

DATE FILED: November 27, 2023 1:14 PM
CASE NUMBER: 2015CV30973

DISTRICT COURT, DOUGLAS COUNTY, COLORADO Court Address: 4000 Justice Way, Suite 2009, Castle Rock, CO 80109	▲ COURT USE ONLY ▲
IN RE THE MATTER OF HESS RANCH METROPOLITAN DISTRICT NO. 5	
<i>By the Court</i>	Case No.: 2015CV030973 Division: 6
ORDER GRANTING EXCLUSION OF PROPERTY FROM HESS RANCH METROPOLITAN DISTRICT NO. 5	

THIS MATTER having come before the Court and the Court having examined the motion and certified copy of Resolution, with attached petition and affidavit of publication of notice of hearing on petition, on file in this proceeding:

IT IS ORDERED that, pursuant to Section 32-1-501(4)(b), C.R.S., as amended, the land and property hereinafter described shall be, and are hereby excluded from the boundaries of the Hess Ranch Metropolitan District No. 5 (the "District"):

See **Exhibit A** attached hereto and incorporated herein by this reference.

The name and address of the owner of said property to be excluded from the boundaries of the District are as follows:

Petitioners/Owners: VPDF LG LLC,
a Delaware limited liability company

Address: 901 Marquette Avenue South, Suite 3300
Minneapolis, MN 55402

Pursuant to Sections 32-1-503(1) and 32-1-1204, C.R.S., as amended, the foregoing land and property shall be subject to the levy of taxes for the payment of its proportionate share of any indebtedness of the District and interest thereon existing immediately prior to the effective date of the exclusion of the property from the District, though the District does not have current outstanding debt.

DONE this 27th day of Nov., 2023

BY THE COURT:



DISTRICT COURT JUDGE

EXHIBIT A
Legal Description of Property to be Excluded from
Hess Ranch Metropolitan District No. 5

THOSE CERTAIN PARCELS OF LAND LYING IN THE EAST HALF OF SECTION 6, AND SECTION 5, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS ARE BASED UPON THE WEST LINE OF SAID EAST HALF OF SECTION 6 FROM THE SOUTH QUARTER CORNER OF SAID SECTION 6 MONUMENTED BY A 5-INCH BY 7-INCH STONE TO THE NORTH QUARTER OF SAID SECTION 6 MONUMENTED BY A 2.5-INCH ALUMINUM CAP STAMPED "PLS29413", ASSUMED TO BEAR NORTH 00°07'38" EAST, A DISTANCE OF 5240.64 FEET;

PARCEL A

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 6;

THENCE ALONG THE WEST LINE OF THE NORTHEAST 1/4 SECTION OF SECTION 6, SOUTH 00°07'38" WEST, A DISTANCE OF 1,012.22 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°39'59" EAST, A DISTANCE OF 558.03 FEET TO A POINT OF TANGENT CURVATURE;

THENCE EASTERLY 1,107.08 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 3,070.43 FEET AND A CENTRAL ANGLE OF 20°39'31" TO A POINT OF NON-TANGENT CURVATURE;

THENCE NORTHEASTERLY 456.33 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 705.00 FEET AND A CENTRAL ANGLE OF 37°05'10", SUBTENDED BY A CHORD WHICH BEARS NORTH 42°47'03" EAST, A DISTANCE OF 448.41 FEET;

THENCE NORTH 61°19'38" EAST, A DISTANCE OF 310.03 FEET TO A POINT OF TANGENT CURVATURE;

THENCE NORTHEASTERLY 312.34 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 820.00 FEET AND A CENTRAL ANGLE OF 21°49'26";

THENCE NORTH 39°30'12" EAST, A DISTANCE OF 476.96 FEET;

THENCE SOUTH 52°02'15" EAST, A DISTANCE OF 584.59 FEET;

THENCE SOUTH 55°15'38" EAST, A DISTANCE OF 412.26 FEET TO A POINT OF NON-TANGENT CURVATURE;

THENCE SOUTHEASTERLY 377.16 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,265.85 FEET AND A CENTRAL ANGLE OF 17°04'17", SUBTENDED BY A CHORD WHICH BEARS SOUTH 56°43'17" EAST, A DISTANCE OF 375.77 FEET, TO THE NORTHERLY EXTENSION OF THE WESTERLY RIGHT OF WAY LINE OF STROH ROAD PER THE PLAT OF LOOKING GLASS FILING NO. 9 (RECEPTION

(CONTINUED ON NEXT PAGE)

NO. 2023038000);

THENCE SOUTH 26°01'30" WEST ALONG SAID NORTHERLY EXTENSION, A DISTANCE OF 119.04 FEET TO A POINT OF NON-TANGENT CURVATURE, ALSO BEING THE SOUTH RIGHT OF WAY LINE OF SAID STROH ROAD, ALSO BEING POINT "A";

