

INTENT

THIS MAJOR SUBDIVISION PLAN SHALL BE BINDING UPON, AND INURE TO THE BENEFIT OF THE DEVELOPER/BUILDER, ITS HEIRS, SUCCESSORS, AND ASSIGNS. THE CITY AGREES THAT THE REQUIREMENTS SET FORTH HEREIN ARE REASONABLE, NECESSARY, AND APPROPRIATE CONDITIONS AND OBLIGATIONS OF THE DEVELOPER/BUILDER. THIS MAJOR SUBDIVISION PLAN SHALL BE DEEMED TO COMPLEMENT AND BE IN ADDITION TO THE CONDITIONS AND REQUIREMENTS OF THE CITY'S LAND USE AND DEVELOPMENT CODE (THE "CODE").

GENERALLY APPLICABLE DEVELOPMENT OBLIGATIONS

DEVELOPER/BUILDER SHALL BE RESPONSIBLE FOR THE CONSTRUCTION OF ALL PUBLIC IMPROVEMENTS SHOWN ON THIS MAJOR SUBDIVISION PLAN OR OTHERWISE REQUIRED BY THE CODE TO ESTABLISH BUILDABLE LOTS ON THE REAL PROPERTY IN ACCORDANCE WITH THIS MAJOR SUBDIVISION PLAN AND THE FINAL PLAT(S). THE TERM "SCHEDULE OF IMPROVEMENTS" AND/OR "PHASING PLAN(S)" SHALL MEAN A DETAILED LISTING OF THE PUBLIC IMPROVEMENTS, THE DESIGN, CONSTRUCTION, INSTALLATION, AND PHASING. THE "SCHEDULE OF IMPROVEMENTS" MAY BE DIVIDED INTO PHASES AS APPLICABLE PER THE APPROVED FINAL PLAT(S) FOR THE DEVELOPMENT, AS SHOWN ON THE OVERALL PHASING PLAN. PRELIMINARY COST ESTIMATES FOR EACH PHASE HAVE BEEN PROVIDED ON THE OVERALL PHASING PLAN WITHIN THIS SUBDIVISION PLAN. FINAL COST ESTIMATES FOR THE IMPROVEMENTS LISTED BELOW SHALL BE SUBMITTED TO THE CITY AT THE TIME OF EACH INDIVIDUAL FINAL PLAT AND PHASE APPROVAL. THE IMPROVEMENTS LISTED BELOW INDICATE THE PUBLIC IMPROVEMENTS ASSOCIATED WITH THIS SUBDIVISION PLAN, WHICH THE LIST IS NOT EXHAUSTIVE:

- POTABLE WATER LINES
- NON-POTABLE WATER LINES IF APPLICABLE
- SANITARY SEWER LINES
- STORM SEWER LINES
- DRAINAGE RETENTION/DETENTION PONDS
- STREETS/ALLEYS/RIGHTS-OF-WAY
- CURBS/GUTTERS
- SIDEWALKS
- BRIDGES AND OTHER STRUCTURE CROSSINGS
- TRAFFIC SIGNAL LIGHTS
- STREET LIGHTS
- STREET SIGNS
- FIRE HYDRANTS
- GUARD RAILS AS APPLICABLE
- NEIGHBORHOOD PARKS/COMMUNITY PARKS
- OPEN SPACE
- TRAILS AND PATHS
- STREET TREES/OPEN SPACE AND/OR COMMON AREA LANDSCAPING
- IRRIGATION SYSTEMS
- FENCING/RETAINING WALLS
- PARKING LOTS
- PERMANENT EASEMENTS
- LAND DONATED AND/OR CONVEYED TO THE CITY

DEVELOPER/BUILDER SHALL FURNISH, AT ITS SOLE EXPENSE AND IN CONFORMANCE WITH THE CODE, ALL NECESSARY ENGINEERING SERVICES AND CIVIL ENGINEERING DOCUMENTS RELATING TO THE DESIGN AND CONSTRUCTION OF THE PUBLIC IMPROVEMENTS (THE "CIVIL ENGINEERING DOCUMENTS"). DEVELOPER/BUILDER SHALL FURNISH AND INSTALL THE PUBLIC IMPROVEMENTS IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE CODE, THE CIVIL ENGINEERING DOCUMENTS APPROVED BY THE CITY, AND ANY GOVERNMENTAL OR QUASI-GOVERNMENTAL ENTITY TO WHOM SUCH PUBLIC IMPROVEMENTS MAY BE DEDICATED AS SET FORTH HEREIN OR ON THE FINAL PLAT FOR THE PARTICULAR PHASE. PERMITS FOR THE GRADING OF PROPERTY AND GENERAL SITE IMPROVEMENT AND UTILITY WORK WILL ONLY BE ISSUED BY THE CITY UPON THE FOLLOWING CONDITIONS:

- ALL APPLICABLE CITY REVIEWS ARE COMPLETED, AND PLANS ARE APPROVED
- ALL APPLICABLE PERMITTING FEES ARE PAID

BUILDING PERMITS FOR THE VERTICAL CONSTRUCTION OF ANY TYPE OF STRUCTURE REGULATED BY THE CITY WILL ONLY BECOME ACTIONABLE UPON THE FOLLOWING CONDITIONS:

- PUBLIC IMPROVEMENTS FOR THE REAL PROPERTY (OR FOR THE APPLICABLE PHASE OF THE REAL PROPERTY IF PHASING IS ALLOWED HEREIN) HAVE RECEIVED INITIAL ACCEPTANCE IN ACCORDANCE HERewith

DEVELOPER/BUILDER AGREES TO FOLLOW THE CITY'S CODE AND PUBLIC WORKS STANDARDS, AS AMENDED, IN REGARDS TO ANY CONSTRUCTION STANDARDS, PLAN SUBMISSION AND APPROVAL PROCESSES, INITIAL AND FINAL ACCEPTANCE AND WARRANTY PROCESSES, MAINTENANCE IMPROVEMENTS, TESTING AND INSPECTION, IMPROVEMENT GUARANTEES, INDEMNIFICATION AND RELEASE OF LIABILITY, AND INSURANCE AND OSHA STANDARDS THAT ARE IN EFFECT AT THE TIME OF EACH FINAL PLAT APPROVAL.

IMPROVEMENT GUARANTEE

DEVELOPER/BUILDER SHALL SUBMIT TO THE CITY A GUARANTEE FOR ALL PUBLIC IMPROVEMENTS RELATED TO THE REAL PROPERTY (OR TO THE APPLICABLE PHASE OF THE REAL PROPERTY IF PHASING IS ALLOWED HEREIN), SAID GUARANTEE MAY BE IN CASH, BOND, OR A LETTER OF CREDIT IN A FORMAT PROVIDED BY THE CITY. INFRASTRUCTURE PERMITS SHALL BE ISSUED FOR ONLY THAT PHASE FOR WHICH SAID GUARANTEES HAVE BEEN FURNISHED. THE TOTAL AMOUNT OF THE GUARANTEE FOR EACH PHASE SHALL BE CALCULATED AS A PERCENTAGE OF THE TOTAL ESTIMATED COST, INCLUDING LABOR AND MATERIALS, OF ALL PUBLIC IMPROVEMENTS AS AGREED TO AT THE TIME OF FINAL PLAT AND TO BE CONSTRUCTED IN SAID PHASE OF THE DEVELOPMENT. THE TOTAL AMOUNTS ARE AS FOLLOWS:

- PRIOR TO ISSUANCE OF INFRASTRUCTURE PERMITS FOR SUCH PHASE - 115%
- UPON INITIAL ACCEPTANCE PRIOR TO FINAL ACCEPTANCE - 15%
- AFTER FINAL ACCEPTANCE - 0%

IN ADDITION TO ANY OTHER REMEDIES UNDER THE CODE, THE CITY MAY, AT ANY TIME PRIOR TO FINAL ACCEPTANCE, DRAW ON ANY PUBLIC IMPROVEMENT GUARANTEE ISSUED IF DEVELOPER/BUILDER FAILS TO EXTEND OR REPLACE ANY SUCH PUBLIC IMPROVEMENT GUARANTEE, OR FAILS TO OTHERWISE COMPLY WITH THE PUBLIC IMPROVEMENT GUARANTEE. IF THE CITY DRAWS ON THE GUARANTEE TO CORRECT DEFICIENCIES AND COMPLETE ANY PUBLIC IMPROVEMENTS, ANY PORTION OF SAID GUARANTEE NOT UTILIZED IN CORRECTING THE DEFICIENCIES AND/OR COMPLETING THE PUBLIC IMPROVEMENTS SHALL BE RETURNED TO DEVELOPER/BUILDER WITHIN THIRTY (30) DAYS AFTER SAID FINAL ACCEPTANCE.

