

Department of Public Works
Capital Projects Management
Permit Operations and Right of Way Enforcement
Infrastructure Planning & Programming
Traffic Englneering Services
201 W. Colfax Avenue
Denver, CO 80202
www.denvergov.org

## REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Melinda Olivarez, City Attorney's Office

FROM: Robert J. Duncanson, P.E., Engineering Manager II

Right-of-Way Services

DATE: September 29, 2010

ROW #: 2010-0378-01 SCHEDULE #: Parcel 1 0617100041000 Parcel 2 0617100050000

Parcel 3 0617100043000 Parcel 4 0617100045000 Parcel 5 0617407040000 Parcel 6 0617407046000 Parcel 7 0617407044000 Parcel 8 0617407075000

TITLE: This request is to dedicate existing City owned land as S. Monaco St. Parkway.

Located at the intersection of S. Monaco St. Parkway from north of Center Ave. to Leetsdale Dr.

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 S. Monaco St. Parkway.

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 existing City owned land for Public Right-of-Way purposes as S. Monaco St. Parkway. The land is described as follows.

## INSERT PARCEL DESCRIPTION ROW (# 2010-0378-01) HERE.

A map of the area to be dedicated is attached.

RD/JL/bvs

cc: Asset Management, Steve Wirth

City Councilperson, Marcia Johnson, District #5

City Council Aide, Lynn Pressnall City Council Aide, Sarah Hader City Council Staff, Gretchen Williams

Department of Law, Karen Aviles

Department of Law, Melinda Olivarez Department of Law, Arlene Dykstra Environmental Services, David Erickson

Mayor's Office, City Council Liaison, R. D. Sewald

Mayor's Office, Heather Barry

Public Works, Manager's Office, Christine Downs Public Works, Manager's Office, Daelene Mix

Public Works, Right-of-Way Engineering Services, Rob Duncanson Public Works, Right-of-Way Engineering Services, John Lautenschlager

Public Works Survey-Paul Rogalla Owner: City and County of Denver Project file folder 2010-0378-01

for City Services Denver gets it done!

## ORDINANCE/RESOLUTION REQUEST

Please email requests to Daelene Mix at daelene.mix@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.

			_		<del></del>
				Date	of Request: September 29, 2010
Ple	ease mark one:	☐ Bill Request	or	Resolution Request	
1.	Has your agency s	submitted this request in	the last 1	2 months?	
	☐ Yes	⊠ No			
	If yes, please	explain:			
2.	Title: (Include a co- that clearly indica supplemental reque	ites the type of request; gr	ription – p cant accept	lease include <u>name of company or con</u> tance, contract execution, amendment,	<u>tractor</u> and <u>contract control number</u> municipal code change,
		edicate existing City owne h of Center Ave. to Leetsd		S. Monaco St. Parkway. Located at th	e intersection of S. Monaco St.
3.	Requesting Agenc	y: PW Right of Way Eng	ineering S	Services	
4.	<ul><li>Name: Beverl</li><li>Phone: 720-8</li></ul>			ordinance/resolution.)	
5.	<ul><li>will be available fo</li><li>Name: Daele</li><li>Phone: 720-8</li></ul>	<i>r first and second reading</i> ne D. Mix		ordinance/resolution <u>who will present</u> <u>ary</u> .)	the item at Mayor-Council and who
6.	General description	on of proposed ordinance	includin	g contract scope of work if applicab	e:
		lution for laying out, open e. as S. Monaco St. Parkw		stablishing certain real property as part	of the system of thoroughfares of
	**Please complete enter N/A for that f	the following fields: (Inco	omplete fic	elds may result in a delay in processin	z. If a field is not applicable, please
	a. Contract	Control Number: 2010-	0378-01		
	b. Duration:				
		S. Monaco St. Parkway	#5 Marc	eja Johnson	
	<ul><li>d. Affected Council District: District #5, Marcia Johnson</li><li>e. Benefits: N/A</li></ul>				
	f. Costs: N/	Α			
7.	Is there any contro	oversy surrounding this	ordinance	e? (Groups or individuals who may ha	ve concerns about it?) Please
	None				
		То ре	completed	d by Mayor's Legislative Team:	
SIF	RE Tracking Number			Date Entered:	

Four parcels of land located in the Northeast 1/4 of Section 15, Township 17 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado.

## Parcel 1

A parcel of land conveyed to the City & County of Denver by Quit Claim Deed, recorded on the 16th of September 1971 in Book 383 Page 356 in the City and County of Denver Clerk & Recorders Office being more particularly described as follows.

That part of the SW1/4, NE1/4 of Section 17, T.4S., R.67W., of the 6<sup>th</sup> P.M., described as follows: Beginning at a point 400 feet south and 30 feet east of the northwest corner of the said SW1/4, NE1/4 of Section 17 (said point is on the east line of South Monaco Street Parkway); thence east and parallel with the north line of said SW1/4, NE1/4, 20 feet; thence southerly and parallel with the said east line of South Monaco Street Parkway to a point 2.28 feet north of the north line of Center Avenue; thence southeasterly to a point of intersection with the said north line of Center Avenue, said point being 23.80 feet east of the east line of South Monaco Street Parkway; thence westerly along said north line of Center Avenue to the said east line of South Monaco Street Parkway; to the point of beginning.

## Parcel 2

A parcel of land conveyed to the City & County of Denver by Rule & Decree, recorded on the 21st of December 1972 in Book 617 Page 591 in the City and County of Denver Clerk & Recorders Office being more particularly described as follows.

That part of the SW1/4, NE1/4 of Section 17, Township 4 South, Range 67 West, of the Sixth Principal Meridian, described as follows: Beginning 330 feet north and 50 feet east of the southwest corner of the SW1/4, NE1/4 of said Section 17; thence northerly and parallel with the west line of the said SW1/4, NE1/4 of Section 17to a point 2.28 feet south of the south line of Center Avenue; thence northeasterly to a point on the said south line of Center Avenue that is 23.80 feet east of the east line of South Monaco Street Parkway; thence westerly along the said south line of Center Avenue to the said east line of South Monaco Street Parkway; thence southerly along the said east line of South Monaco Street Parkway to a point that is 330 feet north of the south line of said SW1/4, NE1/4; thence easterly to the point of beginning.

## Parcel 3

A parcel of land conveyed to the City & County of Denver by Trustees Deed, recorded on the 28th of September 1971 in Book 388 Page 673 in the City and County of Denver Clerk & Recorders Office being more particularly described as follows.

