



**TO:** Denver City Council

**FROM:** Tim Watkins, Senior City Planner

**DATE:** January 21, 2016

**SUBJECT:** Petition of Protest of Council Bill # **CB15-0625**  
Map Amendment #2014I-00033 – 3268 W 32<sup>nd</sup> Ave (as modified Nov 2<sup>nd</sup> 2015)

**OVERVIEW OF STAFF REVIEW PROCESS TO IMPLEMENT REVIEW CONSISTENT WITH DIVISION 12.4.10.5 OF THE CODE.**

- Step 1: Create 200 foot buffer map - Created by CPD and attached
- Step 2: Confirm that all addresses signed are in the buffer
- Step 3: Confirm that all signatures are valid and accurately represent ownership
- Step 4: Calculate valid signatures to assess percentage

**CALCULATION RESULTS:**

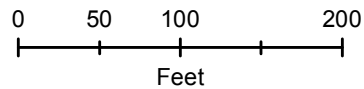
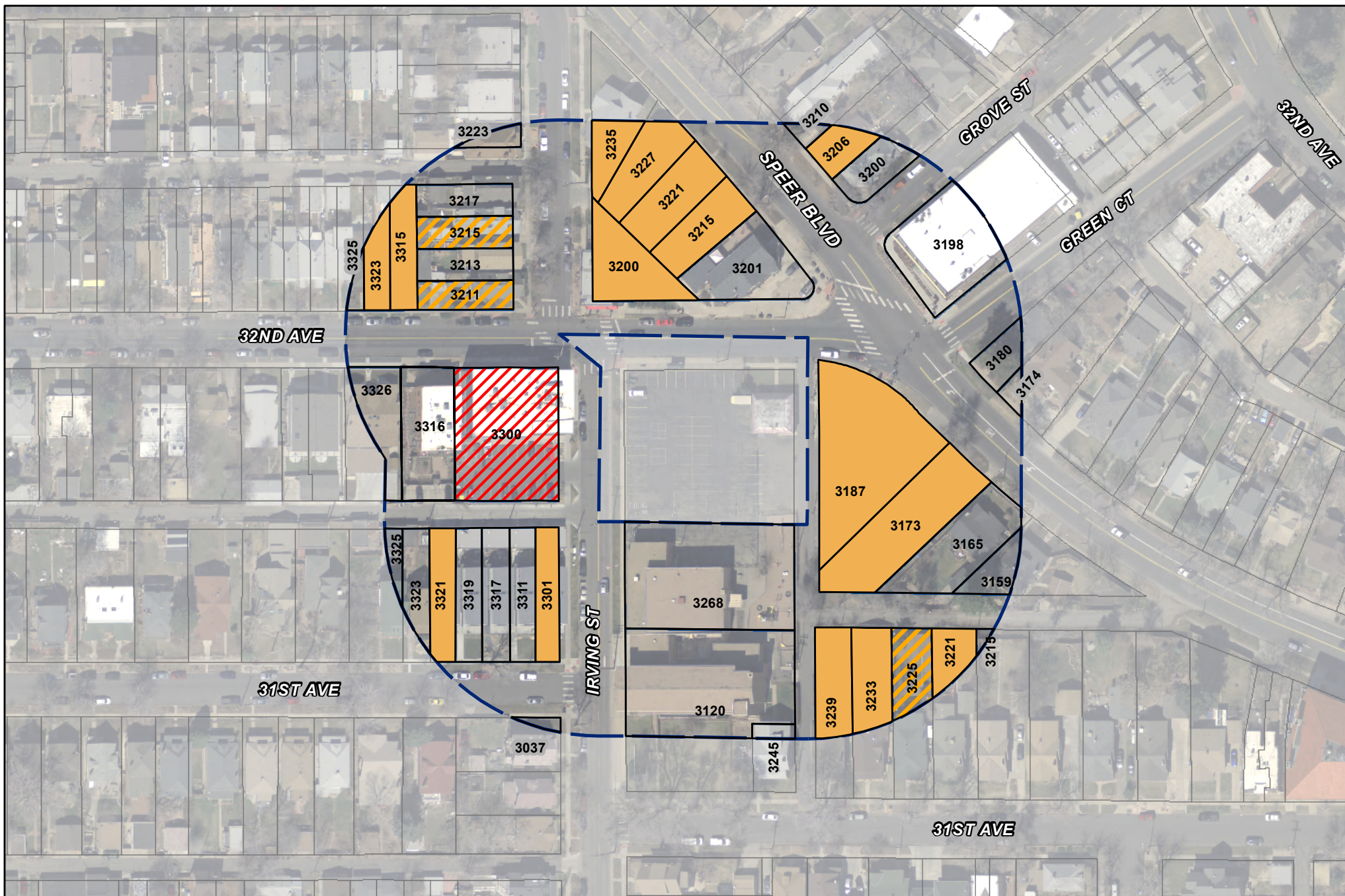
Total land area within 200 feet of the subject area equals 283,377 square feet.

**LAND AREA OF VALID SIGNATURES**

<b>24% 67,973 SF</b>	within 200 feet of the subject area
----------------------	-------------------------------------

**RESULTS OF CALCULATION (CHECK AND HIGHLIGHT APPLICABLE BOX)**

<b>X</b>	In view of the twenty (20) or more percent protest, it will be necessary for City Council to cast ten (10) affirmative votes for passage.
	In view of the less than twenty (20) percent protest, this petition does not constitute a legal protest.



1/21/2016

## Zone Map Amendment 14i-33 Protest Results

Property Owner Signatures Collected / Validated



Full Credit



Half Credit



Not Accepted



No Credit

Total area of 200' distance from the perimeter of the amendment = 6.50 Acres / 283,377 SF

20% = 1.3 Acres / 56,675 SF Needed

24% = 1.56 Acres / 67,973 SF Attained



## Protest Petition for Zone Map Amendment (Denver Zoning Code Section 12.4.10.5)

*Note: These instructions must be attached to each Protest Petition for Zone Map Amendment to assist people in obtaining valid signatures and to assist owners in signing the petition correctly.*

### What is a Protest Petition and when is it required?

A Protest Petition for Zone Map Amendment is an important legal document mandated by the Denver Zoning Code, Section 12.4.10.5, in case of protest to a proposed map amendment to the Denver Zoning Code. As a result of a valid petition, such amendment shall not become effective except by a favorable vote of ten (10) of the members of Council.

- **A Protest Petition for Zone Map Amendment must be signed by the owner or owners of 20% or more of the total land area included in such proposed change or of the total land area to a distance of two hundred (200) feet from the perimeter of the area proposed for change.**
- No such protests shall be signed until the council bill which would approve the proposed amendment is ordered published by City Council.
- Petitions of Protest must be completed and filed with the City Council on or before and not later than 12:00 noon of the day which is seven (7) days prior to the date set by notice for the public hearing which would approve the proposed amendment.

### Step One: Prepare Circulation Materials, including Application, Maps, Legal Description, and Property Owner List and Petition Forms

Before the Protest Petition is circulated for signatures, the Protestor must obtain the legal description, maps, and the Application for the proposed amendment.

- The legal description is necessary to determine the sum total of the "total land area" subject to the application.
- Under Section 12.4.10.5, the "total land area" includes all areas dedicated for public right of way.
- The petitioner may obtain an Excel file from Community Planning & Development (CPD) or the Assessor's Office containing current property records for the area within the proposed zone map amendment boundary as well as the area to 200 feet from the perimeter of the proposed boundary. The petitioner is responsible for incorporating this data into the petition form provided by CPD. Once converted into the petition, this will make signature collection easier and will require only signatures and dates rather than completion of all the information required on the petition.



## Step Two: Circulate and Complete Protest Petition

After the materials are prepared, collect signatures on the official Protest Petition form. The Petition form is available from CPD, 201 West Colfax Ave, Dept. 205, Denver, Colorado 80202, (720) 865-2915, or from CPD's website:

[www.denvergov.org/rezoning](http://www.denvergov.org/rezoning).

