



# REZONING GUIDE

## Zone Map Amendment (Rezoning) - Application

<b>PROPERTY OWNER INFORMATION*</b>		<b>PROPERTY OWNER(S) REPRESENTATIVE**</b>	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	Denver Public Facilities Leas <del>Denver Health &amp; Hospital</del>	Representative Name	Department of Human Services
Address	2929 W. 10th Avenue & 1100 Federal Blvd	Address	1200 Federal Boulevard
City, State, Zip	Denver, CO 80202	City, State, Zip	Denver, CO 80204
Telephone		Telephone	720.944.2526
Email		Email	ay.morein@denvergov.org
<p>*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p>	
<p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p> <p>If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.</p>			
<b>SUBJECT PROPERTY INFORMATION</b>			
Location (address and/or boundary description):	2929 W. 10th Avenue, Denver, CO 80204		
Assessor's Parcel Numbers:	0505411037000		
Area in Acres or Square Feet:	91,872 s.f.		
Current Zone District(s):	PUD#487		
<b>PROPOSAL</b>			
Proposed Zone District:	C-MX - 5		

**PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION/PETITION**

We, the undersigned represent that we are the owners of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. I understand that without such owner consent, the requested official map amendment action cannot lawfully be accomplished.

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
<b>EXAMPLE</b> John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	YES
Denver Public Facilities Leasing Trust 2005A	2929 W. 10th Avenue Denver, CO 80204	72%	<i>[Signature]</i>	10/23/17	B	Yes
Denver Health and Hospital Authority	1100 Federal Boulevard Denver, CO 80204	28%	" " SEE ATTACHED			

Last updated: February 22, 2017

Return completed form to [rezoning@denvergov.org](mailto:rezoning@denvergov.org)

201 W. Colfax Ave., Dept. 205

Denver, CO 80202

720-865-2974 - [rezoning@denvergov.org](mailto:rezoning@denvergov.org)

# REZONING GUIDE

Rezoning Application Page 3 of 3

## PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION/PETITION

We, the undersigned represent that we are the owners of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. I understand that without such owner consent, the requested official map amendment action cannot lawfully be accomplished.

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
<b>EXAMPLE</b> John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	YES
Denver Public Facilities Leasing Trust 2005A	2929 W. 10th Avenue Denver, CO 80204	72%	<i>SEE ATTACHED</i>			
Denver Health and Hospital Authority	1100 Federal Boulevard Denver, CO 80204	28%	<i>PHM</i>	<i>10/12/17</i>	<i>B</i>	<i>yes</i>

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## REVIEW CRITERIA

<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</p>	<p><input checked="" type="checkbox"/> <b>Consistency with Adopted Plans:</b> The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan.</p> <p>Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.</p> <p><input checked="" type="checkbox"/> <b>Uniformity of District Regulations and Restrictions:</b> The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input checked="" type="checkbox"/> <b>Public Health, Safety and General Welfare:</b> The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p>
<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</p>	<p><b>Justifying Circumstances - One of the following circumstances exists:</b></p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.</p> <p><input checked="" type="checkbox"/> The land or its surroundings has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area.</p> <p><input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (Overlay Zone Districts), of this Code.</p> <p>Please provide an attachment describing the justifying circumstance.</p> <p><input checked="" type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</p> <p>Please provide an attachment describing how the above criterion is met.</p>

## REQUIRED ATTACHMENTS

Please ensure the following required attachments are submitted with this application:

- Legal Description (required to be attached in Microsoft Word document format)
- Proof of Ownership Document(s)
- Review Criteria

## ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

- Written Authorization to Represent Property Owner(s)
- Individual Authorization to Sign on Behalf of a Corporate Entity

Please list any additional attachments:

Legal Description - FCC

Parcel E

A parcel of land being a part of Sun Valley Homes Second Filing in Section 5, Township 4 South, Range 68 West of the 6<sup>th</sup> P.M., being more particularly described as follows:

Note: FOR THE PURPOSE OF THIS DESCRIPTION THE BEARINGS ARE BASED ON THE WESTERLY RIGHT-OF-WAY LINE OF DECATUR STREET BETWEEN WEST 10<sup>TH</sup> AVENUE AND WEST 11<sup>TH</sup> AVENUE BEARING NORTH 00 DEGREES 16 MINUTES 59 SECONDS WEST, 266.39 FEET.

MONUMENTED BY A #4 REBAR WITH A 1" YELLOW PLASTIC CAP STAMPED "M. SHEAR LS 18475" AT THE SOUTH TERMINUS AND A #4 REBAR WITH A 1" RED PLASTIC CAP STAMPED "WSSI LS 28649" AT THE NORTH TERMINUS.

COMMENCING AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF WEST 10<sup>TH</sup> AVENUE AND THE WESTERLY RIGHT-OF-WAY LINE OF DECATUR STREET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 377.59 FEET, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 309.96 FEET, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO THE SOUTHWEST CORNER OF THE EAST HALF OF LOT 45, BLOCK 14, SOUTH FAIRVIEW, AN ADDITION TO THE CITY AND COUNTY OF DENVER, SAID POINT BEING THE SOUTHWEST CORNER OF THE MOST NORTHERLY PARCEL IN SAID SUN VALLEY HOMES SECOND FILING.

THENCE NORTH 00 DEGREES 17 MINUTES 06 SECONDS WEST, 266.40 FEET, ALONG THE WESTERLY LINE OF SAID MOST NORTHERLY PARCEL TO THE NORTHWEST CORNER OF SAID PARCEL, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THE EAST HALF OF LOT 28, BLOCK 14, SOUTH FAIRVIEW;

THENCE SOUTH 89 DEGREES 59 MINUTES 58 SECONDS EAST, 309.96 FEET ALONG THE SOUTHERLY RIGHT-OF-WAY OF WEST 11<sup>TH</sup> AVENUE;

THENCE SOUTH 00 DEGREES 17 MINUTES 06 SECONDS EAST, 266.40 FEET, PARALLEL WITH THE WESTERLY LINE OF SAID MOST NORTHERLY PARCEL, TO THE POINT OF BEGINNING,

TOGETHER WITH THAT PART OF THE NORTH HALF OF THE VACATED WEST 11<sup>TH</sup> AVENUE ADJOINING SAID LAND ON THE SOUTH, AS SET FORTH IN ORDINANCE NO. 1015, SERIES OF 2001 RECORDED NOVEMBER 30, 2001 AT RECEPTION NO. 2001203741,

CITY AND COUNTY OF DENVER

STATE OF COLORADO

LEGAL DESCRIPTION – DHHA

WESTSIDE – PARCEL C:

BLOCK 4, PART OF BLOCK 3, WEST FAIRVIEW SUBDIVISION, BLOCK 13, PART OF BLOCK 12, SOUTH FAIRVIEW SUBDIVISION, CITY AND COUNTY OF DENVER, STATE OF COLORADO, TOGETHER WITH THE SOUTH ½ OF VACATED WEST 12<sup>TH</sup> AVENUE, VACATED ELIOT STREET AND THE VACATED ALLEY WITHIN SAID BLOCKS 3 AND 4, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID BLOCK 4, THENCE N 0 DEGREES 00 MINUTES 00 SECONDS E ALONG THE WEST LINE OF SAID BLOCK 4 AND THE EASTERLY RIGHT-OF-WAY OF FEDERAL BOULEVARD, 296.58 FEET TO A POINT ON THE CENTERLINE OF VACATED WEST 12<sup>TH</sup> AVENUE, THENCE S 89 DEGREES, 39 MINUTES, 39 SECONDS E ALONG SAID CENTERLINE, 506.06 FEET, THENCE S 0 DEGREES, 00 MINUTES, 00 SECONDS E 296.25 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF WEST 11<sup>TH</sup> AVENUE; THENCE N 89 DEGREES, 41 MINUTES, 49 SECONDS W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE AND THE SOUTHERLY LINE OF SAID BLOCKS 12, 13, AND 4, 506.06 FEET TO THE TRUE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

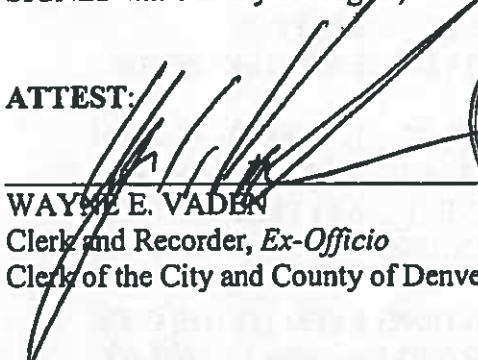

2005132001

**BARGAIN AND SALE DEED  
(Statutory Bargain and Sale)**

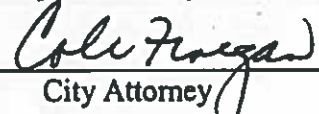
THE CITY AND COUNTY OF DENVER, ("Grantor") a Colorado municipal corporation, whose address is 1437 Bannock Street, Denver, CO 80202 for the consideration of Sixty Million Three Hundred Twenty Two Thousand Two Hundred Ninety Two Dollars and Sixty Six Cents (\$60,322,292.66) in hand paid, hereby sells and conveys to DENVER PUBLIC FACILITIES LEASING TRUST 2005A ("Grantee"), whose address is c/o American National Bank, as Trustee, 3033 East First Avenue, Denver, CO 80206, the following real property in the City and County of Denver, State of Colorado, to wit:

SEE EXHIBIT A ATTACHED HERETO AND  
INCORPORATED HEREIN BY THIS REFERENCE

SIGNED this 9th day of August, 2005

ATTEST:   CITY AND COUNTY OF DENVER,  
Wayne E. Vaden Mayor  
Clerk and Recorder, Ex-Officio  
Clerk of the City and County of Denver

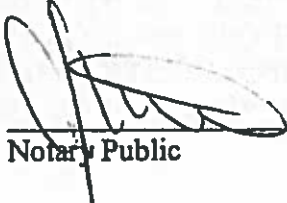
APPROVED AS TO FORM:  
Cole Finegan  
Attorney for the City and County of Denver

By:   
City Attorney

STATE OF COLORADO )  
CITY AND ) ss.  
COUNTY OF DENVER )

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of August, 2005, by John Hickenlooper, Mayor of the City and County of Denver, Colorado.

Witness my hand and official seal.  
My commission expires: 11/21/09

  
Notary Public

201 WEST COLFAX AVE.  
DENVER, CO 80202

**EXHIBIT A**

**LEGAL DESCRIPTION**

**PARCEL A:**

A PARCEL OF LAND BEING A PART OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY OF WEST HOLDEN PLACE AND THE EASTERLY RIGHT-OF-WAY OF FEDERAL BOULEVARD; THENCE SOUTH 89 DEGREES 58 MINUTES 32 SECONDS EAST, 505.14 FEET, ALONG SAID SOUTHERLY RIGHT-OF-WAY TO A POINT 4.94 FEET WEST OF THE NORTHEAST CORNER OF LOT 2, BLOCK 2, WEST FAIRVIEW; THENCE SOUTH 00 DEGREES 17 MINUTES 13 SECONDS EAST, 296.60 FEET, PARALLEL WITH THE WESTERLY LINE OF SAID BLOCK 2 TO THE CENTERLINE OF VACATED WEST 12<sup>TH</sup> AVENUE; THENCE NORTH 89 DEGREES 58 MINUTES 43 SECONDS WEST, 505.14 FEET, ALONG SAID CENTERLINE TO SAID EASTERLY RIGHT-OF-WAY OF FEDERAL BOULEVARD; THENCE NORTH 00 DEGREES 17 MINUTES 14 SECONDS WEST 296.63 FEET, ALONG SAID EASTERLY RIGHT-OF-WAY TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM, THAT PORTION OF SAID LAND CONVEYED TO THE CITY AND COUNTY OF DENVER FOR ROAD PURPOSES, RECORDED December 17, 2002 AT RECEPTION NO. 2002240524,

CITY AND COUNTY OF DENVER,  
STATE OF COLORADO.

