



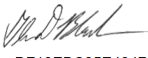
REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Katherine Ehlers, City Attorney's Office

FROM: Glen D. Blackburn, P.E., Director, Right-of-Way Services

DATE: September 16, 2025

ROW #: 2025-DEDICATION-0000147 **SCHEDULE #:** 0233512019000

Signed by:

DF13EBC85E48471...

TITLE: This request is to dedicate a City-owned parcel of land as Public Right-of-Way as North Speer Boulevard, located near the intersection of North Speer Boulevard and Chopper Circle.

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 North Speer Boulevard. This parcel(s) of land is being dedicated by the City and County of Denver for Public Right-of-Way, as per Rule and Decree in Condemnation in 2002.

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 North Speer Boulevard. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2025-DEDICATION-0000147-001) HERE.

A map of the area to be dedicated is attached.

GB/TB/LRA

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Jamie Torres District # 3
Councilperson Aide, Daisy Rocha Vasquez
Councilperson Aide, Angelina Gurule
Councilperson Aide, Ayn Tougaard Slavis
City Council Staff, Luke Palmisano
Environmental Services, Andrew Ross
DOTI, Manager's Office, Alba Castro
DOTI, Director, Right-of-Way Services, Glen Blackburn
DOTI, Deputy Director, Right-of-Way Services, Darion Mayhorn
Department of Law, Martin Plate
Department of Law, Brad Beck
Department of Law, Katherine Ehlers
Department of Law, Mar'quasa Maes
DOTI Survey, Thomas Bretnauer
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2025-DEDICATION-0000147

City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services
201 W. Colfax Ave. | Denver, CO 80215
www.denvergov.org/doti
Phone: 720-865-3002

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ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team
at MileHighOrdinance@DenverGov.org by 9 a.m. Friday. Contact the Mayor's Legislative team with questions

Date of Request: September 16, 2025

Please mark one: ☐ Bill Request or ☒ Resolution Request

Please mark one: The request directly impacts developments, projects, contracts, resolutions, or bills that involve property and impact within .5 miles of the South Platte River from Denver's northern to southern boundary? (Check map [HERE](#))

☒ Yes ☐ No

1. Type of Request:

☐ Contract/Grant Agreement ☐ Intergovernmental Agreement (IGA) ☐ Rezoning/Text Amendment

☒ Dedication/Vacation ☐ Appropriation/Supplemental ☐ DRMC Change

☐ Other:

2. Title: Dedicate a City-owned parcel of land as Public Right-of-Way as North Speer Boulevard, located near the intersection of North Speer Boulevard and Chopper Circle.

3. Requesting Agency: DOTI, Right-of-Way Services
Agency Section: Survey

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution (e.g., subject matter expert)	Contact person for council members or mayor-council
Name: Lisa R. Ayala	Name: Alaina McWhorter
Email: Lisa.ayala@denvergov.org	Email: Alaina.McWhorter@denvergov.org

5. General description or background of proposed request. Attach executive summary if more space needed:
The city acquired these parcels by Rule and Decree in Condemnation in 2002. Dedicating parcel 4A as North Speer Boulevard.

6. City Attorney assigned to this request (if applicable):

7. City Council District: Jamie Torres District # 3

8. **For all contracts, fill out and submit accompanying Key Contract Terms worksheet**

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____



EXECUTIVE SUMMARY

Project Title: 2025-DEDICATION-0000147

Description of Proposed Project: The city acquired these parcels by Rule and Decree in Condemnation in 2002. Dedicating parcel 4A as North Speer Boulevard.

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 be dedicated as North Speer Boulevard.

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

What is the known duration of a 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 North Speer Boulevard.

