1. Attached hereto is a Commitment for Title Insurance issued by North American Title Insurance Company showing title to the Denver VA Medical Center (VAMC) located at 1055 Clermont Street, Denver, Colorado is currently vested in The United States of America in fee simple, subject to the exceptions shown on Exhibit B of the Title Commitment.

2. The VAMC property was obtained by a condemnation proceeding in 1948. The exceptions on Schedule B do not appear to be anything out of the ordinary. The first 6 standard exceptions appear in all Owners Title Policies, and do not present any real title issues. Exception 1 addresses rights of parties in possession of the property, and comes into play only if someone other than the property owner adversely possesses the premises. Obviously this is not the case with the Denver VAMC. Exception 2 pertains to easements not of record in the Clerk and Recorders Office of the City and County of Denver. Since this property was obtained by condemnation, all unrecorded easements should have been extinguished. Therefore, only easements consented to and granted by the United States can encumber the property. Exception 3 deals with boundary and encroachment problems that a land survey might show. Obviously, a survey may disclose some boundary problems, but we hope they are minor and until a survey is completed this issue cannot be addressed. Exception 4 pertains to mechanics liens that might be filed against the property because of unpaid construction costs. No such liens appear of record and this exception deals only with the possibility that new liens based on recent construction may be filed after the title commitment issue date. We do not have any knowledge that any such potential mechanics liens exist. Exception 6 is the title company's way of saying that they do not insure over any title issues that may arise between the effective date of the commitment and the date the property is sold.

3. Exception 7 deals with water and mineral rights, which title companies do not research or insure. We have no reason to believe there are any adverse water or mineral rights affecting the VAMC property. Exceptions 8 through 12 deal with easements for utilities, pipelines, and roadways, which were either granted by the VA or reserved in the original condemnation proceeding. We do not see anything out of the ordinary in these exceptions. Exception 14 pertains to possible unpaid taxes and assessments. Since the United States is tax exempt, this exception is not a problem.
4. Exception 13 concerning an easement for prescriptive use of an access way highlighted in yellow on the attached City and County of Denver Assessor’s map is puzzling. This easement appears to run along the present driveway between 9th and 11th Avenue allowing access to the parking garage. Since the tract of land now occupied by the Denver VAMC was obtained by the United States through condemnation, any easements previously existing would have been eliminated. Since prescriptive rights cannot be obtained over land owned by the United States, it is difficult to understand how there can be a prescriptive easement running along this access way. The title examiner indicated he included this exception because the easement is noted on the assessor’s map. We do not consider this a big problem. If the easement becomes an issue, it is our opinion that it can be defeated on the basis that prescriptive easements cannot be obtained on or across Federal lands.

5. It is our opinion that Fee Simple Title to the land occupied by the Denver VA Medical Center as described on the legal description page of the Title Commitment is vested in the United States of America subject only to the exceptions shown on Schedule B of the Title Commitment none of which represent serious title problems.

6. Please reimburse North American Title Company $450.00 for the title commitment as shown on page 3 thereof. If you need an invoice beyond the billing page in the title commitment, contact Dennis Bolte, in the Regional Counsels Office, Denver, CO at (303) 914-5810 or call Lisa Burke of North American Title Insurance Company at (303) 352-2100.

7. All title documents previously furnished our office are being returned with this memorandum.

MICHAEL E. BORNHouser
Regional Counsel
COMMITMENT FOR TITLE INSURANCE

ISSUED BY

NORTH AMERICAN TITLE INSURANCE COMPANY

AGREEMENT TO ISSUE POLICY

NORTH AMERICAN TITLE INSURANCE COMPANY, referred to in this Commitment as the Company, through its agent, identified above, referred to in this Agreement as the Agent, agrees to issue a policy to you according to the terms of this Commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the Commitment Date shown in Schedule A.

If the Requirements shown in this Commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

Our obligation under this Commitment is limited by the following:

- The Provisions in Schedule A.
- The Requirements in Schedule B-1.
- The Exceptions in Schedule B-2.
- The Conditions on the other side of this page.

This Commitment is not valid without SCHEDULE A and Sections 1 and 2 of SCHEDULE B.

NORTH AMERICAN TITLE INSURANCE COMPANY

BY

PRESIDENT

SECRETARY

ATTEST
Liza Burke

Our File No: BDA 156276

Property Address: 1055 Clermont St.
Denver, CO 80220

Deliver To:

V.A. Regional Counsel
P.O. Box 25126
Denver, CO 80225
Dennis Bolte

Thank you for giving us the opportunity to serve you.
SCHEDULE A

1. EFFECTIVE DATE: 11/21/01 AT 7:30 A.M. FILE NO. BDA 156276

2. POLICY OR POLICIES TO BE ISSUED:
   
   (A) ALTA Owner's
   
   PROPOSED INSURED: To Be Determined
   
   AMOUNT: $ $ PREMIUM

   (B) ALTA LOAN POLICY
   
   PROPOSED INSURED:
   
   AMOUNT: $ $ PREMIUM

   PREMIUM WAS CALCULATED AT A Basic Rate

   ADDITIONAL CHARGES $ 450.00
   Work Charge

   TOTAL $ 450.00

3. THE ESTATE OR INTEREST IN THE LAND DESCRIBED OR REFERRED TO IN THIS COMMITMENT AND COVERED HEREBIN IS FEE SIMPLE AND TITLE THERETO IS AT THE EFFECTIVE DATE HEREOF VESTED IN:
   
   The United States of America (see requirements)

4. THE LAND REFERRED TO IN THIS COMMITMENT IS DESCRIBED AS FOLLOWS:
   (continued)

FOR INFORMATIONAL PURPOSES: NORTH AMERICAN TITLE COMPANY OF COLORADO

1055 Clermont St.

ISSUED BY: Lisa Burke /Title Officer

BY: Lisa Burke /Title Officer

ISSUED DATE: 12/17/01
That portion of Bellevue Park Addition to the City of Denver and that portion of the NW1/4 of the NE1/4 of the SW1/4 of Section 6, Township 4 South, Range 67 West of the 6th P.M. Described as Follows;
Beginning at the point of intersection of the Westerly line of Clermont and the South line of the Northwest quarter of the Northeast quarter of the Southwest quarter, of Section 6, Township 4 South, Range 67 West; Thence North along the Westerly line of Clermont Street, a distance of 380.5 feet, more or less to a concrete monument; Thence North 08°23' East, a distance of 315.5 feet, more or less, to a concrete monument located at the Northwesterly corner of the intersection of 11th Avenue and Clermont Street; Thence North along the Westerly line of Clermont Street, a distance of 168.42 feet, more or less, to a concrete monument located at the Southwesterly corner of the intersection of Clermont Street and Hale Parkway; Thence, following the Southerly line of Hale Parkway North 80°59' West a distance of 368.3 feet to a point of curve; Thence continuing along the Southerly line of Hale Parkway, on a curve to the right having a radius of 2318.92 feet, along chord course of North 78°08' West and a chord distance of 230.6 feet, an arc distance of 230.69 feet, more or less, to a concrete monument located at the Southwesterly corner of the intersection of Hale Parkway and Bellaire Street; Thence South following the Easterly line of Bellaire Street, a distance of 304.36 feet to the North line of the Southwest quarter of Section 6, Township 4 South, Range 67 West; Thence South 89°49' West, along the North line of the Southwest quarter, a distance of 661.425 feet to a point; Thence South 00°05'30" East, a distance of 602.495 feet to the Point of Beginning, City and County of Denver, State of Colorado.
Note: The above legal contains Lots 18 to 30 inclusive, and fractional Lots 16, 17, 31 and 32, in Block 12 lying South of the Southerly line of Hale Parkway.
Bellevue Park Addition to the City of Denver,
Also contains Lots 16 to 32 inclusive, and fractional Lots 14, 15, 33 and 34, in Block 13, lying South of the Southerly line of Hale Parkway, Together with the vacated alley adjacent to said Lots,
Bellevue Park Addition to the City of Denver.
Note: Legal is subject to an accurate survey.
SCHEDULE B - SECTION 1
REQUIREMENTS

The following are requirements to be complied with prior to the issuance of said policy or policies:

A. Payment to or for the account of the grantors or mortgagors of full consideration for the estate or interest to be insured.

B. Proper instrument(s) creating the estate or interest to be insured must be executed and unless otherwise noted, all documents must be recorded in the office of the clerk and recorder of the county in which said property is located.

C. Proof, satisfactory to the Company, that the Grantor may convey the subject property.

D. An ALTA Survey in form, content and certification satisfactory to the Company.

NOTE: Exception may be made to any adverse matters disclosed by the ALTA Survey.

This Commitment is subject to such further Exceptions and/or Requirements as may appear necessary when the name of the Proposed Insured has been disclosed.

E. Warranty Deed sufficient to convey the fee simple estate or interest in the land described or referred to herein, to the Proposed Insured.
COMMITMENT

Schedule B - Section 1 Notes

NOTE: PURSUANT TO C.R.S. 30-10-406(3)(a) ALL DOCUMENTS RECEIVED FOR RECORDING OR FILING IN THE CLERK AND RECORDER’S OFFICE SHALL CONTAIN A TOP MARGIN OF AT LEAST ONE INCH AND A LEFT, RIGHT AND BOTTOM MARGIN OF AT LEAST ONE-HALF OF AN INCH. THE CLERK AND RECORDER WILL REFUSE TO RECORD OR FILE ANY DOCUMENT THAT DOES NOT CONFORM TO REQUIREMENTS OF THIS PARAGRAPH.


NOTE: PURSUANT TO SENATE BILL 91-14 (C.R.S. 10-11-122), THE COMPANY WILL NOT ISSUE ITS POLICY OR POLICIES OF TITLE INSURANCE CONTEMPLATED BY THIS COMMITMENT UNTIL IT HAS BEEN PROVIDED A CERTIFICATE OF TAXES DUE OR OTHER EQUIVALENT DOCUMENTATION FROM THE COUNTY TREASURER OR THE COUNTY TREASURER’S AUTHORIZED AGENT; OR UNTIL THE PROPOSED INSURED HAS NOTIFIED OR INSTRUCTED THE COMPANY IN WRITING TO THE CONTRARY.

