

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2017

COUNCIL BILL NO. CB16-1265
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, purchase and/or through condemnation proceedings of fee simple, easements and other interests, including any rights and interest related or appurtenant to such properties so designated, as needed for the traffic and pedestrian safety improvement project at various intersections, including Evans and Alameda Avenues.

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

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

LEGAL DESCRIPTIONS

PERMANENT EASEMENT 1

A PARCEL OF LAND BEING A PORTION OF LOT 24, BLOCK 44, BYER'S SUBDIVISION, A RECORDED SUBDIVISION DESCRIBED BY BOOK 2, PAGE 56 OF THE OFFICIAL ARAPAHOE COUNTY RECORDS, SITUATED IN THE THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE NORTH QUARTER CORNER OF SAID SECTION 15;

THENCE SOUTH 87°32'29" WEST, A DISTANCE OF 1312.63 FEET TO A POINT ON THE SOUTH LINE OF A PARCEL OF LAND DESCRIBED BY RECEPTION NUMBER 9500062201 OF THE OFFICIAL DENVER COUNTY RECORDS, SAID POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF ALAMEDA AVENUE, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE SOUTH 49°23'58" WEST, A DISTANCE OF 12.12 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF CHEROKEE STREET;

THENCE NORTH 00°09'34" EAST COINCIDENT WITH SAID EAST LINE, A DISTANCE OF 7.91 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL OF LAND;

THENCE SOUTH 89°50'26" EAST COINCIDENT WITH SAID SOUTH LINE, A DISTANCE OF 9.18 FEET TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINS 36 SQUARE FEET, MORE OR LESS.

BEARINGS ARE BASED ON THE ASSUMPTION THAT THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN BEARS SOUTH 89°51'02" WEST WITH ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO. THE NORTH QUARTER CORNER OF SAID SECTION IS MONUMENTED WITH AN ORIGINAL STONE AND CHISELED CROSS IN RANGE

1 BOX. THE NORTHWEST CORNER OF SAID SECTION IS MONUMENTED WITH A 3-1/4" ALUMINUM CAP/
2 ILLEGIBLE IN RANGE BOX.

3
4 **And**

5
6 **PERMANENT EASEMENT 2**

7
8 A PARCEL OF LAND LOCATED WITHIN LOTS 5 & 6, BUDLONG'S RE-SUBDIVISION OF BLOCK 16 IN
9 CHAMBERLIN'S UNIVERSITY TERRACE-EAST, A RECORDED SUBDIVISION DESCRIBED IN BOOK 30 ON PAGE
10 49 OF THE OFFICIAL ARAPAHOE COUNTY RECORDS, SITUATED IN THE THE NORTHWEST QUARTER OF THE
11 NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL
12 MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS
13 FOLLOWS:

14
15 COMMENCING FROM THE NORTH SIXTEENTH CORNER OF SECTION 30, TOWNSHIP 4 SOUTH, RANGE 67
16 WEST OF THE SIXTH PRINCIPAL MERIDIAN;

17
18 THENCE NORTH 61'33'09" EAST, A DISTANCE OF 64.49 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 6
19 ALSO BEING THE NORTH RIGHT OF WAY LINE OF EVANS AVENUE, SAID POINT ALSO BEING THE POINT OF
20 BEGINNING;

21
22 THENCE COINCIDENT WITH THE EAST LINE OF A PARCEL OF LAND DESCRIBED BY ORDINANCE NUMBER
23 449, SERIES OF 1976 AS RECORDED IN THE OFFICIAL DENVER COUNTY RECORDS THE FOLLOWING TWO (2)
24 COURSES:

25
26 (1) NORTH 40'47'42" WEST, A DISTANCE OF 23.22 FEET;

27
28 (2) NORTH 00'33'17" WEST, A DISTANCE OF 12.30 FEET;

29
30 THENCE NORTH 87'21'31" EAST, A DISTANCE OF 0.61 FEET;