That part of the SW-1/4, NE-1/4 of Section 17, Township 4 South, Range 67 West, described as follows: Beginning at a point 230.87 feet North and 30 feet East of the Southwest corner of said SW-1/4 NE-1/4: thence East, parallel to the South line of said SW-1/4 NE-1/4 for 20 feet; thence North, parallel to the West line of said SW-1/4 NE-1/4, parallel to the west line of said SW-1/4 NE-1/4 for 100 feet; thence West parallel with the South line of SW-1/4 ne-1/4 for 20 feet to the East line of South Monaco Parkway; thence South, along said East line 100 feet to the point of beginning.

## Parcel 4

A parcel of land conveyed to the City & County of Denver by Warranty Deed, recorded on the 12th of October 1971 in Book 395 Page 183 in the City and County of Denver Clerk & Recorders Office being more particularly described as follows.

That part of the SW1/4, NE1/4 of Section 17, T.4S., R.67W., of the 6<sup>th</sup> P.M., described as follows: The East 20 feet of the West 50 feet of the South 127 feet of the West 396.9 feet of the said SW1/4, NE1/4 of Section 17.

Four parcels of land located in the Southeast 1/4 of Section 15, Township 17 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado.

## Parcel 5

A parcel of land conveyed to the City & County of Denver by Warranty Deed, recorded on the 17th of August 1971 in Book 212 Page 413 in the City and County of Denver Clerk & Recorders Office being more particularly described as follows.

An undivided one-half (1/2) interest, West 19 feet of Lots 6 and 7, except the South 10 feet of Lot 7, Cassell Subdivision.

A parcel of land conveyed to the City & County of Denver by Warranty Deed, recorded on the 17th of August 1971 in Book 212 Page 415 in the City and County of Denver Clerk & Recorders Office being more particularly described as follows.

An undivided one-half (1/2) interest in that part of Cassell Subdivision located within boundaries described as follows: West 19 feet of Lots 6 and 7, except the South 10 feet of Lot 7, Cassell Subdivision.

## Parcel 6

A parcel of land conveyed to the City & County of Denver by Rule and Decree, recorded on the 1st of September 1971 in Book 382 Page 315 in the City and County of Denver Clerk & Recorders Office being more particularly described as follows:

That part of Cassell Subdivision located within boundaries described as follows: Commencing at the Northwest corner of sald subdivision; thence Southerly along the West line of said subdivision a distance of 150 feet to the point of beginning; thence Easterly and parallel with the North line of said subdivision, a distance of 19 feet; thence Southerly and parallel with the West line, a distance of 40 feet; thence on an angle to the left of 4°44'06" a distance of 36.79 feet; thence on an angle to the right of 94°39'06", a distance of 22.04 feet to the West line of said subdivision; thence northerly along said West line to the point of beginning.

## Parcel 7

A parcel of land conveyed to the City & County of Denver by Warranty Deed, recorded on the 13th of August 1971 in Book 368 Page 134 in the City and County of Denver Clerk & Recorders Office being more particularly described as follows:

That part of Cassell Subdivision located within boundaries described as follows: Commencing at the Northwest corner of said subdivision; thence southerly along the west line of said subdivision a distance of 226.67 feet to the point of beginning: thence Easterly and parallel with the north line of said Subdivision a distance of 22.04 feet; thence on an angle to the right of 85° 20'54", a distance of 126.01 feet; thence on an angle to the left of 44°31'33" a distance of 6.67 feet to the southwesterly line of said Subdivision; thence northwesterly along said southwesterly line a distance of 45.23 feet to the point of intersection with the said west line; thence northerly along said west line to the point of beginning.

A parcel of land conveyed to the City & County of Denver by Warranty Deed, recorded on the 13th of August 1971 in Book 368 Page 135 in the City and County of Denver Clerk & Recorders Office being more particularly described as follows:

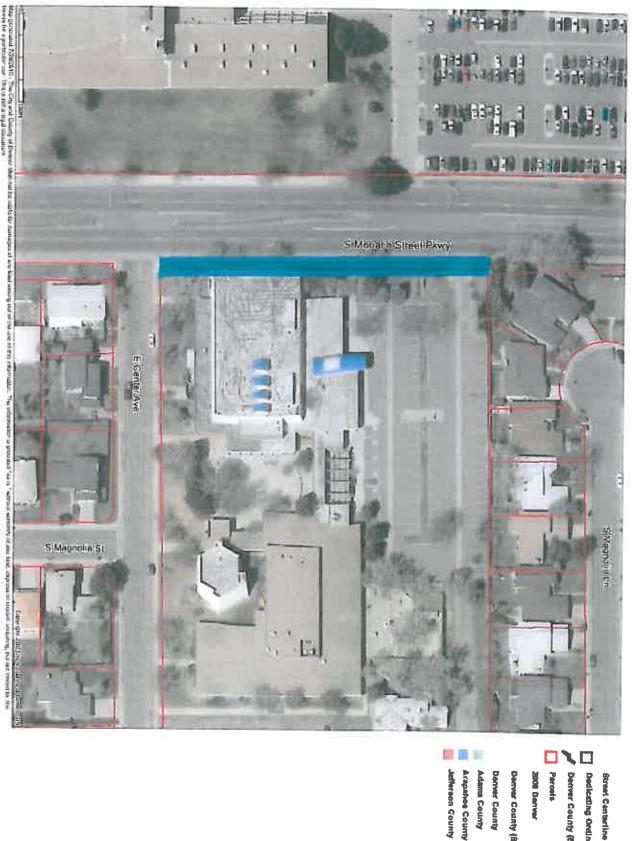
That part of Cassell Subdivision located within boundaries described as follows: Commencing at the Northwest corner of said subdivision; thence southerly along the west line of said subdivision a distance of 226.67 feet to the point of beginning: thence Easterly and parallel with the north line of said Subdivision a distance of 22.04 feet; thence on an angle to the right of 85° 20'54", a distance of 126.01 feet; thence on an angle to the left of 44°31'33" a distance of 6.67 feet to the southwesterly line of said Subdivision; thence northwesterly along said southwesterly line a distance of 45.23 feet to the point of intersection with the said west line; thence northerly along said west line to the point of beginning.

## Parcel 8

A parcel of land conveyed to the City & County of Denver by Quit Claim Deed, recorded on the 9<sup>th</sup> of June 1982 in Book 2599 Page 346 in the City and County of Denver Clerk & Recorders Office being more particularly described as follows.

