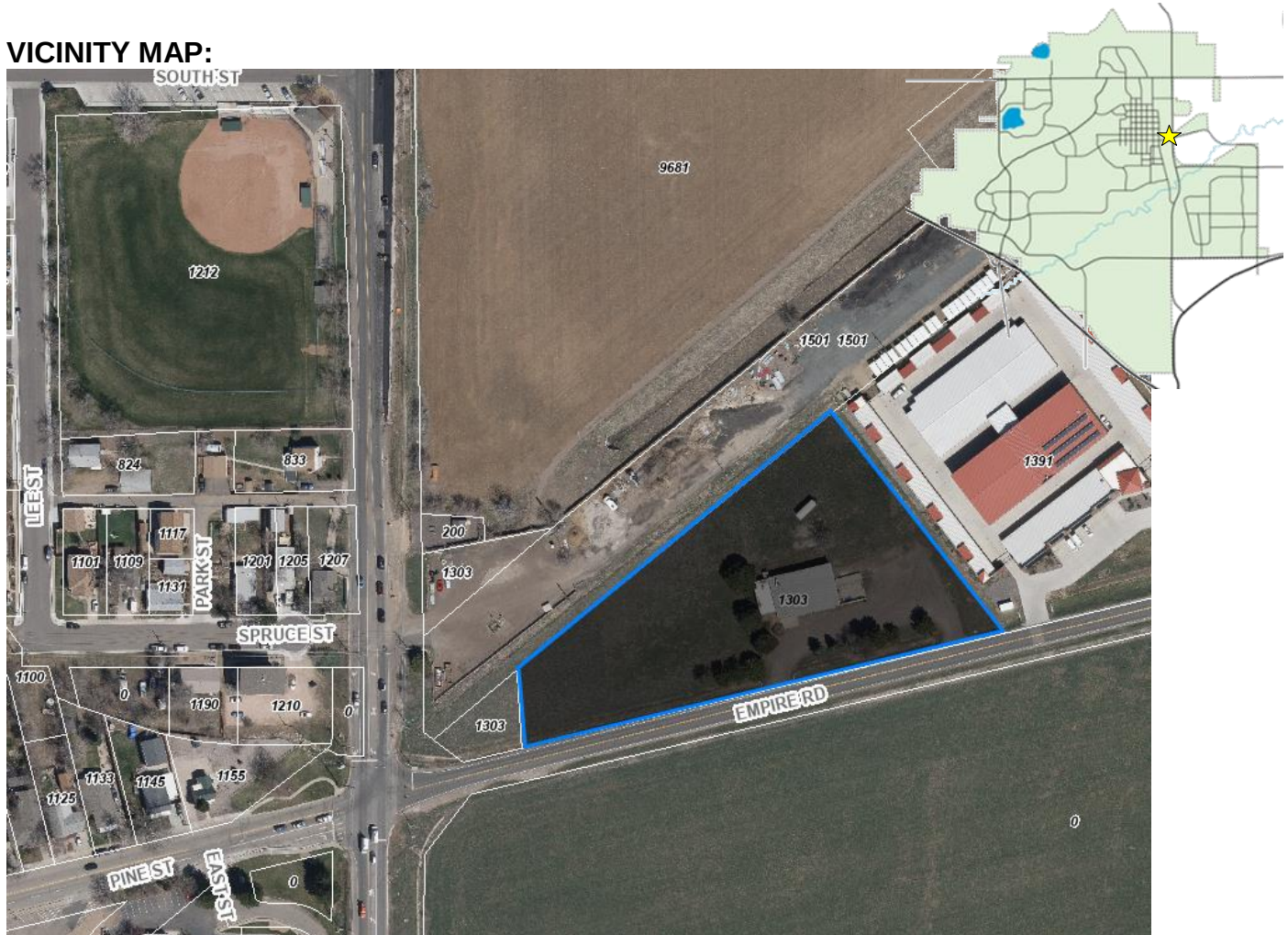


SUBJECT: ORDINANCE NO. 1869, SERIES 2024 – AN ORDINANCE
APPROVING THE VACATION OF THREE EASEMENTS ON LOT
1 DEDICATED BY THE EMPIRE ROAD SUBDIVISION – 1ST
READING – SET PUBLIC HEARING FOR MARCH 5, 2024

