

1 **BY AUTHORITY**

2 ORDINANCE NO. \_\_\_\_\_

COUNCIL BILL NO. CB21-1075

3 SERIES OF 2021

COMMITTEE OF REFERENCE:

4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 For an ordinance relinquishing a portion of the 10-foot sewer easement  
7 established in the Deed of Easement recorded with Denver Clerk & Recorder at  
8 Book No. 595, Page 674; and, a portion of the 20-foot drainage facility easement  
9 established in the Deed of Easement recorded with the Denver Clerk & Recorder  
10 at Book No. 1785, Page 45 located near the intersection of East Hampden Avenue  
11 and South Tamarac Drive.

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

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

17 **Section 1.** That the action of the Executive Director of the Department of Transportation  
18 and Infrastructure in relinquishing a portion of the 10-foot sewer easement established in the Deed  
19 of Easement recorded with Denver Clerk & Recorder at Book No. 595, Page 674; and, a portion of  
20 the 20-foot drainage facility easement established in the Deed of Easement recorded with the Denver  
21 Clerk & Recorder at Book No. 1785, Page 45, in the following areas:

22 **PARCEL DESCRIPTION ROW NO. 2018-RELINQ-0000015-001:**

23 A PARCEL OF LAND BEING A PORTION OF LAND AS DESCRIBED IN RECEPTION NO.  
24 2015165582 AND ALSO A PORTION OF A CERTAIN 10 FOOT STORM SEWER EASEMENT AS  
25 DESCRIBED IN BOOK 595 PAGE 674, RECORDED NOVEMBER 09, 1972 IN THE CLERK AND  
26 RECORDER'S OFFICE OF THE CITY AND COUNTY OF DENVER, SITUATED IN THE  
27 NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE  
28 SIXTH PRINCIPAL MERIDIAN; IN SAID CITY AND COUNTY, STATE OF COLORADO; BEING  
29 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

30  
31 **COMMENCING** AT THE NORTHWEST CORNER OF SAID SECTION 4, WHENCE THE  
32 NORTHERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 4, BEARS NORTH  
33 89°48'32" EAST, ALL BEARINGS HEREON ARE REFERENCED TO THIS LINE;

34  
35 THENCE SOUTH 79°48'51" EAST, A DISTANCE OF 1178.03 FEET TO THE INTERSECTION OF  
36 THE NORTH LINE OF SAID STORM SEWER EASEMENT AND THE WESTERLY LINE OF THAT

1 PARCEL OF LAND DESCRIBED IN RECEPTION NO. 2015165582 AND THE **POINT OF**  
2 **BEGINNING.**

3  
4 THENCE ALONG SAID NORTH LINE, NORTH 89°48'32" EAST, A DISTANCE OF 164.92 FEET  
5 TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF  
6 SAID SECTION 4 ALSO BEING THE WESTERLY RIGHT-OF-WAY OF SOUTH TAMARAC  
7 DRIVE;

8  
9 THENCE ALONG SAID EAST LINE, SOUTH 00°35'44" WEST, A DISTANCE OF 10.00 FEET TO  
10 THE SOUTHERLY LINE OF SAID EASEMENT;

11  
12 THENCE DEPARTING SAID EAST LINE, ALONG SAID SOUTHERLY LINE, SOUTH 89°48'32"  
13 WEST, A DISTANCE OF 154.93 FEET TO THE WESTERLY LINE OF SAID PARCEL  
14 DESCRIBED IN RECEPTION NO. 2015165582;

15  
16 THENCE ALONG SAID WESTERLY LINE, NORTH 44°45'16" WEST, A DISTANCE OF 14.04  
17 FEET TO THE **POINT OF BEGINNING.**

18  
19 CONTAINING AN AREA OF 0.037 ACRES, (1,599 SQUARE FEET), MORE OR LESS  
20 -and-

21 **PARCEL DESCRIPTION ROW NO. 2018-RELINQ-0000015-002:**

22 A PARCEL OF LAND BEING A PORTION OF LAND AS DESCRIBED IN RECEPTION NO.  
23 2015165582 AND ALSO A PORTION OF A CERTAIN 20 FOOT STORM AND UTILITY EASEMENT  
24 AS DESCRIBED IN BOOK 1785 PAGE 45, RECORDED NOVEMBER 08, 1978 IN THE CLERK  
25 AND RECORDER'S OFFICE OF THE CITY AND COUNTY OF DENVER, SITUATED IN THE  
26 NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE  
27 SIXTH PRINCIPAL MERIDIAN; IN SAID CITY AND COUNTY, STATE OF COLORADO; BEING  
28 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

29  
30 **COMMENCING** AT THE NORTHWEST CORNER OF SAID SECTION 4, WHENCE THE  
31 NORTHERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 4, BEARS NORTH  
32 89°48'32" EAST, ALL BEARINGS HEREON ARE REFERENCED TO THIS LINE;

33  
34 THENCE SOUTH 80°28'27 EAST, A DISTANCE OF 1,214.51 FEET TO A POINT ON THE NORTH  
35 LINE OF SAID STORM AND UTILITY EASEMENT AND THE **POINT OF BEGINNING.**

36  
37 THENCE ALONG SAID NORTH LINE, NORTH 89°48'32" EAST, A DISTANCE OF 126.69 FEET  
38 TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF  
39 SAID SECTION 4 ALSO BEING THE WESTERLY RIGHT-OF-WAY OF SOUTH TAMARAC DRIVE;

40  
41 THENCE ALONG SAID EAST LINE, SOUTH 00°35'44" WEST, A DISTANCE OF 20.00 FEET TO  
42 THE SOUTH LINE OF SAID STORM AND UTILITY EASEMENT;

43  
44 THENCE DEPARTING SAID EAST LINE AND ALONG SAID SOUTH LINE, SOUTH 89°48'32"  
45 WEST, A DISTANCE OF 146.42 FEET;

46  
47 THENCE NORTH 44°48'32" EAST, A DISTANCE OF 28.28 FEET TO THE **POINT OF BEGINNING.**

1 CONTAINING AN AREA OF 0.063 ACRES, (2,731 SQUARE FEET), MORE OR LESS  
2  
3 be and the same is hereby approved and that portions of the easements within the above-described  
4 areas are hereby relinquished.

5 COMMITTEE APPROVAL DATE: September 21, 2021 by Consent

6 MAYOR-COUNCIL DATE: September 28, 2021

7 PASSED BY THE COUNCIL: \_\_\_\_\_

8 \_\_\_\_\_ - PRESIDENT

9 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_

10 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
11 EX-OFFICIO CLERK OF THE  
12 CITY AND COUNTY OF DENVER

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

14 PREPARED BY: Martin A. Plate, Assistant City Attorney DATE: September 30, 2021

15 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the Office of the  
16 City Attorney. We find no irregularity as to form and have no legal objection to the proposed  
17 ordinance. The proposed ordinance is submitted to the City Council for approval pursuant to § 3.2.6  
18 of the Charter.

19  
20 Kristin M. Bronson, Denver City Attorney

21  
22 BY: Jonathan Griffin, Assistant City Attorney DATE: Sep 30, 2021