A parcel of land for right-of-way purposes located in the NW1/4 of the SE1/4 of Section 17, Township 4, South, Range 67 West of the 6<sup>th</sup> P.M., being part of Lot 10, the South 2/3 of Lot 9, and the Northwesterly 1/3 of Lot 11 adjacent to Lot 10, Cassell Subdivision, City and County of Denver, State of Colorado, being more particularly described as follows:

Commencing at the Northeast corner of Cassell Subdivision; thence Southerly, along the West line of said subdivision, a distance of 226.67 feet to the Northwest corner of a parcel of land described in book 368 at Pages 134 and 135; thence Easterly and parallel with the north line of said subdivision, a distance of 22.04 feet to the True Point of Beginning: thence on an angle to the right of 85°20'54", a distance of 126.01 feet; thence on an angle to the left of 44°31'33", a distance of 6.67 feet to the Southwesterly line of said subdivision which is also the Northeasterly Line of Leetsdale Drive; thence Southeasterly, along said Southwesterly line, a distance of 3.06 feet to a point of curvature; thence Southeasterly. along the Southwesterly line, along the arc of a curve to the right, having a radius of 716.3 feet, a distance of 62.9 feet, the long chord of which bears S. 53°27' E, a distance of 62.88 feet; thence N 47°14' E parallel with the Northwesterly line of Lot 11of said subdivision, a distance of 1.14 feet; thence on an angle to the left of 94°33'40" to the tangent line of a curve to the left and along the arc of the curve, having a radius 994.50 feet; a distance of 66.79 feet, the long chord of which bears N 49°15' W, a distance of 66.78 feet; thence Northwesterly on an angle to the right from the tangent of the aforesaid curve 24°42'56" a distance of 17.33 feet; thence on an angle to the right of 24°44'04", a distance of 109.22 feet to the Northerly line of a parcel described in Book 368 at Pages 134 and 135, extended East; thence West along said Northerly extended East, a distance of 7.74 feet to the True Point of Beginning, containing 868 square feet (0.020 acre), more or less.



Street Centerline

Denver County (Boundary) **Dedicating Ordinances** 

2008 Danver

Denver County (Shaded)

Adams County Denver County

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70 M CO	THES DEED, Made this 13th day of September .	Exercises Stang 1 STATE OF COUNTY OF COUNTY OF COUNTY	0.00
50.0	a comparation duly organized and existing under and by virtue of the laws of the Stain of Colorado, of the Stain of Colorado, of the Stain of Colorado	27   1   10 es 14 7   seconded in 383 356	30
	CITY AND COUNTY OF DENVER, a municipal	F. I. SETAFINI CLERA AND RECORDER	I FEE OC
#102	WITNESS, That the said party of the first part, for and in consideration of TEN THOUSAND SIX BUNDRED and no/100	- POLIANE,	2 2 4 3
(2 - ≠ ( 2)	to the mid party of the first part is hand paid by the said party of the second contented and acknowledged, bath remined, released, sold, conveyed and QUIT CLAIM case the said party of the second fewerer, all the right, title, interest, claim and demand which the said party of fellowing described property situate, tying and haing in the City a send Shahn of Colorado, to wit: That part of the SWk, NEV of Section 6th F.W., described as follows: Beginning at a point feet east of the northwest corner of the said SWk, NEV 15 on the cast line of SWk, NEV	AMEZO, and by these presents dethind part, his stacements and savigues the first part hath in and to the net County of Denver ion 17, T.45., R.67%, of it 400 feet south and 30	1kp.16-11 4
NPT, 137-	parallel with the north line of said SWk, NTk, 20 feet; parallel with the said east line of South Monaco Street feet morth of the north line of Center Avenue; thence s of intersection with the said morth line of Center Avenu 23.80 feet east of the east line of South Monaco Street along the said morth line of Center Name	thence southerly and thence southerly and Parkway to a point 7.28 outheasterly to a point e, said point being Parkway; thence westerly	
EXE	Parkersy to the point of beginning.  TO HAVE AND TO HOLD the same, together with all and singular the apparent belonging, or in copyring thereunto apparentiality, and all the units, right, title, intend party of the first part, either in law or equity, to the only prepar use, headfit; second part, its necessary and satisfactors.	rimaness and privileges there ends and that the said privileges there ends and the said party of the said behost of the said party of the	
n ( )	IN WITNESS WHEREOF, The said party of the first part hath cased in manufactured by its President, and its corporate send to be hereen to a Secretary, the day and year first above fritted.  Attention of the corporate send in the hereen to a secretary, the day and year first above fritted.  Attention of the corporate send to be hereen to a secretary, the day and year first above fritted.	Mind, attested by its	·
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AND OFFICE A	STATE OF COLORADO,		
A 200	The fungeling instrument was echnomically defere use this 13th 1971 . W HAROLD H. ALTMAN JACOB W. COHEN	day of Suptamber  Provided and	
Control	MATH MEDRICE RACOUGL, a Colorado  My completion cryires  Witness my hand and official and	Largania	
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W.	No. COL. QUIT CLAIM SECO Corporation to Corporation's Printed Published Co., 1884 of Second Secon	383 356	



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Dedicating Ordinances

Denver County (Boundary)

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2008 Denver

Denver County Denver County (Shadad)

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## IN THE DISTRICT COURT IN AND FOR THE CITY AND COUNTY OF DENVER AND

STATE OF COLORADO

Civil Action No. C-25823 Courtroom No. 2 City & County of Danver, Coin.

CITY AND COUNTY OF DENVER, a municipal corporation,

DEC 21 1972

Petitioner.

Offlor, Clerk

10.

RULE AND DECREE

ROBERT O, GLAU: JOYCE ANN GLAU:

JEFFERSON STANDARD LIFE INSURANCE

COMPANY: F. J. SERAFINI, or his succes-)
sor in office, Public Trustee for the City and )

County of Denver: CIMRLES L. TEMPLE,
or his successor in office, Manager of Revenue of the City and County of Denver; and
All Unknown Owners of the Property Sought
to be Condemned Herein and All Unknown
Persons Who Claim Any Interest in the
Subject Matter of This Action.

CONDEMNATION.

SYATE COLORADO STATE OF THE COLUMN TO THE ON THE COLUMN TO THE COLUMN TO THE COLUMN THE

Respondents.

