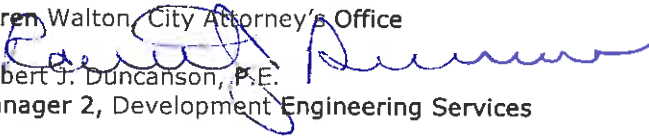


## REQUEST FOR ORDINANCE TO RELINQUISH EASEMENT

**TO:** Karen Walton, City Attorney's Office

**FROM:** Robert J. Duncanson, P.E.   
Manager 2, Development Engineering Services

**PROJECT NO:** 2012-0256-04

**DATE:** July 11, 2013

**SUBJECT:** Request for an Ordinance to relinquish certain easements established by Book 8377, Page 115, and a portion of the utility easement established in the Pavlakis Subdivision by Ordinance number 397 Series of 1955.

It is requested that the above subject item be placed on the next available Mayor Council Agenda.

This office has investigated the request of Montessori School of Denver, dated April 4, 2013, for the relinquishment of said easements.

This matter has been checked by this office and has been coordinated with Asset Management; Comcast Corporation; Councilperson Charlie Brown; CPD: Planning Services; Denver Water Board; Fire Department; Metro Wastewater Reclamation District; Office of Telecommunications; PW: DES Engineering, and DES Survey; Qwest Corporation; and Xcel Energy, all of whom have returned our questionnaires indicating their agreement.

As a result of the investigations, it has been determined that there is no objection to relinquishing the subject easement(s).

Therefore, you are requested to initiate Council action to relinquish the easements in the following described areas:

### INSERT PARCEL DESCRIPTION ROW 2012-0256-04-001 HERE

A map is attached showing the area in which the subject easement is to be relinquished. A copy of the Ordinance creating the easement is also attached.

#### Attachments

RJD:bvs

cc: Asset Mgmt. Steve Wirth  
Council, Gretchen Williams  
Councilperson Charlie Brown and Aides  
Department of Law, Karen Aviles  
Department of Law, Brent Eisen  
Department of Law, Karen Walton  
Department of Law, Shaun Sullivan  
Public Works, Alba Castro  
Public Works, Nancy Kuhn  
Public Works Survey-Paul Rogalla  
Project File 2012-0256-04

**Property Owner**  
**Denver Montessori Society**  
**c/o Ann Poundstone**  
**1460 South Holly Street**  
**Denver, CO 80222**

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to Daelene Mix at  
Nancy.kuhn@denvergov.org by NOON on Monday.

*\*All fields must be completed.\*  
Incomplete request forms will be returned to sender which may cause a delay in processing.*

Date of Request: July 11, 2013

Please mark one:  Bill Request or  Resolution Request

1. Has your agency submitted this request in the last 12 months?

Yes  No

If yes, please explain:

2. Title: (Include a concise, one sentence description – please include name of company or contractor and contract control number - that clearly indicates the type of request: grant acceptance, contract execution, amendment, municipal code change, supplemental request, etc.)

Request for an Ordinance to relinquish certain easements established by Book 8377, Page 115, and a portion of the utility easement established in the Pavlakis Subdivision by Ordinance number 397 Series of 1955.

3. Requesting Agency:

4. Contact Person: (With actual knowledge of proposed ordinance/resolution.)

- Name: Beverly Van Slyke
- Phone: 720-865-3125
- Email: [Beverly.VanSlyke@denvergov.org](mailto:Beverly.VanSlyke@denvergov.org)

5. Contact Person: (With actual knowledge of proposed ordinance/resolution who will present the item at Mayor-Council and who will be available for first and second reading, if necessary.)

- Name: Nancy Kuhn
- Phone: 720-865-8720
- Email: [Nancy.Kuhn@denvergov.org](mailto:Nancy.Kuhn@denvergov.org)

6. General description of proposed ordinance including contract scope of work if applicable:

To relinquish certain easements established by Book 8377, Page 115, and a portion of the utility easement established in the Pavlakis Subdivision by Ordinance number 397 Series of 1955.

**\*\*Please complete the following fields:** (Incomplete fields may result in a delay in processing. If a field is not applicable, please enter N/A for that field.)

- a. Contract Control Number: N/A
- b. Duration: N/A
- c. Location: 1460 S Holly St
- d. Affected Council District: Charlie Brown, District #6
- e. Benefits: N/A
- f. Costs: N/A

7. Is there any controversy surrounding this ordinance? (Groups or individuals who may have concerns about it?) Please explain.

