

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2023

COUNCIL BILL NO. CB23-0408
COMMITTEE OF REFERENCE:

4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance relinquishing a portion of the easement established in Tower**
7 **Farms Subdivision Filing No. 1, recorded with Denver Clerk & Recorder at**
8 **Reception No. 2022025118 located at North Tower Road and East 56th Avenue.**

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

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

14 **Section 1.** That the action of the Executive Director of the Department of Transportation
15 and Infrastructure in relinquishing a portion of the easement established in Tower Farms Subdivision
16 Filing No. 1, recorded with Denver Clerk & Recorder at Reception No. 2022025118, in the following
17 area:

18 **PARCEL DESCRIPTION ROW NO. 2023-RELINQ-0000001-001:**

19 **PARCEL 1**

20
21 A PARCEL OF LAND BEING A PORTION OF A 15.00-FOOT UTILITY EASEMENT DEDICATED
22 BY TOWER FARMS SUBDIVISION FILING NO. 1, A SUBDIVISION PLAT RECORDED AT
23 RECEPTION NO. 2022025118, IN THE RECORDS OF THE CITY AND COUNTY OF DENVER
24 CLERK AND RECORDER'S OFFICE, LYING WITHIN A PORTION OF LOT 1, BLOCK 1, SAID
25 TOWER FARMS SUBDIVISION, SITUATED IN THE NORTHWEST QUARTER OF SECTION 15,
26 TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND
27 COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED
28 AS FOLLOWS:

29
30 **COMMENCING** AT THE NORTHWEST CORNER OF SAID SECTION 15, THENCE S 75°55'35"
31 E, A DISTANCE OF 316.79 FEET TO A POINT ON THE SOUTH LINE OF THE EAST 56TH
32 AVENUE RIGHT-OF-WAY, AS DESCRIBED IN THAT SPECIAL WARRANTY DEED RECORDED
33 AT RECEPTION NO. 9800143407, SAID CITY AND COUNTY OF DENVER RECORDS AND THE
34 **POINT OF BEGINNING;**

35
36 THENCE N 89° 26' 46" E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 50.00
37 FEET;

1 THENCE S 00° 10' 00" E, A DISTANCE OF 15.00 FEET TO A POINT ON THE SOUTH LINE OF
2 SAID
3 15.00-FOOT WIDE UTILITY EASEMENT DEDICATED BY SAID TOWER FARMS SUBDIVISION
4 FILING NO. 1 PLAT;
5 THENCE S 89° 26' 46" W, ALONG SAID SOUTH LINE, A DISTANCE OF 50.00 FEET;
6 THENCE N 00° 10' 00" W, A DISTANCE OF 15.00 FEET TO A POINT ON SAID SOUTH RIGHT-
7 OF-WAY LINE AND THE POINT OF BEGINNING;

8
9 CONTAINING AN AREA OF 750 SQUARE FEET OR 0.017 ACRES, MORE OR LESS

10
11 TOGETHER WITH

12
13 PARCEL 2

14
15 A PARCEL OF LAND BEING A PORTION OF A 10.00-FOOT UTILITY EASEMENT DEDICATED
16 BY TOWER FARMS SUBDIVISION FILING NO. 1, A SUBDIVISION PLAT RECORDED AT
17 RECEPTION NO. 2022025118, IN THE RECORDS OF THE CITY AND COUNTY OF DENVER
18 CLERK AND RECORDER'S OFFICE, LYING WITHIN A PORTION OF LOT 1, BLOCK 1, SAID
19 TOWER FARMS SUBDIVISION, SITUATED IN THE NORTHWEST QUARTER OF SECTION 15,
20 TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND
21 COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED
22 AS FOLLOWS:

23
24 COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 15, THENCE S 27°09'16"
25 E, A DISTANCE
26 OF 693.16 FEET TO A POINT ON THE NORTH LINE OF THE EAST MAXWELL PLACE RIGHT-
27 OF-WAY AS
28 DEDICATED BY SAID TOWER FARMS SUBDIVISION FILING NO. 1 AND THE POINT OF
29 BEGINNING;

30
31 THENCE N 00° 10' 00" W, A DISTANCE OF 10.02 FEET TO A POINT ON THE NORTH LINE OF
32 SAID 10-FOOT
33 WIDE UTILITY EASEMENT AS DEDICATED BY SAID TOWER FARMS SUBDIVISION FILING
34 NO. 1;
35 THENCE S 86° 21' 09" E, ALONG SAID NORTH LINE, A DISTANCE OF 35.08 FEET;
36 THENCE S 00° 10' 00" E, A DISTANCE OF 10.02 FEET TO A POINT ON SAID NORTH RIGHT-
37 OF-WAY LINE;
38 THENCE N 86° 21' 09" W ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 35.08
39 FEET TO THE
40 POINT OF BEGINNING;

41
42 CONTAINING AN AREA OF 351 SQUARE FEET OR 0.008 ACRES, MORE OR LESS.

43
44 THE BEARINGS FOR THIS DESCRIPTION ARE BASED ON THE NORTH LINE OF THE
45 NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER
46 OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH P.M., BEING
47 ASSUMED TO BEAR N 89°26'46" E, FROM THE NORTHWEST CORNER OF SAID SECTION
48 15, BEING MONUMENTED BY A 3-1/4 INCH DIAMETER ALUMINUM CAP (UNABLE TO VERIFY
49 SIZE AND MATERIAL OF MONUMENT), STAMPED "PLS 19003", IN A RANGE BOX, TO THE

1 WEST-WEST 1/64TH CORNER OF SAID SECTION 15 AND SECTION 10, BEING
2 MONUMENTED BY A #6 REBAR WITH A 2 INCH DIAMETER ALUMINUM CAP, STAMPED "PLS
3 22561", IN A RANGE BOX, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO
4 be and the same is hereby approved and that a portion of the easement within the above-described
5 area is hereby relinquished.

6 COMMITTEE APPROVAL DATE: April 18, 2023 by Consent

7 MAYOR-COUNCIL DATE: April 25, 2023

8 PASSED BY THE COUNCIL: _____

9 _____ - PRESIDENT

10 APPROVED: _____ - MAYOR _____

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

14 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

15 PREPARED BY: Martin A. Plate, Assistant City Attorney DATE: April 27, 2023

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

20 Kerry Tipper, Denver City Attorney

21 BY: _____, Assistant City Attorney DATE: _____
22
23