



DENVER
THE MILE HIGH CITY

201 W Colfax Ave, Dept 205
Denver, CO 80202
p: 720-865-2915
f: 720-865-3056
www.denvergov.org/planning

TO: Neighborhoods and Planning Committee of the Denver City Council
FROM: Theresa Lucero, Senior City Planner
DATE: August 27, 2015
RE: Official Zoning Map Amendment Application #2014I-00077
2698 South Federal Boulevard
Rezoning from S-MU-3 to S-MX-3

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for application #2014I-00077 for a rezoning from S-MU-3 to S-MX-3.

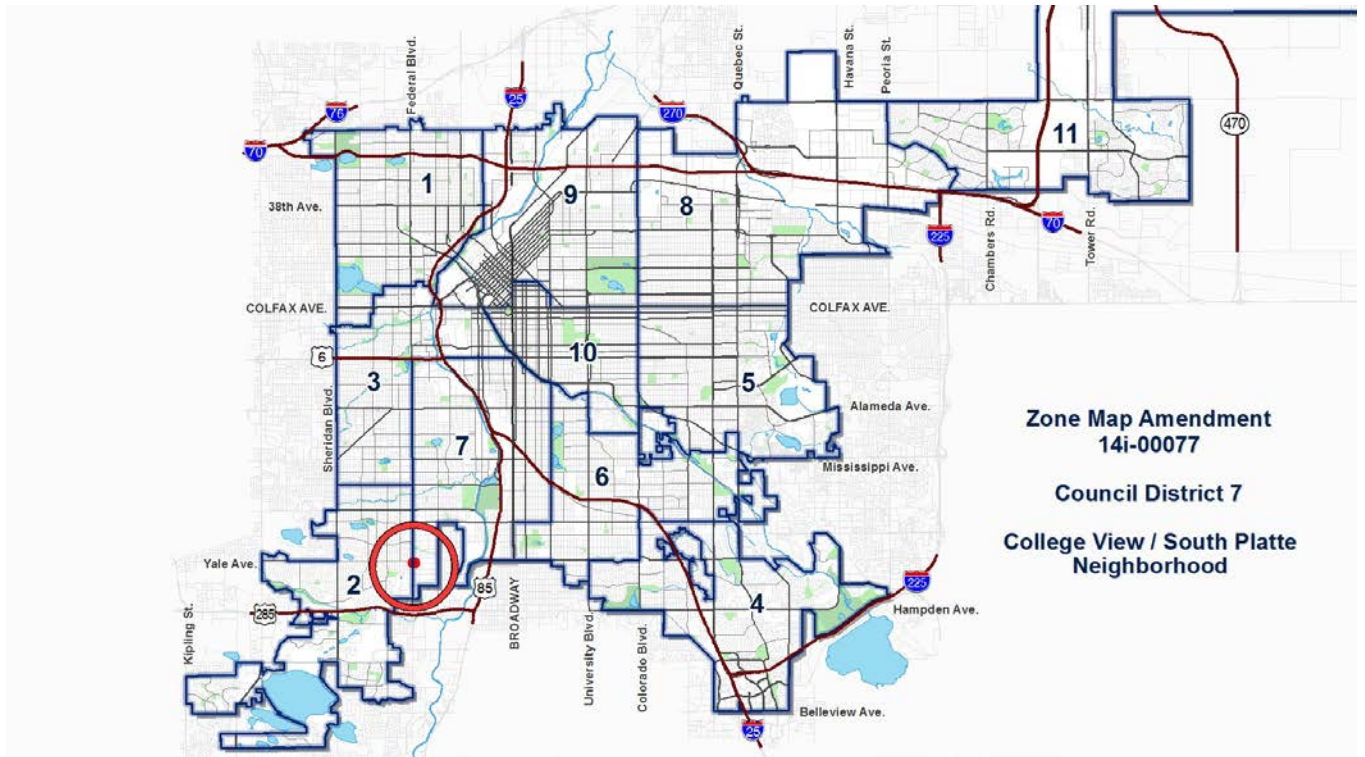
Request for Rezoning

Application:	#2011I-00077
Address:	2698 South Federal Boulevard
Neighborhood/Council District:	College View South Platte / Council District #7
RNOs:	College View Neighborhood Association, Denver Neighborhood Association, Inc. and Inter-Neighborhood Cooperation
Area of Property:	0.21 Acres / 9,058 SF
Current Zoning:	S-MU-3
Proposed Zoning:	S-MX-3
Applicant/Owner:	W. Garrett Jones
Contact Person:	W. Garrett Jones