- A Protest Petition for Zone Map Amendment must be signed by the owner or owners of 20% or more of the area of the lots included in such proposed change or of the area to a distance of two hundred (200) feet from the perimeter of the area proposed for change.
- **All** owners of the same parcel need to sign the Owner Petition in order for that parcel's **total** land area to be credited toward meeting the 20% requirement. One of several owners of a parcel of land cannot sign the Owner Petition for the other owners. **Each** signature represents a percentage of ownership for **each** property that will be counted toward the 20% requirement.
- Individuals must sign and print their names on the petition in the exact same manner as they hold title to the property.
- The CPD Manager may require evidence that all such petition signatures are duly authorized. Normally Assessor Records are sufficient to show current owners. However, for properties owned by other than the individual or individuals (e.g., a corporation, trust, partnership) recorded on the Assessor records, the petitioner must ensure that the person(s) signing the Petition is duly authorized to represent the property. This evidence includes Deeds of Trust, Powers of Attorney or other legal documentation declaring the signatory the appropriate representative for a property.
- **The owner must both sign and print his or her name.**

## Step Three: Submit Completed Petition to City Council

The Protest Petition with signatures must be submitted to City Council not later than 12:00 noon seven (7) days prior to the scheduled public hearing on the proposed amendment.

CPD may review the petition, and may challenge the adequacy of the signatures on the petitions. Petitions may be turned into CPD for review prior to the City Council filing deadline in order to allow petitioners to respond to specific identified defects in the petition.

Please contact the CPD Rezoning Case Manager if you need additional information regarding this petition procedure.

*Zone It Right West Highland*

RE: Official Map Amendment Application #2014I-00033

January 15, 2016

To whom it may concern:

We have enclosed the petition protesting the proposed upzoning of the property at the southeast corner of 32nd Avenue and Irving St. (Application #2014I-00033). The City Council hearing on this application is scheduled for January 25, 2016. The protest contains the signatures of the owners of in excess of 20% of the total land area to a distance of two hundred (200) feet from the perimeter of the area proposed for changed ("Protest Zone").

With a few exceptions, the Excel spreadsheet provided by the Community Planning & Development Office accurately identifies the owners of the property within the Protest Zone. Where the Excel spreadsheet inaccurately identifies the owner, we have provided the Deed(s) showing the actual property owner. In addition, for those properties owned by other than an individual or individuals, we have provided the documents establishing that the signer of the protest has the authority to sign on behalf of the corporate entity or trust.

If you have any questions, please call or email and one of us at the phone numbers or email addresses below. Please confirm as soon as reasonably possible that this petition is valid.

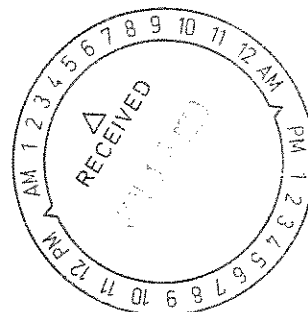
Sincerely,

Randy Mast  
303.956.6286  
randall.g.mast@gmail.com

Conor Farley  
720.933.0746  
conor.farley1@gmail.com

Cindy Eby  
303.882.2785  
cynthiaeby@gmail.com

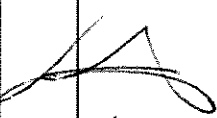
***Zone It Right West Highland***

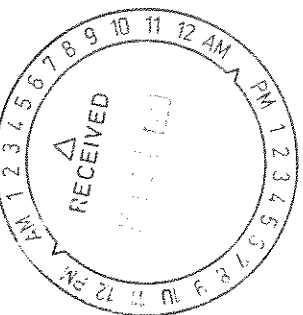


# **City and County of Denver PETITION OF PROTEST**

We, the undersigned, represent that we are the owners of the real properties legally described opposite our names and that, as such property owners, we do hereby protest the enactment of Council Bill No. 0625, Series of 2015, which Council Bill would change from U-SU-A to U-MS-2x the zoning classification of the following legally described land area: Lots 7, 8, and Lot 6 except the east 16 feet thereof; said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado, in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

ALL Owners must sign and print their name in the manner as they hold title to the property.

Own #	Address and Legal Description of Property	Signature Flag	Name and Signature and Printed Name of Owner	Address of Owner	Date Signed
25 (b)	3211 IRVING ST DENVER CO 80211-3109 S 30.8FT OF L 43 TO 46 INC BLK 58 2ND FLG OF A PORTION OF HIGHLAND PARK		<div> <div>THOMAS DE MINIA</div> <div>Name: THOMAS DE MINIA</div> <div>Signature: </div> <div>Print THOMAS DE MINIA</div> </div>	3211 IRVING ST DENVER CO 80211-3109	14th Jun. 2015



*Brett Baldsch*

*Bue B*

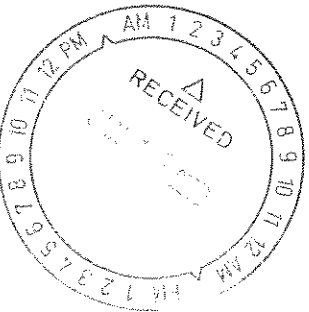
Name and Signature of Petition Circulator

# City and County of Denver PETITION OF PROTEST

We, the undersigned, represent that we are the owners of the real properties legally described opposite our names and that, as such property owners, we do hereby protest the enactment of Council Bill No. 0625, Series of 2015, which Council Bill would change from U-SU-A to U-MS-2x the zoning classification of the following legally described land area: Lots 7, 8, and Lot 6 except the east 16 feet thereof, said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado, in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

ALL Owners must sign and print their name in the manner as they hold title to the property.

Own #	Address and Legal Description of Property	Signature Flag	Name and Signature and Printed Name of Owner	Address of Owner	Date Signed
3 (a)	3221 W 31ST AVE DENVER CO 80211-3717; E 3/4 OF L 16 & W 2FT OF 17 EXC REAR 16FT TO CITY BLK 30 HIGHLAND PARK		ALBERT A MARTINEZ Print Name: <u>Albert A. Martinez</u> Signature: <u>Albert A. Martinez</u>	3221 W 31ST AVE DENVER CO 80211-3717	Dec 17, 2015



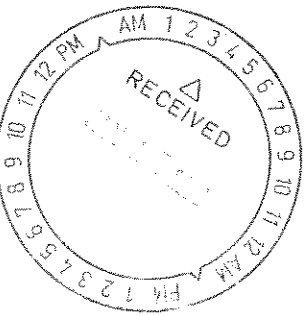
Beth Ann & Sanchez  
 Beth Ann Sanchez  
 12/17/15  
 Name and Signature of Petition Circulator

# City and County of Denver PETITION OF PROTEST

We, the undersigned, represent that we are the owners of the real properties legally described opposite our names and that, as such property owners, we do hereby protest the enactment of Council Bill No. 0625, Series of 2015, which Council Bill would change from U-SU-A to U-MS-2x the zoning classification of the following legally described land area: Lots 7, 8, and Lot 6 except the east 16 feet thereof, said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado, in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

ALL Owners must sign and print their name in the manner as they hold title to the property.

Own #	Address and Legal Description of Property	Signature Flag	Name and Signature and Printed Name of Owner	Address of Owner	Date Signed
3 (b)	3221 W 31ST AVE DENVER CO 80211-3717; E 3/4 OF L 16 & W 2FT OF 17 EXC REAR 16FT TO CITY BLK 30 HIGHLAND PARK		ALEXIS S MARTINEZ Print Name: <u>Alexis S. Martinez</u> Signature: <u>Alexis S Martinez</u>	3221 W 31ST AVE DENVER CO 80211-3717	Dec 17, 2015  Dec 17, 2015




Isela B. Sanchez  
Barbara Davis  
12/17/15  
Name and Signature of Petition Circulator

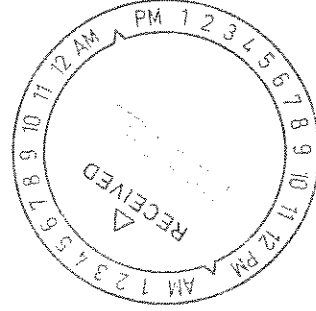


# City and County of Denver PETITION OF PROTEST

We, the undersigned, represent that we are the owners of the real properties legally described opposite our names and that, as such property owners, we do hereby protest the enactment of Council Bill No. 0625, Series of 2015, which Council Bill would change from U-SU-A to U-MS-2x the zoning classification of the following legally described land area: Lots 7, 8, and Lot 6 except the east 16 feet thereof; said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado, in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

ALL Owners must sign and print their name in the manner as they hold title to the property.

