

ORDINANCE NO. V-90-19

INTRODUCED BY: DAVIS, DOUGLAS, FORD, FRANK, GUARDIOLA, HURST,  
HUSEMAN, MADERA, TETER

AN ORDINANCE VACATING VARIOUS RIGHTS-OF-WAY ON THE PROPERTY DESCRIBED ON EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF CONSISTING OF COURT PLACE, CLEVELAND PLACE, 3<sup>RD</sup> AVENUE, AND 3<sup>RD</sup> AVENUE ALLEY, LOCATED WITHIN 4625 E. 68<sup>TH</sup> AVENUE. CITY OF COMMERCE CITY, COLORADO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO AS FOLLOWS:

**SECTION 1.** The right-of-way described on attached Exhibit A, consisting of Court Place, Cleveland Place, 3<sup>rd</sup> Avenue, and 3<sup>rd</sup> Avenue Alley, located within 4625 E. 68<sup>th</sup> Avenue, Commerce City, Colorado is, by this ordinance, vacated pursuant to C.R.S. § 43-2-303.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED THIS 4TH DAY OF NOVEMBER 2019.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THIS 2ND DAY OF DECEMBER 2019.

CITY OF COMMERCE CITY, COLORADO

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Sean Ford, Mayor

ATTEST

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Laura J. Bauer, MMC, City Clerk

**“Exhibit A”**

**LEGAL DESCRIPTION FOR PARCEL 1:**

A STRIP OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO, SAID STRIP OF LAND BEING A PORTION OF THAT PLATTED STREET COURT PLACE, HAVING A 50' RIGHT OF WAY, AS REPRESENTED ON THAT PLAT OF THE CITY OF ADAMS, RECORDED AS PLAT BOOK 1 AT PAGE 1, OF THE ADAMS COUNTY RECORD, SAID STRIP IS BOUNDED ON THE NORTH BY BLOCK 5, CITY OF ADAMS, BOUNDED ON THE EAST BY THE WEST RIGHT OF WAY LINE OF PLATTED CHERRY STREET (FORMERLY 3RD AVENUE), HAVING A 60' RIGHT OF WAY, BOUNDED ON THE SOUTH BY THAT PLATTED BLOCK DESCRIBED AS 'PROPOSED SITE FOR COUNTY COURT HOUSE AND OTHER BUILDINGS' OF SAID PLAT, AND BOUNDED ON THE WEST BY THAT VACATION PLAT OF A PORTION OF THE CITY OF ADAMS (MAP BOOK 2 AT PAGE 9) OF THE ADAMS COUNTY RECORDS, SAID STRIP BEING DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 6. THE CENTER QUARTER BEING MONUMENTED WITH A FOUND 3.25" ALLOY CAP ON A 2" PIPE IN A RANGE BOX STAMPED "T3S R67W, C ¼, S6, 1991, LS 17488" AND A FOUND WEST ¼ CORNER SECTION 6, A 2.5" ALLOY CAP IN A RANGE BOX STAMPED "T3S, ¼, R68W (2487.68") WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

BEGINNING AT THE SOUTHEAST CORNER OF SAID BLOCK 5,  
THENCE SOUTH 00°17'40" EAST, 50.00 FEET;  
THENCE SOUTH 89°43'21" WEST, 160.55 FEET;  
THENCE NORTH 00°17'40" WEST, 25.00 FEET;  
THENCE NORTH 89°43'21" EAST, 39.21 FEET;  
THENCE NORTH 00°17'40" WEST, 25.00 FEET;  
THENCE NORTH 89°43'21" EAST, 127.33 FEET TO THE POINT OF BEGINNING.

**LEGAL DESCRIPTION FOR PARCEL 2:**

A STRIP OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO, SAID STRIP OF LAND BEING A PORTION OF THAT PLATTED STREET 3RD AVENUE (SEGMENT NOW KNOWN AS CHERRY STREET), HAVING A 60' RIGHT OF WAY, AS REPRESENTED ON THAT PLAT OF THE CITY OF ADAMS, RECORDED AS PLAT BOOK 1 AT PAGE 1, OF THE ADAMS COUNTY RECORD. SAID STRIP IS BOUNDED ON THE NORTH BE THE SOUTH RIGHT OF WAY LINE OF 69<sup>TH</sup> STREET EXTENDED WESTERLY (FORMERLY MAIN STREET), BOUNDED ON THE WEST BY BLOCK 4, ON SAID PLAT OF THE CITY OF ADAMS, BOUNDED ON THE SOUTH BY THAT QUIT

CLAIM DEED RECORDED AS BOOK 1939 AT PAGE 706 OF THE ADAMS COUNTY RECORDS, AND BOUNDED ON THE WEST BY THAT PLATTED BLOC DESCRIBED AS 'PROPOSED SITE FOR COUNTY COURT HOUSE AND OTHER BUILDINGS', AND 'CLEVELAND PLACE', (HAVING A 50' RIGHT OF WAY), AND BLOCK 6 AS SHOWN ON SAID PLAT OF CITY OF ADAMS SAID STRIP BEING DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 6. THE CENTER QUARTER BEING MONUMENTED WITH A FOUND 3.25" ALLOY CAP ON A 2" PIPE IN A RANGE BOX STAMPED "T3S R67W, C1/4, S6, 1991, LS 17488" AND A FOUND WEST ¼ CORNER SECTION 6, A 2.5" ALLOY CAP IN A RANGE BOX STAMPED 'T3S, ¼, R66W R67W, S1 S6, 2001, LS15606' AND DETERMINED TO BEAR NORTH 89°11'25" EAST (2487.68') WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

