

BY AUTHORITY

ORDINANCE NO. 812
SERIES OF 2004

COUNCIL BILL NO. 792
COMMITTEE OF REFERENCE:
Public Works

A BILL

For an ordinance creating the Consolidated Morrison Road Pedestrian Mall and the Consolidated Morrison Road Local Maintenance District in the City and County of Denver, State of Colorado, with the costs of the continuing care, operation, repair, maintenance and replacement of improvements in the District to be assessed upon the real property benefited, exclusive of improvements thereon, and terminating the presently existing Morrison Road Pedestrian Mall Local Maintenance District and Phase II Morrison Road Pedestrian Mall Local Maintenance District.

WHEREAS, Ordinance No. 823, Series of 1994 created the Morrison Road Pedestrian Mall Local Maintenance District; and

WHEREAS, Ordinance No. 787, Series of 1995 created the Phase II Morrison Road Pedestrian Mall Local Maintenance District; and

WHEREAS, the City now desires to consolidate the two above named local maintenance districts and add additional property to create the Consolidated Morrison Road Local Improvement District.

NOW, THEREFORE,

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

Section 1. Upon consideration of a recommendation that an ordinance be enacted creating the Consolidated Morrison Road Pedestrian Mall and the Consolidated Morrison Road Local Maintenance District in the City and County of Denver, State of Colorado with the costs of the continuing care, operation, repair, maintenance and replacement of pedestrian mall improvements in the Consolidated Morrison Road Local Maintenance District to be assessed upon the real property benefited, exclusive of improvements thereon, Council finds:

(a) The Manager of Public Works of the City and County of Denver has received petitions proposing the creation of the Consolidated Morrison Road Pedestrian Mall and Consolidated Morrison Road Local Maintenance District in the City and County of Denver, State of Colorado, with the costs of the continuing care, operation, repair, maintenance and replacement of the pedestrian mall improvements in the Consolidated Morrison Road Local Maintenance District to be assessed upon the real property benefited, exclusive of improvements thereon;

(b) Sufficient petitions, as required by the Charter of the City and County of Denver, were

1 received by the Manager of Public Works, and that said petitions were regularly filed and were in
2 due and regular form and properly executed;

3 (c) At the time of the initiation of said proposed local maintenance district, the Manager
4 of Public Works of the City and County of Denver estimated the total cost of the continuing care,
5 operation, repair, maintenance and replacement of pedestrian mall improvements in the
6 Consolidated Morrison Road Local Maintenance District for the first full year of the existence is
7 \$58,507.00 and the Manager of Public Works estimated a detailed estimate for each maintenance
8 element included in said proposed district for the first full year of the existence;

9 (d) The Manager of Public Works gave due notice to the owners of the property
10 benefited and to all persons interested generally concerning said district, and a hearing was held
11 as provided by the Charter of the City and County of Denver to hear written remonstrances to said
12 proposed district and for the purpose of considering the desirability of and the need for said
13 proposed local maintenance district;

14 (e) Duly executed written remonstrances were not filed by the owners representing fifty
15 or more percent of the assessed valuation of real property, exclusive of improvements thereon,
16 within said proposed local maintenance district;

17 (f) The Manager of Public Works has entered an order approving said proposed local
18 maintenance district;

19 (g) All acts and proceedings of the Manager of Public Works comply with the
20 requirements of the Charter of the City and County of Denver;

21 (h) By reason of the continuing care, operation, repair, maintenance and replacement of
22 pedestrian mall improvements in the Consolidated Morrison Road Local Maintenance District, the
23 real property, exclusive of improvements thereon, within said district will be specially benefited in
24 an amount equivalent to or exceeding the amount to be assessed; and

25 (i) That said proposed district is lawful and necessary and should be created.

26 **Section 2.** A local maintenance district called the Consolidated Morrison Road Local
27 Maintenance District in the City and County of Denver, State of Colorado, be and is hereby
28 created, as of January 1, 2005, for the continuing care, operation, repair, maintenance and
29 replacement of the pedestrian mall improvements with the costs of said continuing care, operation,
30 repair, maintenance and replacement of said pedestrian mall improvements in the District to be
31 assessed upon the real property benefited, exclusive of improvements thereon.

