



## REQUEST FOR REVOCATION OF REVOCABLE ENCROACHMENT PERMIT

**TO:** Caroline Martin, City Attorney's Office

**FROM:** Matt R. Bryner, PE  
Director, Right of Way Services

**ROW NO.:** 1988-ENCROACHMENT-0011001

**DATE:** July 30, 2020

**SUBJECT:** Request for revocation of Ordinance #53, Series of 1989 which granted a revocable permit to Secretary of Housing and Urban Development, their successors and assigns, to encroach into the right of way with an existing garage at 500 Tennyson Street.

**It is requested that the above subject item be placed on the next available Mayor Council Agenda.**

This office has investigated the request from Rebecca Esquivel, dated February 10, 2017, for revocation of the above-subject permit. The reason for the revocation is the 2014 Rule and Regulation change has granted this as a Tier I.

This matter has been checked by this office and has been coordinated with DES Construction Engineering to ensure the encroachment in question has been removed.

As a result of the investigations, it has been determined that there is no objection to revocation of the revocable permit.

Therefore, you are requested to initiate Council action for the revocation of a revocable permit granted by Ordinance # 53, Series of 1989.

MB: vw

cc: City Councilperson & Aides  
City Council Staff – Zach Rothmier  
Department of Law – Bradley Beck  
Department of Law – Deanne Durfee  
Department of Law – Maureen McGuire  
Department of Law – Martin Plate  
DOTI, Manager's Office – Alba Castro  
DOTI, Legislative Services – Jason Gallardo  
DOTI, Survey – Paul Rogalla

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to Jason Gallardo at [Jason.Gallardo@denvergov.org](mailto:Jason.Gallardo@denvergov.org) by **12:00pm on Monday**. Contact her with questions.

Date of Request: July 30, 2020\_\_\_\_\_

Please mark one:  Bill Request or  Resolution Request

**1. Type of Request:**

- Contract/Grant Agreement     Intergovernmental Agreement (IGA)     Rezoning/Text Amendment
- Dedication/Vacation             Appropriation/Supplemental             DRMC Change
- Other: Revocation of Encroachment

**2. Title:** (Start with *approves, amends, dedicates*, etc., include name of company or contractor and indicate the type of request: grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.)

Request for revocation of Ordinance #53, Series of 1989 which granted a revocable permit to Secretary of Housing and Urban Development, their successors and assigns, to encroach into the right of way with an existing garage at 500 Tennyson Street.

**3. Requesting Agency:** DOTI ROWS Engineering Regulatory

**4. Contact Person:**

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Vanessa West	Name: Jason Gallardo
Email: <a href="mailto:Vanessa.west@denvergov.org">Vanessa.west@denvergov.org</a>	Email: Jason.Gallardo@denvergov.org

**5. General description or background of proposed request. Attach executive summary if more space needed:**

Revoking Ordinance #53, Series of 1989 which granted a revocable permit to Secretary of Housing and Urban Development, their successors and assigns, to encroach into the right of way with an existing garage at 500 Tennyson Street.

**6. City Attorney assigned to this request (if applicable):** Martin Plate

**7. City Council District:** District #3 Torres

**8. \*\*For all contracts, fill out and submit accompanying Key Contract Terms worksheet\*\***

*To be completed by Mayor's Legislative Team:*

Resolution/Bill Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_

## Key Contract Terms

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):

Vendor/Contractor Name:

Contract control number:

Location:

Is this a new contract?  Yes  No Is this an Amendment?  Yes  No If yes, how many? \_\_\_\_\_

Contract Term/Duration (for amended contracts, include existing term dates and amended dates):

Contract Amount (indicate existing amount, amended amount and new contract total):

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>

Scope of work:

Was this contractor selected by competitive process?

If not, why not?

Has this contractor provided these services to the City before?  Yes  No

Source of funds:

Is this contract subject to:  W/MBE  DBE  SBE  XO101  ACDBE  N/A

WBE/MBE/DBE commitments (construction, design, Airport concession contracts):

Who are the subcontractors to this contract?

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*To be completed by Mayor's Legislative Team:*

Resolution/Bill Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_

## ENCROACHMENT REVOCATION EXECUTIVE SUMMARY

**What is an Encroachment:** A privately owned improvement that is located in, or project over or under the public Right-of-Way.

