


REQUEST FOR ORDINANCE TO RELINQUISH AN EASEMENT

TO: Ivone Avila-Ponce, City Attorney's Office

FROM: Glen Blackburn, PE, Director, Right of Way Services 

PROJECT NO: 2021-RELINQ-0000024

DATE: February 8, 2024

SUBJECT: Request for an Ordinance to relinquish 1) a portion of the easements reserved in Ordinance No. 116, Series 1947, recorded in Book 6269 Page 137, also recorded at Reception No. R-92-0095493; and a portion of the easements reserved in Ordinance No. 23, Series 1934 recorded in Book 4782 Page 98; and 2) a portion of the easements reserved in Ordinance No. 116, Series 1947, recorded in Book 6269 Page 137. Located at 725 West 39th Avenue.

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

This office has investigated the request of Kimley-Horn and Associates, dated August 12, 2021, on behalf of AMFP V Fox Station LLC for the relinquishment of the subject easement(s).

This matter has been coordinated with Asset Management; City Forester; Comcast; Denver Water; DOTI: Survey, Construction Engineering, Policy & Planning, TES Signing and Striping, DES Transportation & Wastewater; Denver Fire Department; Historic Preservation/Landmark; Metro Water Recovery; Emergency Management; Parks & Recreation; CenturyLink; Xcel Energy; City Councilperson Watson, District 9; CPD: DS Project Coordinator; RTD; and CDOT all of whom have indicated no objection to the proposed easement relinquishment(s).

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

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

INSERT PARCEL DESCRIPTION 2021-RELINQ-0000024-001 HERE

INSERT PARCEL DESCRIPTION 2023-RELINQ-0000004-001 HERE

A vicinity map of the subject easement area(s) and a copy of the document(s) creating the easement(s) are attached.

GB:bw



DENVER
THE MILE HIGH CITY

cc: City Councilperson & Aides
City Council Staff – Luke Palmisano
Department of Law – Bradley Beck
Department of Law – Deanne Durfee
Department of Law – Maureen McGuire
Department of Law – Martin Plate
DOTI, Manager’s Office – Alba Castro
DOTI, Legislative Services – Jason Gallardo
DOTI, Survey – Paul Rogalla

City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services | Engineering & Regulatory
201 W Colfax Ave, Dept 507 | Denver, CO 80202
www.denvergov.org/doti
Phone: 720-865-3003

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ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team
at MileHighOrdinance@DenverGov.org by 9 a.m. Friday. Contact the Mayor's Legislative team with questions

Date of Request: **February 8, 2024**

Please mark one: Bill Request or Resolution Request

1. Type of Request:

- Contract/Grant Agreement Intergovernmental Agreement (IGA) Rezoning/Text Amendment
 Dedication/Vacation Appropriation/Supplemental DRMC Change
 Other: Easement Relinquishment

2. Title: (Start with *approves*, *amends*, *dedicates*, etc., include name of company or contractor and indicate the type of request: grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.)

Request for an Ordinance to relinquish 1) a portion of the easements reserved in Ordinance No. 116, Series 1947, recorded in Book 6269 Page 137, also recorded at Reception No. R-92-0095493; and a portion of the easements reserved in Ordinance No. 23, Series 1934 recorded in Book 4782 Page 98; and 2) a portion of the easements reserved in Ordinance No. 116, Series 1947, recorded in Book 6269 Page 137. Located at 725 West 39th Avenue.

3. Requesting Agency: DOTI: Right of Way Services; Engineering and Regulatory

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution (e.g., subject matter expert)	Contact person for council members or mayor-council
Name: Brianne White/Vanessa West	Name: Nicholas Williams
Email: Brianne.white@denvergov.org / vanessa.west@denvergov.org	Email: Nicholas.Williams@denvergov.org

5. General description or background of proposed request. Attach executive summary if more space needed: (who, what, why)

Request for an Ordinance to relinquish 1) a portion of the easements reserved in Ordinance No. 116, Series 1947, recorded in Book 6269 Page 137, also recorded at Reception No. R-92-0095493; and a portion of the easements reserved in Ordinance No. 23, Series 1934 recorded in Book 4782 Page 98; and 2) a portion of the easements reserved in Ordinance No. 116, Series 1947, recorded in Book 6269 Page 137. Located at 725 West 39th Avenue.

6. City Attorney assigned to this request (if applicable): Martin Plate

7. City Council District: City Councilperson Watson, District 9

8. ****For all contracts, fill out and submit accompanying Key Contract Terms worksheet****

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Key Contract Terms

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):

Vendor/Contractor Name (including any dba's):

Contract control number (legacy and new):

Location:

Is this a new contract? Yes No Is this an Amendment? Yes No If yes, how many? _____

Contract Term/Duration (for amended contracts, include existing term dates and amended dates):

Contract Amount (indicate existing amount, amended amount and new contract total):

<i>Current Contract Amount (A)</i>	<i>Additional Funds (B)</i>	<i>Total Contract Amount (A+B)</i>
<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>

Scope of work:

Was this contractor selected by competitive process?