NOTE: PURSUANT TO SENATE BILL 91-14 (C.R.S. 10-11-122) NOTICE IS HEREBY GIVEN THAT:

(A) THE SUBJECT PROPERTY MAY BE LOCATED IN A SPECIAL TAXING DISTRICT;

(B) A CERTIFICATE OF TAXES DUE LISTING EACH TAXING JURISDICTION SHALL BE OBTAINED FROM THE COUNTY TREASURER OR THE COUNTY TREASURER’S AUTHORIZED AGENT;

(C) INFORMATION REGARDING SPECIAL DISTRICTS AND THE BOUNDARIES OF SUCH DISTRICTS MAY BE OBTAINED FROM THE BOARD OF COUNTY COMMISSIONERS, THE COUNTY CLERK AND RECORDER, OR THE COUNTY ASSessor.

NOTE: PURSUANT TO C.R.S. 38-35-125(2) NO PERSON OR ENTITY THAT PROVIDES CLOSING AND SETTLEMENT SERVICES FOR A REAL ESTATE TRANSACTION SHALL DISBURSE FUNDS AS A PART OF SUCH SERVICES UNTIL THOSE FUNDS HAVE BEEN RECEIVED AND ARE AVAILABLE FOR IMMEDIATE WITHDRAWAL AS A MATTER OF RIGHT...

NOTE: PURSUANT TO C.R.S. 10-11-123 NOTICE IS HEREBY GIVEN:

(A) THAT THERE IS RECORDED EVIDENCE THAT A MINERAL ESTATE HAS BEEN SEVERED, LEASED, OR OTHERWISE CONVEYED FROM THE SURFACE ESTATE AND THAT THERE IS A SUBSTANTIAL LIKELIHOOD THAT A THIRD PARTY HOLDS SOME OR ALL INTEREST IN OIL, GAS, OTHER MINERALS, OR GEOTHERMAL ENERGY IN THE PROPERTY; AND

(B) THAT SUCH MINERAL ESTATE MAY INCLUDE THE RIGHT TO ENTER AND USE THE PROPERTY WITHOUT THE SURFACE OWNER’S PERMISSION.

A copy of the attached Privacy Policy Notice is to be provided to all parties involved in this transaction.
FOR YOUR CONVENIENCE, NORTH AMERICAN TITLE’S WIRING INSTRUCTIONS ARE AS FOLLOWS:

Wire to: Comerica Bank
        San Jose CA

ABA# 121137522

Credit to: North American Title Company

Account #: 1891610790

Please reference:
  Commitment Number
  Borrower’s Name
  Property Address
SCHEDULE B - SECTION 2

EXCEPTIONS

The policy or policies to be issued will contain exceptions to the following unless the same are
disposed of to the satisfaction of the Company:

1. Rights or claims of parties in possession not shown by the public records.

2. Easements, or claims of easements, not shown by the public records.

3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which
a correct survey and inspection of the premises would disclose, and which are not shown by the
public records.

4. Any lien, or right to a lien, for services, labor or material heretofore or 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 value the estate or interest or mortgage thereon covered
by the Commitment.

6. Taxes due and payable; and any tax, special assessments, charge or lien imposed for water or
sewer service, or for any other special taxing district.

7. Any vested and accrued water rights for mining, agricultural,
manufacturing, or other purposes, and rights to ditches and reservoirs
used in connection with such water rights, as may be recognized and
acknowledged by the local customs, laws and decisions of courts; and
also the right of the proprietor of a vein or lode to extract or remove
his ore, should the same be found to penetrate or intersect the
premises thereby granted as reserved in the United States Patent
recorded February 23, 1872 in Book 33 at Page 487, and any and all
assignments thereof or interests therein.

8. Easements for pipe lines and utilities as reserved in the Decrees of
Taking recorded April 9, 1948 in Book 6373 at Page 128, Amendment
Recorded August 23, 1948 in Book 6434 at Page 205, Decree recorded June
6, 1969 in Book 42 at Page 346.

(continued)
9. Reservation of all utilities as contained in the following ordinances:
   Ordinance No. 9, Series 1941
   Ordinance No. 130, Series 1948 recorded September 13, 1948 in Book A31 at Page 488
   Ordinance 129, Series 1948 recorded September 13, 1948 in Book A31 at Page 484

10. An easement for public highway and incidental purposes granted to The City and County of Denver, Colorado by the instrument recorded April 11, 1949 in Book 6529 at Page 13.

11. An easement for pipelines and incidental purposes granted to The City and County of Denver, acting by and through its Board of Water Commissioners by the instrument recorded May 25, 1983 in Book 2818 at Page 603.

12. An easement for utility lines and incidental purposes granted to Qwest Corporation by the instrument recorded September 8, 2000 at Reception No. 2000129918.

13. Easement for prescriptive use over the West 15 feet of the W1/2 of the NW1/4 of the NE1/4 of the SW1/4 of Section 6, and the East 15 feet of the E1/2 of the NE1/4 of the NW1/4 of the SW1/4, of Section 6, as shown on the Assessor's maps of the City and County of Denver.

14. Taxes due and payable; and any tax, special assessments, charge or lien imposed for water or sewer service, or for any other special taxing district.
We recognize and respect the privacy expectations of today’s consumers and the requirements of applicable federal and state privacy laws. We believe that making you aware of how we use our non-public personal information ("Personal Information"), and to whom it is disclosed, will form the basis for a relationship of trust between us and the public that we serve. This Privacy Statement provides that explanation. We reserve the right to change this Privacy Statement from time to time consistent with applicable privacy laws.

In the course of our business, we may collect Personal Information about you from the following sources:

* From applications or other forms we receive from you or your authorized representative;
* From your transactions with, or from the services being performed by us, our affiliates, or others;
* From our internet web sites;
* From the public records maintained by governmental entities that we either obtain directly from those entities, or from our affiliates or others; and
* From consumer or other reporting agencies.

Our Policies Regarding the Protection of the Confidentiality and Security of Your Personal Information

We maintain physical, electronic and procedural safeguards to protect your Personal Information from unauthorized access or intrusion. We limit access to the Personal Information only to those employees who need such access in connection with providing products or services to you or for other legitimate business purposes.

Our Policies and Practices Regarding the Sharing of Your Personal Information

We may share your Personal Information with our affiliates, such as insurance companies, agents, and other real estate settlement service providers. We also may disclose your Personal Information:

* to agents, brokers or representatives to provide you with services you have requested;
* to third-party contractors or service providers who provide services or perform marketing or other functions on our behalf;
* to others with whom we enter into joint marketing agreements for products or services that we believe you may find of interest.

In addition, we will disclose your Personal Information when you direct or give us permission, when we are required by law to do so, or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

Right to Access Your Personal Information and Ability to Correct Errors or Request Changes or Deletion

Certain states afford you the right to access your Personal Information and, under certain circumstances, to find out to whom your Personal Information has been disclosed. Also, certain states afford you the right to request correction, amendment or deletion of your Personal Information. We reserve the right, where permitted by law, to charge a reasonable fee to cover the costs incurred in responding to such requests.

All requests must be made in writing to the following address:

Privacy Compliance Officer
Fidelity National Financial, Inc.
4050 Calle Real, Suite 220
Santa Barbara, CA 93110

Multiple Products or Services

If we provide you with more than one financial product or service, you may receive more than one privacy notice from us. We apologize for any inconvenience this may cause you.
12/17/01

V.A. Regional Counsel
P.O. Box 25126
Denver, CO 80225
Attn: Dennis Bolte

Re: Property Address: 1055 Clermont St.
Order Number: BDA 156276

North American Title Company of Colorado appreciates the opportunity to serve you and is happy to include you as one of our valued customers.

Enclosed you will find your title commitment. If your contract requires copies of Schedule B-Section 2 documents, they are being delivered to the specified parties. This is not an invoice, but does provide an estimate of the fees of your title insurance policy.

Thank you for using North American Title Company of Colorado for your transaction. If you have any questions please feel free to contact the Title Officer or Escrow Officer shown on your title commitment.

NORTH AMERICAN TITLE COMPANY OF COLORADO
IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF COLORADO

THE UNITED STATES OF AMERICA,

Petitioner,

v.

12 ACRES OF LAND, MORE OR LESS, SITUATE
IN THE CITY AND COUNTY OF DENVER, STATE
OF COLORADO; STATE OF COLORADO; STATE
OF COLORADO and the INHERITANCE TAX COM-
MISSIONER thereof; CITY AND COUNTY OF
DENVER, COLORADO, a municipal corpora-
tion; THE BOARD OF COUNTY COMMISSIONERS
OF THE CITY AND COUNTY OF DENVER, COLOR-
ADO, a municipal corporation; MOFFATT
TUNNEL IMPROVEMENT DISTRICT, a quasi-
municipal corporation; REGENTS OF THE
UNIVERSITY OF COLORADO, a body corporate;
DENVER GOLF COURT, INC., a corporation;
if in existence, but if defunct, the
Board of Directors or Trustees of said
corporations, or the Managers of their
corporate affairs, by whatever name known,
acting last before the time of dissolution,
and the survivors of them; LON B. BROOKS;
STREET BROOKS; DAVID BROOKS; J. ROSS;
and their successors, assigns, conservators,
and spouses, if any there be; the above
persons, if living or if deceased, their
heirs at law, devisees, legatees, execu-
tors, and administrators, if any; all un-
known persons who claim any interest in and
to the subject matter of this action.

Respondents.

Notice is hereby given that the United States of America, as
Petitioner, has begun an action in the District Court of the United States
of America for the District of Colorado, to purchase and acquire by con-
demnation the absolute fee simple title to the lands located in the City
and County of Denver, State of Colorado, more particularly described in
Schedule "A", attached hereto and made a part hereof by reference, subject
however, to existing easements for pipe lines and for public utilities, if
any there be, for the use of the United States of America in connection with
a Veterans Hospital in the City and County of Denver, Colorado, under and
in accordance with the provisions of the following acts:

An Act of Congress approved June 22, 1944
(58 Stat. 284), as amended by an Act of Con-
gress approved December 28, 1945 (59 Stat. 653);
and an Act of Congress approved June 22, 1946,
(60 Stat. 299),

An Act of Congress approved July 30, 1947
(Public Law 269, 80th Congress),

An Act of Congress approved August 1, 1866
(25 Stat. 357),

and acts declaratory and amendatory thereof.

