



**Department of Public Works**  
 Permit Operations and Right of Way Enforcement  
 201 W. Colfax Avenue, Dept. 507  
 Denver, CO 80202  
 P: 720-865-2782  
 www.denvergov.org/pwprs

**REQUEST FOR ORDINANCE TO RELINQUISH EASEMENT**

**TO:** Karen Walton, City Attorney's Office  
**FROM:** Robert J. Duncanson, P.E.  
 Manager 2, Development Engineering Services  
**PROJECT NO:** 2012-0295-05  
**DATE:** July 7, 2014  
**SUBJECT:** Request for an Ordinance to relinquish certain easements established in Ordinance # 282, Series of 2014.

**It is requested that the above subject item be placed on the next available Mayor Council Agenda.**

This office has investigated the request of Phil Workman, on behalf of SJR, LLC and SJ Monroe St, LLC for the relinquishment of said easements.

This matter has been checked by this office and has been coordinated with Asset Management; Comcast Corporation; Councilperson; CPD: Planning Services; Denver Water Board; Fire Department; Metro Wastewater Reclamation District; Office of Telecommunications; PW: DES Engineering, and DES Survey; Qwest Corporation; and Xcel Energy, all of whom have returned our questionnaires indicating their agreement.

As a result of the investigations, it has been determined that there is no objection to relinquishing the subject easement(s).

Therefore, you are requested to initiate Council action to relinquish the easements in the following described areas:

**INSERT PARCEL DESCRIPTION ROW 2012-0295-05-001 HERE**

A map is attached showing the area in which the subject easement is to be relinquished. A copy of the Ordinance creating the easement is also attached.

Attachments

RJD:aal

c: Asset Management: Steve Wirth  
 City Council: Gretchen Williams  
 Councilperson  
 Department of Law: Karen Aviles  
 Department of Law: Brent Eisen  
 Department of Law: Karen Walton  
 Department of Law: Shaun Sullivan  
 Public Works: Alba Castro  
 Public Works: Nancy Kuhn  
 Public Works Survey: Paul Rogalla

**Property Owner**

**LG Cherry Creek LLC**  
**3399 Peachtree Rd NE, STE 600**  
**Atlanta, GA 30326-2832**

**Colorado Intergovernment Risk Sharing Agency**  
**3665 E Cherry Creek North Dr**  
**Denver, CO 80209-3700**

**Agent**

**Michael Kaplan**  
**Otten Johnson**  
**950 17<sup>th</sup> Street, Suite 1600**  
**Denver, CO 80202**

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to Nancy Kuhn at  
Nancy.Kuhn@denvergov.org by **NOON on Monday.**

*\*All fields must be completed.\*  
Incomplete request forms will be returned to sender which may cause a delay in processing.*

**Date of Request: July 7, 2014**

Please mark one:       **Bill Request**                      or                       **Resolution Request**

**1. Has your agency submitted this request in the last 12 months?**

**Yes**                       **No**

**If yes, please explain:**

**2. Title:** *(Include a concise, one sentence description – please include name of company or contractor and contract control number - that clearly indicates the type of request: grant acceptance, contract execution, amendment, municipal code change, supplemental request, etc.)*

2012-0295-05 - 360 S Monroe: A proposal to relinquish easements remaining from 2012-0295-02, Ord # 282, Series of 2014. CB14-0349, Reception # 2014055816

**3. Requesting Agency:** Public Works Survey

**4. Contact Person:** *(With actual knowledge of proposed ordinance/resolution.)*

- **Name:** Adrienne Lorantos, AICP
- **Phone:** 720-865-3119
- **Email:** Adrienne.Lorantos@denvergov.org

**5. Contact Person:** *(With actual knowledge of proposed ordinance/resolution who will present the item at Mayor-Council and who will be available for first and second reading, if necessary.)*

- **Name:** Nancy Kuhn
- **Phone:** 720-865-8720
- **Email:** [nancy.kuhn@denvergov.org](mailto:nancy.kuhn@denvergov.org)

**6. General description of proposed ordinance including contract scope of work if applicable:**

An ordinance to remove the remaining utility easements at 360 S Monroe.

