



TO: City Council
FROM: David Gaspers, Senior City Planner
DATE: January 8, 2015
RE: Official Zoning Map Amendment Application #2014I-00068
13.15 Acres Northwest of the Intersection of Pena Boulevard & E. 40th Avenue
Rezoning from Former Chapter 59 R-X to DZC DIA Zone District

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2014I-00068 for a rezoning from Former Chapter 59 R-X to Denver Zoning Code, Denver International Airport (“DIA”) Zone District.

Request for Rezoning

Application: #2014I-00068
Address: 13.15 Acres Northwest of the Intersection of Pena Boulevard & East 40th Avenue
Neighborhood/Council District: Gateway/Green Valley Ranch Neighborhood / Council District 11
RNOs: Alliance for Justice
Denver Neighborhood Association, Inc.
Montbello 2020
Northern Corridor Coalition
Green Valley Ranch Citizen's Advisory Board
Inter-Neighborhood Cooperation (INC)
Area of Property: 572,646 square feet or 13.15 acres
Current Zoning: Former Chapter 59, R-X Zone District
Proposed Zoning: Denver Zoning Code, DIA Zone District
Property Owner(s): Denver International Airport
Owner Representative: Dan Poremba, DIA Managing Director of Airport City Development

Summary of Rezoning Request

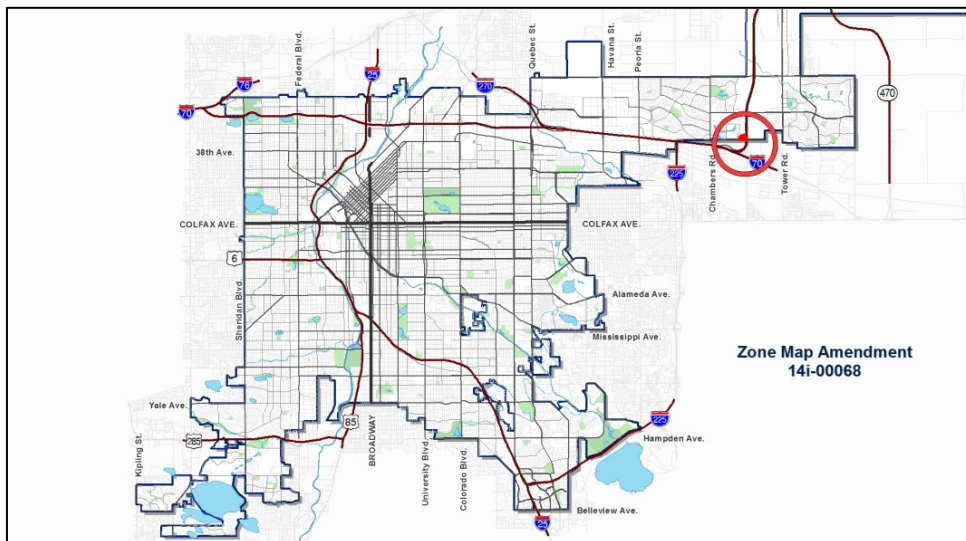
Application #2014-00068 seeks to rezone approximately 13.15 acres of vacant land in the Gateway/Green Valley Ranch Neighborhood, currently owned by the Denver International Airport (“DIA”), from a Former Chapter 59 R-X specialized residential zone district to a special airport context DIA zone district under the Denver Zoning Code. DIA acquired the subject property in 1992 as part of a much larger 222-acre acquisition in anticipation of Pena Boulevard and airport construction and ultimate opening to the public in 1995.

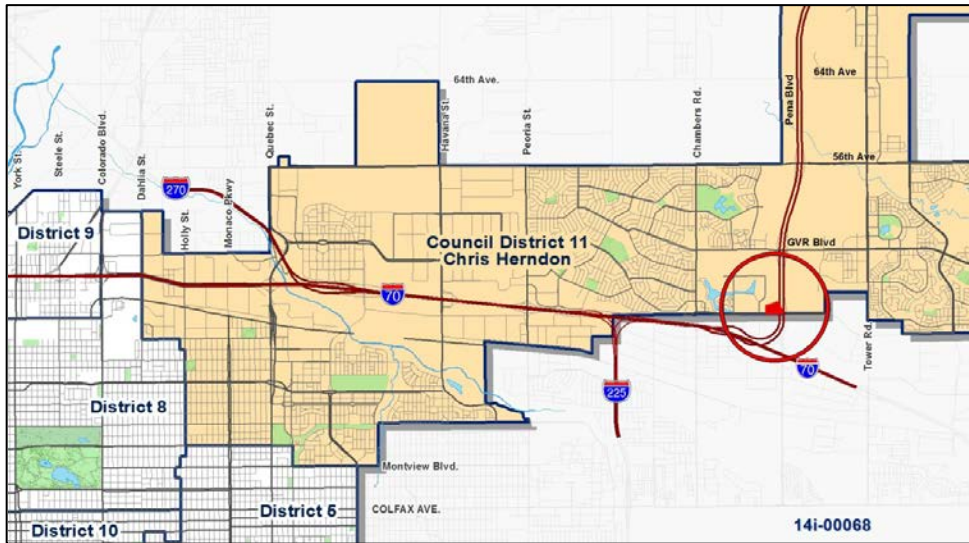
The subject property is located within an area known as the “Pena Boulevard Transportation Corridor,” which is subject to development restrictions under the terms of a 1988 Intergovernmental Agreement (“IGA”) between the City of Denver and Adams County. More specifically, the subject parcel falls within

a subarea of the Transportation Corridor called out as “Scenic Buffer,” which the IGA states must be preserved in perpetuity as open space. Residential, commercial, and industrial developments are prohibited.

The current zoning, R-X, is a special residential zone district that was originally applied to the subject property in 1973 when it was annexed to the City of Denver – long before the idea of the airport in its current location was conceived. See Former Chapter 59, Sections 59-102 and 59-107. The R-X zoning allows only single-family and multi-family development, but only after the City Council approves a complete and detailed site development plan for the R-X zoned property. To the best of the CPD’s knowledge, such a development plan was never approved for the subject property; the land is currently vacant and undeveloped. In 2010, as part of the Denver Zoning Code update, the City Council did not re-map any lands zoned R-X because of their link to site-specific, customized development plans. R-X zone lands were treated the same as old-code PUDs and zone districts with waivers/conditions. At that time, the City Council deliberately chose to focus on re-mapping the majority of the city into the new code and not divert the time and resources necessary to translate each of those customized old-code zone districts into a new DZC zone district.

The owner, DIA, now seeks to make the zoning of the subject property consistent with the rest of DIA-owned lands in the Pena Boulevard Transportation Corridor, which are all zoned into the DIA zone district. The DIA zone district was approved by City Council as part of the Denver Zoning Code update in 2010 to apply to all lands owned by the airport; the zoning cedes control over such lands’ future land use and development to DIA consistent with the airport’s master plans and other controlling legal agreements, such as the IGA. Accordingly, the DIA zoning does not specify allowed land uses or applicable building form standards or other development or design standards; instead, final decision over such matters is left to the discretion of the Denver Manager of Aviation, subject to already existing checks and balances in Denver’s legislative and executive systems to ensure the public’s health, safety and general welfare.





