

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2016

COUNCIL BILL NO. CB16-1200

COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance relinquishing the easements reserved by Ordinance No. 91, Series of 1903, and a portion of easements reserved by Ordinance No. 137, Series of 1948, located at South Cherokee Street and West Byers Place.

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 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 easements reserved by Ordinance No. 137, Series of 1948, in the following area:

PARCEL DESCRIPTION ROW NO. 2016-RELINQ-0000014-001:

SITUATED IN THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.

DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF WEST BYERS PLACE VACATED BY ORDINANCE NO. 137 SERIES OF 1948, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 48, BLOCK 51, FIRST ADDITION TO THE BYERS' SUBDIVISION; THENCE SOUTH 00°01'31" EAST ALONG THE EXTENSION OF THE EAST LINE OF SAID BLOCK 51, A DISTANCE OF 35.00 FEET TO THE CENTERLINE OF WEST BYERS PLACE, VACATED BY ORDINANCE 137 SERIES OF 1948; THENCE SOUTH 89°59'57" WEST ALONG SAID CENTERLINE, A DISTANCE OF 600.21 FEET TO THE EXTENSION OF THE WEST LINE OF SAID BLOCK 51;

THENCE NORTH 00°01'03" WEST ALONG SAID WEST LINE, A DISTANCE OF 35.00 FEET TO THE SOUTH LINE OF SAID BLOCK 51;

THENCE NORTH 89°59'57" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 600.20 FEET TO THE **POINT OF BEGINNING.**

CONTAINING 21,007 SQUARE FEET OR 0.48 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE SOUTH LINE OF BLOCK 51, FIRST ADDITION TO BYERS' SUBDIVISION, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, ASSUMED TO BEAR NORTH 89°59'57" EAST.

1 be and the same is hereby approved and that the easements within the above-described area are
2 hereby relinquished.

3 **Section 2.** That the action of the Executive Director of Public Works in relinquishing the
4 easements established in Ordinance No. 91, Series of 1903, in the following area:

5 **PARCEL DESCRIPTION ROW NO. 2016-RELINQ-0000014-002:**

6 SITUATED IN THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY
7 AND COUNTY OF DENVER, STATE OF COLORADO.

8 **DESCRIPTION**

9 A PARCEL OF LAND BEING THE ALLEY IN BLOCK 51, FIRST ADDITION TO THE BYERS' SUBDIVISION, VACATED BY
10 ORDINANCE 91 SERIES OF 1903 RECORDED IN BOOK 1581 AT PAGE 309, SITUATED IN THE SOUTHWEST QUARTER OF
11 SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER,
12 STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

13 **BEGINNING** AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 51, FIRST ADDITION TO THE BYERS' SUBDIVISION, SAID
14 POINT ALSO BEING THE NORTHEAST CORNER OF THE ALLEY IN SAID BLOCK 51;

15 THENCE SOUTH 00°01'31" EAST ALONG THE EAST LINE OF SAID BLOCK 51, A DISTANCE OF 12.00 FEET TO THE
16 SOUTHEAST CORNER OF SAID ALLEY;

17 THENCE SOUTH 89°59'46" WEST ALONG THE SOUTH LINE OF SAID ALLEY, A DISTANCE OF 534.44 FEET TO THE
18 NORTHWEST LINE OF SAID SUBDIVISION;

19 THENCE NORTH 71°09'04" EAST ALONG SAID NORTHWEST LINE, A DISTANCE OF 37.15 FEET TO THE NORTH LINE OF
20 SAID ALLEY;

21 THENCE NORTH 89°59'46" EAST ALONG THE NORTH LINE OF SAID ALLEY, A DISTANCE OF 499.28 FEET TO THE **POINT**
22 **OF BEGINNING.**

23 CONTAINING 6,202 SQUARE FEET OR 0.14 ACRES, MORE OR LESS.

24 BEARINGS ARE BASED ON THE EAST LINE OF BLOCK 51, FIRST ADDITION TO THE BYERS' SUBDIVISION, SITUATED IN
25 THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,
26 CITY AND COUNTY OF DENVER, STATE OF COLORADO, ASSUMED TO BEAR SOUTH 00°01'31" EAST.

27 be and the same is hereby approved and that the easements within the above-described area are
28 hereby relinquished.

29 **REMAINDER OF PAGE INTENTIONALLY BLANK**

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1 COMMITTEE APPROVAL DATE: November 29, 2016, by consent
2 MAYOR-COUNCIL DATE: December 6, 2016
3 PASSED BY THE COUNCIL: _____
4 _____ - PRESIDENT
5 APPROVED: _____ - MAYOR _____
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: Brent A. Eisen, Assistant City Attorney DATE: December 8, 2016
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: _____, Assistant City Attorney DATE: _____