


## REQUEST FOR ORDINANCE TO RELINQUISH AN EASEMENT

**TO:** Ivone Avila-Ponce, City Attorney's Office

**FROM:** Matt R. Bryner, PE, Director, Right of Way Services   
Matt R. Bryner (Sep 19, 2022 14:20 MDT)

**PROJECT NO:** 2022-RELINQ-0000018

**DATE:** September 19, 2022

**SUBJECT:** Request for an Ordinance to relinquish five separate easement(s) in their entirety as established in the vacating Ordinance Numbers:

- 1) Easement reserved in Ordinance 264, Series 1925
- 2) Easement reserved in Ordinance 69, Series 1928
- 3) Easement reserved in Ordinance 74, Series 1951
- 4) Easement reserved in Ordinance 74, Series 1957
- 5) Easement reserved in Ordinance 340, Series 1965

Located at 1110 West 3<sup>rd</sup> Avenue.

**It is requested that the above subject item be placed on the next available Mayor Council Agenda.**

This office has investigated the request of Anderson & Hastings Consultants, Inc., dated August 11, 2022 on behalf of Public Service Company of Colorado c/o Scott Schleining for the relinquishment of the subject easement(s).

This matter has been coordinated with City Councilperson Clark, District 7; Asset Management; Emergency Management; Community Planning & Development: Planning Services; Historic Preservation/Landmark; Denver Water; Denver Fire Department; City Forester; Parks and Recreation; DOTI: DES Transportation & Wastewater, Construction Engineering, Policy and Planning, TES Signing and Striping, Survey; Colorado Department of Transportation; Regional Transportation District; Comcast; Metro Wastewater Reclamation District; CenturyLink; and Xcel Energy, all of whom have indicated no objection to the proposed easement relinquishment(s).

As a result of these investigations, it has been determined that there is no objection to relinquishing the subject easement(s).

A vicinity map of the subject easement area(s) and a copy of the document(s) creating the easement(s) are attached.

MB:bw



cc: City Councilperson & Aides  
City Council Staff – Zach Rothmier  
Department of Law – Bradley Beck  
Department of Law – Deanne Durfee  
Department of Law – Maureen McGuire  
Department of Law – Martin Plate  
DOTI, Manager’s Office – Alba Castro  
DOTI, Legislative Services – Jason Gallardo  
DOTI, Survey – Paul Rogalla

**City and County of Denver Department of Transportation & Infrastructure**  
Right-of-Way Services | Engineering & Regulatory  
201 W Colfax Ave, Dept 507 | Denver, CO 80202  
[www.denvergov.org/doti](http://www.denvergov.org/doti)  
Phone: 720-865-3003

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to Jason Gallardo  
at [Jason.Gallardo@denvergov.org](mailto:Jason.Gallardo@denvergov.org) by **12:00pm on Monday**. Contact him with questions.

**Date of Request: September 19, 2022**

Please mark one:     **Bill Request**                    or             **Resolution Request**

**1. Type of Request:**

- Contract/Grant Agreement**     **Intergovernmental Agreement (IGA)**     **Rezoning/Text Amendment**
- Dedication/Vacation**                     **Appropriation/Supplemental**                     **DRMC Change**
- Other: Easement Relinquishment**

**2. Title:** (Start with *approves, amends, dedicates*, etc., include name of company or contractor and indicate the type of request: grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.)

Request for an Ordinance to relinquish five separate easement(s) in their entirety as established in the vacating Ordinance Numbers:

- 1) Easement reserved in Ordinance 264, Series 1925
- 2) Easement reserved in Ordinance 69, Series 1928
- 3) Easement reserved in Ordinance 74, Series 1951
- 4) Easement reserved in Ordinance 74, Series 1957
- 5) Easement reserved in Ordinance 340, Series 1965

Located at 1110 West 3<sup>rd</sup> Avenue.

**3. Requesting Agency:**

**4. Contact Person:**

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Brianne White	Name: Jason Gallardo
Email: <a href="mailto:Brianne.white@denvergov.org">Brianne.white@denvergov.org</a>	Email: <a href="mailto:Jason.Gallardo@denvergov.org">Jason.Gallardo@denvergov.org</a>

**5. General description or background of proposed request. Attach executive summary if more space needed:**

Request for an Ordinance to relinquish five separate easement(s) in their entirety as established in the vacating Ordinance Numbers:

- 1) Easement reserved in Ordinance 264, Series 1925
- 2) Easement reserved in Ordinance 69, Series 1928
- 3) Easement reserved in Ordinance 74, Series 1951
- 4) Easement reserved in Ordinance 74, Series 1957
- 5) Easement reserved in Ordinance 340, Series 1965

Located at 1110 West 3<sup>rd</sup> Avenue.

**6. City Attorney assigned to this request (if applicable):** Martin Plate

*To be completed by Mayor's Legislative Team:*

Resolution/Bill Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_

7. **City Council District:** Councilperson Clark, District 7

8. **\*\*For all contracts, fill out and submit accompanying Key Contract Terms worksheet\*\***

### Key Contract Terms

**Type of Contract:** (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):

**Vendor/Contractor Name:**

**Contract control number:**

**Location:**

**Is this a new contract?**  Yes  No **Is this an Amendment?**  Yes  No **If yes, how many?** \_\_\_\_\_

**Contract Term/Duration** (for amended contracts, include existing term dates and amended dates):

**Contract Amount** (indicate existing amount, amended amount and new contract total):

<i>Current Contract Amount (A)</i>	<i>Additional Funds (B)</i>	<i>Total Contract Amount (A+B)</i>

