

D9115837

UTILITY EASEMENT

The undersigned owner(s), hereinafter referred to as "Grantor(s)", hereby acknowledge(s) receipt from THE CITY OF AURORA, COLORADO, a municipal corporation of the Counties of Adams, Arapahoe, and Douglas, State of Colorado, hereinafter referred to as "Grantee", the sum of one and no\100 dollar(s) (\$1.00) and other good and valuable consideration, in consideration of which Grantor(s) hereby grant(s) unto said Grantee, its successors and assigns, an easement, together with the right, privilege and authority to construct, reconstruct, operate and maintain its water, sewer and storm drainage transmission mains, lines and facilities, and all fixtures, devices and structures whatsoever necessary or useful in the operation of said transmission mains, lines and facilities, in, over, through, along, and across the following parcel of land situate in the County of Arapahoe, State of Colorado, and more particularly described as follows:

See Exhibit A wherein the description is more fully set forth. Said Exhibit A is attached hereto and incorporated herein by reference.

Together with the right of ingress and egress over said premises, including the right to install, maintain, and use gates in all fences which now cross or shall hereafter cross said easement and the right to survey, construct, reconstruct, maintain, operate, control and use said mains, lines and facilities and to remove objects or structures therefrom, except the Grantee shall not interfere with any structures existing in any previously dedicated portion of the above described easement, and Grantee shall restore the surface of the easement area to the condition that existed prior to Grantee's use of the easement herein conveyed. The Grantor(s) shall not remove any dirt from the surface of the right-of-way or stockpile dirt on the right-of-way herein granted.

If Grantee has not chosen to put transmission lines, mains and facilities above ground, then the Grantor(s) reserve(s) the right to cultivate and use said premises for any purpose consistent with the rights and privileges herein granted and which will not interfere with or endanger the Grantee's facilities therein, or interfere with the use of any of the rights herein granted. Such reservation by the Grantor(s) shall include the right to dedicate and use the land for public or private road, for cultivation, grazing and other agricultural purposes, and as yard area for structures, provided no permanent structures or fences are placed on said easement, and any other lawful use which will not interfere with Grantee's facilities.

In the case of permanent abandonment of said easement and right-of-way by Grantee, Grantee shall give written notice to Grantor of its intent to abandon said easement, and Grantee shall have six (6) months thereafter in which to remove all facilities, pipe, structures and all property placed on said easement; and for these purposes, all property placed by Grantee within said easement shall be deemed to have remained personal property; and upon the failure of Grantee to remove all of said property within said six month period, then all of said property shall become the sole and separate property of heirs, successors and assigns, shall thereupon be restored to first the Grantor(s), its heirs, successors and assigns, and the Grantor(s), its former estate, free and clear of any grant of easement herein contained or any right or privilege attaching to the herein described grant of easement.

Grantor covenants and warrants that they are the owner of the above-described land, subject to such defects, outstanding interests, liens, or encumbrances as may now appear of record.

RSN 1357638

[SIGNATURES APPEARING ON FOLLOWING PAGE]

Pursuant to Sec. 39-13-104, C.R.S. as amended, consideration paid for this conveyance is \$1.00

Signed and delivered this 15 day of October, A.D. 2019.

**WHEATLANDS PARK AND RECREATION AUTHORITY  
A Quasi-Municipal Corporation and  
Political Subdivision of the State of Colorado**

By: Kathy Bull

Title: President

STATE OF Colorado )  
 ) §  
COUNTY OF Arapahoe )

The above and foregoing instrument was subscribed and sworn to before me this 15 day of October, A.D. 2019, by Kathleen Barela

My Commission expires:

July 05, 2023

Witness my hand and official seal.

