



Zone Map Amendment (Rezoning) - Application

1/26/12

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>	
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.			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):			
Assessor's Parcel Numbers:			
Legal Description: (Can be submitted as an attachment. If metes & bounds, a map is required.)			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			



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 <p>Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.</p>
	<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>

ATTACHMENTS

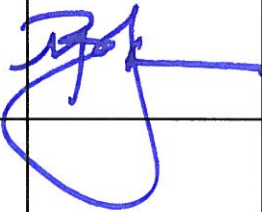
Please check any attachments provided with this application:

- Authorization for Representative
- Proof of Ownership Document(s)
- Legal Description
- Review Criteria

Please list any additional attachments:

Empty box for listing additional attachments.



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
City and County of Denver	201 W. Colfax Avenue Denver, CO 80202 720-913-1503 assetmanagement@denvergov.org	100%			B	Yes

QUITCLAIM DEED
(Quebec Street / East 11th Avenue)

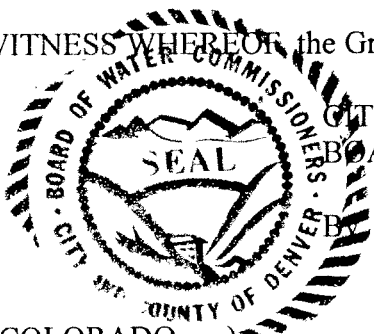
THIS DEED, made this 17th day of September, 2012, between THE CITY AND COUNTY OF DENVER, acting by and through its BOARD OF WATER COMMISSIONERS, a municipal corporation of the State of Colorado, whose address is 1600 W. 12th Ave. Denver, CO 80204 ("Grantor" or "Board"), and the CITY AND COUNTY OF DENVER, a home rule city municipal corporation of the State of Colorado, whose address is 1437 Bannock, Denver, CO 80202 ("Grantee" or "City").

FOR AND IN CONSIDERATION of Ten (\$10.00) Dollars and other good and valuable consideration, the sufficiency of which is hereby acknowledged, Grantor hereby remises, releases, sells, and quitclaims unto Grantee, its successors and assigns forever, all the right, title, interest, claim and demand which the Grantor has in and to the real property described on Exhibit A, which is attached hereto and incorporated herein by this reference, for public purposes. However, Grantor reserves unto itself, its successors and assigns forever, the easement described on Exhibit B, which is attached hereto and incorporated herein by this reference ("Reserved Easement").

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in any wise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the Grantor in law or equity for the use and benefit of the Grantee, its successors and assigns forever.

This conveyance is made in an as-is condition, and Grantor makes no warranty regarding the suitability of the conveyed property for Grantee's intended purpose. Grantee, in its capacity as land owner and not in its capacity as regulator, hereby waives any claim against Grantor arising from the Grantor's abandoned subsurface water facilities and appurtenances on the conveyed property

IN WITNESS WHEREOF, the Grantor has executed this Deed as of the date of this Deed set forth above.



CITY AND COUNTY OF DENVER, acting by and through its BOARD OF WATER COMMISSIONERS,

Robert J. Lochhead
Name: James Lochhead
Title: CEO/ Manager

CERTIFICATION
The Clerk and Recorder for the CITY AND COUNTY OF DENVER, State of Colorado does hereby certify this document to be a full, true and correct copy of the original document recorded in my office.

Clerk and Recorder
Deputy County Clerk
Date September 17, 2012
Bridget M. Svalberga



STATE OF COLORADO)
) ss
COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 17th day of September, 2012, by Robert Mahoney for James Lochhead as CEO/ Manager of the City and County of Denver, acting by and through its Board of Water Commissioners, a municipal corporation of the State of Colorado.

Witness my hand and official seal.

My commission expires: 5/3/2014

Notary Public



20121-00050



City & County of Denver

QCD

RD.00

DD.00

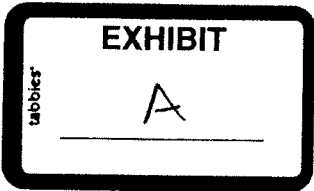
2012126226

Page: 1 of 7

09/17/2012 02:56P

APPROVED AS TO FORM

[Signature]
LEGAL DIVISION



LEGAL DESCRIPTION

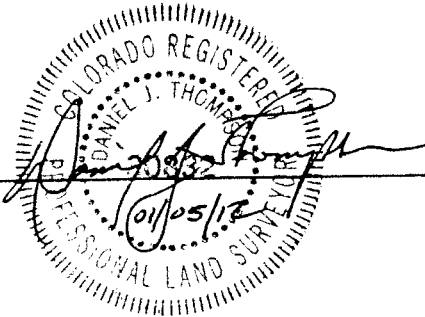
A Parcel of land in the southeast quarter of the northeast quarter (SE1/4 NE1/4) of Section 5, Township 4 South, Range 67 West of the Sixth Principal Meridian, Denver, Colorado more particularly described as follows:

All of lots 17 thru 20 inclusive and the south 6 feet of lot 21, the east 55 feet of the north 19 feet of lot 21, the east 55 feet of lot 22, and the east 30 feet of lots 23 thru 26 inclusive, of Block 105, Chamberlin's Subdivision of Part of Block B, Richthofen's Addition to Montclair and Blocks 1 and 2 East Montclair, a subdivision recorded in Book 7 at Page 41 in the office of the Clerk and Recorder, City and County of Denver.

This parcel contains 19,200 square feet more or less.

N:\WORD\LEGALS\2011\14503-1_PMGT

B.



Name and Address of Person Creating
Newly Created Legal Description
(§ 38-35-106.5.C.R.S.)

Denver Water
1600 West 12th Avenue
Denver, Colorado 80254

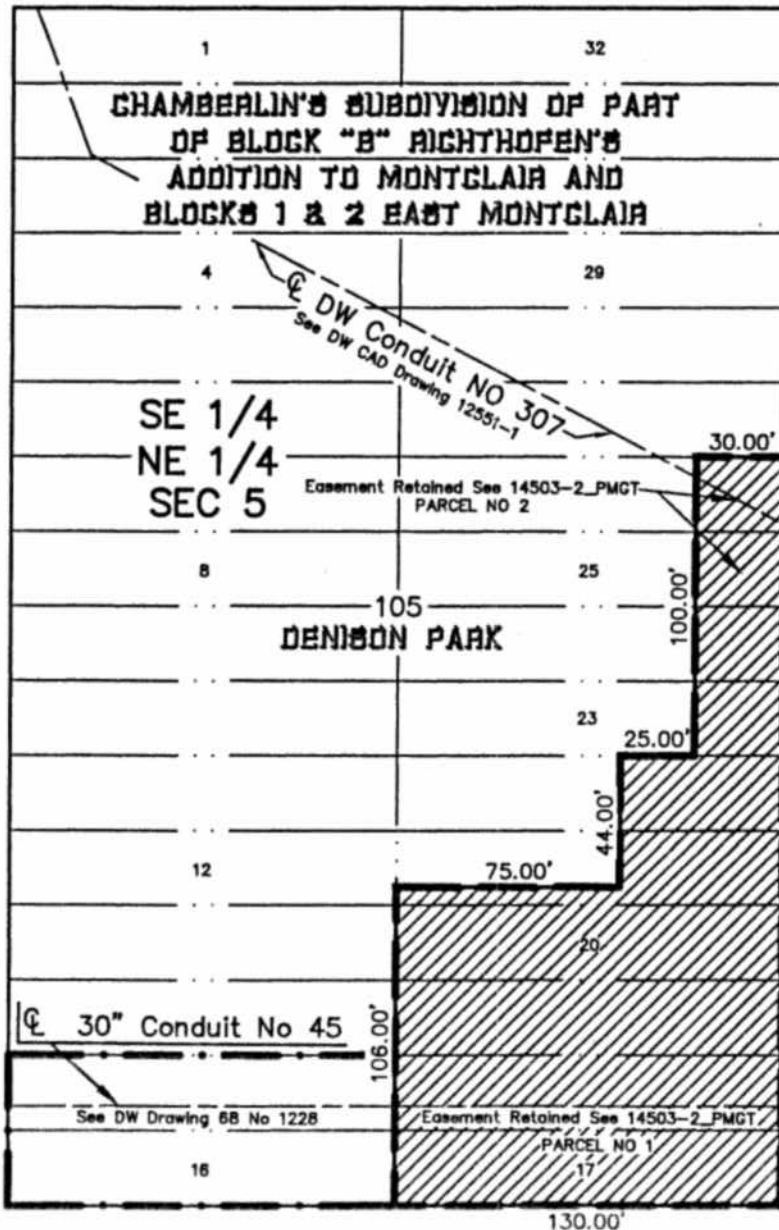
NE 1/4 SECTION 5, TOWNSHIP 4 SOUTH, RANGE 67 WEST 6th P M
 ----- CITY AND COUNTY OF DENVER -----

