

CITY OF WHEAT RIDGE, COLORADO  
INTRODUCED BY COUNCIL MEMBER DURAN  
COUNCIL BILL NO. 24  
ORDINANCE NO. 1650  
Series 2018

**TITLE: AN ORDINANCE EXTINGUISHING ANY RIGHTS OR INTEREST HELD BY THE CITY IN A SLOPE EASEMENT ASSOCIATED WITH TAFT COURT, A PUBLIC ROADWAY**

**WHEREAS**, the City of Wheat Ridge holds a slope easement designated PE-55A along the easterly side of Taft Court in trust for the public; and

**WHEREAS**, a landowner wishes to develop the area of land lying immediately east of Taft Court, said land being encumbered by Slope Easement PE-55A; and

**WHEREAS**, upon development of the land lying immediately east of Taft Court, sufficient fill material will be imported to the site so as to negate the original purpose for Slope Easement PE-55A; and

**WHEREAS**, pursuant to the authority granted by C.R.S. §§ 31-15-702(1)(a)(I) and 43-2-301 et seq., the Council of the City of Wheat Ridge, Colorado, has determined that the nature and extent of the public use and the public interest to be served is such as to warrant the removal and extinguishment of the slope easement; and

**WHEREAS**, the Slope Easement PE-55A to be extinguished and which is the subject of this ordinance is more fully described on **Exhibit A** attached hereto and fully incorporated herein by this reference.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:**

**Section 1. Extinguishment.** To the extent of any City rights or interest therein, Slope Easement PE-55A is hereby removed, terminated, and extinguished, the same being no longer required for public use and the public interest will be served by such removal and extinguishment, as more particularly described on the attached **Exhibit A**.

**Section 2. Severability, Conflicting Ordinances Repealed.** If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section 3. Recording.** This Ordinance shall be filed for record with the office of the Jefferson County Clerk and Recorder.

**Section 4. Effective Date.** This Ordinance shall take effect fifteen (15) days after final publication, as provided by Section 5.11 of the Charter.

**INTRODUCED, READ, AND ADOPTED** on first reading by a vote of 7 to 0 on this 13<sup>th</sup> day of August, 2018, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge, and Public Hearing and consideration on final passage set for August 27, 2018 at 7:00 p.m., in the Council Chambers, 7500 West 29<sup>th</sup> Avenue, Wheat Ridge, Colorado.

**READ, ADOPTED AND ORDERED PUBLISHED** on second and final reading by a vote of 8 to 0, this 27<sup>th</sup> day of August, 2018.

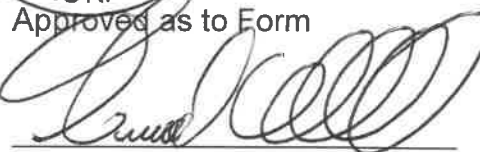
SIGNED by the Mayor on this 27<sup>th</sup> day of August, 2018.

  
\_\_\_\_\_  
Bud Starker, Mayor

ATTEST:

  
\_\_\_\_\_  
Janelle Shaver, City Clerk



Approved as to Form  
  
\_\_\_\_\_  
Gerald E. Dahl, City Attorney

First Publication: August 16, 2018  
Second Publication: August 30, 2018  
Wheat Ridge Transcript  
Effective Date: September 14, 2018

Published:  
Wheat Ridge Transcript and [www.ci.wheatridge.co.us](http://www.ci.wheatridge.co.us)

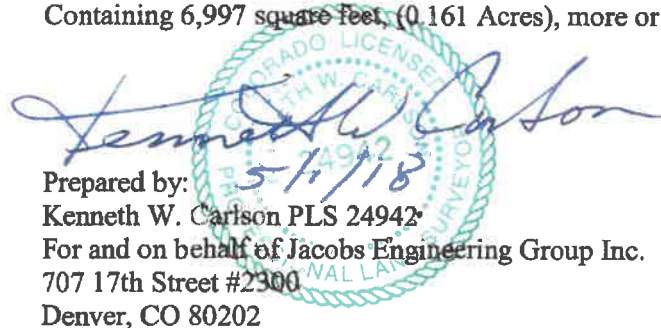
**EXHIBIT "A"**  
**PERMANENT EASEMENT NO. PE-55A**  
**Date: April 30, 2018**  
**DESCRIPTION**