*P.*

NOTARY PUBLIC

PAMELA NAVARRETE NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20194025291 MY COMMISSION EXPIRES JULY 05, 2023
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APPROVED AS TO FORM:

*Michelle Dahl*  
Assistant City Attorney

REVIEWED BY:

*Darren L. Akul* For H.R.  
Manager of Real Property Services  
Hector Reynoso

# EXHIBIT A

AN UTILITY EASEMENT, PART OF LOT 1, BLOCK 5, WHEATLANDS SUBDIVISION FILING NO. 6 AS RECORDED IN THE OFFICE OF THE COUNTY AND CLERK OF ARAPAHOE COUNTY UNDER RECEPTION NUMBER B6056857, BEING LOCATED IN THE NORTHWEST 1/4 OF SECTION 20, TOWNSHIP 5 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ARAPAHOE, STATE OF COLORADO, ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 20, FROM WHENCE THE NORTH 1/4 CORNER OF SAID 20 BEARS N89°27'24"E, A DISTANCE OF 2631.62 FEET, PER SAID WHEATLANDS SUBDIVISION FILING NO. 6, UPON WHICH ALL BEARINGS HEREON ARE BASED; THENCE S52°49'02"E, A DISTANCE OF 1937.87 FEET TO A POINT ON THE SOUTHWESTERLY BOUNDARY OF SAID LOT 1, AND TO THE POINT OF BEGINNING;

THENCE, N33°23'46"E, A DISTANCE OF 12.89 FEET; THENCE N52°37'12"E, A DISTANCE OF 63.93 FEET; THENCE N71°32'23"E, A DISTANCE OF 96.92 FEET; THENCE N18°27'37"W, A DISTANCE OF 3.30 FEET; THENCE N00°03'30"W, A DISTANCE OF 28.41 FEET; THENCE A DISTANCE OF 92.47 FEET ON A TANGENT CURVE TO THE RIGHT WHICH HAS A RADIUS OF 221.74 FEET, A DELTA OF 23°53'34", A CHORD WHICH BEARS N11°53'17"W AND A CHORD LENGTH OF 91.80 FEET; THENCE N22°00'21"E, A DISTANCE OF 6.45 FEET; THENCE N67°59'39"W, A DISTANCE OF 10.50 FEET; THENCE N22°00'21"E, A DISTANCE OF 10.00 FEET; THENCE S67°59'39"E, A DISTANCE OF 10.50 FEET; THENCE N22°00'21"E, A DISTANCE OF 173.40 FEET, TO POINT HEREON KNOWN AS "POINT A"; THENCE S81°47'56"E, A DISTANCE OF 192.17 FEET; THENCE S67°59'39"E, A DISTANCE OF 159.92 FEET; THENCE S22°00'21"W, A DISTANCE OF 111.80 FEET; THENCE S67°59'39"E, A DISTANCE OF 12.50 FEET; THENCE S22°00'21"W, A DISTANCE OF 10.00 FEET; THENCE N67°59'39"W, A DISTANCE OF 12.50 FEET; THENCE S22°00'21"W, A DISTANCE OF 434.83 FEET; THENCE S33°50'12"W, A DISTANCE OF 72.80 FEET; THENCE S45°40'03"W, A DISTANCE OF 24.28 FEET; THENCE ON THE SOUTHERLY BOUNDARY OF SAID LOT 1, N42°30'59"W, A DISTANCE OF 16.01 FEET; THENCE N45°40'03"E, A DISTANCE OF 22.11 FEET; THENCE N33°50'12"E, A DISTANCE OF 69.49 FEET; THENCE N22°00'21"E, A DISTANCE OF 72.49 FEET, TO A POINT HEREON KNOWN AS "POINT B"; THENCE N67°59'39"W, A DISTANCE OF 62.50 FEET; THENCE N22°59'39"W, A DISTANCE OF 38.92 FEET; THENCE N67°59'39"W, A DISTANCE OF 55.99 FEET; THENCE N48°15'41"W, A DISTANCE OF 79.55 FEET; THENCE N27°17'39"W, A DISTANCE OF 90.52 FEET; THENCE N18°27'37"W, A DISTANCE OF 2.62 FEET; THENCE S71°32'23"W, A DISTANCE OF 94.26 FEET; THENCE S52°37'12"W, A DISTANCE OF 58.55 FEET; THENCE S33°23'46"W, A DISTANCE OF 9.51 FEET; THENCE ON SOUTHWESTERLY BOUNDARY OF SAID LOT 1, A DISTANCE OF 16.01 FEET ON A NON-TANGENT CURVE TO THE LEFT WHICH HAS A RADIUS OF 532.00 FEET, A DELTA OF 01°43'29", A CHORD WHICH BEARS N58°59'37"W AND A CHORD LENGTH OF 16.01 FEET, TO THE POINT OF BEGINNING;

EXCLUDING THEREFROM THE FOLLOWING TWO PARCELS (HEREON REFERED TO AS EXCLUSION PARCEL A AND EXCLUSION PARCEL B).

