

AGREEMENT REGARDING STREET CROSSINGS

City and County of Denver, Colorado

THIS AGREEMENT REGARDING STREET CROSSINGS (this "Agreement") is made and entered into as of the _____ day of _____, 2010 by and between the CITY AND COUNTY OF DENVER, a constitutional home rule city and county of the State of Colorado (the "City") and UNION PACIFIC RAILROAD COMPANY, a Delaware corporation ("UP"). The City and UP are each a "party" and collectively the "parties".

10-513

RECITALS

A. Regional Transportation District, a political subdivision of the State of Colorado ("RTD"), intends to construct the FasTracks Passenger Rail Network pursuant to the FasTracks plan adopted by RTD's board of directors on April 22, 2004, which plan includes RTD's light rail line commonly known as the "West Corridor."

B. The construction of the West Corridor will require, *inter alia*, RTD's acquisition of a portion of UP's rail corridor commonly known as the "Burnham Yard North Lead." As a result of such acquisition by RTD, certain of UP's trackage and other railroad facilities located on the Burnham Yard North Lead will need to be relocated for UP's railroad operations and common carrier obligations (the "UP Relocation").

C. As part of the UP Relocation, UP will need to acquire permanent easements to operate its railroad in certain public streets of the City, which areas are more particularly depicted and described on Exhibit A attached hereto and incorporated herein (the "Street Crossings").

D. The use of the Street Crossings by UP has been initially approved by the Public Utilities Commission of the State of Colorado in Decision No. C10-0403 as part of Docket 10A-140R, Decision No. C10-0404 as part of Docket 10A-138R and Decision No. C10-0405 as part of Docket 10A-139R (the "PUC Approvals"), and no party has intervened in opposition of the PUC Approvals.

E. Pursuant to Section 38-2-101 of the Colorado Revised Statutes, UP has the power of eminent domain to acquire by condemnation any real estate, right-of-way or easement necessary or required for railroad purposes.

F. Pursuant to Article XX of the Colorado Constitution, the City has the power of eminent domain to acquire by condemnation any real property or interest in real property necessary for public use.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing Recitals, the mutual covenants in this Agreement and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the City and UP hereby acknowledge and agree as follows:

1. To avoid the significant and unnecessary expenditure of time and money on litigation, in lieu of eminent domain proceedings as authorized by Section 38-2-101 of the Colorado Revised Statutes and to accommodate the compatible public uses of the Street Crossings by both UP and the City, UP and the City agree that the City shall convey to UP permanent easements in the Street Crossings pursuant to the Grant of Easements attached hereto as Exhibit B and incorporated herein. The Grant of Easements shall be executed by the City and recorded with the office of the Clerk and Recorder for the City and County of Denver, Colorado following approval of this Agreement by the City Council for the City.

2. By granting the permanent easements in the Street Crossings, the City does not concede the superiority of UP's power of eminent domain nor UP's ability to condemn any City property other than the Street Crossings.

3. The UP Relocation and any other activity within the Street Crossings undertaken pursuant to this Agreement and/or the Grant of Easements shall be accomplished at no cost to the City, except for those costs required to be paid by the City pursuant to the PUC Approvals and/or any rules and regulations related thereto. The grant by the City to UP of the permanent easements as contemplated by the Grant of Easements is compatible with the existing City uses in the Street Crossings and will not require any Appropriation of Funds (as such capitalized terms are defined in Section 20-16 of the Denver Revised Municipal Code).

4. The total consideration to be paid by UP to the City for the Grant of Easements is One Thousand Dollars (\$1,000.00), which UP shall pay to the City following approval of this Agreement by the City Council for the City. Upon completion of UP's trackage and railroad facilities to be constructed within the Street Crossings, a reproducible copy of the exact location and dimensions of such trackage and railroad facilities shall be filed with the Manager of Public Works for the City.

5. This Agreement shall be construed and enforced in accordance with the laws of the State of Colorado.

6. This Agreement may be executed in one (1) or more counterparts, each of which, when so executed, shall be deemed to be an original. Such counterparts shall together constitute and be one and the same instrument.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first written above.

ATTEST:

CITY AND COUNTY OF DENVER:

By: _____
Stephanie Y. O'Malley, Clerk &
Recorder, Ex-Officio Clerk of the
City and County of Denver

By: _____
M A Y O R

APPROVED AS TO FORM:

David R. Fine, Attorney for the
City and County of Denver

RECOMMENDED AND APPROVED:

By: _____
Manager of Public Works

By: _____
Assistant City Attorney

REGISTERED AND COUNTERSIGNED:

By: _____
Manager of Finance
Contract Control No. _____

By: _____
Auditor

UNION PACIFIC RAILROAD COMPANY,
a Delaware corporation

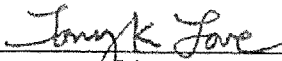
By: 
Name: TONY K. LOVE
Title: Assistant Vice President - Real Estate

EXHIBIT A

(Attached to and made a part of the
Agreement Regarding Street Crossings)

Depiction and Description of Street Crossings

(see attached)

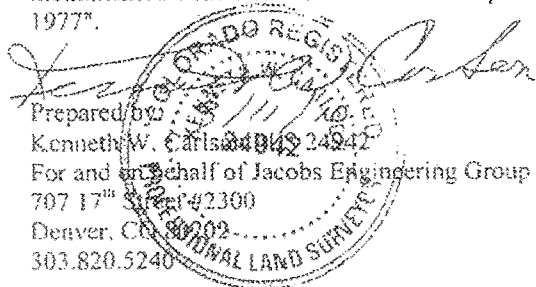
EXHIBIT "A"
Property Description
March 8, 2010
DESCRIPTION

A parcel of land of the RTD West Corridor Light Rail Project, containing 5,203 square feet, located in Baker's Subdivision, recorded at the City & County of Denver Clerk & Recorder's Office in Book 4 at Page 3 on September 30th 1886, lying in the Northwest Quarter of Section 4, Township 4 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

