

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2018

COUNCIL BILL NO. CB18-0115
COMMITTEE OF REFERENCE:
Finance & Governance

A BILL

For an ordinance designating certain properties as being required for public use and authorizing use and acquisition thereof by negotiation or through condemnation proceedings of fee simple, easement and other interests, including any rights and interests related or appurtenant to properties as needed for the National Western Center Project.

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

Section 1. That Council designates the following properties situated in the City and County of Denver and State of Colorado as being needed for public uses and purposes by the City and County of Denver, a home rule city and municipal corporation of the State of Colorado:

LEGAL DESCRIPTIONS

PARCEL 1 (4700-4712 Brighton Blvd.)

LOTS 24 AND 25 AND THE SOUTH 1/2 OF LOT 23, EXCEPT THE REAR 5 FEET FOR ALLEY PURPOSES, BLOCK 7, ELYRIA, CITY AND COUNTY OF DENVER, STATE OF COLORADO

PARCEL 2

THE SOUTH 2 FEET OF LOT 21, LOT 22 AND THE NORTH 1/2 OF LOT 23, EXCEPT THE REAR 5 FEET FOR ALLEY PURPOSES, BLOCK 7, ELYRIA, CITY AND COUNTY OF DENVER, STATE OF COLORADO

PARCEL 3 (4724 Brighton Blvd.)

LOT 20, EXCEPT THE REAR 5 FEET FOR ALLEY PURPOSES AND LOT 21, EXCEPT THE SOUTH 2 FEET, AND EXCEPT THE REAR 5 FEET FOR ALLEY PURPOSES, BLOCK 7, ELYRIA, CITY AND COUNTY OF DENVER, STATE OF COLORADO

PARCEL 4 (4736 Brighton Blvd.)

LOTS 16, 17, 18 AND 19, EXCEPT THE REAR 5 FEET FOR ALLEY PURPOSES, BLOCK 7, ELYRIA, CITY AND COUNTY OF DENVER, STATE OF COLORADO

PARCEL 5 (4750 Brighton Blvd.)

THE SOUTH 5.004 FEET OF LOT 12 AND ALL OF LOTS 13, 14, 15 INCLUSIVE, BLOCK 7, ELYRIA, EXCEPT THE REAR 5 FEET THEREOF, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL 6 (4754-4756 Brighton Boulevard)

LOTS 10 AND 11 AND THE NORTH 20.014 FEET OF LOT 12, BLOCK 7, ELYRIA, EXCEPT THE REAR 5 FEET THEREOF, CITY AND COUNTY OF DENVER

1 **PARCEL 7 (Parcel 6, 7 and 8: 4900, 4901 and 4980 Brighton Boulevard and**
2 **4901 Race Street)**

3 A PARCEL OF LAND LOCATED IN THE SOUTH 1/2 OF SOUTHEAST 1/4 OF SECTION 14,
4 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., BEING MORE PARTICULARLY
5 DESCRIBED AS FOLLOWS:
6

7 BEGINNING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF 49TH AVENUE
8 AND THE WEST LINE OF RACE STREET WHICH POINT IS 60.0 FEET NORTH AND 10.0
9 FEET WEST OF THE NORTHEAST CORNER OF BLOCK 41, KEENER'S SUBDIVISION;
10 THENCE NORTH ALONG THE WEST LINE OF RACE STREET, A DISTANCE OF 300.4
11 FEET;
12 THENCE WEST, PARALLEL WITH THE NORTH LINE OF 49TH AVENUE, A DISTANCE OF
13 290.0 FEET; THENCE SOUTH, PARALLEL WITH THE WEST LINE OF RACE STREET, A
14 DISTANCE OF 300.4 FEET, TO A POINT ON THE NORTH LINE OF 49TH AVENUE;
15 THENCE EAST, ALONG THE NORTH LINE OF 49TH AVENUE, A DISTANCE OF 290.0 FEET
16 TO THE POINT OF BEGINNING,
17 CITY AND COUNTY OF DENVER, STATE OF COLORADO.
18

19 **PARCEL 8**

20 A PARCEL OF LAND LOCATED IN THE SOUTH 1/2 OF SOUTHEAST 1/4 OF SECTION 14,
21 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., BEING MORE PARTICULARLY
22 DESCRIBED AS FOLLOWS:
23

24 BEGINNING AT A POINT ON THE WEST LINE OF RACE STREET WHICH IS 300.4 FEET
25 NORTH OF THE NORTH LINE OF (EAST) 49TH AVENUE;
26 THENCE WEST, PARALLEL WITH THE NORTH LINE OF (EAST) 49TH AVENUE, A
27 DISTANCE OF 290.0 FEET;
28 THENCE NORTH, PARALLEL WITH THE WEST LINE OF RACE STREET, NORTH OF 49TH
29 AVENUE, A DISTANCE OF 120.4 FEET TO A POINT, 350.0 FEET SOUTH OF THE NORTH
30 LINE OF SOUTH 1/2 OF SOUTHEAST 1/4 OF SAID SECTION 14;
31 THENCE EAST, PARALLEL WITH THE NORTH LINE OF SAID SOUTH 1/2 OF SOUTHEAST
32 1/4 A DISTANCE OF 247.1 FEET TO A POINT ON THE WESTERLY LINE OF RACE STREET;
33 THENCE SOUTH 03°36' EAST ALONG THE WESTERLY LINE OF RACE STREET, A
34 DISTANCE OF 53.81 FEET;
35 THENCE SOUTH 31°16'20" EAST ALONG THE WESTERLY LINE OF RACE STREET, A
36 DISTANCE OF 76.13 FEET;
37 THENCE SOUTH ALONG THE WEST LINE OF RACE STREET, A DISTANCE OF 1.63 FEET
38 MORE OR LESS TO THE POINT OF BEGINNING,
39 CITY AND COUNTY OF DENVER, STATE OF COLORADO.
40

