

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2016

COUNCIL BILL NO. CB16-0377
COMMITTEE OF REFERENCE:
Infrastructure & Culture

A BILL

For an ordinance designating certain property as “park” under section 2.4.5 of the City Charter which is to be incorporated into and known as Fillius Park, a Denver Mountain Park.

WHEREAS, the following real property which is under the jurisdiction of the Denver Department of Parks and Recreation and which is to be incorporated into the existing Fillius Park, a Denver Mountain Park, upon this park designation, has been or will be used for park purposes within the City and County of Denver (“Park Property”):

A tract or parcel of land No. 319 R of the Department of Transportation, State of Colorado, Project No. NH 2854-067 containing 2.624 acres more or less, in the Southeast quarter of Section 17, Township 4 South, Range 71 West of the Sixth Principal Meridian, Jefferson County, Colorado, said tract or parcel being more particularly described as follows:

Beginning at a point on the south line of Section 17, Township 4 South, Range 71 West of the Sixth Principal Meridian from which point the southeast corner of Section 17 bears S89°20’48”E, a distance of 1665.01 feet;

1. Thence S89°20’48”E, along the south section line of Section 17, a distance of 490.72 feet to a point;
2. Thence N0°00’00”E, a distance of 145.00 feet to a point;
3. Thence N50°26’21”W, a distance of 199.37 feet to a point on the south line of a parcel called for as an exception in Book 202 Page 278;
4. Thence N86°41’32”W, along the south line of the parcel excepted by Book 202 Page 278, a distance of 247.03 feet to a point at the intersection of the right of way line abandoned by the Transportation Commission of Colorado by Resolution TC-560, August 21, 1997;
5. Thence along the right of way line along the arc of a non tangent curve to the left having a radius of 277.25 feet, a distance of 87.65 feet, (the chord of said arc bears S24°10’28”W, a distance of 87.29 feet) to a point;
6. Thence continuing along said right of way line S15°12’04”W, a distance of 208.29 feet, more or less, to the True Point of Beginning.

Basis of Bearings: S89°20’48”E along the south line of the southeast Quarter of Section 17, T 4 S, R 71 W, from a CDOT ROW marker #6469 on Project FC (CX) 074-1(3), a (3 ½” diameter aluminum cap by PLS 25379), to the southeast corner of Section 17, (a stone marked with a chiseled “+” in a mound of stones).

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.

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

2 **Section 1.** That the Park Property, legally described above, is hereby designated as a
3 “park” under section 2.4.5 of the City Charter, is hereby incorporated into the existing Fillius Park (a
4 Denver Mountain Park) and shall henceforth be regarded as being a designated park in the City
5 and County of Denver, such designation being subject to any existing utilities lawfully located in the
6 Park Property as of the date of this park designation.

7 COMMITTEE APPROVAL DATE: May 19, 2016 by consent

8 MAYOR-COUNCIL DATE: May 24, 2016

9 PASSED BY THE COUNCIL: _____, 2016

10 _____ - PRESIDENT

11 APPROVED: _____ - MAYOR _____, 2016

12 ATTEST: _____ - CLERK AND RECORDER,
13 EX-OFFICIO CLERK OF THE
14 CITY AND COUNTY OF DENVER

15 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2016; _____, 2016

16 PREPARED BY: Patrick A. Wheeler, Assistant City Attorney DATE: May 26, 2016

17 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
18 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
19 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
20 §3.2.6 of the Charter.

21
22 Denver City Attorney

23
24 BY: _____, Assistant City Attorney DATE: _____, 2016