

1 **BY AUTHORITY**

2 ORDINANCE NO. \_\_\_\_\_

COUNCIL BILL NO. CB20-0396

3 SERIES OF 2020

COMMITTEE OF REFERENCE:

4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance vacating a portion of right-of-way directly under Interstate 70**  
7 **and adjacent to 4665 North Fox Street, without reservations.**

8 **WHEREAS**, the Executive Director of the Department of Transportation and Infrastructure of  
9 the City and County of Denver has found and determined that the public use, convenience and  
10 necessity no longer require that certain portion of that certain area in the system of thoroughfares of  
11 the municipality hereinafter described and, subject to approval by ordinance, has vacated the same,  
12 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 the Department of Transportation  
15 and Infrastructure in vacating the following described right-of-way in the City and County of Denver  
16 and State of Colorado, to wit:

17 **PARCEL DESCRIPTION ROW NO. 2018-VACA-0000017-001:**

18 A parcel of land being a portion of City and County of Denver Right of Way as described in a  
19 Special Warranty Deed recorded at Reception No. 604668, also in Book 6495 at Page 376,  
20 recorded January 19, 1949, lying in the Northwest Quarter of the Northwest Quarter of Section 22,  
21 Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver,  
22 Colorado, being that portion and only that portion of the following described parcel lying above  
23 elevation 5206.97 feet (NAVD88) and below elevation 5240.47 feet (NAVD88), said parcel  
24 described as follows:

25 COMMENCING at the Northwest Corner of said Section 22 (as witnessed by a found 3-1/4"  
26 aluminum cap stamped "T3S R68W S16 S15 S21 S22 WC15FT 2000 PLS 34173");

27 WHENCE the West Sixteenth Corner of said Section 15 and said Section 22 (a found 3" aluminum  
28 cap stamped "WESTERN STATES SURVEYING INC. T3S R68W W1/16 S15 S22 2008 PLS  
29 23516") bears S89°54'01"E a distance of 1320.82 feet (basis of bearing – assumed);

30 THENCE S04°45'02"E a distance of 483.19 feet to the northerly line of said City and County of  
31 Denver Right of Way, being the POINT OF BEGINNING;

32 THENCE S70°18'00"E, coincident with said northerly Right of Way line, a distance of 16.16 feet;

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1 COMMITTEE APPROVAL DATE: May 5, 2020 by Consent  
2 MAYOR-COUNCIL DATE: May 12, 2020 by Consent  
3 PASSED BY THE COUNCIL: \_\_\_\_\_ June 4, 2020  
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 14, 2020  
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: May 13, 2020