

1 BY AUTHORITY

2 RESOLUTION NO. CR14-0105
3 SERIES OF 2014

COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

4
5 A RESOLUTION

6 **Granting a revocable permit to Lowry Community Master Association, Inc. to**
7 **encroach into the right-of-way at various locations throughout the Lowry**
8 **Subdivision.**

9
10 **NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY AND COUNTY**
11 **OF DENVER:**

12 **Section 1.** The City and County of Denver hereby grants to Lowry Community Master
13 Association, Inc. and its successors and assigns (“Permittee”), a revocable permit to encroach
14 into the right-of-way with one [1] fence with columns, twelve [12] masonry walls, eight [8] entry
15 monument signs and one [1] sanitary sewer (“Encroachments”) at various locations throughout
16 the Lowry Subdivision in the following described area (“Encroachment Area”):

17
18 PARCEL DESCRIPTIONS ROW NO. 2013-0218-01-001

19
20 DESCRIPTION - Sewer 1A

21 A parcel of land, 4.00 feet in width, located within S. Syracuse St. as platted in Lowry
22 Filing No. 1 and recorded at Reception Number 9700089555 in the Clerk and Recorder’s
23 Office of the City and County of Denver, located in the Southwest Quarter of Section 9.
24 Township 4 South, Range 67 West of the Sixth Principal Meridian, City and County of
25 Denver, State of Colorado, being 2.00 feet on each side of the following described
26 centerline of an existing storm sewer pipe:

27
28 **COMMENCING** at the northwest corner of Lot 6, Block 2, Lowry Filing No. 7 recorded
29 at Reception Number 2001126590 in said Clerk and Recorder’s Office;
30 thence South 00°02’35” West a distance of 114.45 feet to said existing storm sewer pipe
31 and the **POINT OF BEGINNING**;

32 thence along said existing storm sewer pipe the following two (2) courses;

- 33 1. North 84°48’15” West a distance of 34.98 feet;
34 2. North 00°02’35” East a distance of 206.69 feet to an existing storm lateral pipe and the
35 **POINT OF TERMINUS**;

36
37 The sidelines are lengthened or shortened to begin on the east line of S. Syracuse St., meet
38 at angle points and end at right angles.

39
40 **Basis of Bearings:** Bearings are based on the Range Line in S. Syracuse St. between
41 Maple Ave. and Bayaud Ave. having a bearing of North 00°02’35” East. Monumented by a
42 1 3/8” red plastic cap stamped BRW INC PLS 20683 in a Range Box at both locations.

43 and

1 **DESCRIPTION - Wall 1A**

2 A part of S. Quebec St., a part of S. Quebec Wy., and a part of Cedar Ave. as platted in
3 Lowry Filing No. 1 as recorded at Reception Number 9700089555 in the Clerk and
4 Recorder's Office of the City and County of Denver located in a part of the Southwest
5 Quarter of Section 9, Township 4 South, Range 67 West of the Sixth Principal Meridian,
6 City and County of Denver, State of Colorado, more particularly described as follows:
7

8 **COMMENCING** at the Southwest Corner of said Section 9;
9 thence North 32°06'48" East a distance of 181.67 feet to the **POINT OF BEGINNING**;

10
11 thence North 13°35'32" West a distance of 73.00 feet;
12 thence North 00°02'35" East a distance of 140.45 feet;
13 thence North 18°27'17" East a distance of 39.82 feet;
14 thence South 71°32'43" East a distance of 4.00 feet;
15 thence South 18°27'17" West a distance of 39.17 feet;
16 thence South 00°02'35" West a distance of 139.32 feet;
17 thence South 13°35'32" East a distance of 72.52 feet;
18 thence South 76°24'28" West a distance of 4.00 feet to the **POINT OF BEGINNING**.
19

20 Containing 1,009 square feet or 0.023 acres, more or less.
21

22 **BASIS OF BEARING:** Bearings are based on the west line of the Southwest Quarter of
23 Section 9, Township 4 South, Range 67 West of the Sixth Principal Meridian as being
24 North 00°02'35" East. The Southwest Corner of said Section 9 is a found 2-1/2"
25 Aluminum Cap stamped: HCL ENG. PLS 11150. The West Quarter Corner of said
26 Section 9 is a found 3-1/4" Aluminum Cap in range box Stamped: BRW INC PLS 20683.
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30 **DESCRIPTION - Wall 1B**

31 A part of Quebec St. as platted in Lowry Filing No. 1 as recorded at Reception Number
32 9700089555 in the Clerk and Recorder's Office of the City and County of Denver located
33 in a part of the Southwest Quarter of Section 9, Township 4 South, Range 67 West of the
34 Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly
35 described as follows:
36

37 **BEGINNING** at the Southwest Corner of Lot 8, Block 15, said Lowry Filing No. 1;
38 thence South 89°57'25" East, along the southerly line of said Lot 8, a distance of 2.75 feet;
39 thence South 00°02'35" West a distance of 42.11 feet;
40 thence North 89°57'25" West a distance of 4.00 feet;
41 thence North 00°02'35" East a distance of 207.52 feet;
42 thence South 89°57'25" East a distance of 1.29 feet to the easterly line of Lot 1, said Block
43 15, Lowry Filing No. 1 and a point of non-tangent curvature;
44

45 thence along the westerly line of said Lot 1 and along the westerly line of said Lot 8 the
46 following two (2) courses:

- 47 1.) along the arc of a curve to the left having a radius of 30.00 feet, a central angle of
48 2°56'21", an arc length of 1.54 feet and whose chord bears South 01°30'46" West a
49 distance of 1.54 feet;
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1 2.) South 00°02'35" West a distance of 163.87 feet to the **POINT OF BEGINNING**.

2
3 Containing 375 square feet or 0.009 acres, more or less.
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5 **BASIS OF BEARING:** Bearings are based on the west line of the Southwest Quarter of
6 Section 9, Township 4 South, Range 67 West of the Sixth Principal Meridian as being
7 North 00°02'35" East. The Southwest Corner of said Section 9 is a found 2-1/2"
8 Aluminum Cap stamped: HCL ENG. PLS 11150. The West Quarter Corner of said
9 Section 9 is a found 3-1/4" Aluminum Cap in range box stamped: BRW INC PLS 20683.

