

REQUEST FOR ORDINANCE TO RELINQUISH EASEMENT

TO: Karen Walton, City Attorney's Office

FROM: Robert J. Duncanson, P.E.
Manager 2, Development Engineering Services

PROJECT NO: 2013-0136-04

DATE: January 24, 2014

SUBJECT: Request for an Ordinance to relinquish a portion of the easements established in **Ordinance No. 43**, Series of **1914**, and a portion of **Book 2477, Page 431**.

It is requested that the above subject item be placed on the next available Mayor Council Agenda.

This office has investigated the request of Jill R. Jennings Golich, dated April 12, 2013, on behalf of Auraria Higher Education Center for the relinquishment of said easements.

This matter has been checked by this office and has been coordinated with Asset Management; Comcast Corporation; Councilperson Judy Montero; CPD: Planning Services; Denver Water Board; Fire Department; Metro Wastewater Reclamation District; Office of Telecommunications; PW: DES Engineering, and DES Survey; Qwest Corporation; and Xcel Energy, all of whom have returned our questionnaires indicating their agreement.

As a result of the investigations, it has been determined that there is no objection to relinquishing the subject easement(s).

Therefore, you are requested to initiate Council action to relinquish the easements in the following described areas:

INSERT PARCEL DESCRIPTION ROW 2013-0136-04-001 HERE
INSERT PARCEL DESCRIPTION ROW 2013-0136-04-002 HERE

A map is attached showing the area in which the subject easement is to be relinquished. A copy of the Ordinance and Book creating the easement is also attached.

Attachments

RJD:jl/bja

cc: Asset Mgmt. Steve Wirth
City Council, Gretchen Williams
Councilperson Judy Montero and Aides
Department of Law, Karen Aviles
Department of Law, Brent Eisen
Department of Law, Karen Walton
Department of Law, Shaun Sullivan
Public Works, Alba Castro
Public Works, Nancy Kuhn
Public Works Survey, Paul Rogalla
Project File 2013-0136-04

Property Owner
State of Colorado
Auraria Higher Education Center
c/o Jill R. Jennings Golich, Campus Planner
Campus Box A, PO Box 173361
1068 9th St Park
Denver, CO 80217-3361

ORDINANCE/RESOLUTION REQUEST

Please email requests to Daelene Mix at
Nancy.khun@denvergov.org by **NOON on Monday**.

**All fields must be completed.*
Incomplete request forms will be returned to sender which may cause a delay in processing.*

Date of Request: January 24, 2014

Please mark one: **Bill Request** or **Resolution Request**

1. Has your agency submitted this request in the last 12 months?

Yes No

If yes, please explain:

2. Title: *(Include a concise, one sentence description – please include name of company or contractor and contract control number - that clearly indicates the type of request: grant acceptance, contract execution, amendment, municipal code change, supplemental request, etc.)*

Request for an Ordinance to relinquish a portion of the easements established in Ordinance No. 43, Series of 1914, and a portion of Book 2477, Page 431.

3. Requesting Agency: Public Works Survey

4. Contact Person: *(With actual knowledge of proposed ordinance/resolution.)*

- **Name:** Beverly Aragon
- **Phone:** 720-865-3125
- **Email:** Beverly.Aragon@denvergov.org

5. Contact Person: *(With actual knowledge of proposed ordinance/resolution who will present the item at Mayor-Council and who will be available for first and second reading, if necessary.)*

- **Name:** Nancy Kuhn
- **Phone:** 720-865-8720
- **Email:** Nancy.Kuhn@denvergov.org

6. General description of proposed ordinance including contract scope of work if applicable:

To relinquish a portion of the easements established in Ordinance No. 43, Series of 1914, and a portion of Book 2477, Page 431.

***Please complete the following fields: (Incomplete fields may result in a delay in processing. If a field is not applicable, please enter N/A for that field.)*

- a. **Contract Control Number:** N/A
- b. **Duration:** Permanent
- c. **Location:** Bounded by Walnut and Larimer St., & Larimer St between 5th & 7th St.
- d. **Affected Council District:** Judy Montero, District #9
- e. **Benefits:** N/A
- f. **Costs:** N/A

7. Is there any controversy surrounding this ordinance? (Groups or individuals who may have concerns about it?) Please explain.

None

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date Entered: _____



DENVER
THE MILE HIGH CITY

EXECUTIVE SUMMARY

Project Title: 2013-0136-04 Easement Relinquishment, Auraria Campus

Description of Proposed Project: Request for an Ordinance to relinquish a portion of the easements established in Ordinance No. 43, Series of 1914, and a portion of Book 2477, Page 431.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: For Improvements & Development

Has a Temp MEP been issued, and if so, what work is underway: No

What is the known duration of an MEP: N/A

Will land be dedicated to the City if the vacation goes through: N/A

Will an easement be placed over a vacated area, and if so explain: N/A

Will an easement relinquishment be submitted at a later date: N/A

Additional information: These are 2 separate easements with separate legals.

