

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2020

COUNCIL BILL NO. CB20-0090
COMMITTEE OF REFERENCE:
Finance & Governance

A BILL

For an ordinance designating certain properties as being required for public use and authorizing use and acquisition thereof by negotiation or through condemnation proceedings of fee simple, easement and other interests, including any rights and interests related or appurtenant to properties designated as needed for the traffic and pedestrian safety improvement project at various intersections along Federal Boulevard and the intersection of Martin Luther King Boulevard and Colorado Boulevard.

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

Section 1. That the Council hereby designates the following properties situated in the City and County of Denver and State of Colorado as being needed for public uses and purposes by the City and County of Denver, a municipal corporation of the State of Colorado:

A Permanent Easement No. PE-1 of the Department of Transportation, State of Colorado, Project Code 22217, Project Number SHE M320-115, containing 152 square feet, more or less, being a portion of Lot 1, Block 1, HAWTHORN PLACE, a subdivision of land in the SE 1/4 of Section 20, Township 3 South, Range 68 West, of the Sixth Principal Meridian, in the City and County of Denver, State of Colorado, said Permanent Easement being more particularly described as follows:

COMMENCING at the Southeast corner of said Lot 1, being monumented by a found 1-inch brass tag in a chiseled "+" stamped LS 33202, whence a found chiseled "x" being a 4.00 foot offset North and 4.00 feet West of the Northwest corner of Lot 11 of said Block 1, bears North 25°00'00" West a distance of 301.94 feet, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN) and is the **BASIS OF BEARINGS** for the Permanent Easement herein described.

Thence along the South line of said Lot 1, North 89°42'23" West, a distance of 94.70 feet, to the **POINT OF BEGINNING;**

1. Thence continuing along said South line, North 89°42'23" West, a distance of 30.30 feet, to the Southwest corner of said Lot 1;
2. Thence along the West line of said Lot 1, North 00°17'36" East, a distance of 15.43 feet;
3. Thence leaving said West line, North 89°42'20" East, a distance of 3.94 feet;
4. Thence South 00°17'40" East, a distance of 2.98 feet, to the beginning of a tangent curve, concave to the Northeast, having a radius of 10.00 feet;
5. Thence along said curve 15.66 feet, through a central angle of 89°42'20", having a chord which bears South 45°08'50" East, a chord distance of 14.11 feet;
6. Thence South 00°00'00" East tangent to said curve, a distance of 16.26 feet;
7. Thence South 00°13'30" East, a distance of 2.68 feet to the **POINT OF BEGINNING**.

The above-described Permanent Easement contains 152 square feet, more or less.

A Permanent Easement No. PE-2 of the Department of Transportation, State of Colorado, Project Code 22217, Project Number SHE M320-115, containing 128 square feet, more or less, being a portion of Lot 1, Block 33, SECOND FILING OF A PORTION OF HIGHLAND PARK, a subdivision of land in the NW 1/4 of Section 29, Township 3 South, Range 68 West, of the Sixth Principal Meridian, City and County of Denver, State of Colorado, said Permanent Easement being more particularly described as follows:

COMMENCING at a found chiseled cross at a 6.00 foot offset to the East of the Northeast corner of Lot 10 of said Block 33, whence a found chiseled cross at a 4.00 foot offset to the South of the Southwest corner of Lot 14 of said Block 33 bears South 82°27'02" West a distance of 270.17 feet, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN), and is the **BASIS OF BEARINGS** for the Permanent Easement herein described;

Thence North 89°50'51" West a distance of 6.00 feet, to the Northeast corner of said Lot 10, also being on the East line of said Block 33;

Thence along said East line, North 00°09'09" East a distance of 214.37 feet, to a point on the East line of Lot 1, also being the **POINT OF BEGINNING**;

1. Thence North 52°40'46" West a distance of 23.64 feet, to the North line of said Lot 1;

2. Thence along said North line, South 87°40'42" East, a distance of 18.85 feet, to the East line of said Lot 1;
3. Thence along said East line, South 00°09'09" West a distance of 13.57 feet to the **POINT OF BEGINNING**.

The above described Permanent Easement contains 128 square feet more or less.