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>

**Scope of work:**

**Was this contractor selected by competitive process?**

**If not, why not?**

**Has this contractor provided these services to the City before?**  Yes  No

---

*To be completed by Mayor's Legislative Team:*

Resolution/Bill Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_

**Source of funds:**

**Is this contract subject to:**  **W/MBE**  **DBE**  **SBE**  **XO101**  **ACDBE**  **N/A**

**WBE/MBE/DBE commitments (construction, design, Airport concession contracts):**

**Who are the subcontractors to this contract?**

---

*To be completed by Mayor's Legislative Team:*

Resolution/Bill Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_

## EASEMENT RELINQUISHMENT EXECUTIVE SUMMARY

**Project Title:** 2022-RELINQ-0000018 - Xcel Energy LDC Fleet Garage 1110 W 3rd Ave

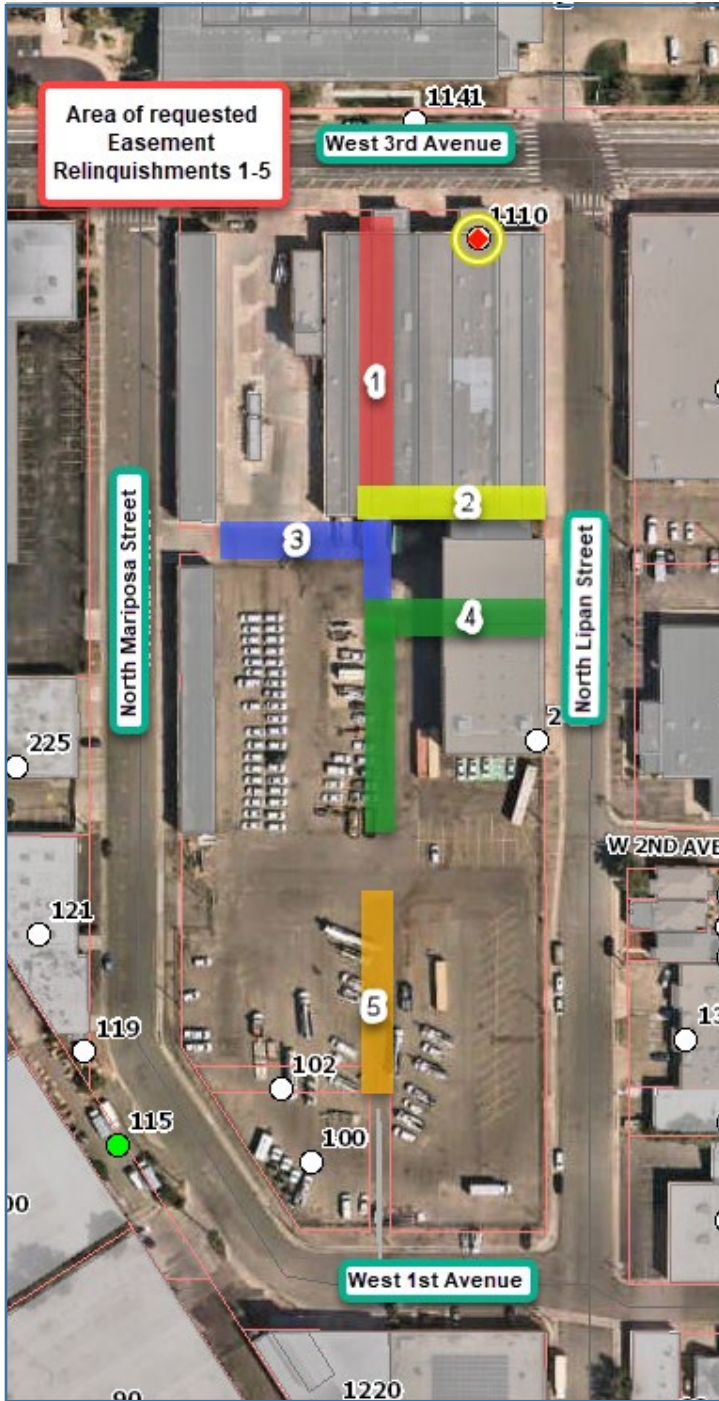
**Property Owner:** Public Service Company of Colorado c/o Scott Schleining

**Description of Proposed Project:** The applicant is proposing to relinquish five separate easements, in their entirety, that were reserved in the Vacating Ordinance Numbers:

- 1) Easement reserved in Ordinance 264, Series 1925
- 2) Easement reserved in Ordinance 69, Series 1928
- 3) Easement reserved in Ordinance 74, Series 1951
- 4) Easement reserved in Ordinance 74, Series 1957
- 5) Easement reserved in Ordinance 340, Series 1965

**Background:** The existing 8" public sanitary sewer has been abandoned by 2020-SUDP-0003236. This sewer was relocated into Mariposa Street to the West per 2020-SSPR-0000153 and the relocated sewer no longer lies within any of the five (5) easements to be relinquished. There are no public water pipes or appurtenances within the easements to be relinquished.

**Location Map:** See next page



City and County of Denver Department of Transportation & Infrastructure  
Right-of-Way Services / Engineering & Regulatory  
201 W Colfax Ave, Dept 507 | Denver, CO 80202  
[www.denvergov.org/dotj](http://www.denvergov.org/dotj)  
Phone: 720-865-3003

10

BY AUTHORITY

ORDINANCE NO. 261.....

SERIES OF 1925

COUNCILMAN'S BILL NO. 245.....

INTRODUCED BY COUNCILMAN

*Hisley*

A B I L L

FOR AN ORDINANCE VACATING PORTION OF THE ALLEY IN BLOCK 6, BAILEY'S ADDITION TO DENVER, IN THE CITY AND COUNTY OF DENVER.

\*\*\*\*\*

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

WHEREAS, CHAS. D. VAIL, Manager of Improvements and Parks did heretofore make the following order, to-wit:

"It is hereby found and determined that the public use, convenience and necessity do not now require

that portion of the alley in Block 6, Bailey's Addition to Denver, in the City and County of Denver, described as follows, to-wit:

Commencing at the northeast corner of Lot 1, Block 6, Bailey's Addition to Denver, thence south along the west line of the alley in said block, 230 feet, more or less, to a point 5 feet, south of the northeast corner of Lot 10 in said Block 6; thence east, parallel to the north line of said block, 16 feet to the east line of said alley; thence north along said east line 230 feet, more or less, to the northwest corner of Lot 40, in said block, and thence west 16 feet to the place of beginning,

*Handwritten scribble*

and the same is hereby vacated.

The Council of the City and County of Denver is hereby requested to give effect to this order by the passage of a suitable ordinance."

Done at Denver, in the State of Colorado, this 7<sup>th</sup> day of December, A. D. 1925.

(Signed) CHAS. D. VAIL,  
Manager."

NOW, THEREFORE,



Section 1:- That the action of the Manager of Improvements and Parks as above set forth be, and the same is hereby ratified, approved and confirmed.

Section 2: That, that portion of the alley in Block 6, Bailey's Addition to Denver, in the City and County of Denver, described as follows, to-wit:

Commencing at the northeast corner of Lot 1, Block 6, Bailey's Addition to Denver; thence south along the west line of the alley in said block, 230 feet, more or less, to a point 5 feet south of the northeast corner of Lot 10, in said Block 6; thence east, parallel to the north line of said block, 16 feet to the east line of said alley; thence north along said east line 230 feet, more or less, to the northwest corner of Lot 40 in said block, and thence west 16 feet to the place of beginning,

*President*

be and hereby is vacated.

