

1 **BY AUTHORITY**

2 ORDINANCE NO.
3 SERIES OF 2019

COUNCIL BILL NO.19-0335
COMMITTEE OF REFERENCE:
Finance & Governance

6 **A BILL**

7
8 **For an ordinance designating certain properties as being required for**
9 **public use and authorizing use and acquisition thereof by negotiation**
10 **or through condemnation proceedings of fee, easement and other**
11 **interests, including any rights and interests related or appurtenant to**
12 **properties as needed for the South Broadway Multimodal Access and**
13 **Safety Improvement Project at South Broadway and Interstate 25.**

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

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

18 **Parcel 124 – Vesting Deed**

19 A part of the land described in Warranty Deed recorded November 23, 1981, at Reception No.
20 012371 in the records of the Clerk and Recorder, City and County of Denver, State of Colorado,
21 said part described therein as follows:

22 **Parcel A**

23 (South Broadway to East Kentucky Avenue)

24 A tract of land 62.5 feet wide across the Southerly part of Block 5, Lincoln Subdivision, City and
25 County of Denver, more particularly described as follows:

26 BEGINNING at the intersection of the East line of South Broadway and the Northeasterly right of
27 way of the Colorado and Southern Railway Company, said point being 12.5 feet Northeasterly of
28 the centerline of the main track when measured at right angles thereto,

29 Thence Southeasterly along said right of way line 244 feet, more or less, to the North line of
30 Kentucky Avenue;

1 Thence West along the. North line of Kentucky Avenue 87 feet, more or less, to a point on the
2 Southwesterly right of way line of said Railway, said point being 50 feet Southwesterly of the
3 centerline of said main track when measured at right angles thereto;

4 Thence Northwesterly along said right of way line 111 feet, more or less, to a point on the East line
5 of South Broadway;

6 Thence North along the East line of South Broadway 98 feet, more or less, to PLACE OF
7 BEGINNING,

8 City and County of Denver
9 State of Colorado.

10 **Parcel 128 – Legal Description**

11 A Partial Acquisition No. 128 of the City and County of Denver, State of Colorado, Project Number
12 1-16006, containing 132,487 square feet or 3.041 acres, more or less, within a parcel of land
13 described by Deed in Exhibit “A” of Reception Number 1980014795 Exhibit and recorded on July
14 1, 1980 in the City and County of Denver, Office of the Clerk and Recorder, State of Colorado, in
15 the Northeast ¼ of the Southwest ¼ of Section 15, Township 4 South, Range 68 West of the 6th
16 Principal Meridian, City and County of Denver, said Partial Acquisition being more particularly
17 described as follows:

18 BASIS OF BEARINGS: All Bearings are grid bearings of the S.E. Corridor I-25/I-225 Mapping
19 Projection Coordinate System. Bearings are based upon the East line of the Southwest ¼ of
20 Section 15, Township 4 South, Range 68 West of the 6th Principal Meridian. The Northerly point of
21 said line is a recovered and accepted stone with notch 1-foot deep in a range box. The Southerly
22 point of said line is a recovered and accepted 3¼-inch brass cap stamped “GRIENER ENG, 1/4,
23 15/22, LS 19611, 1986” in a monument box. The Basis of Bearings between said points is South
24 00° 44’ 35” East a distance of 2,647.75 feet.

25 COMMENCING at the Northern point of the Basis of Bearings;

26 THENCE along the East line of said Southwest ¼ of Section 15 South 00° 44’ 35” East a distance
27 of 1,157.76 feet;

1 THENCE departing the East line of said Southwest $\frac{1}{4}$ of Section 15 South $89^{\circ} 15' 25''$ West a
2 distance of 66.00 feet to a point being:

3 The Southeast corner of said parcel recorded at Reception Number 1980014795

4 The Southwest corner of a parcel recorded at Reception Number 2001124391 (CDOT)

5 The Northeast corner of a parcel recorded at Reception Number 2014111794

6 The Northwest corner of a parcel recorded at Reception Number 2004205973 (CDOT)

7 and the POINT OF BEGINNING;

8 THENCE along the South line of said parcel recorded at Reception Number 1980014795 North
9 $89^{\circ}58' 27''$ West a distance of 51.09 feet, also being the North line of said parcel recorded at
10 Reception Number 2014111794;

11 THENCE through the land of said parcel recorded at Reception Number 1980014795 the following
12 three (3) courses:

13 1. North $45^{\circ} 11' 34''$ West a distance of 250.00 feet;

14 2. South $78^{\circ} 38' 33''$ West a distance of 126.65 feet;

15 3. North $14^{\circ} 18' 14''$ West a distance of 619.48 feet to a point on the North line of said parcel;

16 THENCE along the North line of said parcel recorded at Reception Number 1980014795, also
17 being the South line of a parcel recorded at Reception Number 1994092231 Exhibit "A-2" the
18 following six (6) courses:

19 1. South $50^{\circ} 18' 21''$ East a distance of 96.94 feet;

20 2. On a non-tangent curve to the right having a radius of 1,050.01 feet, a central angle of 8°
21 $32' 24''$ and an arc length of 156.50 feet. The chord of said curve bears South $45^{\circ} 46' 20''$
22 East a distance of 156.36 feet;

23 3. South $28^{\circ} 47' 03''$ East a distance of 28.20 feet;

