

This deed, made this sixth day of October in the year of our Lord one thousand nine hundred and thirty-seven, between

JAMES D. CANARY of the City and County of Denver and State of Colorado, of the first part, and CITY AND COUNTY OF DENVER, a municipal corporation of the State of Colorado, of the second part;

Witnesseth, that the said parties of the first part, for and in consideration of the sum of Sixteen Hundred Fifty-eight (\$1658.00) Dollars, to the said parties of the first part in hand paid by the said party of the second part, the receipt whereof is hereby recited and acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm, unto the said party of the second part, its successors and assigns forever, all the following described parcel of land, situate, lying and being in the City and County of Denver and State of Colorado, to-wit:

Parcel No. 31

That part of the East half (1/2) of the East half (1/2) of Section Thirty-four (34), Township Four (4) South, Range Sixty-seven (67) West of the 6th P.M., described as follows: Beginning at the Southeast corner of the Northeast quarter (1/4) of the Southeast quarter of said Section Thirty-four (34); thence South along the East line of said Section Thirty-four (34) a distance of Four Hundred Twenty (420) feet to a point; thence northwesterly along a straight line to the northwest corner of the South half (1/2) of the Southeast quarter (1/4) of the Northeast quarter (1/4) of said Section; thence East along the North line of said South half (1/2) of the Southeast quarter (1/4) of the Northeast quarter (1/4) to the Northeast corner thereof; thence South along the East line of said Section to place of beginning, containing 36.45 acres more or less.

Together with all and singular the hereditaments and appurtenances thereto belonging, or in any wise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the said parties of the first part, in law or in equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

Do have and to hold the said premises above bargained and described, with the appurtenances, unto the said party of the second part, its successors and assigns forever. And the said parties of the first part, for themselves, their heirs, executors, and administrators do remise, quit, bargain and agree to and with the said party of the second part, its successors and assigns, that at the time of the executing and delivery of these presents, they are well seized of the premises above conveyed, as of good, sure, perfect, absolute and unfeigned estate of inheritance, in law, in fee simple, and have good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid, and that the same are free and clear from all former and other debts, mortgages, sales, liens, taxes, assessments and incumbrances of whatever kind and nature soever.

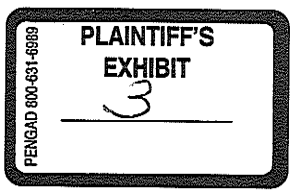
and the above bargained premises in the quiet and peaceable possession of the said party of the second part, its successors and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said parties of the first part shall and will WARRANT AND FOREVER DEFEND.

In Witness Whereof, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of
[Signature] (SEAL)
[Signature] (SEAL)
[Signature] (SEAL)

STATE OF COLORADO, County of Denver
I, *[Name]*, a Notary Public in and for the State of Colorado, do hereby certify that the foregoing instrument was acknowledged before me this *7* day of October, 1937, by *James D. Canary*, and that the same is a true and correct copy of the original as the same appears from the records of my office.
Witness my hand and official seal, this *5* day of *January*, 1937. *George Crane*
Notary Public.

Form Approved - UNITED STATES DEPARTMENT OF JUSTICE
By *[Signature]* Attorney
Description O.K. *C. Estell*

