

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2019

COUNCIL BILL NO. CB19-0208
COMMITTEE OF REFERENCE:

4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance relinquishing the easements established in the Easement,**
7 **recorded with the Denver Clerk & Recorder at Reception No. 1939499057, Book**
8 **5340, pages 155-158; the Easement, recorded with the Denver Clerk & Recorder**
9 **at Reception No. 2011143786; and, Denargo Market Subdivision Filing No. 2,**
10 **recorded with the Denver Clerk & Recorder at Reception No. 2012049308, located**
11 **near the intersection of Denargo Street and Wewatta Way.**

12 **WHEREAS**, the Executive Director of Public Works of the City and County of Denver has
13 found and determined that the public use, convenience and necessity no longer requires the
14 easements in the area hereinafter described, and subject to approval by ordinance, has relinquished
15 the same;

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

17
18 **Section 1.** That the action of the Executive Director of Public Works in relinquishing the
19 easement established in the Easement, recorded with the Denver Clerk & Recorder at Reception
20 No. 1939499057, Book 5340, pages 155-158, in the following area:

21 **PARCEL DESCRIPTION ROW NO. 2017-RELINQ-0000015-001:**

22 A PARCEL OF LAND BEING ALL OF THAT PORTION OF THE HIGHWAY AND SLOPE
23 EASEMENT RECORDED IN BOOK 5340 AT PAGE 155 IN THE RECORDS OF THE CITY AND
24 COUNTY OF DENVER, COLORADO CLERK AND RECORDER'S OFFICE, LYING WITHIN LOT
25 1, BLOCK 1, DENARGO MARKET SUBDIVISION FILING NO. 2, RECORDED AT RECEPTION
26 NO. 2012049308 IN SAID RECORDS, LOCATED WITHIN THE SOUTHWEST QUARTER OF
27 SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
28 IN THE COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED
29 AS FOLLOWS:

30
31 **COMMENCING** AT THE NORTHWEST CORNER OF SAID LOT 1, BLOCK 1, WHENCE THE
32 NORTH BOUNDARY OF SAID LOT 1 BEARS NORTH 89°58'19" EAST, ALL BEARINGS
33 HEREON ARE REFERENCED TO THIS LINE;

34
35 THENCE ALONG THE EASTERLY RIGHT-OF-WAY OF DENARGO STREET RECORDED
36 UNDER RECEPTION NUMBER 2012049308 IN SAID RECORDS, SOUTH 00°01'41" EAST, A
37 DISTANCE OF 138.63 FEET TO THE **POINT OF BEGINNING.**
38 THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY, ALONG THE EASTERLY
39 BOUNDARY OF SAID HIGHWAY AND SLOPE EASEMENT, THE FOLLOWING TWO (2)
40 COURSES:

- 1
2 1) SOUTH 00°01'41" EAST, A DISTANCE OF 87.05 FEET;
3
4 2) SOUTH 44°54'50" WEST, A DISTANCE OF 67.89 FEET TO THE EASTERLY RIGHT-OF-
5 WAY OF SAID DENARGO STREET, BEING THE BEGINNING OF A NON-TANGENT
6 CURVE CONCAVE WESTERLY HAVING A RADIUS OF 297.00 FEET, THE RADIUS
7 POINT OF SAID CURVE BEARS NORTH 57°00'49" WEST;
8

9 THENCE ALONG SAID EASTERLY RIGHT-OF-WAY, THE FOLLOWING TWO (2) COURSES:
10

- 11 1) NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 27°55'47", AN
12 ARC LENGTH OF 144.78 FEET;
13
14 2) SOUTH 71°33'46" EAST, A DISTANCE OF 1.23 FEET TO THE **POINT OF BEGINNING**.
15

16 CONTAINING AN AREA OF 0.031 ACRES, (1,334 SQUARE FEET), MORE OR LESS

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

19 **Section 2.** That the action of the Executive Director of Public Works in relinquishing the
20 easement reserved in the Easement, recorded with the Denver Clerk & Recorder at Reception No.
21 2011143786, in the following area:

22 **PARCEL DESCRIPTION ROW NO. 2017-RELINQ-0000015-002:**

23 A PARCEL OF LAND BEING A PART OF LOT 1, BLOCK 1, DENARGO MARKET SUBDIVISION
24 FILING NO. 1, PER THE PLAT RECORDED AT RECEPTION NO. 2009018921 ON FEBRUARY
25 17, 2009 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER, COLORADO CLERK
26 AND RECORDER'S OFFICE, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 27,
27 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SAID CITY,
28 COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
29

30 BASIS OF BEARINGS: BEARINGS ARE BASED ON THE NORTH LINE OF THE SOUTHWEST
31 QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH
32 PRINCIPAL MERIDIAN BEING MONUMENTED AS SHOWN HEREON AND BEARING SOUTH
33 89°59'53" WEST.
34

