

1 BY AUTHORITY

2 ORDINANCE NO. \_\_\_\_\_  
3 SERIES OF 2013

COUNCIL BILL NO. CB13-0551

COMMITTEE OF REFERENCE:

4 Land Use, Transportation & Infrastructure

5  
6 A BILL

7 **For an ordinance relinquishing portions of certain easements reserved in**  
8 **Ordinance No. 580, Series of 1976, Ordinance No. 407, Series of 1990 and**  
9 **Ordinance No. 745, Series of 1990.**  
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11 **WHEREAS**, the Manager of Public Works of the City and County of Denver has found and  
12 determined that the public use, convenience and necessity no longer requires portions of the  
13 easements in the area hereinafter described, and subject to approval by ordinance, has  
14 relinquished the same;

15 **NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY**  
16 **OF DENVER:**  
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18 **Section 1.** That the action of the Manager of Public Works in relinquishing portions of  
19 the easements reserved in Ordinance No. 580, Series of 1976 (alley between Walnut and Larimer  
20 Streets), Ordinance No. 407, Series of 1990 (12<sup>th</sup> Street between Walnut and Larimer Streets) and  
21 Ordinance No. 745, Series of 1990 (Larimer Street between Speer Boulevard and 11<sup>th</sup> Street) in  
22 the following area:  
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**PW Legal description No. 2012-0363-02-001**

**BLOCK 2 ALLEY EASEMENT VACATION DESCRIPTION**

A 16.5 FOOT WIDE EASEMENT LYING WITHIN THE VACATED ALLEY IN BLOCK 2 OF WEST DENVER, AS RESERVED IN ORDINANCE 580-1976 TO THE CITY AND COUNTY OF DENVER FOR SANITARY SEWERS, CONTAINING 6549 SQUARE FEET OR 0.150 ACRES, MORE OR LESS, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

**12<sup>TH</sup> STREET EASEMENT VACATION DESCRIPTION**

THE NORTHEASTERLY 20 FEET OF THE 80 FOOT WIDE EASEMENT FOR ELECTRIC, GAS AND DRAINAGE FACILITIES FOR WATER AND SEWAGE, AS RESERVED IN VACATED 12<sup>TH</sup> STREET BETWEEN THE NORTHWESTERLY LINE OF VACATED LARIMER STREET AND THE SOUTHEASTERLY LINE OF VACATED WALNUT STREET BY ORDINANCE 407-1990 TO THE CITY AND COUNTY OF DENVER FOR SANITARY SEWERS, CONTAINING 7938 SQUARE FEET OR 0.182 ACRES, MORE OR LESS, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

**LARIMER STREET EASEMENT VACATION DESCRIPTION**

THE NORTHWESTERLY 12 FEET OF THE 80 FOOT WIDE EASEMENT FOR TELEPHONE, ELECTRIC, GAS AND DRAINAGE FACILITIES FOR WATER AND SEWAGE, AS RESERVED IN VACATED LARIMER STREET BY ORDINANCE 745-1990 TO THE CITY AND COUNTY OF DENVER LYING BETWEEN THE NORTHEASTERLY LINE OF VACATED 11<sup>TH</sup> STREET AND THE SOUTHWESTERLY LINE OF SPEER BOULEVARD ACCORDING TO THE PLAT OF DENVER WEST AS RECORDED IN DENVER COUNTY CLERK AND RECORDER'S OFFICE,

EXCEPTING THAT PORTION THEREOF LYING IMMEDIATELY ADJACENT TO THE SOUTHWESTERLY 60.00 FEET OF VACATED 12<sup>TH</sup> STREET, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 9 OF WEST DENVER ACCORDING TO THE RECORDED PLAT THEREOF AS RECORDED AT THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, SAID POINT BEING ON THE NORTHWEST LINE OF VACATED LARIMER STREET; THENCE N59°32'55"E ALONG SAID NORTHWEST LINE 60.00 FEET TO A LINE THAT IS 20.00 FEET SOUTHWESTERLY OF, AS MEASURED PERPENDICULAR TO, AND BEING PARALLEL WITH THE SOUTHWEST LINE OF BLOCK 2 OF SAID PLAT OF DENVER WEST; THENCE S30°30'19"E ALONG SAID PARALLEL LINE 12.00 FEET TO A LINE THAT IS 12.00 FEET SOUTHEASTERLY OF, AS MEASURED PERPENDICULAR TO, AND BEING PARALLEL WITH SAID NORTHWEST LINE OF VACATED LARIMER STREET; THENCE S59°32'55"W ALONG SAID PARALLEL LINE 60.00 FEET TO THE INTERSECTION OF SAID LINE WITH THE EXTENSION OF THE NORTHEAST LINE OF SAID BLOCK 9; THENCE N30°30'19"W ALONG SAID EXTENSION OF THE NORTHEAST LINE OF BLOCK 9 12.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED EASEMENT VACATION CONTAINS 6,654 SQUARE FEET (0.153 ACRES), MORE OR LESS.

BEARINGS ARE BASED ON A LINE BETWEEN NGS POINT "MCDONNELL" BEING A 3-1/2" BRASS CAP IN CONCRETE, NORTHEAST OF THE ARCHDIOCESE OF DENVER CHURCH (IN THE ALLEY IN BLOCK

1 12) AND NGS POINT "MOE", BEING A 3-1/2" BRASS CAP IN CONCRETE ON THE NORTH SIDE OF  
2 COLFAX AVENUE (4747 WEST COLFAX AVENUE), BEARING SOUTH 85°47'21" WEST  
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5 be and the same is hereby approved and that the easements within such described areas are  
6 hereby relinquished.

7 COMMITTEE APPROVAL DATE: August 15, 2013 [by consent.]

8 MAYOR-COUNCIL DATE: August 20, 2013

9 PASSED BY THE COUNCIL: \_\_\_\_\_, 2013

10 \_\_\_\_\_ - PRESIDENT

11 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_, 2013

12 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
13 EX-OFFICIO CLERK OF THE  
14 CITY AND COUNTY OF DENVER

15 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_, 2013; \_\_\_\_\_, 2013

16 PREPARED BY: Brent A. Eisen, Assistant City Attorney DATE: August 22, 2013

17 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
18 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
19 ordinance. The proposed ordinance is submitted to the City Council for approval pursuant to §  
20 3.2.6 of the Charter.

21 Douglas J. Friednash, Denver City Attorney

22 BY: \_\_\_\_\_, Assistant City Attorney DATE: \_\_\_\_\_, 2013