

O-2009-19

AN ORDINANCE

REZONING PARCELS OF LAND LOCATED WITHIN THE COLFAX LAKEWOOD REINVESTMENT AUTHORITY BOUNDARIES, EXCEPT THOSE CURRENTLY ZONED TRANSIT MIXED USE, THROUGH A LEGISLATIVE REZONING FROM THE PARCELS' CURRENT ZONE DISTRICT CLASSIFICATIONS TO THE COLFAX MIXED USE (CMU) ZONE DISTRICT.

WHEREAS, the City of Lakewood is a home rule city of the State of Colorado with full authority to legislate in matters of local concern such as zoning and land use matters; and

WHEREAS, the City of Lakewood has adopted the West Colfax Avenue Action Plan, as an amendment to the City's Comprehensive Plan, which Plan is filed with the City Clerk and available for public inspection during regular office hours; and

WHEREAS, it is necessary to rezone areas along and in the vicinity of Colfax Avenue to implement the City's vision as identified in the West Colfax Avenue Action Plan; and

WHEREAS, The City of Lakewood has adopted Article 19 of the Zoning Ordinance, know as the Colfax Mixed Use (CMU) Zone District; and

WHEREAS, the City of Lakewood has initiated a legislative rezoning of the property located within the Lakewood Reinvestment Authority boundaries along Colfax Avenue, with the exception of those currently zoned TMU in conformance with the City's Zoning Ordinance, Section 17-17-8; and

WHEREAS, the legislative rezoning will affect more than fifty (50) individual properties; and

WHEREAS, the City of Lakewood has held two public open houses to inform property owners and residential and business tenants within the legislative rezoning boundaries of the benefits of the CMU zoning designation; and

WHEREAS, the City of Lakewood has provided courtesy notice of the Planning Commission rezoning public hearing and the City Council rezoning public hearing by sending notice by first class mail to the owners of record of the properties to be rezoned, by placement of public notice signs within the rezoning boundaries and by providing information regarding the rezoning on the City's website; and

WHEREAS, the Planning Commission conducted a public hearing on April 15, 2009, and voted 7 to 0 to recommend that the City Council approve the legislative rezoning; and

WHEREAS, the map depicting the parcels to be rezoned, a copy of which is attached hereto as Exhibit A, is on file with the City Clerk and is available for public inspection during regular office hours.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. Per Section 17-17-8 of the Lakewood Zoning Ordinance, the City Council finds and determines the following matters regarding the rezoning accomplished herein:

- a) The rezoning affects a large number of properties and the proposed rezoning is not applicable only to a specific individual or readily identifiable group of individuals;
- b) It would be inefficient, cumbersome, and unduly burdensome on the resources of the City to rezone the potentially affected properties on a site-by-site basis;
- c) The rezoning is prospective in nature and reflects public policy of a permanent or general character impacting the City on a scale greater than at the individual property level;
- d) The proposed rezoning is consistent with and will implement the goals of the City's Comprehensive Plan;
- e) The proposed rezoning is consistent with the action steps identified in the adopted West Colfax Avenue Action Plan;
- f) The proposed rezoning promotes the health, safety or welfare of the inhabitants of the City and the purposes of this Ordinance; and
- g) The proposed rezoning is in the public interest.

SECTION 2. Upon the application of Michael J. Rock, Lakewood City Manager, in Lakewood Zoning Case No. RZ-09-001, pursuant to Section 17-17-8 of the Zoning Ordinance, Lakewood Zoning Maps are hereby amended to exclude from the 1-C (Convenience Commercial), 2-C (Neighborhood Commercial), 3-C (Community Commercial), 5-C (Large Lot Commercial), PD (Planned Development), OF (Office), IN (Industrial), 4-R (Medium Density Attached Residential), and 5-R (Higher Density Residential) zoning districts and to include in the Colfax Mixed Use (CMU) Zone District the properties located within the boundaries described in Exhibit A, which is attached hereto and made

a part hereof. The sub-areas described within the Colfax Mixed Use Zone District shall be applied as identified by the maps included with Exhibit A.

SECTION 3. This Ordinance shall take effect forty-five (45) days after final publication.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a regular meeting of the Lakewood City Council on the 27th day of April 2009; published by title in the Denver Post and in full on the City of Lakewood's website, www.lakewood.org, on the 30th day of April 2009; set for public hearing on the 11th day of May 2009; read, finally passed and adopted by the City Council on the 11th day of May, 2009, and signed, and approved by the Mayor on the 13th day of May, 2009.

Bob Murphy, Mayor

ATTEST:

Margy Greer, City Clerk

Exhibit "A"

Two Parcels of land more particularly described as follows:

A parcel of land lying in the North One-half of Section 1 and the Northeast One-quarter of Section 2, Township 4 South, Range 69 West of the Sixth Principal Meridian and in the South One-half of Section 36, and the Southeast One-quarter of Section 35, Township 3 South, Range 69 West of the Sixth Principal Meridian, City of Lakewood, County of Jefferson, State of Colorado, more particularly described as follows:

Beginning at the Northeast corner of said Section 1, said corner being the intersection of the centerline of Sheridan Boulevard with the centerline of West Colfax Avenue as shown on the PLAT OF BLOCKS 1 & 2, WEST COLFAX SUBDIVISION, the plat of which is recorded in Plat Book 1, at Page 18A, of the records of the Jefferson County Clerk and Recorder and PLAT OF BLOCKS 3 TO 8 INCLUSIVE, WEST COLFAX SUBDIVISION, the plat of which is recorded in Plat Book 1, at Page 30, of said records, said corner being the True Point of Beginning of the first parcel herein described; thence westerly along the centerline of said West Colfax Avenue, a distance of 1320 feet, more or less, to the intersection of said last centerline and the centerline of Depew Street, said Depew Street shown and platted as High Street on said PLAT OF BLOCKS 3 TO 8 INCLUSIVE, WEST COLFAX SUBDIVISION; thence southerly along the centerline of said Depew Street, a distance of 430 feet, more or less to the easterly extended South line of that tract described in Reception Number 78097457, of said records; thence westerly along said easterly extended South line and the South line of said last tract, a distance of 165 feet, more or less, to a point on the East line of RUPERT PLACE, the plat of which is recorded in Plat Book 5, at Page 33, of said records; thence northerly along said last East line, a distance of 215 feet, more or less, to intersection with the easterly extended South line of Lot 7, said RUPERT PLACE; thence westerly along said last easterly extended South line, the South line, and the westerly extended South line of said Lot 7, a distance of 157 feet, more or less, to the centerline of Eaton Street as described in that instrument recorded in Book 346, at Page 60, of said records; thence southerly along the centerline of said Eaton Street, a distance of 130 feet, more or less, to the intersection of said last centerline with the easterly extended South line of a tract described by instrument recorded at Reception Number F1914040, of said records; thence westerly along the easterly extended South line, the South line, and the westerly extended South line of said last tract, a distance of 150 feet, more or less, to the intersection of said last westerly extended South line with the centerline of the alley lying between said last tract and that tract described in Reception Number F1256504, of said records; thence southerly along the centerline and the southerly extended centerline of said alley, a distance of 340 feet, more or less, to the intersection of said last southerly extended centerline with the centerline of West 14th Avenue, said centerline being in common with the South line of that tract described in that instrument

recorded in Book 346, at Page 60, of said records; thence westerly along said centerline, a distance of 500 feet, more or less, to the intersection of said last centerline with the centerline of Gray Street, said last centerline being in common with the West line of that 30-foot wide parcel conveyed to the City of Lakewood for public street purposes by that instrument recorded at Reception Number F1091179, of said records; thence northerly along the centerline of said Gray Street, a distance of 340 feet, more or less, to the intersection of said last centerline with the easterly extension of the South line of Lot 7, Block 15, BEACH'S LAKEWOOD SUBDIVISION, the plat of which is recorded in Plat Book 4, at Page 34, of said records; thence westerly along said last easterly extended South line, and along the South line of said Lot 7, a distance of 170 feet, more or less, to the Southwest corner of said Lot 7; thence southerly along the southerly extended West line of said Lot 7, a distance of 50 feet, more or less, to intersection of said last southerly extended West line with the easterly extended South line of Lot 30, said Block 15; thence westerly along said last easterly extended South line, and the South line, and the westerly extended South line of said Lot 30, a distance of 160 feet, more or less, to the intersection of said last westerly extended South line with the centerline of Harlan Street, said centerline being in common with the West line of the Northeast One-quarter (NE $\frac{1}{4}$) of said Section 1; thence southerly along said last West line, a distance of 300 feet, more or less, to the intersection of said last West line with the centerline of West 14th Avenue; thence westerly along the centerline of said West 14th Avenue, a distance of 300 feet, more or less, to the intersection of said last centerline with the southerly extension of the centerline of Ingalls Street, said Ingalls Street platted as First Street on the plat of LAKEWOOD, the plat of which is recorded in Plat Book 2, at Page 14, of said records; thence northerly along said southerly extended centerline and along the centerline of said Ingalls Street, a distance of 470 feet, more or less, to the intersection of said last centerline with the easterly extended South line of that tract described in Reception Number 91001990, of said records, said South line running through Lot 7, Block 8; said LAKEWOOD; thence westerly along said last easterly extended South line and along the South line of said last tract, a distance of 200 feet, more or less, to the intersection of said South line with the centerline of the platted alley in said Block 8; thence southerly along the centerline of said alley, a distance of 15 feet, more or less, to the intersection of said centerline with the easterly extended South line of Lot 42, said Block 8; thence westerly along said easterly extended South line, and along the South line of said Lot 42, a distance of 140 feet, more or less, to the Southwest corner of said Lot 42, said point lying on the East right-of-way line of Jay Street; shown and platted as Second Street on said LAKEWOOD; thence northwesterly along a straight line across said Jay Street, a distance of 75 feet, more or less, to the Southeast corner of Lot 6, Block 9, said LAKEWOOD; thence westerly along the South line, and along the westerly extension of the South line of said Lot 6, a distance of 150 feet, more or less, to the intersection of said last westerly extended South line with the centerline of the platted alley in said Block 9; thence southerly along the centerline of said alley, a distance of 340 feet, more or less, to the intersection of said centerline with the westerly extended South

line of Lot 19, said Block 9; thence easterly along said last westerly extended South line, and the South line, and easterly extended South line of said Lot 19, a distance of 180 feet, more or less, to the intersection of said last easterly extended South line with the centerline of said Jay Street; thence southerly along said last centerline, and the southerly extended centerline, a distance of 150 feet, more or less, to the intersection of said last southerly extended centerline with the centerline of said West 14th Avenue; thence westerly along the centerline of said West 14th Avenue, a distance of 3,000 feet, more or less, to the intersection of said last centerline with the centerline of Saulsbury Street, said Saulsbury Street shown and platted as Eleventh Street on said LAKEWOOD, thence northerly along the centerline of said Saulsbury Street, a distance of 670 feet, more or less, to the intersection of said last centerline with the centerline of said West Colfax Avenue, said centerline of West Colfax Avenue being in common with the North line of said Section 2, Township 4 South, Range 69 West and the South line of said Section 35, Township 3 South, Range 69 West; thence easterly along the centerline of said Colfax Avenue, a distance of 85 feet, more or less, to the intersection of said last centerline with the southerly extended East line of Enger Subdivision, the plat of which is recorded in Plat Book 61, at Page 36, of said records; thence northerly along said last southerly extended East line, a distance of 40 feet, more or less, to the intersection of said last southerly extended East line with the North Right-of-Way line of West Colfax Avenue, said last intersection being in common with the Southeast corner of said Enger Subdivision; thence northerly along the East line of said Enger Subdivision, a distance of 440.66 feet, more or less, to the Northeast corner of said Enger Subdivision, thence northerly along the northerly extended East line of said Enger Subdivision, a distance of 25 feet, more or less, to the intersection of said last northerly extended East line with the centerline of West 16th Avenue, as deeded to Jefferson County by that instrument recorded in Book 748, at Page 375, of said records; thence westerly along the centerline of said West 16th Avenue, a distance of 421 feet, more or less, to the intersection of said last centerline with the centerline of Teller Street, said Teller Street shown and platted as Grand View Avenue on the plat of GRAND VIEW ACRES, the plat of which is recorded in Plat Book 3, at Page 76, of said records; thence northerly along the centerline of said Teller Street, a distance of 510 feet, more or less, to the intersection of said last centerline with the centerline of West 16th Place, said West 16th Place described by that instrument recorded in Book 652, at Page 254, of said records; thence easterly along the centerline of said West 16th Place, a distance of 670 feet, more or less, to the intersection of said last centerline with the centerline of Reed Street, said intersection lying on the West line of LAKEWOOD SQUARE SUBDIVISION, the plat of which is recorded in Plat Book 8, at Page 9, of said records; thence southerly along the centerline of said Reed Street, a distance of 530 feet, more or less, to the intersection of said last centerline with the westerly extended South line of RESUBDIVISION OF NORTH ½ OF BLOCK 3, LAKEWOOD SQUARE, the plat of which is recorded in Plat Book 9, at Page 47, of said records; thence easterly along said last westerly extended South line, the South line, and the easterly extended South line of said

RESUBDIVISION OF NORTH $\frac{1}{2}$ OF BLOCK 3, LAKEWOOD SQUARE, a distance of 660.8 feet, more or less, to the intersection of said last easterly extended South line with the centerline of Pierce Street, said centerline being in common with the East line of said Section 35, said Centerline also being in common with the West line of said Section 36; thence northerly along the centerline of said Pierce Street, a distance of 330 feet, more or less, to the intersection of said last centerline with the westerly extended South line of JCRS COMMERCIAL PLAZA FILING NO. 3 LOT LINE ADJUSTMENT NO. 1 PLAT, the plat of which is recorded in Plat Book 139, at Page 19, of said records; thence easterly along said westerly extended South line, a distance of 35 feet, more or less, to the Southwest corner of said JCRS COMMERCIAL PLAZA FILING NO. 3 LOT LINE ADJUSTMENT NO. 1 PLAT; thence easterly along the southerly boundary of said plat the following seven (7) courses:

1. easterly, a distance of 890.07 feet, more or less, to a platted angle point;
2. thence southerly, a distance of 68.2 feet, more or less, to a platted angle point;
3. thence easterly, a distance of 64.21 feet, more or less, to a platted angle point;
4. thence southeasterly, a distance of 125.14 feet, more or less, to a platted angle point;
5. thence easterly, a distance of 49.88 feet, more or less, to a platted angle point;
6. thence northeasterly, a distance of 25.6 feet, more or less, to a platted angle point;
7. thence easterly, a distance of 449.59 feet, more or less, to the Southeast corner of said JCRS COMMERCIAL PLAZA FILING NO. 3 LOT LINE ADJUSTMENT NO. 1 PLAT;

thence leaving said southerly subdivision boundary and continuing easterly along the easterly extended southerly line of said JCRS COMMERCIAL PLAZA FILING NO. 3 LOT LINE ADJUSTMENT NO. 1 PLAT, a distance of 30 feet, more or less, to the intersection of said last easterly extended southerly line with the centerline of Kendall Street, said Kendall Street shown and platted as Taylor Avenue on EDGEWATER, the plat of which is recorded in Plat Book 1, at Page 37, of said records; thence southerly along the centerline of said Kendall Street, a distance of 30 feet, more or less, to the intersection of said last centerline with the centerline of West 16th Avenue, said West 16th Avenue being shown and platted as Carson Street on said plat of EDGEWATER; thence easterly along the centerline of said West 16th Avenue, a distance of 326 feet, more or less, to the intersection of said last centerline with the centerline of Jay Street, said Jay Street shown and platted as Polk Avenue on said EDGEWATER; thence northerly along the centerline of said Jay Street, a distance of 50 feet, more or less, to the intersection of said last centerline with the westerly extended North line of Lot 24, Block 26, said EDGEWATER, thence easterly along said westerly extended North line, the North line of said Lot 24, the North line of Lot 25, said Block 26, and the easterly extended North line of said Lot 25, a distance of 326 feet, more or less, to the intersection of said last easterly extended North line

