



REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

FROM: Matt Bryner, P.E. Senior Engineering Manager
Right-of-Way Services

DATE: November 27, 2017

ROW #: 2015-Dedication-0000079 **SCHEDULE #:** 0606300023000, 0606300030000 & 060630002000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as E. 8th Ave., E. 11th Ave & N. Colorado Blvd. Located at the intersections of E. 8th Ave. and Colorado Blvd & E. 11th Ave. and Colorado Blvd.

SUMMARY: Request for a Resolution for laying out, opening and establishing certain real property as part of the system of thoroughfares of the municipality; i.e. as E. 8th Ave., N. Colorado Blvd and E. 11th Ave. This parcel(s) of land is being dedicated to the City and County of Denver for Public Right-of-Way, as part of the development project **(9th & Colorado)**

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

Therefore, you are requested to initiate Council action to dedicate a parcel of land for Public Right-of-Way purposes as E. 8th Ave., N. Colorado Blvd., & E. 11th Ave. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2015-Dedication-0000079) HERE.

A map of the area to be dedicated is attached.

MB/JC/BV

cc: Asset Management, Robert Koehler
City Councilperson & Aides, Mary Beth /Susman District # 5
Council Aide Genny Kline
Council Aide Luke Palmisano
City Council Staff, Zach Rothmier
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office, Angela Casias
Public Works, Right-of-Way Engineering Services, Matt Bryner
Department of Law, Brent Eisen
Department of Law, Shaun Sullivan
Department of Law, Caroline Martin
Department of Law, Stan Lechman
Department of Law, Cynthia Devereaux
Public Works Survey, John Clarke
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2015-Dedication-0000079

ORDINANCE/RESOLUTION REQUEST

Please email requests to Angela Casias
at angela.casias@DenverGov.org by **12:00 pm 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: November 27, 2017

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, contract amendment, municipal code change, supplemental request, etc.**)

This request is to dedicate a parcel of land as Public Right of Way as E. 8th Ave., E. 11th Ave & N. Colorado Blvd. Located at the intersections of E. 8th Ave. and Colorado Blvd & E. 11th Ave. and Colorado Blvd.

3. Requesting Agency: Public Works-Right-of-Way Services
Agency Division: Survey

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

- **Name:** Barbara Valdez
- **Phone:** 720-865-3153
- **Email:** Barbara.valdez@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:** Angela Casias
- **Phone:** 720-913-8529
- **Email:** Angela.Casias@denvergov.org

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

Request for a Resolution for laying out, opening and establishing certain real property as part of the system of thoroughfares of the municipality; i.e. as E. 8th Ave., N. Colorado Blvd and E. 11th Ave. This parcel(s) of land is being dedicated to the City and County of Denver for Public Right-of-Way, as part of the development project (**9th & Colorado**)

****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 – please do not leave blank.)

- a. **Contract Control Number:** N/A
- b. **Contract Term:** N/A
- c. **Location:** 8th Ave. and Colorado Blvd. and 11th and Colorado Blvd.
- d. **Affected Council District:** Mary Beth Susman Dist. #5
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):**

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: 2015-Dedication-0000079, 9th & Colorado,

Description of Proposed Project: Dedicate parcels of public right of way as E. 8th Ave., N. Colorado Blvd., and E. 11th Ave.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: The City and County of Denver was deeded this land to dedicate as Public Right of Way

Has a Temp MEP been issued, and if so, what work is underway: N/A

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: This land was deeded to the City and County of Denver for the purpose to dedicate it as Public Right-of-Way, as a part of a development project called, 9th & Colorado



Legend

- Public Schools
- Non-Public Schools
- Streams
- Buildings
- Streets
- Alleys
- Railroads
 - + Main
 - + Yard
 - + Spur
 - + Siding
 - + Interchange track
 - + Other
- Bridges
- Rail Transit Stations
 - Existing
 - Planned
- ▲ Park-N-Ride Locations
- Lakes
- County Boundary
- Parcels
- Lots/Blocks
- Parks
 - All Other Parks; Linear
 - Mountain Parks





E. 11th Ave. to be Dedicated

Legend

- Public Schools
- Non-Public Schools
- Streams
- Buildings
- Streets
- Alleys
- Railroads
 - + Main
 - + Yard
 - + Spur
 - + Siding
 - + Interchange track
 - + Other
- Bridges
- Rail Transit Stations
 - Existing
 - Planned
- ▲ Park-N-Ride Locations
- Lakes
- County Boundary
- Parcels
- Lots/Blocks
- Parks
 - All Other Parks; Linear
 - Mountain Parks



8TH AVE, BETWEEN COLORADO BLVD AND BELLAIRE ST

EXHIBIT A, AS DESCRIBED IN A WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 21ST DAY OF JANUARY 2016, AT RECEPTION NUMBER 2016007354 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND BEING A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 6, WHENCE THE WEST QUARTER CORNER OF SAID SECTION 6 BEARS NORTH 00°15'29" WEST, ALL BEARINGS HEREON ARE REFERENCED TO THIS LINE;

THENCE NORTH 02°22'11" EAST, A DISTANCE OF 1357.19 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF 8TH AVENUE AS RECORDED IN BOOK 2550 AT PAGE 113 OF THE RECORDS IN THE CLERK AND RECORDER'S OFFICE IN THE CITY AND COUNTY OF DENVER, AND THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY, NORTH 00°15'29" WEST, A DISTANCE OF 19.26 FEET TO A LINE PARALLEL WITH AND 19.26 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, TO SAID NORTHERLY RIGHT-OF-WAY OF 8TH AVENUE;

THENCE ALONG SAID PARALLEL LINE, NORTH 89°33'23" EAST, A DISTANCE OF 896.92 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF BELLAIRE STREET AS SHOWN ON THE BELLAIRE STREET SUBDIVISION FILING NO. 1 PLAT AS RECORDED UNDER RECEPTION NO. 2014122683;

THENCE DEPARTING SAID PARALLEL LINE, ALONG SAID WESTERLY RIGHT-OF-WAY, SOUTH 00°26'33" EAST, A DISTANCE OF 19.26 FEET TO A POINT ON SAID NORTHERLY RIGHT-OF-WAY FOR 8TH AVENUE;

THENCE ALONG THE SAID NORTHERLY RIGHT-OF-WAY, SOUTH 89°33'23" WEST, A DISTANCE OF 435.63 FEET TO THE SOUTHEASTERLY CORNER OF THAT RIGHT-OF-WAY FOR 8TH AVENUE RECORDED UNDER RECEPTION NO. 9700074130, IN SAID RECORDS;

THENCE ALONG THE NORTHERLY RIGHT-OF-WAY OF SAID 8TH AVENUE THE FOLLOWING THREE (3) COURSES:

NORTH 67°52'17" WEST, A DISTANCE OF 12.00 FEET:

SOUTH 89°33'23" WEST, A DISTANCE OF 54.94 FEET:

SOUTH 66°59'03" WEST, A DISTANCE OF 12.00 FEET TO A POINT ON SAID NORTHERLY RIGHT-OF-WAY FOR 8TH AVENUE AS RECORDED IN BOOK 2550 AT PAGE 113:

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY, SOUTH 89°33'23" WEST, A DISTANCE OF 384.25 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.390 ACRES, (16,973 SQUARE FEET), MORE OR LESS.