RICHTHOFEN PL

NE Cor Sec 5
 3 1/4" Alum Cap
 in box LS 11434

32 33
 4

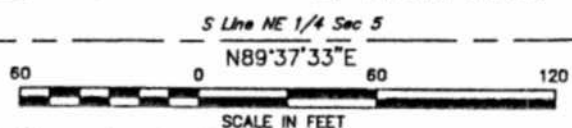
T 3 S
 T 4 S



DENVER WATER'S PROPERTY FOR THE
 HAMLET J. "CHIP" BERRY PUMP STATION

C 1/4 Cor Sec 5
 Calc Position

E 1/4 Cor Sec 5/4
 Calc Position



Parcel Map Not P.L.S. Stamped or Certified

PARCEL CONTAINS 19,200 SQ FT ±

	REAL ESTATE CONVEYED
	BNDRY EXISTING D.W.D. ESMT
	BNDRY EXISTING D.W.D. PROP
	LOT LINE

DOCUMENT DATED
 SEC'Y FILE DOC.
 RIMS ITEM NO.
 CARD NO.
 DRN. --- PM. LAB. JS. R.
 APPD *[Signature]*
 SHEET 1 OF 1 SHEET

DENVER WATER
 MONTCLAIR PUMP STATION
 REAL ESTATE CONVEYED TO
 CITY AND COUNTY OF DENVER
 DATE: JANUARY 4, 2012
 SCALE: 1" = 60'
 CAD 14503-1_PMG

RESERVED EASEMENT

(Quebec St. / 11th Ave.)

RECITAL

Whereas, the Board is conveying property to the Grantee by the Quitclaim Deed, to which this Reserved Easement is Exhibit B, and

Whereas, the Board desires to, and through this Reserved Easement will, retain certain easement rights, which are partial consideration for the conveyance through the Deed.

WITNESSETH:

Except as otherwise set forth herein, Board hereby reserves to itself, its successors and assigns, the permanent right to enter, re-enter, occupy and use the described property to construct, maintain, repair, replace, remove, enlarge and operate one or more water pipelines and all underground and surface appurtenances thereto, including electric or other related control systems, underground cables, wires and connections and surface appurtenances. By way of example and not by way of limitation, the parties intend to include within the terms "pipelines" and "appurtenances" the following: mains and conduits, valves, vaults, manholes, control systems, ventilators, and the like, in, through, over and across the parcel of land situate, lying and being in the City and County of Denver and State of Colorado, ("Easement Area") described in Exhibit "1", attached to this Reserved Easement and made a part hereof pursuant to the following terms and conditions.

1. The Board shall have and exercise the right of ingress and egress in, to, over, through and across the above described Easement Area for any purpose needful for the full enjoyment of any other right of occupancy or use provided for herein. The Easement Area shall be free of obstacles throughout the length of the Easement Area except as approved by the Board in accordance with Paragraph 3, below.

2. There currently exists in the Easement Area at least the following Board Facilities ("Existing Board Facilities"): a pump station and related pipes and appurtenances. Any Existing Board Facilities may remain in the Easement Area. The Board shall not install any new surface appurtenances or surface facilities in the Easement Area without the prior written consent of the City's Managers of Public Works and Parks and Recreation.

3. The City shall not construct or place any structure or building, fence, retaining wall, street light, power pole, yard light, mail box, sign or trash receptacle, temporary or permanent, or plant any shrub, tree, woody plant or nursery stock, on any part of the above described Easement Area ***without prior written consent of the Board***. The Board shall have and exercise the right of subjacent and lateral support to whatever extent is necessary or desirable for the full, complete and unmolested enjoyment of the rights described herein. The City shall take no action which would impair the earth cover over, or the lateral or subjacent support for any water pipeline or lines and appurtenances within the Easement Area without the prior written consent of the Board. The Board's Engineering Standards require no less than four and one-half (4½) feet and no more than ten (10) feet of earth cover, measured vertically from the top of any pipeline or lines. Deviation from this requirement will be permitted only upon specific prior, written permission from the Board.

4. The Board agrees that other public and private utilities such as sanitary sewer, storm sewer, gas, and electric lines, may be installed in the above described Easement Area as long as they do not interfere with the Board's rights except as approved by the Board and as long as piping crossing

the water line(s) at right angles, or a substantially right angles, is metallic or concrete. Any piping or cable that crosses the water line(s) and is not metallic or concrete, shall be encased within steel conduit and/or concrete ducts.

5. The Board shall not be responsible for the maintenance of streets, surfacing, curbs and gutters within the Easement Area, except as specified in this Reserved Easement. When the Board deems it necessary to reconstruct, repair, relocate, remove, replace, enlarge, operate or in any way maintain its water mains or pipes, and appurtenances thereto, the Board will backfill, compact and resurface the area of excavation to its condition prior to the work, to include replacement of asphalt and/or concrete pavement, curbs and gutters, damaged by the Board's activity, to the grade and condition existing immediately prior to excavation, as nearly as reasonable. The Board will exercise all reasonable means to prevent damage to any improvements within the Easement Area approved by the Board pursuant to Paragraph 3 above, including pavement, curbs and gutters which are situated within the Easement Area but outside of the immediate area of excavation. In the event said improvements are damaged due solely to Board work, the Board will repair and/or replace said improvements at the Board's expense.

6. The City has the right to the undisturbed use and occupancy of the Easement Area insofar as such use and occupancy is consistent with and does not impair any reserved rights herein contained and except as herein otherwise provided.

7. The Board's reserved rights in the Easement Area insure to the Board a dominant easement for the exercise of the Board's functions, and that the exercise of any rights under this Reserved Easement in the Easement Area should be within the reasonable discretion of the Board. The Board hereby agrees to permit and authorize uses of the Easement Area as will not impair the Board's dominant rights, and upon such reasonable terms, limitations, and conditions as the Board shall find reasonably necessary to protect its dominant right of occupancy of the Easement Area for the purpose of the Board that will not undue or unnecessarily injury to or impairment of the estate of the City.

8. Each and every one of the benefits and burdens of this Reserved Easement shall inure to and be binding upon the respective legal representatives, heirs, executors, administrators, successors and assigns of the Board and the City.

9. For the resolution of any dispute arising from this Reserved Easement, venue shall be in the courts of the City and County of Denver, State of Colorado.

10. All obligations of the City hereunder are subject to prior appropriations of monies expressly made by the City Council for such purposes and paid into the Treasury of the City.

LEGAL DESCRIPTION

Two Parcels of land in the southeast quarter of the northeast quarter (SE1/4 NE1/4) of Section 5, Township 4 South, Range 67 West of the Sixth Principal Meridian, Denver, Colorado more particularly described as follows:

PARCEL NUMBER 1

All of lots 17 and 18 inclusive of Block 105, Chamberlin's Subdivision of Part of Block B, Richthofen's Addition to Montclair and Blocks 1 and 2 East Montclair, a subdivision recorded in Book 7 at Page 41 in the office of the Clerk and Recorder, City and County of Denver.

Parcel Number 1 contains 6,500 square feet more or less.

PARCEL NUMBER 2

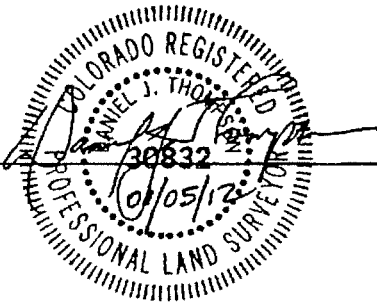
The east 30 feet of lots 25 and 26 inclusive, of Block 105, Chamberlin's Subdivision of Part of Block B, Richthofen's Addition to Montclair and Blocks 1 and 2 East Montclair, a subdivision recorded in Book 7 at Page 41 in the office of the Clerk and Recorder, City and County of Denver.

Parcel Number 2 contains 1,500 square feet more or less.

N:\WORD\LEGALSI\2011\14503-2_PMGT

R.

Name and Address of Person Creating
Newly Created Legal Description
(\$ 38-35-106.5,C.R.S.)