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11 and
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13 **DESCRIPTION - Wall 1F**

14 A part of Alameda Ave. and a part of Byers Ave. as platted in Lowry Filing No. 1 as
15 recorded at Reception Number 9700089555 in the Clerk and Recorder's Office of the City
16 and County of Denver, located in a part of the Southwest Quarter of Section 9, Township 4
17 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of
18 Colorado, more particularly described as follows:
19

20 **BEGINNING** at the Southwest Corner of Lot 14, Block 21, said Lowry Filing No. 1;
21 thence South 89°44'29" East, along the southerly line of said Lot 14 and along the
22 southerly line of Lot 8, said Block 21, a distance of 239.74 feet;
23 thence South 00°15'31" West a distance of 3.00 feet;
24 thence North 89°44'29" West a distance of 260.00 feet;
25 thence North 00°15'31" East a distance of 5.25 feet;
26 thence South 89°44'29" East a distance of 20.25 feet to the westerly line of said Lot 14;
27 thence South 00°02'35" West, along said westerly line of Lot 14, a distance of 2.25 feet to
28 the **POINT OF BEGINNING**.
29

30 Containing 826 square feet or 0.019 acres, more or less.
31

32 **BASIS OF BEARING:** Bearings are based on the south line of the Southwest Quarter of
33 Section 9, Township 4 South, Range 67 West of the Sixth Principal Meridian as being
34 South 89°44'29" East. The Southwest Corner of said Section 9 is a found 2-1/2"
35 Aluminum Cap stamped: HCL ENG. PLS 11150. The South Quarter Corner of said
36 Section 9 is a found stone in range box.
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40 **DESCRIPTION - Wall 1G**

41 A part of Alameda Ave. and a part of Byers Ave. as platted in Lowry Filing No. 1 as
42 recorded at Reception Number 9700089555 in the Clerk and Recorder's Office of the City
43 and County of Denver, located in a part of the Southwest Quarter of Section 9, Township 4
44 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of
45 Colorado, more particularly described as follows:
46

47 **BEGINNING** at the Southeast Corner of Lot 4, Block 21, said Lowry Filing No. 1;
48 thence North 00°02'37" East, along the easterly line of said Lot 4, a distance of 2.25 feet;
49 thence South 89°44'29" East a distance of 20.76 feet;
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1 thence South 00°15'31" West a distance of 5.25 feet;
2 thence North 89°44'29" West a distance of 287.00 feet;
3 thence North 00°15'31" East a distance of 3.00 feet to the southerly line of Tract AA, said
4 Lowry Filing No. 1;
5 thence South 89°44'29" East, along the said southerly line of Tract AA and along the
6 southerly line of Lot 7, said Block 21 and along the southerly line of said Lot 4, a distance
7 of 266.25 feet to the **POINT OF BEGINNING**.

8
9 Containing 908 square feet or 0.021 acres, more or less.

10
11 **BASIS OF BEARING:** Bearings are based on the south line of the Southwest Quarter of
12 Section 9, Township 4 South, Range 67 West of the Sixth Principal Meridian as being
13 South 89°44'29" East. The Southwest Corner of said Section 9 is a found 2-1/2"
14 Aluminum Cap stamped: HCL ENG. PLS 11150. The South Quarter Corner of said
15 Section 9 is a found stone in range box.

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19 **Description - Wall 1H**

20 A part of Alameda Ave. and a part of Byers Ave. as platted in Lowry Filing No. 1 as
21 recorded at Reception Number 9700089555 in the Clerk and Recorder's Office of the City
22 and County of Denver, located in a part of the Southeast Quarter of Section 9, Township 4
23 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of
24 Colorado, more particularly described as follows:

25
26 **BEGINNING** at the Southwest Corner of Tract AB, said Lowry Filing No. 1;
27 thence South 89°43'42" East, along the northerly line of said Alameda Ave., a distance of
28 129.00 feet;
29 thence South 00°16'18" West a distance of 1.00 feet;
30 thence North 89°43'42" West a distance of 149.02 feet;
31 thence North 00°16'18" East a distance of 5.25 feet;
32 thence South 89°43'42" East a distance of 20.00 feet to the westerly line of said Tract AB;
33 thence South 00°02'35" West, along the westerly line of said Tract AB, a distance of 4.25
34 feet to the **POINT OF BEGINNING**.

35
36 Containing 234 square feet or 0.005 acres, more or less.

37
38 **BASIS OF BEARING:** Bearings are based on the south line of the Southeast Quarter of
39 Section 9, Township 4 South, Range 67 West of the Sixth Principal Meridian as being
40 South 89°43'41" East. The South Quarter Corner of said Section 9 is a found stone in range
41 box. The Southeast Corner of said Section 9 is a found City of Aurora 3" Brass Cap in
42 range box stamped: LS 16419.

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46 **DESCRIPTION - Wall 1I**

47 A part of Lowry Blvd. as platted in Lowry Filing No. 1 as recorded at Reception Number
48 9700089555 in the Clerk and Recorder's Office of the City and County of Denver located
49 in a part of the Southwest Quarter of Section 9, Township 4 South, Range 67 West of the

50 **[continued on next page]**

1
2 Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly
3 described as follows:
4

5 **COMMENCING** at the southwest corner of Lot 1, Block 1, Lowry Filing No. 3 as
6 recorded at Reception Number 9800190950 of said Clerk and Recorder's Office;
7 thence North 89°54'52" East, along the southerly line of said Lot 1, a distance of 25.54 feet
8 to the **POINT OF BEGINNING**;
9 thence North 89°54'52" East, along said southerly line of Lot 1, a distance of 51.93 feet;
10 thence South 00°05'08" East a distance of 3.00 feet;
11 thence South 89°54'52" West a distance of 51.93 feet;
12 thence North 00°05'08" West a distance of 3.00 feet to the **POINT OF BEGINNING**.
13

14 Containing 156 square feet or 0.004 acres, more or less.
15

16 **BASIS OF BEARING:** Bearings are based on the west line of the Southwest Quarter of
17 Section 9, Township 4 South, Range 67 West of the Sixth Principal Meridian as being
18 North 00°02'35" East. The Southwest Corner of said Section 9 is a found 2-1/2" aluminum
19 cap stamped: HCL ENG. PLS 11150. The West Quarter Corner of said Section 9 is a
20 found 3-1/4" Aluminum Cap in range box Stamped: BRW INC PLS 20683.
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24 **DESCRIPTION - Wall 2A**

25 A part of Alameda Ave. and a part of Byers Ave. as platted in Lowry Filing No. 2 as
26 recorded at Reception Number 9700172497 in the Clerk and Recorder's Office of the City
27 and County of Denver located in a part of the Southeast Quarter of Section 8, Township 4
28 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of
29 Colorado, more particularly described as follows:
30

