

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2018

COUNCIL BILL NO. CB18-0849

COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance relinquishing portions of easements reserved in Ordinance No. 23, Series of 1985 and Ordinance No. 273, Series of 1988; and, also, to relinquish the easements reserved in Ordinance No. 218, Series of 1926; Ordinance No. 62, Series of 1945, located near South Broadway, between West Kentucky Avenue and East Mississippi Avenue; and, Ordinance No. 522, Series of 1982, located near the intersection of West Ohio Avenue and South Cherokee Street.

WHEREAS, the Executive Director of Public Works of the City and County of Denver has found and determined that the public use, convenience and necessity no longer requires a portion of easements in the areas hereinafter described, and subject to approval by ordinance, has relinquished the same;

WHEREAS, the Executive Director of Public Works of the City and County of Denver has found and determined that the public use, convenience and necessity no longer requires the easements in the areas hereinafter described, and subject to approval by ordinance, has relinquished the same;

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. That the action of the Executive Director of Public Works in relinquishing a portion of the easement reserved in Ordinance No. 23, Series of 1985, in the following area:

PARCEL DESCRIPTION ROW NO. 2018-RELINQ-0000010-001:

A PARCEL OF LAND BEING A PORTION OF LOTS 1 AND 2, BLOCK 2, AND TRACT G OF BROADWAY STATION FILING NO. 1 RECORDED ON MAY 25, 2017 IN THE OFFICE OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER UNDER RECEPTION NUMBER 2017068642; LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO; MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE EAST LINE OF SAID BROADWAY STATION FILING NO. 1; MONUMENTED ON THE NORTH END BY A FOUND 1-1/2" ALUMINUM TAG STAMPED "MATRIX, PLS 38421", AND ON THE SOUTH END BY A FOUND 1 1/2" ALUMINUM CAP STAMPED "GRIENER ENG. LS 19611" AND IS SAID TO BEAR SOUTH 00°44'36" EAST, 1275.42 FEET.

COMMENCE AT THE NORTH END OF SAID EAST LINE; THENCE SOUTH 00°44'36" EAST, ALONG SAID EAST LINE, A DISTANCE OF 357.69 FEET TO THE **POINT OF BEGINNING**;

1 THENCE CONTINUE SOUTH 00°44'36" EAST, ALONG SAID EAST LINE, A DISTANCE OF
2 18.00 FEET;

3 THENCE SOUTH 89°59'39" WEST, A DISTANCE OF 139.89 FEET;

4 THENCE NORTH 00°45'34" WEST, A DISTANCE OF 317.99 FEET;

5 THENCE SOUTH 89°58'12" EAST, A DISTANCE OF 15.00 FEET;

6 THENCE SOUTH 00°45'34" EAST, A DISTANCE OF 289.98 FEET;

7 THENCE SOUTH 45°22'58" EAST, A DISTANCE OF 14.23 FEET;

8 THENCE NORTH 89°59'39" EAST, A DISTANCE OF 114.89 FEET TO THE **POINT OF**
9 **BEGINNING**.

10 THE ABOVE DESCRIPTION CONTAINS A CALCULATED AREA OF 7,068 SQUARE FEET OR
11 (0.16225 ACRES), MORE OR LESS

12 be and the same is hereby approved and that a portion of the easements within the above-described
13 area is hereby relinquished.

14 **Section 2.** That the action of the Executive Director of Public Works in relinquishing a portion
15 of the easement reserved in Ordinance No. 273, Series of 1988, in the following area:

16 **PARCEL DESCRIPTION ROW NO. 2018-RELINQ-0000010-002:**

17 A PARCEL OF LAND BEING A PORTION OF LOT 1, BLOCK 2, AND TRACT G OF BROADWAY
18 STATION FILING NO. 1 RECORDED ON MAY 25, 2017 IN THE OFFICE OF THE CITY AND
19 COUNTY OF DENVER CLERK AND RECORDER UNDER RECEPTION NUMBER 2017068642
20 LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH,
21 RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER,
22 STATE OF COLORADO; MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH BEARINGS
23 REFERENCED TO THE EAST LINE OF SAID BROADWAY STATION FILING NO. 1;
24 MONUMENTED ON THE NORTH END BY A FOUND 1-1/2" ALUMINUM TAG STAMPED
25 "MATRIX, PLS 38421", AND ON THE SOUTH END BY A FOUND 1-1/2" ALUMINUM CAP
26 STAMPED "GRIENER ENG. LS 19611" AND IS SAID TO BEAR SOUTH 00°44'36" EAST,
27 1275.42 FEET.