**\*\*Please complete the following fields:** *(Incomplete fields may result in a delay in processing. If a field is not applicable, please enter N/A for that field.)*

- a. **Contract Control Number:** N/A
- b. **Duration:** Permanent
- c. **Location:** 360 S Monroe St
- d. **Affected Council District:** Robb – District 10
- e. **Benefits:** N/A
- f. **Costs:** N/A

**7. Is there any controversy surrounding this ordinance?** *(Groups or individuals who may have concerns about it?)* **Please explain.**

None.

*To be completed by Mayor's Legislative Team:*

SIRE Tracking Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_



**DENVER**  
THE MILE HIGH CITY

## EXECUTIVE SUMMARY

**Project Title: 2012-0295-05 Easement Relinquishment at 360 S Monroe**

**Description of Proposed Project: This is a proposal to remove the easements that remain from the Vacation: 2012-0295-02.**

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project: For overall lot redevelopment.**

**Has a Temp MEP been issued, and if so, what work is underway: N/A**

**What is the known duration of an MEP: N/A**

**Will land be dedicated to the City if the vacation goes through: N/A**

**Will an easement be placed over a vacated area, and if so explain: N/A**

**Will an easement relinquishment be submitted at a later date: N/A**

**Additional information: None.**

# LAND DESCRIPTION

PAGE 1 OF 2

A PARCEL OF LAND BEING A PORTION OF THE ALLEY AS DEDICATED BY PLAT IN BLOCK 4 OF BURNSDALE AS RECORDED IN BOOK 18 PAGE 45 TOGETHER WITH THAT PORTION OF ALLEY DEDICATED BY ORDINANCE 436 OF 1971 LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN CITY AND COUNTY OF DENVER, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

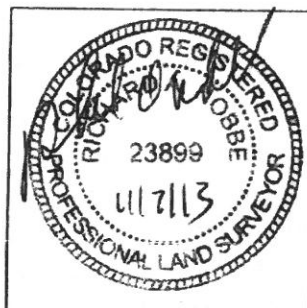
COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 12 OF SAID BLOCK 4, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE N89°56'02"E A DISTANCE OF 125.07 FEET ALONG THE NORTHERLY LINE OF SAID LOT 12 TO A POINT ON THE EASTERLY LINE OF LOT 11; THENCE N00°02'40"W, A DISTANCE OF 189.97 FEET ALONG THE EASTERLY LINE OF LOTS 4 THROUGH 11 TO A POINT THAT LIES 10.19' S00°02'40"E FROM THE SOUTHEASTERLY CORNER OF LOT 4; THENCE N89°56'07"E, A DISTANCE OF 15.00 FEET TO A POINT ON THE WESTERLY LINE OF LOT 47, BLOCK 4; THENCE S00°02'40"E, A DISTANCE OF 214.99 FEET ALONG THE WESTERLY LINE OF LOTS 39 THROUGH 47 TO THE SOUTHWESTERLY CORNER OF LOT 39; THENCE S89°56'02"W, A DISTANCE OF 15.00 FEET TO THE SOUTHEASTERLY CORNER OF LOT 12; THENCE S89°56'02"W, A DISTANCE OF 25.00 FEET ALONG THE SOUTHERLY LINE OF LOT 12; THENCE N59°09'44"W, A DISTANCE OF 17.56 FEET; THENCE S89°56'02"W, A DISTANCE OF 85.00 FEET TO A POINT ON THE WESTERLY LINE OF LOT 12, BLOCK 4; THENCE N00°02'40"W, A DISTANCE OF 16.00 FEET ALONG THE WESTERLY LINE OF LOT 12 TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 5,520 SQUARE FEET (0.127 ACRES) MORE OR LESS.

