

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2014

COUNCIL BILL NO. CB13-0908
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 Bear Creek Park.

Whereas, the following real property, known as Bear Creek Park, 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”):

2 PARCELS OF LAND BEING A PORTION OF A TRACT OF LAND DESCRIBED IN BOOK 1047 AT PAGE 218 AND PORTION OF A TRACT OF LAND DESCRIBED IN BOOK 9740 AT PAGE 323 AND ALL OF A TRACT OF LAND DESCRIBED IN BOOK 7834 AT PAGE 471 AND ALL OF A TRACT OF LAND DESCRIBED IN BOOK 153 AT PAGE 104 OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER OFFICE AND SITUATED IN THE NORTH HALF OF SECTION 6, TOWNSHIP 5 SOUTH, RANGE 68 WEST AND THE SOUTH HALF OF SECTION 31, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN AND LOCATED IN THE CITY AND COUNTY OF DENVER, COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

PARCEL 1

COMMENCING FROM THE NORTHWEST CORNER OF SAID SECTION 6;
THENCE S 32°04'21" E A DISTANCE OF 1105.68 FEET TO THE POINT OF BEGINNING;
THENCE N 02°39'45" E A DISTANCE OF 162.77 FEET;
THENCE N 51°12'25" W A DISTANCE OF 50.80 FEET;
THENCE N 04°46'10" W A DISTANCE OF 96.29 FEET;
THENCE N 14°03'30" W A DISTANCE OF 53.55 FEET;
THENCE N 36°29'58" W A DISTANCE OF 111.16 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT WHOSE RADIUS IS 688.77 FEET THROUGH A CENTRAL ANGLE OF 30°11'31" AND BEING A POINT ALONG THE EASTERLY LINE OF A STATE HIGHWAY RIGHT OF WAY FOR HAMPDEN AVENUE AS SHOWN ON MAP CDOT PROJECT NO. F 016-1(10);
THENCE ALONG SAID CURVE TO THE LEFT AN ARC DISTANCE OF 362.94 FEET, WHOSE CHORD BEARS N 38°41'26" E A CHORD DISTANCE OF 357.27 FEET;
THENCE CONTINUING ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID CDOT RIGHT OF WAY N 26°43'44" E A DISTANCE OF 73.60 FEET;
THENCE N 41°52'44" E A DISTANCE OF 55.70 FEET TO A POINT OF INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE AND THE SOUTHERLY RIGHT OF WAY LINE OF SAID CDOT RIGHT OF WAY FOR HAMPDEN AVENUE AND BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT WHOSE RADIUS IS 5855.00 FEET THROUGH A CENTRAL ANGLE OF 07°10'19";
THENCE ALONG SAID CURVE TO THE LEFT AN ARC DISTANCE OF 732.89 FEET, WHOSE CHORD BEARS N 84°51'54" E A CHORD DISTANCE OF 732.41 FEET;
THENCE CONTINUING ALONG SAID SOUTHERLY CDOT RIGHT OF WAY THE FOLLOWING COURSES:

1 N 81°15'44" E A DISTANCE OF 408.08 TO A POINT OF INTERSECTION OF SAID SOUTHERLY
2 RIGHT OF WAY LINE AND THE NORTH LINE OF SAID SECTION 6;
3 N 08°43'16" W A DISTANCE OF 13.90 FEET;
4 N 81°16'44" E A DISTANCE OF 1428.07 FEET;
5 THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE AND ALONG THE WEST LINE OF
6 DEED RECORDED IN BOOK 1190, PAGE 218 OF THE CITY AND COUNTY OF DENVER CLERK
7 AND RECORDER OFFICE, S 08°43'16" E A DISTANCE OF 225.42 FEET;
8 THENCE ALONG SAID RIGHT OF WAY LINE AND THE SOUTH LINE OF SAID BOOK 1190, PAGE
9 218 N 61°19'42" E A DISTANCE OF 49.04 FEET TO THE NORTHWEST CORNER OF THE
10 WESTBRIDGE SUBDIVISION FILING NO.2;
11 THENCE ALONG THE WESTERLY LINE OF SAID WESTBRIDGE SUBDIVISION FILING NO.2
12 AND WESTBRIDGE SUBDIVISION FILING NO.1 THE FOLLOWING COURSES;
13 S 08°18'49" E A DISTANCE OF 619.86 FEET;
14 S 39°49'02" W A DISTANCE OF 820.85 FEET;
15 S 07°09'23" W A DISTANCE OF 70.00 FEET TO THE NORTH LINE ORDINANCE NO.952
16 RECORDED AT RECEPTION NO. 9700175589 OF THE CITY AND COUNTY OF DENVER CLERK
17 AND RECORDER OFFICE;
18 THENCE ALONG SAID NORTH LINE OF SAID ORDINANCE NO.952, N 89°49'49" W, A DISTANCE
19 OF 356.47 FEET TO THE WEST END OF SAID ORDINANCE NO.952 AND CONTINUING A TOTAL
20 DISTANCE OF 1035.79 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT WHOSE RADIUS
21 IS 800.00 FEET THROUGH A CENTRAL ANGLE OF 34°40'52";
22 THENCE ALONG SAID CURVE TO THE RIGHT AN ARC DISTANCE OF 484.24 FEET, WHOSE
23 CHORD BEARS N 72°29'23" W A CHORD DISTANCE OF 476.88 FEET;
24 THENCE N 55°08'57" W A DISTANCE 40.81 FEET TO THE BEGINNING OF A CURVE TO THE LEFT
25 WHOSE RADIUS IS 300.00 FEET THROUGH A CENTRAL ANGLE OF 24°04'20";
26 THENCE ALONG SAID CURVE TO THE LEFT AN ARC DISTANCE OF 126.04 FEET, WHOSE
27 CHORD BEARS N 67°11'07" W A CHORD DISTANCE OF 125.12 FEET;
28 THENCE N 79°13'17" W A DISTANCE OF 615.59 FEET TO THE BEGINNING OF A CURVE TO THE
29 LEFT WHOSE RADIUS IS 300.00 FEET THROUGH A CENTRAL ANGLE OF 20°05'25";
30 THENCE ALONG SAID CURVE TO THE LEFT AN ARC DISTANCE OF 105.19 FEET, WHOSE
31 CHORD BEARS N 89°16'00" W A CHORD DISTANCE OF 104.65 FEET TO THE POINT OF
32 BEGINNING AND CONTAINING 3,278,648 SQUARE FEET OR 75.27 ACRES MORE OR LESS.
33