If not, why not?

Has this contractor provided these services to the City before? Yes No

Source of funds:

Is this contract subject to: W/MBE DBE SBE XO101 ACDBE N/A

WBE/MBE/DBE commitments (construction, design, Airport concession contracts):

Who are the subcontractors to this contract?

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

EASEMENT RELINQUISHMENT EXECUTIVE SUMMARY

Project Title: 2021-RELINQ-0000024- 725 W. 39th Ave Relinquishment

Property Owner: AMFP V Fox Station LLC

Description of Proposed Project: Request for an Ordinance to relinquish 1) a portion of the easements reserved in Ordinance No. 116, Series 1947, recorded in Book 6269 Page 137, also recorded at Reception No. R-92-0095493; and a portion of the easements reserved in Ordinance No. 23, Series 1934 recorded in Book 4782 Page 98; and 2) a portion of the easements reserved in Ordinance No. 116, Series 1947, recorded in Book 6269 Page 137. Located at 725 West 39th Avenue.

Background: The relinquishment is being requested for a redevelopment.

Location Map: Continued on next page



City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services / Engineering & Regulatory
201 W Colfax Ave, Dept 507 | Denver, CO 80202
www.denvergov.org/doti
Phone: 720-865-3003

EXHIBIT A

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH,
RANGE 68 WEST OF THE 6TH P.M.
CITY AND COUNTY OF DENVER, STATE OF COLORADO

PARCEL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22, 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 INTERSECTION OF GALAPAGO STREET AND WEST 39TH AVENUE, AS MONUMENTED BY A DENVER RANGE POINT BEING AN AXLE IN A RANGE BOX, WHENCE THE INTERSECTION OF ELATI STREET AND SAID 39TH AVENUE, AS MONUMENTED BY A DENVER RANGE POINT BEING A 3-1/4" ILLEGIBLE ALUMINUM CAP, BEARS S 89°48'47" E, A DISTANCE OF 691.68 FEET ALONG THE 20' RANGE LINE OF SAID 39TH AVENUE, FORMING THE BASIS OF BEARINGS USED IN THIS DESCRIPTION;

THENCE N 45°10'47" E, A DISTANCE OF 28.28 FEET TO A POINT BEING THE INTERSECTION OF THE WEST LINE OF THE EAST HALF OF VACATED GALAPAGO STREET, RECORDED IN BOOK 6269, PAGE 137 IN THE RECORDS OF CITY AND COUNTY OF DENVER, AND THE NORTH LINE OF SAID 39TH AVENUE, AND THE **POINT OF BEGINNING**;

THENCE ALONG SAID WEST LINE OF THE EAST HALF, N 00°10'22" E, A DISTANCE OF 184.18 FEET;

THENCE DEPARTING SAID WEST LINE OF THE EAST HALF, N 89°46'24" W, A DISTANCE OF 40.00 FEET TO A POINT ON THE WEST LINE OF SAID VACATED GALAPAGO STREET RECORDED IN BOOK 6269, PAGE 137;

THENCE ALONG SAID WEST LINE OF VACATED GALAPAGO STREET, RECORDED IN BOOK 6269, PAGE 137, N 00°10'22" E, A DISTANCE OF 270.27 FEET TO A POINT ON THE NORTH LINE OF WEST 40TH AVENUE AND THE WEST LINE OF VACATED GALAPAGO STREET, RECORDED IN BOOK 4782, PAGE 98 IN THE RECORDS OF CITY AND COUNTY OF DENVER;

THENCE ALONG SAID WEST LINE OF VACATED GALAPAGO STREET, RECORDED IN BOOK 4782, PAGE 98, N 00°10'22" E, A DISTANCE OF 100.70 FEET;

THENCE DEPARTING SAID WEST LINE OF VACATED GALAPAGO STREET, RECORDED IN BOOK 4782, PAGE 98, S 89°47'51" E, A DISTANCE OF 80.00 FEET TO A POINT ON THE EAST LINE OF SAID VACATED GALAPAGO STREET RECORDED IN BOOK 4782, PAGE 98;

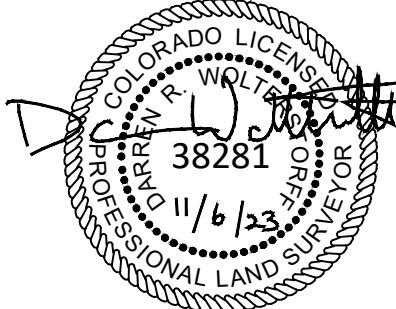
THENCE ALONG SAID EAST LINE, S 00°10'22" W, A DISTANCE OF 100.54 FEET TO A POINT ON THE NORTH LINE OF SAID 40TH AVENUE AND THE EAST LINE OF VACATED GALAPAGO STREET, RECORDED IN BOOK 6269, PAGE 137;