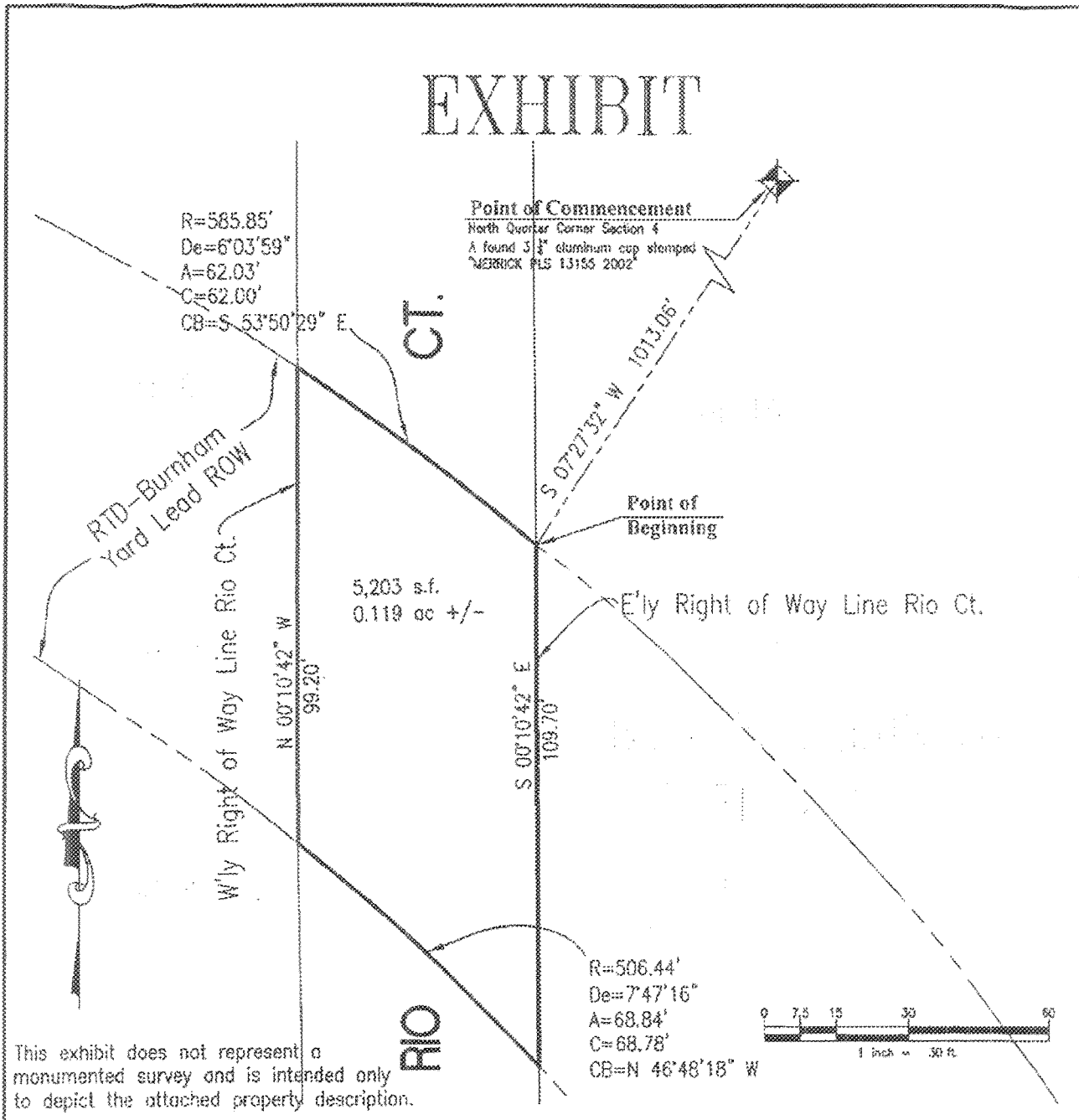
COMMENCING at the North Quarter corner of said Section 4 (A found 3 ¼" aluminum cap stamped "MERRICK PLS 13155 2002");
THENCE S07°27'32"W a distance of 1013.06 feet to a point on the easterly right of way line of Rio Court also being the **POINT OF BEGINNING**;
THENCE S00°10'42"E non-tangent with the following described curve and along said easterly right of way line a distance of 109.70 feet;
THENCE along the arc of a curve to the left, having a central angle of 7°47'16", a radius of 506.44 feet, a chord bearing of N46°48'18"W a distance of 68.78 feet, and an arc distance of 68.84 feet to a point on the westerly right of way line of Rio Court;
THENCE N00°10'42"W non-tangent with the last described curve, along said westerly right of way line a distance of 99.20 feet;
THENCE along the arc of a curve to the right, having a central angle of 6°03'59", a radius of 585.85 feet, a chord bearing of S53°50'29"E a distance of 62.00 feet, and an arc distance of 62.03 feet; to the **POINT OF BEGINNING**.

Containing 5,203 square feet, (0.119 Acres), more or less.

Basis Of Bearing: All bearings are based on the line connecting "Hard" to "Alameda" being a grid bearing of S87°54'44"E as obtained from a Global Positioning System (GPS) Survey based on the Colorado High Accuracy Reference Network (CHIARN). Said grid bearing is NAD '83 (1992) Colorado State Plane (Central Zone). "Hard" (PID DE7958) is a Cooperative Base Network Control Station "A" Order Horizontal Mark monumented with a steel rod in access cover. "Alameda" (PID KK1393) is a National Geodetic Survey (NGS) First Order Horizontal Mark monumented with a 3.5" diameter brass cap set flush in concrete, cap stamped in part "Alameda 1977".


Prepared by: Kenneth W. Carlsson
For and on behalf of Jacobs Engineering Group
707 17th Street #2300
Denver, CO 80202
303.820.5240

EXHIBIT



This exhibit does not represent a monumented survey and is intended only to depict the attached property description.

JACOBS PROJECT NO.				
CLIENT PROJECT NO.				
REVISION DESCRIPTION:				
DRAWN	JES	DATE	3-8-10	SCALE
				1"=30'
707 17th Street, Suite 2300, Denver CO 80202 (303) 820-6100 fax (303) 820-6643				
<small>THIS MATERIAL AND ANY ASSOCIATED ELECTRONIC DATA WAS PREPARED BY JACOBS ENGINEERING GROUP FOR THE PROJECT INDICATED. ANY REUSE OR MODIFICATION WITHOUT THE WRITTEN CONSENT OF JACOBS ENGINEERING GROUP SHALL BE AT THE SOLE RISK OF THE USER.</small>				

NW1/4 SEC 4 T4S, R68W, 6th P.M.		
TITLE: FASTRACKS WEST CORRIDOR		
REVISION:	DRAWING NO. RioParcel.dwg	SHEET NO. 1 OF 1

EXHIBIT "A"
Property Description
March 11, 2010
DESCRIPTION

A parcel of land of the RTD West Corridor Light Rail Project, containing 3,279 square feet, located in Baker's Subdivision, recorded at the City & County of Denver Clerk & Recorder's Office in Book 4 at Page 3 on September 30th 1886, lying in the North Half of Section 4, Township 4 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

COMMENCING at the North Quarter corner of said Section 4 (A found 3 1/2" aluminum cap stamped "MERRICK PLS 13155 2002");

THENCE S00°15'10"W a distance of 1200.78 feet to a point on the northerly right of way line of West 13th Avenue being the **POINT OF BEGINNING**;

THENCE S01°01'05"E a distance of 79.47 feet to a point on the southerly right of way line of West 13th Avenue;

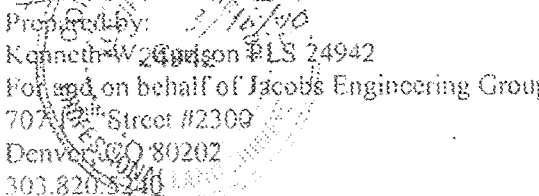
THENCE S89°46'42"W non-tangent with the following described curve and along said southerly right of way line a distance of 74.33 feet;