Reserving to the City and County of Denver at all times the right to construct, maintain and remove sewers, water-pipes and appurtenances and to authorize the construction, maintenance and removal of the same therein and therefrom.

Section 3: In the opinion of the Council this ordinance is necessary for the immediate preservation of the public health and public safety and shall be in full force and effect immediately after its passage and final publication.

Passed by the Council and signed by its President this *17* day of *December* A. D. 1925.

Signed and approved by me this *15<sup>th</sup>* day of *December* A. D. 1925

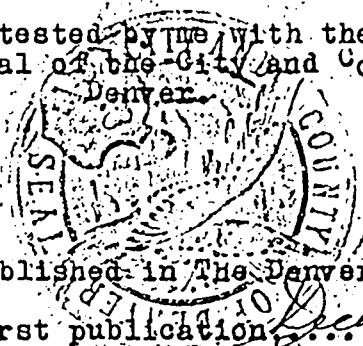
*Harry W. Kinsley*  
P R E S I D E N T

*August H. Hutton*  
M A Y O R

*William S. Laid*  
CLERK AND RECORDER, EX-OFFICIO  
CLERK OF THE CITY AND COUNTY  
OF DENVER.

By *W. S. Laid*  
D E U T Y C L E R K

Attested by me with the corporate seal of the City and County of Denver.



Published in The Denver Times

First publication *December 19<sup>th</sup>* 1925

East publication *December 17<sup>th</sup>* 1925

BY AUTHORITY

ORDINANCE NO. 69.....

SERIES OF 1928

COUNCILMAN'S BILL NO. 78.....

INTRODUCED BY COUNCILMAN

CHRYSLER

A B I L L

FOR AN ORDINANCE VACATING A PORTION OF THE EAST AND WEST PUBLIC ALLEY IN BLOCK 6, BAILEY'S ADDITION TO DENVER, IN THE CITY AND COUNTY OF DENVER.

-----

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

WHEREAS, CHAS. D. VAIL, Manager of Improvements and Parks did heretofore make the following order, to-wit:

"It is hereby found and determined that the public use, convenience and necessity do not now require that portion of the public alley in Block 6, Bailey's Addition to Denver, in the City and County of Denver, Described as follows, to-wit:

Commencing at a point on the east line of Lot 31, Block 6, in Bailey's Addition to Denver, 5 feet south of the northeast corner of said Lot 31; thence south 20 feet to the southeast corner of said Lot 31; thence west on the south line of said Lot and said south line extended 141 feet to the east line of Lot 10 in said Block 6; thence north on said east line 20 feet; thence east 141 feet to the point of beginning, and the same is hereby vacated.

The Council of the City and County of Denver is hereby requested to give effect to this order by the passage of a suitable ordinance.

Done at Denver, in the State of Colorado, this... 14... day of May, A. D. 1928

(Signed) Chas. D. Vail  
by *Albin S. [Signature]*

NOW, THEREFORE,

Section 1:- That the action of the Manager of Improvements and Parks as above set forth be, and the same is here ratified, approved and confirmed.

Section 2:- That, that portion of the public alley in Block 6, Bailey's Addition to Denver, in the City and County of Denver, in the State of Colorado, described as follows, to-wit:

Commencing at a point on the east line of Lot 31, Block 6, in Bailey's Addition to Denver, 5 feet south of the northeast corner of said Lot 31; thence south 20 feet to the southeast corner of said Lot 31; thence west on the south line of said Lot and said south line extended 141 feet to the east line of Lot 10 in said Block 6; thence north on said east line 20 feet; thence east 141 feet to the point of beginning, be and the same is hereby vacated, reserving to the City and County of Denver at all times the right to construct, maintain and remove sewers, water pipe and appurtenances and to authorize the construction, maintenance and removal of the same therein and therefrom.

Section 3:- In the opinion of the Council this Ordinance is necessary for the immediate preservation of the public

health and public safety and shall be in full force and effect immediately after its passage and final publication.

Passed by the Council and signed by its President this 21<sup>st</sup> day of May A. D. 1928

Thos. F. Dolan  
P R E S I D E N T

Signed ~~and~~ approved by me this 23<sup>rd</sup> day of May A. D. 1928

Ray Stapleton  
M A Y O R

Attested by me with the corporate seal of the City and County of Denver.



Whicker S. Peck  
CLERK AND RECORDER, EX-OFFICIO  
CLERK OF THE CITY AND COUNTY  
OF DENVER

By Feller Ammons  
Deputy Clerk

Published in The Denver Morning Post

First publication May 17 1928

Last publication May 25 1928

APRIL 26 1951

263

BY AUTHORITYORDINANCE NO. 74  
SERIES OF 1951COUNCILMAN'S BILL NO. 80

INTRODUCED BY COUNCILMAN

M. Williams, Harrington and CasperA B I L L

FOR AN ORDINANCE RELATING TO PUBLIC ALLEYS  
IN BLOCK SIX (6) BAILEY'S ADDITION TO DENVER,  
CITY AND COUNTY OF DENVER, COLORADO: VACATION  
OF A PORTION THEREOF AND ESTABLISHING LAND  
AS A PUBLIC ALLEY.

WHEREAS, T. P. Campbell, Manager of Improvements and  
Parks, did heretofore make the following Order:

"O R D E R

"IT IS HEREBY FOUND AND DETERMINED that the  
public use, convenience and necessity no longer  
require a portion of the alleys located in Block  
Six (6), Bailey's Addition to Denver, in the  
City and County of Denver, described as follows:

"That portion of the north and south alley  
adjoining Lots 29 and 30, Block 6, Bailey's  
Addition to Denver, and also, the east and  
west alley extending west through the south  
20 feet of Lot 11, said Block 6, from said north  
and south alley to Mariposa Street"

and the same are hereby vacated reserving to the City  
and County of Denver at all times the right to con-  
struct, maintain and remove sewers, water pipes and  
appurtenances, and to authorize the construction,  
maintenance and removal of same, therein and there-  
from and subject to the continued right of the  
owners to maintain and operate existing electric  
light and power lines, telephone lines, gas mains  
and pipes;

"And it is also found and determined that the  
public use, convenience and necessity require the  
laying out, opening and establishing as a public  
alley, in, through, over and upon so as to include

8911652

264

the following described land located in the City and County of Denver, State of Colorado, particularly described as follows:

"The north 20 feet of Lot 28, Block 6, Bailey's Addition to Denver, extending east from the present north and south alley to Lipan Street".