THIS MATTER having come on to be heard on the petition of the Clip
and County of Denver, a municipal corporation, for the taking of certain property
described in said petition and for the ascertainment of the compensation to be
paid therefor and by reason thereof and the time now being at hand for the
entry of a Rule and Decree, the Court

DOTIL FIND:

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- 1. That the Petitioner is authorized by eminent domain proceedings to appropriate land for its local and municipal purposes and, in particular, is authorized to appropriate the property which is the subject matter of this action.
  - 2. That the allegations contained in the petition are true.
- 3. That the Court has jurisdiction of the parties herein and of the subject matter of this action.
- 4. That the record owners of the property which is described in the pelition herein are Robert O. Glau and Joyce Ann Glau, they having acquired said property by certain instruments recorded among the records of the Clerk and Recorder of the City and County of Damer in the State of Colorado; that said Respondents have appeared the city personally and by their attorneys

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Seul SE53 Nathan II. Creamer and George Louis Creamer.

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- 5. That all claims, interests or rights in the property described herein of Respondent Jefferson Standard Life Irsurance Company have been satisfied, released and discharged in full and the trust deed in which said Respondent was beneficiary has been cancelled.
- 6. That by reason of the acts set forth in the preceding paragraph hereof Respondent F. J. Scraffni has no claim or claims to any interest in the property described in the petition and has no official duties or responsibilities in connection therewith.
- 7. That the claim of Respondent Charles L. Temple for taxes of all . kinds which may have attached prior to the filing of the petition herein or which have attached up to and including November 22, 1971 should be transferred from the property taken and attached to the residue of said property which was not taken.
- 8. That other than the persons aforesaid no other person, firth or corporation has any claim or claims to, any interest or interests in or any lien or liens, encumbrance or encumbrances pertaining to the property which is described in the petition herein.
- 9. That an accurate description of the property taken and damaged herein, together with all improvements and fixtures situate and being thereon, which property is situate in the City and County of Denver and State of Colorado is as follows:

That part of the SW \$\frac{1}{4}\$, NE \$\frac{1}{4}\$ of Section 17. Township 4 South, Range 67 West of the Sixth Principal Meridian, described as follows: Beginning 330 feet north and 50 feet east of the southwest corner of the SW \$\frac{1}{4}\$, NE \$\frac{1}{4}\$ of said Section 17; thence northerly and parallel with the west line of the said SW \$\frac{1}{4}\$, NE \$\frac{1}{4}\$ of Section 17 to a point 2.28 feet south of the south line of Center Avenue; thence northeasterly to a point on the said south line of Center Avenue that is 23.80 feet east of the east line of South Monaco Street Parkway; thence westerly along the said south line of Center Avenue to the said east line of South Monaco Street Parkway; thence southerly along the said east line of South Monaco Street Parkway; to a point that is 330 feet north of the south line of the said SW \$\frac{1}{4}\$. NE \$\frac{1}{4}\$; thence easterly to the point of beginning.

10. That the value of the property taken, together with damages to the residue, or part not taken, is \$6,300.00; all of the foregoing being pursuant to and in accordance with the stipulation of the parties hereto, acting for themselves or by their counsel, as hereinafter set forth.

II. That pursuant to an Order of the Court heretofore entered herein, pursuant to which Order Petitioner entered in to possession of the property. taken, Petitioner deposited in to the Registry of this Court the sum of \$8,000.00; that pursuant to an Order of the Court heretofore entered, Respondents Robert O. Glau and Joyce Ann Glau withdrew from said Registry of this Court the sum of \$6,000.00; that there now remains en deposit in the Registry of this Court the sum of \$2,000.00; wherefore,

IT IS ORDERED, ADJUDGED AND DECREED:

- That the payment from the Registry of the Court in the sum of \$6,000.00 to Respondents Robert O. Glau and Joyce Ann Glau be and it hereby is approved and confirmed.
- 2. That the Clerk of this Court be and he hereby is authorized, ordered and directed to pay to Respondents Robert O. Glau and Joyce Ann Glau, from the deposit now remaining in the Registry of the Court the sum of \$300.00.
- 3. That the Clerk of this Court be and he hereby is authorized, ordered and directed to pay to Petitioner City and County of Denver, from the deposit now remaining in the Registry of the Court, the sum of \$1,700.00,
- 4. That Petitioner City and County of Denver, a municipal corporation, be and it hereby is adjudged to be the absolute holder and owner in unconditional fee simple absolute, free of all rights of reversion and reversionary interests, including but not limited to possibility of reverter and right of entry for condition broken, in and to the property hereinabove described, together with all improvements being situate thereon and it be and it hereby is authorized to take possession of and to hold the same for all purposes, free of all rights, titles, interest or interests, claims or equities of all Respondents to said property and free and clear of all liens and claims herein recites.

PARCEL 2

617 - 594

DONE IN OPEN COURT this \_ BY THE COUP IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES HERETO that the above Rulu and Decree may be antered heroin: MAX P. ZALL EARL T. THRASHER ROBERT M. KELLY Earl T. Thrasher Attorneys for Petitioner NATHAN H. CREAMER GEORGE LOUIS CREAMER Attorneys fir Respondents Robert O.: Glau and Joyce Ann Glau. City & County of Denver, Colo.
Certified to be a full, true and running

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Street Canterline

Dedicating Ordinances

Denver County (Soundary)

Perceis

2008 Denver

Denver County (Shaded)

Danver County
Adams County
Arapahoa County
Jefferson County

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### TRUSTEES DEED

THIS DEED, made this 24th day of September, 1971, between THE UNITED BANK OF DENVER NATIONAL ASSOCIATION, trustee of the James J. Booth Trust executed March 3, 1960, recorded June 16, 1971, in Book 337 at Page 519, party of the first part, and the CITY AND COUNTY OF DENVER, a Municipal Corporation, party of the second part;

#110

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration 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 granted, bargained, sold and conveyed and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, its successors and assigns forever, all the following described parcel of land, situate, lying and being in the City and County of Denver and State of Colorado, to wit:

> That part of the SW-1/4 NE-1/4 of Section 17, Township 4 South, Range 67 West described as follows:

Beginning at a point 230,87 feet North and 30 feet East of the Southwest corner of said SW-1/4 NE-1/4; thence East, parallel to the South line of said SW-1/4 NE-1/4 for 20 feet; thence North, parallel to the West line of said SW-1/4 NE-1/4 for 100 feet; thence West parallel with the South line of said SW-1/4 NE-1/4 for 20 feet to the East line of South Monaco

Parkway; thence South, along said East line, 100 feet to the point

of beginning,

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 party of the first part, 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 said party of the second part, its successors and assigns forever.

