

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2016

COUNCIL BILL NO. CB16-1037
COMMITTEE OF REFERENCE:

Land Use, Transportation & Infrastructure

A BILL

For an ordinance relinquishing a portion of the easement reserved by Section A, Article 9 of Ordinance No. 750, Series of 1997, and relinquishing a portion of the easement established by the Deed of Easement, recorded with the Denver Clerk & Recorder at Reception No. 9900154402, located at 1000 Chopper Circle.

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

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

Section 1. That the action of the Executive Director of Public Works in relinquishing a portion of the easement reserved by Section A, Article 9 of Ordinance No. 750, Series of 1997, and in relinquishing a portion of the easement reserved by the Deed of Easement, recorded with the Denver Clerk & Recorder at Reception No. 9900154402 in the following areas:

PARCEL DESCRIPTION ROW NO. 2016-RELINQ-0000016-001:

A PORTION OF THAT SEWER EASEMENT RETAINED IN ORDINANCE 750 OF 1997 AND RECORDED AT RECEPTION NO. 9700150821 IN THE CITY AND COUNTY OF DENVER RECORDS LYING SOUTHEAST OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF WEWATTA STREET AND NORTHWESTERLY OF THE NORTHWESTERLY RIGHT-OF-WAY LINE OF CHOPPER COURT OVER AND ACROSS A PORTION OF THAT PROPERTY SHOWN ON AND DESCRIBED IN THAT ALTA / ACSM LAND TITLE SURVEY DEPOSITED IN THE COUNTY SURVEYOR'S LAND SURVEY / RIGHT-OF-WAY SURVEYS ON JUNE 9, 2000, IN BOOK 37 AT PAGES 106-114, RECEPTION NUMBER L004692; LOCATED IN THE NORTH HALF OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF 12TH STREET WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF CHOPPER CIRCLE AS MONUMENTED BY A 3/4 INCH BRASS TAG STAMPED PLS 24949 AND CONSIDERING THE INTERSECTION OF THE NORTHWESTERLY RIGHT-OF-WAY OF SAID CHOPPER CIRCLE AND THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SPEER BOULEVARD AS MONUMENTED BY A 3/4 INCH BRASS TAG STAMPED PLS 24949 TO BEAR NORTH 44°53'56" EAST, A DISTANCE OF 226.75 FEET WITH ALL BEARINGS HEREIN RELATIVE THERETO; THENCE NORTH 73°01'25" WEST A DISTANCE OF 328.29 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF WEWATTA STREET AND THE POINT OF BEGINNING.

THENCE ALONG THE NORTHEASTERLY LINE OF VACATED 11TH STREET, SOUTH 30°16'12" EAST, A DISTANCE OF 334.69 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF CHOPPER CIRCLE AS DESCRIBED IN ORDINANCE 109 OF 1998 AND RECORDED AT RECEPTION NO. 9800030569;

1 THENCE SOUTHERLY ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE ON THE ARC OF A NON-
2 TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 598.14 FEET AND A CENTRAL ANGLE OF 09°50'00",
3 AN ARC DISTANCE OF 102.65 FEET (THE CHORD OF SAID CURVE BEARS SOUTH 21°00'58" WEST, A
4 DISTANCE OF 102.53 FEET) TO THE SOUTHWESTERLY LINE OF VACATED 11TH STREET;
5 THENCE ALONG SAID SOUTHWESTERLY LINE, NORTH 30°16'12" WEST, A DISTANCE OF 399.08 FEET TO THE
6 SOUTHEASTERLY RIGHT-OF-WAY LINE OF WEWATTA STREET;
7 THENCE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, NORTH 59°55'00" EAST, A DISTANCE OF 80.00
8 FEET TO THE POINT OF BEGINNING.

9
10 CONTAINING A CALCULATED AREA OF 29,200 SQUARE FEET OR 0.670 ACRES, MORE OR LESS.