THENCE along the arc of a curve to the left, having a central angle of 9°58'17", a radius of 506.44 feet, a chord bearing of N25°38'42"W a distance of 88.03 feet, and an arc distance of 88.14 feet to a point on said northerly right of way line;

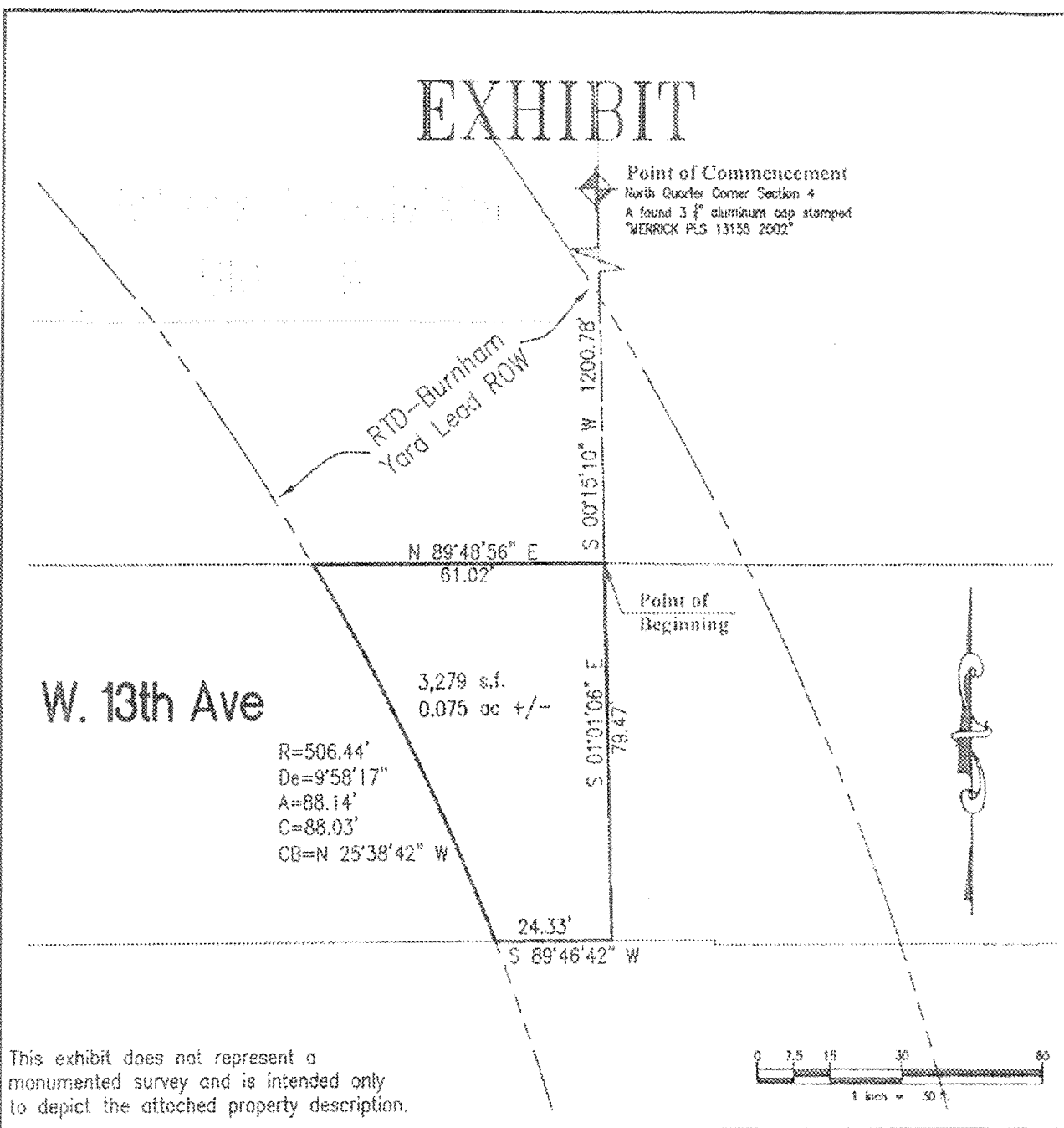
THENCE N89°48'56"E non-tangent with the last described curve and along said northerly right of way line a distance of 61.02 feet to the **POINT OF BEGINNING**.

Containing 3,279 square feet, (0.075 Acres), more or less

Basis Of Bearing: All bearings are based on the line connecting "Hard" to "Alameda" being a grid bearing of S87°54'44"E as obtained from a Global Positioning System (GPS) Survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD '83 (1992) Colorado State Plane (Central Zone) "Hard" (PID DE7958) is a Cooperative Base Network Control Station "A" Order Horizontal Mark monumented with a steel rod in access cover. "Alameda" (PID KK1393) is a National Geodetic Survey (NGS) First Order Horizontal Mark monumented with a 3.5" diameter brass cap set flush in concrete, cap stamped in part "Alameda 1977".


Prepared by: *Kenneth W. Gagnon*
Kenneth W. Gagnon #LS 24942
For and on behalf of Jacobs Engineering Group
707 1/2nd Street #2309
Denver, CO 80202
303.820.5240

EXHIBIT



This exhibit does not represent a monumented survey and is intended only to depict the attached property description.

JACOBS PROJECT NO.			
CLIENT PROJECT NO.			
REVISION DESCRIPTION			
DRAWN	JES	DATE	3-8-10
SCALE		1"=30'	
JACOBS			
707 17th Street, Suite 2300, Denver CO 80202 (303) 820-6140 Fax (303) 820-4413			
THIS MATERIAL AND ANY ASSOCIATED ELECTRONIC DATA WAS PREPARED BY JACOBS ENGINEERING GROUP FOR THE PROJECT INDICATED. ANY REUSE OR MODIFICATION WITHOUT THE WRITTEN CONSENT OF JACOBS ENGINEERING GROUP SHALL BE AT THE SOLE RISK OF THE USER.			

