

BY AUTHORITY

1
2 ORDINANCE NO. _____
3 SERIES OF 2022

COUNCIL BILL NO. CB22-0402
COMMITTEE OF REFERENCE:

4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance vacating the following locations: North Franklin Street,**
7 **located south of future National Western Drive and south of North Race Court;**
8 **51st Avenue at the southerly end of North Franklin Street; 48th Avenue, the**
9 **easterly portion of the Right of Way lying east of the Platte River; and 49th**
10 **Avenue, the easterly portion of the Right of Way lying east of the Platte River,**
11 **all without reservations.**

12
13 **WHEREAS**, the Executive Director of the Department of Transportation and Infrastructure of
14 the City and County of Denver has found and determined that the public use, convenience and
15 necessity no longer require that certain area in the system of thoroughfares of the municipality
16 hereinafter described and, subject to approval by ordinance, has vacated the same, without
17 reservations;

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

19 **Section 1.** That the action of the Executive Director of the Department of Transportation
20 and Infrastructure in vacating the following described right-of-way in the City and County of Denver
21 and State of Colorado, to wit:

22 **PARCEL DESCRIPTION ROW NO. 2021-VACA-0000006-001:**

23 48TH AVENUE DESCRIPTION:
24

25 ALL THAT PART OF 48TH AVENUE AS LAID OUT IN THE PLAT OF SUBDIVISION OF BLOCK 4
26 CRANBERRY PLACE, RECORDED JULY 28, 1887 IN MAP BOOK 4, PAGE 40, LYING EASTERLY
27 OF THE OFFICIAL CHANNEL OF THE SOUTH PLATTE RIVER PER ORDINANCE 33, SERIES
28 1926, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 3 SOUTH,
29 RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE
30 OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

31
32 CONSIDERING THE NORTH-SOUTH CENTERLINE OF SECTION 14 TO BEAR SOUTH 00°20'34"
33 WEST BETWEEN A FOUND 2" BRASS CAP STAMPED "T3S R68W C 1/4 S14 1996 LS 17650"
34 AT THE CENTER QUARTER CORNER OF SECTION 14 AND A FOUND 3.25" ALUMINUM CAP
35 STAMPED "COLO DEPT OF TRANSPORTATION T3S R68W 1/4 S14 S23 1994 PLS 23521" AT
36 THE SOUTH QUARTER CORNER OF SECTION 14, WITH ALL BEARINGS CONTAINED HEREIN
37 RELATIVE THERETO.

1
2 COMMENCING AT SAID CENTER QUARTER CORNER OF SECTION 14; THENCE SOUTH
3 35°00'53" WEST, A DISTANCE OF 3,072.51 FEET TO A POINT ON THE NORTHERLY RIGHT-
4 OF-WAY LINE OF 48TH AVENUE, ALSO BEING THE SOUTHEASTERLY CORNER OF BLOCK
5 4, CRANBERRY PLACE AND THE POINT OF BEGINNING;
6
7 THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID 48TH AVENUE, SOUTH
8 00°17'24" WEST, A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-
9 WAY LINE OF SAID 48TH AVENUE;
10
11 THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 89°58'43" WEST, A
12 DISTANCE OF 27.53 FEET TO A POINT OF NON-TANGENT CURVATURE ON THE EASTERLY
13 LINE OF THE OFFICIAL CHANNEL OF THE SOUTH PLATTE RIVER;
14
15 THENCE ALONG SAID EASTERLY LINE THE FOLLOWING TWO (2) COURSES:
16 1) 20.24 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 955.37
17 FEET, AN INCLUDED ANGLE OF 01°12'50" AND SUBTENDED BY A CHORD BEARING NORTH
18 00°47'51" EAST, A DISTANCE OF 20.24 FEET;
19 2) THENCE NORTH 00°11'26" EAST, A DISTANCE OF 9.76 FEET TO A POINT ON SAID
20 NORTHERLY RIGHT-OF-WAY LINE OF 48TH AVENUE;
21
22 THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, SOUTH 89°58'42" EAST, A
23 DISTANCE OF 27.37 FEET TO THE POINT OF BEGINNING;
24
25 SAID PARCEL CONTAINING 822 SQ. FT. OR 0.02 ACRES, MORE OR LESS.

