


REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

FROM: Ted Christianson P.E., Engineering Manager II
Right-of-Way Services 

DATE: April 10, 2017

ROW #: 2016-Dedication-0000110 **SCHEDULE #:** Adjacent to 0010200168000 & 0010200169000

TITLE: This request is to dedicate City owned land as Tower Rd.
Located near the intersections of E. 60th Ave. and Tower Rd., and E. 64th Ave. and Tower Rd

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 Tower Rd.

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 Tower Rd. The land is described as follows:

INSERT PARCEL DESCRIPTION ROW (2016-Dedication-0000110-001) HERE.

A map of the area to be dedicated is attached.

TC/bv

c: Asset Management, Robert Koehler
City Councilperson & Aides, Stacie Gilmore District # 11
Council Aide Magen Elenz
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, Ted Christianson
Department of Law, Brent Eisen
Department of Law, Shaun Sullivan
Department of Law, Caroline Martin
Department of Law, Cindy Cooley
Public Works Survey, John Lautenschlager
Public Works Survey, Paul Rogalla

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: April 10, 2017

Please mark one: Bill Request or Resolution Request

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

Yes No

If yes, please explain: This is a correction of an administrative error made to Resolution No. CR16-0429, Series of 2016, which names the area as "public alley". Resolution should read "Tower Road", not public alley

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 City owned land as Tower Rd.
Located near the intersections of E. 60th Ave. and Tower Rd., and E. 64th Ave. and Tower Rd

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 Tower Rd.

****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: E. 60th Ave. and Tower Rd., and E. 64th Ave. and Tower Rd.
- d. Affected Council District: Dist. 11 Stacie Gilmore
- 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-0000110, E. 60th and Tower Rd. and E. 64th and Tower Rd.

Description of Proposed Project: This request is to dedicate a City owned land as Tower Road.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: Dedicating City owned land to Public Right of Way, from the vacant parcel program approved through City Council.

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 of dedicating it as Public Right-of-Way.

PW Legal Description No. 2016-Dedication-0000110-001

Two parcels of land conveyed by Special Warranty Deed to the City & County of Denver recorded April 3rd, 2000 at Reception No. 2000045799, in the City & County of Denver, Clerk & Recorder's Office, State of Colorado.

PARCEL 1 (TK-00102-00-142-000 A)

A parcel of land located in the NW 1/4 of Section 10, Township 3 South, Range 66 West of the 6th P.M., City and County of Denver, State of Colorado being more particularly described as follows:

Commencing at the northwest corner of said NW 1/4 Section 10; Thence S 00°02'26" E along the west line of the NW 1/4 a distance of 30.00 feet; Thence N 89°24'34" E along a line 30.00 feet south of and parallel with the north line of said NW 1/4 Section 10 a distance of 30 feet to the Point of Beginning;

Thence continuing N 89°24'34" E along a line 30.00 feet south of and parallel with the north line of said NW 1/4 a distance of 40.00 feet;

Thence S 00°02'26" E along a line 70.00 feet east of and parallel with the west line of said NW 1/4 Section 10 a distance of 110.64 feet to the northeast corner of Tract C, as dedicated for Tower Road right-of-way in plat of Denver Gateway Filing No. 1, recorded at Book 31, Page 12, City and County of Denver records;

Thence S 89°57'34" W along the north line of said Tract C a distance of 40.00 feet to the northwest corner of said Tract C, said point being the easterly right-of-way of Tower Road as shown on said Denver Gateway Center Filing No. 1 plat;

Thence N 00°02'26" W along said easterly right-of-way of Tower Road a distance of 110.26 feet to the Point of Beginning.

The area of said parcel contains 4,418 square feet or 0.101 acres, more or less.

