

# **Department of Public Works**

Capital Projects Management
Permit Operations and Right of Way Enforcement
Infrastructure Planning & Programming
Traffic Engineering Services
201 W. Colfax Avenue

Denver, CO 80202 www.denvergov.org

## REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO:

Karen Valton, City Attorney's Office

FROM:

Robert J. Duncanson P.E., Engineering Manager II

Right-of-Way Services

DATE:

May 10, 2012

ROW#:

2012-0202-01

SCHEDULE #: I

Portion of Parcel # 0508523038000

TITLE:

This request is to dedicate a parcel of land as Public Right of Way as S. Federal Blvd

Located at the intersection of S Federal Blvd and W Alameda Ave.

**SUMMARY:** 

Request for a Resolution for laying out, opening and establishing certain real property as part of the

system of thoroughfares of the municipality; i.e. as S Federal Blvd.

It is requested that the above subject item be placed on the Mayor-Council Agenda for the next available date.

Therefore, you are requested to initiate Council action to dedicate a parcel of land for Public Right-of-Way purposes as S Federal Blvd. The land is described as follows.

#### INSERT PARCEL DESCRIPTION ROW # (2012-0202-01-001) HERE.

A map of the area to be dedicated is attached.

RD/JL/ACP

cc: Asset Management, Steve Wirth

City Councilperson & Aides, Paul Lopez, District #3

City Council Staff, Gretchen Williams Environmental Services, David Erickson

Environmental Services, David Effector

Public Works, Manager's Office, Alba Castro

Public Works, Manager's Office, Christine Downs

Public Works, Manager's Office, Nancy Kuhn

Public Works, Right-of-Way Engineering Services, Rob Duncanson

Department of Law, Karen Aviles

Department of Law, Brent Eisen

Department of Law, Karen Walton

Department of Law, Arlene Dykstra

Public Works Survey, John Lautenschlager

Public Works Survey, Paul Rogalla

Owner: City and County of Denver

Project file folder 2012-0202-01

# ORDINANCE/RESOLUTION REQUEST

Please email requests to Stacy Loucks at

Nancy.kuhn@denvergov.org by NOON on Monday.

\*All fields must be completed.\*
Incomplete request forms will be returned to sender which may cause a delay in processing.