with the centerline of Ingalls Street, said street shown and platted as Tyler Avenue on said EDGEWATER; thence southerly along the centerline of said Ingalls Street, a distance of 450 feet, more or less, to the intersection of said last centerline with the westerly extended North line of Lot 16, Block 8, said EDGEWATER; thence easterly along said last westerly extended North line and the North line of said Lot 16, a distance of 163 feet, more or less, to the Northeast corner of said Lot 16; thence southerly along the East line of said Lot 16, a distance of 25 feet, more or less, to the Northwest corner of Lot 32, said Block 8, said EDGEWATER; thence easterly along the North line and the easterly extended North line of said Lot 32, a distance of 203 feet, more or less, to the intersection of said easterly extended North line with the centerline of Harlan Street, said Harlan Street shown and platted as Harrison Avenue on said EDGEWATER, said centerline also being in common with the East line of the Southwest One-quarter (SW $\frac{1}{4}$) of said Section 36; thence northerly along the centerline of said Harlan Street, a distance of 250 feet, more or less, to the intersection of said last centerline with a westerly extended northerly line of Lot 19, Block 1, STATE SUBDIVISION OF EDGEWATER LOT LINE ADJUSTMENT NO. 1 PLAT, the plat of which is recorded at Reception Number 2005033863, of said records, said northerly line being parallel with, and 150.04 feet southerly of, westerly extended North line of Lot 8, PLAT OF STATE SUBDIVISION OF EDGEWATER, the plat of which is recorded in Plat Book 5, at Page 61, of said records; thence easterly along the westerly extended northerly line and a northerly line of said Lot 19, a distance of 265.10 feet, more or less, to an angle point in the northerly line of said Lot 19; thence northerly along the northerly line of said Lot 19, a distance of 50.03 feet, more or less, to a platted angle point in the northerly line of said Lot 19; thence continuing along the northerly line of said Lot 19 easterly, a distance of 132.02 feet, more or less, to the Northeast corner of said Lot 19; thence southerly along the East line of said Lot 19, said East line being in common with the West line of STATE SUBDIVISION OF EDGEWATER FILING NO. 2, the plat of which is recorded in Plat Book 148, at Page 34, of said records, a distance of 50 feet, more or less, to the Northwest corner of Lot 16, said STATE SUBDIVISION OF EDGEWATER FILING NO. 2; thence easterly along the North line of said Lot 16, a distance of 132 feet, more or less, to the Northeast corner of said Lot 16, said Northeast corner lying on the West line of EDGEWATER, BLOCK 10 FILING NO. 2, the plat of which is recorded at Reception Number 2005098525, of said records; thence southerly along the West line of said EDGEWATER, BLOCK 10 FILING NO. 2, a distance of 150.13 feet, more or less, to the Southwest corner of said EDGEWATER, BLOCK 10 FILING NO. 2, said Southwest corner being in common with the Northwest corner of that tract of land described in instrument recorded at Reception Number F1931312, of said records; thence easterly along the South line of said EDGEWATER, BLOCK 10 FILING NO. 2, a distance of 117.96 feet, more or less, to the Southeast corner of said EDGEWATER, BLOCK 10 FILING NO. 2; thence northeasterly in a straight line across the right-of-way line of Fenton Street, a distance of 65 feet, more or less, to the Northwest corner of Lot 13, Block 11, said plat of EDGEWATER; thence easterly along the North line of said

Lot 13, a distance of 133 feet, more or less, to the Northeast corner of said Lot 13, said last Northeast corner being in common with the Southwest corner of Lot 37, said Block 11; thence northerly along the West line of Lots 37 and 38, said Block 11, a distance of 44 feet, more or less, to the intersection of said last West line with a line parallel with, and 19 feet northerly, of the South line of said Lot 38, said intersection being in common with the Northwest corner of that tract of land described in instrument recorded at Reception Number 2005115605, of said records; thence easterly along the North line and easterly extended North line of said last tract, a distance of 163 feet, more or less, to the intersection of said last easterly extended North line with the centerline of Eaton Street, said Eaton Street shown and platted as Jackson Avenue on said plat of EDGEWATER; thence northerly along the centerline of said Eaton Street, a distance of 281 feet, more or less, to the intersection of said last centerline with the centerline of West 16th Avenue, said West 16th Avenue shown and platted as Carson Street on said plat of EDGEWATER; thence easterly along the centerline of said West 16th Avenue, a distance of 648 feet, more or less, to the intersection of said last centerline with the centerline of Chase Street, said Chase Street shown and platted as Madison Avenue on said plat of EDGEWATER; thence southerly along the centerline of said Chase Street, a distance of 408.45 feet, more or less, to the intersection of said last centerline with the westerly extended South line of Lot 11, EDGEWATER BLOCK 14 FILING NO. 2, the plat of which is recorded in Plat Book 142, at Page 5, of said records; thence easterly along said westerly extended South line, the South line, and the easterly extended South line of said Lot 11, a distance of 162.96 feet, more or less, to the intersection of said last easterly extended South line with a platted angle point of Tract A, said EDGEWATER BLOCK 14 FILING NO. 2, said intersection being in common with the Northeast corner of that tract of land described in instrument recorded at Reception Number 84098037; thence southerly along a westerly line and a southerly extended westerly line of said Tract A, said last southerly extended westerly line being in common with the East line of that tract described in said Reception Number 84098037, a distance of 91.56 feet, more or less, to the Southwest Corner of Tract B, said EDGEWATER BLOCK 14 FILING NO. 2, said Southwest corner being in common with the Northwest corner of Lot 29, Block 14, said plat of EDGEWATER; thence easterly along the North line and the easterly extended North line of said Lot 29, a distance of 163 feet, more or less, to the intersection of said last easterly extended North line with the centerline of Benton Street, said Benton Street shown and platted as Jefferson Avenue on said EDGEWATER; thence northerly along the centerline of said Benton Street, a distance of 75 feet, more or less, to the intersection of said last centerline with the westerly extended North line of Lot 17, Block 15, said EDGEWATER; thence easterly along said last westerly extended North line, the North line of said Lot 17, the North line of Lot 32, and the easterly extended North line of said Lot 32, said Block 15, said EDGEWATER, a distance of 326 feet, more or less, to the intersection of said last easterly extended North line with the centerline of Ames Street, said Ames Street shown and platted as Adams Avenue on said EDGEWATER; thence northerly along the centerline of said Ames Street, a