01/30/2017 11:15 AM
City & County of Denver
Electronically Recorded

R \$48.00

D \$0.00
BSD

WHEN RECORDED RETURN TO:

City and County of Denver
City Attorney's Office
201 W. Colfax, Department 1207
Denver, Colorado 80202
Attention: Jo Ann Weinstein

BARGAIN AND SALE DEED
(9th/Colorado Director Parcels)

9TH AVENUE (DENVER) LAND, LLC, a Delaware limited liability company, whose address is 1400 16th Street, Suite 320, Denver, Colorado 80202 ("Grantor"), for the consideration of Zero and No/100 Dollars (\$0.00), the receipt and sufficiency of which is hereby acknowledged, hereby sells and conveys to the **CITY AND COUNTY OF DENVER**, a municipal corporation and home rule city of the State of Colorado, whose address is 1437 Bannock Street, Denver, Colorado 80202 ("Grantee"), the following real property, with all of its appurtenances, in the City and County of Denver, State of Colorado, to-wit:

See **Exhibit A** attached hereto and incorporated herein by this reference.

DATED this 27TH day of January, 2017.

WARRANTY DEED

THIS DEED, dated January 13, 2016, is between 9th Avenue (Denver) Land, LLC, a Delaware limited liability company ("Grantor"), and the City and County of Denver, a home rule city and municipal corporation of the State of Colorado ("Grantee"), whose address is 1437 Bannock Street, Denver, CO 80202.

WITNESS, that the Grantor, for and in consideration of the sum of TEN DOLLARS AND 00/100 (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, its successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the City and County of Denver and State of Colorado, described as follows:

EXHIBITS "A", "B" and "C" attached hereto and incorporated herein

Assessor's schedule or parcel number: Vacant Land
Address: Vacant Land

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantee, its successors and assigns forever. The Grantor covenants, grants, bargains, and agrees to and with the Grantee, its successors and assigns, that at the time of the ensembling and delivery of these presents, it is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature whatsoever, except for all matters of record.

The Grantor shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the Grantee, its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, except for all matters of record.

IN WITNESS WHEREOF, the Grantor has executed this Deed on the date set forth above.

9th Avenue (Denver) Land, LLC, a Delaware limited liability company

By: 9th Avenue (Denver) Venture, LLC, a Delaware limited liability company
Its: Sole Member

By: CP 9CO Member, LLC, a Colorado limited liability company
Its: Managing Member

By: [Signature]
Mark G. Falcone, Manager

STATE OF COLORADO

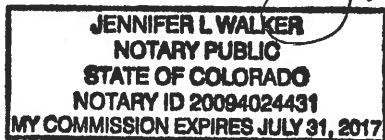
CITY AND COUNTY OF DENVER

The foregoing instrument was acknowledged before me this 13th day of January, 2016, by Mark G. Falcone, Manager of CP 9CO Member, LLC, the Managing Member of 9th Avenue (Denver) Venture, LLC, the Sole Member of 9th Avenue (Denver) Land, LLC.

Witness my hand and official seal.

Jennifer L Walker
Notary Public

My commission expires:



Name and Address of Person Creating Newly Created Legal Description (§38-35-106.5, C.R.S.)

Asset Mgmt. # 16-003

Asset Management Date: 1-21-16 Approved [Signature]

Project Description: 9TH & COLO. BLVD

**EXHIBIT A
LEGAL DESCRIPTION**

A PARCEL OF LAND BEING A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 6, WHENCE THE WEST QUARTER CORNER OF SAID SECTION 6 BEARS NORTH 00°15'29" WEST, ALL BEARINGS HEREON ARE REFERENCED TO THIS LINE;

THENCE NORTH 02°22'11" EAST, A DISTANCE OF 1357.19 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF 8TH AVENUE AS RECORDED IN BOOK 2550 AT PAGE 113 OF THE RECORDS IN THE CLERK AND RECORDER'S OFFICE IN THE CITY AND COUNTY OF DENVER, AND THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY, NORTH 00°15'29" WEST, A DISTANCE OF 19.26 FEET TO A LINE PARALLEL WITH AND 19.26 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, TO SAID NORTHERLY RIGHT-OF-WAY OF 8TH AVENUE;

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THENCE ALONG THE NORTHERLY RIGHT-OF-WAY OF SAID 8TH AVENUE THE FOLLOWING THREE (3) COURSES:

- 1) NORTH 67°52'17" WEST, A DISTANCE OF 12.00 FEET;
- 2) SOUTH 89°33'23" WEST, A DISTANCE OF 54.94 FEET;
- 3) SOUTH 66°59'03" WEST, A DISTANCE OF 12.00 FEET TO A POINT ON SAID NORTHERLY RIGHT-OF-WAY FOR 8TH AVENUE AS RECORDED IN BOOK 2550 AT PAGE 113;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY, SOUTH 89°33'23" WEST, A DISTANCE OF 384.25 FEET TO THE **POINT OF BEGINNING**.

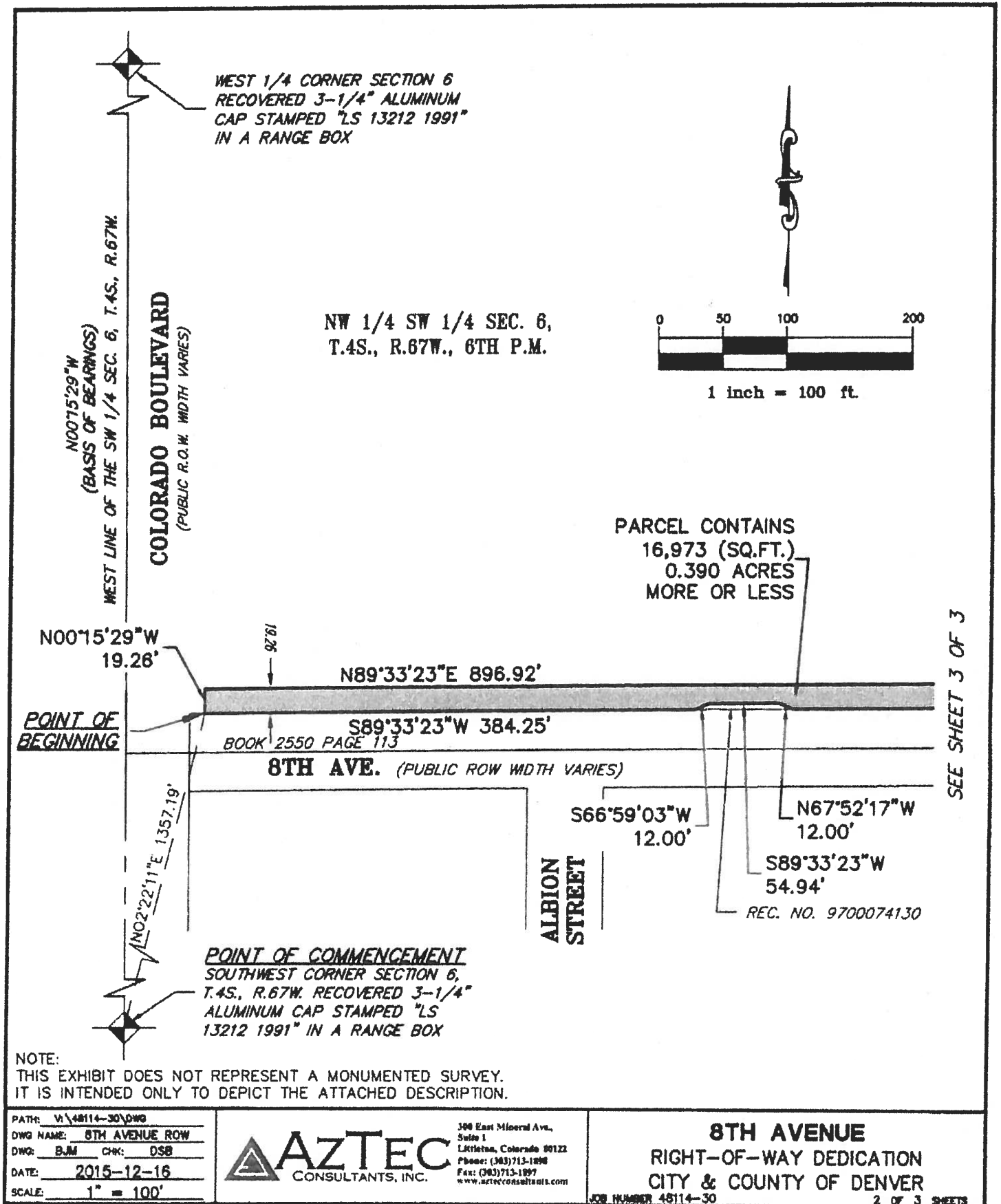
CONTAINING AN AREA OF 0.390 ACRES, (16,973 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



