COLORADO COURT OF APPEALS Court Address: 2 East Fourteenth Ave. Denver, Colorado 80202 Denver District Court Case No. 2013 CV 32444 Hon. Herbert L. Stern III, District Court Judge **Plaintiffs/Appellants:** FRIENDS OF DENVER PARKS, INC., a Colorado non-profit corporation; and STEVE WALDSTEIN and ZELDA HAWKINS, individuals. v. **Defendants/Appellees:** CITY & COUNTY OF DENVER, a municipal corporation; and SCHOOL DISTRICT NO. 1 IN THE CITY AND COUNTY OF DENVER, a public entity.	▲ **COURT USE ONLY** ▲
Attorneys for Appellants: John Case, # 2431 Evans Case, LLP 1660 So. Albion Street, Suite 1100 Denver, CO 80222 PH: (303) 758-5003 FAX: (303) 753-0444 Email: case@evanscase.com	Case No. 14CA1641

REPLY BRIEF

CERTIFICATE OF COMPLIANCE

I certify that this reply brief complies with all requirements of C.A.R. 28 and C.A.R. 32, including all formatting requirements set forth in those rules. Specifically, the undersigned certifies that:

The brief complies with C.A.R. 28(g) because it does not exceed 18 pages.

I acknowledge that my reply brief may be stricken if it fails to comply with any of the requirements of C.A.R. 28 and C.A.R. 32.

Date: March 30, 2015.

Respectfully submitted,

EVANS CASE, LLP

s/ John Case

John Case, #2431
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TABLE OF CONTENTS

TABLE OF AUTHORITIES

CASES:

CHARTER:

STATUTES AND ORDINANCES:

COURT RULES:

OTHER AUTHORITIES

INTRODUCTION

Appellants Friends of Denver Parks, Inc., Steve Waldstein and Zelda Hawkins, by and through counsel, EVANS CASE, LLP, respectfully submit their Reply Brief. For the following reasons, Appellants respectfully request that this Court reverse the trial court's May 2, 2014 order granting Appellees' motion for summary judgment and remand with instructions to enter judgment in Appellants' favor holding that HHNP was a park to which Section 2.4.5 of the Denver City Charter applied. Alternatively, Appellants respectfully request that this Court reverse the trial court's order granting Appellees' motion for summary judgment and remand for a jury trial on the disputed issues of fact.

REPLY ARGUMENT

1. Appellants were entitled to judgment because, as a matter of law, Hampden Heights North Park ("HHNP") was officially designated a park in the zoning ordinance of 2010, such that the voter approval requirement of City Charter § 2.4.5 applied.

The City and County of Denver ("City") and Denver Public Schools ("DPS") agree that Ordinance 333, Series of 2010 rezoned land in Denver to conform to the official zoning map. (Answer Brief at 14-15.) Ordinance 333 expressly provided that Denver land is "hereby **rezoned as designated on the Official Map**." (R. CF p. 1232 [emphasis added].) Appellants agree that the Official Map classifies HHNP as OS-A. (Answer Brief at 18.) It is undisputed that

the OS-A classification means "**public parks** owned, operated or leased by the City[.]" (R. CF p. 1351 [emphasis added].)

The City and DPS did not contest Appellants' analysis showing that Ordinance 333 "designated" HHNP a park as the word "designate" is commonly defined. (*See* Opening Brief at 19-20.) Further, the City and DPS did not expend a single word attempting to defend the trial court's curious pronouncement that an ordinance must not only "designate" but also "officially demarcate" land as a park before Section 2.4.5 of the City Charter can apply. (*See* R. CF p. 1490.)

Appellees' silence should end the matter in Appellant's favor. Ordinance 333 is a city ordinance that "designated" HHNP a park. Charter § 2.4.5 clearly provides that city-owned land "designate[d] . . . as a park by ordinance" cannot be sold without voter approval. *See Friends of Denver Parks, Inc. v. City & County of Denver*, 327 P.3d 311, 318 (Colo. App. 2013). Accordingly, the April 1, 2013 deal by which the City sold the southerly 10.77 acres of HHNP to DPS for an office building, without voter approval, was a wrongful ultra vires act.

However, Appellees claim that Ordinance 333, Series of 2010 did something other than what it says, namely "designated" land per the Official Map. The City and DPS proffer three contentions in support of that claim, all of which fail.