THENCE NORTHWESTERLY 218.99 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,390.00 FEET AND A CENTRAL ANGLE OF 09°01'37", SUBTENDED BY A CHORD WHICH BEARS NORTH 58°55'08" WEST, A DISTANCE OF 218.77 FEET;

THENCE SOUTH 35°35'28" WEST, A DISTANCE OF 294.16 FEET;

THENCE SOUTH 12°26'51" WEST, A DISTANCE OF 346.81 FEET;

THENCE SOUTH 38°16'42" WEST, A DISTANCE OF 624.14 FEET;

THENCE SOUTH 47°30'15" WEST, A DISTANCE OF 666.87 FEET;

THENCE SOUTH 29°04'16" WEST, A DISTANCE OF 149.16 FEET;

THENCE SOUTH 55°43'53" WEST, A DISTANCE OF 329.33 FEET;

THENCE SOUTH 26°30'30" EAST, A DISTANCE OF 182.09 FEET;

THENCE SOUTH 33°28'12" EAST, A DISTANCE OF 167.24 FEET;

THENCE SOUTH 45°57'27" EAST, A DISTANCE OF 154.41 FEET TO A POINT OF NON-TANGENT CURVATURE;

THENCE SOUTHEASTERLY 946.58 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,479.21 FEET AND A CENTRAL ANGLE OF 36°39'54", SUBTENDED BY A CHORD WHICH BEARS SOUTH 64°14'53" EAST, A DISTANCE OF 930.52 FEET TO A POINT OF REVERSE CURVATURE;

THENCE EASTERLY 326.16 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,559.86 FEET AND A CENTRAL ANGLE OF 11°58'49" TO A POINT OF REVERSE CURVATURE;

THENCE EASTERLY 295.57 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 718.45 FEET AND A CENTRAL ANGLE OF 23°34'16";

THENCE NORTH 81°53'51" EAST, A DISTANCE OF 552.42 FEET TO A POINT OF NON-TANGENT CURVATURE;

THENCE EASTERLY 573.46 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 9,200.00 FEET AND A CENTRAL ANGLE OF 03°34'17", SUBTENDED BY A CHORD WHICH BEARS NORTH 83°05'19" EAST, A DISTANCE OF 573.36 FEET;

THENCE SOUTH 37°08'21" WEST, A DISTANCE OF 24.39 FEET;

THENCE SOUTH 13°42'05" WEST, A DISTANCE OF 57.65 FEET;

THENCE SOUTH 05°40'01" EAST, A DISTANCE OF 54.77 FEET;

THENCE SOUTH 25°02'08" EAST, A DISTANCE OF 78.36 FEET;

THENCE SOUTH 48°10'22" EAST, A DISTANCE OF 54.92 FEET;

(CONTINUED ON NEXT PAGE)

THENCE SOUTH 23°43'57" EAST, A DISTANCE OF 148.89 FEET;
THENCE SOUTH 02°07'30" EAST, A DISTANCE OF 148.85 FEET;
THENCE SOUTH 09°56'56" EAST, A DISTANCE OF 81.67 FEET;
THENCE SOUTH 36°18'01" EAST, A DISTANCE OF 57.56 FEET;
THENCE SOUTH 66°41'28" EAST, A DISTANCE OF 113.90 FEET;
THENCE SOUTH 18°33'25" EAST, A DISTANCE OF 36.66 FEET TO A POINT OF NON-TANGENT CURVATURE;
THENCE WESTERLY 16.64 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 2,060.00 FEET AND A CENTRAL ANGLE OF 00°27'46", SUBTENDED BY A CHORD WHICH BEARS SOUTH 72°21'13" WEST, A DISTANCE OF 16.64 FEET;
THENCE SOUTH 17°24'55" EAST, A DISTANCE OF 80.00 FEET TO A POINT OF NON-TANGENT CURVATURE;
THENCE WESTERLY 44.47 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 2,140.00 FEET AND A CENTRAL ANGLE OF 01°11'27", SUBTENDED BY A CHORD WHICH BEARS SOUTH 73°10'49" WEST, A DISTANCE OF 44.47 FEET;
THENCE SOUTH 02°16'40" EAST, A DISTANCE OF 92.80 FEET;
THENCE CONTINUE SOUTHERLY ALONG SAID LINE, A DISTANCE OF 104.79 FEET;
THENCE SOUTH 21°11'47" EAST, A DISTANCE OF 123.65 FEET;
THENCE SOUTH 07°14'58" EAST, A DISTANCE OF 120.00 FEET;
THENCE SOUTH 22°08'23" WEST, A DISTANCE OF 101.89 FEET;
THENCE SOUTH 07°14'58" EAST, A DISTANCE OF 129.67 FEET;
THENCE SOUTH 01°50'00" EAST, A DISTANCE OF 143.38 FEET;
THENCE SOUTH 89°16'12" WEST, A DISTANCE OF 31.75 FEET;
THENCE SOUTH 89°44'38" WEST, A DISTANCE OF 2,643.05 FEET;
THENCE SOUTH 89°08'04" WEST, A DISTANCE OF 2,644.95 FEET;
THENCE NORTH 00°07'38" EAST, A DISTANCE OF 1,200.00 FEET;
THENCE SOUTH 89°52'22" EAST, A DISTANCE OF 100.00 FEET;
THENCE NORTH 00°07'38" EAST, A DISTANCE OF 250.00 FEET;
THENCE NORTH 89°52'22" WEST, A DISTANCE OF 100.00 FEET;
THENCE NORTH 00°07'38" EAST, A DISTANCE OF 2,778.43 FEET TO THE POINT OF BEGINNING;

