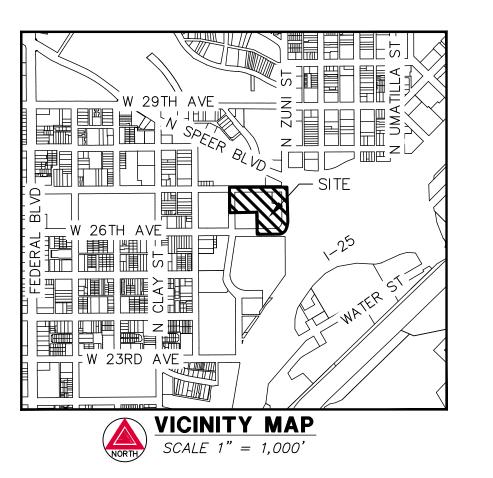
ALTA/NSPS LAND TITLE SURVEY

A PARCEL BEING A PART OF EMERY'S SUBDIVISION OF BLOCKS 5, 6, 7, 14, 15 AND 16, HIGHLAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,

CITY AND COUNTY OF DENVER, STATE OF COLORADO



LEGAL DESCRIPTION

PER LAND TITLE GUARANTEE COMPANY ORDER NO. ABZ70770602-6, WITH AN EFFECTIVE DATE OF DECEMBER 12, 2022 AT 5:00 P.M.

LOTS 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41 AND 42, TOGETHER WITH THE VACATED ALLEY LOCATED BETWEEN THE WEST LINE OF LOT 40 AND THE EAST LINES OF LOTS 41 AND 42, BLOCK 5. EMERY'S SUBDIVISION OF BLOCKS 5. 6. 7. 14. 15 AND 16. HIGHLAND. TOGETHER WITH THAT PART OF BLOCK 4, THE TOWN OF HIGHLAND LYING NORTH OF WEST 26TH AVENUE, EXCEPTING THEREFROM THOSE PORTIONS OF SAID BLOCK 4, DESCRIBED IN INSTRUMENTS RECORDED IN BOOK 7369 AT PAGE 559 AND IN BOOK 8099 AT PAGE 529, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

TITLE COMMITMENT NOTES

PER LAND TITLE GUARANTEE COMPANY ORDER NO. ABZ70770602-6, WITH AN EFFECTIVE DATE OF DECEMBER 12, 2022 AT 5:00 P.M. WAS RELIED UPON FOR RECORD INFORMATION REGARDING RIGHTS-OF-WAY, EASEMENTS AND ENCUMBRANCES. THIS SURVEY DOES NOT REPRESENT A TITLE SEARCH BY AZTEC CONSULTANTS, INC. TO DETERMINE OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER MATTERS OF PUBLIC RECORD.

THE WORD "AFFECTS" AS USED BELOW, IS HEREBY DEFINED AS: "A DETERMINATION THAT THE PROPERTY OR INTERESTS DESCRIBED, WITHIN THE ITEMS LISTED AMONG THE SCHEDULE B - SECTION 2 PROVIDED, FALLS WITHIN OR TOUCHES THE SURVEYED PROPERTY".

ITEM NUMBERS BELOW REFER TO THOSE ITEMS AS LISTED IN SCHEDULE B - PART II OF SAID TITLE COMMITMENT.

ITEM NUMBERS 1-8 ARE STANDARD EXCEPTIONS NOT TO BE ADDRESSED AS A PART OF THIS SURVEY.

- 9. RESTRICTION AS CONTAINED IN DEED RECORDED APRIL 29, 1947 IN BOOK 6203 AT PAGE AFFECTS THE SURVEYED PROPERTY, BUT IS NOT A PLOTTABLE ITEM.
- 10. RIGHT TO CONSTRUCT, MAINTAIN AND REMOVE SEWERS, WATER PIPES AND APPURTENANCES 20. FINANCING STATEMENT WITH CITYWIDE BANKS, THE SECURED PARTY, RECORDED MAY 24, AND TO AUTHORIZE THE CONSTRUCTION, MAINTENANCE AND REMOVAL OF THE SAME THEREIN AND THEREFROM, AND SUBJECT TO THE CONTINUED RIGHT OF THE OWNERS TO MAINTAIN AND OPERATE EXISTING ELECTRIC LIGHT AND POWER LINES, TELEPHONE LINES, GAS MAINS AND PIPES AS RESERVED TO THE CITY AND COUNTY OF DENVER IN ORDINANCE #92, RECORDED JUNE 24, 1948 IN BOOK O1 AT PAGE 227, AFFECTING SAID VACATED

AFFECTS THE SURVEYED PROPERTY, BUT IS NOT A PLOTTABLE ITEM.

