



DENVER • DALLAS/FORT WORTH

September 20, 2019
City and County of Denver
201 W Colfax Ave
Denver, CO 80202

**RE: Revocation Request – Letter of Intent
990 Bannock Street
HKS Project No.: 180104**

The purpose of this letter is to serve as the letter of intent to vacate an existing Revocable Encroachment Permit, Ordinance 332. This existed over an underground electrical transformer vault. Please see the enclosed ALTA with the location of the revocable encroachment permit shown in red.

The transformers were removed on July 17, 2018 by Sturgeon Electric. The vault was then filled in and paved over. Two photos showing that the encroachment no longer exists is enclosed with this letter. The point of contact for Sturgeon Electric is Jordan Kohn (jkohn@myrgroup.com).

Please let me know if you have any questions or require additional information. We appreciate your consideration in this matter.

Sincerely,

A handwritten signature in blue ink that reads 'Rachel Patton'.

Rachel Patton, PE
On behalf of Harris Kocher Smith

Enclosed:
ALTA
Revocable Encroachment Permit, Ordinance 332
Annual Billing Fees - Proof of Payment
Photo Documentation

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.

FILEPATH: P:\180104\SURVEY\BASE.DWG LAYOUT: LAYOUT1
PLOTTER: HP PLOTTER 01/20/18 6:35:11A BY: TOM GRUBESCH

ALTA/NSPS LAND TITLE SURVEY

SITUATED IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M.
CITY AND COUNTY OF DENVER, STATE OF COLORADO.

LEGAL DESCRIPTION:

PARCEL 1

LOTS 11 THROUGH 15, INCLUSIVE, BLOCK 7, WHITSITT'S ADDITION TO DENVER, TOGETHER WITH THE EAST 1/2 OF THE ALLEY IN BLOCK 7 ADJACENT TO THE WEST LINE OF SAID LOTS 11 THROUGH 15, AS VACATED BY ORDINANCE NO. 652, SERIES OF 1982, RECORDED JANUARY 26, 1983 IN BOOK 2736 AT PAGE 124, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 11;
THENCE SOUTH 00°13'27" EAST, ALONG THE EAST LINE OF SAID LOTS 11 THROUGH 15, A DISTANCE OF 125.20 FEET TO THE SOUTHEAST CORNER OF SAID LOT 15;
THENCE SOUTH 89°49'29" WEST, ALONG THE SOUTH LINE OF SAID LOT 15 AND THE WESTERLY PROLONGATION THEREOF, A DISTANCE OF 160.12 FEET TO THE CENTERLINE OF SAID VACATED 20 FOOT ALLEY;
THENCE NORTH 00°13'16" WEST, ALONG SAID CENTERLINE, A DISTANCE OF 125.23 FEET;
THENCE NORTH 89°50'08" EAST, ALONG THE NORTH LINE OF SAID LOT 11 AND THE WESTERLY PROLONGATION THEREOF, A DISTANCE OF 160.12 FEET TO THE **POINT OF BEGINNING**.

PARCEL 2

LOTS 1 THROUGH 10, INCLUSIVE, BLOCK 7, WHITSITT'S ADDITION TO DENVER, TOGETHER WITH THE EAST 1/2 OF THE ALLEY IN BLOCK 7 ADJACENT TO THE WEST LINE OF SAID LOTS 1 THROUGH 10, VACATED BY ORDINANCE NO. 652, SERIES OF 1982, RECORDED JANUARY 26, 1983 IN BOOK 2736 AT PAGE 124, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH EAST CORNER OF SAID LOT 1;
THENCE SOUTH 00°13'27" EAST, ALONG THE EAST LINE OF SAID LOTS 1 THROUGH 10, A DISTANCE OF 250.39 FEET TO THE SOUTHEAST CORNER OF SAID LOT 10;
THENCE SOUTH 89°50'08" WEST, ALONG THE SOUTH LINE OF SAID LOT 10 AND THE WESTERLY PROLONGATION THEREOF, A DISTANCE OF 160.12 FEET TO THE CENTERLINE OF SAID VACATED 20 FOOT ALLEY;
THENCE NORTH 00°13'16" WEST, ALONG SAID CENTERLINE, A DISTANCE OF 250.47 FEET TO THE NORTH LINE OF SAID VACATED ALLEY;
THENCE NORTH 89°51'52" EAST, ALONG THE NORTH LINE OF SAID VACATED 20 FOOT ALLEY AND THE NORTH LINE OF AFOREMENTIONED LOT 1, A DISTANCE OF 160.10 FEET TO THE **POINT OF BEGINNING**.