Own #	Address and Legal Description of Property	Signature Flag	Name and Signature and Printed Name of Owner	Address of Owner	Date Signed
4 (b)	3225 W 31ST AVE DENVER CO 80211-3717; E 1/2 OF L 15 & W 1/4 OF L 16 EXC REAR 16FT TO CITY BLK 30 HIGHLAND PARK		BERTRUM B SANCHEZ Print Name: <u>Bertrum B. Sanchez</u> Signature: 	3225 W 31ST AVE DENVER CO 80211-3717	12/14/15



Brett Baldsch



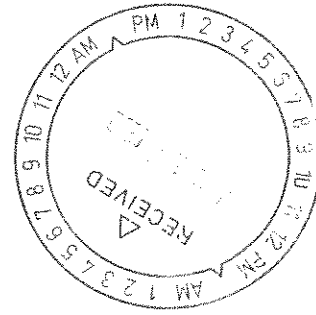
Name and Signature of Petition Circulator

# City and County of Denver PETITION OF PROTEST

We, the undersigned, represent that we are the owners of the real properties legally described opposite our names and that, as such property owners, we do hereby protest the enactment of Council Bill No. 0625, Series of 2015, which Council Bill would change from U-SU-A to U-MS-2x the zoning classification of the following legally described land area: Lots 7, 8, and Lot 6 except the east 16 feet thereof; said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado, in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

ALL Owners must sign and print their name in the manner as they hold title to the property.

Own #	Address and Legal Description of Property	Signature Flag	Name and Signature and Printed Name of Owner	Address of Owner	Date Signed
5 (a)	3233 W 31ST AVE DENVER CO 80211-3717; E 1/4 OF L 14 & W 1/2 OF L 15 EXC REAR 16FT TO CITY BLK 30 HIGHLAND PARK		CYNTHIA A EBY Print Name: <u>Cynthia A Eby</u> Signature: <u>Cynthia A Eby</u>	3233 W 31ST AVE DENVER CO 80211-3717	12/14/2015




Brett Baldsch  
 Brett

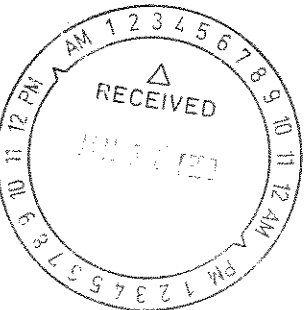
Name and Signature of Petition Circulator

# City and County of Denver PETITION OF PROTEST

We, the undersigned, represent that we are the owners of the real properties legally described opposite our names and that, as such property owners, we do hereby protest the enactment of Council Bill No. 0625, Series of 2015, which Council Bill would change from U-SU-A to U-MS-2x the zoning classification of the following legally described land area: Lots 7, 8, and Lot 6 except the east 16 feet thereof; said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado, in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

ALL Owners must sign and print their name in the manner as they hold title to the property.

Own #	Address and Legal Description of Property	Signature Flag	Name and Signature and Printed Name of Owner	Address of Owner	Date Signed
5 (b)	3233 W 31ST AVE DENVER CO 80211-3717; E 1/4 OF L 14 & W 1/2 OF L 15 EXC REAR 16FT TO CITY BLK 30 HIGHLAND PARK		RANDALL G MAST Print Name: <u>RANDALL G MAST</u> Signature: 	3233 W 31ST AVE DENVER CO 80211-3717	12-14-2015



Brett Baldschun

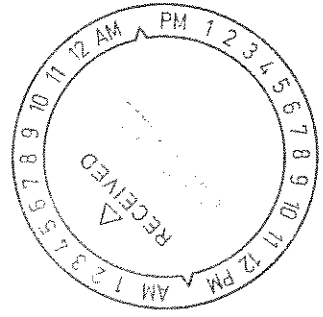
  
 Name and Signature of Petition Circulator

# **City and County of Denver PETITION OF PROTEST**

We, the undersigned, represent that we are the owners of the real properties legally described opposite our names and that, as such property owners, we do hereby protest the enactment of Council Bill No. 0625, Series of 2015, which Council Bill would change from U-SU-A to U-MS-2x the zoning classification of the following legally described land area: Lots 7, 8, and Lot 6 except the east 16 feet thereof; said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado, in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

ALL Owners must sign and print their name in the manner as they hold title to the property.

Own #	Address and Legal Description of Property	Signature Flag	Name and Signature and Printed Name of Owner	Address of Owner	Date Signed
6	3239 W 31ST AVE DENVER CO 80211-3717; W3/4 OF L 14 EXC REAR 16 FT TO CITY BLK 30 HIGHLAND PARK		BRANDI BALDSCHUN Print Name: <i>Brandi Baldschun</i> Signature: <i>Brandi Baldschun</i>	3239 W 31ST AVE DENVER CO 80211-3717	11/12/15



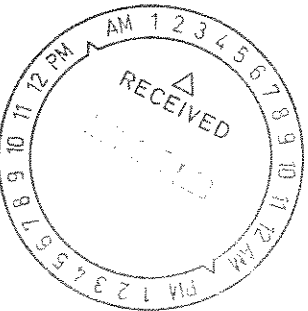
*Brandi Baldschun*  
*Brandi Baldschun*  
 Name and Signature of Petition Circulator

## City and County of Denver PETITION OF PROTEST

We, the undersigned, represent that we are the owners of the real properties legally described opposite our names and that, as such property owners, we do hereby protest the enactment of Council Bill No. 0625, Series of 2015, which Council Bill would change from U-SU. A to U-MS-2x the zoning classification of the following legally described land area: Lots 7, 8, and Lot 6 except the east 16 feet thereof, said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado, in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

ALL Owners must sign and print their name in the manner as they hold title to the property.

Own #	Address and Legal Description of Property	Signature Flag	Name and Signature and Printed Name of Owner	Address of Owner	Date Signed
8	3301 W 31ST AVE DENVER CO 80211-3619; KOUNTZE HEIGHTS B1 L48		<div> <div>VICTORIA ISHERWOOD</div> <div>Print Name:</div> <div>Victoria Isherwood</div> <div>Signature:</div> <div><i>Victoria Isherwood</i></div> </div>	3301 W 31ST AVE DENVER CO 80211-3619	12-27-15



*Brett Baldsch*  
*Brett Baldsch*  
 Name and Signature of Petition Circulator

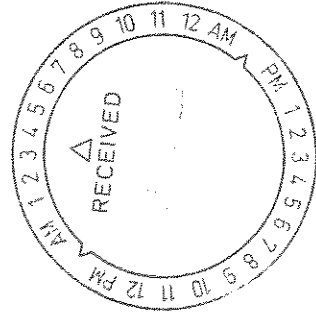


# **City and County of Denver PETITION OF PROTEST**

We, the undersigned, represent that we are the owners of the real properties legally described opposite our names and that, as such property owners, we do hereby protest the enactment of Council Bill No. 0625, Series of 2015, which Council Bill would change from U-SU-A to U-MS-2x the zoning classification of the following legally described land area: Lots 7, 8, and Lot 6 except the east 16 feet thereof; said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado, in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

ALL Owners must sign and print their name in the manner as they hold title to the property.

Own #	Address and Legal Description of Property	Signature Flag	Name and Signature and Printed Name of Owner	Address of Owner	Date Signed
12	3321 W 31ST AVE DENVER CO 80211-3619; KOUNTZE HEIGHTS B1 L44		ANDREW WILLIAM SMITH Print Name: <i>Andrew William Smith</i> Signature: <i>Andrew William Smith</i>	3321 W 31ST AVE DENVER CO 80211-3619	1-07-16



Brett Baldschun

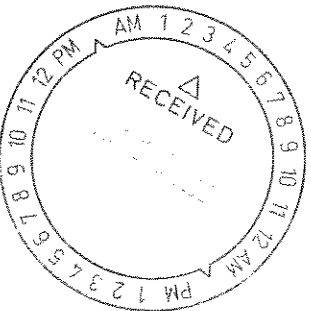
*Brett Baldschun*  
Name and Signature of Petition Circulator

## City and County of Denver PETITION OF PROTEST

We, the undersigned, represent that we are the owners of the real properties legally described opposite our names and that, as such property owners, we do hereby protest the enactment of Council Bill No. 0625, Series of 2015, which Council Bill would change from U-SU-A to U-MS-2x the zoning classification of the following legally described land area: Lots 7, 8, and Lot 6 except the east 16 feet thereof, said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado, in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

ALL Owners must sign and print their name in the manner as they hold title to the property.

