

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2026

COUNCIL BILL NO. CB25-1861
COMMITTEE OF REFERENCE:
4 South Platte River

5 **A BILL**

6 **For an ordinance vacating a portion of South Delaware Street between Interstate**
7 **25 and West Kentucky Avenue, with reservations.**

8 **WHEREAS**, the Executive Director of the Department of Transportation and Infrastructure of
9 the City and County of Denver has found and determined that the public use, convenience and
10 necessity no longer require that certain area in the system of thoroughfares of the municipality
11 hereinafter described and, subject to approval by ordinance, has vacated the same with the
12 reservations hereinafter set forth;

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

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

17 **PARCEL DESCRIPTION ROW NO. 2025-VACA-0000003-001:**

18 A PARCEL OF LAND BEING A PORTION OF S. CHEROKEE ST. AS SHOWN ON THE PLAT OF
19 VANDERBILT PARK AND SYLVESTER’S ADDITION TO VANDERBILT PARK IN THE RECORDS
20 OF THE CITY AND COUNTY OF DENVER, SAID PARCEL BEING SITUATED IN THE
21 SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE
22 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE
23 PARTICULARLY DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE EAST
24 LINE OF SAID SOUTHWEST QUARTER, MONUMENTED ON THE NORTH END BY A FOUND
25 STONE WITH DIVOT IN A RANGE BOX AND ON THE SOUTH END BY A FOUND 3-1/4”
26 ALUMINUM CAP ON A 3/4” REBAR IN A RANGE BOX, STAMPED “JF SATO & ASSOC., 1/4.
27 S15/S22, T4N R68W, PLS 37056, 2017, ASSUMED TO BEAR NORTH 00°44’36” WEST A
28 DISTANCE OF 2647.74 FEET;

29
30 COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 15; THENCE NORTH
31 34°57’37" WEST, A DISTANCE OF 2,335.42 FEET TO THE SOUTHWEST CORNER OF TRACT
32 DD, AS SHOWN ON BROADWAY STATION FILING NO. 4 OF SAID RECORDS, AND ALSO
33 BEING THE NORTHEAST CORNER OF THAT PORTION OF VACATED S. CHEROKEE ST.
34 DESCRIBED AS PARCEL “A” IN ORDINANCE 1423 SERIES OF 2021 RECORDED DECEMBER
35 20, 2021, AT RECEPTION NUMBER 2021231033 IN SAID RECORDS AND THE POINT OF
36 BEGINNING;

1 THENCE COINCIDENT WITH THE NORTHERLY LINES OF SAID PARCEL "A" THE FOLLOWING
2 TWO (2) COURSES:

3

4 1. SOUTH 80°32'52" WEST, A DISTANCE OF 14.38 FEET TO THE NORTHWEST CORNER
5 OF TRACT E PER SAID BROADWAY STATION FILING NO. 4;

6 2. NORTH 09°27'08" WEST, A DISTANCE OF 86.72 FEET TO THE SOUTHEAST CORNER
7 OF TRACT C PER SAID BROADWAY STATION FILING NO. 4,

8

9 THENCE, CONTINUING NORTH 09°27'08" WEST ALONG THE EAST LINE OF SAID TRACT C, A
10 DISTANCE OF 2.22 FEET TO THE SOUTH CORNER OF TRACT EE AS SHOWN PER SAID
11 BROADWAY STATION FILING NO. 4;

12

13 THENCE COINCIDENT WITH THE EAST LINES OF SAID TRACT EE, THE FOLLOWING THREE
14 (3) COURSES:

15

16 1. NORTH 00°30'29" WEST, A DISTANCE OF 119.70 FEET;

17 2. SOUTH 89°57'42" WEST, A DISTANCE OF 1.91 FEET;

18 3. NORTH 00°33'00" WEST, A DISTANCE OF 297.99 FEET TO THE NORTHEAST CORNER
19 OF SAID TRACT EE, LYING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF INTERSTATE 25,
20 DESCRIBED AS UNIT 5 IN ORDINANCE 3, SERIES OF 1962 RECORDED FEBRUARY 1, 1962,
21 IN SAID RECORDS;

