

RIGHT-OF-WAY AGREEMENT

This Agreement is made and entered into by and between **Paris Family, LLC, a Colorado limited liability company**, whose address is 6 Brookhaven Trail, Suite 200, Littleton, CO 80123 ("Owner"), and the County of Adams, State of Colorado, a body politic, whose address is 4430 South Adams County Parkway, Brighton, Colorado, 80601 ("County") for the conveyance of rights-of-way on property located at 1150 East 58th Avenue, Denver, CO 80216, hereinafter (the "Property") for the 58th Avenue Widening Project (the "Project"). The legal description and conveyance documents for the interests on said Property are set forth in **Exhibit A** attached hereto and incorporated herein by this reference.

The compensation agreed to by the Owner and the County for the acquisition of the Property interests described herein is **SEVENTY-FIVE THOUSAND0 AND 00/100'S DOLLARS (\$75,000.00)** including the performance of the terms of this Agreement, the sufficiency of which is hereby acknowledged. The parties further agree that the consideration shall consist of \$30,510.00 for the conveyance of road right-of-way, \$29,590.00 for the removal of a five shade trees, a sign and landscaping, \$12,335.00 for incurable damages and \$2,565.00 for the temporary construction easement. This consideration has been agreed upon and between the parties as the total just compensation due to the Owner and the consideration shall be given and accepted in full satisfaction of this Agreement.

In consideration of the above premises and the mutual promises and covenants below, the Owner and the County agree to the following:

1. The Owner hereby warrants that the Owner is the sole Owner of the Property, that the Owner owns the Property in fee simple subject only to matters of record and that the Owner has the power to enter into this Agreement.
2. The Owner agrees to execute and deliver to the County the attached conveyance documents on the Property upon tender by the County of a warrant (check) for the compensation agreed upon as soon as possible following the execution of this agreement.
3. Owner hereby irrevocably grants to the County possession and use of the property interests on the Property upon execution of this Agreement by the Owner and the County. This grant of possession shall remain in effect with respect to the Property until such time as the County obtains from the Owner the attached conveyance documents.
4. The Owner agrees to pay all 2019 taxes due in 2020 prior to tender by the County.
5. The County through its contractor shall assure that reasonable access shall be maintained to the Owner's property at all times for ingress and egress. If necessary, any full closure of access shall be coordinated between the contractor and the Owner and/or its agent.
6. The County will remove approximately five shade trees (3 Green Ash and 2 Honeylocust), a sign and 3,051 sf of sod and sprinkler improvements. But the County has agreed

to reimburse the Owner the expense of the above-mentioned improvements and made a part of this Agreement.

7. The Owner has entered into this Agreement acknowledging that the County has the power of eminent domain and requires the Property for a public purpose.

8. If the Owner fails to consummate this agreement for any reason, except the County's default, the County may at its option, enforce this agreement by bringing an action against the Owner for specific performance.

9. This Agreement contains all agreements, understandings and promises between the Owner and the County, relating to the Project and shall be deemed a contract binding upon the Owner and County and extending to the successors, heirs and assigns.

10. Owner shall be responsible for reporting proceeds of the sale to taxing authorities, including the submittal of Form 1099-S with the Internal Revenue Service, if applicable.

11. This Agreement has been entered into in the State of Colorado and shall be governed according to the laws thereof.

Owner: PARIS FAMILY, LLC, A COLORADO LIMITED LIABILITY COMPANY

By: SR - Steve Paris

As: MANAGING MEMBER

Date: AUGUST 4 - 2020

Approved:

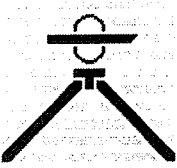
BOARD OF COUNTY COMMISSIONERS-COUNTY OF ADAMS, STATE OF COLORADO

Chair

Date

Approved as to Form:

County Attorney



Drexel, Barrell & Co.

