

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2023

COUNCIL BILL NO. CB23-_____
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 as an addition to First Creek Open Space.

WHEREAS, the following real property 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”):

4201 North Picadilly Road

A portion of that certain parcel of land described as “Exhibit A” in Covenant and Permit recorded April 1, 2005 at Reception No. 2005054093 in the official records of the City and County of Denver, State of Colorado situated in the East half of Section 23, Township 3 South, Range 66 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, and more particularly described as follows:

Commencing at the East quarter corner of said Section 23, whence the East line of the Northeast quarter of said Section 23 bears North 0°17’05” West, with all bearings referenced herein being relative thereto; Thence South 69°55’55” West, a distance of 173.41 feet to the Point of Beginning; Thence South 0°21’56” East, a distance of 340.01 feet; Thence South 6°53’16” West, a distance of 167.71 feet to the Northerly right-of-way of East 42nd Avenue as depicted on Green Valley Ranch Filing No. 24 recorded February 5, 1999 at Reception No. 9900021768 in said official records; Thence along said Northerly right-of-way, the following two (2) courses:

1. South 89°43’22” West, a distance of 51.16 feet to the beginning of a tangent curve concave Northerly having a radius of 965.00 feet;
2. Westerly along said curve through a central angle of 10°00’23”, an arc length of 168.53 feet to the Southeast corner of Tract B, Green Valley Ranch Filing No. 8 recorded June 12, 1987 at Reception No. 145297 in said official records;

Thence along the Easterly boundary of said Tract B, the following five (5) courses:

1. North 6°22’43” West, a distance of 48.35 feet;
2. North 24°33’25” East, a distance of 269.80 feet;
3. North 2°33’38” East, a distance of 145.17 feet;
4. North 29°23’31” West, a distance of 332.18 feet;
5. North 3°29’32” East, a distance of 85.79 feet;

Thence departing said Easterly boundary, South 89°26’29” East, a distance of 42.30 feet; Thence South 1°41’02” East, a distance of 111.04 feet; Thence South 27°34’12” East, a

1 distance of 33.02 feet; Thence South 65°52'21" East, a distance of 77.13 feet; Thence
2 South 45°19'54" East, a distance of 211.17 feet to the Point of Beginning.

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4 City and County of Denver, State of Colorado.

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6 And

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8 21640 East 42nd Avenue

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10 A portion of Tract G, Green Valley Ranch Filing No. 24 recorded February 5, 1999 at
11 Reception No. 990021768 in the official records of the Clerk and Recorder of the City and
12 County of Denver, State of Colorado situated in the Southeast quarter of Section 23,
13 Township 3 South, Range 66 West of the Sixth Principal Meridian, said City, County and
14 State more particularly described as follows:

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16 Commencing at the East quarter corner of said Section 23, whence the East line of the
17 Southeast quarter of said Section 23 bears South 0°16'48" East, with all bearings
18 referenced herein being relative thereto;

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20 Thence South 19°00'12" West, a distance of 672.86 feet to the Northerly boundary of said
21 Tract G, also being a point on the Southerly right-of-way of East 42nd Avenue as depicted on
22 said Green Valley Ranch Filing No. 24 and the Point of Beginning; Thence departing said
23 Northerly boundary, South 11°49'25" East, a distance of 31.90 feet; Thence South
24 31°51'26" West, a distance of 65.64 feet; Thence South 45°24'29" West, a distance of 55.91
25 feet; Thence South 17°11'23" West, a distance of 24.07 feet; Thence South 22°43'30" East,
26 a distance of 151.31 feet; Thence South 47°19'01" East, a distance of 44.70 feet; Thence
27 South 35°12'13" East, a distance of 116.07 feet to the Southerly boundary of said Tract G;
28 Thence along the Southerly and Westerly boundary of said Tract G, the following three (3)
29 courses:

- 30
31 1. South 89°43'22" West, a distance of 23.84 feet to the beginning of a tangent curve
32 concave Northeasterly having a radius of 200.00 feet;
33 2. Northwesterly along said curve through a central angle of 114°24'00", an arc length of
34 399.33 feet;
35 3. North 24°07'22" East, a distance of 146.05 feet to the Southerly right-of-way of said East
36 42nd Avenue, being the beginning of a non-tangent curve concave Northerly having a
37 radius of 1035.00 feet the radius point of said curve bears North 2°35'54" East;

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39 Thence along said Southerly right-of-way, the following two (2) courses:

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41 1. Easterly along said curve through a central angle of 2°51'36", an arc length of 51.67 feet;
42 2. North 89°43'22" East, a distance of 12.81 feet to the Point of Beginning.

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44 City and County of Denver, State of Colorado.

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

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

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

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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

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18 BY: _____, Assistant City Attorney DATE: _____