distance of 50 feet, more or less, to the intersection of said last centerline with the westerly extended North line of Lot 50, Block 16, EDGEWATER BLOCK 16 LOT LINE ADJUSTMENT NO. 2 PLAT, the plat of which is recorded in Plat Book 173, at Page 63, of said records; thence easterly along said last westerly extended North line and the North line of said Lot 50, a distance of 163 feet, more or less, to the Southwest corner of Lot 35, Block 16, said EDGEWATER; thence northerly along the West line of said Lot 35 and the West line of Lot 36, said Block 16, said EDGEWATER, a distance of 50 feet, more or less, to the Northwest corner of said Lot 36; thence easterly along the North line and the easterly extended North line of said Lot 36, a distance of 163 feet, more or less, to the intersection of said last easterly extended North line with the centerline of Sheridan Boulevard, said Sheridan Boulevard shown and platted as Washington Avenue on said EDGEWATER, said centerline also being in common with the East line of said Section 36; thence southerly along the centerline of said Sheridan Boulevard, a distance of 300 feet, more or less, to the intersection of said last centerline with the centerline of West Colfax Avenue, said intersection being in common with the Southeast corner of said Section 36, said intersection also being in common with the Northeast corner of said Section 1, and the True Point of Beginning of the first parcel herein described.

Together with the following parcel of land lying in the Northwest One-quarter of Section 2, and the North One-half of Section 3, and the Northeast One-quarter of Section 4, Township 4 South, Range 69 West of the Sixth Principal Meridian and in the Southeast One-quarter of Section 33, the South One-half of Section 34, and the Southwest One-quarter of Section 35, Township 3 South, Range 69 West of the Sixth Principal Meridian, City of Lakewood, County of Jefferson, State of Colorado, more particularly described as follows:

Beginning at a point on the North line of the NW¼ of said Section 2, Township 4 South, Range 69 West, said point being the intersection of the centerline of West Colfax Avenue with the northerly extended centerline of Ammons Street, said Ammons Street shown and platted as Twentieth Avenue on the plat of LAKEWOOD, the plat of which is recorded in Plat Book 2, at Page 14, of the records of the Jefferson County Clerk and Recorder, said intersection being the True Point of Beginning of the second parcel herein described, thence southerly along the centerline of said Ammons Street, a distance of 670 feet, more or less, to the intersection of said last centerline with the centerline of West 14th Avenue, said West 14th Avenue shown and platted as Jefferson Avenue on said LAKEWOOD; thence westerly along the centerline of said West 14th Avenue, a distance of 980 feet, more or less, to the intersection of said last centerline with the West line of said Section 2, said West line being in common with the East line of said Section 3; thence continuing westerly along said last centerline, a distance of 1,950 feet, more or less, to an angle point in said last centerline, said angle point being in common with the Southeast corner of M.D. AND J. SUBDIVISION, the plat of which is recorded in Plat Book 52, at Page 50, of said records, said angle point also being in common with the Northeast corner of

CEDARGATE PARCEL A, the plat of which is recorded in Plat Book 38, at Page 59, of said records; thence northwesterly along last said centerline, a distance of 507.59 feet, more or less, to the Northeast corner of Lot 5, Block A, PLAT OF COLE VILLAGE, the plat of which is recorded in Plat Book 6, at Page 46, of said records, thence northerly along the northerly extended East line of said Lot 5, a distance of 45 feet, more or less, to the intersection of said last northerly extended East line with the southwesterly line of said M.D. AND J. SUBDIVISION, thence northwesterly along said last southwesterly line, and southwesterly line extended northwesterly, a distance of 175 feet, more or less, to the intersection of said last northwesterly extended southwesterly line with the centerline of Garrison Street, the centerline of said Garrison Street being in common with the West line of the Northeast One-quarter (NE $\frac{1}{4}$) of said Section 3, said intersection also being the intersection of the centerline extended southeasterly of Village Parkway, said Village Parkway being shown and platted as the right-of-way North of Lot 11 and Lots 13 to 18 inclusive, SMITH VILLAGE, the plat of which is recorded in Plat Book 6, at Page 4, of said records, thence continuing northwesterly along the centerline of said Village Parkway, a distance of 700 feet, more or less, to the intersection of said last centerline with the centerline of Holland Street, said Holland Street shown and platted as Maple Street on said SMITH VILLAGE, thence southerly along said last centerline, a distance of 70 feet, more or less, to the intersection of said last centerline with the easterly extended South line of Lot 9, Block 3, MAVETIC SUBDIVISION, the plat of which is recorded in Plat Book 7, at Page 18, of said records; thence westerly along said easterly extended South line, and along the South line of said Lot 9, and along the South line of Lot 2, said Block 3, and along the westerly extended South line of said Lot 2, a distance of 320 feet, more or less, to the intersection of said last westerly extended South line with the centerline of Hoyt Street; thence northerly along the centerline of said Hoyt Street, a distance of 100 feet, more or less, to the intersection of said last centerline with the easterly extended South line of Lot 10, Block 2, said MAVETIC SUBDIVISION; thence westerly along said last easterly extended South line, and along the South line of said Lot 10, a distance of 160 feet, more or less, to a point on the South line of said Lot 10, said point being 10.75 feet easterly along said South line from the Southwest corner of said Lot 10; thence northerly along a line parallel with, and 10.75 feet easterly of the West line of said Lot 10, a distance of 100 feet, more or less, to the intersection of said last parallel line with a line 100 feet northerly of, and parallel with, the South line of said Lot 10; thence westerly along a line 100 feet northerly of and parallel with the South line of said Lot 10 and the South line of Lot 1, said Block 2, a distance of 160 feet, more or less, to the intersection of said last parallel line with the West right-of-way line of Independence Street, shown and platted as Private Lane on said MAVETIC SUBDIVISION, said West right-of-way line being in common with the East line of that tract described in Reception Number F1250660, of said records; thence southerly along said West right-of-way line, a distance of 150 feet, more or less, to the Southeast corner of that tract described in said Reception Number F1250660; thence westerly along the South line of said last tract, a distance of 15 feet, more or less, to the