**PARCEL C-1 :**

A PARCEL OF LAND BEING PART OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF WEST 11TH AVENUE AND THE WESTERLY RIGHT-OF-WAY LINE OF DECATUR STREET; THENCE SOUTH 89 DEGREES 59 MINUTES 27 SECONDS WEST, 198.36 FEET, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO A POINT 10.49 FEET WEST OF THE SOUTHEAST CORNER OF LOT 9, BLOCK 12 OF SOUTH FAIRVIEW, AS RECORDED IN THE CITY AND COUNTY OF DENVER, SAID POINT BEING A SOUTHWEST CORNER OF WARREN VILLAGE II, PUD DISTRICT #85 AND THE TRUE POINT OF BEGINNING;



THENCE CONTINUING SOUTH 89 DEGREES 59 MINUTES 27 SECONDS WEST 184.04 FEET, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO A POINT 5.06 FEET EAST OF THE SOUTHWEST CORNER OF LOT 16, BLOCK 12, OF SOUTH FAIRVIEW; THENCE NORTH 00 DEGREES 17 MINUTES 13 SECONDS WEST, 259.34 FEET, PARALLEL WITH THE WESTERLY LINE OF BLOCK 3, WEST FAIRVIEW, AS RECORDED IN THE CITY AND COUNTY OF DENVER, TO A POINT 7 FEET SOUTH OF THE SOUTHERLY RIGHT-OF-WAY LINE OF VACATED WEST 12TH AVENUE, ALSO BEING A SOUTHWEST CORNER OF SAID WARREN VILLAGE II; THENCE SOUTH 89 DEGREES 58 MINUTES 43 SECONDS EAST, 184.04 FEET, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE TO A CORNER OF SAID WARREN VILLAGE II, BEING 6.96 FEET WEST OF THE EASTERLY LINE OF SAID BLOCK 3, WEST FAIRVIEW; THENCE SOUTH 00 DEGREES 17 MINUTES 13 SECONDS EAST, 259.24 FEET, PARALLEL WITH THE WESTERLY LINE OF SAID BLOCK 3, WEST FAIRVIEW AND ALONG A WESTERLY LINE OF WARREN VILLAGE II, TO THE POINT OF BEGINNING,

TOGETHER WITH THAT PART OF THE NORTH HALF OF VACATED WEST 11TH AVENUE ADJOINING SAID LAND ON THE SOUTH, AS SET FORTH IN ORDINANCE NO. 1015, SERIES OF 2001 RECORDED November 20, 2001 AT RECEPTION NO. 2001203741,

CITY AND COUNTY OF DENVER,  
STATE OF COLORADO.

SUB-PARCEL C-2:

A PARCEL OF LAND BEING A PART OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF WEST 11TH AVENUE AND THE WESTERLY RIGHT-OF-WAY LINE OF DECATUR STREET;

THENCE SOUTH 89 DEGREES 59 MINUTES 27 SECONDS WEST, 198.36 FEET, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO A POINT 10.94 FEET WEST OF THE SOUTHEAST CORNER OF LOT 9, BLOCK 12, SOUTH FAIRVIEW AS RECORDED IN THE CITY AND COUNTY OF DENVER, SAID POINT BEING A SOUTHWEST CORNER OF WARREN VILLAGE, PUD DISTRICT #85, THENCE NORTH 00 DEGREES 17 MINUTES 13 SECONDS WEST 259.24 FEET, PARALLEL WITH THE WESTERLY LINE OF BLOCK 3, WEST FAIRVIEW AS RECORDED IN THE CITY AND COUNTY OF DENVER, AND ALONG A WESTERLY LINE OF SAID WARREN VILLAGE II, TO A POINT 7 FEET SOUTH OF THE SOUTHERLY RIGHT-OF-WAY LINE OF VACATED WEST 12TH AVENUE AND 6.96 FEET WEST OF THE EASTERLY LINE OF SAID BLOCK 3;

THENCE SOUTH 89 DEGREES 58 MINUTES 43 SECONDS EAST 6.96 FEET, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE TO THE SOUTHWEST CORNER OF A PARCEL OF LAND OWNED BY THE DENVER WATER DEPARTMENT;  
THENCE CONTINUING SOUTH 89 DEGREES 58 MINUTES 43 SECONDS EAST 112.72 FEET, ALONG THE SOUTHERLY LINE OF SAID DENVER WATER DEPARTMENT PARCEL;  
THENCE SOUTH 82 DEGREES 26 MINUTES 16 SECONDS EAST, 79.42 FEET, CONTINUING ALONG SAID SOUTHERLY LINE OF THE DENVER WATER DEPARTMENT PARCEL TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF DECATUR STREET;  
THENCE SOUTH 00 DEGREES 17 MINUTES 10 SECONDS EAST, 248.72 FEET, ALONG SAID WESTERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING,

TOGETHER WITH THAT PART OF THE NORTH HALF OF VACATED WEST 11TH AVENUE ADJOINING SAID LAND ON THE SOUTH, AS SET FORTH IN ORDINANCE NO. 1015, SERIES OF 2001 RECORDED November 30, 2001 AT RECEPTION NO. 2001203741, BUT EXCEPTING FROM SAID VACATED STREET, THAT PORTION THEREOF CONVEYED TO HOUSING AUTHORITY OF THE CITY AND COUNTY OF DENVER IN DEED RECORDED April 30, 2002 AT RECEPTION NO. 2002079504, AND RE-RECORDED January 3, 2003 AT RECEPTION NO. 2003001726,

CITY AND COUNTY OF DENVER.  
STATE OF COLORADO.

PARCEL E:

A PARCEL OF LAND BEING A PART OF SUN VALLEY HOMES SECOND FILING IN SECTION 5, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

NOTE: FOR THE PURPOSE OF THIS DESCRIPTION THE BEARINGS ARE BASED ON THE WESTERLY RIGHT-OF-WAY LINE OF DECATUR STREET BETWEEN WEST 10TH AVENUE AND WEST 11TH AVENUE BEARING NORTH 00 DEGREES 16 MINUTES 59 SECONDS WEST, 266.39 FEET.

MONUMENTED BY A #4 REBAR WITH A 1" YELLOW PLASTIC CAP STAMPED "M. SHEAR LS 18475 AT THE SOUTH TERMINUS AND A #4 REBAR WITH A 1" RED PLASTIC CAP STAMPED "WSSI LS 28649" AT THE NORTH TERMINUS.

COMMENCING AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF WEST 10<sup>TH</sup> AVENUE AND THE WESTERLY RIGHT-OF-WAY LINE OF DECATUR STREET;  
THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 377.59 FEET, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 309.96 FEET, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO THE SOUTHWEST CORNER OF THE EAST HALF OF LOT 45, BLOCK 14, SOUTH FAIRVIEW, AN ADDITION TO THE CITY AND COUNTY OF DENVER, SAID POINT BEING THE SOUTHWEST CORNER OF THE MOST NORTHERLY PARCEL IN SAID SUN VALLEY HOMES SECOND FILING;  
THENCE NORTH 00 DEGREES 17 MINUTES 06 SECONDS WEST, 266.40 FEET, ALONG THE WESTERLY LINE OF SAID MOST NORTHERLY PARCEL TO THE NORTHWEST CORNER OF SAID PARCEL, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THE EAST HALF OF LOT 28, BLOCK 14, SOUTH FAIRVIEW;  
THENCE SOUTH 89 DEGREES 59 MINUTES 58 SECONDS EAST, 309.96 FEET, ALONG THE SOUTHERLY RIGHT-OF-WAY OF WEST 11TH AVENUE;  
THENCE SOUTH 00 DEGREES 17 MINUTES 06 SECONDS EAST, 266.40 FEET, PARALLEL WITH THE WESTERLY LINE OF SAID MOST NORTHERLY PARCEL, TO THE POINT OF BEGINNING,

TOGETHER WITH THAT PART OF THE NORTH HALF OF VACATED WEST 11TH AVENUE ADJOINING SAID LAND ON THE SOUTH, AS SET FORTH IN ORDINANCE NO. 1015, SERIES OF 2001 RECORDED November 30, 2001 AT RECEPTION NO. 2001203741,

CITY AND COUNTY OF DENVER,  
STATE OF COLORADO.

PARCEL F-1

LOTS 29 AND 30 AND THE WESTERLY ONE-HALF OF LOT 28,  
BLOCK 14,  
SOUTH FAIRVIEW ADDITION,  
TOGETHER WITH THAT PART OF THE SOUTH HALF OF VACATED WEST 11TH AVENUE ADJOINING SAID LAND ON THE NORTH, AS SET FORTH IN ORDINANCE NO. 1015, SERIES OF 2001 RECORDED November 30, 2001 AT RECEPTION NO. 2001203741,

CITY AND COUNTY OF DENVER,  
STATE OF COLORADO.

PARCEL F-2:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 36, BLOCK 14, SOUTH FAIRVIEW;  
THENCE NORTH ALONG THE EAST LINE OF FEDERAL BOULEVARD 27.2 FEET;  
THENCE AT RIGHT ANGLES EAST 50 FEET;

THENCE AT RIGHT ANGLES SOUTH 5.85 FEET;  
THENCE AT RIGHT ANGLES EAST 75 FEET TO THE EAST LINE OF LOT 32, IN SAID  
BLOCK 14;  
THENCE SOUTH TO THE SOUTHEAST CORNER OF SAID LOT 32;  
THENCE WEST ALONG THE NORTH ALLEY LINE OF SAID BLOCK 14, 125 FEET TO  
THE POINT OF BEGINNING,

EXCEPTING THEREFROM, THAT PORTION OF SAID LAND CONVEYED TO THE CITY  
AND COUNTY OF DENVER FOR ROAD PURPOSES, RECORDED December 17, 2002 AT  
RECEPTION NO. 2002240524,

CITY AND COUNTY OF DENVER,  
STATE OF COLORADO.

PARCEL F-3:

THAT PART OF LOTS 31 TO 36, INCLUSIVE, BLOCK 14, SOUTH FAIRVIEW,  
DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 36, THENCE NORTH  
ALONG THE EAST LINE OF FEDERAL BOULEVARD 27.2 FEET, TO THE TRUE POINT  
OF BEGINNING;  
THENCE CONTINUING NORTH ALONG THE EAST LINE OF FEDERAL BOULEVARD  
37.15 FEET;  
THENCE EAST AT RIGHT ANGLES 127.5 FEET;  
THENCE SOUTH AT RIGHT ANGLES 43 FEET;  
THENCE WEST AT RIGHT ANGLES 77.5 FEET;  
THENCE NORTH 5.85 FEET;  
THENCE WEST 50 FEET TO THE POINT OF BEGINNING,

EXCEPTING THEREFROM, THAT PORTION OF SAID LAND CONVEYED TO THE CITY  
AND COUNTY OF DENVER FOR ROAD PURPOSES, RECORDED December 17, 2002 AT  
RECEPTION NO. 2002240524,

CITY AND COUNTY OF DENVER,  
STATE OF COLORADO.

PARCEL F-4

LOTS 31 THROUGH 36, BLOCK 14,  
SOUTH FAIRVIEW.

TOGETHER WITH THAT PART OF THE SOUTH HALF OF VACATED WEST 11TH



AVENUE ADJOINING SAID LAND ON THE NORTH, AS SET FORTH IN ORDINANCE NO. 1015, SERIES OF 2001 RECORDED November 30, 2001 AT RECEPTION NO. 2001203741, BUT EXCEPTING THEREFROM, THAT PORTION OF SAID VACATED STREET CONVEYED TO THE CITY AND COUNTY OF DENVER FOR ROAD PURPOSES, RECORDED December 17, 2002 AT RECEPTION NO. 2002240524,

EXCEPTING THEREFROM THOSE PORTIONS DESCRIBED IN BOOK 7063 AT PAGE 92 AND IN BOOK 8001 AT PAGE 392,

CITY AND COUNTY OF DENVER,  
STATE OF COLORADO.