- 11. UTILITY EASEMENT AS GRANTED TO PUBLIC SERVICE COMPANY OF COLORADO IN INSTRUMENT RECORDED AUGUST 09, 1957, IN BOOK 8074 AT PAGE 100. AFFECTS THE SURVEYED PROPERTY AS SHOWN HEREON. NOTE: WIDTH OF EASEMENT NOT SPECIFIED WITHIN ABOVE DESCRIBED DOCUMENT.
- 12. RIGHT OF WAY EASEMENT AS GRANTED TO THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY IN INSTRUMENT RECORDED APRIL 16, 1964, IN BOOK 9219 AT PAGE AFFECTS THE SURVEYED PROPERTY AND IS SHOWN HEREON.
- 13. LEASE BETWEEN GLADYS MAY GRIFFITH AND DONALD I. GRIFFITH, SOMETIMES KNOWN AS DONALD IRVING GRIFFITH, LESSOR, AND FOREMOST HOTEL CO., AN ARIZONA CORPORATION, LESSEE, AS SHOWN BY LEASE AGREEMENT RECORDED MAY 11, 1956, IN BOOK 7871 AT PAGE 238, AND ANY AND ALL INSTRUMENTS AND INTERESTS IN CONNECTION WITH SAID LEASE, INCLUDING BUT NOT LIMITED TO, ALL AMENDMENTS, ASSIGNMENTS, ENCUMBRANCES, FORECLOSURES, AND LITIGATION.

ASSIGNMENT OF LESSOR'S INTEREST IN LEASE RECORDED JANUARY 2, 1998 UNDER RECEPTION NO. 9800000202.

ESTOPPEL CERTIFICATE GIVEN IN CONNECTION WITH SAID LEASE RECORDED JANUARY 31, 2008 UNDER RECEPTION NO. 2008013188.

NOTE: LESSEE'S OPTION TO PURCHASE AS SET FORTH IN ARTICLE XVII OF SAID LEASE HAS BEEN WAIVED AS TO THE SALE TRANSACTION HEREIN.

NOTE: THE PRESENT OWNERSHIP OF THE LEASEHOLD CREATED BY SAID LEASE AND OTHER MATTERS AFFECTING THE INTEREST OF THE LESSEE ARE NOT SHOWN HEREIN. AFFECTS THE SURVEYED PROPERTY, BUT IS NOT A PLOTTABLE ITEM.

14. DEED OF TRUST DATED APRIL 15, 1998 FROM U.S. MOTELS DOWNTOWN, INC., A COLORADO CORPORATION TO THE PUBLIC TRUSTEE OF DENVER COUNTY FOR THE USE OF SHAMES-MAKOVSKY MORTGAGE COMPANY TO SECURE THE SUM OF \$1.300.000.00. AND ANY OTHER AMOUNTS PAYABLE UNDER THE TERMS THEREOF, RECORDED APRIL 17, 1998, UNDER RECEPTION NO. 59296.

AFFECTS THE SURVEYED PROPERTY, BUT IS NOT A PLOTTABLE ITEM.

- 15. FINANCING STATEMENT WITH SHAMES-MAKOVSKY MORTGAGE COMPANY, THE SECURED PARTY, RECORDED APRIL 17, 1998, UNDER RECEPTION NO. 59297. AFFECTS THE SURVEYED PROPERTY, BUT IS NOT A PLOTTABLE ITEM.
- 16. DEED OF TRUST DATED JANUARY 31, 2008 FROM U.S. MOTELS, INC., A COLORADO CORPORATION TO THE PUBLIC TRUSTEE OF DENVER COUNTY FOR THE USE OF CITYWIDE BANKS TO SECURE THE SUM OF \$3,500,000.00, AND ANY OTHER AMOUNTS PAYABLE UNDER THE TERMS THEREOF, RECORDED JANUARY 31, 2008, UNDER RECEPTION NO. 2008012935.
- SAID DEED OF TRUST WAS FURTHER SECURED IN ASSIGNMENTS OF RENTS RECORDED JANUARY 31, 2008, UNDER RECEPTION NO. 2008012936 AND 2008012937.

