

RESOLUTION NO. 2029

**A RESOLUTION OF THE GOLDEN CITY COUNCIL
ACCEPTING THE CONVEYANCE OF TWO PARCELS OF
LAND FOR A POTENTIAL ROADWAY, AND
ACKNOWLEDGING THE SATISFACTION OF CONDITIONS
IMPOSED BY ORDINANCE NO. 1697**

WHEREAS, on April 14, 2005 the Golden City Council approved Ordinance No. 1697, which ordinance conditionally approved a vacation of a portion of Maple Street, a portion of 16th Street, and the alley located within Block 77 of the plat of the south side of Clear Creek; and

WHEREAS, Ordinance No. 1697 authorized the closure of said street segments, but required the satisfaction of certain conditions before the right of way vacations would go into effect; and

WHEREAS, on July 24, 2008 City Council adopted Ordinance No. 1817 reenacting in part Ordinance No. 1697 and amending Section 3 of the ordinance to extend the period for compliance until December 31, 2009; and

WHEREAS, the Colorado School of Mines submitted a roadway "easement" prior to December 31, 2009 to satisfy the remaining condition, and subsequently, at the request of the City, submitted the deeds attached hereto as Exhibits A-1 and A-2; and

WHEREAS, the Colorado School of Mines initially complied with the requirements for closure of the streets, and has now submitted conveyance documents, which if executed and delivered, are necessary to satisfy the conditions for the subject right of way vacations to go into effect; and

WHEREAS, City Council has considered the land conveyance to the City of Golden.

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

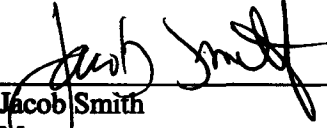
Section 1. City Council accepts the conveyance of fee title to the property, substantially in the form attached hereto as Exhibits A-1 and A-2 ("conveyance documents"), subject to the final execution and delivery of the conveyance documents by the Colorado School of Mines. The Mayor is authorized to acknowledge the City's acceptance of the conveyance.

Section 2. Pursuant to the provisions of Ordinance No. 1697, City Council hereby finds that all of the conditions of Ordinance 1697 will be satisfied upon the execution and delivery of the conveyance documents, and the Mayor will be authorized to execute a recordable "Certificate" to document that the right of way vacations authorized by Ordinance No. 1697 are fully effective.

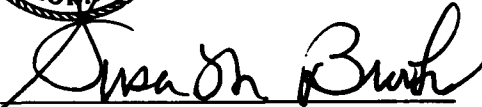
Section 3. In the event that fully executed conveyance documents are not delivered to the City before February 25, 2010, this resolution shall be void and of no effect.

Adopted this 28th day of January 2010.





Jacob Smith
Mayor



Susan M. Brooks, MMC
City Clerk

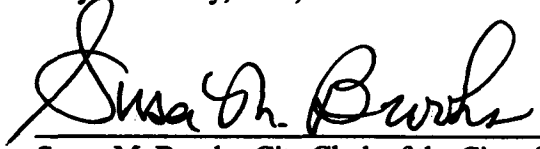
Approved as to form:



David S. Williamson
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 regular business meeting thereof held on the 28th day of January, A.D., 2010.



ATTEST: 

Susan M. Brooks, City Clerk of the City of
Golden, Colorado



QUIT CLAIM DEED

THIS DEED, made this _____ day of _____, 2010, between the State of Colorado acting by and through the Trustees of the Colorado School of Mines for the use and benefit of the Colorado School of Mines, whose legal address is 1500 Illinois Street, Golden, Colorado 80401 ("Grantor"), and the City of Golden, a Colorado municipality whose legal address is 911 Tenth Street, Golden, Colorado, 80401 ("Grantee"):

WITNESS, that the Grantor, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold, conveyed, and **QUIT CLAIMED**, and by these presents, does remise, release, convey and **QUIT CLAIM** unto the Grantee, its heirs, successors and assigns forever, the right, title, interest, claim and demand which the Grantor has in and to the real property, together with improvements, if any, situate, lying and being in the County of Jefferson and State of Colorado, to wit:

Property described in its entirety in **EXHIBIT A**, attached hereto and by this reference made a part hereof, connecting Illinois Street to Maple Street by and through 14th Street (vacated by Ordinance No. 435), all of which is situated in the Northeast Quarter of Section 33, Township 3 South, Range 70 West of the 6th Principal Meridian, in the County of Jefferson, State of Colorado.

TO HAVE AND TO HOLD the same, together with all and singular, the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the Grantor, either in law or equity, to the only proper use, benefit and behoof of the Grantee, its heirs and assigns forever.

