

## Zone Map Amendment (Rezoning) - Application

| PROPERTY OWNER INFORMATION*  |            | PROPERTY OWNER(S) REPRESENTATIVE**   |                          |
|--|------------|--|--------------------------|
| <input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION   |            | <input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION  |                          |
| Property Owner Name  | SEE PAGE 3 | Representative Name  | Robert H. Bach           |
| Address  |            | Address  | 28 South Garfield Street |
| City, State, Zip   |            | City, State, Zip   | Denver, CO 80209         |
| Telephone  |            | Telephone  | (303) 866-0236           |
| Email  |            | Email  | bob.bach@bryancave.com   |
| <p><b>*If More Than One Property Owner:</b><br/>           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><b>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</b></p> |                          |
| <p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p> <p>If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.</p> |            |  |                          |
| SUBJECT PROPERTY INFORMATION   |            |  |                          |
| Location (address and/or boundary description):  |            | 22, 24, 26 and 28 South Garfield Street (4 units)  |                          |
| Assessor's Parcel Numbers:   |            | See Below  |                          |
| Area in Acres or Square Feet:  |            | 12,503   |                          |
| Current Zone District(s):  |            | PUD 470  |                          |
| PROPOSAL   |            |  |                          |
| Proposed Zone District:  |            | G-RH-3   |                          |

Assessor's Parcel Numbers:

22 S. Garfield Street - 05125140230000  
 24 S. Garfield Street - 05125140250000  
 26 S. Garfield Street - 05125140260000  
 28 S. Garfield Street - 05125140270000

| REVIEW CRITERIA   |   |
|---|---|
| <p>General Review Criteria: The proposal must comply with all of the general review criteria</p> <p>DZC Sec. 12.4.10.7</p>  | <p><input checked="" type="checkbox"/> <b>Consistency with Adopted Plans:</b> The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan.<br/>Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.</p> <p><input checked="" type="checkbox"/> <b>Uniformity of District Regulations and Restrictions:</b> The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input checked="" type="checkbox"/> <b>Public Health, Safety and General Welfare:</b> The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p>   |
| <p>Additional Review Criteria for Non-Legislative Rezonings: The proposal must comply with both of the additional review criteria</p> <p>DZC Sec. 12.4.10.8</p>   | <p><b>Justifying Circumstances - One of the following circumstances exists:</b></p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.</p> <p><input checked="" type="checkbox"/> Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:</p> <p>a. Changed or changing conditions in a particular area, or in the city generally; or</p> <p>b. A City adopted plan; or</p> <p>c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.</p> <p><input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (Overlay Zone Districts), of this Code.<br/>Please provide an attachment describing the justifying circumstance.</p> <p><input checked="" type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.<br/>Please provide an attachment describing how the above criterion is met.</p> |
| REQUIRED ATTACHMENTS  |   |
| Please ensure the following required attachments are submitted with this application:   |   |
| <input checked="" type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format)<br><input checked="" type="checkbox"/> Proof of Ownership Document(s)<br><input checked="" type="checkbox"/> Review Criteria, as identified above |   |
| ADDITIONAL ATTACHMENTS  |   |
| Please identify any additional attachments provided with this application:  |   |
| <input checked="" type="checkbox"/> Written Authorization to Represent Property Owner(s)<br><input checked="" type="checkbox"/> Individual Authorization to Sign on Behalf of a Corporate Entity (for 490 Columbine, LLC)   |   |
| Please list any 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)<br>(please type or print legibly)                         | Property Address<br>City, State, Zip<br>Phone<br>Email  | Property Owner Interest % of the Area of the Zone Lots to Be Rezoned | Please sign below as an indication of your consent to the above certification statement | Date                            | Indicate the type of ownership documentation provided:<br>(A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved | Has the owner authorized a representative in writing?<br>(YES/NO) |
|--|---|--|---|---------------------------------|---|---|
| <b>EXAMPLE</b><br>John Alan Smith and<br>Josie Q. Smith                          | 123 Sesame Street<br>Denver, CO 80202<br>(303) 555-5555<br>sample@sample.gov                  | 100%   | <i>John Alan Smith</i><br><i>Josie Q. Smith</i>   | 01/01/12                        | (A)   | YES   |
| Phyllis A. Sinclair  | 22 South Garfield Street<br>Denver, CO 80209<br>(303) 263-1255<br>Phyllis@Kentwood.com        | 100%   | <i>Phyllis Sinclair</i>   | 11-22-19                        | (B)   | YES   |
| Richard C. Reed and<br>Selma E. Reed, as<br>Trustees of the Reed<br>Family Trust | 24 South Garfield Street<br>Denver, CO 80209<br>(303) 946-5284<br>selmareed@mac.com           | 100%   | <del><i>[Signature]</i></del><br><i>Selma E Reed</i>                                    | <del>10-29-19</del><br>10-29-19 | (B)   | YES   |
| Natalie Aronson  | 26 South Garfield Street<br>Denver, CO 80209<br>Phone: 303-522-5290<br>nataliearonson@aol.com | 100%   | <i>Natalie Aronson</i>  | 9/12/19                         | (B)   | YES   |
| 490 Columbine, LLC<br>by Robert H. Bach,<br>as Manager                           | 28 South Garfield Street<br>Denver, CO 80209<br>(303) 866-0236<br>bob.bach@bclplaw.com        | 100%   | <i>[Signature]</i>  | 11/22/19                        | (B)   | YES   |
|  |   |  |   |                                 |   |   |

