

BY AUTHORITY

1
2 ORDINANCE NO.
3 SERIES OF 2023

COUNCIL BILL NO. CB23-0377
COMMITTEE OF REFERENCE:
Finance & Governance

A BILL

6 **For an ordinance designating certain properties as being required for public use**
7 **and authorizing use and acquisition thereof by negotiation or through**
8 **condemnation proceedings of fee simple, easement and other interests,**
9 **including any rights and interests related or appurtenant to properties**
10 **designated as needed for the installment of Phase 1 of the 48th Avenue**
11 **Greenway (Outfall) project on 48th Avenue from Emerson Street continuing west**
12 **to Washington Street. This includes easement interests, access rights,**
13 **improvements, buildings, fixtures, licenses, and permits as part of the Project.**

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

15 **Section 1.** That the Council hereby designates the following properties situated in the City
16 and County of Denver and State of Colorado as being needed for public uses and purposes by the
17 City and County of Denver, a municipal corporation of the State of Colorado:

18 **PARCEL NUMBER: DE-1**

19 A PORTION OF THAT PARCEL OF LAND LYING IN THE SW1/4 OF THE SW1/4 OF SECTION
20 14, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF
21 DENVER, STATE OF COLORADO, DESCRIBED AS PARCEL A IN THE SPECIAL WARRANTY
22 DEED RECORDED JANUARY 31, 2018, AT RECEPTION NO. 2018012164, SAID PORTION
23 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

24
25 COMMENCING AT THE RANGE POINT IN E. 48TH AVENUE AND N. WASHINGTON STREET,
26 (A 2" ALUMINUM CAP PLS 38432 IN RANGE BOX), THENCE S26°02'41"E, A DISTANCE OF
27 11.13 FEET TO A POINT ON THE SOUTH LINE OF E. 48TH AVENUE AND THE EAST LINE OF
28 N. WASHINGTON STREET, THE NORTHWEST CORNER OF SAID PARCEL A AND THE POINT
29 OF BEGINNING;
30 THENCE S89°57'49"E, ALONG THE NORTH LINE OF SAID PARCEL A, AND THE SOUTH LINE
31 OF 48TH AVENUE, A DISTANCE OF 33.56 FEET;
32 THENCE S74°43'38"W, A DISTANCE OF 34.83 FEET TO A POINT ON THE WEST LINE OF THE
33 SOUTHWEST QUARTER (SW1/4) OF SAID SECTION 14 AND THE EAST LINE OF N.
34 WASHINGTON STREET;
35 THENCE N00°13'34"E ALONG SAID WEST LINE AND EAST LINE, A DISTANCE OF 9.20 FEET
36 TO THE POINT OF BEGINNING.

37
38 THE ABOVE DESCRIBED PARCEL CONTAINS 154 SQUARE FEET, 0.003 ACRES MORE OR
39 LESS.

40
41 BASIS OF BEARING: BEARINGS USED HEREON ARE BASED ON A 20' RANGE LINE ON
42 48TH AVE. BETWEEN N. WASHINGTON ST. AND N. CLARKSON ST., BEARS S89°57'49"E, AS

1 MONUMENTED AT THE WEST AT N. WASHINGTON ST. BY A FOUND 2" ALUM CAP PLS
2 38432 IN RANGE BOX. AND MONUMENTED AT THE EAST AT N. CLARKSON ST. BY A
3 FOUND 2" ALUM CAP PLS 38432 IN RANGE BOX.
4

5 **PARCEL NUMBER: PAR-8**

6 A PARCEL OF LAND BEING THAT PART OF THE SE1/4 OF SECTION 15, TOWNSHIP 3
7 SOUTH, RANGE 68 WEST OF THE 6TH P.M. AND ALSO BEING THAT PART OF BLOCK C,
8 W.H. CLARK'S SECOND SUBDIVISION, DESCRIBED IN THE SPECIAL WARRANTY DEED
9 RECORDED AUGUST 20, 2021, AT RECEPTION NO. 2021158259, CITY AND COUNTY OF
10 DENVER, STATE OF COLORADO.

