

**WHEN RECORDED MAIL TO:**

Attention: Andrea Morgan  
201 W. Colfax Ave., Dept. 204  
Denver, CO 80202

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

---

**AMENDMENT AND MODIFICATION AGREEMENT**

**THIS AMENDMENT AND MODIFICATION AGREEMENT** (“First Amendment”) is made and entered into by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (“City”), and **THE HOUSING AUTHORITY OF THE CITY AND COUNTY OF DENVER**, a Colorado quasi-municipal corporation, whose address is 777 Grant Street, Denver, Colorado 80203 (“DHA”) (together, the “Parties”).

**WITNESSETH:**

**WHEREAS**, the Parties entered into that certain Agreement dated November 23, 2004, relating to a grant of \$750,000 to assist DHA in the implementation of its “Park Avenue HOPE VI Redevelopment Plan” (the “Agreement”); and

**WHEREAS**, pursuant to the requirements in Section 1 of the Agreement, DHA has requested and the U.S. Department of Housing and Urban Development (“HUD”) has approved revisions to DHA’s redevelopment plan for that certain real property described in **Exhibit A** hereto (the “Property”); and

**WHEREAS**, to satisfy the homeownership unit requirement in Section 1 of the Agreement and as consideration for this First Amendment, the Parties executed and recorded that certain Affordable Housing Plan on December 30, 2016 at Reception No. 2016183860 of the records of the City and County of Denver, State of Colorado; and

**WHEREAS**, the Parties wish to modify the terms and conditions of the Agreement, to release a portion of the Property from the Agreement and to modify the terms of the Agreement contained therein; and

**NOW, THEREFORE**, in consideration of the premises herein contained and other good and valuable consideration, the adequacy of which is acknowledged, the Parties hereby modify the Agreement as follows:

**1.** The legal description of the Property is amended as set forth on **Exhibit B** hereto and incorporated herein. Any portion of the Property previously subject to the Agreement and not included within the legal description set forth in **Exhibit B** is hereby released from the encumbrance of the Agreement.

2. Section 1 of the Agreement entitled “**GRANT TO DHA/ USE OF FUNDS**” is amended as follows:

“1. **GRANT TO DHA/ USE OF FUNDS**: Subject to the terms of this Agreement, the City agrees to grant to DHA the sum of Seven Hundred Fifty Thousand Dollars (\$750,000.00). DHA shall use the funds disbursed pursuant to this Agreement to construct site infrastructure improvements required in connection with DHA's Park Avenue Hope VI Redevelopment Plan for the property bounded by 20th Avenue, Washington Street, and Tremont Place. It is expressly understood and agreed that the obligation of the City to make payments to DHA shall only extend to monies appropriated by the Denver City Council and paid into the Treasury of the City for the purposes of this Agreement.

A. **Affordability Limitations**. DHA shall insure that not less than 66% of the units at the Property (the “City Units”) shall have rents not exceeding the lesser of (i) fair market rent for comparable units in the area as established by the U.S. Department of Housing and Urban Development (“HUD”), under 24 C.F.R. 888.11, or (ii) a rent that does not exceed 30% of the adjusted income of a family whose annual income equals 60% of the median income for the Denver area, as determined by HUD, with adjustments for number of bedrooms in the unit.

It shall be DHA’s responsibility to obtain updated guidelines from OED or HUD, and comply with same.

The City shall determine maximum monthly allowances for utilities and services annually in accordance with 24 C.F.R. 92.252(d)(1). Rents shall not exceed the maximum rents as determined above minus the monthly allowance for utilities and services.

The City shall review rents for compliance and approval in accordance with 24 C.F.R. 92.252(d)(2) & (f)(2) within ninety (90) days after OED requests rent information from the Borrower.

B. **Occupancy/Income Limitations**. The City Units shall be occupied by tenants whose incomes are at or below sixty percent (60%) of the median income for the Denver area determined by HUD pursuant to section 24 C.F.R. 5.609 or any successor regulation. By executing this First Amendment, DHA acknowledges receipt of HUD’s

current income guidelines from OED. It shall be DHA's responsibility to obtain updated guidelines from OED or HUD, and comply with same.

