

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2013

COUNCIL BILL NO. CB13-0162
COMMITTEE OF REFERENCE:

Land Use, Transportation & Infrastructure

A BILL

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

WHEREAS, the following real property, known as Ruby Hill 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 being Blocks 17 through 32, inclusive, MANCHESTER HEIGHTS, together with those vacated Streets, Avenues and Alleys as described in Ordinance No. 262, Series of 1966, recorded June 10, 1966 in Book 9609 at Page 456, and together with those vacated Alleys and Streets as described in Ordinance No. 500, Series of 1966, recorded November 29, 1966 in Book 9672 at Page 457, except that portion of Block 29 described in deed to the Colorado and Southern Railway Company recorded January 4, 1910 in Book 2087 at Page 106, together with a portion of the parcel of land described in deed to the City and County of Denver dated February 28, 1919 and recorded February 10, 1919 in Book 2548 at Page 236 of the City and County of Denver records which lies west of the right-of-way of the Colorado and Southern Railroad (currently BNSF Railroad), south of West Florida Avenue, situated in the Southeast Quarter of Section 21, 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 Center Quarter Section corner of said Section 21, whence the South Quarter corner of said Section 21 bears S00°02'57"W; Thence S44°48'57"E, a distance of 42.53 feet to the northwest corner of Block 17 Manchester Heights, a subdivision recorded October 22, 1891 in the Arapahoe County records, and the Point of Beginning;

Thence S89°22'29"E, along the south line of West Florida Avenue, a distance of 1291.42 feet to the northeast corner of the portion of vacated South Lipan Street lying within said Manchester Heights; Thence S89°22'29"E, continuing along said line extended, a distance of 165.50 feet to the west line of the BNSF Railroad (formerly Colorado and Southern Railroad) right-of-way line; Thence along said west line the following eight (8) courses:

1. S02°43'40"E, a distance of 449.15 feet to a point of curvature;
2. Along the arc of said curve to the right having a central angle of 13°00'00", a radius of 1382.39 feet, and an arc length of 313.65 feet (chord bears S03°46'20"W, 312.98 feet) to a point of compound curvature;
3. Along the arc of said compound curve to the right having a central angle of 06°00'00", a radius of 1859.86 feet, and an arc length of 194.76 feet (chord bears S13°16'20"W, 194.68 feet) to a point of reverse curvature;
4. Along the arc of said reverse curve to the left having a central angle of 13°30'00", a radius of 1959.86 feet, and an arc length of 461.78 feet (chord bears S09°31'20"W, 460.71 feet) to a point of reverse curvature;
5. Along the arc of said reverse curve to the right having a central angle of 10°30'00", a radius of 1859.86 feet, and an arc length of 340.84 feet (chord bears S08°01'20"W, 340.36 feet);

1 6. S13°16'20"W, a distance of 20.32 feet;
2 7. S00°13'16"W, a distance of 75.66 feet;
3 8. S13°50'20"W, a distance of 755.21 feet to the north right-of-way line of West Jewell Avenue;
4 Thence N89°28'30"W, along said north line, a distance of 1105.86 feet to the east right-of-way
5 line of South Pecos Street; Thence N00°02'57"E, along said east line, a distance of 1258.16 feet
6 to the south right-of-way line of West Mexico Avenue; Thence along the south, east and north
7 lines of said West Mexico Avenue the following three (3) courses:
8 1. S89°39'18"E, a distance of 128.93 feet;
9 2. N00°04'17"E, a distance of 60.00 feet;
10 3. N89°39'18"W, a distance of 128.95 feet to the east right-of-way line of said South Pecos
11 Street;
12 Thence N00°02'57"E, along said east line, a distance of 1258.14 feet to the Point of Beginning.
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14 **WHEREAS**, the Parks and Recreation Advisory Board and the Manager of Parks and
15 Recreation have recommended that said Park Property be formally designated as a "park" under
16 section 2.4.5 of the City Charter.

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

19
20 **Section 1.** That the Park Property, known as Ruby Hill Park, is hereby designated as a
21 "park" under section 2.4.5 of the City Charter and shall henceforth be regarded as being a
22 designated park in the City and County of Denver, subject to the easement reserved by Public
23 Service Company of Colorado for, among other things, the construction, reconstruction,
24 operation and maintenance of overhead and underground electric transmission, distribution and
25 telephone lines and other rights reserved by Public Service Company of Colorado in the Deed
26 dated August 29, 1968, and recorded September 5, 1968, at Book 9924, Pages 447 through
27 450, of the Denver Clerk and Recorder's Office.
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1 COMMITTEE APPROVAL DATE: March 14, 2013 by consent
2 MAYOR-COUNCIL DATE: March 19, 2013
3 PASSED BY THE COUNCIL: _____, 2013
4 _____ - PRESIDENT

5 APPROVED: _____ - MAYOR _____, 2013
6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2013; _____, 2013
10 PREPARED BY: Patrick A. Wheeler - Assistant City Attorney – DATE: March 21, 2013

11 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
12 the 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.
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16 Douglas J. Friednash, Denver City Attorney

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18 BY: _____, Assistant City Attorney DATE: _____, 2013
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