SUBDIVISION PLAN OF BROMLEY FARMS

FUTURE AGREEMENTS

THE DEVELOPER/BUILDER SHALL ENTER INTO A DEVELOPMENT AGREEMENT FOR EACH PHASE/FLING. THE DEVELOPER/BUILDER MAY SEEK REIMBURSEMENT FOR CERTAIN INFRASTRUCTURE ITEMS OUTLINED BELOW. SUCH REIMBURSEMENT SHALL BE MEMORIALIZED IN A REIMBURSEMENT AGREEMENT IN A FORM ACCEPTABLE TO THE CITY AND SUBJECT TO APPROVAL BY THE CITY COUNCIL OF THE CITY OF BRIGHTON. THIS SUBDIVISION PLAN DOES NOT ENSURE REIMBURSEMENT WILL BE PROVIDED TO THE DEVELOPER/BUILDER AND THE TERMS OF THE FUTURE REIMBURSEMENT AGREEMENT, INCLUDING THE AMOUNTS, ARE NEGOTIABLE. THE FOLLOWING ARE THE ONLY INFRASTRUCTURE ITEMS FOR WHICH THE DEVELOPER/BUILDER MAY SEEK REIMBURSEMENT:

- ALL DESIGN AND CONSTRUCTION COSTS ASSOCIATED WITH THE INSTALLATION OF THE EASTBOUND TRAVEL LANES FROM S. 15TH AVENUE TO THE OASIS ENTRANCE INCLUDING CURB/GUTTER, LIGHTING, TREE LAWN, DRAINAGE INFRASTRUCTURE, RAISED MEDIAN, AND A 10' TRAIL TO COMPLETE THE 8-LANE MAJOR ARTERIAL CROSS SECTION PER THE CITY OF BRIGHTON STANDARDS AND SPECIFICATIONS INCLUDING ALL TAPERING, ACCELERATION, DECELERATION, AND TURN LANES AS SHOWN ON PAGES 10 AND 11 OF THIS SUBDIVISION PLAN.
- DRAINAGE INFRASTRUCTURE ALONG BROMLEY LANE AND WITHIN THE OASIS PARK AND HISTORIC BROMLEY FARM PROPERTY INCLUDING SWALES, DETENTION/WATER QUALITY POND OUTLET STRUCTURES, MANHOLES, INLETS, STORM SEWER PIPE, AND UPSIZING OF ANY DOWNSTREAM INFRASTRUCTURE THAT MAY BE REQUIRED TO ACCOMMODATE THE PROPOSED DRAINAGE IMPROVEMENTS.
- DESIGN AND CONSTRUCTION COSTS ASSOCIATED WITH THE SOUTH OUTFALL AS SHOWN ON PAGE 15 OF THIS SUBDIVISION PLAN INCLUDING BUT NOT LIMITED TO STORM SEWER PIPE, CULVERTS, MANHOLES/STRUCTURES, INLETS, ROADWAY CROSSINGS, TRAFFIC CONTROL, GRADING AND EROSION CONTROL MEASURES, AND EASEMENT ACQUISITION.
- THE DESIGN AND CONSTRUCTION OF THE CHAMBERS ROAD IMPROVEMENTS NECESSARY TO EXTEND THE CURB/GUTTER, TREE LAWN, 10' CONCRETE TRAIL, ASPHALT, SIGNAGE, STRIPING, AND DRAINAGE IMPROVEMENTS FROM THE EXISTING INDIGO TRAILS ROADWAY AND SIDEWALK IMPROVEMENTS ON THE EAST SIDE OF CHAMBERS ROAD TO THE SOUTHERN BOUNDARY OF BROMLEY FARMS.
- DESIGN AND CONSTRUCTION COSTS ASSOCIATED WITH THE TRAIL CONNECTION FROM INDIGO TRAILS TO THE BROMLEY FARMS SUBDIVISION AS SHOWN ON PAGE 24 OF THIS SUBDIVISION PLAN.
- DESIGN AND CONSTRUCTION COSTS ASSOCIATED WITH THE OFFSITE NON-POTABLE EXTENSION LINE (POINT OF CONNECTION TO BE DETERMINED AT A LATER DATE WITH FINAL PLAT)
- DESIGN AND CONSTRUCTION COSTS ASSOCIATED WITH THE TRAFFIC SIGNAL AT THE INTERSECTION OF SOUTH 15TH AVENUE AND BROMLEY LANE