26 and

27 **PARCEL DESCRIPTION ROW NO. 2021-VACA-0000006-002:**

28
29 49TH AVENUE DESCRIPTION:

30
31 ALL THAT PART OF 49TH AVENUE AS LAID OUT IN THE PLAT OF CRANBERRY PLACE,
32 RECORDED JULY 28, 1887 IN MAP BOOK 4, PAGE 40, LYING EASTERLY OF THE OFFICIAL
33 CHANNEL OF THE SOUTH PLATTE RIVER PER ORDINANCE 33, SERIES 1926, LOCATED IN
34 THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF
35 THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO,
36 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

37
38 CONSIDERING THE NORTH-SOUTH CENTERLINE OF SECTION 14 TO BEAR SOUTH 00°20'34"
39 WEST BETWEEN A FOUND 2" BRASS CAP STAMPED "T3S R68W C 1/4 S14 1996 LS 17650"
40 AT THE CENTER QUARTER CORNER OF SECTION 14 AND A FOUND 3.25" ALUMINUM CAP
41 STAMPED "COLO DEPT OF TRANSPORTATION T3S R68W 1/4 S14 S23 1994 PLS 23521" AT
42 THE SOUTH QUARTER CORNER OF SECTION 14, WITH ALL BEARINGS CONTAINED HEREIN
43 RELATIVE THERETO.

44
45 COMMENCING AT SAID CENTER QUARTER CORNER OF SECTION 14; THENCE SOUTH
46 41°07'22" WEST, A DISTANCE OF 2,676.76 TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY
47 LINE OF 49TH AVENUE, ALSO BEING THE NORTHEASTERLY CORNER OF BLOCK 4,

1 CRANBERRY PLACE AND THE POINT OF BEGINNING;
2
3 THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 89°58'42" WEST, A
4 DISTANCE OF 8.72 FEET TO A POINT OF NON-TANGENT CURVATURE ON THE EASTERLY
5 LINE OF THE OFFICIAL CHANNEL OF THE SOUTH PLATTE RIVER;
6
7 THENCE ALONG SAID EASTERLY LINE 25.91 FEET ALONG THE ARC OF A CURVE TO THE
8 RIGHT, HAVING A RADIUS OF 955.37 FEET, AN INCLUDED ANGLE OF 01°33'14" AND
9 SUBTENDED BY A CHORD BEARING NORTH 12°34'02" EAST, A DISTANCE OF 25.91 FEET TO
10 A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST
11 QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14 AND THE NORTHERLY RIGHT-
12 OF-WAY LINE OF SAID 49TH AVENUE;
13
14 THENCE ALONG SAID NORTH LINE, SOUTH 89°57'42" EAST, A DISTANCE OF 3.21 FEET TO
15 A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID 49TH AVENUE;
16
17 THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 00°17'24" WEST, A
18 DISTANCE OF 25.29 FEET TO THE POINT OF BEGINNING;
19
20 SAID PARCEL CONTAINING 153 SQ. FT. OR 0.004 ACRES, MORE OR LESS

21 and

22 **PARCEL DESCRIPTION ROW NO. 2021-VACA-0000006-003:**

23
24 51ST AVENUE VACATION:

25
26 A PORTION OF 51ST AVENUE RIGHT-OF-WAY LOCATED IN THE NORTH HALF OF SECTION
27 14, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND
28 COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS
29 FOLLOWS:

30
31 CONSIDERING THE NORTH-SOUTH CENTER LINE OF SECTION 14 TO BEAR NORTH
32 00°20'34" EAST, A DISTANCE OF 2,657.09 FEET BETWEEN A FOUND 3.25" ALUMINUM CAP
33 STAMPED "COLO DEPT OF TRANSPORTATION T3S R68W 1/4 S14 S23 1994 PLS 23521" AT
34 THE SOUTH QUARTER CORNER OF SECTION 14 AND A FOUND 2" BRASS CAP STAMPED
35 "T3S R68W C 1/4 S14 1996 LS 17650" AT THE CENTER QUARTER CORNER OF SECTION 14,
36 WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

37
38 COMMENCING AT SAID CENTER QUARTER CORNER OF SECTION 14; THENCE SOUTH
39 02°15'42" EAST, A DISTANCE OF 660.20 FEET TO A POINT ON THE EASTERLY RIGHT-OF-
40 WAY LINE OF FRANKLIN STREET;

