

DISTRICT COURT, BOULDER COUNTY, STATE OF COLORADO 1777 6 th Street Boulder, CO 80302	DATE FILED: March 24, 2022 2:03 PM CASE NUMBER: 2020CV30837
Plaintiff: ROCK CREEK MASTER HOMEOWNERS ASSOCIATION, INC. v. Defendants: JEFFERSON COUNTY, COLORADO, as successor in interest to the Jefferson County Airport Authority	<p style="text-align: center;">▲ COURT USE ONLY ▲</p> <hr/> Case No: 2020CV30837 Division: COC
SUPPLEMENTAL ORDER AND FINAL JUDGMENT	

Following the trial on October 25-26, 2021, the court issued its Bench Trial Order on December 23, 2021, stating its Findings of Fact and Conclusions of Law and requesting additional information from the parties necessary to implement the court's rulings prior to entering judgment.

Subsequently, the Plaintiff has filed an Unopposed Motion to Amend the Complaint and Supplementation of the Record, adding six (6) additional avigation easements with identical limitation events which are the subject of this matter. This amendment and supplementation have been accepted by the court.

Also in response to the court's request, the parties have filed a Stipulation identifying the avigation easements which were impacted by the 60 Ldn (DNL) contour line found in the 2000 Jefferson County Airport Master Plan.

It is hereby ordered that the December 23, 2021 Bench Trial Order is supplemented as follows:

Pages 1-2 exhibits: Plaintiff's exhibit 56 is received into evidence in addition to the exhibits previously listed.

Page 4: The following additional easements were filed with the Boulder County Clerk and Recorder – Reception number 1081940, 1081941, 1220832, 1585331, 1567719. In addition, an avigation easement was only filed with the Jefferson County Clerk and Recorder – Reception number 92051546.

The court finds that some portion of the following avigation easements lies within the 60 Ldn (DNL) contour line contained in the 2000 Jefferson County Airport Master Plan.

Associated Filing Number	Boulder Reception Number	Jeffco Reception Number
3	N/A	92051546
10	N/A	92051546
13	01227934	N/A
15	01323785	93113570
17A	01531880	F0066440
18	01531881	N/A
19	01556192 & 01551661	N/A
20	01556193 & 01551662	N/A
21	01567720	N/A

JUDGMENT

Pursuant to C.R.C.P. 105(a), 54 and 58, this court enters an Order finding that the following avigation easements granted in favor of the Jefferson County Airport Authority, now owned by Defendant Jefferson County, Colorado, have terminated pursuant to their terms and enters Judgment vacating the following avigation easements and orders them removed from the title record of the subject properties within each of the following avigation easements to quiet title in the property owners:

Avigation Easement Agreement for Rock Creek Ranch Filing No.'s 3 and 10 dated May 1, 1992, recorded with the Jefferson County Clerk and Recorder on May 4, 1992, reception number 92051546.

Avigation Easement Agreement for Rock Creek Ranch Filing No. 13 dated October 6, 1992, recorded with the Boulder County Clerk and Recorder on October 9, 1992, reception number 01227934.

Avigation Easement Agreement for Rock Creek Ranch Filing No. 15, dated July 29, 1993, recorded with the Boulder County Clerk and Recorder on August 10, 1993, reception number 01323785, and also recorded with the Jefferson County Clerk and Recorder on July 30, 1993, reception number 93113570.

Avigation Easement Agreement for Rock Creek Ranch Filing No. 17A, dated June 6, 1995, recorded with the Boulder County Clerk and Recorder on July 19, 1995, reception number 01531880, and also recorded with the Jefferson County Clerk and Recorder on June 7, 1995, reception number F0066440.

Avigation Easement Agreement for Rock Creek Ranch Filing No. 18, dated June 6, 1995, recorded with the Boulder County Clerk and Recorder on July 19, 1995, reception number 01531881.

Avigation Easement Agreement for Rock Creek Ranch Filing No. 19, dated September 27, 1995, recorded with the Boulder County Clerk and Recorder on October 19, 1995, reception number 01556192, and also recorded with the Boulder County Clerk and Recorder on October 10, 1995, reception number 01551661.

Avigation Easement Agreement for Rock Creek Ranch Filing No. 20, dated September 27, 1995, recorded with the Boulder County Clerk and Recorder on October 19, 1995, reception number 01556193, and also recorded with the Boulder County Clerk and Recorder on October 2, 1995, reception number 01551662.


Avigation Easement Agreement for Rock Creek Ranch Filing No. 21, dated December 6, 1995, recorded with the Boulder County Clerk and Recorder on December 7, 1995, reception number 010567720.

The court denies the Plaintiff's request to terminate and vacate the remaining avigation easements which were received into evidence.

Pursuant to C.R.C.P 54(c), this court finds that neither party substantially prevailed in this matter and the court awards no costs.

DATED this 24th day of March, 2022

BY THE COURT:

A handwritten signature in dark ink, appearing to read "Stephen E. Howard", written over a horizontal line.

Stephen Enderlin Howard
District Court Judge