

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2023

COUNCIL BILL NO. BR23-1310
COMMITTEE OF REFERENCE:
Finance & Governance

5 **A BILL**

6 **For an ordinance repealing and replacing Ordinance 0378 Series of 2023 with**
7 **corrected legal descriptions of the acquisition area and for granting the**
8 **authority to acquire through negotiated purchase or condemnation of all or**
9 **any portion of any property interest as needed for the installment of the first**
10 **phase of the Globeville Levee Improvements Project, located along the west**
11 **bank of the South Platte River from E. 50th Avenue to S. of Westbound I-70, in**
12 **Council District 9.**

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

15 **WHEREAS** the intent of this Bill is to repeal and replace Ordinance 0378 Series of 2023 and
16 provide corrected legal descriptions of the Parcels that comprise the overall acquisition area of the
17 Globeville Levee Improvements Project.

18 **Section 1.** Ordinance 0378 Series of 2023 is hereby repealed.

19 **Section 2.** The City Council hereby designates the following parcels of real property
20 (collectively, the "Parcels") situated in the City and County of Denver, State of Colorado, as being
21 needed for public uses and purposes by the City and County of Denver, a home rule city and
22 municipal corporation of the State of Colorado (the "City"):

23
24 **Parcel 1: Acquisition**

25 **Land Description (for information only): 888 EAST 50TH AVENUE**

26 A portion of that parcel of land described in Special Warranty Deed recorded October 1, 2015,
27 at Reception No. 2015138684, City and County of Denver Clerk and Recorder's Office being in the
28 Southwest Quarter of Section 14, Township 3 South, Range 68 West of the 6th Principal Meridian,
29 City and County of Denver, State of Colorado, being more particularly described as follows:

30 COMMENCING at the West Quarter corner of said Section 14, being monumented with a
31 found 3-1/4" diameter aluminum cap stamped "T3S R68W S15|S14 2015 PLS 27259" 0.5' below
32 surface in monument box, whence the South Sixteenth corner of said Section 14, being monumented
33 with a found 2-1/2" diameter aluminum cap, illegible and badly damaged, 0.1' below surface in
34 monument box, bears S00°13'27"W a distance of 1331.94 feet;

35 THENCE S45°08'55"E a distance of 1607.88 feet to a point on the northerly line of said
36 Special Warranty Deed and the POINT OF BEGINNING;

1 THENCE along said northerly line and the southeasterly and southerly lines of said Special
2 Warranty Deed the following six (6) courses:

3 1. S89°44'12"E a distance of 21.09 feet to the northeast corner of said parcel;

4 2. THENCE S40°48'36"W a distance of 196.15 feet;

5 3. THENCE S29°32'45"W non-tangent with the following described curve a distance of
6 18.09 feet;

7 4. THENCE along the arc of a curve to the left, having a central angle of 10°54'23", a
8 radius of 1209.26 feet, a chord bearing S44°12'36"W a distance of 229.84 feet, and an arc distance
9 of 230.19 feet;

10 5. THENCE S37°49'18"W non-tangent with the last described curve a distance of 204.68
11 feet to the southeast corner of said parcel;

12 6. THENCE N89°47'59"W a distance of 15.76 feet;

13 THENCE N14°23'45"E non-tangent with the following described curve a distance of 11.91
14 feet;

15 THENCE along the arc of a curve to the right, having a central angle of 17°49'06", a radius of
16 1240.37 feet, a chord bearing N38°09'54"E a distance of 384.19 feet, and an arc distance of 385.74
17 feet;

18 THENCE N47°04'26"E tangent with the last described curve a distance of 172.05 feet;

19 THENCE N40°31'47"E a distance of 78.81 feet to the POINT OF BEGINNING.

20 Containing 16,842 square feet (0.387 Acres), more or less.

21

22 **Parcel 1: Temporary Easement**

23 **Land Description (for Information only): 888 EAST 50TH AVENUE**

24 A portion of that parcel of land described in Special Warranty Deed recorded October 1, 2015,
25 at Reception No. 2015138684, City and County of Denver Clerk and Recorder's Office being in the
26 Southwest Quarter of Section 14, Township 3 South, Range 68 West of the 6th Principal Meridian,
27 City and County of Denver, State of Colorado, being more particularly described as follows:

28 COMMENCING at the South Sixteenth corner of said Section 14, being monumented with a
29 found 2-1/2" diameter aluminum cap, illegible and badly damaged, 0.1' below surface in monument
30 box, whence the West Quarter corner of said Section 14, being monumented with a found 3-1/4"
31 diameter aluminum cap stamped "2015 PLS 27259" 0.5' below surface in a monument box, bears
32 N00°13'27"E a distance of 1331.94 feet;

33 THENCE N79°43'59"E a distance of 1111.88 feet to a point on the northerly line of said
34 Special Warranty Deed and the POINT OF BEGINNING;

1 THENCE S89°44'12"E along said northerly line a distance of 51.02 feet;
2 THENCE S40°31'47"W a distance of 78.81 feet;
3 THENCE S47°04'26"W tangent with the following described curve a distance of 172.05 feet;
4 THENCE along the arc of a curve to the left, having a central angle of 05°06'53", a radius of
5 1240.37 feet, a chord bearing S44°31'00"W a distance of 110.69 feet, and an arc distance of 110.73
6 feet;
7 THENCE S66°03'21"W non-tangent with the last and following described curves a distance
8 of 12.13 feet;
9 THENCE along the arc of a curve to the right, having a central angle of 05°37'27", a radius of
10 1245.37 feet, a chord bearing N44°15'43"E a distance of 122.19 feet, and an arc distance of 122.24
11 feet;
12 THENCE N47°04'26"E tangent with the last described curve a distance of 171.77 feet;
13 THENCE N40°31'47"E a distance of 5.60 feet;
14 THENCE N00°10'53"E a distance of 52.41 feet to the POINT OF BEGINNING.
15 Containing 2,990 square feet (0.069 Acres), more or less.

