

ORDINANCE NO. _____

INTRODUCED BY: Green

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE RIGHT-OF-WAY VACATION FOR AN APPROXIMATELY 0.012 ACRE PORTION OF RIGHT-OF-WAY GENERALLY LOCATED NORTH OF WEST BROMLEY LANE, SOUTH OF WEST JESSUP STREET, WITHIN SOUTH MAIN STREET RIGHT-OF-WAY, MORE PARTICULARLY LOCATED IN THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO

WHEREAS, City of Brighton (the "Owner") is the owner of certain real property consisting of approximately 0.012-acres, generally located north of West Bromley Lane, South of West Jessup Street, within South Main Street right-of-way described in EXHIBIT A, attached hereto (the "Property"); and

WHEREAS, Brighton Urban Renewal Authority (the "Applicant,") has requested approval of the S. Main Redevelopment Right-of-Way Vacation, attached hereto as EXHIBIT B and incorporated herein (the "Application"); and

WHEREAS, City staff used the criteria outlined for a vacation of rights-of-way in the *Land Use & Development Code* for its review and procedures related to the Application; and

WHEREAS, City Council hereby finds and determines that there is no public purpose for the Property; the Property is not necessary to meet the intent or standards of the *Land Use & Development Code*; the vacation does not adversely impact adjacent landowners or remove any necessary access to property; and the vacation has not been found to contradict the Colorado statues, the Colorado Constitution or the Brighton City Charter.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AS FOLLOWS:

Section 1. The Application is hereby approved.

Section 2. The Property is hereby vacated and title to such vacated lands is hereby vested in its abutting landowners pursuant to C.R.S. § 43-2-303.

Section 3. As provided in City Charter Section 5.9(A), this Ordinance either as presented or as amended, shall be published in full as it was adopted prior to taking final action. This Ordinance shall be in full force and effect five days after its final publication, as provided in City Charter Section 5.8, except as set forth herein.

INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED THIS 19th DAY OF NOVEMBER 2024.

PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY THIS 3rd DAY OF DECEMBER 2024.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

Published in the *Brighton Standard Blade*

First Publication: November 28, 2024

Final Publication: December 12, 2024

APPROVED AS TO FORM:

YASMINA GIBBONS, Deputy City Attorney

EXHIBIT A
LEGAL DESCRIPTION

A PORTION OF SOUTH MAIN STREET IN THE CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, BEING A PUBLIC RIGHT-OF-WAY WITH A WIDTH THAT VARIES, PER THE QUIT CLAIM DEED RECORDED SEPTEMBER 9, 2021, AT RECEPTION NO. 2021000107255 IN THE OFFICE OF THE CLERK AND RECORDER FOR SAID COUNTY, LYING WITHIN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, IN SAID CITY, COUNTY AND STATE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF PARCEL "C" AS DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED MARCH 19, 2015, AT RECEPTION NO. 2015000019457 IN SAID OFFICE OF THE CLERK AND RECORDER;

THENCE ALONG THE NORTHWESTERLY LINE OF SAID PARCEL "C", NORTH 25°14'17" EAST, A DISTANCE OF 32.55 FEET TO THE WESTERLY RIGHT-OF-WAY OF SAID SOUTH MAIN STREET AND THE **POINT OF BEGINNING**;

THENCE CONTINUING NORTH 25°14'17" EAST, A DISTANCE OF 39.24 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 388.22 FEET, WHOSE RADIAL POINT BEARS NORTH 79°45'24" EAST;

THENCE SOUTHERLY ALONG SAID NON-TANGENT CURVE THROUGH A CENTRAL ANGLE OF 08°42'53", AN ARC LENGTH OF 59.05 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 34.56 FEET, WHOSE RADIAL POINT BEARS SOUTH 70°07'04" WEST;

THENCE NORTHWESTERLY ALONG SAID NON-TANGENT CURVE THROUGH A CENTRAL ANGLE OF 50°54'50", AN ARC LENGTH OF 30.71 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 35.00 FEET, WHOSE RADIAL POINT BEARS SOUTH 12°28'58" WEST;

THENCE WESTERLY ALONG SAID NON-TANGENT CURVE THROUGH A CENTRAL ANGLE OF 17°14'39", AN ARC LENGTH OF 10.53 FEET TO THE NORTHWESTERLY LINE OF SAID PARCEL "C" AND THE **POINT OF BEGINNING**.

