

1 **BY AUTHORITY**

2 ORDINANCE NO. \_\_\_\_\_  
3 SERIES OF 2019

COUNCIL BILL NO. CB19-0328  
COMMITTEE OF REFERENCE:

4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance relinquishing a portion of the easement established in the**  
7 **Grant of Permanent Access and Common Easement for Alley Way, recorded with**  
8 **Denver Clerk & Recorder at Reception No. 2003116383; and the easement**  
9 **established in the Deed of Easement, recorded with Denver Clerk & Recorder at**  
10 **Book 7792, Page 433, located at East 51st Avenue and Broadway.**

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

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

16 **Section 1.** That the action of the Executive Director of Public Works in relinquishing a  
17 portion of the easement established in the Grant of Permanent Access and Common Easement for  
18 Alley Way, recorded with the Denver Clerk & Recorder at Reception No. 2003116383, in the  
19 following area:

20 **PARCEL DESCRIPTION ROW NO. 2017-RELINQ-000024-001:**

21 PARCEL A:

22  
23 A PARCEL OF LAND SITUATED IN THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 3  
24 SOUTH, RANGE 68 WEST OF THE 6TH P.M.,  
25 CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY  
26 DESCRIBED AS FOLLOWS:

27  
28 COMMENCING AT A FOUND AXLE IN RANGE BOX IN THE INTERSECTION OF LINCOLN  
29 STREET AND EAST 51ST AVENUE FROM WHENCE A FOUND AXLE IN RANGE BOX IN  
30 THE INTERSECTION OF BROADWAY STREET AND EAST 51ST AVENUE BEARS  
31 S89°36'40"W A DISTANCE OF 310.04 FEET WITH ALL BEARINGS HEREIN RELATIVE  
32 THERETO;

33  
34 THENCE N45°12'19"W A DISTANCE OF 28.19 FEET TO THE SOUTHEAST CORNER OF  
35 BLOCK 3 OF MIDLAND ADDITION SUBDIVISION;  
36 THENCE S89°36'40"W ALONG THE SOUTH LINE OF SAID BLOCK 3 A DISTANCE OF  
37 127.02 FEET TO THE SOUTHWEST CORNER OF LOT 1 OF SAID BLOCK 3 AND THE  
38 POINT OF BEGINNING;

1  
2 THENCE S89°36'40"W ALONG THE SOUTH LINE OF SAID BLOCK 3 A DISTANCE OF  
3 16.00 FEET TO THE SOUTHEAST CORNER OF LOT 48 OF SAID BLOCK 3; THENCE  
4 N00°01'03"W A DISTANCE OF 237.56 FEET;  
5 THENCE N89°36'40"E A DISTANCE OF 16.00 FEET TO THE WEST LINE OF LOT 10 OF  
6 SAID BLOCK 3;  
7 THENCE S00°01'04"E A DISTANCE OF 237.56 FEET TO THE SOUTHWEST CORNER OF  
8 LOT 1 OF SAID BLOCK 3 AND THE POINT OF BEGINNING;  
9  
10 CONTAINING AN AREA OF 3,800 SQ. FT. OR 0.087 ACRE

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

13 **Section 2.** That the action of the Executive Director of Public Works in relinquishing the  
14 easement established in the Deed of Easement, recorded with the Denver Clerk & Recorder at Book  
15 No. 7792, Page 433, in the following the area:



16 **PARCEL DESCRIPTION ROW NO. 2017-RELINQ-0000024-002:**

17 PARCEL B:  
18 A PARCEL OF LAND SITUATED IN THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 3  
19 SOUTH, RANGE 68 WEST OF THE 6TH P.M.,  
20 CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY  
21 DESCRIBED AS FOLLOWS:

22  
23 COMMENCING AT A FOUND AXLE IN RANGE BOX IN THE INTERSECTION OF LINCOLN  
24 STREET AND EAST 51ST AVENUE FROM WHENCE A FOUND AXLE IN RANGE BOX IN  
25 THE INTERSECTION OF BROADWAY STREET AND EAST 51ST AVENUE BEARS  
26 S89°36'40"W A DISTANCE OF 310.04 FEET WITH ALL BEARINGS HEREIN RELATIVE  
27 THERETO;

28  
29 THENCE N45°12'19"W A DISTANCE OF 28.19 FEET TO THE SOUTHEAST CORNER OF  
30 BLOCK 3 OF MIDLAND ADDITION SUBDIVISION;  
31 THENCE N00°01'17"W ALONG THE EAST LINE OF SAID BLOCK 3 A DISTANCE OF  
32 207.03 FEET TO THE POINT OF BEGINNING;  
33 THENCE S89°37'17"W A DISTANCE OF 270.01 FEET TO THE WEST LINE OF SAID  
34 BLOCK 3;  
35 THENCE N00°00'50"W ALONG THE WEST LINE OF SAID BLOCK 3 A DISTANCE OF  
36 10.00 FEET;  
37 THENCE N89°37'17"E A DISTANCE OF 270.01 FEET TO THE EAST LINE OF SAID  
38 BLOCK 3;  
39 THENCE S00°01'17"E ALONG THE EAST LINE OF SAID BLOCK 3 A DISTANCE OF  
40 10.00 FEET TO THE POINT OF BEGINNING;

41  
42 CONTAINING AN AREA OF 2,700 SQ. FT. OR 0.062 ACRE  
43 be and the same is hereby approved and that the easement within the above-described area is  
44 hereby relinquished.

1 COMMITTEE APPROVAL DATE: April 9, 2019 by Consent  
2 MAYOR-COUNCIL DATE: April 16, 2019  
3 PASSED BY THE COUNCIL: April 29, 2019  
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: April 18, 2019  
11 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the Office of  
12 the 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 Kristin M. Bronson, Denver City Attorney  
17  
18 BY: , Assistant City Attorney DATE: Apr 18, 2019