

1 BY AUTHORITY

2 ORDINANCE NO. _____
3 SERIES OF 2011

COUNCIL BILL NO. CB11-0855
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

6 A BILL

7 **For an ordinance relinquishing portions of certain easements where they lie**
8 **within Denargo Market Subdivison Filing No. 1.**

9 **WHEREAS**, the Manager of Public Works of the City and County of Denver has found and
10 determined that the public use, convenience and necessity no longer requires those portions of the
11 easements hereinafter described to the extent such easements lie within Denargo Market Subdivision
12 Filing No. 1, and subject to approval by ordinance, has relinquished the same;

13 **NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY**
14 **OF DENVER:**

15
16 **Section 1.** That the action of the Manager of Public Works in relinquishing the
17 following described easements to the extent such easements lie within Denargo Market
18 Subdivison Filing No. 1 in:

All of those easements as described in that Agreement recorded at book 9018, Page 147 on April 24, 1963, in the records of the Clerk and Recorder, City and County of Denver, but only to the extent that any of the easements lie within the boundary of Denargo Market Subdivision Filing No. 1.

All of those easements as described in that Deed recorded at Book 1171, Page 630, on December 22, 1975, in the records of the Clerk and Recorder, City and County of Denver, but only to the extent that any of the easements lie within the boundary of Denargo Market Subdivision Filing No. 1.

All of those easements as described in that Deed recorded at Book 1175, Page 106, on December 30, 1975, in the records of the Clerk and Recorder, City and County of Denver, but only to the extent that any of the easements lie within the boundary of Denargo Market Subdivision Filing No. 1.

All of those easements as described in that Deed recorded at Book 2483, Page 682, on November 13, 1981, in the records of the Clerk and Recorder, City and County of Denver, but only to the extent that any of the easements lie within the boundary of Denargo Market Subdivision Filing No. 1.

19
20 **and**

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All of those easements as described in that Rule and Order, Judgment and Decree recorded at Reception No. 2000076722, on June 2, 2000, and that Quit Claim Deed recorded at Reception No. 2000141054, on September 28, 2000, in the records of the Clerk and Recorder, City and County of Denver, but only to the extent that any of the easements lie within the boundary of Denargo Market Subdivision Filing No. 1.

All of those easements as described in that Covenant and Permit recorded at Reception No. 9700046594, on April 11, 1997, in the records of the Clerk and Recorder, City and County of Denver, but only to the extent that any of the easements lie within the boundary of Denargo Market Subdivision Filing No. 1.

All of those easements as described in that Permanent Easement recorded at Reception No. 2008096449, on July 14, 2008, and Correction Easement Recorded at Reception No. 2008146410, on October 28, 2008, in the records of the Clerk and Recorder, City and County of Denver, but only to the extent that any of the easements lie within the boundary of Denargo Market Subdivision Filing No. 1.

All of those easements as described in that Covenant and Permit recorded at Reception No. 2008132598, on September 26, 2008, in the records of the Clerk and Recorder, City and County of Denver, but only to the extent that any of the easements lie within the boundary of Denargo Market Subdivision Filing No. 1.

All of those easements as described in that Covenant and Permit recorded at Reception No. 2008132599, on September 26, 2008, in the records of the Clerk and Recorder, City and County of Denver, but only to the extent that any of the easements lie within the boundary of Denargo Market Subdivision Filing No. 1.

Those non-exclusive easements granted by Note # 9 and Note # 13 in that Denargo Market Filing No. 1 plat recorded at Reception No. 2009018921, on February 7, 2009, in the records of the Clerk and Recorder, City and County of Denver.

Those easement rights, if any, granted for sewer purposes in that parcel identified as "Parcel No. 1404.24 – DE" but only to the extent that said parcel lies within the boundary of Denargo Market Subdivision Filing No. 1.

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1 be and the same is hereby approved and that the listed easements the extent they lie within Denargo
2 Market Subdivision Filing No. 1 are hereby relinquished. This relinquishment shall not affect any
3 easements not listed above nor any portion of the listed easements which lie outside the Denargo
4 Market Subdivision Filing No. 1.

5 COMMITTEE APPROVAL DATE: November 23, 2011 [by consent]

6 MAYOR-COUNCIL DATE: November 29, 2011

7 PASSED BY THE COUNCIL: _____, 2011

8 _____ - PRESIDENT

9 APPROVED: _____ - MAYOR _____, 2011

10 ATTEST: _____ - CLERK AND RECORDER,
11 EX-OFFICIO CLERK OF THE
12 CITY AND COUNTY OF DENVER

13 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2011; _____, 2011

14 PREPARED BY: Karen A. Aviles, Assistant City Attorney DATE: December 1, 2011

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

19 Douglas J. Friednash, Denver City Attorney

20 BY: _____, Assistant City Attorney DATE: _____, 2011