

TOWN OF SUPERIOR
RESOLUTION NO. R-46
SERIES 2022

EXHIBIT B

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF
SUPERIOR REGARDING THE EXCLUSION OF CERTAIN PROPERTY
FROM THE SUPERIOR/MCCASLIN INTERCHANGE METROPOLITAN
DISTRICT**

WHEREAS, the Board of Directors of the Superior/McCaslin Interchange Metropolitan District (the "District"), has determined to exclude from the boundaries of the District the real property more particularly described in **Exhibit A** attached hereto and incorporated herein by this reference (the "Property");

WHEREAS, the Property is located within the municipal boundaries of the Town;

WHEREAS, the purpose of the District is to provide traffic, intersection and roadway improvements at the McCaslin Boulevard/U.S. 36 interchange (the "Interchange");

WHEREAS, pursuant to C.R.S. § 32-1-502(2)(a), for the exclusion of the Property from the District to be approved by the district court, the Town must agree by resolution to provide the same services to the Property as are currently provided by the District;

WHEREAS, the Town and the District desire to submit a single plan regarding the exclusion to the district court in support of the District's petition for exclusion; and

WHEREAS, the Town determines that it is in the best interest of the Town, the District, and the owners of the Property for the Town and the District to enter into the Agreement for a Single Plan.


NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR, COLORADO, as follows:

Section 1. Pursuant to C.R.S. § 32-1-502, upon the exclusion of the Property from the District, the Town, who is already providing services to the Property, agrees to provide the same level of traffic, intersection and roadway improvement services to the Property as are provided by the District; provided that the Town may contract for such services or allow such services to be provided by the District.

Section 2. The Town hereby consents to the exclusion of the Property from the District.

Section 3. The Agreement for a Single Plan is hereby approved in substantially the form attached hereto as **Exhibit B.**

ADOPTED this 11th day of July, 2022.



Clint Folsom, Mayor

ATTEST:



Patricia Leyva, Town Clerk



**EXHIBIT A
LEGAL DESCRIPTION**

A PARCEL OF LAND INCLUSIVE OF LOT 1 AND LOT 2 OF THE BIELLA MINOR SUBDIVISION RECORDED SEPTEMBER 14, 2005 AS RECEPTION NO. 2722091 OF THE RECORDS OF BOULDER COUNTY AND INCLUSIVE OF TRACT A, LOT 1 AND LOT 2 OF THE ICE HOUSE SUBDIVISION FILING NO. 2 RECORDED JULY 15, 2011 AS RECEPTION NO. 03159229 OF THE RECORDS OF BOULDER COUNTY AND INCLUSIVE OF THAT REAL PROPERTY DESCRIBED IN A QUIT CLAIM DEED FROM THE COUNTY OF BOULDER TO THE TOWN OF SUPERIOR RECORDED AUGUST 1, 1997 AS RECEPTION NO. 1719035 OF THE RECORDS OF BOULDER COUNTY, AND INCLUSIVE OF LOT 1 THROUGH 21, PARCEL A AND OUTLOT B OF THE BLOCK 1, DISCOVERY OFFICE PARK/SUPERIOR TOWN CENTER REPLAT NO. 3 RECORDED APRIL 12, 2018 AS RECEPTION NO. 03650274 OF THE RECORDS OF BOULDER COUNTY AND ALSO ALL OF LOTS 78 THROUGH 100, OUTLOT J AND OUTLOT K, AND PORTIONS OF OUTLOT G AND OUTLOT L OF THE BLOCK 25, DISCOVERY OFFICE PARK/SUPERIOR TOWN CENTER REPLAT NO. 2 RECORDED MARCH 25, 2019 AS RECEPTION NO. 03703842 OF THE RECORDS OF BOULDER COUNTY, ALL BEING SITUATED IN SECTION 19, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF SUPERIOR, COUNTY OF BOULDER, STATE OF COLORADO, AND AS A WHOLE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH SIXTEENTH CORNER OF THE WEST SIDE OF SAID SECTION 19, MONUMENTED BY 2.5" BRASS ROCK CAP EMBEDDING IN CONCRETE MEDIAN AND STAMPED "N1/16 S19 R69W S24 R70W T1S PLS 29761" AND ASSUMING THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 19, MONUMENTED AT THE WEST QUARTER CORNER BY A 2" ALUMINUM PIPE WITH A 2.5" ALUMINUM CAP STAMPED "FRANK R. DREXEL 1/4 S19 R69W S24 R70W T1N [SIC] 2149", TO BEAR SOUTH 01°14'50" EAST, BEING A GRID BEARING OF THE COLORADO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NORTH AMERICAN DATUM 1983/92, A DISTANCE OF 1316.98 FEET, WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE NORTH 88°44'36" EAST A DISTANCE OF 154.96 FEET TO THE NORTHWEST CORNER OF LOT 2 OF THE ICE HOUSE SUBDIVISION FILING NO. 2 AND TO THE POINT OF BEGINNING;