PARCEL 3

LOTS 33 THROUGH 40, INCLUSIVE, BLOCK 7, WHITSITT'S ADDITION TO DENVER, TOGETHER WITH THE WEST 1/2 OF THE ALLEY IN BLOCK 7 ADJACENT TO THE EAST LINE OF SAID LOTS 33 THROUGH 40, VACATED BY ORDINANCE NO. 652, SERIES OF 1982, RECORDED JANUARY 26, 1983 IN BOOK 2736 AT PAGE 124, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

NOTES:

- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY HARRIS KOCHER SMITH TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY AND TITLE OF RECORD, HARRIS KOCHER SMITH RELIED UPON COMMITMENT FOR TITLE INSURANCE, FILE NO. 35100-17-09646 REV. NO. 6 ISSUED BY NORTH AMERICAN TITLE COMPANY OF COLORADO AND HAVING AN EFFECTIVE DATE OF JANUARY 5, 2018 AT 7:30 A.M.
- NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- UTILITIES SHOWN HEREON ARE FROM VISIBLE FIELD INFORMATION AND UTILITY LOCATES PROVIDED BY TOM RICHARDSON, LLC. HARRIS KOCHER SMITH DOES NOT GUARANTEE THESE LOCATIONS OR THAT THE UTILITIES SHOWN HEREON COMPRISE ALL UTILITIES IN THIS AREA, EITHER IN SERVICE OR ABANDONED. FOR THE EXACT LOCATION OF ALL UNDERGROUND UTILITIES, CONTACT THE UTILITY NOTIFICATION CENTER OF COLORADO AND THE APPROPRIATE UTILITY COMPANY PRIOR TO CONSTRUCTION.
- BASIS OF BEARINGS: BEARINGS ARE BASED ON THE 19' RANGE LINE IN WEST 9TH AVENUE BETWEEN ACOMA STREET AND BANNOCK STREET ASSUMED TO BEAR NORTH 89°55'18" WEST, AND BEING MONUMENTED AS SHOWN HEREON.
- BENCHMARK: THE SITE VERTICAL BENCHMARK IS CITY AND COUNTY OF DENVER BRASS CAP #28 LOCATED AT THE SOUTHEAST CORNER OF 9TH AVENUE AND BROADWAY NEAR THE PROPERTY CORNER, ELEVATION=5255.75, NAVD 88.
- THE SURVEYED PROPERTY FALLS WITHIN ZONE X OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP. MAP NO. 0800460201G, DATED NOVEMBER 17, 2005. ZONE X IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2-PERCENT ANNUAL CHANCE FLOODPLAIN.
- THE SURVEYED PROPERTY CONTAINS 92,185 SQUARE FEET OR 2.12 ACRES, MORE OR LESS.
- NO ZONING REPORT OR LETTER WAS PROVIDED BY THE CLIENT FOR THIS SURVEY. AS SUCH, CURRENT ZONING CLASSIFICATION, SETBACK REQUIREMENTS, HEIGHT AND FLOOR SPACE AREA RESTRICTIONS, AND PARKING REQUIREMENTS WERE NOT ADDRESSED ON THIS SURVEY.
- THE SURVEYED PROPERTY CONTAINS 197 STRIPED PARKING SPACES. OF WHICH, 6 SPACES ARE DESIGNATED HANDICAPPED.
- THE LINEAR UNITS FOR THIS SURVEY ARE U.S. SURVEY FEET.
- THE SURVEYED PROPERTY IS SUBJECT TO THE TERMS, PROVISIONS, COVENANTS, CONDITIONS, RESTRICTIONS, OBLIGATIONS AND RESERVATIONS CONTAINED IN THE FOLLOWING RECORDED DOCUMENTS IN THE TITLE COMMITMENT AS REFERENCED IN NOTE 1.