41 THAT PART OF THE SOUTHWEST 1/4 SOUTHEAST 1/4 OF SECTION 14, TOWNSHIP 3
42 SOUTH, RANGE 68 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS:
43

44 BEGINNING AT THE INTERSECTION OF THE SOUTHEASTERLY LINE OF BRIGHTON
45 BOULEVARD AND THE NORTH LINE OF SAID SOUTHWEST 1/4 SOUTHEAST 1/4;
46 THENCE SOUTH 45°21' WEST ALONG THE SOUTHEASTERLY LINE 796.11 FEET TO THE
47 INTERSECTION WITH THE EAST LINE OF GILPIN STREET;
48 THENCE SOUTH 0°11' EAST ALONG SAID EAST LINE 124.33 FEET TO THE TRUE POINT
49 OF BEGINNING; THENCE CONTINUING SOUTH ALONG SAID EAST LINE 37 FEET;
50 THENCE NORTH 89°55' EAST A DISTANCE OF 540 FEET;
51 THENCE NORTH 0°11' WEST A DISTANCE OF 167.73 FEET TO THE SOUTHEAST
52 CORNER OF TRACT DESCRIBED IN BOOK 9485 AT PAGE 168;

1 THENCE SOUTH 89°55' WEST ALONG THE SOUTH LINE OF SAID TRACT 290 FEET TO
2 THE NORTHEAST CORNER OF TRACT DESCRIBED IN BOOK 40 AT PAGE 494;
3 THENCE SOUTH 0°11' EAST ALONG THE EAST LINE OF SAID TRACT 130 FEET;
4 THENCE SOUTH 89°55' WEST ALONG THE SOUTH LINE OF SAID TRACT 250 FEET TO THE
5 TRUE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.
6

7 **PARCEL 9**

8 A PARCEL OF LAND LOCATED IN THE S 1/2 SE 1/4 OF SECTION 14, TOWNSHIP 3
9 SOUTH, RANGE 68 WEST, CITY AND COUNTY OF DENVER, STATE OF COLORADO,
10 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: TO-WIT:
11 BEGINNING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF THE S 1/2 SE 1/4
12 OF SAID SECTION 14 AND THE SOUTHEASTERLY LINE OF BRIGHTON BOULEVARD
13 WHICH POINT IS 133.5 FEET MORE OR LESS WEST OF THE CENTER OF THE SE 1/4 OF
14 SAID SECTION 14;
15 THENCE NORTH 89°55' EAST ALONG THE NORTH LINE OF SAID S 1/2 SE 1/4, A
16 DISTANCE OF 187.94 FEET TO A POINT ON THE WESTERLY LINE OF RACE STREET;
17 THENCE SOUTHERLY ALONG THE WESTERLY LINE OF RACE STREET ON A CURVE TO
18 THE RIGHT HAVING A RADIUS OF 70.0 FEET, A DISTANCE OF 35.28 FEET TO POINT
19 TANGENT, THE LONG CHORD OF WHICH CURVE BEARS SOUTH 18°02' EAST, A
20 DISTANCE OF 34.9 FEET;
21 THENCE SOUTH 03°36' EAST, ALONG THE WESTERLY LINE OF RACE STREET, A
22 DISTANCE OF 127.05 FEET, TO THE TRUE POINT OF BEGINNING;
23 THENCE SOUTH 03°36' EAST 190.39 FEET, MORE OR LESS TO THE NORTHEAST
24 CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DEED RECORDED JUNE
25 11, 1959 IN BOOK 8365 AT PAGE 575;
26 THENCE WEST PARALLEL TO THE NORTH LINE OF THE S 1/2 OF THE SE 1/4 573.17
27 FEET MORE OR LESS TO THE SOUTHEASTERLY LINE OF BRIGHTON BOULEVARD;
28 THENCE NORTH 45°21' EAST ALONG THE SOUTHEASTERLY LINE OF BRIGHTON
29 BOULEVARD 270.64 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF THAT
30 CERTAIN PARCEL OF LAND DESCRIBED IN DEED RECORDED MAY 1, 1959 IN BOOK
31 8347 AT PAGE 336;
32 THENCE EAST ALONG THE SOUTH LINE OF TRACT DESCRIBED IN BOOK 8347 AT PAGE
33 336, AND PARALLEL WITH THE NORTH LINE OF THE S 1/2 SE 1/4 A DISTANCE OF 368.90
34 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING,
35 CITY AND COUNTY OF DENVER, STATE OF COLORADO.

