

SPECIAL WARRANTY DEED

11/03/2021 11:55 AM

RF: \$38.00 DF: \$250.00

Arapahoe County Clerk, CO

Page: 1 of 6

Joan Lopez, Clerk & Recorder

Electronically Recorded

E1168870

SPECIAL WARRANTY DEED

THIS DEED is dated as of the 28th day of October, 2021 and is made between **AURORA ONE REAL ESTATE, LP**, a Texas limited partnership, the "**Grantor**," and **KCM AURORA ONE, LLC**, a Colorado limited liability company, the "**Grantee**," whose legal address is 205 County Road H, Elkhorn, WI 53121.

WITNESS, that the Grantor, for and in consideration of the sum of TEN DOLLARS, (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby grants, bargains, sells, conveys and confirms unto the Grantee and its successors and assigns forever, all of its rights, title and interest in and to the real property situated in the City of Aurora and the County of Arapahoe, State of Colorado, more particularly described in Exhibit A, attached hereto and made a part hereof (the "Real Property"), together with any improvements thereon.

Grantor **EXCEPTS** from the foregoing conveyance of the Real Property all minerals, mineral rights, oil, gas, and other hydrocarbons of whatever type and character owned by Grantor in, under and that may be produced from the Real Property (collectively, "Minerals") which Minerals are being separately conveyed by Grantor to Wildcat Investors LLC, a Colorado limited liability company, via Special Warranty Deed of even date herewith.

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

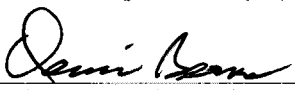
TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantee and the Grantee's successors and assigns forever. The Grantor, for itself and its successors and assigns, does covenant and agree that the Grantor shall and will WARRANT THE TITLE AND DEFEND the above-described premises in the quiet and peaceable possession of the Grantee and the successors and assigns of the Grantee, against all and every person or persons claiming the whole or any part thereof, by, through or under the Grantor, except for and subject to taxes and assessments for the year 2021, a lien not yet due or payable, and those matters set forth on Exhibit B attached hereto and made a part hereof.

IN WITNESS WHEREOF, Grantor has executed this deed as of the date set forth above.

GRANTOR:

AURORA ONE REAL ESTATE, LP, a Texas limited partnership

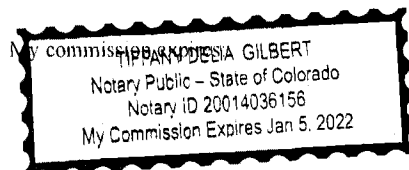
By: Aurora One Management Company, LLC, its General Partner

By: 
Dennis Beene, Assistant Vice President

STATE OF Colorado,
COUNTY OF Denver) ss.

The foregoing Special Warranty Deed was acknowledged before me this 28 day of October, 2021, by Dennis Beene, Assistant Vice President of Aurora One Management Company, LLC, General Partner of AURORA ONE REAL ESTATE, LP, a Texas limited partnership.

Witness my hand and official seal.




Notary Public

NW35038
Recording Requested by:
FNTG-NCS Colorado

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY

(BASED ON PROPERTY LINES AS SHOWN IN CAD DRAWING Aurora One – PA10 Boundary_2021-10-22_2 Rev,
RECEIVED FROM "WARE MALCOMB" ON 10/22/2021)

A PARCEL OF LAND LOCATED IN THE NORTH HALF OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 66 WEST OF THE
SIXTH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER SAID SECTION 12, BEING A FOUND 3/4" REBAR AND 3 1/4 INCH
ALUMINUM CAP, 3 INCHES BELOW THE SURFACE, MARKED LS#36318

THENCE S 32°43'30" E, 1459.14 FEET TO THE POINT OF BEGINNING

THENCE 774.46 FEET, ALONG WESTERLY RIGHT OF WAY OF VALDAI STREET, S 33°57'28" W

THENCE CONTINUING ALONG WESTERLY RIGHT OF WAY LINE OF SAID VALDAI STREET, 2.19 FEET ALONG THE ARCH
OF A CURVE TO THE LEFT HAVING A RADIUS OF 689.41 FEET, A CENTRAL ANGLE OF 0°10'55" AND A CHORD WHICH
BEARS S 33°52'01" W, A DISTANCE OF 2.19 FEET AND NON-TANGENT TO THE FOLLOWING LINE

