

1 BY AUTHORITY

2 RESOLUTION NO. CR11-0191
3 SERIES OF 2011

COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

4 A RESOLUTION

5 **Amending Resolution No. 164, Series of 2010, to amend the items contained in the**
6 **revocable permit issued to School District No. 1 in the City and County of Denver**
7 **to encroach into the right-of-way with a retaining wall along East 26th Ave.,**
8 **between Franklin St. and Gilpin St. at Manual High School.**

9
10 **BE IT RESOLVED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

11 **Section 1.** That Section 1 of Resolution No. 164, Series of 2010, shall be and hereby is
12 amended in its entirety to read as follows:

13 **Section 1.** The City and County of Denver hereby grants to School District No.
14 1 in the City and County of Denver (Denver Public Schools), its successors and assigns
15 ("Permittee"), a revocable permit to encroach with a retaining wall in the following described
16 areas ("Encroachment Areas"):

SITUATED IN THE RIGHT OF WAY OF 26TH AVENUE AS FOUND ON THE PLAT OF SCHINNER'S ADDITION TO THE CITY OF DENVER, BOOK 1, PAGE 12, BETWEEN VACATED FRANKLIN STREET, ORD. 216-1966, AND VACATED GILPIN STREET, ORD. 113-1950, IN THE NORTHEAST QUARTER SECTION 35, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS ARE BASED ON THE 18 FOOT RANGE LINE FOUND IN THE CITY AND COUNTY OF DENVER TIE BOOK PAGES 61 AND 62. MONUMENTED ON THE WEST BY A REBAR IN A RANGE POINT MONUMENT BOX AND MONUMENTED ON THE EAST BY A CHISELED X ON TOP OF A GRANITE CURB. SAID LINE IS ASSUMED TO BEAR NORTH 89°44'27" EAST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE WEST END OF SAID 18 FOOT RANGE LINE; THENCE NORTH 73°00'05" WEST A DISTANCE OF 60.74 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF 26TH AVENUE, THE SOUTH LINE OF BLOCK 5, SCHINNER'S ADDITION TO THE CITY OF DENVER AND THE POINT OF BEGINNING; THENCE SOUTH 89°44'27" WEST, ALONG SAID NORTH RIGHT OF WAY, A DISTANCE OF 236.22 FEET; THENCE SOUTH 00°05'56" WEST, DEPARTING SAID NORTH RIGHT OF WAY, A DISTANCE OF 5.69 FEET; THENCE SOUTH 70°10'01" EAST A DISTANCE OF 12.45 FEET, THENCE NORTH 89°39'04" EAST A DISTANCE OF 200.53 FEET; THENCE NORTH 67°51'55" EAST A DISTANCE OF 25.90 FEET TO THE POINT OF BEGINNING. CONTAINING 2,174 SQUARE FEET OR 0.050 ACRES, MORE OR LESS.

17
18 **Section 2.** The remainder of the Revocable Permit issued by Resolution No. 164, Series of
19 2010, remains in full force and effect.

20 COMMITTEE APPROVAL DATE: March 17, 2011 by consent.

21 MAYOR-COUNCIL DATE: March 22, 2011

22 PASSED BY THE COUNCIL: _____, 2011

23 _____ - PRESIDENT

24 ATTEST: _____ - CLERK AND RECORDER,
25 EX-OFFICIO CLERK OF THE
26 CITY AND COUNTY OF DENVER

1 PREPARED BY: KAREN A. AVILES, Assistant City Attorney DATE: March 23, 2011
2 Pursuant to section 13-12, D.R.M.C., this proposed resolution has been reviewed by the office of the
3 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
4 resolution. The proposed resolution is not submitted to the City Council for approval pursuant to §
5 3.2.6 of the Charter.
6 David R. Fine, City Attorney
7 BY: _____, Assistant City Attorney DATE: _____, 2011