1 4. On a non-tangent curve to the left having a radius of 440.40 feet, a central angle of 6° 28'
2 29" and an arc length of 49.77 feet. The chord of said curve bears South 32° 56' 17" East a
3 distance of 49.74 feet;

4 5. South 36° 10' 35" East a distance of 348.50 feet;

5 6. On a tangent curve to the left having a radius of 1,863.48 feet, a central angle of 3° 32' 40"
6 and an arc length of 115.28 feet. The chord of said curve bears South 37° 56' 56" East a
7 distance of 115.26 feet to a point on the East line of said parcel at Reception Number
8 1980014795, also being the west line of said parcel at Reception Number 2001124391;

9 THENCE South 00° 44' 35" East a distance of 141.92 feet along the East line of said parcel
10 recorded at Reception Number 1980014795, also being the West line of said parcel recorded at
11 Reception Number 2001124391, to the POINT OF BEGINNING.

12 The parcel described here contains 132,487 square feet, or 3.041 acres, more or less.

13 **Parcel 131 – Legal Description**

14 A Partial Acquisition No. 131 of the City and County of Denver, State of Colorado, Project Number
15 1-16006, containing 112,388 square feet or 2.580 acres, more or less, within a parcel of land
16 described by Correction Quitclaim Deed in Exhibit "A-2" of Reception Number (RN) 1994092231
17 and recorded June 3, 1994 in the City and County of Denver, Office of the Clerk and Recorder,
18 State of Colorado, in the Northeast ¼ of the Southwest ¼ of Section 15, Township 4 South, Range
19 68 West of the 6th Principal Meridian, City and County of Denver, said Partial Acquisition being
20 more particularly described as follows:

21 BASIS OF BEARINGS: All Bearings are grid bearings of the S.E. Corridor I-25/I-225 Mapping
22 Projection Coordinate System. Bearings are based upon the East line of the Southwest ¼ of
23 Section 15, Township 4 South, Range 68 West of the 6th Principal Meridian. The Northerly point of
24 said line is a recovered and accepted stone with notch 1-foot deep in a range box. The Southerly
25 point of said line is a recovered and accepted 3 ¼-inch brass cap stamped "GRIENER ENG, 1/4,
26 15/22, LS 19611, 1986" in a range box. The Basis of Bearings between said points is South 00° 44'
27 35" East a distance of 2,647.75 feet.

28 COMMENCING at the Northern point of the Basis of Bearings;

1 THENCE along the East line of said Southwest ¼ of Section 15 South 00° 44' 35" East a distance
2 of 1,015.84 feet;

3 THENCE departing the East line of said Southwest ¼ of Section 15 South 89° 15' 25" West a
4 distance of 66.00 feet to a point being:

- 5 1. The Southeast corner of said parcel at RN 1994092231 as amended by the Quit Claim
6 Deed recorded at RN 2001124391 on July 31, 2001, Exhibit "A", in the records of said
7 county;
- 8 2. The Northeast corner of a parcel of land recorded at RN 1980014795 on July 1, 1980 in the
9 records of said county, as amended by said Quit Claim Deed recorded at RN 2001124391;
- 10 3. A point on the West line of said parcel at RN 2001124391;

11 THENCE on the common boundary between said parcels at RN 1994092231 and 1980014795 the
12 following six (6) courses:

- 13 1. On a non-tangent curve to the right having a radius of 1,863.48 feet, a central angle of 03°
14 32' 40" and an arc length of 115.28 feet. The chord of said curve bears North 37° 56' 56"
15 West a distance of 115.26 feet;
- 16 2. North 36° 10' 35" West a distance of 348.50 feet;
- 17 3. On a tangent curve turning to the right with a radius of 440.40 feet, having a chord bearing
18 of North 32° 56' 17" West and a chord distance of 49.74, having a central angle of 06° 28'
19 29" and an arc length of 49.77 feet;
- 20 4. North 28° 47' 03" West a distance of 28.20 feet;
- 21 5. On a non-tangent curve to the left having a radius of 1,050.01 feet, a central angle of 08° 32'
22 24" and an arc length of 156.50 feet. The chord of said curve bears North 45° 46' 20" West
23 a distance of 156.36 feet;
- 24 6. North 50° 18' 21" West a distance of 96.94 feet;

25 THENCE departing said common boundary North 02° 24' 31" West a distance of 407.16 feet to a
26 point on the North line of said parcel at RN 1994092231, also being the Northwest corner of a
27 parcel of land recorded at RN 2004209815 on October 6, 2004 in the records of said county;

1 THENCE South 29° 54' 48" East a distance of 265.28 feet along the common boundary between
2 said parcels at RN 1994092231 and 2004209815 to the Northwest corner of a parcel of land
3 recorded at RN 1996119282 on August 27, 1996 in the records of said county;

4 THENCE South 12° 45' 08" East a distance of 75.20 feet along the common boundary between
5 said parcels at RN 1994092231 and 1996119282 to a point on the North Right-of-Way line of
6 Valley Highway (Interstate 25) as recorded at RN 1962095054 on February 1, 1962;

7 THENCE along the North line of said parcel at RN 1994092231, also being the North Right-of-Way
8 line of said Valley Highway and the South line of said parcel at RN 1996119282 on a non-tangent
9 curve to the right having a radius of 1,298.33 feet, a central angle of 02° 32' 27" and an arc length
10 of 57.57 feet. The chord of said curve bears South 52° 35' 01" East a distance of 57.57 feet;

11 THENCE South 29° 54' 48" East a distance of 651.45 feet along the common boundary between
12 said parcel at RN 1994092231 and RN 1961058473 recorded on October 31, 1961 in the records
13 of said county;

14 THENCE South 00° 44' 35" East a distance of 113.52 feet along the common boundary between
15 said parcels at RN 1994092231 and 2001124391 to the POINT OF BEGINNING.