11 MORE PARTICULARLY DESCRIBED AS FOLLOWS;
12

13 BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL, A POINT ON THE WEST LINE
14 OF N. WASHINGTON STREET AND THE SOUTH LINE OF THE NORTH 108.9 FEET OF SAID
15 BLOCK C, FROM WHENCE A RANGE POINT AT N. WASHINGTON STREET AND 48TH
16 AVENUE, A 2" ALUMINUM CAP (PLS 38432) IN RANGE BOX BEARS N78°56'58"E, A
17 DISTANCE OF 56.12 FEET;
18 THENCE N89°42'00"W, ALONG SAID SOUTH LINE, A DISTANCE OF 100.28 FEET TO THE
19 EAST LINE OF A PARCEL RECORDED AT RECEPTION NO. 2001116491;
20 THENCE N00°20'50"E, ALONG SAID EAST LINE, A DISTANCE OF 27.01 FEET TO THE SOUTH
21 LINE OF A PARCEL RECORDED AT RECEPTION NO. 2022138887;
22 THENCE S89°42'00"E, ALONG SAID SOUTH LINE, A DISTANCE OF 100.23 FEET TO THE
23 WEST LINE OF N. WASHINGTON STREET;
24 THENCE S00°14'41"W ALONG SAID WEST LINE, A DISTANCE OF 27.01 FEET TO THE POINT
25 OF BEGINNING;
26

27 THE ABOVE DESCRIBED PARCEL CONTAINS 2,708 SQUARE FEET, 0.062 ACRES MORE OR
28 LESS.
29

30 BASIS OF BEARING: BEARINGS USED HEREON ARE BASED ON A 5' RANGE LINE ON N.
31 WASHINGTON ST. BETWEEN E. 48TH AVENUE AND E. 49TH AVENUE, BEARS N00°13'40"E,
32 AS MONUMENTED AT THE SOUTH AT E. 48TH AVE., BY A FOUND 2" ALUM CAP PLS 38432
33 IN RANGE BOX. AND MONUMENTED AT THE NORTH AT E. 49TH AVE. BY A FOUND 2" ALUM
34 CAP IN RANGE BOX.
35

36 **PARCEL NUMBER: PAR-9**

37 A PARCEL OF LAND BEING IN BLOCK 1, CRANBERRY PLACE SUBDIVISION, IN THE SW1/4
38 OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND
39 COUNTY OF DENVER, STATE OF COLORADO, AS DESCRIBED IN RECEPTION NO.
40 2009072136, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
41

42 LOTS 18 THROUGH 22, BLOCK 1, CRANBERRY PLACE, TOGETHER WITH THE WEST HALF
43 OF THE VACATED ALLEY ADJACENT TO LOTS 18 THROUGH 20 AND THE EAST HALF OF
44 THE VACATED ALLEY ADJACENT TO LOTS 21 THROUGH 22 IN SAID BLOCK 1, AS
45 VACATED BY ORDINANCE #867, SERIES OF 2002, RECORDED OCTOBER 29, 2002, UNDER
46 RECEPTION NO. 2002204564, CITY AND COUNTY OF DENVER, STATE OF COLORADO
47

48 THE ABOVE DESCRIBED PARCEL CONTAINS 16,310 SQUARE FEET, 0.374 ACRES MORE
49 OR LESS.

1
2 BASIS OF BEARING: BEARINGS USED HEREON ARE BASED ON A 20' RANGE LINE ON 48TH
3 AVE. BETWEEN N. WASHINGTON ST. AND N. CLARKSON ST., BEARS N89°57'49"W, AS
4 MONUMENTED AT THE WEST AT N. WASHINGTON ST. BY A FOUND 2" ALUM CAP PLS
5 38432 IN RANGE BOX. AND MONUMENTED AT THE EAST AT N. CLARKSON ST. BY A
6 FOUND 2" ALUM CAP PLS 38432 IN RANGE BOX.
7

8 **PARCEL NUMBER: PAR-10**

9 A PARCEL OF LAND BEING A PORTION OF LOTS 15 THROUGH 17 AND LOTS 23 THROUGH
10 32, AND THE VACATED ALLEY AS DESCRIBED AT ORDINANCE NO. 867, SERIES OF 2002,
11 RECORDED OCTOBER 29, 2002, AT RECEPTION NO. 2002204564, BEING IN BLOCK 1 OF
12 CRANBERRY PLACE, AND SITUATED IN THE SW 1/4 OF SECTION 14, TOWNSHIP 3 SOUTH,
13 RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF
14 COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS
15 FOLLOWS:
16