MODEL HOMES

HOUSES TO BE USED AS MODELS BY BUILDERS FOR THE PURPOSE OF SALES VISITS AND SHOWCASING THE RESIDENTIAL HOUSING PRODUCT(S) TO THE PUBLIC SHALL BE ALLOWED PRIOR TO INITIAL ACCEPTANCE IF, AND ONLY IF, THERE ARE TWO POINTS OF ACCESS ACROSS SURFACES DEEMED ACCEPTABLE TO THE CITY'S BUILDING OFFICIAL, CITY'S PUBLIC WORKS DIRECTOR, AND THE BRIGHTON FIRE RESCUE DISTRICT. THE MODEL HOMES ARE SUBJECT TO THE CITY'S RESIDENTIAL DESIGN STANDARDS AND THAT THE MAXIMUM AMOUNT OF MODEL HOMES TO BE PERMITTED SHALL BE EQUAL TO THE NUMBER OF MODELS APPROVED IN A FORMAL RESIDENTIAL DESIGN STANDARDS REVIEW. ADDITIONALLY, ADEQUATE PARKING AND TURNAROUND ACCESS, IF NEEDED, MAY BE PROVIDED ON A SURFACE AND TO A DESIGN AS DETERMINED ACCEPTABLE BY THE CITY'S CHIEF BUILDING OFFICIAL, CITY'S PUBLIC WORKS DIRECTOR, AND THE BRIGHTON FIRE RESCUE DISTRICT. LASTLY, THE CITY'S CHIEF BUILDING OFFICIAL, PUBLIC WORKS DIRECTOR, AND THE BRIGHTON FIRE RESCUE DISTRICT MAY REQUIRE OTHER ITEMS PRIOR TO THE CONSTRUCTION OR USE OF MODEL HOMES AT THEIR DISCRETION IN ORDER TO ENSURE HEALTH AND SAFETY OF THE PUBLIC. MODEL HOMES SHALL MEET THE REQUIREMENTS OF THE ADOPTED SAFETY CODES FOR THE CITY.

PHASING

REFER TO THE OVERALL PHASING PLAN SHEET 31 FOR DETAILED PHASING INFORMATION.

FOR THE OVERALL PHASING REFERENCED IN SHEET 31, THE PHASING SHALL OCCUR SEQUENTIALLY AND THE IMPROVEMENTS IDENTIFIED IN THE PHASING PLAN SHALL BE CONSTRUCTED.

SITE SPECIFIC FEE AND CONTRIBUTIONS

NOTWITHSTANDING ANYTHING TO THE CONTRARY HEREIN, THE FOLLOWING FEES AND CONTRIBUTIONS SHALL BE PAYABLE AT THE TIME LISTED BELOW AND THIS LIST IS NOT EXHAUSTIVE:

OPEN SPACE CALCULATIONS AND FEE IN LIEU

IF APPLICABLE, THE FEE-IN-LIEU FOR OPEN SPACE OR PARKS MUST BE PAID PRIOR TO APPROVAL OF THE FINAL PLAT. IF RESIDENTIAL DENSITIES INCREASE FROM THOSE APPROVED IN THE FINAL PLAT, DEDICATION REQUIREMENTS OF LAND MAY BE SATISFIED BY ADDITIONAL DEDICATION OF ACCEPTABLE LAND OR PAYMENT OF A FEE-IN-LIEU. THE AMOUNT OF SUCH FEE-IN-LIEU SHALL BE DETERMINED IN ACCORDANCE WITH THE CITY OF BRIGHTON PARKS STANDARDS AND PROCEDURES IN EFFECT AT THE TIME THE PAYMENT IS MADE. ADDITIONAL DEDICATION REQUIREMENTS, IF REQUIRED, SHALL BE COMPLETED PRIOR TO THE APPROVAL OF ANY AMENDMENTS TO THE FINAL PLAT. THE DEVELOPER/BUILDER WILL BE RESPONSIBLE TO FURNISH A LAND APPROVAL FOR THE SUBDIVISION SO THAT STAFF MAY DETERMINE THE APPROPRIATE FEE IN LIEU. THE CITY WILL ACCEPT FEE-IN-LIEU OF LAND DEDICATION FOR ANY SHORT FALL IN PARK AND OPEN SPACE DEDICATION WITH THE CONSTRUCTION OF A 10' CONCRETE TRAIL CONNECTION FROM THE PROPOSED 10' CONCRETE TRAIL ALONG THE WEST SIDE OF THE FULTON DITCH TO THE EXISTING TRAIL LOCATED WITHIN THE OASIS PARK, ALONG WITH BENCHES, A SOFT DOG PARK WITH FENCING, OR ANY OTHER IMPROVEMENTS INSTALLED WITHIN THE CITY DEDICATED OPEN SPACE INCLUDING 5' SOFT TRAILS BEING CONSTRUCTED IN AREAS LOCATED EAST AND SOUTH OF THE FULTON DITCH AS DEPICTED WITHIN THE SUBDIVISION PLAN. THE OFFSITE IMPROVEMENTS (I.E. OASIS TRAIL CONNECTION, 5' WIDE SOFT TRAILS AND DOG PARK) WILL BE REIMBURSED FOR UPON COMPLETION IN PHASE 4 UP TO A MAXIMUM OF 10% OF PARKS AND OPEN SPACE FEE IN LIEU COLLECTED FOR THE DEVELOPMENT, NOT TO EXCEED THE ACTUAL COST OF CONSTRUCTION OF THE OFF-SITES.