|     |  |                             |                       |          |         |                | ]          | Date of R  | equest: _    | May 10, 2012          |  |
|-----|--|-----------------------------|-----------------------|----------|---------|----------------|------------|------------|--------------|-----------------------|--|
| Ple | ase mark one:  | ☐ Bill Request              | ог                    |          | ⊠ Res   | solution Req   | uest       |            |              |                       |  |
| 1.  | Has your agen  | cy submitted this reque     | st in the las         | t 12 mc  | onths?  |                |            |            |              |                       |  |
|     | ☐ Yes  | ⊠ No                        |                       |          |         |                |            |            |              |                       |  |
|     | If yes, plea   | ase explain:                |                       |          |         |                |            |            |              |                       |  |
| 2.  | Title: (Include a concise, one sentence description – please include <u>name of company or contractor</u> and <u>contract control numbe</u> - that clearly indicates the type of request: grant acceptance, contract execution, amendment, municipal code change, supplemental request, etc.)  This request is to dedicate a parcel of land as Public Right of Way as S. Federal Blvd Located at the intersection of S Federal Blvd and W Alameda Ave. |                             |                       |          |         |                |            |            |              |                       |  |
| 3.  | Requesting Ag  | ency: PW Right of Way       | Engineerin            | g Servic | ces     |                |            |            |              |                       |  |
| 4.  | <ul> <li>Contact Person: (With actual knowledge of proposed ordinance/resolution.)</li> <li>Name: Adam Perkins</li> <li>Phone: 720-865-3036</li> <li>Email: Adam.Perkins@denvergov.org</li> </ul>  |                             |                       |          |         |                |            |            |              |                       |  |
| 5.  | <ul> <li>Contact Person: (With actual knowledge of proposed ordinance/resolution who will present the item at Mayor-Council and who will be available for first and second reading, if necessary.)</li> <li>Name: Nancy Kuhn</li> <li>Phone: 720-865-8720</li> <li>Email: Nancy.kuhn@denvergov.org</li> </ul>  |                             |                       |          |         |                |            |            |              |                       |  |
| 6.  | General descri   | ption of proposed ordin     | ance includ           | ling cor | ntract  | scope of wor   | rk if appl | licable:   |              |                       |  |
|     | Request for of the muni  | r a Resolution for laying o | out, opening<br>Blvd. | and es   | tablish | ing certain re | eal proper | ty as part | of the syst  | em of thoroughfares   |  |
|     |  | lete the following fields:  |                       | fields r | may re  | sult in a dela | y in proce | essing. If | a field is r | ot applicable, please |  |
|     | a. Contra  | act Control Number: 1       | N/A                   |          |         |                |            |            |              |                       |  |
|     |  | ion: Permanent              |                       | _        |         |                |            |            |              |                       |  |
|     |  | on: S Federal Blvd and      |                       |          |         |                |            |            |              |                       |  |
|     |  |                             | District 3 Lo         | pez      |         |                |            |            |              |                       |  |
|     | e. Benefi<br>f. Costs:   |                             |                       |          |         |                |            |            |              |                       |  |
| 7.  | Is there any conexplain.   | ntroversy surrounding t     | his ordinaı           | nce? (G  | roups   | or individual  | ls who ma  | ıy have co | ncerns abo   | out it?) Please       |  |
|     | None   |                             |                       |          |         |                |            |            |              |                       |  |
|     |  |                             |                       |          |         |                |            |            |              |                       |  |
|     |  | To                          | he comple             | ted by A | Mayor   | 's Legislative | Team:      |            |              |                       |  |
| SIR | E Tracking Num   | ber:                        |                       |          |         | Dat            | te Entered | d:         |              |                       |  |

# DENVER THE MILE HIGH CITY

# **EXECUTIVE SUMMARY**

Project Title: 2012-0202-01 Dedication of Right-of-Way at S Federal Blvd and W Alameda Ave.

Description of Proposed Project: This request is to dedicate a parcel of land as Public Right of Way as S. Federal Blvd. Located at the intersection of S Federal Blvd and W Alameda Ave.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: Dedicating City owned land to Public Right of Way, from the vacant parcel program approved through City Council.

Has a Temp MEP been issued, and if so, what work is underway: N/A

What is the known duration of an MEP: N/A

Will land be dedicated to the City if the vacation goes through: N/A

Will an easement be placed over a vacated area, and if so explain: N/A

Will an easement relinquishment be submitted at a later date: N/A

Additional information: This land was deeded to the City and County of Denver for the purpose to dedicate it as Public Right-of-Way.





Denver County (Shaded) 2010\_Denver.jp2.irl

Denver County Adams County

Street Centerline

Interstate US Highway

Parcels

Arapahoe County Jefferson County

Map pervented 4/1920/2. The City and Ceanty of Derver shall not be Eable for damages of any kind arising out of the use of this information. The finess for a particular use. This is not a legal document.

A parcel of land located in the Southeast 1/4 of Section 8, Township 4 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado.

A parcel of land conveyed by Rule & Decree to the City & County of Denver, Civil Action 96CV6530 District Court City and County of Denver, State of Colorado. recorded on the 3rd of June 1998 by Reception Number 9800082502 in the City and County of Denver Clerk & Recorders Office, State of Colorado being described as follows:

A tract or a parcel of land No. 18 of the Department of Transportation, State of Colorado Project No. STU C010-015 containing 3611 Sq. Ft. more or less, being a portion of that parcel of land described at Book 1697, Page 99 on June 21 1978, and lying in Lots 21 through 24, Block 16, Alameda Heights Subdivision recorded at Book 6, Page 26 on November 28, 1888. City and County of Denver Clerk and Recorder's Office, said subdivision lying in the Southeast Quarter of Section 8, Township 4 South, Range 68 West, of the Sixth Principal Meridian City and County of Denver, State of Colorado, said tract or parcel being more particularly described as follows:

BEGINNING at a point on the east line of said Lot 24, from which the northeast corner of said Lot 24 bears North 00 Degrees 49 Minutes 21 Seconds West, a distance of 6.51 feet: Thence along the east line of said Lot 24 South 00 Degrees 49 Minutes 21 Seconds East a distance of 18.50 feet to the Southeast corner of said Lot 24, said point also being on the north right-of-way line of West Alameda Avenue (Aug,. 1995)

Thence along said north right-of-way line and the south line of said Lot 24 South 89
Degrees 06 Minutes 53 Seconds West, a distance of 134.93 feet to the southwest corner of said Lot 24;

Thence along the east right-of-way line of South Federal Boulevard (Aug., 1995), also being the west line of said Block 16 North 00 Degrees 49 Minutes 33 Seconds West a distance of 100.03 feet to the northwest corner of said Lot 21;

Thence along said north line of said Lot 21 North 89 Degrees 07 Minutes 12 Seconds East, a distance on 12.00 feet to a point;

Thence parallel with the west line of said Block 16 South 00 Degrees 49 Minutes 33 Seconds East, a distance of 65.02 feet to a point;

Thence South 45 Degrees 51 Minutes 18 Seconds East, a distance of 23.33 feet to a point; Thence along a line parallel with the north line of said Lot 24, North 89 Degrees 06 Minutes 57 Seconds East, a distance of 106.43 to the Point of Beginning.

Except the southerly 35.01 feet of said legal description.

9800082502 1998/06/03 10:58:43 1/ 9 DEC .00 ALW

DENVER COUNTY CLIRK AND RECORDER .00

Wen only

# DISTRICT COURT, CITY AND COUNTY OF DENVER, STATE OF COLORADO 200 20 2 37 X 1 33

Civil Action No. 96 CV 6530

Courtroom No. 3

### RULE AND DECREE IN CONDEMNATION

CITY AND COUNTY OF DENVER, a municipal corporation,

Petitioner.

ALAN F. FOX; ROCKY MOUNTAIN AUTO SALES AND SERVICE, INC.; OUTDOOR SYSTEMS, INC.; CHERYL COHEN, as the Manager of Revenue for the City and County of Denver; All Unknown Owners of the Real Properties Sought to be Condemned Herein; and All Unknown Persons Who Claim Any Interest in the Subject Matter of this Action,

Respondents.

THIS MATTER having come on to be heard on the Petition of the City and County of Denver, a municipal corporation, for the taking of fee simple title (Parcel 18), a permanent easement (PE-18), and a temporary construction easement (TE-18) with respect to certain real property hereinafter described, and for the ascertainment of the compensation to be paid therefor and by reason thereof and the time now being at hand for the entry of a Rule and Decree, the Court,

#### DOTH FIND:

- That the Petitioner is authorized by eminent domain proceedings to appropriate property for its local and municipal purposes, and, in particular, is authorized to appropriate the properties hereinafter described.
- That the Court has jurisdiction of the parties herein and of the subject matter of this action.
- That the parties have agreed on a disposition of this matter as it relates to the real property described herein without the necessity of a trial.
- That Respondent Alan F. Fox has an ownership interest in the real property described herein by virtue of certain instruments recorded among the records of the Clerk and Recorder of the City and County of Denver and State of Colorado and that said Respondents have appeared herein.
- That Respondent Rocky Mountain Auto Sales and Service, Inc. had a leasehold interest in the real property described herein by virtue of a lease; however said Respondent has not entered an appearance herein.

