



REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

FROM: Robert J. Duncanson P.E., Engineering Manager II
Right-of-Way Services

DATE: November 14, 2016

ROW #: 2016-Dedication-0000229 **SCHEDULE #:** 0223306002000, 0223307014000 and
0223303041000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Brighton Blvd.
Located at the intersections of both 38th and Brighton Blvd. and 39th and Brighton 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 Brighton Blvd. 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 (**Brighton Blvd.
29th – 44th Project**)

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 Brighton Blvd. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2016-Dedication-0000229-001) HERE.

A map of the area to be dedicated is attached.

RD/WR/BLV

cc: Asset Management, Steve Wirth
City Councilperson & Aides, Albus Brooks District # 9
Council Aide Chy Montoya
Council Aide Brande Micheau
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, Rob Duncanson
Department of Law, Brent Eisen
Department of Law, Shaun Sullivan
Department of Law, Caroline Martin
Department of Law, Cindy Cooley
Public Works Survey, Warren Ruby
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2016-Dedication-0000229

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 14, 2016

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 Brighton Blvd.
Located at the intersections of both 38th and Brighton Blvd. and 39th and Brighton Blvd.

3. Requesting Agency: Public Works – Right-of-Way Services / 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 Brighton Blvd. 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 (Brighton Blvd. 29th – 44th Project)

****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: 38th & 39th and Brighton Blvd
- d. Affected Council District: Dist. 9 Albus Brooks
- e. Benefits: N/A
- f. Contract Amount (indicate amended amount and new contract total): 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: 2016-Dedication-0000229, Brighton Blvd. 29th-44th Project

Description of Proposed Project: Dedicate a parcel of public right of way as Brighton Blvd.

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

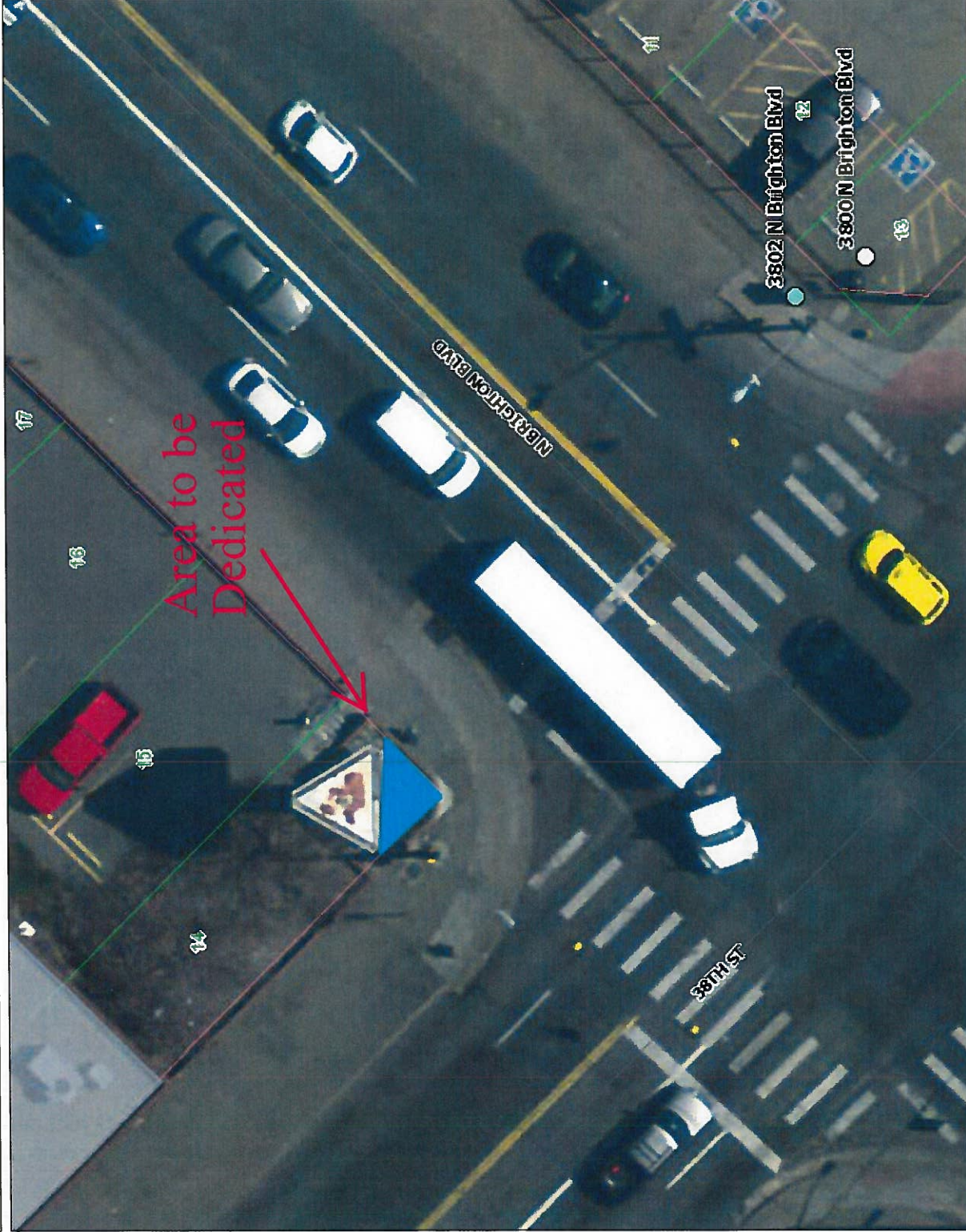
Will land be dedicated to the City if the vacation goes through: N/A

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, Brighton Blvd 29th - 44th Project.

38th & Brighton Blvd



Legend

- Active Addresses
 - Associated
 - Land
 - Structure
 - Utility
- Streams
- Irrigation Ditches Reconstruct (Gardners)
- Irrigation Ditches
- Buildings 2014
- 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



38 0 19 38 Feet

The City and County of Denver shall not be liable for damages of any kind arising out of the use of this information. The information is provided "as is" without warranty of any kind, express or implied, including, but not limited to, the fitness for a particular use.