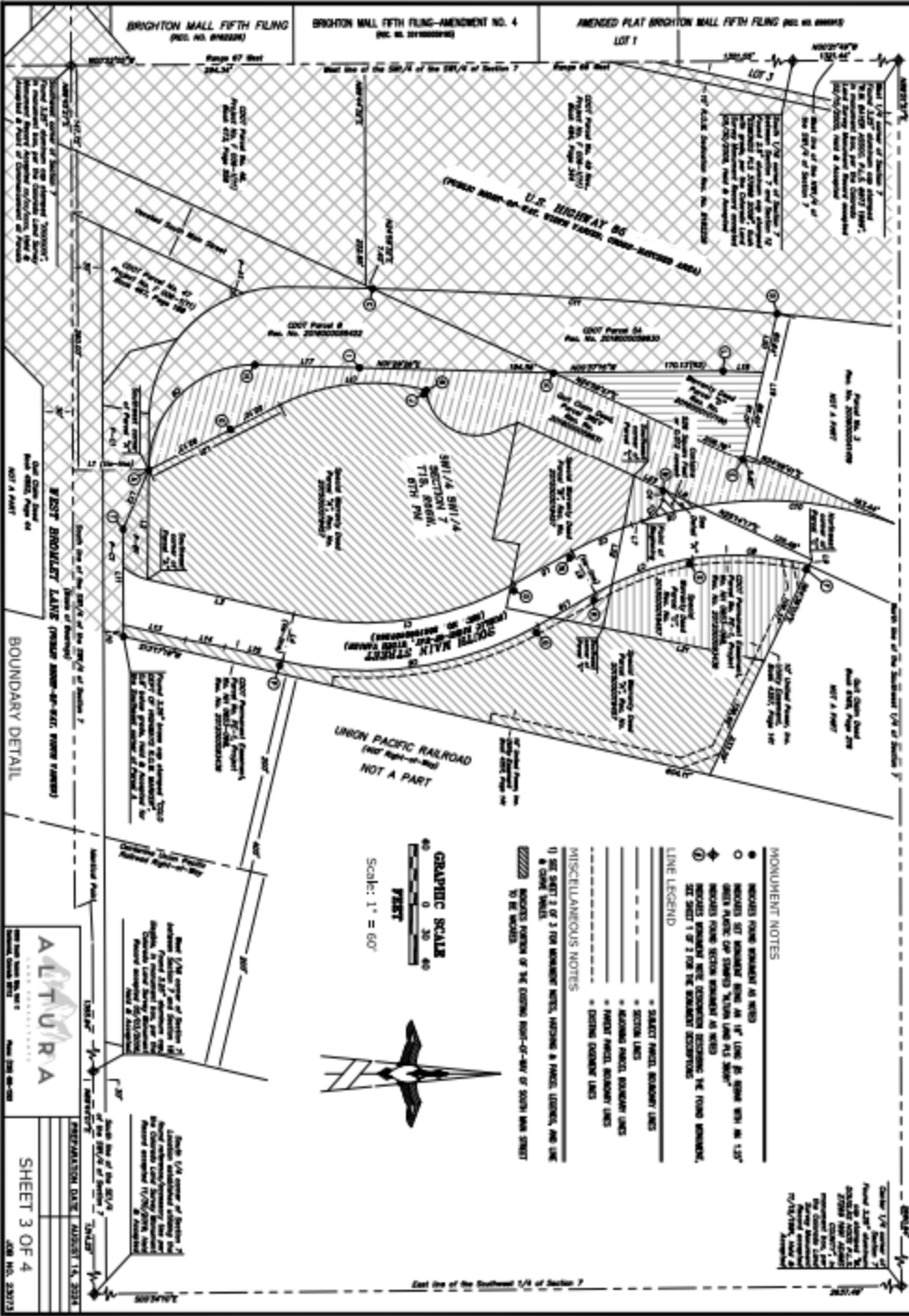
CONTAINS 526 SQUARE FEET OR 0.012 ACRES, MORE OR LESS.

