

TOWN OF PARKER

MAR 08 2013

PLANNING DEPT.

SPECIAL WARRANTY DEED

The **TOWN OF PARKER**, a Colorado home rule municipality, whose street address is 20120 East Mainstreet, Parker, Colorado 80138, County of Douglas, State of Colorado, Grantor, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby sells and conveys to **THE PARKER TASK FORCE FOR HUMAN SERVICES**, a Colorado nonprofit corporation, whose street address is 20118 Mainstreet, Suite D, Parker, Colorado 80138, County of Douglas, State of Colorado, Grantee, the real property described as Lot 3, Parker Town Hall, Amendment No. 2, Town of Parker, in the County of Douglas, State of Colorado, together with improvements, if any, and with all its appurtenances, if any, and WARRANTS THE TITLE against all persons claiming under Grantor, subject to those matters listed in **Exhibit A**, attached hereto and made a part hereof.

DEED RESTRICTION: The Property described in Exhibit A is donated to the Grantee for so long as it is used and maintained as the "Parker Task Force for Human Services Facility" by Grantee, and in the event the Property is not so retained and used, it will automatically revert to the Grantor; provided that Grantor exercises the "right to purchase" described herein. "Parker Task Force for Human Services Facility," as used herein, shall mean a facility of approximately 7,000 square feet designed, constructed and operated according to Town standards, to be compatible with adjacent residential areas, which shall be used exclusively to provide food and clothing to the needy, which facility shall be constructed and operational on or before December 31, 2017. In the event that the Property is not retained and used as the "Parker Task Force for Human Services Facility," the Grantor will have the "right to purchase" the buildings and improvements constructed on the Property by Grantee, based upon the value of the buildings and improvements established by an appraiser selected by the Grantor and Grantee, the cost of the appraisal to be paid for by the Grantor, which appraisal shall not include the value of the Property described in Exhibit A, which is the subject of this donation. The Grantor's "right to purchase" and "right of reversion" shall terminate in the event that Grantor does not pay Grantee the appraised value of the buildings and improvements within sixty (60) days of the delivery of the appraisal to the Grantor and Grantee, or the Grantor has not exercised the "right to purchase" within six (6) months from the date when the Property is not retained and used as the "Parker Task Force for Human Services Facility," whichever is sooner. This Deed Restriction shall be a covenant running with the property and may be specifically enforced by Grantor.

Signed this 3rd day of December, 2012.

TOWN OF PARKER, COLORADO

ATTEST:

By: 
David Casiano, Mayor


Carol Baumgartner, Town Clerk

STATE OF COLORADO)
)ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 31st day of December, 2012, by David Casiano, Mayor, and Carol Baumgartner, Town Clerk, of the Town of Parker, Colorado.

My commission expires: 10/28/2013

S J SORLIEN NOTARY PUBLIC STATE OF COLORADO
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S. J. Sorlien

Notary Public

My Commission Expires 10/28/2013

EXHIBIT A

1. Rights or claims of parties in possession not shown by the public records.
2. Easements, or claims of easements, not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey and inspection of the premises would disclose and which are not shown by the public records.
4. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof, but prior to the date the proposed, insured acquires of record for value the estate or interest or mortgage thereon.
6. Taxes or special assessments which are not shown as existing liens by the public records of the Treasurer's office.
7. Liens for unpaid water and sewer charges, if any.
8. EXISTING LEASES AND TENANCIES, IF ANY.
9. EASEMENTS AS SHOWN ON THE RECORDED PLAT.
10. RESERVATION BY THE UNION PACIFIC LAND COMPANY, TO ITSELF AND ITS ASSIGNS IN ITS DEED RECORDED NOVEMBER 14, 1899, IN BOOK 23, AT PAGE 479, OF THE RECORDS OF DOUGLAS COUNTY, COLORADO, OF ALL COAL AND OTHER MINERALS THAT MAY BE UNDERNEATH THE SURFACE OF LAND DESCRIBED THEREIN AND THE EXCLUSIVE RIGHT TO PROSPECT AND MINE FOR THE SAME, ALSO SUCH RIGHT-OF-WAY AND OTHER GROUNDS AS MAY BE NECESSARY FOR THE PROPER WORKING OF ANY PROSPECT PLACES OR MINES AND FOR REMOVAL THEREFROM OF COAL, MINERALS, MACHINERY OR OTHER MATERIALS AND THE RIGHT OF THE UNION PACIFIC RAILROAD COMPANY TO MAINTAIN AND OPERATE ITS RAILROAD UPON SAID LAND.
11. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE CHERRY CREEK BASIN AUTHORITY, AS EVIDENCED BY INSTRUMENT RECORDED MAY 6, 1988, IN BOOK 790, AT PAGE 718.
12. TERMS, CONDITIONS AND PROVISIONS OF GRANT OF RIGHT-OF-WAY EASEMENT RECORDED JUNE 30, 1986, IN BOOK 649, AT PAGE 696.

13. TERMS, CONDITIONS AND PROVISIONS OF GRANT OF RIGHT-OF-WAY EASEMENT RECORDED AUGUST 25, 1986, IN BOOK 661, AT PAGE 134.
14. TERMS, CONDITIONS AND PROVISIONS OF GRANT OF RIGHT-OF-WAY EASEMENT RECORDED AUGUST 25, 1986, IN BOOK 661, AT PAGE 137.
15. TERMS, CONDITIONS AND PROVISIONS OF GRANT OF RIGHT-OF-WAY EASEMENT RECORDED AUGUST 25, 1986, IN BOOK 661, AT PAGE 140.
16. TERMS, CONDITIONS AND PROVISIONS OF GRANT OF RIGHT-OF-WAY EASEMENT RECORDED AUGUST 25, 1986, IN BOOK 661, AT PAGE 143.
17. RESERVATION OF ALL WATER AND WATER RIGHTS IN DEED RECORDED NOVEMBER 14, 1986, IN BOOK 679, AT PAGE 592.
18. ANY LOSS OR DAMAGE DUE TO THE OMISSION OF THE ACKNOWLEDGMENT IN DEED RECORDED NOVEMBER 14, 1986, IN BOOK 679, AT PAGE 592.
19. THE EFFECT OF STATUTORY BARGAIN AND SALE DEED RECORDED JULY 13, 1992, IN BOOK 1070, AT PAGE 114, WHICH DESCRIBES A WELL SITE ON SUBJECT PROPERTY.
20. UTILITY EASEMENT AS GRANTED TO PARKER WATER AND SANITATION DISTRICT IN INSTRUMENT RECORDED APRIL 25, 1994, IN BOOK 1194, AT PAGE 42.
21. UTILITY EASEMENT AS GRANTED TO PARKER WATER AND SANITATION DISTRICT IN INSTRUMENT RECORDED APRIL 25, 1994, IN BOOK 1194, AT PAGE 48.
22. THE EFFECT OF IMPACT AREA REIMBURSEMENT AGREEMENT RECORDED SEPTEMBER 19, 1995, IN BOOK 1289, AT PAGE 193.