JULY 31, 2019

EXHIBIT A

LEGAL DESCRIPTION PARCEL RW-44 RIGHT-OF-WAY DEDICATION

Engineers/Surveyors

Boulder
Colorado Springs
Greeley

1800 38th Street
Boulder, CO 80301-2620

303.442.4338
303.442.4373 Fax

A TRACT OF LAND BEING A PORTION OF LOT 1, WELBOURNE / 58TH AVENUE SUBDIVISION AMENDED, RECORDED AT RECEPTION NO. C0058612, LOCATED IN THE SW1/4 OF SECTION 11, T3S, R68W OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1, SAID POINT ALSO BEING ON THE SOUTHERLY LINE OF EAST 58TH AVENUE, THENCE S88°08'01"E, 339.14 FEET ALONG THE NORTHERLY LINE OF SAID LOT 1 AND ALONG SAID SOUTHERLY LINE OF EAST 58TH AVENUE TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE S00°08'27"W, 3.75 FEET ALONG THE EASTERLY LINE OF SAID LOT 1; THENCE N89°54'29"W, 338.97 FEET TO THE WESTERLY LINE OF SAID LOT 1; THENCE N00°05'31"E, 14.25 FEET ALONG SAID WESTERLY LINE OF LOT 1 TO THE **POINT OF BEGINNING**.

CONTAINING 0.070 ACRES OR 3051 SQUARE FEET, MORE OR LESS.

LEGAL DESCRIPTION PREPARED BY:
MATHEW E. SELTERS
DREXEL, BARRELL & CO.
1800 38TH STREET
BOULDER, CO 80301
(303) 442-4338

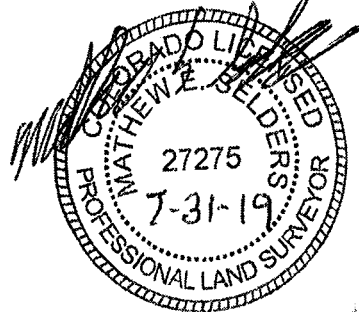
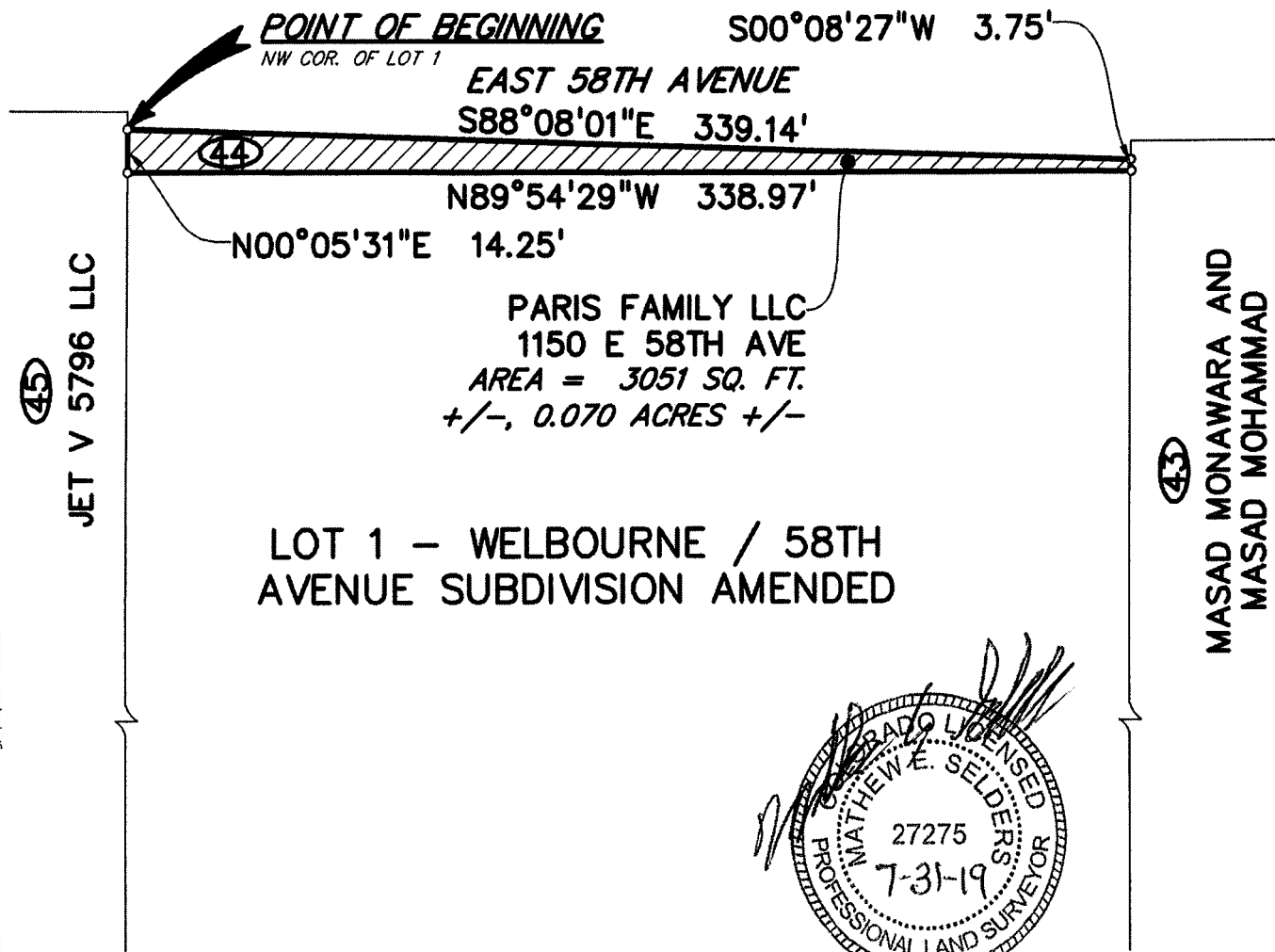