31
32 THENCE SOUTH 02'38'29" EAST, A DISTANCE OF 2.63 FEET;

33
34 THENCE SOUTH 02'20'26" EAST, A DISTANCE OF 2.66 FEET;

35
36 THENCE NORTH 90'00'00" EAST, A DISTANCE OF 5.94 FEET;

37
38 THENCE SOUTH 00'33'32" EAST, A DISTANCE OF 9.81 FEET;

39
40 THENCE SOUTH 45'00'00" EAST, A DISTANCE OF 20.87 FEET TO A POINT ON SAID NORTH RIGHT OF WAY
41 LINE;

42
43 THENCE SOUTH 89'34'31" WEST COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 6.34 FEET TO THE
44 POINT OF BEGINNING.

45
46 SAID PARCEL OF LAND CONTAINS 146 SQUARE FEET, MORE OR LESS.

47
48 BEARINGS ARE BASED ON THE ASSUMPTION THAT THE EAST LINE OF THE NORTHWEST QUARTER OF
49 SECTION 30, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN BEARS NORTH
50 00'33'17" WEST WITH ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO. THE CENTER QUARTER
51 CORNER IS MONUMENTED WITH A 3-1/4" ALUMINUM CAP IN RANGE BOX STAMPED PLS 28669. THE NORTH
52 QUARTER CORNER OF SAID SECTION IS MONUMENTED WITH A 3-1/4" ALUMINUM CAP IN RANGE BOX
53 STAMPED PLS 9479.

1 **And**

2
3 **PERMANENT EASEMENT 3**

4
5 A PARCEL OF LAND BEING A PORTION OF THAT PARCEL OF LAND DESCRIBED BY RECEPTION NUMBER
6 2008092128 OF THE OFFICIAL DENVER COUNTY RECORDS, SITUATED IN THE THE SOUTHWEST QUARTER
7 OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH
8 PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY
9 DESCRIBED AS FOLLOWS:

10
11 COMMENCING FROM THE NORTH SIXTEENTH CORNER OF SECTION 30, TOWNSHIP 4 SOUTH, RANGE 67
12 WEST OF THE SIXTH PRINCIPAL MERIDIAN;

13
14 THENCE SOUTH 68°41'02" EAST, A DISTANCE OF 80.99 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE
15 OF EVANS AVENUE, SAID POINT ALSO BEING THE POINT OF BEGINNING;

16
17 THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 0.84 FEET;

18
19 THENCE NORTH 90°00'00" WEST, A DISTANCE OF 7.66 FEET;

20
21 THENCE SOUTH 45°00'00" WEST, A DISTANCE OF 4.79 FEET;

22
23 THENCE NORTH 90°00'00" WEST, A DISTANCE OF 4.87 FEET;

24
25 THENCE SOUTH 45°00'00" WEST, A DISTANCE OF 21.45 FEET;

26
27 THENCE NORTH 90°00'00" WEST, A DISTANCE OF 5.44 FEET TO A POINT ON THE EAST LINE OF A PARCEL OF
28 LAND RECORDED IN BOOK 943, ON PAGE 614 OF THE OFFICIAL DENVER COUNTY RECORDS, SAID POINT
29 ALSO BEING A POINT OF NON-TANGENT CURVATURE;

30
31 THENCE COINCIDENT WITH THE EAST LINE OF SAID PARCEL OF LAND THE FOLLOWING TWO (2) COURSES:

32
33 (1) ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE RIGHT AN ARC LENGTH OF 22.52 FEET, SAID
34 CURVE HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 64°31'25" AND A CHORD WHO BEARS NORTH
35 37°56'51" EAST A CHORD DISTANCE OF 21.35 FEET;

36
37 (2) NORTH 70°12'33" EAST, A DISTANCE OF 7.18 FEET TO A POINT ON SAID SOUTH RIGHT OF WAY LINE;

38
39 THENCE NORTH 89°34'31" EAST COINCIDENT WITH SAID SOUTH LINE, A DISTANCE OF 16.65 FEET TO THE
40 POINT OF BEGINNING.