IN WITNESS WHEREOF, this Deed was executed by the undersigned on the date set forth above.

STATE OF COLORADO
Bill Ritter, Governor
Acting by and through the Trustees of the
Colorado School of Mines for the use and
benefit of the Colorado School of Mines

By: _____
Myles W. Scoggins
President
Colorado School of Mines

STATE OF COLORADO

COUNTY OF JEFFERSON

The foregoing instrument was acknowledged before me this _____ day of _____, 2010 by _____ on behalf of the State of Colorado, Grantor.

Notary Public

Type or Print Name

My commission expires: _____

Grantor (s) Name and Address:

STATE OF COLORADO
Acting by and through the Trustees of
The COLORADO SCHOOL OF
MINES, and for the use and benefit of
the Colorado School of Mines
1500 Illinois Street
Golden, CO 80401

Grantee(s) Name and Address:

CITY OF GOLDEN
911 Tenth Street
Golden, CO 80401

Description - Parcel A

A parcel located in the Northeast Quarter of Section 33, Township 3 South, Range 70 West of the 6th Principal Meridian, being a part of 14th Street vacated by Ordinance No. 435, recorded in Book 1227 at Page 112 in the Jefferson County Clerk and Recorder's Office, and more particularly described as follows:

COMMENCING at the East Quarter corner of Section 33, Township 3 South, Range 70 West of the 6th Principal Meridian, marked by a found railroad rail placed on end, from whence the Northeast Corner of said Section 33, marked by a found 2" aluminum cap stamped, "LS 9329", bears N 00°30'45" E, a distance of 2610.75 feet, said line also being the basis of bearings for this description;

Thence N 00°30'45" E along the East line of the Northeast Quarter of said Section 33 a distance of 1216.17 feet to the intersection of said East line and the southwesterly right of way line of said Illinois Street;

Thence N 35°35'06" W along said southwesterly right of way line a distance of 571.81 feet to the intersection of said southwesterly right of way line and the southeasterly right of way line of said vacated 14th Street;

Thence continuing N 35°35'06" W along said southwesterly right of way line a distance of 3.00 feet to the **POINT OF BEGINNING**;

Thence S 54°24'54" W, along a line 3.00 feet northwesterly from and parallel with said southwesterly right of way line, a distance of 300.00 feet to the northeasterly right of way line of Maple Street;

Thence N 35°35'06" W along said northeasterly right of way line a distance of 60.00 feet;

Thence N 54°24'54" E, along a line 3.00 feet southeasterly from and parallel with the northwesterly right of way line of said vacated 14th Street, a distance of 300.00 feet to the southwesterly right of way line of said Illinois Street;

Thence S 35°35'06" E along said southwesterly right of way line a distance of 60.00 feet to the **POINT OF BEGINNING**;

Containing an area of 18,000 square feet or 0413 acres, more or less.