- △₁ INDICATES THE EXCEPTION NUMBER WITHIN THE SCHEDULE B-2 OF THE TITLE COMMITMENT REFERENCED IN NOTE 1. (EXCEPTIONS 1-7 ARE STANDARD EXCEPTIONS) (*ITALIC TEXT IS THE SURVEYOR'S PARENTHETICAL NOTE*)
- △₈ INTENTIONALLY DELETED (01/12/2018)
- △₉ INTENTIONALLY DELETED (01/10/2018)
- △₁₀ TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS SPECIFIED UNDER THE APPLICATION FOR APPROVAL OF A SPECIAL ZONE LOT PLAN, RECORDED AUGUST 6, 1981 IN BOOK 2427 AT PAGE 701. (*AFFECTS LOTS 3-15 AND LOTS 33-40 OF BLOCK 7; CANNOT BE PLOTTED*)
- △₁₁ TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS SPECIFIED UNDER THE APPLICATION FOR APPROVAL OF A SPECIAL ZONE LOT PLAN, RECORDED AUGUST 6, 1981 IN BOOK 2427 AT PAGE 702. (*AFFECTS LOTS 3-15 AND LOTS 25-32 OF BLOCK 7; CANNOT BE PLOTTED*)
- △₁₂ INTENTIONALLY DELETED (01/10/2018)
- △₁₃ TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS SPECIFIED UNDER THE APPLICATION FOR APPROVAL OF A SPECIAL ZONE LOT PLAN, RECORDED JULY 29, 1982 IN BOOK 2628 AT PAGE 115. (*AFFECTS LOTS 1-15 AND LOTS 33-40 OF BLOCK 7; CANNOT BE PLOTTED*)
- △₁₄ TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS SPECIFIED UNDER THE ORDINANCE NO. 332, SERIES OF 1982, GRANTING A REVOCABLE PERMIT OR LICENSE TO 1480 WELTON, INC., ITS SUCCESSORS AND ASSIGNS, TO ENCROACH INTO A PORTION OF WEST 10TH AVENUE ADJOINING BLOCK 7, WHITSITT'S ADDITION TO DENVER, WITH UNDERGROUND TRANSFORMER VAULT, RECORDED JULY 29, 1982 IN BOOK 2628 AT PAGE 334. (*SHOWN HEREON*)
- △₁₅ TERMS, CONDITIONS, PROVISIONS, AGREEMENTS, OBLIGATIONS AS RESERVATIONS, SPECIFIED UNDER THE ORDINANCE NO. 652, SERIES OF 1982, VACATING THE ALLEY IN BLOCK 7, WHITSITT'S ADDITION TO DENVER, RECORDED JANUARY 26, 1983 IN BOOK 2736 AT PAGE 124, SET FORTH AS FOLLOWS: EASEMENTS BE AND ARE HEREBY RETAINED TO PROTECT THE UTILITIES IN THE VACATED ALLEY WHICH UTILITIES ARE TELEPHONE LINES AND DRAINAGE FACILITIES FOR WATER AND SEWAGE OF THE CITY AND COUNTY OF DENVER. (*SHOWN HEREON*)
- △₁₆ ALL NOTES AND EASEMENTS AS SET FORTH ON THE ALTA/ACSM LAND TITLE SURVEY RECORDED FEBRUARY 17, 2017 AT RECEPTION NO. 2017022736. (*REFERENCES A PREVIOUS SURVEY BY OTHERS*)



VICINITY MAP

SCALE: 1" = 1,000'

NOTES:

- △₁₇ TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS SPECIFIED UNDER THE DENVER ASSESSOR'S PARCEL RECONFIGURATION FORM, RECORDED APRIL 27, 2017 AT RECEPTION NO. 2017055854. (*AFFECTS PARCELS 1 AND 2; CANNOT BE PLOTTED*)
- △₁₈ TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS AS SET FORTH ON THE APPLICATION TO AMEND THE BOUNDARIES OF A DESIGNATED ZONE LOT, RECORDED JUNE 20, 2017 AT RECEPTION NO. 2017080621. (*AFFECTS PARCELS 1 AND 2; CANNOT BE PLOTTED*)
- △₁₉ ANY EXISTING LEASES OR TENANCIES, AND ANY PARTIES CLAIMING AN INTEREST BY, THROUGH OR UNDER SAID LEASES OR TENANCIES. (*NOT A SURVEY MATTER*)
- △₂₀ ANY RIGHTS, INTERESTS OR CLAIMS WHICH MAY EXIST OR ARISE BY REASON OF THE FOLLOWING: A COMMON DRIVEWAY IS LOCATED PARTIALLY ON LOT 33 AND PARTIALLY ON ADJOINING LOT 32, BUT WITHOUT THE BENEFIT OF A RECORDED EASEMENT, AS SHOWN ON ALTA/ACSM LAND TITLE SURVEY, PREPARED BY R&R ENGINEERS-SURVEYORS, INC., JOB NO. SM 15069, DATED JUNE 26, 2015, AND AS DISCLOSED IN SPECIAL WARRANTY DEED RECORDED AUGUST 6, 2015 AT RECEPTION NO. 2015109726, EXHIBIT B, ITEM NO. 8. (*COMMON DRIVEWAY IS SHOWN HEREON*)

SURVEYOR'S CERTIFICATION:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(a), 7(a), 8, 9, 11, AND 13 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JANUARY 23, 2018.

DATE OF PLAT OR MAP: _____

AARON MURPHY, PLS 38162
FOR AND ON BEHALF OF
HARRIS KOCHER SMITH

INDEXING STATEMENT:

DEPOSITED THIS _____ DAY OF _____, 20____, AT _____ M. IN BOOK _____ OF THE COUNTY SURVEYOR'S LAND/RIGHT OF WAY SURVEYS AT PAGE(S) _____ RECEPTION NUMBER _____

COUNTY SURVEYOR/DEPUTY COUNTY SURVEYOR



CALL 3 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG. GRADE OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

CHECKED BY: AWM
DRAWN BY: TWG



LENNAR MULTIFAMILY COMMUNITIES, LLC

990 BANNOCK ST - 921 & 951 ACOMA ST
COVER

ISSUE DATE: 1-26-2018 PROJECT #: 180104

DATE REVISION COMMENTS

DRAFT

SHEET NO.

