

**BY AUTHORITY**

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

COUNCIL BILL NO. CB16-0844  
COMMITTEE OF REFERENCE:  
Land Use, Transportation & Infrastructure

**A BILL**

**For an ordinance relinquishing the easement reserved by Ordinance No. 251, Series of 2005, recorded with the Denver Clerk & Recorder at Reception No. 2005066629 and relinquishing the easement reserved Ordinance No. 313, Series of 1988, recorded with the Denver Clerk & Recorder at Reception No. R-88-0272242 located at Speer Boulevard and Bannock 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 the easements in the area 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 the easement reserved in Ordinance No. 251, Series of 2005, recorded with the Denver Clerk & Recorder at Reception No. 2005066629, and relinquishing the easement reserved in Ordinance No. 313, Series of 1988, recorded with the Denver Clerk & Recorder at Reception No. R-88-0272242, in the following area:

**PARCEL DESCRIPTION ROW NO. 2015-RELINQ-0000008-001:**

A PARCEL OF LAND BEING ALL THAT PORTION OF 9th AVENUE VACATED BY ORDINANCE 313, SERIES OF 1988, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A RANGE POINT IN THE INTERSECTION OF BANNOCK STREET AND 9TH AVENUE FROM WHENCE A RANGE POINT IN THE INTERSECTION OF BANNOCK STREET AND 10TH AVENUE BEARS NORTH 00°10'16" WEST A DISTANCE OF 579.79 FEET WITH ALL BEARINGS HEREIN RELATIVE THERETO:

THENCE N 44°02'52" W, A DISTANCE OF 28.86 FEET THE WEST RIGHT OF WAY OF BANNOCK STREET AND THE SOUTHEAST CORNER OF LOT 20, BLOCK 6 WHITSITT'S ADDITION TO DENVER AND THE POINT OF BEGINNING;

THENCE S 07°45'30" W ALONG SAID WEST RIGHT OF WAY, A DISTANCE OF 40.25 FEET;

1 THENCE S 07°10'45" W ALONG SAID WEST RIGHT OF WAY, A DISTANCE OF 40.33 FEET TO  
2 THE NORTHERLY LINE OF LOT 1, BLOCK 11, SAID WHITSITT'S ADDITION TO DENVER;  
3 THENCE S 89°46'51" W ALONG SAID NORTH LINE, A DISTANCE OF 102.51 FEET TO THE  
4 NORTHWEST CORNER OF SAID LOT 1 AND THE EASTERLY RIGHT OF WAY OF SPEER  
5 BOULEVARD;  
6 THENCE N 29°53'19" W ALONG SAID EASTERLY RIGHT OF WAY, A DISTANCE OF 74.19  
7 FEET TO THE INTERSECTION OF SAID EASTERLY RIGHT OF WAY WITH THE EAST LINE OF  
8 THE ALLEY IN SAID BLOCK 6;  
9 THENCE N 00°10'16" W ALONG SAID EAST ALLEY LINE, A DISTANCE OF 15.59 FEET TO  
10 THE SOUTHWEST CORNER OF LOT 20, SAID BLOCK 6;  
11 THENCE N 89°51'11" E ALONG THE SOUTH LINE OF SAID LOT 20, A DISTANCE OF 150.00  
12 FEET TO THE WESTERY RIGHT OF WAY OF SAID BANNOCK STREET AND TO THE TRUE  
13 POINT OF BEGINNING.  
14 CONTAINING: 10,372 SQUARE FEET, OR 0.238 ACRES OF LAND, MORE OR LESS.

15 and

16 **PARCEL DESCRIPTION ROW NO. 2015-RELINQ-0000008-002:**

17 A PARCEL OF LAND BEING ALL THAT PORTION OF 9th AVENUE VACATED BY ORDINANCE  
18 251, SERIES OF 2005, AND THE SOUTHERLY PORTION OF THE ALLEY VACATED BY  
19 ORDINANCE 251, SERIES OF 2005 IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 4  
20 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF  
21 DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
22

23 COMMENCING AT A RANGE POINT IN THE INTERSECTION OF BANNOCK STREET AND 9TH  
24 AVENUE FROM WHENCE A RANGE POINT IN THE INTERSECTION OF BANNOCK STREET  
25 AND 10TH AVENUE BEARS NORTH 00°10'16" WEST A DISTANCE OF 579.79 FEET WITH ALL  
26 BEARINGS HEREIN RELATIVE THERETO:  
27

28 THENCE N 83°10'28" W, A DISTANCE OF 171.28 FEET TO THE SOUTHWEST CORNER OF  
29 LOT 20, BLOCK 6, WHITSITT'S ADDITION TO DENVER AND THE EAST LINE OF THE ALLEY  
30 OF SAID BLOCK 6 AND THE POINT OF BEGINNING;

31  
32 THENCE S 00°10'16" E, A DISTANCE OF 15.59 FEET TO THE EASTERLY RIGHT OF WAY OF  
33 SPEER BOULEVARD;

34  
35 THENCE N 29°54'36" W ALONG SAID EASTERLY RIGHT OF WAY, A DISTANCE OF 40.32  
36 FEET;

37  
38 THENCE N 00°10'16" W, A DISTANCE OF 247.52 FEET;

39  
40 THENCE N 89°51'11" E, A DISTANCE OF 20.00 FEET;

1  
2 THENCE S 00°10'16" E, A DISTANCE OF 266.94 FEET TO THE TRUE POINT OF BEGINNING.  
3  
4 CONTAINING: 5,294 SQUARE FEET, OR 0.122 ACRES OF LAND, MORE OR LESS.  
5 be and the same is hereby approved and that the easements within the above-described area are  
6 hereby relinquished.

7 COMMITTEE APPROVAL DATE: September 29, 2016, by consent

8 MAYOR-COUNCIL DATE: October 4, 2016

9 PASSED BY THE COUNCIL: October 24, 2016

10  - PRESIDENT PRO-TEM

11 APPROVED:  - MAYOR Oct 25, 2016

12 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
13 EX-OFFICIO CLERK OF THE  
14 CITY AND COUNTY OF DENVER

15 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_; \_\_\_\_\_

16 PREPARED BY: Brent A. Eisen, Assistant City Attorney DATE: October 6, 2016

17 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
18 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
19 ordinance. The proposed ordinance is submitted to the City Council for approval pursuant to § 3.2.6  
20 of the Charter.

21  
22 Denver City Attorney

23  
24 BY: , Assistant City Attorney DATE: Oct 6, 2016