Summary of Rezoning Request

The property, located on the northeast corner of Federal Boulevard and Yale Avenue, is a one-story residential single family structure. The property was purchased by the current owner in July, 2009. At that time the property was zoned R-4 (under Former Chapter 59), which allowed an office land use, and the new owner proceeded to convert the existing structure from a residential land use to an office use. In 2010, CPD was unaware of the conversion of the structure, and based upon the residential land use and zoning, the property was zoned S-MU-3. This proposed rezoning to S-MX-3 will broaden the list of allowed land uses and allow the property to be used as an office. No further change is proposed to the exterior of the structure or the property. The S-MX-3 zone district is in the Suburban neighborhood context, permits a range of residential, civic, and commercial uses, and has a maximum building height of 3 stories and 45 feet. Further details of the zone district can be found in Article 3 of the Denver Zoning Code.

General Location



Existing Context

The subject property is located on the east side of South Federal Boulevard north of West Yale Avenue. In the general vicinity are:

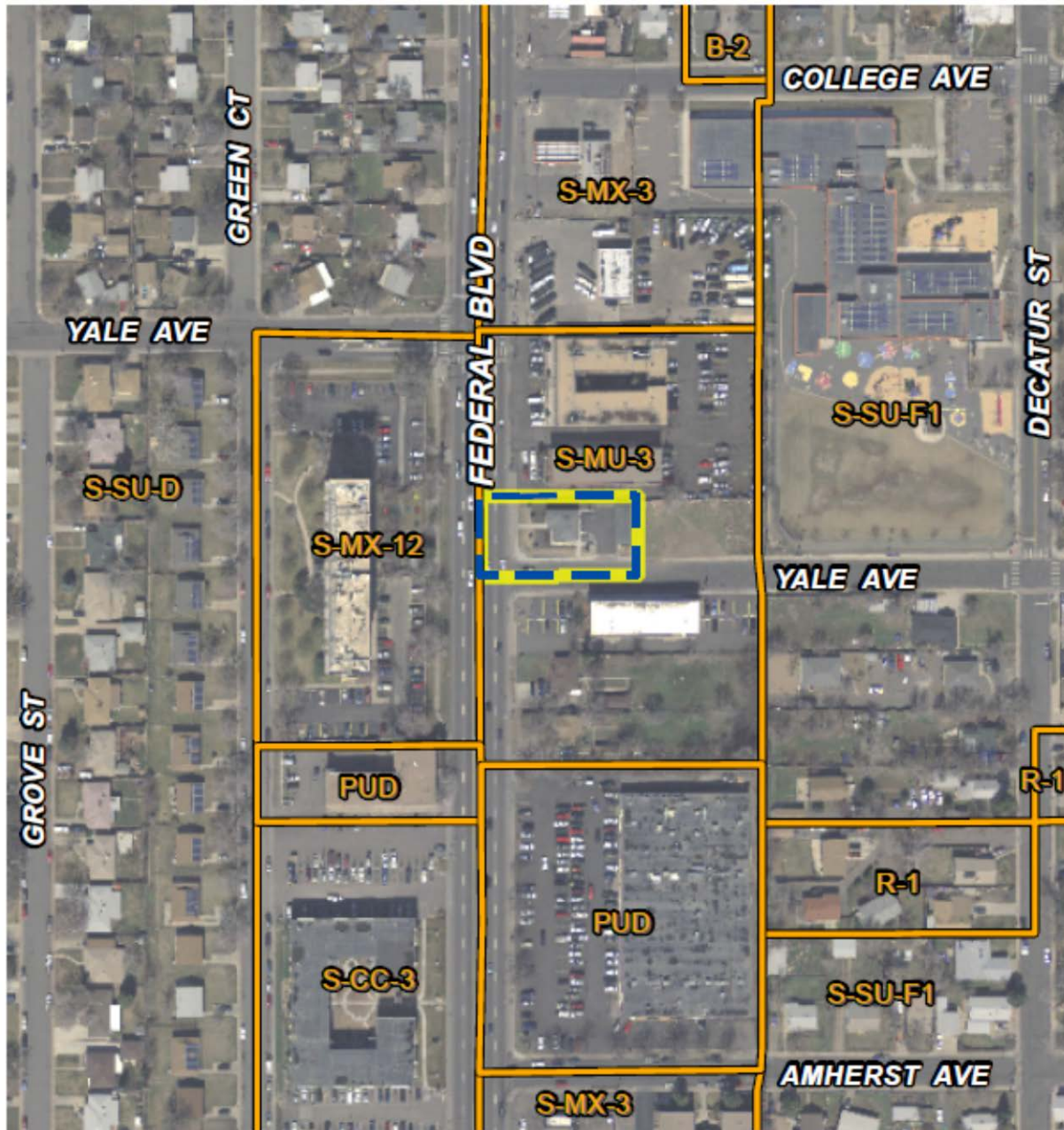
- Colorado Heights University, one and a half block to the south,
- College View Elementary School, ½ block to the northeast,
- Knight Elementary School, five blocks to the west
- Loretto Heights Park, six blocks to the southwest,
- Harvard Gulch West and the College View Recreation Center, two blocks to the north.

