

1 BY AUTHORITY

2 ORDINANCE NO. _____
3 SERIES OF 2011

COUNCIL BILL NO. CB11-0732
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

5 A BILL

6 **For an ordinance terminating a permit and relinquishing a portion of the easement**
7 **relating to the Exempla development at the former St. Joseph Hospital site.**
8

9 **WHEREAS**, the City granted a revocable permit for a sign, which permit was recorded in Book
10 1412 at Page 9 on March 30, 1977; and

11 **WHEREAS**, an easement was granted to the City through a Deed of Easement recorded in the
12 Denver County real property records on June 17, 1999 at Reception No. 9900144754; and

13 **WHEREAS**, the owner has requested that the revocable permit be terminated and a portion of
14 the easement be relinquished; and

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 that a portion of the
17 easement in the area hereinafter described, and subject to approval by ordinance, has relinquished
18 the same;

19 **NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY**
20 **OF DENVER:**
21

22 **Section 1.** That the permit recorded in Book 1412 at Page 9 on March 30, 1977 is hereby
23 terminated.

24 **Section 2.** That the action of the Manager of Public Works in relinquishing a portion of the
25 easement described in that Deed of Easement recorded in the Denver County real property records at
26 Reception No. 9900144754 on June 17, 1999, in the following area:
27

28 **PARCEL DESCRIPTION ROW 2010-0418-10-001**

A PORTION OF THE EASEMENT REC #9900144754, IN BLOCK 63 OF GABATHULERS ADDITION TO DENVER BEING IN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 68 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EASTERLY 2 FEET OF LOTS 16 THROUGH 18, AND THE ALLEY ADJACENT TO SAID LOTS, OF SAID BLOCK 63, GABATHULERS ADDITION TO DENVER AND THE WESTERLY 2 FEET OF LOTS 23 THROUGH 25, AND THE ALLEY ADJACENT TO SAID LOTS, OF SAID BLOCK 63, GABATHULERS ADDITION TO DENVER.

1 be and the same is hereby approved and that the portion of the easement within such described area
2 is hereby relinquished.

3 COMMITTEE APPROVAL DATE: October 13, 2011 by consent.

4 MAYOR-COUNCIL DATE: October 18, 2011

5 PASSED BY THE COUNCIL: _____, 2011

6 _____ - PRESIDENT

7 APPROVED: _____ - MAYOR _____, 2011

8 ATTEST: _____ - CLERK AND RECORDER,
9 EX-OFFICIO CLERK OF THE
10 CITY AND COUNTY OF DENVER

11 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2011; _____, 2011

12 PREPARED BY: KAREN A. AVILES, Assistant City Attorney DATE: October 20, 2011

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

17 Douglas J. Friednash, Denver City Attorney

18 BY: _____, Assistant City Attorney DATE: _____, 2011