1	<u> </u>	BY AUTHORITY			
2	ORDINANCE NO.	COUNCIL BILL NO. CB14-0755			
3	SERIES OF 2014	COMMITTEE OF REFERENCE			
4		Infrastructure & Culture			
5					
(A DILL			
6		A BILL			
7 8	For an ordinance designating certain properties as being required for public use and authorizing use and acquisition thereof by negotiation or through condemnation proceedings of easement and other interests as needed for				
9					
10	the 33 rd Street Outfall (31 st and 3	6 th Street Outfall Project).			
11					
12	BE IT ENACTED BY THE COUN	CIL OF THE CITY AND COUNTY OF DENVER:			
13	Section 1. That the Council hereby designates that certain easements and other interests				
14	in the following properties situated in the				
15	City and County of Denver and State of Colorado as being needed for public uses and purposes				
16	by the City and County of Denver, a municipal corporation of the State of Colorado:				
17					
18	PARCEL	. NUMBER: PE-1			
19	A parcel of land, containing 4,633 sq. ft. (0.106 acres) of land, more or less,				
20	being a portion of that parcel of land described in Exhibit A, in the Special				
21 22	Warranty Deed recorded at Reception No. 2007134206, on August 28, 2007 in				
23	the City and County of Denver Clerk and Recorder's Office, located in the Southeast Quarter of Section 22, Township 3 South, Range 68 West, of the 6th				
24	Principal Meridian, in the City and County of Denver, State of Colorado, said				
25	parcel being more particularly described as follows:				
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27		Corner of said Section 22, (Whence the South			
28 29	•	bears S. 89°58'34" W., a distance of 2645.64 stance of 1121.15 feet, to a point on the			
30	· ·	kins Court (July 2014), said point being the			
31	TRUE POINT OF BEGINNING:	Tailo Court (outy 251 1), out point boiling the			
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33		stance of 106.97 feet, to a point on the south			
34	line of said Southeast Quart	er of Section 22;			
35	2. Thomas along said sauth lin	o C 90°E0'24"M a diotanae of 122.20 foot to			
36 37	•	e, S.89°58'34"W., a distance of 122.20 feet, to -of-way line of East Arkins Court (July 2014);			
38	a point on said castory right	. o. may mile of Edot, and occur (odly 2017),			

3. Thence along said easterly right-of-way line, N.31°37'50"E., a distance of 89.09 feet, to the **TRUE POINT OF BEGINNING.**

The above described parcel contains 4,633 sq. ft. (0.106 acres) of land, more or less.

Basis of Bearings: All bearings are based on the line connecting the Northeast Corner of Section 27, and the North Quarter Corner of said Section 27, both in Township 3 South, Range 68 West of the 6th P.M., said line having a grid bearing of S. 89°58'34" W., a distance of 2,645.64 feet, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD83 (1992) Universal Transverse Mercator (Zone 13 North). Said Northeast Corner of Section 27 being monumented by a found 6" diameter stone with chiseled cross, with a 3 1/2" aluminum cap also found 10 feet north of stone and on-line stamped as a 10 foot witness corner "WC-10.0'-PLS 24961-2008"; and said North Quarter Corner of Section 27 being monumented by a found 3 1/4" diameter aluminum cap stamped in part "Aztec Consultants Inc.- LS 33204-1/4-S22-S27-2007".

and

PARCEL NUMBER: TE-1

A parcel of land, containing 1,131 sq. ft. (0.026 acres) of land, more or less, being a portion of that parcel of land described in Exhibit A, in the Special Warranty Deed recorded at Reception No. 2007134206, on August 28, 2007 in the City and County of Denver Clerk and Recorder's Office, located in the Southeast Quarter of Section 22, Township 3 South, Range 68 West, of the 6th Principal Meridian, in the City and County of Denver, State of Colorado, said parcel being more particularly described as follows:

COMMENCING at the Southeast Corner of said Section 22, (Whence the South Quarter corner of said Section 22, bears S. 89°58'34" W., a distance of 2645.64 feet); Thence N. 86°08'44" W., a distance of 1121.15 feet, to a point on the easterly right-of-way line of East Arkins Court (July 2014), said point being the **TRUE POINT OF BEGINNING**;

- 1. Thence along said easterly right-of-way line, N.31°37'50"E., a distance of 10.28 feet;
- 2. Thence S.44°52'38"E.,a distance of 119.32 feet, to a point on the south line of said Southeast Quarter of Section 22;
- 3. Thence along said south line, S.89°58'34"W., a distance of 14.11 feet;
- 4. Thence N.44°52'38"W., a distance of 106.97 feet, to the **TRUE POINT OF BEGINNING.**

The above described parcel contains 1,131 sq. ft. (0.026 acres) of land, more or

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Basis of Bearings: All bearings are based on the line connecting the Northeast Corner of Section 27, and the North Quarter Corner of said Section 27, both in Township 3 South, Range 68 West of the 6th P.M., said line having a grid bearing of S. 89°58'34" W., a distance of 2,645.64 feet, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD83 (1992) Universal Transverse Mercator (Zone 13 North), Said Northeast Corner of Section 27 being monumented by a found 6" diameter stone with chiseled cross, with a 3 1/2" aluminum cap also found 10 feet north of stone and on-line stamped as a 10 foot witness corner "WC-10.0'-PLS 24961-2008"; and said North Quarter Corner of Section 27 being monumented by a found 3 1/4" diameter aluminum cap stamped in part "Aztec Consultants Inc.- LS 33204-1/4-S22-S27-2007".