EXHIBIT A

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING THE VACATED ALLEY, 16.5 FEET IN WIDTH, IN BLOCK 257 OF WEST DENVER SUBDIVISION, VACATED PER ORDINANCE NO. 43 SERIES OF 1914 RECORDED IN THE OFFICES OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 3 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 INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF 5TH STREET (80 FEET IN WIDTH) AND THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF WALNUT STREET (80 FEET IN WIDTH); THENCE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF WALNUT STREET N59°33'47"E, A DISTANCE OF 131.97 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE N59°33'47"E, A DISTANCE OF 16.50 FEET; THENCE LEAVING SAID SOUTHEASTERLY RIGHT-OF-WAY LINE S30°31'14"E, A DISTANCE OF 398.41 FEET TO THE NORTHWESTERLY LINE OF VACATED LARIMER STREET (80 FEET IN WIDTH); THENCE ALONG SAID NORTHWESTERLY LINE S59°35'12"W, A DISTANCE OF 16.50 FEET; THENCE LEAVING SAID NORTHWESTERLY LINE N30°31'14"W, A DISTANCE OF 398.40 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 6,574 SQUARE FEET OR 0.151 ACRE, MORE OR LESS.

BEARINGS ARE BASED ON THE SOUTHEAST RIGHT-OF-WAY LINE OF VACATED LARIMER STREET. ASSUMED TO BEAR S59°35'12"W.

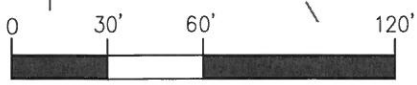
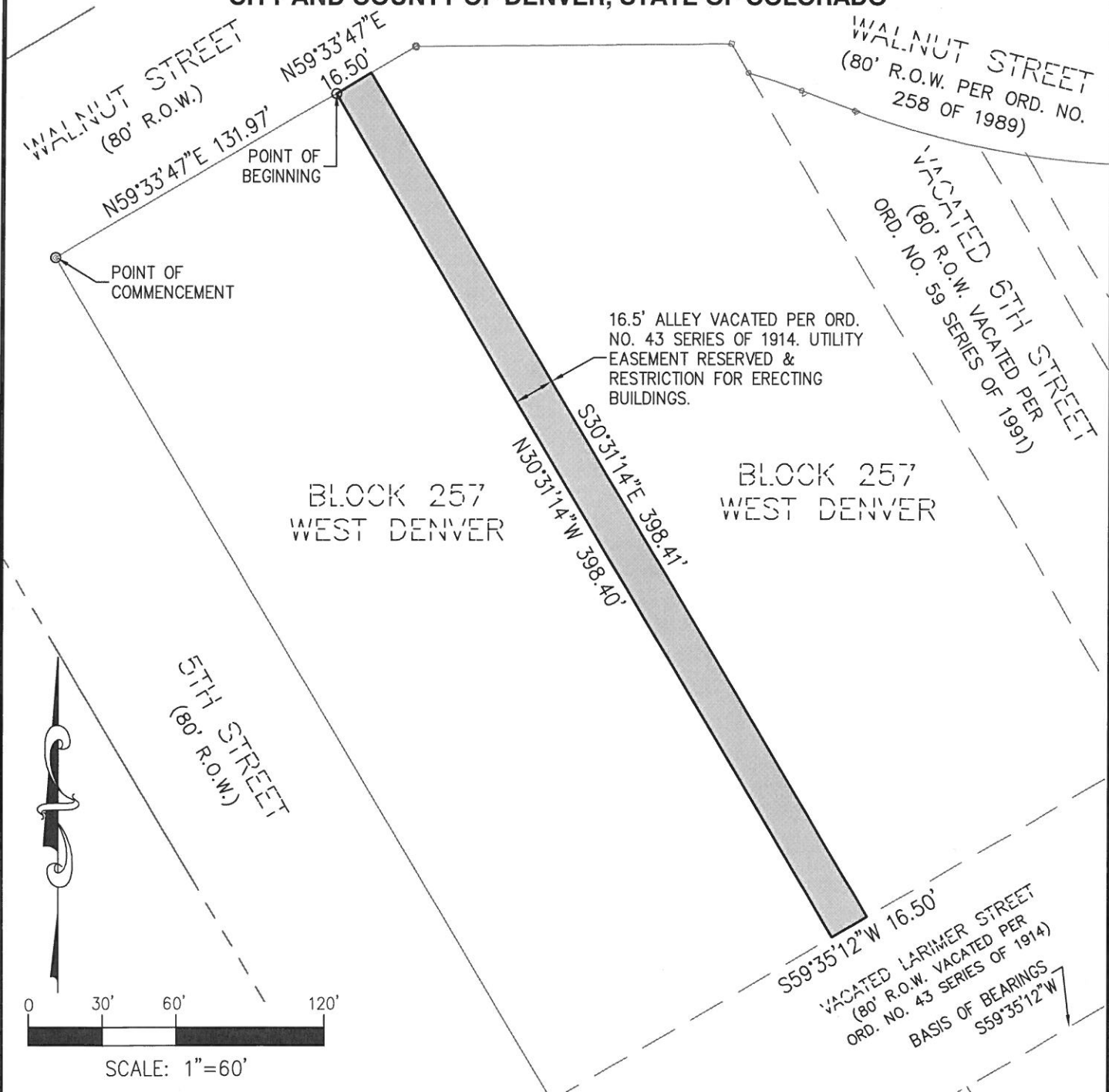
ALL LINEAL DISTANCES ARE REPRESENTED IN U.S. SURVEY FEET.