17 COMMENCING AT THE RANGE POINT IN E. 48TH AVENUE AND N. CLARKSON STREET, (A 2"
18 ALUMINUM CAP PLS 38432 IN RANGE BOX), THENCE N15°43'51"W, A DISTANCE OF 72.74
19 FEET TO THE SOUTHEAST CORNER OF SAID LOT 23, AND THE POINT OF BEGINNING;
20 THENCE N89°58'01"W, ALONG THE SOUTH LINE OF SAID LOT 23, A DISTANCE OF 130.50
21 FEET TO THE CENTER OF SAID VACATED ALLEY BETWEEN SAID LOTS 23 AND 18;
22 THENCE N00°13'41"E ALONG THE CENTER OF SAID VACATED ALLEY, A DISTANCE OF
23 25.00 FEET;
24 THENCE N89°58'06"W, ALONG THE SOUTH LINE OF SAID LOT 17, A DISTANCE OF 130.50
25 FEET TO THE SOUTHWEST CORNER OF SAID LOT 17;
26 THENCE N00°13'40"E ALONG THE WEST LINE OF SAID LOTS 15 THROUGH 17, A DISTANCE
27 OF 72.22 FEET TO A POINT 2.77 FEET SOUTH OF THE NORTH LINE OF SAID LOT 15 AND
28 26;
29 THENCE S89°58'23"E ALONG A LINE 2.77 FEET SOUTH OF AND PARALLEL WITH THE
30 NORTH LINES OF SAID LOTS 15 AND 26, A DISTANCE OF 211.99 FEET TO A POINT 49.00
31 FEET WEST OF THE WEST LINE OF N. CLARKSON STREET;
32 THENCE N00°13'42"E ALONG A LINE 49.00 FEET WEST OF AND PARALLEL WITH THE WEST
33 LINE OF N. CLARKSON STREET, 90.08 FEET TO A POINT OF CURVATURE;
34 THENCE ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 77.25 FEET, SAID
35 CURVE HAVING A RADIUS OF 49.50 FEET, THROUGH A DELTA ANGLE OF 89°25'15", A
36 LONG CHORD BEARING N44°56'20"E, A DISTANCE OF 69.65 FEET TO A POINT ON THE
37 WEST LINE OF N. CLARKSON STREET;
38 THENCE S00°13'42"W ALONG SAID WEST LINE, A DISTANCE OF 236.65 FEET TO THE
39 POINT OF BEGINNING.
40

41 THE ABOVE DESCRIBED PARCEL CONTAINS 28,422 SQUARE FEET, 0.652 ACRES MORE
42 OR LESS.
43

44 BASIS OF BEARING: BEARINGS USED HEREON ARE BASED ON A 20' RANGE LINE ON E.
45 48TH AVE. BETWEEN N. WASHINGTON ST. AND N. CLARKSON ST., BEARS N89°57'49"W, AS
46 MONUMENTED AT THE WEST AT N. WASHINGTON ST.
47 BY A FOUND 2" ALUM CAP PLS 38432 IN RANGE BOX. AND MONUMENTED AT THE EAST
48 AT N. CLARKSON ST. BY A FOUND 2" ALUM CAP PLS 38432 IN RANGE BOX.
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PARCEL NUMBER: PAR-11

A PARCEL OF LAND BEING IN BLOCK 2, CRANBERRY PLACE SUBDIVISION, IN THE SW1/4 OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, AS DESCRIBED IN RECEPTION NO. R-89-0075208, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 19 AND 20, BLOCK 2, CRANBERRY PLACE SUBDIVISION, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS 6,249 SQUARE FEET, 0.143 ACRES MORE OR LESS.

BASIS OF BEARING: BEARINGS USED HEREON ARE BASED ON A 20' RANGE LINE ON E. 48TH AVE. BETWEEN N. EMERSON ST. AND N. CLARKSON ST., BEARS S89°59'03"E, AS MONUMENTED AT THE WEST AT N. CLARKSON ST. BY A FOUND 2" ALUM CAP PLS 38432 IN RANGE BOX. AND MONUMENTED AT THE EAST AT N. EMERSON ST. BY A FOUND 2" ALUM CAP PLS 38432 IN RANGE BOX.