None

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_



**DENVER**  
THE MILE HIGH CITY

## EXECUTIVE SUMMARY

**Project Title: 2012-0256-04 Easement Relinquishment Montessori School of Denver**

**Description of Proposed Project: Request for an Ordinance to relinquish certain easements established by Book 8377, Page 115, and a portion of the utility easement established in the Pavlakis Subdivision by Ordinance number 397 Series of 1955**

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project: The school is going to under go improvements over the next couple of summers, part of which will include the demolition of the existing Calvary Presbyterian Church. T**

**Has a Temp MEP been issued, and if so, what work is underway: N/A**

**What is the known duration of an MEP: N/A**

**Will land be dedicated to the City if the vacation goes through: N/A**

**Will an easement be placed over a vacated area, and if so explain: N/A**

**Will an easement relinquishment be submitted at a later date: N/A**

**Additional information: The easement will now divide the campus instead of its intended purpose of surrounding the project perimeter.**

## 10' UTILITY EASEMENT

## LEGAL DESCRIPTION

A PORTION OF THAT 10 FOOT WIDE UTILITY EASEMENT SHOWN ON THE PLAT OF PAVLAK IS SUBDIVISION, LYING IN THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 8, SAID PAVLAKIS SUBDIVISION;

THENCE ALONG THE NORTH LINE OF LOTS 5 THROUGH 8, INCLUSIVE, SAID PAVLAK IS SUBDIVISION N89°39'01"E, 305.00 FEET TO A POINT WHICH IS 10 FEET WEST OF THE EAST LINE OF SAID LOT 5;

THENCE PARALLEL WITH AND 10 FEET WEST OF SAID EAST LINE S00°01'04"E, 10.00 FEET;

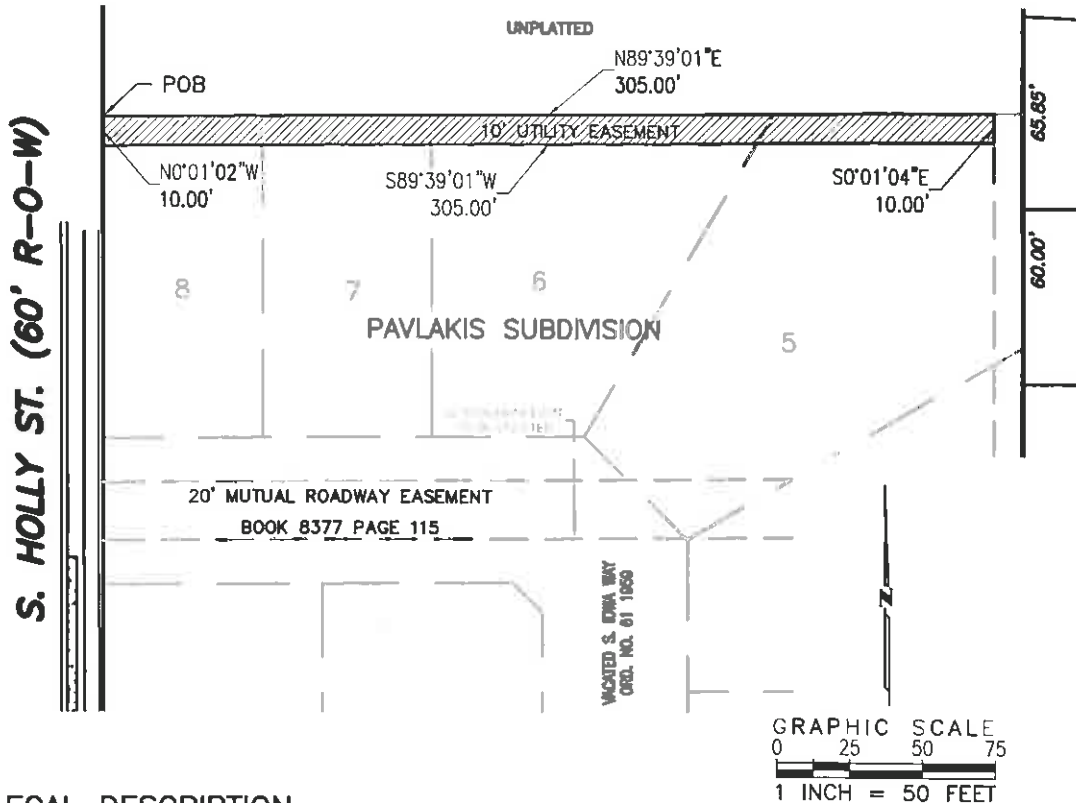
THENCE PARALLEL WITH AND 10 FEET SOUTH OF SAID NORTH LINE S89°39'01 "W, 305.00 FEET TO THE WEST LINE OF SAID LOT 8;