16 Said parcel contains 112,388 square feet, or 2.580 acres, more or less.

17 **Parcel 133 – Vesting Deed**

18 That parcel of land described in Warranty Deed recorded December 15, 1993, at Reception No.
19 0000171697 in the records of the Clerk and Recorder, City and County of Denver, State of
20 Colorado, described therein as follows:

21 PARCEL 1:

22 LOTS 1 TO 4 AND THE WEST OR REAR 60 FEET OF LOTS 43 AND 44, EXCEPT THAT
23 PORTION OF LOTS 1 AND 2 DESCRIBED AS FOLLOWS:

24 COMMENCING AT THE SOUTHWEST CORNER OF LOT 2, BLOCK 5, LINCOLN SUBDIVISION;

25 THENCE NORTHERLY ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 10 FEET TO
26 THE TRUE POINT OF BEGINNING;

1 THENCE CONTINUING NORTHERLY ON SAID WEST LINE TO THE NORTHWEST CORNER
2 OF LOT 1 OF SAID BLOCK 5;

3 THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 14 FEET;

4 THENCE SOUTHWESTERLY TO THE POINT OF BEGINNING;

5 AND EXCEPT THAT PORTION OF LOTS 3 AND 4 CONVEYED TO THE STATE DEPARTMENT
6 OF HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO, DESCRIBED AS
7 FOLLOWS:

8 ALL OF THE RIGHTS ABOVE AN ELEVATION OF 5,275 FEET DIRECTLY OVER A PARCEL OF
9 LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

10 ALL THAT PORTION OF LOTS 3 AND 4, BLOCK 5, LINCOLN SUBDIVISION,

11 LYING SOUTHWESTERLY OF THE FOLLOWING DESCRIBED LINE:

12 BEGINNING AT A POINT ON THE SOUTH LINE OF LOT 4 WHICH IS 26.0 FEET EAST OF THE
13 SOUTHWEST CORNER OF LOT 4;

14 1. THENCE NORTHWESTERLY A DISTANCE OF 46.9 FEET, MORE OR LESS, TO A
15 POINT ON THE WEST LINE OF LOT 3 WHICH IS 39.0 FEET NORTH OF THE
16 SOUTHWEST CORNER OF LOT 4, BLOCK 5, LINCOLN SUBDIVISION, CITY AND
17 COUNTY OF DENVER, STATE OF COLORADO.

18 PARCEL 2:

19 THE RIGHT TO MAINTAIN A BUILDING ON THE FOLLOWING DESCRIBED PREMISES NOT
20 EXCEEDING 14 FEET IN HEIGHT AS RESERVED IN DEED RECORDED NOVEMBER 12, 1976
21 IN BOOK 1345 AT PAGE 586, TO-WIT:

22 THAT PORTION OF LOTS 3 AND 4 CONVEYED TO THE STATE DEPARTMENT OF
23 HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

24 ALL OF THE RIGHTS ABOVE AN ELEVATION OF 5,275 FEET DIRECTLY OVER A PARCEL OF
25 LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

26 ALL THAT PORTION OF LOTS 3 AND 4, BLOCK 5, LINCOLN SUBDIVISION,

1 LYING SOUTHWESTERLY OF THE FOLLOWING DESCRIBED LINE:
2 BEGINNING AT A POINT ON THE SOUTH LINE OF LOT 4 WHICH IS 26.0 FEET EAST OF THE
3 SOUTHWEST CORNER OF LOT 4;

4 1. THENCE NORTHWESTERLY A DISTANCE OF 46.9 FEET, MORE OR LESS, TO A
5 POINT ON THE WEST LINE OF LOT 3, WHICH IS 39.0 FEET NORTH OF THE
6 SOUTHWEST CORNER OF LOT 4, BLOCK 5, LINCOLN SUBDIVISION, CITY AND
7 COUNTY OF DENVER, STATE OF COLORADO.

8 **Parcel 134 – Vesting Deed**

9 That parcel of land described in Special Warranty Deed recorded October 14, 1993, at Reception
10 No. 9300141910 in the records of the Clerk and Recorder, City and County of Denver, State of
11 Colorado, described therein as follows:

12 That part of the Northeast 1/4 Southwest 1/4 of Section 15, Township 4 South, Range 68 West of
13 the Sixth Principal Meridian, City and County of Denver, State of Colorado, described as follows:

14 Beginning at a point on the west line of South Broadway which is 50.0 feet west and 700.08 feet,
15 more or less, south of the northeast corner of said Northeast 1/4 Southwest 1/4, said point of
16 beginning being the intersection of the west line of South Broadway with the northeasterly line of
17 the Valley Highway; thence north 39 degrees 22'30" west along the northeasterly line of the Valley
18 Highway, a distance of 157.8 feet; thence north parallel to the west line of South Broadway, a
19 distance of 58.0 feet; then east parallel to the north line of the Southwest 1/4 of said Section 15, a
20 distance of 100.0 feet, more or less, to the west line of South Broadway; thence south along the
21 west line of South Broadway, a distance of 180 feet, more or less, to the point of beginning.