PARCEL NUMBER: PAR-12

A PARCEL OF LAND DESCRIBED IN RECEPTION NO. R-92-0015556, IN BLOCK 2, CRANBERRY PLACE SUBDIVISION, IN THE SW1/4 OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 17 AND 18, AND THE SOUTH 1/2 OF LOT 16, BLOCK 2, CRANBERRY PLACE SUBDIVISION, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS 7,811 SQUARE FEET, 0.179 ACRES MORE OR LESS.

BASIS OF BEARING: BEARINGS USED HEREON ARE BASED ON A 20' RANGE LINE ON E. 48TH AVE. BETWEEN N. CLARKSON ST. AND N. EMERSON ST., BEARS S89°59'03"E, AS MONUMENTED AT THE WEST AT N. CLARKSON ST. BY A FOUND 2" ALUM CAP PLS 38432 IN RANGE BOX AND MONUMENTED AT THE EAST AT N. EMERSON ST. BY A FOUND 2" ALUM CAP PLS 38432 IN RANGE BOX.

PARCEL NUMBER: PAR-13

A PARCEL OF LAND DESCRIBED IN RECEPTION NO. 2019067470, IN BLOCK 2, CRANBERRY PLACE SUBDIVISION, IN THE SW1/4 OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 15 AND THE NORTH 1/2 OF LOT 16, AND THE SOUTH 6 FEET OF LOT 14, BLOCK 2, CRANBERRY PLACE SUBDIVISION, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS 5,436 SQUARE FEET, 0.125 ACRES MORE OR LESS.

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2 BASIS OF BEARING: BEARINGS USED HEREON ARE BASED ON A 20' RANGE LINE ON E.
3 48TH AVE. BETWEEN N. CLARKSON ST. AND N. EMERSON ST., BEARS S89°59'03"E, AS
4 MONUMENTED AT THE WEST AT N. CLARKSON ST. BY A FOUND 2" ALUM CAP PLS 38432
5 IN RANGE BOX. AND MONUMENTED AT THE EAST AT N. EMERSON ST. BY A FOUND 2"
6 ALUM CAP PLS 38432 IN RANGE BOX.
7

8 **PARCEL NUMBER: PAR-14**

9 A PARCEL OF LAND IN BLOCK 2, CRANBERRY PLACE SUBDIVISION, IN THE SW1/4 OF
10 SECTION 14, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY
11 OF DENVER, STATE OF COLORADO, AS DESCRIBED IN RECEPTION NO. 008344 IN BOOK
12 2174 AT PAGE 97 ON JUNE 17, 1980, SAID PARCEL BEING MORE PARTICULARLY
13 DESCRIBED AS FOLLOWS:
14

15 LOT 13 AND THE NORTH 19 FEET OF LOT 14, BLOCK 2, CRANBERRY PLACE SUBDIVISION,
16 CITY AND COUNTY OF DENVER, STATE OF COLORADO.
17

18 THE ABOVE DESCRIBED PARCEL CONTAINS 5,498 SQUARE FEET, 0.126 ACRES MORE OR
19 LESS.
20

21 BASIS OF BEARING: BEARINGS USED HEREON ARE BASED ON A 20' RANGE LINE ON E.
22 48TH AVE. BETWEEN N. CLARKSON ST. AND N. EMERSON ST., BEARS S89°59'03"E, AS
23 MONUMENTED AT THE WEST AT N. CLARKSON ST. BY A FOUND 2" ALUM CAP PLS 38432
24 IN RANGE BOX. AND MONUMENTED AT THE EAST AT N. EMERSON ST. BY A FOUND 2"
25 ALUM CAP PLS 38432 IN RANGE BOX.
26

27 **PARCEL NUMBER: PAR-15**

28 A PARCEL OF LAND IN BLOCK 2, CRANBERRY PLACE SUBDIVISION, IN THE SW1/4 OF
29 SECTION 14, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY
30 OF DENVER, STATE OF COLORADO, AS RECORDED IN RECEPTION NO. 0000230278 ON
31 JANUARY 27, 1988, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
32