City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services
201 W. Colfax Ave | Denver, CO 80215
www.denvergov.org/doti
Phone: 720-913-1311

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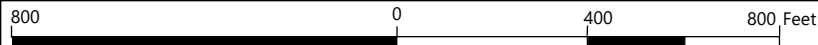


City and County of Denver



Legend

- Streets
- Alleys
- ▬ County Boundary
- ▬ Parcels



WGS_1984_Web_Mercator_Auxiliary_Sphere
© City and County of Denver

1:6,240

Map Generated 9/12/2025

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.

PARCEL DESCRIPTION ROW NO. 2025-DEDICATION-0000147-001:

LEGAL DESCRIPTION – STREET PARCEL:

A PARCEL OF LAND CONVEYED BY RULE AND DECREE IN CONDEMNATION TO THE CITY AND COUNTY OF DENVER, DESCRIBED AS PARCEL NO. 4A, RECORDED ON THE 7TH DAY OF JUNE, 2002, AT RECEPTION NUMBER 2002102747 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

PARCEL NO. 4A

A PARCEL OF LAND LOCATED IN LOTS 3 TO 6,
BLOCK 4,
WEST DENVER,
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M.; THENCE S 60°44'30" E A DISTANCE OF 3799.59 FEET, MORE OR LESS, TO THE MOST NORTHERLY CORNER OF SAID BLOCK 4 ALSO BEING THE POINT OF BEGINNING;
THENCE S 30°32'22" E ALONG THE NORTHEASTERLY LINE OF SAID BLOCK 4, A DISTANCE OF 204.94 FEET TO THE NORTHWESTERLY LINE OF ALLEY;
THENCE S 59°36'30" W ALONG A LINE PARALLEL TO THE NORTHWESTERLY LINE OF LOT 3 OF SAID BLOCK 4, A DISTANCE OF 99.99 FEET;
THENCE N 30°32'16" W, A DISTANCE OF 24.94 FEET TO A POINT OF CURVE;
THENCE ALONG THE CURVE TO THE LEFT HAVING A RADIUS OF 951.74 FEET, A CENTRAL ANGLE OF 10°54'20" AND AN ARC LENGTH OF 181.15 FEET TO THE NORTHWESTERLY LINE OF SAID BLOCK 4;
THENCE N 59°36'47" E ALONG THE NORTHWESTERLY LINE OF SAID BLOCK 4, A DISTANCE OF 117.18 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

NOTE:

THE BASIS OF BEARING IN THE ABOVE DESCRIPTION IS THE NORTH LINE OF SECTION 33 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M.; COMMENCING AT THE NORTHWEST CORNER OF SECTION 33, LOCATED AND FOUND AS A CHISELED "X" IN A RANGE BOX; THENCE EASTERLY ALONG THE NORTH LINE OF N 89°45'53" E, A DISTANCE OF 5282.48 FEET TO THE NORTHEAST CORNER OF SECTION 33 LOCATED AND FOUND AS 2 3/8" X 30" ALUM. MONU., L.S. 13155 IN RANGE BOX.

2002102747 2002/06/07 14:55:14 1/ 14 MIS
DENVER COUNTY CLERK AND RECORDER .00 .00 SMP

DISTRICT COURT, CITY AND COUNTY OF DENVER, STATE OF COLORADO

Civil Action No. 89 CV 02597, Courtroom No. 8

RULE AND DECREE IN CONDEMNATION

DISTRICT COURT
City & County of Denver, Colo.
Certified to be full, true and correct
copy of the original in my custody.

CITY AND COUNTY OF DENVER, a municipal corporation,

Petitioner,

v.

THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY, a Delaware Corporation; PUBLIC SERVICE COMPANY OF COLORADO; PATRICIA SCHWARTZBERG, or her successor in office, Manager of Revenue of the City and County of Denver; All Unknown Owners of the Real Properties Sought to be Condemned Herein; and All Unknown Persons Who Claim Any Interest in the Subject Matter of this Action,

Respondents.

