

BY AUTHORITY

1
2 ORDINANCE NO. _____
3 SERIES OF 2024

COUNCIL BILL NO. CB24-0161
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. 24, Series of 1939, recorded with the Denver Clerk & Recorder at**
8 **Book A-24, Page 171; and 2) a portion of the easement reserved in Ordinance**
9 **No. 661, Series of 1978, recorded with Denver Clerk & Recorder at Book 1825,**
10 **Page 595, located at 1062 Auraria Parkway.**

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 portions of the easements in the above-referenced Ordinances in the
14 area hereinafter described, and subject to approval by ordinance, has relinquished the same;

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

16 **Section 1.** That the action of the Executive Director of the Department of Transportation
17 and Infrastructure in relinquishing a portion of the easement reserved in Ordinance No. 24, Series
18 of 1939, recorded with the Denver Clerk & Recorder at Book A-24, Page 171, in the following area:

19 **PARCEL DESCRIPTION ROW NO. 2023-RELINQ-000022-001:**

20 A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP
21 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF
22 DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

23
24 **PARCEL 1**

25
26 ALL OF THAT PORTION OF THE VACATED 16.50 FOOT WIDE ALLEY IN BLOCK 33, WEST
27 DENVER (EBERT'S) DESCRIBED BY ORDINANCE 24, SERIES 1939, WHICH LIES BETWEEN
28 THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF AURARIA PARKWAY PER ORDINANCE 258,
29 SERIES 1989 AND THE NORTHWESTERLY RIGHT-OF-WAY LINE OF VACATED WALNUT
30 STREET PER ORDINANCE 661, SERIES 1978, ALL IN THE RECORDS OF THE CITY AND
31 COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO.

32
33 PARCEL 1 CONTAINS 0.115 ACRES OR 5,012 SQUARE FEET MORE OR LESS

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

1 **Section 2.** That the action of the Executive Director of the Department of Transportation
2 and Infrastructure in relinquishing a portion of the easement reserved in Ordinance No. 661, Series
3 of 1978, recorded with the Denver Clerk & Recorder at Book 1825, Page 595, in the following area:

4 **PARCEL DESCRIPTION ROW NO. 2023-RELINQ-00022-002:**

5 A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP
6 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF
7 DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

8
9 PARCEL 2

10
11 BEING THE NORTHWESTERLY HALF EXTENSION OF THE 16.50 FOOT WIDE ALLEY IN
12 BLOCK 32, WEST DENVER (EBERT'S), DESCRIBED BY ORDINANCE 661, SERIES 1978
13 WHICH IS ALSO ACROSS THE NORTHWESTERLY HALF OF VACATED WALNUT STREET
14 ALSO DESCRIBED BY SAID ORDINANCE, IN THE RECORDS OF THE CITY AND COUNTY OF
15 DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO.

16
17 PARCEL 2 CONTAINS 0.015 ACRES OR 660 SQUARE FEET MORE OR LESS

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

20 COMMITTEE APPROVAL DATE: February 13, 2024 by Consent

21 MAYOR-COUNCIL DATE: February 20, 2024 by Consent

22 PASSED BY THE COUNCIL: _____

23 _____ - PRESIDENT

24 APPROVED: _____ - MAYOR _____

25 ATTEST: _____ - CLERK AND RECORDER,
26 EX-OFFICIO CLERK OF THE
27 CITY AND COUNTY OF DENVER

28 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

29 PREPARED BY: Martin A. Plate, Assistant City Attorney DATE: February 22, 2023

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

34
35 Kerry Tipper, Denver City Attorney

36
37 BY: _____, Assistant City Attorney DATE: _____