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PARCEL NUMBER: PE-2

A parcel of land, containing 17,901 sq. ft. (0.411 acres) of land, more or less, being a portion of that parcel of land described in Exhibit A, in the Special Warranty Deed recorded at Reception No. 2007134202, on August 28, 2007 in the City and County of Denver Clerk and Recorder's Office, located in the Northeast Quarter of Section 27, Township 3 South, Range 68 West, of the 6th Principal Meridian, in the City and County of Denver, State of Colorado, said parcel being more particularly described as follows:

COMMENCING at the Northeast Corner of said Section 27, (Whence the North Quarter corner of said Section 27, bears S. 89°58'34" W., a distance of 2645.64 feet); Thence along the north line of said Northeast Quarter of Section 27, S. 89°58'34" W., a distance of 1043.14 feet, to the TRUE POINT OF BEGINNING:

- 1. Thence S.44°52'38"E.,a distance of 307.73 feet, to a point on the westerly right-of-way line of Brighton Boulevard (July 2014);
- 2. Thence along said westerly right-of-way line, S.44°52'52"W.,a distance of 52.00 feet;
- 3. Thence N.44°52'38"W.,a distance of 243.86 feet;
- 4. Thence N.60°48'03"W.,a distance of 18.22 feet;
- 5. Thence N.44°52'38"W.,a distance of 103.27 feet, to a point on said north line of the Northeast Quarter of Section 27;
- 6. Thence along said north line, N.89°58'34"E., a distance of 80.40 feet, to the TRUE POINT OF BEGINNING.

The above described parcel contains 17,901 sq. ft. (0.411 acres) of land, more or less.

Basis of Bearings: All bearings are based on the line connecting the Northeast Corner of Section 27, and the North Quarter Corner of said Section 27, both in Township 3 South, Range 68 West of the 6th P.M., said line having a grid bearing of S. 89°58'34" W., a distance of 2,645.64 feet, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD83 (1992) Universal Transverse Mercator (Zone 13 North). Said Northeast Corner of Section 27 being monumented by a found 6" diameter stone with chiseled cross, with a 3 1/2" aluminum cap also found 10 feet north of stone and on-line stamped as a 10 foot witness corner "WC-10.0'-PLS 24961-2008"; and said North Quarter Corner of Section 27 being monumented by a found 3 1/4" diameter aluminum cap stamped in part "Aztec Consultants Inc.- LS 33204-1/4-S22-S27-2007".

and

PARCEL NUMBER: TE-2

A parcel of land, containing 1,105 sq. ft. (0.025 acres) of land, more or less, being a portion of that parcel of land described in Exhibit A, in the Special Warranty Deed recorded at Reception No. 2007134202, on August 28, 2007 in the City and County of Denver Clerk and Recorder's Office, located in the Northeast Quarter of Section 27, Township 3 South, Range 68 West, of the 6th Principal Meridian, in the City and County of Denver, State of Colorado, said parcel being more particularly described as follows:

COMMENCING at the Northeast Corner of said Section 27, (Whence the North Quarter corner of said Section 27, bears S. 89°58'34" W., a distance of 2645.64 feet); Thence along the north line of said Northeast Quarter of Section 27, S. 89°58'34" W., a distance of 1043.14 feet, to the **TRUE POINT OF BEGINNING**;

- 1. Thence along said north line of the Northeast Quarter of Section 27, N.89°58'34"E., a distance of 14.11 feet;
- 2. Thence S.44°52'38"E.,a distance of 105.47 feet, to a point on the easterly line of said parcel of land described in Exhibit A, at Reception No. 2007134202;
- 3. Thence along said easterly line, S.45°00'03"W.,a distance of 10.00 feet;
- 4. Thence N.44°52'38"W., a distance of 115.44 feet, to the **TRUE POINT OF BEGINNING.**

The above described parcel contains 1,105 sq. ft. (0.025 acres) of land, more or

less.

Basis of Bearings: All bearings are based on the line connecting the Northeast Corner of Section 27, and the North Quarter Corner of said Section 27, both in Township 3 South, Range 68 West of the 6th P.M., said line having a grid bearing of S. 89°58'34" W., a distance of 2,645.64 feet, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD83 (1992) Universal Transverse Mercator (Zone 13 North). Said Northeast Corner of Section 27 being monumented by a found 6" diameter stone with chiseled cross, with a 3 1/2" aluminum cap also found 10 feet north of stone and on-line stamped as a 10 foot witness corner "WC-10.0'-PLS 24961-2008"; and said North Quarter Corner of Section 27 being monumented by a found 3 1/4" diameter aluminum cap stamped in part "Aztec Consultants Inc.- LS 33204-1/4-S22-S27-2007".

