

## MEMORANDUM OF AGREEMENT

PROJECT No.: C14-027  
PARCEL No.: PE-11 & TCE-11

Agreement has been reached between **Yale Park Homeowners Association Inc., a Colorado nonprofit corporation**, (the "Owners") of the property at APN 1973-32-2-15-036, for Parcel Numbers **PE-11 and TCE-11** (the "Properties") Arapahoe County Project No. C14-027, Yale-Holly Corridor Improvements (the "Project"), and the County of Arapahoe (the "County") for the conveyance of one PE and one TCE acquisition (the "Properties") for construction purposes. The legal descriptions and depictions of said Properties are attached hereto as Exhibits 'A'.

The compensation as determined by the appraiser and approved by the County for the acquisition of the Properties is **THIRTY THOUSAND AND 00/100 DOLLARS (\$30,000.00)** including the performance of the terms of this Agreement by the County, the sufficiency of which is hereby acknowledged. The consideration has been agreed upon 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. The Owner and the County also agree to the following:

1. The Owners have entered into this Agreement acknowledging that the County has the power of eminent domain and requires the Property for a public purpose.
2. The consideration set forth herein includes full and just compensation for: a.) all of the Owners' interest, past, present and future; b.) the interest of all lien holders, deed of trust holders and beneficiaries, mortgagees, lessees, and all others with record interest in the Property; and c.) any and all other legal and equitable interests in the Property that now exist.
3. The County will take possession and use of the Property when it deposits the consideration, as set forth above, into an escrow account for the benefit of the Owners, or when the County disburses funds to the County. Transfer of title to the Property shall occur upon performance of any and all terms under this agreement, and release of the payment from escrow to the Owners.
4. The Owner agrees to deliver a signed Public Use Easement Agreement and Temporary Construction Easement and Right-of-Entry conveying the Properties to the County on or before the day of closing. The County agrees to provide the consideration herein specified on or before the day of closing (or by mutual agreement, at an earlier date).
5. The County will pay all closing costs, including the title insurance policy for parcel.
6. The Owner covenants and agrees that no building, structure, or other above or below ground obstruction that may interfere with the purposes aforesaid will be placed, erected, installed or permitted upon the Properties by or through the Owner during the period of construction. The Owner further covenants and agrees that in the event the terms of this paragraph are violated by the undersigned, or any person through it, such violation will be corrected and eliminated within a reasonable time upon receipt of written notice of such violation from the County, or that the County shall have the right, following a reasonable period of time, to correct or eliminate such violation and the Owner and its assigns shall promptly pay the actual cost thereof.



MISSION We serve our community with vital infrastructure and professional government services.



EXHIBIT "A"

**EXHIBIT 'A'**  
Legal Description

**Parcel: PE-11**

A parcel of land, PE-11, lying within property described and recorded at Reception Number A6122117 on September 13<sup>th</sup>, 1996, in the Arapahoe County Clerk and Recorder's Office and being in the Northwest One-Quarter of Section 32, Township 4 South, Range 67 West of the 6th Principal Meridian, County of Arapahoe, State of Colorado, being more particularly described as follows:

Commencing at the Northwest Corner of said Section 32;

Thence S88°50'29"E, a distance of 1,426.19 feet, to a point on the South Right of Way line of East Yale Avenue, being the Point of Beginning;

1. Thence along said South line N89°57'12"E, a distance of 79.56 feet to the East line of the parcel at said Reception number A6122117;
2. Thence along said East line S00°25'42"W, a distance of 8.62 feet;
3. Thence departing said East line S89°55'33"W, a distance of 20.39 feet;
4. Thence S60°48'49"W, a distance of 17.19 feet;
5. Thence S89°57'12"W, a distance of 35.54 feet;
6. Thence N26°45'25"W, a distance of 19.03 feet to a point on said South line and the Point of Beginning;

Containing an area of 1,045 square feet or approximately 0.024 acres, more or less.