C. The requirements described in Subsections A and B above shall apply to and encumber the Property until November 23, 2024.”

3. DHA consents to the use of electronic signatures by the City. This First Amendment, and any other documents requiring a signature hereunder, may be signed electronically by the City in the manner specified by the City. The Parties agree not to deny the legal effect or enforceability of this First Amendment solely because it is in electronic form or because an electronic record was used in its formation. The Parties agree not to object to the admissibility of this First Amendment in the form of an electronic record, or a paper copy of an electronic document, or a paper copy of a document bearing an electronic signature, on the ground that it is an electronic record or electronic signature or that it is not in its original form or is not an original.

4. Except as modified herein, the Agreement remains unmodified.

**[BALANCE OF PAGE INTENTIONALLY LEFT BLANK]**

**Contract Control Number:**

IN WITNESS WHEREOF, the parties have set their hands and affixed their seals at Denver, Colorado as of

SEAL

**CITY AND COUNTY OF DENVER**

ATTEST:

By \_\_\_\_\_

\_\_\_\_\_

APPROVED AS TO FORM:

REGISTERED AND COUNTERSIGNED:

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_



**Contract Control Number:** OEDEV-CE34011-01

**Contractor Name:** Housing Authority of the City and County of Denver

By: 

Name: ISMAEL GUERRERO  
(please print)

Title: EXEC. DIRECTOR  
(please print)

**ATTEST: [if required]**

By: \_\_\_\_\_

Name: \_\_\_\_\_  
(please print)

Title: \_\_\_\_\_  
(please print)



THE HOUSING AUTHORITY OF THE  
CITY AND COUNTY OF DENVER

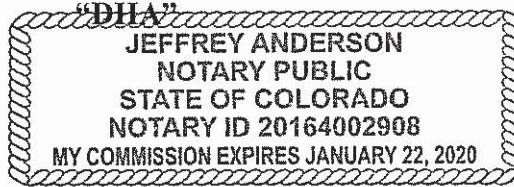
IRS No. 84-6002414

By: [Signature]

Title: EXEC. DIRECTOR

OEDEV-CE34011-01

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



Acknowledged before me this 17th day of November, 2017, by Ismael Guerrero as Executive Director of The Housing Authority of the City and County of Denver.

Witness my hand and official seal.