Existing Context

As noted previously, the subject property is vacant and part of the Pena Boulevard Transportation Corridor and, critically, within the Scenic Buffer sub-area. The Scenic Buffer encompasses lands located 1,000 feet from the centerline of both sides of Pena Boulevard. Again, no development is allowed within the Scenic Buffer under the terms of the IGA.

Immediately west of the subject property, outside the Transportation Corridor, lands are developed under Former Chapter 59 Gateway mixed-use zoning for predominantly commercial office, hotel, and retail land uses, centered on East 40th Avenue and that street's intersections with Airport Way and Kittredge Street. Further west are multi-family apartments and townhomes within the Gateway

neighborhood. South of the subject property are similar commercial hotel and office uses located in the City of Aurora between East 40th Avenue and the I-70 Corridor where it intersects with Pena Boulevard.

Immediately east of the subject property, on the other side of Pena Boulevard, the Scenic Buffer continues for 1,000 feet. Further east, outside the Transportation Corridor/Scenic Buffer, is the Green Valley Ranch community, comprised of a variety of residential land uses and building types, as well as neighborhood-serving commercial sales and services.

The following table summarizes the existing context proximate to the subject site:

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	R-X	Vacant / Open	None	<u>For developed areas in proximity to and west and east of the subject property:</u> Suburban neighborhood patterns of larger blocks, curvilinear streets (non-grid), and primary vehicle access direct from collector streets and local streets.
North	DIA	Scenic Buffer – open lands within the Pena Boulevard Transportation Corridor	None	
South	DIA	Scenic Buffer – open lands within the Pena Boulevard Transportation Corridor	None	
East	DIA	Scenic Buffer – open lands within the Pena Boulevard Transportation Corridor	None	
West	Gateway (FC59 mixed use zoning)	Office, hotel lodging, retail sales/services; multi-unit dwellings	Mix of “general” office and hotel buildings, 1-8 stories in height, with large setbacks and surface parking. Residential is 1-4 story apartment and suburban townhome forms.	

1. Existing Zoning



The subject property's current zoning, R-X under Former Chapter 59, is a special residential zone district that was originally applied to the subject property in 1973 – long before the idea of the airport in its current location was conceived. See Former Chapter 59, Sections 59-102 and 59-107. The R-X zoning allows only single-family and multi-family development, but only after the City Council approves a complete and detailed site development plan for the R-X zoned property. To the best of the CPD's knowledge, such a development plan was never approved for the subject property; the land is currently vacant and undeveloped.

In 2010, as part of the Denver Zoning Code update, the City Council did not re-map any lands zoned R-X because of their link to site-specific, customized development plans. R-X zone lands were treated the same as old-code PUDs and zone districts with waivers/conditions. At that time, the City Council deliberately chose to focus on re-mapping the majority of the city into the new code and not divert the time and resources necessary to translate each of those customized old-code zone districts into a new DZC zone district.

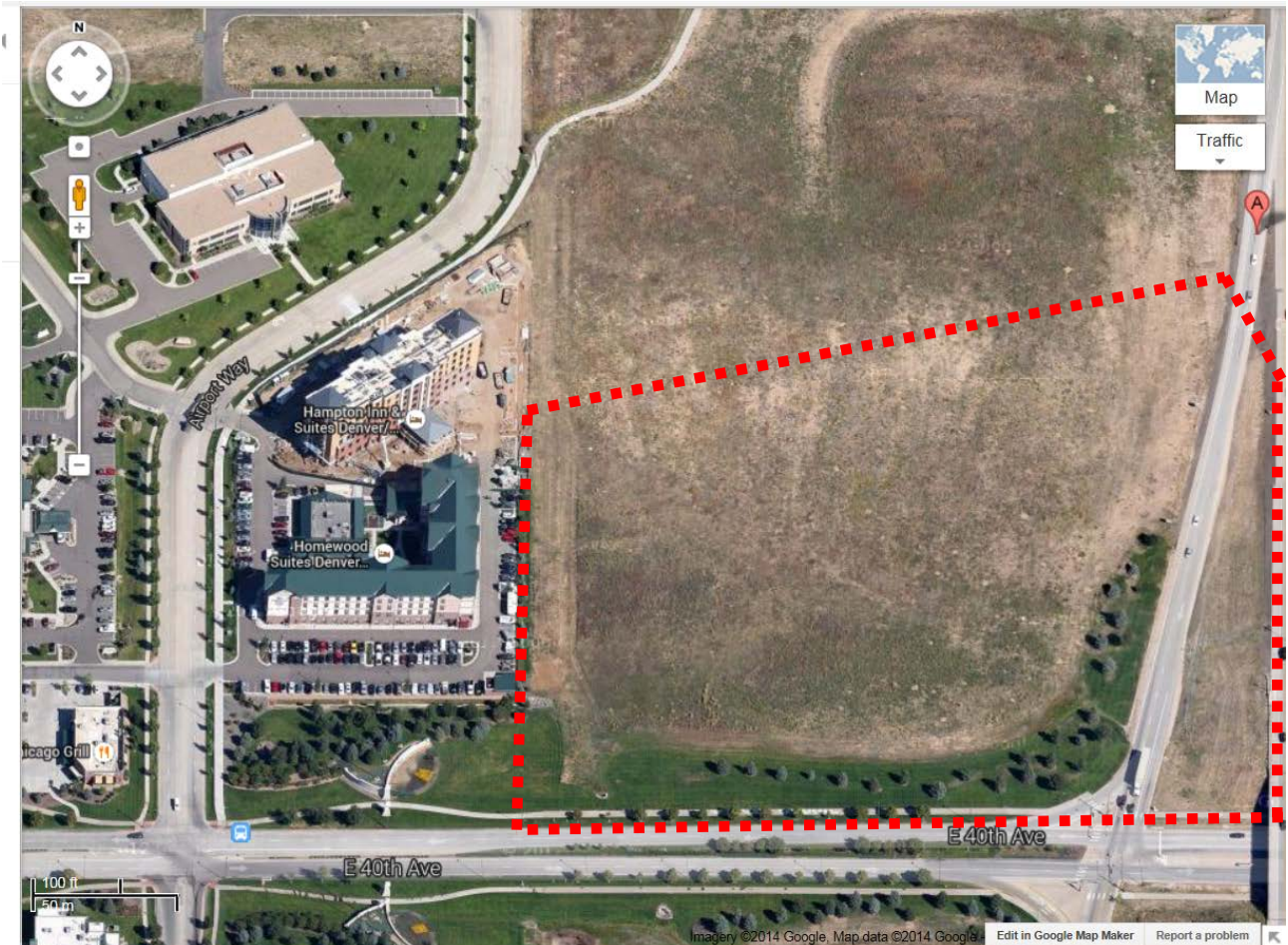
2. Existing Land Use Map

The existing land use on the subject property, as shown in the map below, is categorized as “vacant.” Surrounding land uses include commercial/retail along East 40th Avenue, commercial office, and multi-family low-rise further west of Kittredge Street.