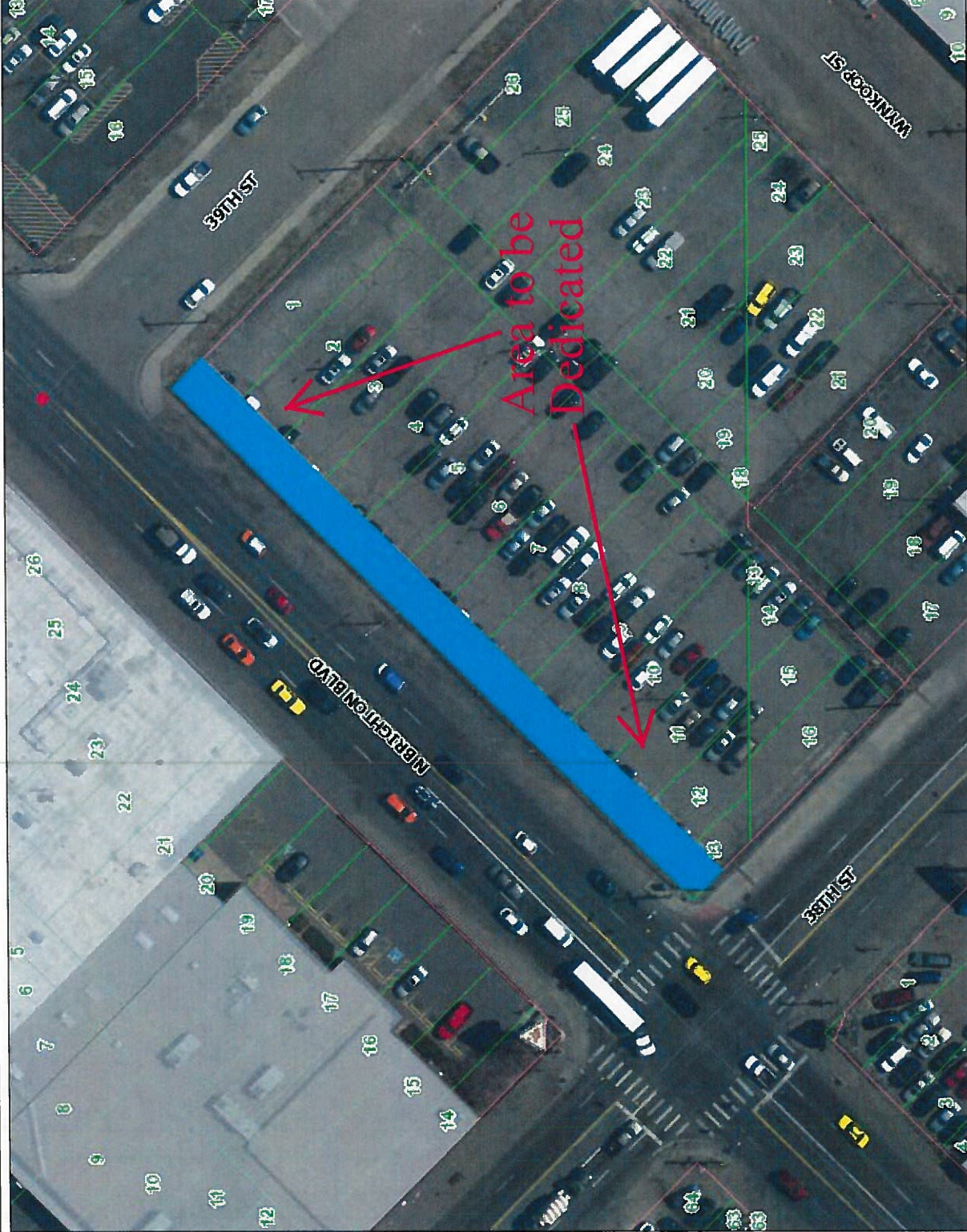
Map Generated 11/14/2016

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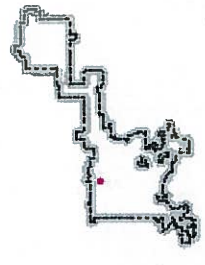
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THIS IS NOT A LEGAL DOCUMENT.

38th & Brighton Blvd

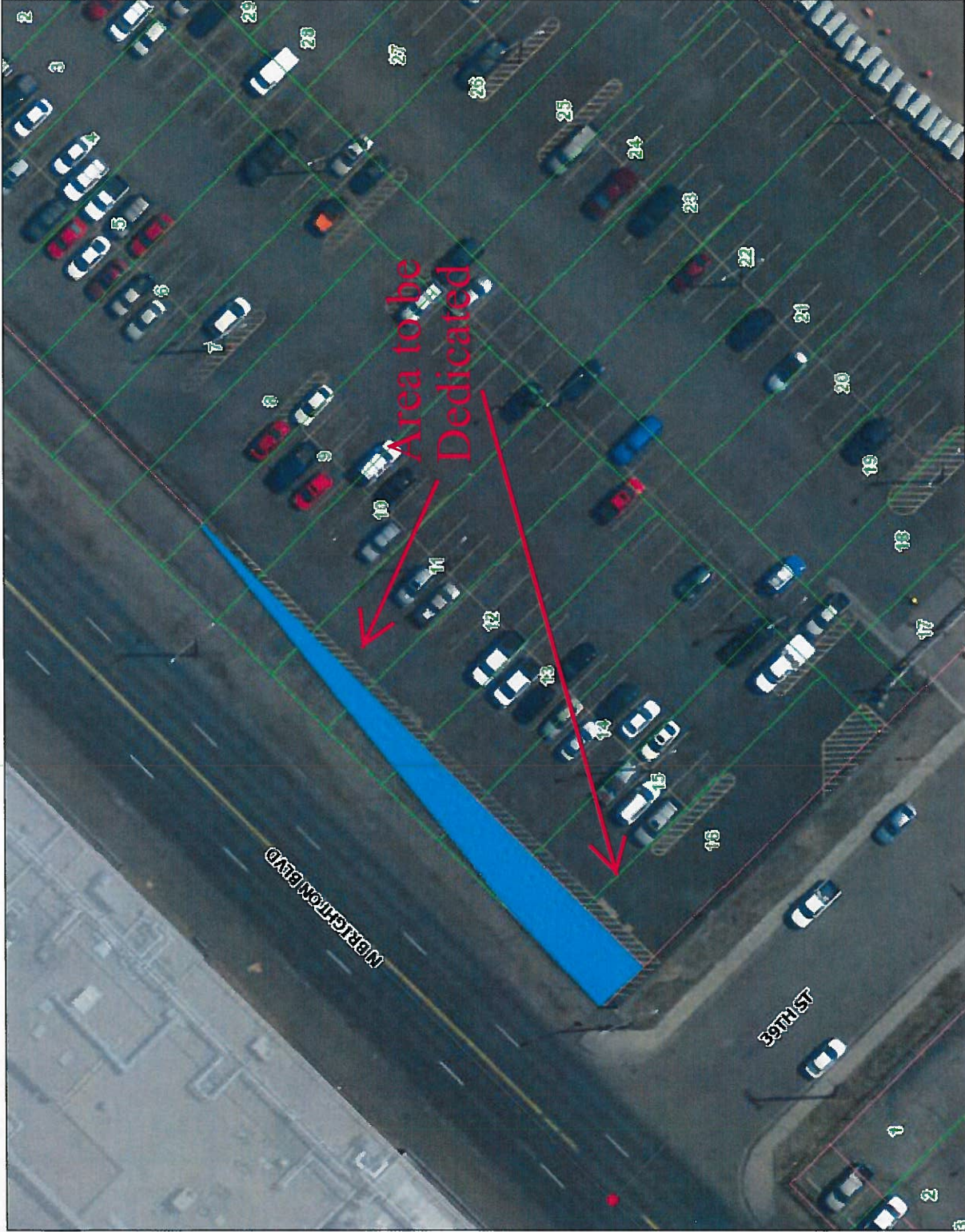


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Legend

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- Irrigation Ditches Reconstruct (Gardens)
- Irrigation Ditches
- Buildings 2014
- Streets
- Alleys
- Railroads
 - Main
 - Yard
 - Spur
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Map Generated 11/14/2016

1: 739

WGS_1984 Web_Mercator_Auxiliary_Sphere
© City and County of Denver

THIS IS NOT A LEGAL DOCUMENT.