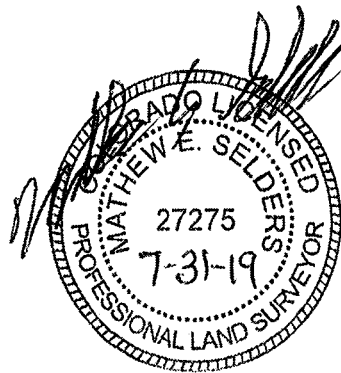
EXHIBIT
PARCEL RW-44
R.O.W. DEDICATION



SCALE 1" = 60'

NOTES

1. THIS MAP IS NOT A LAND SURVEY PLAT OR AN IMPROVEMENT SURVEY PLAT. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION
2. INFORMATION PERTAINING TO OWNERSHIP & RIGHT-OF-WAY IS BASED UPON PUBLIC INFORMATION AVAILABLE FROM THE ADAMS COUNTY ASSESSORS OFFICE, AND DOES NOT CONSTITUTE A TITLE SEARCH BY DREXEL, BARRELL & CO. TO DETERMINE OWNERSHIP & EASEMENTS OF RECORD.



IN ACCORDANCE WITH CRS 13-80-105;

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

Drexel, Barrell & Co.

Engineers/Surveyors

1800 38TH STREET BOULDER, COLORADO 80301 (303) 442-4338

BOULDER, COLORADO (303) 442-4338

COLORADO SPRINGS, COLORADO (719) 280-0887

GREELEY, COLORADO (970) 351-0845



Revisions - Date

Date

7/31/19

Drawn By

MNF

Job No.

20961-00

Scale

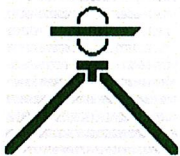
1"=60'

Checked By

MES

Drawing No.

IN FILE



Drexel, Barrell & Co.

JULY 31, 2019

Engineers/Surveyors

Boulder
Colorado Springs
Greeley

1800 38th Street
Boulder, CO 80301-2620

303.442.4338
303.442.4373 Fax

**LEGAL DESCRIPTION
PARCEL TCE-44A
TEMPORARY CONSTRUCTION EASEMENT**

A TRACT OF LAND BEING A PORTION OF LOT 1, WELBOURNE / 58TH AVENUE SUBDIVISION AMENDED, RECORDED AT RECEPTION NO. C0058612, LOCATED IN THE SW1/4 OF SECTION 11, T3S, R68W OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1, SAID POINT ALSO BEING ON THE SOUTHERLY LINE OF EAST 58TH AVENUE, THENCE S00°08'27"W, 3.75 FEET ALONG THE EASTERLY LINE OF SAID LOT 1 TO THE **TRUE POINT OF BEGINNING**;

THENCE S00°08'27"W, 35.00 FEET ALONG SAID EASTERLY LINE OF LOT 1; THENCE N89°54'29"W, 47.05 FEET; THENCE N00°08'27"E, 35.00 FEET; THENCE S89°54'29"E, 47.05 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 0.038 ACRES OR 1647 SQUARE FEET, MORE OR LESS.

