



## STAFF REPORT

### Replat (Subdivision) Application

### Legacy Village, Filing 1 Amendment 1 (F1A1)

**Applicant:** Lennar Colorado / Applicant Representative: Scott Lockhart and Joseph Huey  
**Location:** Southwest corner of Corkscrew St and Hinds St, Block 2, Lots 1 to 9  
**Zoning:** Planned Unit Development (PUD) – Elizabeth 86

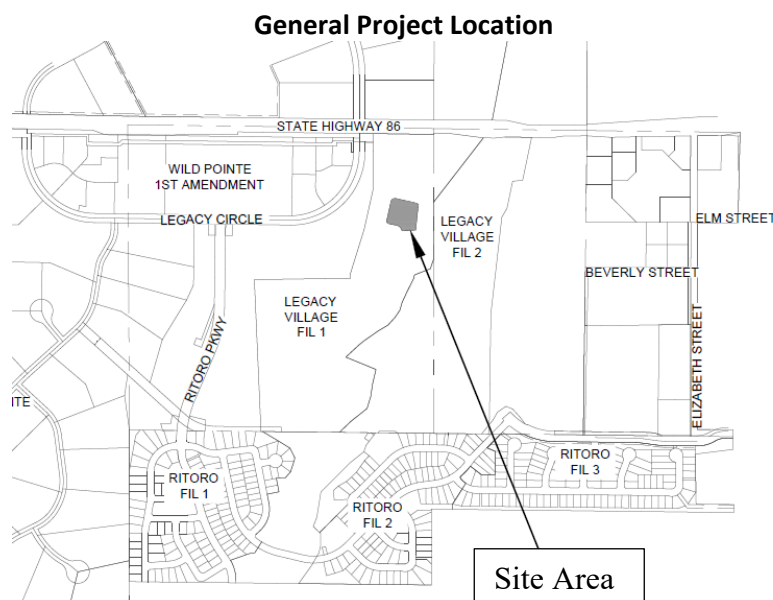
**Exhibits:**

**Exhibit A:** Applicant's submittal documents and proposed plans  
**Exhibit B:** Referral agency compiled comment letters and redlines  
**Exhibit C:** Public Notice

### APPLICANT REQUEST

The Applicant, Lennar Colorado, represented by Scott Lockhart and Joseph Huey, request the Planning Commission provide a recommendation of approval to the Board of Trustees for a replat of Block 2, Lots 1 through 9 in the Legacy Village Filing 1 subdivision, which is located at the southwest corner of Corkscrew St and Hinds St in the Town of Elizabeth, CO. (**Exhibit A**).

In accordance with the Elizabeth Municipal Code (EMC), [Sec. 16-3-80 \(c\)\(2\)](#), a replat for an adjustment or vacation of a lot line or easement shall be processed in accordance with the final plat process in [Sec. 16-3-60](#) and shall undergo a formal public hearing. From the final plat process, the Planning Commission shall make a recommendation to the Board of Trustees to approve, approve with conditions, continue to obtain additional information, or deny and application for a final plat.



PO Box 159, 151 S. Banner Street, Elizabeth, Colorado 80107  
Phone: (303) 646-4166 | Fax: (303) 646-9434 | [www.townofelizabeth.org](http://www.townofelizabeth.org)

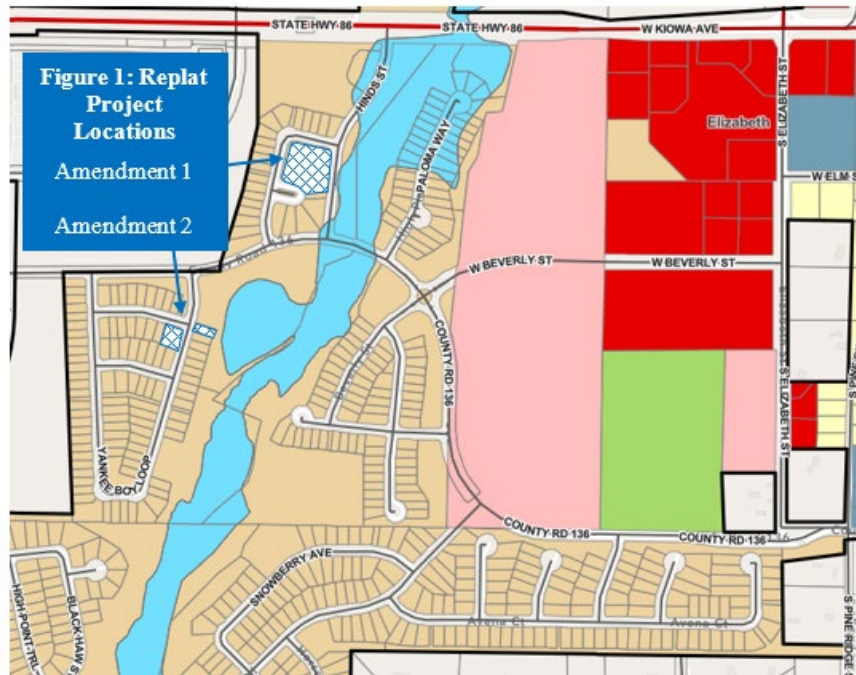


# TOWN OF ELIZABETH

BOARD OF TRUSTEES

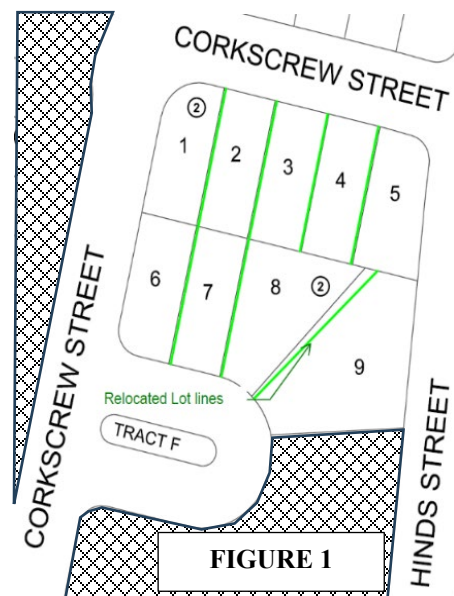
## Proposal/Background:

The Legacy Village Filing 1 subdivision is located on the western edge of the Town's limits and encompasses 51.285 acres that is composed of 126 single family residential lots and 17 tracts. The site is currently zoned as Planned Unit Development (PUD) district and all development is guided by the Elizabeth 86 PUD Guide. Please note that the applicant has submitted concurrent applications for a replat being processed as Amendment 1 and Amendment 2 – for contextual reference, the location of the replats is shown on **Figure 1**.



As part of the **Amendment 1** replat, the applicant is proposing to replat 1.286 acres (56,021 SF) of Block 2, Lots 1 through 9. The replat is being proposed by the developer to create a minimum lot width of 44'. The proposed changes include shifting and vacating existing lot lines and associated utility easements by approximately 1.5' as shown in **Figure 1**.

Please note that due to these proposed changes, there is no overall decrease in the total site area - rather the site area is being redistributed amongst the replatted lots as shown in **Table 1**. Further, there are no additional changes proposed to the site area via this application and the site will continue to remain compliant with the approved Elizabeth 86 (Legacy Village) PUD Guide for minimum lot area, setbacks, and other applicable development standards and regulations.





# TOWN OF ELIZABETH

## BOARD OF TRUSTEES

Table 1: Comparison of Lot Area		
Lot # (Block 2)	Lot Area (SF) – Original Approval	Lot Area (SF) – Proposed (A1)
1	5,098	5,266
2	4,950	4,950
3	5,243	4,950
4	4,982	4,950
5	5,561	5,717
6	5,246	5,414
7	4,950	4,950
8	7,846	8,518
9	12,147	11,306
<b>Total</b>	<b>56,023</b>	<b>*56,021</b>
<i>Please note that the lot area difference is due to rounding error.</i>		

The replatted site is fully encompassed within the underdevelopment Legacy Village Filing 1 subdivision and all surrounding land uses residential and an open space tract to the east that abuts Gold Creek. These surrounding land uses are shown in **Table 2**. Due to the minor changes proposed via this application, no negative impacts are anticipated to surrounding neighborhood.

Table 2 - Surrounding Land Uses:	
North:	Residential (Legacy Village Filing 1)
South:	Residential (Legacy Village Filing 1)
East:	Open Space
West:	Residential (Legacy Village Filing 1)

### Approval Criteria:

The Land Use and Development code, Article III and Sec. 16-3-80, does not stipulate criteria for approval of a replat application; therefore, staff has established a set of criteria for the Planning Commission to consider when providing a recommendation to the Board of Trustees. The list of recommendations includes a review against all applicable standards as found in the EMC, Land Use and Development code, Elizabeth Comprehensive Plan, and Elizabeth 86 PUD Guide.

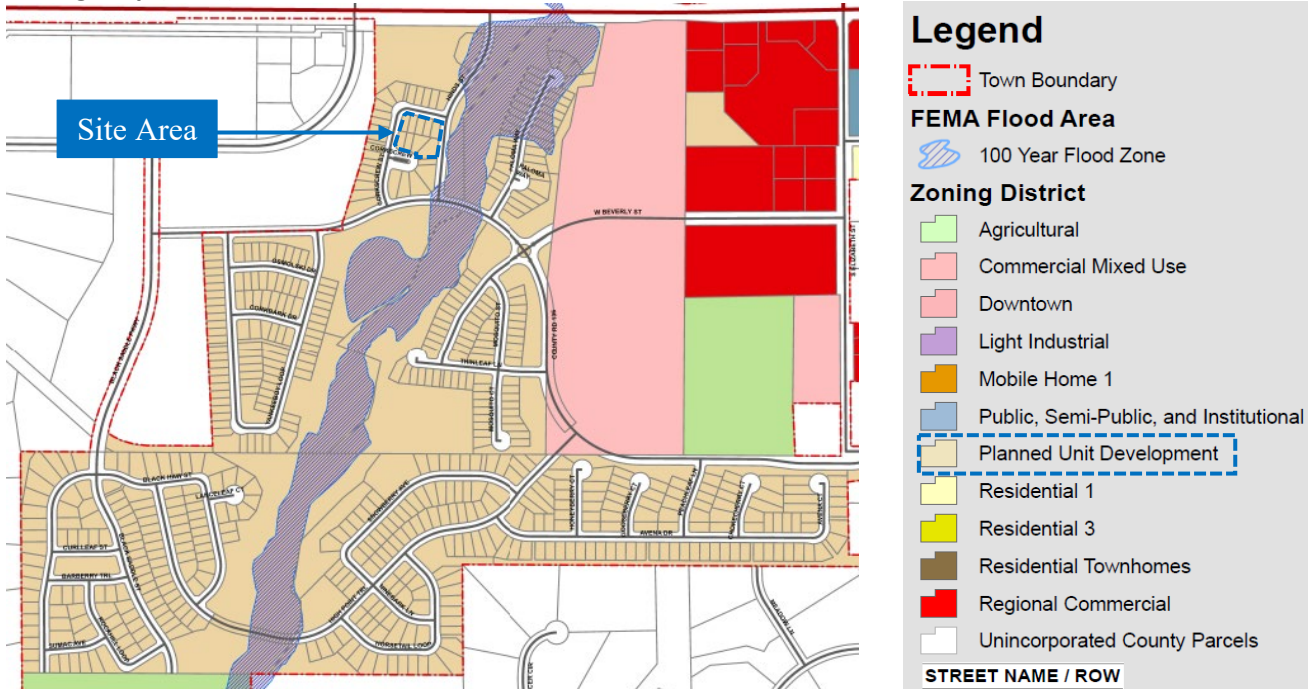




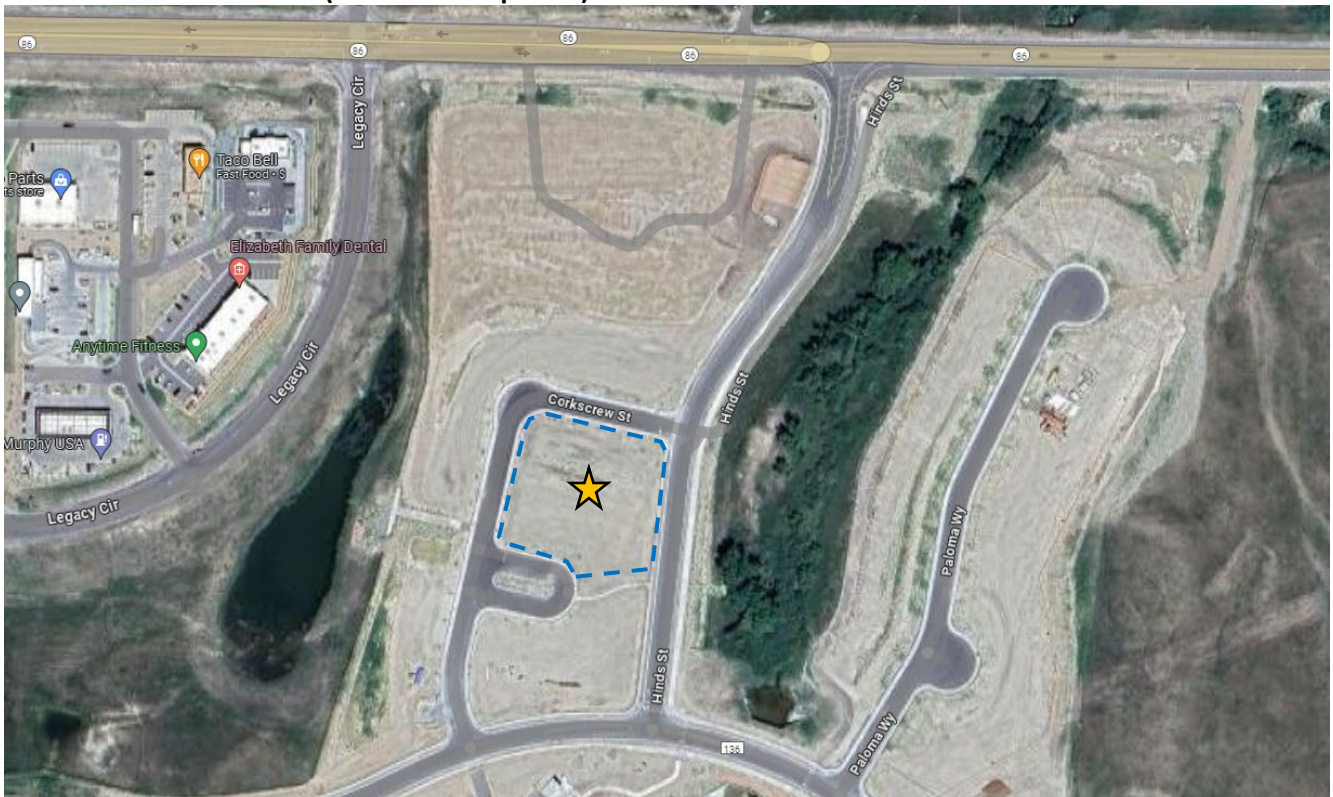
# TOWN OF ELIZABETH

BOARD OF TRUSTEES

## Zoning Map (2023):



## Current Site – Aerial View (Under Development)







## CASE ANALYSIS

---

### **Elizabeth Municipal Code (EMC):**

The proposed replat of Block 2, Lots 1 through 9, Amendment 1, of the Legacy Village Filing 1 subdivision was reviewed against all appropriate standards and regulations of the EMC. For your considerations, the following topics outline the specific analysis applied to the proposal:

- **Impact to Surrounding Neighborhood:**

- The site is located within the Legacy Village Filing 1 subdivision that is currently under development. As such, the proposal is not anticipated to negatively impact the surrounding neighborhood.

- **Bulk Standards:**

- The site defers to the Elizabeth 86 PUD Guide development standards discussed below.

- **Drainage:**

- There are no significant changes to the drainage of the site caused by the shifting and vacating of the existing lot lines and easements by approximately 1.5'.

- **Floodplain**

- As the shifting of the lot lines and easements is not expanding the site or reconfiguring the subdivision, there is no anticipated change to the previous approval granted for this.

- **Right-of-Way (ROW)**

- No revisions to the proposed ROW are submitted with this replat application.

- **Landscaping**

- No revisions to the proposed landscaping are submitted with this replat application.

### **Elizabeth 86 Development PUD Guide:**

The proposal was reviewed in the context of the Elizabeth 86 PUD Guide, for compliance with the development standards stipulated in 3:a (4). From this review, it was determined that the proposal is in compliance with the PUD Guide.

### **Elizabeth Comprehensive Plan:**

The Legacy Village Filing 1 subdivision was approved in compliance with Town's [Comprehensive Plan \(2019\)](#). The proposed changes of Amendment 1 will uphold the site's compliance with the comprehensive plan and no changes to the site are proposed except the shifting and vacating of the existing lot lines and easements.



# TOWN OF ELIZABETH

## BOARD OF TRUSTEES

### Referrals

Staff contacted the following agencies for review and comment during the referral period. To date, all disciplines have reached a status of approval or had no comment on the proposal (see Exhibit B).

Referral Agency / Consultant	Discipline
SAFEbuilt	Community Development
CORE Engineering	Town Engineer
CORE Electric / IREA	Utility
Elizabeth Public Works	Public Works
Elizabeth Fire Protection District	Fire
Elizabeth School District	School District
Black Hills Energy	Utility Company
Elbert County Public Health	Environmental Review
Elbert County Assessor's Office	GIS
CenturyLink and Comcast	Utility

### Findings and Staff Recommendation

A favorable recommendation is provided for the replat application for Amendment 1 upon review by the development review team and staff in accordance with [Sec. 16-3-80](#) and reference to EMC. Staff provides the following findings.

#### Findings:

1. The replat is a simple shift and vacation of lot lines and easements that were previously approved for development (see "background" section). There are no proposed changes to land use that accompany the application and the replat does not create any new impacts on the site.
2. The proposal is found to substantially comply with the standards for development as found in the Chapter 16 of the Elizabeth Municipal Code and Elizabeth 86 PUD Guide.
3. The proposal is found to comply with various housing elements of the Town's current Comprehensive Plan.

#### Staff Recommendation:

Based on the analysis above, Staff believes that the application is in substantial compliance with the previous approved subdivision, the original zoning for the property (PUD), and Article 3 of Chapter 16 of the EMC. Staff recommends the Board of Trustees approve Resolution 24R17 with no further conditions.

#### Planning Commission Recommendation:

At the 3/19/24 Planning Commission meeting, the Commission provided a recommendation of approval for the replat, for consideration by the Board of Trustees. The Commission did not recommend any conditions of approval.



# Exhibit A

## TOWN OF ELIZABETH

COMMUNITY DEVELOPMENT DEPARTMENT

### LAND USE APPLICATION

DATE: 4-26-2023

NAME OF PROJECT: LEGACY VILLAGE FILING NO. 1

NAME OF APPLICANT: LENNAR COLORADO

ADDRESS AND LEGAL DESCRIPTION OF PROJECT: Northwest Quarter of Section 13, Township 6 South, Range 65 West of the 6th P.M, Town OF Elizabeth, County of Elbert, State of Colorado. More specifically, east of Legacy Circle adjacent to Highway 86

Please check the appropriate item(s):

☐ REZONE

☐ PLAT

☐ USE BY SPECIAL REVIEW

☐ PUD (planned unit development)

☒ MINOR PLAT/REPLAT

☐ ANNEXATION

☐ VARIANCE

☐ SUBDIVISION

☐ MINOR SUBDIVISION

☐ SITE PLAN

☐ OTHER \_\_\_\_\_

PRESENT ZONING: PUD

AREA IN ACRES: 0.479

PROPOSED ZONING: No Change

PRESENT USE: \_\_\_\_\_

PROPOSED # OF LOTS (if applicable): 4

PROPOSED GROSS FLOOR AREA (if applicable): na

#### \*PROPERTY OWNER

NAME: Lennar Colorado

ADDRESS: 9193 S Jamaica St, Englewood, CO  
80112

TELEPHONE #: 303-754-0600

EMAIL: \_\_\_\_\_

Kent Pedraza  
SIGNATURE OF OWNER

\_\_\_\_\_  
SIGNATURE OF OWNER

#### APPLICANT REPRESENTATIVE

NAME: Joe Huey

ADDRESS: 9193 S Jamaica St, Englewood, CO  
80112

TELEPHONE #: 303-754-0600

EMAIL: joseph.huey@lennat.com

[Signature]  
SIGNATURE OF APPLICANT

\_\_\_\_\_  
SIGNATURE OF APPLICANT

**Jennifer S. Thornbloom**  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID# 20144027146  
MY COMMISSION EXPIRES 7/10/2026

#### \*(OWNERS SIGNATURE NEEDS TO BE NOTARIZED)

Subscribed and sworn to be before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
My commission expires \_\_\_\_\_

7-10-26

27th day of April, 20 23  
Jennifer S. Thornbloom  
Notary



## Exhibit A

### TOWN OF ELIZABETH LAND USE FEE AND DEPOSIT SCHEDULE

	FEE	DEPOSIT
ANNEXATION PETITION	\$500	\$4,000
FINAL PLAT	\$500	\$3,000
MINOR SUBDIVISION	\$300	\$1,000
PLANNED UNIT DEVELOPMENT – UP TO 5 ACRES	\$500 + \$30/ ADDITIONAL ACRE OR PORTION OF ACRE	\$3,000
PLANNED UNIT DEVELOPMENT – OVER 5 ACRES	\$1,000 + \$30/ ADDITIONAL ACRE OR PORTION OF ACRE	\$4,500
PRELIMINARY PLAN	\$1,000	\$5,000
REPLAT, VACATION, OR PLAT AMENDMENT	\$300	\$500
REZONING – TRADITIONAL ZONES	\$400 + \$30/ ADDITIONAL ACRE OR PORTION OF ACRE	\$1,500
SIGN PERMIT	\$75	\$0
SITE PLAN – UP TO 2 ACRES	\$400	\$3,000
SITE PLAN – OVER 2 ACRES	\$500 + \$50/ ADDITIONAL ACRE OR PORTION OF ACRE	\$4,500
SITE PLAN AMENDMENT	\$300	\$2,000
SKETCH PLAN	\$250	\$3,000
TEMPORARY STRUCTURE AND USES PERMIT	\$20	
USE BY SPECIAL REVIEW	\$500	\$2,000
VARIANCE REQUEST	\$300	\$1,000

December 12, 2023

Community Development

**Town of Elizabeth**

151 S Banner St  
Elizabeth, CO 80107

**Re: Legacy Village Filing 1 RePlat #1**

Dear Development Review,

On behalf of the applicant, Lennar, we are pleased to submit this Project Narrative and Application for the Legacy Village Filing 1 RePlat Documents.

