

1 **BY AUTHORITY**

2 ORDINANCE NO. \_\_\_\_\_  
3 SERIES OF 2022

COUNCIL BILL NO. CB22-1366  
COMMITTEE OF REFERENCE:

4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance relinquishing a covenant, in its entirety, established in**  
7 **Covenant, recorded with the Denver Clerk & Recorder at Reception No.**  
8 **1985084670; an easement, in its entirety, reserved in Ordinance No. 30, Series of**  
9 **1943, recorded with the Denver Clerk & Recorder at Book 7120, Page 540; and a**  
10 **portion of the easement reserved in Ordinance No. 38, Series of 1946, recorded**  
11 **with the Denver Clerk & Recorder at Book 0-1, Page 3, all located at 4400 North**  
12 **Fox Street.**

13 **WHEREAS**, the Executive Director of the Department of Transportation and Infrastructure of  
14 the City and County of Denver has found and determined that the public use, convenience and  
15 necessity no longer requires the covenant, easement and portion of an easement in the above-  
16 referenced Covenant and Ordinances, and subject to approval by ordinance, has relinquished the  
17 same;

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

19 **Section 1.** That the action of the Executive Director of the Department of Transportation  
20 and Infrastructure in relinquishing of the covenant, in its entirety, established in Covenant, recorded  
21 with the Denver Clerk & Recorder at Reception No. 1985084670; and the easement, in its entirety,  
22 reserved in Ordinance No. 30, Series of 1943, recorded with the Denver Clerk & Recorder at Book  
23 7120, Page 540 (copies of the Ordinance also include a reference to Book A-27, Page 258), be and  
24 the same are hereby approved and that the covenant and easement in the above-described  
25 Covenant and Ordinance are hereby relinquished.

26 **Section 2.** That the action of the Executive Director of the Department of Transportation  
27 and Infrastructure in relinquishing a portion of the easement reserved in Ordinance No. 38, Series  
28 of 1946, recorded with the Denver Clerk & Recorder at Book 0-1, Page 3 (referred to in the legal  
29 description below as Book A-28, Page 467), in the following area:

30 **PARCEL DESCRIPTION ROW NO. 2022-RELINQ-0000016-001:**

31 A PARCEL OF LAND SITUATED IN THE WEST HALF OF THE NORTHWEST QUARTER OF  
32 SECTION 22, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,  
33 CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING ALL OF THAT UTILITY  
34 EASEMENT DESCRIBED IN ORDINANCE NO. 38, SERIES 1946 RECORDED APRIL 20, 1946

1 IN BOOK A-28, PAGE 467 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER'S  
2 OFFICE, SAID COUNTY AND STATE, LYING WITHIN THAT CERTAIN PARCEL OF LAND  
3 DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED AUGUST 21, 2019 AT  
4 RECEPTION NO. 2019112556, IN SAID OFFICIAL RECORDS.

5  
6 CONTAINING AN AREA OF 2.417 ACRES, (105,271 SQUARE FEET), MORE OR LESS

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: November 1, 2022 by Consent

10 MAYOR-COUNCIL DATE: November 8, 2022

11 PASSED BY THE COUNCIL: \_\_\_\_\_

12 \_\_\_\_\_ - PRESIDENT

13 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_

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: Martin A. Plate, Assistant City Attorney DATE: November 10, 2022

19 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the Office of the  
20 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  
24 Kerry Tipper, Interim Denver City Attorney

25  
26 BY: \_\_\_\_\_, Assistant City Attorney DATE: \_\_\_\_\_