A Permanent Easement No. PE-4 of the Department of Transportation, State of Colorado, Project Code 22217, Project Number SHE M320-115, containing 27 square feet, more or less, being a portion of Lot 5, Block 39, MOUNTAIN VIEW PARK, a subdivision of land in the SE 1/4 of Section 17, Township 4 South, Range 68 West, of the Sixth Principal Meridian, City and County of Denver, State of Colorado, said Permanent Easement being more particularly described as follows:

COMMENCING at the Southwest corner of the North 50 feet of said Lot 5, being monumented by a found nail and tag (illegible), whence a found one-half inch reinforcing rod, being a 3-foot offset to the North of the Southeast corner of said Lot 5, bears South 52°20'12" East a distance of 158.79 feet, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN), and is the **BASIS OF BEARINGS** for the Permanent Easement herein described;

Thence along the West line of said Lot 5, South 00°01'02" West a distance of 85.71 feet, to the **POINT OF BEGINNING**;

1. Thence South 22°24'35" East a distance of 9.10 feet;
2. Thence South 42°39'31" East a distance of 2.75 feet;
3. Thence South 44°15'31" East a distance of 5.37 feet, to the South line of said Lot 5;
4. Thence along said South line, South 89°54'33" West a distance of 2.09 feet, to the Easterly line of Parcel 4 as described in Resolution No. CR16-0843 recorded as Reception No. 2016141693;
5. Thence along said Easterly line, North 45°02'12" West a distance of 9.89 feet, to the West line of said Lot 5;
6. Thence along said West line, North 00°01'02" East a distance of 7.30 feet to the **POINT OF BEGINNING**.

The above described Permanent Easement contains 27 square feet more or less.

1 A Permanent Easement No. PE-5 of the Department of Transportation, State of Colorado,
2 Project Code 22217, Project Number SHE M320-115, containing 126 square feet, more or less, in
3 the SE 1/4 of Section 17, Township 4 South, Range 68 West, of the Sixth Principal Meridian, City
4 and County of Denver, State of Colorado, said Permanent Easement being more particularly
5 described as follows:

6
7 **COMMENCING** at a found three-eighths inch reinforcing rod, offset 0.72 feet to the East of
8 the Northwest corner of a Tract of land described in the Warranty Deed recorded as Reception
9 Number 2005070346 , whence a found two-inch iron pipe, offset 5 feet to the East and 1.90 feet to
10 the South, monumenting the Southeast corner of a Tract of land described in the Correction Warranty
11 Deed recorded as Reception Number 2010084320, bears South 66°50'43" East a distance of 293.92
12 feet, as obtained from a Global Positioning System (GPS) survey based on the Colorado High
13 Accuracy Reference Network (CHARN), and is the **BASIS OF BEARINGS** for the Permanent
14 Easement herein described.

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16 Thence along the North line of a Tract of land described in the Warranty Deed recorded as Reception
17 Number 2005070346, North 89°58'58" West a distance of 0.72 feet, to the West line of said Tract;

18
19 Thence along the West line of said Tract, South 00°01'02" West a distance of 100.40 feet, to the
20 **POINT OF BEGINNING.**

- 21
22 1. Thence South 52°12'55" East, a distance of 22.77 feet, to the South line of said Tract;
- 23 2. Thence along the South line of said Tract, South 89°50'41" West a distance of 18.00 feet, to
24 the West line of said Tract;
- 25 3. Thence along the West line of said Tract, North 00°01'02" East a distance of 14.00 feet to the
26 **POINT OF BEGINNING.**

27 The above described Permanent Easement contains 126 square feet more or less.

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29 A Permanent Easement No. PE-6 of the Department of Transportation, State of Colorado,
30 Project Code 22217, Project Number SHE M320-115, containing 94 square feet, more or less, being
31 a portion of Lot 1, Block 1, McCLINTOCK SUBDIVISION, a subdivision of land in the NE 1/4 of
32 Section 20, Township 4 South, Range 68 West, of the Sixth Principal Meridian, City and County of
33 Denver, State of Colorado, said Permanent Easement being more particularly described as follows:

1 **BEGINNING** at the Northeast corner of Ordinance No. 723, Series of 1987, also being along the
2 North line of said Lot 1, 10.00 feet East of the Northwest corner of said Lot 1, being monumented
3 by a found chiseled cross, whence the Northeast corner of said Lot 1, being monumented by a
4 found five-eighths inch reinforcing rod, which bears North 89°50'41" East a distance of 115.14 feet,
5 as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy
6 Reference Network (CHARN), and is the **BASIS OF BEARINGS** for the Permanent Easement
7 herein described.