And the said party of the first part, for itself and its successors covenants and agrees to and with the said party of the second part, its successors and assigns, the above bargained premises in the quiet and peaccable possession of the said party of the second part, its successors and assigns against all and every person or persons lawfully claiming or to claim the whole or

AND OFFICE ME

any part thereof, by, through or under the said p rty of the first part, and will specially WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF, The said party of the first part has caused its corporate name to be hereunto subscribed by its Vice President and Trust Officer, and its corporate seal to be hereunto affixed, attested by its Secretary, the day and year first above written.

United Bank of Denver National Association, Trustae of the James J. Booth Trust

Put 2 AL TRUST CHICKY

Vice President and The

Vice President and Trust Officer

STATE OF COLORADO

CITY AND COUNTY OF DERVER

The foregoing instrument was acknowledged before me this 24th day of September, 1971, by as Vice President and Trust Officer of United Bank of Denver National Association, Trustee of the James J. Booth Trust.

My commission expires W/Grandworezphesion 2,1975

WITNESS my hand and official seal.

Notary Public

327-28-71 444121

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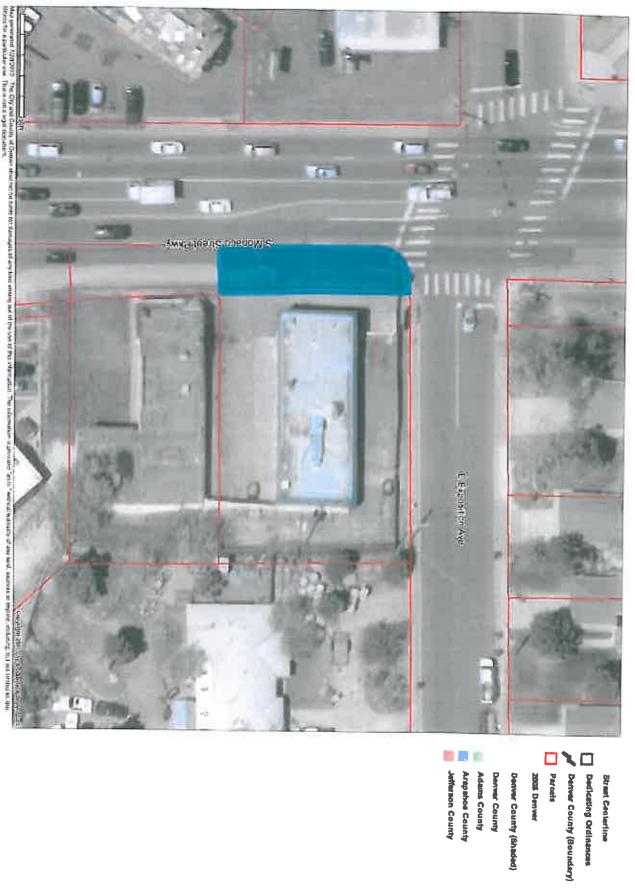


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S months		THIS INDESTURE, Made this 18t day of August 1970, between THE FIRST NATIONAL BANK OF DENYER A DATIONAL DAPKINE ASSOCIATION.	
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1		as Executor	
1 1	8	of the Palate of KENNETH I VORRIS, plsoknown as KENNETH TRYING MORRIS	
#	66	and CITY AND COUNTY OF DENYER a municipal corporation	,
1	A	are comment and a second	
1		part, y of the second part, Witnesseth that	
1	l	WHEREAS, in the PAUDERO Court of the C1 ty . County of Denver is the	
1	ŀ	Etate of Colorado, on the day of 19 the matter of	
1	1	the estate of Rennigh I Corris . files known is Termeth Trying Portis	
4	1		
		The made and entered of record, admitting the Will of the above-named decodent probate and record;  AND WHEREAS, The said party of the first part did, on the SO2	٠
1	- 1	day of August 19.70 and at private	
1		total spm of Three Thousand One Hundred Pifty (\$3,150.00) Dollars	
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1		and, whereas, the power of sale referred to is contained in the	
1		Vill of said decedent in ARTICLE VI, paragraph 3, which reads as	
	ويرده	follows:	
1	CE MAN AND TO THE	vice dispose of, or grant options with respect to, any and all property at any time forming a part of my estate or trust estate, in such namer, at such time or times, for such purposes, for such periods of time, whether ending before or after termination of the trust, for such considerations and upon such terms, credits and conditions as it deems advisable, and to make and deliver such deeds, leases and other instruments as it considers proper under the	
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1	1/18	The order confirming sale of real estate must be set out in full.	
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PECONETRA BYEND FILED IN MICOFICE ON Tais Deed, was the list 4rd August is the year of our Lard one thermal size brooked and 50 you ty 17°4 17 14 11 كتب TALTER W. MORRIS -ECORDED IN 212 413 مخا که City and Compar Dervar and Sus I of Coloreds, of the first part, and CITY AND COUNTY OF DERVIE F.J. SERAFINI CLERK AND RECORDER g numicipal corporation | Empirement Children by British Br of the second part: 0 9 Three Thousand One Eundred Fifty (\$3,150,00)------ Dollars. 0 is the said part. Y of the first part in hand paid by the said party of the second part, the receipt whated is hereby sendenced and acknowledged, ha g granted, hargulated, said and conveyed, and by those presents do OB. great, herrely, sell, marry and mailton, who the said party of the except part, his manuscre and sarigue ference, all the following described by expected of land, observe, bring and being in the City and Countr of Degrar and State of Colorade, to-wite An undivided one-half (1/2) interest. West 19 feet of Lots 6 and 7, except the South 10 feet of Lot 7, CASSELL SUBDIVISION. TOGETHER with all and singular the benefitzments and apportunious thereasts belonging or in anywher opperiolates, and the reversion and reversions, remainder and remainders, remin, larges and profits thereof; and all or equity, of, is and to the above bargulased promises, with the berediments and approximations. TO HAVE AND TO HOLD the call promises show burnined and described, with the appartmental, unto the paid party of the second part, its recreases and andres favore, And the old part y - of the first year, for him set I, his being executors, and simbilitations do 68 covening grant, bargeln and agree to and with the mid party of the second part, its recessors and actions, that at the time of the cascallag and delivery of these presents. he is will select at the premises above conveyed, as all good, were, perfect, absolute and beforeable with af laboritation, in live, in five rimple, and has a good right, fall power and laveful authority to Blook prilate wil and matel the same in maner and loss or element and that the same are five and clear fines all former and other grants, hereafter, mies, liver, inter, anomanate and incombrance of whatever blad or satisfaword, except general taxes for 1970, installment on account of Moffat Tunnel Bonds for 1970, and all subsequent taxes, and the above hargeland premises in the quiet and peacestle personnes of the said party of the record park, he measures and everient alors and east beam beams at belong jrained egypte or in sylm the apole at wal bold thereal, the said part y of the first part about and will WARRANT AND FOREVER DEFEND. DI WITNESS WHEREOF, The said part y of the first part in g beneate set bis and seel the day and year first above writing. מתנ 2 alter Womingsen Riesed, Sealed and Delivered in the Presence of Calter W. Morris TELL 0 ~1 THEALT 8 FFATE OF COLUMNO. N City and Commy of Donyor
oregolog instrument was acknowledged before me this Ayel August 00 Walter W. Horris 19 70.br æ WITNESS my head and efficial onth = In. S. 052 Waventy Doed to Corporation, For Photocrepius Securit. COMPLIMENTS OF Surely Disk 212 413

