

THIS INDENTURE, made this 1st day of December, 1959, WITNESSETH: That THE COLORADO AND SOUTHERN RAILWAY COMPANY, a corporation incorporated and existing under the laws of the State of Colorado, party of the first part, for and in consideration of the sum of One and No/100 Dollars (\$1.00) to it in hand paid by the Grantee, named below, the receipt whereof is hereby acknowledged, has granted and conveyed, and does hereby grant and convey to THE DEPARTMENT OF HIGHWAYS OF THE STATE OF COLORADO, party of the second part, the permanent right, privilege, and easement to locate, construct, use, and maintain a highway grade separation structure and overpass over and above the parcel of land located in the City and County of Denver, State of Colorado, and described on the print, dated October 10, 1957, attached hereto and made a part hereof (and on which said parcel of land is shown hatched and tinted in yellow) together with the permanent right, privilege, and easement to locate, construct, and maintain all piers, foundations, abutments, and supports on said parcel of land as may be necessary for said grade separation and overpass.

Said grant and conveyance, however, is hereby made expressly subject to each of the following reservations, provisions, and conditions, to each of which the party of the second part hereby agrees by accepting this deed, to-wit:

Reserving to the party of the first part for itself, its successors, and assigns, the right to use said parcel of land for railroad purposes and for all other uses whatsoever which are not inconsistent with the rights herein granted, including, but not limited to, the right to maintain, use, and operate the railroad tracks now located thereon, and hereafter to lay down, construct, maintain, use and operate all such additional railroad tracks on said parcel of land as said Railway Company or its successors or assigns from time to time shall elect or desire to construct; and to operate, run, and move all locomotives, cars, and trains upon any and all such tracks now or hereafter constructed.

In the event the use of said parcel of land shall be abandoned for a highway grade separation structure and overpass, all the rights, privileges, and easements hereby granted and conveyed, shall thereby be extinguished and shall thereupon cease to exist, and all of the same shall thereby become merged back into the title of said Railway Company, or its successors or assigns; and the continuous failure to use said parcel of land for a highway grade separation structure for a continuous period of five (5) years shall be conclusive evidence of the discontinuance of said use.

IN WITNESS WHEREOF said Railway Company has caused this indenture to be executed and to have its seal hereto affixed, by its officers thereunto duly authorized.

Attest:

THE COLORADO AND SOUTHERN RAILWAY COMPANY

By J. K. Kersch  
Vice President

[Signature]  
Secretary

APPROVED:

DEC-14-60 6 8 0 5 7 4 1ST-2-1960 3.75

As to Form:

J. C. Stout  
Law Department

As to Property Interests:

[Signature]  
Land and Tax Department

As to Description:

E. A. Goshorn  
Engineering Department

EX-100

STATE OF COLORADO  
COUNTY OF DENVER  
FILED IN MY OFFICE ON  
DEC 14 3 44 PM '60  
8608 598  
LOUIS S. SMITH  
CLERK

034050

STATE OF Illinois  
County of Cook ss.

The foregoing instrument was acknowledged before me this 1st day of December, 1959, by J. K. Kersch and [Signature] as Vice President and Secretary, of The Colorado and Southern Railway Company, a corporation.

R. W. SMITH

Notary Public, Cook County, Ill.  
My Commission Expires March 31, 1961

Witness my hand and official seal.

[Signature]  
Notary Public

8608 600  
34050

THE COLORADO AND SOUTHERN RAILWAY COMPANY

Street Widening  
Proposed Easement

To  
DEPARTMENT OF HIGHWAYS  
STATE OF COLORADO

For  
Valley Highway Twin Bridges

Near  
Intersection of Platte River and Tejon St. (Ext.)  
Denver, Colorado  
Scale 1" = 100'

Office of Asst. Chief Engineer  
Denver, Colorado October 16, 1957

LEGAL

Proposed Easement

Description

A tract or parcel of land in the Northwest Quarter (NW 1/4) of Section Nine (9), Township Four South, Range Sixty-eight West (T.4 S., R.68 W.), of the 6th Principal Meridian, more particularly described as follows:

Beginning at a point from which the northeast corner of the Northeast Quarter of the Northwest Quarter (NE 1/4, NW 1/4) of Section Nine (9), Township Four South, Range Sixty-eight West (T.4 S., R.68 W.), bears north  $0^{\circ}40'30''$  west a distance of 959.1 feet;

Thence south  $20^{\circ}51'30''$  west, a distance of forty and seven-tenths (40.7) feet;

Thence south  $23^{\circ}53'$  west, a distance of 127.4 feet;