THENCE ALONG SAID WEST LINE N00°01'02"W, 10.00 FEET TO THE POINT OF BEGINNING,

CONTAINING 3049 SQUARE FEET, MORE OR LESS



### LEGAL DESCRIPTION



### LEGAL DESCRIPTION

A PORTION OF THAT 10 FOOT WIDE UTILITY EASEMENT SHOWN ON THE PLAT OF PAVLAKIS SUBDIVISION, LYING IN THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 8, SAID PAVLAKIS SUBDIVISION;

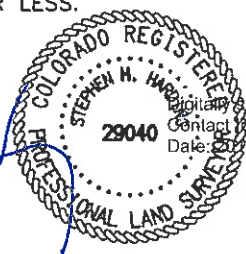
THENCE ALONG THE NORTH LINE OF LOTS 5 THROUGH 8, INCLUSIVE, SAID PAVLAKIS SUBDIVISION N89°39'01"E, 305.00 FEET TO A POINT WHICH IS 10 FEET WEST OF THE EAST LINE OF SAID LOT 5;

THENCE PARALLEL WITH AND 10 FEET WEST OF SAID EAST LINE S00°01'04"E, 10.00 FEET;

THENCE PARALLEL WITH AND 10 FEET SOUTH OF SAID NORTH LINE S89°39'01"W, 305.00 FEET TO THE WEST LINE OF SAID LOT 8;

THENCE ALONG SAID WEST LINE N00°01'02"W, 10.00 FEET TO THE POINT OF BEGINNING, CONTAINING 3049 SQUARE FEET, MORE OR LESS.

PREPARED BY:  
STEPHEN H. HARDING, PLS  
FOR AND ON BEHALF OF  
EMK CONSULTANTS, INC.



Digitally signed by Stephen H. Harding  
Contact info: sharding@emkc.com  
Date: 2012.12.26 16:42:16-07'00'

## ROADWAY EASEMENT

## LEGAL DESCRIPTION

THAT PROPERTY DESCRIBED AT BOOK 8377, PAGE 115 OF THE DENVER COUNTY RECORDS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF PAVLAKIS SUBDIVISION; THENCE ALONG THE EAST LINE OF SAID PAVLAKIS SUBDIVISION ALSO BEING THE WEST LINE OF VIRGINIA VILLAGE FILING NO. 3, N00°01'04"W, 255.00 FEET TO THE POINT OF BEGINNING;

THENCE S89°39'01"N, 315.00 FEET TO THE WEST LINE OF SAID SUBDIVISION, ALSO BEING THE EAST RIGHT-OF-WAY LINE OF SOUTH HOLLY STREET; THENCE ALONG SAID WEST LINE N00°01'02"W, 20.00 FEET; THENCE N89°39'01"E, 315.00 FEET TO SAID WEST LINE OF VIRGINIA VILLAGE FILING NO.3, THENCE ALONG SAID WEST LINE S00°01'04"E, 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 6300 SQUARE FEET, MORE OR LESS.