DATE: FEBRUARY 20, 2024

PRESENTED BY: AMELIA BRACKETT HOGSTAD, SENIOR PLANNER

VICINITY MAP:



SUMMARY:

Attached for consideration on first reading, and to set the public hearing for March 5, 2024, is a draft ordinance to vacate 3 easements on Lot 1 dedicated by the Empire Road Subdivision.

REQUEST:

The applicant, Andy Johnson of DAJ Design, on behalf of Basecamp Louisville LLC (Ironton Distillery), requests approval of an ordinance to vacate 3 easements. The vacation request is part of a Planned Unit Development (PUD), Special Review Use (SRU), Plat, and Annexation Agreement Amendment application to allow the development of a distillery, tasting room and event space and associated site improvements at 1303 Empire Road.

A full staff report on the application will be provided to City Council ahead of the March 5, 2024 hearing.

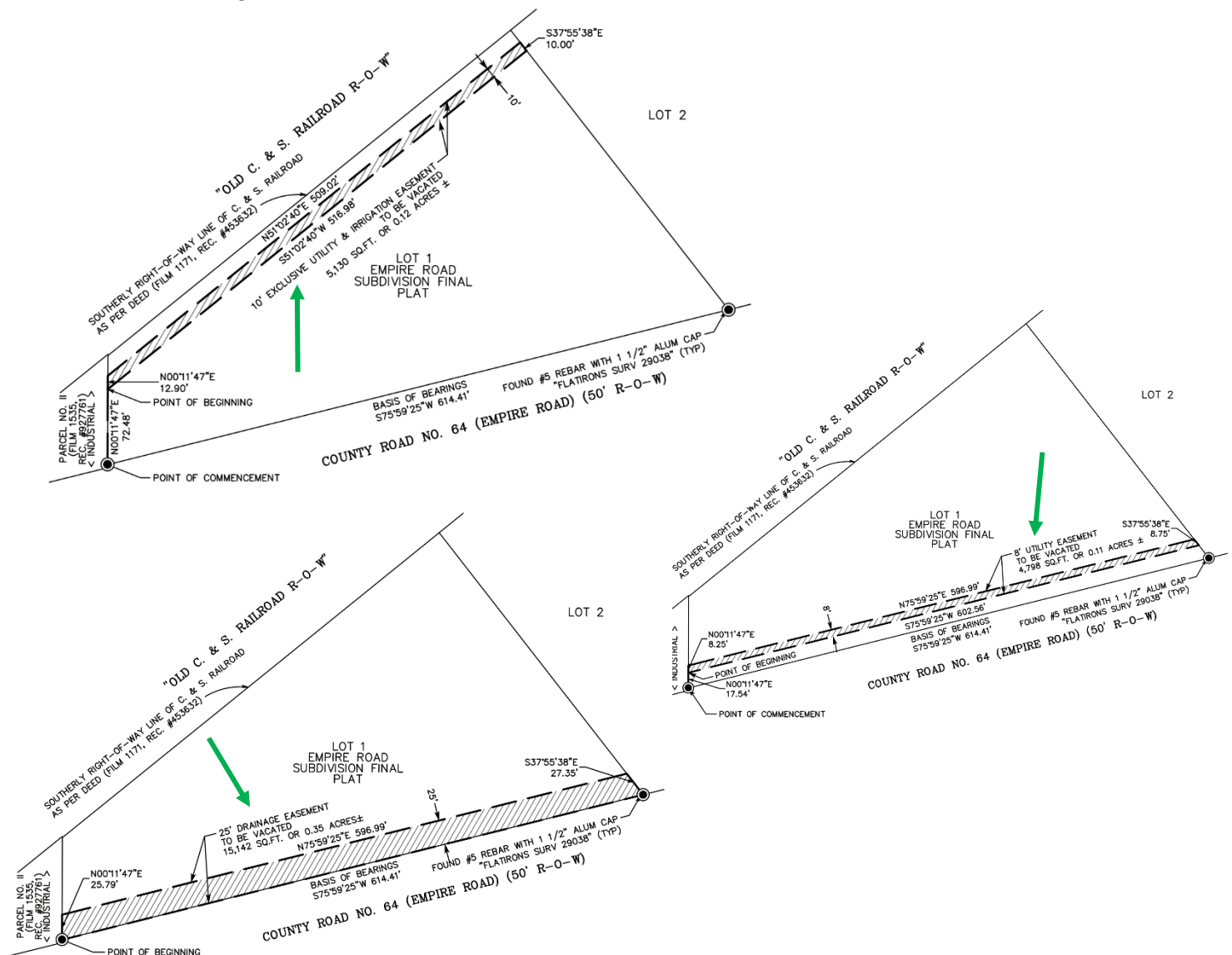


Figure 1. Exhibits showing easements to be vacated.

SUBJECT: ORDINANCE NO. 1869, SERIES 2024

DATE: FEBRUARY 20, 2024

PAGE 3 OF 3

ANALYSIS:

The easements to be vacated were dedicated in 2005 as part of the Empire Road Subdivision Plat. Louisville Public Works, Louisville Open Space, Boulder County Open Space, the City of Lafayette Open Space, and utility providers have reviewed the proposed easement vacations and have no objections as part of the development application.

FISCAL IMPACT:

There is no anticipated fiscal impact to the City resulting from the requested easement vacation.

STAFF RECOMMENDATION:

Staff recommends approval of Ordinance No. 1869, Series 2024 on first reading, and setting second reading and the public hearing for March 5, 2024.

ATTACHMENTS:

1. Ordinance No. 1869, Series 2024

**ORDINANCE NO. 1869
SERIES 2024**