"NOW, THEREFORE,

"IT IS HEREBY ORDERED that the said described land be and the same is hereby laid out, opened and established as a public alley.

"The Council of the City and County of Denver is hereby requested to give effect to this Order by the passage of a suitable Ordinance.

"Done at Denver, Colorado, this 8th day of April, A.D., 1951.

/s/ T. P. Campbell  
Manager of Improvements & Parks".

NOW, THEREFORE,

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

Section 1. That the action of the Manager of Improvements and Parks as set forth in the foregoing Order wherein portions of the public alleys located in Block Six (6) Bailey's Addition to Denver in the City and County of Denver are vacated, and also wherein certain land is laid out, opened and established as a public alley in said Block Six (6) Bailey's Addition to Denver, is hereby ratified, approved and confirmed.

Section 2. In the opinion of the Council this Ordinance is necessary for the immediate protection and preservation of the public health, safety, convenience and general welfare, and it is enacted for that purpose, and shall be in full force and effect immediately after its passage and final publication.

265 890652

Passed by the Council and signed by its President this  
16<sup>th</sup> day of April, A.D., 1951.

James Greaves  
President

Signed and approved by me this 19<sup>th</sup> day of April, A.D.,  
1951.

Quigg Newtoy  
Mayor

Attested by me with the Corporate Seal of the City and  
County of Denver.

Thomas Hayes  
City and Recorder, Ex-Officio  
Clerk of the City and County  
of Denver.  
By Lawrence F. Fisher  
Deputy Clerk

RECOMMENDED AND APPROVED:

By F. P. Campbell  
Manager of Improvements and Parks

APPROVED:

W. H. ...  
Director of Planning & Land Office.

FORM APPROVED:

Clarence Fuller  
Clarence Fuller, Attorney  
City and County of Denver

PUBLISHED IN: Daily Journal  
FIRST PUBLICATION: April 14, 1951  
LAST PUBLICATION: April 21, 1951

BOOK A-38 PAGE 200

BOOK O-3 PAGE 444



CITY AND COUNTY OF DENVER

DEPARTMENT OF LAW

OFFICE OF CITY ATTORNEY  
CITY AND COUNTY BUILDING  
DENVER 2, COLORADO

April 5, 1951

*Mapel's Addition*

*Pub Imp*  
*80*

MEMORANDUM

TO: James Fresques, President  
City Council

FROM: Pierpont Fuller, *PF*  
City Attorney

SUBJECT: An Ordinance Relating to Public Alleys in  
Block Six (6) Bailey's Addition to Denver,  
City and County of Denver, Colorado: Vacation  
of a portion thereof and Establishing Land  
as a Public Alley.

The attached Ordinance vacates an East-West alley in Block Six (6) Bailey's Addition to Denver and dedicates another alley in lieu thereof. Block Six (6) Bailey's Addition to Denver is located between West Second and West Third Avenues and Lipan and Mariposa Streets.

This vacation and dedication is requested by and for the Public Service Company. The deed to the North 20 feet of Lot 28, Block 6, Bailey's Addition to Denver, is a deed of easement rather than quit claim or warranty in order that the Public Service Company may avoid the cost required to release their general mortgage and numerous supplements thereto. The Manager of Improvements and Parks understands that acceptance of the easement by the City is subject to said mortgage. However, the dedication is acceptable since the Company is paying the cost of the ordinance and no costs whatsoever are being incurred by the City.

This matter was discussed at Mayor-Council meeting April 3, 1951.

Richard Tull/ts

Attachment

CITY COUNCIL  
CITY & COUNTY OF DENVER  
RECEIVED

*Apr 5 1951*

7 AM  
6:17 8:19 10:11 12:11 2:13 4:15 6 PM



O R D E R

IT IS HEREBY FOUND AND DETERMINED that the public use, convenience and necessity no longer require a portion of the alleys located in Block Six (6), Bailey's Addition to Denver, in the City and County of Denver, described as follows:

"That portion of the north and south alley adjoining Lots 29 and 30, Block 6, Bailey's Addition to Denver, and also, the east and west alley extending west through the south 20 feet of Lot 11, said Block 6, from said north and south alley to Mariposa Street"

and the same are hereby vacated reserving to the City and County of Denver at all times the right to construct, maintain and remove sewers, water pipes and appurtenances, and to authorize the construction, maintenance and removal of same, therein and therefrom and subject to the continued right of the owners to maintain and operate existing electric light and power lines, telephone lines, gas mains and pipes;

And it is also found and determined that the public use, convenience and necessity require the laying out, opening and establishing as a public alley, in, through, over and upon so as to include the following described land located in the City and County of Denver, State of Colorado, particularly described as follows:

"The north 30 feet of Lot 29, Block 6, Bailey's Addition to Denver, extending east from the present north and south alley to Lipan Street."

NOW, THEREFORE,

IT IS HEREBY ORDERED that the said described land be and the same is hereby laid out, opened and established as a public alley.

The Council of the City and County of Denver is hereby requested to give effect to this Order by the passage of a suitable Ordinance.

Done at Denver, Colorado, this \_\_\_\_\_ day of April, A.D.,  
1951.

