



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

**TO:** Caroline Martin, City Attorney's Office

**FROM:** Matt Bryner, P.E. Senior Engineering Manager  
Right-of-Way Services

**DATE:** July 27, 2017

**ROW #:** 2017-Dedication-0000140      **SCHEDULE #:** 0110404003000

**TITLE:** This request is to dedicate a parcel of land as Public Right of Way as N. Galena St. Located at the intersection of E. 56<sup>th</sup> Ave. and Galena St.

**SUMMARY:** Request for a Resolution for laying out, opening and establishing certain real property as part of the system of thoroughfares of the municipality; i.e. as N. Galena St. This parcel(s) of land is being dedicated to the City and County of Denver for Public Right-of-Way, as part of the development project (**Stapleton Filing No. 52**)

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 N. Galena St. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # (2017-Dedication-0000140) HERE.**

A map of the area to be dedicated is attached.

MB/TL/BV

cc: Asset Management, Robert Koehler  
City Councilperson & Aides, Chris Herndon District # 8  
Council Aide Amanda Schoultz  
Council Aide Shelby Wieman  
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, Matt Bryner  
Department of Law, Brent Eisen  
Department of Law, Shaun Sullivan  
Department of Law, Caroline Martin  
Department of Law, Stan Lechman  
Department of Law, Cynthia Devereaux  
Public Works Survey, Tony Lopez  
Public Works Survey, Paul Rogalla  
Owner: City and County of Denver  
Project file folder 2017-Dedication-0000140

## 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: July 27, 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:**

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

This request is to dedicate a parcel of land as Public Right of Way as N. Galena St.  
Located at the intersection of E. 56<sup>th</sup> Ave. and Galena St.

**3. Requesting Agency:** Public Works-Right-of-Way Services  
**Agency Division:** 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 E. 56<sup>th</sup> Ave. This parcel(s) of land is being dedicated to the City and County of Denver for Public Right-of-Way, as part of the development project (**Stapleton Filing No. 52**)

**\*\*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. 56<sup>th</sup> and Galena St
- d. **Affected Council District:** Chris Herndon Dist. #8
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):**

**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: 2017-Dedication-0000140, Stapleton Filing No. 52**

**Description of Proposed Project: Dedicate a parcel of public right of way as N. Galena St.**

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project: The City and County of Denver was deeded this land to dedicate as Public Right of Way**

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

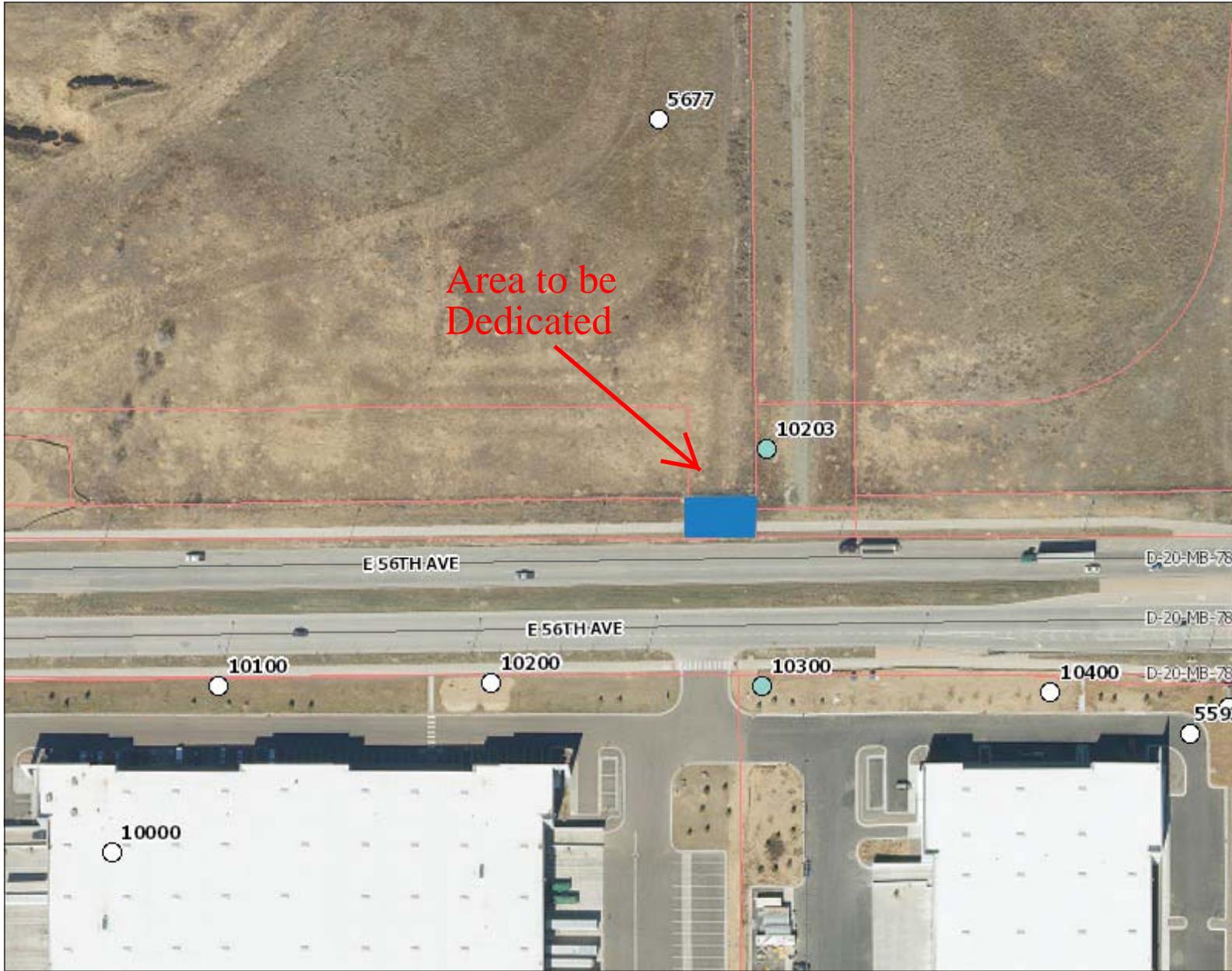
**What is the known duration of an MEP: N/A**

**Will land be dedicated to the City if the vacation goes through: N/A**

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

**Will an easement relinquishment be submitted at a later date: N/A**

**Additional information: This land was deeded to the City and County of Denver for the purpose to dedicate it as Public Right-of-Way, as a part of a development project called, Stapleton Filing No. 52**



### Legend

- Active Addresses
  - Associated
  - Land
  - Structure
  - Utility
- Streams
- Irrigation Ditches Reconstructe 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
  - All Other Parks; Linear
  - Mountain Parks



## DESCRIPTION

That part of Parcel TK-13C (LA-13 REV. 3) described at Reception Number 2010075685 in the Clerk and Recorder's Office of the City and County of Denver that is within Tract C, Future ROW for Galena St., Stapleton Filing No. 52 recorded at Reception Number 2017085094 in the Clerk and Recorder's Office of the City and County of Denver, located in the Southeast Quarter of Section 10, Township 3 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

**COMMENCING** at the South Quarter Corner of said Section 10; thence North  $86^{\circ}57'02''$  East a distance of 1893.13 feet to the southwest corner of said Tract C, Future ROW for Galena St. and a point on the southerly line of said Parcel TK-13C (LA-13 REV. 3) and the **POINT OF BEGINNING**;

thence North  $00^{\circ}18'44''$  West, along the westerly line of said Tract C, Future ROW for Galena St., a distance of 25.00 feet to the northerly line of said Parcel TK-13C (LA-13 REV. 3);  
thence North  $88^{\circ}51'45''$  East, along said northerly line of Parcel TK-13C (LA-13 REV. 3), a distance of 60.51 feet to the easterly line of said Tract C, Future ROW for Galena St.;

thence southerly along said easterly line of Tract C, Future ROW for Galena St. the following two (2) courses:

1. South  $00^{\circ}18'44''$  East a distance of 14.87 feet;
2. South  $31^{\circ}26'24''$  East a distance of 11.74 feet to the southeast corner of said Tract C, Future ROW for Galena St., also being a point on said southerly line of Parcel TK-13C (LA-13 REV. 3);

thence South  $88^{\circ}51'45''$  West, along the southerly line of said Tract C, Future ROW for Galena St., also being the southerly line of said Parcel TK-13C (LA-13 REV. 3), a distance of 66.58 feet to the **POINT OF BEGINNING**.

Containing 1,543 square feet or 0.035 acres, more or less.

**BASIS OF BEARING:** Bearings are based on the southerly line of the Southeast Quarter of Section 10, Township 3 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, bearing North  $89^{\circ}29'45''$  East based on NAD 83/92 Colorado Central Zone State Plane Coordinates. The South Quarter Corner of said Section 10 is a found 3-1/4" aluminum Cap in a Monument Box Stamped: PLS 27936. The Southeast Corner of said Section 10 is a found 3-1/4" aluminum Cap in a Monument Box Stamped ZBS INC PLS 11434.

After Recording, Return to:  
City Attorney's Office  
201 West Colfax Avenue  
Department 1207  
Denver, Colorado 80202  
Attn: Karen Aviles



**SPECIAL WARRANTY DEED**

Stapleton 56<sup>th</sup> Avenue Project – Developable Parcels along 56<sup>th</sup> Avenue Quebec and Havana Streets TK-9A (LA-9A), TK-9B (LA-9B), TK-10A (LA-10A REV.), TK-10B (LA-10B), TK-10C (LA-10C), TK-10D (LA-10D), TK-13C (LA-13 REV. 3), TK-13D (LA-13A REV.), TK-13B (LA-13B REV.)

THIS DEED (“Deed”) is made this 8 day of July, 2010 by the STAPLETON DEVELOPMENT CORPORATION, a Colorado nonprofit corporation, whose address is 7350 E. 29<sup>th</sup> Avenue, Suite 300, Denver, CO 80238 (“Grantor”) to CITY AND COUNTY OF DENVER, a municipal corporation of the State of Colorado (“Grantee”) whose address is 1437 Bannock Street, Denver, Colorado 80202

WITNESSETH, the Grantor, for and in consideration of less than Five Hundred Dollars (500.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, and conveyed, and by these presents does hereby grant, bargain, sell, convey and confirm, unto the Grantee and its successors and assigns forever, the real property, together with all improvements thereon owned by Grantor, if any, situate, lying and being in the City and County of Denver, State of Colorado, more particularly described as follows (the “Property”):

**56<sup>TH</sup> AVENUE PARCELS**

Tracts or parcels of land being more particularly described on Exhibit A (consisting of 20 pages) as attached hereto and incorporated herein by this reference.

RESERVING, HOWEVER, unto Grantor, its successors and assigns any and all minerals, oil, gas and other hydrocarbon substances on and under the Property, to the extent owned by Grantor.

TOGETHER WITH all rights, privileges and easements appurtenant to the Property, if any, including without limitation, any and all development rights, air rights, appurtenant to the Property.