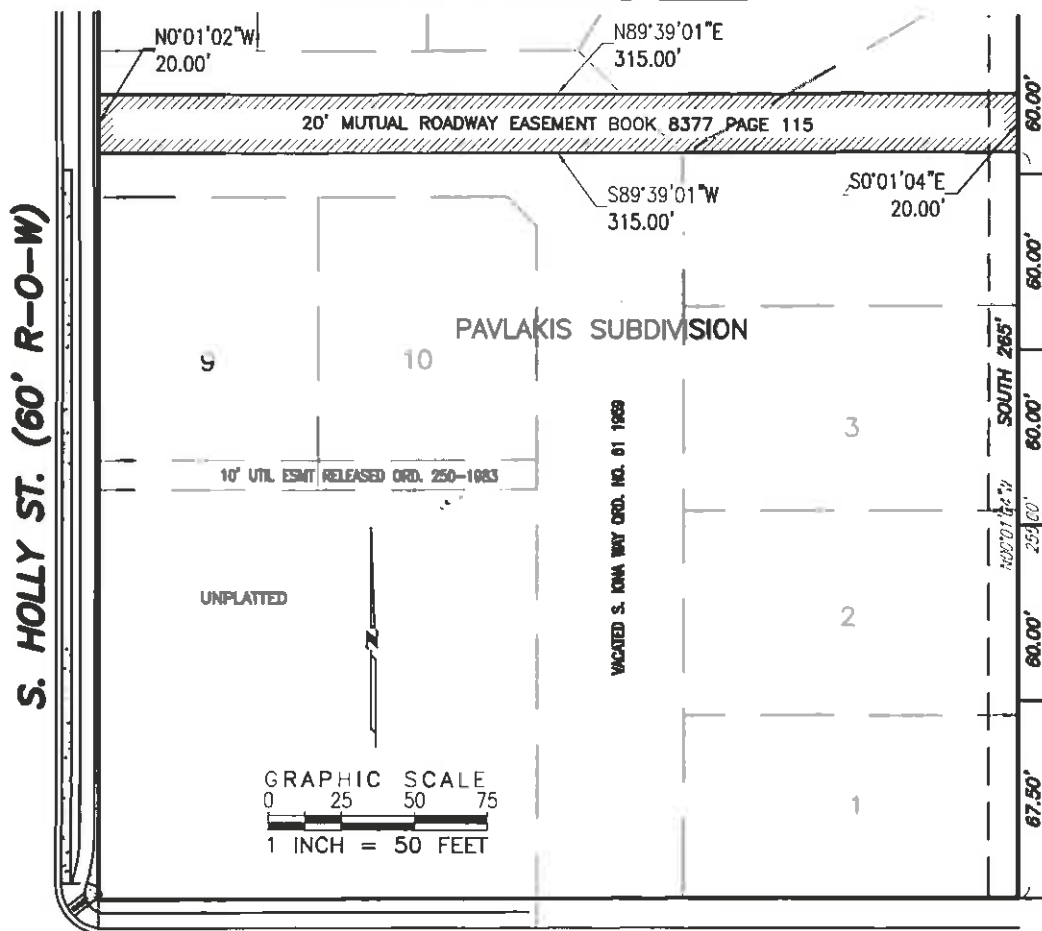


**EMK CONSULTANTS, INC.**  
**ENGINEERING & SURVEYING**

**LAND DEVELOPMENT  
 SERVICES AND SOLUTIONS**  
 www.EMKC.com

7006 SOUTH ALTON WAY, BLDG. F CENTENNIAL, COLORADO 80112-2019 (303)694-1520

### LEGAL DESCRIPTION



### FLORIDA AVE. (60' R-O-W)

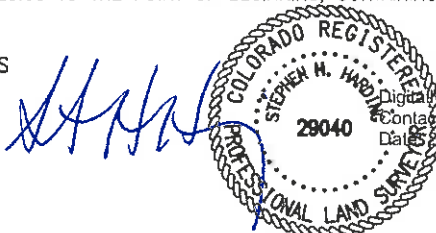
#### LEGAL DESCRIPTION

THAT PROPERTY DESCRIBED AT BOOK 8377, PAGE 115 OF THE DENVER COUNTY RECORDS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF PAVLAKIS SUBDIVISION, THENCE ALONG THE EAST LINE OF SAID PAVLAKIS SUBDIVISION ALSO BEING THE WEST LINE OF VIRGINIA VILLAGE FILING NO. 3 N00°01'04"W, 255.00 FEET TO THE POINT OF BEGINNING;

THENCE S89°39'01"W, 315.00 FEET TO THE WEST LINE OF SAID SUBDIVISION, ALSO BEING THE EAST RIGHT-OF-WAY LINE OF SOUTH HOLLY STREET; THENCE ALONG SAID WEST LINE N00°01'02"W, 20.00 FEET; THENCE N89°39'01"E, 315.00 FEET TO SAID WEST LINE OF VIRGINIA VILLAGE FILING NO. 3, THENCE ALONG SAID WEST LINE S00°01'04"E, 20.00 TO THE POINT OF BEGINNING, CONTAINING 6300 SQUARE FEET, MORE OR LESS.

PREPARED BY:  
 STEPHEN H. HARDING, PLS  
 FOR AND ON BEHALF OF  
 EMK CONSULTANTS, INC.



Digitally signed by Stephen H. Harding  
 Contact Info: sharding@emkc.com  
 Date: 2012.12.26 16:37:26-07'00'

DRAWN BY: SHH APPROVED BY: SHH JOB NO: 12612 DATE: 12/24/2012 PAGE 1 OF 1

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN 3 YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON. THIS DRAWING DOES NOT REPRESENT A MONUMENTED SURVEY AND IS ONLY INTENDED TO DEPICT THE ACCOMPANYING LEGAL DESCRIPTION.

UNRECORDED COPY OF A RESOLUTION

178

We, the Vir L. ... Moderator and ROBERT ... Clerk, of ... do hereby certify that the following resolution was duly and unanimously adopted at a session of the ... on June 23, 1959 at 1470 South Holly Street, Denver, Colorado, at which session a quorum was present, and that said resolution appears in the minutes of said meeting and that the same have not been amended, rescinded, or revoked:

"Resolved, that whereas this church has heretofore agreed to sell and convey to the ... Association for an ... the following described real property:

"The North 15' part of the Parkside subdivision, together with the creation of a mutual easement for roadway and its being situated on the lot fronting the north and south of the southerly line of said 15' part, City and County of Denver and State of Colorado."

