

**RESOLUTION NO. 2039**

**A RESOLUTION OF THE GOLDEN CITY COUNCIL  
ACCEPTING A DEDICATION OF LAND FOR A POTENTIAL  
ROADWAY, AND ACKNOWLEDGING THE SATISFACTION  
OF CONDITIONS IMPOSED BY ORDINANCE 1697**

WHEREAS, on April 14, 2005 the Golden City Council approved Ordinance 1697, which ordinance conditionally approved a vacation of a portion of Maple Street, a portion of 16<sup>th</sup> Street, and the alley located within Block 77 of the plat of the south side of Clear Creek; and

WHEREAS, Ordinance 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 1817 reenacting in part Ordinance 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 Dedication document attached hereto; and

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

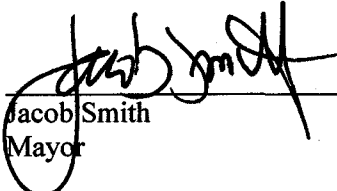
WHEREAS, City Council has considered the land dedication to the City of Golden.

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

Section 1. City Council accepts the dedication of fee title to the property, substantially in the form attached hereto as Exhibits A. The Mayor is authorized to acknowledge the City's acceptance of the dedication.

Section 2. Pursuant to the provisions of Ordinance 1697, City Council hereby finds that all of the conditions of Ordinance 1697 have been and the Mayor is authorized to execute a recordable "Certificate" to document that the right of way vacations authorized by Ordinance 1697 are fully effective.


Adopted this 25<sup>th</sup> day of February, 2010.

  
\_\_\_\_\_  
Jacob Smith  
Mayor

ATTEST:

\_\_\_\_\_  
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 25th day of February, A.D., 2010.

(SEAL)

ATTEST:

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

## **DEDICATION**

The State of Colorado acting by and through the Trustees of the Colorado School of Mines for the benefit and use of the Colorado School of Mines, being the owner of the property described herein ("Dedicator"), does hereby grant and dedicate to the City of Golden, Colorado, a Colorado municipality, whose legal address is 911 10<sup>th</sup> Street, Golden, Colorado, 80401 ("Golden"), for the purpose of constructing and operating a municipal street and appurtenant facilities, the real property lying and being in the County of Jefferson, State of Colorado, to wit:

THE PROPERTY DESCRIBED IN ITS ENTIRETY IN EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF, CONNECTING ILLINOIS STREET TO MAPLE STREET AND BY AND THROUGH 14<sup>TH</sup> STREET EXTENDED (VACATED BY ORDINANCE NO. 435);


and

THE PROPERTY DESCRIBED IN ITS ENTIRETY IN EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF, CONNECTING 14<sup>TH</sup> STREET EXTENDED (VACATED BY ORDINANCE NO. 765) FROM MAPLE STREET TO THE INTERSECTION OF WEST CAMPUS ROAD AND ELM STREET;

Said dedication being subject to the right of the Dedicator to continue to access and use the property for such purposes that the property is currently used by the Dedicator, at no cost to the Dedicator, including, but not limited to the maintenance of all existing improvements, equipment, structures, and landscaping on the property until such time as Golden commences construction activities for a municipal street or other appurtenant uses.

IN WITNESS WHEREOF, this Dedication was executed by the undersigned by the 23<sup>rd</sup> day of February, 2010.

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 )

ss.

Acknowledged before me this 23<sup>rd</sup> day of February, 2010, by  
Myles W. Coopers.

Witness my hand and official seal.

My commission expires:  
3/6/2010

Thomas S. Strarfe  
Notary Public

(SEAL)



### ACCEPTANCE

The foregoing Dedication was accepted by the City Council of the City of Golden, Colorado, on the \_\_\_ day of February, 2010.

Jacob Smith  
Jacob Smith, Mayor

ATTEST:

\_\_\_\_\_  
Susan M. Brooks, MMC  
City Clerk

# EXHIBIT A

## Description - Parcel A

A parcel located in the Northeast Quarter of Section 33, Township 3 South, Range 70 West of the 6<sup>th</sup> Principal Meridian, being a part of 14<sup>th</sup> 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 6<sup>th</sup> 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 14<sup>th</sup> 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;

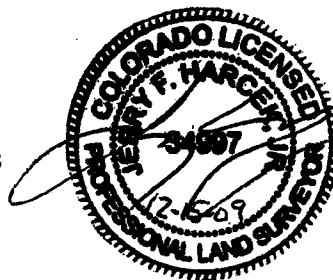
Thence N 54°24'54" E, along a line 3.00 feet southeasterly from and parallel with the northwesterly right of way line of said vacated 14<sup>th</sup> Street, a distance of 300.00 feet to the southwesterly right of way line of said Illinois Street;

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 0.413 acres, more or less.