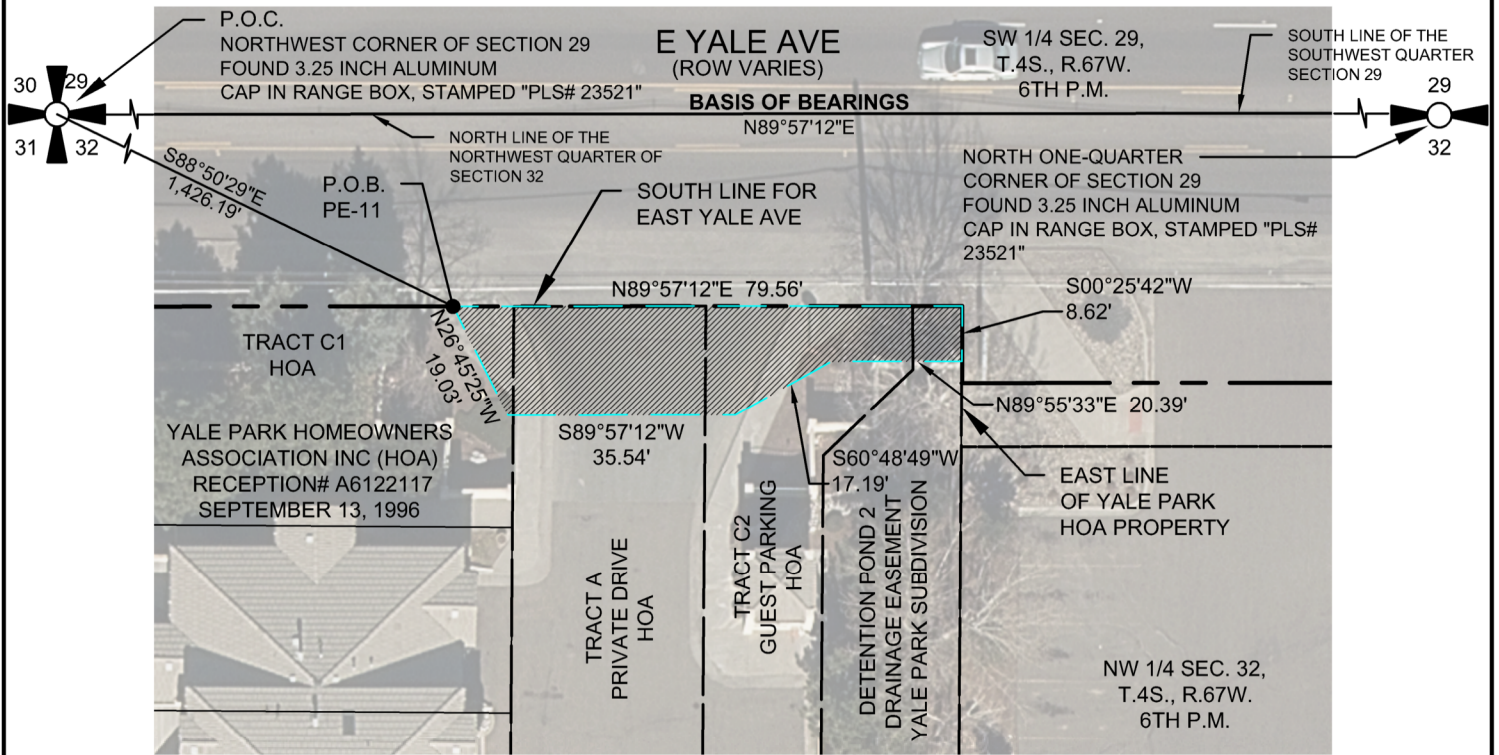
**Basis of Bearings:** Bearings herein are based on the Section line common to the Southwest Quarter of Section 29 and the Northwest Quarter of Section 32, Township 4 South, Range 67 West, of the 6TH P.M., having a Colorado Central Zone NAD 83 (2011) grid bearing of N89°57'12"E, said line being monumented on the west by the Northwest Corner of said Section 32 (a 3.25 inch aluminum cap in a Range Box, PLS 23521), and on the east by the North One-Quarter Corner of said Section 32 (a 3.25 inch aluminum cap in a Range Box, PLS 23521).

Ramon L Sanchez, PLS 38605  
For and on behalf of David Evans and Associates, Inc.  
1600 Broadway Ste 800  
Denver, CO 80202



# EXHIBIT "A"

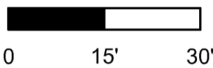
## PERMANENT EASEMENT



### LEGEND



SCALE: 1" = 30'



- EXISTING RIGHT OF WAY
- PE-11 AREA 1,045 SQ. FT. (0.024 ACRES)
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

#### BASIS OF BEARINGS:

Bearings herein are based on the Section line common to the Southwest Quarter of Section 29 and the Northwest Quarter of Section 32, Township 4 South, Range 67 West, of the 6TH P.M., having a Colorado Central Zone NAD 83 (2011) grid bearing of N89°57'12"E, said line being monumented on the west by the Northwest Corner of said Section 32 (a 3.25 inch aluminum cap in a Range Box, PLS 23521), and on the east by the North One-Quarter Corner of said Section 32 (a 3.25 inch aluminum cap in a Range Box, PLS 23521).