Denver Water
1600 West 12th Avenue
Denver, Colorado 80254

NE 1/4 SECTION 5, TOWNSHIP 4 SOUTH, RANGE 67 WEST 6th P M

----- CITY AND COUNTY OF DENVER -----

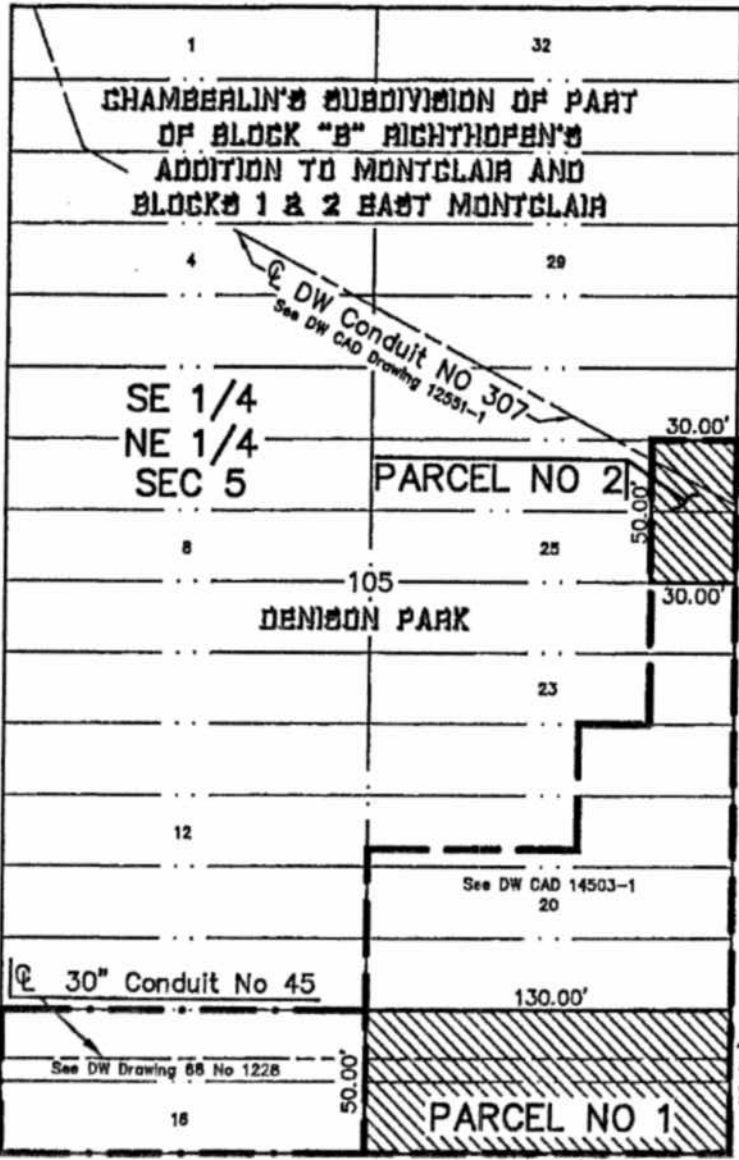
RICHTHOFEN PL

NE Cor Sec 5
3 3/4" Alum Cap
In box LS 11434

32 33
4

T 3 S
T 4 S

N



POPLAR ST

QUEBEC ST

DENVER WATER'S PROPERTY FOR THE
HAMLET J. "CHIPS" BERRY PUMP STATION

SE 1/4
NE 1/4
SEC 5

PARCEL NO 2

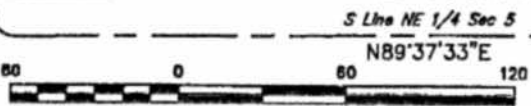
PARCEL NO 1

DENISON PARK

E 11TH AVE

C 1/4 Cor Sec 5
Calc Position

E 1/4 Cor Sec 5/4
Calc Position



Parcel Map Not P.L.S. Stamped or Certified

PARCEL NO 1 CONTAINS 6,500 SQ FT ±
PARCEL NO 2 CONTAINS 1,500 SQ FT ±

	EASEMENT RETAINED
	BNDRY EXISTING D.W.D. ESMT
	BNDRY EXISTING D.W.D. PROP
	LOT LINE

DOCUMENT DATED
SEC'Y FILE DOC.
RIMS ITEM NO.
CARD NO.
DRN. --- PM. LAB *S. K.*
APPD *Shirley G. Kemp*
SHEET 1 OF 1 SHEET

D DENVER WATER
MONTCLAIR PUMP STATION
EASEMENT RETAINED
FROM CITY AND COUNTY OF DENVER
DATE: JANUARY 4, 2012
SCALE: 1" = 60
CAD 14503-2_PMGT

