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BY THE COURT:

JULIAN H. MOORE,  
Judge.

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STATE OF COLORADO )  
CITY AND COUNTY OF DENVER ) (SS.)

I, W. A. DOLLISON, Clerk of the District Court of the City and County of Denver, State aforesaid, do hereby certify the above and foregoing to be a true, complete and perfect transcript and copy of DECREE OF COURT had and entered of record in a certain cause in said Court lately depending In re Petition of E. Warner Brooks, etc., as the same now remains on file and of record in this office.

WITNESS my hand and seal of said Court, at the Court House in Denver, County and State aforesaid, this 4th day of March, A.D. 1919.



W. A. DOLLISON,  
Clerk.

W. W. Leedham,  
Deputy Clerk.

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271334

COPY OF ORDINANCE

Filed for record at 4.15  
P. M. Mar. 10, 1919

Charles A. Lammers  
Clerk and Recorder

BY AUTHORITY

ORDINANCE NO. 27. SERIES OF 1918.

COUNCILMAN'S BILL NO. 30. INTRODUCED BY COUNCILMAN REES.

A BILL FOR AN ORDINANCE VACATING THAT PART OF WEST TENNESSEE AVENUE IN LAWRENCE'S BROADWAY ADDITION IN

THE CITY AND COUNTY OF DENVER LYING WEST OF THE PRODUCED WEST LINE OF THE ALLEY IN BLOCK 2 IN SAID ADDITION EXTENDED NORTH, AND THAT PART OF WEST TENNESSEE AVENUE IN EDGERTON PLACE LYING WEST OF THE PRODUCED WEST LINE OF THE ALLEY IN BLOCK 2 IN EDGERTON PLACE EXTENDED SOUTH, AND ALSO THAT PART OF THE PUBLIC ALLEY IN BLOCK 2, EDGERTON PLACE LYING BETWEEN THE NORTH LINE OF LOTS 24 AND 25 AND THE SOUTH LINE OF LOT "A" IN BLOCK 2, EDGERTON PLACE, UPON CERTAIN CONDITIONS AND RESERVING CERTAIN EASEMENTS AND RIGHTS TO THE CITY AND COUNTY OF DENVER.

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

WHEREAS, W. F. R. Mills, Manager of Improvements and Parks, did heretofore make the following order, to-wit: "Whereas, the owner of Lots numbered 24 and 25,

in Block numbered 2, in Edgerton Place, and of Lots numbered 25, 26 and 27, in Block numbered 2 in Lawrence's Broadway Addition in the City and County of Denver, and all other land abutting on that part of the street hereinafter described, has requested the vacation of that part of West Tennessee Avenue in said Lawrence's Broadway Addition lying west of the produced west line of the alley in Block 2, in said Addition extended north, and that part of West Tennessee Avenue in Edgerton Place lying west of the produced west line of the alley in Block 2 Edgerton Place extended south; and

WHEREAS, the owner of Lot "A" and said Lots numbered 24 and 25 in said Block 2, Edgerton Place, being all of the land abutting on that part of the alley in Block 2, Edgerton Place, lying between said lots, has requested the vacation of said public alley; and

WHEREAS, it is found and determined that public use, necessity and convenience do not require that portion of the public street and highway known as West Tennessee Avenue above described; and

WHEREAS, it is hereby found and determined that public use, necessity and convenience do not require that portion of the public alley in said Block 2, Edgerton Place, above described; all in the City and County of Denver, State of Colorado;  
Now, Therefore,

IT IS HEREBY ORDERED that that part of West Tennessee Avenue in Lawrence's Broadway Addition in the City and County of Denver lying west of the produced west line of the alley in Block 2 in said Addition extended north, and that part of West Tennessee Avenue in Edgerton Place lying west of the produced west line of the alley in Block 2 Edgerton Place extended south, and that part of the public alley in Block 2 Edgerton Place, lying between the north line of Lots 24 and 25 and the south line of Lot "A" in Block 2, Edgerton Place, be and they are hereby vacated; excepting and reserving, however, unto the City and County of Denver such interest in the property above described as may be necessary for the purpose of constructing, maintaining, operating and repairing sewers and water mains thereover and thereon, upon the following conditions, to-wit:

That the owner of said land adjacent to said portions of West Tennessee Avenue above described shall construct at his or its own expense a storm sewer of not more than four feet diameter through said portions of said vacated street, in accordance with grades, plans and specifications to be approved by the City Engineer, before any building is erected upon any portion of said vacated street, which storm sewer the City and County of Denver shall have the easement, right and privilege to connect with and use; provided, however, that if the said land abutting on said portions of West Tennessee Avenue herein vacated be assessed as a part of an improvement district for the purpose of the construction of storm sewers before the same has been constructed by said owner, then the owner of said abutting land shall not be required to construct said sewer, and also upon condition that the said owner of said abutting land shall indemnify and hold harmless the City and County of Denver from and on account of any and all damages and costs which arise or accrue from the vacation of said street and alley.

It is hereby recommended that the Council of the City and County of Denver give effect to this order by the passage of a suitable ordinance.

Now Therefore,

Section 1. That the action of the Manager of Improvements and Parks in

making the foregoing order and finding be, and it is hereby approved, ratified and confirmed.

Section 2. That that part of West Tennessee Avenue in Lawrence's Broadway Addition in the City and County of Denver lying west of the produced west line of the alley in Block 2 in said Addition extended north, and that part of West Tennessee Avenue in Edgerton Place, lying west of the produced west line of the alley in Block 2 Edgerton Place extended south, and that part of the alley in Block 2 in Edgerton Place, lying between the north line of Lots 24 and 25 and the south line of Lot "A" in said Block 2 Edgerton Place, be; and they are hereby vacated; excepting and reserving, however, unto the City and County of Denver such easement and other interest in the property above described as may be necessary for the purpose of constructing, maintaining, operating and repairing sewers and water mains thereover and thereon; and upon the condition that the owner of land abutting on said portions of said vacated street above described shall construct at his or its own expense a storm sewer of not more than four feet diameter thru said portions of said vacated street before any building is built upon any portion of said vacated street, in accordance with plans and specifications to be approved by the City Engineer, which sewer the City and County of Denver shall have the right to use and connect with; provided, however, that if the said land, abutting on said portions of West Tennessee Avenue herein vacated, be assessed as a part of an improvement district, for the purpose of the construction of storm sewers, before the same has been constructed by said owner, then the owner of said abutting land shall not be required to construct said sewer; and this vacation is made upon the condition that the said owner of said abutting land shall indemnify and hold harmless the City and County of Denver from and on account of any and all damages and costs which arise or accrue from the vacation of said street and alley.

Passed by the Council and signed by its President this 29th day of April, 1918.

LOUIS F. BARTELS, President

Signed and approved by me this 30th day of April, 1918.

R. W. SPEER, Mayor

Attested by me with the corporate seal of the City and County of Denver.

(seal)

CHARLES A. LAMMERS

Clerk and Recorder, Ex-officio Clerk of City and County of Denver.

By W. S. PECK, Deputy Clerk

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STATE OF COLORADO )  
CITY AND COUNTY OF DENVER ) SS.

I, Charles A. Lammers, Clerk and Recorder, ex-officio Clerk of the City and County of Denver, do hereby certify that the above and foregoing is a full, true, and correct copy of Ordinance No. 27, of the Series of 1918, signed and approved by the Mayor on the 30th day of April, 1918.

Given under my hand and corporate seal of the City and County of Denver, this 5th day of February, A. D. 1919.



CHARLES A. LAMMERS  
Clerk and Recorder, ex-officio Clerk of the  
City and County of Denver  
By W. S. Peck, Deputy Clerk.