Own #	Address and Legal Description of Property	Signature Flag	Name and Signature and Printed Name of Owner	Address of Owner	Date Signed
17	3315 W 32ND AVE L 42 BLK 58 SECOND FLG OF A PORTION OF HIGHLAND PARK		<div> <div>Print Name:</div> <div>JANE EATON DAVIES</div> </div> <div> <div>Signature:</div> <div><i>Jane Eaton Davies</i></div> </div>	3315 W 32ND AVE	12-28-2015



*Brett Baldsch*

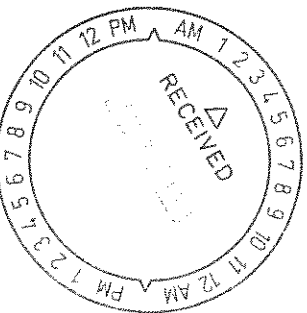
*Baldsch*  
Name and Signature of Petition Circulator

# **City and County of Denver PETITION OF PROTEST**

We, the undersigned, represent that we are the owners of the real properties legally described opposite our names and that, as such property owners, we do hereby protest the enactment of Council Bill No. 0625, Series of 2015, which Council Bill would change from U-SU-A to U-MS-2x the zoning classification of the following legally described land area: Lots 7, 8, and Lot 6 except the east 16 feet thereof; said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado, in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

ALL Owners must sign and print their name in the manner as they hold title to the property.

Own #	Address and Legal Description of Property	Signature Flag	Name and Signature and Printed Name of Owner	Address of Owner	Date Signed
19 (a)	3323 W 32ND DENVER CO 80211 L 41 BLK 58 2ND FLG OF A PORTION OF HIGHLAND PARK		JAQUELINE L WEITZEL Print Name: <i>Jaqueline L Weitzel</i> Signature: <i>Jaqueline L Weitzel</i>	3255 NEWTON ST DENVER CO 80211-3140	12/28/15



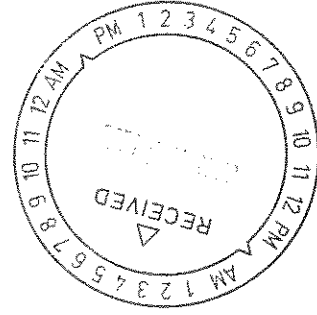
*Betty Baldsch*  
*Bal*  
 Name and Signature of Petition Circulator

# City and County of Denver PETITION OF PROTEST

We, the undersigned, represent that we are the owners of the real properties legally described opposite our names and that, as such property owners, we do hereby protest the enactment of Council Bill No. 0625, Series of 2015, which Council Bill would change from U-SU-A to U-MS-2x the zoning classification of the following legally described land area: Lots 7, 8, and Lot 6 except the east 16 feet thereof; said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado, in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

ALL Owners must sign and print their name in the manner as they hold title to the property.

Own #	Address and Legal Description of Property	Signature Flag	Name and Signature and Printed Name of Owner	Address of Owner	Date Signed
19 (b)	3323 W 32ND DENVER CO 80211 L 41 BLK 58 2ND FLG OF A PORTION OF HIGHLAND PARK		CODY LOUIS WEITZEL Print Name: <u>Cody Louis Weitzel</u> Signature: <u>Cody Louis Weitzel</u>	3255 NEWTON ST DENVER CO 80211-3140	12/28/15



*Brett Baldsch*  
*Bruce B*

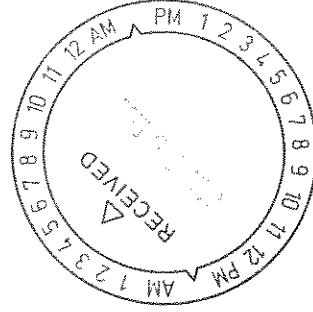
Name and Signature of Petition Circulator

# City and County of Denver PETITION OF PROTEST

We, the undersigned, represent that we are the owners of the real properties legally described opposite our names and that, as such property owners, we do hereby protest the enactment of Council Bill No. 0625, Series of 2015, which Council Bill would change from U-SU-A to U-MS-2x the zoning classification of the following legally described land area: Lots 7 and 8, Lot 6 except the east 16' thereof and Lot 9, except the east 16' thereof; said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado, in in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

ALL Owners must sign and print their name in the manner as they hold title to the property.

Own #	Address and Legal Description of Property	Signature Flag	Name and Signature and Printed Name of Owner	Address of Owner	Date Signed
27 (a)	3215 IRVING ST DENVER CO 80211-3109 S 30FT OF N 60FT OF L 43 TO 46 INC BLK 58 2ND FLG OF A PORTION OF HIGHLAND PARK		ROBERT G FELLOWS Print Name: <u>Robert G Fellows</u> Signature: <u>Robert G. Fellows</u>	3215 IRVING ST DENVER CO 80211-3109	1-8-16



Brett Baldsch  
 [Signature]

Name and Signature of Petition Circulator

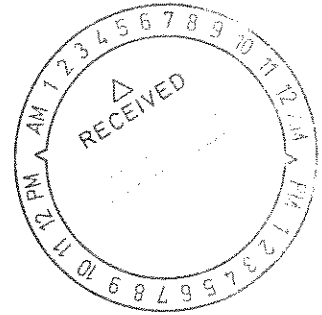


# City and County of Denver PETITION OF PROTEST

We, the undersigned, represent that we are the owners of the real properties legally described opposite our names and that, as such property owners, we do hereby protest the enactment of Council Bill No. 0625, Series of 2015, which Council Bill would change from U-SU-A to U-MS-2x the zoning classification of the following legally described land area: Lots 7, 8, and Lot 6 except the east 16 feet thereof; said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado, in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

ALL Owners must sign and print their name in the manner as they hold title to the property.

Own #	Address and Legal Description of Property	Signature Flag	Name and Signature and Printed Name of Owner	Address of Owner	Date Signed
32	3173 N SPEER BLVD DENVER CO 80211-3764; L 4 BLK 30 HIGHLAND PARK		WILLIAM S HOLABIRD Print Name: <u>William S. Holabird</u> Signature: <u>William S. Holabird</u>	3175 N SPEER BLVD DENVER CO 80211-3764	12/28/15



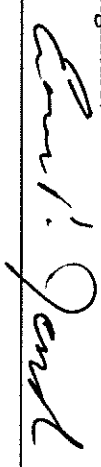
Brett Baldsch  
 [Signature]

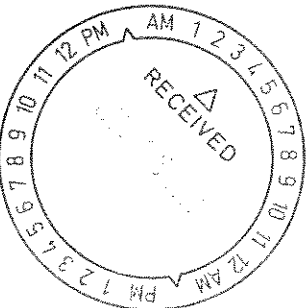
Name and Signature of Petition Circulator


# City and County of Denver PETITION OF PROTEST

We, the undersigned, represent that we are the owners of the real properties legally described opposite our names and that, as such property owners, we do hereby protest the enactment of Council Bill No. 0625, Series of 2015, which Council Bill would change from U-SU-A to U-MS-2x the zoning classification of the following legally described land area: Lots 7, 8, and Lot 6 except the east 16 feet thereof; said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado, in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

ALL Owners must sign and print their name in the manner as they hold title to the property.

Own #	Address and Legal Description of Property	Signature Flag	Name and Signature and Printed Name of Owner	Address of Owner	Date Signed
35	3187 N SPEER BLVD DENVER CO 80211; L 5 BLK 30 HIGHLAND PARK		ERWIN P JEND Print Name: Erwin P. Jend Signature: 	PO BOX 21902 DENVER CO 80221-0902	12-30-2015



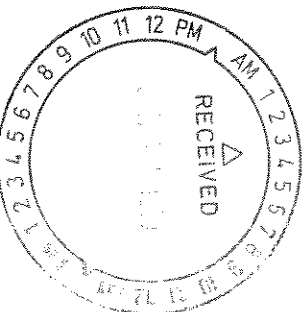
Brett Baldsch  
  
 Name and Signature of Petition Circulator

# City and County of Denver PETITION OF PROTEST

We, the undersigned, represent that we are the owners of the real properties legally described opposite our names and that, as such property owners, we do hereby protest the enactment of Council Bill No. 0625, Series of 2015, which Council Bill would change from U-SU-A to U-MS-2x the zoning classification of the following legally described land area: Lots 7, 8, and Lot 6 except the east 16 feet thereof; said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado, in in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

ALL Owners must sign and print their name in the manner as they hold title to the property.