16
17 **Parcel 1: Permanent Easement**

18 **Land Description (for information only): 888 EAST 50TH AVENUE**

19 A portion of that parcel of land described in Special Warranty Deed recorded October 1, 2015,
20 at Reception No. 2015138684, City and County of Denver Clerk and Recorder's Office being in the
21 Southwest Quarter of Section 14, Township 3 South, Range 68 West of the 6th Principal Meridian,
22 City and County of Denver, State of Colorado, being more particularly described as follows:

23 COMMENCING at the South Sixteenth corner of said Section 14, being monumented with a
24 found 2-1/2" diameter aluminum cap, illegible and badly damaged, 0.1' below surface in monument
25 box, whence the Southwest corner of said Section 14, being monumented with a found #6 rebar with
26 a 3-1/4" diameter aluminum cap stamped "LAND CORNER SURVEYING LTD. 1994 PLS 16401"
27 0.4' below surface in monument box, bears S00°15'28"W a distance of 1331.22 feet;

28 THENCE S85°32'05"E a distance of 870.99 feet to the POINT OF BEGINNING;
29 THENCE N66°03'21"E non-tangent with the following described curve a distance of 24.02
30 feet;

31 THENCE along the arc of a curve to the left, having a central angle of 03°15'32", a radius of
32 1240.37 feet, a chord bearing S40°19'47"W a distance of 70.54 feet, and an arc distance of 70.55
33 feet;

34 THENCE N14°36'14"E non-tangent with the last described curve a distance of 24.02 feet;

1 THENCE along a non-tangent curve to the right, having a central angle of 01°14'57", a radius
2 of 1250.37 feet, a chord bearing N40°19'47"E a distance of 27.26 feet, and an arc distance of 27.26
3 feet to the POINT OF BEGINNING.

4 Containing 488 square feet (0.011 Acres), more or less.

5

6 **Parcel 1: Temporary Easement**

7 **Land Description (for information only): 888 EAST 50TH AVENUE**

8 A portion of that parcel of land described in Special Warranty Deed recorded October 1, 2015,
9 at Reception No. 2015138684, City and County of Denver Clerk and Recorder's Office being in the
10 Southwest Quarter of Section 14, Township 3 South, Range 68 West of the 6th Principal Meridian,
11 City and County of Denver, State of Colorado, being more particularly described as follows:

12 COMMENCING at the South Sixteenth corner of said Section 14, being monumented with a
13 found 2-1/2" diameter aluminum cap, illegible and badly damaged, 0.1' below surface in monument
14 box, whence the Southwest corner of said Section 14, being monumented by a found #6 rebar with
15 a 3-1/4" diameter aluminum cap stamped "LAND CORNER SURVEYING LTD. 1994 PLS 16401"
16 0.4' below surface in monument box, bears S00°15'28"W a distance of 1331.22 feet;

17 THENCE S67°10'36"E a distance of 754.43 feet to a point on the southerly line of said Special
18 Warranty Deed and the POINT OF BEGINNING;

19 THENCE N42°59'44"E non-tangent with the following described curve a distance of 90.79
20 feet;

21 THENCE along the arc of a curve to the right, having a central angle of 07°08'41", a radius of
22 1245.37 feet, a chord bearing N35°38'14"E a distance of 155.19 feet, and an arc distance of 155.29
23 feet;

24 THENCE S14°36'14"W non-tangent with the last described curve a distance of 12.13 feet;

25 THENCE along a non-tangent curve to the left, having a central angle of 09°26'40", a radius
26 of 1240.37 feet, a chord bearing S33°58'41"W a distance of 204.23 feet, and an arc distance of
27 204.46 feet;

28 THENCE S14°23'45"W non-tangent with the last described curve a distance of 11.91 feet to
29 said southerly line;

30 THENCE N89°49'37"W along said southerly line a distance of 32.18 feet to the POINT OF
31 BEGINNING.

32 Containing 1,883 square feet (0.043 Acres), more or less.

33

34 **Parcel 2: Acquisition**

1 **Land Description (for Information only): 4920 North Washington**

2 A portion of that parcel of land described in Special Warranty Deed recorded August 2, 2022,
3 at Reception No. 2022101815, City and County of Denver Clerk and Recorder's Office being in the
4 Southwest Quarter of Section 14, Township 3 South, Range 68 West of the 6th Principal Meridian,
5 City and County of Denver, State of Colorado, being more particularly described as follows:

6 COMMENCING at the South Sixteenth corner of said Section 14, being monumented with a
7 found 2-1/2" diameter aluminum cap, illegible and badly damaged, 0.1' below surface in monument
8 box, whence the Southwest corner of said Section 14, being monumented with a found #6 rebar with
9 a 3-1/4" diameter aluminum cap stamped "LAND CORNER SURVEYING LTD. 1994 PLS 16401"
10 0.4' below surface in monument box, bears S00°15'28"W a distance of 1331.22 feet;

11 THENCE S68°04'57"E a distance of 784.23 feet to a point on the northerly line of said Special
12 Warranty Deed and the POINT OF BEGINNING;

13 THENCE along said northerly line and the southeasterly and southerly lines of said Special
14 Warranty Deed the following four (4) courses:

15 1. S89°47'37"E a distance of 15.76 feet;

16 2. THENCE S88°56'11"E non-tangent with the following described curve a distance of
17 77.52 feet to the northeast corner of said parcel;

18 3. THENCE along the arc of a curve to the left, having a central angle of 20°00'02", a
19 radius of 1155.37 feet, a chord bearing S21°05'53"W a distance of 401.27 feet, and an arc distance
20 of 403.31 feet to the southeast corner of said parcel;

21 4. THENCE N89°53'20"W non-tangent with the last described curve a distance of 47.66
22 feet;

