



**Department of Public Works**  
Engineering Regulatory & Analytics  
201 W. Colfax Avenue, Dept. 507  
Denver, CO 80202  
720-865-3001  
www.denvergov.org/survey

**REQUEST FOR ORDINANCE TO RELINQUISH EASEMENT**

**TO:** Caroline Martin, City Attorney's Office

**FROM:** Robert J. Duncanson, P.E.  
Manager 2, Development Engineering Services

**PROJECT NO:** 2016-RELINQ-0000015

**DATE:** October 28, 2016

**SUBJECT:** Request for an Ordinance to relinquish a portion of the easement established in the Vacating Ordinance No. 300, Series of 2006. Located at West Howard Pl. and Federal Blvd.

**\*\*\*NOTE: the requestor would like to review the drafted ordinance before it is presented in front of City Council.**

**It is requested that the above subject item be placed on the next available Mayor Council Agenda.**

This office has investigated the request of Alex Katich, dated June 30, 2016 on behalf of Metropolitan Football Stadium District for the relinquishment of said easements.

This matter has been checked by this office and has been coordinated with Asset Management; Comcast; the City Councilperson; CPD: Planning Services; Historic Preservation/Landmark; Denver Water; Denver Fire Department; City Forestry; Parks and Recreation; Engineering, Regulatory, and Analytics Transportation and Wastewater; Public Works: Construction Engineering; Public Works – Policy and Planning; Metro Wastewater Reclamation District; Survey; CenturyLink; and Xcel Energy, all of whom have returned our questionnaires indicating their agreement.

As a result of the investigations, it has been determined that there is no objection to relinquishing the subject easement.

Therefore, you are requested to initiate Council action to relinquish the easements in the following described area(s):

**INSERT PARCEL DESCRIPTION 2016-RELINQ-0000015-001 HERE**  
**INSERT PARCEL DESCRIPTION 2016-RELINQ-0000015-002 HERE**

A map of the area and a copy of the document creating the easement are attached.

RJD:cs

cc:

- City Councilperson & Aides
- City Council Staff – Shelley Smith
- Department of Law – Brent Eisen
- Department of Law – Shaun Sullivan
- Public Works, Manager's Office – Alba Castro
- Public Works, Legislative Services – Angela Casias
- Public Works, Survey – Paul Rogalla

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to Angela Casias  
at [angela.casias@DenverGov.org](mailto:angela.casias@DenverGov.org) by 12:00 pm on Monday.

*\*All fields must be completed.\*  
Incomplete request forms will be returned to sender which may cause a delay in processing.*

Date of Request: October 31, 2016

Please mark one:  Bill Request or  Resolution Request

1. Has your agency submitted this request in the last 12 months?

Yes  No

If yes, please explain:

2. **Title:** (Include a concise, one sentence description – please include name of company or contractor and contract control number - that clearly indicates the type of request: **grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.**)

Request for an Ordinance to relinquish a portion of the easement established in the Vacating Ordinance No. 300, Series of 2006. Located at West Howard Pl. and Federal Blvd.

3. **Requesting Agency:** Public Works – Right of Way Services – Engineering, Regulatory, and Analytics

4. **Contact Person:** (With actual knowledge of proposed ordinance/resolution.)

- **Name:** Chaunda Sinn
- **Phone:** 720-865-3036
- **Email:** chaunda.sinn@denvergov.org

5. **Contact Person:** (With actual knowledge of proposed ordinance/resolution who will present the item at Mayor-Council and who will be available for first and second reading, if necessary.)

- **Name:** Angela Casias
- **Phone:** 720-913-8529
- **Email:** Angela.Casias@denvergov.org

6. **General description/background of proposed ordinance including contract scope of work if applicable:**

None.

**\*\*Please complete the following fields:** (Incomplete fields may result in a delay in processing. If a field is not applicable, please enter N/A for that field – please do not leave blank.)

- a. **Contract Control Number:** N/A
- b. **Contract Term:** N/A
- c. **Location:** West Howard Pl. and Decatur St.
- d. **Affected Council District:** District 3, Councilman Lopez
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):** N/A

7. **Is there any controversy surrounding this ordinance?** (Groups or individuals who may have concerns about it?)

Please explain.

None.