THENCE ALONG SAID EAST LINE OF VACATED GALAPAGO STREET, RECORDED IN BOOK 6269, PAGE 137, S 00°10'22" W, A DISTANCE OF 454.61 FEET TO A POINT ON THE NORTH LINE OF SAID 39TH AVENUE;

THENCE ALONG SAID NORTH LINE, S 89°48'47" E, A DISTANCE OF 40.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 37,045 SQ. FT. OR 0.85 ACRES, MORE OR LESS.

I, DARREN R. WOLTERSTORFF, BEING A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS EXHIBIT WAS PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND IS ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF. THIS CERTIFICATION IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.



DARREN R. WOLTERSTORFF, PLS 38281
FOR AND ON BEHALF OF KIMLEY-HORN AND ASSOCIATES, INC.

NOTES:

1. ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

2. THIS DOCUMENT IS NOT A LAND SURVEY PLAT OR AN IMPROVEMENT SURVEY PLAT AND DOES NOT REPRESENT A MONUMENTED LAND SURVEY

Kimley»Horn

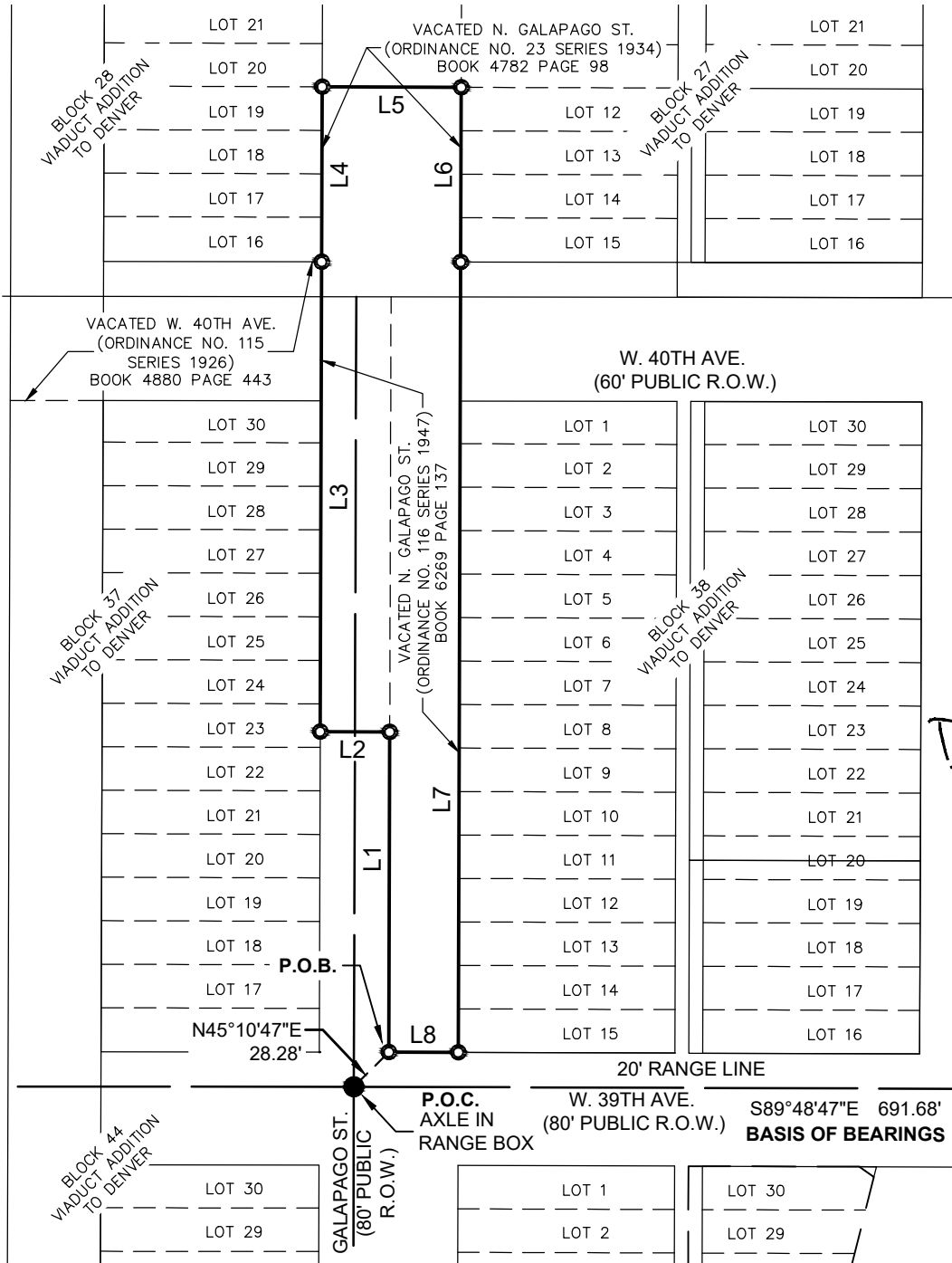
4582 SOUTH ULSTER ST., # 1500
DENVER, COLORADO 80237