31 **BEGINNING** at the Southeast Corner of Lot 5, Block 6, said Lowry Filing No. 2;
32 thence North 00°02'35" East, along the easterly line of said Lot 5, a distance of 2.25 feet;
33
34 thence South 89°57'32" East a distance of 26.50 feet;
35 thence South 00°02'35" West a distance of 5.25 feet;
36 thence North 89°57'32" West a distance of 238.50 feet;
37 thence North 00°02'35" East a distance of 3.00 feet to the southwest corner of Lot 6, said
38 Lowry Filing No. 2;
39 thence South 89°57'32" East, along the southerly line of said Lot 6 and the southerly line of
40 said Lot 5, a distance of 212.00 feet to the **POINT OF BEGINNING**.
41

42 Containing 775 square feet or 0.018 acres, more or less.
43

44 **BASIS OF BEARING:** Bearings are based on the south line of the Southeast Quarter of
45 Section 8, Township 4 South, Range 67 West of the Sixth Principal Meridian as being
46 South 89°57'32" East. The South Quarter Corner of said Section 8 is a found smooth pin in
47 range box. The Southeast Quarter Corner of said Section 8 is a found 2-1/2" Aluminum
48 Cap in range box Stamped: HCL ENG. PLS 11150.
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1 **DESCRIPTION - Wall 2B**

2 A part of Alameda Ave. and a part of Byers Ave. as platted in Lowry Filing No. 2 as
3 recorded at Reception Number 9700172497 in the Clerk and Recorder's Office of the City
4 and County of Denver, located in a part of the Southeast Quarter of Section 8, Township 4
5 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of
6 Colorado, more particularly described as follows:
7

8 **BEGINNING** at the Southwest Corner of Lot 5, Block 9, said Lowry Filing No. 2;
9 thence South 89°57'32" East, along the southerly line of said Lot 5, a distance of 124.18
10 feet;
11 thence South 00°02'35" West, along the easterly line of said Alameda Ave, a distance of
12 3.00 feet;
13 thence North 89°57'32" West a distance of 151.44 feet;
14 thence North 00°02'35" East a distance of 5.25 feet;
15 thence South 89°57'32" East a distance of 27.25 feet to the westerly line of said Lot 5;
16 thence South 00°02'35" West, along said westerly line of Lot 5, a distance of 2.25 feet to
17 the **POINT OF BEGINNING**.
18

19 Containing 516 square feet or 0.012 acres, more or less.
20

21 **BASIS OF BEARING:** Bearings are based on the south line of the Southeast Quarter of
22 Section 8, Township 4 South, Range 67 West of the Sixth Principal Meridian as being
23 South 89°57'32" East. The South Quarter Corner of said Section 8 is a found smooth pin in
24 range box. The Southeast Corner of said Section 8 is a found 2-1/2" Aluminum Cap in
25 range box Stamped: HCL ENG. PLS 11150.
26

27 and

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29 **DESCRIPTION - Wall 3A**

30 A part of S. Quebec St. as platted in Lowry Filing No. 3 as recorded at Reception Number
31 9800190950 in the Clerk and Recorder's Office of the City and County of Denver located
32 in a part of the Southwest Quarter of Section 9, Township 4 South, Range 67 West of the
33 Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly
34 described as follows:
35

36 **COMMENCING** at the Southwest Corner of Lot 1, Block 1, said Lowry Filing No. 3;
37 thence North 00°02'35" East, along the westerly line of said Lot 1, a distance of 29.96 feet
38 to the **POINT OF BEGINNING**;
39 thence North 89°57'25" West a distance of 2.00 feet;
40 thence North 00°02'35" East a distance of 22.34 feet;
41 thence North 14°00'02" West a distance of 23.75 feet;
42 thence North 75°59'58" East a distance of 2.00 feet to said easterly line of Lot 1;
43

44 thence along said easterly line of Lot 1 the following two (2) courses:
45

- 46 1.) South 14°00'02" East a distance of 23.99 feet;
47 2.) South 00°02'35" West a distance of 22.58 feet to the **POINT OF BEGINNING**.
48

49 Containing 93 square feet or 0.002 acres, more or less.
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1 **BASIS OF BEARING:** Bearings are based on the west line of the Southwest Quarter of
2 Section 9, Township 4 South, Range 67 West of the Sixth Principal Meridian as being
3 North 00°02'35" East. The Southwest Corner of said Section 9 is a found 2-1/2"
4 Aluminum Cap stamped: HCL ENG. PLS 11150. The West Quarter Corner of said
5 Section 9 is a found 3-1/4" Aluminum Cap in range box Stamped: BRW INC PLS 20683.

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7 and

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9 **DESCRIPTION - Wall 3B**

10 A part of S. Quebec St. as platted in Lowry Filing No. 3 as recorded at Reception Number
11 9800190950 in the Clerk and Recorder's Office of the City and County of Denver located
12 in a part of the Southwest Quarter of Section 9, Township 4 South, Range 67 West of the
13 Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly
14 described as follows:

15
16 **COMMENCING** at the most westerly Northwest Corner of Lot 1, Block 1, said Lowry
17 Filing No. 3;
18 thence South 00°02'35" West, along the westerly line of said Lot 1, distance of 29.94 feet
19 to the **POINT OF BEGINNING**;
20 thence South 00°02'35" West, along said westerly line of Lot 1, a distance of 45.46 feet;
21 thence North 89°57'25" West a distance of 1.50 feet;
22 thence North 00°02'35" East a distance of 45.46 feet;
23 thence South 89°57'25" East a distance of 1.50 feet to the **POINT OF BEGINNING**.

24
25 Containing 68 square feet or 0.002 acres, more or less.

26
27 **BASIS OF BEARING:** Bearings are based on the west line of the Southwest Quarter of
28 Section 9, Township 4 South, Range 67 West of the Sixth Principal Meridian as being
29 North 00°02'35" East. The Southwest Corner of said Section 9 is a found 2-1/2" aluminum
30 cap stamped: HCL ENG. PLS 11150. The West Quarter Corner of said Section 9 is a
31 found 3-1/4" Aluminum Cap in range box Stamped: BRW INC PLS 20683.

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33 and

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35 **DESCRIPTION - Wall 3C**

36 A part of Rampart Way as platted in Lowry Filing No. 3 as recorded at Reception Number
37 9800190950 in the Clerk and Recorder's Office of the City and County of Denver located
38 in a part of the Southwest Quarter of Section 9, Township 4 South, Range 67 West of the
39 Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly
40 described as follows:

41
42 **COMMENCING** at the most easterly southeast corner of Lot 3, Block 1, said Lowry
43 Filing No. 3;
44 thence South 14°08'32" West , along the easterly line of said Lot 3, a distance of 12.85 feet
45 to the **POINT OF BEGINNING**;
46 thence South 25°57'43" East a distance of 38.42 feet to a point of curvature;
47 thence along the arc of a curve to the right having a radius of 41.00 feet, a central angle of
48 89°30'47", an arc length of 64.05 feet and whose chord bears South 18°47'40" West a
49 distance of 57.74 feet;

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1
2 thence South 63°33'04" West a distance of 26.42 feet to said easterly line of Lot 3;
3 thence North 14°08'32" West, along said easterly line of Lot 3, a distance of 104.13 feet to
4 the **POINT OF BEGINNING**.