DEREK S. BROWN, PLS NO. 38064
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
8000 S. LINCOLN ST., SUITE 201, LITTLETON, CO 80122
303-713-1898

ILLUSTRATION TO EXHIBIT A

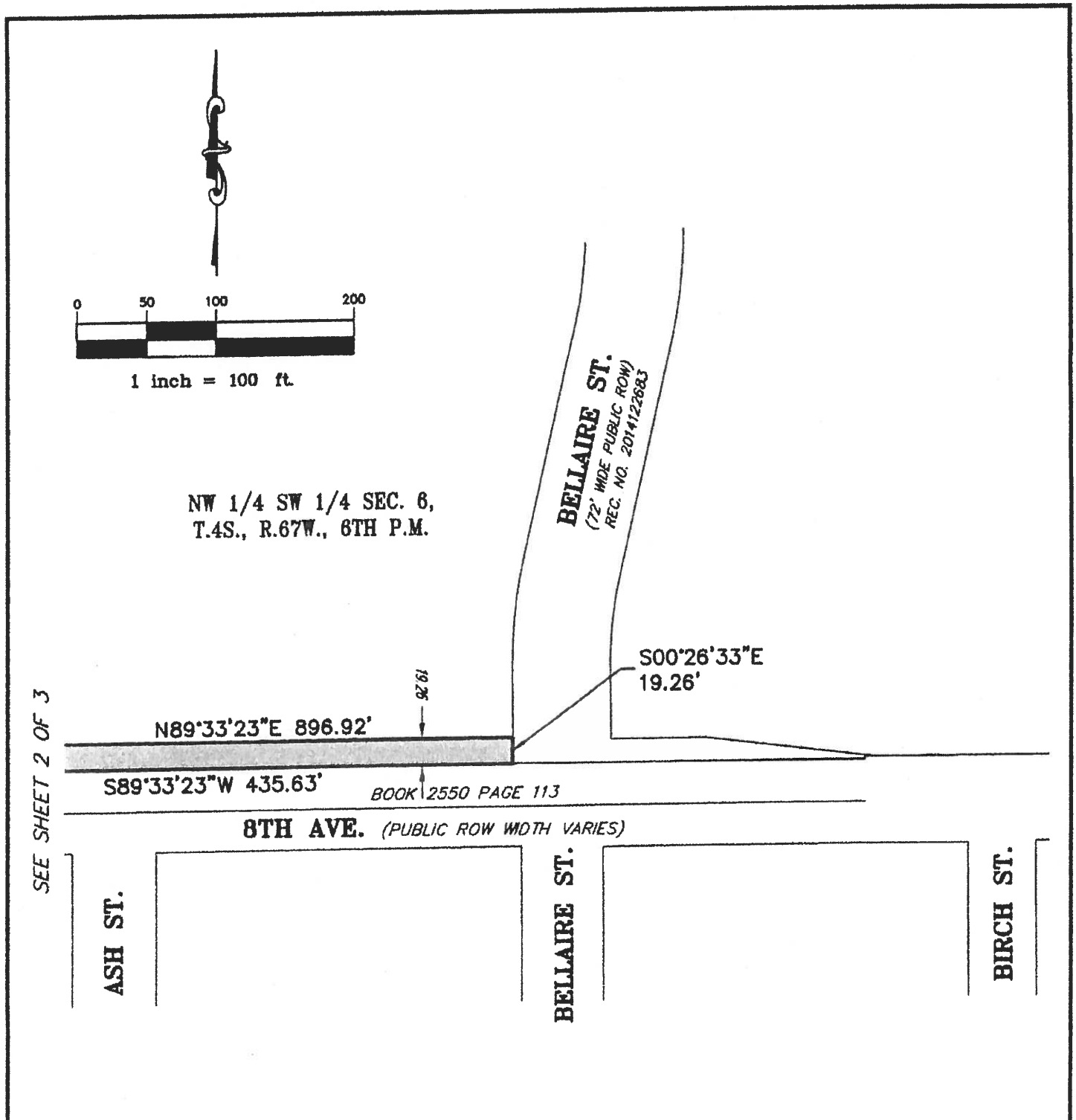


PATH: V:\48114-30\DWG
 DWG NAME: 8TH AVENUE ROW
 DWG: BJM CHK: OSB
 DATE: 2015-12-16
 SCALE: 1" = 100'



300 East Mineral Ave.,
 Suite 1
 Littleton, Colorado 80122
 Phone: (303)715-1298
 Fax: (303)715-1297
 www.aztecconsultants.com

ILLUSTRATION TO EXHIBIT A



NOTE:
THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY.
IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

PATH: V:\48114-30\DWG
 DWG NAME: 8TH AVENUE ROW
 DWG: B.M. CHK: DSB
 DATE: 2015-12-16
 SCALE: 1" = 100'



300 East Mineral Ave.,
 Suite 1
 Littleton, Colorado 80122
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 Fax: (303)713-1897
 www.aztecconsultants.com

8TH AVENUE
 RIGHT-OF-WAY DEDICATION
 CITY & COUNTY OF DENVER

JOB NUMBER 48114-30

3 OF 3 SHEETS

EXHIBIT "B"
LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 6, WHENCE THE SOUTHWEST CORNER OF SAID SECTION 6 BEARS SOUTH 00°15'29" EAST, ALL BEARINGS HEREON ARE REFERENCED TO THIS LINE;

THENCE SOUTH 85°04'29" EAST, A DISTANCE OF 321.94 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF 11TH AVENUE AS RECORDED IN BOOK 6995 AT PAGE 81 OF THE RECORDS IN THE CLERK AND RECORDER'S OFFICE IN THE CITY AND COUNTY OF DENVER, AND THE **POINT OF BEGINNING**;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY, NORTH 89°34'42" EAST, A DISTANCE OF 599.69 FEET;

THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY, SOUTH 00°16'07" EAST, A DISTANCE OF 5.29 FEET TO A LINE PARALLEL WITH AND 5.29 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES, TO SAID SOUTHERLY RIGHT-OF-WAY OF 11TH AVENUE;

THENCE ALONG SAID PARALLEL LINE, SOUTH 89°34'42" WEST, A DISTANCE OF 215.09 FEET;

THENCE DEPARTING SAID PARALLEL LINE, NORTH 00°15'29" WEST, A DISTANCE OF 0.50 FEET;

THENCE SOUTH 89°31'16" WEST, A DISTANCE OF 70.00 FEET;

THENCE SOUTH 88°48'45" WEST, A DISTANCE OF 354.83 FEET TO A POINT ON THAT RIGHT-OF-WAY AS RECORDED UNDER RECEPTION NO. 9400191068, IN SAID RECORDS;

THENCE ALONG SAID RIGHT-OF-WAY, NORTH 76°09'07" EAST, A DISTANCE OF 41.35 FEET TO THE **POINT OF BEGINNING**.

