

BRIGHTON CITY COUNCIL ORDINANCE

CHRISTINE PLACE
VACATION OF CERTAIN PUBLIC RIGHTS-OF-WAY

ORDINANCE NO.: _____

INTRODUCED BY: _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, VACATING THAT CERTAIN REAL PROPERTY AND PUBLIC RIGHTS-OF-WAY, SITUATED IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, ADAMS COUNTY, COLORADO, AND VESTING TITLE TO SUCH VACATED LANDS IN ABUTTING LANDOWNERS PURSUANT TO C.R.S. § 43-2-301, ET SEQ.

WHEREAS, the Applicant, Jeff Teater, has submitted that certain request to cause two 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 and Use-by-Right applications, for certain adjacent and abutting real property known as the Christine Place Subdivision (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 and Use-by-Right for the Property address, 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, it successors or assigns, in accordance with such Final Plat and Use-by-Right.

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 title to the vacated Rights-of-Way Parcels described in the attached **Exhibit A** is hereby vested in the adjacent landowner, the William E. Teater 2012 Irrevocable Trust.

Section 3. 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 and Use-by-Right for the Property shall be consistent in all respects with this Ordinance.

**INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED,
THIS 2ND DAY OF MAY, 2017.**

CITY OF BRIGHTON, COLORADO

Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

Published in the *Brighton Standard Blade*
First Publication: May 10, 2017

APPROVED AS TO FORM:

Margaret Brubaker, Esq., City Attorney

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

CITY OF BRIGHTON, COLORADO

Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

Published in the *Brighton Standard Blade*

Last Publication: _____

EXHIBIT A
Legal Description/Exhibit

VACATION ALONG JENNIFER COURT:

RIGHT OF WAY VACATION OF LAND LOCATED IN THE NE ¼ OF SECTION 5, T1S, R66W, OF THE 6TH P.M, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO. SAID VACATION IS FURTHER DESCRIBED HEREIN AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 01 MINUTES 08 SECONDS WEST ALONG SAID WEST LINE THE DISTANCE OF 1433.05 FEET TO A POINT ON THE NORTH LINE OF THE URBAN CHANNEL;

THENCE SOUTH 89 DEGREES 58 MINUTES 52 SECONDS EAST ALONG SAID NORTH LINE A DISTANCE OF 70.00 FEET TO A POINT AT THE SOUTHWEST CORNER OF LOT 1; THENCE NORTH 00 DEGREES 01 MINUTES 08 SECONDS EAST A DISTANCE OF 320.40 FEET TO A POINT AT THE NORTHWEST CORNER OF SAID LOT 1 BEING THE POINT OF BEGINNING; SAID LOT 1 BEING 4.51 ACRES MORE OR LESS;