PARK LANDS THAT ARE PLATTED WILL BE DEED RESTRICTED TO ONLY ALLOW PARKS TO BE CONSTRUCTED.

IF APPLICABLE, THE FEE IN LIEU FOR PARKS AND OPEN SPACE FOR PHASE 1 (MULTIFAMILY SITE) WILL BE CALCULATED AND PAID FOR PRIOR TO SITE PLAN APPROVAL FOR THE MULTIFAMILY SITE.

WATER DEDICATION REQUIREMENTS

WATER DEDICATION MUST BE COMPLETED AT THE APPROVAL OF THE APPLICABLE FINAL PLAT AND/OR SITE PLAN FOR EACH SUCH PHASE IN ACCORDANCE WITH CITY ORDINANCE AND POLICY IN EFFECT AT THE TIME THE DEVELOPER / BUILDER WORKS WITH THE CITY OF BRIGHTON TO ESTABLISH PROPER DEDICATIONS FOR POTABLE AND NON-POTABLE WATER.

TRAFFIC SIGNAL REQUIREMENTS

THE DEVELOPER/BUILDER SHALL CONTRIBUTE TO THE DESIGN AND CONSTRUCTION OF THE TRAFFIC SIGNAL LOCATED AT S. 15TH AND BROMLEY LANE. THE DEVELOPER WILL BE RESPONSIBLE FOR CONTRIBUTING UP TO 50% OF THE ACTUAL COST OF THE SIGNAL AT THE TIME THAT THE SIGNAL IS WARRANTED BY A WARRANT ANALYSIS AND NO LATER THAN AND PRIOR TO THE ISSUANCE OF BUILDING PERMITS BY THE CITY WITHIN PHASE 4. ONCE THE SIGNAL IS WARRANTED THE DEVELOPER/BUILDER/METROPOLITAN DISTRICT WILL CAUSE THE CONSTRUCTION OF THE SIGNAL. CITY STAFF MAY REQUIRE THE SIGNAL TO BE CONSTRUCTED EARLIER THAN PHASE 4 AND THE DEVELOPER SHALL CONSTRUCT THE SIGNAL AT THAT TIME, PROVIDED THE SIGNAL IS DETERMINED TO BE WARRANTED.

RIGHT-OF-WAY AND OFFSITE IMPROVEMENTS

EAST BROMLEY LANE

THE DEVELOPER/BUILDER/METROPOLITAN DISTRICT SHALL CAUSE THE DESIGN AND CONSTRUCTION OF THE EASTBOUND TRAVEL LANES OF BROMLEY LANE INCLUDING CURB/GUTTER, LIGHTING, TREE LAWN, DRAINAGE INFRASTRUCTURE, RAISED MEDIAN, AND A 10' TRAIL TO COMPLETE THE 8-LANE MAJOR ARTERIAL CROSS SECTION PER THE CITY OF BRIGHTON STANDARDS AND SPECIFICATIONS INCLUDING ALL TAPERING, ACCELERATION, DECELERATION, AND TURN LANES ASSOCIATED WITH THE BROMLEY FARMS PHASE 1 DEVELOPMENT FROM CHAMBERS ROAD TO THE OASIS PARK ENTRANCE.

THE RAISED MEDIAN WITHIN BROMLEY LANE WILL BE LANDSCAPED WITH XERIC AND LOW WATER USE SPECIES. THE CITY WILL BE RESPONSIBLE FOR THE MAINTENANCE OF THE RAISED MEDIAN IMPROVEMENTS INCLUDING WATER AND ELECTRIC COSTS FOR IRRIGATION CONTROLLERS AND STREET LIGHTS. THE CITY WILL ALSO BE RESPONSIBLE FOR THE MAINTENANCE OF THE TREE LAWN WITHIN THE ROW LOCATED EAST OF S. 15TH AVENUE TO THE OASIS PARK ENTRANCE.

CHAMBERS ROAD

THE DEVELOPER/BUILDER/METROPOLITAN DISTRICT SHALL CAUSE THE DESIGN AND CONSTRUCTION OF CHAMBERS ROAD TO COMPLETE THE COLLECTOR STREET CROSS SECTION PER THE CITY OF BRIGHTON STANDARDS AND SPECIFICATIONS INCLUDING ALL TAPERING, ACCELERATION, DECELERATION, AND TURN LANES ASSOCIATED WITH THE BROMLEY FARMS DEVELOPMENT FROM BROMLEY LANE TO THE EXISTING IMPROVEMENTS CONSTRUCTED BY INDIGO TRAILS LOCATED JUST SOUTH OF THE FULTON DITCH. THE DEVELOPER/BUILDER/METROPOLITAN DISTRICT SHALL BE ELIGIBLE FOR REIMBURSEMENT BY THE ADJACENT BENEFITING PROPERTY FOR 1/2 OF THE DESIGN AND CONSTRUCTION COSTS ASSOCIATED WITH THE EXPANSION OF CHAMBERS ROAD FROM EAST BROMLEY LANE TO THE SOUTHERLY PROPERTY LINE OF BROMLEY FARMS.