3. Existing Building Form and Scale

The subject property is vacant and does not have any buildings on-site. Shown below are several of the commercial hotel and office buildings located immediately west of the subject property on Airport Way.



Summary of City Agency Referral Comments

As part of the DZC review process, the rezoning application is referred to potentially affected city agencies and departments for comment. A summary of agency referral responses follows:

Asset Management: Approve – No comments.

Development Services-Project Coordination: Approve – No comments.

Parks Department: Approve – No comments.

Denver Fire Department: Approve – No comments.

Development Services – Wastewater: Approve – No comments.

Public Works – City Surveyor: Legal description is approved.

Public Review Process

- The subject property was legally posted for a period of 15 days announcing the November 19, 2014, Denver Planning Board public hearing.
- CPD sent written (email) notification of the hearing to all affected registered neighborhood organizations and City Council members 15 days prior to the hearing date on November 4, 2014.
- The rezoning application was referred to the Neighborhood and Plans Sub-Committee of the City Council for review at a public meeting scheduled on December 10, 2014 and written notification of the hearing was sent to all affected registered neighborhood organizations and City Council members.
- Following City Council committee review, the rezoning application was referred to the full City Council for final action at a public hearing scheduled for January 12, 2015 and written notification of the hearing has been sent to all affected registered neighborhood organizations and City Council members and was legally posted for 21 days prior to the hearing date.
- To date, no public comments have been received on this application.

Criteria for Review / Staff Evaluation

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 – Criteria Applicable to All Rezonings

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 – Additional Criteria Applicable to All Non-Legislative Rezonings

4. Justifying Circumstances
5. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

1. Consistency with Adopted Plans

The following adopted plans apply to this property:

- Denver Comprehensive Plan 2000
- Blueprint Denver (2002)
- Gateway Concept Plan (1990)

Denver Comprehensive Plan 2000

The proposal is consistent with Denver Comprehensive Plan objectives and strategies related to generally supporting the growth and maintenance of Denver International Airport as a major economic engine for the City of Denver, including:

1. **Mobility Objective 10 – Air Transportation** – Provide residents and visitors using DIA with an airport that is a leader in service, efficiency, innovative practices, safety, convenience and aesthetics.

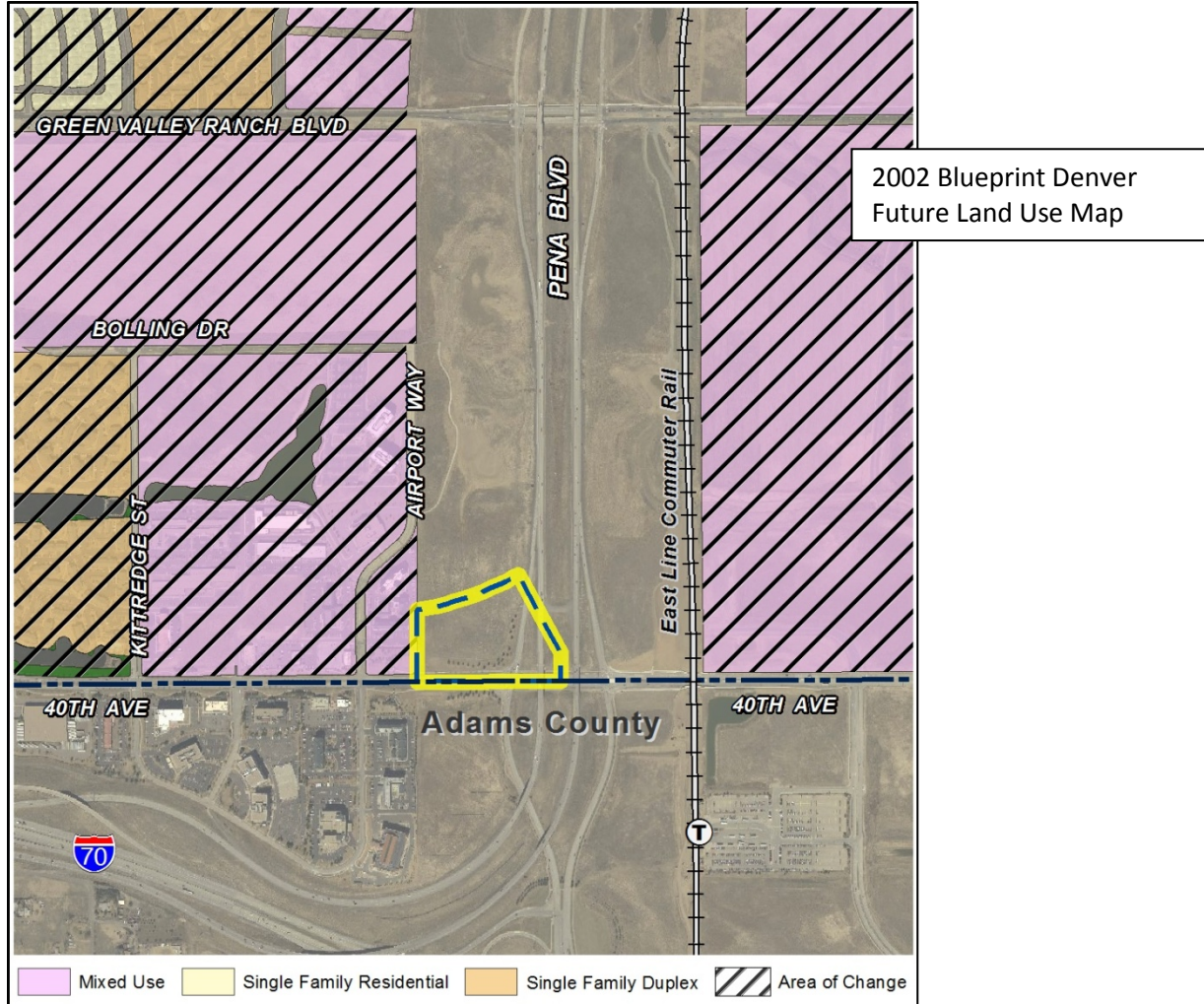
The proposed rezoning of the subject property to the DIA zone district will enable DIA to assure the aesthetic benefits to airport visitors and users traveling Pena Boulevard by car or by mass transit promised in the IGA through creation of the Scenic Buffer area. Accordingly, CPD staff finds the rezoning is consistent with Denver Comprehensive Plan 2000 recommendations.

Blueprint Denver

Blueprint Denver is the City's long-range Land Use and Transportation Plan, adopted in 2002. Blueprint Denver provides broad guidance in the rezoning process through its adopted land use and development policies, objectives, and strategies.

Future Land Use and Area of Stability/Area of Change

One component of Blueprint Denver is the "Future Land Use Map," which provides a high-level recommendation of future land use for all property in Denver. According to the Blueprint Future Land Use Map, the specific subject property does NOT have a concept future land use assigned to it, nor is it specified as within either an Area of Stability or Area of Change. See Future Land Use map excerpt from Blueprint Denver below.