Max M. Buckley
United States Attorney for the District
of Colorado

C. V. Marmaduke, Jr.
Assistant United States Attorney for the
District of Colorado

Clifford C. Chittim
Special Assistant to the United States
Attorney for the District of Colorado
Beginning at the point of intersection of the Westerly line of Clermont Street and the South line of the Northwest Quarter of the Northeast Quarter of the Southwest Quarter (NW¼, NE¼, SW¼, SE¼), Section 4, Township 4 South, Range 67 West; thence, North, along the Westerly line of Clermont Street, a distance of 590.5 feet, more or less, to a concrete monument; thence North 00° 25' East, a distance of 315.3 feet, more or less, to a concrete monument located at the Northwesterly corner of the intersection of 11th Avenue and Clermont Street; thence, North, along the Westerly line of Clermont Street, a distance of 168.42 feet, more or less, to a concrete monument located at the Southwesterly corner of the intersection of Clermont Street and Male Parkway; thence, West, along the Southerly line of Male Parkway, a distance of 599.02 feet, more or less, to a concrete monument located at the Southwesterly corner of the intersection of Male Parkway and Bellaire Street; thence, South, along the Easterly line of Bellaire Street, a distance of 504.34 feet, more or less, to the North line of the Southwesterly corner (SW¼), Section 6, Township 4 South, Range 67 West; thence, West, along the North line of the said Southwesterly corner (SW¼), a distance of 60.0 feet to a point; thence, South 00° 05' 30" East, a distance of 661.42 feet, more or less, to the South line of the Northwest Quarter of the Northeast Quarter of the Southwest Quarter (NW¼, NE¼, SW¼), Section 6, Township 4 South, Range 67 West; thence, East, following the South line of the said Northwest Quarter of the Northeast Quarter of the Southwest Quarter (SW¼, NE¼, SW¼), a distance of 600 feet, more or less, to the point of beginning, containing approximately 12 acres.
IN WITNESS WHEREOF, the petitioner, by its Administrator of Veterans Affairs, Veterans Administration, therunto authorized, has caused this Declaration to be signed in its name by said Carl H. Gray, Jr., Administrator of Veterans Affairs, Veterans Administration, this th day of , 1969, in the City of Washington, District of Columbia.

[Signature]
Administrator of Veterans Affairs
Veterans Administration of the United States
IN THE UNITED STATES DISTRICT COURT FOR COLORADO
SECOND DISTRICT

UNITED STATES OF AMERICA,

Petitioner,

vs.

12 Acres of Land, more or less,
situate and being in Denver County,
State of Colorado, L. Volts, et al.,
Defendants.

CIVIL ACTION NO. 1397

TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

I, Carl R. Gray, Jr., Administrator of Veterans Affairs, Veterans Admin-
istration of the United States of America, do hereby declare that

1. (a) The lands herein described are taken under and in accordance
250a) and the Acts Supplementary thereto and amendatory thereof, and under the
further authority of the Act of Congress Public Law 386, 76th Congress, as amended
by Public Law 266, 79th Congress, and Public Law 424, 79th Congress, which Acts
authorize the acquisition of land for a Veterans Administration Hospital, and the
Act of Congress approved July 30, 1949, being Public Law 269, 80th Congress, which
Act appropriated funds which are available for such purposes.

(b) The public uses for which said lands are taken are as follows:
The said lands and improvements thereon have been selected by said Congress
for use as a public hospital by the United States for use in conjunction with the establish-
ment of a Veterans Administration Hospital in the City of Denver, Colorado, for the Veterans Admin-
istration and for such other uses as may be authorized by Congress, and are
required for immediate use.
2. The lands to be taken are located in the City of Denver, County of Denver, State of Colorado, and boundary or perimeter description thereof is as follows:

Beginning at the point of intersection of the Easterly line of Clermont Street and the South line of the Northwest Quarter of the Northeast Quarter of the Southwest Quarter (NE 1/4 NW 1/4 SE 1/4) of Section 6, Township 4 North, Range 47 West; thence, North along the Easterly line of Clermont Street, a distance of 330.5 feet, more or less, to a concrete monument; thence, North 69° 23' 29" East, a distance of 315.5 feet, more or less, to a concrete monument located at the Northeasternly corner of the intersection of 11th Avenue and Clermont Street; thence, North along the Easterly line of Clermont Street, a distance of 160.42 feet, more or less, to a concrete monument located at the Southeasternly corner of the intersection of Clermont Street and Hale Parkway; thence, following the Southwesterly line of Hale Parkway North 69° 29' East, a distance of 360.2 feet to a point of curve; thence, continuing along the Southwesterly line of Hale Parkway, an arc or curve to the right having a radius of 2,265.72 feet, a long chord distance of North 780.00 feet and a chorded distance of 230.6 feet, an arc distance of 230.69 feet, more or less, to a concrete monument located at the Southwesternly corner of the intersection of Hale Parkway and Bellaire Street; thence, South, following the Easterly line of Bellaire Street, a distance of 230.69 feet to the North line of the Southwest Quarter (SW 1/4) of Section 6, Township 4 North, Range 47 West; thence, South 69° 23' 29" East, along the North line of the said Southwest Quarter (SW 1/4), a distance of 60,000 feet to a point; thence, South 69° 23' 29" East, a distance of 661,425 feet to the South line of the Northeast Quarter of the Northeast Quarter of the Southwest Quarter (NE 1/4 NW 1/4 SE 1/4) of Section 6, Township 4 South, Range 47 West; thence, South 89° 58' 1" East, following the South line of the said Northeast Quarter of the Northeast Quarter of the Southwest Quarter (NE 1/4 NW 1/4 SE 1/4) of Section 6 a distance of 602.695 feet to the point of beginning, containing approximately 23 acres.

The foregoing tract of land is composed of several parcels having various ownerships. The parcels are designated according to separate titles or ownerships as follows:

PARCEL NO. 1

Lots 18 to 30 inclusive, in Block 12, Belleview Park Addition to the City of Denver, and the fractional parts of Lots 16, 17, 31 and 32 in said Block 12 lying south of the Southerly line of Hale Parkway.

Name of Purported Owner:............................T. Wells
Estimated compensation:..................$35,500.00

PARCEL NO. 2

Lots 16 to 32 inclusive, in Block 12, Belleview Park Addition to the City of Denver, and the fractional parts of Lots 14, 15, 33 and 34 in said Block 12 lying south of the Southerly line of Hale Parkway.

Name of Purported Owner:............................David C. Smith, et al.
Estimated compensation:..................$10,750.00
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

THE UNITED STATES OF AMERICA,

Petitioner,

vs.

12 ACRES OF LAND, MORE OR LESS,
SITUATE IN THE CITY AND COUNTY
OF DENVER, STATE OF COLORADO;
STATE OF COLORADO; ET AL.,
Respondents.

CIVIL NO. 2937

The above entitled matter coming on for hearing on this 23rd day of June, 1949, upon stipulation by and between Respondent Regents of the University of Colorado, a body corporate, and the petitioner, The United States of America; and the Court being fully advised in the premises, doth find:

That the sum of One Hundred Thirty-Five Thousand Dollars ($135,000.00), inclusive of interest, is the full and complete just compensation to which the owner and interested parties are entitled for the land described as Parcel No. 3 in the Amended Petition in Condemnation filed herein, as amended, together with and including all buildings and improvements thereon and all appurtenances thereto belonging; and together with all the right, title and interest of said Respondent Regents of the University of Colorado, a body corporate, in and to the streets and avenues described as Parcel No. 4 in said Amended Petition in Condemnation; and that said Regents of the University of Colorado, a body corporate, is the person entitled to said just compensation.

That the petitioner has heretofore deposited with the Clerk of this Court the sum of One Hundred Twenty-Eight Thousand Dollars ($128,000.00) as the estimated just compensation for the taking of said land.

That the sum of One Hundred Twenty-Six Thousand Five Hundred Dollars ($126,500.00) has heretofore been disbursed to the said Regents of the University of Colorado under order of this court.

42
The United States of America,

Petitioner,

Vs.

10 Acres of Land, More or Less, Situated in the City and County of Denver, State of Colorado, State of Colorado; State of Colorado; City of Denver and the Municipal Government thereof; City and County of Denver, Colorado, a Municipal Corporation; The Board of County Commissioners of the City and County of Denver, Colorado, a Municipal Corporation; Denver Golf Course, Inc., a Corporation; if in existence, and if it shall exist, the Board of Directors or Trustees of any corporation, or any persons, by whatever name known, acting last before the time of dissolution, and the survivors of them; and the heirs, executors, administrators, and assignees, if any there be; the above persons, if living, or if deceased, their heirs at law, devisees, legatees, executors, and administrators, if any; all unknown parties who claim any interest in and to the subject matter of this action,

Respondents.

This cause coming on to be heard on this the 6th day of April, A.D. 1948, the petitioner, the United States of America, appearing by Mr. K. Mulcahey, United States Attorney for the District of Colorado, upon the Petition in Declaration and Declaration of Filing filed heretofore, and it appearing to the Court and the Court so finding:

I.

That the United States of America, has filed its Petition in Condemnation praying that certain lands therein described,

situated in the City and County of Denver, State of Colorado, be condemned

47 74:
4. A plat showing the lands taken.
5. A statement by the said Carl R. Gray, Jr., Administrator of Veterans Affairs, acting in said capacity, that he has ascertained the amounts of just compensation for the taking of said lands, which amounts are set forth in said Declaration of Taking, and that the said amounts aggregate the sum of One Hundred Forty-seven Thousand Two Hundred Fifty-one Dollars ($147,251.00).

That on the ___ day of _____, the sum of One Hundred Forty-seven Thousand Two Hundred Fifty-one Dollars ($147,251.00) was deposited with the Clerk of this Court for the use of the persons entitled thereto.