36 AND

37 A PARCEL OF LAND LOCATED IN THE SW 1/4 SE 1/4 OF SECTION 14, TOWNSHIP 3
38 SOUTH, RANGE 68 WEST, IN THE CITY AND COUNTY OF DENVER, STATE OF
39 COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:
40
41 BEGINNING AT A POINT ON THE SOUTHEASTERLY LINE OF BRIGHTON BLVD. WHICH IS
42 S 45°21' W. A DISTANCE OF 498.61 FEET FROM THE POINT OF INTERSECTION OF THE
43 SOUTHEASTERLY LINE OF BRIGHTON BLVD. AND THE NORTH LINE OF SAID SW 1/4 SE
44 1/4; THENCE S 45°21' W ALONG THE SOUTHEASTERLY LINE OF BRIGHTON BLVD. A
45 DISTANCE OF 289.00 FEET; THENCE N 89°55' E, PARALLEL WITH THE NORTH LINE OF
46 SAID SW 1/4 SE 1/4, A DISTANCE OF 532.32 FEET; THENCE N 00°11' W, PARALLEL WITH
47 THE EAST LINE OF GILPIN ST. (BRIGHTON BLVD.) EXTENDED NORTH, A DISTANCE OF
48 202.76 FEET; THENCE S 89°55' W, PARALLEL WITH THE NORTH LINE OF SAID SW 1/4 SE
49 1/4, A DISTANCE OF 326.07 FEET, MORE OR LESS TO THE POINT OF BEGINNING,
50 CITY AND COUNTY OF DENVER, STATE OF COLORADO.

1 **PARCEL10 (5040 Brighton Blvd.)**

2 A PARCEL OR LAND LOCATED IN THE SOUTH ONE HALF SOUTHEAST ONE QUARTER
3 OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 69 WEST, CITY AND COUNTY OF
4 DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS
5 FOLLOWS:
6

7 BEGINNING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF THE SOUTH
8 ONE HALF, SOUTHEAST ONE QUARTER OF SAID SECTION 14 AND THE
9 SOUTHEASTERLY LINE OF BRIGHTON BOULEVARD, WHICH POINT IS 133.5 FEET MORE
10 OR LESS WEST OF THE CENTER OF THE SOUTHEAST ONE QUARTER OF SAID
11 SECTION 14; THENCE NORTH 89°55' EAST ALONG THE NORTH LINE OF SAID SOUTH
12 ONE HALF, SOUTHEAST ONE QUARTER, A DISTANCE OF 187.94 FEET TO A POINT ON
13 THE WESTERLY LINE OF RACE COURT; THENCE SOUTHERLY ALONG THE WESTERLY
14 LINE OF RACE COURT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 70.0 FEET, A
15 DISTANCE OF 35.28 FEET TO A POINT OF TANGENCY, THE LONG CHORD OF WHICH
16 CURVE BEARS SOUTH 18°02' EAST, A DISTANCE OF 34.9 FEET; THENCE SOUTH 03°36'
17 EAST, ALONG THE WESTERLY LINE OF RACE COURT, A DISTANCE OF 127.05 FEET;
18 THENCE SOUTH 89°55' WEST, PARALLEL WITH THE NORTH LINE OF SAID SOUTH ONE
19 HALF SOUTHEAST ONE QUARTER, A DISTANCE OF 368.9 FEET MORE OR LESS TO A
20 POINT ON THE SOUTHEASTERLY LINE OF BRIGHTON BOULEVARD; THENCE NORTH
21 45°21' EAST ALONG THE SOUTHEASTERLY LINE OF BRIGHTON BOULEVARD, A
22 DISTANCE OF 227.97 FEET MORE OR LESS TO THE POINT OF BEGINNING, AND THAT
23 PART OF THE NORTH ONE HALF OF THE SOUTHEAST ONE QUARTER OF SECTION 14,
24 TOWNSHIP 3 SOUTH, RANGE 68 WEST, CITY AND COUNTY OF DENVER, STATE OF
25 COLORADO DESCRIBED AS FOLLOWS:
26

27 BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF THE NORTH
28 ONE HALF OF THE SOUTHEAST ONE QUARTER WITH THE SOUTHWESTERLY LINE OF
29 RACE COURT, SAID POINT BEING SOUTH 89°55' WEST, 1280.7 FEET FROM THE
30 SOUTHWEST COMER OF SAID NORTH ONE HALF OF THE SOUTHEAST ONE QUARTER;
31 THENCE SOUTH 89°55' WEST ALONG THE SOUTH LINE OF THE NORTH ONE HALF OF
32 THE SOUTHEAST ONE QUARTER 187.94 FEET MORE OR LESS TO THE INTERSECTION
33 OF SAID SOUTH LINE OF THE NORTH ONE HALF OF THE SOUTHEAST ONE QUARTER
34 WITH THE SOUTHERLY LINE OF COUNTY ROAD #83 (BRIGHTON BOULEVARD); THENCE
35 NORTH 45°21' EAST ALONG SAID SOUTHEASTERLY LINE OF COUNTY ROAD #83, 133.3
36 FEET MORE OR LESS TO ITS INTERSECTION WITH THE SOUTHWESTERLY LINE OF
37 RACE COURT; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID
38 RACE COURT, 132.0 FEET MORE OR LESS TO THE POINT OF BEGINNING,
39

40 NOTE: THE ABOVE PARCELS ARE ALSO DESCRIBED AS FOLLOWS:
41

42 A PARCEL OF LAND LOCATED IN THE SOUTHEAST ONE QUARTER OF SECTION 14,
43 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF
44 DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
45