5
6 Containing 2,298 square feet or 0.053 acres, more or less.

7
8 **BASIS OF BEARING:** Bearings are based on the south line of the Southwest Quarter of
9 Section 9, Township 4 South, Range 67 West of the Sixth Principal Meridian as being
10 South 89°44'29" East. The Southwest Corner of said Section 9 is a found 2-1/2"
11 Aluminum Cap stamped: HCL ENG. PLS 11150. The South Quarter Corner of said
12 Section 9 is a found stone in range box.

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14 and

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16 **DESCRIPTION - Wall 8A**

17 A part of Tract A (Proposed 6th Ave.), Lowry Filing No. 8 as recorded at Reception
18 Number 2001019061 in the Clerk and Recorder's Office of the City and County of Denver
19 located in a part of the Northwest Quarter of Section 9, Township 4 South, Range 67 West
20 of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more
21 particularly described as follows:

22
23 **COMMENCING** at the Northwest corner of Lot 1, Block 1, said Lowry Filing No. 8;
24 thence South 89°57'23" East, along the northerly line of said Lot 1, a distance of 7.69 feet
25 to the **POINT OF BEGINNING**;

26
27 thence along the arc of a curve to the right having a radius 18.50 feet, a central angle of
28 75°55'19", an arc length of 24.51 feet and whose chord bears North 52°04'57" East a
29 distance of 22.76 feet;

30 thence South 89°57'23" East a distance of 28.04 feet to a point of curvature;

31 thence along the arc of a curve to the right having a radius 34.50 feet, a central angle of
32 53°32'39", an arc length of 32.24 feet and whose chord bears South 63°11'03" East a
33 distance of 31.08 feet to said northerly line of Lot 1;

34 thence North 89°57'23" West, along said northerly line of Lot 1, a distance of 73.73 feet to
35 the **POINT OF BEGINNING**;

36
37 Containing 851 square feet or 0.020 acres, more or less.

38
39 **BASIS OF BEARING:** Bearings are based on the north line of the Northwest Quarter of
40 Section 9, Township 4 South, Range 67 West of the Sixth Principal Meridian as being
41 South 89°57'23" East. The North Quarter Corner of said Section 9 is a found 3-1/4"
42 Aluminum Cap in range box stamped: BRW INC PLS 20683. The Northwest C orner of
43 said Section 9 is a found 3-1/4" Aluminum Cap in range box stamped: BRW INC PLS
44 20683

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46 and

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48 **DESCRIPTION - Wall 8B**

49 A part of Tract A (Proposed 6th Ave.), Lowry Filing No. 8 as recorded at Reception

50 [continued on next page]

1 Number 2001019061 in the Clerk and Recorder's Office of the City and County of Denver
2 located in a part of the Northwest Quarter of Section 9, Township 4 South, Range 67 West
3 of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more
4 particularly described as follows:
5

6 **COMMENCING** at the Northwest corner of Lot 1, Block 1, said Lowry Filing No. 8;
7 thence along the westerly line of said Lot 1 and along the arc of a curve to the left having a
8 radius 1150.00 feet, a central angle of 3°13'28", an arc length of 64.72 feet and whose
9 chord bears South 07°53'42" West a distance of 64.71 feet to the **POINT OF**
10 **BEGINNING**;

11
12 thence along said westerly line of Lot 1 and along the arc of a curve to the left having a
13 radius 1150.00 feet, a central angle of 0°09'04", an arc length of 3.03 feet and whose chord
14 bears South 06°12'26" West a distance of 3.03 feet;
15 thence North 30°50'49" West a distance of 2.78 feet;
16 thence North 70°15'17" East a distance of 1.86 feet to the **POINT OF BEGINNING**;

17
18 Containing 3 square feet, more or less.
19

20 **BASIS OF BEARING:** Bearings are based on the north line of the Northwest Quarter of
21 Section 9, Township 4 South, Range 67 West of the Sixth Principal Meridian as being
22 South 89°57'23" East. The North Quarter Corner of said Section 9 is a found 3-1/4"
23 Aluminum Cap in range box stamped: BRW INC PLS 20683. The Northwest Quarter
24 Corner of said Section 9 is a found 3-1/4" Aluminum Cap in range box stamped: BRW
25 INC PLS 20683
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27 and
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29 **DESCRIPTION - Wall 8C**

30 A part of Tract A (Proposed 6th Ave.), Lowry Filing No. 8 as recorded at Reception
31 Number 2001019061 in the Clerk and Recorder's Office of the City and County of Denver
32 located in a part of the Southwest Quarter of Section 4, Township 4 South, Range 67 West
33 of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more
34 particularly described as follows:
35

36 **COMMENCING** at the Northwest Corner of said Tract A;
37 thence South 89°57'23" East, along the northerly line of said Tract A, a distance of 48.66
38 feet to the **POINT OF BEGINNING**;

39
40 thence South 89°57'23" East, along said northerly line of Tract A, a distance of 2.20 feet;
41 thence South 24°50'46" West a distance of 1.66 feet to a point of curvature;
42 thence along the arc of a curve to the left having a radius of 21.00 feet, a central angle of
43 39°06'35", an arc length of 14.33 feet and whose chord bears South 05°17'29" West a
44 distance of 14.06 feet;
45 thence South 14°15'49" East a distance of 6.12 feet;
46 thence South 75°44'11" West a distance of 2.00 feet;
47 thence North 14°15'49" West a distance of 6.12 feet to a point of curvature;
48 thence along the arc of a curve to the right having a radius of 23.00 feet, a central angle of
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1 39°06'35", an arc length of 15.70 feet and whose chord bears North 05°17'29" East a
2 distance of 15.40 feet;
3 thence North 24°50'46" East a distance of 0.74 feet to the **POINT OF BEGINNING**.

4
5 Containing 45 square feet or 0.001 acres, more or less.