**PARCEL J:**

A PARCEL OF LAND BEING A PART OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 68 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF WEST 11<sup>TH</sup> AVENUE AND THE WESTERLY RIGHT-OF-WAY LINE OF DECATUR STREET;

THENCE SOUTH 89 DEGREES 59 MINUTES 57 SECONDS WEST, 382.40 FEET, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO THE SOUTHWEST CORNER OF PARCEL C-1 AS SHOWN ON SHEET 3 OF 16 OF PUD RECORDED AT RECEPTION NO. 9800181252 OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDERS OFFICE, AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89 DEGREES 59 MINUTES 27 SECONDS WEST, 37.81 FEET, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO A POINT ON THE EASTERLY LINE OF AN EASEMENT DESCRIBED AT RECEPTION NO. 9800079343 OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S RECORDS;

THENCE NORTH 00 DEGREES 01 MINUTES 28 SECONDS EAST, 259.35 FEET, ALONG SAID EASTERLY LINE TO A POINT OF INTERSECTION OF THE NORTHERLY LINE OF SAID PARCEL C-7 EXTENDED WESTERLY;

THENCE SOUTH 89 DEGREES 58 MINUTES 43 SECONDS EAST, 36.40 FEET, ALONG SAID NORTHERLY LINE EXTENDED TO THE NORTHWEST CORNER OF SAID PARCEL C-1;

THENCE SOUTH 00 DEGREES 17 MINUTES 13 SECONDS EAST, 259.34 FEET, ALONG THE WESTERLY LINE OF SAID PARCEL C-1 TO THE TRUE POINT OF BEGINNING,

TOGETHER WITH THAT PART OF THE NORTH HALF OF VACATED WEST 11<sup>TH</sup> AVENUE ADJOINING SAID LAND ON THE SOUTH, AS SET FORTH IN ORDINANCE NO 1015, SERIES OF 2001 RECORDED November 30, 2001 AT RECEPTION NO. 2001203741,



CITY AND COUNTY OF DENVER,  
STATE OF COLORADO

PARCEL K:

NON-EXCLUSIVE EASEMENT FOR PERMANENT SIGNAGE FROM DENVER HEALTH AND HOSPITAL AUTHORITY, A BODY CORPORATE AND POLITICAL SUBDIVISION OF THE STATE OF COLORADO TO DENVER CAPITAL LEASING CORPORATION, A COLORADO CORPORATION CREATED BY PERMANENT EASEMENT AND PARKING AGREEMENT RECORDED July 7, 2000 AT RECEPTION NO. 2000096070.

PARCEL L.

NON-EXCLUSIVE EASEMENT FOR GARAGE ACCESS RIGHTS CREATED BY DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS AND RIGHTS RECORDED January 3, 2003 AT RECEPTION NO. 2003001728, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL M:

A PARCEL OF LAND BEING A PART OF SECTION 5, TOWNSHIP 4 SOUTH RANGE 68 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR THE PURPOSE OF THIS DESCRIPTION THE BEARINGS ARE BASED ON THE EASTERLY RIGHT-OF-WAY LINE OF FEDERAL BOULEVARD BETWEEN WEST 11TH AVENUE AND WEST HOLDEN PLACE, MONUMENTED BY A 1 1/2" WASHER STAMPED "WSSI LS 28649" AT THE SOUTH TERMINUS AND A 3/4" BRASS TAG STAMPED "LS 18475" AT THE NORTH TERMINUS, ASSUMED TO BEAR NORTH 00 DEGREES 17 MINUTES 14 SECONDS WEST, 593.24 FEET.

COMMENCING AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF 11TH AVENUE AND THE WESTERLY RIGHT-OF-WAY LINE OF DECATUR STREET;

THENCE SOUTH 89 DEGREES 59 MINUTES 27 SECONDS WEST, 98.58 FEET ALONG SAID NORTHERLY LINE, TO THE TRUE POINT OF BEGINNING;  
THENCE SOUTH 00 DEGREES 02 MINUTES 53 SECONDS WEST, 44.77 FEET;  
THENCE SOUTH 89 DEGREES 58 MINUTES 00 SECONDS WEST, 266.22 FEET;  
THENCE SOUTH 00 DEGREES 17 MINUTES 18 SECONDS EAST, 15.11 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF 11TH AVENUE;  
THENCE SOUTH 89 DEGREES 59 MINUTES 27 SECONDS WEST, 507.46 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE TO THE EASTERLY RIGHT-OF-WAY LINE OF FEDERAL BOULEVARD;

THENCE NORTH 00 DEGREES 17 MINUTES 14 SECONDS WEST, 30.00 FEET ALONG SAID EASTERLY LINE;  
THENCE NORTH 89 DEGREES 59 MINUTES 27 SECONDS EAST, 452.33 FEET;  
THENCE NORTH 00 DEGREES 17 MINUTES 14 SECONDS WEST, 30.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF 11TH AVENUE;  
THENCE NORTH 89 DEGREES 59 MINUTES 27 SECONDS EAST, 321.62 FEET ALONG SAID NORTHERLY LINE TO THE TRUE POINT OF BEGINNING.

EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING A PART OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 68 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR THE PURPOSE OF THIS DESCRIPTION THE BEARINGS ARE BASED ON THE EASTERLY RIGHT-OF-WAY LINE OF FEDERAL BOULEVARD BETWEEN WEST 11TH AVENUE AND WEST HOLDEN PLACE,  
MONUMENTED BY A 1 1/2" WASHER STAMPED "WSSI LS 28649" AT THE SOUTH TERMINUS AND A 3/4" BRASS TAG STAMPED "LS 18475" AT THE NORTH TERMINUS, ASSUMED TO BEAR NORTH 00 DEGREES 17 MINUTES 14 SECONDS WEST, 593.24 FEET.

COMMENCING AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF 11TH AVENUE AND THE WESTERLY RIGHT-OF-WAY LINE OF DECATUR STREET SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 1, BLOCK 12, SOUTH FAIRVIEW;  
THENCE SOUTH 89 DEGREES 59 MINUTES 27 SECONDS WEST, 98.58 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE;  
THENCE SOUTH 00 DEGREES 02 MINUTES 53 SECONDS WEST, 30.00 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE SOUTH 00 DEGREES 02 MINUTES 53 SECONDS WEST, 14.77 FEET;  
THENCE SOUTH 89 DEGREES 58 MINUTES 00 SECONDS WEST, 266.22 FEET;  
THENCE NORTH 00 DEGREES 17 MINUTES 18 SECONDS WEST, 14.89 FEET;  
THENCE NORTH 89 DEGREES 59 MINUTES 27 SECONDS EAST, 266.31 FEET TO THE TRUE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL P:

A PARCEL OF LAND BEING A PART OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 68 WEST, OF THE 6TH PRINCIPAL, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 36, BLOCK 14, SOUTH FAIRVIEW ADDITION;  
THENCE NORTH 89 DEGREES 59 MINUTES 43 SECONDS EAST 15.00 FEET, TO A LINE 15 FEET EAST OF AND PARALLEL WITH THE EAST RIGHT OF WAY LINE OF FEDERAL BOULEVARD AND THE TRUE POINT OF BEGINNING;  
THENCE CONTINUING NORTH 89 DEGREES 59 MINUTES 43 SECONDS EAST, 197.54 FEET, TO THE WEST LINE OF SUN VALLEY HOMES, SECOND FILING;  
THENCE SOUTH 00 DEGREES 17 MINUTES 18 SECONDS EAST, 8.00 FEET, ALONG SAID WEST LINE;  
THENCE SOUTH 89 DEGREES 59 MINUTES 43 SECONDS WEST, 197.54 FEET TO SAID PARALLEL LINE;  
THENCE NORTH 00 DEGREES 17 MINUTES 14 SECONDS WEST, 8.00 FEET, ALONG SAID PARALLEL LINE TO THE TRUE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

**PARCEL X:**

A PARCEL OF LAND BEING A PART OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 68 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR THE PURPOSE OF THIS DESCRIPTION THE BEARINGS ARE BASED ON THE EASTERLY RIGHT-OF-WAY LINE OF FEDERAL BOULEVARD BETWEEN WEST 11TH AVENUE AND WEST HOLDEN PLACE, MONUMENTED BY A 1 1/2" WASHER STAMPED "WSSI LS 28649" AT THE SOUTH TERMINUS AND A 3/4" BRASS TAG STAMPED "LS 18475" AT THE NORTH TERMINUS, ASSUMED TO BEAR NORTH 00 DEGREES 17 MINUTES 14 SECONDS WEST, 593.24 FEET.

COMMENCING AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF 11TH AVENUE AND WESTERLY RIGHT-OF-WAY LINE OF DECATUR STREET;  
THENCE SOUTH 89 DEGREES 59 MINUTES 27 SECONDS WEST, 98.58 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE;  
THENCE SOUTH 00 DEGREES 02 MINUTES 27 SECONDS WEST 98.58 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE;  
THENCE SOUTH 00 DEGREES 02 MINUTES 53 SECONDS WEST, 30.00 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE SOUTH 00 DEGREES 02 MINUTES 53 SECONDS WEST, 14.77 FEET;  
THENCE SOUTH 89 DEGREES 58 MINUTES 00 SECONDS WEST 266.22 FEET;  
THENCE NORTH 00 DEGREES 17 MINUTES 18 SECONDS WEST, 14.89 FEET;  
THENCE NORTH 89 DEGREES 59 MINUTES 27 SECONDS EAST, 266.31 FEET, TO THE TRUE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

**BARGAIN AND SALE DEED**

THE CITY AND COUNTY OF DENVER, a municipal corporation and home rule city of the State of Colorado (Grantor"), having an address of City and County Building, Room 350, Denver, Colorado 80202, for good and valuable consideration, the receipt and sufficiency of which are acknowledged, hereby sells and conveys to the DENVER HEALTH AND HOSPITAL AUTHORITY, a body corporate and political subdivision of the State of Colorado (Grantee"), having an address of 660 Bannock, 5th Floor, Denver, Colorado 80204, the real property in the City and County of Denver, State of Colorado, that is more particularly described on Exhibit A attached to and made a part of this deed, together with all its appurtenances, all buildings and improvements (including without limitation, all fixtures, trade fixtures, walkways, parking lots and structures, signs and landscaping), all underground tunnels now located under or on such real property, all water rights, all air space above such property, and all easement rights appurtenant to such real property or necessary for the use thereof (collectively, the "Property").

Grantee agrees that Grantor shall have and is hereby granted a power of termination with right of re-entry with respect to the Property upon the occurrence of the events set forth in paragraphs 1, 2 and 3 below:

1. The occurrence or existence of any one of the following events:
  - a. If the Grantee voluntarily abandons, vacates or surrenders all or substantially all of the Property other than pursuant to the terms and conditions of the Transfer Agreement, dated as of January 1, 1997 between Grantor and Grantee (the "Transfer Agreement") and other than pursuant to an eminent domain or condemnation proceeding initiated by the Grantor;
  - b. The Grantee shall file a petition in bankruptcy; be adjudicated insolvent or bankrupt; petition or apply to any tribunal for the appointment of a receiver of any trustee or similar officer for the Grantee or a substantial part of the assets of the Grantee; or shall commence any proceedings under any bankruptcy, reorganization, arrangement, readjustment of debt, dissolution or liquidation law or statute of any jurisdiction, whether now or hereafter in effect, that remains undismissed for a period of ninety days or more;
  - c. If a court of competent jurisdiction determines that the Grantee has failed to perform its Mission (as such term is defined in the Transfer Agreement); or
  - d. An event of default shall occur under any mortgage encumbering all or any part of the Property (which mortgage is permitted pursuant to the terms of the Transfer

#223141v4



Agreement) with respect to an indebtedness in excess of \$10,000,000 and the mortgagee shall have provided notice to the Grantee of its intention to accelerate the debt and commence the exercise of such mortgagee's remedies against the Grantee.