---

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_

## EASEMENT RELINQUISHMENT EXECUTIVE SUMMARY

**Project Title:** 2016-RELINQ-0000015 W Howard Pl and Federal Blvd

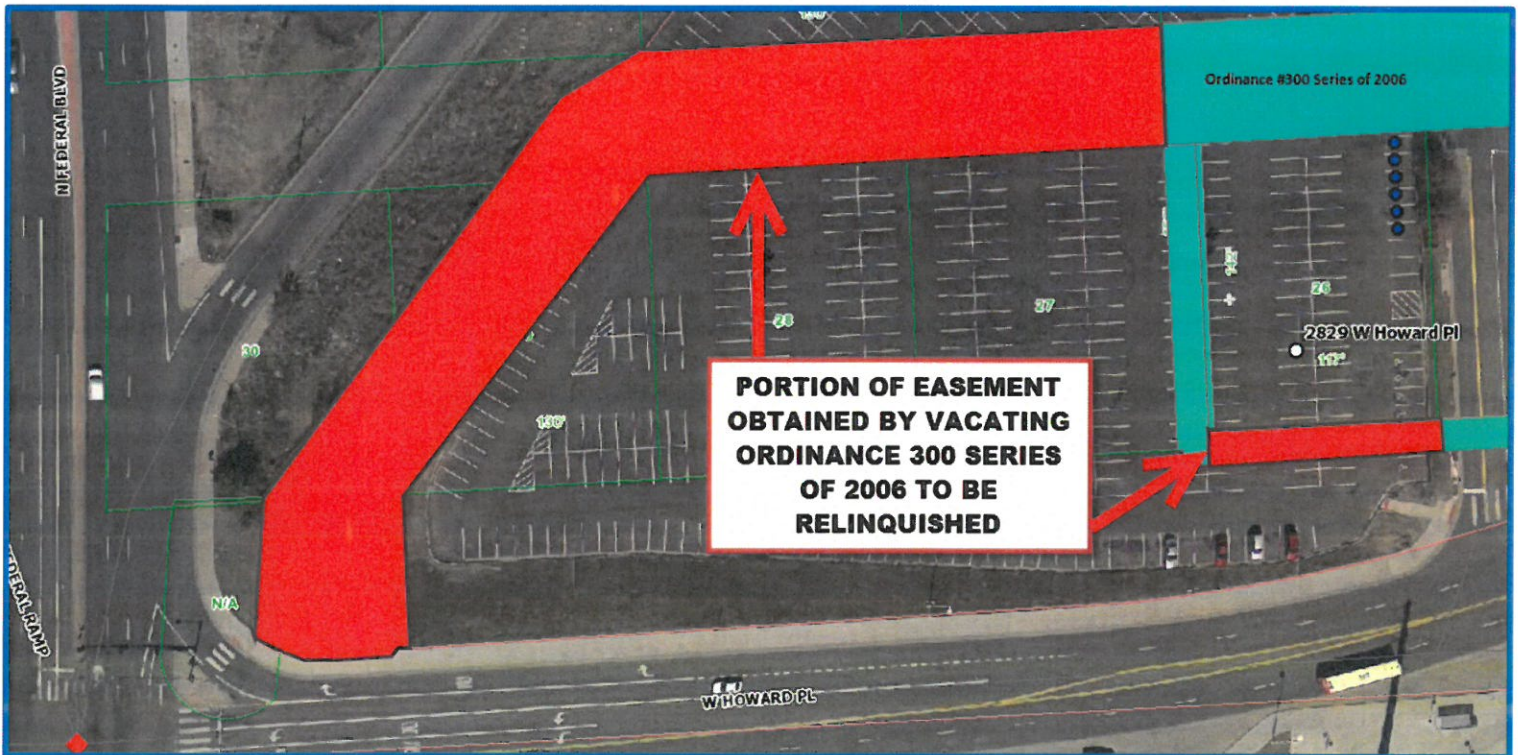
**Owner name:** Metropolitan Football Stadium District

**Description of Proposed Project:** Request for an Ordinance to relinquish a portion of the easement established in the Vacating Ordinance No. 300, Series of 2006. Located at West Howard Pl. and Federal Blvd.

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project:** For the development of an office building, parking garage, and surface parking.

**Background:** The new developments in the area are going to be constructed over a portion of the current easement. A portion of the facilities that were utilizing this easement are currently being relocated, and those portions of the easement are no longer necessary

### Location Map:



DESCRIPTION:

A PORTION OF THOSE PARCELS VACATED IN CITY OF DENVER ORDINANCE NO. 300, SERIES OF 2006, SITUATED IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 5 AND CONSIDERING THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5 TO BEAR NORTH 89°54'14" EAST, AS MONUMENTED BY SAID NORTH QUARTER CORNER OF SAID SECTION 5, BEING A 3-1/4" ALUMINUM CAP STAMPED "PLS 11434", AND BY THE NORTHEAST CORNER OF SAID SECTION 5, BEING A 3-1/4" ALUMINUM CAP STAMPED "LS 13155", WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE SOUTH 24°22'12" EAST A DISTANCE OF 600.61 FEET TO A POINT ON THE WEST LINE OF THAT PORTION OF ELIOT STREET VACATED IN SAID ORDINANCE, SAID POINT BEING THE POINT OF BEGINNING;

THENCE NORTH 86°17'32" EAST A DISTANCE OF 318.04 FEET;

THENCE SOUTH 03°42'28" EAST A DISTANCE OF 20.13 TO THE NORTHEAST CORNER OF LOT 27, JACOB'S ADDITION TO HIGHLANDS;