My commission expires: January 22, 2020

[Signature]  
Notary Public



## EXHIBIT A

### Description of the Property in 2002

#### Legal Description:

A PART OF CLEMENTS ADDITION TO THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, CONSISTING OF PARTS OF BLOCKS 215, 216, 222, 223 AND 224 AND PORTIONS OF STREETS AND ALLEYS ADJOINING THOSE BLOCKS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF 23RD STREET WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF TREMONT PLACE, SAID POINT BEING THE MOST WESTERLY CORNER OF SAID BLOCK 216; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF TREMONT PLACE A DISTANCE OF 277.13 FEET; THENCE ON AN ANGLE TO THE RIGHT OF 90°01'25", A DISTANCE OF 80.00 FEET; THENCE ON AN ANGLE TO THE LEFT OF 90°01'25" A DISTANCE OF 25.00 FEET; THENCE ON AN ANGLE TO THE RIGHT OF 90°01'25" A DISTANCE OF 150.00 FEET; THENCE ON AN ANGLE TO THE LEFT OF 90°01'25" A DISTANCE OF 100.00 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF 24TH STREET; THENCE ON AN ANGLE TO THE RIGHT OF 90°01'25" ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 77.50 FEET TO THE CENTERLINE OF COURT PLACE; THENCE ON AN ANGLE TO THE LEFT OF 00°00'23" A DISTANCE OF 40.00 FEET TO THE MOST NORTHERLY CORNER OF BLOCK 223; THENCE ON AN ANGLE TO THE LEFT OF 90°01'15" A DISTANCE OF 40.00 FEET TO THE CENTERLINE OF 24TH STREET; THENCE ON AN ANGLE TO THE RIGHT OF 90°01'15" ALONG SAID CENTERLINE A DISTANCE OF 42.05 FEET; THENCE ON AN ANGLE TO THE LEFT OF 44°50'55" A DISTANCE OF 165.94 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF WASHINGTON STREET; THENCE ON AN ANGLE TO THE RIGHT OF 90°00'00" ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 265.43 FEET TO THE MOST NORTHERLY CORNER OF BLOCK 252 OF SAID CLEMENTS ADDITION; THENCE ON AN ANGLE TO THE RIGHT OF 105°58'18" A DISTANCE OF 143.69 FEET TO A POINT ON THE NORTHEASTERLY LINE OF LOT 28 BLOCK 223 OF SAID CLEMENTS ADDITIONS; THENCE ON AN ANGLE TO THE LEFT OF 61°07'23" AND PARALLEL TO THE NORTHWESTERLY RIGHT-OF-WAY OF CLEVELAND PLACE A DISTANCE OF 301.62 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF 23RD STREET; THENCE ON AN ANGLE TO THE RIGHT OF 90°00'00" ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 260.92 FEET TO THE CENTERLINE OF COURT PLACE; THENCE ON AN ANGLE TO THE RIGHT OF 00°00'42" A DISTANCE OF 130.45 FEET; THENCE ON AN ANGLE TO THE LEFT OF 90°00'00" A DISTANCE OF 80.00 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID 23RD STREET; THENCE ON AN ANGLE TO THE LEFT OF 0°01'57" A DISTANCE OF 90.00 FEET; THENCE ON AN ANGLE TO THE LEFT OF 89°58'03" A DISTANCE OF 50.00 FEET; THENCE ON AN ANGLE TO THE RIGHT OF 89°58'03" A DISTANCE OF 166.25 FEET; THENCE ON AN ANGLE TO THE LEFT OF 89°58'03" A DISTANCE OF 80.00 FEET TO A POINT ON THE CENTERLINE OF COURT PLACE; THENCE ON AN ANGLE TO THE LEFT OF 90°01'57" ALONG SAID CENTERLINE A DISTANCE OF 256.25 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF 23RD STREET; THENCE ON AN ANGLE TO THE RIGHT OF 90°01'15" ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 186.24 FEET; THENCE ON AN ANGLE TO THE RIGHT OF 90°00'46" A DISTANCE OF 178.57 FEET; THENCE ON AN ANGLE TO THE LEFT OF 90°00'46" A DISTANCE OF 140.00 FEET TO A POINT ON A LINE LYING PARALLEL WITH AND 21.00 FEET NORTHWESTERLY OF THE CENTERLINE OF CLEVELAND PLACE; THENCE ON AN ANGLE TO THE RIGHT OF 90°00'46" ALONG SAID PARALLEL LINE A DISTANCE OF 123.40 FEET; THENCE ON AN ANGLE TO THE LEFT OF 44°47'44" A DISTANCE OF 40.79 FEET TO A