46 BEGINNING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF THE SOUTH
47 ONE HALF OF THE SOUTHEAST ONE QUARTER OF SAID SECTION 14 AND THE
48 SOUTHEASTERLY LINE OF BRIGHTON BLVD., WHICH POINT IS 133.5 FEET, MORE OR
49 LESS, WEST OF THE CENTER OF THE SOUTHEAST ONE QUARTER OF SAID SECTION
50 14; THENCE NORTH 45°21'00" EAST ALONG THE SOUTHEASTERLY LINE OF BRIGHTON
51 BLVD., 133.30 FEET TO THE INTERSECTION WITH THE SOUTHWESTERLY LINE OF

1 RACE COURT; THENCE ALONG THE SOUTHWESTERLY LINE OF RACE COURT THE
2 FOLLOWING 3 COURSES:

- 3
4 1) THENCE SOUTH 45°18'33" EAST 115.42 FEET TO A POINT OF CURVE;
5
6 2) THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 70.00 FEET, A
7 CENTRAL ANGLE OF 41°30'33", AN ARC DISTANCE OF 50.92 FEET;
8
9 3) THENCE SOUTH 03°36'00" EAST, 127.05 FEET;

10
11 THENCE SOUTH 89°55'00" WEST 367.60 FEET TO THE SOUTHEASTERLY LINE OF
12 BRIGHTON BLVD., THENCE NORTH 45°21'00" EAST ALONG SAID SOUTHEASTERLY
13 LINE, 227.97 FEET TO THE POINT OF BEGINNING,
14 CITY AND COUNTY OF DENVER,
15 STATE OF COLORADO.

16
17 **PARCEL 11**

18 A PARCEL OF LAND SITUATE LYING AND BEING IN THE CITY AND COUNTY OF DENVER,
19 STATE OF COLORADO, IN THE SOUTH-EAST ONE-QUARTER OF SECTION 14,
20 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN AND
21 DESCRIBED AS FOLLOWS: COMMENCING AT A STONE AT THE NORTHEAST CORNER
22 OF THE SOUTHEAST ONE-QUARTER OF SAID SOUTHEAST ONE-QUARTER SECTION 14,
23 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN; THENCE
24 SOUTH 89 DEGREES 55 MINUTES WEST, A DISTANCE OF 1, 190.23 FEET OF THE WEST
25 LINE OF RACE STREET, WHICH IS THE POINT OF BEGINNING; THENCE SOUTH 0
26 DEGREES 18 MINUTES EAST ALONG SAID WEST LINE OF RACE STREET TO THE
27 INTERSECTION OF SAID WEST LINE OF RACE STREET WITH THE EASTERLY LINE OF
28 RACE COURT; THENCE NORTHWESTERLY ALONG SAID EASTERLY LINE OF RACE
29 COURT TO THE INTERSECTION OF SAID EASTERLY LINE OF RACE COURT WITH THE
30 SOUTHERLY LINE OF COUNTY ROAD NO. 83; THENCE NORTH 45 DEGREES 18
31 MINUTES EAST ALONG SAID SOUTHERLY LINE OF COUNTY ROAD NO. 83 TO A POINT
32 WHICH IS SOUTH 89 DEGREES 59 MINUTES WEST A DISTANCE OF 35.56 FEET, MORE
33 OR LESS, FROM THE SAID WEST LINE OR RACE STREET AND NORTH 0 DEGREES 18
34 MINUTES WEST, A DISTANCE OF 228.67 FEET FROM THE POINT OF BEGINNING;
35 THENCE SOUTH 0 DEGREES 18 MINUTES EAST ALONG SAID WEST LINE OF RACE
36 STREET, A DISTANCE OF 228.67 FEET TO THE POINT OF BEGINNING. CONTAINING IN
37 ALL 0.42 ACRES, MORE OR LESS.

38
39 **PARCEL 12**

40 PARCEL NO. NM-12 REV3 OF THE RTD NORTH METRO CORRIDOR COMMUTER RAIL
41 PROJECT, BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 23,
42 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ALSO
43 LYING PARTIALLY IN THE FOLLOWING TRACTS OF LAND DESCRIBED AT RECEPTION
44 NO. 9000113400, RECORDED DECEMBER 5, 1990 AND DESCRIBED IN BOOK 648 AT
45 PAGE 557, RECORDED FEBRUARY 26, 1973, BOTH IN THE CITY AND COUNTY OF
46 DENVER CLERK AND RECORDER'S OFFICE, CITY AND COUNTY OF DENVER,
47 COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

48
49 COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 23 (A FOUND 3-
50 1/4" ALUMINUM CAP IN RANGE BOX STAMPED "COLO DEPT OF TRANSPORTATION T3S
51 R68W 1/4 S14 S23 1994 PLS 23521"); WHENCE THE NORTHWEST CORNER OF SAID
52 SECTION 23 (A FOUND 3-1/4" ALUMINUM CAP STAMPED "LAND CORNER PLS #16401 15