**AN ORDINANCE APPROVING THE VACATION OF THREE EASEMENTS LOCATED
ON LOT 1 DEDICATED BY THE EMPIRE ROAD SUBDIVISION**

WHEREAS, by the Empire Road Subdivision, recorded in the Office of the Boulder County Clerk and Recorder on September 6th, 2005 at Reception No. 2719793, there were dedicated three easements – one utility and irrigation, one drainage, and one utility – on Lot 1 of such Subdivision in the location described in Exhibits A, B, and C attached hereto and incorporated herein by this reference (“the easements”); and

WHEREAS, a replat application has been approved by the City dedicating new easements under the name Empire Road Subdivision Replat A; and

WHEREAS, the City Council finds and determines that the easements for which vacation is requested are not and will not be needed for any public, governmental, or utility purposes; and

WHEREAS, the City Council desires to approve the application and vacate the City’s interests in the easements for which vacation is requested;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

Section 1. The City hereby approves the vacation of the easements located on Lot 1 of the Empire Road Subdivision which easements herein vacated are in the location further described in Exhibits A, B, and C attached hereto and incorporated herein by this reference (“the easements”).

Section 2. All other ordinances or portions thereof inconsistent or in conflict with this ordinance or any portion hereof are repealed to the extent of such inconsistency or conflict.

Section 3. The Mayor and City Manager, or either of them, is authorized to execute such additional documents as may be necessary to evidence the vacation of the easements herein vacated, including but not execution of quit claim deeds.

**INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED
PUBLISHED this 20TH day of February, 2024.**

Christopher M. Leh, Mayor

ATTEST:

Meredyth Muth, City Clerk

APPROVED AS TO FORM:

Kelly, P.C.
City Attorney

**PASSED AND ADOPTED ON SECOND AND FINAL READING, this ____ day
of _____, 2024.**

Christopher M. Leh, Mayor

ATTEST:

Meredyth Muth, City Clerk

EXHIBIT "A"

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 1 SOUTH,
RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

SHEET 1 OF 2

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP A SOUTH, RANGE 69 WEST OF THE 6TH P.M., CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF LOT 1, EMPIRE ROAD SUBDIVISION FINAL PLAT, TO BEAR SOUTH 75°59'25" WEST, A DISTANCE OF 614.41 FEET BETWEEN FOUND #5 REBARS WITH 1 1/2" ALUMINUM CAPS STAMPED "FLATIRONS SURV 29038, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, THENCE ALONG THE WEST LINE OF SAID LOT 1, NORTH 00°11'47" EAST, A DISTANCE OF 72.48 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE, NORTH 00°11'47" EAST, A DISTANCE OF 12.90 FEET;

THENCE DEPARTING SAID WEST LINE, NORTH 51°02'40" EAST, A DISTANCE OF 509.02 FEET TO THE EAST LINE OF SAID LOT 1;

THENCE ALONG SAID EAST LINE, SOUTH 37°55'38" EAST, A DISTANCE OF 10.00 FEET;

THENCE DEPARTING SAID EAST LINE, SOUTH 51°02'40" WEST, A DISTANCE OF 516.98 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 5,130 SQUARE FEET OR 0.12 ACRES, MORE OR LESS.

I, JAMES Z. GOWAN, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., THAT THIS PARCEL DESCRIPTION AND ATTACHED EXHIBIT, BEING MADE A PART THEREOF, WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, ARE ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, ARE IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND ARE NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED. SAID PARCEL DESCRIPTION AND EXHIBIT WERE PREPARED AT THE REQUEST OF THE CLIENT AND ARE NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVIDE LAND IN VIOLATION OF STATE STATUTE.

JAMES Z. GOWAN
COLORADO P.L.S. #29038
VICE PRESIDENT, FLATIRONS, INC.

JOB NUMBER: 21-77,713
DRAWN BY: T. HENDERSON
DATE: DECEMBER 5, 2023

THIS IS NOT A "LAND SURVEY PLAT" OR "IMPROVEMENT SURVEY PLAT" AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.



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Land Surveying Services



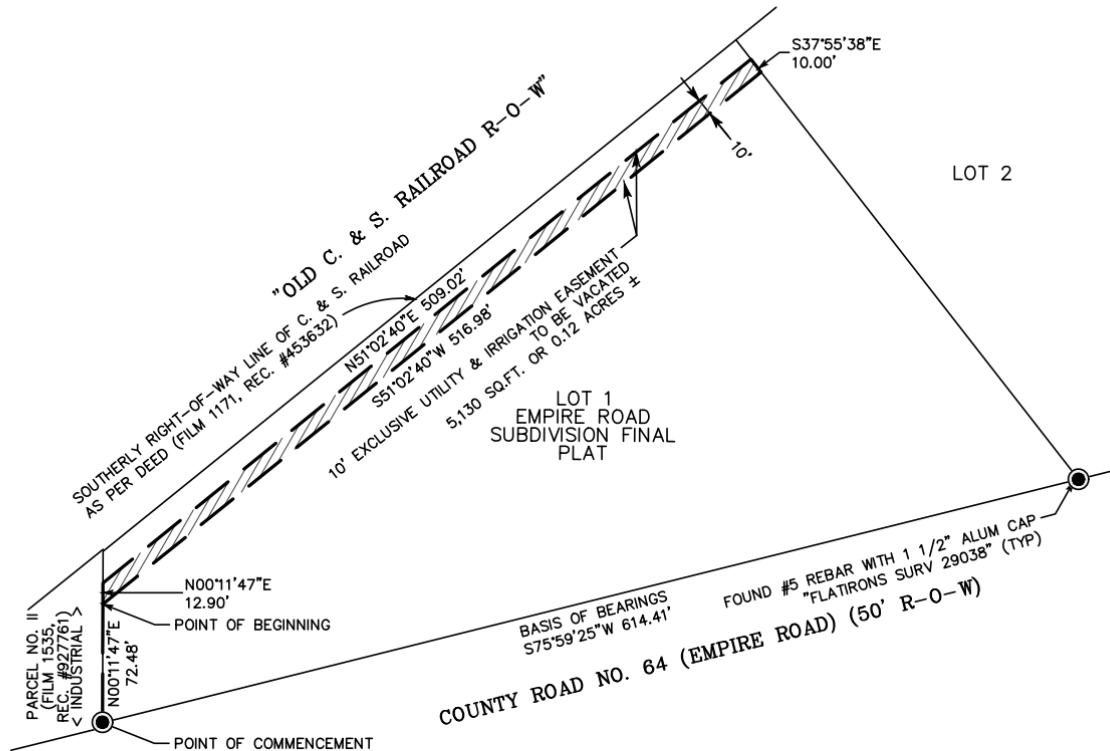
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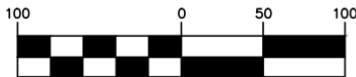
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CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