MODIFICATION OF DEED OF TRUST RECORDED OCTOBER 20, 2014 UNDER RECEPTION NO. 2014127400. AFFECTS THE SURVEYED PROPERTY, BUT IS NOT A PLOTTABLE ITEM.

TITLE COMMITMENT NOTES-CONTINUED

- 17. FINANCING STATEMENT WITH CITYWIDE BANKS, THE SECURED PARTY, RECORDED FEBRUARY 1. THE FIELD WORK FOR THIS SURVEY WAS PERFORMED BY AN AZTEC CONSULTANTS, 06, 2008, UNDER RECEPTION NO. 2008015297. AFFECTS THE SURVEYED PROPERTY, BUT IS NOT A PLOTTABLE ITEM.
- 18. DEED OF TRUST DATED DECEMBER 30, 2011 FROM U.S. MOTELS DOWNTOWN, INC. TO THE PUBLIC TRUSTEE OF DENVER COUNTY FOR THE USE OF CITYWIDE BANKS TO SECURE THE SUM OF \$2,095,974.18, AND ANY OTHER AMOUNTS PAYABLE UNDER THE TERMS THEREOF, RECORDED JANUARY 05, 2012, UNDER RECEPTION NO. 2012001278.

SAID DEED OF TRUST WAS FURTHER SECURED IN ASSIGNMENT OF RENTS RECORDED JANUARY 05, 2012, UNDER RECEPTION NO. 2012001279.

MODIFICATION OF DEED OF TRUST RECORDED OCTOBER 21, 2014 UNDER RECEPTION NO. 2014127483. AFFECTS THE SURVEYED PROPERTY, BUT IS NOT A PLOTTABLE ITEM.

- 19. FINANCING STATEMENT WITH CITYWIDE BANKS, THE SECURED PARTY, RECORDED OCTOBER 2014, UNDER RECEPTION NO. 2014127401. AFFECTS THE SURVEYED PROPERTY, BUT IS NOT A PLOTTABLE ITEM.
- 2022, UNDER RECEPTION NO. 2022069446. AFFECTS THE SURVEYED PROPERTY, BUT IS NOT A PLOTTABLE ITEM.

