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2 BY AUTHORITY

3 ORDINANCE NO. _____
4 SERIES OF 2011

COUNCIL BILL NO. CB11-0737

COMMITTEE OF REFERENCE:

5 Land Use, Transportation & Infrastructure
6

7 A BILL

8 **For an ordinance to relinquish all of the easement established in Ordinance No.**
9 **372, Series of 1977; and relinquish a portion of the easement established in**
10 **Ordinance No. 385, Series of 1998, and Ordinance No. 705, Series of 1990 relating**
11 **to the Exempla development at the former St. Joseph Hospital site.**
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13 **WHEREAS**, the Manager of Public Works of the City and County of Denver has found and
14 determined that the public use, convenience and necessity no longer requires that portion of the
15 easements in the area hereinafter described, and subject to approval by ordinance, has relinquished
16 the same;

17 **NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY**
18 **OF DENVER:**
19

20 **Section 1.** That the action of the Manager of Public Works in:

21 (a) Relinquishing all of the easement established in Ordinance No. 372, Series
22 of 1977 be and the same is hereby approved and that the easement is hereby relinquished and;

23 (b) Relinquishing a portion of the easements established in Ordinance No. 385,
24 Series of 1998 and Ordinance No. 705, Series of 1990 in the following areas:
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PARCEL DESCRIPTION ROW 2010-0418-09-002

A PORTION OF ORDINANCE 385 SERIES 1998 BEING IN THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 3 SOUTH,, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF BLOCK 49 OF THE SCHINNER'S ADDITION TO THE CITY OF DENVER; THENCE S89°54'44"W ALONG THE SOUTH RIGHT-OF-WAY LINE OF 21ST AVENUE ALSO BEING THE NORTH LINE OF SAID BLOCK 49 A DISTANCE OF 148.66 FEET TO THE POINT OF BEGINNING; THENCE S89°54'44"W, ALONG SAID SOUTH RIGHT-OF-WAY LINE AND SAID NORTH LINE OF BLOCK 49, A DISTANCE OF 11.60 FEET TO A POINT THE EASTERLY RIGHT-OF-WAY LINE OF DOWNING STREET AS ESTABLISHED BY RIGHT-OF-WAY LINE DESCRIPTION PARCELS "B" AND "D" FOR DOWNING STREET REALIGNMENT DATED JANUARY 4, 1993 AS RECORDED BY RECEPTION NO. R-93-0086471, CITY AND COUNTY OF DENVER ORDINANCE NO. 537 SERIES OF 1994; THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE AND SAID NORTH LINE OF BLOCK 49 AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF DOWNING STREET ON A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 104°06'09", A RADIUS OF 30.00 FEET, AN ARC LENGTH OF 54.51 FEET AND A CHORD WHICH BEARS S37°51'40"W, A DISTANCE OF 47.31 FEET; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE ON A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 46°45'20", A RADIUS OF 15.00 FEET, AN ARC LENGTH OF 12.24 FEET AND A CHORD WHICH BEARS N64°41'06"W A DISTANCE OF 11.90 FEET TO A POINT OF TANGENCY; THENCE N41°18'26"W, A DISTANCE OF 12.90 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 14°28'47", A RADIUS OF 299.00 FEET, AN ARC LENGTH OF 75.56 FEET AND A CHORD WHICH BEARS N34°04'02"W, A DISTANCE OF 75.36 FEET TO A POINT ON THE CENTERLINE OF 21ST AVENUE; THENCE ALONG SAID CENTERLINE N89°54'44"E, A DISTANCE OF 116.18 FEET; THENCE DEPARTING SAID CENTERLINE ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 12°10'12", A RADIUS OF 90.00 FEET, AN ARC LENGTH OF 19.12 FEET AND A CHORD WHICH BEARS S29°20'30"E, A DISTANCE OF 19.08 FEET TO A POINT OF TANGENCY; THENCE S35°25'36"E, A DISTANCE OF 1.42 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 08°05'30", A RADIUS OF 233.00 FEET, AN ARC LENGTH OF 32.91 FEET, AN A CHORD WHICH BEARS S47°27'08"W, A DISTANCE OF 32.88 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 5,202 SQUARE FEET (0.119 ACRES), MORE OR LESS.

BEARINGS ARE BASED ON AN ASSUMED BEARING OF N00°04'30"W ALONG THE RANGELINE ON VACATED DOWNING STREET FROM 18TH AVENUE TO 21ST AVENUE, AS ESTABLISHED BY A FOUND STONE WITH CHISLED CROSS IN RANGE BOX AT THE INTERSECTION OF 18TH AVENUE AND DOWNING STREET AND FOUND STONE WITH CHISLED CROSS IN RANGEBOX AT THE INTERSECTION OF DOWNING STREET AND 21ST AVENUE.



PARCEL DESCRIPTION ROW 2010-0418-09-003

A PORTION OF ORDINANCE 705 SERIES 1990 BEING IN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 68 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

20TH AVENUE FROM THE EAST LINE OF LAFAYETTE STREET TO THE WEST LINE OF HUMBOLT STREET.