TO HAVE AND TO HOLD the said Property above bargained and described with the appurtenances, unto the Grantee, and its successors and assigns forever. The Grantor, for itself and its successors and assigns, does covenant and agree that it shall and will WARRANT AND

10254352 (3) - 2



**EXHIBIT A**

**PROPERTY LEGAL DESCRIPTION**

(Attached to and made a part of Special Warranty Deed - Stapleton 56<sup>th</sup> Avenue Project – Developable Parcels along 56<sup>th</sup> Avenue Quebec and Havana Streets TK-9A (LA-9A), TK-9B (LA-9B), TK-10A (LA-10A REV.), TK-10B (LA-10B), TK-10C (LA-10C), TK-10D (LA-10D), TK-13C (LA-13 REV. 3), TK-13D (LA-13A REV.), TK-13B (LA-13B REV.) – between Stapleton Development Corporation “Grantor” and City of County of Denver “Grantee” dated July 8, 2010)

[SEE THE FOLLOWING 28 PAGES]

**EXHIBIT A**  
**PROJECT CODE: 16749**  
**PROJECT NUMBER: STU-M320-058**  
**LAND ACQUISITION TK-9A (LA-9A)**  
**DATE: MARCH 31, 2010**

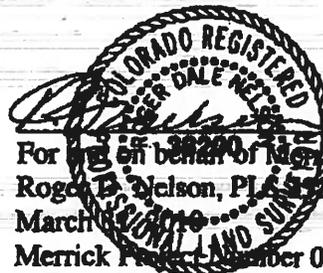
**DESCRIPTION**

Land Acquisition TK-9A (LA-9A) of the City and County of Denver, State of Colorado, Project Code 16749, Project Number STU-M320-058, containing 1.584 acres (68,978 sq. ft.), more or less, located in the Southwest Quarter of Section 10, Township 3 South, Range 67 West, of the Sixth Principal Meridian, City and County of Denver, State of Colorado, said land acquisition being more particularly described as follows:

**COMMENCING** at the Southwest corner of said Section 10, a 3" brass cap in a range box 1.6 feet below the gravel surface stamped "DWD PLS 16398, 1987", whence the South Quarter corner of said Section 10, an illegible 2 1/2" aluminum cap in a range box 3.3' below the gravel surface bears N89°29'49"E, a distance of 2612.70 feet;

**Thence N33°10'57"E a distance of 90.73 feet to the POINT OF BEGINNING;**

1. **Thence N00°15'26"W along the easterly Right-of-Way line of Yosemite St. as described in Adams County Road Petition Number 630 having a date of February 23, 1921 a distance of 35.00 feet;**
2. **Thence N89°29'49"E along a line 110.50 feet northerly of and parallel with the southerly line of said Southwest Quarter of Section 10 a distance of 1050.57 feet;**
3. **Thence N00°30'11"W a distance of 14.00 feet;**
4. **Thence N89°29'49"E along a line 124.50 feet northerly of and parallel with said southerly line of the Southwest Quarter of Section 10 a distance of 657.25 feet;**
5. **Thence S00°30'11"E a distance of 49.00 feet;**

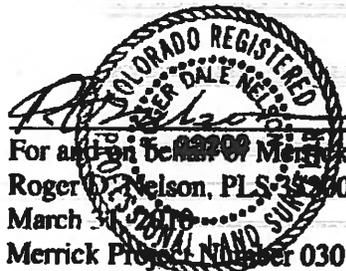


For and on behalf of Merrick & Company  
Roger E. Nelson, P.L.S. #1200  
March 31, 2010  
Merrick Project Number 0301525302  
2450 S. Peoria Street  
Aurora, CO 80014  
(303) 353-3916

6. Thence S89°29'49"W along a line 75.50 feet northerly of and parallel with said southerly line of the Southwest Quarter of Section 10 a distance of 1707.97 feet to the **POINT OF BEGINNING.**

The above described land acquisition contains 1.584 acres (68,978 sq. ft.), more or less.

**Project Basis of Bearings:** Bearings are Grid bearings of the Colorado state plane coordinate system of 1983(92), central zone and are based on a line bearing N89°29'46"E between the Northwest Corner of said Section 15, T.3S., R.67W., 6<sup>TH</sup> P.M., being a found 3" Brass Cap stamped "DWD PLS 16398, 1987" in range box, 1.6' below gravel surface and the Northeast Corner of said Section 15, being a found 3 ¼" Aluminum Cap stamped "ZBS INC., PLS 11434, 1991" in range box, 0.6' below asphalt surface.



For and on behalf of Merrick & Company  
Roger D. Nelson, PLS 0301525302  
March 31, 2019  
Merrick Project Number 0301525302  
2450 S. Peoria Street  
Aurora, CO 80014  
(303) 353-3916

EXHIBIT A

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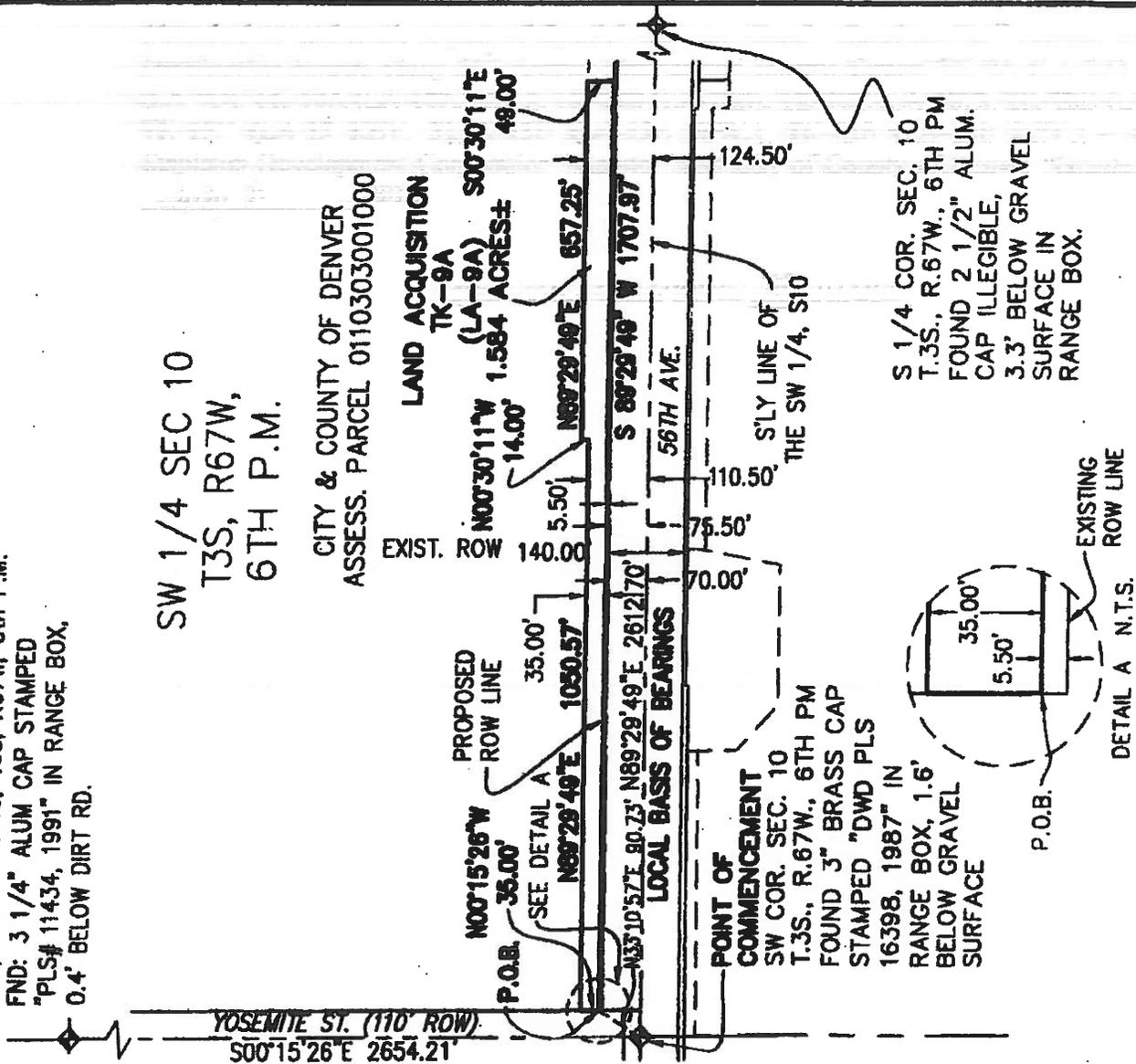
W 1/4 COR SEC 10, T3S, R67W, 6th P.M.  
 FND: 3 1/4" ALUM CAP STAMPED  
 "PLS# 11434, 1991" IN RANGE BOX,  
 0.4' BELOW DIRT RD.

SW 1/4 SEC 10  
 T3S, R67W,  
 6TH P.M.

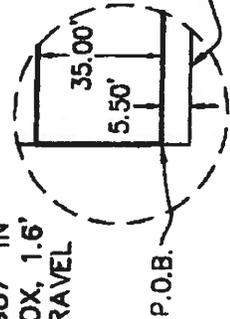
CITY & COUNTY OF DENVER  
 ASSESS. PARCEL 0110303001000

LAND ACQUISITION  
 TK-9A

(LA-9A) S00°30'11"E  
 1.584 ACRES± 49.00'



S 1/4 COR. SEC. 10  
 T.3S., R.67W., 6TH PM  
 FOUND 2 1/2" ALUM.  
 CAP ILLEGIBLE,  
 3.3' BELOW GRAVEL  
 SURFACE IN  
 RANGE BOX.



**NOTE**  
 This exhibit does not represent a monumented survey. It is intended only to depict the attached description.



MERRICK PROJECT NO.	0301525302
CLIENT PROJECT NO.	STU-M320-058
REVISION DESCRIPTION	
DRAWN	MSD
DATE	03/31/10
SCALE	1"=300'
 <b>MERRICK</b> Design & Architects 2450 South Peoria Street, Aurora, Colorado 80014	

CITY AND COUNTY OF DENVER 56TH AVE. QUEBEC TO HAVANA		
<b>LAND ACQUISITION</b> TK-9A (LA-9A)		
REVISION:	DRAWING NO.	SHEET #

EXHIBIT A  
 Page 3 of 28

**EXHIBIT A**  
**PROJECT CODE: 16749**  
**PROJECT NUMBER: STU-M320-058**  
**LAND ACQUISITION TK-9B (LA-9B)**  
**DATE: MARCH 31, 2010**

**DESCRIPTION**

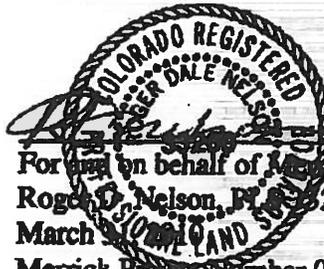
Land Acquisition TK-9B (LA-9B) of the City and County of Denver, State of Colorado, Project Code 16749, Project Number STU-M320-058, containing 0.219 acres (9,557 sq. ft.), more or less, located in the Southwest Quarter of Section 10, Township 3 South, Range 67 West, of the Sixth Principal Meridian, City and County of Denver, State of Colorado, said land acquisition being more particularly described as follows:

**COMMENCING** at the Southwest corner of said Section 10, a 3" brass cap in a range box 1.6 feet below the gravel surface stamped "DWD PLS 16398, 1987", whence the South Quarter corner of said Section 10, an illegible 2 1/2" aluminum cap in a range box 3.3' below the gravel surface bears N89°29'49"E, a distance of 2612.70 feet;

Thence N87°02'18"E a distance of 1759.92 feet to the **POINT OF BEGINNING**;

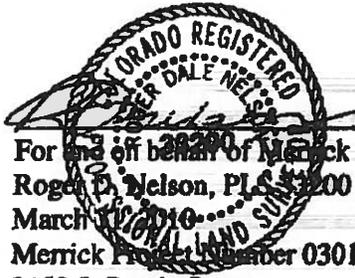
1. Thence N00°30'11"W a distance of 49.00 feet;
2. Thence N89°29'49"E along a line 124.50 feet northerly of and parallel with the southerly line of said Southwest Quarter of Section 10 a distance of 195.04 feet;
3. Thence S00°30'11"E a distance of 49.00 feet;
4. Thence S89°29'49"W along a line 75.50 feet northerly of and parallel with said southerly line of the Southwest Quarter of Section 10 a distance of 195.04 feet to the **POINT OF BEGINNING**.

The above described land acquisition contains 0.219 acres (9,557 sq. ft.), more or less.



For and on behalf of Merrick & Company  
Roger D. Nelson, PLS 200  
March 31, 2010  
Merrick Project Number 0301525302  
2450 S. Peoria Street  
Aurora, CO 80014

**Project Basis of Bearings:** Bearings are Grid bearings of the Colorado state plane coordinate system of 1983(92), central zone and are based on a line bearing N89°29'46"E between the Northwest Corner of said Section 15, T.3S., R.67W., 6<sup>TH</sup> P.M., being a found 3" Brass Cap stamped "DWD PLS 16398, 1987" in range box, 1.6' below gravel surface and the Northeast Corner of said Section 15, being a found 3 1/4" Aluminum Cap stamped "ZBS INC., PLS 11434, 1991" in range box, 0.6' below asphalt surface.



For and on behalf of Merrick & Company  
Rogert D. Nelson, PLS #2200  
March 11, 2010  
Merrick Project Number 0301525302  
2450 S. Peoria Street  
Aurora, CO 80014  
(303) 353-3916

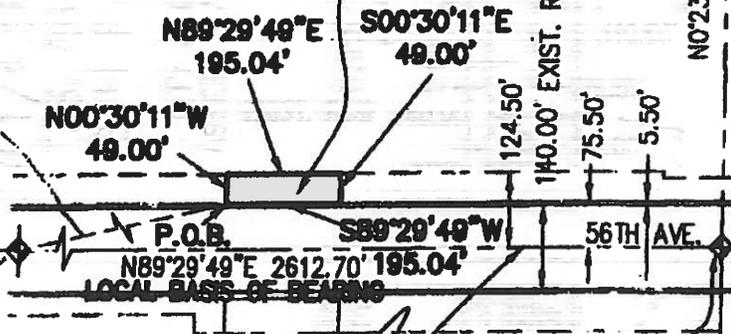
SW 1/4 SEC 10  
T3S, R67W, 6TH P.M.

LAND ACQUISITION  
TK-9B  
(LA-9B)  
0.219 ACRES ±

CITY & COUNTY  
OF DENVER  
ASSESS. PARCEL  
0110303001000

*N. 87° 00' 00" E  
1759.97'*

E'LY LINE OF  
THE SW 1/4, S10  
N0°23'55"W 2654.48' (CALC.)