Own #	Address and Legal Description of Property	Signature Flag	Name and Signature and Printed Name of Owner	Address of Owner	Date Signed
39 (a)	3206 N SPEER BLVD DENVER CO 80211; HIGHLAND PARK B27 FRONT 122FT OF E 23.75FT OF L19 & OF W 18.67FT OF L20		ROBERT KEITH JONES Print Name: <u>Robert Keith Jones</u> Signature: <u>Robert Keith Jones.</u>	3206 N SPEER BLVD DENVER CO 80211-3222	12/27/15



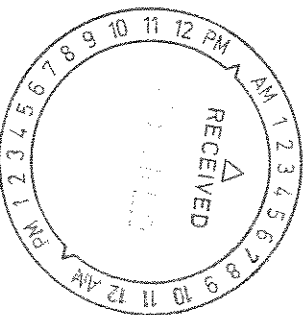
Brett Baldsahn  
 [Signature]  
 Name and Signature of Petition Circulator

# City and County of Denver PETITION OF PROTEST

We, the undersigned, represent that we are the owners of the real properties legally described opposite our names and that, as such property owners, we do hereby protest the enactment of Council Bill No. 0625, Series of 2015, which Council Bill would change from U-SU-A to U-MS-2x the zoning classification of the following legally described land area: Lots 7, 8, and Lot 6 except the east 16 feet thereof; said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado, in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

ALL Owners must sign and print their name in the manner as they hold title to the property.

Own #	Address and Legal Description of Property	Signature Flag	Name and Signature and Printed Name of Owner	Address of Owner	Date Signed
39 (b)	3206 N SPEER BLVD DENVER CO 80211-3222; HIGHLAND PARK B27 FRONT 122FT OF E 23.75FT OF L19 & OF W 18.67FT OF L20		<div> <div>KARLA JONES</div> <div>Print Name:</div> <div>Karla Jones</div> <div>Signature:</div> <div>Karla Jones</div> </div>	3206 N SPEER BLVD DENVER CO 80211-3222	12-27-15



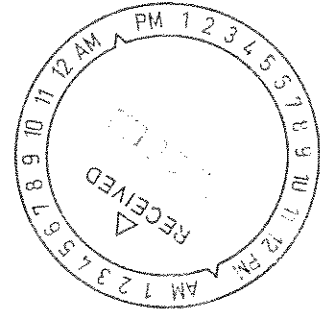
Brett Baldsel  
 Name and Signature of Petition Circulator

# City and County of Denver PETITION OF PROTEST

We, the undersigned, represent that we are the owners of the real properties legally described opposite our names and that, as such property owners, we do hereby protest the enactment of Council Bill No. 0625, Series of 2015, which Council Bill would change from U-SU-A to U-MS-2x the zoning classification of the following legally described land area: Lots 7, 8, and Lot 6 except the east 16 feet thereof; said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado, in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

ALL Owners must sign and print their name in the manner as they hold title to the property.

Own #	Address and Legal Description of Property	Signature Flag	Name and Signature and Printed Name of Owner	Address of Owner	Date Signed
43	3227 N SPEER BLVD; DENVER CO 80211-3223; L 3 BLK 29 HIGHLAND PARK RES		DEANA M GALLEGOS Print Name: <u>Deana M. Gallegos</u> Signature: <u>Deana M. Gallegos</u>	3227 N SPEER BLVD DENVER CO 80211-3223	12/28/15



Brett Baldschun

*[Signature]*

Name and Signature of Petition Circulator



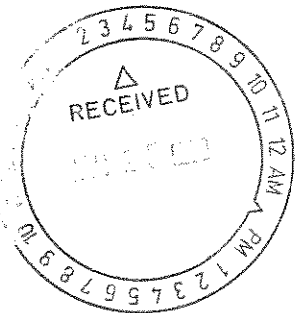
# City and County of Denver PETITION OF PROTEST

We, the undersigned, represent that we are the owners of the real properties legally described opposite our names and that, as such property owners, we do hereby protest the enactment of Council Bill No. 0625, Series of 2015, which Council Bill would change from U-SU-A to U-MS-2x the zoning classification of the following legally described land area: Lots 7, 8, and Lot 6 except the east 16 feet thereof; said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado, in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

ALL Owners must sign and print their name in the manner as they hold title to the property.

Own #	Address and Legal Description of Property	Signature Flag	Name and Signature and Printed Name of Owner	Address of Owner	Date Signed
31	3165 N SPEER BLVD DENVER CO 80211-3764; NWLY 50FT OF L 3 BLK 30 HIGHLAND PARK		JONI HANDRAN Print Name: <i>Joni Handran</i> Signature: <i>[Signature]</i>	3165 N SPEER BLVD DENVER CO 80211-3764	12/28/2015

att 4mH



*Brett Baldsch*  
*[Signature]*  
 Name and Signature of Petition Circulator

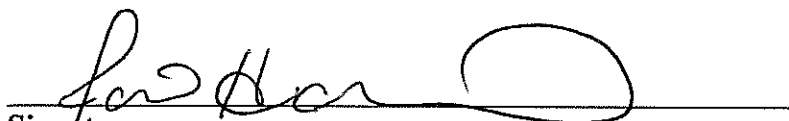
### Withdrawal of Protest Petition Signature

I, the undersigned, previously signed a petition to protest the enactment of Council Bill No. 0625, Series of 2015, which would change from U-SU-A to U-MS-2x the zoning classification of the following legally described land area: Lots 7 and 8, Lot 6 except the east 16' thereof; said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado, in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

I wish to withdraw my signature and rescind my protest.

Jon: Handron

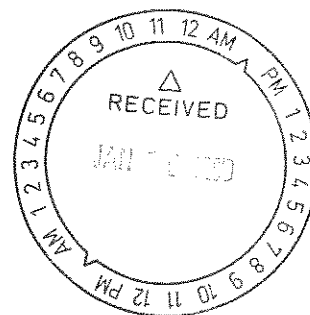
Printed Name

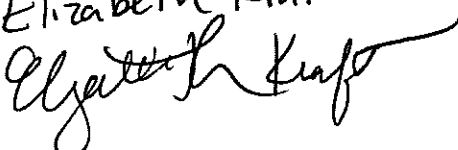
  
Signature

<sup>pm</sup>~~2150~~ 3165 N Speer Blvd Denver, CO 80211  
Address of Owner

1/14/16  
Date Signed

Address and Legal Description of Property:  
3165 N. Speer Blvd Denver CO 80211-3764;  
NWLY 50FT of L3 BLK 30 Highland Park



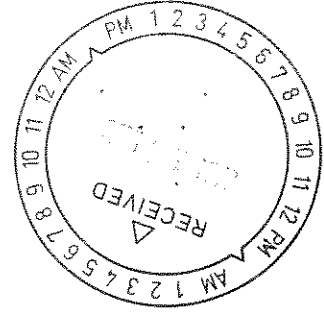
Elizabeth Kraft  
  
Name and Signature of Petition Withdrawal Circulator

# City and County of Denver PETITION OF PROTEST

We, the undersigned, represent that we are the owners of the real properties legally described opposite our names and that, as such property owners, we do hereby protest the enactment of Council Bill No. 0625, Series of 2015, which Council Bill would change from U-SU-A to U-MS-2x the zoning classification of the following legally described land area: Lots 7, 8, and Lot 6 except the east 16 feet thereof; said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado, in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

ALL Owners must sign and print their name in the manner as they hold title to the property.