N1/2 SEC 4 T4S, R68W, 6th P.M.		
TITLE FASTRACKS WEST CORRIDOR		
REVISION:	DRAWING NO. W13thAveParcel.dwg	SHEET NO. 1 OF 1

X:\022120_Fastracks\WEST CORRIDOR\DWGS\Exhibit\Parcels\W13thAveParcelREV.dwg, 5/20/2010 7:49:38 AM


EXHIBIT "A"
Property Description
March 8, 2010
DESCRIPTION

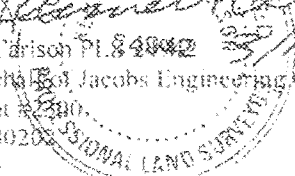
A parcel of land of the RTD West Corridor Light Rail Project, containing 5,474 square feet, located in Baker's Subdivision, recorded at the City & County of Denver Clerk & Recorder's Office in Book 4 at Page 3 on September 30th 1886, lying in the Northwest Quarter of Section 4, Township 4 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

COMMENCING at the North Quarter corner of said Section 4 (A found 3 1/8" aluminum cap stamped "MERRICK PLS 13155 2002");
THENCE S51°11'05"W a distance of 1375.20 feet to a point on the westerly line of Block S, Lot 15 of said Baker's Subdivision also being the POINT OF BEGINNING.
THENCE S00°11'07"E non-tangent with the following described curve and along the easterly right of way line of Shoshone Street a distance of 88.31 feet;
THENCE along the arc of a curve to the right, having a central angle of 6°33'02", a radius of 586.44 feet, a chord bearing of N63°44'48"W a distance of 67.01 feet, and an arc distance of 67.05 feet;
THENCE N00°11'16"W non-tangent with the last described curve along the easterly line of a parcel of land as described in Ordinance 8 of Series 1961 of said records and the westerly right of way line of Shoshone Street a distance of 94.62 feet;
THENCE along the arc of a curve to the left, having a central angle of 7°55'53", a radius of 506.44 feet, a chord bearing of S59°07'23"E a distance of 70.05 feet, and an arc distance of 70.11 feet; to the POINT OF BEGINNING.

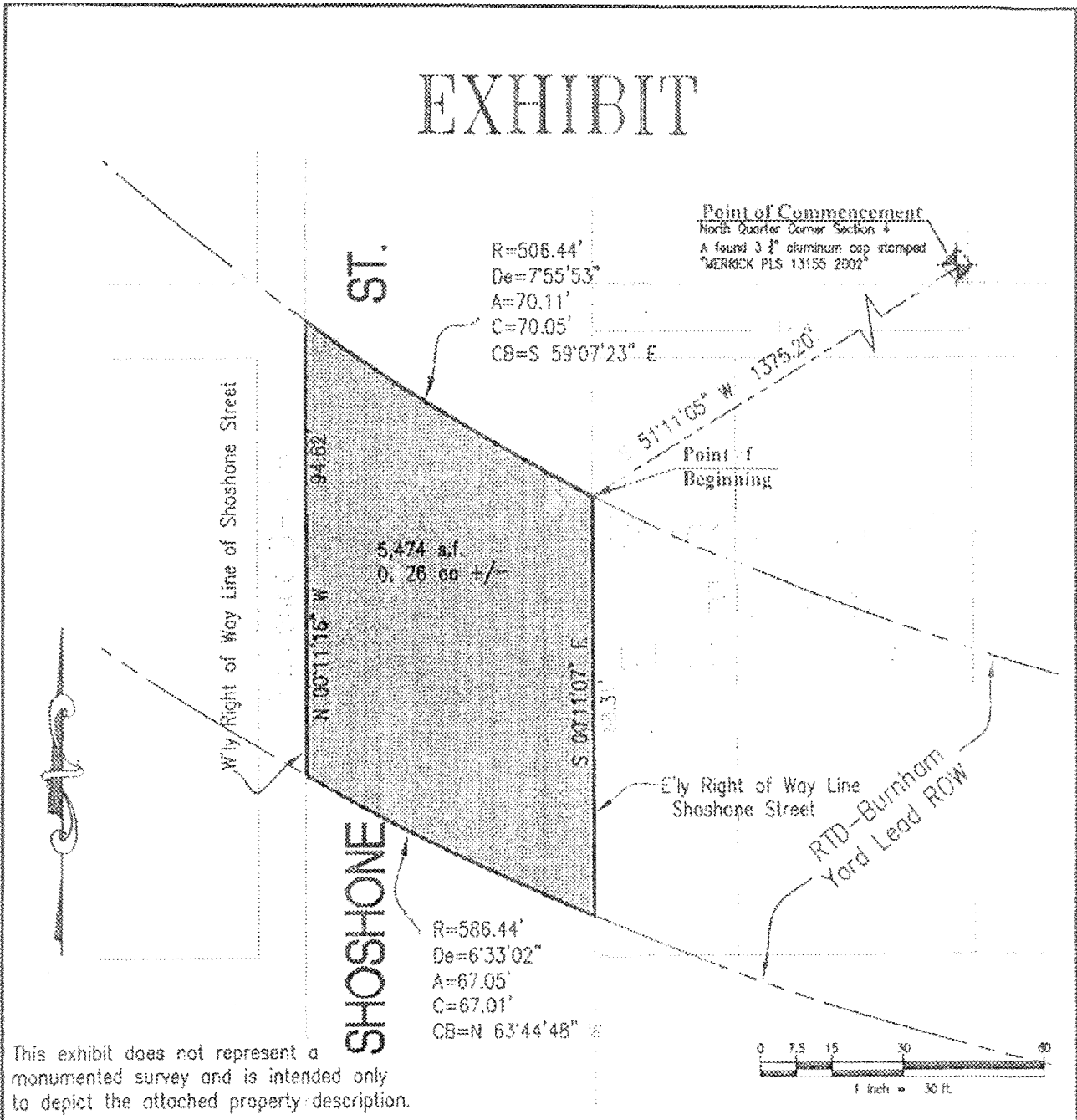
Containing 5,474 square feet, (0.126 Acres), more or less.

Basis Of Bearing: All bearings are based on the line connecting "Hard" to "Alameda" being a grid bearing of S87°54'44"E as obtained from a Global Positioning System (GPS) Survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD '83 (1992) Colorado State Plane (Central Zone). "Hard" (PID DE7958) is a Cooperative Base Network Control Station "A" Order Horizontal Mark monumented with a steel rod in access cover. "Alameda" (PID KK1393) is a National Geodetic Survey (NGS) First Order Horizontal Mark monumented with a 3.5" diameter brass cap set flush in concrete, cap stamped in part "Alameda 1977".

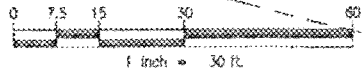
Prepared by: 
Kenneth W. Carlson PL 84042
For and on behalf of Jacobs Engineering Group
707 17th Street #2300
Denver, CO 80202
303.820.5240



EXHIBIT



This exhibit does not represent a monumented survey and is intended only to depict the attached property description.



K:\077123\Fastracks\WEST CORRIDOR\DWG\SS\EXHIBIT\Parcels\ShoshoneParcel.dwg, 5/20/2010 8:29:03 AM

JACOBS PROJECT NO.			
CLIENT PROJECT NO.			
REVISION DESCRIPTION			
DRAWN	JES	DATE	3-8-10
SCALE		1"=30'	
JACOBS			
707 17th Street, Suite 2300, Denver CO 80202			
(303) 833-6940 Fax: (303) 833-4942			
THIS MATERIAL AND ANY ASSOCIATED ELECTRONIC DATA WAS PREPARED BY JACOBS ENGINEERING GROUP FOR THE PROJECT INDICATED. ANY REUSE OR MODIFICATION WITHOUT THE WRITTEN CONSENT OF JACOBS ENGINEERING GROUP SHALL BE AT THE SOLE RISK OF THE USER.			