1

1 OF 2

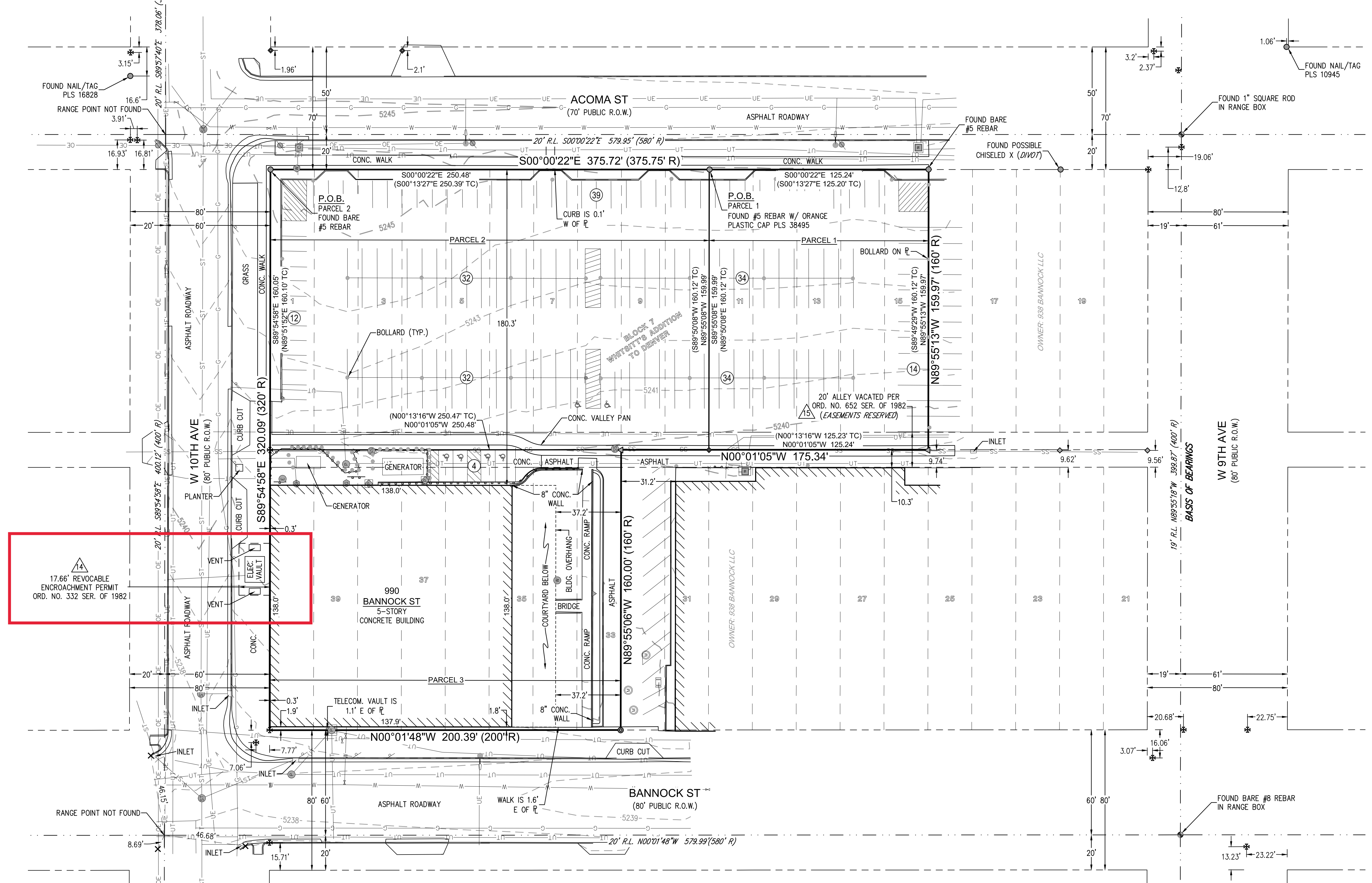
ALTA/NSPS LAND TITLE SURVEY

SITUATED IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M.
CITY AND COUNTY OF DENVER, STATE OF COLORADO.



