

ORDINANCE NO. 2214

AN ORDINANCE VACATING A PORTION OF DESTINATION DRIVE LOCATED WITHIN  
BROOMFIELD URBAN TRANSIT VILLAGE FILING NO. 4

- A. On June 28, 2005, the City Council of the City and County of Broomfield approved the final plat for Broomfield Urban Transit Village, Filing No. 4, located on the east side of Wadsworth Parkway, and generally west of US Highway 36, in the City and County of Broomfield, State of Colorado.
- B. By the Broomfield Urban Transit Village Filing No. 4 plat, the property owner identified the northeastern segment of Destination Drive to be dedicated to the City and County of Broomfield for public right-of-way purposes.
- C. On March 23, 2006, John E. Johns, Darrell G. Johns, and David K. Johns conveyed and dedicated the southwestern segment of Destination Drive to the City and County of Broomfield for public right-of-way purposes via a dedication deed recorded at Reception No. 2006003375.
- D. On December 10, 2013, the City Council of the City and County of Broomfield approved the final plat for Dry Creek Valley Business Center, Filing No. 1, also located on the east side of Wadsworth Parkway, and generally west of US Highway 36, in the City and County of Broomfield, State of Colorado.
- E. By the Dry Creek Valley Business Center Filing No. 1 plat, the property owner identified the southeastern segment of Destination Drive to be dedicated to the City and County of Broomfield for public right-of-way purposes.
- F. John E. Johns has requested that the City vacate the portions of Destination Drive described in the attached **Exhibit A** as the right-of-way does not fit with the approved development plan for the property.
- G. The portions of Destination Drive subject to this ordinance and described on Exhibit A have never been constructed as a public roadway and are no longer necessary for use by the public, and the roadway is located entirely within the City and does not constitute the boundary line between two counties.
- H. By vacating the right-of-way no land would be left without an established public street or road or private access easement connecting it with another established public street or road.
- I. Part 3 of Article 2, Title 43 Colorado Revised Statutes grants City Council, subject to the provisions of the City's charter, the authority to vacate any public street or roadway located within the City by ordinance.
- J. City Council finds and determines that the public interest will be served by the partial vacation of Destination Drive.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY AND COUNTY OF BROOMFIELD, COLORADO:

Section 1. Pursuant to the provisions of Part 3 of Article 2, Title 43 Colorado Revised Statutes, a segment of a right-of-way, designated as a portion of Destination Drive is hereby vacated, as more particularly described in **Exhibit A**, which is attached hereto and incorporated herein by this reference.

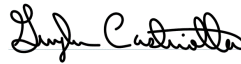
Section 2. Pursuant to the authority granted in Section 43-2-302(1)(f), Colorado Revised Statutes, title to the vacated rights-of-way as shown on **Exhibit A** shall vest in the adjacent property owners, John E. Johns, Darrell G. Johns, and David K. Johns.

Section 3. This ordinance shall be effective seven days after publication following final passage.

INTRODUCED AND APPROVED after first reading on May 23, 2023, and ordered published in full.

INTRODUCED A SECOND TIME and approved on June 27, 2023, and further ordered published.

THE CITY AND COUNTY OF BROOMFIELD,  
COLORADO



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Mayor

ATTEST:



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Office of the City and County Clerk



APPROVED AS TO FORM:



*NCR*

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City and County Attorney

First Publication: May 28, 2023  
Second Publication: July 3, 2023