

P 702

LEGAL DESCRIPTION: (REFERENCE ALTA FOR PARCEL LABELS)

PARCEL A1: Lots 6 through 16, inclusive, Block 1, GERSPACHS FIRST ADDITION TO DENVER City and County of Denver, State of Colorado.
PARCEL A2: Lots 5 through 16, inclusive, EXCEPTING therefrom the North 7.71 feet of Lot 5 and the South 3 feet of Lot 16, COLLINS ADDITION TO DENVER, City and County of Denver, State of Colorado, TOGETHER WITH the West 10 feet of vacated Galapago Street adjoining said land on the East.
PARCEL A3: That part of the Northwest 1/4 of the Southwest 1/4 of Section 27, Township 3 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, described as follows: beginning at the Northeast corner of COLLINS ADDITION TO DENVER, said point being 138.9 feet West of the West line of Fox Street; thence North 16 feet; thence West 123 feet; thence South 16 feet; thence East 123 feet to the Point of Beginning.
PARCEL A4: The West 15 feet of Lot 23, COLLINS ADDITION TO DENVER, TOGETHER WITH that portion of the North 1/2 of the vacated alley lying South of and adjoining said West 15 feet of Lot 23, City and County of Denver, State of Colorado.
PARCEL A5: Lots 18 through 33, inclusive, EXCEPT the West 15 feet of Lot 23 as described in Deed recorded October 3, 1881, in Book 148 at Page 285, and EXCEPT those portions deeded to the City and County of Denver in Book 2027 at Page 585 and in Book 2027 at Page 586 and in Book 2067 at Page 284, COLLINS ADDITION TO DENVER, City and County of Denver, State of Colorado, TOGETHER WITH all of the vacated alley lying South of and adjoining said Lot 23 and North of and adjoining said Lots 18 through 22, inclusive, EXCEPT that portion of the North 1/2 of said Vacated alley lying South of and adjoining the West 15 feet said Lot 23.
PARCEL A6: Lots 20 through 30, inclusive, and the front or Southeastly 77 feet of Lots 31 and 32, Block 12, GASTON'S ADDITION TO THE CITY OF DENVER, City and County of Denver, State of Colorado, TOGETHER WITH the following described land: A parcel of land being those portions of Block 11 and 12, GASTON'S ADDITION TO THE CITY OF DENVER, COLORADO, and Vacated Chestnut Place and Twenty-first Street, according to the recorded plat thereof, located in Sections 27 and 28 Township 3 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows: Beginning at the Northeast corner of the Southeast quarter of the Southeast quarter of said Section 28; thence S89°58'25"E along the Northerly line of said Block 11 a distance of 245.52 feet; thence S44°50'41"W along the Southeastly line of said Block 11 and prolongation thereof a distance of 213.83 feet; thence N45°09'30"W along the centerline of vacated 21st Street a distance of 77.0 feet; thence S44°50'41"W along a line 48.0 feet Southeastly of and parallel with the Northwestly line of Lot 32, said Block 12, a distance of 90.0 feet; thence N45°09'30"W along the Southwestly line of Lot 31, said Block 12 a distance of 48.0 feet; thence N44°50'41"E along the Northwestly line of Lots 31 and 32, said Block 12 a distance of 50.0 feet; thence N45°09'30"W along the Southwestly line of 21st Street, according to the recorded Plat thereof, 16.0 feet; thence S44°50'41"W along the Southeastly line of Lots 1 through 13 said Block 12 a distance of 321.0 feet; thence N14°21'38"W along the Westery line of said Block 12 and prolongation thereof a distance of 192.08 feet; thence N44°50'41"E along the Southeastly line of Block 13, GASTON'S ADDITION TO THE CITY OF DENVER a distance of 52.61 feet; thence N64°55'19"E a distance of 116.52 feet, whence the most Westery corner of said Block 12 bears S44°50'41"W a distance of 185.89 feet; thence N44°50'41"E along the Northwestly line of said Block 12 a distance of 50.20 feet; thence S89°58'03"E along the Northerly line of said GASTON'S ADDITION TO THE CITY OF DENVER a distance of 129.46 feet to the Point of Beginning, AND TOGETHER WITH that portion of the alley in said Block 12 Vacated by Resolution No 25, Series of 1998 recorded January 16, 1998 under Reception No. 9800007721, EXCEPTING FROM the above that portion lying within a parcel of land located in Block 