

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2014

COUNCIL BILL NO. CB14-0381
COMMITTEE OF REFERENCE:

Land Use, Transportation & Infrastructure

A BILL

For an ordinance designating certain property as “park” under section 2.4.5 of the city charter, namely the Lowry Sports Complex including Jackie Robinson Field, Sports Boulevard, Lowry Soccer Fields and a portion of Westerly Creek.

Whereas, the following real property, known generally as Lowry Sports Complex, which is under the jurisdiction of the Denver Department of Parks and Recreation has been or will be used for park purposes within the City and County of Denver (“Park Property”):

Parcels U/X

A parcel of land situated in the Northeast Quarter (NE1/4), Southeast Quarter (SE1/4), and Southwest Quarter (SW1/4) of Section 9, and the Northwest Quarter (NW1/4) and Southeast Quarter (SE1/4) of Section 10, Township 4 South, Range 67 West of the 6th Principal Meridian, City and County of Denver, State of Colorado being more particularly described as follows: Commencing at the Southwest corner of said Northeast Quarter (NE1/4) of Section 9, Thence S59°54’55”E, a distance of 219.48 feet to the Point of Beginning; Thence N53°24’05”E, a distance of 918.74 feet; Thence S82°19’44”E, a distance of 69.75 feet; Thence N53°27’42”E, a distance of 98.03 feet; Thence N09°15’08”E, a distance of 70.05 feet; Thence N53°24’05”E, a distance of 528.56 feet; Thence S36°32’46”E, a distance of 621.65 feet; Thence N53°27’14”E, a distance of 786.51 feet; Thence S36°37’50”E, a distance of 60.67 feet; Thence N54°04’18”E, a distance of 212.92 feet; Thence S54°48’46”E, a distance of 1292.20 feet; Thence S27°43’28”W, a distance of 70.38 feet; Thence S64°23’44”E, a distance of 488.38 feet; Thence N89°53’01”W, a distance of 1707.19 feet to a non-tangent curve concave to the Southeast having a radius of 731.02 feet and a central angle of 36°49’34”; Thence along a curve, whose chord bears S72°00’21”W, a distance of 461.81 feet, an arc distance of 469.85 feet; Thence S53°17’25”W, a distance of 217.85 feet; Thence S46°08’31”W, a distance of 663.72 feet to a tangent curve concave to the Southeast having a radius of 487.29 feet and a central angle of 53°35’30”; Thence along said curve, whose chord bears S19°20’46”W, a distance of 439.35 feet, an arc distance of 455.79 feet; Thence N88°27’33”W, a distance of 1220.84 feet; Thence N28°24’13”W, a distance of 348.50 feet; Thence N53°08’34”E, a distance of 105.00 feet; Thence N36°51’26”W, a distance of 56.00 feet; Thence N53°08’34”E, a distance of 600.55 feet; Thence N14°04’36”W, a distance of 101.63 feet; Thence N36°34’36”W, a distance of 285.91 feet to the Point of Beginning.

Westerly Creek Parcel

A part of the Northeast Quarter of Section 9 and a part of the Northwest Quarter of Section 10, Township 4 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as follows: Commencing at the Northwest corner of said Section 10; Thence S09°57’41”W a distance of 1075.97 feet to the Northwest corner of a parcel of land described at Reception Number 2007147546 in the Clerk and Recorder’s Office of said City and County of Denver, also being a point on the Southerly line of proposed Lowry Boulevard and the Point of Beginning; Thence along

1 the Southwesterly and Southeasterly lines of said parcel of land described at Reception Number
2 2007147546 the following two (2) courses:

- 3 1. S36°28'21"E a distance of 639.00 feet to the most Southerly corner of said parcel of land;
- 4 2. N53°27'42"E a distance of 491.72 feet to the Westerly line of Yosemite Way;