1

- 6. That Respondent Outdoor Systems, Inc. has an interest in an outdoor advertising device previously located on the property; however, the billboard matter has been bifurcated from the valuation of the underlying land and Respondent Outdoor Systems, Inc. has no interest in the underlying land and no interest in the compensation awarded herein.
- 7. That the Respondent Manager of Revenue of the City and County of Denver has appeared herein asserting a claim for any and all outstanding tax liens including interest, as the same have accrued on the property hereinafter described prior to January 21, 1997, the date of possession by Petitioner and that said Respondent now states that all such tax liens have been fully paid and claims of said Respondent have been satisfied.
- 8. That other than the persons aforesaid no other person, firm or corporation has appeared herein or has any claim or claims to, any interest or interests in, or any lien or liens, encumbrance or encumbrances pertaining to the property hereinafter described.
- 9. That an accurate description of the property, situated in the City and County of Denver, Colorado, with respect to which property the Petitioner is acquiring fee simple title is as follows:

#### FEE SIMPLE

#### PARCEL NO. 18

A tract or a parcel of land No. 18 of the Department of Transportation, State of Colorado Project No. STU C010-015 containing 3611 Sq. Ft., more or less; being a portion of that parcel of land described at Book 1697, Page 99 and dated June 21, 1978, and lying in Lots 21 through 24, Block 16, Alameda Helghts Subdivision, recorded at Book 6, Page 26 on November 28, 1888, City and County of Denver Clerk and Recorder's Office, said subdivision lying in the Southeast Quarter of Section 8, Township 4 South, Range 68 West, of the Sixth Principal Meridian, City and County of Denver, State of Colorado, said tract or parcel being more particularly described as follows:

BEGINNING at a point on the east line of said Lot 24, from which the northeast corner of said Lot 24 bears North 00 Degrees 49 Minutes 21 Seconds West a distance of 6.51 feet;

Thence along the east line of said Lot 24 South 00 Degrees 49 Minutes 21 Seconds East, a distance of 18.50 feet to the Southeast corner of said Lot 24, said point also being on the north right-of-way line of West Alameda Avenue (Aug., 1995);

Thence along said north right-of-way line and the south line of said Lot 24 South 89 Degrees 06 Minutes 53 Seconds West, a distance of 134.93 feet to the southwest corner of said Lot 24;

Thence along the east right-of-way line of South Federal Boulevard (Aug., 1995), also being the west line of said Block 16 North 00 Degrees 49 Minutes 3.) Seconds West, a distance of 100.03 feet to the northwest corner of said Lot 21;

Thence along the north line of said Lot 21 North 89 Degrees 07 Minutes 12 Seconds East, a distance of 12.00 feet to a point;

Thence parallel with the west line of said Block 16 South 00 Degrees 49 Minutes 33 Seconds East, a distance of 65.02 feet to a point;

Thence South 45 Degrees 51 Minutes 18 Seconds East, a distance of 23.33 feet to a point;

Thence along a line parallel with the north line of said Lot 24 North 89 Degrees 06 Minutes 57 Seconds East, a distance of 106.43 feet to the POINT OF BEGINNING;

depicted on Exhibit A, attached. Said parcel is subject to all rights-of-way, interests, claims, rights and/or easements; of record or apparent. The above described parcel contains 3611 Sq. Ft. (0.083 Ac.), more or less.

BASIS OF BEARING: The line between the South Quarter Corner and the Southeast Corner of Section 8, Township 4 South, Range 68 West, of the 6th Principal Meridian bears North 89 Degrees 06 Minutes 53 Seconds East, an assumed bearing matching the design survey for CDOT Proj. No. STU C010-015. The South Quarter Corner of said Section 8 is a 1" axle 0.40' below the existing asphalt. The Southeast Corner of said Section 8 is a CDOT type 3A monument in a range box, stamped "PLS No. 25384".

10. That an accurate description of the Property, situated in the City and County of Denver, Colorado, which the Petitioner acquired a temporary construction easement, which temporary construction easement has expired, is as follows:

PARCEL NO. TE-18

#### TEMPORARY EASEMENT

A temporary easement No. TE-18 of the Department of Transportation, State of Colorado Project No. STU C010-015 containing 5138 Sq. Ft., more or less, being a portion of that parcel of land described at Book 1697, Page 99 and dated June 21, 1978, and lying in Lots 21 through 24, Block 16, Alameda Heights Subdivision, recorded at Book 6, Page 26 on November 28, 1888, City and County of Denver Clerk and Recorder's Office, said subdivision lying in the Southeast Quarter of Section 8, Township 4 South, Range 68 West, of the Sixth Principal Meridian, City and County of Denver, State of Colorado, said tract or parcel being more particularly described as follows:

BEGINNING at a point on the east line of said Lot 24, from which the southeast corner of said Lot 23 bears North 00 Degrees 49 Minutes 21 Seconds West a distance of 6.51 feet;

Thence along a line parallel with the south line of said Lot 23 South 89 Degrees 06 Minutes 57 Seconds West, a distance of 106.43 feet to a point;

Thence North 45 Degrees 51 Minutes 18 Seconds West, a distance of 23.33 feet to a point;

Thence along a line which is parallel with and 12.00 feet east of the west line of said Block 16 North 00 Degrees 49 Minutes 33 Seconds West, a distance of 25.02 feet to a point;

Thence parallel with the north line of said Lot 21 North 89 Degrees 07 Minutes 12 Seconds East, a distance of 15.00 feet to a point;

Thence parallel with the west line of said Block '6 North 00 Degrees 49 Minutes 33 Seconds West, a distance of 40.00 feet to a point on the north line of said Lot 21;

Thence along the north line of sald Lot 21 North 89 Degrees 07 Minutes 12 Seconds East, a distance of 25.00 feet to a point;

Thence parallel with the west line of said Block 16 South 00 Degrees 49 Minutes 33 Seconds East, a distance of 50.01 feet to a point on the north line of said Lot 23;

Thence along the north line of said Lot 23 North 89 Degrees 07 Minutes 02 Seconds East, a distance of 82.93 feet to the northeast corner of said Lot 23;

Thence along the east line of said Lot 23 and Lot 24, South 00 Degrees 49 Minutes 21 Seconds East, a distance of 31.50 feet to the POINT OF BEGINNING;

depicted on Exhibit A, attached. Said parcel is subject to all rights-of-way, interests, claims, rights and/or easements; of record or apparent. The above described temporary easement contains 5138 Sq. Ft. (0.112 Ac.), more or less. For the purpose of construction of sidewalk, driveway, parking lot, and partial removal of a canopy structure.

BASIS OF BEARING: The line between the South Quarter Corner and the Southeast Corner of Section 8, Township 4 South, Range 68 West, of the 6th Principal Meridian bears North 89 Degrees 06 Minutes 53 Seconds East, an assumed bearing matching the design survey for CDOT Proj. No. STU C010-015. The South Quarter Corner of said Section 8 is a 1" exte 0.40' below the existing asphalt. The Southeast Corner of said Section 8 is a CDOT type 3A monument in a range box, stamped "PLS No. 25384".

11. That an accurate description of the Property, situated in the City and County of Denver, Colorado, which the Petitioner is acquiring a permanent easement is as follows:

#### PARCEL NO. PE-18

A permanent easement No. PE-18 of the Department of Transportation, State of Colorado Project No. STU C010-015 containing 600 Sq. Ft., more or less, being a portion of that parcel of land described at Book 1697, Page 99 and dated June 21, 1978, and lying in Lots 21 and 22, Block 16, Alameda Heights Subdivision, recorded at Book 6, Page 26 on November 28, 1888, City and County of Denver Clerk and Recorder's Office, said subdivision lying in the Southeast Quarter of Section 8, Township 4 South, Range 68 West, of the Sixth Principal Meridian, City and County of Denver, State of Colorado, said tract or parcel being more particularly described as follows:

BEGINNING at a point on the north line of said Lot 21, from which the northwest corner of said Lot 21 bears South 89 Degrees 07 Minutes 12 Seconds West, a distance of 12.00 feet;

Thence along the north line of said Lot 21 North 89 Degrees 07 Minutes 12 Seconds East, a distance of 15.00 feet to a point;

Thence parallel with the west line of said Block 16 South 00 Degrees 49 Minutes 33 Seconds East, a distance of 40.00 feet to a point;

Thence parallel with the north line of said Lot 21 South 89 Degrees 07 Minutes 12 Seconds West, a distance of 15.00 feet to a point;

Thence parallel with the west line of said Block 16 North 00 Degrees 49 Minutes 33 Seconds West, a distance of 40.00 feet to the POINT OF BEGINNING;

depicted on Exhibit A, attached. Said parcel is subject to all rights-of-way, interests, claims, rights and/or easements; of record or apparent. The above described permanent easement contains 600 Sq. Ft. (0.014 Ac.), more or less. For the purpose of construction and maintenance of a bus shelter.