It is so ordered that the ... be authorized and the ... be authorized to convey or general warranty deed to said ... as above described real property and easement."

Witness our hands and seal of this corporation this 2nd day of July, A.D. 1959.

S.

VIRGINIA PARK ...

By: *William L. ...* Moderator

*Robert ...* Clerk

I do hereby certify that the above and foregoing is a true and correct copy of the ... resolution duly adopted at a session of the ... on June 23, 1959.

I do hereby certify that said resolution constitutes a valid and binding contract of said ... and that the meeting was lawfully called and held at ... at which session a quorum of the members of the corporation was present.

I do hereby certify that I am clerk of said corporation, and that the above and foregoing is a true and correct copy of the minutes of said meeting.

In witness whereof, I have hereunto subscribed my name and official seal of this corporation, this 2nd day of July, A.D. 1959.

*Robert ...* Clerk of Virginia Park ... Church, a Colorado corporation

The foregoing instrument was acknowledged at Denver on this 2nd day of July, 1959 by ... as Clerk of Virginia Park Baptist Church.

Witness my hand and official seal.

In testimony whereof, I have hereunto subscribed my name and official seal of this corporation, this 2nd day of July, A.D. 1959.

*Franklin ...* Pastor



south 62 feet of Louisiana Avenue contiguous to Lot 4, Block 19, Sherman Subdivision, in the City and County of Denver, State of Colorado.

Section 2. Said revocable license or permit is to be hereby granted upon the following terms and conditions: (A) that it not sooner revoked, if the said license or permit is not used within the time specified, shall terminate when the garage structures now encroaching on the above described area is altered or reconstructed or when the area of any part thereof is needed for street or alley purposes; (B) that the licensee or permittee shall always hold the City and County of Denver harmless on account of any and all damages which may result from the exercise of any right or privilege granted by the said license or permit.

Section 3. That the revocable license or permit hereby granted shall be revocable at any time and the right to revoke the same is hereby expressly reserved unto the City and County of Denver.

Section 4. That the revocable license is necessary for the immediate preservation of the public health and safety and it shall take effect immediately upon its final passage and publication.

Passed by the Council December 5, 1935. C. PAUL HARRINGTON, President Pro Tem. Approved: R. Y. BATTERTON, Acting Mayor, December 5, 1935. Attest: PAUL V. HODGES, JR., Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver. By: GEORGE MANBERG, Deputy City Clerk. (Seal)

Published in The Daily Journal, Dec. 3, 1935 and Dec. 10, 1935. 341

**BY AUTHORITY**  
Ordinance No. 384  
**COUNCILMAN'S BILL NO. 431, SERIES OF 1935, INTRODUCED BY COUNCILMEN HOLLAND, HARRINGTON AND FLOER.**

**FOR AN ORDINANCE VACATING THE 3 FOOT UTILITY EASEMENT ON THE EAST OR EASTERLY END OF LOTS 1 THROUGH 6, BOTH INCLUSIVE, AND ON THE EAST OR EASTERLY END OF LOTS 26 THROUGH 30, BOTH INCLUSIVE, ALL IN BLOCK 13, BATTERY PARK ADDITION, PLAT NO. 7, INsofar AND TO THE EXTENT THAT THE SAME CONSTITUTE PUBLIC PLACES.**

WHEREAS, the Manager of Improvements and Parks of the City and County of Denver has found and determined that the public use, convenience and necessity no longer require the utility easements hereinafter described, and subject to approval by ordinance, has vacated the same insofar and to the extent that the same constitute public places;

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

Section 1. That the action of the Manager of Improvements and Parks in vacating the following described utility easements in the City and County of Denver, State of Colorado, to-wit:

The 3 foot utility easements of or to the east or easterly end of lots 1 through 6, both inclusive, and on the rear or westerly end of lots 26 through 30, both inclusive, insofar and to the extent that the same constitute public places and the same is hereby approved insofar and to the same extent as the same constitute public places, are hereby vacated.

Section 2. The Council finds this Ordinance is necessary for the immediate preservation of the public health and public safety, and determines that it shall take effect immediately upon its final passage and publication.

