

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

**TO:** Charlene Thompson, City Attorney's Office

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

**DATE:** June 1, 2016

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

**TITLE:** This request is to dedicate City owned land as Public Alley.  
Located near the intersections of E. 60<sup>th</sup> Ave. and Tower Rd., and E. 64<sup>th</sup> 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 Public Alley. 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.

RD/BLV

c: Asset Management, Steve Wirth  
City Councilperson & Aides, Stacie Gilmore District # 11  
Council Aide Magen Elenz  
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, Cynthia Devereaux  
Public Works Survey, Ali Gulaid  
Public Works Survey, Paul Rogalla

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to Angela Casias  
at [angela.casias@DenverGov.org](mailto: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: June 1, 2016

Please mark one:  Bill Request or  Resolution Request

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

Yes  No

If yes, please explain:

2. Title: (Include a concise, one sentence description – please include name of company or contractor and contract control number - that clearly indicates the type of request: **grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.**)

This request is to dedicate City owned land as Public Alley.  
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. 60<sup>th</sup> Ave. and Tower Rd., and E. 64<sup>th</sup> 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. 60<sup>th</sup> Ave. and Tower Rd., and E. 64<sup>th</sup> Ave. and Tower Rd.**

**Description of Proposed Project: This request is to dedicate a City owned land as Tower Rd. located at E. 60<sup>th</sup> Ave. and Tower Rd., and E. 64<sup>th</sup> and Tower Rd.**

**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**

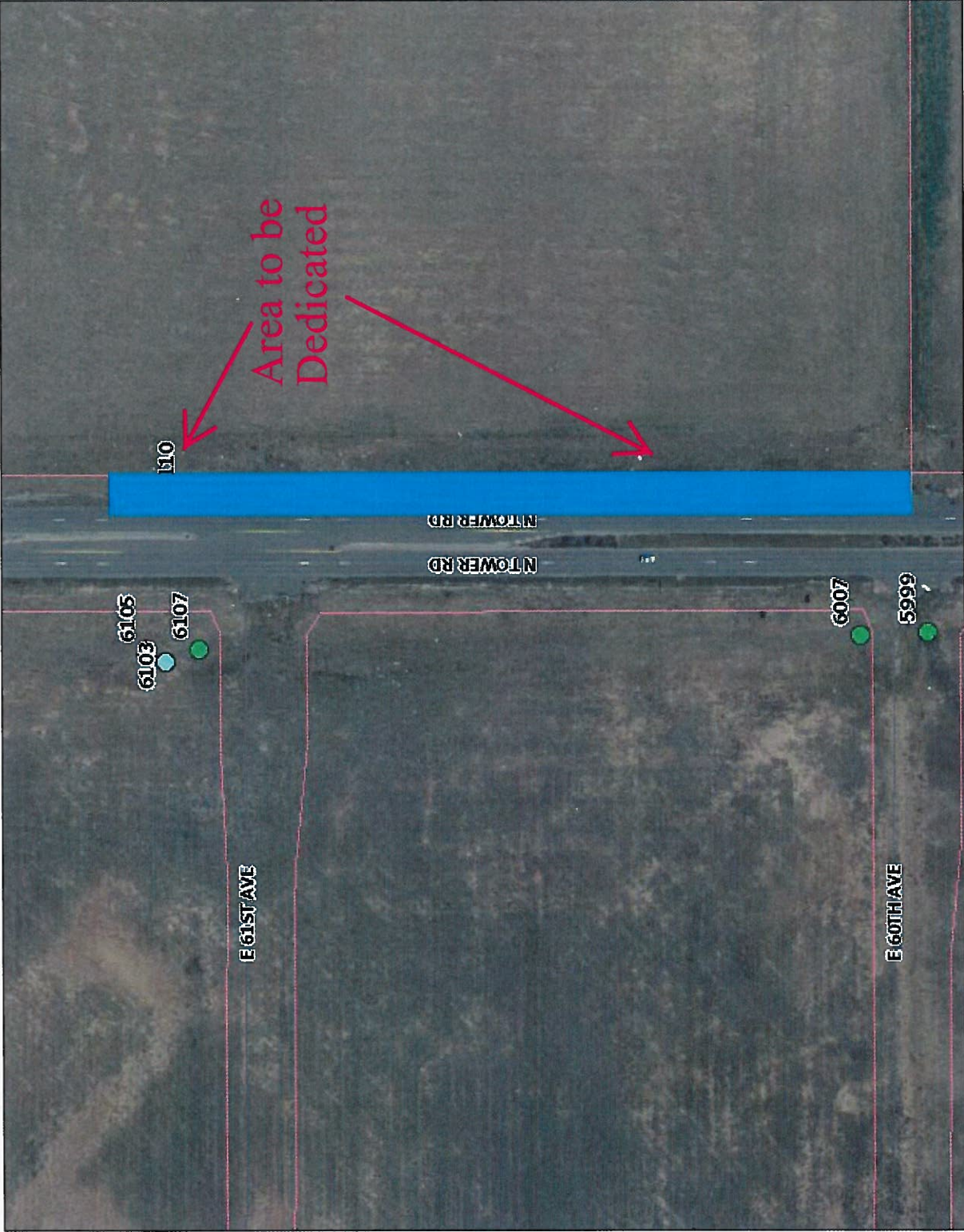
**Will an easement be placed over a vacated area, and if so explain: N/A**