CONTAINING 16,470,043 SQUARE FEET OR 378.100 ACRES, MORE OR LESS;

TOGETHER WITH;

(CONTINUED ON NEXT PAGE)

PARCEL B

BEGINNING AT SAID POINT "A"; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE OF STROH ROAD THE FOLLOWING FOUR COURSES:

1. EASTERLY 680.01 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,390.00 FEET AND A CENTRAL ANGLE OF $28^{\circ}01'48''$, SUBTENDED BY A CHORD WHICH BEARS SOUTH $77^{\circ}26'51''$ EAST, A DISTANCE OF 673.25 FEET;

2. SOUTH $01^{\circ}27'45''$ EAST, A DISTANCE OF 4.50 FEET TO A POINT OF NON-TANGENT CURVATURE;

3. EASTERLY 185.14 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,396.55 FEET AND A CENTRAL ANGLE OF $07^{\circ}35'45''$, SUBTENDED BY A CHORD WHICH BEARS NORTH $87^{\circ}10'39''$ EAST, A DISTANCE OF 185.01 FEET TO A POINT OF REVERSE CURVATURE;

4. SOUTHEASTERLY 44.52 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET AND A CENTRAL ANGLE OF $85^{\circ}01'44''$, ALSO BEING POINT "B";

THENCE SOUTH $11^{\circ}35'29''$ EAST, A DISTANCE OF 609.99 FEET TO A POINT OF TANGENT CURVATURE;

THENCE SOUTHERLY 116.79 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 965.00 FEET AND A CENTRAL ANGLE OF $06^{\circ}56'03''$;

THENCE SOUTH $04^{\circ}39'26''$ EAST, A DISTANCE OF 239.70 FEET TO A POINT OF TANGENT CURVATURE;

THENCE SOUTHWESTERLY 47.17 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET AND A CENTRAL ANGLE OF $90^{\circ}05'33''$;

THENCE SOUTH $85^{\circ}26'07''$ WEST, A DISTANCE OF 976.31 FEET TO A POINT OF TANGENT CURVATURE;

THENCE WESTERLY 82.37 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 545.00 FEET AND A CENTRAL ANGLE OF $08^{\circ}39'34''$;

THENCE NORTH $12^{\circ}11'25''$ WEST, A DISTANCE OF 248.41 FEET;

THENCE SOUTH $85^{\circ}26'07''$ WEST, A DISTANCE OF 55.44 FEET;

THENCE NORTH $18^{\circ}41'40''$ WEST, A DISTANCE OF 164.00 FEET;

THENCE NORTH $14^{\circ}13'48''$ EAST, A DISTANCE OF 71.48 FEET;

THENCE NORTH $13^{\circ}08'34''$ WEST, A DISTANCE OF 60.04 FEET;

THENCE NORTH $26^{\circ}37'42''$ WEST, A DISTANCE OF 71.08 FEET;

THENCE NORTH $13^{\circ}51'56''$ EAST, A DISTANCE OF 43.52 FEET;

THENCE NORTH $07^{\circ}09'26''$ EAST, A DISTANCE OF 82.70 FEET;

THENCE NORTH $27^{\circ}50'41''$ EAST, A DISTANCE OF 161.25 FEET;

THENCE NORTH $17^{\circ}39'52''$ EAST, A DISTANCE OF 182.89 FEET;

THENCE NORTH $21^{\circ}43'17''$ EAST, A DISTANCE OF 230.42 FEET TO THE POINT OF BEGINNING;

(CONTINUED ON NEXT PAGE)

CONTAINING 1,207,208 SQUARE FEET OR 27.714 ACRES, MORE OR LESS;

TOGETHER WITH;

PARCEL C:

COMMENCING AT SAID POINT "B"; THENCE SOUTH 81°37'39" EAST, A DISTANCE OF 1165.13 FEET TO THE EAST RIGHT OF WAY OF SOUTH CHAMBERS ROAD PER SAID PLAT OF LOOKING GLASS FILING NO. 9, ALSO BEING THE POINT OF BEGINNING;

THENCE NORTH 87°15'32" EAST, A DISTANCE OF 257.53 FEET;
THENCE NORTH 02°37'18" WEST, A DISTANCE OF 200.25 FEET;
THENCE NORTH 85°54'35" EAST, A DISTANCE OF 187.12 FEET;
THENCE NORTH 03°02'23" WEST, A DISTANCE OF 223.18 FEET TO THE SOUTH RIGHT OF WAY LINE OF SAID STROH ROAD;
THENCE ALONG SAID SOUTH RIGHT OF WAY LINE OF STROH ROAD THE FOLLOWING FIVE (5) COURSES:

1. SOUTH 80°49'42" EAST, A DISTANCE OF 71.71 FEET TO A POINT OF NON-TANGENT CURVATURE;
2. NORTHEASTERLY 52.28 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET AND A CENTRAL ANGLE OF 99°51'05", SUBTENDED BY A CHORD WHICH BEARS NORTH 46°53'10" EAST, A DISTANCE OF 45.91 FEET TO A POINT OF COMPOUND CURVATURE;
3. EASTERLY 262.47 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,272.97 FEET AND A CENTRAL ANGLE OF 11°48'49";
4. SOUTH 71°26'40" EAST, A DISTANCE OF 170.64 FEET;
5. SOUTH 66°42'49" EAST, A DISTANCE OF 145.50 FEET;
THENCE SOUTH 17°42'33" WEST, A DISTANCE OF 170.48 FEET;
THENCE SOUTH 18°26'08" WEST, A DISTANCE OF 193.72 FEET;
THENCE SOUTH 18°00'30" WEST, A DISTANCE OF 55.02 FEET TO A POINT OF NON-TANGENT CURVATURE;
THENCE SOUTHWESTERLY 184.07 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 507.50 FEET AND A CENTRAL ANGLE OF 20°46'53", SUBTENDED BY A CHORD WHICH BEARS SOUTH 33°21'46" WEST, A DISTANCE OF 183.07 FEET;
THENCE SOUTH 38°47'50" WEST, A DISTANCE OF 128.04 FEET;
THENCE SOUTH 85°26'07" WEST, A DISTANCE OF 93.00 FEET;

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THENCE SOUTH 04°33'53" EAST, A DISTANCE OF 37.41 FEET;
THENCE SOUTH 85°26'07" WEST, A DISTANCE OF 30.00 FEET;
THENCE CONTINUE WESTERLY ALONG SAID LINE, A DISTANCE OF 93.00 FEET;
THENCE SOUTH 04°33'53" EAST, A DISTANCE OF 7.98 FEET;
THENCE SOUTH 85°26'07" WEST, A DISTANCE OF 246.00 FEET TO A POINT OF NON-TANGENT CURVATURE;
THENCE SOUTHERLY 20.48 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 312.50 FEET AND A CENTRAL ANGLE OF 03°45'18", SUBTENDED BY A CHORD WHICH BEARS SOUTH 15°37'11" EAST, A DISTANCE OF 20.48 FEET;
THENCE SOUTH 17°29'51" EAST, A DISTANCE OF 72.06 FEET TO A POINT OF TANGENT CURVATURE;
THENCE SOUTHERLY 83.33 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 367.50 FEET AND A CENTRAL ANGLE OF 12°59'29";
THENCE SOUTH 04°30'22" EAST, A DISTANCE OF 100.00 FEET;
THENCE SOUTH 85°26'44" WEST, A DISTANCE OF 327.66 FEET TO A POINT OF NON-TANGENT CURVATURE TO SAID EAST RIGHT OF WAY LINE OF SOUTH CHAMBERS ROAD; THENCE ALONG SAID EAST RIGHT OF WAY LINE THE FOLLOWING THREE (3) COURSES:
1. NORTHERLY 7.99 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,515.00 FEET AND A CENTRAL ANGLE OF 00°18'07", SUBTENDED BY A CHORD WHICH BEARS NORTH 03°05'24" WEST, A DISTANCE OF 7.99 FEET;
2. NORTH 02°56'20" WEST, A DISTANCE OF 685.23 FEET;
3. NORTH 01°39'41" EAST, A DISTANCE OF 38.08 FEET TO THE POINT OF BEGINNING.

CONTAINING 739,853 SQUARE FEET OR 16.985 ACRES, MORE OR LESS;

PARCELS A, B AND C CONTAIN A TOTAL OF 18,417,104 SQUARE FEET OR 422.79 ACRES, MORE OR LESS.