NW1/4 SEC 4 T4S, R68W, 6th P.M.		
TITLE: FASTRACKS WEST CORRIDOR		
REVISION:	DRAWING NO.	SHEET NO.
	shoshonaparcels.dwg	1 OF 1

EXHIBIT B

(Attached to and made a part of the
Agreement Regarding Street Crossings)

Grant of Easements

(see attached)

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:**

Tony Love, Assistant VP Real Estate
Union Pacific Railroad Company
1400 Douglas Street, Stop 1690
Omaha, NE 68179

City and County of Denver, Colorado

GRANT OF EASEMENTS
(Street Crossing Easements)

The CITY AND COUNTY OF DENVER, a constitutional home rule city and county of the State of Colorado ("Grantor"), which owns the real property located in the City and County of Denver, State of Colorado as more particularly depicted and described on Exhibit A, Exhibit B, and Exhibit C attached hereto and made a part hereof (collectively, the "Easement Properties"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and for other good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, does hereby grant, bargain, sell and convey to UNION PACIFIC RAILROAD COMPANY, a Delaware corporation ("Grantee"), its successors and assigns, forever, perpetual easements in, on, under, upon, over, through and across the Easement Properties for the purposes of owning, possessing, using, constructing, reconstructing, maintaining, repairing, operating, relocating, upgrading, renewing, replacing and removing existing and/or future railroad trackage, railroad-related equipment and facilities, transportation systems, and other communications facilities and utility facilities (collectively, the "Easements") together with all rights and privileges as are necessary or incidental to the reasonable and proper use of such Easements as provided in Section 1 below.

Grantor does hereby covenant further as follows:

1. Permitted Users. In addition to Grantee and its successors and assigns, Grantee's employees, contractors, subcontractors, lessees, licensees, easement owners, agents and invitees shall be permitted access to use the Easements in accordance with the terms hereof.
2. No Grant to Other Freight Rail Carriers; Construction Limitations. Grantor shall make no license, lease, permit, easement, covenant or encumbrance to any freight rail carrier other than Grantee covering the Easement Properties. Grantor acknowledges that, after the date hereof, it shall not construct or place, or permit to be constructed or placed, any structure, fence, retaining wall, street light, power pole or other improvement, temporary or permanent, within the Easement Properties; provided, however that Grantor expressly reserves the right to maintain, repair and/or replace Grantor structures, improvements and utilities on the Easement Properties in a manner that does not impair Grantee's use of the Easements.
3. PUC Filings. This Grant of Easements shall not modify in any respect the Colorado Public Utility Commission approvals related to the Easement Properties, which

approvals, together with any rules and regulations related thereto, shall govern maintenance and other obligations of Grantor and Grantee with regard to the Easement Properties.

4. Term; Binding Effect. The Easements and the covenants herein contained shall be perpetual and shall constitute covenants running with the land so as to bind and benefit each party's respective successors and assigns.

5. Amendments. No changes, alterations, modifications to any of the provisions hereunder shall be effective unless contained in a written agreement signed by Grantor and Grantee.

6. Notice. Correspondence and any notices necessitated by this Grant of Easements shall be addressed as follows:

If to Grantee regarding this Grant of Easements:

Union Pacific Railroad Company
1400 Douglas Street, Stop 1690
Omaha, NE 68179
Attn: Assistant VP Real Estate

If to Grantee regarding Grantee's operations in the Easement Properties:

Union Pacific Railroad Company
Response Management Communication Center
1-888-877-7267

If to Grantor:

Manager of Public Works
201 W. Colfax Avenue, Dept. 608
Denver, CO 80202

with a copy to:

City Attorney's Office
c/o Municipal Operations Division
201 W. Colfax Avenue, Dept. 1207
Denver, CO 80202

IN WITNESS WHEREOF, Grantor has executed this Grant of Easements as of the ____ day of _____, 2010.

ATTEST:

CITY AND COUNTY OF DENVER:

By: _____
Stephanie Y. O'Malley, Clerk &
Recorder, Ex-Officio Clerk of the
City and County of Denver

By: _____
M A Y O R

RECOMMENDED AND APPROVED:

APPROVED AS TO FORM:

David R. Fine, Attorney for the
City & County of Denver

By: _____
Manager of Public Works

By: _____
Assistant City Attorney

REGISTERED AND COUNTERSIGNED:

By: _____
Manager of Finance
Contract Control No. _____

By: _____
Auditor

STATE OF COLORADO)
) ss.
CITY AND COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this ____ day of _____, 2010, by John W. Hickenlooper, as Mayor of the City and County of Denver.

Witness my hand and official seal.

Notary Public

My commission expires: _____

EXHIBIT A

(Attached to and made a part of the
Grant of Easements)

Depiction and Description of Rio Court Easement Property

(see attached)

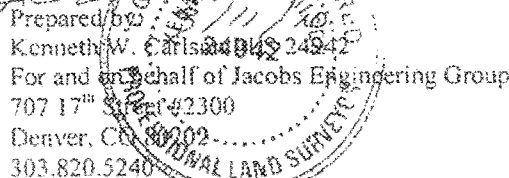
EXHIBIT "A"
Property Description
March 8, 2010
DESCRIPTION

A parcel of land of the RTD West Corridor Light Rail Project, containing 5,203 square feet, located in Baker's Subdivision, recorded at the City & County of Denver Clerk & Recorder's Office in Book 4 at Page 3 on September 30th 1886, lying in the Northwest Quarter of Section 4, Township 4 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as follows.

