

Electronically Recorded RECEPTION#: 2023000042741,
7/27/2023 at 11:41 AM, 1 OF 4,
REC: \$28.00 DocStamp: \$130.00
TD Pgs: 3 Josh Zygielbaum, Adams County, CO.



State Documentary Fee
Date: July 26, 2023
\$130.00

Special Warranty Deed

(Pursuant to C.R.S. 38-30-113(1)(b))

Grantor(s), **DOM A. KICKBUSH AND ANA A. KICKBUSH**, whose street address is **13701 E 104TH AVE, COMMERCE CITY, CO 80022**, City or Town of **COMMERCE CITY**, County of and State of **Colorado**, for the consideration of **(\$1,300,000.00) ***One Million Three Hundred Thousand and 00/100***** dollars, in hand paid, hereby sell(s) and convey(s) to **CITY OF COMMERCE CITY, COLORADO**, whose street address is **7887 E. 60th Ave., Commerce City, CO 80022**, City or Town of **Commerce City**, County of **Adams** and State of **Colorado**, the following real property in the County of **Adams** and State of **Colorado**, to wit:

See attached "Exhibit A"

also known by street and number as: **13701 EAST 104TH AVENUE, COMMERCE CITY, CO 80022**

with all its appurtenances and warrant(s) the title to the same against all persons claiming under me(us), subject to those matters set out in the Exhibit B, attached hereto.

Signed this day of 26th July 2023

(SEE ATTACHED "SIGNATURE PAGE")

When recorded return to: **CITY OF COMMERCE CITY, COLORADO**
7887 E. 60th Ave., Commerce City, CO 80022





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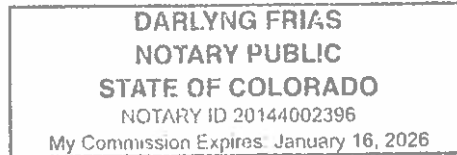


Special Warranty Deed without Statutory Exceptions

SIGNATURE PAGE


DOM A. KICKBUSH


ANA A. KICKBUSH



State of Colorado)
County of Adams)ss.
)

The foregoing instrument was acknowledged before me on this day of July 20, 2023 by DOM A. KICKBUSH and ANA A. KICKBUSH

Witness my hand and official seal

My Commission expires: 1-16-2026


Notary Public

Exhibit A

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, ADAMS COUNTY, COLORADO, DESCRIBED AS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 7; THENCE NORTH 00°00'00" EAST ON AN ASSUMED BEARING ALONG THE WEST LINE OF SAID SECTION 7 A DISTANCE OF 561.00 FEET; THENCE NORTH 88°36'25" EAST A DISTANCE OF 444.00 FEET; THENCE SOUTH 00°00'00" WEST A DISTANCE OF 561.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 7; THENCE SOUTH 88°36'25" WEST ALONG SAID SOUTH LINE A DISTANCE OF 444.00 FEET TO THE POINT OF BEGINNING, EXCEPT WEST 30.00 FEET THEREOF AND THE SOUTH 30.00 FEET THEREOF, FOR ROAD PURPOSES; AND EXCEPT THAT PORTION DEEDED TO CITY OF COMMERCE CITY, COLORADO IN SPECIAL WARRANTY DEED RECORDED MARCH 17, 2008 UNDER RECEPTION NO. 2008000021135, COUNTY OF ADAMS, STATE OF COLORADO.

Exhibit B

1. RESERVATION OF (1) ALL OIL, COAL AND OTHER MINERALS UNDERLYING SUBJECT PROPERTY, (2) THE EXCLUSIVE RIGHT TO PROSPECT FOR, MINE AND REMOVE OIL, COAL AND OTHER MINERALS, AND (3) THE RIGHT TO INGRESS AND EGRESS AND REGRESS TO PROSPECT FOR, MINE, AND REMOVE OIL, COAL AND OTHER MINERALS, AS CONTAINED IN DEED FROM UNION PACIFIC RAILROAD COMPANY RECORDED AUGUST 24, 1912 IN BOOK 61 AT PAGE 5.
2. NOTE: DEEDS REGARDING SAID MINERALS RECORDED APRIL 14, 1971 IN BOOK 1684 AT PAGE 281; DECEMBER 17, 1971 IN BOOK 1765 AT PAGE 371; JANUARY 8, 1966 IN BOOK 4659 AT PAGE 485. NOVEMBER 23, 1998 IN BOOK 5547 AT PAGE 272.
3. OIL, GAS AND OTHER MINERAL INTEREST AS EVIDENCED BY INSTRUMENT RECORDED MARCH 31, 1981 IN BOOK 2542 AT PAGE 344.
4. TERMS, CONDITIONS AND PROVISIONS OF ORDER TRANSFERRING REAL PROPERTY INTO THE SOUTH ADAMS COUNTY FIRE PROTECTION DISTRICT RECORDED JUNE 15, 2001 AT RECEPTION NO. C0814831, AND AS AMENDED IN INSTRUMENT RECORDED DECEMBER 15, 2006 UNDER RECEPTION NO. 2006001010799.
5. REQUEST FOR NOTIFICATION OF SURFACE DEVELOPMENT AS EVIDENCED BY INSTRUMENT RECORDED MAY 20, 2002 UNDER RECEPTION NO. C0971566.
6. TERMS, CONDITIONS AND PROVISIONS OF OIL AND GAS LEASE RECORDED SEPTEMBER 27, 2016 AT RECEPTION NO. 2016000081059.