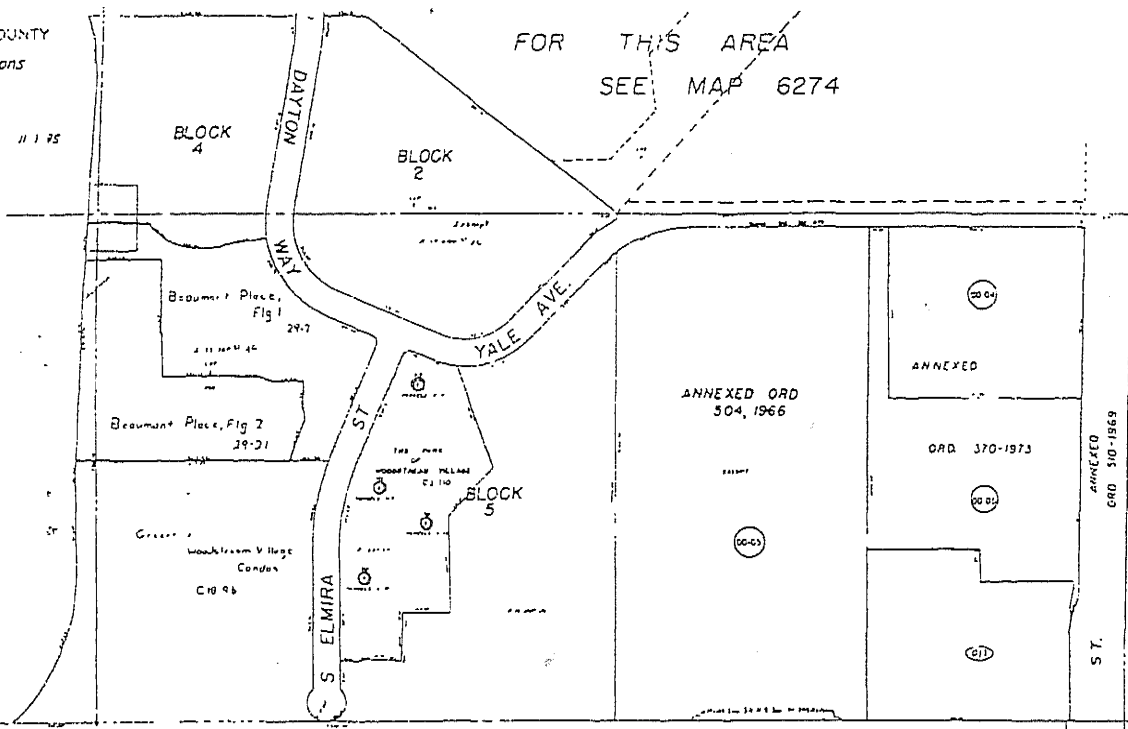


VER COUNTY
Revisions

11/175

FOR THIS AREA
SEE MAP 6274

6341
74A
91A
91B
144A



**PLAINTIFF'S
EXHIBIT**
4

PENGAD 800-631-6088

FOR THIS AREA HAMPDEN HEIGHTS
4TH FILING SEE MAP 740-6344
17-25X

*map confirmed
By S M Queen & Landtitle
By Deed Recorded in Book 379
at Page 55*

THIS PARCEL NOT TO SCALE
EXEMPT

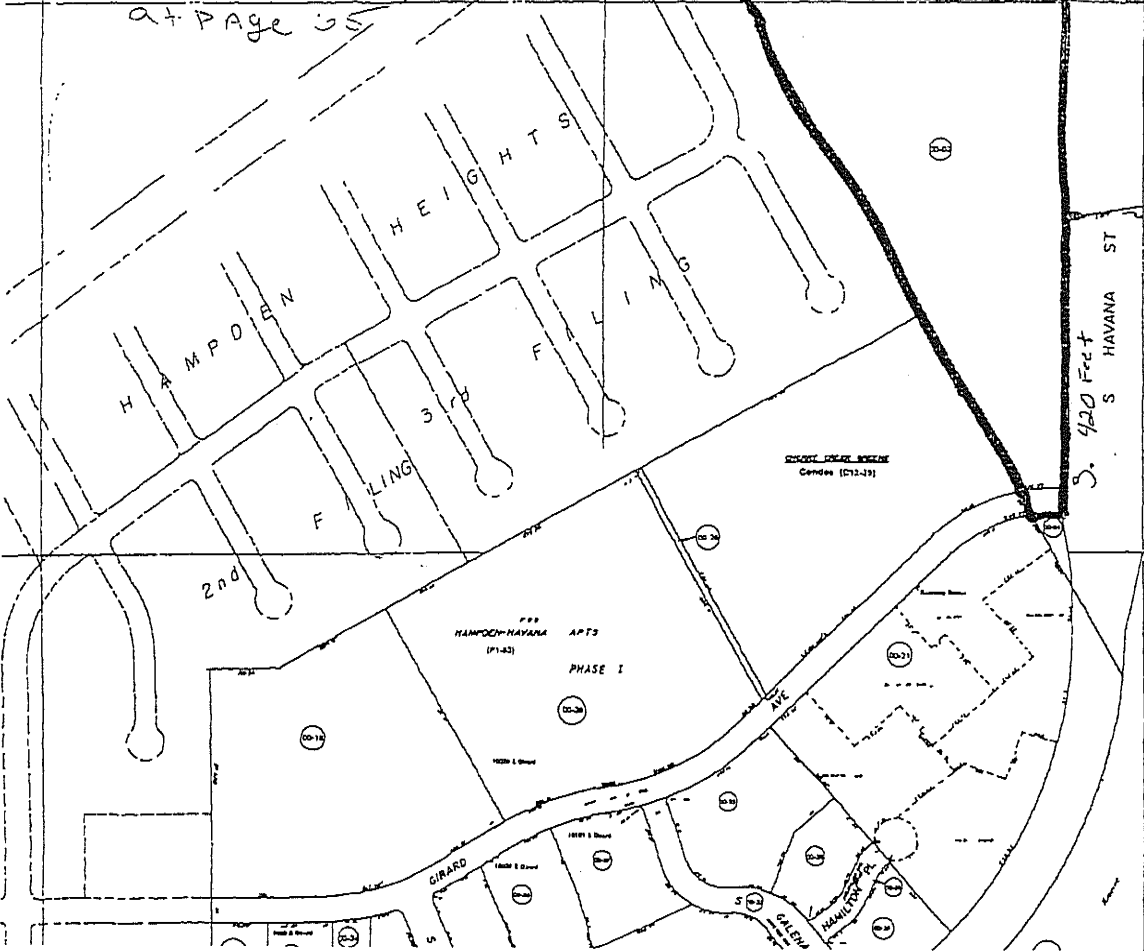
NE 1/4

**Denver
Assessing**

6345

SE 1/4

Point of Beginning



L11622 DV 4567W345000.001
sta, Inc. All Rights Reserved. Warning This is also trade secret material

BY AUTHORITY

ORDINANCE NO. 170

COUNCIL BILL NO. CB13-0171

SERIES OF 2013

COMMITTEE OF REFERENCE:

Government & Finance



A BILL

For an ordinance approving a proposed Contract to Exchange Property between the City and County of Denver and School District No. 1 in the City and County of Denver and State of Colorado ("DPS"), to exchange property which DPS owns located at 1330 Fox Street and land which the City owns approximately located at the intersection of East Girard Street and South Havana Street.