Immediately south and north of the site are three, three-story apartment buildings (2 to the north and 1 to the south), west across Federal Boulevard, is a twelve-story senior apartment tower, and on the east side of the property is vacant property.

The following table summarizes the existing context proximate to the subject site:

	Existing Zoning	Existing Land Use	Existing Building Form, Scale	Existing Block, Lot, Street Pattern
Site	S-MU-3	Office	One-story	Overall traditional or modified grid street patterns with no alleys, attached sidewalks and no tree lawns. East of Federal Boulevard the blocks are oriented with longer side from east to west and west of Federal Boulevard the blocks are oriented with longer side from north to south.
North	S-MU-3	Low-rise Multi-unit Residential	Three-story Apartment Structure	
South	S-MU-3	Low-rise Multi-Unit Residential	Three-story Apartment Structure	
West	S-MX-12	High-rise Multi-Unit Residential	Twelve-story Apartment Structure	
East	S-MU-3/S-SU-F1	Townhomes and Elementary School/ Low-rise SF Residential	3-story Townhomes, One-story School, One-story SF Residential	

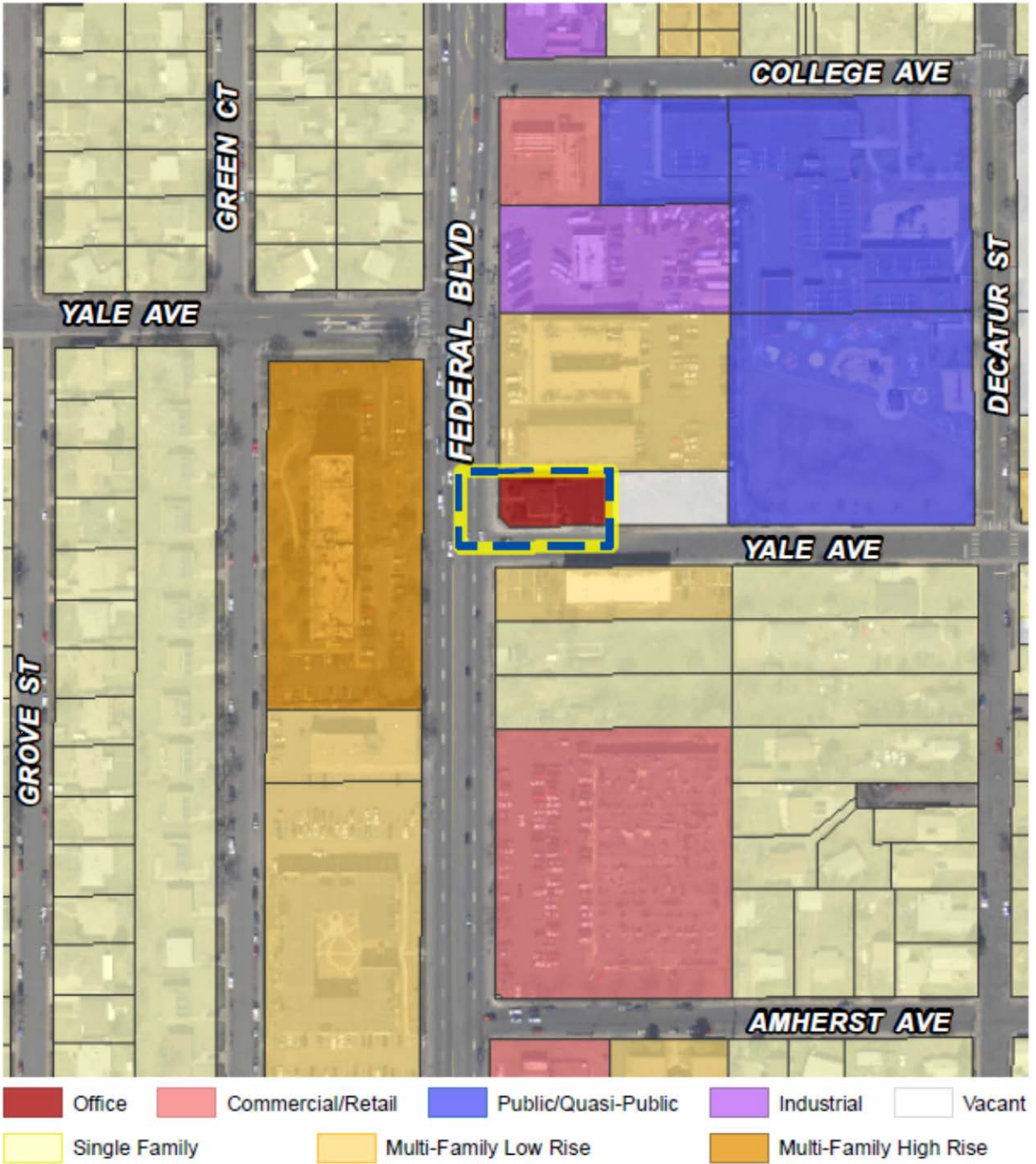
Existing Zoning



View Plane

The subject property is within the Ruby Hill Park View Plane. The view plane limits heights on the property to 98 feet. The allowed building height in the S-MX-3 zone district is 3 stories and 45 feet.

Existing Land Use



Existing Building Form and Scale



Low-rise multi-units north of the subject property



Low-rise multi-unit south of the subject property



Subject Property



Townhomes east of the subject property



High-rise multi-unit west of the subject property

Summary of City Agency Referral Comments

This rezoning has been reviewed concurrently within the context of the Denver Zoning Code and other applicable City Codes as utilized by the referral agencies listed below.

Asset Management:	Approved – No Comments
Denver Fire Department:	No Comments Received
Denver Parks:	Approved – No Comments
Development Services-Project Coordination:	No Comments Received
Development Services-City Survey:	The revised legal description is acceptable
Development Services-Transportation:	Approved
Development Services-Wastewater:	No Comments Received
Environmental Health:	Approved, no comments

Public Review Process

- CPD staff provided informational notice of receipt of the application to affected members of City Council and registered neighborhood organizations on May 27, 2015.