23 THENCE N15°22'56"E a distance of 133.99 feet;

24 THENCE N14°23'45"E a distance of 254.57 feet to the POINT OF BEGINNING.

25 Containing 21,537 square feet (0.494 Acres), more or less.

26
27 **Parcel 2: Temporary Easement**

28 **Land Description (for Information only): 4920 North Washington**

29 A portion of that parcel of land described in Special Warranty Deed recorded August 2, 2022,
30 at Reception No. 2022101815, City and County of Denver Clerk and Recorder's Office being in the
31 Southwest Quarter of Section 14, Township 3 South, Range 68 West of the 6th Principal Meridian,
32 City and County of Denver, State of Colorado, being more particularly described as follows:

33 COMMENCING at Southwest corner of said Section 14, being monumented with a found #6
34 rebar with a 3-1/4" diameter aluminum cap stamped "LAND CORNER SURVEYING LTD. 1994 PLS

1 16401" 0.4' below surface in monument box, whence the South Sixteenth corner of said Section 14,
2 being monumented with a found 2-1/2" diameter aluminum cap, illegible and badly damaged, 0.1'
3 below surface in monument box, bears N00°15'28"E a distance of 1331.22 feet;

4 THENCE N34°01'57"E a distance of 1253.22 feet to a point on the northerly line of said
5 Special Warranty Deed and the POINT OF BEGINNING;

6 THENCE S89°49'37"E along said northerly line a distance of 32.15 feet;

7 THENCE S14°23'45"W a distance of 74.06 feet;

8 THENCE N10°49'54"W a distance of 73.15 feet to the POINT OF BEGINNING.

9 Containing 1,154 square feet (0.026 Acres), more or less.

10

11 **Parcel 3: Acquisition**

12 **Land Description (for Information only): 4867 North Emerson Street**

13 That portion of Block 2, Lots 31 to 36 of CRANBERRY PLACE per the plat thereof recorded
14 July 28, 1887 in Book 4, Page 40 of Maps, being a portion of Parcel B as described in Quitclaim
15 Deed recorded March 25, 2011, at Reception No. 2011033462, both in the City and County of
16 Denver Clerk and Recorder's Office being in the Southwest Quarter of Section 14, Township 3 South,
17 Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, being
18 more particularly described as follows:

19 COMMENCING at Southwest corner of said Section 14, being monumented with a found #6
20 rebar with a 3-1/4" diameter aluminum cap stamped "LAND CORNER SURVEYING LTD. 1994 PLS
21 16401" 0.4' below surface in monument box, whence the South Sixteenth corner of said Section 14,
22 being monumented with a found 2-1/2" diameter aluminum cap, illegible and badly damaged, 0.1'
23 below surface in monument box, bears N00°15'28"E a distance of 1331.22 feet;

24 THENCE N56°03'03"E a distance of 696.34 feet to the southeast corner of said Quitclaim
25 Deed, being on the westerly right-of-way Emerson Street, and the POINT OF BEGINNING;

26 THENCE S89°47'32"W along the southerly line of said Quitclaim Deed a distance of 14.25
27 feet;

28 THENCE N21°10'26"E a distance of 39.83 feet to the easterly line of said Quitclaim Deed;

29 THENCE S00°12'24"W along said easterly line a distance of 37.09 feet to the POINT OF
30 BEGINNING.

31 Containing 264 square feet (0.006 Acres), more or less.

32

33 **Parcel 3: Temporary Easement**

34 **Land Description (for Information only): 4867 North Emerson Street**

1 That portion of Block 2, Lots 31 to 36 of CRANBERRY PLACE per the plat thereof recorded
2 July 28, 1887 in Book 4, Page 40 of Maps, being a portion of Parcel B as described in Quitclaim
3 Deed recorded March 25, 2011, at Reception No. 2011033462, both in the City and County of
4 Denver Clerk and Recorder's Office being in the Southwest Quarter of Section 14, Township 3 South,
5 Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, being
6 more particularly described as follows:

7 COMMENCING at Southwest corner of said Section 14, being monumented with a found #6
8 rebar with a 3-1/4" diameter aluminum cap stamped "LAND CORNER SURVEYING LTD. 1994 PLS
9 16401" 0.4' below surface in monument box, whence the South Sixteenth corner of said Section 14,
10 being monumented with a found 2-1/2" diameter aluminum cap, illegible and badly damaged, 0.1'
11 below surface in monument box, bears N00°15'28"E a distance of 1331.22 feet;

12 THENCE N55°08'07"E a distance of 682.11 feet to a point on the southerly line of said
13 Quitclaim Deed and the POINT OF BEGINNING;

14 THENCE N21°10'26"E a distance of 54.83 feet to the easterly line of said Quitclaim Deed;

15 THENCE S00°12'24"W along said easterly line a distance of 13.97 feet;

16 THENCE S21°10'26"W a distance of 39.83 feet to said southerly line;

17 THENCE S89°47'32"W along said southerly line a distance of 5.37 feet to the POINT OF
18 BEGINNING.

19 Containing 237 square feet (0.005 Acres), more or less.

20
21 **Parcel 4: Temporary Easement**

22 **Land Description (for information only): 4841 North Emerson Street**

23 That portion of Block 2, Lots 28 to 30 of CRANBERRY PLACE per the plat thereof recorded
24 July 28, 1887 in Book 4, Page 40 of Maps, being a portion of that land described in Personal
25 Representative's Deed recorded August 12, 2020, at Reception No. 2020125836, both in the City
26 and County of Denver Clerk and Recorder's Office being in the Southwest Quarter of Section 14,
27 Township 3 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State
28 of Colorado, being more particularly described as follows:

29
30 COMMENCING at the Southwest corner of said Section 14, being monumented with a found
31 #6 rebar with a 3-1/4" diameter aluminum cap stamped "LAND CORNER SURVEYING LTD. 1994
32 PLS 16401" 0.4' below surface in monument box, whence the South Sixteenth corner of said Section
33 14, being monumented with a found 2-1/2" diameter aluminum cap, illegible and badly damaged,
34 0.1' below surface in monument box, bears N00°15'28"E a distance of 1331.22 feet;

1 THENCE N55°08'07"E a distance of 682.11 feet to a point on the northerly line of said
2 Personal Representative's Deed and the POINT OF BEGINNING;
3 THENCE N89°47'32"E along said northerly line a distance of 5.37 feet;
4 THENCE S21°10'26"W a distance of 80.50 feet to a point on the southerly line of said
5 Personal Representative's Deed;
6 THENCE S89°48'22"W along said southerly line a distance of 5.37 feet;
7 THENCE N21°10'26"E a distance of 80.50 feet to the POINT OF BEGINNING.
8 Containing 402 square feet (0.009 Acres), more or less.