Northeast corner of Lot 1, Block 2, MAVETIC SUBDIVISION FILING NO. 2, the plat of which is recorded in Plat Book 164, at Page 14, of said records; thence along the northerly subdivision boundary line of said MAVETIC SUBDIVISION FILING NO. 2, the following five (5) courses:

1. westerly along the North line of Lots 1 and 2, and the northerly boundary of Lot 3, said Block 2, a distance of 140.00 feet, more or less, to a platted angle point on the northerly line of said Lot 3, said platted angle point being in common with the Southwest corner of that tract of land described in said Reception Number F1250660;
2. thence northerly along an easterly line of said Lot 3, a distance of 53.60 feet, more or less, to the Northeast corner of said Lot 3;
3. thence westerly along the North line of Lots 3 to 6 inclusive, said Block 2, a distance of 229.00 feet, more or less, to the Northwest corner of said Lot 6, said Northwest corner being in common with the Southwest corner of Lot 1, Block 1; said plat of MAVETIC SUBDIVISION;
4. thence southerly along the West line of Lot 6, Block 2, said MAVETIC SUBDIVISION FILING NO. 2, a distance of 32.00 feet, more or less, to the Northeast corner of Lot 7, said Block 2;
5. thence westerly along the North line of Lots 7 to 10 inclusive, said Block 2, a distance of 250.90 feet, more or less, to the Northwest corner of said Lot 10, said Northwest corner being in common with the Northeast corner of that tract of land described in instrument recorded at Reception Number 87149114, of said records; thence, leaving said North line and said subdivision boundary, westerly along the westerly extended North line of said Lot 10, a distance of 15 feet, more or less, to the Northwest corner of said last tract, said Northwest corner being in common with the Southwest corner of that tract of land described in instrument recorded at Reception Number F0173241, of said records, said corner lying on the East line of Lot 6, LAKEWOOD HEIGHTS, the plat of which is recorded in Plat Book 5, at Page 81, of said records; thence northerly along the East line of said Lot 6, a distance of 100 feet, more or less, to the northerly corner of said Lot 6, said northerly corner being in common with the Northeast corner of Lot 5, said LAKEWOOD HEIGHTS, said northerly corner also being in common with the Southeast corner of that tract of land described in Reception Number 85112182, of said records; thence westerly along the North line, and the westerly extended North line of said LAKEWOOD HEIGHTS, a distance of 660.83 feet, more or less, to the intersection of said last westerly extended North line with the centerline of Kipling Street, said centerline being in common with the West line of said Section 3; thence southerly along the centerline of said Kipling Street, a distance of 200 feet, more or less, to the intersection of the centerline of said Kipling Street with the centerline of West 14th Place, said West 14th Place shown and platted as the street North of Blocks A and C, RESUBDIVISION OF A PORTION OF IDLEWILD, the plat of which is recorded in Plat Book 6, at Page 29, of said records; thence westerly along the centerline of said West 14th Place, a distance of 700 feet, more or less, to an angle point in

said centerline; thence continuing along the centerline of said West 14th Place southwesterly, a distance of 192.2 feet, more or less, to the intersection of the centerline of said West 14th Place with the centerline of Lewis Street, as shown and platted on the plat of MOSKO SUBDIVISION, the plat of which is recorded in Plat Book 12, at page 40, of said records; thence continuing along the centerline of said West 14th Place northwesterly and westerly, a distance of 440 feet, more or less, to the intersection of said last centerline with the centerline of Miller Street, as shown and platted on SECOND RESUBDIVISION OF IDLEWILD, the plat of which is recorded in plat Book 7, at Page 22, of said records, thence northerly along the centerline of said Miller Street, a distance of 365 feet, more or less, to the intersection of said last centerline with the northerly line of the NW $\frac{1}{4}$ of said Section 4, Township 4 South, Range 69 West, said North line being in common with the South line of the SE $\frac{1}{4}$ of said Section 33, Township 3 South, Range 69 West; thence continuing northerly along said last centerline, said centerline being in common with the West line of the Southeast One-quarter of said SE $\frac{1}{4}$, a distance of 389 feet, more or less, to the intersection of said last centerline with the centerline of West 15th Place, as shown on the plat of WEST MILLER HEIGHTS, the plat of which is recorded in Plat Book 10, at Page 55, of said records; thence easterly along the centerline of said West 15th Place, a distance of 1,320 feet, more or less, to the intersection of said centerline with the centerline of Kipling Street, said centerline being in common with the East line of said Section 33, said East line being in common with the West line of said Section 34; thence northerly along the centerline of said Kipling Street, a distance of 80 feet, more or less, to the intersection of said last centerline with the westerly extended North line of Lot 9, Block 9, WESTMOOR ACRES, the plat of which is recorded in Plat Book 5, at Page 14, of said records; thence easterly along said westerly extended North line of said Lot 9, the North line of Lots 9 to 16 inclusive, and the easterly extended North line of Lot 16, said Block 9, a distance of 860 feet, more or less, to the intersection of said last easterly extended North line with the centerline of Iris Street, said Iris Street shown and platted as Westmoor Boulevard on said plat of WESTMOOR ACRES, thence northerly along the centerline of said Iris Street, a distance of 15 feet, more or less, to the intersection of said centerline with the centerline of West 15th Place, said West 15th Place being described in that instrument recorded in Book 736, at Page 411, of said records; thence easterly along the centerline of said West 15th Place, a distance of 455.77 feet, more or less, to the intersection of said last centerline with the East line of said WESTMOOR ACRES, said East line being in common with the West line of Lot 4, Block 4, BEVERLY HEIGHTS, the plat of which is recorded in Plat Book 5, at Page 38, of said records; thence northerly along the West line of said Lot 4, and the West line of Lot 5, said Block 4, a distance of 200 feet, more or less, to the Northwest corner of said Lot 5, thence easterly along the North line, and along the easterly extended North line