LEGAL DESCRIPTION PREPARED BY:
MATHEW E. SELTERS
DREXEL, BARRELL & CO.
1800 38TH STREET
BOULDER, CO 80301
(303) 442-4338

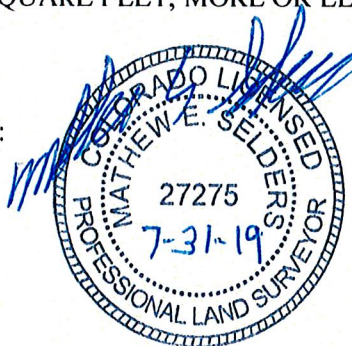


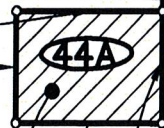
EXHIBIT
PARCEL TCE-44A
TEMPORARY CONSTRUCTION EASEMENT

EAST 58TH AVENUE

POINT OF COMMENCEMENT
NE COR., LOT 1

S89°54'29"E 47.05'
N00°08'27"E 35.00'

S00°08'27"W
3.75'



PARIS FAMILY LLC
1150 E 58TH AVE
AREA = 1647 SQ. FT.
+/-, 0.038 ACRES +/-

N89°54'29"W 47.05'
S00°08'27"W 35.00'

LOT 1 - WELBOURNE / 58TH
AVENUE SUBDIVISION AMENDED

TRUE POINT OF BEGINNING

MASAD MONAWARA AND
MASAD MOHAMMAD



SCALE 1" = 60'

NOTES

1. THIS MAP IS NOT A LAND SURVEY PLAT OR AN IMPROVEMENT SURVEY PLAT. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION
2. INFORMATION PERTAINING TO OWNERSHIP & RIGHT-OF-WAY IS BASED UPON PUBLIC INFORMATION AVAILABLE FROM THE ADAMS COUNTY ASSESSORS OFFICE, AND DOES NOT CONSTITUTE A TITLE SEARCH BY DREXEL, BARRELL & CO. TO DETERMINE OWNERSHIP & EASEMENTS OF RECORD.

IN ACCORDANCE WITH CRS 13-80-105;

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

Drexel, Barrell & Co.

Engineers/Surveyors

1800 38TH STREET BOULDER, COLORADO 80301 (303) 442-4338

BOULDER, COLORADO (303) 442-4338

COLORADO SPRINGS, COLORADO (719) 260-0887

GREELEY, COLORADO (970) 351-0645



Revisions - Date	Date	Drawn By	Job No.
	7/31/19	MNF	20961-00
	Scale	Checked By	Drawing No.
	1"=60'	MES	IN FILE



Drexel, Barrell & Co.

JULY 31, 2019

LEGAL DESCRIPTION

PARCEL TCE-44B

TEMPORARY CONSTRUCTION EASEMENT

Engineers/Surveyors

**Boulder
Colorado Springs
Greeley**

1800 38th Street
Boulder, CO 80301-2620

303.442.4338
303.442.4373 Fax

A TRACT OF LAND BEING A PORTION OF LOT 1, WELBOURNE / 58TH AVENUE SUBDIVISION AMENDED, RECORDED AT RECEPTION NO. C0058612, LOCATED IN THE SW1/4 OF SECTION 11, T3S, R68W OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1, SAID POINT ALSO BEING ON THE SOUTHERLY LINE OF EAST 58TH AVENUE, THENCE S00°08'27"W, 3.75 FEET ALONG THE EASTERLY LINE OF SAID LOT 1; THENCE N89°54'29"W, 139.08 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE S00°05'31"W, 15.00 FEET; THENCE N89°54'29"W, 42.00 FEET; THENCE N00°05'31"E, 15.00 FEET; THENCE S89°54'29"E, 42.00 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 0.015 ACRES OR 630 SQUARE FEET, MORE OR LESS.

LEGAL DESCRIPTION PREPARED BY:
MATHEW E. SELTERS
DREXEL, BARRELL & CO.
1800 38TH STREET
BOULDER, CO 80301
(303) 442-4338

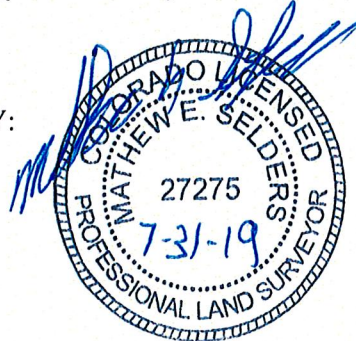


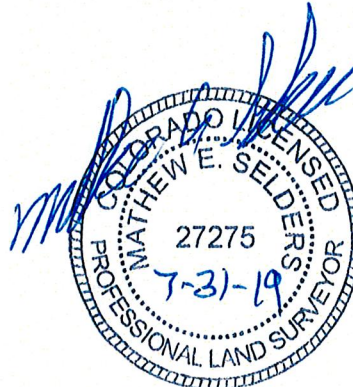
EXHIBIT
PARCEL TCE-44B
TEMPORARY CONSTRUCTION EASEMENT



SCALE 1" = 60'

NOTES

1. THIS MAP IS NOT A LAND SURVEY PLAT OR AN IMPROVEMENT SURVEY PLAT. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION
2. INFORMATION PERTAINING TO OWNERSHIP & RIGHT-OF-WAY IS BASED UPON PUBLIC INFORMATION AVAILABLE FROM THE ADAMS COUNTY ASSESSORS OFFICE, AND DOES NOT CONSTITUTE A TITLE SEARCH BY DREXEL, BARRELL & CO. TO DETERMINE OWNERSHIP & EASEMENTS OF RECORD.