2. The mortgagee, if any, under any mortgage given by the Grantee in accordance with the provisions of Transfer Agreement encumbering all or any part of the Property shall fail to exercise any right of cure given to such mortgagee pursuant to the Transfer Agreement; and

3. The period of thirty days shall have elapsed after (a) the occurrence of an event described in paragraph 1 above and (b) any mortgagee's failure to cure as set forth in paragraph 2 above.

Grantee also agrees that upon dissolution of Grantee, the Property and all other assets of the Grantee shall automatically revert to Grantor and Grantor is hereby granted a right of reverter.

Grantee further agrees that Grantee may not sell or otherwise transfer title to any of the Property (or any buildings or improvements comprising a part of the Property) unless (1) the sale or transfer is in compliance with C.R.S. § 25-29-104 (2), and (2) is approved by the Grantor.

Each of the foregoing agreements of Grantee is intended to be and shall be construed as a covenant running with the Property.


The terms and conditions of the Transfer Agreement shall not merge into the habendum, granting or reversionary clauses of this Deed and shall survive delivery of this Deed and all other documents delivered in connection herewith.

EXECUTED AND DELIVERED to be effective as of the 1st day of January, 1997.

ATTEST:

CITY AND COUNTY OF DENVER, a  
municipal corporation and Home Rule  
City

By:

  
Elbra Wedgeworth  
Clerk and Recorder, Ex-Officio Clerk of  
the City and County of Denver

By:

  
Wellington E. Webb **ACTING MAYOR**  
Mayor

#223141v4



-2-



APPROVED AS TO FORM:

By: Daniel E. Muse  
Daniel E. Muse  
Attorney for the City and County of  
Denver

DENVER HEALTH AND HOSPITAL  
AUTHORITY, a body corporate and  
political subdivision of the State of  
Colorado

By: Patricia A. Gabow  
Patricia A. Gabow  
Chief Executive Officer

By: Paula Herzmark  
Paula Herzmark  
Chairman of the Board of Directors

STATE OF COLORADO )  
 ) ss.  
CITY AND COUNTY OF DENVER )

*Fidel Montoya A. Acting Mayor*

The foregoing instrument was acknowledged before me this 31st of December, 1996 by WELLINGTON E. WEBB, in his capacity as Mayor of the City and County of Denver, a municipal corporation and Home Rule City.



Witness my hand and official seal.

*Tina R. Gett*  
Notary Public 9065 E Oxford Dr  
Denver, CO 80237

My commission expires: 5-11-00

STATE OF COLORADO )  
 ) ss.  
CITY AND COUNTY OF DENVER )

The foregoing instrument was acknowledged before me this 31st of December, 1996 by ELBRA WEDGEWORTH, in her capacity as Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver, a municipal corporation and Home Rule City.

Witness my hand and official seal.



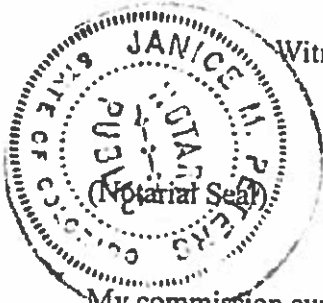
*Elbra Wedgeworth*  
Notary Public

My commission expires: MY COMMISSION EXPIRES 6/23/97

STATE OF COLORADO )  
 ) ss.  
CITY AND COUNTY OF DENVER )

The foregoing instrument was acknowledged before me this 31<sup>st</sup> of December, 1996 by DANIEL E. MUSE, in his capacity as Attorney for the City and County of Denver, a municipal corporation and Home Rule City.

Witness my hand and official seal.



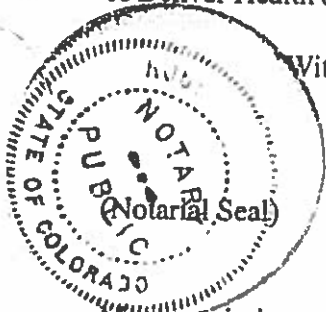
Janice M. Peters  
Notary Public

My commission expires: 1-31-99

STATE OF COLORADO )  
 ) ss.  
CITY AND COUNTY OF DENVER )

The foregoing instrument was acknowledged before me this 20<sup>th</sup> of December, 1996 by PATRICIA A. GABOW, in her capacity as Chief Executive Officer of Denver Health and Hospital Authority.

Witness my hand and official seal.



Patricia A. Gabow  
Notary Public

My commission expires: 9/30/97

STATE OF COLORADO )  
 ) ss.  
CITY AND COUNTY OF DENVER )

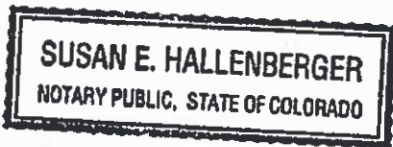
The foregoing instrument was acknowledged before me this 26 of December, 1996 by PAULA HERZMARK in her capacity as Chairman of the Board of Directors of Denver Health and Hospital Authority.

Witness my hand and official seal.

(Notarial Seal)

Susan E. Hallenberger  
Notary Public

My commission expires: 4-13-98



**EXHIBIT A**  
(Attached to and forming a part of the  
Bargain and Sale Deed, dated as of  
January 1, 1997, from The City and County of Denver  
to the Denver Health and Hospital Authority)

**LEGAL DESCRIPTION**

[SEE ATTACHED PAGES A-1 TO A-4]



EXHIBIT A

LEGAL DESCRIPTION

"Main Site"-Parcel A:

Lots 1 through 20, inclusive, Block 13, Lots 1 through 40, inclusive, Block 14, All of Block 19, Lots 1 through 21, inclusive, Block 20, WHITSITT'S ADDITION TO DENVER, except any portion of said lot 21, Block 20 described in Ordinance 375, Series of 1976 as recorded August 01, 1976, in Book 1300 at Page 36; Lots 1 through 20, inclusive, Block 12, ELMWOOD ADDITION TO THE CITY OF DENVER, Together with a Strip in said Block 12, adjoining Lots 1 to 20, inclusive, in said Block 13, Whitsitt's Addition to Denver; Lots 1 through 21, inclusive, Block 13, Elmwood Addition to the City of Denver, Together with a Strip in Block 13, West of and adjoining Block 20, Whitsitt's Addition to Denver, and lots 39 through 42, inclusive, Block 14, Elmwood Addition to the City of Denver, except any portion of said Lot 21, Block 13, Elmwood Addition to the City of Denver described in Ordinance 375, Series of 1976 as recorded August 01, 1976, in Book 1300 at Page 36, TOGETHER WITH the vacated alleys and streets adjacent to said property being more particularly described in Ordinance 195, Series of 1978, as recorded in Book 1655 at Page 515, Ordinance 164, Series of 1971, recorded in Book 323 at Page 619, Ordinance 502, Series of 1966, recorded November 29, 1966, in Book 9672 at Page 464 and Ordinance 182, Series of 1925, all being in the City and County of Denver, State of Colorado.

Parcel B: Intentionally Omitted

"Westside"-Parcel C:

Block 4, part of Block 3, West Fairview Subdivision, Block 13, part of Block 12, South Fairview Subdivision, City and County of Denver, State of Colorado, together with the South 1/2 of vacated West 12th Avenue, vacated Eliot Street and the vacated alley within said Blocks 3 and 4, being more particularly described as follows:

Beginning at the Southwest Corner of said Block 4; thence N 0°00'00" E along the West line of said Block 4 and the Easterly Right-of-Way Line of Federal Boulevard, 296.58 feet to a point on the centerline of vacated West 12th Avenue; thence S 89°39'39" E along said centerline, 506.06 feet; thence S 0°00'00" E 296.25 feet to a point on the Northerly right-of-way line of West 11th Avenue; thence N 89°41'49" W along said Northerly right-of-way line and the Southerly line of said Blocks 12, 13 and 4, 506.06 feet to the True Point of Beginning, City and County of Denver, State of Colorado.

"Eastside"-Parcel D:

Lots 17 through 32, inclusive, Block 77, Case & Ebert's Addition to the City of Denver, together with one-half of the vacated Glenarm Street adjacent to said land, said vacated Glenarm Street being described in Ordinance 414, Series of 1978, as recorded August 07, 1978, in Book 1720 at Page 374 and together with that portion of vacated 28th Street adjacent to said Block 77, described in Ordinance 414, Series of 1978, as recorded August 07, 1978, in Book 1720 at Page 374 as follows:

Beginning at the most southerly corner of Block 77, Case and Ebert's Addition to the City of Denver, thence southwesterly along the southwesterly extension of the southeasterly line of said Block 77, a distance of 22 feet; thence northwesterly and parallel with the southwesterly line of said Block 77, a distance of 115.5 feet; thence northerly to a point on the southwesterly extension of the southeasterly line of the alley in said Block 77 that is 15 feet southwesterly of the southwesterly line of said Block 77; thence northeasterly along said extended alley line to the southwesterly line of said Block 77; thence southeasterly along the said southwesterly line to the point of beginning.

"La Mariposa"-Parcel E:

Lots 38 through 41, inclusive and the North 9 Feet of Lot 37, Block 22, Hunts Addition, together with the East one-half of the vacated North 20 feet of the alley lying West of and adjacent to said Lot 41 and also together with the South one-half of vacated West 11th Avenue lying North of and adjacent to said Lot 41 and lying North of and adjacent to the East one-half of said vacated alley, City and County of Denver, State of Colorado.

"La Casa"-Parcel F:

Lots 1 through 6, inclusive, Block 25, Bryant Subdivision of Block 25 & Part of Block 26 in H. Witter's North Denver Addition, City and County of Denver, State of Colorado.

"Hyde Park"-Parcel G:

Lots 8 to 11, inclusive, the South 1/2 of Lot 7 and the North 1/2 of Lot 12, Block 24, Ford's Addition to the City of Denver, City and County of Denver, State of Colorado.

"Globeville"-Parcel H:

Lots 37 through 42, inclusive, Block 2, R. H. Wren Subdivision, City and County of Denver, State of Colorado.

Parking "710 Acoma"-Parcel I:

Lots 1 to 8, inclusive, Block 18, Whitsitt's Addition to Denver, City and County of Denver, State of Colorado.