However, Blueprint Denver does identify the larger “DIA/Gateway” area as a significant Area of Change to which a substantial portion of Denver’s future job and housing growth should be targeted. (Blueprint, pp. 19-20, 135) Consistent with this general policy direction, the subject property is adjacent to the Gateway Areas of Change designated on both sides of Pena Boulevard. The absence of a specific future land use designation for the subject property supports the intent of this property to be considered an integrated part of the Pena Boulevard Transportation Corridor, subject to the terms and limits on development spelled out in the IGA, which was already in place at the time of Blueprint Denver’s adoption in 2002.

Street Classifications

Blueprint Denver classifies Pena Boulevard as an “Undesignated – Arterial” and designates East 40th Avenue west of Pena Boulevard as an “undesignated-Local” street. Pena Boulevard is a high-speed, limited access arterial with posted speeds of over 55 mph, which serves a regional purpose of connecting the Denver metropolitan area with the airport.

The proposed DIA district provides for the subject property is consistent with the Pena Boulevard classification of Pena Boulevard. The “undesigned” portion of the “Undesignated – Arterial” classification signals no specific direction for adjacent land use and development directly abutting Pena Boulevard. The DIA zoning will enable the DIA Manager of Aviation to ensure the property remains in compliance with the terms of the IGA to keep the subject property open and undeveloped.

Gateway Concept Plan (1990)

The Denver Gateway Concept Plan was adopted by City Council in 1990 and carried forward as a supplement to the Comprehensive Plan 2000 when the latter was adopted. While the subject property is generally considered part of the Gateway planning area, this specific plan excludes the subject property from a specific future land use and development recommendation.

Instead, this portion of the planning area immediately abutting Pena Boulevard is intended by the Plan to remain open and provide persons traveling Pena Boulevard (referred to in the Plan as “Airport Boulevard”) with “striking mountain and prairie views”. (Gateway Plan, p. 5) DIA zoning to ensure the subject property remains open and undeveloped, consistent with the IGA terms for the Transportation Corridor and Scenic Buffer, is also consistent with one of the key Gateway Plan’s goals is: “The Gateway area should provide A Striking Entryway for Denver and for Colorado. It should celebrate the best of the Rocky Mountain West in terms of panoramas and urban design.” (Gateway Plan, p. 21)

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to DIA will result in the uniform application of zone district building form, use and design regulations within this special context zone district, as authorized by the DZC, Division 9.5, DIA Zone Districts.

3. 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, as described in more detail above. Achieving uniformity of zoning of all lands owned by DIA in the Pena Boulevard Transportation Corridor, including the subject property, will also facilitate the airport's control and management of its land use and development obligations under the IGA, which furthers the public's general welfare.

4. Justifying Circumstance

The application identifies several changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.14.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 subject property's original R-X zoning in 1973, the City of Denver acquired it in 1992 as part of the Denver International Airport land purchase to be used for the future Pena Boulevard Transportation Corridor. The change in future land use and development intent for the subject property, as evidenced by its purchase by the City of Denver for airport-related purposes and its eventual inclusion in the Transportation Corridor, justifies the change in its zoning to the DIA zone district to be consistent with the surrounding parcels and all other parcels owned by the City and County of Denver-Department of Aviation in the same corridor.

5. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

The Denver Zoning Code does not provide a description of the special DIA context. However, in Section 9.5.5.1, the DZC spells out a detailed DIA zone district purpose and intent. The DIA zone district is intended to acknowledge the special character of the 53 square miles of land that comprise the Denver International Airport and its environs, all owned and managed by the City of Denver's Department of Aviation. The zoning is more specifically intended to, among other things, maintain consistency with DIA's vision, mission and goals and to support DIA's role as the key economic engine for the region and state.

Rezoning the subject property to DIA zoning is consistent with the above-stated intent of the DIA zone district because the new zoning will allow DIA to manage all of its property within the Pena Boulevard Transportation Corridor and Scenic Buffer under the same set of land use laws. This ease in future land management supports DIA's mission and goals to ensure compliance with the terms of the IGA and maintain the corridor and Scenic Buffer as open lands, which in turn supports the vision of ensuring open views from Pena Boulevard west to the mountains and east across the prairie.

Rezoning Application #2014I-00068
13.15 Acres Northwest of the Intersection of Pena Blvd & E. 40th Ave
January 8, 2015
Page 13

Planning Board Recommendation

The Denver Planning Board held a properly noticed public hearing on this application on November 19, 2014. The Planning Board voted to recommend approval unanimously.

Staff Recommendation

Based on the analysis set forth above, CPD staff finds that the application for rezoning 13.15 acres of the property located northwest of the intersection of Pena Boulevard and East 40th Avenue to the DIA zone district meets the requisite review criteria. Accordingly, staff recommends **approval**.

Attachments

1. Application #2014I-00068

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		Email	
<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>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			
Does the proposal comply with the minimum area requirements specified in DZC Sec. 12.4.10.3:		<input type="checkbox"/> Yes	<input type="checkbox"/> No

REVIEW CRITERIA	
<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.13</p>	<input type="checkbox"/> Consistency with Adopted Plans: 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 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.
	<input type="checkbox"/> Uniformity of District Regulations and Restrictions: 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.
	<input type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.
<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.14</p>	<p>Justifying Circumstances - One of the following circumstances exists:</p> <input type="checkbox"/> The existing zoning of the land was the result of an error. <input type="checkbox"/> The existing zoning of the land was based on a mistake of fact. <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. <input type="checkbox"/> The land or its surroundings has changed or is changing to such a degree that rezoning that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area <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>Please provide an attachment describing the justifying circumstance.</p> <input 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>Please provide an attachment describing how the above criterion is met.</p>
REQUIRED ATTACHMENTS	
<p>Please ensure the following required attachments are submitted with this application:</p> <input type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format) <input type="checkbox"/> Proof of Ownership Document(s) <input type="checkbox"/> Review Criteria	
ADDITIONAL ATTACHMENTS	
<p>Please identify any additional attachments provided with this application:</p> <input type="checkbox"/> Written Authorization to Represent Property Owner(s)	
<p>Please list any additional attachments:</p>	

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 (must sign in the exact same manner as title to the property is held)	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	Property owner representative written authorization? (YES/NO)
EXAMPLE 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)	NO
Dan Poremba representative for City & County of Denver-Department of Aviation	8500 Peña Blvd. Denver CO 80249 303-342-2260	100%	<i>Dan Poremba</i>	9/30/14	(D)	(Y)

Parcel 4-

Justifying Circumstance:

This parcel is currently zoned R-X. In 1994 this parcel was acquired by the City and County of Denver as part of the New Denver Airport (Denver International Airport) land purchase to be used for the future Peña Blvd Transportation Corridor. This parcel's zoning should be amended to be consistent with the surrounding parcels and all other parcels owned by the City and County of Denver-Department of Aviation.

Consistency with the applicable neighborhood context:

This parcel is proposed to be rezoned to DIA Zone District. This parcel abutts DIA Zone District to the north, south and east. Permitted uses, required minimum parking, number of uses, and any applicable use limitations in the DIA Zone District, shall be determined by the Denver Manager of Aviation. This parcel also falls within the Peña Blvd. Transportation Corridor-Scenic Buffer as defined in Section 2.4 of the 1988 Intergovernmental Agreement of Annexation between the City and County of Denver and Adams County. Section 2.4 of the IGA defines the scenic buffer as extending 1,000 feet on either side of the centerline of Peña Boulevard which shall be preserved as open space. No residential, commercial, or industrial development can occur here.

