

1 BY AUTHORITY

2 ORDINANCE NO. _____
3 SERIES OF 2013

COUNCIL BILL NO. CB13-0280
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

4
5
6 A BILL

7 **For an ordinance relinquishing the 7 foot easements in Blocks 10 and 11 of the**
8 **Evans Park Estates Subdivision Plat.**
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10 **WHEREAS**, the Manager of Public Works of the City and County of Denver has found and
11 determined that the public use, convenience and necessity no longer requires the 7 foot easements in
12 Blocks 10 and 11 of the Evans Park Estates Subdivision Plat recorded in Arapahoe County, Colorado
13 on June 5, 1940 and annexed by the City and County of Denver on March 19, 1962, a copy of which is
14 filed with the City Clerk at Filing Number 2013-0422 (“Easements”) in the area hereinafter described,
15 and subject to approval by ordinance, has relinquished the same;

16 **NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY**
17 **OF DENVER:**
18

19 **Section 1.** That the action of the Manager of Public Works in relinquishing the Easements in
20 the following area:
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PARCEL DESCRIPTION ROW 2011-0427-08-001

A strip of land within Lots 11 through 20 inclusive, Block 10, Evans Park Estates recorded June 5th, 1940 in the Arapahoe County records, situated in the Northeast Quarter (NE1/4) of Section 29, Township 4 South, Range 68 West of the 6th P.M., City and County of Denver, Colorado, more particularly described as follows:

COMMENCING at the range point (1 1/4" axle in range box) at the intersection of vacated S. Decatur Street and W. Warren Avenue and considering the 20 foot range line along vacated S. Decatur Street to bear North 00°11'49" West, (711.92 feet) along said 20' range line between the range point (1 1/4" axle in range box) at the intersection of vacated S. Decatur Street and W. Warren Avenue and the range point (1 1/4" axle in range box) at the intersection of vacated S. Decatur Street and W. Evans Avenue, said line forming the Basis of Bearing for this legal description;

Thence North 00°11'49" West, 20.00 feet along said 20' range line to the south line of Evans Park Estates and the north right of way line of W. Warren Avenue;

Thence South 89°18'34" West a distance of 20.00 feet along said south line and north right of way line to the west right of way line of vacated S. Decatur Street, the southeast corner of Lot 15, Block 10, Evans Park Estates and the **POINT OF BEGINNING**;

Thence continuing along said south line and north right of way line South 89°18'34" West, 7.00 feet to the west line of a 7 foot wide easement as shown on the plat of said Evans Park Estates;

Thence North 00°11'49" West, 288.96 feet along said west line to the south line of a 7 foot wide easement as shown on the plat of said Evans Park Estates;

Thence South 89°18'34" West, 285.78 feet along said south line to the east line of a 7 foot wide easement as shown on the plat of said Evans Park Estates;

Thence North 00°10'22" West, 14.00 feet along said east line to the north line of a 7 foot wide easement as shown on the plat of said Evans Park Estates;

Thence North 89°18'34" East, 285.78 feet along said north line to the west line of a 7 foot wide easement as shown on the plat of said Evans Park Estates;

Thence North 00°11'49" West, 113.98 feet along said west line;

Thence North 89°18'34" East, 7.00 feet to the east line of Lot 16 of said Evans Park Estates and the west right of way line of said vacated S. Decatur Street;

Thence South 00°11'49" East, 416.94 feet along said east line and the east line of Lot 15 of said Evans Park Estates and continuing along said west right of way line, more or less to the **POINT OF BEGINNING**.

Parcel contains 6,920 square feet (0.159 acres), more or less.

Together with:

A strip of land within Lots 1 through 9 inclusive and Lots 11 through 20 inclusive, Block 11, Evans Park Estates recorded June 5th, 1940 in the Arapahoe County records, situated in the Northeast Quarter (NE1/4) of Section 29, Township 4 South, Range 68 West of the 6th P.M., City and County of Denver, Colorado, more particularly described as follows:

COMMENCING at the range point (1 1/4" axle in range box) at the intersection of vacated S. Decatur Street and W. Warren Avenue and considering the 20 foot range line along vacated S. Decatur Street to bear North 00°11'49" West, (711.92 feet) along said 20' range line between the range point (1 1/4" axle in range box) at the intersection of vacated S. Decatur Street and W. Warren Avenue and the range point (1 1/4" axle in range box) at the intersection of vacated S. Decatur Street and W. Evans Avenue, said line forming the Basis of Bearing for this legal description;

Thence North 00°11'49" West, 20.00 feet along said 20' range line to the south line of Evans Park Estates and the north right of way line of W. Warren Avenue;

Thence North 89°18'34" East a distance of 40.00 feet along said south line and north right of way line to the east right of way line of vacated S. Decatur Street, the southwest corner of Lot 20, Block 11, Evans Park Estates and the **POINT OF BEGINNING**;

Thence North 00°11'49" West, 416.94 feet along said east right of way line and the west line of Lot 1, Block 11, Evans Park Estates;

Thence North 89°18'34" East, 7.00 feet to the east line of a 7 foot wide easement as shown on the plat of said Evans Park Estates;

Thence South 00°11'49" East, 113.98 feet along said east line to the north line of a 7 foot wide easement as shown on the plat of said Evans Park Estates;

Thence North 89°18'34" East, 533.07 feet along said north line to the east line of Lot 9, Block 11 of said Evans Park Estates;

Thence South 00°10'15" East, 7.00 feet along said east line to the southeast corner of said Lot 9 and the northwest corner of Lot 11, Block 11 of said Evans Park Estates;

Thence North 89°18'34" East, 53.01 feet along the north line of said Lot 11 to the west line of a 7 foot wide easement as shown on the plat of said Evans Park Estates;

Thence South 00°10'03" East, 7.00 feet along said west line to the south line of a 7 foot wide easement as shown on the plat of said Evans Park Estates;

Thence South 89°18'34" West, 586.08 feet along said south line to the east line of a 7 foot wide easement as shown on the plat of said Evans Park Estates;

Thence South 00°11'49" East, 288.96 feet along said east line to said south line of Evans Park Estates and the north right of way line of W. Warren Avenue;

Thence South 89°18'34" West, 7.00 feet along said south line and said north right of way line, more or less to the **POINT OF BEGINNING**.

Parcel contains 10,753 square feet (0.247 acres), more or less.

Contains a total of 17,673 square feet (0.406 acres), more or less.

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2 be and the same is hereby approved and that the Easements within such described area are hereby

3 relinquished.

1 COMMITTEE APPROVAL DATE: April 25, 2013 [by consent.]
2 MAYOR-COUNCIL DATE: April 30, 2013
3 PASSED BY THE COUNCIL: _____, 2013
4 _____ - PRESIDENT
5 APPROVED: _____ - MAYOR _____, 2013
6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER
9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2013; _____, 2013
10 PREPARED BY: Brent A. Eisen, Assistant City Attorney DATE: May 9, 2013
11 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the
12 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 § 3.2.6
14 of the Charter.
15 Douglas J. Friednash, Denver City Attorney
16 BY: _____, Assistant City Attorney DATE: _____, 2013