THE DEVELOPER/BUILDER/METRO DISTRICT WILL NOT BE RESPONSIBLE FOR ACQUIRING/PURCHASING THE NECESSARY RIGHT-OF-WAY ON THE WEST SIDE OF CHAMBERS ROAD FOR THE FUTURE ROUND-ABOUT AT THE KITE STREET / CHAMBERS ROAD INTERSECTION. IF RIGHT-OF-WAY FOR THE ROUND-ABOUT IS DEEDED TO THE CITY PRIOR TO FINAL PLAT APPROVAL (WHICH FINAL PLAT APPROVAL SHALL NOT BE CONTINGENT ON SAID RIGHT-OF-WAY DEDICATION), THE DEVELOPER / BUILDER / METROPOLITAN DISTRICT SHALL CAUSE THE CONSTRUCTION OF THE ROUND-ABOUT. IF RIGHT-OF-WAY FOR THE ROUND-ABOUT IS NOT OBTAINED/DEEDED TO THE CITY, THE CIVIL ENGINEER WILL SUBMIT CONSTRUCTION PLANS TO CONSTRUCT THIS INTERSECTION TO AN INTERIM CONDITION FOR REVIEW AND APPROVAL BY THE CITY. THE DEVELOPER WILL CONSTRUCT THE APPROVED INTERIM CONDITION AS PART OF THIS DEVELOPMENT. AND THE BUILDER/DEVELOPER/METRO DISTRICT WILL ESCROW MONEY TO THE CITY FOR 1/2 OF THE ROUND-ABOUT CONSTRUCTION TO BE DONE AT A LATER DATE BY THE CITY OR BY THE DEVELOPER LOCATED ON THE WEST SIDE OF CHAMBERS ROAD.

THE DEVELOPER/BUILDER/METROPOLITAN DISTRICT WILL NOT BE RESPONSIBLE FOR CONSTRUCTING THE 8TH AVENUE ROADWAY EXTENSION INCLUDING CURB RETURNS AT THE ROUND-ABOUT ALONG WITH THE TREE LAWN AND DETACHED WALK AS DEPICTED IN THE CITY CROSS SECTION ALONG THE WEST SIDE OF CHAMBERS ROAD.

OPEN SPACE DEDICATION

THE PHASE 4 OPEN SPACE AND S. 19TH AVENUE ROW AS DEPICTED IN THIS SUBDIVISION PLAN WILL BE DEDICATED TO THE CITY AS PART OF THE FLING #1 FINAL PLAT OR BY SEPARATE DOCUMENT IF REQUESTED BY THE CITY IN WRITING.

DEVELOPER CONTRIBUTIONS			
SUBDIVISION PLAN OF BROMLEY FARMS			
4			
3	CITY COMMENTS	DKR	8/1/2023
2	CITY COMMENTS	DKR	5/26/2023
1	CITY COMMENTS	MEP	3/14/2023
NO.	REVISION	BY	DATE
DWN. BY	AMT	CHK. BY	JGS
SCALE	N/A	DATE	11/22/23
JOB NO.	16107.01	SHT.	2 OF 35

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SUBDIVISION PLAN OF BROMLEY FARMS

KITE STREET AND S. 19TH AVENUE

THE DEVELOPER/BUILDER/METROPOLITAN DISTRICT SHALL CAUSE THE DESIGN AND CONSTRUCTION OF KITE STREET TO COMPLETE THE COLLECTOR STREET CROSS SECTION PER THE CITY OF BRIGHTON STANDARDS AND SPECIFICATIONS INCLUDING ALL TAPERING, ACCELERATION, DECELERATION, AND TURN LANES ASSOCIATED WITH THE BROMLEY FARMS DEVELOPMENT FROM CHAMBERS ROAD TO THE PROPOSED ROUND-ABOUT AT S. 19TH AVENUE. THE DEVELOPER/BUILDER/METROPOLITAN DISTRICT SHALL CAUSE THE CONSTRUCTION OF THE ROUND-ABOUT AT THE KITE STREET/S. 19TH AVENUE INTERSECTION. THE DEVELOPER/BUILDER/METROPOLITAN DISTRICT SHALL BE ELIGIBLE FOR REIMBURSEMENT BY THE ADJACENT BENEFITING PROPERTY LOCATED ON THE EAST SIDE OF S. 19TH AVENUE FOR ¼ OF THE DESIGN AND CONSTRUCTION COSTS ASSOCIATED WITH ROUND-ABOUT AT THE INTERSECTION OF S. 19TH AVENUE/ KITE STREET.