THENCE ALONG THE NORTH LINES OF SAID LOT 27 AND LOT 28, JACOB'S ADDITION TO HIGHLANDS SOUTH 86°25'37" WEST A DISTANCE OF 260.05 FEET TO THE NORTHWEST CORNER OF SAID LOT 28;

THENCE ALONG THE EAST RIGHT OF WAY LINE OF THAT PORTION OF ELIOT STREET VACATED IN SAID ORDINANCE NO. 300 SOUTH 37°21'00" WEST A DISTANCE OF 198.49 FEET TO THE SOUTHWEST CORNER OF LOT 29, JACOB'S ADDITION TO HIGHLANDS;

THENCE CONTINUING ALONG THE EAST RIGHT OF WAY LINE OF THAT PORTION OF ELIOT STREET VACATED IN SAID ORDINANCE NO. 300 SOUTH 03°33'52" EAST A DISTANCE OF 75.13 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF WEST HOWARD PLACE;

THENCE ALONG SAID NORTH RIGHT OF WAY LINE OF WEST HOWARD PLACE THE FOLLOWING 4 COURSES AND DISTANCES:

- 1) SOUTH 86°00'27" WEST A DISTANCE OF 8.20 FEET;
- 2) SOUTH 41°00'27" WEST A DISTANCE OF 4.24 FEET;
- 3) SOUTH 86°00'27" WEST A DISTANCE OF 30.49 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT;
- 4) 38.59 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 55.00 FEET, A CENTRAL ANGLE OF 40°12'03", AND A CHORD WHICH BEARS NORTH 73°53'31" WEST, 37.80 FEET;

THENCE ALONG THE WEST LINE OF SAID PORTION OF ELIOT STREET VACATED IN SAID ORDINANCE NO. 300 NORTH 05°27'51" EAST A DISTANCE OF 67.34 FEET;

THENCE CONTINUING ALONG THE WEST LINE OF SAID PORTION OF ELIOT STREET VACATED IN SAID ORDINANCE NO. 300 NORTH 35°52'21" EAST A DISTANCE OF 218.27 FEET TO THE POINT OF BEGINNING;

CONTAINING 22,576 SQUARE FEET (0.518 ACRES), MORE OR LESS.

DESCRIPTION PREPARED BY:



KEVIN KUCHARCZYK PLS 34591  
FOR AND ON BEHALF OF BOWMAN CONSULTING  
603 PARK POINT DRIVE, SUITE 100  
GOLDEN, COLORADO 80401

**Bowman**  
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**EXHIBIT**  
A portion of  
the Northeast quarter of Section 5  
T4S, R68W  
Denver, Colorado  
October 13, 2016  
Sheet 1 of 2



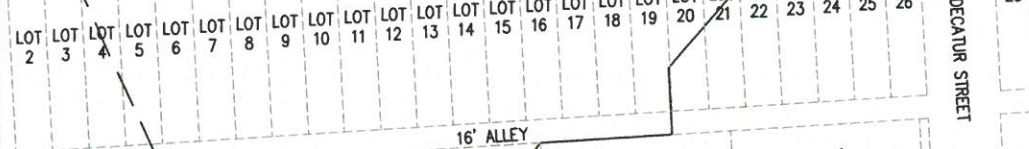
NORTH LINE NE/4 SECTION 5  
N89°54'14"E 2638.11'  
(BASIS OF BEARINGS)

POINT OF COMMENCEMENT

S24°22'12"E 600.61'  
(SURVEY TIE)

W. COLFAX AVENUE

ERNEST W. LOWREY'S SUBDIVISION OF LOTS 5, 6, 7, 8, 9, 10  
JACOB'S ADDITION TO HIGHLANDS



16' ALLEY

JACOB'S ADDITION TO HIGHLANDS LOT 11

JACOB'S ADDITION TO HIGHLANDS LOT 12

JACOB'S ADDITION TO HIGHLANDS LOT 13

JACOB'S ADDITION TO HIGHLANDS LOT 14

JACOB'S ADDITION TO HIGHLANDS LOT 15

W. 14TH AVE.  
(VACATED REC. #2006077095)

POINT OF BEGINNING

N86°17'32"E 318.04'

S03°42'28"E 20.13'

JACOB'S ADDITION TO HIGHLANDS LOT 30

DECREE TO STATE DEPT. OF HWYS.  
DEEDS - 6723

N35°32'21"E 218.27'  
ELIOT STREET  
(VACATED REC. #2006077095)

S86°25'37"W 260.05'

16' ALLEY VACATED  
REC. #2006077095

JACOB'S ADDITION TO HIGHLANDS LOT 28

JACOB'S ADDITION TO HIGHLANDS LOT 27

JACOB'S ADDITION TO HIGHLANDS LOT 26

FEDERAL BOULEVARD

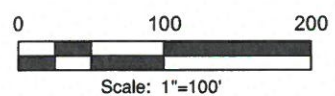
N05°27'51"E 67.34'  
ARC: 38.59'  
RADIUS: 55.00'  
ANGLE: 40°12'03"  
CHORD: N73°53'31"W 37.80'