33 LOTS 21 AND 22, BLOCK 2, CRANBERRY PLACE SUBDIVISION, CITY AND COUNTY OF
34 DENVER, STATE OF COLORADO.
35

36 THE ABOVE DESCRIBED PARCEL CONTAINS 6,254 SQUARE FEET, 0.143 ACRES MORE OR
37 LESS.
38

39 BASIS OF BEARING: BEARINGS USED HEREON ARE BASED ON A 20' RANGE LINE ON E.
40 48TH AVE. BETWEEN N. CLARKSON ST. AND N. EMERSON ST., BEARS S89°59'03"E, AS
41 MONUMENTED AT THE WEST AT N. CLARKSON ST. BY A FOUND 2" ALUM CAP PLS 38432
42 IN RANGE BOX. AND MONUMENTED AT THE EAST AT N. EMERSON ST. BY A FOUND 2"
43 ALUM CAP PLS 38432 IN RANGE BOX.
44

45 **PARCEL NUMBER: PAR-16**

46 A PARCEL OF LAND IN BLOCK 2, CRANBERRY PLACE SUBDIVISION, IN THE SW1/4 OF
47 SECTION 14, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY
48 OF DENVER, STATE OF COLORADO, AS DESCRIBED IN RECEPTION NO. 0000230278 ON
49 JANUARY 27, 1988, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

1
2 LOTS 23 AND 24, BLOCK 2, CRANBERRY PLACE SUBDIVISION, CITY AND COUNTY OF
3 DENVER, STATE OF COLORADO.

4
5 THE ABOVE DESCRIBED PARCEL CONTAINS 6,254 SQUARE FEET, 0.143 ACRES MORE OR
6 LESS.

7
8 BASIS OF BEARING: BEARINGS USED HEREON ARE BASED ON A 20' RANGE LINE ON E.
9 48TH AVE. BETWEEN N. CLARKSON ST. AND N. EMERSON ST., BEARS S89°59'03"E, AS
10 MONUMENTED AT THE WEST AT N. CLARKSON ST. BY A FOUND 2" ALUM CAP PLS 38432
11 IN RANGE BOX. AND MONUMENTED AT THE EAST AT N. EMERSON ST. BY A FOUND 2"
12 ALUM CAP PLS 38432 IN RANGE BOX.

13
14 **PARCEL NUMBER: PAR-17**
15 A PARCEL OF LAND IN BLOCK 2, CRANBERRY PLACE SUBDIVISION, IN THE SW1/4 OF
16 SECTION 14, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY
17 OF DENVER, STATE OF COLORADO, AS DESCRIBED IN RECEPTION NO. 2020125836, SAID
18 PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

19
20 LOTS 25 THROUGH 27, BLOCK 2, CRANBERRY PLACE SUBDIVISION, CITY AND COUNTY
21 OF DENVER, STATE OF COLORADO.

22
23 THE ABOVE DESCRIBED PARCEL CONTAINS 9,380 SQUARE FEET, 0.215 ACRES MORE OR
24 LESS.

25
26 BASIS OF BEARING: BEARINGS USED HEREON ARE BASED ON A 20' RANGE LINE ON E.
27 48TH AVE. BETWEEN N. CLARKSON ST. AND N. EMERSON ST., BEARS S89°59'03"E, AS
28 MONUMENTED AT THE WEST AT N. CLARKSON ST. BY A FOUND 2" ALUM CAP PLS 38432
29 IN RANGE BOX. AND MONUMENTED AT THE EAST AT N. EMERSON ST. BY A FOUND 2"
30 ALUM CAP PLS 38432 IN RANGE BOX.

31
32 **PARCEL NUMBER: TE-1**
33 A PARCEL OF LAND BEING A PORTION OF THAT PARCEL OF LAND RECORDED AT
34 RECEPTION NO. 2016138689, AND ALSO BEING A PORTION OF THAT VACATED ALLEY BY
35 ORDINANCE NO. 867, SERIES OF 2002, RECORDED OCTOBER 29, 2002, UNDER
36 RECEPTION NO. 2002204564, CITY AND COUNTY OF DENVER, STATE OF COLORADO, IN
37 CRANBERRY PLACE SUBDIVISION IN THE SW1/4 OF SECTION 14, TOWNSHIP 3 SOUTH,
38 RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER,
39 STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