THENCE NORTH 88°44'36" EAST ALONG THE NORTHERLY LINE OF SAID LOT 2 A DISTANCE OF 9.52 FEET TO THE SOUTHWESTERLY CORNER OF SAID REAL PROPERTY DESCRIBED IN QUIT CLAIM DEED RECORDED AUGUST 1, 1997 AS RECEPTION NO. 1719035 OF THE RECORDS OF BOULDER COUNTY;

THE NEXT THREE (3) COURSES ARE ALONG THE WESTERLY LINES OF SAID REAL PROPERTY DESCRIBED IN A QUIT CLAIM DEED RECORDED AUGUST 1, 1997 AS RECEPTION NO. 1719035 OF THE RECORDS OF BOULDER COUNTY:

1. THENCE NORTH 09°49'34" WEST A DISTANCE OF 297.96 FEET;

2. THENCE NORTH 08°19'35" WEST A DISTANCE OF 139.98 FEET;
3. THENCE NORTH 00°10'10" EAST A DISTANCE OF 226.84 FEET TO THE NORTHWEST CORNER OF SAID REAL PROPERTY DESCRIBED IN A QUIT CLAIM DEED RECORDED AUGUST 1, 1997 AS RECEPTION NO. 1719035 OF THE RECORDS OF BOULDER COUNTY;
THENCE NORTH 88°42'50" EAST ALONG THE NORTHERLY LINE OF SAID REAL PROPERTY DESCRIBED IN RECEPTION NO. 1719035 AND ALONG THE NORTHERLY LINE OF THE ICE HOUSE SUBDIVISION FILING NO. 2 A DISTANCE OF 961.21 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 36 AND THE BEGINNING POINT OF A CURVE, NON-TANGENT TO THIS COURSE;
THENCE ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE AND ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST A DISTANCE OF 301.42 FEET, SAID CURVE HAS RADIUS OF 5630.00 FEET, A DELTA OF 03°04'03" AND IS SUBTENDED BY A CHORD BEARING SOUTH 53°47'12" EAST A DISTANCE OF 301.38 FEET TO THE END POINT OF SAID CURVE AND TO THE WESTERLY LINE OF THE BIELLA MINOR SUBDIVISION;
THENCE NORTH 00°09'03" WEST ALONG THE WESTERLY LINE OF THE BIELLA MINOR SUBDIVISION A DISTANCE OF 10.27 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 36 AND THE BEGINNING POINT OF A CURVE, NON-TANGENT TO THIS COURSE;

THE NEXT TWO (2) COURSES ARE ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 36:

1. THENCE ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST A DISTANCE OF 721.14 FEET, SAID CURVE HAS A RADIUS OF 5630.00 FEET; A DELTA OF 07°20'20" AND IS SUBTENDED BY A CHORD BEARING SOUTH 48°47'49" EAST A DISTANCE OF 720.65 FEET TO A POINT OF TANGENCY;
2. THENCE SOUTH 45°07'39" EAST A DISTANCE OF 1104.78 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 19 AND ALSO THE NORTHEAST CORNER OF SAID BIELLA MINOR SUBDIVISION;