28 **BEGINNING** AT THE NORTH END OF SAID EAST LINE; THENCE SOUTH 00°44'36" EAST,
29 ALONG SAID EAST LINE, A DISTANCE OF 21.79 FEET TO THE SOUTH LINE OF AN
30 ORDINANCE 273 SERIES OF 1988 RECORDED ON MAY 16, 1988 IN SAID RECORDS UNDER
31 RECEPTION NUMBER R-88-0266740;

32 THENCE NORTH 89°58'12" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 55.74 FEET
33 TO THE NORTH LINE OF THE PREVIOUSLY MENTIONED BROADWAY STATION FILING NO.
34 1;

35 THENCE ALONG THE NORTH LINE OF SAID BROADWAY STATION FILING NO. 1 THE

1 FOLLOWING 2 COURSES:

- 2 1. THENCE NORTH 67°48'00" EAST, A DISTANCE OF 37.21 FEET TO A 316.35 FOOT
3 RADIUS NON-TANGENT CURVE WHOSE CENTER BEARS SOUTH 22°08'39" EAST;
- 4 2. THENCE EASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF
5 04°03'14", AN ARC DISTANCE OF 22.38 FEET TO THE **POINT OF BEGINNING**.

6 THE ABOVE DESCRIPTION CONTAINS A CALCULATED AREA OF 625 SQUARE FEET OR
7 (0.01435 ACRES), MORE OR LESS

8 be and the same is hereby approved and that a portion of the easements within the above-described
9 area is hereby relinquished.

10 **Section 3.** That the action of the Executive Director of Public Works in relinquishing the
11 easement reserved in Ordinance No. 218, Series of 1926, in the following area:

12 **PARCEL DESCRIPTION ROW NO. 2018-RELINQ-0000010-003:**

13 BEING ALL OF BOOK 3943 AT PAGE 271, RECORDS OF THE CITY AND COUNTY OF DENVER,
14 STATE OF COLORADO, IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 4
15 SOUTH, RANGE 68 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF
16 DENVER, COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS
17 FOLLOWS:

18 **BASIS OF BEARING:** THE EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 15, AS
19 MONUMENTED BY A 3.25-INCH BRASS CAP STAMPED "GRIENER ENG, 1/4, 15/22, LS 19611,
20 1986" IN A MONUMENT BOX AND STONE WITH NOTCH SET 1 FOOT DEEP IN A RANGE BOX
21 AND IS ASSUMED TO BEAR NORTH 00°44'35" WEST;

22 THAT PORTION OF SOUTH ACOMA STREET LYING BETWEEN BLOCKS 1 AND 2, FIRST
23 ADDITION TO EDGERTON PLACE, BLOCKS 1 AND 2, EDGERTON PLACE, AND BLOCKS 1 AND
24 2, LAWRENCE'S BROADWAY ADDITION AND EXTENDING FROM THE PRODUCED SOUTH
25 LINE OF BLOCK 1, LAWRENCE'S BROADWAY ADDITION EXTENDING WESTERLY TO THE
26 PRODUCED NORTH LINE OF BLOCK 1, FIRST ADDITION TO EDGERTON PLACE, EXTENDED
27 WESTERLY;

28 THAT PORTION OF WEST KENTUCKY AVENUE LYING BETWEEN THE PRODUCED EAST AND
29 WEST LINES OF THE ALLEY IN BLOCK 2, FIRST ADDITION TO EDGERTON PLACE,
30 EXTENDED NORTH;

31 THAT PORTION OF WEST TENNESSEE AVENUE EXTENDING FROM THE PRODUCED WEST
32 LINE OF THE ALLEY IN BLOCK 1, EDGERTON PLACE EXTENDED TO THE PRODUCED WEST
33 LINE OF THE ALLEY IN BLOCK 2, EDGERTON PLACE EXTENDED SOUTH;

