.23	20.7
	NET REVENUE OVER EXPENDITURES	225,054.45	1,082,581.43	1,323,155.00	240,573.57	81.8

CHERRY HILLS VILLAGE
COLORADO

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
FAX 303-761-9386

ITEM: 9d(iii)

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF CITY COUNCIL

FROM: JESSICA SAGER, VILLAGE CRIER EDITOR

SUBJECT: 2016 VILLAGE CRIER ADVERTISING RATES

DATE: JULY 21, 2015

In an effort to supplement the additional expenses that arose from increasing publication of the Village Crier from 6 issues to 12 issues throughout the year, advertising rates for both residents and non-residents will be increased. The current rate for residents is $20.00 per issue (or $100.00 for the year with 1 issue free) and the current rate for non-residents is $40.00 per issue (or $200.00 for the year with 1 issue free). Residents and non-residents will now be able to purchase advertising for a single issue, a 3 or 6 month bundle or a full year. Below are the increased rates that will become effective in 2016.

Residents
$25.00 per single issue
$75.00 for a 3 month bundle
$150.00 for a 6 month bundle
$250.00 for a full year (includes an added incentive of 2 issues free)

Non-residents
$45.00 per single issue
$135.00 for a 3 month bundle
$270.00 for a 6 month bundle
$450.00 for a full year (includes an added incentive of 2 issues free)

Flood Documentation Report

June 12, 2015 Flood Event

Cherry Hills Village, Colorado

This report summarizes the natural events leading up to, during, and following the heavy precipitation and resulting flooding of Cherry Hills Village on June 12, 2015.

Flood Documentation Report

June 12, 2015 Flood Event
Cherry Hills Village, Colorado

Prepared by:

ICON Engineering, Inc.

Troy W. Carmann, PE CFM

July 15, 2015
DRAFT

p:\p\15007chv\15007030 - june 2015 flood\flood documentation report.docx

Summary

The flooding experienced in Cherry Hills Village on June 12, 2015 is a natural phenomenon for the downstream sub-basins of the overall Little Dry Creek watershed. Higher than normal precipitation in the days preceding the flood event saturated soils in the watershed, increased water levels in some ponds and reservoirs, and generally decreased the capacity of the watershed to slowly release rain water runoff. The impact was obvious to many residents, employees, visitors, and travellers in Cherry Hills Village on Friday morning. This report, more study and watershed coordination will decrease the future risk of flooding in Cherry Hills Village.

Table of Contents

Introduction
Purpose of Study
Authority and Acknowledgments
Flooded Area Description
Location and Watershed Description
Storm Characteristics and Rainfall Information
Hydrologic and Hydraulic Investigations
Estimated Flood Damages
Special Factors Affecting the Flood
Flood Hazard Mitigation
Additional Support Information

Introduction

The June 12 flood event in Cherry Hills Village is a natural phenomenon in the downstream sub-basins of the larger Little Dry Creek watershed. The compounding effects of days of higher than normal precipitation preceding the event are evidenced in rainfall and runoff data and corroborated with witness accounts of the ponds within the watershed. The rainfall early in the morning of Friday June 12 exceeded the watershed's capacity to detain stormwater and the lower basins flooded as the flows exceeded the conveyance capacity at several road and irrigation ditch crossings.

There are many interesting and unique elements to the Little Dry Creek watershed, particularly as it relates to the June 12 flood event and the dynamics of the flooding in Cherry Hills Village (CHV). The entire contributing watershed to Cherry Hills Village is over 20 square miles. The headwaters at the natural bluffs south of Lone Tree all the way down through Centennial and Greenwood Village into Cherry Hills Village.

The natural stream channels are the obvious first element in the natural conveyance in the watershed. Little Dry Creek and Greenwood Gulch are the predominant natural channels along the downstream, west end, of CHV. Blackmer and Quincy Gulch take northern sub-basins and drain them west to a confluence with Greenwood Gulch. Little Dry Creek conveys flows through the remaining southwest quadrant of CHV.

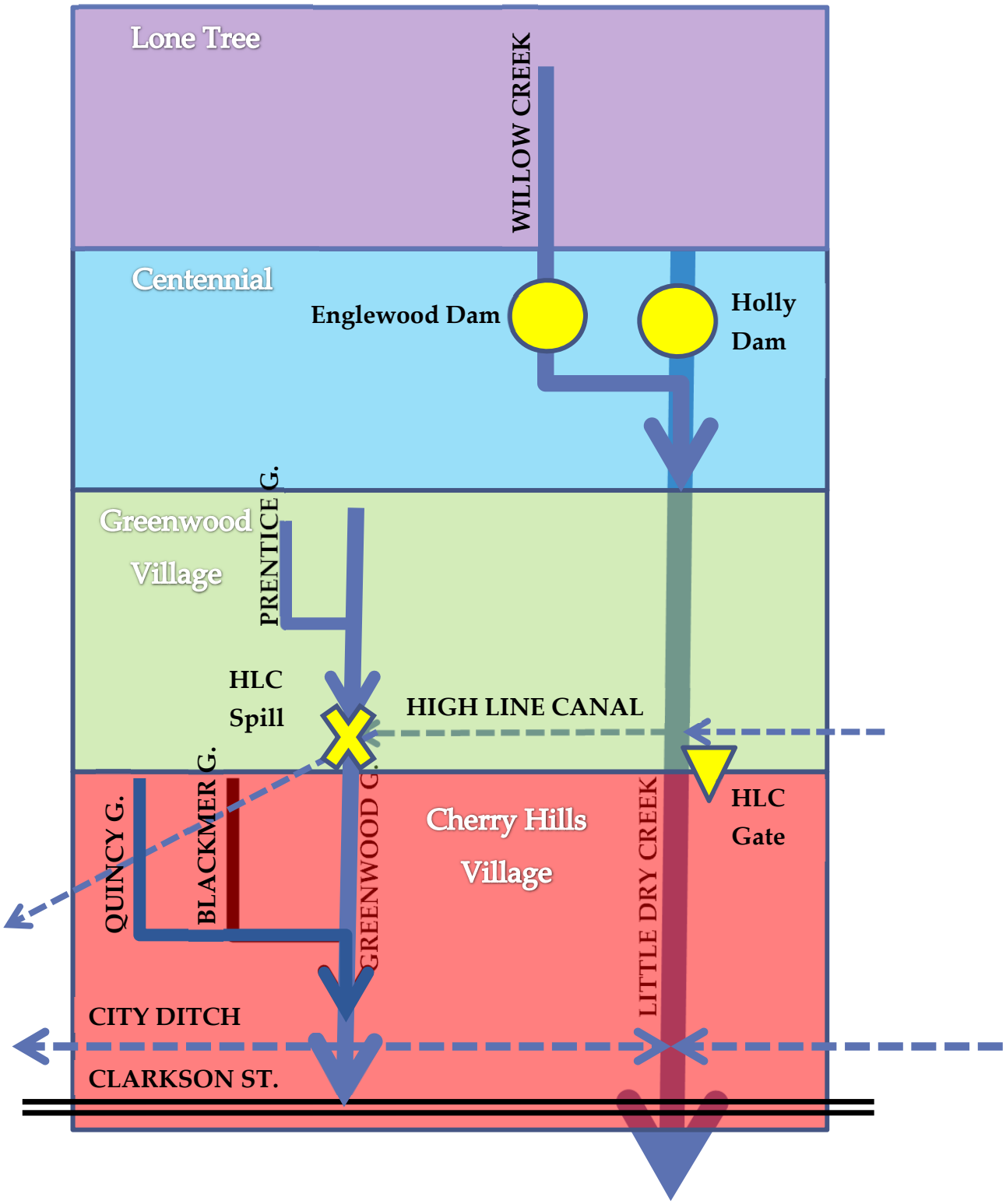
Irrigation ditches play a major role in the stormwater flows through CHV. The City Ditch intersects Little Dry Creek and Greenwood Gulch near Clarkson Street. The High Line Canal intersects Quincy and Blackmer Gulches within the City, but also intersects Greenwood Gulch and Little Dry Creek in Greenwood Village. The intersection of the ditches is a significant factor in the dynamics of major storm flows through the watershed.