Parcel No. PE-55A of the RTD Gold Line Corridor Commuter Rail Project, being a portion of Lots 17 through 24 inclusive, HANCE'S SUBDIVISION recorded July 20, 1953 in the Jefferson County Clerk and Recorder's Office, located in the Southeast Quarter of Section 17, Township 3 South, Range 69 West of the Sixth Principal Meridian, City of Wheat Ridge, Jefferson County, Colorado, being more particularly described as follows:

COMMENCING at the Southeast Sixteenth Corner of said Section 17 (a found 3"aluminum cap in range box stamped "SURVEY MARKER MERRICK LAND COR SE 1/16 SEC17"), WHENCE the South Sixteenth Corner of said Section 17 and Section 16 of said township and range (a found 3"aluminum cap stamped "SURVEY MARKER MERRICK LAND COR S1/16 SEC17/16") bears N89°27'32"E a distance of 1323.26 feet (basis of bearing – assumed);  
THENCE N26°18'05"E a distance of 596.22 feet to the westerly line of said Lot 24, and the POINT OF BEGINNING;

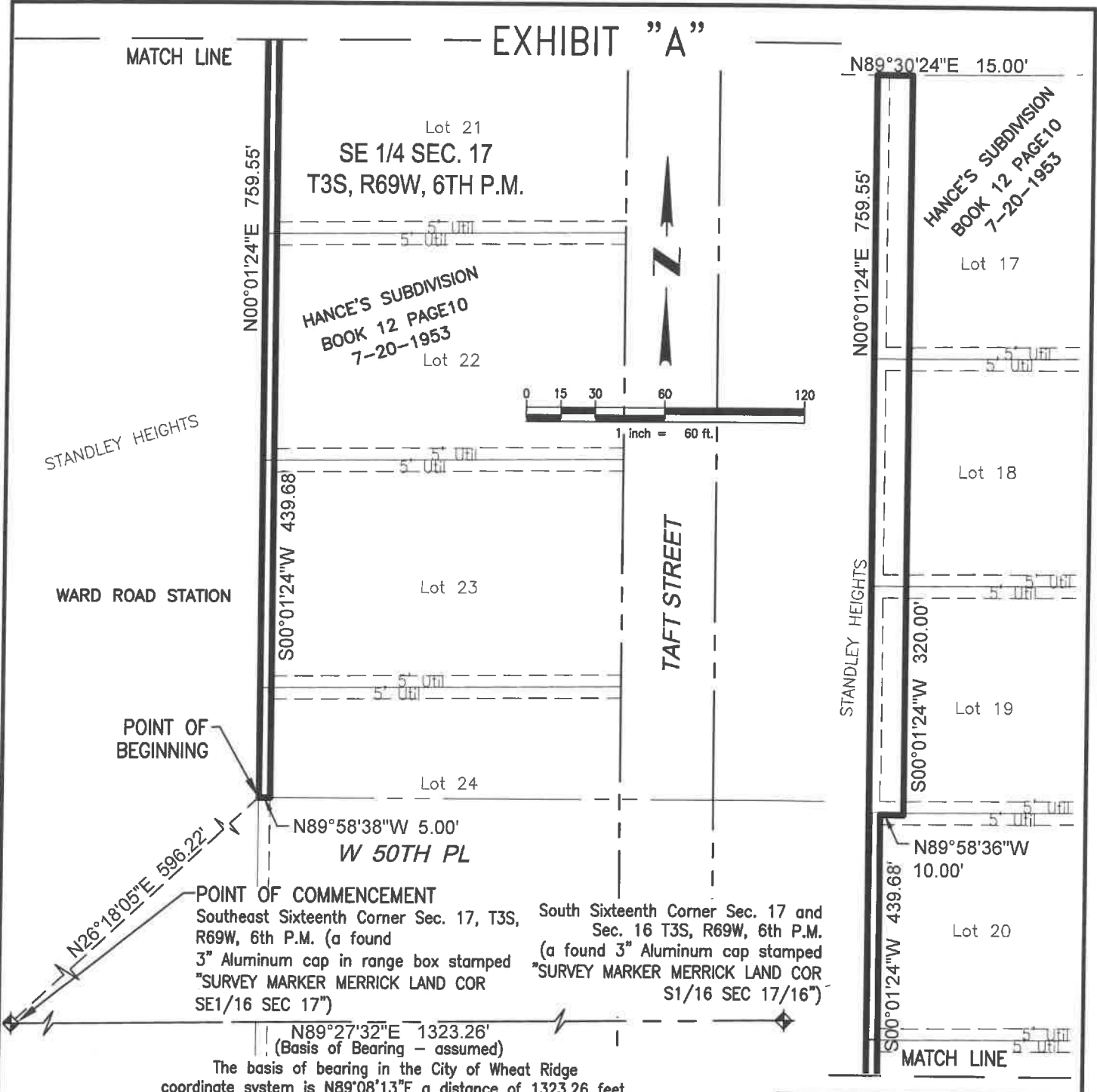
THENCE N00°01'24"E coincident with the westerly line of said HANCE'S SUBDIVISION a distance of 759.55 feet;  
THENCE N89°30'24"E coincident with the northerly line of said Lot 17 a distance of 15.00 feet;  
THENCE S00°01'24"W coincident with a line 15.00 feet easterly of and parallel with said westerly line a distance of 320.00 feet;  
THENCE N89°58'36"W a distance of 10.00 feet;  
THENCE S00°01'24"W coincident with a line 5.00 feet easterly of and parallel with said westerly line a distance of 439.68 feet;  
THENCE N89°59'38"W a distance of 5.00 feet to the POINT OF BEGINNING.