- The property was legally posted for a period of 15 days announcing the August 5 2015, Planning Board public hearing, and written notification of the hearing has been sent to all affected Registered Neighborhood Associations and City Council members. At the meeting Planning Board unanimously voted to recommend approval of the rezoning.
- Following Planning Board review, the rezoning application is referred to the Planning and Neighborhoods Committee (PLAN) of the City Council. CPD staff sends electronic notification of the meeting to affected Registered Neighborhood Associations and to At-large and local City Council members. The PLAN Committee is scheduled for September 2, 2015.
- Following the PLAN Committee review the rezoning application is typically referred to the full City Council for final action at a public hearing. The City Council public hearing is tentatively scheduled for October 12, 2015.
- To date, staff has received no public comment on the proposed rezoning.

Criteria for Review/Staff Evaluation

The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.13 and 12.4.10.14, as follows:

DZC Section 12.4.10.13

1. Consistency with Adopted Plans
2. Uniformity of District Regulations and Restrictions
3. Public Health, Safety and Welfare

DZC Section 12.4.10.14

1. Justifying Circumstances
2. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

1. Consistency with Adopted Plans

The criteria for review of this rezoning application include conformance with the Comprehensive Plan and applicable supplements. Applicable plan documents are:

- *Denver Comprehensive Plan 2000*
- *Blueprint Denver*

Denver Comprehensive Plan 2000

The proposal is consistent with and positively addresses many Denver Comprehensive Plan strategies, including:

- Economic Activity, Objective 4, *“Enhance existing business centers and establish new business centers in a manner that offers a variety of high-quality uses that support Denver’s business environment, complements neighboring residential areas, generates public revenue, and creates jobs. Consider the following key strategies as top priorities:… Continue to strengthen and, where necessary, revitalize Denver’s commercial corridors, such as East and West Colfax, Broadway, Colorado Boulevard, East Evans and South Federal”* (p. 135).
- Economic Activity, Objective 5, *“Support the creation and growth of neighborhood businesses that enhance the vitality and quality of life in their communities”* (p. 136).
- Land Use chapter, Strategy 3-B, *“Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses. (p.60).*
- Mobility, Strategy 4-E – *Continue to promote mixed-use development, which enables people to live near work, retail and services”* (pg. 78).