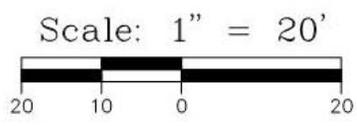
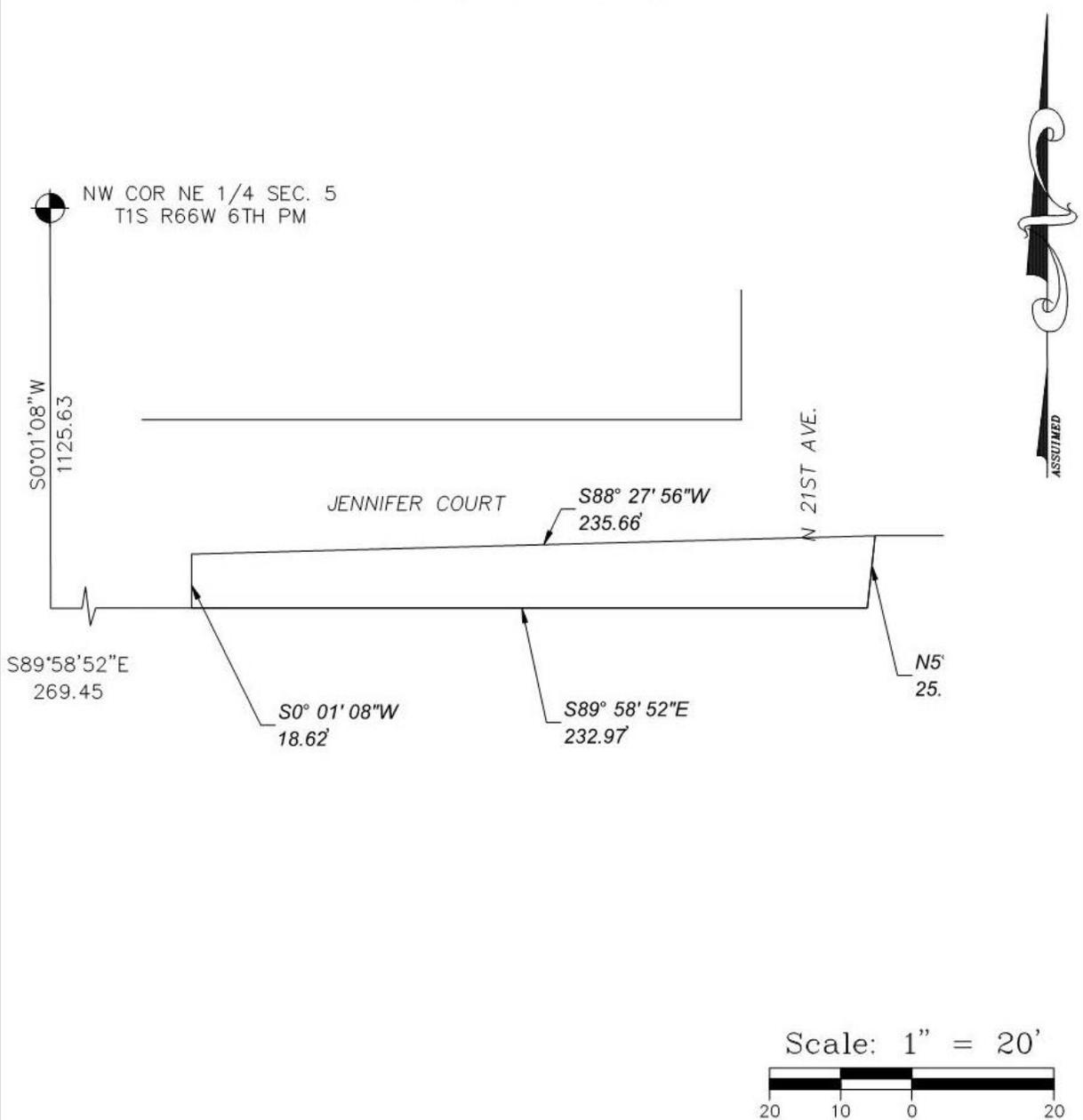
THENCE SOUTH 89 DEGREES 58 MINUTES 52 SECONDS EAST A DISTANCE OF 433.57 FEET TO AN INTERIOR ELL CORNER ALONG THE NORTH LINE OF SAID LOT 1;

THENCE SOUTH 05 DEGREES 57 MINUTES 45 SECONDS WEST A DISTANCE OF 11.06 FEET TO A POINT;

THENCE NORTH 89 DEGREES 58 MINUTES 52 SECONDS WEST A DISTANCE OF 432.43 FEET TO A POINT ON A LINE THAT LIES 70' EAST OF AND PARALLEL WITH THE SAID WEST LINE OF THE NE ¼;

THENCE NORTH 00 DEGREES 01 MINUTES 08 SECONDS EAST A DISTANCE OF 11.00 FEET TO THE POINT OF BEGINNING CONTAINING 4762.98 SQUARE FEET (0.11 ACRES) MORE OR LESS;

ROW VACATION



ALL DRAWN & WRITTEN INFORMATION APPEARING HEREIN SHALL NOT BE DUPLICATED, DISCLOSED, OR REPRODUCED OR PUBLISHED BY ANY METHOD IN WHOLE OR PART. TITLE TO THE PLANS & THE INFORMATION THEY DEPICT SHALL BE WITH BASELINE LAND SURVEYING, INC. WITHOUT PREJUDICE. VISUAL CONTACT WITH THESE PLANS SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THESE RESTRICTIONS.
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SURVEYING, INC.