Own #	Address and Legal Description of Property	Signature (Flag)	Name and Signature and Printed Name of Owner	Address of Owner	Date Signed
16	3300 W 32ND AVE KOUNTZE HEIGHTS BLK 1 L1 TO 4		Gloria Enger on behalf of ENGER PROPERTIES LLLP Print Name: <u>Gloria Enger</u> Signature: <u>Gloria Enger</u>	1530 TELLER ST LAKEWOOD CO 80214-5316	1-13-16



Conor Farley  
*Conor Farley*

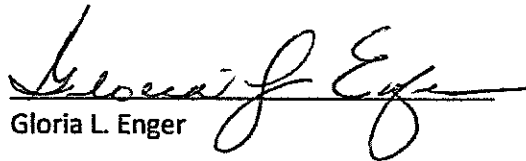
Name and Signature of Petition Circulator

### Declaration of Gloria L. Enger

My name is Gloria L. Enger and I am the General Partner of Enger Properties LLLP, which is the owner of 3300 W. 32<sup>nd</sup> Ave., Denver CO 80211 ("the Property"). The legal description of the Property is Kountze Heights Blk 1 L1 to 4. As the General Partner, I have the authority to sign legal documents, like the protest petition, on behalf Enger Properties LLLP.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 14, 2016.

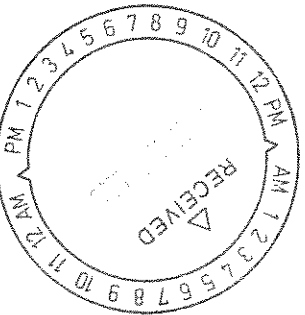
  
Gloria L. Enger

### City and County of Denver PETITION OF PROTEST

We, the undersigned, represent that we are the owners of the real properties legally described opposite our names and that, as such property owners, we do hereby protest the enactment of Council Bill No. 0625, Series of 2015, which Council Bill would change from U-SU-A to U-MS-2x the zoning classification of the following legally described land area: Lots 7, 8, and Lot 6 except the east 16 feet thereof, said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado, in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

ALL Owners must sign and print their name in the manner as they hold title to the property.

Own #	Address and Legal Description of Property	Signature Flag	Name and Signature and Printed Name of Owner	Address of Owner	Date Signed
41	3215 N SPEER BLVD DENVER CO 80211-3223; L 5 BLK 29 HIGHLAND PARK RESUB		Robert L. Grisenti on behalf of R.L.D. Grisenti LLC Print Name: <u>ROBERT L. GRISENTI</u> Signature: <u>Robert L. Grisenti</u>	3215 N SPEER BLVD DENVER CO 80211-3223	12-28-15



*Brett Baltsche*

*Brett Baltsche*

Name and Signature of Petition Circulator



QUITCLAIM DEED  
Fita-10-04-0096 ml

THIS DEED, made this 14 day of May, 2010, between

ROBERT L. GRISENTI

of DENVER County, State of Colorado, grantor, and

R.L.D. GRISENTI, LLC, A COLORADO LIMITED LIABILITY COMPANY

whose legal address is 3215 NORTH SPEER BOULEVARD, DENVER, CO 80211, grantee:

WITNESS, that the grantor(s), for and in consideration of the sum of \$10.00 DOLLARS, the receipt and sufficiency of which is hereby acknowledged has/have remised, released, sold and QUITCLAIMED, and by these presents do/does remise, release, sell and QUITCLAIM unto the grantee(s), the grantee(s)' heirs, successors and assigns forever, all the right, title, interest, claim and demand which the grantor(s) has/have in and to the real property, together with improvements, if any situate, lying, and being in DENVER County and State of Colorado, described as follows:

LOT 5, RESUBDIVISION OF BLOCK 29, HIGHLAND PARK, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

also known by street and number as: 3215 NORTH SPEER BOULEVARD, DENVER, CO 80211

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the grantor(s), either in law or equity, to the only proper use, benefit and behalf of the grantee(s), his/her/their heirs and assigns forever.

IN WITNESS WHEREOF, the grantor(s) has/have executed this deed on the date set forth above.

Robert L. Grisenti, 7/14/10  
ROBERT L. GRISENTI

STATE OF COLORADO )  
County of Denver )ss.

The foregoing instrument was acknowledged before me on this 14 day of May, 2010

by ROBERT L. GRISENTI.

Witness my hand and official seal.  
My commission expires: 9-20-10

[Signature]  
NOTARY PUBLIC

Jessica Yarron  
Notary Public  
State of Colorado  
My Comm. Expires 09/20/2010

**OPERATING AGREEMENT**

**OF**

**R.L.D. GRISENTI, LLC**

**A COLORADO LIMITED LIABILITY COMPANY**

**EFFECTIVE AS OF February 10, 2010**

3.1.16 To provide for the holding of the properties described on Schedule II attached, any subsequently acquired real properties, for investment, rentals and future development or sale for development, as well as potential acquisition of adjacent properties in the same block to complete a full block assemblage of such property.

3.1.17 To engage in any lawful business as the Manager may determine, with the consent, if any, of the Members as required by this Agreement.

3.2 Powers. The Company shall have, enjoy, and exercise all of the rights, powers, and privileges necessary to or reasonably connected with the Company's business which may be legally exercised by limited liability companies under the Colorado Act.

#### 4. MANAGEMENT OF COMPANY.

4.1 Management. The business and affairs of the Company shall be managed by its Manager (or Managers if more than one is serving). The Manager shall direct, manage, and control the business of the Company to the best of the Manager's ability. Except for situations in which the approval of the Members is expressly required by this Agreement or by nonwaivable provisions of applicable law, the Manager shall have full and complete authority, power, and discretion to manage and control the business, affairs, and properties of the Company, to make all decisions regarding those matters, and to perform any and all other acts or activities customary or incident to the management of the Company's business. At any time when there is more than one Manager, any one Manager may take any action permitted to be taken by the Managers, unless the approval of more than one of the Managers is expressly required pursuant to this Agreement, any minutes or other document designating or appointing a particular Manager, or the Act.

4.2 Number, Tenure, and Qualifications. The Company shall initially have one (1) Manager, Robert L. Grisenti. Except as provided in the following provisions of this paragraph, the number of Managers of the Company may be changed from time to time by the unanimous consent of the Members, but in no instance shall there be less than one (1) Manager. Upon the death, resignation or incapacity of Robert L. Grisenti, the number of Managers shall be increased to two (2), and Laura M. DeLuna, f/k/a Laura M. Grisenti, and Sandra A. Dodd, f/k/a Sandra A. Grisenti, shall then succeed and are hereby appointed as the Managers effective immediately upon such event. Robert L. Grisenti, and the forgoing successors, as well as any subsequently elected or designated Manager(s), shall serve as a Manager until such person's death, incapacity, or resignation or removal under this Agreement. If either Laura M. DeLuna or Sandra A. Dodd shall cease or fail to serve as a successor co-Manager with the other, then the other of them shall continue as the sole Manager. If both Laura M. DeLuna and Sandra A. Dodd shall fail to serve, resign, die or be unable to serve as Managers, then the successor Trustee or Trustees of the Grisenti Trust is/are hereby appointed and shall serve as the Manager(s).

13.9 Severability. If any provision of this Agreement or the application thereof to any person or circumstance shall be invalid, illegal, or unenforceable to any extent, the remainder of this Agreement and the application thereof shall not be affected and shall be enforceable to the fullest extent permitted by law.

13.10 Heirs, Successors, and Assigns. Each and all of the covenants, terms, provisions, and agreements herein contained shall be binding upon and inure to the benefit of the parties hereto and, to the extent permitted by this Agreement, their respective devisees, heirs, legal representatives, successors, and assigns.

13.11 Creditors. None of the provisions of this Agreement shall be for the benefit of or enforceable by any creditors of the Company.

13.12 Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, and all of which shall constitute one and the same instrument.

13.13 Applicable Law. This Agreement shall be construed, interpreted, and governed in accordance with the laws of the State of Colorado, excluding any choice of law rules (whether of the State of Colorado or any other jurisdiction) which may direct the application of the laws of another jurisdiction.

13.14 Entire Agreement. This Agreement contains the entire agreement between the parties and supersedes all prior agreements, representations, negotiations, statements, or proposals related to those matters set forth herein.

## **SCHEDULE I**

### **MEMBERS**

IN WITNESS WHEREOF, the undersigned have executed this Operating Agreement of R. L. D. Grisenti, LLC, to be effective as of the date first written above.

