



REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Stan Lechman, City Attorney's Office

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

DATE: October 14, 2015

ROW #: 2015-Dedication-0000062 **SCHEDULE #:** 0236300018000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Josephine St and also Colfax Ave. Located at the intersection of E. Colfax and Josephine St.

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 Josephine St. and also Colfax 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 (**Central Denver Rec Center**)

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 Josephine St. and also Colfax. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2015-Dedication-0000062-001) HERE.

A map of the area to be dedicated is attached.

RD/JC/BLV

cc: Asset Management, Steve Wirth
City Councilperson & Aides, Albus Brooks District # 9
Council Aide Chy Montoya
Council Aide Brande Micheau
City Council Staff, Shelley Smith
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, Stan Lechman
Department of Law, Adam Hernandez
Department of Law, Angela Garcia
Public Works Survey, John Clarke
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2015-Dedication-0000062



EXECUTIVE SUMMARY

DENVER
THE MILE HIGH CITY

Project Title: 2015-Dedication-0000062, Central Denver Rec Center

Description of Proposed Project: Dedicate a parcel of public right of way as Josephine St. and also Colfax 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, Central Denver Rec Center.

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: October 14, 2015

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 Josephine St and also Colfax Ave. Located at the intersection of E. Colfax and Josephine St.

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 Josephine St. and also Colfax 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 (Central Denver Rec Center)

*****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: Josephine St. and Colfax Ave.
- d. Affected Council District:
- 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.

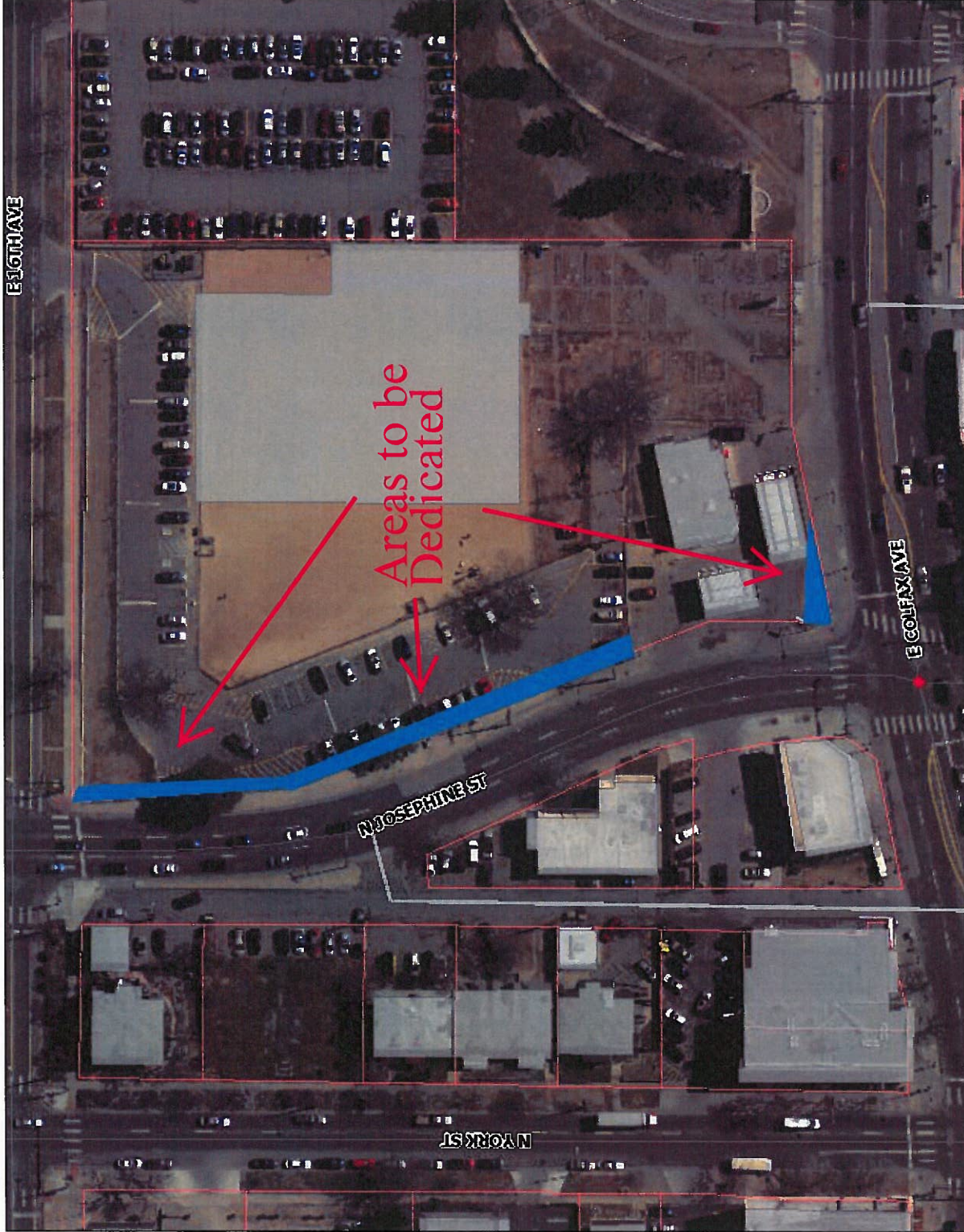
None.