6
7 **BASIS OF BEARING:** Bearings are based on the south line of the Southwest Quarter of
8 Section 4, Township 4 South, Range 67 West of the Sixth Principal Meridian as being
9 South 89°57'23" East. The South Quarter of said Section 4 is a found 3-1/4" Aluminum
10 Cap in range box stamped: BRW INC PLS 20683. The Southwest Quarter corner of said
11 Section 4 is a found 3-1/4" Aluminum Cap in range box stamped: BRW INC PLS 20683

12
13 and

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15 **DESCRIPTION - Wall 8D**

16 A part of Tract A (Proposed 6th Ave.), Lowry Filing No. 8 as recorded at Reception
17 Number 2001019061 in the Clerk and Recorder's Office of the City and County of Denver
18 located in a part of the Southwest Quarter of Section 4, Township 4 South, Range 67 West
19 of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more
20 particularly described as follows:

21
22 **COMMENCING** at the Southwest Quarter of said Section 4;
23 thence North 35°01'33" East a distance of 146.16 feet to the **POINT OF BEGINNING**;
24 thence South 72°03'55" East a distance of 2.00 feet to a point of non-tangent curvature;
25 thence along the arc of a curve to the left having a radius of 12.50 feet, a central angle of
26 48°41'25", an arc length of 10.62 feet and whose chord bears South 06°24'38" East a
27 distance of 10.31 feet;
28 thence South 30°45'20" East a distance of 3.74 feet to a point of curvature;
29 thence along the arc of a curve to the right having a radius of 29.00 feet, a central angle of
30 23°12'50", an arc length of 11.75 feet and whose chord bears South 19°08'55" East a
31 distance of 11.67 feet;
32 thence South 07°32'30" East a distance of 15.22 feet to a point of curvature;
33 thence along the arc of a curve to the left having a radius of 21.00 feet, a central angle of
34 97°40'22", an arc length of 35.80 feet and whose chord bears South 56°22'41" East a
35 distance of 31.62 feet;
36 thence North 74°47'08" East a distance of 38.07 feet to a point of curvature;
37 thence along the arc of a curve to the left having a radius of 12.50 feet, a central angle of
38 85°09'54", an arc length of 18.58 feet and whose chord bears North 32°12'11" East a
39 distance of 16.92 feet;
40 thence North 79°37'14" East a distance of 2.00 feet to a point of non-tangent curvature;
41 thence along the arc of a curve to the right having a radius of 14.50 feet, a central angle of
42 85°09'54", an arc length of 21.55 feet and whose chord bears South 32°12'11" West a
43 distance of 19.62 feet;
44 thence South 74°47'08" West a distance of 38.07 feet to a point of curvature;
45 thence along the arc of a curve to the right having a radius of 23.00 feet, a central angle of
46 97°40'22", an arc length of 39.21 feet and whose chord bears North 56°22'41" West a
47 distance of 34.63 feet;
48 thence North 07°32'30" West a distance of 15.22 feet to a point of curvature;
49 thence along the arc of a curve to the left having a radius of 27.00 feet, a central angle of

50 **[continued on next page]**

1 23°12'50", an arc length of 10.94 feet and whose chord bears North 19°08'55" West a
2 distance of 10.86 feet;
3 thence North 30°45'20" West a distance of 3.74 feet to a point of curvature;
4 thence along the arc of a curve to the right having a radius of 14.50 feet, a central angle of
5 48°41'25", an arc length of 12.32 feet and whose chord bears North 06°24'38" West a
6 distance of 11.95 feet to the **POINT OF BEGINNING**.

7
8 Containing 274 square feet or 0.006 acres, more or less.

9
10 **BASIS OF BEARING:** Bearings are based on the south line of the Southwest Quarter of
11 Section 4, Township 4 South, Range 67 West of the Sixth Principal Meridian as being
12 South 89°57'23" East. The South Quarter Corner of said Section 4 is a found 3-1/4"
13 Aluminum Cap in range box stamped: BRW INC PLS 20683. The Southwest Corner of
14 said Section 4 is a found 3-1/4" Aluminum Cap in range box stamped: BRW INC PLS
15 20683.

16
17 and

18
19 **DESCRIPTION - Monument 11A**

20 A part of Tract F (Proposed Roslyn St.), Lowry Filing No. 11 as recorded at Reception
21 Number 2001028377 in the Clerk and Recorder's Office of the City and County of Denver
22 located in a part of the Southwest Quarter of Section 4, Township 4 South, Range 67 West
23 of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more
24 particularly described as follows:

25
26 **COMMENCING** at the West Quarter corner of said Section 4;
27 thence South 82°14'26" East a distance of 363.81 feet to the **POINT OF BEGINNING**;

28
29 thence North 90°00'00" East a distance of 4.50 feet;
30 thence South 00°00'00" East a distance of 1.50 feet;
31 thence North 90°00'00" West a distance of 4.50 feet;
32 thence North 00°00'00" East a distance of 1.50 feet to the **POINT OF BEGINNING**.

33
34 Containing 7 square feet, more or less.

35
36 **BASIS OF BEARING:** Bearings are based on the north line of the Southwest Quarter of
37 Section 4, Township 4 South, Range 67 West of the Sixth Principal Meridian as being
38 South 89°52'56" East. The West Quarter Corner of said Section 4 is a found 3-1/4"
39 Aluminum Reference Monument stamped: URS CORP PLS 20683. The Center Quarter
40 Corner of said Section 4 is a found 2-1/2" Aluminum Cap Witness Corner stamped: URS
41 CORP PLS 20683.

42
43 and

44
45 **DESCRIPTION - Monument 11B**

46 A part of Tract F (Proposed Roslyn St.), Lowry Filing No. 11 as recorded at Reception
47 Number 2001028377 in the Clerk and Recorder's Office of the City and County of Denver
48 located in a part of the Southwest Quarter of Section 4, Township 4 South, Range 67 West
49 of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more

50 **[continued on next page]**

1 particularly described as follows:
2

3 **COMMENCING** at the West Quarter corner of said Section 4;
4 thence South 83°27'53" East a distance of 435.59 feet to the **POINT OF BEGINNING**;

5
6 thence North 90°00'00" East a distance of 4.50 feet;
7 thence South 00°00'00" East a distance of 1.50 feet;
8 thence North 90°00'00" West a distance of 4.50 feet;
9 thence North 00°00'00" East a distance of 1.50 feet to the **POINT OF BEGINNING**.

10
11 Containing 7 square feet more or less.

12
13 **BASIS OF BEARING:** Bearings are based on the north line of the Southwest Quarter of
14 Section 4, Township 4 South, Range 67 West of the Sixth Principal Meridian as being
15 South 89°52'56" East. The West Quarter Corner of said Section 4 is a found 3-1/4"
16 Aluminum Reference Monument stamped: URS CORP PLS 20683. The Center Quarter
17 Corner of said Section 4 is a found 2-1/2" Aluminum Cap Witness Corner stamped: URS
18 CORP PLS 20683.