POINT ON THE NORTH RIGHT-OF-WAY LINE OF 20TH AVENUE; THENCE ON AN ANGLE TO THE RIGHT OF 90°00'00" ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 244.58 FEET; THENCE ON AN ANGLE TO THE RIGHT OF 90°00'00" A DISTANCE OF 54.16 FEET TO A POINT LYING 24.50 FEET SOUTHWESTERLY OF THE CENTERLINE OF 22ND STREET; THENCE ON AN ANGLE TO THE LEFT OF 45°13'59" PARALLEL TO THE CENTERLINE OF SAID 22ND STREET A DISTANCE OF 103.79 FEET; THENCE ON AN ANGLE TO THE RIGHT OF 90°42'50" A DISTANCE OF 64.50 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID 22ND STREET, SAID POINT BEING THE MOST WESTERLY CORNER OF BLOCK 224; THENCE ON AN ANGLE TO THE LEFT OF 90°41'55" ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 40.00 FEET TO THE CENTERLINE OF COURT PLACE; THENCE ON AN ANGLE TO THE RIGHT OF 0°01'27" ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 40.00 FEET TO THE MOST SOUTHERLY CORNER OF SAID BLOCK 215; THENCE ON AN ANGLE TO THE RIGHT OF 89°57'20" ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF COURT PLACE A DISTANCE OF 50.03 FEET; THENCE ON AN ANGLE TO THE LEFT OF 89°57'20" A DISTANCE OF 65.75 FEET; THENCE ON AN ANGLE TO THE RIGHT OF 89°57'20" A DISTANCE OF 46.40 FEET; THENCE ON AN ANGLE TO THE LEFT OF 89°57'20" A DISTANCE OF 101.80 FEET; THENCE ON AN ANGLE TO THE RIGHT OF 89°57'33" A DISTANCE OF 155.44 FEET; THENCE ON AN ANGLE TO THE LEFT OF 90°00'00" A DISTANCE OF 100.00 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF TREMONT PLACE; THENCE ON AN ANGLE TO THE RIGHT OF 90°00'00" ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 148.42 FEET TO THE MOST NORTHERLY CORNER OF SAID BLOCK 215; THENCE ON AN ANGLE TO THE RIGHT OF 0°21'30" A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING,

EXCEPT

THAT PORTION OF 23RD STREET LYING WITHIN THE HERETOFORE DESCRIBED BOUNDARIES, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF 23RD STREET WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF TREMONT PLACE; THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF 23RD STREET A DISTANCE OF 177.07 FEET; THENCE ON AN ANGLE TO THE RIGHT OF 90°00'00" A DISTANCE OF 80.00 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID 23RD STREET; THENCE ON AN ANGLE TO THE RIGHT OF 90°00'00" A DISTANCE OF 177.53 FEET TO THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID 23RD STREET WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF TREMONT PLACE; THENCE ON AN ANGLE TO THE RIGHT OF 90°19'46" A DISTANCE OF 80.00 FEET TO THE POINT ON BEGINNING.