11 **PARCEL DESCRIPTION ROW NO. 2016-RELINQ-0000016-002:**

12 A PORTION OF THAT EASEMENT DESCRIBED AT RECEPTION NO. 9900154402 IN THE CITY AND COUNTY OF
13 DENVER RECORDS OVER AND ACROSS A PORTION OF THAT PROPERTY SHOWN ON AND DESCRIBED IN
14 THAT ALTA / ACSM LAND TITLE SURVEY DEPOSITED IN THE COUNTY SURVEYOR'S LAND SURVEY / RIGHT-
15 OF-WAY SURVEYS ON JUNE 9, 2000, IN BOOK 37 AT PAGES 106-114, RECEPTION NUMBER L004692;
16 LOCATED IN THE NORTH HALF OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH
17 PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY
18 DESCRIBED AS FOLLOWS:

19
20 COMMENCING AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF 12TH STREET
21 WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF CHOPPER CIRCLE AS MONUMENTED BY A 3/4 INCH
22 BRASS TAG STAMPED PLS 24949 AND CONSIDERING THE INTERSECTION OF THE NORTHWESTERLY
23 RIGHT-OF-WAY OF SAID CHOPPER CIRCLE AND THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SPEER
24 BOULEVARD AS MONUMENTED BY A 3/4 INCH BRASS TAG STAMPED PLS 24949 TO BEAR NORTH 44°53'56"
25 EAST, A DISTANCE OF 226.75 FEET WITH ALL BEARINGS HEREIN RELATIVE THERETO; THENCE NORTH
26 69°20'56" WEST A DISTANCE OF 300.93 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID
27 12TH STREET AND THE POINT OF BEGINNING.

28
29 THENCE ALONG THE EASTERLY LINES OF SAID EASEMENT THE FOLLOWING THREE (3) COURSES:

- 30
31 1. SOUTH 60°03'11" WEST, A DISTANCE OF 11.53 FEET;
32 2. SOUTHERLY ON THE ARC OF A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 35.00 FEET
33 AND A CENTRAL ANGLE OF 90°11'57", AN ARC DISTANCE OF 55.10 FEET (THE CHORD OF SAID
34 CURVE BEARS SOUTH 14°57'12" WEST, A DISTANCE OF 49.58 FEET);
35 3. SOUTH 30°08'46" EAST, A DISTANCE OF 155.79 FEET;

36
37 THENCE SOUTH 43°07'30" WEST, A DISTANCE OF 66.20 FEET TO THE WESTERLY LINE OF SAID EASEMENT;
38 THENCE ALONG THE WESTERLY AND NORTHERLY LINES OF SAID EASEMENT THE FOLLOWING FOUR (4)
39 COURSES:

- 40
41 1. NORTH 29°56'29" WEST, A DISTANCE OF 165.19 FEET;
42 2. NORTHERLY ON THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 95.00 FEET
43 AND A CENTRAL ANGLE OF 33°16'05", AN ARC DISTANCE OF 55.16 FEET (THE CHORD OF SAID
44 CURVE BEARS
45 NORTH 13°18'26" WEST, A DISTANCE OF 54.39 FEET);
46 3. NORTH 59°55'00" EAST, A DISTANCE OF 60.53 FEET;
47 4. EASTERLY ON THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 78.62 FEET
48 AND A CENTRAL ANGLE OF 24°57'40", AN ARC DISTANCE OF 34.25 FEET (THE CHORD OF SAID
49 CURVE BEARS NORTH 72°23'50" EAST, A DISTANCE OF 33.98 FEET) TO THE POINT OF BEGINNING.

50
51 CONTAINING A CALCULATED AREA OF 13,348 SQUARE FEET OR 0.306 ACRES, MORE OR LESS.

52 be and the same is hereby approved and that the easements within the above-described areas are
53 hereby relinquished.

54

1 COMMITTEE APPROVAL DATE: November 3, 2016, by consent
2 MAYOR-COUNCIL DATE: November 8, 2016
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: Brent A. Eisen, Assistant City Attorney DATE: November 10, 2016

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 Kristin M. Bronson, Denver City Attorney

16 BY:  _____, Assistant City Attorney DATE: Nov 10, 2016