December 10, 2019

City and County of Denver  
Community Planning and Development  
201 West Colfax Avenue  
Denver, CO 80202

Greetings:

We are requesting to have the property located at 22, 24, 26 and 28 South Garfield Street in Cherry Creek East rezoned from PUD 470 to G-RH-3. The owner of 28 South Garfield desires to enclose a portion of the rear patio by extending the rear wall approximately 10 feet and creating approximately 200 additional square feet of space. The change from PUD 470 to G-RH-3 would allow this addition as well as allow other residents to make future changes to their units that would be consistent with the G-RH-3 zoning but may not be permitted under the current PUD 470 zoning.

### **Consistency with Adopted Plans**

The proposed G-RH-3 zoning is consistent with the City's vision for the neighborhood and supported by all of the applicable City of Denver adopted plans. The following plans apply to the subject property:

#### **(a) Denver Comprehensive Plan**

The proposed rezoning to G-RH-3 is consistent with the specific goals and strategies of the Denver Comprehensive Plan. The applicable goals and strategies are the following:

- (1) Vision Element: Equitable, Affordable and Inclusive. Goal 2, Strategy A – Create a greater mix of housing options in every neighborhood for all individuals and families. The requested rezoning from PUD 470 to G-RH-3 substantially broadens the type, size, and price of units that can be constructed on the property to appeal to residents across a broader range of income, ages and needs.
- (2) Vision Element: Strong and Authentic Neighborhoods. Goal 1, Strategy B - Insure neighborhoods offer a mix of housing types and services for a diverse population. The requested rezoning to G-RH-3 will allow a mix of housing types, including single family and multiple unit dwellings of different sizes and different prices and further the goal of offering a mix of housing types and prices for a diverse population.
- (3) Vision Element: Strong and Authentic Neighborhoods. Goal 1, Strategy B – Encourage quality infill development that is consistent with surrounding neighborhoods and offers opportunities for increased amenities. The mix of unit type, height, size and density allowed by G-RH-3 is consistent with and enhances the surrounding neighborhoods.