Appellees first contend that zoning regulation serves "an entirely different purpose" than disposition of city-owned land, and thus "an ordinance imposing land use regulations on the city in general is entirely different from an ordinance limiting the sale or leasing of a particular parcel of city-owned property." (Answer Brief at 16.) That may be true, but so what? The contention is irrelevant.

Section 2.4.5 of the Charter is not just "an ordinance limiting the sale or leasing of a particular parcel of city-owned property." To the contrary, § 2.4.5 protects all parcels "designated a park by ordinance" from sale. Everyone agrees that Ordinance 333 was an ordinance. The only question is whether Ordinance 333 "designated" HHNP a park. For the reasons set forth on pages 18-20 of the Opening Brief, the answer is yes. Appellees proffer no analysis supporting the notion that distinctions between a land use ordinance and a Charter provision protecting public park land somehow alters the inescapable conclusion that Ordinance 333 "designated" HHNP a park.

The absence of such analysis is telling. The City and DPS do not say how a "different purpose" affects the analysis of whether Ordinance 333 designated HHNP a park. By its plain terms, the ordinance did in fact designate HHNP a park.

Appellees next note that on the same day Council approved sale of the southerly 10.77 acres of HHNP, it passed another ordinance making the northerly

16 acres part of nearby Hentzell Park. From that Appellees conclude that City Council did not consider the parcel it voted to sell DPS a "park" despite the OS-A zoning designation. The City and DPS aver that City Council's "interpretation" of "its own charter" is entitled to "deference." (Answer Brief at 17.)

The argument fails for at least two reasons. First, there is not a shred of evidence to support Appellees' contention that Council considered "zoning as being ineffectual as a park designation within the meaning of Section 2.4.5[.]" (*Id.*) In truth, there is no indication that Council gave any thought to whether HHNP's zoning status qualified as a park designation for § 2.4.5 purposes. No such argument was ever presented at any public hearing or discussed by any member of Council during meetings. The "interpretation" to which the City demands that this Court "defer" exists only in Appellees' imagination, invented after the fact to escape the indisputable conclusion that Ordinance 333 designated HHNP a park.

Second, and more important, § 2.4.5 does not require "interpretation." City charters are construed the same way as statutes. *Leggett & Platt, Inc. v. Ostrom,* 251 P.3d 1135, 1141 (Colo. App. 2010). If the language is unambiguous, then the plain meaning of that language governs and resort to tools of statutory construction is unnecessary. *People v. Voth*, 312 P.3d 144, 149 (Colo. 2013).

The Charter does not define "designated," so plain meaning controls. As Appellants pointed out, the plain meaning of "designate" is "to mark or point out; indicate; show; specify . . . to denote; indicate; signify . . . to name; entitle; style . . . ." (Opening Brief at 19.) Ordinance 333 plainly "designated" HHNP a park in the clear and commonly understood sense of the term. (*See id.* at 19-20.)

As this Court noted during the first appeal, the rule of interpretation on which Appellees rely applies only where the text of a charter provision is unclear. Where "the language in a section of the charter is clear . . . then we do not resort to other rules of statutory interpretation." *Friends,* 327 P.3d at 317. Deferring to a city official's interpretation of a charter provision is improper where that interpretation is at odds with the plain language. *Id.* (citing *Ostrom,* 251 P.3d at 1141).

There is simply nothing to "interpret" here. The term "designate" is clear and unambiguous; it needs no elaboration. All we need do is apply the Charter's plain terms to the undisputed facts. That mandates a ruling in Appellants' favor.

Even if Council's actions on the night of April 1, 2013 qualified as an "interpretation" of the word "designate" in § 2.4.5 – and it clearly does not – that "interpretation" conflicts with the plain terms of § 2.4.5. The undisputed facts establish that Ordinance 333 "denotes," "signifies," "names," and "styles" HHNP a park. That being true, the ordinance "designated" HHNP a park.

Citing an affidavit from Lauri Dannemiller, the City's Manager of Parks and Recreation, Appellees contend that the OS-A classification has been assigned to property "officially designated as parks as well as to lands which have never received such a designation."[1] (Answer Brief at 18.) That is a textbook example of the fallacy known as begging the question. The issue here is whether the OS-A zoning classification "designates" a property a park for purposes of Charter § 2.4.5. By claiming that the OS-A classifications applies to both "designated" and "undesignated" parks," Defendants are presuming the truth of their position to prove the truth of their position. The argument is completely circular.

