

1 BY AUTHORITY

2 ORDINANCE NO.
3 SERIES OF 2009

COUNCIL BILL NO. 670
COMMITTEE OF REFERENCE:
PUBLIC WORKS

4
5 A BILL

6 **For an ordinance relinquishing certain easements established in Ordinance No.**
7 **728, Series of 2008.**
8

9 **WHEREAS**, the Manager of Public Works of the City and County of Denver has found and
10 determined that the public use, convenience and necessity no longer requires that portion of the
11 easement in the area hereinafter described, and subject to approval by ordinance, has relinquished
12 the same;

13 **NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY**
14 **OF DENVER:**
15

16 **Section 1.** That the action of the Manager of Public Works in relinquishing the portion of
17 the easement established in Ordinance No. 728, Series of 2008 in the following area:

A parcel of land, varying in width from 54.93 feet on the north to 56.29 feet on the south, whose east line is shown on the plat of University Park, Amended Map, filed for record on February 9, 1892 and recorded in Book 12 of Plats, page 9, of the records of Arapahoe County, Colorado, and whose west line is on the plat of Evanston, filed for record on November 3, 1887 and recorded in Book 4 of Plats, page 47, of the records of Arapahoe County, Colorado, said parcel having been vacated as a right of way of Race Street by City and County of Denver Ordinance number 728, series 2008, said parcel being located in the northeast quarter (NE¼) of Section 26, Township 4 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado more particularly described as follows:

The POINT OF BEGINNING is the southeast corner of Lot 24, Block 9, Evanston, said point also being the intersection of north right-of-way line of Evans Avenue with the west right-of-way line of South Race Street;
thence N0°15'07"E a distance of 550.46 along the west right-of-way line of South Race Street to a point on the east line of Lot 46, Block 9, Evanston, said point is S00°15'07"W a distance of 24.44 feet from the northeast corner of said Lot 46;
thence S89°42'22"E a distance of 54.93 feet to the northwest corner of Lot 1, Block 33, University Park, Amended Map, said point also being the intersection of south right-of-way line of Asbury Avenue with the east right-of-way line of South Race Street;
thence S0°06'38"W a distance of 550.55 feet along the east right-of-way line of South Race Street to a point on the west line of Lot 22, Block 33, University Park, Amended Map, said point is N0°06'38"E a distance of 8.95 feet from the southwest corner of said Lot 22;
thence N 89°36'53"W a distance of 56.29 feet to the POINT OF BEGINNING.

Basis of Bearing is the Range Line in Evans Avenue between the Range Boxes at South Race Street and South Vine Street (Bearing S89°42'22"E) as shown on Exhibit "A", a copy of which is attached hereto and made apart hereof.

This parcel contains 30,614 square feet, (0.7028 acre) more or less.

be and the same is hereby approved and that the easement within such described area is hereby relinquished.

COMMITTEE APPROVAL DATE: N/A MAYOR-COUNCIL DATE: November 10, 2009

PASSED BY THE COUNCIL _____ 2009

_____ - PRESIDENT

APPROVED: _____ - MAYOR _____ 2009

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

NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2009; _____ 2009

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PREPARED BY: JO ANN WEINSTEIN, ASSISTANT CITY ATTORNEY, November 10, 2009

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.

David R. Fine, City Attorney

BY: _____, Assistant City Attorney DATE: _____, 2009