WILLIAM L. BREEDLOVE
COLORADO PROFESSIONAL LAND SURVEYOR NO. 31546
FOR AND ON BEHALF OF VISION LAND CONSULTANTS, INC.
603 PARK POINT ROAD, SUITE 100 | GOLDEN, CO 80401



EXHIBIT A

SITUATED IN THE SW 1/4 OF SECTION 33, T 3 S, R 68 W, 6TH P.M.,
CITY AND COUNTY OF DENVER, STATE OF COLORADO



SCALE: 1"=60'

- BEARINGS ARE BASED ON THE SOUTHEAST LINE OF VACATED LARIMER STREET. ASSUMED TO BEAR S59°35'12"W.
- THE ABOVE DESCRIBED PARCEL CONTAINS 6,574 SQUARE FEET OR 0.151 ACRE, MORE OR LESS.
- ALL LINEAL DISTANCES ARE REPRESENTED IN U.S. SURVEY FEET.

THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED SURVEY.
IT IS INTENDED ONLY TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

SHEET 3	AHEC PARKING STRUCTURE	 <p>CIVIL ENGINEERS, CONSTRUCTION MANAGERS, AND PROGRAM MANAGEMENT 603 PARK POINT DRIVE, SUITE 100 GOLDEN, CO 80401 PHONE:(303)674-7355 FAX:(303)674-3263</p>			
	EASEMENT RELINQUISHMENT		DATE NO.	REVISIONS	BY
	DENVER, COLORAD		DATE <u>06/12/13</u>	CHECKED BY	

JOB NO. 2706.E0

EXHIBIT B

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING THE VACATED RIGHT-OF-WAY OF LARIMER STREET, 80 FOOT RIGHT-OF-WAY VACATED PER ORDINANCE NO. 43 SERIES OF 1914 RECORDED IN THE OFFICES OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO , BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF 5TH STREET (80 FEET IN WIDTH) AND THE SOUTHEASTERLY LINE OF VACATED LARIMER STREET (80 FEET IN WIDTH); THENCE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF 5TH STREET N30°31'27"W, A DISTANCE OF 80.00 FEET; THENCE ALONG THE NORTHWESTERLY LINE OF VACATED LARIMER STREET N59°35'12"E, A DISTANCE OF 280.36 FEET; THENCE ALONG THE SOUTHWESTERLY LINE OF VACATED 6TH STREET (80 FEET IN WIDTH) S30°32'55"E, A DISTANCE OF 80.00 FEET; THENCE ALONG SAID SOUTHEASTERLY LINE OF VACATED LARIMER STREET S59°35'12"W, A DISTANCE OF 280.40 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 22,430 SQUARE FEET OR 0.515 ACRE, MORE OR LESS.

BEARINGS ARE BASED ON THE SOUTHEAST RIGHT-OF-WAY LINE OF VACATED LARIMER STREET. ASSUMED TO BEAR S59°35'12"W.

ALL LINEAL DISTANCES ARE REPRESENTED IN U.S. SURVEY FEET.

WILLIAM L. BREEDLOVE
COLORADO PROFESSIONAL LAND SURVEYOR NO. 31546
FOR AND ON BEHALF OF VISION LAND CONSULTANTS, INC.
603 PARK POINT ROAD, SUITE 100 | GOLDEN, CO 80401