32 **Section 3.** The exterior boundaries of the Consolidated Morrison Road Local Maintenance
33 District are as follows:

1
2 A parcel of land located within Section 17 & 18, Township 4 South, Range 68 West, of the 6th Principal
3 Meridian, City and County of Denver, State of Colorado, more particularly described as follows:
4 Beginning at the intersection of the east line of Sheridan Blvd and the southeast line of the Sher- Mor
5 subdivision,
6 thence northeast on the southeast line of the Sher-Mor subdivision said line being the northwest right of
7 way line of Morrison Road,
8 thence extended northeast through unplatted land,
9 thence continuing northeast on the southeast line of Block 7 of the Kentucky Gardens subdivision,
10 thence extended northeast through unplatted land,
11 thence northeast on the southeast line of Block 4 of the Manlea Subdivision Second Filing,
12 thence extended northeast through unplatted land,
13 thence northeast on the southeast line of Blocks 1 & 2 of the Wood subdivision,
14 thence northeast on the south line of Blocks 30, 31,(and unplatted land) 18, 17, & 1, of the Belmont Park
15 subdivision,
16 thence extended northeast through unplatted land to the south right of way line of W. Alameda Ave.
17 thence east on said south line to the intersection of the southeasterly line of Morrison Road,
18 thence southwesterly and on the northwest line of Blocks 3 & 4, of the Adams Park subdivision,
19 thence southwest on the northwest line of Blocks 35, 36, & 37 of the Belmont Park Annex subdivision,
20 thence southwest on the northwest line of Blocks 8, & 13, of the Westlawn Addition subdivision,
21 thence southwest on the northwest line of Blocks 38, 39, & 40, of the Belmont Park Annex subdivision,
22 thence extended southwest through unplatted land,
23 thence southwest on the northwest line of Block 3, of the Wood subdivision Second Filing,
24 thence extended southwest through unplatted land,
25 thence southwest on the northwest line of Block 1, of the Manlea subdivision,
26 thence extended southwest through unplatted land,
27 thence southwest on the northwest line of Blocks 5, 6, 2, & 1, of the Kentucky Gardens subdivision,
28 thence extended southwest through unplatted land to the east line of S. Sheridan Blvd, thence north on
29 said east line to the point of beginning.
30

31 **Section 4.** The descriptions of the properties benefited are:

- 32 1. Lots 1 to 12, Block 3
33 Lots 1 to 6, Block 4
34 All in ADAMS PARK SUBDIVISION
35
36 2. Lots 14 to 18, Block 1
37 Lots 14 to 23, Block 17
38 Lots 11 to 20, Block 18
39 Lots 26 to 35, Block 30
40 Lots 14 to 18, Block 31
41 Lots 30 to 34, Block 31
42 Lots 29 to 33, Block 32
43 Lots 1 to 5, Block 35
44 Lots 1 to 10, Block 36
45 Lots 1 to 6, Block 37
46 Lots 15 to 22, Block 37
47 All in BELMONT PARK SUBDIVISION
48

- 1 Lots 1 to 5, Block 38
- 2 Lots 1 to 10, Block 39
- 3 Lots 1 to 5, Block 40
- 4 All in BELMONT PARK ANNEX SUBDIVISION
- 5
- 6 3. Lots 32 to 35, Block 1
- 7 Lots 28 to 30, Block 2
- 8 Lot 1 to 5, Block 5
- 9 Lots 1 to 20, Block 6
- 10 Lots 19 to 25, Block 7, Except 12' Triangular Parcel in Northeast Corner
- 11 Lots 26 to 41, Block 7
- 12 All in KENTUCKY GARDEN SUBDIVISION
- 13
- 14 4. Lots 1 to 4, Block 8
- 15 Lots 1 to 10, Block 13
- 16 All in WESTLAWN ADDITION
- 17
- 18 5. Lots 15 to 24, Block 1
- 19 Lots 5 to 8, Block 2
- 20 All in WOOD SUBDIVISION
- 21
- 22 6. Lots 1, Block 3
- 23 All in WOOD SUBDIVISION 2ND FILING
- 24
- 25 7. Lots 1 to 5, Block 1
- 26 All in MANLEA SUBDIVISION
- 27
- 28 8. Lots 12 to 18, Block 4
- 29 All in MANLEA SUBDIVISION 2ND FILING
- 30
- 31 9. Lots 6 to 12,
- 32 All in SHER MOR SUBDIVISION
- 33