34 THAT PORTION OF THE PUBLIC ALLEY IN BLOCK 1, EDGERTON PLACE, DESCRIBED AS
35 FOLLOWS TO-WIT:

36 BEGINNING AT THE SOUTHWEST CORNER OF LOT 23 IN SAID BLOCK 1; THENCE NORTH

1 ALONG THE EAST LINE OF THE ALLEY IN SAID BLOCK, 247.85 FEET, MORE OR LESS, TO A
2 POINT 18 FEET SOUTH OF THE NORTHWEST CORNER OF LOT 13 IN SAID BLOCK;
3 THENCE WEST 15 FEET TO A POINT ON THE WEST LINE OF SAID ALLEY 18 FEET SOUTH
4 OF THE NORTHEAST CORNER OF LOT 34, IN SAID BLOCK;
5 THENCE SOUTH 247.84 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF LOT 24 IN
6 SAID BLOCK AND
7 THENCE EAST 15 FEET TO THE PLACE OF BEGINNING;
8 ALL OF THE PUBLIC ALLEY IN BLOCK 2, FIRST ADDITION OF EDGERTON PLACE, ALSO ALL
9 OF THE NORTH AND SOUTH PUBLIC ALLEY IN BLOCK 2, EDGERTON PLACE AND
10 ALL OF THE PUBLIC ALLEY IN BLOCK 2, LAWRENCE'S BROADWAY ADDITION
11 THE ABOVE DESCRIBED PARCEL CONTAINS 108,282 SQUARE FEET OR 2.486 ACRE,
12 MORE OR LESS
13 be and the same is hereby approved and that the easement within the above-described area is
14 hereby relinquished.

15 **Section 4.** That the action of the Executive Director of Public Works in relinquishing the
16 easement reserved in Ordinance No. 62, Series of 1945, in the following area:

17 **PARCEL DESCRIPTION ROW NO. 2018-RELINQ-0000010-004:**

18 BEING ALL OF BOOK 5965 AT PAGE 215, RECORDS OF THE CITY AND COUNTY OF DENVER,
19 STATE OF COLORADO, IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 4
20 SOUTH, RANGE 68 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF
21 DENVER, COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS
22 FOLLOWS:

23 **BASIS OF BEARING:** THE EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 15, AS
24 MONUMENTED BY A 3.25-INCH BRASS CAP STAMPED "GRIENER ENG, 1/4, 15/22, LS 19611,
25 1986" IN A MONUMENT BOX AND STONE WITH NOTCH SET 1 FOOT DEEP IN A RANGE BOX
26 AND IS ASSUMED TO BEAR NORTH 00°44'35" WEST;

27 THAT PORTION OF WEST TENNESSEE AVENUE, LYING BETWEEN EDGERTON PLACE AND
28 LAWRENCE'S BROADWAY ADDITION AND THE WEST LINE OF SOUTH BROADWAY AND THE
29 WEST LINE OF THE ALLEY, EXTENDED NORTH IN BLOCK 1, LAWRENCE'S BROADWAY
30 ADDITION;

31 AND THE PORTION OF THE ALLEY IN BLOCK 1, LAWRENCE'S BROADWAY ADDITION, LYING
32 NORTH OF THE SOUTH LINE OF LOT 16 EXTENDED WEST IN SAID BLOCK 1

33 THE ABOVE DESCRIBED PARCEL CONTAINS 14,401 SQUARE FEET OR 0.331 ACRE, MORE
34 OR LESS

35 be and the same is hereby approved and that the easement within the above-described area is
36 hereby relinquished.

1 **Section 5.** That the action of the Executive Director of Public Works in relinquishing the
2 easement reserved in Ordinance No. 522, Series of 1982, in the following area:

3 **PARCEL DESCRIPTION ROW NO. 2018-RELINQ-0000010-005:**

4 BEING ALL OF BOOK 2661 AT PAGE 377, RECORDS OF THE CITY AND COUNTY OF DENVER,
5 STATE OF COLORADO, IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 4
6 SOUTH, RANGE 68 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF
7 DENVER, COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS
8 FOLLOWS:

9 **BASIS OF BEARING:** THE EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 15, AS
10 MONUMENTED BY A 3.25-INCH BRASS CAP STAMPED "GRIENER ENG, 1/4, 15/22, LS 19611,
11 1986" IN A MONUMENT BOX AND STONE WITH NOTCH SET 1 FOOT DEEP IN A RANGE BOX
12 AND IS ASSUMED TO BEAR NORTH 00°44'35" WEST;

13 THAT PART OF THE ALLEY IN BLOCK 1, SYLVESTER'S ADDITION TO VANDERBILT PARK,
14 LYING BETWEEN THE NORTH LINE OF LOT 8, SAID BLOCK 1, EXTENDED EASTERLY, SAID
15 NORTH LONE ALSO BEING THE SOUTHERLY RIGHT OF WAY OF VALLEY HIGHWAY AND
16 THE SOUTH LINE OF BLOCK 1.

17 THE ABOVE DESCRIBED PARCEL CONTAINS 4,816 SQUARE FEET OR 0.111 ACRE, MORE
18 OR LESS

19 be and the same is hereby approved and that the easement within the above-described area is
20 hereby relinquished.