LEGEND

- FOUND MONUMENT AS DESCRIBED
- ⊙ FOUND RANGE POINT AS DESCRIBED
- ⊕ FOUND CHISELED "X" IN CONCRETE
- ✕ FOUND CUT CROSS W/ ILLEGIBLE NAIL/TAG
- ◆ FOUND MAG NAIL W/ TAG PLS 37054
- ▲ FOUND MAG NAIL W/ TAG PLS 38320
- FOUND MAG NAIL W/ TAG PLS 38495
- ◆ FOUND MAG NAIL W/ TAG ILLEGIBLE
- ⊙ ELECTRIC MANHOLE
- ⊕ TRANSFORMER
- ⊙ TELECOM. JUNCTION BOX
- ⊙ TELECOM. MANHOLE
- ⊙ TELECOM. VAULT
- ⊕ CABLE TV PEDESTAL
- ⊙ UTILITY POLE
- ⊙ LIGHT POLE
- ⊙ SPOT LIGHT
- ⊙ GAS METER
- ⊙ FIRE HYDRANT
- ⊙ WATER VALVE
- ⊙ WATER METER
- ⊙ WATER MANHOLE
- ⊙ MONITORING WELL
- ⊙ SANITARY SEWER MANHOLE
- ⊙ STORM SEWER MANHOLE
- ⊙ SIGN
- ⊙ HANDICAP PARKING
- ⊙ PARKING SPACE COUNT
- SS SANITARY SEWER
- ST STORM SEWER
- W WATER LINE
- UE UNDERGROUND ELECTRIC LINE
- UT UNDERGROUND TELECOM LINE
- OE OVERHEAD UTILITY LINE
- G NATURAL GAS LINE
- PLASTIC FENCE
- GUARDRAIL
- BUILDING OVERHANG LINE (APPROX.)
- RANGE LINE
- RIGHT OF WAY LINE
- (XX.XX' R) DIMENSION PER RESURVEY
- (XX.XX' TC) DIMENSION PER TITLE COMMITMENT DESCRIPTION REFERENCED IN NOTE #1



NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.

FILEPATH: P:\180104\SURVEY\BASE.DWG LAYOUT: LAYOUT3
PLOTTER: PLOT02018 & 3515A BY: TOM GRUBESIC

811 Know what's below.
Call before you dig.

CALL 3 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

30 0 30 60
SCALE: 1" = 30'

CHECKED BY: AWM
DRAWN BY: TWG

HKS HARRIS KOCHER SMITH
1120 Lincoln Street, Suite 1000
Denver, Colorado 80203
P: 303.623.6300 F: 303.623.6311
HarrisKocherSmith.com

LENNAR MULTIFAMILY COMMUNITIES, LLC

990 BANNOCK ST - 921 & 951 ACOMA ST
COVER

ISSUE DATE: 1-26-2018	PROJECT #: 180104
DATE	REVISION COMMENTS

DRAFT

SHEET NO.
2
2 OF 2

BY AUTHORITY

ORDINANCE NO. 332

SERIES OF 1982

COUNCIL BILL NO. 370

INTRODUCED BY:

~~SANDOS, CRIDER, CARPIO~~
~~HACKWORTH, SWALM~~

A B I L L

FOR AN ORDINANCE GRANTING A REVOCABLE PERMIT OR LICENSE TO 1480 WELTON, INC., ITS SUCCESSORS AND ASSIGNS, TO ENCROACH INTO PORTION OF WEST 10TH AVENUE ADJOINING BLOCK 7, WHITSITT'S ADDITION TO DENVER, WITH UNDERGROUND TRANSFORMER VAULT, SUBJECT TO CERTAIN TERMS AND CONDITIONS.

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

Section 1. That the City and County of Denver hereby grants to 1480 Welton, Inc., its successors and assigns, a revocable permit or license to encroach with an underground transformer vault in the following described area in the City and county of Denver and State of Colorado, to wit:

That part of West 10th Avenue described as follows:

Beginning at a point on the north line of Block 7, Whitsitt's Addition to Denver, said point being 77.01 feet east of the northwest corner of said Block 7;
thence northerly and parallel with the west line of said Block 7 extended northerly 17.66 feet;
thence easterly and parallel with the north line of said Block 7, 29.66 feet;
thence southerly and parallel with the west line of said Block 7 extended northerly 17.66 feet to a point on the north line of said Block 7;
thence westerly along said north line to the point of beginning.

Section 2. The revocable license permit granted by this Ordinance is expressly granted upon and subject to each and all of the following terms and conditions:

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

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

(c) This revocable permit or license shall not operate or be construed to abridge, limit or restrict the City and County of Denver in exercising its right to make full use of West 10th Avenue as a public thoroughfare nor shall it operate to restrict the utility companies in exercising their rights to construct, remove, operate and maintain their installations within the said street.

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

(d) 1480 Welton, Inc., is to assume full responsibility for any and all damages incurred to Water Department facilities due to activities authorized by the permit.

Any and all replacement or repair of Water Department facilities attributed to the work shall be made by the Water Department at the sole expense of 1480 Welton, Inc.

111 497

(e) The sidewalk and streets over the encroachment areas shall be capable of withstanding an HS-20 Loading in accordance with the latest AASHO Specifications.

The installations within the said encroachment areas shall be so constructed that the paved sections of the streets can be widened without requiring additional structural modifications.

The sidewalk shall be constructed so that it can be removed and replaced without affecting structures within the encroachment areas.