Whereupon, IT IS HEREBY ORDERED, ADJUDGED AND ENforced:

I.

That by the filing of the Petition in Condemnation and Declaration of Taking and deposit in this Court to the use of the persons entitled thereto of the said amount of estimated compensation stated in said Declaration of Taking, title to the lands situate in the City and County of Denver, State of Colorado, more particularly described in Schedule 'A', a copy of which is attached hereto and made a part hereof by reference, in fee simple absolute, became and thereby was condemned and taken for the use of the United States of America, and that the title thereto in said lands in fee simple absolute, subject however, to existing easements for pipe lines and for public utilities, and subject also to the existing easement for 9th Avenue, became and thereby was vested in the United States of America.

II.

That the right to just compensation for the taking of said lands became and thereby was vested in the persons entitled thereto and that the Court expressly reserves jurisdiction of this cause to issue process and enter all necessary orders to bring all of the owners of and persons interested in said lands before the Court, and to appoint Commissioners to appraise and fix
The lots taken are located in the City and County of Denver, State of Colorado, and Boundary or perimeter description thereof is as follows:

Beginning at the point of intersection of the westerly line of Clermont Street and the south line of the Northwest Quarter of the Northeast Quarter of the Southwest Quarter (SEC 225 SEC 225), Section 5, Township 4 North, Range 57 West; thence, 200' along the westerly line of Clermont Street, a distance of 300.3 feet, more or less, to a concrete monument; thence, North 89° 37' East, a distance of 300.3 feet, more or less, to a concrete monument located at the Northeast corner of the intersection of 11th Avenue and Clermont Street; thence, North along the westerly line of Clermont Street, a distance of 164.49 feet, more or less, to a concrete monument located at the Southwesterly corner of the intersection of Clermont Street and Male Parkway; thence, following the Southerly line of Male Parkway North 89° 30' West a distance of 300.3 feet to a point of curve; thence, continuing along the Southerly line of Male Parkway, on an arc or curve to the right having a radius of 2119.82 feet, a long chord course of North 79° 01' West and a chord distance of 230.6 feet, an arc distance of 230.6 feet, more or less, to a concrete monument located at the Southwesterly corner of the intersection of Male Parkway and Belleaire Street; thence, South, following the westerly line of Belleaire Street, a distance of 146.33 feet to the North line of the Southwester Quarter (S1/4) of Section 5, Township 4 North, Range 57 West; thence, South 89° 30' East, along the North line of the said Southwest Quarter (S1/4), a distance of 400.00 feet to a point; thence, South 89° 30' East a distance of 81.426 feet to the South line of the Northwest Quarter of the Northeast Quarter of the Southwest Quarter (SEC 225 SEC 225) of Section 5, Township 4 North, Range 57 West; thence, South 89° 30' East, following the South line of the said Northeast Quarter of the Southwester Quarter (SEC 225 SEC 225) of Section 5 a distance of 1200.426 feet to the point of beginning, containing approximately 12 acres.

The foregoing tract of land is composed of several parcels having various ownerships. The parcels are designated according to separate titles or ownerships as follows:

PARCEL NO. 1
Lots 18 to 30 inclusive, in Block 12, Belleaire Park Addition to the City of Denver, and the fractional parts of Lots 15, 17, 31 and 32 in said Block 12 lying South of the Southerly line of Male Parkway.

PARCEL NO. 2
Lots 18 to 33 inclusive, in Block 12, Belleaire Park Addition to the City of Denver, and the fractional parts of Lots 14, 15, 33 and 34 in said Block 12 lying South of the Southerly line of Male Parkway.
IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF COLORADO

THE UNITED STATES OF AMERICA,

Petitioner,

vs.

12 ACRES OF LAND, MORE OR LESS, SITUATE
IN THE CITY AND COUNTY OF DENVER, STATE
OF COLORADO; STATE OF COLORADO; STATE
OF COLORADO and the INHERITANCE TAX COM-
MISSIONER thereof; CITY AND COUNTY OF
DENVER, COLORADO, a municipal corporation;
THE BOARD OF COUNTY COMMISSIONERS
OF THE CITY AND COUNTY OF DENVER, COLO-
RAO, a municipal corporation; NOFFAY
TUNNEL IMPROVEMENT DISTRICT, a quasi-
municipal corporation; BROOKS OF THE
UNIVERSITY OF COLORADO, a body corporate;
DENVER GOLF COURT, INC., a corporation;
if in existence, but if defunct, the
Board of Directors or Trustees of said
corporations, or the Managers of their
corporate affairs, by whatever name known,
acting last before the time of dissolution,
and the survivors of them; LION BROOKS;
SIDNEY BROOKS; DAVID SMITH; I. TOLES; and
their successors, assigns, conservators,
and spouses, if any there be; the above
persons, if living or if deceased; their
heirs at law, devisees, legatees, execu-
tors, and administrators, if any; all un-
known parties who claim any interest in and
to the subject matter of this action;

Respondents.

This cause coming on to be heard on this, the ___ day of
April: ___ A.D. 1948, the petitioner, the United States of
America, appearing by Max M. Balkley, United States Attorney for the
District of Colorado, upon the Petition in Condemnation and Declaration
of Taking filed herein, and it appearing to the Court and the Court so
finding:

I. That the petition of the United States of America, has filed its
Petition in Condemnation praying that certain lands therein described,
situate in the City and County of Denver, State of Colorado, be condemned
for the use of the United States of America, in connection with the establish-

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II.
I. A plat showing the lands taken.

2. A statement by the said Carl A. Gray, Jr., Administrator of Veterans Affairs, acting in said capacity, that he has ascertained the amounts of just compensation for the taking of said lands, which amounts are set forth in said Declaration of Taking, and that the said amounts aggregate the sum of One Hundred Forty-seven Thousand Two Hundred Fifty-one Dollars ($147,251.00).

That on the __ day of __________ the sum of One Hundred Forty-seven Thousand Two Hundred Fifty-one Dollars ($147,251.00) was deposited with the Clerk of this Court for the use of the persons entitled thereto.

WHEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

I.

That by the filing of the Petition in Condemnation and Declaration of Taking and deposit in this Court to the use of the persons entitled thereto of the said amount of estimated compensation stated in said Declaration of Taking, title to the lands situate in the City and County of Denver, State of Colorado, more particularly described in Schedule "A", a copy of which is attached hereto and made a part hereof by reference, in fee simple absolute, became and thereby was condemned and taken for the use of the United States of America, and that the title thereto in said lands in fee simple absolute, subject however, to existing easements for pipe lines and for public utilities, and subject also to the existing easement for 9th Avenue, became and thereby was vested in the United States of America.

II.

That the right to just compensation for the taking of said lands became and thereby was vested in the persons entitled thereto and that the Court expressly reserves jurisdiction of this cause to issue process and enter all necessary orders to bring all of the owners of and persons interested in said lands before the Court, and to appoint Commissioners to appraise and fix
the value of said lands and the amount of compensation which the owners and
persons interested therein are entitled to for its said appropriation.

Done in open Court on the day and year first above written.

J. FOSTER SYMS
DISTRICT JUDGE

True Copy
G. Walter Bethel Clerk

CCC:F By
SCHEDULE A

The lands taken are located in the City and County of Denver, State of Colorado, and boundary or perimeter description thereof is as follows:

Beginning at the point of intersection of the Westerly line of Clermont Street and the South line of the Northwest Quarter of the Northeast Quarter of the Southwest Quarter (NW\(\frac{1}{4}\), NE\(\frac{1}{4}\), SW\(\frac{1}{4}\), NW\(\frac{1}{4}\)); Section 6, Township 4 South, Range 57 West; thence, North along the Westerly line of Clermont Street, a distance of 390.5 feet, more or less, to a concrete monument; thence, North 08° 23' East, a distance of 312.6 feet, more or less, to a concrete monument located at the Northwesterly corner of the intersection of 11th Avenue and Clermont Street; thence, North along the Westerly line of Clermont Street, a distance of 160.42 feet, more or less, to a concrete monument located at the Southwesterly corner of the intersection of Clermont Street and Hale Parkway; thence, following the Southerly line of Hale Parkway North 06° 59' West a distance of 365.3 feet to a point of curve; thence, continuing along the Southerly line of Hale Parkway, on an arc or curve to the right having a radius of 2318.92 feet, a long chord course of North 79° 00' West and a chord distance of 280.5 feet, an arc distance of 280.59 feet, more or less, to a concrete monument located at the Southeasternly corner of the intersection of Hale Parkway and Bellaire Street; thence, South, following the Southerly line of Bellaire Street, a distance of 304.26 feet to the North line of the Southwest Quarter (SW\(\frac{1}{4}\)) of Section 6, Township 4 South, Range 57 West, thence, South 60° 49' West, along the North line of the said Southwest Quarter (SW\(\frac{1}{4}\)), a distance of 60,005 feet to a point; thence, South 05° 46' 30" East a distance of 651.425 feet to the South line of the Northwest Quarter of the Northeast Quarter of the Southwest Quarter (NE\(\frac{1}{4}\), NE\(\frac{1}{4}\), SW\(\frac{1}{4}\), NW\(\frac{1}{4}\)); Section 6, Township 4 South, Range 57 West, thence, South 80° 36' 30" East, following the South line of the said Northwest Quarter of the Northeast Quarter of the Southwest Quarter (NE\(\frac{1}{4}\), NE\(\frac{1}{4}\), SW\(\frac{1}{4}\), NW\(\frac{1}{4}\)); Section 6 a distance of 502.485 feet to the point of beginning, containing approximately 12 acres.

The foregoing tract of land is composed of several parcels having various ownerships. The parcels are designated according to separate titles or ownerships as follows:

PARCEL NO. 1

Lots 16 to 30 inclusive, in Block 12, Bellevue Park Addition to the City of Denver, and the fractional parts of Lots 16, 17, 31 and 33 in said Block 12 lying South of the Southerly line of Male Parkway.