Parcel No. 4

A part of the Northeast One Quarter of the Southeast One Quarter of Section 20, Township 3 South, Range 66 West of the 6th P.M., City and County of Denver, State of Colorado, being more particularly described as follows:

Beginning at the Southeast corner of said Northeast One Quarter of the Southeast One Quarter, thence S89° 57' 33"W, along the south line of said Northeast One Quarter of the Southeast One Quarter, a distance of 1015.91 feet to the west line of the Pena Blvd. corridor as described in document recorded in Book 3896 at Page 549 of the Adams County records; thence N00° 18' 22"E, along said west line, a distance of 505.88 feet; thence N77° 53' 41"E, a distance of 161.23 feet; thence along the arc of a curve to the left having a radius of 1935.00 feet, a central angle of 06° 35' 31" and an arc length of 560.35 feet; thence N61° 18' 10"E, a distance of 31.51 feet; thence S28° 41' 50"E, a distance of 635.00 feet to the east line of said Northeast One Quarter of the Southeast One Quarter of Section 20; thence S00° 06' 18"W, along said east line, a distance of 191.74 feet to the Point of Beginning.

Parcel contains 572,646 Sq. Ft. or 13.15 acres, more or less.

FILED
U.S. DISTRICT COURT
DISTRICT OF COLORADO

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 92-S-511

92 APR 9 4 9:17

CITY AND COUNTY OF DENVER, a municipal)
corporation of the State of Colorado,)

Plaintiff,)

v.)

UNION PACIFIC LAND RESOURCES)
CORPORATION, a Nebraska)
corporation; HELEN HILL,)
Treasurer of the County of)
Adams, State of Colorado;)
PATRICIA BEER, Manager of)
Revenue and Ex Officio)
Treasurer of the City and)
County of Denver, State of)
Colorado; and ANY AND ALL)
PERSONS WHO MAY CLAIM AN)
INTEREST IN THE SUBJECT)
MATTER OF THIS ACTION,)

Defendants.)

JAMES R. WINDING, CLERK
BY _____ DEP. CLK.

NOTICE OF LIS PENDENS

TAKE NOTICE, that on March 16, 1992, the City and County of Denver, a municipal corporation of the State of Colorado, Petitioner, commenced an action in the District Court in and for the City and County of Denver, State of Colorado, being Civil Action No. 92 CV 01983, Courtroom 19, in that Court, against the Respondents set forth in the caption above. Such action was removed to the United States District Court for the District of Colorado March 18, 1992, Civil Action No. 92 S 511, Courtroom 202.

The said action is an eminent domain action brought by the Petitioner to condemn interests in real property, improvements and appurtenances thereon, and other interests therein owned of record, or otherwise, by said Respondents, in the City and County of Denver, State of Colorado and the County of Adams, State of Colorado, said lands and appurtenances affected thereby being more particularly described as set forth on the attached Exhibit A, which is incorporated herein by reference.

DATED this 7 day of April, 1992.

OPPERMAN & ASSOCIATES, P.C.

By

Bruce G. Smith
Marlin D. Opperman, #3946
William M. Schell, #11848
Bruce G. Smith, #3646
511 16th Street, Suite 410
Denver, Colorado 80202
(303) 623-1970

SPECIAL COUNSEL FOR PETITIONER
CITY AND COUNTY OF DENVER

CITY AND COUNTY OF DENVER

Daniel E. Muse, #6229
City Attorney

By: Catherine C. Gale, #12279
Assistant City Attorney
Stapleton International Airport
Terminal Building, Room 3231
Denver, CO 80207
(303) 270-1475

CERTIFICATE OF MAILING

I hereby certify that on this 7th day of April, 1992, a true and correct copy of the foregoing Notice of Lis Pendens was placed in the United States Mail, first class postage prepaid, addressed to the following:

Kenneth Skogg
950 Seventeenth Street, #1600
Denver, CO 80202

Helen Hill
Treasurer-Adams County
450 South Fourth Avenue
Brighton, CO 80601

Herman J. Atencio
Assistant City Attorney
1445 Cleveland Place, Room 303
Denver, CO 80202

OPPERMAN & ASSOCIATES, P.C.

By Carolyn Seavick

EXHIBIT A

Parcel South of I-70

Legal description of property being acquired in fee

A parcel of land located in the Northeast 1/4 of Section 29, Township 3 South, Range 66 West of the 6th. Principal Meridian, City of Aurora, County of Adams, State of Colorado, being more particularly described as follows: Commencing at the North 1/4 corner of Section 29; thence S 00°08'45" E, along the West line of the Northeast 1/4, 210.92 feet to the **POINT OF BEGINNING**, said point also being on the Southerly Right-of-Way of I-70; thence along said Right-of-Way, along the arc of a curve to the right, with a central angle of 02°17'40", and a radius of 11,335.00 feet, whose chord bears S 67°31'20" E, a chord distance of 453.90 feet, an arc distance of 453.94 feet; thence S 66°22'05" E, along said Right-of-Way, 709.34 feet; thence S 23°38'21" W, 82.96 feet; thence S 86°57'03" W, 313.87 feet; thence N 63°47'24" W, 555.13 feet; thence N 51°53'11" W, 284.97 feet, to a point on the West line of the Northeast 1/4 of Section 29; thence N 00°08'45" W, along said West line, 129.51 feet to the **POINT OF BEGINNING**, containing 4.76 acres, more or less.

The bearings used in the above description are based on the West line of the Northeast 1/4 of Section 29 as being S 00°08'45" E. Found a No. 5 rebar in concrete at the North 1/4 corner and found a 3" Brass cap, PLS 16419, in a Range Box at the Center 1/4 corner.

("Land")

Legal description of property being acquired as a permanent easement

A permanent easement for the purpose of locating, relocating, constructing, reconstructing, operating, maintaining, repairing, replacing and removing underground utility lines, pipelines, cables, wires and any other related facilities or appurtenances thereto, in, across, under and through:

A 16.00 foot wide easement, being 8.00 feet on each side of the following described centerline, located in the Northeast 1/4 of Section 29, Township 3 South, Range 66 West of the 6th. Principal Meridian, City of Aurora, County of Adams, State of Colorado, being more particularly described as follows: Commencing at the North 1/4 corner of Section 29; thence S 00°08'45" E, along the West line of the Northeast 1/4, 350.61 feet to the **POINT OF BEGINNING**; thence S 51°53'11" E, 279.49 feet; thence S 63°47'24" E, 558.06 feet; thence N 86°57'14" E, 465.37 feet to an existing manhole, said point being the **POINT OF TERMINUS**, from which the North 1/4

corner of Section 29 bears, N 57°52'24" W, 1400.66 feet, containing 0.47 acres, more or less.

The bearings used in the above description are based on the South line of the Southeast 1/4 of Section 20 as being N 89°35'08" E. Found a No. 5 rebar in concrete at the South 1/4 corner and found a No. 5 rebar in concrete at the Southeast corner.