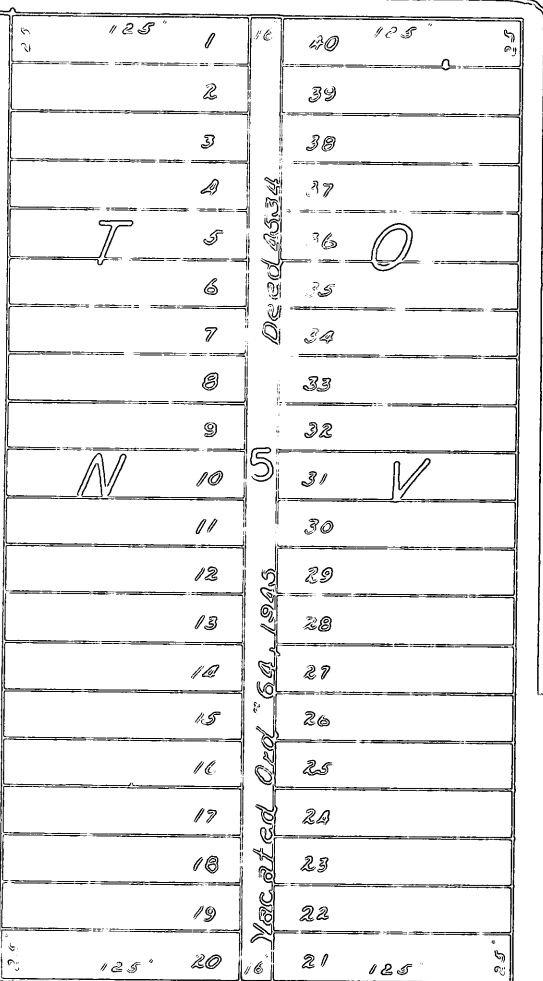
  
\_\_\_\_\_  
Manager of Improvements & Parks

266  
890652

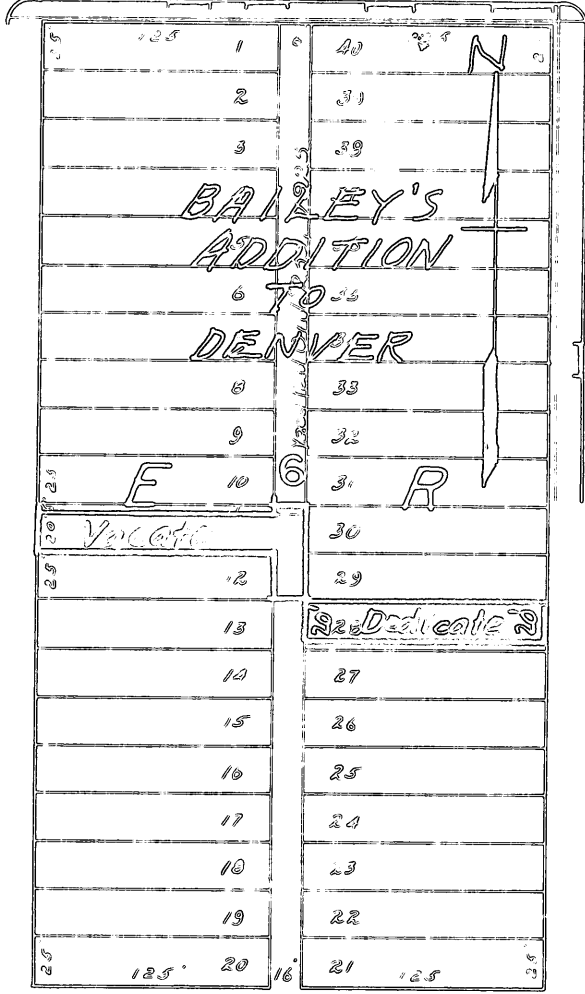
267 690652

W. 3rd

Navajo Ded. Ord. 64, 1945

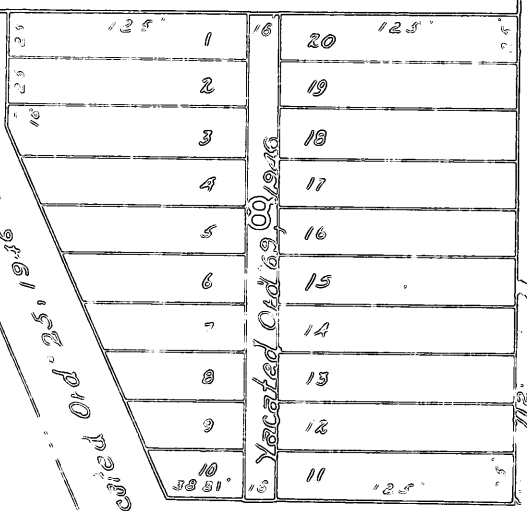


Mariposa



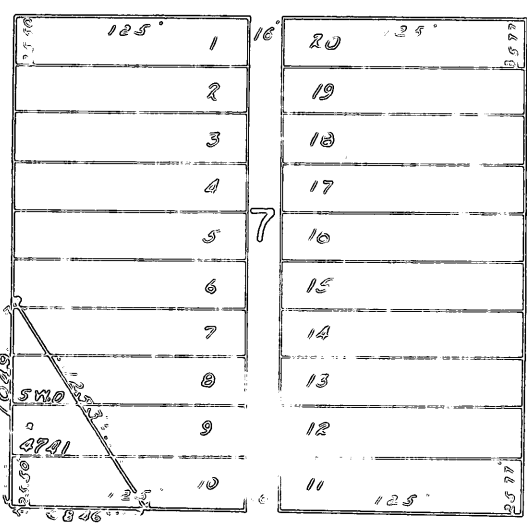
Lipan

Yacated Ord. 25, 1946 W. 2nd Deed 4375



Yacated Ord. 25, 1946 W. 1st

Deeds 4375-4125



244

Ordinance No. 74 Series 1951

Councilman's Bill No. 80

Introduced by Councilman

Dr. Williams, Harrington and Peranda

**A BILL**

For

An Ordinance Relating to  
Public Alleys in Block  
Six (6) Bailey's Addition  
to Denver, City and County  
of Denver, Colorado:  
Vacation of a Portion  
Thereof and Establishing  
Same as a Public  
Alley

Meeting Date of April 9, 1951

Read in full in the Board of Councilmen and referred to the Committee on

Public Improvements

Meeting Date of April 9, 1951

Reported back by the Committee on

Public Improvements

Recommended that the bill be ordered published and report adopted.

Published in The Daily Journal

this 4<sup>th</sup> day of April, A. D. 1951

Meeting Date of April 16, 1951

Read by title, placed upon its passage and passed.

Presented to the Mayor and signed by him this 19<sup>th</sup> day of April, A. D. 1951

Ent'd as Ordinance No. 74, Series 1951

Published in The Daily Journal  
this 21<sup>st</sup> day of April, A. D. 1951

CITY COUNCIL  
CITY & COUNTY OF DENVER  
RECEIVED

APR 5 1951

7 AM  
APR 7 8 9 10 11 12 1 2 3 4 5 6 PM

STATE OF COLORADO  
City and County of Denver

I hereby certify that this instrument was filed for record in my office at 3:12 o'clock P. M., APR 26 1951 and duly recorded in Book 253 Page 441

Mac Hynes  
Clark & Recorder  
Edward W. Draper  
Deputy

FEE CITY BUSINESS NO. 22

BOOK A-38 PAGE 202  
BOOK O-3 PAGE 446

067

BY AUTHORITYORDINANCE NO. 24COUNCILMAN'S BILL NO. 76

SERIES OF 1957

INTRODUCED BY COUNCILMAN

Holland, Harrington, and FlouA B I L L

FOR AN ORDINANCE VACATING ALL REMAINING DEDICATED ALLEYS IN BLOCK 6, BAILEY'S ADDITION, SUBJECT TO RESERVATIONS.