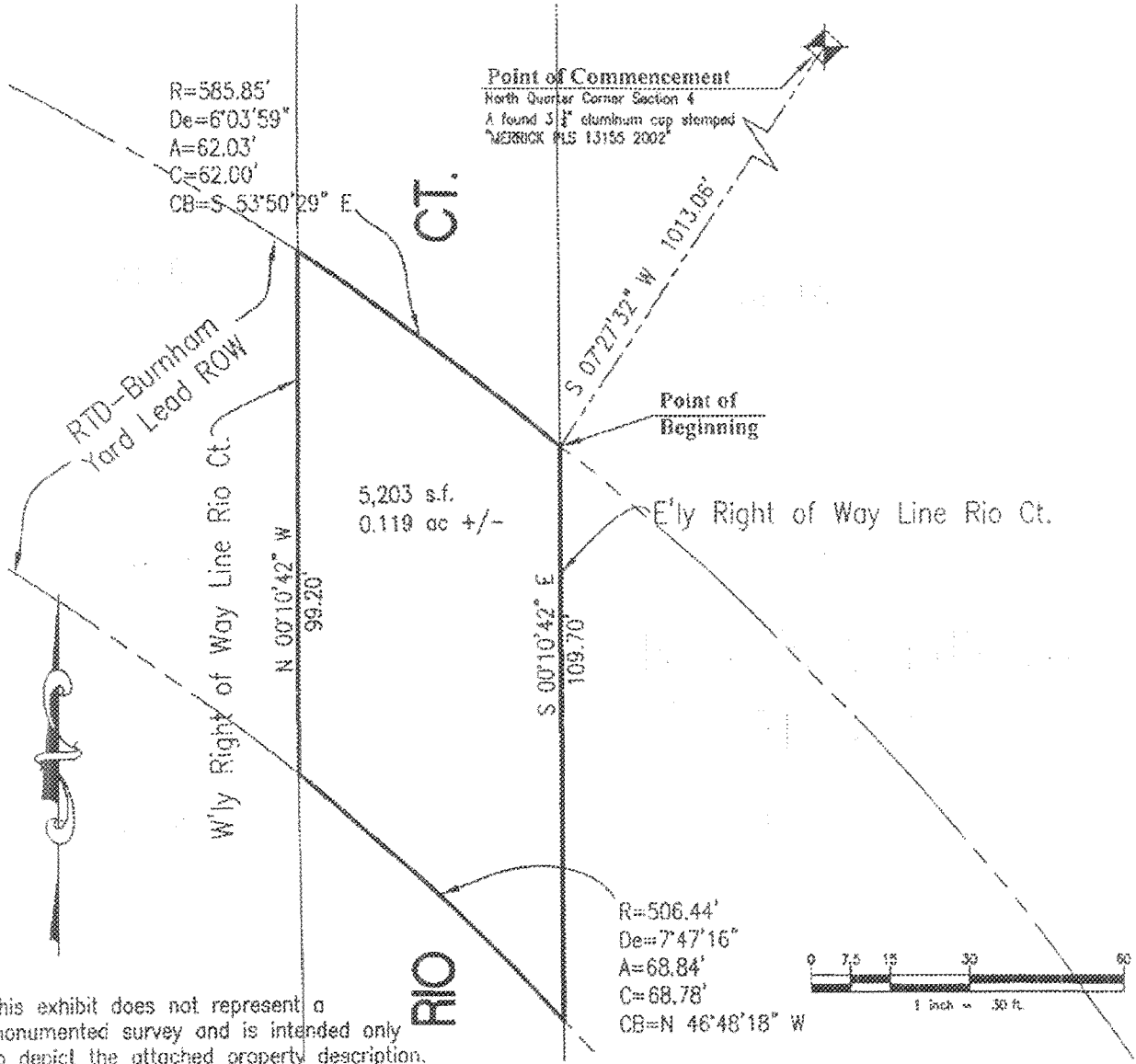
COMMENCING at the North Quarter corner of said Section 4 (A found 3 ¼" aluminum cap stamped "MERRICK PLS 13155 2002");
THENCE S07°27'32"W a distance of 1013.06 feet to a point on the easterly right of way line of Rio Court also being the **POINT OF BEGINNING**;
THENCE S00°10'42"E non-tangent with the following described curve and along said easterly right of way line a distance of 109.70 feet;
THENCE along the arc of a curve to the left, having a central angle of 7°47'16", a radius of 506.44 feet, a chord bearing of N46°48'18"W a distance of 68.78 feet, and an arc distance of 68.84 feet to a point on the westerly right of way line of Rio Court;
THENCE N00°10'42"W non-tangent with the last described curve, along said westerly right of way line a distance of 99.20 feet;
THENCE along the arc of a curve to the right, having a central angle of 6°03'59", a radius of 585.85 feet, a chord bearing of S53°50'29"E a distance of 62.00 feet, and an arc distance of 62.03 feet; to the **POINT OF BEGINNING**.

Containing 5,203 square feet, (0.119 Acres), more or less.

Basis Of Bearing: All bearings are based on the line connecting "Hard" to "Alameda" being a grid bearing of S87°54'44"E as obtained from a Global Positioning System (GPS) Survey based on the Colorado High Accuracy Reference Network (CHIARN). Said grid bearing is NAD '83 (1992) Colorado State Plane (Central Zone). "Hard" (PID DE7958) is a Cooperative Base Network Control Station "A" Order Horizontal Mark monumented with a steel rod in access cover. "Alameda" (PID KK1393) is a National Geodetic Survey (NGS) First Order Horizontal Mark monumented with a 3.5" diameter brass cap set flush in concrete, cap stamped in part "Alameda 1977".


Prepared by:
Kenneth W. Carlisle
For and on behalf of Jacobs Engineering Group
707 17th Street #2300
Denver, CO 80202
303.820.5240

EXHIBIT



This exhibit does not represent a monumented survey and is intended only to depict the attached property description.

JACOBS PROJECT NO.				
CLIENT PROJECT NO.				
REVISION DESCRIPTION				
DRAWN	JES	DATE	3-8-10	SCALE
				1"=30'
707 17th Street, Suite 2300, Denver CO 80202 (303) 820-8200 Fax (303) 820-8842				
<small>THIS MATERIAL, AND ANY ASSOCIATED ELECTRONIC DATA WAS PREPARED BY JACOBS ENGINEERING GROUP FOR THE PROJECT INDICATED. ANY REUSE OR MODIFICATION WITHOUT THE WRITTEN CONSENT OF JACOBS ENGINEERING GROUP SHALL BE AT THE SOLE RISK OF THE USER.</small>				

NW1/4 SEC 4 T4S, R68W, 6th P.M.		
TITLE FASTRACKS WEST CORRIDOR		
REVISION:	DRAWING NO. RioParcel.dwg	SHEET NO. 1 OF 1

EXHIBIT B

(Attached to and made a part of the
Grant of Easements)

Depiction and Description of Shoshone Street Easement Property

(see attached)


EXHIBIT "B"
Property Description
March 8, 2010
DESCRIPTION

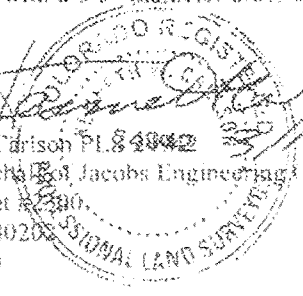
A parcel of land of the RTD West Corridor Light Rail Project, containing 5,474 square feet, located in Baker's Subdivision, recorded at the City & County of Denver Clerk & Recorder's Office in Book 4 at Page 3 on September 30th 1886, lying in the Northwest Quarter of Section 4, Township 4 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

COMMENCING at the North Quarter corner of said Section 4 (A found 3 1/4" aluminum cap stamped "MERRICK PLS 13155 2002");
THENCE S51°11'05"W a distance of 1375.20 feet to a point on the westerly line of Block S, Lot 15 of said Baker's Subdivision also being the **POINT OF BEGINNING**.
THENCE S00°11'07"E non-tangent with the following described curve and along the easterly right of way line of Shoshone Street a distance of 88.31 feet;
THENCE along the arc of a curve to the right, having a central angle of 6°33'02", a radius of 586.44 feet, a chord bearing of N63°44'48"W a distance of 67.01 feet, and an arc distance of 67.05 feet;
THENCE N00°11'16"W non-tangent with the last described curve along the easterly line of a parcel of land as described in Ordinance 8 of Series 1961 of said records and the westerly right of way line of Shoshone Street a distance of 94.62 feet;
THENCE along the arc of a curve to the left, having a central angle of 7°55'53", a radius of 506.44 feet, a chord bearing of S59°07'23"E a distance of 70.05 feet, and an arc distance of 70.11 feet; to the **POINT OF BEGINNING**.