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

(g) During the existence of said encroachment, the licensee or permittee, its successors and assigns, at its or their expense, and without cost to the City and County of Denver, shall procure and maintain a liability policy or include public liability and property damage on an occurrence basis, covering the premises and operations with bodily injury limits of not less than \$50,000.00 as to any one person and \$250,000.00 as to any one occurrence and with the property damage limit of not less than \$25,000.00 for any one occurrence. All coverages are to be arranged on the occurrence basis and include coverage for those hazards normally identified as X.C.U. during construction. The insurance coverage hereinabove enumerated constitutes a minimum requirement and such enumeration shall in no way be deemed to limit or lessen the liability of the licensee or permittee, its successors or assigns, under the terms of this revocable license or permit; all of the insurance coverage required herein shall be written in form and by a company or companies approved by the Manager of Public Works of the City and County of Denver and authorized to do business in the State of

Colorado, a certified copy of all such insurance policies shall be filed with the said Manager of Public Works and each such policy shall contain a statement therein or endorsement thereon that it will not be cancelled or materially changed or altered without at least thirty days prior written notice, by registered mail, to the said Manager of Public Works at least thirty days prior to the termination of the term; all such insurance policies shall be specifically endorsed to include all liability assumed by the licensee or permittee hereunder and shall name the City and County as beneficiary.

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

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

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

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

Section 3. That the revocable permit or license hereby granted shall be revocable at any time that the Council of the City and County of Denver shall determine that the public convenience and necessity or the public health, safety or general welfare require such revocation, and the right to revoke the same is hereby expressly reserved to the City and County of Denver, provided however, at a reasonable time prior to Council action upon such revocation or proposed revocation opportunity

shall be afforded to licensee or permittee, its successors and assigns, to be present at a hearing to be conducted by the Council upon such matters and thereat to present its or their views and opinions thereof and to present for consideration action or actions alternative to the revocation of such license or permit.

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

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

Date: _____

We the undersigned do hereby accept all of the terms and conditions recited in Ordinance No. _____ Series of _____.

Signed by: _____ (Permittee or Licensee)

By _____ (Name of Officer)

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

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

PASSED BY The Council June 21, 1982

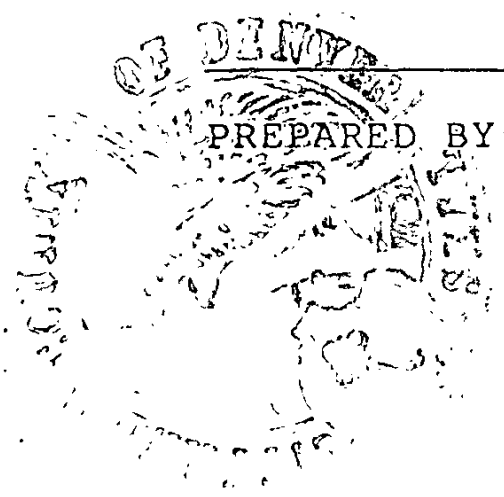
William R. Roberts -President

APPROVED: W. H. H. H. H. H. -Mayor JUNE 23, 1982

ATTEST: J. J. L... -Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver

PUBLISHED IN The Daily Journal June 18, 1982 and June 25, 1982

PREPARED BY: Marjorie... -City Attorney 6-9 1982



The Daily Journal

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

No. _____

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

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

newspaper on the 25th day of

June A.D. 1982, that the last publication of said legal notice and advertisement appeared in the regular edition of said newspaper on the

25th day of

June A.D. 1982, and that, therefore, said legal notice and advertisement was duly published in a newspaper duly qualified for that purpose within the meaning of said above-mentioned acts of the General Assembly of the State of Colorado.

Bertil Ljung
 Subscribed and sworn to at the City and County of Denver, State of Colorado, before me, a Notary Public, this 25th day of

June A.D. 1982

Witness my hand and notarial seal

Notary Public
 Notary Public

My Commission expires June 16, 1984

101 University Blvd. #260
 Denver, Colorado 80202
 R 79 5M-D-DHB 1443

BY AUTHORITY
ORDINANCE NO. 332
COUNCIL BILL NO. 370, SERIES
OF 1982, INTRODUCED BY: SAN-
DOS, CRIDER, CARPIO,
HACKWORTH AND SWALM.

A BILL
FOR AN ORDINANCE GRANTING
A REVOCABLE PERMIT OR
LICENSE TO 1480 WELTON, INC.,
ITS SUCCESSORS AND
ASSIGNS, TO ENCROACH INTO
PORTION OF WEST 10TH
AVENUE ADJOINING BLOCK 7,
WHITSITT'S ADDITION TO
DENVER, WITH UNDERGROUND
TRANSFORMER VAULT, SUBJECT
TO CERTAIN TERMS AND CON-
DITIONS.