22 **Parcel 135 – Vesting Deed**

23 That parcel of land described in Special Warranty Deed recorded March 15, 2002, at Reception
24 No. 2002051332 in the records of the Clerk and Recorder, City and County of Denver, State of
25 Colorado, described therein as follows:

26 THAT PART OF THE NE 1/4 SW 1/4 OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST,
27 OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNT OF DENVER, COLORADO,
28 DESCRIBED AS FOLLOWS:

1 BEGINNING AT A POINT ON THE WEST LINE OF SOUTH BROADWAY WHICH IS 50.0 FEET
2 WEST OF THE EAST LINE, AND 520.08 FEET SOUTH OF THE NORTH LINE OF THE
3 NORTHEAST ONE QUARTER OF THE SOUTHWEST ONE QUARTER OF SECTION 15,
4 TOWNSHIP 4 SOUTH, RANGE 68 WEST;

5 THENCE ON AN ANGLE TO THE RIGHT OF 90 DEGREES 02 MINUTES, PARALLEL TO THE
6 NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15, A DISTANCE OF 100.0
7 FEET;

8 THENCE ON AN ANGLE TO THE LEFT OF 90 DEGREES 02 MINUTES, PARALLEL TO THE
9 WEST LINE OF SOUTH BROADWAY, A DISTANCE OF 58.0 FEET TO THE NORTHWESTERLY
10 LINE OF THE VALLEY HIGHWAY;

11 THENCE ON AN ANGLE TO THE RIGHT OF 141 DEGREES 14 MINUTES, AND ALONG SAID
12 NORTHEASTERLY LINE OF THE VALLEY HIGHWAY, A DISTANCE OF 225.55 FEET; THENCE
13 ON AN ANGLE TO THE LEFT OF 14 DEGREES 49 MINUTES 30 SECONDS, A DISTANCE OF
14 12.3 FEET TO THE EASTERLY RAIL OF THE COLORADO AND SOUTHERN RAILROAD SPUR
15 TRACK;

16 THENCE ON AN ANGLE TO THE RIGHT OF 72 DEGREES 31 MINUTES 45 SECONDS AND
17 ALONG SAID EASTERLY RAIL, A DISTANCE OF 42.75 FEET, MORE OR LESS, TO A POINT
18 347.7 FEET SOUTH OF THE NORTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 15;

19 THENCE ON AN ANGLE TO THE RIGHT OF 71 DEGREES 09 MINUTES 45 SECONDS
20 PARALLEL WITH THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF
21 237.22 FEET, MORE OR LESS, TO A POINT ON THE WEST LINE OF SOUTH BROADWAY;

22 THENCE ON AN ANGLE TO THE RIGHT OF 89 DEGREES 54 MINUTES, AND ALONG THE
23 WEST LINE OF SOUTH BROADWAY, A DISTANCE OF 172.30 FEET, MORE OR LESS, TO THE
24 POINT OF BEGINNING.

25 CITY AND COUNTY OF DENVER,
26 STATE OF COLORADO.

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1 **Parcel 136 – Vesting Deed**

2 That parcel of land described in Special Warranty Deed recorded July 14, 1994, at Reception No.
3 1994112963 in the records of the Clerk and Recorder, City and County of Denver, State of
4 Colorado, described therein as follows:

5 ALL THAT PART OF THE NE 1/4 OF THE SW 1 /4 OF SECTION 15, TOWNSHIP 4 SOUTH,
6 RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN IN THE CITY AND COUNTY OF
7 DENVER, STATE OF COLORADO DESCRIBED AS FOLLOWS:

8 COMMENCING AT A POINT ON THE WEST LINE OF BROADWAY WHICH IS 50.00 FEET
9 WEST OF THE EAST LINE AND 88.00 FEET SOUTH OF THE NORTH LINE OF SAID NE 1/4 OF
10 THE SW 1/4;

11 THENCE WEST PARALLEL TO SAID NORTH LINE, 207.10 FEET; THENCE SOUTH PARALLEL
12 TO SAID EAST LINE 47.00 FEET; THENCE WEST PARALLEL TO SAID NORTH LINE, 20.00
13 FEET; THENCE SOUTH PARALLEL TO SAID EAST LINE, 95.00 FEET TO THE TRUE POINT
14 OF BEGINNING OF THE PARCEL HEREIN DESCRIBED (POINT "A"); THENCE EAST ON A
15 DEFLECTION ANGLE OF 90°00'00" TO THE LEFT FROM THE LAST DESCRIBED COURSE,
16 227.08 FEET TO THE WEST RIGHT OF WAY LINE OF BROADWAY; THENCE SOUTH ALONG
17 SAID WEST LINE 120.18 FEET TO THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN
18 RECEPTION NO. 66644 OF THE CITY AND COUNTY OF DENVER RECORDS; THENCE WEST
19 ALONG SAID NORTH LINE 237.22 FEET TO POINT "B" THE NORTHWEST CORNER OF SAID
20 TRACT DESCRIBED IN RECEPTION NO. 66644 OF THE CITY AND COUNTY OF DENVER
21 RECORDS; THENCE ON A DEFLECTION ANGLE 96°33'12" TO THE RIGHT FROM THE LAST
22 DESCRIBED COURSE 31.31 FEET; THENCE ON A DEFLECTION ANGLE OF 02°28'21" TO
23 THE LEFT FROM THE LAST DESCRIBED COURSE 89.30 FEET TO POINT "A" AND THE
24 POINT OF BEGINNING.