Legal description of property being acquired as a temporary construction easement

A temporary construction easement for the purpose of constructing, locating, relocating, reconstructing, repairing or modifying underground utility lines, pipelines, cables and wires and related facilities and purposes, and also for the purpose of constructing roads or highways. Said temporary easement shall be for a term beginning when City obtains possession of the property until the earlier of (a) March 1, 1994 or (b) when City notifies Owner in writing that the construction work is complete and City no longer requires the use of the construction easement. Said temporary construction easement is located on, over, in, and under the property described as:

A temporary construction easement being located in the Northeast 1/4 of Section 29, Township 3 South, Range 66 West of the 6th. Principal Meridian, City of Aurora, County of Adams, State of Colorado, being more particularly described as follows: Commencing at the North 1/4 corner of Section 29; thence S 59°08'10" E, 1460.58 feet to a point on the Southerly Right-of-Way of I-70 and also the **POINT OF BEGINNING**; thence S 66°22'05" E, along the Southerly Right-of-Way of I-70, 66.82 feet; thence S 86°57'14" W, 602.23 feet; thence N 63°47'24" W, 571.94 feet; thence N 51°53'11" W, 253.49 feet to a point on the West line of the Northeast 1/4 and the East line of PETERSON SUBDIVISION; thence N 00°08'45" W, along the East line of PETERSON SUBDIVISION and the West line of the Northeast 1/4, 38.21 feet; thence S 51°53'11" E, 274.02 feet; thence S 63°47'24" E, 560.98 feet; thence N 86°57'14" E, 534.69 feet to the **POINT OF BEGINNING**, containing 0.96 acres, more or less.

The bearings used in the above description are based on the South line of the Southeast 1/4 of Section 20 as being N 89°35'08" E. Found a No. 5 rebar in concrete at the South 1/4 corner and found a NO.5 rebar in concrete at the Southeast Corner.

Together with

All property interests in, above and below the surface of the Land.

Any and all improvements and fixtures located on the Land.

All appurtenances thereunto appertaining.

Reserving

Specifically reserving to the Respondent Owner the right to decree, permit or otherwise develop any tributary, nontributary or not nontributary bedrock

groundwater appurtenant to the Land, including the right to enter upon such Land to explore for and develop any such water. This right to enter upon such Land and develop any water shall be subject to the reasonable restrictions of any governmental agency having jurisdiction over such Land, and any such entry and development shall not, in any case, take place within 100 feet of any existing or proposed roadway or other public improvement. Respondent Owner shall pay the damaged party for any damages caused by its operations. Respondent Owner shall not open cut any existing roadway upon such Land for any purpose whatsoever. This reservation and the restrictions thereon shall be binding upon the heirs, successors and assigns of Respondent Owner.

Also reserving to Respondent Owner any and all rights in any oil and gas presently owned by it, together with the right to enter upon such Land to explore for and develop such oil and gas. This right of entry and the right to develop shall be subject to the reasonable restrictions of any governmental agency having jurisdiction over such Land and any such entry and development shall not, in any case, take place within 100 feet of any existing or proposed roadway or other public improvement. Respondent Owner shall pay the damaged party for any damages caused by its operations. Respondent Owner shall not open cut any existing roadway upon such Land for any purpose whatsoever. This reservation and the restrictions thereon shall run with said mineral estate and be binding upon the heirs, successors and assigns of Respondent Owner.

Subject to

1. The reservation and covenants contained in Deed from Union Pacific Railway Company to the Platte Land Company dated February 11, 1881 and recorded October 16, 1882 in Book A11 at Page 261 in the office of the Clerk and Recorder for Adams County, Colorado.
2. A right of way and easement for pipeline purposes to Colorado Interstate Gas Company as described in instrument dated May 31, 1955 and recorded July 6, 1955 in Book 557 at Page 201 in the office of the Clerk and Recorder for Adams County, Colorado.
3. A right of way for a lateral ditch as contained in Deed dated March 31, 1943 and recorded March 31, 1943 in Book 286 at Page 586 in the office of the Clerk and Recorder for Adams County, Colorado.
4. Impact of Notice as to existence of irrigation wells in instrument recorded August 11, 1955 in Book 563 at Page 316 in the office of the Clerk and Recorder for Adams County, Colorado.
5. The restriction of right of access as contained in Deeds recorded July 19, 1956 in Book 619 at Page 428; September 17, 1956 in Book 627 at Page 597; and February 4, 1959 in Book 758 at Page 537, all in the office of the Clerk and Recorder for Adams County, Colorado.

6. A right of way as granted to Wyco Pipe Line Company in instrument recorded March 23, 1966 in Book 1283 at Page 212 and agreements recorded May 22, 1981 in Book 2556 at Page 588 and May 22, 1981 in Book 2556 at Page 603, all in the office of the Clerk and Recorder for Adams County, Colorado.

7. The terms, conditions and covenants contained in agreements with City of Aurora dated January 8, 1973 and recorded June 12, 1973 in Book 1869 at Page 168 and as amended by the agreements recorded October 9, 1974 in Book 1957 at Page 895, September 10, 1981 in Book 2585 at Pages 413 and 419 and July 12, 1983 in Book 2767 at Page 320, and October 24, 1991 in Book 3828 at Page 863, all in the office of the Clerk and Recorder for Adams County, Colorado.

8. Perpetual easement for utility purposes as granted to the City of Aurora in instrument recorded March 29, 1974 in Book 1920 at Page 978 in the office of the Clerk and Recorder for Adams County, Colorado.

9. An Oil and Gas Lease to Amoco Production Company recorded July 26, 1977 in Book 2160 at Page 805 and re-recorded April 19, 1977 in Book 2576 at Page 181, both in the office of the Clerk and Recorder for Adams County, Colorado.

10. Mineral Deed to Champlin Petroleum Company recorded August 22, 1972 in Book 1814 at Page 356 and March 31, 1977 in Book 2132 at Page 787, both in the office of the Clerk and Recorder for Adams County, Colorado.

Parcel North of I-70

Legal description of property being acquired in fee

A parcel of land located in the West 1/2 of Section 21, and the Southwest 1/4, and the East 1/2 of Section 20, and the Northwest 1/4 of Section 28, and the Northeast 1/4 of Section 29, Township 3 South, Range 66 West of the 6th. Principal Meridian, City of Aurora, County of Adams, and the City and County of Denver, State of Colorado, being more particularly described as follows: Commencing at the West 1/4 corner of Section 21; thence

N 00°16'01" W, along the West line of Section 21, 1033.43 feet to the **POINT OF BEGINNING**; thence N 89°22'14" E, 992.32 feet; thence S 00°04'20" E, 5228.24 feet to a point on the Northerly Right-of-Way of I-70, the following four (4) calls are along said Northerly Right-of-Way of I-70; (1) thence N 66°22'05" W, 3394.08 feet; (2) thence along the arc of a curve to the left, with a central angle of 02°00'43" and a radius of 11,585.00 feet, whose chord bears N 67°22'51" W, a chord distance of 406.80 feet, an arc distance of 407.82 feet, to a point on the North line of the Northeast 1/4 of the Northeast 1/4 of Section 29; (3) thence N 89°35'09" E, along said North line, 105.55 feet; (4) thence along the arc of a curve to the left, with a central angle of 08°28'51", and a radius of 11,625.00 feet, whose chord bears N 72°08'43" W, a chord distance of 1,719.16 feet, an arc distance of 1,720.73 feet to the Southeast corner of Lot 1, Block

