

BY AUTHORITY

1
2 ORDINANCE NO. _____
3 SERIES OF 2025

COUNCIL BILL NO. CB25-1283
COMMITTEE OF REFERENCE:
Transportation and Infrastructure

A BILL

6 **For an ordinance vacating a portion of alley abutting 190 North Saint Paul Street,**
7 **162 North Saint Paul Street, 3160 East 2nd Avenue, and 165 North Steele Street,**
8 **with reservations.**

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

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

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

18 **PARCEL DESCRIPTION ROW NO. 2024-VACA-0000009-001:**

19 A PARCEL OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP
20 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN; CITY AND COUNTY OF
21 DENVER, STATE OF COLORADO; BEING A PART OF THE PLATTED 15-FOOT ALLEY OF
22 BLOCK 72, HARMANS SUBDIVISION RECORDED IN BOOK 5, PAGE 18 IN THE BOOK OF
23 PLATS IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF
24 DENVER, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS
25 FOLLOWS:

26 BASIS OF BEARINGS: EASTERLY LINE OF SAID BLOCK 72, HARMAN'S SUBDIVISION, BEARS
27 SOUTH 00°02'52" WEST, A DISTANCE OF 165.84 FEET BETWEEN A FOUND 1" BRASS TAG
28 STAMPED "LS 31158" AT THE NORTHEASTERLY CORNER OF SAID BLOCK 72 AND A FOUND
29 1" BRASS TAG STAMPED "AZTEC LS 25645" AT A POINT 16.00 FEET SOUTHERLY OF THE
30 NORTHEASTERLY CORNER OF THE SOUTH HALF OF SAID PLOT 5.

31 BEGINNING AT THE NORTHWEST CORNER OF SAID PLOT 4, BLOCK 72, HARMANS
32 SUBDIVISION;

33 THENCE SOUTH 00°02'08" WEST, ALONG THE EASTERLY BOUNDARY OF SAID PLATTED 15-
34 FOOT ALLEY, A DISTANCE OF 107.98 FEET TO THE NORTHWEST CORNER OF ALLEY
35 PARCEL 2 AS DESCRIBED UNDER RECEPTION NUMBER 2025008780 IN SAID RECORDS;

36 THENCE NORTH 89°56'10" WEST, A DISTANCE OF 15.00 FEET TO A POINT OF THE
37 WESTERLY BOUNDARY OF SAID PLATTED 15-FOOT ALLEY, ALSO BEING THE NORTHEAST

1 CORNER OF ALLEY PARCEL 1 AS DESCRIBED UNDER RECEPTION NUMBER 2025008780 IN
2 SAID RECORDS;
3 THENCE NORTH 00°02'08" EAST, ALONG SAID WESTERLY BOUNDARY, A DISTANCE OF
4 107.98 FEET TO THE NORTHEAST CORNER OF PLOT 3, SAID BLOCK 72, HARMANS
5 SUBDIVISION;
6 THENCE SOUTH 89°56'15" EAST, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.
7 CONTAINING AN AREA OF 0.037 ACRES, (1,620 SQUARE FEET), MORE OR LESS
8 be and the same is hereby approved and the described right-of-way is hereby vacated and declared
9 vacated;

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

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1 COMMITTEE APPROVAL DATE: September 10, 2025 by Consent
2 MAYOR-COUNCIL DATE: September 16, 2025
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: September 18, 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

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18 BY: _____, Assistant City Attorney DATE: _____