21 **Section 6.** That the action of the Executive Director of Public Works in relinquishing a portion
22 of the easement reserved in Ordinance No. 23, Series of 1985, in the following area:

23 **PARCEL DESCRIPTION ROW NO. 2018-RELINQ-0000010-006:**

24 A PARCEL OF LAND BEING A PORTION OF ORDINANCE 23, SERIES OF 1985 RECORDED
25 ON JANUARY 14, 1985 IN THE OFFICE OF THE CITY AND COUNTY OF DENVER CLERK AND
26 RECORDER UNDER RECEPTION NUMBER "BACKLOADED 8599414"; SAID PARCELS BEING
27 THAT PORTION OF THE NORTH 80 FEET OF THE SOUTH 100 FEET OF THE ALLEY IN
28 BLOCK 1, LAWRENCE'S BROADWAY ADDITION RECORDED IN SAID RECORDS IN BOOK 19,
29 AT PAGE 37, THAT PORTION OF THE EAST-WEST ALLEY LYING IN PORTION OF LOT 12,
30 BLOCK 1, EDGERTON PLACE RECORDED IN SAID RECORDS IN BOOK 19, AT PAGE 37,
31 ESTABLISHED BY ORDINANCE NO. 11, SERIES OF 1966, TOGETHER WITH THE EAST-
32 WEST ALLEY IN SAID BLOCK 1, AS ESTABLISHED BY DEED RECORDED ON NOVEMBER
33 19, 1926, IN SAID RECORDS IN BOOK 3569, AT PAGE 62 AND A PORTION OF THE ALLEY IN
34 BLOCK 1 OF SAID EDGERTON PLACE; CURRENTLY SITUATE WITHIN LOTS 1 AND 2 OF
35 BLOCK 2, LOT 2 OF BLOCK 6, AND TRACT G OF BROADWAY STATION FILING NO. 1
36 RECORDED ON MAY 25, 2017 IN SAID RECORDS UNDER RECEPTION NUMBER
37 2017068642; LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 15, TOWNSHIP 4
38 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF
39 DENVER, STATE OF COLORADO; MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH

1 BEARINGS REFERENCED TO THE EAST LINE OF SAID BROADWAY STATION FILING NO. 1;
2 MONUMENTED ON THE NORTH END BY A FOUND 1-1/2" ALUMINUM TAG STAMPED
3 "MATRIX, PLS 38421", AND ON THE SOUTH END BY A FOUND 1-1/2" ALUMINUM CAP
4 STAMPED "GRIENER ENG. LS 19611" AND IS SAID TO BEAR SOUTH 00°44'36" EAST,
5 1275.42 FEET.

6 **PARCEL 2**

7 **COMMENCE** AT THE SOUTH END OF THE EAST LINE OF SAID BROADWAY STATION FILING
8 NO. 1;

9 THENCE NORTH 80°50'55" WEST, A DISTANCE OF 126.89 FEET TO THE EXTERIOR
10 BOUNDARY OF SAID ORDINANCE 23, SERIES OF 1985 AND THE **POINT OF BEGINNING**;

11 THENCE ALONG SAID EXTERIOR BOUNDARY THE FOLLOWING 4 COURSES:

- 12 1. THENCE NORTH 89°55'29" WEST, A DISTANCE OF 15.00 FEET;
- 13 2. THENCE NORTH 00°44'30" WEST, A DISTANCE OF 80.00 FEET;
- 14 3. THENCE SOUTH 89°55'29" EAST, A DISTANCE OF 15.00 FEET;
- 15 4. THENCE SOUTH 00°44'30" EAST, A DISTANCE OF 80.00 FEET TO THE **POINT OF**
16 **BEGINNING**.

17 THE ABOVE DESCRIPTION CONTAINS A CALCULATED AREA OF 1,200 SQUARE FEET OR
18 (0.02755 ACRES), MORE OR LESS.

19 THE ABOVE COMBINED DESCRIPTIONS CONTAIN A CALCULATED NET AREA OF 8,268
20 SQUARE FEET OR (0.18980 ACRES), MORE OR LESS, AND IS DEPICTED ON THE ATTACHED
21 GRAPHICAL EXHIBIT FOR REFERENCE

22 be and the same is hereby approved and that a portion of the easements within the above-described
23 area is hereby relinquished.

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1 COMMITTEE APPROVAL DATE: August 7, 2018 by Consent
2 MAYOR-COUNCIL DATE: August 14, 2018
3 PASSED BY THE COUNCIL: August 27, 2018

4 _____ - PRESIDENT

5 APPROVED: _____ - MAYOR Aug 28, 2018

6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____;

10 PREPARED BY: Bradley A. Beck, Assistant City Attorney DATE: August 16, 2018

11 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
12 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
13 ordinance. The proposed ordinance is submitted to the City Council for approval pursuant to § 3.2.6
14 of the Charter.

15 Kristin M. Bronson, Denver City Attorney

16 BY: Kristin J Crawford, Assistant City Attorney DATE: Aug 16, 2018