

BY AUTHORITY

ORDINANCE NO. _____

COUNCIL BILL NO. CB13-0911

SERIES OF 2014

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 East-West Greenway Park.

Whereas, the following real property, known as East-West Greenway 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”):

3 Parcels of land located in Section 33, Township 3 South, Range 67 West of the 6TH Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

Bearings are based on the South line of the Southeast ¼ of the Northwest ¼ of Section 33 being N89°34’18”E.

Parcel 1

Commencing at the Southwest corner of the Southeast ¼ of the Northwest ¼ of said Section 33; Thence N89°34’18”E, along the South line of said Southeast ¼ of the Northwest ¼, a distance of 41.98 feet; Thence N0°15’36”W, a distance of 60.00 feet to the intersection of the North right-of-way line of E. Montview Blvd. and the East right-of-way line of Syracuse St., being the Point of Beginning; Thence continuing N0°15’36”W, along said East right-of-way line of Syracuse St. a distance of 857.49 feet to the Southwest corner of the plat of Stapleton Filing No. 8 in the records of the City and County of Denver; Thence along the Southerly and Easterly boundary of said plat of Stapleton Filing No. 8 the following five (5) courses:

1. Thence N89°44’24”E, a distance of 50.03 feet to a point of curve;
2. Thence along said curve to the left having a radius of 160.50 feet, a central angle of 42°53’40”, and an arc length of 120.16 feet;
3. Thence N46°50’44”E, a distance of 213.48 feet to a point of curve;
4. Thence along said curve to the left having a radius of 160.50 feet, a central angle of 46°50’44”, and an arc length of 131.23 feet;
5. Thence N0°00’00”E, a distance of 42.53 feet;

Thence S90°00’00”E, a distance of 54.47 feet; Thence N0°00’00”E, a distance of 2.00 feet to a point on the Southerly line of Tract A as shown on the plat of Stapleton filing No. 8; Thence S90°00’00”E, along said Southerly line of Tract A, a distance of 198.93 feet to the West line of Tract A as shown on the plat of Stapleton Filing No. 10 in the records of the City and County of Denver; Thence along the West line of said Tract A, of Stapleton Filing No. 10 the following four (4) courses:

1. Thence S0°00’00”W, a distance of 46.43 feet to a point of curve;
2. Thence along said curve to the right having a radius of 270.00 feet, a central angle of 54°04’05”, and an arc length of 254.79 feet to a point of reverse curve;
3. Thence along said reverse curve to the left having a radius of 597.87 feet, a central angle of 54°04’06”, and an arc length of 564.19 feet;

1 4. Thence S0°00'00"E, a distance of 457.67 feet to the North right-of-way line of E. Montview
2 Blvd.;
3 Thence S89°34'18"W, along said North right-of-way line of E. Montview Blvd., a distance of
4 256.47 feet to the Point of Beginning.
5

6 Parcel 2

7 Commencing at the Southwest corner of the Southeast ¼ of the Northwest ¼ of said Section 33;
8 Thence N89°34'18"E, along the South line of said Southeast ¼ of the Northwest ¼, a distance of
9 41.98 feet; Thence N0°15'36"W, a distance of 1268.76 feet to the intersection of the Southerly line
10 of Tract A, as shown on the plat of Stapleton Filing No. 8, in the records of the City and County of
11 Denver, and the East right-of-way line of Syracuse St.; Thence S90°00'00"E, along said Southerly
12 line of Tract A, a distance of 421.61 feet; Thence N0°00'00"E, a distance of 64.00 feet to the
13 Southeast corner of Block 1, Stapleton Filing No. 8, said corner being the Point of Beginning;
14 Thence along the Easterly and Northerly line of said Block 1 the following seven (7) courses:

- 15 1. Thence N0°00'00"E, a distance of 51.47 feet to a point of curve;
- 16 2. Thence along said curve to the right having a radius of 35.00 feet, a central angle of
17 14°47'59", and an arc length of 9.04 feet;
- 18 3. Thence N14°47'59"E, a distance of 275.45 feet to a point of curve;
- 19 4. Thence along said curve to the left having a radius of 55.00 feet, a central angle of
20 104°47'59", and an arc length of 100.60 feet;
- 21 5. Thence S90°00'00"W, a distance of 394.72 feet to a point of curve;
- 22 6. Thence along said curve to the left having a radius of 60.00 feet, a central angle of
23 15°39'02", and an arc length of 16.39 feet;
- 24 7. Thence S74°20'58"W, a distance of 59.46 feet to a point of curve on the East right-of-way
25 line of Syracuse St., whose center bears S71°44'39"W;

26 Thence along said East right-of-way line of said Syracuse St. the following two (2) courses:

- 27 1. Thence along said curve to the left having a radius of 660.00 feet, a central angle of
28 5°19'20", and an arc length of 61.31 feet to a point of reverse curve;
- 29 2. Thence along said reverse curve to the right having a radius of 561.00 feet, a central angle
30 of 14°45'45", and an arc length of 144.54 feet to a point on the Southerly right-of-way line of
31 E. 24th Ave.;

32 Thence along said Southerly right-of-way line of E. 24th Ave. the following four (4) courses:

- 33 1. Thence S90°00'00"E, a distance of 422.84 feet to a point of curve;
- 34 2. Thence along said curve to the left having a radius of 967.00 feet, a central angle of
35 49°31'55", and an arc length of 835.97 feet to a point of reverse curve;
- 36 3. Thence along said reverse curve to the right having a radius of 1083.00 feet, a central angle
37 of 16°58'25", and an arc length of 320.83 feet to a point of reverse curve;
- 38 4. Thence along said reverse curve to the left having a radius of 147.00 feet, a central angle of
39 34°35'54", and an arc length of 88.77 feet;

40 Thence N50°09'41"E, non-tangent to the previous curve, a distance of 20.87 feet to a point of
41 curve; Thence along said curve to the right having a radius of 355.00 feet, a central angle of
42 36°47'04", and an arc length of 227.91 feet; Thence S0°00'00"W, non-tangent to the previous
43 curve, a distance of 34.85 feet to a point of curve whose center bears S16°11'18"E; Thence
44 along said curve to the right having a radius of 1083.00 feet, a central angle of 16°11'18", and
45 an arc length of 305.99 feet; Thence N90°00'00"E, a distance of 264.07 feet; Thence
46 S0°00'00"W, a distance of 26.02 feet; Thence S90°00'00"E, a distance of 172.00 feet; Thence
47 N0°00'00"E, a distance of 26.02 feet; Thence S90°00'00"E, a distance of 20.00 feet; Thence
48 S90°00'00"E, a distance of 759.00 feet to the West right-of-way line of Xanthia St.; Thence
49 along said West right-of-way line of Xanthia St. the following five (5) courses:

1. Thence S0°00'00"W, a distance of 14.00 feet to a point of curve;
 2. Thence along said curve to the right having a radius of 225.00 feet, a central angle of 7°37'41", and an arc length of 29.96 feet to a point of reverse curve;
 3. Thence along said reverse curve to the left having a radius of 227.00 feet, a central angle of 7°37'41", and an arc length of 30.22 feet;
 4. Thence S0°00'00"W, a distance of 175.75 feet;
 5. Thence S38°45'15"W, a distance of 19.61 feet to a point of non-tangent curve on the North right-of-way line of E. 25th Dr. whose center bears S12°47'52"E;
- Thence along said North right-of-way line of E. 25th Dr. the following four (4) courses:
1. Thence along said non-tangent curve to the left having a radius of 1324.00 feet, a central angle of 2°19'57", and an arc length of 53.90 feet to a point of reverse curve;
 2. Thence along said reverse curve to the right having a radius of 1176.00 feet, a central angle of 31°24'13", and an arc length of 644.56 feet to a point of reverse curve;
 3. Thence along said reverse curve to the left having a radius of 154.00 feet, a central angle of 16°16'24", and an arc length of 43.74 feet;
 4. Thence N90°00'00"W, a distance of 10.78;
- Thence N90°00'00"W, a distance of 192.00 feet; Thence N0°00'00"E, a distance of 8.00 feet to the North right-of-way line of E. 25th Dr.; Thence along said North right-of-way line of E. 25th Dr. the following seven (7) courses:
1. Thence S90°00'00"W, a distance of 85.46 feet to a point of curve;
 2. Thence along said curve to the left having a radius of 1550.00 feet, a central angle of 2°38'23", and an arc length of 71.41 feet to a point of non-tangent curve whose center bears S2°09'50"E;
 3. Thence along said non-tangent curve to the left having a radius of 1553.00 feet, a central angle of 26°19'38", and an arc length of 713.60 feet to a point of non-tangent curve whose center bears S28°58'15"E;
 4. Thence along said non-tangent curve to the left having a radius of 1556.00 feet, a central angle of 8°13'30", and an arc length of 223.37 feet to a point of tangency;
 5. Thence S52°48'15"W, a distance of 382.74 feet to a point of curve;
 6. Thence along said curve to the left having a radius of 538.00 feet, a central angle of 52°48'15", and an arc length of 495.82 feet;
 7. Thence S0°00'00"W, a distance of 64.76 feet to a point on said Northerly line of Tract A; Thence N90°00'00"W, along said Northerly line of Tract A, a distance of 190.93 feet to the Point of Beginning.

Parcel 3

Beginning at the intersection of the East right-of-way line of Xanthia St. and the South right-of-way line of E. 26th Ave; Thence S90°00'00"E, along the Southerly line of Stapleton Filing No. 2, Stapleton Filing No. 3 and Stapleton Filing No. 5 all in the records of the City and County of Denver, a distance of 1818.01 feet to the West right-of-way line of Beeler St.; Thence along said West right-of-way line of Beeler St. the following two (2) courses:

1. Thence S0°00'00"W, a distance of 255.87 feet;
2. Thence S45°00'00"W, a distance of 9.19 feet to the North right-of-way line E. 25th Dr.;

Thence along said North right-of-way line of E. 25th Dr. the following four (4) courses:

1. Thence N90°00'00"W, a distance of 57.50 feet to a point of curve;
2. Thence along said curve to the left having a radius of 154.00 feet, a central angle of 14°15'24", and an arc length of 38.32 feet to a point of reverse curve;
3. Thence along said reverse curve to the right having a radius of 2376.00 feet, a central angle of 28°08'33", and an arc length of 1167.04 feet to a point of reverse curve;

1 4. Thence along said reverse curve to the left having a radius of 1324.00 feet, a central angle
2 of 23°55'53", and an arc length of 553.01 feet to said East right-of-way line of Xanthia St.,
3 Thence along said East right-of-way line of Xanthia St. the following two (2) courses:
4 1. Thence N50°04'40"W, a distance of 15.72 feet;
5 2. Thence N0°00'00"E, a distance of 242.37 feet to the Point of Beginning.
6

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

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

11 **Section 1.** That the Park Property, known as East-West Greenway Park, is hereby designated
12 as a "park" under section 2.4.5 of the City Charter and shall henceforth be regarded as being a
13 designated park in the City and County of Denver, such designation being subject to 1) the Use
14 Restrictions set forth in the Property Deed dated March 11, 2005, and recorded March 11, 2005, at
15 reception number 2005043070 of the Denver Clerk and Recorder's Office; 2) the aerial crossing of
16 Central Park Boulevard over the Park Property; and 3) the drainage for the creek contained within
17 the Park Property.

18 COMMITTEE APPROVAL DATE: December 10, 2013

19 MAYOR-COUNCIL DATE: December 17, 2013

20 PASSED BY THE COUNCIL: _____, 2014

21 _____ - PRESIDENT

22 APPROVED: _____ - MAYOR _____, 2014

23 ATTEST: _____ - CLERK AND RECORDER,
24 EX-OFFICIO CLERK OF THE
25 CITY AND COUNTY OF DENVER

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

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

28 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
29 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
30 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
31 §3.2.6 of the Charter.

32
33 D. Scott Martinez, Denver City Attorney

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