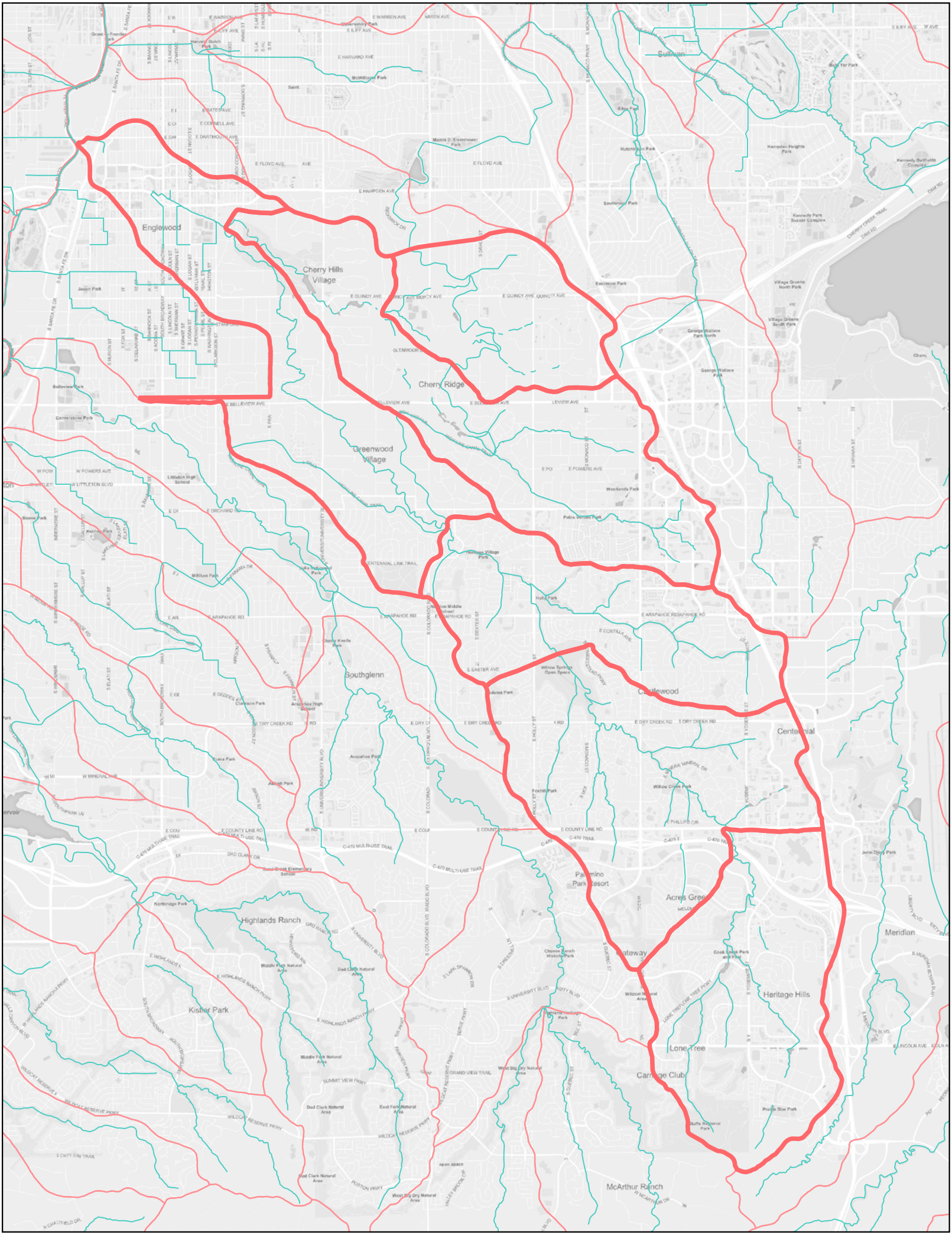
Reservoirs and regulatory dams are also significant in the Little Dry Creek watershed. The Blackmer Reservoir on the Kent Denver campus was built in the 1930s and still serves an important role in the control and release of minor and major storm flows. Further upstream in the City of Centennial, Holly Dam and Englewood Dam play a significant role as well. The controlled releases from each of these structures protected public and private property from further damages during this flood event. Without these reservoirs, there would have been more severe damage in a broader expanse of Cherry Hills Village and adjacent communities.

Additional elements such as the bridges, culverts, local drainage systems, private detention ponds, and roadways all played a part in conveying floodwaters through the basin on June 12th.

Elements

A graphic representation of the Little Dry Creek watershed as it relates to the key stormwater infrastructure elements that functioned during the June 12 flooding.




Englewood
Cherry Hills Village
Cherry Ridge
Greenwood Village
Southglenn
Castlewood
Centennial
Highlands Ranch
Kistler Park
Palmino Park Resort
Acres Green
Meridian
Heritage Hills
Lone Tree
Carriage Club
McArthur Ranch
Sullivan

Purpose of Report

This report is to gather information on a specific flood event in Cherry Hills Village on June 12, 2015 and present that information to interested parties in a manner that can be easily understood by non-technical audiences but easily scaled to support highly technical future analyses of various aspects of this storm. This report will inform citizens, government officials, and other interested parties on the effects and damage that floods can cause. Then this information can be used to leverage funding and priorities for structural (channel improvements, culvert upsizing, etc) and non-structural (procedures, policies, etc.) improvements identified by future detailed studies. Through the information in the report and future flood hazard mitigation activities, the ability of the community to withstand future flood events measured by reduced flood damages – the resiliency of the community should increase.

Authority and Acknowledgments

The report was authorized by the City of Cherry Hills Village with support from the Colorado Water Conservation Board.

There are a number of residents, staff, and community officials that contributed to the information contained in this report and associated technical appendices. In particular, the following agencies contributed to this report:

City of Englewood, City Ditch
Cherry Hills Country Club
Glenmoor Country Club
Denver Water Board, High Line Canal
Kent Denver School
City of Cherry Hills Village staff
Greenwood Village staff
City of Centennial, SEMSWA staff
City of Lone Tree staff
Urban Drainage and Flood Control District
Colorado State Engineer, Dam Safety Branch
FEMA Region VIII staff

Flooded Area Description

The flooded area can be generally described as the lower lands surrounding Little Dry Creek and Greenwood Gulch within the City of Cherry Hills Village from Clarkson upstream to approximately Colorado Boulevard. More specifically, there are distinct areas that experienced more severe flooding with higher depths or velocities and corresponding damages to public and private property.

