

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2016

COUNCIL BILL NO. CB16-0135
COMMITTEE OF REFERENCE:
Infrastructure & Culture

A BILL

For an ordinance relinquishing two utility easements conveyed by a Deed of Easement recorded at Reception No. 1996067098 and bounded by South Colorado Boulevard, East Kentucky Avenue, South Birch Street, and East Mississippi 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 two utility easements in the area hereinafter described, and subject to approval by ordinance, has relinquished the same;

NOW, THEREFORE, 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 two utility easements recorded with the Office of the Clerk & Recorder for the City and County of Denver at Reception No. 1996067098 in the following areas:

PARCEL DESCRIPTION ROW NO. 2016-RELINQ-000001-001:

BEING EACH AND ALL OF THOSE TWO (2) CERTAIN UTILITY EASEMENTS AS GRANTED IN THAT CERTAIN “DEED OF EASEMENT” RECORDED MAY 17, 1996 AT RECEPTION NO. 9600067098, LYING WITHIN THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY & COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

EASEMENT RELINQUISHMENT NO. 1

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER (SW ¼) OF SAID SOUTHWEST QUARTER (SW ¼), FROM WHENCE THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER (SW ¼) OF SAID SOUTHWEST QUARTER (SW ¼) BEARS NORTH 00°04’24” EAST A DISTANCE OF 1319.55 FEET, WITH ALL BEARINGS HEREIN RELATED THERETO;

THENCE NORTH 43°47’15” EAST, 459.40 FEET TO POINT OF BEGINNING #1;

THENCE ALONG THE EXTERIOR BOUNDARY OF SAID EASEMENT GRANTED IN SAID “DEED OF EASEMENT” THE FOLLOWING FOUR (4) COURSES:

1. NORTH 02°57’40” WEST, 164.95 FEET TO A POINT;
2. NORTH 89°49’20” EAST, 24.03 FEET TO A POINT;
3. SOUTH 02°57’40” EAST, 164.93 FEET TO A POINT;
4. SOUTH 89°47’27” WEST, 24.03 FEET TO POINT OF BEGINNING #1.

1 CONTAINING 3,959 SQUARE FEET OR 0.091 ACRES OF LAND, MORE OR LESS

2 and

3 **PARCEL DESCRIPTION ROW NO. 2016-RELINQ-0000001-002:**

4
5 COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER (SW 14/) OF
6 SAID SOUTHWEST QUARTER (SW ¼), FROM WHENCE THE NORTHWEST CORNER OF SAID
7 SOUTHWEST QUARTER (SW ¼) OF SAID SOUTHWEST QUARTER (SW ¼) BEARS NORTH
8 00°04'24" EAST A DISTANCE OF 1319.55 FEET, WITH ALL BEARINGS HEREIN RELATED
9 THERETO;

10 THENCE ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER (SW ¼), NORTH 00°04'24"
11 EAST, 401.43 FEET TO A POINT;

12 THENCE LEAVING SAID WEST LINE, SOUTH 89°55'36" EAST, 44.78 FEET TO POINT OF
13 BEGINNING #2;

14 THENCE ALONG THE EXTERIOR BOUNDARY OF SAID EASEMENT GRANTED IN SAID "DEED
15 OF EASEMENT" THE FOLLOWING SEVEN (7) COURSES:

- 16 1. NORTH 04°12'45" WEST, 22.03 FEET TO A POINT;
- 17 2. NORTH 02°24'55" WEST, 21.07 FEET TO A POINT;
- 18 3. SOUTH 47°28'18" EAST, 43.92 FEET TO A POINT;
- 19 4. NORTH 89°46'32" EAST, 250.41 FEET TO A POINT;
- 20 5. SOUTH 02°57'40" EAST, 30.03 FEET TO A POINT;
- 21 6. SOUTH 89°46'32" WEST, 263.59 FEET TO A POINT;
- 22 7. NORTH 47°28'18" WEST, 24.74 FEET TO POINT OF BEGINNING #2.

23 CONTAINING 8,747 SQUARE FEET OR 0.201 ACRES OF LAND, MORE OR LESS.

24

25 be and the same are hereby approved and that two utility easements within the above-described
26 area are hereby relinquished.

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28 **[BALANCE OF PAGE INTENTIONALLY LEFT BLANK]**

1 COMMITTEE APPROVAL DATE: March 3, 2016 by Consent
2 MAYOR-COUNCIL DATE: March 8, 2016
3 PASSED BY THE COUNCIL: _____, 2016
4 _____ - PRESIDENT

5 APPROVED: _____ - MAYOR _____, 2016
6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2016; _____, 2016

10 PREPARED BY: Brent A. Eisen, Assistant City Attorney DATE: March 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
14 § 3.2.6 of the Charter.

15 D. Scott Martinez, Denver City Attorney

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17 BY: _____, Assistant City Attorney DATE: _____, 2016