

**CITY OF WHEAT RIDGE, COLORADO**  
**INTRODUCED BY COUNCIL MEMBER FITZGERALD**  
**COUNCIL BILL NO. 15**  
**ORDINANCE NO. 1627**  
Series 2017

**TITLE: AN ORDINANCE GRANTING A PERMANENT DRAINAGE EASEMENT TO EQUINOX PROPERTIES, LLC, FOR THE PURPOSE OF CONSTRUCTING A STORMWATER STRUCTURE ON CITY-OWNED PROPERTY**

**WHEREAS**, the City of Wheat Ridge is a home rule municipality having all powers conferred by Article XX of the Colorado Constitution; and

**WHEREAS**, the Council is authorized by Section 16.5 of the Charter to dispose of real property held by the City, by ordinance; and

**WHEREAS**, the Council wishes to grant a permanent drainage easement across real property owned by the City in the vicinity of 38<sup>th</sup> Avenue and Kipling Street.

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

**Section 1. Easement approved.** The Council hereby approves the grant of a permanent drainage easement across City-owned property, in the form attached hereto as **Exhibit 1** and fully incorporated by this reference. The Mayor and City Clerk are authorized and directed to execute the same.

**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 Severability, Conflicting Ordinances Repealed.** If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections,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 All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.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. Effective Date.** This Ordinance shall take effect 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 24<sup>th</sup> day of July, 2017, 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 14, 2017 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 7 to 0, this 14<sup>th</sup> day of August, 2017.

**SIGNED** by the Mayor on this 14th day of August, 2017.

  
Joyce Jay, Mayor

ATTEST:

  
Janelle Shaver, City Clerk



Approved as to Form

  
Gerald E. Dahl, City Attorney

First Publication: July 27, 2017

Second Publication: August 17, 2017

Wheat Ridge Transcript

Effective Date: September 1, 2017

Published:

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

**Exhibit 1**  
**Form of easement**  
**[attached]**

## Exhibit 1

## EXHIBIT A

SECTION 21, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH P.M.  
CITY OF WHEAT RIDGE, COUNTY OF JEFFERSON, STATE OF COLORADO  
SHEET 1 OF 2

### LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF WHEAT RIDGE, COUNTY OF JEFFERSON, STATE OF COLORADO, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 21, FROM WHICH THE SOUTH 1/4 CORNER OF SAID SECTION 21 BEARS S89°12'50"W WHICH IS THE BASIS OF BEARINGS FOR ALL BEARINGS STATED HEREIN; THENCE N37°49'05"W, A DISTANCE OF 450.28 FEET TO THE TRUE POINT OF BEGINNING;

THENCE N15°40'53"W, A DISTANCE OF 113.31 FEET;  
THENCE S74°19'07"W, A DISTANCE OF 15.00 FEET;  
THENCE S15°40'53"E, A DISTANCE OF 118.15 FEET;  
THENCE N56°26'03"E, A DISTANCE OF 15.76 FEET TO THE TRUE POINT OF BEGINNING.

THE DESCRIBED PARCEL CONTAINS 1,736 SQUARE FEET OR 0.0399 ACRES, MORE OR LESS.



prepared by:  
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16135EASEMENT.DWG

DRAWN BY: BR

APPROVED BY: RJR

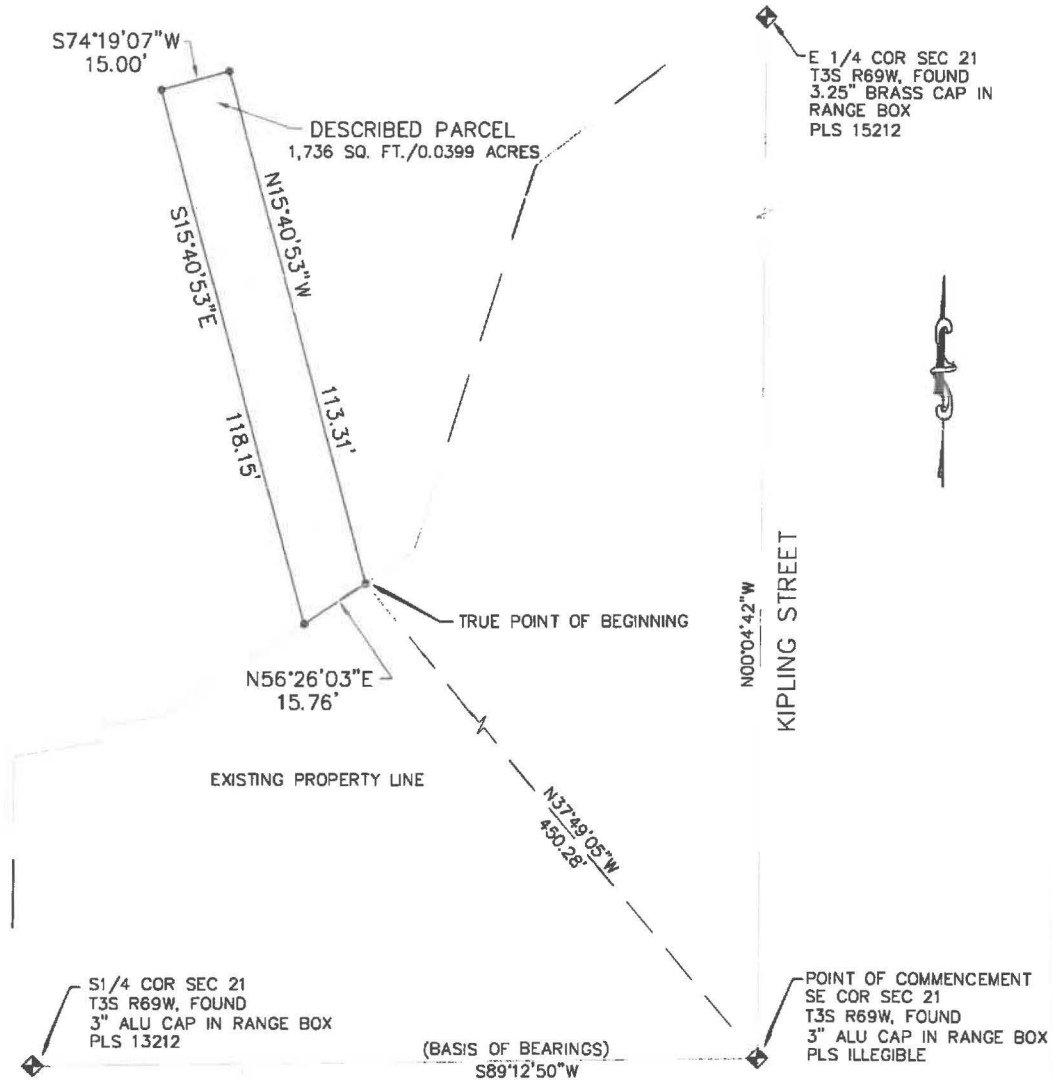
DATE: APRIL 9, 2017

JOB NO. 16135

# EXHIBIT A

SECTION 21, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH P.M.  
CITY OF WHEAT RIDGE, COUNTY OF JEFFERSON, STATE OF COLORADO

SHEET 2 OF 2



WEST 38TH AVE



Scale 1" = 30 ft

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