PARCEL No. 2

Lots 16 to 32 inclusive, in Block 13, Bellevue Park Addition to the City of Denver, and the fractional parts of Lots 16, 18, 33 and 34 in said Block 13 lying South of the Southerly line of Male Parkway.
PARCEL NO. 3

Beginning at the point of intersection of the westerly line of Clermont Street and the South line of the Northwesterly line of the Northeast quarter of the Southwest Quarter (NW1 NE1 SW1), Section 6, Township 4 South, Range 67 West; thence, North following the westerly line of Clermont Street a distance of 660 feet more or less to the southerly line of 11th Avenue; said southerly line of 11th Avenue being also the north line of the Southwest Quarter (SW1) of Section 6, Township 4 South, Range 67 West; thence, westerly along the north line of the Southwest Quarter (SW1) of Section 6, Township 4 South, Range 67 West, a distance of 662 feet more or less to the point of intersection of the North line of the said Southwest Quarter (SW1) with the westerly line of Bel- laire Street projected southerly; thence, South 02° 05' 30" West a distance of 661.425 feet to the south line of the Northwest Quarter of the Northeast Quarter of the Southwest Quarter (NW1 NE1 SW1), Section 6, Township 4 South, Range 67 West; thence, South 88° 50' 30" East, along the South line of the said Northwest Quarter of the Northeast Quarter of the Southwest Quarter (NW1 NE1 SW1) of Section 6, a distance of 660.486 feet to the point of beginning.

PARCEL NO. 4

All of Birch Street between the southerly line of Belle Parkway and the north line of 11th Avenue; all of 11th Avenue between the westerly line of Bel-laire Street and the westerly line of Clermont Street; all of Clermont Street lying west of a line described as follows: Beginning at a concrete monument located at the northwesterly corner of the intersection of Clermont Street and 11th Avenue; thence, South 08° 23' 36" West a distance of 315.5 feet to a concrete monument on the westerly line of Clermont Street.
County Clerk and Recorder  
City and County of Denver  
Denver, Colorado

Dear Madam:

Re: United States v. 12 acres of land in the 
City and County of Denver, Colorado, Civil 
No. 2397.

I am enclosing a certified copy of Decree on Declaration of 
Taking in the above-entitled case and request that you record the 
same and return it to this office. As you no doubt know, the United 
States is prohibited from paying for a service until the same is, 
rendered. I realize that the state statutes require that you receive 
cash before you perform the service. All of the county clerks and 
recorders with whom we have previously dealt have waived this requirement, 
recording the instruments immediately and forwarding their vouchers to 
this office. I trust that you will assist this office in like manner.

I am enclosing a voucher in the proper amount for the re- 
cording of the Decree on Declaration of Taking. Please sign said 
voucher on the line marked "x" and return it to this office in the 
enclosed self-addressed envelope which requires no postage. I am en- 
closing one copy for your files so that you can identify the govern- 
ment check when it reaches you. Payment is handled promptly by the 
Department.

Very truly yours,

[Signature]

MAX M. BULKLEY  
United States Attorney

CC:IP  
Ends.
IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF COLORADO

THE UNITED STATES OF AMERICA,

Petitioner,

vs.

12 ACRES OF LAND, MORE OR LESS,
SITUATE IN THE CITY AND COUNTY OF
DENVER, STATE OF COLORADO; STATE
OF COLORADO; STATE OF COLORADO AND
the INHERITANCE TAX COMMISSIONER
thereof; CITY AND COUNTY OF DENVER,
COLORADO, a municipal corporation;
THE BOARD OF COUNTY COMMISSIONERS
OF THE CITY AND COUNTY OF DENVER,
COLORADO, a municipal corporation;
MOFFAT TUNNEL IMPROVEMENT DISTRICT,
a quasi-municipal corporation;
REGENTS OF THE UNIVERSITY OF COLO-
RADO, a body corporate; DENVER GOLF
COURT, INC., a corporation; if in
existence, but if defunct, the
Board of Directors or Trustees of
said corporations, or the Managers
of their corporate affairs, by
whatever name known, acting last
before the time of dissolution,
and the survivors of them; LEON
BROOKS; SIDNEY BROOKS; DAVID SMITH;
I. TOLTZ; and their successors,
assigns, conservators, and spouses,
if any there be; the above persons,
if living or if deceased, their
heirs at law, devisees, legatees,
executors, and administrators, if
any; all unknown parties who claim
any interest in and to the subject
matter of this action,

Respondents.

This cause coming on to be heard on this 26th day of
August, A.D. 1948, the petitioner, the United States of America,
appearing by Max W. Bulkley, United States Attorney for the Dis-
tRICT of Colorado, upon the Petition in Condemnation and Amendment
to the Declaration of Taking filed herein, and the Court being
fully advised in the premises:

WHEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECLARED:

That the Decree on Declaration of Taking entered herein
on April 9, 1948, be and hereby is amended by substituting for
the land description contained in Schedule "A", attached to
said decree, the land description contained in Schedule "A" at-
tached hereto and made a part hereof by reference.

Done in open Court on the day and year first above
written.

J. FOSTER SYMS
DISTRICT JUDGE.

[Signature]
Deputy Clerk
The lands to be taken are located in the City and County of Denver, State of Colorado, and boundary or perimeter description thereof is as follows:

Beginning at the point of intersection of the westerly line of Clermont Street and the south line of the northwest quarter of the northeast quarter of the said southwest quarter of the north half of the northeast quarter of the southeast quarter of section 6, township 4 south, range 37 west, thence, north along the westerly line of Clermont Street, a distance of 390.5 feet, more or less to a concrete monument; thence, north 90° 25' east, a distance of 315.5 feet, more or less, to a concrete monument located at the northwest corner of the intersection of 11th Avenue and Clermont Street, thence, north along the westerly line of Clermont Street, a distance of 109.42 feet, more or less, to a concrete monument located at the southwesterly corner of the intersection of Clermont Street and Hale Parkway, thence, following the southerly line of Hale Parkway north 10° 50' 59' west a distance of 321.3 feet to a point of curve, thence, continuing along the southerly line of Hale Parkway, on an arc or curve to the right having a radius of 2218.82 feet, along chord course of north 78° 49' west and a chord distance of 230.4 feet, on the distance of 250.69 feet, more or less, to a concrete monument located at the southwesterly corner of the intersection of Hale Parkway and Bellaire Street, thence, south along the westerly line of Bellaire Street, a distance of 504.76 feet to the north line of the southwest quarter (S.W.) of section 6, thence, south 66° 35' 30' east a distance of 661.425 feet to the south line of the north half of the northwest quarter of the southwest quarter of section 5, township 4 south, range 37 west, thence, south 89° 59' 30' east, a distance of 570.1 feet to a point of curve, thence, south 59° 31' 40' east a distance of 619.535 feet to the south line of the south half of the southeast quarter of section 4, township 4 south, range 37 west, thence, south 28° 49' 01' east, a distance of 602.495 feet to the point of beginning, containing approximately 17 acres.

The foregoing tract of land is composed of several parcels having various ownerships. The parcels are designated according to separate titles or ownerships as follows:

PARCEL No. 1

Lots 16 to 78 inclusive, in Block 12, Bellevue Park Addition to the City of Denver, and the fractional parts of Lots 16, 17, 21 and 22 in said Block 12 lying south of the southerly line of Hale Parkway.

PARCEL No. 2

Lots 16 to 78 inclusive, in Block 13, Bellevue Park Addition to the City of Denver, and the fractional parts of Lots 14, 15, 23 and 24 in said Block 13 lying south of the southerly line of Hale Parkway.
_PARCEL NO. 7_

Beginning at the point of intersection of the Westerly line of Clermont Street and the South line of the Northwest Quarter of the Northeast Quarter of the Southwest Quarter (SW 1/4 NE 1/4 Sec. 6), Township 4 South, Range 67 West, thence, North following the Westerly line of Clermont Street a distance of 630 feet, more or less, to the Southerly line of 11th Avenue, said Southerly line of 11th Avenue lying also the North line of the Southwest Quarter (SW 1/4) of Section 6, Township 4 South, Range 67 West; thence, Westerly along the North line of the Southwest Quarter (SW 1/4) of Section 6, Township 4 South, Range 67 West a distance of 602 feet more or less, to the point of intersection of the North line of the said Southwest Quarter (SW 1/4) with the Westerly line of Belleair Street projected Southerly; thence, South 00° 06' 31" East a distance of 331.425 feet to the Southerly line of the North Half of the Northeast Quarter of the Southwest Quarter (WS NW 1/4 SW 1/4) of Section 6, Township 4 South, Range 67 West; thence, South 00° 30' 05" West, following the South line of the said North Half of the Northeast Quarter of the Southwest Quarter (WS NW 1/4 SW 1/4) and the South line of the Northwest Quarter of the Northeast Quarter of the Southwest Quarter (WS NW 1/4 SW 1/4) of Section 6, a distance of 306.475 feet to the point of beginning.