The church located at 3600 S. Clarkson is one of the main areas where flood waters ponded for several days, impacting several private structures, roadways, and other basic utilities in the adjacent neighborhoods. Ponding reached depths of 9 feet deep according to contour mapping of the flooded area. The City Ditch was the discharge point for Greenwood Gulch flows and it could not handle the excessive volume of water coming down the morning of June 12th. Greenwood Gulch overtopped the City Ditch in the yard of 3701 S. Corona Street, flowed overland and down Kenyon Avenue, impacting several private homes, garages, and outbuildings, and ultimately ponding in the church lot, inundating the lower level of the church building. Ponding continued until floodwaters reached the elevation of the City Ditch culvert passing under Hampden Avenue. The gentle slope and size of the City Ditch culvert, as well as the perched elevation relative to the terrain on the church lot, limited the ability of the City Ditch to drain the floodwaters. Mechanical pumps were required to pump approximately 6 to 8 million gallons of water out of the church property.

The flooding also impacted travel on State Highway 177, South University Boulevard. Greenwood Gulch flows exceeded the capacity of the culverts under Quincy and University Blvd. The overtopping flows were approximately 2 feet deep in the travel lanes of University and closure was a prudent measure to ensure the safety of the travelling public. Flows on Quincy were less than 1 foot deep and spread in a broader weir flow condition. Meade Lane overtopped and flood flows were conveyed down the street from the Hutto Commons property much like was represented on the FEMA flood insurance rate map for the area.

Additional roadway flooding and private property damage occurred on the upper reaches of Greenwood, Blackmer and Quincy Gulches. A driveway was washed out at 8 Random Road. Channel erosion and scour was prevalent for nearly all properties along Random Road abutting Blackmer or Greenwood Gulch. Quincy Gulch overtopped the small channels along Quincy and Colorado, but was not adversely impacting roadways or travel lanes.

The High Line Canal was not running irrigation water at the time of the flood event. However, the canal was observed within 6 to 9-inches of the top of the canal embankment in several locations. There are no reports of the canal overtopping within Cherry Hills Village.

Storm Characteristics and Rainfall Information

There are highly sophisticated hydrologic and hydraulic models that can be developed to recreate flood events. Highly detailed survey information, gage adjusted radar rainfall, and a broad range of assumptions on land cover, soil moisture, and other variables are input. The output can identify the routing of the storm over the watershed and resulting peaks in each modeled drainageway. These models are usually prioritized and funded for flood events affecting massive watersheds such as the Missouri River basin in the Dakotas or Mississippi River flooding in Louisiana. In most cases, such as the June 12 flood event, rainfall gages and stream gages are interpolated across a watershed and qualitative conclusions are drawn from the data based on known characteristics of the watershed during past flood events. In short, this storm, in this basin, with gage data and supported radar rainfall information can be reviewed and relied upon. But there is not enough time to develop a model and determine specific flow peaks at multiple specific locations in the watershed.

This flood event is directly linked to a storm cell that passed through the lower reaches of the Little Dry Creek Basin in Cherry Hills Village between 5:00 and 10:00am on Friday June 12 (red arrows in figure below). The rainfall in the basin late on the evening of June 11, from approximately 6:30 to 11:00pm (yellow arrows below) is just as important in understanding the hydraulic reaction of the watershed and sub-basins in Cherry Hills Village.

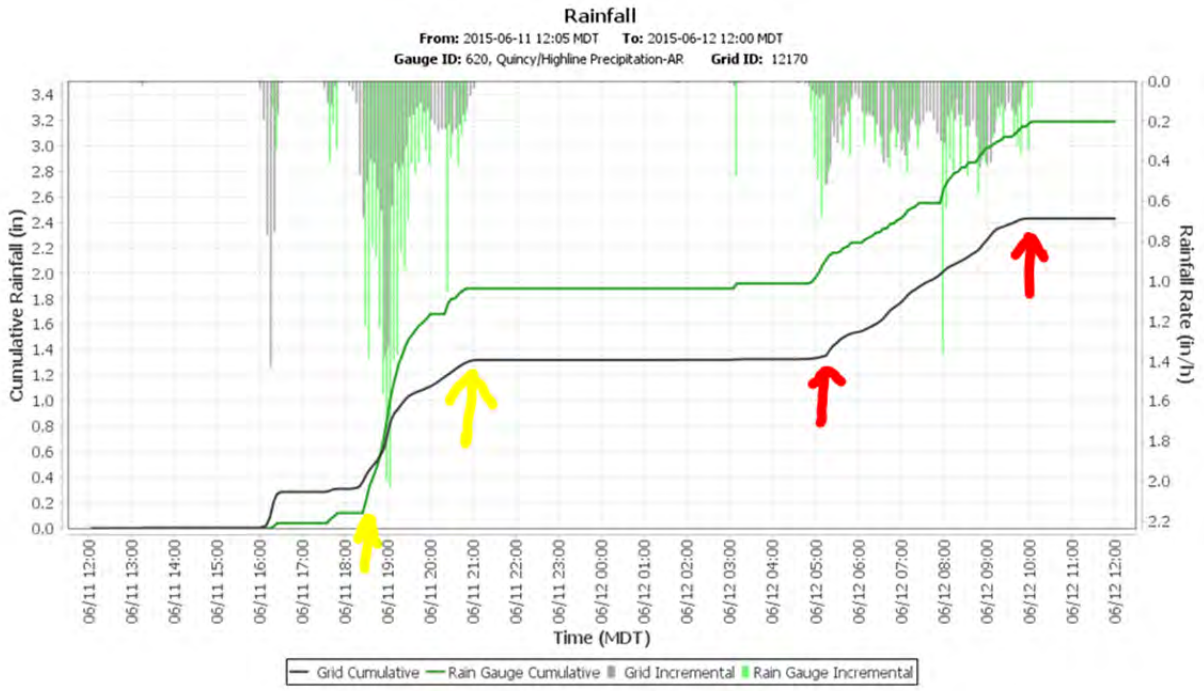


Figure: Rainfall accumulation at the gage at Quincy Avenue and the High Line Canal

Equally important is the storm cell that passed over the headwaters of Little Dry Creek in the same timeframe and contributed flows to Englewood Dam.

The National Weather Service radar covering the Denver Metro Area is a valuable dataset in the forensic analysis of a flood event. The Urban Drainage and Flood Control District (UDFCD) has funded and managed the Flash Flood Prediction Program (F2P2). This program combines the actual reports from automated gages through the UDFCD and compiles the corresponding radar data from that time period. The radar returns can estimate rainfall, scientists correlate the radar estimate with the point data from the gages, and create a Gage Adjusted Radar Rainfall (GARR) estimate. This is the information that provides another key point in the analysis of the storms on June 11 and 12th.