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PARCEL NUMBER: TE-2A

A parcel of land, containing 15,723 sq. ft. (0.361 acres) of land, more or less, being a portion of that parcel of land described in Exhibit A, in the Special Warranty Deed recorded at Reception No. 2007134202, on August 28, 2007 in the City and County of Denver Clerk and Recorder's Office, located in the Northeast Quarter of Section 27, Township 3 South, Range 68 West, of the 6th Principal Meridian, in the City and County of Denver, State of Colorado, said parcel being more particularly described as follows:

COMMENCING at the Northeast Corner of said Section 27, (Whence the North Quarter corner of said Section 27, bears S. 89°58'34" W., a distance of 2645.64 feet); Thence along the north line of said Northeast Quarter of Section 27, S. 89°58'34" W., a distance of 1,141.84 feet, to a point on the easterly right-of-way line of East Arkins Court (July 2014), being the **TRUE POINT OF BEGINNING**;

- 1. Thence along said north line of the Northeast Quarter of Section 27, N.89°58'34"E.,a distance of 18.30 feet;
- 2. Thence S.44°52'38"E.,a distance of 103.27 feet;
- 3. Thence S.60°48'03"E.,a distance of 18.22 feet;
- 4. Thence S.44°52'38"E.,a distance of 243.86 feet, to a point on the westerly right-of-way line of Brighton Boulevard (July 2014);
- 5. Thence along said westerly right-of-way line, S.44°52'52"W.,a distance of 22.00 feet;
- 6. Thence N.44°52'38"W.,a distance of 185.72 feet;
- 7. Thence S.45°07'22"W.,a distance of 50.00 feet;

- 8. Thence N.44°52'38"W.,a distance of 150.00 feet;
- 9. Thence N.34°07'10"E.,a distance of 41.93 feet;
- 10. Thence N.58°22'10"W.,a distance of 30.00 feet, to a point on the easterly line of a parcel of land described in Book 8617 at Page 26, Reception No. 042259, also being the westerly line of said Reception No. 2007134202;
- 11. Thence along said westerly line of Reception No. 2007134202, N.31°37'50"E., a distance of 20.43 feet, to the **TRUE POINT OF BEGINNING.**

The above described parcel contains 15,723 sq. ft. (0.361 acres) of land, more or less.

Basis of Bearings: All bearings are based on the line connecting the Northeast Corner of Section 27, and the North Quarter Corner of said Section 27, both in Township 3 South, Range 68 West of the 6th P.M., said line having a grid bearing of <u>S. 89°58'34" W.</u>, a distance of 2,645.64 feet, as obtained from a Global Positioning System (GPS) survey based on the

Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD83 (1992) Universal Transverse Mercator (Zone 13 North). Said Northeast Corner of Section 27 being monumented by a found 6" diameter stone with chiseled cross, with a 3 1/2" aluminum cap also found 10 feet north of stone and on-line stamped as a 10 foot witness corner "WC-10.0'-PLS 24961-2008"; and said North Quarter Corner of Section 27 being monumented by a found 3 1/4" diameter aluminum cap stamped in part "Aztec Consultants Inc.- LS 33204-1/4-S22-S27-2007".

and

PARCEL NUMBER: PE-3

A parcel of land, containing 100 sq. ft. (0.002 acres) of land, more or less, being a portion of that parcel of land described in the Warranty Deed recorded at Reception No. 2004233285, on November 10, 2004 in the City and County of Denver Clerk and Recorder's Office, located in the Northeast Quarter of Section 27, Township 3 South, Range 68 West, of the 6th Principal Meridian, in the City and County of Denver, State of Colorado, said parcel being more particularly described as follows:

COMMENCING at the Northeast Corner of said Section 27, (Whence the North Quarter corner of said Section 27, bears S. 89°58'34" W., a distance of 2645.64 feet); Thence S. 75°11'00" W., a distance of 854.41 feet, to the most southerly corner of said parcel of land recorded at Reception No. 2004233285, said corner also lying on the westerly right-of-way line of Brighton Boulevard (July 2014),

and being the TRUE POINT OF BEGINNING;

- 1. Thence along the southwesterly line of said Reception No. 2004233285, N.44°52'38"W., a distance of 13.96 feet;
- 2. Thence N.89°23'02"E.,a distance of 19.92 feet, to a point on said westerly right-of-way line of Brighton Boulevard (July 2014);
- 3. Thence along said westerly right-of-way line, S.44°52'52"W., a distance of 14.27 feet, to the **TRUE POINT OF BEGINNING.**

The above described parcel contains 100 sq. ft. (0.002 acres) of land, more or less.

Basis of Bearings: All bearings are based on the line connecting the Northeast Corner of Section 27, and the North Quarter Corner of said Section 27, both in Township 3 South, Range 68 West of the 6th P.M., said line having a grid bearing of S. 89°58'34" W., a distance of 2,645.64 feet, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD83 (1992) Universal Transverse Mercator (Zone 13 North). Said Northeast Corner of Section 27 being monumented by a found 6" diameter stone with chiseled cross, with a 3 1/2" aluminum cap also found 10 feet north of stone and on-line stamped as a 10 foot witness corner "WC-10.0'-PLS 24961-2008"; and said North Quarter Corner of Section 27 being monumented by a found 3 1/4" diameter aluminum cap stamped in part "Aztec Consultants Inc.- LS 33204-1/4-S22-S27-2007".

and

PARCEL NUMBER: PE-4

A parcel of land, containing 10,384 sq. ft. (0.238 acres) of land, more or less, being a portion of that parcel of land described in Exhibit A, in the Special Warranty Deed recorded at Reception No. 2013162329, on November 8, 2013 in the City and County of Denver Clerk and Recorder's Office, located in the Northeast Quarter of Section 27, Township 3 South, Range 68 West, of the 6th Principal Meridian, in the City and County of Denver, State of Colorado, said parcel being more particularly described as follows:

COMMENCING at the Northeast Corner of said Section 27, (Whence the North Quarter corner of said Section 27, bears S. 89°58'34" W., a distance of 2645.64 feet); Thence S. 72°23'36" W., a distance of 760.06 feet, to a point on the easterly right-of-way line of Brighton Boulevard (July 2014), being the **TRUE POINT OF BEGINNING**;

1. Thence S.45°05'48"E.,a distance of 346.13 feet, to a point on the southeasterly line of said Reception No. 2013162329;

- 2. Thence along said southeasterly line, S.44°53'10"W.,a distance of 30.00 feet, to the most southerly corner of said Reception No. 2013162329;
- 3. Thence along the southwesterly line of said Reception No. 2013162329, N.45°05'48"W., a distance of 346.13 feet, to the most westerly corner of said Reception No. 2013162329, said corner lying on said easterly right-of-way line of Brighton Boulevard (July 2014);
- 4. Thence along said easterly right-of-way line, N.44°52'52"E., a distance of 30.00 feet, to the **TRUE POINT OF BEGINNING.**

The above described parcel contains 10,384 sq. ft. (0.238 acres) of land, more or less.