40
41 COMMENCING AT THE RANGE POINT IN 48TH AVENUE AND N. CLARKSON STREET, A 2"
42 ALUMINUM CAP PLS 38432 IN RANGE BOX), THENCE N03°30'14"W, A DISTANCE OF 307.23
43 FEET TO A POINT ON THE WEST LINE OF N. CLARKSON STREET, 13.37 FEET SOUTH OF
44 THE NORTHEAST CORNER OF LOT 32, CRANBERRY PLACE SUBDIVISION AND THE POINT
45 OF BEGINNING;

46
47 THENCE ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, A DISTANCE OF
48 77.25 FEET, SAID CURVE HAVING A RADIUS OF 49.50 FEET, THROUGH A DELTA ANGLE OF
49 89°25'15", A LONG CHORD BEARING S44°56'20"W, 69.65 FEET TO A POINT 49.00 FEET

1 PERPENDICULAR DISTANCE WEST OF THE WEST LINE OF N CLARKSON STREET;
2
3 THENCE S00°13'42"W ALONG A LINE 49.00 FEET WEST OF AND PARALLEL WITH THE
4 WEST LINE OF N CLARKSON STREET, A DISTANCE OF 90.08 FEET;
5
6 THENCE N89°58'23"W ALONG A LINE 2.77 FEET PERPENDICULAR DISTANCE SOUTH OF
7 THE NORTH LINE OF SAID LOT 26 AND LOT 15, A DISTANCE OF 211.99 FEET TO A POINT
8 ON THE WEST LINE OF SAID BLOCK 1;
9
10 THENCE N00°13'40"E ALONG THE WEST LINE OF SAID BLOCK 1, A DISTANCE OF 102.97
11 FEET TO A POINT 0.22 FEET NORTH OF THE NORTHWEST CORNER OF SAID LOT 11;
12
13 THENCE N89°52'55"E , A DISTANCE OF 208.67 FEET TO A POINT 52.33 FEET WEST OF THE
14 WEST LINE OF N. CLARKSON STREET;
15
16 THENCE ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT A DISTANCE OF
17 71.57 FEET, SAID CURVE HAVING A RADIUS OF 54.50 FEET, THROUGH A DELTA ANGLE OF
18 75°14'26", A LONG CHORD BEARING N52°04'56"E, 66.54 FEET TO A POINT ON THE WEST
19 LINE OF N. CLARKSON STREET;
20
21 THENCE S00°13'42"W ALONG SAID WEST LINE, A DISTANCE OF 5.00 FEET TO THE POINT
22 OF BEGINNING.

23
24 THE ABOVE DESCRIBED PARCEL CONTAINS 22,230 SQUARE FEET, 0.510 ACRES MORE
25 OR LESS.

26
27 BASIS OF BEARING: BEARINGS USED HEREON ARE BASED ON A 20' RANGE LINE ON E.
28 48TH AVE. BETWEEN N. WASHINGTON ST. AND N. CLARKSON ST., BEARS N89°57'49"W,
29 AS MONUMENTED AT THE WEST AT N. WASHINGTON ST. BY A FOUND 2" ALUM CAP PLS
30 38432 IN RANGE BOX. AND MONUMENTED AT THE EAST AT N. CLARKSON ST. BY A
31 FOUND 2" ALUM CAP PLS 38432 IN RANGE BOX.

32
33 **PARCEL NUMBER: TE-2**

34 A PORTION OF THAT PARCEL OF LAND LYING IN THE SW1/4 OF THE SW1/4 OF SECTION
35 14, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF
36 DENVER, STATE OF COLORADO, DESCRIBED AS PARCEL A IN THE SPECIAL WARRANTY
37 DEED RECORDED JANUARY 31, 2018, AT RECEPTION NO. 2018012164, SAID PORTION
38 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

