

1 BY AUTHORITY

2 ORDINANCE NO. _____
3 SERIES OF 2020

COUNCIL BILL NO. CB20-1029
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

5 A BILL

6 **For an ordinance relinquishing the easement established in the sewer easement,**
7 **recorded with the Denver Clerk & Recorder at Book 1077, Page 427, Reception**
8 **No. 1895916024; an easement established in the Emergency Access Permanent**
9 **Easement, recorded with the Denver Clerk & Recorder at Reception No.**
10 **2014046017; and, specified easements, in their entirety, reserved in Ordinance**
11 **No. 279, Series of 1995, recorded with the Denver Clerk & Recorder at Reception**
12 **No. 9500046347, located near South Bannock Street between West Alameda**
13 **Avenue and West Dakota Avenue.**

14 **WHEREAS**, the Executive Director of the Department of Transportation and Infrastructure of
15 the City and County of Denver has found and determined that the public use, convenience and
16 necessity no longer requires the easements in the above-referenced documents and in the areas
17 hereinafter described, and subject to approval by ordinance, has relinquished the same;

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

19 **Section 1.** That the action of the Executive Director of the Department of Transportation
20 and Infrastructure in relinquishing the easement established in the sewer easement, recorded with
21 the Denver Clerk & Recorder at Book 1077, Page 427, Reception No. 1895916024 be and the same
22 is hereby approved and that the easement in the above-described sewer easement is hereby
23 relinquished.

24 **Section 2.** That the action of the Executive Director of the Department of Transportation and
25 Infrastructure in relinquishing easements established in Ordinance No. 279, Series of 1995, recorded
26 with the Denver Clerk & Recorder at Reception No. 9500046347, in the following area:

27 **PARCEL DESCRIPTION ROW NO. 2019-RELINQ-0000018-001:**

28 THE VACATED ALLEY RESERVATION PER ORDINANCE 279, SERIES 1995, RECORDED AT
29 RECEPTION NO. 9500046347 DATED APRIL 25, 1995, LOCATED IN THE NORTHWEST
30 QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL
31 MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO CONSISTING OF THE
32 EAST 20 FEET OF LOT 4, BLOCK 43, BYERS SUBDIVISION.

33
34 and

1 **PARCEL DESCRIPTION ROW NO. 2019-RELINQ-0000018-002:**

2
3 THE VACATED ALLEY RESERVATION PER ORDINANCE 279, SERIES 1995, RECORDED AT
4 RECEPTION NO. 9500046347 DATED APRIL 25, 1995, LOCATED IN THE NORTHWEST
5 QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL
6 MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO CONSISTING OF THE
7 WEST 10 FEET OF LOT 45, BLOCK 44, BYERS SUBDIVISION.

8
9 and

10 **PARCEL DESCRIPTION ROW NO. 2019-RELINQ-0000018-003**

11
12 A PARCEL OF LAND BEING PARCEL NO. 2 (WASTEWATER – PHASE II) PER ORDINANCE
13 279, SERIES 1995 RECORDED AT RECEPTION NO. 9500046347 DATED APRIL 25, 1995,
14 LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE
15 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, PRESENTLY PLATTED AS BYER'S
16 SUBDIVISION, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING
17 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

18
19 COMMENCING AT THE NORTHEAST CORNER OF THE NW 1/4 SE 1/4 NW 1/4 OF SAID
20 SECTION 15;
21 THENCE N05°07'15"W, A DISTANCE OF 973.27 FEET, MORE OR LESS, TO THE POINT OF
22 BEGINNING, SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF BANNOCK STREET
23 PROJECTED;
24 THENCE N89°59'10"W, A DISTANCE OF 268.92 FEET;
25 THENCE S00°00'50"W, A DISTANCE OF 19.13 FEET TO A POINT ON THE SOUTH RIGHT-OF-
26 WAY LINE OF NEVADA PLACE;
27 THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, N89°59'25"W, A DISTANCE OF 35.00
28 FEET;
29 THENCE N00°00'50"E, A DISTANCE OF 70.00 FEET TO A POINT ON THE NORTH RIGHT-OF-
30 WAY LINE OF NEVADA PLACE;
31 THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, S89°59'10"E, A DISTANCE OF 35.00
32 FEET;
33 THENCE S00°00'50"W, A DISTANCE OF 20.87 FEET;
34 THENCE S89°59'10"E, A DISTANCE OF 268.92 FEET TO A POINT ON THE WEST RIGHT-OF
35 WAY LINE OF BANNOCK STREET PROJECTED;
36 THENCE ALONG SAID WEST RIGHT-OF-WAY LINE PROJECTED S00°00'50" W, A DISTANCE
37 OF 30.00 FEET TO THE POINT OF BEGINNING.

38
39 CONTAINING 10,518 SQUARE FEET, MORE OR LESS.
40 ALL LINEAL DIMENSIONS ARE U.S. SURVEY FEET.