PARCEL 2 (TK-00102-00-142-000 B)

A parcel of land located in the NW 1/4 of Section 10, Township 3 South, Range 66 West of the 6th P.M., City and County of Denver, State of Colorado being more particularly described as follows:

Commencing at the northwest corner of said NW 1/4 Section 10; Thence S 00°02'26" E along the west line of said NW 1/4 a distance of 1829.33 feet; Thence N 89°57'34" E a distance of 30 feet to the southwesterly corner of Tract D, Denver Gateway Center Filing No. 2 as recorded in Book 31, Pages 89 and 90 in the records of City and County of Denver, being also the Point of Beginning;

Thence N 89°24'34" E along the southerly line of said Tract D a distance of 40 feet;

Thence S 00°02'26" E along a line 70.00 feet east of and parallel with the west line of said NW 1/4 Section 10 a distance of 818.97 feet to the south line of said NW 1/4 Section 10;

Thence S 89°28'11" W along the south line of said NW 1/4 Section 10 a distance of 40.00 feet;

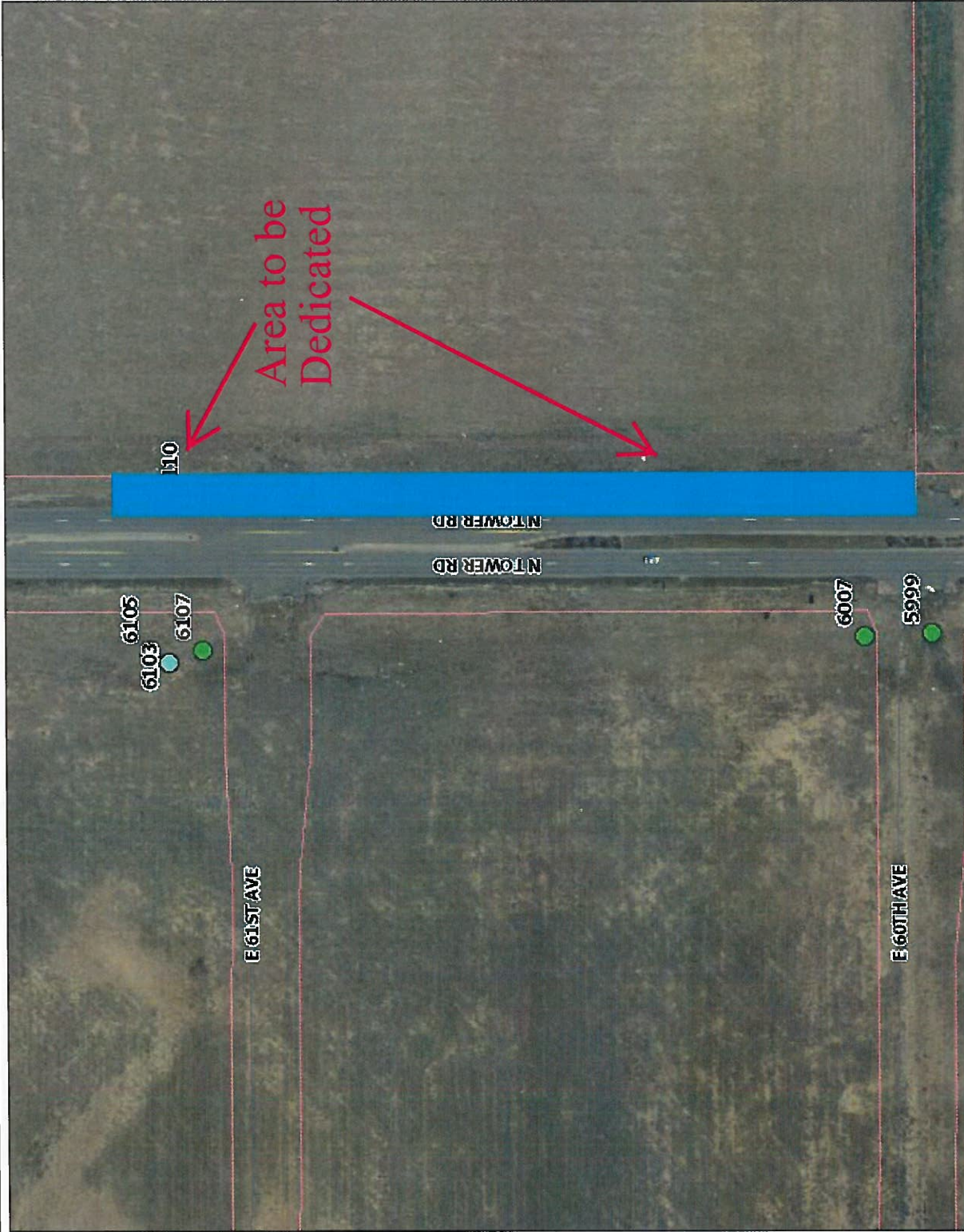
Thence N 00°02'26" W along a line 30 feet easterly of a parallel with the west line of said NW 1/4 a distance of 819.31 feet to the Point of Beginning.

