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Page: 1 of 6
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City & County of Denver EAS

Asset Mgmt. # 14-191
Date: 3-23-15
Approved
38th & BLAKE BRIDGE PROJ

PERMANENT EASEMENT

(Blake Street Bridge Project- PE-B-17)

THIS PERMANENT EASEMENT ("Easement") is granted this 9TH day of JUNE, 2014, from **Kalamath Industrial Park, Inc.**, a Colorado Corporation with an address of 1000 E. Yale #29, Denver, Colorado 80349 ("Grantor"), to the **City and County of Denver**, a Colorado municipal corporation and home rule city, with an address of 1437 Bannock, Denver, Colorado 80202 ("Grantee").

For and in consideration of NINE THOUSAND TWO HUNDRED Dollars ($9,200.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor hereby grants, conveys and warrants unto Grantee, its contractors, subcontractors, and its successors and assigns, an non-exclusive perpetual easement in, on, over, under, or through that real property which is legally described and depicted in **Exhibit 1** attached hereto and incorporated herein by this reference (the "Easement Area"), which real property is located in the Denver, Colorado for the purpose of the construction, owning, operating, maintaining, repairing and replacing a retaining wall and appurtenances there to within the Easement Area (the "Improvements").

Except to the extent necessary to construct the Improvements and as necessary to achieve the purposes of this Easement, Grantee shall cause the repair and/or restoration of any and all damage caused by Grantee, its agents, contractors, subcontractors, licensees, or invitees to the Easement Area during construction of the Improvements. All obligations of the Grantee are subject to prior appropriation of monies expressly made by City Council and paid into the Treasury of the City. Grantee shall not access any other property of Grantor.

Grantor shall have the right to use and enjoy the Easement Area, subject to the rights herein granted. Grantor agrees not to build, create, construct or permit to be built, created or constructed, any obstruction, building, fence, or other structures over, under, on or across the Easement Area without prior written consent of Grantee's Manager of Public Works. Nothing herein shall impair Grantee's police powers.

The rights granted herein may be assigned in whole or in part, and the terms, conditions, and provisions of this Easement are a covenant running with the land and shall extend to, and be binding upon, the successors and assigns of Grantor and Grantee.

IN WITNESS WHEREOF, this Easement is executed as of the date first above written.

GRANTOR: Kalamath Industrial Park, Inc.

By: _____

Name: CHARLES W. CARLBERG

Title: CEO

STATE OF COLORADO)
) ss.
COUNTY OF JEFFERSON)

The foregoing instrument was acknowledged before me this 9TH day of JUNE, 2014, by CHARLES W. CARNBERG as CEO of KAUFMAN INDUSTRIAL PARK, INC. a COLORADO CORPORATION.

Witness my hand and official Seal.

My Commission Expires: Aug. 29, 2017

CASEY MOSSMAN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20134054163
MY COMMISSION EXPIRES AUGUST 29, 2017

Notary Public

GRANTEE:

ATTEST:

By: _____
Debra Johnson
Clerk and Recorder, Ex officio
Clerk of the City and County of Denver

CITY AND COUNTY OF DENVER,
a Colorado Municipal Corporation

By: _____
Mayor

APPROVED AS TO FORM:
D. Scott Martinez, Denver City Attorney

By: _____
Assistant City Attorney

REGISTERED AND COUNTERSIGNED:

By: _____
Manager of Finance

By: _____
Auditor

Exhibit 1 to Easement
Easement Area legal description

EXHIBIT "A"
PE Number: B-17
PAGE 1 OF 2
NOVEMBER 05, 2013

A STRIP OF LAND LOCATED WITHIN LOTS 29 AND 30, BLOCK 24, RIVERSIDE ADDITION.

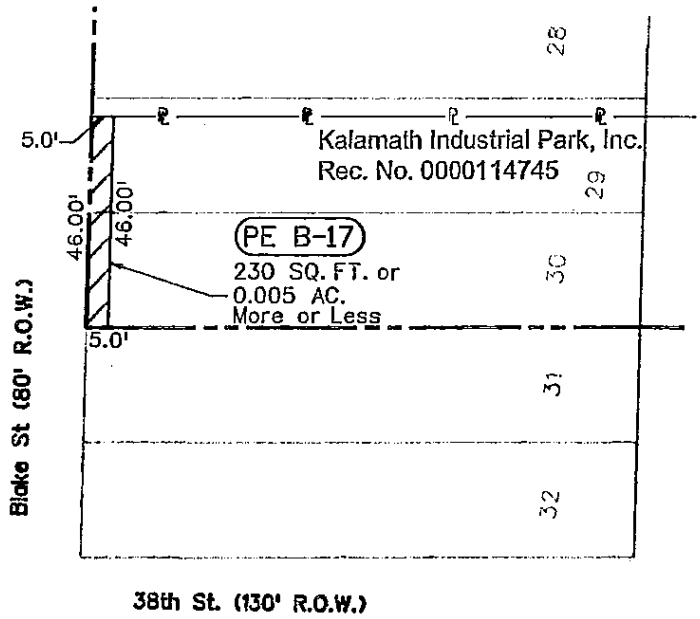
MORE PARTICULARLY DESCRIBED AS THE NORTHWESTERLY 5.00 FEET OF THAT PARCEL OF LAND DESCRIBED IN WARRANTY DEED RECORDED JUNE 27, 2002 AT RECEPTION NO. 0000114745 IN THE RECORDS OF THE CLERK AND RECORDER, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS 230 SQUARE FEET OR 0.005 ACRES, MORE OR LESS.

PREPARED BY: RICHARD D. MUNTEAN, CO PLS 38189
FOR AND ON BEHALF OF:
105 WEST, INC.
2140 S. IVANHOE ST., STE G5
DENVER, CO 80222

EXHIBIT A

THIS EXHIBIT IS A GRAPHIC DEPICTION OF THE PARCEL DESCRIBED ON THE ATTACHED LEGAL DESCRIPTION AND IS NOT INTENDED TO INCLUDE SURVEY PLAT REQUIREMENTS AS DEFINED IN CRS 38-51-106.



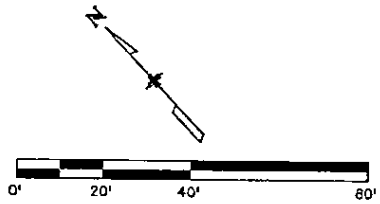


EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION

Job No.: 129-0003 Scale: 1" = 40' Date: November 05, 2013 Page 2 of 2 Drawn By: SDB	PE NO. B-17 A PART OF BLOCK 24, LOTS 29-30, RIVERSIDE ADDITION SUBDIVISION SECTION 23, T. 3 S., R. 68 W., 6TH P.M. CITY & COUNTY OF DENVER, COLORADO	105WEST INCORPORATED 2140 S. Ivanhoe St., STE G5 Denver, CO 80222

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