S03°33'52"E 75.13'

JACOB'S ADDITION TO HIGHLANDS LOT 29

W. HOWARD PLACE

S86°00'27"W 30.49'  
S41°00'27"W 4.24'  
S86°00'27"W 8.20'



Scale: 1"=100'

**Bowman CONSULTING**  
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 Suite 100 Fax: (303) 674-3263  
 Golden, CO 80401 www.bowmanconsulting.com  
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**EXHIBIT**  
A portion of  
the Northeast quarter of Section 5  
T4S, R68W  
Denver, Colorado  
October 13, 2016  
Sheet 2 of 2

DESCRIPTION:

2016-RELINQ-0000015-002

A PORTION OF THOSE PARCELS VACATED IN CITY OF DENVER ORDINANCE NO. 300, SERIES OF 2006, SITUATED IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 5 AND CONSIDERING THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5 TO BEAR NORTH 89°54'14" EAST, AS MONUMENTED BY SAID NORTH QUARTER CORNER OF SAID SECTION 5, BEING A 3-1/4" ALUMINUM CAP STAMPED "PLS 11434", AND BY THE NORTHEAST CORNER OF SAID SECTION 5, BEING A 3-1/4" ALUMINUM CAP STAMPED "LS 13155", WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE SOUTH 40°39'51" EAST A DISTANCE OF 906.18 FEET TO THE SOUTHWEST CORNER OF LOT 26, JACOB'S ADDITION TO HIGHLANDS, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG THE SOUTH LINES OF LOTS 26 AND 25, JACOB'S ADDITION TO HIGHLANDS, NORTH 86°25'44" EAST A DISTANCE OF 117.42 FEET;

THENCE LEAVING SAID SOUTH LINE OF SAID LOT 25 SOUTH 03°14'18" EAST A DISTANCE OF 8.85 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT;

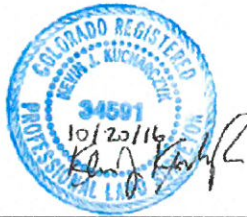
THENCE 7.17 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 60.00 FEET, A CENTRAL ANGLE OF 6°50'36", AND A CHORD WHICH BEARS SOUTH 00°11'00" WEST, A CHORD LENGTH OF 7.16 FEET TO A POINT ON THE SOUTH LINE OF A 16 FOOT WIDE ALLEY VACATED BY ORDINANCE RECORDED AT RECEPTION NO. 2006077095, DENVER COUNTY RECORDS;

THENCE ALONG SAID SOUTH LINE OF SAID ALLEY SOUTH 86°25'44" WEST A DISTANCE OF 116.99 FEET;

THENCE LEAVING SAID SOUTH LINE OF SAID ALLEY NORTH 03°14'16" WEST A DISTANCE OF 16.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,878 SQUARE FEET (0.043 ACRES), MORE OR LESS.

DESCRIPTION PREPARED BY:



KEVIN KUCHARCZYK PLS 34591  
FOR AND ON BEHALF OF BOWMAN CONSULTING  
603 PARK POINT DRIVE, SUITE 100  
GOLDEN, COLORADO 80401