41
42 SAID PARCEL OF LAND CONTAINS 211 SQUARE FEET, MORE OR LESS.

43
44 BEARINGS ARE BASED ON THE ASSUMPTION THAT THE EAST LINE OF THE NORTHWEST QUARTER OF
45 SECTION 30, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN BEARS NORTH
46 00°33'17" WEST WITH ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO. THE CENTER QUARTER
47 CORNER IS MONUMENTED WITH A 3-1/4" ALUMINUM CAP IN RANGE BOX STAMPED PLS 28669. THE NORTH
48 QUARTER CORNER OF SAID SECTION IS MONUMENTED WITH A 3-1/4" ALUMINUM CAP IN RANGE BOX
49 STAMPED PLS 9479.

50
51 **And**

52
53 **PERMANENT EASEMENT 4**

54
55 A PARCEL OF LAND LOCATED WITHIN LOT 24, BLOCK 118, CHAMBERLIN'S UNIVERSITY TERRACE NEW
56 FILING, A RECORDED SUBDIVISION DESCRIBED IN BOOK 33 ON PAGE 4 OF THE OFFICIAL ARAPAHOE
57 COUNTY RECORDS, SITUATED IN THE THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF
58 SECTION 30, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY
59 OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

1 COMMENCING FROM THE NORTH SIXTEENTH CORNER OF SECTION 30, TOWNSHIP 4 SOUTH, RANGE 67
2 WEST OF THE SIXTH PRINCIPAL MERIDIAN;
3 THENCE NORTH 22'45'21" WEST, A DISTANCE OF 47.95 FEET TO A POINT OF NON-TANGENT CURVATURE,
4 SAID POINT BEING ON THE WEST LINE OF A PARCEL OF LAND DESCRIBED BY ORDINANCE NUMBER 449,
5 SERIES OF 1976 AS RECORDED IN THE OFFICIAL DENVER COUNTY RECORDS, SAID POINT BEING ON THE
6 WEST RIGHT OF WAY LINE OF DAHLIA STREET, SAID POINT ALSO BEING THE POINT OF BEGINNING;

7
8 THENCE COINCIDENT WITH SAID WEST LINE ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE RIGHT
9 AN ARC LENGTH OF 23.18 FEET, SAID CURVE HAVING A RADIUS OF 16.00 FEET, A CENTRAL ANGLE OF
10 82'59'26" AND A CHORD WHICH BEARS SOUTH 47'57'00" WEST A CHORD DISTANCE OF 21.20 FEET TO A POINT
11 ON THE NORTH RIGHT OF WAY LINE OF EVANS AVENUE;

12
13 THENCE SOUTH 89'31'52" WEST COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 7.23 FEET;

14
15 THENCE NORTH 00'28'23" WEST, A DISTANCE OF 4.93 FEET;

16
17 THENCE NORTH 89'31'37" EAST, A DISTANCE OF 9.82 FEET;

18 THENCE NORTH 45'00'00" EAST, A DISTANCE OF 7.21 FEET;

19
20 THENCE NORTH 00'00'00" EAST, A DISTANCE OF 4.08 FEET;

21
22 THENCE NORTH 89'27'48" EAST, A DISTANCE OF 8.10 FEET TO THE POINT OF BEGINNING.

23
24 SAID PARCEL OF LAND CONTAINS 148 SQUARE FEET, MORE OR LESS.

25
26 BEARINGS ARE BASED ON THE ASSUMPTION THAT THE EAST LINE OF THE NORTHWEST QUARTER OF
27 SECTION 30, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN BEARS NORTH
28 00'33'17" WEST WITH ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO. THE CENTER QUARTER
29 CORNER IS MONUMENTED WITH A 3-1/4" ALUMINUM CAP IN RANGE BOX STAMPED PLS 28669. THE NORTH
30 QUARTER CORNER OF SAID SECTION IS MONUMENTED WITH A 3-1/4" ALUMINUM CAP IN RANGE BOX
31 STAMPED PLS 9479.