AS SHOWN ON THE EXHIBIT ATTACHED HERETO, MADE A PART HEREOF.

EXHIBIT B
RIGHT-OF-WAY VACATION MAP

[Plan begins on next page]

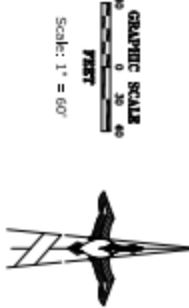
SOUTH MAIN STREET VACATION MAP
 A PORTION OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN,
 CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO
 SHEET 3 OF 4 - BOUNDARY DETAIL



- NONUMENT NOTES**
- MONUMENTS FROM BOUNDARY AS SHOWN
 - MONUMENTS SET BY BOUNDARY SURVEY AS "1/4" LINE TO CORNER WITH AN "L" OR "T" MARKER PLACED ON STAKE OR "X" MARKER
 - ⊕ MONUMENTS FROM SECTION BOUNDARY AS SHOWN
 - ⊙ MONUMENTS FROM SECTION BOUNDARY AS SHOWN
 - ⊙ MONUMENTS FROM SECTION BOUNDARY AS SHOWN
 - ⊙ MONUMENTS FROM SECTION BOUNDARY AS SHOWN

- LINE LEGEND**
- SELECTED PARCEL BOUNDARY LINES
 - SECTION LINES
 - BOUNDARY PARCEL BOUNDARY LINES
 - PARCEL BOUNDARY LINES
 - EXTENDING BOUNDARY LINES

- MISCELLANEOUS NOTES**
- 1) SEE SHEET 2 OF 4 FOR BOUNDARY NOTES, INCLUDING A FINISHED ELEVATION AND LINE OF CORNER MARKERS
 - 2) SEE SHEET 3 OF 4 FOR BOUNDARY NOTES, INCLUDING A FINISHED ELEVATION AND LINE OF CORNER MARKERS
 - 3) SEE SHEET 4 OF 4 FOR BOUNDARY NOTES, INCLUDING A FINISHED ELEVATION AND LINE OF CORNER MARKERS