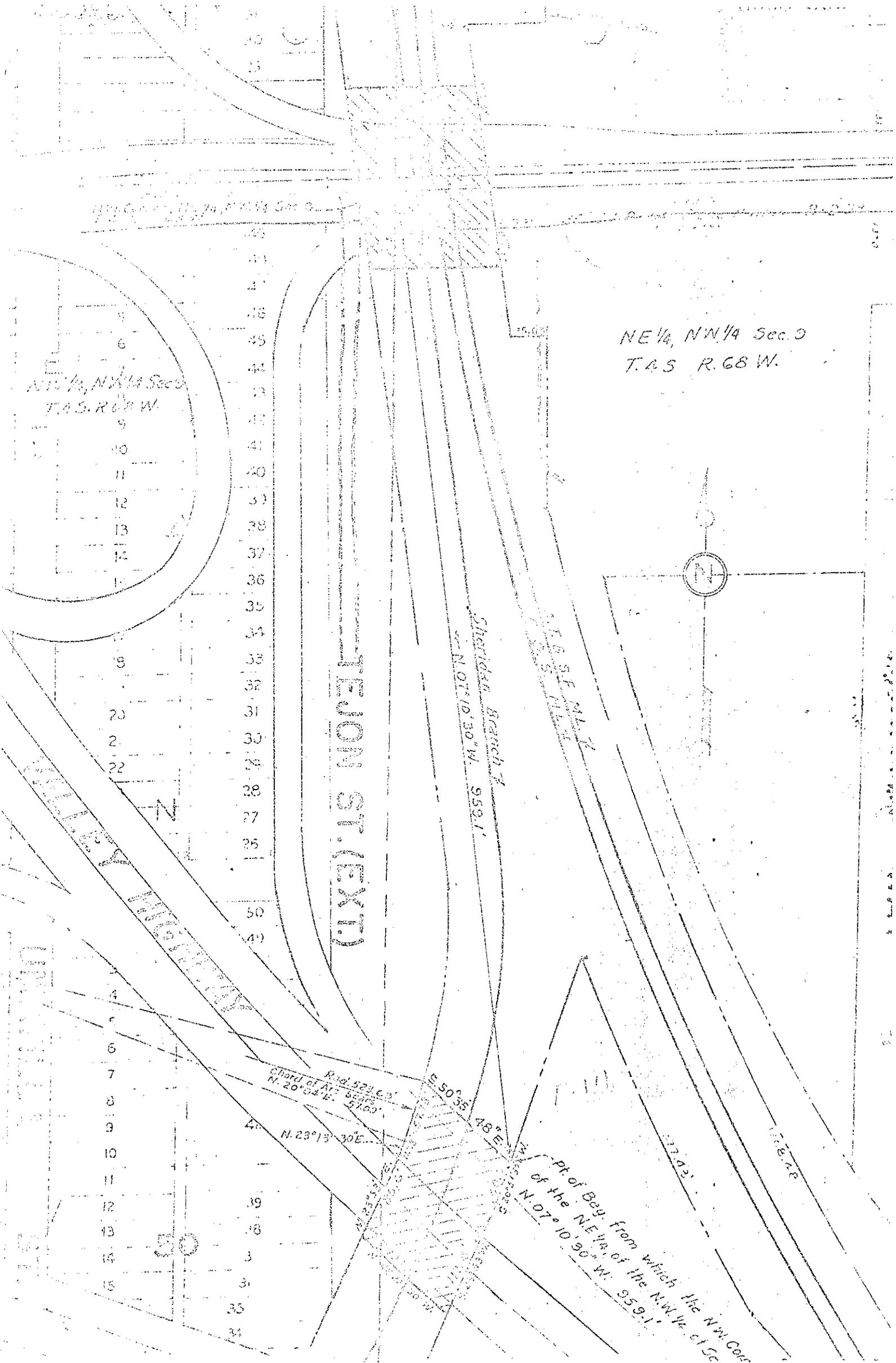
Thence north  $43^{\circ}29'30''$  west, a distance of 204.9 feet;

Thence north  $23^{\circ}53'$  east, a distance of eighty-five and six-tenths (85.6) feet, more or less;

Thence north  $23^{\circ}13'30''$  east, a distance of eleven and ninety-eight hundredths (11.98) feet, more or less;

Thence northeasterly along the arc of a curve to the left with a radius of 523.69 feet, a distance of fifty-seven and seventy-eight hundredths (57.78) feet (the chord of which arc bears north  $20^{\circ}01'$  east, a distance of fifty-seven and nine hundredths (57.09) feet);

Thence south  $50^{\circ}35'48''$  east to the point of beginning, containing 16,210 square feet, more or less.



NE 1/4, NW 1/4 Sec. 3  
T. 4 S. R. 68 W.

NE 1/4, NW 1/4 Sec. 3  
T. 4 S. R. 68 W.

TEJON ST. (EXT.)

Sharidan Branch  
N 07° 10' 30" W. 959.1'

Chord of Arc  
N 20° 04' E. 516.0'

Pt. of Bay from which the N.W. Corner  
of the NE 1/4 of the NW 1/4 of Sec. 3 bears  
N 07° 10' 30" W. 959.1'

6308 600  
34050

THE COLORADO AND SOUTHERN RAILWAY COMPANY  
Sketch Showing  
Proposed Assessment  
To  
DEPARTMENT OF HIGHWAYS