

1 BY AUTHORITY

2 RESOLUTION NO. CR11-0085  
3 SERIES OF 2011

COMMITTEE OF REFERENCE:  
Land Use, Transportation & Infrastructure

4 A RESOLUTION

5 **Amending Resolution No. 167, Series of 2010, to amend the items contained in the**  
6 **revocable permit issued to School District No. 1 in the City and County of Denver**  
7 **to encroach into the right-of-way with non-potable water taps at East High School,**  
8 **along 17<sup>th</sup> Ave. at York St., and Josephine St., and across City Park Esplanade**  
9 **between 16<sup>th</sup> and 17<sup>th</sup> Streets.**

10  
11 **BE IT RESOLVED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

12 **Section 1.** That Section 1 of Resolution No. 167, Series of 2010, shall be and hereby is  
13 amended in its entirety to read as follows:

14 **Section 1.** The City and County of Denver hereby grants to School District No.  
15 1 in the City and County of Denver (Denver Public Schools), its successors and assigns  
16 ("Permittee"), a revocable permit to encroach with non-potable water taps in the following  
17 described areas ("Encroachment Areas"):

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER, OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING A PART OF CITY PARK ESPLANADE, RECORDED OCTOBER 5, 1906 IN BOOK 15 AT PAGE 46 IN THE OFFICE OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS ARE ASSUMED AND ARE BASED UPON THE 20.00 FOOT RANGE LINE ALONG DETROIT STREET AS BEARING S00°10'59"E BETWEEN THE RANGE POINT AT THE INTERSECTION OF DETROIT STREET AND 17TH AVENUE, BEING A FOUND #5 REBAR WITH A 1 1/2" ALUMINUM CAP IN A RANGE BOX STAMPED PLS 27926 AND THE RANGE POINT AT THE INTERSECTION OF DETROIT STREET AND 16TH AVENUE, BEING A FOUND #5 REBAR WITH 1 1/2" RED PLASTIC CAP IN RANGE BOX STAMPED PLS 36062.

**COMMENCING** AT SAID RANGE POINT AT THE INTERSECTION OF DETROIT STREET AND 17TH AVENUE;  
THENCE S59°27'58"W A DISTANCE OF 559.24 FEET TO THE EASTERLY LINE OF SAID CITY PARK ESPLANADE, SAID POINT BEING THE **POINT OF BEGINNING**;  
THENCE S00°10'59"E ALONG SAID EASTERLY LINE A DISTANCE OF 4.00 FEET;  
THENCE N89°58'52"W A DISTANCE OF 230.00 FEET TO THE WESTERLY LINE OF SAID CITY PARK ESPLANADE;  
THENCE N00°10'59"W ALONG SAID WESTERLY LINE A DISTANCE OF 4.00 FEET;  
THENCE S89°58'52"E A DISTANCE OF 230.00 FEET TO THE **POINT OF BEGINNING**;

18 SAID PARCEL CONTAINS 920 SQUARE FEET (0.021 ACRES) MORE OR LESS.

19 **Section 2.** The remainder of the Revocable Permit issued by Resolution No. 167, Series of  
20 2010, remains in full force and effect.

1 COMMITTEE APPROVAL DATE: February 10, 2011 by consent.  
2 MAYOR-COUNCIL DATE: February 15, 2011  
3 PASSED BY THE COUNCIL: \_\_\_\_\_, 2011  
4 \_\_\_\_\_ - PRESIDENT  
5 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
6 EX-OFFICIO CLERK OF THE  
7 CITY AND COUNTY OF DENVER  
8 PREPARED BY: KAREN A. AVILES, Assistant City Attorney DATE: February 16, 2011  
9 Pursuant to section 13-12, D.R.M.C., this proposed resolution has been reviewed by the office of the  
10 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
11 resolution. The proposed resolution is not submitted to the City Council for approval pursuant to §  
12 3.2.6 of the Charter.  
13 David R. Fine, City Attorney  
14 BY: \_\_\_\_\_, Assistant City Attorney DATE: \_\_\_\_\_, 2011