25 CITY AND COUNTY OF DENVER,
26 STATE OF COLORADO

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1 **Parcel 137 – Vesting Deed**

2 That parcel of land described in Special Warranty Deed recorded May 27, 2014, at Reception No.
3 2014060591 in the records of the Clerk and Recorder, City and County of Denver, State of
4 Colorado, described therein as follows:

5 **PARCEL A:**

6 ALL THAT PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 15,
7 TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN IN THE CITY
8 AND COUNTY OF DENVER, STATE OF COLORADO DESCRIBED AS FOLLOWS:

9 COMMENCING AT A POINT ON THE WEST LINE OF BROADWAY WHICH IS 50.00 FEET
10 WEST OF THE EAST LINE AND 88.00 FEET SOUTH OF THE NORTH LINE OF SAID
11 NORTHEAST 1/4 OF THE SOUTHWEST 1/4;

12 THENCE WEST PARALLEL TO SAID NORTH LINE, 207.10 FEET:

13 THENCE SOUTH PARALLEL TO SAID EAST LINE 47.00 FEET;

14 THENCE WEST PARALLEL TO SAID NORTH LINE 20.00 FEET;

15 THENCE SOUTH PARALLEL TO SAID WEST LINE 57.50 FEET TO POINT "C", THE POINT OF
16 BEGINNING;

17 THENCE ON A DEFLECTION ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS TO THE
18 LEFT FROM THE LAST DESCRIBED COURSE 70.85 FEET;

19 THENCE ON A DEFLECTION ANGLE OF 89 DEGREES 36 MINUTES 30 SECONDS TO THE
20 LEFT FROM THE LAST DESCRIBED COURSE 39.95 FEET ALONG THE CENTERLINE OF A
21 COMMON WALL;

22 THENCE ON A DEFLECTION ANGLE OF 89 DEGREES 53 MINUTES 19 SECONDS TO THE
23 RIGHT FROM THE LAST DESCRIBED COURSE 109.73 FEET ALONG THE CENTERLINE OF A
24 COMMON WALL;

25 THENCE ON A DEFLECTION ANGLE OF 90 DEGREES 07 MINUTES 15 SECONDS TO THE
26 LEFT FROM THE LAST DESCRIBED COURSE 47.80 FEET ALONG THE EASTERLY SIDE OF A

1 WALL AND ITS EXTENSION NORTHERLY TO THE SOUTH LINE OF AN ACCESS EASEMENT
2 RECORDED IN BOOK 6005, PAGE 442;
3 THENCE ON A DEFLECTION ANGLE OF 90 DEGREES 33 MINUTES 56 SECONDS TO THE
4 RIGHT FROM THE LAST DESCRIBED COURSE AND ALONG SAID SOUTH LINE OF
5 EASEMENT 46.10 FEET TO THE WEST RIGHT OF WAY LINE OF BROADWAY;
6 THENCE SOUTH ALONG SAID WEST LINE 124.52 FEET;
7 THENCE ON A DEFLECTION ANGLE OF 90 DEGREES 06 MINUTES 00 SECONDS TO THE
8 RIGHT FROM THE LAST DESCRIBED COURSE 227.08 FEET TO POINT "A";
9 THENCE ON A DEFLECTION ANGLE OF 89 DEGREES 54 MINUTES 00 SECONDS TO THE
10 RIGHT FROM THE LAST DESCRIBED COURSE 37.50 FEET TO POINT "C" AND THE POINT
11 OF BEGINNING.

12 PARCEL C:

13 ALL THAT PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 15
14 TOWNSHIP 4 SOUTH RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN IN THE CITY AND
15 COUNTY OF DENVER. STATE OF COLORADO, DESCRIBED AS FOLLOWS:

16 BEGINNING AT A POINT ON THE WEST LINE OF BROADWAY WHICH IS 50.00 FEET WEST
17 OF THE EAST LINE AND 88.00 FEET SOUTH OF THE NORTH LINE OF SAID NORTHEAST 1/4
18 OF THE SOUTHWEST 1/4; THENCE WEST PARALLEL TO SAID NORTH LINE, 207.10 FEET;
19 THENCE SOUTH PARALLEL TO SAID EAST LINE 47.00 FEET; THENCE WEST PARALLEL TO
20 SAID NORTH LINE 20.00 FEET; THENCE SOUTH PARALLEL TO SAID WEST LINE, 57.50
21 FEET TO POINT "C"; THENCE ON A DEFLECTION ANGLE OF 90 DEGREES 00 MINUTES 00
22 SECONDS TO THE LEFT FROM THE LAST DESCRIBED COURSE, 70.85 FEET; THENCE ON
23 A DEFLECTION ANGLE OF 89 DEGREES 36 MINUTES 30 SECONDS TO THE LEFT FROM
24 THE LAST DESCRIBED COURSE 39.95 FEET ALONG THE CENTERLINE OF COMMON WALL;
25 THENCE ON A DEFLECTION ANGLE OF 89 DEGREES 53 MINUTES 19 SECONDS TO THE
26 RIGHT FROM THE LAST DESCRIBED COURSE 109.73 FEET ALONG THE CENTERLINE OF A
27 COMMON WALL; THENCE ON A DEFLECTION ANGLE OF 90 DEGREES 07 MINUTES 15
28 SECONDS TO THE LEFT FROM THE LAST DESCRIBED COURSE 47.80 FEET ALONG THE
29 EASTERLY SIDE OF A WALL AND ITS EXTENSION NORTHERLY TO THE SOUTH LINE OF AN