_ALL OF BIRCH STREET BETWEEN THE SOUTHERLY LINE OF HALE PARKWAY AND THE NORTHERLY LINE OF 11TH AVENUE; ALL OF 11TH AVENUE BETWEEN THE WESTERLY LINE OF BELLAIRE STREET AND THE WESTERLY LINE OF CLERMONT STREET; ALL OF CLERMONT STREET LYING WEST OF A LINE DESCRIBED AS FOLLOWS: BEGINNING AT A CONCRETE MONUMENT LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF CLERMONT STREET AND 11TH AVENUE, thence, South 00° 06' 31" West a distance of 315.5 feet to a concrete monument on the Westerly line of Clermont Street._
Lands Patent
United States

Parcel

Date
Filed for Record
July 30, 1872

Official

WD Anthony

The United States of America, to all to whom these presents shall come greeting. Whereas
the President of the United States, in pursuance of the Act of Congress approved July 2, 1857, entitled an Act, "Locating Public
lands to the several States and Territories, to enable the several States and Territories to convey to the citizens of the States and Territories the
benefits of agriculture and the mechanic arts," there has been deposited in the General Land Office, in the State of New York, for the
quarter section of land in favor of the State of New York, as duly adjudged by the proper authority of the State, to Daniel
Dodd, with evidence that the same has been duly located upon

The South half of the North West quarter, and the North half of the South West quarter
of Section 16, Township Three North, Range Twenty-West, in the District of Illinois, subject to sale, in the town of Colorado, Territory
bounty. One hundred and fifty acres more and one hundred acres more
of an acre, according to the official plat of the survey of the said land
returned to the General Land Office by the Surveyor-General of the
Territory of Colorado, and by the written grant thereof to the said Daniel Dodd as assignee of said land, and to his heirs and assigns,

The testimony whereof of the President of the United States, now
transmitted to the General Land Office, to be reduced to the

Witness whereof at the City of Washington, the first day of the
occasion, in the year of our Lord one thousand eight hundred and seventy and
of the independence of the United States the seventy-six

By the President

By the Secretary

Wm. B. Stone

J. Comstock Lee

L.B. Bouquet, Recorder of the General Land Office

Received, Vol. 92, page 247

Wm. Z. Brown

Brownsville, in the year of our Lord one thousand eight hundred and seventy and
BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

WHEREAS, GEORGE E. CRAMER, Manager of Improvements and Parks did heretofore make the following order, to wit:

"It is hereby found and determined by the said use, utility, and necessity do not now require the public alleys in Blocks 9, 10, 11, 12 and 13, in Belleview Park, a subdivision, in the City and County of Denver, State of Colorado, and the same are hereby revoked.

And the Council of the City and County of Denver is hereby authorized to give effect to this order by the purchase of a suitable street.

Done at Denver, in the State of Colorado this 12th day of January 1841.

[Signed] George E. Cramer
Manager.

BE IT RESOLVED:

Section 1: That the action of the Manager of Improvements and Parks as above set forth, be and the same is, hereby ratified, approved and confirmed.
Section 1: That the public alleys in Blocks 6, 10, 11, 12 and 13, in Hahns Park, a Subdivision, in the City and County of Denver, State of Colorado, be, and the same are hereby vacated, reserving to the City and County of Denver at all times the right to construct, maintain and remove sewers, water pipe and appurtenances and to authorize the construction, maintenance and removal of the same thereon and therefrom, and subject to the continued right of the owner to maintain and operate existing electric light and power lines, telephone lines, gas mains, and pipes.

Section 2: In the opinion of the Council this ordinance is necessary for the immediate preservation of the public health and public safety and shall be in full force and effect immediately after its passage and final publication.

Passed by the Council and signed by its President this 17th day of February A. D. 1941.

Alfred W. McAfee, President

Signed and approved by me this 17th day of February A. D. 1941.

 Bennie Hightower, Mayor

Attested: I have caused the corporate seal of the City and County of Denver to be affixed thereto

George P. Baker, Clerk of the City and County of Denver

Published in the Denver News 18th day of February 1941

First publication 18th day of February 1941

Last publication 1st day of May 1941
Passed by the Council and signed by its President
this 22d day of August, A. D. 1946.

President

Signed and approved by me this 26th day of August,
A. D. 1946.

Mayor

Attested by me with the Corporate Seal of the City
and Government of Denver.

Clerk and Recorder, City and
County of Denver

Deputy Clerk

FORM APPROVED

J. BOYD GORDON
Attorney, City and
County of Denver

By

Assistant City Attorney

PUBLISHED IN The Denver News
FIRST PUBLICATION: August 21, 1946
Last PUBLICATION: August 28, 1946
BY AUTHORITY

ORDINANCE NO. 129 COUNCILMAN'S BILL NO. 153
SERIES OF 1948 INTRODUCED BY COUNCILMAN

A BILL


BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

WHEREAS, by Resolution No. 13, Series of 1947, the Council of the City and County of Denver expressed its intention to vacate portions of certain streets in the City and County of Denver when the United States should have acquired title to certain lands for the construction of a Veterans Hospital; and

WHEREAS, it appears that the interest of the City and County of Denver in and to portions of Birch Street between the north line of 9th Avenue and the south line of Hale Parkway may be derived from prescriptive use thereof by the public; and

WHEREAS, the Veterans Administration has now acquired title to the said lands to be used as a site for the said Veterans Hospital; and

WHEREAS, T. P. Campbell, Manager of Improvements and Parks did heretofore make the following order and direction, to-wit:

"It is hereby found and determined that the public use, convenience and necessity no longer require the following described portions of Clermont Street, East 11th Avenue and Birch Street, to-wit:

Commencing at a point on the west line of Clermont Street, as now established, which is 380.5 feet north
of the south line of the NE\(^2\) of SW\(^1\) of
said Section 6; thence northeasterly, a distance
of 315.5 feet more or less to the southeast corner
of Block 12, Bellevue Park; thence west along the
south line of said Block 12, Bellevue Park, a dis­
tance of 456.0 feet more or less to a point on the
west line of Clermont Street, extended north from
the point of beginning; thence south along said ex­
tended west line of Clermont Street a distance of
312.13 feet more or less to the point of begin­ning;
That part of 11th Avenue situated between the east­
line of Bellaire Street extended south from Block
13, Bellevue Park, and the west line of Clermont
Street extended north from 9th Avenue and between the
south line of Blocks 12 and 13, Bellevue Park, and the
north line of S:\(^1\), Section 6, Township 4 South, Range
67 West of the 6th Principal Meridian, in the City
and County of Denver, State of Colorado;
Birch Street between the north line of 9th Avenue
and the south line of Half Parkway;
all in the City and County of Denver, and State of Colorado, and
the same are hereby vacated.

The Council of the City and County of Denver is hereby
requested to give effect to this order by the passage of a
suitable ordinance.

Done at Denver, Colorado this 27th day of July, A. D.
1948.

(Signed) T. P. Campbell
Manager of Improvements
and Parks.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE
CITY AND COUNTY OF DENVER:

Section 1. That the action of the Manager of Improve­
ments and Parks as set forth in the foregoing order, be, and
the same is hereby ratified, approved and confirmed.

Section 2. That the public streets described in the
aforesaid order in the City and County of Denver, be and
the same are hereby, vacated.

Section 3. In the opinion of the Council this or­
dinance is necessary for the immediate protection and pre­
servation of the public health, safety, convenience and
general welfare, and it is enacted for that purpose and shall
be in full force and effect from and after its passage and
final publication.
Passed by the Council and signed by its President this 23rd day of August, A. D. 1948.

[Signature]
President

Signed and approved by me this 26th day of August, A. D. 1948.

[Signature]
Mayor

Attested by me with the Corporate Seal of the City

[Signature]
Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver

[Signature]
Deputy Clerk

FORM 4088-9

J. GLENN DONALDSON
Attorney, City and County of Denver

By [Signature]
Assistant City Attorney

PUBLISHED IN: The Daily Journal
FIRST PUBLICATION: August 21, 1948
LAST PUBLICATION: August 28, 1948.
BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

WHEREAS, by resolution No. 14, Series of 1947, the Council of the City and County of Denver expressed its intention to vacate portions of certain streets in the City and County of Denver when the United States should have acquired title to certain lands for the construction of a Veterans Hospital; and

WHEREAS, it appears that the interest of the City and County of Denver in and to portions of A-311 Street between the north line of 9th Avenue and the south line of Yale Parkway may be derived from prescriptive use incorrect by the public; and

WHEREAS, the Veterans Administration has now acquired title to the said lands to be used as a site for the said Veterans Hospital; and

WHEREAS, T. F. Copeland, Register of Investments and Parks did heretofore make the following order and direct us:

"It is hereby found and determined that the public use, convenience and necessity of Denver require the following described portions of A-311 Street, A-312 Street and A-313 Street, to-wit:

Commencing at a point on the west line of A-312 Street, an unimproved, which is 20 feet wide.

No streets Reserved"
An Ordinance of the City and County of Denver, State of Colorado, to widen and vacate certain streets, as follows:

The Council of the City and County of Denver is hereby authorized and directed to vacate the following streets, the same being necessary for the improvement or extension of streets, alleys, or public grounds, and for the construction of public buildings.

Section 1. That the line of 11th Avenue, as shown on the plat accompanying this ordinance, is hereby vacated.

Section 2. That the line of 14th Avenue, as shown on the plat accompanying this ordinance, is hereby vacated.

This ordinance shall take effect on the date of its adoption and publication.
BY AUTHORITY

COUNCILMAN'S BILL NO. 159
INTRODUCED BY COUNCILMAN

A L L L
FOR AN ORDINANCE CREATING AN
ALLEY IN BLOCK TWELVE, BELLEVUE
PARK.

Whereas, T. P. Campbell, Manager of Improvements
and Parks, did promulgate the following order:

"ORDER

"WHEREAS, it is the opinion of the Manager of
Improvements and Parks of the City and County of Denver,
and it is hereby found and determined that the public use,
general welfare, necessity and public convenience require
the laying out, opening and establishing of a public
alley in the City and County of Denver, more particularly
described as follows:

Those portions of the vacated alley in
Block 12, Bellevue Park, located north
of and also south of Hale Parkway.

"NOW, THEREFORE, IT IS HEREBY ORDERED that
said tract be and the same hereby is laid out, opened
and established as a public alley;

"And the Council of the City and County of
Denver is hereby requested to approve this Order by the
enactment of a suitable Ordinance and to accept title
to the land hereinabove described, contained in certain
quitclaim deeds wherein the Firch Investment Company,
Hale Boulevard Company, Carl A. Johnson, Aedelis Johnson,
Laurence C. Inman and Frances A. Inman conveyed that
portion of the above described land, to which the City
and County of Denver did not already have title, to the
City and County of Denver."
"Done at Denver, Colorado, this 9th day of August, A.D. 1948.

T. P. Campbell
Manager of Improvements and Parks"

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL
OF THE CITY AND COUNTY OF DENVER:

Section 1. That the action of the Manager of
Improvements and Parks in the promulgation and adoption
of the foregoing order be and the same hereby is approved,
ratified and confirmed; and that the strip of land
described in said Order be and the same is hereby laid out,
opened and established as a public alley.