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date Entered: _____

Colfax and Josephine



- Legend**
- Streams
 - Irrigation Ditches Reconstruct (Gardens)
 - Irrigation Ditches
 - 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



177 0 88.5 177 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.

1:1,381 Map Generated 10/13/2015

THIS IS NOT A LEGAL DOCUMENT.

TWO (2) PARCELS OF LAND SITUATED IN THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6th PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1 (along Josephine Street):

A PARCEL OF LAND BEING A PORTION OF THE PARCELS DESCRIBED IN THOSE SPECIAL WARRANTY DEEDS RECORDED AT RECEPTION Nos. 2010026948, 2014036152 AND 2011000071 OF THE OFFICIAL RECORDS OF THE CITY AND COUNTY OF DENVER AND BEING A PART OF BLOCK 18, STATE ADDITION BLOCKS 16 TO 19 INCLUSIVE AND A PART OF VACATED JOSEPHINE STREET AS VACATED BY ORDINANCE NO. 115 SERIES OF 1925, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PROPERTY DESCRIBED AT RECEPTION Nos. 2010026948 AND 2014036152, SAID POINT LYING ON THE SOUTH RIGHT-OF-WAY LINE OF 16th AVENUE, 50 FEET EAST OF THE EAST LINE OF THE NORTH-SOUTH ALLEY IN SAID BLOCK 18;

THENCE NORTH 90°00'00" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 12.22 FEET;
THENCE SOUTH 00°11'23" EAST, A DISTANCE OF 63.79 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT AN ARC LENGTH OF 110.69 FEET, SAID CURVE HAVING A RADIUS OF 357.90 FEET, A CENTRAL ANGLE OF 17°43'15", AND A CHORD WHICH BEARS SOUTH 09°03'01" EAST A CHORD DISTANCE OF 110.25 FEET;

THENCE SOUTH 17°54'38" EAST, A DISTANCE OF 9.88 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT AN ARC LENGTH OF 50.72 FEET, SAID CURVE HAVING A RADIUS OF 327.90 FEET, A CENTRAL ANGLE OF 08°51'44", AND A CHORD WHICH BEARS SOUTH 22°20'30" EAST A CHORD DISTANCE OF 50.67 FEET;

THENCE SOUTH 26°46'22" EAST, A DISTANCE OF 42.66 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT AN ARC LENGTH OF 70.92 FEET, SAID CURVE HAVING A RADIUS OF 417.10 FEET, A CENTRAL ANGLE OF 09°44'34", AND A CHORD WHICH BEARS SOUTH 21°54'05" EAST A CHORD DISTANCE OF 70.84 FEET;

THENCE SOUTH 28°28'05" WEST, A DISTANCE OF 9.99 FEET TO A POINT ON THE WEST LINE OF SAID PARCEL RECORDED AT RECEPTION Nos. 2011000071 AND 2014036152;

THENCE ALONG SAID WEST LINE AND THE WEST LINE OF SAID PARCEL RECORDED AT RECEPTION Nos. 2010026948 AND 2014036152 THE FOLLOWING FOUR (4) COURSES:

1. NORTH 20°16'43" WEST, A DISTANCE OF 13.41 FEET;
2. NORTH 20°15'37" WEST, A DISTANCE OF 62.92 FEET;
3. NORTH 21°33'22" WEST, A DISTANCE OF 150.30 FEET;
4. NORTH 04°57'38" WEST, A DISTANCE OF 130.62 FEET TO THE POINT OF BEGINNING.