34 And the following UNPLATTED properties;

- 35
- 36 1. A parcel of land located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, and the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section
- 37 18, Township 4 South, Range 68 West of the 6th P.M., described as follows: Commencing at the
- 38 Northwest corner of said Section 17; thence S 00°48'30" E, a distance of 50.00 feet to a point of on
- 39 the Southerly right of way line of West Alameda Avenue, said point being the point of beginning;
- 40 thence N 89°35'35"E, a distance 303.25 feet along the said southerly right of way line; thence
- 41 S28°48'52"E, a distance of 27.09 feet to a point on the Northwesterly right of way line of Morrison
- 42 Road; thence S46°32'55"W along said Northwesterly right of way line of Morrison Road to a point
- 43 on the west line of said Section 17, thence northerly along said west line of said Section 17 to the
- 44 Point of Beginning.
- 45
- 46 2. Beginning at the SE corner of SW $\frac{1}{4}$ SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 18, T4S, R68W of the 6th P.M.;
- 47 thence N 00°28'27" W along the E line of said SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section, 363.87 ft
- 48 to the point of intersection with the Southeasterly line of Morrison Road; thence S 47°19'34" W

1 along said Southeasterly line of Morrison Road, a distance of 534.84 ft to the point of intersection
2 with the South line of said SW ¼ of SW ¼ of NE ¼ of said Section; then S 89°48'29" E along said
3 South line of the SW ¼ of SW ¼ of NE ¼ of said Section, a distance of 396.25 ft to the Point of
4 Beginning.
5

6 3. That part of the Southeast quarter of Section 18, Township 4 South, Range 68 West one particularly
7 described as follows, to wit: Commencing at the Northwest corner of said Southeast quarter of said
8 Section 18, thence running South along the West line of said southeast quarter to the Northwesterly
9 line of the Morrison Road, thence Northeasterly along the Northwesterly line of said County Road
10 to the North line of said Southeast quarter, thence West Along the North line of said southeast
11 quarter to the place of beginning.
12

13 4. That part of the NW ¼ of the SE ¼ of Sec. 18, Township 4 South, Range 68 West, Described as
14 follows: Beginning at a point on the West line of said quarter section 201.3' S of the center of said
15 Sec. 18 being the center line of the Morrison Rd. at that point; thence S along the said boundary
16 line 399.2'; thence E 200'; thence N 581.3' more or less to center line of Morrison Road; thence S
17 48°40' West 269.5' along the center line of the said Morrison Road to the Point of Beginning.
18

19 5. That part of the West ½ of Section 18, Township 4 South, Range 68 West of the 6th P.M. being
20 more particularly described as follows: Beginning at the Northeast corner of the Southwest ¼ of
21 said Section 18; Thence North 75 feet along the North-South centerline of said Section 18 more or
22 less to point on the southerly right-of-way line of Exposition Avenue per Ordinance Number 323-
23 1967; thence West 60 feet along said Southerly right-of-way line; thence South 130 feet more or
24 less to a point which is 55 feet South of the East-West centerline and 60 feet West of the North-
25 South centerline of said Section 18; then East 60 feet and parallel with said East-West centerline to
26 a point on said North-South centerline of said Section 18; thence North 55 feet along said North-
27 South centerline to the Point of Beginning.
28