PARCEL 60

A STRIP OF LAND CONTAINING 55 SQUARE FEET, MORE OR LESS, LOCATED WITHIN A PORTION OF LOT 14, BLOCK 38, ST. VINCENTS 2ND FILING, ALSO IN THE SOUTHWEST ONE-QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, SAID STRIP MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF 38TH ST. (80' ROW), WHENCE THE WEST ONE-QUARTER CORNER OF SAID SECTION 23 BEARS N32°10'34"W, A DISTANCE OF 1,453.15 FEET; THENCE S87°19'01"E, A DISTANCE OF 14.87 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF BRIGHTON BOULEVARD (80' ROW); THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF BRIGHTON BOULEVARD (80' ROW) S44°58'03"W, A DISTANCE OF 10.00 FEET TO SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF 38TH ST. (80' ROW); THENCE DEPARTING SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF BRIGHTON BOULEVARD (80' ROW) AND ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF 38TH ST. (80' ROW) N45°03'08"W, A DISTANCE OF 11.00 FEET TO THE **POINT OF BEGINNING**.

BASIS OF BEARINGS: ALL BEARINGS ARE BASED ON THE LINE CONNECTING THE WEST ONE-QUARTER CORNER OF SAID SECTION 23, T.3S., R.68W., OF THE 6TH P.M. (3-1/4" ALUMINUM CAP, PLS 24961) AND THE EAST ONE-QUARTER CORNER OF SAID SECTION 23, T.3S., R.68W., OF THE 6TH P.M. (3-1/4" ALUMINUM CAP, PLS 23521) BEARING S89°54'32"E.

PARCEL 61

A STRIP OF LAND CONTAINING 5,695 SQUARE FEET, MORE OR LESS, LOCATED WITHIN A PORTION OF LOTS 1-13, BLOCK 39, ST. VINCENTS 2ND FILING, ALSO IN THE SOUTHWEST ONE-QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, SAID TRACT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT OF INTERSECTION WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BRIGHTON BOULEVARD (80' ROW) AND THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF 39TH ST. (80' ROW), WHENCE THE WEST ONE-QUARTER CORNER OF SAID SECTION 23 BEARS N44°50'14"W, A DISTANCE OF 1,507.73 FEET; THENCE ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF 39TH ST. (80' ROW) S44°51'00"E, A DISTANCE OF 18.00 FEET; THENCE DEPARTING SAID SOUTHWESTERLY RIGHT-OF-WAY LINE S44°58'03"W, A DISTANCE OF 318.11 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF 38TH ST. (80' ROW); THENCE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF 38TH ST. (80' ROW) N45°03'08"W, A DISTANCE OF 10.70 FEET TO THE EASTERLY LINE OF A PARCEL OF LAND RECORDED AT RECEPTION NO. 2011094881 (PARCEL EC-19A), CITY AND COUNTY OF DENVER RECORDS; THENCE ALONG SAID EASTERLY LINE N04°22'08"E, A DISTANCE OF 11.22 FEET TO SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF BRIGHTON BOULEVARD (80' ROW); THENCE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF BRIGHTON BOULEVARD (80' ROW) N44°58'03"E, A DISTANCE OF 309.65 FEET TO THE **POINT OF BEGINNING**.

BASIS OF BEARINGS: ALL BEARINGS ARE BASED ON THE LINE CONNECTING THE WEST ONE-QUARTER CORNER OF SAID SECTION 23, T.3S., R.68W., OF THE 6TH P.M. (3-1/4" ALUMINUM CAP, PLS 24961) AND THE EAST ONE-QUARTER CORNER OF SAID SECTION 23, T.3S., R.68W., OF THE 6TH P.M. (3-1/4" ALUMINUM CAP, PLS 23521) BEARING S89°54'32"E.

PARCEL 63

A STRIP OF LAND CONTAINING 2,012 SQUARE FEET, MORE OR LESS, LOCATED WITHIN A PORTION OF LOT'S 9-16, BLOCK 30, ST. VINCENTS ADDITION, ALSO IN THE SOUTHWEST ONE-QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, SAID STRIP MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BRIGHTON BOULEVARD (80' ROW), ALSO BEING THE SOUTHWESTERLY CORNER OF A PARCEL OF LAND RECORDED AT RECEPTION NO. 2011094881 (PARCEL EC-19), CITY AND COUNTY OF DENVER RECORDS, WHENCE THE WEST ONE-QUARTER CORNER OF SAID SECTION 23 BEARS N49°11'29"W, A DISTANCE OF 1,511.70 FEET; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL OF LAND RECORDED AT RECEPTION NO. 2011094881 (PARCEL EC-19), N51°37'35"E, A DISTANCE OF 155.00 FEET; THENCE DEPARTING SAID SOUTHEASTERLY LINE S44°57'28"W, A DISTANCE OF 188.78 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF 39TH ST. (80' ROW); THENCE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF 39TH ST. (80' ROW) N44°51'00"W, A DISTANCE OF 18.00 FEET TO SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF BRIGHTON BOULEVARD (80' ROW); THENCE DEPARTING SAID NORTHEASTERLY RIGHT-OF-WAY LINE AND ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF BRIGHTON BOULEVARD (80' ROW) N44°57'28"E, A DISTANCE OF 34.76 FEET TO THE **POINT OF BEGINNING**.

BASIS OF BEARINGS: ALL BEARINGS ARE BASED ON THE LINE CONNECTING THE WEST ONE-QUARTER CORNER OF SAID SECTION 23, T.3S., R.68W., OF THE 6TH P.M. (3-1/4" ALUMINUM CAP, PLS 24961) AND THE EAST ONE-QUARTER CORNER OF SAID SECTION 23, T.3S., R.68W., OF THE 6TH P.M. (3-1/4" ALUMINUM CAP, PLS 23521) BEARING S89°54'32"E.