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE (3) YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED UPON MORE THAN TEN (10) YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON. C.R.S.13-80-105(3)(a).

NOTICE: THIS LEGAL DESCRIPTION AND/OR GRAPHIC EXHIBIT ARE NOT TO BE DESIGNATED NOR CONSTRUED AS BEING A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT.

<p><b>DAVID EVANS AND ASSOCIATES INC.</b> 1600 Broadway, Suite 800 Denver, CO 80202 Phone: 720.946.0969</p>	PROJECT NO.: CCDN00001042	SHEET NO.: 1 OF 1	<p><b>PERMANENT EASEMENT</b> <b>PE-11</b></p>
	FILE NAME: CCDN1042-SR-ROW-PE11	DRAWN BY: RLSA	
	DATE: 5/10/2024	CHECKED BY: DAJC	<p><b>ARAPAHOE COUNTY</b></p>
	SCALE: 1 INCH=30 FEET	PROJECT MANAGER: DAJC	

**EXHIBIT 'A'**  
Legal Description

**Parcel: TCE-11**

A parcel of land, TCE-11, lying within property described and recorded at Reception Number A6122117 on September 13<sup>th</sup>, 1996, in the Arapahoe County Clerk and Recorder's Office and being in the Northwest One-Quarter of Section 32, Township 4 South, Range 67 West of the 6th Principal Meridian, County of Arapahoe, State of Colorado, being more particularly described as follows:

Commencing at the Northwest Corner of said Section 32;

Thence S88°50'22"E, a distance of 1,423.95 feet, to a point on the South Right of Way line of East Yale Avenue, being the Point of Beginning;

1. Thence along said South line N89°57'12"E, a distance of 2.24 feet;

Thence along the South line of a Permanent Easement (PE-11) the following four courses:

2. Thence S26°45'25"E, a distance of 19.03 feet;
3. Thence N89°57'12"E, a distance of 35.54 feet;
4. Thence N60°48'49"E, a distance of 17.19 feet;
5. Thence N89°55'33"E, a distance of 6.45 feet;
6. Thence departing said South line (PE-11) S00°03'51"E, a distance of 9.70 feet;
7. Thence S89°57'12"W, a distance of 10.22 feet;
8. Thence S00°03'51"E, a distance of 9.78 feet;
9. Thence S89°57'12"W, a distance of 8.96 feet;
10. Thence S22°59'14"W, a distance of 4.22 feet;
11. Thence S89°57'12"W, a distance of 32.99 feet;
12. Thence N00°02'48"W, a distance of 6.47 feet;
13. Thence S89°55'49"W, a distance of 3.78 feet;
14. Thence N12°13'52"W, a distance of 9.44 feet;
15. Thence N26°45'25"W, a distance of 18.25 feet to a point on said South line of East Yale and the Point of Beginning;

Containing an area of 825 square feet or approximately 0.019 acres, more or less.

**Basis of Bearings:** Bearings herein are based on the Section line common to the Southwest Quarter of Section 29 and the Northwest Quarter of Section 32, Township 4 South, Range 67 West, of the 6TH P.M., having a Colorado Central Zone NAD 83 (2011) grid bearing of N89°57'12"E, said line being monumented on the west by the Northwest Corner of said Section 32 (a 3.25 inch aluminum cap in a Range Box, PLS 23521), and on the east by the North One-Quarter Corner of said Section 32 (a 3.25 inch aluminum cap in a Range Box, PLS 23521).