WHEREAS, the Manager of Public Works of the City and County of Denver has found and determined that the public use, convenience and necessity no longer require any of the remaining dedicated alleys in Block 6, Bailey's Addition in the City and County of Denver, State of Colorado, and, subject to approval by ordinance has vacated the same with the reservations hereinafter set forth;

NOW THEREFORE,

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

Section 1. That the action of the Manager of Public Works in vacating all the remaining dedicated alleys in Block 6, Bailey's Addition, in the City and County of Denver, State of Colorado, reserving to the City and County of Denver at all times the right to construct, operate, maintain, and remove sewers, water pipes, and appurtenances and to authorize the construction, operation, maintenance, and removal of sewers, water pipes, and appurtenances therein and therefrom, be and the same is hereby approved and said alleys are hereby vacated and declared vacated subject to the reservations above set forth.

Section 2. The Council finds this Ordinance is necessary for the immediate preservation of the public health and public safety, and determines that it shall take effect immediately upon its final passage and publication.

PASSED by the Council March 4 1957

Elin R. Caldwell - President

37651

491

APPROVED: W. F. Schubert - Mayor W. W. Wankel 1957

ATTEST: ROBERT E. LEE - Clerk and Recorder,  
Ex-Officio Clerk of the  
City and County of Denver

By: George H. Burnham - Deputy City Clerk

PUBLISHED IN The Daily Journal March 2, 1957 and March 9, 1957

I have made the findings and determinations set forth in the foregoing draft or form of a proposed Bill for an Ordinance, and subject to approval by ordinance, have vacated and do hereby vacate the alleys therein described subject to the reservations therein set forth, and request the Council of the City and County of Denver to approve such vacation subject to such reservations by the enactment of an appropriate ordinance. I approve said draft or form of a proposed Bill for an Ordinance and recommend the introduction and passage thereof.



\_\_\_\_\_  
Manager of Public Works

APPROVED: John C. Banks - City Attorney

APPROVED: George Ney - Planning Director.  
O. W. Burnham

# The Daily Journal

NO. E. B. # 76 1957

## PUBLISHER'S AFFIDAVIT

STATE OF COLORADO, }  
City and County of Denver, {ss.

I, Bertil Liung  
of the City and County of Denver, State of Colorado, being duly sworn, upon oath say that I am the legal editor of The Daily Journal; that I have personal knowledge of all the facts set forth in this affidavit; that said The Daily Journal is a public daily newspaper of general circulation having its principal office and place of business situated in said City and County of Denver; that said The Daily Journal is printed and published daily except Sundays, Mondays and legal holidays; that said The Daily Journal is a daily newspaper within the meaning of the act of the General Assembly of the State of Colorado, approved April 7, 1921 and entitled "An Act Concerning Legal Notices, Advertisements and Publications, and the Fees of Printers and Publishers Thereof, and to Repeal All Acts and Parts of Acts in Conflict with the Provisions of This Act" and as amended by an act of said General Assembly, entitled, "An Act to Amend An Act Entitled 'An Act Concerning Legal Notices, Advertisements and Publications and the Fees of Printers and Publishers Thereof and to Repeal All Acts and Parts of Acts in Conflict with the Provisions of This Act,' approved March 30, 1923, and as amended by an act of said General Assembly approved May 18, 1931 entitled 'An Act To Amend Section 4 of Chapter 139, Session Laws of Colorado, 1923, Relating To Legal Notices and Advertisements,' which said Act took effect on and after the first day of January, 1932, and as amended by an act of said General Assembly, entitled 'An Act To Amend Chapter 139 Of The Session Laws of 1923 Relating To Legal Notices and Advertisements; To Define Newspapers Qualified To Publish Legal Notices And Advertisements And The Fees Of Printers and Publishers Thereof, And To Provide That The Costs Of Such Legal Notices And Advertisements Shall Be Taxed As Fees,' approved March 5, 1935; and as amended by an act of said General Assembly entitled, 'An Act Relating to Legal Notices and Advertisements and Amending Section 1, of Chapter 113 Session Laws of 1931,' approved March 25, 1935; and as amended by an Act of General Assembly entitled 'An Act to Amend Chapter 130, Section 7, Colorado Statutes Annotated of 1935, with reference to the rates for legal notices and advertisements,' approved March 6, 1945; and as amended by an Act of General Assembly entitled, 'An Act concerning rates for legal notices and advertisements, and to amend the law relating thereto,' approved February 8, 1952; that said newspaper had, prior to January 1st, 1936, and has ever since said date, been admitted to the United States mails as second class matter under the provisions of the act of March 3, 1879 or any amendments thereof; that said newspaper is printed and published in whole in said City and County of Denver and has a general circulation therein; that said newspaper had been so printed and published as a public daily newspaper of general circulation in said City and County of Denver, uninterruptedly and continuously, during the period of more than fifty-two consecutive weeks next prior to the first issue thereof containing the annexed legal notice and advertisement; that said legal notice and advertisement was published daily except Sundays, Mondays and legal holidays in the regular edition of said newspaper for

One consecutive days; that the first publication of said legal notice and advertisement was in the regular edition of said newspaper

of the 2nd day of March 7

, A. D. 1957; that the last publication of said legal notice and advertisement was in the regular edition of said newspaper of the 2nd day of March 7

, A. D. 1957; and that, therefore, said legal notice and advertisement was duly published in a newspaper duly qualified for that purpose within the meaning of said above-mentioned acts of the General Assembly of the State of Colorado

Bertil Liung  
Subscribed and sworn to, at the City and County of Denver, State of Colorado, before me, a Notary Public,

this 4th day of March 7, A. D. 1957.

Witness my hand and notarial seal.  
Carl  
Notary Public.

BY AUTHORITY  
COUNCILMAN'S BILL NO. 76, SERIES OF 1957, INTRODUCED BY COUNCILMEN HOLLAND, HARRINGTON AND FLOR.  
A BILL  
FOR AN ORDINANCE VACATING ALL REMAINING DEDICATED ALLEYS IN BLOCK 6, BAILEY'S ADDITION, SUBJECT TO RESERVATIONS.