**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.**



# 60th and Tower Rd



WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City and County of Denver

1: 2,350

Map Generated 6/1/2016

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.**



**Legend**

**Active Addresses**

- Associated
- Land
- Structure
- Utility

**Streams**

**Irrigation Ditches Reconstruct**

**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**

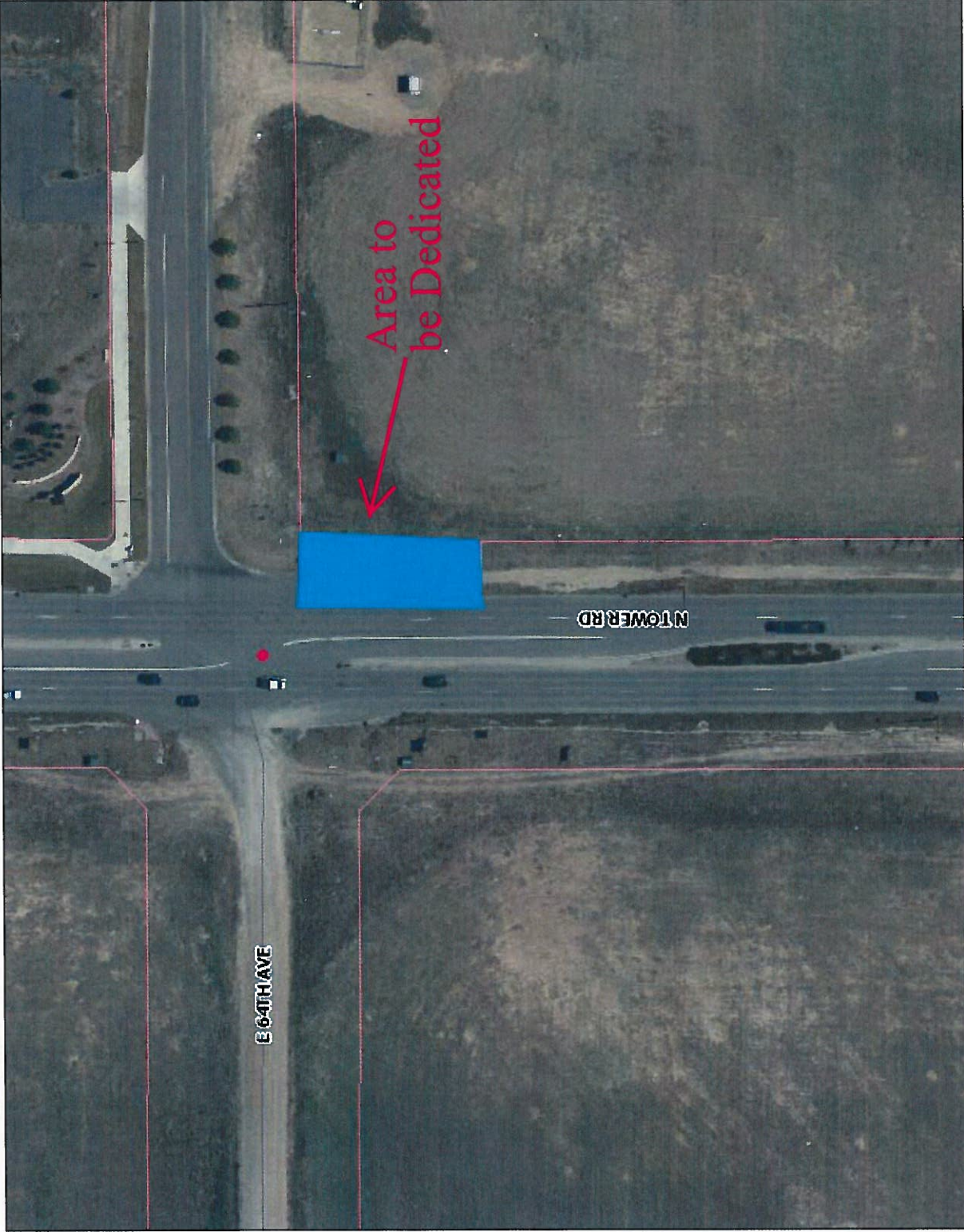
**County Boundary**

**Parcels**

**Parks**

- Mountain Parks
- All Other Parks

# 64th and Tower Rd



**Legend**

	Streams		Bridges
	Irrigation Ditches Reconstruct (Gardeners)		Rail Transit Stations Existing
	Irrigation Ditches		Planned
	Buildings 2014		Park-N-Ride Locations
	Streets		Lakes
	Alleys		County Boundary
	Railroads		Parcels
	Main		Parks
	Yard		Mountain Parks
	Spur		All Other Parks
	Siding		
	Interchange track		
	Other		



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**THIS IS NOT A LEGAL DOCUMENT.**

**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 3<sup>rd</sup>, 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 6<sup>th</sup> 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 6<sup>th</sup> 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 NW1/4 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 ox and the southwest corner f said corner of said NW 1/4 Section 10 is a 2" diameter aluminum cap-RLS 17488 in a monument box.

SPECIAL WARRANTY DEED

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

1-a

of the City and \*  
County of Denver, 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 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), 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

} ss.

