

BY AUTHORITY

1
2 ORDINANCE NO. _____
3 SERIES OF 2021

COUNCIL BILL NO. CB21-0664
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance vacating a portion of West 14th Avenue at 2420 West 14th Avenue, with reservations.

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

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

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

PARCEL DESCRIPTION ROW NO. 2020-VACA-0000014-001:

A PARCEL OF LAND BEING A PORTION OF W. 14TH AVENUE ADJOINING BLOCKS 3 AND 4, BAKER'S SUBDIVISION, SITUATED IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER AND STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1, SAID BLOCK 4;
THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF W. 14TH AVENUE THE FOLLOWING THREE (3) COURSES:
1) SOUTH 89°59'30" WEST, A DISTANCE OF 80.00 FEET;
2) NORTH 00°00'30" WEST, A DISTANCE OF 6.00 FEET;
3) SOUTH 89°59'30" WEST, A DISTANCE OF 250.00 FEET TO THE NORTHWEST CORNER OF LOT 7, SAID BLOCK 4;
THENCE NORTH 00°00'30" WEST, A DISTANCE OF 44.00 FEET TO THE SOUTHWEST CORNER OF LOT 7, SAID BLOCK 3 AND THE NORTH RIGHT-OF-WAY LINE OF SAID W. 14TH AVENUE;

1 THENCE NORTH 89°59'30" EAST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE
2 OF 330.00 FEET;
3 THENCE SOUTH 00°00'30" EAST, A DISTANCE OF 50.00 FEET TO THE **POINT OF**
4 **BEGINNING**.

5
6 SAID PARCEL CONTAINS 15,000 SQUARE FEET OR 0.34 ACRES, MORE OR LESS.

7
8 **BASIS OF BEARINGS:** BEARINGS ARE BASED ON THE NORTH LINE OF LOTS 3 THROUGH
9 7, SAID BLOCK 4, BAKER'S SUBDIVISION ASSUMED TO BEAR SOUTH 89°59'30" WEST

10
11 be and the same is hereby approved and the described right-of-way is hereby vacated and declared
12 vacated;

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

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29 **REMAINDER OF PAGE INTENTIONALLY BLANK**

1 COMMITTEE APPROVAL DATE: June 8, 2021 by Consent
2 MAYOR-COUNCIL DATE: June 15, 2021
3 PASSED BY THE COUNCIL: _____ June 28, 2021
4 *Stacy Filmore* _____ - PRESIDENT
5 APPROVED: _____ - MAYOR *M. B.* _____ Jul 1, 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: June 17, 2021
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.
15
16 Kristin M. Bronson, Denver City Attorney
17 *Kristin M. Bronson*
18 BY: _____, Assistant City Attorney DATE: Jun 16, 2021