

1 BY AUTHORITY

2 RESOLUTION NO. CR14-0526
3 SERIES OF 2014

COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

4
5 A RESOLUTION

6 **Amending the Major Encumbrance Permit granted to MMD of Colorado, LLC, as**
7 **the successor to 2601 Walnut Street, LLC, to include additional encroachments**
8 **at 2601 Walnut Street.**

9
10 **BE IT RESOLVED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

11 **Section 1.** That Section 1 of Resolution No. 99, Series of 2013, including the legal
12 description of the Encroachment Area, shall be and hereby is amended in its entirety to read as
13 follows:

14 **“Section 1.** The City and County of Denver hereby grants to MMD of
15 Colorado, LLC and its successors and assigns (“Permittee”), a
16 revocable permit to encroach into the right-of-way with a handicap
17 entrance, two patio spaces, stairs, railing, retaining walls, additional
18 stairs, a lower level raised patio, a four inch drain and a planter wall
19 (“Encroachments”) at 2601 Walnut Street in the following described
20 area (“Encroachment Area”):

21
22 **PW LEGAL DESCRIPTION NO. 2010-0532-04-001**

23
24 A PORTION OF THE 26TH STREET RIGHT OF WAY AND THE
25 WALNUT STREET RIGHT OF WAY ADJOINING BLOCK 2, CASE AND
26 EBERT’S ADDITION TO THE CITY OF DENVER, SITUATED IN THE
27 SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH,
28 RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND
29 COUNTY OF DENVER, STATE OF COLORADO, BEING MORE
30 PARTICULARLY DESCRIBED AS FOLLOWS:

31
32 **BEGINNING** AT THE WEST CORNER OF LOT 17, SAID BLOCK 2;
33 **THENCE** S45°20'27"E ALONG THE NORTHEASTERLY RIGHT OF
34 **WAY** LINE OF 26TH STREET A DISTANCE OF 125.02 FEET TO THE
35 **SOUTH** CORNER OF SAID LOT 17; **THENCE** N44°39'33"E ALONG THE
36 **NORTHWESTERLY** RIGHT OF WAY LINE OF WALNUT STREET A
37 **DISTANCE** OF 99.42 FEET; **THENCE** S45°20'27"E A DISTANCE OF
38 **10.25** FEET; **THENCE** S44°39'33"W ALONG A LINE 10.25
39 **SOUTHEASTERLY** AND **PARALLEL** WITH THE SAID
40 **NORTHWESTERLY** RIGHT OF WAY LINE OF WALNUT STREET A
41 **DISTANCE** OF 7.75 FEET; **THENCE** S45°20'27"E A DISTANCE OF 3.25
42 **FEET**; **THENCE** S44°39'33"W ALONG A LINE 13.50 **SOUTHEASTERLY**
43 **AND** **PARALLEL** WITH THE SAID **NORTHWESTERLY** RIGHT OF
44 **WAY** LINE OF WALNUT STREET A DISTANCE OF 54.00 FEET;

45 **[continued on next page]**

1 THENCE N45°20'27"W A DISTANCE OF 3.25 FEET; THENCE
2 S44°39'33"W ALONG A LINE 10.25 SOUTHEASTERLY AND
3 PARALLEL WITH THE SAID NORTHWESTERLY RIGHT OF WAY
4 LINE OF WALNUT STREET A DISTANCE OF 40.25 FEET; THENCE
5 S89°23'38"W A DISTANCE OF 11.14 FEET; THENCE N45°20'27"W
6 ALONG A LINE 10.49 SOUTHWESTERLY AND PARALLEL WITH THE
7 SAID NORTHEASTERLY RIGHT OF WAY LINE OF 29TH STREET A
8 DISTANCE OF 127.42 FEET; THENCE N44°37'09"E A DISTANCE OF
9 10.49 FEET TO THE **POINT OF BEGINNING**;

10 CONTAINING 2,583 SQUARE FEET OR 0.059 ACRE, MORE OR LESS

11 BASIS OF BEARINGS: N45°20'27"W ALONG THE NORTHEASTERLY
12 RIGHT OF WAY LINE"

13 **Section 2.** The Major Encumbrance Permit issued by Resolution No. 99, Series of 2013, as
14 amended herein, remains in full force and effect.

15 COMMITTEE APPROVAL DATE: June 26, 2014 [by consent]

16 MAYOR-COUNCIL DATE: July 1, 2014

17 PASSED BY THE COUNCIL: _____, 2014

18 _____ - PRESIDENT

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

22 PREPARED BY: Brent A. Eisen, Assistant City Attorney DATE: July 3, 2014

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

27 D. Scott Martinez, City Attorney

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