**Project Title:** 1988-ENCROACHMENT-0011001, 500 Tennyson St

**Business name:** Rebecca Esquivel

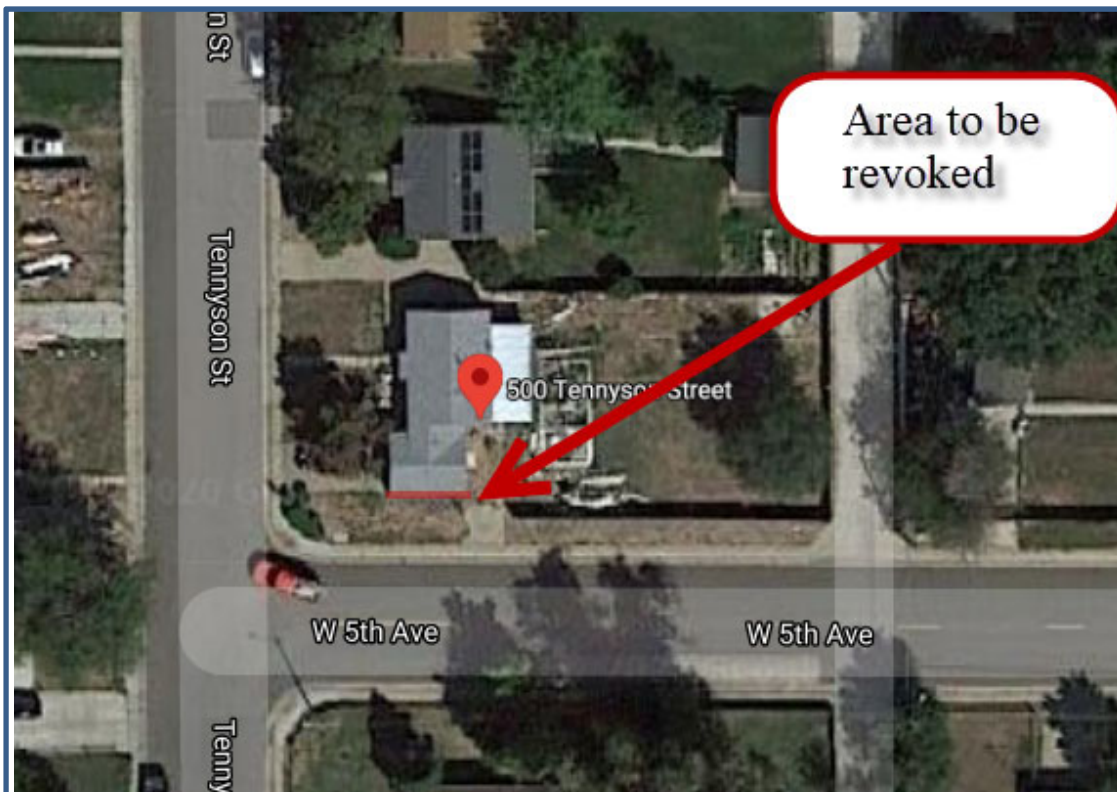
**Description of Encroachment:** An existing garage encroaching into the ROW less than 6 inches.

**Explanation of why the Encroachment is no longer needed:** The 2014 Rule and Regulation change has granted this as a Tier I

**When was the Encroachment removed/abandoned:** N/A

**Additional Information:** The property owner requested in 2017 to revoke, due the 2014 Rule and Reg change, that this is no longer considered a Tier III, and is a Tier I to today's standards.

**Location Map:**



City and County of Denver Department of Transportation & Infrastructure  
Right-of-Way Services | Engineering and Regulatory  
201 W Colfax Ave, Dept 507 | Denver, CO 80202

[www.denvergov.org/doti](http://www.denvergov.org/doti)

Phone: 720-865-3003

311 | [POCKETGOV.COM](http://POCKETGOV.COM) | [DENVERGOV.ORG](http://DENVERGOV.ORG) | DENVER 8 TV

BY AUTHORITY

ORDINANCE NO. 53

SERIES OF 1989

COUNCIL BILL NO. 48

COMMITTEE OF REFERENCE:  
PUBLIC WORKS

A B I L L

FOR AN ORDINANCE GRANTING A REVOCABLE PERMIT OR LICENSE, SUBJECT TO CERTAIN TERMS AND CONDITIONS, TO SECRETARY OF HOUSING AND URBAN DEVELOPMENT, HIS SUCCESSORS AND ASSIGNS TO ENCROACH INTO STREET RIGHT-OF-WAY AT 500 TENNYSON STREET WITH EXISTING GARAGE.