Basis of Bearings: All bearings are based on the line connecting the Northeast Corner of Section 27, and the North Quarter Corner of said Section 27, both in Township 3 South, Range 68 West of the 6th P.M., said line having a grid bearing of S. 89°58'34" W., a distance of 2,645.64 feet, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD83 (1992) Universal Transverse Mercator (Zone 13 North). Said Northeast Corner of Section 27 being monumented by a found 6" diameter stone with chiseled cross, with a 3 1/2" aluminum cap also found 10 feet north of stone and on-line stamped as a 10 foot witness corner "WC-10.0'-PLS 24961-2008"; and said North Quarter Corner of Section 27 being monumented by a found 3 1/4" diameter aluminum cap stamped in part "Aztec Consultants Inc.- LS 33204-1/4-S22-S27-2007".

and

PARCEL NUMBER: PE-5

A parcel of land, containing 3,311 sq. ft. (0.076 acres) of land, more or less, being a portion of that parcel of land described as Parcel 1 of Exhibit A, in the Special Warranty Deed recorded at Reception No. 2006199526, on December 19, 2006 in the City and County of Denver Clerk and Recorder's Office, located in the Northeast Quarter of Section 27, Township 3 South, Range 68 West, of the 6th Principal Meridian, in the City and County of Denver, State of Colorado, said parcel being more particularly described as follows:

COMMENCING at the Northeast Corner of said Section 27, (Whence the North Quarter corner of said Section 27, bears S. 89°58'34" W., a distance of 2645.64 feet); Thence S. 70°05'07" W., a distance of 789.26 feet, to a point on the southeasterly line of that parcel of land described in the Special Warranty Deed recorded at Reception No. 2013172491, on December 2, 2013, said point being the **TRUE POINT OF BEGINNING**;

 Thence along said southeasterly line of Reception No. 2013172491, N.44°52'52"E.,a distance of 10.00 feet, to a point on the northeasterly line of said Reception No. 2006199526;

- 2. Thence along said northeasterly line, S.45°05'48"E.,a distance of 331.13 feet, to the most easterly corner of said Reception No. 2006199526;
- 3. Thence along the southeasterly line of said Reception No. 2006199526, S.44°53'10"W., a distance of 10.00 feet;
- 4. Thence N.45°05'48"W., a distance of 331.13 feet, to the **TRUE POINT OF BEGINNING.**

The above described parcel contains 3,311 sq. ft. (0.076 acres) of land, more or less.

Basis of Bearings: All bearings are based on the line connecting the Northeast Corner of Section 27, and the North Quarter Corner of said Section 27, both in Township 3 South, Range 68 West of the 6th P.M., said line having a grid bearing of S. 89°58'34" W., a distance of 2,645.64 feet, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD83 (1992) Universal Transverse Mercator (Zone 13 North). Said Northeast Corner of Section 27 being monumented by a found 6" diameter stone with chiseled cross, with a 3 1/2" aluminum cap also found 10 feet north of stone and on-line stamped as a 10 foot witness corner "WC-10.0'-PLS 24961-2008"; and said North Quarter Corner of Section 27 being monumented by a found 3 1/4" diameter aluminum cap stamped in part "Aztec Consultants Inc.- LS 33204-1/4-S22-S27-2007".

and

PARCEL NUMBER: TE-5

A parcel of land, containing 4,967 sq. ft. (0.114 acres) of land, more or less, being a portion of that parcel of land described as Parcel 1 of Exhibit A, in the Special Warranty Deed recorded at Reception No. 2006199526, on December 19, 2006 in the City and County of Denver Clerk and Recorder's Office, located in the Northeast Quarter of Section 27, Township 3 South, Range 68 West, of the 6th Principal Meridian, in the City and County of Denver, State of Colorado, said parcel being more particularly described as follows:

COMMENCING at the Northeast Corner of said Section 27, (Whence the North Quarter corner of said Section 27, bears S. 89°58'34" W., a distance of 2645.64 feet); Thence S. 70°05'07" W., a distance of 789.26 feet, to a point on the southeasterly line of that parcel of land described in the Special Warranty Deed recorded at Reception No. 2013172491, on December 2, 2013, said point being the **TRUE POINT OF BEGINNING**;

1. Thence S.45°05'48"E.,a distance of 331.13 feet, to a point on the southeasterly line of said Reception No. 2006199526;

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- 2. Thence along said southeasterly line of Reception No. 2006199526, S.44°53'10"W., a distance of 15.00 feet;
- 3. Thence N.45°05'48"W.,a distance of 331.12 feet, to a point on said southeasterly line of Reception No. 2013172491;
- 4. Thence along said southeasterly line of Reception No. 2013172491, N.44°52'52"E., a distance of 15.00 feet, to the **TRUE POINT OF BEGINNING.**

The above described parcel contains 4,967 sq. ft. (0.114 acres) of land, more or less.