**POINT OF COMMENCEMENT**  
SW COR. SEC. 10  
T.3S., R.67W., 6TH PM  
FOUND 3" BRASS CAP  
STAMPED "DWD PLS  
16398, 1987" IN  
RANGE BOX 1.6'  
BELOW GRAVEL  
SURFACE

S'LY LINE OF  
THE SW 1/4, S10

S 1/4 COR. SEC. 10  
T.3S., R.67W., 6TH PM  
FOUND 2 1/2" ALUM.  
CAP ILLEGIBLE,  
3.3' BELOW GRAVEL  
SURFACE IN  
RANGE BOX.

**NOTE**

This exhibit does not represent a monumented survey. It is intended only to depict the attached description.



MERRICK PROJECT NO.	0301525302
CLIENT PROJECT NO.	STU-M320-058
REVISION DESCRIPTION	
DRAWN	MSD
DATE	03/31/10
SCALE	1"=300'
<small>Engineers &amp; Architects</small> 2450 South Peoria Street Aurora, Colorado 80014	

CITY AND COUNTY OF DENVER 56TH AVE. QUEBEC TO HAVANA	
<b>LAND ACQUISITION</b> TK-9B (LA-9B)	
REVISION:	DRAWING NO.
	SHEET NO.

**EXHIBIT A**  
**PROJECT CODE: 16749**  
**PROJECT NUMBER: STU-M320-058**  
**LAND ACQUISITION TK-10A (LA-10A REV.)**  
**DATE: MARCH 31, 2010**

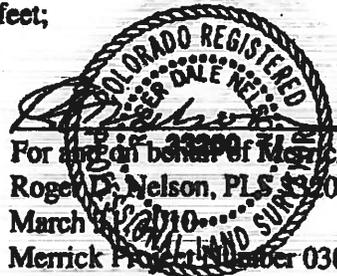
**DESCRIPTION**

Land Acquisition TK-10A (LA-10A Rev.) of the City and County of Denver, State of Colorado, Project Code 16749, Project Number STU-M320-058, containing 1.354 acres (58,971 sq. ft.), more or less, located in the Northwest Quarter of Section 15, Township 3 South, Range 67 West, of the Sixth Principal Meridian, City and County of Denver, State of Colorado, said land acquisition being more particularly described as follows:

**COMMENCING** at the Northwest corner of said Section 15, a 3" brass cap in a range box 1.6 feet below the gravel surface stamped "DWD PLS 16398, 1987", whence the North Quarter corner of said Section 15, an illegible 2 1/2" aluminum cap in a range box 3.3' below the gravel surface bears N89°29'49"E, a distance of 2612.70 feet;

Thence S81°50'09"E a distance of 534.19 feet to the **POINT OF BEGINNING**;

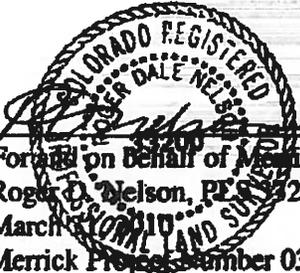
1. Thence N89°29'49"E along a line 80.50 feet southerly of and parallel with the northerly line of said Northwest Quarter of Section 15 a distance of 116.45 feet;
2. Thence N00°30'11"W a distance of 5.00 feet;
3. Thence N89°29'49"E along a line 75.50 feet southerly of and parallel with the northerly line of said Northwest Quarter of Section 15 a distance of 251.54 feet;
4. Thence S00°30'11"E a distance of 25.00 feet;
5. Thence S10°49'42"W a distance of 154.56 feet;
6. Thence S89°29'49"W along a line 252.00 feet southerly of and parallel with the northerly line of said Northwest Quarter of Section 15 a distance of 257.21 feet;
7. Thence N46°34'50"W a distance of 111.65 feet;

  
For and on behalf of Merrick & Company  
Roger D. Nelson, PLS #33200  
March 31, 2010  
Merrick Project Number 0301525302  
2450 S. Peoria Street  
Aurora, CO 80014  
(303) 353-3916

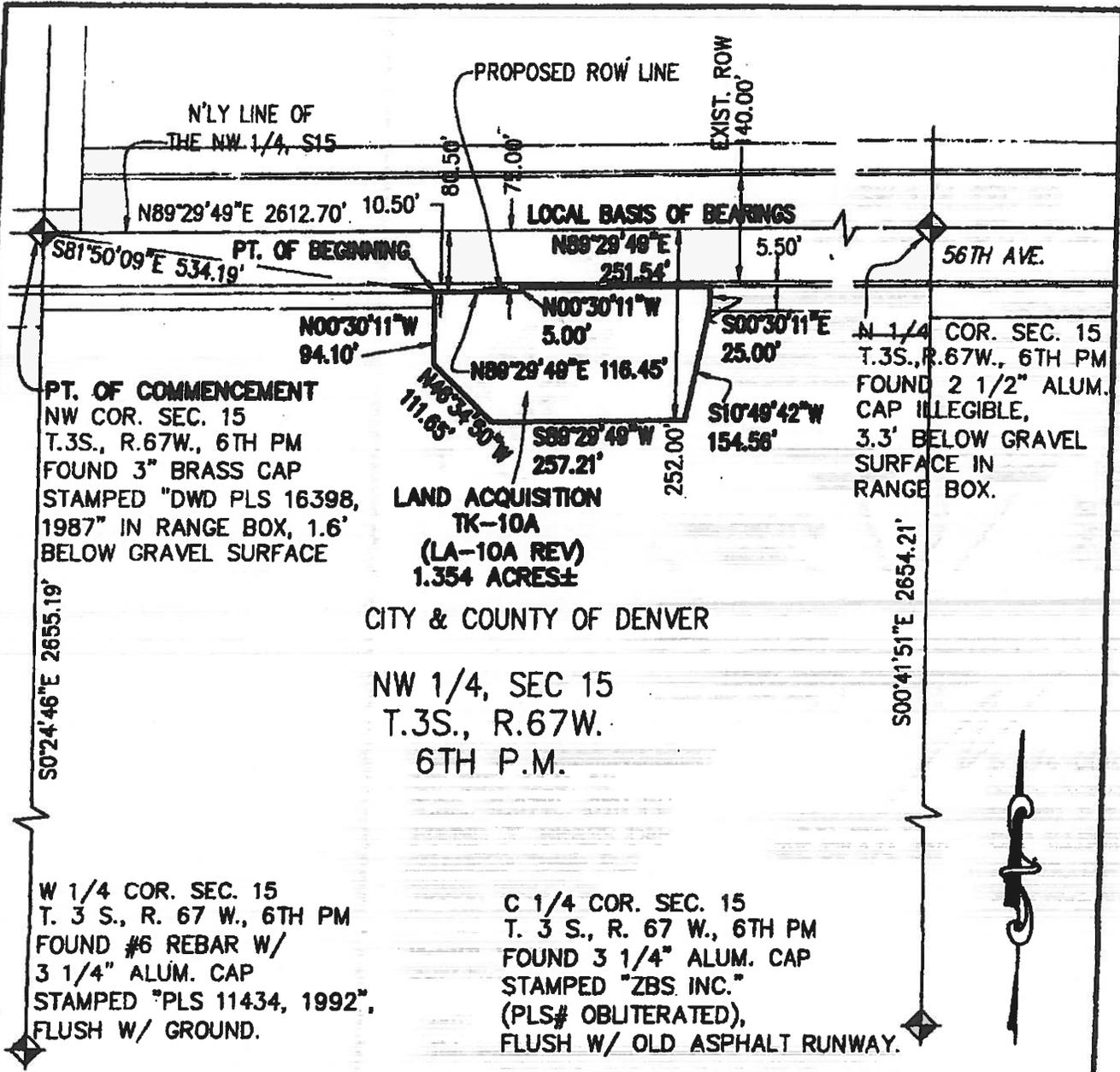
8. Thence N00°30'11"W a distance of 94.10 feet to the **POINT OF BEGINNING**.

The above described land acquisition contains 1.354 acres (58,971 sq. ft.), more or less.

**Project Basis of Bearings:** Bearings are Grid bearings of the Colorado state plane coordinate system of 1983(92), central zone and are based on a line bearing N89°29'46"E between the Northwest Corner of said Section 15, T.3S., R.67W., 6<sup>TH</sup> P.M., being a found 3" Brass Cap stamped "DWD PLS 16398, 1987" in range box, 1.6' below gravel surface and the Northeast Corner of said Section 15, being a found 3 ¼" Aluminum Cap stamped "ZBS INC., PLS 11434, 1991" in range box, 0.6' below asphalt surface.



For and on behalf of Merrick & Company  
Roger D. Nelson, P.E. #1200  
March 10, 2010  
Merrick Project Number 0301525302  
2450 S. Peoria Street  
Aurora, CO 80014  
(303) 353-3916



**NOTE**  
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<b>MERRICK PROJECT NO.</b>		0301525302	
<b>CLIENT PROJECT NO.</b>		STU-M320-058	
<b>REVISION DESCRIPTION</b>			
<b>DRAWN</b>	<b>MSD</b>	<b>DATE</b>	<b>SCALE</b>
		03/31/10	1"=200'
 <b>MERRICK</b> Engineers & Architects 2450 South Peoria Street, Aurora, Colorado 80014			

<b>CITY AND COUNTY OF DENVER</b> <b>56TH AVE.</b> <b>QUEBEC TO HAVANA</b>		
<b>TITLE:</b>		
<b>LAND ACQUISITION</b> <b>TK-10A (LA-10A REV)</b>		
<b>REVISION:</b>	<b>DRAWING NO.</b>	<b>SHEET NO.</b>

**EXHIBIT A**  
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**EXHIBIT A**  
**PROJECT CODE: 16749**  
**PROJECT NUMBER: STU-M320-058**  
**LAND ACQUISITION TK-10B (LA-10B)**  
**DATE: MARCH 31, 2010**

**DESCRIPTION**

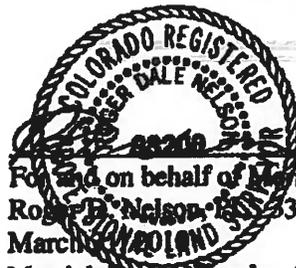
Land Acquisition TK-10B (LA-10B) of the City and County of Denver, State of Colorado, Project Code 16749, Project Number STU-M320-058, containing 0.243 acres (10,565 sq. ft.), more or less, located in the Northwest Quarter of Section 15, Township 3 South, Range 67 West, of the Sixth Principal Meridian, City and County of Denver, State of Colorado, said land acquisition being more particularly described as follows:

**COMMENCING** at the Northwest corner of said Section 15, a 3" brass cap stamped "DWD PLS 16398, 1987" in a range box, 1.6' below the gravel surface, whence the North Quarter corner of said Section 15, an illegible 2 1/2" aluminum cap, 3.3' below the gravel surface in a range box bears N89°29'49"E, a distance of 2612.70 feet;

Thence S00°24'46"E along the westerly line of said Northwest Quarter of Section 15 a distance of 80.50 feet to the **POINT OF BEGINNING**;

1. Thence N89°29'49"E along a line 80.50 feet southerly of and parallel with the northerly line of said Northwest Quarter of Section 15 a distance of 528.22 feet;
2. Thence S00°30'11"E a distance of 20.00 feet;
3. Thence S89°29'49"W along a line 100.50 feet southerly of and parallel with said northerly line of the Northwest Quarter of Section 15 a distance of 528.25 feet to the westerly line of said Northwest Quarter of Section 15;
4. Thence N00°24'46"W along said westerly line of the Northwest Quarter of Section 15 a distance of 20.00 feet to the **POINT OF BEGINNING**.

The above described land acquisition contains 0.243 Acres (10,565 sq. ft.), more or less.



For and on behalf of Merrick & Company  
Roger D. Nelson, PLS 33200  
March 31, 2010  
Merrick Project Number 0301525302  
2450 S. Peoria Street  
Aurora, CO 80014  
703) 353-3916

EXHIBIT A

**Project Basis of Bearings:** Bearings are Grid bearings of the Colorado state plane coordinate system of 1983(92), central zone and are based on a line bearing N89°29'46"E between the Northwest Corner of said Section 15, T.3S., R.67W., 6<sup>TH</sup> P.M., being a found 3" Brass Cap stamped "DWD PLS 16398, 1987" in range box, 1.6' below gravel surface and the Northeast Corner of said Section 15, being a found 3 1/4" Aluminum Cap stamped "ZBS INC., PLS 11434, 1991" in range box, 0.6' below asphalt surface.