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. That the City and County of Denver hereby grants Secretary of Housing and Urban Development, his successors and assigns, a revocable permit or license to encroach into street right-of-way at 500 Tennyson Street with existing garage in the following described area:

That part of West 5th Avenue more particularly described as follows:  
Commencing at the southwest corner of Block 1, Burns Sunset Heights;  
thence easterly along the south line of said Block 1, 20 feet to the true point of beginning;  
thence southerly and parallel with the west line of said Block 1 extended southerly 4.5 feet;  
thence easterly and parallel with the south line of said Block 1, 20.3 feet;  
thence northerly and parallel with the west line of said Block 1 extended southerly 4.5 feet to a point on the south line of said Block 1;  
thence westerly along said south line to the true point of beginning.

Section 2. The Revocable Permit or license granted by this ordinance is expressly granted upon and subject to each and all of the following terms and conditions:

(a) All construction in, on or over the area of encroachment shall be accomplished in accordance with the Building Code of the City and County of Denver. Plans and specifications, governing the construction of said garage, shall be approved by the Manager of Public Works and the Director of the Building Inspection Division prior to construction. Upon completion a reproducible copy of the exact location and dimensions of the encroachment shall be filed with the Manager of Public Works.

(b) The licensee shall pay all costs of construction and maintenance of said garage and upon revocation of permit as provided herein or upon abandonment shall pay all costs of removing the said structure from the encroachment area and return the street to its original condition under the supervision of the City Engineer.

(c) This revocable permit or license shall not operate or be construed to abridge, limit or restrict the City and County of Denver in exercising its right to make full use of West 5th Avenue as a public thoroughfare nor shall it operate to restrict the utility companies in exercising their rights to construct, remove, operate and maintain their installations within the said street.

Any costs that are incurred relocating facilities for the utility companies during construction within the encroachment area will have to be borne by the licensee.

(d) The licensee is to assume full responsibility for any and all damages incurred to facilities of the Water Department and/or drainage facilities for water and sewage of the City and County of Denver due to activities authorized by the permit. Any and all replacement or repair of facilities of the Water Department and/or drainage facilities for water and sewage of the City and County of Denver attributed to the work shall be made by the Water Department and/or the City and County of Denver at the sole expense of the licensee.

(e) The licensee shall agree to indemnify and always save the City and County of Denver harmless from all costs, claims or damages arising out of the rights and privileges granted by this permit.

(f) During the existence of said encroachment, the licensee or permittee, its successors and assigns, at its or their expense, and without cost to the City and County of Denver, shall procure and maintain a single limit comprehensive general liability insurance policy with a limit of not less than \$500,000. All coverages are to be arranged on the occurrence basis and include coverage for those hazards normally identified as X.C.U. during construction. The insurance coverage hereinabove enumerated

constitutes a minimum requirement and such enumeration shall in no way be deemed to limit or lessen the liability of the licensee or permittee, its successors or assigns, under the terms of this revocable license or permit; all of the insurance coverage required herein shall be written in form and by a company or companies approved by the Manager of Public Works of the City and County of Denver and authorized to do business in the State of Colorado. A certified copy of all such insurance policies shall be filed with the said Manager of Public Works, and each such policy shall contain a statement therein or endorsement thereon that it will not be cancelled or materially changed or altered without at least thirty days prior written notice, by registered mail, to the said Manager of Public Works at least thirty days prior to the termination of the term; all such insurance policies shall be specifically endorsed to include all liability assumed by the licensee or permittee hereunder and shall name the City and County of Denver as an additional insured.

(g) The licensee shall also remove and replace any and all street paving, sidewalks and curb and gutter, both inside the area of encroachment and in the area of the street adjoining thereto, that become broken, damaged or unsightly during the course of construction without cost to the City.

In the future the licensee shall also remove, replace or repair any street paving, sidewalks and curb and gutter that become broken or damaged when in the opinion of the City Engineer the damage has been caused by the construction within the area of encroachment.

The work required to effect the said repairs shall be accomplished without cost to the City and under the supervision of the City Engineer.

(h) The City and County of Denver reserves the right to make an inspection of the said garage and facilities contained within the confines of this encroachment for which an annual fee of \$50.00 shall be assessed.