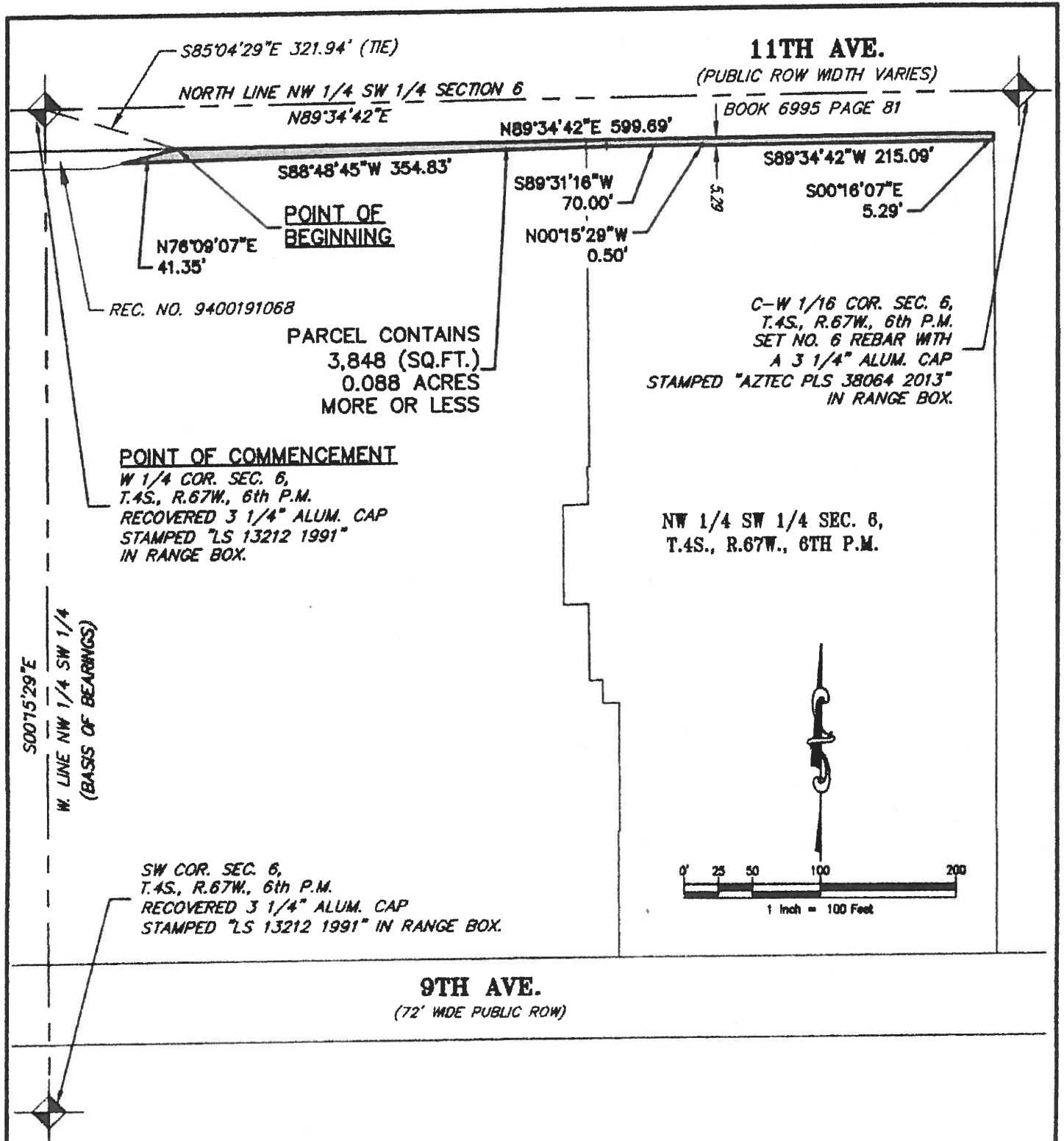
CONTAINING AN AREA OF 0.088 ACRES, (3,848 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



DEREK S. BROWN, PLS NO. 38064
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
8000 S. LINCOLN ST., SUITE 201, LITTLETON, CO 80122
303-713-1898

ILLUSTRATION TO EXHIBIT "B"



NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

PATH: V:\48114-30\DWG
 DWG NAME: 11TH AVENUE ROW
 DWG: BJM/TP CHK: DSS
 DATE: 10-07-2015
 SCALE: 1" = 100'

AZTEC
CONSULTANTS, INC.

100 East Mineral Ave.
Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

11TH AVENUE
RIGHT-OF-WAY DEDICATION
CITY & COUNTY OF DENVER

JOB NUMBER 48114-30 2 OF 2 SHEETS

EXHIBIT "C"
LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 6, WHENCE THE WEST QUARTER CORNER OF SAID SECTION 6 BEARS NORTH 00°15'29" WEST, ALL BEARINGS HEREON ARE REFERENCED TO THIS LINE;

THENCE ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 6, NORTH 00°15'29" WEST, A DISTANCE OF 1324.50 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6 AND THE **POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID WEST LINE, NORTH 00°15'29" WEST, A DISTANCE OF 694.25 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF COLORADO BOULEVARD AS RECORDED UNDER RECEPTION NO. 9400191068 OF THE RECORDS IN THE CLERK AND RECORDER'S OFFICE OF THE CITY AND COUNTY OF DENVER;

THENCE ALONG THE SOUTHERLY, AND EASTERLY RIGHT-OF-WAYS OF SAID COLORADO BOULEVARD THE FOLLOWING THREE (3) COURSES:

- 1) NORTH 89°33'50" EAST, A DISTANCE OF 51.50 FEET;
- 2) NORTH 00°15'29" WEST, A DISTANCE OF 52.99 FEET;
- 3) NORTH 07°51'55" EAST, A DISTANCE OF 84.92 FEET;

THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY, SOUTH 00°15'29" EAST, A DISTANCE OF 138.02 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF 9TH AVENUE AS RECORDED IN BOOK 2550 AT PAGE 221, IN SAID RECORDS;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY, SOUTH 89°33'50" WEST, A DISTANCE OF 13.50 FEET;

THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY, SOUTH 00°15'29" EAST, A DISTANCE OF 72.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF 9TH AVENUE AS RECORDED IN BOOK 9138 AT PAGE 553, IN SAID RECORDS;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY, NORTH 89°33'50" EAST, A DISTANCE OF 12.22 FEET;

THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY, SOUTH 00°15'29" EAST, A DISTANCE OF 590.17 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF 8TH AVENUE AS RECORDED IN BOOK 2550 AT PAGE 113, IN SAID RECORDS;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY, SOUTH 89°33'23" WEST, A DISTANCE OF 12.22 FEET;

THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY, SOUTH 00°15'29" EAST, A DISTANCE OF 31.06 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST OF THE SOUTHWEST QUARTER OF SECTION 6;

THENCE ALONG SAID SOUTH LINE, SOUTH 89°32'59" WEST, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 0.989 ACRES, (43,077 SQUARE FEET), MORE OR LESS.

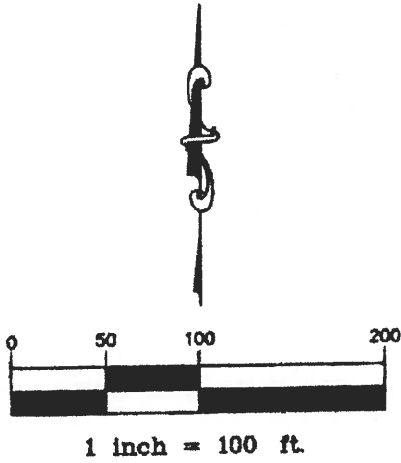
EXHIBIT ATTACHED AND MADE A PART HEREOF.