BARGAIN AND SALE DEED
(Water and Mineral Rights)

THIS BARGAIN AND SALE DEED is made this 26th day of July 2023 by **DOM A. KICKBUSH AND ANA A. KICKBUSH** ("Grantor"), and delivered to **The City of Commerce City** whose address is 7887 E. 60th Avenue, Commerce City, CO 80022 ("Grantee").

Grantor, for the consideration of the sum of Ten Dollars (\$10.00) in hand paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantee, hereby sells and conveys to Grantee the following rights in the County of Adams, State of Colorado, described as follows:

All of Grantor's right, title and interest in and to any and all water rights of any nature whatsoever, appurtenant to, associated with or historically used on the real property described on **EXHIBIT A**, including without limitation all water, water rights, ditches, ditch rights, springs, spring rights, wells, well permits, well rights, temporary impoundments, embankments, flumes, headgates, measuring devices, pumps, motors, pipelines, storage rights, reservoirs, reservoir rights, rights in tributary, nontributary, and not nontributary ground water, and other rights in or to the diversion, measurement, conveyance and use of water, whether or not adjudicated, underlying, beneficially used on or appurtenant to the real property described in **EXHIBIT A**, together with all rights, claims and entitlements associated with the historic beneficial use of such water and water rights, to the extent owned by Grantor; and

All of Grantor's right, title and interest in and to any and all mineral rights, including, all oil, gas, coal, sulphur, gravel and gravel rights, rights in producing and nonproducing wells, geothermal rights and other minerals and mineral rights of every kind or character (whether similar or dissimilar) lying in, on, or under or that may be produced from the real property described on **EXHIBIT A**, together with all leases and all royalties or profits therefrom that may be owned by Grantor.

[Signature page follows]

BARGAIN AND SALE DEED
(Water and Mineral Rights)

THIS BARGAIN AND SALE DEED is made this 26th day of July 2023 by **DOM A. KICKBUSH AND ANA A. KICKBUSH** ("Grantor"), and delivered to **The City of Commerce City** whose address is 7887 E. 60th Avenue, Commerce City, CO 80022 ("Grantee").

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All of Grantor's right, title and interest in and to any and all mineral rights, including, all oil, gas, coal, sulphur, gravel and gravel rights, rights in producing and nonproducing wells, geothermal rights and other minerals and mineral rights of every kind or character (whether similar or dissimilar) lying in, on, or under or that may be produced from the real property described on **EXHIBIT A**, together with all leases and all royalties or profits therefrom that may be owned by Grantor.

[Signature page follows]

IN WITNESS WHEREOF, the Grantor has executed this Bargain and Sale Deed on the date set forth above.

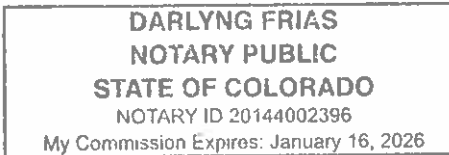
GRANTOR:

Dom A. Kickbush

DOM A. KICKBUSH

Ana A. Kickbush

ANA A. KICKBUSH



STATE OF COLORADO)
COUNTY OF Adams) ss

The foregoing instrument was acknowledged before me this 20 day of July 2023, by DOM A. KICKBUSH and ANA A. KICKBUSH.

Witness my hand and official seal.

[Signature]
Notary Public
My Commission Expires: 1-16-2026

EXHIBIT A
LEGAL DESCRIPTION

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