THENCE N 72°20'43" W, A DISTANCE OF 213.36 FEET

THENCE 161.93 FEET ALONG THE ARCH OF A CURVE TO THE LEFT HAVING A RADIUS OF 609.90 FEET, A CENTRAL
ANGLE OF 15°12'44" AND A CHORD WHICH BEARS N 79°57'05" W, A DISTANCE OF 161.45 FEET

THENCE N 87°33'27" W, A DISTANCE OF 80.91 FEET

THENCE 170.57 FEET ALONG THE ARCH OF A CURVE TO THE RIGHT HAVING A RADIUS OF 257.24 FEET, A CENTRAL
ANGLE OF 37°59'26" AND A CHORD WHICH BEARS N 68°33'44" W, A DISTANCE OF 167.46 FEET

THENCE N 49°34'01" W, A DISTANCE OF 145.81 FEET

THENCE N 0°35'50" E, A DISTANCE OF 88.40 FEET

THENCE N 20°40'25" E, A DISTANCE OF 67.04 FEET

THENCE N 24°50'34" W, A DISTANCE OF 106.32 FEET

THENCE N 66°13'18" E, A DISTANCE OF 160.66 FEET

THENCE 125.31 FEET ALONG THE ARCH OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 185.26
FEET, A CENTRAL ANGLE OF 38°45'17" AND A CHORD WHICH BEARS N 46°42'00" E, A DISTANCE OF 122.94 FEET

THENCE 385.23 FEET ALONG THE ARCH OF A CURVE TO THE RIGHT HAVING A RADIUS OF 237.66 FEET, A CENTRAL
ANGLE OF 92°52'17" AND A CHORD WHICH BEARS N 73°45'30" E, A DISTANCE OF 344.42 FEET

THENCE 374.68 FEET ALONG THE ARCH OF A CURVE TO THE LEFT HAVING A RADIUS OF 1643.78 FEET, A CENTRAL
ANGLE OF 13°03'36" AND A CHORD WHICH BEARS S 66°20'10" E, A DISTANCE OF 373.87 FEET

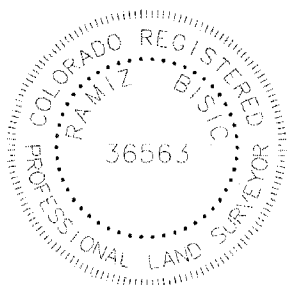
THENCE 73.48 FEET ALONG THE ARCH OF A CURVE TO THE LEFT HAVING A RADIUS OF 244.56 FEET, A CENTRAL ANGLE OF 17°12'54" AND A CHORD WHICH BEARS S 81°28'24" E, A DISTANCE OF 73.20 FEET AND NON-TANGENT TO THE FOLLOWING LINE

THENCE S 0°28'02" E A DISTANCE OF 21.92 FEET

THENCE 205.75 FEET ALONG THE ARCH OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 236.36 FEET, A CENTRAL ANGLE OF 49°52'33" AND A CHORD WHICH BEARS N 65°44'10" E, A DISTANCE OF 199.31 FEET TO THE POINT OF BEGINNING

CONTAINING 12.32 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN BEARING N 89°17'33" E, MONUMENTED BY A FOUND 3/4" REBAR AND 3 1/4 INCH ALUMINUM CAP IN A RANGE BOX, MARKED LS#36053 AT THE NORTHWEST CORNER OF SECTION 12, AND A FOUND 3/4" REBAR AND 3 1/4 INCH ALUMINUM CAP, 3 INCHES BELOW THE SURFACE, MARKED LS#36318 AT THE NORTH QUARTER CORNER OF SECTION 12.



Ramiz Bisic, PLS 36563
COLORADO LAND SURVEYING
5343 W. 116th Cir.
Westminster, CO 80020
bisic@msn.com
303-882-1429

EXHIBIT B
EXCEPTIONS

Any facts, rights, interests or claims that are not shown by the Public Records but which could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.

Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.

Any encroachments, encumbrances, 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 Public Records.

Reservations contained in the Patent:

From: The United States of America

To: Michael W. Davis

Recording Date: April 18, 1895

Recording No.: COCOAA No. 073028, BLM Records

Which among other things recites as follows:

A right of way thereon for ditches or reservoirs constructed by the authority of the United States of America.

The right of the proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to penetrate or intersect the premises hereby granted as provided by law.

Reservations contained in the Patent:

From: The United States of America

To: Michael W. Davis

Recording Date: December 12, 1890

Recording No.: COCOAA No. 072962, BLM Records

Which among other things recites as follows:

A right of way thereon for ditches or reservoirs constructed by the authority of the United States of America.

The right of the proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to penetrate or intersect the premises hereby granted as provided by law.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: American Telephone and Telegraph Company

Purpose: Telephone and Telegraph Lines and Fixtures

Recording Date: March 19, 1929

Recording No.: Book 278 Page 324

Any taxes or assessments by reason of the inclusion of the Land in the Sable-Altura Fire Protection District:

Recording Date: October 5, 1972

Recording No.: Book 2064 Page 548

Order of Court Excluding Certain Territory from the Sable Altura Fire Protection District:

Recording Date: October 18, 1996

Recording No.: Reception No. A6134319

Terms, conditions, provisions, agreements and obligations contained in the School Site Agreement as set forth below:

Recording Date: March 6, 1991

Recording No.: Book 6108 Page 106

Terms, conditions, provisions, agreements and obligations contained in the General Development Plan Nevin - Ringsby Properties as set forth below:

Order No. N0035038-020-LM1-DK2

Recording Date: March 12, 1991

Recording No.: Reception No. 91-17848

Terms, conditions, provisions, agreements and obligations contained in the Agreement as set forth below:

Recording Date: March 25, 1991

Recording No.: Book 6118 Page 207

Terms, conditions, provisions, agreements, reservations and obligations contained in the Special Warranty Deed as set forth below:

Recording Date: May 7, 1991

Recording No.: Book 6150 Page 787

Any taxes or assessments by reason of the inclusion of the Land in the E-470 Public Highway Authority:

Recording Date: December 19, 1995

Recording No.: Reception No. A5133863

Amendment to Certificate of Organization for the E-470 Public Highway Authority:

Recording Date: December 19, 1995

Recording No.: Reception No. A5133865

Terms, conditions, provisions, agreements and obligations contained in the Rule and Order as set forth below:

Recording Date: October 30, 1998

Recording No.: Reception No. A8173498

Terms, conditions, provisions, agreements and obligations contained in the Ordinance No. 2000-114 as set forth below:

Recording Date: December 6, 2000

Recording No.: Reception No. B0157887

An oil and gas lease for the term therein provided with certain covenants, conditions and provisions, together with easements, if any, as set forth therein, and any and all assignments thereof or interests therein.

Recording Date: May 25, 2017

Recording No.: Reception No. D7058596

and

Recording Date: May 30, 2017

Recording No.: Reception No. D7059400

Terms, conditions, provisions, agreements and obligations contained in the Rule and Order as set forth below:

Recording Date: March 26, 2019

Recording No.: Reception No. D9025659

Terms, conditions, provisions, agreements and obligations contained in the Aurora One Master Plan as set forth below:

Recording Date: July 26, 2021

Recording No.: Reception No. E1116907

Torero Land Investments LLC
c/o Geoffrey S. Babbitt
2953 S. Peoria St., Suite 200
Aurora, CO 80014
303-901-1414

October 26, 2022

Via Electronic Mail

atibbs@auroragov.org

Ms. Aja Tibbs
Planning Department Case Manager
City of Aurora Planning Department
15151 E. Alameda Parkway, Suite 2300
Aurora, Colorado 80012

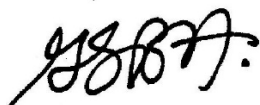
Re: KCM Aurora One, LLC – Development of Aurora One PA-10 (Pre-Application No. 1607994)
Inclusion of Sliver Land Area South of PA-10 and Adjacent to PA-8.

Dear Aja:

As you know, KCM Aurora One, LLC (“KCM”) as owner is preparing its formal development application for the development of PA-10. In an effort to aid that development, Owner Torero Land Investments LLC has agreed to convey to KCM approximately 0.993 acres of land which would otherwise go undeveloped under the Master Plan. This “sliver parcel” is located just south of PA-10 between that planning area and PA-8. The land area has been surveyed and a deed created, however, Owner is not in a position to immediately complete the conveyance.

KCM is happy to provide planning with a copy of the completed ALTA Survey. In the event any questions arise related to this land area during the pendency of KCM’s application, please do not hesitate to contact me.

Sincerely,



Geoffrey S. Babbitt
Managing Member
Torero Land Investments, LLC

Cc: Mark M. Mullen – Klingbeil Capital Management