**Section 3.** That the revocable permit or license hereby granted shall be revocable at any time that the Council of the City and

County of Denver shall determine that the public convenience and necessity or the public health, safety or general welfare require such revocation, and the right to revoke the same is hereby expressly reserved to the City and County of Denver; provided however, at a reasonable time prior to Council action upon such revocation or proposed revocation, opportunity shall be afforded to licensee or permittee, its successors and assigns, to be present at a hearing to be conducted by the Council upon such matters and thereat to present its or their views and opinions thereof and to present for consideration action or actions alternative to the revocation of such license or permit.

**Section 4.** That this license or permit shall be of no force or effect until the following things have been done and performed:

(a) The licensee or permittee shall have filed with the Manager of Public Works a written acceptance of the terms and conditions of this ordinance together with a fee for filing with the Clerk and Recorder in and for the City and County of Denver; said acceptance shall be in substantially the following form:

Date: \_\_\_\_\_

We the undersigned do hereby accept all of the terms and conditions recited in Ordinance No. \_\_\_\_\_, Series of 19\_\_\_\_\_.

Signed  
by: \_\_\_\_\_  
(Permittee or Licensee)

By: \_\_\_\_\_  
(Name of Officer)

(b) The licensee or permittee shall have filed with the Manager of Public Works all insurance policies and certificates herein recited; and

(c) The Manager of Public Works shall have certified in writing that the foregoing requirements have been performed.

PASSED BY THE COUNCIL, February 6, 1989

Siawatha Naysi - PRESIDENT

APPROVED: Edwin Davis - MAYOR February 7 1989

ATTEST: [Signature] - CLERK AND RECORDER,  
EX-OFFICIO CLERK OF THE  
CITY AND COUNTY OF DENVER





PUBLISHED IN THE DAILY JOURNAL Feb. 3, 1989 February 13, 1989

PREPARED BY: ROBERT M. KELLY, ASSISTANT CITY ATTORNEY 1/25/89

REVIEWED BY: Patricia Wells - CITY ATTORNEY 1/25 1989

SPONSORED BY COUNCIL MEMBER(S) \_\_\_\_\_

# The Daily Journal

No. \_\_\_\_\_

F.W. DODGE DIVISION  
 McGraw-Hill Information Systems  
 Company  
 A Division of McGraw-Hill Inc.  
**Publisher's Affidavit**  
 STATE OF COLORADO,  
 City and County of Denver ) ss.

### Bertil Ljung

I, Bertil Ljung, of the City and County of Denver, State of Colorado, being duly sworn, upon oath say that I am the legal editor of The Daily Journal, that I have personal knowledge of all the facts set forth in this affidavit, that said The Daily Journal is a public daily newspaper of general circulation having its principal office and place of business situated in said City and County of Denver, that said The Daily Journal is printed and published daily except Saturdays, Sundays and legal holidays, that said The Daily Journal is a daily newspaper within the meaning of the act of the General Assembly of the State of Colorado, approved April 7, 1921, and entitled, "An Act Concerning Legal Notices, Advertisements and Publications and the Fees of Printers and Publishers Thereof, and to Repeal All Acts and Parts of Acts in Conflict with the Provisions of This Act and as amended by an act of said General Assembly, entitled, "An Act to Amend An Act Entitled, "An Act Concerning Legal Notices, Advertisements and Publications and the Fees of Printers and Publishers Thereof and to Repeal All Acts and Parts of Acts in Conflict with the Provisions of this Act," approved March 30, 1923, and as amended by an act of said General Assembly, approved May 18, 1931, entitled, "An Act to Amend Section 4 of Chapter 139, Session Laws of Colorado, 1923 Relating to Legal Notices and Advertisements," which said Act took effect on and after the first day of January, 1932, and as amended by an act of said General Assembly, entitled, "An Act to Amend Chapter 139 of the Session Laws of 1923 Relating to Legal Notices and Advertisements to Define Newspapers Qualified to Publish Legal Notices and Advertisements and the Fees of Printers and Publishers Thereof and to Provide That the Costs of Such Legal Notices and Advertisements Shall Be Taxed as Fees," approved March 5, 1935, and as amended by an act of said General Assembly, entitled, "An Act Relating to Legal Notices and Advertisements and Amending Section 1 of Chapter 113, Session Laws of 1931," approved March 25, 1935, and "An Act to Amend and as Amended by the General Assembly, concerning Rates for Legal Publications, 109-1-7 C.H.S. 1963 as amended, approved May 22, 1971, and effective January 1, 1972. That said newspaper had, prior to January 1, 1936, and has ever since said date, been admitted to the United States Mails as second class matter under the provisions of the Act of March 3, 1879, or any amendments thereof, that said newspaper is printed and published in whole in said City and County of Denver and has a general circulation therein, that said newspaper has been so printed and published as a public daily newspaper of general circulation in said City and County of Denver, uninterruptedly and continuously during the period of more than fifty-two consecutive weeks next prior to the first issue thereof containing the annexed legal notice and advertisement, that said legal notice and advertisement was published daily except Saturdays, Sundays and legal holidays in the regular edition of said newspaper for

