

1 BY AUTHORITY

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

COUNCIL BILL NO. CB13-0805

COMMITTEE OF REFERENCE:

4 Land Use, Transportation & Infrastructure

5  
6 A BILL

7  
8 **For an Ordinance revoking the Major Encumbrance Permit granted by**  
9 **Resolution No. 13-0394, Series of 2013, to Corporex Colorado, LLC and**  
10 **vacating a portion of the air space in front of 1201 and 1221 Broadway,**  
11 **without reservations.**  
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13 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

14 **WHEREAS**, the Permittee, Corporex Colorado, LLC, requests that the Major Encumbrance  
15 Permit granted by Resolution No. 13-0394, Series of 2013 be revoked and waives the right to a public  
16 hearing; and

17 **WHEREAS**, the Manager of Public Works of the City and County of Denver has found and  
18 determined that the public use, convenience and necessity no longer require that certain portion of air  
19 space above a portion of the right of way of the municipality hereinafter described and, subject to  
20 approval by ordinance, has vacated the same, without reservations.

21 **NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF**  
22 **DENVER:**

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24 **Section 1.** That the Major Encumbrance Permit granted by Resolution No. 13-0394, Series  
25 of 2013 is hereby revoked.

26 **Section 2.** That the action of the Manager of Public Works in vacating the air space above  
27 the following described right of way in the City and County of Denver and State of Colorado, to wit:

28 **[THE REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**  
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1           **LOCATED:**

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3           Northwest 1/4, Section 3, Township 4 South, Range 68 West of the 6<sup>th</sup> P.M., City and County of  
4           Denver, State of Colorado.

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6           **LAND DESCRIPTION:**

7           A parcel of land located in Block 43, Subdivision of Blocks 43, 44, 45, 46, 57, 58, 59,  
8           and 60 in Evans Addition to Denver, said plat originally recorded in Plat Book 1 at Page  
9           4 in the Records of Arapahoe County, and located in the Northwest 1/4 of Section 3,  
10          Township 4 South, Range 68 West of the 6th Principal Meridian, City and County of  
11          Denver, State of Colorado, more particularly described as follows:

12          Beginning at an elevation of 5260.85' and extending therefrom vertically parallel to the  
13          face of building to an elevation of 5264.85' and extending therefrom vertically 14.00 feet  
14          to an elevation of 5378.85';

15          The horizontal alignment of which commences at the northeast corner of Tract B,  
16          Broadway Parcel;

17          Thence, N00° 00' 11"E and along the west R.O.W. Line of Broadway a distance of 15.69  
18          feet;

19          Thence, S73° 00' 00"E a distance of 8.37 feet;

20          Thence, S00° 00' 11"W a distance of 337.62 feet;

21          Thence, N89° 59' 49"W a distance of 8.00 feet to point along the west R.O.W. Line of  
22          Broadway;

23          Thence, N00° 00' 11"E and along the west R.O.W. Line of Broadway a distance of  
24          324.38 feet to the Point of Beginning;

25          Basis of Bearing is the east line of Tract A Broadway Parcel, Tract B Broadway Parcel,  
26          and the west R.O.W. Line of Broadway. Said bearing is N00° 00' 11"E.

27          Elevations described hereon are based upon NAVD88 vertical datum.

28          Benchmark: City and County of Denver Benchmark 26-A, CCD Brass Cap, SE Cor, Top  
29          of Curb, 12" South of SPC @ Inlet, ELEV: 5246.65'

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31          be and the same is hereby approved and the above described is hereby vacated and  
32          declared vacated without reservations.

33                           **[THE REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**

1 COMMITTEE APPROVAL DATE: October 29, 2013 [by consent]  
2 MAYOR-COUNCIL DATE: November 5, 2013  
3 PASSED BY THE COUNCIL: \_\_\_\_\_, 2013  
4 \_\_\_\_\_ - PRESIDENT  
5 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_, 2013  
6 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
7 EX-OFFICIO CLERK OF THE  
8 CITY AND COUNTY OF DENVER  
9 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_, 2013; \_\_\_\_\_, 2013  
10 PREPARED BY: Brent A. Eisen, Assistant City Attorney DATE: \_\_\_\_\_, 2013  
11 Pursuant to section 13-12, 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 not submitted to the City Council for approval pursuant to §  
14 3.2.6 of the Charter.  
15 Douglas J. Friednash, City Attorney  
16 BY: \_\_\_\_\_, Assistant City Attorney Date: \_\_\_\_\_, 2013  
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