The following list comprises of the development team for this project:

**Applicant**

Lennar, LLC  
Contact: Joe Huey  
9193 S Jamaica St Suite 4  
Englewood, CO 80112  
303-210-9822  
[joseph.huey@lennar.com](mailto:joseph.huey@lennar.com)

**Civil Engineer**

Westwood Professional Services  
Contact: Scott Lockhart  
10333 E. Dry Creek Rd., Ste. 240  
Englewood, CO 80112  
720.249-3583  
[scott.lockhart@westwoodps.com](mailto:scott.lockhart@westwoodps.com)

**Site Location and Zoning**

Legacy Village Filing 1 is approximately 51-acres site located south of Highway 86, just east of The Town of Elizabeth, Elbert County Colorado.

The site is zoned as Planned Development, with the modifications being single family home sites.

**Project Description**

Filing 1 includes 126 lots for single family detached homes, open space tracts, and an open space park. The residential portion of this community will be the conventional family community.

**RePlat**

This proposed re-plat is intended to obtain a 44' (min) lot width and/or 34' (min) build-able home footprint. Proposed lot modifications include moving existing lot lines, and associated utility easements approximately 1.5' to obtain this width (Block 2 Lots 1-9) **Lot Exhibit 1**. Exhibit B shows where existing services have been installed.

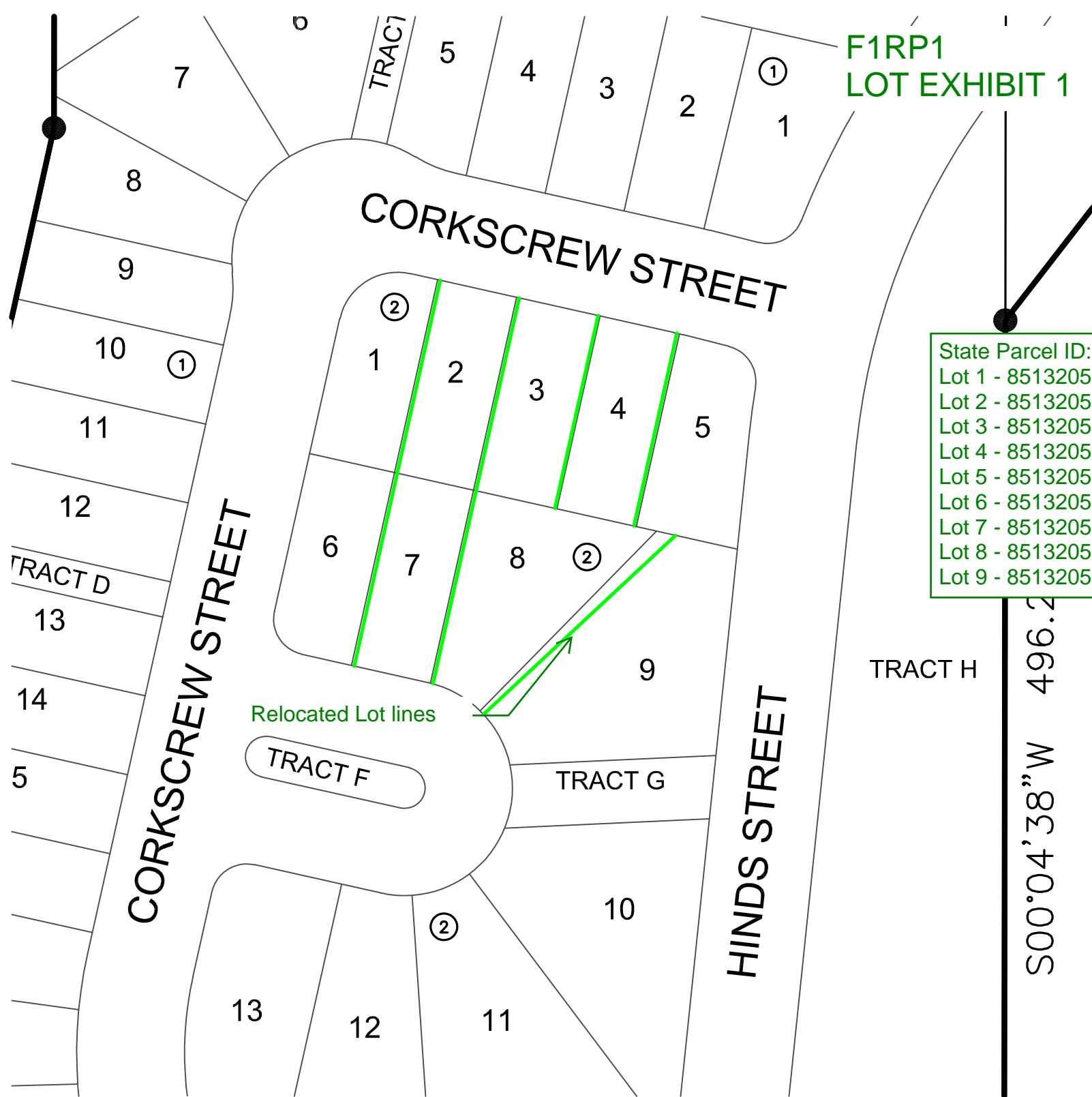
**Variances:**

No variances are being requested as part of this application. Lot sizes remain above the minimums outlined within the PUD.

**Technical Compliance**

The Legacy Village Filing 1 replat complies with all applicable standards and guidelines as required by the Town of Elizabeth and existing, approved PUD documents.





F1RP1  
LOT EXHIBIT 1

State Parcel ID:  
Lot 1 - 8513205037  
Lot 2 - 8513205038  
Lot 3 - 8513205039  
Lot 4 - 8513205040  
Lot 5 - 8513205041  
Lot 6 - 8513205042  
Lot 7 - 8513205043  
Lot 8 - 8513205044  
Lot 9 - 8513205045

Relocated Lot lines

TRACT H

S00°04'38"W 496.2

# FIRST AMENDMENT TO LEGACY VILLAGE SUBDIVISION FILING NO. 1

A REPLAT OF LOTS 1–9, BLOCK 2, LEGACY VILLAGE SUBDIVISION FILING NO. 1,  
SITUATED IN THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 65 WEST OF THE 6TH P.M.,  
TOWN OF ELIZABETH, COUNTY OF ELBERT, STATE OF COLORADO  
SHEET 1 OF 2  
1.286 ACRES – 9 SINGLE FAMILY RESIDENTIAL LOTS

## LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A REPLAT OF LOTS 1-9, BLOCK 2, LEGACY VILLAGE SUBDIVISION FILING NO. 1, AS RECORDED IN THE RECORDS OF THE ELBERT COUNTY CLERK AND RECORDER AT RECEPTION NUMBER 613908, LOCATED IN THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ELIZABETH, ELBERT COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 1 THROUGH 9, BLOCK 2, LEGACY VILLAGE SUBDIVISION FILING NO. 1.

SAID PARCEL CONTAINING A CALCULATED AREA OF 56,023 SQUARE FEET OR 1.286 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EXISTING EASEMENTS AND OR RIGHTS OF WAY OF WHATSOEVER NATURE.

## OWNERSHIP AND DEDICATION STATEMENT:

THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS OF THE LANDS DESCRIBED HEREIN, HAVE LAID OUT, SUBDIVIDED AND PLATTED SAID LANDS INTO LOTS, STREETS AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF FIRST AMENDMENT TO LEGACY VILLAGE FILING NO. 1. THE UTILITY EASEMENTS AS SHOWN HEREON ARE HEREBY DEDICATED FOR PUBLIC UTILITIES AND CABLE COMMUNICATION SYSTEMS AND OTHER PURPOSES AS SHOWN HEREON. THE ENTITIES RESPONSIBLE FOR PROVIDING THE SERVICES FOR WHICH THE EASEMENTS ARE ESTABLISHED ARE HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTIES FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES. ALL STREETS AND RIGHTS OF WAY, SHOWN HEREON ARE DEDICATED AND CONVEYED TO THE TOWN OF ELIZABETH, COLORADO, IN FEE SIMPLE ABSOLUTE, FOR PUBLIC USES AND PURPOSES.

\_\_\_\_\_  
SIGNATURE

LENNAR COLORADO, LLC, A COLORADO LIMITED LIABILITY COMPANY.

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
SIGNATURE

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY

\_\_\_\_\_  
WITNESS MY HAND AN OFFICIAL SEAL \_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

## OWNERSHIP AND DEDICATION STATEMENT (CONTINUED):

\_\_\_\_\_  
SIGNATURE

AG ESSENTIAL HOUSING MULTI STATE 2, LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: \_\_\_\_\_

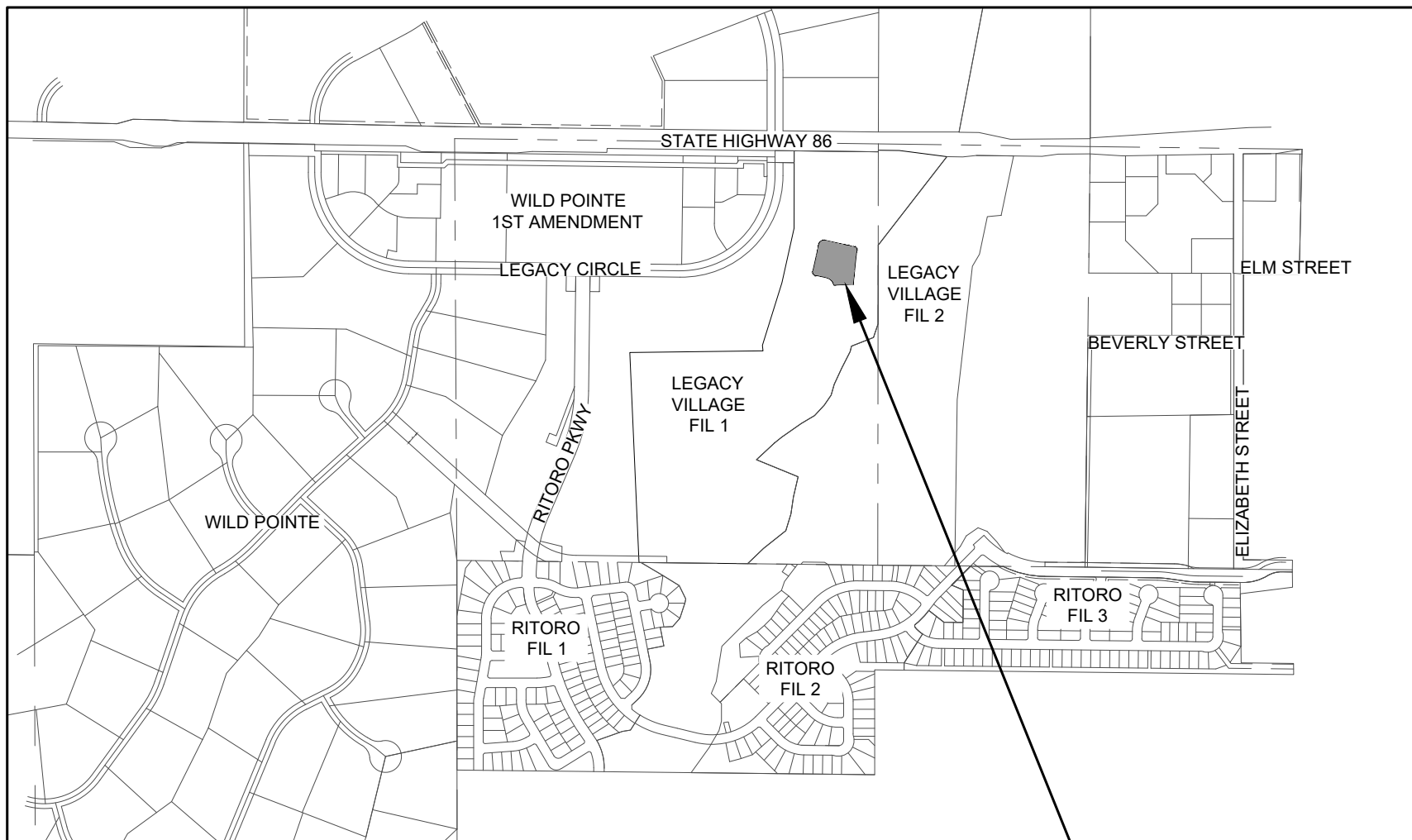
TITLE: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
SIGNATURE

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY

\_\_\_\_\_  
WITNESS MY HAND AN OFFICIAL SEAL \_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_



VICINITY MAP  
SCALE: 1" = 1000'

PROPERTY  
LOCATION

## BOARD OF TRUSTEES:

LOTS 1-9, BLOCK 2, LEGACY VILLAGE SUBDIVISION FILING NO. 1, IS HEREWITH AMENDED BY THIS PLAT WHICH IS HEREBY APPROVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ELIZABETH, COLORADO, FOR FILING IN THE OFFICE OF THE ELBERT COUNTY CLERK AND RECORDER, SUBJECT TO ALL COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED AGAINST AND APPURTENANT TO THE ORIGINAL PLAT RECORDED IN THE OFFICE OF THE ELBERT COUNTY CLERK AND RECORDER, RECEPTION # 613908.

\_\_\_\_\_  
MAYOR, TOWN OF ELIZABETH

ATTEST: \_\_\_\_\_  
TOWN CLERK

## LENDER

\_\_\_\_\_  
SIGNATURE

BY: LES SWITCH

TITLE: REDSTONE BANK MARKET PRESIDENT

ATTEST: \_\_\_\_\_  
SIGNATURE

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY

\_\_\_\_\_  
WITNESS MY HAND AN OFFICIAL SEAL \_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

## PLANNING COMMISSION:

THE PRELIMINARY PLAN FOR THIS PLAT WAS REVIEWED BY THE PLANNING COMMISSION ON JANUARY 5, 2021.

\_\_\_\_\_  
CHAIR, PLANNING COMMISSION

## TITLE VERIFICATION:

WE, LAND TITLE GUARANTEE COMPANY, A QUALIFIED TITLE INSURANCE COMPANY, DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE OF ALL LAND PLATTED HEREON AND THAT TITLE TO SUCH LAND IS IN THE DEDICATOR(S) FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES, EXCEPT AS FOLLOWS:

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
SIGNATURE

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY

\_\_\_\_\_  
WITNESS MY HAND AN OFFICIAL SEAL \_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

## CLERK AND RECORDER'S CERTIFICATION:

STATE OF COLORADO )  
COUNTY OF ELBERT ) SS.

I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_,

A.D., AT \_\_\_\_\_ A.M./P.M.

AND WAS RECORDED AT RECEPTION NUMBER \_\_\_\_\_.

\_\_\_\_\_  
COUNTY CLERK AND RECORDER

## SURVEYOR'S CERTIFICATION:

I, JEAN P. HALPIN, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE ON APRIL 12, 2023, BY ME OR UNDER MY DIRECT SUPERVISION AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON; THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:50,000 (SECOND ORDER); AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO DEALING WITH MONUMENTS, SUBDIVISIONS OR SURVEYING OF LAND AND ALL PROVISIONS, WITHIN MY CONTROL, OF THE TOWN SUBDIVISION REGULATIONS.

I ATTEST THE ABOVE ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR  
JEAN P. HALPIN, PLS NO. 38474  
FOR AND ON BEHALF OF WESTWOOD PROFESSIONAL SERVICES, INC.  
10333 E. DRY CREEK ROAD, SUITE 400  
ENGLEWOOD, CO 80112  
(720)-249-3584

## APPLICANT/DEVELOPER:

E86 J.V., LLC  
JIM MARSHALL  
7108 SOUTH ALTON WAY  
ENGLEWOOD, CO 80112

## ENGINEER/SURVEYOR:

WESTWOOD PROFESSIONAL SERVICES, INC.  
10333 E. DRY CREEK ROAD, STE 400  
ENGLEWOOD, CO 80112

**Westwood**

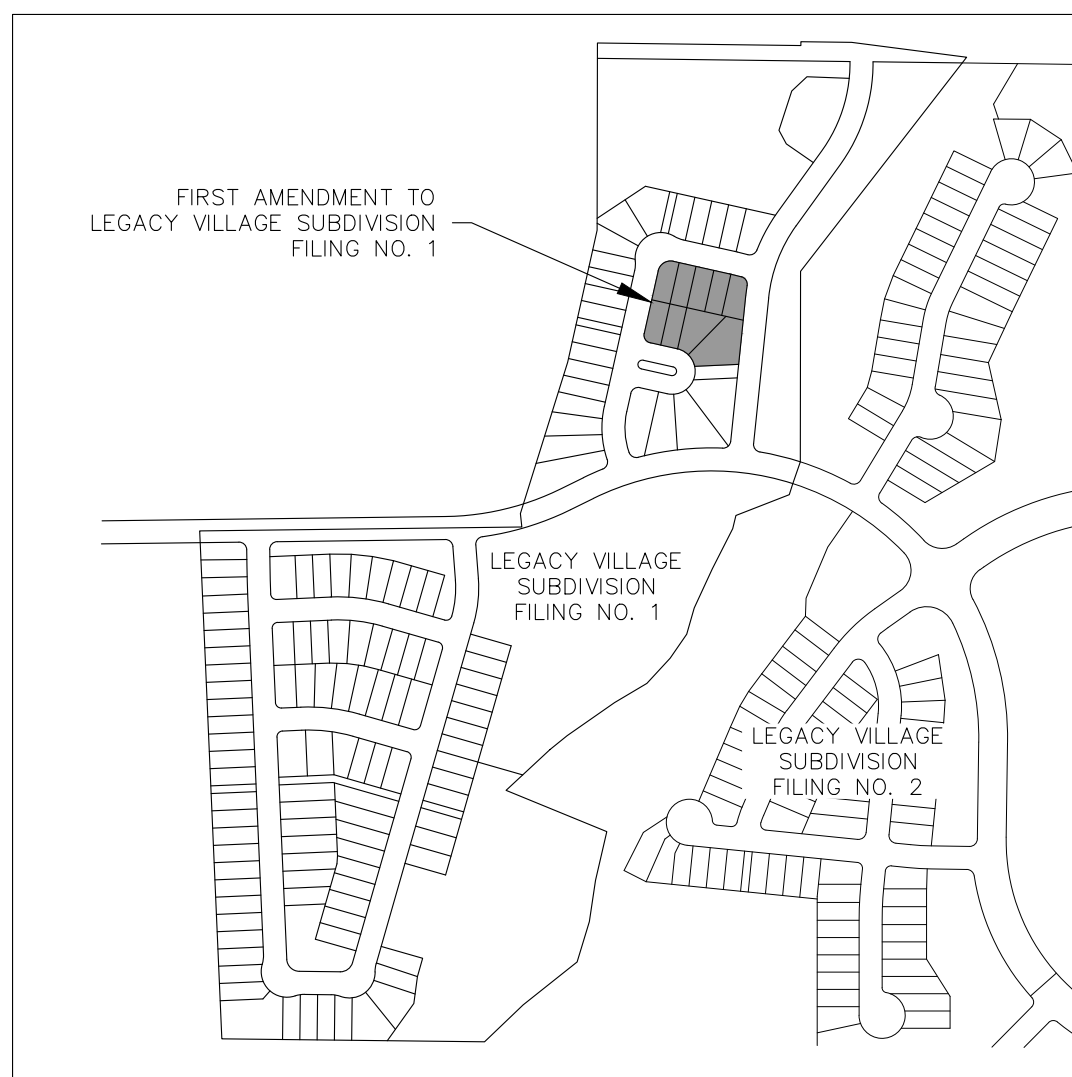
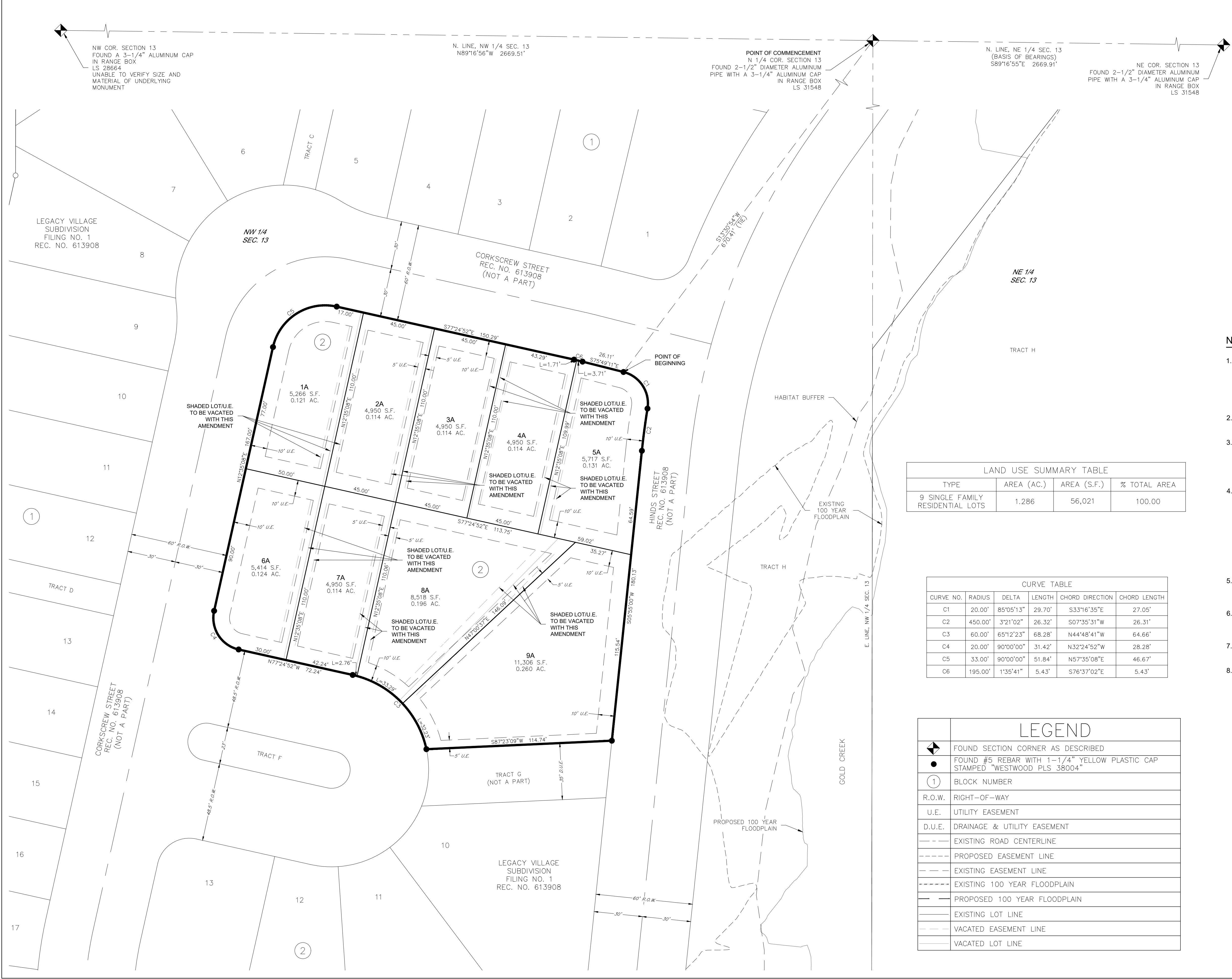
Westwoodps.com  
Westwood Professional Services, Inc.