Parking "720 Bannock"-Parcel J:

That part of Block 15,  
WHITSITT'S ADDITION TO DENVER,  
lying South and West of Cherry Creek and Speer Blvd.,  
formerly known as Speer Drive,

EXCEPT that portion described in Rule and Decree recorded January 12, 1989, at Reception Number R-89-0004775, and

EXCEPT a parcel of land situated in a portion of Block 15, Whitsitt's Addition to Denver as recorded in Book 1, on Page 48, in the Office of the Clerk and Recorder of the City and County of Denver, in the Southwest Quarter of Section 3, Township 4 South, Range 68 West, of the 6th Principal Meridian, more particularly described as follows:

COMMENCING at the Southwest corner of said Block 15, also being the intersection of the Northerly Right of Way line of 7th Avenue and the Easterly Right of Way line of Bannock St.; thence along the Westerly line of said Block 15, North 00 degrees 06' 35" East, a distance of 234.83 feet to a point of intersection of the Southeasterly line of a portion of said Block 15 as described in Ordinance 483, Series of 1989; thence along said Southeasterly line, North 48 degrees 28' 28" East, a distance of 39.26 feet to the Point of Beginning; thence continuing along said Southeasterly line North 48 degrees 28' 28" East, a distance of 26.27 feet to a point on the Southwesterly line of Speer Boulevard as dedicated by Ordinance 85, Series 1908, said point being also on a non-tangent curve; thence along the arc of a curve to the left a distance of 380.55 feet, said curve having a central angle of 07 degrees 40' 55", a radius of 2838.29 feet and a chord bearing of South 45 degrees 25' 35" East, to a point of nonradial intersection with the Easterly line of said Block 15; thence along said Easterly line of Block 15 South 00 degrees 06' 35" West, a distance of 12.39 feet to a point on the Southerly line of said Block 15 also being the Northerly Right of Way line of 7th Avenue; thence along the Southerly line of said Block 15 North 89 degrees 49' 19" West, a distance of 30.57 feet to a point of nonradial intersection with a curve; thence departing said Southerly line of Block 15 along the arc of a curve to the right a distance of 180.55 feet, said curve having a central angle of 07 degrees 03' 39", a radius of 1465.14 feet, and a chord bearing of North 46 degrees 38' 42" West, to a

point of nontangency; thence North 40 degrees 59' 12" West, a distance of 52.16 feet; thence North 38 degrees 53' 54" West, a distance of 54.94 feet; thence North 42 degrees 05' 21" West, a distance of 64.92 feet to a point of curvature; thence along the arc of a curve to the left, said curve having a central angle of 46 degrees 35' 41", a radius of 23.00 feet, and a chord bearing of North 65 degrees 23' 12" West, a distance of 18.70 feet to the Point of Beginning, City and County of Denver, State of Colorado.

*"Eastside parking lot"*

*Block 83 and Lots 16 through 25 (inclusive), Block 78, Case and Ebert's Addition to the City of Denver, TOGETHER WITH the vacated Glenarm Street adjacent to said property, said vacated Glenarm Street is more particularly described in Ordinance 414, Series of 1978, as recorded August 7, 1978, in Book 1720 at Page 374, and TOGETHER WITH that portion of the vacated 28th Street adjacent to said property, which vacated 28th Street is more particularly described in the above-described ordinance and Ordinance 417, Series of 1974.*

## REAL PROPERTY TRANSFER DECLARATION

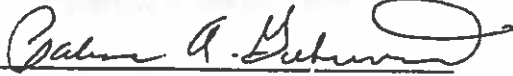
1. Address or legal description of real property: See Exhibit A attached to and made a part of this Real Property Transfer Declaration
2. Is this a transaction among related parties? Yes  No  Grantor and Grantee are political subdivisions of the State of Colorado.
3. Total sale price: No cash consideration - agreement to provide indigent care services pursuant to agreement between parties.
4. What was the cash down payment? N/A
5. Did total sale price include a trade or exchange? Yes  No
6. Did the buyer receive any personal property in the transaction? Yes  No   
If yes, the approximate value: N/A
7. Were mineral rights included in the sale? Yes  No
8. Were water rights included in the sale? Yes  No
9. If applicable, you may include goodwill for a going business. Approximate value of goodwill? N/A
10. Was less than 100% interest in the real property conveyed? Yes  No
11. Date of Closing: Month January Year 1997
12. Was the loan new  or assumed ? N/A
13. What was the interest rate on the loan? N/A
14. What was the term of the loan? N/A
15. Were any points paid? Yes  No  If yes, how many? N/A

#223505



16. Signed as of this 1st day of January, 1997.

DENVER HEALTH AND HOSPITAL  
AUTHORITY, a body corporation and political  
subdivision of the State of Colorado

By:   
Patricia A. Gabow,  
Chief Executive Officer

By: \_\_\_\_\_  
Paula Herzmark  
Chairman of the Board of Directors

**EXHIBIT A**  
(Attached to and forming a part of the  
Real Property Transfer Declaration,  
dated as of January 1, 1997,  
executed by the Denver Health and Hospital Authority)

**LEGAL DESCRIPTION**

[SEE ATTACHED PAGES A-1 TO A-4]

EXHIBIT A

LEGAL DESCRIPTION

"Main Site"-Parcel A:

Lots 1 through 20, inclusive, Block 13, Lots 1 through 40, inclusive, Block 14, All of Block 19, Lots 1 through 21, inclusive, Block 20, WHITSITT'S ADDITION TO DENVER, except any portion of said lot 21, Block 20 described in Ordinance 375, Series of 1976 as recorded August 01, 1976, in Book 1300 at Page 36; Lots 1 through 20, inclusive, Block 12, ELMWOOD ADDITION TO THE CITY OF DENVER, Together with a Strip in said Block 12, adjoining Lots 1 to 20, inclusive, in said Block 13, Whitsitt's Addition to Denver; Lots 1 through 21, inclusive, Block 13, Elmwood Addition to the City of Denver, Together with a Strip in Block 13, West of and adjoining Block 20, Whitsitt's Addition to Denver, and lots 39 through 42, inclusive, Block 14, Elmwood Addition to the City of Denver, except any portion of said lot 21, Block 13, Elmwood Addition to the City of Denver described in Ordinance 375, Series of 1976 as recorded August 01, 1976, in Book 1300 at Page 36, TOGETHER WITH the vacated alleys and streets adjacent to said property being more particularly described in Ordinance 195, Series of 1973, as recorded in Book 1635 at Page 515, Ordinance 164, Series of 1971, recorded in Book 133 at Page 619, Ordinance 501, Series of 1966, recorded November 29, 1966, in Book 9672 at Page 464 and Ordinance 132, Series of 1925, all being in the City and County of Denver, State of Colorado.

Parcel B: Intentionally Omitted

"Westside"-Parcel C:

Block 4, part of Block 3<sup>1</sup>, West Fairview Subdivision, Block 13, part of Block 12, South Fairview Subdivision, City and County of Denver, State of Colorado, together with the South 1/2 of vacated West 12th Avenue, vacated Elliot Street and the vacated alley within said Blocks 3 and 4, being more particularly described as follows:

Beginning at the Southwest Corner of said Block 4; thence N 0°00'00" E along the West line of said Block 4 and the Easterly Right-of-Way Line of Federal Boulevard, 296.53 feet to a point on the centerline of vacated West 12th Avenue; thence S 89°39'39" E along said centerline, 506.06 feet; thence S 0°00'00" E 295.25 feet to a point on the Northerly right-of-way line of West 12th Avenue; thence N 89°41'49" W along said Northerly right-of-way line and the Southerly line of said Blocks 12, 13 and 4, 506.06 feet to the True Point of Beginning, City and County of Denver, State of Colorado.

**"Eastside"-Parcel D:**

Lots 17 through 32, inclusive, Block 77, Case & Ebert's Addition to the City of Denver, together with one-half of the vacated Glenarm Street adjacent to said land, said vacated Glenarm Street being described in Ordinance 414, Series of 1978, as recorded August 07, 1978, in Book 1720 at Page 374 and together with that portion of vacated 29th Street adjacent to said Block 77, described Ordinance 414, Series of 1978, as recorded August 07, 1978, Book 1720 at Page 374 as follows:

Beginning at the most southerly corner of Block 77, Case and Ebert's Addition to the City of Denver, thence southwesterly along the southwesterly extension of the southeasterly line of said Block 77, a distance of 22 feet; thence northwesterly and parallel with the southwesterly line of said Block 77, a distance of 115.3 feet; thence northerly to a point on the southwesterly extension of the southeasterly line of the alley in said Block 77 that is 15 feet southwesterly of the southwesterly line of said Block 77; thence northeasterly along said extended alley line to the southwesterly line of said Block 77; thence southeasterly along the said southwesterly line to the point of beginning.

**"La Mariposa"-Parcel**

Lots 36 through 41, inclusive and the North 3 feet of Lot 42, Hunt's Addition, together with the East one-half of the vacated North 20 feet of the alley lying West of and adjacent to said Lot 41 and also together with the South one-half of vacated West 11th Avenue lying North of and adjacent to said Lot 41 and lying North of and adjacent to the East one-half of said vacated alley, City and County of Denver, State of Colorado.

**"La Casa"-Parcel**

Lots 1 through 6, inclusive, Block 25, Bryant Subdivision of Block 25 & Part of Block 26 in H. Witter's North Denver Addition, City and County of Denver, State of Colorado.

**"Hyde Park"-Parcel G:**

Lots 8 inclusive, the South 1/2 of Lot 7 and the North 1/2 of Lot 13, Block 24, Ford's Addition to the City of Denver, City and County of Denver, State of Colorado.

**"Globeville"-Parcel H:**

Lots 37 through 42, inclusive, Block 2, R. H. Wren Subdivision, City and County of Denver, State of Colorado.

Parking "710 Acoma"-Parcel F:

Lots 1 to 3, inclusive, Block 18, Whittier's Addition to Denver, City and County of Denver, State of Colorado.

Parking "720 Sannock"-Parcel J:

That part of Block 15,  
WHITTIER'S ADDITION TO DENVER,  
lying South and West of Cherry Creek and Speer Blvd.,  
formerly known as Speer Drive,

EXCEPT that portion described in Rule and Decree recorded January 12, 1989, as  
Reception Number R-39-0004775, and

EXCEPT a parcel of land situated in a portion of Block 15, Whittier's Addition  
to Denver as recorded in Book 1, on Page 49, in the Office of the Clerk and  
Recorder of the City and County of Denver, in the Southwest Quarter of Section  
3, Township 4 South, Range 68 West, of the 6th Principal Meridian, more  
particularly described as follows:

COMMENCING at the Southwest corner of said Block 15, also being the  
intersection of the Northerly Right of Way line of 7th Avenue and the Easterly  
Right of Way line of Sannock St.; thence along the Westerly line of said Block  
15, North 00 degrees 06' 35" East, a distance of 214.33 feet to a point of  
intersection of the Southeasterly line of a portion of said Block 15 as  
described in Ordinance 483, Series of 1989; thence along said Southeasterly  
line, North 48 degrees 28' 23" East, a distance of 39.26 feet to the Point of  
Beginning; thence continuing along said Southeasterly line North 48 degrees 28'  
23" East, a distance of 26.27 feet to a point on the Southwesterly line of  
Speer Boulevard as dedicated by Ordinance 95, Series 1908, said point being  
also on a non-tangent curve; thence along the arc of a curve to the left a  
distance of 190.95 feet, said curve having a central angle of 07 degrees 40'  
55", a radius of 2838.29 feet and a chord bearing of South 45 degrees 25' 35"  
East, to a point of nonradial intersection with the Easterly line of said Block  
15; thence along said Easterly line of Block 15 South 00 degrees 06' 35" West,  
a distance of 12.39 feet to a point on the Southerly line of said Block 15 also  
being the Northerly Right of Way line of 7th Avenue; thence along the Southerly  
line of said Block 15 North 39 degrees 49' 19" West, a distance of 30.57 feet  
to a point of nonradial intersection with a curve; thence departing said  
Southerly line of Block 15 along the arc of a curve to the right a distance of  
130.55 feet, said curve having a central angle of 07 degrees 03' 39", a radius  
of 1463.14 feet, and a chord bearing of North 46 degrees 31' 42" West, to a



point of tangency; thence North 40 degrees 59' 12" West, a distance of 52.16 feet; thence North 38 degrees 53' 54" West, a distance of 54.34 feet; thence North 42 degrees 05' 21" West, a distance of 64.32 feet to a point of curvature; thence along the arc of a curve to the left, said curve having a central angle of 46 degrees 35' 41", a radius of 23.00 feet, and a chord bearing of North 65 degrees 23' 12" West, a distance of 13.70 feet to the Point of Beginning, City and County of Denver, State of Colorado.

