

PETITION FOR EXCLUSION OF PROPERTY
From
INTERQUEST NORTH BUSINESS IMPROVEMENT DISTRICT

TO: City Council, City of Colorado Springs, Colorado.

The undersigned, Interquest Marketplace, LLC, a Colorado limited liability company, hereby respectfully petitions the City Council of the City of Colorado Springs in accordance with the provisions of Section 31-25-1220, C.R.S., for the exclusion of the hereinafter described property from the Interquest North Business Improvement District (the "District").

The undersigned hereby requests that the herein described property on **Exhibit A**, which attached hereto and incorporated herein (the "Property") be excluded from said District and that an Ordinance be adopted by the City Council excluding said property from said District, and that from and after the entry of such Ordinance, said property shall not be liable for assessments and other obligations of said District.

The undersigned represents to the City Council that it is the owner of the property. The undersigned represents that no other persons, entity or entities own an interest in the Property except the Bondholder, Enterprise Fund No. 6, LLC, a Colorado limited liability company (the "Bondholder"). The undersigned has obtained consent to the exclusion from Bondholder. A copy of which is attached hereto as **Exhibit B**.


Acceptance of the Petition shall be deemed to have occurred at that time when the City Council sets the date for the public hearing for the consideration of the Petition.

The undersigned agrees that it shall pay in full the fees and costs incurred by the City and the District for the publication of the notice of the hearing on exclusion, publication of the ordinance approving the exclusion (if any), filing and recording fees, and all other costs of exclusion of the property from said District, whether or not such exclusion is approved.

The legal description of said property situate in the County of El Paso, State of Colorado, is attached hereto as **Exhibit A**.

This is a verified petition.

Petitioner: Interquest Marketplace, LLC

By: 
Name: David D. Jenkins
Title: Manager

Petitioner's
Street Address: 111 S. Tejon Street, Suite 222
Colorado Springs, CO 80903

STATE OF COLORADO)
) ss.
COUNTY OF El Paso)

The foregoing instrument was acknowledged before me this 6th day of January, 2017,
by Maria D. Jenkins as Manager of Interquest
Marketplace, LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission Expires: 10-24-2017



Loretta D. Jibreen
Notary Public

EXHIBIT A
Petition for Exclusion
Legal Description
Interquest North Business Improvement District

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF SECTION 20, TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: A PORTION OF THE EASTERLY BOUNDARY OF THE UNITED STATES AIR FORCE ACADEMY AS RECORDED IN BOOK O-2 AT PAGE 84, BEING MONUMENTED AT THE SOUTHERLY END (THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20) BY A 2-1/2 INCH ALUMINUM SURVEYORS CAP STAMPED "CCES LLC PLS 30118" AND AT THE NORTHERLY END BY 3-1/2" BRASS CAP IN CONCRETE LS 6786 USAF, IS ASSUMED TO BEAR N00°15'03"W A DISTANCE OF 899.09 FEET.

COMMENCING AT THE SOUTHEASTERLY CORNER TRACT H AS PLATTED IN MARKETPLACE AT INTERQUEST FILING NO. 2, RECORDED UNDER RECEPTION NO. 208712786 RECORDS OF EL PASO COUNTY, COLORADO, SAID POINT BEING ON THE WESTERLY RIGHT OF WAY LINE OF VOYAGER PARKWAY AS DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 98091346 SAID POINT BEING THE POINT OF BEGINNING;

THENCE S00°03'04"E, ON SAID WESTERLY RIGHT OF WAY LINE AND THE WESTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 83 DESCRIBED IN A DOCUMENT RECORDED IN BOOK 1982 AT PAGE 416, A DISTANCE OF 599.37 FEET TO A POINT ON CURVE;
THENCE ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S34°46'43"W HAVING A DELTA OF 34°25'11" A RADIUS OF 33.00 FEET AND A DISTANCE OF 19.82 FEET TO A POINT OF TANGENT;
THENCE N89°38'28"W, A DISTANCE OF 35.91 FEET TO A POINT OF CURVE;
THENCE ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 41°28'11" A RADIUS OF 203.00 FEET AND A DISTANCE OF 148.93 FEET TO A POINT OF TANGENT;
THENCE S48°53'21"W, A DISTANCE OF 221.18 FEET TO A POINT OF CURVE;
THENCE ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 41°28'11" A RADIUS OF 220.00 FEET AND A DISTANCE OF 159.23 FEET TO A POINT OF TANGENT;
THENCE N89°38'28"W, A DISTANCE OF 238.56 FEET;
THENCE N00°21'32"E, A DISTANCE OF 808.00 FEET TO A POINT ON THE SOUTHERLY OF RIGHT OF WAY LINE OF NEW LIFE DRIVE AS PLATTED IN SAID MARKETPLACE AT INTERQUEST FILING NO. 2;

THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING THREE (3) COURSES:

1. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N02°20'26"E, HAVING A DELTA OF 28°18'12" A RADIUS OF 740.00 FEET AND A DISTANCE OF 339.72 FEET TO A POINT OF REVERSE CURVE;
2. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 23°55'32", A RADIUS OF 660.00 FEET AND A DISTANCE OF 275.60 FEET;
3. N89°57'47"E, A DISTANCE OF 39.00 FEET TO THE NORTHWESTERLY CORNER OF SAID TRACT H;

THENCE ON THE WESTERLY AND SOUTHERLY BOUNDARY OF SAID TRACT H THE FOLLOWING FIVE (5) COURSES;

1. S00°02'13"E, A DISTANCE OF 12.00 FEET;
2. N89°57'47"E, A DISTANCE OF 29.81 FEET;
3. S45°00'00"E, A DISTANCE OF 24.96 FEET;
4. S00°03'04"E A DISTANCE OF 57.00 FEET;
5. N89°56'56"E, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING

CONTAINING A CALCULATED AREA OF 13.151 ACRES.

DEDICATION:

EXHIBIT B
Petition for Exclusion
Bondholder's Consent

CONSENT OF BONDHOLDER
\$6,500,000 Interquest North Business Improvement District
Limited Tax General Obligation Bond, Series 2010

THE UNDERSIGNED (the "Bondholder"), in connection with execution and issuance by the Interquest North Business Improvement District (the "BID") of the \$6,500,000 Limited Tax General Obligation Bond, Series 2010 (the "2010 Bond"), hereby consents, agrees, and represents as follows (capitalized terms used herein and not defined shall have the meanings ascribed thereto by the resolution approving the 2010 Bond by the BID, adopted on December 1, 2010 by the BID):

1. As of the date hereof, the Bondholder is the registered owner of 100% of the 2010 Bond.
2. The Bondholder consents and agrees to the following:
 - (a) Interquest Marketplace is in the process of excluding certain property from the BID, more particularly described in Exhibit A, hereinafter referred to as the "Property"; and
 - (b) Bondholder desires to provide its consent to the exclusion of the Property; and
 - (c) Bondholder desires to waive any future or present indebtedness or encumbrances on the Property.
3. Bondholder has been provided and received such documents and other information as it has requested in connection with the consent and agreement herein, and hereby conditionally agrees to the exclusion of the Property from further encumbrances of the 2010 Bond.
4. The undersigned is duly authorized by all applicable laws, rules, regulations, and corporate documents to make the agreements and representations contained herein.

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Dated as of the 5th day of Oct, 2015.

ENTERPRISE FUND NO. 6, a Colorado limited liability company

By: [Signature]

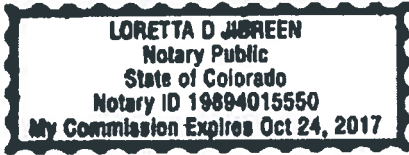
By: David B Jenkins, Manager

STATE OF COLORADO)
) ss.
COUNTY OF El Paso)

The foregoing instrument was acknowledged before me this 5th day of Oct, 2015, by David B Jenkins, Manager of Enterprise Fund No. 6, LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission Expires: 10-24-2017



[Signature]
Notary Public

EXHIBIT A

**LEGAL DESCRIPTION: INTERQUEST NORTH BUSINESS IMPROVEMENT
DISTRICT EXCLUSION 2017**

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