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thing in the City and County of Denver and State of Colorado, to-will		
An undivided one-half (1/2) interest in that part of Cassell Subdivision located within boundaries described as follows:		
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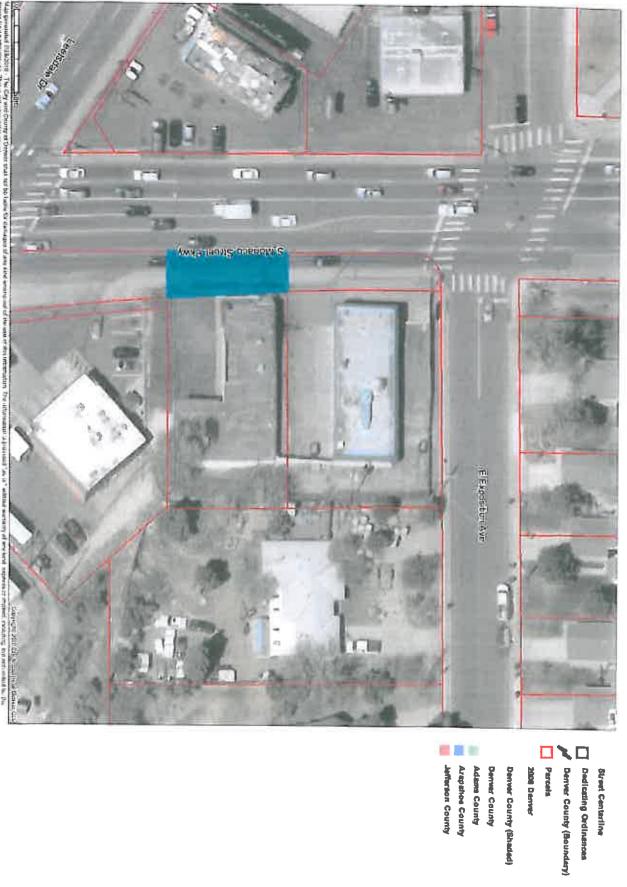
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## IN THE DISTRICT COURT IN AND FOR THE CITY AND COUNTY OF DENYER AND FACU IN DIStrict Court STATE OF COLORADO City & County of Denver, Colo.

Civil Action Ro. C-17550, Division 3

SEP 1 . 1371

CITY AND COUNTY OF DENVER, a municipal corporation,

Petitioner.

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CONDEMNATION

KENNETH L. MORRIE; MILE-HI TRANSMISSION, INC., a Colorado corporation; GUARANTY BANK & TRUST COMPANY, a Colorado bankis g corporation, et al.,

(Relating to Parcel No. 1-A)

Respondents.

THIS MATTER having come on to be heard upon the Petition of the City and County of Denver, a municipal corporation, for the taking of certain property described in said Petition and for the ascertainment of the compensation to be paid therefor and by reason thereof and the time now being at hand for the entry of a rule and decree, the Courts

## DOTH FIND:

- 1. That the Petitioner is authorized by eminent domain proceedings to appropriate land for its local and municipal purposes and, in particular, is authorized to appropriate the property which is the subject matter of this action.
  - 2. That the allegations contained in the Petition are true,
- 3. That the Court has jurisdiction of the parties herein and of the subject matter of this action.
- 4. That the Court duly appointed three commissioners to determine the compensation due the respondents herein and said commissioners have returned their Certificate of Ascentificate and Ascent
- 5. That the record owner of the property which is described in the Petition herein as Parcel No. 1-A is Mile-Hi Transmission, Inc., a Colorado

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corporation. It having acquired said property by certain instruments and deeds of trust recorded among the records of the Clerk and Recorder of the City and County of Denver in the State of Colorado.

- 6. That Respondent Mile-El Transmission, Inc., a Colorado corporation, appeared herein personally and by its attorneys and participated in the trial before the aforesald commissioners.
- 7. That Respondent Charles L. Temple is the duly appointed, qualified and acting Manager of Revenue of the City and County of Denver and as such has appeared herein asserting a claim for any and all outstanding tax lions covering , eneral taxes, Moffat Tumel assessments and local public improvement district assessments, including interest on all outstanding taxes as the same have accrued; that the lien for all of said general taxes, Moffat Tumel assessments and local public improvement district assessments, including interest and penalties thereon, chould be transferred in their entirety to that part of the property owned by Respindent Mile-Hi Transmission, Inc., a Colorado corporation, and not taken in this action.
- 8. That Respondent F. J. Serafini is the duly appointed, qualified and acting Public Trustee for the City and County of Denver; that said respondent has appeared herein and has an interest in the land which is the subject matter of this action to such an extent and to such a degree as is necessary to protect him in his official capacity and responsibilities and to protect and secure the right, title and interest of the holder or holders of that car ain deed of trust executed for the use of Guaranty Bank & Trust Company, a Colorado corporation, dated July 14, 1866 and recorded July 22.
- 9. Respondent Guaranty Bank & Trust Company, a Colorado corporation,
  was duly served with process herein but said respondent has not appeared
  herein and has not asserted any interest, right or claim.