(b) **Blueprint Denver**

- (1) Recommendations. The recommendations in Blueprint Denver with respect to Land Use and Built Form – General specifically addresses the City’s intention to limit the use of site specific, customized zoning. Goal 6 of Recommendation 3, Subsection B, provides specifically that the City should limit the use of site specific, customized zoning tools, such as planned unit developments and waivers conditions to unique and extraordinary circumstances. In addition, Subsection A of Recommendation 3 encourages the rezoning of properties from the former Chapter 59 Zoning Code so that the entire City is covered by the Denver Zoning Code. The Zoning Code offers a wide variety of zone districts that cover the diverse context and places of Denver. The proposed rezoning from PUD 470 to G-RH-3 implements this recommendation and changes the site specific zoning to the preferable zone district and implements the policy to have the entire City covered by the Denver Zoning Code.
- (2) Neighborhood Context Designation. The neighborhood context map and description provides a guide to establishing appropriate zone districts. The neighborhood context for 22-28 South Garfield is General Urban. The General Urban neighborhood context provides for predominantly multi-unit structures and one and two unit residential. The current setbacks from Garfield Street, height and four-unit nature of the current development are consistent with the neighborhood context designation and the rezoning to G-RH-3 will allow a mix of residential units which is consistent with the General Urban designation.
- (3) Future Places Map Designation. The Blueprint Denver Future Places map provides for Low-Medium density residential. The Low-Medium designation provides for predominantly multi-unit residential and midscale residential buildings usually mixed with a variety of lower scale residential types. The requested zoning to G-RH-3 is consistent with zoning and the Low-Medium density and mix of property types contemplated by the Future Places map and with the existing primarily residential character of the neighborhood.
- (4) Growth Strategy. The subject property is designated as “all other areas of the City” which anticipates 20% residential growth and 10% job growth. Unlike the existing PUD 470, the G-RH-3 allows the potential for some residential growth and a mix of residential unit types.
- (5) Street Type. The Street Types Map in Blueprint Denver designates the street type for South Garfield Street as “Local.” Local streets are most often characterized by residential uses. G-RH-3 zoning is a residential zone district and, accordingly, the rezoning of the property as G-RH-3 is consistent with the Local designation of the street.

## **Cherry Creek Area Plan**

The property is in the Cherry Creek East Subarea and within the Urban Residential area designation. The Urban Residential designation seeks to “continue supporting a variety of housing types, including low and mid-rise multi-family, row houses, duplex, single family and accessory dwelling units.” The proposed G-RH-3 zoning is a low and mid-rise family district consistent with the Cherry Creek Plan. In addition, the proposed rezoning from PUD 470 to G-RH-3 meets a number of the Cherry Creek East Subarea Recommendations including the following:

- (1) Rezone PUDs. The recommendation provides that as opportunities arise with respect to new development or property owner interest, property owners and neighborhood representatives will work together with the City to determine the appropriate Denver Zoning code district that serves to implement this plan. The proposed rezoning to G-RH-3 and elimination of PUD 470 carries out this recommendation.
- (2) Respect the Existing Scale. The recommendation provides that zoning enhance the existing pattern of development intensity with low-scale buildings in the residential areas. The G-RH-3 zoning which permits a maximum of three stories is entirely consistent with this recommendation.
- (3) Reinforce Residential Character. The recommendation provides that the plan should maintain and enhance the existing character and walkable environment in Cherry Creek East. The G-RH-3 zoning is consistent with the existing residential character of the neighborhood and promotes this recommendation.

## **Uniformity of District Regulations**

Approval of the proposed Zone Map Amendment to G-RH-3 will result in the uniform application of building form, use and design regulations. The property, once rezoned, will adhere to all applicable regulations on building height, siding, design elements and pedestrian access. The proposed Zone District is consistent with and reinforces the uniform application of zone districts as well as the designated purpose of the zoning map to help shape future development to align with distinct but uniform City planning goals.

## **Future Health Safety and General Welfare**

Approval of the proposed zoning amendment will further the public health, safety and welfare by implementing the City’s adopted land use policies. Rezoning of the property pursuant to the Zone Map Amendment will continue to advance public policy priorities of the City identified for this area of the City.

### **Justifying Circumstances**

Justifying circumstances are found in Section 12.4.10.8 of the Denver Zoning code which provides that since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include: . . . (c) That the City adopted the Denver Zoning code and the property retained Former Chapter 59 zoning.

