

1 **BY AUTHORITY**

2 ORDINANCE NO. \_\_\_\_\_  
3 SERIES OF 2023

COUNCIL BILL NO. CB23-1431  
COMMITTEE OF REFERENCE:

4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance relinquishing a portion of the easement established in the Deed**  
7 **of Easement, recorded with the Denver Clerk & Recorder at Book 7949, Page 335,**  
8 **located at 3650 Chestnut Place.**

9 **WHEREAS**, the Executive Director of the Department of Transportation and Infrastructure of  
10 the City and County of Denver has found and determined that the public use, convenience and  
11 necessity no longer requires a portion of the easement in the area hereinafter described, and subject  
12 to approval by ordinance, has relinquished the same;

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

14 **Section 1.** That the action of the Executive Director of the Department of Transportation  
15 and Infrastructure in relinquishing a portion of the easement established in the Deed of Easement,  
16 recorded with Denver Clerk & Recorder at Book 7949, Page 335, in the following area:

17 **PARCEL DESCRIPTION ROW NO. 2022-RELINQ-0000002-001:**

18 A 10 FOOT STRIP OF LAND BEING A PORTION OF THAT 10 FOOT STRIP OF LAND  
19 DESCRIBED IN BOOK 7949 AT PAGE 335 RECORDED OCTOBER 16, 1956, LOCATED  
20 WITHIN LOT 22, BLOCK 17, FIRST ADDITION TO IRONTON AND ALSO LOCATED WITHIN  
21 LOTS 12-22, BLOCK 41, ST. VINCENTS ADDITION SECOND FILING AND A PORTION OF A  
22 VACATED ALLEY ADJACENT TO THE SOUTHEASTERLY LINE OF SAID LOTS AS VACATED  
23 BY VACATION ORDINANCE #584, SERIES OF 1991, RECORDED AUGUST 9, 1991 UNDER  
24 RECEPTION NO. 75551, LOCATED WITHIN THE SE1/4 OF SECTION 22 AND THE SW1/4 OF  
25 SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,  
26 CITY AND COUNTY OF DENVER, STATE OF COLORADO, THE CENTER LINE OF SAID 10  
27 FOOT STRIP WITH SIDELINES AT 5.00 FEET ON EACH SIDE OF SAID CENTER LINE MORE  
28 PARTICULARLY DESCRIBED AS FOLLOWS:

29  
30 BEARINGS ARE BASED ON THE SOUTHWESTERLY LINE OF SAID LOT 22, BLOCK 17, FIRST  
31 ADDITION TO IRONTON AND LOT 43, SAID BLOCK 17, FIRST ADDITION TO IRONTON AND  
32 THE EXTENSION OF SAID SOUTHWESTERLY LINE OF LOT 22, BLOCK 17, TO THE  
33 NORTHEASTERLY LINE OF THE VACATED ALLEY VACATED BY ORD. 584 SERIES 1991,  
34 BLOCK 17, FIRST ADDITION TO IRONTON, CITY AND COUNTY OF DENVER, STATE OF  
35 COLORADO, HAVING AN ASSUMED BEARING OF NORTH 45°05'56" WEST A DISTANCE OF  
36 265.93 FEET BETWEEN A FOUND 1" YELLOW PLASTIC CAP PLS 18475 FOUND AT THE  
37 SOUTHEASTERLY CORNER SAID LOT 43, BLOCK 17 AND A YELLOW PLASTIC CAP  
38 STAMPED PLS 2132 FOUND AT THE SOUTHWESTERLY CORNER SAID LOT 22, BLOCK 17.

1 BEGINNING AT A POINT 25 FEET NORTHWESTERLY OF THE SOUTHEASTERLY LINE OF  
2 SAID LOTS 12 TO 22, BLOCK 41 AND 10 FEET SOUTHWESTERLY OF THE  
3 NORTHEASTERLY LINE OF SAID LOT 12, BLOCK 41;  
4  
5 THENCE SOUTHWESTERLY ON A LINE PARALLEL TO THE AFORESAID SOUTHEASTERLY  
6 LINE TO THE NORTHEASTERLY LINE OF LOT 19, IN SAID BLOCK 41; THENCE  
7 SOUTHWESTERLY ON A LINE TO A POINT ON THE CENTER LINE OF ALLEY IN SAID BLOCK  
8 17 AND 15.67 FEET SOUTHWESTERLY OF THE EXTENDED SOUTHWESTERLY LINE OF LOT  
9 22 IN SAID BLOCK 17, EXCEPTING ANY PART OF SAID EASEMENT SOUTHWESTERLY OF  
10 THE EXTENDED SAID SOUTHWESTERLY LINE OF LOT 22, BLOCK 17, TO THE POINT OF  
11 TERMINUS.

12  
13 CONTAINING +/-2,690 SQ. FT. OR +/-0.062 ACRES MORE OR LESS  
14 be and the same is hereby approved and that a portion of the easement within the above-described  
15 area is hereby relinquished.

16 COMMITTEE APPROVAL DATE: October 10, 2023 by Consent  
17 MAYOR-COUNCIL DATE: October 17, 2023  
18 PASSED BY THE COUNCIL: October 30, 2023

19  \_\_\_\_\_ - PRESIDENT

20 APPROVED:   
Michael C. Johnston (Oct 31, 2023 15:24 MDT) - MAYOR Oct 31, 2023

21 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
22 EX-OFFICIO CLERK OF THE  
23 CITY AND COUNTY OF DENVER

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

25 PREPARED BY: Martin A. Plate, Assistant City Attorney DATE: October 19, 2023

26 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the Office of the  
27 City Attorney. We find no irregularity as to form and have no legal objection to the proposed  
28 ordinance. The proposed ordinance is submitted to the City Council for approval pursuant to § 3.2.6  
29 of the Charter.

30 Kerry Tipper, Denver City Attorney

31  
32 BY: , Assistant City Attorney DATE: Oct 19, 2023  
33