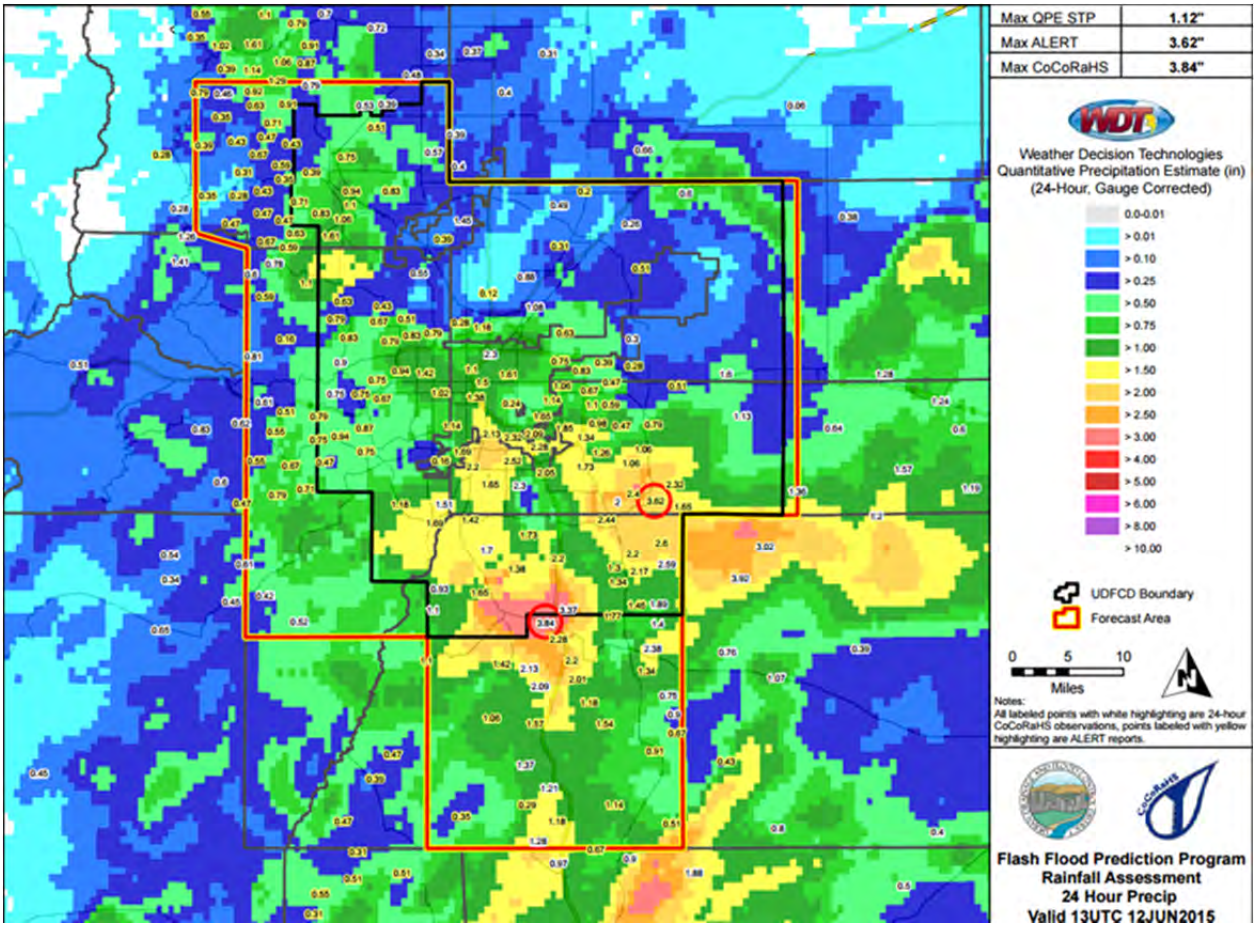


Figure: A 24-hour snapshot of rainfall accumulated through 1pm June 12th.

The rainfall totals exceeding 3-inches within Cherry Hills Village are important to note. However, just as important is the rainfall totals to the south, near the headwaters of Little Dry Creek in southern Lone Tree. These flows accumulated in the upper reaches of the basin late Thursday and early Friday morning. Englewood dam captured the peak from that southern cell. Reports and gage records show Englewood Dam filling 12 to 14-feet in the period from June 10 to June 12. Englewood Dam then

released approximately 200 cfs into Little Dry Creek for several hours. That flow ultimately combined with the rainfall in the lower basin and contributed to the longer duration of flows on Little Dry Creek.

Greenwood Gulch did not have the same level of reservoir attenuation; the resulting peak occurred faster and higher and receeded faster the as the volume of water moved through the Village. Additional outflow information for Englewood and Holly Dam is forthcoming.

Hydrologic and Hydraulic Investigations

No specific hydrologic or hydraulic investigations were completed for this report. However, hydrologic data is preserved through the UDFCD gage data. Previous Flood Hazard Area Delineation (FHAD) studies are also available for reference. Hydraulic information on flow rates in Little Dry Creek are available from the USGS.

Previous studies indicated the peak flows for each stream within the Little Dry Creek watershed. A snapshot of the UDFCD sponsored FHAD study is shown below.

Table III - 3
FHAD for Little Dry Creek (ARAPCO) and Tributaries
Peak Flow Comparison

Flooding Source and Location	Current FEMA Adopted Flow Rate* (cfs)				1986 McLaughlin Study	2002 WRC Engineering FHAD Study** (cfs)			
	10-Year	50-Year	100-Year	500-Year	100-Year	10-Year	50-Year	100-Year	500-Year
Blackmer Gulch									
At Confluence with Greenwood Gulch	1390	1850	1950	2330	1587	644	1307	1587	2442
At Confluence with Quincy Gulch	780	1040	1100	1330	985	389	794	985	1523
Little Dry Creek									
Clarkson Street	2275	3750	4580	5970	4581	1845	3633	4581	6855
Prentice Gulch									
At Mouth	640	870	920	1030	811	377	712	811	1163
Quincy Gulch									
At Confluence with Blackmer Gulch	610	810	850	1000	642	280	538	642	986
Greenwood Gulch									
At Bellview Road	1800	2550	2750	3200	2640	1156	2191	2640	3959
At Confluence with Prentice Creek	1700	2300	2450	2800	2112	1058	1842	2112	3225

* From the Arapahoe County FIS dated August 16, 1995
** Estimated Utilizing the 1986 McLaughlin hydrologic models.

Figure: UDFCD study flow rates for the Little Dry Creek Watershed

The USGS direct flow measurement at Little Dry Creek at Clarkson peaked at around 600 cfs, far less than the 4580 cfs, 100 year flow rate adopted by FEMA. This roughly correlates with the areal extent of the flooding on Little Dry Creek. The Little Dry Creek flows were largely contained within the channel and did not replicate the FEMA 100-year flood hazard area through Cherry Hills Village.