Approved
Asset Manager: [Signature]
Description: Brighton Blvd
Date: 3/23/16



09/06/2016 01:20 PM
City & County of Denver

R \$0.00

WD

2016075222

Page: 1 of 17

D \$0.00

Brighton
29-44th

SPECIAL WARRANTY DEED

After recording, return to:

City Attorney's Office
201 West Colfax Avenue, Dept 1207
Denver, CO 80202

**SPECIAL WARRANTY DEED
(Brighton Boulevard)**

THIS SPECIAL WARRANTY DEED, made this 23rd day of March, 2016, between **BOTTLING GROUP, LLC**, whose address is, 1111 Westchester Avenue, White Plains, New York 10604 ("Grantor") and the **CITY AND COUNTY OF DENVER**, a Colorado municipal corporation and home rule city ("Grantee or "City"), whose address is 1437 Bannock Street, Denver, Colorado 80202.

WITNESSETH, that the Grantor, for and in consideration of the sum of **TEN DOLLARS AND ZERO CENTS (\$10.00)** and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has and by these presents does grant, bargain, sell, convey and confirm, unto the Grantee, its successors and assigns forever, all of the real property, together with improvements, if any, situate, lying and being in the City and County of Denver and State of Colorado, described in Exhibit A, attached hereto and incorporated herein ("Property").

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining, and 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 Property together with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the Property, with the appurtenances, unto the Grantee, its successors and assigns forever. The Grantor, for itself, and its successors and assigns, does covenant, grant, bargain and agree to and with the Grantee, its successors and assigns, that at the time of the execution and delivery of this deed, it is well seized of the Property in fee simple (subject to all matters of public record), and has good right, full power and lawful authority to grant, bargain, sell and convey the Property manner and form as aforesaid, and that the Property is free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature, except those Permitted Exceptions set

forth in Exhibit B, attached hereto and incorporated herein, and any other matters of public record as of the date of this Deed.

The Grantor covenants that it has not done or suffered anything whereby the said Property has been encumbered in any way whatever, except for the Permitted Exceptions and any other matters of public record as of the date of this Deed and warrants title against all persons claiming under it.

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

BOTTLING GROUP, LLC

By: Cynthia M. Poggiogalle

Name: Cynthia M. Poggiogalle

Title: Director of Real Estate

State of New York)
) ss
County of Dutchess)

The foregoing instrument was acknowledged before me this 23rd day of March, 2016, by Cynthia M. Poggiogalle as Director of Real Estate of Bottling Group, LLC.

Witness my hand and official seal.

My commission expires:

Lisa Buglione
Notary Public

Lisa Buglione
Notary Public, State of New York
No. 01500213996
Qualified in Ulster County
Commission Expires November 23, 2017

EXHIBIT A

Legal Descriptions

EXHIBIT "A"

**PARCEL 60
PAGE 1 OF 2
OCTOBER 06, 2015**

A STRIP OF LAND CONTAINING 55 SQUARE FEET, MORE OR LESS, LOCATED WITHIN A PORTION OF LOT 14, BLOCK 38, ST. VINCENTS 2ND FILING, ALSO IN THE SOUTHWEST ONE-QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, SAID STRIP MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF 38TH ST. (80' ROW), WHENCE THE WEST ONE-QUARTER CORNER OF SAID SECTION 23 BEARS N32°10'34"W, A DISTANCE OF 1,453.15 FEET;

THENCE S87°19'01"E, A DISTANCE OF 14.87 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF BRIGHTON BOULEVARD (80' ROW);

THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF BRIGHTON BOULEVARD (80' ROW) S44°58'03"W, A DISTANCE OF 10.00 FEET TO SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF 38TH ST. (80' ROW);

THENCE DEPARTING SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF BRIGHTON BOULEVARD (80' ROW) AND ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF 38TH ST. (80' ROW) N45°03'08"W, A DISTANCE OF 11.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED STRIP CONTAINS 55 SQUARE FEET OR 0.001 ACRES, MORE OR LESS.

BASIS OF BEARINGS: ALL BEARINGS ARE BASED ON THE LINE CONNECTING THE WEST ONE-QUARTER CORNER OF SAID SECTION 23, T.3S., R.68W., OF THE 6TH P.M. (3-1/4" ALUMINUM CAP, PLS 24961) AND THE EAST ONE-QUARTER CORNER OF SAID SECTION 23, T.3S., R.68W., OF THE 6TH P.M. (3-1/4" ALUMINUM CAP, PLS 23521) BEARING 889°54'32"E.

**PREPARED BY: RICHARD D. MUNTEAN, CO PLS 38189
FOR AND ON BEHALF OF:
105 WEST, INC.
2140 S. IVANHOE ST., STE G5
DENVER, CO 80222**



EXHIBIT A

THIS EXHIBIT IS A GRAPHIC DEPICTION OF THE PARCEL DESCRIBED ON THE ATTACHED LEGAL DESCRIPTION AND IS NOT INTENDED TO INCLUDE SURVEY PLAT REQUIREMENTS AS DEFINED IN CRS 38-51-106.

BASIS OF BEARINGS

S89° 54' 32" E 5,286.31'