Containing 6,997 square feet, (0.161 Acres), more or less.

  
Prepared by:  
Kenneth W. Carlson PLS 24942  
For and on behalf of Jacobs Engineering Group Inc.  
707 17th Street #2300  
Denver, CO 80202

The basis of bearing in the City of Wheat Ridge coordinate system is N89°08'13"E a distance of 1323.26 feet.

# EXHIBIT "A"



The basis of bearing in the City of Wheat Ridge coordinate system is N89°08'13"E a distance of 1323.26 feet.

This exhibit does not represent a monumented survey and is intended only to depict the attached property description.

**PARCEL**  
AREA = 6,997 SQ. FT.  
0.161 ACRES ±

JACOBS ENG. PROJECT NO. WXXV7416

CLIENT PROJECT NO. 072120

REVISION DESCRIPTION

DRAWN DAM DATE 11-17-2017 SCALE 1"=60'



707 17th Street, Suite 2400, Denver CO 80202  
(303) 820-5240 Fax (303) 820-4842

THIS MATERIAL AND ANY ASSOCIATED ELECTRONIC DATA WAS PREPARED BY JACOBS ENGINEERING GROUP FOR THE PROJECT INDICATED. ANY REUSE OR MODIFICATION WITHOUT THE WRITTEN CONSENT OF JACOBS ENGINEERING GROUP SHALL BE AT THE SOLE RISK OF THE USER.

**RTD Gold Line Corridor Commuter Rail**  
Wheat Ridge, Jefferson County, Colorado  
SE1/4 Section 17, T3S R69W, 6th P.M.

TITLE: Parcel No. PE-55A		
REVISION:	DRAWING NO. PE-55A.DWG	SHEET NO. 1 OF 1