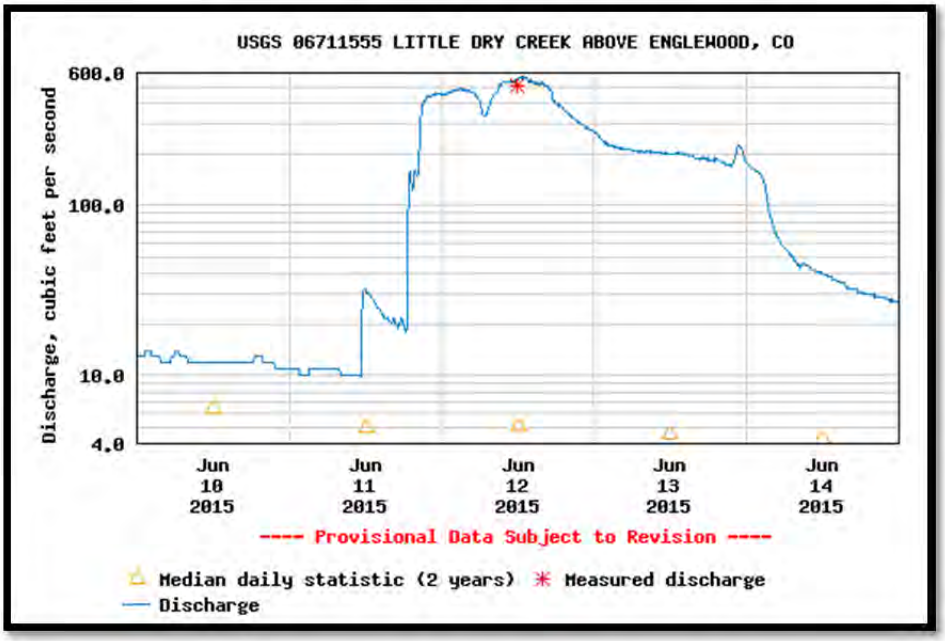


Figure: Little Dry Creek flow rates at Clarkson from June 10 to June 14th.

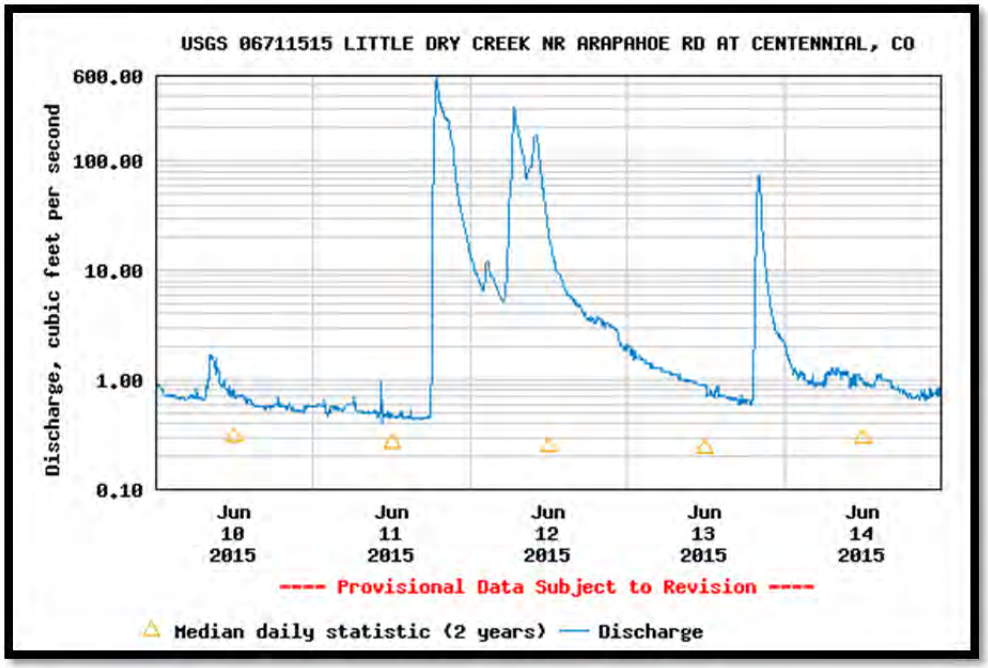


Figure: Little Dry Creek flow rates at Arapahoe Road from June 10 to June 14th.

The differences in gage data between Clarkson Street and Arapahoe Road on Little Dry Creek show the effects of other sub-basins in the watershed. The Clarkson gage stayed high for several days, while the gage further upstream was more variable.

Greenwood Gulch is a different story. Unfortunately, flow data is not available. But, the lateral extent of the flooding largely followed the delineation and depths shown on the FEMA Flood Insurance Rate Map (FIRM). There are differences, but those are attributable to the variables considered in the FEMA mapping. Free flow conditions are assumed in the FEMA floodplain analyses, debris accumulation on structures and other floatable debris impacts are not accounted in the modeling. However, every flood has some level of debris accumulated in the flood flows.

