

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2014

COUNCIL BILL NO. CB14-0956  
COMMITTEE OF REFERENCE:  
Infrastructure & Culture

**A BILL**

**For an ordinance vacating a portion of the right-of-way airspace near the intersection of East 9<sup>th</sup> Avenue and North Colorado Boulevard, without reservations.**

**WHEREAS**, the Manager of Public Works of the City and County of Denver has found and determined that the public use, convenience and necessity no longer require that certain portion of that certain area in the system of thoroughfares of the municipality hereinafter described and, subject to approval by ordinance, has vacated the same, without reservations;

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

**Section 1.** That the action of the Manager of Public Works in vacating the following described right-of-way airspace in the City and County of Denver and State of Colorado, to wit:

**PARCEL DESCRIPTION ROW NO. 2014-0597-02-01**

ALL THAT PART OF 9TH AVENUE RIGHT-OF-WAY LYING ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF 5342.39' (NAVD) AND LYING BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF 5440.37' (NAVD) AND LYING WITHIN THE FOLLOWING HORIZONTAL BOUNDARIES:

A PARCEL OF LAND BEING A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE WEST QUARTER CORNER OF SAID SECTION 6, WHENCE THE SOUTHWEST CORNER OF SAID SECTION 6 BEARS SOUTH 00°15'29" EAST, A DISTANCE OF 2649.00 FEET, ALL BEARINGS HEREON ARE REFERENCED TO THIS LINE;

THENCE SOUTH 35°10'26" EAST, A DISTANCE OF 768.16 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF 9TH AVENUE AS DESCRIBED IN BOOK 2550 AT PAGE 221 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER AND THE **POINT OF BEGINNING**;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY, NORTH 89°33'50" EAST, A DISTANCE OF 81.00 FEET;

THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY, SOUTH 00°24'46" EAST,

1 A DISTANCE OF 72.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF  
2 9<sup>TH</sup> AVENUE AS DESCRIBED IN BOOK 9138 AT PAGE 553, IN SAID RECORDS;

3  
4 THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY, SOUTH 89°33'50" WEST, A  
5 DISTANCE OF 81.00 FEET;

6  
7 THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY, NORTH 00°24'46" WEST,  
8 A DISTANCE OF 72.00 FEET TO THE **POINT OF BEGINNING**.

9  
10 CONTAINING AN AREA OF 0.134 ACRES, (5,832 SQUARE FEET), MORE OR LESS.

11  
12 THE AIRSPACE DESCRIBED HEREIN LIES NOT LESS THAN 16.00' ABOVE THE  
13 CURRENT ASPHALT ROADWAY SURFACE LYING WITHIN THE SAME  
14 HORIZONTAL BOUNDARIES.  
15

16 be and the same is hereby approved and the described portion of that right-of-way airspace is  
17 hereby vacated and declared vacated, without reservations.

18 COMMITTEE APPROVAL DATE: November 6, 2014 [by consent]

19 MAYOR-COUNCIL DATE: November 11, 2014

20 PASSED BY THE COUNCIL: \_\_\_\_\_, 2014

21 \_\_\_\_\_ - PRESIDENT

22 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_, 2014

23 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
24 EX-OFFICIO CLERK OF THE  
25 CITY AND COUNTY OF DENVER  
26

27 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_, 2014; \_\_\_\_\_, 2014

28 PREPARED BY: Brent A. Eisen, Assistant City Attorney DATE: November 13, 2014

29 Pursuant to Section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
30 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
31 ordinance. The proposed ordinance is submitted to the City Council for approval pursuant to §  
32 3.2.6 of the Charter.  
33

34 D. Scott Martinez, Denver City Attorney

35 BY: \_\_\_\_\_, City Attorney DATE: \_\_\_\_\_, 2014