1 14 22 23 T3S R68W 1994 BENCHMARK SURVEYING LTD") BEARS S89°57'28"W A
2 DISTANCE OF 2636.50 FEET (BASIS OF BEARING – ASSUMED);
3 THENCE S57°17'20"W A DISTANCE OF 949.02 FEET TO THE POINT OF BEGINNING;
4
5 THENCE S44°35'04"E A DISTANCE OF 23.88 FEET;
6 THENCE S45°40'44"W A DISTANCE OF 234.82 FEET;
7 THENCE S89°59'22"W A DISTANCE OF 16.28 FEET;
8 THENCE S45°22'54"W A DISTANCE OF 30.94 FEET;
9 THENCE S00°02'47"W A DISTANCE OF 15.69 FEET;
10 THENCE S45°40'44"W, TANGENT WITH THE FOLLOWING DESCRIBED CURVE, A
11 DISTANCE OF 108.71 FEET;
12 THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF
13 1°34'26", A RADIUS OF 5717.98 FEET, A CHORD BEARING OF S44°53'31"W A DISTANCE
14 OF 157.07 FEET, AND AN ARC DISTANCE OF 157.08 FEET TO A NORTHERLY LINE OF
15 LEASE PARCEL 2 DESCRIBED AT RECEPTION NO. 9500159982, RECORDED DECEMBER
16 12, 1995 AT SAID OFFICE;
17 THENCE COINCIDENT WITH THE NORTHERLY AND WESTERLY LINES OF SAID LEASE
18 PARCEL 2, THE FOLLOWING TWO (2) COURSES:
19 1) N89°58'22"W, NON-TANGENT WITH THE LAST DESCRIBED CURVE, A DISTANCE OF
20 6.34 FEET;
21 2) S00°03'45"E, NON-TANGENT WITH THE FOLLOWING DESCRIBED CURVE, A
22 DISTANCE OF 6.54 FEET;
23 THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF
24 0°51'48", A RADIUS OF 5717.98 FEET, A CHORD BEARING OF S43°34'55"W A DISTANCE
25 OF 86.16 FEET, AND AN ARC DISTANCE OF 86.16 FEET;
26 THENCE S43°09'02"W, TANGENT WITH THE LAST DESCRIBED CURVE, A DISTANCE OF
27 414.05 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF EAST 46TH AVENUE;
28 THENCE N89°59'57"W COINCIDENT WITH SAID NORTHERLY RIGHT OF WAY LINE A
29 DISTANCE OF 32.91 FEET;
30 THENCE N43°27'39"E A DISTANCE OF 165.98 FEET;
31 THENCE N01°47'57"W A DISTANCE OF 4.95 FEET;
32 THENCE N43°05'40"E A DISTANCE OF 128.29 FEET;
33 THENCE N43°14'30"E A DISTANCE OF 128.24 FEET;
34 THENCE N43°57'17"E A DISTANCE OF 98.17 FEET;
35 THENCE N44°36'44"E A DISTANCE OF 98.18 FEET;
36 THENCE N45°24'44"E A DISTANCE OF 105.12 FEET;
37 THENCE N45°25'06"E A DISTANCE OF 237.60 FEET;
38 THENCE S89°34'54"E A DISTANCE OF 4.84 FEET;
39 THENCE N45°27'30"E A DISTANCE OF 114.25 FEET;
40 THENCE N45°25'17"E A DISTANCE OF 4.24 FEET TO THE POINT OF BEGINNING.

41
42 CONTAINING 26,948 SQUARE FEET, (0.619 ACRES), MORE OR LESS.
43

44 **PARCEL 13**

45 PARCEL NO. NM-12A OF THE RTD NORTH METRO CORRIDOR COMMUTER RAIL
46 PROJECT, BEING A PORTION OF THE TRACT OF LAND DESCRIBED AS LEASE PARCEL
47 2 AT RECEPTION NO. 9500159982 RECORDED DECEMBER 27, 1995 IN THE CITY AND
48 COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, LOCATED IN THE
49 NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF
50 THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, COLORADO, BEING
51 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

1 COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 23 (A FOUND 3-
2 1/4" ALUMINUM CAP IN RANGE BOX STAMPED "COLO DEPT OF TRANSPORTATION T3S
3 R68W 1/4 S14 S23 1994 PLS 23521") WHENCE THE NORTHWEST CORNER OF SAID
4 SECTION 23 (A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX STAMPED "LAND CORNER
5 PLS #16401 15 14 22 23 T3S R68W 1994 BENCHMARK SURVEYING LTD") BEARS
6 S89°57'28"W A DISTANCE OF 2636.50 FEET (BASIS OF BEARING – ASSUMED);
7 THENCE S52°01'23"W A DISTANCE OF 1492.78 FEET TO THE POINT OF BEGINNING;

8
9 THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF
10 0°05'28", A RADIUS OF 5717.98 FEET, A CHORD BEARING OF S44°03'34"W A DISTANCE
11 OF 9.10 FEET, AND AN ARC DISTANCE OF 9.10 FEET;
12 THENCE THE FOLLOWING TWO (2) COURSES COINCIDENT WITH THE WESTERLY AND
13 NORTHERLY LINES OF SAID LEASE PARCEL 2:

- 14 1) N00°03'45"W NON-TANGENT WITH THE LAST DESCRIBED CURVE A DISTANCE OF
15 6.54 FEET;
16
17 2) S89°58'22"E A DISTANCE OF 6.34 FEET TO THE POINT OF BEGINNING.

18
19 CONTAINING 21 SQUARE FEET, MORE OR LESS.