PARCEL 1 CONTAINS 1,948 SQUARE FEET OR 0.04 ACRES, MORE OR LESS.

PARCEL 2 (along Colfax Avenue):

A PARCEL OF LAND BEING A PORTION OF THE PARCEL DESCRIBED IN THAT SPECIAL WARRANTY DEED RECORDED AT RECEPTION No. 2011000071 OF THE OFFICIAL RECORDS OF THE CITY AND COUNTY OF DENVER AND BEING A PART OF BLOCK 19, STATE ADDITION BLOCKS 16 TO 19 INCLUSIVE AND A PART OF VACATED JOSEPHINE STREET AS VACATED BY ORDINANCE NO. 115 SERIES OF 1925, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL DESCRIBED AT RECEPTION NO. 2011000071, SAID POINT LYING ON THE NORTH RIGHT-OF-WAY LINE OF EAST COLFAX AVENUE;
THENCE NORTH 00°08'36" WEST, ALONG THE WEST LINE OF SAID PARCEL, A DISTANCE OF 5.43 FEET TO A POINT OF NON-TANGENT CURVATURE;
THENCE ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE LEFT AN ARC LENGTH OF 7.23 FEET, SAID CURVE HAVING A RADIUS OF 8.50 FEET, A CENTRAL ANGLE OF 48°42'32", AND A CHORD WHICH BEARS SOUTH 73°47'36" EAST A CHORD DISTANCE OF 7.01 FEET;
THENCE NORTH 81°51'08" EAST, A DISTANCE OF 13.69 FEET;
THENCE NORTH 80°40'19" EAST, A DISTANCE OF 28.40 FEET TO SAID NORTH RIGHT-OF-WAY LINE OF EAST COLFAX AVENUE;
THENCE SOUTH 78°16'54" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 49.32 FEET TO THE POINT OF BEGINNING.

PARCEL 2 CONTAINS 61 SQUARE FEET, MORE OR LESS.

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE 20 FOOT RANGE LINE IN 16th Ave., BETWEEN CITY PARK ESPLANADE AND YORK St. TO BEAR N90°00'00"E (ASSUMED). THE WEST END OF THE 20 FOOT RANGE LINE IS MONUMENTED BY A 3-1/4" ALUMINUM CAP IN RANGE BOX, "MERRICK CO. PLS 33200" AND THE EAST END OF THE 20 FOOT RANGE LINE IS MONUMENTED BY A 3-1/4" ALUMINUM CAP IN RANGE BOX, "DEA INC PLS 26600".

Approved
Asset Management
Date: 4/2/14
Project Description: CENTRAL REC CENTER GAS STATION

Asset Mgmt. # 14-031

WHEN RECORDED MAIL TO:
Division of Real Estate
Attention: Lisa Lumley
201 W. Colfax Ave., Dept. 1010
Denver, CO 80202



2014036152
Page: 1 of 3
D \$0.00

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

WARRANTY DEED

State Documentary Fee
Date
\$

THIS DEED, made this 1 day of April, 2014, between SILWAN PETROLEUM CORPORATION, a Colorado corporation whose address is 2405 E. Colfax Avenue, Denver, Colorado 80206, Grantor, and CITY AND COUNTY OF DENVER, a Colorado municipal corporation of the State of Colorado, whose address is 1437 Bannock Street, Denver, Colorado 80202, Grantee:

WITNESSETH, That Grantor, for and inconsideration of good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has ganted, bargained, sold and conveyed, and by these presents docs grant, bargain, sell, convey and confirm, unto Grantees and Grantees' heirs, 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:

See Exhibit A attached hereto and by this reference incorporated herein;

Also known by street and number as 2405 East Colfax Avenue, Denver, Colorado;

TOGETHER with all and singular the hereditaments and appurtenances thereto 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 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 Grantee and Grantee's heirs, successors, and assigns forever. And Grantor, for Grantor and Grantor's heirs and personal representatives, do covenant and agree that Grantor shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of Grantee, and Grantee's heirs, successors and assigns, against all and every person or persons claiming eh whole or any part thereof, by, through or under Grantor, except taxes and assessments for the current year, payable January 1, 2014.

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

GRANTOR

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

The foregoing instrument was acknowledged before me this 1st day of April, 2013, by Alaber Swar, the Owner of SILWAN PETROLEUM CORPROATION, a Colorado corporation whose address is 2405 E. Colfax Avenue, Denver, Colorado 80206, Grantor.