## BASIS OF BEARINGS

BEARINGS ARE BASED ON AN ASSUMED BEARING OF S00°02'40"E ALONG THE EASTERLY LINE OF BLOCK 4, BURNSDALE BETWEEN THE NORTHEAST CORNER OF LOT 50 AND THE NORTHEAST CORNER OF LOT 44 AND BEING MONUMENTED BY A FOUND 17 FOOT WITNESS CORNER BEING A CHISELED CROSS AT THE NORTHEAST CORNER OF LOT 50 AND A FOUND 17 FOOT WITNESS CORNER BEING A CHISELED CROSS AT THE NORTHEAST CORNER OF LOT 40.

PREPARED BY RYAN JOHNSON  
REVIEWED BY RICHARD A. NOBBE PLS  
FOR AND ON BEHALF OF  
MARTIN/MARTIN INC.  
12499 W. COLFAX AVE.  
LAKEWOOD, CO. 80215  
(303) 431-6100  
(303) 431-4028 FAX



REV. NOVEMBER 07, 2013  
REV. SEPTEMBER 26, 2013  
REV. JANUARY 18, 2013  
NOVEMBER 08, 2012



**MARTIN / MARTIN**  
CONSULTING ENGINEERS

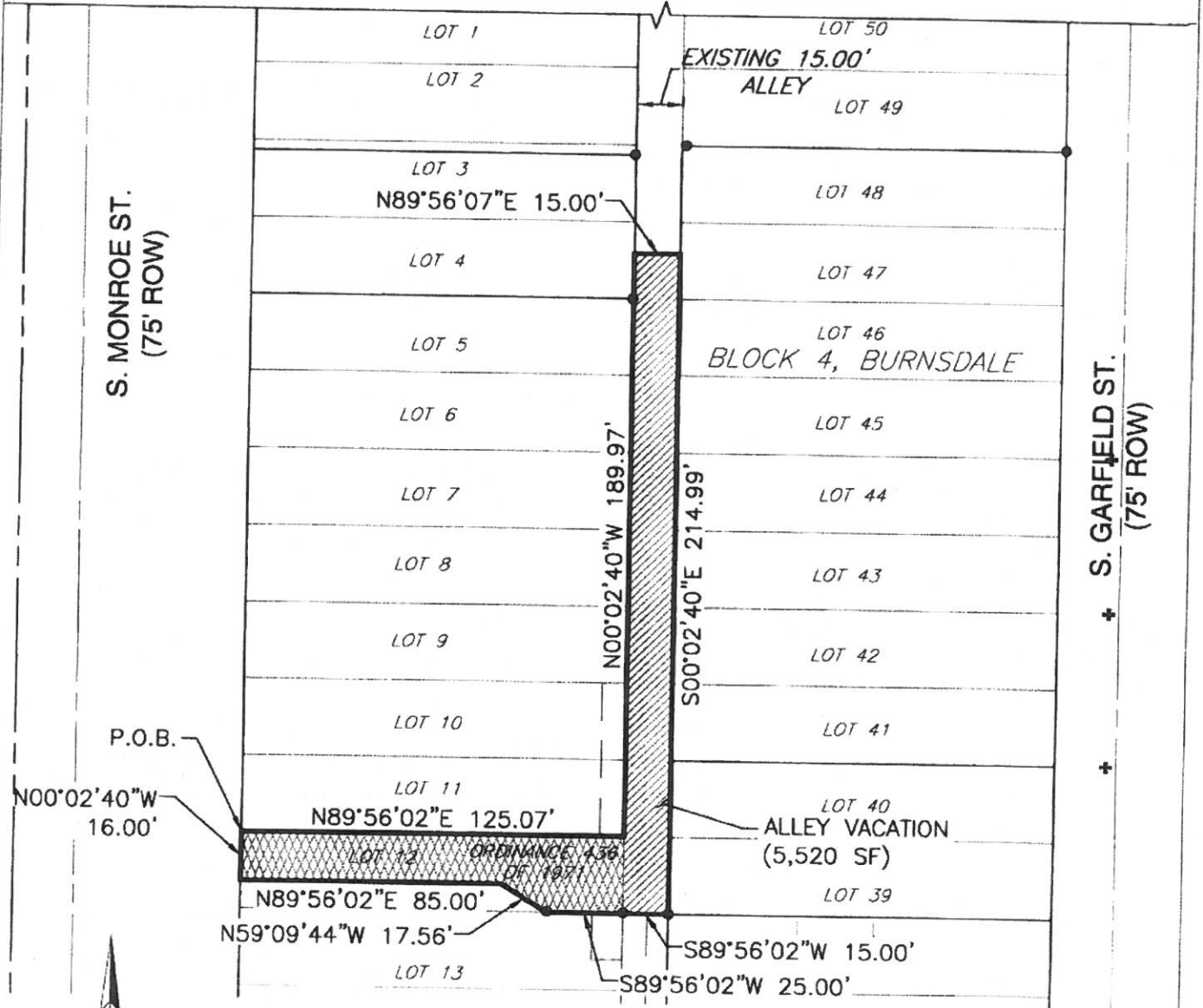
12499 WEST COLFAX AVE.  
LAKEWOOD, CO 80215  
303.431.6100  
FAX 303.431.4028