34 **AND ALSO:**

35 PARCEL 2

36 COMMENCING FROM THE NORTHWEST CORNER OF SAID SECTION 6;
37 THENCE S 04°05'35" E A DISTANCE OF 1326.74 FEET TO A POINT AT THE INTERSECTION OF
38 THE EAST RIGHT OF WAY LINE OF SHERIDAN BOULEVARD AND THE SOUTH LINE OF THE
39 NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 6;
40 THENCE ALONG SAID SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF
41 SECTION 6, S 89°49'49" E A DISTANCE OF 786.05 FEET TO THE POINT OF BEGINNING;
42 THENCE N 00°19'18" E A DISTANCE OF 54.10 FEET TO THE SOUTHEAST CORNER OF THE FORT
43 LOGAN CEMETERY AS RESERVED AND DESCRIBED IN SAID BOOK 1047 AT PAGE 218 OF THE
44 CITY AND COUNTY OF DENVER CLERK AND RECORDER OFFICE;
45 THENCE ALONG THE EAST LINE OF SAID RESERVED FORT LOGAN CEMETERY, N 00°19'18" E
46 A DISTANCE OF 234.26 TO THE NORTHEAST CORNER OF SAID RESERVED FORT LOGAN
47 CEMETERY;
48 THENCE N 00°19'18" E A DISTANCE OF 1.71 FEET;

1 THENCE S 79°13'17" E A DISTANCE OF 410.12 FEET TO THE BEGINNING OF A CURVE TO THE
2 RIGHT WHOSE RADIUS IS 240.00 FEET THROUGH A CENTRAL ANGLE OF 24°04'20";
3 THENCE ALONG SAID CURVE TO THE RIGHT AN ARC DISTANCE OF 100.83 FEET, WHOSE
4 CHORD BEARS S 67°11'07" E A CHORD DISTANCE OF 100.09 FEET;
5 THENCE S 55°08'57" E A DISTANCE OF 40.81 FEET TO THE BEGINNING OF A CURVE TO THE
6 LEFT WHOSE RADIUS IS 860.00 FEET THROUGH A CENTRAL ANGLE OF 34°40'52";
7 THENCE ALONG SAID CURVE TO THE LEFT AN ARC DISTANCE OF 520.56 FEET, WHOSE
8 CHORD BEARS S 72°29'23" E A CHORD DISTANCE OF 512.65 FEET TO THE POINT OF
9 INTERSECTION OF THE SAID SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST
10 QUARTER OF SECTION 6;
11 THENCE ALONG SAID SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF
12 SECTION 6, N 89°49'49" W A DISTANCE OF 1019.16 FEET TO THE POINT OF BEGINNING AND
13 CONTAINING 149,698 SQUARE FEET OR 3.44 ACRES MORE OR LESS.

14
15 **Whereas**, the Parks and Recreation Advisory Board and the Manager of Parks and Recreation
16 have recommended that said Park Property be formally designated as a "park" under section 2.4.5
17 of the City Charter.

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

19 **Section 1.** That the Park Property, known as Bear Creek Park, is hereby designated as a "park"
20 under section 2.4.5 of the City Charter and shall henceforth be regarded as being a designated
21 park in the City and County of Denver, such designation being subject to 1) the drainage of Bear
22 Creek, 2) the right of way for West Kenyon Avenue, 3) the right of way for South Raleigh Street, 4)
23 the terms and conditions contained in the Instrument of Transfer from the United States of America
24 recorded January 15, 1959, at reception number 633814 in Book 1047 at Page 218 (except that all
25 terms and conditions to be in effect for twenty years from the date of conveyance of the Instrument
26 of Transfer have expired and are no longer in effect), and 5) any existing utilities lawfully located in
27 the Park Property as of the date of this park designation.

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1 COMMITTEE APPROVAL DATE: December 10, 2013
2 MAYOR-COUNCIL DATE: December 17, 2013
3 PASSED BY THE COUNCIL: _____, 2014

4 _____ - PRESIDENT

5 APPROVED: _____ - MAYOR _____, 2014

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

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2014; _____, 2014

10 PREPARED BY: Patrick A. Wheeler - Assistant City Attorney – DATE: January 2, 2014

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 D. Scott Martinez, Denver City Attorney

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

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