Witness my hand and official seal.

My commission expires: 8-29-17.

Thomas J. Blake
 Notary Public

THOMAS J. BLAKE
 NOTARY PUBLIC
 STATE OF COLORADO
 NOTARY ID 19874017358
 MY COMMISSION EXPIRES AUG. 29, 2017

Exhibit A

A TRACT OF LAND IN THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, A PART OF BLOCK 19, STATE ADDITION, AND PART OF JOSEPHINE STREET AS VACATED BY ORDINANCE 115-1925, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36, THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION 36 A DISTANCE OF 96.96 FEET TO A POINT ON THE NORTH LINE OF COLFAX AVENUE, AS SHOWN ON SAID PLAT OF STATE ADDITION; THENCE NORTH 78 DEGREES 18 MINUTES EAST ALONG SAID NORTH LINE OF COLFAX AVENUE A DISTANCE OF 121.16 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING ON THE CENTERLINE OF VACATED JOSEPHINE STREET AND BEING ALSO THE POINT OF BEGINNING OF THE DESCRIPTION OF "NEW" JOSEPHINE STREET AS DESCRIBED IN ORDER AND JUDGMENT OF APPROPRIATION BY THE DISTRICT COURT IN CIVIL ACTION NO. B-8708, CITY AND COUNTY OF DENVER; THENCE NORTH 0 DEGREES 07 MINUTES 30 SECONDS WEST ALONG THE CENTERLINE OF VACATED JOSEPHINE STREET (40 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID VACATED JOSEPHINE STREET) A DISTANCE OF 75.00 FEET TO A POINT; THENCE NORTH 20 DEGREES 15 MINUTES 37 SECONDS WEST A DISTANCE OF 53.25 FEET TO A POINT; THENCE NORTH 89 DEGREES 52 MINUTES 30 SECONDS EAST A DISTANCE OF 141.18 FEET TO A POINT; THENCE SOUTH 0 DEGREES 07 MINUTES 30 SECONDS EAST 99.84 FEET MORE OR LESS TO THE INTERSECTION WITH THE NORTH LINE OF COLFAX AVENUE; THENCE SOUTH 78 DEGREES 18 MINUTES WEST ALONG THE NORTH LINE OF COLFAX AVENUE EXTENDED ACROSS VACATED JOSEPHINE STREET A DISTANCE OF 125.39 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING.

SPECIAL WARRANTY DEED

THIS DEED, Made this 29th day of December, 2010 between

St. Charles / Allied Investments, LLC, a Colorado limited liability company
of the City and County of Denver and State of COLORADO, grantor(s), and
Silwan Petroleum Corporation, A Colorado Corporation
whose legal address is 2405 East Colfax Avenue Denver, CO 80206-1404
of the City and County of Denver, State of Colorado, grantee(s):

WITNESS, That the grantor(s), for and in consideration of the sum of **One Million Two Hundred Forty-Seven Thousand Eight Hundred Sixty Dollars and NO/100's (\$1,247,860.00)**, 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(s), his heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the City and County of Denver, State of COLORADO, described as follows:

See Exhibit A attached hereto and made a part hereof.

Doc Fee
\$ 124.79

also known by street and number as 2405 East Colfax Avenue, Denver, CO 802061404

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(s), 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(s), his heirs, and assigns forever. The grantor(s), for himself, his heirs and personal representatives or successors, does covenant and agree that he shall and will **WARRANT AND FOREVER DEFEND** the above-bargained premises in the quiet and peaceable possession of the grantee(s), his heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor(s) except for the general real estate property taxes for the year 2010 and subsequent years and the matters set forth on Exhibit B Attached hereto and made a part hereof.~

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

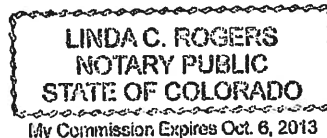
IN WITNESS WHEREOF, the grantor(s) has executed this deed on the date set forth above.