32
33 **And**

34
35 **PERMANENT EASEMENT 5**

36
37 A PARCEL OF LAND BEING A PORTION OF THAT PARCEL OF LAND DESCRIBED IN BOOK 1293 ON PAGE 470
38 OF THE OFFICIAL DENVER COUNTY RECORDS, SITUATED IN THE THE NORTHWEST QUARTER OF THE
39 NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL
40 MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS
41 FOLLOWS:

42
43 COMMENCING FROM THE NORTH SIXTEENTH CORNER OF SECTION 29 & 30, TOWNSHIP 4 SOUTH, RANGE
44 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN;

45
46 THENCE NORTH 27'52'14" EAST, A DISTANCE OF 63.01 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE
47 OF HOLLY STREET, SAID POINT BEING 30.00 FEET EAST AND 55.00 FEET NORTH OF SAID SIXTEENTH
48 CORNER BY PERPENDICULAR MEASUREMENT FROM THE SECTION LINE, SAID POINT ALSO BEING THE
49 POINT OF BEGINNING;

50
51 THENCE NORTH 00'33'45" WEST COINCIDENT WITH SAID RIGHT OF WAY LINE, A DISTANCE OF 10.17 FEET;

52
53 THENCE NORTH 90'00'00" EAST, A DISTANCE OF 1.84 FEET;

54
55 THENCE SOUTH 00'11'55" EAST, A DISTANCE OF 0.92 FEET;

56
57 THENCE SOUTH 04'18'11" EAST, A DISTANCE OF 6.35 FEET;

58
59 THENCE SOUTH 89'39'47" EAST, A DISTANCE OF 20.79 FEET TO A POINT OF TANGENT CURVATURE;

1 THENCE ALONG THE ARC OF SAID TANGENT CURVE TO THE RIGHT AN ARC LENGTH OF 3.94 FEET, SAID
2 CURVE HAVING A RADIUS OF 2.50 FEET, A CENTRAL ANGLE OF 90°17'41" AND A CHORD WHICH BEARS
3 SOUTH 44°30'57" EAST A CHORD DISTANCE OF 3.54 FEET;

4
5 THENCE SOUTH 00°37'54" WEST, A DISTANCE OF 18.50 FEET;

6
7 THENCE SOUTH 89°58'21" EAST, A DISTANCE OF 13.97 FEET;

8
9 THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 2.00 FEET TO A POINT ON THE NORTH LINE OF A PARCEL
10 OF LAND DESCRIBED BY QUIT CLAIM DEED AS RECORDED IN BOOK 855 ON PAGE 539 OF THE OFFICIAL
11 DENVER COUNTY RECORDS;

12
13 THENCE COINCIDENT WITH SAID NORTH LINE THE FOLLOWING TWO (2) COURSES:

14
15 (1) SOUTH 89°36'53" WEST, A DISTANCE OF 13.56 FEET;

16
17 (2) NORTH 51°39'30" WEST, A DISTANCE OF 32.77 FEET TO THE POINT OF BEGINNING.

18
19 SAID PARCEL OF LAND CONTAINS 370 SQUARE FEET, MORE OR LESS.

20
21 BEARINGS ARE BASED ON THE ASSUMPTION THAT THE WEST LINE OF THE SOUTHWEST QUARTER OF THE
22 NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL
23 MERIDIAN BEARS NORTH 00°32'22" WEST WITH ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO.
24 THE WEST QUARTER CORNER OF SAID SECTION IS MONUMENTED WITH A 2-1/2" BRASS CAP/ ILLEGIBLE IN
25 RANGE BOX. THE NORTH SIXTEENTH CORNER IS MONUMENTED WITH A 3-1/4" ALUMINUM CAP/ ILLEGIBLE
26 IN RANGE BOX.