BEGINNING AT THE NORTHWEST CORNER OF BLOCK SAID BLOCK 4,  
THENCE SOUTH 00°05'43" EAST, 584.17 FEET;  
THENCE SOUTH 89°11'25" WEST, 60.01 FEET;  
THENCE NORTH 00°05'41" WEST, 584.74 FEET;  
THENCE NORTH 89°43'57" EAST, 60.00 FEET TO THE POINT OF BEGINNING;  
INCLUDING AN 80' RIGHT OF WAY RADIUS EYEBROW AT THE INTERSECTION OF EAST 69TH AVENUE AND CHERRY STREET.

### **LEGAL DESCRIPTION OF PARCEL 3:**

A STRIP OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO, SAID STRIP OF LAND BEING A PORTION OF THAT ALLEY LOCATED IN BLOCK 6 AS REPRESENTED ON PLAT OF THE CITY OF ADAMS, RECORDED AS PLAT BOOK 1 AT PAGE 1, OF THE ADAMS COUNTY RECORD. SAID STRIP IS BOUNDED ON THE NORTH BY THAT VACATED ALLEY AS SHOWN ON THAT 'STATEMENT OF VACATION' IN THE ADAMS COUNTY RECORDS' BOUNDED ON THE EAST BY LOTS 14-17, BLOCK 6 PLAT OF THE CITY OF ADAMS, BOUNDED ON THE SOUTH BY THAT QUIT CLAIM DEED RECORDED AS BOOK 1939 AT PAGE 706 OF THE ADAMS COUNTY RECORDS, AND BOUNDED ON THE WEST BY LOTS 18-21, SAID BLOCK 6 AND THAT VACATION PLAT OF A PORTION OF THE CITY OF ADAMS AS RECORDED AS PLAT BOOK 2 AT PAGE 9 OF THE ADAMS COUNTY RECORDS. SAID STRIP BEING DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 6. THE CENTER QUARTER BEING MONUMENTED WITH A FOUND 3.25" ALLOY CAP ON A 2" PIPE IN A RANGE BOX STAMPED "T3S R67W, C1/4, S6, 1991, LS 17488" AND A FOUND WEST ¼ CORNER SECTION 6, A 2.5" ALLOY CAP IN A RANGE BOX STAMPED 'T3S, ¼, R68W R67W, S1 S6, 2001, LS 15606' AND DETERMINED TO BEAR NORTH 89°11'25" EAST (2487.68') WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

BEGINNING AT THE NORTHWEST CORNER OF LOT 14 OF SAID BLOCK 6,  
THENCE SOUTH 00°05'41" EAST, 89.29 FEET;  
THENCE SOUTH 89°11'25" WEST, 16.00 FEET;  
THENCE NORTH 00°05'41" WEST, 89.29 FEET;  
THENCE NORTH 89°12'40" EAST, 16.00 FEET TO THE POINT OF BEGINNING;

**LEGAL DESCRIPTION OF PARCEL 4:**

A STRIP OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO, SAID STRIP OF LAND BEING THAT GRANT OF ROADWAY DESCRIBED IN BOOK 309 AT PAGE 34, OF THE ADAMS COUNTY RECORD, SAID STRIP OF LAND BEING THE NORTH 20 FEET OF LOT 42, BLOCK 4 AS REPRESENTED ON THAT PLAT OF THE CITY OF ADAMS, RECORDED AS PLAT BOOK AT 1 AT PAGE 1. SAID STRIP IS BOUNDED ON THE NORTH BY LOT 43, SAID BLOCK 4, BOUNDED ON THE EAST BY THE PLATTED ALLEY OF SAID BLOCK 4 (PREVIOUSLY VACATED PER BOOK 308 AT PAGE 578) AND BOUNDED ON THE WEST BE THAT PLATTED STREET 3RD AVENUE (NORTHERLY SEGMENT NOW KNOWN AS CHERRY STREET) AS REPRESENTED ON THAT PLAT OF THE CITY OF ADAMS, SAID STRIP BEING DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 6, THE CENTER QUARTER BEING MONUMENTED WITH A FOUND 3.25" ALLOY CAP ON A 2" PIPE IN A RANGE BOX STAMPED "T3S R67W, C1/4, S6, 191, LS 17488" AND A FOUND WEST ¼ CORNER SECTION 6, A 2.5" ALLOY CAP IN A RANGE BOX STAMPED ' T3S, ¼, R68W R67W, S1 S6, 2001 , LS 15606' AND DETERMINED TO BEAR NORTH 89°11'25" EAST (2487.68') WITH ALL BEARINGS CONTAINED HERIN RELATIVE THERETO;

COMMENCING FROM THE NORTHWEST CORNER OF SAID BLOCK 4 SOUT 0°05'41" EAST, 148.56 FEET TO THE NORTHWEST CORNER OF SAID LOT 43 THE POINT OF BEGINNING;

THENCE NORTH 89°35'44" EAST, 127.00 FEET;  
THENCE SOUTH 00°05'41" EAST, 20.00 FEET;  
THENCE SOUTH 89°35'44" WEST, 127.00 FEET;  
THENCE NORTH 00°05'41" WEST, 20.00 FEET TO THE POINT OF BEGINNING;