DEREK S. BROWN, PLS NO. 38064
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
8000 S. LINCOLN ST., SUITE 201, LITTLETON, CO 80122
303-713-1898

ILLUSTRATION TO EXHIBIT C

SEE SHEET 4 OF 4



9TH AVE.

BOOK 2550 PAGE 221

(72' WIDE PUBLIC ROW)

BOOK 3009 PAGE 22

S00°15'29"E
72.00'

BOOK 9138 PAGE 553

N89°33'50"E
12.22'

PARCEL CONTAINS
43,077 (SQ.FT.)
0.989 ACRES
MORE OR LESS

N00°15'29"W
BASIS OF BEARINGS
WEST LINE OF THE SW 1/4 SEC. 6, T.4S., R.67W.

N00°15'29"W 694.25'

COLORADO BOULEVARD
(PUBLIC R.O.W. WIDTH VARIES)

S00°15'29"E 590.17'

NW 1/4 SW 1/4 SEC. 6,
T.4S., R.67W., 6TH P.M.

**POINT OF BEGINNING
SW CORNER OF THE NW
1/4
OF THE SW 1/4 SEC. 6**

SOUTH LINE
NW 1/4 SW 1/4
SECTION 6

N89°32'59"E 1216.29'

S89°33'23"W
12.22'

S00°15'29"E
31.06'

BOOK 2550 PAGE 113

8TH AVE.

(PUBLIC ROW WIDTH VARIES)

S89°32'59"W
50.00'

POINT OF COMMENCEMENT
SOUTHWEST CORNER SECTION 6,
T.4S., R.67W. RECOVERED 3-1/4"
ALUMINUM CAP STAMPED "LS
13212 1991" IN A RANGE BOX

**ALBION
STREET**

NOTE:
THIS EXHIBIT DOES NOT REPRESENT
A MONUMENTED SURVEY. IT IS
INTENDED ONLY TO DEPICT THE
ATTACHED DESCRIPTION.

PATH: V:\48114-30
DWO NAME: COLORADO BLVD ROW
DWG: BJM CHK: DSB
DATE: 10-02-2015
SCALE: 1" = 100'

AZTEC
CONSULTANTS, INC.

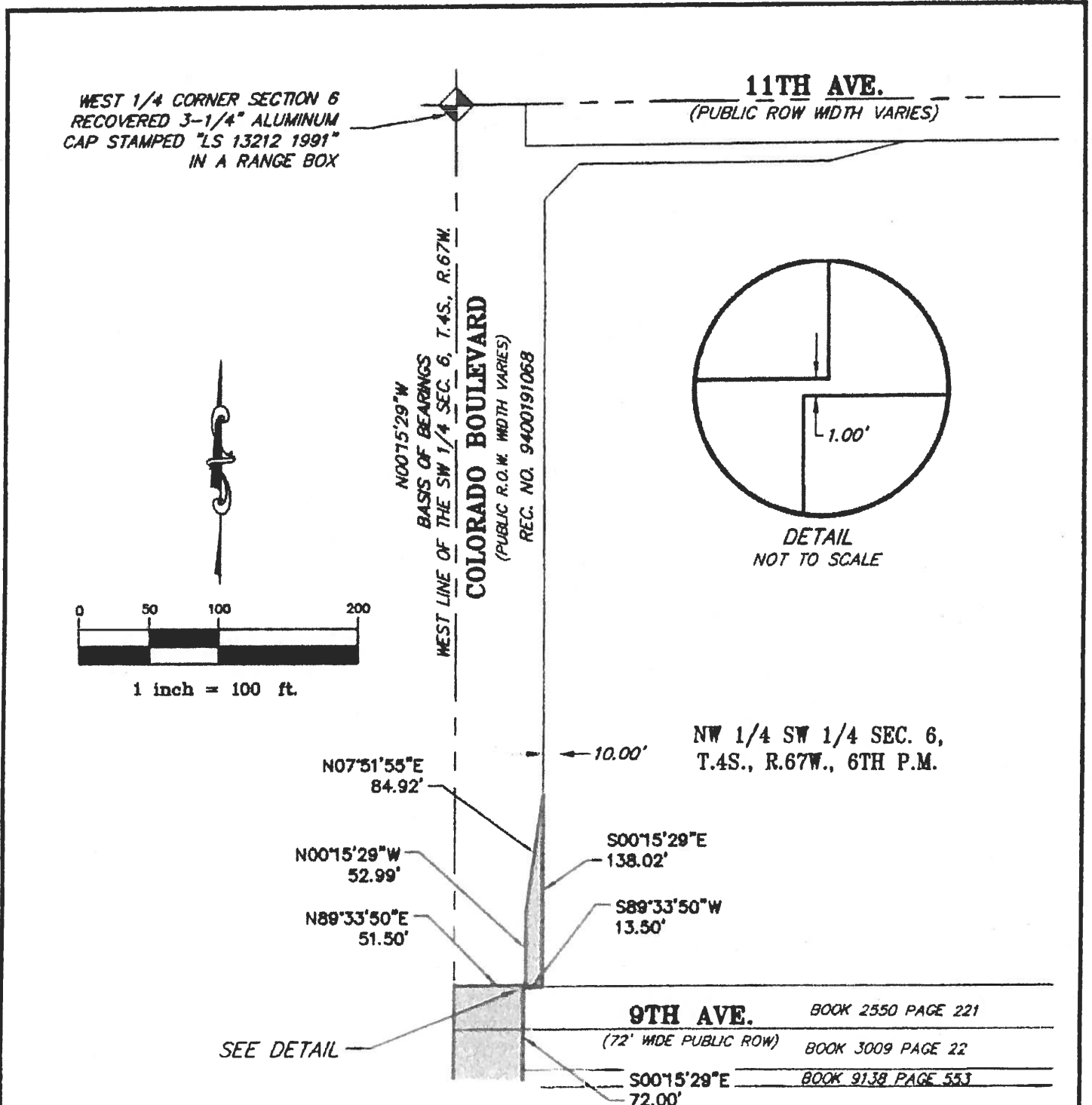
388 East Mineral Ave.,
Suite 1
Littleton, Colorado 80122
Phone: (303)713-1898
Fax: (303)713-1897
www.aztecconsultants.com

COLORADO BOULEVARD
RIGHT-OF-WAY DEDICATION
CITY & COUNTY OF DENVER

JOB NUMBER 48114-30

3 OF 4 SHEETS

ILLUSTRATION TO EXHIBIT C



NOTE:
THIS EXHIBIT DOES NOT REPRESENT
A MONUMENTED SURVEY. IT IS
INTENDED ONLY TO DEPICT THE
ATTACHED DESCRIPTION.

SEE SHEET 3 OF 4

PATH: v:\48114-30\DWG
DWG NAME: COLORADO BLVD ROW
DWG: B.M. CHK: DSB
DATE: 10/02/2015
SCALE: 1" = 100'



308 East Alameda Ave.,
Suite 1
Littleton, Colorado 80122
Phone: (303) 713-0998
Fax: (303) 713-1897
www.aztecconsultants.com

COLORADO BOULEVARD
RIGHT-OF-WAY DEDICATION
CITY & COUNTY OF DENVER

JOB NUMBER 48114-30

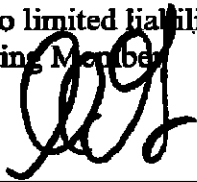
4 OF 4 SHEETS

GRANTOR:

9TH AVENUE (DENVER) LAND, LLC,
a Delaware limited liability company

By: 9TH AVENUE (DENVER) VENTURE, LLC,
a Delaware limited liability company,
its Sole Member

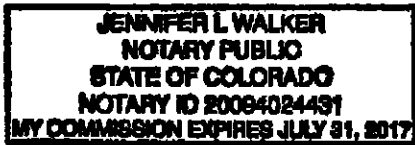
By: CP 9CO MEMBER, LLC,
a Colorado limited liability company,
its Managing Member


By: _____
Name: Mark G. Falcone
Title: Manager

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

The foregoing instrument was acknowledged before me this 24th day of
August, 2016 by Mark G. Falcone, as Manager
of CP 9CO Member, LLC, a Colorado limited liability company, as Managing Member of 9th Avenue
(Denver) Venture, LLC, a Delaware limited liability company, as Sole Member of 9th Avenue
(Denver) Land, LLC, a Delaware limited liability company.

witness my hand and official seal.