12, GASTON'S ADDITION TO THE CITY OF DENVER, City and County of Denver, State of Colorado, being more particularly described as follows: Beginning at the most Westery corner of Lot 19, said Block 12; thence N44°50'41"E along the northwestly line of Lots 19 and 20, said Block 12 a distance of 19.0 feet; thence S45°14'57"E, a distance of 125.0 feet; thence S44°50'41"W along the Southeastly line of said Block 12 a distance of 88.98 feet; thence N45°08'22"W along the Southwestly line of Lot 17, said Block 12 a distance of 7.94 feet; thence N14°21'38"W along the Westery line of Lots 17 through 19, said Block 12 a distance of 136.28 feet to the Point of Beginning, and EXCEPTING a parcel of land located in Block 12, GASTON'S ADDITION TO THE CITY OF DENVER, State of Colorado, being more particularly described as follows: Beginning at the most Southerly corner of Lot 13, said Block 12; thence N14°21'38"W along the Westery line of said Lot 13 a distance of 18.38 feet; thence S45°14'57"E, a distance of 15.79 feet; thence S44°50'41"W along the Southeastly line of said Lot 13 a distance of 9.44 feet to the Point of Beginning, and EXCEPTING that portion conveyed to Regional Transportation District by Deed recorded July 6, 1992 under Reception No. R-920074653.
PARCEL A7: The Southwestly 1/2 of the Southeastly 77 feet of vacated 21st Street, adjacent to Block 12, Gaston's Addition also described as: A parcel of land in the Southwest Quarter (SW 1/4) of Section Twenty-seven (27), Township Three South (T. 3 S.), Range Sixty-eight West (R.68 W.) of the Sixth (6th) Principal Meridian, in the City and County of Denver and State of Colorado, more particularly described as follows: that portion of 21st Street lying between Delgany Street and West 29th Avenue, acquired by virtue of ordinance No. 71, Series of 1916, of the City and County of Denver, Colorado, entitled "An ordinance vacating the portion of 21st Street lying between Delgany Street and West 29th Avenue, in the City and County of Denver, State of Colorado," by reason of ownership by the party, of the first part of the adjoining and abutting front seventy-seven (77) feet of Lot thirty-two (32), Block Twelve (12), Gaston's Addition to the City and County of Denver also described as: The portion of vacated 21st Street adjacent to the front of northwestly 77 feet of Lots 31 and 32, Block 12, Gaston's Addition to the City of Denver.
Delgany: The Northwestly 1/2 of that part of Delgany Street vacated by Ordinance No. 340, Series of 2001, recorded April 20, 2001 under Reception No. 2001059787, City and County of Denver, State of Colorado.
Beginning at the western most corner of lot 7, block 9, Gaston's Addition to the City and County of Denver; Thence S44°50'41"W along the northwestly line of said block 9 and along the southeastly right of way line of Delgany Street, a distance of 135.76 feet; Thence N42°47'55"W along the northerly prolongation of a line of land described at reception # 92-0074653, City and County of Denver, a distance of 80.07 feet; Thence N44°50'41" E along the southeastly line of block 12, Gaston's Addition to the City and County of Denver and the northwestly right of way line of Delgany street,, a distance of 132.46 feet; Thence S45°09'19"E, a distance of 80.00 feet to the point of beginning.
30th Street: The South 1/2 of that part of West 30th Avenue vacated by Ordinance No. 339, Series of 2001, recorded April 20, 2001 under Reception No. 2001059786, City and County of Denver, State of Colorado.
Beginning at the Southeast corner of said block 2, Gerspach's first addition to Denver; Thence S00°01'50"W, along the west right of way line of Fox street, a distance of 40.00 feet to the northeast corner of said Block 1, Gerspach's first addition to Denver; Thence N89°58'52"W, along said north line, a distance of 138.00 feet to the west right of way line of said 30th street; Thence N00°01'58"W, along said west line, a distance of 40.00 feet; thence S89°58'52"E, along a projection of the south line of said Block 2, Gerspach's addition to Denver, a distance of 138.90 feet to the point of beginning.