BASIS OF BEARING: The line between the South Quarter Corner and the Southeast Corner of Section 8, Township 4 South, Range 68 West, of the 6th Principal Meridian bears North 89 Degrees 06 Minutes 53 Seconds East, an assumed bearing matching the design survey for CDOT Proj. No. STU C010-015. The North Quarter Comer of said Section 8 is a 1" axie 0.40" below the existing asphalt. The Northeast Corner of said Section 8 is a CDOT type 3A monument in a range box, stamped "PLS No. 25384".

However, that portion of PE-18 not physically occupied by the bus shelter (approximately 300 square feet) may be used by Respondent and its successors and assigns for any lawful purpose that does not damage the bus shelter, permanently prevent access to all of PE-18, or is not otherwise inconsistent with the bus shelter and its appurtenances.

- 12. That Petitioner has been in possession of the property since January 21, 1997, pursuant to a Stipulated Order for Possession under which the Petitioner paid into the Registry of the Court \$139,400.00, which amount is to be applied toward the just compensation awarded herein.
- 13. That pursuant to this Rule and Decree, the sum of \$345,000.00 is the total compensation due the Respondent for the taking of fee simple title to Parcel 18, a permanent easement (PE-18), and a temporary easement (TE-18) as described herein including, but not limited to, the value of said property, the damages to the residue or remainder of any property not taken and any and all attorneys' fees, interest, costs, disbursements, and expenses other than appraisal costs which have been previously paid by Petitioner; said sum shall not be subject to adjustment as provided in Section 38-1-114, C.R.S.; all of the foregoing being pursuant to and in accordance with the stipulation as hereinafter set forth.

#### WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

- 1. That the Petitioner City and County of Denver, a municipal corporation, be and it hereby is adjudged to be the absolute holder and owner of fee simple title to the real property described in Paragraph 9 herein, free and clear of all rights, title, interests, easements, liens or encumbrances of the Respondents, or any of them, and also free of all rights of reversion or reversionary interests, including but not limited to, the possibility of reverter and rights of entry for conditions broken, in and said real property sought to be acquired and heretofore described.
- 2. That the Petitioner City and County of Denver, a municipal corporation, be and it hereby is adjudged to be the absolute holder of a temporary construction easement for the real property described in paragraph 10 herein, free and clear of all rights, title, and interests of the Respondents or any of them. Such temporary construction easement has expired and is of no further force and effect.
- 3. That the Petitioner City and County of Denver, a municipal corporation, be and it hereby is adjudged to be the absolute holder and owner of a permanent easement in the real property described in Paragraph 11 herein, free and clear of all rights, title, interests, easements, liens or encumbrances of the Respondents, or any of them, and also free of all rights of reversion or reversionary interests, including but not limited to, the possibility of reverter and rights of entry for conditions broken, in and said permanent easement sought to be acquired and heretofore described; provided however, that the portion of PE-18 not physically occupied by the bus shelter (approximately 300 square feet) may be used by Respondent and its successors and assigns for any lawful purpose that does not damage the bus shelter, permanently prevent access to all of PE-18, or is not otherwise inconsistent with the bus shelter and its appurtenances.

