

BY AUTHORITY

1
2 ORDINANCE NO. _____
3 SERIES OF 2024

COUNCIL BILL NO. CB24-0183
COMMITTEE OF REFERENCE:

4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance relinquishing 1) a portion of the easements reserved in**
7 **Ordinance No. 116, Series of 1947, recorded with the Denver Clerk & Recorder**
8 **at Book 6269, Page 137, also recorded at Reception No. R-92-0095493 (now**
9 **known as Reception No. 1992095493); and a portion of the easements reserved**
10 **in Ordinance No. 23, Series of 1934, recorded with Denver Clerk & Recorder at**
11 **Book 4782, Page 98; and 2) a portion of the easements reserved in Ordinance**
12 **No. 116, Series of 1947, recorded with the Denver Clerk & Recorder at Book 6269,**
13 **Page 137, located at 725 West 39th Avenue.**

14 **WHEREAS**, the Executive Director of the Department of Transportation and Infrastructure of
15 the City and County of Denver has found and determined that the public use, convenience and
16 necessity no longer requires portions of the easements in the above-referenced Ordinances in the
17 area hereinafter described, and subject to approval by ordinance, has relinquished the same;

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

19 **Section 1.** That the action of the Executive Director of the Department of Transportation
20 and Infrastructure in relinquishing a portion of the easements reserved in Ordinance No. 116, Series
21 of 1947, recorded with the Denver Clerk & Recorder at Book 6269, Page 137, also recorded at
22 Reception No. R-92-0095493 (now known as Reception No. 1992095493); and a portion of the
23 easements reserved in Ordinance No. 23, Series of 1934, recorded with Denver Clerk & Recorder
24 at Book 4782, Page 98, in the following area:

25 **PARCEL DESCRIPTION ROW NO. 2021-RELINQ-000024-001:**

26 A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP
27 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF
28 DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

29
30 COMMENCING AT THE INTERSECTION OF GALAPAGO STREET AND WEST 39TH AVENUE,
31 AS MONUMENTED BY A DENVER RANGE POINT BEING AN AXLE IN A RANGE BOX,
32 WHENCE THE INTERSECTION OF ELATI STREET AND SAID 39TH AVENUE, AS
33 MONUMENTED BY A DENVER RANGE POINT BEING A 3-1/4" ILLEGIBLE ALUMINUM CAP,
34 BEARS S 89°48'47" E, A DISTANCE OF 691.68 FEET ALONG THE 20' RANGE LINE OF SAID
35 39TH AVENUE, FORMING THE BASIS OF BEARINGS USED IN THIS DESCRIPTION;
36

1 THENCE N 45°10'47" E, A DISTANCE OF 28.28 FEET TO A POINT BEING THE INTERSECTION
2 OF THE WEST LINE OF THE EAST HALF OF VACATED GALAPAGO STREET, RECORDED IN
3 BOOK 6269, PAGE 137 IN THE RECORDS OF CITY AND COUNTY OF DENVER, AND THE
4 NORTH LINE OF SAID 39TH AVENUE, AND THE POINT OF BEGINNING;

5
6 THENCE ALONG SAID WEST LINE OF THE EAST HALF, N 00°10'22" E, A DISTANCE OF
7 184.18 FEET;

8 THENCE DEPARTING SAID WEST LINE OF THE EAST HALF, N 89°46'24" W, A DISTANCE OF
9 40.00 FEET TO A POINT ON THE WEST LINE OF SAID VACATED GALAPAGO STREET
10 RECORDED IN BOOK 6269, PAGE 137;

11
12 THENCE ALONG SAID WEST LINE OF VACATED GALAPAGO STREET, RECORDED IN BOOK
13 6269, PAGE 137, N 00°10'22" E, A DISTANCE OF 270.27 FEET TO A POINT ON THE NORTH
14 LINE OF WEST 40TH AVENUE AND THE WEST LINE OF VACATED GALAPAGO STREET,
15 RECORDED IN BOOK 4782, PAGE 98 IN THE RECORDS OF CITY AND COUNTY OF DENVER;

16
17 THENCE ALONG SAID WEST LINE OF VACATED GALAPAGO STREET, RECORDED IN BOOK
18 4782, PAGE 98, N 00°10'22" E, A DISTANCE OF 100.70 FEET;

19
20 THENCE DEPARTING SAID WEST LINE OF VACATED GALAPAGO STREET, RECORDED IN
21 BOOK 4782, PAGE 98, S 89°47'51" E, A DISTANCE OF 80.00 FEET TO A POINT ON THE EAST
22 LINE OF SAID VACATED GALAPAGO STREET RECORDED IN BOOK 4782, PAGE 98;