The area of said parcel contains 32,766 square feet or 0.752 acres, more or less.

The basis of bearing; for these descriptions is the west line of said NW 1/4 of Section 10 bearing S 00°02'26" E. The northwest corner of said NW 1/4 Section 10 is a 3 1/4 " diameter aluminum cap (PE/PLS number obscured) in a monument box and the southwest corner of said NW 1/4 Section 10 is a 2" diameter aluminum cap-RLS 17488 in a monument box.



60th and Tower Rd



Legend

- Active Addresses
 - Associated
 - Land
 - Structure
 - Utility
- Streams
- Irrigation Ditches Reconstruct (Gardens)
- 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
- Parks
 - Mountain Parks
 - All Other Parks

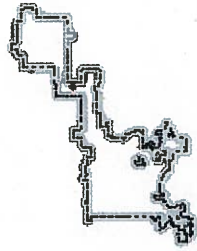


The City and County of Denver shall not be liable for damages of any kind arising out of the use of this information. The information is provided "as is" without warranty of any kind, express or implied, including, but not limited to, the fitness for a particular use.

THIS IS NOT A LEGAL DOCUMENT.



64th and Tower Rd



Legend

- Streams
- Irrigation Ditches Reconstruct (Gardeners)
- 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
 - Parks
 - Mountain Parks
 - All Other Parks



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THIS IS NOT A LEGAL DOCUMENT.

SPECIAL WARRANTY DEED

THIS DEED, Made this 2000* day of XX
between Denver Gateway Center Joint Venture, A Colorado Joint Venture

1-a

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

The City and County of Denver, A Colorado municipal corporation

whose legal address is 1437 Bannock Street Denver, Colorado 80202

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

WITNESSETH, That the grantor(s), for and in consideration of the sum of (\$10.00)

Ten and No/100----- DOLLARS,
the receipt and sufficiency of which is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey, and confirm, unto the grantee(s) their heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the City County of Denver, State of Colorado, described as follows:

See Exhibit "A" attached hereto and incorporated herein.
Parcel TK-00102-00-142-000A and Parcel TK-00102-00-142-000B

*But effective July 27, 1998

also known by street and number as: Tower Road, , , Colorado
assessor's schedule or parcel number:

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 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), their heirs and assigns forever. The grantor(s), for them selves, 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), their 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 those items listed in Exhibit "B" attached*
IN WITNESS WHEREOF, the grantor(s) have executed this deed on the date set forth above.

**hereto and incorporated herein.

SEE ATTACHED SIGNATURE ADDENDUM

STATE OF COLORADO

County of

The foregoing instrument was acknowledged before me this
by

} ss. day of , 19

SEE ATTACHED NOTARY ADDENDUM

Witness my hand and official seal
My commission expires

Notary Public

*If in Denver, insert "City and".