## EXHIBIT B

### Amended Description of the Property

#### Legal Description:

A PART OF CLEMENTS ADDITION TO THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, CONSISTING OF PARTS OF BLOCKS 215, 216, 222, 223 AND 224 AND PORTIONS OF STREETS AND ALLEYS ADJOINING THOSE BLOCKS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF 23RD STREET WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF TREMONT PLACE, SAID POINT BEING THE MOST WESTERLY CORNER OF SAID BLOCK 216; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF TREMONT PLACE A DISTANCE OF 277.13 FEET; THENCE ON AN ANGLE TO THE RIGHT OF 90°01'25", A DISTANCE OF 80.00 FEET; THENCE ON AN ANGLE TO THE LEFT OF 90°01'25" A DISTANCE OF 25.00 FEET; THENCE ON AN ANGLE TO THE RIGHT OF 90°01'25" A DISTANCE OF 150.00 FEET; THENCE ON AN ANGLE TO THE LEFT OF 90°01'25" A DISTANCE OF 100.00 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF 24TH STREET; THENCE ON AN ANGLE TO THE RIGHT OF 90°01'25" ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 77.50 FEET TO THE CENTERLINE OF COURT PLACE; THENCE ON AN ANGLE TO THE LEFT OF 00°00'23" A DISTANCE OF 40.00 FEET TO THE MOST NORTHERLY CORNER OF BLOCK 223; THENCE ON AN ANGLE TO THE LEFT OF 90°01'15" A DISTANCE OF 40.00 FEET TO THE CENTERLINE OF 24TH STREET; THENCE ON AN ANGLE TO THE RIGHT OF 90°01'15" ALONG SAID CENTERLINE A DISTANCE OF 42.05 FEET; THENCE ON AN ANGLE TO THE LEFT OF 44°50'55" A DISTANCE OF 165.94 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF WASHINGTON STREET; THENCE ON AN ANGLE TO THE RIGHT OF 90°00'00" ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 265.43 FEET TO THE MOST NORTHERLY CORNER OF BLOCK 252 OF SAID CLEMENTS ADDITION; THENCE ON AN ANGLE TO THE RIGHT OF 105°58'18" A DISTANCE OF 143.69 FEET TO A POINT ON THE NORTHEASTERLY LINE OF LOT 28 BLOCK 223 OF SAID CLEMENTS ADDITIONS; THENCE ON AN ANGLE TO THE LEFT OF 61°07'23" AND PARALLEL TO THE NORTHWESTERLY RIGHT-OF-WAY OF CLEVELAND PLACE A DISTANCE OF 301.62 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF 23RD STREET; THENCE ON AN ANGLE TO THE RIGHT OF 90°00'00" ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 260.92 FEET TO THE CENTERLINE OF COURT PLACE; THENCE ON AN ANGLE TO THE RIGHT OF 00°00'42" A DISTANCE OF 130.45 FEET; THENCE ON AN ANGLE TO THE LEFT OF 90°00'00" A DISTANCE OF 80.00 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID 23RD STREET; THENCE ON AN ANGLE TO THE LEFT OF 0°01'57" A DISTANCE OF 90.00 FEET; THENCE ON AN ANGLE TO THE LEFT OF 89°58'03" A DISTANCE OF 50.00 FEET; THENCE ON AN ANGLE TO THE RIGHT OF 89°58'03" A DISTANCE OF 166.25 FEET; THENCE ON AN ANGLE TO THE LEFT OF 89°58'03" A DISTANCE OF 80.00 FEET TO A POINT ON THE CENTERLINE OF COURT PLACE; THENCE ON AN ANGLE TO THE LEFT OF 90°01'57" ALONG SAID CENTERLINE A DISTANCE OF 256.25 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF 23RD STREET; THENCE ON AN ANGLE TO THE RIGHT OF 90°01'15" ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 186.24 FEET; THENCE ON AN ANGLE TO THE RIGHT OF 90°00'46" A DISTANCE OF 178.57 FEET; THENCE ON AN ANGLE TO THE LEFT OF 90°00'46" A DISTANCE OF 140.00 FEET TO A POINT ON A LINE LYING PARALLEL WITH AND 21.00 FEET NORTHWESTERLY OF THE CENTERLINE OF CLEVELAND PLACE; THENCE ON AN ANGLE TO THE RIGHT OF 90°00'46" ALONG SAID PARALLEL LINE A DISTANCE OF 123.40 FEET; THENCE ON AN ANGLE TO THE LEFT OF 44°47'44" A DISTANCE OF 40.79 FEET TO A

POINT ON THE NORTH RIGHT-OF-WAY LINE OF 20TH AVENUE; THENCE ON AN ANGLE TO THE RIGHT OF 90°00'00" ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 244.58 FEET; THENCE ON AN ANGLE TO THE RIGHT OF 90°00'00" A DISTANCE OF 54.16 FEET TO A POINT LYING 24.50 FEET SOUTHWESTERLY OF THE CENTERLINE OF 22ND STREET; THENCE ON AN ANGLE TO THE LEFT OF 45°13'59" PARALLEL TO THE CENTERLINE OF SAID 22ND STREET A DISTANCE OF 103.79 FEET; THENCE ON AN ANGLE TO THE RIGHT OF 90°42'50" A DISTANCE OF 64.50 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID 22ND STREET, SAID POINT BEING THE MOST WESTERLY CORNER OF BLOCK 224; THENCE ON AN ANGLE TO THE LEFT OF 90°41'55" ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 40.00 FEET TO THE CENTERLINE OF COURT PLACE; THENCE ON AN ANGLE TO THE RIGHT OF 0°01'27" ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 40.00 FEET TO THE MOST SOUTHERLY CORNER OF SAID BLOCK 215; THENCE ON AN ANGLE TO THE RIGHT OF 89°57'20" ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF COURT PLACE A DISTANCE OF 50.03 FEET; THENCE ON AN ANGLE TO THE LEFT OF 89°57'20" A DISTANCE OF 65.75 FEET; THENCE ON AN ANGLE TO THE RIGHT OF 89°57'20" A DISTANCE OF 46.40 FEET; THENCE ON AN ANGLE TO THE LEFT OF 89°57'20" A DISTANCE OF 101.80 FEET; THENCE ON AN ANGLE TO THE RIGHT OF 89°57'33" A DISTANCE OF 155.44 FEET; THENCE ON AN ANGLE TO THE LEFT OF 90°00'00" A DISTANCE OF 100.00 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF TREMONT PLACE; THENCE ON AN ANGLE TO THE RIGHT OF 90°00'00" ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 148.42 FEET TO THE MOST NORTHERLY CORNER OF SAID BLOCK 215; THENCE ON AN ANGLE TO THE RIGHT OF 0°21'30" A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING,