20
21 **PARCEL 14**

22 PARCEL NO. NM-12B OF THE RTD NORTH METRO CORRIDOR COMMUTER RAIL
23 PROJECT, BEING A PORTION A TRACT OF LAND DESCRIBED AS LEASE PARCEL 1A AT
24 RECEPTION NO. 9500159982 RECORDED DECEMBER 27, 1995 IN THE CITY AND
25 COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, LOCATED IN THE
26 NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF
27 THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, COLORADO, BEING
28 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

29
30 COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 23 (A FOUND 3-1/4"
31 ALUMINUM CAP IN RANGE BOX STAMPED "COLO DEPT OF TRANSPORTATION T3S R68W
32 1/4 S14 S23 1994 PLS 23521") WHENCE THE NORTHWEST CORNER OF SAID SECTION 23
33 (A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX STAMPED "LAND CORNER PLS #16401
34 15 14 22 23 T3S R68W 1994 BENCHMARK SURVEYING LTD") BEARS S89°57'28"W A
35 DISTANCE OF 2636.50 FEET (BASIS OF BEARING - ASSUMED);
36 THENCE S53°50'48"W A DISTANCE OF 1176.24 FEET TO THE POINT OF BEGINNING;

37
38 THENCE S45°40'44"W A DISTANCE OF 53.56 FEET;
39 THENCE THE FOLLOWING THREE (3) COURSES COINCIDENT WITH THE WESTERLY,
40 NORTHWESTERLY AND NORTHERLY LINES OF SAID LEASE PARCEL 1A:

- 41 1) N00°02'47"E A DISTANCE OF 15.69 FEET;
42 2) N45°22'54"E A DISTANCE OF 30.94 FEET;
43 3) N89°59'22"E A DISTANCE OF 16.28 FEET TO THE POINT OF BEGINNING.

44
45 CONTAINING 477 SQUARE FEET, (0.011 ACRES), MORE OR LESS.

46
47 **PARCEL 15**

48 PARCEL NO. NM-12C REV3 OF THE RTD NORTH METRO CORRIDOR COMMUTER RAIL
49 PROJECT, BEING A PORTION OF PARCEL 1 AS DESCRIBED AT RECEPTION NO.
50 9000113400, RECORDED ON DECEMBER 5, 1990, AND A PORTION OF A TRACT OF LAND
51 DESCRIBED AT RECEPTION NO. 9800151259, RECORDED SEPTEMBER 10, 1998, ALL IN
52 THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, LOCATED IN

1 THE SOUTHEAST AND THE SOUTHWEST QUARTERS OF SECTION 14, TOWNSHIP 3
2 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF
3 DENVER, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
4

5 COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 14 (A FOUND 3-
6 1/4" ALUMINUM CAP IN RANGE BOX STAMPED "COLO DEPT OF TRANSPORTATION T3S
7 R68W 1/4 S14 S23 1994 PLS 23521") WHENCE THE SOUTHWEST CORNER OF SAID
8 SECTION 14 (A FOUND 3-1/4" ALUMINUM CAP STAMPED "LAND CORNER PLS #16401 15
9 14 22 23 T3S R68W 1994 BENCHMARK SURVEYING LTD") BEARS S89°57'28"W A
10 DISTANCE OF 2636.50 FEET (BASIS OF BEARING — ASSUMED);
11 THENCE S89°57'28"W COINCIDENT WITH THE SOUTH LINE OF THE SOUTHWEST
12 QUARTER OF SAID SECTION 14 A DISTANCE OF 210.71 FEET TO THE POINT OF
13 BEGINNING;

14
15 THENCE S89°57'28"W COINCIDENT WITH SAID SOUTH LINE A DISTANCE OF 74.73 FEET;
16 THENCE N42°00'45"E A DISTANCE OF 140.89 FEET TO THE SOUTHEASTERLY LINE OF
17 THE BURLINGTON NORTHERN SANTA FE RAILROAD RIGHT OF WAY;
18 THENCE THE FOLLOWING TWO (2) COURSES COINCIDENT WITH SAID
19 SOUTHEASTERLY RIGHT OF WAY LINE:

- 20 1) N45°20'38"E A DISTANCE OF 191.65 FEET;
- 21 2) N45°48'10"E A DISTANCE OF 873.37 FEET TO THE WESTERLY LINE OF THE
22 BRIGHTON BOULEVARD RIGHT OF WAY;

23 THENCE S00°00'38"E COINCIDENT WITH SAID WESTERLY RIGHT OF WAY LINE A
24 DISTANCE OF 357.35 FEET;

25 THENCE N45°22'00"W A DISTANCE OF 31.33 FEET;

26 THENCE S89°59'22"W A DISTANCE OF 224.65 FEET;

27 THENCE S45°25'06"W A DISTANCE OF 464.65 FEET;

28 THENCE S52°58'54"W A DISTANCE OF 72.00 FEET;

29 THENCE S45°40'44"W A DISTANCE OF 205.10 FEET TO THE POINT OF BEGINNING.

30
31 CONTAINING 106,763 SQUARE FEET, (2.451 ACRES), MORE OR LESS.
32

33 **PARCEL 16**

34 PARCEL NO. NM-12D REV1 OF THE RTD NORTH METRO CORRIDOR COMMUTER RAIL
35 PROJECT, BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 23,
36 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ALSO
37 LYING PARTIALLY IN THE FOLLOWING TRACTS OF LAND: DESCRIBED AT RECEPTION
38 NO. 9000113400, RECORDED DECEMBER 5, 1990; DESCRIBED IN BOOK 54 AT PAGE 616,
39 RECORDED JULY 3, 1969; DESCRIBED AT RECEPTION NO. 9500159982, RECORDED
40 DECEMBER 27, 1995, ALL IN THE CITY AND COUNTY OF DENVER CLERK AND
41 RECORDER'S OFFICE, CITY AND COUNTY OF DENVER, COLORADO, BEING MORE
42 PARTICULARLY DESCRIBED AS FOLLOWS:
43