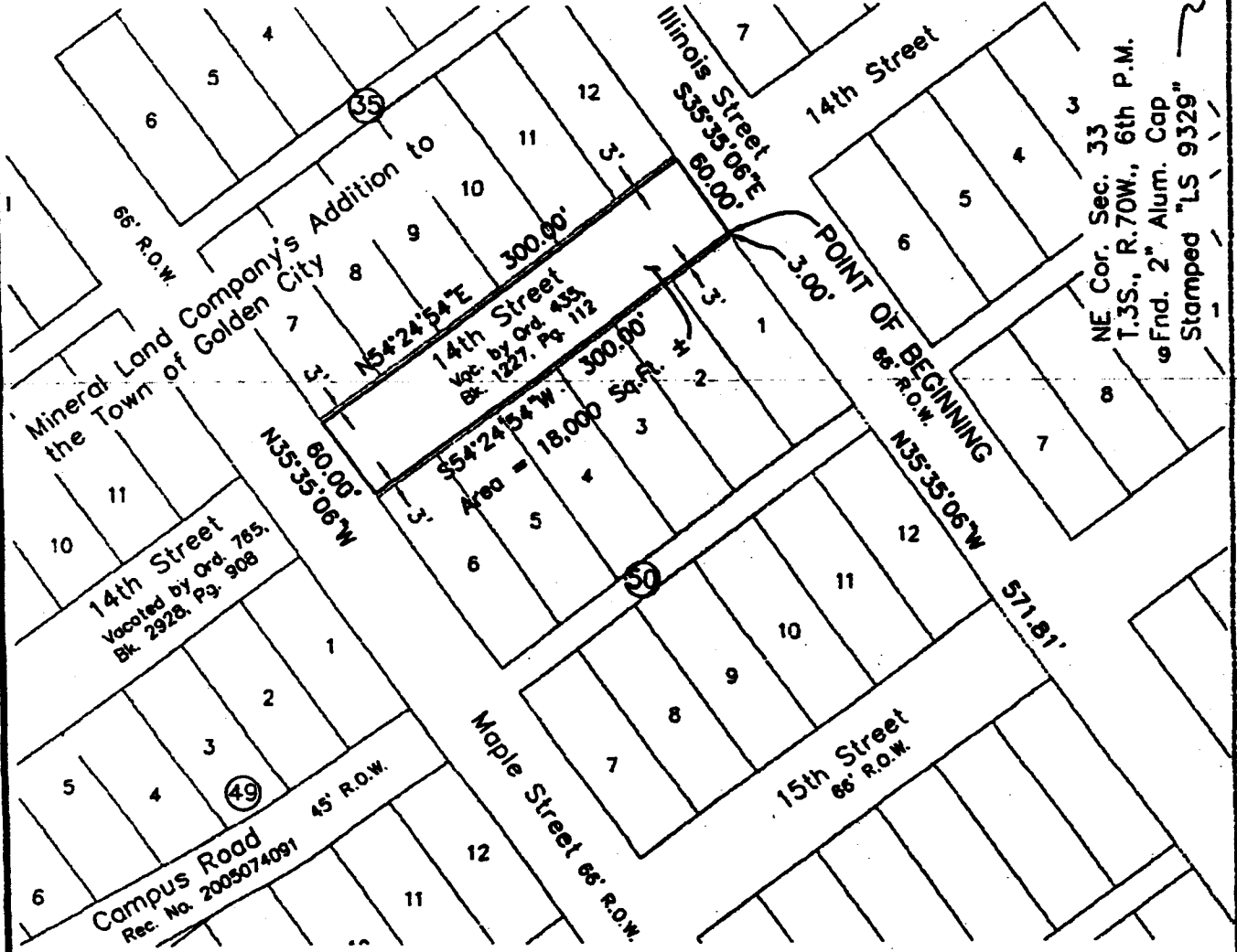
Jerry F. Harcek, Jr., PLS 34997

For and on Behalf of Ascent Geo Services



EXHIBIT A

SECTION 33, TOWNSHIP 3 SOUTH, RANGE 70 WEST, 6TH P.M.

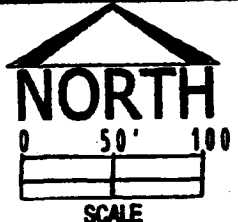


NE Cor. Sec. 33
T.3S., R.70W., 6th P.M.
Fnd. 2" Alum. Cap
Stamped "LS 9329"



POINT OF COMMENCEMENT
E 1/4 Cor. Sec. 33
T 3 S, R 70 W, 6th P.M.
Fnd. Railroad Rail on End
4" Below Surface

E Line NE 1/4 Sec. 33 Basis of Bearings 1216.17' N00°30'45"E 2610.75'



AGS
Account Geo Services
1811 W. 13th Ave.
Denver, CO 80204

FIELD DATE:
12-15-09
DRAWING DATE:
12-15-09
BY:
JFH

SITE NAME:
CSM PARCEL - 14th & Elm
SURFACE LOCATION:
JEFFERSON COUNTY, COLORADO
NE 1/4, SEC. 33, T3S, R70W



QUIT CLAIM DEED

THIS DEED, made this _____ day of _____, 2010, between the State of Colorado acting by and through the Trustees of the Colorado School of Mines for the use and benefit of the Colorado School of Mines, whose legal address is 1500 Illinois Street, Golden, Colorado 80401 ("Grantor"), and the City of Golden, a Colorado municipality whose legal address is 911 Tenth Street, Golden, Colorado, 80401 ("Grantee"):

WITNESS, that the Grantor, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold, conveyed, and **QUIT CLAIMED**, and by these presents, does remise, release, convey and **QUIT CLAIM** unto the Grantee, its heirs, successors and assigns forever, the right, title, interest, claim and demand which the Grantor has in and to the real property, together with improvements, if any, situate, lying and being in the County of Jefferson and State of Colorado, to wit:

Property described in its entirety in EXHIBIT A, attached hereto and by this reference made a part hereof, connecting 14th Street (vacated by Ordinance No. 765) from Maple Street to the intersection of West Campus Road and Elm Street, all of which is situated in the Northeast Quarter of Section 33, Township 3 South, Range 70 West of the 6th Principal Meridian, County of Jefferson, State of Colorado.

