

BY AUTHORITY

1
2 ORDINANCE NO. _____
3 SERIES OF 2021

COUNCIL BILL NO. CB21-0151
COMMITTEE OF REFERENCE:

4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance relinquishing the eight-foot utility easement on Lots 30, 31 and**
7 **32, in its entirety, established in Tower Commons Subdivision Filing No. 1**
8 **recorded with Denver Clerk & Recorder at Reception No. 2019168398 located at**
9 **East 47th Place and North Tower Drive.**

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

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

15 **Section 1.** That the action of the Executive Director of the Department of Transportation
16 and Infrastructure in relinquishing the eight-foot utility easement on Lots 30, 31 and 32 established
17 in Tower Commons Subdivision Filing No. 1 recorded with the Denver Clerk & Recorder at Reception
18 No. 2019168398 in the following areas:

19 **PARCEL DESCRIPTION ROW NO. 2020-RELINQ-0000025-001:**

20 THE 8' UTILITY EASEMENT ACROSS LOTS 30, 31 AND 32 AS DEDICATED BY TOWER
21 COMMONS SUBDIVISION FILING NO. 1, RECORDED AT RECEPTION NO. 2019168398 IN
22 THE RECORDS OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE
23 LYING WITHIN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE
24 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF
25 COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

26
27 THE BEARINGS FOR THIS DESCRIPTION ARE BASED ON THE NORTH LINE OF LOT 30,
28 SAID TOWER COMMONS SUBDIVISION FILING NO. 1, BEARING S 89°59'55" E, FROM THE
29 NORTHWEST CORNER OF SAID LOT 30 BEING MONUMENTED BY A REBAR WITH A
30 YELLOW PLASTIC CAP STAMPED "PLS 38151", TO THE NORTHEAST CORNER OF SAID LOT
31 30 BEING MONUMENTED BY A REBAR WITH A YELLOW PLASTIC CAP STAMPED "PLS
32 38151", AS SHOWN THEREON, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE
33 THERETO.

34
35 PARCEL 1:
36 COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 30, ALSO BEING A POINT ON
37 THE SOUTH LINE OF 47TH PLACE, THENCE S 00°00'05" W, ALONG THE EAST LINE OF SAID

1 LOT 30, A DISTANCE OF 5.00 FEET TO A POINT ON THE SOUTH LINE OF THAT 5-FOOT
2 UTILITY EASEMENT LOCATED IN SAID LOT 30 AND THE POINT OF BEGINNING;
3 THENCE S 00°00'05" W, ALONG SAID EAST LINE, A DISTANCE OF 38.50 FEET TO THE
4 SOUTHEAST CORNER OF SAID LOT 30;
5 THENCE N 89°59'55" W, ALONG THE SOUTH LINE OF SAID LOT 30, A DISTANCE OF 8.00
6 FEET;
7 THENCE N 00°00'05" E, ALONG A LINE BEING 8-FEET WEST OF AND PARALLEL TO THE
8 EAST LINE OF SAID LOT 30, A DISTANCE OF 38.50 FEET TO A POINT ON THE SOUTH LINE
9 OF THAT 5-FOOT UTILITY EASEMENT LOCATED WITHIN SAID LOT 30;
10 THENCE S 89°59'55" E, ALONG SAID SOUTH LINE, A DISTANCE OF 8.00 FEET TO THE
11 POINT OF BEGINNING.

12
13 CONTAINING AN AREA OF 308 SQUARE FEET OR 0.007 ACRES, MORE OR LESS.

14
15 PARCEL 2:

16 BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 31, THENCE S 00°00'05" W,
17 ALONG THE EAST LINE OF SAID LOT 31, A DISTANCE OF 46.00 FEET TO THE SOUTHEAST
18 CORNER OF SAID LOT 31;
19 THENCE N 89°59'55" W, ALONG THE SOUTH LINE OF SAID LOT 31, A DISTANCE OF 8.00
20 FEET;
21 THENCE N 00°00'05" E, ALONG A LINE BEING 8-FEET WEST OF AND PARALLEL TO THE
22 EAST LINE OF SAID LOT 31, A DISTANCE OF 46.00 FEET TO A POINT ON THE NORTH LINE
23 OF SAID LOT 31;
24 THENCE S 89°59'55" E, ALONG SAID NORTH LINE, A DISTANCE OF 8.00 FEET TO THE
25 POINT OF BEGINNING.

26
27 CONTAINING AN AREA OF 368 SQUARE FEET OR 0.008 ACRES, MORE OR LESS.

28
29 PARCEL 3:

30 BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 32, THENCE S 00°00'05" W,
31 ALONG THE EAST LINE OF SAID LOT 32, A DISTANCE OF 38.65 FEET TO A POINT ON THE
32 NORTH LINE OF THAT 6-FOOT UTILITY EASEMENT LOCATED WITHIN SAID LOT 32;
33 THENCE S 49°52'27" W, ALONG SAID NORTH LINE, A DISTANCE OF 10.46 FEET;
34 THENCE N 00°00'05" E, ALONG A LINE BEING 8-FEET WEST OF AND PARALLEL TO THE
35 EAST LINE OF SAID LOT 32, A DISTANCE OF 45.40 FEET TO A POINT ON THE NORTH LINE
36 OF SAID LOT 32;
37 THENCE S 89°59'55" E, ALONG SAID NORTH LINE, A DISTANCE OF 8.00 FEET TO THE
38 POINT OF BEGINNING.

39
40 CONTAINING AN AREA OF 336 SQUARE FEET OR 0.008 ACRES, MORE OR LESS

41 be and the same is hereby approved and that the easement within the above-described areas is
42 hereby relinquished.

43

1 COMMITTEE APPROVAL DATE: February 23, 2021 by Consent
2 MAYOR-COUNCIL DATE: March 2, 2021 by Consent
3 PASSED BY THE COUNCIL: _____ May 3, 2021
4 *Steve Johnson* - PRESIDENT
5 APPROVED: *M. A. Plate* - MAYOR _____ May 4, 2021
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: April 22, 2021
11 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the Office of
12 the 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 Kristin M. Bronson, Denver City Attorney
17
18 BY: *Jonathan Griffin* , Assistant City Attorney DATE: Apr 22, 2021