ORDINANCE NO. $\qquad$


#### Abstract

A BILL For an ordinance designating certain properties as being required for public use and authorizing use and acquisition thereof by negotiation or through condemnation proceedings of fee simple, easement and other interests, including any rights and interests related or appurtenant to properties designated as needed for the Eighth Avenue Bridge Removal and Replacement Project over the South Platte River.

\section*{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 and 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:

A tract or parcel of land No. RW-1 of the City and County of Denver, State of Colorado, Project Number 201839479-00, containing 200 square feet, more or less, being a portion of Lots 44 through 47 of Block 6 of Fisk's Addition to South Fairview, a subdivision of land being part of the North $1 / 2$ of the Southeast $1 / 4$ of Section 5, Township 4 South of the baseline, Range 68 West of the 6th Principal Meridian, said tract or parcel being more particularly described as follows:

Commencing at the South $1 / 16$ corner of Sections 4 and 5 , being monumented by a found stone with a chiseled " $X$ " in a monument box, whence the Southeast $1 / 16$ corner of said Section 5 , being monumented by a 1 -inch axle in a monument box, bears North $89^{\circ} 52^{\prime} 42^{\prime \prime}$ West, a distance of 1331.93 feet;

Thence along the line between the North $1 / 2$ and the South $1 / 2$ of the Southeast $1 / 4$ of said Section 5 , North $89^{\circ} 52^{\prime} 42^{\prime \prime}$ West, a distance of 529.70 feet;

Thence North $00^{\circ} 07^{\prime} 18^{\prime \prime}$ East, a distance of 30.62 feet, to the Southwest corner of said Lot 44,

Thence along the South line of said Block 6, South $89^{\circ} 52^{\prime} 05^{\prime \prime}$ East, a distance of 19.95 feet, to the POINT OF BEGINNING;

1. Thence North $85^{\circ} 08^{\prime} 09$ " East, a distance of 46.20 feet;
2. Thence North $45^{\circ} 00^{\prime} 00^{\prime \prime}$ East, a distance of 9.34 feet;
3. Thence North $90^{\circ} 00^{\prime} 00^{\prime \prime}$ East, a distance of 5.59 feet, to the West line of Ordinance 4111991;
4. Thence along said West line, South $00^{\circ} 12^{\prime} 06^{\prime \prime}$ West, a distance of 10.66 feet, to the South line of said Block 6;
5. Thence along the South line of said Block 6, North $89^{\circ} 52^{\prime}$ '05" West, a distance of 58.19 feet, to the POINT OF BEGINNING of the tract herein described.
The above-described tract or parcel contains 200 square feet, more or less.

Basis of Bearings: Bearing basis is the line between the North $1 / 2$ and the South $1 / 2$ of the Southeast $1 / 4$ of the Southeast $1 / 4$ of Section 5 , Township 4 South, Range 68 West of the 6 th Principal Meridian, as monumented at the west end by a 1 " axle in monument box and the east end by a stone with chiseled " X " in a monument box. Said line bears South $89^{\circ} 52^{\prime} 42$ " East, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN).

A tract or parcel of land No. RW-2 of the City and County of Denver, State of Colorado, Project Number 201839479-00, containing 1,215 square feet, or 0.03 acres more or less, being a portion of Lot 30 of Block 8 of the Plat of First Addition to Jerome Park, also a portion of Vacated Zuni Street as described in the Warranty Deed recorded as Reception Number 1994101299, dated June 22, 1994, all in the City and County of Denver, Colorado, said tract or parcel being more particularly described as follows:

Commencing at the South $1 / 16$ corner of Sections 4 and 5 , being monumented by a found stone with a chiseled " X " in a monument box, whence the Southeast $1 / 16$ corner of said Section 5 , being monumented by a 1 -inch axle in a monument box, bears North $89^{\circ} 52^{\prime} 42^{\prime \prime}$ West a distance of 1,331.93 feet;