Jennifer L Walker
Notary Public

EXHIBIT A**Legal Description of the Property**

Parcel 1:

**EXHIBIT A
LEGAL DESCRIPTION**

A PARCEL OF LAND BEING A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 87 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 6, WHENCE THE SOUTHWEST CORNER OF SAID SECTION 6 BEARS SOUTH 00°15'29" EAST, A DISTANCE OF 2849.00 FEET, ALL BEARINGS HEREON ARE REFERENCED TO THIS LINE;

THENCE SOUTH 84°45'14" EAST, A DISTANCE OF 318.72 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF 11TH AVENUE AS DESCRIBED UNDER RECEPTION NO. 9400191066 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER AND THE POINT OF BEGINNING;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY, NORTH 76°09'07" EAST, A DISTANCE OF 2.06 FEET;

THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY, SOUTH 00°26'18" EAST, A DISTANCE OF 5.48 FEET;

THENCE SOUTH 89°34'42" WEST, A DISTANCE OF 2.00 FEET;

THENCE NORTH 00°25'18" WEST, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

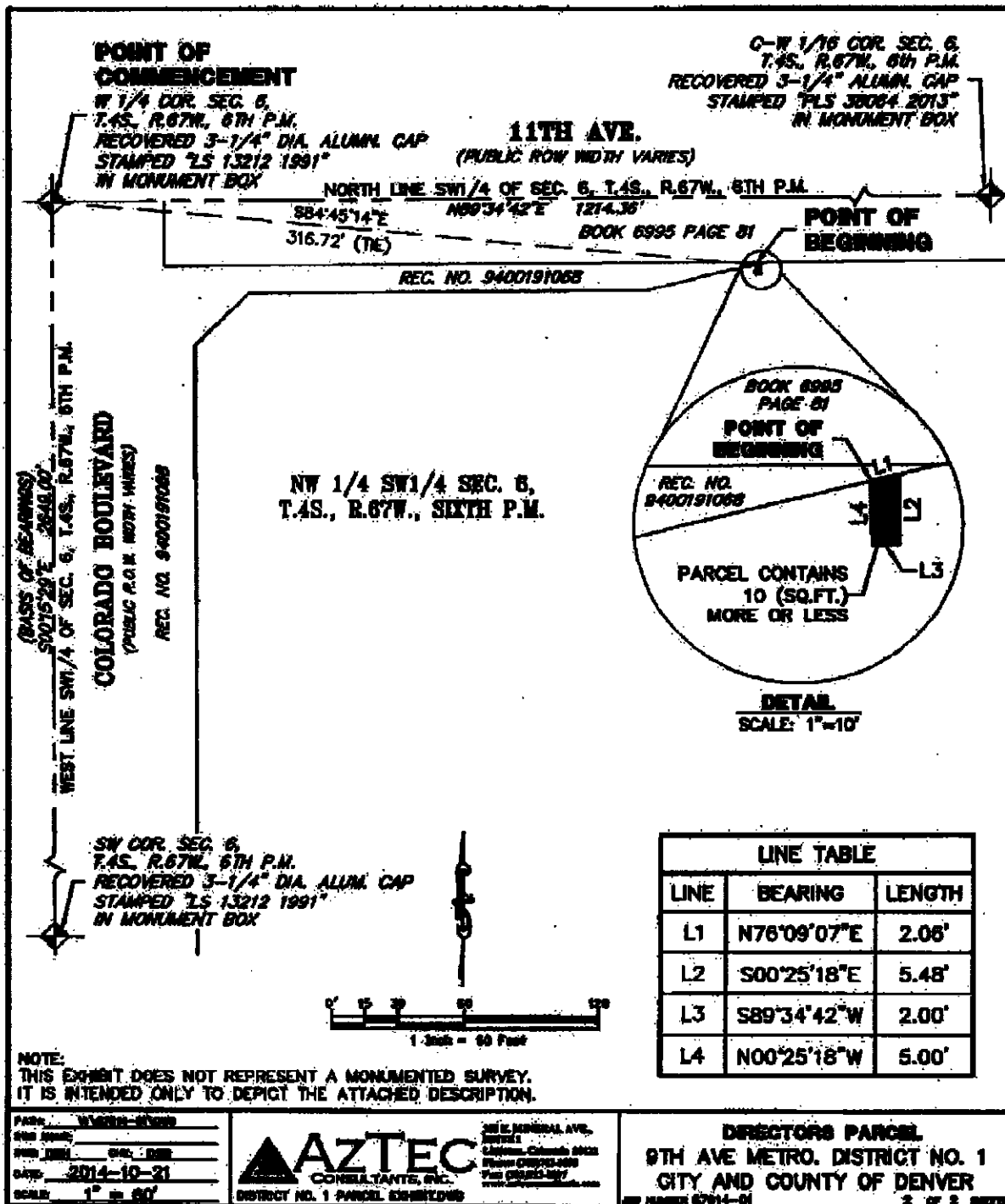
CONTAINING AN AREA OF 10 SQUARE FEET, MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



DEREK S. BROWN, PLS NO. 38064
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 EAST MINERAL AVENUE SUITE 1, LITTLETON, CO 80122
303-713-1898

ILLUSTRATION TO EXHIBIT A



Parcel 2:

EXHIBIT A
LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 6, WHENCE THE SOUTHWEST CORNER OF SAID SECTION 6 BEARS SOUTH 00°15'29" EAST, A DISTANCE OF 2649.00 FEET, ALL BEARINGS HEREON ARE REFERENCED TO THIS LINE;

THENCE SOUTH 84°52'29" EAST, A DISTANCE OF 318.66 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF 11TH AVENUE AS DESCRIBED UNDER RECEPTION NO. 9400191088 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER AND THE POINT OF BEGINNING;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY, NORTH 76°09'07" EAST, A DISTANCE OF 2.06 FEET;

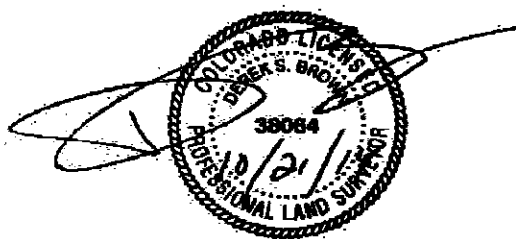
THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY, SOUTH 00°25'18" EAST, A DISTANCE OF 5.95 FEET;

THENCE SOUTH 89°34'42" WEST, A DISTANCE OF 2.00 FEET;

THENCE NORTH 00°25'18" WEST, A DISTANCE OF 5.48 FEET TO THE POINT OF BEGINNING.