To lay bare the fallacy in the argument one need only read paragraph 5 of Ms. Dannemiller's affidavit, in which she opines that "properties zoned OA-S . . . include designated parks and undesignated parks[.]" (R. CF p. 1367.) That statement is complete nonsense unless one assumes that conferring a zoning classification of OA-S is not a "designation."

The City and DPS also claim that the Zoning Code renders the OS-A classification applicable "not only to legally dedicated and designated parks but

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[1] Earlier in their brief the City and DPS characterized Ms. Dannemiller as a "lay witness" who cannot testify to legal standards or whether those standards were met. (Answer Brief at 12, n.3.) Now they cite Ms. Dannemiller's affidavit as authority for the proposition that land may be classified as OS-A yet still be "undesignated" for purposes of § 2.4.5. Appellees seem to be of at least two minds as to whether Ms. Dannemiller may provide legal opinion testimony.

also to any other lands that are simply 'managed' by the parks department." (Answer Brief at 18.) Appellees' reliance on the Zoning Code definition is misplaced for at least three reasons. First, their claim regarding the Code's contents is false. The Code provision at issue does not create some sort of dichotomy between "formally designated" parks and land under DPR's management. The Zoning Code definition of "City Park" reads in full:

> An area of land owned or leased by the City and operated or managed by the Denver Department of Parks and Recreation.

Denver Zoning Code of 2010 § 11.12.3.3(B)(2). Thus, the Code does not purport to shed light on what it means to "designate" a park by ordinance.

Contrary to Appellees' suggestion, § 2.4.5 does not require that land be "legally dedicated" a park before the Charter's protections apply; it is enough that the land be designated a park. "Designate" and "dedicate" are not synonyms.

Appellees' Code-based contention is just more question-begging. The issue is whether Ordinance 333 and the map it adopted "designated" HHNP a park. Appellees are, once again, assuming a negative answer to prove a negative answer. For the reasons previously discussed, the answer is yes.

To sum up, Section 2.4.5 of the Charter expressly provides that City-owned land designated by ordinance as a park cannot be sold without voter approval. Ordinance 333, Series of 2010 expressly denotes, signifies, names and styles

HHNP as "open space public park" land. Per the plain meaning rule, Ordinance 333 thus designated HHNP a park, and HHNP was designated a park by ordinance for purposes of Charter § 2.4.5. Accordingly, as a matter of law, the City violated the Charter when it sold the subject parcel without voter approval. The trial court erred in granting Appellees' motion for summary judgment and denying Appellants' cross-motion for summary judgment on that issue.

2. Given this Court's holding that "Section 2.4.5 makes clear that it does not matter how city land became a park before December 31, 1955," legislative history establishing that City Council intended to protect all properties used as parks prior to that date is relevant.

Citing this Court's prior statement that the language of § 2.4.5 is clear, the Appellees claim that any resort to the legislative history of the 1996 amendment to § 2.4.5 is improper.[2] (Answer Brief at 9-11.) That is incorrect.

In its 2013 opinion this Court held:

> Section 2.4.5 makes clear that **it does not matter how city land became a park before December 31, 1955**. But city land can only become a park after that date if the city designates it as a park by an ordinance.
>
> . . .
>
> When we read the plain language of sections 2.4.5 and 3.2.6 together, we conclude that the charter's drafters intended to draw a bright line. **It did not matter to the drafters how land became a park before December 31,**

[2] Appellees are textualists of convenience. As shown in Section 1, *supra*, they had no qualms about relying on extra-textual sources in attempting to show that the term "designated" as used in § 2.4.5 means something other than "designated."

> **1955**. But the drafters intended to limit that process for all land that the city owned after that date.

Friends, 327 P.3d at 318, 319 (emphasis added). Consistent with those pronouncements, Appellants asserted in the trial court that City-owned lands used as parks before 1955 qualified as protected parks for purposes of § 2.4.5.

The trial court did not address Appellants' arguments on that issue at all. Instead, the trial court cited this Court's opinion for the proposition that "the Property could only be a park if it were Common Law Dedicated as one before 1955, or it was formally designated later as such by the City." (R. CF p. 1490.) The trial court was wrong in that regard. Nowhere did this Court hold, state, suggest or imply that common law dedication was the only means by which City land could become a park for § 2.4.5 purposes prior to 1955. To the contrary, this Court held that "[i]t did not matter . . . how land became a park before December 31, 1955." 327 P.3d at 319. Thus, the trial court erred in refusing to consider Appellants' argument that HHNP became a park through use before 1955.