D.W.D. PROPERTY MANAGEMENT STANDARDS 07/17/2008

NE 1/4 SECTION 5, TOWNSHIP 4 SOUTH, RANGE 67 WEST 6th P M

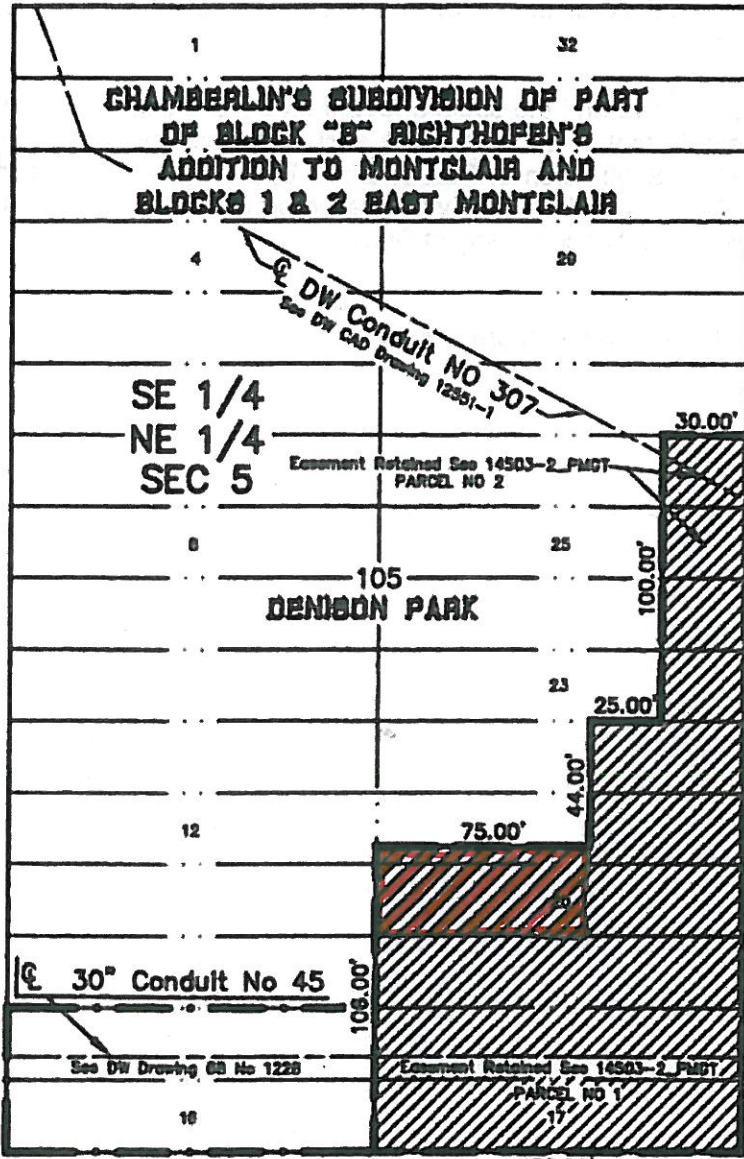
----- CITY AND COUNTY OF DENVER -----

RICHTHOFEN PL

NE Cor Sec 5
3 1/2" Alum Cap
In box LS 11434

32 33
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T 4 S



POPLAR ST

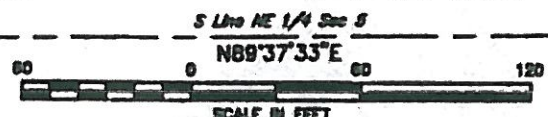
QUEBEC ST

DENVER WATER'S PROPERTY FOR THE
HAMLET J. "CHIPS" BERRY PUMP STATION

C 1/4 Cor Sec 5
Calc Position

E 11TH AVE

E 1/4 Cor Sec 5/4
Calc Position



S Line NE 1/4 Sec 5
N89°37'33"E

Parcel Map Not P.L.S. Stamped or Certified

PARCEL CONTAINS 19,200 SQ FT ±

LEGEND

	REAL ESTATE CONVEYED
	BNDRY EXISTING D.W.D. ESMT
	BNDRY EXISTING D.W.D. PROP
	LOT LINE

DOCUMENT DATED
SEC'Y FILE DOC.
RIMS ITEM NO.
CARD NO.
DRN. --- **PM LAB 15**
APPD *[Signature]*
SHEET 1 OF 1 SHEET

D DENVER WATER

MONTCLAIR PUMP STATION
REAL ESTATE CONVEYED TO
CITY AND COUNTY OF DENVER

DATE: JANUARY 4, 2012
SCALE: 1" = 60'
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