23
24 THENCE ALONG SAID EAST LINE, S 00°10'22" W, A DISTANCE OF 100.54 FEET TO A POINT
25 ON THE NORTH LINE OF SAID 40TH AVENUE AND THE EAST LINE OF VACATED
26 GALAPAGO STREET, RECORDED IN BOOK 6269, PAGE 137;

27
28 THENCE ALONG SAID EAST LINE OF VACATED GALAPAGO STREET, RECORDED IN BOOK
29 6269, PAGE 137, S 00°10'22" W, A DISTANCE OF 454.61 FEET TO A POINT ON THE NORTH
30 LINE OF SAID 39TH AVENUE;

31 THENCE ALONG SAID NORTH LINE, S 89°48'47" E, A DISTANCE OF 40.00 FEET TO THE
32 POINT OF BEGINNING.

33
34 CONTAINING AN AREA OF 37,045 SQ. FT. OR 0.85 ACRES, MORE OR LESS

35 be and the same is hereby approved and that a portion of the easements within the above-described
36 area are hereby relinquished.

37 **Section 2.** That the action of the Executive Director of the Department of Transportation
38 and Infrastructure in relinquishing a portion of the easement reserved in Ordinance No. 116, Series
39 of 1947, recorded with the Denver Clerk & Recorder at Book 6269, Page 137, in the following area:

40 **PARCEL DESCRIPTION ROW NO. 2023-RELINQ-0000004-001:**

41 A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP
42 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF
43 DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

44
45 COMMENCING AT THE INTERSECTION OF GALAPAGO STREET AND WEST 39TH AVENUE,
46 AS MONUMENTED BY A DENVER RANGE POINT BEING AN AXLE IN A RANGE BOX,

1 WHENCE THE INTERSECTION OF ELATI STREET AND SAID 39TH AVENUE, AS
2 MONUMENTED BY A DENVER RANGE POINT BEING A 3-1/4" ILLEGIBLE ALUMINUM CAP,
3 BEARS S89°48'47"E, A DISTANCE OF 691.68 FEET ALONG THE 20' RANGE LINE OF SAID
4 39TH AVENUE, FORMING THE BASIS OF BEARINGS USED IN THIS DESCRIPTION;
5
6 THENCE N25°14'46"E, A DISTANCE OF 435.85 FEET TO A POINT BEING ON THE SOUTH
7 LINE OF WEST 40TH AVENUE, AND THE NORTHEAST CORNER OF LOT 1, BLOCK 38
8 VIADUCT ADDITION TO DENVER RECORDED IN BOOK 4, PAGE 20 IN THE RECORDS OF
9 CITY AND COUNTY OF DENVER, AND THE **POINT OF BEGINNING**;
10
11 THENCE ALONG SAID NORTH LINE OF SAID BLOCK 38 VIADUCT ADDITION TO DENVER,
12 N89°54'38"W, A DISTANCE OF 124.70 FEET;
13
14 THENCE DEPARTING SAID BLOCK 38, N00°11'56"E, A DISTANCE OF 80.00 FEET TO A
15 POINT BEING THE SOUTHWEST CORNER OF LOT 15, BLOCK 27 VIADUCT ADDITION TO
16 DENVER;
17
18 THENCE ALONG SAID SOUTH LINE OF SAID BLOCK 27 VIADUCT ADDITION TO DENVER,
19 S89°54'38"E, A DISTANCE OF 124.59 FEET TO A POINT BEING THE SOUTHWEST CORNER
20 OF LOT 15, BLOCK 27 VIADUCT ADDITION TO DENVER;
21
22 THENCE DEPARTING SAID BLOCK 27, S00°07'11"E, A DISTANCE OF 80.00 FEET TO THE
23 **POINT OF BEGINNING**.
24
25 CONTAINING AN AREA OF 9,972 SQ. FT. OR 0.229 ACRES, MORE OR LESS
26 be and the same is hereby approved and that a portion of the easement within the above-described
27 area is hereby relinquished.

28 **[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**

1 COMMITTEE APPROVAL DATE: February 20, 2024 by Consent

2 MAYOR-COUNCIL DATE: February 27, 2024

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: Martin A. Plate, Assistant City Attorney DATE: February 29, 2024

11 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the Office of the
12 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
16 Kerry Tipper, Denver City Attorney

17 BY: *Anshul Bagga*, Assistant City Attorney DATE: Feb 28, 2024
18 _____