EXCEPT

THAT PORTION OF 23RD STREET LYING WITHIN THE HERETOFORE DESCRIBED BOUNDARIES, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF 23RD STREET WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF TREMONT PLACE; THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF 23RD STREET A DISTANCE OF 177.07 FEET; THENCE ON AN ANGLE TO THE RIGHT OF 90°00'00" A DISTANCE OF 80.00 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID 23RD STREET; THENCE ON AN ANGLE TO THE RIGHT OF 90°00'00" A DISTANCE OF 177.53 FEET TO THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID 23RD STREET WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF TREMONT PLACE; THENCE ON AN ANGLE TO THE RIGHT OF 90°19'46" A DISTANCE OF 80.00 FEET TO THE POINT ON BEGINNING.

AND EXCEPT

A PARCEL OF LAND BEING A PORTION OF LOT 1, BLOCK 1, PARK AVENUE NORTH FILING NO. 1, AS RECORDED IN THE DENVER COUNTY CLERK AND RECORDER'S OFFICE AT RECEPTION NUMBER 2005124787, SITUATED IN THE NORTHEAST QUARTER OF SECTION 34, 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:

COMMENCING AT THE NORTH CORNER OF SAID LOT 1; THENCE SOUTH 00°14'43" EAST, ALONG THE WEST RIGHT OF WAY LINE OF WASHINGTON STREET, A DISTANCE OF 223.67 FEET TO A POINT ON THE NORTH LINE OF A PARCEL OF LAND AS DESCRIBED IN THE RENTAL AND OCCUPANCY COVENANT AS RECORDED AT RECEPTION NUMBER 2002105739 IN THE RECORDS OF SAID DENVER COUNTY CLERK AND RECORDER'S OFFICE AND THE POINT OF BEGINNING; THENCE SOUTH 00°14'43" EAST, CONTINUING ALONG SAID WEST RIGHT OF WAY LINE OF WASHINGTON STREET, A DISTANCE OF 90.59 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF CLEVELAND PLACE; THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINES THE FOLLOWING TWO (2) COURSES:

1. SOUTH 79°46'06" WEST, A DISTANCE OF 35.70 FEET TO A POINT OF CURVATURE;

2. ALONG SAID CURVE TO THE LEFT HAVING A RADIUS OF 132.00 FEET AND A CENTRAL ANGLE OF 02°57'09", AN ARC DISTANCE OF 6.80 FEET, THE CHORD OF WHICH BEARS SOUTH 78°17'32" WEST A DISTANCE OF 6.80 FEET; THENCE NORTH 45°24'19" WEST, DEPARTING CLEVELAND PLACE, A DISTANCE OF 139.10 FEET TO A POINT ON THE NORTH LINE OF SAID RENTAL AND OCCUPANCY COVENANT; THENCE NORTH 89°44'11" EAST, ALONG SAID NORTH LINE OF THE RENTAL AND OCCUPANCY COVENANT, A DISTANCE OF 140.46 FEET TO THE POINT OF BEGINNING.