19
20 and

21
22 **DESCRIPTION - Monument 11C**

23 A part of Tract W (Proposed Syracuse St.), Lowry Filing No. 11 as recorded at Reception
24 Number 2001028377 in the Clerk and Recorder's Office of the City and County of Denver,
25 located in a part of the Southwest Quarter of Section 4, Township 4 South, Range 67 West
26 of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more
27 particularly described as follows:

28
29 **COMMENCING** at the West Quarter Corner of said Section 4;
30 thence South 87°52'24" East a distance of 1281.90 feet to the **POINT OF BEGINNING**;

31
32 thence North 90°00'00" East a distance of 4.50 feet;
33 thence South 00°00'00" East a distance of 1.50 feet;
34 thence North 90°00'00" West a distance of 4.50 feet;
35 thence North 00°00'00" East a distance of 1.50 feet to the **POINT OF BEGINNING**.

36
37 Containing 7 square feet, more or less.

38
39 **BASIS OF BEARING:** Bearings are based on the north line of the Southwest Quarter of
40 Section 4, Township 4 South, Range 67 West of the Sixth Principal Meridian as being
41 South 89°52'56" East. The West Quarter Corner of said Section 4 is a found 3-1/4"
42 Aluminum Reference Monument stamped: URS CORP PLS 20683. The Center Quarter
43 Corner of said Section 4 is a found 2-1/2" Aluminum Cap Witness Corner stamped: URS
44 CORP PLS 20683.

45
46 and

47
48 **DESCRIPTION - Monument 11D**

49 A part of Tract W (Proposed Syracuse St.), Lowry Filing No. 11 as recorded at Reception

[continued on next page]

1 Number 2001028377 in the Clerk and Recorder's Office of the City and County of Denver,
2 located in a part of the Southwest Quarter of Section 4, Township 4 South, Range 67 West
3 of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more
4 particularly described as follows:
5

6 **COMMENCING** at the West Quarter Corner of said Section 4;
7 thence South 87°58'04" East a distance of 1354.31 feet to the **POINT OF BEGINNING**;

8
9 thence North 90°00'00" East a distance of 4.50 feet;
10 thence South 00°00'00" East a distance of 1.50 feet;
11 thence North 90°00'00" West a distance of 4.50 feet;
12 thence North 00°00'00" East a distance of 1.50 feet to the **POINT OF BEGINNING**.

13
14 Containing 7 square feet, more or less.

15
16 **BASIS OF BEARING:** Bearings are based on the north line of the Southwest Quarter of
17 Section 4, Township 4 South, Range 67 West of the Sixth Principal Meridian as being
18 South 89°52'56" East. The West Quarter Corner of said Section 4 is a found 3-1/4"
19 Aluminum Reference Monument stamped: URS CORP PLS 20683. The Center Quarter
20 Corner of said Section 4 is a found 2-1/2" Aluminum Cap Witness Corner stamped: URS
21 CORP PLS 20683.

22
23 **and**

24
25 **DESCRIPTION - Monument 11E**

26 A part of Tract PP (Proposed Uinta Way) Lowry Filing No. 11 as recorded at Reception
27 Number 2001028377 in the Clerk and Recorder's Office of the City and County of Denver
28 located in a part of the Southeast Quarter of Section 4, Township 4 South, Range 67 West
29 of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more
30 particularly described as follows:
31

32 **COMMENCING** at the Center of said Section 4;
33 thence South 68°22'34" East a distance of 184.51 feet to the **POINT OF BEGINNING**;

34
35 thence North 90°00'00" East a distance of 4.50 feet;
36 thence South 00°00'00" East a distance of 1.50 feet;
37 thence North 90°00'00" West a distance of 4.50 feet;
38 thence North 00°00'00" East a distance of 1.50 feet to the **POINT OF BEGINNING**.

39
40 Containing 7 square feet, more or less.

41
42 **BASIS OF BEARING:** Bearings are based on the north line of the Southeast Quarter of
43 Section 4, Township 4 South, Range 67 West of the Sixth Principal Meridian as being
44 South 89°52'18" East. The Center Quarter Corner of said Section 4 is a found 2-1/2"
45 Aluminum Witness Corner stamped: URS CORP PLS 20683. The East Quarter Corner of
46 said Section 4 is a found City of Aurora 3" Brass Cap in range box: Cap is unreadable.

47
48 **and**

1 **DESCRIPTION - Monument 11F**

2 A part of Tract PP (Proposed Uinta Way), Lowry Filing No. 11 as recorded at Reception
3 Number 2001028377 in the Clerk and Recorder’s Office of the City and County of Denver
4 located in a part of the Southeast Quarter of Section 4, Township 4 South, Range 67 West
5 of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more
6 particularly described as follows:
7

8 **COMMENCING** at the Center of said Section 4;
9 thence South 71°47’21” East a distance of 240.00 feet to the **POINT OF BEGINNING**;

10 thence North 90°00’00” East a distance of 4.50 feet;
11 thence South 00°00’00” East a distance of 1.50 feet;
12 thence North 90°00’00” West a distance of 4.50 feet;
13 thence North 00°00’00” East a distance of 1.50 feet to the **POINT OF BEGINNING**.

14 Containing 7 square feet, more or less.
15

16
17 **BASIS OF BEARING:** Bearings are based on the north line of the Southeast Quarter of
18 Section 4, Township 4 South, Range 67 West of the Sixth Principal Meridian as being
19 South 89°52’18” East. The Center Quarter Corner of said Section 4 is a found 2-1/2”
20 Aluminum Witness Corner stamped: URS CORP PLS 20683. The East Quarter Corner of
21 said Section 4 is a found City of Aurora 3” Brass Cap in range box: Cap is unreadable.
22

23
24 and

25
26 **DESCRIPTION - Monument 28A**

27 A part of Tamarac St. as platted in Lowry Filing No. 28 as recorded at Reception Number
28 2007081956 in the Clerk and Recorder’s Office of the City and County of Denver located
29 in a part of the Southwest Quarter of Section 4, Township 4 South, Range 67 West of the
30 Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly
31 described as follows:
32

33 **COMMENCING** at the Center of said Section 4;
34 thence South 82°06’21” West a distance of 332.48 feet to the **POINT OF BEGINNING**;

35 thence South 00°00’00” East a distance of 1.50 feet;
36 thence North 90°00’00” West a distance of 4.50 feet;
37 thence North 00°00’00” East a distance of 1.50 feet;
38 thence North 90°00’00” East a distance of 4.50 feet to the **POINT OF BEGINNING**.