Thence along the line between the North $1 / 2$ and the South $1 / 2$ of the Southeast $1 / 4$ of said Section 5 , North $89^{\circ} 52^{\prime} 42^{\prime \prime}$ West, a distance of 172.98 feet;

Thence North $00^{\circ} 07^{\prime} 18^{\prime \prime}$ East, a distance of 30.59 feet, to the Southeast corner of said Lot 30, being the POINT OF BEGINNING;

1. Thence along the South line of said Lot 30 , North $89^{\circ} 52^{\prime} 30$ " West, a distance of 78.59 feet, to the Easterly line of the Platte River Channel per Ordinance No. 117, Series 1910, also being the beginning of a non-tangent curve, concave to the east, having a radius of 554.38 feet;
2. Thence along said Easterly line, and said curve 14.36 feet, through a central angle of $01^{\circ} 29^{\prime} 02$ ", having a chord which bears North $17^{\circ} 02^{\prime} 38^{\prime \prime}$ West, a chord distance of 14.36 feet;
3. Thence South $89^{\circ} 52^{\prime} 16$ " East, a distance of 47.35 feet;
4. Thence South $00^{\circ} 07^{\prime} 44$ " West, a distance of 3.00 feet;
5. Thence South $89^{\circ} 52^{\prime} 16$ " East, a distance of 55.42 feet, to the East line of Vacated Zuni Street as described in Reception Number 1994101299, dated June 22, 1994;
6. Thence along said East line, South $00^{\circ} 06^{\prime} 44$ " East, a distance of 10.71 feet to the South line of said Vacated Zuni Street;
7. Thence along said South line, North $89^{\circ} 52^{\prime} 30$ " West, a distance of 20.00 feet, to the POINT OF BEGINNING of the tract herein described.

The above-described tract or parcel contains 1,215 square feet, more or less.

Basis of Bearings: Bearing basis is the line between the North $1 / 2$ and the South $1 / 2$ of the Southeast $1 / 4$ of the Southeast $1 / 4$ of Section 5, Township 4 South, Range 68 West of the 6th Principal Meridian, as monumented at the west end by a 1 " axle in monument box and the east end by a stone with chiseled "X" in a monument box. Said line bears South $89^{\circ} 52^{\prime \prime} 42$ " East, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN).

A tract or parcel of land No. RW-3 of the City and County of Denver, State of Colorado, Project Number 201839479-00, containing 2,706 square feet, more or less, being a portion of a tract of land deeded in Book 625 at Page 406 at Reception Number 1973001921, dated January 9, 1973, in the Southeast $1 / 4$ of the Southeast $1 / 4$ of Section 5 , Township 4 South of the Baseline, Range

68 West of the 6th Principal Meridian, in City and County of Denver, Colorado, said tract or parcel being more particularly described as follows:

Commencing at the South $1 / 16$ corner of Sections 4 and 5 , being monumented by a found stone with a chiseled " $X$ " in a monument box, whence the Southeast $1 / 16$ corner of said Section 5 , being monumented by a 1 -inch axle in a monument box, bears North $89^{\circ} 52^{\prime} 42^{\prime \prime}$ West a distance of 1331.93 feet;

Thence along the line between the North $1 / 2$ and the South $1 / 2$ of the Southeast $1 / 4$ of said Section 5, North $89^{\circ} 52^{\prime} 42$ " West, a distance of 406.00 feet;

Thence South $00^{\circ} 07$ ' 18 " West, a distance of 30.00 feet, to the Northwest corner of said deeded tract, being the POINT OF BEGINNING;

1. Thence along the North line of said deeded tract, South $89^{\circ} 52^{\prime} 42^{\prime \prime}$ East, a distance of 60.00 feet, to the Northeast corner of said deeded tract;
2. Thence along the East line of said deeded tract, South $43^{\circ} 46^{\prime} 17^{\prime \prime}$ East, a distance of 16.90 feet;
3. Thence North $89^{\circ} 52^{\prime} 16$ " West, a distance of 20.99 feet;
4. Thence South $22^{\circ} 53^{\prime} 59$ " East, a distance of 105.57 feet, , to the West line of said deeded tract;
5. Thence along the West line of said deeded tract, North $39^{\circ} 57^{\prime} 40$ " West, a distance of 142.90 feet to the true POINT OF BEGINNING

The above described parcel contains 2,706 square feet more or less.