Section 2. In the opinion of the Council this
ordinance is necessary for the immediate protection and
preservation of the public health, safety, convenience and
general welfare, and it is enacted for that purpose, and
shall be in full force and effect immediately after its
passage and final publication.

Passed by the Council and signed by its President
this 23rd day of August, A.D. 1948.

[Signature]
President

Signed and approved by me this 26th day of
August, A.D. 1948.

[Signature]
Mayor

Affixed by me with the Corporate Seal of the
City and County of Denver.

[Signature]
Clerk and Recorder, Ex-officio
Clerk of the City and County
of Denver.

PUBLISHED IN: The Rocky Mountain News
FIRST PUBLICATION: August 21, 1948.
LAST PUBLICATION: August 28, 1948.
Ordinance No. 130  Series 13-48

Councilman's Bill No. 159
Introduced by Councilman Steffes

BILL
For
An Ordinance creating
an alley in
Block 13, Bellview Park

Meeting Date of August 16, 1948
Read in full in the Board of Councilmen and referred to the Committees on
Public Improvements

Meeting Date of August 16, 1948
Reported back by the Committees on
Public Improvements
Recommended that the bill be ordered passed

Published in The Daily Journal
this 28th day of August, A. D. 1948

Read by title, placed upon the passage and passed.

Presented to the Mayor and signed by him
this 28th day of August, 1948

Pub'd as Ordinance No. 130, Series 13-48

Published in The Daily Journal
this 28th day of August, A. D. 1948
THE ADMINISTRATOR OF VETERANS AFFAIRS, acting for and in behalf of the UNITED STATES of AMERICA, hereinafter referred to as the Government, under and by virtue of the authority in him vested by the Act of Congress approved May 31, 1947, 61 Stat. 124, he having determined that it is advantageous to the Government, does hereby grant, sell and convey, without covenant or warranty of any kind, unto THE CITY AND COUNTY OF DENVER, COLORADO, its successors or assigns, hereinafter referred to as the Grantee, an easement to construct, operate and maintain a public highway over lands comprising a portion of the Veterans Administration Hospital Reservation, Denver, Colorado, more particularly described as follows:

Beginning at the intersection of the West line of Clermont Street and the South line of the Northwest Quarter of the Northeast Quarter of the Southwest Quarter (NW¼ of NE¼ of NW¼) of Section 6, Township 4 South, Range 67 West of the Sixth Principal Meridian; thence Westerly on said South line 310.09 feet; more or less, to the West line of said NW¼ of NE¼ of NW¼; thence Northerly on said West line thirty-one (31) feet; thence Easterly and parallel with the South line of said NW¼ of NE¼ of NW¼; thence Southerly on the West line of said Clermont Street aforesaid; thence Southerly on the West line of said Clermont Street 31 feet, more or less, to the point of beginning.

THIS EASEMENT is granted subject to the following provisions and conditions:

1. That the Government reserves unto itself rights for all purposes across, over and/or under the right of way hereby granted, such rights, however, to be exercised in a manner that will not create undue interference with the use and enjoyment by the Grantee of said right of way for a public highway; provided that any construction by the Government in connection with the rights so reserved shall be at the expense of the Government.

2. That this grant may be terminated by the Government for breach of any of the conditions recited herein.

3. That any and all right, title and interest granted herein shall immediately revert to and vest in the United States upon the abandonment or non-use of the land by the Grantee for the purposes herein set forth.

4. This easement shall be subject to and shall be exercised as an easement appurtenant simultaneously herewith by the United States to the City and County of Denver, acting by, through and for the use of the Board of Water Commissioners, to lay, maintain, operate, repair, enlarge, renew and extend water pipes, meters, water valves, in wells, reservoirs, vaults and machinery, within the same lands, to the end that the Government may have the right to enter upon the easement at any time during the existence of said easement, for the purpose of inspection, renewal and operation thereof, and shall be subject to the limitations and conditions herein stated.
On this 11th day of March, 1969, before me, a Notary Public in and for the District of Columbia, personally appeared Carl A. Gray, the person known to me to be the Administrator of Veterans Affairs, whose name is subscribed to the within instrument and administered that he executed the same as a voluntary act and deed of the United States of America, the same being within the scope of his lawful authority.

[Signature]
Notary Public
District of Columbia

[Seal]
RIGHT OF WAY AGREEMENT

THIS AGREEMENT, made and entered into as of the 12th day of April, 1943,

by and between The Veterans Administration, acting for and in behalf of the United States of America, under and by virtue of the authority in 40 United States Code 319 hereinafter called "Grantee", (whether grammatically singular or plural) and the CITY AND COUNTY OF DENVER, acting by and through its BOARD OF WATER COMMISSIONERS, hereinafter called "Board"

WITNESSETH:

For and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) to the Grantee in hand paid by the Board, the receipt whereof is hereby acknowledged, the Grantee hereby grants to the Board, its successors and assigns, the permanent right to enter, re-enter, occupy and use the hereinbefore described property to construct, maintain, repair, replace, remove, enlarge and operate one or more water pipelines and all underground and surface appurtenances thereto, including electric or other control systems related thereto including underground cables, wires and connections and surface appurtenances thereto. By way of example and not by way of limitation, the parties intend to include within the term pipelines and appurtenances, the following: mains and conduits, valves, outlets, manholes, control systems, vents, sheds and the like, through, over and across the following described parcel of land situated, lying and being in the City and County of Denver and State of Colorado, to wit:

A strip of land thirty (30) feet in width situated in the southeast quarter of the northeast quarter (Sec. 4) of Section 6, Township 4 South, Range 67 West of the Sixth Principal Meridian.

Being an east twenty-two (22) feet of that portion of Birch Street as vacated by Ordinance Number 129 of 1943, lying between the north line of vacated 11th Avenue and the south line of Hale Parkway; along with the west eight (8) feet of lots 16 through 24 inclusive of Block 12 of "Bellevue Park" subdivision being more particularly described and bounded as follows:

Beginning at a point on the north line of vacated 11th Avenue, said point also being on the north boundary of the Board's right-of-way for a 16-inch water main and also being the southwest corner of said Block 12, thence the west quarter corner of said Section 6 bears South 88°40'83" West a distance of 1205.8 feet more or less; thence South 90° West along said north line of vacated 11th Avenue a distance of 22.00 feet to a point; thence North 0° West a distance of 213.94 feet to a point on the south line of Hale Parkway; thence South 80°59'37" East, along said south line of Hale Parkway a distance of 50.27 feet to a point; thence South 0° East a distance of 209.18 feet to a point on the north line of said vacated 11th Avenue; thence South 90° West, along said north line, a distance of 8.0 feet more or less to the point of beginning as shown on D.W.D. drawing Dr. 402 No. 27, a copy of which is attached hereto and made a part hereof.

The above described strip of land contains 6,347 square feet more or less.

IT IS HEREBY MUTUALLY covenanted and agreed by and between the parties hereto as follows:

1. The Board shall have and exercise the right of ingress and egress to, over, through and across the above described property for any purposes needed for the full enjoyment of any other right of occupancy or use possessed by the Board.

2. The Grantee shall not construct or place any structure or building, street light, gun-pole, post-light, mail box or signs, temporary or permanent, or plant any shrub, tree, woody plant or nursery stock, or any part of the above described right-of-way, any structure or building, street light, pole, post, light, mail box or signs, temporary or permanent, on said land, trees, woody plant or nursery stock, or any kind whatsoever on the above described right-of-way until the date of this Agreement, which may be removed by the Board without liability for damages arising therefrom. The Grantee shall not construct fencing, signs or anything over the above described property without the written approval of the Board.
3. This grant may be terminated by the Government for breach by the Board of any of the conditions recited herein.

4. The Board shall have the right, at its sole expense, to construct and maintain a 30-foot-wide private surfaced roadway over the right-of-way herein described. Planters, islands, medians or similar land dividers are not permitted within the above described right-of-way.

5. The Grantor retains the right to use the right-of-way heretofore described for ingress and egress, including vehicular traffic, insofar as such use and occupancy is consistent with and does not impair any grant herein contained. Parking within the right-of-way is prohibited.

6. Except for other utilities as authorized in Paragraph 7, and roadways, all surface and subsurface uses of said right-of-way must be authorized by written license from the Board.

7. The Board agrees that other utilities such as sanitary sewer, storm sewer, gas and electric lines, in addition to cable TV lines and lawn sprinkler pipes, may be installed in the above described right-of-way, as long as they do not interfere with the Board’s rights herein granted. However, the installation of any and all of said utilities which parallel the Board’s facilities will be permitted within ten feet of said Board facilities. The intent herein is to reserve the Board’s waterways at least twenty (20) feet of the easement width. All plans for installing other utilities, excepting right angular crossings within the right-of-way herein granted, must be approved in writing by the Board prior to commencement of such installation.

8. The Board may properly acquire, own, and exercise the rights in the subject property as herein provided for in order to ensure to the Board a dominant easement for the exercise of the Board’s functions, and the exercise of any rights in the subject property other than those retained by the Grantor shall be within the sound discretion of the Board. The Board agrees to permit and authorize such other uses of the subject property, not reserved in the Grantor, as will not impair the Board’s dominant rights and upon such reasonable terms, limitations, and conditions as the Board shall find reasonable and necessary to protect its dominant right of occupancy of the subject property for the purpose of the Board without undue or unnecessary injury to or impairment of the estate retained by the Grantor.

9. In case the Board shall abandon its rights herein granted and cease to use the same, all right, title and interest heretofore of the Grantor shall cease and terminate, and all rights of the Board at abandoned shall cease and terminate, and the Grantor shall hold said premises, as the same may then be, free from the rights so abandoned and shall own all material and structural improvements of any kind and character heretofore or now made by the Board or any person or corporation. The Grantor shall bear all expense and cost of any lien, devise or succession heretofore or now held by the Board or administrators or successors of the estate herein.

10. The Grantor warrants that he has full right and lawful authority to make the grant hereinabove contained, and promises and agrees to defend the Board in the exercise of its rights hereunder against any defect in his title to the land involved or his right to make the grant hereinabove contained.