*"Eastside parking lot"*

*Block 33 and Lots 16 through 25 (inclusive), Block 78, Case and Eber's Addition to the City of Denver, TOGETHER WITH the vacated Glenarm Street adjacent to said property, said vacated Glenarm Street is more particularly described in Ordinance 414, Series of 1978, as recorded August 7, 1978, in Book 1720 at Page 374, and TOGETHER WITH that portion of the vacated 28th Street adjacent to said property, which vacated 28th Street is more particularly described in the above-described ordinance and Ordinance 417, Series of 1974.*

A-4

Give To ELBRA

After recording return to:

Robert H. Bach  
1700 Lincoln, Suite 4106  
Denver, CO 80220

**BARGAIN AND SALE DEED**

THE CITY AND COUNTY OF DENVER, a municipal corporation and home rule city of the State of Colorado (Grantor"), having an address of City and County Building, Room 350, Denver, Colorado 80202, for good and valuable consideration, the receipt and sufficiency of which are acknowledged, hereby sells and conveys to the DENVER HEALTH AND HOSPITAL AUTHORITY, a body corporate and political subdivision of the State of Colorado (Grantee"), having an address of 660 Bannock, 5th Floor, Denver, Colorado 80204, the real property in the City and County of Denver, State of Colorado, that is more particularly described on Exhibit A attached to and made a part of this deed, together with all its appurtenances, all buildings and improvements (including without limitation, all fixtures, trade fixtures, walkways, parking lots and structures, signs and landscaping), all underground tunnels now located under or on such real property, all water rights, all air space above such property, and all easement rights appurtenant to such real property or necessary for the use thereof (collectively, the "Property").

Grantee agrees that Grantor shall have and is hereby granted a power of termination with right of re-entry with respect to the Property upon the occurrence of the events set forth in paragraphs 1, 2 and 3 below:

1. The occurrence or existence of any one of the following events:
  - a. If the Grantee voluntarily abandons, vacates or surrenders all or substantially all of the Property other than pursuant to the terms and conditions of the Transfer Agreement, dated as of January 1, 1997 between Grantor and Grantee (the "Transfer Agreement") and other than pursuant to an eminent domain or condemnation proceeding initiated by the Grantor;
  - b. The Grantee shall file a petition in bankruptcy; be adjudicated insolvent or bankrupt; petition or apply to any tribunal for the appointment of a receiver of any trustee or similar officer for the Grantee or a substantial part of the assets of the Grantee; or shall commence any proceedings under any bankruptcy, reorganization, arrangement, readjustment of debt, dissolution or liquidation law or statute of any jurisdiction, whether now or hereafter in effect, that remains undismissed for a period of ninety days or more;
  - c. If a court of competent jurisdiction determines that the Grantee has failed to perform its Mission (as such term is defined in the Transfer Agreement); or
  - d. An event of default shall occur under any mortgage encumbering all or any part of the Property (which mortgage is permitted pursuant to the terms of the Transfer

#223141v4

Agreement) with respect to an indebtedness in excess of \$10,000,000 and the mortgagee shall have provided notice to the Grantee of its intention to accelerate the debt and commence the exercise of such mortgagee's remedies against the Grantee.

2. The mortgagee, if any, under any mortgage given by the Grantee in accordance with the provisions of Transfer Agreement encumbering all or any part of the Property shall fail to exercise any right of cure given to such mortgagee pursuant to the Transfer Agreement; and

3. The period of thirty days shall have elapsed after (a) the occurrence of an event described in paragraph 1 above and (b) any mortgagee's failure to cure as set forth in paragraph 2 above.

Grantee also agrees that upon dissolution of Grantee, the Property and all other assets of the Grantee shall automatically revert to Grantor and Grantor is hereby granted a right of reverter.

Grantee further agrees that Grantee may not sell or otherwise transfer title to any of the Property (or any buildings or improvements comprising a part of the Property) unless (1) the sale or transfer is in compliance with C.R.S. § 25-29-104 (2), and (2) is approved by the Grantor.

Each of the foregoing agreements of Grantee is intended to be and shall be construed as a covenant running with the Property.

The terms and conditions of the Transfer Agreement shall not merge into the habendum, granting or reversionary clauses of this Deed and shall survive delivery of this Deed and all other documents delivered in connection herewith.

EXECUTED AND DELIVERED to be effective as of the 1st day of January, 1997.

ATTEST:

CITY AND COUNTY OF DENVER, a  
municipal corporation and Home Rule  
City

By: *Elbra Wedgeworth*  
Elbra Wedgeworth  
Clerk and Recorder, Ex-Officio Clerk of  
the City and County of Denver

By: *Wellington E. Webb*  
Wellington E. Webb **ACTING MAYOR**  
Mayor



#223141-4

-2-

APPROVED AS TO FORM:

By: Daniel E. Muse  
Daniel E. Muse  
Attorney for the City and County of  
Denver

DENVER HEALTH AND HOSPITAL  
AUTHORITY, a body corporate and  
political subdivision of the State of  
Colorado

By: Patricia A. Gabow  
Patricia A. Gabow  
Chief Executive Officer

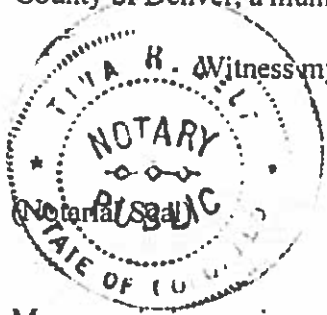
By: Paula Herzmark  
Paula Herzmark  
Chairman of the Board of Directors



STATE OF COLORADO )  
 ) ss.  
CITY AND COUNTY OF DENVER )

*Fidel Montoya, Acting Mayor*

The foregoing instrument was acknowledged before me this 31st of December, 1996 by WELLINGTON E. WEBB, in his capacity as Mayor of the City and County of Denver, a municipal corporation and Home Rule City.



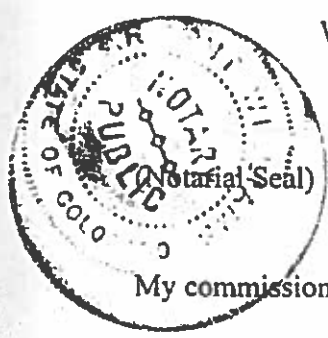
Witness my hand and official seal.

*Tina H. [unclear]*  
Notary Public 9065 E Oxford Dr  
Denver, CO 80237

My commission expires: 5-11-00

STATE OF COLORADO )  
 ) ss.  
CITY AND COUNTY OF DENVER )

The foregoing instrument was acknowledged before me this 31st of December, 1996 by ELBRA WEDGEWORTH, in her capacity as Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver, a municipal corporation and Home Rule City.



Witness my hand and official seal.

*[unclear]*  
Notary Public

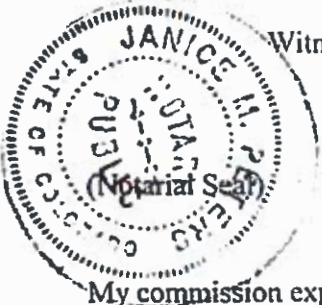
MY COMMISSION EXPIRES 6/29/97

My commission expires: \_\_\_\_\_

STATE OF COLORADO )  
 ) ss.  
CITY AND COUNTY OF DENVER )

The foregoing instrument was acknowledged before me this 31<sup>st</sup> of December, 19 96 by DANIEL E. MUSE, in his capacity as Attorney for the City and County of Denver, a municipal corporation and Home Rule City.

Witness my hand and official seal.



Janice M. Peters  
Notary Public

My commission expires: 1-31-99

STATE OF COLORADO )  
 ) ss.  
CITY AND COUNTY OF DENVER )

The foregoing instrument was acknowledged before me this 20<sup>th</sup> of December, 1996 by PATRICIA A. GABOW, in her capacity as Chief Executive Officer of Denver Health and Hospital Authority.

Witness my hand and official seal.



Robert Gabow  
Notary Public

My commission expires: 9/30/97

STATE OF COLORADO )  
 ) ss.  
CITY AND COUNTY OF DENVER )

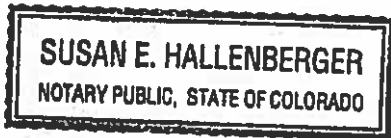
The foregoing instrument was acknowledged before me this 26 of December 19 96 by PAULA HERZMARK in her capacity as Chairman of the Board of Directors of Denver Health and Hospital Authority.

Witness my hand and official seal.

(Notarial Seal)

Susan E. Hallenberger  
Notary Public

My commission expires: 4-13-98



**EXHIBIT A**

(Attached to and forming a part of the  
Bargain and Sale Deed, dated as of  
January 1, 1997, from The City and County of Denver  
to the Denver Health and Hospital Authority)

**LEGAL DESCRIPTION**

[SEE ATTACHED PAGES A-1 TO A-4]

EXHIBIT A

LEGAL DESCRIPTION

"Main Site"-Parcel A:

Lots 1 through 20, inclusive, Block 13, Lots 1 through 40, inclusive, Block 14, All of Block 19, Lots 1 through 21, inclusive, Block 20, WHITSITT'S ADDITION TO DENVER, except any portion of said lot 21, Block 20 described in Ordinance 375, Series of 1976 as recorded August 01, 1976, in Book 1300 at Page 36; Lots 1 through 20, inclusive, Block 12, 'ELMWOOD ADDITION TO THE CITY OF DENVER, Together with a Strip in said Block 12, adjoining Lots 1 to 20, inclusive, in said Block 13, Whitsitt's Addition to Denver; Lots 1 through 21, inclusive, Block 13, Elmwood Addition to the City of Denver, Together with a Strip in Block 13, West of and adjoining Block 20, Whitsitt's Addition to Denver, and lots 39 through 42, inclusive, Block 14, Elmwood Addition to the City of Denver, except any portion of said Lot 21, Block 13, Elmwood Addition to the City of Denver described in Ordinance 375, Series of 1976 as recorded August 01, 1976, in Book 1300 at Page 36, TOGETHER WITH the vacated alleys and streets adjacent to said property being more particularly described in Ordinance 195, Series of 1978, as recorded in Book 1655 at Page 515, Ordinance 164, Series of 1971, recorded in Book 323 at Page 619, Ordinance 502, Series of 1966, recorded November 29, 1966, in Book 9672 at Page 464 and Ordinance 182, Series of 1925, all being in the City and County of Denver, State of Colorado.

Parcel B: Intentionally Omitted

1100 FEDERAL BLVD

"Westside"-Parcel C:

Block 4, part of Block 3, West Fairview Subdivision, Block 13, part of Block 12, South Fairview Subdivision, City and County of Denver, State of Colorado, together with the South 1/2 of vacated West 12th Avenue, vacated Eliot Street and the vacated alley within said Blocks 3 and 4, being more particularly described as follows:

Beginning at the Southwest Corner of said Block 4; thence N 0°00'00" E along the West line of said Block 4 and the Easterly Right-of-Way Line of Federal Boulevard, 296.58 feet to a point on the centerline of vacated West 12th Avenue; thence S 89°39'39" E along said centerline, 506.06 feet; thence S 0°00'00" E 296.25 feet to a point on the Northerly right-of-way line of West 11th Avenue; thence N 89°41'49" W along said Northerly right-of-way line and the Southerly line of said Blocks 12, 13 and 4, 506.06 feet to the True Point of Beginning, City and County of Denver, State of Colorado.



"Eastside"-Parcel D:

Lots 17 through 32, inclusive, Block 77, Case & Ebert's Addition to the City of Denver, together with one-half of the vacated Glenarm Street adjacent to said land, said vacated Glenarm Street being described in Ordinance 414, Series of 1978, as recorded August 07, 1978, in Book 1720 at Page 374 and together with that portion of vacated 28th Street adjacent to said Block 77, described in Ordinance 414, Series of 1978, as recorded August 07, 1978, in Book 1720 at Page 374 as follows:

Beginning at the most southerly corner of Block 77, Case and Ebert's Addition to the City of Denver, thence southwesterly along the southwesterly extension of the southeasterly line of said Block 77, a distance of 22 feet; thence northwesterly and parallel with the southwesterly line of said Block 77, a distance of 115.5 feet; thence northerly to a point on the southwesterly extension of the southeasterly line of the alley in said Block 77 that is 15 feet southwesterly of the southwesterly line of said Block 77; thence northeasterly along said extended alley line to the southwesterly line of said Block 77; thence southeasterly along the said southwesterly line to the point of beginning.