The foregoing instrument was acknowledged before me this  
by

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

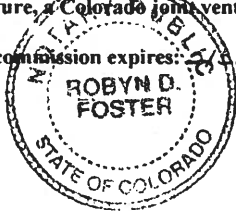


NOTARY ADDENDUM

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



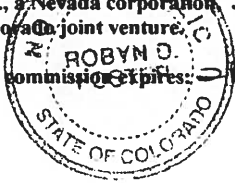
WITNESS MY HAND AND OFFICIAL SEAL

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



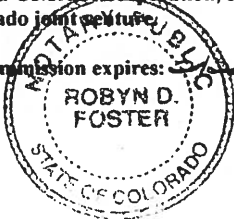
WITNESS MY HAND AND OFFICIAL SEAL

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

P1

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 BOX

NORTH LINE OF NW 1/4 SEC 10  
N89°24'34"E

POINT OF BEGINNING

L1  
L2  
L3  
TK 00102-00-142-00A

30.00'

30.00'

NW 1/4 SEC 10,  
T3S, R66W

TOWER ROAD

S00°02'26"E

BASIS OF BEARING

WEST LINE OF NW 1/4 SEC 10

TRACT C (ROW DEDICATION)

2648.90'

TK 00102-00-142-00B  
TE 00102-00-142-00B

TRACT A  
63rd AVE

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



SCALE: 1"=150'

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'

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

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

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.



PREPARED BY:  
KELLY SURVEYING ASSOCIATES, INC.  
14 WINDRESS DRIVE EAST  
DENO IN STATE 144  
LONGWOOD, COLORADO 80112  
(303)722-5257 FAX(303)720-1829

CITY AND COUNTY OF DENVER  
DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION

PARCEL NO.  
TK-00102-00-142-000A

Scale: 1"=150'	Drawn By: MSP	Sheet No. 2	Date: 12/15/97
	Checked By: DK	of 2 Sheets	

P2

EXHIBIT A

PROPERTY DESCRIPTION  
PARCEL TK-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 N89°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 N89°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;