35 **COMMENCING** AT THE CENTER QUARTER CORNER OF SAID SECTION 27;
36

37 THENCE ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 27,
38 SOUTH 89°59'53" WEST, A DISTANCE OF 903.75 FEET TO THE EASTERLY RIGHT OF WAY
39 LINE OF DENARGO STREET AS DEDICATED BY ORDINANCE NO. 278 OF SERIES 2001;
40

41 THENCE DEPARTING SAID NORTH LINE, ALONG SAID EASTERLY RIGHT-OF-WAY LINE,
42 SOUTH 00°01'41" EAST, A DISTANCE OF 189.89 FEET TO **THE POINT OF BEGINNING**;
43

44 THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 73°45'11 EAST, A

1 DISTANCE OF 207.59 FEET;
2
3 THENCE SOUTH 89°29'10" EAST, A DISTANCE OF 34.73 FEET TO THE WEST BOUNDARY
4 OF A 30 FEET WIDE UTILITY EASEMENT AS DEDICATED BY SAID DENARGO MARKET
5 SUBDIVISION FILING NO. 1;
6
7 THENCE ALONG SAID WEST BOUNDARY, SOUTH 00°01'41" EAST, A DISTANCE OF 30.00
8 FEET;
9
10 THENCE DEPARTING SAID WEST BOUNDARY, NORTH 89°29'10" WEST, A DISTANCE OF
11 39.16 FEET;
12
13 THENCE NORTH 73°45'11" WEST, A DISTANCE OF 202.98 FEET TO THE EASTERLY RIGHT-
14 OF-WAY LINE OF SAID DENARGO STREET;
15
16 THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, NORTH 00°01'41" WEST, A
17 DISTANCE OF 31.25 FEET TO THE **POINT OF BEGINNING**
18 CONTAINING 0.166 ACRES (7,266 SQ. FT.), MORE OR LESS

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

21 **Section 3.** That the action of the Executive Director of Public Works in relinquishing the
22 easement reserved in Denargo Market Subdivision Filing No. 2, recorded with the Denver Clerk &
23 Recorder at Reception No. 2012049308, in the following area:

24 **PARCEL DESCRIPTION ROW NO. 2017-RELINQ-0000015-003:**
25

26 A PARCEL OF LAND BEING A PORTION OF LOT 1, BLOCK 1, DENARGO MARKET SUBDIVISION
27 FILING NO. 2, RECORDED AT RECEPTION NUMBER 2012049308 OF THE RECORDS OF THE
28 DENVER COUNTY, COLORADO CLERK AND RECORDER'S OFFICE, LOCATED WITHIN THE
29 SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH
30 PRINCIPAL MERIDIAN, IN THE COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY
31 DESCRIBED AS FOLLOWS:
32

33 **BEGINNING** AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1, WHENCE THE NORTH
34 BOUNDARY OF SAID LOT 1 BEARS SOUTH 89°58'19" WEST, ALL BEARINGS HEREON ARE
35 REFERENCED TO THIS LINE;
36

37 THENCE ALONG THE EASTERLY BOUNDARY OF SAID LOT 1, THE FOLLOWING TWO (2) COURSES:
38

39 1) SOUTH 00°01'41" EAST, A DISTANCE OF 138.63 FEET;
40

41 2) SOUTH 00°01'24" EAST, A DISTANCE OF 54.90 FEET;
42

43 THENCE DEPARTING SAID EASTERLY BOUNDARY, SOUTH 89°58'19" WEST, A DISTANCE OF 30.00
44 FEET;
45

1 THENCE NORTH 00°01'41" WEST, A DISTANCE OF 193.53 FEET TO THE NORTHERLY BOUNDARY
2 OF SAID LOT 1;
3
4 THENCE ALONG SAID NORTHERLY BOUNDARY, NORTH 89°58'19" EAST, A DISTANCE OF 30.00
5 FEET TO THE **POINT OF BEGINNING**.
6
7 CONTAINING AN AREA OF 0.133 ACRES, (5,806 SQUARE FEET), MORE OR LESS

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

10 COMMITTEE APPROVAL DATE: March 12, 2019 by Consent

11 MAYOR-COUNCIL DATE: March 19, 2019

12 PASSED BY THE COUNCIL: _____ April 1, 2019

13 _____ - PRESIDENT

14 APPROVED: _____ - MAYOR _____

15 ATTEST: _____ - CLERK AND RECORDER,
16 EX-OFFICIO CLERK OF THE
17 CITY AND COUNTY OF DENVER

18 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

19 PREPARED BY: Martin A. Plate, Assistant City Attorney DATE: March 21, 2019

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

24 Kristin M. Bronson, Denver City Attorney

25 BY: Kristin M. Bronson, Assistant City Attorney DATE: Mar 20, 2019