39
40 COMMENCING AT THE RANGE POINT IN E. 48TH AVENUE AND N. WASHINGTON STREET,
41 (A 2" ALUMINUM CAP PLS 38432 IN RANGE BOX), THENCE S26°02'41"E, A DISTANCE OF
42 11.13 FEET TO A POINT ON THE SOUTH LINE OF E. 48TH AVENUE AND THE EAST LINE OF
43 N. WASHINGTON STREET, ALSO BEING THE NORTHWEST CORNER OF SAID PARCEL A
44 AND THE POINT OF BEGINNING;
45 THENCE S89°57'49"E, ALONG THE NORTH LINE OF SAID PARCEL A, AND THE SOUTH LINE
46 OF E. 48TH AVENUE, A DISTANCE OF 233.47 FEET TO THE EAST LINE OF SAID PARCEL A;
47 THENCE S30°25'37"E ALONG SAID EAST LINE, A DISTANCE OF 40.48 FEET;
48 THENCE LEAVING SAID EAST LINE, N89°59'00"W, A DISTANCE OF 61.15 FEET;
49 THENCE S00°12'03"W, A DISTANCE OF 26.75 FEET;

1 THENCE N89°59'03"W, A DISTANCE OF 192.97 FEET TO A POINT ON THE WEST LINE OF
2 THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SAID
3 SECTION 14 AND THE EAST LINE OF N. WASHINGTON STREET;
4 THENCE N00°13'33"E ALONG SAID WEST LINE AND EAST LINE, A DISTANCE OF 61.73 FEET
5 TO THE POINT OF BEGINNING.

6
7 THE ABOVE DESCRIBED PARCEL CONTAINS 13,678 SQUARE FEET, 0.314 ACRES MORE
8 OR LESS.

9
10 BASIS OF BEARING: BEARINGS USED HEREON ARE BASED ON A 20' RANGE LINE ON E.
11 48TH AVE. BETWEEN N. WASHINGTON ST. AND N. CLARKSON ST., BEARS S89°57'49"E, AS
12 MONUMENTED AT THE WEST AT N. WASHINGTON ST. BY A FOUND 2" ALUM CAP PLS
13 38432 IN RANGE BOX. AND MONUMENTED AT THE EAST AT N. CLARKSON ST. BY A
14 FOUND 2" ALUM CAP PLS 38432 IN RANGE BOX.

15
16 **PARCEL NUMBER: TE-3**

17 A PORTION OF THAT PARCEL OF LAND LYING IN THE SW 1/4 OF SECTION 14, TOWNSHIP
18 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF
19 COLORADO, DESCRIBED AS PARCEL C IN THE SPECIAL WARRANTY DEED RECORDED
20 JANUARY 31, 2018, AT RECEPTION NO. 2018012164, SAID PORTION BEING MORE
21 PARTICULARLY DESCRIBED AS FOLLOWS:

22
23 COMMENCING AT THE RANGE POINT IN 48TH AVENUE AND N. WASHINGTON STREET, (A 2"
24 ALUMINUM CAP PLS 38432 IN RANGE BOX), THENCE S26°02'41"E, A DISTANCE OF 11.13
25 FEET TO A POINT ON THE SOUTH LINE OF E. 48TH AVENUE AND THE EAST LINE OF N.
26 WASHINGTON STREET, THENCE S89°57'49"E, ALONG THE SOUTH LINE OF E. 48TH
27 AVENUE, A DISTANCE OF 233.47 FEET TO THE WEST LINE OF SAID PARCEL C AND THE
28 POINT OF BEGINNING;
29 THENCE S89°57'49"E, CONTINUING ALONG SAID SOUTH LINE, A DISTANCE OF 58.05 FEET
30 TO THE EAST LINE OF SAID PARCEL C;
31 THENCE S30°25'41"E ALONG SAID EAST LINE, A DISTANCE OF 40.45 FEET;
32 THENCE LEAVING SAID EAST LINE, N89°59'00"W, A DISTANCE OF 58.04 FEET TO A POINT
33 ON THE WEST LINE OF SAID PARCEL C;
34 THENCE N30°25'37"W ALONG SAID WEST LINE, A DISTANCE OF 40.48 FEET TO THE POINT
35 OF BEGINNING;

36
37 THE ABOVE DESCRIBED PARCEL CONTAINS 2,024 SQUARE FEET, 0.046 ACRES MORE OR
38 LESS.