THIS MATTER having come on to be heard on the Petition of the City and County of Denver, a municipal corporation, for the taking of an estate in fee simple with respect to certain properties hereinafter described, for the taking of a permanent easement with respect to certain properties hereinafter described and for the taking of a temporary easement for construction purposes with respect to a certain property hereinafter described, 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,

DOTH FIND:

1. That the Petitioner is authorized by eminent domain proceedings to appropriate property for its local and municipal purposes, and, in particular, is authorized to appropriate the properties hereinafter described.

2. That the Court has jurisdiction of the parties herein and of the subject matter of this action.

3. That the parties have agreed on a disposition of this matter, and that this matter has been resolved without the necessity of a trial.

4. That the record owner of the properties hereinafter described is the Respondent, The Denver and Rio Grande Western Railroad Company, a Delaware corporation, it being the owner by virtue of certain instruments recorded among the records of the Clerk and Recorder of the City and County of Denver and State of

Colorado; that although the caption herein names The Denver and Rio Grande Railroad Company, all parties agree the appropriate party and owner of the property is The Denver and Rio Grande Western Railroad Company; and that said Respondent The Denver Rio Grande Western Railroad Company has appeared herein as owner of the subject properties.

5. That the Respondent Public Service Company of Colorado was joined as a Respondent by reason of the fact that it has or may claim to have some interest in certain of the properties hereinafter described by reason of certain licenses and leases with respect to said properties; that said Respondent has appeared herein; that said Respondent has filed a Disclaimer of Interest disclaiming any right, title or interest in and to the properties described in the Petition in Condemnation and hereafter described; and that said Respondent, therefor, has no further interest in this matter.

6. That the Respondent Manager of Revenue, or her successor in office, 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 liens covering general taxes, Moffat Tunnel assessments and local public improvement district assessments, including interest on all outstanding taxes as the same have accrued on the properties hereinafter described; that the Petitioner has been in possession of said properties since June 28, 1988; and that since these proceedings involve the acquisition of only a portion of the properties owned by the Respondent The Denver & Rio Grande Western Railroad Company, the Respondent Manager of Revenue, or her successor in office, is satisfied that there is sufficient taxable property after the taking here involved to satisfy any lien for the amount of taxes payable for the taking here involved.

7. That other than the persons aforesaid no other person, firm or corporation has appeared herein or has any claim or claims to, any interest or interests in, or any lien or liens, encumbrance or encumbrances pertaining to the properties hereinafter described.

8. That accurate descriptions of the properties, situate in the City and County of Denver and State of Colorado, with respect to which properties the Petitioner is acquiring an estate in fee simple, are as follows:

PARCEL NO. 4A

A parcel of land located in Lots 3 to 6,
Block 4,
WEST DENVER,
more particularly described as follows:
COMMENCING at the NW corner of Section 33, Township 3 South,
Range 68 West of the 6th P.M.;
thence S60°44'30"E a distance of 3799.59 feet, more or less,
to the most Northerly corner of said Block 4 also being the
POINT OF BEGINNING;
thence S30°32'22"E along the Northeastarly line of said Block 4,
a distance of 204.94 feet to the Northwestarly line of alley;
thence S59°36'30"W along a line parallel to the Northwestarly line
of Lot 3 of said Block 4, a distance of 99.99 feet;
thence N30°32'16"W, a distance of 24.94 feet to a point of curve;
thence along the curve to the left having a radius of 951.74 feet,
a central angle of 10°54'20" and an arc length of 131.15 feet to
the Northwestarly line of said Block 4;

thence N59°36'47"E along the Northwestarly line of said Block 4,
a distance of 117.13 feet, more or less, to the POINT OF BEGINNING.

NOTE: The basis of bearing in the above description is the North
line of Section 33 Township 3 South, Range 68 West of the
6th P.M.; COMMENCING at the Northwest corner of Section 33,
located and found as a chiseled "x" in a Range Box; thence
Easterly along the North line of N59°45'53"E, a distance of
5232.46 feet to the Northeast corner of Section 33 located
and found as 2 3/8" x 30" Alum. Monu., I.S. 13155 in range
box.