GENERAL NOTES

- INC. SURVEY CREW AND COMPLETED ON JANUARY 12, 2023.
- 2. PER C.R.S. 38-51-106, "ALL LINEAL UNITS DEPICTED ON THIS LAND SURVEY PLAT ARE U.S. SURVEY FEET. ONE METER EQUALS 39.37/12 U.S. SURVEY FEET, EXACTLY ACCORDING TO THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY."
- 3. AS TO TABLE A ITEM NO. 2: PER LAND TITLE GUARANTEE COMPANY ORDER NO. ABZ70770602-6 THE SURVEYED PROPERTY ADDRESS IS 2601 NORTH ZUNI STREET, DENVER, CO 80211.
- 1. AS TO TABLE A ITEM NO. 4: THE SURVEYED PARCEL CONTAINS A TOTAL OF 3.046 ACRES OR 132,680 SQUARE FEET, MORE OR LESS.
- 2. AS TO TABLE A ITEM NO. 9: THE NUMBER OF ACTUAL PARKING SPACES LOCATED ON THE SURVEYED PROPERTY IS 117, INCLUDING 2 DESIGNATED AS HANDICAP SPACES.
- AS TO TABLE A ITEM NO. 11: THIS SURVEY DOES NOT CERTIFY TO SUBSURFACE FEATURES, IMPROVEMENTS, UTILITIES OR BURIED LINES OF ANY TYPE, LOCATION DEPICTED HEREON ARE DERIVED FROM FIELD SURVEY OF UTILITY FLAGGING / PAINT MARKING, PERFORMED BY AZTEC CONSULTANTS INC. UTILITY LOCATES DEPARTMENT ON JANUARY 9, 2023.
- 4. AS TO TABLE A ITEM NO. 16: THERE WAS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS AT THE TIME OF THIS SURVEY.
- 5. THE PROPERTY HAS DIRECT PHYSICAL ACCESS TO ZUNI STREET AND WEST 27TH AVENUE, DEDICATED PUBLIC STREETS.
- 6. THE PROPERTY DESCRIBED HEREON IS THE SAME AS THE PROPERTY DESCRIBED IN LAND TITLE GUARANTEE COMPANY ORDER NO. ABZ70770602-06, WITH AN EFFECTIVE DATE OF DECEMBER 12, 2022 AND THAT ALL EASEMENTS, COVENANTS AND RESTRICTIONS REFERENCED IN SAID TITLE COMMITMENT OR APPARENT FROM A PHYSICAL INSPECTION OF THE SITE OR OTHERWISE KNOWN TO ME HAVE BEEN PLOTTED HEREON OR OTHERWISE NOTED AS TO THEIR EFFECT ON THE SURVEYED PROPERTY.
- 7. THE ACCOMPANYING SURVEY WAS MADE ON THE GROUND AND CORRECTLY SHOWS THE LOCATION OF ALL BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE ABOVE PREMISES; THERE ARE NO VISIBLE ENCROACHMENTS ON THE SURVEYED PROPERTY OR UPON ADJACENT LAND ABUTTING SAID PROPERTY EXCEPT AS SHOWN HEREON AND WAS MADE IN ACCORDANCE WITH LAWS AND/OR MINIMUM STANDARDS OF THE STATE OF COLORADO.
- 8. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR ACCESSORY COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.

BASIS OF BEARINGS

BEARINGS SHOWN HEREON ARE GRID BEARINGS DERIVED FROM GPS OBSERVATION BASED UPON THE COLORADO COORDINATE SYSTEM OF 1983, CENTRAL ZONE (NAD 83, 2011), REFERENCED TO THE 20 FOOT RANGE LINE LOCATED IN WEST 27TH AVENUE, TAKEN TO BEAR, NORTH 89°46'32" EAST, A DISTANCE OF 549.05 FEET, MONUMENTED AS SHOWN HEREON.

BENCHMARK

CITY AND COUNTY OF DENVER BENCHMARK "146A". BEING A BRASS CAP LOCATED IN THE SOUTHEAST CORNER OF FEDERAL BOULEVARD AND 29TH AVENUE

NAVD88 ELEV=5323.89'

FLOOD ZONE

THE SURVEYED PROPERTY SHOWN HEREIN LIES WITHIN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLIAN, AS SHOWN ON FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP NO. 0800460069J, WITH A MAP REVISED DATE OF SEPTEMBER 4, 2020.

SURVEYOR'S STATEMENT

LAND TITLE GUARANTEE COMPANY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY REAL PROPERTY, LLC, A COLORADO LIMITED LIABILITY COMPANY UNLY FOUNDATION THC-DENVER, LLC, A NEVADA LIMITED LIABILITY COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-5, 7(a), 7(c), 8, 9, 11(b), 13, 14 AND 16 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JANUARY 12, 2023.

DATE OF PLAT OR MAP: 01/17/23



DANIEL E. DAVIS, PLS NO. 38256 COLORADO LICENSED PROFESSIONAL LAND SURVEYOR FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.

NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

NOTICE: PER THE STATE OF COLORADO BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS, AND PROFESSIONAL LAND SURVEYORS RULE 1.6.B.2 THE WORD "CERTIFY" AS USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTY, EXPRESSED OR IMPLIED. THE SURVEY REPRESENTED HEREON HAS BEEN PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND IS BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF.

IDEXING	STATEMENT	

DEPOSITED THIS DAY OF	, 2020, AT	, M., IN BOOK	0
THE COUNTY SURVEYOR'S LAND SURVEY/RIGHT-	-OF-WAY SURVEYS AT PA	GE(S),	
RECEPTION NUMBER,			

COUNTY SURVEYOR/DEPUTY COUNTY SURVEYOR

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