The text of § 2.4.5 does not address how land could become a park prior to 1955. Thus, the text is not dispositive and consideration of legislative history is appropriate. *E.g., Larimer County Comm'rs v. Secretary of State,* 911 P.2d 698, 701 (Colo. App. 1995); *Henderson v. RSI, Inc.*, 824 P.2d 91, 94 (Colo. App. 1991).

As discussed in the Opening Brief, City Council passed an ordinance submitting the current version of § 2.4.5 to the voters for approval in 1996. The affidavit of John Bennett, the Executive Director of City Council from 1988 to 2005, sets forth in detail the history of the 1996 amendment to § 2.4.5. In 1995, the Grand County District Court issued an order interpreting and applying the version of § 2.4.5 then in effect. The Grand County court held that the then-existing Charter provision requiring voter approval of park land sales applied only to land designated as a park by ordinance, regardless of whether the land was acquired before or after the effective date of the Charter provision. (R. CF p. 1323-1324 [Grand County ruling, App. 2 to Bennett affidavit].)

The Grand County court's ruling did not comport with City officials' understanding of the Charter provision restricting sales of park land. City Council's staff drafted the 1996 amendment to clarify that property the City owned before 1955 did not need to be designated as a park by ordinance to qualify for Charter protection. Instead, if City land was used as a park prior to 1955, then it qualified as a park for purposes of § 2.4.5. (*Id.* p. 1321 [Bennett affidavit].)

Mr. Bennett explained the intent and effect of the 1996 amendment to Councilors at an August 19, 1996 meeting of City Council:

> Madam President, Council Bill 677 refers a charter amendment to the voters at the November 5th election. The amendment confirms that parks **used as parks prior to 1955** are designated parks.
>
> The amendment clears up confusion those [sic] results from a Grand County Court interpretation of current charter language on parks.

(*Id.* p. 1322 [Council meeting minutes, Appendix 1 to Bennett affidavit] [emphasis added].) The bill passed unanimously. (*Id.*)

Appellees complain that Mr. Bennett's statement regarding the intent of the 1996 amendment "is inconsistent with what the plain language of Section 2.4.5 actually says." (Answer Brief at 11.) How so? Everyone, counsel for the City included (R. 06/28/13 Tr. p. 321, l. 3-23), agrees that § 2.4.5 does not specify how land becomes a "park belonging to the city as of December 31, 1955." Since the Charter language does not address the issue, there can be no inconsistency.

Appellees also claim that Mr. Bennett's statement regarding the 1996 amendment is a "tautology" because he repeatedly uses the word "park" and thereby "beg[s] the question" as to how City land becomes a park in the first place. (Answer Brief at 11.) That is incorrect. A tautology is an argument constructed by using different phrasing and terminology that have identical meanings, thus attempting to render the proposition as stated irrefutable. *See* http://en.wikipedia.org/wiki/Tautology_%28rhetoric%29. The term "tautology" is typically used to describe sentences in which the predicate merely restates the

subject, thus imparting no useful information. That is not what we have here. Mr. Bennett's statement to City Council establishes that the intent of the amendment was to protect all City-owned land "used as parks" prior to 1955. There is nothing tautological about the statement.

The trial court also had before it the affidavit of Susan Barnes-Gelt, a City Council member at the time of the above-described events. Ms. Barnes-Gelt verified that members of Council knew that the City owned numerous parks were acquired before 1955 that were never formally designated as parks by ordinance. (R. CF p. 1237.) Ms. Barnes-Gelt voted in favor of the proposed Charter amendment with the understanding that lands used as parks before 1955 that were under management of the Department of Parks and Recreation as of 1996 were protected by the Charter provision requiring voter approval of sales. (*Id.*)

Everyone agrees that the City owned HHNP since 1936. Appellants presented overwhelming and undisputed evidence that HHNP was is fact used as a park before 1955. The affidavits of eyewitnesses Joan Biggs (R. CF pp. 1174-1175), Sandra Dennehy (*id.* pp. 1176-1177), Carolyn Gallagher (*id.* pp. 1178-1179), and Dave Norden (*id.* pp. 1180-1181) proved that citizens treated HHNP as a public park with the City's acquiescence and encouragement for decades before 1955. That accorded fully with the preliminary injunction hearing testimony of

historian Charles Bonniwell, who stated that HHNP (referenced as "Parcel 31") was used for recreational purposes from before its acquisition by the City right up to 1955 and beyond. (R. CF pp. 1192-1197, 1198 [Bonniwell testimony].)

