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Boulder County Clerk and Recorder

Molly Fitzpatrick

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Date: Nov 01, 2025 02:06 PM -06:00

#01004017 09/19/89 01:48 PM REAL ESTATE RECORDS
F1595 CHARLOTTE HOUSTON BOULDER CNTY CO RECORDER

PIKE NEIGHBORHOOD PARKS AGREEMENT

3-1

THIS AGREEMENT, made and entered into this 30TH day of MAY, 1989 by and between the City of Longmont, a municipal corporation, herein after referred to as "City," and Rocky Mountain Retirement Village Ltd., Wallace H. Grant, Douglas Grant, Henry Braly and Donald H. McKendry herein after referred to as "Owners."

WHEREAS, the Pike Annexation Agreement between City and Owners requires the parks funding deficit to be paid by the Owners; and

WHEREAS, Owners submitted the document titled "Left Hand Park Schematic Landscape Plan" by CIVITAS, dated May 4, 1989; and

WHEREAS, all review documents and correspondence regarding the park are a permanent part of the Pike Neighborhood Parks Study file with the City; and

WHEREAS, at this time, it is anticipated that a total of 240 residential dwelling units will be developed within the Pike Annexation area (90 in "Rainbow Ridge" and 150 in "Creekside"); and

WHEREAS, it is acknowledged that this agreement applies only to the residential portions of the Pike Annexation in terms of amounts expended and park fees collected;

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NOW, THEREFORE, it is mutually agreed as follows:

1. Owners agree to design, construct and then transfer ownership of the neighborhood park to the City upon final acceptance by the City of the improvements.
2. A preliminary design plan for the neighborhood park shall be approved by the Parks Director; said plan shall serve as the basis for final plans. The preliminary plan shall include the layout for a 7 to 8 acre neighborhood park, not including drainage wetland areas and primary greenway, and shall include a range of neighborhood parks facilities including, but not limited to:
 1. $\frac{1}{2}$ court basketball area
 2. open play area
 3. sandcourt volleyball area
 4. playground equipment
 5. restrooms
 6. picnic shelters
 7. parking lot
 8. lighting
 9. sidewalks and cinder paths
 10. park identification sign
 11. bikeway connections
 12. landscaping including buffering of permanent facilities from future highway
 13. irrigation systems



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3. Final plans, construction drawings, and cost estimates shall be prepared by Owners and reviewed by PIRC (Public Improvement Review Committee) and approved by the Parks and Recreation Director and the City Engineer. Such approvals shall be completed and construction of the park commenced in conjunction with the public improvements for the plat which contains the 120th residential unit in the Pike Annexation. On any phase of development prior to the final plat which contains the 120th unit, the MOAPI shall include cash escrow for that phase's proportionate share of the park acquisition and construction less the anticipated park fees to be generated by that phase of development. If Owners desire to grade, excavate or facilitate other construction activity within the park area prior to final plans for the entire park being approved by the City, plans for the desired activity shall be reviewed and approved by the Parks and Recreation Director prior to commencement of the desired activity. Park construction shall be completed by January 1, 2000 or in conjunction with the public improvements for the plat which contains the 230th unit, whichever comes first. If land development activity does not progress as expected, City and Owners may, by mutual agreement, adjust the above date of January, 2000 for park completion.
 4. Owners shall be reimbursed for construction costs and acquisition of the neighborhood park from park fees collected within the Pike Annexation area as follows:
 - a. The first \$106,860 of park fees collected shall be reimbursed to Owners.
 - b. The next \$106,860 of park fees collected shall be retained by the City for the Owners' share of Community Parks responsibility.
 - c. The next \$21,007 of park fees collected shall be reimbursed to Owners.
 - d. Additional park fees collected thereafter shall be split with 50% retained by the City and 50% reimbursed to the Owners.

Park fees shall be reimbursed to owners only up to amounts expended by owners in construction of the park as evidenced by bills presented to the Parks and Recreation Director plus the value of the park land at \$18,500 per acre less the area used for primary greenway and drainage wetlands area. Park fees shall be reimbursed to Owners on a quarterly basis, based on availability.

The Owners wish to reserve the right to further discuss and define the "service area" of the new neighborhood park in conjunction with the preliminary design plan. If other area in the Pike Neighborhood served by this neighborhood park is annexed to the City, or the "service area" changes such that other fees are reimbursable to the Owners, an addendum to this agreement will be used to modify its terms and conditions.



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APPROVED AS TO FORM:

3-3

Bruce P. Bailey
Deputy City Attorney

APPROVED AS TO CONTENT:

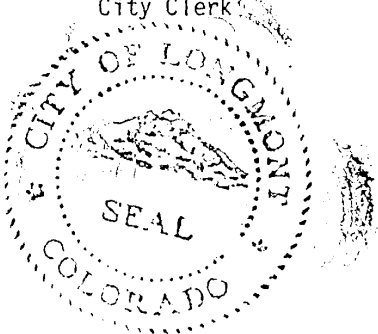
Paul DelVecchio
Community Development Director

City of Longmont

Robert E. Liberey
Mayor

ATTEST:

Alicia M. Hamon
City Clerk



ROCKY MOUNTAIN RETIREMENT
VILLAGE LTD. (Rainbow Ridge)

Dave Bruns
Dave Bruns, General Partner

CREEKSIDE SUBDIVISION

Wallace H. Grant
Wallace H. Grant

Douglas Grant
Douglas Grant

Henry Braly
Henry Braly

Donald H. McKendry
Donald H. McKendry