CONTAINING 8,782 SQUARE FEET OR 0.20 ACRES, MORE OR LESS.

FOR THE PURPOSE OF THIS DESCRIPTION THE BEARINGS ARE BASED ON THE 20' RANGE LINE IN COURT PLACE AS MONUMENTED BY 2" ALUMINUM CAP AT SOUTHWEST END AND WITH A 3.5" ALUMINUM CAP AT THE NORTHEAST END BOTH STAMPED PLS 38073. BEARS NORTH 44°35'12" EAST PER RECEPTION #2005106476.

AND EXCEPT

A PARCEL OF LAND BEING A PORTION OF LOT 1, BLOCK 3, PARK AVENUE NORTH FILING NO. 1, AS RECORDED IN THE DENVER COUNTY CLERK AND RECORDER'S OFFICE AT RECEPTION NUMBER 20051244787, SITUATED IN THE NORTHEAST QUARTER OF SECTION 34, 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:

COMMENCING AT THE NORTHERLY CORNER OF SAID BLOCK 3; THENCE SOUTH 44°34'04" WEST, ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF TREMONT PLACE, A DISTANCE OF 231.74 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 45°25'56" EAST, DEPARTING SAID SOUTHEASTERLY LINE, A DISTANCE OF 92.70 FEET; THENCE SOUTH 44°45'21" WEST, A DISTANCE OF 160.41 FEET TO THE NORTHEASTERLY RIGHT OF WAY LINE OF PARK AVENUE WEST; THENCE NORTH 45°26'07" WEST, ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 92.17 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF TREMONT PLACE; THENCE NORTH 44°34'04" EAST, ALONG SAID SOUTHEASTERLY LINE, A DISTANCE OF 160.41 FEET TO THE POINT OF BEGINNING.

CONTAINING 14,827 SQUARE FEET, 0.34 ACRES, MORE OR LESS.

FOR THE PURPOSE OF THIS DESCRIPTION THE BEARINGS ARE BASED ON THE 20' RANGE LINE OF TREMONT PLACE AS MONUMENTED BY #6 REBAR IN RANGE BOX AT SOUTHWEST END AND WITH A 1.5" AXLE IN RANGEBOX AT THE NORTHEAST END AND BEARS NORTH 44°34'04" EAST.

AND EXCEPT

A PARCEL OF LAND BEING A PORTION OF LOT 1, BLOCK 3, PARK AVENUE NORTH FILING NO. 1, AS RECORDED IN THE DENVER COUNTY CLERK AND RECORDER'S OFFICE AT RECEPTION NUMBER 20051244787, SITUATED IN THE NORTHEAST QUARTER OF SECTION 34, 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:

COMMENCING AT THE NORTHERLY CORNER OF SAID BLOCK 3; THENCE SOUTH 44°34'04" WEST, ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF TREMONT PLACE, A DISTANCE OF 125.02 FEET TO A POINT ON THE NORTHEAST LINE OF A PARCEL OF LAND AS DESCRIBED IN THE RENTAL AND OCCUPANCY COVENANT AS RECORDED AT RECEPTION NUMBER 2002105739 IN THE RECORDS OF SAID DENVER COUNTY CLERK AND RECORDER'S OFFICE AND THE POINT OF BEGINNING; THENCE ALONG SAID NORTHEAST LINE OF THE RENTAL AND OCCUPANCY COVENANT THE FOLLOWING THREE (3) COURSES:

1. SOUTH 45°24'31" EAST A DISTANCE OF 80.00 FEET;
2. THENCE NORTH 44°34'04" EAST A DISTANCE OF 25.00 FEET;
3. THENCE SOUTH 45°24'31" EAST A DISTANCE OF 21.45 FEET;

THENCE SOUTH 44°24'22" WEST A DISTANCE OF 77.17 FEET;  
THENCE SOUTH 57°31'45" WEST A DISTANCE OF 11.21 FEET;  
THENCE SOUTH 82°25'10" WEST A DISTANCE OF 10.34 FEET;  
THENCE SOUTH 44°45'21" WEST A DISTANCE OF 5.41 FEET;  
THENCE NORTH 45°25'56" WEST A DISTANCE OF 92.79 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF TREMONT PLACE AND A POINT ON THE NORTHWEST LINE OF SAID RENTAL AND OCCUPANCY COVENANT; THENCE NORTH 44°34'04" EAST, ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE AND SAID NORTHWEST LINE, A DISTANCE OF 76.72 FEET TO THE POINT OF BEGINNING.

