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Map Location



*GREENWOOD VILLAGE  
MEMORANDUM*

DATE: October 24, 2012  
FOR: November 5, 2012 Regular Meeting  
TO: Honorable Mayor and City Council  
FROM: Tonya Haas Davidson, City Attorney  
SUBJECT: Ordinance No. 41, Series of 2012 regarding Disconnection of Property at Belleview and Peoria

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**ISSUE**

Should City Council adopt an ordinance to disconnect property pursuant to an agreement with the Army Corps of Engineers?

**RECOMMENDATION**

It is recommended that the City Council adopt Ordinance No. 41, Series of 2012.

**DISCUSSION**

In 2003, the City of Greenwood Village proposed to exchange land at Cherry Creek State Park for City owned land in order for the City to make transportation and drainage improvements for public safety. The exchange involved the City realigning the intersection of Belleview and Peoria and then vacating the existing right of way at that intersection in exchange for acquiring easements from the Park necessary to make improvements on Park property in the area of Dayton Street and Union Avenue.

The roadway realignment and right of way vacation was completed some time ago and in 2011, voters in Greenwood Village approved a ballot question allowing the property to be detached and disconnected from the Village.

The area is shown in Attachment 1 and contains approximately 3.313 acres.

RETURN TO:  
CITY CLERK  
CITY OF GREENWOOD VILLAGE  
6060 S QUEBEC STREET  
GREENWOOD VILLAGE CO 80111-4591

Reception #: D3028965, 03/07/2013 at  
04:38:11 PM, 1 OF 3, ORD, Rec Fee \$21.00  
Arapahoe County CO Nancy A. Doty,  
Clerk & Recorder

**A BILL FOR AN ORDINANCE**

**ORDINANCE NO. 41**

**SERIES OF 2012**

**INTRODUCED BY: COUNCILMEMBER GORDON**

**AN ORDINANCE DISCONNECTING FROM THE CITY OF  
GREENWOOD VILLAGE A CERTAIN TRACT OF LAND LOCATED  
AT THE CORNER OF BELLEVIEW AVENUE AND PEORIA STREET**

WHEREAS, In order to place facilities for underground detention, a trail and landscaping as part of improvements to Union Avenue and Dayton Street for improved safety and traffic progression adjacent to the Cherry Creek School campus, the Village obtained an easement over land that is part of the State Parks system and owned by the Army Corps of Engineers; and

WHEREAS, the Village was required to dedicate back an equivalent amount of land that it obtained through the easement; and

WHEREAS, by changing the intersection of Belleview Avenue and Peoria Street from a squared intersection to a curved continuous roadway, the Village has provided the land necessary for the dedication; and

WHEREAS, the area in the former squared Belleview / Peoria alignment is no longer needed and can be disconnected from the Village; and

WHEREAS, the area in the former squared Belleview/Peoria alignment is owned by the United States Army Corps of Engineers and leased to Cherry Creek State Park, which is requesting that the area be disconnected to avoid confusion regarding jurisdiction; and

WHEREAS, at the regular election held November 1, 2011, a majority of the electors voted to authorize the Village to detaching and disconnect from the Village said tract of land comprising 3.313 acres, more or less.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GREENWOOD  
VILLAGE, COLORADO, ORDAINS:**

**Section 1.** That certain area described on **Exhibit A** attached hereto and incorporated herein in hereby disconnected from the corporate boundaries of the City of Greenwood Village, Colorado on the effective date of this Ordinance.

**Section 2.** **Effective Date.** This ordinance shall take effect six (6) days after publication following final passage.

**INTRODUCED AND APPROVED ON FIRST READING ON THE 5<sup>th</sup> DAY OF  
NOVEMBER, 2012, AND ORDERED PUBLISHED IN THE VILLAGER.**

ATTEST:

Susan M. Phillips, MMC  
City Clerk



Ronald J. Rakowsky, Mayor

INTRODUCED AND APPROVED ON SECOND READING ON THE 3<sup>rd</sup> DAY OF  
DECEMBER, 2012, AND ORDERED PUBLISHED BY REFERENCE TO TITLE ONLY.

ATTEST:

Susan M. Phillips, MMC  
City Clerk



Ronald J. Rakowsky, Mayor

EFFECTIVE: December 12, 2012

**Exhibit A**

**ROADWAY EASEMENT VACATION  
DESCRIPTION**

A PARCEL OF LAND LOCATED IN SECTIONS 11, 12, 13 AND 14, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE 6<sup>th</sup> PRINCIPAL MERIDIAN, CITY OF GREENWOOD VILLAGE, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 14 WHENCE THE NORTH QUARTER CORNER OF SAID SECTION BEARS S89°42'31"W A DISTANCE OF 2646.29 FEET;  
THENCE N44°52'46"E A DISTANCE OF 42.55 FEET TO A POINT ON EASTERLY RIGHT OF WAY LINE OF PEORIA STREET, SAID POINT BEING THE POINT OF BEGINNING;  
THENCE S00°03'02"W, ALONG SAID RIGHT OF WAY LINE, NON-TANGENT WITH THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 1333.53 FEET;  
THENCE ALONG THE ARC OF A CURVE TO THE LEFT, DEPARTING SAID RIGHT OF WAY LINE, NON-TANGENT WITH THE FOLLOWING DESCRIBED LINE, HAVING A CENTRAL ANGLE OF 28°12'50", A RADIUS OF 505.00 FEET, A CHORD BEARING N14°03'23"W A DISTANCE OF 246.17 FEET AND AN ARC LENGTH OF 248.68 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF PEORIA STREET;  
THENCE N00°03'02"E A DISTANCE OF 1034.45 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BELLEVIEW AVENUE;  
THENCE S89°42'31 "W, ALONG SAID RIGHT-OF-WAY LINE, NON-TANGENT WITH THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 1154.99 FEET;  
THENCE ALONG THE ARC OF A CURVE TO THE LEFT, NON-TANGENT WITH THE FOLLOWING DESCRIBED LINE, HAVING A CENTRAL ANGLE OF 28°12'50", A RADIUS OF 505.00 FEET, A CHORD BEARING N76°11'04"W A DISTANCE OF 246.17 FEET AND AN ARC LENGTH OF 248.68 TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF BELLEVIEW AVENUE;  
THENCE N89°42' 31 "E A DISTANCE OF 1454.09 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 144,299 SQUARE FEET OR 3.313 ACRES MORE OR LESS.

NOTE: THIS DESCRIPTION DOES NOT REPRESENT A MONUMENTED LAND SURVEY. IT IS INTENDED TO REPRESENT THE ATTACHED PROPERTY DESCRIPTION.