

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2011

COUNCIL BILL NO. CB11-0824
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance amending the revocable permit granted by Ordinance No. 393, Series 1989 to TCNC, LLC to add additional items to encroach into the Encroachment Area and to add additional right-of-way to the Encroachment Area at 17th Avenue and Humboldt Street.

WHEREAS, the owner has requested that the City amend the revocable permit granted by Ordinance No. 393, Series of 1989 to add land to the Encroachment Area and to add a glass and metal patio enclosure over a current outdoor patio, a side garden, awnings, enclosed dining area, entryway and parking valet shed as encroachments at 17th Avenue and Humboldt Street.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. The revocable permit granted by Ordinance No. 393, Series of 1989 is hereby amended to add the following legal descriptions to the Encroachment Area:

PARCEL DESCRIPTION ROW 2011-0446-001

LEGAL DESCRIPTION:

*A PARCEL OF LAND LOCATED IN THE SW¹/₄, SEC.35, T3S, R68W OF THE 6TH P.M., BEING PART OF THE HUMBOLDT STREET RIGHT OF WAY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF LOT 22, BLOCK 13, PARK AVENUE ADDITION TO DENVER;
THENCE S 89°59'52" W, PARALLEL TO THE NORTH LINE OF LOT 22, BLOCK 13, PARK AVENUE ADDITION TO DENVER, 6.00 FEET TO THE TRUE POINT OF BEGINNING;
THENCE S 89°59'52" W, 7.25 FEET TO A POINT;
THENCE S 00°00'00" E, PARALLEL TO THE EAST RIGHT OF WAY LINE OF HUMBOLDT STREET, 81.35 FEET TO A POINT;
THENCE S 39°06'30" E, 11.49 FEET TO A POINT;
THENCE N 00°00'00" W, 90.27 FEET TO THE TRUE POINT OF BEGINNING.
CITY AND COUNTY OF DENVER,
STATE OF COLORADO.
THE ABOVE DESCRIBED PARCEL CONTAINING 622.0286 SQ. FT. OR 0.0143 ACRES .*

and

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1 **PARCEL DESCRIPTION ROW 2011-0446-002**

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE SW¹/₄ SEC.35, T3S, R68W OF THE 6TH P.M., BEING PART OF THE E. 17TH AVENUE RIGHT OF WAY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHEAST CORNER OF LOT 20, BLOCK 13, PARK AVENUE ADDITION TO DENVER;
THENCE S 89°59'52" W, ALONG THE SOUTH LINE OF LOT 20, BLOCK 13, PARK AVENUE ADDITION TO DENVER, 5.53 FEET TO THE TRUE POINT OF BEGINNING;
THENCE S 89°59'52" W, ALONG THE SOUTH LINE OF LOT 20, BLOCK 13, PARK AVENUE ADDITION TO DENVER, 44.61 FEET TO A POINT;
THENCE S 00°00'00" E, PARALLEL TO THE EAST RIGHT OF WAY LINE OF HUMBOLDT STREET, 15.50 FEET TO A POINT;
THENCE N 89°59'52" E, 44.61 FEET TO A POINT;
THENCE N 00°00'00" W, 15.50 FEET TO THE TRUE POINT OF BEGINNING.
CITY AND COUNTY OF DENVER,
STATE OF COLORADO.
THE ABOVE DESCRIBED PARCEL CONTAINING 691.4750 SQ. FT. OR 0.0159 ACRES.

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3 **Section 2.** The revocable permit granted by Ordinance No. 393, Series of 1989 is hereby
4 amended to add the following allowed encroachments:

5 A glass and metal patio enclosure over a current outdoor patio, a side garden, awnings,
6 enclosed dining area, entryway and parking valet shed.

7 **Section 3.** The revocable permit as amended remains in full force and effect.

8 COMMITTEE APPROVAL DATE: November 10, 2011 [by consent]

9 MAYOR-COUNCIL DATE: November 15, 2011

10 PASSED BY THE COUNCIL: _____, 2011

11 _____ - PRESIDENT

12 APPROVED: _____ - MAYOR _____, 2011

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

16 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2011; _____, 2011

17 PREPARED BY: Karen A. Aviles, Assistant City Attorney DATE: November 17, 2011

18 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the
19 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
20 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
21 3.2.6 of the Charter.

22 Douglas J. Friednash, Denver City Attorney

23 BY: _____, Assistant City Attorney DATE: _____, 2011