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

Section 1. That the City and County of Denver hereby grants to 1480 Welton, Inc., its successors and assigns, a revocable permit or license to encroach with an underground transformer vault in the following described area in the City and County of Denver and State of Colorado, to-wit:

That part of West 10th Avenue described as follows:

Beginning at a point on the north line of Block 7, Whitsitt's Addition to Denver, said point being 77.01 feet east of the northwest corner

of said Block 7;

thence northerly and parallel with the west line of said Block 7 extended northerly 17.66 feet to thence easterly and parallel with the north line of said Block 7, 29.86 feet;

thence southerly and parallel with the west line of said Block 7 extended northerly 17.66 feet to a point on the north line of said Block 7;

thence westerly along said north line to the point of beginning.

Section 2. The revocable license or permit granted by this Ordinance is expressly granted upon and subject to each and all of the following terms and conditions:

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

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

(c) This revocable permit or license shall not operate or be construed to abridge, limit or restrict the City and County of Denver in exercising its right to make full use of West 10th Avenue as a public thoroughfare nor shall it operate to restrict the utility companies in exercising their rights to construct, remove, operate and maintain their installations within the said street.

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

(d) 1480 Welton, Inc., is to assume full responsibility for any and all damages incurred to Water Department facilities due to activities authorized by the permit. Any and all replacement or repair of Water Department facilities attributed to the work shall be made by the Water Department at the sole expense of 1480 Welton, Inc.

(e) The sidewalk and streets over the encroachment areas shall be capable of withstanding an HS-20 Loading in accordance with the latest AASHTO Specifications.

The installations within the said encroachment areas shall be so constructed that the paved sections of the streets can be widened without requiring additional structural modifications.

The sidewalk shall be constructed so that it can be removed and replaced without affecting structures within the encroachment areas.

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

(g) During the existence of said encroachment, the licensee or permittee, its successors and assigns, at its or their expense, and without cost to the City and County of Denver, shall procure and maintain a liability policy or include public liability and property damage on an occurrence basis, covering the premises and operations with bodily injury limits of not less than \$50,000.00 as to any one person and \$250,000.00 as to any one occurrence and with the property damage limit of not less than \$25,000.00 for any one occurrence. All coverages are to be arranged on the occurrence basis and include coverage for these hazards normally identified as X.C.U. during construction. The insurance coverage hereinabove enumerated constitutes a minimum requirement and such enumeration shall in no way be deemed to limit or lessen the liability of the licensee or permittee, its successors or assigns, under the terms of this revocable license or permit; all of the insurance coverage required herein shall be written in form and by a company or companies approved by the Manager of Public Works of the City and County of Denver and authorized to do business in the State of Colorado, a certified copy of all such insurance policies shall be filed with the said Manager of Public Works and each such policy shall contain a statement therein or endorsement thereon that it will not be cancelled or materially changed or altered without at least thirty days prior written notice, by registered mail, to the said Manager of Public Works at least thirty days prior to the termination of the term; all such insurance policies shall be specifically endorsed to include all liability assumed by the licensee or permittee hereunder and shall name the City and County as beneficiary.

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

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

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

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

Section 3. That the revocable permit or license hereby granted shall be revocable at any time that the Council of the City and County of Denver shall determine that the public convenience and necessity or the public health, safety or general welfare require such revocation, and the right to revoke the same is hereby expressly reserved to the City and County of Denver, provided however, at a reasonable time prior to Council action upon such revocation or proposed revocation opportunity shall be afforded to

licensee or permittee, its successors and assigns, to be present at a hearing to be conducted by the Council upon such matters and thereat to present its or their views and opinions thereof and to present for consideration action or actions alternative to the revocation of such license or permit.

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

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

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

By: _____
 (Name of Officer)
 (b) The licensee or permittee shall have filed with the Manager of Public Works all insurance policies and certificates herein recited; and
 (c) The Manager of Public Works shall have certified in writing that the foregoing requirements have been performed.

Passed by the Council June 21, 1982. WILLIAM R. ROBERTS, President. Approved: W. H. McNichols, Jr., Mayor, June 23, 1982. Attest: F. J. SERAFINI, Clerk and Recorder. Ex-Officio Clerk of the City and County of Denver (Seal) Published in The Daily Journal June 18, 1982 and June 25, 1982 313 PREPARED BY: MAX P. ZALL, City Attorney, By W.H.V. 6-9-82

The Daily Journal

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

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

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

newspaper on the 18th day of

June, A.D. 19 82, that the last publication of said legal notice and advertisement appeared in the regular edition of said newspaper on the

18th day of

June, A.D. 19 82,

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

Bertil Ljung
 Subscribed and sworn to, at the City and County of Denver, State of Colorado, before me, a Notary Public, this 18th day of June, A.D. 19 82

Witness my hand and notarial seal.