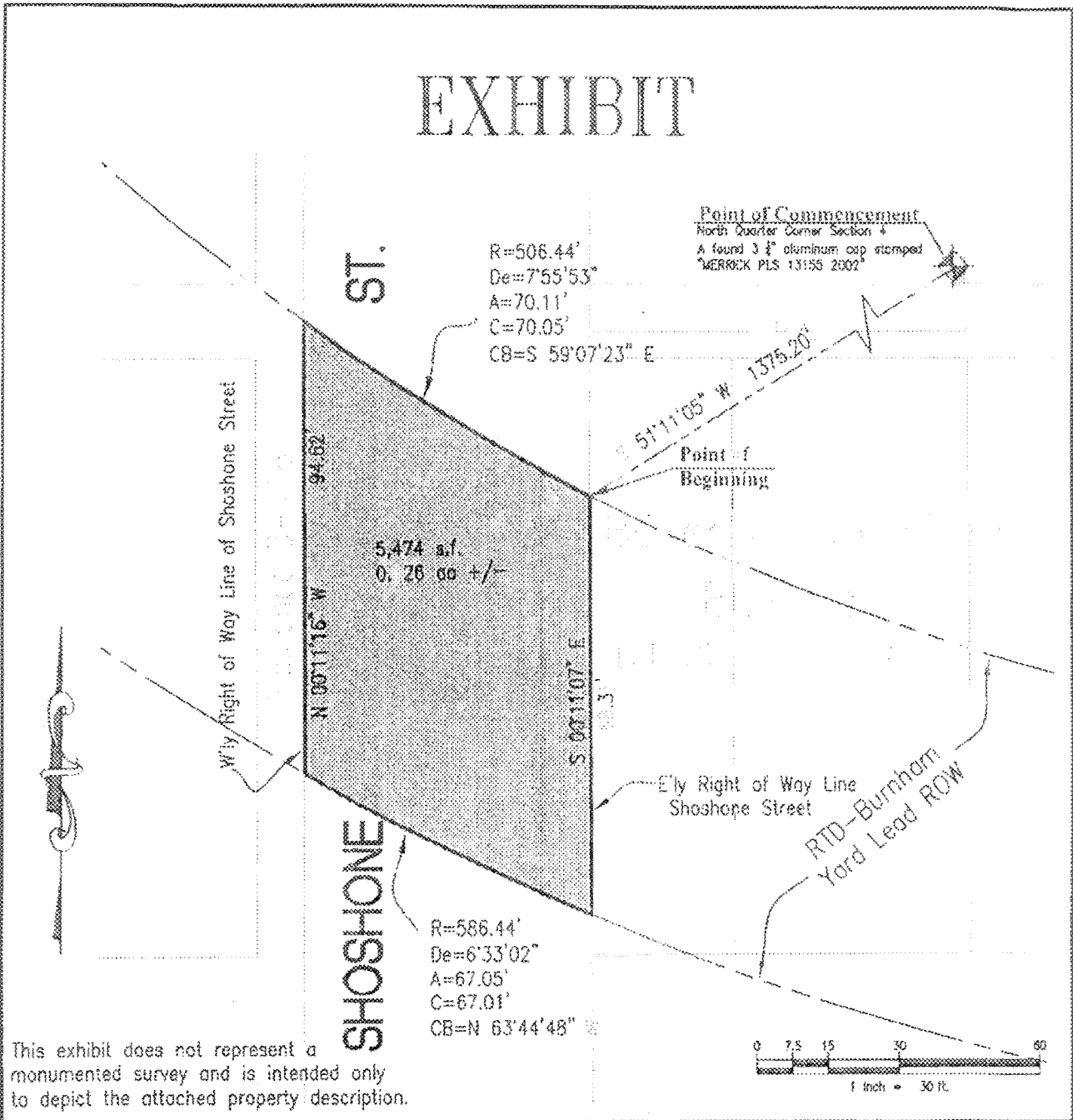
Containing 5,474 square feet, (0.126 Acres), more or less.

Basis Of Bearing: All bearings are based on the line connecting "Hard" to "Alameda" being a grid bearing of S87°54'44"E as obtained from a Global Positioning System (GPS) Survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD '83 (1992) Colorado State Plane (Central Zone). "Hard" (PID DE7958) is a Cooperative Base Network Control Station "A" Order Horizontal Mark monumented with a steel rod in access cover. "Alameda" (PID KK1393) is a National Geodetic Survey (NGS) First Order Horizontal Mark monumented with a 3.5" diameter brass cap set flush in concrete, cap stamped in part "Alameda 1977".

Prepared by: 
Kenneth W. Carlson P.L.S. 40042
For and on behalf of Jacobs Engineering Group
707 17th Street
Denver, CO 80202
303.820.5240



EXHIBIT



This exhibit does not represent a monumented survey and is intended only to depict the attached property description.

JACOBS PROJECT NO.			
CLIENT PROJECT NO.			
REVISION DESCRIPTION			
DRAWN	JES	DATE 3-8-10	SCALE 1"=30'
JACOBS			
797 17th Street, Suite 2300, Denver CO 80202 (303) 850-0940 Fax (303) 850-1942			
THIS MATERIAL AND ANY ASSOCIATED ELECTRONIC DATA WAS PREPARED BY JACOBS ENGINEERING GROUP FOR THE PROJECT INDICATED. ANY REUSE OR MODIFICATION WITHOUT THE WRITTEN CONSENT OF JACOBS ENGINEERING GROUP SHALL BE AT THE SOLE RISK OF THE USER.			