of said Lot 5, a distance of 332.25 feet, more or less, to the intersection of said last easterly extended North line with the centerline of Hoyt Street, said Hoyt Street shown and platted as Beverly Avenue on said plat of BEVERLY HEIGHTS, thence southerly along the centerline of said Hoyt Street, a distance of 130 feet, more or less, to the intersection of said last centerline with the westerly extended North line of Lot 4, Block 3, said BEVERLY HEIGHTS, thence easterly along said last North line extended westerly, and the North line of said Lot 4, a distance of 329.62 feet, more or less, to the Northeast corner of said Lot 4, said Northeast corner being in common with the Northwest corner of Lot 4, Block 2, said BEVERLY HEIGHTS; thence southerly along the East line of said Lot 4, Block 3, a distance of 130 feet, more or less, to the Southeast corner of said Lot 4, Block 3, said Southeast corner being in common with the Southwest corner of said Lot 4, Block 2; thence easterly along the South line, the easterly extended South line of said Lot 4, Block 2, and the South line of Lot 4, Block 1, said BEVERLY HEIGHTS, a distance of 659.24 feet, more or less, to the Southeast corner of said Lot 4, Block 1, said Southeast corner being in common with the Northeast corner of Lot 1, said Block 1, said point lying on the East line of the Southwest One-quarter (SW $\frac{1}{4}$) of said Section 34, and being the intersection point of the westerly extended centerline of West 16th Avenue with said last east line; thence continuing easterly along the westerly extended centerline and the centerline of said West 16th Avenue, said centerline lying 20 feet northerly of the westerly extended North line, the North line, and the easterly extended North line of Tract A, WEST GLEN CREIGHTON LOT LINE ADJUSTMENT NO. 2 PLAT, the plat of which is recorded at Plat Book 162, at Page 2, of said records, a distance of 234.41 feet, more or less, to the intersection of said last easterly extended centerline with the centerline of Glen Moor Drive, said Glen Moor Drive shown and platted on PLAT OF WEST GLEN CREIGHTON, the plat of which is recorded in Plat Book 8, at Page 63, of said records; thence southerly along the centerline of said Glen Moor Drive, a distance of 70 feet, more or less, to the intersection of said last centerline with the westerly extended South line of that tract of land described in instrument recorded at Reception Number 2006042937, of said records; thence easterly along said westerly extended South line and along the South line of said last tract, a distance of 172.4 feet, more or less, to the Southeast corner of said last tract, said Southeast corner being in common with the Northeast corner of that tract of land described in Reception Number 84005172, of said records; thence southerly along the East line of that tract described in said Reception Number 84005172, a distance of 100 feet, more or less, to the intersection of said last East line with the South line of Lot 9, Block 2, GLEN CREIGHTON SUBDIVISION, AMENDED PLAT OF BLOCKS 1, 2, & 5, the plat of which is recorded in Plat Book 5, at Page 51, of said records; thence easterly along the South line, the easterly extended South line of said Lot 9, and the South line of Lot 4, Block 1, and the South line of Lot 9, Block 1, said