SELLER:

St. Charles / Allied Investments, LLC, a Colorado Limited Liability Company

By **St. Charles Town Company, LLC** A Colorado Limited Liability Company Manager

By **Charles H. Woolley II**, Manager



STATE OF COLORADO
COUNTY OF Denver

}ss:

The foregoing instrument was acknowledged before me this 29th day of December, 2010 By **Charles H. Woolley II**, Manager for **St. Charles Town Company, LLC** A Colorado Limited Liability Company Manager of **St. Charles / Allied Investments, LLC**, a Colorado limited liability company


Notary Public

Witness my hand and official seal.
My Commission expires:

10/6/2013

EXHIBIT "A"

A tract of land in the Southwest one-quarter of the Southwest one-quarter of Section 36, Township 3 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, a part of Block 12, State Addition, and part of Josephine Street as vacated by Ordinance 115-1925, more particularly described as follows:

Commencing at the Southwest corner of said Section 36, Thence East along the South line of said Section 36 a distance of 96.96 feet to a point on the North line of Colfax Avenue, as shown on said Plat of State Addition; thence North 78 degrees 18 minutes East along said North line of Colfax Avenue a distance of 121.16 feet to the true point of beginning, said point begin on the centerline of vacated Josephine Street and being also the point of beginning of the description of "New" Josephine Street as described in Order and Judgment of Appropriation by the District Court in Civil Action No. B-8708, City and County of Denver; thence North 0 degrees 07 minutes 30 seconds West along the centerline of vacated Josephine Street (40 feet West of and parallel with the East line of said vacated Josephine Street) a distance of 75.00 feet to a point; thence North 20 degrees 15 minutes 37 seconds West a distance of 53.25 feet to a point; thence North 89 degrees 52 minutes 30 seconds East a distance of 141.18 feet to a point; thence South 0 degrees 07 minutes 30 seconds East 99.84 feet more or less to the intersection with the North line of Colfax Avenue; thence South 78 degrees 18 minutes West along the North line of Colfax Avenue extended across vacated Josephine Street a distance of 125.39 feet more or less to the true point of beginning.

Also known by street address as: 2405 East Colfax Avenue Denver, CO 802061404

A.P.N. # 02363-00-011-000

Exhibit B

1. Any facts, rights, interests or claims that are not shown by the Public Records but which could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
3. Any encroachments, encumbrances, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by Public Records.
4. Any lien or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
5. 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 of record for the value the estate or interest or mortgage thereon covered by this Commitment.

NOTE: The above exception will not appear on policies where closing and settlement has been performed by the Company.

6. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof, (c) water rights, claims of title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
7. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
8. [All taxes and assessments, now or heretofore assessed, due or payable.]
9. Any existing leases or tenancies, and any and all parties claiming by, through or under said lessees.
10. All rights to any and all minerals, ore and metals of any kind and character, and all coal, asphaltum, oil, gas and other like substances in or under the land, the rights of ingress and egress for the purpose of mining, together with enough of the surface of the same as may be necessary for the proper and convenient working of such minerals and substances, as reserved in Patent from the State of Colorado, recorded October 23, 1962 in Book 8928 at Page 364.

11. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$480,000.00
Trustor/Grantor: Silwan Petroleum Corp.
Trustee: Public Trustee of Denver County
Beneficiary: Premier Bank
Recording Date: June 13, 2002
Recording No: 2002106160

Assignment of Rents in connection with the above Deed of Trust recorded June 13, 2002 at Reception No. 2002106161

12. A UCC Financing Statement as described below:

Debtor: Silwan Petroleum Corp.
Secured Party: Premier Bank
Recording Date: July 2, 2002
Recording No: 2002117277

Addendum to above Financing Statement recorded December 26, 2006 at Reception No. 2006200544.

City and County of Denver

SPECIAL WARRANTY DEED

THIS DEED, Made on March 8, 2010 between

B.A. Clark Investments Josephine Street, LLC. a Colorado limited liability company

of the City and County of Denver, State of Colorado, grantor(s), and

City and County of Denver

whose legal address is 1437 Bannock, Denver, CO 80202

of the City and County of Denver, State of Colorado, grantee(s):

WITNESSETH, that the grantor(s), for and in consideration of the sum of Six Million and 00/100 DOLLARS (\$6,000,000.00), the receipt and sufficiency of which are hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm unto the grantee(s), it's 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:

SEE EXHIBIT "A" ATTACHED HERETO

as known by street and numbers as: 1530 Josephine St., Denver. CO 80206-1407

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(s), 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(s), its successors and assigns forever. And the grantor(s), for themselves, their heirs, and personal representatives or successors, do covenant and agree that they shall and will **WARRANT AND FOREVER DEFEND** the above bargained premises in the quiet and peaceable possession of the grantee(s), its successors and assigns, against all and every person or person claiming the whole or any part thereof, by, through or under the grantor(s) except general taxes and assessments for the year 2010 and subsequent years, exceptions as listed on Exhibit "B" attached and made a part hereof as if fully set forth herein.