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

SIGNATURE ADDENDUM

**DENVER GATEWAY CENTER JOINT VENTURE,
A Colorado Joint Venture**

By: Watterson and Fair, LTD, a Colorado limited partnership, Joint Venturer

By: 
Russell N. Watterson, General Partner

By: 
John G. Fair, General Partner

By: Gateway Investors, Inc., a Nevada corporation, Joint Venturer

By: 
Russell N. Watterson, Attorney in Fact

By: TWR Investments, LTD, a Colorado corporation, Joint Venturer

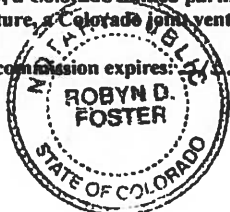
By: 
Russell N. Watterson, Attorney in Fact

NOTARY ADDENDUM

State of Colorado)
City of Denver) ss
County of Denver)

The foregoing instrument was acknowledged before me this 3rd day of March 2000, by Russell N. Watterson, General Partner of Watterson and Fair, LTD, a Colorado limited partnership, Joint Venturer of Denver Gateway Center Joint Venture, a Colorado joint venture.

My commission expires: 2/22/01



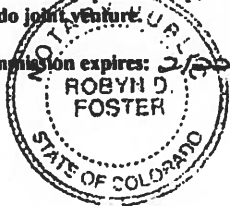
WITNESS MY HAND AND OFFICIAL SEAL

Robyn D. Foster
Notary Public

State of Colorado)
City of Denver) ss
County of Denver)

The foregoing instrument was acknowledged before me this 3rd day of March 2000, by John G. Fair, General Partner of Watterson and Fair, LTD, a Colorado limited partnership, Joint Venturer of Denver Gateway Center Joint Venture, a Colorado joint venture.

My commission expires: 2/22/01



WITNESS MY HAND AND OFFICIAL SEAL

Robyn D. Foster
Notary Public

State of Colorado)
City of Denver) ss
County of Denver)

The foregoing instrument was acknowledged before me this 3rd day of March 2000, by Russell N. Watterson, Attorney in Fact for Gateway Investors, Inc., a Nevada corporation, Joint Venturer of Denver Gateway Center Joint Venture, a Colorado joint venture.

My commission expires: 2/22/01



WITNESS MY HAND AND OFFICIAL SEAL

Robyn D. Foster
Notary Public

State of Colorado)
City of Denver) ss
County of Denver)

The foregoing instrument was acknowledged before me this 3rd day of March 2000, by Russell N. Watterson, Attorney in Fact for TWR Investments, LTD, a Colorado corporation, Joint Venturer of Denver Gateway Center Joint Venture, a Colorado joint venture.

My commission expires: 2/22/01



WITNESS MY HAND AND OFFICIAL SEAL

Robyn D. Foster
Notary Public

EXHIBIT A
PROPERTY DESCRIPTION
PARCEL TK-00102-00-142-000 A
November 10, 1997
Sheet 1 of 2

A parcel of land located in the NW 1/4 of Section 10, Township 3 South, Range 66 West of the 6th P. M., City and County of Denver, State of Colorado, being more particularly described as follows:

Commencing at the northwest corner of said NW 1/4 Section 10; Thence S00°02'26"E along the west line of said NW 1/4 a distance of 30.00 feet; Thence N89°24'34"E along a line 30.00 feet south of and parallel with the north line of said NW 1/4 Section 10 a distance of 30.00 feet to the Point of Beginning;

Thence continuing N89°24'34"E along a line 30.00 feet south of and parallel with the north line of said NW 1/4 a distance of 40.00 feet;

Thence S00°02'26"E along a line 70.00 feet east of and parallel with the west line of said NW 1/4 Section 10 a distance of 110.64 feet to the northeast corner of Tract C, as dedicated for Tower Road right-of-way in plat of Denver Gateway Center Filing No. 1, recorded at Book 31, page 12, City and County of Denver records;

Thence S89°57'34"W along the north line of said Tract C a distance of 40.00 feet to the northwest corner of said Tract C, said point also being the easterly right-of-way of Tower Road as shown on said Denver Gateway Center Filing No. 1 plat;

Thence N00°02'26"W along said easterly right-of-way of Tower Road a distance of 110.26 feet to the Point of Beginning.