PARCEL NO. 4B

A parcel of land located in Lot 3,
Block 4,
WEST DENVER,
more particularly described as follows:
COMMENCING at the NW corner of Section 33, Township 3 South,
Range 68 West of the 6th P.M.;
thence S38°50'49"E, a distance of 4030.77 feet, more or less,
to the most Easterly corner of said Lot 3 also being the
POINT OF BEGINNING;
thence S59°36'30"W along the Southeastarly line of said Lot 3,
a distance of 99.99 feet;
thence N30°32'16"W, a distance of 30.01 feet to the Southeastarly
line of an alley;
thence N59°36'30"E parallel to the Southeastarly line of said Lot
3 and also along said alley line, to the Northeastarly line of
said Lot 3, a distance of 99.99 feet;
thence S30°32'22"E along the Northeastarly line of said Lot 3,
a distance of 30.00 feet, more or less, to the POINT OF BEGINNING

NOTE: The basis of bearing in the above description is the North line of Section 33, Township 3 South, Range 68 West of the 6th P.M.; COMMENCING at the Northwest corner of Section 33, located and found as a chiseled "x" in a Range Box; thence Easterly along the North line of N89°45'53"E, a distance of 5232.48 feet to the Northeast corner of Section 33 located and found as 2 3/8" x 30" Alum. Monu., L.S. 13155 in range box.

PARCEL NO. 5C

A parcel of land located in Lots 1 to 4 and 9 to 12, Block 5, and a part of the vacated alley in Block 5, WEST DENVER,

more particularly described as follows:

COMMENCING at the NW corner of Section 33, Township 3 South, Range 68 West of the 6th P.M.; thence S61°21'38"E, a distance of 3730.63 feet, more or less, to the most Easterly corner of said Block 5 and the POINT OF BEGINNING;

thence S59°36'21"W along the Southeastarly line of said Block 5, a distance of 136.20 feet to a point on a non-cantana curve; thence along a curve to the left having a radius of 951.74 ft., a central angle of 0°26'57" and an arc length of 7.46 feet whose long chord bears N46°37'06"W, a distance of 7.46 feet; thence N46°50'34"W a distance of 259.15 feet; thence along the following 3 courses; 1) N70°46'25"E to the West line of vacated alley, a distance of 63.75 feet; 2) thence N57°53'02"E to ^{on} a non-cantana curve, a distance of 16.51; 3) thence along the curve to the left having a radius of 527.00 feet, a central angle of 12°17'02" and an arc length of 112.99 feet whose long chord bears N60°41'06"E, a distance of 112.77 feet; thence S46°50'34"E to a point on the Northeastarly line of said Block 5, a distance of 69.13 feet; thence S30°29'29"E along the said Northeastarly line, a distance of 175.44 feet, more or less, to the POINT OF BEGINNING

NOTE: The basis of bearing in the above description is the North line of Section 33, Township 3 South, Range 68 West, of the 6th P.M.; COMMENCING at the Northwest corner of Section 33, located and found as a chiseled "x" in a Range Box; thence Easterly along the North line of N89°45'53"E, a distance of 5232.48 feet to the Northeast corner of Section 33 located and found as 2 3/8" x 30" Alum. Monu., L.S. 13155 in range box.