~CONTINUED ON SHEET 2~



# EXHIBIT A

## LAND DESCRIPTION (CONTINUED)

### EXCLUSION PARCEL A:

COMMENCING AT "POINT A" AS DESCRIBED ABOVE; THENCE S29°53'48"E, A DISTANCE OF 20.33 TO THE POINT OF BEGINNING OF EXCLUSION PARCEL A; THENCE S81°47'56"E, A DISTANCE OF 177.68 FEET; THENCE S67°59'39"E, A DISTANCE OF 141.98 FEET; THENCE S22°00'21"W, A DISTANCE OF 123.10 FEET; THENCE N67°59'39"W, A DISTANCE OF 314.53 FEET; THENCE N22°00'21"E, A DISTANCE OF 80.71 FEET TO THE POINT OF BEGINNING OF EXCLUSION PARCEL A.

### EXCLUSION PARCEL B:

COMMENCING AT "POINT B" AS DESCRIBED ABOVE; THENCE N22°00'21"E, A DISTANCE OF 16.00 FEET TO THE POINT OF BEGINNING OF EXCLUSION PARCEL B; THENCE N67°59'39"W, A DISTANCE OF 11.98 FEET; THENCE N22°00'21"E, A DISTANCE OF 12.90 FEET; THENCE N67°59'39"W, A DISTANCE OF 10.00 FEET; THENCE S22°00'21"W, A DISTANCE OF 12.90 FEET; THENCE N67°59'39"W, A DISTANCE OF 33.90 FEET; THENCE N22°59'39"W, A DISTANCE OF 38.92 FEET; THENCE N67°59'39"W, A DISTANCE OF 59.83 FEET; THENCE N48°15'41"W, A DISTANCE OF 73.80 FEET; THENCE N27°17'39"W, A DISTANCE OF 86.33 FEET; THENCE N18°27'37"W, A DISTANCE OF 18.09 FEET; THENCE N00°03'30"W, A DISTANCE OF 6.15 FEET; THENCE S88°35'08"E, A DISTANCE OF 30.98 FEET; THENCE N01°24'52"E, A DISTANCE OF 15.34 FEET; THENCE N88°35'08"W, A DISTANCE OF 31.38 FEET; THENCE N00°03'30"W, A DISTANCE OF 4.33 FEET; THENCE A DISTANCE OF 86.05 FEET ON A TANGENT CURVE TO THE RIGHT WHICH HAS A RADIUS OF 205.74 FEET, A DELTA OF 23°57'45", A CHORD WHICH BEARS N11°55'22"E AND A CHORD LENGTH OF 85.42 FEET; THENCE N22°00'21"E, A DISTANCE OF 80.86 FEET; THENCE S67°59'39"E, A DISTANCE OF 314.53 FEET; THENCE S22°00'21"W, A DISTANCE OF 311.38 FEET TO THE POINT OF BEGINNING OF EXCLUSION PARCEL B.

UTILITY EASEMENT CONTAINS 34,465 SQUARE FEET OR 0.79 ACRES, MORE OR LESS.