### **Consistency with Neighborhood Context, Zone District Purpose and Intent**

- (a) The subject property is subject to Article 6 of the Denver Zoning code governing the General Urban Neighborhood Context. Section 6.1.1 of the Denver Zoning code provides that the General Urban Neighborhood Context is characterized by multi-unit residential uses in a variety of building forms. The G-RH-3, which allows single family, multi-family and row houses is consistent with the General Urban Neighborhood Context.
- (b) Similarly, Section 6.1.4 governing building heights suggests that the area will be characterized by moderate to high residential buildings . . . and that lower scale structures are typically found in areas transitioning to a less dense urban neighborhood. The existing two-story structure and the three-story structures allowed by G-RH--3 are consistent with these building heights. The specific intent provisions of Section 6.2.2.2.A governing G-RH-3 zoning provide that it is a multi-unit district allowing urban house, duplex and row house building forms. Row houses are not taller than three stories. The existing four-unit row house meets and carries out the specific intent of the G-RH-3 zoning.
- (c) The general purpose of residential districts as reflected in Section 6.2.2.1 of the Denver Zoning code is to promote and protect higher density residential neighborhoods within the character of the General Urban Neighborhood Context. These regulations allow for multi-unit districts with a variety of residential building forms. The G-RH-3 zoning is used extensively in the Cherry Creek East area where the property is located and a number of surrounding properties are currently zoned G-RH-3. The requested rezoning will be consistent with both the general purpose and the surrounding properties.

LEGAL DESCRIPTION

LOTS 5, 6, 7 and 8,

BLOCK 25,

BURLINGTON CAPITOL HILL ADDITION

PROOF OF OWNERSHIP

See attached Vesting Deeds for 22, 24, 26 and 28 South Garfield, Denver, Colorado.

QUITCLAIM DEED

THIS DEED, made this day of 10-17-12, by

PHYLLIS A. SINCLAIR AND ROBERT L.V. TROWBRIDGE

Grantor, for this consideration of \*\*\* Ten Dollars and Other Good and Valuable Consideration \*\*\* in hand paid, hereby sells and quitclaims to PHYLLIS A. SINCLAIR

Grantee, Individual whose street address is 22 S. GARFIELD STREET, DENVER, CO 80209 City of DENVER, County of DENVER, State of COLORADO, the following real property in the City and, County of DENVER, and State of Colorado, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

also known as street and number 22 S. GARFIELD STREET, DENVER, CO 80209

TOGETHER with all its appurtenances.

Phyllis A. Sinclair  
PHYLLIS A. SINCLAIR

Robert L.V. Trowbridge  
ROBERT L.V. TROWBRIDGE

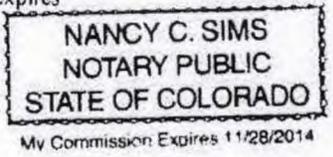
State of COLORADO )  
County of Arapahoe )



The foregoing instrument was acknowledged before me this day of 10/17/12, by PHYLLIS A. SINCLAIR AND ROBERT L.V. TROWBRIDGE

Witness my hand and official seal.  
My commission expires

Nancy C. Sims  
Notary Public



When recorded return to: Phyllis A. Sinclair  
22 So. Garfield St.  
Denver, Co 80209

Barcode with number 2012144779  
Page: 1 of 2  
10/22/2012 11:14A  
City & County Of Denver 000 R18 00 00 00

EXHIBIT "A"

A PORTION OF LOTS 5 AND 6, BLOCK 25, BURLINGTON CAPITOL HILL SUBDIVISION, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 5; THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 5, A DISTANCE OF 124.89 FEET TO THE NORTHEAST CORNER OF SAID LOT 5; THENCE ON AN HORIZONTAL ANGLE TO THE LEFT OF 90 DEGREES 03 MINUTES 43 SECONDS ALONG THE EAST LINE OF SAID LOTS 5 AND 6, A DISTANCE OF 27.61 FEET TO A POINT ON THE CENTERLINE OF A PARTY WALL, EXTENDED; THENCE ON AN HORIZONTAL ANGLE TO THE LEFT OF 90 DEGREES 25 MINUTES 48 SECONDS ALONG THE CENTERLINE OF SAID PARTY WALL, A DISTANCE OF 124.89 FEET TO A POINT ON THE WEST LINE OF SAID LOT 6; THENCE ON AN HORIZONTAL ANGLE TO THE LEFT OF 89 DEGREES 34 MINUTES 41 SECONDS ALONG THE WEST LINES OF SAID LOTS 5 AND 6, A DISTANCE OF 28.65 FEET TO THE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO

SAID LEGAL DESCRIPTION WAS PREPARED BY MARK DOUGLAS SCHEAR, PLS 18475, FOR AND ON BEHALF OF TIMBERLINE SURVEYING, INC.