WHEREAS, the Manager of Public Works of the City and County of Denver has found and determined that the public use, convenience and necessity no longer require any of the remaining dedicated alleys in Block 6, Bailey's Addition in the City and County of Denver, State of Colorado, and, subject to approval by ordinance has vacated the same with the reservations hereinafter set forth;  
NOW THEREFORE,  
BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. That the action of the Manager of Public Works in vacating all the remaining dedicated alleys in Block 6, Bailey's Addition, in the City and County of Denver, State of Colorado, reserving to the City and County of Denver at all times the right to construct, operate, maintain, and remove sewers, water pipes, and appurtenances and to authorize the construction, operation, maintenance, and removal of sewers, water pipes, and appurtenances therein and therefrom, be and the same is hereby approved and said alleys are hereby vacated and declared vacated subject to the reservations above set forth.

Section 2. The Council finds this Ordinance is necessary for the immediate preservation of the public health and public safety, and determines that it shall take effect immediately upon its final passage and publication.

Published in The Daily Journal  
March 2, 1957. 354

# The Daily Journal

## PUBLISHER'S AFFIDAVIT

STATE OF COLORADO, )  
City and County of Denver, ) ss.

I, Bertil Ljung

of the City and County of Denver, State of Colorado, being duly sworn, upon oath say that I am the legal editor of The Daily Journal; that I have personal knowledge of all the facts set forth in this affidavit; that said The Daily Journal is a public daily newspaper of general circulation having its principal office and place of business situated in said City and County of Denver; that said The Daily Journal is printed and published daily except Sundays, Mondays and legal holidays; that said The Daily Journal is a daily newspaper within the meaning of the act of the General Assembly of the State of Colorado, approved April 7, 1921 and entitled "An Act Concerning Legal Notices, Advertisements and Publications, and the Fees of Printers and Publishers Thereof, and to Repeal All Acts and Parts of Acts in Conflict with the Provisions of This Act" and as amended by an act of said General Assembly, entitled, "An Act to Amend An Act Entitled 'An Act Concerning Legal Notices, Advertisements and Publications and the Fees of Printers and Publishers Thereof and to Repeal All Acts and Parts of Acts in conflict with the Provisions of this Act,'" approved March 30, 1923, and as amended by an act of said General Assembly approved May 18, 1931 entitled "An Act To Amend Section 4 of Chapter 139, Session Laws of Colorado, 1923, Relating To Legal Notices and Advertisements," which said Act took effect on and after the first day of January, 1932, and as amended by an act of said General Assembly, entitled "An Act To Amend Chapter 139 Of The Session Laws of 1923 Relating To Legal Notices and Advertisements; To Define Newspapers Qualified To Publish Legal Notices And Advertisements And The Fees Of Printers and Publishers Thereof, And To Provide That The Costs Of Such Legal Notices And Advertisements Shall Be Taxed As Fees," approved March 5, 1935; and as amended by an act of said General Assembly entitled, "An Act Relating to Legal Notices and Advertisements and Amending Section 1, of Chapter 113 Session Laws of 1931," approved March 25, 1935; and as amended by an Act of General Assembly entitled "An Act to Amend Chapter 130, Section 7, Colorado Statutes Annotated of 1935, with reference to the rates for legal notices and advertisements," approved March 6, 1945; and as amended by an Act of General Assembly entitled, "An Act concerning rates for legal notices and advertisements, and to amend the law relating thereto," approved February 8, 1952; that said newspaper had, prior to January 1st, 1936, and has ever since said date, been admitted to the United States mails as second class matter under the provisions of the act of March 3, 1879 or any amendments thereof; that said newspaper is printed and published in whole in said City and County of Denver and has a general circulation therein; that said newspaper had been so printed and published as a public daily newspaper of general circulation in said City and County of Denver, uninterruptedly and continuously, during the period of more than fifty-two consecutive weeks next prior to the first issue thereof containing the annexed legal notice and advertisement; that said legal notice and advertisement was published daily except Sundays, Mondays and legal holidays in the regular edition of said newspaper for

One consecutive days; that the first publication of said legal notice and advertisement was in the regular edition of said newspaper

of the 9th day of March, A. D. 1957;

that the last publication of said legal notice and advertisement was in the regular edition of said newspaper of the 9th day of March, A. D. 1957;

and that, therefore, said legal notice and advertisement was duly published in a newspaper duly qualified for that purpose within the meaning of said above-mentioned acts of the General Assembly of the State of Colorado

Bertil Ljung  
Subscribed and sworn to, at the City and County of Denver, State of Colorado, before me, a Notary Public,

this 11th day of March, A. D. 1957.

Witness my hand and notarial seal.

[Signature]  
Notary Public.

My Commission expires May 10, 1960

**BY AUTHORITY**  
**Ordinance No. 74**  
**COUNCILMAN'S BILL NO. 76. SERIES OF 1957. INTRODUCED BY COUNCILMEN HOLLAND, HARRINGTON AND FLOR.**  
**A BILL**  
**FOR AN ORDINANCE VACATING ALL REMAINING DEDICATED ALLEYS IN BLOCK 6, BAILEY'S ADDITION, SUBJECT TO RESERVATIONS.**

WHEREAS, the Manager of Public Works of the City and County of Denver has found and determined that the public use, convenience and necessity no longer require any of the remaining dedicated alleys in Block 6, Bailey's Addition in the City and County of Denver, State of Colorado, and, subject to approval by ordinance has vacated the same with the reservations hereinafter set forth;

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

Section 1. That the action of the Manager of Public Works in vacating all the remaining dedicated alleys in Block 6, Bailey's Addition, in the City and County of Denver, State of Colorado, reserving to the City and County of Denver at all times the right to construct, operate, maintain, and remove sewers, water pipes, and appurtenances and to authorize the construction, operation, maintenance, and removal of sewers, water pipes, and appurtenances therein and therefrom, be and the same is hereby approved and said alleys are hereby vacated and declared vacated subject to the reservations above set forth.

Section 2. The Council finds this Ordinance is necessary for the immediate preservation of the public health and public safety, and determines that it shall take effect immediately upon its final passage and publication.

Passed by the Council March 4, 1957. **ELVIN R. CALDWELL**, President. Approved: **W. F. NICHOLSON**, Mayor, March 6, 1957. Attest: **ROBERT E. LEE**, Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver. By: **GEORGE MANERBINO**, Deputy City Clerk. (Seal)

Published in The Daily Journal  
March 2, 1957 & March 9, 1957. 354

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# CITY AND COUNTY OF DENVER

DEPARTMENT OF LAW

OFFICE OF CITY ATTORNEY  
CITY AND COUNTY BUILDING  
DENVER 2, COLORADO

February 21, 1957

*Pub Imp  
76*

MEMORANDUM

TO: Elvin R. Caldwell  
President of City Council

FROM: John C. Banks *JCB.*  
City Attorney

SUBJECT: Vacation of Alleys in Block 6, Bailey's Addition.

