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BY AUTHORITY

ORDINANCE NO. 230

SERIES OF 1965

COUNCILMAN'S BILL NO. 263

INTRODUCED BY COUNCILMEN

Hentzell, De Temple, and MacLachlan

A. B I L L

FOR AN ORDINANCE VACATING WEST KENTUCKY AVENUE FROM THE WEST LINE OF VACATED SOUTH ACOMA STREET TO THE WEST LINE OF THE ALLEY IN BLOCK 1, FIRST ADDITION TO EDGERTON PLACE, SUBJECT TO CERTAIN 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 portion of that certain street hereinafter described and, subject to approval by ordinance, has vacated the same with the reservations hereinafter set forth; 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 portion of a certain public street in the City and County of Denver, State of Colorado, to-wit:

West Kentucky Avenue from the Northerly extension of the West line of vacated Acoma Street to the Northerly extension of the West line of the alley in Block 1, First Addition to Edgerton Place,

be and the same is hereby approved and the described portion of said street is hereby vacated and declared vacated; provided, however, and subject to the following conditions and reservations:

- (a) There is reserved to the utility owners and to the City and County of Denver the continued use of and the right to maintain and operate all existing power, gas and sewer lines in the vacated portion of said street.
- (b) There is reserved to the Board of Water Commissioners an easement for the construction, operation and maintenance of a water line or lines through, under and over the following described portion of the vacated area and provided, further, that no building or structure

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shall be erected thereon or any trees or shrubs planted thereupon:

West Kentucky Avenue from the West line of the alley in Block 1, First Addition to Edgerton Place, extended Northerly to a line 13 feet West of and parallel with the said Northerly extension.

Section 2. The Council finds this Ordinance is necessary for the immediate preservation of the public health and public safety and determines that it shall take effect immediately upon its final passage and publication.

PASSED BY the Council July 26 1965

Elmer Caldwell - President

Thomas D. Thomas D. Curran - Mayor July 28 1965

ATTEST: F. J. Perugini - Clerk and Recorder, Ex-Officio
Clerk of the City and County of Denver

PUBLISHED IN The Daily Journal July 24 1965 and July 31 1965

I have made the findings and determinations set forth in the above and foregoing draft or form of a proposed Bill for An Ordinance, and, subject to approval by Ordinance, have vacated and do hereby vacate that portion of that certain street therein described, subject to certain reservations, and request the Council of the City and County of Denver to approve such vacation, subject to such reservations, by the enactment of an appropriate ordinance. I approve said draft or form of a proposed Bill for An Ordinance, and recommend the introduction and passage thereof.

W. A. Nichols
Manager of Public Works

PREPARED BY: Max P. Jall - City Attorney

APPROVED: James D. Simon - Planning Director