10333 E DRY CREEK RD.  
SUITE 400  
ENGLEWOOD , CO 80112  
TEL: 720.482.9526



# SECOND AMENDMENT TO LEGACY VILLAGE SUBDIVISION FILING NO. 1

A REPLAT OF LOTS 1-9, BLOCK 2, LEGACY VILLAGE SUBDIVISION FILING NO. 1,  
SITUATED IN THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 65 WEST OF THE 6TH P.M.,  
TOWN OF ELIZABETH, COUNTY OF ELBERT, STATE OF COLORADO  
SHEET 2 OF 2



KEYMAP  
SCALE: 1" = 500'

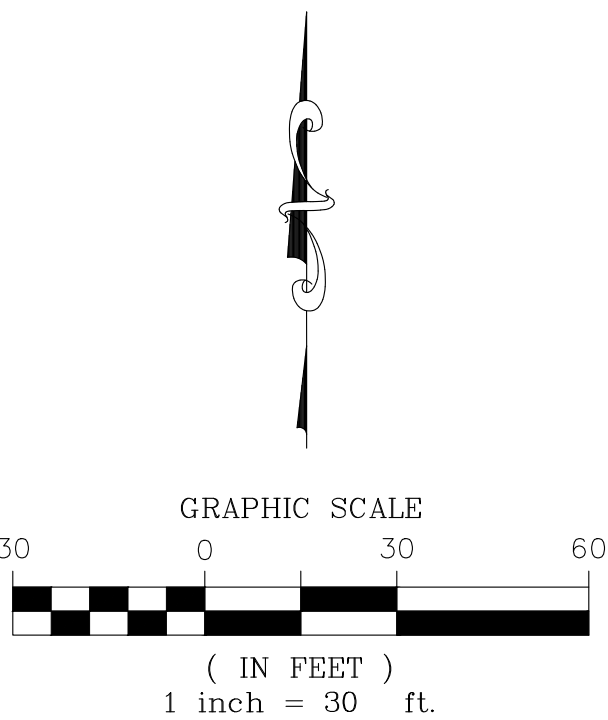
## NOTES:

1. BASIS OF BEARINGS: BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 13 BEING MONUMENTED AT THE NORTH QUARTER CORNER OF SECTION 13 BY A FOUND 2-1/2" INCH DIAMETER ALUMINUM PIPE WITH A 3-1/4" INCH ALUMINUM CAP STAMPED "PLS 31548" WHENCE THE NORTHEAST CORNER OF SAID SECTION 13 BEING MONUMENTED BY A FOUND 2-1/2" INCH DIAMETER ALUMINUM PIPE WITH A 3-1/4" INCH ALUMINUM CAP STAMPED "LS 31548" IS ASSUMED TO BEAR SOUTH 89°16'55" EAST, A DISTANCE OF 2669.91 FEET WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO.
2. THIS PROPERTY IS SUBJECT TO RESERVATIONS, RESTRICTIONS, COVENANTS AND EASEMENTS OF RECORD OR IN PLACE.
3. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY WESTWOOD PROFESSIONAL SERVICES, INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY, AND TITLE OF RECORD, WESTWOOD PROFESSIONAL SERVICES, INC. RELIED UPON LAND TITLE GUARANTEE COMPANY PROPERTY INFORMATION BINDER ORDER NO. RND70823106, HAVING AN EFFECTIVE DATE OF NOVEMBER 7, 2023 AT 5:00 P.M.
4. NON-EXCLUSIVE - 5-FOOT AND 10-FOOT UTILITY EASEMENTS LOCATED AS SHOWN ARE HEREBY GRANTED FOR THE INSTALLATION, MAINTENANCE, AND OPERATION OF UTILITIES AND DRAINAGE FACILITIES, INCLUDING, BUT NOT LIMITED TO STREET LIGHTS, ELECTRIC LINES, GAS LINES, CABLE TELEVISION LINES, FIBER OPTIC LINES, AND TELEPHONE LINES, AS WELL AS PERPETUAL RIGHT FOR INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE, AND REPLACEMENT OF SUCH LINES. SIDE LOT LINE EASEMENTS ARE ALLOWED ENCROACHMENTS FOR ROOF OVERHANGS, CANTILEVER BAY OR BOX WINDOWS, FIREPLACES, WITH A MAXIMUM TWO FOOT (2') ENCROACHMENT, LANDSCAPING WITH PLANT SHRUBS, WOODY PLANTS AND NURSERY STOCK OR OTHER CROPS MAY BE LOCATED WITHIN THESE EASEMENTS PROVIDED THEY DO NOT INTERFERE WITH THE USE OF, OBSTRUCT THE OPERATION OF, MAINTENANCE OF, OR ACCESS TO SAID SIDE LOT EASEMENT.
5. ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) PANEL 08039C0480C, EFFECTIVE MARCH 17, 2011, THE SURVEYED LAND IS WITHIN FLOOD ZONE X, AN AREA OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
6. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
7. THE LINEAL UNIT USED IN THE PREPARATION OF THIS PLAT IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.
8. ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER 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.

LAND USE SUMMARY TABLE			
TYPE	AREA (AC.)	AREA (S.F.)	% TOTAL AREA
9 SINGLE FAMILY RESIDENTIAL LOTS	1.286	56,021	100.00

CURVE TABLE					
CURVE NO.	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	20.00'	85°05'13"	29.70'	S33°16'35"E	27.05'
C2	450.00'	3°21'02"	26.32'	S07°35'31"W	26.31'
C3	60.00'	65°12'23"	68.28'	N44°48'41"W	64.66'
C4	20.00'	90°00'00"	31.42'	N32°24'52"W	28.28'
C5	33.00'	90°00'00"	51.84'	N57°35'08"E	46.67'
C6	195.00'	1°35'41"	5.43'	S76°37'02"E	5.43'

LEGEND	
	FOUND SECTION CORNER AS DESCRIBED
	FOUND #5 REBAR WITH 1-1/4" YELLOW PLASTIC CAP STAMPED "WESTWOOD PLS 38004"
	BLOCK NUMBER
	R.O.W. RIGHT-OF-WAY
	U.E. UTILITY EASEMENT
	D.U.E. DRAINAGE & UTILITY EASEMENT
	EXISTING ROAD CENTERLINE
	PROPOSED EASEMENT LINE
	EXISTING EASEMENT LINE
	EXISTING 100 YEAR FLOODPLAIN
	PROPOSED 100 YEAR FLOODPLAIN
	EXISTING LOT LINE
	VACATED EASEMENT LINE
	VACATED LOT LINE



**Westwood**

10333 E DRY CREEK RD.  
SUITE 400  
ENGLEWOOD, CO 80112  
TEL: 720.482.9526



**WHEN RECORDED, RETURN TO:**

Shane Orr, Esq.  
 Lennar Colorado, LLC  
 9193 Jamaica Street, 4th Floor  
 Englewood, Colorado 80112

**SPECIAL WARRANTY DEED**

For good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the undersigned, ELIZABETH 86 INVESTMENTS II, LLC, a Colorado limited liability company (the "**Grantor**"), hereby grants, sells, and conveys to LENNAR COLORADO, LLC, a Colorado limited liability company (the "**Grantee**"), whose address is 9193 Jamaica Street, 4th Floor, Englewood, Colorado 80112, that certain real property described on Exhibit A attached hereto and incorporated herein by this reference (the "**Property**"), together with (a) all buildings, structures, and improvements located thereon; (b) all development rights and credits and air rights relating thereto; (c) all right, title, and interest of Grantor in and to all strips and gores, streets, alleys, easements, rights-of-way, public ways, or other rights appurtenant, adjacent, or connected thereto; and (d) any other rights, privileges, appurtenances, hereditaments, easements, reversions, and remainders pertaining thereto or used in connection therewith;

GRANTOR for itself, its successors and assigns, does covenant and agree that it shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of Grantee, its successors and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under Grantor, SUBJECT ONLY TO those matters set forth on **Exhibit B** attached hereto and incorporated herein by this reference (the "**Permitted Exceptions**").

IN WITNESS WHEREOF, the undersigned has executed this Special Warranty Deed as of this November 11, 2021.

**GRANTOR:**

ELIZABETH 86 INVESTMENTS II, LLC,  
 a Colorado limited liability company

By

Tery R. Larrew  
 Tery R. Larrew, Manager

STATE OF COLORADO )

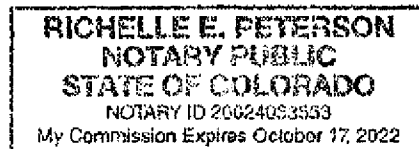
County of Douglas ) ss.

The foregoing instrument was acknowledged before me this November 11, 2021, by Tery R. Larrew as Manager of ELIZABETH 86 INVESTMENTS II, LLC, a Colorado limited liability company.

[Signature]  
 Notary Public

My commission expires:

10-17-22



**EXHIBIT A**

(Legal Description)

Lots 1-19  
Block 1, and  
Lots 1-13  
Block 2  
and  
Tracts B, C, D, E, G and I  
Legacy Village Subdivision Filing No. 1  
Town of Elizabeth  
County of Elbert  
State of Colorado.

**EXHIBIT B**

**(Permitted Exceptions)**

1. Reservation of right of proprietor of any penetrating vein or lode to extract his ore, in U.S. Patent recorded November 14, 1874 in Book 1 at Page 285.

2. Reservations of (1) right of proprietor of any penetrating vein or lode to extract his ore; and (2) right of way for any ditches or canals constructed by authority of the United States, in U.S. Patent recorded January 17, 1903 in Book 23 Page 456.

3. Terms, agreements, provisions, conditions and obligations as contained in Resolution Approving SP10-0023 Elizabeth 86 Residential Metropolitan District recorded September 22, 2010 at Reception No. 512389. Note: At closing this Exception will be modified to add the following: No liens outstanding and no assessments now due and payable."

4. Terms, agreements, provisions, conditions and obligations as contained in Resolution Approving SP10-0024 Elizabeth 86 Commercial Metropolitan District recorded September 22, 2010 at Reception No. 512390.

5. Terms, agreements, provisions, conditions and obligations as contained in Easement Agreement (Sanitary Sewer) recorded December 6, 2016 at Reception No. 564388. Ratification thereof recorded May 4, 2017 at Reception No. 569113.(affects Tracts F, Q and S only)

6. Terms, conditions, provisions and obligations contained in the Resolution 18R39 recorded August 22, 2018 at Reception No. 580001.

7. Terms, conditions, provisions and obligations contained in the Resolution 18R44 recorded August 30, 2018 at Reception No. 580218.

8. Terms, conditions, provisions and obligations contained in the Ordinance 18-09 recorded August 30, 2018 at Reception No. 580221.

9. Notes, easements and restrictions as shown on the Rezone Map recorded September 4, 2018 at Reception No. 201350.

10. Notes, easements and restrictions as shown on the Annexation Map recorded September 26, 2018 at Reception No. 580815.

11. Terms, conditions, provisions and obligations contained in the Resolution 18R51 recorded September 26, 2018 at Reception No. 580816.

12. Notes, easements and restrictions as shown on the Rezoning Map recorded April 3, 2019 at Reception No. 201360.

13. Terms, conditions, provisions and obligations contained in the Special Warranty Deed recorded June 5, 2019 at Reception No. 586144.



14. Terms, conditions, provisions and obligations contained in the Special Warranty Deed recorded January 7, 2020 at Reception No. 591779.

15. Terms, conditions, provisions and obligations contained in the Special Warranty Deed recorded January 7, 2020 at Reception No. 591780.

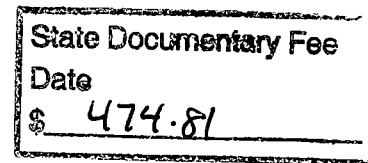
16. Terms, conditions, provisions and obligations contained in the Special Warranty Deed recorded January 7, 2020 at Reception No. 591781.

17. Terms, conditions, provisions and obligations contained in Resolution recorded February 1, 2021 at Reception No. 604138.

18. Terms, conditions, provisions and obligations contained in Easement recorded July 29, 2021 at Reception No. 610518 and at Reception No. 610520.

19. Easements, notes, terms, conditions, provisions, agreements and obligations as shown on the plat of Legacy Village Subdivision Filing No. 1 and Legacy Village Subdivision Filing No. 2 recorded at Reception No. 613911 and at Reception No. 613912.

WHEN RECORDED, RETURN TO:  
Biskind, Hunt & Semro, PLC  
8901 E. Pima Center Parkway, Suite 225  
Scottsdale, AZ 85258  
Attn: Neil D. Biskind, Esq.



## SPECIAL WARRANTY DEED

*(Legacy Village, Colorado)*

For good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the undersigned LENNAR COLORADO, LLC, a Colorado limited liability company (the “**Grantor**”), whose address is 9193 S. Jamaica Street, 4<sup>th</sup> Floor, Englewood, Colorado 80112, hereby grants to AG ESSENTIAL HOUSING MULTI STATE 2, LLC, a Delaware limited liability company (“**Grantee**”), whose address is c/o AGWIP Asset Management, LLC, 8585 E. Hartford, Suite 118, Scottsdale, AZ 85255, that certain real property situated in Elbert County, Colorado, described as follows (the “**Property**”):

SEE EXHIBIT “A” ATTACHED HERETO AND  
BY THIS REFERENCE MADE A PART HEREOF

also known by street and number as: vacant land;

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto Grantee, and Grantee’s heirs, successors, and assigns forever.

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

SUBJECT TO: the matters described on Exhibit B attached hereto and made a part hereof.

Grantor does covenant and agree that Grantor shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of Grantee, and Grantee’s successors, and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, by, through or under Grantor, subject to the matters set forth above.

*[Balance of Page Intentionally Left Blank; Signature Page Follows]*

EXECUTED this 24<sup>th</sup> day of November, 2021.

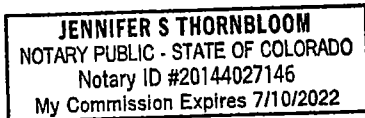
**Grantor:**

LENNAR COLORADO, LLC,  
a Colorado limited liability company

By: [Signature]  
Name: Frank Walker  
Title: Vice President

STATE OF COLORADO                    )  
  )ss.  
COUNTY OF Douglas                    )

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of November, 2021,  
by Frank Walker, Vice President of LENNAR COLORADO, LLC, a Colorado limited liability  
company, for and on behalf thereof



[Signature]  
Notary Public

(Seal)

EXHIBIT A  
Legal Description

**PARCEL A:**

LOTS 1 THROUGH 19, BLOCK 1;

LOTS 2 THROUGH 13, BLOCK 2;

LOTS 1 THROUGH 9, BLOCK 3;

LOTS 1 THROUGH 46, BLOCK 4;

LOTS 1 THROUGH 17, BLOCK 5;

LOTS 1 THROUGH 22, BLOCK 6;

LEGACY VILLAGE FILING NO. 1, COUNTY OF ELBERT, STATE OF COLORADO.

**PARCEL B:**

LOTS 1 THROUGH 36, BLOCK 1;

LOTS 1 THROUGH 12, BLOCK 2;

LOTS 1 THROUGH 14, BLOCK 3;

LOTS 1 THROUGH 10, BLOCK 4;

LOTS 1 THROUGH 19, BLOCK 5;

LOTS 1 THROUGH 9, BLOCK 6;

LEGACY VILLAGE FILING NO. 2, COUNTY OF ELBERT, STATE OF COLORADO.



EXHIBIT B

Permitted Exceptions

1. TAXES AND ASSESSMENTS FOR CALENDAR YEAR 2021, A LIEN NOT YET DUE AND PAYABLE.
  2. RESERVATIONS AS CONTAINED IN PATENT OF THE UNITED STATES RECORDED NOVEMBER 14, 1874 IN BOOK 1 AT PAGE 285.
  3. RESERVATIONS AS CONTAINED IN PATENT OF THE UNITED STATES RECORDED JANUARY 17, 1903 IN BOOK 23 AT PAGE 456.
  4. RIGHT OF WAY AND EASEMENT AS GRANTED IN INSTRUMENT RECORDED OCTOBER 14, 1963 IN BOOK 251 AT PAGE 193. CONVEYANCE RECORDED MARCH 25, 1970 IN BOOK 271 AT PAGE 451.
  5. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN DEED OF CONSERVATION EASEMENT RECORDED DECEMBER 28, 2006 UNDER RECEPTION NO. 480883. CORRECTION DEED RECORDED FEBRUARY 6, 2007 UNDER RECEPTION NO. 481925. CORRECTION DEED RECORDD JUNE 13, 2007 UNDER RECEPTION NO. 486053.
  6. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN EASEMENT RECORDED DECEMBER 06, 2016 UNDER RECEPTION NO. 564389. RATIFICATION OF EASEMENT AGREEMENT RECORDED MAY 24, 2017 UNDER RECEPTION NO. 569112.
  7. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN EASEMENT AGREEMENT RECORDED DECEMBER 06, 2016 UNDER RECEPTION NO. 564388. RATIFICATION OF EASEMENT AGREEMENT RECORDED MAY 24, 2017 UNDER RECEPTION NO. 569113.
  8. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN EASEMENT AGREEMENT (DRAINAGE) RECORDED DECEMBER 02, 2016 UNDER RECEPTION NO. 564390.
- RATIFICATION OF EASEMENT AGREEMENT RECORDED MAY 24, 2017 UNDER RECEPTION NO. 569114.
9. SPECIAL WARRANTY WATER RIGHT DEEDS RECORDED DECEMBER 28, 2006 UNDER RECEPTION NOS. 480878, 480879 AND 480880.
- SPECIAL WARRANTY DEED CONVEYING GROUNDWATER RECORDED JUNE 5, 2019 UNDER RECEPTION NO. 586144 AND RECORDED JANUARY 7, 2020 UNDER RECEPTION NOS. 591780 AND 591781.

10. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE ELIZABETH 86 RESIDENTIAL METROPOLITAN DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED SEPTEMBER 22, 2010, UNDER RECEPTION NO. 512390.

11. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN RECIPROCAL EASEMENT AGREEMENT RECORDED JANUARY 14, 2016 UNDER RECEPTION NO. 556467. 20. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RESOLUTION RECORDED SEPTEMBER 26, 2018 UNDER RECEPTION NO. 580816.

12. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RESOLUTION RECORDED FEBRUARY 01, 2021 UNDER RECEPTION NO. 604138.

13. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN UTILITY OVERHEAD AND UNDERGROUND EASEMENT RECORDED JULY 29, 2021 UNDER RECEPTION NO. 610520.

14. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF LEGACY VILLAGE FILING NO. 1 RECORDED NOVEMBER 10, 2021 UNDER RECEPTION NO. 613908.

15. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF LEGACY VILLAGE FILING NO. 2 RECORDED NOVEMBER 10, 2021 UNDER RECEPTION NO. 613909.

16. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN SUBDIVISION AGREEMENT (LEGACY VILLAGE FILING NO. 1) RECORDED NOVEMBER 10, 2021 UNDER RECEPTION NO. 613911.

17. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN SUBDIVISION AGREEMENT (LEGACY VILLAGE FILING NO. 2) RECORDED NOVEMBER 10, 2021 UNDER RECEPTION NO. 613912.



## Customer Distribution



**Prevent fraud** - Please call a member of our closing team for wire transfer instructions or to initiate a wire transfer. Note that our wiring instructions will never change.

Order Number: **RND70823106**

Date: **11/14/2023**

Property Address: **242, 232, 222, 212, 202, 312, 322, 332 AND 342 CORKSCREW STREET, Elizabeth, CO 80107**

---

### For Closing Assistance

### For Title Assistance

Scott Cieslewicz  
5975 GREENWOOD PLAZA  
BLVD  
GREENWOOD VILLAGE, CO  
80111  
(303) 850-4189 (Work)  
[scielewicz@ltgc.com](mailto:scielewicz@ltgc.com)

---

### Builder

LENNAR COLORADO LLC  
Attention: JOSEPH HUEY  
9193 S JAMAICA ST 4TH FLOOR  
ENGLEWOOD, CO 80112  
(720) 369-3835 (Work)  
[joseph.huey@lennar.com](mailto:joseph.huey@lennar.com)  
Delivered via: Electronic Mail



## Estimate of Title Fees

**Order Number:** RND70823106

**Date:** 11/14/2023

**Property Address:** 242, 232, 222, 212, 202, 312, 322, 332 AND 342 CORKSCREW STREET, Elizabeth, CO 80107

**Seller(s):** LENNAR COLORADO,LLC, A COLORADO LIMITED LIABILITY COMPANY, AS TO LOT 1; AND AG ESSENTIAL HOUSING MULTI STATE 2, LLC, A DELAWARE LIMITED LIABILITY COMPANY AS TO LOTS 2-9

**Buyer(s):** A BUYER TO BE DETERMINED

Thank you for putting your trust in Land Title. Below is the estimate of title fees for the transaction. The final fees will be collected at closing. Visit [ltgc.com](http://ltgc.com) to learn more about Land Title.

Estimate of Title Insurance Fees	
"ALTA" Owner's Policy 07-30-21 Reissue Rate	\$436.00
<b>TOTAL</b>	<b>\$436.00</b>

**Note:** The documents linked in this commitment should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the documents on your property.

**Chain of Title Documents:**

[Elbert county recorded 11/17/2021 under reception no. 614204](#)

[Elbert county recorded 12/13/2021 under reception no. 614993](#)

**Plat Map(s):**

[Elbert county recorded 11/10/2021 under reception no. 613908](#)

**ALTA COMMITMENT**  
**Old Republic National Title Insurance Company**  
**Schedule A**

Order Number: RND70823106

**Property Address:**

242, 232, 222, 212, 202, 312, 322, 332 AND 342 CORKSCREW STREET, Elizabeth, CO 80107

**1. Commitment Date:**

11/07/2023 at 5:00 P.M.

**2. Policy to be Issued and Proposed Insured:**

"ALTA" Owner's Policy 07-30-21 Reissue Rate  
Proposed Insured:  
A BUYER TO BE DETERMINED

\$5,000.00

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

FEE SIMPLE

**4. The Title is, at the Commitment Date, vested in:**

LENNAR COLORADO,LLC, A COLORADO LIMITED LIABILITY COMPANY, AS TO LOT 1; AND AG ESSENTIAL HOUSING MULTI STATE 2, LLC, A DELAWARE LIMITED LIABILITY COMPANY AS TO LOTS 2-9

**5. The Land is described as follows:**

LOTS 1 THROUGH 9, BLOCK 2, LEGACY VILLAGE SUBDIVISION FILING NO. 1, COUNTY OF ELBERT, STATE OF COLORADO.

This page is only a part of a 2021 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.



Copyright 2021 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.

**ALTA COMMITMENT**  
**Old Republic National Title Insurance Company**  
**Schedule B, Part I**  
**(Requirements)**

**Order Number:** RND70823106

**All of the following Requirements must be met:**

**This proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.**

**Pay the agreed amount for the estate or interest to be insured.**

**Pay the premiums, fees, and charges for the Policy to the Company.**

**Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.**

1. A FULL COPY OF THE FULLY EXECUTED OPERATING AGREEMENT AND ANY AND ALL AMENDMENTS THERETO FOR AG ESSENTIAL HOUSING MULTISTATE 2, LLC, A DELAWARE LIMITED LIABILITY COMPANY MUST BE FURNISHED TO LAND TITLE GUARANTEE COMPANY. SAID AGREEMENT MUST DISCLOSE WHO MAY CONVEY, ACQUIRE, ENCUMBER, LEASE OR OTHERWISE DEAL WITH INTERESTS IN REAL PROPERTY FOR SAID ENTITY.

NOTE: ADDITIONAL REQUIREMENTS MAY BE NECESSARY UPON REVIEW OF THIS DOCUMENTATION.

2. WRITTEN CONFIRMATION THAT THE INFORMATION CONTAINED IN UNANIMOUS CONSENT OF THE SOLE MEMBER OF AG ESSENTIAL HOUSING MULTI STATE 2, LLC RECORDED OCTOBER 18, 2022 UNDER RECEPTION NO. [623126](#) IS CURRENT.

NOTE: SAID INSTRUMENT DISCLOSES EITHER STEVE S. BENSON AS MANAGER OT WENDY STOECKEL AS AUTHORIZED REPRESENTIV OF AGWIP ASSET MANAGEMENT, LLC, AN ARIZONA LIMITED LIABILITY COMPANY AS AUTHORIZED TO EXECUTE INSTRUMENTS CONVEYING, ENCUMBERING OR OTHERWISE AFFECTING TITLE TO REAL PROPERTY ON BEHALF OF SAID ENTITY. IF THIS INFORMATION IS NOT ACCURATE, A CURRENT STATEMENT OF AUTHORITY MUST BE RECORDED.

3. WARRANTY DEED FROM LENNAR COLORADO,LLC, A COLORADO LIMITED LIABILITY COMPANY, AS TO LOT 1; AND AG ESSENTIAL HOUSING MULTI STATE 2, LLC, A DELAWARE LIMITED LIABILITY COMPANY AS TO LOTS 2-9 TO A BUYER TO BE DETERMINED CONVEYING SUBJECT PROPERTY.

NOTE: ADDITIONAL REQUIREMENTS OR EXCEPTIONS MAY BE NECESSARY WHEN THE BUYERS NAMES ARE ADDED TO THIS COMMITMENT. COVERAGES AND/OR CHARGES REFLECTED HEREIN, IF ANY, ARE SUBJECT TO CHANGE UPON RECEIPT OF THE CONTRACT TO BUY AND SELL REAL ESTATE AND ANY AMENDMENTS THERETO.

**ALTA COMMITMENT**  
**Old Republic National Title Insurance Company**  
**Schedule B, Part II**  
**(Exceptions)**

Order Number: RND70823106

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.

1. Any facts, rights, interests, or claims thereof, not shown by the Public Records but that 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 encroachment, encumbrance, 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 the 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 of the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
6. (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.
7. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.
8. EXISTING LEASES AND TENANCIES, IF ANY.
9. RESERVATIONS AS CONTAINED IN PATENT OF THE UNITED STATES RECORDED NOVEMBER 14, 1874 IN BOOK 1 AT PAGE [285](#).
10. RESERVATIONS AS CONTAINED IN PATENT OF THE UNITED STATES RECORDED JANUARY 17, 1903 IN BOOK 23 AT PAGE [456](#).
11. RIGHT OF WAY AND EASEMENT AS GRANTED IN INSTRUMENT RECORDED OCTOBER 14, 1963 IN BOOK 251 AT PAGE [193](#).  
  
CONVEYANCE RECORDED MARCH 25, 1970 IN BOOK 271 AT PAGE [451](#).
12. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN EASEMENT RECORDED DECEMBER 06, 2016 UNDER RECEPTION NO. [564389](#).  
  
RATIFICATION OF EASEMENT AGREEMENT RECORDED MAY 24, 2017 UNDER RECEPTION NO. [569112](#).
13. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN EASEMENT AGREEMENT RECORDED DECEMBER 06, 2016 UNDER RECEPTION NO. [564388](#).  
  
RATIFICATION OF EASEMENT AGREEMENT RECORDED MAY 24, 2017 UNDER RECEPTION NO. [569113](#).



**ALTA COMMITMENT**  
**Old Republic National Title Insurance Company**  
**Schedule B, Part II**  
**(Exceptions)**

**Order Number:** RND70823106

14. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN EASEMENT AGREEMENT (DRAINAGE) RECORDED DECEMBER 02, 2016 UNDER RECEPTION NO. [564390](#).  
  
RATIFICATION OF EASEMENT AGREEMENT RECORDED MAY 24, 2017 UNDER RECEPTION NO. [569114](#).
15. SPECIAL WARRANTY WATER RIGHT DEEDS RECORDED DECEMBER 28, 2006 UNDER RECEPTION NOS. [480878](#), [480879](#) AND [480880](#).  
  
SPECIAL WARRANTY DEED CONVEYING GROUNDWATER RECORDED JUNE 5, 2019 UNDER RECEPTION NO. [586144](#) AND RECORDED JANUARY 7, 2020 UNDER RECEPTION NOS. [591780](#) AND [591781](#).
16. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE ELIZABETH 86 RESIDENTIAL METROPOLITAN DISTRICT , AS EVIDENCED BY INSTRUMENT RECORDED SEPTEMBER 22, 2010, UNDER RECEPTION NO. [512390](#).
17. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN RECIPROCAL EASEMENT AGREEMENT RECORDED JANUARY 14, 2016 UNDER RECEPTION NO. [556467](#).
18. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF LEGACY VILLAGE FILING NO. 1 RECORDED NOVEMBER 10, 2021 UNDER RECEPTION NO. [613908](#).
19. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN SUBDIVISION AGREEMENT (LEGACY VILLAGE FILING NO. 1) RECORDED NOVEMBER 10, 2021 UNDER RECEPTION NO. [613911](#).
20. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN MEMORANDUM OF OPTION AGREEMENT RECORDED DECEMBER 13, 2021 UNDER RECEPTION NO. [614994](#).
21. RESTRICTIVE COVENANTS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS CONTAINED IN DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR LEGACY VILLAGE RECORDED MAY 08, 2023, UNDER RECEPTION NO. [626613](#).
22. RESTRICTIVE COVENANTS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS CONTAINED IN DECLARATION OF DESIGN CASTLE ROCK FOR LEGACY VILLAGE RECORDED MAY 08, 2023, UNDER RECEPTION NO. [626614](#).



# ALTA Commitment For Title Insurance

## issued by Old Republic National Title Insurance Company

### NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON. .

### COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Old Republic National Title Insurance Company, a Minnesota corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Amount of insurance and the name of the Proposed Insured. If all of the Schedule B, Part I—Requirements have not been met within 6 months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

### COMMITMENT CONDITIONS

#### 1. DEFINITIONS

- (a) "Discriminatory Covenant": Any covenant, condition, restriction, or limitation that is unenforceable under applicable law because it illegally discriminates against a class of individuals based on personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or other legally protected class.
- (b) "Knowledge" or "Known": Actual knowledge or actual notice, but not constructive notice imparted by the Public Records.
- (c) "Land": The land described in item 5 of Schedule A and affixed improvements located on that land that by State law constitute real property. The term "Land" does not include any property beyond that described in Schedule A, nor any right, title, interest, estate, or easement in any abutting street, road, avenue, alley, lane, right-of-way, body of water, or waterway, but does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (d) "Mortgage": A mortgage, deed of trust, trust deed, security deed, or other real property security instrument, including one evidenced by electronic means authorized by law.
- (e) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (f) "Proposed Amount of Insurance": Each dollar amount specified in Schedule A as the Proposed Amount of Insurance of each Policy to be issued pursuant to this Commitment.
- (g) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (h) "Public Records": The recording or filing system established under State statutes in effect at the Commitment Date under which a document must be recorded or filed to impart constructive notice of matters relating to the Title to a purchaser for value without Knowledge. The term "Public Records" does not include any other recording or filing system, including any pertaining to environmental remediation or protection, planning, permitting, zoning, licensing, building, health, public safety, or national security matters.
- (i) "State": The state or commonwealth of the United States within whose exterior boundaries the Land is located. The term "State" also includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and Guam.
- (j) "Title": The estate or interest in the Land identified in Item 3 of Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I—Requirements; and
- (f) Schedule B, Part II—Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

#### 4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company is not liable for any other amendment to this Commitment.

#### 5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
  - i. comply with the Schedule B, Part I—Requirements;
  - ii. eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
  - iii. acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company is not liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company is only liable under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability does not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Condition 5(a) or the Proposed Amount of Insurance.
- (e) The Company is not liable for the content of the Transaction Identification Data, if any.
- (f) The Company is not obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.

(g) The Company's liability is further limited by the terms and provisions of the Policy to be issued to the Proposed Insured.

**6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT. CHOICE OF LAW AND CHOICE OF FORUM**

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract under the State law of the State where the Land is located and is restricted to the terms and provisions of this Commitment. Any litigation or other proceeding brought by the Proposed Insured against the Company must be filed only in a State or federal court having jurisdiction.
- (c) This Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

**7. IF THIS COMMITMENT IS ISSUED BY AN ISSUING AGENT**

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

**8. PRO-FORMA POLICY**

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

**9. CLAIMS PROCEDURES**

This Commitment incorporates by reference all Conditions for making a claim in the Policy to be issued to the Proposed Insured. Commitment Condition 9 does not modify the limitations of liability in Commitment Conditions 5 and 6.

**10. CLASS ACTION**

ALL CLAIMS AND DISPUTES ARISING OUT OF OR RELATING TO THIS COMMITMENT, INCLUDING ANY SERVICE OR OTHER MATTER IN CONNECTION WITH ISSUING THIS COMMITMENT, ANY BREACH OF A COMMITMENT PROVISION, OR ANY OTHER CLAIM OR DISPUTE ARISING OUT OF OR RELATING TO THE TRANSACTION GIVING RISE TO THIS COMMITMENT, MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS OR REPRESENTATIVE PROCEEDING. ANY POLICY ISSUED PURSUANT TO THIS COMMITMENT WILL CONTAIN A CLASS ACTION CONDITION.

**11. ARBITRATION**

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Amount of insurance is \$2,000,000 or less may be arbitrated at the election of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>

IN WITNESS WHEREOF, Old Republic National 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 to be valid when countersigned by a validating officer or other authorized signatory.

Issued by:  
Land Title Guarantee Company  
3033 East First Avenue Suite 600  
Denver, Colorado 80206  
303-321-1880



Craig B. Rants, Senior Vice President



**OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY**  
A Stock Company  
400 Second Avenue South, Minneapolis, Minnesota 55401  
(612) 371-1111

By



President

Attest



Secretary

This page is only a part of a 2021 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) 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.



## Land Title Guarantee Company

### Disclosure Statements

**Note:** Pursuant to CRS 10-11-122, notice is hereby given that:

- (A) The Subject real property may be located in a special taxing district.
- (B) A certificate of taxes due listing each taxing jurisdiction will be obtained from the county treasurer of the county in which the real property is located or that county treasurer's authorized agent unless the proposed insured provides written instructions to the contrary. (for an Owner's Policy of Title Insurance pertaining to a sale of residential real property).
- (C) The 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.

**Note:** Effective September 1, 1997, CRS 30-10-406 requires 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 any document that does not conform, except that, the requirement for the top margin shall not apply to documents using forms on which space is provided for recording or filing information at the top margin of the document.

**Note:** Colorado Division of Insurance Regulations 8-1-2 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 Land Title Guarantee Company conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lenders Policy when issued.

**Note:** Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- (A) The land described in Schedule A of this commitment must be a single family residence which includes a condominium or townhouse unit.
- (B) No labor or materials have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
- (C) The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.
- (D) The Company must receive payment of the appropriate premium.
- (E) If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

**Note:** Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments disclosing that a mineral estate has been severed from the surface estate, in Schedule B-2.

- (A) That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and
- (B) That such mineral estate may include the right to enter and use the property without the surface owner's permission.

**Note:** Pursuant to CRS 10-1-128(6)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

**Note:** Pursuant to Colorado Division of Insurance Regulations 8-1-3, notice is hereby given of the availability of a closing protection letter for the lender, purchaser, lessee or seller in connection with this transaction.

**Note:** Pursuant to CRS 24-21-514.5, Colorado notaries may remotely notarize real estate deeds and other documents using real-time audio-video communication technology. You may choose not to use remote notarization for any document.



**Joint Notice of Privacy Policy of  
Land Title Guarantee Company  
Land Title Guarantee Company of Summit  
County  
Land Title Insurance Corporation and  
Old Republic National Title Insurance Company**

This Statement is provided to you as a customer of Land Title Guarantee Company as agent for Land Title Insurance Corporation and Old Republic National Title Insurance Company.

We want you to know that we recognize and respect your privacy expectations and the requirements of federal and state privacy laws. Information security is one of our highest priorities. We recognize that maintaining your trust and confidence is the bedrock of our business. We maintain and regularly review internal and external safeguards against unauthorized access to your non-public personal information ("Personal Information").

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

- applications or other forms we receive from you, including communications sent through TMX, our web-based transaction management system;
- your transactions with, or from the services being performed by us, our affiliates, or others;
- a consumer reporting agency, if such information is provided to us in connection with your transaction;
- and
- The public records maintained by governmental entities that we obtain either directly from those entities, or from our affiliates and non-affiliates.

Our policies regarding the protection of the confidentiality and security of your Personal Information are as follows:

- We restrict access to all Personal Information about you to those employees who need to know that information in order to provide products and services to you.
- We may share your Personal Information with affiliated contractors or service providers who provide services in the course of our business, but only to the extent necessary for these providers to perform their services and to provide these services to you as may be required by your transaction.
- We maintain physical, electronic and procedural safeguards that comply with federal standards to protect your Personal Information from unauthorized access or intrusion.
- Employees who violate our strict policies and procedures regarding privacy are subject to disciplinary action.
- We regularly assess security standards and procedures to protect against unauthorized access to Personal Information.

**WE DO NOT DISCLOSE ANY PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT STATED ABOVE OR PERMITTED BY LAW.**

Consistent with applicable privacy laws, there are some situations in which Personal Information may be disclosed. We may disclose your Personal Information when you direct or give us permission; when we are required by law to do so, for example, if we are served a subpoena; or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

Our policy regarding dispute resolution is as follows: Any controversy or claim arising out of or relating to our privacy policy, or the breach thereof, shall be settled by arbitration in accordance with the rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.



TO: Zach Higgins, Community Development Director  
FROM: Josue Loma, Planner, SAFEbuilt Studio through  
Travis Reynolds, AICP, Planning Manager, SAFEbuilt Studio  
DATE: January 19, 2024  
SUBJECT: Review 3 – Replat for Legacy Village Filing 1, Amendment 1 and Amendment 2

SAFEbuilt Studio staff provides the combined second review comments for the Legacy Village Filing 1, Amendment 1 (F1A1, 1.286 acres) and Legacy Village Filing 1, Amendment 2 (F1A2, 0.353 acres) replat. Legacy Village F1A1 is generally located on the southeast corner of Corkscrew St and Hinds St and Legacy Village F1A2 is generally located on the southeast corner of Osmulski Dr and Yankee Boy LP in the Town of Elizabeth. Staff conducted the review in the context of Chapter 16 – Land Use and Development of the Town of Elizabeth Municipal Code and the Town’s Master Plan.

---

**Legacy Village Filing 1, Amendment 1: Replat ([Sec. 16-3-80](#)) and Final Plat ([Sec. 16-3-60](#))**

---

**Planning and Zoning Review:**

- Approved.

**External Agency Comments:**

- CORE Engineering - Town Engineer:
  - Approval is granted upon the condition that the line type for the “existing lot line” be updated to a solid line as shown on the provided redlines.
- CORE Electric / IREA – Utility:
  - No comment received at this time.
- Elizabeth Fire Protection District - Fire:
  - No comment received at this time.
- Elizabeth School District:
  - No comment received at this time.
- Black Hills Energy - Utility Company:
  - No comment received at this time.
- Elbert County Assessor’s Office – GIS:
  - Approves with no additional comments.
- Comcast:
  - No comment received at this time.
- Century Link:
  - No comment received at this time.

---

**Legacy Village Filing 1, Amendment 2: Replat ([Sec. 16-3-80](#)) and Final Plat ([Sec. 16-3-60](#))**

---

### Planning and Zoning Review:

- Approved.