PROJECT # 10039
 10475 Irma Dr., Units 3&4, Northglenn Co 80233 (303) 457-3964

VACATION ALONG NORTH 19TH AVENUE:

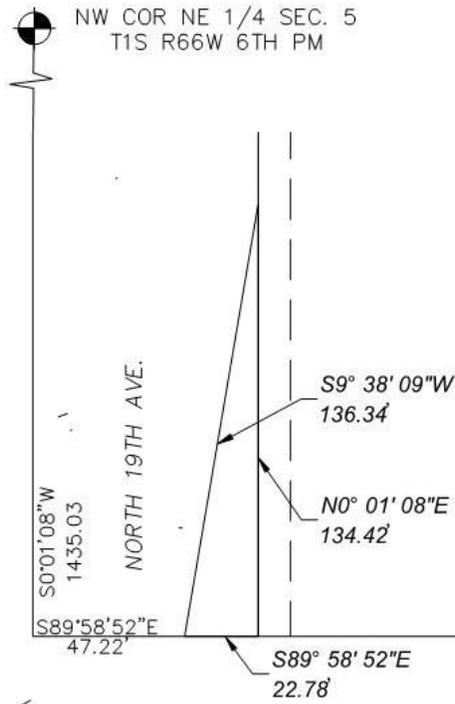
RIGHT OF WAY VACATION OF LAND LOCATED IN THE NE ¼ OF SECTION 5, T1S, R66W, OF THE 6TH P.M, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO. SAID VACATION IS FURTHER DESCRIBED HEREIN AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 01 MINUTES 08 SECONDS WEST ALONG SAID WEST LINE THE DISTANCE OF 1433.05 FEET TO A POINT ON THE NORTH LINE OF THE URBAN CHANNEL;
THENCE SOUTH 89 DEGREES 58 MINUTES 52 SECONDS EAST ALONG SAID NORTH LINE A DISTANCE OF 47.23 FEET TO THE POINT OF BEGINNING;
THENCE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 1029.34 FEET, A LENGTH OF 45.81 FEET, A CHORD BEARING OF NORTH 08 DEGREES 34 MINUTES 24 SECONDS EAST, AND A CHORD LENGTH OF 45.81 FEET TO A POINT OF COMPOUND CURVATURE;

THENCE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 1137.35 FEET, A LENGTH OF 154.13 FEET, A CHORD BEARING OF NORTH 05 DEGREES 57 MINUTES 57 SECONDS EAST, AND A CHORD LENGTH OF 154.02 FEET TO A POINT ON THE WEST LINE OF LOT 1; SAID LOT 1 BEING 4.51 ACRES MORE OR LESS;

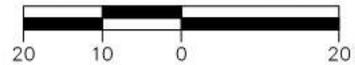
THENCE SOUTH 0 DEGREES 03 MINUTES 34 SECONDS EAST ALONG WEST LINE OF SAID LOT 1 A DISTANCE OF 195.88 FEET TO A POINT ON THE NORTH LINE OF SAID URBAN CHANNEL;

THENCE NORTH 89 DEGREES 58 MINUTES 52 SECONDS WEST ALONG NORTH LINE OF SAID URBAN CHANNEL A DISTANCE OF 22.77 FEET TO THE POINT OF BEGINNING CONTAINING 1839.21 SQUARE FEET (0.04 ACRES) MORE OR LESS;

ROW VACATION



Scale: 1" = 20'



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