One consecutive days, that the first publication of said legal notice and advertisement appeared in the regular edition of said

newspaper on the 13th day of

February A D 1989, that the last publication of said legal notice and advertisement appeared in the regular edition of said newspaper on the

13th day of

February A D 1989; and that therefore, said legal notice and advertisement was duly published in a newspaper duly qualified for that purpose within the meaning of the act of the General Assembly of the State of Colorado

*Bertil Ljung*  
 Subscribed and sworn to, at the City and County of Denver, State of Colorado, before

me a Notary Public, this 13th day of February A D 1989.

Witness my hand and notarial seal

*Roger E. Parcell*  
 Notary Public  
 101 University Blvd. #260  
 Denver, Colorado 80206

BY AUTHORITY  
 ORDINANCE NO. 53  
 COUNCIL BILL NO. 48, SERIES OF 1989, COMMITTEE OF REFERENCE: PUBLIC WORKS.  
 A BILL  
 FOR AN ORDINANCE GRANTING A REVOCABLE PERMIT OR LICENSE, SUBJECT TO CERTAIN TERMS AND CONDITIONS, TO SECRETARY OF HOUSING AND URBAN DEVELOPMENT, HIS SUCCESSORS, AND ASSIGNS TO ENCROACH INTO STREET RIGHT-OF-WAY AT 500 TENNYSON STREET, WITH EXISTING GARAGE.

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. That the City and County of Denver hereby grants Secretary of Housing and Urban Development, his successors and assigns, a revocable permit or license to encroach into street right-of-way at 500 Tennyson Street with existing garage in the following described area:

That part of West 5th Avenue more particularly described as follows: Commencing at the southwest corner of Block 1, Burns Sunset Heights; thence easterly along the south line of said Block 1, 20 feet to the true

AGREEMENT BETWEEN AMENDATORY A PROPOSED ORDINANCE APPROVING FOR AN ORDINANCE APPROVING A BILL HUMAN SERVICES ENCE HEALTH HOUSING & 1988 COMMITTEE OF REFERENCE COUNCIL BILL NO. 48, SERIES OF ORDINANCE NO. 50 BY AUTHORITY 399

PREPARED BY: PATRICIA WELLS, City Attorney  
 Published in The Daily Journal Feb. 3, 1989  
 Approved: FEDERICO PENA, Mayor, Feb. 3, 1989

Approved by the Council February 6, 1989  
 Clerk and Recorder: EX-OFFICIO Clerk of the City and County of Denver

Authorized for expenditure of said Training Program FY 1989-1990  
 The 1989 Summer Youth Administrative Cost P 1763-9510 1761-9510

ACCREDITED AUDITORS  
 NUMBER 1761-9510  
 Section 5. That it be and it hereby is so ordered that the Auditor and Treasurer of the City and County of Denver shall be authorized and directed to make such other things as may be necessary to carry out the purposes of this Ordinance.

Section 6. The Auditor and Treasurer of the City and County of Denver shall be authorized and directed to make such other things as may be necessary to carry out the purposes of this Ordinance.

Section 7. The Auditor and Treasurer of the City and County of Denver shall be authorized and directed to make such other things as may be necessary to carry out the purposes of this Ordinance.

Section 8. The Auditor and Treasurer of the City and County of Denver shall be authorized and directed to make such other things as may be necessary to carry out the purposes of this Ordinance.

Section 9. The Auditor and Treasurer of the City and County of Denver shall be authorized and directed to make such other things as may be necessary to carry out the purposes of this Ordinance.