PS RT



01/12/2017 02:58 PM R \$28.00 D \$0.00  
City & County of Denver QCD  
Electronically Recorded

This document prepared by:  
Bowles Ruddell & Associates, Ltd.  
6467 S. Hill Street  
Littleton, CO 80120  
(303) 802-6881  
CO Bar ID NO. 43274

Order Number:  
62647410 - 3838729

After recording return to:  
Title Source, Inc.  
662 Woodward Avenue  
Detroit, MI 48226

Convenience Deed: no documentary fee or  
real property transfer declaration required  
pursuant to C.R.S. § 39-13-102(2)(a)

③

----- Above This Line Reserved For Official Use Only -----

**QUITCLAIM DEED**

**RICHARD C. REED and SELMA E. REED**, husband and wife, whose address is 24 South Garfield Street, Denver, CO 80209, hereinafter referred to as "Grantor," whether one or more, for TEN DOLLARS and no/100 (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby sells and quitclaims to **RICHARD C. REED AND SELMA E. REED, AS TRUSTEES OF THE REED FAMILY TRUST DATED MAY 30, 2014**, whose address is 24 South Garfield Street, Denver, CO 80209, hereinafter referred to as "Grantee," whether one or more, any and all of their interest in the real property lying and being situate in the County of Denver, State of Colorado, more particularly described as:

SEE EXHIBIT "A" ATTACHED HERETO

Commonly known as: 24 South Garfield Street, Denver, CO 80209

Together with all its appurtenances.

Taxes for tax year 2016 shall be paid by Grantee.

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**HAWAII ALL-PURPOSE ACKNOWLEDGMENT**  
H.R.S 502-41(6)

State of Hawaii }  
County of Kauai } ss.

On this 19 day of December, 2016, in the Fifth Circuit Court, State of Hawaii,  
Day Month Year Name of Circuit

before me personally appeared Richard C Reed (,) (and  
Name of Signer 1

Selma C Reed (,) to me personally known or proved  
Name of Signer 2 (if any)

to me on the basis of satisfactory evidence to be the person(s) whose name(s)  
is/are subscribed to this instrument, who, being by me duly sworn or affirmed, did say  
that such person(s) executed the foregoing instrument identified or described as  
Quitclaim Deed as the free act and deed of such person(s),  
Type of Document

and if applicable, in the capacity shown having been duly authorized to execute such instrument  
in such capacity. The foregoing instrument is dated 12/19/16 and  
Date of Document

contained 3 pages at the time of this acknowledgment/certification.  
No. of Pages



Ofelia G Serrano

Printed Name of Notary Public

Notary Public — STATE OF HAWAII

My commission expires: August 07, 2017

Ofelia Serrano  
Signature of Notary Public

Place Notary Seal or Stamp Above

**EXHIBIT "A"**

All the real property, together with improvements, if any, situate, lying and being in the City and County of Denver, and State of Colorado, described as follows:

A portion of Lots 6 and 7, Block 25, Burlington Capitol Hill Subdivision, City and County of Denver, State of Colorado, more particularly described as follows:

Commencing at the Northwest corner of Lot 5, Block 25, Burlington Capitol Hill Subdivision; thence Southerly along the West line of said Lots 5 and 6, a distance of 28.65 feet to the point on a centerline of a party wall extended and the point of beginning; thence on an horizontal angle to the right of 89 degrees 34 minutes 41 seconds along the centerline of said party wall extended, a distance of 124.89 feet to a point on the East line of said Lot 6; thence on an horizontal angle to the left of 89 degrees 34 minutes 12 seconds along the East line of said Lot 6, a distance of 22.17 feet to a point on the centerline of a party wall extended; thence on a horizontal angle to the left of 90 degrees 25 minutes 48 seconds along the centerline of said party wall extended, a distance of 124.89 feet to a point on the West line of said Lot 7, thence on an horizontal angle to the left of 89 degrees 34 minutes 41 seconds along the West line of said Lots 6 and 7, a distance of 22.17 feet to the point of beginning, City and County of Denver, State of Colorado.

SUBJECT to all covenants, conditions, restrictions and easements of record, if any.