41
42 and

43 **PARCEL DESCRIPTION ROW NO. 2019-RELINQ-0000018-004:**

44
45 A PARCEL OF LAND BEING PARCEL NO. 5 (WATER BOARD - PHASE III) PER ORDINANCE
46 279, SERIES 1995 RECORDED AT RECEPTION NO 9500046347 DATED APRIL 25, 1995,
47 LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 15,
48 TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND

1 COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED
2 AS FOLLOWS:

3
4 COMMENCING AT THE NORTHEAST CORNER OF THE NW 1/4 SE 1/4 NW 1/4 OF THE SAID
5 SECTION 15; THENCE N02°20'48"W, A DISTANCE OF 619.76 FEET TO THE POINT OF
6 BEGINNING, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF DAKOTA AVENUE
7 PROJECTED;

8 THENCE N89°59'15"W, A DISTANCE OF 37.00 FEET;
9 THENCE N00°00'50"E, A DISTANCE OF 433.38 FEET;

10 THENCE N89°59'10"W, A DISTANCE OF 9.50 FEET;
11 THENCE N00°00'50"E, A DISTANCE OF 10.00 FEET;

12 THENCE S89°59'10"E, A DISTANCE OF 9.50 FEET;
13 THENCE N00°00'50"E, A DISTANCE OF 13.64 FEET;

14 THENCE N07°57'21"W, A DISTANCE OF 100.98 FEET;
15 THENCE N00°00'50"E, A DISTANCE OF 78.29 FEET TO A POINT OF CURVE;

16 THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 29.50 FEET, A
17 CENTRAL ANGLE OF 23°28'13" AND AN ARC LENGTH OF 12.08 FEET TO A POINT OF NON-
18 TANGENT, SAID POINT BEING 10.00 FEET SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF
19 ALAMEDA AVENUE;

20 THENCE ALONG A LINE BEING 10.00 FEET SOUTH OF AND PARALLEL TO THE SAID
21 SOUTH RIGHT-OF-WAY LINE, S89°59'35"E, A DISTANCE OF 55.86 FEET TO A POINT OF
22 NON-TANGENT CURVE;

23 THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 29.50 FEET, A
24 CENTRAL ANGLE OF 23°20'32" AND AN ARC LENGTH OF 12.02 FEET (WHOSE CHORD
25 BEARS S 11°41'06" W, A CHORD DISTANCE OF 11.94 FEET) TO A POINT OF TANGENT;

26 THENCE S00°00'50"W, A DISTANCE OF 226.24 FEET TO A POINT OF CURVE;

27 THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 24.50 FEET, A
28 CENTRAL ANGLE OF 48°59'12" AND AN ARC LENGTH OF 20.95 FEET TO A POINT OF NON-
29 TANGENT;

30 THENCE S00°00'50"W, A DISTANCE OF 43.03 FEET TO A POINT OF NON-TANGENT CURVE;

31 THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 24.50 FEET, A
32 CENTRAL ANGLE OF 48°59'12" AND AN ARC LENGTH OF 20.95 FEET (WHOSE CHORD
33 BEARS S24°30'26"W, A CHORD DISTANCE OF 20.31 FEET) TO A POINT OF TANGENT;

34 THENCE S00°00'50"W, A DISTANCE OF 249.13 FEET TO A POINT OF CURVE;

35 THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 24.50 FEET, A
36 CENTRAL ANGLE OF 48°59'12" AND AN ARC LENGTH OF 20.95 FEET TO A POINT OF NON-
37 TANGENT;

38 THENCE S00°00'50"W, A DISTANCE OF 43.03 FEET TO A POINT OF NON-TANGENT CURVE;

39 THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 24.50 FEET, A
40 CENTRAL ANGLE 48°59'12" AND AN ARC LENGTH OF 20.95 FEET (WHOSE CHORD BEARS
41 S24°30'25"W, A CHORD DISTANCE OF 20.31 FEET TO THE POINT OF BEGINNING.

42
43 CONTAINING 26,931 SQUARE FEET, MORE OR LESS.
44 ALL LINEAL DIMENSIONS ARE U.S. SURVEY FEET.

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46 and

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1 **PARCEL DESCRIPTION ROW NO. 2019-RELINQ-0000018-005:**

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3 A PARCEL OF LAND BEING PARCEL NO. 6 (WASTEWATER - PHASE III) PER ORDINANCE
4 279, SERIES 1995 RECORDED AT RECEPTION NO 9500046347 DATED APRIL 25, 1995,
5 LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE
6 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, PRESENTLY PLATTED AS BYER'S
7 SUBDIVISION IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING
8 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