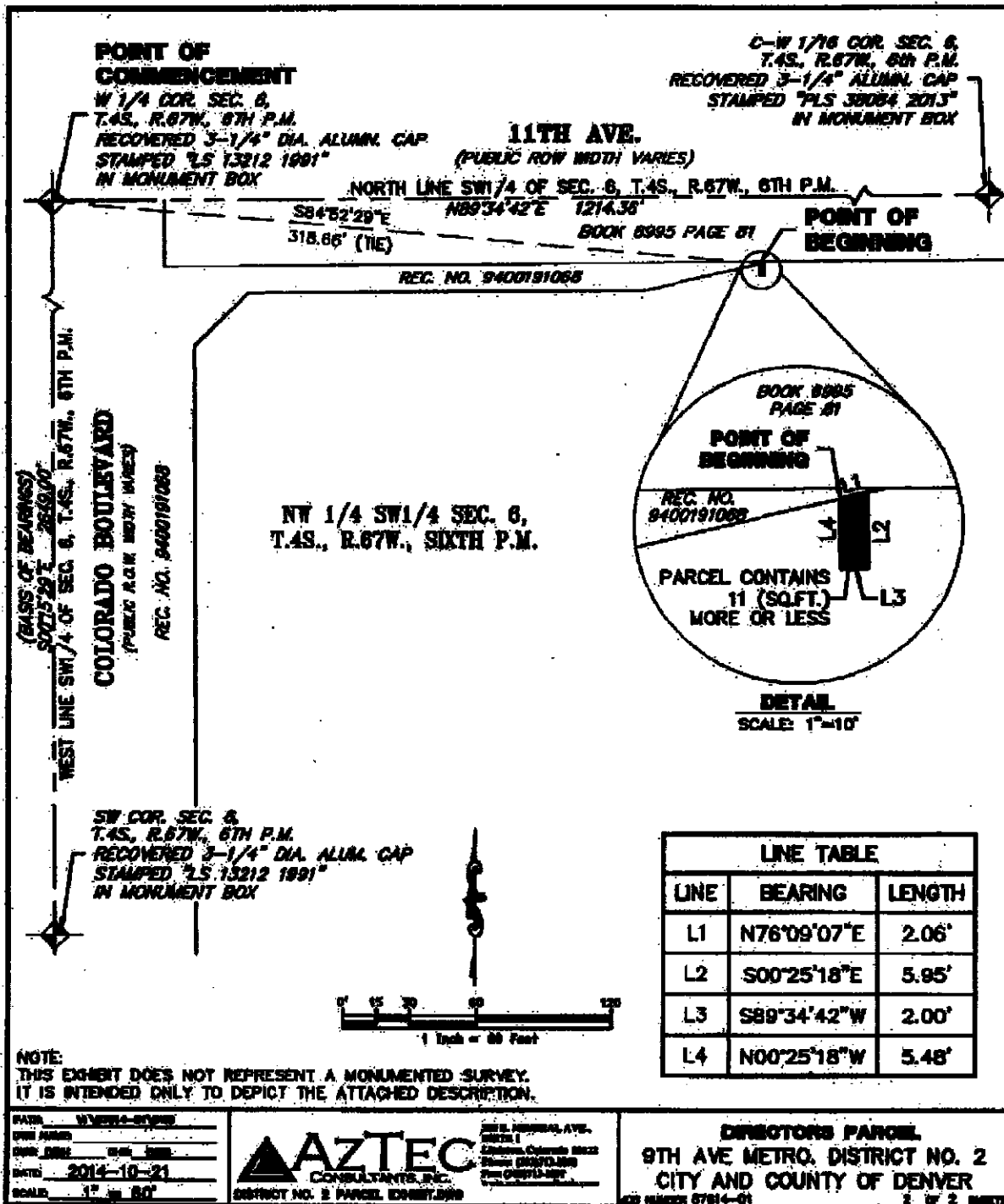
CONTAINING AN AREA OF 11 SQUARE FEET, MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



DEREK S. BROWN, PLS NO. 38084
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 EAST MINERAL AVENUE SUITE 1, LITTLETON, CO 80122
303-713-1898

ILLUSTRATION TO EXHIBIT A



Parcel 3:

**EXHIBIT A
LEGAL DESCRIPTION**

A PARCEL OF LAND BEING A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 87 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 6, WHENCE THE SOUTHWEST CORNER OF SAID SECTION 6 BEARS SOUTH 00°15'29" EAST, A DISTANCE OF 2649.00 FEET, ALL BEARINGS HEREON ARE REFERENCED TO THIS LINE;

THENCE SOUTH 84°59'39" EAST, A DISTANCE OF 320.81 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF 11TH AVENUE AS DESCRIBED UNDER RECEPTION NO. 9400191058 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER AND THE **POINT OF BEGINNING**;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY, NORTH 78°09'07" EAST, A DISTANCE OF 1.40 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF 11TH AVENUE AS DESCRIBED IN BOOK 6995 AT PAGE 81, IN SAID RECORDS;

THENCE ALONG SOUTHERLY RIGHT-OF-WAY AS DESCRIBED IN BOOK 6995 AT PAGE 81, NORTH 89°34'42" EAST, A DISTANCE OF 0.64 FEET;

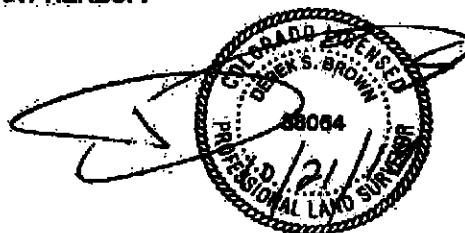
THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY, SOUTH 00°25'18" EAST, A DISTANCE OF 6.28 FEET;

THENCE SOUTH 89°34'42" WEST, A DISTANCE OF 2.00 FEET;

THENCE NORTH 00°25'18" WEST, A DISTANCE OF 5.95 FEET TO THE **POINT OF BEGINNING**;

CONTAINING AN AREA OF 12 SQUARE FEET, MORE OR LESS.

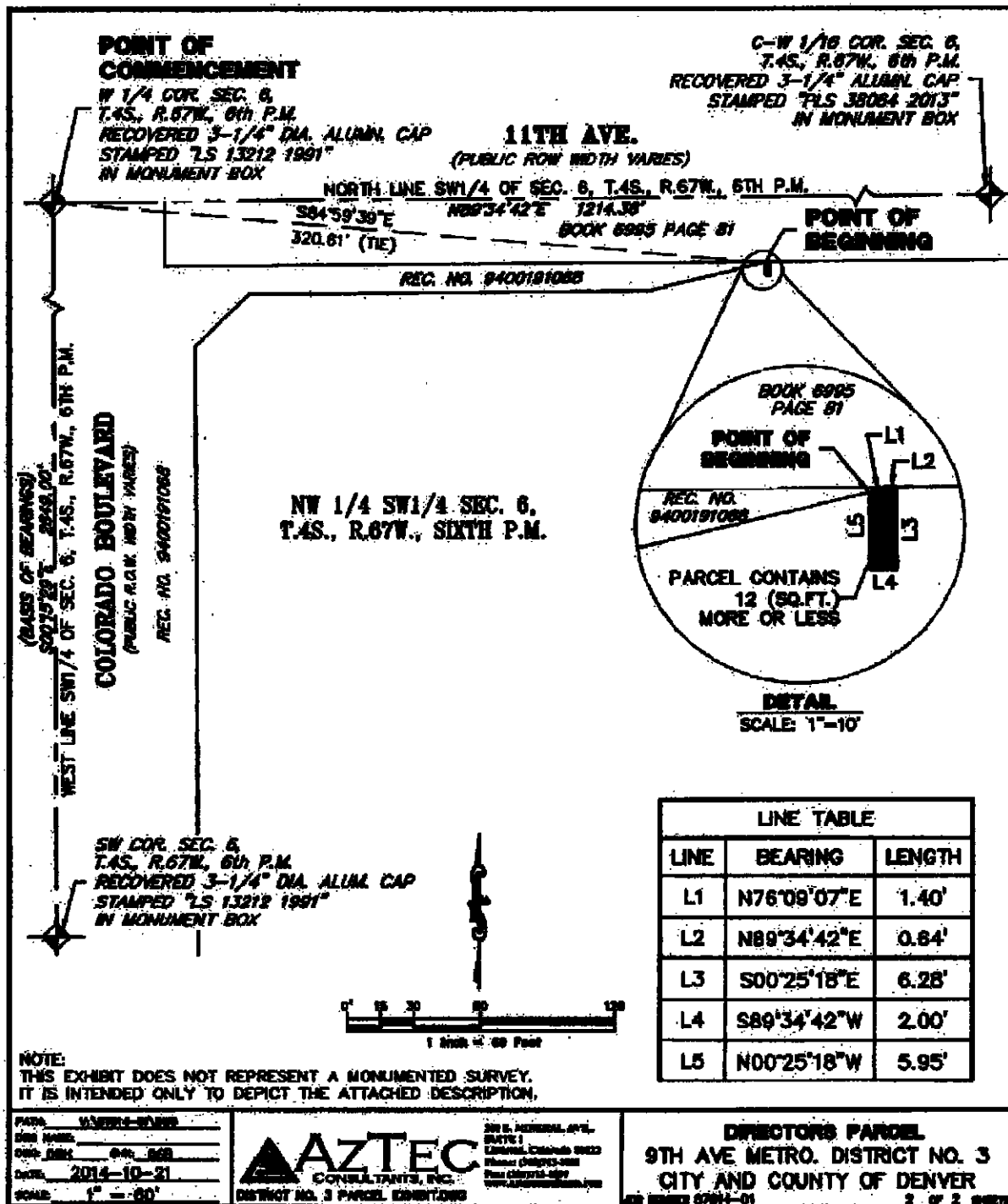
EXHIBIT ATTACHED AND MADE A PART HEREOF.