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. The proposed Contract to Exchange Property between the City and County of Denver and School District No. 1 in the City and County of Denver and State of Colorado ("DPS"), in the words and figures contained and set forth in that form of Contract to Exchange Property available in the office and on the web page of City Council, and to be filed in the office of the Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver, under City Clerk's Filing No. 2013-0264, is hereby approved.

COMMITTEE APPROVAL DATE: March 13, 2013

MAYOR-COUNCIL DATE: March 19, 2013

PASSED BY THE COUNCIL: April 1, 2013

Mary Beth Johnson

- PRESIDENT

APPROVED: [Signature], 2013

- MAYOR

ATTEST: [Signature] - CLERK AND RECORDER,
EX-OFFICIO CLERK OF THE
CITY AND COUNTY OF DENVER

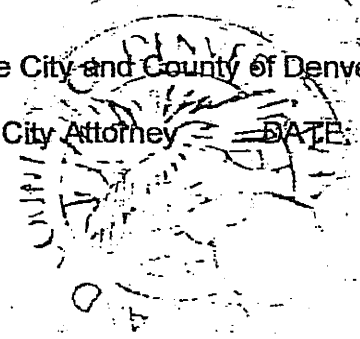
NOTICE PUBLISHED IN THE DAILY JOURNAL: Mar 29, 2013; April 5, 2013

PREPARED BY: Jo Ann Weinstein, Assistant City Attorney DATE: March 21, 2013

Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed ordinance. The proposed ordinance is submitted to the City Council for approval pursuant to § 3.2.6 of the Charter.

Douglas J. Friednash, City Attorney for the City and County of Denver

BY: [Signature], Assistant City Attorney DATE: 21 Mar, 2013



LEGAL DESCRIPTION

A parcel of land in the Northeast Quarter and Southeast Quarter of Section 34, Township 4 South, Range 67 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:


For the purposes of this description the bearings are based on the City and County of Denver map projection, with the easterly line of the Northeast Quarter of Section 34, Township 4 South, Range 67 West, bearing North 00°26'41" East, a distance of 2639.69 feet, monumented by a 1" Iron Rod in a Denver Range Box at the Southeast Corner of said Northeast Quarter and a 3" Brass Cap in a City of Aurora monument box at the Northeast Corner of said Northeast Quarter.

- Commencing at the Northeast Corner of the Southeast Quarter of Section 34;
- THENCE North 89°37'07" West, a distance of 166.51 feet, along the northerly line of the Southeast Quarter of said Section 34;
- THENCE South 01°12'19" West, a distance of 350.48 feet, along the westerly right of way line of Havana Street, also being State Highway 30 to the POINT OF BEGINNING;
- THENCE South 01°12'19" West, a distance of 799.81 feet, along said westerly right of way line to a point of curvature;
- THENCE along a curve to the right, with a radius of 15.04 feet, an arc length of 23.62 feet, having a delta angle of 89°58'08", with a chord bearing of South 46°11'23" West, and a chord length of 21.26 feet, being the northerly right of way line of Girard Avenue, as describe in Ordinance No. 81, Series of 1972, to a point of reverse curvature;
- THENCE along a reverse curve to the left, with a radius of 430.00 feet, an arc length of 117.75 feet, having a delta angle of 15°41'21", with a chord bearing of South 83°19'46" West, and a chord length of 117.38 feet, continuing along said northerly right of way;
- THENCE North 28°29'23" West, a distance of 1379.40 feet, along the northeasterly line of Cherry Creek Greens, P.B.G and along the northeasterly line of Block 21, Hampden Heights Third Filing;
- THENCE North 61°32'58" East, a distance of 263.38 feet;
- THENCE South 28°29'23" East, a distance of 363.47 feet;
- THENCE North 66°30'43" East, a distance of 118.88 feet;
- THENCE South 27°01'58" East, a distance of 180.00 feet;
- THENCE South 69°50'26" East, a distance of 224.70 feet, to the POINT OF BEGINNING.

Containing an area of 469,181 Square Feet, or 10.771 Acres, more or less

ASI JOB NO.: 2306-019.1
 DATED: March 20, 2013
 For and on Behalf of ALTA SURVEYING, Inc.
 2603 Payne Ct
 Erie CO 80516
 303-726-3939
 John A. Dickson, PLS 28649



JOB NO.: 2306-022	NE 1/4 & SE 1/4 SEC. 34, T-4-S, R-67-W CITY & COUNTY OF DENVER	
SCALE: 1" = 200'		<small>2603 PAYNE CT. ERIE, CO 80516</small>
DATE: 3/20/13		<small>PH. 303-726-3939 FAX 720-200-9453</small>
SURVEYOR: JD		
DRAWN BY: JD		