

BRIGHTON CITY COUNCIL ORDINANCE

PRAIRIE CENTER VILLAGE I SUBDIVISION FILING NO. 1 VACATION OF CERTAIN PUBLIC RIGHTS-OF-WAY

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, VACATING THAT CERTAIN REAL PROPERTY AND PUBLIC RIGHTS-OF-WAY, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, AND VESTING TITLE TO SUCH VACATED LANDS IN ABUTTING LANDOWNERS PURSUANT TO C.R.S. § 43-2-301, ET SEQ.

ORDINANCE NO.: 2263

INTRODUCED BY: Humbert

WHEREAS, the Applicant, THF Prairie Center Development, LLC, has submitted that certain request to cause four parcels of right-of-way (the Rights-of-Way Parcels) to be vacated pursuant to C.R.S § 43-2-301, et seq, in connection with and in furtherance of the Applicant's pending Final Plat application, for certain adjacent and abutting real property known as the Prairie Center Village I Subdivision Filing No. 1 (the "Property"); and

WHEREAS, the City Council finds and determines that the subject Rights-of-Way Parcels to be vacated, more particularly described in **Exhibit A**, attached and incorporated by reference, are part of established public rights-of-way located within the corporate limits of the City of Brighton; and

WHEREAS, the Final Plat for the Property addresses, among other things, the subject Rights-of-Way Parcels and their relationship to the Property and surrounding areas; and

WHEREAS, City Staff has reviewed the Applicant's proposed development plans for the Property, per Sections 17-40-210 and 17-44 of the Brighton *Municipal Code*, in general, and considered in particular any adverse impacts upon the Property and surrounding area that may be caused by vacating the Rights-of-Way Parcels as provided herein; and

WHEREAS, the City Council hereby finds and determines that the Rights-of-Way Parcels, as set forth in attached **Exhibit A**, shall no longer be necessary for public use upon approval and recording of the Final Plat, and upon the subsequent development of the Property by the Applicant, its successors or assigns, in accordance with such Final Plat.

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

Section 1. That the Rights-of-Way Parcels described in the attached **Exhibit A**, are hereby vacated in all respects, and that title to such vacated lands is hereby vested in the abutting landowners pursuant to C.R.S. § 43-2-301, et seq.

Section 2. That this Ordinance and attached **Exhibit A** shall be recorded in the real property records of Adams County, Colorado, at the Applicant's expense, and that the Final Plat for the Property shall be consistent in all respects with this Ordinance.

**INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED,
THIS 18TH DAY OF JULY, 2017.**

CITY OF BRIGHTON, COLORADO

Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

Published in the *Brighton Standard Blade*
First Publication: July 26, 2017

APPROVED AS TO FORM:

Margaret Brubaker, Esq., City Attorney

**PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED,
BY TITLE ONLY, THIS 1ST DAY OF AUGUST, 2017.**

CITY OF BRIGHTON, COLORADO

Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

Published in the *Brighton Standard Blade*
Last Publication: August 9, 2017

EXHIBIT A
Legal Descriptions/Exhibits
LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE RIGHT-OF-WAY OF SOUTH 27TH AVENUE, FORMERLY KNOWN AS BUCKLEY ROAD, AS SHOWN ON THE BUCKLEY ROAD NORTH RIGHT-OF-WAY DEDICATION PLAT RECORDED AT RECEPTION NO. 200603230000297120 IN THE RECORDS OF THE CLERK AND RECORDER OF ADAMS COUNTY, COLORADO, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 16, WHENCE THE SOUTH QUARTER CORNER OF SAID SECTION 16 BEARS NORTH 89°26'28" EAST, WITH ALL BEARINGS HEREIN BEING REFERENCED TO SAID LINE;

THENCE NORTH 07°23'28" EAST, A DISTANCE OF 571.62 FEET TO THE EASTERLY RIGHT-OF-WAY OF SAID SOUTH 27TH AVENUE AND THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY, NORTH 04°11'10" WEST, A DISTANCE OF 172.04 FEET TO SAID EASTERLY RIGHT-OF-WAY AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 55.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 81°58'39" EAST;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY, THE FOLLOWING THREE (3) COURSES:

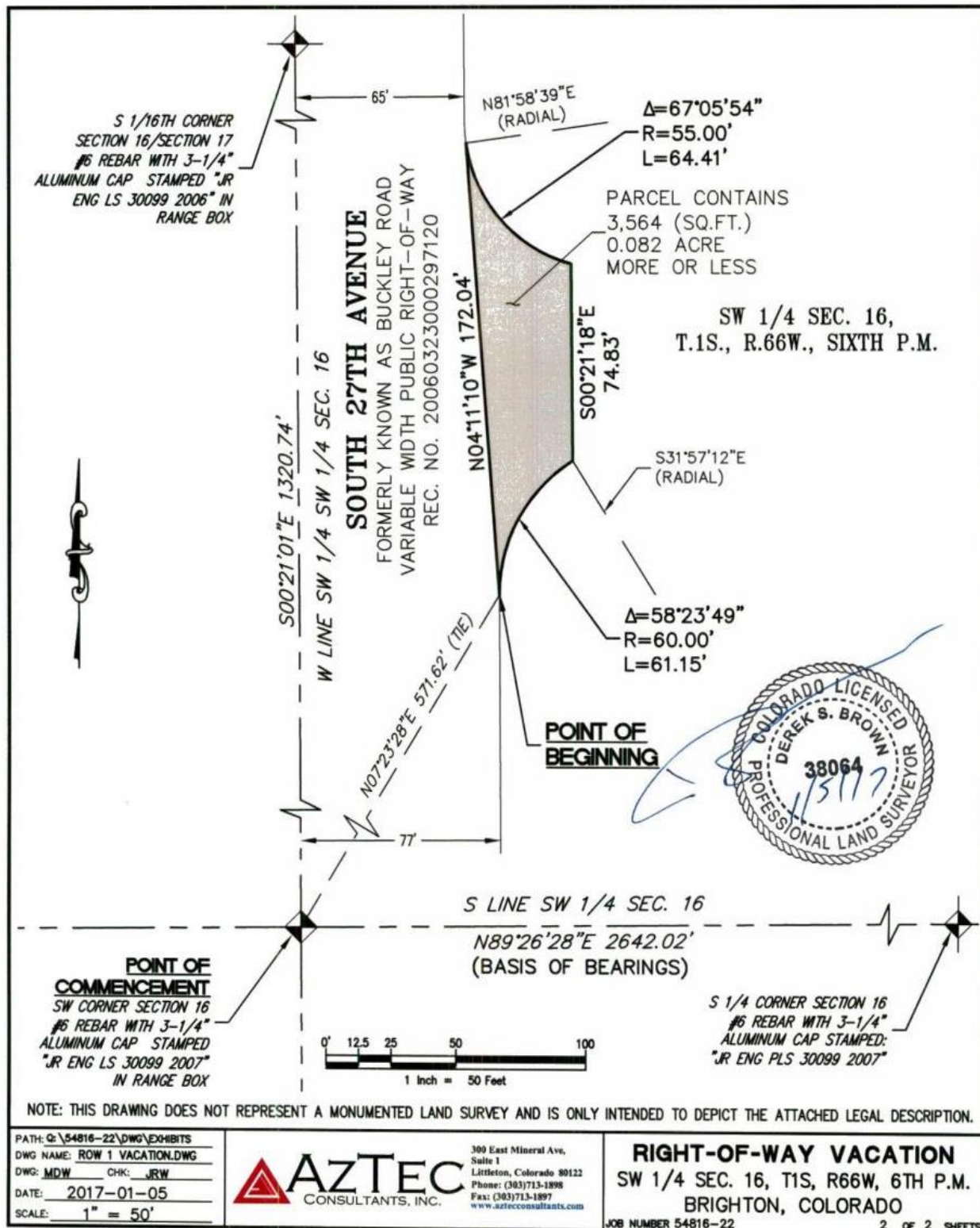
1. SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 67°05'54", AN ARC LENGTH OF 64.41 FEET;
2. NON-TANGENT TO SAID CURVE, SOUTH 00°21'18" EAST, A DISTANCE OF 74.83 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 60.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 31°57'12" EAST;
3. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 58°23'49", AN ARC LENGTH OF 61.15 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.082 ACRE, (3,564 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.