- 8
- 9 1. Thence along the North line of said Lot 1, North 89°50'41" East, a distance of 7.00 feet;
 - 10 2. Thence South 44°23'50" West, a distance of 24.01 feet, to the West line of said Lot 1;
 - 11 3. Thence along the West line of said Lot 1, North 00°12'53" West, a distance of 7.00 feet, also
12 being the Southeast corner of Ordinance No. 723, Series of 1987;
 - 13 4. Thence along the Easterly line of said Ordinance, North 44°06'15" East a distance of 14.11
14 feet, to the **POINT OF BEGINNING**.

15 The above described Permanent Easement contains 94 square feet more or less.

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17 A Permanent Easement No. PE-7 of the Department of Transportation, State of Colorado,
18 Project Code 22217, Project Number SHE M320-115, containing 123 square feet, more or less,
19 being a portion of Lot 8, GARFIELD HEIGHTS NEW FILING, a subdivision of land in the NW 1/4 of
20 Section 20, Township 4 South, Range 68 West, of the Sixth Principal Meridian, City and County of
21 Denver, State of Colorado, said Permanent Easement being more particularly described as follows:

22

23 **BEGINNING** at the Northeast corner of said Lot 8, being monumented by a found #5 rebar
24 bare, whence the Southeast corner of said Lot 8, being monumented by a found chiseled cross,
25 bears
26 South 00°03'00" East a distance of 123.88 feet, as obtained from a Global Positioning System
27 (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN) and is the
28 **BASIS OF BEARINGS** for the Permanent Easement herein described.

- 29
- 30 1. Thence along the East line of said Lot 8, South 00°03'00" East, a distance of 12.32 feet;
 - 31 2. Thence North 58°21'47" West, a distance of 23.50 feet, to the North line of said Lot 8;
 - 32 3. Thence along the North line of said Lot 8, South 89°57'59" East, a distance of 20.00 feet to
33 the **POINT OF BEGINNING**.

1 The above described Permanent Easement contains 123 square feet more or less.

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3 A Permanent Easement No. PE-8 of the Department of Transportation, State of Colorado,
4 Project Code 22217, Project Number SHE M320-115, containing 73 square feet, more or less, being
5 a portion of Lot 31, Block 1, PLAT OF BOBO, MCINTOSH & BARTON SUBDIVISION, a subdivision
6 of land in the SW 1/4 of Section 17, Township 4 South, Range 68 West, of the Sixth Principal
7 Meridian, City and County of Denver, State of Colorado, said Permanent Easement more particularly
8 described as follows:

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10 **COMMENCING** at the Southwest corner of the East 148 feet of Lot 31 BOBO, McIntosh &
11 BARTON SUBDIVISION, being monumented by a found one-half inch reinforcing rod with a broken
12 yellow plastic cap (illegible), whence a found chiseled cross, 14.77 feet offset to the East of the
13 Northeast corner of the South 71.85 feet of said Lot 31, bears North 66°14'35 East a distance of
14 177.87 feet, as obtained from a Global Positioning System (GPS) survey based on the Colorado
15 High Accuracy Reference Network (CHARN), and is the **BASIS OF BEARINGS** for the Permanent
16 Easement herein described.