Tel. No. (303) 228-2300
www.kimley-horn.com

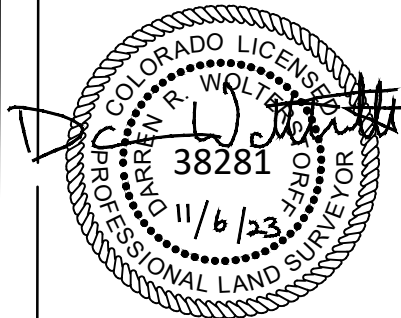
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	DRW	DD	08/03/2021	196055000	1 OF 2

EXHIBIT A

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH,
RANGE 68 WEST OF THE 6TH P.M.
CITY AND COUNTY OF DENVER, STATE OF COLORADO

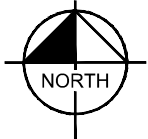
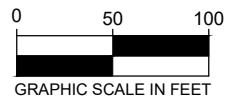


LINE TABLE		
NO.	BEARING	LENGTH
L1	N00°10'22"E	184.18'
L2	N89°46'24"W	40.00'
L3	N00°10'22"E	270.27'
L4	N00°10'22"E	100.70'
L5	S89°47'51"E	80.00'
L6	S00°10'22"W	100.54'
L7	S00°10'22"W	454.61'
L8	N89°48'47"W	40.00'



P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
● = CHANGE IN COURSE OR DIRECTION ONLY

PARCEL CONTAINS 37,045 SQ. FT.
0.85 AC. MORE OR LESS



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Kimley»Horn
4582 SOUTH ULSTER ST., # 1500 DENVER, COLORADO 80237
Tel. No. (303) 228-2300 www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	DRW	DD	08/03/2021	196055000	2 OF 2

EXHIBIT "A"

2023-RELINQ-0000004-001

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22,
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY AND COUNTY OF DENVER, STATE OF COLORADO

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COMMENCING AT THE INTERSECTION OF GALAPAGO STREET AND WEST 39TH AVENUE, AS MONUMENTED BY A DENVER RANGE POINT BEING AN AXLE IN A RANGE BOX, WHENCE THE INTERSECTION OF ELATI STREET AND SAID 39TH AVENUE, AS MONUMENTED BY A DENVER RANGE POINT BEING A 3-1/4" ILLEGIBLE ALUMINUM CAP, BEARS S89°48'47"E, A DISTANCE OF 691.68 FEET ALONG THE 20' RANGE LINE OF SAID 39TH AVENUE, FORMING THE BASIS OF BEARINGS USED IN THIS DESCRIPTION;

THENCE N25°14'46"E, A DISTANCE OF 435.85 FEET TO A POINT BEING ON THE SOUTH LINE OF WEST 40TH AVENUE, AND THE NORTHEAST CORNER OF LOT 1, BLOCK 38 VIADUCT ADDITION TO DENVER RECORDED IN BOOK 4, PAGE 20 IN THE RECORDS OF CITY AND COUNTY OF DENVER, AND THE **POINT OF BEGINNING**;

THENCE ALONG SAID NORTH LINE OF SAID BLOCK 38 VIADUCT ADDITION TO DENVER, N89°54'38"W, A DISTANCE OF 124.70 FEET;

THENCE DEPARTING SAID BLOCK 38, N00°11'56"E, A DISTANCE OF 80.00 FEET TO A POINT BEING THE SOUTHWEST CORNER OF LOT 15, BLOCK 27 VIADUCT ADDITION TO DENVER;

THENCE ALONG SAID SOUTH LINE OF SAID BLOCK 27 VIADUCT ADDITION TO DENVER, S89°54'38"E, A DISTANCE OF 124.59 FEET TO A POINT BEING THE SOUTHWEST CORNER OF LOT 15, BLOCK 27 VIADUCT ADDITION TO DENVER;

THENCE DEPARTING SAID BLOCK 27, S00°07'11"E, A DISTANCE OF 80.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 9,972 SQ. FT. OR 0.229 ACRES, MORE OR LESS.

I, DOUGLAS H, ORT III, BEING A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS EXHIBIT WAS PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND IS ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF. THIS CERTIFICATION IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.



Notice: According to Colorado State Law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than 10 years from the date of the certification shown hereon.