Section 10. The Auditor and Treasurer of the City and County of Denver shall be authorized and directed to make such other things as may be necessary to carry out the purposes of this Ordinance.

Section 11. The Auditor and Treasurer of the City and County of Denver shall be authorized and directed to make such other things as may be necessary to carry out the purposes of this Ordinance.

Section 12. The Auditor and Treasurer of the City and County of Denver shall be authorized and directed to make such other things as may be necessary to carry out the purposes of this Ordinance.

Section 13. The Auditor and Treasurer of the City and County of Denver shall be authorized and directed to make such other things as may be necessary to carry out the purposes of this Ordinance.

Section 14. The Auditor and Treasurer of the City and County of Denver shall be authorized and directed to make such other things as may be necessary to carry out the purposes of this Ordinance.

Section 15. The Auditor and Treasurer of the City and County of Denver shall be authorized and directed to make such other things as may be necessary to carry out the purposes of this Ordinance.

Section 16. The Auditor and Treasurer of the City and County of Denver shall be authorized and directed to make such other things as may be necessary to carry out the purposes of this Ordinance.

native to the revocation of such license or permit.

Section 4. That this license or permit shall be of no force or effect until the following things have been done and performed:

(a) The licensee or permittee shall have filed with the Manager of Public Works a written acceptance of the terms and conditions of this ordinance together with a fee for filing with the Clerk and Recorder in and for the City and County of Denver; said acceptance shall be in substantially the following form:

Date: \_\_\_\_\_  
 We the undersigned do hereby accept all of the terms and conditions recited in Ordinance No. \_\_\_\_\_ Series of 19 \_\_\_\_\_  
 Signed by: \_\_\_\_\_  
 (Permittee or Licensee)

By: \_\_\_\_\_  
 (Name of Officer)

(b) The licensee or permittee shall have filed with the Manager of Public Works all insurance policies and certificates herein recited, and

(c) The Manager of Public Works shall have certified in writing that the foregoing requirements have been performed.

Passed by the Council February 6, 1989. HIAWATHA DAVIS, JR., President. Approved: FEDERICO PENA, Mayor, February 7, 1989. Attest: FELICIA MUFTIC, Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver (Seal) Published in The Daily Journal Feb. 3, 1989 and Feb. 13, 1989. 302 REVIEWED BY: PATRICIA WELLS, City Attorney, 1-25-89. PREPARED BY: ROBERT M. KELLY, Ass't. City Atty, 1-25-89.

# The Daily Journal

No. \_\_\_\_\_

F.W. DODGE DIVISION  
 McGraw-Hill Information Systems  
 Company  
 A Division of McGraw-Hill Inc.  
**Publisher's Affidavit**  
 STATE OF COLORADO,  
 City and County of Denver } ss.

I, Bertil Ljung of the City and County of Denver, State of Colorado, being duly sworn, upon oath say that I am the legal editor of The Daily Journal, that I have personal knowledge of all the facts set forth in this affidavit, that said The Daily Journal is a public daily newspaper of general circulation having its principal office and place of business situated in said City and County of Denver, that said The Daily Journal is printed and published daily except Saturdays, Sundays and legal holidays, that said The Daily Journal is a daily newspaper within the meaning of the act of the General Assembly of the State of Colorado, approved April 7, 1921, and entitled, "An Act Concerning Legal Notices, Advertisements and Publications and the Fees of Printers and Publishers Thereof and to Repeal All Acts and Parts of Acts in Conflict with the Provisions of This Act" and as amended by an act of said General Assembly, entitled, "An Act to Amend An Act Entitled 'An Act Concerning Legal Notices, Advertisements and Publications and the Fees of Printers and Publishers Thereof and to Repeal All Acts and Parts of Acts in Conflict with the Provisions of this Act,' approved March 30, 1923, and as amended by an act of said General Assembly, approved May 18, 1931, entitled, "An Act to Amend Section 4 of Chapter 139, Session Laws of Colorado, 1923, Relating to Legal Notices and Advertisements, which said Act took effect on and after the first day of January, 1932, and as amended by an act of said General Assembly, entitled, "An Act to Amend Chapter 139 of the Session Laws of 1923 Relating to Legal Notices and Advertisements, to Define Newspapers Qualified to Publish Legal Notices and Advertisements and the Fees of Printers and Publishers Thereof, and to Provide That the Costs of Such Legal Notices and Advertisements Shall Be Taxed as Fees, approved March 5, 1935, and as amended by an act of said General Assembly entitled, "An Act Relating to Legal Notices and Advertisements and Amending Section 1, of Chapter 113, Session Laws of 1931, approved March 25, 1935, and "An Act to Amend and as Amended by the General Assembly, concerning Rates for Legal Publications, 109-1-7 C.R.S. 1963 as amended, approved May 22, 1971, and effective January 1, 1972. That said newspaper had, prior to January 1, 1936, and has ever since said date, been admitted to the United States Mails as second class matter under the provisions of the Act of March 3, 1879, or any amendments thereof, that said newspaper is printed and published in whole in said City and County of Denver and has a general circulation therein, that said newspaper has been so printed and published as a public daily newspaper of general circulation in said City and County of Denver, uninterruptedly and continuously during the period of more than fifty-two consecutive weeks next prior to the first issue thereof containing the annexed legal notice and advertisement, that said legal notice and advertisement was published daily except Saturdays, Sundays and legal holidays in the regular edition of said newspaper for