IN ACCORDANCE WITH CRS 13-80-105;
NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

Drexel, Barrell & Co.

Engineers/Surveyors

1800 38TH STREET BOULDER, COLORADO 80301 (303) 442-4338

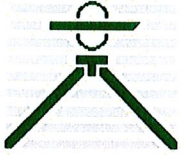
BOULDER, COLORADO (303) 442-4338

COLORADO SPRINGS, COLORADO (719) 280-0887

GREELEY, COLORADO (970) 351-0645



Revisions - Date	Date	Drawn By	Job No.
	7/31/19	MNF	20961-00
	Scale	Checked By	Drawing No.
	1"=60'	MES	IN FILE



Drexel, Barrell & Co.

FEBRUARY 10, 2020

Engineers/Surveyors

Boulder
Colorado Springs
Greeley

1800 38th Street
Boulder, CO 80301-2620

303.442.4338
303.442.4373 Fax

**LEGAL DESCRIPTION
PARCEL TCE-44C
TEMPORARY CONSTRUCTION EASEMENT**

A TRACT OF LAND BEING A PORTION OF LOT 1, WELBOURNE / 58TH AVENUE SUBDIVISION AMENDED, RECORDED AT RECEPTION NO. C0058612, LOCATED IN THE SW1/4 OF SECTION 11, T3S, R68W OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1, SAID POINT ALSO BEING ON THE SOUTHERLY LINE OF EAST 58TH AVENUE, THENCE S00°08'27"W, 3.75 FEET ALONG THE EASTERLY LINE OF SAID LOT 1; THENCE N89°54'29"W, 331.96 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE S00°05'31"W, 41.00 FEET; THENCE N89°54'29"W, 7.00 FEET TO THE WESTERLY LINE OF SAID LOT 1; THENCE N00°05'31"E, 41.00 FEET ALONG SAID WESTERLY LINE OF LOT 1; THENCE S89°54'29"E, 7.00 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 0.007 ACRES OR 287 SQUARE FEET, MORE OR LESS.