THE DEVELOPER/BUILDER WILL NOT BE RESPONSIBLE FOR CONSTRUCTING THE S. 19TH AVENUE IMPROVEMENTS NORTH OR SOUTH OF THE KITE STREET/S. 19TH AVENUE ROUND-ABOUT OR EXTENDING KITE STREET EAST OF THE ROUND-ABOUT TO S. 27TH AVENUE. IF THE CASE FARMS DEVELOPER OR SCHOOL DISTRICT COMMENCE CONSTRUCTION OF S. 19TH AVENUE PRIOR TO BROMLEY FARMS PLATTING/DEDICATING THE RIGHT-OF-WAY FOR S. 19TH AVENUE OR THE KITE STREET ROUND-ABOUT THE DEVELOPER/BUILDER/METRO DISTRICT WILL PROVIDE THE NECESSARY RIGHT-OF-WAY FOR S. 19TH AVENUE AND KITE STREET WITHIN THE BROMLEY FARMS PROPERTY BY SEPARATE DEED UPON WRITTEN REQUEST FROM THE CITY OF BRIGHTON WITHIN 90 DAYS OF RECEIPT OF THE REQUEST. THE RIGHT-OF-WAY DEDICATION/DEED TO THE CITY WILL BE IN ACCORDANCE WITH THE DEPICTED ALIGNMENT OF S. 19TH AVENUE WITHIN THIS SUBDIVISION PLAN (FINAL LOCATION AND ALIGNMENT TO BE DETERMINED AT FINAL PLAT). THE DEVELOPER/BUILDER WILL PROVIDE FUNDS OR REIMBURSEMENT FOR THE DESIGN AND CONSTRUCTION OF ¼ OF S. 19TH AVENUE NORTH OF THE ROUND-ABOUT THAT IS LOCATED WITHIN THE BROMLEY FARMS PROPERTY AS DEPICTED IN THE SUBDIVISION PLAN. THE TERMS AND CONDITIONS OF THE REIMBURSEMENT WILL BE INCLUDED IN THE APPROPRIATE DEVELOPMENT AGREEMENT FOR BROMLEY FARMS.

THE CITY WILL NOT REIMBURSE THE DEVELOPER/BUILDER/METROPOLITAN DISTRICT FOR ANY COSTS ASSOCIATED WITH NEW CULVERTS, REALIGNMENT OF CULVERTS, OR EXTENSIONS OF CULVERTS ASSOCIATED WITH THE CONSTRUCTION OF ROADWAY CROSSINGS/INTERSECTIONS OF THE SOUTH OUTFALL.

BEMGO TRAILS - TRAIL CONNECTION FROM THEFOIL WAY TO KITE STREET

THE DEVELOPER/BUILDER/METROPOLITAN DISTRICT SHALL CAUSE THE DESIGN AND CONSTRUCTION OF A 10' CONCRETE TRAIL CONNECTION FROM THE TREFOL WAY TERMINUS GOING EASTERLY ALONG THE SOUTH SIDE OF THE EXISTING SOUTH REGIONAL OUTFALL CHANNEL TO A CONNECTION WITH THE S. 19TH AVENUE SIDEWALK AS DEPICTED WITHIN THE SUBDIVISION PLAN. IT IS ASSUMED THAT THE TRAIL CONNECTION WILL BE CONSTRUCTED WITHIN EXISTING CITY OF BRIGHTON RIGHT-OF-WAY/EASEMENTS FOR THE EXISTING CITY AUGMENTATION LINE THAT IS LOCATED JUST SOUTH OF THE OUTFALL CHANNEL. THE TRAIL CONNECTION SHALL BE CONSTRUCTED WITH THE EXTENSION OF KITE STREET TO THE S. 19TH AVENUE ROUND-ABOUT AS PART OF THE PHASE 4 IMPROVEMENTS.

DRAINAGE OUTFALL FROM CHAMBERS ROAD TO SABLE BLVD

THE DEVELOPER/BUILDER/METROPOLITAN DISTRICT SHALL CAUSE THE DESIGN AND CONSTRUCTION OF THE DRAINAGE OUTFALL FROM CHAMBERS ROAD TO SABLE BOULEVARD IN ACCORDANCE WITH THE APPROVED BROMLEY FARMS DRAINAGE STUDY. THE TIMING OF THE OUTFALL CONSTRUCTION WILL BE CONTINGENT ON OBTAINING NECESSARY RIGHT-OF-WAY/EASEMENTS FROM THE PROPERTY OWNERS TO THE WEST OF CHAMBERS ROAD AND ALSO BEING REQUIRED PER THE APPROVED FINAL DRAINAGE STUDY.

