

BY AUTHORITY

2 ORDINANCE NO. _____

COUNCIL BILL NO. CB23-_____

3 SERIES OF 2023

COMMITTEE OF REFERENCE:

Land Use, Transportation and Infrastructure

A BILL

For an ordinance designating certain property as “park” under section 2.4.5 of the City Charter Sand Creek Open Space.

8 **WHEREAS**, the following real property which is under the jurisdiction of the Denver
9 Department of Parks and Recreation has been or will be used for park purposes within the City
10 and County of Denver (“Park Property”):

A parcel of land located in the Southeast Quarter of Section 26, Township 3 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, and being more particularly described as follows:

Commencing at the Southeast corner of said Section 26, being monumented with a City of Aurora 3" brass cap in range box stamped PLS 16491;

Thence North 0°54'42" West along the East line of said Southeast Quarter, a distance of 187.95 feet; Thence South 89°05'18" West perpendicular to said East line, a distance of 60.00 feet to a point on the Westerly right-of-way line of Peoria Street, said point also being the Southeast corner of Lot 7, Block 1, MBT Subdivision, as described under Reception No. B491937 in the records of the Adams County Clerk and Recorder's Office, and a point on an Annexation Plat boundary as described in Ordinance 177, of Series 1953, as described in the records of the City and County of Denver Clerk and Recorder's Office, and the Point of Beginning;

Thence South $0^{\circ}54'42''$ East along said Westerly right-of-way, a distance of 63.09 feet; Thence South $45^{\circ}00'00''$ West, a distance of 122.29 feet; Thence North $90^{\circ}00'00''$ West, a distance of 299.10 feet to a point of curvature; Thence 624.21 feet along the arc of a curve to the right, with a central angle of $32^{\circ}46'08''$, a radius of 1091.42 feet, and whose chord bears North $73^{\circ}36'56''$ West, a distance of 615.74 feet to a point of tangency; Thence North $57^{\circ}13'52''$ West, a distance of 1128.37 feet to a point of curvature; Thence 177.73 feet along the arc of a curve to the left, with a central angle of $8^{\circ}10'22''$, a radius of 1246.00 feet, and whose chord bears North $61^{\circ}19'03''$ West, a distance of 177.58 feet to a point on a curve; Thence 235.29 feet along the arc of a curve to the left, non-tangent with the previous course, with a central angle of $18^{\circ}25'47''$, a radius of 731.50 feet, and whose chord bears North $50^{\circ}04'30''$ West, a distance of 234.28 feet; Thence South $30^{\circ}41'34''$ West non-tangent to the previous course, a distance of 5.00 feet to a point on the Northeasterly right-of-way line of Havana Way as described in Ordinance 127, Series of 1954, said City and County of Denver Clerk and Recorder's Office; Thence 122.74 feet along said Northeasterly line and along the arc of a curve to the left, non-tangent with the previous course, with a central angle of $9^{\circ}42'45''$, a radius of 724.10 feet, and whose chord bears North $64^{\circ}09'48''$ West, a distance of 122.60 feet to the intersection with said Northeasterly right-of-way line and said

1 Annexation line; Thence along said Annexation line and the Southerly line of Lot 6 of said
2 MBT Subdivision the following eight (8) courses:

- 4 1. North 71°53'42" East, a distance of 141.47 feet;
- 5 2. South 53°47'19" East, a distance of 51.81 feet;
- 6 3. North 60°33'03" East, a distance of 166.46 feet;
- 7 4. South 56°41'35" East, a distance of 291.36 feet;
- 8 5. South 69°25'00" East, a distance of 140.35 feet;
- 9 6. South 78°04'11" East, a distance of 281.64 feet;
- 10 7. South 59°51'18" East, a distance of 411.26 feet;
- 11 8. South 81°09'39" East, a distance of 734.74 feet to the Northwest corner of said Lot 7;

12 Thence along the Westerly, Southwesterly and Southerly lines of said Lot 7 the following
13 three (3) courses:

- 16 1. South 9°39'43" East, a distance of 357.81 feet;
- 17 2. South 46°48'42" East, a distance of 110.86 feet;
- 18 3. North 89°44'14" East, a distance of 178.25 feet to the Point of Beginning.

20 Basis of Bearings: Bearings are based on the Southerly line of the Southeast Quarter of
21 Section 26, Township 3 South, Range 67 West of the Sixth Principal Meridian, said
22 Southerly line bearing North 89°39'23" East, based on NAD 83/92 State Plane Central Zone
23 Coordinates. The Southeast corner of Section 26 is a City of Aurora 3" brass cap stamped
24 PLS 16419 in a range box. The South Quarter corner of Section 26 is a 3.25" aluminum cap
25 stamped URS Corp PLS 20683 in range box.

27 **WHEREAS**, the Parks and Recreation Advisory Board and the Executive Director of Parks
28 and Recreation have recommended that said Park Property be formally designated as a "park"
29 under section 2.4.5 of the City Charter.

30 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

31 **Section 1.** That the Park Property, legally described above, is hereby designated as a "park"
32 under section 2.4.5 of the City Charter, and shall henceforth be regarded as being a designated park
33 in the City and County of Denver, such designation being subject to any existing utilities lawfully
34 located in the Park Property as of the date of this park designation.

1 COMMITTEE APPROVAL DATE: _____, 2023
2 MAYOR-COUNCIL DATE: _____, 2023
3 PASSED BY THE COUNCIL: _____
4 _____ - PRESIDENT
5 APPROVED: _____ - MAYOR _____
6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER
9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____;
10 PREPARED BY: Jason D. Moore, Assistant City Attorney DATE: _____, 2023
11 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
12 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 Kerry B. Tipper, Denver City Attorney
17
18 BY: _____, Assistant City Attorney DATE: _____