27
28 **And**

29
30 **PERMANENT EASEMENT 6**

31
32 A PARCEL OF LAND LOCATED WITHIN LOT 1, WALKER'S RE-SUBDIVISION OF BLOCKS 12 AND 13 IN
33 CHAMBERLIN'S UNIVERSITY TERRACE-EAST, A RECORDED SUBDIVISION DESCRIBED IN BOOK 30 ON PAGE
34 50 OF THE OFFICIAL ARAPAHOE COUNTY RECORDS, SITUATED IN THE THE NORTHEAST QUARTER OF THE
35 NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL
36 MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS
37 FOLLOWS:

38
39 COMMENCING FROM THE NORTH SIXTEENTH CORNER OF SECTION 29 & 30, TOWNSHIP 4 SOUTH, RANGE
40 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN;

41
42 THENCE NORTH 47°27'13" WEST, A DISTANCE OF 41.09 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1,
43 SAID POINT BEING 30.00 FEET WEST AND 28.00 FEET NORTH OF SAID SIXTEENTH CORNER BY
44 PERPENDICULAR MEASUREMENT FROM THE SECTION LINE, SAID POINT ALSO BEING THE POINT OF
45 BEGINNING;

46
47 THENCE SOUTH 89°35'41" WEST COINCIDENT WITH THE SOUTH LINE OF SAID LOT ALSO BEING THE NORTH
48 RIGHT OF WAY LINE OF EVANS AVENUES, A DISTANCE OF 23.24 FEET;

49
50 THENCE NORTH 49°28'10" EAST, A DISTANCE OF 30.33 FEET TO A POINT ON THE EAST LINE OF SAID LOT
51 ALSO BEING THE WEST RIGHT OF WAY LINE OF HOLLY STREET;

52
53 THENCE SOUTH 00°33'45" EAST COINCIDENT WITH SAID EAST LOT LINE AND SAID WEST RIGHT OF WAY LINE,
54 A DISTANCE OF 19.54 FEET TO THE POINT OF BEGINNING.

55
56 SAID PARCEL OF LAND CONTAINS 227 SQUARE FEET, MORE OR LESS.

57
58 BEARINGS ARE BASED ON THE ASSUMPTION THAT THE WEST LINE OF THE SOUTHWEST QUARTER OF THE

1 NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL
2 MERIDIAN BEARS NORTH 00'32'22" WEST WITH ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO.
3 THE WEST QUARTER CORNER OF SAID SECTION IS MONUMENTED WITH A 2-1/2" BRASS CAP/ ILLEGIBLE IN
4 RANGE BOX. THE NORTH SIXTEENTH CORNER IS MONUMENTED WITH A 3-1/4" ALUMINUM CAP/ ILLEGIBLE
5 IN RANGE BOX.

6
7 **And**

8
9 **PERMANENT EASEMENT 7**

10
11 A PARCEL OF LAND LOCATED WITHIN LOT 1, BLOCK 2, HAMPDEN HILLS BAPTIST CHURCH SUBDIVISION, A
12 RECORDED SUBDIVISION DESCRIBED IN BOOK 18 ON PAGE 74 OF THE OFFICIAL ARAPAHOE COUNTY
13 RECORDS, SITUATED IN THE THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35,
14 TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY
15 OF ARAPAHOE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

16
17 BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1, SAID POINT BEING 40.00 FEET WEST AND 30.00
18 FEET NORTH OF SAID SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER
19 BY PERPENDICULAR MEASUREMENT FROM THE SECTION LINE OF SAID SECTION 35;

20
21 THENCE NORTH 89'38'32" WEST COINCIDENT WITH THE SOUTH LINE OF SAID LOT, A DISTANCE OF 9.69 FEET;

22
23 THENCE NORTH 34'05'41" EAST, A DISTANCE OF 17.19 FEET TO A POINT ON THE EAST LINE OF SAID LOT;

24
25 THENCE SOUTH 00'12'32" EAST COINCIDENT WITH THE EAST LINE OF SAID LOT, A DISTANCE OF 14.29 FEET
26 TO THE POINT OF BEGINNING.