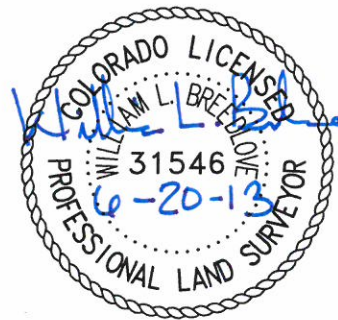
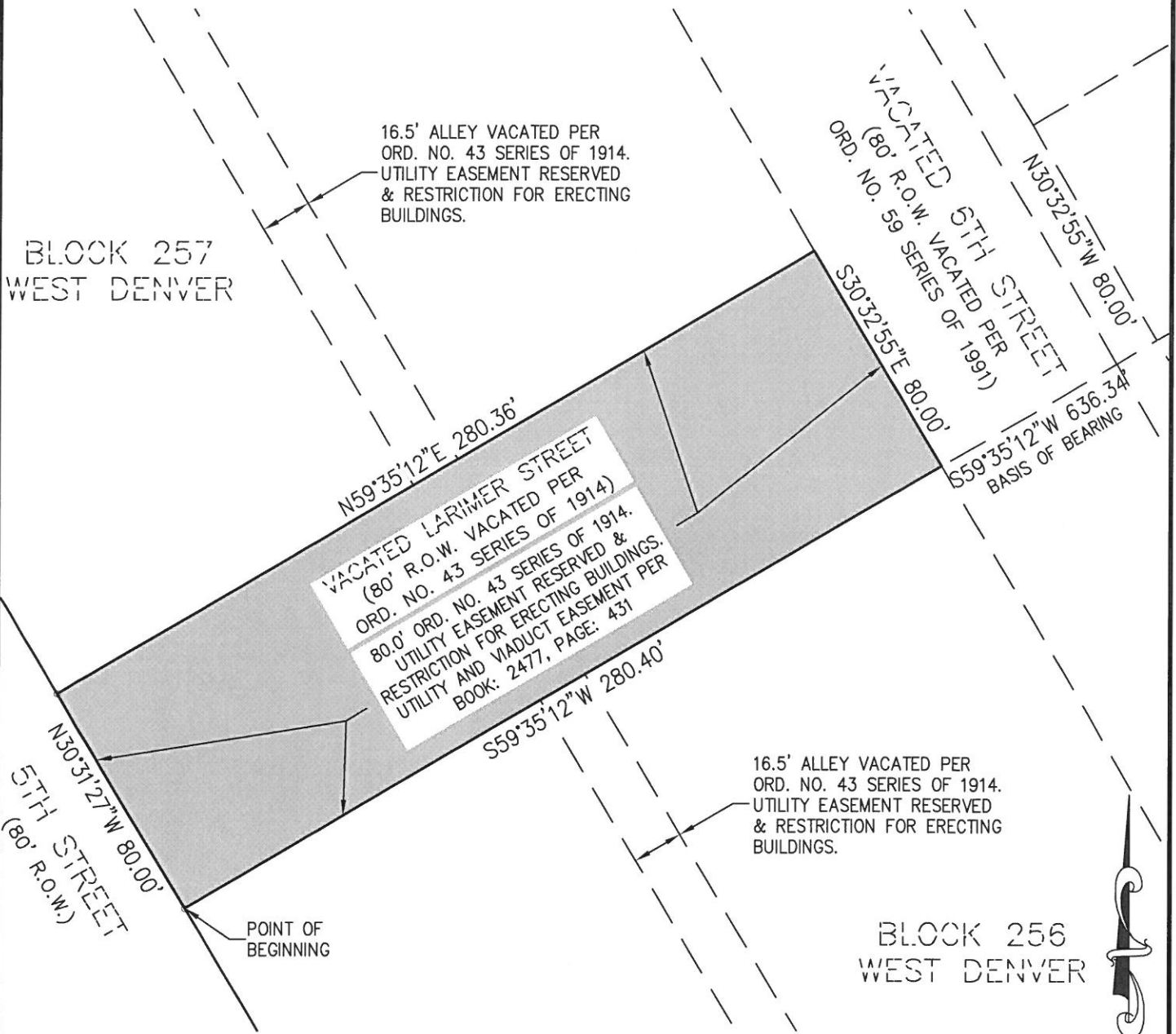


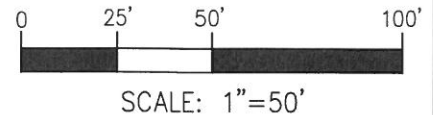
EXHIBIT B

SITUATED IN THE SW 1/4 OF SECTION 33, T 3 S, R 68 W, 6TH P.M.,
CITY AND COUNTY OF DENVER, STATE OF COLORADO



- BEARINGS ARE BASED ON THE SOUTHEAST LINE OF VACATED LARIMER STREET. ASSUMED TO BEAR S59°35'12"W.
- THE ABOVE DESCRIBED PARCEL CONTAINS 22,430 SQUARE FEET OR 0.515 ACRE, MORE OR LESS.
- ALL LINEAL DISTANCES ARE REPRESENTED IN U.S. SURVEY FEET.

THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED SURVEY.
IT IS INTENDED ONLY TO DEPICT THE ATTACHED LEGAL DESCRIPTION.



SHEET 1	AHEC PARKING STRUCTURE	 CIVIL ENGINEERS, CONSTRUCTION MANAGERS, AND PROGRAM MANAGEMENT 603 PARK POINT DRIVE, SUITE 100 GOLDEN, CO 80401 PHONE: (303)674-7355 FAX: (303)674-3263			
	EASEMENT RELINQUISHMENT		DATE NO.	REVISIONS	BY
	DENVER, COLORAD		DATE <u>06/12/13</u>	CHECKED BY _____	

3461-450

Schaer for the cash and following personal property to wit:

- Ten shares preferred stock City Service Co.
- Five shares preferred stock City Service Co.
- Four U. S. Savings Stamps, Series 1918.
Value \$5.00 each.
- Notes of Michele Arciere and Rose Arciere for \$2700.00
- Notes of Fred W. J. Loogo, balance due \$1200.00
- Notes of Lillian Toogood for \$1000.00

And all papers and documents connected with said notes, as above ordered, and it appearing to the Court that he has fairly, honestly and impartially performed his duties herein, it is ordered that August Schupp be and he is hereby discharged from his office and trust as administrator with the will annexed of said estate.

