

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2016

COUNCIL BILL NO. CB16-0271  
COMMITTEE OF REFERENCE:  
Infrastructure & Culture

**A BILL**

**For an ordinance relinquishing three easements reserved by Ordinance No. 151, Series of 1953, Ordinance No. 97, Series of 1939, and by a Deed of Easement, recorded with the Denver Clerk & Recorder on August 20, 1938 at Book 5231, Page 369, located at 1812 35<sup>th</sup> 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 three (3) easements in the area hereinafter described, and subject to approval by ordinance, has relinquished the same;

**NOW, THEREFORE, 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 three (3) easements reserved by Ordinance No. 151, Series of 1953, Ordinance No. 97, Series of 1939, and the Deed of Easement, recorded with the Clerk & Recorder to the City and County of Denver August 20, 1938 in the following area:

**PARCEL DESCRIPTION ROW NO. 2013-PROJMSTR-0000255-ER-001:**

A sanitary sewer easement recorded at Book 5231, Page 369, on 8/20/1938 in the Clerk and Recorder's office of the City and County of Denver, more particularly described as follows:

Beginning at the northwest corner of Lot 21 Block 13, First Addition to Ironton, City and County of Denver;  
Thence S44°50'36"W, 14.14';  
Thence S89°50'36"W, 195.53';  
Thence N45°09'24"W", 14.14';  
Thence N89°50'36"E, 215.53', along the southwest lot lines of Lots 13-1 6, Block 13, First Addition to Ironton, City and County of Denver, to the point of beginning;  
Containing 2,055 SF (0.047 AC) more or less.

Basis of bearing is between the set #5 rebar with an orange plastic cap (L.S. 37969) at the Western Right-Of-Way intersection of Brighton Boulevard and 35th street and the set #5 rebar with an orange plastic cap (L.S. 37969) along the Northwest Right-Of-Way of Brighton Boulevard, with an assumed bearing of S44°50'15"W.

1 **PARCEL DESCRIPTION ROW NO. 2013-PROJMSTR-0000255-ER-002:**

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3 A portion of the vacated alley per Ordinance 97-1939 and 151-1953 between Lots 1-13, Block 13 and Lots 21-32,  
4 Block 13, First Addition to Ironton more particularly described as follows:  
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6 Beginning at the northwest corner of Lot 21 Block 13, First Addition to Ironton, City and County of Denver;  
7 Thence S89°50'36"W, 22.63', to a point on the southeast lot line of Lot 13, Block 13, First Addition to Ironton, City and  
8 County of Denver;  
9 Thence N44°50'36"E, 303.56', along the southeast lot lines of Lots 1-13, Block 13, First Addition to Ironton, City and  
10 County of Denver, to a point on the southerly Right-of-Way of 35th Street also being the southeast corner of Lot 1,  
11 Block 13, First Addition to Ironton, City and County of Denver;  
12 Thence S45°10'21 E", 16.00', along the southerly Right-of-Way of 35th Street to the north corner of Lot 32, Block 13,  
13 First Addition to Ironton, City and County of Denver;  
14 Thence S44°50'36"W, 287.57', along the northwest lot lines of Lots 21-32, Block 13, First Addition to Ironton, City and  
15 County of Denver, to the point of beginning;  
16 Containing 4,729 SF (0.109 AC) more or less.

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18 Basis of bearing is between the set #5 rebar with an orange plastic cap (L.S. 37969) at the Western  
19 Right-Of-Way intersection of Brighton Boulevard and 35th street and the set #5 rebar with an orange plastic  
20 cap (L.S. 37969) along the Northwest Right-Of-Way of Brighton Boulevard, with an assumed bearing of S44°50' 15"W.  
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22 **PARCEL DESCRIPTION ROW NO. 2013-PROJMSTR-0000255-ER-003:**

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24 A portion of vacated Delgany Street and vacated 34th Street per Ordinance #151-1953 more particularly described as  
25 follows:  
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27 Beginning at the north corner of Lot 1 Block 13, First Addition to Ironton, City and County of Denver;  
28 Thence S44°50'36"W, 399 .93, along the northwest lot lines of Lots 1-16, Block 13, First Addition to Ironton, City and  
29 County of Denver, to the northwest corner of Lot 16, Block 13, First Addition to Ironton, City and County of Denver;  
30 Thence S45°09'24"E, 28.60', along the southwest Lot Line of Lot 16, Block 13, First Addition to Ironton, City and  
31 County of Denver;  
32 Thence S89°50'36"W, 71.72';  
33 Thence N44°44'04"E, 450.63' to a point on the southerly Right-of-Way of 35th Street monumented by a #5 rebar with  
34 an orange plastic cap stamped "LS 37969";  
35 Thence S45°19'44"E, 22.97' along the southerly Right-of-Way of 35th Street to the Point of Beginning;  
36 Containing 10,323 SF (0.237 AC) more or less.

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38 Basis of bearing is between the set #5 rebar with an orange plastic cap (L.S. 37969) at the Western  
39 Right-Of-Way intersection of Brighton Boulevard and 35th street and the set #5 rebar with an orange plastic  
40 cap (L.S. 37969) along the Northwest Right-Of-Way of Brighton Boulevard, with an assumed bearing of S44°50' 15"W.  
41 be and the same is hereby approved and that three (3) easements within the above-described  
42 area is hereby relinquished.

43 **REMAINDER OF PAGE INTENTIONALLY LEFT BLANK**

1 COMMITTEE APPROVAL DATE: April 21, 2016 by Consent  
2 MAYOR-COUNCIL DATE: April 26, 2016  
3 PASSED BY THE COUNCIL: \_\_\_\_\_, 2016  
4 \_\_\_\_\_ - PRESIDENT  
5 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_, 2016  
6 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
7 EX-OFFICIO CLERK OF THE  
8 CITY AND COUNTY OF DENVER  
9 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_, 2016; \_\_\_\_\_, 2016  
10 PREPARED BY: Brent A. Eisen, Assistant City Attorney DATE: April 28, 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  
14 § 3.2.6 of the Charter.  
15 D. Scott Martinez, Denver City Attorney  
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17 BY: \_\_\_\_\_, Assistant City Attorney DATE: \_\_\_\_\_, 2016