DEREK S. BROWN, PLS NO. 38064
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVE., SUITE 1, LITTLETON, CO 80122
303-713-1898





LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE RIGHT-OF-WAY OF SOUTH 27TH AVENUE, FORMERLY KNOWN AS BUCKLEY ROAD, AS SHOWN ON THE BUCKLEY ROAD NORTH RIGHT-OF-WAY DEDICATION PLAT RECORDED AT RECEPTION NO. 200603230000297120 IN THE RECORDS OF THE CLERK AND RECORDER OF ADAMS COUNTY, COLORADO, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 16, WHENCE THE SOUTH QUARTER CORNER OF SAID SECTION 16 BEARS NORTH 89°26'28" EAST, WITH ALL BEARINGS HEREIN BEING REFERENCED TO SAID LINE;

THENCE NORTH 02°38'41" EAST, A DISTANCE OF 1,244.04 FEET TO THE EASTERLY RIGHT-OF-WAY OF SAID SOUTH 27TH AVENUE AND THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY, NORTH 00°21'04" WEST, A DISTANCE OF 154.00 FEET TO SAID EASTERLY RIGHT-OF-WAY AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 45.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 89°38'53" EAST;

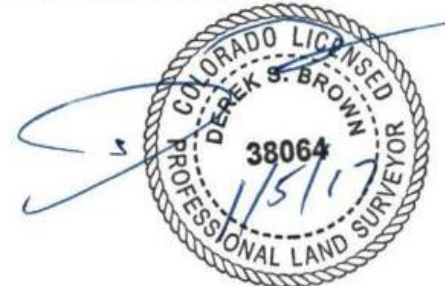
THENCE ALONG SAID EASTERLY RIGHT-OF-WAY, THE FOLLOWING THREE (3) COURSES:

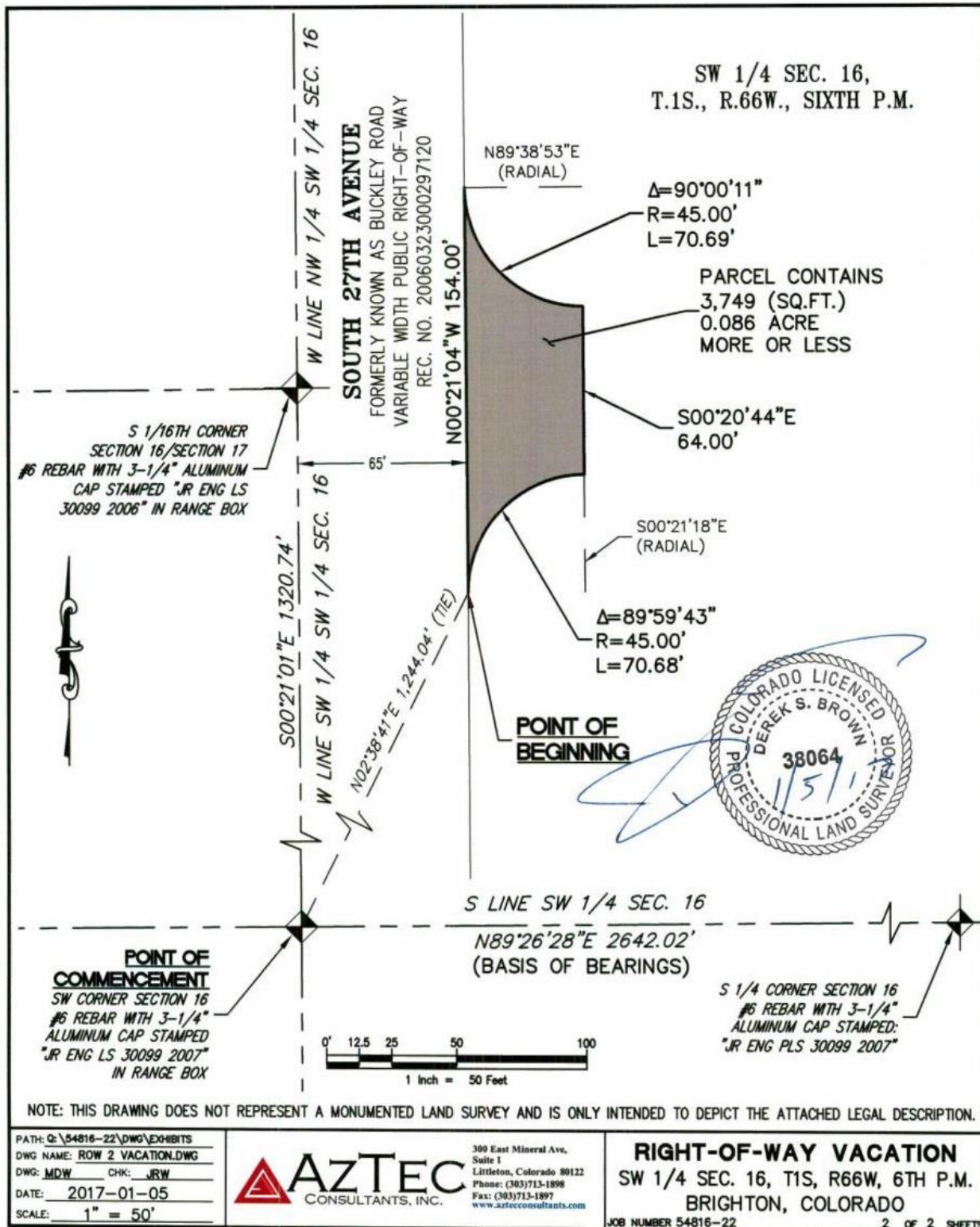
1. SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'11", AN ARC LENGTH OF 70.69 FEET;
2. NON-TANGENT TO SAID CURVE, SOUTH 00°20'44" EAST, A DISTANCE OF 64.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 45.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 00°21'18" EAST;
3. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°59'43", AN ARC LENGTH OF 70.68 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.086 ACRE, (3,749 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.

DEREK S. BROWN, PLS NO. 38064
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVE., SUITE 1, LITTLETON, CO 80122
303-713-1898





LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE RIGHT-OF-WAY OF SOUTH 27TH AVENUE, FORMERLY KNOWN AS BUCKLEY ROAD, AS SHOWN ON THE BUCKLEY ROAD NORTH RIGHT-OF-WAY DEDICATION PLAT RECORDED AT RECEPTION NO. 200603230000297120 IN THE RECORDS OF THE CLERK AND RECORDER OF ADAMS COUNTY, COLORADO, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 16, WHENCE THE SOUTH QUARTER CORNER OF SAID SECTION 16 BEARS NORTH 89°26'28" EAST, WITH ALL BEARINGS HEREIN BEING REFERENCED TO SAID LINE;

THENCE NORTH 01°36'21" EAST, A DISTANCE OF 1,903.60 FEET TO THE EASTERLY RIGHT-OF-WAY OF SAID SOUTH 27TH AVENUE AND THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY, NORTH 00°21'01" WEST, A DISTANCE OF 154.00 FEET TO SAID EASTERLY RIGHT-OF-WAY AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 45.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 89°38'53" EAST;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY THE FOLLOWING THREE (3) COURSES:

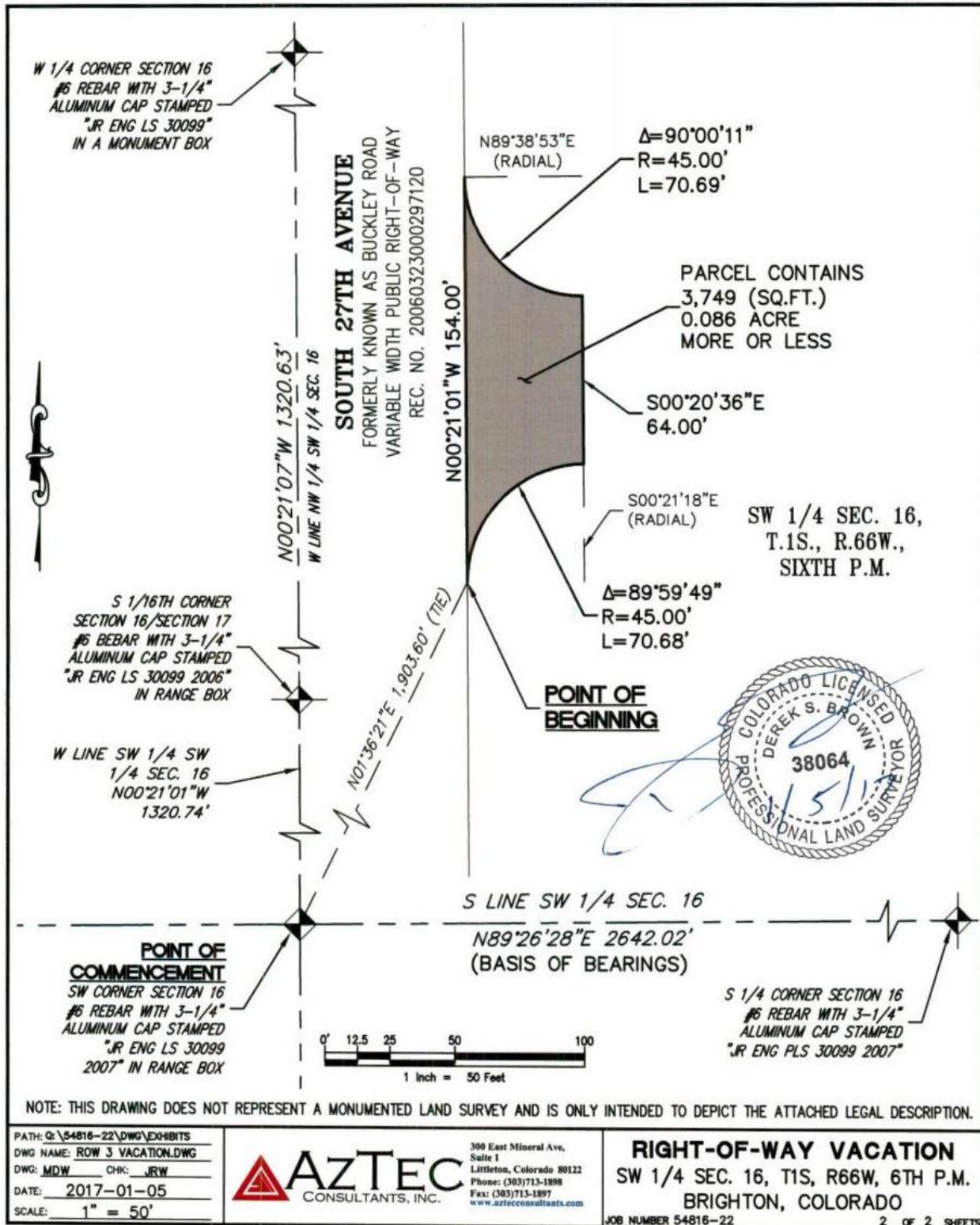
1. SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'11", AN ARC LENGTH OF 70.69 FEET;
2. NON-TANGENT TO SAID CURVE, SOUTH 00°20'36" EAST, A DISTANCE OF 64.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 45.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 00°21'18" EAST;
3. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°59'49", AN ARC LENGTH OF 70.68 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.086 ACRE, (3,749 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.