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- 10. That other than the persons eferencid no other person, firm or corporation has any claim or claims to, any interest or interests in or any lien or liens, encumbrance or encumbrances pertaining to the property which is described in the Petition herein.
- 11. That an accurate description of the property taken and described herein, together with all improvements attende and being thereon, which property is situate in the City and County of Denver and State of Colorado, is as follows:

That part of Cassell Subdivicion located within boundaries described as follows: Commencing at the Northwest corner of each subdivision; theme a Secriberly clean the West line of aid subdivision a distance of 150 feet to the point of beginning thence Easterly and parallel with the North line of caid subdivision, a distance of 19 feet; thence Fortherly and parallel with the said West line, a distance of 60 feet; thence on an ungle to the left of 4. 44. 65. 65. a distance of 36. 79 feet; thence as an ungle to the right of 94. 39. 66. a distance of 32.04 feet to the West line of said subdivision; thence Northerly along and West line to the point of beginning.

- 12. That the value of the property taken and described herein is \$4,900,00; that the damage to the remainder of the property owned by respondert in \$3,050,00; that there is no benefit to said remainder; all of the foregoing being pursuant to and in accordance with the Contilicate of Ascertainment and Accordance theretaions filed by the duly appointed commissioners.
- 13. That pursuant to stabile, the emount of interest due respondent from the date of possession to the date upon which the Contillecte of Ascertainment and Assessment was returned in the sum of \$439,04.
  - 14. That respondent is emitted to recover costs in the sum of \$1,915.75.
- 18. That Petitioner has deposited with the Clerk of this Court the sum of \$16,205. It to pay the amounts hereimbers not forth; wherefore,

IT IS OFDERED, ADJUDGED AND DECREED.

1. That the claim of Respondent Charles L. Temple covering all extending tax liens for general taxes. Modfat Temple associaments and local

public improvement district assessments, including interest and penalties thereon shall be removed from the property taken in this action and transferred to the property owned by Respondent Mile-Hi Transmission, Inc., a Colorado corporation, and not taken in this action.

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- That the money in the Registry of this Court shall remain
  in the Registry of this Court to be disbursed only upon proper application
  to the Court made and proper order for disbursement thereof entered.
- 3. That Potitioner City and County of Denver, a municipal corporation, be and it bereby is adjudged to be the absolute holder and owner in unconditional fee simple at solute, free of all rights of reversion and reversionary interests, including but not limited to possibility of reverter and right of entry for condition broken, in and to the property hereinabove described, together with all improvements being situate thereon and it be and it hereby is authorized to take possession of and to hold the same for all purposes, free of all rights, titles, interest or interests, claims or equities of all respondents to said property and free and clear of all liens and claims herein recited.

DONE IN OPEN COURT this 14 day of JEPT

District Court

City & County of Densir, Oth

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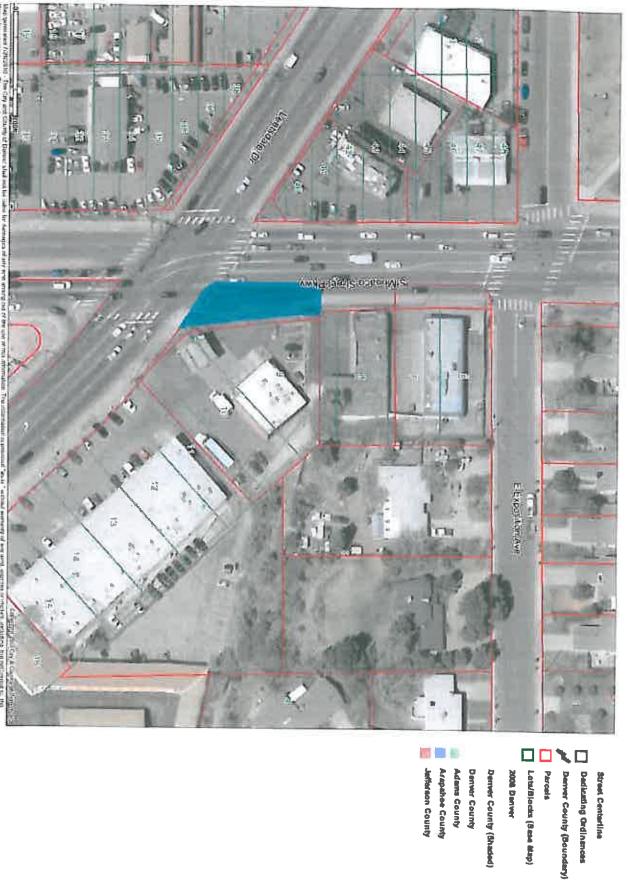
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7	THIS DEED, Made this 13th day of August , 1971 , between CLARENCE E. THURMON	COTY C CANT OF DENAIR THEO IN M. OF DE DM
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$\mathcal{C}$	City and County of Denver and State of Colo	13 13 3 St. [3] 7]
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•	THE CITY AND COUNTY OF DENVER.	mark and the first terms of the
	A Municipal Ecomeration organized and	CLERK AND WEELFOOD
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-	TEN DOLLARS and other good and valuable co	neidaration
	to the said party of the first part in hand said in the said party of the abreby confessed and acknowledged, ha S granted, bargained, said and conveyed	ecuted part, the receipt whoseed in
	grant, hargain, aril, convey and confirm, unto the said party of the second part,	, and by these presents &, CS
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O	County of DENVER and State of Colorado, to wit:	
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M	Subdivision a distance of 220,67 feet to the point of	ine of said
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\$	45.23 feet to the point of intersection with the sale	i west line;
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<b>ਰ</b> ॐ	or equity, of, in and to the above bargained premises, with the hereditaments an	d annual annual
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<u>و</u> ۾	of special improvement districts.	E created by reason
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138	thereof, the said part y of the first part shall and will WARRANT AND FOR	or to claim the whole at any part
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1111	and seal the day and year first alone written.	
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OF CENTER
FRED IN H. FFICE ON THIS DEED, Made this Grd aug GULF OIL CORPORATION 1211 3 34 FH '71 음 a corporation duly organized and existing under and by virtue of the laws RECORDE JGS 135 of the Sule of Pennsylvania, of the first part, and THE CITY AND COUNTY OF DENVER F. J. SEPAFIHI CLENA AND RECORDER State of Colorade, of the second part, WITNESSETU, That the said party of the first part, for and in consideration of the sum of Ten Dollars and other good and valuable consideration. #94 to the said party of the first part is hand paid by the said part. Y . of the second part, the receipt whereof is hereby confessed and acknowledged, bath remised, released, sold, conveyed and QUIT CLAIMED, and by these presants doth remise, release, sell, convey and QUIT CLAIM unto the said part y of the second part, its succe. Sore MANA and analysts forever, all the right, title, loterest, claim and demand which the said party of the first part hath in and to the fellowing described real property situate, bying and being in the City and D Comby of Denver and State of Colorado, to wit: That part of CASSELL SUBDIVISION located within boundaries described as follows: Commencing at the northwest corner of said subdivision; thence southerly along the west line of said Subdivision a distance of 226.67 feet to the point of beginning; thence Easterly and parallel with the north line of said Subdivision a distance of 22.04 feet; thence on an angle to the right of 85° 20' 54", a distance of 126.01 feet; thence on an angle to the left of 44° 31' 33", a distance of 6.67 feet to the southwesterly line of said Subdivision; thence northwesterly along said southwesterly line a distence of 45,23 feet to the point of intersection with the said west line; thence northerly along said west line 76 the point of beginning. TO HAVE AND TO HOLD the same, together with all and singular the app belonging, or in apprise thererate opportuning, and all the estate, right, title, interest and claim whatevers, of the said party of the first part, either in law or equity, to the only proper use, benefit and behave of the said part y of the treefed part, and behave of the said part y structured of or state of state and party of the first part hath massed in eviporate mane to be hereunited. OFFICE? subscribed by its eviporate mane to be subscribed by its eviporate mane to be subscribed by its first above written.