GLEN CREIGHTON SUBDIVISION, AMENDED PLAT OF BLOCKS 1, 2, & 5, a distance of 590 feet, more or less, to an angle point on the northerly boundary of that tract of land described in instrument recorded in Reception Number 79099380, of said records, said angle point lying on the intersection of the South line of Lot 9, said Block 1, with a line parallel with, and 10 feet northwesterly of, the southeasterly boundary of said Lot 9; thence northeasterly along said last parallel line and the northeasterly extended parallel line, a distance of 130 feet, more or less, to the intersection of said last northeasterly extended parallel line with the centerline of Glen Bar Avenue, said Glen Bar Avenue lying adjacent to and southwesterly line of Tract A, GLEN CREIGHTON FILING NO. 2, the plat of which is recorded in Plat Book 135, at Page 57, of said records; thence southeasterly along the centerline of said Glen Bar Drive, a distance of 100 feet, more or less, to the intersection of said last centerline with the centerline of Glen Ayr Drive, said Glen Ayr Drive lying adjacent to, and easterly of, said Tract A, said Glen Ayr Drive also lying adjacent to and westerly of, Lot 1, Block 5, said GLEN CREIGHTON SUBDIVISION AMENDED PLAT OF BLOCKS 1, 2, & 5; thence northerly along the centerline of said Glen Ayr Drive, a distance of 80 feet, more or less, to the intersection of said last centerline with the westerly extended South line of the North 100 feet of Lot 1, said Block 5; thence easterly along said last westerly extended South line and along the South line of the North 100 feet of said Lot 1, a distance of 175 feet, more or less, to the Southeast corner of the North 100 feet of said Lot 1, said Southeast corner being in common with the Northeast corner of that tract described in instrument recorded at Reception Number F1969562, of said records, said point also being in common with the Southwest corner of Lot 15, SMITH'S SUBDIVISION, the plat of which is recorded in Plat Book 1, at Page 24A, of said records; thence northerly along the West line of said Lot 15, a distance of 300 feet, more or less, to the intersection of said last West line with the Southwest corner of Lot 18, MAJOR ERROR CORRECTION TO SMITH'S SUBDIVISION LOT LINE ADJUSTMENT NO. 1 PLAT, the plat of which is recorded in Plat Book 172, at Page 51, of said records, thence easterly along the South line of said Lot 18, a distance of 251.09 feet, more or less, to an angle point in the southerly boundary of said Lot 18; thence continuing easterly, along centerline of West 16th Avenue, said last centerline being in common with the North line of those tracts of land described in those instruments recorded at Reception Numbers 82089634 & 82089640, of said records, a distance of 376.65 feet, more or less, to the intersection of said last centerline with the southerly extended East line of said MAJOR ERROR CORRECTION TO SMITH'S SUBDIVISION LOT LINE ADJUSTMENT NO. 1 PLAT; thence continuing easterly along the easterly extended centerline of said West 16th Avenue, a distance of 33 feet, more or less, to the intersection of said last easterly extended centerline with the centerline of Dover Street; thence northerly along the centerline of said Dover Street, a

distance of 150 feet, more or less, to the intersection of said last centerline with the westerly extended South line of Lot 2, DOVER STREET CONDOMINIUMS SUBDIVISION, the plat of which is recorded in Condominium Book 78, at Page 40, of said records; thence easterly along said westerly extended South line, a distance of 33 feet, more or less to the Southwest corner of said Lot 2; thence easterly along the southerly boundary of said DOVER STREET CONDOMINIUMS SUBDIVISION the following three (3) courses:

1. easterly along the South line of said Lot 2, a distance of 227.75 feet, more or less, to a southeasterly corner of said Lot 2
2. thence northerly along an East line of said Lot 2, a distance of 85.56 feet, more or less, to an angle point in the southerly line of said Lot 2;
3. thence easterly along a southerly line of said Lot 2 and the South line of Lot 1, said DOVER STREET CONDOMINIUMS SUBDIVISION; a distance of 395 feet, more or less, to the Southeast corner of said Lot 1;

thence leaving said southerly boundary of said DOVER STREET CONDOMINIUMS SUBDIVISION and continuing easterly along the easterly extended South line of said Lot 1, a distance of 30 feet, more or less, to the intersection of said last easterly extended South line with the centerline of Carr Street, said centerline being in common with the East line of said Section 34; thence southerly along the centerline of said Carr Street, a distance of 90 feet, more or less, to the intersection of said last centerline with the westerly extended centerline of West 16th Place, said West 16th Place described in that instrument recorded in Book 778, at Page 480, of said records; thence easterly along said westerly extended centerline and the centerline of said West 16th Place, a distance of 660 feet, more or less, to the intersection of said last centerline with the centerline of Balsam Street, said Balsam Street centerline being in common with the West line, and the southerly extended West line, of the plat of WEST 16TH PLACE SUBDIVISION, the plat of which is recorded in Plat Book 11, at Page 44, of said records, said last centerline also being in common with the West line of the East One-half (E $\frac{1}{2}$) of the West One-half (W $\frac{1}{2}$) of the Southwest One-quarter (SW $\frac{1}{4}$) of said Section 35; thence southerly along the centerline of said Balsam Street, a distance of 350 feet, more or less, to the intersection of said last centerline with the centerline of West 16th Avenue, said West 16th Avenue right-of-way described in that instrument recorded in Book 693, at Page 596, of said records; thence easterly along the centerline of said West 16th Avenue, a distance of 340 feet, more or less, to the intersection of said last centerline with the West line of that tract described in instrument recorded at Reception Number 2006043673, of said records; thence northerly along the West line of said last tract, a distance of 13.2 feet, more or less, to the Northwest corner of said last tract; thence easterly along the North line and the easterly extended North line of said last tract, a distance of 330 feet, more or less, to the intersection of said last easterly extended North line with the centerline of Allison Street, thence southerly along the centerline of said Allison Street, a distance of 225 feet, more or less, to the intersection of said last centerline with the North line of that tract of land used

as an alley conveyed to Jefferson County by those instruments recorded in Book 699, at Pages 224 & 255, of said records; thence westerly along the North line of said tract of land, said last North line being in common with the North line of said alley, a distance of 365 feet, more or less, to the intersection of said last North line with the East line of that tract of land described in that instrument recorded at Reception Number F2030251, of said records; thence southerly along the East line, and along the southerly extended East line of said last tract, a distance of 238 feet, more or less, to the intersection of said last southerly extended East line, with the centerline of said West Colfax Avenue, said centerline of West Colfax Avenue being in common with the South line of the SW $\frac{1}{4}$ of said Section 35, Township 3 South, Range 69 West; thence easterly along said last centerline, a distance of 20 feet, more or less, to the intersection of said last centerline with the northerly extended centerline of said Ammons Street, and the True Point of Beginning of the second parcel herein described.