29 6. A tract of land in the SE quarter of the NW quarter and in the NE quarter of the SW quarter of
30 Section 18, Township 4 South, Range 68 West of the 6th P.M., being more particularly described as
31 follows: Beginning at a point on the North-South centerline of Section 18, Township 4 South,
32 Range 68 West, and 55 ft S of the center of said Section; thence W 60 feet parallel to the E-W
33 centerline of said Section 18 to point that is 55 ft S of the East-West centerline and 60 ft W of the
34 N-S centerline of said Section 18; then N 150 ft more or less and parallel to said North-South
35 centerline to a point on the Southerly right of way line of Exposition Avenue per Ordinance
36 Number 323-1967; thence W 100 ft along said Southerly right of way line; thence S 75 ft more or
37 less to a point on the E-W line centerline of said Section 18; thence W 138.5 ft more of less along
38 said E-W centerline to a point on the East line of the property of the Belmont School; thence S
39 along said line 162 ft; thence Southeasterly 145.8 ft more or less to a pipe 220 ft W of the aforesaid
40 N-S centerline of Section 18 and 179.3 feet North of the centerline of Morrison Road per Ordinance
41 Number 44-1986; thence S 138.88 ft to a point on the N right of way line of said Morrison Road;
42 thence Northeasterly along the N right of way line of Morrison Road 295 feet to a point on the N-S
43 centerline Section 18; thence N 105.58 ft more or less along said centerline to the Point of
44 Beginning.
45

46 7. A parcel of land located in the NE ¼ SW ¼ of Section 18, T4S, R68W, W of the 6th P.M. being
47 more particularly described as follows, commencing at the center of said section, thence south along
48 the North-South Centerline of said section 18, a distance of 160.53 ft more or less to a point on the

1 Northwesterly line of Morrison Road; then South 47° 55 minutes W along the Northwesterly line of
2 Morrison Road, a distance of 296.95 ft to the true point of beginning; thence S 47° 55 minutes W
3 along the Northwesterly line of Morrison Road, a distance of 135.8 ft to a point on the
4 Northeasterly line of the Belmont school property; thence N 42° 29 minutes W along the
5 Northeasterly line of the Belmont school property, a distance of 55.00 ft; thence N along the East
6 line of the Belmont school property and parallel with the North-South center line of said Section 18,
7 a distance of 252.5 ft; thence S 80° 26 minutes E, a distance of 140.28ft to a point 220.0 ft W of the
8 North-South Center lines of said Section 18; thence South, parallel with the North-South Center
9 line of said Section 18, a distance of 179.3 ft more or less, to the point of beginning.

10
11 8. A parcel of land in the NE ¼ SW ¼, of Section 18, Township 4 South, Range 68 West in the City
12 and County of Denver, State of Colorado, being more particularly described as follows, to wit:
13 BEGINNING at a point on the East line of said NE ¼ SW ¼, which is 673.5 feet North of the
14 Southeast corner of said NE ¼ SW ¼, said point being on the North line of W. Ohio Ave.; thence
15 West along the North line of W. Ohio Ave., a distance of 437.93 feet;
16 thence Northwesterly along the Northeasterly line of W. Ohio Ave., a distance of 8.7 feet to a point
17 on the Southeasterly line of Morrison Road;
18 thence Northeasterly along the Southeasterly line of Morrison Road, a distance of 595.0 feet to a
19 point on the East line of said NE ¼ SW ¼,
20 thence South along the East line of said NE ¼ SW ¼ a distance of 411.11 feet, more or less to the
21 POINT OF BEGINNING.

22
23 9. A parcel of land in the NE ¼ of the SW ¼ of Section 18, T. 4S., R 68W., of the 6th P.M., more
24 particularly described as follows: Beginning at the intersection of the line common to the NW ¼
25 and the SW ¼ of Sec. 18, T. 4S., R. 68W., of the 6th P.M., with the east line of So. Utica St.
26 extended south, which point lies 40 feet east of the SE corner of vacated Block 11, Plat of Irving
27 Park Subdivision and 695.569 feet east of the sixteenth corner common to the aforesaid NW and
28 SW quarters; thence east along the line common to said quarters 264 feet; thence south and parallel
29 to the east line of So. Utica St., extended south 415 feet; thence southeasterly and perpendicular to
30 the northwesterly line of Morrison Road 54.57 feet plus or minus feet to the northwesterly line of
31 Morrison road; thence southwesterly along said northwesterly line 330.41 plus or minus feet to a
32 point 75.17 feet NE of the intersection of said northwesterly line with the east line of so. Utica St.,
33 extended; thence northwesterly and perpendicular to aforesaid northwesterly line 83 feet to a point
34 on the east line of So. Utica St., extended; thence north along said east line of So. Utica St., 618.956
35 feet to the point of beginning.