9
10 **Parcel 4: Acquisition**

11 **Land Description (for information only): 4841 North Emerson Street**

12 That portion of Block 2, Lots 28 to 30 of CRANBERRY PLACE per the plat thereof recorded
13 July 28, 1887 in Book 4, Page 40 of Maps, being a portion of that land described in Personal
14 Representative's Deed recorded August 12, 2020, at Reception No. 2020125836, both in the City
15 and County of Denver Clerk and Recorder's Office being in the Southwest Quarter of Section 14,
16 Township 3 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State
17 of Colorado, being more particularly described as follows:

18 COMMENCING at the Southwest corner of said Section 14, being monumented with a found
19 #6 rebar with a 3-1/4" diameter aluminum cap stamped "LAND CORNER SURVEYING LTD. 1994
20 PLS 16401" 0.4' below surface in monument box, whence the South Sixteenth corner of said Section
21 14, being monumented with a found 2-1/2" diameter aluminum cap, illegible and badly damaged,
22 0.1' below surface in monument box, bears N00°15'28"E a distance of 1331.22 feet;

23 THENCE N55°23'25"E a distance of 686.53 feet to a point on the northerly line of said
24 Personal Representative's Deed and the POINT OF BEGINNING;

25 THENCE along said northerly line and the easterly line of said Personal Representative's
26 Deed the following three (3) courses:

- 27 1. N89°47'32"E a distance of 14.25 feet to the northeast corner of said parcel, being on
28 the westerly right-of-way Emerson Street;
- 29 2. THENCE S00°36'42"W along said westerly right-of-way a distance of 74.989 feet to
30 the southeast corner of said parcel;
- 31 3. THENCE S89°48'22"W a distance of 42.53 feet;
- 32 THENCE N21°10'26"E a distance of 80.50 feet to the POINT OF BEGINNING.
33 Containing 2,128 square feet (0.049 Acres), more or less.

1 **Parcel 5: Acquisition**

2 **Land Description (for Information only): 850 East 48th Avenue**

3 A portion of that land described in Parcel B of Special Warranty Deed recorded January 31,
4 2018, at Reception No. 2018012164, Denver County Clerk and Recorder's Office being in the
5 Southwest Quarter of Section 14 and the Northwest Quarter of Section 23, all in Township 3 South,
6 Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, being
7 more particularly described as follows:

8 COMMENCING at the Southwest corner of said Section 14, being monumented with a found
9 #6 rebar with a 3-1/4" diameter aluminum cap stamped "LAND CORNER SURVEYING LTD. 1994
10 PLS 16401" 0.4' below surface in monument box, whence the South Sixteenth corner of said Section
11 14, being monumented with a found 2-1/2" diameter aluminum cap, illegible and badly damaged,
12 0.1' below surface in monument box, bears N00°15'28"E a distance of 1331.22 feet;

13 THENCE N78°44'41"E a distance of 562.01 feet to a point on the northerly line of said Special
14 Warranty Deed, also being the southerly right-of-way East 48th Avenue, and the POINT OF
15 BEGINNING;

16 THENCE along said northerly line and the southeasterly lines of said Special Warranty Deed
17 the following two (2) courses:

18 1. S89°58'17"E along said southerly right-of-way E. 48th Avenue, non-tangent with the
19 following described curve a distance of 60.66 feet to the northeast corner of said parcel;

20 2. THENCE along the arc of a curve to the right, having a central angle of 17°24'31", a
21 radius of 705.37 feet, a chord bearing S10°33'25"W a distance of 213.53 feet, and an arc distance
22 of 214.32 feet;

23 THENCE N05°51'38"W non-tangent with the last described curve a distance of 211.01 feet to
24 the POINT OF BEGINNING.

25 Containing 7,524 square feet (0.173 Acres), more or less.

26
27 **Parcel 5: Temporary Easement**

28 **Land Description (for Information only): 850 East 48th Avenue**

29 A portion of that land described in Parcel B of Special Warranty Deed recorded January 31,
30 2018, at Reception No. 2018012164, City and County of Denver Clerk and Recorder's Office being
31 in the Southwest Quarter of Section 14 and the Northwest Quarter of Section 23, all in Township 3
32 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado,
33 being more particularly described as follows:

1 COMMENCING at the Southwest corner of said Section 14, being monumented with a found
2 #6 rebar with a 3-1/4" diameter aluminum cap stamped "LAND CORNER SURVEYING LTD. 1994
3 PLS 16401" 0.4' below surface in monument box, whence the South Sixteenth corner of said Section
4 14, being monumented with a found 2-1/2" diameter aluminum cap, illegible and badly damaged,
5 0.1' below surface in monument box, bears N00°15'28"E a distance of 1331.22 feet;

6 THENCE N69°47'09"E a distance of 317.83 feet to a point on the northerly line of said Special
7 Warranty Deed, also being the southerly right-of-way East 48th Avenue, and the POINT OF
8 BEGINNING;

9 THENCE S89°58'71"E along said northerly line and said southerly right-of-way line a distance
10 of 252.95 feet;

11 THENCE S05°51'38"E non-tangent with the following described curve a distance of 211.01
12 feet to a point on the southeasterly line of said Special Warranty Deed;

13 THENCE along said southeasterly and southerly lines of said Parcel B the following two (2)
14 courses:

15 1. along the arc of a curve to the right having a central angle of 00°34'54", a radius of
16 705.37 feet, a chord bearing S19°33'07"W a distance of 7.16 feet, and an arc distance of 7.16 feet
17 to the southeast corner of said Parcel B;

18 2. THENCE S89°56'34"W non-tangent with the last described curve a distance of 5.32
19 feet;