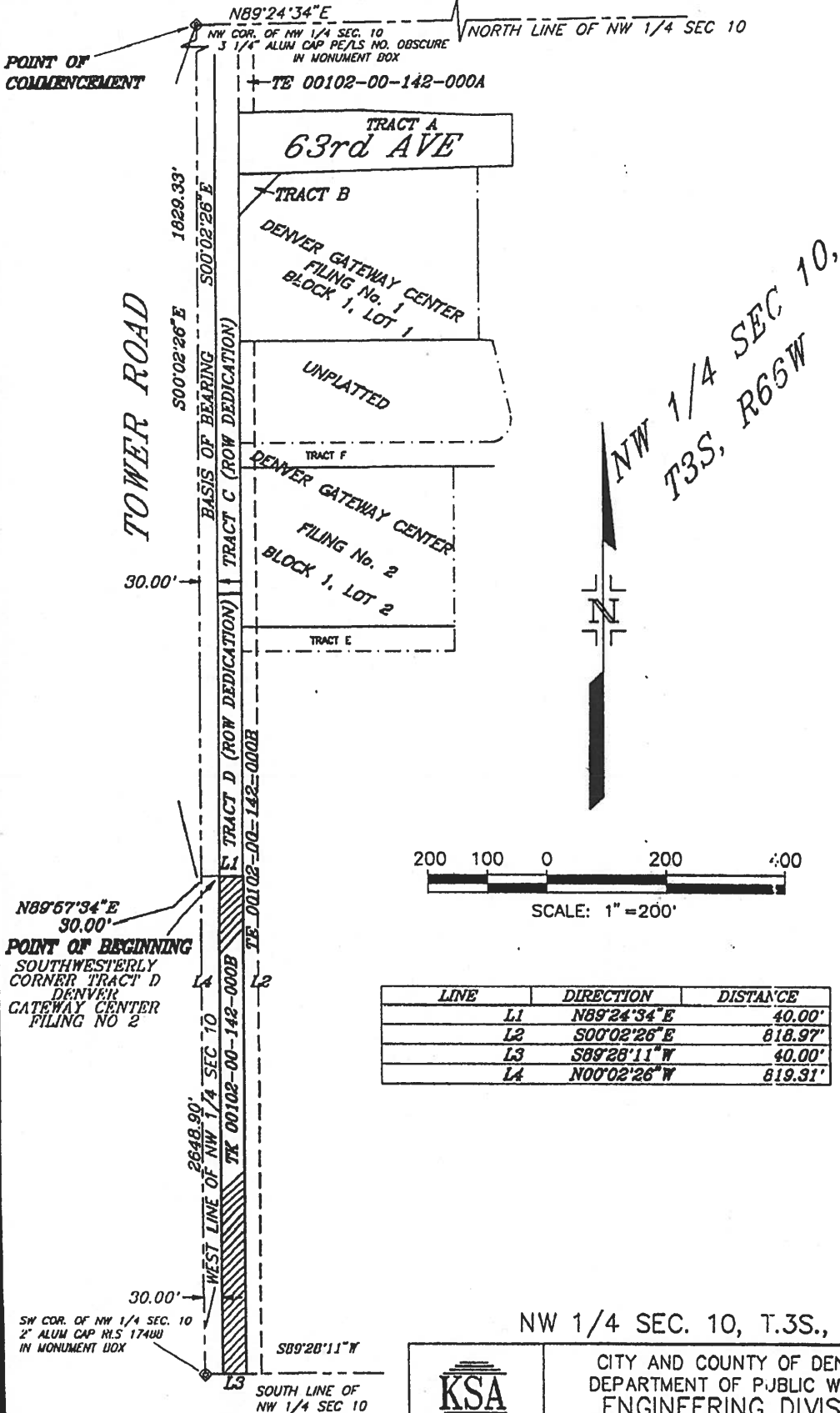
Thence N00°02'26"W along a line 30 feet easterly of and parallel with the west line of said NW 1/4 a distance of 819.31 feet to the Point of Beginning.

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, PLS 25951  
Kelly Surveying Associates, Inc.  
14 Inverness Drive East H-144  
Englewood, CO 80112





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	819.31'

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  
 acres, more or less.

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 BURLINGAME DRIVE EAST DENVER, CO 80202 (303) 733-1111	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. Maschke et al recorded August 10, 1995 at Reception No. 950009693.~~

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.