1 ACCESS EASEMENT RECORDED IN BOOK 6005, PAGE 442; THENCE ON A DEFLECTION
2 ANGLE OF 90 DEGREES 33 MINUTES 56 SECONDS TO THE RIGHT FROM THE LAST
3 DESCRIBED COURSE AND ALONG SAID SOUTH LINE OF EASEMENT 46.10 FEET TO THE
4 WEST RIGHT OF WAY LINE OF BROADWAY; THENCE NORTH ALONG SAID WEST RIGHT
5 OF WAY LINE 15.00 FEET TO THE POINT OF BEGINNING.

6 **Parcel 138 – Vesting Deed**

7 That parcel of land described in Warranty Deed recorded October 6, 2004, at Reception No.
8 2004209815 in the records of the Clerk and Recorder, City and County of Denver, State of
9 Colorado, described therein as follows:

10 PARCEL C1:

11 THAT PART OF THE SW1/4 OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE
12 6TH P.M., DESCRIBED AS FOLLOWS:

13 BEGINNING ON THE WEST LINE OF BROADWAY AT ITS POINT OF INTERSECTION WITH
14 THE NORTH LINE OF SAID SW1/4, SAID POINT BEING 50 FEET WEST OF THE CENTER OF
15 SAID SECTION 15; THENCE SOUTH ALONG SAID WEST LINE OF BROADWAY 88 FEET TO
16 THE CENTER LINE OF A PRIVATE ROADWAY DESCRIBED IN DEED RECORDED IN BOOK
17 5552 AT PAGE 503; THENCE WEST ALONG SAID CENTER LINE 207.1 FEET; THENCE
18 SOUTH 47 FEET; THENCE WEST 20 FEET; THENCE SOUTH 95 FEET; THENCE WEST TO
19 THE NORTHEASTERLY LINE OF THE RIGHT-OF-WAY OF THE COLORADO AND SOUTHERN
20 RAILROAD; THENCE NORTHWESTERLY ALONG SAID LINE OF RIGHT-OF-WAY TO ITS
21 POINT OF INTERSECTION WITH THE NORTH LINE OF SAID SW1/4 OF SECTION 15;
22 THENCE EAST ALONG SAID NORTH LINE 523.82 FEET TO THE PLACE OF BEGINNING.

23 CITY AND COUNTY OF DENVER,
24 STATE OF COLORADO.

25 **Parcel 139 – Vesting Deed**

26 A part of that land described in Warranty Deed recorded September 30, 2004, at Reception No.
27 2004209816 in the records of the Clerk and Recorder, City and County of Denver, State of
28 Colorado, said part described therein as follows:

1 PARCEL BI:
2 (INTERNATIONAL COLLECTION III)

3 A PARCEL OF LAND LOCATED IN THE SE 1/4 OF THE SE 1/4 OF THE NW 1/4 OF SECTION
4 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS:

5 BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SOUTH BROADWAY STREET
6 AND THE SOUTH LINE OF THE SAID SE 1/4 OF THE SE 1/4 OF THE NW 1/4, WHICH POINT IS
7 50.00 FEET WEST OF THE SOUTHEAST CORNER OF THE SE 1/4 SE 1/4 NW 1/4; THENCE
8 NORTH 01 DEG. 35 MIN. 00 SEC. WEST ALONG THE WEST LINE OF SOUTH BROADWAY
9 STREET, A DISTANCE OF 226.25 FEET (226.23 FEET AS MEASURED); THENCE SOUTH 89
10 DEG. 36 MIN. 05 SEC. WEST, (SOUTH 89 DEG. 57 MIN. 41 SEC. WEST AS MEASURED), AND
11 PARALLEL TO THE SOUTH LINE OF SAID SE 1/4 OF THE NW 1/4, A DISTANCE OF 602.66
12 FEET (602.60 FEET AS MEASURED), MORE OR LESS, TO THE EAST RIGHT-OF-WAY LINE
13 OF LAND OWNED BY THE COLORADO AND SOUTHERN RAILWAY COMPANY; THENCE
14 SOUTH 00 DEG. 39 MIN. 30 SEC. EAST, (SOUTH 00 DEG. 39 MIN. 05 SEC. EAST AS
15 MEASURED), ALONG SAID EAST RIGHT-OF-WAY LINE OF LAND OWNED BY THE
16 COLORADO AND SOUTHERN RAILWAY COMPANY, A DISTANCE OF 79.99 FEET; THENCE
17 SOUTH 29 DEG. 54 MIN. 00 SEC. EAST, (SOUTH 29 DEG. 55 MIN. 39 SEC. EAST AS
18 MEASURED), ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF LAND OWNED BY
19 THE COLORADO AND SOUTHERN RAILWAY COMPANY, A DISTANCE OF 168.58 FEET
20 (168.58 FEET DEEDED), MORE OR LESS, TO THE SOUTH LINE OF SAID SE 1/4 OF THE SE
21 1/4 OF THE NW 1/4 OF SAID SECTION 15; THENCE NORTH 89 DEG. 36 MIN. 05 SEC. EAST,
22 NORTH 89 DEG. 57 MIN. 41 SEC. EAST AS MEASURED), ALONG SAID SOUTH LINE OF THE
23 SE 1/4 OF THE SE 1/4 OF THE NW 1/4 OF SECTION 15, A DISTANCE OF 523.84 FEET,
24 (523.92 FEET DEEDED), MORE OR LESS, TO THE POINT OF BEGINNING,

