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2 **BY AUTHORITY**

3  
4 ORDINANCE NO. **1017**  
5 SERIES OF 2001

COUNCIL BILL NO. **981**  
COMMITTEE OF REFERENCE: **12**

6 **A BILL**

7 **Public Works**

8 **For an ordinance vacating a certain part of the system of thoroughfares of the**  
9 **municipality, i.e., vacating the alley in Block 2, Cheesman and Moffat's**  
10 **Addition, lying between 37<sup>th</sup> Avenue, 38<sup>th</sup> Avenue, York Street and Gaylord**  
11 **Street.**

12  
13 **WHEREAS,** the Manager of Public Works of the City and County of Denver has found and  
14 determined that the public use, convenience and necessity no longer require that certain alley in the  
15 system of thoroughfares of the municipality hereinafter described and, subject to approval by  
16 ordinance, has vacated the same with reservations as set forth;

17 **NOW, THEREFORE,**

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

19  
20 **Section 1.** That the action of the Manager of Public Works in vacating the following  
21 described alley in the City and County of Denver and State of Colorado, to wit:

A 16 FOOT WIDE ALLEY LOCATED IN THE NE1/4 OF SECTION 26,  
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., ALSO BEING  
A PART OF BLOCK 2, CHEESMAN AND MOFFAT'S ADDITION TO THE  
CITY OF DENVER, CITY AND COUNTY OF DENVER, STATE OF COLORADO,  
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID BLOCK 2, THENCE  
ON THE SOUTH LINE OF SAID BLOCK 2, NORTH 90°00'00" WEST, A  
DISTANCE OF 125.12 FEET TO THE POINT OF BEGINNING.

THENCE CONTINUING ON SAID SOUTH LINE, NORTH 90°00'00" WEST, A  
DISTANCE OF 16.00 FEET;  
THENCE ON THE WEST LINE OF THE PLATTED ALLEY RIGHT OF WAY,  
NORTH 00°04'20" EAST, A DISTANCE OF 367.69 FEET;  
THENCE ON THE NORTH LINE OF SAID BLOCK 2, SOUTH 89°50'10"  
EAST, A DISTANCE OF 16.00 FEET;  
THENCE ON THE EAST LINE OF THE PLATTED ALLEY; SOUTH 00°04'20"  
WEST, A DISTANCE OF 367.64 FEET TO THE POINT OF BEGINNING,  
CONTAINING 5,883± SQUARE FEET.

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DENVER COUNTY CLERK AND RECORDER .00 .00 JCZ

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2 be and the same is hereby approved and the described alley is hereby vacated and declared  
3 vacated, provided, however, said vacation shall be subject to the following reservations:

4 Easements shall be retained to protect the power lines, telephone lines, and cable television  
5 lines. In addition, a full width, hard surface easement be and is hereby retained for utility  
6 purpose, and no trees, structures or retaining walls are allowed over, across, or below the  
7 easement limits and access for utility purposes will not be denied or restricted for any reason.

8 PASSED BY THE COUNCIL November 26 2001

9 [Signature] - PRESIDENT

10 APPROVED: [Signature] - MAYOR 11-27- 2001

11 ATTEST: [Signature] - CLERK AND RECORDER,  
12 EX-OFFICIO CLERK OF THE  
13 CITY AND COUNTY OF DENVER  
14

15 PUBLISHED IN THE DAILY JOURNAL Nov. 23, 2001 Nov. 30, 2001  
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18 The Manager of Public Works has made the findings and determinations as set forth  
19 in the above and foregoing draft or form of a proposed Bill for an Ordinance, and  
20 subject to approval by Ordinance, has vacated and does hereby vacate the described  
21 alley, subject to certain reservations, and requests the Council of the City and County  
22 of Denver to approve such vacation, subject to certain reservations, by the enactment  
23 of an appropriate ordinance. The Manager of Public Works approves said draft or  
24 form of a proposed Bill for an Ordinance and recommends the introduction and  
25 passage thereof.  
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27 PREPARED BY: PATRICK A. WHEELER, ASSISTANT CITY ATTORNEY 11/13/01

28 REVIEWED BY: [Signature] - CITY ATTORNEY 11/14 2001

29 SPONSORED BY COUNCIL MEMBER(S) \_\_\_\_\_