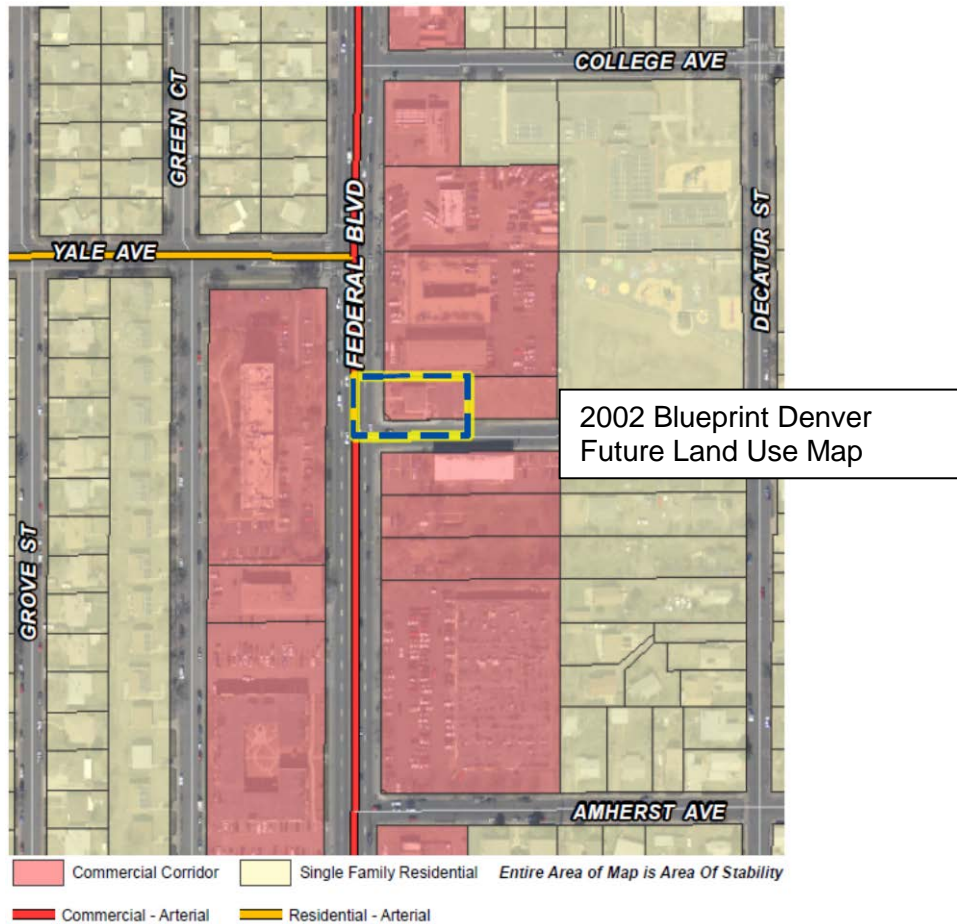
The proposed map amendment will enable mixed use development at an infill location where services and infrastructure are already in place and support the creation of a new neighborhood business on one of the City’s commercial corridors. The S-MX zone district broadens the variety of land uses. The rezoning is consistent with these plan recommendations.

Blueprint Denver

According to the 2002 Plan Map adopted in Blueprint Denver, this site has a land use concept of *Commercial Corridor* and is located within an *Area of Stability*.

Future Land Use

Commercial Corridors are linear business districts primarily oriented to heavily-traveled arterial streets. These districts have primarily commercial land uses with a mix of residential land uses. They are primarily oriented to arterial streets and have high frequency transit routes with significant numbers of transit users. South Federal Boulevard is an arterial street where bus service runs every 15 minutes. The proposed S-MX-3 zone district allows for a broad range of residential and non-residential land uses consistent with the Commercial Corridor land use concept. The 3-story building scale is consistent with the existing building scale in the area.



Area of Stability

According to Blueprint Denver, “the goal for Areas of Stability is to identify and maintain the character of an area while accommodating some new development and redevelopment”(p. 120). The S-MX-3 district allows for a range of allowed land uses are compatible with the range of existing land uses on the corridor, and the zone district has the same 3-story scale predominant in the surrounding area.

Street Classification

The Blueprint Denver street type for Federal Boulevard is *Commercial Arterial* and for Yale Avenue east of Federal Boulevard, *Undesignated Local*. Yale Avenue west of Federal Boulevard is a *Residential Arterial Street*. Commercial arterials function to balance traffic mobility with business access, while residential arterials balance residential access with traffic mobility. Local streets are tailored to provide local access with mobility concerns being incidental. The proposed mixed use zoning is compatible with the Commercial Arterial street type.

Enhanced Bus Transit Corridor

On the Blueprint Denver map South Federal Boulevard is identified an Enhanced Bus Transit Corridor. The Plan recommends evaluating these corridors for enhanced bus transit services and supporting this transit-oriented development with incentives like

shared or reduced parking and a mix of transit-supportive land uses (p. 98-100). The proposed mixed use zoning is compatible with an Enhanced Bus Transit Corridor.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to the S-MX-3 zone district will result in the uniform application of zone district building form, use and design regulations.

3. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety and general welfare of the City primarily through implementation of the City's adopted land use plans.