Wherever used herein, the plural references shall be construed to be singular references and singular references shall be construed to be plural references where the context requires and all references of gender and person shall be construed to refer to the grantor or grantors identified herein regardless of the context.

IN WITNESS WHEREOF, the grantor(s) has executed this deed on the date set forth above.

B.A. Clark Investments Josephine Street, LLC, a Colorado limited liability company

By: Beverly A. Clark, Manager
Beverly A. Clark, Manager

STATE OF COLORADO)
) ss.
COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 7/8/2010 day of March, 2010, by Beverly A. Clark, Manager, B.A. Clark Investments Josephine Street, LLC, a Colorado limited liability company

LINDA R. HULL
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires Feb. 10, 2013

Witness my hand and official seal.
My commission expires: 2-10-2013
Linda R. Hull
Notary Public

File No.:35100-10-02404

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

EXHIBIT "A"
LEGAL DESCRIPTION

A tract of land in the SW 1/4 SW 1/4 of Section 36, Township 3 South, Range 68 West, including parts of Lots 9 to 19, Block 18 and part of Block 19, State Addition (Blocks 16 to 19, inclusive) and part of Josephine Street as vacated by Ordinance No. 115 Series of 1925 more particularly described as follows:

Commencing at the Southwest corner of said Section 36;

thence East along the South line of said Section 36 a distance of 96.96 feet to a point on the North line of Colfax Avenue as shown on said Plat of State Addition;

thence North 78°18' East along said North line of Colfax Avenue a distance of 121.16 feet to a point, said point being on the centerline of vacated Josephine Street and being also a point of beginning of the description of "New" Josephine Street as described in Order and Judgement of Appropriation by the District Court in Civil Action No. B-8708, City and County of Denver;

thence North 0°07'30" West along the centerline of vacated Josephine Street (40 feet West of and parallel with the East line of said vacated Josephine Street) a distance of 75.00 feet to a point;

thence North 20°15'37" West a distance of 53.25 feet to the True Point of Beginning;

thence North 20°15'37" West a distance of 62.92 feet to a point on the West line of vacated Josephine Street, 270 feet South of the South line of 16th Avenue;

thence North 21°33'22" West a distance of 150.53 feet to a point 55 feet West of the West line of vacated Josephine Street and 130 feet South of the South line of 16th Avenue;

thence North 4°57'38" West a distance of 130.49 feet to a point on the South line of 16th Avenue, 50 feet East of the East line of North-South Alley in Block 18, State Addition,

thence East on the South line of 16th Avenue a distance of 66.00 feet to the Northeast corner of said Block 18;

thence continuing East across vacated Josephine Street a distance of 80.00 feet to the Northwest corner of said Block 19;

thence continuing East along the South line of 16th Avenue a distance of 192.90 feet to a point;

thence South 0°07'30" East across said Block 19 a distance of 228.56 feet to a point on the West line of City Park Esplanade;

thence continuing South 0°07'30" East along said West line of City Park Esplanade a distance of 200 feet to the intersection with the North line of Colfax Avenue, thence West along the North line of Colfax Avenue a distance of 110.06 feet to a point;

thence North 0°07'30" West 99.84 feet to a point;

thence South 89°52'30" West a distance of 141.18 feet to the Point of Beginning,

City and County of Denver,
State of Colorado.

EXHIBIT "B"

All rights to any and all minerals, ore and metals of any kind and character, and all coal, asphaltum, oil, gas and other like substances in or under the land, the rights of ingress and egress for the purpose of mining, together with enough of the surface of the same as may be necessary for the proper and convenient working of such minerals and substances, as reserved in Patent from the State of Colorado, recorded October 23, 1962 in Book 8928 at Page 364.

An easement for utility and incidental purposes granted to Public Service Company of Colorado by the instrument recorded December 11, 1963 in Book 9150 at Page 528.

Terms, conditions, provisions, agreements and obligations specified under the Application for Approval of a Special Zone Lot Plan for a Planned Building Group recorded July 17, 1964 in Book 9271 at Page 60.