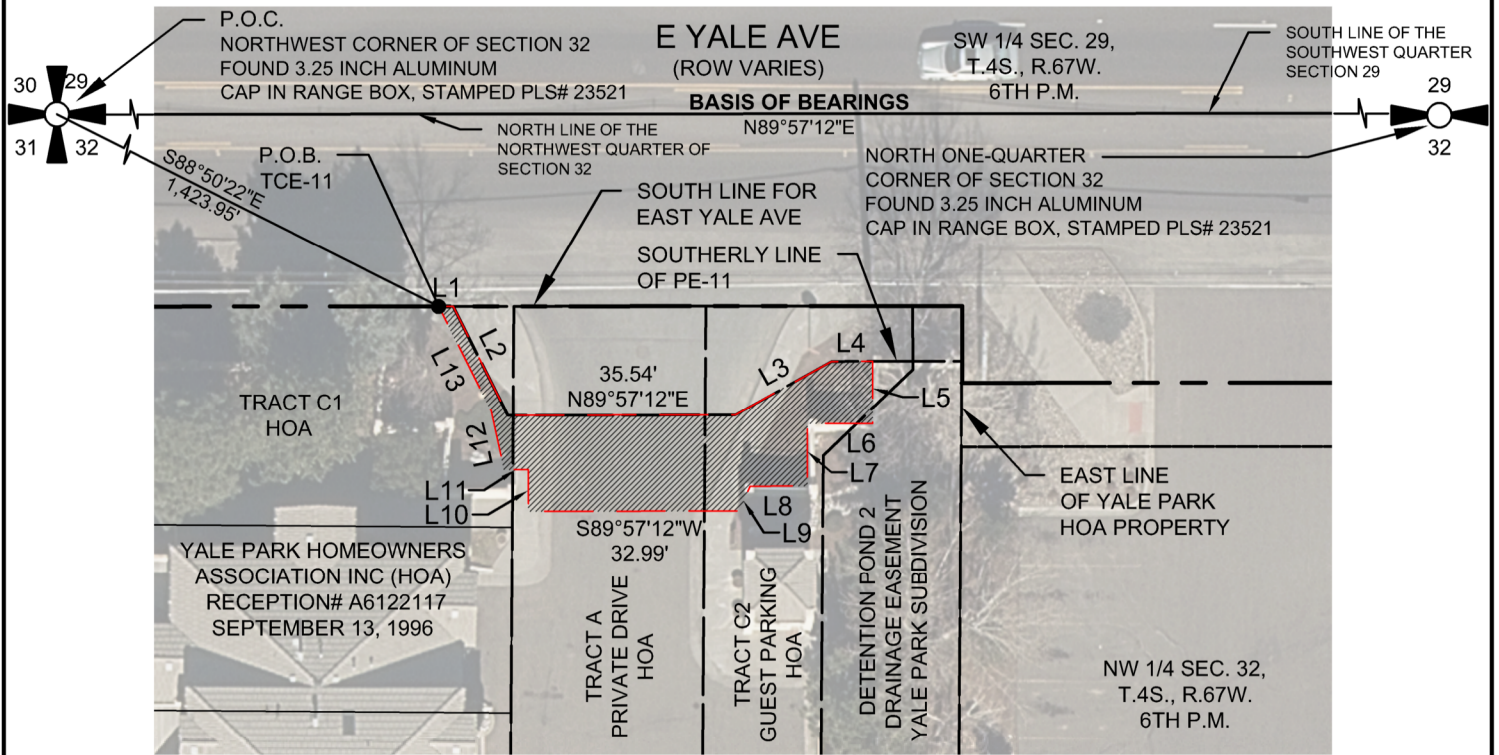
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Denver, CO 80202


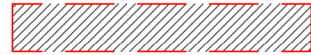




# EXHIBIT "A"

## TEMPORARY CONSTRUCTION EASEMENT

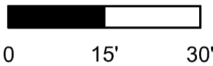


### LEGEND

-  EXISTING RIGHT OF WAY
-  TCE-11 AREA 825 SQ. FT. (0.019 ACRES)
-  P.O.B.
-  P.O.C.
-  POINT OF BEGINNING
-  POINT OF COMMENCEMENT



SCALE: 1" = 30'



LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°57'12"E	2.24'
L2	S26°45'25"E	19.03'
L3	N60°48'49"E	17.19'
L4	N89°55'33"E	6.45'
L5	S0°03'51"E	9.70'
L6	S89°57'12"W	10.22'
L7	S0°03'51"E	9.78'
L8	S89°57'12"W	8.96'
L9	S22°59'14"W	4.22'
L10	N0°02'48"W	6.47'
L11	S89°55'49"W	3.78'
L12	N12°13'52"W	9.44'
L13	N26°45'25"W	18.25'

### BASIS OF BEARINGS:

Bearings herein are based on the Section line common to the Southwest Quarter of Section 29 and the Northwest Quarter of Section 32, Township 4 South, Range 67 West, of the 6TH P.M., having a Colorado Central Zone NAD 83 (2011) grid bearing of N89°57'12"E, said line being monumented on the west by the Northwest Corner of said Section 32 (a 3.25 inch aluminum cap in a Range Box, PLS 23521), and on the east by the North One-Quarter Corner of said Section 32 (a 3.25 inch aluminum cap in a Range Box, PLS 23521).

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TEMPORARY CONSTRUCTION  
EASEMENT  
TCE-11

ARAPAHOE COUNTY