For and on behalf of Merrick Company  
Roger Dale Nelson, PLS 35700  
March 31, 2010  
Merrick Project Number 0301525302  
2450 S. Peoria Street  
Aurora, CO 80014  
(303) 353-3916

**EXHIBIT A**

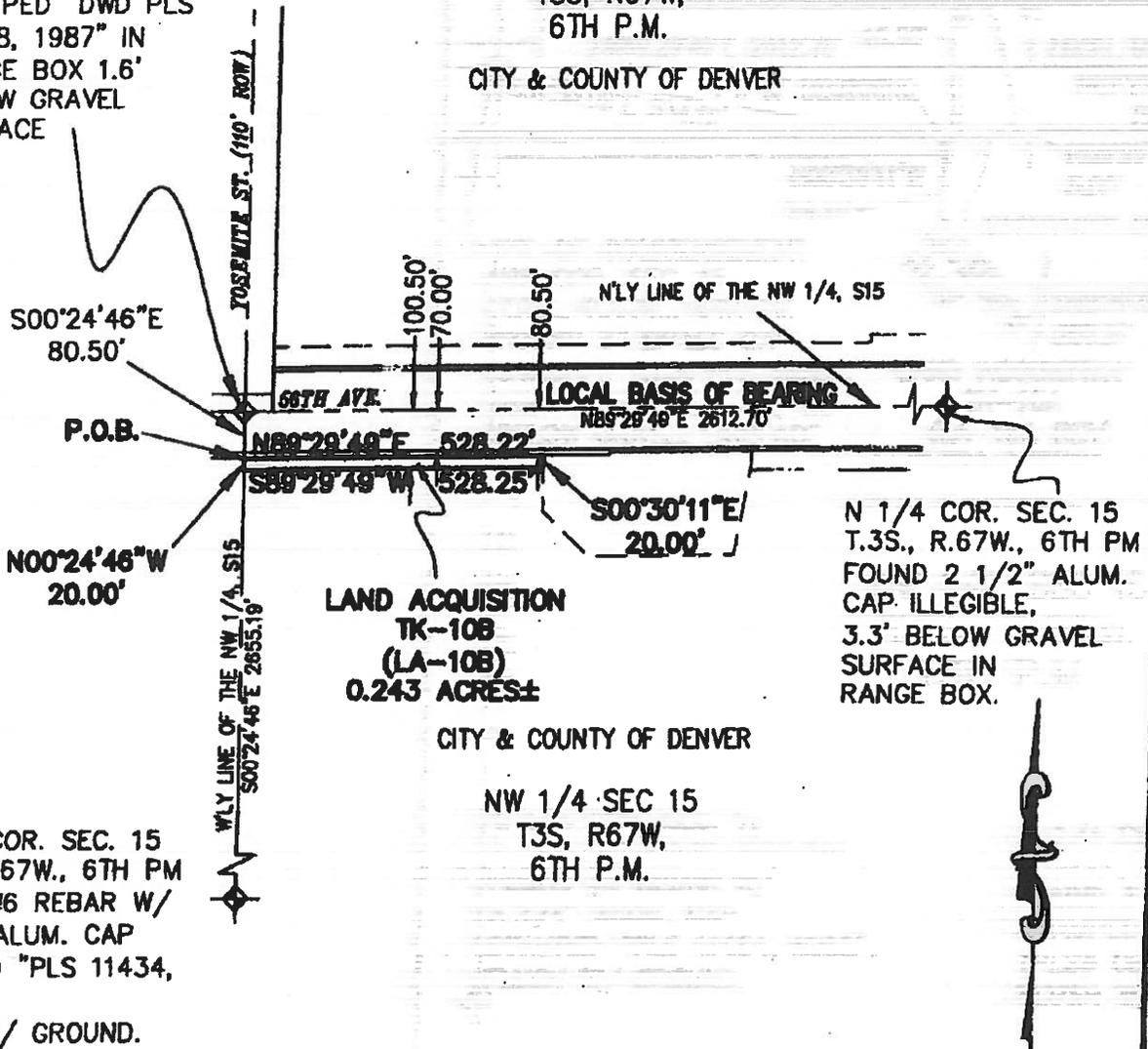
Page 11 of 28

**POINT OF COMMENCEMENT**

NW COR. SEC. 15  
T.3S., R.67W., 6TH PM  
FOUND 3" BRASS CAP  
STAMPED "DWD PLS  
16398, 1987" IN  
RANGE BOX 1.6'  
BELOW GRAVEL  
SURFACE

SW 1/4 SEC 10  
T3S, R67W,  
6TH P.M.

CITY & COUNTY OF DENVER



**LAND ACQUISITION  
TK-10B  
(LA-10B)  
0.243 ACRES±**

CITY & COUNTY OF DENVER

NW 1/4 SEC 15  
T3S, R67W,  
6TH P.M.

W 1/4 COR. SEC. 15  
T.3S., R.67W., 6TH PM  
FOUND #6 REBAR W/  
3 1/4" ALUM. CAP  
STAMPED "PLS 11434,  
1987",  
FLUSH W/ GROUND.

N 1/4 COR. SEC. 15  
T.3S., R.67W., 6TH PM  
FOUND 2 1/2" ALUM.  
CAP. ILLEGIBLE,  
3.3' BELOW GRAVEL  
SURFACE IN  
RANGE BOX.

**NOTE**

This exhibit does not represent a monumented survey.  
It is intended only to depict the attached description.



MERRICK PROJECT NO.	0301525302
CLIENT PROJECT NO.	STU-M320-043
REVISION DESCRIPTION	
DRAWN	MSD
DATE	03/31/10
SCALE	1"=300'
Engineers & Architects 2450 South Peoria Street Aurora, Colorado 80014	

CITY AND COUNTY OF DENVER 56TH AVE. QUEBEC TO HAVANA	
<b>LAND ACQUISITION TK-10B (LA-10B)</b>	
REVISION:	DRAWING NO.
	SHEET

EXHIBIT A  
Page 12 of 28

**EXHIBIT A**  
**PROJECT CODE: 16749**  
**PROJECT NUMBER: STU-M320-058**  
**LAND ACQUISITION TK-10C (LA-10C)**  
**DATE: MARCH 31, 2010**

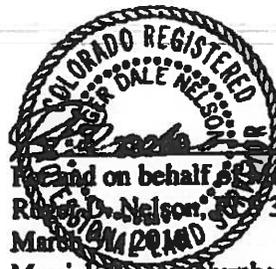
**DESCRIPTION**

Land Acquisition TK-10C (LA-10C) of the City and County of Denver, State of Colorado, Project Code 16749, Project Number STU-M320-058, containing 0.685 acres (29,846 sq. ft.), more or less, located in the Northwest Quarter of Section 15, Township 3 South, Range 67 West, of the Sixth Principal Meridian, City and County of Denver, State of Colorado, said land acquisition being more particularly described as follows:

**COMMENCING** at the Northwest corner of said Section 15, a 3" brass cap stamped "DWD PLS 16398, 1987" in a range box, 1.6' below the gravel surface, whence the North Quarter corner of said Section 15, an illegible 2 1/2" aluminum cap, 3.3' below the gravel surface in a range box bears N89°29'49"E, a distance of 2612.70 feet;

Thence S85°41'13"E a distance of 899.26 feet to the **POINT OF BEGINNING**;

1. Thence N89°29'49"E along a line 75.50 feet southerly of and parallel with the northerly line of said Northwest Quarter of Section 15 a distance of 808.88 feet;
2. Thence S00°30'11"E a distance of 6.50 feet;
3. Thence N89°29'49"E along a line 82.00 feet southerly of and parallel with said northerly line of the Northwest Quarter of Section 15 a distance of 53.33 feet;
4. Thence S00°30'11"E a distance of 59.00 feet;
5. Thence S89°29'49"W along a line 141.00 feet southerly of and parallel with said northerly line of the Northwest Quarter of Section 15 a distance of 53.33 feet;
6. Thence N00°30'11"W a distance of 32.50 feet;

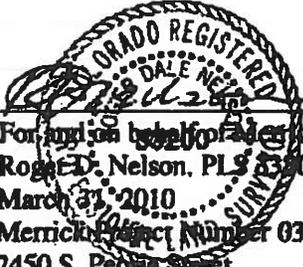


For and on behalf of Merrick & Company  
Dale Nelson, 33200  
March 31, 2010  
Merrick Project Number 0301525302  
2450 S. Peoria Street  
Aurora, CO 80014  
(303) 353-3916

7. Thence S89°29'49"W along a line 100.50 feet southerly of and parallel with said northerly line of the Northwest Quarter of Section 15 a distance of 810.48 feet;
8. Thence N10°49'42"E a distance of 8.16 feet;
9. Thence N00°30'11"W a distance of 25.00 feet to the **POINT OF BEGINNING**.

The above described land acquisition contains 0.685 Acres (29,846 sq. ft.), more or less.

**Project Basis of Bearings:** Bearings are Grid bearings of the Colorado state plane coordinate system of 1983(92), central zone and are based on a line bearing N89°29'46"E between the Northwest Corner of said Section 15, T.3S., R.67W., 6<sup>TH</sup> P.M., being a found 3" Brass Cap stamped "DWD PLS 16398, 1987" in range box, 1.6' below gravel surface and the Northeast Corner of said Section 15, being a found 3 1/4" Aluminum Cap stamped "ZBS INC., PLS 11434, 1991" in range box, 0.6' below asphalt surface.



For and on behalf of Merrick & Company  
Roger D. Nelson, PLS #3300  
March 31, 2010  
Merrick Project Number 0301525302  
2450 S. Peoria Street  
Aurora, CO 80014  
(303) 353-3916

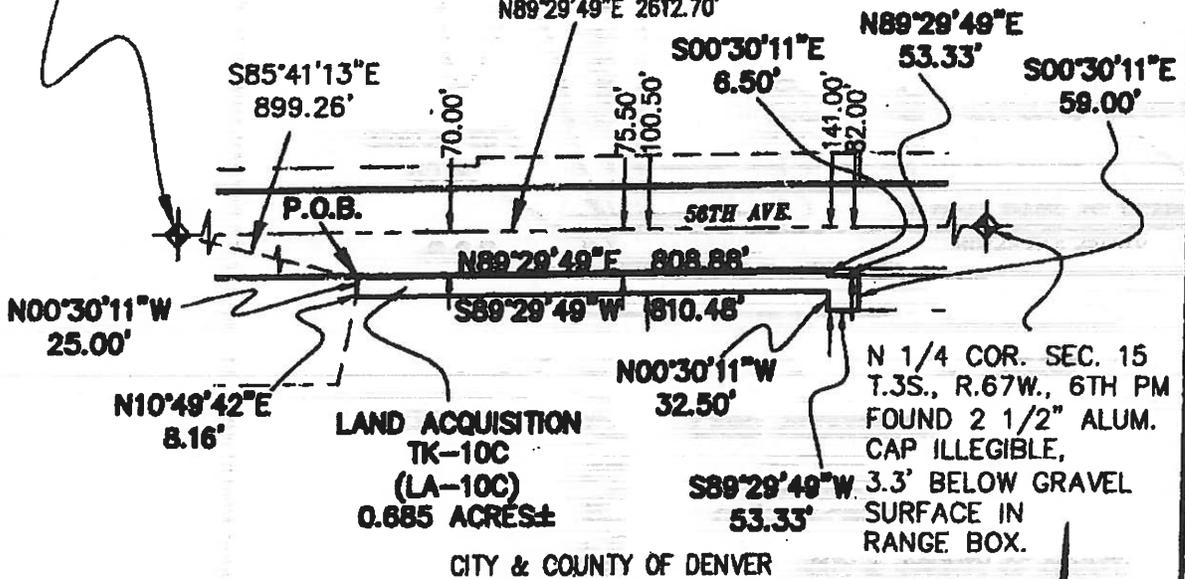
**POINT OF COMMENCEMENT**

NW COR. SEC. 15  
T.3S., R.67W., 6TH PM  
FOUND 3" BRASS CAP  
STAMPED "DWD PLS  
16398, 1987" IN  
RANGE BOX 1.6'  
BELOW GRAVEL  
SURFACE

SW 1/4 SEC 10  
T3S, R67W,  
6TH P.M.

CITY & COUNTY OF DENVER

**LOCAL BASIS OF BEARING**  
N'LY LINE OF THE NW 1/4, S15  
N89°29'49"E 2612.70'



N 1/4 COR. SEC. 15  
T.3S., R.67W., 6TH PM  
FOUND 2 1/2" ALUM.  
CAP ILLEGIBLE,  
3.3' BELOW GRAVEL  
SURFACE IN  
RANGE BOX.

CITY & COUNTY OF DENVER

NW 1/4 SEC 15  
T3S, R67W,  
6TH P.M.



**NOTE**

This exhibit does not represent a monumented survey.  
It is intended only to depict the attached description.