Basis of Bearings: Bearing basis is the north line of the Southeast $1 / 4$ of the Southeast $1 / 4$ of Section 5, Township 4 South, Range 68 West of the 6th Principal Meridian, as monumented at the west end by a 1 " axle in range box and the east end by a stone with chiseled " $X$ " in range box. Said line bears South $89^{\circ} 52^{\prime} 42^{\prime \prime}$ East, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN).

A tract or parcel of land No. RW-4 of the City and County of Denver, State of Colorado, Project Number 201839479-00, containing 1,236 square feet, more or less, being a portion of a tract of
land deeded in Book 625 at Page 404 at Reception Number 1973001920, dated January 9, 1973, in the Southeast $1 / 4$ of the Southeast $1 / 4$ of Section 5, Township 4 South of the Baseline, Range 68 West of the 6th Principal Meridian, in City and County of Denver, Colorado, said tract or parcel being more particularly described as follows:

Commencing at the South $1 / 16$ corner of Sections 4 and 5 , being monumented by a found stone with a chiseled " X " in a monument box, whence the Southeast $1 / 16$ corner of said Section 5 , being monumented by a 1 -inch axle in a monument box, bears North $89^{\circ} 52^{\prime} 42^{\prime \prime}$ West a distance of 1331.93 feet;

Thence along the line between the North $1 / 2$ and the South $1 / 2$ of the Southeast $1 / 4$ of said Section 5 , North $89^{\circ} 52^{\prime} 42^{\prime \prime}$ West, a distance of 495.90 feet;

Thence South $00^{\circ} 07^{\prime} 18^{\prime \prime}$ West, a distance of 30.00 feet, to the Northwest corner of said deeded tract, being the POINT OF BEGINNING;

1. Thence along the North line of said deeded tract, South $89^{\circ} 52^{\prime} 42$ " East, a distance of 73.06 feet, to the Northeast corner of said deeded tract, also being the beginning of a non-tangent curve, concave to the northeast, having a radius of 761.07 feet;
2. Thence along the East line of said deeded tract, and said curve, 31.87 feet, through a central angle of $02^{\circ} 23^{\prime} 58^{\prime \prime}$, having a chord which bears South $22^{\circ} 43^{\prime} 02^{\prime \prime}$ East, a chord distance of 31.87 feet;
3. Thence North $73^{\circ} 16^{\prime} 59^{\prime \prime}$ West, a distance of 89.12 feet, to the West line of said deeded tract;
4. Thence along the West line of said deeded tract, North $00^{\circ} 14^{\prime} 55^{\prime \prime}$ West, a distance of 3.92 feet to the POINT OF BEGINNING of the tract herein described.

The above-described Parcel containing 1,236 square feet more or less.

Basis of Bearings: Bearing basis is the north line of the Southeast $1 / 4$ of the Southeast $1 / 4$ of Section 5, Township 4 South, Range 68 West of the 6th Principal Meridian, as monumented at the west end by a 1 " axle in range box and the east end by a stone with chiseled "X" in range box. Said line bears South $89^{\circ} 52^{\prime} 42^{\prime \prime}$ East, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN).

A tract or parcel of land No. RW-5 of the City and County of Denver, State of Colorado, Project Number 201839479-00, containing 79 square feet, more or less, being a portion of a tract of land recorded in a Special Warranty Deed as Reception Number 2008170030, December 19, 2008, all in the Southeast $1 / 4$ of the Southeast $1 / 4$ of Section 5, Township 4 South of the Baseline, Range 68 West of the 6th Principal Meridian, in the City and County of Denver, Colorado, said tract or parcel being more particularly described as follows:

Commencing at the South $1 / 16$ corner of Sections 4 and 5 , being monumented by a found stone with a chiseled " X " in a monument box, whence the Southeast $1 / 16$ corner of said Section 5 , being monumented by a 1 -inch axle in a monument box, bears North $89^{\circ} 52^{\prime} 42^{\prime \prime}$ West a distance of 1331.93 feet;

Thence along the line between the North $1 / 2$ and the South $1 / 2$ of the Southeast $1 / 4$ of said Section 5 , North $89^{\circ} 52^{\prime} 42^{\prime \prime}$ West, a distance of 495.90 feet;

Thence South $00^{\circ} 07^{\prime} 18^{\prime \prime}$ West, a distance of 30.00 feet, to the Northeast corner of said deeded tract, being the POINT OF BEGINNING;

1. Thence along the East line of said deeded tract, South $00^{\circ} 14^{\prime} 55^{\prime \prime}$ East, a distance of 1.30 feet;
2. Thence South $89^{\circ} 58^{\prime} 14$ " West, a distance of 57.54 feet;
3. Thence North $00^{\circ} 07^{\prime} 44^{\prime \prime}$ East, a distance of 1.45 feet, to the North line of said deeded tract;
4. Thence along said North line, South $89^{\circ} 52^{\prime} 42^{\prime \prime}$ East, a distance of 57.53 feet to the POINT OF BEGINNING of the tract herein described.

The above-described parcel contains 79 square feet more or less.

Basis of Bearings: Bearing basis is the north line of the Southeast $1 / 4$ of the Southeast $1 / 4$ of Section 5, Township 4 South, Range 68 West of the 6th Principal Meridian, as monumented at the west end by a 1 " axle in range box and the east end by a stone with chiseled " X " in range box. Said line bears South $89^{\circ} 52^{\prime} 42^{\prime \prime}$ East, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN).

A parcel of land No. TE-1 of of the City and County of Denver, State of Colorado, Project Number

201839479-00, containing 1,518 square feet, more or less, being a portion of Lots 43 through 47 of Block 6 of Fisk's Addition to South Fairview, a subdivision of land being part of the North $1 / 2$ of the Southeast $1 / 4$ of Section 5, Township 4 South of the baseline, Range 68 West of the 6th Principal Meridian, said tract or parcel being more particularly described as follows:

Commencing at the South $1 / 16$ corner of Sections 4 and 5 , being monumented by a found stone with a chiseled " $X$ " in a monument box, whence the Southeast $1 / 16$ corner of said Section 5 , being monumented by a 1 -inch axle in a monument box, bears North $89^{\circ} 52^{\prime} 42^{\prime \prime}$ West a distance of 1,331.93 feet;

Thence along the line between the North $1 / 2$ and the South $1 / 2$ of the Southeast $1 / 4$ of said Section 5, North $89^{\circ} 52^{\prime} 42^{\prime \prime}$ West, a distance of 554.70 feet;

Thence North $00^{\circ} 07^{\prime} 18^{\prime \prime}$ East, a distance of 30.63 feet, to the Southwest corner of said Lot 43,

Thence along the South line of said Block 6, South $89^{\circ} 52^{\prime} 05^{\prime \prime}$ East, a distance of 13.95 feet, to the POINT OF BEGINNING;

1. Thence North $00^{\circ} 30^{\prime} 11$ " East, a distance of 10.71 feet;
2. Thence South $89^{\circ} 29^{\prime} 49^{\prime \prime}$ East, a distance of 5.00 feet;
3. Thence North $40^{\circ} 19^{\prime} 07{ }^{\prime \prime}$ East, a distance of 8.41 feet;
4. Thence South $89^{\circ} 28^{\prime} 22^{\prime \prime}$ East, a distance of 19.41 feet;
5. Thence North $85^{\circ} 08^{\prime} 09$ " East, a distance of 42.79 feet;
6. Thence North $45^{\circ} 00^{\prime} 00$ " East, a distance of 9.76 feet;
7. Thence North $68^{\circ} 32^{\prime} 55^{\prime \prime}$ East, a distance of 10.55 feet, to the West line of Ordinance No. 411-1991;
8. Thence along said West line, South $00^{\circ} 12^{\prime} 06{ }^{\prime \prime}$ West, a distance of 20.84 feet;
9. Thence North $90^{\circ} 00^{\prime} 00^{\prime \prime}$ West, a distance of 5.59 feet;
10. Thence South $45^{\circ} 00^{\prime} 00$ " West, a distance of 9.34 feet;
11. Thence South $85^{\circ} 08^{\prime} 09$ " West, a distance of 46.20 feet, to the South line of said Block 6 ;
12. Thence along said South line, North $89^{\circ} 52^{\prime} 05^{\prime \prime}$ West, a distance of 31.00 feet, to the POINT OF BEGINNING

