# (4)

### **RESOLUTION NO. 1806**

# A RESOLUTION OF THE GOLDEN CITY COUNCIL APPROVING THE GOLDEN BUSINESS CENTER SUBDIVISION FINAL PLAT

1-2

WHEREAS, Bates Development LLC and Singer Investments Properties LLC (subdivider) has submitted a proposed final subdivision plat for property within the City of Golden, State of Colorado, entitled Golden Business Center Subdivision; and

WHEREAS, the City of Golden Planning Commission conducted a public hearing on Case No. PC07-19, the preliminary subdivision plat for Golden Business Center Subdivision on April 4, 2007 and recommended to the City Council that the preliminary plat be approved. City Council approved the preliminary plat on October 11, 2007; and

WHEREAS, by Ordinance 1763, adopted by City Council on January 25, 2007, Council agreed to convey certain real property to the Subdivider for private access improvements serving the subdivision final plat, which conveyance is a part of this subdivision final plat; and

WHEREAS, on October 11, 2007, the Golden City Council conducted a public hearing upon the proposed final subdivision plat entitled Golden Business Center Subdivision.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

Section 1. The final subdivision plat for Golden Business Center Subdivision is hereby approved subject to the following conditions:

- a. The subdivider shall pay a cash fee in lieu of providing park land dedication of \$61,250 prior to recording the final plat. The requirement is in accordance with the city subdivision ordinance and annexation agreement.
- b. The subdivider shall pay a cash fee in lieu of providing water rights prior to recording the final plat in accordance with city subdivision ordinance and annexation agreement.
- c. The subdivider shall pay applicable fees incurred as a result of the application approval, including, but not limited to recording fees.
- d. The subdivider shall submit, within ninety (90) days of the date of this approval, all documents required by the Golden Municipal Code for finalization of the subdivision plat.

Section 2. The dedication of all easements, and all other places designated for public use as shown upon the final plat of the Golden Business Center Subdivision is hereby accepted by the City of Golden, subject however, to the condition that the city shall not undertake maintenance of any easement or other place designated for public use until after construction of said public improvement has been satisfactorily completed by the land owner and accepted in writing by the City of Golden.

Section 3. The Mayor and City Clerk are hereby authorized and directed to certify upon the final subdivision plat, the city's approval and acceptance thereof. The City Clerk is hereby authorized and directed to file the subdivision plat with the Jefferson County Clerk and Recorder's office upon fulfillment of all conditions as indicated herein.

R \$11.00 D \$0.00 RES

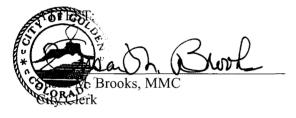
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Section 4. Unless otherwise extended by City Council, the approval of the Golden Business Center Subdivision shall be null and void if the conditions are not complied with within ninety (90) days of the date of this resolution.

Adopted this 11th day of October, 2007.

C Baroch

Mayor



APPROVED AS TO FORM:

James A Windholz
City Attorney

I, Susan M. Brooks, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing is a true copy of a certain Resolution adopted by the City Council of the City of Golden, Colorado at a rescheduled regular meeting thereof held on the 11th day of October, A.D., 2007.



ATTEST:

Susan M. Brooks, City Clerk of the City of

Golden, Colorado

Return to: Clas Clare 911 9 10th St. Csolder, w 20401

R \$21.00 D \$0.00

W D

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\$6.00 \$0.00

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Jefferson County, Colorado SPECIALWARRANTY DEED

THIS DEED, made this 574 day of June, 2008, between THE CITY OF GOLDEN, COLORADO, whose legal address is 911 10th Street, Golden, Colorado, 80401, Grantor, and GOLDEN C470, LLC, whose address is 147 East Olive Avenue, Monrovia, CA, Grantee.

WITNESSETH, That the Grantor, for and in consideration of the sum of \$10.00 Dollars and other good and valuable consideration, including the release by Grantee of Grantor's obligation from its obligation to provide a public right-of-way as provided in a March 26, 1998 Stipulation in Jefferson County District Court Civil Action No. 97-CV 1036, which was incorporated into a court order recorded in Jefferson County as Reception No. F0662794, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the Grantee, its successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Jefferson, State of Colorado, described as follows:

## As described in Exhibit A attached hereto

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto the Grantee its heirs and assigns forever. The Grantor, for itself, its heirs and personal representatives or successors, does covenant and agree that it shall and will WARRANT AND FOREVER DEFEND the abovebargained premises in the quiet and peaceable possession of the Grantee, its successors and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the Grantor, except and subject only to matters set forth in the plat of Golden Business Center Subdivision, approved on October 11, 2007 by Golden City Council Resolution No. 1806, and agreement associated with platting of the property.

IN WITNESS WHEREOF, the Grantor has executed this deed effective on the date set forth above.

The City of Golden, Colorado

Jacob Smith, Mayor

STATE OF COLORADO

**COUNTY OF** 

RE-RECORD TO ADD
LEGAL DESCRIPTION SC.

E OF COLORADO
) ss.

TY OF

Acknowledged before me this 5th day of June, 2008 by Jacob Smith, as Mayor, City
len Colorado. of Golden Colorado.

My com

Notary

\$11.00 \$0.00

11:58:24 AM 2 Page(s)

My Commission Expires 10/06/09

Jefferson County, Colorado

344.74.