4. Justifying Circumstances

The application identifies changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.8.A.4, "The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area." The change of use on the subject property along with construction of a new multi-unit structure directly east of the property signal change and some redevelopment in the area. This change, that is consistent with area plan recommendations, is an appropriate justifying circumstance for the proposed rezoning.

5. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

The Suburban Neighborhood Context is characterized by single-unit and multi-unit residential, commercial strips and centers, and office parks. Single-unit residential consists typically of Suburban House forms with street-facing garages. Multi-unit building forms are typically separated from single-unit residential and consist of clustered Garden Court, Town House, and occasional mid- and high-rise Apartment forms. Single-unit residential uses are primarily located away from residential and commercial arterial streets. Multi-unit residential and commercial uses are primarily located along arterial and collector streets. Street and block patterns consist of an irregular pattern of block shapes surrounded by curvilinear streets within a modified or non-existent grid, with cul-de-sacs and typically no alleys. Block shapes and sizes vary. The typical block pattern includes attached sidewalks (though sidewalks may be detached or nonexistent) and street and surface parking.

As the proposed rezoning is a commercial use fronting on a commercial arterial the proposal is consistent with the Suburban Neighborhood Context. In combination with the adjacent multi-unit structures, and other commercial buildings on the block, the subject property forms a commercial strip on Federal Boulevard. In addition, the irregular block shapes on the east side of Federal Boulevard, the lack of alleys in the area and the pattern of attached sidewalks fit the Suburban Neighborhood Context description.

Section 3.2.4 of the DZC states that the purpose of mixed use zone districts is to promote safe, active pedestrian-scaled, diverse areas, and that these districts are appropriate along corridors. Mixed use districts improve the transition between commercial development and adjacent residential neighborhoods. The specific intent of the S-MX-3 zone district states that the district applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 3 stories is desired. The location of the proposed rezoning on a commercial corridor fits the zone district intent. In addition, the low-scale nature of the existing structure fits within the 1-3 story limit stated in the zone district intent statement.

Staff Recommendation

Based on the criteria for review as defined above, Staff recommends **approval** for rezoning the property located at 2698 South Federal Boulevard (Application #2014I-00077) from S-MU-3 to S-MX-3.

Attachments:

- 1. Application**

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	JDI Investments, W. Garrett Jones	Representative Name	
Address	2698 S. Federal Blvd.,	Address	
City, State, Zip	Denver, CO 80219	City, State, Zip	
Telephone	303-437-7292	Telephone	
Email	garrett@jdipro.com	Email	
<p>*If More Than One Property Owner: 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>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</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.			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):	2698 S. Federal Blvd., Denver, CO 80219		
Assessor's Parcel Numbers:	05321-02-024-000		
Area in Acres or Square Feet:	9058		
Current Zone District(s):	S-MU-3		
PROPOSAL			
Proposed Zone District:	S-MX-3		
Does the proposal comply with the minimum area requirements specified in DZC Sec. 12.4.10.3:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	

REVIEW CRITERIA

<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</p>	<p><input checked="" type="checkbox"/> Consistency with Adopted Plans: 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.</p> <p>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"/> Uniformity of District Regulations and Restrictions: 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"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p>
---	---

<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</p>	<p>Justifying Circumstances - One of the following circumstances exists:</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"/> The land or its surroundings has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area.</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.</p> <p>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.</p> <p>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:

- Legal Description (required to be attached in Microsoft Word document format)
- Proof of Ownership Document(s)
- Review Criteria

ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

- Written Authorization to Represent Property Owner(s)

Please list any additional attachments:

Quit Claim Deed-Proof of Ownership
Legal Description-Word Document
Letter describing proposal and review criteria requirements.

Last updated: February 4, 2015

Return completed form to rezoning@denvergov.org



REZONING GUIDE

Rezoning Application Page 3 of 3

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) (please type or print legibly)	Property Address City, State, Zip Phone 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 (must sign in the exact same manner as title to the property is held)	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Property owner representative written authorization? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	NO
W. Garrett Jones JOE Investments	2698 S. Federal Blvd. Denver, CO 80219 303-437-7292	100%	JOE Investments by, <i>[Signature]</i>	03/04/15	(A)	NO

Last updated: June 20, 2014

Return completed form to rezoning@denvergov.org

March 4, 2015

To Whom it May Concern:

I, W. Garrett Jones owner of JDI Investments Inc. purchased 2698 S. Federal Blvd., Denver, CO 80219 on 2/10/2009 from Benjamin Armas. The building was a duplex that I was going to convert to a real estate office. At the time I went under contract to purchase 2698 S. Federal Blvd. Denver, CO 80219, the zoning was R-4 and allowed for small business use. The purchase price reflected this type of zoning and I went and applied at the building department to have the building upgraded to allow for commercial use. I restructured this building, to comply with the requirements for S-MX-3 zoning as the property was to be used for a commercial office building. I paid the fees, permits, and countless hours with the building department and was given a certificate of occupancy to move during the fall of 2009. Somehow all of the communication and letters about the changes that were made or that were being made during this time period to re-zone the city were sent to the previous owner, Benjamin Armas and I was never given the information to contest or illustrate that my building is a commercial spot and was approved to use for my office. There is no kitchen or shower/bath and it would be impossible to live here.