Passed by the Council December 5, 1935. C. PAUL HARRINGTON, President Pro Tem. Approved: R. Y. BATTERTON, Acting Mayor, December 5, 1935. Attest: PAUL V. HODGES, JR., Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver. By: GEORGE MANBERG, Deputy City Clerk. (Seal)

Published in The Daily Journal, Dec. 3, 1935 and Dec. 10, 1935. 343

**BY AUTHORITY**  
Ordinance No. 385  
**COUNCILMAN'S BILL NO. 432, SERIES OF 1935, INTRODUCED BY COUNCILMEN HARRINGTON, CALDWELL AND CLANCIO.**

**FOR AN ORDINANCE AUTHORIZING THE MAYOR AND OTHER APPROPRIATE OFFICIALS OF THE CITY AND COUNTY OF DENVER TO ACCEPT THE BID OF \$1,154.40 FULL SETTLEMENT PAYMENT AND SATISFACTION OF THE OBLIGATIONS OF THE DENVER TRAMWAY CORPORATION RELATIVE TO STREET MAINTENANCE AND CONSTRUCTION COSTS ARISING OUT OF THE AGREEMENT BETWEEN THE CITY AND COUNTY OF DENVER AND SAID CORPORATION DATED JULY 26, 1934 AND THE SUPPLEMENT THERE-TO DATED JULY 26, 1934.**

WHEREAS, the Mayor and other appropriate officials of the City and County of Denver are hereby authorized, empowered and directed to accept the sum of \$1,154.40 from the Denver Tramway Corporation in full settlement payment and satisfaction of all obligations to the City and County of Denver arising out of the contract dated July 11, 1934 between the City and County of Denver and said Corporation, and the supplement thereto dated July 26, 1934, relating to the payment of street maintenance and construction costs;

Section 2. The Council finds this Ordinance is necessary for the immediate preservation of the public health and public safety, and determines that it shall take effect immediately upon its final passage and publication.

Passed by the Council December 5, 1935. C. PAUL HARRINGTON, President Pro Tem. Approved: R. Y. BATTERTON, Acting Mayor, December 5, 1935. Attest: PAUL V. HODGES, JR., Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver. By: GEORGE MANBERG, Deputy City Clerk. (Seal)

Published in The Daily Journal, Dec. 3, 1935 and Dec. 10, 1935. 345

**BY AUTHORITY**  
Ordinance No. 386  
**COUNCILMAN'S BILL NO. 433, SERIES OF 1935, INTRODUCED BY COUNCILMEN HARRINGTON, CALDWELL AND CLANCIO.**

**FOR AN ORDINANCE APPROVING THE WHOLE COST OF THE CONSTRUCTION OF A CONCRETE COMBINATION GUTTER, CURB AND WALK, THE PAVING OF THE ROADWAY AND THE CONSTRUCTION OF NECESSARY DRAINS AND OTHER INCIDENTAL IMPROVEMENTS WHICH WERE MADE AND FOR STREET PAVING DISTRICT**

NO. 1008, IN PURSUANCE OF ORDINANCE NO. 103, SERIES OF 1934, APPROVING THE APPROPRIATION OF SAID WHOLE COST ASSESSING A SHARE OF THE SAME AGAINST EACH LOT OF TRACT OF LAND IN THIS DISTRICT AND PRESCRIBING A MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENT.

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

Section 1. Upon consideration of the recommendation by the Manager of Improvements and Parks that an ordinance be enacted for the purpose of assessing the costs of the improvements constructed in Street Paving District No. 1008, the Council finds as follows:

(a) The formation of Street Paving District No. 1008 and the construction of concrete combination gutters, curb and walks, the paving of the roadway, the construction of necessary drains and other incidental improvements therein were authorized by and have been performed in accordance with the provisions of Ordinance No. 103, Series of 1934.

(b) The authorized improvements have been completed and accounts for the whole cost thereof has been determined;

(c) The Department of Improvements and Parks has prepared and has filed in the office of the Clerk a certified statement showing the amount of the improvements, which whole cost includes interest to the first day of March, 1935, on bonds issued in payment of said costs, also five per cent flat for collection costs;

(d) The Department of Improvements and Parks and the Clerk and Recorder in accordance with the City and County of Denver, have complied with the provisions of law relating to the distribution and payment of the owners of the real estate to be assessed, and all persons interested generally, of the completion, acceptance, whole cost and proposed apportionment of the cost;

(e) The time fixed in the aforesaid certified statement for the filing of complaints and objections has expired without any action on the part of any owner of the real estate to be assessed or of any person interested therein;

(f) The share cost apportioned upon each lot and tract of land within the district is equitable and just and should be adopted and confirmed;

(g) Reason of the construction and the completion of the authorized improvements, each lot and tract of land within the district has been benefited in an amount equal to or in excess of the amount to be assessed against each lot or tract of land;

(h) The whole cost of the authorized improvements is \$32,176.49, which whole cost includes interest to the first day of March, 1934, on bonds issued in payment of said cost, also five per cent flat for collection costs, including six per cent interest.