WEST ONE-QUARTER CORNER
SECTION 23, T.3S., R.68W., 6TH P.M.
FOUND 3-1/4" ALUM. CAP
PLS 24961

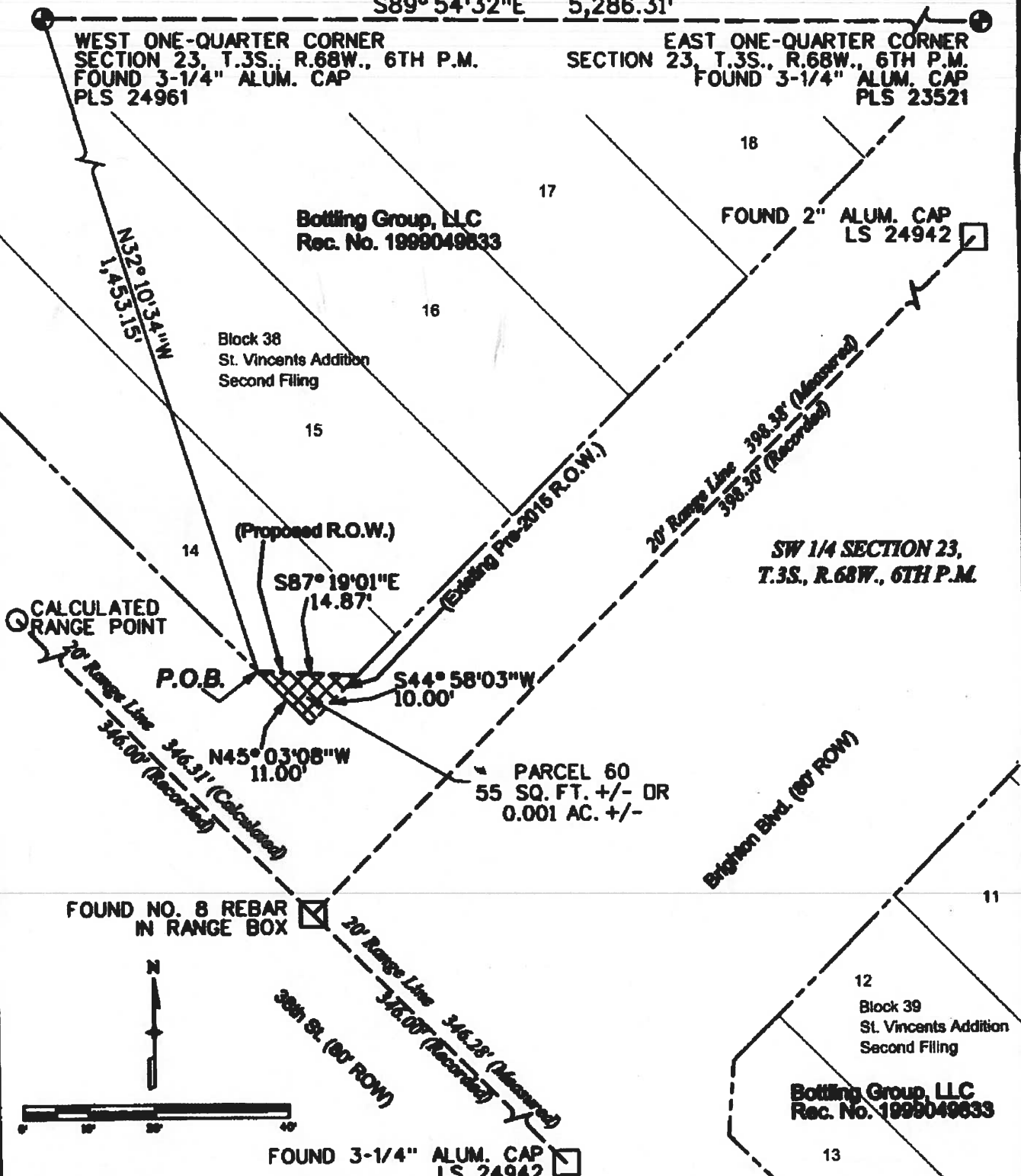
EAST ONE-QUARTER CORNER
SECTION 23, T.3S., R.68W., 6TH P.M.
FOUND 3-1/4" ALUM. CAP
PLS 23521

Bottling Group, LLC
Rec. No. 1999049833

FOUND 2" ALUM. CAP
LS 24942

Block 38
St. Vincents Addition
Second Filing

**SW 1/4 SECTION 23,
T.3S., R.68W., 6TH P.M.**



CALCULATED RANGE POINT

P.O.B.

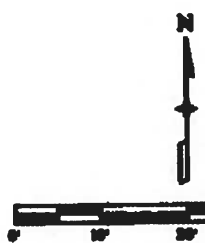


EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION

Job No.: 128-0008
Scale: 1" = 20'
Date: October 05, 2015
Page 2 of 2
Drawn By: SOB

PARCEL 60
PORTION OF LOT 14, BLOCK 38, ST. VINCENTS 2ND FILING
SECTION 23, T. 3 S., R. 68 W., 6TH P.M.
CITY & COUNTY OF DENVER, COLORADO

105WEST
INCORPORATED
2140 S. HARVEY ST., STE 05
DENVER, CO 80222

0223306002000

EXHIBIT "A"

**PARCEL 61
PAGE 1 OF 2
OCTOBER 06, 2015**

A STRIP OF LAND CONTAINING 5,695 SQUARE FEET, MORE OR LESS, LOCATED WITHIN A PORTION OF LOT'S 1-13, BLOCK 39, ST. VINCENTS 2ND FILING, ALSO IN THE SOUTHWEST ONE-QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, SAID TRACT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE ALONG SAID EASTERLY LINE N04°22'08"E, A DISTANCE OF 11.22 FEET TO SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF BRIGHTON BOULEVARD (80' ROW);

THENCE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF BRIGHTON BOULEVARD (80' ROW) N44°58'03"E, A DISTANCE OF 309.65 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED STRIP CONTAINS 5,695 SQUARE FEET OR 0.131 ACRES, MORE OR LESS.

BASIS OF BEARINGS: ALL BEARINGS ARE BASED ON THE LINE CONNECTING THE WEST ONE-QUARTER CORNER OF SAID SECTION 23, T.3S., R.68W., OF THE 6TH P.M. (3-1/4" ALUMINUM CAP, PLS 24981) AND THE EAST ONE-QUARTER CORNER OF SAID SECTION 23, T.3S., R.68W., OF THE 6TH P.M. (3-1/4" ALUMINUM CAP, PLS 23521) BEARING S89°54'32"E.

**PREPARED BY: RICHARD D. MUNTEAN, CO PLS 38189
FOR AND ON BEHALF OF:
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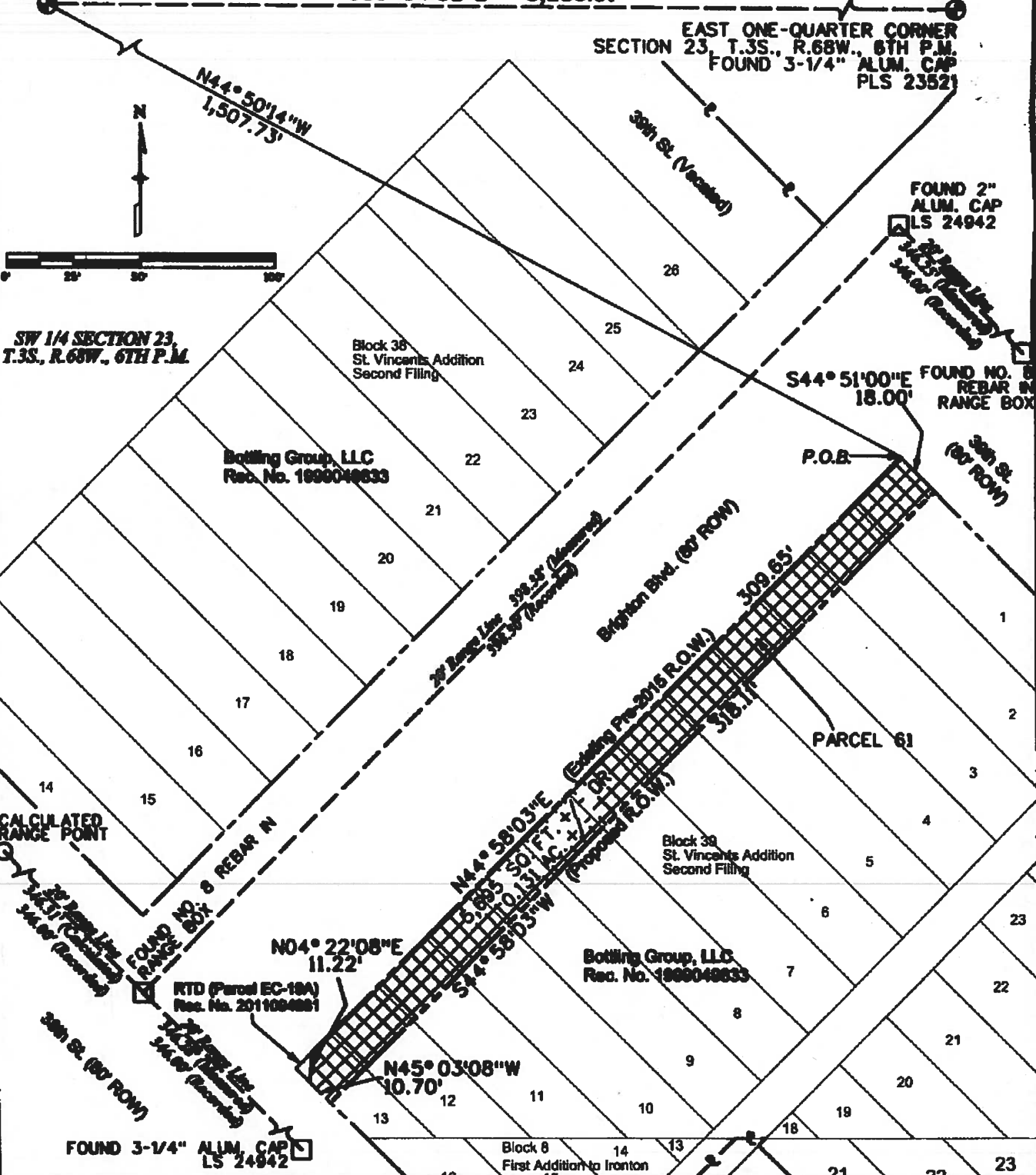
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WEST ONE-QUARTER CORNER
SECTION 23, T.3S., R.68W., 6TH P.M.
FOUND 3-1/4" ALUM. CAP
PLS 24961

