

ORDINANCE NO. 738

AN ORDINANCE AUTHORIZING THE SALE OF
THE CITY OF GOLDEN'S INTEREST IN A
PORTION OF THE BED OF CLEAR CREEK

WHEREAS, on July 21, 1923, Charles McGall, a Jefferson County Judge acting on behalf of the County of Jefferson, bargained, sold and conveyed to the City of Golden by deed "all the Streets, Alleys, Public Square or Park, the bed or channel of Clear Creek... as the same are designated, laid out, platted and shown on the original map or plat of the Town of 'Golden City'..."; and

WHEREAS, on April 8, 1947, the City of Golden received a Treasurer's Deed to all of Block 31, North Golden, after purchasing the property at a tax sale. The plat of Block 31 is so indefinite that it is not clear whether Block 31 includes all or any part of the bed of Clear Creek; and

WHEREAS, Warren Hall, the present owner of land located on the Northwest corner of the Washington Avenue - 11th Street intersection, part of which is directly across Clear Creek from Block 31, has instituted a Quiet Title proceeding to clear title to the south half of the bed of Clear Creek adjoining his property; and

WHEREAS, as part of the Quiet Title proceeding, the Title Insurance Company has required a "Deed from the Mayor of the City of Golden, attested to by the City Clerk, pursuant to appropriate Ordinance of the City Council conveying subject property to Warren D. Hall."; and

WHEREAS, the City of Golden's present interest, if any, in the subject property is not used or held for water works, ditches, gas works, electric light works, other public utilities, public buildings, park purposes, or recreation purposes.

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

Section 1: Upon receipt by the Treasurer of the City of Golden of \$10.00 and other good and valuable consideration, the City shall convey that part of the SE1/4 of the SE 1/4 of Section 28, Township 3 South, Range 70 West of the 6th P.M., described as follows:

Beginning at a point which is the Southeasterly corner of Block D 1/2 as described in Book 2151 at Page 151, on the South Side of Clear Creek in the City of Golden;
thence Northwesterly along the Northeasterly line of Block D 1/2 extended as described in Book 2151 at Page 151, whose bearing is North 35°41' West 187.2 feet to the true point of beginning, being the most Northerly Corner of said Block D 1/2;
thence continuing along said Northeasterly line extended North 35°41' West a distance of 30.8 feet, more or less, to a point on the South line of property described in Book 1876 at Page 658;
thence North 50°43' East along said line extended a distance of 162.61 feet;
thence North 60°13' East a distance of 205.81 feet, more or less, to a point on Northeasterly line of Block D extended Northwesterly with its intersection with center line of Clear Creek as described in Book 2151 at Page 151;
thence Southeasterly along said line extended to the most Northerly Corner of Block D;
thence along Northwesterly line of Block D and Northwesterly line of property described in Book 1265 at Page 28 a distance of 369.97 feet, more or less, to the true point of beginning.

EXCEPT any part thereof lying within Lots 1 to 6, Block D, South Side of Clear Creek, Golden City, Col. Terr., County of Jefferson, State of Colorado

by delivering a good and sufficient Quit Claim Deed to the property to Warren D. Hall, executed by the Mayor of the City of Golden, attested by the City Clerk of the City of Golden, with the official seal of the City of Golden affixed thereto.

Section 2: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Introduced, read and ordered published this 12th day of January, 1976.

Adopted, approved and ordered published this 12th day of February, 1976.

David C. Crawford, Mayor

Attest:

Sharon L. Bennetts, City Clerk

Approved as to form:

Daniel T. Moyle, Jr., City Attorney

I, Sharon L. Bennetts, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing ordinance was introduced and read at a regular meeting of the City Council of said City, held on the 12th day of January, 1976, and by order of said City Council was published as a proposed ordinance as the law directs more than seven days prior to its passage in the Golden Daily Transcript, legal newspaper; and that on the 12th day of February, 1976, the said proposed ordinance was read and passed by the City Council aforesaid, the said meeting being a regular meeting of said City Council and ordered published in aforesaid newspaper as the law directs.

Witness my hand and official seal of the City of Golden, Colorado, this 13th day of February, A.D., 1976.

(S E A L)

Attest: _____
Sharon L. Bennetts, City Clerk of the City of Golden, Colorado