"La Mariposa"-Parcel E:

Lots 38 through 41, inclusive and the North 9 feet of Lot 37, Block 22, Hunts Addition, together with the East one-half of the vacated North 20 feet of the alley lying West of and adjacent to said Lot 41 and also together with the South one-half of vacated West 11th Avenue lying North of and adjacent to said Lot 41 and lying North of and adjacent to the East one-half of said vacated alley, City and County of Denver, State of Colorado.

"La Casa"-Parcel F:

Lots 1 through 6, inclusive, Block 25, Bryant Subdivision of Block 25 & Part of Block 26 in H. Witter's North Denver Addition, City and County of Denver, State of Colorado.

"Hyde Park"-Parcel G:

Lots 8 to 11, inclusive, the South 1/2 of Lot 7 and the North 1/2 of Lot 12, Block 24, Ford's Addition to the City of Denver, City and County of Denver, State of Colorado.

"Globeville"-Parcel H:

Lots 37 through 42, inclusive, Block 2, R. H. Wren Subdivision, City and County of Denver, State of Colorado.

Parking "710 Acoma"-Parcel I:

Lots 1 to 8, inclusive, Block 18, Whitsitt's Addition to Denver, City and County of Denver, State of Colorado.

Parking "720 Bannock"-Parcel J:

That part of Block 15,  
WHITSITT'S ADDITION TO DENVER,  
lying South and West of Cherry Creek and Speer Blvd.,  
formerly known as Speer Drive,

EXCEPT that portion described in Rule and Decree recorded January 12, 1989, at Reception Number R-89-0004775, and

EXCEPT a parcel of land situated in a portion of Block 15, Whitsitt's Addition to Denver as recorded in Book 1, on Page 48, in the Office of the Clerk and Recorder of the City and County of Denver, in the Southwest Quarter of Section 3, Township 4 South, Range 68 West, of the 6th Principal Meridian. more particularly described as follows:

COMMENCING at the Southwest corner of said Block 15, also being the intersection of the Northerly Right of Way line of 7th Avenue and the Easterly Right of Way line of Bannock St.; thence along the Westerly line of said Block 15, North 00 degrees 06' 35" East, a distance of 234.83 feet to a point of intersection of the Southeasterly line of a portion of said Block 15 as described in Ordinance 483, Series of 1989; thence along said Southeasterly line, North 48 degrees 28' 28" East, a distance of 39.26 feet to the Point of Beginning; thence continuing along said Southeasterly line North 48 degrees 28' 28" East, a distance of 26.27 feet to a point on the Southwesterly line of Speer Boulevard as dedicated by Ordinance 85, Series 1908, said point being also on a non-tangent curve; thence along the arc of a curve to the left a distance of 380.55 feet, said curve having a central angle of 07 degrees 40' 55", a radius of 2838.29 feet and a chord bearing of South 45 degrees 25' 35" East, to a point of nonradial intersection with the Easterly line of said Block 15; thence along said Easterly line of Block 15 South 00 degrees 06' 35" West, a distance of 12.39 feet to a point on the Southerly line of said Block 15 also being the Northerly Right of Way line of 7th Avenue; thence along the Southerly line of said Block 15 North 89 degrees 49' 19" West, a distance of 30.57 feet to a point of nonradial intersection with a curve; thence departing said Southerly line of Block 15 along the arc of a curve to the right a distance of 180.55 feet, said curve having a central angle of 07 degrees 03' 39", a radius of 1465.14 feet, and a chord bearing of North 46 degrees 38' 42" West, to a

point of nontangency; thence North 40 degrees 59' 12" West, a distance of 52.16 feet; thence North 38 degrees 53' 54" West, a distance of 54.94 feet; thence North 42 degrees 05' 21" West, a distance of 64.92 feet to a point of curvature; thence along the arc of a curve to the left, said curve having a central angle of 46 degrees 35' 41", a radius of 23.00 feet, and a chord bearing of North 65 degrees 23' 12" West, a distance of 18.70 feet to the Point of Beginning, City and County of Denver, State of Colorado.

**"Eastside parking lot"**

*Block 83 and Lots 16 through 25 (inclusive), Block 78, Case and Ebert's Addition to the City of Denver, TOGETHER WITH the vacated Glenarm Street adjacent to said property, said vacated Glenarm Street is more particularly described in Ordinance 414, Series of 1978, as recorded August 7, 1978, in Book 1720 at Page 374, and TOGETHER WITH that portion of the vacated 28th Street adjacent to said property, which vacated 28th Street is more particularly described in the above-described ordinance and Ordinance 417, Series of 1974.*

GIVE TO ELBRA  
After recording return to  
Robert H. Bach  
1700 Lincoln, Suite 4100  
Denver, CO 80202

**STATEMENT OF AUTHORITY**

The undersigned states that he is an Authorized Representative of the Trustee of the Trust named below, and has the authority to execute and record this Statement of Authority (the "Statement of Authority"). This Statement of Authority is executed on behalf of the Trust and the pertinent information in respect thereof is as follows:

1. The name of the Trust which may acquire, convey, encumber, lease or otherwise deal with any interest in real or personal property and specifically has acquired title to the real property described on Exhibit A attached hereto, together with any appurtenances or rights of the Trust related thereto, is: **DENVER PUBLIC FACILITIES LEASING TRUST 2005A** (the "Trust").

2. For the purposes of satisfying §38-30-172(3), Colorado Revised Statutes, a quitclaim deed for the real property described in Exhibit A has been recorded with the Clerk and Recorder of the City and County of Denver, Colorado.

3. The Trust is a trust created under the laws of the State of Colorado and pursuant to a Declaration and Indenture of Trust dated August 9, 2005 (the "2005A Indenture") by and between Denver Capital Leasing Corporation, a Colorado nonprofit corporation, as settlor, and American National Bank, as trustee under the 2005A Indenture (the "Trustee").

4. The address of the Trust and the Trustee is:

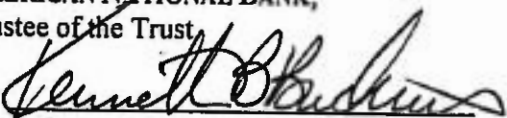
American National Bank  
3033 East First Avenue  
Denver, CO 80206  
Attention: Corporate Trust Department

5. A duly appointed and identified officer (the "Authorized Representative") of American National Bank, as Trustee for the Trust, is authorized under the 2005A Indenture and the laws of the State of Colorado to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the Trust. In the event the Trustee resigns, is removed or becomes incompetent to serve as trustee, the 2005A Indenture contains procedures for the designation of a successor trustee.

6. The Trust shall have the power to do and perform all things whatsoever set out in the 2005A Indenture that are necessary or incidental to the accomplishment of the purposes set forth in the 2005A Indenture.

7. This Statement of Authority is executed and recorded pursuant to the provisions of §§38-30-108.5 and 38-30-172, Colorado Revised Statutes.

AMERICAN NATIONAL BANK,  
Trustee of the Trust

By:   
Authorized Representative of the Trustee

[Attach Exhibit A - Real Property Description]



## STATEMENT OF AUTHORITY

The undersigned states that he is an Authorized Representative of the Trustee of the Trust named below, and has the authority to execute and record this Statement of Authority (the "Statement of Authority"). This Statement of Authority is executed on behalf of the Trust and the pertinent information in respect thereof is as follows:

1. The name of the Trust which may acquire, convey, encumber, lease or otherwise deal with any interest in real or personal property and specifically has acquired title to the real property described on Exhibit A attached hereto, together with any appurtenances or rights of the Trust related thereto, is: **DENVER PUBLIC FACILITIES LEASING TRUST 2005A** (the "Trust").

2. For the purposes of satisfying §38-30-172(3), Colorado Revised Statutes, a quitclaim deed for the real property described in Exhibit A has been recorded with the Clerk and Recorder of the City and County of Denver, Colorado.

3. The Trust is a trust created under the laws of the State of Colorado and pursuant to a Declaration and Indenture of Trust dated August 9, 2005 (the "2005A Indenture") by and between Denver Capital Leasing Corporation, a Colorado nonprofit corporation, as settlor, and American National Bank, as trustee under the 2005A Indenture (the "Trustee").

4. The address of the Trust and the Trustee is:

American National Bank  
3033 East First Avenue  
Denver, CO 80206  
Attention: Corporate Trust Department

5. A duly appointed and identified officer (the "Authorized Representative") of American National Bank, as Trustee for the Trust, is authorized under the 2005A Indenture and the laws of the State of Colorado to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the Trust. In the event the Trustee resigns, is removed or becomes incompetent to serve as trustee, the 2005A Indenture contains procedures for the designation of a successor trustee.

6. The Trust shall have the power to do and perform all things whatsoever set out in the 2005A Indenture that are necessary or incidental to the accomplishment of the purposes set forth in the 2005A Indenture.

7. This Statement of Authority is executed and recorded pursuant to the provisions of §§38-30-108.5 and 38-30-172, Colorado Revised Statutes.

AMERICAN NATIONAL BANK,  
Trustee of the Trust

By:   
Authorized Representative of the Trustee

[Attach Exhibit A - Real Property Description]

STATE OF COLORADO )  
 )  
CITY AND COUNTY OF DENVER ) SS .

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of August, 2005, by Kenneth B. Buckius, an Authorized Representative of American National Bank, as Trustee of Denver Public Facilities Leasing Trust 2005A.

Witness my hand and official seal.

My commission expires:

my Commission Expires 07/23/2009

Marie A. Blair  
Notary Public

NOTARY PAGE

**2929 W 10<sup>th</sup> Ave., 2885 W 11<sup>th</sup> Ave., 1100 N Federal Blvd., 1200 N Federal Blvd.**

The proposed rezoning is to rezone from PUD 487 Subarea 1 to C-MX-5. The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.7 and 12.4.10.8, as follows:

**DZC Section 12.4.10.7**

1. Consistency with Adopted Plans
2. Uniformity of District Regulations and Restrictions
3. Public Health, Safety and General Welfare

**DZC Section 12.4.10.8**

1. Justifying Circumstances
2. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

**Sec. 12.4.10.7, General Review Criteria Applicable to All Zone Map Amendments**

**A. Consistency with Adopted Plans**

The following Adopted Plans apply to the subject properties:

- Denver Comprehensive Plan 2000
- Blueprint Denver (2002)
- Decatur Federal Station Area Plan (2013)

**Denver Comprehensive Plan 2000**

The proposal is consistent with many Denver Comprehensive Plan strategies, including:

- Environmental Sustainability Strategy 2-F – Conserve land by: promoting infill development within Denver at sites where services and infrastructure are already in place. Designing mixed-use communities and reducing sprawl, so that residents can live, work and play within their own neighborhoods. Creating more density at transit nodes. (p. 39)
- Environmental Sustainability Strategy 4-A – Promote the development of sustainable communities and centers of activity where shopping, jobs, recreation and schools are accessible by multiple forms of transportation, providing opportunities for people to live where they work. (p. 41)
- Land Use Strategy 3-B – Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses. (p. 60)
- Land Use Strategy 4-A - Encourage mixed-use, transit-oriented development that makes effective use of existing transportation infrastructure, supports transit stations, increases transit patronage, reduces impact on the environment, and encourages vibrant urban centers and neighborhoods. (p. 60)
- Mobility Strategy 4-E – Continue to promote mixed-use development, which enables people to live near work, retail and services. (p. 78)
- Denver’s Legacies Strategy 3-A – Identify areas in which increased density and new uses are desirable and can be accommodated. (p. 99)

The proposed map amendment will enable mixed-use development at an infill location where services and infrastructure are already provided and where additional transit-oriented development (TOD)

investment is planned. The opening of the Decatur/Federal light rail station has helped catalyze opportunities for sustainable transit-oriented living, consistent with Comprehensive Plan 2000. The C-MX-5 zone district broadens the variety of uses to include additional commercial uses to allow for residents to access additional services with pedestrian-friendly design standards appropriate for the site considering its opportunity for TOD infill development. The rezoning is consistent with these plan recommendations.