This Exhibit and Legal Description does not represent a Land Survey Plat, an Improvement Survey Plat or a Boundary Survey.

DOUGLAS H, ORT III , PLS 37066 February 3, 2023
For and on Behalf of Colliers Engineering and Design



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EXHIBIT A
SOUTHWEST QUARTER
OF SECTION 22,
TOWNSHIP 3 SOUTH,
RANGE 68 WEST OF THE 6TH P.M.

CITY AND COUNTY OF DENVER
STATE OF COLORADO



PROTECT YOURSELF
ALL STATES REQUIRE NOTIFICATION
OF EXCAVATORS, DESIGNERS, OR
ANY PERSON PREPARING TO
DISTURB THE EARTH'S SURFACE
ANYWHERE IN ANY STATE
Know what's below.
Call before you dig.
FOR STATE SPECIFIC DIRECT PHONE NUMBERS
VISIT: WWW.CALL811.COM

DENVER OFFICE
Academy Park Plaza
7110 West Jefferson Avenue,
Suite 100
Lakewood, CO 80235
Phone: 303.731.6216
Fax: 303.632.2445

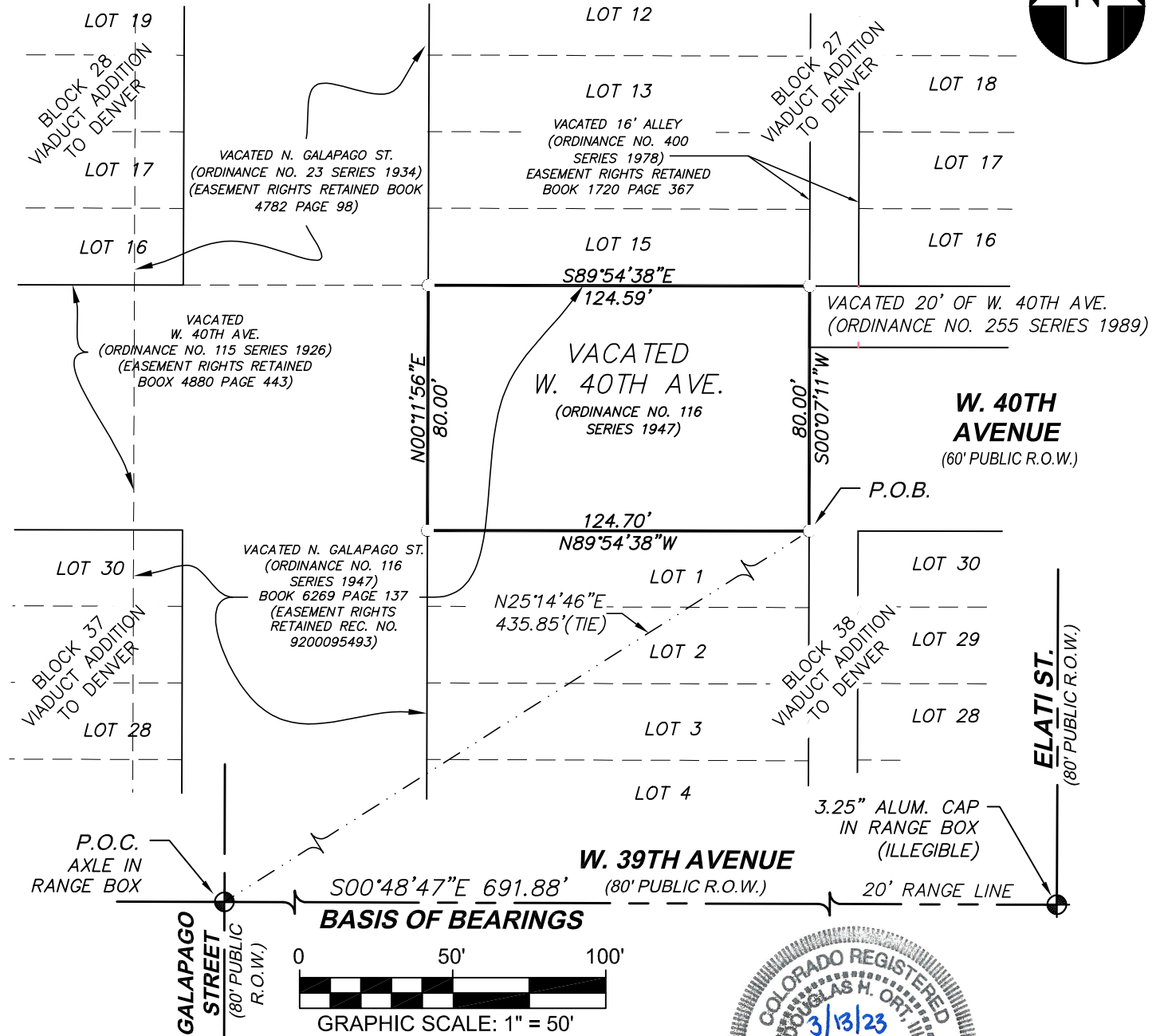
SCALE	DATE	DRAWN BY:	CHECKED BY:
N/A	02.03.2023	LCB	DHO
PROJECT NUMBER	DRAWING NAME		
21007252A	21007252A-ESMT-RELO		