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18 Thence along the South line of said Lot 31, South 89°57'59" East a distance of 135.63 feet, to the
19 **POINT OF BEGINNING**;

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- 21 1. Thence North 46°14'03" East a distance of 17.13 feet, to the East line of said Lot 31;
- 22 2. Thence along said East line, South 00°01'02" West a distance of 11.85 feet, to the South line
23 of said
24 Lot 31;
- 25 3. Thence along said South line, North 89°57'59" West, a distance of 12.37 feet to the **POINT**
26 **OF BEGINNING.**

27 The above described Permanent Easement contains 73 square feet more or less.

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29 A Permanent Easement No. PE-9 of the Department of Transportation, State of Colorado,
30 Project Code 22217, Project Number SHE M320-115, containing 58 square feet, more or less, being
31 a portion of Lot 10, Block 4, FLORIDA HEIGHTS, a subdivision of land in the SE 1/4 of Section 20,
32 Township 4 South, Range 68 West, of the Sixth Principal Meridian, City and County of Denver, State
33 of Colorado, said Permanent Easement being more particularly described as follows:

1 **COMMENCING** at the Quarter corner between Sections 20 and 29, being monumented by a
2 found three and one-quarter inch aluminum cap with statutory markings, whence the corner common
3 to Sections 20, 21, 28 and, 29, being monumented by a found one-inch axle, bears North 89°33'44"
4 East a distance of 2630.70 feet, as obtained from a Global Positioning System (GPS) survey based
5 on the Colorado High Accuracy Reference Network (CHARN), and is the **BASIS OF BEARINGS** for
6 the Permanent Easement herein described.

7
8 Thence along the Section line between Sections 20 and 29, North 89°33'44" East a distance of 53.72
9 feet;

10
11 Thence North 00°26'16" West a distance of 30.25 feet to the South line of Lot 10 of Block 4, Florida
12 Heights, also being the Southeast corner of Ordinance Number 0025 Series of 2016, also being the
13 **POINT OF BEGINNING**;

- 14
15 1. Thence along the Easterly line of Ordinance Number 0025 Series of 2016, North 25°08'57"
16 West a distance of 8.68 feet, to the West line of Lot 10, Block 4, FLORIDA HEIGHTS;
17 2. Thence South 41°19'22" East, a distance of 8.62 feet;
18 3. Thence South 90°00'00" East, a distance of 35.63 feet;
19 4. Thence South 63°26'06" East, a distance of 2.52 feet, to the South line of said Lot 10;
20 5. Thence along said South line, South 89°38'11" West, a distance of 39.90 feet to the **POINT**
21 **OF BEGINNING**.

22 The above described Permanent Easement contains 58 square feet more or less.

23
24 A Permanent Easement No. PE-10 of the Department of Transportation, State of Colorado,
25 Project Code 22217, Project Number SHE M320-115, containing 175 square feet, more or less,
26 being a portion of Lot 1, Block 1, EVANS PARK ESTATES, a subdivision of land in the NE 1/4 of
27 Section 29, Township 4 South, Range 68 West, of the Sixth Principal Meridian, City and County of
28 Denver, State of Colorado, said Permanent Easement being more particularly described as follows:

29
30 **COMMENCING** at the Quarter corner between Sections 20 and 29, being monumented by a found
31 three and one-quarter inch aluminum cap with statutory markings, whence the corner common to
32 Sections 20, 21, 28 and, 29, being monumented by a found one-inch axle, bears North 89°33'44"
33 East a distance of 2630.70 feet, as obtained from a Global Positioning System (GPS) survey based

1 on the Colorado High Accuracy Reference Network (CHARN), and is the **BASIS OF BEARINGS** for
2 the Permanent Easement herein described.

3
4 Thence along the Section line between Sections 20 and 29, North 89°33'44" East a distance of 49.67
5 feet;

6
7 Thence South 00°26'16" East a distance of 29.74 feet to the Northwest corner of said Lot 1, being
8 the **POINT OF BEGINNING**;

- 9
10 1. Thence along the North line of said Lot 1, North 89°38'11" East a distance of 22.65 feet;
11 2. Thence South 55°26'18" West a distance of 27.53 feet, to the West line of said Lot 1;
12 3. Thence along the West line of said Lot 1, North 00°06'36" East a distance of 15.48 feet to
13 the **POINT OF BEGINNING**.

14 The above described Permanent Easement contains 175 square feet more or less.

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16 A Temporary Easement No. TE-2 of the Department of Transportation, State of Colorado,
17 Project Code 22217, Project Number SHE M320-115, containing 93 square feet, more or less, being
18 a portion of Lot 1, Block 33, SECOND FILING OF A PORTION OF HIGHLAND PARK, a subdivision
19 of land in the NW 1/4 of Section 29, Township 3 South, Range 68 West, of the Sixth Principal
20 Meridian, City and County of Denver, State of Colorado, said Permanent Easement being more
21 particularly described as follows:

22
23 **COMMENCING** at a found chiseled cross at a 6.00 foot offset to the East of the Northeast
24 corner of Lot 10 of said Block 33, whence a found chiseled cross at a 4.00 foot offset to the South
25 of the Southwest corner of Lot 14 of said Block 33 bears South 82°27'02" West a distance of
26 270.17 feet, as obtained from a Global Positioning System (GPS) survey based on the Colorado
27 High Accuracy Reference Network (CHARN), and is the **BASIS OF BEARINGS** for the Permanent
28 Easement herein described;

29
30 Thence North 89°50'51" West a distance of 6.00 feet, to the Northeast corner of said Lot 10, also
31 being on the East line of said Block 33;

32
33 Thence along said East line, North 00°09'09" East a distance of 210.10 feet, to a point on the East

1 line of Lot 1, also being the **POINT OF BEGINNING**;

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3 1. Thence North 52°42'27" West a distance of 31.11 feet, to the North line of said Lot 1;

4 2. Thence along said North line, South 87°40'42" East a distance of 5.97 feet;

5 3. Thence South 52°40'46" East a distance of 23.64 feet to the East line of said Lot 1;

6 4. Thence along said East line, South 00°09'09" West, a distance of 4.27 feet to the **POINT OF**
7 **BEGINNING**.

8 The above described Temporary Easement contains 93 square feet more or less.

9 A Temporary Easement No. TE-3 of the Department of Transportation, State of Colorado,
10 Project Code 22217, Project Number SHE M320-115, containing 312 square feet, more or less,
11 being a portion of Lot 5, Block 25, MOUNTAIN VIEW PARK, a subdivision of land in the NE 1/4 of
12 Section 17, Township 4 South, Range 68 West, of the Sixth Principal Meridian, in the City and
13 County of Denver, State of Colorado, said Temporary Easement being more particularly described
14 as follows:

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16 **COMMENCING** at the Center of said Section 17, being monumented by a two and one-half
17 inch aluminum cap stamped PLS 29761; whence the West 1/16 corner of said Section 17, being
18 monumented by an axle in a monument box, bears North 89°44'21" West a distance of 694.05
19 feet, as obtained from a Global Positioning System (GPS) survey based on the Colorado High
20 Accuracy Reference Network (CHARN), and is the **BASIS OF BEARINGS** for the Temporary
21 Easement herein described.

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23 Thence North 76°40'48" East a distance of 50.51 feet to the Southwest corner of of said Lot 5, being
24 the **POINT OF BEGINNING**;

25

26 1. Thence along the West line of said Lot 5, North 00°13'39" West a distance of 25.00 feet;

27 2. Thence South 45°10'32" East, a distance of 35.39 feet to the South line of said Lot 5;

28 3. Thence along said South line, South 89°52'35" West a distance of 25.00 feet to the **POINT**
29 **OF BEGINNING**.

30 The above described Temporary Easement contains 312 square feet more or less.

31 A Temporary Easement No. TE-8 of the Department of Transportation, State of Colorado,
32 Project Code 22217, Project Number SHE M320-115, containing 38 square feet, more or less, being

1 a portion of Lot 31, Block 1, PLAT OF BOBO, MCINTOSH & BARTON SUBDIVISION, a subdivision
2 of land in the SW 1/4 of Section 17, Township 4 South, Range 68 West, of the Sixth Principal
3 Meridian, City and County of Denver, State of Colorado, said Temporary Easement more particularly
4 described as follows:

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6 **COMMENCING** at the Southwest corner of the East 148 feet of Lot 31 BOBO, McINTOSH &
7 BARTON SUBDIVISION, being monumented by a found one-half inch reinforcing rod with a broken
8 yellow plastic cap (illegible), whence a found chiseled cross, 14.77 feet offset to the East of the
9 Northeast corner of the South 71.85 feet of said Lot 31, bears North 66°14'35 East a distance of
10 177.87 feet, as obtained from a Global Positioning System (GPS) survey based on the Colorado
11 High Accuracy Reference Network (CHARN), and is the **BASIS OF BEARINGS** for the Temporary
12 Easement herein described.

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14 Thence along the South line of said Lot 31, South 89°57'59" East a distance of 132.75 feet, to the
15 **POINT OF BEGINNING**;

- 16
17 1. Thence North 46°14'03" East a distance of 21.13 feet, to the East line of said Lot 31;
18 2. Thence along the East line of said Lot 31, South 00°01'02" West a distance of 2.77 feet;
19 3. Thence South 46°14'03" West a distance of 17.13 feet, to the South line of said Lot 31;
20 4. Thence along said South line, North 89°57'59" West a distance of 2.89 feet to the **POINT OF**
21 **BEGINNING**.

22 The above described Temporary Easement contains 38 square feet more or less.

23 A Temporary Easement No. TE-11 of the Department of Transportation, State of Colorado,
24 Project Code 22217, Project Number SHE M320-115, containing 321 square feet, more or less, in
25 the SW 1/4 of Section 20, Township 4 South, Range 68 West, of the Sixth Principal Meridian, in the
26 City and County of Denver, State of Colorado, said Temporary Easement being more particularly
27 described as follows:

28
29 **COMMENCING** at the Quarter corner between Sections 20 and 29, being monumented by a
30 found three and one-quarter inch aluminum cap with statutory markings, whence the corner common
31 to Sections 20, 21, 28 and 29, being monumented by a found one-inch axle, bears North 89°33'44"
32 East a distance of 2630.70 feet, as obtained from a Global Positioning System (GPS) survey based

1 on the Colorado High Accuracy Reference Network (CHARN), and is the **BASIS OF BEARINGS** for
2 the Permanent Easement herein described.

3
4 Thence along the Westerly extension of the above described line, South 89°33'44" West a distance
5 of 108.52 feet,

6
7 Thence North 00°26'16" West a distance of 30.27 feet, to the South line of a Tract of land described
8 in the Special Warranty Deed recorded as Reception Number 2007089433;

- 9
- 10 1. Thence North 54°45'12" East, a distance of 69.59 feet, to the West line of Parcel 2 of CDOT
11 Acquisition ROW Plan Project No. STU-C010-073;
 - 12 2. Thence along said West line, South 00°06'36" West a distance of 6.13 feet, to the Westerly
13 line of Parcel 5 of Ordinance Number 0632 Series of 2015;
 - 14 3. Thence along said Westerly line, South 54°45'12" West a distance of 58.85 feet, to the South
15 line of a Tract of land described in the Special Warranty Deed recorded as Reception Number
16 2007089433;
 - 17 4. Thence along said South line, South 89°34'04" West a distance of 8.76 feet to the **POINT OF**
18 **BEGINNING**.

19 The above described Temporary Easement contains 321 square feet more or less.

20 A Temporary Easement No. TE-12 of the Department of Transportation, State of Colorado,
21 Project Code 22217, Project Number SHE M320-115, containing 251 square feet, more or less,
22 being a portion of Lots 11 to 15, Block 25, COOK JR'S. NORTH DIVISION OF CAPITOL HILL, in
23 the NW 1/4 of Section 30, Township 3 South, Range 67 West, of the Sixth Principal Meridian, in the
24 City and County of Denver, State of Colorado, said Temporary Easement being more particularly
25 described as follows:

26
27 **COMMENCING** at a found stone at the Center East 1/16th corner of Section 25, Township 03
28 South, Range 68 West, whence the North 1/16th corner between said Sections 25 and 30, being
29 monumented by a found three and one-quarter inch Aluminum Cap, bears North 45°14'41" East a
30 distance of 1872.85 feet, as obtained from a Global Positioning System (GPS) survey based on the
31 Colorado High Accuracy Reference Network (CHARN), and is the **BASIS OF BEARINGS** for the
32 Temporary Easement hering described.

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Thence North 88°02'28" East a distance of 1409.98 feet, to a found Nail and Tag marked PLS 38160;

Thence North 02°18'25" East a distance of 3.00 feet, to the South line of Lot 15, also being on the Easterly line of Ordinance Number 243 of Series 1987;

Thence along said Easterly line, North 44°53'11" West a distance of 24.04 feet, to the **POINT OF BEGINNING**;

- 1. Thence continuing along said Easterly line, North 44°53'11" West a distance of 4.24 feet;
- 2. Thence continuing along said Easterly line, North 00°11'01" East a distance of 82.01 feet;
- 3. Thence leaving said Easterly line, South 89°48'59" East, a distance of 3.00 feet;
- 4. Thence South 00°11'01" West a distance of 85.00 feet to the **POINT OF BEGINNING**.

The above described Temporary Easement contains 251 square feet more or less.

A Temporary Easement No. TE-13 of the Department of Transportation, State of Colorado, Project Code 22217, Project Number SHE M320-115, containing 75 square feet, more or less, being a portion of Lot 2, Block 8, 3RD ADDITION TO PARK HILL HEIGHTS, in the SW 1/4 of Section 30, Township 3 South, Range 67 West, of the Sixth Principal Meridian, in the City and County of Denver, State of Colorado, said Temporary Easement being more particularly described as follows:

COMMENCING at a found stone at the Center East 1/16th corner of Section 25, Township 03 South, Range 68 West, whence the North 1/16th corner between said Sections 25 and 30, being monumented by a found three and one-quarter inch Aluminum Cap, bears North 45°14'41" East a distance of 1872.85 feet, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN), and is the **BASIS OF BEARINGS** for the Temporary Easement herein described.

Thence South 84°58'04" East a distance of 1380.93 feet, to the Southwest corner of said Lot 2;

Thence along the West line of said Lot 2, North 00°10'49" East a distance of 4.00 feet, being the **POINT OF BEGINNING**;

1. Thence continuing along said West line, North 00°10'49" East, a distance of 10.00 feet, to the South line of that parcel of land described in Special Warranty Deed recorded in Book 8840 at Page 554;
2. Thence along said South line, North 84°43'09" East a distance of 15.00 feet;
3. Thence South 52°45'11" West, a distance of 18.80 feet to the **POINT OF BEGINNING**.

The above described Temporary Easement contains 75 square feet more or less.

A Temporary Easement No. TE-14 of the Department of Transportation, State of Colorado, Project Code 22217, Project Number SHE M320-115, containing 72 square feet, more or less, being a portion of Lot 1, Block 1, BOULEVARD HIGHLANDS, in the SW 1/4 of Section 20, Township 3 South, Range 68 West, of the Sixth Principal Meridian, in the City and County of Denver, State of Colorado, said Temporary Easement being more particularly described as follows:

COMMENCING at a found two-inch iron pipe at an eight-foot offset South of the Southwest corner of Lot 46 of said Block 1, whence a found two-inch iron pipe at an eight-foot offset South of the Southwest corner of Lot 41 of said Block 1, bears North 87°40'42" West a distance of 126.98 feet, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN), and is the **BASIS OF BEARINGS** for the Temporary Easement herein described;

Thence North 02°19'18" East a distance of 8.00 feet to the Southwest corner of said Lot 46, also being the South line of said Block 1;

Thence along the South line of said Block 1, South 87°40'42" East a distance of 165.75 feet to a point on the South line of Lot 1 of said Block 1, being the **POINT OF BEGINNING**;

1. Thence North 45°22'57" East a distance of 21.68 feet, to the East line of said Lot 1;
2. Thence along said East line, South 00°17'36" West a distance of 5.85 feet, to the Northwest corner of a parcel of land described in Ordinance No. 34, Series of 1990 Council Bill No. 17;
3. Thence along the West line of said parcel of land, South 46°18'27" West a distance of 13.89 feet, to the South line of said Lot 1;

1 4. Thence along said South line, North 87°40'42" West a distance of 5.36 feet to the **POINT**
2 **OF BEGINNING.**

3 The above described Temporary Easement contains 72 square feet more or less.

4 **Section 2.** That the Council hereby finds and determines that these properties are needed
5 and required for the following public uses and public purposes: as part of a project that includes the
6 installation of traffic lights and ADA curb ramps, sidewalks, appurtenant improvements and
7 construction thereof at various intersections along Federal Boulevard and the intersection of Martin
8 Luther King Boulevard and Colorado Boulevard (the "Project").

9 **Section 3.** That Council authorizes the Mayor, including his duly authorized representatives,
10 in accordance with applicable federal, state, and City laws and rules and regulations adopted
11 pursuant thereto, to acquire the needed property interests, including, but not limited to, fee title,
12 permanent easements, temporary easements, fixtures, licenses, permits, improvements (including
13 without limitation, general outdoor advertising devices, buildings, and access points) and any other
14 rights, interests, and appurtenances thereto. Such authority includes the taking of all actions
15 necessary to do so without further action by City Council, including but not limited to: conducting
16 negotiations, executing all related agreements, making all necessary payments, taking any and all
17 actions required by law before instituting condemnation proceedings, allowing the temporary use of
18 City-owned land and conveying all or a portion of any City-owned land, including remnants, by
19 quitclaim deed, permanent or temporary easements, leases, licenses and permits.

20 **Section 4.** That if the interested parties do not agree upon the compensation to be paid for
21 needed property interests, the owner or owners thereof are incapable of consenting, the name or
22 residence of any owner thereof is unknown, or any of the owners thereof are non-residents of the
23 State, then the City Attorney of the City and County of Denver, upon the Mayor's direction, is
24 authorized and empowered to exercise the City and County of Denver's eminent domain powers by
25 instituting and, as necessary, prosecuting to conclusion condemnation proceedings under Article 1,
26 Title 38, Colorado Revised Statutes, to acquire needed property interests upon, through, over, under
27 and along the above-described property as necessary for the purposes set forth in Section 2 above.

28 **Section 5.** That the Council hereby finds and determines that the Denver Department of
29 Transportation and Infrastructure or federal and state agencies may find the need to alter the nature
30 of the property interests or the legal descriptions of certain easement areas or property referred to
31 in this Ordinance and may continue to do so in order to meet the needs of the Project. Council
32 authorizes the Mayor, including his duly authorized representatives, in accordance with applicable

1 federal, state, and City laws and rules and regulations adopted pursuant thereto, to acquire those
2 easements and properties as the property interests and legal descriptions are altered in accordance
3 with the means authorized in this Ordinance.

4 **Section 6.** That the Council hereby finds and determines that to improve the safety and
5 operation of pedestrians, bicycles and vehicles in the vicinity of the Project, it may be necessary to
6 rebuild, modify, remove, and relocate existing access points to streets located in the vicinity of the
7 Project.

8 **Section 7.** That the Council authorizes the City to use the power of eminent domain to act
9 as the local authority to install traffic lights and ADA curb ramps, sidewalks and appurtenances at
10 various intersections along Federal Boulevard and the intersection of Martin Luther King Boulevard
11 and Colorado Boulevard.

12 **Section 8.** That the City Council hereby finds and determines that the Project is necessary
13 for the health, safety, and welfare of the public.

14
15 COMMITTEE APPROVAL DATE: February 25, 2020

16 MAYOR-COUNCIL DATE: March 3, 2020

17 PASSED BY THE COUNCIL: _____

18 _____ - PRESIDENT

19 APPROVED: _____ - MAYOR _____

20 ATTEST: _____ - CLERK AND RECORDER,
21 EX-OFFICIO CLERK OF THE
22 CITY AND COUNTY OF DENVER

23 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

24 PREPARED BY: Jo Ann Weinstein, Assistant City Attorney DATE: March 12, 2020

25 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
26 the City Attorney. We find no irregularity as to form and have no legal objection to the proposed
27 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
28 § 3.2.6 of the Charter.

29
30 Kristin M. Bronson, Denver City Attorney

31
32 BY: _____, Assistant City Attorney DATE: _____