

1 BY AUTHORITY

2 ORDINANCE NO. \_\_\_\_\_

COUNCIL BILL NO. CB13- 0421

3 SERIES OF 2013

COMMITTEE OF REFERENCE:

4 **AS AMENDED 7-8-13**

Land Use, Transportation & Infrastructure

5  
6 A BILL

7 **For an ordinance relinquishing all of the easements only as reserved to the**  
8 **City and County of Denver in Ordinance No. 80, Series of 1996 at Reception No.**  
9 **9600010861 and granted to the City and County of Denver in that certain**  
10 **Access and Permanent Easement at Reception No. 9600048768; and**  
11 **relinquishing all of the easements only as reserved to the City and County of**  
12 **Denver in Ordinance No. 102, Series of 1996 at Reception No. 960001497 and**  
13 **lying within a described area, all at approximately 3500 Rockmont Drive.**  
14

15 **WHEREAS**, the Manager of Public Works of the City and County of Denver has found and  
16 determined that the public use, convenience and necessity no longer requires: 1) all of the  
17 easements only as reserved to the City and County of Denver (and not the railroads) in Ordinance  
18 No. 80, Series of 1996 at Reception No. 9600010861; 2) all of the easements granted to the City  
19 and County of Denver in that certain Access and Permanent Easement at Reception No.  
20 9600048768; and 3) all of the easements only as reserved to the City and County of Denver (and  
21 not the railroads) in Ordinance No. 102, Series of 1996 at Reception No. 9600014977 and lying  
22 within a described area; all at approximately 3500 Rockmont Drive, and subject to approval by  
23 ordinance, has relinquished the same.

24 **NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY**  
25 **OF DENVER:**  
26

27 **Section 1.** That the action of the Manager of Public Works in relinquishing all of the  
28 easements only as reserved to the City in Ordinance No. 80, Series of 1996 at Reception No.  
29 ~~960001086~~ **9600010861** and as granted to the City in that certain Access and Permanent  
30 Easement at Reception No. 9600048768, are hereby approved and that the aforementioned  
31 easements are hereby relinquished.

32 **Section 2.** That the action of the Manager of Public Works in relinquishing all of the  
33 easements only as reserved to the City in Ordinance No. 102, Series of 1996 at Reception No.  
34 9600014977, to the extent that such easements lie within the following described area, are hereby  
35 approved and that the reserved easements in the area described are hereby relinquished:

36 **Easement Relinquishment Area**

37 A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 28,  
38 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY

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

3  
4 **COMMENCING** AT THE CENTER-EAST SIXTEENTH CORNER OF SAID SECTION 28,  
5 WHENCE THE EAST QUARTER CORNER OF SAID SECTION BEARS NORTH 89°42'12" EAST,  
6 A DISTANCE OF 1,318.79 FEET, ALL BEARINGS HEREON ARE REFERENCED TO THIS LINE;

7  
8 THENCE NORTH 58°30'24" EAST, A DISTANCE OF 452.14 FEET TO THE NORTHEAST  
9 CORNER OF THAT PROPERTY DESCRIBED IN BARGAIN AND SALE DEED RECORDED  
10 UNDER RECEPTION NO. 9600048762 IN THE RECORDS OF THE CITY AND COUNTY OF  
11 DENVER CLERK AND RECORDERS OFFICE AND BEING THE **POINT OF BEGINNING**;

12  
13 THENCE ALONG THE NORTH AND WEST BOUNDARY OF SAID BARGAIN AND SALE DEED  
14 THE FOLLOWING TWO (2) COURSES:

- 15  
16 1) ALONG A LINE BEING 55.00 FEET SOUTHWESTERLY OF AND PARALLEL WITH THE  
17 EXISTING MAIL-WELL ENVELOPE BUILDING AT 3301 KALAMATH STREET, NORTH 58°25'45"  
18 WEST, A DISTANCE OF 214.31 FEET TO A LINE BEING 80.00 FEET NORTHWESTERLY OF  
19 AND PARALLEL WITH THE NORTHWESTERLY LINE OF SAID BUILDING;
- 20 2) ALONG SAID PARALLEL LINE, NORTH 31°34'15" EAST, A DISTANCE OF 65.41 FEET A POINT  
21 ON THE SOUTHERLY RIGHT-OF-WAY LINE OF ROCKMONT DRIVE AS DESCRIBED IN  
22 ORDINANCE 615 OF SERIES 1994 RECORDED UNDER RECEPTION NO. 9400135632 IN SAID  
23 RECORDS, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THAT PROPERTY  
24 DESCRIBED IN BARGAIN AND SALE DEED RECORDED UNDER RECEPTION NO. 9600048767,  
25 IN SAID RECORDS;

26  
27 THENCE ALONG THE WESTERLY AND NORTHERLY BOUNDARY OF SAID BARGAIN AND  
28 SALE DEED THE FOLLOWING EIGHT (8) COURSES:

- 29  
30 1) CONTINUING ON SAID PARALLEL LINE, NORTH 31°34'15" EAST, A DISTANCE OF 634.34  
31 FEET;
- 32 2) NORTH 58°25'45" WEST, A DISTANCE OF 34.00 FEET TO A LINE BEING 114.00 FEET  
33 NORTHWESTERLY OF AND PARALLEL WITH THE NORTHWESTERLY LINE OF SAID  
34 BUILDING;
- 35 3) ALONG SAID PARALLEL LINE, NORTH 31°34'15" EAST, A DISTANCE OF 514.30 FEET;
- 36 4) SOUTH 58°25'45" EAST, A DISTANCE OF 34.00 FEET TO A LINE BEING 80.00 FEET  
37 NORTHWESTERLY OF AND PARALLEL WITH THE NORTHWESTERLY LINE OF SAID  
38 BUILDING;
- 39 5) ALONG SAID PARALLEL LINE, NORTH 31°34'15" EAST, A DISTANCE OF 99.00 FEET;
- 40 6) NORTH 87°33'57" EAST, A DISTANCE OF 33.78 FEET;
- 41 7) SOUTH 58°25'45" EAST, A DISTANCE OF 32.23 FEET TO THE MOST NORTHERLY CORNER  
42 OF ROCKMONT DRIVE AS DESCRIBED IN ORDINANCE 162 OF SERIES 1964 RECORDED IN  
43 BOOK 9248 AT PAGE 423, AND VACATED BY ORDINANCE 102 OF SERIES 1996 RECORDED  
44 UNDER RECEPTION NO. 9600014977, IN SAID RECORDS;
- 45 8) ALONG THE NORTHEASTERLY LINE OF SAID VACATED ROCKMONT DRIVE, SOUTH  
46 53°45'25" EAST, A DISTANCE OF 50.00 FEET TO THE NORTHEAST CORNER OF SAID  
47 ROCKMONT DRIVE;
- 48 9) ALONG THE EASTERLY LINE OF SAID VACATED ROCKMONT DRIVE, SOUTH 36°14'36"  
49 WEST, A DISTANCE OF 50.00 FEET TO THE NORTHERLY CORNER OF THAT PROPERTY  
50 DESCRIBED IN QUIT CLAIM DEED RECORDED UNDER RECEPTION NO. 9900215799, IN SAID  
51 RECORDS;

52  
53 THENCE ALONG THE NORTHERLY AND EASTERLY BOUNDARY OF SAID QUIT CLAIM DEED  
54 THE FOLLOWING TWO (2) COURSES:

- 1  
2 1) SOUTH 53°46'26" EAST, A DISTANCE OF 99.84 FEET;  
3 2) SOUTH 00°14'08" EAST, A DISTANCE OF 415.67 FEET TO A POINT BEING 15.00 FEET  
4 WESTERLY OF THE WESTERLY RIGHT-OF-WAY LINE OF THE COLORADO AND SOUTHERN  
5 RAILROAD;

6  
7 THENCE ALONG SAID EASTERLY BOUNDARY OF QUIT CLAIM DEED AND A LINE BEING  
8 15.00 WESTERLY OF AND PARALLEL WITH SAID WESTERLY RIGHT-OF-WAY LINE THE  
9 FOLLOWING FOUR (4) COURSES:

- 10  
11 1) SOUTH 21°13'05" WEST, A DISTANCE OF 223.32 FEET;  
12 2) SOUTH 25°57'05" WEST, A DISTANCE OF 97.52 FEET;  
13 3) SOUTH 35°25'05" WEST, A DISTANCE OF 97.52 FEET;  
14 4) SOUTH 44°53'05" WEST, A DISTANCE OF 97.52 FEET TO A POINT ON THE SOUTHEASTERLY  
15 BOUNDARY OF THAT PROPERTY DESCRIBED IN QUITCLAIM DEED RECORDED UNDER  
16 RECEPTION NO. 2012056133, IN SAID RECORDS;

17  
18 THENCE ALONG THE SOUTHEASTERLY AND SOUTHWESTERLY BOUNDARY OF SAID QUIT  
19 CLAIM DEED THE FOLLOWING FOUR (4) COURSES:

- 20  
21 1) SOUTH 46°41'29" WEST, A DISTANCE OF 101.44 FEET;  
22 2) SOUTH 60°41'59" WEST, A DISTANCE OF 160.22 FEET;  
23 3) SOUTH 64°43'38" WEST, A DISTANCE OF 202.90 FEET;  
24 4) NORTH 58°25'45" WEST, A DISTANCE OF 15.54 FEET TO THE **POINT OF BEGINNING**.

25  
26 CONTAINING AN AREA OF 11.750 ACRES, (511,827 SQUARE FEET), MORE OR LESS.  
27

28 COMMITTEE APPROVAL DATE: N/A

29 MAYOR-COUNCIL DATE: N/A

30 PASSED BY THE COUNCIL: \_\_\_\_\_, 2013  
31 \_\_\_\_\_ - PRESIDENT

32 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_, 2013

33 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
34 EX-OFFICIO CLERK OF THE  
35 CITY AND COUNTY OF DENVER

36 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_, 2013; \_\_\_\_\_, 2013

37 PREPARED BY: Brent A. Eisen, Assistant City Attorney DATE: June 20, 2013

38 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
39 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
40 ordinance. The proposed ordinance is submitted to the City Council for approval pursuant to §  
41 3.2.6 of the Charter.

42 Douglas J. Friednash, Denver City Attorney

43 BY: \_\_\_\_\_, Assistant City Attorney DATE: \_\_\_\_\_, 2013