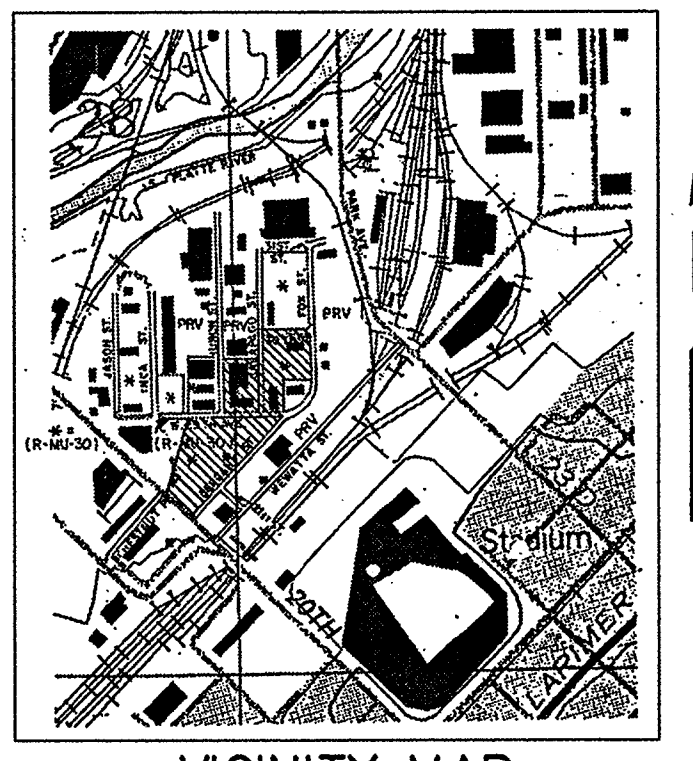
LINCOLN AT PROSPECT PARK GENERAL DEVELOPMENT PLAN A PART OF THE SOUTHWEST 1/4 OF SECTION 27, AND THE SOUTHEAST 1/4 OF SECTION 28 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN CITY AND COUNTY OF DENVER, STATE OF COLORADO LOCATED 29TH AVE. AND CHESTNUT STREET/FOX STREET COVER SHEET

