

MEMORANDUM OF AGREEMENT

PROJECT No.: C14-027

PARCEL No.: ROW-1

Agreement has been reached between **James E. Riley**, (the "Owner") of the property at 2801 S. Holly Place, Denver, CO 80222, for Parcel Number **ROW-1** (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 fee acquisition (the "Properties") for construction purposes. The legal descriptions of said Properties are attached hereto as Exhibits "A" and depicted in Exhibit "B".

The compensation as determined by the appraiser and approved by the County for the acquisition of the Properties is **FIVE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$5,500.00)** 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 Owner has 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 Owner's 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 Owner, 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 Owner.
4. The Owner agrees to deliver a signed Warranty Deed 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.

7. This Agreement consists of all agreements, understandings and promises between the Owner and the County and shall be deemed a contract binding upon the Owner's and the County and extending to the successors and assigns.

8. This Agreement has been entered into in the State of Colorado and shall be construed according to the laws thereof.

APPROVED:

OWNER:

By: James E. Riley
James E. Riley

STATE OF Colorado }
COUNTY OF Denver } ss.

The foregoing instrument was acknowledged before me this 26th day of February, 2025, by James E. Riley.

Witness my hand and official seal.

My commission expires 8/26/2026

[Signature]
Notary Public



By: Bryan D. Weimer
Bryan D. Weimer, PWLF
Director, Arapahoe County Public Works and Development
Pursuant to Resolution No. 24-077



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EXHIBIT "A"

EXHIBIT 'A'
Legal Description

Parcel: ROW-1

A parcel of land, ROW-1, lying within property described and recorded at Reception Number B9080536 on July 24th, 2009, 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 S85°58'46"E, a distance of 422.97 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 2.10 feet to a point on the West Right of Way line of South Holly Street;
2. Thence along said West line S48°30'49"E, a distance of 23.24 feet;
3. Thence departing said West line S89°41'33"W, a distance of 6.47 feet to a point on the East Right of Way line of Highline Canal;
4. Thence along said East line N40°20'36"W, a distance of 8.39 feet to a point of tangency;
5. Thence following said East line along a curve to the right with a radius of 1407.40 feet, a delta angle of 0°28'51", an arc length of 11.81 feet and whose long chord bears N40°06'10"W for 11.81 feet to a point on said South line and the Point of Beginning.

Containing an area of 67 square feet or approximately 0.0015 acres, more or less.

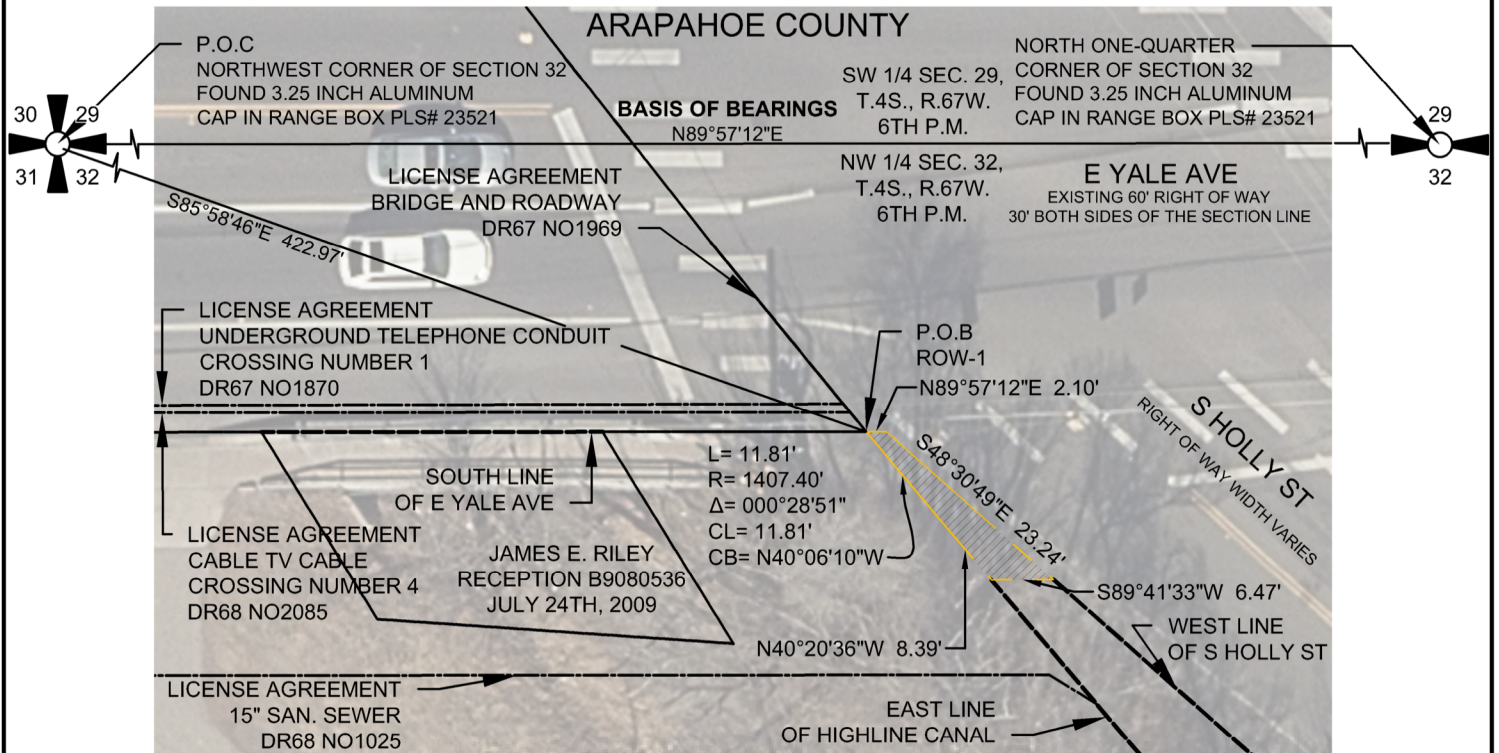
Basis of Bearings: Bearings herein are based on the Section line common to the Southwest Quarter of Section 29 and the Northwest Quarter of Section 32, Township 4 South, Range 67 West, of the 6TH P.M., having a Colorado Central Zone NAD 83 (2011) grid bearing of N89°57'12"E, said line being monumented 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"

RIGHT OF WAY ACQUISITION



SCALE: 1" = 20'



0 10' 20'

LEGEND

	PROPOSED RIGHT OF WAY
	EXISTING RIGHT OF WAY
	EXISTING EASEMENT CENTERLINE
	EXISTING EASEMENT BOUNDARY
	ROW-1 AREA 67 SQ. FT. (0.0015 ACRES)
	P.O.B. POINT OF BEGINNING
	P.O.C. POINT OF COMMENCEMENT

CURVE ABBREVIATIONS

L=ARC LENGTH	CL=CHORD LENGTH	Δ=DELTA ANGLE
R=RADIUS	CB=CHORD BEARING	

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.



**DAVID EVANS
AND ASSOCIATES INC.**

1600 Broadway, Suite 800
Denver, CO 80202
Phone: 720.946.0969

PROJECT NO.:	CCDN00001042	SHEET NO.:	
FILE NAME:	CCDN1042-SR-ROW-ROW-1	DRAWN BY:	
DATE:	5/16/2024	CHECKED BY:	
SCALE:		PROJECT MANAGER:	

**RIGHT OF WAY ACQUISITION
ROW-1**

ARAPAHOE COUNTY, CO