SHEET TITLE:	EXHIBIT A
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SHEET NUMBER:	1 of 2
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EXHIBIT "A"

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22,
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY AND COUNTY OF DENVER, STATE OF COLORADO



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This Exhibit and Legal Description does not represent a Land Survey Plat, an Improvement Survey Plat or a Boundary Survey.

DOUGLAS H, ORT III , PLS 37066 February 3, 2023
For and on Behalf of Colliers Engineering and Design

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EXHIBIT A
SOUTHWEST QUARTER
OF SECTION 22,
TOWNSHIP 3 SOUTH,
RANGE 68 WEST OF THE 6TH P.M.
CITY AND COUNTY OF DENVER
STATE OF COLORADO

811
PROTECT YOURSELF
ALL STATES REQUIRE NOTIFICATION OF EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN ANY STATE.
Know what's below. Call before you dig.
STATE REQUIRED FILE NUMBER
FOR STATE SPECIFIC DIRECT PHONE NUMBERS VISIT: WWW.CALL811.COM

DENVER OFFICE
Academy Park Plaza
7110 West Jefferson Avenue,
Suite 100
Lakewood, CO 80235
Phone: 303.731.6216
Fax: 303.632.2445

SCALE: 1" = 50'	DATE: 02.03.2023	DRAWN BY: LCB	CHECKED BY: DHO
PROJECT NUMBER: 21007252A	DRAWING NAME: 21007252A-ESMT-RELO		
SHEET TITLE: EXHIBIT A			
SHEET NUMBER: 2 of 2			

MAE HYNES RECORDER

STATE OF COLORADO }
CITY AND COUNTY OF DENVER } ss.

I, MAE HYNES, Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver, do hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 116 Series 19⁴⁷, signed and approved by the Mayor on the

20th day of August, 19⁴⁷

BY AUTHORITY
ORDINANCE NO. 116
COUNCILMAN'S BILL NO. 127, SERIES OF 1947, INTRODUCED BY COUNCILMAN MARRANZINGO
A BILL
FOR AN ORDINANCE VACATING A PORTION OF GALAPAGO STREET AND OF W. 40TH AVENUE, IN VIADUCT ADDITION TO PRESERVE IN THE CITY AND COUNTY OF DENVER.

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:
WHEREAS, T. P. CAMPBELL, Manager of Improvements and Parks and hereinafter make the following order and direction to-wit:
It is hereby found and determined that the public use, convenience and necessity no longer require that portion of Galapago Street extending north from the north line of West 39th Avenue to the north line of West 40th Avenue, and that portion of West 40th Avenue extending east from the east line of Galapago Street a distance of 125 feet, in Viaduct Addition to Denver, in the City and County of Denver, and State of Colorado, and the same are hereby vacated.
The Council of the City and County of Denver is hereby requested to give effect to this order by the passage of a suitable ordinance to that effect at Denver, Colorado this 5th day of August, A.D. 1947.
(Signed) T. P. CAMPBELL, Manager

NOW THEREFORE,
Section 1 That the action of the Manager of Improvements and Parks as set forth in the foregoing order, be and the same is hereby ratified, approved and confirmed.

Section 2 That the portions of Galapago Street and West 40th Avenue described in the aforesaid order, in the City and County of Denver, and State of Colorado, be and the same are hereby vacated, reserving to the City and County of Denver at all times, the right to construct, maintain and remove sewers, water pipes, and appurtenances, and to authorize the construction, maintenance and removal of the same therein and therefrom, and subject to the continued right of the owners to maintain and operate existing electric light and power lines, telephone lines, gas mains and pipes.

Section 3: In the opinion of the Council this ordinance is necessary for the immediate protection and preservation of the public health, safety, convenience and welfare, and it is enacted for that purpose and shall be in full force and effect immediately after its passage and final publication.

Passed by the Council of the City and County of Denver, and signed by its President, this 18th day of August, A.D. 1947.

C. M. STAFFORD, President.
Signed and approved by me this 20th day of August, A.D. 1947.

QUIGG NEWTON, Mayor.

Attested by the undersigned with the corporate seal of the City and County of Denver,
MAE HYNES, Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver.
By SIEWERS PINCHER, Deputy Clerk.

(Seal) First publication August 15, 1947.
Last publication August 23, 1947.
Published in The Daily Journal, 336

Given under my hand and corporate seal of the City and County of Denver, this 5th.

day of September, 19⁴⁷

Mae Hynes.

Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver

By Siewers Pincher, Deputy Clerk



CITY AND COUNTY OF DENVER

STATE OF COLORADO

Certification

I, Arie P. Taylor, Clerk and Recorder,
 Ex-Officio Clerk of the City and County of Denver,
 do hereby certify that the attached is a true and
 correct copy of
 Ordinance No. 116 Series 1992

I have hereunto set my
 hand and affixed the Seal of
 the City and County of
 Denver, State of Colorado,
 this 17th day of
August A.D. 1992



Arie P. Taylor
 Clerk and Recorder
 Clerk of the City and County of Denver

[Signature]
 Deputy

B Y A U T H O R I T Y

ORDINANCE NO. 116.....

SERIES OF 1947

COUNCILMAN'S BILL NO. 127.....

INTRODUCED BY COUNCILMAN

MARRANZINO

A B I L L

FOR AN ORDINANCE VACATING A PORTION
OF GALAPAGO STREET AND OF W. 40TH AVENUE,
IN VIADUCT ADDITION TO DENVER, IN THE
CITY AND COUNTY OF DENVER.

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER.

WHEREAS, T. P. CAMPBELL, Manager of Improvements and Parks did
heretofore make the following order and direction to-wit:

"It is hereby found and determined that the public use, convenience
and necessity no longer require that portion of

Galapago Street extending north from the north line of
West 39th Avenue to the north line of West 40th Avenue,
and that portion of West 40th Avenue extending east from
the east line of Galapago Street a distance of 125 feet,
in Viaduct Addition to Denver,

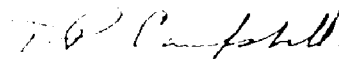
in the City and County of Denver, and State of Colorado, and the same are
hereby vacated.

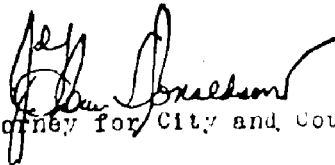
The Council of the City and County of Denver is hereby requested to
give effect to this order by the passage of a suitable ordinance.

Done at Denver, Colorado this 6th day of August

A. D. 1947.

APPROVED AS TO FORM:


(Signed) T. P. Campbell
Manager."


Attorney for City and County of Denver.

NOW, THEREFORE,

Section 1:-That the action of the Manager of Improvements and Parks as set forth in the foregoing order, be, and the same is hereby ratified, approved and confirmed.

Section 2:-That the portions of Galapago Street and West 40th Avenue described in the aforesaid order, in the City and County of Denver, and State of Colorado, be and the same are hereby vacated; reserving to the City and County of Denver at all times, the right to construct, maintain and remove sewers, water pipes, and appurtenances, and to authorize the construction, maintenance and removal of the same therein and therefrom, and subject to the continued right of the owners to maintain and operate existing electric light and power lines, telephone lines, gas mains and pipes.

Section 3:-In the opinion of the Council this ordinance is necessary for the immediate protection and preservation of the public health, safety, convenience and welfare, and it is enacted for that purpose and shall be in full force and effect immediately after its passage and final publication.

Passed by the Council of the City and County of Denver, and signed by its President, this 18th day of August A. D. 1947.

W. M. Stafford
PRESIDENT

Signed and approved by me this 20th day of August A. D. 1947.

Quinn Newton
MAYOR

Attested by the undersigned with the corporate seal of the City and County of Denver.

Maude House
CLERK AND RECORDER, EX-OFFICIO
CLERK OF THE CITY AND COUNTY OF DENVER.

BY Edwin Fincher
DEPUTY CLERK

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STATE OF COLORADO)
) ss
CITY AND COUNTY OF DENVER)

I, Albert C. Monson, Clerk and Recorder,
Ex-Officio Clerk of the City and County of Denver, do
hereby certify that the above and foregoing is a true
and correct copy of Ordinance No. 23 Series 1934,
signed and approved by the Mayor of the 18 day
of April 1934.

Given under my hand and corporate
seal of the City and County of
Denver this 24 day of April
1934.

Albert C. Monson
Clerk and Recorder, Ex-officio
Clerk of the City & County of Denver

By Ben Draper
Deputy Clerk



BY AUTHORITY
ORDINANCE NO. 23, SERIES OF 1934.
COUNCILMAN E. J. VERALDI, INTRO-
DUCED BY COUNCILMAN VERALDI.