BASIS OF BEARINGS
S89°54'32"E 5,286.31'

EAST ONE-QUARTER CORNER
SECTION 23, T.3S., R.68W., 6TH P.M.
FOUND 3-1/4" ALUM. CAP
PLS 23521



Job No.: 125-0008
Scale: 1" = 50'
Date: October 05, 2015
Page 2 of 2
Drawn By: SDB

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION

PARCEL 61
PORTION OF LOT'S 1-13, BLOCK 39,
ST. VINCENTS 2ND FILING
SECTION 23, T. 3 S., R. 68 W., 6TH P.M.
CITY & COUNTY OF DENVER, COLORADO

105WEST
INCORPORATED
2140 S. North St., STE G6
Denver, CO 80222

0223307014000

EXHIBIT "A"

**PARCEL 63
PAGE 1 OF 2
OCTOBER 06, 2015**

A STRIP OF LAND CONTAINING 2,012 SQUARE FEET, MORE OR LESS, LOCATED WITHIN A PORTION OF LOTS 9-16, BLOCK 30, ST. VINCENTS ADDITION, ALSO IN THE SOUTHWEST ONE-QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, SAID STRIP MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BRIGHTON BOULEVARD (80' ROW), ALSO BEING THE SOUTHWESTERLY CORNER OF A PARCEL OF LAND RECORDED AT RECEPTION NO. 2011094881 (PARCEL EC-19), CITY AND COUNTY OF DENVER RECORDS, WHENCE THE WEST ONE-QUARTER CORNER OF SAID SECTION 23 BEARS N49°11'29"W, A DISTANCE OF 1,511.70 FEET;

THENCE ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL OF LAND RECORDED AT RECEPTION NO. 2011094881 (PARCEL EC-19), N51°37'35"E, A DISTANCE OF 165.00 FEET;

THENCE DEPARTING SAID SOUTHEASTERLY LINE S44°57'28"W, A DISTANCE OF 188.78 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF 39TH ST. (80' ROW);

THENCE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF 39TH ST. (80' ROW) N44°51'00"W, A DISTANCE OF 18.00 FEET TO SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF BRIGHTON BOULEVARD (80' ROW);

THENCE DEPARTING SAID NORTHEASTERLY RIGHT-OF-WAY LINE AND ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF BRIGHTON BOULEVARD (80' ROW) N44°57'28"E, A DISTANCE OF 34.76 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED STRIP CONTAINS 2,012 SQUARE FEET OR 0.046 ACRES, MORE OR LESS.

BASIS OF BEARINGS: ALL BEARINGS ARE BASED ON THE LINE CONNECTING THE WEST ONE-QUARTER CORNER OF SAID SECTION 23, T.3S., R.68W., OF THE 6TH P.M. (3-1/4" ALUMINUM CAP, PLS 24981) AND THE EAST ONE-QUARTER CORNER OF SAID SECTION 23, T.3S., R.68W., OF THE 6TH P.M. (3-1/4" ALUMINUM CAP, PLS 23521) BEARING S89°54'32"E.

**PREPARED BY: RICHARD D. MUNTEAN, CO PLS 38189
FOR AND ON BEHALF OF:
105 WEST, INC.
2140 S. IVANHOE ST., STE G5
DENVER, CO 80222**



