

**BY AUTHORITY**

1  
2 ORDINANCE NO. \_\_\_\_\_  
3 SERIES OF 2019

COUNCIL BILL NO. CB19-0195  
COMMITTEE OF REFERENCE:

4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance vacating a portion of the alley bounded by North Uno Court,**  
7 **West 13<sup>th</sup> Avenue and North Tennyson Street, with reservations.**

8 **WHEREAS**, the Executive Director of Public Works of the City and County of Denver has  
9 found and determined that the public use, convenience and necessity no longer require that certain  
10 area in the system of thoroughfares of the municipality hereinafter described and, subject to approval  
11 by ordinance, has vacated the same with the reservations hereinafter set forth;

12 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

13 **Section 1.** That the action of the Executive Director of Public Works in vacating the  
14 following described right-of-way in the City and County of Denver, State of Colorado, to wit:

15 **PARCEL DESCRIPTION ROW NO. 2018-VACA-0000016-001:**

16 A PART OF UNO COURT, ABUTTING LOTS 4 THROUGH 8, INCLUSIVE, BLOCK 1, PLEASANT  
17 HILL, LYING IN THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE  
18 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE  
19 PARTICULARLY DESCRIBED AS FOLLOWS:

20  
21 BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 4 AND CONSIDERING THE WEST  
22 LINE OF SAID BLOCK 1 TO BEAR S00°01'15"E (ASSUMED);

23  
24 THENCE ALONG SAID WEST LINE S00°01'15"E, A DISTANCE OF 125.10 FEET TO THE  
25 SOUTHWEST CORNER OF SAID LOT 8;

26  
27 THENCE N89°14'10"W, A DISTANCE OF 14.80 FEET;

28  
29 THENCE PARALLEL TO SAID WEST LINE N00°01'15"W, A DISTANCE OF 125.10 FEET;

30  
31 THENCE S89°14'10"E, A DISTANCE OF 14.80 FEET TO THE POINT OF BEGINNING,

32  
33 CONTAINING 1,851 SQUARE FEET OR 0.043 ACRES, MORE OR LESS

34  
35 be and the same is hereby approved and the described right-of-way is hereby vacated and declared  
36 vacated;

1 PROVIDED, HOWEVER, said vacation shall be subject to the following reservation:

2 A perpetual, non-exclusive easement is hereby reserved by the City and County of Denver, its  
3 successors and assigns, over, under, across, along and through the vacated area for the purposes  
4 of constructing, operating, maintaining, repairing, upgrading and replacing public or private utilities  
5 including, without limitation, storm drainage, sanitary sewer, and water facilities and all  
6 appurtenances to said utilities. A hard surface shall be maintained by the property owner over the  
7 entire easement area. The City and County of Denver reserves the right to authorize the use of the  
8 reserved easement by all utility providers with existing facilities in the easement area. No trees,  
9 fences, retaining walls, landscaping or structures shall be allowed over, upon or under the easement  
10 area. Any such obstruction may be removed by the City and County of Denver or the utility provider  
11 at the property owner's expense. The property owner shall not re-grade or alter the ground cover in  
12 the easement area without permission from the City and County of Denver. The property owner shall  
13 be liable for all damages to such utilities, including their repair and replacement, at the property  
14 owner's sole expense. The City and County of Denver, its successors, assigns, licensees,  
15 permittees and other authorized users shall not be liable for any damage to property owner's property  
16 due to use of this reserved easement.

17 COMMITTEE APPROVAL DATE: March 5, 2019 by Consent

18 MAYOR-COUNCIL DATE: March 12, 2019

19 PASSED BY THE COUNCIL: \_\_\_\_\_

20 \_\_\_\_\_ - PRESIDENT

21 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_

22 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
23 EX-OFFICIO CLERK OF THE  
24 CITY AND COUNTY OF DENVER

25 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_; \_\_\_\_\_

26 PREPARED BY: Martin A. Plate, Assistant City Attorney DATE: March 14, 2019

27 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
28 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
29 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §  
30 3.2.6 of the Charter.

31  
32 Kristin M. Bronson, Denver City Attorney

33  
34 BY: \_\_\_\_\_, Assistant City Attorney DATE: \_\_\_\_\_