TO HAVE AND TO HOLD the same, together with all and singular, the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the Grantor, either in law or equity, to the only proper use, benefit and behoof of the Grantee, its heirs and assigns forever.

IN WITNESS WHEREOF, this Deed was executed by the undersigned on the date set forth above.

STATE OF COLORADO
Bill Ritter, Governor
Acting by and through the Trustees of the
Colorado School of Mines for the use and
benefit of the Colorado School of Mines

By: _____
Myles W. Scoggins
President
Colorado School of Mines

STATE OF COLORADO

COUNTY OF JEFFERSON

The foregoing instrument was acknowledged before me this _____ day of _____, 2010 by _____ on behalf of the State of Colorado, Grantor.

Notary Public

Type or Print Name

My commission expires: _____

Grantor (s) Name and Address:

**STATE OF COLORADO
Acting by and through the Trustees of
The COLORADO SCHOOL OF
MINES, and for the use and benefit of
the Colorado School of Mines
1500 Illinois Street
Golden, CO 80401**

Grantee(s) Name and Address:

**CITY OF GOLDEN
911 Tenth Street
Golden, CO 80401**

Description – Parcel B2

A parcel located in the Northeast Quarter of Section 33, Township 3 South, Range 70 West of the 6th Principal Meridian, being a part of 14th Street vacated by Ordinance No. 765, recorded in Book 2928 at Page 908 in the Jefferson County Clerk and Recorder's Office, and a part of Elm Street vacated by Ordinance No. 486, recorded in Book 1751 at Page 370 in said Clerk and Recorder's Office, and being more particularly described as follows:

COMMENCING at the East Quarter corner of Section 33, Township 3 South, Range 70 West of the 6th Principal Meridian, marked by a found railroad rail placed on end, from whence the Northeast Corner of said Section 33, marked by a found 2" aluminum cap stamped, "LS 9329", bears N 00°30'45" E, a distance of 2610.75 feet, said line also being the basis of bearings for this description;

Thence N 00°30'45" E along the East line of the Northeast Quarter of said Section 33 a distance of 594.95 feet to the intersection of said East line and the southwesterly right of way of said Maple Street;

Thence N 35°35'06" W along said southwesterly right of way a distance of 1077.77 feet to the intersection of said southwesterly right of way and the southeasterly right of way of said vacated 14th Street;

Thence continuing N 35°35'06" W along said southwesterly right of way a distance of 3.00 feet to the **POINT OF BEGINNING**;

Thence S 54°24'54" W, along a line 3.00 feet northwesterly from and parallel with said southwesterly right of way line, a distance of 382.20 feet;

Thence S 35°35'06" E a distance of 94.88 feet to the northwesterly right of way line of Campus Road, as described at Reception No. 2005074091 in said Clerk and Recorder's Office;

Thence S 54°41'31" W along said northwesterly right of way line, a distance of 45.00 feet to the westerly-most corner of said document recorded at Reception No. 2005074091;

Thence N 35°35'06" W a distance of 154.66 feet;

Thence N 54°24'54" E, along a line 3.00 feet southeasterly from and parallel with the northwesterly right of way line of said vacated 14th Street, a distance of 427.20 feet to the southwesterly right of way line of said Maple Street;

Thence S 35°35'06" W along said southwesterly right of way line a distance of 60.00 feet to the POINT OF BEGINNING;

