

BY AUTHORITY

1
2 ORDINANCE NO. _____
3 SERIES OF 2023

COUNCIL BILL NO. CB23-0124
COMMITTEE OF REFERENCE:

4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance relinquishing portion of the easement established in Peña**
7 **Station Filing No. 2, recorded with the Denver Clerk & Recorder at Reception No.**
8 **2020050433, located at 6105 North Tower Road.**

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 Peña Station Filing No.
16 2, recorded with the Denver Clerk & Recorder at Reception No. 2020050433, in the following area:

17 **PARCEL DESCRIPTION ROW NO. 2022-RELINQ-000020-001:**

18 LAND DESCRIPTION

19 A PARCEL OF LAND BEING A PORTION OF THAT 10-FOOT UTILITY EASEMENT AS SHOWN
20 ON THE PLAT OF PENA STATION FILING NO. 2 RECORDED UNDER RECEPTION NO.
21 2020050433 IN THE RECORDS OF THE DENVER COUNTY CLERK AND RECORDER,
22 LOCATED IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 3 SOUTH, RANGE 66
23 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF
24 COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

25
26 BASIS OF BEARINGS: THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 9,
27 TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING
28 MONUMENTED BY A 3-1/4" ALUMINUM CAP STAMPED "LS38252" IN A RANGE BOX AT THE
29 EAST 1/4 CORNER, AND A 3-1/4" ALUMINUM CAP STAMPED "LS 27278" IN A RANGE BOX AT
30 THE NORTHEAST CORNER, BEARING N00°11'13"W AS REFERENCED TO UTM ZONE 13.

31 COMMENCING AT THE EAST QUARTER CORNER OF SECTION 9, TOWNSHIP 3 SOUTH,
32 RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN;

33
34 THENCE ON THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9,
35 N00°11'13"W A DISTANCE OF 714.51 FEET;

1 THENCE DEPARTING SAID EAST LINE, S89°48'47"W A DISTANCE OF 80.00 FEET, TO A
2 POINT ON THE SOUTHERLY LINE OF BLOCK 3, AS SHOWN ON THE PLAT PENA STATION
3 FILING NO. 2 RECORDED UNDER RECEPTION NO. 2020050433 IN THE RECORDS OF THE
4 DENVER COUNTY CLERK AND RECORDER, ALSO BEING A POINT ON THE NORTHERLY
5 RIGHT-OF-WAY LINE OF 61ST AVENUE, AND THE POINT OF BEGINNING;

6
7 THENCE ON SAID NORTHERLY RIGHT-OF-WAY LINE, THE FOLLOWING FOUR (4)
8 COURSES:

- 9
10 1. S66°09'58"W A DISTANCE OF 14.94 FEET;
11
12 2. N89°52'28"W A DISTANCE OF 117.65 FEET;
13
14 3. S87°09'36"W A DISTANCE OF 125.64 FEET;
15
16 4. N89°52'28"W A DISTANCE OF 265.58 FEET;

17
18 THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY LINE, N13°35'37"W A DISTANCE
19 OF 10.29 FEET, TO A POINT ON THE NORTHERLY LINE OF THAT 10-FOOT UTILITY
20 EASEMENT RECORDED UNDER RECEPTION NO. 2020050433;

21
22 THENCE ON SAID NORTHERLY EASEMENT LINE, THE FOLLOWING FOUR (4) COURSES:

- 23
24 1. S89°52'28"E A DISTANCE OF 267.76 FEET;
25
26 2. N87°09'36"E A DISTANCE OF 125.64 FEET;
27
28 3. S89°52'28"E A DISTANCE OF 115.79 FEET;
29
30 4. N66°09'58"E A DISTANCE OF 17.19 FEET;

31
32 THENCE DEPARTING SAID NORTHERLY EASEMENT LINE, S00°11'13"E A DISTANCE OF
33 10.92 FEET, TO THE POINT OF BEGINNING.

34
35 CONTAINING A CALCULATED AREA OF 5,251 SQUARE FEET OR 0.1205 ACRES

36 be and the same is hereby approved and that a portion of the easement within the above-described
37 area is hereby relinquished.

38 **[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**

1 COMMITTEE APPROVAL DATE: February 14, 2023 by Consent
2 MAYOR-COUNCIL DATE: February 21, 2023
3 PASSED BY THE COUNCIL: _____
4 _____ - PRESIDENT
5 APPROVED: _____ - MAYOR _____
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: February 23, 2023
11 Pursuant to section 13-9, 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
16 Kerry Tipper, Denver City Attorney
17
18 BY: _____, Assistant City Attorney DATE: _____