LEGAL DESCRIPTION PREPARED BY:
MATHEW E. SELTERS
DREXEL, BARRELL & CO.
1800 38TH STREET
BOULDER, CO 80301
(303) 442-4338

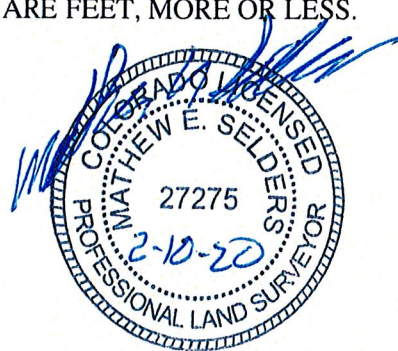
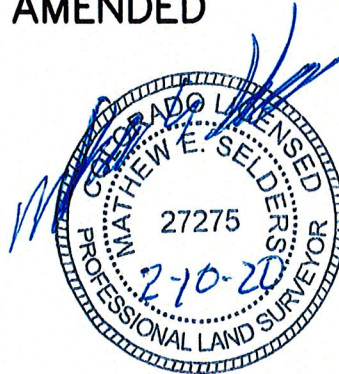
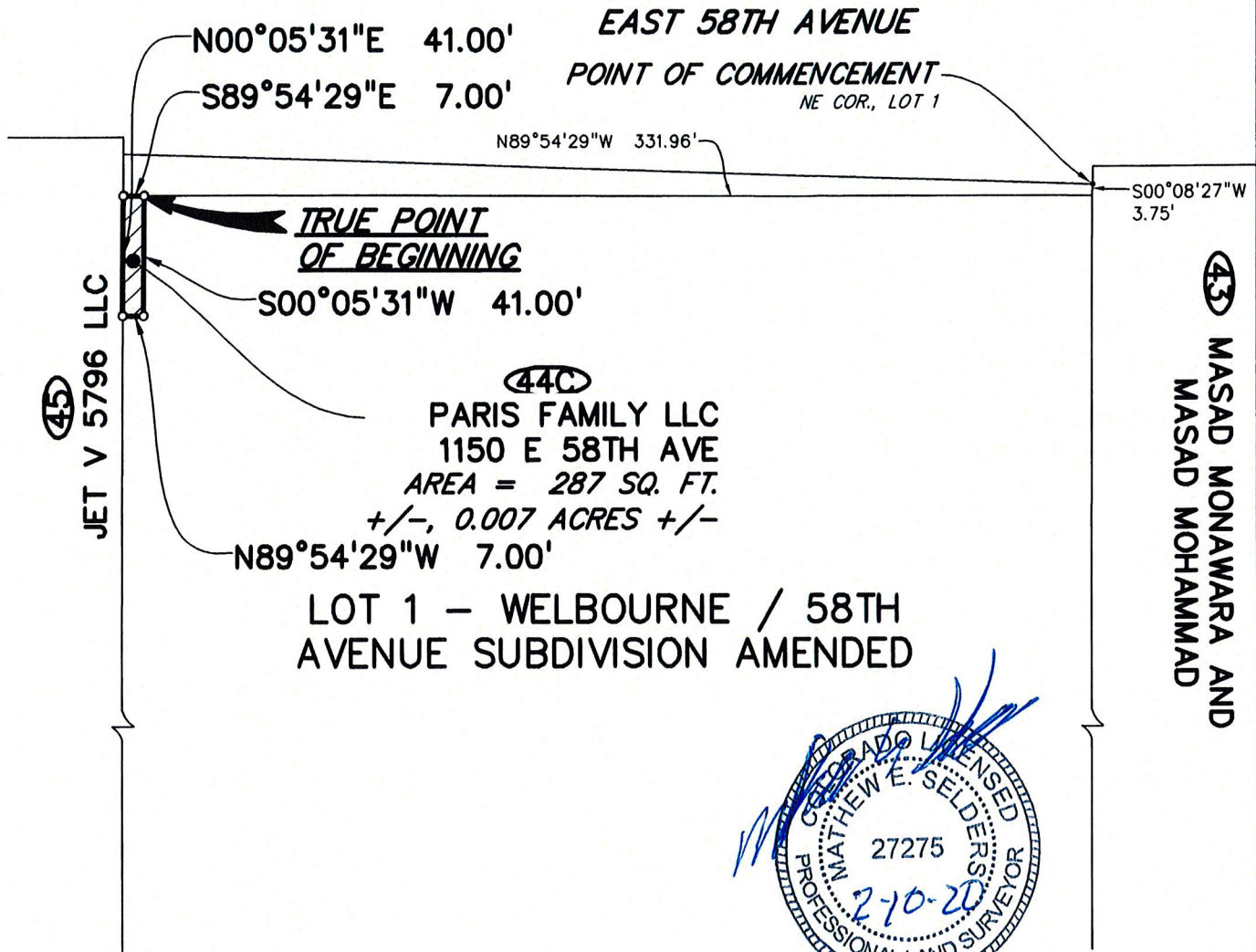


EXHIBIT
PARCEL TCE-44C
TEMPORARY CONSTRUCTION EASEMENT



SCALE 1" = 60'

NOTES

1. THIS MAP IS NOT A LAND SURVEY PLAT OR AN IMPROVEMENT SURVEY PLAT. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION
2. INFORMATION PERTAINING TO OWNERSHIP & RIGHT-OF-WAY IS BASED UPON PUBLIC INFORMATION AVAILABLE FROM THE ADAMS COUNTY ASSESSORS OFFICE, AND DOES NOT CONSTITUTE A TITLE SEARCH BY DREXEL, BARRELL & CO. TO DETERMINE OWNERSHIP & EASEMENTS OF RECORD.

IN ACCORDANCE WITH CRS 13-80-105;

NOTICE: ACCORDING TO COLORADO LAW YOU **MUST** COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

Drexel, Barrell & Co.

Engineers/Surveyors

1800 38TH STREET BOULDER, COLORADO 80301 (303) 442-4338

BOULDER, COLORADO (303) 442-4338

COLORADO SPRINGS, COLORADO (719) 260-0887

GREELEY, COLORADO (970) 351-0845



Revisions - Date	Date	Drawn By	Job No.
	2-10-20	MNF/VJD	20961-00
	Scale	Checked By	Drawing No.
	1"=60'	MES	IN FILE