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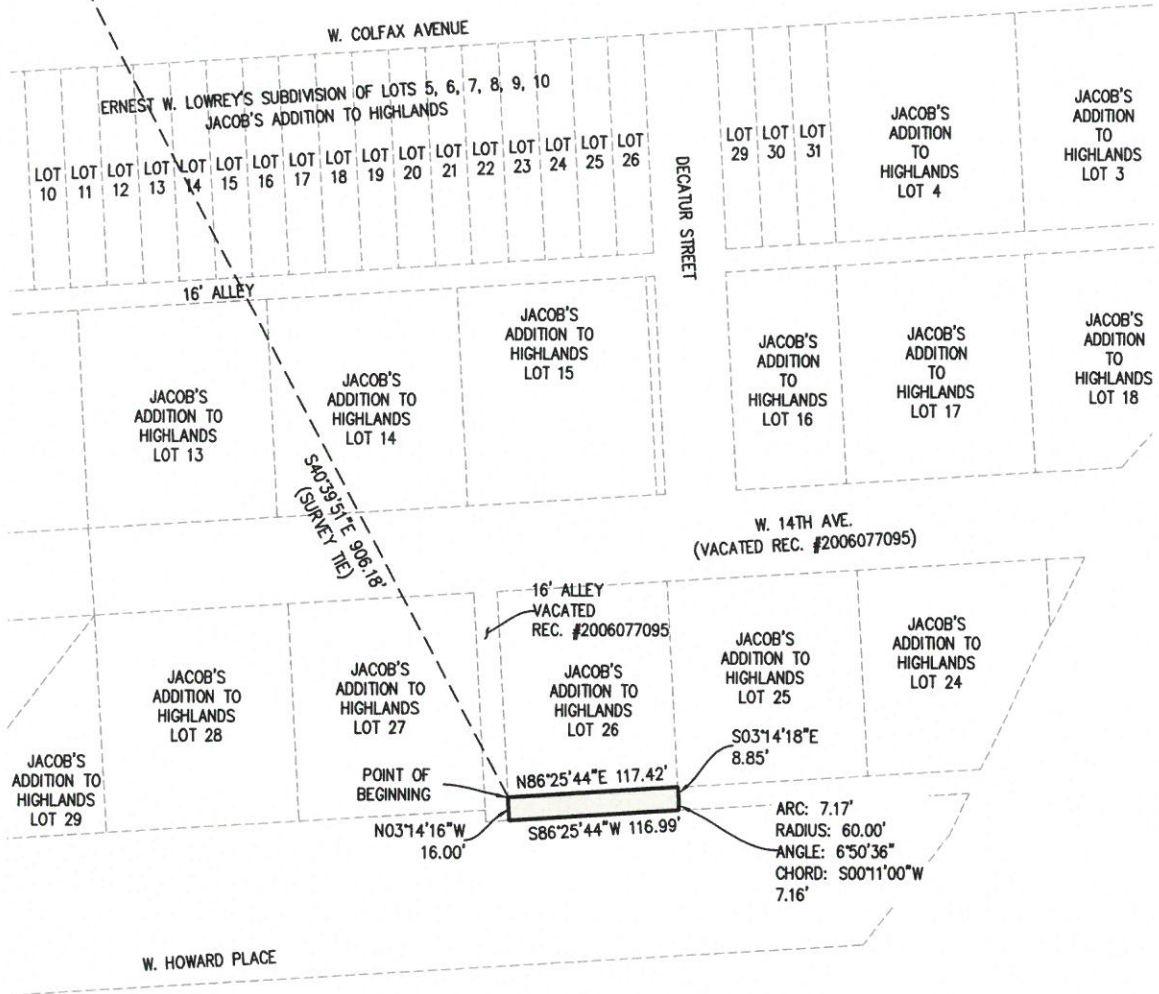
EXHIBIT

A portion of  
the Northeast quarter of Section 5  
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Denver, Colorado  
October 13, 2016  
Sheet 1 of 2



NORTH LINE NE/4 SECTION 5  
N89°54'14"E 2638.11'  
(BASIS OF BEARINGS)

POINT OF COMMENCEMENT



S40°39'51"E 906.18'  
(SURVEY TIE)

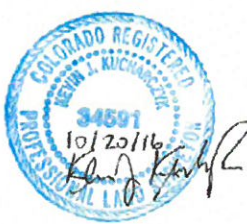
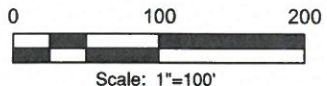
W. 14TH AVE.  
(VACATED REC. #2006077095)

16' ALLEY  
VACATED  
REC. #2006077095

S03°14'18"E 8.85'  
ARC: 7.17'  
RADIUS: 60.00'  
ANGLE: 6°50'36"  
CHORD: S00°11'00"W 7.16'

POINT OF BEGINNING  
N03°14'16"W 16.00'  
N86°25'44"E 117.42'  
S86°25'44"W 116.99'

W. HOWARD PLACE



### EXHIBIT

A portion of  
the Northeast quarter of Section 5  
T4S, R68W  
Denver, Colorado  
October 13, 2016  
Sheet 2 of 2

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**EXHIBIT D**  
**COPY OF EASEMENT (ORDINANCE NO. 300, SERIES 2006)**

**BY AUTHORITY**

ORDINANCE NO. **300**  
SERIES OF 2006

COUNCIL BILL NO. **282**  
COMMITTEE OF REFERENCE:  
Public Works

**A BILL**

**For an ordinance vacating portions of Decatur Street, West 14<sup>th</sup> Avenue, Eliot Street and the alleys south of West 14<sup>th</sup> Avenue between Morrison Road and approximately Eliot Street subject to certain reservations; and a portion of West 16<sup>th</sup> Avenue and a portion of the alley north of West 14<sup>th</sup> Avenue and west of Decatur without reservations, all in the vicinity of Invesco Field at Mile High.**

**WHEREAS**, the Manager of Public Works of the City and County of Denver has found and determined that the public use, convenience and necessity no longer require portions of certain streets and alleys in the system of thoroughfares of the municipality hereinafter described and, subject to approval by ordinance, has vacated some of such streets and alleys with the reservations hereinafter set forth; and has vacated a street and an alley without reservations;

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

**Section 1.** That the action of the Manager of Public Works in vacating the following described areas in the City and County of Denver and State of Colorado, with reservations, to wit:

**Decatur Street**  
**Parcel 13**

THAT PART OF THE FOLLOWING DEDICATED STREET KNOWN AS DECATUR STREET, SITUATED WITHIN THE NE1/4 OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., SAID PARCELS FURTHER DESCRIBED AS FOLLOWS:

THAT PART OF DECATUR STREET SITUATED IN JACOB'S ADDITION TO HIGHLAND LYING SOUTHERLY OF WEST COLFAX AVENUE AS ORIGINALLY PLATTED AS GOLDEN AVENUE IN THE SUBDIVISION OF PLATTE PARK, AS RECORDED IN PLAT BOOK 3, AT PAGE 8, CITY AND COUNTY OF DENVER RECORDS, AND NORTHERLY OF HOWARD AVENUE AS ORIGINALLY PLATTED IN JACOB'S ADDITION TO HIGHLAND AND CURRENTLY KNOWN AS WEST 14TH AVENUE, SAID DECATUR STREET BEING COMPRISED OF THE FOLLOWING THREE (3) PARCELS:

- 1) ALL OF LOTS 27 AND 28 ERNEST W. LOWREY'S SUBDIVISION OF LOTS 5,6,7,8,9, 10 JACOB'S ADDITION TO HIGHLAND, AND
- 2) THE EASTERLY 49.0 FEET OF THE WESTERLY 55.0 FEET OF LOT 16, JACOB'S ADDITION TO HIGHLAND.
- 3) TOGETHER WITH THAT PART OF THE ALLEY AS ORIGINALLY PLATTED IN JACOB'S ADDITION TO HIGHLAND SITUATED BETWEEN SAID LOTS 27 AND 28 SAID ERNEST W. LOWREY'S SUBDIVISION OF LOTS 5,6,7,8,9,10 JACOB'S ADDITION TO HIGHLAND AND THE EASTERLY 49.0 FEET OF THE WESTERLY 55.0 FEET OF LOT 16, JACOB'S ADDITION TO HIGHLAND.

and

**West 14<sup>th</sup> Avenue**  
**Parcel 15**

THAT PART OF THE FOLLOWING DEDICATED STREET SITUATED WITHIN THE NE1/4 OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., SAID PARCEL FURTHER DESCRIBED AS FOLLOWS





1 THAT PART OF HOWARD STREET AS ORIGINALLY PLATTED IN JACOB'S ADDITION TO HIGHLAND, AND CURRENTLY  
2 KNOWN AS WEST 14TH AVENUE LYING EASTERLY OF AND ADJACENT TO ELIOT STREET AS ESTABLISHED BY  
3 ORDINANCE NO. 376 SERIES 1966, AND WESTERLY OF THE WESTERLY LINE OF MORRISON ROAD SAID WESTERLY  
4 LINE BEING DEFINED BY A LINE EXTENDED FROM THE MOST EASTERLY CORNER OF THE SOUTH LINE OF LOT 18,  
5 TO THE MOST EASTERLY CORNER ON THE NORTH LINE OF LOT 23, ALL IN SAID JACOB'S ADDITION TO HIGHLAND  
6 AS SHOWN ON THE MAP OF OFFICIAL CITY SURVEY RECORDED IN PLAT BOOK 25 AT PAGE 6, CITY AND COUNTY  
7 OF DENVER SURVEY RECORDS.  
8

9 and

10 Alleys south of West 14<sup>th</sup> Avenue  
11 between Morrison Road and approximately Eliot Street  
12 Parcel 16

13  
14 THAT PART OF THE FOLLOWING DEDICATED ALLEYS SITUATED WITHIN THE NE1/4 OF SECTION 5, TOWNSHIP 4  
15 SOUTH, RANGE 68 WEST OF THE 6TH P.M., SAID PARCELS FURTHER DESCRIBED AS FOLLOWS:  
16

17 THAT PART OF THE NORTH / SOUTH ALLEY SITUATED OVER THE EASTERLY 3.0 FEET OF LOT 27, JACOB'S ADDITION TO  
18 HIGHLAND AS ESTABLISHED IN ORDINANCE 93 SERIES 1916 AND THE WESTERLY 13.0 FEET OF LOT 26, JACOB'S  
19 ADDITION TO HIGHLAND AS SHOWN ON THE MAP OF OFFICIAL CITY SURVEY, RECORDED IN PLAT BOOK 25 AT PAGE 6,  
20 CITY AND COUNTY OF DENVER SURVEY RECORDS;  
21