20 THENCE along a non-tangent curve to the left having a central angle of 00°36'20", a radius
21 of 700.37 feet, a chord bearing N19°40'17"E a distance of 7.81 feet, and an arc distance of 7.81 feet;

22 THENCE N05°51'38"W non-tangent with the last described curve a distance of 175.25 feet;

23 THENCE N89°58'17"W a distance of 230.20 feet;

24 THENCE N31°20'54"W a distance of 40.96 feet to the POINT OF BEGINNING.

25 Containing 9,452 square feet (0.217 Acres), more or less.

26

27 **Parcel 6: Acquisition**

28 **Land Description (for Information only): 790 E. 48TH Avenue**

29 A portion of that parcel of land described in Parcel C of Special Warranty Deed recorded
30 January 31, 2018, at Reception No. 2018012164, City and County of Denver Clerk and Recorder's
31 Office being in the Northwest Quarter of Section 23, Township 3 South, Range 68 West of the 6th
32 Principal Meridian, City and County of Denver, State of Colorado, being more particularly described
33 as follows:

1 COMMENCING at the Northwest corner of said Section 23, being monumented with a found
2 #6 rebar with a 3-1/4" diameter aluminum cap stamped "LAND CORNER SURVEYING LTD. 1994
3 PLS 16401" 0.4' below surface in monument box, whence the North Sixteenth corner of said Section
4 23, being monumented with a found 3-1/4" diameter aluminum cap stamped "CDOT 1994 PLS
5 23521" 0.8' below surface in monument box, bears S00°06'21"W a distance of 1317.77 feet;

6 THENCE S46°38'34"E a distance of 580.25 feet to a point on the southwesterly line of said
7 Parcel C, also being the northwesterly line of BNSF Railroad, and the POINT OF BEGINNING;

8 THENCE N50°13'04"E a distance of 54.72 feet to the southeasterly line of said Special
9 Warranty Deed;

10 THENCE along said southeasterly and southwesterly lines the following two (2) courses:

- 11 1. S22°43'26"W a distance of 53.82 feet to the southeasterly corner of said parcel;
- 12 2. THENCE N55°27'59"W a distance of 25.81 feet to the POINT OF BEGINNING.

13 Containing 680 square feet (0.016 Acres), more or less.

14
15 **Parcel 6: Temporary Easement**

16 **Land Description (for Information only): 790 E. 48TH Avenue**

17 A portion of that parcel of land described in Parcel C of Special Warranty Deed recorded
18 January 31, 2018, at Reception No. 2018012164, City and County of Denver Clerk and Recorder's
19 Office being in the Northwest Quarter of Section 23, Township 3 South, Range 68 West of the 6th
20 Principal Meridian, City and County of Denver, State of Colorado, being more particularly described
21 as follows:

22 COMMENCING at the Northwest corner of said Section 23, being monumented with a found
23 #6 rebar with a 3-1/4" diameter aluminum cap stamped "LAND CORNER SURVEYING LTD. 1994
24 PLS 16401" 0.4' below surface in monument box, whence the North Sixteenth corner of said Section
25 23, being monumented with a found 3-1/4" diameter aluminum cap stamped "CDOT 1994 PLS
26 23521" 0.8' below surface in monument box, bears S00°06'21"W a distance of 1317.77 feet;

27 THENCE S46°33'48"E a distance of 575.12 feet to a point on the southwesterly line of said
28 Parcel C, also being the northwesterly line of BNSF Railroad, and the POINT OF BEGINNING;

29 THENCE N50°13'04"E a distance of 54.90 feet to a point being 5.00 feet northwesterly of and
30 parallel with the southeasterly line of said Special Warranty Deed;

31 THENCE along a line being 5.00 feet northwesterly of and parallel with said southeasterly line
32 of Special Warranty Deed the following two (2) courses:

- 33 1. N22°43'26"E non-tangent with the following described curve a distance of 241.43 feet;

1 2. THENCE along the arc of a curve to the left, having a central angle of 02°41'27", a
2 radius of 700.37 feet, a chord bearing N21°00'10"E a distance of 32.89 feet, and an arc distance of
3 32.89 feet to a point on the northerly line of said Parcel C;

4 THENCE along the northerly and southeasterly lines of said Parcel C the following three (3)
5 courses:

6 1. N89°59'34"E non-tangent with the last described curve a distance of 5.32 feet to the
7 northeasterly corner of said Parcel C;

8 2. THENCE along a non-tangent curve to the right, having a central angle of 02°50'29",
9 a radius of 705.37 feet, a chord bearing S21°15'49"W a distance of 34.98 feet, and an arc distance
10 of 34.98 feet;

11 3. THENCE S22°43'26"W non-tangent with the last described curve a distance of 242.63
12 feet;

13 THENCE S50°13'04"W departing from said southeasterly line a distance of 54.72 feet to a
14 point on said southwesterly line of Parcel C;

15 THENCE N55°27'59"W along said southwesterly line of Parcel C a distance of 5.19 feet to
16 the POINT OF BEGINNING.

17 Containing 1,654 square feet (0.038 Acres), more or less.

18
19 **Parcel 7: Permanent Easement**

20 **Land Description (for Information only): 4700 North Washington Street**

21 A portion of that parcel of land described in Warranty Deed recorded April 20, 2016, at
22 Reception No. 2016051398, City and County of Denver Clerk and Recorder's Office being in the
23 Northwest Quarter of Section 23, Township 3 South, Range 68 West of the 6th Principal Meridian,
24 City and County of Denver, State of Colorado, being more particularly described as follows:

25 COMMENCING at the North Sixteenth corner of said Section 23, being monumented with a
26 found 3-1/4" diameter aluminum cap stamped "CDOT 1994 PLS 23521" 0.8' below surface in
27 monument box, whence the Northwest corner of said Section 23, being monumented with a found
28 3-1/4" diameter aluminum cap stamped "LAND CORNER SURVEYING LTD. 1994 PLS 16401" 0.4'
29 below surface in a monument box, bears N00°06'21"E a distance of 1317.77 feet;