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

I, Thomas L. Bonfils, Clerk of the County Court of the City and County of Denver, in the State aforesaid, do hereby certify the above and foregoing to be a true, perfect and complete copy of Last Will and Testament, Order of Probate and Order of Discharge, in the matter of the estate of Friedrich Schaer, deceased.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court; at Denver, this 30th day of June, A. D. 1922.

Thomas L. Bonfils,
Clerk of the County Court
By K. P. Mace
Deputy.



523999
ORDINANCE NO. 43
SERIES 1914
COMMISSIONERS' BILL NO. 47
Filed for record at 10:20
A. M. Jul 6 1922
Charles Moewer
Clerk and Recorder

BY AUTHORITY
ORDINANCE NO. 43, SERIES 1914,
COMMISSIONERS' BILL NO. 47, INTRO-
DUCED BY COMMISSIONER BURTER.

A BILL
FOR AN ORDINANCE PROVIDING FOR THE
VACATING OF THE STREETS AND ALLEYS
DESCRIBED IN PARAGRAPH A OF ARTICLE
2 OF ORDINANCE NO. 40 OF THE SERIES
OF 1913, AND PROVIDING THAT THE MAYOR
OF THE CITY AND COUNTY OF DENVER SHALL
CONVEY BY QUIT CLAIM DEEDS THE PROPERTY
THUS VACATED TO THE ADJUTING OWNERS.

WHEREAS, The Board of Public Works of the City and County of Denver, did heretofore duly adopt a Resolution of which the following is a true copy, to-wit:

RESOLUTION.

WHEREAS, Paragraph A, of Article 2 of Ordinance No. 40 of the Series of 1913, pertaining to an agreement for the construction of the Colfax-Larimer Viaduct, provides that the City shall cause to be vacated and shall convey by quit-claim deeds from the City to the railroads or other abutting owners, its title to the streets and alleys hereinafter described; and

WHEREAS, it is the sense of this Board that the public use, convenience and necessity no longer require the use of said streets and alleys; now

Therefore, in consideration of the premises,

BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY AND COUNTY OF DENVER:

(a) That the following streets and alleys, to-wit:

Larimer street from the southwest line of Sixth street to the northeast line of the alley in blocks 268 and 269, in West Denver, except the intersection of Larimer street and Fifth street. Lawrence street from the northeast line of the alley in block 102, West Denver, produced southeasterly to the northeast line of the alley in block 269, West Denver, produced southeast, except the intersection of Lawrence street with Fifth and Sixth streets. The alley in block 101 in West Denver, Colfax avenue from the west line of Hunt's addition westerly 335 feet, more or less, to the west line of D. & R. G. R. R. property. A portion of West Fourteenth avenue included within the following limits or boundaries: Beginning at a point on the south line of said West Fourteenth avenue which is 75 feet west of the alley in block 7 of Hunt's Addition thence west to the northwest corner of block 9 in Baker's Subdivision; thence northerly to the intersection of the north line of West Fourteenth avenue and the easterly line of the Smith Canal or Ditch Company's right of way; thence east to the intersection of the south line of block 6 of Hunt's Addition and the easterly line of property owned by D. & R. G. R. R.; thence southeasterly, along straight line to place of beginning. Fourth street from the southeast line of Wewatta street to the southeasterly end of said Fourth street opposite lot 9, in block 266, of West Denver, except the intersection of Fourth street with Market street. Wewatta street from the southwest line of Sixth street to the official channel of the South Platte river. Wynkoop street from the southwesterly line of Fifth street to the northeasterly line of Third street. Wazee street from the southwesterly line of Fifth street to the northeasterly line of Third street. That portion of Wazee street lying northwest of and adjoining lot 6, in block 281, of West Denver. That portion of Second street lying southwest of and adjacent to block 273, of West Denver.

Also the alley in block 273 in West Denver, extending from Wazee to Wynkoop streets. Also the alleys in the following blocks in West Denver; 271, 272, 261, 262, 260, 270, 263, 258, 264, 257, 256, 266, also the southeast 264 feet of the alley in block 265, in the City and County of Denver, State of Colorado, be and are hereby, & vacated as public streets and alleys, and the Mayor of said City and County, of Denver is hereby authorized to convey by quit-claim deeds from the City to the railroads and other abutting owners, its title to the aforesaid streets and alleys.

(b) That the Council of the City and County of Denver is hereby requested by the enactment of a suitable ordinance to give effect to the foregoing resolutions and provide for the vacating and conveying of the streets and alleys above described, and

WHEREAS, it is the sense of this body that effect should be given to said Resolution; Now, Therefore,

BE IT ENACTED BY THE COUNCIL, OF THE CITY AND COUNTY OF DENVER:

Section 1. That the action of the Board of Public Works in adopting the Resolution hereinbefore set forth, be and the same is hereby, approved and ratified.