The above-described contains 1,518 square feet, more or less.

Basis of Bearings: Bearing basis is the line between the North $1 / 2$ and the South $1 / 2$ of the Southeast $1 / 4$ of the Southeast $1 / 4$ of Section 5, Township 4 South, Range 68 West of the 6 th Principal Meridian, as monumented at the west end by a 1 " axle in monument box and the east end by a stone with chiseled " X " in a monument box. Said line bears South $89^{\circ} 52^{\prime} 42$ " East, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN).

A parcel of land No. TE-3 of the City and County of Denver, State of Colorado, Project Number 201839479-00, containing 3,355 square feet, more or less, being a portion of a tract of land deeded in Book 625 at Page 406 at Reception Number 1973001921, dated January 9, 1973, in the Southeast $1 / 4$ of the Southeast $1 / 4$ of Section 5, Township 4 South of the Baseline, Range 68 West of the 6th Principal Meridian, in City and County of Denver, Colorado, said tract or parcel being more particularly described as follows:

Commencing at the South $1 / 16$ corner of Sections 4 and 5 , being monumented by a found stone with a chiseled " X " in a monument box, whence the Southeast $1 / 16$ corner of said Section 5 , being monumented by a 1 -inch axle in a monument box, bears North $89^{\circ} 52^{\prime} 42^{\prime \prime}$ West a distance of 1331.93 feet;

Thence along the line between the North $1 / 2$ and the South $1 / 2$ of the Southeast $1 / 4$ of said Section 5, North $89^{\circ} 52^{\prime} 42^{\prime \prime}$ West, a distance of 406.00 feet;

Thence South $00^{\circ} 07^{\prime} 18^{\prime \prime}$ West, a distance of 30.00 feet, to the Northwest corner of said deeded tract;

Thence along the North line of said deeded tract, South $89^{\circ} 52^{\prime} 42^{\prime \prime}$ East, a distance of 60.00 feet, to the Northeast corner of said deeded tract;

Thence along the East line of said deeded tract, South $43^{\circ} 46^{\prime} 17^{\prime \prime}$ East, a distance of 16.90 feet, to the POINT OF BEGINNING;

1. Thence along said East line, South $43^{\circ} 46^{\prime} 17^{\prime \prime}$ East, a distance of 88.58 feet;
2. Thence South $51^{\circ} 05^{\prime} 42$ " West, a distance of 52.93 feet, to the West line of said deeded tract;
3. Thence North $22^{\circ} 53^{\prime} 59 "$ West, a distance of 105.57 feet;
4. Thence South $89^{\circ} 52^{\prime} 16$ " East, a distance of 20.99 feet to the true POINT OF BEGINNING. The above described contains 3,355 square feet more or less.

Basis of Bearings: Bearing basis is the north line of the Southeast $1 / 4$ of the Southeast $1 / 4$ of Section 5, Township 4 South, Range 68 West of the 6th Principal Meridian, as monumented at the west end by a 1 " axle in range box and the east end by a stone with chiseled " X " in range box. Said line bears South $89^{\circ} 52^{\prime} 42^{\prime \prime}$ East, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN).