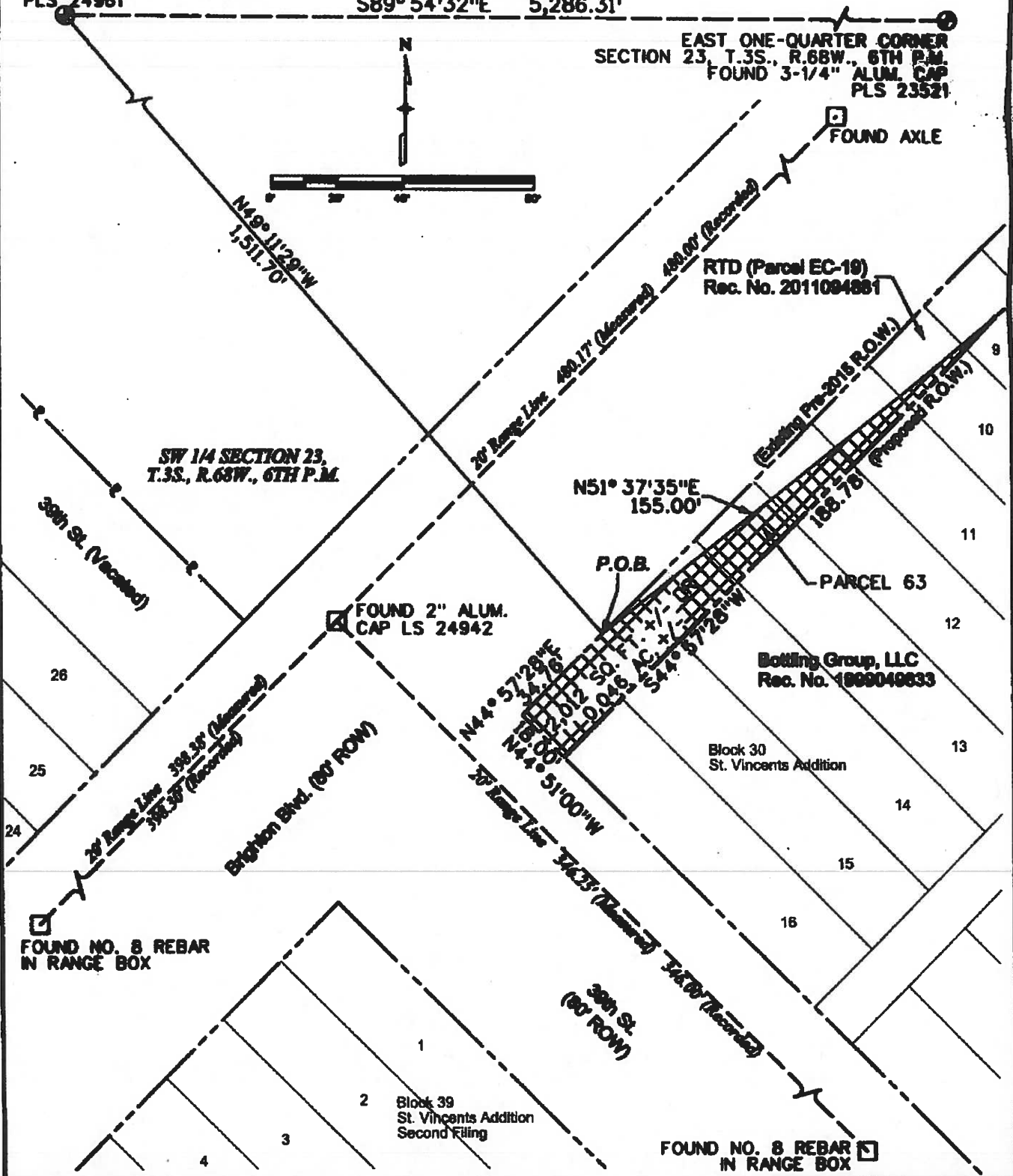
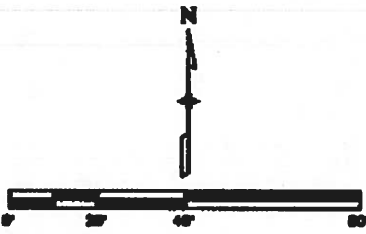
EXHIBIT A

THIS EXHIBIT IS A GRAPHIC DEPICTION OF THE PARCEL DESCRIBED ON THE ATTACHED LEGAL DESCRIPTION AND IS NOT INTENDED TO INCLUDE SURVEY PLAT REQUIREMENTS AS DEFINED IN CRS 38-51-106.

WEST ONE-QUARTER CORNER
SECTION 23, T.3S., R.68W., 6TH P.M.
FOUND 3-1/4" ALUM. CAP
PLS 24961

BASIS OF BEARINGS
S89° 54' 32" E 5,286.31'

EAST ONE-QUARTER CORNER
SECTION 23, T.3S., R.68W., 6TH P.M.
FOUND 3-1/4" ALUM. CAP
PLS 23521



FOUND NO. 8 REBAR
IN RANGE BOX

FOUND NO. 8 REBAR
IN RANGE BOX

Job No.: 126-0008
Scale: 1" = 40'
Date: October 05, 2015
Page 2 of 2
Drawn By: SDB

PARCEL 63
PORTION OF LOTS 9-16, BLOCK 30,
ST. VINCENTS ADDITION
SECTION 23, T. 3 S., R. 68 W., 6TH P.M.
CITY & COUNTY OF DENVER, COLORADO

105WEST
INCORPORATED
2140 S. Innes St, STE 05
Denver, CO 80222

0223303041000

EXHIBIT B

Exceptions Parcel 60

ALTA COMMITMENT 6-17-06**SCHEDULE B - SECTION II
EXCEPTIONS**Agent #:
CO1032Order #:
06358A2015

Schedule BII of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the Proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Rights or Claims of parties in possession not shown by the public records.
3. Easements or claims of easements not shown by the public records.
4. Discrepancies, conflicts in boundary lines, encroachments, overlaps, variations or shortage in area or content, party walls and any other matters that would be disclosed by a correct survey and/or physical inspection of the land.
5. Any lien, or right to lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public record.
6. Any water or well rights, or rights or title to water or claims thereof, in, on or under the land.
7. All taxes, assessments, levies and charges which constitute liens or are due or payable including unredeemed tax sales.
8. All oil, gas, and other mineral interests, any leases thereof, and the right to use the surface estate for ingress and egress and any other right or privilege incident to the ownership of said interests.
9. Terms, conditions, provisions, agreements and obligations as specified in the Access Agreement and Temporary Easement between Bottling Group, LLC and the City and County of Denver dated February 13, 2013 and recorded June 7, 2013 at Reception No. 2013082163.
10. Terms, conditions, provisions, agreements and obligations as specified in the Permanent Easement between Bottling Group, LLC and the City and County of Denver dated January 17, 2013 and recorded February 20, 2013 at Reception No. 2013023013.
11. Terms, conditions, provisions, agreements and obligations as specified in the License for Emergency Fire Department Access by and between Bottling Group, LLC and Historical Properties, Inc. dated December 14, 1999 and recorded December 23, 1999 at Reception No. 9900215704.
12. Terms, conditions, provisions, agreements and obligations as specified in the Deed of Easement between Pepsi-Cola Bottling Company of Denver and the City and County of Denver dated August 15, 1985 and recorded February 24, 1986 at Reception No. 031898.
13. Terms, conditions, provisions, agreements and obligations as specified in the Conditional Extended Sanitary Sewer Permit dated September 25, 1985 and recorded September 30, 1985 at Reception No. 071193.

Continued on next page.

NOTE: This Commitment is of no force and effect unless Commitment cover, Schedules A, B-Section 1 and B-Section 2 are attached.