#### **MEMBERS:**

Robert L. Grisenti Trust

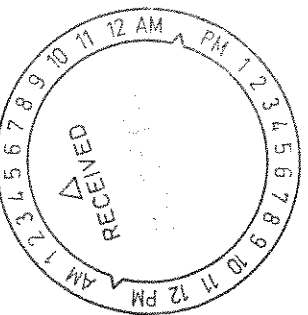
By:   
Robert L. Grisenti, Trustee

# **City and County of Denver PETITION OF PROTEST**

We, the undersigned, represent that we are the owners of the real properties legally described opposite our names and that, as such property owners, we do hereby protest the enactment of Council Bill No. 0625, Series of 2015, which Council Bill would change from U-SU-A to U-MS-2x the zoning classification of the following legally described land area: Lots 7, 8, and Lot 6 except the east 16 feet thereof; said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado, in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

ALL Owners must sign and print their name in the manner as they hold title to the property.

Own #	Address and Legal Description of Property	Signature Flag	Name and Signature and Printed Name of Owner	Address of Owner	Date Signed
44	3235 N SPEER BLVD DENVER CO 80211-3223 L 2 BLK 29 HIGHLAND PARK RESUB		<div> <div>ROBERT L. GRISENTI on behalf of R.L.D. GRISENTI LLC</div> <div> <div>Print Name:</div> <div>ROBERT L. GRISENTI</div> <div>Signature:</div> <div><i>Robert L. Grisenti</i></div> </div> </div>	3215 N SPEER BLVD DENVER CO 80211	12-28-15



*Brett Baltsch*

*[Signature]*

Name and Signature of Petition Circulator

**OPERATING AGREEMENT**

**OF**

**R.L.D. GRIENTI, LLC**

**A COLORADO LIMITED LIABILITY COMPANY**

**EFFECTIVE AS OF February 10, 2010**

3.1.16 To provide for the holding of the properties described on Schedule II attached, any subsequently acquired real properties, for investment, rentals and future development or sale for development, as well as potential acquisition of adjacent properties in the same block to complete a full block assemblage of such property.

3.1.17 To engage in any lawful business as the Manager may determine, with the consent, if any, of the Members as required by this Agreement.

3.2 Powers. The Company shall have, enjoy, and exercise all of the rights, powers, and privileges necessary to or reasonably connected with the Company's business which may be legally exercised by limited liability companies under the Colorado Act.

#### 4. MANAGEMENT OF COMPANY.

4.1 Management. The business and affairs of the Company shall be managed by its Manager (or Managers if more than one is serving). The Manager shall direct, manage, and control the business of the Company to the best of the Manager's ability. Except for situations in which the approval of the Members is expressly required by this Agreement or by nonwaivable provisions of applicable law, the Manager shall have full and complete authority, power, and discretion to manage and control the business, affairs, and properties of the Company, to make all decisions regarding those matters, and to perform any and all other acts or activities customary or incident to the management of the Company's business. At any time when there is more than one Manager, any one Manager may take any action permitted to be taken by the Managers, unless the approval of more than one of the Managers is expressly required pursuant to this Agreement, any minutes or other document designating or appointing a particular Manager, or the Act.

4.2 Number, Tenure, and Qualifications. The Company shall initially have one (1) Manager, Robert L. Grisenti. Except as provided in the following provisions of this paragraph, the number of Managers of the Company may be changed from time to time by the unanimous consent of the Members, but in no instance shall there be less than one (1) Manager. Upon the death, resignation or incapacity of Robert L. Grisenti, the number of Managers shall be increased to two (2), and Laura M. DeLuna, f/k/a Laura M. Grisenti, and Sandra A. Dodd, f/k/a Sandra A. Grisenti, shall then succeed and are hereby appointed as the Managers effective immediately upon such event. Robert L. Grisenti, and the forgoing successors, as well as any subsequently elected or designated Manager(s), shall serve as a Manager until such person's death, incapacity, or resignation or removal under this Agreement. If either Laura M. DeLuna or Sandra A. Dodd shall cease or fail to serve as a successor co-Manager with the other, then the other of them shall continue as the sole Manager. If both Laura M. DeLuna and Sandra A. Dodd shall fail to serve, resign, die or be unable to serve as Managers, then the successor Trustee or Trustees of the Grisenti Trust is/are hereby appointed and shall serve as the Manager(s).



13.9 Severability. If any provision of this Agreement or the application thereof to any person or circumstance shall be invalid, illegal, or unenforceable to any extent, the remainder of this Agreement and the application thereof shall not be affected and shall be enforceable to the fullest extent permitted by law.

13.10 Heirs, Successors, and Assigns. Each and all of the covenants, terms, provisions, and agreements herein contained shall be binding upon and inure to the benefit of the parties hereto and, to the extent permitted by this Agreement, their respective devisees, heirs, legal representatives, successors, and assigns.

13.11 Creditors. None of the provisions of this Agreement shall be for the benefit of or enforceable by any creditors of the Company.

13.12 Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, and all of which shall constitute one and the same instrument.

13.13 Applicable Law. This Agreement shall be construed, interpreted, and governed in accordance with the laws of the State of Colorado, excluding any choice of law rules (whether of the State of Colorado or any other jurisdiction) which may direct the application of the laws of another jurisdiction.

13.14 Entire Agreement. This Agreement contains the entire agreement between the parties and supersedes all prior agreements, representations, negotiations, statements, or proposals related to those matters set forth herein.

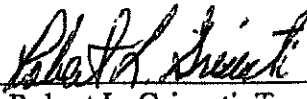
## **SCHEDULE I**

### **MEMBERS**

IN WITNESS WHEREOF, the undersigned have executed this Operating Agreement of R. L. D. Grisenti, LLC, to be effective as of the date first written above.

#### **MEMBERS:**

Robert L. Grisenti Trust

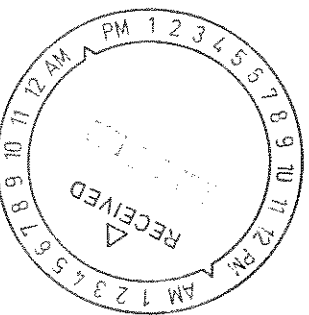
By:   
Robert L. Grisenti, Trustee

# City and County of Denver PETITION OF PROTEST

We, the undersigned, represent that we are the owners of the real properties legally described opposite our names and that, as such property owners, we do hereby protest the enactment of Council Bill No. 0625, Series of 2015, which Council Bill would change from U-SU-A to U-MS-2x the zoning classification of the following legally described land area: Lots 7, 8, and Lot 6 except the east 16 feet thereof, said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado, in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

ALL Owners must sign and print their name in the manner as they hold title to the property.

Own #	Address and Legal Description of Property	Signature Flag	Name and Signature and Printed Name of Owner	Address of Owner	Date Signed
24	3200 IRVING ST., DENVER, CO 80211 HIGHLAND PARK RESUB BLK 29 L1		ROBERT L. GRISENTI on behalf of R.L.D. GRISENTI LLC Print Name: <u>ROBERT L. GRISENTI</u> Signature: <u>[Signature]</u>	3215 N SPEER BLVD, DENVER CO 80211	12-28-12



Brett Baldsch  
 [Signature]  
 Name and Signature of Petition Circulator

**OPERATING AGREEMENT**

**OF**

**R.L.D. GRIENTI, LLC**

**A COLORADO LIMITED LIABILITY COMPANY**

**EFFECTIVE AS OF February 10, 2010**

3.1.16 To provide for the holding of the properties described on Schedule II attached, any subsequently acquired real properties, for investment, rentals and future development or sale for development, as well as potential acquisition of adjacent properties in the same block to complete a full block assemblage of such property.

3.1.17 To engage in any lawful business as the Manager may determine, with the consent, if any, of the Members as required by this Agreement.

3.2 Powers. The Company shall have, enjoy, and exercise all of the rights, powers, and privileges necessary to or reasonably connected with the Company's business which may be legally exercised by limited liability companies under the Colorado Act.

#### 4. MANAGEMENT OF COMPANY.

4.1 Management. The business and affairs of the Company shall be managed by its Manager (or Managers if more than one is serving). The Manager shall direct, manage, and control the business of the Company to the best of the Manager's ability. Except for situations in which the approval of the Members is expressly required by this Agreement or by nonwaivable provisions of applicable law, the Manager shall have full and complete authority, power, and discretion to manage and control the business, affairs, and properties of the Company, to make all decisions regarding those matters, and to perform any and all other acts or activities customary or incident to the management of the Company's business. At any time when there is more than one Manager, any one Manager may take any action permitted to be taken by the Managers, unless the approval of more than one of the Managers is expressly required pursuant to this Agreement, any minutes or other document designating or appointing a particular Manager, or the Act.

