

1 **BY AUTHORITY**

2 ORDINANCE NO. \_\_\_\_\_  
3 SERIES OF 2019

COUNCIL BILL NO. CB19-0415  
COMMITTEE OF REFERENCE:

4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance vacating portions of right-of-way bounded by West 28th**  
7 **Avenue, North Decatur Street, North Speer Boulevard and North Clay Street,**  
8 **without reservations.**

9 **WHEREAS**, the Executive Director of Public Works of the City and County of Denver has  
10 found and determined that the public use, convenience and necessity no longer requires certain  
11 portions of certain areas in the system of thoroughfares of the municipality hereinafter described  
12 and, subject to approval by ordinance, has vacated the same, without reservations;

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

14 **Section 1.** That the action of the Executive Director of Public Works in vacating the  
15 following described rights-of-way in the City and County of Denver and State of Colorado, to wit:

16 **PARCEL DESCRIPTION ROW NO. 2018-VACA-0000015-001:**

17 A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP  
18 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING PART OF ALLEY  
19 RIGHT-OF-WAY, BLOCK 17, HAGER'S ADDITION TO HIGHLANDS, CITY AND COUNTY OF  
20 DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

21  
22 COMMENCING AT THE FOUND 3" ALUMINUM CAP (L.S. 23899) AT THE INTERSECTION OF  
23 WEST 28TH AVENUE AND CLAY STREET;  
24 THENCE N43°04'45"W, A DISTANCE OF 213.03 FEET TO THE POINT OF BEGINNING;  
25 THENCE N89°37'52"W, A DISTANCE OF 54.84 FEET;  
26 THENCE N00°02'57"E, A DISTANCE OF 15.00 FEET;  
27 THENCE S89°37'52"E, A DISTANCE OF 20.46 FEET;  
28 THENCE S55°38'08"E, A DISTANCE OF 14.60 FEET;  
29 THENCE ALONG THE ARC OF A TANGENTIAL CURVE TO THE LEFT, A DISTANCE OF 23.73  
30 FEET, SAID ARC HAVING A CHORD BEARING OF S72°38'00"E, A CHORD LENGTH OF 23.39  
31 FEET, A RADIUS OF 40.00 FEET, AND A CENTRAL ANGLE OF 33°59'45" TO A POINT OF  
32 TANGENCY; ALSO BEING THE POINT OF BEGINNING.

33  
34 CONTAINING 487 SQUARE FEET MORE OR LESS.

35  
36 BASIS OF BEARINGS IS BETWEEN THE FOUND 3" ALUMINUM CAP 4.5 FOOT OFFSET (L.S.  
37 23899) AT THE INTERSECTION OF WEST 28TH AVENUE AND DECATUR STREET AND THE

1 FOUND 3" ALUMINUM CAP (L.S. 23899) AT THE INTERSECTION OF WEST 28TH AVENUE AND  
2 CLAY STREET, HAVING AN ASSUMED BEARING OF N89°51'26"W

3  
4 and

5 **PARCEL DESCRIPTION ROW NO. 2018-VACA-0000015-002:**

6 A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP  
7 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING PART OF ALLEY  
8 RIGHT-OF-WAY, BLOCK 17, HAGER'S ADDITION TO HIGHLANDS, CITY AND COUNTY OF  
9 DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

10  
11 COMMENCING AT THE FOUND 3" ALUMINUM CAP (L.S. 23899) AT THE INTERSECTION OF  
12 WEST 28TH AVENUE AND CLAY STREET; THENCE N44°28'33"W, A DISTANCE OF 286.13  
13 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE ARC OF A CURVE TO THE LEFT,  
14 A DISTANCE OF 20.32 FEET, SAID ARC HAVING A CHORD BEARING OF N75°01'40"W, A  
15 CHORD LENGTH OF 20.10 FEET, A RADIUS OF 40.00 FEET, AND A CENTRAL ANGLE OF  
16 29°06'33" TO A POINT OF NON-TANGENCY; THENCE S89°34'56"E, A DISTANCE OF 19.43  
17 FEET; THENCE S00°02'57"W, A DISTANCE OF 5.05 FEET MORE OR LESS TO THE POINT OF  
18 BEGINNING.

19  
20 CONTAINING 32 SQUARE FEET MORE OR LESS.

21  
22 BASIS OF BEARINGS IS BETWEEN THE FOUND 3" ALUMINUM CAP 4.5 FOOT OFFSET (L.S.  
23 23899) AT THE INTERSECTION OF WEST 28TH AVENUE AND DECATUR STREET AND THE  
24 FOUND 3" ALUMINUM CAP (L.S. 23899) AT THE INTERSECTION OF WEST 28TH AVENUE  
25 AND CLAY STREET, HAVING AN ASSUMED BEARING OF N89°51'26"W

26 be and the same are hereby approved and the described portions of rights-of-way are hereby  
27 vacated and declared vacated, without reservations.

28  
29 **REMAINDER OF PAGE INTENTIONALLY BLANK**

30

1 COMMITTEE APPROVAL DATE: April 30, 2019 by Consent  
2 MAYOR-COUNCIL DATE: May 7, 2019  
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: Martin A. Plate, Assistant City Attorney DATE: May 9, 2019

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: \_\_\_\_\_