30 THENCE N05°54'18"E a distance of 566.94 feet to the southwest corner of said Warranty
31 Deed and the POINT OF BEGINNING;

32 THENCE along the westerly lines of said Warranty Deed the following two (2) courses:

1 1. N00°06'21"E along the easterly right-of-way East 46th Avenue as described in Special
2 Warranty Deed recorded June 30, 1965 in Book 9452, Page 7, City and County of Denver Clerk and
3 Recorder's Office a distance of 34.00 feet;

4 2. THENCE N12°09'35"E a distance of 5.62 feet;
5 THENCE S86°14'18"E a distance of 290.54 feet to a point on the easterly line of said Warranty
6 Deed;

7 THENCE S22°41'26"W along said easterly line of said Warranty Deed a distance of 44.88
8 feet;

9 THENCE S89°14'18"W a distance of 274.52 feet to the POINT OF BEGINNING/ a corner
10 point of said East 46th Avenue;

11 Containing 11,322 square feet (0.260 Acres), more or less.

12

13 **Parcel 8: Acquisition**

14 **Land Description (for information only): 4600 North Washington Street**

15 A portion of that parcel of land described in Bargain and Sale Deed recorded October 08,
16 1998, at Reception No. 9800168953, City and County of Denver Clerk and Recorder's Office being
17 in the Northwest Quarter of Section 23, Township 3 South, Range 68 West of the 6th Principal
18 Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

19 COMMENCING at the North sixteenth corner of said Section 23, being monumented with a
20 found 3-1/4" diameter aluminum cap stamped "CDOT 1994 PLS 23521" 0.8' below surface in
21 monument box, whence the Northwest corner of said Section 23, being monumented with a found
22 #6 rebar with a 3-1/4" diameter aluminum cap stamped "LAND CORNER SURVEYING LTD. 1994
23 PLS 16401" 0.4' below surface in monument box, bears N00°06'21"E a distance of 1317.77 feet;

24 THENCE N39°50'57"E a distance of 225.85 feet to a point on the southwesterly line of said
25 Bargain and Sale Deed and the POINT OF BEGINNING;

26 THENCE along a line 5.00 feet northwesterly of and parallel with the southeasterly lines of
27 said Bargain and Sale Deed the following two (2) courses:

28 1. N72°28'47"E a distance of 13.65 feet;
29 2. THENCE N22°41'01"E a distance of 334.03 feet to the northwesterly line of said
30 Bargain and Sale deed;

31 THENCE along said northwesterly and the southeasterly and southwesterly lines of said
32 Bargain and Sale Deed the following four (4) courses:

33 1. N46°01'26"E a distance of 11.27 feet;
34 2. THENCE S22°41'01"W a distance of 344.48 feet;

- 1 3. THENCE S72°28'47"W a distance of 13.09 feet;
2 4. THENCE N67°18'34"W a distance of 5.42 feet to the POINT OF BEGINNING.
3 Containing 1,743 square feet (0.040 Acres), more or less.
4

5 **Parcel 8: Permanent Easement**

6 **Land Description (for Information only): 4600 North Washington Street**

7 A portion of that parcel of land described in Bargain and Sale Deed recorded October 08,
8 1998, at Reception No. 9800168953, City and County of Denver Clerk and Recorder's Office being
9 in the Northwest Quarter of Section 23, Township 3 South, Range 68 West of the 6th Principal
10 Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

11 COMMENCING at the North Sixteenth corner of said Section 23, being monumented with a
12 found 3-1/4" diameter aluminum cap stamped "CDOT 1994 PLS 23521" 0.8' below surface in
13 monument box, whence the Northwest corner of said Section 23, being monumented with a found
14 #6 rebar with a 3-1/4" diameter aluminum cap stamped "LAND CORNER SURVEYING LTD. 1994
15 PLS 16401" 0.4' below surface in monument box, bears N00°06'21"E a distance of 1317.77 feet;

16 THENCE N38°43'58"E a distance of 224.54 feet to the westerly corner of said Bargain and
17 Sale Deed and the POINT OF BEGINNING;

18 THENCE along the northwesterly lines of said Bargain and Sale Deed the following two (2)
19 courses:

- 20 1. N22°41'26"E a distance of 312.61 feet;
21 2. THENCE N49°01'26"E a distance of 33.72;
22 THENCE S22°41'01"W a distance of 334.03 feet;

23 THENCE S72°28'47"W a distance of 13.65 feet to the southwesterly line of said Bargain and
24 Sale Deed;

25 THENCE N67°18'34"W along said southwesterly line a distance of 4.58 feet to the POINT OF
26 BEGINNING.

27 Containing 4,864 square feet (0.112 Acres), more or less.
28

29 **Parcel 9: Permanent Easement**

30 **Land Description (for Information only): 4490 North Washington Street**

31 A portion of that land described in Quit Claim Deed recorded December 4, 2000, at
32 Reception No. 2000175605, Denver County Clerk and Recorder's Office being in the Northeast
33 Quarter of Section 22, Township 3 South, Range 68 West of the 6th Principal Meridian, City and
34 County of Denver, State of Colorado, being more particularly described as follows:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34

COMMENCING at the North Sixteenth corner of said Section 22, being monumented with a found 3-1/4" diameter aluminum cap stamped "CDOT 1994 PLS 23521" 0.8' below surface in monument box, whence the East Quarter corner of said Section 22, being monumented with a found 3-1/4" diameter aluminum cap stamped "CDOT 1994 PLS 23521" 2.0' below surface in monument box, bears S00°07'06"W a distance of 1318.13 feet;
THENCE S06°25'59"W a distance of 782.41 feet to a point on the easterly line of said Quit Claim Deed and the POINT OF BEGINNING;

THENCE S10°25'24"E along said easterly line a distance of 106.18 feet;
THENCE S45°15'46"W a distance of 12.11 feet to a line 10.00 feet westerly of and parallel with said easterly line;
THENCE N10°25'24"W along said parallel line a distance of 90.49 feet;
THENCE N13°31'20"E a distance of 24.64 feet to the POINT OF BEGINNING.