The above-referenced testimony established a triable issue of fact regarding whether HHNP was used as a park prior to 1955. In the parlance of C.R.C.P. 56(c), that issue is "material" because the record establishes that the intent of the 1996 Charter amendment was to protect City-owned land used as a park before 1955.

In conclusion, this Court held that it did not matter how City land became a park prior to December 31, 1955. *Friends*, 327 P.3d at 319. Thus, the trial court erred in holding that common law dedication was the only way land could become a park before 1955. The record establishes that in 1996 Council intended to extend the protections of § 2.4.5 to all City land "used as parks" before 1955. The record establishes triable issues of fact regarding whether HHNP was used as a park before 1955. Therefore, the trial court erred in granting Appellees' motion for summary judgment and its May 2, 2014 order should be reversed.

3. The trial court improperly weighed evidence in deciding that HHNP was not a park by common law dedication.

As established in Section 2, *supra,* Appellants were not required to establish common law dedication to prove that HHNP fell within the ambit of § 2.4.5. Even so, the record establishes triable issues of fact regarding common law dedication.

A common law park dedication requires unequivocal intent of the government to dedicate, and acceptance by the people. *City of Northglenn v. City of Thornton*, 569 P.2d 319, 321 (Colo. 1977); *State Dep't of Highways, Div. of Highways v. Town of Silverthorne*, 707 P.2d 1017, 1020 (Colo. App. 1985).

Evidence of intent need not be express; it may be implied by conduct from which the intent can be rightly presumed. *McIntyre v. Board of Commissioners of El Paso County*, 61 P. 237, 240 (Colo. App. 1900). Evidence of intent to dedicate may be implied from acts or declarations on the part of a landowner that clearly demonstrate his intent to make a dedication, or from conduct on the part of a landowner that would estop him from denying such intent. *Starr v. People*, 30 P. 64, 65 (Colo. 1892). Mere use by the public is insufficient, in and of itself, to prove a common law dedication. *Id.* But public use increases the weight of other evidence tending to establish intent to dedicate. *Id.*

A park is a plot of ground "used for public recreation." *McLathlin v. City & County of Denver*, 280 P.2d 1103, 1106 (Colo. 1955). The above-cited testimony of Charles Bonniwell, which was undisputed, established not only that the public regularly used HHNP for recreation before and after the City acquired the property but also that such recreational uses occurred, with the knowledge, acquiescence and encouragement of the City. After this Court affirmed the trial court's order

denying Appellants' request for a preliminary injunction, Appellants obtained the affidavits referenced in Section 2, *supra*. Those affidavits support Mr. Bonniwell's testimony regarding the long-standing public recreational uses of HHNP.

The trial court purported to accept all of Appellants' pre-1955 evidence as true as well as Appellants' post-1955 evidence as true, including a 1979 statement by the mayor that HHNP was "dedicated park land," the fact that city maps showed HHNP as a park, the fact that the City posted "park rules" on the property, and the fact that the Department of Parks and Recreation maintained the property and built bike trials on it. (R. CF p. 1490.) After purportedly accepting those facts, the court simply pontificated without analysis that the evidence was not sufficiently "unequivocal" to establish intent to make a common law dedication. (*Id.*)

A court is not allowed to weigh evidence in deciding a motion for summary judgment. *Kaiser Foundation Health Plan v. Sharp*, 741 P.2d 714, 718 (Colo. 1987). Yet that is exactly what the trial court did here. By stating that Appellants' evidence was not "unequivocal," the trial court necessarily passed judgment on the weight of the evidence. That is something the law does not allow.