25 CITY AND COUNTY OF DENVER,
26 STATE OF COLORADO.

27 **Parcel 141 – Vesting Deed**

28 That parcel of land described in Warranty Deed recorded December 15, 1993, at Reception No.
29 0000171697 in the records of the Clerk and Recorder, City and County of Denver, State of
30 Colorado, described therein as follows:

1 PARCEL 1:

2 LOTS 1 TO 4 AND THE WEST OR REAR 60 FEET OF LOTS 43 AND 44, EXCEPT THAT
3 PORTION OF LOTS 1 AND 2 DESCRIBED AS FOLLOWS:

4 COMMENCING AT THE SOUTHWEST CORNER OF LOT 2, BLOCK 5, LINCOLN SUBDIVISION;
5 THENCE NORTHERLY ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 10 FEET TO
6 THE TRUE POINT OF BEGINNING;

7 THENCE CONTINUING NORTHERLY ON SAID WEST LINE TO THE NORTHWEST CORNER
8 OF LOT 1 OF SAID BLOCK 5;

9 THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 14 FEET;

10 THENCE SOUTHWESTERLY TO THE POINT OF BEGINNING;

11 AND EXCEPT THAT PORTION OF LOTS 3 AND 4 CONVEYED TO THE STATE DEPARTMENT
12 OF HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO, DESCRIBED AS
13 FOLLOWS:

14 ALL OF THE RIGHTS ABOVE AN ELEVATION OF 5,275 FEET DIRECTLY OVER A PARCEL OF
15 LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

16 ALL THAT PORTION OF LOTS 3 AND 4, BLOCK 5, LINCOLN SUBDIVISION,

17 LYING SOUTHWESTERLY OF THE FOLLOWING DESCRIBED LINE:

18 BEGINNING AT A POINT ON THE SOUTH LINE OF LOT 4 WHICH IS 26.0 FEET EAST OF THE
19 SOUTHWEST CORNER OF LOT 4;

20 1. THENCE NORTHWESTERLY A DISTANCE OF 46.9 FEET, MORE OR LESS, TO A
21 POINT ON THE WEST LINE OF LOT 3 WHICH IS 39.0 FEET NORTH OF THE
22 SOUTHWEST CORNER OF LOT 4, BLOCK 5, LINCOLN SUBDIVISION,

23 CITY AND COUNTY OF DENVER,
24 STATE OF COLORADO.

25 PARCEL 2:

1 THE RIGHT TO MAINTAIN A BUILDING ON THE FOLLOWING DESCRIBED PREMISES NOT
2 EXCEEDING 14 FEET IN HEIGHT AS RESERVED IN DEED RECORDED NOVEMBER 12, 1976
3 IN BOOK 1345 AT PAGE 586, TO-WIT:

4 THAT PORTION OF LOTS 3 AND 4 CONVEYED TO THE STATE DEPARTMENT OF
5 HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

6 ALL OF THE RIGHTS ABOVE AN ELEVATION OF 5,275 FEET DIRECTLY OVER A PARCEL OF
7 LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

8 ALL THAT PORTION OF LOTS 3 AND 4, BLOCK 5, LINCOLN SUBDIVISION,

9 LYING SOUTHWESTERLY OF THE FOLLOWING DESCRIBED LINE:

10 BEGINNING AT A POINT ON THE SOUTH LINE OF LOT 4 WHICH IS 26.0 FEET EAST OF THE
11 SOUTHWEST CORNER OF LOT 4;

12 1. THENCE NORTHWESTERLY A DISTANCE OF 46.9 FEET, MORE OR LESS, TO A
13 POINT ON THE WEST LINE OF LOT 3, WHICH IS 39.0 FEET NORTH OF THE
14 SOUTHWEST CORNER OF LOT 4, BLOCK 5, LINCOLN SUBDIVISION,

15 CITY AND COUNTY OF DENVER,
16 STATE OF COLORADO.

17 **Parcel 143 – Vesting Deed**

18 That parcel of land described in Quit Claim Deed recorded August 21, 2008, at Reception No.
19 2008116009 in the records of the Clerk and Recorder, City and County of Denver, State of
20 Colorado, described therein as follows:

21 Part of the East 65 feet of Lot 44, Block 5, Lincoln Subdivision, City and County of Denver, State of
22 Colorado, more particularly described as follows:

23 Considering the East line of Block 5, Lincoln Subdivision, as bearing North 00°00'00" East, with all
24 bearings contained herein, relative thereto.