Last year I put this office up for sale. There was a buyer that was submitting a contract and during this process we discovered that the property now reflected a SM-U-3 zoning. It was impossible to go through the real estate purchase of this property without getting this reversed. The city has confirmed with me this error and showed me how the new overlay for zoning has me as SM-U-3 zoning. They have suggested I submit for re-zoning at this time to try and get this fixed.

Thank you for your consideration,



W. Garrett Jones
JDI, Investments, Inc.
303-437-7292
garrett@jdipro.com

LEGAL DESCRIPTION FOR :

2698 SOUTH FEDERAL BLVD.

PARCEL A:

A PART OF LOT 4, BLOCK 2, BOULEVARD GARDENS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 10 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT ALONG THE NORTH LINE OF SAID LOT; THENCE CONTINUING ALONG THE NORTH LINE OF SAID LOT N89°56'26"E. 138.08 FEET; THENCE S00°00'06"E, 66.75 FEET TO THE SOUTH LINE OF SAID LOT; THENCE S89°54'31"W ALONG THE SOUTH LINE OF SAID LOT, 138.40 FEET; THENCE N00°16'23"E. 66.83 FEET TO THE POINT OF BEGINNING,
CITY AND COUNTY OF DENVER
STATE OF COLORADO

Proposal

Does the proposal comply with the minimum area requirements specified in DZC Sec. 12.4.10.3:

12.4.10.3 Minimum Area Requirements A. Applicability This section's minimum area requirements shall apply to all applications for Official Map Amendments to this Code adopted after June 25, 2010, unless specifically exempted in Paragraph B. below. B. Exemptions from Minimum Area Requirements In addition to any exemptions specified in Section 12.4.10.3.D's summary table, the following applications for an official map amendment are exempt from this section's minimum area requirements: 1. An official map amendment determined by the City Attorney to be a legislative zone map amendment. 2. The subject property abuts the same Zone District designation sought for the subject property (for example, the subject property seeks a rezoning to G-MU-5 and abuts property already zoned G-MU-5). For the purposes of this provision, abutment shall not be destroyed by the existence of a dedicated public right-of-way. 3. The subject property abuts property with the same zone classification except for the permitted maximum height, and the Official Map Amendment seeks a lower building height maximum than such abutting property (for example, the subject property seeks a rezoning to G-MU-5 and abuts property zoned G-MU-12). 4. An official map amendment applying zoning to lands newly included within the city's corporate boundaries after City Council approval of a minor boundary adjustment. C. Calculation of Minimum Area 1. For the purpose of computing the size of an area for compliance herewith, there shall be added to the minimum area calculations the following: a. All land area, including public rights-of-way, within and extending to the centerline of the abutting right-of-way. b. The area of any land within the corporate limits of the city that abuts the area being changed and which land already bears the zoning classification sought for the area.

The building seems conforming based on the Minimum area requirements. All of these requirements were reviewed and approved when the original conversion to office building transpired in 2009.

Review Criteria

1) Consistency with Adopted Plans: S-MX-S Zoning for 2698 S. Federal Blvd is consistent with Adopted Plans:
Federal is a commercial corridor, that's why a business district would comply.
See below:

Blue Print Denver-South Federal Boulevard – commercial corridor South Federal south of Colfax is an area of change because of its vibrancy as an ethnic corridor. It is a high-traffic corridor that serves as the primary non-freeway, north-south route on the west side of Denver. It is scheduled to be widened to six lanes. Because of the width of the travelway and the traffic volumes, the parcels fronting Federal are not appropriate for pedestrian shopping uses. The emphasis is to promote corridor redevelopment that supports transit so that pedestrians and consumers are protected from the negative impacts of a high traffic volume.

2) Uniformity of District Regulation and Restrictions:
2698 S. Federal is one story, at the intersection of Yale and South Federal Blvd.
SUBURBAN (S-) NEIGHBORHOOD CONTEXT-
Mixed Use – 3 (S-MX-3)
S-MX-3 applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 3 stories is desired.