44 COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 23 (A FOUND 3-
45 1/4" ALUMINUM CAP IN RANGE BOX STAMPED "COLO DEPT OF TRANSPORTATION T3S
46 R68W 1/4 S14 S23 1994 PLS 23521"); WHENCE THE NORTHWEST CORNER OF SAID
47 SECTION 23 (A FOUND 3-1/4" ALUMINUM CAP STAMPED "LAND CORNER PLS #16401 15
48 14 22 23 T3S R68W 1994 BENCHMARK SURVEYING LTD") BEARS S89°57'28"W A
49 DISTANCE OF 2636.50 FEET (BASIS OF BEARING – ASSUMED);
50 THENCE S89°57'28"W COINCIDENT WITH THE NORTHERLY LINE OF THE NORTHWEST
51 QUARTER OF SAID SECTION 23 A DISTANCE OF 239.36 FEET TO THE POINT OF
52 BEGINNING;

1 THENCE S45°40'44"W A DISTANCE OF 702.12 FEET;
2 THENCE N44°35'04"W A DISTANCE OF 24.13 FEET;
3 THENCE N45°25'17"E A DISTANCE OF 158.93 FEET;
4 THENCE N00°25'02"E A DISTANCE OF 2.00 FEET;
5 THENCE N45°24'56"E A DISTANCE OF 449.01 FEET;
6 THENCE N42°00'45"E A DISTANCE OF 60.02 FEET TO SAID NORTHERLY LINE OF THE
7 NORTHWEST QUARTER OF SECTION 23;
8 THENCE N89°57'28"E COINCIDENT WITH SAID NORTHERLY LINE A DISTANCE OF 46.08
9 FEET TO THE POINT OF BEGINNING.

10
11 CONTAINING 18,528 SQUARE FEET, (0.425 ACRES), MORE OR LESS.

12
13 **PARCEL 17**

14 A PARCEL OF LAND LOCATED IN THE SW 1/4 SE 1/4 AND SE 1/4 SW 1/4 OF SECTION 14,
15 AND THE NW 1/4 SE 1/4 OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE
16 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO,
17 DESCRIBED AS FOLLOWS:

18
19 BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 14;
20 THENCE SOUTH 89°25'24" EAST ALONG THE SOUTH LINE OF SAID SECTION 14, A
21 DISTANCE OF 156.06 FEET TO THE NORTHWEST CORNER OF LOT 50, BLOCK 9,
22 ELYRIA;
23 THENCE SOUTH 00°16'06" WEST ALONG THE WEST BOUNDARY OF LOTS 50, 49 AND 48,
24 BLOCK 9, ELYRIA, A DISTANCE OF 80.02 FEET TO THE SOUTHWEST CORNER OF SAID
25 LOT 48;
26 THENCE SOUTH 89°25'24" EAST ALONG THE SOUTH LINE OF SAID LOT 48, A DISTANCE
27 OF 114.70 FEET TO THE SOUTHEAST CORNER OF SAID LOT 48;
28 THENCE NORTH, 00°16'06" EAST ALONG THE EAST LINE OF LOT 48, A DISTANCE OF 16
29 FEET;
30 THENCE SOUTH 89°25'24" EAST ALONG A LINE PARALLEL WITH THE SOUTH LINE OF
31 LOT 48, BLOCK 8 AND LOTS 3 AND 48, BLOCK 9, ELYRIA, AND SAID LINES EXTENDED, A
32 DISTANCE OF 300.30 FEET TO THE WEST LINE OF BRIGHTON BOULEVARD;
33 THENCE NORTH 00°36'22" EAST ALONG SAID LINE OF BRIGHTON BOULEVARD (GILPIN
34 STREET) A DISTANCE OF 786.49 FEET TO A POINT WHERE THE SOUTHEASTERLY LINE
35 OF THE CHICAGO, BURLINGTON AND QUINCY RIGHT OF WAY AS DESCRIBED IN QUIT
36 CLAIM DEED FROM BLAYNEY MURPHY COMPANY TO CHICAGO, BURLINGTON AND
37 QUINCY RAILROAD COMPANY IN DEED RECORDED APRIL 29, 1926 IN BOOK 3488 AT
38 PAGE 293 INTERSECTS THE WEST LINE OF BRIGHTON BOULEVARD (GILPIN STREET);
39 THENCE ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE ON A CURVE TO LEFT
40 HAVING A RADIUS OF 563.19 FEET A DELTA OF 23°44'05" AND WHOSE LONG CHORD
41 BEARS SOUTH 58°00'01" WEST AN ARC DISTANCE OF 233.3 FEET TO A POINT WHICH IS
42 72 FEET SOUTHEASTERLY FROM AND AT RIGHT ANGLES TO THE CENTER LINE OF
43 THE MAIN LINE TRACK OF THE CHICAGO, BURLINGTON AND QUINCY RAILWAY;
44 THENCE CONTINUING ALONG SAID RIGHT OF WAY SOUTH 46°07'59" WEST PARALLEL
45 WITH AND 72 FEET FROM SAID CENTER LINE OF THE MAIN LINE TRACK, A DISTANCE
46 OF 560 FEET;
47 THENCE NORTH 43°52'01" WEST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF
48 7.00 FEET TO A POINT WHICH IS 65 FEET SOUTHEASTERLY FROM AND AT RIGHT
49 ANGLES TO THE CENTERLINE OF THE MAIN LINE TRACK OF THE CHICAGO,
50 BURLINGTON AND QUINCY RAILWAY;