DEREK S. BROWN, PLS NO. 38064
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 EAST MINERAL AVENUE SUITE 1, LITTLETON, CO 80122
303-713-1898

V:\87814-01 - 9th Ave Air Space Vapour Description\Legal\9th Avenue Metro District No. 3 Parcel.docx
10/21/2014
Page 1 of 2

ILLUSTRATION TO EXHIBIT A



11TH AVE, BETWEEN COLORADO BLVD AND BELLAIRE ST

EXHIBIT B, AS DESCRIBED IN A WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 21ST DAY OF JANUARY 2016, AT RECEPTION NUMBER 2016007354, AND PARCELS 1, 2 AND 3, AS DESCRIBED IN A BARGAIN AND SALE DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 30TH DAY OF JANUARY 2017, AT RECEPTION NUMBER 2017012223, BOTH IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND BEING A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 6, WHENCE THE SOUTHWEST CORNER OF SAID SECTION 6 BEARS SOUTH 00°15'29" EAST, ALL BEARINGS HEREON ARE REFERENCED TO THIS LINE;

THENCE SOUTH 85°04'29" EAST, A DISTANCE OF 321.94 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF 11TH AVENUE AS RECORDED IN BOOK 6995 AT PAGE 81 OF THE RECORDS IN THE CLERK AND RECORDER'S OFFICE IN THE CITY AND COUNTY OF DENVER, AND THE **POINT OF BEGINNING**;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY, NORTH 89°34'42" EAST, A DISTANCE OF 599.69 FEET;

THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY, SOUTH 00°16'07" EAST, A DISTANCE OF 5.29 FEET TO A LINE PARALLEL WITH AND 5.29 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES, TO SAID SOUTHERLY RIGHT-OF-WAY OF 11TH AVENUE;

THENCE ALONG SAID PARALLEL LINE, SOUTH 89°34'42" WEST, A DISTANCE OF 215.09 FEET;

THENCE DEPARTING SAID PARALLEL LINE, NORTH 00°15'29" WEST, A DISTANCE OF 0.50 FEET;

THENCE SOUTH 89°31'16" WEST, A DISTANCE OF 70.00 FEET:

THENCE SOUTH 88°48'45" WEST, A DISTANCE OF 354.83 FEET TO A POINT ON THAT RIGHT-OF-WAY AS RECORDED UNDER RECEPTION NO. 9400191068, IN SAID RECORDS;

THENCE ALONG SAID RIGHT-OF-WAY, NORTH 76°09'07" EAST, A DISTANCE OF 41.35 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.088 ACRES, (3,848 SQUARE FEET), MORE OR LESS.

COLORADO BLVD, BETWEEN 8TH AVE AND 9TH AVE

EXHIBIT C, AS DESCRIBED IN A WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 21ST DAY OF JANUARY 2016, AT RECEPTION NUMBER 2016007354 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND BEING A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 6, WHENCE THE WEST QUARTER CORNER OF SAID SECTION 6 BEARS NORTH 00°15'29" WEST, ALL BEARINGS HEREON ARE REFERENCED TO THIS LINE;

THENCE ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 6, NORTH 00°15'29" WEST, A DISTANCE OF 1324.50 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6 AND THE **POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID WEST LINE, NORTH 00°15'29" WEST, A DISTANCE OF 694.25 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF COLORADO BOULEVARD AS RECORDED UNDER RECEPTION NO. 9400191068 OF THE RECORDS IN THE CLERK AND RECORDER'S OFFICE OF THE CITY AND COUNTY OF DENVER;

THENCE ALONG THE SOUTHERLY, AND THE EASTERLY RIGHT-OF-WAYS OF SAID COLORADO BOULEVARD THE FOLLOWING THREE (3) COURSES:

NORTH 89°33'50" EAST, A DISTANCE OF 51.50 FEET;

NORTH 00°15'29" WEST, A DISTANCE OF 52.99 FEET;

NORTH 07°51'55" EAST, A DISTANCE OF 84.92 FEET;

THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY, SOUTH 00°15'29" EAST, A DISTANCE OF 138.02 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF 9TH AVENUE AS RECORDED IN BOOK 2550 AT PAGE 221, IN SAID RECORDS;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY, SOUTH 89°33'50" WEST, A DISTANCE OF 13.50 FEET;

THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY, SOUTH 00°15'29" EAST, A DISTANCE OF 72.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF 9TH AVENUE AS RECORDED IN BOOK 9138 AT PAGE 553, IN SAID RECORDS;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY, NORTH 89°33'50" EAST, A DISTANCE OF 12.22 FEET;

THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY, SOUTH 00°15'29" EAST, A DISTANCE OF 590.17 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF 8TH AVENUE AS RECORDED IN BOOK 2550 AT PAGE 113, IN SAID RECORDS;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY, SOUTH 89°33'23" WEST, A DISTANCE OF 12.22 FEET;

THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY, SOUTH 00°15'29" EAST, A DISTANCE OF 31.06 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST OF THE SOUTHWEST QUARTER OF SECTION 6;

THENCE ALONG SAID SOUTH LINE, SOUTH 89°32'59" WEST, A DISTANCE OF 50.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.989 ACRES, (43,077 SQUARE FEET), MORE OR LESS.



Legend

- Public Schools
- Non-Public Schools
- Streams
- Buildings
- Streets
- Alleys
- Railroads
 - + Main
 - + Yard
 - + Spur
 - + Siding
 - + Interchange track
 - + Other
- Bridges
- Rail Transit Stations
 - Existing
 - Planned
- ▲ Park-N-Ride Locations
- Lakes
- County Boundary
- Parcels
- Parks
 - All Other Parks; Linear
 - Mountain Parks

428 0 214 428 Feet