The area of said parcel contains 4418 square feet or 0.101 acres, more or less.

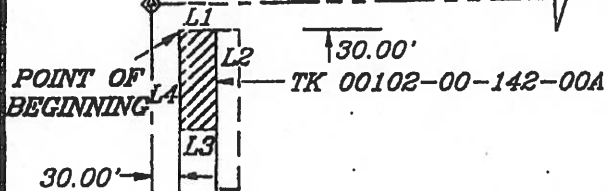
The basis of bearings for this description is the west line of said NW 1/4 of Section 10 bearing S00°02'26"E. The northwest corner of said NW 1/4 Section 10 is a 3 1/4" diameter aluminum cap (PE/LS number obscured) in a monument box and the southwest corner of said NW 1/4 Section 10 is a 2" diameter aluminum cap-RLS 17488 in a monument box.

For and on behalf of: City and County of Denver
 Diane M. Kelly, PLS 25951
 Kelly Surveying Associates, Inc.
 14 Inverness Drive East H-144
 Englewood, CO 80112



POINT OF COMMENCEMENT

NW COR. OF NW 1/4 SEC. 10-3 1/4" ALUM CAP PE/LS NO. OBSCURE IN MONUMENT DOX
 NORTH LINE OF NW 1/4 SEC 10
 N89°24'34"E



NW 1/4 SEC 10,
 T3S, R66W

TOWER ROAD

BASIS OF BEARING S00°02'26"E

TK 00102-00-142-00A

TRACT A
 63rd AVE

TRACT B
 DENVER GATEWAY CENTER
 FILING No. 1
 BLOCK 1, LOT 1

WEST LINE OF NW 1/4 SEC 10

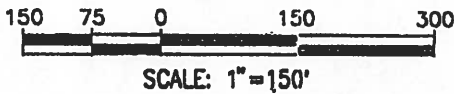
TRACT C (ROW DEDICATION)

TK 00102-00-142-00B
 TK 00102-00-142-00C

2648.90'

SW COR. OF NW 1/4 SEC. 10
 2" ALUM CAP RLS 17488
 IN MONUMENT DOX

NW 1/4 SEC.10, T.3S., R.66W



LINE	DIRECTION	DISTANCE
L1	N89°24'34"E	40.00'
L2	S00°02'26"E	110.64'
L3	S89°57'34"W	40.00'
L4	N00°02'26"W	110.26'

NOTE:
 THIS DOES NOT REPRESENT A
 MONUMENTED SURVEY, IT IS INTENDED ONLY
 TO DEPICT THE ATTACHED DESCRIPTION.
 Contains 4418 square feet or 0.101
 acres, more or less.

	CITY AND COUNTY OF DENVER DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION			
	PARCEL NO. TK-00102-00-142-000A			
PREPARED BY: KELLY SURVEYING ASSOCIATES, INC. 14 BUSINESS CENTER LANE BLDG H SUITE 144 LAND OVER, COLORADO 80112 (303)702-3257 / (703)409-710-1029	Scale: 1"=150'	Drawn By: MSP Checked By: DK	Sheet No. 2 of 2 Sheets	Date: 12/15/97

115251

P2

EXHIBIT A
PROPERTY DESCRIPTION
PARCEL TR-00102-00-142-000 B
January 26, 1998
Sheet 1 of 2

A parcel of land located in the NW 1/4 of Section 10, Township 3 South, Range 66 West of the 6th P.M., City and County of Denver, State of Colorado, being more particularly described as follows:

Commencing at the northwest corner of said NW 1/4 Section 10; Thence S00°02'26"E along the west line of said NW 1/4 Section 10 a distance of 1829.33 feet; Thence NB9°57'34"E a distance of 30.00 feet to the southwesterly corner of Tract D, Denver Gateway Center Filing No. 2 as recorded in Book 31 pages 89 and 90 in the records of Denver County, being also the Point of Beginning;