Basis of Bearings: All bearings are based on the line connecting the Northeast Corner of Section 27, and the North Quarter Corner of said Section 27, both in Township 3 South, Range 68 West of the 6th P.M., said line having a grid bearing of S. 89°58'34" W., a distance of 2,645.64 feet, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD83 (1992) Universal Transverse Mercator (Zone 13 North). Said Northeast Corner of Section 27 being monumented by a found 6" diameter stone with chiseled cross, with a 3 1/2" aluminum cap also found 10 feet north of stone and on-line stamped as a 10 foot witness corner "WC-10.0'-PLS 24961-2008"; and said North Quarter Corner of Section 27 being monumented by a found 3 1/4" diameter aluminum cap stamped in part "Aztec Consultants Inc.- LS 33204-1/4-S22-S27-2007".

and

PARCEL NUMBER: 6

A parcel of land being part of the Denver Pacific Railway and Telegraph Company property shown as:

The Denver Pacific Railway grounds per the plat of Case & Ebert's addition to the City of Denver, situated in the NE ¼ of the NE ¼ of Section 27,

The D.P. Railway Depot grounds per the plat of H. Witter's addition to Denver, Colorado situated in the NW ¼ of the NW ¼ of Section 26,

Block 4 per the plats of the first addition to Ironton and Ironton situated in the SE ¼ of the SE ¼ of Section 22 and the SW ¼ of the SW ¼ of Section 23, respectively,

all in Township 3 South, Range 68 West, 6th Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

BEGINNING at the most northerly corner of Block 4 of said plat of Ironton, whence the section corner common to Sections 22, 23, 26 & 27 T.3S., R.68W., 6th P.M. bears South 42°47'22" West a distance of 104.90 feet, more or less; thence South 44°49'52" East on the northeasterly boundary line of said Block 4, said boundary line being also the southwesterly right-of-way line of 35th Street, a distance of 110.00 feet to the most easterly corner of said Block 4 being on the

north line H. Witter's addition to Denver, Colorado; 1 2 thence North 89°36'10" West on said North line, a distance of 8.31 feet to the southwesterly right-of-way line for 35th Street per said plat of H. Witter's addition; 3 thence South 44°49'52" East on said southwesterly right of way line a distance of 4 5 19.81 feet. thence South 45°13'26" West a distance of 390.87 feet, 6 7 thence on a tangent 466.03 foot radius curve to the left (concave southeasterly) 8 through a central angle of 15°50'58" an arc distance of 128.92 feet; 9 thence South 29°22'28" West, tangent to last said curve a distance of 109.24 10 feet: 11 12 13

thence on a tangent 413.975 foot radius curve to the right (concave northwesterly) through a central angle of 5°58'09", an arc distance 43.13 feet; thence South 55°24'50" West, non-tangent to last said curve a distance of 178.65 feet:

thence North 44°50'01" West a distance of 148.61 feet to the Southeasterly rightof-way line of Wynkoop Street per said plat of Case & Ebert's addition;

thence North 45°09'59" East on said southeasterly right-of-way line of Wynkoop Street, a distance 846.98 feet to the **POINT OF BEGINNING**,

containing 2.71 acres more or less.

Basis of Bearing is assumed, based on the southeasterly right of way line of Wynkoop Street. Monuments set at the most northerly and westerly corners of said beforedescribed parcel are No. 5 rebars with aluminum caps marked CEI LS 6757. Said right of way line bears North 45°09'58" East.

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PARCEL NUMBER: LA-7

A parcel of land, containing 8,637 sq. ft. (0.198 acres) of land, more or less, being a portion of the Union Pacific Railroad Company property, lying in the Northeast Quarter of Section 27, Township 3 South, Range 68 West, of the 6th Principal Meridian, in the City and County of Denver, State of Colorado, said parcel being more particularly described as follows:

35 **COMMENCING** at the Northeast Corner of said Section 27, (Whence the North 36 37 38

Quarter corner of said Section 27, bears S. 89°58'34" W., a distance of 2645.64 feet); Thence S. 43°45'42" W., a distance of 742.78 feet, to a point on the southwesterly line of that parcel of land described in Exhibit A, in the Quit Claim Deed recorded at Reception No. 88-00265644, on May 12, 1988 in the City and County of Denver Clerk and Recorder's Office, said point being the TRUE POINT OF BEGINNING;

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1. Thence along said southwesterly line, S.45°06'59"E.,a distance of 51.99 feet:

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2. Thence S.14°49'59"W.,a distance of 73.45 feet;

- 3. Thence S.45°14'17"E.,a distance of 137.09 feet, to a point on the northwesterly line of that parcel of land described in Reception No. 2013029218, recorded on March 4, 2013 in said City and County of Denver Clerk and Recorder's Office:
- 4. Thence along said northwesterly line, S.55°07'44"W.,a distance of 30.50 feet;
- 5. Thence N.45°14'17"W.,a distance of 166.26 feet;
- 6. Thence N.14°49'59"E.,a distance of 108.19 feet, to the **TRUE POINT OF BEGINNING.**

The above described parcel contains 8,637 sq. ft. (0.198 acres) of land, more or less.