Containing 983 square feet (0.023 acres), more or less.

Parcel 9: Temporary Easement
Land Description (for Information only): 4490 North Washington Street

A portion of that parcel of land described in Quit Claim Deed recorded December 4, 2000, at Reception No. 2000175605, Denver County Clerk and Recorder's Office being in the Northeast Quarter of Section 22, Township 3 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

COMMENCING at the East Quarter corner of said Section 22, being monumented with a found 3-1/4" diameter aluminum cap stamped "CDOT 1994 PLS 23521" 2.0' below surface in monument box, whence the North Sixteenth corner of said Section 22, being monumented with a 3-1/4" diameter aluminum cap stamped "CDOT 1994 PLS 23521" 0.8' below surface in monument box, bears N00°07'06"E a distance of 1318.13 feet;

THENCE N10°28'50"W a distance of 671.48 feet to the northeast corner of said Quit Claim Deed and the POINT OF BEGINNING;

THENCE along the easterly line of said Quit Claim Deed and along the arc of a curve to the left, having a central angle of 01°46'42", a radius of 966.79 feet, a chord bearing S01°08'52"E a distance

1 of 30.00 feet, and an arc distance of 30.01 feet to a point on the northeasterly line of said Quit Claim
2 Deed;

3 THENCE S89°51'36"E along said northeasterly line and non-tangent with the last described
4 curve a distance of 9.31 feet to a point on the northerly line of a Hike/Bike Path Easement as
5 described in Deed of Easement recorded July 11, 1988, at Reception No. R-88-0286788 in the Office
6 of the Denver County Clerk and Recorder;
7 THENCE S83°37'23"W along said northeasterly line a distance of 24.41 feet;
8 THENCE N01°08'56"W a distance of 32.76 feet to a point on the northerly line of said Quit Claim
9 Deed;

10 THENCE S89°55'29"E along said northerly line a distance of 15.00 feet to the POINT OF
11 BEGINNING.

12
13 Containing 481 square feet (0.110 acres), more or less.

14
15 **Parcel 9: Temporary Easement**

16 **Land Description (for Information only): 4490 North Washington Street**

17 A portion of that land described in Quit Claim Deed recorded December 4, 2000, at Reception
18 No. 2000175605, Denver County Clerk and Recorder's Office being in the Northeast Quarter of
19 Section 22, Township 3 South, Range 68 West of the 6th Principal Meridian, City and County of
20 Denver, State of Colorado, being more particularly described as follows:

21
22 COMMENCING at the North Sixteenth corner of said Section 22, being monumented with a
23 found 3-1/4" diameter aluminum cap stamped "CDOT 1994 PLS 23521" 0.8' below surface in
24 monument box, whence the East Quarter corner of said Section 22, being monumented with a found
25 3-1/4" diameter aluminum cap stamped "CDOT 1994 PLS 23521" 2.0' below surface in monument
26 box, bears S00°07'06"W a distance of 1318.13 feet;

27 THENCE S08°19'23"W a distance of 705.95 feet to a point on the easterly line of said Quit
28 Claim Deed and the POINT OF BEGINNING;

29 THENCE S10°25'24"E along said easterly line a distance of 80.29 feet;
30 THENCE S13°31'20"W a distance of 24.64 feet to a line being 10.00 westerly of and parallel
31 to said easterly line of said Quit Claim Deed;

32 THENCE S10°25'24"E along said parallel line a distance of 90.49 feet;
33 THENCE S45°15'46"W a distance of 18.16 feet to a line being 25.00 westerly of and parallel

1 to said easterly line of said Quit Claim Deed;
2 THENCE N10°25'24"W along said parallel line a distance of 195.27 feet;
3 THENCE S83°37'23"W a distance of 9.96 feet;
4 THENCE N06°22'37"W a distance of 10.00 feet;
5 THENCE N83°37'23"E a distance of 34.32 feet to the POINT OF BEGINNING.

6
7 Containing 4,010 square feet (0.092 acres), more or less.

8
9 **Parcel 10: Permanent Easement**

10 **Land Description (for information only): 4410 North Washington Street**

11 A portion of that land described in Special Warranty Deed recorded December 15, 2021, at
12 Reception No. 2021228818, City and County of Denver Clerk and Recorder's Office, being in the
13 Northeast Quarter of Section 22, Township 3 South, Range 68 West of the 6th Principal Meridian,
14 City and County of Denver, State of Colorado, being more particularly described as follows:

15
16 COMMENCING at the East Quarter corner of said Section 22, being monumented with a
17 found 3-1/4" diameter aluminum cap stamped "CDOT 1994 PLS 23521" 2.0' below surface in
18 monument box, whence the North Sixteenth corner of said Section 22, being monumented with a
19 found 3-1/4" diameter aluminum cap stamped "CDOT 1994 PLS 23521" 0.8' below surface in
20 monument box, bears N00°07'06"E a distance of 1318.13 feet;

21 THENCE N00°07'06"E along the easterly line of said Northeast Quarter of Section 22, also
22 being the easterly line of said Special Warranty Deed, a distance of 209.43 feet to the POINT OF
23 BEGINNING;

24
25 THENCE N89°52'54"W a distance of 4.91 feet;

26 THENCE N11°56'55"W a distance of 30.84 feet to the northwesterly line of said Special
27 Warranty Deed;

28 THENCE along said northwesterly line and the northeasterly and easterly lines of said Special
29 Warranty Deed the following three (3) courses:

- 30 1. N45°14'47"E non-tangent with the following described curve a distance of 8.67 feet;
- 31 2. THENCE along the arc of a curve to the right, having a central angle of 02°11'42", a
32 radius of 841.82 feet, a chord bearing S09°10'14"E a distance of 32.25 feet, and an arc distance of
33 32.25 feet to said easterly line of the Northeast Quarter of Section 22;

1 3. THENCE S00°07'06"W non-tangent with the last described curve and along said
2 easterly line of the Northeast Quarter of Section 22 a distance of 4.45 feet to the POINT OF
3 BEGINNING.