CONTAINING 8,223 SQUARE FEET OR 0.19 ACRES, MORE OR LESS.  
FOR THE PURPOSE OF THIS DESCRIPTION THE BEARINGS ARE BASED ON THE 20' RANGE LINE OF TREMONT PLACE AS MONUMENTED BY #6 REBAR IN RANGE BOX AT SOUTHWEST END AND WITH A 1.5" AXLE IN RANGEBOX AT THE NORTHEAST END AND BEARS NORTH 44°34'04" EAST.

AND EXCEPT

A PARCEL OF LAND BEING A PORTION OF LOT 1, BLOCK 2, PARK AVENUE SOUTH FILING NO. 1, AS RECORDED IN THE DENVER COUNTY CLERK AND RECORDER'S OFFICE AT RECEPTION NUMBER 2007161040, SITUATED IN THE NORTHEAST QUARTER OF SECTION 34, 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:

COMMENCING AT THE SOUTHEASTERLY CORNER OF SAID LOT 1; THENCE SOUTH 89°49'19" WEST, ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 79.11 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89° 49'19" WEST, ALONG SAID LINE, A DISTANCE OF 113.86 FEET TO THE NORTHEASTERLY RIGHT OF WAY LINE OF 22ND STREET; THENCE ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE THE FOLLOWING FIVE (5) COURSES:

1. NORTH 10° 10'45" WEST, A DISTANCE OF 55.63 FEET TO A POINT OF CURVATURE;
2. ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 154.91 FEET AND A CENTRAL ANGLE OF 35° 11 '50"; AN ARC DISTANCE OF 95.16 FEET, THE CHORD OF WHICH BEARS NORTH 27°46'41" WEST, A DISTANCE OF 93.67 FEET;
3. NORTH 45°22'37" WEST, A DISTANCE OF 43.04 FEET;
4. NORTH 45°19'26" EAST, A DISTANCE OF 6.08 FEET;
5. NORTH 45°22'37" WEST, A DISTANCE OF 16.00 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF COURT PLACE;

THENCE NORTH 44 °38'02" EAST, ALONG SAID SOUTHEASTERLY LINE, A DISTANCE OF 181.03 FEET; THENCE SOUTH 45°22'36" EAST, DEPARTING SAID SOUTHEASTERLY LINE OF COURT PLACE, A DISTANCE OF 202.05 FEET TO A NAIL

WITH BRASS TAG STAMPED PLS 36062; THENCE SOUTH 44°37'24" WEST, A DISTANCE OF 70.83 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 58.00 FEET AND A CENTRAL ANGLE OF 45°00'00" A DISTANCE OF 45.55 FEET, THE CHORD OF WHICH BEARS SOUTH 22°07'24" WEST, A DISTANCE OF 44.39 FEET; THENCE SOUTH 00°22'36" EAST, A DISTANCE OF 78.40 FEET TO THE POINT OF BEGINNING.

CONTAINING 46,309 SQUARE FEET, 1.06 ACRES, MORE OR LESS.

FOR THE PURPOSE OF THIS DESCRIPTION THE BEARINGS ARE BASED ON THE NORTHEASTERLY LINE OF PARCEL SA MONUMENTED BY #5 REBAR WITH RED PLASTIC CAP PLS 36062 AT

NORTHWEST END AND WITH A 1.25" BRASS TAG PLS 36062 AT THE SOUTHEAST END. BEARS  
SOUTH 45°22'36" EAST PER RECEPTION #2009163554.