ALTA COMMITMENT 6-17-06

14. Terms, conditions, provisions, agreements and obligations as specified in the Public Service Company of Colorado Easement between Pepsi Cola Bottling Company of Denver and Public Service Company of Colorado dated August 15, 1985 and recorded September 6, 1985 at Reception No. 062115.
15. Terms, conditions, provisions, agreements and obligations as specified in the Bargain and Sale Deed between Union Pacific Railroad Company and Pepsi Cola Bottling Company of Denver recorded August 27, 1984 at Reception No. 009542 in Book 3183 at Page 350.
16. Terms, conditions, provisions, agreements and obligations as specified in the Agreement by and between Union Pacific Land Resources Corporation and Western Grocers, Inc. dated December 23, 1977 and recorded February 8, 1978 at Reception No. 012016 in Book 1598 at Page 75.
Addendum to Agreement recorded February 8, 1978 at Reception No. 012017 in Book 1598 at Page 92.
17. Terms, conditions, provisions, agreements and obligations as specified in the Quitclaim Deed between Union Pacific Railroad Company, The Chase Manhattan Bank and Union Pacific Land Resources Corporation dated April 1, 1971 and recorded November 3, 1976 at Reception No. 018717 in Book 1341 at Page 188.
18. Terms, conditions, provisions, agreements and obligations as specified in the Deed of Easement between the City and County of Denver and Public Service Company of Colorado dated July 12, 1974 and recorded August 16, 1974 at Reception No. 029487 in Book 931 at Page 79.
19. Terms, conditions, provisions, agreements and obligations as specified in the Special Warranty Deed between Union Pacific Land Resources Corporation and Resco, Inc. dated April 16, 1973 and recorded November 21, 1973 at Reception No. 030141 in Book 798 at Page 604.
20. Terms, conditions, provisions, agreements and obligations as specified in the Easement between Pepsi-Cola Bottling Company of Denver and Public Service Company of Colorado dated October 27, 1967 and recorded December 8, 1967 at Reception No. 038342 in Book 9819 at Page 507.
21. Terms, conditions, provisions, agreements and obligations as specified in the Warranty Deed between Union Pacific Railroad Company and James A. Gooding, Jr. dated October 6, 1959 and recorded November 13, 1959 at Reception No. 87712 in Book 8436 at Page 16.
22. Terms, conditions, provisions, agreements and obligations as specified in the Warranty Deed between Union Pacific Railroad Company and Pepsi-Cola Bottling Company of Denver dated October 30, 1951 and recorded December 26, 1951 at Reception No. 43340 in Book 7041 at Page 435.
23. Terms, conditions, provisions, agreements and obligations as specified in the Warranty Deed between Union Pacific Railroad Company and Pepsi-Cola Bottling Company of Denver dated September 12, 1950 and recorded October 7, 1950 at Reception No. 826105 in Book 6807 at Page 312.
24. Terms, conditions, provisions, agreements and obligations as specified in the Warranty Deed between Union Pacific Railroad Company and Kraft Foods Company dated May 28, 1946 and recorded January 11, 1947 at Reception No. 309784 in Book 6139 at Page 342.
25. Terms, conditions, provisions, agreements and obligations as specified in the Warranty Deed between Union Pacific Railroad Company and Pepsi-Cola Bottling Company of Denver, Colorado dated December 12, 1944 and recorded January 29, 1946 at Reception No. 180063 in Book 5994 at Page 472.
26. Terms, conditions, provisions, agreements and obligations as specified in the Deed between Union Pacific Railroad Company and A. A. Vickers dated April 11, 1940 and recorded May 16, 1940 at Reception No. 580356 in Book 5386 at Page 331.

Continued on next page.

NOTE: This Commitment is of no force and effect unless Commitment cover, Schedules A, B-Section 1 and B-Section 2 are attached.

ALTA COMMITMENT 6-17-06

27. Reservations contained in Ordinance No. 90, Series of 1937 recorded December 27, 1937 at Reception No. 312127 in Book 5175 at Page 224.
28. Terms, conditions, provisions, agreements and obligations as specified in the Deed between Union Pacific Railroad Company and A. A. Vickers dated April 16, 1935 and recorded May 8, 1935 at Reception No. 31056 in Book 4829 at Page 575.
29. Terms, conditions, provisions, agreements and obligations as specified in the Deed between Union Pacific Railroad Company and City and County of Denver dated July 15, 1932 and recorded September 26, 1932 at Reception No. 574500 in Book 4687 at Page 152.
30. Terms, conditions, provisions, agreements and obligations as specified in the Warranty Deed between American Smelting and Refining Company and City and County of Denver dated May 20, 1920 and recorded July 23, 1920 at Reception No. 371027 in Book 3067 at Page 55.
31. Reservations contained in Ordinance No. 170, Series of 1929.
32. All matters set forth on the plat of St. Vincent's Addition Second Filing recorded April 1, 1890 in (plat) Book 9 at Page 36.
33. All matters set forth on the plat of St. Vincent's Addition recorded in Engineering Book 21 at Pages 24 and 25.
34. All matters set forth on the plat of Ironton recorded January 6, 1881 in (plat) Book 1 at Page 119 and in Engineering Book 6 at Page 110.

NOTE: This Commitment is of no force and effect unless Commitment cover, Schedules A, B-Section 1 and B-Section 2 are attached.

Exceptions – Parcel 61

ALTA COMMITMENT 6-17-06**SCHEDULE B - SECTION II
EXCEPTIONS**Agent #:
CO1032Order #:
06358A2015

Schedule BII of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the Proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Rights or Claims of parties in possession not shown by the public records.
3. Easements or claims of easements not shown by the public records.
4. Discrepancies, conflicts in boundary lines, encroachments, overlaps, variations or shortage in area or content, party walls and any other matters that would be disclosed by a correct survey and/or physical inspection of the land.
5. Any lien, or right to lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public record.
6. Any water or well rights, or rights or title to water or claims thereof, in, on or under the land.
7. All taxes, assessments, levies and charges which constitute liens or are due or payable including unredeemed tax sales.
8. All oil, gas, and other mineral interests, any leases thereof, and the right to use the surface estate for ingress and egress and any other right or privilege incident to the ownership of said interests.
9. Reservations contained in Ordinance No. 189, Series of 1947.
10. All matters set forth on the plat of St. Vincent's Addition Second Filing recorded April 1, 1890 in (plat) Book 9 at Page 36.
11. All matters set forth on the plat of Ironton recorded January 6, 1881 in (plat) Book 1 at Page 119 and in Engineering Book 6 at Page 110.

NOTE: This Commitment is of no force and effect unless Commitment cover, Schedules A, B-Section 1 and B-Section 2 are attached.

Exceptions – Parcel 63

ALTA COMMITMENT 6-17-06**SCHEDULE B - SECTION II
EXCEPTIONS**Agent #:
CO1032Order #:
06360A2015

Schedule BII of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the Proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Rights or Claims of parties in possession not shown by the public records.
3. Easements or claims of easements not shown by the public records.
4. Discrepancies, conflicts in boundary lines, encroachments, overlaps, variations or shortage in area or content, party walls and any other matters that would be disclosed by a correct survey and/or physical inspection of the land.
5. Any lien, or right to lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public record.
6. Any water or well rights, or rights or title to water or claims thereof, in, on or under the land.
7. All taxes, assessments, levies and charges which constitute liens or are due or payable including unredeemed tax sales.
8. All oil, gas, and other mineral interests, any leases thereof, and the right to use the surface estate for ingress and egress and any other right or privilege incident to the ownership of said interests.
9. Reservations contained in Ordinance No. 851, Series of 1973 recorded December 28, 1973 at Reception No. 042934 in Book 814 at Page 463.
10. All matters set forth on the plat of St. Vincent's Addition recorded in Engineering Book 21 at Pages 24 and 25.

NOTE: This Commitment is of no force and effect unless Commitment cover, Schedules A, B-Section 1 and B-Section 2 are attached.