36
37 10. A tract of land in the NE ¼ of the SW ¼ of Section 18, Township 4 South, Range 68 West of the
38 Sixth Principal Meridian, being in Denver County, State of Colorado and more particularly
39 described as follows: Commencing at the Southeast Corner of the NE ¼ of the SW ¼ of said
40 Section 18; thence West 1176.51 feet to a point on Southeasterly Line of Morrison Road; thence N
41 47°46'00" E 656.30 feet along the Southeasterly Line of said Morrison Road to a point on the
42 Southerly Line of an alley in the Manlea Subdivision; thence S 69° 45' 00" E 193.60 feet along the
43 Southerly line of said alley to the True Point of Beginning; thence S 69° 45' 00" E 192.90 feet
44 along the Southerly Line of said Manlea Subdivision to a point on the North Line of Lot 13; thence
45 S 0° 04' 00" E 21.03 to a point; thence N 88° 11' 20" W 211.03 feet to a point on the Northerly R.
46 O. W. Line of the Koener Ditch; then N 20° 15' 00" E 86.45 feet more or less to the True Point of
47 Beginning.

- 1 11. A portion of a parcel of land in the Northeast ¼ Southwest ¼ of Section 18, Township 4 South,
2 Range 68 West of the 6th P.M., more particularly described as follows: Commencing at a point on
3 the North line of West Kentucky Avenue, 825 feet West and 30 feet North of the Southeast corner
4 of the Northeast ¼ Southwest ¼ of said Section 18; thence West, along the North line of West
5 Kentucky Avenue, a distance of 71.6 feet; thence Northwesterly, a distance of 172.9 feet to a point
6 196 feet Northeasterly from the intersection of the Southeasterly line of Morrison Road with the
7 North line of West Kentucky; thence Northeasterly, along the Southeasterly line of Morrison Road,
8 a distance of 128.55 feet; thence South 72°40' East, a distance of 89.2 feet; thence South 88°50"
9 East, a distance of 125.34 feet; thence South, parallel to the East line of said Northeast ¼ Southwest
10 ¼, a distance of 21.3 feet; thence West, parallel to the North line of West Kentucky Avenue, a
11 distance of 75 feet; thence South, parallel to the East line of said Northeast ¼ Southwest ¼, distance
12 of 50 feet; thence West, parallel to the North line of West Kentucky Avenue, a distance of 50 feet;
13 thence South, parallel to the East line of said Northeast ¼ Southwest ¼, a distance of 120 feet to the
14 point of beginning.
15
- 16 12. That part of the NE ¼ SW ¼ of Section 18, Township 4 South, Range 68 West of the 6th P.M.,
17 described as follows: Beginning at the Southwest corner of said NE ¼ SW ¼; thence South 89° 27'
18 East along the South line of said NE ¼ SW ¼ 117.3 feet; thence North 47° 46' East 224.99 feet;
19 thence North 89° 27' West 68.27 feet to a point on the Northwesterly line of Morrison road; thence
20 North 47° 46' East along said Northwesterly line 120 feet to the true point of beginning; thence
21 North 89° 27' West 132.62 feet to the Southeast corner of Lot 9, PAPPY FRY SUBDIVISION;
22 thence North 6° 41' East along the Easterly line of PAPPY FRY SUBDIVISION 197.73 feet to the
23 Northeast corner of said Subdivision; then South 59° 27' East along the South line of the right of
24 way of Greene Ditch 137.2 feet; thence South 71° 36' East along said South line 89.51 feet; thence
25 South 11° 39' East to a point on the Northwesterly line of Morrison Road; thence South 47° 46'
26 West along said Northwesterly line 129.95 feet to the true point of beginning.
27
- 28 13. A parcel of land located in the SW ¼ SW ¼ of Section 18, Township 4 South, Range 68 West of
29 the 6th Principal Meridian being more particularly described as follows: Beginning at the southwest
30 corner of said Section 18; thence N 47° 0'E, along the center line of Morrison Road, a distance of
31 443.51 feet; thence n. 0° 45'W, a distance of 41.0 feet to a point on the northwesterly line of
32 Morrison Road, which point is 327.51 feet east of the west line of said Section 18, and measured at
33 right angles thereto, said point being the TRUE POINT OF BEGINNING; thence N. 47° 0' E, along
34 the northwesterly line of Morrison Road, a distance of 202.9 feet; thence N 44° 31' W. a distance of
35 217.5 feet to a point 327.51 feet east of the west line of said Section 18, and measured at right
36 angles thereto; thence S.0°45'E, parallel with the west line of said Section 18, a distance of 293.47
37 feet, more or less, to the TRUE POINT OF BEGINNING.
38
- 39 14. A tract of land in the SW1/4 SW1/4 of Section 18, Township 4 South, Range 68 West, described as
40 follows: Beginning at a point in the center line of the Morrison Road, whence the Southwest corner
41 of Section 18 bears South 47 degrees, 36' West 823.72 feet, thence North 42 degrees 24' West
42 177.4 feet, thence South 72 degrees 22' East 204.77 feet to a point in the center line of the said
43 Morrison Road, thence South 47 degrees 36' in the center line of the said Morrison Road, thence
44 South 47 degrees 36' West 102.29 feet along the center line of said Morrison Road to the point of
45 beginning; EXCEPT that certain triangular track of land conveyed to the City and County of Denver
46 by a quit claim deed dated March 3, 1955, and recorded in Book 7661 at page 394 of the records of
47 the City and County of Denver.
48