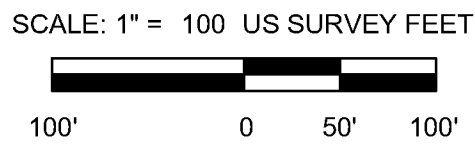
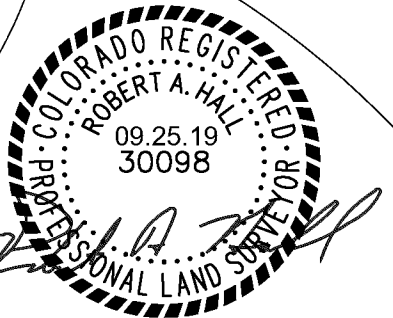
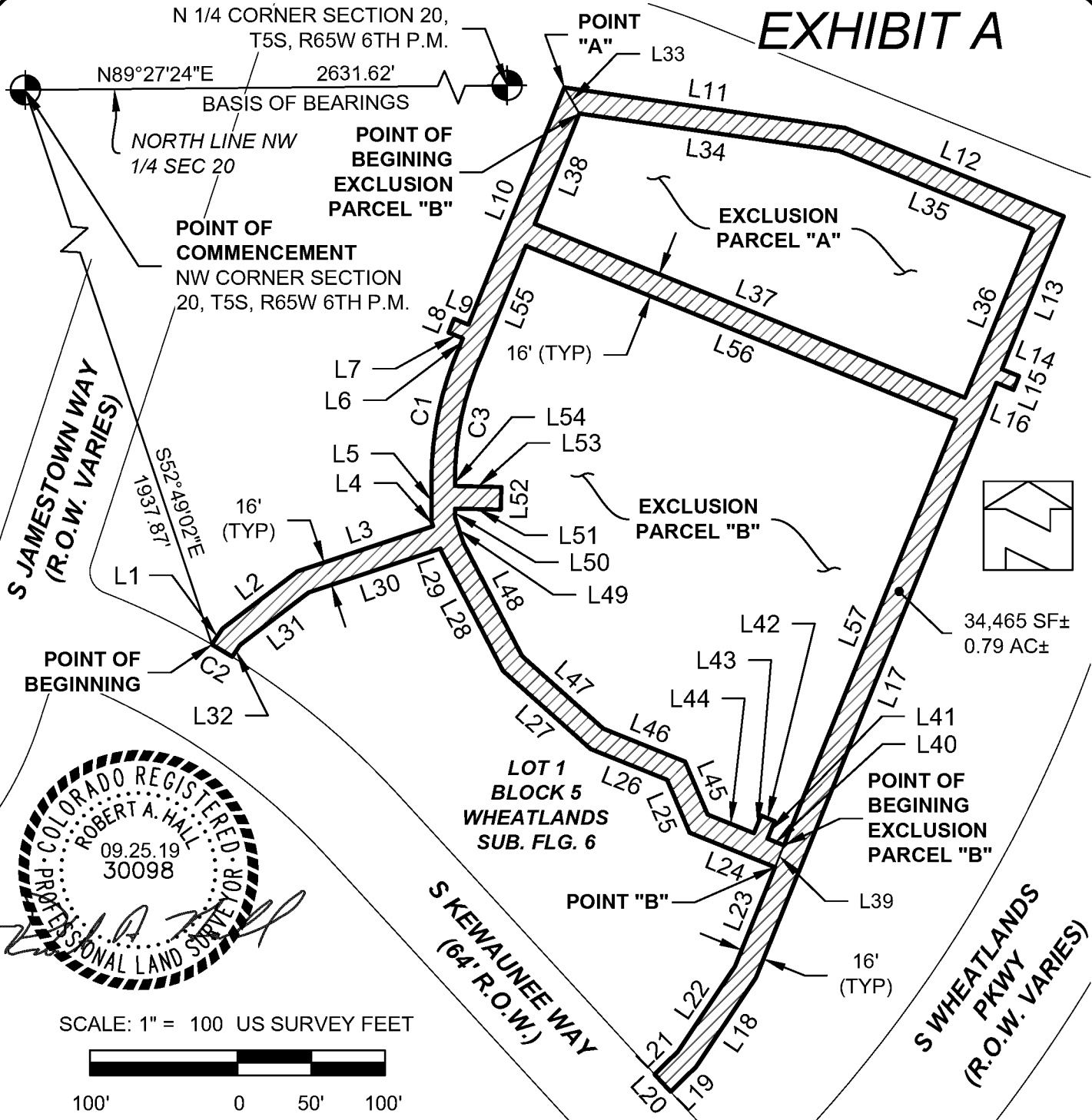
ALL LINEAL DISTANCE UNITS ARE REPRESENTED IN U.S. SURVEY FEET.

THIS LAND DESCRIPTION WAS PREPARED BY AMY BACHER ON 09/25/19, UNDER THE DIRECT SUPERVISION OF ROBERT A. HALL, PLS 30098.

ROBERT A HALL  
P.L.S. NO. 30098  
FOR AND BEHALF OF  
GILLIANS LAND  
CONSULTANTS



# EXHIBIT A



THIS IS NOT A BOUNDARY SURVEY, IMPROVEMENT SURVEY PLAT OR IMPROVEMENT LOCATION CERTIFICATE. IT IS INTENDED ONLY TO DEPICT THE ATTACHED LAND DESCRIPTION.

