

O-2025-31

AN ORDINANCE

VACATING RIGHT OF WAY LOCATED AT
10500 WEST 25TH AVE., LAKEWOOD, COLORADO

WHEREAS, on April 28, 2025, the City Council for the City of Lakewood (the "City") authorized the purchase of approximately two (2) acres of land from the Jefferson County School District R-1 (the "School District") located at 10500 West 25th Ave., Lakewood, Colorado, commonly referred to as Vivian Elementary (the "Property");

WHEREAS, the Property is being acquired by the City to create a new public park;

WHEREAS, the School District acquired Vivian Elementary in 1953 & 1954 by deeds recorded with the Jefferson County Clerk & Recorder;

WHEREAS, following its acquisition, the School District conveyed two rights-of-way over Vivian Elementary in 1956 by deed recorded under Reception Number 1956635414 (the "Subject ROW") (Attachment A);

WHEREAS, the Subject ROW contains one segment that crosses the proposed public park and another segment that does not align with the location of the existing roadway at West 25th Ave. and Newcombe Way;

WHEREAS, if left in place, the Subject ROW segment that crosses the proposed public park would leave the park vulnerable to utility installation and disruption of the park;

WHEREAS, the Subject ROW is within the jurisdiction of the City and has never been used as a roadway or for any public purpose;

WHEREAS, the City requests vacation of the Subject ROW;

WHEREAS, the City Council finds and determines that the Subject ROW is no longer needed for any public purpose and that the vacation of the Subject ROW is in the public interest;

WHEREAS, the City Council finds that no land adjoining the Subject ROW would be left without an established connection to a public road;

WHEREAS, approval of this Ordinance on first reading is intended only to confirm that the City Council desires to comply with the City's Charter by setting a public hearing to provide City staff and the public the opportunity to present evidence and testimony regarding this proposal; and

WHEREAS, approval of this Ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies any particular proposal related to this proposal identified herein.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, State of Colorado:

SECTION 1. Pursuant to Title 43, Article 2, Colorado Revised Statutes, and City of Lakewood Case No. VA25-0002, and upon a finding that the Subject ROW is no longer necessary for use by the public and that no land would, by this vacation, be left without a connection to an established public road, the Subject ROW described in Attachment A, incorporated herein and made a part hereof, is vacated.

SECTION 2. The City preserves and retains right-of-way described in Attachment B, incorporated herein and made a part hereof.

SECTION 3. The net area to be vacated is shown in Attachment C, incorporated herein and made a part hereof.

SECTION 4. This Ordinance is subject to a reservation of easements for any existing utility facilities that may exist within the net right-of-way hereby being vacated.

SECTION 5. This Ordinance shall take effect thirty (30) days after final publication.

SECTION 6. After the effective date of this Ordinance, the Lakewood City Clerk shall record a certified copy of this Ordinance, including Attachments A, B, and C, with the Jefferson County Clerk and Recorder's Office.

SECTION 7. If any provision of this Ordinance is found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or application of this Ordinance are not determined by the court to be inoperable.

I hereby attest and certify that within and foregoing Ordinance was introduced and read on first reading at a hybrid regular meeting of the Lakewood City Council on the 8th day of September, 2025; published by title in the Denver Post and in full on the City of Lakewood's website, www.lakewood.org, on the 11th day of September, 2025; set for public hearing to be held on the 22nd day of September, 2025; read, finally passed and adopted by the City Council on the 22nd day of September, 2025; and signed by the Mayor on the 23rd day of September, 2025.



Wendi Strom

Wendi Strom, Mayor

ATTEST:

Jay Robb

Jay Robb, City Clerk

APPROVED AS TO FORM:

Alison McKenney Brown

Alison McKenney Brown, City Attorney

ATTACHMENT A
Right-of-Way to be vacated

All that right-of-way conveyed by Quitclaim Deed recorded on February 16, 1956, at Reception Number 1956635414 [Book 979 Page 220] of the records of the Jefferson County Clerk & Recorder