BEING the same fee simple property conveyed by deed from RICHARD C. REED AND SELMA E. REED, AS TRUSTEES OF THE REED FAMILY TRUST DATED MAY 30, 2014, to RICHARD C. REED and SELMA E. REED, husband and wife dated 12/21/2017, recorded on 01/11/2017, as Instrument No. 2017003777 in Denver County Records, State of Colorado.

BEING FURTHER the same fee simple property conveyed by deed from RICHARD C. REED and SELMA E. REED, husband and wife, to RICHARD C. REED AND SELMA E. REED, AS TRUSTEES OF THE REED FAMILY TRUST DATED MAY 30, 2014, dated July 17, 2015, recorded on July 22, 2015, as Instrument No. 2015101046 in Denver County Records, State of Colorado.

Tax ID: 05125-14-025-000

Property Address: 24 South Garfield Street, Denver, CO 80209.

1-2

2000109067 2000/08/01 14:43:09 1/ 2 WD  
filed for reco DENVER COUNTY CLERK AND RECORDER 10.00 46.75 JCZ  
Reception No. \*\*\*\*\*

RECORDER  
DEPUTY.

WARRANTY DEED

THIS DEED, Made on this day of July 27, 2000  
between WELLINGTON HOMES, L.L.C. A COLORADO LIMITED LIABILITY COMPANY

of the CITY AND County of DENVER and State of COLORADO, the Grantor(s), and  
NATALIE ARONSON

whose legal address is : 26 S. GARFIELD STREET, DENVER, CO 80209  
of the CITY AND County of DENVER and State of Colorado, the Grantee(s):

WITNESS, That the Grantor(s), for and in consideration of the sum of ( \$467,500.00 )  
\*\*\* Four Hundred Sixty Seven Thousand Five Hundred and 00/100 \*\*\* DOLLARS

the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee(s), his heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the CITY AND County of DENVER and State of Colorado, described as follows:  
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Documentary Fee  
46.75

also known as street number 26 S. GARFIELD STREET, DENVER, CO 80209

TOGETHER with all and singular and hereditaments and appurtenances thereto belonging, or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right title interest, claim and demand whatsoever of the Grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described with appurtenances, unto the Grantee(s), his heirs and assigns forever. The Grantor(s), for himself, his heirs and personal representatives, does covenant, grant, bargain, and agree to and with the Grantee(s), his heirs and assigns, that at the time of the enrolling and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, SUBJECT TO THOSE EXCEPTIONS REFERRED TO IN TITLE INSURANCE COMMITMENT NO. F696673 ISSUED BY LAND TITLE GUARANTEE COMPANY AND EXCEPT GENERAL TAXES AND ASSESSMENTS FOR THE YEAR 2000 AND SUBSEQUENT YEARS.

The Grantor(s) shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the Grantee(s), his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, and the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF the Grantor(s) has executed this deed on the date set forth above.

Anthony P. Miller BY  
WELLINGTON HOMES, L.L.C.

AS ATTORNEY IN FACT

STATE OF Colorado )  
CITY AND County of DENVER )

FRANKIE C. BALLARD  
NOTARY PUBLIC  
STATE OF COLORADO

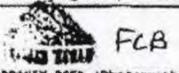
The foregoing instrument was acknowledged before me on this day of July 27, 2000  
by WELLINGTON HOMES, L.L.C. A COLORADO LIMITED LIABILITY COMPANY  
as Manager of Wellington Homes, L.L.C. For Anthony P. Miller

My commission expires 8/28/00  
Witness my hand and official seal.

Frankie C. Ballard  
Notary Public

Name and Address of Person Creating Newly Created Legal Description ( 36-35-106.5, C.R.S.)

