

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2023

COUNCIL BILL NO. CB23-1125
COMMITTEE OF REFERENCE:

4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance vacating a portion of the Wewatta Street right-of-way located**
7 **near Wewatta Street and 21st 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 area in the system of thoroughfares of the municipality
11 hereinafter described and, subject to approval by ordinance, has vacated the same, without
12 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. 2022-VACA-0000010-001:**

18 **Land Description**

19 A Tract of land being a portion of Wewatta Street Right-of-Way, AND part of 20th Street Right-of-
20 Way, located in Block 9, GASTON'S ADDITION TO THE CITY OF DENVER, a subdivision of land
21 in the Southwest Quarter of Section 27 and the Southeast Quarter of Section 28, Township 3
22 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado,
23 the plat of said subdivision recorded in Book 1 at Page 49 in the Office of the Clerk and Recorder
24 of the City and County of Denver (also filed in Book 1 at Page 27A of Engineering Images), said
25 Wewatta Street Right-of-Way established by City and County of Denver Ordinance Number 98,
26 Series 2007 and described in a Quit-claim deed recorded as Reception Number 1993156938 in
27 said Clerk and Recorder's Office, said 20th Street Right-of-Way established by City and County of
28 Denver Ordinance Number 732, Series 2003 and described therein on page 23 as Parcel No. TK
29 22787-17-005, said Tract more particularly described as follows:

30
31 Commencing at a 5/8 inch rebar with a yellow plastic cap marked "LS 38567" at a point on
32 the center line of the vacated alley adjoining the Southeast lines of Lots 8 through 14,
33 inclusive, in said Block 9, said alley vacated by Ordinance 619, Series 2006 and recorded
34 as Reception Number 2006155052 in said Clerk and Recorder's Office, said point also
35 being the South corner of a parcel of land described in a special warranty deed recorded as
36 Reception Number 2016061169 in said Clerk and Recorder's Office, from whence a 5/8 inch
37 rebar with a 2 inch aluminum cap marked "LS 38567 WC 10' SW" and lying on said center
38 line bears North 44° 55' 28" East a distance of 141.11 feet, said center line being the basis
39 of bearings of this description and all bearings herein are relative thereto, said rebar and

1 aluminum cap being a witness monument lying 10.00 feet southwesterly of the East corner
2 of said parcel; thence South 45° 13' 14" East 8.00 feet on the Southwest line of said
3 vacated alley to a point on the Northwest Right-of-Way line of said Wewatta Street and the
4 POINT OF BEGINNING of the Tract of land herein described; Thence North 44° 55' 28"
5 East 155.09 feet on said Northwest Right-of-Way line being coterminous with the Southeast
6 line of said vacated alley and its northeasterly extension to a point lying 4.00 feet
7 northeasterly of (as measured perpendicular to) the Southwest Right-of-Way line of 21st
8 Street established by City and County of Denver Ordinance Number 98, Series 2007, said
9 point also lying on the northwesterly line of Lot 26 in said Block 9; Thence South 45° 04' 32"
10 East 12.48 feet parallel with the southeasterly extension of said Southwest Right-of-Way
11 line of 21st Street; Thence leaving said extension South 44°58'37" West 8.41 feet; Thence
12 South 01°06'48" West 10.81 feet; Thence South 42°45'01" East 8.08 feet to the beginning of
13 a curve to the left non-tangent to the last described course and concave northwesterly;
14 Thence southwesterly on said curve an arc length of 139.88 feet, said curve having a radius
15 of 685.50 feet, a chord bearing of South 52°11'42" West, a chord distance of 139.64 feet
16 and an interior angle of 11°41'31, to its intersection with the southeasterly extension of the
17 northeasterly line of the parcel of land conveyed to Regional Transportation District in a
18 Warranty Deed recorded April 15, 1993 as Reception No. R-93-0047852; Thence North 45°
19 13' 14" West 10.36 feet on said southeasterly extension, non-tangent to last described
20 curve, to the POINT OF BEGINNING; said Tract containing 3,231 square feet or 0.074 acre
21 be and the same is hereby approved and the described portion of right-of-way is hereby vacated and
22 declared vacated, without reservations.

23 COMMITTEE APPROVAL DATE: August 29, 2023 by Consent
24 MAYOR-COUNCIL DATE: September 5, 2023 by Consent
25 PASSED BY THE COUNCIL: _____
26 _____ - PRESIDENT

27 APPROVED: _____ - MAYOR _____
28 ATTEST: _____ - CLERK AND RECORDER,
29 EX-OFFICIO CLERK OF THE
30 CITY AND COUNTY OF DENVER

31 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____
32 PREPARED BY: Martin A. Plate, Assistant City Attorney DATE: September 7, 2023

33 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
34 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
35 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
36 § 3.2.6 of the Charter.
37
38 Kerry Tipper, Denver City Attorney
39
40 BY: _____, Assistant City Attorney DATE: _____