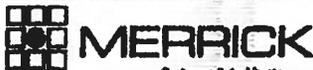


MERRICK PROJECT NO. 0301523302

CLIENT PROJECT NO. STU-4320-038

REVISION DESCRIPTION

DRAWN MSD DATE 03/31/10 SCALE 1"=300'



**MERRICK**

Engineers & Architects

2450 South Peoria Street Aurora, Colorado 80014

CITY AND COUNTY OF DENVER  
56TH AVE.  
QUEBEC TO HAVANA

LAND ACQUISITION  
TK-10C (LA-10C)

EXHIBIT A

Page 15 of 28

**EXHIBIT A**  
**PROJECT CODE: 16749**  
**PROJECT NUMBER: STU-M320-058.**  
**LAND ACQUISITION TK-10D (LA-10D)**  
**DATE: MARCH 31, 2010**

**DESCRIPTION**

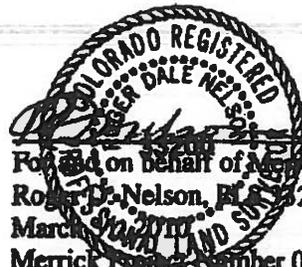
Land Acquisition TK-10D (LA-10D) of the City and County of Denver, State of Colorado, Project Code 16749, Project Number STU-M320-058, containing 0.264 acres (11,507 sq. ft.), more or less, located in the Northwest Quarter of Section 15, Township 3 South, Range 67 West, of the Sixth Principal Meridian, City and County of Denver, State of Colorado, said land acquisition being more particularly described as follows:

**COMMENCING** at the Northwest corner of said Section 15, a 3" brass cap stamped "DWD PLS 16398, 1987" in a range box, 1.6' below the gravel surface, whence the North Quarter corner of said Section 15, an illegible 2 1/2" aluminum cap, 3.3' below the gravel surface in a range box bears N89°29'49"E, a distance of 2612.70 feet;

Thence S87°49'59"E a distance of 1760.21 feet to the **POINT OF BEGINNING**;

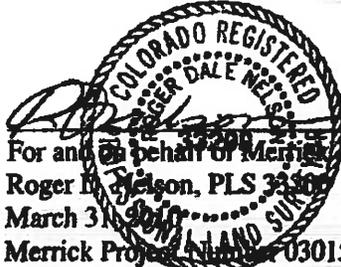
1. Thence N89°29'49"E along a line 82.00 feet southerly of and parallel with the northerly line of said Northwest Quarter of Section 15 a distance of 195.04 feet;
2. Thence S00°30'11"E a distance of 59.00 feet;
3. Thence S89°29'49"W along a line 141.00 feet southerly of and parallel with said northerly line of the Northwest Quarter of Section 15 a distance of 195.04 feet;
4. Thence N00°30'11"W a distance of 59.00 feet to the **POINT OF BEGINNING**.

The above described land acquisition contains 0.264Acres (11,507 sq. ft.), more or less.



For and on behalf of Merrick & Company  
Roger D. Nelson, P.L.S. #200  
March 31, 2010  
Merrick Project Number 0301525302  
2450 S. Peoria Street  
Aurora, CO 80014  
(303) 353-3916

**Project Basis of Bearings:** Bearings are Grid bearings of the Colorado state plane coordinate system of 1983(92), central zone and are based on a line bearing N89°29'46"E between the Northwest Corner of said Section 15, T.3S., R.67W., 6<sup>TH</sup> P.M., being a found 3" Brass Cap stamped "DWD PLS 16398, 1987" in range box, 1.6' below gravel surface and the Northeast Corner of said Section 15, being a found 3 1/4" Aluminum Cap stamped "ZBS INC., PLS 11434, 1991" in range box, 0.6' below asphalt surface.



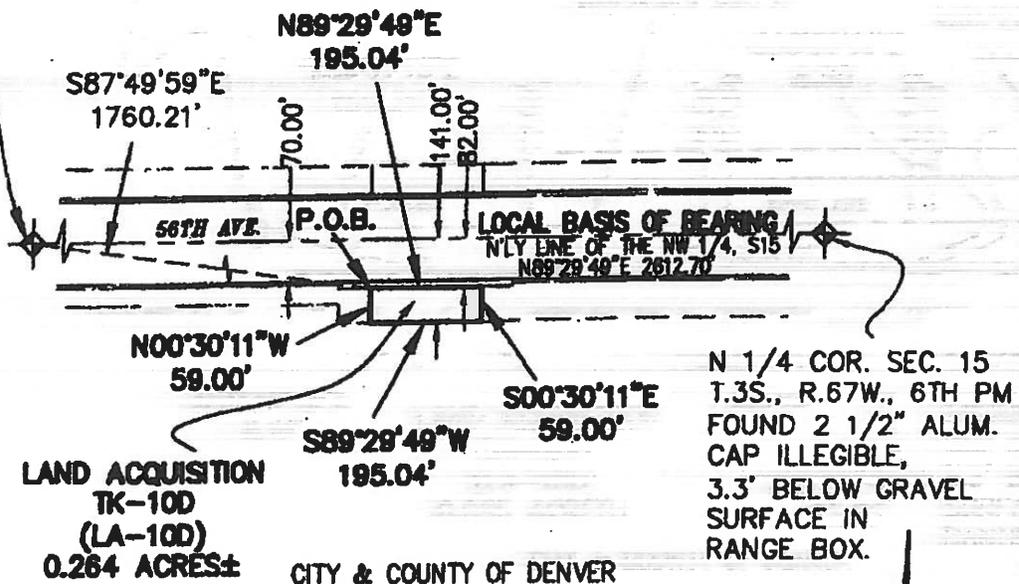
For and on behalf of Merrick & Company  
Roger D. Nelson, PLS 33502  
March 31, 1997  
Merrick Project No. 0301525302  
2450 S. Peoria Street  
Aurora, CO 80014  
(303) 353-3916

**POINT OF COMMENCEMENT**

NW COR. SEC. 15  
T.3S., R.67W., 6TH PM  
FOUND 3" BRASS CAP  
STAMPED "DWD PLS  
16398, 1987" IN  
RANGE BOX 1.6'  
BELOW GRAVEL  
SURFACE

SW 1/4 SEC 10  
T3S, R67W,  
6TH P.M.

CITY & COUNTY OF DENVER



NW 1/4 SEC 15  
T3S, R67W,  
6TH P.M.

**NOTE**

This exhibit does not represent a monumented survey.  
It is intended only to depict the attached description.



MERRICK PROJECT NO.	0301525302
CLIENT PROJECT NO.	STU-M320-038
MEMORANDUM DESCRIPTION	
DRAWN	MSD DATE 03/31/10 SCALE 1"=300'
<b>MERRICK</b> Engineers & Architects 2450 South Peoria Street Aurora, Colorado 80014	

CITY AND COUNTY OF DENVER 56TH AVE. QUEBEC TO HAVANA		
TITLE: LAND ACQUISITION TK-10D (LA-10D)		
REVISION:	DRAWING NO.	SHEET

EXHIBIT A

Page 18 of 28

**EXHIBIT A**  
**PROJECT CODE: 16749**  
**PROJECT NUMBER: STU-M320-058**  
**LAND ACQUISITION TK-13C (LA-13 REV. 3)**  
**DATE: MARCH 31, 2010**

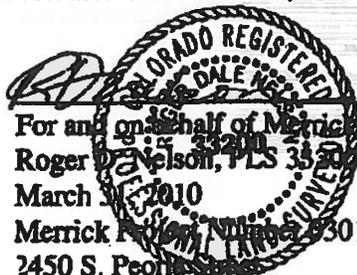
**DESCRIPTION**

Land Acquisition TK-13C (LA-13 Rev. 3) of the City and County of Denver, State of Colorado, Project Code 16749, Project Number STU-M320-058, containing 0.975 acres (42,469 sq. ft.), more or less, located in the Southeast Quarter of Section 10, Township 3 South, Range 67 West, of the Sixth Principal Meridian, City and County of Denver, State of Colorado, said land acquisition being more particularly described as follows:

**COMMENCING** at the South Quarter corner of said Section 10, being monumented with an illegible 2 1/2" aluminum cap in a range box 3.3' below the gravel surface, whence the Southeast corner of said Section 10, being monumented with a 3 1/4" aluminum cap in a range box 0.6 feet below the asphalt surface stamped "ZBS Inc., PLS 11434, 1991" bears N89°29'43"E, a distance of 2612.80 feet;

Thence continuing N0°23'55"W along the westerly line of said Southeast Quarter of Section 10 a distance of 75.50 feet to the **POINT OF BEGINNING**;

1. Thence N0°23'55"W along said westerly line of the Southeast Quarter of Section 10 a distance of 25.00 feet;
2. Thence N89°29'43"E along a line 100.50 feet northerly of and parallel with the southerly line of said Southeast Quarter of Section 10 a distance of 518.24 feet;
3. Thence S00°30'17"E a distance of 25.00 feet;
4. Thence N89°29'43"E along a line 75.50 feet northerly of and parallel with said southerly line of the Southeast Quarter of Section 10 a distance of 263.00 feet;
5. Thence N00°30'17"W a distance of 25.00 feet;
6. Thence N89°29'43"E along a line 100.50 feet northerly of and parallel with said southerly line of the Southeast Quarter of Section 10 a distance of 334.24 feet;

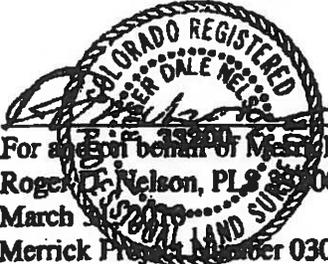


For and on behalf of Merrick & Company  
Roger D. Nelson, PLS 35300  
March 31, 2010  
Merrick & Company, Number 301525302  
2450 S. Peoria  
Aurora, CO 80014  
303) 353-3916

7. Thence N88°51'43"E a distance of 846.16 feet to the westerly line of a 100.00 foot Railroad Easement recorded in Book 1561 at Page 134 on November 25, 1969 in the office of the Adams County Clerk and Recorder;
8. Thence S01°00'08"E along said westerly line a distance of 9.86 feet to the northwesterly corner of a Partial Assignment of Easements recorded at Reception Number 2007195495, in the office of the City and County of Denver Clerk and Recorder;
9. Thence continuing S01°00'08"E along the westerly line of said Partial Assignment of Easements a distance of 15.14 feet;
10. Thence S88°51'43"W a distance of 846.24 feet;
11. Thence S89°29'43"W along a line 75.50 feet northerly of and parallel with said southerly line of the Southeast Quarter of Section 10 a distance of 1115.67 feet to the POINT OF BEGINNING.

The above described land acquisition contains 0.975 acres (42,469 sq. ft.), more or less.

**Project Basis of Bearings:** Bearings are Grid bearings of the Colorado state plane coordinate system of 1983(92), central zone and are based on a line bearing N89°29'46"E between the Northwest Corner of said Section 15, T.3S., R.67W., 6<sup>TH</sup> P.M., being a found 3" Brass Cap stamped "DWD PLS 16398, 1987" in range box, 1.6' below gravel surface and the Northeast Corner of said Section 15, being a found 3 1/4" Aluminum Cap stamped "ZBS INC., PLS 11434, 1991" in range box, 0.6' below asphalt surface.

