

Right-of-Way Agreement

This Agreement is made and entered into by and between **Jena Brown and Nathan Rodriguez** whose address is **8208 Clayton Ct, Denver, CO 80229** ("Owner"), and the County of Adams, State of Colorado, a body politic, who address is 4430 South Adams County Parkway, Brighton, Colorado, 80601 ("County") for the conveyance of rights-of-way on property located at address of property being conveyed hereinafter (the "Property") for the York Street Improvements 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 **TWO-THOUSAND ONE HUNDRED AND NO/100 DOLLARS (\$2,100.00)**, 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 \$2,100.00 for the conveyance of road right-of-way. 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 promise 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. The 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 2020 taxes due in 2021 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. Through a separate agreement, the County has agreed to directly reimburse the Welby Glen Owners Association, Inc., for removed grass/trees/irrigation owned by said Association, and no further compensation for this loss is owed to Owner.
7. The Owner has entered into this Agreement acknowledging that the County has the power of eminent domain and required 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. The 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:

By: Jena Brown
Jena Brown

Date: 9/8/21

By: Nathan Rodriguez

Date: 9/8/21

Approved:

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

Chair

Date

Approved as to Form:

County Attorney

EXHIBIT "A"
RIGHT-OF-WAY NUMBER: RW-220
PROJECT NUMBER: IMP-3056-1603
SECTION 25, TOWNSHIP 2 SOUTH, RANGE 68 WEST
SIXTH PRINCIPAL MERIDIAN
ADAMS COUNTY

DESCRIPTION

A tract or parcel of land No. RW-220 of Adams County Project Number IMP-3056-1603, containing 139 square feet, more or less, being a portion of Lot 16A, Welby Hill Duplex, a subdivision recorded on December 14, 1999, in File 18, Map 151, of the records of the Adams County Clerk and Records Office, situated in the Southwest Quarter of Section 25 Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado, being more particularly described as follows:

COMMENCING at the West Quarter Corner of Section 25 whence the West Line of the Southwest quarter of Section 25 bears S00°04'09"W a distance of 2628.81 feet;
Thence S25°55'48"E a distance of 1407.50 feet to the Northeast corner of said Lot 16A and the
POINT OF BEGINNING PARCEL RW-220;

Thence S34°20'00"W along the easterly boundary of said Lot 16A, a distance of 55.11 feet to a point on the southerly boundary of said Lot 16A;
Thence S89°40'30"W along the southerly boundary, a distance of 2.68 feet;
Thence N33°47'02"E, a distance of 57.31 feet to a point on the northerly boundary of said Lot 16A;
Thence S41°52'50"E along the northerly boundary of said Lot 16A, a distance of 2.84 feet to the
POINT OF BEGINNING PARCEL RW-220.

Containing 139 sq. ft. +/-

I, Jerry R. Johnson, Colorado Professional Surveyor in the State of Colorado, do hereby certify that this easement description and the field survey on the ground upon which it is based were performed by me or under my direct supervision.

Jerry R. Johnson, PLS 29417
Date:
For and on Behalf of
Petroleum Field Services, LLC
d.b.a. Ascent Geomatics Solutions



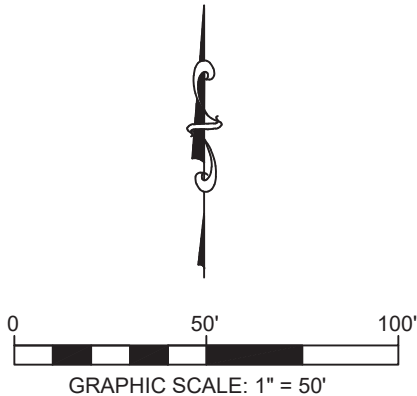
W 1/4 COR. SEC. 25
3-1/4" ALUMINUM CAP
MARKED "PLS 20155 1990"
P.O.C. RW-220

NW 1/4, SW 1/4
SEC 25
T2S, R68W 6TH P.M.

S00°04'09"W 2628.81
(BASIS OF BEARINGS)
W. LINE SW 1/4 SEC. 25

RW-220
139 SQ FT +/-

P.O.B.
RW-220



30.00' W.C. SW COR. SEC. 25
3-1/4" ALUMINUM CAP
MARKED "30.00' W.C. JR ENG
LS 25369 2000"

N89°26'42"E
30.00'

SW COR. SEC. 25
(CALCULATED
POSITION)

I, JAMES DAVID COMBS, COLORADO
PROFESSIONAL SURVEYOR 38658, DO
HEREBY CERTIFY THAT THIS EXHIBIT
REPRESENTS THE ATTACHED LEGAL
DESCRIPTION AND FINAL ROW PLANS
TITLED YORK STREET PHASE II.



James David Combs
JAMES DAVID COMBS PLS 38658
DATE: 6-15-21

PROJ: IMP-3056-1603
FOR AND ON BEHALF OF
PETROLEUM FIELD SERVICES, LLC
d.b.a. ASCENT GEOMATICS SOLUTIONS

NOTE: THIS IS NOT A MONUMENTED SURVEY.
IT IS INTENDED ONLY TO BE A GRAPHIC
DEPICTION OF THE ATTACHED DESCRIPTION.



Ascent Geomatics Solutions
8620 Wolff Court
Westminster, CO 80031
(303) 928-7128



Consulting Group, Inc.

12076 Grant Street
Thornton, CO 80241
Ph: (303) 962-9300
Fax: (303) 962-9350

EXHIBIT "B"
YORK ST - 78TH AVE TO 88TH AVE

RW-220

File Name: RCG_B180001-RW-220

Project No. IMP-3056-1603

Print Date: 04-23-2021

Sheet: 2 of 2