1 THENCE SOUTH 46°07'59" WEST ALONG SAID RIGHT OF WAY LINE PARALLEL WITH
2 THE 65 FEET FROM THE CENTERLINE OF THE MAIN LINE TRACK, A DISTANCE OF
3 300.82 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 14;
4 THENCE SOUTH 89°25'24" EAST ALONG SAID SOUTH LINE OF SECTION 14, A DISTANCE
5 OF 242.86 FEET TO THE POINT OF BEGINNING,
6

7 EXCEPT THAT PORTION OF THE ABOVE DESCRIBED PARCEL OF LAND DESCRIBED IN
8 BARGAIN AND SALE DEED FROM THE WESTERN STOCK SHOW ASSOCIATION, A
9 COLORADO NONPROFIT CORPORATION TO THE REGIONAL TRANSPORTATION
10 DISTRICT, A POLITICAL SUBDIVISION OF THE STATE OF COLORADO RECORDED
11 MARCH 11, 2016 UNDER RECEPTION NO. 2016032208, AND EXCEPT THAT PORTION OF
12 THE ABOVE DESCRIBED PARCEL OF LAND DESCRIBED IN BARGAIN AND SALE DEED
13 FROM THE WESTERN STOCK SHOW ASSOCIATION, A COLORADO NONPROFIT
14 CORPORATION TO THE REGIONAL TRANSPORTATION DISTRICT, A POLITICAL
15 SUBDIVISION OF THE STATE OF COLORADO RECORDED MARCH 11, 2016 UNDER
16 RECEPTION NO. 2016032209,
17

18 CITY AND COUNTY OF DENVER STATE OF COLORADO.
19

20 **Section 2.** That the Council finds and determines that property interests in these properties
21 are needed and required for the following public uses and public purposes: roads, sidewalks,
22 drainage, landscaping, on-street parking, curbs, gutters, medians, access points, and other
23 appurtenant improvements to the roads and construction thereof.

24 **Section 3.** That Council authorizes the Mayor, including his duly authorized
25 representatives, in accordance with applicable federal, state, and City laws and rules and regulations
26 adopted pursuant thereto, to acquire the needed property interests, including, but not limited to, fee
27 title, permanent easements, temporary easements, fixtures, licenses, permits, improvements
28 (including without limitation, general outdoor advertising devices, buildings, and access points) and
29 any other rights, interests, and appurtenances thereto, including the taking of all actions necessary
30 to do so without further action by City Council, such as conducting negotiations, executing all related
31 agreements, and making all necessary payments; to take actions required by law before instituting
32 condemnation proceedings; to allow the temporary use of City-owned land; and to convey City-
33 owned land, including remnants.

34 **Section 4.** That if for the property interest set forth above, the interested parties do not
35 agree upon the compensation to be paid for the needed property interests, the owner or owners of
36 the property are incapable of consenting, the name or residence of any owner is unknown, or any of
37 the owners are non-residents of the State, then the City Attorney of the City and County of Denver,
38 upon the Mayor's direction, is authorized and empowered to exercise the City and County of
39 Denver's eminent domain powers by instituting and, as necessary, prosecuting to conclusion

1 proceedings under Article Title 38, Colorado Revised Statutes, to acquire needed property interests
2 upon, through, over, under and along the above-described property as necessary for the purposes
3 set forth in Section 2 above.

4 **Section 5.** That the Council finds and determines that the Denver Department of Public
5 Works and federal and state agencies may find the need to alter the legal descriptions of the
6 properties referred to in this Ordinance and may continue to do so in order to meet the needs of the
7 Project. Council authorizes the Mayor, including his duly authorized representatives, in accordance
8 with applicable federal, state, and City laws and rules and regulations adopted pursuant thereto, to
9 acquire the property as the legal descriptions are altered in accordance with the means authorized
10 in this Ordinance.

11 **Section 6.** That the Council hereby finds and determines that to improve the safety and
12 operation of pedestrians, bicycles and vehicles in the vicinity of the Project, it may be necessary to
13 rebuild, modify, remove, and relocate existing access points to streets located in the vicinity of the
14 Project.

15 **Section 7.** That the City Council hereby finds and determines that the Project is necessary
16 for the health, safety, and welfare of the public.

17 COMMITTEE APPROVAL DATE: February 6, 2018 by Consent

18 MAYOR-COUNCIL DATE: February 13, 2018

19 PASSED BY THE COUNCIL: _____

20 _____ - PRESIDENT

21 APPROVED: _____ - MAYOR _____

22 ATTEST: _____ - CLERK AND RECORDER,
23 EX-OFFICIO CLERK OF THE
24 CITY AND COUNTY OF DENVER

25 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

26 PREPARED BY: Jennifer M. Welborn, Assistant City Attorney DATE: March 1, 2018

27 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
28 the City Attorney. We find no irregularity as to form and have no legal objection to the proposed
29 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
30 § 3.2.6 of the Charter.

31
32 Kristin M. Bronson, Denver City Attorney

33 BY: Kirsten Crawford
34 Kirsten Crawford (Mar 1, 2018), Assistant City Attorney DATE: Mar 1, 2018