

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2023

COUNCIL BILL NO. CB23-1523
COMMITTEE OF REFERENCE:

4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance relinquishing 1) a portion of the easement reserved in**
7 **Ordinance No. 86, Series of 1979, recorded with the Denver Clerk & Recorder at**
8 **Reception No. 1979003371; and 2) a portion of the easement reserved in**
9 **Ordinance No. 438, Series of 1990, recorded with the Denver Clerk & Recorder**
10 **at Reception No. 1990070710, located at 3701 West 16th Avenue.**

11 **WHEREAS**, the Executive Director of the Department of Transportation and Infrastructure of
12 the City and County of Denver has found and determined that the public use, convenience and
13 necessity no longer requires a portion of the easement in Ordinance No. 86, Series of 1979,
14 hereinafter described, and no longer requires a portion of the easement in Ordinance No. 438, Series
15 of 1990, and subject to approval by ordinance, has relinquished the same;

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

17 **Section 1.** That the action of the Executive Director of the Department of Transportation
18 and Infrastructure in relinquishing a portion of the easement reserved in Ordinance No. 86, Series
19 of 1979, recorded with the Denver Clerk & Recorder at Reception No. 1979003371, in the following
20 area:

21 **PARCEL DESCRIPTION ROW NO. 2023-RELINQ-0000013-001:**

22 Parcel 1

23 A PARCEL OF LAND AS DESCRIBED BEING THE VACATED SOUTH 237 FEET OF THE ALLEY
24 IN BLOCK 3, PIERSON'S ADDITION TO DENVER PER ORDINANCE NO. 86, SERIES OF 1979
25 RECORDED IN BOOK 1876, PAGE 314 AND SITUATED IN THE SOUTHEAST 1/4 OF SECTION
26 31, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN BEING MORE
27 PARTICULARLY DESCRIBED AS FOLLOWS:

28 COMMENCING AT THE RANGE POINT IN THE INTERSECTION OF NEWTON STREET AND
29 WEST 16TH AVENUE BEING A FOUND 2.5" ALUMINUM CAP "PLS 34183" FROM WHENCE THE
30 RANGE POINT IN THE INTERSECTION OF LOWELL BOULEVARD AND WEST 16TH AVENUE
31 BEING A FOUND 2" ALUMINUM CAP "PLS 37066" BEARS NORTH 89°48'03" EAST, A DISTANCE
32 OF 702.89 FEET WITH ALL BEARINGS HEREIN RELATIVE THERETO;

33 THENCE NORTH 82°25'22" EAST, A DISTANCE OF 171.32 FEET TO THE SOUTHEAST
34 CORNER OF LOT 14 OF SAID BLOCK 3 AND THE POINT OF BEGINNING;

35 THENCE NORTH 00°18'25" WEST ALONG THE WEST LINE OF SAID ALLEY, A DISTANCE OF
36 237.02 FEET TO THE SOUTHEAST CORNER OF LOT 5 OF SAID BLOCK 3;

1 THENCE NORTH 89°48'03" EAST, A DISTANCE OF 14.00 FEET TO THE SOUTHWEST CORNER
2 OF LOT 24 OF SAID BLOCK 3;
3 THENCE SOUTH 00°18'25" EAST ALONG THE EAST LINE OF SAID ALLEY, A DISTANCE OF
4 237.02 FEET TO THE SOUTHWEST CORNER OF LOT 15 OF SAID BLOCK 3;
5 THENCE SOUTH 89°48'03" WEST ALONG THE SOUTH LINE OF SAID BLOCK 3, A DISTANCE
6 OF 14.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 14 AND THE TRUE POINT OF
7 BEGINNING.

8 CONTAINING 3,318 SQUARE FEET OR 0.076 ACRES OF LAND, MORE OR LESS

9

10 And

11

12 PARCEL 2

13 A PARCEL OF LAND DESCRIBED AS VACATED MEADE STREET PER ORDINANCE NO. 86,
14 SERIES OF 1979 RECORDED IN BOOK 1876, PAGE 314 AND SITUATED IN THE SOUTHEAST
15 1/4 OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL
16 MERIDIAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

17 COMMENCING AT THE RANGE POINT IN THE INTERSECTION OF NEWTON STREET AND
18 WEST 16TH AVENUE BEING A FOUND 2.5" ALUMINUM CAP "PLS 34183" FROM WHENCE THE
19 RANGE POINT IN THE INTERSECTION OF LOWELL BOULEVARD AND WEST 16TH AVENUE
20 BEING A FOUND 2" ALUMINUM CAP "PLS 37066" BEARS NORTH 89°48'03" EAST, A DISTANCE
21 OF 702.89 FEET WITH ALL BEARINGS HEREIN RELATIVE THERETO;