SHEET 2 OF 2



GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

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DATE: DECEMBER 5, 2023

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EXHIBIT "B"

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 1 SOUTH,
RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

SHEET 1 OF 2

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP A SOUTH, RANGE 69 WEST OF THE 6TH P.M., CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF LOT 1, EMPIRE ROAD SUBDIVISION FINAL PLAT, TO BEAR SOUTH 75°59'25" WEST, A DISTANCE OF 614.41 FEET BETWEEN FOUND #5 REBARS WITH 1 1/2" ALUMINUM CAPS STAMPED "FLATIRONS SURV 29038, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, THENCE ALONG THE WEST LINE OF SAID LOT 1, NORTH 00°11'47" EAST, A DISTANCE OF 25.79 FEET;
THENCE DEPARTING SAID WEST LINE, NORTH 75°59'25" EAST, A DISTANCE OF 596.99 FEET TO THE EAST LINE OF SAID LOT 1;
THENCE ALONG SAID EAST LINE, SOUTH 37°55'38" EAST, A DISTANCE OF 27.35 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1;
THENCE ALONG THE SOUTH LINE OF LOT 1, SOUTH 75°59'25" WEST, A DISTANCE OF 614.41 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 15,142 SQUARE FEET OR 0.35 ACRES, MORE OR LESS.

I, JAMES Z. GOWAN, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., THAT THIS PARCEL DESCRIPTION AND ATTACHED EXHIBIT, BEING MADE A PART THEREOF, WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, ARE ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, ARE IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND ARE NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED. SAID PARCEL DESCRIPTION AND EXHIBIT WERE PREPARED AT THE REQUEST OF THE CLIENT AND ARE NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVIDE LAND IN VIOLATION OF STATE STATUTE.

JAMES Z. GOWAN
COLORADO P.L.S. #29038
VICE PRESIDENT, FLATIRONS, INC.