COUNCIL BILL NO. 48  
 SERIES OF 1989  
 A bill for an ordinance granting a revocable permit or license, subject to certain terms and conditions, to Secretary of Housing and Urban Development, his successors and assigns, to encroach into street right-of-way at 500 Tennyson Street with existing garage. (PUBLIC WORKS, TRANSPORTATION, & PHYSICAL PLANT)  
 Approves existing 4.5 foot encroachment into street.  
 Published in The Daily Journal  
 February 3, 1989 350

One ~~consecutive~~ days, that the first publication of said legal notice and advertisement appeared in the regular edition of said

newspaper on the 3rd day of

February, A D 19 89, that the last publication of said legal notice and advertisement appeared in the regular edition of said newspaper on the

3rd day of

February, A D 19 89, and that therefore, said legal notice and advertisement was duly published in a newspaper duly qualified for that purpose within the meaning of said above-mentioned acts of the General Assembly of the State of Colorado

Bertil Ljung  
 Subscribed and sworn to, at the City and County of Denver, State of Colorado, before me a Notary Public this 3rd day of February, A D 19 89

Witness my hand and notarial seal

Roger E. Parcell  
 Notary Public  
 101 University Blvd. #260  
 Denver, Colorado 80206



FEDERICO PEÑA  
Mayor

# CITY AND COUNTY OF DENVER

DEPARTMENT OF LAW  
STEPHEN H. KAPLAN  
CITY ATTORNEY

OFFICE OF CITY ATTORNEY  
ROOM 353  
CITY AND COUNTY BUILDING  
DENVER, COLORADO 80202  
PHONE (303) 575-2665

January 24, 1989

## MEMORANDUM

TO: Hon. Hiawatha Davis, Jr.  
President  
Denver City Council

FROM: Stephen H. Kaplan *SK*  
City Attorney

BY: Robert M. Kelly - *Robert M. Kelly*  
Assistant City Attorney

SUBJECT: Ordinance granting a revocable permit or license, subject to certain terms and conditions, to secretary of Housing and Urban Development, his successors and assigns to encroach into street right-of-way at 500 Tennyson Street with existing garage.

Attached hereto is a Bill for an Ordinance granting a revocable permit or license, subject to certain terms and conditions, to secretary of Housing and Urban Development, his successors and assigns to encroach into street right-of-way at 500 Tennyson Street with existing garage.

Pursuant to Section 13-12, of the Revised Municipal Code, this proposed ordinance has been reviewed by the Office of the City Attorney. We find no irregularity in form, and we have no legal objection to this proposed ordinance.

This Bill was prepared by the office of the City Attorney at the request of the Department of Public Works. It was discussed and authorized for filing at the Mayor-Council meeting of January 24, 1989.

attachments

COUNCIL RECD.

16 JAN 89 10: 15  
)

ORDINANCE NO. 53

89

Series 19

89

Council Bill No. 48

89

Series 19

89

Meeting Date 1-30

89

19

Read by Title, referred to Committee  
on PUBLIC WORKS

Committee report adopted/failed:

Council Bill ordered published:

Meeting Date Jan 30,

19 89

19

Council Bill passed/detected by the City Council:

Meeting Date Feb 4,

19 89

19

VETOED: \_\_\_\_\_

19 \_\_\_\_\_

Sustained

Overruled

No Action Taken

**ORDINANCE**