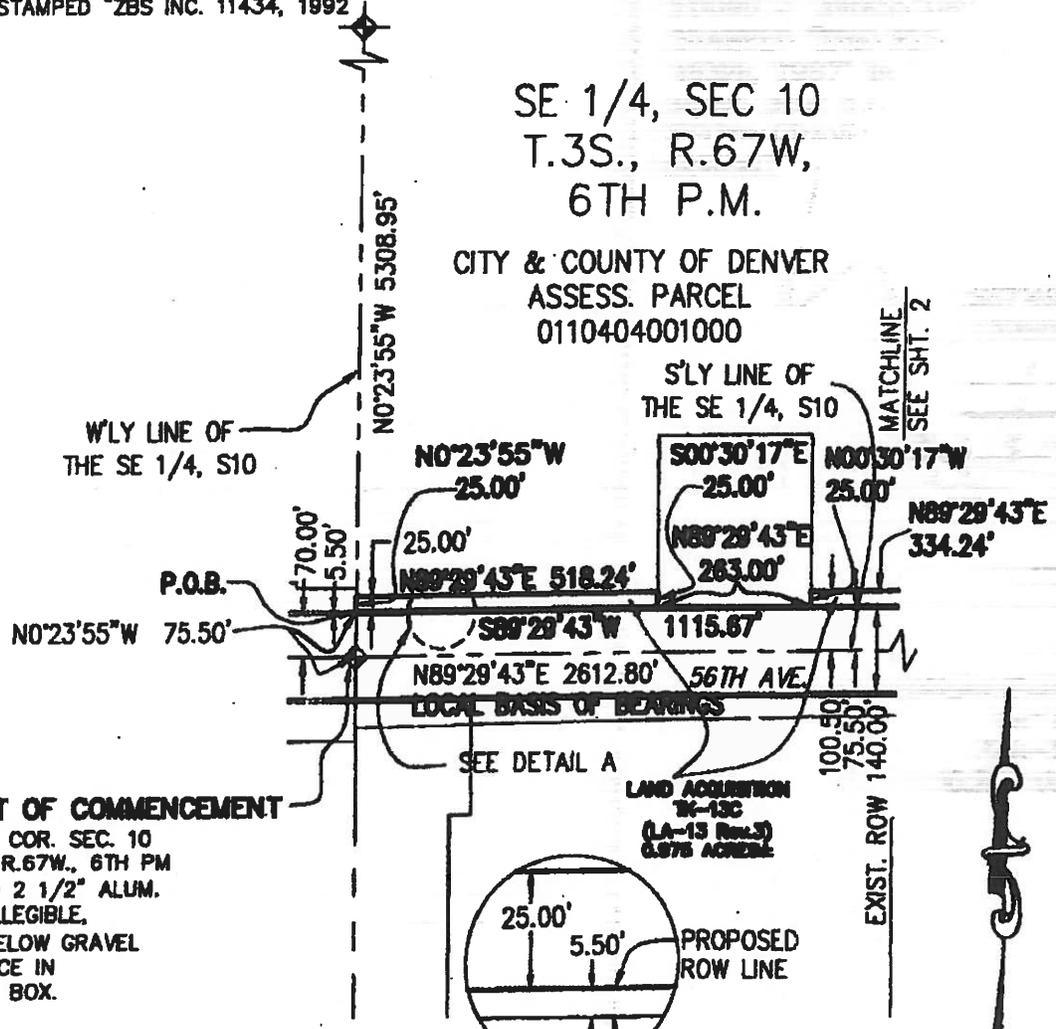


For and on behalf of Merrick & Company  
Roger D. Nelson, PLS #83100  
March 20, 2010  
Merrick Project Number 0301525302  
2450 S. Peoria Street  
Aurora, CO 80014  
(303) 353-3916

N 1/4 COR. SEC. 10  
 T.3S., R.67W., 6TH PM  
 FOUND 2 1/2" ALUM. PIPE  
 W/3 1/4" ALUM. CAP  
 STAMPED "ZBS INC. 11434, 1992"

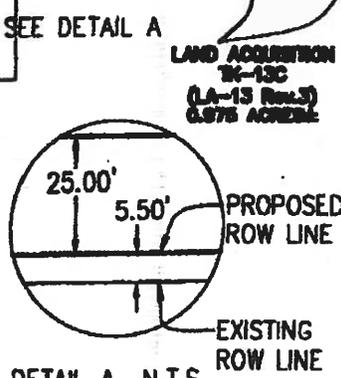
SE 1/4, SEC 10  
 T.3S., R.67W.,  
 6TH P.M.

CITY & COUNTY OF DENVER  
 ASSESS. PARCEL  
 0110404001000



**POINT OF COMMENCEMENT**  
 S 1/4 COR. SEC. 10  
 T.3S., R.67W., 6TH PM  
 FOUND 2 1/2" ALUM.  
 CAP ILLEGIBLE,  
 3.3' BELOW GRAVEL  
 SURFACE IN  
 RANGE BOX.

**NOTE**  
 This exhibit does not represent a monumented survey. It is intended only to depict the attached description.

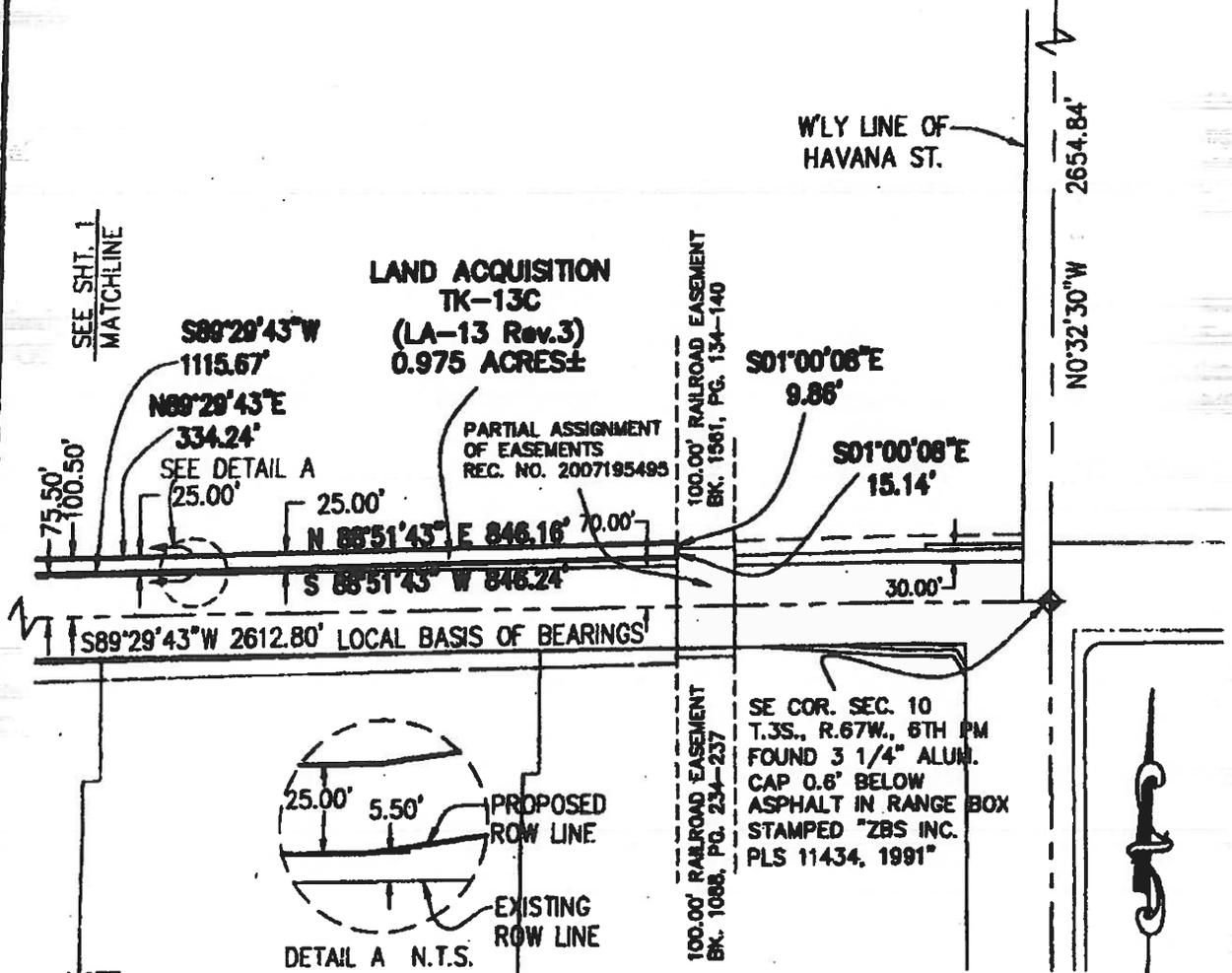


MERRICK PROJECT NO.		0301525302	
CLIENT PROJECT NO.		STU-M320-058	
REVISION DESCRIPTION			
DRAWN	MSD	DATE	03/31/10
		SCALE	1"=300'
 <b>MERRICK</b> Engineers & Architects 2450 South Peoria Street Aurora, Colorado 80014			

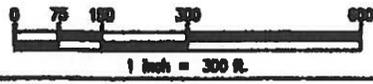
CITY AND COUNTY OF DENVER 56TH AVE. QUEBEC TO HAVANA		
<b>LAND ACQUISITION</b> TK-13C (LA-13 Rev.3)		
TITLE:	DRAWING NO.	SHEET NO.

EXHIBIT A  
 Page 21 of 28

E 1/4 COR SEC 10, T3S, R67W, 6th P.M.  
 FND: 3 1/4" ALUM CAP ON TYPE 3A MON.,  
 STAMPED "PLS# 11434, 1991"  
 IN RANGE BOX, 0.7' BELOW SURFACE



**NOTE**  
 This exhibit does not represent a monumented survey. It is intended only to depict the attached description.



MERRICK PROJECT NO.	0301825302
CLIENT PROJECT NO.	STU-14320-058
REVISION DESCRIPTION	
DRAWN	MSD
DATE	03/31/10
SCALE	1"=300'
 <b>MERRICK</b> Engineers & Architects 2450 South Peoria Street Aurora, Colorado 80014	

CITY AND COUNTY OF DENVER 56TH AVE. QUEBEC TO HAVANA		
<b>LAND ACQUISITION</b> <b>TK-13C (LA-13 Rev.3)</b>		
REVISION:	DRAWING NO.	SHEET NO.

**EXHIBIT A**  
**PROJECT CODE: 16749**  
**PROJECT NUMBER: STU-M320-058**  
**LAND ACQUISITION TK-13D (LA-13A REV.)**  
**DATE: MARCH 31, 2010**

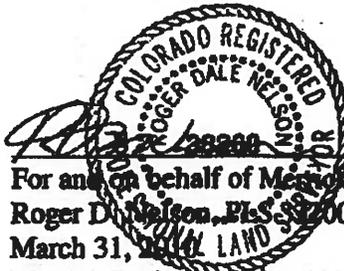
**DESCRIPTION**

Land Acquisition TK-13D (LA-13A Rev.) of the City and County of Denver, State of Colorado, Project Code 16749, Project Number STU-M320-058, containing 1.742 acres (75,875 sq. ft.), more or less, located in the Southeast Quarter of Section 10, Township 3 South, Range 67 West, of the Sixth Principal Meridian, City and County of Denver, State of Colorado, said land acquisition being more particularly described as follows:

**COMMENCING** at the South Quarter corner of said Section 10, an illegible 2 1/2" aluminum cap in a range box 3.3 feet below the gravel surface, whence the Southeast corner of said Section 10, a 3 1/4" aluminum cap in a range box 0.6 feet below the gravel surface stamped "ZBS Inc., PLS 11434, 1991", bears N89°29'43"E a distance of 2612.80 feet;  
Thence N81°12'34"E a distance of 523.90 feet to the **POINT OF BEGINNING**;

1. Thence N00°30'17"W a distance of 288.50 feet;
2. Thence N89°29'43"E along a line 364.00 feet northerly of and parallel with the southerly line of said Southeast Quarter of Section 10 a distance of 263.00 feet;
3. Thence S00°30'17"E a distance of 288.50 feet;
4. Thence S89°29'43"W along a line 75.50 feet northerly of and parallel with said southerly line of the Southeast Quarter of Section 10 a distance of 263.00 feet to the **POINT OF BEGINNING**.

The above described land acquisition contains 1.742 acres (75,875 sq. ft.), more or less.



For and on behalf of Merrick & Company  
Roger D. Nelson, PLS No. 22220  
March 31, 2010  
Merrick Project Number 0301525302  
2450 S. Peoria Street  
Aurora, CO 80014  
(303) 353-3916

**Project Basis of Bearings:** Bearings are Grid bearings of the Colorado state plane coordinate system of 1983(92), central zone and are based on a line bearing N89°29'46"E between the Northwest Corner of said Section 15, T.3S., R.67W., 6<sup>TH</sup> P.M., being a found 3" Brass Cap stamped "DWD PLS 16398, 1987" in range box, 1.6' below gravel surface and the Northeast Corner of said Section 15, being a found 3 1/4" Aluminum Cap stamped "ZBS INC., PLS 11434, 1991" in range box, 0.6' below asphalt surface.



For and on behalf of Merrick & Company  
Roger D. Nelson, PLS 33781  
March 31, 1991  
Merrick Project Number 0301525302  
2450 S. Peoria Street  
Aurora, CO 80014  
(303) 353-3916

SE 1/4, SEC 10  
T.3S., R.67W.,  
6TH P.M.

CITY & COUNTY OF DENVER  
ASSESS. PARCEL 0110404001000

**PT. OF COMMENCEMENT**

S 1/4 COR. SEC. 10  
T.3S., R.67W., 6TH PM  
FOUND 2 1/2" ALUM.  
CAP ILLEGIBLE,  
3.3' BELOW GRAVEL  
SURFACE IN  
RANGE BOX.

PROPOSED ROW LINE

PT. OF BEGINNING

N00°30'17"W  
288.50'

N89°29'43"E  
263.00'

LAND  
ACQUISITION  
TK-13D  
(LA-13A REV)  
1.742 ACRES±  
S89°29'43"W  
263.00'

S00°30'17"E  
288.50'

364.00'

5.50'

2654.84'

N0°32'30"W

SE COR. SEC. 10  
T.3S., R.67W., 6TH PM  
FOUND 3 1/4" ALUM. CAP  
0.6' BELOW ASPHALT  
IN RANGE BOX,  
STAMPED "ZBS INC.  
PLS 11434, 1991"

N81°12'34"E 523.90'

N89°29'43"E 2612.80'  
LOCAL BASIS OF BEARINGS 75.50'

56TH AVE.