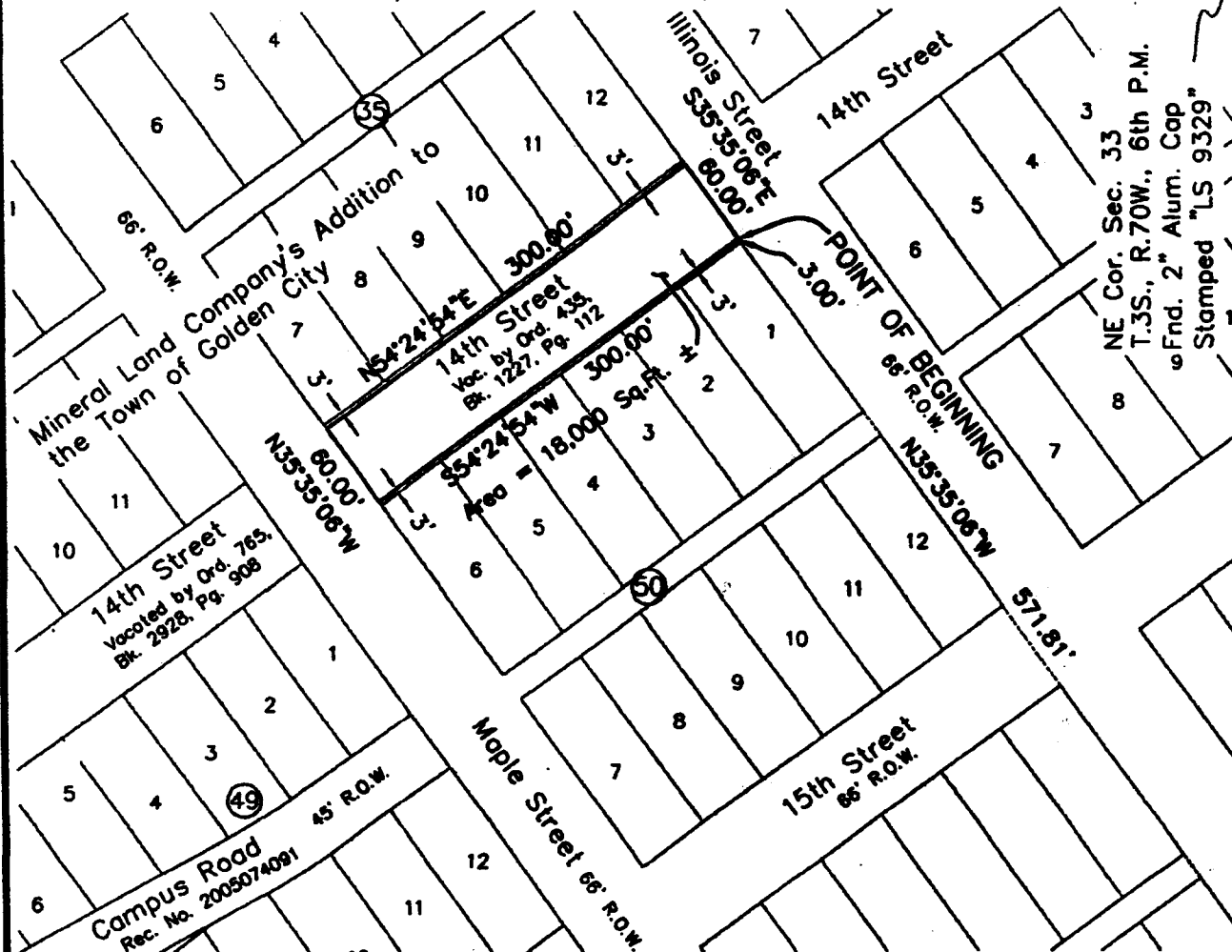
Jerry F. Harcek, Jr., PLS 34997

For and on Behalf of Ascent Geo Services



# EXHIBIT A

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

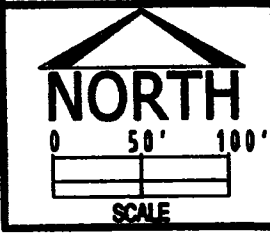


NE Cor. Sec. 33  
 T.3S., R.70W., 6th P.M.  
 2" Alum. Cap  
 Stamped "LS 9329"

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



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



**AGS**  
 Account Gas 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

# EXHIBIT B

## Description – Parcel B2

A parcel located in the Northeast Quarter of Section 33, Township 3 South, Range 70 West of the 6<sup>th</sup> Principal Meridian, being a part of 14<sup>th</sup> 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 6<sup>th</sup> 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 14<sup>th</sup> 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;

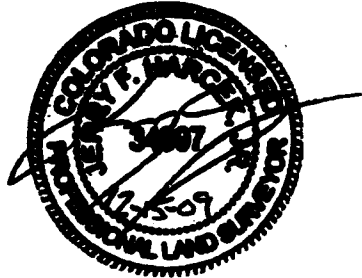
Thence N 54°24'54" E, along a line 3.00 feet southeasterly from and parallel with the northwesterly right of way line of said vacated 14<sup>th</sup> Street, a distance of 427.20 feet to the southwesterly right of way line of said Maple Street;

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 29,896 square feet or 0.660 acres, more or less.