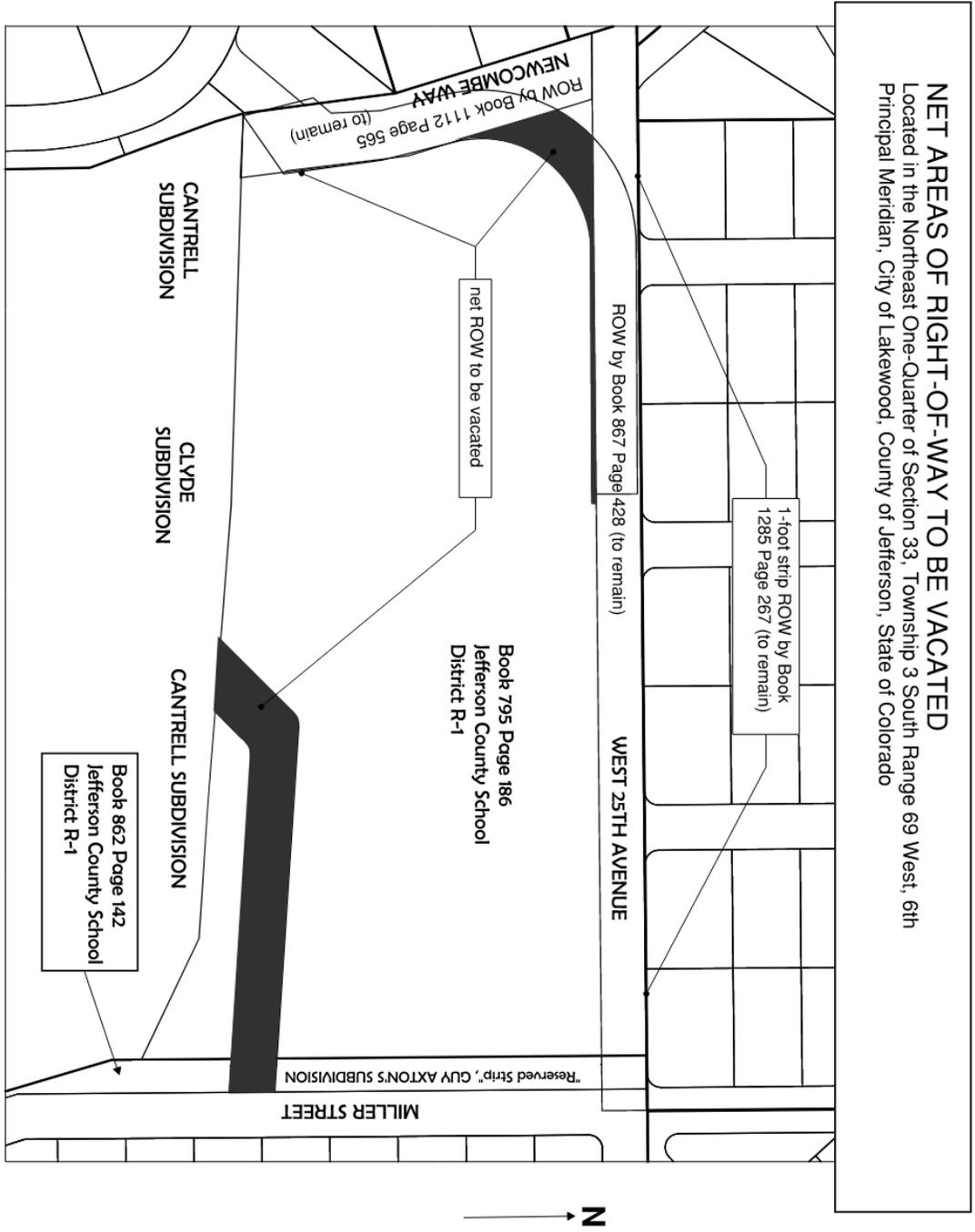
ATTACHMENT B

Right-of-Way not being vacated (to be preserved and retained)

All that right-of-way conveyed by the following three (3) instruments recorded in the records of the Jefferson County Clerk & Recorder:

1. Quitclaim Deed recorded July 27, 1954
at Reception Number 1954581214 [Book 867 Page 428],
2. Warranty Deed recorded April 3, 1958
at Reception Number 1958712408 [Book 1112 Page 565]
3. Quitclaim Deed recorded July 6, 1960
at Reception Number 1960809429 [Book 1285 Page 267]

ATTACHMENT C
Net area of Right-of-Way being vacated



NET AREAS OF RIGHT-OF-WAY TO BE VACATED
Located in the Northeast One-Quarter of Section 33, Township 3 South Range 69 West, 6th
Principal Meridian, City of Lakewood, County of Jefferson, State of Colorado