STATEMENT OF INTENT

PROSPECT PARK IS A FOUR-STORY, URBAN RESIDENTIAL DEVELOPMENT WITH 415 RENTAL APARTMENT UNITS. THE DEVELOPMENT IS LOCATED WEST OF COORS FIELD AND ADJACENT TO THE "LO DO" DISTRICT IN THE CITY. THE SITE ASSEMBLAGE IS APPROXIMATELY 5.6 ACRES. THE AREA IS ZONED RMU-30. THE DEVELOPMENT HAS BEEN PLANNED AS THREE NEIGHBORHOOD CLUSTERS. THE MAJORITY OF EXISTING STREETS AND SIDEWALKS SURROUNDING THE THREE CLUSTERS WILL BE RE-ENGINEERED AND REBUILT PER CITY OF DENVER STANDARDS. PROSPECT PARK OFFERS TRUE URBAN LIVING AND FEATURES A UNIQUE DESIGN THAT PAYS HOMAGE TO IT'S SURROUNDING. THE DEVELOPMENT INCORPORATES ARCHITECTURAL ELEMENTS SUCH AS FLAT ROOFS, BRICK, STONE, EXPOSED STEEL, AND LARGE WAREHOUSE WINDOWS THAT ARE SYMBOLIC OF IT'S LOCATION AND BLEND WITH THE "LO DO" DISTRICT. CLUSTERS ONE AND FOUR FEATURE A LAYOUT THAT WRAPS UNITS AROUND A MULTI-LEVEL PARKING STRUCTURE, WHICH IS STRATEGICALLY PLACED AND PARTIALLY HIDDEN FROM STREET VIEW AND ALLOW RESIDENTS THE CONVENIENCE OF PARKING ON THE LEVEL ON WHICH THEY LIVE. CLUSTER THREE SHARES THE PARKING STRUCTURE FOR CLUSTER FOUR VIA A THIRD FLOOR PEDESTRIAN BRIDGE AND ALSO HAS BELOW PARKING. THIS LAYOUT ALSO ALLOWS RESIDENTS TO ENJOY NUMEROUS INTERIOR COURTYARDS AND SPECTACULAR VIEWS OF DOWNTOWN DENVER, COORS FIELD, AND SNOWCAPPED MOUNTAINS.

STATISTICAL INFORMATION

Table with 2 columns: PROJECT AREA, RIGHT OF WAY TO BE DEDICATED. Rows include: W 29TH (0.23 ACRES, 9,852 SF), HURON (0.04 ACRES, 1,632 SF), FOX (0.02 ACRES, 885 SF), BUILDING HEIGHT 47.5 FEET (MAX) - 4 STORIES, NET PROJECT AREA (5.38 ACRES, 234,464 SF), OPEN SPACE PROVIDED (10%) (0.54 ACRES, 23,469 SF), OPEN SPACE REQUIRED (10%) (0.54 ACRES, 23,469 SF), NO. DWELLING UNITS (APPROXIMATELY 415 DU'S), NET RESIDENTIAL DENSITY (APPROXIMATELY 81 DU/AC), GROUND COVERED BY STRUCTURES (4.41 ACRES, 192,091 SF), PARKING REQUIRED (511 SPACES), PARKING PROVIDED (654 SPACES (28HC)).



VICINITY MAP 1"=1000' (HATCHED AREA INDICATES LINCOLN'S PROJECT)

OWNER'S SIGNATURE

WE, THE UNDERSIGNED, SHALL COMPLY WITH ALL REGULATIONS CONTAINED IN CHAPTER 59, ARTICLE III, SECTION 59-430.11 AND 59-816 THROUGH 59-823 OF THE REVISED MUNICIPAL CODE OF THE CITY AND COUNTY OF DENVER.

SIGNATURE OF ALL OWNERS OF LAND AND STRUCTURES INCLUDED IN THIS PLAN, LINCOLN-PHEONIX PROSPECT PARK LIMITED PARTNERSHIP, ITS GENERAL PARTNER

BY: Jeff Courtwright DATE: 1/7/02 TITLE: Vice President

STATE OF TEXAS THE FOREGOING INSTRUMENT HAS ACKNOWLEDGED BEFORE ME THIS 7th DAY OF JANUARY, A.D. 2002, BY JEFF COURTWRIGHT AS VICE PRESIDENT OF LINCOLN AT PROSPECT PARK LTD. PARTNERSHIP

LESLIE BELINGER Notary Public, State of Texas My Commission Expires 02-02-2003 500 N Akard Suite 3300 Dallas, TX 75201

WITNESS MY HAND AND OFFICIAL SEAL. PHEONIX S.P. XIV, INC., IT GENERAL PARTNER BY: James J. McKinley, III DATE: 1/7/02 TITLE: Vice President

STATE OF TEXAS THE FOREGOING INSTRUMENT HAS ACKNOWLEDGED BEFORE ME THIS 7th DAY OF JANUARY, A.D. 2002, BY LESLIE BELINGER AS VICE PRESIDENT OF LINCOLN AT PROSPECT PARK LTD. PARTNERSHIP

LESLIE BELINGER Notary Public, State of Texas My Commission Expires 02-02-2003 500 N Akard Suite 3300 Dallas, TX 75201

WITNESS MY HAND AND OFFICIAL SEAL.

