

**Friends of Denver Parks et al. vs. City and County of Denver et al.
Denver District Court Case No.: 2013CV032444**

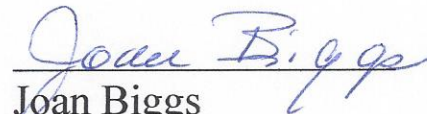
State of Colorado)
County of Denver) ss

1. My name is Joan Biggs. I am over the age of 18 years and competent to testify in all respects. This affidavit is based on my personal knowledge.
2. I was born in 1926. I grew up in east Denver at 383 Birch St. I attended Steck Elementary, and Smiley Junior High. In 1933, when I was seven years old, my father walked my mother, me, and my brother down Colorado Boulevard to watch the Cherry Creek flood. It was more water than I ever saw in my life. My father joined the US Army in 1941 immediately after Pearl Harbor. I graduated from East High School in 1944, while my father was serving overseas. I attended the University of Denver for one year. I married in 1945.
3. Horseback riding was extremely popular in Denver when I grew up. When I was 12 or 13 I joined the Hottentot riding club. It was before World War II. An army reserve officer named Ralph "Cap" Bitler trained us in equestrian skills and took us on trail rides. Cap taught science at Morey Junior High School and mentored the Hottentots in his spare time. We called Cap's wife "Mommy B." There was a riding ring at Colorado Boulevard and Cherry Creek where we practiced.
4. The Hottentots started trail rides from our barn at 3rd and Steele St. We rode along Cherry Creek to the Sullivan Dam. There was lots of open space on both sides of Cherry Creek. Near the Sullivan Dam was a large open field north of the dam where we could gallop the horses and let them jump over fallen trees. We packed a lunch and sometimes ate in the open field. The trail rides to

Sullivan Dam took most of the day. There would be five to ten riders in our group of Hottentots. We did not have a name for the open field near Sullivan Dam, but we assumed it was a park because it was always open to the public, everybody used it as a park, and nobody asked us to leave.

5. In 1958 I started teaching horseback riding to children at the Flowing J&J Ranch, located near Syracuse and Iliff. I would take my students on horseback rides along the Highline Canal and Cherry Creek, the same places where I rode on trail rides as a member of the Hottentots. Havana St. was built around that time, but there were still many horseback riders using the bridle paths and the park west of Havana. Once there was a terrible hailstorm and I took my students and horses under the bridge where Havana goes over Cherry Creek.
6. On March 3, 2014 I visited the construction site at E. Girard Ave. and S. Havana St. Based on my own observations, I know that the location of the school construction zone at E. Girard Ave. and S. Havana St. was the same park where I rode horses as a young girl in the 1930's and 1940's, and where I took my students on trail rides from the Flowing J&J in the 1950's and 1960's. I am certain that the construction site was used as a public park before and after 1955.

Further, Affiant sayeth not.


Joan Biggs

The foregoing Affidavit was acknowledged before me March 3, 2014
_____ 2014 by Joan Biggs, known personally to me.


Notary Public

My commission expires:

