

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2023

COUNCIL BILL NO. CB23-0264
COMMITTEE OF REFERENCE:

4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance relinquishing portion of the easements reserved in Ordinance**
7 **No. 324, Series of 2005, recorded with Denver Clerk & Recorder at Reception No.**
8 **2005079520, located at 1300 Walnut Street.**

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 portions of the easements 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 portions of the easements reserved in Ordinance No. 324, Series
16 of 2005, recorded with Denver Clerk & Recorder at Reception No. 2005079520, in the following
17 areas:

18 **PARCEL DESCRIPTION ROW NO. 2020-RELINQ-0000001-001:**

19 **PARCEL 1**

20 A PARCEL OF LAND BEING A PORTION OF WALNUT STREET (NOW KNOWN AS MARKET
21 STREET) ORIGINALLY DEDICATED AS 4TH STREET BY THE PLAT OF WEST DENVER,
22 VACATED BY ORDINANCE NO. 324, SERIES OF 2005, SITUATED IN THE EAST HALF OF
23 SECTION 33, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
24 CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED
25 AS FOLLOWS:

26
27 **COMMENCING** AT THE WEST CORNER OF BLOCK 242 OF SAID WEST DENVER, FROM
28 WHENCE THE RANGE POINT AT THE INTERSECTION OF THE 20' RANGE LINES IN MARKET
29 STREET AND 14TH STREET BEARS NORTH 62°45'45" EAST, A DISTANCE OF 419.86 FEET;
30 THENCE NORTH 59°36'42" EAST ALONG THE NORTHWESTERLY LINE OF SAID BLOCK 242,
31 A DISTANCE OF 84.84 FEET TO A POINT OF NON-TANGENT CURVATURE AND THE **POINT**
32 **OF BEGINNING**;
33 THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT AN ARC LENGTH OF 27.17 FEET,
34 SAID CURVE HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 77°49'28", AND A
35 CHORD WHICH BEARS NORTH 37°14'48" EAST A CHORD DISTANCE OF 25.13 FEET;
36 THENCE NORTH 76°09'33" EAST, A DISTANCE OF 33.57 FEET TO A POINT ON SAID
37 NORTHWESTERLY LINE ALSO BEING THE WEST CORNER OF THE PARCEL OF LAND

1 OPENED TO THE SYSTEM OF THOROUGHFARES BY ORDINANCE NO. 209, SERIES OF 1990,
2 DESCRIBED AS BEING PART OF MARKET STREET AND SAID BLOCK 242;
3 THENCE SOUTH 59°36'42" WEST ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF
4 55.41 FEET TO THE **POINT OF BEGINNING**;

5
6 SAID PARCEL CONTAINS 341 SQUARE FEET OR 0.01 ACRES, MORE OR LESS

7
8 -and-

9 **PARCEL DESCRIPTION ROW NO. 2020-RELINQ-0000001-002:**

10 **PARCEL 2**

11 A PARCEL OF LAND BEING A PORTION OF SPEER BOULEVARD AS ORIGINALLY DEDICATED BY
12 ORDINANCE NO. 154, SERIES OF 1907 AS CHERRY CREEK DRIVE AND RENAMED BY ORDINANCE
13 NO. 61, SERIES OF 1908 AS SPEER BOULEVARD, AND VACATED BY ORDINANCE NO. 324, SERIES
14 OF 2005, SITUATED IN THE EAST HALF OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF
15 THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE
16 PARTICULARLY DESCRIBED AS FOLLOWS:

17
18 **COMMENCING** AT THE WEST CORNER OF SAID BLOCK 242, WEST DENVER FROM WHENCE THE
19 RANGE POINT AT THE INTERSECTION OF THE 20' RANGE LINES IN MARKET STREET AND 14TH
20 STREET BEARS NORTH 62°45'45" EAST, A DISTANCE OF 419.86 FEET;
21 THENCE NORTH 59°36'42" EAST ALONG THE NORTHWESTERLY LINE OF SAID BLOCK 242, A
22 DISTANCE OF 84.84 FEET;
23 THENCE CONTINUING ALONG SAID NORTH LINE NORTH 59°36'42" EAST, A DISTANCE OF 55.41 FEET
24 TO THE WEST CORNER OF THE PARCEL OF LAND OPENED TO THE SYSTEM OF THOROUGHFARES
25 BY ORDINANCE NO. 209, SERIES OF 1990, DESCRIBED AS BEING PART OF MARKET STREET AND
26 SAID BLOCK 242;
27 THENCE NORTH 76°09'33" EAST ALONG THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 66.75
28 FEET TO THE **POINT OF BEGINNING**;
29 THENCE CONTINUING ALONG SAID SOUTH LINE NORTH 76°09'33" EAST, A DISTANCE OF 70.59 FEET
30 TO THE WEST LINE OF THE CHANNEL OF CHERRY CREEK;
31 THENCE SOUTH 21°15'44" EAST ALONG SAID WEST LINE, A DISTANCE OF 344.13 FEET;
32 THENCE SOUTH 68°44'16" WEST, A DISTANCE OF 12.59 FEET TO THE EAST LINE OF SPEER
33 BOULEVARD AS DESCRIBED IN ORDINANCE NO. 209, SERIES OF 1990;
34 THENCE ALONG SAID EAST LINE THE FOLLOWING 2 (TWO) COURSES:
35 1) NORTH 42°35'21" WEST, A DISTANCE OF 70.10 FEET;
36 2) NORTH 45°41'29" WEST, A DISTANCE OF 77.16 FEET TO THE WEST LINE OF SPEER BOULEVARD
37 AS ORIGINALLY DEDICATED BY ORDINANCE NO. 154, SERIES OF 1907 AS CHERRY CREEK DRIVE
38 AND RENAMED BY ORDINANCE NO. 61, SERIES OF 1908 AS SPEER BOULEVARD;
39 THENCE NORTH 21°15'44" WEST ALONG SAID WEST LINE, A DISTANCE OF 217.70 FEET TO THE
40 **POINT OF BEGINNING**.

41
42 SAID PARCEL CONTAINS 20,371 SQUARE FEET OR 0.47 ACRES, MORE OR LESS.

43
44 **BASIS OF BEARINGS:** BEARINGS ARE BASED ON THE 20-FOOT RANGE LINE IN 14TH STREET
45 BETWEEN MARKET STREET AND LARIMER STREET ASSUMED TO BEAR SOUTH 45°27'56" EAST;
46 MONUMENTED BY A #8 REBAR IN A RANGE BOX AT EITHER END

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

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

1 COMMITTEE APPROVAL DATE: March 14, 2023 by Consent
2 MAYOR-COUNCIL DATE: March 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: March 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: _____