

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2014

COUNCIL BILL NO. CB14-0932
COMMITTEE OF REFERENCE:
Infrastructure & Culture

A BILL

For an ordinance designating certain property as “park” under section 2.4.5 of the city charter, namely Habitat Park.

WHEREAS, the following real property, known as Habitat Park, which is under the jurisdiction of the Denver Department of Parks and Recreation, has been or will be used for park purposes within the City and County of Denver (“Park Property”):

A parcel of land located in the E1/2 of the NE1/4 and the NE1/4 of the SE1/4 of Section 16, and the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 15, all in Township 4 South, Range 68 West of the 6TH Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

Commencing at the East ¼ corner of said Section 16 from which the NE corner of said Section 16 bears N0°30’32”W, a distance of 2641.09 feet; Thence S0°30’51”E, along the East line of said SE ¼ of Section 16, a distance of 95.02 feet to the Point of Beginning; Thence N37°51’26”W, a distance of 409.75 feet to a point of curve; Thence along the arc of a curve to the left having a central angle of 20°37’27”, a radius of 408.43 feet and an arc length of 147.02 feet to a point of compound curve; Thence along the arc of a compound curve to the left having a central angle of 32°00’21”, a radius of 285.00 feet and an arc length of 159.20 feet to a point of tangent; Thence S89°30’46”W, along said tangent, a distance of 126.00 feet to a point on the East right-of-way line of S. Jason St.; Thence N0°29’14”W, along said East right-of-way line, a distance of 1215.57 feet to a point on the Westerly line of the South Platte River Channel as described in Ordinance 107 Series 1955; Thence Southeasterly along said Westerly line of the South Platte River Channel the following 3 courses:

- 1) Thence S19°49’14”E, a distance of 1057.99 feet to a point of curve;
- 2) Thence along the arc of a curve to the left having a central angle of 18°11’01”, a radius of 1859.86 feet and an arc length of 590.25 feet to a point of tangent;
- 3) Thence S38°00’15”E, along said tangent, a distance of 294.72 feet to a point 160 feet South of and parallel with the East – West centerline of said Section 16;

Thence S89°51’00”W, along said parallel line, a distance of 125.81 feet; Thence N37°51’26”W, a distance of 82.14 feet to the Point of Beginning.

WHEREAS, the Parks and Recreation Advisory Board and the Manager of Parks and Recreation have recommended that said Park Property be formally designated as a “park” under section 2.4.5 of the City Charter.

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

Section 1. That the Park Property, known as Habitat Park, is hereby designated as a “park” under section 2.4.5 of the City Charter and shall henceforth be regarded as being a designated park in the City and County of Denver, such designation being subject to a) the reservation of

1 easements set forth in Ordinance No. 592, Series of 1977, vacating South Platte River Drive (West
2 Bank) between West Virginia Avenue and West Exposition Avenue; and b) any existing utilities
3 lawfully located in the Park Property as of the date of this park designation.

4 COMMITTEE APPROVAL DATE: November 5, 2014 by consent

5 MAYOR-COUNCIL DATE: November 11, 2014

6 PASSED BY THE COUNCIL: _____, 2014

7 _____ - PRESIDENT

8 APPROVED: _____ - MAYOR _____, 2014

9 ATTEST: _____ - CLERK AND RECORDER,
10 EX-OFFICIO CLERK OF THE
11 CITY AND COUNTY OF DENVER

12 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2014; _____, 2014

13 PREPARED BY: Patrick A. Wheeler Assistant City Attorney DATE: November 13, 2014

14 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
15 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
16 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
17 §3.2.6 of the Charter.

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19 D. Scott Martinez, Denver City Attorney

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