A BILL
FOR AN ORDINANCE VACATING THAT
PORTION OF GALAPAGO STREET (FOR-
MERLY EVERETT STREET) LYING BE-
TWEEN THE NORTH LINE OF W.
40TH AVENUE (FORMERLY GREELEY
AVENUE) AND THE SOUTH LINE OF
W. 41ST AVENUE (FORMERLY DAKO-
TA AVENUE), ALSO THAT PORTION
OF W. 41ST AVENUE (FORMERLY DAKO-
TA AVENUE) LYING BETWEEN
THE EAST LINE OF GALAPAGO
STREET (FORMERLY EVERETT
STREET) AND THE PRODUCED WEST
LINE OF THE ALLEY IN BLOCK 27,
VIADUCT ADDITION TO DENVER, EX-
TENDED NORTH ALSO THE SOUTH
ONE-HALF OF THE STREET INTER-
SECTION OF SAID GALAPAGO STREET
AND W. 41ST AVENUE IN THE CITY
AND COUNTY OF DENVER.

BE IT ENACTED BY THE COUNCIL OF
THE CITY AND COUNTY OF DENVER:
WHEREAS, WALTER B. LOWRY, Man-
ager of Improvements and Public Utilities,
has made the following order, to-wit:
"It is hereby found and determined that
the public use, convenience and necessity
do not now require that portion of Galapago
Street (formerly Everett Street) and
that portion of W. 41st Avenue (formerly
Dakota Avenue) in Viaduct Addition to
Denver, in the City and County of Denver,
in the State of Colorado, described as fol-
lows, to-wit:

Commencing at the southwest corner
of Lot 15, Block 22, Viaduct Addition
to Denver; thence east on the south
line of said Lot 15, to the southeast
corner of said Lot 15; thence south 90
feet to the northeast corner of Lot 1,
Block 27, Viaduct Addition to Denver;
thence west on the north line of said
Lot 1, to the northwest corner of said
Lot 1; thence south on the west line of
Lots 1 to 15, inclusive, in said Block
27, to the southwest corner of said
Block 27; thence west 80 feet to the
southeast corner of Lot 16, Block 28,
Viaduct Addition to Denver; thence
north on the east line of Lots 16 to 20,
inclusive, in said Block 28, and said
east line extended north 40 feet to the
east and west center line of W. 41st
Avenue (formerly Dakota Avenue);
thence east on said east and west cen-
ter line, 80 feet to the east line of Galapago
Street (formerly Everett Street);
thence north 40 feet to the place of be-
ginning, to and the same hereby is
vacated.

And the Council of the City and County
of Denver is hereby requested to give effect
to this order by the passage of a suitable
ordinance.

Done at Denver in the State of Colorado
this 18th day of April, A. D. 1934.
(Signed) WALTER B. LOWRY,
Manager.

NOW, THEREFORE
Section 1: That the action of the Man-
ager of Improvements and Public Utilities
set forth, be and the same is hereby ratified,
approved and confirmed.

Section 2: That that portion of Galapago
Street (formerly Everett Street) and
that portion of W. 41st Avenue (formerly
Dakota Avenue) in Viaduct Addition to
Denver, in the City and County of Denver,
in the State of Colorado, described as fol-
lows, to-wit:

Commencing at the southwest corner
of Lot 15, Block 22, Viaduct Addition
to Denver; thence east on the south
line of said Lot 15, to the southeast
corner of said Lot 15; thence south 80
feet to the northeast corner of Lot 1,
Block 27, Viaduct Addition to Denver;
thence west on the north line of said
Lot 1, to the northwest corner of said
Lot 1; thence south on the west line
of Lots 1 to 15, inclusive, in said Block
27, to the southwest corner of said
Block 27; thence west 80 feet to the
southeast corner of Lot 16, Block 28,
Viaduct Addition to Denver; thence
north on the east line of Lots 16 to 20,
inclusive, in said Block 28, and said
east line extended north 40 feet to the
east and west center line of W. 41st
Avenue (formerly Dakota Avenue);
thence east on said east and west cen-
ter line, 80 feet to the east line of Galapago
Street (formerly Everett
Street); thence north 40 feet to the
place of beginning, to and the same
hereby is vacated, reserving to the City
and County of Denver at all times the
right to construct, maintain and re-
move sewers, water pipes and appar-
atus and to authorize the construc-
tion, maintenance and removal of the
same therein and thereon, and sub-
ject to the continued right of the own-
ers to maintain and operate existing
Electric Light and Power Lines, Tele-
phone Lines, Gas mains and pipes.

Section 3: In the opinion of the Council
this Ordinance is necessary for the im-
mediate preservation of the public health and
public safety and shall be in full force
and effect immediately after its passage
and final publication.

Passed by the Council and signed by its
President this 18th day of April, A. D. 1934.
EUGENE J. VERALDI, President.
Signed and approved by me this 18th day
of April, A. D. 1934.

W. B. LOWRY, Acting Mayor.
Attested by me with the corporate seal
of the City and County of Denver.

ALBERT C. MONSON,
Clerk and Recorder, Ex-Officio Clerk of the
City and County of Denver.
By BEN DRAPER, Deputy Clerk.
Published in The Rocky Mountain News;
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