22 AND THE EASTWEST ALLEY LYING 8.0 FEET EITHER SIDE OF THE SOUTHERLY LINE OF LOTS 24 THROUGH 26,  
23 JACOB'S ADDITION TO HIGHLAND, THE EASTERLY LINE OF SAID ALLEY BEING ALSO THE WESTERLY RIGHT-OF-WAY  
24 LINE OF MORRISON ROAD, SAID WESTERLY LINE BEING THE SOUTHWESTERLY EXTENSION OF THE EASTERLY LINE  
25 OF LOT 24, SAID JACOB'S ADDITION TO HIGHLAND, TO THE INTERSECTION OF THE SOUTHERLY LINE OF SAID  
26 EASTWEST ALLEY AS SHOWN ON THE MAP OF OFFICIAL CITY SURVEY, RECORDED IN PLAT BOOK 25 AT PAGE 6,  
27 CITY AND COUNTY OF DENVER SURVEY RECORDS.  
28

29 and

30 Eliot Street  
31 Parcel 25

32  
33 THAT PART OF ELIOT STREET AS ESTABLISHED BY ORDINANCE NO. 376 OF SERIES 1966, SITUATED WITHIN THE  
34 NE1/4 OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS:.  
35

36 NOTE: FOR THE PURPOSE OF THIS DESCRIPTION, THE BEARINGS ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST  
37 ONE-QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SAID LINE  
38 BEING ALSO THE NORTH LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 68 WEST  
39 OF THE SIXTH PRINCIPAL MERIDIAN, BEARING N89°54'23"E A DISTANCE OF 2637.85 FEET BETWEEN A FOUND 3-1/4" CDOH  
40 ALUMINUM CAP IN A MONUMENT BOX AT THE SOUTH 1/4 CORNER OF SAID SECTION 32 STAMPED "PLS 11434" AND A  
41 FOUND 3-1/4" ALUMINUM CAP IN ASPHALT AT THE SOUTHEAST CORNER OF SAID SECTION 32 STAMPED "MERRICK &  
42 COMPANY, LS (UNREADABLE)."  
43

44 BEGINNING AT THE NORTHEAST CORNER OF LOT 29, JACOB'S ADDITION TO HIGHLAND, FROM WHENCE THE  
45 NORTHWEST CORNER OF SAID NORTHEAST ONE-QUARTER BEARS N28°36'17"W, A DISTANCE OF 641.10 FEET;  
46

47 THENCE S37°21'09"W, A DISTANCE OF 198.49 FEET TO THE SOUTHWEST CORNER OF SAID LOT 29, SAID POINT  
48 BEING ALSO THE SOUTHERLY LINE OF SAID JACOB'S ADDITION TO HIGHLAND;  
49

50 THENCE S03°33'43"E, A DISTANCE OF 75.13 FEET TO THE PROPOSED NORTHERLY RIGHT-OF-WAY LINE OF WEST  
51 HOWARD PLACE;  
52

53 THENCE ALONG SAID PROPOSED NORTHERLY RIGHT-OF-WAY LINE OF WEST HOWARD PLACE THE FOLLOWING  
54 FOUR (4) COURSES:  
55

- 56 1. THENCE S86°00'36"W, A DISTANCE OF 8.19 FEET;
- 57 2. THENCE S41°00'36"W, A DISTANCE OF 4.24 FEET;
- 58 3. THENCE S86°00'36"W, A DISTANCE OF 30.49 FEET TO A POINT OF CURVE;
- 59 4. THENCE ALONG SAID CURVE TO THE RIGHT AN ARC DISTANCE OF 38.59 FEET, HAVING A CENTRAL ANGLE  
60 OF 40°12'08", A RADIUS OF 55.00 FEET, A CHORD BEARING OF N73°53'20"W AND A CHORD DISTANCE OF  
61 37.80 FEET TO A POINT OF NON-TANGENCY,  
62

63 THENCE N05°28'00"E, DEPARTING SAID PROPOSED RIGHT-OF-WAY LINE, A DISTANCE OF 67.34 FEET;

1  
2 THENCE N35°52'30"E, A DISTANCE OF 245.30 FEET;  
3  
4 THENCE N60°09'59"E, A DISTANCE OF 44.63 FEET TO THE SOUTHWEST CORNER OF LOT 13, SAID JACOB'S  
5 ADDITION TO HIGHLAND, SAID POINT BEING ALSO ON THE NORTHERLY RIGHT-OF-WAY LINE OF WEST 14TH  
6 AVENUE;  
7  
8 THENCE S04°22'21"E, A DISTANCE OF 60.01 FEET TO THE POINT OF BEGINNING.  
9  
10 SAID PARCEL CONTAINS 18,786 SQUARE FEET, OR 0.4313 ACRE, MORE OR LESS.  
11

12 be and the same is hereby approved and the described areas are hereby vacated and declared  
13 vacated; PROVIDED, HOWEVER, said vacation shall be subject to the following reservations:

14 A hard surface easement is hereby reserved by the City and County of Denver over, under,  
15 across, and through the vacated area for the purposes of operating, maintaining, repairing  
16 and replacing existing public or private utilities including any storm drainage and sanitary  
17 sewer facilities. The City reserves the right to authorize the use of the reserved easement  
18 by all existing utilities. No trees, fences, retaining walls, landscaping or structures shall be  
19 approved over, upon or under the vacated area. Any such obstruction shall be removed at  
20 the owner's expense. The owner shall not re-grade or alter the ground cover in the  
21 easement area without permission from the City and County of Denver. The property owner  
22 shall be liable for all damages to such existing utilities, including their repair and  
23 replacement, at owner's sole expense. The City and County of Denver shall not be liable  
24 for any damage to owner's property due to use of this reserved easement.

