

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2025

COUNCIL BILL NO. CB25-0740
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance vacating a portion of alley bounded by West 29th Avenue, North Firth Court, North Speer Boulevard, and North Bryant Street, with reservations.

WHEREAS, the Executive Director of the Department of Transportation and Infrastructure 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 with the reservations hereinafter set forth;

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

Section 1. That the action of the Executive Director of the Department of Transportation and Infrastructure in vacating the following described right-of-way in the City and County of Denver, State of Colorado, to wit:

PARCEL DESCRIPTION ROW NO. 2023-VACA-0000002:

A TRACT OR PARCEL OF LAND SITUATED IN RE-SUBDIVISION OF LOTS 1,2,3,4,5 & 6 BLOCK 15 HIGHLAND PARK, IN THE SOUTHEAST ONE-QUARTER OF SECTION 29, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 30, BLOCK 15 OF SAID RE-SUBDIVISION FROM WHENCE AN AXLE IN A CITY AND COUNTY OF DENVER RANGE BOX AT THE INTERSECTION OF WEST 29TH AVENUE AND BRYANT STREET BEARS N00°10'41"W, 185.02 FEET:

THENCE S89°20'54"E, ALONG THE SOUTH LINE OF LOTS 22 THROUGH 30 OF SAID BLOCK 15, 205.00 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 22;

THENCE S00°36'50"W, 27.35 FEET TO A POINT ON THE NORTH LINE OF LOT 40 OF SAID BLOCK 15.

THENCE N64°35'40"W, ALONG THE NORTH LINE OF LOTS 39 AND 40 OF SAID BLOCK 15,

1 31.18 FEET;
2
3 THENCE N89°20'54"W, ALONG THE NORTH LINE OF LOTS 34 THROUGH 39 OF SAID BLOCK
4 15, 176.69 FEET TO A POINT 15.00 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT
5 34 AND ON THE EAST LINE OF BRYANT STREET AS CONVEYED TO THE CITY AND COUNTY
6 OF DENVER IN DEED RECORDED DECEMBER 23, 1908 IN BOOK 2048 AT PAGE 474,
7
8 THENCE N00°36'49"E ALONG SAID EAST LINE, 14.30 FEET TO THE POINT OF BEGINNING.
9
10 CONTAINING 3,116 SQUARE FEET OR 0.072 ACRES, MORE OR LESS.
11
12 BASIS OF BEARING: BEARINGS USED HEREIN ARE BASED ON A 20' RANGE LINE ON WEST
13 29TH AVENUE BETWEEN BRYANT STREET AND FIRTH COURT., BEING N89°20'54"W USING
14 THE CITY AND COUNTY OF DENVER CONTROL COORDINATES, AS MONUMENTED AT THE
15 WEST ON BRYANT STREET AND WEST 29TH AVE BY A FOUND AXLE IN RANGE BOX. AND
16 MONUMENTED AT THE EAST AT FIRTH COURT AND WEST 29TH AVE BY A FOUND AXLE IN
17 RANGE BOX
18 be and the same is hereby approved and the described right-of-way is hereby vacated and declared
19 vacated;
20
21 PROVIDED, HOWEVER, said vacation shall be subject to the following reservation:
22 A perpetual, non-exclusive easement is hereby reserved by the City and County of Denver, its
23 successors and assigns, over, under, across, along and through the vacated area for the purposes
24 of constructing, operating, maintaining, repairing, upgrading and replacing public or private utilities
25 including, without limitation, storm drainage, sanitary sewer, and water facilities and all
26 appurtenances to said utilities. A hard surface shall be maintained by the property owner over the
27 entire easement area. The City reserves the right to authorize the use of the reserved easement by
28 all utility providers with existing facilities in the easement area. No trees, fences, retaining walls,
29 landscaping or structures shall be allowed over, upon or under the easement area. Any such
30 obstruction may be removed by the City or the utility provider at the property owner's expense. The
31 property owner shall not re-grade or alter the ground cover in the easement area without permission
32 from the City and County of Denver. The property owner shall be liable for all damages to such
33 utilities, including their repair and replacement, at the property owner's sole expense. The City and
34 County of Denver, its successors, assigns, licensees, permittees and other authorized users shall
35 not be liable for any damage to property owner's property due to use of this reserved easement.
36

1 COMMITTEE APPROVAL DATE: May 20, 2025 by Consent
2 MAYOR-COUNCIL DATE: May 27, 2025 by Consent
3 PASSED BY THE COUNCIL: _____
4 _____ - PRESIDENT
5 APPROVED: _____ - MAYOR _____
6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER
9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____
10 PREPARED BY: Martin A. Plate, Assistant City Attorney DATE: May 29, 2025
11 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
12 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
14 § 3.2.6 of the Charter.
15
16 Katie J. McLoughlin, Interim City Attorney
17
18 BY: _____, Assistant City Attorney DATE: _____