Notary Public
 My Commission expires June 16, 1984

101 University Blvd. #260
 Denver, Colorado 80206

8/79 5M-D-DHB 1443

No. _____

BY AUTHORITY
 COUNCIL BILL NO. 370, SERIES OF 1982, INTRODUCED BY: SANDOS, CRIDER, CARPIO, HACKWORTH AND SWALM.
 A BILL FOR AN ORDINANCE GRANTING A REVOCABLE PERMIT OR LICENSE TO 1480 WELTON, INC., ITS SUCCESSORS AND ASSIGNS, TO ENCROACH INTO PORTION OF WEST 10TH AVENUE ADJOINING BLOCK 7, WHITSITT'S ADDITION TO DENVER, WITH UNDERGROUND TRANSFORMER VAULT, SUBJECT TO CERTAIN TERMS AND CONDITIONS.

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

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thence easterly and parallel with the north line of said Block 7, 29.86 feet;

thence southerly and parallel with the west line of said Block 7 extended northerly 17.86 feet to a point on the north line of said Block 7;

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

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Any and all replacement or repair of Water Department facilities attributed to the work shall be made by the Water Department at the sole expense of 1480 Welton, Inc.

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at its or their expense, and without cost to the City and County of Denver, shall procure and maintain a liability policy or include public liability and property damage on an occurrence basis, covering the premises and operations with bodily injury limits of not less than \$50,000.00 as to any one person and \$250,000.00 as to any one occurrence and with the property damage limit of not less than \$25,000.00 for any one occurrence. All coverages are to be arranged on the occurrence basis and include coverage for those hazards normally identified as X.C.U. during construction. The insurance coverage hereinabove enumerated constitutes a minimum requirement and such enumeration shall in no way be deemed to limit or lessen the liability of the licensee or permittee, its successors or assigns, under the terms of this revocable license or permit; all of the insurance coverage required herein shall be written in form and by a company or companies approved by the Manager of Public Works of the City and County of Denver and authorized to do business in the State of Colorado, a certified copy of all such insurance policies shall be filed with the said Manager of Public Works and each such policy shall contain a statement therein or endorsement thereon that it will not be cancelled or materially changed or altered without at least thirty days prior written notice, by registered mail, to the said Manager of Public Works at least thirty days prior to the termination of the term; all such insurance policies shall be specifically endorsed to include all liability assumed by the licensee or permittee hereunder and shall name the City and County as beneficiary.

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 Signed by: _____
 (Permittee of Licensee)

By: _____
 (Name of Officer)

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

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

Published in The Daily Journal
 June 18, 1982
 PREPARED BY: MAX P. ZALL, City Attorney, By W.H.V., 6-9-82.



W. H. McNICHOLS, JR.
Mayor

CITY AND COUNTY OF DENVER

DEPARTMENT OF LAW

MAX P. ZALL
CITY ATTORNEY

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

June 10, 1982

MEMORANDUM

TO: William R. Roberts
President
Denver City Council

FROM: Max P. Zall
City Attorney

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

SUBJECT: Ordinance Granting a Revocable Permit to 1480 Welton,
Inc.

Attached is a Bill for an Ordinance granting a Revocable Permit to 1480 Welton, Inc., to encroach into portion of West 10th Avenue adjoining Block 7, Whitsitt's Addition to Denver, with underground transformer vault.

This Bill was prepared by this office at the request of the Department of Public Works. It was discussed and authorized for filing at the Mayor-Council meeting of Tuesday, June 8, 1982.

ej

Attachment

CITY COUNCIL
CITY & COUNTY OF DENVER

JUN 10 1982

AM PM
7 8 9 10 11 12 1 2 3 4 5 6



Ordinance No. 332 Series 19 82

Councilman's Bill No. 370

Meeting Date June 14, 19 82
Read in full to the Board of Councilmen and referred to the Committee on Public Works

Committee report adopted and bill ordered published.

Meeting Date 6-14, 19 82

Read by title and passed.

Meeting Date 6-21, 19 82

CITY COUNCIL
CITY & COUNTY OF DENVER
DENVER

JUN 10 1982
AM 7:59, 10:11, 12:13, 4:56 PM





From: Young, Matthew C
Sent: Thursday, June 07, 2018 12:59 PM
To: Effiongudo, Owoidohoabasi M
Subject: Payment Report - Payment Received (CRS#: 12209581)

A payment for LMC 10TH & ACOMA HOLDINGS CODM (CRS Account#: 12209581) was received on 06/06/2018 for SN#: [10394176](#)

SN#: [10394176](#) (DMR/EFF/DEN/990 BANNOCK ST/EDMO)
CRS Account#: **12209581** (LMC 10TH & ACOMA HOLDINGS CODM)
CRS Account Balance: **\$0.00**
TransID#: 724684246
PBC#: 1675549
Invoice Amount: **\$13,932.68**
Invoice Date: **5/16/2018**

Payment Amount: **\$13,932.68**
Payment Date: **6/6/2018**