25 **Section 2.** That the action of the Manager of Public Works in vacating the following  
26 described areas in the City and County of Denver and State of Colorado, without reservations to  
27 wit:

28 West 16<sup>th</sup> Avenue  
29 Parcel 9

30  
31 THAT PART OF THE FOLLOWING DEDICATED STREET SITUATED WITHIN THE SE1/4 OF SECTION 32, TOWNSHIP 3  
32 SOUTH, RANGE 68 WEST OF THE 6TH P.M., SAID PARCEL FURTHER DESCRIBED AS FOLLOWS:  
33

34 THAT PART OF WEST 16TH AVENUE AS ORIGINALLY PLATTED AS CENTRE AVENUE IN THE SUBDIVISION OF  
35 PLATTE PARK, AS RECORDED IN PLAT BOOK 3, AT PAGE 8, CITY AND COUNTY OF DENVER RECORDS, LYING  
36 EASTERLY OF THE NORTHERLY EXTENSION OF THE LINE COMMON TO THE EASTERLY LINE OF THE ALLEY IN  
37 BLOCK 17, PLATTE PARK AND THE SOUTHERLY EXTENSION OF THE EASTERLY LINE OF THE ALLEY IN BLOCK 15,  
38 SAID PLATTE PARK, AND WESTERLY OF A LINE 97.5 FEET WESTERLY OF AND PARALLEL WITH THE WESTERLY  
39 RIGHT-OF-WAY LINE OF MILE HIGH STADIUM WEST CIRCLE, BEING ALSO THE WESTERLY LINE OF THAT PART OF  
40 WEST 16TH AVENUE PREVIOUSLY VACATED IN ORDINANCE NO. 3-1978.

41  
42 and

43  
44 Parcel 14  
45 A portion of the alley north of West 14<sup>th</sup> Avenue and west of Decatur Street  
46

47 THAT PART OF THE FOLLOWING DEDICATED ALLEY SITUATED WITHIN THE NE1/4 OF SECTION 5, TOWNSHIP 4

1 SOUTH, RANGE 68 WEST OF THE 6TH P.M., SAID PARCELS FURTHER DESCRIBED AS FOLLOWS:

2  
3 THAT PART OF THE ALLEY AS ORIGINALLY PLATTED IN JACOBS ADDITION TO HIGHLAND SITUATED EASTERLY OF  
4 THE WESTERLY LINE OF LOT 20, ERNEST W. LOWREY'S SUBDIVISION OF LOTS 5,6,7,8,9, 10 JACOBS ADDITION TO  
5 HIGHLAND, EXTENDED SOUTHERLY TO THE SOUTHERLY LINE OF SAID ALLEY, BEING ALSO THE NORTHERLY LINE  
6 OF LOT 14, JACOB'S ADDITION TO HIGHLAND, AND WESTERLY OF THE WESTERLY RIGHT-OF-WAY LINE OF  
7 DECATUR STREET. SAID WESTERLY LINE OF DECATUR STREET BEING THE WESTERLY LINE OF LOT 27, ERNEST  
8 W. LOWREY'S SUBDIVISION OF LOTS 5,6,7,8,9, 10 JACOBS ADDITION TO HIGHLAND EXTENDED SOUTHERLY TO  
9 THE NORTHWESTERLY CORNER OF THE EASTERLY 49.0 FEET OF THE WESTERLY MOST 55.0 FEET OF LOT 16,  
10 JACOB'S ADDITION TO HIGHLAND.

11  
12 be and the same is hereby approved and the described areas are hereby vacated and declared  
13 vacated without reservations.

14 COMMITTEE APPROVAL DATE: N/A

15 MAYOR-COUNCIL DATE: April 25, 2006.

16 PASSED BY THE COUNCIL May 8 2006

17 Ernesto Espinoza - PRESIDENT

18 APPROVED: John W. Meade ACTING MAYOR 5/8 2006

19 ATTEST: [Signature] - CLERK AND RECORDER,  
20 EX-OFFICIO CLERK OF THE  
21 CITY AND COUNTY OF DENVER  
22

23 NOTICE PUBLISHED IN THE DAILY JOURNAL May 5, 2006; May 12, 2006

24 PREPARED BY: KAREN A. AVILES, ASSISTANT CITY ATTORNEY, 4/25/06

25  
26 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
27 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
28 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §  
29 3.2.6 of the Charter.  
30

31 Cole Finegan, City Attorney

32  
33 BY: [Signature] Asst City Attorney

34 DATE: 27 Apr 06