39 Containing 7 square feet, more or less.
40

41
42 **BASIS OF BEARING:** Bearings are based on the north line of the Southwest Quarter of
43 Section 4, Township 4 South, Range 67 West of the Sixth Principal Meridian as being
44 South 89°52’56” East. The West Quarter Corner of said Section 4 is a found 3-1/4”
45 Aluminum Reference Monument stamped: URS CORP PLS 20683. The Center Quarter
46 Corner of said Section 4 is a found 2-1/2” Aluminum Cap Witness Corner stamped: URS
47 CORP PLS 20683.
48

49
50 and

1 **DESCRIPTION - Monument 28B**

2 A part of Tamarac St. as platted in Lowry Filing No. 28 as recorded at Reception Number
3 2007081956 in the Clerk and Recorder’s Office of the City and County of Denver located
4 in a part of the Southwest Quarter of Section 4, Township 4 South, Range 67 West of the
5 Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly
6 described as follows:

7
8 **COMMENCING** at the Center of said Section 4;
9 thence South 80°47’37” West a distance of 292.23 feet to the **POINT OF BEGINNING**;

10
11 thence South 00°00’00” East a distance of 1.50 feet;
12 thence North 90°00’00” West a distance of 4.50 feet;
13 thence North 00°00’00” East a distance of 1.50 feet;
14 thence North 90°00’00” East a distance of 4.50 feet to the **POINT OF BEGINNING**.

15
16 Containing 7 square feet, more or less.

17
18 **BASIS OF BEARING:** Bearings are based on the north line of the Southwest Quarter of
19 Section 4, Township 4 South, Range 67 West of the Sixth Principal Meridian as being
20 South 89°52’56” East. The West Quarter Corner of said Section 4 is a found 3-1/4”
21 Aluminum Reference Monument stamped: URS CORP PLS 20683. The Center Quarter
22 Corner of said Section 4 is a found 2-1/2” Aluminum Cap Witness Corner stamped: URS
23 CORP PLS 20683.

24
25 and

26
27 **DESCRIPTION - Park 17A**

28 A part of Tract P (Proposed 2nd Ave.) and a part of Track K (Proposed Oneida Ct.), Lowry
29 Filing No. 17 as recorded at Reception Number 2003213188 in the Clerk and Recorder’s
30 Office of the City and County of Denver, located in a part of the Northeast Quarter of
31 Section 8, Township 4 South, Range 67 West of the Sixth Principal Meridian, City and
32 County of Denver, State of Colorado, more particularly described as follows:

33
34 **COMMENCING** at the East Quarter of said Section 8;
35 thence North 61°50’00” West a distance of 1327.55 feet to a point at the back of curb and
36 the **POINT OF BEGINNING**;

37
38 thence along said back of curb the following twelve (12) courses:

- 39
40 1.) along the arc of a curve to the right having a radius of 14.50 feet, a central angle of
41 90°06’50", an arc length of 22.81 feet and whose chord bears North 44°44’28" West a
42 distance of 20.53 feet;
43 2.) North 00°18’57” East a distance of 90.03 feet to a point of curvature;
44 3.) along the arc of a curve to the right having a radius of 14.50 feet, a central angle of
45 89°52’48", an arc length of 22.75 feet and whose chord bears North 45°15’21" East a
46 distance of 20.48 feet;
47 4.) South 89°48’15” East a distance of 467.67 feet to a point of curvature;
48 5.) along the arc of a curve to the right having a radius of 14.50 feet, a central angle of
49 90°03’47", an arc length of 22.79 feet and whose chord bears South 44°46’21" East a

50 **[continued on next page]**

- 1 distance of 20.52 feet;
- 2 6.) South 00°15'32" West a distance of 12.78 feet to a point of curvature;
- 3 7.) along the arc of a curve to the left having a radius of 139.50 feet, a central angle of
- 4 12°12'27", an arc length of 29.72 feet and whose chord bears South 05°50'41" East a
- 5 distance of 29.67 feet;
- 6 8.) South 11°56'55" East a distance of 15.91 feet to a point of curvature;
- 7 9.) along the arc of a curve to the right having a radius of 78.00 feet, a central angle of
- 8 12°12'49", an arc length of 16.63 feet and whose chord bears South 05°50'30" East a
- 9 distance of 16.60 feet;
- 10 10.) South 00°15'54" West a distance of 15.75 feet to a point of curvature;
- 11 11.) along the arc of a curve to the right having a radius of 14.50 feet, a central angle of
- 12 89°56'12", an arc length of 22.76 feet and whose chord bears South 45°14'00" West a
- 13 distance of 20.49 feet;
- 14 12.) North 89°47'54" West a distance of 476.03 feet to the **POINT OF BEGINNING**.

15

16 Containing 59,438 square feet or 1.365 acres, more or less.

17

18 **BASIS OF BEARING:** Bearings are based on the south line of the Northeast Quarter of

19 Section 8, Township 4 South, Range 67 West of the Sixth Principal Meridian as being

20 South 89°59'52" East. The Center Quarter Corner of said Section 8 is a found 3-1/4"

21 aluminum Cap stamped: Witness Corner URS CORP PLS 20683. The East Quarter Corner

22 of said Section 8 is a found 3-1/4" aluminum cap stamped: BRW INC PLS 20683.

23

24

25 **Section 2.** The revocable permit ("Permit") granted by this Resolution is expressly

26 granted upon and subject to each and all of the following terms and conditions:

27 (a) Permittee shall obtain a street occupancy permit from Public Works Permit

28 Operations at 2000 West 3rd Avenue, 303-446-3759, prior to commencing construction.

29 (b) Permittee shall be responsible for obtaining all other permits and shall pay all costs

30 that are necessary for installation and construction of items permitted herein.

31 (c) If the Permittee intends to install any underground facilities in or near a public road,

32 street, alley, right-of-way or utility easement, the Permittee shall join the Statewide Notification

33 Association of Owners and Operators of Underground Facilities by contacting the Utility

34 Notification Center of Colorado, 12600 West Colfax Avenue, Suite B-310, Lakewood, Colorado

35 80215, at 303-232-1991. Further, Permittee shall contact the Utility Notification Center at 1-800-

36 922-1987 to locate underground facilities prior to commencing any work under this permit.

