

RELEASE OF EASEMENT

WHEREAS, THE CLAYTON FOUNDATION, as Trustee for the George W. Clayton Trust, a Colorado Trust ("Foundation"), is the record owner in fee simple of approximately 156 acres of certain lands located within the City and County of Denver, as more particularly described in Exhibit A (the "Golf Course Land"); and

WHEREAS, a regulation-length 18-hole daily fee public golf course known as the Park Hill Golf Course is presently located and operated on the Golf Course Land; and

WHEREAS, THE CITY AND COUNTY OF DENVER, a municipal corporation of the State of Colorado ("Denver") acquired a conservation easement upon the Golf Course Land on November 4, 1997, which was recorded with the Denver Clerk and Recorder's Office (the "Easement"); and

WHEREAS, Denver no longer has a need or desire to hold the Easement since it will beneficially own the Golf Course land.

NOW THEREFORE, in consideration of these premises above and execution of the Agency Agreement between Denver and the Foundation, on this 13<sup>th</sup> day of OCTOBER, 2000, Denver hereby releases, remises, cancels, and forever discharges all of the rights, title, and interest which it had under and by virtue of the aforesaid Easement in the real estate described therein.

THE CITY AND COUNTY OF DENVER



Wally E. Smith  
Mayor

ATTEST:

By: Rosemary Rodriguez  
Rosemary Rodriguez, Clerk and Recorder

APPROVED AS TO FORM:

J. Wallace Wortham, Jr.  
City Attorney

Pat A. Wells  
Assistant City Attorney

**LEGAL DESCRIPTION OF GOLF COURSE LAND**  
(excluding 14-acre Commercial Parcel)

A PARCEL OF LAND IN THE SOUTHWEST ONE-QUARTER OF SECTION 19 AND THE NORTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SECTION 30, ALL IN TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 67 WEST; THENCE NORTH  $89^{\circ}40'10''$  EAST ALONG THE SOUTHERLY LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 19 A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH  $00^{\circ}04'08''$  WEST ALONG A LINE 50.00 FEET EASTERLY OF AND PARALLEL WITH THE WESTERLY LINE OF THE SOUTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 19 A DISTANCE OF 909.31 FEET; THENCE NORTH  $03^{\circ}44'42''$  EAST A DISTANCE OF 150.33 FEET; THENCE NORTH  $00^{\circ}04'08''$  WEST ALONG A LINE 60.00 FEET EASTERLY OF AND PARALLEL WITH THE WESTERLY LINE OF THE SOUTH ONE-HALF OF THE SOUTHWEST ONE QUARTER OF SECTION 19 A DISTANCE OF 175.00 FEET; THENCE THE FOLLOWING (5) COURSES:

- 1) NORTH  $44^{\circ}57'00''$  EAST A DISTANCE OF 91.95 FEET;
- 2) NORTH  $89^{\circ}56'36''$  EAST A DISTANCE OF 290.00 FEET;
- 3) NORTH  $00^{\circ}04'44''$  WEST A DISTANCE OF 115.00 FEET;
- 4) NORTH  $89^{\circ}55'48''$  EAST A DISTANCE OF 1025.05 FEET;
- 5) NORTH  $00^{\circ}04'45''$  WEST A DISTANCE OF 1114.17 FEET TO ITS

INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SMITH ROAD AND A POINT OF NON-TANGENT CURVATURE; THENCE THE FOLLOWING (3) COURSES ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SMITH ROAD:

- 1) ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 5607.93 FEET, A CENTRAL ANGLE OF  $09^{\circ}02'08''$  AND AN ARC LENGTH OF 884.37 FEET (THE CHORD OF WHICH BEARS SOUTH  $84^{\circ}28'25''$  EAST A DISTANCE OF 883.46 FEET) TO A POINT OF NON-TANGENCY;

- 2) SOUTH  $80^{\circ}43'42''$  EAST A DISTANCE OF 89.72 FEET;

- 3) SOUTH  $79^{\circ}58'45''$  EAST A DISTANCE OF 28.82 FEET;

THENCE SOUTH  $00^{\circ}09'32''$  EAST ALONG A LINE 50.00 FEET WESTERLY OF AND PARALLEL WITH THE EASTERLY LINE OF THE SOUTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 19 A DISTANCE OF 1086.52 FEET; THENCE SOUTH  $00^{\circ}09'08''$  EAST ALONG A LINE 50.00 FEET WESTERLY OF AND PARALLEL WITH THE EASTERLY LINE OF THE SOUTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF SECTION 19 A DISTANCE OF 1324.84 FEET; THENCE, SOUTH  $00^{\circ}08'13''$  EAST ALONG A LINE 50.00 FEET WESTERLY OF AND PARALLEL WITH THE EASTERLY LINE OF THE NORTH

**EXHIBIT A**

ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SECTION 30 A DISTANCE OF 2.96 FEET; THENCE THE FOLLOWING (3) COURSES:

- 1) NORTH 82°31'11" WEST A DISTANCE OF 28.58 FEET;
- 2) SOUTH 89°39'27" WEST A DISTANCE OF 483.58 FEET;
- 3) SOUTH 00°37'56" EAST A DISTANCE OF 1264.16 FEET;

THENCE SOUTH 89°38'54" WEST ALONG A LINE 59.00 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTHERLY LINE OF THE NORTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 30 A DISTANCE OF 1891.72 FEET; THENCE NORTH 00°00'00" WEST ALONG A LINE 50.00 FEET EASTERLY OF AND PARALLEL WITH THE WESTERLY LINE OF THE NORTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 30 A DISTANCE OF 1263.62 FEET TO THE POINT OF BEGINNING.

RETURN TO:

ATTN: \_\_\_\_\_  
DENVER, COLORADO 80202  
1437 BANNOCK STREET, ROOM 323  
DENVER CITY ATTORNEY'S OFFICE