Thence NB9°24'34"E along the southerly line of said Tract D a distance of 40.00 feet;

Thence S00°02'26"E along a line 70.00 feet east of and parallel with the west line of said NW 1/4 Section 10 a distance of 818.97 feet to the south line of said NW 1/4 Section 10;

Thence S89°28'11"W along the south line of said NW 1/4 Section 10 a distance of 40.00 feet;

Thence N00°02'26"W along a line 30 feet easterly of and parallel with the west line of said NW 1/4 a distance of 819.31 feet to the Point of Beginning.

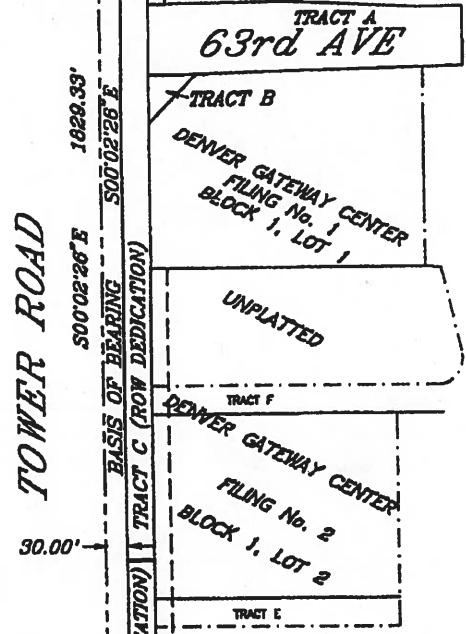
The area of said parcel contains 32,766 square feet or 0.752 acres, more or less.

The basis of bearings for this description is the west line of said NW 1/4 Section 10 bearing S00°02'26"E. The northwest corner of said NW 1/4 Section 10 is a 3-1/4" diameter aluminum cap (PE/LS number obscured) in a monument box and the southwest corner of said NW 1/4 Section 10 is a 2" diameter aluminum cap-RLS 17488 in a monument box.

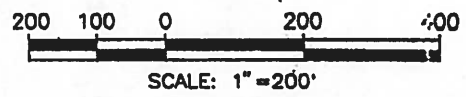
For and on behalf of: City and County of
 Diane M. Kelly, FLS 25951
 Kelly Surveying Associates, Inc.
 14 Inverness Drive East H-144
 Englewood, CO 80112



POINT OF COMMENCEMENT
 N89°24'34"E
 NW COR. OF NW 1/4 SEC. 10
 2" ALUM CAP PE/LS NO. OBSCURE
 IN MONUMENT BOX
 NORTH LINE OF NW 1/4 SEC 10
 TE 00102-00-142-000A



NW 1/4 SEC 10,
 T3S, R66W



LINE	DIRECTION	DISTANCE
L1	N89°24'34" E	40.00'
L2	S00°02'26" E	818.97'
L3	S89°28'11" W	40.00'
L4	N00°02'26" W	818.91'

POINT OF BEGINNING
 SOUTHWESTERLY
 CORNER TRACT D
 DRIVEN
 GATEWAY CENTER
 FILING NO 2
 N89°57'34"E
 30.00'
 L1
 L2
 WEST LINE OF NW 1/4 SEC 10
 TE 00102-00-142-000B
 2648.90'
 SW COR. OF NW 1/4 SEC. 10
 2" ALUM CAP RLS 17488
 IN MONUMENT BOX
 30.00'
 L3
 SOUTH LINE OF
 NW 1/4 SEC 10

NOTE:
 THIS DOES NOT REPRESENT A
 MONUMENTED SURVEY, IT IS INTENDED ONLY
 TO DEPICT THE ATTACHED DESCRIPTION.
 Contains 32,766 square feet or 0.752

NW 1/4 SEC. 10, T.3S., R.66W.