5 Thence S36°32'18"E, along said Westerly line of Yosemite Way, a distance of 94.00 feet to the
6 most Northerly corner of a parcel of land described at Reception Number 2006064812 in said
7 Clerk and Recorder's Office; Thence along the Northwesterly line of said parcel of land described
8 at Reception Number 2006064812 the following two (2) courses:

- 9 1. S53°27'42"W a distance of 580.58 feet to a point of non-tangent curvature;
- 10 2. Along the arc of a curve to the right having a central angle of 66°29'16", a radius of 348.00
11 feet, an arc length of 403.83 feet and whose chord bears S43°54'05"E a distance of 381.55
12 feet to the Northeasterly line of a parcel of land described at Reception Number
13 2000050533 in said Clerk and Recorder's Office;

14 Thence along said Northeasterly line and the Northwesterly line of said parcel of land described at
15 Reception Number 2000050533 the following three (3) courses:

- 16 1. N54°48'46"W a distance of 439.50 feet to a corner of said parcel of land;
- 17 2. S54°04'18"W a distance of 212.92 feet to a corner of said parcel of land;
- 18 3. N36°37'50"W a distance of 60.67 feet to a corner of said parcel of land;

19 Thence N53°27'14"E a distance of 240.79 feet to the Southeasterly extension of the Northeasterly
20 line of a parcel of land described at Reception Number 9900161369 in said Clerk and Recorder's
21 Office; Thence N36°28'21"W, along said Southeasterly extension, a distance of 69.47 feet to the
22 Southeast corner of said parcel of land described at Reception Number 9900161369; Thence
23 N36°28'21"W, along said Northeasterly line and said Northeasterly line extended Northwesterly of
24 said parcel of land described at Reception Number 9900161369, a distance of 561.65 feet to said
25 Southerly line of proposed Lowry Boulevard; Thence N53°27'42"E, along said Southerly line of
26 proposed Lowry Boulevard, a distance of 150.00 feet to the Point of Beginning.

27
28 Bearings are based on the East line of the Northeast Quarter of Section 9, Township 4 South,
29 Range 67 West of the 6th Principal Meridian as being N00°01'11"E. The Northeast corner and the
30 East Quarter corner are both found 3- ¼ " aluminum caps stamped URS Corp PLS 20683.

31

32 **Whereas**, the Parks and Recreation Advisory Board and the Manager of Parks and Recreation
33 have recommended that said Park Property be formally designated as a "park" under section 2.4.5
34 of the City Charter.

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

36 **Section 1.** That the Park Property, known generally as the Lowry Sports Complex, is hereby
37 designated as a "park" under section 2.4.5 of the City Charter and shall henceforth be regarded as
38 being a designated park in the City and County of Denver, which designation is subject to a) the
39 terms and conditions of the Quitclaim Deed from the United States of America to the City and
40 County of Denver recorded April 10, 2000, at reception number 2000050533, as amended by a
41 Deed of Release recorded July 10, 2013, at reception number 2013100075; b) any recorded
42 warranties, reservations, covenants and/or restrictions of the United States of America; c) any
43 existing utilities lawfully located in the Park Property as of the date of this park designation; and d)
44 the drainage for Westerly Creek located on the Park Property, including an easement and right of

1 way for spillway/drainage and flood control purposes held by Urban Drainage and Flood Control
2 District under an instrument recorded April 4, 2007 at reception number 2007054061.

3 COMMITTEE APPROVAL: April 29, 2014

4 MAYOR-COUNCIL DATE: May 6, 2014

5 PASSED BY COUNCIL _____ 2014

6 _____ - PRESIDENT

7 APPROVED: _____ - MAYOR _____ 2014

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

11 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2014; _____ 2014

12 PREPARED BY: Patrick A. Wheeler, Assistant City Attorney – DATE: May 8, 2014

13 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
14 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
15 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
16 3.2.6 of the Charter.

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18 D. Scott Martinez, Denver City Attorney

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20 BY: _____, Assistant City Attorney DATE: _____, 2014