

SOUTHEAST METRO STORMWATER AUTHORITY  
acting by and through  
SEMSWA WATER ACTIVITY ENTERPRISE

RESOLUTION 15-08

Authorization to Accept a Quit Claim Deed from Jorden-21, LLC, a Colorado limited liability company, by and through its sole member, SPIRIL INC, an Arizona corporation, by and through RESOLUTE COMMERCIAL SERVICES, LLC, an Arizona limited liability company, through its principal John P. Mitchell, III and a Quit Claim Deed from Dove Valley Metropolitan District, a quasi-municipal corporation and political subdivision of the State of Colorado

WHEREAS, SEMSWA has been organized to manage and maintain regional stormwater facilities within its boundaries; and

WHEREAS, a portion of Dove Creek is contained in Tract C, Cherry Creek Business Center Filing No. 13, which is further depicted in Exhibit A; and

WHEREAS, Tract C, Cherry Creek Business Center Filing No. 13, County of Arapahoe, State of Colorado (Property) is owned by Jorden-21, LLC; and

WHEREAS, Dove Valley Metropolitan District may claim some interest in Tract C, Cherry Creek Business Center Filing No. 13, County of Arapahoe, State of Colorado by virtue of the Final Plat for Cherry Creek Business Center Filing No. 13; and

WHEREAS, fee title to the Property would enable SEMSWA to maintain the existing stormwater facilities located within Tract C so that they may function effectively and efficiently; and

WHEREAS, the SEMSWA Board has determined that it is in the best interest of the citizens living and working within SEMSWA's boundaries to accept these Quit Claim Deeds to the Property.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board authorizes the acceptance of the Quit Claim Deeds from Jorden-21, LLC and Dove Valley Metropolitan District to Tract C, Cherry Creek Business Center Filing No. 13, County of Arapahoe, State of Colorado and authorizes the Executive Director to record the Quit Claim Deeds.

SOUTHEAST METRO STORMWATER AUTHORITY  
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Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Secretary

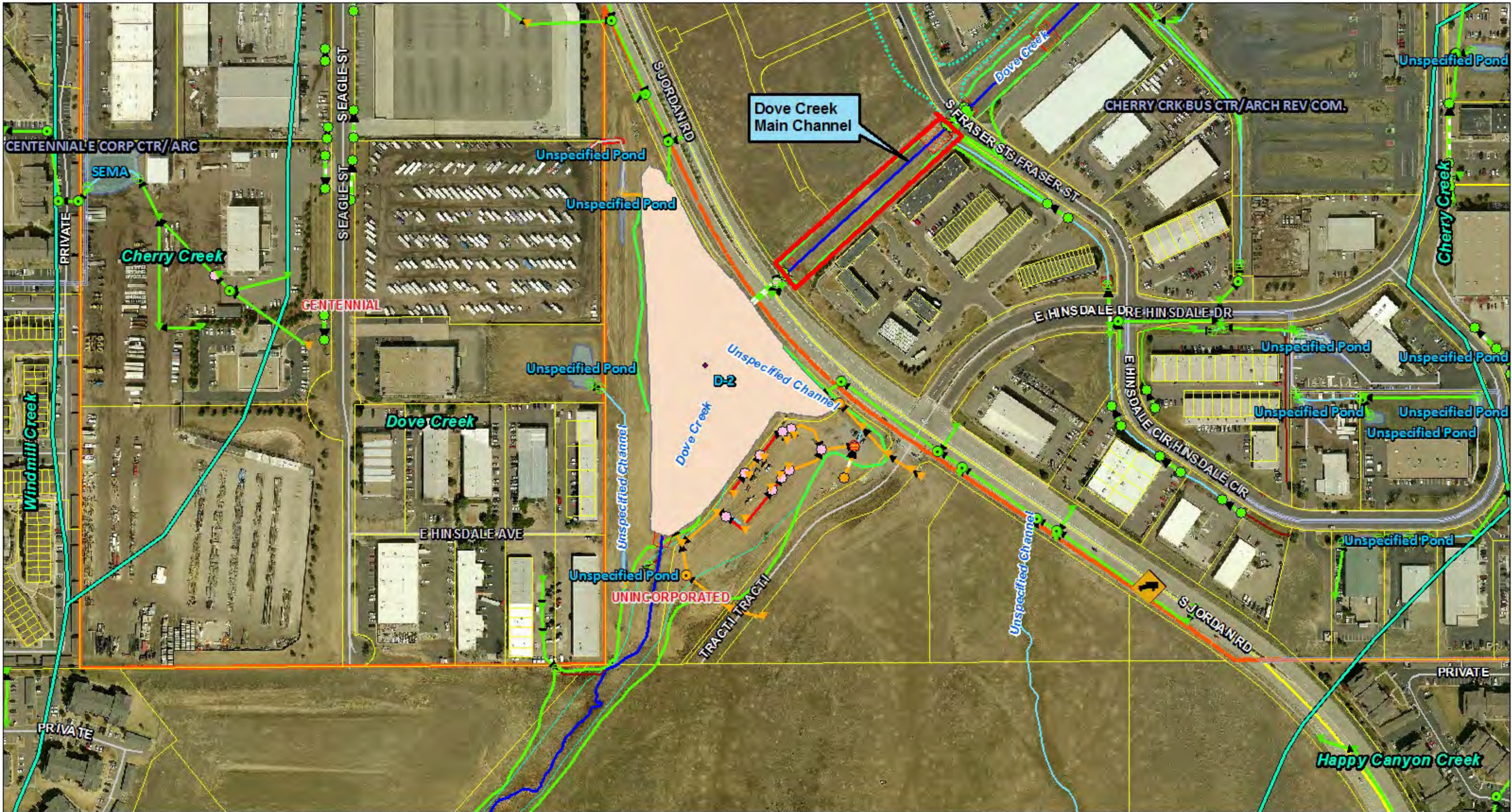
\_\_\_\_\_  
Chairperson

APPROVED AS TO FORM:

Attorney for  
Southeast Metro Stormwater Authority

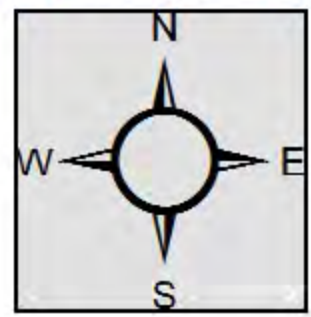
By \_\_\_\_\_  
Edward J. Krisor





**Parcel Tract C**  
**Parcel a Transfer from**  
**Jorden 21 LLC**

Exhibit A





**WHEN RECORDED, RETURN TO:**

Squire Patton Boggs (US) LLP  
Matthew M. Holman, Esq.  
1 East Washington Street, Suite 2700  
Phoenix, Arizona 85004

**QUIT CLAIM DEED**

THIS DEED, is dated March 5, 2015, between **JORDEN-21, LLC**, a Colorado limited liability company, by and through its sole member, SPIRAL COLORADO, LLC., a Colorado limited liability company, by and through its sole member, SPIRAL, INC. an Arizona corporation, by and through RESOLUTE COMMERCIAL SERVICES, LLC, a Arizona limited liability company, through its principal John P. Mitchell, III, solely in its capacity as the Court-Appointed Receiver of Spiral, Inc. in the Receivership pursuant to that Stipulated Order Appointing Receiver dated March 8, 2013, as amended or modified from time to time (the "**Receivership Order**")), in a case entitled U. S. Bank National Association, Plaintiff, v. Spiral, Inc. an Arizona corporation, Defendant, Case No. CV2013-001696 (the "**Action**") in the Arizona Superior Court, Maricopa County (the "**Court**"), the "Grantor" and the SOUTHEAST METRO STORMWATER AUTHORITY, a political subdivision and a public corporation of the State of Colorado, with a legal address of 7437 South Fairplay St., Centennial CO 80112, of the County of Arapahoe, State of Colorado, the "Grantee".

WITNESSETH, that Grantor, for and in consideration of the sum of One Dollar and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby remise, release, sell and QUITCLAIM unto the Grantee, and the Grantee's successors and assigns forever, all of Grantor's right, title and interest in and to the real property, together with all improvements, if any, situate, lying and being in the County of Arapahoe, State of Colorado, described as follows:

TRACT C, CHERRY CREEK BUSINESS CENTER FILING NO. 13  
COUNTY OF ARAPAHOE, STATE OF COLORADO

also known by street and number as: vacant land

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the Grantor, either in law or equity, to the only proper use, benefit and behoof of the Grantee, and the Grantee's successors and assigns, forever.

IN WITNESS WHEREOF, the Grantor has caused its name to be hereunto subscribed by its Principal on the date set forth above.

GRANTOR:

**JORDEN-21, LLC**, a Colorado limited liability company

By: SPIRAL COLORADO, LLC, a Colorado Limited liability company  
Its: Sole Member

By: SPIRAL, INC., an Arizona corporation  
Its: Sole Member

By: RESOLUTE COMMERCIAL SERVICES, LLC, a Arizona limited liability company, solely in its capacity as Court-Appointed Receiver for Spiral, Inc.

By: \_\_\_\_\_

Name: John P. Mitchell, III

Its: Principal

STATE OF ARIZONA       )  
  ) ss.  
COUNTY OF MARICOPA )

On this 5<sup>th</sup> day of March, 2015, before me Kristen M. Daley, personally appeared John P. Mitchell, III, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who's name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person or the entity upon behalf of which the person acted, executed this instrument.



Kristen M. Daley  
Notary Public



QUITCLAIM DEED

THIS DEED, is dated January 12, <sup>2015</sup>2014, between DOVE VALLEY METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado, the "Grantor" and the SOUTHEAST METRO STORMWATER AUTHORITY, a political subdivision and a public corporation of the State of Colorado, with a legal address of 7437 South Fairplay St., Centennial CO 80112, of the County of Arapahoe, State of Colorado, the "Grantee".

WITNESSETH, That Grantor, for and in consideration of the sum of One Dollar and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby remise, release, sell and QUITCLAIM unto the Grantee, and the Grantee's successors and assigns forever, all the real property, together with all improvements, if any, situate, lying and being in the County of Arapahoe, State of Colorado, described as follows:

TRACT C, CHERRY CREEK BUSINESS CENTER FILING NO. 13  
COUNTY OF ARAPAHOE, STATE OF COLORADO

also known by street and number as: vacant land

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the Grantor, either in law or equity, to the only proper use, benefit and behoof of the Grantee, and the Grantee's successors and assigns, forever.

IN WITNESS WHEREOF, the Grantor has caused its corporate name to be hereunto subscribed by its president, vice-president, or other head officer, and its corporate seal to be affixed, attested by its secretary or other appropriate officer, on the date set forth above.

GRANTEE:

DOVE VALLEY METROPOLITAN DISTRICT,  
a quasi-municipal corporation and political subdivision of the State of Colorado

By: 

Name: Gregory L. Armstrong

Title: President

STATE OF COLORADO )  
 ) ss.

COUNTY OF Arapahoe )

The forgoing QUITCLAIM DEED was acknowledged before me this 12<sup>th</sup> day of January, 2018 by Luc Armstrong, as President of DOVE VALLEY METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado

Witness my hand and official seal.



My commission expires: 5/30/2018.

Notary Public

Lisa A. Carnesciali-Jacoby