25 Commencing at the Southeast corner of Lot 43, Block 5, Lincoln Subdivision; Thence North
26 00°00'00" East, a distance of 25.20 feet, coincident with the East line of Block 5, to the Point of
27 Beginning; Thence continuing North 00°00'00" East, a distance of 14.81 feet, coincident with the

1 East Line of Block 5; Thence continuing North 44°58'52" West, a distance of 14.15 feet, to the
2 North line of said Block 5; thence North 89°57'44" West, a distance of 54.94 feet, coincident with
3 the North line of said Block 5; thence South 00°05'49" West, a distance of 23.93 feet; thence South
4 89°11'17" East, a distance of 15.00 feet, to the Beginning of a Party Wall between Units 801 & 803
5 South Lincoln Street; thence continuing South 89°11'17" East a distance of 33.00 feet, coincident
6 with the Party Wall to the end of said wall; Thence South 89°11'17" East, a distance of 16.99 feet,
7 to the Point of Beginning,

8 City and County of Denver,
9 State of Colorado

10 **Parcel 144 – Vesting Deed**

11 That parcel of land described in Quit Claim Deed recorded June 8, 1993, at Reception No.
12 0000073134 in the records of the Clerk and Recorder, City and County of Denver, State of
13 Colorado, described therein as follows:

14 That portion of Lots 30 and 31, Block 1, First Addition to Lincoln Subdivision, beginning at the
15 northwest corner of Lot 31, thence at an angle to the right of 163°50'07", a distance of 47.865 feet;
16 thence at an angle to the left of 103°50'07", a distance of 92 feet to a point on the north line of Lot
17 31, said point being 32 feet west of the northeast corner thereof; thence westerly along the north
18 line of said Lot to the point of beginning.

19 **Parcel 159 – Vesting Deed**

20 That parcel of land described in Warranty Deed recorded August 27, 1996, at Reception No.
21 0000119282 in the records of the Clerk and Recorder, City and County of Denver, State of
22 Colorado, described therein as follows:

23 All that part of the NE1/4 of the SW1/4 of Section 15, Township 4 South, Range 68 West of the 6th
24 P.M., in the City and County of Denver, State of Colorado, described as follows:

25 COMMENCING at a point on the west line of South Broadway which is 50.00 feet west of the east
26 line and 88.00 feet south of the north line of said NE1/4 of the SW1/4;

27 thence west parallel to said north line 207.10 feet;

28 thence south parallel to said east line 47.00 feet;

1 thence west parallel to said north line, 20.00 feet;
2 thence south parallel to said east line, 95.00 feet to the TRUE POINT OF BEGINNING of the
3 parcel herein described (Point "A");
4 thence west parallel to said north line, 164.98 feet to the easterly right-of-way of the Colorado and
5 Southern Railroad;
6 thence southeasterly on an angle of 100 deg. 32 min. 50 sec. to the left from the last described
7 course, 74.52 feet to the northerly right-of-way line of Interstate Highway #25;
8 thence southeasterly along said northerly right-of-way line 163.00 feet;
9 thence northerly on an angle of 113 deg. 34 min. 58 sec. to the left from the last described course,
10 49.15 feet to the northwest corner of a tract described in Reception No. 66644 of the Denver
11 County records and Point "B";
12 thence on a deflection angle of 06 deg. 10 min. 24 sec. to the left from the last described course,
13 31.31 feet;
14 thence on a deflection angle of 02 deg. 28 min. 21 sec. to the left from the last described course
15 89.30 feet to the POINT OF BEGINNING,

16 **Parcel 177 – Vesting Deed**

17 That parcel of land described in General Warranty Deed recorded September 4, 2003, at
18 Reception No. 2003185769 in the records of the Clerk and Recorder, City and County of Denver,
19 State of Colorado, described therein as follows:

20 Lots 1 through 5, inclusive,

21 Block 1,

22 First Addition to Lincoln Subdivision,

23 City and County of Denver,

24 State of Colorado

25 **Section 2.** That the Council finds and determines that property interests in these properties

1 are needed and required for the following public uses and public purposes: roads, sidewalks,
2 drainage, water quality facilities, enhancements to the streetscape, on-street and off-street parking,
3 curbs, gutters, medians, access points, traffic signals, and other appurtenant improvements to the
4 roadways and construction thereof.

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

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

25 **Section 5.** That the Council finds and determines that the Denver Department of Public Works
26 and federal and state agencies may find the need to alter the legal descriptions of the properties
27 referred to in this Ordinance and may continue to do so in order to meet the needs of the Project.
28 Council authorizes the Mayor, including his duly authorized representatives, in accordance with
29 applicable federal, state, and City laws and rules and regulations adopted pursuant thereto, to
30 acquire the property as the legal descriptions are altered in accordance with the means authorized
31 in this Ordinance.

32 **Section 6.** That the Council hereby finds and determines that to improve the safety and
33 operation of pedestrians, bicycles and vehicles in the vicinity of the Project, it may be necessary to

1 rebuild, modify, remove, and relocate existing access points to streets located in the vicinity of the
2 Project.

3 **Section 7.** That the City Council hereby finds and determines that the Project is necessary
4 for the health, safety, and welfare of the public.

5 COMMITTEE APPROVAL DATE: April 9, 2019 by Consent

6 MAYOR-COUNCIL DATE: April 16, 2019

7 PASSED BY THE COUNCIL: April 29, 2019

8 [Signature] - PRESIDENT

9 APPROVED: [Signature] - MAYOR May 1, 2019

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

13 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

14 PREPARED BY: Jo Ann Weinstein, Assistant City Attorney DATE: April 18, 2019

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

19
20 Kristin M. Bronson, Denver City Attorney

21 BY: Kristin J. Crawford, Assistant City Attorney DATE: Apr 18, 2019
22
23