	CITY AND COUNTY OF DENVER DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION		
	PARCEL NO. TK-00102-00-142-000B		
PREPARED BY: KELLY SURVEYING ASSOCIATES, INC. 18 INDIANAS DR. EAST BLDG W SUITE 144 1405 THUNDER CANYON BLVD FORT COLLINS, CO 80504	Scale:	Drawn By: MSP	Sheet No. 2

EXHIBIT "B"

Taxes for the current year, a lien, but not yet due or payable.

Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.

Easements, or claims of easements, not shown by public records.

Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey and inspection of the land would disclose, and which are not shown by the public records.

Any water rights or claims or title to water, in, on or under the land.

Unpatented mining claims, reservations or exceptions in patents or in Acts authorizing the issuance thereof.

Right of way as granted to Phillips Petroleum Company in instrument recorded July 21, 1971 in Book 1716 at Page 345. (Adams County)

Terms, conditions, provisions, agreements and obligations specified under the Intergovernment Agreement of Annexation by and between The City and County of Denver and The County of Adams recorded May 26, 1988 in Book 3450 at Page 751. (Adams County)

Terms, conditions, provisions, agreements and obligations specified under the Easement Agreement by and between Denver Gateway Center Joint Venture and The City and County of Denver recorded April 17, 1989 at Reception No. 89-37633.

Terms, conditions, provisions, agreements and obligations specified under the Intergovernmental Agreement on Annexation and Boundaries by and between The City and County of Denver and The City of Aurora recorded January 16, 1990 in Book 3639 at Page 318. (Adams County)

Assignment of Prescription Rights and Uses to Public Service Company of Colorado recorded February 6, 1992 in Book 3864 at Page 92. (Adams County)

Terms, conditions, provisions, agreements and obligations specified under the Agreement (Tower Road Sewer Line) by and between The City and County of Denver and Denver Gateway Center Joint Venture recorded March 26, 1992 under Reception No. 92-29382.

~~Terms, conditions, provisions, agreements and obligations specified under the Grant of Easement by and between Denver Gateway Center Joint Venture and Robert J. Matychuk et al recorded August 10, 1995 at Reception No. 950002637.~~

Terms, conditions, provisions, agreements and obligations specified under the Letter Agreement by and between The Denver Water Department and Denver Gateway Center Joint Venture recorded November 27, 1995 at Reception No. 9500147522 and recorded March 6, 1995 at Reception No. 9700026870.

Covenants, conditions, restrictions, reservations and lien rights, which do not include a forfeiture or reverter clause, set forth in the Declaration, recorded February 27, 1996 at Reception No. 9600025444.

Terms, conditions, provisions, agreements and obligations specified under the License Agreement by and between The City and County of Denver and Board of Water Commissioners recorded February 28, 1997 at Reception No. 9700024475.

'EXHIBIT "B" CONTINUED

Terms, conditions, provisions, agreements and obligations specified under the Participation Letter Agreement by and between The Denver Water Department and Denver Gateway Center Joint Venture recorded July 24, 1997 at Reception No. 9700095836.

An easement for utilities and incidental purposes granted to Public Service Company of Colorado by the instrument recorded August 29, 1997 at Reception No. 9700114943.

An easement for utilities and incidental purposes granted to Public Service Company of Colorado by the instrument recorded August 29, 1997 at Reception No. 9700114944.

Terms, conditions, provisions, agreements and obligations specified under the Agreement to be Included in Special District When Formed by and between Denver Gateway Center Joint Venture and Chrema, L.P., a Georgia limited partnership recorded September 23, 1997 at Reception No. 9700127057.

Terms, conditions, provisions, agreements and obligations specified under the Agreement to be Included in Special District When Formed by and between Denver Gateway Center Joint Venture and Oros, L.P., a Georgia limited partnership recorded September 23, 1997 at Reception No. 9700127069.