1, J.Q.H. COMMERCIAL PARK SUBDIVISION FILING No. 2, as recorded in File 16, Map 658, at Reception No. B770484; thence N 00°44'51" W, along the East line of said Lot 1, and parallel with the West line of the Southwest 1/4 of Section 20, 212.89 feet; thence S 89°50'23" E, 394.03 feet; thence S 67°21'10" E, 327.20 feet; thence N 89°02'20" E, 179.10 feet; thence S 84°20'53" E, 274.29 feet; thence S 67°36'55" E, 346.62 feet; thence S 55°36'21" E, 90.28 feet; thence S 50°43'24" E, 319.08 feet; thence S 65°21'42" E, 731.61 feet; thence S 84°20'26" E, 223.09 feet; thence N 86°23'44" E, 254.50 feet; thence N 65°38'28" E, 94.06 feet; thence N 00°04'20" W, 3756.82 feet; thence N 89°22'14" E, 1007.78 feet, to the **POINT OF BEGINNING**, excepting therefrom that portion conveyed to the City of Aurora in Special Warranty Deeds as recorded November 13, 1991 in Book 3836 at Page 160 - 166 and Book 3836 at Page 167 -171 in the Office of the Clerk and Recorder in Adams County, Colorado. The above described parcel contains a total of 221.70 acres, more or less.

The bearings used in the above description are based on the South line of the Southeast 1/4 of Section 20 as being N 89°35'08" E. Found a No. 5 rebar in concrete at the South 1/4 corner and found a No. 5 rebar in concrete at the Southeast corner.

("Land")

Legal description of property being acquired as a permanent easement

A permanent easement for the purpose of locating, relocating, constructing, reconstructing, operating, maintaining, repairing, replacing and removing underground utility lines, pipelines, cables, wires and any other related facilities or appurtenances thereto, in, across, under and through:

Parcel A

A 10.00 foot wide easement being 5.00 feet each side of the following described centerline, located in the South 1/2 Section 20 and the Northeast 1/4 of Section 29, Township 3 South, Range 66 West of the 6th. Principal Meridian, City of Aurora, County of Adams, State of Colorado, being more particularly described as follows: Commencing at the Northwest corner of the Southwest 1/4 of the Southwest 1/4 of Section 20; thence S 67°11'02" E, 1397.04 feet to the **POINT OF BEGINNING**, said point being on the East line of Lot 1, Block 1, J.Q.H. COMMERCIAL PARK SUBDIVISION FILING No. 2, from which the Southeast corners of Lot 1 bears S 00°44'51" E, 233.90 feet; thence S 89°50'23" E, 398.54 feet; thence S 67°21'10" E, 312.41 feet; thence S 84°20'53" E, 464.93 feet; thence S 67°36'55" E, 347.79 feet; thence S 55°36'21" E, 91.32 feet; thence S 50°43'24" E, 318.44 feet; thence S 65°21'42" E, 730.13 feet; thence S 84°20'26" E, 221.85 feet; thence N 86°23'44" E, 253.18 feet; thence N 65°38'28" E, 95.41 feet to the **POINT OF TERMINUS**, from which the Northeast corner of Section 29 bears, N 85°30'21" E, 1023.38 feet, containing 0.74 acres more or less.

The bearings used in the above description are based on the South line of the Southeast 1/4 of Section 20 as being N 89°35'08" E. Found a No. 5 rebar in concrete at the South 1/4 corner and found a No. 5 rebar in concrete at the Southeast corner.

Parcel B

A 16.00 foot wide easement, being 8.00 feet each side of the following described centerline, located in the South 1/2 of the Southwest 1/4 of Section 20, Township 3 South, Range 66 West, City of Aurora, County of Adams, State of Colorado, being more particularly described as follows: Commencing at the Northwest corner of the South 1/2 of the Southwest 1/4 of Section 20; thence S 66°41'49" E, 1402.29 feet to the **POINT OF BEGINNING**, said point being on the East line of Lot 1, Block 1, J.Q.H. COMMERCIAL PARK SUBDIVISION FILING No. 2, from which the Southeast corner of Lot 1, Block 1 bears S 00°44'51" E, 220.90 feet; thence S 89°50'23" E, 395.75 feet; thence S 67°21'10" E, 347.09 feet to **POINT "A"**; thence N 22°38'50" E, 50.00 feet to the **POINT OF TERMINUS**, from which the South 1/4 corner of Section 20 bears S 44°40'31" E, 929.79 feet, containing 0.29 acres, more or less.

The bearings used in the above description are based on the South line of the Southeast 1/4 of Section 20 as being N 89°35'08" E. Found a No. 5 rebar in concrete at the South 1/4 corner and found a No. 5 rebar in concrete at the Southeast corner.

Together with

All property interests in, above, on and below the surface of the Land.

Any and all improvements and fixtures located on the Land.

All appurtenances thereunto appertaining.

The right of a proprietor of a vein or lode to extract and remove his ore therefrom as reserved by the United States in Patents recorded October 10, 1906 in Book 25 at Page 315 and March 12, 1892 in Book A24 at Page 172, both in the office of the Clerk and Recorder, Adams County, Colorado.

All the rights, title and interests of Respondent Owner as successor or assign of those rights granted to M.D.C. Corporation (1) in the Non-Drilling Agreement by Amoco Production Company recorded December 28, 1984 at Reception No. 058081 and as amended by document recorded April 4, 1985 at Reception No. 097935; (2) in the Non-Drilling Agreement by Champlin Petroleum Company recorded December 28, 1984 at Reception No. 058080; and (3) the Lease Agreement between Rock Springs Royalty Company and M.D.C. Land Corporation recorded April 8, 1985 at Reception No. 098956, all as recorded in the office of Clerk and Recorder, City and County of Denver, State of Colorado, to the extent such rights, title and interests relate to the Land.

Reserving

Specifically reserving to the Respondent Owner the right to decree, permit or otherwise develop any tributary, nontributary or not nontributary bedrock groundwater appurtenant to the Land, including the right to enter upon such Land to explore for and develop any such water. This right to enter upon such Land and develop any water shall be subject to the reasonable restrictions of any governmental

agency having jurisdiction over such Land, and any such entry and development shall not, in any case, take place within 100 feet of any existing or proposed roadway or other public improvement. Respondent Owner shall pay the damaged party for any damages caused by its operations. Respondent Owner shall not open cut any existing roadway upon such Land for any purpose whatsoever. This reservation and the restrictions thereon shall be binding upon the heirs, successors and assigns of Respondent Owner.

Also reserving to Respondent Owner any and all rights in any oil and gas presently owned by it, together with the right to enter upon such Land to explore for and develop such oil and gas. This right of entry and the right to develop shall be subject to the reasonable restrictions of any governmental agency having jurisdiction over such Land and any such entry and development shall not, in any case, take place within 100 feet of any existing or proposed roadway or other public improvement. Respondent Owner shall pay the damaged party for any damages caused by its operations. Respondent Owner shall not open cut any existing roadway upon such Land for any purpose whatsoever. This reservation and the restrictions thereon shall run with said mineral estate and be binding upon the heirs, successors and assigns of Respondent Owner.