~~Containing an area of 29,886 square feet or 0.660 acres, more or less.~~

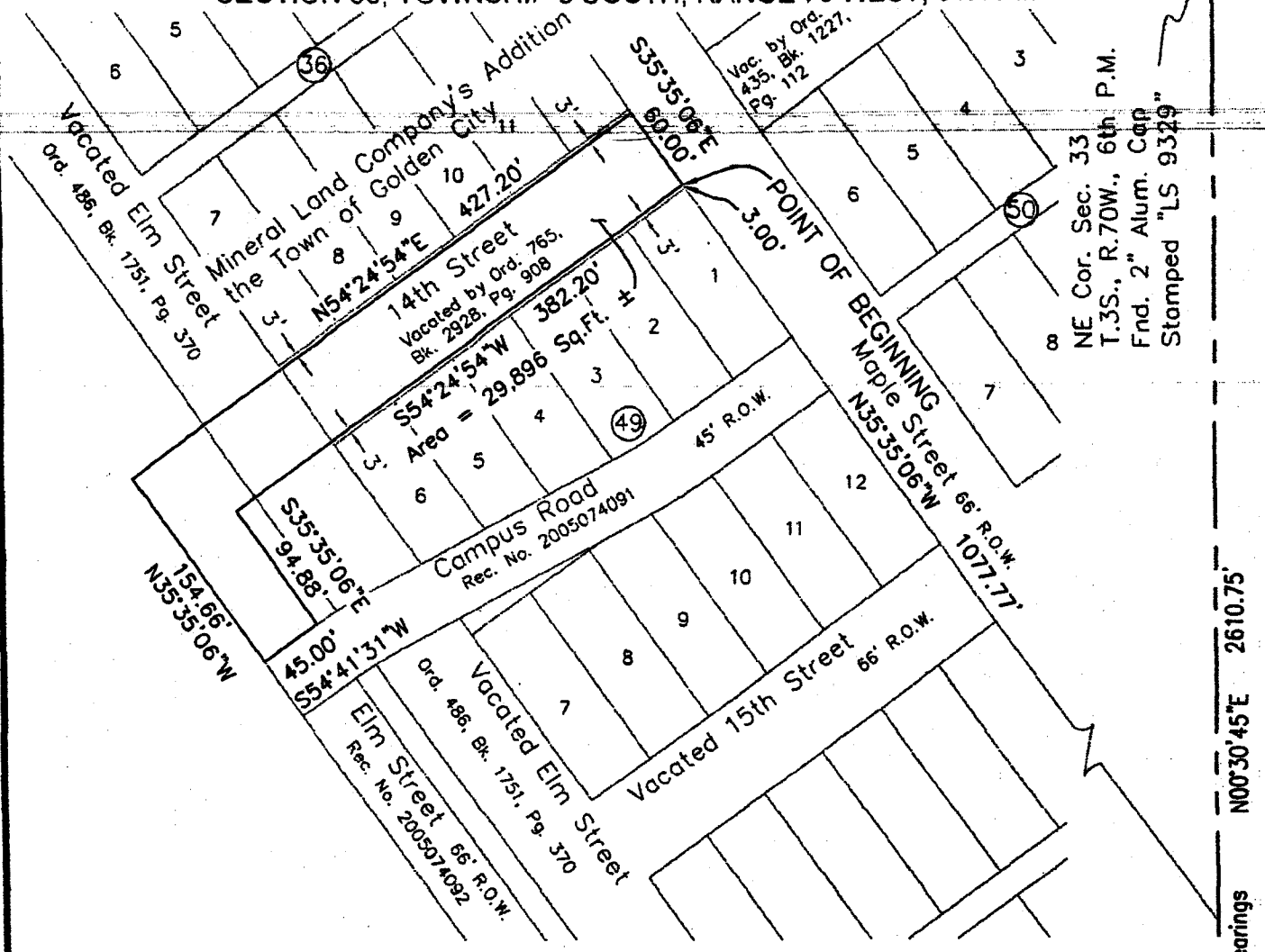
Jerry F. Harcek, Jr., PLS 34997

For and on Behalf of Ascent Geo Services

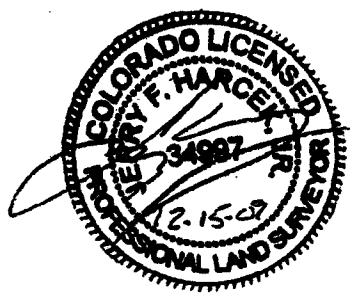


EXHIBIT A

SECTION 33, TOWNSHIP 3 SOUTH, RANGE 70 WEST, 6TH P.M.

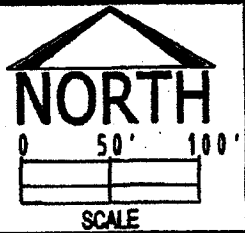


NE Cor. Sec. 33
T.3S., R.70W., 6th P.M.
Fnd. 2" Alum. Cap
Stamped "LS 9329"



POINT OF COMMENCEMENT
E 1/4 Cor. Sec. 33
T 3 S, R 70 W, 6th P.M.
Fnd. Railroad Rail on End
4" Below Surface

594.95'
E Line NE 1/4 Sec. 33 Basis of Bearings N00°30'45"E 2610.75'



AGS
Ancient Geo Services
1811 W. 13th Ave.
Denver, CO 80204

FIELD DATE:
12-15-09
DRAWING DATE:
12-15-09
BY:
JFH

SITE NAME:
CSM PARCEL B2 - 14th & Elm
SURFACE LOCATION:
JEFFERSON COUNTY, COLORADO
NE 1/4, SEC. 33, T3S, R70W