# EXHIBIT A

PW PROJECT NO. 2012-0295  
PW LAND DESCRIPTION 2012-0295-05001

PAGE 2 OF 2

## BURLINGTON CAPITAL HILL ADDITION



S. MONROE ST.  
(75' ROW)

S. GARFIELD ST.  
(75' ROW)

P.O.B.

$N00^{\circ}02'40''W$   
16.00'

$N89^{\circ}56'02''E$  125.07'

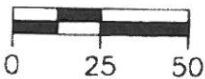
LOT 40  
ALLEY VACATION  
(5,520 SF)

$N89^{\circ}56'02''E$  85.00'

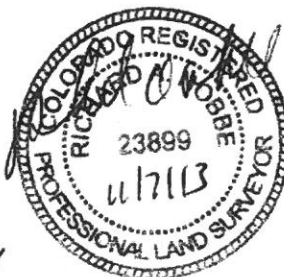
$N59^{\circ}09'44''W$  17.56'

$S89^{\circ}56'02''W$  15.00'

$S89^{\circ}56'02''W$  25.00'



SCALE: 1"=50'  
ALL DIMENSIONS ARE  
U.S. SURVEY FEET



REV. NOVEMBER 07, 2013  
REV. SEPTEMBER 26, 2013  
REV. JANUARY 18, 2013  
NOVEMBER 08, 2012



MARTIN / MARTIN  
CONSULTING ENGINEERS

12499 WEST COLFAX AVE.  
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303.431.6100  
FAX 303.431.4028

THIS EXHIBIT DOES NOT REPRESENT A  
MONUMENTED SURVEY. IT IS INTENDED ONLY  
TO DEPICT THE ATTACHED DESCRIPTION.

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BY AUTHORITY

ORDINANCE NO. 0282  
SERIES OF 2014

COUNCIL BILL NO. CB14-0349  
COMMITTEE OF REFERENCE:  
Land Use, Transportation, and Infrastructure

A BILL

**For an ordinance vacating an alley bounded by South Garfield Street, South Monroe Street, Dakota Avenue and Alameda Avenue, with reservations.**

**WHEREAS**, the Manager of Public Works of the City and County of Denver has found and determined that the public use, convenience and necessity no longer require that certain area in the system of thoroughfares of the municipality hereinafter described and, subject to approval by ordinance, has vacated the same with the reservations hereinafter set forth;

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

**Section 1.** That the action of the Manager of Public Works in vacating the following described right-of-way in the City and County of Denver and State of Colorado, to wit:

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2014055816  
Page: 1 of 3  
D \$0.00