39
40 BASIS OF BEARING: BEARINGS USED HEREON ARE BASED ON A 20' RANGE LINE ON
41 48TH AVE. BETWEEN N. WASHINGTON ST. AND N. CLARKSON ST., BEARS S89°57'49"E, AS
42 MONUMENTED AT THE WEST AT N. WASHINGTON ST. BY A FOUND 2" ALUM CAP PLS
43 38432 IN RANGE BOX. AND MONUMENTED AT THE EAST AT N. CLARKSON ST. BY A
44 FOUND 2" ALUM CAP PLS 38432 IN RANGE BOX.

45
46 **Section 2.** That the Council finds and determines that property interests in these properties
47 are needed and required for the following public uses and public purposes:

48 The 48th Avenue Outfall, when complete, will provide better drainage in the Globeville

1 neighborhood with the potential to create a community connection to the South Platte River, expand
2 access to green space, and further the community's goal of a more walkable neighborhood. The
3 overall project alignment starts at Lincoln Street and 48th Avenue, continues along 48th Avenue to
4 a new stormwater outfall into the South Platte River.

5 This Project will require negotiated purchase or condemnation of all or any portion of any
6 property as needed and is located in District 9. This includes easement interests, access rights, and
7 improvements. This ordinance also grants the right to negotiate and execute all agreements and to
8 process all necessary payments.

9 **Section 3.** That Council authorizes the Mayor, including his duly authorized representatives,
10 in accordance with applicable federal, state, and City laws and rules and regulations adopted
11 pursuant thereto, to acquire the needed property interests, including, but not limited to, fee title,
12 permanent easements, temporary easements, fixtures, licenses, permits, improvements (including
13 without limitation, general outdoor advertising devices, buildings, and access points) and any other
14 rights, interests, and appurtenances thereto. Such authority includes the taking of all actions
15 necessary to do so without further action by City Council, including but not limited to: conducting
16 negotiations, executing all related agreements, making all necessary payments, taking any and all
17 actions required by law before instituting condemnation proceedings, allowing the temporary use of
18 City-owned land and conveying all or a portion of any City-owned land, including remnants, by
19 quitclaim deed, permanent or temporary easements, leases, licenses and permits.

20 **Section 4.** That if the interested parties do not agree upon the compensation to be paid for
21 the needed property interests, the owner or owners of the property are incapable of consenting, the
22 name or residence of any owner is unknown, or any of the owners are non-residents of the State,
23 then the City Attorney of the City and County of Denver, upon the Mayor's direction, is authorized
24 and empowered to exercise the City and County of Denver's eminent domain powers by instituting
25 and, as necessary, prosecuting to conclusion proceedings under Article 1, Title 38, Colorado
26 Revised Statutes, to acquire needed property interests upon, through, over, under and along the
27 above-described property as necessary for the purposes set forth in Section 2 above.

28 **Section 5.** That the Council finds and determines that the County of Denver's Department of
29 Transportation and Infrastructure or federal and state agencies may find the need to alter the nature
30 of the property interests or the legal descriptions of the properties referred to in this Ordinance and
31 may continue to do so in order to meet the needs of the Project. Council authorizes the Mayor,
32 including his duly authorized representatives, in accordance with applicable federal, state, and City
33 laws and rules and regulations adopted pursuant thereto, to acquire the property as the property

1 interests and legal descriptions are altered in accordance with the means authorized in this
2 Ordinance.

3 **Section 6.** That the Council authorizes the City to use the power of eminent domain to act
4 as the local authority to repurpose existing City right-of-way with improvements to prioritize the
5 movement of people for safety and economic benefits.

6 **Section 7.** That the City Council hereby finds and determines that the Project is necessary
7 for the health, safety, and welfare of the public.

8
9
10 COMMITTEE APPROVAL DATE: April 11, 2023 by consent

11 MAYOR-COUNCIL DATE: April 18, 2023

12 PASSED BY THE COUNCIL: _____
13 _____ - PRESIDENT

14 APPROVED: _____ - MAYOR _____

15 ATTEST: _____ - CLERK AND RECORDER,
16 EX-OFFICIO CLERK OF THE
17 CITY AND COUNTY OF DENVER

18 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

19 PREPARED BY: Johna M. Varty, Assistant City Attorney DATE: 4/20/2023

20 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
21 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
22 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
23 3.2.6 of the Charter.

24
25 Kerry Tipper, Denver City Attorney

26
27 BY: *Jonathan Griffin* _____, Assistant City Attorney DATE: Apr 20, 2023