

1 BY AUTHORITY

2 RESOLUTION NO. CR10-1070
3 SERIES OF 2010

COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

4 A RESOLUTION

5 **Amending Resolution No. 79, Series of 2008, to amend the legal description and to**
6 **add additional items contained in the revocable permit issued to The Vidette LLC,**
7 **to encroach into the right-of-way at 3353 Larimer Street and 3300 Walnut Street**
8 **with various items.**

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

11 **Section 1.** That Section 1 of Resolution No. 79, Series of 2008, shall be and hereby is amended in its
12 entirety to read as follows:

13 **Section 1.** The City and County of Denver hereby grants to The Vidette LLC, its
14 successors and assigns ("Permittee"), a revocable permit to encroach with four (4) ADA
15 handicap ramps, one (1) set of stairs, and two (2) concrete pads to display sculptural
16 work in the following described areas ("Encroachment Areas"):

PARCEL 1:

COMMENCING AT THE NORTHWEST CORNER OF LOT 16, BLOCK 4, H. WITER'S ADDITION TO DENVER COLORADO;
THENCE NORTH 44°35'41" EAST ALONG THE WESTERLY LINE OF SAID BLOCK 4 A DISTANCE OF 64.57 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 44°35'41" EAST ALONG SAID WESTERLY LINE A DISTANCE OF 66.00 FEET; THENCE NORTH 45°24'19" WEST A DISTANCE OF 6.50 FEET; THENCE SOUTH 44°35'41" WEST A DISTANCE OF 66.00 FEET; THENCE SOUTH 45°24'19" EAST A DISTANCE OF 6.50 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 429 SQUARE FEET MORE OR LESS.

PARCEL 2:

COMMENCING AT THE NORTHWEST CORNER OF LOT 16, BLOCK 4, H. WITER'S ADDITION TO DENVER COLORADO; THENCE SOUTH 45°24'19" EAST ALONG THE SOUTHERLY LINE OF SAID BLOCK 4 A DISTANCE OF 21.62 FEET; THENCE SOUTH 44°35'41" WEST A DISTANCE OF 7.85 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 44°35'41" WEST A DISTANCE OF 5.00 FEET; THENCE SOUTH 45°24'19" EAST A DISTANCE OF 9.00 FEET; THENCE NORTH 44°35'41" EAST A DISTANCE OF 5.00 FEET; THENCE NORTH 45°24'19" WEST A DISTANCE OF 9.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 45 SQUARE FEET MORE OR LESS.

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COMMENCING AT THE EASTERN MOST CORNER OF LOT 32, BLOCK 4, H. WITER'S ADDITION TO DENVER COLORADO;

THENCE NORTH 02°58'42" WEST A DISTANCE OF 16.40 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 45°23'51" WEST A DISTANCE OF 9.00 FEET;
THENCE NORTH 44°36'09" EAST A DISTANCE OF 5.00 FEET;
THENCE SOUTH 45°23'51" EAST A DISTANCE OF 9.00 FEET;
THENCE SOUTH 44°36'09" WEST A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 45 SQUARE FEET MORE OR LESS.

PARCEL 2:

COMMENCING AT THE EASTERN MOST CORNER OF LOT 32, BLOCK 4, H. WITER'S ADDITION TO DENVER COLORADO;

THENCE SOUTH 44°39'38" WEST ALONG THE SOUTHEASTERLY LINE OF BLOCK 4, H. WITER'S ADDITION TO DENVER, COLORADO A DISTANCE OF 25.10 FEET TO THE POINT OF BEGINNING;
THENCE SOUTH 45°20'22" EAST A DISTANCE OF 6.50 FEET;
THENCE SOUTH 44°39'38" WEST A DISTANCE OF 31.00 FEET;
THENCE NORTH 45°20'22" WEST A DISTANCE OF 6.50 FEET TO POINT A;
THENCE NORTH 44°39'38" EAST ALONG SAID SOUTHEASTERLY LINE OF BLOCK 4 A DISTANCE OF 31.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 202 SQUARE FEET MORE OR LESS.

PARCEL 3:

COMMENCING AT POINT A OF PARCEL 2;

THENCE SOUTH 44°39'38" WEST ALONG THE SOUTHEASTERLY LINE OF BLOCK 4, H. WITER'S ADDITION TO DENVER, COLORADO A DISTANCE OF 23.80 FEET TO THE POINT OF BEGINNING;
THENCE SOUTH 45°20'22" EAST A DISTANCE OF 6.30 FEET;
THENCE SOUTH 44°39'38" WEST A DISTANCE OF 20.00 FEET;
THENCE NORTH 45°20'22" WEST A DISTANCE OF 6.30 FEET;
THENCE NORTH 44°39'38" EAST ALONG SAID SOUTHEASTERLY LINE OF BLOCK 4 A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 126 SQUARE FEET MORE OR LESS.

BASIS OF BEARINGS: THE SOUTHEASTERLY LINE OF BLOCK 4, H. WITER'S ADDITION TO DENVER COLORADO IS ASSUMED TO BEAR SOUTH 44°39'38" WEST, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO.