Section 2. That the following streets and alleys, to-wit:

Larimer street from the southwest line of Sixth street to the northeast line of the alley in blocks 268 and 269, in West Denver, except the intersection of Larimer street and Fifth street, Lawrence street from the northeast line of the alley in block 102, West Denver, produced southeasterly to the northeast line of the alley in block 269, West Denver, produced southeast, except the intersection of Lawrence street with

3461 - 452

Fifth and Sixth streets. The alley in block 101 in West Denver, Colfax avenue from the west line of Hunt's addition westerly 375 feet, more or less, to the west line of D. & K. G. R. R. property. A portion of West Fourteenth avenue included within the following limits or boundaries: Beginning at a point on the south line of said West Fourteenth avenue which is 75 feet west of the alley in block 7 of Hunt's Addition; thence west to the northwest corner of block 9 in Baker's Subdivision; thence northerly to the intersection of the north line of West Fourteenth avenue and the easterly line of the Smith Canal or Ditch company's right of way; thence east to the intersection of the south line of block 6 of Hunt's Addition and the easterly line of property owned by D. & K. G. R. R.; thence southeasterly, along straight line, to place of beginning.

Fourth street from the southeast line of Wewatta street to the southeasterly end of said Fourth street opposite lot 9, in block 266, of West Denver, except the intersection of Fourth street with Market street. Wewatta street from the southwest line of Sixth street to the official channel of the South Platte river. Wynkoop street from the southwesterly line of Fifth street to the northeasterly line of Third street. Wazee street from the southwesterly line of Fifth street to the northeasterly line of Third street. That portion of Wazee street lying northwest of and adjoining lot 6, in block 281, of West Denver. That portion of Second street lying southwest of and adjacent to block 273, of West Denver.

Also the alley in block 273, in West Denver, extending from Wazee to Wynkoop street. Also the alleys in the following blocks in West Denver: 271, 272, 261, 262, 260, 270, 263, 258, 264, 257, 256, 266, also the southeast 264 feet of the alley in block 265, in the City and County of Denver, State of Colorado, be and the same are hereby vacated, as public streets and alleys.

Sec. 3. provided, however, that the City and County of Denver hereby expressly reserves the right to lay, maintain and repair sewers, water mains and other conduits and to erect telephone, telegraph or power lines and poles and lines for other purposes thereunder and the reason; and it is further provided that the railroads or other abutting property owner or owners shall not erect buildings on the aforesaid streets so to be vacated except where the City so permits.

Sec. 4. That the Mayor of said City and County of Denver, be, and he is hereby, authorized and directed to convey by quit-claim deeds from city and county of Denver to the Railroads and other abutting owners, its title to the aforesaid streets and alleys.

Recommended by the Board of Public Works, this 7th day of April, A. D. 1914.

J. B. Hunter
Commissioner of Improvements and President.

Signed by me this 16th day of April A. D. 1914.

J. M. Perkins
Mayor.

Attested by the undersigned with the corporate seal of the City and County of Denver.

(Copy Seal)

Otto F. Thum
Commissioner of Property, Ex-officio
Clerk of the City and County of Denver.

By C. J. Moorhouse
Deputy Clerk.

Published in The Denver Times this 20th day of April, 1914.

STATE OF COLORADO
CITY AND COUNTY OF DENVER)

3467 453

I, Charles Moswas, Clerk and Recorder, Ex-officio Clerk of the City and County of Denver, do hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 43 of the Series of 1914, signed and approved by the Mayor on the 16th day of April, A. D. 1914.

Given under my hand and corporate seal of the City and County of Denver, this 5th day of July, A. D. 1922.

Charles Moswas
Clerk and Recorder, Ex-officio Clerk
of the City and County of Denver.

By W. S. Peak
Deputy Clerk.



524005

ORDER OF COURT

JOHN H. SCORCE et al

vs

LULU S. MIDDLETON et al

Filed for record at 10:30
A. M. Jul 5 1922

Charles Moswas
Clerk and Recorder

DISTRICT COURT, CITY AND COUNTY OF DENVER

SECOND JUDICIAL DISTRICT

STATE OF COLORADO)
SS:
CITY AND COUNTY OF DENVER)

PLEAS in the District Court of the City and County of Denver, State of Colorado, in the Second Division thereof, before the Hon. Clarence J. Morley, one of the Judges of the Second Judicial District of the said State, at a term thereof begun and held at the Court House in Denver in said County, on the second

Tuesday (it being the 11th day) of April A. D. One Thousand Nine Hundred and Twenty Two.

PRESENT:

- Hon. Clarence J. Morley,..... one of the Judges of the District Court.
- Philip S. Van Cise,..... Esq., District Attorney of said District.
- Frank M. Downer,..... Esq., Manager of Safety and Excise and Ex-Officio Sheriff of said County.
- W. A. Dollison,..... Esq., Clerk of said Court.

BE IT REMEMBERED, That heretofore and on to wit, the 7th day of June, A. D. 1922, the same being one of the regular judicial days of the April Term, A. D. 1922 of said Court, the following proceedings, inter alia, were had and entered of record in said Court, to wit:--

John H. Scorce, Robert S. Scorce, Sallie N. Peak, Thomas F. Morris, and Ben C. Scorce, No. 71860

PARTITION.

vs.