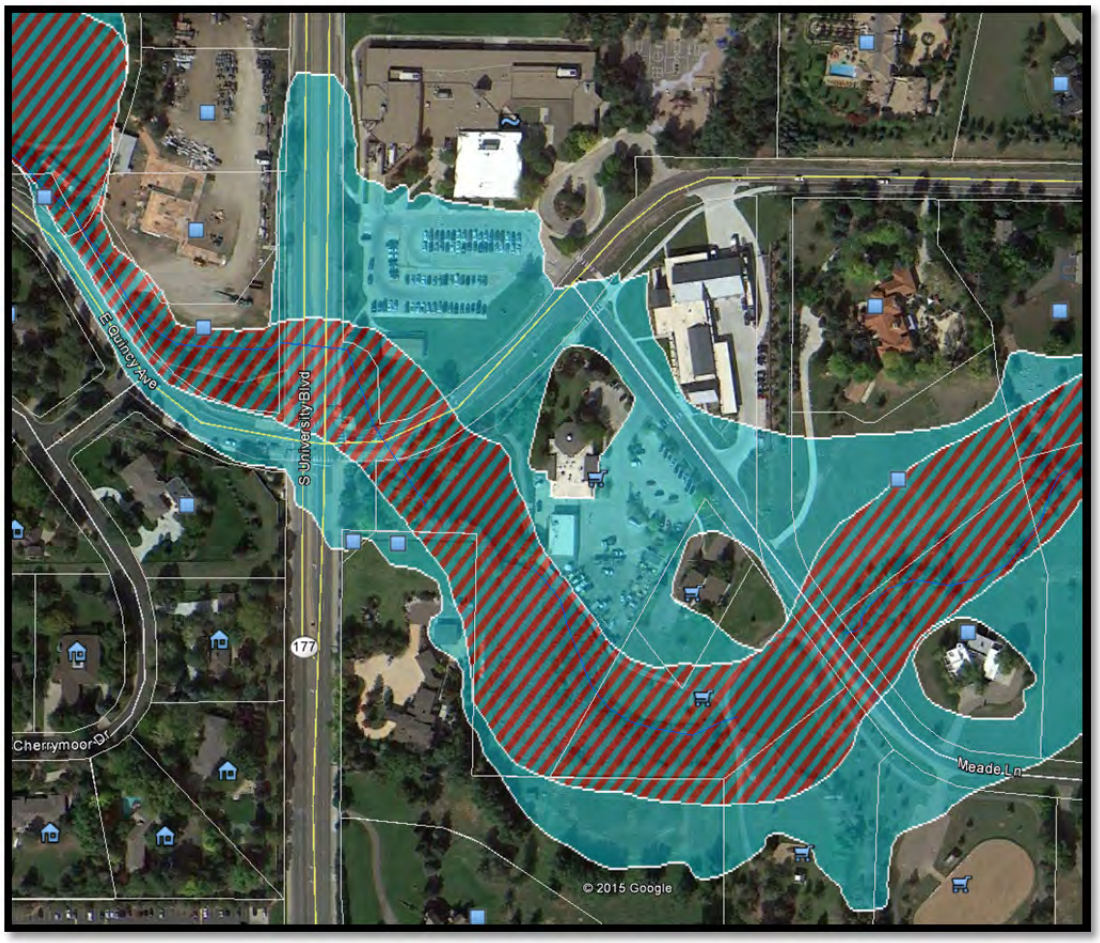


Figure: The Greenwood Gulch flood event was similar to the flood hazard area map

The flood flows during this storm event are similar to most other flood events along the Front Range of Colorado. There are variations from the 100-year flood flows published in the FEMA Flood Insurance Study. Little Dry Creek was much less than the 100 year flood flow based on actual USGS flow measurements and flood extents. Greenwood Gulch was likely much closer to the 100 year flow based on areal extent of the flooding. However, there is no correlating flow gage data to confirm the actual flow rates.

Estimated Flood Damages

There is no estimate on flood damages available at the time of this report. A summary of public and private property damages can be compiled with the assistance of affected residents and city staff. Damages may be compiled across the city, but detailed information on the source of the flooding, impacts to various levels of each structure (basement, first floor, etc) become valuable to the flood forensics. Strict dollar totals of damage are useful to the overall magnitude of the damages and can be used in future studies and grant applications for flood hazard mitigation.

Special Factors Affecting the Flood

There are several unique factors related to this flood event. The following key map roughly locates this areas by letter.

A. Greenwood Gulch at City Ditch. Greenwood Gulch is intercepted by City Ditch, the downstream capacity of City Ditch is not sufficient to safely convey major storm events north through City Ditch or south to Little Dry Creek. The City Ditch and its staff did everything possible with the limited gravity system in place at City Ditch. The upstream flows in City Ditch were released at the siphon under Little Dry Creek. This allowed the excess Greenwood Gulch flows to 'flow backward' or south into Little Dry Creek. The remainder of flow continued in City Ditch down to the culvert under Hampden. The excess overtopped the ditch and flowed down Kenyon Avenue to the church property.

B. Multiple day rainfall. Preceding rain fall in the basin, saturated soils and minimized available reservoir capacity. Previous rainfall events have contributed 2 inches of rain to the watershed, but there is no record of this many days of precipitation with accumulated totals over 3 inches in 24 hours.

C. High Line was dry. The High Line Canal was not flowing irrigation water at the time of the rainfall and subsequent flood event. This likely saved many structures from additional damage. If the canal had been running irrigation water, the excess flood waters would have had to continue downstream through Cherry Hills Village.

D. Greenwood Gulch intercepted by the High Line Canal in Greenwood Village. The Glenmoor Country Club receives surface water from Greenwood Gulch. However, Greenwood Gulch is intercepted by the High Line Canal in Greenwood Village, approximately ¾ mile upstream of Glenmoor (just northwest of "The Center" pool and tennis courts at the Preserve). This is likely what contributed most to the filling of the High Line Canal downstream through Cherry Hills Village.

E. Little Dry Creek at the High Line. Unlike Greenwood, Little Dry Creek passes over the High Line Canal. A siphon project was installed many years ago at the intersection of Little Dry Creek and the High Line Canal. The siphon conveys High Line flows under Little Dry Creek. The siphon structure also allows Denver Water to safely release excess stormwater captured in the upstream canal into

Little Dry Creek. This 'dump gate' function at Little Dry Creek is very valuable to protecting the canal from a breach condition south of that location. This dump gate does not provide any direct protection for Cherry Hills Village. In fact, the interception of Greenwood Gulch flows at the High Line supersede any backflow the Little Dry Creek dump gate may provide in that reach of the canal.

F. Blackmer Gulch at the High Line. Blackmer Gulch does not have a substantial conveyance under the High Line canal. The flows from upper Blackmer were at least ponded upstream of the canal. There are no reports or forensic data to determine if Blackmer flows overtopped the High Line canal and continued downstream to the reservoir. This is also true for the minor tributary to the south of Blackmer across the east of the property at 4750 S. Dahlia. Additional information from the homeowners along the High Line Canal near Blackmer would be useful in understanding how Blackmer drains at the High Line.

G. Blackmer Reservoir. The State Engineer had visited Blackmer Reservoir in May for a routine inspection of the structure that was originally constructed in the 1930s. The reservoir passed inspection with minor recommendations for maintenance of saturated soil conditions on the downstream end of the outlet structure. The dam was reclassified as a critical structure based on the downstream development and potential impact in the event of a full dam failure. After a site visit to the reservoir and review of the original construction drawings, the reservoir likely operated as designed. There is no manual operation of the dam outlet structure, no valve or other mechanism to release flows. Additional information on the outlet flume and hydraulics of the dam is available from the State Engineer.

H. Greenwood Gulch at Cherry Hills Country Club. The Cherry Hills Country Club (CHCC) has a long history with Greenwood Gulch and the grounds crew is very knowledgeable about the operation of the gulch in wet and dry conditions. Most notably, the CHCC has for many, many decades operated a piped diversion from Greenwood Gulch at the southeast corner of the club, along Quincy, and ultimately discharging into Little Dry Creek downstream of the Quincy bridge over Little Dry Creek. This approximately 18-inch diameter piped diversion structure relieved some of the flood flows on Greenwood Gulch, bypassing them directly to Little Dry Creek. Additional investigation of this diversion and potential to upsize this pipe could lead to reduced storm flows on Greenwood Gulch at City Ditch.

I. The UDFCD Flash Flood Prediction Program (F2P2) issued an alert for Arapahoe County the morning of Thursday June 11th calling for a high probability of heavy precipitation in the area for the next 24 hours.

J. City Ditch Breach. At some point during flood recovery operations, a hand dug trench was made in the south bank of City Ditch, approximately 100 feet upstream of the culvert under Hampden. The City Ditch staff identified this as a potential weak point in the city ditch embankment from this point forward and will require particular repairs to be done in that vicinity. The hand dug trench is relatively minor, but it exposes the fact that plans should be put in place to ensure emergency operations are planned in advance.