- 1 15. That portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, Township 4 South, Range 68 West of the 6th P.M.,
2 described as follows: Beginning at a point in the center line of the Morrison Road whence the
3 Southwest corner of said Section 18 bears South 47°36' West 823.72 feet; thence North 42°27'
4 West 177.4 feet more or less to a point on the Southwesterly line of Lot 17, Block 8, Kentucky
5 Gardens; thence Northwesterly along the Southwesterly line of said Lot 17, 170.2 feet more or less
6 to the Southwest corner of said Lot 17; thence Southeasterly to a point in the center line of the
7 Morrison Road whence the Southwest corner of said Section 18 bears South 47°36' West 747.72
8 feet; thence Northeasterly along the center line of the Morrison Road 76 feet to point of beginning.
9
- 10 16. That part of the South Half, Southwest Quarter, Southwest Quarter, Section 18, Township 4 South,
11 Range 68 West, more particularly described as follows: Beginning at the center line of Morrison
12 Road at a point North 47 degrees East, 443.51 feet along center line from Southwest corner West
13 Half, Southwest Quarter, Southwest Quarter, North 47 degrees East, along center line 304.21 feet,
14 Northwesterly to Southwest corner of Lot 17, Block 8, Kentucky Gardens and 327.51 feet Easterly
15 from West line West Half, Southwest Quarter, Southwest Quarter, thence South to a point 293.47
16 feet North from Northerly line of Morrison Road; thence Southeasterly 217.5 feet; thence
17 Southwesterly along the Northerly line of Morrison Road 202.9 feet, thence South to Point of
18 Beginning.
19
- 20 17. That part of South $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 18, Township 4 South, Range 68 West, described as
21 follows: Commencing at Southwest corner of SW $\frac{1}{4}$ of said Section 18 and running thence North
22 47°36' East 443.51 feet along center line of Morrison road to a point; thence South and parallel to
23 West line of said Section 18 to south line of said Section 18; thence West along said South Section
24 line to beginning, EXCEPT that part of the SW $\frac{1}{4}$ of Section 18, Township 4 South, Range 68
25 West, described more particularly as follows: Commencing at the Southwest corner of the SW $\frac{1}{4}$ of
26 said Section 18, running thence East along the south line of said Section 18, 243.5 feet to a point;
27 thence North 53°30' West 172.6 feet to a point at the center line of the Morrison Road; thence
28 South 49°45' West to the place of beginning and EXCEPT that part described in Book 7371, Page
29 168.
30
- 31 18. That part of the Southwest $\frac{1}{4}$ of Section 18, Township 4 South, Range 68 West of the 6th P.M.,
32 described as follows: Beginning at a point on the South line of said Southwest $\frac{1}{4}$ of Section 18,
33 located South 89°36 $\frac{1}{2}$ ' East, a distance of 50.00 feet from the Southwest corner of said Section 18;
34 thence South 89°36 $\frac{1}{2}$ ' East along said South line a distance of 193.5 feet; thence North 53°30'
35 West a distance of 141.67 feet to a point which is 30.0 feet Southeasterly from and measured
36 radially to the center line of Morrison Road; thence Southwesterly on a curve to the right, having a
37 radius of 530.0 feet and being parallel with and 30.0 feet distant from the center line of Morrison
38 Road, a distance of 95.47 feet, the long chord of which bears South 56°39'33" West a distance of
39 95.35 feet, to a point located 50.0 East of the West line of said Section 18; thence South 0°05' East
40 parallel with and 50.0 feet East of the West line of said Section 18, a distance of 30.54 feet more or
41 less to the Point of Beginning, in the City and County of Denver, State of Colorado.
42 Excepting there from that certain tract or parcel of land described in a Warranty Deed dated June 7,
43 1965, which was recorded June 30, 1965, in Book 9452 at Page 5, conveying certain property to the
44 Department of Highways, State of Colorado, for the widening of the Morrison Road, City and
45 County of Denver, State of Colorado.
46
- 47 19. Beginning at the intersection of the line common to the Northwest $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ quarters
48 of said Section 18 with the East line of South Utica Street extended South, which point lies 40.00

