

DV23-463

GRANT OF EASEMENT  
STORM DRAINAGE

THIS GRANT OF EASEMENT ("Grant") is given this 22 day of October,  
20\_\_, by Kelly Court LLC ("Grantor"), whose address is  
945 N Clarkson St. Denver, CO 80218, to THE BOARD OF COUNTY  
COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO ("Grantee"), whose  
address is 100 Third Street, Castle Rock, Colorado, 80104.

The parties hereby covenant and agree as follows:

1. Easement Property. The "Easement Property" shall mean the real property owned by Grantor and located in the County of Douglas, State of Colorado, more particularly described on **Exhibit A**, attached hereto and incorporated herein, and substantially as depicted on **Exhibit B**, attached hereto and incorporated herein.

2. Consideration. Grantor makes this Grant as a gift without consideration other than the keeping by Grantee of the covenants and agreements herein contained.

3. Grant of Easement. Grantor hereby grants to Grantee, its successors and assigns, a non-exclusive easement ("Easement") on, over, under, through and across the Easement Property for the purpose of accessing, maintaining, and repairing storm water management improvements, including, but not limited to, inlets, pipes, culverts, channels, ditches, hydraulic structures, riprap, detention basins, forebays, micro-pools, and water quality facilities (collectively, the "Facilities") in the event Grantor fails to satisfactorily maintain or repair said Facilities.

4. Maintenance and Repair. The maintenance and repair of the Facilities located on the Easement Property shall be the responsibility of Grantor. In the event such maintenance and repair are not performed by Grantor to the satisfaction of Grantee, then Grantee shall have the right, but not the obligation, to enter said Easement Property after ten (10) days prior written notice to Grantor, unless there is an emergency, in which case Grantee shall give notice as soon as practicable, to perform all necessary work, the cost of which shall be paid by Grantor upon billing. In the event Grantor fails to reimburse Grantee within thirty (30) days after submission of the bill for the costs incurred, Grantee shall have the right to enforce such obligation by appropriate legal action. It is Grantor's responsibility to construct, maintain and repair the Facilities in a manner consistent with all applicable plans approved or accepted by Grantee.

5. Retained Rights of Grantor. Grantor reserves the right of ownership, use and occupancy of the Easement Property insofar as said ownership, use and occupancy does not impair the rights granted to Grantee in this Grant. Grantee's rights hereunder are non-exclusive, and Grantor shall have the full right and authority to grant other easements or rights to use the Easement Property. It is also understood by Grantee that Grantor may in the future desire to modify and/or eliminate the Facilities. Such a modification and/or elimination shall not be realized until written approval is obtained for said modifications and/or elimination from Grantee. Upon such approval, both the Grantee and Grantor agree to vacate this Easement.

6. Binding Effect. This Grant shall extend to and be binding upon the successors and assigns of the respective parties hereto. The terms, covenants, agreements and conditions in this Grant shall be construed as covenants running with the land.

IN WITNESS WHEREOF, the parties hereto have executed this Grant the day and year first above written.

**GRANTOR:**

Pelly Court LLC  
By: Tyler Weston  
Name: Tyler Weston  
Title: Manager

STATE OF COLORADO CA,  
CA ss.  
COUNTY OF DOUGLAS )

**Attest:**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

The foregoing instrument was acknowledged before me this 22 day of Oct, 2025, by \_\_\_\_\_  
as \_\_\_\_\_ of \_\_\_\_\_.

My commission expires: 7/13/2027.

Witness my hand and official seal.

  
Notary Public

**GRANTEE:**

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF DOUGLAS,  
STATE OF COLORADO

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

STATE OF COLORADO )  
) ss.  
COUNTY OF DOUGLAS )

PLEASE SEE THE  
ATTACHMENT  
on 10/22/2025

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the Chair of the Board of County Commissioners of the County of Douglas, State of Colorado.

My commission expires: \_\_\_\_\_

Witness my hand and official seal.

\_\_\_\_\_  
Notary Public





**DAVID E. ARCHER & ASSOCIATES, INC.**  
**PROFESSIONAL LAND SURVEYORS & ENGINEERS**

105 Wilcox Street \* Castle Rock, CO 80104  
PHONE (303) 688-4642 \* FAX (303) 688-4675 \* [karcher@davidearcher.com](mailto:karcher@davidearcher.com)

August 13, 2025  
Job No. 21-0695

**Drainage Easements**

**Drainage Easement "A"**

A Drainage Easement situated in Section 34, Township 6 South, Range 68 West of the 6<sup>th</sup> Principal Meridian; County of Douglas, State of Colorado more particularly described as follows:

Commencing at the Northwest Corner of East 1/2, of the Southwest 1/4, in said Section 34 and considering the West line of said East 1/2 to bear S 00°07'12" E, with all bearings herein relative thereto;