### External Review Agency Comments

- CORE Engineering - Town Engineer:
  - As shown on the provided Title Commitment, dated 11/07/2023, Lennar Colorado, LLC is the owner of these lots. Further, the provided Special warranty deed indicates AG deeded these lots in May and June 2023 to Lennar Colorado LLC. Please update this label accordingly.
  - Please add Lot 46, Block 4, Legacy Village Filing no. 1 to this section.
  - Please line up the shown arrows with the corresponding easement and lot lines.
  - Please update the line type for the “existing lot line” to a solid line as shown on the redlines.
- CORE Electric / IREA – Utility:
  - No comment received at this time.
- Elizabeth Fire Protection District - Fire:
  - No comment received at this time.
- Elizabeth School District:
  - No comment received at this time.
- Black Hills Energy - Utility Company:
  - No comment received at this time.
- Elbert County Assessor’s Office – GIS:
  - Approves with no additional comments.
- Comcast:
  - No comment received at this time.
- Century Link:
  - No comment received at this time.

Referral Agency / Consultant	Discipline	Contact Information
SAFEbuilt	Community Development	<b>Zach Higgins;</b> <a href="mailto:zhiggins@townofelizabeth.org">zhiggins@townofelizabeth.org</a> <b>Travis Reynolds;</b> <a href="mailto:treynolds@safebuilt.com">treynolds@safebuilt.com</a> <b>Josue Loma;</b> <a href="mailto:jloma@safebuilt.com">jloma@safebuilt.com</a>
CORE Engineering	Town Engineer	<b>Scott Pease, P.E.;</b> <a href="mailto:pease@corecivil.com">pease@corecivil.com</a> <b>Manny Nunos,</b> <a href="mailto:mnuno@liveyourcore.com">mnuno@liveyourcore.com</a>
CORE Electric / IREA	Utility	<b>Brooks Kaufman;</b> <a href="mailto:BKaufman@core.coop">BKaufman@core.coop</a>
Elizabeth Fire Protection District (EFD)	Fire	<b>T.J. Steck;</b> <a href="mailto:tjs@elizabethfire.org">tjs@elizabethfire.org</a>

Elizabeth School District	Elizabeth C-1 School District	<b>Ron Patera;</b> <a href="mailto:rpatera@esdk12.org">rpatera@esdk12.org</a>
Black Hills Energy	Utility Company	<b>Jason McKune;</b> <a href="mailto:Jason.McKune@blackhillscorp.com">Jason.McKune@blackhillscorp.com</a>
Elbert County Assessor's Office	GIS	<b>Greg Toles;</b> <a href="mailto:Greg.toles@elbertcounty-co.gov">Greg.toles@elbertcounty-co.gov</a>
Comcast		<a href="mailto:Butch_Buster@comcast.com">Butch_Buster@comcast.com</a>
Century Link		<a href="mailto:Nre.Easement@centurylink.com">Nre.Easement@centurylink.com</a>

**From:** [Tyler Vodopich](#)  
**To:** [Josue Loma](#)  
**Cc:** [Travis Reynolds](#); [Byron Glenn](#)  
**Subject:** RE: Referral 3: Replat for Legacy Village F1A1 and F1A2  
**Date:** Thursday, January 18, 2024 3:35:23 PM  
**Attachments:** [linkedin\\_32x32\\_d2e50468-8830-4af8-9748-e951ed8090ea.png](#)  
[facebook\\_32x32\\_7c73df8c-cb09-41bf-8440-c0570ac5d533.png](#)  
[instagram\\_32x32\\_a090f69d-816f-4b23-8717-708c08da3e8d.png](#)  
[twitter\\_32x32\\_4f21b498-cbc5-48d1-a12f-0f21b806eabc.png](#)  
[tiktok-icon-logo-1cb398a1bd-seeologo.com\\_f63d2e80-9c95-492e-b5ee-0e098782845f.png](#)  
[Plat\\_Legacy Village F1A1\\_rev3\\_20240117.pdf](#)  
[Plat\\_Legacy Village F1A2\\_Rev3.pdf](#)

---

Good afternoon Josue,

I have attached the plats with comments.

Filing 1 Amendment 1 has only 1 minor comment but can be considered approved.

Filing 1 Amendment 2 had a few comments. The comments are minor, but should be addressed.

Please let me know if you have any questions on these items.



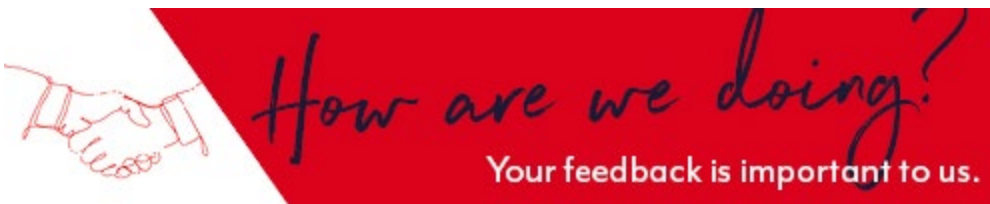
**TYLER VODOPICH, PE**

Project Engineer

3473 S. Broadway, Englewood, CO 80113

Phone 303-730-5964

TVodopich@liveyourcore.com \ [liveyourcore.com](https://liveyourcore.com)



**Would you please take 60 seconds to share your thoughts [here](#)?**

**LAND DEVELOPMENT \ ENERGY \ PUBLIC INFRASTRUCTURE** [in](#) [f](#) [@](#) [t](#) [v](#)

---

**From:** Josue Loma <[jloma@safebuilt.com](mailto:jloma@safebuilt.com)>

**Sent:** Wednesday, January 17, 2024 2:41 PM

**To:** Tyler Vodopich <[TVodopich@liveyourcore.com](mailto:TVodopich@liveyourcore.com)>; Andrew Kidder <[dkidder@liveyourcore.com](mailto:dkidder@liveyourcore.com)>

**Cc:** Travis Reynolds <[treynolds@safebuilt.com](mailto:treynolds@safebuilt.com)>

**Subject:** RE: Referral 3: Replat for Legacy Village F1A1 and F1A2

Hello Tyler and team,

I hope this email finds you well. As we approach the deadline for the 3<sup>rd</sup> Review of Legacy Village F1A1 and F1A2, I wanted to check in and ensure that everything is progressing smoothly.

# FIRST AMENDMENT TO LEGACY VILLAGE SUBDIVISION FILING NO. 1

Plat Review #3 Comments  
1/17/2024 - Jeff Anton PLS

A REPLAT OF LOTS 1–9, BLOCK 2, LEGACY VILLAGE SUBDIVISION FILING NO. 1,  
SITUATED IN THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 65 WEST OF THE 6TH P.M.,  
TOWN OF ELIZABETH, COUNTY OF ELBERT, STATE OF COLORADO  
SHEET 1 OF 2  
1.286 ACRES – 9 SINGLE FAMILY RESIDENTIAL LOTS

## LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A REPLAT OF LOTS 1-9, BLOCK 2, LEGACY VILLAGE SUBDIVISION FILING NO. 1, AS RECORDED IN THE RECORDS OF THE ELBERT COUNTY CLERK AND RECORDER AT RECEPTION NUMBER 613908, LOCATED IN THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ELIZABETH, ELBERT COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 1 THROUGH 9, BLOCK 2, LEGACY VILLAGE SUBDIVISION FILING NO. 1.

SAID PARCEL CONTAINING A CALCULATED AREA OF 56,023 SQUARE FEET OR 1.286 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EXISTING EASEMENTS AND OR RIGHTS OF WAY OF WHATSOEVER NATURE.

## OWNERSHIP AND DEDICATION STATEMENT:

THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS OF THE LANDS DESCRIBED HEREIN, HAVE LAID OUT, SUBDIVIDED AND PLATTED SAID LANDS INTO LOTS, STREETS AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF FIRST AMENDMENT TO LEGACY VILLAGE FILING NO. 1. THE UTILITY EASEMENTS AS SHOWN HEREON ARE HEREBY DEDICATED FOR PUBLIC UTILITIES AND CABLE COMMUNICATION SYSTEMS AND OTHER PURPOSES AS SHOWN HEREON. THE ENTITIES RESPONSIBLE FOR PROVIDING THE SERVICES FOR WHICH THE EASEMENTS ARE ESTABLISHED ARE HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTIES FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES. ALL STREETS AND RIGHTS OF WAY, SHOWN HEREON ARE DEDICATED AND CONVEYED TO THE TOWN OF ELIZABETH, COLORADO, IN FEE SIMPLE ABSOLUTE, FOR PUBLIC USES AND PURPOSES.

SIGNATURE

LENNAR COLORADO, LLC, A COLORADO LIMITED LIABILITY COMPANY.

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
SIGNATURE

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY

WITNESS MY HAND AN OFFICIAL SEAL \_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

## OWNERSHIP AND DEDICATION STATEMENT (CONTINUED):

SIGNATURE

AG ESSENTIAL HOUSING MULTI STATE 2, LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: \_\_\_\_\_

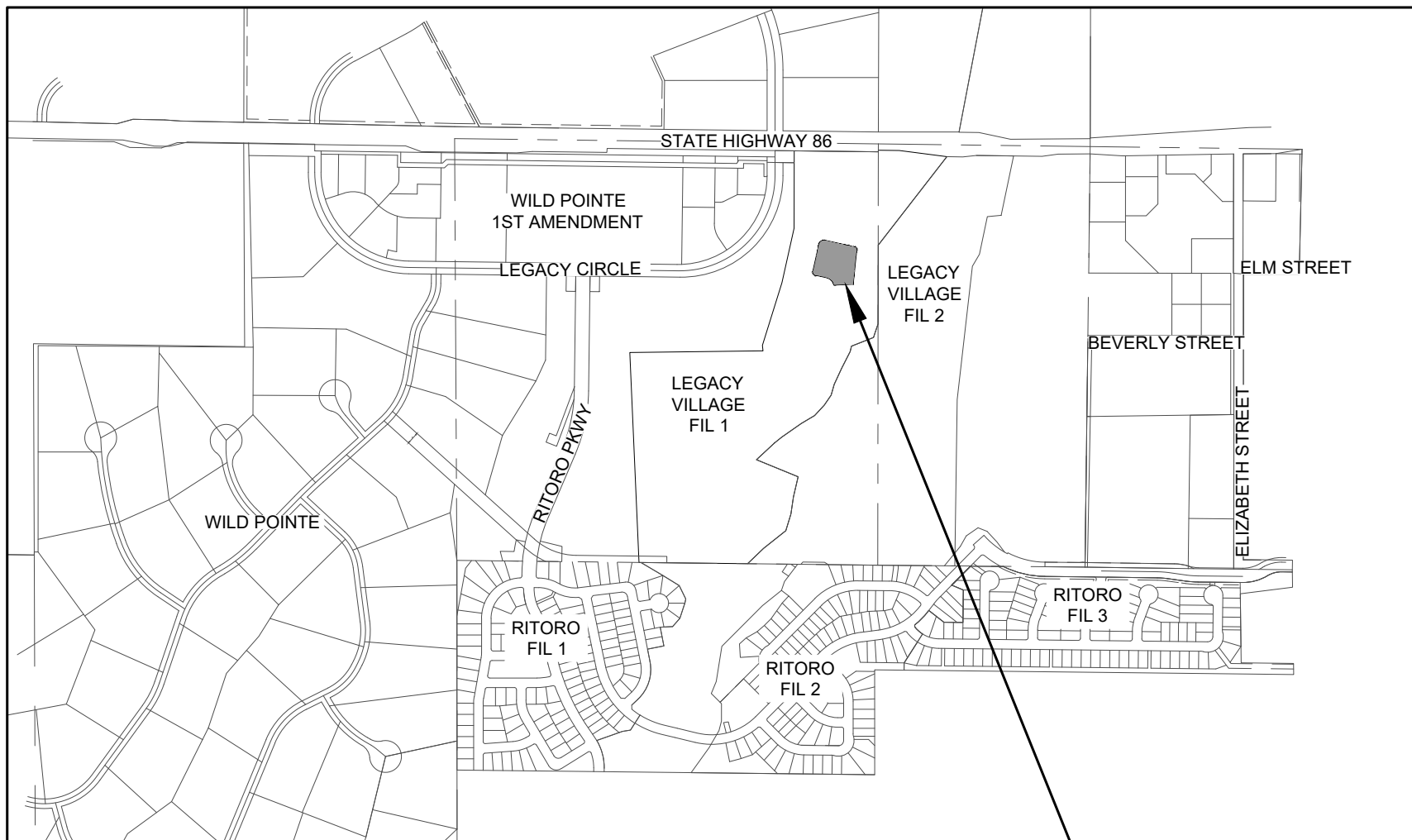
TITLE: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
SIGNATURE

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY

WITNESS MY HAND AN OFFICIAL SEAL \_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_



VICINITY MAP  
SCALE: 1" = 1000'

PROPERTY  
LOCATION

## BOARD OF TRUSTEES:

LOTS 1-9, BLOCK 2, LEGACY VILLAGE SUBDIVISION FILING NO. 1, IS HERewith AMENDED BY THIS PLAT WHICH IS HEREBY APPROVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ELIZABETH, COLORADO, FOR FILING IN THE OFFICE OF THE ELBERT COUNTY CLERK AND RECORDER, SUBJECT TO ALL COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED AGAINST AND APPURTENANT TO THE ORIGINAL PLAT RECORDED IN THE OFFICE OF THE ELBERT COUNTY CLERK AND RECORDER, RECEPTION # 613908.

MAYOR, TOWN OF ELIZABETH

ATTEST: \_\_\_\_\_  
TOWN CLERK

## LENDER

SIGNATURE

BY: LES SWITCH

TITLE: REDSTONE BANK MARKET PRESIDENT

ATTEST: \_\_\_\_\_  
SIGNATURE

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY

WITNESS MY HAND AN OFFICIAL SEAL \_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

## PLANNING COMMISSION:

THE PRELIMINARY PLAN FOR THIS PLAT WAS REVIEWED BY THE PLANNING COMMISSION ON JANUARY 5, 2021.

CHAIR, PLANNING COMMISSION

## TITLE VERIFICATION:

WE, LAND TITLE GUARANTEE COMPANY, A QUALIFIED TITLE INSURANCE COMPANY, DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE OF ALL LAND PLATTED HEREON AND THAT TITLE TO SUCH LAND IS IN THE DEDICATOR(S) FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES, EXCEPT AS FOLLOWS:

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
SIGNATURE

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY

WITNESS MY HAND AN OFFICIAL SEAL \_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

## CLERK AND RECORDER'S CERTIFICATION:

STATE OF COLORADO )  
COUNTY OF ELBERT ) SS.

I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_,

A.D., AT \_\_\_\_\_ A.M./P.M.

AND WAS RECORDED AT RECEPTION NUMBER \_\_\_\_\_.

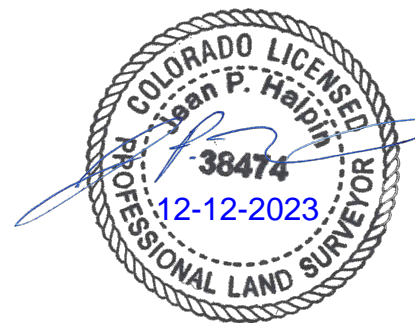
COUNTY CLERK AND RECORDER

## SURVEYOR'S CERTIFICATION:

I, JEAN P. HALPIN, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE ON DEC. 1, 2023, BY ME OR UNDER MY DIRECT SUPERVISION AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON; THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:50,000 (SECOND ORDER); AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO DEALING WITH MONUMENTS, SUBDIVISIONS OR SURVEYING OF LAND AND ALL PROVISIONS, WITHIN MY CONTROL, OF THE TOWN SUBDIVISION REGULATIONS.

I ATTEST THE ABOVE ON THIS 12 DAY OF DECEMBER, 2023.

COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR  
JEAN P. HALPIN, PLS NO. 38474  
FOR AND ON BEHALF OF WESTWOOD PROFESSIONAL SERVICES, INC.  
10333 E. DRY CREEK ROAD, SUITE 400  
ENGLEWOOD, CO 80112  
(720)-249-3584



## APPLICANT/DEVELOPER:

E86 J.V., LLC  
JIM MARSHALL  
7108 SOUTH ALTON WAY  
ENGLEWOOD, CO 80112

## ENGINEER/SURVEYOR:

WESTWOOD PROFESSIONAL SERVICES, INC.  
10333 E. DRY CREEK ROAD, STE 400  
ENGLEWOOD, CO 80112

**Westwood**

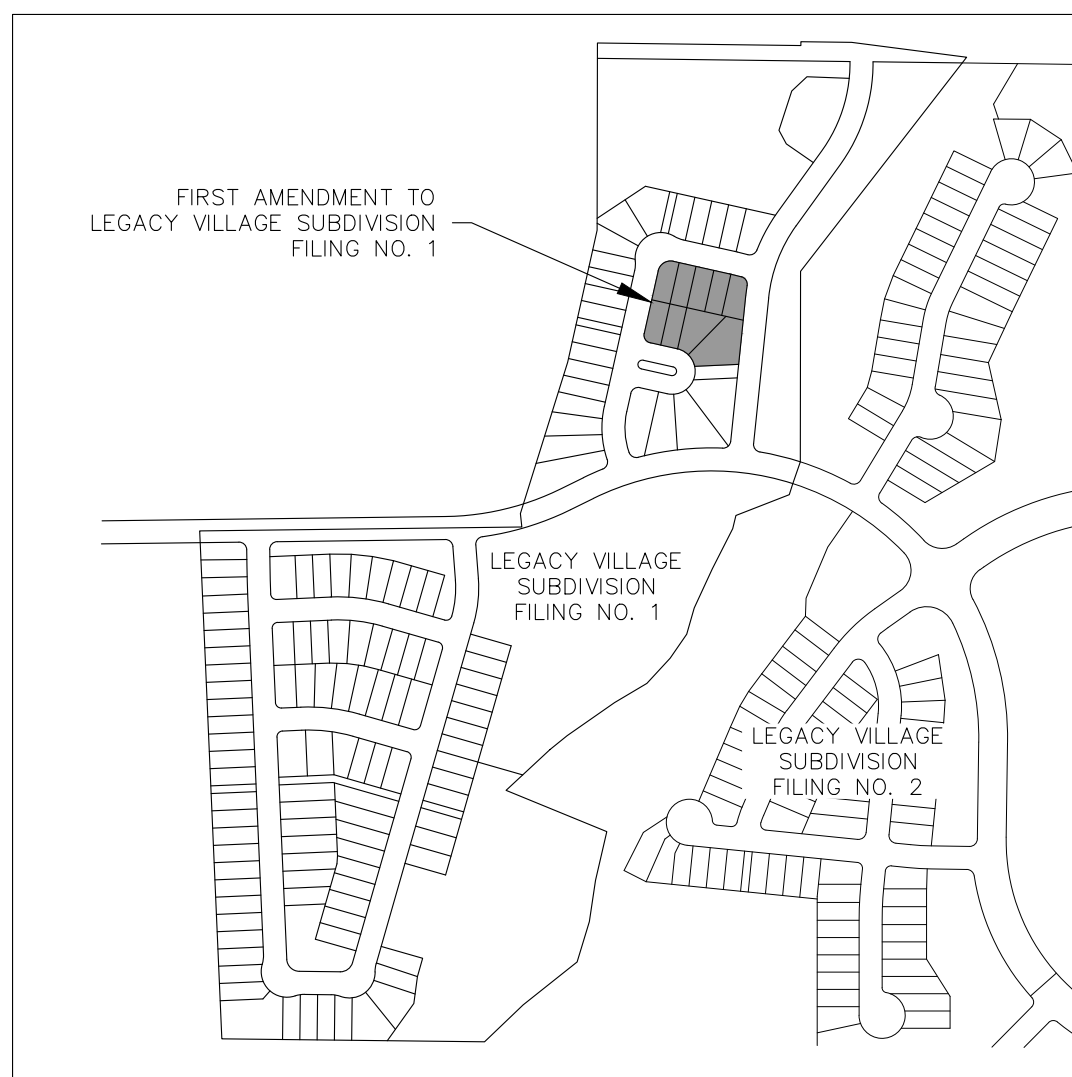
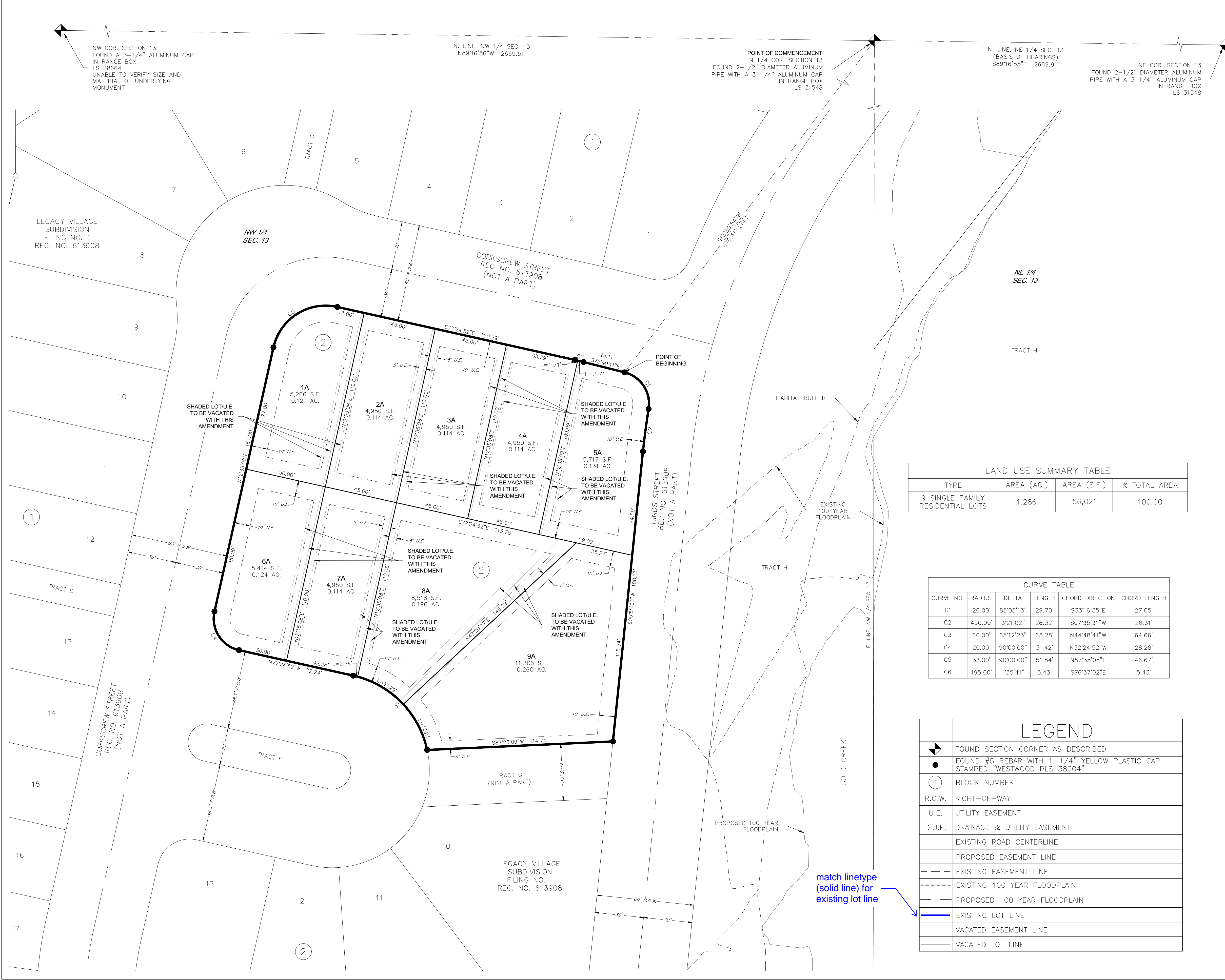
Westwoodps.com  
Westwood Professional Services, Inc.