Section 2. The whole cost of the authorized improvements, the pro-rata share for assessing the same and the share of cost apportioned upon each lot and tract of land within the district are hereby approved and confirmed.

Section 3. The whole cost of the authorized improvements is hereby assessed to and upon each lot or tract of land within the district in the amounts hereinafter severally set forth:

Notes: Whenever a series of lots is mentioned, it shall be understood to include the first, intermediate and last named lots, and the amount appearing after such series shall be the assessment for each lot in the series.

Block 24	Lot		
13-15	\$ 4.10	34.25	\$32.01
16	20.00	26	164.04
17	12.00	27	116.06
18	14.00	28	84.07
19	11.00	29	62.08
20	10.00	30	50.09
21	11.00	31-36	4.10

**APPEL'S SUBDIVISION OF LOTS 4 AND 5, WATKINWOOD**

Block 5	Lot		
1	102.95	6-11	160.50

**HILGARD PARK HILL PLING**

Block 2	Lot			
15	184.50	26	8.50	25.89
16	117.75	27	15.00	32.94

**GAHARAS SUBDIVISION**

Block 2	Lot		
12	177.37	15	150.96
13	165.34	16	152.47

**OSAMERLINE UNIVERSITY TERRACE NEW PLING**

Block 10	Lot		
1	50.00	6	21.00
2	50.00	6	21.00
3	35.00	6-11	11.32

Mac. S. Dahlis St. adjacent

**BY AUTHORITY**  
Ordinance No. 387  
**COUNCILMAN'S BILL NO. 434, SERIES OF 1935, INTRODUCED BY COUNCILMEN HARRINGTON AND FLOER.**

**FOR AN ORDINANCE VACATING A PORTION OF THE STREET AREA AT THE SOUTHWEST INTERSECTION OF LOUISIANA AVENUE AND SOUTH PEARL STREET, SUBJECT TO RESERVATIONS.**

WHEREAS, the Manager of Improvements and Parks of the City and County of Denver has found and determined that the public use, convenience and necessity no longer require the portion of that street area hereinafter described, subject to approval by ordinance, has vacated the same with the reservations hereinafter set forth;

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

Section 1. That the action of the Manager of Improvements and Parks in vacating the following described street and the reservations thereon in the City and County of Denver, State of Colorado, to-wit:

A rectangular tract of land lying adjacent to and easterly of Lot 48, Block 19, Sherman Subdivision, said tract of land having been dedicated to public as a street and public place particularly described as follows:

Beginning at a point on the north line of said Lot 48, a distance of 115 feet easterly from the north-west corner thereof; thence continuing easterly on said north line extended 18 feet to the east line of said Block 19 extended north; thence south on said extended east line 10 feet; thence northwesterly to point of beginning;

reserving (1) to the City and County of Denver at all times an easement for drainage purposes in, upon, across, along, and over the same and the right to construct, operate, maintain, and remove sewers, water pipes, and appurtenances to authorize the construction, operation, maintenance, and removal of sewers, water pipes, and appurtenances therein and therefrom; and (2) to the utility owners and continued right to maintain and operate existing electric light and power lines, telephone lines and gas mains and lines; be and the same is hereby approved and said portion of said street area is hereby vacated and declared vacated subject to the reservations above set forth;

Section 2. The Council finds this Ordinance is necessary for the immediate preservation of the public health and public safety, and determines that it shall take effect immediately upon its final passage and publication.

Passed by the Council December 5, 1935. C. PAUL HARRINGTON, President Pro Tem. Approved: R. Y. BATTERTON, Acting Mayor, December 5, 1935. Attest: PAUL V. HODGES, JR., Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver. By: GEORGE MANBERG, Deputy City Clerk. (Seal)

Published in The Daily Journal, Dec. 3, 1935 and Dec. 10, 1935. 347

**BY AUTHORITY**  
Ordinance No. 388  
**COUNCILMAN'S BILL NO. 435, SERIES OF 1935, INTRODUCED BY COUNCILMEN HARRINGTON AND FLOER.**

**FOR AN ORDINANCE ACCEPTING AND RESERVING A PLAT OF PAVLAKIS SUBDIVISION.**

WHEREAS, the owners of the following described land, territory, or real property, to-wit:

A part of the Southwest One-quarter (SW 1/4) of the Northwest One-quarter (NW 1/4) of Section Twenty (Sec. 20), Township Four North Range Sixty-seven West (R. 67W.) of the Sixth Principal Meridian (6th P.M.), City and County of Denver, State of Colorado, more particularly described as follows: Beginning at a point on the South line of said Southwest One-quarter (SW 1/4) of the Northwest One-quarter (NW 1/4) 345 feet E. of the west Corner thereof; thence on an angle to the left of 89° 20' a distance of 450 feet; thence on an angle to the left of 90° 20' a distance of 170 feet to a point 170 feet North of the Southwest Corner of said Southwest One-quarter (SW 1/4) of the Northwest One-quarter (NW 1/4); thence Southwesterly along said West line 250 feet to a point 170 feet North of the Southwest Corner of said Southwest One-quarter (SW 1/4) of the Northwest One-quarter (NW 1/4); thence on an angle to the left of 90° 20' a distance of 180 feet; thence on an angle to the right of 89° 20' a distance of 170 feet more or less to the South line of said Southwest One-quarter (SW 1/4) of the Northwest One-quarter (NW 1/4); thence Easterly along said South line 145 feet to the point of beginning;

proposes to lay out, plat, and subdivide said land, territory or real property under the name and style of PAVLAKIS SUBDIVISION, and have submitted to the Council of the City and County of Denver a plat of the proposed subdivision under the name and style aforesaid, showing the adjacent streets and alleys and the topography of the platted territory and dedicating to the public the street, avenue, way, and other public places thereon shown and not otherwise already dedicated for public use, also public utility easements as shown; and WHEREAS, said plat is accom-

panied by a certificate of survey made by a certified surveyor of the City and County of Denver; and WHEREAS, said addition or subdivision was surveyed by or under the direction of the City Engineer of or for the City and County of Denver, and said Engineer has certified as to the accuracy of such survey and said plat and their conformity with the requirements of Article 142 of the Revised Municipal Code of the City and County of Denver, and said plat has also been approved by the Zoning Administrator and the Planning Director;

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

Section 1. That the Council hereby finds and determines that said land, territory, or real property has been platted in strict conformity with the requirements of the Charter of the City and County of Denver and the Revised Municipal Code of the City and County of Denver.

Section 2. That the said plat or map of PAVLAKIS SUBDIVISION is hereby approved and accepted by the Council of the City and County of Denver.

Section 3. The Council finds this Ordinance is necessary for the immediate preservation of the public health and public safety, and determines that it shall take effect immediately upon its final passage and publication.

Passed by the Council December 5, 1935. C. PAUL HARRINGTON, President Pro Tem. Approved: R. Y. BATTERTON, Acting Mayor, December 5, 1935. Attest: PAUL V. HODGES, JR., Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver. By: GEORGE MANBERG, Deputy City Clerk. (Seal)

Published in The Daily Journal, Dec. 3, 1935 and Dec. 10, 1935. 348

**BY AUTHORITY**  
Ordinance No. 389  
**COUNCILMAN'S BILL NO. 436, SERIES OF 1935, INTRODUCED BY COUNCILMEN HARRINGTON, CALDWELL AND CLANCIO.**

**FOR AN ORDINANCE AUTHORIZING THE MAYOR AND OTHER APPROPRIATE OFFICIALS OF THE CITY AND COUNTY OF DENVER TO ACCEPT THE BID OF \$1,154.40 FULL SETTLEMENT PAYMENT AND SATISFACTION OF THE OBLIGATIONS OF THE DENVER TRAMWAY CORPORATION RELATIVE TO STREET MAINTENANCE AND CONSTRUCTION COSTS ARISING OUT OF THE AGREEMENT BETWEEN THE CITY AND COUNTY OF DENVER AND SAID CORPORATION DATED JULY 26, 1934 AND THE SUPPLEMENT THERE-TO DATED JULY 26, 1934.**

WHEREAS, the Mayor and other appropriate officials of the City and County of Denver are hereby authorized, empowered and directed to accept the sum of \$1,154.40 from the Denver Tramway Corporation in full settlement payment and satisfaction of all obligations to the City and County of Denver arising out of the contract dated July 11, 1934 between the City and County of Denver and said Corporation, and the supplement thereto dated July 26, 1934, relating to the payment of street maintenance and construction costs;

Section 2. The Council finds this Ordinance is necessary for the immediate preservation of the public health and public safety, and determines that it shall take effect immediately upon its final passage and publication.

Passed by the Council December 5, 1935. C. PAUL HARRINGTON, President Pro Tem. Approved: R. Y. BATTERTON, Acting Mayor, December 5, 1935. Attest: PAUL V. HODGES, JR., Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver. By: GEORGE MANBERG, Deputy City Clerk. (Seal)

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