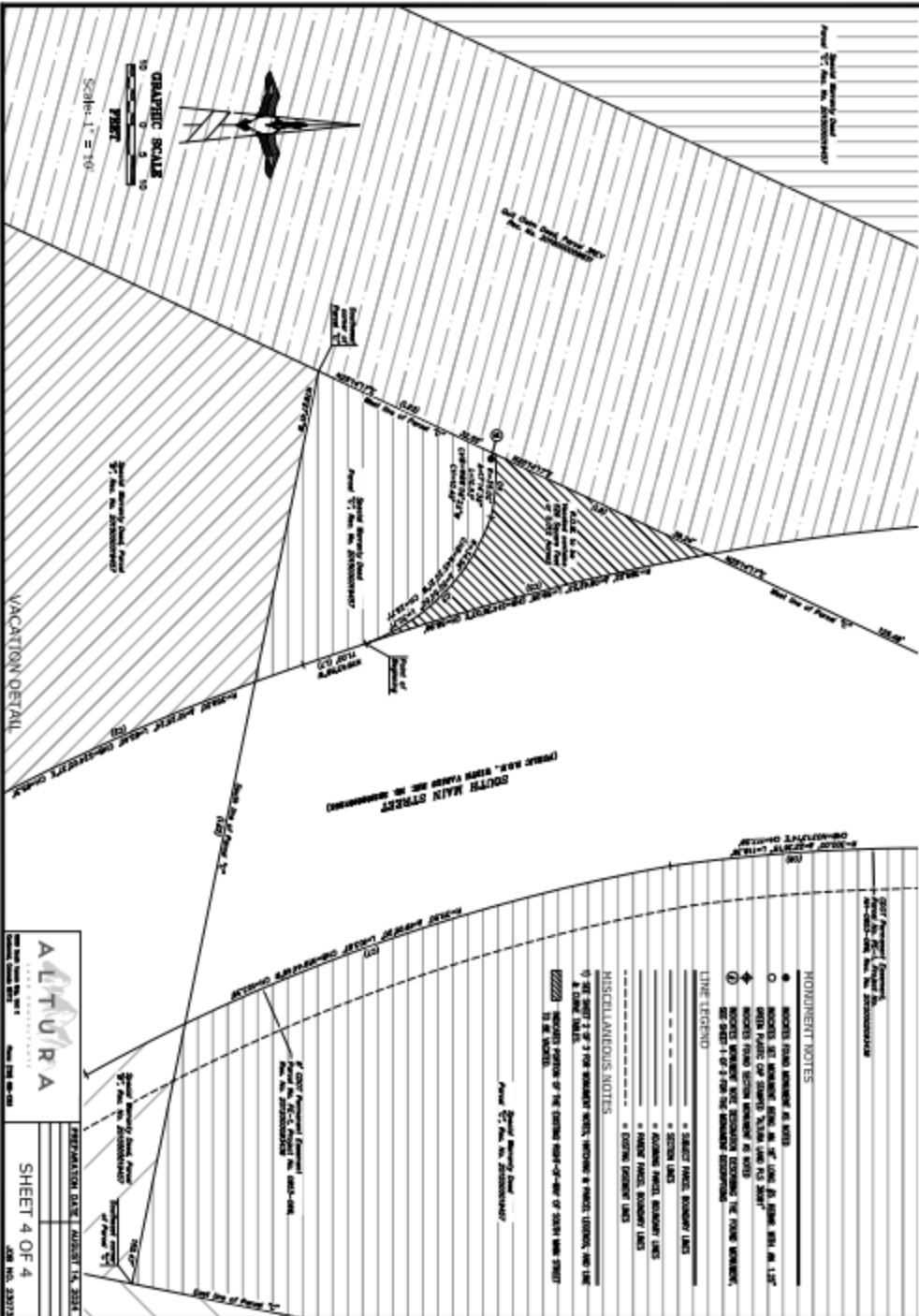


ALTURA

SHEET 3 OF 4

DATE: 08/15/2023

SOUTH MAIN STREET VACATION MAP
 A PORTION OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN,
 CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO
 SHEET 4 OF 4 - VACATION DETAIL



- MONUMENT NOTES**
- MONUMENT FOUND MONUMENT IN NOTES
 - MONUMENT SET MONUMENT FOUND IN 1/2" LONG BY 1/2" HIGH 1/2" DIA. MONUMENT
 - ⊕ MONUMENT FOUND (OR CORNER) FOUND IN 1/2" DIA. MONUMENT
 - ⊙ MONUMENT FOUND (OR CORNER) FOUND IN 1/2" DIA. MONUMENT
 - ⊚ MONUMENT FOUND (OR CORNER) FOUND IN 1/2" DIA. MONUMENT

- LINE LEGEND**
- SUBJECT PARCEL BOUNDARY LINES
 - SECTION LINES
 - - - - - ADJOINING PARCEL BOUNDARY LINES
 - - - - - FENCED PARCEL BOUNDARY LINES
 - - - - - EASEMENT BOUNDARY LINES

MISCELLANEOUS NOTES

1/2" DIA. MONUMENT SET AT CORNER OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO.

2/2" DIA. MONUMENT SET AT CORNER OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO.

ALTURA

SHEET 4 OF 4

REGISTRATION DATE: MARCH 14, 2024

JOB NO. 230713