10333 E DRY CREEK RD.  
SUITE 400  
ENGLEWOOD, CO 80112  
TEL: 720.482.9526



# FIRST AMENDMENT TO LEGACY VILLAGE SUBDIVISION FILING NO. 1

A REPLAT OF LOTS 1-9, BLOCK 2, LEGACY VILLAGE SUBDIVISION FILING NO. 1,  
SITUATED IN THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 65 WEST OF THE 6TH P.M.,  
TOWN OF ELIZABETH, COUNTY OF ELBERT, STATE OF COLORADO  
SHEET 2 OF 2



KEYMAP  
SCALE: 1" = 500'

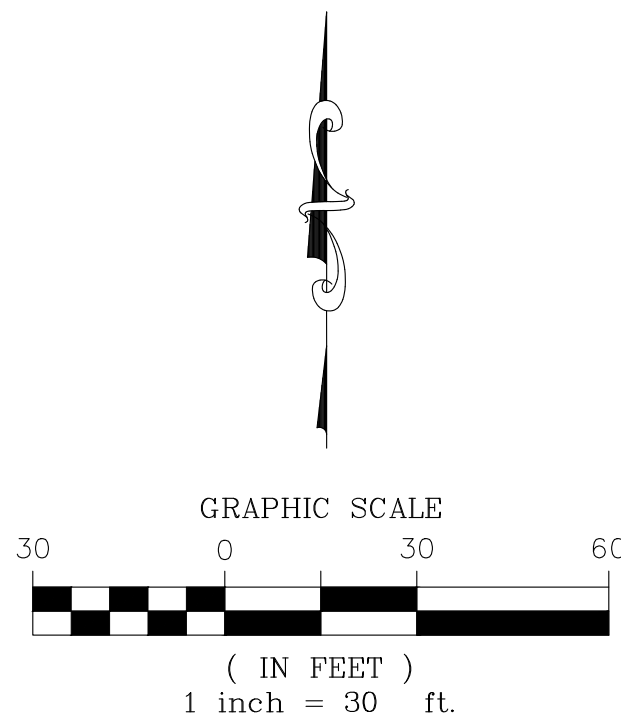
## NOTES:

1. BASIS OF BEARINGS: BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 13 BEING MONUMENTED AT THE NORTH QUARTER CORNER OF SECTION 13 BY A FOUND 2-1/2" INCH DIAMETER ALUMINUM PIPE WITH A 3-1/4" INCH ALUMINUM CAP STAMPED "PLS 31548" WHENCE THE NORTHEAST CORNER OF SAID SECTION 13 BEING MONUMENTED BY A FOUND 2-1/2" INCH DIAMETER ALUMINUM PIPE WITH A 3-1/4" INCH ALUMINUM CAP STAMPED "LS 31548" IS ASSUMED TO BEAR SOUTH 89°16'55" EAST, A DISTANCE OF 2669.91 FEET WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO.
2. THIS PROPERTY IS SUBJECT TO RESERVATIONS, RESTRICTIONS, COVENANTS AND EASEMENTS OF RECORD OR IN PLACE.
3. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY WESTWOOD PROFESSIONAL SERVICES, INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY, AND TITLE OF RECORD, WESTWOOD PROFESSIONAL SERVICES, INC. RELIED UPON LAND TITLE GUARANTEE COMPANY PROPERTY INFORMATION BINDER ORDER NO. RND70823106, HAVING AN EFFECTIVE DATE OF NOVEMBER 7, 2023 AT 5:00 P.M.
4. NON-EXCLUSIVE - 5-FOOT AND 10-FOOT UTILITY EASEMENTS LOCATED AS SHOWN ARE HEREBY GRANTED FOR THE INSTALLATION, MAINTENANCE, AND OPERATION OF UTILITIES AND DRAINAGE FACILITIES, INCLUDING, BUT NOT LIMITED TO STREET LIGHTS, ELECTRIC LINES, GAS LINES, CABLE TELEVISION LINES, FIBER OPTIC LINES, AND TELEPHONE LINES, AS WELL AS PERPETUAL RIGHT FOR INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE, AND REPLACEMENT OF SUCH LINES. SIDE LOT LINE EASEMENTS ARE ALLOWED ENCROACHMENTS FOR ROOF OVERHANGS, CANTILEVER BAY OR BOX WINDOWS, FIREPLACES, WITH A MAXIMUM TWO FOOT (2') ENCROACHMENT, LANDSCAPING WITH PLANT SHRUBS, WOODY PLANTS AND NURSERY STOCK OR OTHER CROPS MAY BE LOCATED WITHIN THESE EASEMENTS PROVIDED THEY DO NOT INTERFERE WITH THE USE OF, OBSTRUCT THE OPERATION OF, MAINTENANCE OF, OR ACCESS TO SAID SIDE LOT EASEMENT.
5. ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) PANEL 08039C0480C, EFFECTIVE MARCH 17, 2011, THE SURVEYED LAND IS WITHIN FLOOD ZONE X, AN AREA OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
6. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
7. THE LINEAL UNIT USED IN THE PREPARATION OF THIS PLAT IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.
8. ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER 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.

LAND USE SUMMARY TABLE			
TYPE	AREA (AC.)	AREA (S.F.)	% TOTAL AREA
9 SINGLE FAMILY RESIDENTIAL LOTS	1.286	56,021	100.00

CURVE TABLE					
CURVE NO.	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	20.00'	85°05'13"	29.70'	S33°16'35"E	27.05'
C2	450.00'	3°21'02"	26.32'	S07°35'31"W	26.31'
C3	60.00'	65°12'23"	68.28'	N44°48'41"W	64.66'
C4	20.00'	90°00'00"	31.42'	N32°24'52"W	28.28'
C5	33.00'	90°00'00"	51.84'	N57°35'08"E	46.67'
C6	195.00'	1°35'41"	5.43'	S76°37'02"E	5.43'

LEGEND	
	FOUND SECTION CORNER AS DESCRIBED
	FOUND #5 REBAR WITH 1-1/4" YELLOW PLASTIC CAP STAMPED "WESTWOOD PLS 38004"
	BLOCK NUMBER
	R.O.W. RIGHT-OF-WAY
	U.E. UTILITY EASEMENT
	D.U.E. DRAINAGE & UTILITY EASEMENT
	EXISTING ROAD CENTERLINE
	PROPOSED EASEMENT LINE
	EXISTING EASEMENT LINE
	EXISTING 100 YEAR FLOODPLAIN
	PROPOSED 100 YEAR FLOODPLAIN
	EXISTING LOT LINE
	VACATED EASEMENT LINE
	VACATED LOT LINE



**Westwood**

Westwoodps.com  
Westwood Professional Services, Inc.  
10333 E DRY CREEK RD., SUITE 400  
ENGLEWOOD, CO 80112  
TEL: 720.482.9526



TO: Zach Higgins, Community Development Director  
FROM: Josue Loma, Planner, SAFEbuilt Studio through  
Travis Reynolds, AICP, Planning Manager, SAFEbuilt Studio  
DATE: October 20, 2023  
SUBJECT: Review 2 – Replat for Legacy Village Filing 1, Amendment 1 and Amendment 2

SAFEbuilt Studio staff provides the combined second review comments for the Legacy Village Filing 1, Amendment 1 (F1A1, 1.286 acres) and Legacy Village Filing 1, Amendment 2 (F1A2, .478 acres) replat. Legacy Village F1A1 is generally located on the southeast corner of Corkscrew St and Hinds St and Legacy Village F1A2 is generally located on the southeast corner of Osmulski Dr and Yankee Boy LP in the Town of Elizabeth. Staff conducted the review in the context of Chapter 16 – Land Use and Development of the Town of Elizabeth Municipal Code and the Town’s Master Plan.

---

**Legacy Village Filing 1, Amendment 1: Replat (Sec. 16-3-80) and Final Plat (Sec. 16-3-60)**

---

**Planning and Zoning Review:**

- As the review of this project is near the end, please provide a complete submittal to include the below documents. Without a complete resubmittal, we are unable to schedule the public hearing.
  - Please provide a copy of the signed final plat for Legacy Village Filing 1
  - General warranty deed and title commitment that is current within 30 days
- Please update the project narrative to move language regarding changes to Block 4, Lot 46 from the narrative of Amendment 1 to Amendment 2.
- Please note that deleted lot lines, easements or rights-of-way shall be shown on the plat in dashed lines that are graphically different from existing vs. proposed vs. deleted with a legend provided.
- Please note that an email has been sent to Elbert County Assessors Office to clarify the details of their comment – see their comment below.

**External Agency Comments:**

- CORE Engineering - Town Engineer:
  - Please ensure that all new or existing labels are placed to not obscure lot dimensions.
  - Please show vacated and existing lot line types in the legend.
  - Please include the label, “Not Included in the Plat,” for all abutting lots, tracts or rights-of-way.
  - Please move boundary tags and annotation to the outside of the boundary line.
  - Please describe the size and make of the monument that the 3-1/4” aluminum cap is attached to or state the following: “unable to verify the size and material of underlying monument.”
  - Please verify and update the total lot area from the plat as it should measure 56,021 S.F.
  - Please provide updated copy of title commitment with next submittal that is current within 30 days.
  - Please update the legend type for “proposed road centerline” to “existing road centerline” since this is a replat.

- CORE Electric / IREA – Utility:
  - No comment received at this time.
- Elizabeth Fire Protection District - Fire:
  - No comment received at this time.
- Elizabeth School District:
  - No comment received at this time.
- Black Hills Energy - Utility Company:
  - No comment received at this time.
- Elbert County Assessor's Office – GIS:
  - No comment received at this time.
- Comcast:
  - No comment received at this time.
- Century Link:
  - No comment received at this time.

---

**Legacy Village Filing 1, Amendment 2: Replat ([Sec. 16-3-80](#)) and Final Plat ([Sec. 16-3-60](#))**

**Planning and Zoning Review:**

- As the review of this project is near the end, please provide a complete submittal to include the below documents. Without a complete resubmittal, we are unable to schedule the public hearing.
  - Final plat for Legacy Village Filing 1
  - General warranty deed and title commitment
- Please note that deleted lot lines, easements or rights-of-way shall be shown on the plat in dashed lines that are graphically different from existing vs. proposed vs. deleted with a legend provided.
- Please ensure that all new or existing labels are placed to not obscure lot dimensions.
- To be included in the project record, please update the provided project narrative for both Amendment 1 and Amendment 2 to show that block 4, lot 46A is included in Amendment 2 and not Amendment 1.

**External Review Agency Comments**

- CORE Engineering - Town Engineer:
  - Please ensure that the total acreage of the replat is correct and update if necessary, from .478 acres to .592 acres.
  - Please update the project description on the title page from four to five single family residential lots.
  - Please describe the size and make of the monument that the 3-1/4" aluminum cap is attached to or state the following: "unable to verify the size and material of underlying monument."
  - Please provide an updated copy of title commitment that is current within 30 days.
  - Please show vacated and existing lot line types in the legend.
  - Please include the label, "Not Included in the Plat," for all abutting lots, tracts or rights-of-way.



- The legend states that the boundary corner for both parcels were set and not found – please revise.
- Please update the legend type for “proposed road centerline” to “existing road centerline” since this is a replat.
- CORE Electric / IREA – Utility:
  - No comment received at this time.
- Elizabeth Fire Protection District - Fire:
  - No comment received at this time.
- Elizabeth School District:
  - No comment received at this time.
- Black Hills Energy - Utility Company:
  - No comment received at this time.
- Elbert County Assessor’s Office – GIS:
  - Approves with no additional comments.
- Comcast:
  - No comment received at this time.
- Century Link:
  - No comment received at this time.

Referral Agency / Consultant	Discipline	Contact Information
SAFEbuilt	Community Development	<b>Zach Higgins;</b> <a href="mailto:zhiggins@townofelizabeth.org">zhiggins@townofelizabeth.org</a> <b>Travis Reynolds;</b> <a href="mailto:treynolds@safebuilt.com">treynolds@safebuilt.com</a> <b>Josue Loma;</b> <a href="mailto:jloma@safebuilt.com">jloma@safebuilt.com</a>
CORE Engineering	Town Engineer	<b>Scott Pease, P.E.;</b> <a href="mailto:pease@corecivil.com">pease@corecivil.com</a> <b>Manny Nunos,</b> <a href="mailto:mnuno@liveyourcore.com">mnuno@liveyourcore.com</a>
CORE Electric / IREA	Utility	<b>Brooks Kaufman;</b> <a href="mailto:BKaufman@core.coop">BKaufman@core.coop</a>
Elizabeth Fire Protection District (EFD)	Fire	<b>T.J. Steck;</b> <a href="mailto:tjs@elizabethfire.org">tjs@elizabethfire.org</a>
Elizabeth School District	Elizabeth C-1 School District	<b>Ron Patera;</b> <a href="mailto:rpatera@esdk12.org">rpatera@esdk12.org</a>
Black Hills Energy	Utility Company	<b>Jason McKune;</b> <a href="mailto:Jason.McKune@blackhillscorp.com">Jason.McKune@blackhillscorp.com</a>
Elbert County Assessor’s Office	GIS	<b>Greg Toles;</b> <a href="mailto:Greg.toles@elbertcounty-co.gov">Greg.toles@elbertcounty-co.gov</a>
Comcast		<a href="mailto:Butch_Buster@comcast.com">Butch_Buster@comcast.com</a>
Century Link		<a href="mailto:Nre.Easement@centurylink.com">Nre.Easement@centurylink.com</a>

June 20, 2022

Community Development  
**Town of Elizabeth**  
151 S Banner St  
Elizabeth, CO 80107

**Re: Legacy Village Filing 1 RePlat**

Dear Development Review,

On behalf of the applicant, Lennar, we are pleased to submit this Project Narrative and Application for the Legacy Village Filing 1 RePlat Documents.

The following list comprises of the development team for this project:

**Applicant**

Lennar, LLC  
Contact: Joe Huey  
9193 S Jamaica St Suite 4  
Englewood, CO 80112  
303-210-9822  
[joseph.huey@lennar.com](mailto:joseph.huey@lennar.com)

**Civil Engineer**

Westwood Professional Services  
Contact: Scott Lockhart  
10333 E. Dry Creek Rd., Ste. 240  
Englewood, CO 80112  
720.249-3583  
[scott.lockhart@westwoodps.com](mailto:scott.lockhart@westwoodps.com)

**Site Location and Zoning**

Legacy Village Filing 1 is approximately 51-acres site located south of Highway 86, just east of The Town of Elizabeth, Elbert County Colorado.

The site is zoned as Planned Development, with the modifications being single family home sites.

**Project Description**

Filing 1 includes 126 lots for single family detached homes, open space tracts, and an open space park. The residential portion of this community will be the conventional family community.

**RePlat**

This proposed re-plat is intended to obtain a 44' (min) lot width and/or 34' (min) build-able home footprint. Proposed lot modifications include moving existing lot lines, and associated utility easements approximately 1.5' to obtain this width (Block 2 Lots 1-9) **Lot Exhibit 1**. There is one additional lot to be modified (Block 4 Lot 46) where the interior side easement shall be reduced to 5', and the exterior easement increased to 10' **Lot Exhibit 2**.

**Variances:**

No variances are being requested as part of this application. Lot sizes remain above the minimums outlined within the PUD.

# FIRST AMENDMENT TO LEGACY VILLAGE SUBDIVISION FILING NO. 1

Plat Review #2 Comments  
9/28/2023 - Jeff Anton PLS

A REPLAT OF LOTS 1–9, BLOCK 2, LEGACY VILLAGE SUBDIVISION FILING NO. 1,  
SITUATED IN THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 65 WEST OF THE 6TH P.M.,  
TOWN OF ELIZABETH, COUNTY OF ELBERT, STATE OF COLORADO  
SHEET 1 OF 2  
1.286 ACRES – 9 SINGLE FAMILY RESIDENTIAL LOTS

## LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A REPLAT OF LOTS 1-9, BLOCK 2, LEGACY VILLAGE SUBDIVISION FILING NO. 1, AS RECORDED IN THE RECORDS OF THE ELBERT COUNTY CLERK AND RECORDER AT RECEPTION NUMBER 613908, LOCATED IN THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ELIZABETH, ELBERT COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 1 THROUGH 9, BLOCK 2, LEGACY VILLAGE SUBDIVISION FILING NO. 1.

SAID PARCEL CONTAINING A CALCULATED AREA OF 56,023 SQUARE FEET OR 1.286 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EXISTING EASEMENTS AND OR RIGHTS OF WAY OF WHATSOEVER NATURE.

## OWNERSHIP AND DEDICATION STATEMENT:

THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS OF THE LANDS DESCRIBED HEREIN, HAVE LAID OUT, SUBDIVIDED AND PLATTED SAID LANDS INTO LOTS, STREETS AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF FIRST AMENDMENT TO LEGACY VILLAGE FILING NO. 1. THE UTILITY EASEMENTS AS SHOWN HEREON ARE HEREBY DEDICATED FOR PUBLIC UTILITIES AND CABLE COMMUNICATION SYSTEMS AND OTHER PURPOSES AS SHOWN HEREON. THE ENTITIES RESPONSIBLE FOR PROVIDING THE SERVICES FOR WHICH THE EASEMENTS ARE ESTABLISHED ARE HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTIES FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES. ALL STREETS AND RIGHTS OF WAY, SHOWN HEREON ARE DEDICATED AND CONVEYED TO THE TOWN OF ELIZABETH, COLORADO, IN FEE SIMPLE ABSOLUTE, FOR PUBLIC USES AND PURPOSES.

SIGNATURE

LENNAR COLORADO, LLC, A COLORADO LIMITED LIABILITY COMPANY.