DEREK S. BROWN, PLS NO. 38064
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVE., SUITE 1, LITTLETON, CO 80122
303-713-1898





LEGAL DESCRIPTION

ALL OF THE 148TH AVENUE RIGHT-OF-WAY AS SHOWN ON THE PRAIRIE CENTER REGIONAL DETENTION POND 5 AND 6 PLAT RECORDED AT RECEPTION NO. 2012000042544 IN THE RECORDS OF THE CLERK AND RECORDER OF ADAMS COUNTY, COLORADO, LOCATED IN THE WEST HALF OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, ADITONALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 16, WHENCE THE NORTHWEST CORNER OF SAID SECTION 16 BEARS NORTH 00°22'47" WEST, WITH ALL BEARINGS HEREIN BEING REFERENCED TO SAID LINE;

THENCE SOUTH 70°37'50" EAST, A DISTANCE OF 134.69 FEET TO THE WESTERLY RIGHT-OF-WAY OF SAID 148TH AVENUE AND THE **POINT OF BEGINNING**;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY, AND THE NORTHERLY, EASTERLY AND SOUTHERLY RIGHT-OF-WAY OF SAID 148TH AVENUE THE FOLLOWING SIXTEEN (16) COURSES:

1. NORTH 00°35'45" WEST, A DISTANCE OF 98.00 FEET;
2. NORTH 88°48'30" EAST, A DISTANCE OF 173.47 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 500.00 FEET;
3. EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 06°25'29", AN ARC LENGTH OF 56.07 FEET;
4. TANGENT TO SAID CURVE, SOUTH 84°46'01" EAST, A DISTANCE OF 182.19 FEET;
5. CONTINUING SOUTH 84°46'01" EAST, A DISTANCE OF 87.63 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 423.00 FEET;
6. EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 26°43'03", AN ARC LENGTH OF 197.25 FEET;
7. TANGENT TO SAID CURVE, SOUTH 58°02'58" EAST, A DISTANCE OF 51.23 FEET;
8. SOUTH 31°57'02" WEST, A DISTANCE OF 46.00 FEET;
9. NORTH 58°02'58" WEST, A DISTANCE OF 51.23 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 377.00 FEET;
10. WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 42°58'13", AN ARC LENGTH OF 282.74 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 577.00 FEET;