### **Blueprint Denver**

**Concept Land Use:** According to the Blueprint Denver Plan Map, updated by subsequent adopted plans, this site spans two Concept Land Uses. The northern two-thirds of the site, north of 11<sup>th</sup> Ave., has a concept land use of Transit Oriented Development (TOD), while the portion of the site south of 11<sup>th</sup> Ave. is designated as an Employment District.

TOD areas are unique in that they “offer an alternative to traditional development patterns by providing housing, services and employment opportunities for a diverse population in a configuration that facilitates pedestrian and transit access” (P. 44). These areas are intended to develop or redevelop with compact, mid- to high-density development featuring a pedestrian-friendly and attractive pedestrian environment. The C-MX-5 zone district is consistent with this future land use classification because it enables a wide variety of commercial, residential, office, public facilities and other similar land uses, and because the C-MX-5 building form standards promote an attractive pedestrian environment.

Employment areas “contain office, warehousing, light manufacturing and high-tech uses such as clean manufacturing or information technology” (p. 39) and are typically located in areas with access to major arterials and/or interstates. The area of the subject site designated for Employment is further described in the Decatur Federal Station Area Plan as “Employment TOD.” (See Decatur Federal Station Area Plan, below), which is intended to have a similar fine-grained, transit- and pedestrian-friendly urban form as it redevelops in the future. The C-MX-5 permits many employment uses, including office, communications, retail and limited manufacturing and industrial uses, while providing the building form standards that will enable the development over time of transit-oriented employment uses in this area. Moreover, the less-intensive employment uses permitted by the C-MX-5 zone will help provide a transition between the more intense uses of the Employment Area envisioned south of 11<sup>th</sup> Ave. and the more mixed-use oriented Transit-Oriented Development area north of 11<sup>th</sup> Ave. as this area redevelops in the future.

**Area of Change:** The subject site is designated by Blueprint Denver as an Area of Change. The goal for Areas of Change is to channel growth where it will be beneficial and can best improve access to jobs, housing and services with fewer and shorter auto trips” (p. 127). Rezoning to the C-MX-5 zone district will enable the site to accommodate new uses and services that will improve access to jobs, housing and services. Therefore, the rezoning application is consistent with the Blueprint Denver Area of Change recommendations.

**Street Classifications:** This site has frontage on several major streets, including Decatur Street, Federal Blvd., 10<sup>th</sup> Ave. and Holden Place. It also spans a one-block stretch of 11<sup>th</sup> Ave. which runs east from Federal and terminates into parking lots within the subject area.

Blueprint Denver classifies Decatur Street as a Mixed Use Collector. According to Blueprint Denver, “collectors are designed to provide a greater balance between mobility and land access within residential, commercial and industrial area” (p. 51). Mixed Use Streets are “located in high-intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity” and are “attractive for pedestrians and bicyclists” (p. 57).

Blueprint Denver identifies Federal Blvd. as a Commercial Arterial, which typically serves commercial areas and retail strip centers with parking lot access points along the street. Such streets are intended to balance traffic mobility with access to nearby businesses and activities (P. 58). Pedestrian facilities are among the priority design elements recommended for Commercial Arterials.

Holden Place and 11<sup>th</sup> Ave. are designated by Blueprint Denver as Local Streets, which are intended primarily to provide local access. “Mobility on local streets is typically incidental and involves relatively short trips at lower speeds to and from other streets” (p. 51).

The C-MX-5 zone district is consistent with the recommendations of these future street classifications, as the zone district will allow for a broad mix of uses, and require pedestrian-friendly design within close proximity to the Decatur-Federal light rail station. The existing PUD zone districts do not have any standards related to street level activation such as transparency, or pedestrian entries which would support a mixed-use street (e.g. Decatur) and pedestrian functionality of a commercial arterial (Federal). The rezoning to C-MX-5 at the subject site is consistent with Blueprint Denver’s plan recommendations.

**PUD Zoning:** Blueprint Denver recommends rezoning obsolete PUDs. “Concerns with PUDs are that their widespread proliferation has increased the complexity of regulating land use, and the conditions they place on development sometimes perform poorly and inflexibly once the PUD has been adopted. This issue can be addressed if the city acts on the authority to repeal obsolete PUD zoning and change it to a more appropriate district” (p. 82). Rezoning to a standard zone district will eliminate the inflexibility of the old PUD, consistent with Blueprint Denver’s recommendation.

### **Decatur Federal Station Area Plan**

The Decatur Federal Station Area Plan was adopted by City Council in April of 2013, and applies to the subject property. The Plan establishes a long range vision and guiding principles for the development and future of the Decatur/Federal Station area. The elements of this Plan will direct the community toward a vision for a celebrated, connected, innovative and healthy Station Area.





**Area of Change:** The Decatur Federal Station Area Plan designates the subject site as an Area of Change which is more specifically described as “locations where Denver intends to direct residential and employment growth taking advantage of existing and planned transit infrastructure” (p. 92). The subject property is located within ¼ mile of the rail station and able to accommodate additional residential and employment growth.

**Building Heights:** The Decatur Federal Station Area Plan identified several urban design principles aimed at maximizing development quality and pedestrian amenities, especially within areas identified for TOD and Employment TOD. These included a map of recommended building heights conceived to ensure appropriate variation and transitions to adjacent areas. The subject site is recommended for maximum building heights of five stories (see map, right). The proposed C-MX-5 zone district is consistent with these recommendations, as it will encourage higher intensity mixed use development with pedestrian-friendly design standards, up to a height of 5 stories (p. 39-40).



## B. Uniformity of District Regulations and Restrictions

The proposed rezoning to C-MX-5 will result in the uniform application of zone district building form, use and design regulations.

## C. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare of the City primarily through implementation of the city’s adopted land use plans including Comprehensive Plan 2000, Blueprint Denver, the Decatur-Federal Station Area/Sun Valley Neighborhood Plan. Additionally, the allowance for more community serving uses will promote the public health, safety, and general welfare of the City. The improved pedestrian environment created by the C-MX-5 building form standards improves the general welfare of the community.

## **Sec. 12.4.10.8 Additional Review Criteria for Non-Legislative Rezonings**

### **A. Justifying Circumstance**

The application identifies several changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.8.A.4, “The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area.”

Since the approval of the current PUD in 1999, the City and more specifically the Sun Valley neighborhood has undergone significant change. Some of the more notable changes are associated with the planning, construction and opening of the Decatur/Federal light rail station, creating a shift in transportation opportunity that supports higher-intensity, mixed use development. Large portions of nearby properties located within the station area are pursuing redevelopment and rezoning, signaling an evolution in the surrounding environs. Additionally, many adopted plan recommendations state and further reinforce that redevelopment and reinvestment of the area is desired. As stated in the application, the current zoning does not reflect the City’s vision as reinforced by the Decatur Federal Station Area Plan. Accordingly, Sec. 12.4.10.8.A.4 is an appropriate justifying circumstance for the proposed rezoning.

### **B. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements**

The requested C-MX-5 zone district is within the Urban Center Neighborhood Context. The Mixed Use Zone Districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of building forms that clearly define and activate the public street edge (DZC 7.1). The neighborhood context generally consists of multi-unit residential and mixed-use commercial strips and commercial centers. The Urban Center Neighborhood Context consists of a regular pattern of block shapes surrounded by an orthogonal street grid, providing a pattern of pedestrian and vehicular connections and a consistent presence of alleys. Block sizes and shapes are consistent and include detached sidewalks, tree lawns, street and surface parking, and landscaping in the front setback. Buildings typically have consistent orientation and shallow setbacks with parking at the rear or side of a building. The Urban Center Neighborhood Context is characterized by moderate to high building heights to promote a dense urban character. There are also high levels of pedestrian and bicycle use with the greatest access to the multimodal transportation system (DZC, Division 7.1). It is appropriate to apply zoning within the Urban Center Neighborhood Context at this location through the adopted plan vision described earlier as well as the multimodal transportation context. The proposed rezoning to C-MX-5 will lead to development that is consistent with the zone district purpose and intent.



The City and County of Denver

RE: Denver Public Facilities Leasing Trust 2005A

To Denver Rezoning,

Please allow this letter to appoint Jay Morein, Deputy Manager of Denver Human Services, to act on our behalf before the Denver Zoning and Board of Adjustments, for the purpose of Rezoning properties located at 2929 W. 10<sup>th</sup> Avenue Denver, CO 80204 and 1100 Federal Boulevard Denver, CO 80204 only.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth Hoffman". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Kenneth Hoffman, Vice President

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FOR LIFE'S JOURNEY

November 27, 2017

Lisa Lumley  
Division of Real Estate  
City and County of Denver  
201 W. Colfax Avenue  
Denver, CO

Re: Authorization for the City and County of Denver to represent Denver Health and Hospital Authority regarding the Re-zoning of 2929 W. 10<sup>th</sup> Avenue, Denver, CO 80204

Dear Ms. Lumley:

This letter is to confirm that Denver Health and Hospital Authority authorizes the City and County of Denver to represent Denver Health and Hospital Authority regarding the rezoning of 2929 W. 10<sup>th</sup> Avenue, Denver, CO 80204.

Please call me at (303) 602-4929 if you have any questions concerning this matter.

Sincerely,

Peg Burnette  
Chief Financial Officer

PB/jw

cc: Dorit Fischer

**DENVER HEALTH AND HOSPITAL AUTHORITY  
BOARD OF DIRECTORS RESOLUTION  
REGARDING  
SIGNATURE AUTHORITY**

December 18, 2014

A RESOLUTION APPROVING SIGNATURE AUTHORITY FOR THE CHIEF FINANCIAL OFFICER, CHIEF ACCELERATION AND OPERATING OFFICER, CHIEF OF CLINICAL OPERATIONS, DIRECTOR OF AMBULATORY CARE SERVICES AND EXECUTIVE DIRECTOR OF MANAGED CARE.

WHEREAS, the Denver Health and Hospital Authority (the "Authority") is duly organized and existing as a body corporate and political subdivision of the State of Colorado pursuant to Section 25-29-101, *et. seq.*, Colorado Revised Statutes (the "Act"); and

WHEREAS, the Authority is authorized to enter into contracts and agreements; and

WHEREAS, the Board of Directors previously granted signature authority to the Chief Executive Officer and other members of the Authority's executive staff; and

WHEREAS, there is a need to clarify and document the individuals who are authorized in addition to the Chief Executive Officer to sign agreements and other instruments on behalf of the Authority; and


WHEREAS, granting the Chief Financial Officer, Chief Acceleration and Operating Officer, Chief of Clinical Operations, Director of Ambulatory Care Services and Executive Director of Managed Care signature authority to sign agreements and other legal instruments on behalf of the Authority will streamline business operations and improve efficiency.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DENVER HEALTH AND HOSPITAL AUTHORITY:

**Section 1.** That the Authority's Chief Financial Officer, Chief Acceleration and Operating Officer, Chief of Clinical Operations, Director of Ambulatory Care Services and Executive Director of Managed Care are hereby authorized to sign and execute agreements and other legal instruments on behalf of the Authority.

**Section 2.** This resolution shall take effect immediately upon passage.

PASSED AND ADOPTED at a regular meeting this 18<sup>th</sup> day of December, 2014.

By   
\_\_\_\_\_  
Chairperson, Board of Directors

Attest:

By   
\_\_\_\_\_  
Secretary, Board of Directors