Return to: 100 Ctey Clad 911 1049 84. Golden CO 80401

*y* ,

A PARCEL OF LAND 1654 SQUARE METERS (0.4087 ACRES), MORE OR LESS, BEING A PORTION OF LOT 1, CORPORATE CENTER BUSINESS PARK REPLAT NO.2, A SUBDIVISION RECORDED IN PLAT BOOK 128 AT PAGE 41 IN THE RECORDS OF JEFFERSON COUNTY; LOCATED IN SECTION 11, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF GOLDEN, COUNTY OF JEFFERSON, STATE OF COLORADO DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT 1, 9.613 METERS (31.54 FEET) WESTERLY FROM THE SOUTHEAST CORNER OF SAID LOT 1, FROM WHENCE THE NORTHWEST CORNER OF SAID SECTION 11 BEARS N 30° 19' 29" W, 931.693 METERS (3056.73 FEET);

- 1. THENCE N 09° 58' 33" W, DEPARTING SAID SOUTH LINE, 94.168 METERS (308.95 FEET) TO THE NORTH LINE OF SAID LOT 1;
- 2. THENCE N 89° 19' 26" E, ALONG THE NORTH LINE OF SAID LOT 1, 25.969 METERS (85.20 FEET) TO THE NORTHEAST CORNER OF SAID LOT 1;
- 3. THENCE S 00° 01' 33" W, ALONG THE EAST LINE OF SAID LOT 1, 93.053 METERS (305.29 FEET) TO THE SOUTHEAST CORNER OF SAID LOT 1;
- 4. THENCE N 89° 58' 55" W, ALONG THE SOUTH LINE OF SAID LOT 1, 9.613 METERS (31.54 FEET) TO THE POINT OF BEGINNING PLUS THAT TRACT OF LAND BEING A PORTION OF THE SOUTHWEST ONE QUARTER OF SECTION 11, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, JEFFERSON COUNTY, COLORADO. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: A PORTION OF THE BOUNDARY LINE AS ESTABLISHED BY COURT DECREE RECORDED IN BOOK 1659, AT PAGE 52, IN SAID JEFFERSON COUNTY. BEING MONUMENTED AT THE WESTERLY END BY A 3 ½" ALUMINUM SURVEYOR'S CAP STAMPED "PLS 23524, #2042" AND AT THE EASTERLY END BY A 1" YELLOW PLASTIC CAP MKD MP1 LS #18472, IS ASSUMED TO BEAR N89° 58' 52"E.

ALONG WITH THAT PARCEL DESCRIBED ON THE SUBSEQUENT PAGE



SURVCON
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#### **EXHIBIT A**

#### LEGAL DESCRIPTION

#### PARCEL A

A TRACT OF LAND BEING A PORTION OF THE SOUTHWEST ONE QUARTER OF SECTION 11, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE 6<sup>TH</sup> PRINCIPLE MERIDIAN, JEFFERSON COUNTY, COLORADO. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: A PORTION OF THE BOUNDARY LINE AS ESTABLISHED BY COURT DECREE RECORDED IN BOOK 1659, AT PAGE 52, IN SAID JEFFERSON COUNTY. BEING MONUMENTED AT THE WESTERLY END BY A 3 ½" ALUMINUM SURVEYOR'S CAP STAMPED "PLS 23524, #2042" AND AT THE EASTERLY END BY A 1" YELLOW PLASTIC CAP MKD MP1 LS #18472, IS ASSUMED TO BEAR N89°58'52"E.

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF LOT 1, CORPORATE BUSINESS PARK REPLAT NO. 2, AS RECORDED IN PLAT BOOK 128 AT PAGE 121 OF SAID JEFFERSON COUNTY WITH AFFIDAVIT OF CORRECTION RECORDED UNDER INSTRUMENT NUMBER F0207054. SAID POINT BEING AT AN ANGLE POINT ON THE EASTERLY RIGHT OF WAY OF COLORADO HIGHWAY C-470;

THENCE \$15°39'52"E, ON SAID EASTERLY RIGHT OF WAY, A DISTANCE OF 164.04 FEET:

THENCE N23°00'26"W, LEAVING SAID RIGHT OF WAY LINE, A DISTANCE OF 160.55 FEET;

THENCE N00°00'00"E, PARALLEL WITH THE EASTERLY LINE OF SAID LOT 1, A DISTANCE OF 115.05 FEET TO A POINT ON SAID EASTERLY RIGHT OF WAY OF COLORADO HIGHWAY (C-470);

THENCE S09°58'55"E, ON SAID EASTERLY RIGHT OF WAY, A DISTANCE OF 106.50 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 2745 SQUARE FEET (0.063 ACRES).

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

#### LEGAL DESCRIPTION STATEMENT

I, TERRY R. MAW, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED UNDER MY RESPONSIBLE CHARGE, AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELLED MERIOD RECT.

TERRY R. MAW, PENESSIONAL LAND SERVEYOR COLORADO REGISTRATION NO. 3116 P. FOR AND ON BEHALFOR SURVICIONAL LAND SERVEYOR AND ON BEHALFOR SURVICIONAL LAND SURVICIONAL LAND SURVICIONAL LAND SURVICIONAL LAND SURVICIONAL LAND

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