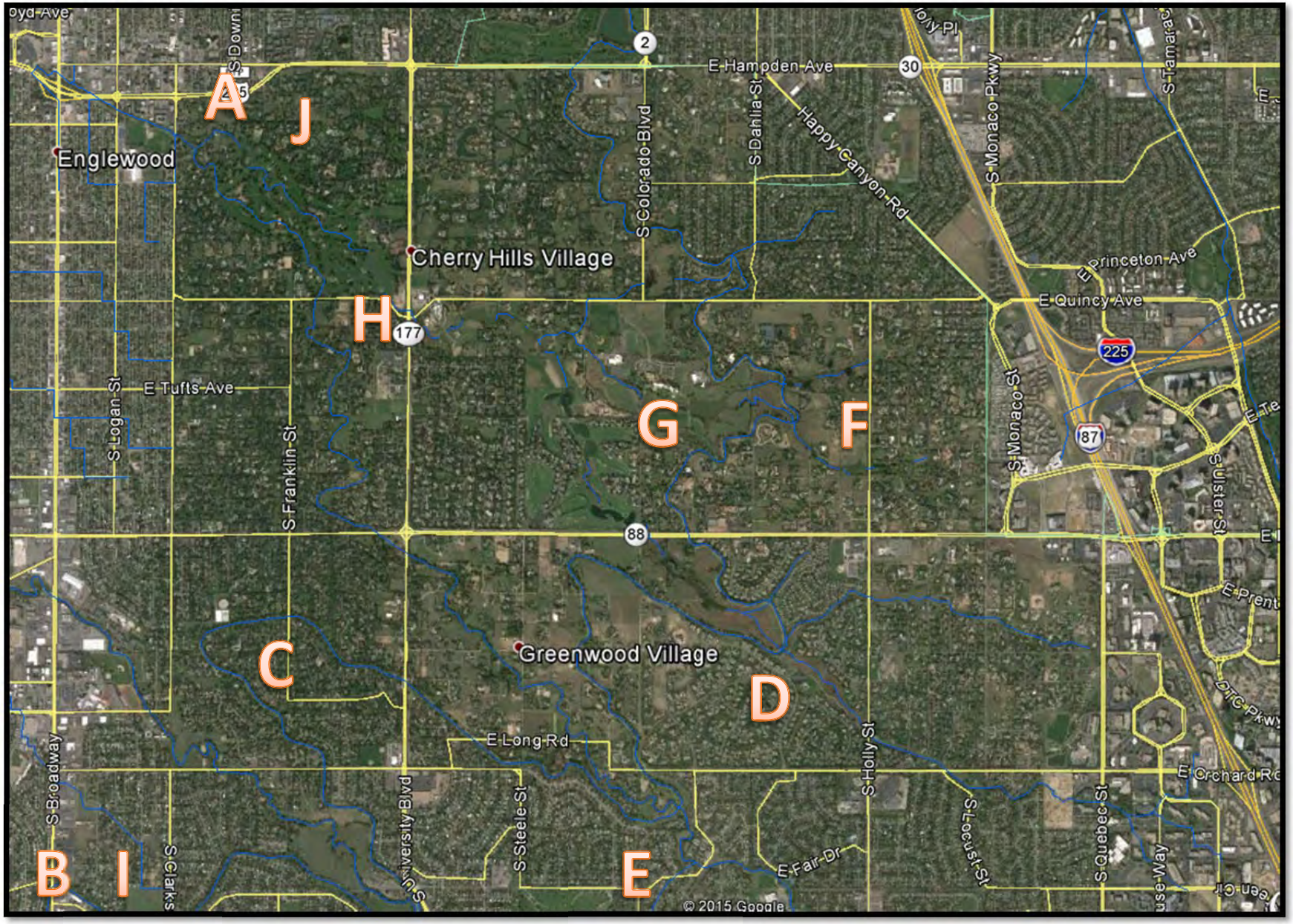


Figure: Key Issue general location map

Flood Hazard Mitigation

This report is not intended to provide a comprehensive look at projects or policies that can mitigate future flood damages resulting from floods as the June 12th flood event. However, a few notable projects have been previously identified by the Urban Drainage and Flood Control District (UDFCD) in the Little Dry Creek masterplan. And, another project has been identified in the course of flood recovery efforts at the church property.

Culverts at University.

The masterplan calls for additional culvert capacity under University Blvd and Quincy Ave. The proposed culverts are significantly larger than the multiple 30-inch diameter metal culverts that were superseded by the June 12th flood flows. The proposed mitigation work calls for triple 14-foot wide by 5 –foot tall concrete box culverts under University and the same under Quincy Avenue.

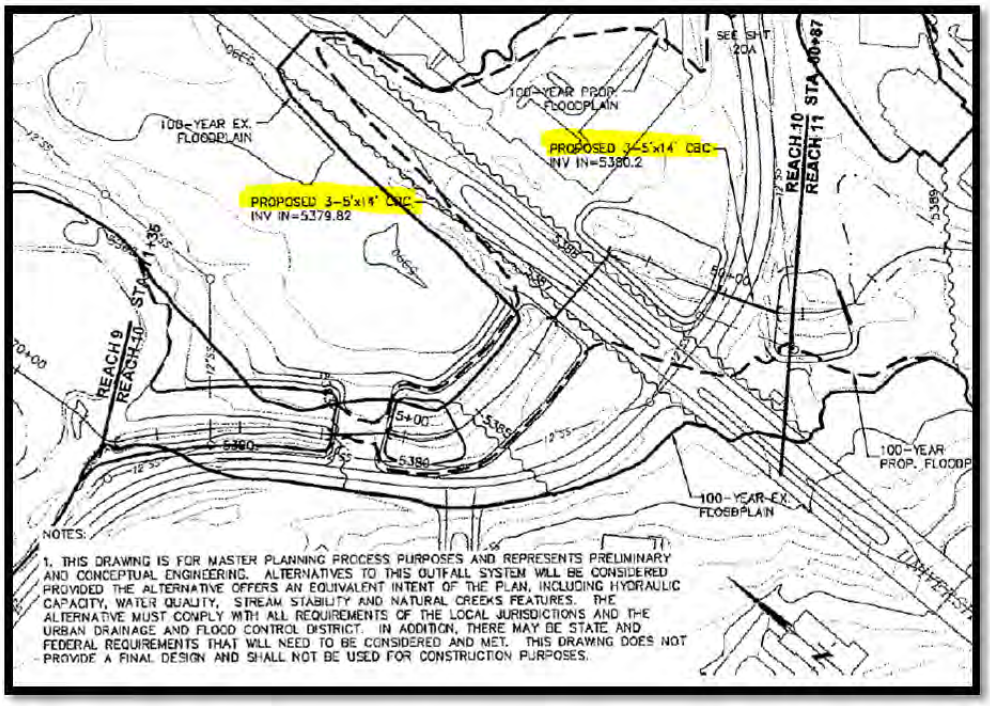


Figure: UDFCD Little Dry Creek Masterplan Improvements on Greenwood Gulch

Inlets at Clarkson

There are two existing storm sewer inlets in the east gutter of Clarkson Avenue. The storm inlets collect street runoff, convey stormwater through 18" +/- reinforced concrete pipes, and discharge into Little Dry Creek near the Clarkson Bridge. A 150-LF storm sewer extension into the church property could gravity drain the ponding to approximately the elevation of the church basement. Additional storm sewer capacity, decreased drain time during ponding, could be accomplished with replacement of the existing 350-LF of storm sewer from the Little Dry Creek outfall to the street inlet on the

northeast corner of Kenyon and Clarkson. Design and construction of this improvement would range from $90,000 to $300,000, or approximately $600/LF of storm sewer.