A parcel of land No. TE-4 of the City and County of Denver, State of Colorado, Project Number 201839479-00, containing 1,066 square feet, more or less, being a portion of a tract of land deeded in Book 625 at Page 404 at Reception Number 1973001920, dated January 9, 1973, in the Southeast $1 / 4$ of the Southeast $1 / 4$ of Section 5, Township 4 South of the Baseline, Range 68 West of the 6th Principal Meridian, in City and County of Denver, Colorado, said tract or parcel being more particularly described as follows:
Commencing at the South $1 / 16$ corner of Sections 4 and 5 , being monumented by a found stone with a chiseled " $X$ " in a monument box, whence the Southeast $1 / 16$ corner of said Section 5 , being monumented by a 1-inch axle in a monument box, bears North $89^{\circ} 52^{\prime} 42^{\prime \prime}$ West a distance of 1331.93 feet;

Thence along the line between the North $1 / 2$ and the South $1 / 2$ of the Southeast $1 / 4$ of said Section 5, North $89^{\circ} 52^{\prime} 42^{\prime \prime}$ West, a distance of 495.90 feet;

Thence South $00^{\circ} 07^{\prime} 18^{\prime \prime}$ West, a distance of 33.92 feet, to a point on the West line of said deeded tract, also being the POINT OF BEGINNING;

1. Thence South $73^{\circ} 16^{\prime} 59^{\prime \prime}$ East, a distance of 89.12 feet, to the East line of said deeded tract, also being the beginning of a non-tangent curve, concave to the northeast, having a radius of 761.07 feet;
2. Thence along said East line, and said curve 9.05 feet, through a central angle of $00^{\circ} 40^{\prime} 53^{\prime \prime}$, having a chord which bears South $24^{\circ} 15^{\prime} 28^{\prime \prime}$ East, a chord distance of 9.05 feet;
3. Thence North $80^{\circ} 22^{\prime} 30^{\prime \prime}$ West, a distance of 51.17 feet;
4. Thence North $74^{\circ} 55^{\prime} 00$ " West, a distance of 39.93 feet, to the West line of said deeded tract;
5. Thence along said West line, North $00^{\circ} 14^{\prime} 55^{\prime \prime}$ West, a distance of 14.94 feet to the POINT OF BEGINNING.

The above-described containing 1,066 square feet, more or less.

Basis of Bearings: Bearing basis is the north line of the Southeast $1 / 4$ of the Southeast $1 / 4$ of Section 5, Township 4 South, Range 68 West of the 6th Principal Meridian, as monumented at the west end by a 1 " axle in range box and the east end by a stone with chiseled "X" in range box. Said line bears South $89^{\circ} 52^{\prime} 42^{\prime \prime}$ East, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN).

A tract or parcel of land No. TE-5 of the City and County of Denver, State of Colorado, Project Number 201839479-00, containing 1,022 square feet, more or less, being a portion of a tract of land recorded in a Special Warranty Deed as Reception Number 2008170030, dated December 19, 2008, all in the Southeast $1 / 4$ of the Southeast $1 / 4$ of Section 5 , Township 4 South of the Baseline, Range 68 West of the 6th Principal Meridian, in the City and County of Denver, Colorado, said tract or parcel being more particularly described as follows:

Commencing at the South $1 / 16$ corner of Sections 4 and 5 , being monumented by a found stone with a chiseled " X " in a monument box, whence the Southeast $1 / 16$ corner of said Section 5 , being monumented by a 1 -inch axle in a monument box, bears North $89^{\circ} 52^{\prime} 42^{\prime \prime}$ West a distance of 1331.93 feet;

Thence along the line between the North $1 / 2$ and the South $1 / 2$ of the Southeast $1 / 4$ of said Section 5 , North $89^{\circ} 52^{\prime} 42^{\prime \prime}$ West, a distance of 495.89 feet;

Thence South $00^{\circ} 07^{\prime} 18^{\prime \prime}$ West, a distance of 31.30 feet, to a point on the East line of said deeded tract, also being the POINT OF BEGINNING;