PARCEL NO. 55:

A parcel of land No. 55 located in Lots 4 to 9 and part of vacated alley Block 5, WEST DENVER, Section 33, Township 3 South, Range 68 West, Sixth Principal Meridian, in the City and County of Denver, State of Colorado, more particularly described as follows:

Commencing at the NW corner of Section 33, Township 3 South, Range 68 West of the Sixth Principal Meridian; Thence S. 60° 42' 19" E., a distance of 3245.37 feet, more or less, to the most westerly corner of said Block 5; Thence S. 10° 29' 29" E. along the southwesterly line of said Block 5, a distance of 50 feet; Thence N. 59° 37' 35" E. parallel to the northwesterly line of said Block 5, a distance of 42.33 feet, to the POINT OF BEGINNING; Thence N. 59° 37' 35" E. along a line parallel with and 50 feet southeasterly (measured at right angles) from the northwesterly line of said Block 5, a distance of 238.03 feet, to the northeasterly line of said Block 5; Thence S. 10° 29' 29" E. along said northeasterly block line, a distance of 103.36 feet; Thence along a curve to the right having a radius of 527.00 feet, a central angle of 14° 24' 10" and an arc length of 122.43 feet to the east line of vacated alley (the chord of this arc bears S. 59° 37' 11" W., a distance of 132.13 feet); Thence S. 57° 53' 02" W. continuing along said right of way, a distance of 16.51 feet; Thence S. 70° 46' 25" W. continuing along said right of way, a distance of 63.75 feet; Thence N. 46° 50' 34" W., a distance of 95.47 feet, more or less, to the POINT OF BEGINNING.

The above described parcel contains 23,074 sq. ft., more or less.

Basis of Bearing

The basis of bearing in the above description is the North line of Section 33 T.3S., R.68W., of the 6th P.M.; commencing at the Northwest corner of Section 33, located and found as a chiseled "x" in a Range Box; Thence easterly along the North line of said Section 33, N. 89° 45' 53" E. a distance of 5282.43 feet to the Northeast corner of Section 33 located and found as 2 3/8" x 30" Alum. Monu., L.S. 13155 in range box.

PARCEL NO. 5-27:

A parcel of land located in Lots 3 & 4,
Block 5,
WEST DENVER,

City and County of Denver, State of Colorado, more particularly
described as follows:

COMMENCING at the NW corner of Section 33, Township 3 South, Range
66 West of the Sixth Principal Meridian;
thence S61°21'33"E, a distance of 1730.72 feet, more or less, to
the most Easterly corner of said Block 5;
thence N30°29'29"W along the Northeastarly line of said Block 5,
to an intersection point of the Northarly right of way line of
Denver & Rio Grande Western Railroad Company and the Northeastarly
line of said Block 5, a distance of 243.31 feet, said point being
the POINT OF BEGINNING;
thence S30°29'29"E along said Northeastarly line of Block 5, a dis-
tance of 66.39 feet;
thence N46°50'14"W to a point on the North right of way of said rail-
road company, a distance of 69.11 feet, said point being on a non-
tangent curve;
thence along said right of way line along a curve to the
left having a radius of 527.00 feet, a central angle of 2°07'40", an
arc length of 19.57 feet and a chord length of 19.57 feet with a
bearing of N53°23'45"E, more or less, to the POINT OF BEGINNING.

NOTE: The basis of bearing in the above description is the North
line of Section 33 Township 3 South, Range 66 West of the 6th
P.M.,
COMMENCING at the Northwest corner of Section 33, located and
found as a chiseled "x" in a Range Box;
thence Easterly along the North line of N89°45'53"E, a distance
of 5292.48 feet to the Northeast corner of Section 33 located
and found as 2 3/8 inch by 30 inch Alum. Monu., L.S. 13255 in
range box.

9. That accurate descriptions of the properties, situate in the City and County of Denver and State of Colorado, with respect to which properties the Petitioner is acquiring as permanent easements, are as follows:

PARCEL NO. PE-240

A parcel of land located in Lots 7 and 8, Block 240, West Denver, and in unplatted lands, Section 33, T.3S., R.68W. of the 6th P.M., all in the City and County of Denver, Colorado, more particularly described as follows:

Commencing at the NW corner of Section 33, Township 3 South, Range 68 West of the Sixth Principal Meridian;
 Thence S. 61° 46' 24" E., a distance of 3840.50 feet to the most westerly corner of said Block 240, said point being on the property line of the Denver & Rio Grande Western Railroad Company as described in the 7th Street Yards boundary Survey by Merrick & Company 2/6/86, said point also being the Point of Beginning;
 Thence N. 59° 36' 22" E. along the northwest line of said Block 240 and said northwest line extended northeasterly, a distance of 22.00 feet;
 Thence N. 45° 22' 16" W. a distance of 165.70 feet;
 Thence N. 41° 47' 59" W., a distance of 130.40 feet to a point on the southwesterly extension of the northwest line of Newatta Street in East Denver;
 Thence N. 44° 36' 21" E. along the said northwest line, a distance of 78.49 feet to a point on the westerly line of the Official Channel of Cherry Creek as defined and described in Ordinance No. 36 Series of 1903;
 Thence S. 45° 26' 13" E. along said westerly line of the Official Channel of Cherry Creek a distance of 517.22 feet to northeasterly extension of the southeast line of said lot 8, Block 240;
 Thence S. 59° 36' 26" W. along the said southeast line extended and southeast line of said lot 8, Block 240 a distance of 53.35 feet;
 Thence N. 45° 26' 13" W., a distance of 46.31 feet;
 Thence S. 59° 36' 28" W., a distance of 85.43 feet to a point on the southwest line of said Block 240;
 Thence N. 30° 32' 22" W. along said southwest line, a distance of 87.75 feet to the Point of Beginning.

The above parcel contains 45,799 sq. ft., more or less

SUBJECT To a part of the easement for the location of the present structure, as granted to Morris Wagner and Sylvia Wagner by the Denver and Rio Grande Western Railroad Company, a Delaware Corporation, in the instrument recorded March 10, 1983 to Book 2764 at Page 235, affecting the following described property:

A parcel of land located in the NE 1/4 of Section 33, Township 3 South, Range 68 West of the 6th P.M., City and County of Denver, State of Colorado, being more particularly described as follows:

Beginning at the most westerly corner of Lot 9, Block 240, WEST DENVER, which corner is also on the northeasterly line of 13th Street;

Thence northeasterly along the northwesterly line of said Lot 9 and said northwesterly line produced northeasterly, a distance of 91.3 feet to the TRUE POINT OF BEGINNING;

Thence deflecting left 90° 00' 00", a distance of 1.3 feet;

Thence deflecting right 89° 40' 16", a distance of 43.5 feet to a point 1.70 feet northwesterly from and at right angles to said produced northwesterly line;

Thence deflecting right 74° 57' 20" parallel with the west line of Official Channel of Cherry Creek as defined in Ordinance No. 86, Series 1903, a distance of 1.76 feet to a point on said produced northwesterly line;

Thence deflecting right 105° 33' 57" along said produced northwesterly line, a distance of 43.97 feet, more or less, to the TRUE POINT OF BEGINNING.

For the purpose of landscaping, parking, and pedestrians.

Basis of Bearing

The basis of bearing in the above description is the North line of Section 33 T.3S., R.68W. of the 6th P.M.;

Commencing at the northwest corner of Section 33, located and found as a chiseled "x" in a Range Box;

Thence easterly along the North line of N. 89° 45' 53 E., a distance of 5232.48 feet to the northeast corner of Section 33 located and found as 2 3/8" x 30" Alum. Monu., L.S. 13155 in range box.