9
10 COMMENCING AT THE NORTHEAST CORNER OF THE NW 1/4 SE 1/4 NW 1/4 OF SAID
11 SECTION 15; THENCE N00°59'49"W, A DISTANCE OF 969.52 FEET, MORE OR LESS, TO THE
12 POINT OF BEGINNING, SAID POINT BEING THE EAST RIGHT-OF-WAY LINE OF BANNOCK
13 STREET PROJECTED;
14 THENCE N89°59'10"W, A DISTANCE OF 70.00 FEET TO A POINT ON THE WEST RIGHT-OF-
15 WAY LINE OF BANNOCK STREET PROJECTED;
16 THENCE ALONG THE SAID WEST RIGHT OF WAY LINE PROJECTED N00°00'50"E, A
17 DISTANCE OF 30.00 FEET;
18 THENCE S89°59'10"E, A DISTANCE OF 70.00 FEET TO A POINT ON THE SAID EAST RIGHT-
19 OF-WAY LINE PROJECTED;
20 THENCE ALONG THE SAID EAST RIGHT-OF-WAY LINE PROJECTED S00°00'50"W, A
21 DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

22
23 CONTAINING 2,100 SQUARE FEET, MORE OR LESS.
24 ALL LINEAL DIMENSIONS ARE U.S. SURVEY FEET

25 be and the same are hereby approved and that the easements within the above-described areas are
26 hereby relinquished.

27 **Section 3.** That the action of the Executive Director of the Department of Transportation and
28 Infrastructure in relinquishing an easement established in the Emergency Access Permanent
29 Easement, recorded with the Denver Clerk & Recorder at Reception No. 2014046017, in the
30 following area:

31 **PARCEL DESCRIPTION ROW NO. 2019-RELINQ-0000018-009:**

32 A PARCEL OF LAND BEING ACCESS EASEMENT NO. 2 RECORDED APRIL 23, 2014, AT
33 RECEPTION NO. 2014046017, LOCATED IN THE NORTHWEST QUARTER OF SECTION 15,
34 TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND
35 COUNTY OF DENVER, STATE OF COLORADO, BEING A PART OF A PARCEL OF LAND
36 DESCRIBED IN RECEPTION NO. 2005004412, RECORDED ON JANUARY 07, 2005 IN THE
37 CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, BEING MORE
38 PARTICULARLY DESCRIBED AS FOLLOWS:

39 COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 15 (A FOUND STONE
40 WITH CROSS IN RANGE BOX), WHENCE THE WEST QUARTER CORNER OF SAID SECTION
41 15 (A 3 1/4"ALUMINUM CAP STAMPED "CHICHESTER LAND CORNER T4S R67W S16 S15
42 1987 RLS 7735") BEARS S00°38'52"E, A DISTANCE OF 2641.10 FEET (BASIS OF BEARING -
43 ASSUMED);

1 THENCE S88°36'19"E A DISTANCE OF 1903.36 FEET TO THE NORTHERLY LINE OF SAID
2 PARCEL OF LAND DESCRIBED IN RECEPTION NO. 2005004412, ALSO BEING THE
3 SOUTHERLY RIGHT-OF-WAY LINE OF ALAMEDA AVENUE AND THE POINT OF BEGINNING;

4 THENCE S89°59'35"E, COINCIDENT WITH SAID NORTHERLY LINE, A DISTANCE OF 46.61
5 FEET;

6 THENCE S00°02'48"E A DISTANCE OF 571.66 FEET TO THE NORTHERLY RIGHT-OF-WAY
7 LINE OF A PUBLIC RIGHT-OF-WAY AS DESCRIBED IN RECEPTION NO. 2013157909,
8 RECORDED OCTOBER 30, 2013 IN SAID CLERK AND RECORDER'S OFFICE;

9 THENCE N89°58'01"W, COINCIDENT WITH SAID NORTHERLY RIGHT-OF-WAY LINE, A
10 DISTANCE OF 30.00 FEET;

11 THENCE N00°02'48"W A DISTANCE OF 332.25 FEET;

12 THENCE N01°42'25"W A DISTANCE OF 33.10 FEET;

13 THENCE N07°38'32"W A DISTANCE OF 117.87 FEET;

14 THENCE N00°05'46"W A DISTANCE OF 89.49 FEET TO THE POINT OF BEGINNING.

15
16 SAID PARCEL CONTAINS 0.452 ACRES OR 19,670 SQUARE FEET MORE OR LESS.
17 ALL LINEAL DIMENSIONS ARE U.S. SURVEY FEET.
18

19 be and the same is hereby approved and that the easement within the above-described area is
20 hereby relinquished.

21 COMMITTEE APPROVAL DATE: September 29, 2020 by Consent

22 MAYOR-COUNCIL DATE: October 6, 2020

23 PASSED BY THE COUNCIL: _____ October 20, 2020

24 *Steve Filmore* - PRESIDENT

25 APPROVED: _____ - MAYOR _____

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

29 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____;

30 PREPARED BY: Martin A. Plate, Assistant City Attorney DATE: October 8, 2020

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

35
36 Kristin M. Bronson, Denver City Attorney

37 BY: *Kristin M. Bronson*, Assistant City Attorney DATE: Oct 7, 2020
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