OWNER: WHEATLANDS PARK AND RECREATION AUTHORITY  
C/O WHITE BEAR ANKELE TANAKA & WALDRON  
2154 E COMMONS AVE, SUITE 2000  
CENTENNIAL, CO 80122

CITY OF AURORA, COLORADO

AN UTILITY EASEMENT SITUATED IN THE NW1/4 SECTION 20, TOWNSHIP 5 SOUTH, RANGE 65 WEST OF THE 6TH P.M., CITY OF AURORA, COUNTY OF ARAPAHOE, STATE OF COLORADO

SCALE: 1"=100'  
DATE: 09-25-19

# EXHIBIT A

LINE TABLE		
LINE	LENGTH	BEARING
L1	12.89'	N33°23'46"E
L2	63.93'	N52°37'12"E
L3	96.92'	N71°32'23"E
L4	3.30'	N18°27'37"W
L5	28.41'	N00°03'30"W
L6	6.45'	N22°00'21"E
L7	10.50'	N67°59'39"W
L8	10.00'	N22°00'21"E
L9	10.50'	S67°59'39"E
L10	173.40'	N22°00'21"E
L11	192.17'	S81°47'56"E
L12	159.92'	S67°59'39"E
L13	111.80'	S22°00'21"W
L14	12.50'	S67°59'39"E
L15	10.00'	S22°00'21"W
L16	12.50'	N67°59'39"W
L17	434.83'	S22°00'21"W
L18	72.80'	S33°50'12"W
L19	24.28'	S45°40'03"W
L20	16.01'	N42°30'59"W
L21	22.11'	N45°40'03"E
L22	69.49'	N33°50'12"E
L23	72.49'	N22°00'21"E
L24	62.50'	N67°59'39"W
L25	38.92'	N22°59'39"W
L26	55.99'	N67°59'39"W
L27	79.55'	N48°15'41"W
L28	90.52'	N27°17'39"W
L29	2.62'	N18°27'37"W

LINE TABLE		
LINE	LENGTH	BEARING
L30	94.26'	S71°32'23"W
L31	58.55'	S52°37'12"W
L32	9.51'	S33°23'46"W
L33	20.33'	S29°53'48"E
L34	177.68'	S81°47'56"E
L35	141.98'	S67°59'39"E
L36	123.10'	S22°00'21"W
L37	314.53'	N67°59'39"W
L38	80.71'	N22°00'21"E
L39	16.00'	N22°00'21"E
L40	11.98'	N67°59'39"W
L41	12.90'	N22°00'21"E
L42	10.00'	N67°59'39"W
L43	12.90'	S22°00'21"W
L44	33.90'	N67°59'39"W
L45	38.92'	N22°59'39"W
L46	59.83'	N67°59'39"W
L47	73.80'	N48°15'41"W
L48	86.33'	N27°17'39"W
L49	18.09'	N18°27'37"W
L50	6.15'	N00°03'30"W
L51	30.98'	S88°35'08"E
L52	15.34'	N01°24'52"E
L53	31.38'	N88°35'08"W
L54	4.33'	N00°03'30"W
L55	80.86'	N22°00'21"E
L56	314.53'	S67°59'39"E
L57	311.38'	S22°00'21"W



**CITY OF AURORA, COLORADO**

AN UTILITY EASEMENT SITUATED IN THE NW1/4 SECTION 20, TOWNSHIP 5 SOUTH, RANGE 65 WEST OF THE 6TH P.M., CITY OF AURORA, COUNTY OF ARAPAHOE, STATE OF COLORADO

SCALE: 1"=100'  
DATE: 09-25-19

# EXHIBIT A

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CH BEARING	CH LENGTH
C1	92.47'	221.74'	23°53'34"	N11°53'17"E	91.80'
C2	16.01'	532.00'	1°43'29"	N58°59'37"W	16.01'
C3	86.05'	205.74'	23°57'45"	N11°55'22"E	85.42'



CITY OF AURORA, COLORADO

AN UTILITY EASEMENT SITUATED IN THE NW1/4 SECTION 20, TOWNSHIP 5 SOUTH, RANGE 65 WEST OF THE 6TH P.M., CITY OF AURORA, COUNTY OF ARAPAHOE, STATE OF COLORADO

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SHEET 5 OF 5