PARCEL NO. PE-53

A parcel of land located in Lots 7 to 9,
Block 5,
WEST DENVER,
more particularly described as follows:
COMMENCING at the NW corner of Section 33, Township 3 South,
Range 68 West of the 6th P.M.;
thence S60°41'19"E, a distance of 3245.37 feet, more or less,
to the most Westerly corner of said Block 5;
thence S30°29'29"E along the Southwesterly line of said Block
5, a distance of 30 feet;
thence N59°37'35"E parallel to the Northwestarly line of said
Block 5, a distance of 16.75 feet, to the POINT OF BEGINNING;
thence N59°37'35"E along a line parallel to and 30 feet South-
easterly (measured at right angles) from the Northwestarly line
of said Block 5, a distance of 26.07 feet;
thence S46°50'34"E, a distance of 95.47 feet;
thence S70°46'13"W, a distance of 29.12 feet;
thence N46°50'34"W, a distance of 89.76 feet, more or less, to
the POINT OF BEGINNING

NOTE: The basis of bearing in the above description is the North
line of Section 33 Township 3 South, Range 68 West of the
6th P.M.; COMMENCING at the Northwest corner of Section 33,
located and found as a chiseled "X" in a Range Box; thence
Easterly along the North line of N89°45'53"E, a distance of
5232.48 feet to the Northeast corner of Section 33 located
and found as 2 3/8" x 30" Alum. Monu., L.S. 13155 in range
box.

PARCEL NO. PE-5C

A parcel of land located in Lots 9 to 11,
Block 5,
WEST DENVER,
more particularly described as follows:
COMMENCING at the NW corner of Section 33, Township 3 South,
Range 68 West of the 6th P.M.:
thence S60°42'19"E, a distance of 3243.37 feet, more or less,
to the most Westerly corner of said Block 5;
thence S30°29'29"E along the Southwesterly line of said Block 5,
a distance of 132.38 feet;
thence N59°37'11"E along the Northwestarly line of Lot 9, Block 5,
a distance of 23.23 feet;
thence N70°46'25"E, a distance of 19.13 feet to the POINT OF
BEGINNING;
thence N70°46'25"E, a distance of 19.22 feet;
thence S46°50'34"E, a distance of 176.37 feet;
thence S43°09'26"W, a distance of 35.00 feet;
thence N46°50'34"W, a distance of 139.45 feet, more or less, to the
POINT OF BEGINNING

NOTE: The basis of bearing in the above description is the North
line of Section 33, Township 3 South, Range 68 West of the
6th P.M.; COMMENCING at the Northwest corner of Section 33,
located and found as a chiseled "x" in a Range Box:
thence Easterly along the North line of N89°45'53"E, a
distance of 5282.48 feet to the Northeast corner of Section
33 located and found as 2 3/8" x 30" Alum. Monu., L.S. 13155
in range box.

10. That an accurate description of the property, situate in the City and County of Denver and State of Colorado, with respect to which properties the Petitioner is acquiring a temporary construction easement for construction purposes which construction has been completed and the temporary easement is no longer being used, is as follows:

PARCEL NO. TE-5:

A parcel of land located in Lots 11 and 12, Block 5, WEST DENVER, more particularly described as follows:

Commencing at the Northwest corner of Section 33, Township 3 South, Range 68 West of the Sixth Principal Meridian;
 Thence South 61° 21' 33" East, a distance of 3730.63 feet, more or less, to the most easterly corner of said Block 5;
 Thence South 74° 06' 24" West, a distance of 152.30 feet, more or less, to a point on the southwesterly right-of-way line of the proposed Spear alignment and the POINT OF BEGINNING;
 Thence South 59° 34' 22" West, a distance of 97.01 feet;
 Thence North 30° 23' 32" West, a distance of 52.52 feet;
 Thence North 39° 35' 09" East, a distance of 81.51 feet;
 Thence South 46° 50' 34" East, a distance of 54.73 feet, more or less, to the POINT OF BEGINNING.

NOTE:

The basis of bearing in the above description is the North line of Section 33, Township 3 South, Range 68 West of the 6th P.M.; commencing at the Northwest corner of Section 33, located and found as a chiseled "x" in a Range Box; Thence easterly along the North line of North 89° 45' 53" East, a distance of 5282.48 feet to the Northeast corner of Section 33 located and found as 2 3/8" x 30" Alum. Monu., L.S. 13155 in range box.

