

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2016

COUNCIL BILL NO. CB16-1150
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance designating certain property as “park” under section 2.4.5 of the city charter, namely Sand Creek Open Space.

WHEREAS, the following real property, known as Sand Creek Open Space, 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”):

A parcel of land situated in the Southeast one-quarter of Section 21, the Southwest one-quarter of Section 22, the North one-half of Section 27 and the Northeast one-quarter of Section 28, Township 3 South, Range 67 West of the 6TH Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

Commencing at the Southeast corner of the Northeast one-quarter of said Section 27; Thence N0°28’34”W, along the East line of said Northeast one-quarter of Section 27, a distance of 574.52 feet; Thence S89°31’26”W, a distance of 50.00 feet to the Westerly right-of-way line of Havana Street as acquired on February 19, 1942 in Book 276 at Page 560, County of Adams records, said point being on the centerline of Sand Creek, being the Point of Beginning;

1. Thence along the centerline of Sand Creek the following sixteen(16) courses:

- 1a. Thence S79°53’32”W, a distance of 263.42 feet;
- 1b. Thence N82°42’51”W, a distance of 162.12 feet;
- 1c. Thence N48°11’03”W, a distance of 147.63 feet;
- 1d. Thence N80°12’16”W, a distance of 208.73 feet;
- 1e. Thence N60°46’17”W, a distance of 394.25 feet;
- 1f. Thence N42°46’20”W, a distance of 1082.12 feet;
- 1g. Thence N52°59’22”W, a distance of 495.16 feet;
- 1h. Thence N81°44’53”W, a distance of 846.46 feet;
- 1i. Thence N77°48’48”W, a distance of 667.28 feet;
- 1j. Thence N85°28’38”W, a distance of 782.17 feet;
- 1k. Thence N89°16’41”W, a distance of 445.06 feet;
- 1l. Thence N75°51’49”W, a distance of 179.88 feet;
- 1m. Thence N59°50’14”W, a distance of 245.86 feet;
- 1n. Thence N77°26’47”W, a distance of 170.51 feet;
- 1o. Thence N44°24’10”W, a distance of 109.51 feet;
- 1p. Thence N22°25’55”W, a distance of 269.59 feet to a point on the Southerly right-of-way line

of Smith Road as established by perpetual easement recorded on September 16, 1954 in Book 7538 at Page 476, City and County of Denver Clerk and Recorder’s Office;

- 2. Thence S84°51’15”E, along said Southerly right-of-way line, a distance of 5515.88 feet to a point on the Westerly right-of-way line of said Havana Street;
- 3. Thence along said Westerly right-of-way line the following two(2) courses:
 - 3a. Thence S39°27’35”E, a distance of 237.64 feet;

1 3b. Thence S0°28'34"E, a distance of 1576.64 feet to the Point of Beginning.

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3 Excepting therefrom the following parcel:

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5 Commencing at the Southeast corner of the Northeast one-quarter of said Section 27;
6 Thence N0°28'34"W, along the East line of said Northeast one-quarter of Section 27, a
7 distance of 574.52 feet; Thence S89°31'26"W, a distance of 50.00 feet to the Westerly right-
8 of-way line of Havana Street as acquired on February 19, 1942 in Book 276 at Page 560,
9 County of Adams records, said point being on the centerline of Sand Creek; Thence
10 N32°55'59"W, a distance of 1727.57 feet to the Point of Beginning; Thence S6°10'59"W, a
11 distance of 90.00 feet; Thence N83°49'01"W, a distance of 50.00 feet; Thence S6°10'59"W,
12 a distance of 70.00 feet; Thence N83°49'01"W, a distance of 130.00 feet; Thence
13 N6°10'59"E, a distance of 160.00 feet; Thence S83°49'01"E, a distance of 180.00 feet to the
14 Point of Beginning.

15
16 **WHEREAS**, the Parks and Recreation Advisory Board and the Manager of Parks and
17 Recreation have recommended that said Park Property be formally designated as a "park" under
18 section 2.4.5 of the City Charter.

19 **THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

20 **Section 1.** That the Park Property, known as Sand Creek Open Space, is hereby designated
21 as a "park" under section 2.4.5 of the City Charter and shall henceforth be regarded as being a
22 designated park in the City and County of Denver, the designation being subject to existing
23 maintenance facilities and a nursery/storage area operated by the Department of Parks and
24 Recreation, existing Metro Wastewater sewer lines, an existing Denver Water Department water
25 facilities site, the drainage for Sand Creek, and any existing utilities lawfully located in the Park
26 Property as of the date of this park designation.

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28 **[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]**

1 COMMITTEE APPROVAL DATE: November 17, 2016 by consent
2 MAYOR-COUNCIL DATE: November 22, 2016
3 PASSED BY 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: November 23, 2016
11 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
12 the 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 Kristin M. Bronson, Denver City Attorney
17
18 BY: _____, Assistant City Attorney DATE: _____