FSI JOB NO. 10-57,281.01

PARCEL 1:

COMMENCING AT THE EASTERN MOST CORNER OF LOT 32, BLOCK 4, H. WITER'S ADDITION TO DENVER COLORADO;

THENCE NORTH 45°23'51" WEST ALONG THE NORTHEASTERLY LINE OF BLOCK 4, H. WITER'S ADDITION TO DENVER, COLORADO A DISTANCE OF 65.70 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING NORTH 45°23'51" WEST ALONG SAID NORTHEASTERLY LINE A DISTANCE OF 55.50 FEET TO POINT A;

THENCE NORTH 44°36'09" EAST A DISTANCE OF 10.00 FEET;

THENCE SOUTH 45°23'51" EAST A DISTANCE OF 45.50 FEET;

THENCE SOUTH 44°36'09" WEST A DISTANCE OF 2.80 FEET;

THENCE SOUTH 45°23'51" EAST A DISTANCE OF 10.00 FEET;

THENCE SOUTH 44°36'09" WEST A DISTANCE OF 7.20 FEET TO THE POINT OF BEGINNING

SAID PARCEL CONTAINING 527 SQUARE FEET MORE OR LESS.

PARCEL 2:

COMMENCING AT POINT A OF PARCEL 1;

THENCE NORTH 45°23'51" WEST ALONG THE NORTHEASTERLY LINE OF BLOCK 4, H. WITER'S ADDITION TO DENVER, COLORADO A DISTANCE OF 30.60 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING NORTH 45°23'51" WEST ALONG SAID NORTHEASTERLY LINE A DISTANCE OF 8.50 FEET;

THENCE NORTH 44°36'09" EAST A DISTANCE OF 9.40 FEET;

THENCE SOUTH 45°23'51" EAST A DISTANCE OF 8.50 FEET;

THENCE SOUTH 44°36'09" WEST A DISTANCE OF 9.40 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 80 SQUARE FEET MORE OR LESS.

1 BASIS OF BEARINGS: THE NORTHEASTERLY LINE OF BLOCK 4, H. WITER'S ADDITION TO DENVER COLORADO IS ASSUMED TO BEAR NORTH 45°23'51" WEST, WITH ALL BEARINGS CONTAINED HEREIN BEING ~~RELATIVE~~ RELATIVE THERETO.

PARCEL 1:

COMMENCING AT THE NORTHERN MOST CORNER OF LOT 1, BLOCK 4, H. WITER'S ADDITION TO DENVER COLORADO;

THENCE SOUTH 83°21'21" WEST A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 45°24'18" WEST A DISTANCE OF 5.00 FEET;

THENCE NORTH 44°35'42" EAST A DISTANCE OF 9.00 FEET;

THENCE SOUTH 45°24'18" EAST A DISTANCE OF 5.00 FEET;

THENCE SOUTH 44°35'42" WEST A DISTANCE OF 9.00 FEET TO THE POINT OF BEGINNING

2 SAID PARCEL CONTAINING 45 SQUARE FEET MORE OR LESS.

PARCEL 2:

COMMENCING AT THE NORTHERN MOST CORNER OF LOT 1, BLOCK 4, H. WITER'S ADDITION TO DENVER COLORADO;

THENCE SOUTH 44°35'42" WEST ALONG THE NORTHWESTERLY LINE OF BLOCK 4, H. WITER'S ADDITION TO DENVER, COLORADO A DISTANCE OF 13.20 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 44°35'42" WEST ALONG SAID NORTHWESTERLY LINE A DISTANCE OF 174.50 FEET;

THENCE NORTH 45°24'18" WEST A DISTANCE OF 5.60 FEET;

THENCE NORTH 44°35'42" EAST A DISTANCE OF 31.00 FEET;

THENCE NORTH 45°24'18" WEST A DISTANCE OF 4.00 FEET;

THENCE NORTH 44°35'42" EAST A DISTANCE OF 44.00 FEET;

THENCE SOUTH 45°24'18" EAST A DISTANCE OF 3.60 FEET;

THENCE NORTH 44°35'42" EAST A DISTANCE OF 99.50 FEET;

THENCE SOUTH 45°24'18" EAST A DISTANCE OF 6.00 FEET TO THE POINT OF BEGINNING

SAID PARCEL CONTAINING 1,193 SQUARE FEET MORE OR LESS.

BASIS OF BEARINGS: THE NORTHWESTERLY LINE OF BLOCK 4, H. WITER'S ADDITION TO DENVER COLORADO IS ASSUMED TO BEAR NORTH 44°35'42" EAST, WITH ALL BEARINGS CONTAINED HEREIN BEING ~~RELATIVE~~ THERFTO.

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Section 2. The remainder of the Revocable Permit issued by Resolution No. 79, Series of 2008, remains in full force and effect.

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COMMITTEE APPROVAL DATE: Week of December 2, 2010 by consent.

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MAYOR-COUNCIL DATE: December 7, 2010

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PASSED BY THE COUNCIL: _____, 2010

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_____ - PRESIDENT

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

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PREPARED BY: KAREN A. AVILES, Assistant City Attorney DATE: December 9, 2010

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

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David R. Fine, City Attorney

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BY: _____, Assistant City Attorney DATE: _____, 2010