Common law dedication centers on intent. Since it involves state of mind, intent is a factual matter that is not appropriate for summary adjudication. *E.g., Dominguez Reservoir Corp. v. Feil*, 854 P.2d 791, 796 (Colo. 1993); *Schold v.*

Sawyer, 944 P.2d 683, 684 (Colo. App. 1997); *James H. Moore & Assocs. Realty, Inc. v. Arrowhead at Vail*, 892 P.2d 367, 372 (Colo. App. 1994); *see also Cooper Tire & Rubber Co. v. Farese*, 423 F.3d 446, 459 (5th Cir. 2005) (motive and intent "are particularly ill-suited for summary judgment"). Appellants presented evidence from which a trier of fact could reasonably conclude that the City manifested intent to designate HHNP as a park, and that the citizenry accepted the dedication. Whether that evidence is "unequivocal" goes to the weight of the evidence, and weighing evidence is the sole prerogative of the trier of fact. Since the trial court weighed evidence, its order granting summary judgment must be reversed.

4. If this Court remands for trial, Appellants are entitled to a trial by jury on all factual issues.

The City and DPS seem to believe that the jury trial issue is unreviewable. (Answer Brief at 19.) That is incorrect. As pointed out in the Opening Brief, this Court has discretion to address matters are likely to arise on remand even if the issue is not preserved. *People v. Beauvais,* ____ P.3d ____, 2014 COA 143, ¶ 22. Appellants do not claim that review is mandatory; they simply ask that this Court exercise its discretion to address an issue that will likely arise on remand.

Appellees also suggest that Appellants' failure to include the jury trial issue in their Notice of Appeal is fatal. (Answer Brief at 19.) That suggestion is frivolous. The list of issues in a notice of appeal is advisory only. C.A.R. 3(d)(3). It

is long established that "the rule does not require that an issue be included in the notice of appeal so long as the issue is properly preserved in the trial court." *Giampapa v. American Family Mut. Ins. Co.*, 919 P.2d 838, 840 (Colo. App. 1995); *see also Casserly v. State*, 844 P.2d 1275, 1282 (Colo. App. 1992) ("The issues raised in the notice of appeal are not binding on the parties or the court").

Appellants incorporate by reference the jury trial discussion on pages 28-32 of their Opening Brief. Appellees' contention that "arguments similar to the ones the plaintiffs are making now were rejected in *Setchell v. Dellacroce*, 454 P.2d 804 (Colo. 1969)" (Answer Brief at 20) is incorrect. *Setchell* stands for the proposition that an action seeking specific performance of a contract related to realty, with an alternative request for money damages, is an equitable action in which the parties have no right to a jury trial. 454 P.2d at 806. Appellees' claim that *Setchell* involved "declaratory relief regarding the conveyance of land" is simply not true.

CONCLUSION

Will this Court enforce the peoples' right of constitutional self-governance embodied in Charter § 2.4.5? Mayor Hancock took 10.77 acres from a park that, by Charter, belonged to the people of Denver. City officials denied citizens their right to vote on the taking. The Denver District Court entered a summary judgment that prevented citizens from presenting evidence to a neutral factfinder in a public trial.

DPS used the land to build an elementary school in a flood plain below a dam that the U.S. Army Corps of Engineers recently declared unsafe in 2014.[3] Appellants respectfully submit that placing 800 school children in the path of a future flood – without the voter approval the Charter requires – so the Mayor can claim the political benefits associated with opening a domestic violence center is the opposite of constitutional self-government.

Appellants respectfully request that this Court reverse the judgment of the trial court's May 2, 2014 order granting Appellees' motion for summary judgment and remand with instructions to enter judgment in Appellants' favor holding that HHNP was a park to which Section 2.4.5 of the Denver City Charter applied. Alternatively, Appellants respectfully request that this Court reverse the trial court's order remand for a jury trial on the disputed issues of fact.

Date: March 30, 2015.

Respectfully submitted,

EVANS CASE, LLP

s/John Case

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[3] The trial court ignored the preliminary injunction hearing testimony of David Longbrake, Ph.D. that locating a school in a flood plain just half a mile below the Cherry Creek Dam was dangerous. (R. 06/12/13 Tr. pp. 33-34.) In March 2014 the U.S. Army Corps of Engineers released its report stating that the dam is unsafe. (See Excerpts attached in Addendum.)

CERTIFICATE OF SERVICE

I hereby certify that on March 30, 2015 I served and filed the foregoing **REPLY BRIEF** as follows:

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ADDENDUM

Excerpts from U.S. Army Corps of Engineers, *2013 Annual Report: Tributary Reservoir Regulation Activities* (March 2014).