

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2017

COUNCIL BILL NO. CB16-1330  
COMMITTEE OF REFERENCE:

Land Use, Transportation & Infrastructure

**A BILL**

**For an ordinance relinquishing an easement reserved by Ordinance No. 35, Series of 1933, located near the intersection of Marion Street and Park Avenue.**

**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 the easement in the area 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 the easement in the following area:

**PARCEL DESCRIPTION ROW NO. 2016-RELINQ-0000004-001:**

A PARCEL OF LAND BEING THE NORTH HALF OF THE EAST WEST PUBLIC ALLEY LYING BETWEEN THE SOUTH LINE OF LOT 36 AND THE NORTH LINE OF MARION SQUARE IN BLOCK 26, AS RECORDED AT ORDINANCE NO. 35, SERIES OF 1933 AND AS SHOWN ON THE PLAT OF PARK AVENUE ADDITION TO DENVER, RECORDED IN BOOK 2, PAGE 66, OF THE OFFICIAL ARAPAHOE COUNTY RECORDS, SAID PARCEL BEING SITUATED IN THE SOUTHWEST QUARTER OF SECTION 35, 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 RANGE POINT LOCATED AT THE INTERSECTION OF MARION STREET AND 17TH AVENUE ALSO BEING THE INTERSECTION OF A 27.50' RANGE LINE RUNNING EAST/ WEST AND A 21.00' RANGE LINE RUNNING NORTH/ SOUTH;

THENCE SOUTH 25°59'42" EAST, A DISTANCE OF 192.58 FEET TO THE SOUTHWEST CORNER OF LOT 36 AND THE NORTH LINE OF A 12.00 FOOT WIDE ALLEY LOCATED IN BLOCK 26, OF SAID PARK AVENUE ADDITION TO DENVER, SAID POINT ALSO BEING THE POINT OF BEGINNING.

THENCE SOUTH 89°35'41" EAST ALONG THE NORTH LINE OF SAID 12.00 WIDE ALLEY, A DISTANCE OF 98.77 FEET TO THE SOUTHEAST CORNER OF LOT 36, BLOCK 26 OF SAID PARK AVENUE ADDITION TO DENVER;

THENCE SOUTH 00°18'49" WEST, A DISTANCE OF 6.00 FEET TO THE CENTERLINE OF SAID 12.00 FOOT WIDE ALLEY;

THENCE NORTH 89°35'41" WEST PARALLEL WITH THE NORTH LINE OF SAID 12.00 WIDE ALLEY, A DISTANCE OF 92.73 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF PARK AVENUE;

THENCE NORTH 44°48'41" WEST ALONG SAID RIGHT OF WAY, A DISTANCE OF 8.52 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 574.50 SQUARE FEET OR 0.01 ACRES, MORE OR LESS.

1 BASIS OF BEARINGS: BEARINGS ARE BASED ON THE ASSUMPTION THAT THE NORTHERLY (27.5') RANGE LINE COINCIDENT WITH  
2 SEVENTEENTH AVENUE REFERENCED IN PARK AVENUE ADDITION TO DENVER, RECORDED IN BOOK 2, PAGE 66, OF THE OFFICIAL  
3 ARAPAHOE COUNTY RECORDS, BEARS

4 SOUTH 89°35'41" EAST. WEST END OF SAID LINE IS LOCATED AT THE INTERSECTION OF MARION STREET & 17TH AVENUE AS  
5 MONUMENTED WITH A 1" AXLE IN MONUMENT BOX, EAST END OF SAID LINE IS LOCATED AT THE INTERSECTION OF LAFAYETTE  
6 STREET AND SEVENTEENTH AVENUE AS MONUMENTED WITH A 1" AXLE IN MONUMENT BOX.

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

9 COMMITTEE APPROVAL DATE: December 27, 2016 by Consent

10 MAYOR-COUNCIL DATE: January 3, 2017

11 PASSED BY THE COUNCIL: \_\_\_\_\_ January 17, 2017

12 Al Bork \_\_\_\_\_ - PRESIDENT

13 APPROVED: Harvey Haynes \_\_\_\_\_ - MAYOR Jan 18, 2017

14 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
15 EX-OFFICIO CLERK OF THE  
16 CITY AND COUNTY OF DENVER

17 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_; \_\_\_\_\_

18 PREPARED BY: Brent A. Eisen, Assistant City Attorney DATE: January 5, 2017

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

23 Kristin M. Bronson, Denver City Attorney

24 BY: Brent A. Eisen \_\_\_\_\_, Assistant City Attorney DATE: Jan 5, 2017