Escrow# A696673  
Title# F696673



When Recorded Return to: NATALIE ARONSON

26 S. GARFIELD STREET  
DENVER, CO 80209

Form No. 932 Rev 4-94. WARRANTY DEED (Photographic Record M01)

EXHIBIT A

A PORTION OF LOTS 6 AND 7, BLOCK 25, BURLINGTON CAPITOL HILL SUBDIVISION, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 5, BLOCK 25, BURLINGTON CAPITOL HILL SUBDIVISION; THENCE SOUTHERLY ALONG THE WEST LINE OF LOTS 5, 6 AND 7, A DISTANCE OF 50.82 FEET TO A POINT ON THE CENTERLINE OF A PARTY WALL EXTENDED AND THE POINT OF BEGINNING; THENCE ON AN HORIZONTAL ANGLE TO THE RIGHT OF 89 DEGREES 34 MINUTES 41 SECONDS ALONG THE CENTERLINE OF SAID PARTY WALL, A DISTANCE OF 124.89 FEET TO A POINT ON THE EAST LINE OF SAID LOT 6; THENCE ON AN HORIZONTAL ANGLE TO THE LEFT OF 89 DEGREES 34 MINUTES 12 SECONDS ALONG THE EAST LINES OF SAID LOTS 6 AND 7, A DISTANCE OF 22.23 FEET TO A POINT ON THE CENTERLINE OF A PARTY WALL EXTENDED; THENCE ON AN HORIZONTAL ANGLE TO THE LEFT OF 90 DEGREES 25 MINUTES 48 SECONDS ALONG THE CENTERLINE OF SAID PARTY WALL, A DISTANCE OF 124.89 FEET TO A POINT ON THE WEST LINE OF SAID LOT 7; THENCE ON AN HORIZONTAL ANGLE TO THE LEFT OF 89 DEGREES 34 MINUTES 41 SECONDS ALONG THE WEST LINE OF SAID LOT 7, A DISTANCE OF 22.23 FEET TO THE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

SAID LEGAL DESCRIPTION WAS PREPARED BY MARK DOUGLAS SCHEAR, PLS 18475, FOR AND ON BEHALF OF TIMBERLINE SURVEYING, INC.

F696673

**WARRANTY DEED**

State Doc Fee: \$100.14  
Recording Fee: \$21

**THIS DEED** is dated the 7th day of December, 2016, and is made between:

AHST 9 LLC, a Colorado Limited Liability Company

(whether one, or more than one), the "Grantor" of the County of Placer and State of California and

490 Columbine LLC

(whether one, or more than one), the "Grantee", whose legal address is 115 Eudora Street, Denver, Colorado 80220 of the County of Denver and State of Colorado.

**WITNESS**, that the Grantor, for and in consideration of the sum of **One Million One Thousand Four Hundred Seventy Two Dollars and Fifty Four Cents ( \$1,001,472.54 )**, the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, conveys and confirms unto the Grantee and the Grantee's heirs and assigns forever, all the real property, together with any improvements thereon, located in the City and County of Denver and State of Colorado described as follows:

A Portion of Lots 7 and 8, Block 25, Burlington Capitol Hill Subdivision, City and County of Denver, State of Colorado, More Particularly Described as Follows:

Commencing at the Northwest Corner of Lot 5, Block 25, Burlington Capitol Hill Subdivision, Thence Southerly along the West Line of Said Lots 5, 6 and 7, a Distance of 73.05 Feet to a Point on the centerline of a party wall extended and the point of beginning; Thence on an horizontal angle to the right of 88° 34' 41" along the centerline of said party wall, a Distance of 124.89 feet to a point on the East Line of said Lot 7; Thence on an horizontal angle to the left 89° 34' 12" along the East lines of said Lots 7 and 8, a distance of 28.10 feet to the Southeast corner of said Lot 8; Thence on an horizontal angle to the left of 89° 56' 46" along the South line of said Lot 8, a distance of 124.88 feet to the Southwest corner of said Lot 8; Thence on an horizontal angle to the left of 90° 03' 43" along the West lines of said Lots 7 and 8, a distance of 27.05 feet to the point of beginning. City and County of Denver, State of Colorado.

also known by street address as: 28 South Garfield Street, Denver, CO 80209

**TOGETHER** with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, the reversions, remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

**TO HAVE AND TO HOLD** the said premises above bargained and described, with the appurtenances, unto the Grantees, and the Grantees' heirs and assigns forever.

The Grantor, for the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree to and with the Grantee, and the Grantee's heirs and assigns, that at the time of the executing and delivery of these presents, the Grantor is well seized of the premises above described; has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, and in fee simple; and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid; and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except and subject to:

2016 taxes and all subsequent years, restrictions, reservations, covenants, easements and rights-of-way of record, if any.