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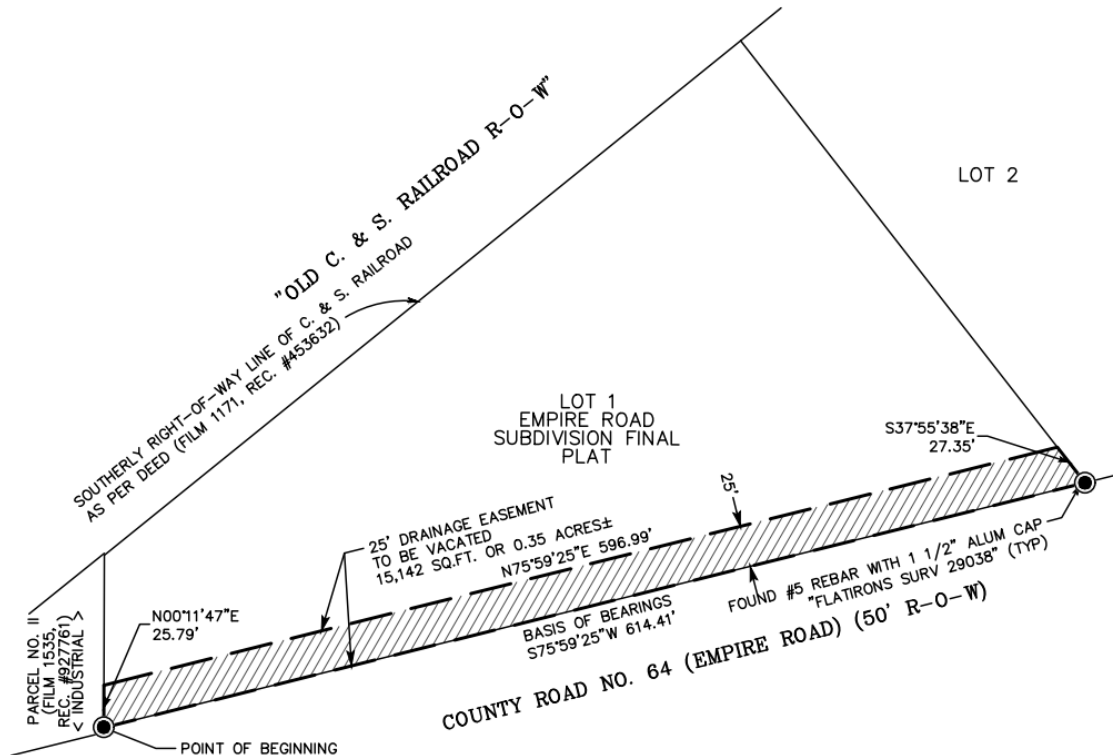


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www.FlatironsInc.com

EXHIBIT "B"

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RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

SHEET 2 OF 2



GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

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EXHIBIT "C"

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RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN,
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SHEET 1 OF 2

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COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, THENCE ALONG THE WEST LINE OF SAID LOT 1, NORTH 00°11'47" EAST, A DISTANCE OF 17.54 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE, NORTH 00°11'47" EAST, A DISTANCE OF 8.25 FEET;

THENCE DEPARTING SAID WEST LINE, NORTH 75°59'25" EAST, A DISTANCE OF 596.99 FEET TO THE EAST LINE OF SAID LOT 1;

THENCE ALONG SAID EAST LINE, SOUTH 37°55'38" EAST, A DISTANCE OF 8.75 FEET;

THENCE DEPARTING SAID EAST LINE, SOUTH 75°59'25" WEST, A DISTANCE OF 602.56 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

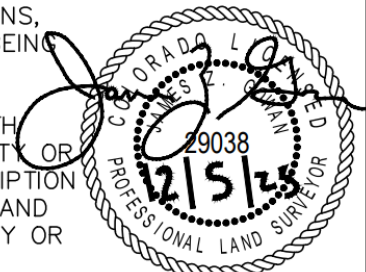
SAID PARCEL CONTAINING 4,798 SQUARE FEET OR 0.11 ACRES, MORE OR LESS.

I, JAMES Z. GOWAN, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., THAT THIS PARCEL DESCRIPTION AND ATTACHED EXHIBIT, BEING MADE A PART THEREOF, WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, ARE ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, ARE IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND ARE NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED. SAID PARCEL DESCRIPTION AND EXHIBIT WERE PREPARED AT THE REQUEST OF THE CLIENT AND ARE NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVIDE LAND IN VIOLATION OF STATE STATUTE.

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SHEET 2 OF 2