41
42 THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 00°20'34" WEST, A
43 DISTANCE OF 376.56 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 51ST
44 AVENUE AND THE POINT OF BEGINNING;

45
46 THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, SOUTH 89°02'39" EAST, A
47 DISTANCE OF 50.00 FEET TO A POINT ON THE WESTERLY LINE OF VACATED 51ST AVENUE

1 PER ORDINANCE NO. 18, SERIES 1919;
2
3 THENCE ALONG SAID WESTERLY LINE, SOUTH 00°20'34" WEST, A DISTANCE OF 60.00 FEET
4 TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 51ST AVENUE;
5
6 THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 89°02'39" WEST, A
7 DISTANCE OF 50.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF
8 FRANKLIN STREET;
9
10 THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, NORTH 00°20'34" EAST, A DISTANCE
11 OF 60.00 FEET TO THE POINT OF BEGINNING;
12
13 CONTAINING 3,000 SQ. FT. OR 0.07 ACRES, MORE OR LESS

14 and

15 **PARCEL DESCRIPTION ROW NO. 2021-VACA-0000006-004:**

16
17 FRANKLIN STREET VACATION:

18
19 A PORTION OF FRANKLIN STREET RIGHT-OF-WAY LOCATED IN THE NORTH HALF OF
20 SECTION 14, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,
21 CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY
22 DESCRIBED AS FOLLOWS:

23
24 CONSIDERING THE NORTH-SOUTH CENTER LINE OF SECTION 14 TO BEAR NORTH
25 00°20'34" EAST, A DISTANCE OF 2,657.09 FEET BETWEEN A FOUND 3.25" ALUMINUM CAP
26 STAMPED "COLO DEPT OF TRANSPORTATION T3S R68W 1/4 S14 S23 1994 PLS 23521" AT
27 THE SOUTH QUARTER CORNER OF SECTION 14 AND A FOUND 2" BRASS CAP STAMPED
28 "T3S R68W C 1/4 S14 1996 LS 17650" AT THE CENTER QUARTER CORNER OF SECTION 14,
29 WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

30
31 COMMENCING AT SAID CENTER QUARTER CORNER OF SECTION 14; THENCE SOUTH
32 02°15'42" EAST, A DISTANCE OF 660.20 FEET TO A POINT ON THE EASTERLY RIGHT-OF-
33 WAY LINE OF FRANKLIN STREET AND THE POINT OF BEGINNING;

34
35 THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 00°20'34" WEST, A
36 DISTANCE OF 436.56 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF
37 FRANKLIN STREET;

38
39 THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 89°02'39" WEST, A
40 DISTANCE OF 60.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF
41 FRANKLIN STREET;

42
43 THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, NORTH 00°20'34" EAST, A
44 DISTANCE OF 251.15 FEET TO A POINT OF NON-TANGENT CURVATURE;


45
46 THENCE 195.60 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF
47 483.00 FEET, AN INCLUDED ANGLE OF 23°12'10" AND SUBTENDED BY A CHORD BEARING


1 NORTH 18°19'59" EAST, A DISTANCE OF 194.26 FEET TO THE POINT OF BEGINNING;
2
3 CONTAINING 19,351 SQ. FT. OR 0.44 ACRES, MORE OR LESS
4
5 be and the same are hereby approved and the described portions of right-of-way are hereby vacated
6 and declared vacated, without reservations.

7 COMMITTEE APPROVAL DATE: April 12, 2022 by Consent

8 MAYOR-COUNCIL DATE: April 19, 2022

9 PASSED BY THE COUNCIL: _____ May 2, 2022

10  _____ - PRESIDENT PRO-TEM

11 APPROVED: _____ - MAYOR  May 3, 2022

12 ATTEST: _____ - CLERK AND RECORDER,
13 EX-OFFICIO CLERK OF THE
14 CITY AND COUNTY OF DENVER

15 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

16 PREPARED BY: Martin A. Plate, Assistant City Attorney DATE: April 21, 2022

17 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
18 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
19 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
20 3.2.6 of the Charter.

21 Kristin M. Bronson, Denver City Attorney

22 BY:  _____, Assistant City Attorney DATE: Apr 20, 2022