Lulu S. Middleton, and Lulu S. Middleton as Administrator of the Estate of Katherine S. Pance, Deceased.

At this day comes said plaintiff by his attorney, and thereupon, on his motion.

It is ordered by the Court that this cause be, and the same is, hereby dismissed without prejudice.

written, was at the time of taking such proof, acknowledgment or affidavit, a NOTARY PUBLIC in and for the said County, dwelling in the said County, commissioned and sworn, and duly authorized to take the same. And further, that I am well acquainted with the handwriting of such Notary and verily believe that the signature to the said certificate of proof, acknowledgment or affidavit, is genuine.

And further, that said instrument is executed and acknowledged, according to the laws of the State of New York.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the said Court and County, the 7th day of November A. D. 1914.

Luther S. Labin Jr. Clerk.



98577

QUIT CLAIM DEED

City and County of Denver to The Colorado & Southern Railway Co.

Filed for Record at 1 P. M. Nov. 12, 1914.

Otto F. Thum Commissioner of Property Ex-officio Clerk and Recorder.

This deed made the 29th day of May, A. D. 1914, between City and County of Denver, a municipal corporation, organized and existing under and by virtue of the constitution and laws of the State of Colorado, of the first part, and The Colorado and Southern Railway Company, a corporation, duly organized and existing under and by virtue of the laws of

the State of Colorado, of the second part,

WITNESSETH: That the said party of the first part, acting under and by virtue of Ordinance No. 43 of the series of 1914, of the City and County of Denver, and for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, to the said party of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged has remised, released, sold, conveyed and quit-claimed and by these presents does remise, sell, convey and quit-claim unto the said party of the second part, its successors and assigns forever, all the right, title, interest, claim and demand, which the said party of the first part has in and to the following described tracts of land situate, lying and being in the City and County of Denver and State of Colorado, to-wit:

That part of Lawrence Street, described as follows, to-wit: Commencing at the most westerly corner of lot 7, block 164, West Denver; thence northwesterly on the produced northeasterly line of 5th street, 80 feet to the northwesterly line of Lawrence Street; thence northeasterly on the northwesterly line of Lawrence Street to the Southwesterly line of 6th Street; thence southeasterly on the produced southwesterly line of 6th street, 40 feet to the center line of Lawrence Street; thence southwesterly on the center line of Lawrence Street to the produced center line of the alley in Block 164, West Denver, extended northwesterly; thence southeasterly on the produced center line of said alley, 40 feet to the southeasterly line of Lawrence Street; thence southwesterly on the southeasterly line of Lawrence Street to the

place of beginning.

Also, that part of Lawrence street lying between blocks 265 and 266, 267 and 268, West Denver, extending from the southwesterly line of 5th street to the produced northeasterly line of the alley in block 268, West Denver, extended southeasterly, together with the intersection of said Lawrence Street with Fourth Street.

That part of Fourth street lying between blocks 261 and 272, 263 and 270, 264 and 269, 265 and 268, 266 and 267 in West Denver.

That part of Larimer Street described as follows, to-wit:

Commencing at the most easterly corner of lot 1, block 264, West Denver; thence southeasterly along the produced southwesterly line of 5th street, 40 feet to the center line of Larimer Street; thence southwesterly along said center line 37 feet; thence southeasterly parallel to southwesterly line of 5th street, 40 feet, to the southeasterly line of Larimer Street; thence southwesterly along the southeasterly line of Larimer Street to the northeasterly line of the alley in block 268, West Denver; thence northwesterly along the produced northeasterly line of said alley to the northwesterly line of Larimer Street; thence northeasterly along said northwesterly line of Larimer Street to the place of beginning.

Also, that part of Larimer Street lying between blocks 256 and 257, West Denver, and extending from the northeasterly line of 5th street to the southwesterly line of 6th street.

Also, that part of Wazee street described as follows, to-wit:

Commencing at the most easterly corner of lot 1, block 262, West Denver; thence southwesterly on the northwesterly line of Wazee Street to the center line of the alley in said block 262; thence southeasterly along center line of said alley extended 40 feet to the center line of Wazee Street; thence southwesterly along center line of Wazee Street to the produced northeasterly line of 3rd street; thence southeasterly along said produced northeasterly line of Third street to the southeasterly line of Wazee Street; thence northeasterly along said southeasterly line of Wazee Street to the southwesterly line of 5th street; thence northwesterly along the produced southwesterly line of 5th street to the place of beginning.