BASIS OF BEARINGS

THE WEST LINE OF THE NW 1/4 OF THE SW 1/4 OF SECTION 27, T. 3 S., R. 68 W. OF THE 6TH P.M., MONUMENTED AS SHOWN AS N00°02'34"E. 1320.92'

BENCHMARK

ELEVATIONS ARE BASED ON CITY AND COUNTY OF DENVER BENCHMARK 485 A MERRICK 3" BRASS CAP IN CONCRETE TRANSMISSION TOWER BASE NORTH CORNER OF 15TH AND GRINNELL COURT. ELEV.=5187.62, NGVD 1929

SURVEYOR'S CERTIFICATION

I, KURT O. LINN, JR., PLS, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY FOR THE PROSPECT PARK GENERAL DEVELOPMENT PLAN WAS MADE UNDER MY SUPERVISION AND THE ACCOMPANYING PLAN ACCURATELY AND PROPERLY SHOWS SAID PARCEL.

BY: Kurt O. Linn, Jr. DATE: 1-3-02

CLERK & RECORDER'S CERTIFICATION

STATE OF COLORADO CITY AND COUNTY OF DENVER

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE AT 2:15 PM, FEBRUARY 27, 2002, AND DULY RECORDED IN PLANNED BOOK 33 DEVELOPMENT BOOK 19 33. PAGES 18-83 RECEPTION #200202189B

ROSEMARY E. RODRIGUEZ CLERK AND RECORDER, EX-OFFICIO CLERK OF THE CITY AND COUNTY OF DENVER

BY: Sheila Palomino DEPUTY CLERK AND RECORDER FEE: \$60.00



GDP APPROVAL WITH CONDITIONS

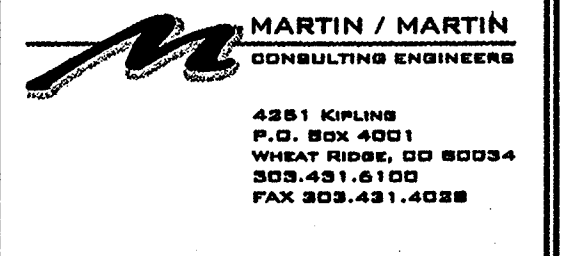
- 1. STORM DRAINAGE AND SEWAGE ISSUES, BOTH ON AND OFF SITE, MUST BE SUCCESSFULLY ADDRESSED BY EITHER SITE SPECIFIC SOLUTIONS OR BY A COORDINATED AREA EFFORT PRIOR TO BUILDING PERMIT.
2. THE OFFSITE DRAINAGE FACILITIES SHOWN ON THE GDP ARE SUBJECT TO CHANGE. DENVER WASTEWATER WILL FURTHER REVIEW AND APPROVE THE OFFSITE DRAINAGE FACILITIES DURING THE PBG REVIEW PROCESS.
3. RIGHT-OF-WAY VACATIONS AND DEDICATIONS (INCLUDING ENVIRONMENTAL CLEAN-UP) MAY BE REQUIRED TO ESTABLISH AN ACCEPTABLE ACCESS AND UTILITY SYSTEM PRIOR TO ISSUANCE OF BUILDING PERMIT.
4. PRIOR TO SITE PLAN APPROVAL, BOTH AN APPROVED TRAFFIC IMPACT STUDY AND A TRANSPORTATION ENGINEERING PLAN WILL BE REQUIRED. ROADWAY ALIGNMENT AND GEOMETRY SHOWN IN THE GDP IS SUBJECT TO CHANGE BASED UPON THE RESULT OF THIS STUDY.