NW1/4 SEC 4 T4S, R68W, 6th P.M.		
TITLE: FASTRACKS WEST CORRIDOR		
REVISION:	DRAWING NO: shoshoneparcel.dwg	SHEET NO: 1 OF 1

K:\077120_FastrackWest_Corridor\DWGS\EXHIBIT\Parcels\ShoshoneParcel.dwg, 5/20/2010 8:29:03 AM

EXHIBIT C

(Attached to and made a part of the
Grant of Easements)

Depiction and Description of West 13th Avenue Easement Property

(see attached)


EXHIBIT "C"
Property Description
March 11, 2010
DESCRIPTION

A parcel of land of the RTD West Corridor Light Rail Project, containing 3,279 square feet, located in Baker's Subdivision, recorded at the City & County of Denver Clerk & Recorder's Office in Book 4 at Page 3 on September 30th 1886, lying in the North Half of Section 4, Township 4 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

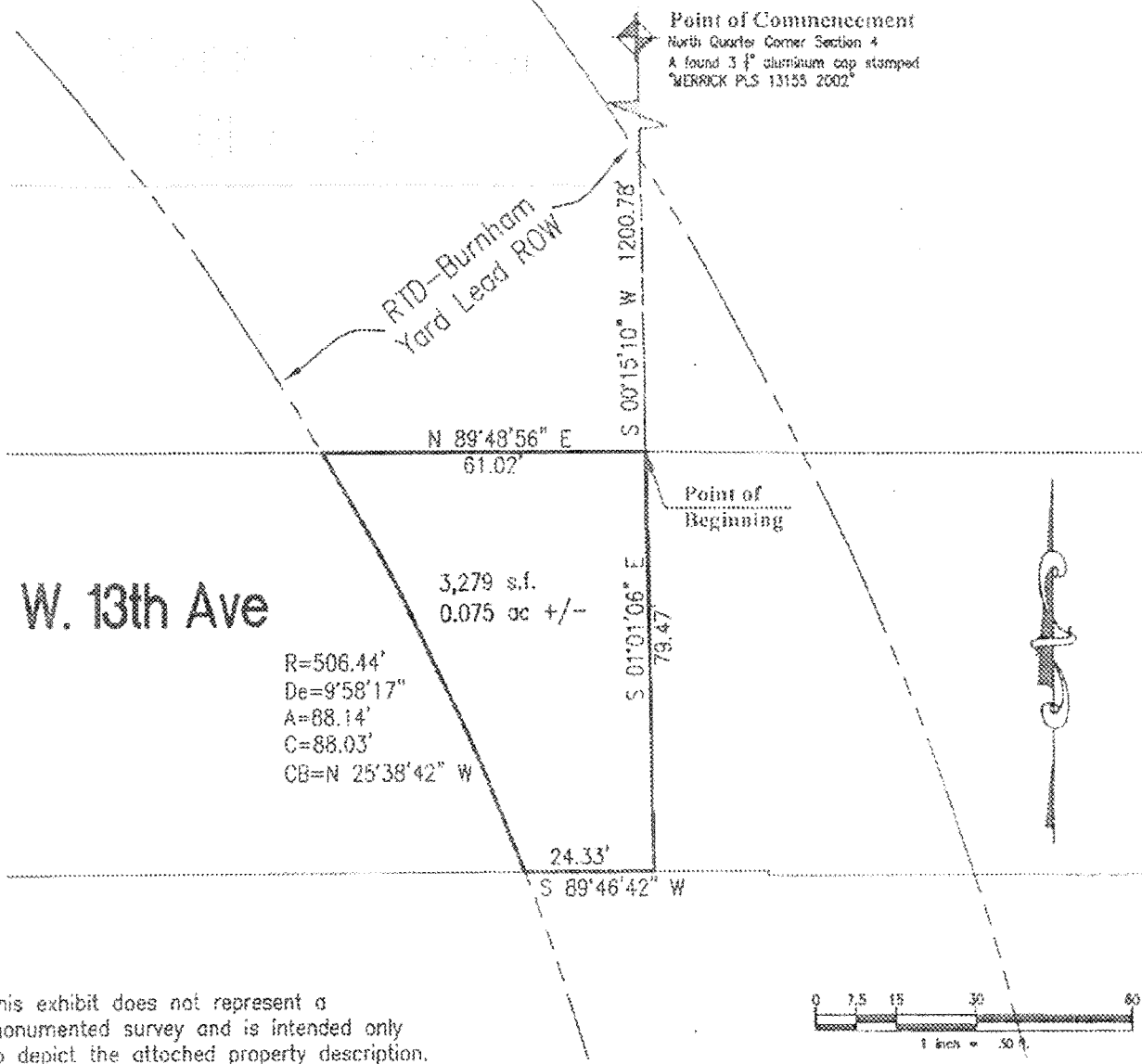
COMMENCING at the North Quarter corner of said Section 4 (A found 3 1/2" aluminum cap stamped "MERRICK PLS 13155 2002");
THENCE S00°15'10"W a distance of 1200.78 feet to a point on the northerly right of way line of West 13th Avenue being the **POINT OF BEGINNING**;
THENCE S01°01'06"E a distance of 79.47 feet to a point on the southerly right of way line of West 13th Avenue;
THENCE S89°46'42"W non-tangent with the following described curve and along said southerly right of way line a distance of 24.33 feet;
THENCE along the arc of a curve to the left, having a central angle of 9°58'17", a radius of 506.44 feet, a chord bearing of N25°38'42"W a distance of 88.03 feet, and an arc distance of 88.14 feet to a point on said northerly right of way line;
THENCE N89°48'56"E non-tangent with the last described curve and along said northerly right of way line a distance of 61.02 feet to the **POINT OF BEGINNING**.

Containing 3,279 square feet, (0.075 Acres), more or less

Basis Of Bearing: All bearings are based on the line connecting "Hard" to "Alameda" being a grid bearing of S87°54'44"E as obtained from a Global Positioning System (GPS) Survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD '83 (1992) Colorado State Plane (Central Zone). "Hard" (PID DE7958) is a Cooperative Base Network Control Station "A" Order Horizontal Mark monumented with a steel rod in access cover. "Alameda" (PID KK1393) is a National Geodetic Survey (NGS) First Order Horizontal Mark monumented with a 3.5" diameter brass cap set flush in concrete, cap stamped in part "Alameda 1977".


Prepared by: 3/16/10
Kenneth W. Peterson PLS 24942
For and on behalf of Jacobs Engineering Group
707 1/2nd Street #2309
Denver, CO 80202
303.820.8240

EXHIBIT



This exhibit does not represent a monumented survey and is intended only to depict the attached property description.

JACOBS PROJECT NO.			
CLIENT PROJECT NO.			
REVISION DESCRIPTION			
DRAWN	JES	DATE 3-8-10	SCALE 1"=30'
JACOBS			
707 17th Street, Suite 2300, Denver CO 80202 (303) 850-6646 Fax (303) 850-4645			
THIS MATERIAL AND ANY ASSOCIATED ELECTRONIC DATA WAS PREPARED BY JACOBS ENGINEERING GROUP FOR THE PROJECT INDICATED. ANY REUSE OR MODIFICATION WITHOUT THE WRITTEN CONSENT OF JACOBS ENGINEERING GROUP SHALL BE AT THE SOLE RISK OF THE USER.			

N1/2 SEC 4 T4S, R68W, 6th P.M.		
TITLE FASTRACKS WEST CORRIDOR		
REVISION:	DRAWING NO. W13thAveParcel.dwg	SHEET NO. 1 OF 1

K:\72120_Fastracks\WEST CORRIDOR\DWGS\Exhibit\Parcels\W13thAveParcelREV.dwg, 5/20/2010 7:49:38 AM