11. Each and every one of the benefits and burdens of the Agreement shall be shared by all parties hereto and shall be binding upon the respective legal representatives, heirs, executors, administrators, successors and assigns of the parties hereto.

12. Unless special provisions are attached hereon, the above and foregoing constitute the whole agreement between the parties and no additional or different oral or written agreement, promise or agreement shall be binding on any of the parties hereto with respect to the subject matter of this instrument. To the extent that any special provisions attached hereto are in conflict with any oral or written agreement, such special provisions shall control and supersede any other terms or provisions hereof.
IN WITNESS WHEREOF, the parties hereto have executed the within Agreement as of the day and year first
above written.
The Veterans Administration, acting for and in behalf of the
United States of America, under and by virtue of the authority
in 38 United States Code 310 (76 Stat. 1138)

ATTEST:
By: __________________________ (TITLe)

[Individual Acknowledgement]

CITY OF WASHINGTON
STATE OF WASHINGTON
DISTRICT OF COLUMBIA

The written and foregoing instrument was acknowledged before me by W. A. SALMOND, Assistant
Deputy Administrator for Construction, Veterans Administration

on this 2nd day of May, 1981

My commission expires: March 31, 1985

Witness my hand and official seal.

[Corporate Acknowledgement]

STATE OF COLORADO
COUNTY OF __________________________

The foregoing instrument was acknowledged before me by __________________________ as
President and __________________________ as Secretary of

a corporation

on this ___ day of __________________________, 19____.

My commission expires: __________________________

Witness my hand and official seal.

[Notary Public]

APPROVED:
By: __________________________

[Director of Engineering]

APPROVED AS TO FORM:
By: __________________________

[Legal Division]

[APPROVED]

[Notary Public]

CITY AND COUNTY OF DENVER,
acting by and through its
BOARD OF WATER COMMISSIONERS

By: __________________________

[Manager]
DEED OF EASEMENT

The Department of Veterans Affairs, acting for and in behalf of the United States of America, hereinafter referred to as the Government, under and by virtue of the authority contained in 40 United States Code 319 (76 Stat. 1129), having determined that it will not be adverse to the interests of the United States, does hereby grant and convey, for and in consideration of the payment of One Dollar ($1.00), the receipt of which is hereby acknowledged, without covenant or warranty of any kind and subject to the conditions herein stated, unto the Qwest Corporation, hereinafter referred to as the Grantee, its successors and assigns, an easement to install a ductbank consisting of 6-4" conduits of the Grantee, and herein referred to as "said facilities," to be on, over, under, upon, across or through a portion of VA Medical Center Denver, Colorado, which the undersigned owns in the County of Denver, State of Colorado, to wit:

All as described on Exhibit "A" and depicted on Exhibit "B" attached hereto and made a part hereof.

The Easement is granted subject to the following conditions and provisions:

1. That the Government reserves rights for all purposes across, over, or under the easement area herein described; such rights, however, to be exercised in a manner which will not create undue interference with the use and enjoyment by the Grantee of said easement; provided, that any construction by the Government in connection with the rights so reserved shall be at the expense of the Government.

2. That said facilities shall be installed, operated, maintained, reconstructed, repaired, and replaced by the Grantee within the easement area without cost to the Government and under the general supervision and subject to the approval of the Government official having immediate jurisdiction over the property. The Grantee shall replace, repair, restore, or relocate any property of the Government affected or damaged directly or indirectly by the construction, reconstruction, installation, operation, maintenance, and replacement of said property all to the satisfaction of the Government official having immediate jurisdiction over the property.

3. That no mining operations shall be conducted on the premises described above. No minerals shall be removed therefrom except such as are reasonably necessary incident to the utilization of the described premises for the purpose for which the easement is granted.

4. That the Grantee will indemnify and save the Government harmless from any liability or responsibility of any nature whatsoever arising directly or indirectly from the privileges herein granted.
5. That all right, title, interest, and estate hereby granted shall cease and terminate effective as of the date of written notice from the Government to the Grantee, its successors or assigns, that there has been, (a) failure to comply with the terms and conditions of the grant, (b) nonuse of the easement for a consecutive two-year period for the purpose for which granted, or (c) abandonment of the easement.

6. That upon termination or forfeiture of the grant, the Grantee shall within a reasonable time thereafter, if so requested by the Government, remove from the land hereinafter described all structures, installations, and appurtenances thereto belonging to Grantee and restore the premises to the satisfaction of the Government.

7. The Grantee will remove all debris from the property as may be generated by the use granted herein, and will restore any disturbed landscape, utilities, etc., to its original condition.

8. That no advertisements, commercial, political or otherwise, will be placed or allowed on the property.

9. The Grantee does by the acceptance of this instrument covenant and agree for itself, its assigns, and its successors in interest to the property herein conveyed, or any part thereof:

(a) That it is now complying and will continue to comply with Title VI of the Civil Rights Act of 1964 and all the requirements imposed by or pursuant to the regulations of the Department of Veterans Affairs issued pursuant to that Title, and that the easement and its appurtenant areas and facilities, whether or not on the property involved, will be operated in full compliance with Title VI of the Civil Rights Act of 1964 and all requirements imposed by or pursuant to the regulations issued thereunder by the Department of Veterans Affairs and in effect on the date of this instrument, all to the end that no person in the United States shall on the ground of race, color, religion or national origin be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activities provided thereon; and,

(b) That the United States shall have the right to judicial enforcement of these covenants not only as to the Grantee, its successors and assigns, but also to lessees and sub-lessees and licensees doing business or extending services under contractual or other arrangements on the interest in property herein conveyed.
IN WITNESS WHEREOF the Department of Veterans Affairs has caused this Deed of Easement to be executed in its name and on its behalf this 16th Day of August, 2000.

UNITED STATES OF AMERICA,
Acting by and through the Secretary,
Department of Veterans Affairs

By
Director, Land Management Team

CITY OF WASHINGTON ]
DISTRICT OF COLUMBIA ]

ON THIS 16\th day of August, 2000, before me a Notary Public in and for said District of Columbia, personally appeared to me George L. Szwarcman, well known and known by me to be Director, Land Management Team, whose name is subscribed to the within instrument and acknowledged that he executed the same as a voluntary act and deed of the United States of America, within the scope of his lawful authority.

Notary Public
District of Columbia

My commission expires:

GEORGE W. CAKREN
NOTARY PUBLIC DISTRICT OF COLUMBIA
MY COMMISSION EXPIRES FEB 25, 2002

P:\Denver ductbank easement to Qwest Corporation 7-27-00.doc \zip
EXHIBIT A

PREPARED BY: FRONTIER SURVEYING, INC.
PROJECT NO: 99159

LEGAL DESCRIPTION
US WEST EASEMENT

A 10.00 FOOT WIDE STRIP OF LAND LOCATED ON THAT PARCEL CONveyed TO THE UNITED STATES OF AMERICA BY CONDEMnation AS RECORdEd IN BOOK 6373 AT PAGE 128 OF THE RECORDS OF THE CITY AND COUNTY OF DENVER, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO; MORE PARTICULARLY DESCRIBED AS 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE.

COMMENCING AT A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 6 AND THE WESTERN LINE OF BELLAIRE STREET PROJECTED SOUTHERLY, AND BEING ON THE WESTERLY LINE OF SAID PARCEL RECORdED IN BOOK 6373 AT PAGE 128; THENCE S0°16'19"W, ALONG THE WEST LINE OF AFORESAID PARCEL, A DISTANCE OF 30.00 FEET; THENCE S89°52'46"E, DEPARTING SAID WEST LINE, A DISTANCE OF 15.94 FEET TO A POINT ON THE SOUTH LINE OF AN EXISTING RIGHT-OF-WAY CONveyed TO THE CITY AND COUNTY OF DENVER BY DEED NUMBER 5615 AND THE POINT OF BEGINNING;

THENCE S00°00'00"E, A DISTANCE OF 269.92 FEET;

THENCE S10°51'34"W, A DISTANCE OF 26.80 FEET;

THENCE S00°00'00"E, A DISTANCE OF 130.20 FEET;

THENCE S19°05'05"E, A DISTANCE OF 84.89 FEET;

THENCE S00°00'00"E, A DISTANCE OF 93.20 FEET TO A POINT ON THE NORTH LINE OF A RIGHT-OF-WAY CONveyed TO THE CITY AND COUNTY OF DENVER BY INSTRUMENT RECORdED IN BOOK 2550 AT PAGE 221 FROM WHICH THE WEST LINE OF AFORESAID PARCEL RECORdED IN BOOK 6373 AT PAGE 128 BEARS N89°53'32"W, 38.07 FEET, AND THE POINT OF TERMINATION;

THE SIDELINES OF SAID STRIP AT THE POINT OF BEGINNING AND POINT OF TERMINATION ARE TO BE LENGTHENED OR SHORTENED SO AS NOT TO CREATE ANY GAPS OR OVERLAPS.

THE ABOVE DESCRIBED EASEMENT CONTAINS 0.119 ACRES OR 6051 SQUARE FEET OF LAND MORE OR LESS.

EASEMENT EXHIBIT ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF.

BASIS OF BEARINGS: THE WEST LINE OF SAID PARCEL RECORdED IN BOOK 6373 AT PAGE 128 AND MONUMENTED BY CONCRETE MONUMENTS WITH BRASS CAPS STAMPED "UCHSC PLS 13212" AS DESCRIBED ON LAND SURVEY PLAT PRERARED BY JEHN & ASSOCIATES, INC., DATED 9/16/98 AND RECORdED AT RECEPTION NUMBER L003691 OF THE RECORDS OF THE CITY AND COUNTY OF DENVER. BEARING S00°16'19"W.

ELDON L. KNOLL, PLS 25953
FOR AND ON BEHALF OF FRONTIER SURVEYING, INC.
EXHIBIT B
US WEST EASEMENT

POINT OF TERMINATION

CITY & COUNTY OF DENVER
RIGHT-OF-WAY EASEMENT

SCALE: 1' = 100'

FRONTIER SURVEYING, INC.
1582 S. Parker Road
Suite 208
Denver, CO 80231

DATE 9/11/06 PROJECT NO. 69169