27
28 SAID PARCEL OF LAND CONTAINS 69 SQUARE FEET, MORE OR LESS.

29
30 BEARINGS ARE BASED ON THE ASSUMPTION THAT THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE
31 NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL
32 MERIDIAN BEARS NORTH 89'38'32" WEST WITH ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO.
33 THE EAST QUARTER CORNER OF SAID SECTION WAS NOT RECOVERED, BUT THE POSITION IS
34 PERPETUATED BY THE ACCESSORIES FOUND ON CITY AND COUNTY OF DENVER TIE SHEET NO. 2012-0823.
35 THE EAST SIXTEENTH CORNER IS MONUMENTED WITH A NO. 5 REBAR IN RANGE BOX.

36
37 **And**

38
39 **TEMPORARY EASEMENT 1**

40
41 A PARCEL OF LAND BEING A PORTION OF LOT 1, BLOCK 53, FIRST ADDITION TO BYER'S SUBDIVISION, A
42 RECORDED SUBDIVISION DESCRIBED IN BOOK 2 ON PAGE 15 OF THE OFFICIAL ARAPAHOE COUNTY
43 RECORDS, SITUATED IN THE THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 15,
44 TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER,
45 STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

46
47 COMMENCING FROM THE NORTH QUARTER CORNER OF SAID SECTION 15;

48
49 THENCE SOUTH 88'06'06" WEST, A DISTANCE OF 1391.34 FEET TO THE NORTHEAST CORNER OF SAID LOT
50 1, SAID POINT ALSO BEING THE POINT OF BEGINNING;

51
52 THENCE SOUTH 00'09'34" WEST COINCIDENT WITH THE WEST RIGHT OF WAY LINE OF CHEROKEE STREET,
53 A DISTANCE OF 7.27 FEET;

54
55 THENCE NORTH 90'00'00" WEST, A DISTANCE OF 4.06 FEET;

56
57 THENCE NORTH 76'24'46" WEST, A DISTANCE OF 8.09 FEET;

58
59 THENCE NORTH 00'00'00" EAST, A DISTANCE OF 5.40 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE

1 OF ALAMEDA AVENUE;
2
3 THENCE SOUTH 89°50'26" EAST COINCIDENT WITH SAID SOUTH LINE, A DISTANCE OF 11.94 FEET TO THE
4 POINT OF BEGINNING.
5

6 SAID PARCEL OF LAND CONTAINS 79 SQUARE FEET, MORE OR LESS.
7

8 BEARINGS ARE BASED ON THE ASSUMPTION THAT THE NORTH LINE OF THE NORTHWEST QUARTER OF
9 SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN BEARS SOUTH
10 89°51'02" WEST WITH ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO. THE NORTH QUARTER
11 CORNER OF SAID SECTION IS MONUMENTED WITH AN ORIGINAL STONE AND CHISELED CROSS IN RANGE
12 BOX. THE NORTHWEST CORNER OF SAID SECTION IS MONUMENTED WITH A 3-1/4" ALUMINUM CAP/
13 ILLEGIBLE IN RANGE BOX.
14

15 **And**
16

17 **TEMPORARY EASEMENT 2**
18

19 A PARCEL OF LAND LOCATED WITHIN LOT 1, BLOCK 9, WARREN'S UNIVERSITY HEIGHTS, A RECORDED
20 SUBDIVISION DESCRIBED IN BOOK 35 ON PAGE 32 OF THE OFFICIAL ARAPAHOE COUNTY RECORDS,
21 SITUATED IN THE THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 4
22 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF
23 COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
24

25 COMMENCING FROM THE NORTH SIXTEENTH CORNER OF SECTION 30, TOWNSHIP 4 SOUTH, RANGE 67
26 WEST OF THE SIXTH PRINCIPAL MERIDIAN;
27