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
SIGNATURE

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY

WITNESS MY HAND AN OFFICIAL SEAL \_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

## OWNERSHIP AND DEDICATION STATEMENT (CONTINUED):

SIGNATURE

AG ESSENTIAL HOUSING MULTI STATE 2, LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: \_\_\_\_\_

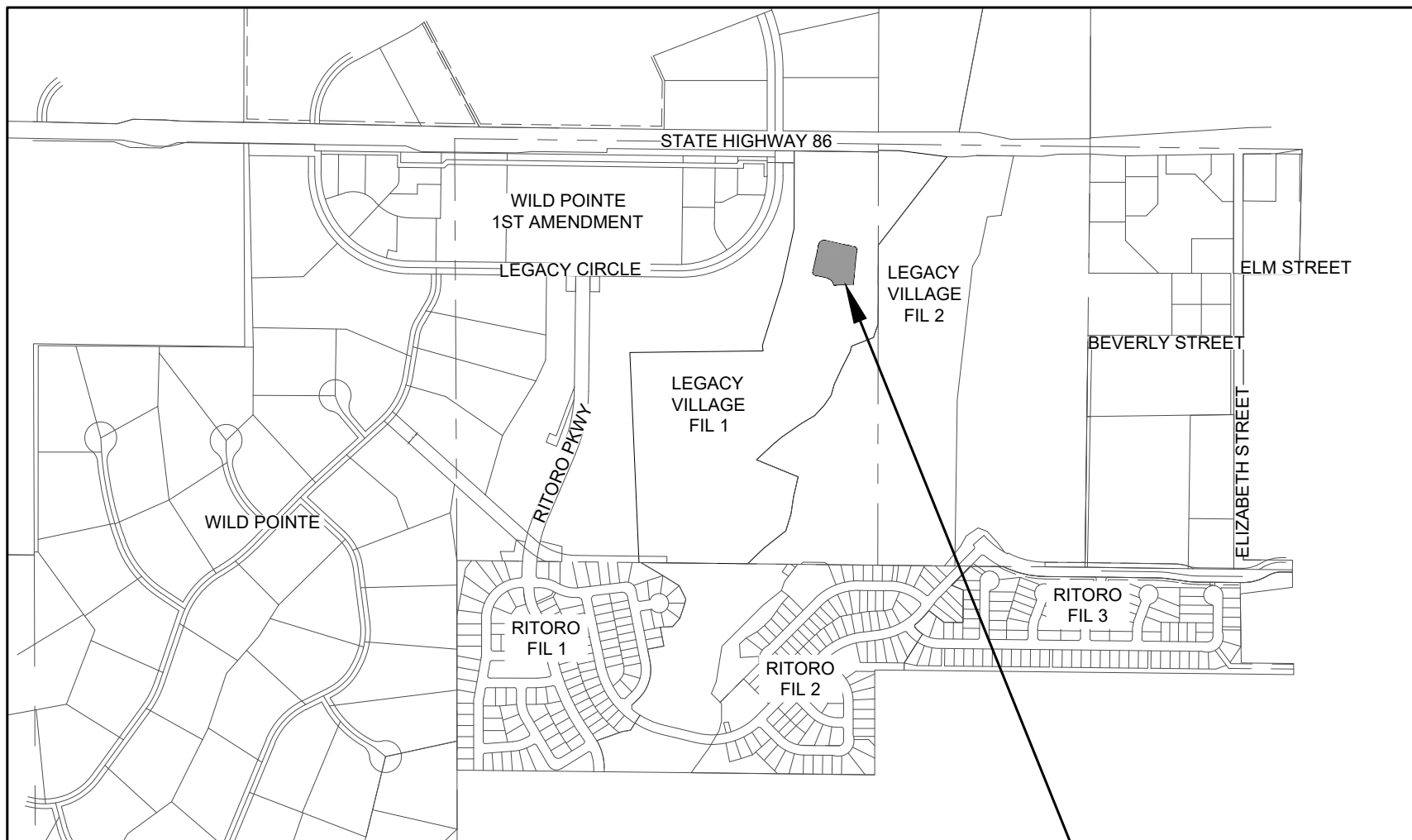
TITLE: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
SIGNATURE

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY

WITNESS MY HAND AN OFFICIAL SEAL \_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_



VICINITY MAP  
SCALE: 1" = 1000'

PROPERTY  
LOCATION

## BOARD OF TRUSTEES:

LOTS 1-9, BLOCK 2, LEGACY VILLAGE SUBDIVISION FILING NO. 1, IS HEREWITH AMENDED BY THIS PLAT WHICH IS HEREBY APPROVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ELIZABETH, COLORADO, FOR FILING IN THE OFFICE OF THE ELBERT COUNTY CLERK AND RECORDER, SUBJECT TO ALL COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED AGAINST AND APPURTENANT TO THE ORIGINAL PLAT RECORDED IN THE OFFICE OF THE ELBERT COUNTY CLERK AND RECORDER, RECEPTION # 613908.

MAYOR, TOWN OF ELIZABETH

ATTEST: \_\_\_\_\_  
TOWN CLERK

## LENDER

SIGNATURE

BY: LES SWITCH

TITLE: REDSTONE BANK MARKET PRESIDENT

ATTEST: \_\_\_\_\_  
SIGNATURE

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY

WITNESS MY HAND AN OFFICIAL SEAL \_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

## PLANNING COMMISSION:

THE PRELIMINARY PLAN FOR THIS PLAT WAS REVIEWED BY THE PLANNING COMMISSION ON JANUARY 5, 2021.

CHAIR, PLANNING COMMISSION

## TITLE VERIFICATION:

WE, LAND TITLE GUARANTEE COMPANY, A QUALIFIED TITLE INSURANCE COMPANY, DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE OF ALL LAND PLATTED HEREON AND THAT TITLE TO SUCH LAND IS IN THE DEDICATOR(S) FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES, EXCEPT AS FOLLOWS:

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
SIGNATURE

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY

WITNESS MY HAND AN OFFICIAL SEAL \_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

## CLERK AND RECORDER'S CERTIFICATION:

STATE OF COLORADO )  
COUNTY OF ELBERT ) SS.

I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_,

A.D., AT \_\_\_\_\_ A.M./P.M.

AND WAS RECORDED AT RECEPTION NUMBER \_\_\_\_\_.

COUNTY CLERK AND RECORDER

## SURVEYOR'S CERTIFICATION:

I, JEAN P. HALPIN, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE ON APRIL 12, 2023, BY ME OR UNDER MY DIRECT SUPERVISION AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON; THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:50,000 (SECOND ORDER); AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO DEALING WITH MONUMENTS, SUBDIVISIONS OR SURVEYING OF LAND AND ALL PROVISIONS, WITHIN MY CONTROL, OF THE TOWN SUBDIVISION REGULATIONS.

I ATTEST THE ABOVE ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR  
JEAN P. HALPIN, PLS NO. 38474  
FOR AND ON BEHALF OF WESTWOOD PROFESSIONAL SERVICES, INC.  
10333 E. DRY CREEK ROAD, SUITE 400  
ENGLEWOOD, CO 80112  
(720)-249-3584

## APPLICANT/DEVELOPER:

E86 J.V., LLC  
JIM MARSHALL  
7108 SOUTH ALTON WAY  
ENGLEWOOD, CO 80112

## ENGINEER/SURVEYOR:

WESTWOOD PROFESSIONAL SERVICES, INC.  
10333 E. DRY CREEK ROAD, STE 400  
ENGLEWOOD, CO 80112

**Westwood**

Westwoodps.com  
Westwood Professional Services, Inc.

10333 E DRY CREEK RD.  
SUITE 400  
ENGLEWOOD, CO 80112  
TEL: 720.482.9526

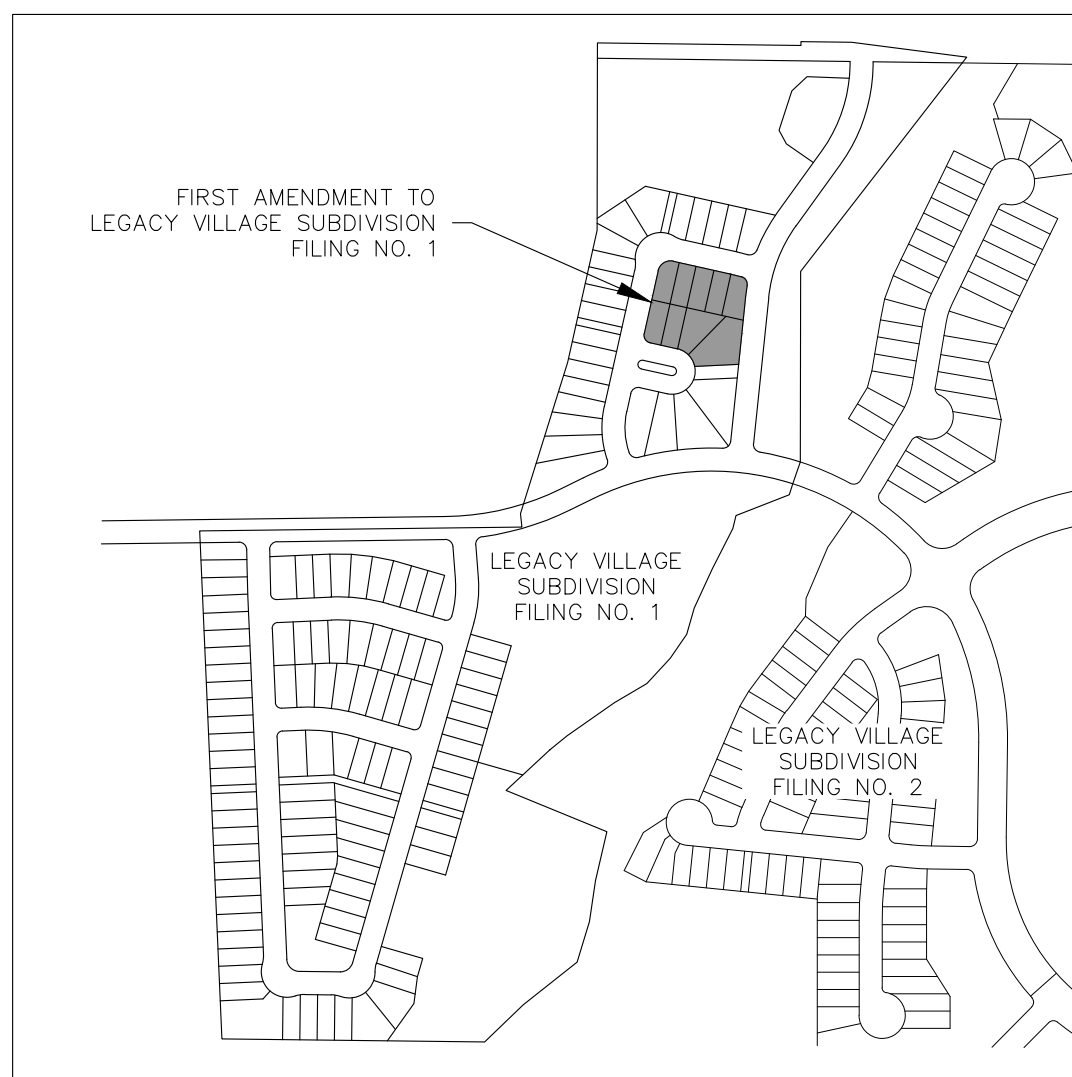
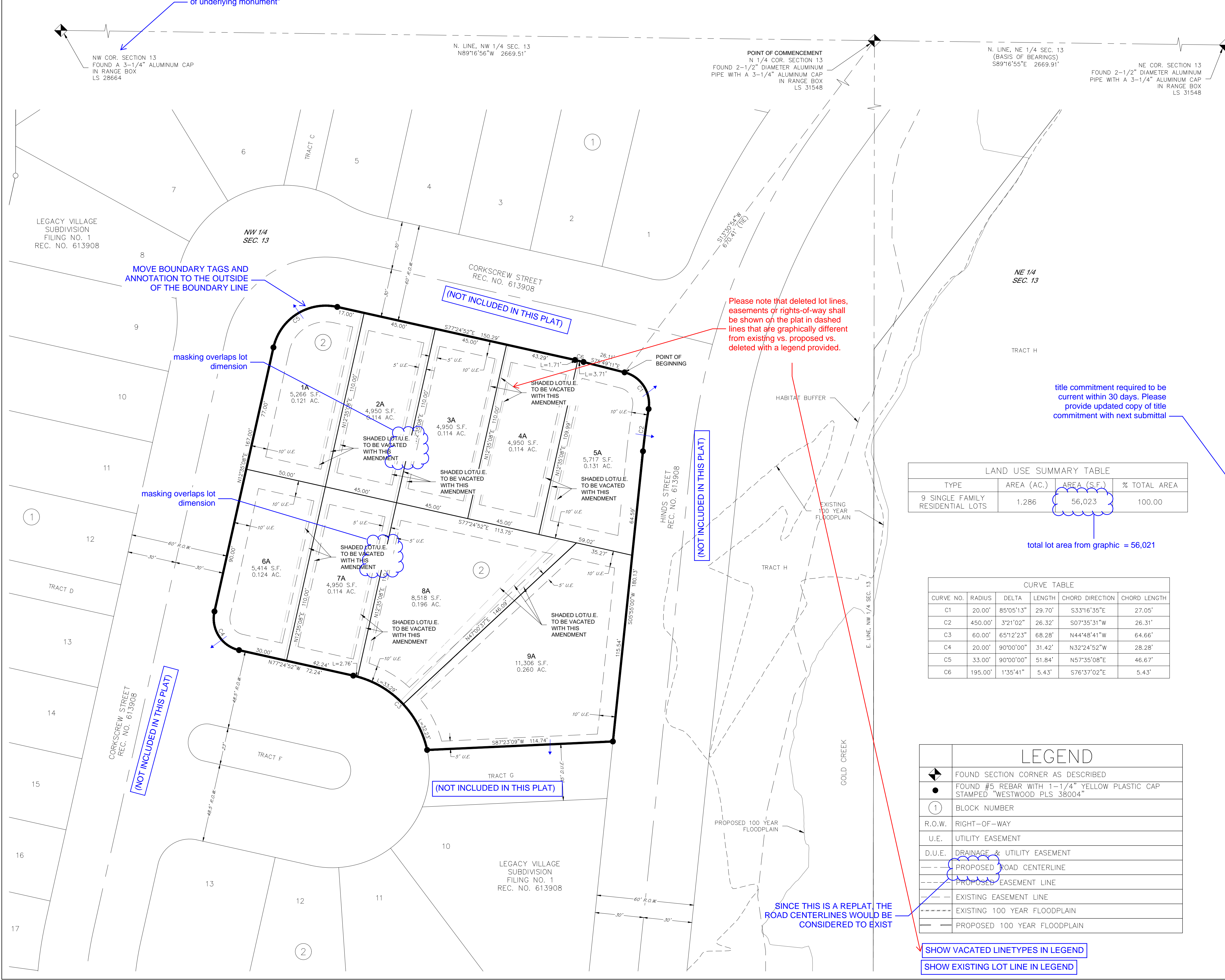


# FIRST AMENDMENT TO LEGACY VILLAGE SUBDIVISION FILING NO. 1

A REPLAT OF LOTS 1-9, BLOCK 2, LEGACY VILLAGE SUBDIVISION FILING NO. 1,  
SITUATED IN THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 65 WEST OF THE 6TH P.M.,  
TOWN OF ELIZABETH, COUNTY OF ELBERT, STATE OF COLORADO  
SHEET 2 OF 2

Plat Review #2 Comments  
9/28/2023 - Jeff Anton PLS

describe the size and make of the monument this 3-1/4" aluminum cap is attached to, or state "unable to verify size and material of underlying monument"



## NOTES:

1. BASIS OF BEARINGS: BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTH QUARTER OF SECTION 13 BEING MONUMENTED AT THE NORTH QUARTER CORNER OF SECTION 13 BY A FOUND 2-1/2" INCH DIAMETER ALUMINUM PIPE WITH A 3-1/4" INCH ALUMINUM CAP STAMPED "PLS 31548" WHENCE THE NORTHEAST CORNER OF SAID SECTION 13 BEING MONUMENTED BY A FOUND 2-1/2" INCH DIAMETER ALUMINUM PIPE WITH A 3-1/4" INCH ALUMINUM CAP STAMPED "LS 31548" IS ASSUMED TO BEAR SOUTH 89°16'55" EAST, A DISTANCE OF 2669.91 FEET WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO.
2. THIS PROPERTY IS SUBJECT TO RESERVATIONS, RESTRICTIONS, COVENANTS AND EASEMENTS OF RECORD OR IN PLACE.
3. THIS SURVEY IS BASED ON EXISTING MONUMENTS FOUND IN PLACE, AS SHOWN, DOCUMENTS OF RECORD AND THE TITLE COMMITMENT PROVIDED BY THE CLIENT.
4. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY WESTWOOD PROFESSIONAL SERVICES, INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY, AND TITLE OF RECORD, WESTWOOD PROFESSIONAL SERVICES, INC. RELIED UPON LAND TITLE GUARANTEE COMPANY PROPERTY INFORMATION BINDER ORDER NO. RND70799287, HAVING AN EFFECTIVE DATE OF MAY 30, 2023 AT 5:00 P.M.
5. NON-EXCLUSIVE - 5-FOOT AND 10-FOOT UTILITY EASEMENTS LOCATED AS SHOWN ARE HEREBY GRANTED FOR THE INSTALLATION, MAINTENANCE, AND OPERATION OF UTILITIES AND DRAINAGE FACILITIES, INCLUDING, BUT NOT LIMITED TO STREET LIGHTS, ELECTRIC LINES, GAS LINES, CABLE TELEVISION LINES, FIBER OPTIC LINES, AND TELEPHONE LINES, AS WELL AS PERPETUAL RIGHT FOR INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE, AND REPLACEMENT OF SUCH LINES. SIDE LOT LINE EASEMENTS ARE ALLOWED ENCROACHMENTS FOR ROOF OVERHANGS, CANTILEVER BAY OR BOX WINDOWS, FIREPLACES, WITH A MAXIMUM TWO FOOT (2') ENCROACHMENT, LANDSCAPING WITH PLANT SHRUBS, WOODY PLANTS AND NURSERY STOCK OR OTHER CROPS MAY BE LOCATED WITHIN THESE EASEMENTS PROVIDED THEY DO NOT INTERFERE WITH THE USE OF, OBSTRUCT THE OPERATION OF, MAINTENANCE OF, OR ACCESS TO SAID SIDE LOT EASEMENT.
6. ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) PANEL 08039C0480C, EFFECTIVE MARCH 17, 2011, THE SURVEYED LAND IS WITHIN FLOOD ZONE X, AN AREA OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
7. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
8. THE LINEAL UNIT USED IN THE PREPARATION OF THIS PLAT IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.
9. ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER 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.

LAND USE SUMMARY TABLE			
TYPE	AREA (AC.)	AREA (S.F.)	% TOTAL AREA
9 SINGLE FAMILY RESIDENTIAL LOTS	1.286	56,023	100.00

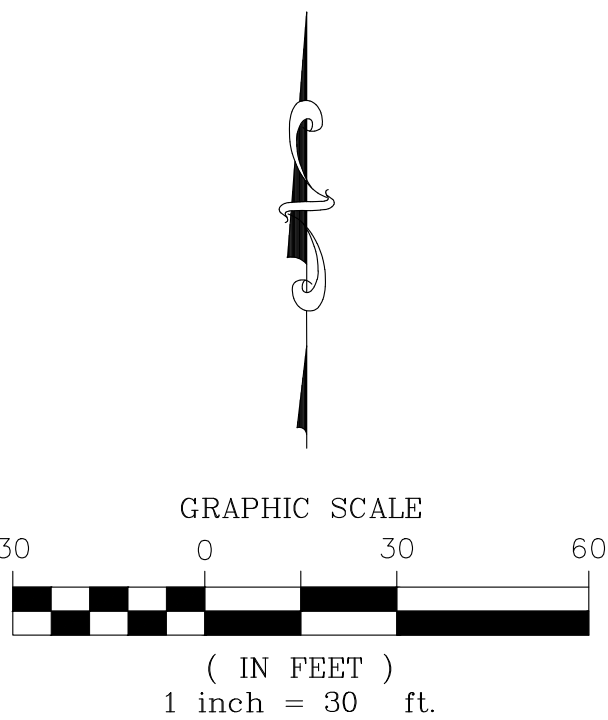
total lot area from graphic = 56,021

CURVE TABLE					
CURVE NO.	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	20.00'	85°05'13"	29.70'	S33°16'35"E	27.05'
C2	450.00'	3°21'02"	26.32'	S07°35'31"W	26.31'
C3	60.00'	65°12'23"	68.28'	N44°48'41"W	64.66'
C4	20.00'	90°00'00"	31.42'	N32°24'52"W	28.28'
C5	33.00'	90°00'00"	51.84'	N57°35'08"E	46.67'
C6	195.00'	1°35'41"	5.43'	S76°37'02"E	5.43'

LEGEND	
	FOUND SECTION CORNER AS DESCRIBED
	FOUND #5 REBAR WITH 1-1/4" YELLOW PLASTIC CAP STAMPED "WESTWOOD PLS 38004"
	BLOCK NUMBER
	R.O.W. RIGHT-OF-WAY
	U.E. UTILITY EASEMENT
	D.U.E. DRAINAGE & UTILITY EASEMENT
	PROPOSED ROAD CENTERLINE
	PROPOSED EASEMENT LINE
	EXISTING EASEMENT LINE
	EXISTING 100 YEAR FLOODPLAIN
	PROPOSED 100 YEAR FLOODPLAIN

SHOW VACATED LINETYPES IN LEGEND

SHOW EXISTING LOT LINE IN LEGEND



Westwood

10333 E DRY CREEK RD.  
SUITE 400  
ENGLEWOOD, CO 80112  
TEL: 720.482.9526



TO: Zach Higgins, Community Development Director  
FROM: Josue Loma, Planner, SAFEbuilt Studio through  
Travis Reynolds, AICP, Planning Manager, SAFEbuilt Studio  
DATE: June 27, 2023  
SUBJECT: Review – Replat for Legacy Village Filing 1, Amendment 1 and Amendment 2

SAFEbuilt Studio staff provides the combined review comments for the Legacy Village Filing 1, Amendment 1 (F1A1, 1.286 acres) and Legacy Village Filing 1, Amendment 2 (F1A2, .478 acres) replat. Legacy Village F1A1 is generally located on the southeast corner of Corkscrew St and Hinds St and Legacy Village F1A2 is generally located on the southeast corner of Osmulski Dr and Yankee Boy LP in the Town of Elizabeth. Staff conducted the review in the context of Chapter 16 – Land Use and Development of the Town of Elizabeth Municipal Code and the Town’s Master Plan.