Arian: GULF OIL CORPORATION STATE OF COLORAGO Gulf Oil Company - 115 Corporation County of The The foregoing hatrament was acknowledged before a 1014 D. G. Lien President and Assistant Secretary of of the light Corporation & surparation. My notarial roots Silve mples YDQ44-17.1975 Witness my kind And afficial scal. - . . 9 3/2 No. 185-E. QUIT CLAIM DEED,-Committee Free-Breathed Politiches Co., 1884-01 Breat E 368 135

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4	City of Denver, a Municipal corporation  when inpulations 1437 Bannock Street, Denver, Colorado 20202
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	ASSISTANT THE SOUTHLAND CORPORATION
10	By Wick house
1/1	STATE OF ENERGIESE SPEAK
11/1	County of PALLAS
1.4	The foregoing instrument was acknowledged before on this
	10 12 . W John H. Rodgero
1	John W. Napper
	THE SOUTHLAND CORPORATION
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. / W	AMN W. RLAUS, Notary Public White W. Klaus
: //	in and for State of Jexas Makery Public  Grownission Expires Sept. 28, 1984

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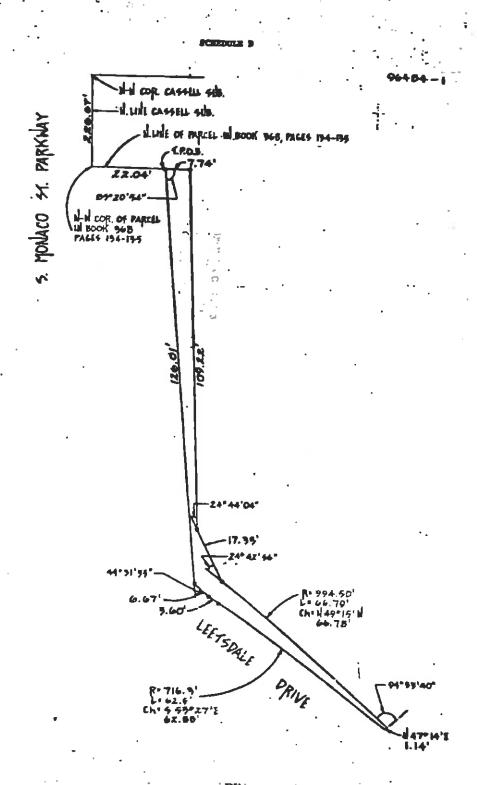
A percel of land for right-of-way purposes located in the BM 1/4 of the EE 1/4 of Section 17, Township 4 South, Range 67 West of the 6th P.M., being part of Lot 18, the South 2/3 of Lot 9, and the Borthwesterly 1/3 of Lot 11 adjacent to Lot 18, CASSELL SUMDIVISION, City and County of Denver, State of Colorado, being more particularly delineated on the attached Schedule B and described as follows:

Commencing at the Northwest corner of CASSELL SUBDIVISION; thence Southerly, along the West line of said subdivision, a distance of 226.67 feet to the Northwest corner of a parcel described in Book 368 at Pages 134 and 135; thence Easterly and parallel with the North line of said subdivision, a distance of 22.04 feet to the TRUE POINT OF BEGINNING; thence on an angle to the right of 850 20' 54", a distance of 126.01 feet; thence on an angle to the left of 440 31' 33", a distance of 6.67 feet to the Southwesterly line of said subdivision which is also the Bortheasterly line of Leetsdale Drive; thence Southeasterly, along said Southwesterly line, a distance of 3.60 feet to a point of curvature; thence Southeasterly, along said Southwesterly line, along the arc of a curve to the right, having a radius of 716.3 feet, a distance of 62.9 feet, the long chord of which bears 5 530 27' E, a distance of 62.88 feet; thence # 470 14' E, parallel with the Northwesterly line of Lot 11 of said subdivision, a distance of 1.16 feet; thence on an angle to the left of \$40 33' 40" to the tangent line of a curve to the left and along the arc of the curve, having a radius of 994.50 feet, a distance of 66.79 feet, the long chord of which bears H 490 15' W, a distance of 66.78 feet; thence Northwesterly on an angle to the right from the tangent of the aforesaid curve 24° 42' 56", a distance of 17.33 feet; thence on an angle to the right of 240 44' 04', a distance of 109.22 feet to the Northerly line of a percel described in Book 368 at Pages 134 and 135, extended East; thence West along said Northerly line extended East, a distance of 7-74 feet to the TRUE POINT OF REGIRNING, containing SES square feet (0,020 acre), more or less.

BEING AND INTENDED TO BE a portion of the same property conveyed to The Southland Corporation by Dead dated February 19, 1982, recorded March 16, 1982, in Book 2550, pages 447 through 44F, Dead Records of Denver County, Colorado.

SUBJECT TO current takes and assessments not yet delinquent and takes and assessments for subsequent years; covenants, restrictions, reservations, rights, rights of way and externation of record; zoning ordinances or statutes and building, use and occupant, restrictions of public record.

## PARCEL 8



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