The drain would leave a residual ponding in the church property. To completely eliminate ponding during large storm events, the lowest grades of the property could be filled. A floodplain development permit would be required to prove the fill has no adverse impact on adjacent properties and insurable structures. Alternatively, a much deeper storm sewer could be connected through the lowest contours of the church property. To get this deep pipe to drain to Little Dry Creek, a tremendously deep excavation crossing dozens of existing utilities in and around Clarkson Street, would be required to drain into Little Dry Creek. A trenchless installation using underground boring and tunneling techniques would likely be more feasible, but just as expensive.

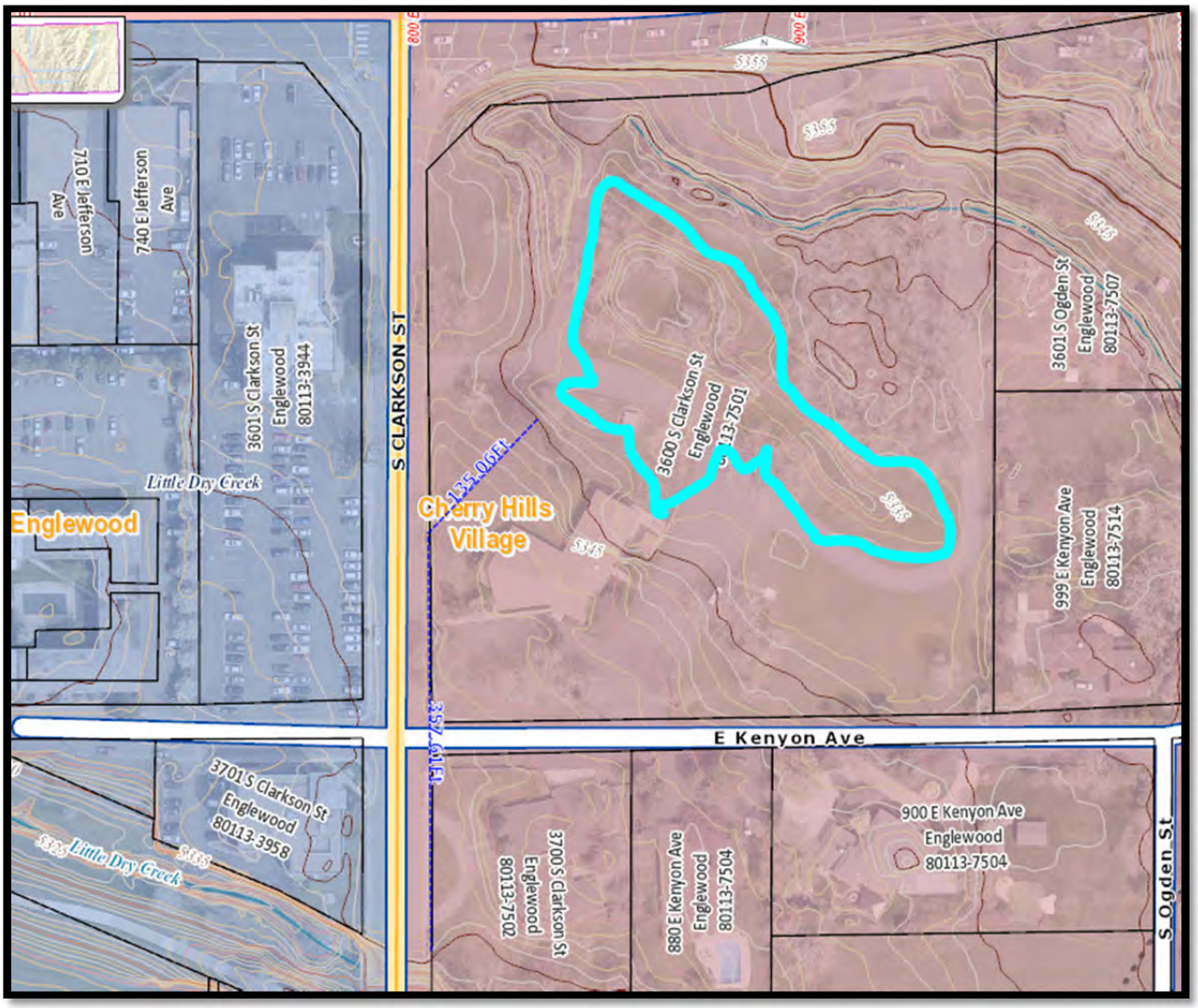


Figure: Potential 150 LF storm sewer extension and residual ponding at 3600 S. Clarkson

There are many factors that can affect the viability of this solution; existing dry utilities are the most notable obstacle to any retrofit gravity flow storm sewer installation. If existing utilities have already occupied the right-of-way or adjacent private property, the proposed storm sewer extension would have to avoid the conflicting utilities or pay for their relocation. However, if the proposed storm sewer can follow the existing storm sewer alignment with a slight upsizing of the pipe diameter, the solution may be reasonably straight forward storm sewer installation work.

Conceptual Storm Sewer Extension	
Clarkson Street Elevation	5342
Existing Storm Inlet depth	-5
Future Storm Drain elevation	5337
Approximate church basement elevation	*5337*
Existing City Ditch outlet elevation	*5338*

Figure: Approximate elevations at the church property tying into existing storm inlets

Conclusion

The June 12 flood event is a rare event, a fact supported by nearly every personal account of the storm: "I've never seen anything like this". The rainfall data supports that conclusion – there is no record of a period of days with continued precipitation in a watershed especially culminating in storms dropping more than 1-inch of rainfall within a 12 hour period. The City of Cherry Hills Village and its residents experienced some horrible damages to personal property during this event. Extraordinary statistical markers are no consolation for the impacts of flood damages to personal keepsakes and irreplaceable heirlooms. Those distinct impacts from this flood event, combined with the effects on regional travel, access to the Village Center, and other flood damage reports across the City lead to a need for additional study, prioritization of mitigation policies and procedures, and continued coordination with other agencies in the Little Dry Creek watershed.

Additional Information

Digital photos, videos, and other documentation is available in the City files.

Drainage Infrastructure	Responsible Party										
Greenwood Gulch @	CHV	GV	Englewood	Centennial	Denver Water	Cherry Hills CC	Kent Denver	Glenmoor CC	State Engineer	UDFCD	Private Property
City Ditch Diversion			X								X
CHCC Diversion						X					
University Culverts	X										
Quincy Culverts	X										
Blackmer Reservoir							X		X		
Glenmoor Ponds								X			
High Line		X			X			X			

Drainage Infrastructure	Responsible Party										
Little Dry Creek @	CHV	GV	Englewood	Centennial	Denver Water	Cherry Hills CC	Kent Denver	Glenmoor CC	State Engineer	UDFCD	Private Property
City Ditch Diversion			X							X	X
High Line Canal Siphon				X	X					X	
Holly Dam									X	X	
Englewood Dam (Willow Creek)				X					X	X	

Responsible Party - owns, operates, maintains or authorizes the same for that element of drainage infrastructure.