

**BY AUTHORITY**

ORDINANCE NO. 714  
SERIES OF 2010

COUNCIL BILL NO. 714  
COMMITTEE OF REFERENCE:  
LAND USE, TRANSPORTATION  
AND INFRASTRUCTURE

**A BILL**

**For an ordinance vacating the remainder of 28<sup>th</sup> Ave. at Speer Blvd. without reservations.**

**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 that certain area in the system of thoroughfares of the municipality hereinafter described and, subject to approval by ordinance, has vacated the same 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 area in the City and County of Denver and State of Colorado, to wit:

A PARCEL OF LAND WITHIN WEST 28<sup>TH</sup> AVENUE ADJACENT TO BLOCK 6 OF EMERY'S SUBDIVISION OF BLOCKS 5, 6, 7, 14, 15, AND 16 HIGHLAND, LOCATED IN THE SOUTH EAST QUARTER OF SECTION 29, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 1, BLOCK 6, EMERY'S SUBDIVISION OF BLOCKS 5, 6, 7, 14, 15, AND 16 HIGHLAND AND THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID WEST 28<sup>TH</sup> AVENUE, POINT BEING THE POINT OF BEGINNING; THENCE DEPARTING THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID WEST 28<sup>TH</sup> AVENUE ALONG THE EASTERLY RIGHT OF WAY LINE OF BRYANT STREET EXTENDED N00°03'56"W A DISTANCE OF 68.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID WEST 28<sup>TH</sup> AVENUE; THENCE CONTINUING ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID WEST 28<sup>TH</sup> AVENUE N89°58'00"E A DISTANCE OF 7.78 FEET TO A POINT ON A LINE THAT IS 70 FEET SOUTHWESTERLY OF AND PARALLEL TO THE NORTHEAST RIGHT-OF-WAY LINE OF SPEER BOULEVARD; THENCE DEPARTING THE NORTHERLY RIGHT-OF-WAY LINE OF SAID WEST 28<sup>TH</sup> AVENUE ALONG SAID PARALLEL LINE S64°42'34"E A DISTANCE OF 158.98 FEET TO A POINT ON THE NORTHERLY LINE OF THE ALLEY IN SAID BLOCK 6 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID WEST 28<sup>TH</sup> AVENUE ; THENCE DEPARTING THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID SPEER BOULEVARD AND ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID WEST 28<sup>TH</sup> AVENUE S89°58'00"W A DISTANCE OF 151.45 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID BRYANT STREET AND THE NORTHWEST CORNER OF SAID LOT 1 BEING THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.124 ACRES (5,414 SQ. FT.)

BASIS OF BEARINGS: THE SOUTHERLY LINE OF BLOCK 6, EMERY'S SUBDIVISION OF BLOCKS 5, 6, 7, 14, 15, AND 16, HIGHLAND BEING MONUMENTED BY A FOUND 4' X 4' OFFSET CORNER AT THE SOUTHEAST CORNER AND SOUTHWEST CORNER OF SAID BLOCK 6, ASSUMED TO BEAR N89°59'47"W

and

A PARCEL OF LAND WITHIN A PORTION OF VACATED 28<sup>TH</sup> AVENUE LOCATED IN EMERY'S SUBDIVISION OF BLOCKS 5, 6, 7, 14, 15, AND 16 HIGHLAND, LOCATED IN THE SOUTH EAST QUARTER OF SECTION 29, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 1, BLOCK 6, EMERY'S SUBDIVISION OF BLOCKS 5, 6, 7, 14, 15, AND 16 HIGHLAND; THENCE ALONG THE WESTERLY LINE OF BLOCK 6 EXTENDED N00°03'56"W A DISTANCE OF 23.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WESTERLY LINE EXTENDED N00°03'56"W A DISTANCE OF 20.00 FEET; THENCE S89°53'35"E A DISTANCE OF 25.81 FEET; THENCE S64°42'34"E A DISTANCE OF 47.00 FEET; THENCE N89°53'35"W A DISTANCE OF 68.28 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.022 ACRES (941 SQ. FT.)

BASIS OF BEARINGS: THE SOUTHERLY LINE OF BLOCK 6, EMERY'S SUBDIVISION OF BLOCKS 5, 6, 7, 14, 15, AND 16, HIGHLAND BEING MONUMENTED BY A FOUND 4' X 4' OFFSET CORNER AT THE SOUTHEAST CORNER AND SOUTHWEST CORNER OF SAID BLOCK 6, ASSUMED TO BEAR N89°59'47"W

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be and the same is hereby approved and the described area is hereby vacated and declared vacated without reservations.

COMMITTEE APPROVAL DATE: N/A

MAYOR-COUNCIL DATE: August 17, 2010

PASSED BY THE COUNCIL: \_\_\_\_\_, 2010

\_\_\_\_\_ - PRESIDENT

APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_, 2010

ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
EX-OFFICIO CLERK OF THE  
CITY AND COUNTY OF DENVER

NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_, 2010; \_\_\_\_\_, 2010

PREPARED BY: KAREN A. AVILES, ASSISTANT CITY ATTORNEY, August 18, 2010

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

David R. Fine, City Attorney:

BY: \_\_\_\_\_, Assistant City Attorney      DATE: \_\_\_\_\_, 2010