BY: Kent Strands ZONING ADMINISTRATOR DATE: 1-24-02

ZONING WAIVERS AND CONDITIONS:

- 1. THAT IN THE APPLICATION THE OWNERS HAVE REPRESENTED THAT IF THE ZONING CLASSIFICATION IS CHANGED PURSUANT TO THE APPLICATION, THE OWNERS WILL AND HEREBY DO:
(A) WAIVE THEIR RIGHT TO ERECT, CONSTRUCT OR MAINTAIN STRUCTURES CONTAINING MORE THAN FIFTY (50) PERCENT OF THEIR GROSS FLOOR AREA IN RESIDENTIAL USES, IN ACCORDANCE WITH SECTION 59-430.10 (3) OF THE REVISED MUNICIPAL CODE OF THE CITY AND COUNTY OF DENVER, AND INSTEAD THE REQUIRED FRONT SET BACK FOR STRUCTURES CONTAINING MORE THAN FIFTY (50) PERCENT OF THEIR GROSS FLOOR AREA IN RESIDENTIAL USES SHALL BE ZERO (0) FEET.
2. THAT THE OWNERS APPROVE AND AGREE, AS REASONABLE CONDITIONS TO THE REQUESTED CHANGE IN ZONING CLASSIFICATIONS RELATED TO THE DEVELOPMENT, OPERATION AND MAINTENANCE OF THE LAND AREA HEREINAFTER DESCRIBED:
(B) THAT IF ANY PORTION OF THE SUBJECT PROPERTY IS USED OR OCCUPIED OR THAT OF ANY PORTION OF A STRUCTURE OR STRUCTURES ARE USED, OCCUPIED, DESIGNED, ERECTED, ALTERED OR MAINTAINED FOR ANY RESIDENTIAL USE AS ENUMERATED IN SECTION 59-430.03 (A) OF THE REVISED MUNICIPAL CODE, AFFORDABLE DWELLING UNITS SHALL BE PROVIDED ACCORDING TO THE FOLLOWING:
(A) IF THE SUBJECT PROPERTY IS USED AS DWELLING UNITS FOR RENT, AT LEAST TEN PERCENT (10% OF THE TOTAL NUMBER OF DWELLING UNITS FOR RENT SHALL BE AFFORDABLE DWELLING UNITS FOR RENT IN TERMS OF THE INCOME OF THE TENANTS AND THE RENTS CHARGED. THESE AFFORDABLE DWELLING UNITS FOR RENT SHALL BE LEASED TO TENANTS EARNING NO MORE THAN EIGHTY PERCENT (80%) OF THE MEDIUM FAMILY INCOME ADJUSTED BY HOUSEHOLD SIZE BASED ON THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT GUIDELINES FOR THE DENVER PMSA, PRIMARY METROPOLITAN STATISTICAL AREA, AS ADJUSTED ANNUALLY. THE MAXIMUM MONTHLY RENT FOR THE DWELLING UNITS FOR RENT SHALL BE BASED UPON THIRTY PERCENT (30%) OF THE MEDIUM FAMILY INCOME, ADJUSTED FOR HOUSEHOLD SIZE, DIVIDED BY TWELVE (12). FOR THE PURPOSE OF CALCULATING MAXIMUM MONTHLY RENTS, A ONE (1) BEDROOM DWELLING UNIT IS PRESUMED TO SERVE A HOUSEHOLD WITH ONE AND ONE-HALF (1.5) PERSONS AND A TWO (2) BEDROOM DWELLING UNIT IS PRESUMED TO SERVE A HOUSEHOLD WITH THREE (3) PERSONS.