1 feet East of the Southeast corner of vacated block 11, Plat of Irving Park Subdivision and 695.569
2 feet East of the sixteenth corner common to the aforesaid Northwest and Southwest quarters; thence
3 South a distance of 97.00 feet to the True Point of Beginning; thence South 89 degrees 24'19" East
4 a distance of 35.00 feet; thence South 89 degrees 24'19" East a distance of 155.56 feet thence South
5 a distance of 297.93 feet; thence South 42 degrees 17'08" East a distance of 48.92 feet; thence
6 South 47 degrees 42'52" West a distance of 16.48 feet; thence North 42 degrees 02'40" West a
7 distance of 129.25 feet; thence South 47 degrees 56'35" West a distance of 32.86 feet; thence North
8 42 degrees 07'40" West a distance of 93.12 feet; thence South 47 degrees 55'30" West a distance of
9 149.91 feet; thence North a distance of 325.43 feet to the True Point of Beginning.

10
11 20. Part of the NE 1/4, SW 1/4, Section 18, T.4S., R.68W. of the 6th P.M. Beginning at the
12 intersection of the north line of West Kentucky Avenue extended and the southerly line of Morrison
13 Road; thence northeasterly 196 feet; thence southeasterly in a straight line 172.9 feet; thence west
14 254 feet to the Point of Beginning, excluding a 12 foot triangle in the southwest corner.

15
16 21. Beginning at the SW corner of the NE 1/4, SW 1/4, Section 18, T.4S., R.68W. of the 6th P.M.
17 thence S 89°27' E 117.3 feet; thence N 47°46' E 224.99 feet; thence N 89°27' W 44.17 feet to a
18 point on the northwesterly line of Morrison Road the True Point of Beginning; thence N 47°46' E
19 120 feet; thence N 89°27' W 218.85 feet; thence South 81.5 feet; thence S 89°27' E 130.80 feet
20 more or less to the True Point of Beginning.