28 THENCE SOUTH 52°51'48" WEST, A DISTANCE OF 50.24 FEET TO A POINT ON THE NORTH LINE OF SAID LOT,
29 SAID POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF EVANS AVENUE, SAID POINT BEING THE
30 NORTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN BOOK 938, ON PAGE 7 OF THE OFFICIAL
31 DENVER COUNTY RECORDS, SAID POINT ALSO BEING THE POINT OF BEGINNING;
32

33 THENCE SOUTH 64°40'44" EAST COINCIDENT WITH THE SOUTHWESTERLY LINE OF SAID PARCEL OF LAND,
34 A DISTANCE OF 1.66 FEET;
35

36 THENCE. SOUTH 89°17'59" WEST, A DISTANCE OF 12.01 FEET;
37

38 THENCE NORTH 00°00'00" EAST, A DISTANCE OF 0.77 FEET TO A POINT ON SAID SOUTH RIGHT OF WAY LINE
39 OF EVANS AVENUE;
40

41 THENCE NORTH 89°31'52" EAST COINCIDENT WITH SAID SOUTH LINE, A DISTANCE OF 10.51 FEET TO THE
42 POINT OF BEGINNING.
43

44 SAID PARCEL OF LAND CONTAINS 8 SQUARE FEET, MORE OR LESS.
45

46 BEARINGS ARE BASED ON THE ASSUMPTION THAT THE EAST LINE OF THE NORTHWEST QUARTER OF
47 SECTION 30, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN BEARS NORTH
48 00°33'17" WEST WITH ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO. THE CENTER QUARTER
49 CORNER IS MONUMENTED WITH A 3-1/4" ALUMINUM CAP IN RANGE BOX STAMPED PLS 28669. THE NORTH
50 QUARTER CORNER OF SAID SECTION IS MONUMENTED WITH A 3-1/4" ALUMINUM CAP IN RANGE BOX
51 STAMPED PLS 9479.
52

53 **And**
54

55 **TEMPORARY EASEMENT 3**
56

57 CHAMBERLIN'S UNIVERSITY TERRACE-EAST, A RECORDED SUBDIVISION DESCRIBED IN BOOK 30 ON PAGE
58 50 OF THE OFFICIAL ARAPAHOE COUNTY RECORDS, SITUATED IN THE THE NORTHEAST QUARTER OF THE
59 NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL

1 MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS
2 FOLLOWS:
3
4 COMMENCING FROM THE NORTH SIXTEENTH CORNER OF SECTION 29 & 30, TOWNSHIP 4 SOUTH, RANGE
5 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN;
6
7 THENCE NORTH 32'46'11" WEST, A DISTANCE OF 56.29 FEET TO A POINT ON THE EAST LINE OF SAID LOT
8 ALSO BEING THE WEST RIGHT OF WAY LINE OF HOLLY STREET, SAID POINT ALSO BEING THE POINT OF
9 BEGINNING;
10
11 THENCE SOUTH 49'28'10" WEST, A DISTANCE OF 30.33 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT
12 ALSO BEING THE NORTH RIGHT OF WAY LINE OF EVANS AVENUE;
13
14 THENCE SOUTH 89'35'41" WEST COINCIDENT WITH SAID SOUTH LOT LINE AND SAID NORTH RIGHT OF WAY
15 LINE, A DISTANCE OF 0.67 FEET;
16
17 THENCE NORTH 00'24'19" WEST, A DISTANCE OF 8.46 FEET;
18
19 THENCE NORTH 49'28'10" EAST, A DISTANCE OF 17.26 FEET;
20
21 THENCE NORTH 89'49'41" EAST, A DISTANCE OF 10.66 FEET TO THE POINT OF BEGINNING.
22
23 SAID PARCEL OF LAND CONTAINS 167 SQUARE FEET, MORE OR LESS.
24
25 BEARINGS ARE BASED ON THE ASSUMPTION THAT THE WEST LINE OF THE SOUTHWEST QUARTER OF THE
26 NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL
27 MERIDIAN BEARS NORTH 00'32'22" WEST WITH ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO.
28 THE WEST QUARTER CORNER OF SAID SECTION IS MONUMENTED WITH A 2-1/2" BRASS CAP/ ILLEGIBLE IN
29 RANGE BOX. THE NORTH SIXTEENTH CORNER IS MONUMENTED WITH A 3-1/4" ALUMINUM CAP/ ILLEGIBLE
30 IN RANGE BOX.
31