22 THENCE NORTH 85°43'35" EAST, A DISTANCE OF 309.63 FEET TO THE SOUTHEAST
23 CORNER OF BLOCK 3, PIERSON'S ADDITION TO DENVER AND THE POINT OF BEGINNING;

24 THENCE NORTH 00°18'25" WEST ALONG THE EAST LINE OF SAID BLOCK 3, A DISTANCE OF
25 362.02 FEET TO THE NORTHEAST CORNER OF SAID BLOCK 3;

26 THENCE NORTH 89°48'03" EAST ALONG THE SOUTH RIGHT OF WAY LINE OF WEST 17TH
27 AVENUE, A DISTANCE OF 65.00 FEET TO THE NORTHWEST CORNER OF BLOCK 4,
28 PIERSON'S ADDITION TO DENVER;

29 THENCE SOUTH 00°18'25" EAST ALONG THE WEST LINE OF SAID BLOCK 4, A DISTANCE OF
30 362.02 FEET TO THE SOUTHWEST CORNER OF SAID BLOCK 4;

31 THENCE SOUTH 89°48'03" WEST ALONG THE NORTH RIGHT OF WAY LINE OF WEST 16TH
32 AVENUE, A DISTANCE OF 65.00 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 3 AND
33 THE TRUE POINT OF BEGINNING.

34 CONTAINING 23,531 SQUARE FEET OR 0.540 ACRES OF LAND, MORE OR LESS

35 be and the same is hereby approved and that a portion of the easement within the above-described
36 area is 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. 438, Series
39 of 1990, recorded with Denver Clerk & Recorder at Reception No. 1990070710, in the following area:

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PARCEL DESCRIPTION ROW NO. 2023-RELINQ-0000013-002:

A PARCEL OF LAND AS DESCRIBED BEING THE VACATED NORTH 125 FEET OF THE ALLEY IN BLOCK 3, PIERSON'S ADDITION TO DENVER PER ORDINANCE NO. 438, SERIES OF 1990 RECORDED UNDER RECEPTION NUMBER R-90-0070710 (1990070710) AND SITUATED IN THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE RANGE POINT IN THE INTERSECTION OF NEWTON STREET AND WEST 16TH AVENUE BEING A FOUND 2.5" ALUMINUM CAP "PLS 34183" FROM WHENCE THE RANGE POINT IN THE INTERSECTION OF LOWELL BOULEVARD AND WEST 16TH AVENUE BEING A FOUND 2" ALUMINUM CAP "PLS 37066" BEARS NORTH 89°48'03" EAST, A DISTANCE OF 702.89 FEET WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE NORTH 32°59'39" EAST, A DISTANCE OF 309.52 FEET TO THE SOUTHEAST CORNER OF LOT 5 OF SAID BLOCK 3 AND THE POINT OF BEGINNING;

THENCE NORTH 00°18'25" WEST ALONG THE WEST LINE OF SAID ALLEY, A DISTANCE OF 125.00 FEET TO THE NORTHEAST CORNER OF LOT 1 OF SAID BLOCK 3;

THENCE NORTH 89°48'03" EAST ALONG THE NORTH LINE OF SAID BLOCK 3, A DISTANCE OF 14.00 FEET TO THE NORTHWEST CORNER OF LOT 28 OF SAID BLOCK 3;

THENCE SOUTH 00°18'25" EAST ALONG THE EAST LINE OF SAID ALLEY, A DISTANCE OF 125.00 FEET TO THE SOUTHWEST CORNER OF LOT 24 OF SAID BLOCK 3;

THENCE SOUTH 89°48'03" WEST, A DISTANCE OF 14.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 5 AND THE TRUE POINT OF BEGINNING.

CONTAINING 1,750 SQUARE FEET OR 0.040 ACRES OF LAND, MORE OR LESS


be and the same is hereby approved and that a portion of the easement within the above-described area is hereby relinquished.

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1 COMMITTEE APPROVAL DATE: October 24, 2023 by Consent

2 MAYOR-COUNCIL DATE: October 31, 2023 by Consent

3 PASSED BY THE COUNCIL: November 13, 2023

4  _____ - PRESIDENT

5 APPROVED: Michael C. Johnston - MAYOR Nov 16, 2023
Michael C. Johnston (Nov 16, 2023 09:18 MST)

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: November 2, 2023

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
18 BY: Anshul Bagga, Assistant City Attorney DATE: Nov 1, 2023