Also, that part of Wynkoop street described as follows, to-wit:

Commencing at most southerly corner of lot 12, block 272, West Denver; thence northeasterly along the northwesterly line of Wynkoop street to the southwesterly line of Fifth street; thence southeasterly along the produced southwesterly line of Fifth street 80 feet to the southeasterly line of Wynkoop street; thence southwesterly along said southeasterly line; to the center line of alley in block 262, West Denver; thence northwesterly on the produced center line of said alley extended 40 feet to the center line of Wynkoop street; thence southwesterly on the said center line of Wynkoop street to the center line of Fourth street; thence in a straight line to the most northerly corner of lot 6, block 271, West Denver; thence southwesterly along the southeasterly line of Wynkoop street to the northeasterly line of 3rd street; thence northwesterly along the produced northeasterly line of 3rd street 80 feet to the place of beginning.

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That part of Wewatta street lying northwesterly of blocks 260, 261, 272, West Denver, and extending from the southwesterly line of 6th street to the easterly line of the official channel of the South Platte River, together with those portions of Fourth Street, Fifth Street and Wewatta Street included within the intersections of said Fourth and Fifth streets with said Wewatta Street.

All of the alleys running in a northwesterly and southeasterly direction through the center of each of blocks 256, 257, 258, 260, 261, 263, 264, 265 and 270 in West Denver.

Also, the northeasterly one-half of the alley running in a northwesterly and southeasterly direction through the center of block 262 West Denver, being a strip of land 8.25 feet in width, lying southwesterly of and adjacent to the southwesterly line of lots 1 to 6, inclusive, in said block 262.

Also that part of the alley running in a northwesterly and southeasterly direction through the center of block 265, West Denver, extending from the northwesterly line of Lawrence street to the produced northwesterly line of lot 4, in said block extended southwesterly.

That part of the alley running in a northwesterly and southeasterly direction through the center of block 271, West Denver, described as follows, to-wit:

Commencing at the most westerly corner of lot 6, block 271, West Denver; thence southeasterly along the northeasterly line of said alley to the most southerly corner of said lot 6; thence southwesterly along the produced southeasterly line of said lot 6, 8.25 feet to the center line of said alley; thence southeasterly along the center line of said alley 34 feet; thence southwesterly, parallel to northwesterly line of Wazee Street 8.25 feet to the southwesterly line of said alley; thence northwesterly along said southwesterly alley line to the southeasterly line of Wynkoop Street; thence northeasterly 16.5 feet to the place of beginning.

Also, that part of the alley running in a northwesterly and southeasterly direction through the center of block 272, West Denver, extending from the northwesterly line of Wynkoop street to the easterly line of the official channel of the South Platte River.

Excepting and reserving, however, unto the party of the first part such interest in the property above described, as may be necessary for the construction and proper use and maintenance of the viaduct and approaches thereto, known as COLFAX-LARTNER VIADUCT, also, the right to lay, maintain and repair sewers, water-mains and other conduits and to erect, maintain and repair telephone, telegraph, power, electric light and any other kind of poles, wires and lines thereunder, thereover and thereon.

The said party of the second part, in consideration of the transfer of said above described land hereby covenants for itself, its successors and assigns that no building of any nature or description shall, at any time, be erected or permitted to remain on any portion of said above described property, except a due and proper permit be first obtained therefor from the said party of the first part.

To have and to hold the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all

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the estate, right, title, interest and claim whatsoever, of the said party of the first part, either in law or equity, to the proper use, benefit and behoof of the said party of the second part, its successors and assigns forever.

IN WITNESS WHEREOF, The said party of the first part has hereunto caused these presents to be signed in its name by its Mayor and its Corporate Seal to be affixed, attested by its Clerk.

ATTEST:
Otto F. Thum
Commissioner of Property
Ex-officio Clerk



THE CITY AND COUNTY OF DENVER,
By J. M. Perkins,
Mayor.

STATE OF COLORADO,)
) SS.
CITY AND COUNTY OF DENVER.)

I, Frank J. Emperor, a Notary Public in and for the City and County of Denver, in the State aforesaid, do hereby certify that J. M. PERKINS, who is personally known to me to be the same person whose name is subscribed to the foregoing deed as having executed the same as Mayor of the City and County of Denver, a Municipal Corporation, and who is known to me to be such officer, appeared before me this day in person and acknowledged: That the seal affixed to the foregoing instrument is the corporate seal of said corporation; that the same was thereunto affixed by the authority of said corporation; that said instrument was by like authority subscribed with its corporate name; that the said J. M. PERKINS is the Mayor of said corporation; that by the authority of said corporation, he subscribed his name thereto as Mayor, and that he signed, sealed and delivered said instrument of writing as his free and voluntary act and deed and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth; that said deed, signature of the Mayor and seal of the City and County of Denver were duly attested by Otto F. Thum, as Clerk of the City and County of Denver, who is personally known to me to be the Clerk of said City and County of Denver.

Given under my hand and notarial seal this 29th day of May, A. D. 1914.

My commission expires April 12, 1915.



Frank J. Emperor
Notary Public.

Approved as to Form:
I. N. STEVENS
Atty. for City & County of Denver,
By G. A. Luxford
Asst.

E. E. Whitted
Atty. for grantee

APPROVED AS TO DESCRIPTION:
H. F. Meryweather,
City Engineer.
By C. Stoll
Chief Draftsman
H. W. Cowan
Chief Engr. C&S Ry.

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