

1 **BY AUTHORITY**

2 ORDINANCE NO. \_\_\_\_\_  
3 SERIES OF 2021

COUNCIL BILL NO. CB21-0860  
COMMITTEE OF REFERENCE:

4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance vacating two portions of right-of-way adjacent to 4245 North**  
7 **Fox Street: one located along West 43rd Avenue; and, one located along West**  
8 **42nd Avenue, without reservations.**

9 **WHEREAS**, the Executive Director of the Department of Transportation and Infrastructure of  
10 the City and County of Denver has found and determined that the public use, convenience and  
11 necessity no longer requires those certain portions of certain areas in the system of thoroughfares  
12 of the municipality hereinafter described and, subject to approval by ordinance, has vacated the  
13 same, without reservations;

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

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

18 **PARCEL DESCRIPTION ROW NO. 2020-VACA-0000012-001:**

19 A PORTION OF 43RD AVENUE, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 22,  
20 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND  
21 COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS  
22 FOLLOWS:

23  
24 **BEGINNING** AT THE NORTHWEST CORNER OF BLOCK 11, VIADUCT ADDITION TO  
25 DENVER;

26  
27 THENCE SOUTH 00°08'12" WEST ALONG THE WEST LINE OF LOT 1, SAID BLOCK 11, A  
28 DISTANCE OF 4.78 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE ALONG  
29 THE ARC OF SAID CURVE TO THE RIGHT AN ARC LENGTH OF 81.07 FEET, SAID CURVE  
30 HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 92°53'52", AND A CHORD WHICH  
31 BEARS NORTH 86°06'21" WEST A CHORD DISTANCE OF 72.48 FEET;  
32 THENCE SOUTH 89°53'04" EAST WITH THE SOUTH RIGHT OF WAY OF 43<sup>RD</sup> AVENUE, A  
33 DISTANCE OF 72.32 FEET TO THE **POINT OF BEGINNING**.

34  
35 SAID PARCEL CONTAINS 951 SQUARE FEET OR 0.02 ACRES, MORE OR LESS.  
36

1 BASIS OF BEARINGS: BEARINGS ARE BASED ON THE NORTH LINE OF BLOCK 11,  
2 VIADUCT ADDITION TO DENVER, ASSUMED TO BEAR NORTH 89°53'04" WEST  
3  
4 be and the same is hereby approved and the described portion of right-of-way is hereby vacated and  
5 declared vacated, without reservations.

6 **Section 2.** That the action of the Executive Director of the Department of Transportation  
7 and Infrastructure in vacating the following described right-of-way in the City and County of Denver  
8 and State of Colorado, to wit:

9 **PARCEL DESCRIPTION ROW NO. 2020-VACA-0000012-002:**

10 A PORTION OF 42ND AVENUE AND A PORTION OF LOT 15, BLOCK 12, VIADUCT ADDITION  
11 TO DENVER, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 3  
12 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF  
13 DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
14

15 **BEGINNING** AT THE SOUTHWEST CORNER OF BLOCK 11, VIADUCT ADDITION TO  
16 DENVER, ALSO BEING A POINT OF NON-TANGENT CURVATURE;  
17

18 THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT AN ARC LENGTH OF 41.36 FEET,  
19 SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 47°23'37", AND A  
20 CHORD WHICH BEARS NORTH 60°26'55" WEST A CHORD DISTANCE OF 40.19 FEET TO A  
21 POINT OF NON-TANGENT CURVATURE;

22 THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT AN ARC LENGTH OF 51.38  
23 FEET, SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 58°52'19",  
24 AND A CHORD WHICH BEARS SOUTH 66°11'16" EAST A CHORD DISTANCE OF 49.14 FEET  
25 TO A POINT ON THE NORTH RIGHT OF WAY OF 42<sup>ND</sup> AVENUE; THENCE NORTH 89°53'04"  
26 WEST ALONG SAID NORTH RIGHT OF WAY OF 42<sup>ND</sup> AVENUE A DISTANCE OF 10.00 FEET  
27 TO THE **POINT OF BEGINNING**.  
28

29 SAID PARCEL CONTAINS 199 SQUARE FEET OR 0.005 ACRES, MORE OR LESS.

30  
31 BASIS OF BEARINGS: BEARINGS ARE BASED THE SOUTH LINE OF BLOCK 11, VIADUCT  
32 ADDITION TO DENVER, ASSUMED TO BEAR NORTH 89°53'04" WEST  
33

34 be and the same is hereby approved and the described portions of right-of-way are hereby vacated  
35 and declared vacated, without reservations.

36  
37 **REMAINDER OF PAGE INTENTIONALLY BLANK**

1 COMMITTEE APPROVAL DATE: August 3, 2021 by Consent  
2 MAYOR-COUNCIL DATE: August 10, 2021 by Consent  
3 PASSED BY THE COUNCIL: August 23, 2021  
4 *Steve Filmore* - PRESIDENT  
5 APPROVED: \_\_\_\_\_ - MAYOR *M. B.* Aug 24, 2021  
6 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
7 EX-OFFICIO CLERK OF THE  
8 CITY AND COUNTY OF DENVER  
9 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_ ; \_\_\_\_\_  
10 PREPARED BY: Martin A. Plate, Assistant City Attorney DATE: August 12, 2021  
11 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the  
12 City Attorney. We find no irregularity as to form and have no legal objection to the proposed  
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §  
14 3.2.6 of the Charter.  
15  
16 Kristin M. Bronson, Denver City Attorney  
17  
18 BY: *Jonathan Griffin*, Assistant City Attorney DATE: Aug 11, 2021