S'LY LINE OF  
THE SE 1/4, S10

EXIST. ROW  
140.00'

HAVANA ST.

**NOTE**

This exhibit does not represent a  
monumented survey. It is intended only to  
depict the attached description.



R

MERRICK PROJECT NO.	0301525302
CLIENT PROJECT NO.	STU-M320-058
REVISION DESCRIPTION	
DRAWN	MSD
DATE	03/31/10
SCALE	1"=200'
<b>MERRICK</b> <small>Engineers &amp; Architects</small>	
2450 South Peoria Street, Aurora, Colorado 80014	

CITY AND COUNTY OF DENVER 56TH AVE. QUEBEC TO HAVANA		
<b>LAND ACQUISITION</b> <b>TK-13D (LA-13A REV)</b>		
REVISION	DRAWING NO.	SHEET NO.

EXHIBIT A  
Page 25 of 28

**EXHIBIT A**  
**PROJECT CODE: 16749**  
**PROJECT NUMBER: STU-M320-058**  
**LAND ACQUISITION TK-13B (LA-13B REV.)**  
**DATE: APRIL 9, 2010**

**DESCRIPTION**

Land acquisition TK-13B (LA-13B Rev.) of the City and County of Denver, State of Colorado, Project Code 16749, Project Number STU-M320-058, containing 0.251 acres (10,921 sq. ft.), more or less, located in the Southeast Quarter of Section 10, Township 3 South, Range 67 West, of the Sixth Principal Meridian, City and County of Denver, State of Colorado, said land acquisition being more particularly described as follows:

**COMMENCING** at the Southeast corner of said Section 10, being monumented with a 3 1/4" aluminum cap in a range box 0.6 feet below the asphalt surface stamped "ZBS Inc., PLS 11434, 1991" whence the South Quarter corner of said Section 10, being monumented with an illegible 2 1/4" aluminum cap in a range box 3.3' below the gravel surface, bears S89°29'43"W, a distance of 2612.80 feet;

Thence N27°05'54"W a distance of 111.84 feet to the westerly Right-of-Way line of Havana St. as described in Adams County Road Petition Number 507 having a date of February 6, 1907, and being the **POINT OF BEGINNING**;

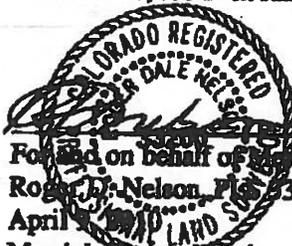
1. Thence S89°29'43"W along a line being 100.00 feet northerly of and parallel with the southerly line of said Southeast Quarter of Section 10 a distance of 169.61 feet;
2. Thence S00°30'19"E a distance of 10.38 feet;
3. Thence S88°51'43"W a distance of 331.16 feet to the easterly line of a Partial Assignment of Easements recorded at Reception Number 2007195495, in the office of the City and County of Denver Clerk and Recorder;
4. Thence N01°00'08"W along said easterly line a distance of 14.03 feet to the northeasterly corner of said Partial Assignment of Easements;

  
For and on behalf of Merrick & Company  
Roger D. Merrick, PLS 33149  
April 9, 2010  
Merrick Project Number 0301525302  
2450 S. Peoria Street  
Aurora, CO 80014  
(303) 353-3916

5. Thence continuing  $N01^{\circ}00'08''W$  along the easterly line of a 100.00 foot Railroad Easement recorded in book 1561 at Page 134 on November 25, 1969 in the office of the Adams County Clerk and Recorder, a distance of 10.97 feet;
6. Thence  $N88^{\circ}51'43''E$  a distance of 500.99 feet to a point on said westerly Right-of-Way line of Havana St.
7. Thence  $S00^{\circ}32'30''E$  along said westerly Right-of-Way line of Havana St. a distance of 16.50 feet to the POINT OF BEGINNING.

The above described parcel contains 0.251 acres (10,921 sq. ft.), more or less.

**Project Basis of Bearings:** Bearings are Grid bearings of the Colorado state plane coordinate system of 1983(92), central zone and are based on a line bearing  $N89^{\circ}29'46''E$  between the Northwest Corner of said Section 15, T.3S., R.67W., 6<sup>TH</sup> P.M., being a found 3" Brass Cap stamped "DWD PLS 16398, 1987" in range box, 1.6' below gravel surface and the Northeast Corner of said Section 15, being a found 3 1/4" Aluminum Cap stamped "ZBS INC., PLS 11434, 1991" in range box, 0.6' below asphalt surface.

  
For and on behalf of Merrick & Company  
Roger D. Nelson, PLS 33200  
April 1, 2010  
Merrick Project Number 0301525302  
2450 S. Peoria Street  
Aurora, CO 80014  
(303) 353-3916

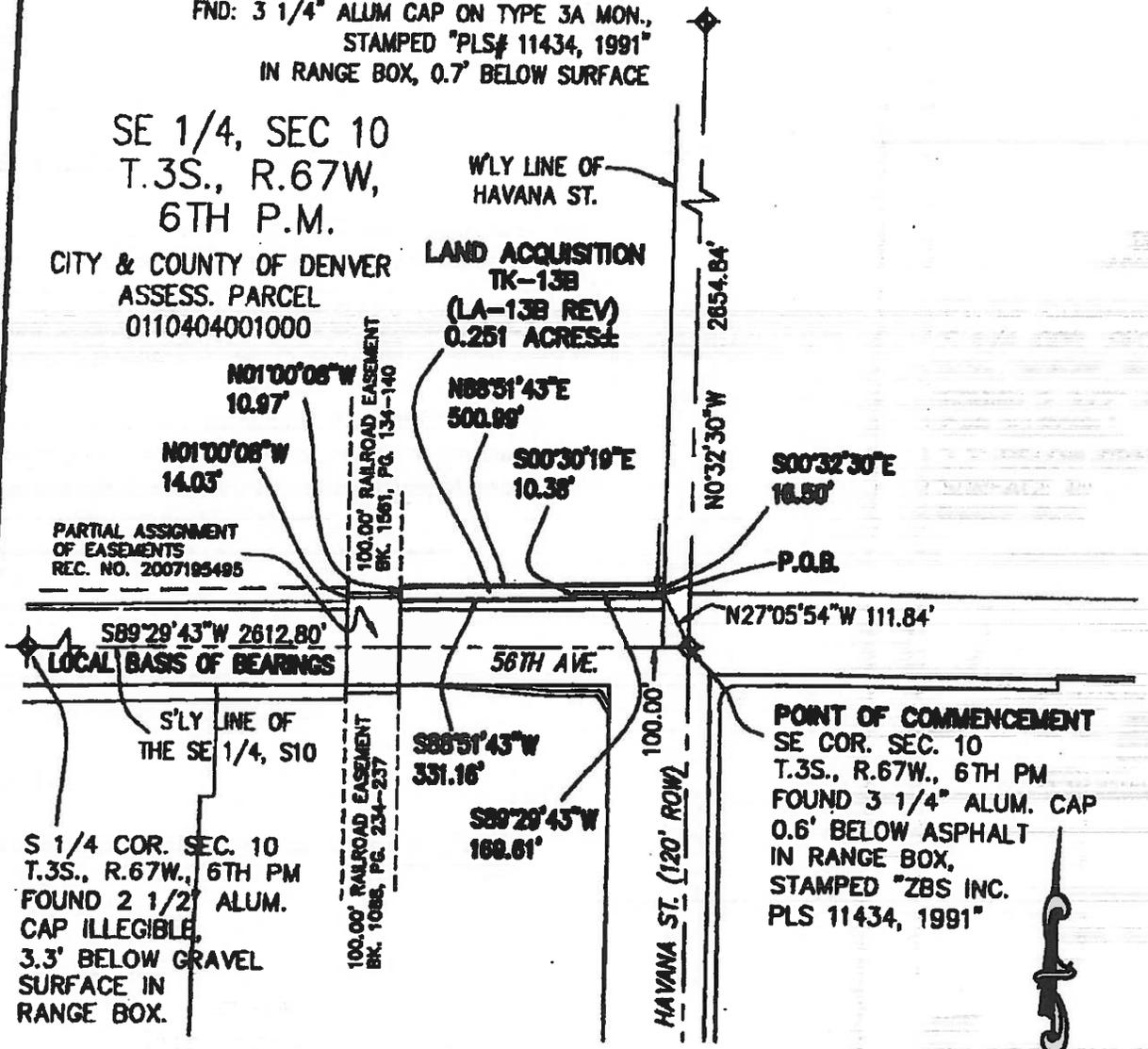
E 1/4 COR SEC 10, T3S, R67W, 6th P.M.  
 FND: 3 1/4" ALUM CAP ON TYPE 3A MON.,  
 STAMPED "PLS# 11434, 1991"  
 IN RANGE BOX, 0.7' BELOW SURFACE

SE 1/4, SEC 10  
 T.3S., R.67W,  
 6TH P.M.

CITY & COUNTY OF DENVER  
 ASSESS. PARCEL  
 0110404001000

LAND ACQUISITION  
 TK-13B  
 (LA-13B REV)  
 0.251 ACRES±

PARTIAL ASSIGNMENT  
 OF EASEMENTS  
 REC. NO. 2007105495



S89°29'43"W 2612.80'  
 LOCAL BASIS OF BEARINGS

S'LY LINE OF  
 THE SE 1/4, S10

S 1/4 COR. SEC. 10  
 T.3S., R.67W., 6TH PM  
 FOUND 2 1/2" ALUM.  
 CAP ILLEGIBLE,  
 3.3' BELOW GRAVEL  
 SURFACE IN  
 RANGE BOX.

POINT OF COMMENCEMENT  
 SE COR. SEC. 10  
 T.3S., R.67W., 6TH PM  
 FOUND 3 1/4" ALUM. CAP  
 0.6' BELOW ASPHALT  
 IN RANGE BOX,  
 STAMPED "ZBS INC.  
 PLS 11434, 1991"

**NOTE**

This exhibit does not represent a monumented survey. It is intended only to depict the attached description.



MERRICK PROJECT NO.	0301525302
CLIENT PROJECT NO.	SFU-A320-058
MERRICK DESCRIPTION	
DRAWN	USD
DATE	04/08/10
SCALE	1"=300'
 <b>MERRICK</b> <small>Engineers &amp; Architects</small> 2450 South Peoria Street, Aurora, Colorado 80014	

CITY AND COUNTY OF DENVER 56TH AVE. QUEBEC TO HAVANA	
<b>LAND ACQUISITION          TK-13B (LA-13B REV)</b>	
TITLE	
REVISION	
DRAWING NO.	
SHEET NO.	

**EXHIBIT B**

**PERMITTED EXCEPTIONS**

(Attached to and made a part of Special Warranty Deed - Stapleton 56<sup>th</sup> Avenue Project - Developable Parcels along 56<sup>th</sup> Avenue Quebec and Havana Streets TK-9A (LA-9A), TK-9B (LA-9B), TK-10A (LA-10A REV.), TK-10B (LA-10B), TK-10C (LA-10C), TK-10D (LA-10D), TK-13C (LA-13 REV. 3), TK-13D (LA-13A REV.), TK-13B (LA-13B REV.) - between Stapleton Development Corporation "Grantor" and City of County of Denver "Grantee" dated July 8, 2010)

[SEE THE FOLLOWING 7 PAGES]

**SCHEDULE B - Section 1  
Requirements**

**The following requirements must be met:**

- a. Pay the agreed amounts for the interest in the land and/or for the mortgage to be insured.
- b. Pay us the premiums, fees and charges for the policy.
- c. Obtain a certificate of taxes due from the county treasurer or the county treasurer's authorized agent.
- d. Evidence that any and all assessments for common expenses, if any, have been paid.
- e. This Commitment is subject to such further Exceptions and/or Requirements as may appear necessary when the name of the (Proposed Insured, Schedule A, Item 2A) has been disclosed.

**NOTE: IF THE SALES PRICE OF THE SUBJECT PROPERTY EXCEEDS \$100,000.00 THE SELLER SHALL BE REQUIRED TO COMPLY WITH THE DISCLOSURE OR WITHHOLDING PROVISIONS OF C.R.S. 39-22-604.5 (NONRESIDENT WITHHOLDING).**

**END OF REQUIREMENTS**

**SCHEDULE B - Section 2  
Exceptions**

**Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction:**

1. Any facts, rights, interests or claims that are shown by the Public Records but which could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
3. Any encroachments, encumbrances, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and

*will be  
debited  
from  
Title  
policy*

*will be deleted*

not shown by Public Records.