- That the sum of \$345,000.00 be and is hereby determined to be the total compensation due the Respondent for the taking of Parcel 18, a permanent easement (PE-18) and the temporary construction easement (TE-18) and the interests hereinabove described including, but not limited to, the value of said property, the damages to the residue or remainder of any property not taken and any and all attorneys' fees, interest, costs, disbursements, expenses other than appraisal costs which have been previously paid by Petitioner, which compensation shall not be subject to adjustment as provided in Section 38-1-114, C.R.S.
- That \$139,400.00 of the total compensation has previously been paid by Petitioner into the Registry of the Court pursuant to a Stipulated Order for Possession for Respondent Alan F. Fox and that Petitioner shall deposit an additional \$205,600.00 into the Registry of the Court for total just compensation of \$345,000.00 to Alan F. Fox.
- That upon the additional deposit of the amount described in paragraph 5 above, the Clerk of this Court is hereby ordered to FORTHWITH disburse all amounts on deposit, including any funds remaining on deposit from the previous deposit described in paragraph 5 above, any funds deposited by Petitioner pursuant to this Rule and Decree, and any interest earned, to Alan F. Fox c/o John R. Sperber, Faegre & Benson, L.L.P., 370 17th Street, #2500, Denver, Colorado 80202-4004.
- That a certified copy of this Rule and Decree in Condemnation be recorded and indexed in the Office of the Clerk and Recorder of the City and County of Denver and State of Colorado in like manner and with like effect as if it were a deed of conveyance from the owners and parties interested to the Petitioner herein.

DONE this 26 day of 70 cm, 1998.

BY THE COURT:

IT IS HEREBY STIPULATED BY AND AMONG THE PARTIES HERETO THAT THE ABOVE RULE AND DECREE IN CONDEMNATION MAY BE ENTERED HEREIN:

DANIEL E. MUSE - #6229 City Attorney

ROBERT M. KEĻLY - #3935 KAREN A. AVILÉS - #13989 Assistant City Attorneys

Karen A. Avilés

353 City and County Building Denver, Colorado 80202 Telephone: (303) 640-2665 Attorneys for the Petitioner

FAEGRE & BENSON, LLP

John R. Sverber - #22073 370 17th Street #2500 Denyer, Colorado 80202-4004 Telephone: (303) 592-9000 Attorneys for Alan F. Fox

Pátrick A. Wheeler - #14358

Assistant City Attorney 353 City and County Building Denver, Colorado 80202

Telephone: (303) 640-2665

Attorney for Respondent Manager of Revenue

for the City and County of Denver

6/03/1998 10:59 AM

Page: 1

District Court, Denver County
Denver City and County Building
1437 Bannock St Rm 256
Denver, CO 80202
303-640-2491

Transaction: 6/03/1998 10:58 AM RG

TL021668 Payor:

Case #: 1996CV-006530 C&C OF DENVER VS FOX, ALAN F et al

RCP #: 1996CV-006530-0006

| 1 | Description     | Amount       |        |         | Description     | Amount   |
|---|-----------------|--------------|--------|---------|-----------------|----------|
| 1 | Other Registry  | 205, 600. 00 | 1      |         |                 |          |
| , |                 |              | <br> - |         |                 |          |
|   | Receipt Total:  | \$205,600.00 | İ      |         |                 |          |
|   | Amount Tendered |              |        |         | Type:           |          |
|   | Change Due:     | \$.00        | <br>   | Account | Receivable Due: | \$, ଉଥ - |

rule & decree forc&c/erj



PAY

# CITY AND COUNTY OF DENVER, COLORADO

AUDITORS OFFICE 110 16TH STREET, SUITE 1100, DENVER, CO, 80202 (303) 640-2941

CE CO. 80202 (303) 640-2941

CHARGE FUND

OF DENVER

3 3 1 1

AUDITOR'S WARRANT

11856167

WARRANT NUMBER

TO THE TREASURER OF THE CITY AND COUNTY OF DENVER

THE DESIGNATION OF SERVICE

EXACTLY® TWO HUNDRED AND FIVE THOUSAND SIX HUNDRED DOLLARS ONLY \*\*

VOID AFTER SIX MONTHS

DATE PAY THIS AMOUNT
05/29/98 1 0000205,600.00

CLERK OF THE DENVER DISTRICT COURT

TO THE

OF

AUDITED AND



DONALD J. MARES

# 118561671# #1102006407# 4159 668086#