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PARCEL DESCRIPTION ROW 2010-0418-09-004

A PORTION OF ORDINANCE 705 SERIES 1990 BEING IN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 68 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO. THE ALLEY LYING PARTLY IN BLOCK 62, GABATHULER'S ADDITION TO DENVER, AND PARTLY IN BLOCK 11, PARK AVENUE ADDITION TO DENVER, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 40, SAID BLOCK 62, SAID POINT BEING ON THE EAST LINE OF THE SAID ALLEY, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE SOUTH ALONG THE EAST LINE OF SAID ALLEY AND ALONG THE WEST LINE OF LOTS 24 TO 40, SAID BLOCK 62, A DISTANCE OF 416.36 FEET TO A POINT 8.64 FEET NORTH OF THE SOUTHWEST CORNER OF LOT 24, SAID BLOCK 62, SAID POINT ALSO BEING ON THE NORTHWESTERLY LINE OF VACATION ORDINANCE NO. 735, SERIES OF 1989;

THENCE ON A DEFLECTION ANGLE TO THE RIGHT OF 44°53'07" AND ALONG THE NORTHWESTERLY LINE OF SAID VACATION ORDINANCE NO. 735, SERIES OF 1989, A DISTANCE OF 65.96 FEET, MORE OR LESS, TO A POINT 5.09 FEET NORTH OF THE SOUTH LINE OF LOT 26, SAID BLOCK 11, SAID POINT ALSO BEING ON THE SOUTH LINE OF ORDINANCE NO. 629, SERIES OF 1986, AND ORDINANCE NO. 200, SERIES OF 1985;

THENCE ON A DEFLECTION ANGLE TO THE RIGHT OF 45°14'16" AND ALONG THE SOUTH LINE OF SAID ORDINANCE NO. 629, SERIES OF 1986, AND ORDINANCE NO. 200, SERIES OF 1985, A DISTANCE OF 96.05 FEET TO A POINT ON THE WEST LINE OF LOT 26, SAID BLOCK 11, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF LAFAYETTE STREET;

THENCE ON A DEFLECTION ANGLE TO THE RIGHT OF 89°53'00" AND ALONG THE WEST LINE OF SAID LOT 26 AND THE EAST RIGHT-OF-WAY LINE OF SAID LAFAYETTE STREET A DISTANCE OF 16 FEET TO A POINT 3.91 FEET SOUTH OF THE NORTH LINE OF SAID LOT 26;

THENCE ON A DEFLECTION ANGLE TO THE RIGHT OF 90°07'00" AND ALONG THE NORTH LINE OF SAID ORDINANCE NO. 629, SERIES OF 1986, AND ORDINANCE NO. 200, SERIES OF 1985, A DISTANCE OF 74.59 FEET TO THE SOUTHWEST CORNER OF ORDINANCE NO. 73, SERIES OF 1990;

THENCE ON A DEFLECTION ANGLE TO THE LEFT OF 30°00'00" AND ALONG THE NORTHWESTERLY LINE OF SAID ORDINANCE NO. 73, SERIES OF 1990, A DISTANCE OF 39.06 FEET;

THENCE ON A DEFLECTION ANGLE TO THE LEFT OF 30°22'11" AND ALONG THE NORTHWESTERLY LINE OF SAID ORDINANCE NO 73, SERIES OF 1990, A DISTANCE OF 36.55 FEET TO THE NORTHWEST CORNER OF SAID ORDINANCE NO. 73, SERIES OF 1990, SAID POINT ALSO BEING ON THE EAST LINE OF LOT 16, SAID BLOCK 62;

THENCE ON A DEFLECTION ANGLE TO THE LEFT OF 29°45'13" AND ALONG THE WEST LINE OF LOTS 1 TO 16, SAID BLOCK 62, AND ALONG THE WEST LINE OF SAID ALLEY A DISTANCE OF 395.90 FEET TO THE NORTHEAST CORNER OF LOT 1, SAID BLOCK 62, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF 20TH AVENUE;

THENCE EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID 20TH AVENUE A DISTANCE OF 16 FEET TO THE TRUE POINT OF BEGINNING.

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be and the same is hereby approved and that the portions of the easements within such described areas are hereby relinquished.

1 COMMITTEE APPROVAL DATE: October 13, 2011 by consent.
2 MAYOR-COUNCIL DATE: October 18, 2011
3 PASSED BY THE COUNCIL: _____, 2011
4 _____ - PRESIDENT
5 APPROVED: _____ - MAYOR _____, 2011
6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER
9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2011; _____, 2011
10 PREPARED BY: KAREN A. AVILES, Assistant City Attorney DATE: October 20, 2011
11 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the
12 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 Douglas J. Friednash, Denver City Attorney
16 BY: _____, Assistant City Attorney DATE: _____, 2011