11. That pursuant to an Agreement for Possession and Use the Petitioner has been in possession of the properties hereinabove described since June 28, 1988, and has advanced to the Respondent The Denver and Rio Grande Western Railroad Company the sum of \$1,384,000.00.

12. That the sum of \$1,384,000.00 is the total compensation due the Respondents for the taking of the properties hereinabove described including, but not limited to, the value of said properties, the damages to the residue or remainder of any properties not taken and any and all interest, costs, disbursements, expenses and attorneys' fees which sum shall not be subject to adjustment as provided in Section 38-1-114, C.R.S.; all of the foregoing being pursuant to and in accordance with the stipulation as hereinafter set forth.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

1. That the Petitioner City and County of Denver, a municipal corporation, be and it hereby is adjudged to be (a) 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 properties hereinabove described in paragraph 8, and it be and 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 and free and clean of all liens and claims; (b) as the absolute holder and owner of a permanent easement with respect to the property hereinabove described in paragraph 9, and it be and hereby is authorized to take possession of and to hold the same; and (c) as the absolute holder and owner of a temporary easement for construction purposes with respect to the property described in paragraph 10, which construction has been completed and the temporary easement is no longer being used.

2. That the sum of \$1,384,000.00 be and is hereby determined to be the total compensation due the Respondents for the taking of the properties hereinabove described including, but not limited to, the value of said properties, the damages to the residue or remainder of any properties not taken and any and all interest, costs, disbursements, expenses and attorneys' fees which compensation shall not be subject to adjustment as provided in Section 38-1-114, C.R.S.

3. That a certified copy of this Rule and Decree in Condemnation be recorded and indexed in the Office of the Clerk and Recorder of the City and County of Denver and State of Colorado in like manner and with like effect as if it were a deed of conveyance from the owners and parties interested to the Petitioner herein.

DONE IN COURT this _____ day of _____, 1993.

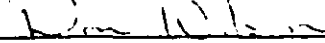
BY THE COURT:

JUDGE

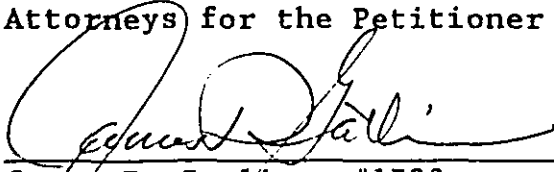
IT IS HEREBY STIPULATED BY AND AMONG
THE PARTIES HERETO THAT THE ABOVE RULE
AND DECREE IN CONDEMNATION MAY BE
ENTERED HEREIN:

DANIEL E. MUSE - #6229
City Attorney

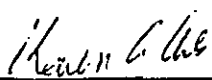
ROBERT M. KELLY - #3935
DONALD E. WILSON - #4235
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By 
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Attorneys for the Petitioner


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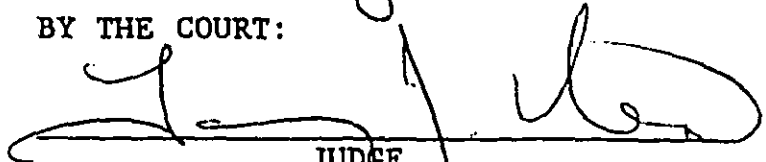
Attorney for Respondent
The Denver and Rio Grande Western
Railroad Company


Karen A. Aviles - #13989
353 City and County Building
Denver, Colorado 80202
Telephone: (303) 640-2665

Attorney for Respondent
Manager of Revenue, of the
City and County of Denver

DONE IN COURT this 10 day of August, 1993.


BY THE COURT:


JUDGE

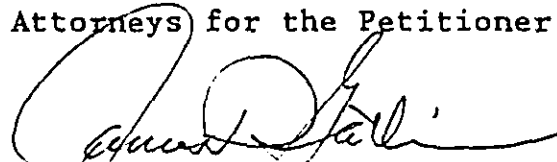
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