Thence S 00°07'12" E, along the West line of said East 1/2, a distance of 687.00 feet; Thence S 03°49'45" E, a distance of 204.49 feet to the Point of Beginning;

Thence N 87°35'00" E, a distance of 81.17 feet; Thence S 47°36'27" E, a distance of 235.47 feet; Thence S 03°50'15" E, a distance of 181.33 feet; Thence S 16°36'32" W, a distance of 57.73 feet to a point of curve; Thence Westerly along a curve to the left with a radius of 291.18 feet, a distance of 186.97 feet, a Central angle of 36°47'27", (the Chord of which bears S 88°12'48" W, at a distance of 183.78 feet); Thence N 24°05'55" W, a distance of 116.25 feet; Thence N 03°49'45" W, a distance of 291.84 feet to the Point of Beginning;

Containing 1.83 ACRES, (79750.62 Square Feet) more or less.

**Drainage Easement "B"**

A 25 Foot wide easement, 12.5 Feet either side of a Centerline situated in Section 34, Township 6 South, Range 68 West of the 6<sup>th</sup> Principal Meridian; County of Douglas, State of Colorado more particularly described as follows:

Commencing at the Northwest Corner of East 1/2, of the Southwest 1/4, in said Section 34 and considering the West line of said East 1/2 to bear S 00°07'12" E, with all bearings herein relative thereto;

Thence S 00°07'12" E, along the West line of said East 1/2, a distance of 687.00 feet; Thence S 03°49'45" E, a distance of 204.49 feet; Thence N 87°35'00" E, a distance of 66.94 feet to the Point of Beginning of said Centerline;

Thence N 26°10'07" E, a distance of 341.17 feet; Thence N 36°42'03" E, a distance of 340.40 feet; Thence N 08°32'14" E, a distance of 86.19 feet to the Point of Terminus.

#### Drainage Easement "C"

A 25 Foot wide easement, 12.5 Feet either side of a Centerline situated in Section 34, Township 6 South, Range 68 West of the 6<sup>th</sup> Principal Meridian; County of Douglas, State of Colorado more particularly described as follows:

Commencing at the Northwest Corner of East 1/2, of the Southwest 1/4, in said Section 34 and considering the West line of said East 1/2 to bear S 00°07'12" E, with all bearings herein relative thereto;

Thence S 00°07'12" E, along the West line of said East 1/2, a distance of 687.00 feet; Thence S 03°49'45" E, a distance of 204.49 feet; Thence N 87°35'00" E, a distance of 81.17 feet; Thence S 47°36'27" E, a distance of 235.47 feet; Thence S 03°50'15" E, a distance of 130.12 feet to the Point of Beginning of said Centerline; Thence N 86°09'45" E, a distance of 14.13 feet; Thence N 26°26'18" E, a distance of 314.30 feet, to a point of intersect with Line "A", Line "A" extends S 87°58'23" E, a distance of 61.04 feet; Thence S 81°31'36" E, a distance of 146.18 feet; Thence N 83°20'01" E, a distance of 109.55 feet; Thence S 86°33'25" E, a distance of 149.38 feet; Thence N 89°40'30" E, a distance of 164.81 feet; Thence N 77°01'01" E, a distance of 80.33 feet; Thence N 21°49'15" E, a distance of 96.89 feet to the Point of Terminus of Line "A". Thence continuing from the said point of intersect with Line "A", N 41°22'09" E, a distance of 493.90 feet; Thence N 21°02'18" E, a distance of 72.75 feet to a point of intersect with Line "B", Line "B" extends S 30°19'11" E, a distance of 172.26 feet to the Point of Terminus of Line "B". Thence continuing from the said point of intersect with Line "B", N 27°13'18" E, a distance of 74.17 feet; Thence N 37°44'54" E, a distance of 115.78 feet; Thence N 18°29'22" E, a distance of 103.26 feet to a point of intersect with Line "C", Line "C" extends S 71°30'38" E, a distance of 50.73 feet to the Point of Terminus of Line "C". Thence continuing from the said point of intersect with Line "C", N 23°10'52" E, a distance of 57.75 feet; Thence N 29°11'07" W, a distance of 56.21 feet to the Point of Terminus of said Centerline.

This description was prepared under the direct supervision of David E. Roberts,  
PLS36057 for and on behalf of David E. Archer and Associates, Inc.



**DRAINAGE EASEMENT EXHIBIT  
5635 KELLY COURT**

**SOUTHWEST 1/4, SECTION 34 TOWNSHIP 6 SOUTH, RANGE 68 WEST OF THE 6TH P.M.  
PLANNING AREA 1, KELLYTOWN EAST PLANNED DEVELOPMENT**