- 4. Any lien or right to a lien, for services, labor or material hereafter furnished, imposed by law and not shown by the Public Records.
- 5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the Public Records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires of record for the value the estate or interest or mortgage thereon covered by this Commitment.
- 6. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings By a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
- 7. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof, (c) water right, claims of title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
- 8. Any existing leases or tenancies. *- will be deleted*
- 9. Any water rights or claims or title to water, in, on or under the land.

- 10. The right of the proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to penetrate or intersect the premises hereby granted as provided by law in United States Patent recorded December 15, 1882 in BA25 P87. (Affects TK-9, LA-9A, LA-9B and LA-9C)

Note: Affirmative protection can be afforded the purchaser by means of Endorsement Form 100.31.

- 11. Right-of-Way of a ditch "running off of the Highline Canal", as granted by the State of Colorado to Edward F. Rose by instrument recorded July 9, 1910 in B48 P429. (Location Unknown)

Note: Upon satisfactory evidence that the City and County of Denver has acquired the rights associated with this ditch, this Exception will be deleted from the final Policy to be issued.

- 12. Right-of-Way for a ditch as granted by Daniel J. Donovan to the State Investment Company in Quit Claim Deed recorded May 6, 1919 in B97 P380. (Affects LA-8 REV. and TK-8)

Note: Upon satisfactory evidence that the City and County of Denver has acquired the rights associated with this ditch, this Exception will be deleted from the final Policy to be issued.

- 13. Terms, conditions, provisions, agreements and obligations contained in an Agreement for a ditch, by and between Daniel J. Donovan and Alfred Soderman, recorded May 14, 1919 in B97 P414.

Note: Upon satisfactory evidence that the City and County of Denver has acquired the rights associated with this ditch, this Exception will be deleted from the final Policy to be issued.

- 14. Right-of-Way for a ditch 16 feet in width, as granted by the State of Colorado to John Koeber, Walter Koeber and Adolph Farney in Deed recorded January 17, 1919 in B97 P98. (Affects LA-8 REV. and TK-8)

Note: Upon satisfactory evidence that the City and County of Denver has acquired the rights associated with this ditch, this Exception will be deleted from the final Policy to be issued.

15. Right-of-Way for a road 8 ¼ feet wide as described in a Warranty Deed by Daniel J. Donovan to Chester L. Yost along the west side of the W ½ of the Northwest ¼ of the Northwest ¼ of the NE ¼ of Section 16, recorded in B104 P78. (Affects LA-8 REV. and TK-8)

16. The reservation of all minerals, ores and metals in United States Patent to Daniel J. Donovan, recorded October 20, 1919 in B99 P239.

Note: Affirmative protection can be afforded the purchaser by means of Endorsement Form 100.31.

17. The right of the proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to penetrate or intersect the premises hereby granted as provided by law in United States Patent recorded December 15, 1882 in BA25 P88. (Affects TK-13 REV. 2, TK13A, LA-13REV. 3, LA-13A REV., LA-13B REV. and TK-15 REV.)

Note: Affirmative protection can be afforded the purchaser by means of Endorsement Form 100.31.

18. Rights, easements, interest or title of the Railroad Company as to any portion of said Land lying within the lines of the 100 foot right-of-way (undisclosed location), as granted in Warranty Deed by the Platte Land Company Limited to The Denver Railroad, Land and Coal Company recorded July 1, 1887 in BA11 P349. (Affects TK-13 REV. 2, TK13A, LA-13 REV. 3, LA-13A REV., LA-13B REV. and TK-15 REV.)

19. Rights, easements, interest or title of the Railroad Company as to any portion of said Land lying within the lines of the 100 foot right-of-way (undisclosed location), as granted in Patent by the State of Colorado to The Denver Railroad, Land and Coal Company recorded August 18, 1885 in BA1 P445.

20. Rights, easements, interest or title of the Northern Colorado Irrigation Co. as to any portion of said Land lying within the lines of the 100 foot right-of-way for the Highline Canal (undisclosed location), as granted in Quit Claim Deed recorded June 9, 1885 in BA7 P346. (Affects TK-10, LA-10A REV., LA-10B, LA-10C, LA-10D, and LA-10E)

Note: Upon satisfactory evidence that the City and County of Denver has acquired the rights associated with this ditch, this Exception will be deleted from the final Policy to be issued.

21. Rights, easements, interest or title of the Railroad Company as to any portion of said Land lying within the lines of the 100 foot right-of-way (undisclosed location), referenced in the Agreement by the Platte Land Company Limited to The Denver Railroad, Land and Coal Company recorded September 17, 1887 in BA54 P278. (Affects TK-10, LA-10A REV., LA-10B, LA-10C, LA-10D, and LA-10E)

22. All rights to any and all minerals, ore and metals of any kind and character, and all coal, asphaltum, oil, gas and other like substances in or under the land, the rights of ingress and egress for the purpose of mining, together with enough of the surface of the same as may be necessary for the proper and convenient working of such minerals and substances, as reserved in Patent from the State of Colorado, recorded September 4, 1942 in B281 P419 and October 20, 1919 in B99 P240.

Note: Affirmative protection can be afforded the purchaser by means of Endorsement

Form 100.31.

23. Right of way granted in B210 P141 of the Adams County records.

24. Intentionally Deleted. 019106 and 00082998

*to be deleted*  
25. ~~Terms, conditions, provisions, agreements and obligations contained in the Home Depot Letter recorded February 4, 2002 at Reception No. 2002022222. (Affects TK-9, LA-9A, LA-9B, LA-9C, TK-10, LA-10A REV., LA-10B, LA-10C, LA-10D, and LA-10E)~~

26. The effect of Stapleton Redevelopment General Development Plan-North Area recorded July 27, 2004 at Reception No. 2004157615 and Amendment No. 1 recorded October 10, 2007 at Reception No. 2007158161. (Affects TK-10, LA-10A REV., LA-10B, LA-10C, LA-10D, and LA-10E)

27. A 25 foot ditch Right-of-Way No. 1388, dated June 14, 1910 and a 16 foot ditch Right-of-Way No. 14, Book 1, dated November 12, 1918 and a 16 foot ditch Right-of-Way No. 380, Book 3, dated November 12, 1918 and a 30 foot road Right-of-Way No. 427, Book 4, dated July 8, 1927 as shown on the Land Survey Plat prepared by Zylstra, Baker Surveying, Inc, deposited with the County Surveyor, November 20, 1992 at Reception No's. L000943, L000944 and L000945. (Affects TK-7 REV., LA-7 REV., TK-8, and LA-8 REV.)

Note: Upon satisfactory evidence that the City and County of Denver has acquired the rights associated with this ditch, this Exception will be deleted from the final Policy to be issued.

*Released at closing*  
28. ~~Reservations, restrictions and conditions as contained in the Deed by the United States of America and the City and County of Denver, Colorado recorded February 26, 1960 in B831 P306. (Affects TK-10, LA-10A REV., LA-10B, LA-10C, LA-10D, and LA-10E)~~

~~29. Terms, conditions, provisions, agreements and obligations specified under the Clearance Easement by and between the United States of America and the City and County of Denver, Colorado recorded October 18, 1962 in B1022 P244 of the Adams County records. (Affects TK-9, LA-9A, LA-9B, and LA-9C)~~

30. Effect of the annexation of portions of the subject property into the City and County of Denver, as evidenced by Ordinances recorded July 3, 1961 in B917 P586 and July 17, 1964 in B1165 P30 and February 4, 1970 in B1575 P381 and June 1, 1973 in B1867 P282. (Affects all Parcels)

31. Effect of the Stapleton North Annexation map recorded February 4, 1970 at Reception No. 883600. (Affects TK-9, LA-9A, LA-9B, LA-9C, TK-13 REV. 2, TK13A, LA-13 REV. 3, LA-13A REV., LA-13B REV. and TK-15 REV.)

32. Intentionally Deleted B1088 P234.

33. Reservations, restrictions and conditions as contained in the Quitclaim Deed by the United States of America and the City and County of Denver, Colorado recorded August 9, 1963 in B9468 P500, of the City and County of Denver records.

34. Terms, conditions, provisions, agreements and obligations specified under the Easement

for Construction and Maintenance of Sewer Lines by and between the City and County of Denver, State of Colorado and Metropolitan Denver Sewage Disposal District No. 1 recorded March 17, 1967 in B9709 P665.

- Released at Closing
35. ~~Reservations, restrictions and conditions as contained in the Deed by the United States of America and the City and County of Denver recorded November 25, 1969 in B1561 P134.~~
- Released at Closing
36. ~~Easements and restrictions as set forth in Deed recorded August 14, 1963 in B1088 P234 of the Adams County records which remain in place after a Partial Assignment of Easements to the City and County of Denver recorded December 26, 2007 at Reception No. 2007195495.~~

Affects the East Half of Section 15. The exact location of said easement not being disclosed of record.

37. Intentionally Deleted B931 P76.

38. Intentionally Deleted B2017 P354.

39. Intentionally Deleted B2017 P358.

40. Terms, conditions, provisions, agreements and obligations specified under the Department of the Army, Easement for Right-of-Way DACA45-2-74-6149, by and between the Secretary of the Army and the City and County of Denver recorded September 12, 1975 in B2017 P362. (Affects TK-13 REV. 2, TK13A, LA-13 REV. 3, LA-13A REV., LA-13B REV. and TK-15 REV.)

41. Intentionally Deleted B2020 P477.

42. Intentionally Deleted B2756 P700.

43. Intentionally Deleted 00072727.

44. Intentionally Deleted 9500082452.

45. Terms, conditions, provisions, agreements and obligations specified under the Ordinance No. 160, Series of 2007, related to zoning classification changes, which was recorded April 13, 2007 at Reception No. 2007059781.

46. Intentionally Deleted 2009084385.

47. Any and all rights of the Recycled Materials Company, Inc., in and to the Southeast Quarter of Section 10, Township 3 South, Range 67 West of the 6<sup>th</sup> P.M. as disclosed by a Possessory Interest Assessment by the City and County of Denver Treasurer, Parcel No. 01104-04-002-000. (Affects TK-13 REV. 2, TK13A, LA-13 REV. 3, LA-13A REV., LA-13B REV. and TK-15 REV.)

48. ~~Reservations, restrictions and conditions as contained in the deed by the City and County of Denver and Stapleton Development Corporation recorded JULY 8, 2010 at Reception No. 2010 2010075675~~

for Construction and Maintenance of Sewer Lines by and between the City and County of Denver, State of Colorado and Metropolitan Denver Sewage Disposal District No. 1 recorded March 17, 1967 in B9709 P665.

35. Reservations, restrictions and conditions as contained in the Deed by the United States of America and the City and County of Denver recorded November 25, 1969 in B1561 P134.
36. Easements and restrictions as set forth in Deed recorded August 14, 1963 in B1088 P234 of the Adams County records which remain in place after a Partial Assignment of Easements to the City and County of Denver recorded December 26, 2007 at Reception No. 2007195495.

Affects the East Half of Section 15. The exact location of said easement not being disclosed of record.

37. Intentionally Deleted B931 P76.
38. Intentionally Deleted B2017 P354.
39. Intentionally Deleted B2017 P358.
40. Terms, conditions, provisions, agreements and obligations specified under the Department of the Army, Easement for Right-of-Way DACA45-2-74-6149, by and between the Secretary of the Army and the City and County of Denver recorded September 12, 1975 in B2017 P362. (Affects TK-13 REV. 2, TK13A, LA-13 REV. 3, LA-13A REV., LA-13B REV. and TK-15 REV.)
41. Intentionally Deleted B2020 P477.
42. Intentionally Deleted B2756 P700.
43. Intentionally Deleted 00072727.
44. Intentionally Deleted 9500082452.
45. Terms, conditions, provisions, agreements and obligations specified under the Ordinance No. 160, Series of 2007, related to zoning classification changes, which was recorded April 13, 2007 at Reception No. 2007059781.

46. Intentionally Deleted 2009084385.
47. Any and all rights of the Recycled Materials Company, Inc., in and to the Southeast Quarter of Section 10, Township 3 South, Range 67 West of the 6<sup>th</sup> P.M. as disclosed by a Possessory Interest Assessment by the City and County of Denver Treasurer, Parcel No. 01104-04-002-000. (Affects TK-13 REV. 2, TK13A, LA-13 REV. 3, LA-13A REV., LA-13B REV. and TK-15 REV.)

48. Reservations, restrictions and conditions as contained in the Deed by the City and County of Denver and Stapleton Development Corporation recorded July 8, 2010 at Reception No. 2010 2010075677. ~~(Affects TK-13 REV. 2, TK13A, LA-13 REV. 3, LA-13A REV., LA-13B REV. and TK-15 REV.)~~

49. Terms, conditions, provisions, agreements and obligations specified under the Amended and Restated Design and Architectural Declaration recorded July 8, 2010 at Reception No. 2010075682.

~~END OF EXCEPTIONS~~

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