

**BY AUTHORITY**

1  
2 ORDINANCE NO. \_\_\_\_\_  
3 SERIES OF 2018

COUNCIL BILL NO. CB18-0907  
COMMITTEE OF REFERENCE:

4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance vacating an alley bounded by West 40th Avenue, West 41st**  
7 **Avenue, Jason Street and Inca Street, without reservations.**

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

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

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

15 **PARCEL DESCRIPTION ROW NO. 2016-VACA-0000031-001:**

16 A PARCEL OF LAND BEING THE NORTH/ SOUTH 16 FOOT PUBLIC ALLEY LOCATED IN  
17 BLOCK 30, VIADUCT ADDITION TO DENVER, SITUATED IN THE SOUTHEAST 1/4 OF  
18 SECTION 21, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN,  
19 CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY  
20 DESCRIBED AS FOLLOWS:

21 BEGINNING AT THE NORTHEAST CORNER OF LOT 1, OF SAID BLOCK;

22 THENCE NORTH 89°45'00" EAST COINCIDENT WITH THE SOUTH RIGHT OF WAY LINE OF  
23 WEST 41<sup>ST</sup> AVENUE, A DISTANCE OF 16.00 FEET TO THE NORTHWEST CORNER OF LOT  
24 30 OF SAID BLOCK;

25 THENCE SOUTH 00°13'27" EAST COINCIDENT WITH THE WEST LINE OF LOTS 16  
26 THROUGH 30 OF SAID BLOCK, A DISTANCE OF 374.90 FEET TO THE SOUTHWEST  
27 CORNER OF LOT 16 OF SAID BLOCK;

28 THENCE SOUTH 89°44'32" WEST COINCIDENT WITH THE NORTH RIGHT OF WAY LINE OF  
29 WEST 40<sup>TH</sup> AVENUE, A DISTANCE OF 16.00 FEET TO THE SOUTHEAST CORNER OF LOT 15  
30 OF SAID BLOCK;

31 THENCE NORTH 00°13'27" WEST COINCIDENT WITH THE EAST LINE OF LOTS 1 THROUGH  
32 15 OF SAID BLOCK, A DISTANCE OF 374.90 FEET TO THE POINT OF BEGINNING.

33 PARCEL CONTAINS 5,998 SQUARE FEET OR 0.138 ACRES, MORE OR LESS.

1 BASIS OF BEARINGS: BEARINGS ARE BASED ON THE ASSUMPTION THAT THE NORTH/  
2 SOUTH (20.0') RANGE LINE COINCIDENT WITH INCA STREET BETWEEN WEST 40TH  
3 AVENUE AND WEST 41ST AVENUE BEARS NORTH 00°13'28" WEST WITH ALL BEARINGS  
4 REFERENCED HEREIN RELATIVE THERETO. THE SOUTH RANGE POINT LOCATED AT THE  
5 INTERSECTION OF WEST 40TH AVENUE AND INCA STREET IS MONUMENTED WITH A 2IN  
6 ALUMINUM CAP IN RANGE BOX STAMPED PLS 24942/ JACOBS 2011. THE NORTH RANGE  
7 POINT LOCATED AT THE INTERSECTION OF WEST 41ST AVENUE AND INCA STREET IS  
8 MONUMENTED WITH A 2IN ALUMINUM CAP IN RANGE BOX STAMPED PLS 24942/ JACOBS  
9 2011. REFER TO CITY AND COUNTY OF DENVER TIE SHEETS 2012-0029 & 2012-0030 FOR  
10 MONUMENT DETAILS

11 be and the same is hereby approved and the described portion of right-of-way is hereby vacated and  
12 declared vacated, without reservations.

13 COMMITTEE APPROVAL DATE: August 21, 2018 by Consent

14 MAYOR-COUNCIL DATE: August 28, 2018

15 PASSED BY THE COUNCIL: \_\_\_\_\_ September 17, 2018

16 \_\_\_\_\_ - PRESIDENT

17 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_

18 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
19 EX-OFFICIO CLERK OF THE  
20 CITY AND COUNTY OF DENVER

21 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_ ; \_\_\_\_\_

22 PREPARED BY: Brent A. Eisen, Assistant City Attorney DATE: August 30, 2018

23 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
24 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
25 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §  
26 3.2.6 of the Charter.

27  
28 Kristin M. Bronson, Denver City Attorney

29 BY:  \_\_\_\_\_, Assistant City Attorney DATE: Aug 30, 2018  
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