BY AUTHORITY

ORDINANCE NO. _____ COUNCIL BILL NO. CB16-1200

SERIES OF 2016 COMMITTEE OF REFERENCE:

Land Use, Transportation & Infrastructure

A BILL

For an ordinance relinquishing the easements reserved by Ordinance No. 91, Series of 1903, and a portion of easements reserved by Ordinance No. 137, Series of 1948, located at South Cherokee Street and West Byers Place.

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 easements in the areas 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 a portion of the easements reserved by Ordinance No. 137, Series of 1948, in the following area:

PARCEL DESCRIPTION ROW NO. 2016-RELINQ-0000014-001:

SITUATED IN THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.

DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF WEST BYERS PLACE VACATED BY ORDINANCE NO. 137 SERIES OF 1948, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 48, BLOCK 51, FIRST ADDITION TO THE BYERS' SUBDIVISION; THENCE SOUTH 00'01'31" EAST ALONG THE EXTENSION OF THE EAST LINE OF SAID BLOCK 51, A DISTANCE OF 35.00 FEET TO THE CENTERLINE OF WEST BYERS PLACE, VACATED BY ORDINANCE 137 SERIES OF 1948; THENCE SOUTH 89'59'57" WEST ALONG SAID CENTERLINE, A DISTANCE OF 600.21 FEET TO THE EXTENSION OF THE WEST LINE OF SAID BLOCK 51;

THENCE NORTH 00'01'03" WEST ALONG SAID WEST LINE, A DISTANCE OF 35.00 FEET TO THE SOUTH LINE OF SAID BLOCK 51;

THENCE NORTH 89'59'57" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 600.20 FEET TO THE **POINT OF BEGINNING.**

CONTAINING 21,007 SQUARE FEET OR 0.48 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE SOUTH LINE OF BLOCK 51, FIRST ADDITION TO BYERS' SUBDIVISION, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, ASSUMED TO BEAR NORTH 89'59'57" EAST.

be and the same is hereby approved and that the easements within the above-described area are hereby relinquished.

Section 2. That the action of the Executive Director of Public Works in relinquishing the easements established in Ordinance No. 91, Series of 1903, in the following area:

PARCEL DESCRIPTION ROW NO. 2016-RELINQ-0000014-002:

SITUATED IN THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.

DESCRIPTION

A PARCEL OF LAND BEING THE ALLEY IN BLOCK 51, FIRST ADDITION TO THE BYERS' SUBDIVISION, VACATED BY ORDINANCE 91 SERIES OF 1903 RECORDED IN BOOK 1581 AT PAGE 309, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 51, FIRST ADDITION TO THE BYERS' SUBDIVISION, SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE ALLEY IN SAID BLOCK 51;

THENCE SOUTH 00'01'31" EAST ALONG THE EAST LINE OF SAID BLOCK 51, A DISTANCE OF 12.00 FEET TO THE SOUTHEAST CORNER OF SAID ALLEY;

THENCE SOUTH 89'59'46" WEST ALONG THE SOUTH LINE OF SAID ALLEY, A DISTANCE OF 534.44 FEET TO THE NORTHWEST LINE OF SAID SUBDIVISION;

THENCE NORTH 71"09'04" EAST ALONG SAID NORTHWEST LINE, A DISTANCE OF 37.15 FEET TO THE NORTH LINE OF SAID ALLEY;

THENCE NORTH 89'59'46" EAST ALONG THE NORTH LINE OF SAID ALLEY, A DISTANCE OF 499.28 FEET TO THE **POINT OF BEGINNING.**

CONTAINING 6,202 SQUARE FEET OR 0.14 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE EAST LINE OF BLOCK 51, FIRST ADDITION TO THE BYERS' SUBDIVISION, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, ASSUMED TO BEAR SOUTH 00'01'31" EAST.

be and the same is hereby approved and that the easements within the above-described area are hereby relinquished.

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COMMITTEE APPROVAL DATE: November 29, 2016, by consent

MAYOR-COUNCIL DATE: December 6, 2016

PASSED BY THE COUNCIL: _____

_____ - PRESIDENT

APPROVED: _____ - MAYOR _____

ATTEST: _____ - CLERK AND RECORDER,
EX-OFFICIO CLERK OF THE
CITY AND COUNTY OF DENVER

NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

PREPARED BY: Brent A. Eisen, Assistant City Attorney DATE: December 8, 2016

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

Kristin M. Bronson, Denver City Attorney

BY: _____, Assistant City Attorney DATE: _____