The accompanying bill is for an ordinance vacating all the remaining dedicated alleys in Block 6, Bailey's Addition.

The block in question is bounded by West 3rd Avenue, Lipan Street, West 2nd Avenue, and Mariposa Street.

This matter was discussed at Mayor-Council meeting on February 19, 1957.

Attached

*[Handwritten signature]*

Horace N. Hawkins, Jr./ba

3:30  
MAR 5 1957  
*[Handwritten initials]*  
OFFICE OF THE MAYOR

CITY COUNCIL  
CITY & COUNTY OF DENVER  
RECEIVED  
FEB 21 1957

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7 8 9 10 11 12 1 2 3 4 5 6  
3 PM



Ordinance No. 74 Series 1957

Councilman's Bill No. 76

Introduced by Councilman

Holland, Harrington & Flor

**A BILL**

For

An Ordinance VACATING ALL REMAINING DEDICATED ALLEYS IN BLOCK 6, BAILEY'S ADDITION, SUBJECT TO RESERVATIONS.

Meeting Date of February 25, 1957

Read in full in the Board of Councilmen and referred to the Committee on

Public Improvements, Grounds and Building

Meeting Date of February 25, 1957

Reported back by the Committee on

Public Improvements, Grounds and Building

Recommended that the bill be ordered published and report adopted.

Published in The Daily Journal this 2<sup>nd</sup> day of March, A. D. 1957.

Meeting Date of March 4, 1957

Read by title, placed upon its passage and passed.

APR 17 1957

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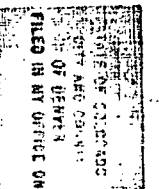
Presented to the Mayor and signed by him this 6<sup>th</sup> day of March, A. D. 1957

Ent'd as Ordinance No. 74, Series 1957

Published in The Daily Journal this 9<sup>th</sup> day of March, A. D. 1957

CITY COUNCIL  
CITY & COUNTY OF DENVER  
**RECEIVED**  
FEB 21 1957

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ROBERT E. LEE  
CLERK AND RECORDER

BY AUTHORITYORDINANCE NO. 340COUNCILMAN'S BILL NO. 385

SERIES OF 1965

INTRODUCED BY COUNCILMEN

*W. H. ...*

## A B I L L

FOR AN ORDINANCE VACATING A  
CERTAIN DESCRIBED PORTION OF  
THE ALLEY IN BLOCK SEVEN,  
BAILEY'S ADDITION TO DENVER,  
SUBJECT TO CERTAIN RESERVATIONS.

WHEREAS, the Manager of Public Works of the City and County  
of Denver has found and determined that the public use, convenience and  
necessity no longer require that certain described portion of that  
certain alley hereinafter described, and subject to approval by  
ordinance, has vacated the same with the reservations hereinafter  
set forth; now, therefore,

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

Section 1. That the action of the Manager of Public Works in  
vacating the following described portion of the following described  
alley in the City and County of Denver, State of Colorado, to-wit:

The North 145 feet of the alley in Block Seven,  
Bailey's Addition to Denver;

be and the same is hereby approved and the described portion of the  
alley is hereby vacated and declared vacated; provided, however, and  
subject to the following conditions and reservations:

(a) There is reserved to the City and County of Denver the continued  
use of and the right to maintain and operate an existing sewer line in the  
vacated portion of said alley.

Section 2. The Council finds this Ordinance is necessary for  
the immediate preservation of the public health and public safety and

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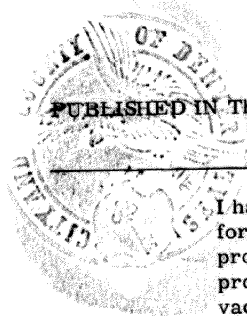
determines that it shall take effect immediately upon its final passage and publication.

PASSED BY The Council November 29 1965

Erin Caldwell - President

APPROVED: Thomas S. Curry Mayor December 1 1965

ATTEST: J. J. Serafini Clerk and Recorder, Ex-Officio  
Clerk of the City and County  
of Denver



PUBLISHED IN The Daily Journal Nov. 27, 1965 and Dec. 4, 1965

I have made the findings and determinations set forth in the above and foregoing draft or form of a proposed Bill for An Ordinance, and subject to approval by Ordinance, have vacated and do hereby vacate that portion of that certain alley therein described, subject to the reservations therein set forth, and request the Council of the City and County of Denver to approve such vacation, subject to such reservations, by the enactment of an appropriate Ordinance. I approve said draft or form of a proposed Bill for An Ordinance and recommend the introduction and passage thereof.

Thomas M. Schulz  
Manager of Public Works

PREPARED BY: Maury Zell - City Attorney  
WTC

APPROVED: \_\_\_\_\_ - Planning Director

Ordinance No. 340 Series 1965

Councilman's Bill No. 385

Introduced by Councilman

*W. J. Serafini*

**A BILL**

For

As Ordinance VACATING A CERTAIN

DESCRIBED PORTION OF THE ALLEY IN BLOCK SEVEN, BAILEY'S

ADDITION TO DENVER, SUBJECT TO CERTAIN RESERVATIONS.

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Meeting Date of November 22, 1965  
Read in full in the Board of Councilmen and referred to the Committee on

*W. J. Serafini*

Meeting Date of November 22, 1965  
Reported back by the Committee on

*W. J. Serafini*

Recommended that the bill be ordered published and report adopted.

Published in The Denver Post  
this 29<sup>th</sup> day of Nov., A. D. 1965

Meeting Date of November 29, 1965  
Read by title, placed upon its passage and passed.

Presented to the Mayor and signed by him  
this 1<sup>st</sup> day of Dec., A. D. 1965

Ent'd as Ordinance No. 340, Series 1965

Published in The Denver Post  
this 1<sup>st</sup> day of Dec., A. D. 1965

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STATE OF COLORADO  
CITY AND COUNTY  
OF DENVER  
FILED IN OFFICE OF  
DEC 12 3 28 PM '65  
RECORDED 52  
F. J. SERAFINI  
CLERK AND RECORDER

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REC-22-65 549094

CITY COUNCIL  
CITY & COUNTY OF DENVER  
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