32 **Section 2.** That the Council hereby finds and determines that these properties are needed
33 and required for the following public uses and public purposes: as part of a project that includes the
34 installation of traffic lights and ADA curb ramps, appurtenant improvements and construction thereof
35 at various intersections, including Evans and Alameda Avenues.

36 **Section 3.** That the Council authorizes the Mayor, including his duly authorized
37 representatives, in accordance with applicable federal, state, and City laws and rules and regulations
38 adopted pursuant thereto, to acquire the needed property interests described in Section 1, including
39 fee simple, permanent easements, temporary easements, fixtures, licenses, permits, improvements,
40 and any other rights and interests, including appurtenances thereto, including the taking of all actions
41 necessary to do so without further action by City Council, including conducting negotiations,
42 executing all related agreements, and making all necessary payments; to take actions required by
43 law before instituting condemnation proceedings; to allow the temporary use of City-owned land; and
44 to convey City-owned land, including remnants.

1 **Section 4.** That if for the property interests set forth above, the interested parties do not
2 agree upon the compensation to be paid for needed property interests, the owner or owners thereof
3 are incapable of consenting, the name or residence of any owner thereof is unknown, or any of the
4 owners thereof are non-residents of the State, then the City Attorney of the City and County of
5 Denver, upon the Mayor’s direction, is authorized and empowered to exercise the City and County
6 of Denver’s eminent domain powers by instituting and, as necessary, prosecuting to conclusion
7 condemnation proceedings under Article 1, Title 38, Colorado Revised Statutes, to acquire needed
8 property interests upon, through, over, under and along the above-described property as necessary
9 for the purposes set forth in Section 2 above.

10 **Section 5.** That the Council hereby finds and determines that the Denver Department of
11 Public Works may find the need to alter the legal descriptions of certain easement areas or property
12 referred to in this Ordinance and may continue to do so in order to meet the needs of the Project.

13 **Section 6.** If modifications are made to the legal descriptions of the properties referred to
14 in this Ordinance, Council authorizes the Mayor, including his duly authorized representatives, in
15 accordance with applicable federal, state, and City laws and rules and regulations adopted pursuant
16 thereto, to acquire those easements and properties as the legal descriptions are altered by the
17 Denver Department of Public Works in accordance with the means authorized in this Ordinance.

18 **Section 7.** That the Council hereby finds and determines that to improve the safety and
19 operation of pedestrians, bicycles and vehicles in the vicinity of the Project, it may be necessary to
20 rebuild, modify, remove, and relocate existing access points to streets located in the vicinity of the
21 Project.

22 **Section 8.** That the Council authorizes the City to use the power of eminent domain to act
23 as the local authority to install traffic lights and ADA curb ramps, and appurtenances at various
24 intersections, including Evans and Alameda Avenues.

1 COMMITTEE APPROVAL BY DATE: December 13, 2016 by Consent
2 MAYOR-COUNCIL DATE: December 20, 2016
3 PASSED BY THE COUNCIL: January 9, 2017
4 Alan B... - PRESIDENT
5 APPROVED: [Signature] - MAYOR Jan 11, 2017
6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER
9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____;
10 PREPARED BY: Jo Ann Weinstein, Assistant City Attorney DATE: December 22, 2016
11 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
12 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
14 3.2.6 of the Charter.
15
16 Kristin M. Bronson, City Attorney for the City and County of Denver
17 BY: [Signature], Assistant City Attorney DATE: Dec 22, 2016