4
5 Containing 216 square feet (0.005 acres), more or less.

6
7 **Parcel 10: Temporary Easement**

8 **Land Description (for Information only): 4410 North Washington Street**

9 A portion of that land described in Special Warranty Deed recorded December 15, 2021, at
10 Reception No. 2021228818, City and County of Denver Clerk and Recorder's Office being in the
11 Southeast Quarter of Section 22, Township 3 South, Range 68 West of the 6th Principal Meridian,
12 City and County of Denver, State of Colorado, being more particularly described as follows:

13
14 COMMENCING at the East Quarter corner of said Section 22, being monumented with a
15 found 3-1/4" diameter aluminum cap stamped "CDOT 1994 PLS 23521" 2.0' below surface in
16 monument box, whence the North Sixteenth corner of said Section 22, being monumented with a
17 found 3-1/4" diameter aluminum cap stamped "CDOT 1994 PLS 23521" 0.8' below surface in
18 monument box, bears N00°07'06"E a distance of 1318.13 feet;

19 THENCE N89°52'19"W along the southerly line of said Special Warranty Deed a distance of
20 46.99 feet to the POINT OF BEGINNING;

21
22 THENCE along the southeasterly and southwesterly lines of said Special Warranty Deed the
23 following six (6) courses:

24 1. along the arc of a curve to the right, having a central angle of 17°57'23", a radius of
25 792.14 feet, a chord bearing S16°04'53"W a distance of 247.24 feet, and an arc distance of 248.26
26 feet;

27 2. THENCE N21°25'45"W non-tangent with the last described curve a distance of 58.85
28 feet;

29 3. THENCE N01°55'57"E a distance of 1.50 feet;

30 4. THENCE N21°25'45"W a distance of 5.82 feet;

31 5. THENCE N46°13'39"W a distance of 1.42 feet;

32 6. THENCE N21°40'27"W a distance of 4.57 feet;

33 THENCE N66°28'10"E non-tangent with the following described curve a distance of 55.67
34 feet;

1 THENCE along the arc of a curve to the left, having a central angle of 11°10'02", a radius of
2 782.14 feet, a chord bearing N12°46'35"E a distance of 152.20 feet, and an arc distance of 152.44
3 feet;

4 THENCE S89°52'19"E non-tangent with the last described curve a distance of 10.08 feet to
5 the POINT OF BEGINNING.

6
7 Containing 4,081 square feet (0.094 Acres), more or less.

8
9 **Section 3.** That the City Council hereby finds that the public use and purpose described in
10 Section 4 below will require the acquisition and use by the City of interests in the Parcels.

11 **Section 4.** That the City Council hereby finds and determines that interests in the Parcels
12 described in Section 2 are needed and required for the following public uses and public purposes:
13 for Globeville Levee improvements consisting of construction of an earthen levee embankment and
14 floodwall including a vegetation free zone, and an upgraded concrete trail. (the "Project").


15 **Section 5.** That the City Council hereby authorizes the Mayor, including his duly authorized
16 representatives, in accordance with applicable federal, state, and local laws and rules and
17 regulations adopted pursuant thereto, to (1) acquire the needed property interests in and to the
18 Parcels, including, without limitation, fee title, beneficial title, permanent easements, temporary
19 easements, fixtures, licenses, permits, leasehold interests, improvements, and any other rights,
20 interests, and appurtenances thereto; (2) take all actions necessary to do so without further action
21 by City Council, such as conducting negotiations, executing all related agreements, and making all
22 necessary payments; (3) take actions required by law before instituting condemnation proceedings;
23 (4) allow the temporary use and leasehold of City-owned land; and (5) convey City-owned land,
24 including remnants.

25 **Section 6.** That if for the property interest set forth above, the interested parties do not agree
26 upon the compensation to be paid for such needed property interests, the owner or owners thereof
27 are incapable of consenting, the name or residence of any owner thereof is unknown, or any of the
28 owners thereof are non-residents of the State of Colorado, then the City Attorney of the City, upon
29 the Mayor's direction, is hereby authorized and empowered to exercise the City's eminent domain
30 powers by instituting and, as necessary, prosecuting to conclusion proceedings under Title 38,
31 Colorado Revised Statutes, to acquire any needed property interests upon, through, over, under and
32 along the Parcels described in Section 1 above as necessary for the purposes set forth in Section 4
33 above.

1 **Section 7.** That the City Council hereby finds and determines that the City’s Department of
2 Transportation and Infrastructure and any federal and state agencies, if applicable, may find the
3 need to alter the legal descriptions of the properties referred to in this Ordinance and may continue
4 to do so in order to meet the needs of the Project. City Council hereby authorizes the Mayor, including
5 his duly authorized representatives, in accordance with any applicable federal, state, and local laws
6 and rules and regulations adopted pursuant thereto, to acquire the Parcels as the legal descriptions
7 are altered in accordance with the means authorized in this Ordinance.

8 **Section 8.** That the City Council hereby finds and determines that the Project is necessary
9 for the health, safety, and welfare of the public.

10
11 COMMITTEE APPROVAL DATE: September 26, 2023, by Consent
12 MAYOR-COUNCIL DATE: October 3, 2023, by Consent
13 PASSED BY THE COUNCIL: October 16, 2023

14 

- PRESIDENT
15 APPROVED: Michael C. Johnston - MAYOR Oct 20, 2023
Michael C. Johnston (Oct 20, 2023 08:13 MDT)
16 ATTEST: _____ - CLERK AND RECORDER,
17 EX-OFFICIO CLERK OF THE
18 CITY AND COUNTY OF DENVER

19 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

20 PREPARED BY: Gabrielle S. Corica, Assistant City Attorney DATE: October 5, 2023

21 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the Office of the
22 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
23 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
24 3.2.6 of the Charter.

25 Kerry Tipper, Denver City Attorney

26 BY: Anshul Bagga, Assistant City Attorney DATE: Oct 5, 2023