FUTURE STREET CONNECTION SIGNS

THE DEVELOPER/BUILDER/METROPOLITAN DISTRICT SHALL BE RESPONSIBLE FOR THE INSTALLATION OF SIGNS CALLING OUT FUTURE STREET EXTENSIONS AND FOR THEIR CONTINUED MAINTENANCE UNTIL THE PHASE ON WHICH THEY ARE PLACED IS CONSTRUCTED. PRIOR TO INITIAL ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR PHASE 1, THE DEVELOPER/BUILDER/DISTRICT, AT THE APPLICABLE PARTY'S SOLE COST AND EXPENSE, SHALL ERECT A SIGN AT S. 19TH AVENUE THAT WILL BE EXTENDED INTO PHASE 2 AND NOTIFYING RESIDENTS THAT THE STREET WILL BE EXTENDED IN THE FUTURE IN CONNECTION WITH THE DEVELOPMENT. PRIOR TO INITIAL ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR PHASE 2, AND 3; THE DEVELOPER/BUILDER/DISTRICT, AT THE APPLICABLE PARTY'S SOLE COST AND EXPENSE, SHALL ERECT A SIGN AT LOCATIONS ON KITE STREET THAT WILL BE EXTENDED INTO FUTURE DEVELOPMENT PHASES NOTIFYING RESIDENTS THAT THE STREET WILL BE EXTENDED IN THE FUTURE IN CONNECTION WITH THE BROMLEY FARMS AND CASE FARMS DEVELOPMENT.

SCHOOL LAND DEDICATION

IN ACCORDANCE WITH THE CITY'S LAND USE AND DEVELOPMENT CODE, SECTION 3.05(F), THE DEVELOPER/BUILDER AGREES TO PROVIDE A FEE-IN-LIEU OF LAND DEDICATION AS DETERMINED BY BRIGHTON SCHOOL DISTRICT 27J AND SHALL PROVIDE PAYMENT TO THE SCHOOL DISTRICT PRIOR TO RECORDING OF THE FINAL PLAT OR THE FINAL PLAT OF THE APPLICABLE PHASE.

CAPITAL FACILITY FEE FOUNDATION

THE DEVELOPER/BUILDER IS AWARE OF THE SCHOOL DISTRICT CAPITAL FACILITY FEE FOUNDATION, WHOSE PURPOSE IS TO ADMINISTER THE COLLECTION FROM VARIOUS DEVELOPMENT ENTITIES OF A "CAPITAL FACILITY FEE" FOR DISBURSAL TO SCHOOL DISTRICT 27J TO FUND A PORTION OF THE COSTS OF PROVIDING ADDITIONAL CAPITAL FACILITIES TO SERVICE NEW GROWTH, AND HAS VOLUNTARILY AGREED TO BE A PARTICIPATING DEVELOPMENT ENTITY IN THAT PROCESS AND, ACCORDINGLY, ENTER INTO A PARTICIPANT AGREEMENT WITH THE SCHOOL DISTRICT. FEES PAYABLE TO THE FOUNDATION SHALL BE PAID DIRECTLY TO THE SCHOOL DISTRICT AS PART OF EACH RESIDENTIAL BUILDING PERMIT. AFTER ESTABLISHMENT AND ASSESSMENT OF ANY SCHOOL FEES AS AFORESAID, AS A CONDITION OF APPROVAL OF ANY RESIDENTIAL BUILDING PERMIT, THE DEVELOPER SHALL PROVIDE EVIDENCE TO THE CITY THAT SUCH FEES HAVE BEEN PAID TO THE FOUNDATION IN ACCORDANCE WITH THIS SECTION, PRIOR TO THE RELEASE OF A RESIDENTIAL BUILDING PERMIT.

RTD

DEVELOPER AGREES TO WORK WITH RTD AT THE TIME OF PLATTING ON ANY BRT, AND BUS STOP LOCATIONS NEEDED ADJACENT TO THE BROMLEY FARMS SITE.

4				DEVELOPER CONTRIBUTIONS	
3	CITY COMMENTS	DKR	8/1/2023	SUBDIVISION PLAN OF BROMLEY FARMS	
2	CITY COMMENTS	DKR	5/26/2023		
1	CITY COMMENTS	MEP	3/14/2023		
NO. REVISION		BY	DATE		
DWN. BY AMT		CHK. BY JCS			
SCALE N/A		DATE 11/22/23			
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