Basis of Bearings: All bearings are based on the line connecting the Northeast Corner of Section 27, and the North Quarter Corner of said Section 27, both in Township 3 South, Range 68 West of the 6th P.M., said line having a grid bearing of S. 89°58'34" W., a distance of 2,645.64 feet, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD83 (1992) Universal Transverse Mercator (Zone 13 North). Said Northeast Corner of Section 27 being monumented by a found 6" diameter stone with chiseled cross, with a 3 1/2" aluminum cap also found 10 feet north of stone and on-line stamped as a 10 foot witness corner "WC-10.0'-PLS 24961-2008"; and said North Quarter Corner of Section 27 being monumented by a found 3 1/4" diameter aluminum cap stamped in part "Aztec Consultants Inc.- LS 33204-1/4-S22-S27-2007".

and

PARCEL NUMBER: LA-7A

A parcel of land, containing 40,015 sq. ft. (0.919 acres) of land, more or less, being a portion of the Union Pacific Railroad Company property, lying in the Northeast Quarter of Section 27, Township 3 South, Range 68 West, of the 6th Principal Meridian, in the City and County of Denver, State of Colorado, said parcel being more particularly described as follows:

COMMENCING at the Northeast Corner of said Section 27, (Whence the North Quarter corner of said Section 27, bears S. 89°58'34" W., a distance of 2645.64 feet); Thence S. 45°15'55" W., a distance of 742.65 feet, to the most westerly corner of that parcel of land described in Exhibit A, in the Quit Claim Deed recorded at Reception No. 88-00265644, on May 12, 1988 in the City and County of Denver Clerk and Recorder's Office, said corner being the **TRUE POINT OF BEGINNING**;

- 1. Thence along the southwesterly line of said Reception No. 88-00265644, S.45°06'59"E., a distance of 128.96 feet;
- 2. Thence S.47°27'49"W.,a distance of 93.63 feet;
- 3. Thence S.57°31'15"W.,a distance of 322.30 feet;
- 4. Thence N.45°06'50"W.,a distance of 54.25 feet, to a point on the northwesterly line of said Union Pacific Railroad property;
- 5. Thence along said northwesterly line, N.44°53'10"E.,a distance of 408.03 feet, to the **TRUE POINT OF BEGINNING.**

The above described parcel contains 40,015 sq. ft. (0.919 acres) of land, more or less.

Basis of Bearings: All bearings are based on the line connecting the Northeast Corner of Section 27, and the North Quarter Corner of said Section 27, both in Township 3 South, Range 68 West of the 6th P.M., said line having a grid bearing of S. 89°58'34" W., a distance of 2,645.64 feet, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD83 (1992) Universal Transverse Mercator (Zone 13 North). Said Northeast Corner of Section 27 being monumented by a found 6" diameter stone with chiseled cross, with a 3 1/2" aluminum cap also found 10 feet north of stone and on-line stamped as a 10 foot witness corner "WC-10.0'-PLS 24961-2008"; and said North Quarter Corner of Section 27 being monumented by a found 3 1/4" diameter aluminum cap stamped in part "Aztec Consultants Inc.- LS 33204-1/4-S22-S27-2007".

and

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PARCEL NUMBER: LA-8

A parcel of land, containing 1,522 sq. ft. (0.035 acres) of land, more or less, being a portion of that parcel of land described as Parcel EC-2A-Rev 2 in Exhibit A, in the Bargain and Sale deed recorded at Reception No. 2013029218, recorded on March 4, 2013 in the City and County of Denver Clerk and Recorder's office, lying in the Northeast Quarter of Section 27, Township 3 South, Range 68 West, of the 6th Principal Meridian, in the City and County of Denver, State of Colorado, said parcel being more particularly described as follows:

COMMENCING at the Northeast Corner of said Section 27, (Whence the North Quarter corner of said Section 27, bears S. 89°58'34" W., a distance of 2645.64 feet); Thence S. 29°10'58" W., a distance of 868.33 feet, to a point on the northwesterly line of said parcel of land described in Reception No. 2013029218,

being the TRUE POINT OF BEGINNING;

- 1. Thence along said northwesterly line of Reception No. 2013029218, N.55°07'44"E., a distance of 30.50 feet;
- 2. Thence S.45°14'17"E.,a distance of 51.00 feet, to a point on the southeasterly line of said Reception No. 2013029218;
- 3. Thence along said southeasterly line of Reception No. 2013029218, S.56°07'27"W., a distance of 30.60 feet;
- 4. Thence N.45°14'17"W.,a distance of 50.46 feet, to the **TRUE POINT OF BEGINNING.**

The above described parcel contains 1,522 sq. ft. (0.035 acres) of land, more or less.

Basis of Bearings: All bearings are based on the line connecting the Northeast Corner of Section 27, and the North Quarter Corner of said Section 27, both in Township 3 South, Range 68 West of the 6th P.M., said line having a grid bearing of S. 89°58'34" W., a distance of 2,645.64 feet, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD83 (1992) Universal Transverse Mercator (Zone 13 North). Said Northeast Corner of Section 27 being monumented by a found 6" diameter stone with chiseled cross, with a 3 1/2" aluminum cap also found 10 feet north of stone and on-line stamped as a 10 foot witness corner "WC-10.0'-PLS 24961-2008"; and said North Quarter Corner of Section 27 being monumented by a found 3 1/4" diameter aluminum cap stamped in part "Aztec Consultants Inc.- LS 33204-1/4-S22-S27-2007".

and

PARCEL NUMBER: PE-9

A parcel of land, containing 4,607 sq. ft. (0.106 acres) of land, more or less, being a portion of that parcel of land described as Parcel 5B in Exhibit A, in the Special Warranty Deed recorded at Reception No. 92-0147936, on December 14, 1992 in the City and County of Denver Clerk and Recorder's Office, located in the Northeast Quarter of Section 27, Township 3 South, Range 68 West, of the 6th Principal Meridian, in the City and County of Denver, State of Colorado, said parcel being more particularly described as follows:

COMMENCING at the Northeast Corner of said Section 27, (Whence the North Quarter corner of said Section 27, bears S. 89°58'34" W., a distance of 2645.64 feet); Thence S. 24°49'31" W., a distance of 852.52 feet, to a point on the southeasterly line of that parcel of land described as Parcel EC-2A-Rev 2 in Exhibit A, in the Bargain and Sale deed recorded at Reception No. 2013029218, on March 4, 2013 in said City and County of Denver Clerk and Recorder's office,

said point being the TRUE POINT OF BEGINNING;

- 1. Thence S.45°14'17"E.,a distance of 111.24 feet, to a point on the northwesterly line of that parcel of land described in the General Warranty deed recorded at Reception No. 9500062142, recorded on May 31, 1995 in said City and County of Denver Clerk and Recorder's office;
- 2. Thence along said northwesterly line of Reception No. 9500062142, S.44°59'28"W.. a distance of 40.00 feet:
- 3. Thence N.45°14'17"W., a distance of 119.12 feet, to a point on said southeasterly line of Reception No. 2013029218;
- 4. Thence along said southeasterly line of Reception No. 2013029218, N.56°07'27"E., a distance of 40.80 feet, to the TRUE POINT OF BEGINNING.

The above described parcel contains 4,607 sq. ft. (0.106 acres) of land, more or less.

Basis of Bearings: All bearings are based on the line connecting the Northeast Corner of Section 27, and the North Quarter Corner of said Section 27, both in Township 3 South, Range 68 West of the 6th P.M., said line having a grid bearing of S. 89°58'34" W., a distance of 2,645.64 feet, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD83 (1992) Universal Transverse Mercator (Zone 13 North). Said Northeast Corner of Section 27 being monumented by a found 6" diameter stone with chiseled cross, with a 3 1/2" aluminum cap also found 10 feet north of stone and on-line stamped as a 10 foot witness corner "WC-10.0'-PLS 24961-2008"; and said North Quarter Corner of Section 27 being monumented by a found 3 1/4" diameter aluminum cap stamped in part "Aztec Consultants Inc.- LS 33204-1/4-S22-S27-2007".

and

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PARCEL NUMBER: TE-9

A parcel of land, containing 2,423 sq. ft. (0.056 acres) of land, more or less, being a portion of that parcel of land described as Parcel 5B in Exhibit A, in the Special Warranty Deed recorded at Reception No. 92-0147936, on December 14, 1992 in the City and County of Denver Clerk and Recorder's Office, located in the Northeast Quarter of Section 27, Township 3 South, Range 68 West, of the 6th Principal Meridian, in the City and County of Denver, State of Colorado, said parcel being more particularly described as follows:

COMMENCING at the Northeast Corner of said Section 27, (Whence the North Quarter corner of said Section 27, bears S. 89°58'34" W., a distance of 2645.64 feet); Thence S. 26°11'36" W., a distance of 887.64 feet, to a point on the

southeasterly line of that parcel of land described as Parcel EC-2A-Rev 2 in Exhibit A, in the Bargain and Sale deed recorded at Reception No. 2013029218, on March 4, 2013 in said City and County of Denver Clerk and Recorder's office, said point being the **TRUE POINT OF BEGINNING**;

- 1. Thence S.45°14'17"E.,a distance of 119.12 feet, to a point on the northwesterly line of that parcel of land described in the General Warranty deed recorded at Reception No. 9500062142, recorded on May 31, 1995 in said City and County of Denver Clerk and Recorder's office:
- 2. Thence along said northwesterly line of Reception No. 9500062142, S.44°45'43"W., a distance of 20.00 feet;
- 3. Thence N.45°14'17"W., a distance of 123.14 feet, to a point on said southeasterly line of Reception No. 2013029218;
- 4. Thence along said southeasterly line of Reception No. 2013029218, N.56°07'27"E., a distance of 20.40 feet, to the **TRUE POINT OF BEGINNING.**

The above described parcel contains 2,423 sq. ft. (0.056 acres) of land, more or less.

Basis of Bearings: All bearings are based on the line connecting the Northeast Corner of Section 27, and the North Quarter Corner of said Section 27, both in Township 3 South, Range 68 West of the 6th P.M., said line having a grid bearing of S. 89°58'34" W., a distance of 2,645.64 feet, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD83 (1992) Universal Transverse Mercator (Zone 13 North). Said Northeast Corner of Section 27 being monumented by a found 6" diameter stone with chiseled cross, with a 3 1/2" aluminum cap also found 10 feet north of stone and on-line stamped as a 10 foot witness corner "WC-10.0'-PLS 24961-2008"; and said North Quarter Corner of Section 27 being monumented by a found 3 1/4" diameter aluminum cap stamped in part "Aztec Consultants Inc.- LS 33204-1/4-S22-S27-2007".

and

PARCEL NUMBER: TE-9A

A parcel of land, containing 4,795 sq. ft. (0.110 acres) of land, more or less, being a portion of that parcel of land described as Parcel 5B in Exhibit A, in the Special Warranty Deed recorded at Reception No. 92-0147936, on December 14, 1992 in the City and County of Denver Clerk and Recorder's Office, located in the Northeast Quarter of Section 27, Township 3 South, Range 68 West, of the 6th Principal Meridian, in the City and County of Denver, State of Colorado, said parcel being more particularly described as follows:

COMMENCING at the Northeast Corner of said Section 27, (Whence the North Quarter corner of said Section 27, bears S. 89°58'34" W., a distance of 2645.64 feet); Thence S. 24°49'31" W., a distance of 852.52 feet, to a point on the southeasterly line of that parcel of land described as Parcel EC-2A-Rev 2 in Exhibit A, in the Bargain and Sale deed recorded at Reception No. 2013029218, on March 4, 2013 in said City and County of Denver Clerk and Recorder's office, said point being the **TRUE POINT OF BEGINNING**;

- 1. Thence along said southeasterly line of Reception No. 2013029218, N.56°07'27"E.,a distance of 24.08 feet;
- 2. Thence continuing along said southeasterly line of Reception No. 2013029218, S.33°52'33"E.,a distance of 17.00 feet;
- 3. Thence continuing along said southeasterly line of Reception No. 2013029218, N.56°07'27"E.,a distance of 30.33 feet;
- 4. Thence S.45°14'17"E., a distance of 80.04 feet, to a point on the northwesterly line of that parcel of land described in Reception No. 9400102836, as recorded in said City and County of Denver Clerk and Recorder's office;
- 5. Thence along said northwesterly line of Reception No. 9400102836, S.44°53'40"W., a distance of 8.47 feet, to the most westerly corner of said Reception No. 9400102836;
- 6. Thence along the southwesterly line of said Reception No. 9400102836, S.45°05'31"E., a distance of 4.00 feet, to the most northerly corner of that parcel of land described in Reception No. 9500062142, as recorded in said City and County of Denver Clerk and Recorder's office;
- 7. Thence along the northwesterly line of said Reception No. 9500062142, S.44°59'28"W., a distance of 41.52 feet;
- 8. Thence N.45°14'17"W., a distance of 111.24 feet, to the **TRUE POINT OF BEGINNING.**

The above described parcel contains 4,795 sq. ft. (0.110 acres) of land, more or less.

Basis of Bearings: All bearings are based on the line connecting the Northeast Corner of Section 27, and the North Quarter Corner of said Section 27, both in Township 3 South, Range 68 West of the 6th P.M., said line having a grid bearing of <u>S. 89°58'34" W.</u>, a distance of 2,645.64 feet, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD83 (1992) Universal Transverse Mercator (Zone 13 North). Said Northeast Corner of Section 27 being

monumented by a found 6" diameter stone with chiseled cross, with a 3 1/2" aluminum cap also found 10 feet north of stone and on-line stamped as a 10 foot witness corner "WC-10.0'-PLS 24961-2008"; and said North Quarter Corner of Section 27 being monumented by a found 3 1/4" diameter aluminum cap stamped in part "Aztec Consultants Inc.- LS 33204-1/4-S22-S27-2007".

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Section 2. That the Council hereby finds and determines that property interests in these properties are needed and required for the following public uses and public purposes: drainage facilities, and related appurtenant improvements to the drainage facilities and construction thereof.

Section 3. That the Council hereby authorizes the Mayor, including his duly authorized representatives, in accordance with applicable federal, state, and City laws and rules and regulations adopted pursuant thereto, to acquire the needed property interests, including, but not limited to, permanent easements, temporary easements, fixtures, licenses, permits, improvements (including without limitation, general outdoor advertising devices, buildings, access points,) and any other rights, interests, and appurtenances thereto, including the taking of all actions necessary to do so without further action by City Council, including but not limited to conduct negotiations, execute all related agreements, make all necessary payments; take all actions required by law before instituting condemnation proceedings, allow the temporary use of City-owned land, and convey City-owned land, including remnants.

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

Section 5. That the Council hereby finds and determines that the Denver Department of Public Works may find the need to alter the legal descriptions of the properties referred to in this Ordinance and may continue to do so in order to meet the needs of the Project. Council hereby authorizes the Mayor, including his duly authorized representatives, in accordance with applicable federal, state, and City laws and rules and regulations adopted pursuant thereto, to acquire those properties as the legal descriptions are altered by the Denver Department of Public Works in accordance with the means authorized in this

1	Ordinance.		
2	Section 6. That the Council hereby finds and determines that to improve the drainage along the 33 rd		
3	Street Outfall, it may be necessary to rebuild, modify, remove, and relocate existing access points		
4	located along the Project area and that the Council hereby authorizes the City to use the power		
5	of eminent domain to act as the local authority to rebuild, modify, remove, and relocate such		
6	existing access points.		
7			
8	[REMAINDER OF PAGE INTENT	ONALLY LEFT BLANK]	
9			
10	COMMITTEE APPROVAL DATE: September 11, 201	4	
11	MAYOR-COUNCIL DATE: September 16, 2014		
12	PASSED BY THE COUNCIL:		, 2014
13	·		
14	APPROVED:	MAYOR	, 2014
15	ATTEST:		
16 17		EX-OFFICIO CLERK OF THE CITY AND COUNTY OF DENVER	
18	NOTICE PUBLISHED IN THE DAILY JOURNAL:	, 2014;	_, 2014
19	PREPARED BY: Karen A. Aviles, Assistant City Attor		
20 21 22 23	Pursuant to section 14-12, D.R.M.C., this proposed of the City Attorney. We find no irregularity as to form, ordinance. The proposed ordinance is not submitted to 3.2.6 of the Charter.	and have no legal objection to the pro	oposed
24	D. Scott Martinez, City Attorney for the City and Coun	ty of Denver	

BY: ______, Assistant City Attorney DATE: _____, 2014