22

23 THENCE NORTH 84°21'13" EAST, COINCIDENT WITH SAID SOUTHERLY RIGHT-OF-WAY
24 LINE, A DISTANCE OF 29.21 FEET TO THE NORTHWEST CORNER OF TRACT CC, PER SAID
25 BROADWAY STATION FILING NO. 4 AND THE EAST RIGHT-OF-WAY LINE OF S. CHEROKEE
26 ST.;

27

28 THENCE SOUTH 00°37'46" EAST, COINCIDENT WITH THE WEST LINE OF SAID TRACT CC
29 AND SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 58.36 FEET TO THE SOUTHWEST
30 CORNER OF SAID TRACT CC AND THE NORTHEAST CORNER OF THAT PORTION OF
31 VACATED S. CHEROKEE ST. DESCRIBED AS PARCEL "B" IN ORDINANCE 1423 SERIES OF
32 2021 RECORDED DECEMBER 20, 2021, AT RECEPTION NUMBER 2021231033 IN SAID
33 RECORDS;

34

35 THENCE COINCIDENT WITH THE NORTH AND WEST LINES OF LOT 1, BLOCK 2, OF SAID
36 BROADWAY STATION FILING NO. 4 AND SAID VACATED S. CHEROKEE ST. THE FOLLOWING
37 THREE (3) COURSES:

38

39 1. NORTH 78°17'23" WEST, A DISTANCE OF 13.50 FEET TO A TANGENT CURVE TO THE
40 LEFT HAVING A RADIUS OF 166.00 FEET;

1 2. WESTERLY, COINCIDENT WITH SAID TANGENT CURVE, THROUGH A CENTRAL
2 ANGLE OF 00°09'48", AN ARC DISTANCE OF 0.47 FEET AND HAVING A CHORD THAT BEARS
3 NORTH 78°22'16" WEST, A DISTANCE OF 0.47 FEET;

4 3. SOUTH 09°27'08" EAST, A DISTANCE OF 89.00 FEET TO THE NORTH CORNER OF SAID
5 TRACT DD;

6
7 THENCE SOUTH 00°37'46" EAST, COINCIDENT WITH THE WEST LINE OF SAID TRACT DD
8 AND SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 362.63 FEET TO THE POINT OF
9 BEGINNING.

10
11 THE ABOVE DESCRIPTION CONTAINS A CALCULATED AREA OF 13,342 SQUARE FEET
12 (0.3063 ACRES), MORE OR LES

13 be and the same is hereby approved and the described right-of-way is hereby vacated and declared
14 vacated;

15
16 PROVIDED, HOWEVER, said vacation shall be subject to the following reservation:
17 A perpetual, non-exclusive easement is hereby reserved by the City and County of Denver, its
18 successors and assigns, over, under, across, along and through the vacated area for the purposes
19 of constructing, operating, maintaining, repairing, upgrading and replacing public or private utilities
20 including, without limitation, storm drainage, sanitary sewer, and water facilities and all
21 appurtenances to said utilities. A hard surface shall be maintained by the property owner over the
22 entire easement area. The City reserves the right to authorize the use of the reserved easement by
23 all utility providers with existing facilities in the easement area. No trees, fences, retaining walls,
24 landscaping or structures shall be allowed over, upon or under the easement area. Any such
25 obstruction may be removed by the City or the utility provider at the property owner's expense. The
26 property owner shall not re-grade or alter the ground cover in the easement area without permission
27 from the City and County of Denver. The property owner shall be liable for all damages to such
28 utilities, including their repair and replacement, at the property owner's sole expense. The City and
29 County of Denver, its successors, assigns, licensees, permittees and other authorized users shall
30 not be liable for any damage to property owner's property due to use of this reserved easement.

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1 COMMITTEE APPROVAL DATE: November 19, 2025 by Consent
2 MAYOR-COUNCIL DATE: November 25, 2025 by Consent
3 PASSED BY THE COUNCIL: _____

4 _____ - PRESIDENT

5 APPROVED: _____ - MAYOR _____

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

9 NOTICE PUBLISHED IN THE DENVER POST: _____ ; _____

10 PREPARED BY: Bradley A. Beck, Assistant City Attorney DATE: April 2, 2026

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 Miko Ando Brown, Denver City Attorney

17
18 BY: _____, Assistant City Attorney DATE: _____