And the Grantor shall and will **WARRANT THE TITLE AND DEFEND** the above described premises, in the quiet and peaceable possession of the Grantees, and the heirs and assigns of the Grantees, against all and every person or persons lawfully claiming the whole or any part thereof.

**IN WITNESS WHEREOF**, the Grantor has executed this deed on the date set forth above.

AHST 9 LLC, A COLORADO LIMITED LIABILITY COMPANY

BY: API Stewart Holdings LLC, a California limited liability company

its sole member  
By: Asset Preservation Inc., a California Corporation

its sole member  
BY: [Signature]  
Diane Fox, Senior Vice President

State of See attached acknowledgment  
County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this 7th day of December, 2016 by Diane Fox as Senior Vice President for Assst Preservations Inc., a California Corporation as sole member of of AP! Stewart Holdings LLC, a California limited liability company as sole Member of AHST 9 LLC, A Colorado Limited Liability Company

Witness my hand and official seal.

Notary Public:  
My commission expires:

Stewart Title File Number: 01330-83379H  
832A WARRANTY DEED STCO

Page 2

SKLD, Inc. SW SKL17156 DV 172592-2016.002

### ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
 County of Placer

On December 7, 2016 before me, Sarah Khoury, Notary Public  
 (insert name and title of the officer)

personally appeared Diane Fox  
 who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature *Sarah Khoury* (Seal)

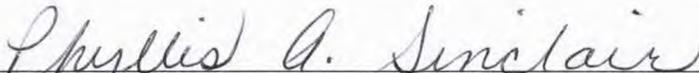
WRITTEN AUTHORIZATION TO REPRESENT PROPERTY OWNERS

Each of the undersigned, as the owner of the property described below, hereby appoints Robert H. Bach to act as its authorized representative in connection with all matters related to the Zone Map Amendment (Rezoning) – Application with respect to property located at 22, 24, 26 and 28 S. Garfield Street, Denver, Colorado in connection with the request to rezone such property from the current zone district of PUD 470 to the Proposed Zone District G-RH-3. This authorization is solely limited to the matter set forth above.

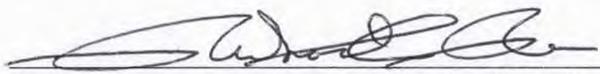
SEE ATTACHED SIGNATURE PAGE

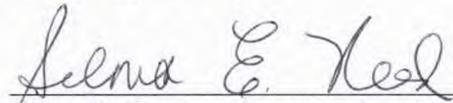
SIGNATURE PAGE TO WRITTEN AUTHORIZATION TO  
REPRESENT PROPERTY OWNERS RELATED TO THE REZONING OF  
22, 24, 26 AND 28 SOUTH GARFIELD STREET, DENVER, COLORADO

22 SOUTH GARFIELD STREET, DENVER, COLORADO

  
\_\_\_\_\_  
Phyllis A. Sinclair

24 SOUTH GARFIELD STREET, DENVER, COLORADO

  
\_\_\_\_\_  
Richard C. Reed, as Trustee of the Reed Family Trust,  
Dated May 30, 2014

  
\_\_\_\_\_  
Selma E. Reed, as Trustee of the Reed Family Trust,  
Dated May 30, 2014

26 SOUTH GARFIELD STREET, DENVER, COLORADO

  
\_\_\_\_\_  
Natalie Aronson

28 SOUTH GARFIELD STREET, DENVER, COLORADO

490 Columbine, LLC, a Colorado limited liability company

By:   
\_\_\_\_\_  
Robert H. Bach, Manager

INDIVIDUAL AUTHORIZATION TO SIGN ON  
BEHALF OF A CORPORATE ENTITY

The undersigned, as the sole owner of 490 Columbine, LLC, a Colorado limited liability company, hereby certifies that Robert H. Bach is the Manager of 490 Columbine, LLC and fully authorized to act on its behalf in connection with all matters including, without limitation, the submission of a Zone Map Amendment (Rezoning) – Application with respect to property owned by it and located at 28 South Garfield Street, Denver, Colorado.

Executed as of this 18<sup>th</sup> day of ~~October~~<sup>December</sup>, 2019.

Arman M. Bach