Subject to

1. A reservation of a right of way for ditches or canals constructed under the authority of the United States as contained in Patent recorded October 10, 1906 in Book 25 at Page 315 in the office of the Clerk and Recorder for Adams County, Colorado.
2. A reservation by James P. Curry of $\frac{1}{2}$ of oil, gas or other minerals as contained in instrument recorded January 6, 1938 in Book 244 at Page 268 in the office of the Clerk and Recorder for Adams County, Colorado.
3. A right of way and easement for pipeline purposes to Colorado Interstate Gas Company as described in instrument dated May 31, 1955 and recorded July 6, 1955 in Book 557 at Page 201 in the office of the Clerk and Recorder for Adams County, Colorado.
4. A right of way for a lateral ditch carrying water to the NW $\frac{1}{4}$ of Section 29, Township 3 South, Range 66 West of the 6th P.M. as contained in Deed dated March 31, 1943 and recorded March 31, 1943 in Book 286 at Page 586 in the office of the Clerk and Recorder for Adams County, Colorado.
5. A right of way and easement for pipeline purposes to Colorado Interstate Gas Company as described in instrument dated August 22, 1955 and recorded September 23, 1955 in Book 570 at Page 458 in the office of the Clerk and Recorder for Adams County, Colorado.

6. The restriction of right of access as contained in Deeds recorded July 19, 1956 in Book 619 at Page 428; September 17, 1956 in Book 627 at Page 597; February 4, 1959 in Book 758 at Page 537; and March 10, 1958 in Book 700 at Page 334 all in the office of the Clerk and Recorder for Adams County, Colorado.

7. A right of way option as granted to Wyco Pipe Line Company in instrument recorded March 23, 1966 in Book 1283 at Page 212, a right of way contract recorded April 20, 1966 in Book 1289 at Page 118 and agreements amending the location thereof recorded May 22, 1981 in Book 2556 at Page 588 and May 22, 1981 in Book 2556 at Page 603, all in the office of the Clerk and Recorder for Adams County, Colorado.

8. The terms, conditions and covenants contained in Annexation Agreement with City of Aurora dated January 8, 1973 and recorded June 12, 1973 in Book 1869 at Page 168 and as amended by the agreements recorded October 9, 1974 in Book 1957 at Page 895, September 10, 1981 in Book 2585 at Pages 413 and 419 and July 12, 1903 in Book 2767 at Page 320, and October 24, 1991 in Book 3828 at Page 863, all in the office of the Clerk and Recorder for Adams County, Colorado. (Sec. 20, 21, 28, and 29)

9 Perpetual easements for utility purposes as granted to the City of Aurora in instruments recorded March 29, 1974 in Book 1920 at Pages 974, 978, 982, and 986 in the office of the Clerk and Recorder for Adams County, Colorado.

10. The conveyance of all minerals and mineral rights except oil, gas and associated liquid hydrocarbons by Union Pacific Land Resources Corporation to Rock Springs Royalty Company in Deed Recorded April 8, 1985 at Reception No. 098955 in the office of the Clerk and Recorder for Denver County, Colorado.

11. The conveyance of all oil, gas and associated liquid hydrocarbons from Union Pacific Land Resources Corporation to Champlin Petroleum in Deed recorded March 31, 1977 in Book 2132 at Page 787 in the office of the Clerk and Recorder for Adams County, Colorado.

12. An Oil and Gas Lease to Amoco Production Company recorded July 26, 1977 in Book 2160 at Page 805 and re-recorded April 19, 1977 in Book 2576 at Page 181, both in the office of the Clerk and Recorder for Adams County, Colorado. (Sec. 20, 21, 28, and 29 North of I-70)

13. Terms, conditions and provisions of Easement Deed and Agreement recorded July 18, 1989 in Book 3583 at Page 448 in the office of the Clerk and Recorder for Adams County, Colorado.

14. The effect of Demands for Conveyance by the City of Aurora recorded December 22, 1989 in Book 3632 at Page 780 and February 21, 1990 in Book 3649 at Page 566, both in the office of the Clerk and Recorder for Adams County, Colorado.

15. An easement and right of way for an irrigation canal and roadway as granted to the United States of America in instrument recorded February 2, 1944 in Book 295 at Page 43 in the office of the Clerk and Recorder for Adams County, Colorado.
16. Easement and right of way for pipeline as granted to Phillips Petroleum Company by Union Pacific Land Resources Corporation, in the instrument recorded October 12, 1971 in Book 1744 at Page 390.
17. Right of way and easement for irrigation lateral or feeder ditch as conveyed by the Platte Land Company, limited to the Antero and Lost Park Reservoir Company, for the purpose of running water into a reservoir located on Section 1, Township 3 South, Range 67 West of the 6th Principal Meridian in Adams County, Colorado, known as the Platte Land Company's Reservoir, by instrument recorded October 20, 1916, in Book 79 at page 414, in the office of the Clerk and Recorder for Adams County, Colorado.
18. Right of way for the High Line Extension Canal System as disclosed by instrument recorded on December 18, 1948, in Book 367 at Page 242 in the office of the Clerk and Recorder for Adams County, Colorado.
19. A Non-Drilling Agreement by Amoco Production Company recorded December 28, 1984 at Reception No. 058081 and as amended by document recorded April 4, 1985 at Reception No. 097935 in the office of the Clerk and Recorder, City and County of Denver, State of Colorado.
20. A Non-Drilling Agreement by Champlin Petroleum Company recorded December 28, 1984 at Reception No. 058080 in the office of the Clerk and Recorder, City and County of Denver, State of Colorado.
21. A Lease Agreement for non-oil and gas minerals by and between Rock Springs Royalty Company and M.D.C. Land Corporation recorded April 8, 1985 at Reception No. 098956 in the office of the Clerk and Recorder, City and County of Denver, State of Colorado.

Return to:

Opperman + Assoc.

511 16th St, #410

Denver, CO 80202



Executive Office
Airport Office Building
8500 Peña Boulevard, Room 9860
Denver, Colorado 80249

(303) 342-2206
www.flydenver.com



September 29, 2014

Tina Axelrad, Principal City Planner
Community Planning & Development, Planning Services
201 W. Colfax Ave., Dept. 205
Denver, Colorado 80202

Re: Application for Rezoning of Four DIA Properties

Dear Ms. Axelrad:

As you know, the Department of Aviation is applying for rezoning of four parcels of property managed by DIA, as described in the recently submitted application. As CEO of DIA, I have authority over these parcels under the Denver Revised Charter. This letter is to inform Community Planning and Development that I have authorized Dan Poremba, DIA's Managing Director of Airport City Development, to sign for, represent, and speak for the Department of Aviation on all matters related to the rezoning of these four parcels.

Please contact Mr. Poremba or Assistant City Attorney Debra Overn if you have any questions.

Sincerely,

Kim Day
Chief Executive Officer
Denver International Airport

cc: Dan Poremba
Debra Overn