(B) IF THE SUBJECT PROPERTY IS USED AS FOR-SALE DWELLING UNITS, AT LEAST TEN PERCENT (10% OF THE TOTAL NUMBER OF FOR-SALE DWELLING UNITS SHALL BE AFFORDABLE FOR-SALE DWELLING UNITS. AFFORDABLE FOR-SALE DWELLING UNITS, FOR THE PURPOSE OF THIS CONDITION, SHALL HAVE A MAXIMUM PURCHASE PRICE OF ONE HUNDRED AND TWENTY SIX THOUSAND DOLLARS (\$126,000) FOR ONE (1) BEDROOM DWELLING UNITS AND ONE HUNDRED AND FIFTY THOUSAND DOLLARS (\$150,000) FOR TWO (2) BEDROOM DWELLING UNITS, WITH THE PURCHASE PRICE BEING ADJUSTED ANNUALLY, BEGINNING JANUARY 1, 2003, BASED UPON THE CONSTRUCTION COST INDEX COMMONLY USED BY THE AMERICAN ASSOCIATION OF CONTRACTORS. IF THIS INDEX IS NO LONGER AVAILABLE, THE CITY SHALL SELECT THE MOST COMMONLY USED RESIDENTIAL CONSTRUCTION COST INDEX. PURCHASERS OF THE AFFORDABLE FOR-SALE DWELLING UNITS SHALL OCCUPY THE AFFORDABLE FOR-SALE DWELLING UNIT AS THEIR PRIMARY RESIDENCE.
(C) IF THE SUBJECT PROPERTY IS USED AS EITHER DWELLING UNITS FOR RENT OR FOR-SALE DWELLING UNITS, THE REQUIREMENT FOR AFFORDABLE DWELLING UNITS MAY BE MET IN MULTIPLE BUILDINGS OR MULTIPLE PHASES; HOWEVER, EACH PHASE OF THE DEVELOPMENT, WHEN ADDED TO THE PRIOR COMPLETED PHASES, SHALL PROVIDE AT LEAST TEN PERCENT (10%) OF THE TOTAL NUMBER OF DWELLING UNITS AS AFFORDABLE DWELLING UNITS. THE REQUIRED AFFORDABLE DWELLING UNITS SHALL BE DISTRIBUTED AMONG ONE (1) BEDROOM DWELLING UNITS, WITH A MINIMUM OF SIX HUNDRED AND FIFTY (650) SQUARE FEET, AND TWO (2) BEDROOM DWELLING UNITS, WITH A MINIMUM OF EIGHT HUNDRED AND FIFTY (850) SQUARE FEET, IN THE SAME PROPORTION TO THE DISTRIBUTION OF SUCH ONE (1) AND TWO (2) BEDROOM DWELLING UNITS AS IN THE ENTIRE PROJECT.
(D) THE FOREGOING REQUIREMENTS SHALL BE IN EFFECT FOR A MINIMUM PERIOD OF TWENTY (20) YEARS FROM THE DATE OF ISSUANCE ON THE FINAL CERTIFICATE OF OCCUPANCY FOR EACH PHASE AND SAID REQUIREMENTS SHALL TERMINATE AT THE END OF SUCH TWENTY (20) YEAR PERIOD. AN AFFORDABLE HOUSING PLAN TO IMPLEMENT THIS CONDITION SHALL BE SUBMITTED TO AND APPROVED BY THE DIRECTOR OF PLANNING PRIOR TO THE ISSUANCE OF ANY ZONING PERMIT.

GDP RESUBMITTAL 01/03/02
GDP RESUBMITTAL 07/19/01
GDP RESUBMITTAL 06/27/01
GDP RESUBMITTAL 10/17/00
GDP RESUBMITTAL 07/21/00
GDP RESUBMITTAL 06/18/00
04/24/00



plot date 08/16/01 LEWIS
paper space N/A PLOT
model space N/A
main file COVER.DWG xreference BASE.BASE.DWG
project manager D.MASON
project designed by D.MASON
project drawn by E. LOPEZ
sheet no. 14139.C.04