---

**Legacy Village Filing 1, Amendment 1: Replat ([Sec. 16-3-80](#)) and Final Plat ([Sec. 16-3-60](#))**

---

**Planning and Zoning Review:**

- A complete submittal was not received, please provide the below documents as part of the resubmittal:
  - Final plat for Legacy Village Filing 1
  - General warranty deed and title commitment
- Please update the project narrative to either remove language regarding changes to Block 4, Lot 46 or submit an updated final plat that shows the proposed changes. To simplify the process, it may be easier to make any changes to Block 4, Lot 46 via Amendment 2.
- As stated in Sec. 16-3-60 (e)(10), “deleted lot lines, easements or rights-of-way shall be shown on the plat in dashed lines, or screened, with a note and arrow pointing to the item to be vacated, stating that the lot line, easement or right-of-way is hereby vacated. (Dashed lines shall be graphically different for existing vs. proposed vs. deleted with a legend provided.)”

**External Agency Comments:**

- CORE Engineering - Town Engineer:
  - In the second submittal, please address changes to block 4, lot 46 and address comments made from Pre-App meeting 6/29/22 by CORE Engineering. Please see the provided comment response letter for additional information.
- CORE Electric / IREA – Utility:
  - CORE Electric Cooperative approves the replat; but the applicant may not encroach into the 5-foot side lot utility easement. Please see the provided comment response letter for additional information.
- Elizabeth Fire Protection District - Fire:
  - The referral agency has no issues with the proposed amendments - please see provided comment response letter for additional information.
- Elizabeth School District:
  - No comment received at this time.



- Black Hills Energy - Utility Company:
  - No comment received at this time.
- Elbert County Assessor's Office – GIS:
  - The comments provided are in reference to the original final plat submitted on 2/22/23 and so the subsequent resubmittal received on 6/13/23 have remedied those issues. Please see the provided comment response letter for additional information.
- Comcast:
  - No comment received at this time.
- Century Link:
  - No comment received at this time.

---

**Legacy Village Filing 1, Amendment 2: Replat ([Sec. 16-3-80](#)) and Final Plat ([Sec. 16-3-60](#))**

**Planning and Zoning Review:**

- A complete submittal was not received, please provided the below documents as part of the resubmittal:
  - Final plat for Legacy Village Filing 1
  - General warranty deed and title commitment
- Please update the numbering of the lots to read 1A, 2A, etc.
- Please update the block number on page two as it currently reads as Block 1 but should be referencing Block 5.
- As stated in Sec. 16-3-60 (e)(10), "deleted lot lines, easements or rights-of-way shall be shown on the plat in dashed lines, or screened, with a note and arrow pointing to the item to be vacated, stating that the lot line, easement or right-of-way is hereby vacated. (Dashed lines shall be graphically different for existing vs. proposed vs. deleted with a legend provided.)"

**External Review Agency Comments**

- CORE Engineering - Town Engineer:
  - In the second submittal, please address changes to block 4, lot 46 and address comments made from Pre-App meeting 6/29/22 by CORE Engineering. Please see the provided comment response letter for additional information.
- CORE Electric / IREA – Utility:
  - CORE Electric Cooperative approves the replat; but the applicant may not encroach into the 5-foot side lot utility easement. Please see the provided comment response letter for additional information.
- Elizabeth Fire Protection District - Fire:
  - The referral agency has no issues with the proposed amendments - please see provided comment response letter for additional information.
- Elizabeth School District:
  - No comment received at this time.
- Black Hills Energy - Utility Company:

- No comment received at this time.
- Elbert County Assessor's Office – GIS:
  - The comments provided are in reference to the original final plat submitted on 2/22/23 and so the subsequent resubmittal received on 6/13/23 have remedied those issues. Please see the provided comment response letter for additional information.
- Comcast:
  - No comment received at this time.
- Century Link:
  - No comment received at this time.

Referral Agency / Consultant	Discipline	Contact Information
SAFEbuilt	Community Development	<b>Zach Higgins;</b> <a href="mailto:zhiggins@townofelizabeth.org">zhiggins@townofelizabeth.org</a> <b>Travis Reynolds;</b> <a href="mailto:treynolds@safebuilt.com">treynolds@safebuilt.com</a> <b>Josue Loma;</b> <a href="mailto:jloma@safebuilt.com">jloma@safebuilt.com</a>
CORE Engineering	Town Engineer	<b>Scott Pease, P.E.;</b> <a href="mailto:pease@corecivil.com">pease@corecivil.com</a> <b>Manny Nunos,</b> <a href="mailto:mnuno@liveyourcore.com">mnuno@liveyourcore.com</a>
CORE Electric / IREA	Utility	<b>Brooks Kaufman;</b> <a href="mailto:BKaufman@core.coop">BKaufman@core.coop</a>
Elizabeth Fire Protection District (EFD)	Fire	<b>T.J. Steck;</b> <a href="mailto:tjs@elizabethfire.org">tjs@elizabethfire.org</a>
Elizabeth School District	Elizabeth C-1 School District	<b>Ron Patera;</b> <a href="mailto:rpatera@esdk12.org">rpatera@esdk12.org</a>
Black Hills Energy	Utility Company	<b>Jason McKune;</b> <a href="mailto:Jason.McKune@blackhillscorp.com">Jason.McKune@blackhillscorp.com</a>
Elbert County Assessor's Office	GIS	<b>Greg Toles;</b> <a href="mailto:Greg.toles@elbertcounty-co.gov">Greg.toles@elbertcounty-co.gov</a>
Comcast		<a href="mailto:Butch_Buster@comcast.com">Butch_Buster@comcast.com</a>
Century Link		<a href="mailto:Nre.Easement@centurylink.com">Nre.Easement@centurylink.com</a>



June 23, 2023

Ms. Dianna Hiatt  
Community Development Administrative Assistant  
Town of Elizabeth  
151 S Banner Street  
Elizabeth, CO 80107

**RE: Legacy Village Filing 1 Plat Amendment 1 & 2**

Dear Ms. Hiatt

We have completed our review of the 1<sup>st</sup> and 2<sup>nd</sup> Amendment to the Legacy Village Filing 1 Final Plat. Our comments are identified below and unless noted otherwise, are relative to both Amendments 1 & 2.

1. The proposed Easement revision to Block 4 Lot 46, needs to be included on one of these amendments or presented in some other form.
2. Please reference our comments from the Pre-App meeting of 6/29/22, in which we had requested the following, which are not included in this current submittal:
  - The old lot lines and Easement lines need to be shown in the background of the new line work, and should be identified as "herby vacated" or "revised" or similar.
  - A separate exhibit which identifies the as built locations of the water and san services relative to the new lot lines.

Should you have any questions, please feel free to contact me at (303) 730-5985 or by email at [mnuno@liveyourcore.com](mailto:mnuno@liveyourcore.com)

Sincerely,  
**CORE Consultants, Inc.**

A handwritten signature in blue ink, appearing to read "MN", with a stylized flourish extending from the end.

Manny Nuno, PE, CFM, LEED AP, CPESC  
Project Manager



3473 South Broadway  
Englewood, Colorado 80113  
303.703.4444  
**LIVEYOURCORE.COM**



## Josue Loma

---

**From:** Brooks Kaufman <BKaufman@core.coop>  
**Sent:** Tuesday, June 13, 2023 7:53 AM  
**To:** Josue Loma  
**Cc:** Travis Reynolds; Zach Higgins; acramer@townofelizabeth.org  
**Subject:** RE: Referral - Town of Elizabeth - Legacy Village Filing 1, Amendment 2

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Mr. Loma;

CORE Electric Cooperative approves the replat; but the applicant may not encroach into the 5-foot side lot utility easement.

No improvements that conflict with or interfere with construction, maintenance or access to utilities shall be placed within the utility easements. Prohibited improvements include, but are not limited to, permanent structures, buildings, counter-forts, decks, stairs, window wells, air conditioning units, retaining walls/components and other objects that may interfere with the utility facilities or access, use and maintenance thereof. Prohibited improvements may be removed by the entities responsible for providing the utility services. The owners of the property subject to or adjacent to the utility easements shown herein are responsible for the maintenance and operation of such areas, which does not include utility lines and related facilities. When the owner(s) or adjacent owners fail to adequately maintain such utility easements, including the removal of prohibited improvements, the maintenance, operation, reconstruction and removal shall be at the cost of the owner(s).

The utility easements as shown hereon are hereby dedicated for public utilities, cable communication systems fiber and other purposes as shown hereon. The entities responsible for providing the utility services for which the easements are established are hereby granted the perpetual right of ingress and egress from and to adjacent properties for installation, maintenance and replacement of utility lines and related facilities.

Respectfully

**Brooks Kaufman**  
Lands and Rights of Way Manager

800.332.9540 MAIN  
720.733.5493 DIRECT  
303.912.0765 MOBILE

[www.core.coop](http://www.core.coop)



**The Energy to Thrive™**



## Josue Loma

---

**From:** Taylor Clark <t.clark@elizabethfire.org>  
**Sent:** Friday, June 16, 2023 1:28 PM  
**To:** Josue Loma  
**Subject:** Legacy Village Subdivision Filing 1 Amendment 1 & Amendment 2

Hi Josue,

We have received the Legacy Village Subdivision Filing 1 Amendment 1 and Amendment 2. Fire has no issues with either of those amendments.

Please let me know if you have any questions.

Thank you,

### Taylor Clark

Human Resources Generalist – Executive Assistant  
Elizabeth Fire Protection District  
[t.clark@elizabethfire.org](mailto:t.clark@elizabethfire.org)  
Direct: 303-800-1884  
Main: 303-646-3800



**From:** [Greg Toles](#)  
**To:** [Travis Reynolds](#); [Josue Loma](#)  
**Cc:** [Zach Higgins](#); [Alexandra Cramer](#)  
**Subject:** RE: [External] Referral 2 - Town of Elizabeth - Legacy Village Filing 1, Amendment 1  
**Date:** Wednesday, October 18, 2023 3:11:13 PM  
**Attachments:** [image001.png](#)

---

Travis,

Thanks for pointing this out. You are correct. The lot numbering for lots 1 to 5 go from left to right (i.e. west to east)). I have corrected this in our system.

Thanks again,

**Greg Toles**

GIS Analyst

Assessor's Office

303-621-3111

[greg.toles@elbertcounty-co.gov](mailto:greg.toles@elbertcounty-co.gov)

---

**From:** Travis Reynolds <[treynolds@safebuilt.com](mailto:treynolds@safebuilt.com)>  
**Sent:** Wednesday, October 18, 2023 2:34 PM  
**To:** Greg Toles <[Greg.Toles@elbertcounty-co.gov](mailto:Greg.Toles@elbertcounty-co.gov)>; Josue Loma <[jloma@safebuilt.com](mailto:jloma@safebuilt.com)>  
**Cc:** Zach Higgins <[zhiggins@townofelizabeth.org](mailto:zhiggins@townofelizabeth.org)>; Alexandra Cramer <[acramer@townofelizabeth.org](mailto:acramer@townofelizabeth.org)>  
**Subject:** RE: [External] Referral 2 - Town of Elizabeth - Legacy Village Filing 1, Amendment 1

Greg –

Thanks for the feedback. Quick clarification for the applicant and our understanding.

Regarding the comment below, we see the plat layout as depicted in the screen cap below. However, this screen cap is from a late iteration of the review documents and not the final, signed copy – so we could have it wrong. Do you have a copy that says something different.

Can you clarify ?

Thanks,  
Travis



Travis Reynolds, AICP – Colorado Planning Manager | [SAFEbuilt@elbertcounty-co.gov](mailto:SAFEbuilt@elbertcounty-co.gov) | 303.912.7153 (please note our number change)

**From:** Greg Toles <[Greg.Toles@elbertcounty-co.gov](mailto:Greg.Toles@elbertcounty-co.gov)>

**Sent:** Monday, September 25, 2023 8:55 AM

**To:** Josue Loma <[jloma@safebuilt.com](mailto:jloma@safebuilt.com)>

**Cc:** Travis Reynolds <[treynolds@safebuilt.com](mailto:treynolds@safebuilt.com)>; Zach Higgins <[zhiggins@townofelizabeth.org](mailto:zhiggins@townofelizabeth.org)>; Alexandra Cramer <[acramer@townofelizabeth.org](mailto:acramer@townofelizabeth.org)>

**Subject:** RE: [External] Referral 2 - Town of Elizabeth - Legacy Village Filing 1, Amendment 1

All,

On the plat, the lot numbers 1A to 5A need to be reversed (i.e. 5A to 1A). Lot 1A should be the northeast corner. Lot 6A to 9A are good.

**Greg Toles**

GIS Analyst

Assessor's Office

## Josue Loma

---

**From:** Greg Toles <Greg.Toles@elbertcounty-co.gov>  
**Sent:** Monday, June 5, 2023 8:16 AM  
**To:** Josue Loma  
**Cc:** Travis Reynolds; Zach Higgins; acramer@townofelizabeth.org  
**Subject:** RE: Referral - Town of Elizabeth - Legacy Village Filing 1, Amendment 1

All,

The block number on the final plat of the amendment shows it as being block 1. This needs to change to **block 2**. The lot numbers need to change from 1–9 to **1a–9a**.

**Greg Toles**  
GIS Analyst  
Assessor's Office  
303-621-3111  
[greg.toles@elbertcounty-co.gov](mailto:greg.toles@elbertcounty-co.gov)

---

**From:** Josue Loma <jloma@safebuilt.com>  
**Sent:** Friday, June 2, 2023 2:53 PM  
**Cc:** Travis Reynolds <treynolds@safebuilt.com>; Zach Higgins <zhiggins@townofelizabeth.org>; acramer@townofelizabeth.org  
**Subject:** [External] Referral - Town of Elizabeth - Legacy Village Filing 1, Amendment 1

**SUBJECT: Town of Elizabeth** – Legacy Village Subdivision Filing 1, Amendment 1 – LDC [Sec. 16-3-80 for a Replat, vacation, or plat amendment](#)

**PROJECT NAME:** Legacy Village Subdivision Filing 1, Amendment 1

**LEGAL DESCRIPTION:** Northwest Quarter of Section 13, Township 6 South, Range 65 West of the 6<sup>th</sup> P.M., Town of Elizabeth | Legacy Village Filing 1, as recorded in Elbert County, CO

**PROJECT LOCATION:** SE Corner of Corkscrew St and Hinds St, Elizabeth, Colorado | [Google Maps](#)

**APPLICATION TYPE:** Replat, vacation, or plat amendment – See LDC [Sec. 16-3-80](#)

**APPLICANT:** Lennar Colorado represented by Joe Huey, (303) 754-0600 | [joseph.huey@lennar.com](mailto:joseph.huey@lennar.com)

**CASE MANAGER:** Josue Loma (he/him), on behalf of the Town of Elizabeth and Zach Higgins

**COMMENTS DUE:** Friday, June 23, 2023

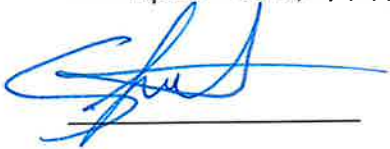
The Town of Elizabeth has received an application to replat nine lots within the Legacy Village Filing 1 Subdivision. The replat will be processed as Legacy Village Filing 1, Amendment 1 and will impact Block 2, Lots 1 – 9 to shift the interior side lot lines by 1.5'. As stated in the zoning code, a request for a replat shall be reviewed in accordance with the Final Plat process, [Sec. 16-3-60](#).

# Exhibit C

## SIGN POSTING AFFIDAVIT

(Attach Photo Here)

3.3.24, The above sign was posted on (date) pursuant to the Town of Elizabeth Land Development Code, by (Applicant or Representative).



Signature

STATE OF COLORADO )

) ss.

COUNTY OF Elbert )

Subscribed and sworn to before me this 4 day of March, 2024, by  
Ashley Tucker.

My commission expires: 10/17/2027.

(SEAL)

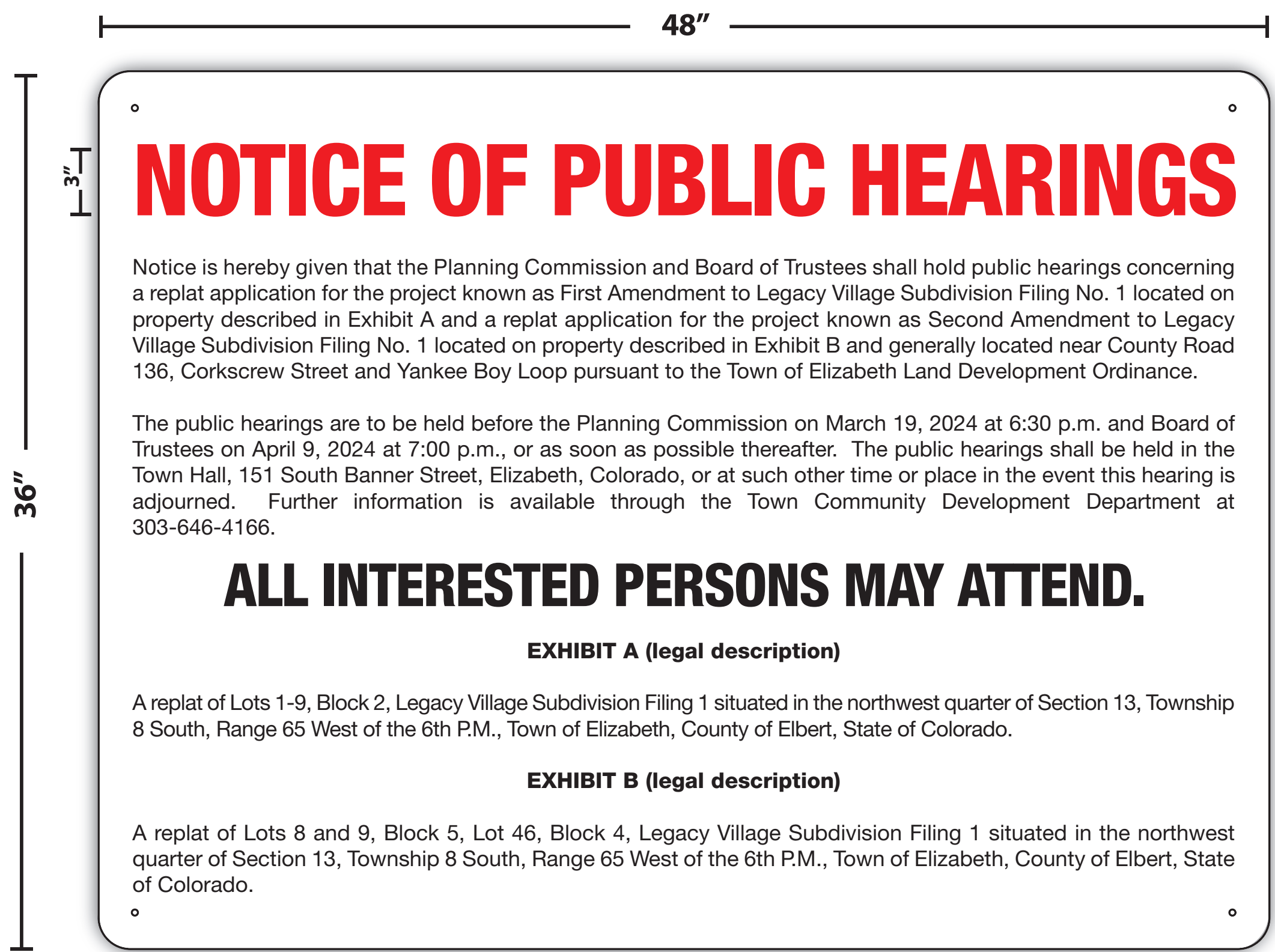


Notary Public

ASHLEY TUCKER  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20234039459  
MY COMMISSION EXPIRES 10/17/2027













<u>LOT</u>	<u>Owner Name</u>	<u>RePlat#1</u>	<u>Address</u>
203	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
213	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
223	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
233	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
243	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
253	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
263	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
283	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
293	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
303	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
313	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
333	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
353	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
263	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
383	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
393	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
403	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
423	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
443	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
1016	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
1006	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
996	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
986	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
987	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
997	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
1007	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
1017	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
242	LENNAR COLORADO LLC	9193 S JAMAICA ST STE 400, ENGLEWOOD CO 80112	
232	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
221	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
451	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
431	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
401	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
391	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
381	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
361	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
341	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
331	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
321	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
301	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
291	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
281	AG ESSENTIAL HOUSING MULTI STATE TWO LLC	8585 E HARTFORD STE 118, SCOTTSDALE AZ 85255	
Commercial	ELIZABETH 86 WATER LLC	7931 S BROADWAY #312, Littleton CO 80122	
Open Space	ELBERT AND HWY 86 COMMERCIAL DISTRICT	8390 E CRESCENT PARKWAY SUITE 300, GREENWOOD VILLAGE CO 80111	

**RESOLUTION 24R17**

**A RESOLUTION APPROVING THE FIRST AMENDMENT TO  
THE FINAL PLAT FOR THE LEGACY VILLAGE SUBDIVISION  
FILING NO. 1 WITHIN THE TOWN OF ELIZABETH, BLOCK 2,  
LOTS 1 THROUGH 9.**

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE  
TOWN OF ELIZABETH, COLORADO AS FOLLOWS:

Section 1. The Final Plat for the First Amendment to the LEGACY VILLAGE  
SUBDIVISION FILING No. 1, which is more particularly described in **Exhibit A**, is hereby  
approved.

PASSED, APPROVED, and ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2024, by the  
Board of Trustees of the Town of Elizabeth, Colorado, on first and final reading, by a vote of  
\_\_\_\_\_ for and \_\_\_\_\_ against.

\_\_\_\_\_  
Tammy Payne, Mayor

ATTEST

\_\_\_\_\_  
Michelle M. Oeser, Town Clerk