4.2 Number, Tenure, and Qualifications. The Company shall initially have one (1) Manager, Robert L. Grisenti. Except as provided in the following provisions of this paragraph, the number of Managers of the Company may be changed from time to time by the unanimous consent of the Members, but in no instance shall there be less than one (1) Manager. Upon the death, resignation or incapacity of Robert L. Grisenti, the number of Managers shall be increased to two (2), and Laura M. DeLuna, f/k/a Laura M. Grisenti, and Sandra A. Dodd, f/k/a Sandra A. Grisenti, shall then succeed and are hereby appointed as the Managers effective immediately upon such event. Robert L. Grisenti, and the forgoing successors, as well as any subsequently elected or designated Manager(s), shall serve as a Manager until such person's death, incapacity, or resignation or removal under this Agreement. If either Laura M. DeLuna or Sandra A. Dodd shall cease or fail to serve as a successor co-Manager with the other, then the other of them shall continue as the sole Manager. If both Laura M. DeLuna and Sandra A. Dodd shall fail to serve, resign, die or be unable to serve as Managers, then the successor Trustee or Trustees of the Grisenti Trust is/are hereby appointed and shall serve as the Manager(s).

13.9 Severability. If any provision of this Agreement or the application thereof to any person or circumstance shall be invalid, illegal, or unenforceable to any extent, the remainder of this Agreement and the application thereof shall not be affected and shall be enforceable to the fullest extent permitted by law.

13.10 Heirs, Successors, and Assigns. Each and all of the covenants, terms, provisions, and agreements herein contained shall be binding upon and inure to the benefit of the parties hereto and, to the extent permitted by this Agreement, their respective devisees, heirs, legal representatives, successors, and assigns.

13.11 Creditors. None of the provisions of this Agreement shall be for the benefit of or enforceable by any creditors of the Company.

13.12 Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, and all of which shall constitute one and the same instrument.

13.13 Applicable Law. This Agreement shall be construed, interpreted, and governed in accordance with the laws of the State of Colorado, excluding any choice of law rules (whether of the State of Colorado or any other jurisdiction) which may direct the application of the laws of another jurisdiction.

13.14 Entire Agreement. This Agreement contains the entire agreement between the parties and supersedes all prior agreements, representations, negotiations, statements, or proposals related to those matters set forth herein.

## **SCHEDULE I**

### **MEMBERS**

IN WITNESS WHEREOF, the undersigned have executed this Operating Agreement of R. L. D. Grisenti, LLC, to be effective as of the date first written above.

#### **MEMBERS:**

Robert L. Grisenti Trust

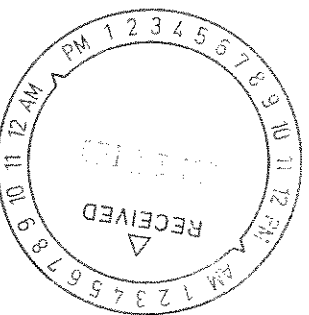
By:   
Robert L. Grisenti, Trustee

# City and County of Denver PETITION OF PROTEST

We, the undersigned, represent that we are the owners of the real properties legally described opposite our names and that, as such property owners, we do hereby protest the enactment of Council Bill No. 0625, Series of 2015, which Council Bill would change from U-SU-A to U-MS-2x the zoning classification of the following legally described land area: Lots 7, 8, and Lot 6 except the east 16 feet thereof, said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado, in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

ALL Owners must sign and print their name in the manner as they hold title to the property.

Own #	Address and Legal Description of Property	Signature Flag	Name and Signature and Printed Name of Owner	Address of Owner	Date Signed
42	3221 N SPEER BLVD, DENVER CO 80211-3223 L 4 BLK 29 HIGHLAND PARK RESUB		<div> <div>Print Name:</div> <div>ROBERT L. GRISENTI on behalf of R.L.D. GRISENTI LLC</div> </div> <div> <div>Signature:</div> <div><i>Robert L. Grisenti</i></div> </div>	3215 N SPEER BLVD, DENVER CO 80211	12-28-15



*Brett Baldsch*  
*[Signature]*  
 Name and Signature of Petition Circulator



**OPERATING AGREEMENT**

**OF**

**R.L.D. GRIENTI, LLC**

**A COLORADO LIMITED LIABILITY COMPANY**

**EFFECTIVE AS OF February 10, 2010**

3.1.16 To provide for the holding of the properties described on Schedule II attached, any subsequently acquired real properties, for investment, rentals and future development or sale for development, as well as potential acquisition of adjacent properties in the same block to complete a full block assemblage of such property.

3.1.17 To engage in any lawful business as the Manager may determine, with the consent, if any, of the Members as required by this Agreement.

3.2 Powers. The Company shall have, enjoy, and exercise all of the rights, powers, and privileges necessary to or reasonably connected with the Company's business which may be legally exercised by limited liability companies under the Colorado Act.

#### 4. MANAGEMENT OF COMPANY.

4.1 Management. The business and affairs of the Company shall be managed by its Manager (or Managers if more than one is serving). The Manager shall direct, manage, and control the business of the Company to the best of the Manager's ability. Except for situations in which the approval of the Members is expressly required by this Agreement or by nonwaivable provisions of applicable law, the Manager shall have full and complete authority, power, and discretion to manage and control the business, affairs, and properties of the Company, to make all decisions regarding those matters, and to perform any and all other acts or activities customary or incident to the management of the Company's business. At any time when there is more than one Manager, any one Manager may take any action permitted to be taken by the Managers, unless the approval of more than one of the Managers is expressly required pursuant to this Agreement, any minutes or other document designating or appointing a particular Manager, or the Act.

4.2 Number, Tenure, and Qualifications. The Company shall initially have one (1) Manager, Robert L. Grisenti. Except as provided in the following provisions of this paragraph, the number of Managers of the Company may be changed from time to time by the unanimous consent of the Members, but in no instance shall there be less than one (1) Manager. Upon the death, resignation or incapacity of Robert L. Grisenti, the number of Managers shall be increased to two (2), and Laura M. DeLuna, f/k/a Laura M. Grisenti, and Sandra A. Dodd, f/k/a Sandra A. Grisenti, shall then succeed and are hereby appointed as the Managers effective immediately upon such event. Robert L. Grisenti, and the forgoing successors, as well as any subsequently elected or designated Manager(s), shall serve as a Manager until such person's death, incapacity, or resignation or removal under this Agreement. If either Laura M. DeLuna or Sandra A. Dodd shall cease or fail to serve as a successor co-Manager with the other, then the other of them shall continue as the sole Manager. If both Laura M. DeLuna and Sandra A. Dodd shall fail to serve, resign, die or be unable to serve as Managers, then the successor Trustee or Trustees of the Grisenti Trust is/are hereby appointed and shall serve as the Manager(s).

13.9 Severability. If any provision of this Agreement or the application thereof to any person or circumstance shall be invalid, illegal, or unenforceable to any extent, the remainder of this Agreement and the application thereof shall not be affected and shall be enforceable to the fullest extent permitted by law.

13.10 Heirs, Successors, and Assigns. Each and all of the covenants, terms, provisions, and agreements herein contained shall be binding upon and inure to the benefit of the parties hereto and, to the extent permitted by this Agreement, their respective devisees, heirs, legal representatives, successors, and assigns.

13.11 Creditors. None of the provisions of this Agreement shall be for the benefit of or enforceable by any creditors of the Company.

13.12 Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, and all of which shall constitute one and the same instrument.

13.13 Applicable Law. This Agreement shall be construed, interpreted, and governed in accordance with the laws of the State of Colorado, excluding any choice of law rules (whether of the State of Colorado or any other jurisdiction) which may direct the application of the laws of another jurisdiction.

13.14 Entire Agreement. This Agreement contains the entire agreement between the parties and supersedes all prior agreements, representations, negotiations, statements, or proposals related to those matters set forth herein.


## **SCHEDULE I**

### **MEMBERS**

IN WITNESS WHEREOF, the undersigned have executed this Operating Agreement of R. L. D. Grisenti, LLC, to be effective as of the date first written above.

#### **MEMBERS:**

Robert L. Grisenti Trust

By:   
Robert L. Grisenti, Trustee