THENCE SOUTH 00°02'40" EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 19 A DISTANCE OF 65.30 FEET TO THE NORTHERLY LINE OF PARCEL D AS DESCRIBED IN AN AGREEMENT RECORDED MAY 16, 2003 AS RECEPTION NO. 2442477 OF THE RECORDS OF BOULDER COUNTY;
THENCE SOUTH 89°14'15" WEST ALONG THE NORTHERLY LINE OF SAID PARCEL D A DISTANCE OF 241.51 FEET;
THENCE SOUTH 00°46'59" EAST ALONG THE WESTERLY LINE OF THE SUPERIOR CEMETERY AS PER RECEPTION NO. 2442477 A DISTANCE OF 271.00 FEET TO THE SOUTHWEST CORNER THEREOF;
THENCE NORTH 89°41'10" EAST ALONG THE SOUTHERLY LINE OF SAID SUPERIOR CEMETERY A DISTANCE OF 238.00 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 19;

THENCE SOUTH 00°02'40" EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 19 A DISTANCE OF 190.53 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION 19;

THENCE SOUTH 88°54'11" WEST ALONG THE SOUTH LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 19 A DISTANCE 1185.23 FEET TO THE EASTERLY LINE OF OUTLOT G AS DESCRIBED IN BLOCK 25, DISCOVERY OFFICE PARK/SUPERIOR TOWN CENTER REPLAT NO. 2 RECORDED MARCH 25, 2019 AS RECEPTION NO. 03703842 OF THE RECORDS OF BOULDER COUNTY;

THE NEXT TWO (2) COURSES ARE ALONG THE EASTERLY LINE OF SAID OUTLOT G:

1. THENCE SOUTH 15°03'36" EAST A DISTANCE OF 148.29 FEET TO THE BEGINNINGPOINT OF A CURVE, TANGENT TO THIS COURSE;
2. THENCE ALONG SAID EASTERLY LINE OF OUTLOT G AND ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHEAST A DISTANCE OF 29.33 FEET, SAID CURVE HAS RADIUS OF 380.00 FEET, A DELTA OF 04°25'20" AND IS SUBTENDED BY A CHORD BEARING SOUTH 17°16'16" EAST A DISTANCE OF 29.32 FEET TO THE END POINT OF SAID CURVE;

THENCE SOUTH 70°31'04" WEST, RADially TO THE LAST DESCRIBED CURVE, A DISTANCE OF 70.31 FEET;

THENCE NORTH 89°38'41" WEST A DISTANCE OF 110.07 +/- FEET TO THE NORTHEAST CORNER OF LOT 20, BLOCK 1 OF THE BLOCK 1, DISCOVERY OFFICE PARK/SUPERIOR TOWN CENTER REPLAT NO. 3 RECORDED APRIL 12, 2018 AS RECEPTION NO. 03650274 OF THE RECORDS OF BOULDER COUNTY;

THE NEXT TWELVE (12) COURSES ARE ALONG THE EASTERLY, SOUTHERLY AND WESTERLY LINES OF THE BLOCK 1, DISCOVERY OFFICE PARK/SUPERIOR TOWN CENTER REPLAT NO. 3 RECORDED APRIL 12, 2018 AS RECEPTION NO. 03650274 OF THE RECORDS OF BOULDER COUNTY:

1. THENCE SOUTH 18°40'18" WEST A DISTANCE OF 92.35 FEET TO THE SOUTHEAST CORNER OF SAID LOT 20;
2. THENCE SOUTH 78°32'43" EAST A DISTANCE OF 22.26 FEET TO THE NORTHEAST CORNER OF PARCEL A OF THE BLOCK 1, DISCOVERY OFFICE PARK/SUPERIOR TOWN CENTER REPLAT NO. 3 RECORDED APRIL 12, 2018 AS RECEPTION NO. 03650274 OF THE RECORDS OF BOULDER COUNTY;
3. THENCE ALONG THE EASTERLY LINE OF PARCEL A SOUTH 00°13'16" WEST A DISTANCE OF 80.92 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL A AND THE BEGINNING POINT OF A CURVE, NON-TANGENT TO THIS COURSE;
4. THENCE ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST A DISTANCE OF 278.69 FEET, SAID CURVE HAS A RADIUS OF 229.00 FEET, A DELTA OF 69°43'43" AND IS SUBTENDED BY A CHORD BEARING NORTH 79°36'07" WEST A DISTANCE OF 261.81 FEET TO THE END POINT OF SAID CURVE;

5. THENCE SOUTH 65°32'01" WEST A DISTANCE OF 98.76 FEET TO THE BEGINNING POINT OF A CURVE, TANGENT TO THIS COURSE;
6. THENCE ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST A DISTANCE OF 85.83 FEET, SAID CURVE HAS A RADIUS OF 114.07 FEET, A DELTA OF 43°06'46" AND IS SUBTENDED BY A CHORD BEARING SOUTH 87°05'48" WEST A DISTANCE OF 83.82 FEET TO THE END POINT OF SAID CURVE;
7. THENCE NORTH 72°04'25" WEST A DISTANCE OF 5.07 FEET TO THE BEGINNING POINT OF A CURVE, TANGENT TO THE THIS COURSE;
8. THENCE ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST A DISTANCE OF 276.40 FEET, SAID CURVE HAS A RADIUS OF 315.00 FEET, A DELTA OF 50°16'26" AND IS SUBTENDED BY A CHORD BEARING SOUTH 82°47'22" WEST A DISTANCE OF 267.61 FEET TO THE END POINT OF SAID CURVE;
9. THENCE SOUTH 57°39'09" WEST A DISTANCE OF 101.77 FEET TO THE BEGINNING POINT OF A CURVE, TANGENT TO THE THIS COURSE;
10. THENCE ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST A DISTANCE OF 47.86 FEET, SAID CURVE HAS A RADIUS OF 135.00 FEET, A DELTA OF 20°18'39" AND IS SUBTENDED BY A CHORD BEARING SOUTH 67°48'28" WEST A DISTANCE OF 47.61 FEET TO THE END POINT OF SAID CURVE;
11. THENCE SOUTH 77°57'48" WEST A DISTANCE OF 6.89 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL A;
12. THENCE ALONG THE WESTERLY LINE OF SAID PARCEL A NORTH 09°47'18" WEST A DISTANCE OF 304.46 FEET TO THE NORTHWEST CORNER OF OUTLOT B OF THE BLOCK 1, DISCOVERY OFFICE PARK/SUPERIOR TOWN CENTER REPLAT NO. 3 RECORDED APRIL 12, 2018 AS RECEPTION NO. 03650274 OF THE RECORDS OF BOULDER COUNTY, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF LOT 2 OF THE ICE HOUSE SUBDIVISION FILING NO. 2 RECORDED JULY 15, 2011 AS RECEPTION NO. 03159229 OF THE RECORDS OF BOULDER COUNTY;

THE NEXT TWO (2) COURSES ARE ALONG THE WESTERLY LINES OF THE ICE HOUSE SUBDIVISION FILING NO. 2 RECORDED JULY 15, 2011 AS RECEPTION NO. 03159229 OF THE RECORDS OF BOULDER COUNTY;

1. THENCE NORTH 09°51'48" WEST A DISTANCE OF 152.34 FEET;
2. THENCE NORTH 09°57'12" WEST A DISTANCE OF 1333.18 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 3,967,914 SQ. FT. OR 91.1 ACRES, MORE OR LESS