1. Thence along said East line South $00^{\circ} 14^{\prime} 55^{\prime \prime}$ East, a distance of 17.56 feet;
2. Thence North $74^{\circ} 55^{\prime} 00$ " West, a distance of 2.14 feet;
3. Thence South $89^{\circ} 58^{\prime} 14$ " West, a distance of 50.18 feet;
4. Thence North $39^{\circ} 44^{\prime} 30$ " West, a distance of 8.42 feet;
5. Thence North $89^{\circ} 52^{\prime} 16$ " West, a distance of 5.00 feet;
6. Thence North $00^{\circ} 07^{\prime} 44$ " East, a distance of 11.97 feet, to the North line of said deeded tract;
7. Thence along said North line, South $89^{\circ} 52^{\prime} 42^{\prime \prime}$ East, a distance of 5.00 feet;
8. Thence South $00^{\circ} 07^{\prime} 44^{\prime \prime}$ West, a distance of 1.45 feet;
9. Thence North $89^{\circ} 58^{\prime} 14$ " East, a distance of 57.54 feet to the POINT OF BEGINNING. The above-described containing 1,022 square feet, more or less.

Basis of Bearings: Bearing basis is the north line of the Southeast $1 / 4$ of the Southeast $1 / 4$ of Section 5, Township 4 South, Range 68 West of the 6th Principal Meridian, as monumented at the west end by a 1 " axle in range box and the east end by a stone with chiseled " X " in range box. Said line bears South $89^{\circ} 52^{\prime} 42$ " East, as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN).

Section 2. That the Council finds and determines that property interests in these properties are needed and required for the following public uses and public purposes: roads, bridges, sidewalks, trails, drainage, landscaping, on-street parking, curbs, gutters, medians, access points, and other appurtenant improvements and construction thereof for the Eighth Avenue Bridge Project and adjacent areas (the "Project").

Section 3. That Council authorizes the Mayor, including his duly authorized representatives, in accordance with applicable federal, state, and City laws and rules and regulations adopted pursuant thereto, to acquire the needed property interests, including, but not limited to, fee title, permanent easements, temporary easements, fixtures, licenses, permits, improvements (including without limitation, general outdoor advertising devices, buildings, and access points) and any other rights, interests, and appurtenances thereto. Such authority includes the taking of all actions necessary to do so without further action by City Council, including but not limited to: conducting negotiations, executing all related agreements, making all necessary payments, taking any and all actions required by law before instituting condemnation proceedings, allowing the temporary use of City-owned land and conveying all or a portion of any City-owned land, including remnants, by quitclaim deed, permanent or temporary easements, leases, licenses and permits.

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

Section 5. That the Council finds and determines that the Denver Department of Transportation \& Infrastructure or federal and state agencies may find the need to alter the nature of the property interests or the legal descriptions of the properties referred to in this Ordinance and may continue to do so in order to meet the needs of the Project. Council authorizes the Mayor, including his duly authorized representatives, in accordance with applicable federal, state, and City laws and rules and regulations adopted pursuant thereto, to acquire the property as the property interests and legal descriptions are altered in accordance with the means authorized in this Ordinance.

Section 6. That the Council hereby finds and determines that to improve the safety and operation of pedestrians, bicycles and vehicles in the vicinity of the Project, it may be necessary to rebuild, modify, remove, and relocate existing access points to streets located in the vicinity of the Project.

Section 7. That the Council authorizes the City to use the power of eminent domain to act as the local authority to remove and replace the Eighth Avenue Bridge over the South Platte River.

Section 8. That the City Council hereby finds and determines that the Project is necessary for the health, safety, and welfare of the public.
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COMMITTEE APPROVAL DATE: February 25, 2020
MAYOR-COUNCIL DATE: March 3, 2020
PASSED BY THE COUNCIL: March 23, 2020


NOTICE PUBLISHED IN THE DAILY JOURNAL: $\qquad$ ; $\qquad$ PREPARED BY: Jo Ann Weinstein, Assistant City Attorney

DATE: March 12, 2020 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the City Attorney. We find no irregularity as to form and have no legal objection to the proposed ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to § 3.2.6 of the Charter.

Kristin M. Bronson, Denver City Attorney

