

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2011

COUNCIL BILL NO. 11-0012
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance vacating a portion of Walnut Street, without reservations.

WHEREAS, the Manager of Public Works of the City and County of Denver has found and determined that the public use, convenience and necessity no longer require that certain area in the system of thoroughfares of the municipality hereinafter described and, subject to approval by ordinance, has vacated the same without reservations;

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

Section 1. That the action of the Manager of Public Works in vacating the following described area in the City and County of Denver and State of Colorado, to wit:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., AND IN WEST DENVER, RECORDED AS A MAP CALLED "EBERT'S MAP" IN THE OFFICE OF THE CLERK AND RECORDER FOR THE ORIGINAL COUNTY OF ARAPAHOE, COLORADO TERRITORY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHERLY CORNER OF LOT 1, BLOCK 263, WEST DENVER; THENCE S49°48'01"W ALONG THE NORTH LINES OF LOTS 1 AND 12, SAID BLOCK 263, A DISTANCE OF 280.50 FEET TO THE MOST WESTERLY CORNER OF LOT 12; THENCE S67°34'31"W, A DISTANCE OF 84.22 FEET; THENCE S49°32'29"W, A DISTANCE OF 256.12 FEET; THENCE S40°59'47"E, A DISTANCE OF 90.86 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF WALNUT STREET, AND BEARS N49°48'13"E, A DISTANCE OF 25.20 FEET FROM THE MOST SOUTHERLY CORNER OF BLOCK 270 OF SAID WEST DENVER, RECORDED AS A MAP CALLED "EBERT'S MAP" IN THE OFFICE OF THE CLERK AND RECORDER FOR THE ORIGINAL COUNTY OF ARAPAHOE, COLORADO TERRITORY; THENCE N49°48'13"E, ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID WALNUT STREET, A DISTANCE OF 42.60 FEET TO THE SOUTHWESTERLY CORNER OF A PARCEL OF LAND ON FILE AND RECORDED AT RECEPTION NO. 200415593, BEING A PORTION OF VACATED WALNUT STREET AS RECORDED IN ORDINANCE NUMBER 395 - 2004 IN THE OFFICE OF THE CITY AND COUNTY CLERK AND RECORDER; THENCE S77°36'08"E, ALONG SAID ORDINANCE, A DISTANCE OF 21.33 FEET; THENCE S48°51'28"W, A DISTANCE OF 42.08 FEET; THENCE N77°36'08"W, A DISTANCE OF 22.20 FEET TO THE POINT OF BEGINNING.

CONTAINING 737 SQUARE FEET MORE OR LESS OR 0.02 ACRES MORE OR LESS. BASIS OF BEARINGS IS N40°13'31"W ALONG THE CITY OF DENVER RANGE LINE ON FIFTH STREET BETWEEN WALNUT STREET AND WAZEE STREET BEING AXLES IN RANGE BOXES.

1 be and the same is hereby approved and the described area is hereby vacated and declared
2 vacated without reservations.

3 COMMITTEE APPROVAL DATE: January 20, 2011 by consent.

4 MAYOR-COUNCIL DATE: January 25, 2011

5 PASSED BY THE COUNCIL: _____, 2011

6 _____ - PRESIDENT

7 APPROVED: _____ - MAYOR _____, 2011

8 ATTEST: _____ - CLERK AND RECORDER,
9 EX-OFFICIO CLERK OF THE
10 CITY AND COUNTY OF DENVER

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

12 PREPARED BY: KAREN A. AVILES, ASSISTANT CITY ATTORNEY DATE: January 26, 2011

13 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
14 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
15 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
16 3.2.6 of the Charter.

17 David R. Fine, City Attorney

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