21
22 22. That part of the North 1/2, of the SW 1/4, Section 18, T.4S., R.68W. of the 6th P.M. described as
23 follows: Beginning at the northeast corner of South Wolff Street and West Kentucky Avenue;
24 thence north 123 feet to the southwest corner of Lot 5, Pappy Fry Subdivision; thence east along the
25 south line and the south line extended said Lot 5, 253.42 feet more or less to a point on the
26 northwesterly line of Morrison Road; thence southwesterly on the northwesterly line of Morrison
27 Road a distance of 179.28 feet more or less to the northwest corner of Morrison Road and West
28 Kentucky Avenue; thence west 122.36 feet more or less to the Point of Beginning.

29
30 23. That part of the SE1/4, NE1/4, Section 18, T.4S.,R.68W. of the 6th P.M. described as follows:
31 Beginning at a point on the northerly right of way line of Morrison Road located 186.365 feet
32 northeast of the northeast corner of South Perry Street and Morrison Road; thence north 274.07 feet
33 to the SW corner of Lot 19, Block 31, Belmont Park; thence east 298.42 feet to a point on the
34 northerly right of way line of Morrison Road said point being the SE corner of Lot 30 said Block
35 31; thence southwest 402.81 feet to the Point of Beginning.

36
37 **Section 5.** The relative benefits to the real properties, exclusive of improvements thereon, within
38 the local maintenance district be and are hereby apportioned based on a relationship between the
39 lineal footage of the real property, exclusive of improvements thereon, receiving the improvements
40 and the total improved lineal footage; and each property owner then pays that percent of the total
41 assessment.

42 **Section 6.** The Manager of Public Works is hereby authorized and directed to assess the costs
43 of the continuing care, operation, repair, maintenance and replacement of pedestrian mall
44 improvements in the Consolidated Morrison Road Local Maintenance District, in accordance with

1 the requirements of the Charter of the City and County of Denver.

2 **Section 7.** All of the property contained in the Morrison Road Pedestrian Mall Local
3 Maintenance District created by Ordinance No. 823, Series of 1994 will be encompassed by the
4 new Consolidated Morrison Road Local Maintenance District created herein; therefore, as of
5 December 31, 2004, the Morrison Road Pedestrian Mall Local Maintenance District will be
6 dissolved and will no longer exist except as may be necessary to wind up business at the
7 discretion of the Manager of Public Works of the City and County of Denver. Any funds remaining
8 in the Morrison Road Pedestrian Mall Local Maintenance District shall be distributed to the
9 Consolidated Morrison Road Local Maintenance District.

10 **Section 8.** All of the property contained in the Phase II Morrison Road Pedestrian Mall Local
11 Maintenance District created by Ordinance No. 787, Series of 1995 will be encompassed by the
12 new Consolidated Morrison Road Local Maintenance District created herein; therefore, as of
13 December 31, 2004, the Phase II Morrison Road Pedestrian Mall Local Maintenance District will be
14 dissolved and will no longer exist except as may be necessary to wind up business at the
15 discretion of the Manager of Public Works of the City and County of Denver. Any funds remaining
16 in the Phase II Morrison Road Pedestrian Mall Local Maintenance District shall be distributed to
17 the Consolidated Morrison Road Local Maintenance District.

18 **Section 9.** This ordinance shall be recorded among the records of the Clerk and Recorder of the
19 City and County of Denver, State of Colorado.

20 PASSED BY THE COUNCIL November 1 2004

21 [Signature] - PRESIDENT

22 APPROVED: [Signature] - MAYOR 11/3 2004

23 ATTEST: [Signature] - CLERK AND RECORDER,
24 EX-OFFICIO CLERK OF THE
25 CITY AND COUNTY OF DENVER
26

27 NOTICE PUBLISHED IN THE DAILY JOURNAL OCTOBER 29 2004 NOVEMBER 5 2004

28 PREPARED BY: KAREN A. AVILES, ASSISTANT CITY ATTORNEY 10/19/04

29 REVIEWED BY: [Signature] Asst - CITY ATTORNEY 20 Oct 2004

30 SPONSORED BY COUNCIL MEMBER(S) _____