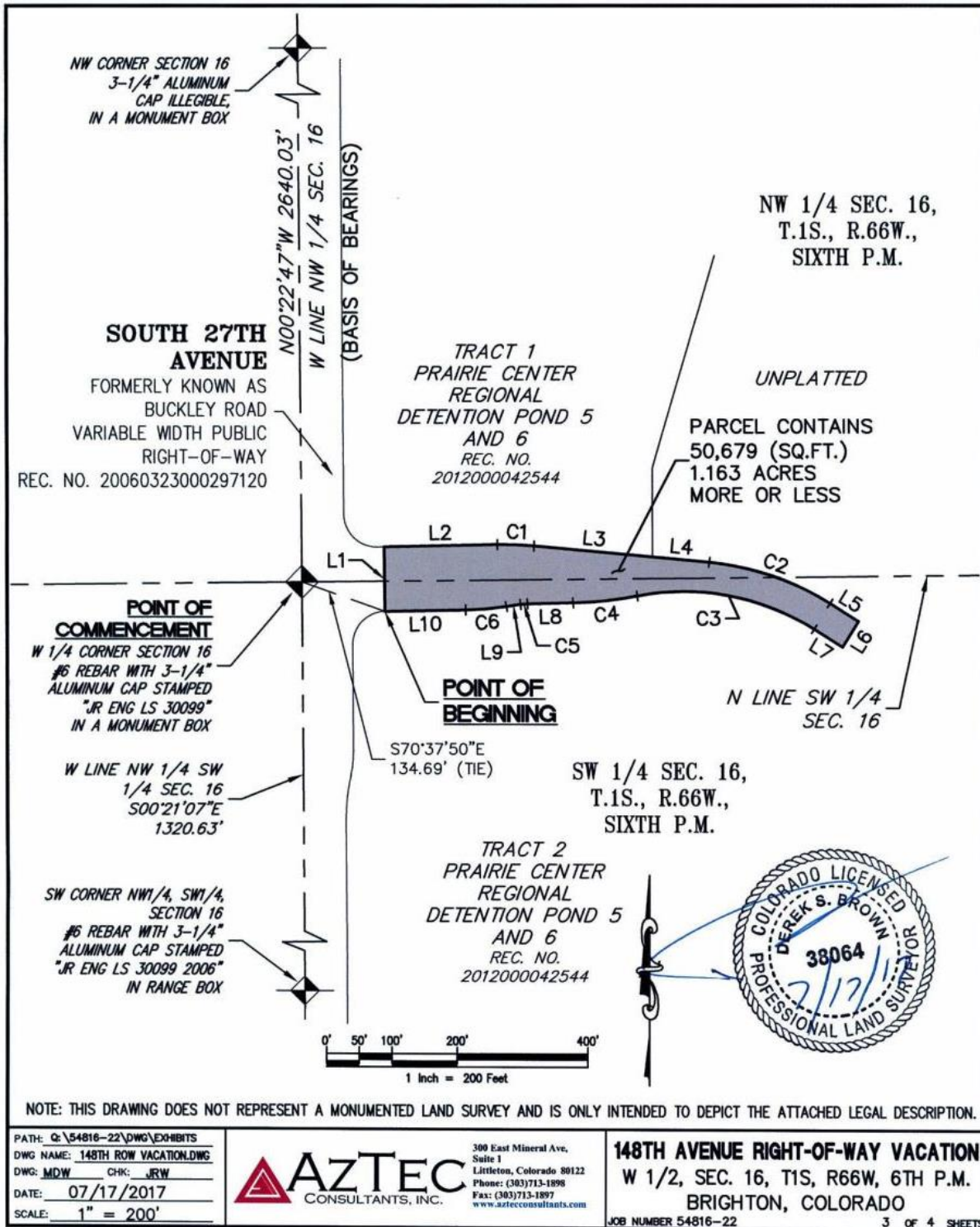
11. WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $09^{\circ}49'40''$, AN ARC LENGTH OF 98.97 FEET;
12. TANGENT TO SAID CURVE, SOUTH $88^{\circ}48'30''$ WEST, A DISTANCE OF 69.93 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 85.00 FEET;
13. WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $07^{\circ}10'51''$, AN ARC LENGTH OF 10.65 FEET;
14. TANGENT TO SAID CURVE, SOUTH $81^{\circ}37'39''$ WEST, A DISTANCE OF 21.84 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 500.00 FEET;
15. WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $07^{\circ}10'51''$, AN ARC LENGTH OF 62.66 FEET;
16. TANGENT TO SAID CURVE, SOUTH $88^{\circ}48'30''$ WEST, A DISTANCE OF 123.67 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 1.163 ACRES, (50,679 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



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LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°35'45"W	98.00'
L2	N88°48'30"E	173.47'
L3	S84°46'01"E	182.19'
L4	S84°46'01"E	87.63'
L5	S58°02'58"E	51.23'
L6	S31°57'02"W	46.00'
L7	N58°02'58"W	51.23'
L8	S88°48'30"W	69.93'
L9	S81°37'39"W	21.84'
L10	S88°48'30"W	123.67'

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	6°25'29"	500.00'	56.07'
C2	26°43'03"	423.00'	197.25'
C3	42°58'13"	377.00'	282.74'
C4	9°49'40"	577.00'	98.97'
C5	7°10'51"	85.00'	10.65'
C6	7°10'51"	500.00'	62.66'



NOTE: THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

PATH: Q:\54816-22\DWG\EXHIBITS
 DWG NAME: 148TH ROW VACATION.DWG
 DWG: MDW CHK: JRW
 DATE: 07/17/2017
 SCALE: 1" = 200'



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148TH AVENUE RIGHT-OF-WAY VACATION
 W 1/2, SEC. 16, T1S, R66W, 6TH P.M.
 BRIGHTON, COLORADO

JOB NUMBER 54816-22

4 OF 4 SHEETS