37 (d) Permittee is fully responsible for any and all damages incurred to facilities of the

38 Water Department and/or drainage facilities for water and sewage of the City and County of

39 Denver due to activities authorized by the permit. Should the relocation or replacement of any

40 drainage facilities for water and sewage of the City and County of Denver become necessary as

41 determined by the Manager of Public Works, in the Manager's sole and absolute discretion,

1 Permittee shall pay all cost and expense of the portion of the sewer affected by the permitted
2 structure. The extent of the affected portion to be replaced or relocated by Permittee shall be
3 determined by the Manager of Public Works. Any and all replacement or repair of facilities of the
4 Water Department and/or drainage facilities for water and sewage of the City and County of
5 Denver attributed to the Permittee shall be made by the Water Department and/or the City and
6 County of Denver at the sole expense of the Permittee. In the event Permittee's facilities are
7 damaged or destroyed due to the Water Department's or the City and County of Denver's repair,
8 replacement and/or operation of its facilities, repairs will be made by the Permittee at its sole
9 expense. Permittee agrees to defend, indemnify and save the City harmless and to repair or pay
10 for the repair of any and all damages to said sanitary sewer, or those damages resulting from the
11 failure of the sewer to properly function as a result of the permitted structure.

12 (e) Permittee shall comply with all requirements of affected utility companies and pay for
13 all costs of removal, relocation, replacement or rearrangement of utility company facilities.
14 Existing telephone facilities shall not be utilized, obstructed or disturbed.

15 (f) All construction in, under, on or over the Encroachment Area shall be accomplished
16 in accordance with the Building Code of the City and County of Denver. Plans and Specifications
17 governing the construction of the Encroachments shall be approved by the Manager of Public
18 Works and the Director of Building Inspection Division prior to construction. Upon completion, a
19 reproducible copy of the exact location and dimensions of the Encroachments shall be filed with
20 the Manager of Public Works.

21 (g) The sidewalk and street/alley over the Encroachment Area shall be capable of
22 withstanding an HS-20 loading in accordance with the latest AASHTO Specifications. The
23 installations within the Encroachment Area shall be constructed so that the paved section of the
24 street/alley can be widened without requiring additional structural modifications. The sidewalk
25 shall be constructed so that it can be removed and replaced without affecting structures within the
26 Encroachment Area.

27 (h) Permittee shall pay all costs of construction and maintenance of the Encroachments.
28 Upon revocation of the permit or upon abandonment, Permittee shall pay all costs of removing the
29 Encroachments from the Encroachment Area and return the Encroachment Area to its original
30 condition under the supervision of the City Engineer.

31 (i) Permittee shall remove and replace any and all street/alley paving, sidewalks, and
32 curb and gutter, both inside the Encroachment Area and in the rights-of-way adjacent thereto, that
33 become broken, damaged or unsightly during the course of construction. In the future, Permittee

1 shall also remove, replace or repair any street/alley paving, sidewalks, and curb and gutter that
2 become broken or damaged when, in the opinion of the City Engineer, the damage has been
3 caused by the activity of the Permittee within the Encroachment Area. All repair work shall be
4 accomplished without cost to the City and under the supervision of the City Engineer.

5 (j) The City reserves the right to make an inspection of the Encroachments contained
6 within the Encroachment Area. An annual fee, subject to change, of \$200.00 shall be assessed.

7 (k) This revocable permit shall not operate or be construed to abridge, limit or restrict
8 the City and County of Denver in exercising its right to make full use of the Encroachment Area
9 and adjacent rights-of-way as public thoroughfares nor shall it operate to restrict the utility
10 companies in exercising their rights to construct, remove, operate and maintain their facilities
11 within the Encroachment Area and adjacent rights-of-way.

12 (l) During the existence of the Encroachments and this permit, Permittee, its
13 successors and assigns, at its expense, and without cost to the City and County of Denver, shall
14 procure and maintain a single limit comprehensive general liability insurance policy with a limit of
15 not less than \$500,000.00. All coverages are to be arranged on an occurrence basis and include
16 coverage for those hazards normally identified as X.C.U. during construction. The insurance
17 coverage required herein constitutes a minimum requirement and such enumeration shall in no
18 way be deemed to limit or lessen the liability of the Permittee, its successors or assigns, under the
19 terms of this permit. All insurance coverage required herein shall be written in a form and by a
20 company or companies approved by the Risk Manager of the City and County of Denver and
21 authorized to do business in the State of Colorado. A certified copy of all such insurance policies
22 shall be filed with the Manager of Public Works, and each such policy shall contain a statement
23 therein or endorsement thereon that it will not be canceled or materially changed without written
24 notice, by registered mail, to the Manager of Public Works at least thirty (30) days prior to the
25 effective date of the cancellation or material change. All such insurance policies shall be
26 specifically endorsed to include all liability assumed by the Permittee hereunder and shall name
27 the City and County of Denver as an additional insured.

28 (m) Permittee shall comply with the provisions of Article IV (Prohibition of Discrimination
29 in Employment, Housing and Commercial Space, Public Accommodations, Educational
30 Institutions and Health and Welfare Services) of Chapter 28 (Human Rights) of the Revised
31 Municipal Code of the City and County of Denver. The failure to comply with any such provision
32 shall be a proper basis for revocation of this permit.

1 (n) The right to revoke this permit is expressly reserved to the City and County of
2 Denver.

3 (o) Permittee shall agree to indemnify and always save the City and County of Denver
4 harmless from all costs, claims or damages arising, either directly or indirectly, out of the rights
5 and privileges granted by this permit.

6 **Section 3.** That the Permit hereby granted shall be revocable at any time that the
7 Council of the City and County of Denver shall determine that the public convenience and
8 necessity or the public health, safety or general welfare require such revocation, and the right to
9 revoke the same is hereby expressly reserved to the City and County of Denver; provided
10 however, at a reasonable time prior to Council action upon such revocation or proposed
11 revocation, opportunity shall be afforded to Permittee, its successors and assigns, to be present at
12 a hearing to be conducted by the Council upon such matters and thereat to present its views and
13 opinions thereof and to present for consideration action or actions alternative to the revocation of
14 such Permit.

15 COMMITTEE APPROVAL DATE: February 20, 2014 [by consent]

16 MAYOR-COUNCIL DATE: February 25, 2014

17 PASSED BY THE COUNCIL: _____, 2014

18 _____ - PRESIDENT

19 ATTEST: _____ - CLERK AND RECORDER,
20 EX-OFFICIO CLERK OF THE
21 CITY AND COUNTY OF DENVER
22

23 PREPARED BY: Brent A. Eisen, Assistant City Attorney DATE: February 27, 2014

24
25 Pursuant to section 13-12, D.R.M.C., this proposed resolution has been reviewed by the office of
26 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
27 resolution. The proposed resolution is not submitted to the City Council for approval pursuant to §
28 3.2.6 of the Charter.

29
30 D. Scott Martinez, Denver City Attorney

31 BY: _____, Assistant City Attorney DATE: _____, 2014