**PARCEL DESCRIPTION ROW NO. 2012-0295-02-001**

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3 A PARCEL OF LAND BEING A PORTION OF THE ALLEY AS DEDICATED BY  
4 PLAT IN BLOCK 4 OF BURNSDALE AS RECORDED IN BOOK 18 PAGE 45  
5 TOGETHER WITH THAT PORTION OF ALLEY DEDICATED BY ORDINANCE 436  
6 OF 1971 LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP  
7 4 SOUTH, RANGE 68 WEST SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY  
8 OF DENVER, STATE OF COLORADO AND BEING MORE PARTICULARLY  
9 DESCRIBED AS FOLLOWS:

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11 COMMENCING AT NORTHWESTERLY CORNER OF LOT 12 OF SAID BLOCK 4,  
12 SAID POINT ALSO BEING THE **POINT OF BEGINNING**; THENCE N89°56'02"E A  
13 DISTANCE OF 125.07 FEET ALONG THE NORTHERLY LINE OF SAID LOT 12 TO  
14 A POINT ON THE EASTERLY LINE OF LOT 11; THENCE N00°02' 40"W, A  
15 DISTANCE OF 189.97 FEET ALONG THE EASTERLY LINE OF LOTS 4 THROUGH  
16 11 TO A POINT THAT LIES 10.19' S00°02'40"E FROM THE SOUTHEASTERLY  
17 CORNER OF LOT 4; THENCE N89°56'07"E, A DISTANCE OF 15.00 FEET TO A  
18 POINT ON THE WESTERLY LINE OF LOT 47, BLOCK 4; THENCE S00°02'40"E, A  
19 DISTANCE OF 214.99 FEET ALONG THE WESTERLY LINE OF LOTS 39  
20 THROUGH 47 TO THE SOUTHWESTERLY CORNER OF LOT 39; THENCE  
21 S89°56'02"W, A DISTANCE OF 15.00 FEET TO THE SOUTHEASTERLY CORNER  
22 OF LOT 12; THENCE S89°56'02"W, A DISTANCE OF 25.00 FEET ALONG THE  
23 SOUTHERLY LINE OF LOT 12; THENCE N59°09'44"W, A DISTANCE OF 17.56  
24 FEET; THENCE S89°56'02"W, A DISTANCE OF 85.00 FEET TO A POINT ON THE  
25 WESTERLY LINE OF LOT 12, BLOCK 4; THENCE N00°02'40"W, A DISTANCE OF  
26 16.00 ALONG THE WESTERLY LINE OF LOT 12 TO THE **POINT OF**  
27 **BEGINNING**.

28  
29 SAID PARCEL CONTAINS 5,520 SQUARE FEET (0.127 ACRES) MORE OR LESS.

**BASIS OF BEARINGS**

30  
31 BEARINGS ARE BASED ON AN ASSUMED BEARING S00°02'40"E ALONG THE  
32 EASTERLY LINE BLOCK 4, BURNSDALE BETWEEN NORTHEAST CORNER OF  
33 LOT 50 AND THE NORTHEAST CORNER OF LOT 44 AND BEING  
34 MONUMENTED BY A FOUND 17 FOOT WITNESS CORNER BEING A CHISELED  
35 CROSS AT THE NORTHEAST CORNER OF LOT 50 AND A FOUND 17 FOOT  
36 WITNESS CORNER BEING A CHISELED CROSS AT THE NORTHEAST CORNER  
37 OF LOT 40.  
38  
39

40 be and the same is hereby approved and the described right-of-way is hereby vacated and  
41 declared vacated;

42 PROVIDED, HOWEVER, said vacation shall be subject to the following reservation:

43 A perpetual, non-exclusive easement is hereby reserved by the City and County of Denver, its  
44 successors and assigns, over, under, across, along, and through the vacated area for the  
45 purposes of constructing, operating, maintaining, repairing, upgrading and replacing public or  
46 private utilities including, but not limited to, storm drainage, sanitary sewer, and water facilities and