3) Public Health, Safety and General Welfare: By conforming to the city plans we are furthering the public's health safety and general welfare of the City.
We have complied with the requirements which are:
The Mixed Use Zone Districts are intended to promote safe, active, pedestrian-scaled, diverse areas and enhance the convenience and ease of walking, shopping and public gathering within and around the city's neighborhoods.

4) 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.

Section 3.1.1 GENERAL CHARACTER The Suburban Neighborhood Context is characterized by single-unit and multi-unit residential, commercial strips and centers, and office parks. Single-unit residential consists typically of Suburban House forms with street-facing garages. Multi-unit building forms are typically separated from single-unit residential and consist of clustered Garden Court, Town House, and occasional mid- and high-rise Apartment forms. Commercial buildings are typically separated from residential and consist of Shopfront and General forms. Single-unit residential uses are primarily located away from residential and commercial arterial streets. Multi-unit residential and commercial uses are primarily located along arterial and collector streets.

2698 South Federal is a single story office building, facing S. Federal Blvd, which is a commercial corridor. It is located away from residential streets. It has commercial buildings all around it running up and down Federal. Directly north of the building is a 3 story apartment complex followed by a limo zine dealership and a gas station. Running south is another 3 story apartment complex a small home and a commercial shopping center including the dollar store.

After Recording Return to
JDI Investments Inc.
2150 W. 29th Avenue #310
Denver, CO 80211



QUIT CLAIM DEED

This Deed Made this 2nd day of July, 2009 between
CARDINAL VALLEY LLC, a Colorado Limited Liability Company
of the County of **DENVER** and State of **COLORADO**
grantor(s), and
JDI INVESTMENTS INC. a Colorado Corporation
whose legal address is **2150 W. 29th Avenue #310, Denver, CO 80231**
of the County of **DENVER** and State of **COLORADO**,
grantee(s),

WITNESSTH, that the grantor(s), for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00),
The receipt and sufficiency of which is hereby confessed, acknowledged, has remised, released, sold and
QUIT CLAIMED, and by these present does remise, release, sell and QUIT CLAIM unto the grantee(s),
their heirs, successors and assigns, forever, all the right, title, interest, claim and demand which the
grantor(s) has in and to the real property, together with improvements, if any, situate, lying and being in the
said City and County of Denver, and State of Colorado described as follows:

See Exhibit A attached hereto and made a part hereof.

also known as street and number: 2698 S. Federal & 2995 W. Yale, Denver, CO 80219

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), their heirs and assigns forever.

The singular number shall include the plural, 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.

Signed this 2nd day of July, 2009.

Cardinal Valley LLC, a Colorado Limited Liability Company

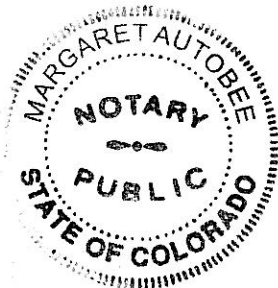

By: W. Garrett Jones as Manager

STATE OF COLORADO
COUNTY OF DENVER

} SS:

The foregoing instrument was acknowledged before me this 2nd day of July, 2009
by W. Garrett Jones as Manager of Cardinal Valley LLC, a Colorado Limited Liability Company.

Witness my hand and official seal.





Notary Public:
My commission expires: 06/15/2012

Exhibit A

Parcel A:

A part of Lot 4, Block 2, Boulevard Gardens, City and County of Denver, State of Colorado, more particularly described as follows:

Beginning at a point 10 feet East of the Northwest corner of said lot along the North line of said lot; thence continuing along the North line of said lot N89°56'26"E, 138.08 feet; thence S00°00'06"E, 66.75 feet to the South line of said lot; thence S89°54'31"W along the South line of said lot, 138.40 feet; thence N00°16'23"E, 66.83 feet to the point of beginning, City and County of Denver, State of Colorado

Parcel B:

A part of Lot 4, Block 2, Boulevard Gardens, City and County of Denver, State of Colorado, more particularly described as follows:

Beginning at a point 10 feet East of the Northwest corner of said lot along the North line of said lot; thence continuing along the North line of said lot N89°56'26"E, 138.08 feet to the True Point of Beginning; thence continuing along the North line of said lot N89°56'26"E, 6.94 feet to a No. 5 rebar with red cap stamped L.S. No. 27601; thence continuing along the North line of said lot N89°54'13"E, 147.04 feet to the Northeast corner of said lot; thence S00°16'10"W along the East line of said lot, 67.22 feet to the Southeast corner of said lot; thence N89°54'35"W along the South line of said lot, 147.00 feet to a No. 5 rebar with red cap stamped L.S. No. 27601; thence continuing along the South line of said lot S89°54'31"W, 6.65 feet; thence N00°00'06"E, 66.75 feet to the true point of beginning, City and County of Denver, State of Colorado

~