Jerry F. Harcek, Jr., PLS 34997

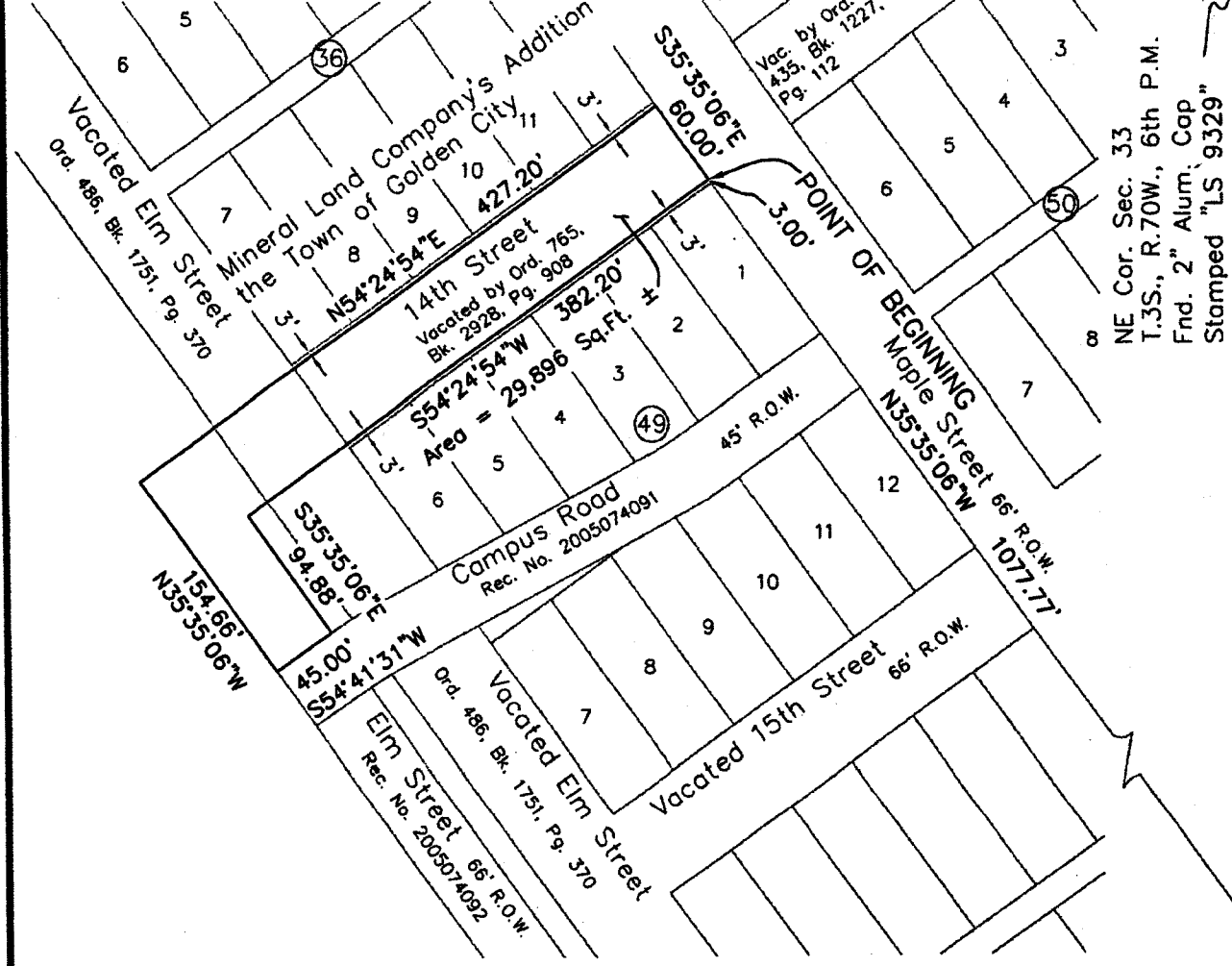
For and on Behalf of Ascent Geo Services





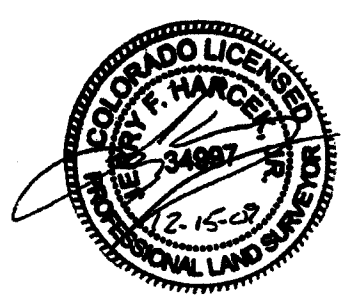
# EXHIBIT A

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

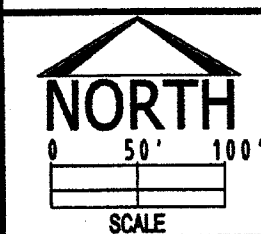


NE Cor. Sec. 33  
T.3S., R.70W., 6th P.M.  
Fnd. 2" Alum. Cap  
Stamped "LS 9329"

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



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



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

FIELD DATE: 12-15-09	SITE NAME: CSM PARCEL B2 - 14th & Elm
DRAWING DATE: 12-15-09	SURFACE LOCATION: JEFFERSON COUNTY, COLORADO NE 1/4, SEC. 33, T3S, R70W
BY: JFH	